JOURNAL OF THE SENATE
OF THE
STATE OF MISSISSIPPI

AT THE ONE HUNDRED AND THIRTY-NINTH
REGULAR SESSION THEREOF
IN THE CITY OF JACKSON

Commencing Tuesday, January 2, 2024
Ending Tuesday, May 14, 2024

*** * ***

PUBLISHED BY AUTHORITY

Calendar
DAY Page

1. TUESDAY, JANUARY 2, 2024 5
2. WEDNESDAY, JANUARY 3, 2024 18
3. THURSDAY, JANUARY 4, 2024 20
4. FRIDAY, JANUARY 5, 2024 25
7. MONDAY, JANUARY 8, 2024 29
8. TUESDAY, JANUARY 9, 2024 31
9. WEDNESDAY, JANUARY 10, 2024 38
10. THURSDAY, JANUARY 11, 2024 40
14. MONDAY, JANUARY 15, 2024 46
15. TUESDAY, JANUARY 16, 2024 51
16. WEDNESDAY, JANUARY 17, 2024 57
17. THURSDAY, JANUARY 18, 2024 61
18. FRIDAY, JANUARY 19, 2024 67
21. MONDAY, JANUARY 22, 2024 80
22. TUESDAY, JANUARY 23, 2024 82
23. WEDNESDAY, JANUARY 24, 2024 83
24. THURSDAY, JANUARY 25, 2024 86
28. MONDAY, JANUARY 29, 2024 88
29. TUESDAY, JANUARY 30, 2024 91
30. WEDNESDAY, JANUARY 31, 2024 93
31. THURSDAY, FEBRUARY 1, 2024 99
32. FRIDAY, FEBRUARY 2, 2024 101
35. MONDAY, FEBRUARY 5, 2024 130
36. TUESDAY, FEBRUARY 6, 2024 139
37. WEDNESDAY, FEBRUARY 7, 2024 150
38. THURSDAY, FEBRUARY 8, 2024 158
39. FRIDAY, FEBRUARY 9, 2024 168
42. MONDAY, FEBRUARY 12, 2024 170
43. TUESDAY, FEBRUARY 13, 2024 184
44. WEDNESDAY, FEBRUARY 14, 2024 185
45. THURSDAY, FEBRUARY 15, 2024 191
46. FRIDAY, FEBRUARY 16, 2024 193
49. MONDAY, FEBRUARY 19, 2024 229
50. TUESDAY, FEBRUARY 20, 2024 326
51. WEDNESDAY, FEBRUARY 21, 2024 345
52. THURSDAY, FEBRUARY 22, 2024 352
53. FRIDAY, FEBRUARY 23, 2024 359
56. MONDAY, FEBRUARY 26, 2024 362
57. TUESDAY, FEBRUARY 27, 2024 371
58. WEDNESDAY, FEBRUARY 28, 2024 379
59. THURSDAY, FEBRUARY 29, 2024 386
60. FRIDAY, MARCH 1, 2024 410
63. MONDAY, MARCH 4, 2024 419
64. TUESDAY, MARCH 5, 2024 427
65. WEDNESDAY, MARCH 6, 2024 440
66. THURSDAY, MARCH 7, 2024 466
67. FRIDAY, MARCH 8, 2024 495
70. MONDAY, MARCH 11, 2024 528
71. TUESDAY, MARCH 12, 2024 548
72. WEDNESDAY, MARCH 13, 2024 659
73. THURSDAY, MARCH 14, 2024 712
74. FRIDAY, MARCH 15, 2024 772
77. MONDAY, MARCH 18, 2024 784
78. TUESDAY, MARCH 19, 2024 799
79. WEDNESDAY, MARCH 20, 2024 818
80. THURSDAY, MARCH 21, 2024 827
84. MONDAY, MARCH 25, 2024 838

85. TUESDAY, MARCH 26, 2024 856
86. WEDNESDAY, MARCH 27, 2024 868
87. THURSDAY, MARCH 28, 2024 889
91. MONDAY, APRIL 1, 2024 1010
92. TUESDAY, APRIL 2, 2024 1017
93. WEDNESDAY, APRIL 3, 2024 1031
94. THURSDAY, APRIL 4, 2024 1100
95. FRIDAY, APRIL 5, 2024 1316
98. MONDAY, APRIL 8, 2024 1374
99. TUESDAY, APRIL 9, 2024 1449
100. WEDNESDAY, APRIL 10, 2024 1901
101. THURSDAY, APRIL 11, 2024 2254
102. FRIDAY, APRIL 12, 2024 2631
105. MONDAY, APRIL 15, 2024 2977
106. TUESDAY, APRIL 16, 2024 3032
107. WEDNESDAY, APRIL 17, 2024 3129
108. THURSDAY, APRIL 18, 2024 3167
109. FRIDAY, APRIL 19, 2024 3222
112. MONDAY, APRIL 22, 2024 3276
113. TUESDAY, APRIL 23, 2024 3286
114. WEDNESDAY, APRIL 24, 2024 3316
115. THURSDAY, APRIL 25, 2024 3545
116. FRIDAY, APRIL 26, 2024 3589
117. SATURDAY, APRIL 27, 2024 3659
118. SUNDAY, APRIL 28, 2024 3667
119. MONDAY, APRIL 29, 2024 3691
120. TUESDAY, APRIL 30, 2024 3842
121. WEDNESDAY, MAY 1, 2024 4083
122. THURSDAY, MAY 2, 2024 4398
123. FRIDAY, MAY 3, 2024 4510
124. SATURDAY, MAY 4, 2024 4787
125. SUNDAY, MAY 5, 2024 4791
126. MONDAY, MAY 6, 2024 4791
127. TUESDAY, MAY 7, 2024 4804
128. WEDNESDAY, MAY 8, 2024 4805
129. THURSDAY, MAY 9, 2024 4807
130. FRIDAY, MAY 10, 2024 4807
131. SATURDAY, MAY 11, 2024 4810
132. SUNDAY, MAY 12, 2024 4810
133. MONDAY, MAY 13, 2024 4811
134. TUESDAY, MAY 14, 2024 4814

JOURNAL INDEX 4821

FIRST DAY, TUESDAY, JANUARY 2, 2024

Be it remembered on this the 2nd of January 2024, the same being the first Tuesday after the first Monday in January in said year and being the time in compliance with the Constitution and the laws of the State of Mississippi for the Legislature to convene in regular session, the Senate convened in its chamber in the Capitol in the City of Jackson at twelve o 'clock noon.

President Hosemann presided over the Senate.

The roll being called by senatorial districts in numerical order, the following Senators answered to their names:

Present--District 1, Michael W. McLendon; District 2, David L. Parker; District 3, Kathy L. Chism; District 4, Rita Potts Parks; District 5, Daniel H. Sparks; District 6, Chad McMahan; District 7, Hob Bryan; District 8, Benjamin Suber; District 9, Nicole Boyd; District 10, Neil S. Whaley; District 11, Reginald D. Jackson; District 12, Derrick T. Simmons; District 13, Sarita M. Simmons; District 14, Lydia Graves Chassaniol; District 15, Bart Williams; District 16, Angela Turner-Ford; District 17, Charles A. Younger; District 18, Jenifer B. Branning; District 19, Kevin Blackwell; District 20, Josh Harkins; District 21, Bradford J. Blackmon; District 22, Joseph C. Thomas, Sr.; District 23, W. Briggs Hopson, III; District 24, David Jordan; District 25, J. Walter Michel; District 26, John Horhn; District 27, Hillman T. Frazier; District 28, Sollie B. Norwood; District 29, David Blount; District 30, Dean Kirby; District 31, Tyler McCaughn; District 32, Rod Hickman; District 33, Jeff Tate; District 34, Juan Barnett; District 35, Andy Berry; District 36, Brian Rhodes; District 37, Albert Butler; District 38, Gary Brumfield; District 39, Jason T. Barrett; District 40, Angela Burks Hill; District 41, Joey Fillingane; District 42, Robin Robinson; District 43, Dennis DeBar, Jr.; District 44, John A. Polk; District 45, Chris Johnson; District 46, Philman A. Ladner; District 47, Joseph M. Seymour; District 50, Scott DeLano; District 51, Jeremy England; District 52, Brice Wiggins. Total--50.

Absent--District 48, Mike Thompson; District 49, Joel R. Carter, Jr. Total--2.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Thompson.

Divine blessing was invoked by Fr. Hurley, Saint Paul Catholic Church, Flowood, MS.

Senator Harkins led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

The following Senators were administered the Oath of Office as prescribed by the Constitution and the laws of the State of Mississippi by Lieutenant Governor Hosemann, presiding officer:

District 1, Michael W. McLendon; District 2, David L. Parker; District 3, Kathy L. Chism; District 4, Rita Potts Parks; District 5, Daniel H. Sparks; District 6, Chad McMahan; District 7, Hob Bryan; District 8, Benjamin Suber; District 9, Nicole Boyd; District 10, Neil S. Whaley; District 11, Reginald D. Jackson; District 12, Derrick T. Simmons; District 13, Sarita M. Simmons; District 14, Lydia Graves Chassaniol; District 15, Bart Williams; District 16, Angela Turner-Ford; District 17, Charles A. Younger; District 18, Jenifer B. Branning; District 19, Kevin Blackwell; District 20, Josh Harkins; District 21, Bradford J. Blackmon; District 22, Joseph C. Thomas, Sr.; District 23, W. Briggs Hopson, III; District 24, David Jordan; District 25, J. Walter Michel; District 26, John Horhn; District 27, Hillman T. Frazier; District 28, Sollie B. Norwood; District 29, David Blount; District 30, Dean Kirby; District 31, Tyler McCaughn; District 32, Rod Hickman; District 33, Jeff Tate; District 34, Juan Barnett; District 35, Andy Berry; District 36, Brian Rhodes; District 37, Albert Butler; District 38, Gary Brumfield; District 39, Jason T. Barrett; District 40, Angela Burks Hill; District 41, Joey Fillingane; District 42, Robin Robinson; District 43, Dennis DeBar, Jr.; District 44, John A. Polk; District 45, Chris Johnson; District 46, Philman A. Ladner; District 47, Joseph M. Seymour; District 50, Scott DeLano; District 51, Jeremy England; District 52, Brice Wiggins.

Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 12:11 PM, the Senate stood in recess.

The Senate resumed business at 12:33 PM, pursuant to recess, with President Hosemann presiding.

Senator Bryan called up the following entitled resolution:

S. R. No. 1: Adopt permanent rules of the Senate.

YEAS AND NAYS On S. R. No. 1. On motion of Senator Bryan, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Carter, Thompson. Total--2.

In accordance with Section 5-1-15, Mississippi Code of 1972, the President announced the election of a President Pro Tempore of the Senate and called for nominations.

Senator Harkins placed in nomination Senator Dean Kirby as President Pro Tempore.

Senators Frazier and Wiggins seconded the nomination. Senator Harkins moved that the nomination be closed and Senator Dean Kirby be elected as President Pro Tempore by acclamation.

The Oath of Office was administered to Senator Dean Kirby as President Pro Tempore of the Senate by President Hosemann.

In accordance with Section 5-1-15, Mississippi Code of 1972, the President announced the election of a Secretary of the Senate and called for nominations.

Senator Hopson nominated Amanda Frusha White for Secretary of the Senate.

Senators Simmons D. T. (12th) and Polk seconded the nomination. Senator Hopson moved that the nomination be closed and Amanda Frusha White be elected as Secretary of the Senate by acclamation.

The Oath of Office was administered to Amanda Frusha White as Secretary of the Senate by President Hosemann.

In accordance with Section 5-1-15, Mississippi Code of 1972, the President announced the election of Sergeant-at-Arms and called for nominations.

Senator Parker nominated Col. Larry Waggoner for Sergeant-at-Arms.

Senator Turner-Ford seconded the nomination. Senator Parker moved that the nomination be closed and Col. Larry Waggoner be elected as Sergeant-at-Arms by acclamation.

The Oath of Office was administered to Col. Larry Waggoner as Sergeant-at-Arms by President Hosemann.

Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 12:59 PM, the Senate stood in recess.

The Senate resumed business at 1:11 PM, pursuant to recess, with President Hosemann presiding.

The report of the caucusing for the election of members to the Rules Committee is as follows: First District, Senator Whaley; Second District, Senator Frazier; Third District, Senator Michel; and Fourth District, Senator DeBar.

President Hosemann appointed Senators Horhn, Parks and Williams as a committee to notify the Governor that the Senate is organized and ready for business.

President Hosemann appointed Senators England, DeLano and Simmons S. (13th) as a committee to notify the House that the Senate is organized and ready for business.

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. C. R. No. 501: Joint assembly to inaugurate Lieutenant Governor and state officials. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

Senator Kirby moved that the rules be suspended for the immediate consideration of **S. C. R. No. 501**, and the motion prevailed.

Senator Kirby called up the following entitled resolution:

S. C. R. No. 501: Joint assembly to inaugurate Lieutenant Governor and state officials.

YEAS AND NAYS On S. C. R. No. 501. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Carter, Thompson. Total--2.

On motion of Senator Kirby, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. C. R. No. 501.

Senators McMahan and Bryan moved that when the Senate adjourns, it adjourn in memory of Rev. Dr. Donald Ellis Wildmon and Mary Connor Adcock of Tupelo, MS.

Senators McMahan and Bryan moved that when the Senate adjourns, it adjourn in memory of Laverne Mims of Plantersville, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Ellen Barnes, Melanie Lynn Brett Baughman, James "Jim" Bowen, Sandra Warren Burns, Justin Carlisle and Larry Chittom of Tupelo, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Dr. Karl Crossen, Gary Alan Enis, Sr., Patrick Fain, Mary Sue Freeman, Kathryn Elizabeth Muller Griswold, Dr. Benton McInnis Hilbun and Olivia Marian Hill of Tupelo, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of James Blaine "Jimmy" Lamb, Dorinda Leatherman, Roy Logan, Chris Lucius, Toni Miller and Major General Terrill Kay Moffett of Tupelo, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Charles Montgomery, Claudia Perry Neely, Charlene Pierce, Sherry Thomas Pyron and Ruby Nell Weeks Vandevander of Tupelo, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Dr. Ruth Wood Stanford, James Wilemon and Helen Dubard Williams of Tupelo, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of David Anderson, Billy Flanagin, Ryan "Tate" Haygood, Neal C. Houston and Greg Jolly of Saltillo, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Lucy Elizabeth "Betty" Cobb Long, James Paul Perkins, Dottie Pounds and Mayor W. K. Webb of Saltillo, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Janiya Grace Armstrong-Agnew, John Behrman, Marvin Delano Griggs, Jimmy Dale Herring, Sarah Jane Phelps and Eloise Ford Waters of Guntown, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Rev. Jerry Edward Sawyer, Larry Roberts, Eddie Scott and Addie Jane Thomas of Baldwyn, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Richard Campeau, Sr. and Tommy Carruth of Belden, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of George William "Billy" Summerford and Debbie Loden of Plantersville, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of David James Latch of Rienzi, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of June Sims Nowell of Philadelphia, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of James Anthony "Tony" Riley of Nettleton, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Patrick Timbes of Corinth, MS.

_____

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Carolyn Hale of Aberdeen, MS.

_____

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Alan Joseph Lowry of Pontotoc, MS.

_____

Senators Blount, Wiggins and England moved that when the Senate adjourns, it adjourn in memory of John G. Corlew of Jackson, MS.

_____

Senators Blount and Michel moved that when the Senate adjourns, it adjourn in memory of Clara Rutherford Gilbert of Ridgeland, MS.

_____

Senators Blount and Kirby moved that when the Senate adjourns, it adjourn in memory of John William "Bill" Colvin, Sr. of Pearl, MS.

_____

Senator Blount moved that when the Senate adjourns, it adjourn in memory of Catherine "Kay" Patterson, Sharolyn Smith, William H. "Bill" Wardlaw and Dorothy Hannah Kitchings of Jackson, MS.

_____

Senator Blount moved that when the Senate adjourns, it adjourn in memory of Dr. Luther Harrison Fulcher, Jr., Mary McCrory Dickerson, Thomas Hontzas and James Lawton Robertson of Jackson, MS.

_____

Senator Blount moved that when the Senate adjourns, it adjourn in memory of Ronny F. Fore and Louis "Corky" Smith of Byram, MS.

_____

Senator Blount moved that when the Senate adjourns, it adjourn in memory of Samuel Cooper and Vernia Delores Ivy of Terry, MS.

_____

Senator Blount moved that when the Senate adjourns, it adjourn in memory of Charles William Ritter, Jr. of Kosciusko, MS.

_____

Senator Robinson moved that when the Senate adjourns, it adjourn in memory of Judge Franklin C. McKenzie, Jr. and Judge David Lyons, Sr. of Laurel, MS.

_____

Senator Bryan moved that when the Senate adjourns, it adjourn in memory of Delorise Ann "Dee" Hough Allison of Wren, MS.

_____

Senator Hopson moved that when the Senate adjourns, it adjourn in memory of Herdcine Williams of Vicksburg, MS.

Senators Hill and Fillingane moved that when the Senate adjourns, it adjourn in memory of Claiborne "Buddy" McDonald, IV of Picayune, MS.

Senators Tate and Hopson moved that when the Senate adjourns, it adjourn in memory of Cheryl Merritt Barry of Meridian, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Carter Bryant Fisher and Deborah Holloway of Meridian, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Jackie D. "Jack Jack" Mayatt of Martin, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Benjamin Eric Robinson, Sr. of Quitman, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Willie R. Dozier of Toomsuba, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of L'genia Joffrion Mitts of Enterprise, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Dee S. Eady of Forest, MS.

Senator Butler moved that when the Senate adjourns, it adjourn in memory of Vera Groves Smith of Port Gibson, MS.

Senator Branning moved that when the Senate adjourns, it adjourn in memory of James Adam Castillo of Philadelphia, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Doyle Wayne White, Sr. of Belden, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Fadhila Hamidha Bayoudi of Kerkennah, North Africa.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Teri Rene Stafford of Lakeland, TN.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Joe Wayne Rochelle of Lonoke, AR.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Sheryl Highsmith Stephens of Nesbit, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Milton Keith Nichols of Olive Branch, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Helen Pollard of Ripley, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Phil E. Pinstein of Senatobia, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Alvin E. Gilless of Southaven, MS.

Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Sam Britton of Laurel, MS.

Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Andrew Thomas "Drew" Troxler, Thomas Houston Broome and Bon Ava Barnes Moore of Brandon, MS.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Edward Russell "Edd" Evans and Rachel Mable Dickerson of Lucedale, MS.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of James Thomas "Jimmy" Kittrell of State Line, MS.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Kendall D. Sanderson of Waynesboro, MS.

Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Norma Newell Price of Jackson, MS.

Senators Johnson and Polk moved that when the Senate adjourns, it adjourn in memory of Diane Richard Williamson, Lance Edward Langton and Nelson Tackett of Hattiesburg, MS.

Senator Johnson moved that when the Senate adjourns, it adjourn in memory of Amy Johnson Sevier, Jack Bush and Mary Sutherland Tatum of Hattiesburg, MS.

Senator Johnson moved that when the Senate adjourns, it adjourn in memory of Ina Jean Dearman and Robert Lumpkin of Carnes, MS.

Senator Johnson moved that when the Senate adjourns, it adjourn in memory of Pauline Cook of Maxie, MS.

Senator Johnson moved that when the Senate adjourns, it adjourn in memory of Gary Fordham of Petal, MS.

Senator Johnson moved that when the Senate adjourns, it adjourn in memory of Brad Lott of Purvis, MS.

Senators Johnson and Barrett moved that when the Senate adjourns, it adjourn in memory of Robin Brown Penn of Monticello, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Harold Hoover Caver, Mary Leigh Hendee Furrh, Joy Wilson McCool and Carolyn Keith Pope of Jackson, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of James "Jim" Butler of Madison, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Reverend Robert Gunn, Coach Archie Carlyle, Mr. George Collins, Harry L. Dunnigan, Vivian Evans and Gladys Fisher of Yazoo City, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Reverend Willie Earl Jones, Annie Mae Jackson, Sally Allen Jones, Keith Henderson, David Fletcher and Willie E. Lewis of Yazoo City, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Freddean Sheriff Logan, Vay Gregory McGraw, Jeffrey Miller, Willie Earl Moten and Cleveland Owens of Yazoo City, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Jamari Price, Johnnie Mae Robinson, Barbara Scott, Claudette Weaver and Michael D. Sutlar, Jr. of Yazoo City, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Tangie Browder of Belzoni, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Miller P. Holmes, Jr. of Brandon, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Mr. Bilbo "Red" Jones of Canton, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Rev. Jacob Rush of Cleveland, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Mattie Minniefield of Indianola, MS.

Senator Williams moved that when the Senate adjourns, it adjourn in memory of Maxwell Curtis Pennebaker of Starkville, MS.

Senators Chassaniol and Michel moved that when the Senate adjourns, it adjourn in memory of Walley Ricardo Naylor of Jackson, MS.

Senators Chassaniol and Boyd moved that when the Senate adjourns, it adjourn in memory of John Jordan Morgan of Oxford, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Dr. Ronald Bruce Newell, Jack Johnson, Henry Flautt and Harvey Eugene "Gene" McFall of Greenwood, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Charles Joseph Montgomery, Sr. of Carroll County, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Mavis Reynolds Draper of Kosciusko, MS.

Senator Parks moved that when the Senate adjourns, it adjourn in memory of Dimple Faye Caldwell, Jonathan Lawrence Rider, Paul Rolison, Tony Vaughn Parker, Thomas Dale Pettie and Samuel Price Johnson of Corinth, MS.

Senator Parks moved that when the Senate adjourns, it adjourn in memory of Tootsie Parks, Bobby Feazell, Ladron Mattox, Nena Fay Holland, Roger Dale Bain and Gale Fortenberry Lewey of Corinth, MS.

Senator Parks moved that when the Senate adjourns, it adjourn in memory of Leroy Brown, Sherman Essary, Jimmy Ray "Whit" Whitaker and Joyce Sydalia Rogers Palmer of Corinth, MS.

Senator Parks moved that when the Senate adjourns, it adjourn in memory of Michael Strickland and Kathryn Fowler of Glen, MS.

Senator Parks moved that when the Senate adjourns, it adjourn in memory of Janet Tucker of Tishomingo, MS.

Senator Parks moved that when the Senate adjourns, it adjourn in memory of Dr. Elton Mac Huddleston of Pontotoc, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Grace Odom Alexander, Genene Krohn Danzey, Maelania Dale Dixon, Richard Lee Harris, Charles Quinton Hull and Hazel Taylor of Wiggins, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Codie Gean Beasley, Michael Glen Santa Cruz, Norma June Gollott Sentelle and Jack Leonard Taylor of Vancleave, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Tracy Dubuisson Hansen, Peggy Louise O'Neal, Jasper William Scarborough and Donnie Skinner of Saucier Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Marie Elaine Berta, Murdock Cyril Carson, Armond Carroll "Arny" Gollott, Jr. and Jeffrey Lowell Korn, Sr. of Biloxi, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Harry DeWitt Bahm, Jr., Corey James Cruthirds and Milton Dye Henley of McHenry, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Billy Ralph Bryant, Curtis "Curtie" Ray Harris, Jr. and Vernon F. Letort of Latimer Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Robert Earl Cox, Sr. and Jonathan Elias Diaz of Ocean Springs, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Jack D. Warner and Oliver Earnest Diaz of D'Iberville, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Iris Kirkland Brock, Joseph Nahlik, Jr. and Roberta Caroline Bahr Brooks of Perkinston Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Belinda Sue Ryals of Perkinston, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Dr. James Edward Alexander, Samuel Douglas Borries and Lloyd Joseph Duval, Sr. of St. Martin Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Genevieve "Jenny" Marie Martino, Florence Mildred Tomsik and Michael "Mikey" Lee Mathers of St. Martin, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Michael Andrew Gray of Magnolia Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Charles Louis McKenzie of Big Level Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Castel Louis Allgood of Huntsville, AL.

Senator Horhn moved that when the Senate adjourns, it adjourn in memory of Joe Lowery and Larry Turner of Jackson, MS.

Senator Wiggins moved that when the Senate adjourns, it adjourn in memory of Kennon Douglas Barton of Ocean Springs, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, January 3, 2024.

The motion prevailed, and at 1:27 PM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Rev. Dr. Donald Ellis Wildmon, Mary Connor Adcock, Gary Alan Enis, Sr., Edward Russell "Edd" Evans, Rachel Mable Dickerson, James Thomas "Jimmy" Kittrell, Kendall D. Sanderson, Norma Newell Price, Diane Richard Williamson, Lance Edward Langton, Nelson Tackett, Amy Johnson Sevier, Jack Bush, Patrick Fain, Mary Sutherland Tatum, Ina Jean Dearman, Robert Lumpkin, Pauline Cook, Gary Fordham, Brad Lott, Robin Brown Penn, Harold Hoover Caver, Mary Leigh Hendee Furrh, Joy Wilson McCool, Mary Sue Freeman, Carolyn Keith Pope, James "Jim" Butler, Reverend Robert Gunn, Coach Archie Carlyle, Mr. George Collins, Harry L. Dunnigan, Vivian Evans, Gladys Fisher, Reverend Willie Earl Jones, Annie Mae Jackson, Kathryn Elizabeth Muller Griswold, Sally Allen Jones, Keith Henderson, David Fletcher, Freddean Sheriff Logan,

Vay Gregory McGraw, Jeffrey Miller, Willie Earl Moten, Cleveland Owens, Jamari Price, Johnnie Mae Robinson, Dr. Benton McInnis Hilbun, Barbara Scott, Claudette Weaver, Michael D. Sutlar, Jr., Tangie Browder, Miller P. Holmes, Jr., Mr. Bilbo "Red" Jones, Rev. Jacob Rush, Mattie Minniefield, Maxwell Curtis Pennebaker, Olivia Marian Hill, Walley Ricardo Naylor, John Jordan Morgan, Dr. Ronald Bruce Newell, Jack Johnson, Henry Flautt, Harvey Eugene "Gene" McFall, Charles Joseph Montgomery, Sr., Mavis Reynolds Draper, Dimple Faye Caldwell, Jonathan Lawrence Rider, James Blaine "Jimmy" Lamb, Paul Rolison, Tony Vaughn Parker, Thomas Dale Pettie, Samuel Price Johnson, Vera Groves Smith, Tootsie Parks, Bobby Feazell, Ladron Mattox, Nena Fay Holland, Roger Dale Bain, Dorinda Leatherman, Gale Fortenberry Lewey, Leroy Brown, Sherman Essary, Jimmy Ray "Whit" Whitaker, Joyce Sydalia Rogers Palmer, Michael Strickland, Kathryn Fowler, Janet Tucker, Alan Joseph Lowry, Grace Odom Alexander, Roy Logan, Genene Krohn Danzey, Maelania Dale Dixon, Richard Lee Harris, Charles Quinton Hull, Hazel Taylor, Codie Gean Beasley, Michael Glen Santa Cruz, Norma June Gollott Sentelle, Jack Leonard Taylor, Tracy Dubuisson Hansen, Chris Lucius, Peggy Louise O'Neal, Jasper William Scarborough, Donnie Skinner, Marie Elaine Berta, Murdock Cyril Carson, Armond Carroll "Arny" Gollott, Jr., Jeffrey Lowell Korn, Sr., Harry DeWitt Bahm, Jr., Corey James Cruthirds, Milton Dye Henley, Laverne Mims, Toni Miller, Billy Ralph Bryant, Curtis "Curtie" Ray Harris, Jr., Vernon F. Letort, Robert Earl Cox, Sr., Jonathan Elias Diaz, Jack D. Warner, Oliver Earnest Diaz, Iris Kirkland Brock, Joseph Nahlik, Jr., Roberta Caroline Bahr Brooks, Major General Terrill Kay Moffett, Dr. James Edward Alexander, Samuel Douglas Borries, Lloyd Joseph Duval, Sr., Genevieve "Jenny" Marie Martino, Florence Mildred Tomsik, Michael "Mikey" Lee Mathers, Belinda Sue Ryals, Michael Andrew Gray, Charles Louis McKenzie, Castel Louis Allgood, Charles Montgomery, Rev. Jerry Edward Sawyer, Willie E. Lewis, Joe Lowery, Larry Turner, Claudia Perry Neely, Charlene Pierce, Sherry Thomas Pyron, Ruby Nell Weeks Vandevander, Dr. Ruth Wood Stanford, James Wilemon, Helen Dubard Williams, Ellen Barnes, David Anderson, Billy Flanagin, Ryan "Tate" Haygood, Neal C. Houston, Greg Jolly, Lucy Elizabeth "Betty" Cobb Long, James Paul Perkins, Dottie Pounds, Mayor W. K. Webb, Janiya Grace Armstrong-Agnew, Melanie Lynn Brett Baughman, John Behrman, Marvin Delano Griggs, Jimmy Dale Herring, Sarah Jane Phelps, Eloise Ford Waters, Larry Roberts, Eddie Scott, Addie Jane Thomas, Richard Campeau, Sr., Tommy Carruth, James "Jim" Bowen, George William "Billy" Summerford, Debbie Loden, David James Latch, June Sims Nowell, James Anthony "Tony" Riley, Patrick Timbes, Carolyn Hale, Clara Rutherford Gilbert, John William "Bill" Colvin, Sr., John G. Corlew, Sandra Warren Burns, Catherine "Kay" Patterson, Sharolyn Smith, William H. "Bill" Wardlaw, Dorothy Hannah Kitchings, Dr. Luther Harrison Fulcher, Jr., Mary McCrory Dickerson, Thomas Hontzas, James Lawton Robertson, Ronny F. Fore, Louis "Corky" Smith, Justin Carlisle, Samuel Cooper, Vernia Delores Ivy, Charles William Ritter, Jr., Judge Franklin C. McKenzie, Jr., Judge David Lyons, Sr., Delorise Ann "Dee" Hough Allison, Herdcine Williams, Claiborne "Buddy" McDonald, IV, Cheryl Merritt Barry, Carter Bryant Fisher, Larry Chittom, Deborah Holloway, Jackie D. "Jack Jack" Mayatt, Benjamin Eric Robinson, Sr., Willie R. Dozier, L'genia Joffrion Mitts, Dee S. Eady, James Adam Castillo, Doyle Wayne White, Sr., Fadhila Hamidha Bayoudi, Teri Rene Stafford, Dr. Karl Crossen, Joe Wayne Rochelle, Sheryl Highsmith Stephens, Milton Keith Nichols, Helen Pollard, Phil E. Pinstein, Alvin E. Gilless, Sam Britton, Andrew Thomas "Drew" Troxler, Thomas Houston Broome, Dr. Elton Mac Huddleston, Kennon Douglas Barton and Bon Ava Barnes Moore.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, JANUARY 2, 2024

S. C. R. No. 501: Rules

A CONCURRENT RESOLUTION TO PROVIDE FOR A JOINT SESSION OF THE MISSISSIPPI LEGISLATURE FOR THE INAUGURATION OF THE LIEUTENANT

GOVERNOR AND THE ADMINISTRATION OF THE OATH OF OFFICE TO ELECTED STATE OFFICIALS, AND PROVIDING FOR CERTAIN COMMITTEES.
By Senator(s) Kirby

S. R. No. 1: Adopted
A RESOLUTION PROVIDING FOR THE PERMANENT RULES OF THE SENATE.
By Senator(s) Kirby

SECOND DAY, WEDNESDAY, JANUARY 3, 2024

Due to the security issue this morning that prevented a quorum from convening at the appointed time of 10:00 AM, without objection, the Senate convened at 2:00 PM.

The Senate met at 2:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Absent--Carter, Thompson. Total--2.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Thompson.

The invocation was delivered by Senator Brumfield.

Senator Whaley led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:
The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Deacon Leon LeFlore of Jackson, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Chancellor Burns Mayfield and Joe Clay Hamilton of Meridian, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Dr. Joseph Hyrum Childs, Joe Edgeworth, Norris "Piggie" Caldwell, Robert "Bobby" David Grass, Mackenzie Williams and Dorothy Jean Dot Lyons of Tupelo, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Karen McVey and Ronald Frost of Saltillo, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Rick White of Mooreville, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Sara Nabers Martin of Durant, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of James "Bud" Moore of Houlka, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Robert Howard "Bob" Verell of Pontotoc, MS.

Senators Michel and Blackwell moved that when the Senate adjourns, it adjourn in memory of John Westbrook "Bouncer" Robertson of Jackson, MS.

Senator Hill moved that when the Senate adjourns, it adjourn in memory of James Adam Morse of Picayune, MS.

Senators Sparks and McMahan moved that when the Senate adjourns, it adjourn in memory of Toni Dulaney of Belmont, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, January 4, 2024.

The motion prevailed, and at 2:09 PM, the Senate stood in recess.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. C. R. No. 501: Joint assembly to inaugurate Lieutenant Governor and state officials.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. C. R. No. 1: A CONCURRENT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE ON JANUARY 9, 2024, FOR THE INAUGURATION OF AND TO HEAR THE MESSAGE OF GOVERNOR TATE REEVES.

H. C. R. No. 2: A CONCURRENT RESOLUTION PROVIDING FOR THE APPOINTMENT OF A JOINT COMMITTEE OF THE LEGISLATURE TO ARRANGE FOR THE INAUGURATION OF GOVERNOR-ELECT TATE REEVES.

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. C. R. No. 1: Joint session; provide for the inauguration of and to hear the message of Governor Tate Reeves. Rules.

H. C. R. No. 2: Governor-elect Tate Reeves; appoint a joint committee of the House and Senate to arrange inauguration of. Rules.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Deacon Leon LeFlore, Chancellor Burns Mayfield, Ronald Frost, Rick White, Sara Nabers Martin, James "Bud" Moore, Robert Howard "Bob" Verell, John Westbrook "Bouncer" Robertson, James Adam Morse, Toni Dulaney, Joe Clay Hamilton, Dr. Joseph Hyrum Childs, Joe Edgeworth, Norris "Piggie" Caldwell, Robert "Bobby" David Grass, Mackenzie Williams, Dorothy Jean Dot Lyons and Karen McVey.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR WEDNESDAY, JANUARY 3, 2024

THIRD DAY, THURSDAY, JANUARY 4, 2024

Due to the security issue this morning that prevented a quorum from convening at the appointed time of 10:00 AM, without objection, the Senate is convened at 11:00 AM.

The Senate met at 11:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Absent--Carter, Tate, Thompson. Total--3.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Thompson.

The invocation was delivered by Pastor Arthur Sutton, Progressive Missionary Baptist Church, Jackson, MS.

Senator Blount led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Max Lowery of Pontotoc, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Billy Flanagin of Saltillo, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of William Thaddeus McLaurin of Jackson, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Jesse Roderick Sparkman, III of Columbus, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Dr. Michael Ted Boler, Sr., Louis Vernon "Dutch" Ehret, Jr., Clinton William Walker, Jr. and Barbara Suzanne Smith McIntyre of Greenwood, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Eleanor S. Forsythe of Winona, MS.

Senator Berry moved that when the Senate adjourns, it adjourn in memory of Matthew Dale Hickman, James Ray Drennan and Mary Elizabeth Holbrook of Magee, MS.

Senator Berry moved that when the Senate adjourns, it adjourn in memory of Robby Wester of Mendenhall, MS.

Senators England and Wiggins moved that when the Senate adjourns, it adjourn in memory of Betty Jean Ezell of Pascagoula, MS.

Senator Polk moved that the Senate stand in recess until 2:00 PM, at which time it would reconvene for the Joint Session in the Hall of the House of Representatives and that at the conclusion of the Joint Session, the Senate would then recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Friday, January 5, 2024.

The motion prevailed, and at 11:15 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. C. R. No. 1: Joint session; provide for the inauguration of and to hear the message of Governor Tate Reeves. Title Sufficient. Do Be Adopted.

H. C. R. No. 2: Governor-elect Tate Reeves; appoint a joint committee of the House and Senate to arrange inauguration of. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

JOINT SESSION

Pursuant to S. C. R. No. 501, a Joint Session was held in the Hall of the House of Representatives.

The House received the Senate.

The Joint Session was convened by Speaker Jason White.

Speaker Jason White introduced Lt. Governor Delbert Hosemann who presided over the Joint Session.

The National Anthem was performed by the Jackson State University Choir.

Lt. Governor Delbert Hosemann introduced a host of dignitaries who were present for the Joint Session.

Lt. Governor Delbert Hosemann announced the election of a State Librarian and called for nominations.

Senator DeLano nominated Stephen Parks for State Librarian. Representative Fred Shanks seconded the nomination and moved that the nomination be closed, and Stephen Parks be elected as State Librarian by acclamation.

The Oath of Office was administered to Stephen Parks as State Librarian by President Hosemann.

The Clerk announced that Speaker Jason White and Lt. Governor Delbert Hosemann named a committee composed of Representatives Watson, Yates and Hood and Senators Hickman, Hopson and Wiggins who escorted Mississippi Supreme Court Chief Justice Mike Randolph to the dais.

Lt. Governor Delbert Hosemann introduced Mississippi Supreme Court Chief Justice Mike Randolph who administered the Oath of Office to the statewide elected officials individually as follows:

Michael Watson, Secretary of State
Lynn Fitch, Attorney General
David McRae, State Treasurer
Shad White, State Auditor
Andy Gipson, Commissioner of Agriculture and Commerce
Mike Chaney, Commissioner of Insurance

The Clerk announced that Speaker Jason White and Lt. Governor Delbert Hosemann named a committee composed of Representatives Massengill, Creekmore IV and Denton and Senators Chassaniol, Frazier and McMahan who escorted Lt. Governor-Elect Delbert Hosemann and his family to the dais.

Mississippi Supreme Court Chief Justice Mike Randolph administered the Oath of Office to Lt. Governor-Elect Delbert Hosemann.

Lt. Governor Delbert Hosemann addressed the joint assembly with the following remarks:

Thank you!

After we have worked together the last four years on so many issues and the tremendous achievements you accomplished, it is very special to me to have 97 old friends in the House and 45 in the Senate.

For you new members, four years ago, I advised the House the Rotunda sometimes symbolizes a chasm accentuating our differences. The Rotunda has two walkways to bridge the gap. We will continue to use the walkways.

As most of you know, our family is blessed to have my wife Lynn, and children Kristen, Chad, and Mark, daughters-in-law Courtney and Leslie, and eight grandchildren: Grace, Nora Lynn, Carson, Charlie, Manse, Howard Delbert, Charlotte, and Bobby. They are thanking you for keeping me employed.

During the last few years, this Legislature has addressed needed teacher compensation, school funding, roads, bridges, water and sewer and other infrastructure, tax reduction packages, mental health, protecting our children, healthcare for mothers and new babies, security for our citizens, devoted millions of dollars to restoring our parks and providing public spaces for hunting and enjoying our beautiful state, and providing our citizens with the ability to change the actual symbol of our State.

Your action was unparalleled in its scope and historic in its results. Never in the history of this State have our education scores risen so largely and our unemployed lowered to basically full employment for every citizen who wants to work.

You accomplished all this while at the same time fully funding our rainy-day fund, our hurricane windpool, paying off $900 million dollars in state debt, and maintaining a billion dollars in cash reserves.

To put this in perspective, California is facing a $68 billion dollar budget shortfall.

You have a record—and it is one of achievement.

Now, we open the door to the future.

Our labor force participation rate is the lowest in the country. That is the percent of people who are 16 and older who are actually working. Our economy is not sustainable with further declines. Economic development will wilt without an educated workforce to retain it.

Encouraging personal initiative to be gainfully employed is paramount.

Each person must have the education they need to obtain a positive economic future. This education must demand quality and achievement from those who provide it and be adequately funded from pre-K through the highest level sought by our citizens. We will propose a last-dollar tuition program for our outstanding community colleges to offer citizens the additional public education they need and to raise this labor force participation rate.

Our healthcare system, like most of the rest of the country, is struggling. Staffing shortages, hospital costs and capacity, mental health issues, pharmaceutical costs, availability of preventive healthcare, and the actual cost to working people of insurance all face us.

A shotgun approach is not the answer.

A comprehensive approach is.

The trustees of our current Public Employees Retirement System have now changed from one year ago in their position that PERS will be 93% funded by 2047 to now saying it will be 48% funded by 2047. They have also indicated larger additional contributions from current employees and the state will be required in addition to another tier for future employees. This absolute obligation of the state will drive most of your financial decisions this year and in the future.

In this room, we have the ability and the leadership to address these and the myriad of other issues you will face.

I am confident you will again have a record of achievement.

Now, let us get started. And may God bless each of us.

On motion of Representative Yancey, the Joint Session was dissolved at 2:44 PM, and pursuant to motion by Senator Polk previously adopted, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of William Thaddeus McLaurin, Jesse Roderick Sparkman, III, Matthew Dale Hickman, Robby Wester, Max Lowery, Billy Flanagin, Betty Jean Ezell, Dr. Michael Ted Boler, Sr., Louis Vernon "Dutch" Ehret, Jr., Clinton William Walker, Jr., Barbara Suzanne Smith McIntyre, Eleanor S. Forsythe, James Ray Drennan and Mary Elizabeth Holbrook.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR THURSDAY, JANUARY 4, 2024

FOURTH DAY, FRIDAY, JANUARY 5, 2024

The Senate met at 9:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Absent--Carter, Thompson. Total--2.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Thompson.

The invocation was delivered by Senator Sparks.

Senator Seymour led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Kirby moved that the rules be suspended for the consideration en bloc of H. C. R. No. 1 and H. C. R. No. 2 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

H. C. R. No. 1: Joint session; provide for the inauguration of and to hear the message of Governor Tate Reeves.

H. C. R. No. 2: Governor-elect Tate Reeves; appoint a joint committee of the House and Senate to arrange inauguration of.

YEAS AND NAYS on consideration en bloc of H. C. R. No. 1 and H. C. R. No. 2. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Carter, Thompson. Total--2.

On motion of Senator Kirby, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. C. R. No. 1 and H. C. R. No. 2.

Senators DeBar and Parker moved that when the Senate adjourns, it adjourn in memory of Jeremy Malone of Lucedale, MS.

Senators Blackmon and Norwood moved that when the Senate adjourns, it adjourn in memory of former Representative Ferr Smith of Leake County, MS.

Senator Butler moved that when the Senate adjourns, it adjourn in memory of Samad Abdullah Muhammad of Port Gibson, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Glen Lewis, Betty W. Newell, Charles Lamar McDonald, Clarice M. Smith and Beverly Christine "Kristy" Graham of Meridian, MS.

Senator Berry moved that when the Senate adjourns, it adjourn in memory of Joe Patterson and Virginia Barnett of Mendenhall, MS.

Senator Berry moved that when the Senate adjourns, it adjourn in memory of Danny Moseley of Magee, MS.

Senator Berry moved that when the Senate adjourns, it adjourn in memory of Hamilton C. Bush, Jr. of New Hebron, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Jimmy Young and Sandra Young of Nettleton, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Troy Beadles and Mildred Ruth Murphy Fitts of Tupelo, MS.

Senator Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Chloe Foster Ganier of Greenville, MS.

Senators Tate and McCaughn moved that when the Senate adjourns, it adjourn in memory of Edgar Ronald "Ron" Smith of Collinsville, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Dorothy "Dot" Dudden DuRapau, Donald W. Starks, Dorothy Nell Townsend Pace, Jessie L. Napp, Joy Melissa "Lisa" Stewart Lewis, Kenneth L. Peninger and Robert E. Sanford of Meridian, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Tommie Jean Avera of Vimville, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Lonnie Ray Arnold, Phyllis Ladner Hay, Irvin Albert Rocco and Lou Ella Barq of Biloxi, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Gladys Easterling, Wanda Lea High, Walter Lee Hudson, Eula Mae Kirkland, Micah Owen Ladner, Henry Willis Rath and Marlin Doyle Smith of Wiggins, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Ronald "Ronnie" James Williams, Jr., Patricia "Patti" Bosarge, Rankin Fredrick Rester, Jr. and Karen Oswald Travis of Saucier, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Otis Leon Breland, Doris Joan Mallett and Jeannie Necaise Rider of Perkinston, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Marvin Lee Robinson, Sr., Gerald "Rusty" Redmond and Mary Ann Adamo of Vancleave, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Joseph Matthew Jurich and Jerry Wayne Weems of Ocean Springs, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Timothy Rex Freiberg and Doris Evelyn Erkhart Parker of McHenry, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Johnny Carson Mullen, Sr. and Charles W. Benefield of Gulfport, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Christopher S. Tucker of St. Martin Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Rose Maria Forehand of Woolmarket, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Carol Ladner Loper Thompson of Perkinston County, MS.

Senator Polk moved that the Senate stand in recess until 11:00 AM, at which time the Senate would then adjourn until 4:00 PM, Monday, January 8, 2024.

The motion prevailed, and at 9:11 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. C. R. No. 501: A CONCURRENT RESOLUTION TO PROVIDE FOR A JOINT SESSION OF THE MISSISSIPPI LEGISLATURE FOR THE INAUGURATION OF THE LIEUTENANT GOVERNOR AND THE ADMINISTRATION OF THE OATH OF OFFICE TO ELECTED STATE OFFICIALS, AND PROVIDING FOR CERTAIN COMMITTEES.

Joseph Thomas, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:00 AM in memory of Betty W. Newell, Charles Lamar McDonald, Jimmy Young,

Sandra Young, Troy Beadles, Mildred Ruth Murphy Fitts, Chloe Foster Ganier, Edgar Ronald "Ron" Smith, Dorothy "Dot" Dudden DuRapau, Donald W. Starks, Dorothy Nell Townsend Pace, Jessie L. Napp, Clarice M. Smith, Joy Melissa "Lisa" Stewart Lewis, Robert E. Sanford, Kenneth L. Peninger, Tommie Jean Avera, Jeremy Malone, Lonnie Ray Arnold, Phyllis Ladner Hay, Irvin Albert Rocco, Lou Ella Barq, Beverly Christine "Kristy" Graham, Gladys Easterling, Wanda Lea High, Walter Lee Hudson, Eula Mae Kirkland, Micah Owen Ladner, Representative Ferr Smith, Henry Willis Rath, Marlin Doyle Smith, Ronald "Ronnie" James Williams, Jr., Patricia "Patti" Bosarge, Rankin Fredrick Rester, Jr., Karen Oswald Travis, Otis Leon Breland, Doris Joan Mallett, Jeannie Necaise Rider, Marvin Lee Robinson, Sr., Samad Abdullah Muhammad, Gerald "Rusty" Redmond, Mary Ann Adamo, Joseph Matthew Jurich, Jerry Wayne Weems, Timothy Rex Freiberg, Doris Evelyn Erkhart Parker, Johnny Carson Mullen, Sr., Charles W. Benefield, Christopher S. Tucker, Rose Maria Forehand, Joe Patterson, Carol Ladner Loper Thompson, Virginia Barnett, Glen Lewis, Hamilton C. Bush, Jr. and Danny Moseley.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR FRIDAY, JANUARY 5, 2024

SEVENTH DAY, MONDAY, JANUARY 8, 2024

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Polk. Total--1.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Polk.

The invocation was delivered by The Reverend Will Compton, Rector, Chapel of the Cross, Madison, MS.

Senator Tate led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

The following Senators were administered the Oath of Office as prescribed by the constitution and the laws of the State of Mississippi by Lieutenant Governor Hosemann, presiding officer:

District 48, Mike Thompson and District 49, Joel R. Carter, Jr.

Senator Fillingane moved that when the Senate adjourns, it adjourn in memory of Ernest Dewitt Napier of Collins, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Robert Delma Carlisle and Laurine Carlisle of Vimville, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Marie Speed Wilder of Bonita, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of David W. Purvis of Meridian, MS.

Senators Berry and Harkins moved that when the Senate adjourns, it adjourn in memory of Corley Grayson of Brandon, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Dorothy "Dot" Menard Hays of Batesville, AR.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Stan Warren Rochele of Lonoke, AR.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Ed Prescott, Jennings Houston Hardy and Julia Phillips of Columbus, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Betty O'Neal and Giuliana Sandos of Perkinston, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Ola Lee Parker and George Thomas Copeland of Latimer Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Donna Rose Taylor of Wiggins, MS.

_____

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Patricia Gartman Williams of Biloxi, MS.

_____

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of John Al King, Sr. of Layman Community, MS.

_____

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Kevin Michael Lehman of St. Martin Community, MS.

_____

Senator Blackwell moved that the Senate stand in recess until 6:00 PM, at which time the Senate would then adjourn until 9:00 AM, Tuesday, January 9, 2024.

The motion prevailed, and at 4:08 PM, the Senate stood in recess.

_____/

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 6:00 PM in memory of Ernest Dewitt Napier, Robert Delma Carlisle, Ed Prescott, John Al King, Sr., Kevin Michael Lehman, Betty O'Neal, Giuliana Sandos, Ola Lee Parker, George Thomas Copeland, Donna Rose Taylor, Patricia Gartman Williams, Laurine Carlisle, Marie Speed Wilder, David W. Purvis, Corley Grayson, Dorothy "Dot" Menard Hays, Stan Warren Rochele, Julia Phillips and Jennings Houston Hardy.

Amanda Frusha White, Secretary of the Senate

_____

INTRODUCTIONS FOR MONDAY, JANUARY 8, 2024

S. R. No. 2: Rules
A RESOLUTION EXTENDING THE COMMENDATION AND THANKS OF THE MISSISSIPPI SENATE TO MISSISSIPPI HIGHWAY PATROL COLONEL RANDY C. GINN ON THE OCCASION OF HIS RETIREMENT FOLLOWING 36 YEARS OF OUTSTANDING AND EFFECTIVE LAW ENFORCEMENT SERVICE.
By Senator(s) Sparks, Hopson, Bryan, Turner-Ford, Simmons (12th)

_____

EIGHTH DAY, TUESDAY, JANUARY 9, 2024

The Senate met at 9:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Absent--Barrett, Polk. Total--2.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Polk.

The invocation was delivered by Pastor Tom Washburn, Senior Adult Pastor, First Baptist Church, Jackson, MS.

Senator Kirby led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Barnett moved that when the Senate adjourns, it adjourn in memory of Samantha Jones of Vossburg, MS.

Senators Barnett and Robinson moved that when the Senate adjourns, it adjourn in memory of Leonard "Bubba" Busby of Laurel, MS.

Senator Blackwell moved that the Senate stand in recess until 10:30 AM, at which time it would reconvene for the Joint Session on the south steps of the New Capitol Building and that at the conclusion of the Joint Session, the Senate would then recess until 5:00 PM, at which time the Senate then adjourn until 10:00 AM, Wednesday, January 10, 2024.

The motion prevailed, and at 9:12 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. R. No. 2: Commend 36-year career of Mississippi Highway Patrol Colonel Randy C. Ginn. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

JOINT SESSION

Pursuant to H. C. R. No. 1, a Joint Session was held on the south steps of the New Capitol Building.

Speaker Jason White and Lt. Governor Delbert Hosemann named a committee composed of Representatives Eure, Ford J. (73rd), Bell C. (65th), Creekmore IV and Mangold and Senators Blackwell, Blount, Butler, England and Parks who escorted Governor-Elect Tate Reeves and First Lady Elee Reeves to the stage of the joint assembly.

The Joint Session was convened by Lt. Governor Delbert Hosemann.

The invocation was delivered by State Representative Ronnie Crudup, Jr.

The Presentation of Colors; National Anthem performed by the Mississippi National Guard, 41st Army Band.

Lt. Governor Delbert Hosemann introduced his wife, Lynn Hosemann, who was present for the Joint Session.

Lt. Governor Delbert Hosemann introduced and welcomed Speaker Jason White to the podium.

Speaker Jason White introduced a host of dignitaries who were present for the Joint Session.

Scripture Reading was read by State Senator Jenifer Branning.

Vocal Performance of "God Bless America" was performed by Derrick Burt.

Speaker Jason White introduced and welcomed to the podium Mississippi Supreme Court Chief Justice Mike Randolph, who administered the Oath of Office to Governor-Elect Tate Reeves.

Musical Performance of "One Mississippi" was performed by the Mississippi National Guard, 41st Army Band.

A Nineteen Gun Salute and Flyover was given in honor of Governor Tate Reeves.

Governor Tate Reeves addressed the joint assembly:

Thank you, Mr. Chief Justice. It is a great day to be a Mississippian.

Lieutenant Governor Hosemann, Speaker White, President Pro Tem Kirby, Speaker Pro Tem Barton, members of the Mississippi Legislature, friends, family, and my fellow Mississippians joining us in person and those watching from home, it is my pleasure to stand before you here today.

It is the single highest honor of my professional life to serve as the governor of the great state of Mississippi. And it brings me tremendous joy to stand before great leaders, the people of Mississippi, and God to take this oath today.

Before I go any further, I'd like to take a moment to thank the most important Mississippian to me and my family, my wife and our First Lady, Elee Reeves.

There are no words that can properly summarize how much you mean to me. From the day we met, less than one mile from this Capitol, everything has been different, and better. You are a wonderful wife, an amazing mom, and a terrific ambassador for our state. Thank you for being right by my side over this wild ride together.

I also want to thank our daughters, Tyler, Emma, and Maddie. I know that each of you make sacrifices as well – and you have made them as long as you can remember. Your mom and I are incredibly blessed by you – and I am so excited to see the strong, confident young women you are becoming.

I want to thank my dad, my mom, my brother Todd, my Mamaw, and the rest of my family. None of you signed up for, nor do you deserve, the lies and false attacks hurled at you simply because you are related, but please know that I love you all and I'm grateful for each of you. The reason I find myself here today is rooted in the values and love that come from you.

Many years ago, just after college, Elee and I decided to plant our roots in our home state, and to do everything in our power to make it better. It was a conscious decision. We had other options. We could have gone other places and done other things. But the pull of Mississippi was too strong. We were all in from the start. We volunteered. We worked hard. Bought a house in the city of Jackson. We did not at that time imagine statewide office, but we were determined to make a difference.

Then, in 2003, in what was a surprise to a lot of people, the voters of our state took a chance on a conservative young investment banker, and made me the first Republican treasurer in the history of our state.

My gratitude to the people of Mississippi for placing their trust in me, that day and every day since, can never fully be expressed in words. I thank God each and every day that he has provided the opportunity to serve.

And I'd like you each to know, from the bottom of my heart, how deeply thankful I am for your support.

I've met a few Mississippians who have voted for me every single time since 2003. And not all of them are related to me.

And I'm fully aware there are people who have never voted for me, not once in twenty years – but pray for me to succeed never the less.

And whether you voted for me or not, this time or ever, I want you to know it matters not. As I did four years ago, I want to once again make this promise to all of you – that I will be a governor for ALL Mississippi.

The longer I have served, the more I have come to appreciate that the defining characteristic about Mississippi is that sense that we are all in it together.

It is not our food, our football, or even our music that makes us unique. It is our commitment to each other.

I don't think anybody could have anticipated what we would face together as a state over the last four years. Tornadoes. Floods. Hurricanes. And a pandemic on top of it all. Yet, through every challenge encountered, we have emerged stronger.

Through every moment of despair, Mississippians showed the strength of our character and chose to be a light amidst the darkness.

That is a testament to the goodness of our people. And it makes me all the prouder to be a Mississippian.

I'll tell you this, I have frequently turned to God in prayer over these last four years. As a matter of fact, I have prayed a lot more as governor than I thought I would when I was sworn in the first time. And I know that I will do so again over the next four years.

That's why I'm especially thankful that we were once again able to start this inaugural ceremony with a prayer service Sunday. Mississippians are never bashful about our reliance on the Lord. We know that our faith is responsible for the ties that bind. And I am proud we come together so consistently to lift up our voices in unified prayer to an almighty God.

I promise all of you that I will continue seeking God's guidance through every challenge that we face – and I ask that you ask God to guide me when you pray as well.

Four years ago, I stood before you and discussed what we aimed to accomplish over this first term.

Four years ago, I stood here and called for a history-making increase in workforce training.

Then, together, we created the Office of Workforce Development, Accelerate Mississippi – and invested millions to equip our people with the skills they need for good jobs.

Just last week, Site Selection Magazine said our workforce efforts passed Texas and Louisiana in 2023, and we ain't done yet.

Four years ago, I called for a pay raise for our teachers.

Together, we secured the largest pay raise in state history.

Four years ago, I said we would travel the world to bring more great companies to Mississippi.

Together, we secured record breaking economic investment, which included the single largest economic deal in state history.

And you ain't seen nothing yet! We've got some big things coming. Projects that will fundamentally change lives and transform our state for the better.

On top of this, we delivered the single largest tax cut in our state's history and returned over half a billion dollars to Mississippians. We made historic investments in our state's infrastructure. We've achieved the Mississippi miracle in education, with more kids graduating than ever before. We went from 49th to 21st in fourth grade reading, from dead last to 23rd in fourth grade math, and we were among the top 5 in the entire nation when it came to fourth grade reading test scores for African American students. We are making sure ALL of Mississippi has momentum.

We bolstered our state's hospitals, expanded conservation efforts, increased training opportunities for medical professionals, committed more resources to public safety, and so much more.

And today, I am proud to tell you, we're just getting started.

So what comes next for Mississippi?

There is no doubt that our bad numbers are getting better, and our good numbers are becoming great.

I love to talk about rankings and results. I'm a numbers guy. But we are not pursuing test scores to beat Alabama. We are not pursuing capital investment to have bragging rights over Arkansas.

We are pursuing excellence – to secure permanence.

For too many decades, Mississippi's most valuable export has not been our cotton, or even our culture. It's been our kids.

Mississippi minds dominate some of the top positions in government, business, and entertainment across the country. They carry with them the pride and grit that is engrained in every Mississippian. They made other places better – and we missed out on all they could have done here at home.

My goal is not just to ensure that Mississippi is a source of pride, but that it can be the place where they achieve their fortune and dominance in their field.

By now you know I love to say that Mississippi has momentum. And we do. But today I want to tell you what I believe we must DO with that momentum.

Our goal must be what I call Mississippi Forever.

I want to build a state where my daughters, and all of our sons and daughters can proudly stay and raise their families.

I want every kid, from the Delta to the Coast, from Tishomingo to Tallahatchie, to grow up with the idea that they'll be Mississippi Forever.

I want every child to have the opportunities for an education, and a career, that enable them to be Mississippi Forever.

I want companies that are born here, to know they can grow here – Mississippi Forever.

And I want people who live in other states, many of whom grew up here, who are frustrated by the breakdown of culture and society where they live, who feel like they cannot get ahead, I want those families to look across the dinner table at each other and say: "honey, we need to go to Mississippi forever."

We do not need to aim to merely get better. We need to make it our priority to be the best, at everything that matters.

To accomplish this, we must be realistic about the challenges that we still face.

We need to honestly assess the barriers in our economy – and boldly knock them down.

We need to recognize that the cost of healthcare continues to rise, and access seems too limited.

We need to make sure we do not rest on our success in education and workforce training. Momentum is our asset and inertia is our enemy. We cannot settle for better – we have to demand the best.

Here in this building, we need to be adjusting our sights.

We need to be bold in our goals and carry our Mississippi pride into our actions. We can compete with anyone and win. We can achieve the things that our neighbors have achieved.

When our sons and daughters say: “I am from Mississippi,” we can give them the pride to deliver that statement with a straight back and a strong voice.

Let’s continue to give Mississippians relief from taxes and eliminate the burdens on their families. Let’s be transformational in those efforts to compete with the best.

Let’s continue to invest in and bolster Mississippi’s nationally recognized education system.

Let’s protect mothers and babies by further expanding the Pro-Life Agenda – by making Mississippi the best place in America to have and raise a child.

Let’s protect the rights of parents and let’s protect our kids.

Let’s proudly defend our culture and our way of life.

Let’s make Mississippi the safest state in the entire nation.

And let’s relentlessly recruit new jobs not just to our prosperous counties but to all our communities.

The fact is that everything we do, we do together. There is no black Mississippi or white Mississippi. There is no red Mississippi or blue Mississippi. There is only one Mississippi – and it is Mississippi Forever.

We know that in our hearts, none of us ever leave Mississippi. Our task is to make sure our opportunities align with our sentiment.

I really do believe that this is Mississippi’s time. We have an opportunity ahead of us that we must seize. But it will require that we be bold and ambitious.

We must be bold in our reforms. We must be bold in winning new jobs and businesses. We must be bold in our commitment to principles. And we must be bold to build a brighter future for the state we all love.

I’d like to end this speech where I started. Back twenty years ago when I first took this oath. As I have prepared for this day these last few weeks, it has been apparent to me that this is my last opportunity to do the thing I have most wanted to do my entire adult life.

And I know that I am not alone. I am surrounded by people in this Capitol, in both parties, who have chosen a path to make Mississippi better. And as I campaigned this year, I was struck by the fact that virtually everyone was driven by a desire to bring Mississippi up.

We have all been placed in a position of great importance. We sit at a crossroads for our state.

We’ve been entrusted by our friends, peers, and neighbors to make decisions that will impact many lives, not just today, but for many years to come.

Let us take up this work with joy and determination. Let us come together and heal our differences. Let us all throw ourselves at the great mission. Let us be united by our mission to make Mississippi the home for all its sons and daughters – forever.

Thank you all for being here today. Thank you to all of our legislators for giving your time and energy to serve our state. Thank you all for your support. And thank you all for your prayers.

May God bless you. May God bless your families. And may God bless the great state of Mississippi!

The benediction was pronounced by Commissioner of Agriculture and Commerce Andy Gipson.

Lt. Governor Delbert Hosemann congratulated Governor Tate Reeves and First Lady Elee Reeves, and then Lt. Governor Delbert Hosemann called for a motion to dissolve the Joint Session.

On motion of Representative Hale, the Joint Session was dissolved at 11:21 AM, and pursuant to motion by Senator Blackwell previously adopted, the Senate stood in recess.

_____

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Samantha Jones and Leonard "Bubba" Busby.

Amanda Frusha White, Secretary of the Senate

_____

NO INTRODUCTIONS FOR TUESDAY, JANUARY 9, 2024

_____

NINTH DAY, WEDNESDAY, JANUARY 10, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Polk. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Pastor Dennis Perry, Poplar Grove Missionary Baptist Church, Shaw, MS and Pilgrim Rest Missionary Baptist Church, Shelby, MS.

Senator Simmons S. (13th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Kirby called up the following entitled resolution:

S. R. No. 2: Commend 36-year career of Mississippi Highway Patrol Colonel Randy C. Ginn.

YEAS AND NAYS On S. R. No. 2. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Polk. Total--1.

Unanimous consent was granted to add Senators Bryan, Hopson, Simmons D. T. (12th) and Turner-Ford as co-authors of **S. R. No. 2**.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Doris Ann Belk of Kosciusko, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Earl Patrick Jordan, Jr., Charles Stanley "Stan" Lockley, Jr. and Charles Lamar McDonald of Meridian, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Johnny Ray "J.R." Hambrick of Meehan, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Barbara Jean Knight of Vimville, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Richard Alan Arguelles of Vancleave, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Greg L. Taylor of Perkinston, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, January 11, 2024.

The motion prevailed, and at 10:16 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. C. R. No. 1: A CONCURRENT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE ON JANUARY 9, 2024, FOR THE INAUGURATION OF AND TO HEAR THE MESSAGE OF GOVERNOR TATE REEVES.

H. C. R. No. 2: A CONCURRENT RESOLUTION PROVIDING FOR THE APPOINTMENT OF A JOINT COMMITTEE OF THE LEGISLATURE TO ARRANGE FOR THE INAUGURATION OF GOVERNOR-ELECT TATE REEVES.

Joseph Thomas, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Doris Ann Belk, Earl Patrick Jordan, Jr., Johnny Ray "J.R." Hambrick, Barbara Jean Knight, Charles Stanley "Stan" Lockley, Jr., Charles Lamar McDonald, Richard Alan Arguelles and Greg L. Taylor.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR WEDNESDAY, JANUARY 10, 2024

TENTH DAY, THURSDAY, JANUARY 11, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Polk. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Chris Coleman, Assistant Pastor, Springhill Christian Center, Raymond, MS.

Senator Butler led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Blackwell moved that the Senate stand in recess until 11:30 AM.

The motion prevailed, and at 10:28 AM, the Senate stood in recess.

The Senate resumed business at 11:30 AM, pursuant to recess, with President Hosemann presiding.

President Hosemann announced the following Committee Assignments:

Accountability, Efficiency, Transparency

David Parker, Chairman; Jason Barrett, Vice-Chairman

Members: Kevin Blackwell; David Blount; Jenifer B. Branning; Albert Butler; W. Briggs Hopson III; Benjamin Suber; Mike Thompson; Angela Turner-Ford; Bart Williams

Agriculture

Chuck Younger, Chairman; Andy Berry, Vice-Chairman

Members: Albert Butler; Lydia Graves Chassaniol; Angela Burks Hill; Reginald Jackson; David Jordan; Philman Ladner; Tyler McCaughn; Brian Rhodes; Joseph M. Seymour; Sarita Simmons; Neil S. Whaley

Appropriations

W. Briggs Hopson III, Chairman; John A. Polk, Vice-Chairman

Members: Juan Barnett; Kevin Blackwell; Jenifer B. Branning; Albert Butler; Dennis

DeBar, Jr.; Scott DeLano; Hillman Terome Frazier; Rod Hickman; Angela Burks Hill; Reginald Jackson; Tyler McCaughn; Michael McLendon; J. Walter Michel; Sollie B. Norwood; David Parker; Rita Potts Parks; Robin Robinson; Joseph M. Seymour; Sarita Simmons; Jeff Tate; Mike Thompson; Angela Turner-Ford; Brice Wiggins; Bart Williams

Business and Financial Institutions

John A. Polk, Chairman; Chad McMahan, Vice-Chairman

Members: Kevin Blackwell; Nicole Boyd; Jenifer B. Branning; Joel R. Carter, Jr.; Rod Hickman; John Horhn; Rita Potts Parks; Daniel H. Sparks; Benjamin Suber; Joseph Thomas; Neil S. Whaley

Constitution

Angela Burks Hill, Chairman; Derrick T. Simmons, Vice-Chairman

Members: Kevin Blackwell; Hob Bryan; Lydia Graves Chassaniol; Hillman Terome Frazier; Chris Johnson; Benjamin Suber; Mike Thompson

Corrections

Juan Barnett, Chairman; Lydia Graves Chassaniol, Vice-Chairman

Members: Jason Barrett; Gary Brumfield; Joey Fillingane; Angela Burks Hill; Reginald Jackson; Dean Kirby; Sarita Simmons; Daniel H. Sparks; Joseph Thomas

County Affairs

Derrick T. Simmons, Chairman; Joseph M. Seymour, Vice-Chairman

Members: Andy Berry; Nicole Boyd; Reginald Jackson; Dean Kirby; Rita Potts Parks; Brian Rhodes; Angela Turner-Ford

Drug Policy

Angela Turner-Ford, Chairman; Angela Burks Hill, Vice-Chairman

Members: Nicole Boyd; Joey Fillingane; Rod Hickman; Reginald Jackson; David Jordan; David Parker; Brian Rhodes; Robin Robinson; Daniel H. Sparks

Economic and Workforce Development

Daniel H. Sparks, Chairman; Benjamin Suber, Vice-Chairman

Members: Juan Barnett; Andy Berry; Jenifer B. Branning; Gary Brumfield; Joel R. Carter, Jr.; Chris Johnson; David Parker; Robin Robinson; Bart Williams

Education

Dennis DeBar, Jr., Chairman; David Blount, Vice-Chairman

Members: Nicole Boyd; Hob Bryan; Scott DeLano; Rod Hickman; W. Briggs Hopson III; Michael McLendon; Chad McMahan; Sollie B. Norwood; David Parker; John A. Polk; Robin Robinson; Sarita Simmons; Brice Wiggins

Elections

Jeremy England, Chairman; Kevin Blackwell, Vice-Chairman

Members: David Blount; Hob Bryan; Lydia Graves Chassaniol; Joey Fillingane; Hillman Terome Frazier; David Parker; Jeff Tate

Energy

Joel R. Carter, Jr., Chairman; Bart Williams, Vice-Chairman

Members: Juan Barnett; Lydia Graves Chassaniol; Dennis DeBar, Jr.; Joey Fillingane; Hillman Terome Frazier; Josh Harkins; W. Briggs Hopson III; John Horhn; Tyler McCaughn; Chad McMahan; J. Walter Michel; Rita Potts Parks; Chuck Younger

Enrolled Bills

David Jordan, Chairman; Juan Barnett, Vice-Chairman

Members: Kathy L. Chism; Jeremy England; Mike Thompson

Environment Prot, Cons and Water Res

Scott DeLano, Chairman; Mike Thompson, Vice-Chairman

Members: Andy Berry; Josh Harkins; Reginald Jackson; David Jordan; Michael McLendon; John A. Polk; Robin Robinson; Angela Turner-Ford; Bart Williams

Ethics

Joseph M. Seymour, Chairman; Gary Brumfield, Vice-Chairman

Members: Albert Butler; Kathy L. Chism; Reginald Jackson; Dean Kirby; Sarita Simmons; Neil S. Whaley; Chuck Younger

Executive Contingent Fund

Sollie B. Norwood, Chairman; Angela Turner-Ford, Vice-Chairman

Members: Kathy L. Chism; Chad McMahan; Brice Wiggins

Finance

Josh Harkins, Chairman; Chris Johnson, Vice-Chairman

Members: Jason Barrett; Andy Berry; Bradford Blackmon; David Blount; Nicole Boyd; Gary Brumfield; Hob Bryan; Joel R. Carter, Jr.; Lydia Graves Chassaniol; Jeremy England; Joey Fillingane; John Horhn; David Jordan; Dean Kirby; Philman Ladner; Chad McMahan; John A. Polk; Brian Rhodes; Derrick T. Simmons; Daniel H. Sparks; Benjamin Suber; Joseph Thomas; Neil S. Whaley; Chuck Younger

Forestry

Tyler McCaughn, Chairman; Brian Rhodes, Vice-Chairman

Members: Andy Berry; Jenifer B. Branning; Gary Brumfield; Rod Hickman; J. Walter Michel; Joseph M. Seymour; Joseph Thomas

Gaming

David Blount, Chairman; Chuck Younger, Vice-Chairman

Members: Lydia Graves Chassaniol; Dennis DeBar, Jr.; Reginald Jackson; Philman Ladner; Michael McLendon; Derrick T. Simmons; Mike Thompson

Government Structure

Chris Johnson, Chairman; Jenifer B. Branning, Vice-Chairman

Members: David Blount; Tyler McCaughn; Sollie B. Norwood; David Parker; Daniel H. Sparks

Highways and Transportation

Jenifer B. Branning, Chairman; Rita Potts Parks, Vice-Chairman

Members: Jason Barrett; Andy Berry; Bradford Blackmon; Kevin Blackwell; David Blount; Gary Brumfield; Hob Bryan; Albert Butler; Joel R. Carter, Jr.; Scott DeLano; Jeremy England; Josh Harkins; Brian Rhodes; Jeff Tate; Neil S. Whaley; Bart Williams; Chuck Younger

Housing

John Horhn, Chairman; Jeff Tate, Vice-Chairman

Members: Jason Barrett; Josh Harkins; David Jordan; J. Walter Michel; Sarita Simmons

Insurance

J. Walter Michel, Chairman; Michael McLendon, Vice-Chairman

Members: Bradford Blackmon; Scott DeLano; Hillman Terome Frazier; Chris Johnson; Dean Kirby; Chad McMahan; Brian Rhodes; Benjamin Suber; Joseph Thomas; Neil S. Whaley; Chuck Younger

Interstate and Federal Cooperation

Hillman Terome Frazier, Chairman; Sollie B. Norwood, Vice-Chairman

Members: Lydia Graves Chassaniol; Dean Kirby; J. Walter Michel

Investigate State Offices

Albert Butler, Chairman; Sarita Simmons, Vice-Chairman

Members: Andy Berry; Kathy L. Chism; Angela Burks Hill; Chris Johnson; Rita Potts Parks; Joseph M. Seymour; Joseph Thomas

Judiciary, Division A

Brice Wiggins, Chairman; Tyler McCaughn, Vice-Chairman

Members: Juan Barnett; Jason Barrett; Bradford Blackmon; Nicole Boyd; Jenifer B. Branning; Dennis DeBar, Jr.; Jeremy England; W. Briggs Hopson III; Dean Kirby; David Parker; Derrick T. Simmons; Mike Thompson; Angela Turner-Ford

Judiciary, Division B

Joey Fillingane, Chairman; Daniel H. Sparks, Vice-Chairman

Members: Juan Barnett; Jason Barrett; Andy Berry; Dennis DeBar, Jr.; Jeremy England; Rod Hickman; Angela Burks Hill; Tyler McCaughn; Sollie B. Norwood; Derrick T. Simmons; Benjamin Suber; Joseph Thomas; Brice Wiggins

Labor

Jason Barrett, Chairman; Joseph Thomas, Vice-Chairman

Members: Bradford Blackmon; Kathy L. Chism; John Horhn; Michael McLendon; Brian Rhodes; Sarita Simmons; Brice Wiggins

Local and Private

Rita Potts Parks, Chairman; Neil S. Whaley, Vice-Chairman

Members: Joey Fillingane; Jeff Tate; Angela Turner-Ford

Medicaid

Kevin Blackwell, Chairman; Nicole Boyd, Vice-Chairman

Members: Jason Barrett; Bradford Blackmon; David Blount; Rod Hickman; John Horhn; Chris Johnson; Chad McMahan; Rita Potts Parks; John A. Polk

Municipalities

Chad McMahan, Chairman; Rod Hickman, Vice-Chairman

Members: Joel R. Carter, Jr.; Joey Fillingane; Angela Burks Hill; David Jordan; Dean Kirby; Philman Ladner; Sollie B. Norwood; Robin Robinson; Derrick T. Simmons

Ports and Marine Resources

Mike Thompson, Chairman; Jeremy England, Vice-Chairman

Members: Gary Brumfield; Joel R. Carter, Jr.; Scott DeLano; W. Briggs Hopson III; Philman Ladner; Joseph M. Seymour; Derrick T. Simmons; Daniel H. Sparks; Brice Wiggins

Public Health and Welfare

Hob Bryan, Chairman; David Parker, Vice-Chairman

Members: Juan Barnett; Kevin Blackwell; David Blount; Dennis DeBar, Jr.; Joey Fillingane; Hillman Terome Frazier; Josh Harkins; Rod Hickman; Angela Burks Hill; W. Briggs Hopson III; Chris Johnson; Chad McMahan; Rita Potts Parks; John A. Polk; Jeff Tate; Angela Turner-Ford; Brice Wiggins

Public Property

Benjamin Suber, Chairman; Albert Butler, Vice-Chairman

Members: Bradford Blackmon; Hob Bryan; Josh Harkins; Chris Johnson; Philman Ladner

Rules

Dean Kirby, Chairman; J. Walter Michel, Vice-Chairman

Members: Dennis DeBar, Jr.; Hillman Terome Frazier; Neil S. Whaley

State Library

Michael McLendon, Chairman; Reginald Jackson, Vice-Chairman

Members: Kathy L. Chism; David Jordan; Chuck Younger

Technology
Bart Williams, Chairman; Bradford Blackmon, Vice-Chairman
Members: Gary Brumfield; Scott DeLano; Brian Rhodes; Robin Robinson; Jeff Tate

Tourism
Lydia Graves Chassaniol, Chairman; Robin Robinson, Vice-Chairman
Members: Albert Butler; Jeremy England; John Horhn; Philman Ladner; Sollie B. Norwood; Sarita Simmons; Jeff Tate; Brice Wiggins; Bart Williams

Universities and Colleges
Nicole Boyd, Chairman; Scott DeLano, Vice-Chairman
Members: Albert Butler; Joel R. Carter, Jr.; Hillman Terome Frazier; Josh Harkins; W. Briggs Hopson III; Tyler McCaughn; J. Walter Michel; Sollie B. Norwood; John A. Polk; Daniel H. Sparks; Bart Williams

Veterans and Military Affairs
Jeff Tate, Chairman; John Horhn, Vice-Chairman
Members: David Jordan; Michael McLendon; J. Walter Michel; Robin Robinson; Mike Thompson

Wildlife, Fisheries and Parks
Neil S. Whaley, Chairman; Philman Ladner, Vice-Chairman
Members: Juan Barnett; Gary Brumfield; Hob Bryan; Jeremy England; Josh Harkins; Michael McLendon; Joseph M. Seymour; Benjamin Suber; Chuck Younger

---

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Judge William A. Gowan of Jackson, MS.

Senators Johnson, Polk (in his absence), Fillingane and Hill moved that when the Senate adjourns, it adjourn in memory of Joe Mars of Picayune, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, January 15, 2024.

The motion prevailed, and at 12:00 PM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Judge William A. Gowan and Joe Mars.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR THURSDAY, JANUARY 11, 2024

FOURTEENTH DAY, MONDAY, JANUARY 15, 2024

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Absent--Jordan, Ladner, Parks, Simmons S. (13th). Total--4.

The Secretary announced a quorum present.

The invocation was delivered by Dr. F. L. Blunt, Pastor, Greater Tree of Life Deliverance Missionary Baptist Church, Jackson, MS.

Senator Thomas led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senators Tate, Kirby, McCaughn, Michel, Chassaniol, Polk and Parker moved that when the Senate adjourns, it adjourn in memory of Dr. John Calvin Clay of Meridian, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of H. W. "Hank" Florey, Jr. of Meridian, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of John Douglas Phillips of Columbus, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of John Hart "Jack" Geary of Jackson, MS.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Mary Kalene Pipkins and Mary Ruth Maples of Lucedale, MS.

Senators Wiggins and England moved that when the Senate adjourns, it adjourn in memory of Walter Lee Pol of Pascagoula, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Sue Mitchell of Wiggins, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of John "Keith" Ludlow of Woolmarket Community, MS.

Senator McLendon moved that when the Senate adjourns, it adjourn in memory of Larry Sandridge of Hernando, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 2:00 PM, Tuesday, January 16, 2024.

The motion prevailed, and at 4:14 PM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Dr. John Calvin Clay, H. W. "Hank" Florey, Jr., John Douglas Phillips, John Hart "Jack" Geary, Mary Kalene Pipkins, Mary Ruth Maples, Walter Lee Pol, Sue Mitchell, John "Keith" Ludlow and Larry Sandridge.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR MONDAY, JANUARY 15, 2024

S. B. No. 2001: Local and Private

AN ACT TO AMEND CHAPTER 917, LOCAL AND PRIVATE LAWS OF 2015, AS LAST AMENDED BY CHAPTER 909, LOCAL AND PRIVATE LAWS OF 2020, WHICH AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF HOUSTON, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS, TO EXTEND UNTIL DECEMBER 31, 2028, THE REPEAL DATE ON THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 2002: Highways and Transportation

AN ACT TO AMEND SECTION 63-31-3, MISSISSIPPI CODE OF 1972, TO ALLOW ALL-TERRAIN VEHICLES AND RECREATIONAL OFF-HIGHWAY VEHICLES TO OPERATE ON COUNTY RURAL, GRAVEL OR PAVED ROADS; TO REQUIRE, FOR SUCH OPERATION, COMPLIANCE WITH LICENSING AND TAGGING REQUIREMENTS AND OTHER MOTOR VEHICLE REGULATIONS, EXCEPT THOSE REQUIRING EQUIPPING WITH WINDSHIELD WIPERS; TO SPECIFY THAT A LICENSE TAG SHALL NOT AUTHORIZE THE USE OF AN ALL-TERRAIN VEHICLE OR RECREATIONAL OFF-HIGHWAY VEHICLE FOR TOWING, OR FOR OPERATION ON AN INTERSTATE HIGHWAY OR ANY OTHER ROAD FOR WHICH THE SPEED LIMIT EXCEEDS 40 MILES PER HOUR, EXCEPT FOR CROSSING CERTAIN ROADS; TO

AMEND SECTIONS 27-19-3, 27-19-5, 27-19-43, 27-51-5, 63-3-103, 63-15-3 AND 63-21-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Chism

S. B. No. 2003: Highways and Transportation
AN ACT TO AMEND SECTION 65-3-3, MISSISSIPPI CODE OF 1972, TO ADD OLD STATE HIGHWAY 6 AND OLD STATE HIGHWAY 9 IN PONTOTOC COUNTY, MISSISSIPPI, TO THE STATE HIGHWAY SYSTEM; AND FOR RELATED PURPOSES.
By Senator(s) Chism

S. B. No. 2004: Agriculture; Appropriations
AN ACT TO AMEND SECTION 69-1-23, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR STATE CERTIFICATION OF GRAIN SAMPLERS AND GRADERS BY THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE; TO REQUIRE GRAIN GRADING BY A STATE OR FEDERALLY CERTIFIED GRADER; TO PROVIDE FOR SUSPENSION AND REVOCATION OF A STATE CERTIFICATION; TO REQUIRE RULES AND REGULATIONS FOR SAMPLING AND GRADING GRAIN TO BE CONSISTENT WITH THE STANDARDS ADOPTED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE, FEDERAL GRAIN INSPECTION SERVICE; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 2005: Agriculture; Judiciary, Division A
AN ACT TO PROVIDE FARMERS, RANCHERS AND INDEPENDENT REPAIR PROVIDERS WITH THE RIGHT TO REPAIR AGRICULTURAL EQUIPMENT, TO DEFINE RELEVANT TERMS, TO OUTLINE SITUATIONS WHERE THE RIGHT TO REPAIR MAY BE DENIED; AND FOR RELATED PURPOSES.
By Senator(s) Younger

S. B. No. 2006: Elections
AN ACT TO AMEND SECTION 23-15-851, MISSISSIPPI CODE OF 1972, TO PROVIDE WHAT OCCURRENCES CONSTITUTE A VACANCY IN EITHER HOUSE OF THE LEGISLATURE; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2007: Elections
AN ACT TO ESTABLISH THE MISSISSIPPI STUDENT ABSENTEE VOTER ACT; TO PROVIDE THAT MISSISSIPPI CITIZENS WHO RESIDE OUTSIDE THE COUNTY OR MUNICIPALITY OF THEIR RESIDENCE BECAUSE OF THEIR ENROLLMENT AT AN INSTITUTION OF HIGHER LEARNING MAY REQUEST AND RECEIVE AN ABSENT ELECTOR'S BALLOT; TO DEFINE THE TERM "ABSENT VOTER" UNDER THE MISSISSIPPI STUDENT ABSENTEE VOTER ACT; TO AUTHORIZE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS AS MAY BE NECESSARY; TO PROVIDE THAT ABSENT VOTERS MUST USE A DULY EXECUTED MISSISSIPPI POSTCARD APPLICATION TO REQUEST AN ABSENTEE BALLOT; TO PROVIDE THAT A REQUEST FOR AN ABSENTEE BALLOT SHALL SERVE AS A REQUEST FOR AN ABSENTEE BALLOT FOR EACH ELECTION HELD WITHIN THE CALENDAR YEAR FOR WHICH THE VOTER IS ELIGIBLE TO VOTE; TO AUTHORIZE THE USE OF ELECTRONIC FACSIMILE DEVICES, POSTAL MAIL AND ELECTRONIC MAIL TO TRANSMIT ABSENTEE BALLOTS, TO RECEIVE VOTED ABSENTEE BALLOTS AND TO RECEIVE COMPLETED MISSISSIPPI POSTCARD APPLICATIONS UNDER THE STUDENT ABSENTEE VOTER ACT; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2008: Elections; Constitution
AN ACT TO AMEND SECTIONS 23-15-563 AND 23-15-573, MISSISSIPPI CODE OF 1972, TO REDUCE THE LENGTH OF TIME AFTER THE ELECTION WITHIN WHICH A VOTER WHO IS UNABLE TO PRESENT ACCEPTABLE PHOTOGRAPHIC IDENTIFICATION MUST RETURN TO THE CIRCUIT OR MUNICIPAL CLERK'S OFFICE

TO PRESENT PHOTOGRAPHIC IDENTIFICATION OR EXECUTE A RELIGIOUS EXEMPTION AFFIDAVIT; TO PROVIDE THAT SUCH VOTERS MUST RETURN TO THE CIRCUIT OR MUNICIPAL CLERK'S OFFICE WITHIN THREE RATHER THAN FIVE DAYS TO ENSURE THAT HIS OR HER BALLOT IS COUNTED; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2009: Constitution; Judiciary, Division B
AN ACT TO PROVIDE THAT AN ELECTED OFFICIAL'S QUALIFICATION AS A CANDIDATE FOR A PUBLIC OFFICE SHALL BE DEEMED A RESIGNATION AND VACANCY OF THE OFFICIAL'S OFFICE IF THE TERM OF THE PUBLIC OFFICE THAT IS SOUGHT BEGINS DURING THE TERM FOR WHICH THE ELECTED OFFICIAL CURRENTLY SERVES; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2010: Energy; Municipalities
AN ACT TO AMEND SECTION 21-27-23, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A MUNICIPALITY TO ALLOW A MUNICIPALLY OWNED UTILITY TO ACCEPT PAYMENT FOR ITS SERVICES BY CREDIT CARD, DEBIT CARD OR OTHER FORM OF ELECTRONIC PAYMENT AND TO ABSORB ANY FEES OR CHARGES ASSOCIATED WITH THE USE OF SUCH ELECTRONIC PAYMENT IN ITS COST OF SERVICE RATE BASE; AND FOR RELATED PURPOSES.
By Senator(s) Thomas

S. B. No. 2011: Judiciary, Division B
AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE GENERAL TWO-YEAR STATUTE OF LIMITATIONS ON CRIMES WILL NOT RUN AGAINST THE CRIME OF SEXUAL BATTERY; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2012: Judiciary, Division B
AN ACT TO AUTHORIZE THE USE OF ELECTRONIC SIGNATURES FOR WARRANT APPLICATIONS; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2013: Judiciary, Division B
AN ACT TO AMEND SECTION 45-6-7, MISSISSIPPI CODE OF 1972, TO INCLUDE MINIMUM EDUCATIONAL TRAINING STANDARDS WITHIN THE LAW ENFORCEMENT OFFICERS TRAINING PROGRAM FOR A LAW ENFORCEMENT OFFICER ASSIGNED TO FIELD OR INVESTIGATIVE DUTIES; TO REQUIRE THE TRAINING BE RELATED TO CRIMES COMMITTED BY REASON OF THE ACTUAL OR PERCEIVED RACE, COLOR, ANCESTRY, ETHNICITY, RELIGION, NATIONAL ORIGIN OR GENDER OF THE VICTIM; TO REQUIRE THE LAW ENFORCEMENT OFFICER TO REPORT SUCH CRIMES; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2014: Judiciary, Division B
AN ACT TO AMEND SECTION 45-6-7, MISSISSIPPI CODE OF 1972, TO INCLUDE MINIMUM EDUCATIONAL TRAINING STANDARDS WITHIN THE LAW ENFORCEMENT OFFICERS TRAINING PROGRAM FOR A LAW ENFORCEMENT OFFICER ASSIGNED TO FIELD OR INVESTIGATIVE DUTIES; TO REQUIRE THE TRAINING BE RELATED TO CRIMES COMMITTED BY REASON OF THE ACTUAL OR PERCEIVED RACE, COLOR, ANCESTRY, ETHNICITY, RELIGION, NATIONAL ORIGIN OR GENDER OF THE VICTIM; TO REQUIRE THE LAW ENFORCEMENT OFFICER TO REPORT SUCH CRIMES; AND FOR RELATED PURPOSES.
By Senator(s) Frazier

S. B. No. 2015: Judiciary, Division B

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO VEDO KYLES OF YAZOO COUNTY, MISSISSIPPI.
By Senator(s) Thomas

S. B. No. 2016: Judiciary, Division B
AN ACT TO AMEND SECTION 97-15-30, MISSISSIPPI CODE OF 1972, TO INCREASE THE PENALTIES FOR ILLEGALLY DUMPING SOLID WASTE MATERIAL; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2017: Constitution; Judiciary, Division B
AN ACT TO ENACT THE RESTORATION OF THE RIGHT TO VOTE ACT; TO PROVIDE THAT A PERSON WHO HAS BEEN CONVICTED OF VOTE FRAUD, OF ANY CRIME LISTED IN SECTION 241, MISSISSIPPI CONSTITUTION OF 1890, OR OF ANY CRIME INTERPRETED AS DISENFRANCHISING IN LATER ATTORNEY GENERAL OR JUDICIAL OPINIONS IS OTHERWISE A QUALIFIED ELECTOR, SHALL HAVE HIS OR HER RIGHT TO VOTE SUSPENDED UPON CONVICTION BUT SHALL HAVE HIS OR HER RIGHT TO VOTE AUTOMATICALLY RESTORED ONCE HE OR SHE HAS SATISFIED ALL OF THE SENTENCING REQUIREMENTS OF THE CONVICTION; TO AMEND SECTIONS 23-15-11, 23-15-19, 23-15-125, 23-15-151, 23-15-153 AND 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Thomas

S. B. No. 2018: Judiciary, Division B
AN ACT TO AMEND SECTION 41-29-507, MISSISSIPPI CODE OF 1972, TO AUTHORIZE SHERIFFS TO INTERCEPT WIRE OR ORAL COMMUNICATION BY ALLOWING THE OWNERSHIP, POSSESSION, INSTALLATION OR MONITORING OF ELECTRONIC OR MECHANICAL DEVICES; TO REQUIRE THE SHERIFF TO DESIGNATE THE DEPUTIES RESPONSIBLE FOR THE POSSESSION, INSTALLATION, OPERATION AND MONITORING OF THE DEVICES; TO AMEND SECTIONS 41-29-501, 41-29-509, 41-29-513, 41-29-515, 41-29-527 AND 41-29-536, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) McCaughn

S. B. No. 2019: Judiciary, Division B
AN ACT TO AMEND SECTION 97-37-5, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE POSSESSION OF MULTIPLE WEAPONS SHALL SUBJECT AN OFFENDER TO ONE CHARGE PER WEAPON; AND FOR RELATED PURPOSES.
By Senator(s) McCaughn

S. B. No. 2020: Judiciary, Division B
AN ACT TO CREATE THE OFFENSE OF CHEMICAL ENDANGERMENT OF A CHILD OR FETUS AND TO PRESCRIBE PUNISHMENT; TO MANDATE THAT PROSECUTORS OFFER SUBSTANCE ABUSE TREATMENT PROGRAMS AS AN ALTERNATIVE TO PROSECUTION; AND FOR RELATED PURPOSES.
By Senator(s) McCaughn

S. B. No. 2021: Judiciary, Division B
AN ACT TO CRIMINALIZE SEXUAL ACTIVITY WITH A PERSON 16 OR 17 YEARS OF AGE WHERE THE OFFENDER IS 24 YEARS OF AGE OR OLDER; TO PROVIDE THAT THE CRIME SHALL BE A FELONY; TO DEFINE TERMS; TO PROVIDE CRIMINAL PENALTIES; TO AUTHORIZE THE COURT TO ISSUE A CRIMINAL SEXUAL ASSAULT PROTECTION ORDER PROHIBITING AN OFFENDER FROM ANY CONTACT WITH A VICTIM, WITHOUT REGARD TO THE RELATIONSHIP BETWEEN THE VICTIM AND THE OFFENDER; TO AMEND SECTION 45-33-23, MISSISSIPPI CODE OF 1972, TO INCLUDE THE OFFENSE AS A REGISTRABLE SEX OFFENSE; TO BRING FORWARD SECTION 97-3-65, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT PROVIDES FOR THE CRIME OF STATUTORY RAPE, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 97-3-

95, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT PROVIDES FOR THE CRIME OF SEXUAL BATTERY, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 97-3-101, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT PROVIDES FOR THE PENALTIES FOR THE CRIME OF SEXUAL BATTERY, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2022: Judiciary, Division B
AN ACT TO AMEND SECTIONS 97-3-21 AND 99-19-101, MISSISSIPPI CODE OF 1972, TO PROVIDE ALTERNATIVE SENTENCING OPTIONS FOR JUVENILE OFFENDERS IN COMPLIANCE WITH UNITED STATES SUPREME COURT HOLDINGS IN THE CASES OF MILLER V. ALABAMA AND ROPER V. SIMMONS; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

FIFTEENTH DAY, TUESDAY, JANUARY 16, 2024

The Senate met at 2:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.
Absent--Barrett, Carter, Jordan, Parks, Simmons S. (13th). Total--5.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Parks.

The invocation was delivered by Senator Robinson.

Senator Williams led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:
The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Blount moved that when the Senate adjourns, it adjourn in memory of Dan Hill Brady of Jackson, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of William Craddock Boyd, III of Columbus, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Dalton France and Robert Loyde Griffin of Morton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Mary Jo Harris of Newton County, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Tammy Kay Little of Newton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Junior Buntyn of Decatur, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Paul William Stewart of Harperville, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Margaret James Murray of Meridian, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Lori Parker of Pelahatchie, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 2:00 PM, Wednesday, January 17, 2024.

The motion prevailed, and at 2:12 PM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Dan Hill Brady, William Craddock Boyd, III, Tammy Kay Little, Mary Jo Harris, Dalton France, Robert Loyde Griffin, Junior Buntyn, Paul William Stewart, Margaret James Murray and Lori Parker.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, JANUARY 16, 2024

S. B. No. 2023: Judiciary, Division B

AN ACT TO AMEND SECTION 45-3-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CRIME OF IMPERSONATING A PATROLMAN SHALL BE A FELONY; TO INCREASE THE MINIMUM TERM OF IMPRISONMENT FOR THE CRIME OF IMPERSONATING A PATROLMAN; TO AMEND SECTION 97-7-44, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CRIME OF IMPERSONATING A LAW ENFORCEMENT OFFICER SHALL BE A FELONY; TO INCREASE THE PENALTY FOR IMPERSONATING A LAW ENFORCEMENT OFFICER; TO REPEAL SECTION 97-7-43, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE OFFENSE OF IMPERSONATING STATE, COUNTY OR MUNICIPAL OFFICERS OR EMPLOYEES AND IS A DUPLICATIVE SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2024: Corrections; Judiciary, Division B

AN ACT TO AMEND SECTION 47-7-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PROBATION AND PAROLE OFFICER SHALL NOT HANDLE MORE THAN 50 CASES AT ONE TIME; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2025: Judiciary, Division A

AN ACT TO AMEND SECTION 89-1-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO ENTITY THAT ACQUIRES OR HOLDS LAND IN THIS STATE SHALL BE OWNED BY OR TRANSFERRED TO, IN PART OR IN WHOLE, ANY ENTITY OR NONRESIDENT ALIEN BELONGING TO A COUNTRY THAT IS HOSTILE TO THE INTERESTS OF THE UNITED STATES OR A COUNTRY THAT IS A KNOWN VIOLATOR OF HUMAN RIGHTS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2026: Insurance

AN ACT TO AMEND SECTION 83-11-301, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN THE CASE OF AN ACCIDENT THAT CAUSES A FATALITY COVERED BY A POLICY, A DEBT INCURRED BY OR ON BEHALF OF A NAMED INSURED FOR TOWING OR STORAGE SERVICES MAY BE COLLECTED FROM AN INSURER OF THE MOTOR VEHICLE COVERED UNDER THE POLICY FOR PHYSICAL DAMAGE, PROPERTY DAMAGE OR UNINSURED MOTORIST COVERAGE; TO PROVIDE THAT SUCH INSURER SHALL NOT ABANDON THE VEHICLE TO A TOWING OR STORAGE COMPANY WITHOUT PAYING REASONABLE CHARGES FOR THE SERVICES ALREADY INCURRED; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2027: Insurance

AN ACT TO CREATE NEW SECTION 83-9-46.1, MISSISSIPPI CODE OF 1972, TO REQUIRE HEALTH INSURANCE CARRIERS THAT PROVIDE COVERAGE FOR PRESCRIPTION INSULIN DRUGS TO CAP THE TOTAL AMOUNT THAT A COVERED PERSON IS REQUIRED TO PAY FOR A COVERED PRESCRIPTION INSULIN DRUG AT AN AMOUNT NOT TO EXCEED $100.00 PER THIRTY-DAY SUPPLY OF INSULIN, REGARDLESS OF THE AMOUNT OR TYPE OF INSULIN NEEDED TO FILL THE COVERED PERSON'S PRESCRIPTION; TO DIRECT THE ATTORNEY GENERAL TO INVESTIGATE PRICING OF PRESCRIPTION INSULIN DRUGS THAT ARE MADE AVAILABLE TO MISSISSIPPI CONSUMERS TO ENSURE ADEQUATE CONSUMER PROTECTIONS IN PRICING OF PRESCRIPTION INSULIN DRUGS AND WHETHER ADDITIONAL CONSUMER PROTECTIONS ARE NEEDED; TO PROVIDE THAT THE ATTORNEY GENERAL SHALL ISSUE AND MAKE AVAILABLE TO THE PUBLIC, THE GOVERNOR AND THE LEGISLATURE A REPORT DETAILING HIS OR HER FINDINGS FROM THE INVESTIGATION CONDUCTED UNDER THIS ACT; TO BRING FORWARD SECTION 25-15-9, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE STATE AND SCHOOL EMPLOYEES HEALTH INSURANCE PLAN, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 83-9-46, MISSISSIPPI

CODE OF 1972, WHICH PROVIDES THAT HEALTH INSURANCE POLICIES AND PLANS MUST OFFER COVERAGE FOR DIABETES TREATMENTS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2028: Insurance
AN ACT TO CREATE A NEW CODE SECTION TO BE CODIFIED AS SECTION 63-15-8, MISSISSIPPI CODE OF 1972, TO REQUIRE PROOF OF MOTOR VEHICLE LIABILITY INSURANCE OR OTHER FORM OF FINANCIAL RESPONSIBILITY AS REQUIRED BY THIS CHAPTER BEFORE RECEIVING MOTOR VEHICLE LICENSE TAGS; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2029: Medicaid
AN ACT TO AMEND SECTION 43-13-117.7, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE DIVISION OF MEDICAID FROM REIMBURSING OR PROVIDING COVERAGE FOR GENDER TRANSITION PROCEDURES FOR A PERSON OVER 18 YEARS OF AGE; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2030: Judiciary, Division A
AN ACT TO AMEND SECTION 93-17-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERSON WHO HAS BEEN ADOPTED IS ENTITLED TO A CERTIFIED COPY OF THE PERSON'S ORIGINAL BIRTH CERTIFICATE IF THE PERSON IS AT LEAST 21 YEARS OLD UNLESS OTHERWISE ORDERED BY A COURT; TO AMEND SECTION 93-17-205, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2031: Judiciary, Division A
AN ACT TO CREATE A NEW SECTION WITHIN TITLE 63, CHAPTER 11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A DEFENDANT CONVICTED OF AGGRAVATED DUI WHERE THE DECEASED VICTIM OF THE OFFENSE WAS THE PARENT OF A MINOR CHILD SHALL PAY RESTITUTION IN THE FORM OF CHILD SUPPORT; TO PROVIDE THAT THE COURT SHALL DETERMINE AN AMOUNT THAT IS REASONABLE AFTER CONSIDERED CERTAIN FACTORS; TO PROVIDE FOR THE DISBURSEMENT OF THE SUPPORT TO THE CHILD'S PARENT OR GUARDIAN; TO PROVIDE FOR THE DEFENDANT'S INABILITY TO PAY DURING INCARCERATION; TO PROVIDE THAT CHILD SUPPORT PAYMENTS SHALL CONTINUE UNTIL PAID IN FULL WITHOUT REGARD TO THE AGE OF THE CHILD; TO PROVIDE THAT A CHILD SUPPORT ORDER UNDER THIS SECTION SHALL BE OFFSET BY A SUBSEQUENT CIVIL JUDGMENT ENTERED AGAINST THE DEFENDANT FOR THE BENEFIT OF THE MINOR CHILD; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2032: County Affairs
AN ACT TO AMEND SECTION 27-41-77, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COUNTY TO RETAIN IN THE COUNTY GENERAL FUND ANY EXCESS IN THE AMOUNT BID FOR A SALE OF LAND FOR TAXES, AND TO PROHIBIT THE LANDOWNER FROM REQUESTING PAYMENT THEREOF; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2033: Judiciary, Division A
AN ACT TO AMEND SECTION 43-21-257, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF CHILD PROTECTION SERVICES TO REMOVE FROM THE CENTRAL REGISTRY THE NAME OF ANY SUBSTANTIATED PERPETRATOR WHO WAS LATER DETERMINED TO BE WRONGFULLY CONVICTED OR ADJUDICATED; TO AMEND SECTION 43-21-353, MISSISSIPPI CODE OF 1972, TO

REQUIRE THE DEPARTMENT OF CHILD PROTECTION SERVICES TO RECORD THE NAME OF A REPORTER WHEN RECEIVING A REPORT OF CHILD ABUSE; TO REQUIRE THE DEPARTMENT OF CHILD PROTECTION SERVICES TO DISCLOSE THE NAME OF THE REPORTER TO THE ALLEGED PERPETRATOR IN CASES OF FALSE REPORTS AND PURGE ITS RECORDS OF ANY REFERENCE TO THE IDENTITY OF THE ALLEGED PERPETRATOR; TO REQUIRE A COURT TO STRIKE FALSE REPORTS FROM ITS RECORDS; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2034: Judiciary, Division A
AN ACT TO PROVIDE THAT A PERSON WHO KNOWINGLY AND WILLFULLY MAKES A FALSE REPORT OF CHILD ABUSE, ABANDONMENT OR NEGLECT MAY BE CIVILLY LIABLE FOR DAMAGES SUFFERED INCLUDING REASONABLE ATTORNEY FEES AND COSTS; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2035: Business and Financial Institutions
AN ACT TO CREATE THE "RESPECT THE CASH ACT"; TO PROHIBIT A PERSON SELLING OR OFFERING FOR SALE GOODS OR SERVICES AT RETAIL IN THIS STATE FROM REFUSING TO ACCEPT CASH AS A FORM OF PAYMENT FOR SUCH GOODS OR SERVICES; TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS OF THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Younger

S. B. No. 2036: Judiciary, Division A
AN ACT TO CREATE A STUDY COMMITTEE TO STUDY THE PROBLEM OF UNMERCHANTABLE AND UNINSURABLE TITLES RESULTING FROM SALES OF LAND FOR NONPAYMENT OF TAXES, AND TO RECOMMEND SOLUTIONS; AND FOR RELATED PURPOSES.
By Senator(s) McCaughn, Suber

S. B. No. 2037: Judiciary, Division A
AN ACT TO AMEND SECTION 43-19-101, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF THE COURT ORDERS THE NONCUSTODIAL PARENT TO OBTAIN HEALTH INSURANCE COVERAGE FOR THE CHILD OR CHILDREN THEN THE COURT SHALL TAKE INTO ACCOUNT THE COST OF THE COVERAGE IN ESTABLISHING THE CHILD SUPPORT AWARD; AND FOR RELATED PURPOSES.
By Senator(s) McCaughn

S. B. No. 2038: Judiciary, Division A
AN ACT TO AMEND SECTION 93-17-3, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT A CERTIFICATE ATTACHED TO AN ADOPTION PETITION MAY BE EXECUTED BY A PHYSICIAN LICENSED UNDER CHAPTER 25, TITLE 73, MISSISSIPPI CODE OF 1972; AND FOR RELATED PURPOSES.
By Senator(s) McCaughn, Suber, Barrett, Boyd

S. B. No. 2039: Judiciary, Division A
AN ACT TO AMEND SECTION 43-21-257, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF CHILD PROTECTION SERVICES TO REMOVE FROM THE CENTRAL REGISTRY THE NAME OF ANY SUBSTANTIATED PERPETRATOR WHO WAS LATER DETERMINED TO BE WRONGFULLY CONVICTED OR ADJUDICATED; TO AMEND SECTION 43-21-353, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF CHILD PROTECTION SERVICES TO RECORD THE NAME OF A REPORTER WHEN RECEIVING A REPORT OF CHILD ABUSE; TO REQUIRE THE DEPARTMENT OF CHILD PROTECTION SERVICES TO DISCLOSE THE NAME OF THE REPORTER TO THE ALLEGED PERPETRATOR IN CASES OF FALSE REPORTS AND PURGE ITS RECORDS OF ANY REFERENCE TO THE IDENTITY OF THE ALLEGED PERPETRATOR; TO REQUIRE A COURT TO STRIKE FALSE REPORTS FROM ITS RECORDS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2040: Judiciary, Division A

AN ACT TO AMEND SECTION 63-21-30, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE LEGAL OWNER OF A MANUFACTURED HOME OR MOBILE HOME AND THE REAL PROPERTY TO WHICH THE MANUFACTURED HOME OR MOBILE HOME HAS BECOME AFFIXED MAY PERMANENTLY RETIRE THE TITLE TO A MANUFACTURED HOME OR MOBILE HOME TO REAL PROPERTY ONLY IF THE MANUFACTURED HOME OR MOBILE HOME WAS MANUFACTURED ON OR AFTER JANUARY 1, 2000; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2041: Judiciary, Division A

AN ACT PROHIBITING THE MUTILATION OF GIRLS AND YOUNG WOMEN, CREATING CIVIL REMEDIES FOR VICTIMS OF MUTILATION, AND PROVIDING A STATUTE OF LIMITATIONS FOR ACTIONS ARISING FROM SUCH ACTS; TO AMEND SECTION 97-5-39, MISSISSIPPI CODE OF 1972, TO CREATE GENITAL MUTILATION OF A FEMALE MINOR AS CHILD ABUSE; TO AMEND SECTION 93-15-121, MISSISSIPPI CODE OF 1972, TO CREATE GENITAL MUTILATION OF A FEMALE MINOR AS A GROUND FOR TERMINATION OF PARENTAL RIGHTS; TO AMEND SECTION 11-1-60, MISSISSIPPI CODE OF 1972, TO WAIVE THE TORT CLAIM LIMITS ON CAUSES OF ACTION FOR GENITAL MUTILATION OF A FEMALE MINOR; TO AMEND SECTION 11-46-15, MISSISSIPPI CODE OF 1972, TO WAIVE SOVEREIGN IMMUNITY FOR A CAUSE OF ACTION BASED ON THE GENITAL MUTILATION OF A FEMALE MINOR; TO AMEND SECTION 15-1-35, MISSISSIPPI CODE OF 1972, TO CREATE A NEW STATUTE OF LIMITATIONS FOR A CAUSE OF ACTION FOUNDED ON THE GENITAL MUTILATION OF A FEMALE MINOR; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2042: Judiciary, Division A

AN ACT TO CREATE A NEW SECTION WITHIN TITLE 25, CHAPTER 61, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE TERMS OF ANY SETTLEMENT OF ANY CIVIL PROCEEDING BETWEEN A PUBLIC BODY AND ANY OTHER PARTY MAY NOT BE MADE CONFIDENTIAL BY THE PARTIES TO THE SETTLEMENT; TO BRING FORWARD SECTION 25-61-3, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2043: Judiciary, Division A

AN ACT TO AMEND SECTIONS 9-5-89 AND 43-21-121, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FAILURE TO PAY GUARDIAN AD LITEM FEES IS NOT CONTEMPT OF COURT BUT SHALL BE ENFORCED AS FOR ANY OTHER CIVIL DEBT; TO AMEND SECTIONS 93-11-65, 93-15-107, 93-17-8 AND 97-5-42, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2044: Judiciary, Division A; Business and Financial Institutions

AN ACT TO PROVIDE THAT THE OWNER OF A BUSINESS CONDUCTED ON A PROPERTY TAKEN UNDER THE POWER OF EMINENT DOMAIN SHALL BE COMPENSATED FOR THE LOSS OF GOODWILL UNDER CERTAIN CONDITIONS; TO PROVIDE THAT ANY OWNER OF A BUSINESS WHO IS COMPENSATED UNDER THIS ACT SHALL CONFIDENTIALLY PROVIDE A COURT WITH THE STATE TAX RETURNS OF THE BUSINESS IN ORDER TO DETERMINE THE AMOUNT OF COMPENSATION UNDER THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2045: Medicaid; Appropriations

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO REVISE MEDICAID ELIGIBILITY TO INCLUDE THOSE INDIVIDUALS WHO ARE ENTITLED TO BENEFITS UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA), AS AMENDED; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO INCLUDE ESSENTIAL HEALTH BENEFITS FOR INDIVIDUALS ELIGIBLE FOR MEDICAID UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA), AS AMENDED; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

S. B. No. 2046: Medicaid; Appropriations
AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO REVISE MEDICAID ELIGIBILITY TO INCLUDE THOSE INDIVIDUALS WHO ARE ENTITLED TO BENEFITS UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA), AS AMENDED; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO INCLUDE ESSENTIAL HEALTH BENEFITS FOR INDIVIDUALS ELIGIBLE FOR MEDICAID UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA), AS AMENDED; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th), Blount, Norwood, Frazier, Jackson, Brumfield, Blackmon, Jordan, Horhn, Thomas, Turner-Ford, Hickman, Bryan, Simmons (13th), Butler, Barnett

S. B. No. 2047: Public Property; Universities and Colleges
AN ACT TO AMEND SECTION 55-15-81, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PROVISIONS OF THE STATUTORY PROHIBITION AGAINST THE ALTERATION OF HISTORICAL MONUMENTS AND MEMORIALS LOCATED ON PUBLIC PROPERTY; TO PROHIBIT THE RENAMING OR REDEDICATION OF CERTAIN STATUES, MONUMENTS, SCHOOLS, STREETS, PARKS OR SIMILAR STRUCTURES NAMED IN HONOR OF CERTAIN MILITARY UNITS, FIGURES OR EVENTS; TO PROVIDE CRIMINAL SANCTIONS FOR VIOLATION OF THIS STATUTE; TO PROVIDE THAT THIS SECTION SHALL BE KNOWN AS THE "MISSISSIPPI HERITAGE PROTECTION ACT"; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2048: Public Property; Accountability, Efficiency, Transparency
AN ACT TO AMEND CHAPTER 386, LAWS OF 2017, AS LAST AMENDED BY SECTION 1, CHAPTER 412, LAWS OF 2022, TO REVISE THE AUTHORITY OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO TRANSFER AND CONVEY CERTAIN REAL PROPERTY LOCATED AT COLUMBIA TRAINING SCHOOL IN MARION COUNTY, MISSISSIPPI, TO THE MARION COUNTY ECONOMIC DEVELOPMENT DISTRICT, TO ALLOW THE DEPARTMENT TO SELL THE PROPERTY FOR SUCH CONSIDERATION AS WILL BEST PROMOTE AND PROTECT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY; AND FOR RELATED PURPOSES.
By Senator(s) Hill

SIXTEENTH DAY, WEDNESDAY, JANUARY 17, 2024

The Senate met at 2:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner,

McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Senator McMahan.

Senator Berry led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senators Michel and Parker moved that when the Senate adjourns, it adjourn in memory of Sherry Byrd McClellan of Ridgeland, MS.

Senators Butler and Thomas moved that when the Senate adjourns, it adjourn in memory of Oscar L. Small, Jr. of Port Gibson, MS.

Senators Jackson and Boyd moved that when the Senate adjourns, it adjourn in memory of Willie Mae Sykes of Batesville, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 11:30 AM, Thursday, January 18, 2024.

The motion prevailed, and at 2:12 PM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Oscar L. Small, Jr., Sherry Byrd McClellan and Willie Mae Sykes.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR WEDNESDAY, JANUARY 17, 2024

S. B. No. 2049: Elections

AN ACT TO AMEND SECTION 23-15-531.6, MISSISSIPPI CODE OF 1972, TO REQUIRE THE OFFICIALS IN CHARGE OF THE CONDUCT OF THE ELECTION TO TEST EACH DRE UNIT FOR PRINTING CAPABILITY; TO AMEND SECTION 23-15-531.9, MISSISSIPPI CODE OF 1972, TO REQUIRE A POLL MANAGER TO ENSURE THAT EACH DRE UNIT PRINTS A RECORD OF THE VOTE OF EACH ELECTOR; TO AMEND SECTION 23-15-531.10, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2050: Accountability, Efficiency, Transparency
AN ACT TO ENACT THE "SERVICE CANINE PROTECTION ACT OF 2024"; TO DEFINE TERMS; TO REQUIRE EACH CANINE UNIT TO EQUIP ITS CANINE VEHICLES WITH A HEAT ALARM SYSTEM; TO REQUIRE EACH CANINE UNIT TO ADOPT A WRITTEN PROTOCOL; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2051: Judiciary, Division B
AN ACT TO CREATE THE CRIME OF TRESPASS ON PROPERTY OTHER THAN A STRUCTURE OR CONVEYANCE; TO PROVIDE PENALTIES FOR THE CRIME; TO DEFINE TERMS; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2052: Elections
AN ACT TO AMEND SECTION 23-15-299, MISSISSIPPI CODE OF 1972, TO CHANGE THE CANDIDATE QUALIFYING PERIOD AND DATE OF PRIMARY ELECTIONS; TO AMEND SECTION 23-15-359, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-191, MISSISSIPPI CODE OF 1972, TO CHANGE THE PRIMARY ELECTION DAY FOR STATEWIDE, STATE DISTRICT, LEGISLATIVE, COUNTY AND COUNTY DISTRICT OFFICES; TO AMEND SECTION 23-15-653, MISSISSIPPI CODE OF 1972, TO CLARIFY THE TIME WHICH A REGISTRAR MUST BE OPEN ON THE TWO WEEKS PRIOR TO EACH ELECTION; TO BRING FORWARD SECTION 23-15-541, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2053: Elections
AN ACT TO AMEND SECTION 23-15-49, MISSISSIPPI CODE OF 1972, TO ESTABLISH PROVISIONS FOR ELECTRONIC VOTER REGISTRATION APPLICATIONS AND FOR THE SECRETARY OF STATE TO ESTABLISH A SECURE WEBSITE TO FACILITATE THE VOTER REGISTRATION APPLICATION PROCESS ELECTRONICALLY; TO AMEND SECTIONS 23-15-13, 23-15-35, 23-15-37, 23-15-39, 23-15-41 AND 23-15-79, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2054: Judiciary, Division B
AN ACT TO PROVIDE AN ENHANCED CRIMINAL PENALTY WHERE A LAW ENFORCEMENT OFFICER COMMITS AN ABUSE OF POWER UNDER THE GUISE OF STATE AUTHORITY; TO PROVIDE A PROCEDURE FOR THE ENHANCEMENT OF A CRIMINAL PENALTY; TO PROVIDE THAT WHERE A LAW ENFORCEMENT OFFICER COMMITS AN ABUSE OF POWER UNDER THE GUISE OF STATE AUTHORITY, THE PENALTY FOR THE OFFENSE MAY BE ENHANCED BY PUNISHMENT FOR A TERM OF IMPRISONMENT OF UP TO TWICE THAT AUTHORIZED BY LAW FOR THE OFFENSE COMMITTED, A FINE OF UP TO TWICE THAT AUTHORIZED BY LAW FOR THE OFFENSE COMMITTED, OR BOTH; AND FOR RELATED PURPOSES.
By Senator(s) Barnett

S. B. No. 2055: Judiciary, Division B; Elections

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO ANY PERSON DISQUALIFIED BY REASON OF CRIMINAL CONVICTION UPON COMPLETION OF SENTENCE; TO AMEND SECTIONS 23-15-11, 23-15-19, 23-15-47 AND 23-15-213, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.
By Senator(s) Blount

S. B. No. 2056: Elections
AN ACT TO AUTHORIZE THE SECRETARY OF STATE TO ESTABLISH A SECURE WEBSITE TO ENABLE STUDENT VOTERS TO SUBMIT ELECTRONIC ABSENTEE BALLOT APPLICATIONS; TO ESTABLISH THE DOCUMENTS WHICH MUST BE SUBMITTED BY THE STUDENT TO APPROVE SUCH APPLICATIONS; TO PROVIDE THAT UPON APPROVAL, STUDENT ABSENTEE VOTERS MAY BE AUTOMATICALLY MAILED ABSENTEE BALLOTS FOR ALL ELECTIONS THAT OCCUR FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTIONS 23-15-627, 23-15-631, 23-15-715 AND 23-15-721, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Blount

S. B. No. 2057: Elections
AN ACT TO AMEND SECTION 23-15-49, MISSISSIPPI CODE OF 1972, TO AUTHORIZE QUALIFIED ELECTORS TO SUBMIT VOTER REGISTRATION APPLICATIONS THROUGH A SECURE INTERNET WEBSITE ESTABLISHED BY THE SECRETARY OF STATE; TO ESTABLISH THE PROCEDURE BY WHICH THE COUNTY REGISTRAR SHALL PROCESS ONLINE APPLICATIONS; TO AMEND SECTIONS 23-15-35, 23-15-37, 23-15-39, 23-15-41 AND 23-15-79, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AUTHORIZE A QUALIFIED ELECTOR TO VOTE NOT MORE THAN 21 DAYS NOR LESS THAN TWO DAYS BEFORE THE DATE OF AN ELECTION; TO PROVIDE THAT PREELECTION VOTING MAY BE CONDUCTED IN THE REGISTRAR'S OFFICE; TO REQUIRE A PERSON WHO DESIRES TO VOTE DURING THE PREELECTION DAY VOTING PERIOD TO APPEAR AT THE REGISTRAR'S OFFICE AND TO PROVIDE THAT AFTER SIGNING THE RECEIPT BOOK SUCH PERSON SHALL BE ENTITLED TO VOTE AT THE REGISTRAR'S OFFICE IN THE SAME MANNER AS HE WOULD AT HIS VOTING PRECINCT ON THE DAY OF THE ELECTION; TO PROVIDE THAT THE ELECTION LAWS THAT GOVERN PROCEDURES FOR A PERSON WHO APPEARS TO VOTE ON THE DAY OF ELECTION SHALL APPLY WHEN A PERSON APPEARS TO VOTE DURING THE PREELECTION DAY VOTING PERIOD; TO PROVIDE THAT ALL VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE FINAL; TO PROVIDE THAT THE VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE ANNOUNCED SIMULTANEOUSLY WITH THE VOTE CAST ON ELECTION DAY; TO PROVIDE THAT EACH CANDIDATE SHALL HAVE THE RIGHT TO BE PRESENT AT THE REGISTRAR'S OFFICE AND TO CHALLENGE THE QUALIFICATIONS OF ANY PERSON OFFERING TO PREELECTION VOTE IN THE SAME MANNER AS PROVIDED BY LAW AT THE POLLING PLACE ON THE DAY OF THE ELECTION; TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO EFFECTUATE PREELECTION DAY VOTING; TO AMEND SECTION 23-15-195, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTION 23-15-627, MISSISSIPPI CODE OF 1972, TO REVISE THE CATEGORIES OF VOTERS WHO MAY CAST AN ABSENTEE BALLOT; TO AMEND SECTION 23-15-637, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL ABSENTEE BALLOTS MUST BE RECEIVED BY THE REGISTRAR BY A CERTAIN TIME ON THE DAY BEFORE THE ELECTION; AND FOR RELATED PURPOSES.
By Senator(s) Blount

S. B. No. 2058: Elections
AN ACT TO AMEND SECTION 23-15-975, MISSISSIPPI CODE OF 1972, TO INCLUDE JUSTICE COURT JUDGES IN THE "NONPARTISAN JUDICIAL ELECTION ACT"; TO AMEND SECTION 23-15-197, MISSISSIPPI CODE OF 1972, TO PROVIDE

THE TIME FOR HOLDING AN ELECTION FOR THE OFFICE OF JUSTICE COURT JUDGE; TO AMEND SECTION 23-15-977, MISSISSIPPI CODE OF 1972, TO PROVIDE THE QUALIFYING FEE FOR ELECTION TO THE OFFICE OF JUSTICE COURT JUDGE; TO AMEND SECTIONS 9-11-2, 23-15-193, 23-15-297, 23-15-359, 23-15-973 AND 23-15-1021, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 23-15-833, 23-15-849 AND 23-15-981, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2059: Forestry
AN ACT TO CREATE NEW SECTIONS IN TITLE 49, CHAPTER 19, MISSISSIPPI CODE OF 1972, TO DEFINE BIOMASS AND OTHER RELEVANT TERMS; TO REQUIRE THAT ENERGY PRODUCED FROM CERTAIN SOURCES BE CONSIDERED CARBON NEUTRAL; TO REQUIRE THAT ENERGY PRODUCED FROM CERTAIN SOURCES IN CONJUNCTION WITH CARBON CAPTURE TECHNOLOGIES BE CONSIDERED CARBON NEGATIVE; AND FOR RELATED PURPOSES.
By Senator(s) McCaughn

S. B. No. 2060: Highways and Transportation
AN ACT TO DESIGNATE THE LITTLE BILOXI BRIDGE ON HIGHWAY 49 IN HARRISON COUNTY, MISSISSIPPI, AS THE "WILLIE E. KING MEMORIAL BRIDGE" IN MEMORY OF THE LATE WORLD WAR II INFANTRYMAN WILLIE EDWARD KING; AND FOR RELATED PURPOSES.
By Senator(s) Seymour, Carter, Thompson, DeLano, Ladner

SEVENTEENTH DAY, THURSDAY, JANUARY 18, 2024

The Senate met at 11:30 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Absent--Barrett. Total--1.

The Secretary announced a quorum present.

Senator Barrett requested that the following explanation be placed in the journal.

I was absent on Thursday, January 18, 2024, to attend a funeral service.

The invocation was delivered by Solon Smith, System Director of Clinical Pastoral Education & Training at Mississippi Baptist Medical Center.

Senator Parker led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Robert H. Smith and Robert Bell Neal, Jr. of Jackson, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Betty Claunch of Pearl, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Caleb Battles of Meridian, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Elnora Williams of Yazoo City, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Fred "Leon" Hill, Sr. of Biloxi, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Friday, January 19, 2024.

The motion prevailed, and at 11:39 AM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Robert H. Smith, Robert Bell Neal, Jr., Betty Claunch, Caleb Battles, Fred "Leon" Hill, Sr. and Elnora Williams.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, JANUARY 18, 2024

S. B. No. 2061: Public Health and Welfare

AN ACT TO AMEND SECTION 41-39-121, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERSON SHALL NOT BE DENIED AN ANATOMICAL GIFT, ORGAN

TRANSPLANT OR RELATED TREATMENT AND SERVICES SOLELY ON THE BASIS OF THE PERSON'S VACCINATION OR IMMUNIZATION FOR CORONAVIRUS OR ITS VARIANTS; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2062: Technology; Education
AN ACT TO ENACT THE ARTIFICIAL INTELLIGENCE IN EDUCATION TASK FORCE ACT FOR THE PURPOSE OF EVALUATING POTENTIAL APPLICATIONS OF ARTIFICIAL INTELLIGENCE IN K-12 AND HIGHER EDUCATION AND TO DEVELOP POLICY RECOMMENDATIONS FOR RESPONSIBLE AND EFFECTIVE USES BY STUDENTS AND EDUCATORS; TO ESTABLISH THE TASK FORCE MEMBERSHIP REQUIREMENTS AND APPOINTMENT CRITERIA; TO PROVIDE THE DUTIES AND RESPONSIBILITIES OF THE TASK FORCE, INCLUDING THAT THE TASK FORCE PROVIDE RECOMMENDATIONS FOR INCORPORATING AI INTO EDUCATIONAL STANDARDS; TO REQUIRE THE TASK FORCE TO MAKE RECOMMENDATIONS ON STRATEGIES THAT CREATE OPPORTUNITIES FOR FOSTERING COLLABORATION THROUGHOUT THE EDUCATIONAL LANDSCAPE; TO REQUIRE THE TASK FORCE TO SUBMIT REPORTS TO THE GOVERNOR, LIEUTENANT GOVERNOR AND SPEAKER OF THE HOUSE; TO PROVIDE THE DATE THAT THE TASK FORCE SHALL DISSOLVE; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 2063: Public Health and Welfare
AN ACT TO ENACT THE "NO PATIENT LEFT ALONE ACT;" TO PROVIDE THAT A HEALTH CARE PROVIDER SHALL ALLOW CLIENTS TO RECEIVE VISITORS DURING THEIR ADMISSION TO, OR RESIDENT AT, THE PROVIDER'S FACILITY IN ACCORDANCE WITH RULES PROMULGATED BY THE DEPARTMENT OF HEALTH; TO REQUIRE A PROVIDER TO ALLOW IN-PERSON VISITS IN CERTAIN CIRCUMSTANCE; TO PROVIDE THAT IF CIRCUMSTANCES REQUIRE A PROVIDER TO RESTRICT PUBLIC ACCESS TO THE FACILITY DUE TO HEALTH OR SAFETY CONCERNS, THE PROVIDER SHALL DEVELOP ALTERNATE VISITATION PROTOCOLS THAT ALLOW VISITATION TO THE GREATEST EXTENT POSSIBLE WHILE MAINTAINING CLIENT HEALTH AND SAFETY; TO PROVIDE THAT IF A PROVIDER DOES NOT CORRECT A VIOLATION IN THE TIME SPECIFIED BY THE DEPARTMENT OF HEALTH OR REPEATS A VIOLATION, THE DEPARTMENT OF HEALTH SHALL IMPOSE AN ADMINISTRATIVE FINE OF AT LEAST $500.00 PER VIOLATION; AND FOR RELATED PURPOSES.
By Senator(s) Chism

S. B. No. 2064: Public Health and Welfare
AN ACT TO REPEAL SECTIONS 41-7-171 THROUGH 41-7-209, MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI HEALTH CARE CERTIFICATE OF NEED LAW OF 1979; TO AMEND SECTIONS 23-15-625, 25-41-7, 35-1-19, 41-3-15, 41-4-18, 41-9-11, 41-9-23, 41-9-68, 41-9-209, 41-9-210, 41-71-7, 41-71-19, 41-73-5, 41-75-1, 41-75-5, 41-75-9, 41-75-25, 41-77-1, 41-77-5, 41-77-21, 41-77-23, 41-77-25, 43-11-9, 43-11-19, 43-13-117.5 AND 57-117-5, MISSISSIPPI CODE OF 1972, AND TO REPEAL SECTION 41-9-311, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISION; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2065: Universities and Colleges
AN ACT TO CREATE THE "REINFORCING COLLEGE EDUCATION ON AMERICA'S CONSTITUTIONAL HERITAGE ACT" OR THE "REACH ACT"; TO REQUIRE THAT EACH INSTITUTION OF HIGHER LEARNING MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE DECLARATION OF INDEPENDENCE, THE FEDERALIST PAPERS, THE EMANCIPATION PROCLAMATION, ABRAHAM LINCOLN'S GETTYSBURG ADDRESS, AND DR. MARTIN LUTHER KING JR.'S LETTER FROM BIRMINGHAM JAIL TO EACH

UNDERGRADUATE STUDENT FOR THREE SEMESTER CREDIT HOURS; TO CREATE EXCEPTIONS TO THE REQUIREMENT; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2066: Public Health and Welfare
AN ACT TO CREATE NEW SECTION 73-7-39, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE BOARD OF COSMETOLOGY SHALL ISSUE A SPECIAL PERMIT AUTHORIZING THE PERFORMANCE OF SHAMPOOING TO ANY PERSON WHO SUCCESSFULLY COMPLETED AT LEAST FORTY (40) HOURS OF TRAINING IN SHAMPOOING, DRAPING AND RINSING AT A COSMETOLOGY SCHOOL APPROVED BY THE BOARD; TO PROVIDE THAT THIS SPECIAL PERMIT SHALL AUTHORIZE THESE INDIVIDUALS TO WORK AS A SHAMPOOIST; TO PROVIDE THAT NO PERSON HOLDING A CURRENT COSMETOLOGY LICENSE SHALL BE REQUIRED TO OBTAIN A SPECIAL PERMIT AS A SHAMPOOIST; TO AMEND SECTION 73-7-2, MISSISSIPPI CODE OF 1972, TO CONFORM TO THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2067: Education
AN ACT TO REQUIRE THE DEMONSTRATION OF PROFICIENCY IN CIVICS AS A CONDITION OF HIGH SCHOOL GRADUATION BY REQUIRING STUDENTS TO TAKE THE UNITED STATES CITIZENSHIP TEST AS A PART OF THE UNITED STATES HISTORY CURRICULUM; TO REQUIRE THE UNITED STATES HISTORY CURRICULUM AND TEST TO INCLUDE HISTORICAL KNOWLEDGE BEGINNING WITH THE SETTLEMENT OF JAMESTOWN, VIRGINIA, IN 1607; TO AMEND SECTION 37-16-7, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2068: Public Health and Welfare
AN ACT TO AMEND SECTION 43-17-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE DEPARTMENT OF HUMAN SERVICES TO ISSUE PHOTO EBT CARDS IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP), TO LIMIT THE CARDHOLDER TO TWO FAMILY MEMBER CARDS PER YEAR AND TWO REPLACEMENTS PER YEAR; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2069: Education; Appropriations
AN ACT TO AMEND SECTION 37-3-9, MISSISSIPPI CODE OF 1972, TO PROVIDE A STATUTORY LIMITATION ON THE SALARY OF THE STATE SUPERINTENDENT OF PUBLIC EDUCATION; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2070: Public Health and Welfare
AN ACT TO AMEND SECTION 73-15-20, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A NURSE PRACTITIONER TO DISPENSE A LEGEND DRUG OR MEDICATION TO PATIENTS OF THE NURSE PRACTITIONER; TO CONFORM IN ACCORDANCE WITH THE MISSISSIPPI MEDICAL CANNABIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2071: Public Health and Welfare
AN ACT TO AMEND SECTION 41-7-197, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PARTY REQUESTING A HEARING ON AN APPLICATION FOR A HEALTH CARE CERTIFICATE OF NEED WHO DOES NOT PREVAIL AT THE HEARING SHALL PAY COSTS AND ATTORNEY FEES, AND TO APPLY THE SAME REQUIREMENT TO ANY PARTY WHO APPEALS AN ORDER OF THE HEARING OFFICER TO THE PROPER COURT AND LOSES ON APPEAL; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2072: Public Health and Welfare

AN ACT TO AMEND SECTION 73-23-35, MISSISSIPPI CODE OF 1972, TO REVISE THE CIRCUMSTANCES AND CRITERIA UNDER WHICH A PHYSICAL THERAPIST MAY IMPLEMENT PHYSICAL THERAPY TREATMENT WITHOUT A REFERRAL FROM ANOTHER HEALTH CARE PROVIDER; TO AMEND SECTION 73-23-41, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN TECHNICAL NONSUBSTANTIVE CHANGES TO MODERNIZE LANGUAGE; TO AMEND SECTION 73-23-59, MISSISSIPPI CODE OF 1972, TO CONFORM THE GROUNDS FOR DISCIPLINARY ACTION AGAINST A PHYSICAL THERAPIST FOR IMPLEMENTING PHYSICAL THERAPY TREATMENT WITHOUT A REFERRAL; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2073: Education

AN ACT TO AMEND SECTION 37-16-7, MISSISSIPPI CODE OF 1972, TO REQUIRE HIGH SCHOOL GRADUATES TO PASS AT LEAST 60% OF THE CIVICS PORTION OF THE NATURALIZATION TEST USED BY THE IMMIGRATION SERVICES; TO AMEND SECTION 37-35-9, MISSISSIPPI CODE OF 1972, TO REQUIRE HIGH SCHOOL EQUIVALENCY DIPLOMA APPLICANTS TO PASS AT LEAST 60% OF THE CIVICS PORTION OF THE NATURALIZATION TEST USED BY THE IMMIGRATION SERVICES; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2074: Public Health and Welfare

AN ACT TO AMEND SECTION 73-27-1, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF PODIATRIC MEDICINE TO INCLUDE TREATMENT OF THE FOOT AND ANKLE AND THEIR GOVERNING AND RELATED STRUCTURES; TO REVISE THE DEFINITION OF PODIATRIST TO MEAN A PHYSICIAN WHO ENGAGES IN THE PRACTICE OF PODIATRIC MEDICINE; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2075: Universities and Colleges

AN ACT TO PROHIBIT STATE INSTITUTIONS OF HIGHER LEARNING FROM AWARDING TENURE OR ENTERING EMPLOYMENT CONTRACTS OF MORE THAN FOUR YEARS DURATION WITH EMPLOYEES HIRED AFTER DECEMBER 31, 2024; TO TERMINATE EXISTING TENURE PROGRAMS WHEN NO COVERED EMPLOYEES REMAIN EMPLOYED BY THE INSTITUTION; TO AMEND SECTION 37-101-15, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2076: Education

AN ACT TO ALLOW SCHOOL DISTRICTS OR PUBLIC CHARTER SCHOOLS TO OFFER STUDENTS ELECTIVE SOCIAL STUDIES COURSES RELATING TO, BUT NOT LIMITED TO, THE HEBREW SCRIPTURES, THE OLD TESTAMENT OF THE BIBLE, OR THE NEW TESTAMENT OF THE BIBLE; TO PROVIDE THAT THE PURPOSE OF ANY SUCH COURSE SHALL BE TO TEACH STUDENTS THE RELEVANT TEXT'S CONTENTS, HISTORY, LITERARY STYLE AND ITS INFLUENCE ON CONTEMPORARY SOCIETY AND CULTURE; TO PROVIDE THAT A STUDENT SHALL NOT BE REQUIRED TO USE A SPECIFIC TEXT TRANSLATION AS PART OF A COURSE; TO PROVIDE THAT SCHOOL DISTRICTS AND PUBLIC CHARTER SCHOOLS THAT OFFER SUCH COURSES SHALL FOLLOW APPLICABLE LAWS RELATED TO RELIGION IN SCHOOLS AND SHALL MAINTAIN RELIGIOUS NEUTRALITY; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2077: Education

AN ACT TO AMEND SECTION 37-9-79, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT REQUIRES PROFESSIONAL SCHOOL COUNSELORS TO ABIDE BY THE AMERICAN SCHOOL COUNSELOR ASSOCIATION CODE OF ETHICS; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2078: Education; Appropriations
AN ACT TO PROVIDE THAT CERTAIN PROHIBITED CONCEPTS SHALL NOT BE INCLUDED OR PROMOTED IN A COURSE OF INSTRUCTION OR CURRICULUM IN PUBLIC SCHOOLS AND CHARTER SCHOOLS; TO PROVIDE CERTAIN EXCEPTIONS TO THIS PROHIBITION; TO PROVIDE THE REQUIREMENTS FOR SCHOOLS TO COMPLY AND COLLECT DATA RELATED TO THE ACT; TO PROVIDE FOR THE PROCEDURE FOR CERTAIN INDIVIDUALS TO FILE COMPLAINTS FOR VIOLATIONS OF THE ACT; TO ALLOW EARLY RESOLUTIONS OF COMPLAINTS; TO SET THE APPEALS PROCEDURE FOR INDIVIDUALS TO APPEAL SCHOOL'S DETERMINATIONS TO THE APPEALS REVIEW TEAM; TO PROVIDE THAT THE ATTORNEY GENERAL SHALL ENSURE THE DEPARTMENT OF EDUCATION WITHHOLDS CERTAIN FUNDS FROM SCHOOLS WHEN THERE ARE KNOWING VIOLATIONS OF THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2079: Public Health and Welfare
AN ACT TO AMEND SECTION 73-15-3, MISSISSIPPI CODE OF 1972, TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES IN THE STATEMENT OF PURPOSE OF THE MISSISSIPPI NURSING PRACTICE LAW; TO AMEND SECTION 73-15-5, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN DEFINITIONS AND REVISE CERTAIN DEFINITIONS IN THE NURSING PRACTICE LAW REGARDING ADVANCED NURSING PRACTICE; TO AMEND SECTION 73-15-9, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPOSITION OF THE MISSISSIPPI BOARD OF NURSING TO INCLUDE A CERTIFIED REGISTERED NURSE ANESTHETISTS AS A MEMBER; TO AMEND SECTION 73-15-20, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATING TO THE PRACTICE OF ADVANCED NURSING PRACTICE NURSES; TO PROVIDE THAT AN ADVANCED PRACTICE REGISTERED NURSE SHALL BE EXEMPT FROM THE REQUIREMENT OF ENTERING AND MAINTAINING A COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A LICENSED PHYSICIAN OR DENTIST AFTER COMPLETING 6,240 PRACTICE HOURS; TO PROVIDE THAT CERTIFIED REGISTERED NURSE ANESTHETISTS SHALL BE EXEMPT FROM MAINTAINING A COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A LICENSED PHYSICIAN OR DENTIST UPON COMPLETION OF 8,000 CLINICAL PRACTICE HOURS; TO PROVIDE THAT ADVANCED PRACTICE REGISTERED NURSES AND CERTIFIED REGISTERED NURSE ANESTHETISTS MAY APPLY HOURS WORKED BEFORE THE EFFECTIVE DATE OF THIS ACT TO FULFILL THEIR RESPECTIVE HOUR REQUIREMENT; TO CONFORM CERTAIN PROVISIONS WITH THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 73-15-29, MISSISSIPPI CODE OF 1972, TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES IN THE PROVISIONS RELATING TO GROUNDS FOR DISCIPLINARY ACTIONS AGAINST NURSES; TO AMEND SECTION 41-21-131, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2080: Public Health and Welfare
AN ACT TO PROVIDE FOR THE LICENSURE AND REGULATION OF PROFESSIONAL MIDWIFERY; TO PROVIDE DEFINITIONS FOR THE PURPOSE OF THE ACT; TO PROVIDE EXCEPTIONS TO THE APPLICABILITY OF THE ACT; TO PROVIDE THE SCOPE OF PRACTICE FOR LICENSED MIDWIVES; TO PROVIDE MANDATORY PROCEDURES FOR LICENSED MIDWIVES; TO PROHIBIT LICENSED MIDWIVES FROM CERTAIN ACTIONS; TO CREATE THE STATE BOARD OF LICENSED MIDWIFERY AND PROVIDE FOR ITS COMPOSITION, APPOINTMENT

AND POWERS AND DUTIES; TO REQUIRE THE BOARD TO PROMULGATE RULES NOT LATER THAN JULY 1, 2026; TO REQUIRE A LICENSE FROM THE BOARD TO PRACTICE PROFESSIONAL MIDWIFERY; TO PROVIDE FOR THE ISSUANCE OF TEMPORARY PERMITS TO PRACTICE PENDING QUALIFICATION FOR LICENSURE; TO PROVIDE EXEMPTIONS FROM LICENSURE FOR CERTAIN PERSONS; TO PROVIDE FOR THE CONFIDENTIALITY OF INFORMATION MAINTAINED BY THE BOARD; TO PROVIDE IMMUNITY FOR CERTAIN ACTIONS; TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ACT; TO PROHIBIT TERMINOLOGY IN ANY HEALTH COVERAGE PLAN, POLICY OR CONTRACT THAT IS DISCRIMINATORY AGAINST PROFESSIONAL MIDWIFERY; TO REQUIRE HEALTH COVERAGE PLANS THAT PROVIDE MATERNITY BENEFITS TO PROVIDE COVERAGE FOR SERVICES RENDERED BY A LICENSED MIDWIFE; TO PROVIDE WHENEVER A HEALTH COVERAGE PLAN PROVIDES FOR REIMBURSEMENT OF ANY SERVICES THAT ARE WITHIN THE LAWFUL SCOPE OF PRACTICE OF LICENSED MIDWIVES, THE PERSON ENTITLED TO BENEFITS UNDER THE PLAN SHALL BE ENTITLED TO REIMBURSEMENT FOR THE SERVICES, WHETHER THE SERVICES ARE PERFORMED BY A PHYSICIAN OR A LICENSED MIDWIFE; TO REQUIRE THE STATE DEPARTMENT OF HEALTH TO DEVELOP AND INSTITUTE A SAFE PERINATAL TRANSFER CERTIFICATION FOR THE FACILITIES THAT IT REGULATES; TO AMEND SECTION 73-25-33, MISSISSIPPI CODE OF 1972, TO REMOVE THE REFERENCE TO THE PRACTICE OF MIDWIFERY IN THE DEFINITION OF THE PRACTICE OF MEDICINE; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2081: Education
AN ACT TO ALLOW STATE-FUNDED SCHOOLS TO PARTICIPATE IN EXTRACURRICULAR ACTIVITIES AGAINST SCHOOLS THAT DO NOT RECEIVE STATE FUNDS, SCHOOLS THAT ARE NOT ACCREDITED BY THE STATE DEPARTMENT OF EDUCATION, AND AGAINST NONPUBLIC SCHOOLS; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 2082: Public Health and Welfare
AN ACT TO AMEND SECTIONS 37-144-7, 37-144-11, 37-144-13 AND 37-144-15, MISSISSIPPI CODE OF 1972, TO ADD GENERAL SURGERY AS A POSSIBLE CAREER PATH FOR THOSE IN THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP PROGRAM; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2083: Public Health and Welfare
AN ACT TO REQUIRE EMERGENCY ROOMS LOCATED ON A HOSPITAL CAMPUS AND FREESTANDING EMERGENCY ROOMS TO BE STAFFED WITH AN ON-SITE PHYSICIAN WHO IS PRIMARILY RESPONSIBLE FOR THE EMERGENCY ROOM AT ALL TIMES THAT THE EMERGENCY ROOM IS OPEN; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

EIGHTEENTH DAY, FRIDAY, JANUARY 19, 2024

The Senate met at 9:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Absent--Branning, Carter, DeLano, Parks. Total--4.

The Secretary announced a quorum present.

The invocation was delivered by Scott Dickison, Senior Pastor, Northminster Baptist Church, Jackson, MS.

Senator Rhodes led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Gwendolyn Sue Logan of Tupelo, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Joseph Eugene Davidson of Hurley Community, MS.

Senator Blackwell moved that the Senate stand in recess until 12:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, January 22, 2024.

The motion prevailed, and at 9:08 AM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 12:00 PM in memory of Gwendolyn Sue Logan and Joseph Eugene Davidson.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR FRIDAY, JANUARY 19, 2024

S. B. No. 2084: Local and Private

AN ACT TO AUTHORIZE THE DESOTO COUNTY REGIONAL UTILITY AUTHORITY OF DESOTO, MISSISSIPPI, TO CONTRIBUTE THE FUNDS REQUIRED FOR MEMBERSHIP TO THE CHAMBER OF COMMERCE AND/OR ECONOMIC DEVELOPMENT ORGANIZATIONS LOCATED IN THE STATE; AND FOR RELATED PURPOSES.
By Senator(s) Parker, Blackwell, McLendon

S. B. No. 2085: Judiciary, Division B; Education
AN ACT TO AMEND SECTION 97-29-107, MISSISSIPPI CODE OF 1972, TO DELETE THE EXEMPTION FOR ANY PUBLIC OR PRIVATE SCHOOL LIBRARY IN THIS STATE FROM THE CRIME OF DISTRIBUTING OBSCENE MATERIALS; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2086: Judiciary, Division B
AN ACT TO CREATE THE CRIME OF RECKLESS ENDANGERMENT; TO PROVIDE THAT SUCH CRIME SHALL BE A MISDEMEANOR; TO PROVIDE CERTAIN ENHANCEMENTS UNDER WHICH SUCH CRIME SHALL BE A FELONY; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2087: Labor; Economic and Workforce Development
AN ACT TO ESTABLISH THE MISSISSIPPI SICK AND SAFE LEAVE ACT TO BE ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY; TO PROVIDE APPLICABLE DEFINITIONS; TO PROVIDE GUIDELINES FOR ACCRUAL OF EARNED PAID SICK LEAVE; TO ESTABLISH PROPER USES OF EARNED PAID SICK LEAVE; TO PROHIBIT EMPLOYERS FROM VIOLATING EMPLOYEE RIGHTS ESTABLISHED IN THIS ACT; TO REQUIRE EMPLOYERS TO NOTIFY EMPLOYEES OF CERTAIN ASPECTS OF PAID SICK AND SAFE LEAVE UPON THE COMMENCEMENT OF EMPLOYMENT; TO REQUIRE EMPLOYERS TO RETAIN RECORDS OF COMPLIANCE WITH THIS ACT; TO ENABLE THE DEPARTMENT OF EMPLOYMENT SECURITY TO REGULATE AND ENFORCE THIS ACT; TO REQUIRE EMPLOYERS TO COMPLY WITH CERTAIN CONFIDENTIALITY AND NONDISCLOSURE STANDARDS; TO ENCOURAGE AND ALLOW MORE GENEROUS EARNED PAID SICK LEAVE POLICIES; TO PROVIDE A LEGAL BASELINE FOR PAID SICK LEAVE; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

S. B. No. 2088: Labor; Economic and Workforce Development
AN ACT TO PROTECT EMPLOYEES FROM FORCED HUMAN MICROCHIP IMPLANTATION; TO DEFINE EMPLOYEE AND EMPLOYER FOR THE PURPOSES OF THIS ACT; TO DEFINE MICROCHIP FOR THE PURPOSES OF THIS SECTION; TO ESTABLISH LIMITS TO QUESTIONS ABOUT MICROCHIPS IN EMPLOYMENT INTERVIEWS; TO PROHIBIT EMPLOYERS FROM REQUIRING THAT EMPLOYEES CONSENT TO MICROCHIP IMPLANTATION; TO REQUIRE THAT EMPLOYERS REASONABLY ACCOMMODATE EMPLOYEES WHO DO NOT CONSENT TO MICROCHIP IMPLANTATION; TO PROHIBIT EMPLOYERS FROM COERCING, THREATENING, DISMISSING, OR WITHHOLDING PAYMENT FROM EMPLOYEES BASED ON LACK OF CONSENT TO MICROCHIP IMPLANTATION; TO DEFINE COERCION; TO PROVIDE CIRCUMSTANCES UNDER WHICH MICROCHIP IMPLANTATION IS PERMISSIBLE; TO ALLOW EMPLOYEES TO REQUEST REMOVAL OF A MICROCHIP; TO PROVIDE THAT EMPLOYERS COVER COSTS OF REMOVAL OF A MICROCHIP; TO PROVIDE PROCEDURES FOR REMOVAL OF A MICROCHIP UPON DISMISSAL OF AN EMPLOYEE; TO STIPULATE ASSUMPTION OF RESPONSIBILITY UPON DISMISSAL OF AN EMPLOYEE; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2089: Labor; Economic and Workforce Development

AN ACT TO ESTABLISH THE MISSISSIPPI PAID FAMILY LEAVE ACT; TO PROVIDE CERTAIN APPLICABLE DEFINITIONS; TO ENABLE THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY TO ADMINISTER AND IMPLEMENT THIS ACT; TO ENTITLE COVERED INDIVIDUALS THE RIGHT TO PAID LEAVE; TO DETERMINE THE AMOUNT OF FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS FOR COVERED INDIVIDUALS; TO CREATE THE FAMILY AND MEDICAL LEAVE INSURANCE FUND IN THE STATE TREASURY; TO STIPULATE FOR THE DETERMINATION OF INSURANCE PREMIUMS BY THE STATE TREASURER; TO PROTECT THE EMPLOYMENT OF COVERED INDIVIDUALS WHILE THEY ARE ON LEAVE; TO PROHIBIT EMPLOYERS FROM VIOLATING RIGHTS PROTECTED IN THIS ACT; TO ALLOW THE DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY TO ADMINISTER THIS ACT AND HOLD VIOLATING EMPLOYERS LIABLE; TO PROVIDE THAT THIS ACT IS TO BE CONSTRUED ALONGSIDE SIMILAR PROVISIONS IN THE FEDERAL FAMILY AND MEDICAL LEAVE ACT; TO REQUIRE THAT CLAIMS BE MADE IN ACCORDANCE WITH REGULATIONS PRESCRIBED BY THE DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY; TO DISQUALIFY COVERED INDIVIDUALS FROM COVERAGE UPON FRAUD, MISREPRESENTATION, OR ERRONEOUS PAYMENT; TO ALLOW COVERED INDIVIDUALS TO ELECT FOR INITIAL COVERAGE OR SUBSEQUENT COVERAGE; TO REQUIRE THAT THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY ESTABLISH AND ADMINISTER A FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM; TO OUTLINE CERTAIN REQUIREMENTS FOR THE FORMATION AND ADMINISTRATION OF A FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM; TO STIPULATE FOR CERTAIN ACTIONS BY THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY IF THE INSURANCE BENEFITS IN THIS ACT ARE SUBJECT TO FEDERAL INCOME TAX; TO ALLOW INTERMITTENT OR REDUCED LEAVE; TO REQUIRE THAT THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY MAKE AN ANNUAL REPORT TO THE LEGISLATURE; TO REQUIRE THAT THE DEPARTMENT OF EMPLOYMENT SECURITY CONDUCT A PUBLIC EDUCATION CAMPAIGN; TO ENCOURAGE THE DEPARTMENT TO COLLECT DATA FOR THE PURPOSE OF LIMITING THE COST OF THE PROGRAM; TO REQUIRE THAT AN EMPLOYER PROVIDE WRITTEN NOTICE OF THE PROGRAM TO EMPLOYEES UPON HIRING AND ANNUALLY THEREAFTER; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

S. B. No. 2090: Rules
AN ACT TO AMEND SECTION 3-3-7, MISSISSIPPI CODE OF 1972, TO DESIGNATE JUNE 19 AS "JUNETEENTH FREEDOM DAY"; TO SPECIFICALLY PROVIDE THAT JUNETEENTH FREEDOM DAY SHALL NOT BE A LEGAL HOLIDAY, BUT SHALL BE A DAY OF COMMEMORATION AT NO EXPENSE TO THE STATE; TO CLARIFY WHEN A LEGAL HOLIDAY WILL BE CELEBRATED WHEN THE HOLIDAY FALLS ON A SATURDAY OR SUNDAY; AND FOR RELATED PURPOSES.
By Senator(s) Barnett

S. B. No. 2091: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF WEST POINT, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH PAVING CITY STREETS AND RENOVATING THE WEST POINT WATER AND LIGHT DEPARTMENT BUILDING; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

S. B. No. 2092: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF ROLLING FORK FOR THE PURPOSE OF DEFRAYING THE COSTS OF CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Thomas

S. B. No. 2093: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE COUNTY OF SHARKEY FOR THE PURPOSE OF DEFRAYING THE COSTS OF CERTAIN INFRASTRUCTURE PROJECTS AND INITIATIVES FOR THE FISCAL YEAR 2025.
By Senator(s) Thomas

S. B. No. 2094: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE RURAL FIRE TRUCK FUND FOR THE PURPOSE OF PROVIDING FUNDS FOR AN ADDITIONAL ROUND OF FIRE TRUCKS FOR COUNTIES AND MUNICIPALITIES UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM FOR THE FISCAL YEAR 2025.
By Senator(s) Hill

S. B. No. 2095: Appropriations
AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR THE PURPOSE OF DEFRAYING THE EXPENSE OF THE WEST CENTRAL MISSISSIPPI INCUBATOR GRANT PROGRAM FOR FISCAL YEAR 2025; AND FOR RELATED PURPOSES.
By Senator(s) Thomas

S. B. No. 2096: Appropriations
AN ACT MAKING AN APPROPRIATION OUT OF GENERAL FUNDS TO YAZOO COUNTY FOR THE PURPOSES OF A DRAINAGE PROJECT FOR FISCAL YEAR 2025; AND FOR RELATED PURPOSES.
By Senator(s) Thomas

S. B. No. 2097: Appropriations
AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO HUMPHREYS COUNTY TO DEFRAY EXPENSES FOR ROADWAY, CURB AND GUTTER IMPROVEMENTS IN WESTGATE SUBDIVISION FOR FISCAL YEAR 2025; AND FOR RELATED PURPOSES.
By Senator(s) Thomas

S. B. No. 2098: Appropriations
AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF ROLLING FORK TO DEFRAY EXPENSES FOR THE CITY'S WATER SYSTEM FOR FISCAL YEAR 2025; AND FOR RELATED PURPOSES.
By Senator(s) Thomas

S. B. No. 2099: Appropriations
AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE VILLAGE OF EDEN IN YAZOO COUNTY TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE VILLAGE'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2025; AND FOR RELATED PURPOSES.
By Senator(s) Thomas

S. B. No. 2100: Appropriations
AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO THE BILL WALLER CRAFT CENTER FOR FISCAL YEAR 2025.
By Senator(s) Michel

S. B. No. 2101: Appropriations
AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF CANTON TO DEFRAY EXPENSES ASSOCIATED WITH REDEVELOPING PUBLIC HOUSING UNITS FOR FISCAL YEAR 2025.
By Senator(s) Thomas

S. B. No. 2102: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE HOUSING AUTHORITY OF THE CITY OF CANTON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REDEVELOPMENT OF 100 PUBLIC HOUSING UNITS LOCATED IN THE CITY OF CANTON; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

S. B. No. 2103: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF HUMPHREYS COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH ROADWAY, CURB AND GUTTER IMPROVEMENTS IN WESTGATE SUBDIVISION; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

S. B. No. 2104: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF ROLLING FORK, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE ACQUISITION AND PLACEMENT OF A MUDDY WATERS MEMORIAL SCULPTURE; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

S. B. No. 2105: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF YAZOO COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH A DRAINAGE PROJECT; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

S. B. No. 2106: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING THE COST ASSOCIATED WITH THE REPAIR AND RENOVATION OF THE OAKES AFRICAN AMERICAN CULTURAL CENTER IN YAZOO CITY, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

S. B. No. 2107: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF ROLLING FORK, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE DEMOLITION AND CLEANUP OF DILAPIDATED DOWNTOWN STRUCTURES; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

S. B. No. 2108: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF ANGUILLA, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE PURCHASE AND INSTALLATION OF NEW SIGNS AND LIGHTS ON MAIN STREET, THE RENOVATION OF THE TOWN BASKETBALL COURT, AND THE PURCHASE AND INSTALLATION OF AN OUTDOOR FLAGPOLE AND UNITED STATES FLAG; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

S. B. No. 2109: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE VILLAGE OF CARY, MISSISSIPPI, IN

PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A FIRE STATION; AND FOR RELATED PURPOSES.
By Senator(s) Thomas

S. B. No. 2110: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF ANGUILLA, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A MUSEUM AND VISITOR CENTER; AND FOR RELATED PURPOSES.
By Senator(s) Thomas

S. B. No. 2111: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO DEFRAY THE EXPENSES OF THE WEST CENTRAL MISSISSIPPI INCUBATOR GRANT PROGRAM IN HUMPHREYS, MADISON, SHARKEY, SUNFLOWER, WASHINGTON AND YAZOO COUNTIES; AND FOR RELATED PURPOSES.
By Senator(s) Thomas

S. B. No. 2112: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF ROLLING FORK, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS TO THE ROLLING FORK CIVIC AND EVENT CENTER; AND FOR RELATED PURPOSES.
By Senator(s) Thomas

S. B. No. 2113: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST SERENITY ON THE BAYOU IN ANGUILLA, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE RENOVATION AND EQUIPPING OF A BUILDING TO HOUSE THE EMMANUEL COMMUNITY CENTER; AND FOR RELATED PURPOSES.
By Senator(s) Thomas

S. B. No. 2114: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE COMMUNITY HEALTH AND WELLNESS CENTER, INC., IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF ITS HEALTH CARE FACILITY IN ISOLA, MISSISSIPPI; AND FOR RELATED PURPOSES.
By Senator(s) Thomas

S. B. No. 2115: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF THE TRIANGLE CULTURAL CENTER IN YAZOO CITY, MISSISSIPPI; AND FOR RELATED PURPOSES.
By Senator(s) Thomas

S. B. No. 2116: Appropriations
AN ACT MAKING AN APPROPRIATION TO ASSIST THE VILLAGE OF CARY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A FIRE STATION FOR THE FISCAL YEAR 2025.
By Senator(s) Thomas

S. B. No. 2117: Medicaid
AN ACT TO CREATE NEW SECTION 43-13-115.1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PREGNANT WOMEN SHALL BE DEEMED TO BE PRESUMPTIVELY ELIGIBLE FOR AMBULATORY PRENATAL CARE UNDER

MEDICAID FOR UP TO 60 DAYS IF A QUALIFIED PROVIDER DETERMINES, ON THE BASIS OF PRELIMINARY INFORMATION, THAT THE TOTAL COUNTABLE NET FAMILY INCOME OF THE WOMAN DOES NOT EXCEED 185% OF THE FEDERAL POVERTY LEVEL; TO REQUIRE PREGNANT WOMEN TO PROVIDE PROOF OF PREGNANCY AND DOCUMENTATION OF MONTHLY FAMILY INCOME WHEN SEEKING A DETERMINATION OF PRESUMPTIVE ELIGIBILITY; TO PROVIDE THAT QUALIFIED PROVIDERS ARE THOSE THAT MEET THE FEDERAL DEFINITION OF QUALIFIED PROVIDER, WHICH SHALL INCLUDE COUNTY HEALTH DEPARTMENTS, FEDERALLY QUALIFIED HEALTH CENTERS (FQHCS), AND OTHER ENTITIES APPROVED AND DESIGNATED BY THE DIVISION OF MEDICAID TO CONDUCT PRESUMPTIVE ELIGIBILITY DETERMINATIONS FOR PREGNANT WOMEN; TO REQUIRE PREGNANT WOMEN WHO ARE DETERMINED TO BE PRESUMPTIVELY ELIGIBLE FOR MEDICAID TO MAKE APPLICATION FOR MEDICAID BY NOT LATER THAN THE LAST DAY OF THE MONTH FOLLOWING THE MONTH DURING WHICH THE DETERMINATION IS MADE; AND FOR RELATED PURPOSES.
By Senator(s) Blount, Simmons (12th)

S. B. No. 2118: Business and Financial Institutions
AN ACT TO ENACT THE EQUALITY IN FINANCIAL SERVICES ACT; TO DEFINE TERMS; TO STATE LEGISLATIVE FINDINGS AND DETERMINATIONS; TO PROHIBIT A FINANCIAL INSTITUTION FROM DISCRIMINATING IN THE PROVISION OF FINANCIAL SERVICES TO A PERSON OR CONSPIRING OR COORDINATING TO DISCRIMINATE IN THE PROVISION OF FINANCIAL SERVICES TO A PERSON; TO PROVIDE THAT A VIOLATION OF THIS ACT SHALL BE A VIOLATION OF TITLE 75, CHAPTER 24, MISSISSIPPI CODE OF 1972; TO PROVIDE A PRIVATE CAUSE OF ACTION; TO AMEND SECTION 75-24-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2119: Judiciary, Division A
AN ACT TO AMEND SECTION 43-21-357, MISSISSIPPI CODE OF 1972, TO REQUIRE A YOUTH COURT TO CONSIDER THE OPINION OF A MEDICAL PROFESSIONAL SUBMITTED BY A CHILD'S PARENT OR GUARDIAN BEFORE ENTERING AN INTAKE ORDER; TO PROHIBIT THE YOUTH COURT FROM ENTERING AN INTAKE ORDER BASED SOLELY ON THE OPINION OF A MEDICAL PROFESSIONAL UNDER CONTRACT WITH THE DEPARTMENT OF HUMAN SERVICES OR THE DEPARTMENT OF CHILD PROTECTION SERVICES; TO AMEND SECTION 43-21-561, MISSISSIPPI CODE OF 1972, TO REQUIRE THE YOUTH COURT TO CONSIDER THE OPINION OF A MEDICAL PROFESSIONAL OBTAINED BY THE CHILD'S PARENT OR GUARDIAN AND PROPERLY ADMITTED AS EVIDENCE BEFORE ENTERING AN ORDER ADJUDICATING THE CHILD TO BE A NEGLECTED CHILD, AN ABUSED CHILD, DEPENDENT CHILD OR A CHILD IN NEED OF SPECIAL CARE; TO PROHIBIT THE YOUTH COURT FROM ENTERING AN ORDER ADJUDICATING THE CHILD TO BE A NEGLECTED CHILD, AN ABUSED CHILD, DEPENDENT CHILD OR A CHILD IN NEED OF SPECIAL CARE BASED SOLELY ON THE OPINION OF A MEDICAL PROFESSIONAL UNDER CONTRACT WITH THE DEPARTMENT OF HUMAN SERVICES OR THE DEPARTMENT OF CHILD PROTECTION SERVICES; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2120: Judiciary, Division A
AN ACT TO AMEND SECTION 43-21-151, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A CHANCERY COURT TO PROCEED WITH CHILD ABUSE CHARGES RAISED FOR THE FIRST TIME IN AN EXISTING CUSTODY DETERMINATION WITHOUT INVOKING ITS AUTHORITY TO FUNCTION AS A YOUTH COURT; TO REQUIRE SUCH PROCEEDINGS TO BE CONFIDENTIAL IN THE SAME MANNER AS PROVIDED IN YOUTH COURT PROCEEDINGS PURSUANT TO THE UNIFORM RULES OF YOUTH COURT PRACTICE; TO AMEND SECTION 43-21-261, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT RECORDS INVOLVING CHILDREN SHALL BE

DISCLOSED TO CHANCERY COURT GUARDIAN AD LITEM TO THE CHILD; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2121: Judiciary, Division A; Business and Financial Institutions
AN ACT TO PROVIDE THAT ALL FEDERAL ACTS, LAWS, ORDERS, RULES AND REGULATIONS, WHETHER PAST, PRESENT OR FUTURE, WHICH HINDER OR PROHIBIT THE SALE, DISTRIBUTION, LICENSING, POSSESSION OR INSTALLATION OF GAS STOVES SHALL BE INVALID IN THIS STATE; TO DEFINE THE TERM "GAS STOVE"; AND FOR RELATED PURPOSES.
By Senator(s) Chism

S. B. No. 2122: Insurance
AN ACT TO PROVIDE FOR FRAMEWORK FOR THE DEPARTMENT OF INSURANCE TO REGULATE LENDER-PLACED INSURANCE ON REAL PROPERTY; TO PROVIDE CERTAIN EXCLUSIONS TO THE ACT; TO PLACE CERTAIN REQUIREMENTS ON LENDER-PLACED INSURANCE POLICIES; TO REQUIRE CERTAIN CALCULATIONS TO BE FOLLOWED FOR DETERMINING THE REPLACEMENT COST VALUE OF REAL PROPERTY THAT ARE SUBJECT TO SUCH POLICY; TO PROHIBIT INSURANCE PRODUCERS OR INSURERS FROM ISSUING LENDER-PLACED INSURANCE OR MORTGAGED PROPERTY IF THE INSURER OR INSURANCE PRODUCER OR AFFILIATE OF THE INSURER OR INSURANCE PRODUCER, OWNS, PERFORMS THE SERVICING FOR, OR OWNS THE SERVICING RIGHT TO THE MORTGAGED PROPERTY; TO PROHIBIT NO INSURER OR INSURANCE PROVIDER FROM COMPENSATING A LENDER, INSURER, INVESTOR OR SERVICER, INCLUDING THROUGH THE PAYMENT OF COMMISSIONS, FOR LENDER-PLACED INSURANCE POLICIES ISSUED BY THE INSURER; TO ESTABLISH CERTAIN PROHIBITIONS; TO PROVIDE CERTAIN EXCEPTIONS TO THE APPLICATION OF THE ACT; TO SET CERTAIN REQUIRED ELEMENTS OF LENDER-PLACED INSURANCE POLICIES; TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ENFORCE THE PROVISIONS OF THE ACT; TO AUTHORIZE THE DEPARTMENT OF INSURANCE TO IMPOSE A MONETARY PENALTY FOR VIOLATIONS OF THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Kirby

S. B. No. 2123: Insurance
AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ADOPT RULES AND REGULATIONS TO EXAMINE AND ADDRESS ANY INEQUALITIES REGARDING PROVIDER REIMBURSEMENT RATES PAID BY AN INSURER, SUBCONTRACTOR, OTHER PAYOR OR BY THIRD-PARTY ADMINISTRATORS; TO PROVIDE THAT FAILURE TO COMPLY WITH RULES AND REGULATIONS ADOPTED BY THE COMMISSIONER MAY RESULT IN A FINE NOT TO EXCEED $10,000.00 PER VIOLATION; TO ADD A FOUR-YEAR REPEALER TO THE SECTION; TO AMEND SECTION 83-9-5, MISSISSIPPI CODE OF 1972, TO CLARIFY REQUIREMENTS FOR A CLEAN CLAIM; TO PROVIDE THAT THE COMMISSIONER OF INSURANCE MAY ADOPT RULES AND REGULATIONS NECESSARY TO ENSURE COMPLIANCE WITH THE SECTION; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2124: Judiciary, Division A
AN ACT TO AMEND SECTION 43-21-353, MISSISSIPPI CODE OF 1972, TO REQUIRE ANY REPORT OF AN INTAKE UNIT ALLEGING FACTS SUFFICIENT TO ESTABLISH THE JURISDICTION OF THE YOUTH COURT TO INCLUDE THE NAME OF THE PERSON OR PERSONS MAKING THE REPORT; TO PROVIDE THAT THE NAME OF A REPORTER SHALL NOT BE CONFIDENTIAL; TO AMEND SECTION 43-21-261 TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2125: Insurance; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 83-62-3, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE TO OFFER HEALTH SAVINGS ACCOUNTS TO ALL STATE EMPLOYEES; TO BRING FORWARD SECTION 25-15-5, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 2126: Veterans and Military Affairs; Finance
AN ACT TO AMEND SECTION 27-19-53, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LICENSE TAGS FOR DISABLED VETERANS TO BE LABELED AS "100% DISABLED VETERAN" OR "DISABLED VETERAN"; AND FOR RELATED PURPOSES.
By Senator(s) Seymour, Suber

S. B. No. 2127: Judiciary, Division A
AN ACT TO AMEND SECTION 91-1-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR THE PURPOSES OF INTESTATE SUCCESSION, IF THE DECEDENT DIES BEFORE THE START OF A PREGNANCY BY ASSISTED REPRODUCTION RESULTING IN THE BIRTH OF AN INDIVIDUAL WHO LIVES AT LEAST ONE HUNDRED TWENTY HOURS AFTER BIRTH, THAT INDIVIDUAL IS DEEMED TO BE LIVING AT THE TIME OF THE DECEDENT'S DEATH UNDER CERTAIN CONDITIONS; TO AMEND SECTION 91-1-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.
By Senator(s) Younger

S. B. No. 2128: Business and Financial Institutions
AN ACT TO AMEND SECTION 73-35-10, MISSISSIPPI CODE OF 1972, TO ALLOW THE REAL ESTATE COMMISSION TO EXERCISE DISCRETION WHEN ISSUING LICENSES TO INDIVIDUALS WHO WERE CONVICTED OF A CRIME OF MORAL TURPITUDE MORE THAN FIVE YEARS PRIOR TO APPLYING FOR A LICENSE; TO AMEND SECTION 73-35-21, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell, Carter

S. B. No. 2129: Judiciary, Division A
AN ACT TO AMEND SECTION 89-5-8, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ATTORNEYS WHO HAVE RETIRED FROM THE PRACTICE OF LAW TO CORRECT A SCRIVENER'S ERROR MADE BY THE ATTORNEY WHILE STILL PRACTICING LAW; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2130: Judiciary, Division A
AN ACT TO PROHIBIT AN INSURER FROM REFUSING TO ISSUE OR REFUSING TO RENEW A HOMEOWNER'S POLICY INSURING A RESIDENTIAL STRUCTURE WITH A ROOF THAT IS LESS THAN FIFTEEN YEARS OLD SOLELY BECAUSE OF THE AGE OF THE ROOF; TO PROVIDE THAT AN INSURER SHALL NOT REFUSE TO ISSUE OR REFUSE TO RENEW A HOMEOWNER'S INSURANCE POLICY SOLELY BECAUSE OF ROOF AGE IF AN INSPECTION OF THE ROOF OF THE RESIDENTIAL STRUCTURE PERFORMED BY AN AUTHORIZED INSPECTOR INDICATES THAT THE ROOF HAS FIVE YEARS OR MORE OF USEFUL LIFE REMAINING; TO PROVIDE CERTAIN PROCEDURES RELATED TO THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 2131: Judiciary, Division A
AN ACT TO AMEND SECTION 93-11-65, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CHILD SUPPORT FOR A CHILD WITH A DISABILITY MAY CONTINUE PAST THE AGE OF MAJORITY; AND FOR RELATED PURPOSES.
By Senator(s) Parker, Wiggins, Boyd, Branning

S. B. No. 2132: Gaming

AN ACT TO REQUIRE THE GAMING COMMISSION AND THE DEPARTMENT OF HUMAN SERVICES TO PROMULGATE RULES AND REGULATIONS PROVIDING FOR THE WITHHOLDING OF GAMING PRIZES OF PERSONS WHO HAVE OUTSTANDING CHILD SUPPORT ARREARAGES; TO STATE LEGISLATIVE FINDINGS AND INTENT; AND FOR RELATED PURPOSES.
By Senator(s) Michel

S. B. No. 2133: Business and Financial Institutions; Accountability, Efficiency, Transparency

AN ACT TO ENACT THE MISSISSIPPI DESIGN PROFESSIONALS ACT; TO MAKE CONTRACT TERMS THAT REQUIRE DESIGN PROFESSIONALS TO INDEMNIFY OR HOLD HARMLESS PERSONS OR ENTITIES FOR ANY DAMAGES OTHER THAN DAMAGES THEY ACTUALLY CAUSED THROUGH NEGLIGENT OR INTENTIONAL ACTIONS, REQUIRES DESIGN PROFESSIONALS TO DEFEND ANOTHER PERSON OR ENTITY AGAINST CLAIMS ARISING FROM ISSUES RELATED TO RENDERED OR NOT RENDERED PROFESSIONAL SERVICES, REQUIRES DESIGN PROFESSIONALS TO NAME ANOTHER PERSON OR ENTITY AS AN ADDITIONAL INSURED PARTY ON THEIR PROFESSIONAL LIABILITY INSURANCE POLICY, OR SUBJECTS DESIGN PROFESSIONALS TO A STANDARD OF CARE DIFFERENT THAN THE PROFESSIONAL STANDARD, TO ALL BE VOID AND UNENFORCEABLE; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. C. R. No. 502: Rules

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO THE MISSISSIPPI CONSTITUTION OF 1890 TO LIMIT THE NUMBER OF TERMS A PERSON MAY SERVE IN THE MISSISSIPPI HOUSE OF REPRESENTATIVES AND THE MISSISSIPPI SENATE; AND FOR RELATED PURPOSES.
By Senator(s) Chism

S. C. R. No. 503: Rules

A CONCURRENT RESOLUTION TO AMEND THE JOINT RULES OF THE MISSISSIPPI SENATE AND HOUSE OF REPRESENTATIVES BY CREATING NEW JOINT RULE 9B TO ALLOW LEGISLATORS TO COSPONSOR BILLS, JOINT RESOLUTIONS AND CONCURRENT RESOLUTIONS ORIGINATING IN THE OTHER HOUSE OF THE LEGISLATURE.
By Senator(s) Blackwell

S. C. R. No. 504: Rules

A CONCURRENT RESOLUTION MOURNING THE PASSING OF FORMER NATCHEZ MAYOR AND MISSISSIPPI DEPARTMENT OF TRANSPORTATION EXECUTIVE DIRECTOR LARRY "BUTCH" BROWN AND RECOGNIZING HIS EFFECTIVE TENURE OF PUBLIC SERVICE TO THE CITIZENS OF SOUTH MISSISSIPPI.
By Senator(s) Butler

S. C. R. No. 505: Rules

A CONCURRENT RESOLUTION EXTENDING THE DEEP AND HEARTFELT SYMPATHY OF THE MISSISSIPPI LEGISLATURE TO THE FAMILY OF GEORGE COUNTY DEPUTY SHERIFF JEREMY TODD MALONE WHO WAS LOST IN THE LINE OF DUTY ON JANUARY 4, 2024.
By Senator(s) DeBar

S. C. R. No. 506: Rules

A CONCURRENT RESOLUTION EXTENDING THE SINCEREST SYMPATHY OF THE MISSISSIPPI SENATE TO THE SURVIVING FAMILY OF FORMER MISSISSIPPI SENATOR, CHAIRMAN OF THE STATE BOARD OF PUBLIC WELFARE AND RESPECTED TRIAL LAWYER JOHN G. CORLEW OF JACKSON COUNTY,

MISSISSIPPI, AND COMMENDING HIS SERVICE TO HIS COMMUNITY AND HIS STATE.
By Senator(s) Blount, Wiggins, England

S. C. R. No. 507: Rules
A CONCURRENT RESOLUTION COMMENDING OMEGA PSI PHI FRATERNITY, INC., FOR ITS OUTSTANDING COMMUNITY SERVICE AND PHILANTHROPY AND DESIGNATING MARCH 9, 2024, AS "OMEGA PSI PHI DAY" IN MISSISSIPPI.
By Senator(s) Butler

S. C. R. No. 508: Rules
A CONCURRENT RESOLUTION EXTENDING THE DEEP AND HEARTFELT SYMPATHY OF THE LEGISLATURE ON THE PASSING OF LEGENDARY MISSISSIPPI BLUES-ROCK MUSICIAN GREG "FINGERS" TAYLOR WHO PLAYED HARMONICA FOR JIMMY BUFFETT AND THE CORAL REEFER BAND FROM 1974-2000.
By Senator(s) Fillingane, Polk, Johnson

S. C. R. No. 509: Rules
A CONCURRENT RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI LEGISLATURE TO UNITED STATES SENATOR CINDY HYDE-SMITH AS THE FIRST WOMAN ELECTED TO REPRESENT THE STATE OF MISSISSIPPI IN WASHINGTON, D.C.
By Senator(s) Kirby, Barrett

S. C. R. No. 510: Rules
A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMENDING THE LIFE AND PUBLIC CONTRIBUTIONS OF LEGENDARY COSTUMER TO JOHN WAYNE AND FOUNDER OF UNITED AMERICAN COSTUME COMPANY LUSTER BAYLESS OF RULEVILLE, MISSISSIPPI, AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE ON HIS PASSING.
By Senator(s) Chassaniol, Harkins, Carter, Parker, Blackwell, Fillingane, Younger, Whaley, Williams, Rhodes, McMahan, Boyd, England, McLendon, Kirby, Berry, McCaughn, Suber, Jordan, Hopson, Robinson, Ladner, Seymour, Wiggins, DeLano, Thompson, Barrett

S. C. R. No. 511: Rules
A CONCURRENT RESOLUTION TO DIRECT THE RULES COMMITTEE OF THE MISSISSIPPI STATE SENATE AND THE MANAGEMENT COMMITTEE OF THE MISSISSIPPI HOUSE OF REPRESENTATIVES, MEETING AS A JOINT COMMITTEE, TO REALLOCATE CERTAIN SPACE ON THE FOURTH FLOOR OF THE NEW CAPITOL BUILDING EQUALLY BETWEEN THE SENATE AND THE HOUSE OF REPRESENTATIVES.
By Senator(s) Blackwell, Younger, Chassaniol, Wiggins, McLendon, Ladner, McCaughn

S. R. No. 3: Rules
A RESOLUTION TO AMEND SENATE RULES 28 AND 35C TO PROVIDE FLOOR RESTRICTIONS FOR MEMBERS OF THE NEWS MEDIA.
By Senator(s) Blackwell, Younger, Chassaniol, McLendon, McCaughn

S. R. No. 4: Rules
A RESOLUTION COMMEMORATING THE SESQUICENTENNIAL (150TH) ANNIVERSARY CELEBRATION OF THE OLD OAK GROVE BAPTIST CHURCH IN MYRTLE, MISSISSIPPI, AND EXTENDING THE BEST WISHES OF THE SENATE TO THIS CHRISTIAN CONGREGATION.
By Senator(s) Chism

S. R. No. 5: Rules
A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO HONORABLE MARK HAIRE ON THE OCCASION OF HIS RETIREMENT

FROM HIS LONG TENURE AS DEPUTY COMMISSIONER FOR THE MISSISSIPPI INSURANCE DEPARTMENT AND COMMENDING HIS CAREER OF EFFECTIVE PUBLIC SERVICE.
By Senator(s) Kirby, Michel

S. R. No. 6: Rules
A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE FOR THE REMARKABLE CAREER OF UNIVERSITY OF SOUTHERN MISSISSIPPI BASEBALL COACH SCOTT BERRY ON THE OCCASION OF HIS RETIREMENT AFTER SEVEN STRAIGHT 40-VICTORY SEASONS, SEVEN STRAIGHT NCAA REGIONAL APPEARANCES AND TWO STRAIGHT SUPER REGIONALS.
By Senator(s) Johnson, Polk, Fillingane

S. R. No. 7: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE BIGGERSVILLE HIGH SCHOOL "LIONS" FOOTBALL TEAM AND HEAD COACH CASE INGRAM FOR WINNING ITS FIRST MHSAA CLASS 1A STATE CHAMPIONSHIP WITH SECONDS REMAINING.
By Senator(s) Parks

S. R. No. 8: Rules
A RESOLUTION RECOGNIZING AND COMMENDING THE NATIONAL CONFERENCE OF STATE LEGISLATURES (NCSL) ON ITS 50TH ANNIVERSARY IN 2025.
By Senator(s) Kirby

S. R. No. 9: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE WEST POINT "GREEN WAVE" FOOTBALL TEAM AND COACH CHRIS CHAMBLESS FOR WINNING ITS STATE RECORD 12TH MHSAA CLASS 5A CHAMPIONSHIP.
By Senator(s) Turner-Ford

S. R. No. 10: Rules
A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO THE LEGACY AND COMMUNITY SERVICE OF THE 100 MEN HALL IN BAY SAINT LOUIS, MISSISSIPPI, AS THE RECIPIENT OF THE 2024 GOVERNOR'S ARTS AWARD FOR ARTS IN THE COMMUNITY.
By Senator(s) Horhn

S. R. No. 11: Rules
A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO INTERNATIONALLY KNOWN PUPPET ARTS THEATRE DIRECTOR PETER ZAPLETAL AS THE RECIPIENT OF THE 2024 GOVERNOR'S ARTS AWARD FOR EXCELLENCE IN PERFORMING ARTS.
By Senator(s) Horhn

S. R. No. 12: Rules
A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO AWARD-WINNING ART PROFESSOR BRENT FUNDERBURK AS THE RECIPIENT OF THE 2024 GOVERNOR'S ARTS AWARD FOR EXCELLENCE IN VISUAL ARTS AND EDUCATION.
By Senator(s) Horhn

S. R. No. 13: Rules
A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO INTERNATIONALLY RENOWNED PIANIST, SINGER-SONGWRITER, MUSIC PRODUCER AND ACTOR EARL POOLE BALL, JR., OF AUSTIN, TEXAS, AS THE RECIPIENT OF THE 2024 GOVERNOR'S ARTS AWARD FOR LIFETIME ACHIEVEMENT.

By Senator(s) Horhn

S. R. No. 14: Rules
A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO VETERAN NORTH MISSISSIPPI HILL COUNTRY BLUES MUSICIAN CEDRIC BURNSIDE AS THE RECIPIENT OF THE 2024 GOVERNOR'S ARTS AWARD FOR EXCELLENCE IN MUSIC.
By Senator(s) Horhn

S. R. No. 15: Rules
A RESOLUTION EXTENDING THE CONGRATULATIONS OF THE MISSISSIPPI SENATE TO SHARON NOBLES, CHIEF FINANCIAL OFFICER AT NORTH MISSISSIPPI HEALTH SERVICES IN TUPELO, MISSISSIPPI, AS THE NUMBER ONE RECIPIENT OF THE "TOP 25 CFOs OF MISSISSIPPI AWARD FOR 2023" HONORING HER COMMITMENT TO HER BUSINESS ORGANIZATION AND TO HER COMMUNITY.
By Senator(s) McMahan, Bryan, Turner-Ford, Sparks, Williams, Suber, Whaley

S. R. No. 16: Rules
A RESOLUTION URGING THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO INCLUDE AIRGUNS AND AIRBOWS, WITH OTHER METHODS OF TAKE, AS ITEMS TAXED THROUGH THE FEDERAL WILDLIFE RESTORATION PROGRAM (PITTMAN-ROBERTSON ACT).
By Senator(s) Blackwell

S. R. No. 17: Rules
A RESOLUTION TO AMEND SENATE RULE 115 TO REVERSE THE ORDER OF NAMES CALLED DURING EVERY OTHER ROLL CALL VOTE.
By Senator(s) Blackwell

S. R. No. 18: Rules
A RESOLUTION TO AMEND SENATE RULE 65 TO PROVIDE FOR THE REMOVAL OF MEMBERS OF THE RULES COMMITTEE.
By Senator(s) Blackwell

TWENTY-FIRST DAY, MONDAY, JANUARY 22, 2024

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--McCaughn. Total--1.

The Secretary announced a quorum present.

Leave of absence was granted to Senator McCaughn.

_____

The invocation was delivered by Elder Kevin Ware, Pastor, Collis Hill Church of Christ Holiness, Terry, MS.

_____

Senator Frazier led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

_____

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

_____

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

_____

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Diane Parker of Lucedale, MS.

_____

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Larry Warren Fuller, William David Garrett, Justin Glenn Mullins, Jeanette Foster and Maureen Rushing Spence of Monticello, MS.

_____

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Cathy Lorraine McAnally of Jayess, MS.

_____

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Eddie Lloyd of Sardis, MS.

_____

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Donna High Adams of Columbus, MS.

_____

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Joan Elaine Sample of Saucier, MS.

_____

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, January 23, 2024.

The motion prevailed, and at 4:13 PM, the Senate stood in recess.

_____

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Diane Parker, Larry Warren Fuller, William David Garrett, Justin Glenn Mullins, Jeanette Foster, Maureen Rushing Spence, Cathy Lorraine McAnally, Eddie Lloyd, Donna High Adams and Joan Elaine Sample.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR MONDAY, JANUARY 22, 2024

TWENTY-SECOND DAY, TUESDAY, JANUARY 23, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Absent--McCaughn. Total--1.

The Secretary announced a quorum present.

Leave of absence was granted to Senator McCaughn.

The invocation was delivered by Senator Sparks.

Senator Simmons S. (13th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Garrod Shaine Huckaby of Saltillo, MS.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Mary Sue Rounsaville and Lillie Mae Dickerson of Lucedale, MS.

Senator Rhodes moved that when the Senate adjourns, it adjourn in memory of Cleveland Russell Searcy, Sr. of Puckett, MS.

Senator Robinson moved that when the Senate adjourns, it adjourn in memory of Vern Geddie, Jr. of Ellisville, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Theresa Lollar of Columbus, MS.

Senator Polk moved that the Senate stand in recess until 5:30 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, January 24, 2024.

The motion prevailed, and at 10:43 AM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Garrod Shaine Huckaby, Mary Sue Rounsaville, Lillie Mae Dickerson, Cleveland Russell Searcy, Sr., Vern Geddie, Jr. and Theresa Lollar.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR TUESDAY, JANUARY 23, 2024

TWENTY-THIRD DAY, WEDNESDAY, JANUARY 24, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Dr. ML Coleman, Pastor, Springfield Missionary Baptist Church, Yazoo County, MS.

Senator Jackson led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Butler moved that when the Senate adjourns, it adjourn in memory of Abraham Jones of Port Gibson, MS.

Senator Parks moved that when the Senate adjourns, it adjourn in memory of Patsy Bain Hardwick of Burnsville, MS.

Senator Berry moved that when the Senate adjourns, it adjourn in memory of Robert Maddox of Magee, MS.

Senator Hopson moved that when the Senate adjourns, it adjourn in memory of William "Bill" Caldwell and Herschel Lamar "Sonny" Hale of Vicksburg, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:15 AM, Thursday, January 25, 2024.

The motion prevailed, and at 10:16 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. C. R. No. 504: Mourning the passing of former Natchez Mayor and MDOT Executive Director Larry "Butch" Brown and recognizing his public service. Title Sufficient. Do Be Adopted.

S. C. R. No. 505: Extend sympathy of the Legislature to the family of George County Deputy Sheriff Jeremy Malone who was lost in the line of duty. Title Sufficient. Do Be Adopted.

S. C. R. No. 506: Extend sincerest sympathy of Mississippi Senate to surviving family of former Senator John G. Corlew. Title Sufficient. Do Be Adopted.

S. C. R. No. 507: "Omega Psi Phi Day"; designate March 9. 2024, in Mississippi. Title Sufficient. Do Be Adopted.

S. C. R. No. 508: Extend sympathy of the Legislature on the passing of legendary Mississippi Blues-Rock Musician Greg "Fingers" Taylor. Title Sufficient. Do Be Adopted.

S. C. R. No. 509: Extend recognition to United States Senator Cindy Hyde Smith as first woman elected to represent Mississippi in Washington, D.C. Title Sufficient. Do Be Adopted.

S. C. R. No. 510: Mourn the loss and commend the life of Luster Bayless, legendary Costumer to John Wayne. Title Sufficient. Do Be Adopted.

S. R. No. 4: Commemorate the Sesquicentennial (150th) Anniversary of Old Oak Grove Baptist Church in Myrtle, Mississippi. Title Sufficient. Do Be Adopted.

S. R. No. 5: Recognize Mark Haire on the occasion of his retirement from his tenure as Deputy Insurance Commissioner and commending his service. Title Sufficient. Do Be Adopted.

S. R. No. 6: Recognize the remarkable career of USM Baseball Coach Scott Berry on occasion of his retirement. Title Sufficient. Do Be Adopted.

S. R. No. 7: Congratulate Biggersville High School "Lions" Football Team for first MHSAA Class 1A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 8: Recognize National Conference of State Legislatures (NCSL) on its 50th Anniversary. Title Sufficient. Do Be Adopted.

S. R. No. 9: Congratulate West Point "Green Wave" Football Team for record 12th state championship. Title Sufficient. Do Be Adopted.

S. R. No. 10: Recognize 100 Men Hall as the recipient of the 2024 Governor's Arts Award for Arts in the Community. Title Sufficient. Do Be Adopted.

S. R. No. 11: Recognize Peter Zapletal as the recipient of the 2024 Governor's Arts Award for Excellence in Performing Arts. Title Sufficient. Do Be Adopted.

S. R. No. 12: Recognize Artist Brent Funderburk as the recipient of the 2024 Governor's Arts Award for Excellence in Visual Arts and Education. Title Sufficient. Do Be Adopted.

S. R. No. 13: Recognize Earl Poole Ball as the recipient of the 2024 Governor's Arts Award for Lifetime Achievement. Title Sufficient. Do Be Adopted.

S. R. No. 14: Recognize Cedric Burnside as the recipient of the 2024 Governor's Arts Award for Excellence in Music. Title Sufficient. Do Be Adopted.

S. R. No. 15: Recognize Sharon Nobles, CFO of North Mississippi Health Services, for "Top 25 CFOs of Mississippi" award. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

_____

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Patsy Bain Hardwick, Abraham Jones, Robert Maddox, William "Bill" Caldwell and Herschel Lamar "Sonny" Hale.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR WEDNESDAY, JANUARY 24, 2024

TWENTY-FOURTH DAY, THURSDAY, JANUARY 25, 2024

The Senate met at 9:15 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Absent--McCaughn. Total--1.

The Secretary announced a quorum present.

Leave of absence was granted to Senator McCaughn.

The invocation was delivered by Dr. Israel Cox, Pastor, Crosspoint Church, Gulfport, MS.

Senator Carter led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Norma C. Pegues of Tupelo, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Jesse Clift of Saltillo, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Deborah Turnage Weseli of Columbus, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Michael Evans "Mickey" Ryan of Hattiesburg, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Matthew James Rowley of Gulfport, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, January 29, 2024.

The motion prevailed, and at 9:30 AM, the Senate stood in recess.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. C. R. No. 11: A CONCURRENT RESOLUTION PROPOSING AMENDMENTS TO SECTIONS 33, 56, 61 AND 72, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT THE PEOPLE RESERVE TO THEMSELVES THE RIGHT TO EXERCISE THE LEGISLATIVE POWER OF THE STATE TO PROPOSE NEW LAWS AND TO AMEND OR REPEAL EXISTING LAWS BY INITIATIVE, AND TO APPROVE OR REJECT THE SAME IN AN ELECTION INDEPENDENT OF THE LEGISLATURE; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Norma C. Pegues, Jesse Clift, Deborah Turnage Weseli, Michael Evans "Mickey" Ryan and Matthew James Rowley.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, JANUARY 25, 2024

S. B. No. 2134: Judiciary, Division A

AN ACT TO ENACT THE MISSISSIPPI CONSUMERS' FREEDOM OF CHOICE IN APPLIANCES ACT; TO PREVENT GOVERNMENTAL ENTITIES FROM RESTRICTING OR PROHIBITING USE OF APPLIANCES BASED ON THE TYPE OF UTILITY SERVICE REQUIRED FOR OPERATION; TO CLARIFY THE SCOPE OF RELEVANT GOVERNMENTAL ENTITIES' AUTHORITY; TO AMEND SECTION 77-3-3, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Carter

S. B. No. 2135: Judiciary, Division B
AN ACT TO AMEND SECTION 97-23-93, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT A COURT FINDS SUBSTANTIAL AND COMPELLING REASONS WHY THE OFFENDER CANNOT BE SAFELY AND EFFECTIVELY SUPERVISED IN THE COMMUNITY, IS NOT AMENABLE TO COMMUNITY BASED TREATMENT, OR POSES A SIGNIFICANT RISK TO PUBLIC SAFETY BEFORE IMPOSING A PENALTY OF IMPRISONMENT FOR THE CRIME OF SHOPLIFTING; AND FOR RELATED PURPOSES.
By Senator(s) McLendon, Blackwell, Parker

S. B. No. 2136: Judiciary, Division B
AN ACT TO AMEND SECTION 97-43-3, MISSISSIPPI CODE OF 1972, TO AMEND THE DEFINITION OF "RACKETEERING ACTIVITY" TO INCLUDE THE CRIME OF DOGFIGHTING UNDER SECTION 97-41-19; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2137: Elections
AN ACT TO AMEND SECTION 23-15-297, MISSISSIPPI CODE OF 1972, TO INCREASE THE QUALIFYING FEES FOR STATEWIDE AND LOCAL CANDIDATES TO COVER THE COSTS ASSOCIATED WITH PERFORMING BACKGROUND CHECKS; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2138: Local and Private
AN ACT TO AMEND CHAPTER 1039, LOCAL AND PRIVATE LAWS OF 1999, AS LAST AMENDED BY CHAPTER 948, LOCAL AND PRIVATE LAWS OF 2016, TO INCREASE FROM $40,000,000.00 TO $80,000,000.00 THE AUTHORITY OF THE DESOTO COUNTY REGIONAL UTILITY AUTHORITY TO BORROW MONEY AND ISSUE REVENUE BONDS; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell, Parker, McLendon

S. B. No. 2139: Local and Private
AN ACT TO AMEND CHAPTER 957, LOCAL AND PRIVATE LAWS OF 2012, AS LAST AMENDED BY CHAPTER 904, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2024, TO JULY 1, 2028, ON THE PROVISION OF LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF WEST POINT, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

TWENTY-EIGHTH DAY, MONDAY, JANUARY 29, 2024

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--England. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Reverend Fred S. Britton, District Superintendent, District 4, The Mississippi Conference of The United Methodist Church, Jackson, MS.

Senator Robinson led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Mavelene Woodruff Lindsey of Baldwyn, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Frank "Frankie" Wood of Tupelo, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Lisa Joyce Roebuck of Newton, MS.

Senator Norwood moved that when the Senate adjourns, it adjourn in memory of Clara Barbour of Jackson, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Joel Kenneth Stallings of Biloxi, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Rita Loretta Martinez Allen of New Orleans, LA.

Senators McLendon, Parker and Blackwell moved that when the Senate adjourns, it adjourn in memory of William Hoytte (Bill) Austin, Jr. of DeSoto County, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, January 30, 2024.

The motion prevailed, and at 4:14 PM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Mavelene Woodruff Lindsey, Frank "Frankie" Wood, Lisa Joyce Roebuck, Clara Barbour, Joel Kenneth Stallings, William Hoytte (Bill) Austin, Jr. and Rita Loretta Martinez Allen.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR MONDAY, JANUARY 29, 2024

S. B. No. 2140: Insurance

AN ACT TO ENACT THE MISSISSIPPI PRIOR AUTHORIZATION REFORM ACT; TO ESTABLISH THE LEGISLATIVE FINDINGS OF THE ACT; TO PROVIDE THE APPLICABILITY AND SCOPE OF THE ACT; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAINTAIN A COMPLETE LIST OF SERVICES FOR WHICH PRIOR AUTHORIZATIONS ARE REQUIRED; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAKE ANY CURRENT PRIOR AUTHORIZATION REQUIREMENTS AND RESTRICTIONS READILY ACCESSIBLE AND POSTED ON ITS WEBSITE; TO SET REQUIREMENTS FOR THE CLINICAL REVIEW CRITERIA OF HEALTH INSURANCE ISSUERS; TO PROHIBIT HEALTH INSURANCE ISSUERS FROM DENYING A CLAIM FOR FAILURE TO OBTAIN PRIOR AUTHORIZATION IF THE PRIOR AUTHORIZATION REQUIREMENT WAS NOT IN EFFECT ON THE DATE OF SERVICE ON THE CLAIM; TO REQUIRE HEALTH INSURERS TO MAKE CERTAIN PRIOR AUTHORIZATION STATISTICS AVAILABLE ON THEIR WEBSITE; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAKE AVAILABLE A STANDARDIZED ELECTRONIC PRIOR AUTHORIZATION REQUEST TRANSACTION PROCESS BY JANUARY 1, 2025; TO REQUIRE ALL HEALTH CARE PROFESSIONALS AND HEALTH CARE PROVIDERS TO USE THAT PROCESS NOT LATER THAN JANUARY 1, 2027; TO ESTABLISH CERTAIN REQUIREMENTS ON HEALTH INSURANCE ISSUERS FOR PRIOR AUTHORIZATIONS IN NONURGENT CIRCUMSTANCES AND URGENT CIRCUMSTANCES; TO PROVIDE CERTAIN QUALIFICATIONS OF PHYSICIANS QUALIFIED TO MAKE ADVERSE DETERMINATIONS; TO REQUIRE HEALTH INSURANCE ISSUERS TO GIVE CERTAIN NOTIFICATIONS WHEN MAKING AN ADVERSE DETERMINATION; TO ESTABLISH THE QUALIFICATIONS FOR PERSONNEL WHO REVIEW APPEALS OF PRIOR AUTHORIZATIONS; TO REQUIRE HEALTH INSURANCE ISSUERS TO PERIODICALLY REVIEW ITS PRIOR AUTHORIZATION REQUIREMENTS AND TO CONSIDER REMOVAL OF THESE REQUIREMENTS IN CERTAIN CASES; TO PROVIDE THAT A HEALTH INSURANCE

ISSUER MAY NOT REVOKE OR FURTHER LIMIT, CONDITION OR RESTRICT A PREVIOUSLY ISSUED PRIOR AUTHORIZATION WHILE IT REMAINS VALID UNDER THIS ACT UNLESS CERTAIN EXCLUSIONS ARE APPLICABLE; TO PROVIDE HOW LONG PRIOR AUTHORIZATION APPROVALS SHALL BE VALID; TO PROVIDE HOW LONG THE PRIOR AUTHORIZATIONS FOR CHRONIC CONDITIONS SHALL BE VALID; TO ESTABLISH THE PROCEDURE FOR THE CONTINUITY OF PRIOR APPROVALS FROM PREVIOUS HEALTH INSURANCE ISSUERS TO CURRENT ISSUERS; TO PROVIDE THAT A FAILURE BY A HEALTH INSURANCE ISSUER TO COMPLY WITH THE DEADLINES AND OTHER REQUIREMENTS SPECIFIED IN THIS ACT SHALL RESULT IN ANY HEALTH CARE SERVICES SUBJECT TO REVIEW TO BE AUTOMATICALLY DEEMED AUTHORIZED BY THE HEALTH INSURANCE ISSUER OR ITS CONTRACTED PRIVATE REVIEW AGENT; TO AUTHORIZE THE DEPARTMENT OF INSURANCE TO ISSUE CEASE AND DESIST ORDERS TO HEALTH INSURANCE ISSUERS OR PRIVATE REVIEW AGENTS; TO AUTHORIZE THE STATE DEPARTMENT OF INSURANCE TO IMPOSE UPON A PRIVATE REVIEW AGENT, HEALTH BENEFIT PLAN OR HEALTH INSURANCE ISSUER AN ADMINISTRATIVE FINE NOT TO EXCEED $10,000 PER VIOLATION OF THE ACT; TO REQUIRE HEALTH INSURANCE ISSUERS TO REPORT TO THE DEPARTMENT CERTAIN DATA; TO REQUIRE HEALTH INSURANCE ISSUERS TO NOTIFY THE COMMISSIONER OF INSURANCE OF SUSPECTED SUBMISSIONS OF FALSE REQUESTS FOR PRIOR AUTHORIZATION; TO REQUIRE THE COMMISSIONER TO HAVE AN ADMINISTRATIVE HEARING ON SUCH MATTERS TO RESOLVE THE ISSUE; TO AMEND SECTION 41-83-31, MISSISSIPPI CODE OF 1972, TO CONFORM AND TO SET CERTAIN QUALIFICATIONS AND TIME CONSTRAINTS FOR PHYSICIANS MAKING ADVERSE DETERMINATIONS THROUGH ANY PROGRAM OF UTILIZATION REVIEW; TO AMEND SECTIONS 41-83-1, 41-83-3, 41-83-13, 41-83-21, 83-1-101 AND 83-9-6.3 MISSISSIPPI CODE OF 1972, TO CONFORM WITH THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 41-83-5, 41-83-7, 41-83-9, 41-83-11, 41-83-15, 41-83-17, 41-83-19, 41-83-23, 41-83-25, 41-83-27 AND 41-83-29, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Michel, Younger, Wiggins, Thomas, Whaley, Frazier, McLendon, DeLano, Boyd, Sparks, Hill

---

TWENTY-NINTH DAY, TUESDAY, JANUARY 30, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Pastor Lamar Banks, Mt. Union Missionary Baptist Church, Okolona, MS.

Senator McMahan led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON INSURANCE

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2140: Mississippi Prior Authorization Reform Act; enact. Title Sufficient. Do Pass.

MICHEL, Chairman

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of George Malcolm Taylor and Scotty Lewis Wren of Tupelo, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of James Frank Wood of Belden, MS.

Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Eloise Pettus Heidelberg of Meridian, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, January 31, 2024.

The motion prevailed, and at 10:16 AM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of George Malcolm Taylor, Scotty Lewis Wren, James Frank Wood and Eloise Pettus Heidelberg.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, JANUARY 30, 2024

S. B. No. 2141: County Affairs

AN ACT TO AMEND SECTION 17-13-11, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT AGREEMENTS FOR THE PROVISION OF SERVICES OR FACILITIES

BY CERTAIN COUNTY OFFICIALS BE SUBMITTED, APPROVED, AND EXECUTED BY THE RESPECTIVE COUNTY OFFICIAL, SUBJECT TO THE SAME STANDARDS AND PROCESSES USED BY THE ATTORNEY GENERAL; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2142: Tourism
AN ACT TO DESIGNATE THE AMERICAN QUARTER HORSE AS THE "OFFICIAL STATE HORSE OF THE STATE OF MISSISSIPPI"; AND FOR RELATED PURPOSES.
By Senator(s) Hickman, Whaley, Branning, Robinson, Younger, Parks, England, Berry, McCaughn

S. B. No. 2143: County Affairs; Finance
AN ACT TO AMEND SECTION 19-5-21, MISSISSIPPI CODE OF 1972, TO DESIGNATE THE AUTHORITY OF CERTAIN COUNTIES TO LEVY AN AD VALOREM TAX UP TO SEVEN MILLS FOR THE PURPOSE OF OPERATING AND MAINTAINING A GARBAGE OR RUBBISH COLLECTION OR DISPOSAL SYSTEM; AND FOR RELATED PURPOSES.
By Senator(s) Blount, Frazier, Horhn

THIRTIETH DAY, WEDNESDAY, JANUARY 31, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Dr. Robert Kimble, Senior Pastor, New Hope First Baptist Church, Greenville, MS.

Senator Simmons D. T. (12th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 504, S. C. R. No. 505, S. C. R. No. 506, S. C. R. No. 507, S. C. R. No. 508, S. C. R. No. 510, S. R. No. 4, S. R. No. 5, S. R. No. 6, S. R. No. 7, S. R. No. 8, S. R. No. 9, S. R. No. 10, S. R. No. 11, S. R. No. 12, S. R. No. 13, S. R. No. 14 and S. R. No. 15 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

S. C. R. No. 504: Mourning the passing of former Natchez Mayor and MDOT Executive Director Larry "Butch" Brown and recognizing his public service.

S. C. R. No. 505: Extend sympathy of the Legislature to the family of George County Deputy Sheriff Jeremy Malone who was lost in the line of duty.

S. C. R. No. 506: Extend sincerest sympathy of Mississippi Senate to surviving family of former Senator John G. Corlew.

S. C. R. No. 507: "Omega Psi Phi Day"; designate March 9. 2024, in Mississippi.

S. C. R. No. 508: Extend sympathy of the Legislature on the passing of legendary Mississippi Blues-Rock Musician Greg "Fingers" Taylor.

S. C. R. No. 510: Mourn the loss and commend the life of Luster Bayless, legendary Costumer to John Wayne.

S. R. No. 4: Commemorate the Sesquicentennial (150th) Anniversary of Old Oak Grove Baptist Church in Myrtle, Mississippi.

S. R. No. 5: Recognize Mark Haire on the occasion of his retirement from his tenure as Deputy Insurance Commissioner and commending his service.

S. R. No. 6: Recognize the remarkable career of USM Baseball Coach Scott Berry on occasion of his retirement.

S. R. No. 7: Congratulate Biggersville High School "Lions" Football Team for first MHSAA Class 1A State Championship.

S. R. No. 8: Recognize National Conference of State Legislatures (NCSL) on its 50th Anniversary.

S. R. No. 9: Congratulate West Point "Green Wave" Football Team for record 12th state championship.

S. R. No. 10: Recognize 100 Men Hall as the recipient of the 2024 Governor's Arts Award for Arts in the Community.

S. R. No. 11: Recognize Peter Zapletal as the recipient of the 2024 Governor's Arts Award for Excellence in Performing Arts.

S. R. No. 12: Recognize Artist Brent Funderburk as the recipient of the 2024 Governor's Arts Award for Excellence in Visual Arts and Education.

S. R. No. 13: Recognize Earl Poole Ball as the recipient of the 2024 Governor's Arts Award for Lifetime Achievement.

S. R. No. 14: Recognize Cedric Burnside as the recipient of the 2024 Governor's Arts Award for Excellence in Music.

S. R. No. 15: Recognize Sharon Nobles, CFO of North Mississippi Health Services, for "Top 25 CFOs of Mississippi" award.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 504, S. C. R. No. 505, S. C. R. No. 506, S. C. R. No. 507, S. C. R. No. 508, S. C. R. No. 510, S. R. No. 4, S. R. No. 5, S. R. No. 6, S. R. No. 7, S. R. No. 8, S. R. No. 9, S. R. No. 10, S. R. No. 11, S. R. No. 12, S. R. No. 13, S. R. No. 14 and S. R. No. 15. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Barnett, Branning, Brumfield, Frazier, Horhn, Johnson, McCaughn, McLendon, Michel and Thomas as co-authors of **S. C. R. No. 504**.

Unanimous consent was granted to add Senators Barnett, England, Frazier, Hill, McCaughn, McMahan, Thomas and Whaley as co-authors of **S. C. R. No. 505**.

Unanimous consent was granted to add Senators Barnett, Branning, Brumfield, Frazier, Hopson, Horhn, Michel, Parker, Thomas and Whaley as co-authors of **S. C. R. No. 506**.

Unanimous consent was granted to add Senators Barnett, Brumfield, Frazier, Horhn and Thomas as co-authors of **S. C. R. No. 507**.

Unanimous consent was granted to add Senators Barnett, Horhn, McLendon and Sparks as co-authors of **S. C. R. No. 508**.

Unanimous consent was granted to add Senators Barnett, McCaughn, McLendon and Thomas as co-authors of **S. C. R. No. 510**.

Unanimous consent was granted to add Senators Barnett, Hill, Thomas and Whaley as co-authors of **S. R. No. 4**.

Unanimous consent was granted to add Senators Barnett, Hopson, Michel and Sparks as co-authors of **S. R. No. 5**.

Unanimous consent was granted to add Senators Barnett, Berry, Carter, Fillingane, McCaughn, Robinson, Seymour, Sparks and Younger as co-authors of **S. R. No. 6**.

Unanimous consent was granted to add Senator Barnett as co-author of **S. R. No. 7**.

Unanimous consent was granted to add Senators Barnett, Blount, Carter, Frazier, Hopson, McCaughn, McLendon and Thomas as co-authors of **S. R. No. 8**.

Unanimous consent was granted to add Senators Barnett and Younger as co-authors of **S. R. No. 9**.

Unanimous consent was granted to add Senators Barnett and Chassaniol as co-authors of **S. R. No. 10**.

Unanimous consent was granted to add Senators Barnett, Chassaniol and McCaughn as co-authors of **S. R. No. 11**.

Unanimous consent was granted to add Senators Barnett, Chassaniol and McCaughn as co-authors of **S. R. No. 12**.

Unanimous consent was granted to add Senators Barnett, Berry, Chassaniol and McCaughn as co-authors of **S. R. No. 13**.

Unanimous consent was granted to add Senators Barnett, Chassaniol, England, McCaughn, McLendon, Sparks and Whaley as co-authors of **S. R. No. 14**.

Unanimous consent was granted to add Senator Barnett as co-author of **S. R. No. 15**.

Senator Kirby moved that the rules be suspended to move to calendar item 6, **S. C. R. No. 509**, and the motion prevailed.

Senator Kirby called up the following entitled resolution:

S. C. R. No. 509: Extend recognition to United States Senator Cindy Hyde Smith as first woman elected to represent Mississippi in Washington, D.C.

YEAS AND NAYS On S. C. R. No. 509. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Berry, Blackmon, Blackwell, Boyd, Branning, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--39.

Nays--None.

Absent and those not voting--Barrett, Blount, Bryan, Butler, Chism, Frazier, Jordan, Simmons D. T. (12th), Thomas. Total--9.

Voting Present--Barnett, Brumfield, Horhn, Norwood. Total--4.

Unanimous consent was granted to add Senators Barrett, Berry, Blackwell, Branning, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, McCaughn, McLendon, McMahan, Michel, Parker, Polk, Rhodes, Robinson, Seymour, Sparks, Whaley, Williams and Younger as co-authors of **S. C. R. No. 509**.

Senator McCaughn entered a motion to reconsider the vote whereby **S. C. R. No. 509** was adopted by the Senate.

Senator Michel called up the following entitled bill:

S. B. No. 2140: Mississippi Prior Authorization Reform Act; enact.

YEAS AND NAYS On S. B. No. 2140. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Branning, Brumfield, Chassaniol, Horhn, Norwood, Parker, Simmons D. T. (12th) and Simmons S. (13th) as co-authors of **S. B. No. 2140**.

On motion of Senator Michel, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 2140.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Eula Frances Davis of Columbus, MS.

Senator Ladner moved that when the Senate adjourns, it adjourn in memory of John Necaise of Dedeaux, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Mr. Billy Haygood of Saltillo, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Jay Dyson of Tupelo, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Gordon Chandler "Gordie" Keys of Middleburg, VA.

Senator Williams moved that when the Senate adjourns, it adjourn in memory of Jacob "Jake" Tyler Ramsey of Canton, MS.

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Edna Mae Brewer Haley and Toler Randall Jordan of Brookhaven, MS.

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Tommy Marcus Givens and John Franklin Branton of Monticello, MS.

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of William Henry "Billy" Covington and Veta Grace Smith Covington of Union Church, MS.

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Roger Simmons, Jr. of Wesson, MS.

Senators Barrett, Butler and Berry moved that when the Senate adjourns, it adjourn in memory of Calvin Benjamin "Benjy" Jordan and Houston Russell "Bubba" Jordan of Hazlehurst, MS.

Senator Jordan moved that when the Senate adjourns, it adjourn in memory of Gabrilla Taylor Wells of Greenwood, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, February 1, 2024.

The motion prevailed, and at 10:50 AM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Eula Frances Davis, John Necaise, William Henry "Billy" Covington, Veta Grace Smith Covington, Roger Simmons, Jr., Calvin Benjamin "Benjy" Jordan, Houston Russell "Bubba" Jordan, Gabrilla Taylor Wells, Mr. Billy Haygood, Jay

Dyson, Gordon Chandler "Gordie" Keys, Jacob "Jake" Tyler Ramsey, Edna Mae Brewer Haley, Toler Randall Jordan, Tommy Marcus Givens and John Franklin Branton.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR WEDNESDAY, JANUARY 31, 2024

S. B. No. 2144: Elections
AN ACT TO AMEND SECTIONS 23-15-191, 23-15-193, 23-15-213, 23-15-833, 23-15-981, 23-15-1031, 23-15-1083, 37-5-9, 37-7-215, 37-7-217, 37-7-227 AND 37-7-711, MISSISSIPPI CODE OF 1972, TO CHANGE THE TIME PERIOD FOR RUN OFF ELECTION FROM THREE TO FOUR WEEKS; AND FOR RELATED PURPOSES.
By Senator(s) England

THIRTY-FIRST DAY, THURSDAY, FEBRUARY 1, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Absent--Berry, Tate. Total--2.

The Secretary announced a quorum present.

The invocation was delivered by Reverend Chip Stevens, Senior Pastor, First Baptist Church, Jackson, MS.

Senator Kirby led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:
The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Kirby called up the motion to reconsider the vote whereby **S. C. R. No. 509** was adopted by the Senate and moved that it be reconsidered:

S. C. R. No. 509: Extend recognition to United States Senator Cindy Hyde Smith as first woman elected to represent Mississippi in Washington, D.C..

The foregoing motion prevailed.

YEAS AND NAYS On S. C. R. No. 509. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Boyd, Branning, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons S. (13th), Sparks, Suber, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--38.

Nays--None.

Absent and those not voting--Berry, Blount, Brumfield, Bryan, Butler, Frazier, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Tate, Thomas. Total--13.

Voting Present--Blackmon. Total--1.

Unanimous consent was granted to add Senator Chism as co-author of **S. C. R. No. 509**.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of James Dale Ashmore of Leighton, AL.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of William Zachary Bryan of West Point, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Friday, February 2, 2024.

The motion prevailed, and at 10:16 AM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of William Zachary Bryan and James Dale Ashmore.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR THURSDAY, FEBRUARY 1, 2024

THIRTY-SECOND DAY, FRIDAY, FEBRUARY 2, 2024

The Senate met at 9:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chism, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Jordan, Kirby, Ladner, McMahan, Michel, Norwood, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--42.

Absent--Berry, Carter, Chassaniol, Fillingane, Johnson, McCaughn, McLendon, Parker, Parks, Tate. Total--10.

The Secretary announced a quorum present.

The invocation was delivered by Matt Powell, Pastor, First Baptist Church, Tupelo, MS.

Senator McMahan led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

MESSAGE FROM THE GOVERNOR
January 4, 2024

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Terry Wayne Emerson, West Point, Mississippi, State Board of Animal Health representing a swine breeder and producer recommended by the MS Pork Producers' Association, four year term effective July 1, 2023 and ending June 30, 2027.

Dr. Gregory A. (Greg) Howell, DVM, Wesson, Mississippi, State Board of Animal Health representing a licensed and practicing veterinarian who holds a Doctor of Veterinary Medical Degree, four year term effective July 1, 2023 and ending June 30, 2027.

Andrew Page (Andy) Prosser, Madison, Mississippi, State BD of Animal Health representing a catfish breeder and producer recommended by the MS Catfish Association, four year term effective July 1, 2023 and ending June 30, 2027, vice Herbert Austin Jones.

Dr. Barry Tripp Henderson, Oxford, Mississippi, Board of Chiropractic Examiners as the representative of the 1st Congressional District, five year term effective April 21, 2023 and ending April 20, 2028.

Dr. Felicia F. King, Jackson, Mississippi, State BD of Chiropractic Examiners as an Individual engaged in the Practice of Chiropractic representing the 2nd Congressional District, remainder of five year term effective July 1, 2023 and ending April 20, 2024, vice Michael R. Patterson, D.C..

Dr. Felicia F. King, Jackson, Mississippi, State BD of Chiropractic Examiners as an Individual engaged in the Practice of Chiropractic representing the 2nd Congressional District, five year term effective April 21, 2024 and ending April 20, 2029.

Leland W. (Lee) McDivitt, III, Brandon, Mississippi, Commercial Mobile Radio Service BD as the MS Law Enforcement Officers Association representative, four year term beginning July 1, 2023 and ending June 30, 2027.

Trebia L. Rodgers, Grenada Co., Mississippi, Commercial Mobile Radio Service BD as the representative from the MS 911 Coordinators Association representing the Northern Public Service Commission District, four year term beginning July 1, 2023 and ending June 30, 2027.

Michael C. Rozier, Jr., Hattiesburg, Mississippi, State Board of Contractors representing the Building Contractor, five year term effective July 1, 2023 and ending June 30, 2028, vice John Laws.

Madison H. (Hamp) Smith, Tupelo, Mississippi, State Board of Contractors representing the Electrical Contractor, five year term effective July 1, 2023 and ending June 30, 2028.

Col. William R. (Bill) Allen, Jr. USAR (Ret.), Tupelo, Mississippi, Crime Stoppers Advisory Council, two year term effective July 1, 2023 and ending June 30, 2025, vice Christopher Freeze.

Wade Coleman Bishop, DMD, Gulfport, Mississippi, MS State Board of Dental Examiners to represent Dental District Five, remainder of six year term effective August 17, 2023 and ending June 30, 2027, vice Jeff Michael Zimmerman, DDS.

John Ballew Carlton, DMD, Natchez, Mississippi, MS State Board of Dental Examiners to represent Dental District Six, six year term beginning March 10, 2023 and ending June 30, 2028, vice Dr. Tobie Moore.

Kelly Dawn Barham, Columbus, Mississippi, Educational Television Authority (MS Public Broadcasting BD) as the Teacher or Principal of a Secondary School representative, four year term effective December 22, 2023 and ending June 30, 2027.

Jack H. Winstead, Brandon, Mississippi, MS Commission on Environmental Quality as the representative of the 3rd Congressional District as it existed in 1978, seven year term effective July 1, 2023 and ending June 30, 2030.

Joseph E. (Joe) Pettigrew, Kiln, Mississippi, MS Forestry Commission representing the 4th Congressional District, six year term effective July 1, 2023 and ending June 30, 2029.

Charles Bradley (Brad) Campbell, Starkville, Mississippi, State BD of Registration for Foresters to represent the East Central Forestry Commission District, five year term beginning July 1, 2023 and ending June 30, 2028.

Maxwell Mitchell (Max) Wells, Canton, Mississippi, State Board of Funeral Service as the At-Large member, four year term effective June 19, 2023 and ending March 13, 2027.

Dr. Frederick Barnett (Rick) Carlton, Jr., Oxford, Mississippi, State Board of Health as a Licensed Physician, remainder of six year term effective July 13, 2023 and ending June 30, 2027, vice Dr. John Edward Hill.

Gene B. (Benny) Hubbard, Jr., Oxford, Mississippi, State Board of Health as an individual with an interest in public health, six year term effective July 1, 2023 and ending June 30, 2029, vice Tim Timbs.

Dr. Lewis Anthony Bullock, Hattiesburg, Mississippi, State BD of Examiners for Licensed Professional Counselors representing the 4th Congressional District, five year term effective July 1, 2023 and ending June 30, 2028, vice Issac L. Boose, LPC.

Kerri P. McKnatt, Batesville, Mississippi, State BD of Examiners for Licensed Professional Counselors representing the 2nd Congressional District, five year term effective July 1, 2023 and ending June 30, 2028, vice Dr. Lynn Etheridge.

Dr. Sampat S. Shivangi, Ridgeland, Mississippi, State Board of Mental Health representing a licensed medical doctor, seven year term effective July 6, 2023 and ending June 30, 2030.

William V. (Bill) Cork, Mississippi, Executive Director at the Mississippi Development Authority, term is effective December 14, 2023, and the appointee shall serve at the pleasure of the Governor.

Shaterrica Janel Moody, Gulfport, Mississippi, MS Board of Nursing as a Registered Nurse in Clinical Practice, four year term effective August 1, 2023 and ending June 30, 2027, vice Laura K. Moore.

Dr. Mary Westfaul Stewart, Hattiesburg, Mississippi, MS Board of Nursing as a Nurse Educator, four year term effective July 1, 2023 and ending June 30, 2027.

Dr. Anna Taylor Middleton, Kosciusko, Mississippi, MS State Board of Optometry representing the 2nd Congressional District as it existed on January 1, 1980, five year term effective July 1, 2023 and ending June 30, 2028, vice Susanne S. Cunningham.

Stephanie P. Cummins, Brandon, Mississippi, MS State Personnel Board as an At-Large member, five year term effective July 1, 2023 and ending June 30, 2028.

Scott Roach Shoemaker, Jackson, Mississippi, MS State Personnel Board representing the 1st Supreme Court District, five year term effective July 1, 2023 and ending June 30, 2028.

Michael Gene (Mike) Gilbow, Indianola, Mississippi, Board of Pharmacy representing Pharmacist Retail At-Large, five year term effective July 1, 2023 and ending June 30, 2028, vice Guy Phillips.

David Charles Hudson, Kosciusko, Mississippi, Board of Pharmacy representing the 2nd Congressional District as it existed on July 1, 2001, five year term effective July 1, 2023 and ending June 30, 2028, vice Todd Barrett.

Laine Allyson Murret, Hattiesburg, Mississippi, MS State Board of Physical Therapists representing the 4th Congressional District, four year term effective May 26, 2023 and ending June 30, 2026, vice Douglas Roll.

Cheryl Brooks Ware, PT, Belden, Mississippi, MS State Board of Physical Therapists representing the 1st Congressional District, four year term effective July 1, 2023 and ending June 30, 2027, vice Shannon Singletary.

Norman R. McLeod, Brandon, Mississippi, Public Procurement Review Board, four year term beginning July 1, 2023 and ending June 30, 2027.

Veronica Haynes Knowles, LCSW, Louisville, Mississippi, BD of Examiners for Social Workers and Marriage and Family Therapists representing a Licensed Social Worker, four year term effective July 1, 2023 and ending June 30, 2027, vice Elizabeth McNamee, LCSW.

Derek Royce Arrington, Hattiesburg, Mississippi, State Bond Attorney, term effective January 9, 2024 and runs concurrent with the Governor's second term of office.

Dr. David H. McElreath, Oxford, Mississippi, State Veterans Affairs Board as the representative from the 1st Congressional District as it existed March 1, 1992, five year term effective May 5, 2023 and ending May 4, 2028.

CSM Silvester Tatum, Jackson, Mississippi, State Veterans Affairs Board to represent the 2nd Congressional District as it existed March 1, 1992, remainder of five year term effective August 1, 2023 and ending May 31, 2025, vice BG George Edward Irvin, Sr..

Elizabeth Ashley (Beth) Harkins, Madison, Mississippi, Mississippi Commission on the Status of Women as the Single Mother representative, four year term beginning July 1, 2023 and ending June 30, 2027, vice Sherri Carr Bevis.

Tate Reeves
GOVERNOR

The executive nominations in the foregoing message were referred to committees as follows:

Terry Wayne Emerson, State Board of Animal Health, four year term effective July 1, 2023 and ending June 30, 2027, Agriculture.

Dr. Gregory A. (Greg) Howell, DVM, State Board of Animal Health, four year term effective July 1, 2023 and ending June 30, 2027, Agriculture.

Andrew Page (Andy) Prosser, State BD of Animal Health, four year term effective July 1, 2023 and ending June 30, 2027, Agriculture.

Dr. Barry Tripp Henderson, Board of Chiropractic Examiners as the representative of the 1st Congressional District, five year term effective April 21, 2023 and ending April 20, 2028, Public Health and Welfare.

Dr. Felicia F. King, State BD of Chiropractic Examiners as an Individual engaged in the Practice of Chiropractic, remainder of five year term effective July 1, 2023 and ending April 20, 2024, Public Health and Welfare.

Dr. Felicia F. King, State BD of Chiropractic Examiners as an Individual engaged in the Practice of Chiropractic, five year term effective April 21, 2024 and ending April 20, 2029, Public Health and Welfare.

Leland W. (Lee) McDivitt, III, Commercial Mobile Radio Service BD as the MS Law Enforcement Officers Association representative, four year term beginning July 1, 2023 and ending June 30, 2027, Energy.

Trebia L. Rodgers, Commercial Mobile Radio Service BD as the representative from the MS 911 Coordinators Association, four year term beginning July 1, 2023 and ending June 30, 2027, Energy.

Michael C. Rozier, Jr., State Board of Contractors, five year term effective July 1, 2023 and ending June 30, 2028, Business and Financial Institutions.

Madison H. (Hamp) Smith, State Board of Contractors, five year term effective July 1, 2023 and ending June 30, 2028, Business and Financial Institutions.

Col. William R. (Bill) Allen, Jr. USAR, Crime Stoppers Advisory Council, two year term effective July 1, 2023 and ending June 30, 2025, Judiciary, Division B.

Wade Coleman Bishop, DMD, MS State Board of Dental Examiners to represent Dental District Five, remainder of six year term effective August 17, 2023 and ending June 30, 2027, Public Health and Welfare.

John Ballew Carlton, DMD, MS State Board of Dental Examiners to represent Dental District Six, six year term beginning March 10, 2023 and ending June 30, 2028, Public Health and Welfare.

Kelly Dawn Barham, Educational Television Authority (MS Public Broadcasting BD) as the Teacher or Principal of a Secondary School representative, four year term effective December 22, 2023 and ending June 30, 2027, Education.

Jack H. Winstead, MS Commission on Environmental Quality as the representative of the 3rd Congressional District as it existed in 1978, seven year term effective July 1, 2023 and ending June 30, 2030, Environment Prot, Cons and Water Res.

Joseph E. (Joe) Pettigrew, MS Forestry Commission, six year term effective July 1, 2023 and ending June 30, 2029, Forestry.

Charles Bradley (Brad) Campbell, State BD of Registration for Foresters to represent the East Central Forestry Commission District, five year term beginning July 1, 2023 and ending June 30, 2028, Forestry.

Maxwell Mitchell (Max) Wells, State Board of Funeral Service as the At-Large member, four year term effective June 19, 2023 and ending March 13, 2027, Business and Financial Institutions.

Dr. Frederick Barnett (Rick) Carlton, Jr., State Board of Health as a Licensed Physician, remainder of six year term effective July 13, 2023 and ending June 30, 2027, Public Health and Welfare.

Gene B. (Benny) Hubbard, Jr., State Board of Health as an individual with an interest in public health, six year term effective July 1, 2023 and ending June 30, 2029, Public Health and Welfare.

Dr. Lewis Anthony Bullock, State BD of Examiners for Licensed Professional Counselors, five year term effective July 1, 2023 and ending June 30, 2028, Public Health and Welfare.

Kerri P. McKnatt, State BD of Examiners for Licensed Professional Counselors, five year term effective July 1, 2023 and ending June 30, 2028, Public Health and Welfare.

Dr. Sampat S. Shivangi, State Board of Mental Health, seven year term effective July 6, 2023 and ending June 30, 2030, Public Health and Welfare.

William V. (Bill) Cork, Executive Director at the Mississippi Development Authority, term is effective December 14, 2023, and the appointee shall serve at the pleasure of the Governor, Finance.

Shaterrica Janel Moody, MS Board of Nursing as a Registered Nurse in Clinical Practice, four year term effective August 1, 2023 and ending June 30, 2027, Public Health and Welfare.

Dr. Mary Westfaul Stewart, MS Board of Nursing as a Nurse Educator, four year term effective July 1, 2023 and ending June 30, 2027, Public Health and Welfare.

Dr. Anna Taylor Middleton, MS State Board of Optometry, five year term effective July 1, 2023 and ending June 30, 2028, Public Health and Welfare.

Stephanie P. Cummins, MS State Personnel Board as an At-Large member, five year term effective July 1, 2023 and ending June 30, 2028, Accountability, Efficiency, Transparency.

Scott Roach Shoemaker, MS State Personnel Board, five year term effective July 1, 2023 and ending June 30, 2028, Accountability, Efficiency, Transparency.

Michael Gene (Mike) Gilbow, Board of Pharmacy, five year term effective July 1, 2023 and ending June 30, 2028, Public Health and Welfare.

David Charles Hudson, Board of Pharmacy, five year term effective July 1, 2023 and ending June 30, 2028, Public Health and Welfare.

Laine Allyson Murret, MS State Board of Physical Therapists, four year term effective May 26, 2023 and ending June 30, 2026, Public Health and Welfare.

Cheryl Brooks Ware, PT, MS State Board of Physical Therapists, four year term effective July 1, 2023 and ending June 30, 2027, Public Health and Welfare.

Norman R. McLeod, Public Procurement Review Board, four year term beginning July 1, 2023 and ending June 30, 2027, Accountability, Efficiency, Transparency.

Veronica Haynes Knowles, LCSW, BD of Examiners for Social Workers and Marriage and Family Therapists, four year term effective July 1, 2023 and ending June 30, 2027, Public Health and Welfare.

Derek Royce Arrington, State Bond Attorney, term effective January 9, 2024 and runs concurrent with the Governor's second term of office, Finance.

Dr. David H. McElreath, State Veterans Affairs Board as the representative from the 1st Congressional District as it existed March 1, 1992, five year term effective May 5, 2023 and ending May 4, 2028, Veterans and Military Affairs.

CSM Silvester Tatum, State Veterans Affairs Board to represent the 2nd Congressional District as it existed March 1, 1992, remainder of five year term effective August 1, 2023 and ending May 31, 2025, Veterans and Military Affairs.

Elizabeth Ashley (Beth) Harkins, Mississippi Commission on the Status of Women as the Single Mother representative, four year term beginning July 1, 2023 and ending June 30, 2027, Rules.

_____

MESSAGE FROM THE BOARD OF EDUCATION
January 23, 2024

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

Dr. Richard Lancing (Lance) Evans, New Albany, Mississippi, State Superintendent of Public Education, term beginning July 1, 2024.

Glen V. East, Chair
STATE BOARD OF EDUCATION

_____

The executive nomination in the foregoing message was referred to committee as follows:

Dr. Richard Lancing (Lance) Evans, State Superintendent of Public Education, term beginning July 1, 2024, Education.

_____

MESSAGE FROM THE LT. GOVERNOR
January 29, 2024

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Sandra Lynn McKiernon, Hernando, Mississippi, Mississippi Charter School Authorizer Board, remainder of a three year term effective immediately and ending on August 30, 2025.

Carrie K. Coggins, LMSW, Tupelo, Mississippi, MS State Board of Examiners for Social Workers and Marriage and Family Therapists, remainder of a four year term ending June 30, 2024.

Robert L. (Bobby) Scott, Southaven, Mississippi, MS State Board of Examiners for Social Workers and Marriage and Family Therapists, four year term beginning July 1, 2023 and ending June 30, 2027.

Delbert Hosemann
LT. GOVERNOR

_____

The executive nominations in the foregoing message were referred to committees as follows:

Sandra Lynn McKiernon, Mississippi Charter School Authorizer Board, remainder of a three year term effective immediately and ending on August 30, 2025, Education.

Carrie K. Coggins, LMSW, MS State Board of Examiners for Social Workers and Marriage and Family Therapists, remainder of a four year term ending June 30, 2024, Public Health and Welfare.

Robert L. (Bobby) Scott, MS State Board of Examiners for Social Workers and Marriage and Family Therapists, four year term beginning July 1, 2023 and ending June 30, 2027, Public Health and Welfare.

MESSAGE FROM THE GOVERNOR
February 1, 2024

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Glen V. East, Gulfport, Mississippi, State Board of Education as the School Administrator, nine year term beginning July 1, 2023 and ending June 30, 2032.

Nicholas L. (Nick) Mallard, Brookhaven, Mississippi, State Board of Funeral Service as the Funeral Service Licensed representative from the 2nd Supreme Court District, four year term effective December 22, 2023 and ending June 30, 2027.

Joe Clifton Tew, Meridian, Mississippi, State Board of Funeral Service as the Funeral Service Licensed representative from the 1st Supreme Court District, four year term beginning December 22, 2023 and ending June 30, 2027, vice Keith T. Dean.

Francis Clark (Franc) Lee, Flowood, Mississippi, Mississippi Gaming Commission, four year term effective October 1, 2024 and ending September 30, 2028.

Dr. John Daniel Davis, IV, Flowood, Mississippi, State Board of Health as a Licensed Physician, six year term effective July 1, 2023 and ending June 30, 2029.

Elizabeth E. (Beth) Edmiston, PT, Ocean Springs, Mississippi, State Board of Health as an individual with an interest in public health, six year term effective July 1, 2023 and ending June 30, 2029.

James Keith Van Camp, Brandon, Mississippi, Information Technology Services Authority, five year term beginning January 17, 2024 and ending June 30, 2028.

Jason M. Osborne, Waveland, Mississippi, MS Advisory Commission on Marine Resources representing a member of a non-profit environmental organization (Coastal Conservation Assoc.), four year term effective July 1, 2023 and ending June 30, 2027, vice Natalie Guess.

Stewart Rutledge, Oxford, Mississippi, Board of Mental Health representing the 1st Congressional District, seven year term effective July 1, 2024 and ending June 30, 2031.

Carolyn Q. Boteler, Florence, Mississippi, Mississippi Business Finance Corporation as an individual associated with small business, six year term effective April 1, 2024 and ending March 31, 2030.

Brian A. Pugh, Starkville, Mississippi, Mississippi Home Corporation representing the 3rd Supreme Court District, six year term effective April 24, 2024 and ending April 23, 2030.

Larry Wayne Clark, Amory, Mississippi, Mississippi Motor Vehicle Commission to represent the state at large as chairman, term effective January 9, 2024 and runs concurrent with the Governor's second term in office.

Gary Mack Grubbs, Hattiesburg, Mississippi, Mississippi Motor Vehicle Commission to represent the state at large as vice chairman, term effective January 9, 2024 and runs concurrent with the Governor's second term in office.

Alveno Nelson Castilla, Madison, Mississippi, Mississippi Board of Nursing as the Consumer representative, four year term beginning January 17, 2024 and ending June 30, 2027, vice Jan Collins.

Virginia Jones (Jenny) Bryan, PTA, Oxford, Mississippi, MS State Board of Physical Therapists as the representative of physical therapy assistants, four year term effective July 1, 2023 and ending June 30, 2027.

Lance Emfinger, Lamar County Sheriff's Office, Mississippi, Polygraph Examiners Board representing an Active Polygraph Examiner, six year term effective June 2, 2023 and ending June 1, 2029, vice Leonard B. Schaefer, III.

Norman A. Cannady, Ridgeland, Mississippi, Mississippi Real Estate Appraisal Board representing the 3rd Congressional District as district existed on July 1, 2004, four year term effective January 2, 2024 and ending December 31, 2026.

Tate Reeves
GOVERNOR

The executive nominations in the foregoing message were referred to committees as follows:

Glen V. East, State Board of Education as the School Administrator, nine year term beginning July 1, 2023 and ending June 30, 2032, Education.

Nicholas L. (Nick) Mallard, State Board of Funeral Service as the Funeral Service Licensed representative from the 2nd Supreme Court District, four year term effective December 22, 2023 and ending June 30, 2027, Business and Financial Institutions.

Joe Clifton Tew, State Board of Funeral Service as the Funeral Service Licensed representative from the 1st Surpeme Court District, four year term beginning December 22, 2023 and ending June 30, 2027, Business and Financial Institutions.

Francis Clark (Franc) Lee, Mississippi Gaming Commission, four year term effective October 1, 2024 and ending September 30, 2028, Gaming.

Dr. John Daniel Davis, IV, State Board of Health as a Licensed Physician, six year term effective July 1, 2023 and ending June 30, 2029, Public Health and Welfare.

Elizabeth E. (Beth) Edmiston, PT, State Board of Health as an individual with an interest in public health, six year term effective July 1, 2023 and ending June 30, 2029, Public Health and Welfare.

James Keith Van Camp, Information Technology Services Authority, five year term beginning January 17, 2024 and ending June 30, 2028, Accountability, Efficiency, Transparency.

Jason M. Osborne, MS Advisory Commission on Marine Resources, four year term effective July 1, 2023 and ending June 30, 2027, Ports and Marine Resources.

Stewart Rutledge, Board of Mental Health, seven year term effective July 1, 2024 and ending June 30, 2031, Public Health and Welfare.

Carolyn Q. Boteler, Mississippi Business Finance Corporation as an individual associated with small business, six year term effective April 1, 2024 and ending March 31, 2030, Finance.

Brian A. Pugh, Mississippi Home Corporation, six year term effective April 24, 2024 and ending April 23, 2030, Finance.

Larry Wayne Clark, Mississippi Motor Vehicle Commission to represent the state at large as chairman, term effective January 9, 2024 and runs concurrent with the Governor's second term in office, Highways and Transportation.

Gary Mack Grubbs, Mississippi Motor Vehicle Commission to represent the state at large as vice chairman, term effective January 9, 2024 and runs concurrent with the Governor's second term in office, Highways and Transportation.

Alveno Nelson Castilla, Mississippi Board of Nursing as the Consumer representative, four year term beginning January 17, 2024 and ending June 30, 2027, Public Health and Welfare.

Virginia Jones (Jenny) Bryan, PTA, MS State Board of Physical Therapists as the representative of physical therapy assistants, four year term effective July 1, 2023 and ending June 30, 2027, Public Health and Welfare.

Lance Emfinger, Polygraph Examiners Board, six year term effective June 2, 2023 and ending June 1, 2029, Judiciary, Division B.

Norman A. Cannady, Mississippi Real Estate Appraisal Board, four year term effective January 2, 2024 and ending December 31, 2026, Business and Financial Institutions.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Clarence "Timmy" Hill of McHenry, MS.

Senators Robinson and Barnett moved that when the Senate adjourns, it adjourn in memory of Thomas Mack "Tim" Waldrup of Ellisville, MS.

Senator Polk moved that the Senate stand in recess until 11:00 AM, at which time the Senate would then adjourn until 4:00 PM, Monday, February 5, 2024.

The motion prevailed, and at 9:07 AM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:00 AM in memory of Clarence "Timmy" Hill and Thomas Mack "Tim" Waldrup.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR FRIDAY, FEBRUARY 2, 2024

S. B. No. 2145: Public Health and Welfare

AN ACT TO BE KNOWN AS THE DEFENDING AFFORDABLE PRESCRIPTION DRUG COSTS ACT; TO PROVIDE DEFINITIONS FOR THE PURPOSE OF THE ACT; TO PROHIBIT HEALTH INSURANCE ISSUERS, PHARMACY BENEFIT MANAGERS AND OTHER THIRD-PARTY PAYORS AND DRUG MANUFACTURERS AND DISTRIBUTORS FROM ENGAGING IN CERTAIN DISCRIMINATORY ACTIONS RELATING TO ENTITIES THAT ARE PARTICIPATING OR AUTHORIZED TO PARTICIPATE IN THE FEDERAL 340B DRUG DISCOUNT PROGRAM; TO PROVIDE THAT THE COMMISSION OF ANY ACT PROHIBITED BY THIS ACT IS CONSIDERED A VIOLATION OF THE CONSUMER PROTECTION ACT; TO AMEND SECTION 75-24-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISION; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins, Blackwell, Boyd, England, Thompson, Carter, Parker, DeBar

S. B. No. 2146: Education

AN ACT TO AMEND SECTION 37-106-36, MISSISSIPPI CODE OF 1972, TO REVISE THE AWARD CRITERIA OF THE WILLIAM F. WINTER AND JACK REED, SR., TEACHER LOAN REPAYMENT PROGRAM; TO PROVIDE THAT THE STATE FINANCIAL AID BOARD SHALL DEVELOP RULES FOR ENSURING THAT EXPENSES OF THE PROGRAM IN A FISCAL Y
EAR DO NOT EXCEED FUNDING FOR THE PROGRAM IN THAT FISCAL YEAR; TO PROVIDE THAT THE STATE FINANCIAL AID BOARD MAY LIMIT THE ACCEPTANCE OF APPLICATIONS AND MAY LIMIT THE NUMBER OF AWARDS; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2147: Education; Appropriations

AN ACT TO CREATE THE SCHOOL EMERGENCY RESPONSE MAPPING DATA PROGRAM IN THE MISSISSIPPI ATTORNEY GENERAL'S OFFICE; TO AUTHORIZE EACH SCHOOL DISTRICT TO APPLY FOR FUNDS FOR MAPPING DATA FOR SCHOOL BUILDINGS IN AN EFFORT TO PROVIDE PUBLIC SAFETY AGENCIES WITH ACCESS TO ACCURATE MAPPING DATA TO ENSURE EFFICIENT RESPONSES TO ANY EMERGENCY ON A SCHOOL CAMPUS; TO AUTHORIZE SCHOOL DISTRICTS TO USE SUCH FUNDS TO PROCURE A VENDOR; TO SET CERTAIN REQUIREMENTS RELATED TO THE SCHOOL MAPPING DATA; TO PROVIDE THAT PUBLIC SAFETY AGENCIES AND SCHOOL DISTRICTS SHALL HAVE PERPETUAL ACCESS TO ALL MAPPING DATA DEVELOPED FOR THIS PROGRAM AT NO COST; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2148: Universities and Colleges

AN ACT TO AMEND SECTION 37-147-7, MISSISSIPPI CODE OF 1972, TO REVISE THE BOARD MEMBERSHIP OF THE MISSISSIPPI UNIVERSITY RESEARCH AUTHORITY; TO MAKE CERTAIN TECHNICAL CHANGES THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2149: Education

AN ACT TO AMEND SECTION 29-3-99, MISSISSIPPI CODE OF 1972, TO REVISE AND MODERNIZE CERTAIN PROCEDURES FOR THE LEASING OF SIXTEENTH SECTION LAND FOR OIL, GAS, CLAY, DIRT, AND OTHER LIQUID AND GASEOUS MINERAL EXPLORATION; TO SET A MINIMUM PER ACRE PRICE FOR SUCH LEASES; TO SET A MINIMUM ROYALTY TO BE PAID FOR ANY OIL, GAS AND COAL THAT IS PRODUCED FROM SUCH LAND; TO REQUIRE CERTAIN NOTICE BE PUBLISHED IN THE NEWSPAPER IN THE COUNTY WHEREIN THE LAND IS

SITUATED; TO REVISE CERTAIN BIDDING PROCEDURES; AND FOR RELATED PURPOSES.
By Senator(s) Carter

S. B. No. 2150: Public Health and Welfare; Education

AN ACT TO PROVIDE THAT BEGINNING ON JULY 1, 2025, EACH PUBLIC SCHOOL BOARD SHALL HAVE AT LEAST ONE EMPLOYEE OR VENDOR AT EACH SCHOOL WHO HAS MET THE TRAINING REQUIREMENTS NECESSARY TO ADMINISTER SEIZURE RESCUE MEDICATION FOR PERSONS EXPERIENCING SEIZURE DISORDER SYMPTOMS; TO REQUIRE TRAINING FOR SUCH PERSON TO BE CONSISTENT WITH GUIDELINES DEVELOPED BY THE EPILEPSY FOUNDATION OF AMERICA OR SIMILAR SUCCESSOR ORGANIZATION; TO REQUIRE THE PARENTS, LEGAL GUARDIANS OR OTHER RESPONSIBLE ADULT OF CHILDREN WHO EXPERIENCE SEIZURE DISORDER SYMPTOMS TO PROVIDE WRITTEN AUTHORIZATION TO THE SCHOOL FOR THE ADMINISTRATION OF NECESSARY MEDICATION, ALONG WITH A WRITTEN STATEMENT FROM THE CHILD'S MEDICAL PROVIDER; TO REQUIRE THE WRITTEN STATEMENT AND THE CHILD'S SEIZURE ACTION PLAN TO BE KEPT ON FILE BY THE SCHOOL NURSE OR SCHOOL ADMINISTRATOR; TO EXEMPT SCHOOL EMPLOYEES ACTING IN GOOD FAITH AND IN SUBSTANTIAL COMPLIANCE WITH A STUDENT'S INDIVIDUAL HEALTH PLAN TO RENDER ASSISTANCE TO A CHILD EXPERIENCING A SEIZURE EPISODE FROM CIVIL AND CRIMINAL LIABILITY; TO PROVIDE THAT WITHIN THE STATE OF MISSISSIPPI, PATIENTS WITH A DIAGNOSIS OF EPILEPSY OR SEIZURE DISORDER SHALL BE ALLOWED OPEN ACCESS TO AND COVERAGE OF ALL FDA-APPROVED ANTI-SEIZURE MEDICATIONS BY PRIVATE HEALTH INSURERS; AND FOR RELATED PURPOSES.
By Senator(s) Boyd

S. B. No. 2151: Public Health and Welfare; Insurance

AN ACT TO REQUIRE HEALTH CARE PROFESSIONALS TO SCREEN BIRTH MOTHERS FOR DEPRESSION AT THE TIME OF BIRTH; TO REQUIRE HEALTH INSURANCE ISSUERS TO COVER SUCH SCREENING; TO PROVIDE EXEMPTIONS TO HEALTH INSURANCE ISSUERS THAT ARE REQUIRED TO COVER SUCH SCREENING; AND FOR RELATED PURPOSES.
By Senator(s) Boyd

S. B. No. 2152: Public Health and Welfare

AN ACT TO AMEND SECTION 43-1-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO ENTER INTO A LEASE WITH EACH COUNTY BOARD OF SUPERVISORS WHERE A LOCAL OFFICE IS LOCATED TO ALLOW THE DEPARTMENT TO MAXIMIZE THE AVAILABILITY OF FEDERAL FUNDS; TO SET THE METHOD FOR DETERMINING FAIR-MARKET VALUE OF RENT; TO REQUIRE EACH COUNTY TO BE RESPONSIBLE FOR ALL MAINTENANCE AND REPAIRS OF SUCH LOCAL OFFICES; TO PROVIDE THAT THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES MAY APPOINT A COUNTY DIRECTOR OF HUMAN SERVICES WHO IS A NONRESIDENT OF SUCH COUNTY WHEN THERE IS NOT A COUNTY RESIDENT SUITABLE FOR THE POSITION; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2153: Public Health and Welfare

AN ACT TO ENACT THE MISSISSIPPI SURROGACY AND IN VITRO CHILD AND PARENT ACT; TO PROVIDE FOR CERTAIN TECHNICAL DEFINITIONS RELATED TO SURROGACY AND IN VITRO PREGNANCIES; TO PROVIDE FOR CERTAIN REQUIREMENTS RELATED TO THE DONATION OF EGGS, SPERM OR PRE-EMBRYOS; TO ESTABLISH THE REQUIREMENTS FOR PREPLANNED ADOPTION AGREEMENTS AND GESTATIONAL SURROGACY CONTRACTS; TO SET CERTAIN PARENTAL RIGHTS INVOLVING CHILDREN PRODUCED AS A RESULT OF ARTIFICIAL OR IN VITRO INSEMINATION; TO PROVIDE FOR AN EXPEDITED

ADOPTION OR AFFIRMATION PROCEDURE FOR PARENTAL STATUS INVOLVING GESTATIONAL SURROGACY OR PREPLANNED ADOPTIONS; TO PROVIDE CERTAIN REQUIREMENTS FOR THE DISPOSITION OF EGGS, SPERM OR PRE-EMBRYOS; TO SET CERTAIN TECHNICAL REQUIREMENTS INVOLVING SURROGACY AND IN VITRO PREGNANCIES; TO AMEND SECTIONS 93-17-5, 93-17-6 AND 93-17-13, MISSISSIPPI CODE OF 1972, TO CONFORM WITH THE PROVISIONS OF THE ACT; TO BRING FORWARD SECTIONS 93-17-7, 93-17-8 AND 93-17-21, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2154: Public Health and Welfare
AN ACT TO AMEND SECTION 41-23-37, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A CHILD SHALL BE EXEMPT FROM THE VACCINE REQUIREMENTS IN ORDER TO ATTEND SCHOOL IF THE PARENT OR GUARDIAN OR ADULT WHO HAS ASSUMED RESPONSIBILITY FOR THE CHILD'S CARE AND CUSTODY IN THE CASE OF A MINOR, OR THE CHILD SEEKING ADMISSION IF AN EMANCIPATED MINOR, SUBMITS TO THEIR COUNTY HEALTH DEPARTMENT A COMPLETED RELIGIOUS EXEMPTION REQUEST THAT DOCUMENTS WHICH REQUIRED VACCINATIONS HAVE BEEN GIVEN, AND WHICH VACCINATIONS HAVE NOT BEEN GIVEN ON THE BASIS THAT THEY ARE CONTRARY TO HIS OR HER RELIGIOUS BELIEFS; TO PROVIDE THAT THE COUNTY HEALTH DEPARTMENT SHALL SUBMIT THE REQUEST TO THE STATE DEPARTMENT OF HEALTH; TO REQUIRE THE STATE DEPARTMENT OF HEALTH TO ACCEPT AND ISSUE A CERTIFICATE OF RELIGIOUS EXEMPTION IF THE REQUEST INCLUDES ALL OF THE REQUIRED COMPONENTS; TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL PROMULGATE A RELIGIOUS EXEMPTION REQUEST FORM THAT MUST INCLUDE CERTAIN STATEMENTS; TO PROVIDE THAT A CHILD MAY STILL BE EXCLUDED FROM SCHOOL IF ANY VACCINE-PREVENTABLE DISEASE FOR WHICH THE CHILD HAS NOT BEEN IMMUNIZED IS OCCURRING OR THREATENING TO OCCUR IN THE COMMUNITY; TO PROVIDE THAT THE CHILD SHALL NOT RETURN TO SCHOOL UNTIL THE OUTBREAK HAS BEEN RESOLVED AND THE DEPARTMENT OF HEALTH APPROVES THE RETURN TO SCHOOL; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2155: Public Health and Welfare
AN ACT TO AMEND SECTIONS 73-7-1, 73-7-2, 73-7-3, 73-7-7, 73-7-9, 73-7-11, 73-7-12, 73-7-13, 73-7-14, 73-7-15, 73-7-16, 73-7-17, 73-7-18, 73-7-19, 73-7-21, 73-7-23, 73-7-25, 73-7-27, 73-7-29, 73-7-31, 73-7-33, 73-7-35, 73-7-37, AND CREATE NEW SECTIONS 73-7-14.1, 73-7-14.2, 73-7-39 AND 73-7-41, MISSISSIPPI CODE OF 1972, TO MERGE THE STATE BOARD OF COSMETOLOGY AND THE STATE BOARD OF BARBERING INTO THE STATE BOARD OF COSMETOLOGY AND BARBERING; TO PROVIDE FOR THE MEMBERSHIP OF THE BOARD; TO PROVIDE FOR THE APPOINTMENT OF THE EXECUTIVE DIRECTOR; TO REVISE THE LICENSING REQUIREMENTS OF BARBERS AND COSMETOLOGISTS; TO REQUIRE CERTAIN CONTINUING EDUCATION; TO SET CERTAIN PROHIBITIONS; TO PROVIDE THAT THE BOARD MAY CHARGE A LICENSE FEE; TO SET THE BARBERING AND COSMETOLOGY SCHOOL REQUIREMENTS; TO SET CERTAIN VIOLATIONS, PENALTIES, AND FINES; TO MAKE TECHNICAL AMENDMENTS TO CONFORM; TO REPEAL SECTIONS 73-5-1 THROUGH 73-5-45, MISSISSIPPI CODE OF 1972, WHICH CREATES THE STATE BOARD OF BARBER EXAMINERS; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2156: Public Health and Welfare
AN ACT TO CREATE THE MISSISSIPPI RARE DISEASE ADVISORY COUNCIL AT THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER; TO DECLARE CERTAIN LEGISLATIVE FINDINGS RELATING TO RARE DISEASES; TO PRESCRIBE THE MEMBERSHIP AND DUTIES OF THE COUNCIL; TO REQUIRE THE COUNCIL TO

SUBMIT AN ANNUAL REPORT TO THE GOVERNOR AND LEGISLATURE; TO REQUIRE THE GOVERNOR TO APPOINT MEMBERS OF A BOARD OF DIRECTORS FOR THE GOVERNANCE OF THE COUNCIL; TO REQUIRE THE BOARD OF DIRECTORS TO EMPLOY AN EXECUTIVE DIRECTOR FOR THE COUNCIL; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2157: Public Health and Welfare
AN ACT TO ENACT THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-31-7, 73-31-13, 73-31-14, 73-31-15, 73-31-21 AND 73-31-23, MISSISSIPPI CODE OF 1972, TO CONFORM THE PROVISIONS OF THE ACT; TO BRING FORWARD SECTIONS 73-31-9, 73-31-25 AND 73-31-27, MISSISSIPPI CODE OF 1972, FOR POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2158: Education; Appropriations
AN ACT TO AUTHORIZE LOCAL SCHOOL BOARDS TO EMPLOY LICENSED SOCIAL WORKERS AND LICENSED PSYCHOLOGISTS TO PROVIDE SERVICES TO STUDENTS IN THE PUBLIC SCHOOLS; TO PROVIDE THAT A SCHOOL DISTRICT THAT EMPLOYS AT LEAST ONE SOCIAL WORKER OR PSYCHOLOGIST FOR EVERY ONE THOUSAND STUDENTS ENROLLED IN THE SCHOOLS OF THE DISTRICT IS ELIGIBLE FOR REIMBURSEMENT FOR FIFTY PERCENT OF THE COST OF THE SALARY OF EACH SOCIAL WORKER OR PSYCHOLOGIST FROM THE STATE DEPARTMENT OF EDUCATION; AND FOR RELATED PURPOSES.
By Senator(s) Blackmon

S. B. No. 2159: Public Health and Welfare
AN ACT TO AMEND SECTION 73-54-17, MISSISSIPPI CODE OF 1972, TO REVISE THE REQUIREMENTS FOR A MARRIAGE AND FAMILY THERAPY LICENSE TO PROVIDE THAT THE APPLICANT'S DEGREE MAY BE FROM AN INSTITUTION ACCREDITED BY THE COUNCIL FOR ACCREDITATION OF COUNSELING AND RELATED EDUCATIONAL PROGRAMS (CACREP) AND TO REDUCE CERTAIN HOUR REQUIREMENTS; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2160: Public Health and Welfare
AN ACT TO AMEND SECTION 73-27-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A LICENSED PODIATRIST MAY PERFORM SURGICAL TREATMENT OF THE ANKLE AND GOVERNING STRUCTURES AND TISSUE WHEN THE PODIATRIST HAS MET CERTAIN REQUIREMENTS; TO PROVIDE THAT A LICENSED PODIATRIST MAY PERFORM ANKLE SURGERY ONLY IN AN ACCREDITED HOSPITAL LICENSED IN THE STATE; TO SET CERTAIN LIMITATIONS ON THE PROCEDURES THAT A PODIATRIST MAY PERFORM; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2161: Public Health and Welfare
AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATING TO A HOSPITAL THAT HAS A CERTIFICATE OF NEED FOR A FORTY-BED PSYCHIATRIC RESIDENTIAL TREATMENT FACILITY IN DESOTO COUNTY; TO PROVIDE THAT THERE SHALL BE NO PROHIBITION OR RESTRICTIONS ON PARTICIPATION IN THE MEDICAID PROGRAM FOR SUCH FACILITY THAT WOULD NOT OTHERWISE APPLY TO ANY OTHER SUCH FACILITY; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2162: Education

AN ACT TO AUTHORIZE SCHOOL PRINCIPALS TO PERMIT REPRESENTATIVES OF PATRIOTIC SOCIETIES TO SPEAK TO THE STUDENT BODY REGARDING CIVIC INVOLVEMENT; TO PRESCRIBE THE PROCESS BY WHICH SUCH SOCIETIES SHALL BE ALLOTTED DATES AND TIMES TO SPEAK; AND FOR RELATED PURPOSES.
By Senator(s) Robinson

S. B. No. 2163: Public Health and Welfare; Appropriations
AN ACT TO AMEND SECTION 43-27-33, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO TRANSFER AT LEAST THIRTY PERCENT OF THE BLOCK GRANT FOR THE STATE AND AVAILABLE FEDERAL FUNDS FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) CHILD WELFARE SERVICES TO THE CHILD CARE AND DEVELOPMENT FUND FOR EACH FISCAL YEAR; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th), Blount, Norwood

S. B. No. 2164: Public Health and Welfare
AN ACT TO AMEND SECTION 41-57-14, MISSISSIPPI CODE OF 1972, TO REQUIRE THE BUREAU OF VITAL STATISTICS TO INCLUDE ON BIRTH CERTIFICATES THE CHILD'S NAME, RACE, SEX, DATE OF BIRTH, PLACE OF BIRTH, AND EACH PARENT'S NAME, RACE, AGE, PLACE OF BIRTH AND OCCUPATION; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2165: Public Health and Welfare
AN ACT TO ENACT INTO LAW THE DIETITIAN LICENSURE COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-10-3, 73-10-7, AND 73-10-15, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Blount

S. B. No. 2166: Public Health and Welfare
AN ACT TO ENACT THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-31-7, 73-31-13, 73-31-14, 73-31-15, 73-31-21 AND 73-31-23, MISSISSIPPI CODE OF 1972, TO CONFORM THE PROVISIONS OF THE ACT; TO BRING FORWARD SECTIONS 73-31-9, 73-31-25 AND 73-31-27, MISSISSIPPI CODE OF 1972, FOR POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Younger

S. B. No. 2167: Public Health and Welfare
AN ACT TO AMEND SECTION 73-21-111, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A PHARMACIST TO DELEGATE THE ADMINISTRATION OF IMMUNIZATIONS THAT HAVE BEEN APPROVED OR AUTHORIZED BY THE FOOD AND DRUG ADMINISTRATION WITHOUT A PATIENT-SPECIFIC PRESCRIPTION, STANDING ORDER OR SIMILAR ARRANGEMENT TO A LICENSED INTERN OR PHARMACY TECHNICIAN PROVIDED THAT SUCH PERSON HAS A CURRENT CERTIFICATION TO PROVIDE BASIC CARDIAC LIFE SUPPORT AND HAS COMPLETED SPECIFIC TRAINING RELATED TO VACCINE ADMINISTRATION; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2168: Education
AN ACT TO AMEND SECTION 37-7-301, MISSISSIPPI CODE OF 1972, TO EMPOWER ALL SCHOOL BOARDS OF ALL SCHOOL DISTRICTS TO VOTE TO PROVIDE SCHOOL BOARD MEMBERS AND THEIR ELIGIBLE DEPENDENTS WITH

HEALTH INSURANCE PROVIDED THAT SUCH INSURANCE IS PAID FOR WITH LOCAL FUNDS AND NOT STATE FUNDS; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2169: Education
AN ACT TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO SCHOOL DISTRICT SHALL REDUCE THE LOCAL SUPPLEMENT OR PAY AN INDIVIDUAL ASSISTANT TEACHER LESS THAN THE STATE MINIMUM SALARY IN A YEAR IN WHICH THE STATE MINIMUM SALARY IS INCREASED; TO PROVIDE FOR A REDUCTION IN FUNDS FOR SCHOOL DISTRICTS THAT VIOLATE THE PROVISIONS OF THIS SECTION; TO PROVIDE THAT NO SCHOOL DISTRICT SHALL PAY ANY ASSISTANT TEACHER LESS THAN THE STATE MINIMUM SALARY UNLESS DONE SO BY A PRO RATA DAILY AMOUNT WHERE THERE HAS BEEN A REDUCTION IN ADEQUATE EDUCATION PROGRAM ALLOCATIONS FOR SUCH DISTRICT IN SUCH YEAR OR WHERE THERE HAS BEEN A REDUCTION IN THE AMOUNT OF FEDERAL FUNDS TO SUCH DISTRICT FROM THE PREVIOUS YEAR; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2170: Appropriations
AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS TO THE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING DISBURSEMENTS TO MISSISSIPPI HOSPITALS FOR THE FISCAL YEAR 2024.
By Senator(s) Blackwell

S. B. No. 2171: Corrections; Medicaid
AN ACT TO AMEND SECTION 47-7-4, MISSISSIPPI CODE OF 1972, TO REVISE THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO PLACE AN OFFENDER ON CONDITIONAL MEDICAL RELEASE; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2172: Labor; Accountability, Efficiency, Transparency
AN ACT TO ENACT A MINIMUM WAGE LAW FOR THE STATE OF MISSISSIPPI, WITH ANNUAL INCREMENTAL INCREASES OVER A THREE-YEAR PERIOD; TO DEFINE EMPLOYERS AND EMPLOYEES SUBJECT TO THE MINIMUM WAGE LAW; TO EMPOWER THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY, OFFICE OF THE GOVERNOR, TO ENFORCE AND ADMINISTER THE PROVISIONS OF THE MINIMUM WAGE LAW; TO PROVIDE CRIMINAL PENALTIES AND A CIVIL CAUSE OF ACTION AGAINST EMPLOYERS FOR VIOLATIONS OF THE MINIMUM WAGE LAW; TO AMEND SECTION 17-1-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MUNICIPAL AND COUNTY GOVERNING AUTHORITIES, IN THEIR DISCRETION, TO MANDATE A WAGE THAT IS MORE THAN THE STATE MINIMUM WAGE; TO AMEND SECTION 25-3-40, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2173: Labor; Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 71-1-1, MISSISSIPPI CODE OF 1972, TO EMPOWER THE STATE BOARD OF HEALTH TO ESTABLISH AN OFFICE OF WORKPLACE SAFETY AND HEALTH; TO REGULATE OCCUPATIONAL HEALTH AND SAFETY STANDARDS IN THE STATE OF MISSISSIPPI; TO PRESCRIBE ITS POWERS AND RESPONSIBILITIES; TO AMEND SECTIONS 71-1-25 AND 71-1-27, MISSISSIPPI CODE OF 1972, TO EMPOWER THE OFFICE OF WORKPLACE SAFETY AND HEALTH TO ENFORCE CHILD LABOR LAWS IN THE STATE OF MISSISSIPPI; TO PRESCRIBE ITS POWERS AND RESPONSIBILITIES; TO AMEND SECTION 41-3-15, IN CONFORMITY; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2174: Judiciary, Division B

AN ACT TO AMEND SECTION 97-17-42, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CRIME OF MOTOR VEHICLE THEFT SHALL BE A FELONY; TO REVISE THE PENALTIES FOR THE COMMISSION OF MOTOR VEHICLE THEFT; TO PROVIDE THAT THE MINIMUM TERMS IMPOSED UNDER THIS SECTION SHALL NOT BE REDUCED, SUSPENDED OR ELIGIBLE FOR PROBATION OR PAROLE; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2175: Judiciary, Division B

AN ACT TO AMEND SECTION 97-17-70, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT RECEIPT OF STOLEN PROPERTY VALUED AT A CERTAIN AMOUNT SHALL BE A FELONY WITH A MANDATORY MINIMUM TERM OF IMPRISONMENT; TO PROVIDE A MANDATORY SENTENCING RANGE FOR A PERSON CONVICTED OF THE RECEIPT OF STOLEN PROPERTY WHICH IS A MOTOR VEHICLE; TO PROVIDE THAT THE MINIMUM TERMS IMPOSED UNDER THIS SECTION SHALL NOT BE REDUCED OR SUSPENDED NOR SHALL SUCH PERSON BE ELIGIBLE FOR PROBATION OR PAROLE BEFORE THE EXPIRATION OF THE MINIMUM TERM OF INCARCERATION; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2176: Judiciary, Division B

AN ACT TO AMEND SECTION 45-33-23, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "PERMANENT RESIDENCE" AND "TEMPORARY RESIDENCE" WITHIN THE CHAPTER OF LAW THAT PROVIDES FOR THE REGISTRATION OF SEX OFFENDERS; TO AMEND SECTION 45-33-25, MISSISSIPPI CODE OF 1972, TO REVISE THE PRESUMPTION CONCERNING AN OFFENDER'S DUTY TO UPDATE REGISTRATION INFORMATION; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2177: Judiciary, Division B

AN ACT TO AMEND SECTIONS 21-23-8, 83-39-7 AND 99-5-25, MISSISSIPPI CODE OF 1972, TO REQUIRE COURT CLERKS TO ACCEPT SET-ASIDE ORDERS ON BEHALF OF A SURETY WHERE THE SURETY WAS NOT PROVIDED WITH NOTICE OF THE DEFENDANT'S FAILURE TO APPEAR IN A CRIMINAL COURT PROCEEDING; TO REQUIRE ALL FELONY WARRANTS ISSUED BY A COURT FOR NONAPPEARANCE PLACED ON THE NATIONAL CRIME INFORMATION CENTER INDEX WITH NO RESTRICTIONS UNTIL THE DEFENDANT IS RETURNED TO CUSTODY; TO EXTEND THE NUMBER OF DAYS BETWEEN THE NOTIFICATION OF REVOCATION OF LICENSE TO A SURETY BY THE DEPARTMENT OF INSURANCE AND THE DAY THE REVOCATION WILL BECOME EFFECTIVE; TO AUTHORIZE A SURETY TO SUBMIT PROOF TO THE DEPARTMENT OF INSURANCE THAT THE DEFENDANT HAS BEEN SURRENDERED TO THE APPROPRIATE AUTHORITIES OR THAT THE BOND HAS BEEN PAID DIRECTLY TO THE COURT OR OTHER PROPER AUTHORITIES BEFORE REVOCATION OF THE SURETY'S LICENSE; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2178: Judiciary, Division B

AN ACT TO AMEND SECTION 99-5-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A BAIL AGENT TO ENGAGE AN EXTRADITION SERVICE TO RETURN THE PRINCIPAL; TO AUTHORIZE THE ENGAGEMENT OF LAW ENFORCEMENT OFFICERS IN CERTAIN JURISDICTIONS; TO PROVIDE THAT, EXCEPT IN EXTRAORDINARY CASES, THE COST OF EXTRADITION SHALL BE AGREED UPON AND PAID BEFORE THE EXTRADITION; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2179: Judiciary, Division B; Appropriations

AN ACT TO AMEND SECTION 45-1-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF PUBLIC SAFETY TO LEASE OR SUBLEASE REAL PROPERTY OR BUILDINGS OWNED OR OCCUPIED BY THE DEPARTMENT TO THIRD PARTIES; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE "DEPARTMENT OF PUBLIC SAFETY LEASING FUND"; TO AMEND SECTION 45-3-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LAW ENFORCEMENT OFFICERS OF THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY TO RETAIN A SIDEARM UPON RETIREMENT; TO AUTHORIZE A BENEFICIARY OF A LAW ENFORCEMENT OFFICER OF THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY TO RETAIN THE SIDEARM OF SUCH OFFICER OR AGENT; TO AMEND SECTION 45-9-131, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THIS SECTION, WHICH GOVERNS THE PURCHASE OF A SIDEARM BY CERTAIN PERSONS, SHALL NOT APPLY TO A LAW ENFORCEMENT OFFICER WHO WAS EMPLOYED BY THE DEPARTMENT OF PUBLIC SAFETY; TO ESTABLISH THE STATE MEDICAL EXAMINER TASK FORCE; TO PROVIDE FOR THE MEMBERSHIP OF THE TASK FORCE; TO ESTABLISH THE PROCEDURE OF THE TASK FORCE; TO REQUIRE THAT THE TASK FORCE WILL REPORT ITS FINDINGS AND ANY RECOMMENDATIONS TO THE LEGISLATURE; TO AMEND SECTION 63-11-30, MISSISSIPPI CODE OF 1972, TO REQUIRE A PERSON IN A NONADJUDICATION PROGRAM FOR AN OFFENSE UNDER THIS SECTION TO OBTAIN AND MAINTAIN A RESTRICTED LICENSE FOR THE DURATION OF THE PROGRAM IN ORDER TO OPERATE A VEHICLE; TO AMEND SECTION 97-3-54.7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC SAFETY TO FILE A PETITION FOR FORFEITURE; TO AUTHORIZE THE STATE TO RETAIN FORFEITED PROPERTY UNDER THIS SECTION; TO AMEND SECTION 41-61-55, MISSISSIPPI CODE OF 1972, TO CONFORM; TO BRING FORWARD SECTION 77-7-345, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION OF LAW AUTHORIZING THE COMMISSIONER OF PUBLIC SAFETY TO CREATE BY RULE A VOLUNTARY PROGRAM OF COMMERCIAL MOTOR VEHICLE INSPECTION, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2180: Judiciary, Division B
AN ACT TO AMEND SECTION 45-1-19, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION OF LAW THAT REQUIRES PRIOR WRITTEN APPROVAL FROM THE CHIEF OF THE CAPITOL POLICE OR THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC SAFETY FOR EVENTS WHICH WILL TAKE PLACE ON ANY STREET OR SIDEWALK IMMEDIATELY ADJACENT TO ANY BUILDING OR PROPERTY OWNED OR OCCUPIED BY ANY OFFICIAL, AGENCY, BOARD, COMMISSION, OFFICE OR OTHER ENTITY OF THE STATE OF MISSISSIPPI, OR WHICH CAN REASONABLY BE EXPECTED TO BLOCK, IMPEDE OR OTHERWISE HINDER INGRESS THERETO AND/OR EGRESS THEREFROM; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2181: Judiciary, Division B
AN ACT TO AMEND SECTION 99-19-77, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO RECOUP INVESTIGATIVE COSTS IN A CRIMINAL INVESTIGATION; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2182: Judiciary, Division B
AN ACT TO PROVIDE WHEN A BAIL BOND OR OBLIGATION THEREUNDER IS DISCHARGED AND BECOMES NULL AND VOID; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2183: Judiciary, Division B

AN ACT TO AMEND SECTION 97-5-39, MISSISSIPPI CODE OF 1972, TO REVISE THE CRIME OF CHILD ENDANGERMENT TO INCLUDE CAUSING OR PERMITTING A CHILD TO BE PRESENT WITH ANY PERSON IS SELLING, MANUFACTURING OR POSSESSING ANY CONTROLLED SUBSTANCE; TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO REVISE THE CRIME OF AGGRAVATED TRAFFICKING TO INCLUDE AN AMOUNT OF DOSAGE UNITS; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2184: Judiciary, Division B
AN ACT TO AMEND SECTION 97-5-39, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CRIME OF ENDANGERMENT OF A CHILD BY KNOWINGLY CAUSING OR PERMITTING THE CHILD TO BE PRESENT WHERE ANY PERSON IS SELLING, MANUFACTURING OR POSSESSING CONTROLLED SUBSTANCES SHALL BE A FELONY WHERE THE OFFENSE RESULTS IN SUBSTANTIAL HARM TO THE CHILD'S PHYSICAL, MENTAL OR EMOTIONAL HEALTH OR IN DEATH TO THE CHILD; TO PROVIDE FOR THE CRIME OF CHEMICAL ENDANGERMENT OF EXPOSING A CHILD; TO PROVIDE CRIMINAL PENALTIES; TO PROVIDE THAT THE CRIME OF CHEMICAL ENDANGERMENT OF A CHILD SHALL BE A FELONY WHERE THE OFFENSE RESULTS IN SUBSTANTIAL HARM TO THE CHILD'S PHYSICAL, MENTAL OR EMOTIONAL HEALTH OR IN DEATH TO THE CHILD; TO EXEMPT A MOTHER WHO EXPOSES HER UNBORN CHILD TO CERTAIN MEDICINES TAKEN PURSUANT TO PRESCRIPTION OR TAKEN AS DIRECTED OR RECOMMENDED BY A PHYSICIAN FROM CRIMINAL LIABILITY; TO DEFINE TERMS; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2185: Corrections
AN ACT TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO NOTIFY THE DEPARTMENT OF PUBLIC SAFETY ON A WEEKLY BASIS OF ALL PROBATION AND PAROLE STATUSES; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO INCLUDE THE PAROLE AND PROBATION DATA OF A LICENSEE OR APPLICANT FOR A STATE-ISSUED PHOTO IDENTIFICATION CARD, IF THERE IS ANY SUCH DATA, WITHIN THE INFORMATION CONTAINED IN THE MAGNETIC STRIP OF ANY LICENSE OR IDENTIFICATION CARD ISSUED IN THE STATE; TO AMEND SECTIONS 45-35-5, 45-35-53 AND 45-35-71, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2186: Judiciary, Division B
AN ACT TO AMEND SECTION 97-37-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LAW ENFORCEMENT TO PURCHASE EQUIPMENT WITH THE PROCEEDS OF THE SALE OF FORFEITED WEAPONS; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2187: Judiciary, Division B
AN ACT TO AMEND SECTION 97-41-23, MISSISSIPPI CODE OF 1972, TO INCREASE THE PENALTIES FOR HARMING PUBLIC SERVICE ANIMALS; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2188: Municipalities; Judiciary, Division B
AN ACT TO AMEND SECTION 17-25-19, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE GOVERNING AUTHORITY OF ANY COUNTY OR MUNICIPALITY FROM ENACTING OR ENFORCING ORDINANCES AUTHORIZING THE USE OF AUTOMATED RECORDING EQUIPMENT OR SYSTEMS TO ENFORCE COMPLIANCE WITH OR TO IMPOSE OR COLLECT ANY FINE, FEE OR PENALTY FOR VIOLATION

OF ANY REQUIREMENT TO POSSESS OR MAINTAIN MOTOR VEHICLE LIABILITY INSURANCE; AND FOR RELATED PURPOSES.
By Senator(s) Seymour

S. B. No. 2189: Judiciary, Division B
AN ACT TO AMEND SECTION 97-43-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF ORGANIZED RETAIL THEFT AND ORGANIZED RETAIL THEFT ENTERPRISE; TO AMEND SECTION 97-43-3.1, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Seymour

S. B. No. 2190: Judiciary, Division B
AN ACT TO AMEND SECTION 97-23-93, MISSISSIPPI CODE OF 1972, TO REVISE THE OFFENSE OF SHOPLIFTING AND THE GRAVITY OF THE OFFENSE; TO AUTHORIZE THE COURT TO ORDER RESTITUTION IN AN AMOUNT EQUAL TO TWICE THE VALUE OF THE PROPERTY THAT WAS SHOPLIFTED; AND FOR RELATED PURPOSES.
By Senator(s) Seymour

S. B. No. 2191: Judiciary, Division B
AN ACT TO AMEND SECTION 99-19-301, MISSISSIPPI CODE OF 1972, TO REVISE THE DELINEATION OF CLASSES OF VICTIMS TRIGGERING AN ENHANCED PENALTY FOR A HATE CRIME; TO AMEND SECTION 99-19-305, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Blount

S. B. No. 2192: Judiciary, Division B
AN ACT TO CREATE NEW SECTION 66-33-2, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE USAGE OF A MOBILE TELEPHONE WHILE OPERATING A MOTOR VEHICLE IN A REDUCED SPEED AREA IN THE VICINITY OF A SCHOOL; AND FOR RELATED PURPOSES.
By Senator(s) Barrett

S. B. No. 2193: Judiciary, Division B; Appropriations
AN ACT TO CREATE NEW SECTION 45-27-22, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI JUSTICE INFORMATION CENTER TO ESTABLISH A MISDEMEANOR WARRANT MANAGEMENT SYSTEM TO ENABLE CRIMINAL JUSTICE AGENCIES TO ELECTRONICALLY TRACK MISDEMEANOR WARRANTS BETWEEN JURISDICTIONS AS THE WARRANTS ARE ISSUED, SERVED AND RECALLED; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO PROMULGATE RULES AND REGULATIONS; TO REQUIRE ALL CRIMINAL JUSTICE AGENCIES AND THE ADMINISTRATIVE OFFICE OF COURTS TO ASSIST THE MISSISSIPPI JUSTICE INFORMATION CENTER AND THE DEPARTMENT OF PUBLIC SAFETY IN THE ESTABLISHMENT OF THE MISDEMEANOR WARRANT MANAGEMENT SYSTEM; TO AMEND SECTIONS 45-27-1, 45-27-3, 45-27-7, 45-27-12 AND 9-21-3, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Barrett

S. B. No. 2194: Judiciary, Division B
AN ACT TO AMEND SECTION 97-17-70, MISSISSIPPI CODE OF 1972, TO CREATE THE CRIME OF SELLING STOLEN PROPERTY; TO INCREASE THE PENALTIES FOR THE CRIME OF RECEIVING STOLEN PROPERTY; TO REQUIRE THE SELLER OF STOLEN PROPERTY TO PAY THE OWNER OF SUCH PROPERTY THE VALUE OF THE PROPERTY BEFORE ANY COURT FEES OR OTHER CRIMINAL PENALTIES; AND FOR RELATED PURPOSES.
By Senator(s) Ladner

S. B. No. 2195: Judiciary, Division B; Appropriations

AN ACT TO CREATE THE LAW ENFORCEMENT SUPPLEMENTAL PAY PROGRAM TO FOSTER RECRUITMENT AND RETENTION OF LAW ENFORCEMENT OFFICERS; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO ADMINISTER THE PROGRAM; TO PROVIDE THAT FULL-TIME SWORN, CERTIFIED LAW ENFORCEMENT OFFICER WHO HAVE COMPLETED OR WHO HEREAFTER ANNUALLY COMPLETE A CERTAIN AMOUNT OF IN-SERVICE TRAINING TO BE PAID BY THE STATE ADDITIONAL COMPENSATION OF A CERTAIN SUM PER YEAR; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2196: Judiciary, Division B
AN ACT TO AMEND SECTION 97-7-75, MISSISSIPPI CODE OF 1972, TO PROVIDE AN ENHANCED SENTENCE OF IMPRISONMENT FOR A PERSON WHO MAKES A TERRORISTIC THREAT AGAINST AN AIRPORT; AND FOR RELATED PURPOSES.
By Senator(s) Thompson, Carter

S. B. No. 2197: Judiciary, Division B
AN ACT TO AMEND SECTION 97-37-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE EMPLOYEES OF THE SECRETARY OF STATE WHO ARE AUTHORIZED BY THE SECRETARY OF STATE TO PERFORM INVESTIGATIVE OR REGULATORY FUNCTIONS TO CARRY FIREARMS; AND FOR RELATED PURPOSES.
By Senator(s) Carter

S. B. No. 2198: Judiciary, Division B
AN ACT TO AUTHORIZE A COURT IN A CRIMINAL MATTER TO SET A DATE OF SENTENCING FOR THE REVIEW OF THE CRIMINAL SENTENCE; TO AUTHORIZE A COURT IN WHICH CRIMINAL SENTENCING WAS ENTERED UPON THE COURT'S OWN MOTION OR UPON A MOTION OF AN ELIGIBLE DEFENDANT TO REDUCE OR MODIFY THE SENTENCE ON THE GROUND THAT SUCH SENTENCE IS GREATER THAN NECESSARY TO ACHIEVE THE PURPOSES OF SENTENCING; TO PROVIDE ELIGIBILITY REQUIREMENTS FOR A CRIMINAL DEFENDANT; TO PROVIDE THAT A DEFENDANT WHO IS SERVING THE MINIMUM SENTENCE PERMITTED UNDER THE CRIMINAL LAW SHALL NOT BE ELIGIBLE TO FILE A MOTION UNDER THIS SECTION; TO PROVIDE THAT A MOTION UNDER THIS SECTION SHALL BE REFERRED FOR DETERMINATION TO THE JUDGE WHO IMPOSED THE ORIGINAL SENTENCE UPON THE DEFENDANT OR TO THE COURT THAT IMPOSED THE SENTENCE IF THE JUDGE IS NO LONGER A JUDGE OF A COMPETENT JURISDICTION; TO PROVIDE A PROCEDURE FOR THE JUDGE REVIEWING THE MOTION; TO AUTHORIZE A RENEWED MOTION AFTER A CERTAIN AMOUNT OF TIME UPON DENIAL OF THE MOTION; TO PROVIDE A RIGHT OF APPEAL; TO PROHIBIT A DEFENDANT FROM AGREEING TO WAIVE HIS OR HER RIGHT TO RELIEF UNDER THIS SECTION AS A COMPONENT OF A PLEA AGREEMENT; TO AMEND SECTION 99-39-7, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Blackmon

S. B. No. 2199: Judiciary, Division B
AN ACT TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO REDUCE THE PUNISHMENT FOR SIMPLE POSSESSION OF 30 GRAMS OR LESS OF MARIJUANA TO A CIVIL PENALTY; TO DIRECT THE FUNDS RECEIVED FROM THE IMPOSITION OF THE CIVIL PENALTY TO BE DEPOSITED TO THE GENERAL FUND OF THE MUNICIPALITY OR COUNTY IN WHICH THE SUMMONS FOR THE CIVIL PENALTY WAS ISSUED; TO DELETE THE SENTENCING AUTHORITY OF THE COURT TO IMPRISON A DEFENDANT IN THE COUNTY JAIL FOR A SECOND CONVICTION OF A CERTAIN AMOUNT OF MARIJUANA OR SYNTHETIC CANNABINOIDS; AND FOR RELATED PURPOSES.
By Senator(s) Blackmon

S. B. No. 2200: Judiciary, Division B

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO ANY PERSON DISQUALIFIED BY REASON OF CRIMINAL CONVICTION UPON COMPLETION OF SENTENCE; TO AMEND SECTIONS 23-15-11, 23-15-19, 23-15-47 AND 23-15-213, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.
By Senator(s) Blackmon

S. B. No. 2201: Judiciary, Division B
AN ACT TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO INCLUDE THE UNIVERSAL TELEPHONE NUMBER FOR THE NATIONAL SUICIDE PREVENTION AND MENTAL HEALTH CRISIS HOTLINE ON ANY LICENSE, STATE-ISSUED PHOTO IDENTIFICATION CARD OR DIGITAL WALLET; TO AMEND SECTIONS 45-35-5, 45-35-53 AND 45-35-71, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Blackmon

S. B. No. 2202: Judiciary, Division B
AN ACT TO AMEND SECTION 99-19-83, MISSISSIPPI CODE OF 1972, TO REVISE SENTENCING OF AN OFFENDER AS AN HABITUAL VIOLENT OFFENDER BY REQUIRING BOTH PREVIOUS CRIMES TO HAVE BEEN CRIMES OF VIOLENCE; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2203: Judiciary, Division B
AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO REVISE THE CALCULATION TO DETERMINE WHETHER AN OFFENDER SHOULD BE SENTENCED AS AN HABITUAL OFFENDER; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2204: Judiciary, Division B
AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972, TO REVISE EXPUNCTION OF CRIMINAL RECORD BY REDUCING THE WAITING PERIOD FOR ELIGIBILITY; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2205: Judiciary, Division B
AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COURT OF CONVICTION TO EXPUNGE THE RECORD OF CERTAIN FELONIES AFTER 20 YEARS; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2206: Elections
AN ACT TO AMEND SECTION 23-15-713, MISSISSIPPI CODE OF 1972, TO AUTHORIZE EVERY DULY QUALIFIED ELECTOR TO VOTE BY ABSENTEE BALLOT; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2207: Elections; Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 3-3-7, MISSISSIPPI CODE OF 1972, TO DESIGNATE THE DAYS OF THE U.S. PRESIDENTIAL ELECTION, THE GENERAL STATE ELECTION, AND THE ELECTION OF A U.S. SENATOR AS LEGAL HOLIDAYS IN THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.
By Senator(s) Blackmon

S. B. No. 2208: Elections; Judiciary, Division B
AN ACT TO AMEND SECTION 23-15-753, MISSISSIPPI CODE OF 1972, TO INCREASE PUNISHMENT FOR THE CRIME OF VOTE FRAUD TO A FINE NOT LESS THAN $1,000.00 AND A TERM OF IMPRISONMENT IN THE PENITENTIARY FOR NOT LESS THAN ONE YEAR; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

S. B. No. 2209: Finance

AN ACT TO AMEND SECTIONS 27-31-101 AND 27-31-103, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF A MUNICIPALITY ANNEXES AN AREA ALREADY CONTAINING AN ENTERPRISE OF A KIND OTHERWISE ELIGIBLE TO RECEIVE DISCRETIONARY AD VALOREM TAX EXEMPTIONS AS A NEW ENTERPRISE, SUCH ENTERPRISE SHALL BE CONSIDERED A "NEW ENTERPRISE" FOR PURPOSES OF THE MUNICIPALITY'S AUTHORITY TO GRANT THE DISCRETIONARY EXEMPTIONS; TO PROVIDE THAT THE DATE FROM WHICH THE INITIAL PERIOD OF EXEMPTION BEGINS SHALL BE THE EFFECTIVE DATE OF THE ANNEXATION OF THE AREA IN WHICH THE ENTERPRISE IS LOCATED; TO AMEND SECTIONS 27-31-104, 27-31-105, 27-31-107 AND 27-31-115 MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2210: Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE STATE SALES TAX RETAIL SALES OF FOOD OR DRINK FOR HUMAN CONSUMPTION ELIGIBLE FOR PURCHASE WITH FOOD STAMPS ISSUED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE OR OTHER FEDERAL AGENCY; TO CLARIFY THAT THIS EXEMPTION FROM THE STATE SALES TAX SHALL NOT AFFECT A SALES TAX LEVIED BY A MUNICIPALITY UNDER THIS ACT; TO AUTHORIZE ANY MUNICIPALITY TO LEVY A TAX OF NO MORE THAN 1% ON RETAIL SALES OF FOOD OR DRINK FOR HUMAN CONSUMPTION ELIGIBLE FOR PURCHASE WITH FOOD STAMPS ISSUED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE OR OTHER FEDERAL AGENCY, BUT ONLY WHEN SUCH FOOD OR DRINK IS PURCHASED WITHOUT THE USE OF FOOD STAMPS ISSUED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE OR OTHER FEDERAL AGENCY; TO GRANT THE MUNICIPALITY THE DISCRETION TO LEVY THE TAX EITHER BY THE AUTHORITY OF ITS RESOLUTION OR BY CALLING AN ELECTION ON THE QUESTION; TO GRANT THE MUNICIPALITY THE SAME DISCRETION IN ADJUSTING THE RATE OF THE TAX AND IN REPEALING THE TAX, REGARDLESS OF WHICH METHOD IT USED FOR THE INITIAL LEVY; TO AMEND SECTION 27-65-241, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; AND FOR RELATED PURPOSES.

By Senator(s) DeBar, Polk

S. B. No. 2211: Finance

AN ACT TO AMEND SECTION 27-69-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "ELECTRONIC SMOKING DEVICE" AND "TOBACCO PRODUCT" FOR PURPOSES OF INCLUDING ELECTRONIC SMOKING DEVICES IN THE 15% EXCISE TAX ON TOBACCO PRODUCTS OTHER THAN CIGARETTES; TO AMEND SECTIONS 27-69-13, 27-69-15 AND 27-69-27, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2212: Finance

AN ACT TO AMEND SECTION 27-19-56.387, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE GRAND CHAPTER OF MISSISSIPPI ORDER OF THE EASTERN STAR; TO BRING FORWARD SECTION 27-19-44, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Williams

S. B. No. 2213: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO MISSISSIPPI STATE UNIVERSITY EXTENSION SERVICE TO DEFRAY EXPENSES ASSOCIATED

WITH THE IMPLEMENTATION OF CERTAIN YOUTH PREPAREDNESS EDUCATION PROGRAMS FOR FISCAL YEAR 2025.
By Senator(s) Barrett

S. B. No. 2214: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR THE PURPOSE OF BUILDING A FIRE STATION WITH THE CITY OF JACKSON FIRE DEPARTMENT TO PROVIDE PRIMARY RESPONSE TO THE UMMC CAMPUS AND OTHER STATE PROPERTY FOR FISCAL YEAR 2025.
By Senator(s) Blount

S. B. No. 2215: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI COMMUNITY COLLEGE BOARD FOR THE PURPOSE OF RENOVATING, REFURBISHING AND EQUIPPING A BUILDING AT JONES COUNTY JUNIOR COLLEGE THAT WILL BE USED FOR TEACHING CERTAIN COURSES DIRECTLY RELATED TO WORKFORCE DEVELOPMENT AND CAREER AND TECHNICAL EDUCATION (CTE) FOR THE FISCAL YEAR 2025.
By Senator(s) Robinson

S. B. No. 2216: Appropriations
AN ACT TO ENACT THE TAXPAYER RECEIPT ACT; TO DIRECT THE DEPARTMENT OF REVENUE TO DEVELOP AND PUBLISH OR LINK TO AN INTERACTIVE TAXPAYER RECEIPT WEB-BASED APPLICATION SHOWING THE STATE'S SPENDING OF REVENUE ACROSS MAJOR EXPENDITURE CATEGORIES, THE ALLOCATION OF THE USER'S TAX PAYMENTS ACROSS MAJOR EXPENDITURE CATEGORIES, AND THE USER'S ESTIMATED PAYMENT OF TAXES ACROSS MAJOR STATE TAX CATEGORIES; TO DIRECT THE DEPARTMENT TO ISSUE A REQUEST FOR PROPOSALS FOR THE DEVELOPMENT AND PUBLICATION OF THE WEB-BASED APPLICATION WITHIN 90 DAYS OF THE EFFECTIVE DATE OF THIS ACT; TO REQUIRE THAT THE WEB-BASED APPLICATION BE LIVE ON THE DEPARTMENT'S WEBSITE BY JANUARY 1, 2025; TO SPECIFY STANDARDS FOR VENDORS SUBMITTING PROPOSALS TO THE DEPARTMENT; AND FOR RELATED PURPOSES.
By Senator(s) Carter

S. B. No. 2217: Rules
AN ACT TO DIRECT THE DEPARTMENT OF ARCHIVES AND HISTORY TO CAUSE THE DEPICTION OF THE CONFEDERATE FLAG TO BE REMOVED FROM THE STATE CAPITOL ROTUNDA; TO ESTABLISH A COMMISSION TO RECOMMEND A SUITABLE IMAGE TO REPLACE THE DEPICTION OF THE CONFEDERATE FLAG IN THE CAPITOL ROTUNDA; TO PRESCRIBE THE MEMBERSHIP OF THE COMMISSION AND TO PROVIDE FOR ITS ORGANIZATION AND MEETINGS; TO LIST THE COMMISSION'S PREROGATIVES AND DUTIES; TO REQUIRE THE COMMISSION TO SUBMIT ITS WRITTEN RECOMMENDATION TO THE GOVERNOR AND THE LEGISLATURE NO LATER THAN SEPTEMBER 30, 2024; TO PROVIDE FOR THE DISSOLUTION OF THE COMMISSION UPON THE SUBMISSION OF ITS WRITTEN RECOMMENDATION; TO AMEND SECTION 55-15-81, MISSISSIPPI CODE OF 1972, WHICH PROHIBITS THE RELOCATION, REMOVAL, DISTURBING, ALTERATION, RENAMING OR REDEDICATION OF CERTAIN HISTORICAL ITEMS, STRUCTURES OR AREAS, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Blackmon

S. B. No. 2218: Accountability, Efficiency, Transparency
AN ACT TO ESTABLISH THE MISSISSIPPI-IRELAND TRADE COMMISSION; TO STATE FINDINGS OF THE LEGISLATURE; TO PROVIDE FOR APPOINTMENTS TO THE COMMISSION AND THE LENGTH OF THEIR TERMS; TO SPECIFY HOW THE COMMISSION IS TO CONDUCT ITS BUSINESS; TO SET OUT THE PURPOSES OF THE COMMISSION; TO AUTHORIZE THE COMMISSION TO RAISE FUNDS, THROUGH DIRECT SOLICITATION OR OTHER FUNDRAISING EVENTS, ALONE OR

WITH OTHER GROUPS, AND TO ACCEPT GIFTS, GRANTS, AND BEQUESTS FROM INDIVIDUALS, CORPORATIONS, FOUNDATIONS, GOVERNMENTAL AGENCIES, AND PUBLIC AND PRIVATE ORGANIZATIONS AND INSTITUTIONS TO CARRY OUT ITS PURPOSES; AND FOR RELATED PURPOSES.
By Senator(s) Harkins, Kirby, McCaughn, Blackwell, Younger, Whaley

S. B. No. 2219: Rules
AN ACT TO AMEND SECTION 3-3-16, MISSISSIPPI CODE OF 1972, TO CHANGE THE OFFICIAL STATE FLAG OF THE STATE OF MISSISSIPPI; TO PROVIDE THAT THE OFFICIAL STATE FLAG SHALL BE THE DESIGN BY LOURIE FORMBY; TO PROVIDE A DESCRIPTION OF THE DESIGN; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2220: Finance
AN ACT TO ESTABLISH A REVOLVING LOAN PROGRAM FOR THE PURPOSE OF MAKING LOANS TO ASSIST RURAL COUNTIES AND MUNICIPALITIES IN PAYING COSTS ASSOCIATED WITH EMERGENCY REPAIR, MAINTENANCE, CONSTRUCTION, RECONSTRUCTION, UPGRADES OF AND IMPROVEMENTS TO INFRASTRUCTURE PROJECTS; TO PROVIDE THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY SHALL ADMINISTER THE REVOLVING LOAN PROGRAM CREATED IN THIS ACT; TO CREATE A SPECIAL FUND IN THE STATE TREASURY, DESIGNATED AS THE "RURAL COUNTIES AND MUNICIPALITIES EMERGENCY INFRASTRUCTURE IMPROVEMENTS FUND"; TO AUTHORIZE THE ISSUANCE OF $10,000,000.00 OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE "RURAL COUNTIES AND MUNICIPALITIES EMERGENCY INFRASTRUCTURE IMPROVEMENTS FUND"; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2221: Finance
AN ACT TO AMEND SECTION 67-1-83, MISSISSIPPI CODE OF 1972, TO ALLOW ANY COUNTY, MUNICIPALITY, TRIBE OR OTHER POLITICAL SUBDIVISION OF THE STATE THAT IS WET UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW TO AUTHORIZE, BY LOCAL ORDINANCE, PERMITTED PACKAGE RETAILERS TO ENGAGE IN PACKAGE RETAIL SALES ON SUNDAY; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2222: Finance
AN ACT TO AMEND SECTION 27-7-22.44, MISSISSIPPI CODE OF 1972, TO EXTEND THE PERIOD OF ELIGIBILITY FOR THE INCOME TAX CREDIT FOR EMPLOYER TAXPAYERS FOR BLOOD DONATIONS MADE BY EMPLOYEES DURING A BLOOD DRIVE; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 2223: Finance
AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF FEMININE HYGIENE PRODUCTS, BABY FORMULA AND BABY DIAPERS; AND FOR RELATED PURPOSES.
By Senator(s) Boyd, Robinson, England

S. B. No. 2224: Finance
AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF BABY FORMULA AND BABY DIAPERS; AND FOR RELATED PURPOSES.
By Senator(s) Boyd, Robinson, England

S. B. No. 2225: Finance
AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF TANGIBLE PERSONAL PROPERTY OR

SERVICES TO THE MISSISSIPPI AQUARIUM IN GULFPORT, MISSISSIPPI; AND FOR RELATED PURPOSES.
By Senator(s) Carter

S. B. No. 2226: Finance
AN ACT TO AMEND SECTION 27-117-15, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE OF THE ISRAEL SUPPORT ACT OF 2019; TO BRING FORWARD SECTIONS 27-117-1, 27-117-3, 27-117-5, 27-117-7, 27-117-9, 27-117-11 AND 27-117-13, MISSISSIPPI CODE OF 1972, TO WHICH CONSTITUTE THE ISRAEL SUPPORT ACT OF 2019, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Harkins

S. B. No. 2227: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF SHARKEY COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH VARIOUS DISASTER RECOVERY PROJECTS; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF ROLLING FORK, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH VARIOUS DISASTER RECOVERY PROJECTS; AND FOR RELATED PURPOSES.
By Senator(s) Thomas

S. B. No. 2228: Finance
AN ACT TO AUTHORIZE A PERSON WHO IS THE HOLDER OF A WINE MANUFACTURER'S PERMIT IN THIS STATE, OR WHO IS LICENSED OR PERMITTED OUTSIDE OF THE STATE TO ENGAGE IN THE ACTIVITY OF MANUFACTURING, SUPPLYING, IMPORTING, DISTRIBUTING, WHOLESALING OR RETAILING WINE, TO SELL AND SHIP WINE DIRECTLY TO RESIDENTS IN THIS STATE, IF THE PERSON OBTAINS A DIRECT WINE SHIPPER'S PERMIT FROM THE DEPARTMENT OF REVENUE; TO PROVIDE FOR THE ISSUANCE OF DIRECT WINE SHIPPER'S PERMITS; TO REQUIRE THE HOLDER OF A DIRECT WINE SHIPPER'S PERMIT TO KEEP CERTAIN RECORDS; TO PROHIBIT THE HOLDER OF A DIRECT WINE SHIPPER'S PERMIT FROM SELLING OR SHIPPING LIGHT WINE OR BEER OR ANY ALCOHOLIC BEVERAGE OTHER THAN WINE; TO LIMIT THE AMOUNT OF WINE THAT A HOLDER OF A DIRECT WINE SHIPPER'S PERMIT MAY SELL OR SHIP TO AN INDIVIDUAL EACH YEAR; TO PROVIDE FOR THE ANNUAL RENEWAL OF DIRECT WINE SHIPPER'S PERMITS; TO PROVIDE THAT PERSONS PURCHASING OR RECEIVING A DIRECT SHIPMENT OF WINE FROM A DIRECT WINE SHIPPER MUST BE AT LEAST 21 YEARS OF AGE; TO PROVIDE THAT PERSONS RECEIVING A DIRECT SHIPMENT OF WINE FROM A DIRECT WINE SHIPPER SHALL USE THE WINE FOR PERSONAL CONSUMPTION ONLY AND MAY NOT RESELL IT; TO AUTHORIZE THE COMMISSIONER OF REVENUE TO ADOPT ANY RULES OR REGULATIONS AS NECESSARY TO CARRY OUT THIS ACT; TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS ACT; TO AMEND SECTIONS 27-71-5, 27-71-7, 27-71-15 AND 27-71-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THE PRIVILEGE TAX REQUIRED FOR THE ISSUANCE OF A DIRECT WINE SHIPPER'S PERMIT; TO LEVY A TAX UPON THE SALES AND SHIPMENTS OF WINE MADE BY A DIRECT WINE SHIPPER; TO REQUIRE A CERTAIN AMOUNT OF THE TAXES LEVIED TO BE DEPOSITED INTO THE MENTAL HEALTH PROGRAMS FUND; TO AMEND SECTIONS 67-1-41, 67-1-45, 67-1-51, 67-1-53, 67-1-55, 67-1-57, 67-1-73, 97-31-47 AND 97-31-49, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE FOREGOING PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Michel

S. B. No. 2229: Finance
AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "GROCERY STORE"; TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ISSUE GROCERY

STORE WINE-ONLY RETAILER'S PERMITS THAT AUTHORIZE THE HOLDER THEREOF TO SELL WINE AT RETAIL AT A GROCERY STORE IN ORIGINAL SEALED AND UNOPENED PACKAGES NOT TO BE CONSUMED ON THE PREMISES WHERE SOLD; TO PROVIDE THAT THE HOLDER OF A PACKAGE RETAILER'S PERMIT MAY SELL OTHER PRODUCTS AND MERCHANDISE, EXCEPT BEER, BUT MUST DERIVE AT LEAST 50% OF THE REVENUE OF THE LICENSED PREMISES FROM THE RETAIL SALE OF ALCOHOLIC BEVERAGES IN ORIGINAL SEALED AND UNOPENED PACKAGES NOT TO BE CONSUMED ON THE LICENSED PREMISES; TO AUTHORIZE A PERSON TO OWN OR CONTROL ANY INTEREST IN MORE THAN SIX PACKAGE RETAILER'S PERMITS; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THE LICENSE TAX REQUIRED FOR GROCERY STORE WINE-ONLY RETAILER'S PERMITS; TO AMEND SECTIONS 67-1-41, 67-1-75, 67-1-83, AND 67-1-85, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.
By Senator(s) Michel

S. B. No. 2230: Rules
AN ACT TO AMEND SECTION 3-3-7, MISSISSIPPI CODE OF 1972, TO REVISE THE LEGAL HOLIDAYS BY REMOVING CONFEDERATE MEMORIAL DAY AND DESIGNATING THE NINETEENTH DAY OF JUNE AS JUNETEENTH FREEDOM DAY; TO CLARIFY WHEN A LEGAL HOLIDAY WILL BE CELEBRATED IF THE HOLIDAY FALLS ON A SATURDAY OR SUNDAY; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th), Blount, Jackson, Frazier, Thomas, Simmons (13th), Brumfield, Norwood, Hickman, Jordan, Blackmon, Butler, Turner-Ford, Barnett

S. B. No. 2231: Rules
AN ACT TO CREATE THE NATIONAL STATUARY HALL SELECTION COMMISSION TO STUDY AND MAKE RECOMMENDATIONS FOR THE SELECTION OF TWO NEW HISTORIC FIGURES TO REPRESENT MISSISSIPPI IN THE NATIONAL STATUARY HALL COLLECTION AT THE UNITED STATES CAPITOL; TO PROVIDE THAT THE RECOMMENDATIONS SHALL BE FIGURES WHO BRING HONOR TO ALL MISSISSIPPIANS AND REFLECT THE DEMOGRAPHICS OF THE STATE AS A WHOLE; TO PRESCRIBE THE MEMBERSHIP OF THE COMMISSION AND TO PROVIDE FOR ITS ORGANIZATION AND MEETINGS; TO PROVIDE THAT THE COMMISSION SHALL MAKE WRITTEN RECOMMENDATIONS TO THE GOVERNOR AND THE LEGISLATURE NOT LATER THAN NOVEMBER 30, 2024; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th), Blount, Jackson, Thomas, Frazier, Simmons (13th), Brumfield, Norwood, Hickman, Jordan, Blackmon, Barnett, Butler, Turner-Ford

S. C. R. No. 512: Constitution; Elections
A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO THE MISSISSIPPI CONSTITUTION OF 1890 TO REQUIRE ALL CANDIDATES RUNNING FOR STATE AND COUNTY ELECTIONS TO SECURE THE MAJORITY VOTE TO BE ELECTED; AND FOR RELATED PURPOSES.
By Senator(s) Barnett

S. C. R. No. 513: Constitution; Elections
A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 241 OF THE MISSISSIPPI CONSTITUTION OF 1890, TO LIMIT VOTING IN STATE AND LOCAL ELECTIONS TO CITIZENS OF MISSISSIPPI.
By Senator(s) McMahan

S. C. R. No. 514: Rules
A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 33, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT THE LEGISLATURE BY GENERAL LAW MAY PROVIDE FOR A CITIZEN INITIATIVE PROCEDURE FOR PROPOSING AMENDMENTS TO MISSISSIPPI STATUTES.
By Senator(s) Blount

S. C. R. No. 515: Rules

A CONCURRENT RESOLUTION MOURNING THE PASSING AND RECOGNIZING THE SIGNIFICANT JUDICIAL CAREER OF FORMER MISSISSIPPI SUPREME COURT JUSTICE JAMES L. ROBERTSON.

By Senator(s) Simmons (12th)

S. C. R. No. 516: Rules

A CONCURRENT RESOLUTION RECOGNIZING MISSISSIPPI SUPREME COURT PRESIDING JUSTICE AND FORMER REPRESENTATIVE LESLIE D. KING UPON HIS RECEIPT OF THE PRESTIGIOUS "60 COURAGEOUS JUDGES AWARD" BY THE NATIONAL JUDICIAL COLLEGE.

By Senator(s) Simmons (12th)

S. C. R. No. 517: Rules

A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO THE SURVIVING FAMILY AND FRIENDS OF MARGARETT LOUISE ALLEN-BINGHAM WHO WAS THE FIRST FEMALE SUPERINTENDENT OF A CORRECTIONAL FACILITY IN MISSISSIPPI AND LONGTIME RESPECTED LEADER IN THE FIELD OF CORRECTIONS AND MENTAL HEALTH.

By Senator(s) Norwood, Horhn, Frazier

S. C. R. No. 518: Rules

A CONCURRENT RESOLUTION MOURNING THE LOSS AND CELEBRATING THE CONTRIBUTIONS AND CAREER OF MISSISSIPPI MUSIC ICON AND TROPICAL ROCK LEGEND AND USM ALUMNUS JIMMY BUFFETT OF PASCAGOULA, MISSISSIPPI, WHO CREATED HIS OWN GENRE OF MUSIC AND A WORLDWIDE MUSIC BUSINESS EMPIRE, AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE ON THE PASSING OF THIS MISSISSIPPI MUSIC LEGEND.

By Senator(s) Wiggins, England

S. C. R. No. 519: Rules

A CONCURRENT RESOLUTION CELEBRATING AND CONGRATULATING THE UNIVERSITY OF MISSISSIPPI "OLE MISS REBELS" FOOTBALL TEAM AND HEAD COACH LANE KIFFIN, INCLUDING THE ATHLETES, COACHING STAFF, ADMINISTRATION, FACULTY, STUDENTS AND ALUMNI, FOR DOMINATING PENN STATE 38-25 IN THE 2023 PEACH BOWL, FOR ACHIEVING ITS FIRST 11-WIN SEASON IN OLE MISS' 129 SEASONS OF COLLEGE FOOTBALL, AND FOR ITS TOP 10 FINAL NATIONAL RANKING.

By Senator(s) Michel, Boyd, Hickman, England, Chassaniol, Fillingane, Kirby, McLendon, Sparks, Blackmon, Hopson, Suber, DeBar, Parks, Polk, Turner-Ford

S. R. No. 19: Rules

A RESOLUTION MOURNING THE LOSS AND COMMENDING THE LIFE AND PUBLIC SERVICE OF RENOWNED BUSINESSMAN, FORMER LAFAYETTE COUNTY SUPERVISOR AND FORMER STATE SENATOR, JOHN (JOHNNY) JORDAN MORGAN OF OXFORD, MISSISSIPPI, AND EXTENDING THE DEEPEST SYMPATHY OF THE MISSISSIPPI SENATE TO HIS FAMILY AND FRIENDS ON HIS PASSING.

By Senator(s) Boyd, Hopson, Michel, Suber, Sparks

S. R. No. 20: Rules

A RESOLUTION MOURNING THE LOSS AND COMMENDING THE LIFE AND PUBLIC SERVICE OF FORMER STATE SENATOR AND SECOND FEMALE JUSTICE IN HISTORY ON THE MISSISSIPPI SUPREME COURT KAY COBB OF OXFORD, MISSISSIPPI, AND LENOIR CITY, TENNESSEE, WHO SERVED IN MANY CAPACITIES IN THE ADMINISTRATION OF JUSTICE IN MISSISSIPPI, AND EXTENDING THE DEEPEST SYMPATHY OF THE MISSISSIPPI SENATE TO HER FAMILY AND FRIENDS ON HER PASSING.

By Senator(s) Boyd, McCaughn

S. R. No. 21: Rules

A RESOLUTION MOURNING THE LOSS AND COMMENDING THE LIFE OF PUBLIC SERVICE TO THE LEGAL PROFESSION AND LEGISLATIVE ADVOCACY AND TO THE CHARITABLE SUPPORT OF THE FIRE MUSEUM OF MEMPHIS BY THE HONORABLE JIM COX OF OXFORD, MISSISSIPPI, AND EXTENDING THE CONDOLENCES OF THE SENATE TO HIS SURVIVING FAMILY.

By Senator(s) Michel

S. R. No. 22: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE OAK GROVE HIGH SCHOOL "WARRIORS" FOOTBALL TEAM AND HEAD COACH DREW CAUSEY FOR WINNING THEIR FIRST MHSAA CLASS 7A STATE FOOTBALL CHAMPIONSHIP.

By Senator(s) Johnson

S. R. No. 23: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE PURVIS HIGH SCHOOL "TORNADOES" BASEBALL TEAM AND HEAD COACH TONY FARLOW FOR WINNING ITS FOURTH MHSAA CLASS 4A STATE BASEBALL CHAMPIONSHIP.

By Senator(s) Polk

S. R. No. 24: Rules

A RESOLUTION CONGRATULATING ALPHA KAPPA ALPHA SORORITY, INC., ON THE OCCASION OF ITS POLICY IMPACT "2024 AKA DAY AT THE MISSISSIPPI STATE CAPITOL" TO PROMOTE ADVOCACY AND TAKE ACTION FOR HUMAN RIGHTS AND SOCIAL JUSTICE.

By Senator(s) Simmons (12th)

S. R. No. 25: Rules

A RESOLUTION EXTENDING THE CONGRATULATIONS AND COMMENDATION OF THE MISSISSIPPI SENATE TO MR. CHARLES R. CARR, RETIRED DIRECTOR OF INTERMODAL PLANNING WITH THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR HIS 41 YEARS OF EFFECTIVE AND DEDICATED SERVICE TO THE STATE OF MISSISSIPPI.

By Senator(s) Norwood, Frazier, Horhn, Blount

S. R. No. 26: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE LOUISVILLE HIGH SCHOOL "WILDCATS" FOOTBALL TEAM AND TRIPLE STATE TITLE COACH TYRONE SHORTER FOR WINNING THE 2023 MHSAA CLASS 4A STATE CHAMPIONSHIP.

By Senator(s) Hickman, Branning

S. R. No. 27: Rules

A RESOLUTION RECOGNIZING EMMA CAMERON AS MISS RODEO AMERICA 2024 AND WELCOMING HER TO MISSISSIPPI ON THE OCCASION OF THE DIXIE NATIONAL LIVESTOCK AND RODEO SHOW.

By Senator(s) Younger, Berry, Whaley, Rhodes, Seymour, Ladner, McCaughn

S. R. No. 28: Rules

A RESOLUTION RECOGNIZING EMMA WATTS OF ST. STEPHENS, ALABAMA, AS "MISS DIXIE NATIONAL 2024" ON THE OCCASION OF THE DIXIE NATIONAL LIVESTOCK AND RODEO SHOW.

By Senator(s) Younger, Whaley, Berry, Rhodes, Seymour, Ladner, McCaughn

_____

THIRTY-FIFTH DAY, MONDAY, FEBRUARY 5, 2024

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Pastor Archie Morris, Senior Pastor, True Light Missionary Baptist Church, Hattiesburg, MS.

Senator Barnett led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

MESSAGE FROM THE IHL BOARD OF TRUSTEES
January 17, 2024

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

Dr. Ormella Cummings, Fulton, Mississippi, Mississippi Authority for Educational Television (Mississippi Public Broadcasting Board), four year term beginning July 1, 2023 and ending June 30, 2027.

Alfred Rankins, Jr., Ph.D., Commissioner
IHL BOARD OF TRUSTEES

The executive nomination in the foregoing message was referred to committee as follows:

Dr. Ormella Cummings, Mississippi Authority for Educational Television (Mississippi Public Broadcasting Board), four year term beginning July 1, 2023 and ending June 30, 2027, Education.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 774: AN ACT TO CREATE THE MISSISSIPPI MOBILE SPORTS WAGERING ACT; TO PROVIDE DEFINITIONS FOR THE ACT; TO PROVIDE THAT "ONLINE RACE BOOK" AND "ONLINE SPORTS POOL" BETTING SHALL BE LEGAL IN THIS STATE; TO REQUIRE A PLATFORM THAT OPERATES AN ONLINE SPORTS POOL OR ONLINE RACE BOOK TO A MANUFACTURER'S AND DISTRIBUTOR'S LICENSE; TO AUTHORIZE LICENSED GAMING ESTABLISHMENTS TO CONTRACT WITH NO MORE THAN ONE PLATFORM; TO PROVIDE THAT A PLATFORM SHALL ONLY ACCEPT WAGERS FROM PLAYERS LOCATED IN MISSISSIPPI; TO REQUIRE THE PLATFORM CONTRACT FOR GEOFENCING AND AGE VERIFICATION; TO PROHIBIT PLAY BY ANY PERSON UNDER THE AGE OF 21; TO IMPOSE A FEE ON THE GROSS REVENUE OF A LICENSED GAMING ESTABLISHMENT, INCLUDING A PLATFORM THAT OPERATES AN ONLINE SPORTS POOL, ONLINE RACE BOOK OR BOTH ON BEHALF OF THE HOLDER OF A GAMING LICENSE, WHICH IS DERIVED FROM THE ACTIVITIES AUTHORIZED IN THIS ACT AND TO EXEMPT SUCH GROSS REVENUE FROM CERTAIN FEES IMPOSED OR AUTHORIZED UNDER THE MISSISSIPPI GAMING CONTROL ACT AND ANY LOCAL AND PRIVATE LAW OF THE STATE OF MISSISSIPPI; TO PROVIDE FOR THE DISTRIBUTION OF PROCEEDS COLLECTED FROM SUCH FEE; TO AMEND SECTIONS 97-33-17, 75-76-5 AND 75-76-33, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO AMEND SECTION 75-76-89, MISSISSIPPI CODE OF 1972, TO CLARIFY THE INCLUSION OF ONLINE RACE BOOK AND SPORTS BOOK FOR GAMING LICENSING; TO AMEND SECTION 75-76-91, MISSISSIPPI CODE OF 1972, TO REQUIRE THE LICENSED GAMING ESTABLISHMENT TO DISPLAY THE LICENSE OF THE PLATFORM IT IS CONTRACTED WITH; TO AMEND SECTION 75-76-203, MISSISSIPPI CODE OF 1972, TO PROVIDE AN EXCEPTION FOR AN OFFICE IN THIS STATE FOR PLATFORMS; TO BRING FORWARD SECTIONS 75-76-211, 75-76-55, 75-76-205 AND 75-76-175, MISSISSIPPI CODE OF 1972, WHICH REGULATE CORPORATE GAMING ESTABLISHMENTS, FOR PURPOSES OF AMENDMENT; TO AMEND SECTIONS 75-76-177, 75-76-101 AND 97-33-27, MISSISSIPPI CODE OF 1972, TO CLARIFY CERTAIN PROVISIONS; TO BRING FORWARD SECTIONS 97-33-305 AND 97-33-8, MISSISSIPPI CODE OF 1972, WHICH REGULATE GAMING ESTABLISHMENTS, FOR PURPOSES OF AMENDMENT; TO AMEND SECTIONS 97-33-25 AND 75-76-79, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PROVISIONS; TO BRING FORWARD SECTIONS 97-33-1 AND 97-33-7, WHICH RESTRICT CERTAIN TYPES OF WAGERS, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senators McCaughn and Kirby moved that when the Senate adjourns, it adjourn in memory of Dianne Wilkerson of Brandon, MS.

Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Barbara Kirby Lovelace of Cedar Park, TX.

Senators Harkins and Kirby moved that when the Senate adjourns, it adjourn in memory of Marilyn Catherine Baker of Brandon, MS.

Senators Harkins and Michel moved that when the Senate adjourns, it adjourn in memory of Bettie Charlotte Allen Mercier of Madison, MS.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Jarvis Dearman of Leakesville, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Reverend Jesse "Sugar" Ray, James L. Glenn, III and Curry Littleton Freeman of Columbus, MS.

Senator Horhn moved that when the Senate adjourns, it adjourn in memory of Robert Wright of Goodman, MS.

Senator Sparks moved that when the Senate adjourns, it adjourn in memory of McEllis Nabers of Booneville, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, February 6, 2024.

The motion prevailed, and at 4:13 PM, the Senate stood in recess.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 539: AN ACT TO CREATE NEW SECTION 43-13-115.1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PREGNANT WOMEN SHALL BE DEEMED TO BE PRESUMPTIVELY ELIGIBLE FOR AMBULATORY PRENATAL CARE UNDER MEDICAID FOR UP TO 60 DAYS IF A QUALIFIED PROVIDER DETERMINES, ON THE BASIS OF PRELIMINARY INFORMATION, THAT THE TOTAL COUNTABLE NET FAMILY INCOME OF THE WOMAN DOES NOT EXCEED THE INCOME LIMITS FOR ELIGIBILITY OF PREGNANT WOMEN; TO REQUIRE PREGNANT WOMEN TO PROVIDE PROOF OF PREGNANCY AND DOCUMENTATION OF MONTHLY FAMILY INCOME WHEN SEEKING A DETERMINATION OF PRESUMPTIVE ELIGIBILITY; TO PROVIDE THAT QUALIFIED PROVIDERS ARE THOSE THAT MEET THE FEDERAL DEFINITION OF QUALIFIED PROVIDER, WHICH SHALL INCLUDE COUNTY HEALTH

DEPARTMENTS, FEDERALLY QUALIFIED HEALTH CENTERS (FQHCS), AND OTHER ENTITIES APPROVED AND DESIGNATED BY THE DIVISION OF MEDICAID TO CONDUCT PRESUMPTIVE ELIGIBILITY DETERMINATIONS FOR PREGNANT WOMEN; TO REQUIRE PREGNANT WOMEN WHO ARE DETERMINED TO BE PRESUMPTIVELY ELIGIBLE FOR MEDICAID TO MAKE APPLICATION FOR MEDICAID BY NOT LATER THAN THE LAST DAY OF THE MONTH FOLLOWING THE MONTH DURING WHICH THE DETERMINATION IS MADE; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. R. No. 19: Mourn the loss and commend the life and public service of former Senator Johnny Morgan of Oxford, Mississippi. Title Sufficient. Do Be Adopted.

S. R. No. 20: Mourn the loss and commend the life and public legal service of former Senator and Mississippi Supreme Court Justice Kay Cobb. Title Sufficient. Do Be Adopted.

S. R. No. 21: Mourning the loss and commending the public service to the legal profession and to the Fire Museum by the Honorable Jim Cox of Oxford. Title Sufficient. Do Be Adopted.

S. R. No. 22: Commend Oak Grove "Warriors" Football Team for winning their first MHSAA Class 7A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 23: Commend Purvis High School "Tornadoes" Baseball Team and Head Coach Tony Farlow for winning Class 4A State Baseball Championship. Title Sufficient. Do Be Adopted.

S. R. No. 24: Observe February 6, 2024, as "Alpha Kappa Alpha Sorority Day at the Capitol." Title Sufficient. Do Be Adopted.

S. R. No. 25: Commend Charles R. Carr, retired Director of Intermodal Planning with MDOT for 41 years of service. Title Sufficient. Do Be Adopted.

S. R. No. 26: Congratulate Louisville High School "Wildcats" football team for winning 12th State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 27: Recognize Emma Cameron as Miss Rodeo America 2024. Title Sufficient. Do Be Adopted.

S. R. No. 28: Recognize Emma Watts of St. Stephens, Alabama, as "Miss Dixie National 2024." Title Sufficient. Do Be Adopted.

KIRBY, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Dianne Wilkerson, Barbara Kirby Lovelace, Marilyn Catherine Baker, Bettie Charlotte Allen Mercier, Jarvis Dearman, Reverend Jesse "Sugar" Ray, James L. Glenn, III, Curry Littleton Freeman, Robert Wright and McEllis Nabers.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR MONDAY, FEBRUARY 5, 2024

S. B. No. 2232: Education
AN ACT TO AMEND SECTION 37-7-203, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE ELECTION OF SCHOOL BOARD MEMBERS IN THE NEWTON MUNICIPAL SCHOOL DISTRICT BEGINNING WITH THE NOVEMBER 2024 ELECTION; TO SET CERTAIN PROCEDURES FOR THE APPOINTMENT OF MEMBERS FOR VACANCIES IN OFFICE; AND FOR RELATED PURPOSES.
By Senator(s) McCaughn

S. B. No. 2233: Universities and Colleges; Appropriations
AN ACT TO AMEND SECTION 37-109-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT STUDENTS OF PRIVATE HIGH SCHOOLS SHALL BE ELIGIBLE FOR THE MISSISSIPPI DUAL ENROLLMENT/DUAL CREDIT SCHOLARSHIP PROGRAM; TO BRING FORWARD SECTION 37-109-1, 37-109-3, 37-109-7, AND 37-109-9, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR VARIOUS PROVISIONS RELATED TO THE DUAL ENROLLMENT/DUAL CREDIT SCHOLARSHIP PROGRAM FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2234: Education
AN ACT TO AMEND SECTION 37-15-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A SCHOOL DISTRICT SUPERINTENDENT, SUBJECT TO THE RATIFICATION OF THE SUPERINTENDENT'S SCHOOL BOARD, MAY CONSENT TO THE ENROLLMENT OF A CHILD FROM ANOTHER SCHOOL OR ATTENDANCE CENTER UPON THE REQUEST OF THE CHILD'S PARENT OR LEGAL GUARDIAN; TO AMEND SECTION 37-15-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY CHILD ATTENDING A SCHOOL IN THIS STATE MAY TRANSFER TO ANY SCHOOL OFFERING INSTRUCTION AT THE GRADE LEVEL OF THE TRANSFERRING STUDENT IN ANY SCHOOL DISTRICT SUBJECT TO AVAILABLE CAPACITY; TO AMEND SECTION 37-15-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THE PROCESS BY WHICH A PARENT OR LEGAL GUARDIAN MAY PETITION A SCHOOL FOR THE TRANSFER OF THEIR CHILD; TO PROVIDE THAT THE PETITIONED DISTRICT SHALL DETERMINE IF THERE IS CAPACITY AT THE DESIRED SCHOOL BY USING PUBLICLY VERIFIABLE DATA; TO AMEND SECTION 37-151-93, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 2235: Education
AN ACT TO AMEND SECTION 37-15-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A SCHOOL DISTRICT SHALL TRANSFER THE CHILD OF A MILITARY SERVICEMEMBER TO THE SPECIFIC SCHOOL DISTRICT OR DISTRICT CAMPUS REQUESTED BY THE SERVICEMEMBER; TO PROVIDE THAT A SCHOOL DISTRICT SHALL NOT BE REQUIRED TO PROVIDE TRANSPORTATION TO A STUDENT WHO TRANSFERS TO ANOTHER CAMPUS OR SCHOOL DISTRICT UNDER THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Younger

S. B. No. 2236: Public Health and Welfare
AN ACT TO ENACT INTO LAW THE DIETITIAN LICENSURE COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-10-3, 73-10-7, AND

73-10-15, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2237: Public Health and Welfare
AN ACT TO AMEND SECTION 73-21-115, MISSISSIPPI CODE OF 1972, TO REQUIRE PHARMACISTS TO DISPENSE A PRESCRIPTION DRUG TO A PATIENT UNLESS THE PRESCRIPTION VIOLATES THE LAW, THE DRUG COULD CAUSE A HARMFUL DRUG INTERACTION OR ADVERSELY AFFECT THE PATIENT'S MEDICAL CONDITION, THE DRUG IS OUT OF STOCK, OR DISPENSING THE DRUG VIOLATES THE PHARMACIST'S CONSCIENCE; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2238: Education; Finance
AN ACT TO CREATE NEW SECTION 25-11-126, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS WHO HAVE AT LEAST 25 YEARS OF CREDITABLE SERVICE IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM, WHO WERE EMPLOYED AS PUBLIC SCHOOL TEACHERS AT THE TIME OF THEIR RETIREMENT AND WHO HAVE BEEN RETIRED AT LEAST 90 DAYS AND ARE RECEIVING A RETIREMENT ALLOWANCE, MAY BE EMPLOYED AS TEACHERS BY A PUBLIC SCHOOL DISTRICT AFTER THEIR RETIREMENT AND RECEIVE A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM DURING THEIR EMPLOYMENT AS TEACHERS IN ADDITION TO RECEIVING A BEGINNING TEACHER'S SALARY; TO PROVIDE THAT SUCH RETIRED TEACHERS SHALL BE ELIGIBLE TO RETURN TO TEACHING AND CONTINUE TO RECEIVE A RETIREMENT BENEFIT FOR A TOTAL OF FIVE YEARS; TO PROVIDE THE AMOUNT TO BE PAID BY SCHOOL DISTRICTS TO PERS FOR EACH TEACHER REEMPLOYED UNDER THE AUTHORITY OF THIS ACT; TO PROVIDE THAT ANY TIME WORKED BY A RETIRED TEACHER IN A SCHOOL DISTRICT THAT IS LESS THAN A FULL CONTRACTUAL TERM OF TRADITIONAL TEACHERS SHALL CONSTITUTE ONE OF THE FIVE YEARS OF POST-RETIREMENT TEACHING ELIGIBILITY, AND THE SALARY AUTHORIZED FOR SUCH INDIVIDUAL SHALL BE PRORATED FOR ANY TIME WORKED LESS THAN A FULL ACADEMIC YEAR; TO PROVIDE THAT A RETIRED TEACHER SHALL NOT BE RESTRICTED TO TEACHING IN ONE SCHOOL DISTRICT FOR HIS OR HER PERIOD OF POST-RETIREMENT TEACHING ELIGIBILITY; TO PROVIDE THAT SCHOOL DISTRICTS ARE ALLOWED TO EMPLOY RETIRED TEACHERS BASED ON THE VACANT TEACHER UNITS ALLOCATED TO THE DISTRICT AS DETERMINED BY THE TOTAL STUDENT ENROLLMENT OF THE SCHOOL DISTRICT; TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE MINIMUM SALARY FOR RETIRED TEACHERS RETURNING TO THE CLASSROOM BASED ON HIS OR HER CERTIFICATION LEVEL; TO BRING FORWARD SECTION 25-11-105, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTIONS 25-11-123 AND 25-11-127, MISSISSIPPI CODE OF 1972, TO CONFORM WITH THE PURPOSES OF THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) McLendon

S. B. No. 2239: Education
AN ACT TO AMEND SECTION 37-7-307, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN THE EVENT A PUBLIC SCHOOL TEACHER TRANSFERS FROM ONE PUBLIC SCHOOL DISTRICT IN MISSISSIPPI TO ANOTHER, UP TO 5 DAYS OF THE UNUSED PORTION OF THE TOTAL SICK OR PERSONAL LEAVE ALLOWANCE CREDITED TO SUCH TEACHER SHALL BE CREDITED IN THE COMPUTATION OF UNUSED LEAVE; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2240: Public Health and Welfare
AN ACT TO AMEND SECTIONS 73-25-1, 73-25-3, 73-25-5, 73-25-14, 73-25-17, 73-25-21, 73-25-23, 73-25-27, 73-25-28, 73-25-29, 73-25-30, 73-25-31, 73-25-32, 73-25-33, 73-25-34, 73-25-53, 73-25-55, 73-25-57, 73-25-59, 73-25-61, 73-25-63, 73-25-65, 73-

25-83, 73-25-87, 73-25-89, 73-25-18, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN DEFINITIONS UNDER THE MEDICAL PRACTICE ACT; TO CLARIFY CERTAIN PROCEDURES TO OBTAIN A LICENSE TO PRACTICE MEDICINE; TO PROVIDE FOR ELECTRONIC NOTICE OF LICENSE RENEWAL; TO PROVIDE PROCEDURES FOR PHYSICIANS TO REQUEST RETIRED STATUS; TO CLARIFY PROCEDURES FOR THE ISSUANCE OF A TEMPORARY LICENSE TO PRACTICE MEDICINE; TO CLARIFY PROCEDURES FOR ISSUANCE OF A LICENSE BY RECIPROCITY; TO REVISE CERTAIN PROCEDURES FOR DISCIPLINARY ACTION AGAINST LICENSES, THE ISSUANCE OF SUBPOENAS BY THE BOARD OF MEDICAL LICENSURE, THE GROUNDS FOR DISCIPLINARY ACTION, THE OPTIONS AVAILABLE TO THE BOARD FOLLOWING DISCIPLINARY HEARINGS AGAINST LICENSEES, AND PETITIONS FOR REINSTATEMENT OF LICENSES; TO CLARIFY THE ACTION OF THE UNLAWFUL PRACTICE OF MEDICINE AND THE AUTHORITY OF THE BOARD TO SEEK INJUNCTIVE RELIEF; TO DELETE A CERTAIN EXCEPTION TO LICENSURE; TO INCLUDE BEHAVIORAL CONDUCT THAT COULD BE ADDRESSED BY TREATMENT TO THE LIST OF REASONS A LICENSEE SHALL BE SUBJECT TO RESTRICTION OF THEIR LICENSE; TO CLARIFY CERTAIN PROCEDURES UNDER THE DISABLED PHYSICIAN LAW; TO CONFORM TO THE PROVISIONS OF THE ACT; TO REVISE DISCIPLINARY ACTION THAT THE BOARD IS AUTHORIZED TO TAKE, INCLUDING PLACING A LICENSEE ON PROBATION OR IMPOSING A PUNITIVE FINE; TO PROVIDE THAT A HEARING MUST BE HELD WITHIN 30 DAYS IF THE BOARD DETERMINES THAT A PHYSICIAN'S CONTINUATION OF PRACTICE IS AN IMMEDIATE DANGER; TO CONFORM TO THE PROVISIONS OF THE ACT; TO CREATE NEW SECTION 73-43-19, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI PHYSICIAN HEALTH PROGRAM TO PROVIDE PERFORMANCE STATISTICS TO THE STATE BOARD OF MEDICAL LICENSURE; TO AMEND SECTION 73-43-3, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR ADDITIONAL MEMBERS OF THE BOARD WHO SHALL BE MEMBERS OF THE PUBLIC NOT RELATED TO THE HEALTHCARE INDUSTRY; TO REPEAL SECTIONS 73-25-7, 73-25-9, 73-25-15, 73-25-19, 73-25-25, 73-25-39 AND 73-25-81, MISSISSIPPI CODE OF 1972, WHICH REQUIRE THE STATE BOARD OF MEDICAL LICENSURE TO MEET AT THE CAPITOL AT LEAST ONCE EACH YEAR FOR THE PURPOSE OF EXAMINING APPLICANTS; WHICH PROVIDES FOR THE FEE CHARGED BY THE STATE BOARD OF MEDICAL LICENSURE TO APPLY FOR A LICENSE TO PRACTICE; WHICH PROVIDES FOR THE PROCEDURES FOR LOST MEDICAL LICENSES; WHICH PROVIDES FOR CERTAIN PROVISIONS RELATED TO NONRESIDENT PHYSICIANS; WHICH PROVIDES FOR CERTAIN PROCEDURES FOR THOSE DESIRING TO PRACTICE OSTEOPATHIC MEDICINE IN THE STATE; WHICH ALLOWS THE STATE BOARD OF MEDICAL LICENSURE TO CONTRACT FOR THE ACQUISITION OF BOOKS AND OTHER RECORDS; WHICH PROVIDES A TECHNICAL REFERENCE TO THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2241: Public Health and Welfare
AN ACT TO AMEND SECTION 43-12-33, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS OF THE MEDICAID AND HUMAN SERVICES TRANSPARENCY AND FRAUD PREVENTION ACT RELATED TO GAPS IN ELIGIBILITY REPORTING; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2242: Public Health and Welfare; Appropriations
AN ACT TO ESTABLISH THE MISSISSIPPI HOSPITAL RECOVERY TRUST PROGRAM IN THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PROVIDE GRANTS TO PUBLIC HOSPITALS AT HIGH FINANCIAL RISK TO HELP THOSE HOSPITALS BE MORE FINANCIALLY VIABLE SO THAT THEY CAN CONTINUE TO OPERATE AND BE AVAILABLE TO PROVIDE HEALTH CARE SERVICES TO THE COMMUNITIES IN WHICH THEY ARE LOCATED; TO CREATE A SPECIAL FUND TO BE KNOWN AS THE MISSISSIPPI HOSPITAL RECOVERY TRUST FUND, WHICH

SHALL BE ADMINISTERED BY THE DEPARTMENT AND EXPENDED FOR THE SOLE PURPOSE OF PROVIDING GRANTS TO PUBLIC HOSPITALS UNDER THE PROVISIONS OF THIS ACT; TO PROVIDE THAT TO BE ELIGIBLE FOR A GRANT, A PUBLIC HOSPITAL MUST APPLY FOR THE GRANT AND INCLUDE SUCH DOCUMENTATION AS SPECIFIED BY THE DEPARTMENT SHOWING THAT THE HOSPITAL IS AT HIGH FINANCIAL RISK; TO PROVIDE THAT THE AMOUNT OF EACH GRANT SHALL BE DETERMINED BY THE DEPARTMENT, WITH PRIORITY FOR LARGER GRANTS BEING GIVEN TO PUBLIC HOSPITALS THAT ARE AT IMMEDIATE RISK OF CLOSING AND WHOSE SURVIVAL IS CRITICALLY ESSENTIAL TO THE COMMUNITY IN WHICH IT IS LOCATED; TO PROVIDE THAT WITHIN FIVE BUSINESS DAYS AFTER RECEIPT OF AN APPLICATION WITH THE REQUIRED DOCUMENTATION SHOWING THAT THE PUBLIC HOSPITAL IS AT HIGH FINANCIAL RISK, THE DEPARTMENT SHALL APPROVE THE APPLICATION AND DISTRIBUTE THE GRANT TO THE HOSPITAL; TO REQUIRE THE DEPARTMENT TO MAKE ANNUAL REPORTS TO THE JOINT LEGISLATIVE BUDGET COMMITTEE ABOUT EACH GRANT MADE UNDER THIS ACT; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ALLOCATE ONE HUNDRED AND FIFTY MILLION DOLLARS FOR THE MISSISSIPPI HOSPITAL RECOVERY TRUST FUND; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2243: Education; Appropriations
AN ACT TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, TO REVISE THE EARLY LEARNING COLLABORATIVE ACT TO AUTHORIZE THREE-YEAR-OLD CHILDREN TO ATTEND VOLUNTARY PREKINDERGARTEN; AND FOR RELATED PURPOSES.
By Senator(s) Hickman

S. B. No. 2244: Accountability, Efficiency, Transparency; Appropriations
AN ACT TO CREATE NEW SECTION 37-99-3, MISSISSIPPI CODE OF 1972, TO REQUIRE THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND THE BOARDS OF TRUSTEES OF THE COMMUNITY AND JUNIOR COLLEGES TO ADOPT POLICIES REQUIRING EACH PUBLIC INSTITUTION OF HIGHER LEARNING, COMMUNITY OR JUNIOR COLLEGE TO PROVIDE FREE TRANSCRIPTS TO FOSTER CARE CHILDREN AND CHILDREN PLACED IN THE LEGAL CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES; TO CREATE NEW SECTION 55-3-87, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOSTER CARE CHILDREN AND CHILDREN WHO WERE PREVIOUSLY PLACED IN THE LEGAL CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES AND THEIR FAMILY, INCLUDING THEIR BIOLOGICAL PARENTS AND SIBLINGS, THEIR FOSTER PARENTS AND SIBLINGS, THEIR ADOPTED PARENTS AND SIBLINGS, THEIR GUARDIANS OR ANY OTHER MEMBER OF THEIR DIRECT HOUSEHOLD, AS APPLICABLE, SHALL BE ALLOWED FREE ADMISSION TO ANY STATE PARK IN THIS STATE; TO PROVIDE THAT FOSTER CARE CHILDREN AND CHILDREN WHO WERE PREVIOUSLY PLACED IN THE LEGAL CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES AND THEIR FAMILY, INCLUDING THEIR BIOLOGICAL PARENTS AND SIBLINGS, THEIR FOSTER PARENTS AND SIBLINGS, THEIR ADOPTED PARENTS AND SIBLINGS, THEIR GUARDIANS OR ANY OTHER MEMBER OF THEIR DIRECT HOUSEHOLD, AS APPLICABLE, SHALL BE ALLOWED FREE ADMISSION TO ANY PUBLICLY FUNDED MUSEUM IN THIS STATE; AND FOR RELATED PURPOSES.
By Senator(s) Hickman, Boyd, Simmons (12th)

S. B. No. 2245: Education
AN ACT TO AMEND SECTION 37-15-6, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF EDUCATION TO REPORT AGGREGATE DATA THAT DOES NOT DISCLOSE ANY PERSONALLY IDENTIFIABLE INFORMATION OF STUDENTS; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2246: Education

AN ACT TO AMEND SECTION 37-151-81, MISSISSIPPI CODE OF 1972, TO MAKE A TECHNICAL CHANGE TO THE PROVISIONS THAT ESTABLISH THE PRESCHOOL REPORTING REQUIREMENT FOR SPECIAL EDUCATION STUDENTS TO ENSURE THE REPORTING OF ALL AGES OF PRESCHOOL CHILDREN; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2247: Housing; Appropriations

AN ACT TO AUTHORIZE AND DIRECT THE MISSISSIPPI HOME CORPORATION TO ESTABLISH A NEIGHBORHOOD HOUSING REHABILITATION PROGRAM (NHRP) IN MUNICIPALITIES TO PRESERVE AND IMPROVE OWNER-OCCUPIED PROPERTIES AND BRING PROPERTIES UP TO APPLICABLE BUILDING CODES AND STANDARDS; TO DIRECT THE MISSISSIPPI HOME CORPORATION TO ESTABLISH THIS PROGRAM IN COOPERATION WITH FEDERAL AGENCY PROGRAMS WITH AVAILABLE FUNDS; TO CREATE THE NEIGHBORHOOD HOUSING REHABILITATION PROGRAM (NHRP) SPECIAL FUND IN THE STATE TREASURY; TO REQUIRE A REPORT TO THE LEGISLATURE; TO AMEND SECTION 43-33-717, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2248: Local and Private; Finance

AN ACT TO AMEND CHAPTER 905, LOCAL AND PRIVATE LAWS OF 2014, AS LAST AMENDED BY CHAPTER 945, LOCAL AND PRIVATE LAWS OF 2019, TO REENACT THE LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF AMORY, MISSISSIPPI, TO LEVY A 2% TAX UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS AND TO UTILIZE THE REVENUE FROM THE TAX TO PROMOTE TOURISM AND PARKS AND RECREATION; TO AUTHORIZE THE LEVY OF AN ADDITIONAL 1% TAX UPON THE SAME SALES AND FOR THE SAME PURPOSES; TO REQUIRE THAT THE LEVY OF THE ADDITIONAL 1% TAX MAY BE IMPOSED ONLY IF APPROVED AT AN ELECTION BY 60% OF THOSE VOTING; TO EXTEND THE REPEAL DATE ON THE REENACTED LAW; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

S. B. No. 2249: Environment Prot, Cons and Water Res

AN ACT TO ENACT THE MISSISSIPPI ACT TO PROHIBIT THE CONTAMINATION OF CLEAN SOILS WITH SO-CALLED FOREVER CHEMICALS; TO DEFINE RELEVANT TERMS; TO ALLOW THE MISSISSIPPI AIR AND WATER POLLUTION CONTROL COMMISSION TO REQUIRE INDIVIDUALS LICENSED TO DISCHARGE WASTEWATER TO SAMPLE THE WASTEWATER AND REPORT THE SAMPLE TO THE COMMISSION; TO PROHIBIT THE COMMISSION FROM ISSUING NEW LICENSES TO APPLY OR SPREAD SEPTAGE; TO ALLOW THE COMMISSION TO REVOKE LICENSES IF LEVELS OF PERFLUOROALKYL AND POLYFLUOROALKYL EXCEED ACCEPTABLE AMOUNTS; TO ESTABLISH PARAMETERS FOR THE APPLICATION OR SPREADING OF SLUDGE AND SEPTAGE; TO LIST EXCEPTIONS TO THE PARAMETERS ESTABLISHED; TO REQUIRE THE MISSISSIPPI AIR AND WATER POLLUTION CONTROL COMMISSION TO DEVELOP A PLAN FOR PROHIBITING THE LAND APPLICATION OF SEPTAGE; AND FOR RELATED PURPOSES.

By Senator(s) Frazier

S. B. No. 2250: Highways and Transportation

AN ACT TO CREATE SECTION 63-7-105, MISSISSIPPI CODE OF 1972, TO PLACE RESTRICTIONS ON VEHICLE MODIFICATIONS THAT RESULT IN THE

MOTOR VEHICLES' FRONT FENDERS BEING RAISED FOUR (4) OR MORE INCHES GREATER THAN THE HEIGHT OF THE REAR FENDERS, TO PROVIDE FOR THE MANNER OF MEASURING THE HEIGHT OF THE FENDERS, TO DEFINE RELEVANT TERMS, AND TO PROVIDE PENALTIES FOR VIOLATIONS; AND FOR RELATED PURPOSES.
By Senator(s) Barrett, McMahan, Rhodes, Berry

THIRTY-SIXTH DAY, TUESDAY, FEBRUARY 6, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Pastor Greg Warnock, Senior Pastor, First Baptist Church, Brookhaven, MS.

Senator Barrett led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:
The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. R. No. 19, S. R. No. 20, S. R. No. 21, S. R. No. 22, S. R. No. 23, S. R. No. 24, S. R. No. 25, S. R. No. 26, S. R. No. 27 and S. R. No. 28 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

S. R. No. 19: Mourn the loss and commend the life and public service of former Senator Johnny Morgan of Oxford, Mississippi.

S. R. No. 20: Mourn the loss and commend the life and public legal service of former Senator and Mississippi Supreme Court Justice Kay Cobb.

S. R. No. 21: Mourning the loss and commending the public service to the legal profession and to the Fire Museum by the Honorable Jim Cox of Oxford.

S. R. No. 22: Commend Oak Grove "Warriors" Football Team for winning their first MHSAA Class 7A State Championship.

S. R. No. 23: Commend Purvis High School "Tornadoes" Baseball Team and Head Coach Tony Farlow for winning Class 4A State Baseball Championship.

S. R. No. 24: Observe February 6, 2024, as "Alpha Kappa Alpha Sorority Day at the Capitol."

S. R. No. 25: Commend Charles R. Carr, retired Director of Intermodal Planning with MDOT for 41 years of service.

S. R. No. 26: Congratulate Louisville High School "Wildcats" football team for winning 12th State Championship.

S. R. No. 27: Recognize Emma Cameron as Miss Rodeo America 2024.

S. R. No. 28: Recognize Emma Watts of St. Stephens, Alabama, as "Miss Dixie National 2024."

YEAS AND NAYS on consideration en bloc of S. R. No. 19, S. R. No. 20, S. R. No. 21, S. R. No. 22, S. R. No. 23, S. R. No. 24, S. R. No. 25, S. R. No. 26, S. R. No. 27 and S. R. No. 28. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Berry, Blackwell, Chassaniol, Chism, Fillingane, Frazier, Hopson, Kirby, McCaughn, McMahan, Parker, Sparks, Seymour, Suber and Whaley as co-authors of **S. R. No. 19**.

Unanimous consent was granted to add Senators Berry, Blackwell, Chassaniol, Fillingane, Frazier, Hopson, Kirby, McCaughn, Michel, Parker, Robinson and Suber as co-authors of **S. R. No. 20**.

Unanimous consent was granted to add Senators Blackwell, Boyd, Chassaniol, England, Fillingane, Frazier, Hopson, Kirby, Sparks and Suber as co-authors of **S. R. No. 21**.

Unanimous consent was granted to add Senators Fillingane and Polk as co-authors of **S. R. No. 22**.

Unanimous consent was granted to add Senators Fillingane and Johnson as co-authors of **S. R. No. 23**.

Unanimous consent was granted to add Senators Berry, Blount, Frazier and Norwood as co-authors of **S. R. No. 24**.

Unanimous consent was granted to add Senators Frazier, Kirby and Michel as co-authors of **S. R. No. 25**.

Unanimous consent was granted to add Senators Berry, England, McCaughn, Robinson and Seymour as co-authors of **S. R. No. 27**.

Unanimous consent was granted to add Senators Berry, England, McCaughn, Robinson and Seymour as co-authors of **S. R. No. 28**.

Senators Polk and Berry moved that when the Senate adjourns, it adjourn in memory of James Hulon Garner of Magee, MS.

Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Inell Hegwood of Pearl, MS.

Senator Ladner moved that when the Senate adjourns, it adjourn in memory of Bridgette Hoda Ladner of Kiln, MS.

Senator Barnett moved that when the Senate adjourns, it adjourn in memory of Coach Corey Mackey of Bay Springs, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, February 7, 2024.

The motion prevailed, and at 10:30 AM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of James Hulon Garner, Inell Hegwood, Bridgette Hoda Ladner and Coach Corey Mackey.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, FEBRUARY 6, 2024

S. B. No. 2251: Insurance; Judiciary, Division A

AN ACT TO AMEND SECTIONS 71-3-13, 71-3-17, 71-3-21 AND 71-3-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM TOTAL COMPENSATION THAT AN EMPLOYEE MAY RECOVER UNDER THE WORKERS' COMPENSATION LAW; TO PROVIDE THAT COMPENSATION FOR PERMANENT TOTAL DISABILITY SHALL BE PAID TO THE EMPLOYEE UNTIL HIS DEATH; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2252: Judiciary, Division A
AN ACT TO ENACT THE MISSISSIPPI CIVIL RIGHTS ACT; TO PROVIDE THAT THE RIGHT OF A PERSON TO BE FREE FROM DISCRIMINATION BECAUSE OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, IMMIGRANT STATUS, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, DISABILITY OR FAMILIAL STATUS IS A CIVIL RIGHT; TO PROVIDE REMEDIES FOR VIOLATIONS; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2253: Judiciary, Division A
AN ACT TO AMEND SECTION 63-11-30, MISSISSIPPI CODE OF 1972, TO PERMIT THE NONADJUDICATION OF A FIRST OFFENSE OF DRIVING UNDER THE INFLUENCE BY A COMMERCIAL DRIVER'S LICENSE HOLDER WHO WAS NOT OPERATING A COMMERCIAL VEHICLE AT THE TIME OF THE OFFENSE; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2254: Judiciary, Division A
AN ACT TO AMEND SECTION 13-5-1, MISSISSIPPI CODE OF 1972, TO EXPAND THE DEFINITION OF A JUROR TO THOSE CITIZENS WHO HAVE A CURRENT AND VALID MISSISSIPPI DRIVER'S LICENSE AND WHO HAVE FILED STATE INCOME TAXES; TO AMEND SECTION 13-5-8, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2255: Judiciary, Division A
AN ACT TO LOWER THE AGE OF MAJORITY FROM 21 TO 18; TO AMEND SECTION 1-3-21, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFINITION OF INFANT; TO AMEND SECTION 1-3-27, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFINITION OF MINOR; TO AMEND SECTION 11-46-11, MISSISSIPPI CODE OF 1972, TO REVISE THE SAVINGS CLAUSE OF THE TORT CLAIMS ACT TO CONFORM; TO AMEND SECTIONS 13-5-1 AND 13-5-12, MISSISSIPPI CODE OF 1972, TO REVISE THE AGE OF JURY SERVICE; TO AMEND SECTION 15-1-27, MISSISSIPPI CODE OF 1972, TO CONFORM THE LIMITATIONS APPLICABLE TO AN ACTION BY A WARD AGAINST A GUARDIAN OR SURETY; TO AMEND SECTION 15-1-59, MISSISSIPPI CODE OF 1972, TO CONFORM THE SAVING IN FAVOR OF PERSONS UNDER DISABILITY OF UNSOUNDNESS OF MIND WITHIN THE CHAPTER ADDRESSING THE LIMITATIONS OF CIVIL ACTIONS; TO AMEND SECTION 21-15-13, MISSISSIPPI CODE OF 1972, TO REVISE THE MILITIA POWER OF THE MAYOR TO CONFORM; TO AMEND SECTION 25-4-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "HOUSEHOLD MEMBER" WITHIN THE ARTICLE ESTABLISHING THE MISSISSIPPI ETHICS COMMISSION TO CONFORM; TO AMEND SECTION 41-29-145, MISSISSIPPI CODE OF 1972, TO REVISE THE PUNISHMENT OF THE DISTRIBUTION OF CONTROLLED SUBSTANCES TO MINORS TO CONFORM; TO AMEND SECTION 43-19-33, MISSISSIPPI CODE OF 1972, TO CONFORM THE AGE OF MANDATORY SUPPORT IN AN ORDER OF FILIATION; TO AMEND SECTION 91-5-3, MISSISSIPPI CODE OF 1972, TO CONFORM AS TO AGE OF ISSUE CAPABLE OF INHERITING; TO AMEND SECTION 91-7-293, MISSISSIPPI CODE OF 1972, TO CONFORM AS TO FINAL ACCOUNTING BY THE HEIRS OF AN ESTATE; TO AMEND SECTION 93-1-5, MISSISSIPPI CODE OF 1972, TO CONFORM THE AGE FOR ISSUANCE OF A MARRIAGE LICENSE; TO AMEND SECTION 93-9-9, MISSISSIPPI CODE OF 1972, TO CONFORM PROVISIONS AS TO AGE FOR THE TERMS OF A DECREE FOR

REMOVAL OF THE DISABILITY OF A MINOR; TO AMEND SECTION 93-11-65, MISSISSIPPI CODE OF 1972, TO REVISE THE AGE OF EMANCIPATION; TO AMEND SECTION 93-14-102, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFINITION OF THE TERM "ADULT" FOR THE PURPOSES OF THE UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT; TO AMEND SECTION 93-15-103, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFINITION OF THE TERM "MINOR PARENT" IN THE TERMINATION OF PARENTAL RIGHTS LAW; TO AMEND SECTION 93-17-5, MISSISSIPPI CODE OF 1972, TO CONFORM AS TO THE AGE OF PARENTS IN AN ADOPTION; TO AMEND SECTION 93-17-205, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS CONCERNING ADOPTION RECORDS TO CONFORM; TO AMEND SECTION 93-17-215, MISSISSIPPI CODE OF 1972, TO CONFORM AS TO A PERSON'S AUTHORITY TO REQUEST CERTAIN INFORMATION CONCERNING ADOPTION; TO AMEND SECTION 93-20-102, MISSISSIPPI CODE OF 1972, TO REVISE THE AGE OF MAJORITY UNDER GUARDIANSHIP AND CONSERVATORSHIP LAW TO CONFORM; TO AMEND SECTION 97-33-23, MISSISSIPPI CODE OF 1972, TO CONFORM THE PENALTY FOR GAMBLING WITH A KNOWN MINOR; TO AMEND SECTION 99-3-45, MISSISSIPPI CODE OF 1972, TO CONFORM AS TO WHICH PERSONS MUST BE GIVEN CERTAIN NOTICE UPON RELEASE FROM ARREST; TO REPEAL SECTION 35-7-43, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE REMOVAL OF THE DISABILITIES OF MINORITY OF CERTAIN VETERANS; TO REPEAL SECTION 91-7-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE REMOVAL OF THE DISABILITIES OF MINORITY FOR CERTAIN EXECUTORS, EXECUTRIXES, ADMINISTRATORS OR ADMINISTRATRIXES; TO REPEAL SECTION 93-3-11, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE REMOVAL OF THE DISABILITIES OF MINORITY OF CERTAIN MARRIED PERSONS WITH RESPECT TO HOMESTEAD TRANSACTIONS; TO REPEAL SECTION 93-19-13, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT ALL PERSONS 18 YEARS OF AGE OR OLDER, IF NOT OTHERWISE DISQUALIFIED, SHALL HAVE THE CAPACITY TO ENTER INTO BINDING CONTRACTUAL RELATIONSHIPS AFFECTING PERSONAL PROPERTY AND THAT AN 18-YEAR-OLD MAY SUE AND BE SUED IN HIS OWN NAME AS AN ADULT AND BE SERVED WITH PROCESS AS AN ADULT; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2256: Judiciary, Division A

AN ACT TO PROVIDE THAT ANY COMMERCIAL ENTITY THAT KNOWINGLY AND INTENTIONALLY PUBLISHES OR DISTRIBUTES OBSCENE MATTER, OR MATTER THAT DEPICTS, DESCRIBES OR PROMOTES CHILD PORNOGRAPHY OR CHILD SEXUAL EXPLOITATION ON THE INTERNET MAY BE HELD LIABLE TO AN INDIVIDUAL FOR NOMINAL DAMAGES, ACTUAL DAMAGES, PUNITIVE DAMAGES, COURT COSTS AND REASONABLE ATTORNEY FEES; TO PROVIDE THAT NO INTERNET SERVICE PROVIDER, AFFILIATE OR SUBSIDIARY OF AN INTERNET SERVICE PROVIDER, SEARCH ENGINE, OR CLOUD SERVICE PROVIDER SHALL BE HELD TO HAVE VIOLATED THE PROVISIONS OF THIS ACT SOLELY FOR PROVIDING ACCESS OR CONNECTION TO OR FROM A WEBSITE OR OTHER INFORMATION OR CONTENT ON THE INTERNET, OR A FACILITY, SYSTEM, OR NETWORK NOT UNDER THAT PROVIDER'S CONTROL TO THE EXTENT THAT SUCH PROVIDER IS NOT RESPONSIBLE FOR THE CREATION OF THE CONTENT THAT IS OBSCENE MATTER, OR MATTER THAT DEPICTS, DESCRIBES OR PROMOTES CHILD PORNOGRAPHY OR CHILD SEXUAL EXPLOITATION; TO AUTHORIZE THE ATTORNEY GENERAL TO SEEK INJUNCTIVE RELIEF AGAINST A COMMERCIAL ENTITY THAT FAILS TO COMPLY WITH THE PROVISIONS OF THIS ACT; TO AUTHORIZE THE ATTORNEY GENERAL TO PROMULGATE RULES AND REGULATIONS TO ASSIST COMMERCIAL ENTITIES TO COMPLY WITH THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2257: Insurance

AN ACT TO CREATE NEW SECTION 83-9-36.3, MISSISSIPPI CODE OF 1972, TO REQUIRE A HEALTH BENEFIT PLAN TO IMPLEMENT A CLEAR AND TRANSPARENT PROCESS FOR A PARTICIPANT, BENEFICIARY OR THE PRESCRIBING HEALTH CARE PROVIDER ON BEHALF OF THE PARTICIPANT OR BENEFICIARY, WITH CRF-COPD TO REQUEST AN EXCEPTION TO A STEP THERAPY PROTOCOL; TO SET CERTAIN PROCEDURES RELATED THERETO; TO PROVIDE CERTAIN EXCEPTIONS TO A TREATMENT STEP THERAPY PROTOCOL FOR TREATMENT OF CRF-COPD; TO REQUIRE HEALTH BENEFIT PLANS TO MAKE CERTAIN INFORMATION REGARDING SUCH PROCEDURES AVAILABLE ON THEIR WEBSITE; TO REQUIRE HEALTH BENEFIT PLANS TO RESPOND TO A REQUESTING PRESCRIBER WITHIN SEVENTY-TWO HOURS AFTER RECEIVING AN INITIAL EXCEPTION REQUEST; TO REQUIRE HEALTH BENEFIT PLANS TO RESPOND TO SUCH REQUEST WITHIN ONE BUSINESS DAY WHEN THE STEP THERAPY PROTOCOL MAY JEOPARDIZE THE LIFE OR HEALTH OF THE BENEFICIARY; TO AMEND SECTION 83-9-36, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2258: Insurance
AN ACT TO CREATE NEW SECTION 83-9-12, MISSISSIPPI CODE OF 1972, TO PROHIBIT AN INSURER, MANAGED-CARE COMPANY OR OTHER PAYOR FROM DISCRIMINATING AGAINST AN ACCREDITED DURABLE MEDICAL EQUIPMENT SUPPLIER PROVIDING SERVICES PRESCRIBED BY A PATIENT'S HEALTH CARE PROVIDER; TO PROVIDE THAT AN INSURER, MANAGED-CARE COMPANY OR OTHER PAYOR SHALL REIMBURSE DURABLE MEDICAL EQUIPMENT NO LESS THAN STATE MEDICAID RATES SET FOR THESE SERVICES ON A CONTINUOUS MONTHLY PAYMENT BASIS FOR THE DURATION OF THE MEDICAL NEED THROUGHOUT A PATIENT'S VALID PRESCRIPTION PERIOD; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2259: Judiciary, Division A
AN ACT TO AMEND SECTION 43-19-101, MISSISSIPPI CODE OF 1972, TO INCREASE THE PERCENTAGE AMOUNT FOR THE CHILD-SUPPORT AWARD GUIDELINES WHERE THE OBLIGOR'S MONTHLY INCOME IS $1,500.00 OR ABOVE; TO PROVIDE CHILD-SUPPORT AWARD GUIDELINES WHERE THE OBLIGOR'S MONTHLY INCOME IS LESS THAN $1,500.00; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2260: Judiciary, Division A
AN ACT TO AMEND SECTION 99-18-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE DEFENDER TO PROVIDE LEGAL REPRESENTATION TO CERTAIN PERSONS WHERE A CONSTITUTIONAL RIGHT TO COUNSEL EXISTS; TO DIRECT THE STATE DEFENDER TO PROMULGATE, IMPLEMENT AND ENFORCE STANDARDS FOR SUCH COUNSEL; TO PROVIDE THAT SUCH STANDARDS SHALL BE SUBJECT TO THE APPROVAL OF THE SUPREME COURT; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2261: Judiciary, Division A
AN ACT TO AMEND SECTION 43-19-48, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO SEND NOTICE IN OTHER APPROVED TYPES OF COMMUNICATION AS ALLOWED BY THE FINANCIAL INSTITUTION RATHER THAN NOTICE REQUIRED BY CERTIFIED MAIL; TO REVISE THE DEFINITION OF THE TERM "ACCOUNT" TO CONFORM TO THE DEFINITION IN SECTION 85-13-1(F); AND FOR RELATED PURPOSES.
By Senator(s) Wiggins, Thompson

S. B. No. 2262: Judiciary, Division A

AN ACT TO AMEND SECTION 43-19-34, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A MODIFICATION TO AN ORDER OF SUPPORT FOR MINOR CHILDREN MAY BE RETROACTIVE ONLY BACK TO THE DATE OF FILING THE PETITION TO MODIFY IN ORDER TO MIRROR CURRENT AGENCY POLICY AND FEDERAL LAW; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins, Thompson

S. B. No. 2263: Insurance
AN ACT TO AMEND SECTION 83-9-108, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A GROUP HEALTH PLAN OR HEALTH INSURANCE ISSUER THAT OFFERS GROUP OR INDIVIDUAL HEALTH INSURANCE COVERAGE SHALL NOT IMPOSE ANY COST-SHARING REQUIREMENTS FOR BREAST CANCER SCREENINGS, DIAGNOSTIC BREAST EXAMINATIONS OR SUPPLEMENTAL BREAST EXAMINATIONS; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2264: Insurance
AN ACT TO PROHIBIT HEALTH INSURANCE PLANS OR POLICIES FROM REQUIRING THE ENROLLEE TO UNDERGO STEP THERAPY BEFORE RECEIVING CERTAIN PRESCRIPTION DRUGS TO TREAT ADVANCED, METASTATIC CANCER; TO AMEND SECTION 83-9-36, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2265: Judiciary, Division A; Appropriations
AN ACT TO AMEND SECTION 9-5-47, MISSISSIPPI CODE OF 1972, TO PROVIDE AN ADDITIONAL CHANCELLOR FOR THE FIFTEENTH CHANCERY COURT DISTRICT; TO SPECIFY A QUALIFICATION DEADLINE FOR CANDIDATES; TO PROVIDE THAT THE INITIAL TERM OF OFFICE SHALL BEGIN ON A CERTAIN DATE; AND FOR RELATED PURPOSES.
By Senator(s) Barrett

S. B. No. 2266: Judiciary, Division A
AN ACT TO AMEND SECTION 9-1-59, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PUBLIC DEFENDERS SHALL HAVE FREE ACCESS TO THE MISSISSIPPI ELECTRONIC COURT SYSTEM RECORDS FOR MATTERS INVOLVING INDIGENT DEFENDANTS; TO BRING FORWARD SECTION 99-19-73, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Barrett, Suber

S. B. No. 2267: Judiciary, Division A
AN ACT TO AMEND SECTION 43-21-261, MISSISSIPPI CODE OF 1972, TO REQUIRE THE RELEASE OF CERTAIN CHILDREN'S RECORDS TO A COMMITTEE OR MEMBER OF THE LEGISLATURE UPON PRIOR WRITTEN CONSENT OF THE PARENT, GUARDIAN OR CUSTODIAN OF THE CHILD; TO SET FORTH MINIMUM REQUIREMENTS FOR THE WRITTEN RELEASE; AND FOR RELATED PURPOSES.
By Senator(s) Seymour

S. B. No. 2268: Judiciary, Division A
AN ACT TO PROVIDE CERTAIN PROCEDURES FOR LAW ENFORCEMENT AGENCIES CONCERNING THE INVESTIGATION INTO A MISSING OR UNIDENTIFIED PERSON; TO REQUIRE A LAW ENFORCEMENT AGENCY TO INITIATE CERTAIN PROCEDURES UPON THE RECEIPT OF A CREDIBLE REPORT OF A MISSING OR UNIDENTIFIED PERSON; TO REQUIRE CERTAIN INFORMATION ABOUT THE MISSING OR UNIDENTIFIED PERSON TO BE ENTERED INTO THE NATIONAL MISSING AND UNIDENTIFIED PERSONS SYSTEM; TO PROHIBIT A LAW ENFORCEMENT AGENCY FROM REQUIRING A DELAY BEFORE ACCEPTING A REPORT OR REQUIRING THE APPEARANCE OF A NEXT OF KIN BEFORE

INITIATING A MISSING PERSONS INVESTIGATION; TO REQUIRE A LAW ENFORCEMENT AGENCY OR THE STATE MEDICAL EXAMINER TO ENTER A REPORT OF A MISSING CHILD INTO THE NATIONAL MISSING AND UNIDENTIFIED PERSONS SYSTEM WITHOUT DELAY; TO REQUIRE THE STATE MEDICAL EXAMINER TEST THE DNA OF UNIDENTIFIED HUMAN REMAINS USING FORENSIC GENETIC GENEALOGY TESTING; TO AMEND SECTION 41-61-53, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "UNIDENTIFIED HUMAN REMAINS"; TO AMEND SECTION 41-61-59, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHEN A BODY IS UNIDENTIFIED HUMAN REMAINS, THE BODY SHALL BE SUBMITTED TO THE STATE MEDICAL EXAMINER; TO AMEND SECTION 41-61-61, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT UPON DISCOVERY UNIDENTIFIED HUMAN REMAINS OR ANATOMICAL MATERIAL SUSPECTED OF BEING PART OF THE HUMAN BODY SHALL BE SUBMITTED TO THE STATE MEDICAL EXAMINER; TO PROVIDE THAT THE WILLFUL DESTRUCTION OF A BODY, BODY PART OR UNIDENTIFIED HUMAN REMAINS SHALL BE A FELONY; TO AMEND SECTION 41-39-5, MISSISSIPPI CODE OF 1972, TO REQUIRE ANY PHYSICIAN, HOSPITAL, FUNERAL DIRECTOR, EMBALMER, COUNTY MEDICAL EXAMINER OR OTHER PERSON ACQUIRING POSSESSION OF UNIDENTIFIED HUMAN REMAINS TO SUBMIT THE REMAINS TO THE STATE MEDICAL EXAMINER AND NOT SUBJECT THE REMAINS TO CREMATION, EMBALMING OR OTHER DESTRUCTIVE TREATMENT; TO AMEND SECTION 45-6-7, MISSISSIPPI CODE OF 1972, TO REQUIRE A CERTAIN AMOUNT OF TRAINING RELATED TO THE INVESTIGATION OF UNIDENTIFIED AND MISSING PERSONS FOR LAW ENFORCEMENT OFFICERS; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins, DeBar, England, Boyd, McCaughn, Branning, Kirby

S. B. No. 2269: Judiciary, Division A

AN ACT TO PROHIBIT A STATE AGENCY OR POLITICAL SUBDIVISION TO ENTER INTO ANY CONTRACT THAT DISCRIMINATES AGAINST CERTAIN ENTITIES OR TRADE ASSOCIATIONS; TO AMEND SECTION 45-9-51, MISSISSIPPI CODE OF 1972, TO PROHIBIT A COUNTY OR MUNICIPALITY FROM ENTERING INTO ANY CONTRACT OR RENTAL AGREEMENT THAT RESTRICTS THE POSSESSION, CARRYING, TRANSPORTATION, SALE, TRANSFER OR OWNERSHIP OF FIREARMS OR KNIVES; TO PROVIDE THAT STATE AGENCIES MAY NOT INTERFERE WITH THE RIGHT OF CITIZENS TO POSSESS FIREARMS OR KNIVES; TO CREATE A CIVIL CAUSE OF ACTION TO CHALLENGE ORDINANCES AND REGULATIONS IN VIOLATION OF THAT RIGHT; TO EXEMPT STATE LAW ENFORCEMENT AGENCIES FROM REGULATING LAW ENFORCEMENT OFFICERS IN THE COURSE OF THEIR OFFICIAL DUTIES; TO AMEND SECTION 45-9-53, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Seymour, Blackwell, Younger

S. B. No. 2270: Insurance

AN ACT TO AMEND SECTION 25-15-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE AND SCHOOL EMPLOYEES HEALTH INSURANCE PLAN SHALL PROVIDE COVERAGE FOR PROSTHETIC TEETH AND PERMANENT DENTAL IMPLANTS FOR CHILDREN WITH OLIGODONTIA; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2271: Judiciary, Division A

AN ACT TO AMEND SECTION 43-21-201, MISSISSIPPI CODE OF 1972, TO REQUIRE A YOUTH COURT JUDGE TO APPOINT COUNSEL FOR AN INDIGENT CUSTODIAL PARENT OR GUARDIAN WHO IS A PARTY IN AN ABUSE, NEGLECT OR TERMINATION OF PARENTAL RIGHTS PROCEEDING; TO AUTHORIZE A YOUTH COURT JUDGE TO APPOINT COUNSEL FOR AN INDIGENT NONCUSTODIAL PARENT IF THE YOUTH COURT JUDGE DETERMINES THAT THE PARENT HAS DEMONSTRATED A SIGNIFICANT CUSTODIAL RELATIONSHIP WITH THE CHILD; TO REQUIRE AN ATTORNEY APPOINTED TO REPRESENT A CHILD WHO IS ALLEGED TO HAVE BEEN ABUSED OR NEGLECTED TO COMPLETE ANNUAL JUVENILE JUSTICE TRAINING THAT IS APPROVED BY THE MISSISSIPPI JUDICIAL COLLEGE

AND THE MISSISSIPPI COMMISSION ON CONTINUING LEGAL EDUCATION; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2272: Business and Financial Institutions
AN ACT TO AMEND SECTION 79-11-503, MISSISSIPPI CODE OF 1972, TO AMEND THE PROCEDURAL INITIAL REGISTRATION PROCESS FOR CHARITIES FILING WITH THE SECRETARY OF STATE; AND FOR RELATED PURPOSES.
By Senator(s) Polk

S. B. No. 2273: Insurance
AN ACT TO AMEND SECTION 83-51-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN INSURER SHALL NOT MAINTAIN A DENTAL PLAN THAT IS BASED ON A PROVIDER'S CONTRACTED FEE FOR COVERED SERVICES, OR THAT USES DOWNCODING OR BUNDLING IN A CERTAIN MANNER; TO REQUIRE AN INSURER TO ENSURE THAT AN EXPLANATION OF BENEFITS FOR A DENTAL PLAN INCLUDES THE REASON FOR ANY DOWNCODING OR BUNDING RESULTS; TO SET CERTAIN DEFINITIONS RELATED TO THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) McLendon

S. B. No. 2274: County Affairs; Municipalities
AN ACT TO AMEND SECTIONS 17-3-3, 17-5-1, 17-5-7, 17-11-37, 17-11-45, 17-17-107, 17-17-109, 17-17-227, 17-17-237, 17-17-309, 17-17-311, 17-17-329, 17-17-337, 17-17-348, 17-18-17, 17-21-53, 19-3-1, 19-3-11, 19-3-19, 19-3-33, 19-3-35, 19-3-67, 19-3-79, 19-5-9, 19-5-21, 19-5-23, 19-5-81, 19-5-92.1, 19-5-155, 19-5-157, 19-5-189, 19-5-199, 19-5-207, 19-5-219, 19-5-221, 19-7-3, 19-7-21, 19-9-11, 19-9-13, 19-9-27, 19-9-111, 19-9-114, 19-11-7, 19-13-53, 19-15-3, 19-23-5, 19-27-31, 19-29-7, 19-29-9, 19-29-18, 19-29-33, 19-31-7, 19-31-9, 19-31-23, 19-31-39, 21-1-7, 21-1-15, 21-3-7, 21-5-15, 21-13-11, 21-17-1, 21-17-9, 21-17-11, 21-17-17, 21-17-19, 21-19-2, 21-19-13, 21-19-20, 21-19-25, 21-19-51, 29-19-61, 21-25-21, 21-27-33, 21-27-43, 21-29-203, 21-33-29, 21-33-47, 21-33-89, 21-33-207, 21-33-307, 21-33-553, 21-35-5, 21-35-25, 21-35-31, 21-38-9, 21-41-5, 21-41-13, 21-41-51, 21-43-9, 21-43-117, AND 21-45-11, MISSISSIPPI CODE OF 1972, TO MODERNIZE AND SIMPLIFY THE NOTICE PUBLICATION PROCESS FOR COUNTIES AND MUNICIPALITIES BY ALLOWING ONLINE PUBLICATION AS AN ALTERNATIVE TO NEWSPAPER PUBLICATION; TO AMEND SECTION 21-39-3, MISSISSIPPI CODE OF 1972, TO MAKE TECHNICAL REVISIONS; AND FOR RELATED PURPOSES.
By Senator(s) Boyd

S. B. No. 2275: Public Property
AN ACT TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION, ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, TO TRANSFER AND CONVEY TO THE BOARD OF SUPERVISORS OF GREENE COUNTY, MISSISSIPPI, A CERTAIN PARCEL OF LAND SITUATED IN GREENE COUNTY, MISSISSIPPI, WHICH IS ADJACENT TO THE OLD HIGHWAY 63 CHICKASAWHAY RIVER BRIDGE; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2276: Public Property
AN ACT TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO PURCHASE CERTAIN REAL PROPERTY, AND ANY IMPROVEMENTS THEREON, LOCATED ON BELK BOULEVARD IN OXFORD, MISSISSIPPI, KNOWN AS THE FORMER "RAYNER EYE CLINIC"; AND FOR RELATED PURPOSES.
By Senator(s) Suber, Boyd

S. B. No. 2277: County Affairs
AN ACT TO AMEND SECTION 19-5-22, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A BOARD OF SUPERVISORS TO DESIGNATE THE ATTORNEY FOR THE

BOARD OF SUPERVISORS TO SERVE AS HEARING OFFICER IN DISPUTES REGARDING DELINQUENT SOLID WASTE FEES; AND FOR RELATED PURPOSES.
By Senator(s) Harkins

S. B. No. 2278: Municipalities
AN ACT TO AMEND SECTION 43-35-31, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "URBAN RENEWAL PROJECT POWERS" BY REMOVING THE POWER TO EXERCISE EMINENT DOMAIN WHEN AN AGENCY OR HOUSING AUTHORITY IS OPERATING UNDER THE URBAN RENEWAL LAW; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2279: Drug Policy
AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO INCLUDE SEVEN SUBSTANCES AS SCHEDULE I CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE NO LEGITIMATE MEDICAL USE AND HAVE A HIGH POTENCY WITH GREAT POTENTIAL TO CAUSE HARM; TO AMEND SECTION 41-29-119, MISSISSIPPI CODE OF 1972, TO INCLUDE DARIDOREXANT AND ZURANOLONE AS SCHEDULE IV CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE A CURRENTLY ACCEPTED MEDICAL USE AND A LOW POTENTIAL FOR ABUSE THAT MAY LEAD TO LIMITED PHYSICAL DEPENDENCE OR PSYCHOLOGICAL DEPENDENCE RELATIVE TO THE DRUGS OR OTHER SUBSTANCES IN SCHEDULE III; TO REMOVE FENFLURAMINE AS A SCHEDULE IV CONTROLLED SUBSTANCE; TO AMEND SECTION 41-29-121, MISSISSIPPI CODE OF 1972, TO INCLUDE GANAXOLONE AS A SCHEDULE V CONTROLLED SUBSTANCE; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

S. B. No. 2280: Elections
AN ACT TO ENACT THE EASE ACCESS TO SUFFRAGE (EASE) ACT; TO ESTABLISH THE EASE ACCESS TO SUFFRAGE PROGRAM WITHIN THE EXTERNAL AFFAIRS DIVISION OF THE OFFICE OF THE SECRETARY OF STATE; TO PROVIDE THAT THE PURPOSE OF THE PROGRAM SHALL BE TO PUBLISH THE CRITERIA FOR THE RESTORATION OF SUFFRAGE IN MISSISSIPPI, TO CREATE A PUBLIC PORTAL FOR APPLICATIONS, TO RAISE AWARENESS ABOUT THE SUFFRAGE PROCESS AND TO ENSURE THAT A PERSON'S RIGHT TO VOTE IS FULLY RESTORED FOR THE NEXT ELECTION AFTER THE RESTORATION OF THE RIGHT BY THE LEGISLATURE UNDER ARTICLE 12, SECTION 253 OF THE MISSISSIPPI CONSTITUTION OF 1890; TO SET FORTH CERTAIN CRITERIA FOR THE RESTORATION OF THE RIGHT TO SUFFRAGE; TO REQUIRE THE DIVISION TO CREATE A PUBLIC PORTAL FOR APPLICATIONS; TO REQUIRE THE OFFICE OF THE SECRETARY OF STATE TO RAISE AWARENESS OF THE PROGRAM THROUGH A MEDIA CAMPAIGN; TO REQUIRE THE SECRETARY OF STATE TO COORDINATE WITH CERTAIN MEMBERS OF THE LEGISLATURE IN DETERMINING THE CRITERIA FOR THE RESTORATION OF SUFFRAGE AND THE PROGRAM; TO AUTHORIZE THE OFFICE OF THE SECRETARY OF STATE TO PROMULGATE RULES OR REGULATIONS TO ADMINISTER THIS SECTION; TO REQUIRE THE OFFICE OF THE SECRETARY OF STATE TO PROMULGATE CLEAR RULES AND REGULATIONS TO ENSURE THAT A PERSON'S RIGHT TO VOTE IS FULLY RESTORED FOR THE NEXT ELECTION AFTER THE RESTORATION OF SUFFRAGE UNDER ARTICLE 12, SECTION 253 OF THE MISSISSIPPI CONSTITUTION OF 1890; AND FOR RELATED PURPOSES.
By Senator(s) Hickman

S. B. No. 2281: Elections
AN ACT TO AUTHORIZE A QUALIFIED ELECTOR TO VOTE NOT MORE THAN TEN DAYS BEFORE THE DATE OF AN ELECTION; TO PRESCRIBE CERTAIN CONDITIONS FOR EARLY VOTING LOCATIONS TO BE IMPLEMENTED BY THE

SECRETARY OF STATE; TO AMEND SECTION 23-15-195, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

S. B. No. 2282: Judiciary, Division B
AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO REVISE SENTENCING OF AN OFFENDER AS AN HABITUAL OFFENDER; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2283: Energy; Government Structure
AN ACT TO AMEND SECTIONS 77-1-51 AND 77-1-55, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISIONS OF LAW CREATING THE PUBLIC SERVICE COMMISSION AND PRESCRIBING ITS POWERS AND DUTIES; TO SPECIFY THE APPLICATION OF THE REPEALER CONTAINED IN SECTION 77-1-51 TO THE ENTIRE PUBLIC SERVICE COMMISSION CHAPTER; TO BRING FORWARD SECTIONS 77-1-1, 77-1-3, 77-1-5, 77-1-6, 77-1-11, 77-1-15, 77-1-25, 77-1-27, 77-1-29, 77-1-31, 77-1-33, 77-1-35, 77-1-37, 77-1-39, 77-1-41, 77-1-43, 77-1-47, 77-1-49 AND 77-1-53, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Carter

S. B. No. 2284: Judiciary, Division B
AN ACT TO PROHIBIT THE ILLEGAL ENTRY INTO OR ILLEGAL PRESENCE IN THIS STATE BY A PERSON WHO IS AN ALIEN; TO PROVIDE FOR THE ENFORCEMENT OF THE PROHIBITIONS AND CERTAIN RELATED ORDERS; TO PROVIDE IMMUNITY FROM LIABILITY AND INDEMNIFICATION FOR ENFORCEMENT ACTIONS; TO AUTHORIZE, UNDER CERTAIN CIRCUMSTANCES, THE REMOVAL OF PERSONS WHO VIOLATE THOSE PROHIBITIONS; TO CREATE CRIMINAL OFFENSES; TO AMEND SECTION 45-27-9, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2285: Appropriations
AN ACT TO AMEND SECTION 45-1-12, MISSISSIPPI CODE OF 1972, TO REVISE THE SALARY SCHEDULE OF OFFICERS OF THE MISSISSIPPI HIGHWAY PATROL, INCLUDING THOSE SERVING IN A DIVISION OF THE DEPARTMENT OF PUBLIC SAFETY AND THE SWORN LAW ENFORCEMENT OFFICERS OF THE MISSISSIPPI BUREAU OF NARCOTICS; TO PROVIDE THAT AN OFFICER WHO HOLDS CERTAIN DEGREES SHALL BE PAID AN ADDITIONAL SUM; TO DELETE THE REQUIREMENT THAT THE LEGISLATURE MUST PROVIDE AN "ACROSS-THE-BOARD" SALARY INCREASE BEFORE THE STATE PERSONNEL BOARD IS AUTHORIZED TO REVISE THE SALARY SCALE; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins, Barrett

S. B. No. 2286: Judiciary, Division B
AN ACT TO AMEND SECTION 45-6-5, MISSISSIPPI CODE OF 1972, TO REVISE THE MEMBERSHIP OF THE BOARD OF LAW ENFORCEMENT OFFICER STANDARDS AND TRAINING; TO AMEND SECTION 45-6-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF LAW ENFORCEMENT OFFICER STANDARDS AND TRAINING TO CONDUCT INVESTIGATIONS REGARDING CERTIFICATE REVOCATIONS; TO AMEND SECTION 45-6-19, MISSISSIPPI CODE OF 1972, TO REQUIRE ANY STATE AND COUNTY LAW ENFORCEMENT OFFICERS TO COMPLETE A SPECIFIED NUMBER OF TRAINING HOURS ANNUALLY; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2287: Judiciary, Division B

AN ACT TO AMEND SECTION 97-37-37, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AN ENHANCED PENALTY FOR ANY PERSON WHO USES OR DISPLAYS A FIREARM DURING THE COMMISSION OF ANY GANG-RELATED ACTIVITY; TO AMEND SECTION 97-44-19, MISSISSIPPI CODE OF 1972, TO ENHANCE THE PENALTIES FOR PARTICIPATING IN AND FURTHERING GANG ACTIVITY BY IMPOSING A PUNISHMENT EQUAL TO THE PUNISHMENT FOR THE UNDERLYING OFFENSE WITH THE ENHANCED PUNISHMENT TO RUN CONSECUTIVELY TO THE UNDERLYING PUNISHMENT; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2288: Judiciary, Division B
AN ACT TO CRIMINALIZE THE UNLAWFUL DISSEMINATION OR PUBLICATION OF AN INTIMATE OR NONINTIMATE IMAGE OR AUDIO CREATED OR ALTERED BY DIGITIZATION WHERE THE IMAGE OR AUDIO IS DISSEMINATED OR PUBLISHED WITH INTENT TO CAUSE HARM TO THE EMOTIONAL, FINANCIAL OR PHYSICAL WELFARE OF ANOTHER PERSON AND THE ACTOR KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE PERSON DEPICTED DID NOT CONSENT TO SUCH DISSEMINATION OR PUBLICATION; TO DEFINE TERMS; TO PROVIDE THAT THE CRIMES INCLUDE THE USE OF IMAGES OR AUDIO CREATED OR ALTERED BY DIGITIZATION, WHERE SUCH PERSON MAY REASONABLY BE IDENTIFIED FROM THE IMAGE OR AUDIO ITSELF OR FROM INFORMATION DISPLAYED IN CONNECTION WITH THE IMAGE OR AUDIO; TO PROVIDE CRIMINAL PENALTIES; TO PROVIDE CERTAIN EXCEPTIONS TO THE CRIME; AND FOR RELATED PURPOSES.
By Senator(s) Johnson, Fillingane

S. B. No. 2289: Forestry
AN ACT TO AMEND SECTION 29-3-45, MISSISSIPPI CODE OF 1972, TO MODERNIZE THE BIDDING PROCESS FOR THE SALE OF TIMBER OR OTHER FOREST PRODUCTS ON SIXTEENTH SECTION LAND; AND FOR RELATED PURPOSES.
By Senator(s) Rhodes

S. B. No. 2290: Wildlife, Fisheries and Parks; Government Structure
AN ACT TO AMEND SECTION 49-4-4, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO MEMBER OF THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS MAY SERVE MORE THAN TWO CONSECUTIVE FIVE-YEAR TERMS; TO REQUIRE THAT, AT ALL TIMES, THE COMMISSION HAVE AT LEAST TWO MEMBERS MEETING CERTAIN EDUCATION OR EXPERIENCE QUALIFICATIONS; TO INCREASE, FROM FIVE TO TEN YEARS, THE TIME PERIOD PRECEDING APPOINTMENT DURING WHICH A COMMISSIONER MAY NOT HAVE A RECORD OF CONVICTION OF VIOLATION OF FISH OR GAME LAWS AND REGULATIONS, OR A RECORD OF ANY FELONY CONVICTION; TO ADD THAT, DURING THIS TIME PERIOD, A COMMISSIONER ALSO MAY NOT HAVE A RECORD OF MORE THAN ONE CITATION FOR A VIOLATION OF FISH OR GAME LAWS; AND FOR RELATED PURPOSES.
By Senator(s) Hill

THIRTY-SEVENTH DAY, WEDNESDAY, FEBRUARY 7, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Reverend Clyde Tate, Senior Pastor, St. James Missionary Baptist Church, Canton, MS and Greater Antioch Baptist Church, Jackson, MS.

Senator Thomas led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. C. R. No. 11: Constitution; amend to provide that the people have the right to propose new statutes and amend or repeal existing statutes. Accountability, Efficiency, Transparency.

Senator Rhodes moved that when the Senate adjourns, it adjourn in memory of Mary C. Rhodes, Reginald Winstead, Jr., Richard Barnes, Ryan Pace and James Roy Carter of Pelahatchie, MS.

Senator Rhodes moved that when the Senate adjourns, it adjourn in memory of Dorothy Henderson and David Jeff King of Brandon, MS.

Senator Rhodes moved that when the Senate adjourns, it adjourn in memory of Robert Stevens of Puckett, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Dr. Glyn Roy Hilbun of Madison, MS.

Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Grover C. Johnson of Shuqualak, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Kelly Galambus of Ridgeland, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of James Ford of Tupelo, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Gary Lindsey of Lee County, MS.

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Jerolyn Brister McCullough, Bradley Decator Rushing, Lewis Henry Mazer, Jr., Jetty Cathryn Paxton Gary and Carol Massengill of Brookhaven, MS.

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of William Glenn Hall and John Anthony "Teddy" Porter of Bogue Chitto, MS.

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Mary Ellen Taylor of DeKalb, MS.

Senators Jackson, McLendon, Parker and Blackwell moved that when the Senate adjourns, it adjourn in memory of Herbert Byrd of Gardena, CA.

Senator Norwood moved that when the Senate adjourns, it adjourn in memory of Marcell Morris, Sr. of Magee, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, February 8, 2024.

The motion prevailed, and at 10:26 AM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Mary C. Rhodes, Reginald Winstead, Jr., Kelly Galambus, James Ford, Gary Lindsey, Bradley Decator Rushing, Lewis Henry Mazer, Jr., Jetty Cathryn Paxton Gary, Carol Massengill, William Glenn Hall, John Anthony "Teddy" Porter, Mary Ellen Taylor, Richard Barnes, Herbert Byrd, Jerolyn Brister McCullough, Marcell Morris, Sr., Ryan Pace, Dorothy Henderson, David Jeff King, Robert Stevens, James Roy Carter, Dr. Glyn Roy Hilbun and Grover C. Johnson.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR WEDNESDAY, FEBRUARY 7, 2024

S. B. No. 2291: Accountability, Efficiency, Transparency

AN ACT TO REQUIRE A REGULATORY REDUCTION PROGRAM FOR CERTAIN PILOT AGENCIES; TO REQUIRE PILOT AGENCIES TO DEVELOP A BASELINE REGULATORY CATALOG AND REPORT CERTAIN DATA TO THE SECRETARY OF STATE; TO PROVIDE THAT NO PILOT AGENCY MAY ADOPT A NEW REGULATION UNLESS IT SIMULTANEOUSLY REMOVES TWO OR MORE OTHER EXISTING REGULATIONS; TO REQUIRE THE PEER COMMITTEE TO REVIEW THE REGULATORY REDUCTION EFFORTS OF THE PILOT AGENCIES AND REPORT TO THE LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2292: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-5-1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE REMOVAL OF APPOINTED STATE OFFICERS FOR CERTAIN FORMS OF WILLFUL NEGLECT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2293: Accountability, Efficiency, Transparency; Finance

AN ACT TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT 9% OF THE SALES TAX REVENUE COLLECTED FROM BUSINESS ACTIVITIES OUTSIDE THE MUNICIPALITIES IN A COUNTY SHALL BE PAID TO THE COUNTY; TO AMEND SECTION 27-65-53, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2294: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-41-5, MISSISSIPPI CODE OF 1972, TO REQUIRE OFFICIAL MEETINGS OF CERTAIN PUBLIC BODIES, WITH EXCEPTIONS, TO BE BROADCAST VIA VIDEO LIVESTREAMING APPLICATIONS ON THE FRONT PAGE OF THE OFFICIAL WEBSITE OF EACH RESPECTIVE AGENCY, TO REQUIRE INFORMATION TO BE INCLUDED IN ALL PUBLIC NOTICES, AND TO PROVIDE THAT ANY ACTION TAKEN BY SUCH A PUBLIC BODY FAILING TO COMPLY WITH LIVESTREAMING REQUIREMENTS IS VOID AND OF NO EFFECT; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2295: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 73-13-103, MISSISSIPPI CODE OF 1972, TO REQUIRE COMPANIES AND GOVERNMENT ENTITIES TO NOTIFY AND EXPLAIN PROPOSED PUBLIC PROJECTS TO LANDOWNERS BEFORE HIRING A SURVEYOR; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2296: Accountability, Efficiency, Transparency

AN ACT TO CREATE THE MISSISSIPPI NATIONAL SECURITY IN PUBLIC PURCHASING ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2297: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-7-21, MISSISSIPPI CODE OF 1972, TO INCREASE THE FEE CHARGED BY CHANCERY CLERKS FOR FILING AND RECORDING DEEDS OF LAND SOLD FOR TAXES AND FOR REDEEMING LAND SOLD FOR TAXES; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2298: Finance
AN ACT TO AMEND SECTION 31-13-11, MISSISSIPPI CODE OF 1972, TO RAISE THE MAXIMUM FEE PAID TO THE STATE'S BOND ATTORNEY FROM $500.00 TO $750.00 FOR THE VALIDATION AND ISSUANCE OF BONDS ISSUED OR PROPOSED TO BE ISSUED BY A COUNTY, MUNICIPALITY, OR OTHER DISTRICT OR SUBDIVISION OF THE STATE; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 2299: Government Structure
AN ACT TO AMEND SECTION 25-11-15, MISSISSIPPI CODE OF 1972, TO CHANGE THE COMPOSITION OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM FROM 10 MEMBERS TO 11 MEMBERS; TO ADD TO THE BOARD ONE MEMBER OF THE SYSTEM HAVING AT LEAST 10 YEARS OF CREDITABLE SERVICE WHO IS A FULL-TIME CERTIFIED LOCAL LAW ENFORCEMENT OFFICER OR FULL-TIME CERTIFIED LOCAL FIREFIGHTER, WHO SHALL BE ELECTED BY THE MEMBERS OF THE SYSTEM WHO ARE LOCAL LAW ENFORCEMENT OFFICERS AND LOCAL FIREFIGHTERS; AND FOR RELATED PURPOSES.
By Senator(s) Berry

S. B. No. 2300: Accountability, Efficiency, Transparency; Government Structure
AN ACT TO AMEND SECTION 73-47-9, MISSISSIPPI CODE OF 1972, TO REVISE THE MEMBERSHIP OF THE OCCUPATIONAL LICENSING REVIEW COMMISSION TO INCLUDE THE LIEUTENANT GOVERNOR, COMMISSIONER OF INSURANCE, AND STATE TREASURER OR HIS OR HER RESPECTIVE DESIGNEE; TO REQUIRE AN OCCUPATIONAL LICENSING BOARD TO SUBMIT A REGULATORY IMPACT ASSESSMENT TO THE COMMISSION IN A MANNER PRESCRIBED BY THE COMMISSION; TO REQUIRE THAT ALL PROPOSED SUBMISSIONS TO THE COMMISSION BE ACTED ON BY THE COMMISSION WITHIN 120 CALENDAR DAYS OF SUBMISSION; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2301: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 25-43-3.105, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY ADMINISTRATIVE RULE OR REGULATION HAVING AN ECONOMIC IMPACT IN EXCESS OF ONE MILLION DOLLARS IS VOID UNTIL RATIFIED BY THE LEGISLATURE; TO PROVIDE THAT THIS PROVISION SHALL BE ENTITLED "MISSISSIPPI REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY (REINS) ACT"; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2302: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 25-43-3.103, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT SPECIFIC NOTICE OF PROPOSED RULE ADOPTION BE GIVEN TO THE LEGISLATURE BY STATE AGENCIES USING ELECTRONIC MEANS; TO AMEND SECTION 25-43-3.111, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2303: Finance
AN ACT TO AMEND SECTION 27-35-93, MISSISSIPPI CODE OF 1972, TO REVISE THE DEADLINE FOR A PROPERTY OWNER TO FILE A PROTEST OF THE ANNUAL TAX ASSESSMENT; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2304: Finance

AN ACT TO PROVIDE PROCEDURES FOR THE MISSISSIPPI DEPARTMENT OF REVENUE TO SET OFF A TAXPAYER'S DEBT OWED TO THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES AGAINST THE TAXPAYER'S INCOME TAX REFUND; TO PROVIDE A PROCEDURE FOR THE TAXPAYER TO REQUEST A HEARING BEFORE THE DEPARTMENT OF HUMAN SERVICES TO CONTEST THE SETOFF, AND FOR THE TAXPAYER TO APPEAL THE DETERMINATION OF THE DEPARTMENT OF HUMAN SERVICES TO THE CIRCUIT COURT; TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROVIDE TO THE DEPARTMENT OF HUMAN SERVICES ALL INFORMATION NECESSARY TO ACCOMPLISH AND EFFECTUATE THE INTENT OF THIS ACT; TO PROVIDE FOR THE CONTINUED CONFIDENTIALITY OF SUCH INFORMATION; TO AMEND SECTION 27-7-83, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2305: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 25-1-87, MISSISSIPPI CODE OF 1972, TO ALLOW FRAUD INVESTIGATORS AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES TO DRIVE UNMARKED VEHICLES; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2306: Finance
AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF POULTRY PRODUCTS TO CHARITABLE ORGANIZATIONS THAT ARE EXEMPT FROM FEDERAL INCOME TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE AND OPERATE A FOOD BANK OR FOOD PANTRY OR FOOD LINES; AND FOR RELATED PURPOSES.
By Senator(s) McCaughn

S. B. No. 2307: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 25-3-31, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISION OF LAW ESTABLISHING THE COMPENSATION OF ELECTED STATE AND DISTRICT OFFICERS; TO BRING FORWARD SECTION 25-3-39, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Parker

S. B. No. 2308: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 25-61-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE MISSISSIPPI PUBLIC RECORDS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Parker

S. B. No. 2309: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 25-3-41, MISSISSIPPI CODE OF 1972, TO EXTEND THE MORATORIUM ON THE APPLICATION TO CERTAIN STATE AGENCIES OF THE TRIP OPTIMIZER SYSTEM REQUIREMENTS FOR TRAVEL; AND FOR RELATED PURPOSES.
By Senator(s) Parker

S. B. No. 2310: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 19-5-371, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISION OF LAW AUTHORIZING COUNTY BOARDS OF SUPERVISORS TO ASSESS AN EMERGENCY TELECOMMUNICATIONS SERVICE CHARGE; TO BRING FORWARD SECTIONS 19-5-303, 19-5-313, 19-5-319, 19-5-331, 19-5-333, 19-5-335, 19-5-337, 19-5-339, 19-5-341, 19-5-353, 19-5-357, 19-5-359 AND 19-5-361, MISSISSIPPI CODE OF 1972, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Parker

S. B. No. 2311: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO REMOVE THE CAP FOR THE ANNUAL SUPPLEMENT PAYABLE BY THE BOARD OF SUPERVISORS OF ANY COUNTY TO ITS SHERIFF; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins, Barrett

S. B. No. 2312: Finance
AN ACT TO AMEND SECTION 75-23-5, MISSISSIPPI CODE OF 1972, TO INCREASE THE PRESUMPTION OF A CIGARETTE WHOLESALE DEALER'S COST OF DOING BUSINESS FROM 2% TO 4.5% OF THE BASIC COST OF CIGARETTES TO THE WHOLESALE DEALER, FOR PURPOSES OF THE UNFAIR CIGARETTE SALES LAW; TO INCREASE THE PRESUMPTION OF CARTAGE COST FROM 0.5% TO 1% OF THE BASIC COST OF CIGARETTES TO THE WHOLESALE DEALER; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2313: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 79-11-504, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE SECRETARY OF STATE TO PROMULGATE REGULATIONS PROHIBITING THE IMPOSITION OF ANNUAL FILING OR REPORTING REQUIREMENTS ON CHARITABLE NONPROFIT ORGANIZATIONS WHICH ARE MORE STRINGENT THAN THOSE REQUIREMENTS FOR STATE AGENCIES; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 2314: Finance
AN ACT TO AMEND SECTION 27-103-159, MISSISSIPPI CODE OF 1972, TO ENACT THE FEDERAL FUNDING TRANSPARENCY ACT; TO REVISE THE INFORMATION REQUIRED TO BE CONTAINED IN THE REPORT PROVIDED BY A STATE AGENCY, DEPARTMENT OR INSTITUTION WITH ITS ANNUAL BUDGET REQUEST SUBMISSION; TO IMPOSE A CIVIL PENALTY OF $100.00 PER VIOLATION, PER DAY, PLUS ALL REASONABLE ATTORNEY'S FEES AND COSTS IN CIRCUIT COURT, ON ANY AGENCY HEAD OR DIRECTOR, OR INDIVIDUAL HOLDING A SUBSTANTIALLY SIMILAR POSITION, WHO NEGLECTS TO ANNUALLY PROVIDE THE REPORT REQUIRED; TO PROVIDE THAT THE INDIVIDUAL SHALL BE PERSONALLY LIABLE FOR THESE AMOUNTS, AND SOVEREIGN IMMUNITY SHALL NOT BE AN AFFIRMATIVE DEFENSE; AND FOR RELATED PURPOSES.
By Senator(s) Chism

S. B. No. 2315: Appropriations
AN ACT TO DIRECT THE STATE PERSONNEL BOARD TO AMEND THE VARIABLE COMPENSATION PLAN AS NECESSARY TO AWARD A SALARY INCREASE TO EACH STATE EMPLOYEE WHOSE SALARY IS FUNDED BY THE STATE GENERAL FUND IN THE AMOUNT OF A 6% ACROSS-THE-BOARD INCREASE PER YEAR BEGINNING JULY 1, 2023; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th), Norwood, Frazier, Simmons (13th), Brumfield, Jordan, Hickman, Jackson, Butler, Thomas

S. B. No. 2316: Finance
AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE STATE SALES TAX RETAIL SALES OF GROCERIES, DEFINED AS FOOD OR DRINK FOR HUMAN CONSUMPTION ELIGIBLE FOR PURCHASE WITH FOOD STAMPS ISSUED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE OR OTHER FEDERAL AGENCY; AND FOR RELATED PURPOSES.
By Senator(s) Hickman

S. B. No. 2317: Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE STATE SALES TAX, DURING THE MONTH OF AUGUST, RETAIL SALES OF GROCERIES, DEFINED AS FOOD OR DRINK FOR HUMAN CONSUMPTION ELIGIBLE FOR PURCHASE WITH FOOD STAMPS ISSUED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE OR OTHER FEDERAL AGENCY; AND FOR RELATED PURPOSES.
By Senator(s) Hickman

S. B. No. 2318: Finance
AN ACT TO AMEND SECTIONS 27-31-7, 27-31-101 AND 27-31-105 AND 27-31-107, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO EXEMPT FROM AD VALOREM TAXATION, EXCEPT AD VALOREM TAXES FOR SCHOOL DISTRICT PURPOSES, THE VALUE OF RAW MATERIALS AND WORK-IN-PROGRESS INVENTORY; TO RATIFY ANY SUCH EXEMPTION FROM AD VALOREM TAXES GRANTED BEFORE JULY 1, 2024; AND FOR RELATED PURPOSES.
By Senator(s) Parker, Blackwell, McLendon

S. B. No. 2319: Finance
AN ACT TO REQUIRE THE DEPARTMENT OF REVENUE TO SEND TAXPAYER NOTICES, INCLUDING, BUT NOT LIMITED TO, ASSESSMENT NOTICES, BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED; AND FOR RELATED PURPOSES.
By Senator(s) Michel (By Request)

S. B. No. 2320: Finance
AN ACT TO AMEND SECTION 27-19-43, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO TAG OR DECAL SHALL BE ISSUED OR RENEWED UNLESS THE OWNER OR OPERATOR OF THE MOTOR VEHICLE FIRST PRESENTS PROOF OF COVERAGE BY A MOTOR VEHICLE LIABILITY POLICY; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell (By Request)

S. B. No. 2321: Finance
AN ACT TO ESTABLISH THE WEST MISSISSIPPI INCUBATOR GRANT PROGRAM IN COOPERATION WITH THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION'S OFFICE OF SURPLUS PROPERTY, LOCAL DEVELOPMENT DISTRICTS AND COUNTY GOVERNMENTS IN HUMPHREYS, MADISON, SHARKEY, SUNFLOWER, WASHINGTON AND YAZOO COUNTIES; TO SET FORTH THE PURPOSE OF THE PROGRAM; AND FOR RELATED PURPOSES.
By Senator(s) Thomas

S. B. No. 2322: Finance
AN ACT TO REPEAL SECTIONS 27-19-21 AND 27-19-23, MISSISSIPPI CODE OF 1972, WHICH IMPOSE AN ANNUAL TAX ON ELECTRIC VEHICLES AND HYBRID VEHICLES IN ADDITION TO OTHER TAXES FOR WHICH THE VEHICLES ARE LIABLE; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2323: Finance
AN ACT TO PHASE IN AN AD VALOREM TAX EXEMPTION ON ALL COMMODITIES, PRODUCTS, GOODS, WARES AND MERCHANDISE HELD FOR RESALE BY ANY SMALL BUSINESS WITH AN ANNUAL NET REVENUE OF LESS THAN $2,000,000.00; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2324: Finance
AN ACT TO PROVIDE THAT THE GROSS INCOME OF RECENT GRADUATES OF FOUR-YEAR COLLEGES AND UNIVERSITIES IN MISSISSIPPI AND OUTSIDE MISSISSIPPI WHICH IS DERIVED FROM EMPLOYMENT IN A QUALIFYING JOB IN THIS STATE SHALL BE ALLOWED AS A DEDUCTION FROM GROSS INCOME UNDER

THE STATE INCOME TAX LAW; TO DEFINE CERTAIN TERMS USED IN THE ACT; TO PROVIDE THAT THE DEDUCTION FROM GROSS INCOME AUTHORIZED BY THIS ACT MAY BE UTILIZED BY A RECENT GRADUATE FOR THREE CONSECUTIVE YEARS IF THE RECENT GRADUATE REMAINS A RESIDENT OF MISSISSIPPI AND EMPLOYED IN A QUALIFYING JOB FOR THAT PERIOD OF TIME; TO PROVIDE THAT A RECENT GRADUATE MAY UTILIZE THE DEDUCTION FROM GROSS INCOME FOR AN ADDITIONAL TWO YEARS IF THE RECENT GRADUATE PURCHASES PROPERTY IN THIS STATE FOR RESIDENTIAL OR COMMERCIAL USE BY THE RECENT GRADUATE, ESTABLISHES A BUSINESS IN THIS STATE THAT IS REGISTERED WITH THE SECRETARY OF STATE AND HAS AT LEAST ONE EMPLOYEE, OTHER THAN THE RECENT GRADUATE, WHOSE WAGES ARE SUBJECT TO INCOME TAX WITHHOLDING UNDER THE STATE INCOME TAX LAW, OR SERVES IN AN INSTRUCTIONAL CAPACITY AS A LICENSED TEACHER IN A PUBLIC SCHOOL OR NONPUBLIC SCHOOL; TO AMEND SECTION 27-7-18, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Younger

S. C. R. No. 520: Rules
A CONCURRENT RESOLUTION DESIGNATING FEBRUARY 6, 2024, AS "FAMILY MEDICINE APPRECIATION DAY" IN MISSISSIPPI IN HONOR OF THE 75TH ANNIVERSARY OF THE MISSISSIPPI ACADEMY OF FAMILY PHYSICIANS STATE CHARTER.
By Senator(s) Kirby

THIRTY-EIGHTH DAY, THURSDAY, FEBRUARY 8, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Pastor Brian Stewart, Senior Pastor, The Church on Main, Columbia, MS.

Senator Fillingane led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON PUBLIC PROPERTY

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2276: Clinic building at 1308 Belk Boulevard; transfer to Mississippi Department of Public Safety. Title Sufficient. Do Pass.

SUBER, Chairman

Senator Rhodes moved that when the Senate adjourns, it adjourn in memory of Walter Kelvin Burt of Brandon, MS.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Phillip Smith of Leakesville, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of D. B. King of Greenwood, MS.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 777: AN ACT TO AMEND SECTION 67-1-3, MISSISSIPPI CODE OF 1972, TO RENOUNCE PROHIBITION AS THE POLICY OF THIS STATE IN FAVOR OF THE LEGAL MANUFACTURE, SALE, DISTRIBUTION AND TRANSPORTATION OF ALCOHOLIC BEVERAGES, EXCEPT IN COUNTIES THAT VOTE TO INSTITUTE PROHIBITION AFTER HOLDING AN ELECTION ON THE MATTER; TO AMEND SECTIONS 67-1-5, 67-1-7, 67-1-9, 67-1-15, 67-1-16, 67-1-17, 67-1-37, 67-1-51, 67-1-57, 67-1-65, 67-1-85, 67-1-91, 67-1-101, 67-3-9, 67-9-1, 27-71-15, 27-71-31 AND 97-31-47, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTIONS 67-1-11, 67-1-13 AND 67-1-14, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO AND TO REVISE HOW OFTEN A COUNTY OR MUNICIPALITY MAY HOLD AN ELECTION ON THE QUESTION OF INSTITUTION PROHIBITION; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Friday, February 9, 2024.

The motion prevailed, and at 10:48 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. C. R. No. 515: Mourn the passing and recognize legal career of former Mississippi Supreme Court Justice James L. Robertson. Title Sufficient. Do Be Adopted.

S. C. R. No. 516: Recognize Mississippi Supreme Court Presiding Justice Leslie D. King for "60 Courageous Judges Award." Title Sufficient. Do Be Adopted.

S. C. R. No. 517: Extend sympathy of the Legislature on the passing of Margarett Allen-Bingham first female superintendent of correctional facility in MS. Title Sufficient. Do Be Adopted.

S. C. R. No. 518: Mourn the loss and celebrate the contributions and career of Mississippi music icon and Tropical Rock legend Jimmy Buffett. Title Sufficient. Do Be Adopted.

S. C. R. No. 519: Congratulate Ole Miss "Rebels" 2023 Football Team for historic season and dominating Peach Bowl victory. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

REPORT OF COMMITTEE ON RULES

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 39: Elizabeth Ashley (Beth) Harkins, Madison, Mississippi, Mississippi Commission on the Status of Women as the Single Mother representative, four year term beginning July 1, 2023 and ending June 30, 2027, vice Sherri Carr Bevis. Do Advise and Consent.

KIRBY, Chairman

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2140: Mississippi Prior Authorization Reform Act; enact.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED

FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 331: AN ACT TO AMEND SECTIONS 19-5-9 AND 21-19-25, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO CHOOSE NOT TO BE SUBJECT TO THE PROVISIONS OF LAW REQUIRING THAT COUNTIES AND MUNICIPALITIES REQUIRE PERMITTING AS A CONDITION TO CONSTRUCTION; TO BRING FORWARD SECTIONS 73-59-1 THROUGH 73-59-19, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF LAW REGULATING RESIDENTIAL BUILDERS AND REMODELERS; FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE GOVERNOR
February 8, 2024

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Terry Wayne Emerson, West Point, Mississippi, State Board of Animal Health representing a swine breeder and producer recommended by the Mississippi Pork Producers' Association, four year term effective August 1, 2023 and ending July 31, 2027.

Andrew Page (Andy) Prosser, Madison, Mississippi, State Board of Animal Health representing a catfish breeder and producer recommended by the MS Catfish Association, four year term effective August 1, 2023 and ending July 31, 2027, vice Herbert Austin Jones.

Tate Reeves
GOVERNOR

_____

The executive nominations in the foregoing message were referred to committees as follows:

Terry Wayne Emerson, State Board of Animal Health, four year term effective August 1, 2023 and ending July 31, 2027, Agriculture.

Andrew Page (Andy) Prosser, State Board of Animal Health, four year term effective August 1, 2023 and ending July 31, 2027, Agriculture.

_____

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Walter Kelvin Burt, Phillip Smith and D. B. King.

Amanda Frusha White, Secretary of the Senate

_____

INTRODUCTIONS FOR THURSDAY, FEBRUARY 8, 2024

S. B. No. 2325: Forestry
AN ACT TO BRING FORWARD SECTIONS 57-1-781 AND 57-1-783, MISSISSIPPI CODE OF 1972, THE FORESTRY FACILITY GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) McCaughn

S. B. No. 2326: Education
AN ACT TO AMEND SECTIONS 37-13-91 AND 37-15-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PROVISIONS OF THE MISSISSIPPI COMPULSORY SCHOOL ATTENDANCE LAW ARE FULLY APPLICABLE TO KINDERGARTEN-AGE CHILDREN; TO REQUIRE SUCH KINDERGARTEN-AGE CHILDREN TO ATTEND LICENSED PUBLIC, PAROCHIAL, NONPUBLIC OR HOMESCHOOL KINDERGARTEN PROGRAMS; AND FOR RELATED PURPOSES.
By Senator(s) Norwood, Brumfield, Simmons (12th)

S. B. No. 2327: Public Health and Welfare; Appropriations
AN ACT TO AMEND SECTION 43-1-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH A SUPPLEMENTARY STATE FOOD STAMP PROGRAM FOR ELDERLY RECIPIENTS; TO PROVIDE THAT RECIPIENTS MUST BE AT LEAST 65 YEARS OLD; TO PROVIDE THAT RECIPIENTS MAY RECEIVE ONE HUNDRED DOLLARS PER MONTH; AND FOR RELATED PURPOSES.
By Senator(s) Norwood, Simmons (13th), Brumfield, Butler, Jackson, Simmons (12th)

S. B. No. 2328: Public Health and Welfare
AN ACT TO AMEND SECTION 43-11-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONAL CARE HOMES MUST BE LICENSED AND REGULATED BY THE STATE DEPARTMENT OF HEALTH IF THEY PROVIDE INDIVIDUAL OR GROUP LIVING ARRANGEMENTS FOR ONE OR MORE PERSONS WHO ARE UNRELATED TO THE OPERATOR; AND FOR RELATED PURPOSES.
By Senator(s) Norwood, Brumfield, Butler, Simmons (13th)

S. B. No. 2329: Public Health and Welfare
AN ACT TO RECONSTITUTE THE EARLY INTERVENTION TASK FORCE WITH A GOAL TO COLLABORATE WITH THE STATE AGENCY COORDINATING PART C OF IDEA TO DESIGN A NEW SERVICE DELIVERY MODEL AND MAKE CHANGES TO THE EARLY INTERVENTION PROGRAM; TO SET THE TASK FORCE'S DUTIES; TO REQUIRE THE TASK FORCE TO PREPARE A FINAL REPORT TO THE LEGISLATURE; TO REQUIRE THE STATE AGENCY COORDINATING PART C OF IDEA TO PREPARE AND DELIVER A REPORT THAT PROVIDES FOR POSSIBLE SOLUTIONS; TO DISSOLVE THE TASK FORCE UPON PRESENTATION OF THE REPORT; TO AMEND SECTION 41-87-9, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Boyd, Williams

S. B. No. 2330: Education
AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE RETIRED TEACHER RETURN TO WORK TASK FORCE TO UNDERTAKE A COMPREHENSIVE ANALYSIS OF ALL MATTERS RELATED TO TEACHERS AND SCHOOL ADMINISTRATORS RETURNING TO THE WORKFORCE WITHIN THE STATE; TO PROVIDE FOR THE GOALS AND RESPONSIBILITIES OF THE TASK FORCE; TO REQUIRE THE TASK FORCE TO DEVELOP AND REPORT ITS FINDINGS AND RECOMMENDATIONS FOR PROPOSED LEGISLATION TO THE LEGISLATURE ON OR BEFORE DECEMBER 1, 2024; AND FOR RELATED PURPOSES.
By Senator(s) Boyd, Williams

S. B. No. 2331: Education; Appropriations

AN ACT TO AMEND SECTION 37-13-81, 37-13-83, 37-13-85, 37-13-87 AND 37-13-89, MISSISSIPPI CODE OF 1972, TO CLARIFY THE NAME OF THE OFFICE OF COMPULSORY SCHOOL ATTENDANCE ENFORCEMENT AND DROPOUT PREVENTION WITHIN THE STATE DEPARTMENT OF EDUCATION; TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR OF THE OFFICE BY THE STATE SUPERINTENDENT OF PUBLIC EDUCATION; TO TRANSFER THE RESPONSIBILITY FOR EMPLOYING AND ESTABLISHING THE DUTIES OF SCHOOL ATTENDANCE OFFICERS FROM THE STATE DEPARTMENT OF EDUCATION TO LOCAL SCHOOL DISTRICTS; TO ABOLISH THE THREE REGIONAL SCHOOL ATTENDANCE OFFICER POSITIONS AND REPLACE THOSE POSITIONS WITH REGIONAL COORDINATORS WHO SHALL BE RESPONSIBLE FOR ENFORCEMENT OF THE MISSISSIPPI COMPULSORY SCHOOL ATTENDANCE LAW WITHIN THEIR REGION; TO PROVIDE THAT THE STATE SUPERINTENDENT OF PUBLIC EDUCATION SHALL SET THE SALARY OF REGIONAL COORDINATORS; TO CLARIFY THE MINIMUM QUALIFICATIONS NECESSARY FOR SCHOOL ATTENDANCE OFFICERS AND REMOVE THE REQUIREMENT OF THE STATE PERSONNEL BOARD TO ESTABLISH ADDITIONAL QUALIFICATIONS FOR SCHOOL ATTENDANCE OFFICERS; TO PROVIDE THAT SCHOOL ATTENDANCE OFFICERS EMPLOYED BY THE STATE DEPARTMENT OF EDUCATION ON JULY 1, 2024, SHALL BE TRANSFERRED TO EMPLOYMENT STATUS AS EMPLOYEES OF THEIR RESPECTIVE SCHOOL DISTRICTS WITH WORK LOCATIONS THEREIN AND SHALL ENFORCE ATTENDANCE AT CHARTER SCHOOLS LOCATED WITHIN THE SCHOOL DISTRICT; TO PROVIDE FOR THE SHARING OF ADMINISTRATIVE AND COSTS-SHARING RESPONSIBILITIES OF TWO OR MORE SCHOOL DISTRICTS WHICH WERE SIMULTANEOUSLY SERVED BY THE SAME SCHOOL ATTENDANCE OFFICER; TO PROVIDE FOR THE TRANSFER OF ANY UNUSED ACCUMULATED LEAVE; TO REQUIRE THE STATE TO PROVIDE FUNDING FOR ONE SCHOOL ATTENDANCE OFFICER FOR EVERY 3,000 COMPULSORY-SCHOOL-AGE CHILDREN IN ENROLLMENT IN THE PUBLIC SCHOOLS OF A COUNTY; TO ESTABLISH THE MINIMUM SALARY OF NEWLY HIRED SCHOOL ATTENDANCE OFFICERS BEGINNING JULY 1, 2024, AND AUTHORIZE LOCAL SCHOOL BOARDS TO PAY ADDITIONAL COMPENSATION ABOVE THE MINIMUM SALARY ON A SCALE ESTABLISHED BY THE LOCAL SCHOOL BOARD; TO PROVIDE THAT SCHOOL ATTENDANCE OFFICERS TRANSFERRED TO THE LOCAL SCHOOL DISTRICT FROM THE STATE DEPARTMENT OF EDUCATION SHALL BE COMPENSATED AT THE SAME SALARY RECEIVED FOR FISCAL YEAR 2024 RATE PLUS AN ADDITIONAL 25%; TO PROVIDE THAT SCHOOL ATTENDANCE OFFICERS SHALL NOT EXPERIENCE ANY INTERRUPTION OF SERVICE WITH THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE SCHOOL EMPLOYEES' HEALTH INSURANCE PLAN AS A RESULT OF THE TRANSFER OF EMPLOYMENT RESPONSIBILITY; TO AMEND SECTIONS 37-13-91 AND 37-13-107, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2332: Education

AN ACT TO AMEND SECTION 37-151-7, MISSISSIPPI CODE OF 1972, TO REVISE THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM FUNDING FORMULA TO PROVIDE THAT FOR EACH FISCAL YEAR BETWEEN THE RECALCULATION OF THE BASE STUDENT COST, THE BASE STUDENT COST SHALL BE INCREASED BY AN AMOUNT EQUAL TO 25% OF THE BASE STUDENT COST FOR THE PREVIOUS FISCAL YEAR, MULTIPLIED BY THE 20-YEAR AVERAGE ANNUAL RATE OF INFLATION ROUNDED UP TO THE NEAREST TENTH OF A PERCENT FOR THE STATE OF MISSISSIPPI AS DETERMINED BY THE STATE ECONOMIST, PLUS ANY ADJUSTMENTS FOR ADDITIONAL STATE REQUIREMENTS SUCH AS, BUT NOT LIMITED TO, TEACHER PAY RAISES AND HEALTH INSURANCE PREMIUM INCREASES; TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL CERTIFY TO EACH SCHOOL DISTRICT THAT 28 MILLS, LESS THE ESTIMATED AMOUNT OF THE YIELD OF THE SCHOOL AD VALOREM TAX REDUCTION FUND GRANTS AS DETERMINED BY THE STATE DEPARTMENT OF EDUCATION, SHALL

BE THE MILLAGE RATE REQUIRED TO PROVIDE THE DISTRICT REQUIRED LOCAL EFFORT FOR THAT YEAR, OR 29.5% OF THE BASIC ADEQUATE EDUCATION PROGRAM COST FOR SUCH SCHOOL DISTRICT, WHICHEVER IS A LESSER AMOUNT; TO REQUIRE 90% OF STATE CONTRIBUTIONS TO THE ADEQUATE EDUCATION PROGRAM FUNDS BE SPENT ON TEACHER SALARIES, CLASSROOM RESOURCES, ADD-ON PROGRAM COSTS AND EXPENSES OTHER THAN SALARIES FOR SUPERINTENDENTS, ASSISTANT SUPERINTENDENTS, PRINCIPALS, AND ASSISTANT PRINCIPALS, OR EQUIVALENT HEADS OF DISTRICT OR SCHOOL IN CHARTER SCHOOLS; TO PROVIDE THAT IF ANY CHARTER STUDENT RETURNS TO THE SCHOOL DISTRICT IN WHICH THE PUBLIC CHARTER SCHOOL IS LOCATED, THE CHARTER SCHOOL SHALL RETURN A PRORATED SHARE OF ADEQUATE EDUCATION PROGRAM PAYMENTS FOR THE STUDENT; TO PROVIDE THAT THE METHODOLOGY FOR THE REQUIRED STATE EFFORT IN SUPPORT OF THE ADEQUATE EDUCATION PROGRAM SHALL BE DETERMINED BY SUBTRACTING THE SUM OF THE REQUIRED LOCAL TAX EFFORT AND THE OTHER LOCAL REVENUE SOURCES IN AN AMOUNT NOT TO EXCEED 29.5% OF THE TOTAL PROJECTED ADEQUATE EDUCATION PROGRAM COST FROM THE TOTAL PROJECTED ADEQUATE EDUCATION PROGRAM COST; TO DELETE CERTAIN OUTDATED LANGUAGE; TO PROVIDE THAT IN FISCAL YEAR 2025, SUBJECT TO APPROPRIATIONS, NO SCHOOL DISTRICT SHALL RECEIVE LESS THAN A DISTRICT RECEIVED IN SAID STATE CONTRIBUTION IN FISCAL YEAR 2024; TO AMEND SECTION 37-57-1, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2333: Education
AN ACT TO AMEND SECTION 37-13-91, MISSISSIPPI CODE OF 1972, TO PROVIDE AN EXEMPTION FROM UNEXCUSED ABSENCES OF CHILDREN WITH DISABILITIES FOR ABSENCES RELATED TO THE DISABILITY AS DEFINED UNDER THE PROVISIONS OF THE FEDERAL INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) AND OTHER FEDERAL LAW; TO PROVIDE THAT THE STATE BOARD OF EDUCATION SHALL REQUIRE ANNUAL TRAINING FOR SCHOOL ATTENDANCE OFFICERS, WHICH SHALL INCLUDE COMPONENTS THAT EMPHASIZE PROVISIONS OF IDEA AND SECTION 504 OF THE REHABILITATION ACT; TO ENABLE SCHOOL ATTENDANCE OFFICERS TO PROPERLY IDENTIFY AND INTERACT WITH CHILDREN WITH DISABILITIES AS DEFINED HEREIN; AND FOR RELATED PURPOSES.
By Senator(s) Boyd

S. B. No. 2334: Education
AN ACT TO AMEND SECTION 37-11-18.1, MISSISSIPPI CODE OF 1972, TO REQUIRE HABITUALLY DISRUPTIVE STUDENTS TO BE EVALUATED FOR A DISABILITY UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) AFTER THE SECOND INCIDENT OF DISRUPTIVE BEHAVIOR; TO REQUIRE THE DEVELOPMENT OF BEHAVIORAL MODIFICATION PLANS FOR SUCH STUDENTS; AND FOR RELATED PURPOSES.
By Senator(s) Boyd

S. B. No. 2335: Education
AN ACT TO AMEND SECTION 37-14-3, MISSISSIPPI CODE OF 1972, TO DIRECT THE OFFICE OF HEALTHY SCHOOLS OF THE STATE DEPARTMENT OF EDUCATION TO DEVELOP A SALARY SCHEDULE FOR SCHOOL NURSES BASED ON THEIR EDUCATION AND EXPERIENCE THAT ALL SCHOOL DISTRICTS SHALL USE WHEN EMPLOYING SCHOOL NURSES, WHICH SCHEDULE SHALL BE THE MINIMUM SALARY AMOUNTS PAID TO SCHOOL NURSES; AND FOR RELATED PURPOSES.
By Senator(s) Parks

S. B. No. 2336: Education; Appropriations

AN ACT TO AMEND SECTION 37-13-89, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM BASE SALARY FOR SCHOOL ATTENDANCE OFFICERS; TO SET A SALARY SCALE FOR SCHOOL ATTENDANCE OFFICERS; TO AMEND SECTION 37-3-9, MISSISSIPPI CODE OF 1972, TO PROVIDE A LIMITATION ON THE SALARY OF THE STATE SUPERINTENDENT OF PUBLIC EDUCATION; TO AMEND SECTION 37-4-3, MISSISSIPPI CODE OF 1972, TO PROVIDE A LIMITATION ON THE SALARY OF THE EXECUTIVE DIRECTOR OF THE COMMUNITY COLLEGE BOARD; AND FOR RELATED PURPOSES.
By Senator(s) Williams

S. B. No. 2337: Education
AN ACT TO AMEND SECTION 37-12-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A SCHOOL DISTRICT OR CHARTER SCHOOL MAY ACCEPT CHAPLAINS, PASTORS, PRIESTS, RABBIS OR OTHER RELIGIOUS LEADERS AS VOLUNTEERS TO PROVIDE SUPPORT, SERVICES AND PROGRAMS FOR STUDENT-ORGANIZED PRAYER GROUPS, RELIGIOUS CLUBS OR OTHER RELIGIOUS GATHERINGS; TO PROVIDE THAT A SCHOOL DISTRICT OR CHARTER SCHOOL SHALL NOT ACCEPT AS A VOLUNTEER ANY INDIVIDUAL WHO HAS BEEN CONVICTED OF OR PLED GUILTY TO AN OFFENSE FOR WHICH A DEFENDANT IS REQUIRED TO REGISTER AS A SEX OFFENDER UNDER THE LAWS OF THIS STATE OR ANY OTHER STATE; AND FOR RELATED PURPOSES.
By Senator(s) McMahan

S. B. No. 2338: Education
AN ACT TO ENACT THE "PERIOD OF QUIET REFLECTION ACT"; TO AMEND SECTION 37-13-8, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN EACH PUBLIC SCHOOL CLASSROOM, THE LOCAL SCHOOL GOVERNING BOARD SHALL REQUIRE A BRIEF PERIOD OF QUIET REFLECTION FOR NOT MORE THAN 60 SECONDS AT THE OPENING OF EVERY SCHOOL DAY; AND FOR RELATED PURPOSES.
By Senator(s) Frazier

S. B. No. 2339: Education
AN ACT TO AMEND SECTION 37-16-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE BOARD OF EDUCATION SHALL DEVELOP A CURRICULUM RELATED TO THE STUDY OF SIGN LANGUAGE WHICH SHALL COUNT AS AN ACADEMIC CREDIT FOR FOREIGN LANGUAGES FOR THE PURPOSES OF HIGH SCHOOL GRADUATION REQUIREMENTS; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2340: Public Health and Welfare
AN ACT TO AMEND SECTION 41-29-136, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON HARPER GRACE'S LAW, WHICH AUTHORIZES RESEARCH AND THE DISPENSING, POSSESSION AND USE OF CANNABIDIOL (CBD OIL) FOR MEDICAL PURPOSES; AND FOR RELATED PURPOSES.
By Senator(s) Bryan

S. B. No. 2341: Public Health and Welfare; Appropriations
AN ACT TO AMEND SECTION 41-99-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT UNTIL 2026 THE STATE DEPARTMENT OF HEALTH SHALL USE FUNDS PROVIDED UNDER THIS SECTION TO MAKE PHYSICIAN GRANTS TO QUALIFIED HEALTH CENTERS; AND FOR RELATED PURPOSES.
By Senator(s) Bryan

S. B. No. 2342: Public Health and Welfare
AN ACT TO REENACT SECTIONS 41-3-1.1, 41-3-3, 41-3-4, 41-3-5.1, 41-3-6, 41-3-15, 41-3-16, 41-3-17, 41-3-18 AND 41-3-19, MISSISSIPPI CODE OF 1972, WHICH

CREATE THE STATE BOARD OF HEALTH, ESTABLISH THE POSITION OF EXECUTIVE OFFICER OF THE STATE DEPARTMENT OF HEALTH, AND ESTABLISH AND PRESCRIBE THE POWERS AND DUTIES OF THE STATE DEPARTMENT OF HEALTH; TO AMEND SECTION 41-3-20, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE REENACTED STATUTES; AND FOR RELATED PURPOSES.
By Senator(s) Bryan

S. B. No. 2343: Education
AN ACT TO ESTABLISH THE MISSISSIPPI MODIFIED SCHOOL CALENDAR GRANT PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF INCENTIVIZING PUBLIC SCHOOL DISTRICTS TO MAINTAIN OR CONSIDER ADOPTING A MODIFIED SCHOOL CALENDAR BY OFFSETTING COSTS ASSOCIATED WITH ADOPTING A MODIFIED SCHOOL CALENDAR THROUGH A TIME-LIMITED GRANT; TO REQUIRE THE DEPARTMENT TO DEVELOP REGULATIONS AND PROCEDURES TO GOVERN THE ADMINISTRATION OF THE GRANT PROGRAM, INCLUDING APPLICATION REQUIREMENTS; TO PROVIDE FOR THE ELIGIBILITY CRITERIA; TO PROVIDE THAT GRANTS AWARDED SHALL BE USED FOR EXPENSES INCURRED AS A RESULT OF THE ADOPTION OF A MODIFIED SCHOOL CALENDAR; TO PROVIDE THAT SCHOOL DISTRICTS SHALL BE ELIGIBLE FOR A MAXIMUM AWARD OF $250,000.00 PER YEAR FOR A MAXIMUM OF THREE YEARS; TO CREATE A SPECIAL FUND IN THE STATE TREASURY, TO BE KNOWN AS THE "MISSISSIPPI MODIFIED SCHOOL CALENDAR GRANT FUND"; TO REQUIRE THE DEPARTMENT TO PROVIDE A COMPREHENSIVE REPORT ON THE USE OF FUNDS DISTRIBUTED UNDER THIS GRANT PROGRAM TO THE GOVERNOR, LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND CHAIRS OF THE SENATE AND HOUSE APPROPRIATIONS AND EDUCATION COMMITTEES BY OCTOBER 1, 2024, AND OCTOBER 1 OF EACH YEAR THEREAFTER; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2344: Universities and Colleges; Finance
AN ACT TO CREATE NEW SECTION 37-125-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT JACKSON STATE UNIVERSITY SHALL CONSTRUCT A SIX HUNDRED ROOM STUDENT HOUSING PROJECT FOR ALL ELIGIBLE STUDENTS; TO PROVIDE THAT STUDENTS MAY BE HOUSED IN SUCH HOUSING PROJECT ON A FIRST-COME, FIRST-SERVED BASIS OR BY ANY OTHER LEGAL PROCEDURE ESTABLISHED BY JACKSON STATE UNIVERSITY; TO PROVIDE THAT THE PROJECT SHALL NOT BE EXEMPT FROM ANY CONTRACTING, BIDDING OR OTHER RESTRICTIONS CURRENTLY EXISTING IN STATUTE OR ANY RULE OR REGULATION ADOPTED BY THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING PERTAINING TO SUCH CONSTRUCTION; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th), Norwood, Simmons (13th), Blount, Butler, Jordan, Hickman, Jackson, Horhn, Frazier, Thomas, Brumfield

S. B. No. 2345: Public Health and Welfare
AN ACT TO AMEND SECTION 73-27-1, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF PODIATRIC MEDICINE TO INCLUDE TREATMENT OF THE FOOT AND ANKLE AND THEIR GOVERNING AND RELATED STRUCTURES; TO REQUIRE THE BOARD OF MEDICAL LICENSURE TO PROMULGATE RULES RELATED TO THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2346: Public Health and Welfare
AN ACT TO REENACT SECTIONS 73-7-1 THROUGH 73-7-37, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF COSMETOLOGY AND PRESCRIBE ITS POWERS AND DUTIES; TO AMEND REENACTED SECTIONS 73-7-1, 73-7-2, 73-7-3, 73-7-7, 73-7-9, 73-7-11, 73-7-12, 73-7-13, 73-7-14, 73-7-15, 73-7-16,

73-7-17, 73-7-18, 73-7-19, 73-7-21, 73-7-23, 73-7-25, 73-7-27, 73-7-29, 73-7-31, 73-7-33, 73-7-35, AND 73-7-37, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN TECHNICAL CHANGES TO THE STATE BOARD OF COSMETOLOGY; TO REVISE MEMBERSHIP TERMS AND APPOINTMENT CRITERIA; TO ESTABLISH ADDITIONAL BOARD RESPONSIBILITIES; TO REVISE THE LICENSURE FRAMEWORKS FOR THE PROFESSIONS REGULATED BY THE BOARD; TO PROVIDE FOR CERTAIN APPLICATION FEES; TO SET THE APPLICATION PROCESS FOR COSMETOLOGY SCHOOLS; TO PROVIDE FOR TEMPORARY LICENSES AND APPRENTICESHIP PROGRAMS; TO ESTABLISH CERTAIN PENALTIES, FINES AND APPEALS FOR VIOLATIONS OF THE ACT; TO AMEND SECTION 73-7-63, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE STATE BOARD OF COSMETOLOGY; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2347: Judiciary, Division B; Public Health and Welfare
AN ACT TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR ANY ANIMAL FACILITY TO RELEASE ANY DOG OR CAT WHICH HAS NOT BEEN STERILIZED TO A NEW OWNER EXCEPT UNDER LIMITED CIRCUMSTANCES; TO PROVIDE FOR FOSTER CARE AGREEMENT UNTIL SUCH TIME AS A DOG OR CAT IS MEDICALLY FIT TO SAFELY BE STERILIZED; TO AUTHORIZE ANIMAL FACILITIES TO CHARGE ADOPTION FEES TO COVER THE COSTS OF STERILIZATION; TO PROVIDE A CRIMINAL PENALTY FOR VIOLATION OF THE ACT; TO EXEMPT PRIVATELY OWNED ANIMALS WHO ARE CLAIMED WITHIN A SET TIME PERIOD; TO PROVIDE THAT AN ANIMAL FACILITY SHALL NOT BE SUBJECT TO ANY LIABILITY FOR STERILIZING A PRIVATELY OWNED ANIMAL WHICH IS NOT CLAIMED BY ITS OWNER WITHIN THE ESTABLISHED TIME PERIOD; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2348: Education; Appropriations
AN ACT TO AMEND SECTION 37-73-7, MISSISSIPPI CODE OF 1972, TO REVISE THE STATE WORKFORCE INVESTMENT BOARD'S LIST OF NATIONALLY RECOGNIZED INDUSTRY CERTIFICATIONS TO ENSURE REIMBURSEMENT FUNDS ONLY APPLY TO CERTAIN PRIORITY SECTORS; TO AMEND SECTION 37-153-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN GRANT FUNDS MAY BE USED TO INCREASE ACCESS TO QUALIFYING INDUSTRY CERTIFICATION OR TO PURCHASE NEEDED EQUIPMENT; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2349: Education
AN ACT TO REQUIRE SCHOOL BOARDS AND CHARTER SCHOOLS TO SUPPORT, ADOPT AND IMPLEMENT A CARDIAC EMERGENCY RESPONSE PLAN THAT ADDRESSES THE APPROPRIATE USE OF SCHOOL PERSONNEL TO RESPOND TO INCIDENTS INVOLVING AN INDIVIDUAL EXPERIENCING SUDDEN CARDIAC ARREST OR A LIFE-THREATENING EMERGENCY WHILE ON SCHOOL GROUNDS OR AT AN ATHLETIC EVENT; TO REQUIRE SCHOOLS TO WORK DIRECTLY WITH LOCAL EMERGENCY SERVICE PROVIDERS; TO ENSURE SCHOOLS TRAIN STAFF IN FIRST-AID, CPR AND AED USE; TO AMEND SECTION 73-25-37, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SCHOOL DISTRICTS, SCHOOL DISTRICT EMPLOYEES OR AGENTS ACTING IN GOOD FAITH WHO PROVIDE ASSISTANCE OR SERVICES UNDER THIS ACT SHALL BE IMMUNE FROM CIVIL PROSECUTION; TO AMEND SECTION 41-60-33, MISSISSIPPI CODE OF 1972, TO EXEMPT SCHOOL DISTRICT PERSONNEL FROM CERTAIN PREREQUISITES THAT A MISSISSIPPI LICENSED PHYSICIAN MUST EXERCISE MEDICAL CONTROL AUTHORITY OVER THE PERSON USING AN AED; AND FOR RELATED PURPOSES.
By Senator(s) Boyd

S. B. No. 2350: Education; Appropriations
AN ACT TO CREATE NEW SECTION 37-11-85, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SCHOOLS SHALL ALLOW EACH TEACHER AND ONE GUEST

ATTEND ANY SCHOOL-SPONSORED EXTRACURRICULAR EVENT FOR FREE; AND FOR RELATED PURPOSES.
By Senator(s) McLendon, Blackwell, Parker

S. B. No. 2351: Education
AN ACT TO AMEND SECTION 37-16-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE STUDENTS HAVING A DISABILITY AS DEFINED BY THE FEDERAL INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) TO OBTAIN A SPECIAL MISSISSIPPI OCCUPATIONAL DIPLOMA; TO DELETE CERTAIN PROHIBITIONS RELATED THERETO; AND FOR RELATED PURPOSES.
By Senator(s) McLendon, Blackwell, Parker

THIRTY-NINTH DAY, FRIDAY, FEBRUARY 9, 2024

The Senate met at 9:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.
Absent--Barrett, Carter, DeLano, Hill, McCaughn, Parks. Total--6.

The Secretary announced a quorum present.

The invocation was delivered by Senator Horhn.

Senator England led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:
The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Rhodes moved that when the Senate adjourns, it adjourn in memory of Willerma Toler Hood of Shelby, MS.

Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Joseph Liston Speed of Yazoo County, MS.

Senators Blount, Frazier, Norwood, Horhn and Chassaniol moved that when the Senate adjourns, it adjourn in memory of Dr. William Charles Sallis of Jackson, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Sidney Lamar Thompson, Sr. of Columbus, MS.

Senators Blackmon and Chassaniol moved that when the Senate adjourns, it adjourn in memory of Christne Tolliver, Victor Nolden, Devonte Ashford, Marvin March, Kobe Vaughns and Travon Simmons of Kosciusko, MS.

Senators Blackmon and Chassaniol moved that when the Senate adjourns, it adjourn in memory of Mike Hutchinson and Jan Hutchinson of McCool, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Brian Dwayne Cameron of McHenry, MS.

Senator Polk moved that the Senate stand in recess until 11:00 AM, at which time the Senate would then adjourn until 4:00 PM, Monday, February 12, 2024.

The motion prevailed, and at 9:12 AM, the Senate stood in recess.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 634: AN ACT TO AMEND SECTION 45-9-131, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE GOVERNMENTAL AGENCY OF CERTAIN LAW ENFORCEMENT OFFICERS TO DETERMINE THE AMOUNT TO BE PAID FOR A SIDEARM OF RETIRED LAW ENFORCEMENT OFFICERS; AND FOR RELATED PURPOSES.

H. B. No. 970: AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE SERVICES AND MANAGED CARE PROVISIONS IN THE MEDICAID PROGRAM; TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MEDICAID PROVIDER ASSESSMENT PROVISIONS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. C. R. No. 26: A CONCURRENT RESOLUTION ADOPTING JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES FOR THE 2024-2028 TERM OF THE MISSISSIPPI LEGISLATURE.

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. C. R. No. 26: Joint Rules; adopt for 2024-2028 term. Rules.

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

H. C. R. No. 26: Joint Rules; adopt for 2024-2028 term. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:00 AM in memory of Willerma Toler Hood, Joseph Liston Speed, Dr. William Charles Sallis, Sidney Lamar Thompson, Sr., Brian Dwayne Cameron, Christne Tolliver, Victor Nolden, Devonte Ashford, Marvin March, Kobe Vaughns, Travon Simmons, Mike Hutchinson and Jan Hutchinson.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR FRIDAY, FEBRUARY 9, 2024

FORTY-SECOND DAY, MONDAY, FEBRUARY 12, 2024

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Absent--Carter, Simmons D. T. (12th). Total--2.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Simmons D. T. (12th).

The invocation was delivered by Reverend Ryan McGough, Associate Pastor, St. Marks United Methodist Church, Brandon, MS.

Senator McCaughn led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 634: Sidearm of retired or deceased law enforcement officer; provide that the employing agency shall determine the amount. Judiciary, Division B.

Senator Kirby called up the following entitled nomination:

S. N. No. 39: Elizabeth Ashley (Beth) Harkins, Madison, Mississippi, Mississippi Commission on the Status of Women as the Single Mother representative, four year term beginning July 1, 2023 and ending June 30, 2027, vice Sherri Carr Bevis.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 39 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson,

Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Carter, Simmons D. T. (12th). Total--2.

Voting Present--Harkins. Total--1.

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 515, S. C. R. No. 516, S. C. R. No. 517, S. C. R. No. 518 and S. C. R. No. 519 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

S. C. R. No. 515: Mourn the passing and recognize legal career of former Mississippi Supreme Court Justice James L. Robertson.

S. C. R. No. 516: Recognize Mississippi Supreme Court Presiding Justice Leslie D. King for "60 Courageous Judges Award."

S. C. R. No. 517: Extend sympathy of the Legislature on the passing of Margarett Allen-Bingham first female superintendent of correctional facility in MS.

S. C. R. No. 518: Mourn the loss and celebrate the contributions and career of Mississippi music icon and Tropical Rock legend Jimmy Buffett.

S. C. R. No. 519: Congratulate Ole Miss "Rebels" 2023 Football Team for historic season and dominating Peach Bowl victory.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 515, S. C. R. No. 516, S. C. R. No. 517, S. C. R. No. 518 and S. C. R. No. 519. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Carter, Simmons D. T. (12th). Total--2.

Unanimous consent was granted to add Senators Blount, Boyd, Branning, Frazier, McCaughn, Norwood, Sparks, Suber and Thompson as co-authors of **S. C. R. No. 515**.

Unanimous consent was granted to add Senators Blount, Branning, Frazier, Hopson, Michel, Norwood and Thompson as co-authors of **S. C. R. No. 516**.

Unanimous consent was granted to add Senators Branning and Frazier as co-authors of **S. C. R. No. 517**.

Unanimous consent was granted to add Senators Berry, Boyd, DeBar, Frazier, Hopson, McCaughn, McLendon, Michel, Norwood, Seymour, Sparks, Suber and Thompson as co-authors of **S. C. R. No. 518**.

Unanimous consent was granted to add Senators Blackwell, Boyd, Jackson, McCaughn, McLendon, Norwood, Sparks and Suber as co-authors of **S. C. R. No. 519**.

Senator Kirby called up the following entitled resolution:

H. C. R. No. 26: Joint Rules; adopt for 2024-2028 term.

YEAS AND NAYS On H. C. R. No. 26. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Nays--None.
Absent and those not voting--Carter, Simmons D. T. (12th). Total--2.

President Hosemann yielded the gavel to Senator Hopson, who presided over the Senate.

Senator Rhodes moved that when the Senate adjourns, it adjourn in memory of Walter Wallace Patrick of Pelahatchie, MS.

Senator Rhodes moved that when the Senate adjourns, it adjourn in memory of James Frank Hankins of Delta City, MS.

Senator Jordan moved that when the Senate adjourns, it adjourn in memory of Lille Shotwell Russell of Greenwood, MS.

Senators Younger and Bryan moved that when the Senate adjourns, it adjourn in memory of Fred Richard "Bud" Stevens of Nettleton, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Ellis "Big Daddy" Jaudon of Greenwood Springs, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Roxane Marie Letort Radich of St. Martin Community, MS.

Senators Thompson and Bryan moved that when the Senate adjourns, it adjourn in memory of Mayor Eddie Favre of Bay St. Louis, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, February 13, 2024.

The motion prevailed, and at 4:28 PM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Walter Wallace Patrick, James Frank Hankins, Lille Shotwell Russell, Fred Richard "Bud" Stevens, Ellis "Big Daddy" Jaudon, Roxane Marie Letort Radich and Mayor Eddie Favre.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR MONDAY, FEBRUARY 12, 2024

S. B. No. 2352: Corrections; Government Structure

AN ACT TO AMEND SECTION 47-7-5, MISSISSIPPI CODE OF 1972, TO PRESCRIBE QUALIFICATIONS FOR MEMBERS OF THE STATE PAROLE BOARD TO CONSIST OF MEMBERS WITH BACKGROUNDS IN LAW ENFORCEMENT, CRIMINAL DEFENSE LAW, PROSECUTORIAL LAW AND BUSINESS; TO PROVIDE FOR AN EXECUTIVE SECRETARY OF THE STATE PAROLE BOARD; TO AMEND SECTION 47-7-13, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT TO HOLD PAROLE HEARINGS AT THE MISSISSIPPI STATE PENITENTIARY; TO REQUIRE THAT PAROLE HEARINGS BE MADE AVAILABLE TO THE PUBLIC VIA INTERNET WEBCAST; TO AMEND SECTION 47-7-17, MISSISSIPPI CODE OF 1972, TO REQUIRE NOTICE OF PAROLE HEARINGS TO BE PUBLISHED ON THE MISSISSIPPI DEPARTMENT OF CORRECTIONS' WEBSITE; TO AMEND NOTICE REQUIREMENTS TO VICTIMS AND CERTAIN FAMILY MEMBERS OF VICTIMS; AND FOR RELATED PURPOSES.

By Senator(s) Hill, Seymour

S. B. No. 2353: Corrections; Appropriations

AN ACT TO PHASEDOWN THE OPERATION OF THE STATE PENITENTIARY AT PARCHMAN IN SUNFLOWER AND QUITMAN COUNTIES OVER A FOUR-YEAR PERIOD AND TRANSFER ITS INMATES, EMPLOYEES AND PROGRAMS TO OTHER STATE AND REGIONAL FACILITIES OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; TO AUTHORIZE AND DIRECT THE COMMISSIONER OF CORRECTIONS TO DEVELOP AND SUBMIT TO THE LEGISLATURE A PLAN TO IMPLEMENT THIS PHASEDOWN UNDER CERTAIN CONDITIONS AND TO PROMULGATE REGULATIONS NECESSARY TO IMPLEMENT THE PLAN; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO HOLD THE LAND AT PARCHMAN IN TRUST AND TO LEASE THE GROUNDS AND BUILDINGS FOR AGRICULTURAL, INDUSTRIAL, COMMERCIAL, RESIDENTIAL RECREATIONAL OR OTHER USES FOR A GROUND RENTAL UNDER CERTAIN CONDITIONS; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO DESIGNATE AN EXISTING BUILDING AT PARCHMAN FOR THE DELIVERY OF MENTAL HEALTH SERVICES TO INMATES WITH MENTAL ILLNESS INCARCERATED IN ANY STATE OR REGIONAL CORRECTIONAL FACILITY TO BE KNOWN AS THE "NORTHWEST MISSISSIPPI FACILITY FOR THE TREATMENT AND CARE OF INMATES WITH

MENTAL ILLNESS," AND TO PRESCRIBE STANDARDS FOR THE OPERATION OF SAID MENTAL HEALTH TREATMENT FACILITY; TO PROVIDE THAT ANY BUILDINGS OR OTHER FACILITIES REMAINING AT PARCHMAN SHALL BE RENAMED "NORTHWEST MISSISSIPPI CORRECTIONAL FACILITY"; TO AMEND SECTIONS 47-4-1, 47-5-3, 47-5-5, 47-5-6, 47-5-10, 47-5-20, 47-5-28, 47-5-30, 47-5-64 AND 47-5-66, MISSISSIPPI CODE OF 1972, TO CREATE THE CORRECTIONAL INFRASTRUCTURE AND INMATE HOUSING FUND AND IN CONFORMITY THERETO; TO AMEND SECTION 47-5-35, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES AND RESPONSIBILITIES OF THE CORRECTIONAL AUDITOR; TO AMEND SECTIONS 47-5-539 AND 47-5-579, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO EXPAND THE PILOT WORK INITIATIVE UNDER THE MISSISSIPPI PRISON INDUSTRIES CORPORATION AT CENTRAL MISSISSIPPI CORRECTIONAL FACILITY TO ANY STATE, REGIONAL AND PRIVATE CORRECTIONAL FACILITY IN THE STATE OF MISSISSIPPI WHICH HOUSE INMATES UNDER THE JURISDICTION OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; TO PRESCRIBE CERTAIN CONDITIONS FOR THE OPERATION OF THE MISSISSIPPI PRISON INDUSTRIES PROGRAM; TO DELETE THE AUTOMATIC REPEALER ON THE PRISON INDUSTRIES PROGRAM; TO DELETE THE AUTOMATIC REPEALER ON THE MISSISSIPPI EARNED PAROLE ELIGIBILITY ACT OF 2021; TO BRING FORWARD SECTION 1 OF CHAPTER 479, LAWS OF 2021; TO AMEND SECTIONS 47-7-3 AND 47-7-5, MISSISSIPPI CODE OF 1972, AND BRING FORWARD SECTIONS 47-7-3.1, 47-7-3.2, 47-7-15, 47-7-17 AND 47-7-18, MISSISSIPPI CODE OF 1972, IN CONFORMITY; TO AMEND SECTIONS 47-5-473, 47-5-577, 47-5-911 AND 47-5-1251, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALERS ON THE CORRECTIONAL SYSTEM PILOT WORK RELEASE PROGRAM, THE CORRECTIONAL SYSTEM MISSISSIPPI PRISON INDUSTRIES ACT OF 1990, THE CORRECTIONAL SYSTEM PRISON INDUSTRIES PILOT WORK INITIATIVE AT CENTRAL MISSISSIPPI CORRECTIONAL FACILITY, THE CORRECTIONAL SYSTEM PROVISIONS FOR STATE OFFENDERS SERVING SENTENCES IN COUNTY JAILS, THE CORRECTIONAL SYSTEM PRISON INDUSTRY ENHANCEMENT PROGRAM AND THE CORRECTIONAL SYSTEM PROBATION AND PAROLE LAW; AND FOR RELATED PURPOSES.
By Senator(s) Barnett

S. B. No. 2354: Accountability, Efficiency, Transparency
AN ACT TO AMEND REENACTED SECTION 19-5-333, MISSISSIPPI CODE OF 1972, TO REQUIRE THE CMRS BOARD TO ADJUST THE CMRS SERVICE CHARGE ON OCTOBER 1, 2024, AND EVERY FIFTH YEAR THEREAFTER; TO REQUIRE THAT SUCH ADJUSTED CMRS SERVICE CHARGE SHALL BECOME THE NEW BASELINE AMOUNT FOR DETERMINING ANY FUTURE INCREASE, AND TO REQUIRE THE CMRS BOARD TO NOTIFY CMRS PROVIDERS OF ANY INCREASE NOT LESS THAN 60 DAYS PRIOR TO ANY EFFECTIVE DATE OF ADJUSTMENT; TO REPEAL SECTION 19-5-371, MISSISSIPPI CODE OF 1972, WHICH REPEALS CERTAIN CODE SECTIONS CONCERNING EMERGENCY TELEPHONE SERVICE, ENHANCED WIRELESS EMERGENCY TELEPHONE SERVICE, AND EMERGENCY TELECOMMUNICATIONS; TO BRING FORWARD SECTIONS 19-5-331, 19-5-335, 19-5-337, 19-5-339 AND 19-5-341, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2355: Judiciary, Division B
AN ACT TO ENACT WALKER'S LAW TO CREATE THE OFFENSE OF SEXUAL EXTORTION; TO DEFINE TERMS; TO CREATE THE OFFENSE OF SEXUAL EXTORTION AND AGGRAVATED SEXUAL EXTORTION; TO CREATE THE OFFENSE OF MISDEMEANOR SEXUAL EXTORTION WHEN THE OFFENDER IS A MINOR; TO PROVIDE CRIMINAL PENALTIES FOR THE OFFENSES; TO DEFINE PROPER CRIMINAL VENUE FOR THE PROSECUTION OF OFFENSES CREATED UNDER THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Williams

S. B. No. 2356: Judiciary, Division B

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO EDWARD CARTER, SR., OF CLAIBORNE COUNTY, MISSISSIPPI.

By Senator(s) Butler, Hickman, Blackmon, Jordan, Horhn, Norwood

S. B. No. 2357: Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO DELETE THE CRIMINAL PENALTY FOR THE POSSESSION OF LESS THAN 2.5 OUNCES OF MARIJUANA; TO AMEND SECTIONS 33-13-520, 41-29-149.1 AND 41-29-150, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2358: Judiciary, Division B

AN ACT TO AMEND SECTION 97-17-97, MISSISSIPPI CODE OF 1972, TO INCREASE THE CRIMINAL PENALTY FOR TRESPASS AFTER WARNING; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2359: Judiciary, Division B; Appropriations

AN ACT TO ENACT THE CONCEALED-CARRY LICENSE FOR VETERANS ACT TO PROVIDE A REDUCED FEE FOR ELIGIBLE MILITARY VETERANS WHO APPLY FOR A CONCEALED-CARRY LICENSE; TO DEFINE TERMS; TO PROVIDE ELIGIBILITY REQUIREMENTS; TO SET A FEE FOR AN ELIGIBLE VETERAN WHO APPLIES FOR A CONCEALED-CARRY LICENSE; TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Ladner

S. B. No. 2360: Judiciary, Division B

AN ACT TO REQUIRE COUNTY AND MUNICIPAL LAW ENFORCEMENT AGENCIES TO DEVELOP AND IMPLEMENT A MOTOR VEHICLE POLICE PURSUIT POLICY BY A CERTAIN DATE; TO PROVIDE CERTAIN CRITERIA FOR THE POLICY; TO PROVIDE THAT A PURSUIT MAY ONLY PROCEED AND CONTINUE INTO ANOTHER POLITICAL SUBDIVISION UNDER CERTAIN CIRCUMSTANCES IF THERE IS NO AGREEMENT WITH THE OTHER POLITICAL SUBDIVISION; TO PROVIDE THAT IF A LOCAL LAW ENFORCEMENT AGENCY FAILS TO ADOPT A POLICY, THEN THE AGENCY SHALL NOT RECEIVE CERTAIN ACCREDITATION; TO PROVIDE THAT THE OFFICE OF STANDARDS AND TRAINING OF THE DEPARTMENT OF PUBLIC SAFETY SHALL DETERMINE WHETHER THE AGENCIES HAVE IMPLEMENTED A POLICY; TO REQUIRE THE DEPARTMENT TO ISSUE CERTAIN NOTICE TO THE AGENCIES FOR NONCOMPLIANCE; TO AUTHORIZE THE DEPARTMENT TO ISSUE A CERTIFICATE OF NONCOMPLIANCE TO THE DEPARTMENT OF REVENUE TO WITHHOLD CERTAIN PAYMENTS AND ALLOCATIONS THAT WOULD OTHERWISE BE PAYABLE TO A COUNTY OR MUNICIPALITY UNTIL SUCH TIME THAT THE DEPARTMENT OF REVENUE RECEIVES WRITTEN NOTICE OF THE CANCELLATION OF A CERTIFICATE OF NONCOMPLIANCE FROM THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTIONS 27-5-101, 27-65-75, 45-1-43, 65-33-45 AND 99-3-13, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Simmons (12th)

S. B. No. 2361: Judiciary, Division B

AN ACT TO CONSOLIDATE THE STATUTES CONCERNING EXPUNGEMENT; TO CREATE A UNIFIED EXPUNGEMENT STATUTE; TO PROVIDE FOR THE LEGAL EFFECT OF AN ORDER TO EXPUNGE; TO PROVIDE FOR EXPUNGEMENT OF MISDEMEANOR AND FELONY CONVICTIONS; TO SPECIFY RECORDS THAT MAY NOT BE EXPUNGED; TO PROVIDE FOR EXPUNGEMENT OF A FIRST-OFFENSE DUI CONVICTION; TO PROVIDE FOR EXPUNGEMENT UPON COMPLETION OF INTERVENTION COURT; TO PROVIDE FOR EXPUNGEMENT OF CONVICTIONS FOR

PURCHASE OF LIGHT WINE OR BEER BY MINORS; TO PROVIDE FOR CERTAIN NONCONVICTIONS; TO SET FILING FEES ACCORDING TO PREEXISTING LAW; TO REQUIRE INTERSTATE IDENTIFICATION INDEX REPORTS; TO REQUIRE CLERKS OF COURT TO SUBMIT POST-EXPUNGEMENT RECORDS; TO AMEND SECTION 9-11-15, MISSISSIPPI CODE OF 1972, TO CONFORM EXPUNGEMENTS IN THE JUSTICE COURTS; TO AMEND SECTION 9-23-23, MISSISSIPPI CODE OF 1972, TO CONFORM EXPUNGEMENTS IN INTERVENTION COURTS; TO AMEND SECTION 21-23-7, MISSISSIPPI CODE OF 1972, TO CONFORM EXPUNGEMENT IN MUNICIPAL COURTS; TO AMEND SECTION 41-29-150, MISSISSIPPI CODE OF 1972, TO CONFORM EXPUNGEMENT OF CERTAIN DRUG CHARGES; TO AMEND SECTION 45-27-21, MISSISSIPPI CODE OF 1972, TO CONFORM RECORD-KEEPING REQUIREMENTS FOR THE CRIMINAL INFORMATION CENTER; TO AMEND SECTION 63-11-30, MISSISSIPPI CODE OF 1972, TO CONFORM THE EXPUNGEMENT OF DUI RECORDS; TO AMEND SECTION 99-15-26, MISSISSIPPI CODE OF 1972, TO CONFORM NONADJUDICATION PROVISIONS; TO REPEAL SECTION 99-15-59, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT ANY PERSON WHO IS ARRESTED, ISSUED A CITATION, OR HELD FOR ANY MISDEMEANOR AND NOT FORMALLY CHARGED OR PROSECUTED WITH AN OFFENSE WITHIN 12 MONTHS OF ARREST, OR UPON DISMISSAL OF THE CHARGE, MAY APPLY TO THE COURT WITH JURISDICTION OVER THE MATTER FOR THE CHARGES TO BE EXPUNGED; TO REPEAL SECTION 99-19-71, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR EXPUNGEMENT OF CERTAIN FELONY AND MISDEMEANOR CONVICTION RECORDS; TO REPEAL SECTION 99-19-72, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR FILING FEES FOR CERTAIN PETITIONS FOR EXPUNGEMENT AND THE DISPOSITION THEREOF; AND FOR RELATED PURPOSES.
By Senator(s) Norwood

S. B. No. 2362: Judiciary, Division B
AN ACT TO PROHIBIT RETAIL FOOD ESTABLISHMENTS FROM IMPOSING COST-PLUS PRICING FORMULAS WITHOUT PUBLICLY POSTING NOTICE OF THE COST-PLUS PRICING FORMULA; TO PROVIDE A PENALTY FOR THE CRIME; TO PROVIDE THAT A VIOLATION OF THE SECTION SHALL CONSTITUTE AN UNLAWFUL TRADE PRACTICE; AND FOR RELATED PURPOSES.
By Senator(s) Norwood, Brumfield, Butler

S. B. No. 2363: Judiciary, Division B
AN ACT TO ENACT THE RESPONSIBLE FIREARM PURCHASING ACT TO PROHIBIT THE PURCHASE OF A FIREARM BY A MINOR; TO DEFINE TERMS; TO PROVIDE THAT IT IS UNLAWFUL FOR A MINOR TO PURCHASE A FIREARM, HANDGUN, AMMUNITION OR ARMOR PIERCING AMMUNITION; TO PROVIDE THAT IT IS UNLAWFUL TO SELL A MINOR A FIREARM, HANDGUN, AMMUNITION OR ARMOR PIERCING AMMUNITION; TO PROVIDE THAT THE SALE OF A FIREARM, HANDGUN, AMMUNITION OR ARMOR PIERCING AMMUNITION SHALL COMPLY WITH ALL STANDARDS AS PROVIDED BY FEDERAL AND STATE LAW; TO PROVIDE CRIMINAL PENALTIES FOR A VIOLATION OF THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Norwood, Simmons (13th), Thomas, Brumfield

S. B. No. 2364: Judiciary, Division A; Constitution
AN ACT TO PROVIDE THAT THE GOVERNOR MAY RESTORE THE RIGHT OF SUFFRAGE TO CERTAIN PERSONS DISQUALIFIED BY REASON OF CONVICTION OF A DISENFRANCHISING CRIME; TO PROVIDE THAT A PERSON SHALL BE ENFRANCHISED AFTER COMPLETING ANY SENTENCE AND PAYING ANY FINES IMPOSED BY THE SENTENCING COURT FOR SUCH CRIME; TO REQUIRE THE MISSISSIPPI DEPARTMENT OF CORRECTIONS OR THE SENTENCING COURT, WHICHEVER IS APPROPRIATE, TO ISSUE A WRITTEN REPORT TO THE GOVERNOR ON PERSONS WHO MEET THE REQUISITE CONDITIONS FOR RESTORATION OF SUFFRAGE RIGHTS; TO AMEND SECTION 23-15-11,

MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-19, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERSON WHO PRESENTS AN EXECUTIVE ORDER RESTORING THE RIGHT OF SUFFRAGE SHALL NOT BE DENIED THE RIGHT TO REGISTER TO VOTE BASED ON A CONVICTION OF A DISENFRANCHISING CRIME; TO AMEND SECTION 23-15-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CIRCUIT CLERK SHALL KEEP A FILE OF CERTIFIED COPIES OF EXECUTIVE ORDERS RESTORING SUFFRAGE RIGHTS; TO AMEND SECTIONS 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VOTER ROLL AND POLLBOOKS MUST BE UPDATED IN A MANNER CONSISTENT WITH THIS ACT; TO AMEND SECTIONS 23-15-39 AND 23-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL ADOPT VOTER REGISTRATION APPLICATIONS WHICH STATE THAT A PERSON RESTORED THE RIGHT OF SUFFRAGE BY EXECUTIVE ORDER IS NOT DISQUALIFIED FROM REGISTERING TO VOTE; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL UPDATE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM IN A MANNER THAT WILL ALLOW LOCAL ELECTION OFFICIALS TO VERIFY WHETHER A PERSON HAS BEEN ISSUED AN EXECUTIVE ORDER RESTORING SUFFRAGE RIGHTS; TO AMEND SECTIONS 47-7-31, 47-7-41 AND 47-5-157, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO INVESTIGATE AND ISSUE REGULAR WRITTEN REPORTS TO THE GOVERNOR ON THOSE PERSONS WHO SHOULD BE CONSIDERED FOR EXECUTIVE PARDON; TO CREATE A SECTION OF LAW TO PROVIDE THAT ANY PERSON GRANTED AN EXECUTIVE PARDON SHALL BE ENTITLED TO HAVE HIS OR HER RECORD EXPUNGED; AND FOR RELATED PURPOSES.
By Senator(s) Norwood

S. B. No. 2365: Elections; Constitution
AN ACT TO CREATE THE RESTORATION OF VOTING RIGHTS ACT; TO PROVIDE THAT A PERSON WHO WAS DISQUALIFIED AS AN ELECTOR FOR COMMISSION OF CERTAIN CRIMES SHALL HAVE THE RIGHT TO VOTE RESTORED AUTOMATICALLY UPON COMPLETION OF THE SENTENCE AND FOLLOWING A TWO-YEAR WAITING PERIOD; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.
By Senator(s) Norwood, Butler, Hickman, Brumfield, Simmons (12th)

S. B. No. 2366: Elections
AN ACT TO AMEND SECTION 23-15-359, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE USE OF A POST OFFICE BOX NUMBER AS A QUALIFYING ADDRESS FOR A CANDIDATE FILING TO RUN FOR PUBLIC OFFICE AND TO REQUIRE THE CANDIDATE TO PROVIDE A PHYSICAL ADDRESS FOR HIS OR HER PLACE OF RESIDENCE; AND FOR RELATED PURPOSES.
By Senator(s) Norwood, Simmons (13th), Thomas

S. B. No. 2367: Elections
AN ACT TO CREATE A NEW SECTION IN TITLE 23, CHAPTER 15, ARTICLE 27, MISSISSIPPI CODE OF 1972, TO PROHIBIT RANKED-CHOICE VOTING IN STATEWIDE, COUNTY, LOCAL, MUNICIPAL OR SCHOOL DISTRICT ELECTIONS; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2368: Elections; Constitution
AN ACT TO RESTORE THE RIGHT TO VOTE UPON COMPLETION OF ANY PRISON TIME SENTENCED FOR A FELONY CONVICTION; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

S. B. No. 2369: Elections

AN ACT TO AMEND SECTION 23-15-573, MISSISSIPPI CODE OF 1972, TO ALLOW INDIVIDUALS TO VOTE BY AFFIDAVIT ON ELECTION DAY, IF THE INDIVIDUAL REGISTERED AFTER THE THIRTY-DAY QUALIFYING CUTOFF, BUT BEFORE ELECTION DAY; AND FOR RELATED PURPOSES.
By Senator(s) Hickman, Jackson, Turner-Ford, Blackmon, Butler, Brumfield, Jordan, Simmons (12th)

S. B. No. 2370: Drug Policy; Judiciary, Division B
AN ACT TO AMEND SECTION 41-29-117, MISSISSIPPI CODE OF 1972, TO INCLUDE MITRAGYNINE AND 7-HYDROXYMITRAGYNINE AS A SCHEDULE III CONTROLLED SUBSTANCE; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

S. B. No. 2371: Technology; Finance
AN ACT TO AMEND SECTION 57-87-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE SPEED OF EQUIPMENT USED IN THE DEPLOYMENT OF BROADBAND TECHNOLOGIES FROM 384 KILOBITS PER SECOND TO A DOWNLOAD SPEED OF 25 MEGABITS PER SECOND AND AN UPLOAD SPEED OF THREE MEGABITS PER SECOND REGARDING AD VALOREM TAX EXEMPTION; TO BRING FORWARD SECTION 57-73-21, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Rhodes, Williams, Robinson

S. B. No. 2372: Economic and Workforce Development; Accountability, Efficiency, Transparency
AN ACT TO ESTABLISH A MISSISSIPPI DEPARTMENT OF LABOR; TO SET FORTH AND PRESCRIBE THE FUNCTIONS OF ADMINISTRATIVE OFFICES IN THE DEPARTMENT; TO PROVIDE FOR THE ELECTION OF THE COMMISSIONER OF LABOR; TO AMEND SECTION 71-5-101, MISSISSIPPI CODE OF 1972, TO ABOLISH THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY AND TRANSFER THE DUTIES, POWERS AND FUNDS OF THE DEPARTMENT TO THE OFFICE OF EMPLOYMENT SECURITY IN THE MISSISSIPPI DEPARTMENT OF LABOR; TO REPEAL SECTION 71-5-107, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY; TO EMPOWER THE DEPARTMENT OF LABOR TO ADMINISTER AND COORDINATE CERTAIN FEDERAL AND STATE-FUNDED JOB TRAINING AND EMPLOYMENT-RELATED EDUCATION PROGRAMS; TO PRESCRIBE THE RESPONSIBILITIES OF THE OFFICE OF INDUSTRY SERVICE AND INDUSTRY START-UP TRAINING, THE OFFICE OF EMPLOYEE RELATIONS AND JOB DISCRIMINATION AND THE OFFICE OF DISABLED EMPLOYEE ASSISTANCE IN THE DEPARTMENT; TO AMEND SECTIONS 7-1-351, 7-1-355, 7-1-357, 7-1-361, 7-1-363 AND 7-1-365, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTION 25-3-31, MISSISSIPPI CODE OF 1972, TO SET THE ANNUAL SALARY OF THE COMMISSIONER OF LABOR; TO AMEND SECTIONS 23-15-193 AND 23-15-297, MISSISSIPPI CODE OF 1972, TO ADD THE COMMISSIONER OF LABOR TO THE LIST OF ELECTED OFFICIALS; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2373: Labor; Government Structure
AN ACT TO ENACT THE MISSISSIPPI WORKPLACE SAFETY ACT; TO DEFINE RELEVANT TERMS; TO PREVENT INSPECTORS AUTHORIZED UNDER THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION OR OTHER APPLICABLE LAW TO SELECT A NONEMPLOYEE REPRESENTATIVE EXCEPT UNDER CERTAIN CIRCUMSTANCES; TO PROVIDE REQUIREMENTS FOR HIRING ACCEPTABLE NONEMPLOYEE REPRESENTATIVES; TO PROVIDE RELIEF FOR AGGRIEVED EMPLOYERS; TO ALLOW EMPLOYERS TO ASSERT VIOLATIONS OF THIS ACT IN JUDICIAL OR ADMINISTRATIVE PROCEEDINGS; TO INSTITUTE A FINE FOR A KNOWING VIOLATION OF THIS ACT; TO PROHIBIT USE OF SOVEREIGN IMMUNITY AS AN AFFIRMATIVE DEFENSE IN ANY ACTION PURSUANT TO THIS ACT; TO NOTE

THAT THIS ACT IS SEVERABLE; TO PROVIDE FOR JUDICIAL DECISIONS NAMING THIS ACT INVALID, UNDULY BURDENSOME, OR UNCONSTITUTIONALLY VAGUE; TO ALLOW THE LEGISLATURE AND THE GOVERNOR TO INTERVENE AS A MATTER OF RIGHT IN ANY CASE WHERE THE CONSTITUTIONALITY OF THIS ACT IS CHALLENGED; AND FOR RELATED PURPOSES.
By Senator(s) Hill, Chism, Seymour

S. B. No. 2374: Education
AN ACT TO AMEND SECTION 37-28-55, MISSISSIPPI CODE OF 1972, TO MODIFY THE FORMULA FOR CALCULATING THE AMOUNT OF PRO RATA AD VALOREM FUNDS TO BE PAID TO CHARTER SCHOOLS BY LOCAL SCHOOL DISTRICTS TO ENSURE EQUITABLE FUNDING BETWEEN EACH SCHOOL; AND FOR RELATED PURPOSES.
By Senator(s) Norwood, Simmons (12th), Simmons (13th), Thomas, Hickman, Brumfield

S. B. No. 2375: Education
AN ACT TO AMEND SECTION 37-11-57, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE USE OF CORPORAL PUNISHMENT IN PUBLIC AND CHARTER SCHOOLS TO DISCIPLINE A STUDENT; TO PROVIDE THAT ANY EMPLOYEE WHO VIOLATES THE CORPORAL PUNISHMENT PROHIBITION SHALL BE HELD LIABLE FOR CIVIL DAMAGES SUFFERED AS A RESULT OF THE ADMINISTRATION OF CORPORAL PUNISHMENT; AND FOR RELATED PURPOSES.
By Senator(s) Norwood

S. B. No. 2376: Public Health and Welfare
AN ACT TO AMEND SECTION 73-9-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A DENTAL HYGIENIST MAY WORK UNDER GENERAL SUPERVISION OF A DENTIST IN A LICENSED NURSING HOME IF THE HYGIENIST MEETS CERTAIN REQUIREMENTS; TO PROVIDE THAT A DENTAL HYGIENIST WHO QUALIFIES UNDER THIS ACT SHALL HAVE NO LIMIT ON THE NUMBER OF DAYS THAT THE HYGIENIST MAY WORK UNDER GENERAL SUPERVISION BUT SHALL ADHERE TO ALL OTHER RESTRICTIONS SET FORTH IN STATUTE OR OTHERWISE REQUIRED BY THE STATE BOARD OF DENTAL EXAMINERS; TO AUTHORIZE SUCH DENTAL HYGIENISTS TO PERFORM CERTAIN FUNCTIONS WHILE UNDER THE GENERAL SUPERVISION OF DENTISTS; TO PROVIDE THAT A DENTIST MAY ONLY SUPERVISE A MAXIMUM OF SIX DENTAL HYGIENISTS AT A LICENSED NURSING HOME; TO SET CERTAIN REQUIREMENTS OF DENTAL HYGIENISTS AND DENTISTS; TO PROVIDE THAT THIS ACT SHALL NOT BE CONSTRUED TO ALLOW A DENTAL HYGIENIST TO DIAGNOSE A PATIENT'S CONDITION; AND FOR RELATED PURPOSES.
By Senator(s) Parker

S. B. No. 2377: Public Health and Welfare
AN ACT TO AMEND SECTION 73-15-3, MISSISSIPPI CODE OF 1972, TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES IN THE STATEMENT OF PURPOSE OF THE MISSISSIPPI NURSING PRACTICE LAW; TO AMEND SECTION 73-15-5, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN DEFINITIONS AND REVISE CERTAIN DEFINITIONS IN THE NURSING PRACTICE LAW REGARDING ADVANCED NURSING PRACTICE; TO AMEND SECTION 73-15-9, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPOSITION OF THE MISSISSIPPI BOARD OF NURSING; TO AMEND SECTION 73-15-20, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATING TO THE PRACTICE OF ADVANCED NURSING PRACTICE NURSES; TO PROVIDE THAT AN ADVANCED PRACTICE REGISTERED NURSE SHALL BE EXEMPT FROM THE REQUIREMENT OF ENTERING AND MAINTAINING A COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A LICENSED PHYSICIAN OR DENTIST AFTER COMPLETING 3,600 PRACTICE HOURS; TO PROVIDE THAT CERTIFIED REGISTERED NURSE ANESTHETISTS SHALL BE EXEMPT FROM MAINTAINING A COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A LICENSED PHYSICIAN OR DENTIST UPON COMPLETION OF 8,000 CLINICAL PRACTICE HOURS; TO PROVIDE THAT ADVANCED PRACTICE

REGISTERED NURSES AND CERTIFIED REGISTERED NURSE ANESTHETISTS MAY APPLY HOURS WORKED BEFORE THE EFFECTIVE DATE OF THIS ACT TO FULFILL THEIR RESPECTIVE HOUR REQUIREMENT; TO CONFORM CERTAIN PROVISIONS WITH THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 73-15-29, MISSISSIPPI CODE OF 1972, TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES IN THE PROVISIONS RELATING TO GROUNDS FOR DISCIPLINARY ACTIONS AGAINST NURSES; TO AMEND SECTION 41-21-131, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2378: Judiciary, Division A; Judiciary, Division B
AN ACT TO REQUIRE A COURT OF ORIGINAL JURISDICTION TO ISSUE AN INJUNCTION WHERE A PLAINTIFF DEMONSTRATES THE VIOLATION OF A SOCIAL MEDIA COMPANY'S COMMUNITY STANDARDS OR POLICIES BY A DEFENDANT'S COMMUNICATIONS ON THE SOCIAL MEDIA COMPANY'S PLATFORM; TO AUTHORIZE THE COURT OF ORIGINAL JURISDICTION TO ENJOIN THE DEFENDANT, ANY SOCIAL MEDIA COMPANY THAT DISTRIBUTES, HOSTS OR DISSEMINATES THE DEFENDANT'S COMMUNICATION, OR ANY CORPORATE SPONSOR OF THE DEFENDANT; TO AUTHORIZE THE COURT OF ORIGINAL JURISDICTION TO CONSIDER THE FILING OF CRIMINAL CHARGES RELATED TO THE COMMUNICATIONS TO BE ENJOINED AS A FACTOR IN DETERMINING WHETHER THE DEFENDANT HAS VIOLATED A SOCIAL MEDIA COMPANY'S COMMUNITY STANDARDS OR POLICIES; TO PROVIDE THAT A CRIMINAL CONVICTION RELATED TO THE COMMUNICATIONS THAT ARE THE SUBJECT OF THE PETITION SHALL BE SUFFICIENT EVIDENCE TO MERIT THE ISSUANCE OF A PERMANENT INJUNCTION UNDER THIS SECTION; TO AMEND SECTION 97-45-15, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "HARASS"; AND FOR RELATED PURPOSES.
By Senator(s) Norwood, Hickman, Brumfield, Butler

S. B. No. 2379: Judiciary, Division A; Finance
AN ACT TO AMEND SECTION 43-15-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO PROVIDE PAYMENTS TO A QUALIFYING GRANDPARENT WHO HAS ASSUMED THE PRIMARY CARE OF HIS OR HER GRANDCHILD; TO CREATE NEW SECTION 27-7-22.45, MISSISSIPPI CODE OF 1972, TO CREATE A TAX CREDIT TO BE CLAIMED FOR QUALIFIED EXPENSES PAID OR INCURRED FOR EACH GRANDCHILD LEGALLY CARED FOR OR PROVIDED FOR BY A TAXPAYER UNDER THE LAWS OF THIS STATE DURING CALENDAR YEAR 2024 OR DURING ANY CALENDAR YEAR THEREAFTER; AND FOR RELATED PURPOSES.
By Senator(s) Norwood, Jackson, Simmons (13th), Thomas

S. B. No. 2380: Judiciary, Division A
AN ACT TO ENACT THE MISSISSIPPI AID TO SEXUAL OFFENSE VICTIM REPORTING ACT; TO DEFINE TERMS; TO PROVIDE IMMUNITY FROM CRIMINAL PROSECUTION FOR OFFENSES RELATED TO DRUG VIOLATIONS OR OFFENSES RELATED TO THE POSSESSION AND CONSUMPTION OF ALCOHOL FOR PERSONS WHO REPORT WHO IN GOOD FAITH SEEK ASSISTANCE FOR OR TO REPORT SEXUAL OFFENSES; TO BRING FORWARD SECTIONS 97-31-55 AND 41-29-149.1, MISSISSIPPI CODE OF 1972, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2381: Business and Financial Institutions
AN ACT TO AMEND SECTION 75-65-309, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT OF ON-PREMISES RETENTION OF PURCHASED GOODS; AND FOR RELATED PURPOSES.
By Senator(s) McMahan

S. B. No. 2382: Business and Financial Institutions

AN ACT TO AMEND SECTION 75-67-313, MISSISSIPPI CODE OF 1972, TO ALLOW PAWNBROKERS TO PASS CREDIT AND DEBIT CARD PROCESSING CHARGES TO THE CUSTOMERS; TO AMEND SECTION 75-67-315, MISSISSIPPI CODE OF 1972, TO ALLOW THE COMMISSIONER TO PROMULGATE RULES TO ALLOW PAWNBROKERS TO STORE CERTAIN PLEDGED GOODS OFF-PREMISES; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

S. B. No. 2383: Medicaid

AN ACT TO CREATE NEW SECTION 43-13-115.1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PREGNANT WOMEN SHALL BE DEEMED TO BE PRESUMPTIVELY ELIGIBLE FOR AMBULATORY PRENATAL CARE UNDER MEDICAID FOR UP TO 60 DAYS IF A QUALIFIED PROVIDER DETERMINES, ON THE BASIS OF PRELIMINARY INFORMATION, THAT THE TOTAL COUNTABLE NET FAMILY INCOME OF THE WOMAN DOES NOT EXCEED THE INCOME LIMITS FOR ELIGIBILITY OF PREGNANT WOMEN; TO REQUIRE PREGNANT WOMEN TO PROVIDE PROOF OF PREGNANCY AND DOCUMENTATION OF MONTHLY FAMILY INCOME WHEN SEEKING A DETERMINATION OF PRESUMPTIVE ELIGIBILITY; TO PROVIDE THAT QUALIFIED PROVIDERS ARE THOSE THAT MEET THE FEDERAL DEFINITION OF QUALIFIED PROVIDER, WHICH SHALL INCLUDE COUNTY HEALTH DEPARTMENTS, FEDERALLY QUALIFIED HEALTH CENTERS (FQHCS), AND OTHER ENTITIES APPROVED AND DESIGNATED BY THE DIVISION OF MEDICAID TO CONDUCT PRESUMPTIVE ELIGIBILITY DETERMINATIONS FOR PREGNANT WOMEN; TO REQUIRE PREGNANT WOMEN WHO ARE DETERMINED TO BE PRESUMPTIVELY ELIGIBLE FOR MEDICAID TO MAKE APPLICATION FOR MEDICAID BY NOT LATER THAN THE LAST DAY OF THE MONTH FOLLOWING THE MONTH DURING WHICH THE DETERMINATION IS MADE; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2384: Judiciary, Division A

AN ACT TO AMEND SECTION 99-21-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN COUNTIES IN WHICH THE CIRCUIT COURT JUDGE APPEARS LESS THAN FOUR TIMES PER MONTH, A FUGITIVE MAY APPEAR BEFORE A JUSTICE COURT JUDGE FOR THE PURPOSES OF THIS CHAPTER; TO AMEND SECTION 99-21-9, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2385: Judiciary, Division B

AN ACT TO AMEND SECTION 63-11-30, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A JUDGE TO FIND THAT A CONVICTION OF AGGRAVATED DUI IS NOT ELIGIBLE FOR PAROLE OR EARLY RELEASE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2386: Judiciary, Division A; Appropriations

AN ACT TO AMEND SECTIONS 99-15-17 AND 21-23-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE STATUTORY CAP FOR THE AMOUNT OF COMPENSATION AVAILABLE FOR APPOINTED COUNSEL; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2387: Judiciary, Division A

AN ACT TO CREATE THE "CREATE A RESPECTFUL AND OPEN WORKPLACE FOR NATURAL (CROWN) HAIR ACT"; TO PROHIBIT CREATION OF WORKPLACE AND SCHOOL POLICES THAT DISCRIMINATE ON THE BASIS OF NATURAL HAIRSTYLES OR PROTECTIVE HAIRSTYLES; TO PROHIBIT DISCRIMINATION BY

AN EMPLOYER, SCHOOL, SCHOOL DISTRICT OR ADMINISTRATOR ENGAGED IN COMMERCE ON THE BASIS OF HAIR TEXTURE; TO PROHIBIT TERMINATION, REDUCTION OF WORK HOURS, OR PAYING A REDUCED SALARY OR WAGE OR EXPULSION OR DISMISSAL BASED ON HAIR TEXTURE; TO PROVIDE THE REMEDIES FOR ANY PERSON WHO IS AGGRIEVED BY VIOLATION OF THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford, Blackmon, Simmons (12th), Hickman, Brumfield, Jackson, Butler, Simmons (13th), Norwood

S. B. No. 2388: Judiciary, Division A
AN ACT TO REPEAL SECTION 43-17-6, MISSISSIPPI CODE OF 1972, WHICH REQUIRES APPLICANTS FOR TANF BENEFITS TO UNDERGO DRUG TESTING AS A CONDITION FOR ELIGIBILITY; TO AMEND SECTION 43-17-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th), Butler, Frazier, Turner-Ford, Blackmon, Simmons (13th), Norwood, Hickman, Thomas, Brumfield, Jordan

S. B. No. 2389: Business and Financial Institutions; Appropriations
AN ACT TO AMEND SECTION 73-35-17, MISSISSIPPI CODE OF 1972, TO REDUCE THE MAXIMUM AMOUNT OF THE RENEWAL FEE PER YEAR FOR REAL ESTATE BROKERS, PARTNERSHIPS, ASSOCIATIONS AND CORPORATIONS; TO REDUCE THE MAXIMUM AMOUNT OF THE RENEWAL FEE FOR A REAL ESTATE SALESPERSON'S LICENSE FEE PER YEAR; TO REQUIRE THE COMMISSION TO REFUND CERTAIN FEES; AND FOR RELATED PURPOSES.
By Senator(s) Michel

S. B. No. 2390: Veterans and Military Affairs; Government Structure
AN ACT TO AMEND SECTION 35-1-1, MISSISSIPPI CODE OF 1972, TO REVISE THE APPOINTMENTS TO THE STATE VETERANS AFFAIRS BOARD TO REFLECT THE CONGRESSIONAL DISTRICTS EXISTING AT THE TIME OF THE APPOINTMENTS; AND FOR RELATED PURPOSES.
By Senator(s) Seymour, Tate

S. B. No. 2391: Judiciary, Division A
AN ACT TO ENACT THE UNIFORM CIVIL REMEDIES FOR UNAUTHORIZED DISCLOSURE OF INTIMATE IMAGES ACT; TO DEFINE TERMS; TO CREATE A CIVIL CAUSE OF ACTION; TO PROVIDE THAT A DEPICTED INDIVIDUAL SUFFERS HARM FROM A PERSON'S INTENTIONAL DISCLOSURE OR THREATENED DISCLOSURE OF AN INTIMATE IMAGE HAS A CAUSE OF ACTION AGAINST THE PERSON IF THE DEPICTED INDIVIDUAL DID NOT CONSENT TO THE DISCLOSURE, THE INTIMATE IMAGE WAS PRIVATE, AND THE DEPICTED INDIVIDUAL WAS IDENTIFIABLE; TO PROVIDE CERTAIN EXCEPTIONS TO CIVIL LIABILITY; TO PROVIDE CERTAIN PRIVACY PROTECTIONS FOR A PLAINTIFF FILING A CAUSE OF ACTION AUTHORIZED BY THIS ACT; TO PROVIDE THAT A PLAINTIFF SHALL BE ENTITLED TO (1) THE GREATER OF ECONOMIC AND NONECONOMIC DAMAGES OR STATUTORY DAMAGES NOT TO EXCEED A CERTAIN SUM, (2) AN AMOUNT EQUAL TO ANY MONETARY GAIN MADE BY THE DEFENDANT FROM DISCLOSURE OF THE INTIMATE IMAGE, AND (3) PUNITIVE DAMAGES UNDER SECTION 11-1-65; TO AUTHORIZE THE AWARD OF ATTORNEY'S FEES TO A PREVAILING PLAINTIFF UNDER THIS ACT; TO PRESCRIBE A PERIOD OF LIMITATION FOR THE CAUSE OF ACTION AUTHORIZED IN THIS ACT; TO PROVIDE THAT THIS ACT MUST BE CONSTRUED CONSISTENTLY WITH CERTAIN FEDERAL LAW; TO PROVIDE THAT IN APPLYING AND CONSTRUING THIS UNIFORM ACT, CONSIDERATION MUST BE GIVEN TO THE NEED TO PROMOTE UNIFORMITY OF THE LAW WITH RESPECT TO ITS SUBJECT MATTER AMONG STATES THAT ENACT IT; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins, Thompson

FORTY-THIRD DAY, TUESDAY, FEBRUARY 13, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Absent--Carter. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Reverend Doctor CJ Rhodes, Pastor, Mt. Helm Baptist Church, Jackson, MS and Director of Religious and Spiritual Life, Alcorn State University.

Senator Hickman led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Suber called up the following entitled bill:

S. B. No. 2276: Clinic building at 1308 Belk Boulevard; transfer to Mississippi Department of Public Safety.

YEAS AND NAYS On S. B. No. 2276. On motion of Senator Suber, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Carter. Total--1.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Donna Suzanne Becton of Honolulu, HI.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Rebecca "Becky" Sue Maples of Lucedale, MS.

Senators Thomas and Hopson moved that when the Senate adjourns, it adjourn in memory of Mr. David Joe Starling of Yazoo City, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Lula Mae Cooper of Yazoo City, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, February 14, 2024.

The motion prevailed, and at 10:25 AM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Donna Suzanne Becton, Rebecca "Becky" Sue Maples, Mr. David Joe Starling and Lula Mae Cooper.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR TUESDAY, FEBRUARY 13, 2024

FORTY-FOURTH DAY, WEDNESDAY, FEBRUARY 14, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Dr. Joe Jackson, Mayor of Belzoni, Pastor of Zion Travelers Missionary Baptist Church, Belzoni, MS.

Senator Thomas led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senators Seymour and Hill moved that when the Senate adjourns, it adjourn in memory of Ernestine S. Smith of Poplarville, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Rose Ellen Merrill of Moss Point, MS.

Senator Berry moved that when the Senate adjourns, it adjourn in memory of Charlie Robinson of Pinola, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Mary Elizabeth Stroud of Tupelo, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Mittie McBee Johnson Aiken of Jackson, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, February 15, 2024.

The motion prevailed, and at 10: 14 AM, the Senate stood in recess.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 295: AN ACT TO AUTHORIZE THE USE OF ELECTRONIC WARRANT APPLICATIONS, ELECTRONIC SIGNATURES FOR THE APPLICATIONS AND ELECTRONIC VERSIONS OF WRITTEN RECORDS OF THE WARRANTS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 43: AN ACT TO AMEND SECTION 49-7-1.1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE WILDLIFE IN MISSISSIPPI BELONGS TO THE CITIZENS OF THE STATE AT LARGE; TO PROVIDE THAT THE STATE HAS A DUTY TO PROTECT AND SUSTAIN ITS WILDLIFE FOR THE PUBLIC'S BENEFIT, AS WELL AS THE DUTY AND AUTHORITY TO DEFEND THE PUBLIC'S INTEREST IN THE STATE'S WILDLIFE, IN ACCORDANCE WITH SOUND SCIENTIFIC PRINCIPLES; AND FOR RELATED PURPOSES.

H. B. No. 526: AN ACT TO AMEND SECTION 49-7-31.1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE HUNTERS TO WEAR SOLID UNBROKEN FLUORESCENT PINK AS AN ALTERNATIVE TO FLUORESCENT ORANGE WHEN HUNTING DEER DURING ANY GUN SEASON ON DEER; TO AMEND SECTION 49-7-31.5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE HUNTERS TO WEAR SOLID UNBROKEN FLUORESCENT PINK AS AN ALTERNATIVE TO FLUORESCENT ORANGE WHEN HUNTING WILD HOGS DURING ANY OPEN GUN SEASON ON DEER; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. C. R. No. 26: A CONCURRENT RESOLUTION ADOPTING JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES FOR THE 2024-2028 TERM OF THE MISSISSIPPI LEGISLATURE.

David Jordan, Chairman

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 777: Alcoholic beverages; revise policy of state regarding prohibition of. Finance.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Ernestine S. Smith, Charlie Robinson, Mary Elizabeth Stroud, Mittie McBee Johnson Aiken and Rose Ellen Merrill.

Amanda Frusha White, Secretary of the Senate

_____

INTRODUCTIONS FOR WEDNESDAY, FEBRUARY 14, 2024

S. B. No. 2392: Finance

AN ACT TO CREATE NEW SECTION 25-11-126, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS WHO ARE RECEIVING A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM WHO ARE ELECTED AS A MEMBER OF THE LEGISLATURE AFTER RETIREMENT, AND MEMBERS OF THE LEGISLATURE WHO ARE ELIGIBLE TO RECEIVE A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM WHILE SERVING AS A MEMBER OF THE LEGISLATURE, MAY RECEIVE A RETIREMENT ALLOWANCE FROM THE SYSTEM WHILE SERVING AS A MEMBER OF THE LEGISLATURE IN ADDITION TO RECEIVING THE REGULAR COMPENSATION FOR MEMBERS OF THE LEGISLATURE; TO PROVIDE THAT THOSE PERSONS SHALL NOT BE ACTIVE MEMBERS OF THE RETIREMENT SYSTEM AND SHALL NOT RECEIVE ANY CREDITABLE SERVICE FOR THE PERIOD DURING WHICH THEY RECEIVE A RETIREMENT ALLOWANCE WHILE SERVING AS A MEMBER OF THE LEGISLATURE; TO AMEND SECTION 25-11-105, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 25-11-127, MISSISSIPPI CODE OF 1972, TO REQUIRE THOSE PERSONS TO PAY THE FULL AMOUNT OF THE EMPLOYEE'S CONTRIBUTIONS ON THE AMOUNT OF COMPENSATION RECEIVED FOR SERVING AS A MEMBER OF THE LEGISLATURE; TO PROVIDE THAT THOSE PERSONS WILL NOT RECEIVE ANY ADDITIONAL CREDITABLE SERVICE IN THE RETIREMENT SYSTEM AS A RESULT OF THE PAYMENT OF THE EMPLOYEE'S CONTRIBUTION; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Simmons (12th)

S. B. No. 2393: Finance

AN ACT TO AMEND SECTIONS 25-11-103, 25-11-105, 25-11-109, 25-11-111, 25-11-113, 25-11-114, 25-11-117, 25-11-311 AND 25-11-315, MISSISSIPPI CODE OF 1972, TO REDUCE THE VESTING PERIOD FOR RETIREMENT BENEFITS IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM FROM EIGHT YEARS TO FOUR YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

S. B. No. 2394: Finance

AN ACT TO REQUIRE THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO ENGAGE, DURING THE 2024 CALENDAR YEAR, THE SERVICES OF A CEFEX-CERTIFIED AND AFFILIATED INVESTMENT FIRM WITH A CEFEX-CERTIFIED ANALYST TO CONDUCT A FIDUCIARY ASSESSMENT OF THE SYSTEM'S FUNDS AND PRACTICES; TO REQUIRE THE BOARD TO SUBMIT THE FIRM'S REPORT TO EACH MEMBER OF THE LEGISLATURE NO LATER THAN JANUARY 30, 2025; TO BRING FORWARD SECTION 25-11-119, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

S. B. No. 2395: Finance

AN ACT TO AMEND SECTION 27-19-43, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO TAG OR DECAL SHALL BE ISSUED OR RENEWED UNLESS THE

OWNER OR OPERATOR OF THE MOTOR VEHICLE FIRST PRESENTS PROOF OF COVERAGE BY A MOTOR VEHICLE LIABILITY POLICY; AND FOR RELATED PURPOSES.
By Senator(s) Williams

S. B. No. 2396: Accountability, Efficiency, Transparency
AN ACT TO PROHIBIT ANY COUNTY, MUNICIPALITY OR OTHER POLITICAL SUBDIVISION FROM ADOPTING ANY ORDINANCE OR RULE THAT CREATES REQUIREMENTS, REGULATIONS OR PROCESSES TO FUND OR ADMINISTER A GUARANTEED INCOME PROGRAM WITH UNCONDITIONAL CASH PAYMENTS; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2397: Finance
AN ACT TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT RETAIL SALES OF FENCING MATERIALS AND CATTLE TRAILERS TO FARMERS FOR AGRICULTURAL PURPOSES, AS WELL AS PARTS AND LABOR USED TO MAINTAIN AND/OR REPAIR SUCH CATTLE TRAILERS, SHALL BE TAXED AT A RATE OF 1.5%; AND FOR RELATED PURPOSES.
By Senator(s) Younger, Berry, Whaley, Tate, Barrett, Suber, Ladner, Carter, Butler, McCaughn, Rhodes, Hill, Jackson

S. B. No. 2398: Finance
AN ACT TO AMEND SECTION 27-65-105, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES TO ANY TRIBALLY CHARTERED CORPORATION OR LIMITED LIABILITY COMPANY OF THE MISSISSIPPI BAND OF CHOCTAW INDIANS AND SALES BY ANY TRIBALLY CHARTERED CORPORATION OR LIMITED LIABILITY COMPANY OF THE MISSISSIPPI BAND OF CHOCTAW INDIANS; AND FOR RELATED PURPOSES.
By Senator(s) Branning

S. B. No. 2399: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTIONS 27-104-7 AND 31-7-13, MISSISSIPPI CODE OF 1972, TO EXEMPT THE DEPARTMENT OF FINANCE AND ADMINISTRATION FROM CERTAIN BID PROCUREMENT REQUIREMENTS FOR PURCHASES OF CERTAIN PROFESSIONAL SERVICES AT THE STATE CAPITOL BUILDING AND GROUNDS OR SITES THAT ARE DUALLY DESIGNATED AS A NATIONAL HISTORIC LANDMARK AND A MISSISSIPPI LANDMARK; AND FOR RELATED PURPOSES.
By Senator(s) Harkins

S. B. No. 2400: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF PURCHASING AND DELIVERING RAZOR WIRE FENCING TO THE APPROPRIATE AGENCY IN THE STATE OF TEXAS FOR USE IN DETERRING ILLEGAL BORDER CROSSINGS, FOR THE FISCAL YEAR 2024.
By Senator(s) Chism

S. B. No. 2401: Finance
AN ACT TO CREATE NEW SECTION 25-11-128, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PERSONS RECEIVING A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM WHO ARE REEMPLOYED AS TEACHERS IN THE PUBLIC SCHOOL SYSTEM AFTER THEIR RETIREMENT MAY RECEIVE A RETIREMENT ALLOWANCE DURING THEIR EMPLOYMENT AS TEACHERS IN ADDITION TO RECEIVING A TEACHER'S SALARY; TO PROVIDE THAT THOSE PERSONS MAY NOT BE REEMPLOYED FOR A PERIOD GREATER THAN FIVE YEARS; TO PROVIDE THAT THOSE PERSONS SHALL NOT BE CONTRIBUTING MEMBERS OF THE RETIREMENT SYSTEM NOR RECEIVE ANY CREDITABLE SERVICE; TO PROVIDE THAT THE EMPLOYER SHALL BE RESPONSIBLE FOR PAYING AN AMOUNT EQUIVALENT TO BOTH THE EMPLOYER'S PORTION AND THE

EMPLOYEE'S PORTION OF THE CONTRIBUTION RATE; TO AMEND SECTION 25-11-127, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Norwood, Simmons (13th)

S. B. No. 2402: Accountability, Efficiency, Transparency; Universities and Colleges
AN ACT TO PROHIBIT PUBLIC STATE ENTITIES, SUCH AS STATE AGENCIES, STATE BOARDS, PUBLIC SCHOOLS, PUBLIC CHARTER SCHOOLS AND PUBLIC INSTITUTIONS OF HIGHER EDUCATION, FROM UTILIZING ANY STATE FUNDING TO CREATE, PROMOTE, OR CONDUCT DIVERSITY, EQUITY AND INCLUSION PROGRAMS; TO DEFINE RELEVANT TERMS; TO PROHIBIT INSTITUTIONS OF HIGHER LEARNING THAT RECEIVE FEDERAL AND/OR STATE FINANCIAL ASSISTANCE FROM CONSIDERING THE RACE OF A PROSPECTIVE STUDENT AS A TERM OF ADMISSION; TO PROVIDE INSTANCES WHERE INSTITUTIONS OF HIGHER LEARNING MAY CONSIDER RACE AND/OR PROMOTE DIVERSITY; TO AUTHORIZE CERTAIN PENALTIES FOR VIOLATION OF THIS ACT; TO PROVIDE CIVIL PENALTIES FOR STATE AGENCIES, STATE BOARDS, PUBLIC SCHOOLS, PUBLIC CHARTER SCHOOLS AND PUBLIC INSTITUTIONS OF HIGHER EDUCATION THAT ARE FOUND IN VIOLATION OF THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2403: Accountability, Efficiency, Transparency
AN ACT TO REQUIRE THE OFFICE OF THE STATE AUDITOR TO PERFORM A 50-YEAR COMPARATIVE REVIEW OF THE LEGISLATIVE APPROPRIATIONS TO THE STATE'S TWO LAND GRANT INSTITUTIONS; TO REQUIRE THE STATE AUDITOR TO SUBMIT A REPORT TO THE LEGISLATURE DETAILING ALL APPROPRIATIONS DURING THE REVIEW PERIOD TO ALCORN STATE UNIVERSITY AND MISSISSIPPI STATE UNIVERSITY; AND FOR RELATED PURPOSES.
By Senator(s) Butler, Horhn, Jackson, Jordan

S. B. No. 2404: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 31-13-1, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE BOND ATTORNEY WHEN A CONFLICT OF INTEREST ARISES TO NOTIFY THE GOVERNOR, LIEUTENANT GOVERNOR AND THE ATTORNEY GENERAL OF THE CONFLICT OF INTEREST; TO AUTHORIZE THE GOVERNOR TO APPOINT A STATE BOND ATTORNEY PRO TEMPORE; TO BRING FORWARD SECTION 31-13-11, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT PROVIDES FOR THE FEES OF THE STATE BOND ATTORNEY, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Hopson

S. B. No. 2405: Finance
AN ACT TO AMEND SECTION 67-1-37, MISSISSIPPI CODE OF 1972, TO REMOVE THE AUTHORITY OF THE ALCOHOLIC BEVERAGE CONTROL DIVISION OF THE DEPARTMENT OF REVENUE TO ISSUE RULES AND REGULATIONS GOVERNING THE ISSUANCE OF ALCOHOLIC BEVERAGE RETAIL PERMITS FOR PREMISES LOCATED NEAR OR AROUND COLLEGES, UNIVERSITIES AND OTHER PUBLIC INSTITUTIONS, BUT RETAINING SUCH AUTHORITY OF THE DIVISION WITH RESPECT TO SCHOOLS AND CHURCHES; TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO BROADEN THE DISCRETION OF THE DEPARTMENT OF REVENUE REGARDING THE KINDS OF ESTABLISHMENTS THAT MAY BE ISSUED ON-PREMISES RETAILER'S PERMITS WITHIN A RESORT AREA; TO SPECIFY THE DEFINITION OF "SCHOOL" FOR PURPOSES OF THE DISTANCE RESTRICTION ON THE MANUFACTURE, SALE AND STORAGE FOR SALE OF ALCOHOLIC BEVERAGES; AND FOR RELATED PURPOSES.
By Senator(s) Harkins

S. B. No. 2406: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-61-12, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE MISSISSIPPI PUBLIC RECORDS ACT CERTAIN PRIVATE INFORMATION OF ANY FEDERAL OR STATE LAW ENFORCEMENT OFFICER, JUDGE OR DISTRICT ATTORNEY, CONDUCTING AN OPERATION IN THIS STATE; TO REQUIRE A PUBLIC BODY, UPON ONLINE OR WRITTEN REQUEST, TO REDACT FROM ITS RECORDS CERTAIN PRIVATE INFORMATION OF A LAW ENFORCEMENT OFFICER, CRIMINAL INVESTIGATOR, JUDGE OR DISTRICT ATTORNEY, OR THE SPOUSE OR CHILD OF THE LAW ENFORCEMENT OFFICER, CRIMINAL INVESTIGATOR, JUDGE OR DISTRICT ATTORNEY; AND FOR RELATED PURPOSES.
By Senator(s) England, Barrett

S. C. R. No. 521: Rules
A CONCURRENT RESOLUTION APOLOGIZING FOR THE ROLE MISSISSIPPI PLAYED IN THE MURDER OF EMMETT TILL AND THE ACQUITTAL OF HIS KILLERS.
By Senator(s) Norwood, Thomas, Simmons (13th), Brumfield

S. R. No. 29: Rules
A RESOLUTION RECOGNIZING AND COMMENDING THE COPIAH-LINCOLN COMMUNITY COLLEGE "LADY WOLVES" SOFTBALL TEAM FOR WINNING THE 2023 NATIONAL JUNIOR COLLEGE ATHLETIC ASSOCIATION DIVISION II SOFTBALL NATIONAL CHAMPIONSHIP.
By Senator(s) Barrett, Berry

FORTY-FIFTH DAY, THURSDAY, FEBRUARY 15, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Absent--Harkins, Ladner. Total--2.

The Secretary announced a quorum present.

The invocation was delivered by Brett Frazier, Senior Pastor, First Baptist Church, Columbia, MS.

Senator Fillingane led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Turner-Ford moved that when the Senate adjourns, it adjourn in memory of Henry Clay McClenton of West Point, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Virginia Inez Cole of Booneville, MS.

Senator Berry moved that when the Senate adjourns, it adjourn in memory of Ray Hodges of New Hebron, MS.

Senators Boyd and Berry moved that when the Senate adjourns, it adjourn in memory of Colonel Orville G. Robertson of Oxford, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Rex C. Mason of Wiggins, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Friday, February 16, 2024.

The motion prevailed, and at 10:24 AM, the Senate stood in recess.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. C. R. No. 29: A CONCURRENT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE MISSISSIPPI LEGISLATURE TO HEAR THE STATE OF THE STATE ADDRESS OF GOVERNOR TATE REEVES.

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. C. R. No. 29: State of the State address of Governor Reeves; call joint session. Rules.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 124: AN ACT TO AMEND SECTION 3-3-7, MISSISSIPPI CODE OF 1972, TO DESIGNATE THE FOURTH THURSDAY OF MARCH AS TUSKEGEE AIRMEN DAY IN MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 302: AN ACT TO BRING FORWARD SECTIONS 37-97-103, 37-97-105, 37-97-107 AND 37-97-109, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS ESTABLISHING THE "MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION RIGHTS ACT," FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO BRING FORWARD SECTIONS 73-42-3, 73-42-5, 73-42-7, 73-42-9, 73-42-11, 73-42-13, 73-42-15, 73-42-17, 73-42-19, 73-42-21, 73-42-23, 73-42-25, 73-42-27, 73-42-29, 73-42-31, 73-42-33, 73-42-34, 73-42-35, 73-42-37 AND 73-42-39, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS ESTABLISHING THE "UNIFORM ATHLETE AGENTS ACT," FOR THE PURPOSE OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

H. B. No. 365: AN ACT TO AMEND SECTION 3-3-7, MISSISSIPPI CODE OF 1972, TO DESIGNATE THE MONTH OF MARCH EACH YEAR AS "MISSISSIPPI MUSICIANS MONTH"; AND FOR RELATED PURPOSES.

H. B. No. 939: AN ACT TO AMEND SECTION 37-147-7, MISSISSIPPI CODE OF 1972, TO REVISE AND CLARIFY THE COMPOSITION OF THE MISSISSIPPI UNIVERSITY RESEARCH AUTHORITY; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Henry Clay McClenton, Virginia Inez Cole, Ray Hodges, Colonel Orville G. Robertson and Rex C. Mason.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR THURSDAY, FEBRUARY 15, 2024

FORTY-SIXTH DAY, FRIDAY, FEBRUARY 16, 2024

The Senate met at 9:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, England, Fillingane, Hickman, Hill,

Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McLendon, McMahan, Michel, Norwood, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--45.

Absent--Branning, DeLano, Frazier, Harkins, Ladner, McCaughn, Parker. Total--7.

The Secretary announced a quorum present.

The invocation was delivered by Michael Bender, Pastor, The Cloud Church of Bay Springs, Bay Springs, MS.

Senator Barnett led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Turner-Ford moved that when the Senate adjourns, it adjourn in memory of Robert L. Calvert, PE, PLS of West Point, MS.

Senator Rhodes moved that when the Senate adjourns, it adjourn in memory of Curtis Glenn Robinson of Brandon, MS.

Senator Rhodes moved that when the Senate adjourns, it adjourn in memory of Lola Rogers Key of Pelahatchie, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of James Rogers Hannon, Jr. of Tupelo, MS.

Senator Williams moved that when the Senate adjourns, it adjourn in memory of Robert L. Calvert, III of West Point, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Clara Ann Loper of Wiggins, MS.

Senator Polk moved that the Senate stand in recess until 11:00 AM, at which time the Senate would then adjourn until 4:00 PM, Monday, February 19, 2024.

The motion prevailed, and at 9:10 AM, the Senate stood in recess.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 80: AN ACT TO AMEND SECTION 13-1-23, MISSISSIPPI CODE OF 1972, TO CREATE AN EVIDENTIARY PRESUMPTION OF DEATH TO BE KNOWN AS THE "ZEB HUGHES LAW" WHENEVER UNCONTRADICTED SWORN TESTIMONY AND EVIDENCE SUPPORT A DETERMINATION OF THE DEATH OF A MISSING PERSON WHO HAS UNDERGONE A CATASTROPHIC EVENT THAT EXPOSED THE PERSON TO IMMINENT PERIL; TO CREATE NEW SECTION 41-57-8, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE REGISTRAR OF VITAL STATISTICS TO PREPARE A DEATH CERTIFICATE FOR A MISSING PERSON LEGALLY PRESUMED TO BE DEAD UPON RECEIPT OF A PROPER COURT ORDER; AND FOR RELATED PURPOSES.

H. B. No. 904: AN ACT TO AMEND SECTION 99-19-75, MISSISSIPPI CODE OF 1972, TO REVISE THE DEPOSITS PAID INTO THE "VICTIMS OF HUMAN TRAFFICKING AND COMMERCIAL SEXUAL EXPLOITATION FUND"; AND FOR RELATED PURPOSES.

H. B. No. 1004: AN ACT TO AMEND SECTIONS 45-33-23 AND 45-33-25, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITIONS FOR THE PROVISIONS OF LAW THAT REGULATE SEX OFFENDER REGISTRY; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 295: Arrest warrants; authorize electronic applications, signatures and records for. Judiciary, Division B.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 43: Wildlife; provide that the state has a duty to protect and sustain for the public's benefit. Wildlife, Fisheries and Parks.

H. B. No. 526: Hunting; authorize hunters to wear fluorescent pink as an alternative to fluorescent orange. Wildlife, Fisheries and Parks.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 302: "MS Intercollegiate Athletics Compensation Rights Act" and "Uniform Athlete Agents Act"; bring forward. Universities and Colleges.

H. B. No. 939: Mississippi University Research Authority; revise and clarify composition of. Universities and Colleges.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:00 AM in memory of Robert L. Calvert, PE, PLS, Curtis Glenn Robinson, Lola Rogers Key, James Rogers Hannon, Jr., Robert L. Calvert, III and Clara Ann Loper.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR FRIDAY, FEBRUARY 16, 2024

S. B. No. 2407: Education
AN ACT TO AMEND SECTION 37-21-3, MISSISSIPPI CODE OF 1972, TO REVISE THE EDUCATIONAL AND CERTIFICATION REQUIREMENTS OF ASSISTANT TEACHERS; TO PROVIDE THAT ASSISTANT TEACHERS MAY POSSESS A HIGH SCHOOL DIPLOMA/GED AND A CHILD DEVELOPMENT CREDENTIAL, A MONTESSORI CERTIFICATION OR AN EQUIVALENT CERTIFICATION; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2408: Universities and Colleges
AN ACT TO AMEND SECTIONS 37-101-15, 45-35-11 AND 63-1-35, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN IDENTIFICATION CARDS AND DRIVER'S LICENSES AND PERMITS TO HAVE 988 CRISIS LIFELINE CONTACT INFORMATION; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2409: Education
AN ACT TO AMEND SECTION 37-28-7, MISSISSIPPI CODE OF 1972, TO RECONSTITUTE THE CHARTER SCHOOL AUTHORIZER BOARD TO ESTABLISH TERMS THAT, WHEN CONCLUDED, MINIMIZE THE IMPACT ON THE BOARD'S ABILITY TO OPERATE BY STAGGERING TERMS OF MEMBERS; TO AMEND SECTION 37-28-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CHARTER SCHOOL AUTHORIZER BOARD MAY RECEIVE UP TO THREE-PERCENT OF ANNUAL PER PUPIL ALLOCATIONS RECEIVED BY A CHARTER SCHOOL FROM STATE AND LOCAL FUNDS FOR EACH CHARTER SCHOOL IT AUTHORIZES; TO AMEND SECTION 37-28-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A CHARTER SCHOOL AUTHORIZER MAY GRANT RENEWAL OR LESSEN THE RENEWAL TERM BASED ON THE PERFORMANCE FRAMEWORK SET FORTH IN THE CHARTER CONTRACT; TO AMEND SECTION 37-28-55, MISSISSIPPI CODE OF 1972, TO MODIFY THE FUNDING FORMULA FOR CHARTER SCHOOLS; AND FOR RELATED PURPOSES.
By Senator(s) Younger, Chassaniol, Blackwell, Polk, Kirby, McMahan

S. B. No. 2410: Education
AN ACT TO AMEND SECTION 29-3-65, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A BOARD OF EDUCATION MAY USE RENT ESCALATION CLAUSES OR OTHER SUCH DEVICES IN SIXTEENTH SECTION LAND CONTRACTS TO ADJUST RENTAL AMOUNTS DURING THE LEASE TERM, PROVIDED THAT SUCH ADJUSTMENTS WILL NOT EXCEED THE FAIR MARKET RENTAL VALUE OF THE

LANDS, EXCLUSIVE OF IMPROVEMENTS THEREON, AS OF THE RENTAL ADJUSTMENT DATES; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2411: Universities and Colleges; Appropriations
AN ACT TO ESTABLISH A PAID INTERNSHIP PROGRAM UNDER THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES TO TRAIN AND RETAIN COLLEGE GRADUATES WITH A TECHNICAL OR ENGINEERING DEGREE; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2412: Education
AN ACT TO PROVIDE THAT A PUPIL COMPLIES WITH THE RESIDENCY REQUIREMENTS OF A SCHOOL DISTRICT IF THE PUPIL'S PARENT IS TRANSFERRED OR IS PENDING TRANSFER TO A MILITARY INSTALLATION WITHIN THE STATE WHILE ON ACTIVE MILITARY DUTY PURSUANT TO AN OFFICIAL MILITARY ORDER; TO REQUIRE A PARENT TO PROVIDE PROOF OF RESIDENCE IN THE SCHOOL DISTRICT WITHIN TEN DAYS AFTER THE PUBLISHED ARRIVAL DATE PROVIDED ON OFFICIAL DOCUMENTATION; TO AMEND SECTION 37-15-29, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ACTIVE DUTY MILITARY AND CIVILIAN MILITARY PERSONNEL RESIDING OFF BASE TO ENROLL THEIR CHILDREN IN SCHOOLS OF CHOICE; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2413: Education
AN ACT TO AUTHORIZE SCHOOL PRINCIPALS TO PERMIT THE BOY SCOUTS OF AMERICA AND THE GIRL SCOUTS OF THE UNITED STATES OF AMERICA TO SPEAK WITH STUDENTS ABOUT CIVIC INVOLVEMENT AND THEIR PARTICIPATION; TO PROVIDE A PROCESS FOR APPROVAL OF REQUESTS TO SPEAK WITH STUDENTS; TO REQUIRE PARENTS TO BE NOTIFIED OF SUCH PRESENTATIONS BY THE BOY SCOUTS OR GIRL SCOUTS; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2414: Universities and Colleges
AN ACT TO CREATE THE TASK FORCE TO STUDY RESTORATION OF ADEQUATE FUNDING TO ALCORN STATE UNIVERSITY; TO PRESCRIBE THE MEMBERSHIP AND SPECIFIC DUTIES OF THE TASK FORCE; TO REQUIRE THE TASK FORCE TO SUBMIT A REPORT OF ITS WORK AND RECOMMENDATIONS TO THE GOVERNOR, LIEUTENANT GOVERNOR AND HOUSE SPEAKER BEFORE DECEMBER 31, 2024; AND FOR RELATED PURPOSES.
By Senator(s) Butler, Horhn, Jackson, Jordan

S. B. No. 2415: Education; Appropriations
AN ACT TO REQUIRE CARBON MONOXIDE DETECTORS IN ALL PUBLIC AND NONPUBLIC SCHOOLS IN MISSISSIPPI; TO AUTHORIZE AND DIRECT THE STATE FIRE MARSHAL TO PROVIDE REQUIREMENTS FOR TESTING AND INSPECTING CARBON MONOXIDE DETECTION AND WARNING EQUIPMENT INSTALLED IN PUBLIC OR NONPUBLIC SCHOOL BUILDINGS; AND FOR RELATED PURPOSES.
By Senator(s) Jackson, Thomas, Jordan, Butler, Hickman, Brumfield

S. B. No. 2416: Universities and Colleges
AN ACT TO BRING FORWARD SECTIONS 37-97-101, 37-97-103, 37-97-105, 37-97-107 AND 37-97-109, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS ESTABLISHING THE "MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION RIGHTS ACT," FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO BRING FORWARD SECTIONS 73-42-1, 73-42-3, 73-42-5, 73-42-7, 73-42-9, 73-42-11, 73-42-13, 73-42-15, 73-42-17, 73-42-19, 73-42-21, 73-42-23, 73-42-25, 73-42-27, 73-42-29, 73-42-31, 73-42-33, 73-42-34, 73-42-35, 73-42-37 AND 73-42-39, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS ESTABLISHING THE "UNIFORM ATHLETE

AGENTS ACT," FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO BRING FORWARD SECTION 93-19-17, MISSISSIPPI CODE OF 1972, WHICH PROVIDES CERTAIN CONTRACTING RIGHTS FOR MINORS TO ENTER INTO NAME, IMAGE OR LIKENESS CONTRACTS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Parks

S. B. No. 2417: Universities and Colleges
AN ACT TO BRING FORWARD SECTIONS 37-97-101, 37-97-103, 37-97-105, 37-97-107 AND 37-97-109, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS ESTABLISHING THE "MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION RIGHTS ACT," FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO BRING FORWARD SECTIONS 73-42-1, 73-42-3, 73-42-5, 73-42-7, 73-42-9, 73-42-11, 73-42-13, 73-42-15, 73-42-17, 73-42-19, 73-42-21, 73-42-23, 73-42-25, 73-42-27, 73-42-29, 73-42-31, 73-42-33, 73-42-34, 73-42-35, 73-42-37 AND 73-42-39, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS ESTABLISHING THE "UNIFORM ATHLETE AGENTS ACT," FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO BRING FORWARD SECTION 93-19-17, MISSISSIPPI CODE OF 1972, WHICH PROVIDES CERTAIN CONTRACTING RIGHTS FOR MINORS TO ENTER INTO NAME, IMAGE OR LIKENESS CONTRACTS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Boyd

S. B. No. 2418: Labor; Judiciary, Division A
AN ACT TO CREATE NEW SECTION 45-6-16, MISSISSIPPI CODE OF 1972, TO CREATE A RIGHT TO FOLLOW-UP TESTING FOR A LAW ENFORCEMENT OFFICER WHO TESTS POSITIVE FOR ILLEGAL DRUG USE AND TO PROVIDE FOR TERMS OF SUSPENSION PENDING THE RECEIPT OF RESULTS FROM THE FOLLOW-UP TEST; TO AMEND SECTION 45-6-17, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Sparks, Boyd

S. B. No. 2419: Labor; Judiciary, Division A
AN ACT TO REQUIRE THE STATE OF MISSISSIPPI AND POLITICAL SUBDIVISIONS THEREOF TO COMPENSATE LAW ENFORCEMENT OFFICERS WHO ARE NONEXEMPT EMPLOYEES UNDER THE FAIR LABOR STANDARDS ACT (FLSA) BY MANDATING AT LEAST THE REGULAR HOURLY RATE BE PAID, OR HOUR-FOR-HOUR COMPENSATORY TIME, FOR THE FIRST 43 HOURS IN A WEEK, 86 HOURS IN A TWO-WEEK PERIOD OR 171 HOURS IN A 28-DAY PERIOD; TO REQUIRE COMPLIANCE WITH THE FLSA FOR HOURS WORKED IN EXCESS OF THOSE STATED AMOUNTS; AND FOR RELATED PURPOSES.
By Senator(s) Sparks, Boyd

S. B. No. 2420: Drug Policy; Judiciary, Division B
AN ACT TO ENACT THE "MISSISSIPPI KRATOM CONSUMER PROTECTION ACT" TO REGULATE THE PREPARATION, DISTRIBUTION AND SALE OF KRATOM PRODUCTS; TO DEFINE TERMS; TO PROHIBIT THE PREPARATION, DISTRIBUTION AND SALE OF ADULTERATED OR CONTAMINATED KRATOM PRODUCTS; TO PRESCRIBE FINES AND PENALTIES FOR VIOLATIONS OF THIS ACT; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO ADMINISTER THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Hickman

S. B. No. 2421: Elections; Judiciary, Division A
AN ACT TO AMEND SECTION 23-15-973, MISSISSIPPI CODE OF 1972, TO REQUIRE THE JUDGES OF THE COUNTY COURT TO GIVE A REASONABLE TIME AND OPPORTUNITY TO THE CANDIDATES FOR THE OFFICE OF JUDGE OF THE SUPREME COURT, JUDGES OF THE COURT OF APPEALS, CIRCUIT JUDGE AND

CHANCELLOR TO ADDRESS THE PEOPLE DURING COURT TERMS; AND FOR RELATED PURPOSES.
By Senator(s) Barrett

S. B. No. 2422: Elections
AN ACT TO AMEND SECTION 23-15-913, MISSISSIPPI CODE OF 1972, TO SPECIFY WHICH JUDGES HAVE JURISDICTION TO HEAR ELECTION DISPUTES ON ELECTION DAY; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2423: Elections; Technology
AN ACT TO AMEND SECTION 23-15-897, MISSISSIPPI CODE OF 1972, TO REQUIRE QUALIFIED POLITICAL ADVERTISEMENTS THAT UTILIZE ARTIFICIAL INTELLIGENCE TO DISCLOSE THE USE OF ARTIFICIAL INTELLIGENCE TO THE PUBLIC; TO DEFINE WHAT IS CONSIDERED A QUALIFIED POLITICAL ADVERTISEMENT AND ARTIFICIAL INTELLIGENCE AS USED IN THIS SECTION; TO CLARIFY WHAT INFORMATION MUST BE PRESENT IN AN ADVERTISEMENT TO SATISFY THE DISCLOSURE REQUIREMENT; TO SPECIFY WHO IS NOT LIABLE FOR THE FAILURE OF DISCLOSURE OF THE USE OF ARTIFICIAL INTELLIGENCE; TO PROVIDE CIVIL PENALTIES FOR FAILING TO DISCLOSE THE USE OF ARTIFICIAL INTELLIGENCE IN A QUALIFIED POLITICAL ADVERTISEMENT; TO STATE WHERE AN AGGRIEVED PARTY OR THE ATTORNEY GENERAL MAY BRING SUIT AGAINST A CANDIDATE, COMMITTEE OR OTHER PERSON WHO FAILS TO DISCLOSE THE USE OF ARTIFICIAL INTELLIGENCE IN A QUALIFIED POLITICAL ADVERTISEMENT; AND FOR RELATED PURPOSES.
By Senator(s) Blackmon

S. B. No. 2424: Elections
AN ACT TO AMEND SECTION 23-15-639, MISSISSIPPI CODE OF 1972, TO ALLOW ABSENTEE BALLOT VOTERS TO CURE BALLOTS DECLARED DEFECTIVE DUE TO SIGNATURE ISSUES; AND FOR RELATED PURPOSES.
By Senator(s) Tate

S. B. No. 2425: Elections
AN ACT TO AMEND SECTION 23-15-907, MISSISSIPPI CODE OF 1972, TO FURTHER DEFINE TERMS; AND FOR RELATED PURPOSES.
By Senator(s) Tate

S. B. No. 2426: Elections
AN ACT TO CREATE SECTION 23-15-9, MISSISSIPPI CODE OF 1972, TO CODIFY THE DEFINITION OF RESIDENCY; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2427: Elections; Government Structure
AN ACT TO CREATE THE MISSISSIPPI RECALL ACT OF 2024 TO PROVIDE A PROCEDURE FOR THE RECALL OF STATE OFFICIALS, MEMBERS OF THE LEGISLATURE AND LOCAL ELECTED OFFICIALS; TO PROVIDE DEFINITIONS; TO PRESCRIBE THOSE OFFICIALS SUBJECT TO RECALL; TO PRESCRIBE THE NUMBER OF ELECTORS NEEDED TO DEMAND A RECALL; TO PROVIDE FOR THE APPLICATION FOR AND TIME OF FILING A RECALL PETITION BY SPONSORS; TO PROVIDE A FORM FOR THE RECALL PETITION; TO PRESCRIBE THOSE ELECTORS ELIGIBLE TO SIGN A RECALL PETITION AND A PROCEDURE FOR THE VERIFICATION OF SIGNATURES; TO PROHIBIT CERTAIN PERSONS FROM CIRCULATING A PETITION OR APPLICATION; TO PROVIDE FOR THE DETERMINATION OF LEGAL SUFFICIENCY OF A PETITION BY THE LOCAL BOARD OF ELECTION COMMISSIONERS; TO PROVIDE FOR THE MANNER OF CONDUCTING A RECALL ELECTION; TO PROVIDE FOR THE FILING OF SUBSEQUENT RECALL PETITIONS FOLLOWING A RECALL ELECTION OR DENIAL OF RECALL PETITION; TO REQUIRE THE SECRETARY OF STATE TO PRINT THE

APPLICATION FORMS AND PETITION FORMS AND DISTRIBUTE THE FORMS TO THE BOARDS OF ELECTION COMMISSIONERS; TO AUTHORIZE THE STATE BOARD OF ELECTION COMMISSIONERS TO PROMULGATE REGULATIONS TO IMPLEMENT THIS ACT; TO AUTHORIZE AN APPLICATION TO THE CIRCUIT COURT TO COMPEL COMPLIANCE WITH RECALL PROCEDURES; TO PROHIBIT GIVING OR RECEIVING MONEY TO SIGN PETITIONS OR AFFIDAVITS FOR RECALL AND OTHER RECALL INFRACTIONS, AND TO PROVIDE CRIMINAL PENALTIES THEREFOR; TO REPEAL SECTIONS 25-5-3 THROUGH 25-5-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDE A RECALL PROCEDURE FOR LOCAL OFFICIALS PURSUANT TO PETITION AND ELECTION; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2428: Judiciary, Division B
AN ACT TO PROHIBIT ALTERING THE SERIAL NUMBER OF A FIREARM; TO PROHIBIT THE POSSESSION OF SUCH FIREARMS; TO PROVIDE PENALTIES FOR VIOLATIONS; AND FOR RELATED PURPOSES.
By Senator(s) DeLano, England

S. B. No. 2429: Judiciary, Division B
AN ACT TO ENACT THE "MISSISSIPPI KRATOM CONSUMER PROTECTION ACT" TO REGULATE THE PREPARATION, DISTRIBUTION, AND SALE OF KRATOM PRODUCTS; TO DEFINE TERMS; TO PROHIBIT THE PREPARATION, DISTRIBUTION AND SALE OF ADULTERATED OR CONTAMINATED KRATOM PRODUCTS; TO PRESCRIBE FINES AND PENALTIES FOR VIOLATIONS OF THIS ACT; TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ADMINISTER THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Tate

S. B. No. 2430: Judiciary, Division B; Education
AN ACT TO AUTHORIZE THE GOVERNING BODY OF AN EDUCATIONAL ENTITY TO ESTABLISH A POLICE DEPARTMENT; TO AUTHORIZE THE GOVERNING BODY OF AN EDUCATIONAL ENTITY TO APPOINT QUALIFIED INDIVIDUALS TO SERVE AS LAW ENFORCEMENT OFFICERS UPON ANY PREMISES OWNED OR LEASED BY THE EDUCATIONAL ENTITY AND UNDER THE JURISDICTION OF THE GOVERNING BODY; TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO PROMULGATE RESTRICTIONS AND CONDITIONS UPON THE EXERCISE OF AUTHORITY UNDER THIS SECTION; TO REQUIRE THE GOVERNING BOARD OF THE EMPLOYING EDUCATIONAL ENTITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH A LOCAL LAW ENFORCEMENT AGENCY TO HOLD AND MAINTAIN THE CERTIFICATION OF AN EDUCATIONAL ENTITY'S LAW ENFORCEMENT OFFICER; TO PROVIDE THE CERTIFICATION STANDARDS AND THE DUTIES OF A LAW ENFORCEMENT OFFICER OF AN EDUCATIONAL ENTITY; TO PROVIDE THAT THE SALARY OF AN EDUCATIONAL ENTITY LAW ENFORCEMENT OFFICER SHALL BE PAID BY THE EMPLOYING EDUCATIONAL ENTITY'S GOVERNING BODY; TO PROVIDE THAT AN OFFICER SHALL SERVE AT THE WILL AND PLEASURE OF THE GOVERNING BODY; TO PROVIDE FOR A LIMITATION OF LIABILITY FOR A LAW ENFORCEMENT OFFICER OF AN EDUCATIONAL ENTITY; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO TRAIN LAW ENFORCEMENT OFFICERS OF AN EDUCATIONAL ENTITY IN CRISIS DE-ESCALATION TECHNIQUES AT THE EXPENSE OF THE EDUCATIONAL ENTITY; AMEND SECTIONS 45-5-5, 45-5-11 AND 45-6-3, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2431: Judiciary, Division B
AN ACT TO AMEND SECTION 45-33-26, MISSISSIPPI CODE OF 1972, TO PROHIBIT A PERSON REQUIRED TO REGISTER AS A SEX OFFENDER FROM BEING EMPLOYED AS A FIRST RESPONDER WITHOUT ADVANCE APPROVAL FROM THE

DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY SEX OFFENDER REGISTRY; TO DEFINE THE TERM "FIRST RESPONDER"; AND FOR RELATED PURPOSES.
By Senator(s) Barrett

S. B. No. 2432: Judiciary, Division B
AN ACT TO CRIMINALIZE THE DISCHARGE OF A FIREARM WITHIN OR INTO THE LIMITS OF ANY MUNICIPALITY; TO PROVIDE THAT A PERSON CONVICTED OF DISCHARGING A FIREARM WITHIN OR INTO THE LIMITS OF ANY MUNICIPALITY MAY BE SENTENCED TO A TERM OF IMPRISONMENT UNDER CERTAIN CIRCUMSTANCES; TO PROVIDE FOR A CIVIL PENALTY IMPOSED BY THE MUNICIPALITY IN CERTAIN CIRCUMSTANCES; TO PROVIDE EXCEPTIONS TO THE CRIME; TO DEFINE TERMS; AND FOR RELATED PURPOSES.
By Senator(s) Younger, Norwood

S. B. No. 2433: Judiciary, Division B
AN ACT TO AMEND SECTIONS 45-6-7 AND 45-6-19, MISSISSIPPI CODE OF 1972, TO REQUIRE THE BOARD ON LAW ENFORCEMENT OFFICER STANDARDS AND TRAINING TO PROMULGATE RULES AND REGULATIONS TO REQUIRE CERTIFICATION OF K-9 AND MOTORCYCLE LAW ENFORCEMENT TEAMS IN THE STATE OF MISSISSIPPI; TO BRING FORWARD SECTION 45-6-13, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2434: Judiciary, Division B; Universities and Colleges
AN ACT TO AMEND SECTION 45-33-25, MISSISSIPPI CODE OF 1972, TO PROHIBIT REGISTERED SEX OFFENDERS FROM LIVING IN CAMPUS STUDENT HOUSING OR IN A SORORITY OR FRATERNITY HOUSE AT A PUBLIC UNIVERSITY OR COMMUNITY COLLEGE IN MISSISSIPPI; TO PROVIDE CIVIL ENFORCEMENT PROVISIONS; AND FOR RELATED PURPOSES.
By Senator(s) Chism

S. B. No. 2435: Judiciary, Division B
AN ACT TO AMEND SECTION 97-3-104, MISSISSIPPI CODE OF 1972, TO AMEND THE CRIME OF SEXUAL ACTIVITY BETWEEN CERTAIN INDIVIDUALS AND OFFENDERS INCARCERATED IN CORRECTIONAL FACILITIES OR ON CORRECTIONAL SUPERVISION; TO DELETE THE TERM "OFFENDER" AND INCLUDE THE TERM "PERSON"; TO CLARIFY THAT THE CRIME APPLIES TO PERSONS OTHERWISE IN CUSTODY; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2436: Judiciary, Division B
AN ACT TO AMEND SECTION 41-29-139.1, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT THE DEFENDANT HAVE KNOWLEDGE OF THE FENTANYL FOR CONVICTION OF THE CRIME "FENTANYL DELIVERY RESULTING IN DEATH"; AND FOR RELATED PURPOSES.
By Senator(s) Younger, Blackwell, Chassaniol, McMahan, Polk, Kirby

S. B. No. 2437: Judiciary, Division B
AN ACT TO CREATE AN ENHANCED PENALTY FOR PERSONS SENTENCED AS HABITUAL MISDEMEANOR OFFENDERS; TO DEFINE TERMS; TO PROVIDE THAT IF A COURT FINDS THAT A DEFENDANT IS A HABITUAL MISDEMEANOR OFFENDER, THE DEFENDANT SHALL BE GUILTY OF A FELONY; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 2438: Judiciary, Division B; Education
AN ACT TO AMEND SECTION 37-15-9, MISSISSIPPI CODE OF 1972, TO CRIMINALIZE THE WILLFUL ENROLLMENT OF A CHILD WITHOUT ESTABLISHING

DOMICILE WITHIN THE STATE AND DISTRICT; TO PROVIDE PENALTIES; TO REQUIRE THE DEPARTMENT TO EXPEL THE CHILD WHOSE ENROLLMENT WAS THE BASIS OF THE CONVICTION; TO REQUIRE THE DEPARTMENT, SCHOOL DISTRICT OR ANY SCHOOL EMPLOYEE TO INFORM THE PROPER LAW ENFORCEMENT AUTHORITY OF VIOLATIONS OF THIS PROVISION; AND FOR RELATED PURPOSES.
By Senator(s) McLendon

S. B. No. 2439: Judiciary, Division B
AN ACT TO PROHIBIT ANY GOVERNMENTAL AUTHORITY, OR ANY AGENT THEREOF, ANY LAW ENFORCEMENT OFFICER, OR ANY PERSON ACTING ON BEHALF OF A GOVERNMENTAL AUTHORITY, TO ENGAGE IN A PATTERN OR PRACTICE OF CONDUCT BY LAW ENFORCEMENT OFFICERS OR BY OFFICIALS OR EMPLOYEES OF ANY GOVERNMENTAL AGENCY WITH RESPONSIBILITY FOR THE ADMINISTRATION OF JUSTICE OR THE INCARCERATION OF PERSONS THAT DEPRIVES PERSONS OF RIGHTS, PRIVILEGES, OR IMMUNITIES SECURED OR PROTECTED BY THE UNITED STATES CONSTITUTION, MISSISSIPPI CONSTITUTION OF 1890 OR THE LAWS OF THIS STATE; TO PROVIDE THAT A LAW ENFORCEMENT OFFICER WHO ENGAGES IN SUCH CONDUCT SHALL BE SUBJECT TO LOSS OF CERTIFICATION UPON THE COMPLETION OF AN INVESTIGATION BY THE BOARD ON LAW ENFORCEMENT OFFICERS STANDARDS AND TRAINING; TO REQUIRE CERTAIN PERSONS WITH ACTUAL KNOWLEDGE OF SUCH CONDUCT TO REPORT TO THE BOARD ON LAW ENFORCEMENT OFFICERS STANDARDS AND TRAINING; TO REQUIRE CERTAIN HIRING ENTITIES TO MAKE REASONABLE INQUIRY INTO THE EMPLOYMENT HISTORY OF CERTAIN PERSONS; TO PROVIDE CIVIL PENALTIES FOR FAILURE TO COMPLY WITH THE ACT; TO AMEND SECTION 45-6-7, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Barnett

S. B. No. 2440: Judiciary, Division B
AN ACT TO PROVIDE THAT THE ODOR OF MARIJUANA ALONE SHALL NOT PROVIDE A LAW ENFORCEMENT OFFICER WITH PROBABLE CAUSE TO CONDUCT A WARRANTLESS SEARCH OF A MOTOR VEHICLE, HOME OR OTHER PRIVATE PROPERTY; AND FOR RELATED PURPOSES.
By Senator(s) Hickman, Simmons (12th), Brumfield, Jackson, Norwood

S. B. No. 2441: Judiciary, Division B
AN ACT TO AMEND SECTION 97-32-51, MISSISSIPPI CODE OF 1972, TO PROHIBIT ANY PERSON FROM DISTRIBUTING, SELLING OR OFFERING FOR SALE ANY ALTERNATIVE NICOTINE PRODUCT THAT CANNOT BE LEGALLY MARKETED OR SOLD UNDER FEDERAL LAW OR RULE, REGULATION OR GUIDANCE PROMULGATED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2442: Corrections; Appropriations
AN ACT TO ESTABLISH A "PRISON-TO-PAYCHECK PIPELINE PILOT PROGRAM" TO PROVIDE A COMPREHENSIVE CASE MANAGEMENT PROGRAM FOR 1,000 INMATES TO RE-ENTER THE GENERAL POPULATION; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY TO ISSUE A REQUEST FOR PROPOSALS FOR A THIRD-PARTY COORDINATOR TO OPERATE THE PROGRAM UNDER CERTAIN GUIDELINES AND TO AUTHORIZE THE DEPARTMENT TO ADMINISTER THE THIRD-PARTY CONTRACT; TO AUTHORIZE COORDINATION WITH THE STATE PAROLE BOARD; TO ESTABLISH AN RFP REVIEW BOARD FOR THE PROGRAM; TO AUTHORIZE FUNDING FOR THE PROGRAM THROUGH AN ANNUAL APPROPRIATION TO THE DEPARTMENT; TO PROVIDE FOR ANNUAL REPORTS AND EVALUATIONS BY THE PEER COMMITTEE AND THE COORDINATOR; TO AMEND SECTION 47-5-579, MISSISSIPPI CODE OF

1972, TO CLARIFY THAT PARTICIPANTS IN THE PRISON INDUSTRIES PROGRAMS ARE NOT ELIGIBLE FOR THE PILOT REENTRY PROGRAM; TO AMEND SECTION 47-5-10, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.
By Senator(s) Barnett

S. B. No. 2443: Finance
AN ACT TO AMEND SECTION 27-7-22.47, MISSISSIPPI CODE OF 1972, TO INCLUDE FORMERLY INCARCERATED INDIVIDUALS IN TRANSITIONAL HOUSING AS ELIGIBLE ORGANIZATIONS FOR THE ETHO TAX CREDIT PROGRAM; AND FOR RELATED PURPOSES.
By Senator(s) Barnett

S. B. No. 2444: Corrections
AN ACT TO AMEND SECTIONS 47-5-539 AND 47-5-579, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO EXPAND THE PILOT WORK INITIATIVE UNDER THE MISSISSIPPI PRISON INDUSTRIES CORPORATION AT CENTRAL MISSISSIPPI CORRECTIONAL FACILITY TO ANY STATE, REGIONAL AND PRIVATE CORRECTIONAL FACILITY IN THE STATE OF MISSISSIPPI WHICH HOUSE INMATES UNDER THE JURISDICTION OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; TO PRESCRIBE CERTAIN CONDITIONS FOR THE OPERATION OF THE MISSISSIPPI PRISON INDUSTRIES PROGRAM; TO EARMARK PAYMENTS FROM THE INMATE'S WORK RELEASE ACCOUNT FOR AUTHORIZED PURPOSES; TO DELETE THE AUTOMATIC REPEALER ON THE PRISON INDUSTRIES PROGRAM; AND FOR RELATED PURPOSES.
By Senator(s) Barnett

S. B. No. 2445: Corrections
AN ACT TO AMEND SECTION 47-5-473, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PILOT WORK RELEASE PROGRAM FOR THE CENTRAL MISSISSIPPI CORRECTIONAL FACILITY; TO AMEND SECTIONS 47-5-577 AND 47-5-579, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE MISSISSIPPI PRISON INDUSTRIES ACT OF 1990 FROM JULY 1, 2024, TO JULY 1, 2028, AND TO TRANSFER THE REPEALER IN SECTION 47-5-579 TO SECTION 47-5-577; TO BRING FORWARD SECTIONS 47-5-531, 47-5-533, 47-5-535, 47-5-537, 47-5-539, 47-5-541, 47-5-543, 47-5-545, 47-5-547, 47-5-549, 47-5-551, 47-5-553, 47-5-555, 47-5-557, 47-5-559, 47-5-561, 47-5-563, 47-5-565, 47-5-567, 47-5-569, 47-5-571, 47-5-573 AND 47-5-575, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 47-5-911, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISIONS OF LAW AUTHORIZING CERTAIN STATE OFFENDERS TO SERVE ALL OR PART OF THEIR SENTENCE IN CERTAIN COUNTY JAILS; TO BRING FORWARD SECTIONS 47-5-901, 47-5-903, 47-5-905, 47-5-907 AND 47-5-909, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 47-5-1251, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PRISON INDUSTRY ENHANCEMENT PROGRAM FROM JULY 1, 2024, TO JULY 1, 2028; TO DELETE THE AUTOMATIC REPEALER ON THE MISSISSIPPI EARNED PAROLE ELIGIBILITY ACT OF 2021; TO BRING FORWARD SECTION 1 OF CHAPTER 479, LAWS OF 2021, TO AMEND SECTIONS 47-7-3 AND 47-7-5 AND BRING FORWARD SECTIONS 47-7-3.1, 47-7-3.2, 47-7-15, 47-7-17 AND 47-7-18, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.
By Senator(s) Barnett

S. B. No. 2446: Corrections; Judiciary, Division B
AN ACT TO AMEND SECTION 47-7-37.1, MISSISSIPPI CODE OF 1972, TO ADD CERTAIN GROUNDS FOR THE COURT TO REVOKE PROBATION OR POST-RELEASE SUPERVISION; AND FOR RELATED PURPOSES.
By Senator(s) Ladner

S. B. No. 2447: Municipalities; County Affairs

AN ACT TO PROHIBIT ANY MUNICIPALITY, COUNTY OR OTHER POLITICAL SUBDIVISION FROM ADOPTING AN ORDINANCE, RESOLUTION, RULE OR REGULATION THAT IMPOSES A CIVIL PENALTY OR FINE ON A SECURITY BUSINESS IF SUCH BUSINESS RECEIVES A FALSE SECURITY ALARM UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTIONS 19-3-40 AND 21-17-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Williams

S. B. No. 2448: Corrections

AN ACT TO DELETE THE AUTOMATIC REPEALER ON THE MISSISSIPPI EARNED PAROLE ELIGIBILITY ACT OF 2021; TO BRING FORWARD SECTION 1 OF CHAPTER 479, LAWS OF 2021, TO AMEND SECTIONS 47-7-3 AND 47-7-5 AND BRING FORWARD SECTIONS 47-7-3.1, 47-7-3.2, 47-7-15, 47-7-17 AND 47-7-18, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

S. B. No. 2449: Corrections

AN ACT TO REQUIRE THAT AN INMATE BE GIVEN NOTIFICATION OF CERTAIN TERMS UPON HIS OR HER RELEASE IF THE INMATE IS ELIGIBLE FOR PAROLE, POST-RELEASE SUPERVISION OR PROBATION; TO REQUIRE THE NOTIFICATION TO CONTAIN INFORMATION REGARDING THE TIME PERIOD OF SUPERVISION, CONDITIONS FOR WHICH AN INMATE MAY BE RETURNED TO PRISON AND CONDITIONS UPON WHICH AN INMATE'S PERSON, RESIDENCE OR VEHICLE MAY BE SEARCHED BY ANY LAW ENFORCEMENT OFFICER; TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO LIST THE RELEASED INMATE ON THE NATIONAL CRIME INDEX COMPUTER FOR CERTAIN PURPOSES; TO AMEND SECTIONS 47-7-33.1, 47-7-34, 47-7-35 AND 47-7-47, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

S. B. No. 2450: Corrections

AN ACT TO AMEND SECTION 47-5-1003, MISSISSIPPI CODE OF 1972, TO LIMIT ELIGIBILITY FOR THE INTENSIVE SUPERVISION PROGRAM OPERATED BY THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; TO CAP THE TOTAL NUMBER OF PARTICIPANTS IN THE INTENSIVE SUPERVISION PROGRAM; TO REQUIRE THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW TO PRODUCE A REPORT ON THE OPERATION AND MANAGEMENT OF OFFENDERS PARTICIPATING IN THE INTENSIVE SUPERVISION PROGRAM BY THE DEPARTMENT OF CORRECTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Younger, Blackwell, Polk, Kirby, Chassaniol, McMahan

S. B. No. 2451: Corrections

AN ACT TO AMEND SECTION 47-5-30, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE COMMISSIONER OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO PROJECT INMATE POPULATION GROWTH; AND FOR RELATED PURPOSES.

By Senator(s) Younger, Blackwell, Chassaniol, Polk, Kirby, McMahan

S. B. No. 2452: Public Health and Welfare

AN ACT TO ENACT THE MISSISSIPPI FAMILIES' RIGHTS AND RESPONSIBILITIES ACT TO PROVIDE THAT THE STATE, ANY POLITICAL SUBDIVISION OF THE STATE, OR ANY OTHER GOVERNMENTAL ENTITY SHALL NOT SUBSTANTIALLY BURDEN THE FUNDAMENTAL RIGHT OF A PARENT TO DIRECT THE UPBRINGING, EDUCATION, HEALTH CARE AND MENTAL HEALTH OF THAT PARENT'S CHILD WITHOUT DEMONSTRATING THAT THE BURDEN IS

REQUIRED BY A COMPELLING GOVERNMENTAL INTEREST OF THE HIGHEST ORDER AS APPLIED TO THE PARENT AND THE CHILD AND IS THE LEAST RESTRICTIVE MEANS OF FURTHERING THAT COMPELLING GOVERNMENTAL INTEREST; TO REQUIRE THE CONSENT OF A PARENT OR GUARDIAN FOR CERTAIN ACTIONS, INCLUDING PRESCRIBING MEDICATION OR PERFORMING SURGERY; TO SET CERTAIN EXCEPTIONS TO THE CONSENT REQUIREMENT; TO PROVIDE THAT NO STATE EMPLOYEE SHALL WITHHOLD INFORMATION ABOUT THE CHILD'S PHYSICAL, EMOTIONAL OR MENTAL HEALTH FROM THE PARENT; TO PROVIDE A CAUSE OF ACTION TO THE PARENT FOR ANY VIOLATION OF THE ACT; TO PROVIDE THAT A PARENT MAY RAISE THE PROVISIONS OF THIS ACT AS A DEFENSE AGAINST CERTAIN JUDICIAL OR ADMINISTRATIVE PROCEEDINGS; TO SET CERTAIN LIMITATIONS ON THE PROVISIONS OF THE ACT; TO AMEND SECTION 41-10-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A HEALTH CARE PROVIDER, HEALTH CARE FACILITY OR ITS AGENT(S), OR ANY COMBINATION THEREOF, OR MEDICAL STAFF OF A SCHOOL SHALL NOT WITHHOLD MEDICAL RECORDS FROM A PARENT OR GUARDIAN OF AN UNEMANCIPATED MINOR UNDER 18 YEARS OF AGE OR REQUIRE A PARENT OR GUARDIAN TO RECEIVE THE CONSENT OF AN UNEMANCIPATED MINOR UNDER 18 YEARS OF AGE TO BE GRANTED ACCESS TO THE MINOR'S MEDICAL RECORDS; TO AMEND SECTION 41-41-14, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; TO REPEAL SECTION 41-41-13, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THAT A MEDICAL PROVIDER HAS NO OBLIGATION TO OBTAIN PARENTAL CONSENT FOR THE TREATMENT OF MINORS FOR VENEREAL DISEASE; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2453: Energy
AN ACT TO AMEND SECTION 77-3-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSION TO CANCEL A MUNICIPALITY'S CERTIFICATE TO PROVIDE SERVICE GREATER THAN ONE MILE OUTSIDE ITS CORPORATE BOUNDARIES UPON A FINDING THAT THE MUNICIPALITY DID NOT PROVIDE REASONABLY ADEQUATE SERVICE; TO AMEND SECTION 77-3-22, MISSISSIPPI CODE OF 1972, TO INCLUDE MUNICIPALLY OWNED OR OPERATED ELECTRIC UTILITIES PROVIDING SERVICE GREATER THAN ONE MILE OUTSIDE OF MUNICIPAL BOUNDARIES; AND FOR RELATED PURPOSES.
By Senator(s) Whaley

S. B. No. 2454: Energy; Government Structure
AN ACT TO AMEND SECTION 49-17-707, MISSISSIPPI CODE OF 1972, TO MOVE THE DATE OF REPEAL ON THE MISSISSIPPI GULF COAST REGION UTILITY BOARD FROM 2027 TO 2024; TO AMEND SECTION 49-17-709, MISSISSIPPI CODE OF 1972, TO MOVE THE DATE OF REPEAL ON THE BOARD OF DIRECTORS OF THE MISSISSIPPI GULF COAST REGION UTILITY BOARD FROM 2027 TO 2024; TO AMEND SECTION 49-17-711, MISSISSIPPI CODE OF 1972, TO MOVE THE DATE OF REPEAL ON PROVISIONS CONCERNING THE UTILITY BOARD'S EMPLOYEES AND BUDGET FROM 2027 TO 2024; TO AMEND SECTION 49-17-713, MISSISSIPPI CODE OF 1972, TO MOVE THE DATE OF REPEAL ON THE DUTIES AND RESPONSIBILITIES OF THE UTILITY BOARD FROM 2027 TO 2024; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2455: Government Structure
AN ACT TO RECONSTITUTE THE MISSISSIPPI PUBLIC SERVICE COMMISSION FROM AN ELECTED COMMISSION TO AN APPOINTED COMMISSION; TO CONSOLIDATE THE PUBLIC SERVICE COMMISSION WITH THE MISSISSIPPI PUBLIC UTILITIES STAFF; TO ESTABLISH THE EXECUTIVE DIRECTOR AS THE HEAD OF THE RECONSTITUTED COMMISSION; TO AMEND SECTION 77-1-1, MISSISSIPPI CODE OF 1972, TO RECONSTITUTE THE PUBLIC SERVICE COMMISSION, TO STIPULATE THAT COMMISSIONERS BE APPOINTED RATHER THAN ELECTED, TO SET NEW TERM LIMITS, TO FURTHER DEFINE THE ROLE OF

COMMISSIONERS, AND TO ESTABLISH THE FOUR DIVISIONS OF THE PUBLIC UTILITIES STAFF; TO AMEND SECTION 77-1-15, MISSISSIPPI CODE OF 1972, TO EXPAND THE ROLE OF THE EXECUTIVE SECRETARY OF THE COMMISSION TO ALSO SERVE THE PUBLIC UTILITIES STAFF AND TO PROVIDE FOR ADDITIONAL RESPONSIBILITIES OF THE SECRETARY; TO AMEND SECTION 77-2-1, MISSISSIPPI CODE OF 1972, TO INCLUDE THE NEW DIVISIONS OF THE STAFF; TO AMEND SECTION 77-2-7, MISSISSIPPI CODE OF 1972, TO STIPULATE THAT THE EXECUTIVE DIRECTOR OF THE COMMISSION IS REMOVABLE ONLY FOR CAUSE AND IS THE CHIEF ADMINISTRATIVE AND POLICY OFFICER OF THE PUBLIC SERVICE COMMISSION STAFF; TO CREATE WITHIN THE ATTORNEY GENERAL'S OFFICE THE OFFICE OF CONSUMER ADVOCATE TO REPRESENT THE INTERESTS OF CONSUMERS BEFORE THE PUBLIC SERVICE COMMISSION AND TO ESTABLISH THE DUTIES AND RESPONSIBILITIES OF THE OFFICE OF CONSUMER ADVOCATE; TO AMEND SECTION 77-3-11, MISSISSIPPI CODE OF 1972, TO ALLOW THE COMMISSION TO REQUIRE A FILING FEE FOR CERTAIN RENEWABLE PROJECTS; TO AMEND SECTION 77-3-87, MISSISSIPPI CODE OF 1972, TO ALLOW THE COMMISSION TO RETAIN FUNDS COLLECTED VIA FILING FEE; TO AMEND SECTION 77-3-37, MISSISSIPPI CODE OF 1972, TO REFLECT THE COMMISSION'S AUTHORITY TO REQUIRE A FILING FEE; TO AMEND SECTIONS 23-15-193, 23-15-297, 25-3-31, 23-15-333, 23-15-367, 25-3-41, 77-1-25, 77-3-3, 77-3-91, 77-3-111, 77-11-305 AND 77-13-3, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 77-1-51, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL; AND FOR RELATED PURPOSES.
By Senator(s) Parks

S. B. No. 2456: Appropriations
AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ALCORN STATE UNIVERSITY TO DEFRAY EXPENSES FOR STEM-RELATED PROGRAMS FOR FISCAL YEAR 2025.
By Senator(s) Butler, Simmons (13th), Horhn, Thomas, Frazier, Jordan, Norwood

S. B. No. 2457: Finance
AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; AND FOR RELATED PURPOSES.
By Senator(s) Williams

S. B. No. 2458: Appropriations
AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ALCORN STATE UNIVERSITY TO DEFRAY EXPENSES TO UPGRADE ROADWAYS AND SIDEWALKS FOR FISCAL YEAR 2025.
By Senator(s) Butler, Simmons (13th), Thomas, Frazier, Jordan, Horhn, Norwood

S. B. No. 2459: Appropriations
AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO CLAIBORNE COUNTY TO DEFRAY EXPENSES FOR REPAIRS AND IMPROVEMENTS TO HISTORICAL STRUCTURES IN THE COUNTY FOR FISCAL YEAR 2025.
By Senator(s) Butler, Thomas, Frazier, Jordan, Horhn, Norwood

S. B. No. 2460: Appropriations
AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ALCORN STATE UNIVERSITY AGRICULTURAL PROGRAMS TO DEFRAY EXPENSES TO STRENGTHEN SUPPORT OF POULTRY SCIENCE RESEARCH, EXTENSION AND ACADEMIC PROGRAMS FOR FISCAL YEAR 2025.
By Senator(s) Butler, Simmons (13th), Frazier, Thomas, Jordan, Horhn, Norwood

S. B. No. 2461: Appropriations
AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ALCORN STATE UNIVERSITY AGRICULTURAL PROGRAMS TO DEFRAY EXPENSES TO

SUPPORT ANIMAL SCIENCE RESEARCH AND EXTENSION PROGRAMS FOR FISCAL YEAR 2025.
By Senator(s) Butler, Simmons (13th), Frazier, Thomas, Jordan, Horhn, Norwood

S. B. No. 2462: Appropriations
AN ACT MAKING AN APPROPRIATION TO ALCORN AGRICULTURE RESEARCH AND EXTENSION FOR THE PURPOSE OF DEFRAYING THE COSTS OF CERTAIN CAPITAL PROJECTS FOR THE FISCAL YEAR 2024.
By Senator(s) Butler, Simmons (13th), Frazier, Thomas, Horhn, Norwood, Jordan

S. B. No. 2463: Appropriations
AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO SISTERS IN BIRTH'S NONPROFIT, CHARITABLE, COMMUNITY-FOCUSED WOMEN'S CLINIC TO IMPROVE MATERNAL AND CHILD HEALTH FOR FISCAL YEAR 2025; AND FOR RELATED PURPOSES.
By Senator(s) Butler, Thomas, Jordan

S. B. No. 2464: Finance
AN ACT TO AMEND SECTION 27-19-56.549, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF SEPARATE DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MOST WORSHIPFUL KING HIRAM GRAND LODGE, A.F. & A.M., STATE OF MISSISSIPPI, AND TO SUPPORTERS OF ELECTRA GRAND CHAPTER ORDER OF EASTERN STAR, A.F. & A.M., STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.
By Senator(s) Thomas, Brumfield, Jackson

S. B. No. 2465: Public Property
AN ACT TO AUTHORIZE THE STATE HIGHWAY COMMISSION, ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, TO TRANSFER AND CONVEY TO THE CITY OF MARKS, MISSISSIPPI, A CERTAIN PARCEL OF LAND SITUATED IN MARKS, MISSISSIPPI, AT THE INTERSECTION OF STATE HIGHWAYS THREE AND SIX; AND FOR RELATED PURPOSES.
By Senator(s) Jackson

S. B. No. 2466: Finance
AN ACT TO AMEND SECTION 67-1-81, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, IN ADDITION TO OTHER PENALTIES AUTHORIZED AGAINST A PERMITTEE UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW FOR THE UNLAWFUL SALE, FURNISHING, GIVING OR CAUSING TO BE SOLD OF ALCOHOLIC BEVERAGES TO PERSONS UNDER THE AGE OF 21, THE COMMISSIONER OF REVENUE MAY REQUIRE THAT THE PERMITTEE HAVE AND USE AN INDEPENDENT, THIRD-PARTY AGE-VERIFICATION APP ON THE LICENSED PREMISES FOR THE PURPOSE OF DETERMINING WHETHER A PERSON TO WHOM ALCOHOLIC BEVERAGES ARE SOLD, FURNISHED, GIVEN OR CAUSED TO BE SOLD IS 21 YEARS OF AGE OR OLDER; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2467: Finance
AN ACT TO AMEND SECTION 27-31-1, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM ALL MUNICIPAL AD VALOREM TAXES ALL REAL PROPERTY LOCATED IN AN AREA ANNEXED BY A MUNICIPALITY, FOR A PERIOD OF 12 MONTHS AFTER THE DATE OF ANNEXATION; TO AMEND SECTION 27-51-41, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM ALL MUNICIPAL AD VALOREM TAXES ALL MOTOR VEHICLES REGISTERED TO AN ADDRESS IN AN AREA ANNEXED BY A MUNICIPALITY, FOR A PERIOD OF 12 MONTHS AFTER THE DATE OF ANNEXATION; AND FOR RELATED PURPOSES.
By Senator(s) McLendon

S. B. No. 2468: Appropriations

AN ACT TO BRING FORWARD SECTION 27-103-125, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-103-139, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-103-203, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-103-211, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-103-213, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-103-303, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO DIRECT THE STATE TREASURER, IN CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER CERTAIN FUNDS DURING FISCAL YEAR 2024 FROM THE CAPITAL EXPENSE FUND; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

S. B. No. 2469: Public Health and Welfare

AN ACT TO AMEND SECTION 41-10-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A HEALTH CARE PROVIDER, HEALTH CARE FACILITY OR ITS AGENT(S), OR ANY COMBINATION THEREOF, OR MEDICAL STAFF OF A SCHOOL SHALL NOT WITHHOLD MEDICAL RECORDS FROM A PARENT OR GUARDIAN OF AN UNEMANCIPATED MINOR UNDER 18 YEARS OF AGE OR REQUIRE A PARENT OR GUARDIAN TO RECEIVE THE CONSENT OF AN UNEMANCIPATED MINOR UNDER EIGHTEEN (18) YEARS OF AGE TO BE GRANTED ACCESS TO THE MINOR'S MEDICAL RECORDS; TO PROVIDE THAT A PARENT OR GUARDIAN MAY BRING SUIT FOR ANY VIOLATION OF THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Parker, Hill

S. B. No. 2470: Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO MOVE THE BACK-TO-SCHOOL SALES TAX HOLIDAY FROM THE LAST FRIDAY IN JULY TO THE SECOND FRIDAY IN JULY; AND FOR RELATED PURPOSES.

By Senator(s) Michel

S. B. No. 2471: Finance

AN ACT TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO INCREASE FROM 18-1/2% TO 20% THE AMOUNT OF STATE SALES TAX REVENUE COLLECTED IN MUNICIPALITIES THAT IS DIVERTED TO MUNICIPALITIES WITHIN THE STATE; TO PROVIDE THAT 20% OF THE STATE SALES TAX REVENUE COLLECTED FROM BUSINESS ACTIVITIES OUTSIDE THE MUNICIPALITIES IN A COUNTY SHALL BE PAID TO THE COUNTY; TO PROVIDE THAT SUCH MONIES PAID TO A COUNTY SHALL BE USED FOR REPAIR, MAINTENANCE AND RECONSTRUCTION OF ROADS, STREETS AND BRIDGES; TO AMEND SECTION 27-65-53, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

S. B. No. 2472: Finance

AN ACT TO PROVIDE FOR AN INCOME TAX CREDIT EQUAL TO THE HOUSEHOLD AND DEPENDENT CARE SERVICES CREDIT AUTHORIZED FOR FEDERAL INCOME TAX PURPOSES; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2473: Finance

AN ACT TO AMEND SECTION 27-19-99, MISSISSIPPI CODE OF 1972, TO REDEDICATE THE PORTION OF THE STANDARD LICENSE TAG FEE DEPOSITED INTO THE STATE GENERAL FUND, SO THAT IT WILL BE DEPOSITED INSTEAD INTO

THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTION 27-19-56.15, MISSISSIPPI CODE OF 1972, TO REDEDICATE THE PORTION OF THE ADDITIONAL FEE DEPOSITED INTO THE STATE GENERAL FUND FROM THE SALE OF DISTINCTIVE LICENSE TAGS DISPLAYING THE EMBLEMS OF CERTAIN PUBLIC OR PRIVATE UNIVERSITIES LOCATED IN OTHER STATES, SO THAT IT WILL BE DEPOSITED INSTEAD INTO THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTION 27-19-56.24, MISSISSIPPI CODE OF 1972, TO REDEDICATE THE PORTION OF THE DUCKS UNLIMITED, INC., DISTINCTIVE LICENSE TAG ADDITIONAL FEE TO BE DEPOSITED INTO THE STATE GENERAL FUND IF THERE IS NO MISSISSIPPI CHAPTER OF DUCKS UNLIMITED, INC., SO THAT IT WILL BE DEPOSITED INSTEAD INTO THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTION 27-19-56.137, MISSISSIPPI CODE OF 1972, TO REDEDICATE THE PORTION OF THE REBUILD THE COAST.ORG DISTINCTIVE LICENSE TAG ADDITIONAL FEE TO BE DEPOSITED INTO THE STATE GENERAL FUND WHEN REBUILD THE COAST.ORG IS DISSOLVED, SO THAT IT WILL BE DEPOSITED INSTEAD INTO THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTIONS 27-19-45, 27-19-47, 27-19-47.1, 27-19-47.2, 27-19-48, 27-19-56.1, 27-19-56.2, 27-19-56.3, 27-19-56.5, 27-19-56.6, 27-19-56.11, 27-19-56.13 AND 27-19-56.467, MISSISSIPPI CODE OF 1972, TO REMOVE THE PORTIONS OF OTHER DISTINCTIVE LICENSE TAG ADDITIONAL FEES THAT ARE CURRENTLY DEPOSITED INTO THE STATE GENERAL FUND; TO AMEND SECTION 27-19-179, MISSISSIPPI CODE OF 1972, TO CHANGE THE PROVISION THAT UNEXPENDED AMOUNTS ABOVE $500,000.00 IN THE DEPARTMENT OF REVENUE LICENSE TAG ACQUISITION FUND SHALL LAPSE ANNUALLY INTO THE STATE GENERAL FUND, SO THAT THEY WILL LAPSE INSTEAD INTO THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTION 27-51-105, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; AND FOR RELATED PURPOSES.
By Senator(s) Hopson

S. B. No. 2474: Accountability, Efficiency, Transparency

AN ACT TO CREATE THE MISSISSIPPI WHISTLEBLOWER REWARD ACT; TO PROVIDE FOR DEFINITIONS; TO PROVIDE THAT WHEN A WHISTLEBLOWER PROVIDES ORIGINAL INFORMATION AND SUBSTANTIAL EVIDENCE OF THE THEFT OR MISUSE OF GOVERNMENT FUNDS OR PROPERTY TO THE DEPARTMENT, AND THAT EVIDENCE LEADS TO THE SUCCESSFUL RECOVERY OF FUNDS BY THE DEPARTMENT, THEN THE STATE OF MISSISSIPPI, THROUGH THE DEPARTMENT OF AUDIT, SHALL PAY SUCH WHISTLEBLOWER 15% OF THE PROCEEDS OF THE RECOVERY; TO PROVIDE HOW THE POTENTIAL REWARD SHALL BE RECOVERED; TO PROVIDE THAT ADDITIONALLY, THE COST INCURRED BY THE DEPARTMENT WITH ANY VENDOR WHOSE SERVICES WERE DEEMED NECESSARY BY THE DEPARTMENT TO FULLY INVESTIGATE SHALL ALSO BE RECOVERED; TO PROVIDE THAT THE IDENTITY OF THE WHISTLEBLOWER SHALL REMAIN CONFIDENTIAL EXCEPT IN CERTAIN SITUATIONS; TO PROVIDE THAT COMMUNICATIONS BETWEEN THE DEPARTMENT OF AUDIT AND THE WHISTLEBLOWER SHALL BE EXEMPT FROM THE MISSISSIPPI PUBLIC RECORDS ACT; TO AMEND SECTION 25-61-12, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Parker

S. B. No. 2475: Finance

AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR TAXPAYERS IN AN AMOUNT EQUAL TO CHILD CARE EXPENSES PAID BY TAXPAYERS FOR CHILD CARE FOR THEIR CHILDREN TO PREKINDERGARTEN PROVIDERS WHO PARTICIPATE IN THE EARLY LEARNING COLLABORATIVE ACT OF 2013; TO AUTHORIZE A TAX CREDIT FOR PREKINDERGARTEN PROVIDERS WHO PARTICIPATE IN THE EARLY LEARNING COLLABORATIVE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2476: Finance

AN ACT TO AMEND SECTION 27-7-22.39, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES SEPARATE INCOME TAX CREDITS FOR VOLUNTARY CASH CONTRIBUTIONS TO QUALIFYING CHARITABLE ORGANIZATIONS AND QUALIFYING FOSTER CARE CHARITABLE ORGANIZATIONS, TO EXTEND THE DATE OF THE REPEALER ON THAT SECTION OF LAW; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2477: Finance

AN ACT TO REENACT SECTION 27-7-22.42, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR QUALIFIED RAILROAD RECONSTRUCTION OR REPLACEMENT EXPENDITURES AND QUALIFIED NEW RAIL INFRASTRUCTURE EXPENDITURES, AND WHICH WAS REPEALED BY OPERATION OF LAW ON JANUARY 1, 2024; TO AMEND REENACTED SECTION 27-7-22.42, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2478: Government Structure

AN ACT TO AMEND SECTION 39-5-3, MISSISSIPPI CODE OF 1972, TO REVISE THE APPOINTING AUTHORITY FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE DEPARTMENT OF ARCHIVES AND HISTORY; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2479: Business and Financial Institutions

AN ACT TO AMEND SECTION 75-24-29, MISSISSIPPI CODE OF 1972, TO AUTHORIZE REPORTING OF A BREACH OF SECURITY TO THE OFFICE OF THE ATTORNEY GENERAL; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2480: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 27-41-1, MISSISSIPPI CODE OF 1972, TO DISALLOW A PROCESSING FEE TO BE CHARGED ON DEBIT CARD PAYMENTS FOR AD VALOREM TAXES; TO AMEND SECTIONS 27-104-33 AND 17-25-1, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) McLendon

S. B. No. 2481: Finance

AN ACT TO AMEND SECTION 27-7-22.15, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF THE INCOME TAX CREDIT AUTHORIZED FOR APPROVED REFORESTATION PRACTICES; AND FOR RELATED PURPOSES.

By Senator(s) Michel, Tate, Barrett, Thomas, Brumfield, McCaughn, Branning, Younger, Berry, Whaley, Seymour, Chassaniol

S. B. No. 2482: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 27-104-231, MISSISSIPPI CODE OF 1972, TO AMEND THE ADDITIONAL DEFICIT OR SUPPLEMENTAL APPROPRIATION REQUEST PROCEDURE; TO REQUIRE A STANDARDIZED REQUEST FORM PROMULGATED BY THE LEGISLATIVE BUDGET OFFICE AND THE DEPARTMENT OF FINANCE AND ADMINISTRATION; AND FOR RELATED PURPOSES.

By Senator(s) Younger, Chassaniol, Kirby, Blackwell, McMahan, Norwood, Polk

S. B. No. 2483: Finance

AN ACT TO AMEND SECTION 67-1-211, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT, BEFORE MONIES IN THE ABC WAREHOUSE CONSTRUCTION FUND MAY BE SPENT FOR ANY PURCHASE ASSOCIATED WITH LAND ACQUISITION FOR, OR WITH THE DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF, A NEW WAREHOUSE FOR THE DEPARTMENT OF REVENUE'S

ALCOHOLIC BEVERAGE CONTROL DIVISION, THE DEPARTMENT OF REVENUE AND THE DEPARTMENT OF FINANCE AND ADMINISTRATION MUST DETERMINE THAT THE TOTAL PROJECT CAN BE COMPLETED FOR THE AMOUNT OF REVENUE BONDS AUTHORIZED IN SECTION 7, CHAPTER 483, LAWS OF 2022, TO BE ISSUED FOR THE ABC WAREHOUSE CONSTRUCTION FUND, WHICH AMOUNT IS $55,000,000.00; TO BRING FORWARD SECTION 7, CHAPTER 483, LAWS OF 2022, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Younger, Blackwell, Chassaniol, Polk, Kirby, McMahan

S. B. No. 2484: Accountability, Efficiency, Transparency
AN ACT TO CREATE NEW SECTIONS 49-16-1 AND 49-16-3, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY, THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES, AND THE MISSISSIPPI DEVELOPMENT AUTHORITY TO DEVELOP A PLAN FOR COASTAL RESILIENCY AND RESTORATION; AND FOR RELATED PURPOSES.
By Senator(s) Younger, Chassaniol, Blackwell, Polk, Kirby, McMahan

S. B. No. 2485: Accountability, Efficiency, Transparency
AN ACT TO CREATE SECTION 25-61-11.3, MISSISSIPPI CODE OF 1972, TO INCLUDE IN THE MISSISSIPPI PUBLIC RECORDS ACT AN EXEMPTION FOR THE PRIVATE INFORMATION OF MINORS; AND FOR RELATED PURPOSES.
By Senator(s) Younger

S. B. No. 2486: Government Structure
AN ACT TO AMEND SECTION 31-7-417, MISSISSIPPI CODE OF 1972, TO SIMPLIFY THE RECEIPT AND REGISTRATION PROCESS FOR PROPOSALS AND REQUESTS FOR QUALIFICATIONS; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 2487: Appropriations
AN ACT TO BRING FORWARD SECTION 45-2-1, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT ESTABLISHES THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2488: Finance
AN ACT TO CREATE A NEW SECTION IN TITLE 25, CHAPTER 11, ARTICLE 3, MISSISSIPPI CODE OF 1972, TO IMPLEMENT THE "FIRST RESPONDERS RETIREMENT INCENTIVE"; TO PROVIDE, FOR THIS INCENTIVE, THAT ANY MEMBER OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM HIRED ON OR AFTER JULY 1, 2011, SHALL EARN ONE YEAR OF CREDITABLE SERVICE AT NO COST TO MEMBERS FOR EVERY FIVE YEARS SERVED AS A FIRST RESPONDER IN THE STATE OF MISSISSIPPI; TO PROVIDE THAT, IN ORDER TO USE THIS INCENTIVE, THE FIRST RESPONDER MUST NOT HAVE ANY FELONY CONVICTIONS AT THE TIME OF RETIREMENT; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2489: Appropriations
AN ACT TO CREATE A STUDY COMMITTEE TO STUDY THE FUNDING AND FULL PAYMENT OF HEALTH INSURANCE FOR ALL CERTIFIED LAW ENFORCEMENT OFFICERS, FIREFIGHTERS AND OTHER FIRST RESPONDERS WHO HAVE ATTAINED THE AGE OF RETIREMENT UNDER THE RULES AND REGULATIONS OF THE PUBLIC EMPLOYEES RETIREMENT SYSTEM AND OTHER RELATED MATTERS; TO ESTABLISH THE MEMBERSHIP OF THE STUDY COMMITTEE; TO PROVIDE PROCEDURES FOR THE STUDY COMMITTEE; TO REQUIRE THE STUDY COMMITTEE TO FILE A REPORT WITH THE LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) England

S. B. No. 2490: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-7-417, MISSISSIPPI CODE OF 1972, TO SIMPLIFY THE RECEIPT AND REGISTRATION PROCESS FOR PROPOSALS AND REQUESTS FOR QUALIFICATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2491: Finance

AN ACT TO PROVIDE A STATE INCOME TAX CREDIT FOR TAXPAYERS CLAIMING THE FEDERAL EARNED INCOME TAX CREDIT; TO PROVIDE THE AMOUNT OF THE CREDIT; TO PROVIDE THAT IF THE AMOUNT OF CREDIT CLAIMED BY A TAXPAYER EXCEEDS THE AMOUNT OF INCOME TAX IMPOSED UPON THE TAXPAYER FOR THE TAXABLE YEAR, THEN THE TAXPAYER SHALL RECEIVE A REFUND FROM THE DEPARTMENT OF REVENUE FOR THE AMOUNT OF SUCH EXCESS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson, Norwood, Turner-Ford, Butler, Thomas, Brumfield, Simmons (12th)

S. B. No. 2492: Finance

AN ACT TO AMEND SECTION 27-67-35, MISSISSIPPI CODE OF 1972, TO ALLOW MUNICIPALITIES TO USE MONIES FROM USE TAX REVENUE FOR PERSONAL PROPERTY OR EQUIPMENT TO BE USED FOR THE REPAIR, MAINTENANCE AND/OR RECONSTRUCTION OF ROADS, STREETS AND BRIDGES, OR TO BE USED FOR THE REPAIR, MAINTENANCE AND/OR OTHER IMPROVEMENTS TO WATER INFRASTRUCTURE AND SEWER INFRASTRUCTURE, INCLUDING STORM WATER AND DRAINAGE IMPROVEMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Branning

S. B. No. 2493: Finance

AN ACT TO REPEAL SECTION 6, CHAPTER 492, LAWS OF 2020, WHICH AUTHORIZES THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF $10,000,000.00 FOR THE ACE FUND; TO REPEAL SECTION 10, CHAPTER 480, LAWS OF 2021, WHICH AUTHORIZES THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF $20,000,000.00 FOR THE ACE FUND; TO AMEND SECTION 4, CHAPTER 460, LAWS OF 2006, TO REDUCE BY $9,280,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE DEPARTMENT OF MARINE RESOURCES EQUIPMENT AND FACILITIES FUND; TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, TO REDUCE BY $6,400,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING MISSISSIPPI STATE UNIVERSITY'S DIVISION OF AGRICULTURE, FORESTRY AND VETERINARY MEDICINE IN PAYING THE COSTS OF REPAIR AND RENOVATION OF, AND UPGRADES AND IMPROVEMENTS TO, DORMAN HALL AND RELATED FACILITIES; TO REDUCE BY $4,300,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING THE UNIVERSITY OF SOUTHERN MISSISSIPPI IN PAYING THE COSTS OF CONSTRUCTION, FURNISHING AND EQUIPPING OF THE EXECUTIVE EDUCATION AND CONFERENCE CENTER AND RELATED FACILITIES ON ITS GULF PARK CAMPUS, AND OF REPAIR, RENOVATION, LIFE SAFETY, AND ADA CODE UPGRADES, FURNISHING AND EQUIPPING OF CAMPUS BUILDINGS AND FACILITIES AT THE GULF COAST RESEARCH LABORATORY, HALSTEAD CAMPUS; TO CREATE THE 2024 IHL CAPITAL PROJECTS FUND IN THE STATE TREASURY TO ASSIST IN PAYING THE COSTS OF IHL PROJECTS FOR WHICH BONDING AUTHORITY IS REDUCED IN THIS ACT, IN THE AMOUNT OF THE REDUCTION FOR EACH PROJECT; TO TRANSFER $10,700,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2024 IHL CAPITAL PROJECTS FUND; TO AMEND SECTION 2, CHAPTER 480, LAWS OF 2021, TO REDUCE BY $758,372.00 THE AMOUNT OF STATE GENERAL OBLIGATION

BONDS AUTHORIZED TO BE ISSUED FOR EAST CENTRAL COMMUNITY COLLEGE; TO REMOVE THE $2,070,016.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR EAST MISSISSIPPI COMMUNITY COLLEGE; TO REDUCE BY $2,434,814.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ITAWAMBA COMMUNITY COLLEGE; TO REMOVE THE $2,052,257.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR NORTHEAST MISSISSIPPI COMMUNITY COLLEGE; TO REMOVE THE $1,714,541.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR SOUTHWEST MISSISSIPPI COMMUNITY COLLEGE; TO CREATE THE 2024 COMMUNITY COLLEGES CAPITAL PROJECTS FUND IN THE STATE TREASURY TO ASSIST IN PAYING THE COSTS OF COMMUNITY COLLEGE CAPITAL PROJECTS FOR WHICH BONDING AUTHORITY IS REDUCED IN THIS ACT IN THE AMOUNT OF THE REDUCTION FOR EACH COMMUNITY COLLEGE; TO TRANSFER $9,030,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2024 COMMUNITY COLLEGES CAPITAL PROJECTS FUND; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO REDUCE BY $20,000,000.00, $60,000,000.00 AND $5,000,000.00 THE AMOUNTS OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR PROJECTS DEFINED IN SUBPARAGRAPHS (XXVI), (XXVIII) AND (XXX), RESPECTIVELY, OF SECTION 57-75-5(F); TO AMEND SECTION 2, CHAPTER 522, LAWS OF 2011, TO REDUCE BY $3,377.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE 2011 MISSISSIPPI CIVIL RIGHTS MUSEUM AND MUSEUM OF MISSISSIPPI HISTORY CONSTRUCTION FUND; TO AMEND CHAPTER 464, LAWS OF 1999, AS LAST AMENDED BY SECTION 44, CHAPTER 472, LAWS OF 2015, TO REDUCE BY $18,627.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE 1999 DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS IMPROVEMENTS FUND; TO REPEAL SECTION 3, CHAPTER 580, LAWS OF 2007, WHICH AUTHORIZES STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF $4,000,000.00 TO BE ISSUED FOR THE GRAND GULF ACCESS ROAD CONSTRUCTION FUND TO BE SPENT UNDER THE DIRECTION OF THE MISSISSIPPI TRANSPORTATION COMMISSION; TO AMEND SECTION 57-71-25, MISSISSIPPI CODE OF 1972, TO REDUCE BY $140,000,000.00 THE AMOUNT OF STATE GENERAL OR LIMITED OBLIGATION BONDS AUTHORIZED TO BE ISSUED UNDER THE MISSISSIPPI SMALL ENTERPRISE DEVELOPMENT FINANCE ACT; TO TRANSFER $50,000,000.00 FROM THE CAPITAL EXPENSE FUND TO THE TRIPLE CROWN PROJECT FUND; TO TRANSFER $117,614,000.00 FROM THE CAPITAL EXPENSE FUND TO THE PROJECT POPPY FUND; AND FOR RELATED PURPOSES.
By Senator(s) Harkins

S. B. No. 2494: Public Property
AN ACT TO CREATE SECTION 29-5-2.2, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BUREAU OF BUILDING, GROUNDS AND REAL PROPERTY MANAGEMENT OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ACT AS THE CENTRAL LEASING AGENT FOR ALL STATE AGENCIES THAT NEED SPACE IN ANY STATE OR NONSTATE-OWNED BUILDING AND TO PRESCRIBE THOSE RESPONSIBILITIES; TO AMEND SECTIONS 29-5-2, 37-3-5, 41-4-7, 41-73-27, 43-13-116, 43-33-717, 45-11-7, 49-17-713, 49-19-5, 51-8-29, 51-8-31, 51-9-121, 51-11-11, 51-11-13, 51-13-111, 51-15-119, 55-24-9, 57-1-23, 59-5-35, 59-5-39, 59-7-211, 59-17-13, 65-1-8, 65-1-17, 69-7-109, 69-27-35, 71-3-85, 73-7-3, 73-17-7, 73-39-57, 99-18-13 AND 99-39-113, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.
By Senator(s) Blount

S. B. No. 2495: County Affairs
AN ACT TO AMEND SECTION 19-5-22, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A BOARD OF SUPERVISORS TO DESIGNATE THE ATTORNEY FOR THE BOARD OF SUPERVISORS TO SERVE AS A HEARING OFFICER IN DISPUTES REGARDING DELINQUENT SOLID WASTE FEES; AND FOR RELATED PURPOSES.

By Senator(s) Kirby, Harkins

S. B. No. 2496: Municipalities; County Affairs

AN ACT TO AMEND SECTION 21-1-27, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT AN ELECTION BE HELD IN ANY PART OF A COUNTY WHICH IS THE SUBJECT OF A MUNICIPAL ANNEXATION OR REMOVAL ORDINANCE; TO PROVIDE THAT THE COSTS OF THE ELECTION SHALL BE PAID BY THE GOVERNING AUTHORITY OF THE MUNICIPALITY THAT IS SEEKING THE ANNEXATION OR REMOVAL OF THE PROPOSED TERRITORY IN THE COUNTY; TO AMEND SECTION 21-1-31, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MUNICIPAL AUTHORITIES TO PAY ATTORNEY'S FEES AND ALL COSTS OF COURT WHEN APPEALING THE ELECTION RESULTS; TO AMEND SECTION 21-1-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CHANCELLOR MAY CONSIDER ELECTION RESULTS AS EVIDENCE; TO AMEND SECTIONS 21-1-35 AND 21-1-43, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO REPEAL SECTION 21-1-29, MISSISSIPPI CODE OF 1972, WHICH REQUIRES A MUNICIPAL ENLARGEMENT OR CONTRACTION PETITION TO BE FILED IN CHANCERY COURT; AND FOR RELATED PURPOSES.

By Senator(s) McLendon

S. B. No. 2497: Municipalities; County Affairs

AN ACT TO AMEND SECTION 21-1-27, MISSISSIPPI CODE OF 1972, TO REQUIRE PROPOSED ANNEXATION OF CERTAIN UNINCORPORATED COMMUNITIES TO BE PUT TO A REFERENDUM BY THE COMMUNITY IF THE ANNEXING MUNICIPALITY DOES NOT PROVIDE A MAJORITY OF CRITICAL SERVICES; AND FOR RELATED PURPOSES.

By Senator(s) Parker, Blackwell, McLendon

S. B. No. 2498: County Affairs; Municipalities

AN ACT TO AMEND SECTIONS 17-1-23 AND 19-27-31, MISSISSIPPI CODE OF 1972, TO CLARIFY THE OBLIGATORY NATURE OF CERTAIN PROCEDURAL REQUIREMENTS FOR A LANDOWNER DESIRING TO ALTER OR VACATE A MAP OR PLAT; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

S. B. No. 2499: Public Property

AN ACT TO AMEND CHAPTER 393, LAWS OF 2019, TO REVISE THE ABILITY OF THE MISSISSIPPI DEVELOPMENT AUTHORITY TO SELL, LEASE OR OTHERWISE DISPOSE OF CERTAIN REAL PROPERTY; AND FOR RELATED PURPOSES.

By Senator(s) Younger

S. B. No. 2500: Municipalities; Judiciary, Division B

AN ACT TO PROHIBIT A PERSON FROM SITTING, LYING, SLEEPING, OR STORING, USING, MAINTAINING OR PLACING PERSONAL PROPERTY UPON ANY STREET, SIDEWALK OR OTHER PUBLIC RIGHT-OF-WAY WITHIN 1,000 FEET OF A DEFINED SENSITIVE AREA OR A CRITICAL INFRASTRUCTURE AREA AND TO PROVIDE THAT VIOLATION OF THIS PROHIBITION IS A PUBLIC NUISANCE THAT CAN BE ABATED AND PREVENTED; TO PROVIDE THAT A VIOLATION OF THIS PROHIBITION MAY BE CHARGED AS A MISDEMEANOR; TO REQUIRE AT LEAST 48 HOURS' NOTICE BEFORE COMMENCEMENT OF ANY ENFORCEMENT ACTION; TO AMEND SECTION 21-19-11, MISSISSIPPI CODE OF 1972, TO INCLUDE HOMELESS ENCAMPMENTS ON PRIVATE PROPERTY IN THE PUBLIC NUISANCE LAW AND TO PROVIDE THAT THE COST OF ABATING SUCH ENCAMPMENT NUISANCES ON PRIVATE PROPERTY IS A LIEN ON THE PROPERTY WHICH MAY BE WAIVED BY THE MUNICIPALITY; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

S. B. No. 2501: Business and Financial Institutions; Municipalities

AN ACT TO REPEAL SECTION 27-105-363, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT THE TERM OF OFFICE OF A MUNICIPAL DEPOSITORY SHALL BE TWO YEARS; AND FOR RELATED PURPOSES.
By Senator(s) McMahan

S. B. No. 2502: County Affairs
AN ACT TO AMEND SECTION 19-3-19, MISSISSIPPI CODE OF 1972, TO SHORTEN THE REQUIREMENT FOR NOTICE OF SPECIAL MEETINGS OF COUNTY BOARDS OF SUPERVISORS FROM FIVE DAYS TO 24 HOURS; AND FOR RELATED PURPOSES.
By Senator(s) Parks

S. B. No. 2503: Municipalities; Finance
AN ACT TO CREATE THE "PROPERTY CLEANUP REVOLVING FUND" TO ASSIST MUNICIPALITIES WITH THE CLEAN UP OF PROPERTIES THAT HAVE BEEN DETERMINED TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE COMMUNITY IN ACCORDANCE WITH SECTION 21-19-11 OR COURT; TO AUTHORIZE THE CREATION OF A GRANT PROGRAM AND A REVOLVING LOAN PROGRAM ADMINISTERED BY THE MISSISSIPPI HOME CORPORATION FOR SUCH PROPERTY CLEANUP BY THE MUNICIPALITY; TO AUTHORIZE MUNICIPALITIES TO ENTER INTO AGREEMENTS AND TAKE SUCH ACTIONS NECESSARY TO PARTICIPATE IN THE GRANT PROGRAM AND LOAN PROGRAM; AND FOR RELATED PURPOSES.
By Senator(s) McMahan

S. B. No. 2504: Highways and Transportation; Judiciary, Division B
AN ACT TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SHERIFF AND HIS DEPUTIES IN ANY COUNTY TO USE RADAR SPEED DETECTION EQUIPMENT UPON THE PUBLIC STREETS, ROADS AND HIGHWAYS WITHIN THE COUNTY, LYING OUTSIDE THE LIMITS OF ANY INCORPORATED MUNICIPALITY; TO EXCLUDE ANY INTERSTATE HIGHWAYS OR FOUR-LANE STATE HIGHWAYS FROM RADAR DETECTION BY SHERIFFS; TO PROVIDE FOR THE NUMBER OF RADAR GUNS ELIGIBLE FOR PURCHASE BY A COUNTY BASED ON THE NUMBER OF FULLTIME DEPUTIES IN THE COUNTY; TO PROHIBIT THE USE OF RADAR WITHIN 500 YARDS OF THE BOUNDARY LINE OF A MUNICIPALITY, THE BOUNDARY LINE OF THE COUNTY AND A SPEED LIMIT CHANGE; TO PROVIDE THAT CERTAIN FUNDS SHALL BE DIRECTED TO THE SCHOOL DISTRICT WHERE THE CITATION WAS ISSUED TO BE USED FOR SCHOOL SAFETY PURPOSES AND DRIVER'S EDUCATION PROGRAMS; AND FOR RELATED PURPOSES.
By Senator(s) McLendon

S. B. No. 2505: Highways and Transportation; Appropriations
AN ACT TO CREATE THE MISSISSIPPI AIRPORT CRITICAL NEEDS GRANT PROGRAM; TO PROVIDE THAT THE MISSISSIPPI LEGISLATURE SHALL DEPOSIT $10,000,000.00 INTO THE MISSISSIPPI AIRPORT CRITICAL NEEDS GRANT PROGRAM FUND; TO PROVIDE THAT SUCH FUNDS SHALL BE ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION; TO PROSCRIBE CERTAIN CONDITIONS FOR ALLOCATIONS FROM THE FUND; TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION SHALL PROMULGATE RULES AND REGULATIONS FOR THE IMPLEMENTATION OF THE PROGRAM; AND FOR RELATED PURPOSES.
By Senator(s) Williams

S. B. No. 2506: Wildlife, Fisheries and Parks
AN ACT TO AMEND SECTION 49-7-153, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF A RESIDENT LIFETIME SPORTSMAN HUNTING AND FISHING LICENSE AT A DISCOUNTED RATE TO A PERSON WHO HAS SERVED FOR AT LEAST 10 YEARS AS A CONSERVATION OFFICER OF THE DEPARTMENT

OF WILDLIFE, FISHERIES AND PARKS; TO AUTHORIZE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO SET THE FEE FOR THE LICENSE, NOT TO EXCEED $250.00; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2507: Agriculture
AN ACT TO AMEND SECTION 75-31-65, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CONSTRUCTION OF THE PROVISIONS OF LAW REGULATING MILK AND MILK PRODUCTS SHALL NOT BE DEEMED TO PROHIBIT ANY INDEPENDENT OR PARTIAL OWNER OF ANY COW, GOAT OR SHEEP FROM USING THE MILK FROM SUCH ANIMAL FOR THE OWNER'S PERSONAL CONSUMPTION OR OTHER PERSONAL USE; TO ALLOW THE SALE OF RAW MILK ON FARMS SO LONG AS THE SALE IS NOT FOR INSTITUTIONAL USE; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2508: Ports and Marine Resources
AN ACT TO CREATE NEW SECTIONS 49-16-1, 49-16-3 AND 49-16-5, MISSISSIPPI CODE OF 1972, TO CREATE A COORDINATING COMMITTEE ON COASTAL RESILIENCY AND RESTORATION; TO DEFINE ITS MEMBERSHIP AND DUTIES; AND FOR RELATED PURPOSES.
By Senator(s) Younger, Blackwell, Polk, Kirby, Chassaniol, McMahan

S. B. No. 2509: Highways and Transportation
AN ACT TO AMEND SECTION 77-7-345, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE PROVISION OF LAW THAT REGULATES THE COMMERCIAL MOTOR VEHICLE VOLUNTARY INSPECTION PROGRAM; AND FOR RELATED PURPOSES.
By Senator(s) Branning

S. B. No. 2510: Local and Private
AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF NESHOBA COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO PHILADELPHIA TRANSIT; AND FOR RELATED PURPOSES.
By Senator(s) Branning

S. B. No. 2511: Energy
AN ACT TO AMEND SECTION 77-19-3, MISSISSIPPI CODE OF 1972, TO CLARIFY CERTAIN DEFINITIONS AND TO DEFINE "BROADBAND SERVICEABLE LOCATION" AND "COMMUNITY ANCHOR INSTITUTION"; TO AMEND SECTION 77-19-5, MISSISSIPPI CODE OF 1972, TO ALLOW BEAM TO MAKE DETERMINATIONS AND AWARDS FOR ELIGIBLE PROJECTS; TO AMEND SECTION 77-19-7, MISSISSIPPI CODE OF 1972, TO ALLOW BEAM TO REVIEW APPLICATIONS AND MAKE DETERMINATIONS AND AWARDS TO PROVIDE BROADBAND ACCESS IN ELIGIBLE PROJECT AREAS, TO SPECIFY THAT THE BEAM FUND SHALL BE USED FOR THE EXPANSION AND ACCESSIBILITY OF BROADBAND IN ELIGIBLE PROJECT AREAS, AND TO REQUIRE THAT DISBURSEMENTS FROM THE FUND BE MADE IN COMPLIANCE WITH FEDERAL STATUTES, RULES, REGULATIONS AND GUIDELINES; TO AMEND SECTION 77-19-9, MISSISSIPPI CODE OF 1972, TO STIPULATE THAT FUNDS FROM GRANT PROGRAMS SHALL ONLY BE USED TO EXTEND SERVICE INTO ELIGIBLE PROJECT AREAS AND THAT FEDERAL REQUIREMENTS FOR FUNDS SUPERSEDE ANY LIMITATIONS SET FORTH IN THIS CHAPTER; TO AMEND SECTION 77-19-11, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT THE CRITERIA FOR DETERMINING THE AWARD OF FUNDS SHALL COMPLY WITH FEDERAL LAWS, RULES, REGULATIONS, AND GUIDANCE AND TO ALLOW THE CONSIDERATION OF CERTAIN FACTORS IN AWARDING FUNDS; TO AMEND SECTION 77-19-15, MISSISSIPPI CODE OF 1972, TO CLARIFY WHAT INFORMATION IS REQUIRED ON AN APPLICATION FOR FUNDING; TO AMEND SECTION 77-19-17, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT THE GOVERNOR BE NOTIFIED BEFORE DISBURSEMENT OF GRANT MONIES AND TO

CREATE CERTAIN EXEMPTIONS FOR BEAM EXPENDITURES THAT ARE REIMBURSED BY FEDERAL GRANT PROGRAM FUNDS; AND FOR RELATED PURPOSES.
By Senator(s) Williams

S. B. No. 2512: Judiciary, Division A; Appropriations
AN ACT TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO INCREASE THE NUMBER OF ASSISTANT DISTRICT ATTORNEYS IN THE SIXTH CIRCUIT COURT DISTRICT; AND FOR RELATED PURPOSES.
By Senator(s) Barrett, Butler

S. B. No. 2513: Veterans and Military Affairs; Gaming
AN ACT TO CODIFY SECTION 27-115-8, MISSISSIPPI CODE OF 1972, TO CREATE A "VETERANS' ASSISTANCE LOTTERY" TO BE ADMINISTERED BY THE MISSISSIPPI LOTTERY CORPORATION; TO PRESCRIBE THE DUTIES AND RESPONSIBILITIES OF THE CORPORATION TO MARKET AND ADVERTISE THE VETERANS LOTTERY TO ENSURE THAT THE GAME REMAINS COMPETITIVE; TO PROVIDE FOR SALES AGENTS; TO CREATE THE FUND FOR VETERANS' ASSISTANCE AS A SPECIAL FUND IN THE STATE TREASURY WHICH SHALL RECEIVE PROCEEDS FROM THE VETERANS LOTTERY WHICH SHALL BE APPROPRIATED TO THE MISSISSIPPI VETERANS' AFFAIRS BOARD FOR THE SUPPORT OF VETERANS PROGRAMS IN MISSISSIPPI; TO AMEND SECTION 27-115-51, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE DEPOSIT OF MONIES RECEIVED FROM THE SALE OF VETERANS' LOTTERY TICKETS INTO THE FUND FOR VETERANS' ASSISTANCE; TO AMEND SECTIONS 27-115-5, 27-115-17 AND 27-115-21, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.
By Senator(s) Tate

S. B. No. 2514: Government Structure; Veterans and Military Affairs
AN ACT TO AMEND SECTION 35-1-1, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPOSITION OF THE STATE VETERANS AFFAIRS BOARD; AND FOR RELATED PURPOSES.
By Senator(s) Tate

S. B. No. 2515: Veterans and Military Affairs; Judiciary, Division A
AN ACT TO AMEND SECTION 35-1-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE VETERANS AFFAIRS BOARD SHALL HAVE 30 DAYS' WRITTEN NOTICE TO PROCESS A VETERAN'S CLAIM THROUGH POWER OF ATTORNEY; TO PROHIBIT UNETHICAL CONDUCT AND IMPROPER COLLECTION OF FEES RELATING TO ASSISTANCE OR REFERRALS IN VETERANS BENEFITS MATTERS; TO PROVIDE THAT ANY PERSON WHO RECEIVES COMPENSATION FOR ASSISTING AN INDIVIDUAL REGARDING ANY VETERANS BENEFITS IS HELD TO THE SAME ETHICAL STANDARD AS AN ATTORNEY; TO PROVIDE THAT A VIOLATION OF THIS ACT SHALL BE DEEMED A DECEPTIVE TRADE PRACTICE ACTIONABLE BY THE ATTORNEY GENERAL'S OFFICE OF CONSUMER PROTECTION; TO AMEND SECTIONS 75-24-5, 75-24-15 AND 35-3-21, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.
By Senator(s) Tate

S. B. No. 2516: Veterans and Military Affairs; Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO EXEMPT THE MISSISSIPPI STATE VETERANS AFFAIRS BOARD FROM THE REVERSE AUCTION REQUIREMENT FOR THE PURCHASE OF ADA ACCESSIBLE VANS AND BUSES FOR THE STATE VETERANS NURSING HOMES; AND FOR RELATED PURPOSES.
By Senator(s) Tate

S. B. No. 2517: County Affairs; Insurance

AN ACT TO AMEND SECTION 25-15-101, MISSISSIPPI CODE OF 1972, TO REQUIRE THE BOARD OF SUPERVISORS OF EACH COUNTY TO PROVIDE INSURANCE COVERAGE TO THE ELECTION COMMISSIONERS OF THE COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) Tate

S. B. No. 2518: Judiciary, Division A

AN ACT TO PROHIBIT CIRCUIT COURT JUDGES FROM PROVIDING ANY POLITICAL CANDIDATE AN OPPORTUNITY TO ADDRESS THE PUBLIC DURING COURT TERMS; TO AMEND SECTION 23-15-973, MISSISSIPPI CODE OF 1972, TO PROHIBIT CIRCUIT JUDGES FROM ALLOWING ANY POLITICAL CANDIDATE TO ADDRESS THE PUBLIC DURING COURT TERMS; AND FOR RELATED PURPOSES.

By Senator(s) Tate

S. B. No. 2519: Judiciary, Division A

AN ACT TO ENACT THE MISSISSIPPI FOREIGN LAND OWNERSHIP ACT TO LIMIT THE ABILITY OF NONRESIDENT ALIENS TO MAINTAIN OWNERSHIP OF MISSISSIPPI AGRICULTURAL AND FORESTRY LAND IF THEY ARE FROM A COUNTRY THAT IS CONSIDERED A FOREIGN ADVERSARY BY THE UNITED STATES SECRETARY OF COMMERCE; TO DEFINE TERMS; TO LIMIT NONRESIDENT ALIENS FROM COUNTRIES THAT ARE LABELED ADVERSE TO THE UNITED STATES FROM EXERCISING OWNERSHIP OF MISSISSIPPI LANDS PAST A PRESCRIBED AMOUNT OF TIME; TO OUTLINE SITUATIONS FOR WHICH THIS ACT SHALL NOT APPLY; TO CREATE PROCEDURE FOR THE ATTORNEY GENERAL AND MISSISSIPPI SECRETARY OF STATE TO FOLLOW TO PENALIZE VIOLATIONS OF THIS ACT; TO AMEND SECTIONS 89-1-23 AND 29-1-75, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn, Younger, Berry, Whaley, Suber, Rhodes

S. B. No. 2520: Accountability, Efficiency, Transparency

AN ACT TO CREATE A BALLOT INITIATIVE REGARDING THE POTENTIAL OF MEDICAID EXPANSION; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

S. B. No. 2521: Accountability, Efficiency, Transparency; Constitution

AN ACT TO AMEND SECTIONS 23-17-1, 23-17-3, 23-17-5, 23-17-8, 23-17-9, 23-17-11, 23-17-17, 23-17-19, 23-17-21, 23-17-29, 23-17-35, 23-17-37, 23-17-39, 23-17-42, 23-17-43 AND 23-17-45, MISSISSIPPI CODE OF 1972, TO REVISE THE INITIATIVE MEASURE PROCESS TO PROVIDE THAT AMENDMENTS TO THE MISSISSIPPI CONSTITUTION MAY ONLY BE PROPOSED BY THE LEGISLATURE, BUT THAT THE PEOPLE SHALL HAVE THE RIGHT TO PROPOSE NEW LAWS AND TO AMEND OR REPEAL EXISTING LAWS BY INITIATIVE, AND TO APPROVE OR REJECT THE SAME IN AN ELECTION INDEPENDENT OF THE LEGISLATURE; TO CREATE NEW SECTION 23-17-4, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE SHALL SUBMIT ANY PROPOSED INITIATIVE MEASURE THAT IT RECEIVES TO THE CHIEF LEGISLATIVE BUDGET OFFICER FOR THE PREPARATION OF A FISCAL ANALYSIS; TO CREATE NEW SECTION 23-17-20, MISSISSIPPI CODE OF 1972, TO PROVIDE THE DUTIES OF A PETITION CIRCULATOR; TO REPEAL SECTIONS 23-17-31 AND 23-17-33, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR A LEGISLATIVE ALTERNATIVE TO AN INITIATIVE MEASURE; TO BRING FORWARD SECTION 23-17-60, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn, Boyd

S. B. No. 2522: Accountability, Efficiency, Transparency

AN ACT TO PROVIDE PROCEDURES BY WHICH QUALIFIED ELECTORS OF THIS STATE MAY INITIATE PROPOSED AMENDMENTS TO THE MISSISSIPPI CODE OF 1972, TO BE APPROVED BY THE ELECTORATE AT THE NEXT STATEWIDE

GENERAL ELECTION; TO PROVIDE FOR THE MANNER AND TIME FOR FILING INITIATIVE PETITIONS WITH THE SECRETARY OF STATE; TO PRESCRIBE THE DUTIES AND POWERS OF THE SECRETARY OF STATE WITH REGARD TO RECEIVING, FILING AND CERTIFYING INITIATIVE MEASURES AND PETITIONS; TO PRESCRIBE THE FORM OF INITIATIVE PETITIONS AND THE FORMS OF SUCH MEASURES FOR THE BALLOTS; TO AUTHORIZE APPEALS FROM ADVERSE FINDINGS OF THE SECRETARY OF STATE REGARDING INITIATIVE MEASURES AND PETITIONS; TO PROVIDE CRIMINAL PENALTIES FOR CERTAIN CONDUCT PRESCRIBED AS UNLAWFUL UNDER THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Blount

S. B. No. 2523: Judiciary, Division A; Appropriations
AN ACT TO AMEND SECTION 25-3-43, MISSISSIPPI CODE OF 1972, TO AUTHORIZE EACH SUPREME COURT JUSTICE AND EACH JUDGE OF THE COURT OF APPEALS TO RECEIVE AN EXPENSE ALLOWANCE WHILE ACTUALLY ATTENDING JUDICIAL DUTIES IN ANY AREA OF THE STATE FOR A CERTAIN AMOUNT OF DAYS; TO PROVIDE THAT NO JUSTICE OR JUDGE SHALL RECEIVE AN EXPENSE ALLOWANCE FOR MORE THAN THE CERTAIN AMOUNT OF DAYS PREVIOUSLY AUTHORIZED BY LAW; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2524: Judiciary, Division A; Appropriations
AN ACT TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO INCREASE THE NUMBER OF ASSISTANT DISTRICT ATTORNEYS IN THE TWENTY-THIRD CIRCUIT COURT DISTRICT; AND FOR RELATED PURPOSES.
By Senator(s) McLendon

S. B. No. 2525: Business and Financial Institutions; Appropriations
AN ACT TO CREATE THE MISSISSIPPI SMALL BUSINESS ASSISTANCE PROGRAM AND FUND TO PROVIDE ADDITIONAL FINANCING FOR THE STARTUP OR EXPANSION OF SMALL BUSINESSES; TO DEFINE RELEVANT TERMS; TO AUTHORIZE WHAT EXPENSES LOAN FUNDS MAY BE USED TO COVER; TO PROVIDE THE LOAN ADMINISTRATOR WITH THE AUTHORITY TO DETERMINE THE ELIGIBILITY AND TERMS OF THE LOAN; TO PROVIDE LIMITATIONS REGARDING THE TERMS AND AMOUNT OF LOANS A SMALL BUSINESS MAY RECEIVE; TO PROVIDE TERMS OF REPAYMENT AND HOW INTEREST MUST BE DISTRIBUTED; TO PROVIDE A LIMIT TO THE CLOSING FEE THAT MAY BE CHARGED BY THE PROGRAM ADMINISTRATOR; AND FOR RELATED PURPOSES.
By Senator(s) Sparks

S. B. No. 2526: Medicaid; Corrections
AN ACT TO BRING FORWARD SECTIONS 41-85-5, 43-11-1, 43-11-13, 47-5-28, 47-7-4 AND 41-7-191, MISSISSIPPI CODE OF 1972, WHICH ARE VARIOUS PROVISIONS RELATED TO MEDICAID, CORRECTIONS, CERTIFICATES OF NEED AND A SPECIAL CARE FACILITY FOR PAROLED INMATES, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2527: Judiciary, Division A
AN ACT TO AMEND SECTION 93-5-24, MISSISSIPPI CODE OF 1972, TO CREATE A REBUTTABLE PRESUMPTION IN FAVOR OF JOINT CUSTODY WITH EQUAL PARENTING TIME IN ALL CUSTODY MATTERS; TO PROVIDE THAT THE PRESUMPTION SHALL BE REBUTTABLE BY A PREPONDERANCE OF THE EVIDENCE; TO REQUIRE A COURT TO DOCUMENT THE REASONS FROM DEVIATING FROM THE PRESUMPTION; AND FOR RELATED PURPOSES.
By Senator(s) Hickman

S. B. No. 2528: Judiciary, Division A

AN ACT TO REQUIRE THE SECRETARY OF STATE TO ESTABLISH A REGISTRY OF PRIVATE ENTITIES THAT ARE EMPLOYEES OF A GOVERNMENTAL ENTITY UNDER THE PROVISIONS OF TITLE 11, CHAPTER 46, MISSISSIPPI CODE OF 1972; TO REQUIRE PRIVATE ENTITIES THAT ARE EMPLOYEES OF A GOVERNMENTAL ENTITY UNDER THE PROVISIONS OF TITLE 11, CHAPTER 46, MISSISSIPPI CODE OF 1972 TO REGISTER WITH THE SECRETARY OF STATE; AND FOR RELATED PURPOSES.
By Senator(s) Hickman, Simmons (12th)

S. B. No. 2529: Judiciary, Division A
AN ACT TO AMEND SECTION 25-31-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHEN THE ATTORNEY APPOINTED UNDER THIS SECTION IS REQUIRED TO TRAVEL BEYOND THE LIMITS OF THE JUDICIAL DISTRICT IN WHICH HE OR SHE IS NORMALLY EMPLOYED, ALL REASONABLE EXPENSES INCURRED IN PROSECUTING THE CASE SHALL BE BORNE BY THE JUDICIAL DISTRICT OF THE DISTRICT ATTORNEY BEING ASSISTED IN THE DISCHARGE OF HIS OR HER DUTIES, IF NOT ALREADY COMPENSATED BY THE STATE; TO PROVIDE THAT THIS SECTION SHALL NOT APPLY WHEN A DISTRICT ATTORNEY RECUSES HIMSELF OR HERSELF FROM A CASE OR HAS A CONFLICT OF INTEREST WITH A CASE, WHETHER THE CASE IS ALREADY PRESENTED TO THE GRAND JURY OR NOT YET PRESENTED TO THE GRAND JURY; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2530: Insurance; Judiciary, Division A
AN ACT TO CREATE THE PEER-TO-PEER CAR SHARING PROGRAM ACT; TO AUTHORIZE VEHICLE OWNERS AND DRIVERS TO USE A BUSINESS PLATFORM FOR THE SHARING OF VEHICLES FOR FINANCIAL CONSIDERATION; TO PROVIDE FOR DEFINITIONS RELATED TO THE ACT; TO PROVIDE THAT A PEER-TO-PEER CAR SHARING PROGRAM SHALL ASSUME LIABILITY OF A SHARED VEHICLE OWNER FOR CERTAIN INJURIES OR DAMAGE WITH CERTAIN EXCEPTIONS; TO REQUIRE CERTAIN NOTIFICATIONS TO SHARED VEHICLE OWNERS ABOUT THE USE OF THEIR VEHICLE; TO PROVIDE THAT AN AUTHORIZED MOTOR VEHICLE LIABILITY INSURER MAY EXCLUDE CERTAIN COVERAGE IN SHARED VEHICLE OWNERS' INSURANCE POLICIES; TO REQUIRE A PEER-TO-PEER CAR SHARING PROGRAM TO COLLECT AND VERIFY RECORDS PERTAINING TO THE USE OF A SHARED VEHICLE; TO EXEMPT A PEER-TO-PEER CAR SHARING PROGRAM AND A SHARED VEHICLE OWNER FROM VICARIOUS LIABILITY; TO PROVIDE THAT AN AUTHORIZED MOTOR VEHICLE LIABILITY INSURER MAY HAVE CERTAIN INDEMNITY RIGHTS; TO PROVIDE THAT A PEER-TO-PEER CAR SHARING PROGRAM SHALL HAVE AN INSURABLE INTEREST IN A SHARED VEHICLE DURING THE CAR SHARING PERIOD; TO REQUIRE A CAR SHARING PROGRAM AGREEMENT TO HAVE CERTAIN CONSUMER PROTECTION DISCLOSURES; TO REQUIRE A PEER-TO-PEER CAR SHARING PROGRAM TO VERIFY DRIVER'S LICENSES; TO PROVIDE FOR SPECIFIC PROCEDURES REQUIRED OF PEER-TO-PEER CAR SHARING PROGRAMS IN REGARDS TO AUTOMOBILE SAFETY RECALLS; TO PROVIDE THAT THE COMMISSIONER OF INSURANCE SHALL HAVE THE AUTHORITY TO PROMULGATE RULES AND REGULATIONS THAT ARE NECESSARY TO ADMINISTER AND ENFORCE THE PROVISIONS OF THIS ACT PROVIDED THAT SUCH RULES AND REGULATIONS ARE NOT INCONSISTENT WITH THE PROVISIONS OF THIS ACT; TO AMEND SECTIONS 27-19-40, 63-1-67, 77-8-1 AND 27-17-35, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Michel, McLendon

S. B. No. 2531: Judiciary, Division A
AN ACT TO ENACT THE WALKER MONTGOMERY PROTECTING CHILDREN ONLINE ACT; TO DEFINE TERMS; TO SPECIFY THE TYPES OF DIGITAL SERVICE PROVIDERS TO BE AFFECTED BY THIS ACT; TO PROHIBIT DIGITAL SERVICE PROVIDERS FROM ENTERING AGREEMENTS TO CREATE ACCOUNTS WITH

INDIVIDUALS WHO HAVE NOT REGISTERED THEIR AGE WITH THE PROVIDER; TO REQUIRE THE DIGITAL SERVICE PROVIDERS TO LIMIT COLLECTION AND USE OF PERSONAL IDENTIFYING INFORMATION WHEN ENTERING INTO AN AGREEMENT WITH A KNOWN MINOR; TO PROHIBIT A DIGITAL SERVICE PROVIDER FROM COLLECTING A MINOR'S PRECISE GEOLOCATION DATA, DISPLAYING TARGETED ADVERTISEMENTS INVOLVING HARMFUL MATERIAL TO A KNOWN MINOR, OR SHARING, DISCLOSING OR SELLING A KNOWN MINOR'S PERSONAL IDENTIFYING INFORMATION UNLESS REQUIRED BY CERTAIN CIRCUMSTANCES; TO REQUIRE A DIGITAL SERVICE PROVIDER TO DEVELOP AND IMPLEMENT A STRATEGY TO PREVENT A KNOWN MINOR'S EXPOSURE TO HARMFUL MATERIAL; TO NOTE THAT THIS ACT DOES NOT CREATE A PRIVATE RIGHT OF ACTION FOR A VIOLATION EXCEPT FOR CERTAIN PURPOSES; TO AMEND SECTION 75-24-5 TO INCLUDE SECTIONS 1 THROUGH 8 OF THIS ACT IN A LIST OF PROHIBITED UNFAIR OR DECEPTIVE TRADE PRACTICES OR ACTS; AND FOR RELATED PURPOSES.
By Senator(s) Williams, Boyd

S. B. No. 2532: Business and Financial Institutions
AN ACT TO AMEND SECTIONS 31-19-1, 19-9-19, 21-33-315 AND 19-9-7, MISSISSIPPI CODE OF 1972, TO CLARIFY MUNICIPALITIES AND COUNTIES MAY ISSUE ANY BONDS AS SERIAL BONDS PAYABLE ANNUALLY OR AS A SINGLE-TERM BOND PAYABLE ANNUALLY; AND FOR RELATED PURPOSES.
By Senator(s) Boyd

S. B. No. 2533: Medicaid
AN ACT TO AMEND SECTION 43-13-116, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN DETERMINING MEDICAID ELIGIBILITY, THE DIVISION OF MEDICAID SHALL VERIFY ELIGIBILITY FOR ASSISTANCE BEFORE AWARDING ASSISTANCE AND SHALL NOT RELY ON POTENTIAL BENEFICIARY'S SELF-ATTESTATION OF RESIDENCY, HOUSEHOLD INCOME, ASSETS OR OTHER RELEVANT FACTORS; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2534: Judiciary, Division A; Judiciary, Division B
AN ACT TO PROHIBIT THE UNAUTHORIZED COMMERCIAL USE OF AN INDIVIDUAL'S PUBLICITY RIGHTS; TO PROVIDE FOR FORFEITURE OF ANY PROPERTY USED IN CONNECTION WITH THE UNAUTHORIZED USE; TO AUTHORIZE A CIVIL ACTION, INJUNCTIVE ACTION AND TO PRESCRIBE CRIMINAL PENALTIES FOR VIOLATION OF THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Ladner

S. B. No. 2535: Judiciary, Division A
AN ACT TO AMEND SECTION 93-5-1, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT OF WILLFUL AND OBSTINATE FROM THE GROUND OF DIVORCE FOR DESERTION; TO PROVIDE AN ADDITIONAL GROUND OF DIVORCE WHEN THE COURT FINDS THERE HAS BEEN AN IRRETRIEVABLE BREAKDOWN OF THE MARRIAGE AND THAT FURTHER ATTEMPTS AT RECONCILIATION ARE IMPRACTICAL OR FUTILE AND NOT IN THE BEST INTERESTS OF THE PARTIES OR FAMILY; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins, Boyd, Rhodes, England

S. B. No. 2536: Judiciary, Division A
AN ACT TO REQUIRE NONPROFIT CORPORATIONS TO FILE AN ANNUAL REPORT WITH THE SECRETARY OF STATE BY A CERTAIN DATE; TO REQUIRE THE REPORT TO CONTAIN CERTAIN INFORMATION; TO PROVIDE THAT INFORMATION IN THE ANNUAL REPORT MUST BE CURRENT AS OF THE DATE THE ANNUAL REPORT IS EXECUTED ON BEHALF OF THE NONPROFIT CORPORATION; TO REQUIRE THE SECRETARY OF STATE TO NOTICE A NONPROFIT CORPORATION OF ANY DEFICIENCIES IN AN ANNUAL REPORT; TO PROVIDE THAT FAILURE TO FILE AN ANNUAL REPORT MAY SUBJECT THE NONPROFIT CORPORATION TO

DISSOLUTION OR REVOCATION; TO AMEND SECTION 79-11-127, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "PUBLIC FUNDS" WITHIN THE PROVISIONS OF THE MISSISSIPPI NONPROFIT CORPORATION ACT; TO AMEND SECTIONS 79-11-107, 79-11-347 AND 79-11-385, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) McCaughn

S. B. No. 2537: Judiciary, Division A
AN ACT TO AMEND SECTION 9-11-9, MISSISSIPPI CODE OF 1972, TO INCREASE THE JURISDICTION OF JUSTICE COURT; TO AMEND SECTION 25-7-25, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN FILING FEES FOR JUSTICE COURT; AND FOR RELATED PURPOSES.
By Senator(s) Frazier

S. B. No. 2538: Insurance; Public Health and Welfare
AN ACT TO AMEND SECTION 83-9-5, MISSISSIPPI CODE OF 1972, TO EXEMPT DENTAL SERVICES FROM CERTAIN BALANCE BILLING REQUIREMENTS OF HEALTH CARE PROVIDERS AND HEALTH INSURERS; AND FOR RELATED PURPOSES.
By Senator(s) Michel

S. B. No. 2539: Judiciary, Division A
AN ACT TO AMEND SECTION 1, CHAPTER 455, LAWS OF 2021 TO RECONSTITUTE THE "MISSISSIPPI DOMESTIC LAW TASK FORCE" TO FURTHER STUDY DOMESTIC LAW IN MISSISSIPPI; TO REVISE THE AREAS OF DOMESTIC LAW THAT THE TASK FORCE IS REQUIRED TO STUDY; TO REQUIRE THE TASK FORCE TO DEVELOP A RECOMMENDATION TO THE LEGISLATURE AND THE MISSISSIPPI SUPREME COURT RELATIVE TO REVISING MISSISSIPPI'S DOMESTIC RELATIONS LAWS TO REFLECT CURRENT JURISPRUDENCE AND TO PROPOSE LEGISLATION AND RULE CHANGES BASED UPON ITS RECOMMENDATION; TO PRESCRIBE THE MEMBERSHIP OF THE TASK FORCE AND PROVIDE FOR ITS ORGANIZATION; TO PROVIDE FOR A REPORT BY THE TASK FORCE; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2540: Business and Financial Institutions
AN ACT TO AMEND SECTION 79-29-109, MISSISSIPPI CODE OF 1972, TO ALLOW PARTNERSHIP OR LIMITED PARTNERSHIP TO BE NAMED ON THE CERTIFICATE OF FORMATION; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 2541: Business and Financial Institutions
AN ACT TO AMEND SECTION 79-29-109, MISSISSIPPI CODE OF 1972, TO ALLOW PARTNERSHIP OR LIMITED PARTNERSHIP TO BE NAMED ON THE CERTIFICATE OF FORMATION; AND FOR RELATED PURPOSES.
By Senator(s) Harkins

S. B. No. 2542: Judiciary, Division A
AN ACT TO AMEND SECTION 13-1-23, MISSISSIPPI CODE OF 1972, TO CREATE AN EVIDENTIARY PRESUMPTION OF DEATH TO BE KNOWN AS THE "ZEB HUGHES LAW" WHENEVER UNCONTRADICTED SWORN TESTIMONY AND EVIDENCE SUPPORT A DETERMINATION OF THE DEATH OF A MISSING PERSON WHO HAS UNDERGONE A CATASTROPHIC EVENT THAT EXPOSED THE PERSON TO IMMINENT PERIL; TO CREATE NEW SECTION 41-57-8, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE REGISTRAR OF VITAL STATISTICS TO PREPARE A DEATH CERTIFICATE FOR A MISSING PERSON LEGALLY PRESUMED TO BE DEAD UPON RECEIPT OF A PROPER COURT ORDER; AND FOR RELATED PURPOSES.
By Senator(s) Barrett

S. B. No. 2543: Business and Financial Institutions

AN ACT TO AMEND SECTION 75-67-181, MISSISSIPPI CODE OF 1972, TO CREATE A CAP ADJUSTMENT UTILIZING THE CONSUMER PRICE INDEX FOR LICENSEES TO IMPLEMENT BASED ON THE LOAN AMOUNT; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

S. B. No. 2544: Business and Financial Institutions

AN ACT TO AMEND SECTIONS 27-105-305 AND 27-105-353, MISSISSIPPI CODE OF 1972, TO PROVIDE NECESSARY UPDATES AND TO HARMONIZE BIDDING TERMS FOR PUBLIC DEPOSITS BETWEEN COUNTIES AND MUNICIPALITIES; TO REPEAL SECTION 27-105-363, MISSISSIPPI CODE OF 1972, WHICH ALLOWS FOR COUNTIES AND MUNICIPALITIES TO FOLLOW AN IDENTICAL PROCESS FOR SELECTING PUBLIC DEPOSITORIES; AND FOR RELATED PURPOSES.

By Senator(s) Polk

S. B. No. 2545: Business and Financial Institutions

AN ACT TO AMEND SECTION 79-11-501, MISSISSIPPI CODE OF 1972, TO CLARIFY THE DEFINITION OF MONETARY DONATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Polk

S. B. No. 2546: Business and Financial Institutions

AN ACT TO AMEND SECTION 25-34-3, MISSISSIPPI CODE OF 1972, TO UPDATE THE NOTARIAL ACT DEFINITIONS TO DEFINE TERMS ASSOCIATED WITH THE ALLOWANCE OF REMOTE ONLINE NOTARIZATION; TO AMEND SECTION 25-34-5, MISSISSIPPI CODE OF 1972, TO CHANGE THE EFFECTIVE DATE OF THIS CHAPTER; TO AMEND SECTION 25-34-7, MISSISSIPPI CODE OF 1972, TO ALLOW NOTARIAL OFFICERS TO CERTIFY TANGIBLE COPIES OF AN ELECTRONIC RECORDS AS TRUE AND CORRECT; TO AMEND SECTION 25-34-9, MISSISSIPPI CODE OF 1972, TO ALLOW NOTARIAL OFFICERS TO CHARGE HIGHER RATES AS AUTHORIZED BY THE SECRETARY OF STATE; TO AMEND SECTION 25-34-11, MISSISSIPPI CODE OF 1972, TO OUTLINE HOW A NOTARIAL OFFICER MUST DETERMINE THE IDENTITY AND VALIDITY OF A SIGNATURE; TO AMEND SECTION 25-34-15, MISSISSIPPI CODE OF 1972, TO CLARIFY WHAT IS ALLOWED FOR PERSONAL OR REMOTE APPEARANCES; TO AMEND SECTION 25-34-17, MISSISSIPPI CODE OF 1972, TO SPECIFY WHEN A NOTARIAL OFFICER SHALL REFUSE TO PREFORM REMOTE ONLINE NOTARIZATIONS; TO AMEND SECTION 25-34-29, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 25-34-31, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT REMOTE ONLINE NOTARIZED DOCUMENTS INCLUDE LANGUAGE THAT INDICATE THAT REMOTE INK-SIGNED NOTARIZATION WAS USED TO NOTARIZE THE DOCUMENT; TO AMEND SECTION 25-34-33, MISSISSIPPI CODE OF 1972, TO CONFORM LANGUAGE; TO AMEND SECTION 25-34-37, MISSISSIPPI CODE OF 1972, TO INCLUDE THE NOTATION OF REMOTE ONLINE NOTARIZATION SYSTEMS AND TECHNOLOGY IN THE JOURNAL ENTRY REQUIREMENTS FOR NOTARIES; TO AMEND 25-34-51, MISSISSIPPI CODE OF 1972, TO AMEND THE RULES THAT THE SECRETARY OF STATE MAY PROMULGATE TO IMPLEMENT THE MISSISSIPPI ADMINISTRATIVE PROCEDURES LAWS; TO AMEND SECTIONS 25-34-53 AND 25-34-55, MISSISSIPPI CODE OF 1972, TO AMEND THE EFFECTIVE DATES WITHIN THE MISSISSIPPI ADMINISTRATIVE PROCEDURES LAW; AN ACT TO BRING FORWARD SECTIONS 25-34-1, 25-34-13, 25-34-19, 25-34-21, 25-34-23, 25-34-25, 25-34-27, 25-34-35, 25-34-39, 25-34-41, 25-34-43, 25-34-45, 25-34-47, 25-34-49 AND 25-34-57, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Polk

S. B. No. 2547: Judiciary, Division A

AN ACT TO AMEND SECTION 25-34-9, MISSISSIPPI CODE OF 1972, TO PERMIT NOTARIAL OFFICERS TO INCREASE SERVICE FEES IN COMPLIANCE

WITH RATES SET BY THE SECRETARY OF STATE; TO AMEND SECTION 25-34-41, MISSISSIPPI CODE OF 1972, TO EXPAND THE QUALIFICATIONS FOR NOTARIAL OFFICERS TO INCLUDE INDIVIDUALS WHO ARE NOT MISSISSIPPI RESIDENCES, BUT HAVE HAD A PRACTICE IN THE STATE FOR AT LEAST 30 DAYS; TO AMEND SECTION 25-34-37, MISSISSIPPI CODE OF 1972, TO ALLOW JOURNAL RECORDS TO BE TRANSMITTED TO A NOTARIAL OFFICER'S PLACE OF EMPLOYMENT IN THE EVENT OF RESIGNATION, INCOMPETENCE OR DEATH; AND FOR RELATED PURPOSES.
By Senator(s) Polk

S. B. No. 2548: Business and Financial Institutions
AN ACT TO AMEND SECTIONS 73-35-21 AND 89-1-503, MISSISSIPPI CODE OF 1972, TO REVISE LIABILITY REGARDING SECTIONS 89-1-501 THROUGH 89-1-523; TO REPEAL SECTION 89-1-519, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT NO PERSON OR ENTITY SHALL BE DEEMED THE AGENT OF THE TRANSFEROR OR TRANSFEREE FOR PURPOSES OF THE DISCLOSURE REQUIREMENTS OF SECTIONS 89-1-501 THROUGH 89-1-523; AND FOR RELATED PURPOSES.
By Senator(s) Sparks, Boyd

S. B. No. 2549: Judiciary, Division A
AN ACT TO AMEND SECTION 25-7-21, MISSISSIPPI CODE OF 1972, TO INCREASE THE FEE CHARGED BY CHANCERY CLERKS FOR FILING AND RECORDING DEEDS TO LAND SOLD FOR TAXES AND FOR RECORDING REDEMPTION OF LANDS SOLD FOR TAXES; AND FOR RELATED PURPOSES.
By Senator(s) Kirby

S. B. No. 2550: Judiciary, Division A; Appropriations
AN ACT TO BRING FORWARD SECTIONS 25-31-5 AND 25-31-10, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2551: Judiciary, Division A; Appropriations
AN ACT TO AMEND SECTION 25-7-61, MISSISSIPPI CODE OF 1972, TO REVISE THE RANGE OF COMPENSATION PAID TO A JUROR PER DAY FOR HIS OR HER SERVICE; AND FOR RELATED PURPOSES.
By Senator(s) Jackson, Thomas, Hickman, Butler, Brumfield, Jordan

S. B. No. 2552: Insurance
AN ACT TO ENACT THE CONTRACEPTIVE EQUITY ACT OF 2024 TO PROVIDE THAT HEALTH BENEFIT PLANS SHALL COVER CERTAIN CONTRACEPTIVES, PRESCRIPTION CONTRACEPTIVE DRUGS, AND CLINICAL SERVICES; TO PROVIDE THE LEGISLATIVE INTENT OF THE ACT; TO PROHIBIT HEALTH BENEFIT PLANS FROM IMPOSING A DEDUCTIBLE, COPAYMENT OR OTHER COST-SHARING REQUIREMENT ON CONTRACEPTIVE COVERAGE; TO SET CERTAIN REQUIREMENTS AND PROHIBITIONS RELATED TO CONTRACEPTIVE COVERAGE AND HEALTH BENEFIT PLANS; TO PROVIDE THAT A RELIGIOUS EMPLOYER MAY REQUEST A HEALTH BENEFIT PLAN CONTRACT WITHOUT SUCH COVERAGE IF SUCH COVERAGE IS CONTRARY TO THE RELIGIOUS EMPLOYER'S RELIGIOUS TENETS; TO REQUIRE THE DEPARTMENT OF INSURANCE TO MONITOR HEALTH BENEFIT PLANS AND TO ADOPT RULES RELATED TO THE IMPLEMENTATION OF THIS ACT; TO SET CERTAIN DEFINITIONS RELATED THERETO; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

S. B. No. 2553: Public Health and Welfare
AN ACT TO ENACT THE MISSISSIPPI FAMILIES' RIGHTS AND RESPONSIBILITIES ACT TO PROVIDE THAT THE STATE, ANY POLITICAL

SUBDIVISION OF THE STATE, OR ANY OTHER GOVERNMENTAL ENTITY SHALL NOT SUBSTANTIALLY BURDEN THE FUNDAMENTAL RIGHT OF A PARENT TO DIRECT THE UPBRINGING, EDUCATION, HEALTH CARE AND MENTAL HEALTH OF THAT PARENT'S CHILD WITHOUT DEMONSTRATING THAT THE BURDEN IS REQUIRED BY A COMPELLING GOVERNMENTAL INTEREST OF THE HIGHEST ORDER AS APPLIED TO THE PARENT AND THE CHILD AND IS THE LEAST RESTRICTIVE MEANS OF FURTHERING THAT COMPELLING GOVERNMENTAL INTEREST; TO REQUIRE THE CONSENT OF A PARENT OR GUARDIAN FOR CERTAIN ACTIONS, INCLUDING PRESCRIBING MEDICATION OR PERFORMING SURGERY; TO SET CERTAIN EXCEPTIONS TO THE CONSENT REQUIREMENT; TO PROVIDE THAT NO STATE EMPLOYEE SHALL WITHHOLD INFORMATION ABOUT THE CHILD'S PHYSICAL, EMOTIONAL OR MENTAL HEALTH FROM THE PARENT; TO PROVIDE A CAUSE OF ACTION TO PARENTS FOR ANY VIOLATION OF THE ACT; TO PROVIDE THAT A PARENT MAY RAISE THE PROVISIONS OF THIS ACT AS A DEFENSE AGAINST CERTAIN JUDICIAL OR ADMINISTRATIVE PROCEEDINGS; TO PROVIDE CERTAIN LIMITATIONS ON THE PROVISIONS OF THE ACT; TO SET CERTAIN TRANSPARENCY MEASURES FOR PUBLIC SCHOOLS AND CHARTER SCHOOLS; TO ESTABLISH TEACHERS' EXPRESSIVE RIGHTS WITHIN A SCHOOL; TO PROVIDE RULES OF CONSTRUCTION RELATED TO THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2554: Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 73-50-2, MISSISSIPPI CODE OF 1972, TO EXEMPT THE PRACTICE OF DENTISTRY AND PRACTICE OF OPTOMETRY FROM THE UNIVERSAL RECOGNITION OF OCCUPATIONAL LICENSES ACT; AND FOR RELATED PURPOSES.
By Senator(s) Parker

S. B. No. 2555: Education

AN ACT TO CREATE THE ACADEMIC TRANSPARENCY ACT OF 2024; TO REQUIRE EACH PUBLIC SCHOOL TO LIST ON A PUBLICLY ACCESSIBLE PORTION OF ITS WEBSITE THE LEARNING MATERIALS AND ACTIVITIES THAT WERE USED FOR STUDENT INSTRUCTION AT THE SCHOOL DURING THE MOST RECENTLY COMPLETED SCHOOL YEAR; TO REQUIRE A SCHOOL TO LIST ONLY THE INFORMATION NECESSARY TO IDENTIFY THE SPECIFIC LEARNING MATERIALS AND ACTIVITIES USED FOR INSTRUCTION; TO ALLOW SCHOOL BOARDS WITH LESS THEN 500 STUDENTS TO BE EXEMPT FROM THE REQUIREMENTS OF THE ACT; TO SET CERTAIN EXEMPTIONS THAT THE ACT SHALL NOT BE CONSTRUED TO DO; TO SET CERTAIN REQUIREMENTS OF THE ACT; TO AUTHORIZE THE ATTORNEY GENERAL, COUNTY ATTORNEY OF THE COUNTY IN WHICH AN ALLEGED VIOLATION OCCURRED, OR A RESIDENT OF THE SCHOOL DISTRICT TO BRING AN ACTION FOR INJUNCTIVE RELIEF WHEN AN ALLEGED VIOLATION OF THE ACT HAS OCCURRED; TO REQUIRE CERTAIN PROCEDURES FOR THE PURCHASING OF LEARNING MATERIALS; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2556: Education

AN ACT TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROVIDE CERTAIN DATA METRICS RELATING TO ACHIEVEMENT AND NON-ACHIEVEMENT EFFECTS OF THE EARLY LEARNING COLLABORATIVE ACT OF 2013 TO BETTER MEASURE PROGRAM OUTCOMES IN FUTURE EVALUATIONS; AND FOR RELATED PURPOSES.
By Senator(s) Younger, Chassaniol, Polk, Blackwell, Kirby

S. B. No. 2557: Universities and Colleges; Energy

AN ACT TO AMEND SECTION 37-113-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, UPON RECOMMENDATION OF THE DIRECTOR OF THE AGRICULTURAL AND FORESTRY EXPERIMENTAL STATION AT THE MISSISSIPPI STATE UNIVERSITY OF AGRICULTURE AND APPLIED SCIENCE, TO ENTER INTO CONTRACTS, LEASES AND OTHER ARRANGEMENTS FOR TERMS NOT TO EXCEED FIFTY (50) YEARS WITH ANY PERSONS OR BUSINESS ENTITY FOR THE DEVELOPMENT OF A SOLAR INSTALLATION AT ANY BRANCH RESEARCH STATION OPERATED BY THE MISSISSIPPI AGRICULTURAL AND FORESTRY EXPERIMENTAL STATION; TO SET CERTAIN LEASE REQUIREMENTS; TO PROVIDE THAT THE STATE SHALL RETAIN ALL MINERAL RIGHTS TO THE REAL PROPERTY LEASED UNDER THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Williams

S. B. No. 2558: Public Health and Welfare
AN ACT TO AMEND SECTION 41-19-35, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MENTAL HEALTH REGIONAL COMMISSIONS TO BE ESTABLISHED WITH A SET COMPOSITION OF MEMBERS IF EACH BOARD OF SUPERVISORS OF THE COUNTIES PARTICIPATING IN A PARTICULAR REGIONAL COMMISSION AGREE TO SUCH COMPOSITION AS EVIDENCED BY RESOLUTIONS ADOPTED BY EACH BOARD; AND FOR RELATED PURPOSES.
By Senator(s) Hopson

S. B. No. 2559: Education
AN ACT TO AMEND SECTIONS 29-3-1, 29-3-29, AND 29-3-82, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN TECHNICAL CHANGES RELATED TO THE LEASING AND SALE OF 16TH SECTION LAND; TO SUBSTITUTE THE SECRETARY OF STATE FOR BOARDS OF SUPERVISORS FOR THE LEASING AND SALE OF 16TH SECTION LAND; TO DELETE CERTAIN PROVISIONS RELATED TO THE BOARD OF SUPERVISORS OF COUNTIES APPROVING SUCH LEASES OR SALES; AND FOR RELATED PURPOSES.
By Senator(s) McCaughn

S. B. No. 2560: Universities and Colleges
AN ACT TO BRING FORWARD SECTIONS 37-117-1, 37-117-3, 37-117-5, 37-117-7, 37-117-9 AND 37-117-11, MISSISSIPPI CODE OF 1972, RELATING TO THE MISSISSIPPI UNIVERSITY FOR WOMEN FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Younger

S. B. No. 2561: Universities and Colleges; Appropriations
AN ACT TO CREATE NEW SECTION 37-113-55, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE DR. ELTON MAC HUDDLESTON RURAL VETERINARIAN SCHOLARSHIP PROGRAM AT MISSISSIPPI STATE UNIVERSITY TO PROVIDE SCHOLARSHIPS TO ASSIST RESIDENTS OF THE STATE OF MISSISSIPPI IN PURSUING DEGREES IN VETERINARY MEDICINE; TO CREATE NEW SECTION 37-113-56, MISSISSIPPI CODE OF 1972, TO PROVIDE DEFINITIONS FOR THE PROGRAM; TO CREATE NEW SECTION 37-113-57, MISSISSIPPI CODE OF 1972, TO SET APPLICANT ELIGIBILITY AND PROGRAM PREFERENCE; TO PROVIDE FOR MEMBERSHIP OF THE PROGRAM'S SCHOLARSHIP SELECTION COMMITTEE; TO REQUIRE SCHOLARSHIP RECIPIENTS TO ENTER INTO A CONTRACT WITH THE PROGRAM TO PROVIDE FULL-TIME VETERINARY MEDICINE SERVICES AS A FOOD SUPPLY ANIMAL VETERINARIAN OR IN A RURAL MIXED ANIMAL VETERINARY PRACTICE FOR FOUR YEARS IN ONE OR MORE COMMUNITIES APPROVED BY THE PROGRAM; TO REQUIRE SCHOLARSHIP RECIPIENTS TO REMAIN IN GOOD ACADEMIC STANDING TO CONTINUE TO RECEIVE A SCHOLARSHIP; TO PROVIDE THAT SCHOLARSHIP PRIORITY SHALL BE GIVEN TO RESIDENTS OF THE STATE; TO AUTHORIZE THE PROGRAM TO ADOPT ADDITIONAL PROVISIONS, REQUIREMENTS OR CONDITIONS TO PARTICIPATE IN THE PROGRAM AS ARE

PRACTICABLE AND APPROPRIATE TO ACCOMPLISH THE PROVISIONS OF THE ACT; TO CREATE NEW SECTION 37-113-58, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SUBJECT TO THE AVAILABILITY OF FUNDS, EACH STUDENT ENTERING INTO A PROGRAM AGREEMENT MAY RECEIVE ASSISTANCE IN AN AMOUNT NOT TO EXCEED THE AMOUNT OF IN-STATE TUITION CHARGED AT THE MISSISSIPPI STATE UNIVERSITY COLLEGE OF VETERINARY MEDICINE PER YEAR FOR NOT MORE THAN FOUR YEARS FOR TUITION AND FEES INCURRED BY THE STUDENT IN PURSUING A VETERINARY MEDICINE DEGREE; TO CREATE NEW SECTION 37-113-59, MISSISSIPPI CODE OF 1972, TO PROVIDE REASONS FOR WHEN A SCHOLARSHIP RECIPIENT MAY BE RELEASED FROM THE PROGRAM; TO PROVIDE THAT IF A VETERINARIAN IS RELEASED FROM HIS OR HER CONTRACT, THE PROGRAM MAY RECOVER A PORTION OF OR ALL OF THE PAYMENTS MADE TO SUCH VETERINARIAN; AND FOR RELATED PURPOSES.

By Senator(s) Rhodes, Berry, Younger, Whaley, Boyd, Branning, Robinson, McCaughn, Suber

S. B. No. 2562: Education; Appropriations

AN ACT TO ENACT THE TIM TEBOW ACT TO AUTHORIZE HOMESCHOOLED STUDENTS TO PARTICIPATE IN INTERSCHOLASTIC EXTRACURRICULAR ACTIVITIES SPONSORED BY OR ENGAGED IN BY THE PUBLIC SCHOOL TO WHICH THE STUDENT WOULD BE ASSIGNED ACCORDING TO DISTRICT SCHOOL BOARD ATTENDANCE POLICIES TO PROVIDE CERTAIN REQUIREMENTS FOR SUCH STUDENTS; TO PROVIDE THAT TRANSPORTATION OF THE STUDENT TO THE PUBLIC SCHOOL SHALL BE THE RESPONSIBILITY OF THE PARENT, GUARDIAN OR STUDENT; TO PROHIBIT A PUBLIC SCHOOL FROM DISCRIMINATING AGAINST SUCH STUDENT IN THE SELECTION OF INTERSCHOLASTIC EXTRACURRICULAR TEAM MEMBERS; TO PROVIDE THAT SUCH PARTICIPATION SHALL BE CONSIDERED A PRIVILEGE AND NOT A RIGHT AND THAT NOTHING IN THE ACT SHALL BE INTERPRETED TO CREATE A CAUSE OF ACTION; TO CREATE THE "HOMESCHOOL EXTRACURRICULAR ACTIVITY FUND" AS A SPECIAL FUND WITHIN THE DEPARTMENT OF EDUCATION; TO PROVIDE THAT DISTRICTS MAY RECEIVE $2,250.00 PER HOMESCHOOL STUDENT THAT PARTICIPATED IN EXTRACURRICULAR ACTIVITIES IN THE PRIOR YEAR; TO REQUIRE THE DEPARTMENT TO REPORT DISBURSEMENTS TO THE OFFICE OF THE STATE AUDITOR; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2563: Government Structure; Public Health and Welfare

AN ACT TO AMEND SECTIONS 73-7-1, 73-7-2, 73-7-3, 73-7-7, 73-7-9, 73-7-11, 73-7-12, 73-7-13, 73-7-14, 73-7-15, 73-7-16, 73-7-17, 73-7-18, 73-7-19, 73-7-21, 73-7-23, 73-7-25, 73-7-27, 73-7-29, 73-7-31, 73-7-33, 73-7-35, 73-7-37 AND 73-7-71, MISSISSIPPI CODE OF 1972, TO MERGE THE STATE BOARD OF COSMETOLOGY AND THE STATE BOARD OF BARBERING INTO THE STATE BOARD OF COSMETOLOGY AND BARBERING; TO PROVIDE FOR THE MEMBERSHIP OF THE BOARD; TO PROVIDE FOR THE APPOINTMENT OF THE EXECUTIVE DIRECTOR; TO REVISE THE LICENSING REQUIREMENTS OF BARBERS AND COSMETOLOGISTS; TO REQUIRE CERTAIN CONTINUING EDUCATION; TO SET CERTAIN PROHIBITIONS; TO PROVIDE THAT THE BOARD MAY CHARGE LICENSE FEES; TO SET THE BARBERING AND COSMETOLOGY SCHOOL REQUIREMENTS; TO SET CERTAIN VIOLATIONS, PENALTIES AND FINES; TO MAKE TECHNICAL AMENDMENTS TO CONFORM; TO BRING FORWARD SECTION 73-7-5, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO CREATE NEW SECTION 73-7-13.1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR BARBER LICENSING REQUIREMENTS; TO REPEAL SECTIONS 73-7-63, MISSISSIPPI CODE OF 1972, WHICH PROVIDES A REPEALER ON THE STATE BOARD OF COSMETOLOGY; TO REPEAL SECTION 73-5-1, MISSISSIPPI CODE OF 1972, WHICH CREATES THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-3, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES THE STAFFING AND COMPENSATION OF THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL

SECTION 73-5-5, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES A SPECIAL FUND FOR DEPOSITS AND AUDITS; TO REPEAL SECTION 73-5-7, MISSISSIPPI CODE OF 1972, WHICH GIVES THE STATE BOARD OF BARBER EXAMINERS THE AUTHORITY TO CREATE AND ENFORCE RULES AND REGULATIONS; TO REPEAL SECTION 73-5-8, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES CERTIFICATE QUALIFICATIONS FOR BARBER INSTRUCTORS; TO REPEAL SECTION 73-5-9, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES THE REQUIREMENT FOR BARBERS TO BE REGISTERED WITH AND LICENSED BY THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-11, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR BARBERING SCHOOL ELIGIBILITY; TO REPEAL SECTION 73-5-12, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES COSMETOLOGY, BARBER EXAMINATION AND ELIGIBILITY; TO REPEAL SECTION 73-5-15, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBES THE PROCEDURE FOR APPLICATIONS FOR BARBER EXAMINATIONS; TO REPEAL SECTION 73-5-17, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES CERTAIN REQUIREMENTS FOR THE ADMINISTRATION OF BARBER EXAMINATIONS; TO REPEAL SECTION 73-5-19, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE ISSUANCE OF CERTIFICATES OF REGISTRATION AS A BARBER; TO REPEAL SECTION 73-5-21, MISSISSIPPI CODE OF 1972, WHICH CREATES THE LICENSE PROCEDURES FOR PERSONS HAVING PRACTICED BARBERING IN ANOTHER STATE OR COUNTRY OR IN MILITARY SERVICE FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-23, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES CONSPICUOUS DISPLAY OF REGISTRATION CERTIFICATES AND THE PENALTY FOR VIOLATIONS; TO REPEAL SECTION 73-5-25, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES CERTIFICATE OR LICENSE DENIAL, SUSPENSION OR REVOCATION; TO REPEAL SECTION 73-5-27, MISSISSIPPI CODE OF 1972, WHICH CREATES THE HEARING PROCEDURES FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-29, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES FEES FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-31, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES APPLICATION FOR NONRESIDENT LICENSE FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-33, MISSISSIPPI CODE OF 1972, WHICH CREATES LICENSURE PROCEDURES AND FEES FOR BARBERSHOPS, AND THE ENFORCEMENT OF LICENSURE REQUIREMENTS FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-35, MISSISSIPPI CODE OF 1972, WHICH CREATES LICENSURE PROCEDURES AND FEES FOR BARBER SCHOOLS FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-37, MISSISSIPPI CODE OF 1972, WHICH SETS AN ANNUAL CYCLE FOR BARBER LICENSE RENEWAL FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-39, MISSISSIPPI CODE OF 1972, WHICH DEFINES WHAT CONSTITUTES THE PRACTICE OF BARBERING; TO REPEAL SECTION 73-5-41, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES EXEMPTIONS FROM LICENSING REQUIREMENTS FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-43, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES OFFENSES AND PENALTIES FOR THE STATE BOARD OF BARBER EXAMINERS; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

S. B. No. 2564: Public Health and Welfare

AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO REQUIRE THE ISSUANCE OF A HEALTH CARE CERTIFICATE OF NEED FOR ADDITIONAL BEDS IN A COMMUNITY LIVING PROGRAM FOR DEVELOPMENTALLY DISABLED ADULTS LOCATED IN MADISON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Michel

S. C. R. No. 522: Accountability, Efficiency, Transparency

A CONCURRENT RESOLUTION PROPOSING AMENDMENTS TO SECTIONS 33, 273, 56, 61 AND 72, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT

AMENDMENTS TO THE MISSISSIPPI CONSTITUTION MAY ONLY BE PROPOSED BY THE LEGISLATURE, BUT THAT THE PEOPLE RESERVE TO THEMSELVES THE RIGHT TO EXERCISE THE LEGISLATIVE POWER OF THE STATE TO PROPOSE NEW LAWS AND TO AMEND OR REPEAL EXISTING LAWS BY INITIATIVE, AND TO APPROVE OR REJECT THE SAME IN AN ELECTION INDEPENDENT OF THE LEGISLATURE.
By Senator(s) Turner-Ford

S. C. R. No. 523: Accountability, Efficiency, Transparency; Constitution
A CONCURRENT RESOLUTION PROPOSING AMENDMENTS TO SECTIONS 33, 56, 61 AND 72, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT AMENDMENTS TO THE MISSISSIPPI CONSTITUTION MAY ONLY BE PROPOSED BY THE LEGISLATURE, BUT THAT THE PEOPLE RESERVE TO THEMSELVES THE RIGHT TO EXERCISE THE LEGISLATIVE POWER OF THE STATE TO PROPOSE NEW LAWS AND TO AMEND OR REPEAL EXISTING LAWS BY INITIATIVE, AND TO APPROVE OR REJECT THE SAME IN AN ELECTION INDEPENDENT OF THE LEGISLATURE.
By Senator(s) McCaughn, Boyd

S. C. R. No. 524: Accountability, Efficiency, Transparency
A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 273, MISSISSIPPI CONSTITUTION OF 1890, TO REINSTATE THE INITIATIVE PROCEDURE DECLARED INVALID BY THE MISSISSIPPI SUPREME COURT; TO PROVIDE THAT THE INITIATIVE PROCESS MAY BE USED TO AMEND THE MISSISSIPPI STATUTES OR TO AMEND THE MISSISSIPPI CONSTITUTION; TO BASE THE NUMBER OF SIGNATURES REQUIRED FOR AN INITIATIVE PETITION ON THE NUMBER OF REGISTERED VOTERS; TO CONFORM THE PRO RATA SIGNATURE REQUIREMENTS FROM EACH CONGRESSIONAL DISTRICT FOR AN INITIATIVE PETITION TO THE NUMBER OF CURRENT CONGRESSIONAL DISTRICTS; TO SPECIFY THAT PETITION SIGNATURE REQUIREMENTS SHALL INCLUDE HOME ADDRESS; AND TO PROVIDE THAT ONLY ONE PROPOSAL OF LAW AND MATTERS PROPERLY CONNECTED THEREWITH SHALL BE CONTAINED IN AN INITIATIVE PETITION TO ENABLE THE ELECTORS TO VOTE ON THAT PROPOSAL SEPARATELY.
By Senator(s) Seymour

S. R. No. 30: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE KOSSUTH HIGH SCHOOL GIRLS "LADY AGGIES" BOWLING TEAM FOR ITS SIXTH STRAIGHT CLASS 1 STATE CHAMPIONSHIP AND THE KOSSUTH HIGH SCHOOL BOYS "AGGIES" BOWLING TEAM FOR THEIR THIRD STRAIGHT CLASS 1 STATE CHAMPIONSHIP WHICH IS A BOWLING DYNASTY.
By Senator(s) Parks

S. R. No. 31: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE SHARKEY-ISSAQUENA ACADEMY "CONFEDERATES" FOOTBALL TEAM AND HEAD COACH MATT HOMAN FOR AN EMOTIONAL VICTORY FOR THE TORNADO-DAMAGED COMMUNITY IN THE MAIS CLASS 1A STATE CHAMPIONSHIP.
By Senator(s) Hopson, Thomas

FORTY-NINTH DAY, MONDAY, FEBRUARY 19, 2024

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Frazier. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Jeremy Smith, Senior Pastor, The Well Church, Magee, MS.

Senator Robinson led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Branning moved that when the Senate adjourns, it adjourn in memory of Thomas Miller of Union, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Charlyn Odom Ogden of Starkville, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Mary Frances Jones of Eupora, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Brenda Marie Parker of McHenry Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Curtis Eugene Breland of Wiggins, MS.

Senator Polk moved that the Senate stand in recess until the last bill is filed, at which time the Senate would then adjourn until 10:00 AM, Tuesday, February 20, 2024.

The motion prevailed, and at 4:13 PM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 9:00 PM in memory of Charlyn Odom Ogden, Mary Frances Jones, Thomas Miller, Brenda Marie Parker and Curtis Eugene Breland.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR MONDAY, FEBRUARY 19, 2024

S. B. No. 2565: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 25-41-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF PUBLIC BODY; TO CREATE NEW SECTION 25-41-4, MISSISSIPPI CODE OF 1972, TO REQUIRE PUBLIC BODIES TO CREATE AND MAINTAIN A PUBLIC NOTICE LIST; TO AMEND SECTION 25-41-5, MISSISSIPPI CODE OF 1972, TO REQUIRE NOTICE BY EMAIL OF MEETING TIMES TO THOSE ON THE PUBLIC NOTICE LIST; TO AMEND SECTION 25-41-11, MISSISSIPPI CODE OF 1972, TO REVISE REQUIREMENTS RELATING TO THE AVAILABILITY OF MINUTES OF THE MEETINGS OF PUBLIC BODIES; AND FOR RELATED PURPOSES.
By Senator(s) Norwood, Simmons (12th)

S. B. No. 2566: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO INCREASE THRESHOLD EXPENDITURE AMOUNTS FOR PUBLIC BID REQUIREMENTS BY LOCAL GOVERNING AUTHORITIES AND STATE AGENCIES; AND FOR RELATED PURPOSES.
By Senator(s) McMahan

S. B. No. 2567: Finance
AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ISSUE AN ON-PREMISES TOBACCO PERMIT TO ALLOW PERMITTEES TO SELL ALCOHOLIC BEVERAGES ON LICENSED PREMISES WHERE CIGARS, CHEROOTS, TOBACCO PIPES, PIPE TOBACCO, AND/OR STOGIES, BUT NOT CIGARETTES, ARE SOLD; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO IMPOSE AN ANNUAL PRIVILEGE LICENSE TAX OF $450.00 FOR THE PERMIT; AND FOR RELATED PURPOSES.
By Senator(s) McMahan

S. B. No. 2568: Finance
AN ACT TO AMEND SECTION 67-5-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY NATIVE WINERY TO MAKE SALES TO THE DEPARTMENT OF REVENUE OR TO CONSUMERS AT ONE SATELLITE LOCATION IN THE SAME COUNTY AS THE NATIVE WINERY'S ORIGINAL LOCATION; AND FOR RELATED PURPOSES.
By Senator(s) McMahan

S. B. No. 2569: Economic and Workforce Development
AN ACT TO AMEND SECTION 25-1-98, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT ALL AGENCIES UNDER THE PURVIEW OF THE STATE PERSONNEL BOARD SHALL REPORT TO THE BOARD INFORMATION ABOUT THE INDIVIDUALS WHO PERFORM TELEWORK FOR THEIR AGENCIES; TO PROHIBIT THE STATE PERSONNEL BOARD, ABSENT EMERGENCY CIRCUMSTANCES, FROM

PROCESSING ANY PERSONNEL ACTIONS WITHIN THE SYSTEM OF RECORD OTHERWISE ALLOWABLE FOR AGENCIES UNDER ITS PURVIEW UNLESS AND UNTIL SUCH AGENCY IS IN COMPLIANCE WITH THIS ACT; TO REQUIRE THAT THE STATE PERSONNEL BOARD PROMULGATE RULES FOR THE ADMINISTRATION OF THIS ACT; TO REMOVE THE DATE OF REPEAL; AND FOR RELATED PURPOSES.
By Senator(s) Sparks

S. B. No. 2570: Economic and Workforce Development
AN ACT TO AMEND SECTIONS 27-104-7 AND 37-153-7, MISSISSIPPI CODE OF 1972, TO EXTEND THE TIME PERIOD OF THE EXEMPTION FOR THE OFFICE OF WORKFORCE DEVELOPMENT FROM CERTAIN PUBLIC PROCUREMENT REVIEW BOARD PROVISIONS RELATED TO RENTAL AGREEMENTS OR LEASING OF REAL PROPERTY FOR THE PURPOSE OF CONDUCTING AGENCY BUSINESS; AND FOR RELATED PURPOSES.
By Senator(s) Sparks

S. B. No. 2571: Economic and Workforce Development
AN ACT TO AMEND SECTION 37-153-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT HINDS COUNTY SHALL BE A SEPARATE WORKFORCE INVESTMENT AREA UNDER THE FEDERAL WORKFORCE INVESTMENT ACT; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2572: Economic and Workforce Development
AN ACT TO AMEND SECTION 37-153-7, MISSISSIPPI CODE OF 1972, TO ALLOW PROXY PARTICIPATION IN MEETINGS OF THE STATE WORKFORCE INVESTMENT BOARD IN ORDER TO MEET A QUORUM; AND FOR RELATED PURPOSES.
By Senator(s) Sparks

S. B. No. 2573: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO STIPULATE THAT REVERSE AUCTION SHALL NOT BE USED TO RECEIVE BIDS FOR THE PURCHASE OF MATERIALS, SUPPLIES, EQUIPMENT OR GOODS FOR THE TRAINING OF PERSONNEL BY AGENCIES AND GOVERNING AUTHORITIES; AND FOR RELATED PURPOSES.
By Senator(s) Sparks

S. B. No. 2574: Labor; Accountability, Efficiency, Transparency
AN ACT TO BRING FORWARD SECTIONS 73-1-13, 73-1-29, 73-2-7, 73-2-16, 73-4-17, 73-4-25, 73-5-8, 73-5-11, 73-5-25, 73-6-13, 73-6-19, 73-7-27, 73-9-23, 73-9-61, 73-10-21, 73-11-51, 73-11-57, 73-13-23, 73-13-37, 73-14-35, 73-15-29, 73-17-11, 73-17-15, 73-19-17, 73-19-23, 73-21-97, 73-23-47, 73-23-59, 73-24-19, 73-24-24, 73-25-3, 73-25-29, 99-19-35, 73-26-3, 73-27-5, 73-27-13, 73-29-13, 73-29-31, 73-30-9, 73-30-21, 73-31-13, 73-31-21, 73-34-109, 73-34-113, 73-35-21, 73-38-9, 73-38-27, 73-39-77, 73-42-9, 73-42-11, 73-42-13, 73-53-17, 73-53-23, 73-53-25, 73-55-19, 73-60-31, 73-63-27, 73-65-13, 73-69-7, 73-69-9, 73-69-11, 73-73-9, 73-73-31, 63-1-216, 43-20-14, 75-27-305 AND 75-76-131, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2575: Elections
AN ACT TO AMEND SECTION 23-15-801, MISSISSIPPI CODE OF 1972, TO DEFINE RELEVANT TERMS; TO AMEND SECTION 23-15-803, MISSISSIPPI CODE OF 1972, TO REQUIRE CANDIDATES AND POLITICAL COMMITTEES TO FILE A STATEMENT OF ORGANIZATION PRIOR TO RECEIVING CONTRIBUTIONS AND MAKING EXPENDITURES; TO AMEND SECTION 23-15-805, MISSISSIPPI CODE OF 1972, TO REQUIRE POLITICAL COMMITTEES TO FOLLOW REPORTING REQUIREMENTS FOR EACH ELECTION CYCLE FOR WHICH THEY MAKE

EXPENDITURES; TO AMEND SECTION 23-15-807, MISSISSIPPI CODE OF 1972, TO REQUIRE CANDIDATE COMMITTEES TO REPORT CONTRIBUTIONS AND DISBURSEMENTS; TO AMEND SECTION 23-15-809, MISSISSIPPI CODE OF 1972, TO REQUIRE PERSONS MAKING EXPENDITURES TO ENSURE THE RECEIVING ENTITY RECEIVES AN EXPENDITURE REPORT WITHIN TWO BUSINESS DAYS; TO AMEND SECTION 23-15-811, MISSISSIPPI CODE OF 1972, TO ALLOW THE SECRETARY OF STATE AND THE ATTORNEY GENERAL TO ENFORCE SANCTIONS OF THIS SECTION; TO AMEND SECTION 23-15-813, MISSISSIPPI CODE OF 1972, TO PROVIDE FURTHER PROCEDURE FOR ENFORCING THE CIVIL PENALTIES FOR VIOLATIONS OF CAMPAIGN FINANCIAL DISCLOSURE REQUIREMENTS; TO AMEND SECTION 23-15-815, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT THE SECRETARY OF STATE DISSEMINATE REQUIRED CAMPAIGN DISCLOSURES, STATEMENTS AND REPORTS, AND MAINTAIN A RECORD OF SUCH INFORMATION FOR FIVE YEARS; TO AMEND SECTION 23-15-817, MISSISSIPPI CODE OF 1972, TO ALLOW THE ATTORNEY GENERAL, ON BEHALF OF THE SECRETARY OF STATE, TO BRING DISCIPLINARY ACTIONS AGAINST A CANDIDATE FOR STATEWIDE OR STATE DISTRICT OFFICE WHO FAILS TO FILE A TIMELY CAMPAIGN DISCLOSURE REPORT; TO BRING FORWARD SECTION 23-15-819, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 23-15-821, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CANDIDATES WITH AN EXEMPT CAMPAIGN FINANCE FUND THAT ARE NO LONGER IN OFFICE MUST PROPERLY REPORT THIS INFORMATION TO THE SECRETARY OF STATE WITHIN FOUR YEARS AFTER LEAVING OFFICE; TO CREATE NEW SECTION 23-15-823, MISSISSIPPI CODE OF 1972, TO PROVIDE PROVISIONS REGARDING IN-KIND CONTRIBUTIONS AND EXPENDITURES; TO CREATE NEW SECTION 23-15-825, MISSISSIPPI CODE OF 1972, TO DEFINE RELEVANT TERMS RELATED TO ELECTIONEERING COMMUNICATION; TO CREATE NEW SECTION 23-15-827, MISSISSIPPI CODE OF 1972, TO ELABORATE ON WHAT CONDUCT CONSTITUTES A CONTRIBUTION OF CAMPAIGN MATERIALS BY A CANDIDATE; TO CREATE NEW SECTION IN TITLE 23, CHAPTER 15, MISSISSIPPI CODE OF 1972, TO REQUIRE CANDIDATES TO DISCLOSE LOANS AND CREDIT EXTENSIONS; TO PROVIDE WHAT ACCOUNTING MUST BE KEPT BY A CANDIDATE OR TREASURER OF A POLITICAL COMMITTEE; TO PROHIBIT POLITICAL CONTRIBUTIONS BY CORPORATIONS AND PROVIDE PENALTIES; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2576: Elections; Accountability, Efficiency, Transparency
AN ACT TO CREATE NEW SECTION 23-15-563.1, MISSISSIPPI CODE OF 1972, TO ALLOW THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS FOR VOTER IDENTIFICATION REQUIREMENTS; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2577: Elections; Judiciary, Division B
AN ACT TO CREATE A NEW SECTION IN TITLE 97, CHAPTER 13, MISSISSIPPI CODE OF 1972, TO CREATE CRIMINAL PENALTIES FOR THE WRONGFUL DISSEMINATION OF DIGITIZATIONS; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2578: Elections
AN ACT TO AMEND SECTION 23-15-897, MISSISSIPPI CODE OF 1972, TO EXPAND THE DEFINITION OF PUBLISH; ESTABLISH A FINE FOR FAILURE TO COMPLY WITH THE DISCLOSURE REQUIREMENTS OF THIS SECTION; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2579: Elections
AN ACT TO AMEND SECTION 23-15-631, MISSISSIPPI CODE OF 1972, TO REQUIRE MAIL-IN BALLOTS BE RECEIVED BY MAIL OR COMMON CARRIER NO

LATER THAN 7:00 PM ON THE DAY OF AN ELECTION; TO AMEND SECTION 23-15-637, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-639, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT MAIL-IN BALLOTS BE ANNOUNCED BY THE RESOLUTION BOARD; TO AMEND SECTION 23-15-651 AND 23-15-721, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-697, MISSISSIPPI CODE OF 1972, TO PROHIBIT RETURNING MAIL-IN BALLOTS USING ANY METHOD OTHER THAN BY MAIL OR COMMON CARRIER; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2580: Elections
AN ACT TO CREATE THE IN-PERSON EARLY VOTING ACT; TO PROVIDE DEFINITIONS; TO PROVIDE THAT THE PREELECTION DAY VOTING PERIOD SHALL BEGIN 15 DAYS BEFORE THE ELECTION AND CONTINUE UNTIL NOON ON THE SATURDAY IMMEDIATELY PRECEDING THE ELECTION; TO PROVIDE THAT PREELECTION DAY VOTING SHALL BE FOR EACH PRIMARY, GENERAL, RUNOFF, SPECIAL AND MUNICIPAL ELECTION FOR PUBLIC OFFICE; TO PROVIDE THE HOURS FOR PREELECTION DAY VOTING IN THE REGISTRAR'S OFFICE DURING REGULAR BUSINESS HOURS; TO PROVIDE EXTENDED HOURS TO VOTE DURING THE LAST FULL WEEK PRECEDING AN ELECTION; TO PROVIDE THAT NOTICE OF PREELECTION DAY VOTING SHALL BE PROVIDED IN THREE PUBLIC PLACES EIGHT DAYS BEFORE THE VOTING BEGINS; TO PROVIDE THE PROCEDURES TO FOLLOW WHEN CASTING A BALLOT DURING THE PREELECTION DAY VOTING PERIOD; TO PROVIDE THE MANNER FOR CHALLENGING THE QUALIFICATIONS OF A VOTER DURING THE PREELECTION DAY VOTING PERIOD; TO PROHIBIT VOTING VIA BALLOT HARVESTING, BALLOT DROP BOXES OR WITH MAIL-IN OR ABSENTEE BALLOTS FOR A REASONS OR INSTANCES OTHER THAN WHAT IS ALLOWED BY THE MISSISSIPPI ELECTION CODE; TO AMEND SECTIONS 23-15-625, 23-15-627, 23-15-631, 23-15-637, 23-15-713, 23-15-715 AND 23-15-719, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2581: Elections
AN ACT TO AMEND SECTION 23-15-631, MISSISSIPPI CODE OF 1972, TO ALLOW ABSENTEE VOTERS TO COMPLETE THE SIGNING REQUIREMENTS ON THE BACK OF THE ENVELOPE RATHER THAN THE ENVELOPE FLAP; TO AMEND SECTIONS 23-15-633, 23-15-635 AND 23-15-719, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2582: Elections
AN ACT TO AMEND SECTION 23-15-231, MISSISSIPPI CODE OF 1972, TO AMEND APPOINTMENTS OF POLL MANAGERS TO ENCOURAGE POLITICAL PARTY DIVERSITY OF APPOINTMENTS; TO AMEND SECTION 23-15-523, MISSISSIPPI CODE OF 1972, TO AMEND APPOINTMENTS TO THE RESOLUTION BOARD TO ENCOURAGE POLITICAL PARTY DIVERSITY OF APPOINTMENTS; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2583: Elections
AN ACT TO AMEND SECTION 23-15-911, MISSISSIPPI CODE OF 1972, TO ALLOW ALL MATERIALS TO BE EXAMINED BY A CANDIDATE OR THEIR REPRESENTATIVE DURING AN ELECTION CONTEST; TO AMEND SECTION 23-15-921, MISSISSIPPI CODE OF 1972, TO AMEND THE PETITION FILING PROCESS FOR CONTESTED ELECTIONS; TO REPEAL SECTIONS 23-15-927, 23-15-929, 23-15-935, AND 23-15-953, MISSISSIPPI CODE OF 1972; TO AMEND SECTION 23-15-933, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT ALL THE COMMISSIONERS IN ATTENDANCE MUST CONCUR TO THE FINDING OF FACTS FOR THE ELECTION CONTEST TO BE ELIGIBLE FOR APPELLATE REVIEW; TO

AMEND SECTION 23-15-937, MISSISSIPPI CODE OF 1972, TO REQUIRE ELECTION CONTESTS TO PRIMARY AND RUNOFF ELECTIONS TO HAVE JUDGEMENTS RENDERED AS EXPEDITIOUSLY AS POSSIBLE; TO AMEND SECTION 23-15-939, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION ALLOWING ELECTION COMMISSIONERS TO BE COMPENSATED FOR THEIR SERVICES RENDERED DURING AN ELECTION CONTEST; TO AMEND SECTION 23-15-941, MISSISSIPPI CODE OF 1972, TO APPLY THE CRIMINAL OFFENSE PROVISIONS OF THIS SECTION TO ALL ELECTIONS; TO AMEND SECTION 23-15-955, MISSISSIPPI CODE OF 1972, TO APPLY THE PROCEEDING PROVISIONS OF THIS SECTION TO SPECIAL AND GENERAL ELECTION CONTESTS; TO BRING FORWARD SECTION 23-15-957, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 23-15-961, MISSISSIPPI CODE OF 1972, TO AMEND THE TIMELINE FOR CONTESTING QUALIFICATIONS OF CANDIDATES FOR ELECTIONS; TO AMEND SECTION 23-15-963, MISSISSIPPI CODE OF 1972, TO ALLOW GENERAL ELECTION CONTESTS TO BE FILED WITH THE ELECTION COMMISSION FOR WHICH THE EXECUTIVE COMMITTEE HAS FILED NOTICE OF A PARTY NOMINATED CANDIDATE; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2584: Elections

AN ACT TO AUTHORIZE A QUALIFIED ELECTOR TO VOTE EARLY NOT MORE THAN 21 DAYS NOR LESS THAN FIVE DAYS BEFORE THE DATE OF AN ELECTION; TO PROVIDE THAT EARLY VOTING MAY BE CONDUCTED IN THE REGISTRAR'S OFFICE OR AT A LOCATION DESIGNATED BY THE REGISTRAR; TO REQUIRE A PERSON WHO DESIRES TO VOTE EARLY TO APPEAR AT THE REGISTRAR'S OFFICE AND TO PROVIDE THAT AFTER SIGNING THE RECEIPT BOOK SUCH PERSON SHALL BE ENTITLED TO VOTE AT THE REGISTRAR'S OFFICE OR AT THE LOCATION DESIGNATED BY THE REGISTRAR DURING THE EARLY VOTING PERIOD IN THE SAME MANNER AS HE OR SHE WOULD AT HIS OR HER VOTING PRECINCT ON THE DAY OF THE ELECTION; TO PROVIDE THAT THE ELECTION LAWS THAT GOVERN PROCEDURES FOR A PERSON WHO APPEARS TO VOTE ON THE DAY OF ELECTION SHALL APPLY WHEN A PERSON APPEARS TO VOTE DURING THE EARLY VOTING PERIOD; TO PROVIDE THAT ALL VOTES CAST DURING THE EARLY VOTING PERIOD SHALL BE FINAL; TO PROVIDE THAT THE VOTES CAST DURING EARLY VOTING SHALL BE ANNOUNCED SIMULTANEOUSLY WITH THE VOTES CAST ON ELECTION DAY; TO PROVIDE THAT EACH CANDIDATE SHALL HAVE THE RIGHT TO BE PRESENT AT THE REGISTRAR'S OFFICE AND TO CHALLENGE THE QUALIFICATIONS OF ANY PERSON OFFERING TO VOTE EARLY IN THE SAME MANNER AS PROVIDED BY LAW AT THE POLLING PLACE ON THE DAY OF THE ELECTION; TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO EFFECTUATE EARLY VOTING; TO AMEND SECTIONS 23-15-195, 23-15-353 AND 23-15-653, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTIONS 23-15-627, 23-15-637, 23-15-641, 23-15-713 AND 23-15-715, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT VOTERS MAY NOT CAST ABSENTEE BALLOTS AT THE OFFICE OF THE REGISTRAR DURING THE EARLY VOTING PERIOD; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2585: Elections

AN ACT TO AMEND SECTION 23-15-801, MISSISSIPPI CODE OF 1972, TO DEFINE CAMPAIGN COMMITTEE AND INDEPENDENT EXPENDITURE-ONLY COMMITTEE; TO AMEND SECTION 23-15-803, MISSISSIPPI CODE OF 1972, TO REQUIRE CANDIDATES AND POLITICAL COMMITTEES TO FILE A STATEMENT OF ORGANIZATION PRIOR TO RECEIVING CONTRIBUTIONS AND MAKING EXPENDITURES; TO AMEND SECTION 23-15-805, MISSISSIPPI CODE OF 1972, TO REQUIRE CANDIDATE COMMITTEES TO FILE REPORTS AND AMEND THE POLITICAL COMMITTEE FILING PROCESS; TO AMEND SECTION 23-15-807, MISSISSIPPI CODE OF 1972, TO REQUIRE A CANDIDATE COMMITTEE TO FILE A TERMINATION REPORT TO TERMINATE OBLIGATIONS TO SUBMIT REQUIRED

REPORTS; TO AMEND SECTION 23-15-809, MISSISSIPPI CODE OF 1972, TO PENALIZE INDEPENDENT EXPENDITURE-ONLY COMMITTEES WHO RECEIVE PROHIBITED CONTRIBUTIONS; TO AMEND SECTION 23-15-811, MISSISSIPPI CODE OF 1972, TO EXPAND PENALTIES FOR FAILING TO FILE ALL REQUIRED REPORTS WITH THE SECRETARY OF STATE'S OFFICE; TO AMEND SECTION 23-15-813, MISSISSIPPI CODE OF 1972, TO TRANSFER CERTAIN ASSESSMENT RESPONSIBILITIES OF THE MISSISSIPPI ETHICS COMMISSION TO THE SECRETARY OF STATE; TO BRING FORWARD SECTIONS 23-15-815, 23-15-817 AND 23-15-819, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 23-15-821, MISSISSIPPI CODE OF 1972, TO REMOVE CONTRIBUTION EXEMPTION FOR CONTRIBUTIONS MADE PRIOR TO JANUARY 1, 2018; TO CREATE NEW SECTION 23-15-821.1, MISSISSIPPI CODE OF 1972, TO CREATE CORPORATION CONTRIBUTION LIMITS; TO CREATE NEW SECTION 23-15-823, MISSISSIPPI CODE OF 1972, TO PROVIDE PROHIBITIONS ON CAMPAIGN FINANCE ACTIVITIES; TO CREATE NEW SECTION 23-15-825, MISSISSIPPI CODE OF 1972, TO PROVIDE ADDITIONAL PROCEDURE FOR AUDITING CAMPAIGN FINANCE ACCOUNTS; TO AMEND SECTION 23-15-897, MISSISSIPPI CODE OF 1972, TO CREATE A FINE FOR FAILURE TO COMPLY WITH THE CAMPAIGN MATERIALS PROVISIONS OF THIS SECTION; TO CREATE NEW SECTION 97-13-47, MISSISSIPPI CODE OF 1972, TO CREATE CRIMINAL PENALTIES FOR THE WRONGFUL DISSEMINATION OF DEEPFAKES; AND FOR RELATED PURPOSES.
By Senator(s) Tate

S. B. No. 2586: Elections

AN ACT TO AUTHORIZE A QUALIFIED ELECTOR TO VOTE NOT MORE THAN 20 DAYS NOR LESS THAN TWO DAYS BEFORE THE DATE OF AN ELECTION; TO PROVIDE THAT PREELECTION VOTING MAY BE CONDUCTED IN THE REGISTRAR'S OFFICE; TO REQUIRE A PERSON WHO DESIRES TO VOTE DURING THE PREELECTION DAY VOTING PERIOD TO APPEAR AT THE REGISTRAR'S OFFICE AND TO PROVIDE THAT AFTER SIGNING THE RECEIPT BOOK SUCH PERSON SHALL BE ENTITLED TO VOTE AT THE REGISTRAR'S OFFICE IN THE SAME MANNER AS HE WOULD AT HIS OR HER VOTING PRECINCT ON THE DAY OF THE ELECTION; TO PROVIDE THAT THE ELECTION LAWS THAT GOVERN PROCEDURES FOR A PERSON WHO APPEARS TO VOTE ON THE DAY OF ELECTION SHALL APPLY WHEN A PERSON APPEARS TO VOTE DURING THE PREELECTION DAY VOTING PERIOD; TO PROVIDE THAT ALL VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE FINAL; TO PROVIDE THAT THE VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE ANNOUNCED SIMULTANEOUSLY WITH THE VOTE CAST ON ELECTION DAY; TO PROVIDE THAT EACH CANDIDATE SHALL HAVE THE RIGHT TO BE PRESENT AT THE REGISTRAR'S OFFICE AND TO CHALLENGE THE QUALIFICATIONS OF ANY PERSON OFFERING TO PREELECTION VOTE IN THE SAME MANNER AS PROVIDED BY LAW AT THE POLLING PLACE ON THE DAY OF THE ELECTION; TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO EFFECTUATE PREELECTION DAY VOTING; TO AMEND SECTION 23-15-195, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2587: Elections; Judiciary, Division B

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO CERTAIN PERSONS DISQUALIFIED BY REASON OF CONVICTION OF A DISENFRANCHISING CRIME; TO PROVIDE THAT SUCH PERSONS SHALL BE ENFRANCHISED AFTER COMPLETING THE TERM OF INCARCERATION AND PAROLE OR UPON THE IMPOSITION OF A PROBATION-ONLY SENTENCE FOR SUCH CRIMES; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-19, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE REMOVAL OF A PERSON'S NAME FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM UNLESS THE

PERSON IS SERVING A TERM OF INCARCERATION OR PAROLE FOR A DISENFRANCHISING CRIME AT THE TIME OF REMOVAL; TO PROVIDE THAT A COURT'S CERTIFICATION OF A CONVICTION FOR PURPOSES OF REMOVAL FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM MUST INDICATE THE TYPE OF SENTENCE IMPOSED; TO AMEND SECTION 23-15-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CIRCUIT CLERK'S ENROLLMENT BOOK LISTING THE NAMES OF PERSONS CONVICTED OF DISENFRANCHISING CRIMES MUST BE UPDATED TO EXCLUDE THE NAMES OF THOSE PERSONS ENFRANCHISED UNDER THIS ACT; TO AMEND SECTIONS 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VOTER ROLL AND POLLBOOKS MUST BE UPDATED IN A MANNER CONSISTENT WITH THIS ACT; TO AMEND SECTIONS 23-15-39 AND 23-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL ADOPT VOTER REGISTRATION APPLICATIONS WHICH STATE THAT A PERSON RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT IS NOT DISQUALIFIED FROM REGISTERING TO VOTE; TO AMEND SECTIONS 23-15-213, 23-15-223 AND 23-15-239, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL DEVELOP AND IMPLEMENT TRAINING FOR ELECTION COMMISSIONERS, REGISTRARS AND POLL MANAGERS WHICH WILL INSTRUCT THEM ON THEIR DUTIES WITH REGARD TO PERSONS RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL UPDATE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM IN A MANNER THAT WILL ALLOW LOCAL ELECTION OFFICIALS TO VERIFY WHETHER A PERSON HAS A DISQUALIFYING CONVICTION; TO BRING FORWARD SECTION 23-15-573, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE PROCEDURE FOR CASTING AN AFFIDAVIT BALLOT, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2588: Drug Policy; Judiciary, Division B
AN ACT TO ENACT THE "MISSISSIPPI KRATOM CONSUMER PROTECTION ACT" TO REGULATE THE PREPARATION, DISTRIBUTION, AND SALE OF KRATOM PRODUCTS; TO DEFINE TERMS; TO PROHIBIT THE PREPARATION, DISTRIBUTION AND SALE OF ADULTERATED OR CONTAMINATED KRATOM PRODUCTS; TO PRESCRIBE FINES AND PENALTIES FOR VIOLATIONS OF THIS ACT; TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ADMINISTER THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

S. B. No. 2589: Drug Policy; Judiciary, Division B
AN ACT TO ENACT THE "MISSISSIPPI KRATOM CONSUMER PROTECTION ACT" TO REGULATE THE PREPARATION, DISTRIBUTION AND SALE OF KRATOM PRODUCTS; TO DEFINE TERMS; TO PROHIBIT THE PREPARATION, DISTRIBUTION AND SALE OF ADULTERATED OR CONTAMINATED KRATOM PRODUCTS; TO PRESCRIBE FINES AND PENALTIES FOR VIOLATIONS OF THIS ACT; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO ADMINISTER THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Sparks

S. B. No. 2590: Labor; Accountability, Efficiency, Transparency
AN ACT TO ENACT A MINIMUM WAGE LAW FOR THE STATE OF MISSISSIPPI, WITH ANNUAL INCREMENTAL INCREASES OVER A THREE-YEAR PERIOD; TO DEFINE EMPLOYERS AND EMPLOYEES SUBJECT TO THE MINIMUM WAGE LAW; TO EMPOWER THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY, OFFICE OF THE GOVERNOR, TO ENFORCE AND ADMINISTER THE PROVISIONS OF THE MINIMUM WAGE LAW; TO PROVIDE CRIMINAL PENALTIES AND A CIVIL CAUSE OF ACTION AGAINST EMPLOYERS FOR VIOLATIONS OF THE MINIMUM WAGE LAW; TO AMEND SECTION 17-1-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MUNICIPAL AND COUNTY GOVERNING AUTHORITIES, IN THEIR

DISCRETION, TO MANDATE A WAGE THAT IS MORE THAN THE STATE MINIMUM WAGE; TO AMEND SECTION 25-3-40, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2591: Labor; Accountability, Efficiency, Transparency
AN ACT TO ESTABLISH THE OPPORTUNITIES FOR DIVERSITY IN CONTRACTING PROGRAM (ODC) TO BE ADMINISTERED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY TO IMPROVE THE NUMBER OF SOCIALLY AND ECONOMICALLY DISADVANTAGED SMALL BUSINESS CONCERNS THAT DO BUSINESS WITH THE STATE BY FACILITATING AND IMPROVING ACCESS TO GOVERNMENT CONTRACTS; TO REQUIRE EACH STATE AGENCY TO APPOINT AN ODC COMPLIANCE OFFICER WHO WILL BE RESPONSIBLE FOR MONITORING COMPLIANCE WITH THE ODC PROGRAM AND FOR REPORTING COMPLIANCE OR NONCOMPLIANCE FOR THEIR RESPECTIVE AGENCIES TO THE MDA; TO ESTABLISH THE RESPONSIBILITIES OF ODC COMPLIANCE OFFICERS; TO REQUIRE STATE AGENCIES TO INCLUDE CERTAIN LANGUAGE IN CONTRACTS FOR GOODS AND SERVICES; TO ESTABLISH A PROCESS FOR ISSUING ODC WAIVERS; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2592: Labor
AN ACT TO AMEND SECTION 71-3-35, MISSISSIPPI CODE OF 1972, TO CLARIFY THE DATE ON WHICH THE STATUTE OF LIMITATIONS BEGINS TO RUN ON A CLAIM FOR WORKERS' COMPENSATION; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2593: Labor
AN ACT TO ESTABLISH A "TASK FORCE TO STUDY MISSISSIPPI'S LABOR FORCE PARTICIPATION RATES"; TO PRESCRIBE THE MEMBERSHIP OF THE TASK FORCE AND PROVIDE FOR ITS ORGANIZATION; TO PROVIDE FOR A REPORT BY THE TASK FORCE; AND FOR RELATED PURPOSES.
By Senator(s) Barrett

S. B. No. 2594: Corrections
AN ACT TO DEFINE CERTAIN TERMS RELATING TO THE SAFETY AND PRIVACY OF FEMALES IN CORRECTIONAL FACILITIES; TO PROVIDE THAT EVERY RESTROOM AND CHANGING ROOM WITHIN A CORRECTIONAL FACILITY THAT IS FOR USE BY INCARCERATED INDIVIDUALS SHALL BE DESIGNATED FOR USE BY MEMBERS OF ONE SEX; TO PROHIBIT ANY INCARCERATED INDIVIDUAL FROM ENTERING A RESTROOM OR CHANGING ROOM THAT IS DESIGNATED FOR ONE SEX UNLESS HE OR SHE IS A MEMBER OF THAT SEX; TO PROVIDE THAT EVERY RESTROOM, CHANGING ROOM AND SLEEPING QUARTER WITHIN A CORRECTIONAL FACILITY THAT IS DESIGNATED FOR THE USE OF INCARCERATED ADULTS THAT IS ACCESSIBLE BY MULTIPLE INDIVIDUALS AT THE SAME TIME SHALL BE DESIGNATED FOR USE ONLY BY MEMBERS OF ONE SEX; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2595: Corrections; Accountability, Efficiency, Transparency
AN ACT TO END THE USE OF RESTITUTION CENTERS AND CONVERT RESTITUTION CENTERS TO PRERELEASE REENTRY CENTERS; TO BRING FORWARD SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO OUTLINE THE DUTIES AND COMPENSATION FOR SHERIFFS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-33-27, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE TIME FRAME FOR REGISTRATION OF OFFENDERS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-33-35, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR A CENTRAL

REGISTRY OF OFFENDERS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-10, MISSISSIPPI CODE OF 1972, WHICH OUTLINES DEPARTMENT FUNCTIONS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-26, MISSISSIPPI CODE OF 1972, WHICH OUTLINES SUBORDINATE PERSONNEL, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-110, MISSISSIPPI CODE OF 1972, WHICH ASSIGNS THE PRERELEASE PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-194, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE CASHLESS SYSTEM AND PROHIBITS FINANCIAL ITEMS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-1207, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE CONSTRUCTION OF ADDITIONAL PUBLIC OR PRIVATE CORRECTIONAL FACILITIES, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR PROBATION VIOLATIONS AND PROCEDURES FOR BAIL, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO REPEAL SECTION 99-37-19, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE ESTABLISHMENT OF RESTITUTION CENTERS; TO REPEAL SECTION 99-37-21, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE COOPERATION OF THE DEPARTMENT OF PUBLIC WELFARE AND THE DEPARTMENT OF CORRECTIONS AT RESTITUTION CENTERS; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2596: Corrections; Accountability, Efficiency, Transparency

AN ACT TO END THE USE OF RESTITUTION CENTERS AND CONVERT RESTITUTION CENTERS TO POST-RELEASE REENTRY CENTERS; TO BRING FORWARD SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO OUTLINE THE DUTIES AND COMPENSATION FOR SHERIFFS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-33-27, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE TIME FRAME FOR REGISTRATION OF OFFENDERS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-33-35, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR A CENTRAL REGISTRY OF OFFENDERS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-10, MISSISSIPPI CODE OF 1972, WHICH OUTLINES DEPARTMENT FUNCTIONS; TO BRING FORWARD SECTION 47-5-26, MISSISSIPPI CODE OF 1972, WHICH OUTLINES SUBORDINATE PERSONNEL, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-110, MISSISSIPPI CODE OF 1972, WHICH ASSIGNS THE PRE-RELEASE PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-194, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE CASHLESS SYSTEM AND PROHIBITS FINANCIAL ITEMS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-1207, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE CONSTRUCTION OF ADDITIONAL PUBLIC OR PRIVATE CORRECTIONAL FACILITIES, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR PROBATION VIOLATIONS AND PROCEDURES FOR BAIL, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO REPEAL SECTION 99-37-19, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE ESTABLISHMENT OF RESTITUTION CENTERS; TO REPEAL SECTION 99-37-21, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE COOPERATION OF THE DEPARTMENT OF PUBLIC WELFARE AND THE DEPARTMENT OF CORRECTIONS AT RESTITUTION CENTERS; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2597: Corrections

AN ACT TO AMEND SECTION 47-5-11, MISSISSIPPI CODE OF 1972, TO PRESCRIBE SPECIFIC DATA TO BE COLLECTED BY THE MISSISSIPPI DEPARTMENT OF CORRECTIONS RELATIVE TO INMATE OFFENSE, INMATE SENTENCING, CORRECTIONAL FACILITY INMATE POPULATION AND STAFFING,

AND PROBATION AND PAROLEE IDENTIFICATION; TO DIRECT THE DEPARTMENT TO PUBLISH DATASETS ON A CONFIDENTIAL BASIS; AND FOR RELATED PURPOSES.
By Senator(s) Barnett, Blackmon

S. B. No. 2598: Corrections
AN ACT TO EXTEND THE AUTOMATIC REPEALER ON THE MISSISSIPPI EARNED PAROLE ELIGIBILITY ACT OF 2021; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO PROVIDE PAROLE ELIGIBILITY FOR CERTAIN JUVENILE HOMICIDE OFFENDERS IN COMPLIANCE WITH THE UNITED STATES SUPREME COURT HOLDING IN THE CASE OF MILLER V. ALABAMA TO BRING FORWARD SECTION 1 OF CHAPTER 479, LAWS OF 2021, TO AMEND SECTION 47-7-5 AND BRING FORWARD SECTIONS 47-7-3.1, 47-7-3.2, 47-7-15, 47-7-17 AND 47-7-18, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.
By Senator(s) Sparks

S. B. No. 2599: Corrections; Judiciary, Division B
AN ACT RELATING TO ALTERNATIVE INCARCERATION METHODOLOGY ("AIM"); TO BRING FORWARD SECTIONS 99-15-26, 99-15-19, 47-7-27, 47-7-33.1, 47-7-47, 47-5-931 THROUGH 47-5-953 AND 47-5-1003, MISSISSIPPI CODE OF 1972, RELATING TO ALTERNATIVE SENTENCING OPTIONS FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Sparks

S. B. No. 2600: Corrections; Government Structure
AN ACT TO CREATE A STUDY COMMITTEE TO STUDY MOVING PAROLE AND PROBATION OFFICERS AND ASSOCIATED SUPPORT STAFF FROM THE COMMUNITY CORRECTIONS DIVISION OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY; AND FOR RELATED PURPOSES.
By Senator(s) Sparks

S. B. No. 2601: Energy
AN ACT TO DEFINE THE TERMS "GOVERNMENTAL ENTITY", "UTILITY SERVICE" AND "APPLIANCE"; TO PROHIBIT A GOVERNMENTAL ENTITY FROM ENACTING OR ENFORCING ANY RESOLUTION, ORDINANCE, REGULATION, RULE, CODE, OR POLICY TO TAKE ANY ACTION THAT RESTRICTS OR PROHIBITS, OR HAS THE EFFECT OF RESTRICTING OR PROHIBITING, ANY PERSON OR ENTITY FROM USING ANY APPLIANCE BASED ON THE TYPE OF UTILITY SERVICE REQUIRED TO OPERATE THE APPLIANCE; TO BRING FORWARD SECTIONS 77-3-3 AND 77-3-201, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE REGULATION OF PUBLIC UTILITIES, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Chassaniol, Carter, Butler, England, Fillingane, Ladner

S. B. No. 2602: Energy; Judiciary, Division B
AN ACT TO BRING FORWARD SECTIONS 77-1-11 AND 77-1-25, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Carter

S. B. No. 2603: Energy
AN ACT TO AMEND SECTION 77-13-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "LOCATE REQUEST TICKET" AND "TRENCHLESS EXCAVATION"; TO AMEND SECTION 77-13-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE NOTICE REQUIRED FOR EXCAVATION SHALL CONTAIN THE LOCATION OF THE PROPOSED EXCAVATION, WHICH IS LIMITED TO AN AREA THE EXCAVATOR REASONABLY BELIEVES MAY BE COMPLETED WITHIN FOURTEEN CALENDAR DAYS FROM THE DATE AND TIME THE LOCATE REQUEST TICKET IS

ENTERED INTO THE MISSISSIPPI 811, INC., SYSTEM AND DOES NOT INCLUDE ANY AREA IN WHICH THE EXCAVATOR HAS ALREADY COMPLETED THE EXCAVATION WORK; TO PROVIDE THAT PRIOR TO PROVIDING THE ADVANCE NOTICE TO MISSISSIPPI 811, INC., THE EXCAVATOR SHALL PRE-MARK THE APPROXIMATE BOUNDARY OF THE PROPOSED EXCAVATION AREA WITH WHITE PAINT, FLAGS, OR STAKES; TO PROVIDE THAT THE PROPOSED EXCAVATION LOCATION ON A RENEWAL LOCATE REQUEST TICKET SHALL NOT INCLUDE ANY AREA IN WHICH THE EXCAVATOR HAS ALREADY COMPLETED THE EXCAVATION WORK; TO PROVIDE THAT THE EXCAVATOR SHALL NOT USE POWER-DRIVEN EQUIPMENT FOR TRENCHLESS EXCAVATION, INCLUDING DIRECTIONAL BORING, ACROSS OR WITHIN THE MARKED APPROXIMATE LOCATION OF UNDERGROUND UTILITY LINES OR UNDERGROUND FACILITIES, WITH CERTAIN EXCEPTIONS; TO PROVIDE THAT FOR TRENCHLESS EXCAVATIONS, INCLUDING DIRECTIONAL BORING, PARALLEL TO THE MARKED APPROXIMATE LOCATION OF UNDERGROUND UTILITY LINES OR UNDERGROUND FACILITIES, THE EXCAVATOR SHALL USE CERTAIN NONINVASIVE METHODS TO IDENTIFY THE LOCATION OF THE UNDERGROUND UTILITY FACILITY AT CAREFUL AND PRUDENT INTERVALS; AND FOR RELATED PURPOSES.
By Senator(s) Carter

S. B. No. 2604: Energy
AN ACT TO AMEND SECTION 77-3-16, MISSISSIPPI CODE OF 1972, TO ALLOW PUBLIC UTILITIES TO PROVIDE FOR ELECTRONIC BIDS IN PROCESSES WHICH REQUIRE COMPETITIVE BIDDING; TO ALLOW BIDDERS TO ATTACH CERTIFICATES OF RESPONSIBILITY AND CERTAIN STATEMENTS TO ELECTRONIC BIDS; AND FOR RELATED PURPOSES.
By Senator(s) Carter

S. B. No. 2605: Judiciary, Division B
AN ACT TO REQUIRE A PROSECUTOR TO GIVE NOTICE TO A LAW ENFORCEMENT OFFICER BEFORE SENDING A GIGLIO LETTER OR PLACING THE OFFICER'S NAME ON A GIGLIO LIST; TO DEFINE THE TERMS "GIGLIO LETTER" AND "GIGLIO LIST"; TO REQUIRE THE PROSECUTOR TO GIVE THE OFFICER AN OPPORTUNITY TO REVIEW MATERIALS AND MEET WITH THE PROSECUTOR BEFORE THE GIGLIO LETTER IS SENT; TO AUTHORIZE AN OFFICER TO APPEAL A PROSECUTOR'S DECISION TO SEND A GIGLIO LETTER TO THE CHANCERY COURT IN WHICH THE OFFICER RESIDES FOR A DE NOVO REVIEW; AND FOR RELATED PURPOSES.
By Senator(s) Sparks, Boyd

S. B. No. 2606: Judiciary, Division B
AN ACT TO AMEND SECTIONS 63-11-23 AND 63-11-30, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE 120-DAY SUSPENSION FOR DUI VIOLATIONS BEGINS ON THE DATE THE JUDGE SIGNS THE ORDER FOR SUSPENSION; TO PROVIDE AN AGGRAVATED DUI PENALTY FOR PERSONS WHO ARE UNDER THE LEGAL AGE FOR PURCHASING ALCOHOLIC BEVERAGES; TO BRING FORWARD SECTION 63-11-31, MISSISSIPPI CODE OF 1972, WHICH REGULATES IGNITION INTERLOCK FOR DUI VIOLATIONS, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Barrett

S. B. No. 2607: Judiciary, Division B; Education
AN ACT TO AMEND SECTION 37-15-9, MISSISSIPPI CODE OF 1972, TO CRIMINALIZE THE WILLFUL ENROLLMENT OF A CHILD WITHOUT ESTABLISHING DOMICILE WITHIN THE STATE AND DISTRICT; TO PROVIDE PENALTIES; TO REQUIRE THE DEPARTMENT TO EXPEL THE CHILD WHOSE ENROLLMENT WAS THE BASIS OF THE CONVICTION; TO REQUIRE THE DEPARTMENT, SCHOOL DISTRICT OR ANY SCHOOL EMPLOYEE TO INFORM THE PROPER LAW

ENFORCEMENT AUTHORITY OF VIOLATIONS OF THIS PROVISION; AND FOR RELATED PURPOSES.
By Senator(s) McLendon

S. B. No. 2608: Judiciary, Division B
AN ACT TO CREATE A STUDY COMMITTEE TO STUDY THE IMPACT AND SOCIETAL EFFECT OF POLICE PURSUITS, THE NECESSITY OF POLICE PURSUITS INTO ANOTHER JURISDICTION, THE OVERALL BENEFIT OF POLICE PURSUITS WEIGHED AGAINST THE RISKS OF SUCH PURSUITS, THE SPEED AT WHICH SUCH PURSUITS CAN BE UNDERTAKEN SAFELY, THE CRIMES WHICH WOULD MERIT A POLICE PURSUIT AND FOR ANY OTHER RELATED PURPOSE; TO ESTABLISH THE MEMBERSHIP OF THE STUDY COMMITTEE; TO PROVIDE PROCEDURES FOR THE STUDY COMMITTEE; TO REQUIRE THE STUDY COMMITTEE TO FILE A REPORT WITH THE LEGISLATURE; AND FOR RELATED PURPOSES.
By Senator(s) Norwood, Simmons (12th), Brumfield, Jackson

S. B. No. 2609: Judiciary, Division B
AN ACT TO AMEND SECTION 63-15-4, MISSISSIPPI CODE OF 1972, TO REQUIRE MOTOR VEHICLES WHERE IT IS DETERMINED THAT THE OWNER OR OPERATOR OF THE VEHICLE DOES NOT HAVE THE MANDATORY LIABILITY INSURANCE REQUIRED BY SECTION 63-15-3 TO BE IMPOUNDED; AND FOR RELATED PURPOSES.
By Senator(s) Rhodes, Hill, Fillingane, Robinson, McLendon

S. B. No. 2610: Judiciary, Division B
AN ACT TO ENACT THE MISSISSIPPI CLEAN SLATE ACT TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF CERTAIN MISDEMEANOR CONVICTIONS AND MISDEMEANOR RECORDS; TO PROVIDE FOR THE EFFECT OF THE EXPUNGEMENT; TO PROVIDE FOR THE REINSTATEMENT OF CERTAIN CONVICTIONS; TO AMEND SECTION 45-27-21, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2611: Judiciary, Division B
AN ACT TO AMEND SECTION 97-5-39, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FELONIOUS CHILD ABUSE IS COMMITTED WHEN A CHILD TESTS POSITIVE AT BIRTH FOR A CERTAIN CONTROLLED SUBSTANCE THAT WERE NOT PRESCRIBED BY A PHYSICIAN; TO AMEND SECTIONS 43-21-105 AND 43-21-603, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) McCaughn

S. B. No. 2612: Judiciary, Division B
AN ACT TO ENACT THE MISSISSIPPI ORGANIZED RETAIL THEFT CRIME PREVENTION ACT; TO DEFINE TERMS; TO CREATE THE CRIME OF ORGANIZED RETAIL THEFT; TO PROVIDE PENALTIES FOR THE CRIME OF ORGANIZED RETAIL THEFT BASED ON THE RETAIL VALUE OF THE MERCHANDISE STOLEN; TO PROVIDE THAT ANY PROCEEDS, PROPERTY OBTAINED BY PROCEEDS, OR INSTRUMENTS OF THE CRIMES OF ORGANIZED RETAIL THEFT MAY BE SUBJECT TO FORFEITURE; TO REQUIRE THE COURT TO ORDER RESTITUTION AND PAYMENT OF INVESTIGATIVE COSTS; TO SET FORTH THE VENUE FOR THE CRIMINAL PROCEEDING; TO STATE CERTAIN EVIDENCE THAT SHALL BE PRIMA FACIE EVIDENCE OF CERTAIN ELEMENTS OF THE CRIME; TO DIRECT THE ATTORNEY GENERAL, THE DEPARTMENT OF PUBLIC SAFETY AND THE MISSISSIPPI JUDICIAL COLLEGE TO COORDINATE EFFORTS TO TRAIN PROSECUTORS AND LAW ENFORCEMENT AGENCIES THROUGHOUT THE STATE TO COMBAT ORGANIZED RETAIL CRIME; TO AMEND SECTION 41-29-153, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Hill, Tate, Fillingane, Rhodes, Berry, Polk, Seymour, Barrett, Boyd, Chassaniol, Williams

S. B. No. 2613: Judiciary, Division B

AN ACT TO AMEND SECTION 45-6-19, MISSISSIPPI CODE OF 1972, TO REQUIRE POLICE CHIEFS AND POLICE OFFICERS OF PUBLIC COLLEGES, UNIVERSITIES AND THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT TO RECEIVE CERTAIN CONTINUING EDUCATION; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

S. B. No. 2614: Judiciary, Division B

AN ACT TO AMEND SECTION 99-39-5, MISSISSIPPI CODE OF 1972, TO IMPLEMENT A ONE YEAR TIME LIMITATION ON THE INTERVENING DECISION AND NEWLY DISCOVERED EVIDENCE EXCEPTIONS; TO PROVIDE THAT THE INEFFECTIVENESS OR INCOMPETENCE OF COUNSEL DURING STATE COLLATERAL POST-CONVICTION PROCEEDINGS SHALL NOT BE A GROUND FOR RELIEF IN A PROCEEDING ARISING UNDER THE SECTIONS OF THIS ACT; TO AMEND SECTIONS 99-39-27 AND 99-39-23, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

S. B. No. 2615: Judiciary, Division B

AN ACT TO PROHIBIT A PERSON FROM SITTING, LYING, SLEEPING, OR STORING, USING, MAINTAINING OR PLACING PERSONAL PROPERTY UPON ANY STREET, SIDEWALK OR OTHER PUBLIC RIGHT-OF-WAY WITHIN 1,000 FEET OF A DEFINED SENSITIVE AREA OR A CRITICAL INFRASTRUCTURE AREA AND TO PROVIDE THAT VIOLATION OF THIS PROHIBITION IS A PUBLIC NUISANCE THAT CAN BE ABATED AND PREVENTED; TO PROVIDE THAT A VIOLATION OF THIS PROHIBITION MAY BE CHARGED AS A MISDEMEANOR; TO REQUIRE AT LEAST 48 HOURS' NOTICE BEFORE COMMENCEMENT OF ANY ENFORCEMENT ACTION; TO PROVIDE THAT CONVICTIONS UNDER THIS SECTION SHALL NOT APPEAR ON A PERSON'S PUBLIC RECORD; TO AUTHORIZE THE REMOVAL OF HOMELESS ENCAMPMENTS ON PRIVATE PROPERTY IN A HUMANE MANNER AFTER 72 HOURS' NOTICE; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2616: Judiciary, Division B

AN ACT TO AMEND SECTION 63-7-62, MISSISSIPPI CODE OF 1972, TO CRIMINALIZE THE KNOWING OR INTENTIONAL MANUFACTURE, IMPORT, DISTRIBUTION, SELL, LEASE, INSTALL OR REINSTALL INTO A MOTOR VEHICLE OF A COUNTERFEIT AUTOMOBILE SUPPLEMENTAL RESTRAINT SYSTEM COMPONENT, A NONFUNCTIONAL AIRBAG OR AN OBJECT THAT REPLACES AN AUTOMOBILE SUPPLEMENTAL RESTRAINT SYSTEM COMPONENT AND DOES NOT COMPLY WITH CERTAIN STANDARDS; TO CRIMINALIZE THE INSTALL OR REINSTALL AS PART OF AN AUTOMOBILE SUPPLEMENTAL RESTRAINT SYSTEM ANY COMPONENT THAT CAUSES A MOTOR VEHICLE'S DIAGNOSTIC SYSTEM TO FAIL TO WARN THE MOTOR VEHICLE OPERATOR THAT AN AIRBAG IS NOT INSTALLED OR THAT A COUNTERFEIT AUTOMOBILE SUPPLEMENTAL RESTRAINT SYSTEM COMPONENT OR NONFUNCTIONAL AIRBAG IS INSTALLED IN THE MOTOR VEHICLE; TO DEFINE TERMS; TO PROVIDE CRIMINAL PENALTIES; TO PROVIDE EXCEPTIONS TO CRIMINAL LIABILITY FOR CERTAIN ENTITIES PERSON WITHOUT ACTUAL KNOWLEDGE OF THE COUNTERFEIT COMPONENTS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2617: Judiciary, Division B

AN ACT TO AMEND SECTIONS 63-11-23 AND 63-11-30, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE 120-DAY SUSPENSION FOR DUI VIOLATIONS BEGINS ON THE DATE THE JUDGE SIGNS THE ORDER FOR SUSPENSION; TO PROVIDE AN AGGRAVATED DUI PENALTY FOR PERSONS WHO ARE UNDER THE LEGAL AGE FOR PURCHASING ALCOHOLIC BEVERAGES; TO BRING FORWARD SECTION 63-

11-31, MISSISSIPPI CODE OF 1972, WHICH REGULATES IGNITION INTERLOCK FOR DUI VIOLATIONS, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Barnett, Blackmon

S. B. No. 2618: Judiciary, Division B
AN ACT TO AMEND SECTION 45-9-131, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE GOVERNING AUTHORITY OF A MUNICIPALITY OR COUNTY ALLOW THE PURCHASE OF A FIREARM FOR AN AGREED UPON PRICE FOR RETIRED LAW ENFORCEMENT; AND FOR RELATED PURPOSES.
By Senator(s) Suber

S. B. No. 2619: Judiciary, Division B
AN ACT TO AMEND SECTION 99-19-75, MISSISSIPPI CODE OF 1972, TO REMOVE AN ADDITIONAL CRIMINAL ASSESSMENT ON A MISDEMEANOR VIOLATION OF SECTION 97-3-7; TO RETAIN AN ADDITIONAL CRIMINAL ASSESSMENT FOR FELONY VIOLATIONS OF SECTION 97-3-7; AND FOR RELATED PURPOSES.
By Senator(s) Suber

S. B. No. 2620: Judiciary, Division B
AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO REMOVE MARIJUANA FROM THE LIST OF SCHEDULE I CONTROLLED SUBSTANCES; TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO CONFORM THE PENALTY FOR POSSESSION OF CONTROLLED SUBSTANCES OTHER THAN MARIJUANA; TO AMEND SECTION 41-29-105, MISSISSIPPI CODE OF 1972, TO CONFORM DEFINITIONS FOR THE UNIFORM CONTROLLED SUBSTANCES ACT; TO AMEND SECTION 41-29-136, MISSISSIPPI CODE OF 1972, TO CONFORM AND TO EXTEND THE REPEALER; TO AMEND SECTIONS 33-13-520, 41-29-147, 41-29-149.1 AND 41-29-150, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2621: Judiciary, Division B
AN ACT TO AMEND SECTION 43-21-157, MISSISSIPPI CODE OF 1972, TO REVISE TRANSFER FROM YOUTH COURT TO CIRCUIT COURT; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2622: Judiciary, Division B
AN ACT TO AMEND SECTIONS 9-23-5 AND 9-23-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A CONVICTION FOR BURGLARY OF A DWELLING IS NOT A CRIME OF VIOLENCE FOR PURPOSES OF DETERMINING AN OFFENDER'S ELIGIBILITY FOR AN INTERVENTION COURT PROGRAM; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2623: Judiciary, Division B
AN ACT TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SIMPLE POSSESSION OF 30 GRAMS OR LESS OF MARIJUANA IS A CIVIL INFRACTION; TO AMEND SECTION 21-23-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MUNICIPAL COURTS SHALL HAVE JURISDICTION TO IMPOSE CIVIL PENALTIES; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2624: Judiciary, Division B
AN ACT TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO PROVIDE PENALTIES FOR FIRST AND SECOND CONTROLLED SUBSTANCE

CRIMES; TO AMEND SECTION 41-29-147, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2625: Judiciary, Division B
AN ACT TO AMEND SECTION 99-19-83, MISSISSIPPI CODE OF 1972, TO REVISE VIOLENT HABITUAL OFFENDER SENTENCING; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2626: Judiciary, Division B
AN ACT TO AMEND SECTION 97-37-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY PERSON CONVICTED OF A NONVIOLENT FELONY TO POSSESS AND USE FIREARMS AND DEADLY WEAPONS UPON THE COMPLETION OF ALL SENTENCING REQUIREMENTS, INCLUDING THE PAYMENT OF ORDERED RESTITUTION; AND FOR RELATED PURPOSES.
By Senator(s) Hickman

S. B. No. 2627: Judiciary, Division B
AN ACT TO CREATE NEW SECTION 97-37-39, MISSISSIPPI CODE OF 1972, TO CRIMINALIZE THE MANUFACTURE, POSSESSION AND USE OF MACHINE GUN CONVERSION DEVICES; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2628: Accountability, Efficiency, Transparency
AN ACT TO ENACT THE MISSISSIPPI CAPITOL REGION UTILITY ACT; TO ESTABLISH THE MISSISSIPPI CAPITOL REGION UTILITY AUTHORITY; TO PROVIDE FOR THE APPOINTMENT OF A PRESIDENT AND A BOARD OF DIRECTORS FOR SUCH AUTHORITY; TO CLARIFY THE POWERS AND DUTIES OF SUCH BOARD; TO ENSURE ACCESS TO SAFE, CLEAN AND RELIABLE WATER AND WASTEWATER SYSTEMS FOR THE CITIZENS OF CENTRAL MISSISSIPPI; AND FOR RELATED PURPOSES.
By Senator(s) Parker

S. B. No. 2629: Environment Prot, Cons and Water Res; Agriculture
AN ACT TO BRING FORWARD SECTIONS 1-3-31, 3-3-1, 11-33-9, 17-17-29, 21-17-1, 21-27-163, 21-27-203, 21-27-205, 21-27-217, 27-31-1, 27-55-53, 27-55-547, 27-55-559, 27-57-41, 27-65-22, 27-65-101, 29-7-3, 29-15-1, 33-15-1, 37-138-27, 41-67-2, 49-1-29, 49-2-13, 49-7-9, 49-7-9.1, 49-7-49, 49-7-80, 49-7-81, 49-7-153, 49-9-5, 49-9-7, 49-9-15, 49-15-1, 49-15-15, 49-15-17, 49-15-21, 49-15-27, 49-15-29, 49-15-34, 49-15-64.3, 49-15-46, 49-15-64.5, 49-15-47, 49-15-63, 49-15-75, 9-15-80, 49-15-81, 49-15-84.1, 49-15-86, 49-15-95, 49-15-100, 49-15-100.1, 49-15-100.3, 49-15-101, 49-15-309, 49-15-313, 49-17-1, 49-17-3, 49-17-5, 49-17-7, 49-17-13, 49-17-14, 49-17-16, 49-17-17, 49-17-19, 49-17-21, 49-17-22, 49-17-23, 49-17-25, 49-17-26, 49-17-27, 49-17-28, 49-17-29, 49-17-30, 49-17-31, 49-17-32, 49-17-33, 49-17-34, 49-17-35, 49-17-36, 49-17-37, 49-17-39, 49-17-41, 49-17-42, 49-17-43, 49-17-44, 49-17-44.1, 49-17-45, 49-17-61, 49-17-63, 49-17-65, 49-17-67, 49-17-68, 49-17-69, 49-17-70, 49-17-71, 49-17-73, 49-17-75, 49-17-77, 49-17-81, 49-17-83, 49-17-85, 49-17-86, 49-17-87, 49-17-89, 49-17-101, 49-17-103, 49-17-105, 49-17-107, 49-17-108, 49-17-109, 49-17-111, 49-17-113, 49-17-115, 49-17-117, 49-17-119, 49-17-121, 49-17-123, 49-17-401, 49-17-403, 49-17-405, 49-17-407, 49-17-409, 49-17-411, 49-17-413, 49-17-415, 49-17-419, 49-17-421, 49-17-422, 49-17-423, 49-17-425, 49-17-427, 49-17-429, 49-17-431, 49-17-433, 49-17-435, 49-17-501, 49-17-503, 49-17-505, 49-17-507, 49-17-509, 49-17-511, 49-17-513, 49-17-515, 49-17-516, 49-17-517, 49-17-518, 49-17-519, 49-17-521, 49-17-523, 49-17-525, 49-17-527, 49-17-529, 49-17-531, 49-17-601, 49-17-603, 49-17-701, 49-17-703, 49-17-705, 49-17-707, 49-17-709, 49-17-711, 49-17-713, 49-17-717, 49-17-719, 49-17-721, 49-17-723, 49-17-725, 49-17-727, 49-17-729, 49-17-731, 49-17-733, 49-17-735, 49-17-737, 49-17-739, 49-17-741, 49-17-743, 49-17-745, 49-17-747, 49-17-749, 49-17-751, 49-17-753, 49-17-755, 49-17-757, 49-17-759, 49-17-761, 49-17-763, 49-17-765, 49-17-767, 49-17-769, 49-17-771, 49-17-

773, 49-17-775, 49-27-71, 49-35-23, 51-1-1, 51-3-1, 51-3-7, 51-1-4, 51-2-3, 51-3-13, 51-3-21, 51-3-39, 51-4-7, 51-9-5, 51-9-103, 51-9-121, 51-13-101, 51-35-303, 53-3-71, 53-3-165, 53-7-35, 53-11-3, 55-7-1, 55-7-15, 57-15-1, 59-21-3, 59-21-5, 59-21-25, 59-21-51, 59-21-81, 59-21-83, 59-21-87, 59-21-89, 59-21-111, 59-21-117, 59-21-119, 59-21-129, 59-21-161, 59-23-7, 59-25-3, 61-3-15, 61-21-3, 69-27-3, 71-3-5, 79-21-5, 79-21-53, 89-17-9, 89-17-25, 97-15-30 AND 97-35-21, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2630: Government Structure; Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 73-47-9, MISSISSIPPI CODE OF 1972, TO AMEND THE MEMBERSHIP TO THE OCCUPATIONAL LICENSING REVIEW COMMISSION; TO ALLOW MEETINGS TO BE CALLED WITH A MAJORITY VOTE; TO ALLOW ANY MEMBER OF THE COMMISSION TO REQUEST ASSISTANCE OR THE PRODUCTION OF DATA TO AID THE COMMISSION IN CARRYING OUT IT'S DUTIES; TO REQUIRE THE COMMISSION TO ACT ON SUBMISSIONS WITHIN 150 DAYS OF THE SUBMISSION; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 2631: Agriculture
AN ACT TO AMEND THE DEPARTMENT OF AGRICULTURE'S ABILITY TO EXPEND FUNDS PROVIDED FOR THE MISSISSIPPI AGRICULTURE AND FORESTRY MUSEUM; TO AMEND SECTIONS 69-1-48, 69-5-3, 69-5-7, 69-5-8, 69-5-11, 69-5-13, 69-5-27, 69-5-31, 39-17-5, 39-23-3, 39-23-5, 45-1-19, 25-3-25, 29-5-81, 27-19-56.489, 29-5-2, 27-104-7 AND 27-65-75, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PERMANENT LOCATION OF THE MISSISSIPPI STATE FAIRGROUND; AND FOR RELATED PURPOSES.
By Senator(s) Whaley, Younger, Hopson

S. B. No. 2632: Highways and Transportation; Judiciary, Division B
AN ACT TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SHERIFF AND HIS DEPUTIES IN ANY COUNTY TO USE RADAR SPEED DETECTION EQUIPMENT UPON THE PUBLIC STREETS, ROADS AND HIGHWAYS WITHIN THE COUNTY, LYING OUTSIDE THE LIMITS OF ANY INCORPORATED MUNICIPALITY UNTIL A CERTAIN DATE; TO PROVIDE FOR THE NUMBER OF RADAR GUNS ELIGIBLE FOR PURCHASE BY A COUNTY BASED ON THE NUMBER OF FULL-TIME DEPUTIES IN THE COUNTY; TO PROHIBIT THE USE OF RADAR WITHIN 500 YARDS OF THE BOUNDARY LINE OF A MUNICIPALITY, THE BOUNDARY LINE OF THE COUNTY AND A SPEED LIMIT CHANGE; TO PROHIBIT SHERIFFS FROM USING RADAR SPEED DETECTION EQUIPMENT ON ANY INTERSTATE HIGHWAYS OR FOUR-LANE STATE HIGHWAYS; TO PROVIDE THAT CERTAIN FUNDS SHALL BE DIRECTED TO THE SCHOOL DISTRICT WHERE THE CITATION WAS ISSUED TO BE USED FOR SCHOOL SAFETY PURPOSES AND DRIVER'S EDUCATION PROGRAMS; AND FOR RELATED PURPOSES.
By Senator(s) McLendon

S. B. No. 2633: Highways and Transportation; Judiciary, Division B
AN ACT TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SHERIFF AND HIS DEPUTIES IN ANY COUNTY TO USE RADAR SPEED DETECTION EQUIPMENT UPON THE PUBLIC STREETS, ROADS AND HIGHWAYS WITHIN THE COUNTY, LYING OUTSIDE THE LIMITS OF ANY INCORPORATED MUNICIPALITY UNTIL A CERTAIN DATE; TO PROVIDE FOR THE NUMBER OF RADAR GUNS ELIGIBLE FOR PURCHASE BY A COUNTY BASED ON THE NUMBER OF FULLTIME DEPUTIES IN THE COUNTY; TO PROHIBIT THE USE OF RADAR WITHIN 500 YARDS OF THE BOUNDARY LINE OF A MUNICIPALITY, THE BOUNDARY LINE OF THE COUNTY AND A SPEED LIMIT CHANGE; TO PROHIBIT SHERIFFS FROM USING RADAR SPEED DETECTION EQUIPMENT ON ANY INTERSTATE HIGHWAYS OR FOUR-LANE STATE HIGHWAYS; TO PROVIDE THAT CERTAIN FUNDS SHALL BE DIRECTED TO THE SCHOOL DISTRICT WHERE THE

CITATION WAS ISSUED TO BE USED FOR SCHOOL SAFETY PURPOSES AND DRIVER'S EDUCATION PROGRAMS; AND FOR RELATED PURPOSES.
By Senator(s) McLendon

S. B. No. 2634: Highways and Transportation
AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 145/U.S. HIGHWAY 45 LOCATED IN THE TOWN OF SHANNON, LEE COUNTY, MISSISSIPPI, AS THE "JOHNNY R. PATTERSON MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.
By Senator(s) Bryan

S. B. No. 2635: Highways and Transportation
AN ACT TO PROVIDE FOR THE REGULATION OF NONCONSENSUAL TOWING AND CHARGES FOR COMMERCIAL MOTOR VEHICLES; TO CREATE THE COMMERCIAL VEHICLE TOWING ADVISORY COMMITTEE; TO ESTABLISH REGULATIONS FOR TOWING AND RECOVERY SERVICE PROVIDERS; TO ESTABLISH A RESOLUTION PROCESS FOR COMMERCIAL MOTOR VEHICLE OWNERS WHO DISPUTE THE AMOUNT OF TOWING AND RECOVERY FEES AND CHARGES; TO REQUIRE THE COMMERCIAL VEHICLE TOWING ADVISORY COMMITTEE TO PROVIDE TOWING RATES BASED ON CERTAIN STANDARDS; TO PROVIDE FOR DISCIPLINARY ACTION AGAINST TOWING AND RECOVERY SERVICE PROVIDERS FOR VIOLATIONS; AND FOR RELATED PURPOSES.
By Senator(s) Branning

S. B. No. 2636: Highways and Transportation
AN ACT TO PLACE A MEMORIAL MARKER AT OR NEAR THE CLAY STREET EXIT IN VICKSBURG, MISSISSIPPI, IN MEMORY OF THE LATE FIREFIGHTER AND PARAMEDIC JAROD SQUIRE AND EMT DERICO DAVIS; AND FOR RELATED PURPOSES.
By Senator(s) Hopson

S. B. No. 2637: Highways and Transportation
AN ACT TO AMEND SECTION 65-1-901, MISSISSIPPI CODE OF 1972, TO FURTHER DEFINE FUND ALLOCATION; AND FOR RELATED PURPOSES.
By Senator(s) Branning

S. B. No. 2638: Agriculture
AN ACT TO AMEND SECTION 75-29-951, MISSISSIPPI CODE OF 1972, TO FURTHER DEFINE COTTAGE FOODS AND RELATED TERMS; TO PROVIDE A LIST OF FOODS THAT ARE AUTHORIZED AS COTTAGE FOODS WITHIN THE STATE; TO INCREASE THE MAXIMUM ANNUAL GROSS SALES FOR A COTTAGE FOOD OPERATION TO BE EXEMPT FROM FOOD ESTABLISHMENT PERMIT FEES; AND FOR RELATED PURPOSES.
By Senator(s) Seymour

S. B. No. 2639: Wildlife, Fisheries and Parks
AN ACT TO BRING FORWARD SECTIONS 55-3-47, AND 55-3-48, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Michel

S. B. No. 2640: Wildlife, Fisheries and Parks; Government Structure
AN ACT TO AMEND SECTION 49-4-4, MISSISSIPPI CODE OF 1972, TO EXPAND THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO NINE MEMBERS; TO REQUIRE FOUR OF SUCH MEMBERS TO MEET CERTAIN EDUCATION OR EXPERIENCE QUALIFICATIONS; AND FOR RELATED PURPOSES.
By Senator(s) Seymour, Younger

S. B. No. 2641: Wildlife, Fisheries and Parks; Judiciary, Division B

AN ACT TO AMEND SECTION 97-15-13, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PROHIBITION AGAINST HUNTING ON ANY STREET, PUBLIC ROAD, PUBLIC HIGHWAY, LEVEE OR RAILROAD IN ORDER TO COMPLY WITH SECTION 12 OF THE MISSISSIPPI CONSTITUTION AND THE SECOND AMENDMENT TO THE UNITED STATES CONSTITUTION AS INTERPRETED BY THE UNITED STATES SUPREME COURT IN DISTRICT OF COLUMBIA V. HELLER, 554 U.S. 570 (2008), AND NEW YORK RIFLE & PISTOL ASSOCIATION, INC. V. BRUEN, 597 U.S. 1 (2022); AND FOR RELATED PURPOSES.
By Senator(s) Seymour

S. B. No. 2642: Wildlife, Fisheries and Parks
AN ACT TO AMEND SECTION 49-7-26, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO ESTABLISH A PHYSICAL TAGGING PROGRAM AND A REPORTING PROGRAM TO COLLECT HARVEST DATA AND MONITOR BAG LIMIT COMPLIANCE BY RESIDENT AND NONRESIDENT DEER HUNTERS; TO CLARIFY THAT THE AUTHORITY OF THE DEPARTMENT TO ESTABLISH A TAGGING AND REPORTING PROGRAM FOR TURKEY RELATES TO PHYSICAL TAGGING; TO REMOVE THE FEE THE DEPARTMENT WAS PREVIOUSLY AUTHORIZED TO CHARGE FOR A TAGGING PROGRAM; TO SPECIFY CERTAIN REQUIREMENTS FOR ANNUAL REPORTING TO THE LEGISLATURE; TO IMPOSE FINES AND AN ADMINISTRATIVE FEE ON RESIDENTS IN VIOLATION OF THE DEER TAGGING AND HARVEST REPORTING PROGRAM; TO SPECIFY THAT ANY TAGGING PROGRAM SHALL REQUIRE THE PHYSICAL TAGGING OF THE MEAT OR, IN THE CASE OF DEER, ANTLERS PRIOR TO THE TRANSPORTATION OF THE ANIMAL; TO DIRECT THE DEPARTMENT TO CAUSE A MOBILE PHONE APP TO BE DEVELOPED ENABLING THE HUNTER TO PROVIDE TAGGING INFORMATION TO THE DEPARTMENT AT THE TIME OF TAGGING; TO DIRECT THE DEPARTMENT TO DEVELOP A SYSTEM FOR REPORTING UNUSED TAGS IN ORDER TO ALLOCATE THEM FOR THE FOLLOWING YEAR; TO PROHIBIT TAXIDERMISTS AND WILD GAME PROCESSORS FROM ACCEPTING ANIMALS SUBJECT TO A TAGGING PROGRAM WITHOUT FIRST HAVING VERIFIED THAT THE ANIMALS HAVE BEEN TAGGED; TO PROVIDE THAT ANY TAGGING AND REPORTING PROGRAM ESTABLISHED UNDER THIS SECTION SHALL BE FUNDED BY LEGISLATIVE APPROPRIATION; TO AUTHORIZE THE DEPARTMENT TO PROMULGATE RULES AND REGULATIONS TO IMPLEMENT THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Seymour

S. B. No. 2643: Highways and Transportation
AN ACT TO DESIGNATE THE SEGMENT OF MISSISSIPPI HIGHWAY 8 THAT EXTENDS THROUGH GRENADA COUNTY, MISSISSIPPI, AS THE "WILLIAM WINTER MEMORIAL HIGHWAY" IN MEMORY OF THE LATE FORMER GOVERNOR WILLIAM FORREST WINTER; AND FOR RELATED PURPOSES.
By Senator(s) Chassaniol, Butler, Barnett, Blackmon, Jordan, Brumfield, Simmons (13th), Boyd

S. B. No. 2644: Highways and Transportation; Finance
AN ACT TO AMEND SECTION 27-19-11, MISSISSIPPI CODE OF 1972, TO EXTEND THE WEIGHT CATEGORY FOR HARVEST PERMIT LICENSE TAG HOLDERS; TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO ALLOW HARVEST TAG PURCHASERS TO QUALIFY FOR A 3% SALES TAX REDUCTION; AND FOR RELATED PURPOSES.
By Senator(s) Branning

S. B. No. 2645: Highways and Transportation
AN ACT TO AMEND SECTION 65-1-85, MISSISSIPPI CODE OF 1972, TO UPDATE CERTAIN PUBLICATION AND BID AWARD REQUIREMENTS; TO REVISE THE REQUIREMENTS FOR DESIGN-BUILD PROJECTS OF THE MISSISSIPPI TRANSPORTATION COMMISSION; TO ALLOW THE MISSISSIPPI TRANSPORTATION

COMMISSION TO UTILIZE FEDERALLY APPROVED ALTERNATIVE CONTRACTING METHODS; AND FOR RELATED PURPOSES.
By Senator(s) Branning

S. B. No. 2646: Highways and Transportation; Finance

AN ACT TO CREATE NEW SECTION 63-5-51.1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ISSUE ANNUAL BLANKET PERMITS FOR VEHICLES TRANSPORTING COMMODITIES IN SEALED CONTAINERIZED CARGO UNITS FOR IMPORT AND EXPORT FROM A PORT; TO PROVIDE QUALIFICATION REQUIREMENTS FOR AN ANNUAL BLANKET PERMIT; TO PROVIDE THE FEE FOR AN ANNUAL BLANKET PERMIT; TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO PROMULGATE RULES REGARDING THE ISSUANCE OF A BLANKET PERMIT; AND FOR RELATED PURPOSES.
By Senator(s) Branning

S. B. No. 2647: Ports and Marine Resources

AN ACT ENTITLED THE "MISSISSIPPI COMPREHENSIVE COASTAL CONSERVATION AND RESTORATION PLAN ACT OF 2024" TO DECLARE LEGISLATIVE FINDINGS AND PURPOSE; TO CREATE A TECHNICAL ADVISORY BOARD (TAB) TO DEVELOP AND ANNUALLY REVISE A COMPREHENSIVE PLAN FOR RESTORATION, CONSTRUCTION, STORM PROTECTION, HABITAT CONSTRUCTION AND RESTORATION, AND WATER QUALITY PROJECTS ON THE MISSISSIPPI GULF COAST; TO PROVIDE FOR THE COMPOSITION OF THE TECHNICAL ADVISORY BOARD AND ITS ORGANIZATION; TO PRESCRIBE THE DUTIES AND RESPONSIBILITIES OF THE TECHNICAL ADVISORY BOARD; TO REQUIRE STATE AND LOCAL AGENCIES TO COOPERATE WITH THE FUNCTIONS OF THE TECHNICAL ADVISORY BOARD; TO REQUIRE AN ANNUAL REPORT; TO AMEND SECTIONS 49-15-305, 49-2-13 AND 29-15-7, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.
By Senator(s) Thompson

S. B. No. 2648: Ports and Marine Resources

AN ACT TO AMEND SECTIONS 49-15-17, 49-15-27, 49-15-37, 49-15-38, 49-15-46 AND 49-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE TECHNICAL REVISIONS TO THE POWERS AND DUTIES OF THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES RELATING TO OYSTER CULTIVATION LEASES, THE SEAFOOD FUND, THE OYSTER PRODUCTION PRESERVE ACCOUNT AND THE COASTAL PRESERVE ACCOUNT; TO AUTHORIZE THE DEPARTMENT OF MARINE RESOURCES TO RECONFIGURE OYSTER LEASE AREAS AND TO REVISE PERMITTED AREAS AND TO PROVIDE PROTEST PROCEDURES BY OYSTER LEASE APPLICANTS; TO PRESCRIBE CRIMINAL PENALTIES FOR ANY PERSON VIOLATING THE PROVISIONS OF THE OYSTER BOTTOM LEASE PROGRAM; TO REPEAL SECTION 27-19-56.27, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES A SPECIAL LICENSE TAG FOR SUPPORTERS OF THE MISSISSIPPI SEAFOOD INDUSTRY; AND FOR RELATED PURPOSES.
By Senator(s) Thompson

S. B. No. 2649: Environment Prot, Cons and Water Res; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 49-2-13, MISSISSIPPI CODE OF 1972, TO ALLOW THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO ENTER INTO CONTRACTS FOR THE PURPOSE OF OBTAINING ASSISTANCE WITH THE REVIEW, EVALUATION, AND PROCESSING OF PERMIT AND CERTIFICATION APPLICATIONS; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO GRANT THE DEPARTMENT OF ENVIRONMENTAL QUALITY AN EXCEPTION TO PROCUREMENT REVIEW PROCESSES FOR SUCH CONTRACTS; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2650: Environment Prot, Cons and Water Res; Agriculture

AN ACT TO AMEND SECTION 49-17-5, MISSISSIPPI CODE OF 1972, TO INCLUDE WETLANDS WITHIN THE DEFINITION OF WATERS OF THE STATE; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

S. B. No. 2651: Wildlife, Fisheries and Parks; Judiciary, Division B

AN ACT TO AMEND SECTION 49-7-79, MISSISSIPPI CODE OF 1972, TO REVISE THE DESCRIPTION OF THE OFFENSE OF TRESPASSING TO HUNT, FISH, SHOOT OR TRAP; TO SUBSTITUTE THE REQUIREMENT OF THE OFFENDER'S KNOWLEDGE OF THE TRESPASS FOR THE REQUIREMENT OF A PRIOR WARNING NOT TO TRESPASS; TO CLASSIFY VIOLATIONS AS MISDEMEANORS PUNISHABLE AS PROVIDED IN SECTION 97-17-87 FOR WILLFUL OR MALICIOUS TRESPASS; TO IMPOSE OTHER PENALTIES AND ADMINISTRATIVE FEES FOR VIOLATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 2652: Wildlife, Fisheries and Parks

AN ACT TO REQUIRE ALL PERSONS 16 YEARS OF AGE OR OLDER TO PROCURE A WILD TURKEY STAMP BEFORE HUNTING WILD TURKEYS IN THE STATE OF MISSISSIPPI; TO ESTABLISH THE FEE AND PROVIDE FOR THE FURNISHING OF THE STAMP; TO SET PENALTIES FOR VIOLATIONS; TO PROVIDE THE PURPOSES FOR WHICH FUNDS RAISED FROM THE SALE OF STAMPS MAY BE EXPENDED; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 2653: Ports and Marine Resources

AN ACT TO AMEND SECTION 59-5-37, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISION AUTHORIZING THE STATE PORT AUTHORITY AT GULFPORT TO USE THE DESIGN-BUILD METHOD OF CONTRACTING FOR CERTAIN PURPOSES; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

S. B. No. 2654: Ports and Marine Resources

AN ACT TO CREATE AN ADMINISTRATIVE HEARING PROCEDURE FOR THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES; TO AMEND SECTION 49-15-401, MISSISSIPPI CODE OF 1972, TO CREATE A COMPLIANCE OFFICER WITHIN THE DEPARTMENT OF MARINE RESOURCES; TO AMEND SECTION 49-15-403, MISSISSIPPI CODE OF 1972, TO DEFINE THE POWERS AND DUTIES OF THE COMPLIANCE OFFICER; TO AMEND SECTION 49-15-411, MISSISSIPPI CODE OF 1972, TO CLARIFY HARMLESS ERROR IN COMPLYING WITH PROCEDURAL REQUIREMENTS; TO AMEND SECTION 49-15-417, MISSISSIPPI CODE OF 1972, TO CHANGE COMMISSION TO DEPARTMENT; TO AMEND SECTIONS 49-27-33 AND 49-27-35, MISSISSIPPI CODE OF 1972, TO CLARIFY RECOMMENDING AUTHORITY OF THE COMMISSION; TO AMEND SECTION 49-27-37, MISSISSIPPI CODE OF 1972, TO REQUIRE WRITTEN RECOMMENDATIONS OF THE COMMISSION INCORPORATING ITS FINDINGS AND REASONS AND TO CLARIFY THE EXECUTIVE DIRECTOR'S FINAL DECISION-MAKING AUTHORITY; TO AMEND SECTION 49-27-51, MISSISSIPPI CODE OF 1972, TO FURTHER CLARIFY THE COMMISSION'S RECOMMENDING AUTHORITY AND THE EXECUTIVE DIRECTOR'S FINAL DECISION-MAKING AUTHORITY; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

S. B. No. 2655: Highways and Transportation

AN ACT TO DESIGNATE A SEGMENT OF INTERSTATE 55 SOUTH IN HINDS COUNTY, MISSISSIPPI, AS THE "REP. ALYCE CLARKE HIGHWAY" IN HONOR OF FORMER MISSISSIPPI HOUSE REPRESENTATIVE ALYCE CLARKE; TO AMEND SECTION 65-3-38.1, MISSISSIPPI CODE OF 1972, TO ALLOW HIGHWAYS, ROADS,

STREETS OR BRIDGES IN THE DESIGNATED STATE HIGHWAY SYSTEM TO BE NAMED AFTER ELECTED OFFICIALS; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2656: Highways and Transportation
AN ACT TO ADD PORTIONS OF THE PEARL AND PASCAGOULA STREET INTERSTATE 55 EXITS AND ENTRANCES IN HINDS COUNTY TO THE STATE HIGHWAY SYSTEM; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2657: Public Health and Welfare
AN ACT TO CREATE THE WATER QUALITY ACCOUNTABILITY ACT; TO DEFINE CERTAIN TERMS RELATING TO WATER AND WASTEWATER UTILITIES; TO PROVIDE THAT A WATER OR WASTEWATER UTILITY IS SUBJECT TO THE JURISDICTION OF THE DEPARTMENT OF HEALTH WITH RESPECT TO RATES, CHARGES, CERTAIN EVIDENCE OF INDEBTEDNESS, RULES AND ANNUAL REPORT FILINGS; TO PROVIDE CERTAIN REQUIREMENTS REGARDING WATER OR WASTEWATER UTILITIES THAT REQUEST A LOAN OR FINANCIAL ASSISTANCE; TO PROVIDE CERTAIN PERMIT AND PERMIT APPLICATION REQUIREMENTS; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2658: Highways and Transportation; Judiciary, Division B
AN ACT TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SHERIFF AND HIS DEPUTIES IN ANY COUNTY TO USE RADAR SPEED DETECTION EQUIPMENT UPON THE PUBLIC STREETS, ROADS AND HIGHWAYS WITHIN THE COUNTY, LYING OUTSIDE THE LIMITS OF ANY INCORPORATED MUNICIPALITY; TO PROHIBIT THE SHERIFF FROM INSTALLING RADAR ON MORE THAN A CERTAIN PERCENTAGE OF THE PATROL VEHICLES IN THE COUNTY; AND FOR RELATED PURPOSES.
By Senator(s) Thompson

S. B. No. 2659: Wildlife, Fisheries and Parks
AN ACT TO CREATE NEW SECTION 55-3-150, MISSISSIPPI CODE OF 1972, TO EXPRESS THE FINDINGS AND INTENT OF THE LEGISLATURE REGARDING THE ADVISABILITY OF CREATING THE MISSISSIPPI PARKS CORPORATION; TO CREATE NEW SECTION 55-3-152, MISSISSIPPI CODE OF 1972, TO CREATE THE MISSISSIPPI PARKS CORPORATION; TO CREATE NEW SECTION 55-3-154, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE ESTABLISHMENT OF THE CORPORATION'S BOARD OF DIRECTORS; TO PROVIDE THAT BOARD MEETINGS SHALL BE SUBJECT TO THE OPEN MEETINGS ACT; TO CREATE NEW SECTION 55-3-156, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE APPOINTMENT OF THE CORPORATION'S PRESIDENT BY THE BOARD, SUBJECT TO THE APPROVAL OF THE GOVERNOR; TO CREATE NEW SECTION 55-3-158, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CORPORATION'S RECORDS SHALL BE SUBJECT TO THE PUBLIC RECORDS ACT, UNLESS EXEMPT UNDER FEDERAL OR STATE LAW; TO CREATE NEW SECTION 55-3-160, MISSISSIPPI CODE OF 1972, TO DESCRIBE THE BOARD'S POWERS AND DUTIES; TO CREATE NEW SECTION 55-3-162, MISSISSIPPI CODE OF 1972, TO DESCRIBE THE CORPORATION'S POWERS AND DUTIES; TO CREATE NEW SECTION 55-3-164, MISSISSIPPI CODE OF 1972, TO DESCRIBE THE PRESIDENT'S POWERS AND DUTIES; TO CREATE NEW SECTION 55-3-166, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD TO HIRE AN ATTORNEY OR CONTRACT WITH OUTSIDE COUNSEL; TO CREATE NEW SECTION 55-3-168, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CORPORATION SHALL ESTABLISH AND MAINTAIN A PERSONNEL PROGRAM, INCLUDING ADMINISTRATIVE RULES AND REGULATIONS FOR ITS EMPLOYEES; TO PROVIDE THAT CORPORATION EMPLOYEES SHALL BE CONSIDERED STATE EMPLOYEES FOR PURPOSES OF RETIREMENT AND OTHER BENEFITS BUT SHALL NOT BE SUBJECT TO THE STATE PERSONNEL BOARD; TO PROVIDE CERTAIN

CONDITIONS AND STANDARDS OF EMPLOYMENT FOR CORPORATION OFFICERS AND EMPLOYEES AND OF SERVICE FOR BOARD MEMBERS; TO CREATE NEW SECTION 55-3-170, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL DIVISION HEADS, OFFICERS AND EMPLOYEES OF THE CORPORATION SHALL BE CONSIDERED PUBLIC SERVANTS, AND ALL DIVISION HEADS AND OFFICERS SHALL BE REQUIRED TO FILE A STATEMENT OF ECONOMIC INTEREST WITH THE MISSISSIPPI ETHICS COMMISSION; TO CREATE NEW SECTION 55-3-172, MISSISSIPPI CODE OF 1972, TO PROVIDE REPORTING AND AUDITING REQUIREMENTS FOR THE CORPORATION; TO CREATE NEW SECTION 55-3-174, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CORPORATION SHALL SUBMIT TO THE JOINT LEGISLATIVE BUDGET COMMITTEE A COPY OF THE CORPORATION'S ANNUAL OPERATING BUDGET FOR THE UPCOMING FISCAL YEAR; TO AMEND SECTIONS 49-1-1, 49-1-3, 49-1-4, 49-4-1, 49-4-3, 49-4-4, 49-4-8, 49-4-9, 49-4-13, 55-3-2, 55-3-31 AND 55-3-41, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Bryan

S. B. No. 2660: Highways and Transportation; Finance

AN ACT TO AMEND SECTION 63-31-3, MISSISSIPPI CODE OF 1972, TO ALLOW ALL-TERRAIN VEHICLES AND RECREATIONAL OFF-HIGHWAY VEHICLES TO OPERATE ON COUNTY RURAL, GRAVEL OR PAVED ROADS; TO REQUIRE, FOR SUCH OPERATION, COMPLIANCE WITH LICENSING AND TAGGING REQUIREMENTS AND OTHER MOTOR VEHICLE REGULATIONS, EXCEPT THOSE REQUIRING EQUIPPING WITH WINDSHIELD WIPERS; TO SPECIFY THAT A LICENSE TAG SHALL NOT AUTHORIZE THE USE OF AN ALL-TERRAIN VEHICLE OR RECREATIONAL OFF-HIGHWAY VEHICLE FOR TOWING, OR FOR OPERATION ON AN INTERSTATE HIGHWAY OR ANY OTHER ROAD FOR WHICH THE SPEED LIMIT EXCEEDS 40 MILES PER HOUR, EXCEPT FOR CROSSING CERTAIN ROADS; TO AMEND SECTION 27-19-99, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES REMITTED OR RECEIVED AS REGISTRATION OR TAG FEES FROM THE ADDITIONAL RATE OF $5.00 SHALL, IN THE CASE OF ALL-TERRAIN VEHICLES AND RECREATIONAL OFF-HIGHWAY VEHICLES, BE PAID TO THE COUNTY IN WHICH THE VEHICLE IS REGISTERED; TO AMEND SECTIONS 27-19-3, 27-19-5, 27-19-43, 27-51-5, 63-3-103, 63-15-3 AND 63-21-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Suber

S. B. No. 2661: Agriculture; Technology

AN ACT TO CREATE A NEW SECTION IN TITLE 69, CHAPTER 21, MISSISSIPPI CODE OF 1972, TO ALLOW FARMERS TO UTILIZE UNMANNED AERIAL VEHICLES IN AGRICULTURAL PRACTICES; TO REQUIRE THE DEPARTMENT OF AGRICULTURE AND COMMERCE TO PROMULGATE RULES AND REGULATIONS REGARDING UNMANNED AERIAL VEHICLE SPECIFICATIONS, DRONE OPERATOR LICENSING AND DRONE USAGE IN AGRICULTURE; AND FOR RELATED PURPOSES.
By Senator(s) Suber

S. B. No. 2662: Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-7-31.5, MISSISSIPPI CODE OF 1972, TO ENACT THE JOHNNY KAKALES ACT; TO PROVIDE THAT PERSONS AUTHORIZED BY THIS SECTION TO HUNT, TRAP AND TAKE WILD HOGS MAY DO SO WITH THE ASSISTANCE OF DRONES; AND FOR RELATED PURPOSES.
By Senator(s) Suber

S. B. No. 2663: Local and Private

AN ACT TO AMEND CHAPTER 936, LOCAL AND PRIVATE LAWS OF 2016, AS AMENDED BY CHAPTER 911, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND UNTIL JULY 1, 2024, THE REPEAL DATE ON THE LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF CARTHAGE, MISSISSIPPI, TO LEVY A

TAX UPON THE GROSS PROCEEDS OF SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS FOR RECREATION AND TOURISM FACILITIES; AND FOR RELATED PURPOSES.
By Senator(s) Branning

S. B. No. 2664: Education; Appropriations
AN ACT TO ENACT THE FUND RURAL EDUCATION EVENLY ACT OR FREE ACT; TO DEFINE TERMS; TO CREATE THE FUND RURAL EDUCATION EVENLY GRANT PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF ENSURING RURAL SCHOOLS RECEIVE THE NECESSARY FUNDS TO CONSTRUCT, UPGRADE OR RENOVATE CAMPUS BUILDINGS; TO PROVIDE THAT EACH SCHOOL DISTRICT SHALL RECEIVE A MINIMUM AMOUNT UNDER THE GRANT PROGRAM; TO PROVIDE THAT THE REMAINING FUNDS IN THE GRANT PROGRAM SHALL BE DISTRIBUTED UPON APPLICATION; TO REQUIRE THE DEPARTMENT TO PROMULGATE RULES AND REGULATIONS TO ADMINISTER THE GRANT PROGRAM; TO CREATE THE FREE ACT FUND AS A SPECIAL FUND IN THE STATE TREASURY; TO PROVIDE THAT MONIES APPROPRIATED OUT OF THE FUND MAY BE USED TO REIMBURSE ACTUAL OVERSIGHT COSTS UP TO A CERTAIN AMOUNT; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (13th), Simmons (12th)

S. B. No. 2665: Education; Finance
AN ACT TO AMEND SECTION 37-59-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY SCHOOL DISTRICT THAT DOES NOT CONTAIN AN AREA CLASSIFIED AS AN URBAN AREA BY THE UNITED STATES CENSUS BUREAU TO ISSUE BONDS IN AN AMOUNT EXCEEDING THE 15% DEBT LIMITATION, BUT NOT EXCEEDING AN AMOUNT WHICH, WHEN ADDED TO ALL OF THE SCHOOL DISTRICT'S THEN OUTSTANDING BONDED INDEBTEDNESS, SHALL RESULT IN THE IMPOSITION ON ANY OF THE PROPERTY IN SUCH DISTRICT OF AN INDEBTEDNESS FOR SUCH SCHOOL PURPOSES OF MORE THAN 25% OF THE ASSESSED VALUE OF THE TAXABLE PROPERTY IN SUCH DISTRICT; TO REQUIRE THE SCHOOL BOARD TO ADOPT A RESOLUTION AND PROVIDE NOTICE OF A BOND ELECTION, IN WHICH THE PROPOSED BOND ISSUE MUST RECEIVE THE REQUISITE VOTER APPROVAL; TO PROVIDE THAT DISTRICTS EXCEEDING THEIR DEBT LIMITATION ON THE BASIS ALLOWED IN THIS ACT MAY DO SO ONE TIME; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (13th)

S. B. No. 2666: Education
AN ACT TO ENACT THE SAVE OUR UNDERFUNDED LOCAL SCHOOLS ACT OR SOULS ACT; TO DEFINE TERMS; TO CREATE THE SAVE OUR UNDERFUNDED LOCAL SCHOOLS GRANT PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF ENSURING SCHOOL AND SCHOOL DISTRICT BUILDINGS ARE EQUIPPED WITH SAFETY AND SECURITY UPGRADES, INCLUDING THE STARTUP COSTS NECESSARY FOR EACH SCHOOL DISTRICT TO HAVE A PUBLIC SAFETY OR SECURITY DEPARTMENT; TO PROVIDE THAT EACH SCHOOL DISTRICT SHALL RECEIVE A MINIMUM AMOUNT UNDER THE GRANT PROGRAM; TO PROVIDE THAT THE REMAINING FUNDS IN THE GRANT PROGRAM SHALL BE DISTRIBUTED UPON APPLICATION; TO REQUIRE THE DEPARTMENT TO PROMULGATE RULES AND REGULATIONS TO ADMINISTER THE GRANT PROGRAM; TO CREATE THE SOULS ACT FUND AS A SPECIAL FUND IN THE STATE TREASURY; TO PROVIDE THAT MONIES APPROPRIATED OUT OF THE FUND MAY BE USED TO REIMBURSE ACTUAL OVERSIGHT COSTS UP TO A CERTAIN AMOUNT; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (13th), Simmons (12th)

S. B. No. 2667: Education

AN ACT TO AMEND SECTION 37-3-89, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE BOARD OF EDUCATION SHALL REQUIRE EACH EDUCATOR PREPARATION PROGRAM TO HAVE A COURSE IN MENTAL DISTURBANCE AWARENESS AND TRAUMA-INFORMED APPROACHES; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (13th)

S. B. No. 2668: Education
AN ACT TO REQUIRE PUBLIC SCHOOLS TO INCLUDE INSTRUCTION IN MENTAL ILLNESS AND MENTAL HEALTH IN THE HEALTH EDUCATION COMPONENT OF THE COMPREHENSIVE SCHOOL HEALTH EDUCATION PROGRAM; TO DESCRIBE THE OBJECTIVES OF THE MENTAL HEALTH INSTRUCTION; TO REQUIRE IN-SERVICE TRAINING ON MENTAL ILLNESS FOR LICENSED SCHOOL EMPLOYEES; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (13th), McLendon

S. B. No. 2669: Education; Appropriations
AN ACT TO ENACT THE MISSISSIPPI DYSLEXIA EDUCATION FUNDING ACT; TO DEFINE TERMS; TO CREATE THE MISSISSIPPI RURAL SCHOOLS FUNDING GRANT PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PROVIDING DYSLEXIA THERAPY TO AID STUDENTS WITH DYSLEXIA AS WELL AS TO FUND DYSLEXIA THERAPISTS OR SUPPORT STAFF IN SCHOOLS; TO PROVIDE THAT EACH SCHOOL DISTRICT SHALL RECEIVE A MINIMUM AMOUNT UNDER THE GRANT PROGRAM; TO PROVIDE THAT THE REMAINING FUNDS IN THE GRANT PROGRAM SHALL BE DISTRIBUTED UPON APPLICATION; TO REQUIRE THE DEPARTMENT TO PROMULGATE RULES AND REGULATIONS TO ADMINISTER THE GRANT PROGRAM; TO CREATE THE DYSLEXIA EDUCATION FUND AS A SPECIAL FUND IN THE STATE TREASURY; TO PROVIDE THAT MONIES APPROPRIATED OUT OF THE FUND MAY BE USED TO REIMBURSE ACTUAL OVERSIGHT COSTS UP TO A CERTAIN AMOUNT; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (13th), McLendon

S. B. No. 2670: Education
AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO IMPLEMENT A FINANCIAL LITERACY CURRICULUM TO BE TAUGHT IN GRADES SIX THROUGH TWELVE ON OR BEFORE THE 2025-2026 ACADEMIC SCHOOL YEAR FOR ALL MISSISSIPPI STUDENTS; TO PROVIDE THAT EACH MISSISSIPPI STUDENT DURING 10TH, 11TH, OR 12TH GRADE SHALL TAKE AND PASS A ONE-HALF CARNEGIE UNIT CREDIT COURSE IN PERSONAL FINANCE IN ORDER TO EARN A HIGH SCHOOL DIPLOMA; TO ESTABLISH A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE "FINANCIAL LITERACY TRUST FUND" THAT SHALL PROVIDE FINANCIAL LITERACY EDUCATION AND BE ADMINISTERED BY THE STATE BOARD OF EDUCATION; TO REQUIRE THE BOARD TO DEVELOP RULES AND REGULATIONS FOR THE IMPLEMENTATION OF THE FUND; TO AUTHORIZE THE DEPARTMENT OF BANKING AND CONSUMER FINANCE TO CONTRIBUTE A PORTION OF FUNDS GENERATED FROM PENALTIES AND FEES TO THE FINANCIAL LITERACY TRUST FUND; TO AMEND SECTION 37-7-301, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT AND TO SET CERTAIN TOPICS THAT SHALL BE REQUIRED FOR THE FINANCIAL LITERACY PROGRAM; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2671: Education; Appropriations
AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THE PAYMENT OF AN ANNUAL SALARY SUPPLEMENT TO LICENSED OCCUPATIONAL THERAPISTS, BEHAVIOR ANALYSTS AND CERTIFIED SCHOOL PSYCHOLOGISTS AS PART OF THEIR COMPENSATION AS SCHOOL EMPLOYEES; AND FOR RELATED PURPOSES.

By Senator(s) McLendon

S. B. No. 2672: Education

AN ACT TO AMEND SECTION 37-15-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY CHILD WHO ATTENDS A "C," "D," OR "F" RATED SCHOOL AS CLASSIFIED BY THE STATE DEPARTMENT OF EDUCATION SHALL BE ALLOWED TO TRANSFER TO ANOTHER SCHOOL OR SCHOOL DISTRICT IF SUCH SCHOOL DISTRICT CONSENTS TO THE TRANSFER; TO PROVIDE THE PROCEDURE FOR A PARENT OR GUARDIAN TO PETITION A SCHOOL DISTRICT TO ALLOW THEIR CHILD TO TRANSFER; TO REQUIRE EACH SCHOOL DISTRICT TO ESTABLISH AN ENROLLMENT THRESHOLD THAT ENCAPSULATES HOW MANY STUDENTS EACH SCHOOL MAY ACCEPT AS TRANSFERS; TO PROVIDE THAT SUCH THRESHOLD SHALL BE BASED OFF OF CLASSROOM AND FACILITY CAPACITY AND TEACHER AND STAFF-TO-STUDENT RATIO; TO PROVIDE THAT TRANSFERRING CHILDREN SHALL BE ACCEPTED ON A FIRST-COME, FIRST-SERVED BASIS; TO PROVIDE THAT IF A SCHOOL REACHES 75% OF ITS ENROLLMENT THRESHOLD THROUGH THE FIRST-COME, FIRST-SERVED BASIS, THEN THE REMAINING 25% SHALL BE DECIDED BY A RANDOM LOTTERY-STYLE DRAWING; TO PROVIDE THAT IN CONSIDERING WHETHER TO ADMIT A TRANSFERRING CHILD, SCHOOL DISTRICTS SHALL NOT CONSIDER THE RACE, AGE, OR ATHLETIC OR ACADEMIC ABILITIES OF THE STUDENT; TO REQUIRE THE DEPARTMENT OF EDUCATION ADOPT RULES AND REGULATIONS TO ADMINISTER THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2673: Education; Appropriations

AN ACT TO AMEND SECTION 37-106-36, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATED TO THE WILLIAM F. WINTER AND JACK REED, SR., TEACHER LOAN REPAYMENT PROGRAM; TO EXPAND ELIGIBILITY TO ALL TEACHERS; TO REMOVE THE CAP ON THE NUMBER OF INITIAL AWARDS; TO DELETE THE DATE OF REPEAL THEREON; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2674: Education

AN ACT TO CREATE THE STUDENTS SAFE AT SCHOOL ACT; TO DEFINE TERMS UNDER THE ACT; TO OUTLINE STANDARDS; TO PROVIDE FOR STUDENT HEALTH AND WELLNESS PROTOCOLS; TO SET FORTH NOTICE REQUIREMENTS; TO ADDRESS STUDENT PARTICIPATION IN SHOOTER DRILLS; TO ADDRESS STUDENT PARTICIPATION IN ACTIVE SHOOTER SIMULATIONS; TO REQUIRE VIOLENCE PREVENTION TRAINING; TO PROVIDE FOR STUDENT PARTICIPATION IN SAFETY PLANNING; TO PROVIDE FOR PUBLICATION OF VENDORS; TO CREATE GUIDELINES TO MEASURE EFFECTIVENESS OF DRILLS; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2675: Education

AN ACT TO AMEND SECTION 37-28-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CHARTER OF A CHARTER SCHOOL SHALL BE REVOKED OR NOT RENEWED FOR ANY SCHOOL THAT IS DESIGNATED A "D" OR "F" RATED SCHOOL UNDER THE SCHOOL ACCREDITATION RATING SYSTEM FOR LONGER THAN TWO CONSECUTIVE YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Butler, Simmons (12th), Jackson, Brumfield

S. B. No. 2676: Education

AN ACT TO REQUIRE THE DEMONSTRATION OF PROFICIENCY IN CIVICS AS A CONDITION OF HIGH SCHOOL GRADUATION BY REQUIRING STUDENTS TO TAKE A CIVICS COURSE THAT DEMONSTRATES KNOWLEDGE AND UNDERSTANDING OF THE FUNDAMENTALS OF THE HISTORY, PRINCIPLES AND FORM OF GOVERNMENT OF THE UNITED STATES; TO REQUIRE THE UNITED

STATES HISTORY CURRICULUM TO INCLUDE HISTORICAL KNOWLEDGE BEGINNING WITH THE SETTLEMENT OF JAMESTOWN, VIRGINIA, IN 1607; TO AMEND SECTION 37-16-7, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.
By Senator(s) Rhodes, Williams, Berry, Robinson, McLendon

S. B. No. 2677: Education
AN ACT TO AMEND SECTIONS 37-12-5, 37-12-7, 37-12-11, 37-13-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A FRAMED COPY OF THE TEN COMMANDMENTS SHALL BE ON DISPLAY IN EVERY CLASSROOM; TO SET THE SIZE REQUIREMENTS FOR THE TEN COMMANDMENTS AND THE U.S. FLAG THAT MUST BE DISPLAYED IN EVERY CLASSROOM; TO PROHIBIT STAFF AND FACULTY OF SCHOOL DISTRICTS FROM DISCRIMINATION AND REPRISAL BASED ON RELIGIOUS VIEWS AND BELIEFS; TO PROVIDE THAT THERE SHALL BE A NONDENOMINAL PRAYER SAID AT THE START OF EACH SCHOOL DAY IN EACH PUBLIC AND CHARTER SCHOOL IN THE STATE; TO PROVIDE THAT ANY STUDENT OR FACULTY MEMBER NOT WISHING TO TAKE PART IN THE DAILY PRAYER OR PLEDGE OF ALLEGIANCE SHALL NOT BE REQUIRED TO PARTICIPATE; TO REQUIRE THE PROVISIONS OF THIS ACT TO BE APPLICABLE BEGINNING IN THE 2024-2025 SCHOOL YEAR; AND FOR RELATED PURPOSES.
By Senator(s) Rhodes, Berry, Robinson, McLendon

S. B. No. 2678: Education; Public Property
AN ACT TO AMEND SECTION 39-5-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF TRUSTEES OF THE DEPARTMENT OF ARCHIVES AND HISTORY MAY GRANT A WAIVER OF ANY REQUIREMENTS THAT THE BOARD HAS ADOPTED REGARDING THE PRESERVATION OF HISTORIC SCHOOL BUILDINGS UPON OFFICIAL REQUEST BY A SCHOOL DISTRICT; TO PROVIDE THAT A SCHOOL DISTRICT MAY FILE A WAIVER REQUEST OF ANY SUCH REGULATION IF A WAIVER IS NEEDED TO MAKE ESSENTIAL UPGRADES AT THE SCHOOL; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (13th), Williams

S. B. No. 2679: Education
AN ACT TO PROHIBIT THE NOT-FOR-PROFIT ASSOCIATION, CORPORATION OR OTHER ORGANIZATION ESTABLISHED AND OPERATED FOR THE PURPOSE OF REGULATING PUBLIC HIGH SCHOOL ATHLETICS AND EXTRACURRICULAR ACTIVITIES, FORMALLY KNOWN AS THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION (MHSAA), FROM REQUIRING MEMBER SCHOOLS TO CHARGE STUDENTS ATTENDING SUCH ACTIVITIES MORE THAN $2.00 FOR ADMISSION INTO THE REGULATED EVENTS; TO PROVIDE THAT STUDENTS MUST PRESENT HIS OR HER STUDENT IDENTIFICATION CARD AT THE ADMISSIONS GATE TO RECEIVE THE DISCOUNTED PRICING; TO PROVIDE THAT STUDENTS AGE FIVE YEARS AND YOUNGER SHALL BE GRANTED FREE ADMISSION; AND FOR RELATED PURPOSES.
By Senator(s) Whaley

S. B. No. 2680: Education
AN ACT TO AMEND SECTION 29-3-81, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATED TO SIXTEENTH SECTION LAND LEASES CLASSIFIED AS AGRICULTURAL; TO REQUIRE THAT SUCH LEASES CONTAIN PROVISIONS RELATED TO BEST FARM MANAGEMENT PRACTICES AS ESTABLISHED BY THE SECRETARY OF STATE IN CONSULTATION WITH THE FEDERAL AGRICULTURE AGENCIES, MISSISSIPPI STATE UNIVERSITY AGRICULTURE EXTENSION SERVICE, OR OTHER AGRICULTURE ASSOCIATIONS; AND FOR RELATED PURPOSES.
By Senator(s) Younger

S. B. No. 2681: Education

AN ACT TO AMEND SECTION 37-173-1, MISSISSIPPI CODE OF 1972, TO EXPAND THE DYSLEXIA THERAPY SCHOLARSHIP FOR STUDENTS WITH DYSLEXIA PROGRAM BY MAKING CERTIFIED ACADEMIC LANGUAGE THERAPISTS (CALT) ELIGIBLE TO BE EMPLOYED BY SCHOOL DISTRICTS TO PROVIDE DYSLEXIA SERVICES; TO BRING FORWARD SECTIONS 37-106-71, 37-173-9 AND 37-173-21, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) England, DeLano, Boyd, Carter, Horhn, Kirby, McCaughn, Norwood, Parks, Simmons (12th), Simmons (13th), Suber, Turner-Ford, Wiggins, Blackmon, Michel, Seymour

S. B. No. 2682: Education; Appropriations

AN ACT TO REENACT SECTIONS 37-159-1, 37-159-5, 37-159-7, 37-159-9, 37-159-11, 37-159-13 AND 37-159-17, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998 AND INCLUDE THE UNIVERSITY ASSISTED TEACHER RECRUITMENT AND RETENTION GRANT PROGRAM, THE MISSISSIPPI EMPLOYER-ASSISTED HOUSING TEACHER PROGRAM, AND A PILOT PROGRAM TO PROVIDE FOR THE CONSTRUCTION OF RENTAL HOUSING FOR TEACHERS IN WEST TALLAHATCHIE SCHOOL DISTRICT; TO AMEND SECTION 37-159-19, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2683: Education

AN ACT TO AMEND SECTIONS 37-13-181 THROUGH 37-13-185, MISSISSIPPI CODE OF 1972, TO MANDATE A COMPREHENSIVE K-12 PROGRAM FOR CHARACTER EDUCATION EFFECTIVE WITH THE 2024-2025 SCHOOL YEAR AND TO PRESCRIBE CHARACTER TRAITS TO BE THE FOCUS OF STUDENT DEVELOPMENT UNDER THE PROGRAM; TO REQUIRE THE STATE BOARD OF EDUCATION TO REVIEW SCHOOL DISTRICTS' PROPOSED CHARACTER EDUCATION PROGRAMS; AND FOR RELATED PURPOSES.

By Senator(s) Jordan

S. B. No. 2684: Education

AN ACT TO AMEND SECTION 37-3-5, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF EDUCATION TO AID SCHOOL DISTRICTS IN CREATING TECHNOLOGY AND DISASTER RECOVERY PLANS; TO REQUIRE THE DEPARTMENT TO PERIODICALLY CONDUCT SURVEYS ON TECHNOLOGY PROGRAMS; TO AMEND SECTION 37-13-137, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT TO DEVELOP GUIDANCE TO HELP DISTRICT NUTRITION PROGRAMS; TO AMEND SECTION 37-41-13, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF EDUCATION TO DEVELOP GUIDANCE FOR DISTRICTS TO USE IN ASSESSING AND OPTIMIZING BUS ROUTES WITH THE GOAL OF IMPROVING TRANSPORTATION SERVICES AND REDUCING COSTS; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2685: Education

AN ACT TO CREATE NEW SECTION 25-11-126, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS WHO HAVE AT LEAST 30 YEARS OF CREDITABLE SERVICE IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM, WHO WERE EMPLOYED AS PUBLIC SCHOOL TEACHERS AT THE TIME OF THEIR RETIREMENT AND WHO HAVE BEEN RETIRED AT LEAST 90 DAYS AND RECEIVING A RETIREMENT ALLOWANCE, MAY BE EMPLOYED AS TEACHERS IN CERTAIN PUBLIC SCHOOL DISTRICTS AFTER THEIR RETIREMENT AND RECEIVE A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM DURING THEIR EMPLOYMENT AS TEACHERS IN ADDITION TO A SET SALARY; TO PROVIDE THAT SUCH RETIRED TEACHERS SHALL BE ELIGIBLE TO

RETURN TO TEACHING AND CONTINUE TO RECEIVE A RETIREMENT BENEFIT FOR A TOTAL OF FIVE YEARS; TO STIPULATE THE AMOUNT TO BE PAID BY SCHOOL DISTRICTS, WHICH AVAIL THEMSELVES OF REEMPLOYING RETIRED TEACHERS TO PERS; TO PROVIDE THAT ANY TIME WORKED BY A RETIRED TEACHER IN A SCHOOL DISTRICT THAT IS LESS THAN A FULL CONTRACTUAL TERM OF TRADITIONAL TEACHERS SHALL CONSTITUTE ONE OF THE FIVE YEARS OF POST-RETIREMENT TEACHING ELIGIBILITY AND THE SALARY AUTHORIZED FOR SUCH INDIVIDUAL SHALL BE PRORATED FOR ANY TIME WORKED LESS THAN A FULL ACADEMIC YEAR; TO PROVIDE THAT A RETIRED TEACHER SHALL NOT BE RESTRICTED TO TEACHING IN ONE SCHOOL DISTRICT FOR HIS OR HER PERIOD OF POST-RETIREMENT TEACHING ELIGIBILITY; TO PROVIDE THAT SCHOOL DISTRICTS MAY EMPLOY RETIRED TEACHERS BASED ON CERTAIN CRITICAL TEACHER SHORTAGE CRITERIA DEVELOPED BY THE DEPARTMENT OF EDUCATION; TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MINIMUM SALARY FOR RETIRED TEACHERS RETURNING TO THE CLASSROOM SHALL BE 50% OF THEIR HIGHEST FOUR YEARS OF WAGES; TO ALLOW RETIRED TEACHERS WHO HAD RECEIVED NATIONAL BOARD CERTIFICATION PRIOR TO RETIREMENT TO CONTINUE RECEIVING THE ANNUAL SUPPLEMENT FOR SUCH CERTIFICATION; TO AMEND SECTIONS 25-11-123 AND 25-11-127, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.
By Senator(s) Parker, Williams

S. B. No. 2686: Education
AN ACT TO REENACT SECTIONS 37-181-1, 37-181-3, 37-181-5, 37-181-7, 37-181-9, 37-181-11, 37-181-13, 37-181-15, 37-181-17, 37-181-19 AND 37-181-21, MISSISSIPPI CODE OF 1972, WHICH IS THE EQUAL OPPORTUNITY FOR STUDENTS WITH SPECIAL NEEDS ACT; TO AMEND REENACTED SECTION 37-181-23, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL OF THE EQUAL OPPORTUNITY FOR STUDENTS WITH SPECIAL NEEDS ACT; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2687: Education
AN ACT TO PROVIDE THAT AT THE ELECTION IN 2027, AND EVERY FOUR YEARS THEREAFTER, THERE SHALL BE ELECTED THE MEMBERS OF ANY SCHOOL BOARD ESTABLISHED IN TITLE 37, MISSISSIPPI CODE OF 1972, THAT ELECTS ITS MEMBERS AS OF JULY 1, 2024; TO REQUIRE SUCH ELECTIONS BE HELD AT THE SAME TIME AND IN THE SAME MANNER AS GENERAL ELECTIONS ARE HELD; TO PROVIDE THAT SUCH MEMBERS SHALL SERVE A TERM OF FOUR YEARS; TO ESTABLISH THAT THE ACT SHALL APPLY TO ANY SCHOOL BOARD THAT PREVIOUSLY WAS ESTABLISHED WITH MEMBERS WHO SERVED STAGGERED TERMS; TO AMEND SECTIONS 23-15-193, 37-5-7, 37-5-18, 37-7-204, 37-7-207, 37-7-209, 37-7-215, 37-7-221, 37-7-223, 37-7-707 AND 37-7-713, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2688: Education
AN ACT TO AMEND SECTIONS 37-9-13 AND 37-9-25, MISSISSIPPI CODE OF 1972, TO AUTHORIZE SCHOOL SUPERINTENDENTS TO BE ELECTED BY CITIZENS OF THE LOCAL SCHOOL DISTRICT IN CERTAIN DISTRICTS; TO REINSTATE THE PROVISION OF LAW THAT PROVIDED FOR COUNTY BOARDS OF EDUCATION AND SUPERINTENDENTS AND THEIR FUNCTIONS; WHICH WAS REPEALED IN 2019; TO CODIFY THIS LAW AT ITS FORMER LOCATION, SECTION 37-5-61, MISSISSIPPI CODE OF 1972; TO REINSTATE THE PROVISION OF LAW THAT PROVIDED FOR COUNTY SUPERINTENDENT APPOINTMENTS; WHICH WAS REPEALED IN 2019; TO CODIFY THIS LAW AT ITS FORMER LOCATION, SECTION 37-5-63, MISSISSIPPI CODE OF 1972, TO REINSTATE THE PROVISION OF LAW THAT PROVIDED FOR

COUNTY BOARDS OF EDUCATION AND THE REESTABLISHMENT OF THE SUPERINTENDENT POSITION AS ELECTIVE OFFICE; TO CODIFY THIS LAW AT ITS FORMER LOCATION; SECTION 37-5-65, MISSISSIPPI CODE OF 1972; TO REINSTATE THE PROVISION OF LAW THAT PROVIDED FOR THE AUTHORIZATION OF COUNTY BOARDS OF EDUCATION TO APPOINT SUPERINTENDENTS IN CERTAIN COUNTIES; WHICH WAS REPEALED IN 2019; TO CODIFY THIS LAW AT ITS FORMER LOCATION, SECTION 37-5-67, MISSISSIPPI CODE OF 1972; TO REINSTATE THE PROVISION OF LAW THAT PROVIDED FOR THE SELECTION AND QUALIFICATION OF SUPERINTENDENT AND PROVISIONS RELATED TO ELECTIONS IN CERTAIN COUNTIES; WHICH WAS REPEALED IN 2019; TO CODIFY THIS LAW AT ITS FORMER LOCATION, SECTION 37-5-71, MISSISSIPPI CODE OF 1972, TO REINSTATE THE PROVISION OF LAW THAT PROVIDED FOR FILLING OF VACANCIES OF SUCH OFFICE; WHICH WAS REPEALED IN 2019; TO CODIFY THIS LAW AT ITS FORMER LOCATION, SECTION 37-5-75, MISSISSIPPI CODE OF 1972; TO REINSTATE THE PROVISION OF LAW THAT PROVIDED FOR REFERENDUM ON CONTINUATION OR ABOLITION OF OFFICE OF COUNTY SUPERINTENDENT OF EDUCATION; WHICH WAS REPEALED IN 2019; TO CODIFY THIS LAW AT ITS FORMER LOCATION, SECTION 37-9-12, MISSISSIPPI CODE OF 1972; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2689: Education
AN ACT TO REQUIRE THE DISCONTINUATION OF END-OF-COURSE SUBJECT AREA TESTING IN PUBLIC HIGH SCHOOLS FOR 11TH AND 12TH GRADES; TO REQUIRE THE DEPARTMENT TO SECURE APPROVAL FROM THE UNITED STATES DEPARTMENT OF EDUCATION TO ALLOW THE ACT AND ACT WORKKEYS TO SERVE AS COMPLIANCE WITH ANY FEDERAL TESTING REQUIREMENTS; TO REQUIRE ALL HIGH SCHOOL STUDENTS TO TAKE A NATIONALLY RECOGNIZED COLLEGE-READINESS AND CAREER-READINESS TEST, SUCH AS THE ACT AND ACT WORKKEYS ASSESSMENTS; TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATED TO THE STATE'S PERMANENT PERFORMANCE-BASED ACCREDITATION SYSTEM FOR SCHOOLS; TO AMEND SECTIONS 37-16-3, 37-16-7, 37-16-17, 37-3-49, 37-15-38 AND 37-35-3, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISION OF THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2690: Education
AN ACT TO AMEND SECTION 37-28-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A CHARTER SHALL BE RENEWED FOR TWO YEARS OR FEWER IF THE CHARTER SCHOOL, AT THE TIME OF RENEWAL, IS RATED ONE LETTER GRADE LOWER OR MORE ON THE SCHOOL ACCREDITATION RATING SYSTEM THAN THE SCHOOL DISTRICT IN WHICH THE CHARTER SCHOOL IS LOCATED; TO PROVIDE THAT THE CHARTER SCHOOL AUTHORIZER MAY NOT RENEW THE CHARTER OF ANY SCHOOL THAT IS DESIGNATED AS AN "F" SCHOOL FOR THREE CONSECUTIVE YEARS OR THAT IS DESIGNATED AS AN "F" OR "D" SCHOOL FOR FIVE CONSECUTIVE YEARS; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2691: Education
AN ACT TO AMEND SECTION 37-15-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A CHILD MAY BE LAWFULLY TRANSFERRED FROM THE SCHOOL DISTRICT OF HIS RESIDENCE TO A SCHOOL IN ANOTHER SCHOOL DISTRICT UPON A PETITION OF A PARENT OR GUARDIAN IF THE DISTRICT TO WHICH THE CHILD IS ATTEMPTING TO TRANSFER CONSENTS; TO REQUIRE SUCH CONSENT TO BE IN WRITING AND SPREAD UPON THE MINUTES OF SUCH BOARD; TO ESTABLISH THAT THE SCHOOL BOARD OF THE SCHOOL DISTRICT IN WHICH THE CHILD HAS BEEN ENROLLED OR IS QUALIFIED TO BE ENROLLED AS A STUDENT MAY NOT PREVENT OR PROHIBIT A REQUEST TO TRANSFER TO ANOTHER

DISTRICT; TO SET CERTAIN TIMELINES REQUIRED OF SCHOOL BOARDS FOR THE TRANSFER OF SUCH STUDENTS; TO PROVIDE THAT NO CHILD SHALL BE REQUIRED TO BE TRANSPORTED IN EXCESS OF 30 MILES ON A SCHOOL BUS FROM HIS OR HER HOME TO SCHOOL, OR IN EXCESS OF 30 MILES FROM SCHOOL TO HIS OR HER HOME, IF THERE IS ANOTHER SCHOOL IN AN ADJACENT SCHOOL DISTRICT LOCATED ON A SHORTER SCHOOL BUS TRANSPORTATION ROUTE BY THE NEAREST TRAVELED ROAD; TO PROVIDE THAT ANY SCHOOL DISTRICT WHICH ACCEPTS A CHILD UNDER THIS ACT SHALL NOT ASSESS ANY TUITION FEES UPON SUCH TRANSFERRING CHILD; TO PROVIDE THAT CHILDREN WITH PARENTS OR GUARDIANS WHO ARE ACTIVE MEMBERS OF THE UNITED STATES ARMED FORCES MAY, AT THE DISCRETION OF THEIR PARENT(S) OR LEGAL GUARDIAN(S), ENROLL AND ATTEND THE SCHOOL DISTRICT OF THEIR PARENT'S OR LEGAL GUARDIAN'S CHOOSING, REGARDLESS OF THE RESIDENCE OF THE CHILD, PROVIDED THE SCHOOL OR SCHOOLS ARE LOCATED IN THE SCHOOL DISTRICT WHERE THE STUDENT RESIDES OR IN AN ADJACENT SCHOOL DISTRICT; TO PROVIDE THAT THE SIBLING(S) OF ANY CHILD LAWFULLY TRANSFERRED IN ACCORDANCE WITH THIS ACT, MAY ALSO, AT THE DISCRETION OF THEIR PARENT(S) OR LEGAL GUARDIAN(S), ENROLL AND ATTEND SCHOOL IN THE TRANSFEREE SCHOOL DISTRICT, SUBJECT TO THE PROVISIONS OF THIS ACT; TO SET CERTAIN PROVISIONS RELATED TO ATHLETIC ELIGIBILITY FOR STUDENTS WHO TRANSFER IN ACCORDANCE WITH THIS ACT; TO REPEAL SECTION 37-15-29, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE ENROLLMENT OR ATTENDANCE LOCATION OF STUDENTS IN THEIR RESPECTIVE SCHOOL DISTRICTS; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2692: Appropriations
AN ACT TO AMEND SECTIONS 37-68-3, 37-68-5, 37-68-7, 37-68-9, 37-68-11, 37-68-13, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE EQUITY IN DISTANCE LEARNING ACT, TO UPDATE AND REVISE CERTAIN PROVISIONS RELATED THERETO; TO REVISE CERTAIN DEFINITIONS; TO PROVIDE THAT SUBJECT TO APPROPRIATIONS, SCHOOLS SHALL BE ELIGIBLE FOR STATE MATCHING FUNDS TO REPLACE PERSONAL LEARNING DEVICES WHICH HAVE REACHED THE END OF THEIR USEFUL LIFE AND TO PAY FOR NECESSARY SOFTWARE; TO SET CERTAIN REQUIREMENTS RELATED TO GRANT APPLICATIONS; TO PROVIDE THAT SCHOOLS ARE HIGHLY ENCOURAGED TO USE ONE-TIME FEDERAL FUNDS, WHERE AVAILABLE, AS THE MATCHING FUNDS REQUIRED UNDER THE ACT; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO EXEMPT THE PURCHASES UNDER THE GRANT PROGRAM FROM CERTAIN BIDDING REQUIREMENTS; TO REPEAL SECTION 37-68-15, MISSISSIPPI CODE OF 1972, WHICH REQUIRED THE DEPARTMENT OF EDUCATION TO PROVIDE A REPORT BY OCTOBER 1, 2020; AND FOR RELATED PURPOSES.
By Senator(s) Blount

S. B. No. 2693: Education
AN ACT TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THE PROCEDURE BY WHICH THE STATE BOARD OF EDUCATION MAY PLACE A FAILING SCHOOL OR SCHOOL DISTRICT INTO A DISTRICT OF TRANSFORMATION; TO ESTABLISH RELEVANT CRITERIA FOR SCHOOLS OR SCHOOL DISTRICTS TO BE PLACED INTO SUCH DISTRICTS; TO DELETE CERTAIN PROVISIONS RELATED TO MISSISSIPPI RECOVERY SCHOOL DISTRICTS, SCHOOL BOARDS OF FAILING SCHOOLS AND ELECTIONS OF MEMBERS OF FAILING SCHOOL BOARDS; TO CREATE NEW SECTION 37-17-6.1, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS RELATED TO THE MISSISSIPPI ACHIEVEMENT SCHOOL DISTRICT WHICH INCLUDES THE YAZOO CITY MUNICIPAL SCHOOL DISTRICT AND THE HUMPHREYS COUNTY SCHOOL DISTRICT; TO PROVIDE CERTAIN TIMELINES ON THE TRANSITION OF SUCH DISTRICTS INTO DISTRICTS OF TRANSFORMATION; TO PROVIDE THAT THE BOARD OF EDUCATION SHALL HAVE THE AUTHORITY TO DETERMINE WHEN SUCH DISTRICT IS READY TO BE

RECONSTITUTED, REORGANIZED AND RETURNED TO LOCAL CONTROL; TO DELETE CERTAIN OUTDATED LANGUAGE; TO AMEND SECTION 37-17-13, MISSISSIPPI CODE OF 1972, TO DELETE THE DATE OF REPEAL ON THE SECTION; TO DELETE CERTAIN PROVISIONS RELATED TO FAILING SCHOOLS; TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Hopson

S. B. No. 2694: Education

AN ACT TO AMEND SECTION 37-15-29, MISSISSIPPI CODE OF 1972, TO CLARIFY THE SCHOOL ENROLLMENT CHOICES OF CHILDREN WHOSE PARENTS ARE ACTIVE MEMBERS OF THE UNITED STATES ARMED FORCES OR CIVILIAN MILITARY PERSONNEL; TO ALLOW THE CHILDREN OF ACTIVE MEMBERS OF THE UNITED STATES ARMED FORCES TO ATTEND THE SCHOOL DISTRICT OR SCHOOL OF THEIR CHOICE WHETHER OR NOT THE PARENT OR LEGAL GUARDIAN RESIDE ON A MILITARY BASE; TO ALLOW THE CHILDREN OF MILITARY CIVILIAN PERSONNEL WHO RESIDE ON A MILITARY BASE TO ATTEND THE SCHOOL DISTRICT OR SCHOOL OF THEIR CHOICE; TO REMOVE THE LIMITATION ON PROHIBITED DISTANCE OF TRANSPORTING SUCH STUDENTS BY EXCLUDING THE DISTRICT FROM PROVIDING TRANSPORTATION TO SUCH STUDENTS; TO LIMIT STUDENTS TO ONE TRANSFER PER ACADEMIC YEAR; TO PROVIDE THAT ONCE A CHILD HAS TRANSFERRED AND ENROLLED IN ANOTHER SCHOOL DISTRICT, HIS OR HER PARENT IS NOT REQUIRED TO REAPPLY FOR CONTINUED ADMISSION IN THE SCHOOL DISTRICT OR SCHOOL OF LAST ATTENDANCE; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2695: Education

AN ACT TO AMEND SECTION 37-25-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SCHOOL BOARD OF ANY SCHOOL DISTRICT MAINTAINING A SECONDARY SCHOOL SHALL ESTABLISH AND MAINTAIN DRIVER EDUCATION AND TRAINING PROGRAMS FOR PUPILS ENROLLED IN THE SECONDARY SCHOOLS IN THAT DISTRICT; TO SET CERTAIN REQUIREMENTS FOR DRIVER EDUCATION COURSES; TO AMEND SECTION 37-25-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE SUPERINTENDENT OF EDUCATION AND THE COMMISSIONER OF PUBLIC SAFETY SHALL JOINTLY PREPARE AND RECOMMEND TO THE STATE BOARD OF EDUCATION, THE SCOPE OF DRIVER EDUCATION AND TRAINING PROGRAMS IN SECONDARY SCHOOLS; TO AMEND SECTION 37-25-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A DRIVER'S EDUCATION STUDENT SHALL NOT BE REQUIRED TO POSSESS A LEARNER'S PERMIT OR DRIVER'S LICENSE WHILE THE STUDENT IS UNDER THE DIRECT SUPERVISION OR AN INSTRUCTOR; TO DELETE CERTAIN FEES THAT THE DEPARTMENT OF PUBLIC SAFETY COULD CHARGE FOR A LEARNER'S PERMIT; TO CREATE NEW SECTION 37-25-8, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT UPON SATISFACTORY COMPLETION OF A DRIVER'S EDUCATION AND TRAINING PROGRAM, A DRIVER EDUCATION STUDENT SHALL BE ISSUED A CERTIFICATION OF COMPLETION AND COPY OF SAID CERTIFICATION SHALL BE DELIVERED TO THE DRIVER SERVICES BUREAU OF THE DEPARTMENT OF PUBLIC SAFETY; TO CREATE NEW SECTION 37-25-14, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY SHALL REPORT TO THE DEPARTMENT OF EDUCATION ANNUAL STATISTICS REGARDING CRASH AND FATALITY DATA FOR THE STATE OF MISSISSIPPI AND NATIONALLY, INCLUDING, BUT NOT LIMITED TO, STATISTICS INVOLVING TEENAGE DRIVERS; TO AMEND SECTION 63-1-9, MISSISSIPPI CODE OF 1972, TO PROVIDE CERTAIN PROVISIONS RELATED TO DRIVERS LICENSE TRAINING PROGRAMS; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2696: Tourism

AN ACT TO BRING FORWARD SECTIONS 57-78-1, 57-78-3, 57-78-5, 57-1-601 AND 57-123-11, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) McCaughn

S. B. No. 2697: County Affairs
AN ACT TO AMEND SECTION 27-31-1, MISSISSIPPI CODE OF 1972, TO STIPULATE THAT PROPERTY USED EXCLUSIVELY AND DIRECTLY FOR EDUCATIONAL AND OUTREACH PURPOSES AND IS NOT LEASED OR OTHERWISE USED TO GENERATE REVENUE SHALL BE TREATED AS BELONGING TO THE FOUNDATION USING IT; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2698: Technology
AN ACT TO CREATE THE CYBER SAFETY REVIEW BOARD; TO STIPULATE THAT THE BOARD SHALL BE RESPONSIBLE FOR ENSURING A COLLABORATIVE EFFORT TO ADDRESS CYBERSECURITY THREATS TO THE STATE OF MISSISSIPPI; TO NAME THE VOTING MEMBERS OF THE BOARD; TO NAME THE EX OFFICIO NONVOTING MEMBERS OF THE BOARD; TO ALLOW THE VOTING MEMBERS OF THE BOARD TO ADD EX OFFICIO NONVOTING MEMBERS OF THE BOARD AS NECESSARY; TO ALLOW THE BOARD TO ADOPT RULES WHICH GOVERN THE TIME AND PLACE OF MEETINGS ACCORDING TO CERTAIN REQUIREMENTS; TO REQUIRE THE BOARD TO PRODUCE A CYBERSECURITY REPORT AND PRESENT IT TO THE GOVERNOR, LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND CHAIRMEN OF TECHNOLOGY COMMITTEES OF THE MISSISSIPPI SENATE AND THE MISSISSIPPI HOUSE OF REPRESENTATIVES; TO REQUIRE THE BOARD TO CREATE A LIST OF BEST CYBERSECURITY PRACTICES FOR DISTRIBUTION; TO CREATE THE CYBER SAFETY REVIEW BOARD FUND; AND FOR RELATED PURPOSES.
By Senator(s) Williams

S. B. No. 2699: County Affairs
AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO ALLOW AGENCIES AND GOVERNING AUTHORITIES TO MAKE PURCHASES INVOLVING AN EXPENDITURE OF NOT MORE THAN $10,000.00 WITHOUT ADVERTISING OR REQUESTING COMPETITIVE BIDS; TO AMEND SECTION 31-7-103, MISSISSIPPI CODE OF 1972, TO ALLOW THE PURCHASE CLERK TO MAKE PURCHASES UP TO $5,000.00 WITHOUT REQUIRING A REQUISITION TO PURCHASE, REQUIRING A PURCHASE ORDER OR REQUIRING A RECEIVING REPORT; TO AMEND SECTION 31-7-119, MISSISSIPPI CODE OF 1972, TO ALLOW BOARDS OF SUPERVISORS NOT REQUIRED TO OPERATE ON A COUNTYWIDE SYSTEM OF ROAD ADMINISTRATION TO MAKE PURCHASES UP TO $5,000.00; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2700: Corrections; Government Structure
AN ACT TO REPEAL SECTION 47-5-911, MISSISSIPPI CODE OF 1972; TO BRING FORWARD SECTIONS 47-5-901, 47-5-903, 47-5-905, 47-5-907, AND 47-5-909 FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2701: Technology; Finance
AN ACT TO AMEND SECTION 57-87-7, MISSISSIPPI CODE OF 1972, TO CLARIFY AN AD VALOREM TAXATION EXEMPTION FOR EQUIPMENT USED IN THE DEPLOYMENT OF BROADBAND TECHNOLOGIES AS IT RELATES TO DOWNLOAD AND UPLOAD SPEED; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2702: Public Property

AN ACT TO AMEND CHAPTER 386, LAWS OF 2017, AS LAST AMENDED BY SECTION 1, CHAPTER 412, LAWS OF 2022, TO AUTHORIZE THE MARION COUNTY ECONOMIC DEVELOPMENT DISTRICT TO SELL OR CONVEY CERTAIN REAL PROPERTY LOCATED AT COLUMBIA TRAINING SCHOOL IN MARION COUNTY, MISSISSIPPI, FOR SUCH CONSIDERATION AS WILL BEST PROMOTE THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2703: Technology
AN ACT TO AMEND SECTION 25-53-201, MISSISSIPPI CODE OF 1972, TO REQUIRE STATE AGENCIES TO REPORT RANSOMWARE INCIDENTS TO THE ENTERPRISE SECURITY PROGRAM AND THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES; TO DEFINE TERMS; TO REQUIRE THAT REPORTS NOTE THE SEVERITY LEVEL OF THE INCIDENT ACCORDING TO THE LEVELS DEFINED BY THE NATIONAL CYBER INCIDENT RESPONSE PLAN OF THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY; TO PROHIBIT STATE AGENCIES FROM PAYING OR OTHERWISE COMPLYING WITH A RANSOM DEMAND; TO ESTABLISH MINIMUM REPORTING REQUIREMENTS FOR STATE AGENCIES; TO REQUIRE THAT REPORTS BE MADE WITHIN CERTAIN TIME RESTRAINTS ACCORDING TO SEVERITY LEVEL; TO REQUIRE THAT THE ENTERPRISE SECURITY PROGRAM MAKE A REPORT TO THE LIEUTENANT GOVERNOR, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE CHAIRMEN OF THE LEGISLATIVE TECHNOLOGY COMMITTEES ON A QUARTERLY BASIS; AND FOR RELATED PURPOSES.
By Senator(s) Williams

S. B. No. 2704: Technology
AN ACT CONCERNING ENCRYPTION OF TEXT MESSAGES; TO DEFINE TERMS; TO REQUIRE THAT SOFTWARE PROVIDERS FOR WIRELESS DEVICES ENCRYPT TEXT MESSAGES SENT AND RECEIVED USING THE PROVIDER'S WIRELESS SERVICE AND TEXT MESSAGING SOFTWARE; TO DETERMINE WHEN THIS ACT IS APPLICABLE; TO ALLOW THE ATTORNEY GENERAL TO BRING AN ACTION AGAINST VIOLATORS OF THIS ACT; TO BAR LIABILITY OF THE NETWORK PROVIDER OVER WHICH THE TEXT MESSAGE IS SENT; AND FOR RELATED PURPOSES.
By Senator(s) Williams

S. B. No. 2705: Municipalities; County Affairs
AN ACT TO AMEND SECTION 17-1-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LOCAL GOVERNING AUTHORITIES TO INCREASE THE MONTHLY COMPENSATION OF LOCAL PLANNING COMMISSION MEMBERS; AND FOR RELATED PURPOSES.
By Senator(s) McLendon

S. B. No. 2706: Accountability, Efficiency, Transparency
AN ACT TO PROHIBIT SOCIAL MEDIA PLATFORMS FROM DISPLAYING MATERIAL THAT COULD EASILY INFLUENCE MINORS TO ENGAGE IN THE HARMFUL MISUSE OF TOBACCO OR NICOTINE PRODUCTS; TO NOTE THAT THE LEGISLATURE IS OPPOSED TO SOCIAL MEDIA CONTENT DEPICTING HARMFUL MISUSE OF TOBACCO OR NICOTINE PRODUCTS; TO NOTE THAT THE STATE OF MISSISSIPPI HAS AN INTEREST IN PROTECTING MINORS FROM SUCH CONTENT; TO DEFINE TERMS; TO REQUIRE OWNERS AND OPERATORS OF SOCIAL MEDIA PLATFORMS TO ENACT POLICIES WHICH ADDRESS AND RESPOND TO RISKS OF HARM TO MINORS INVOLVING TOBACCO AND NICOTINE PRODUCTS; TO REQUIRE OWNERS AND OPERATORS OF SOCIAL MEDIA PLATFORMS TO PROVIDE A MEANS FOR USERS TO REPORT CONTENT WHICH DEPICTS THE HARMFUL MISUSE OF TOBACCO OR NICOTINE PRODUCTS; TO REQUIRE SOCIAL MEDIA PLATFORMS TO CONSIDER CERTAIN ASPECTS OF CONTENT REPORTED ACCORDING TO THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2707: Municipalities

AN ACT TO AMEND THE BUSINESS IMPROVEMENT DISTRICT ACT; TO AMEND SECTION 21-43-117, MISSISSIPPI CODE OF 1972, TO ALLOW MODIFICATION OF THE PROCESS FOR PLAN AMENDMENTS DURING THE TEN-YEAR PLAN PERIOD AND TO PROVIDE FOR DISBURSEMENT OF THE COLLECTED DISTRICT FUNDS; TO CREATE SECTION 21-43-118, MISSISSIPPI CODE OF 1972, TO REQUIRE ANNUAL MEETINGS OF THE DISTRICT AND PRESCRIBE METHODS TO AMEND THE DISTRICT PLAN; TO AMEND SECTION 21-43-119, TO CONFORM WITH PLAN AMENDMENT PROCEDURES; TO AMEND SECTION 21-43-129, MISSISSIPPI CODE OF 1972, TO ALLOW THE DISTRICT TO DETERMINE ITS FISCAL YEAR AND TO RECEIVE DISBURSEMENT OF FUNDS FROM THE TAX COLLECTOR; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2708: Public Property

AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION, ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY, TO SELL AND CONVEY OR LEASE A PARCEL OF CERTAIN STATE-OWNED REAL PROPERTY AND ANY IMPROVEMENTS THEREON UNDER THE POSSESSION AND CONTROL OF THE DEPARTMENT OF PUBLIC SAFETY, LOCATED IN THE CITY OF JACKSON, HINDS COUNTY, MISSISSIPPI; TO STIPULATE THE CONDITIONS UNDER WHICH THE PROPERTY MAY BE SOLD OR LEASED TO PROMOTE THE HIGHEST AND BEST USE FOR THE STATE; TO PROVIDE THAT THE SELLING OR LEASING ENTITY SHALL ENTERTAIN REQUESTS FOR PROPOSALS FOR THE SALE AND PURCHASE OR LEASE OF THE PROPERTY AND IMPROVEMENTS AND ACCEPT THE PROPOSAL THAT PROVIDES THE HIGHEST AND BEST VALUE FOR THE STATE WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO, THE PRICE, USE AND OTHER PROPOSAL CONDITIONS AS REQUIRED BY THE STATE; TO PROVIDE THAT THE STATE SHALL RETAIN ALL MINERAL RIGHTS TO THE REAL PROPERTY SOLD OR LEASED UNDER THIS ACT; TO BRING FORWARD SECTIONS 17-1-3, 17-1-5, 17-1-7, 17-1-11, 17-1-21 AND 17-1-23, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 2709: County Affairs; Judiciary, Division A

AN ACT TO AMEND SECTION 19-5-22, MISSISSIPPI CODE OF 1972, TO REQUIRE A COUNTY BOARD OF SUPERVISORS TO NOTIFY THE COUNTY TAX COLLECTOR WHEN UNPAID FEES ASSESSED UNDER SECTION 19-5-21 ARE PAST DUE; TO REQUIRE THE TAX COLLECTOR TO INDEX THE DELINQUENCY NOTICE RECEIVED FROM THE BOARD OF SUPERVISORS; TO REQUIRE THE TAX COLLECTOR TO COMMENCE A TAX SALE THREE YEARS AFTER RECEIVING THE DELINQUENCY NOTICE IF THE AMOUNT OF THE DELINQUENCY EXCEEDS A CERTAIN AMOUNT; TO PROVIDE THAT A PERSON WHO DID NOT GENERATE THE GARBAGE OR OWN THE PROPERTY FURNISHED THE SERVICE AT THE TIME THAT THE GARBAGE WAS GENERATED SHALL NOT BE CONSIDERED DELINQUENT FOR ANY FEES UNDER THIS SECTION; TO PROVIDE THAT CERTAIN FEES ASSESSED UNDER THIS SECTION SHALL NOT BE CONSIDERED LIENS; TO PROVIDE THAT FEES THAT ARE NOT LIENS UPON THE REAL PROPERTY OFFERED GARBAGE OR RUBBISH COLLECTION OR DISPOSAL SERVICE UNDER THIS SUBSECTION SHALL REMAIN RECOVERABLE AGAINST THE GENERATOR OF THE GARBAGE AND THE OWNER OF THE PROPERTY; TO AMEND SECTION 27-41-59, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 2710: Municipalities

AN ACT TO AMEND SECTION 51-9-107, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE GOVERNOR SHALL APPOINT TWO MEMBERS FROM THE CITY OF JACKSON TO SERVE ON THE BOARD OF DIRECTORS OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2711: Tourism; Appropriations

AN ACT TO CREATE THE MISSISSIPPI GOLF ASSOCIATION GRANT PROGRAM TO BE USED TO MAKE GRANTS FOR THE PURPOSE OF CREATING, ENHANCING, AND REVITALIZING MISSISSIPPI GOLF COURSES; TO PROVIDE THAT SUCH FUND SHALL BE ADMINISTERED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO PRESCRIBE CERTAIN CONDITIONS ON THE ALLOCATIONS FROM THE FUND; TO PRESCRIBE ELIGIBLE COSTS FOR WHICH MONIES FROM THE FUND MAY BE ALLOCATED; AND FOR RELATED PURPOSES.
By Senator(s) Thompson

S. B. No. 2712: County Affairs; Municipalities

AN ACT TO AMEND SECTIONS 17-3-3, 17-5-1, 17-5-7, 17-11-37, 17-11-45, 17-17-107, 17-17-109, 17-17-227, 17-17-237, 17-17-309, 17-17-311, 17-17-329, 17-17-337, 17-17-348, 17-18-17, 17-21-53, 19-3-1, 19-3-11, 19-3-19, 19-3-33, 19-3-35, 19-3-67, 19-3-79, 19-5-9, 19-5-21, 19-5-23, 19-5-81, 19-5-92.1, 19-5-155, 19-5-157, 19-5-189, 19-5-199, 19-5-207, 19-5-219, 19-5-221, 19-7-3, 19-7-21, 19-9-11, 19-9-13, 19-9-27, 19-9-111, 19-9-114, 19-11-7, 19-13-53, 19-15-3, 19-23-5, 19-27-31, 19-29-7, 19-29-9, 19-29-18, 19-29-33, 19-31-7, 19-31-9, 19-31-23, 19-31-39, 21-1-7, 21-1-15, 21-3-7, 21-5-15, 21-13-11, 21-17-1, 21-17-9, 21-17-11, 21-17-17, 21-17-19, 21-19-2, 21-19-13, 21-19-20, 21-19-25, 21-19-51, 29-19-61, 21-25-21, 21-27-33, 21-27-43, 21-29-203, 21-33-29, 21-33-47, 21-33-89, 21-33-207, 21-33-307, 21-33-553, 21-35-5, 21-35-25, 21-35-31, 21-38-9, 21-41-5, 21-41-13, 21-41-51, 21-43-9 AND 21-43-117, MISSISSIPPI CODE OF 1972, TO MODERNIZE AND SIMPLIFY THE NOTICE PUBLICATION PROCESS FOR COUNTIES AND MUNICIPALITIES AND TO REQUIRE PUBLICATION OF NOTICE IN A NEWSPAPER FOR INSTANCES INVOLVING LEVYING OF TAXES; TO BRING FORWARD SECTION 21-39-3, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2713: Accountability, Efficiency, Transparency

AN ACT TO BE KNOWN AS THE MISSISSIPPI RURAL REGIONAL HEALTH AUTHORITIES ACT OF 2024; TO DECLARE THE LEGISLATIVE INTENT REGARDING THE PURPOSE OF REGIONAL HEALTH AUTHORITIES; TO CREATE THE DELTA REGIONAL HEALTH AUTHORITY AND AUTHORIZE THE CREATION OF ADDITIONAL REGIONAL HEALTH AUTHORITIES; TO PROVIDE FOR THE APPOINTMENT OF THE GOVERNING BOARDS OF REGIONAL HEALTH AUTHORITIES; TO PROVIDE FOR PARTICIPATION AGREEMENTS BETWEEN THE REGIONAL HEALTH AUTHORITIES AND THE OWNERS OF COMMUNITY HOSPITALS FOR THE HOSPITALS TO PARTICIPATE IN THE REGIONAL HEALTH AUTHORITY; TO PROVIDE THAT PARTICIPATING COMMUNITY HOSPITALS WILL NO LONGER BE GOVERNED BY THE COMMUNITY HOSPITAL LAWS BUT WILL BE GOVERNED BY THE AUTHORITY BOARD; TO PROVIDE THAT THE AUTHORITY BOARD MAY APPOINT A CHIEF EXECUTIVE OFFICER OF THE AUTHORITY; TO SPECIFY THE POWERS AND DUTIES OF THE CHIEF EXECUTIVE OFFICER; TO PROVIDE THAT THE AUTHORITY BOARD SHALL HAVE ALL OF THE POWERS, AUTHORITY, RIGHTS, PRIVILEGES AND IMMUNITIES CONFERRED ON THE OWNERS AND THE BOARDS OF TRUSTEES OF COMMUNITY HOSPITALS; TO PRESCRIBE ADDITIONAL POWERS AND DUTIES OF REGIONAL HEALTH AUTHORITIES; TO PROVIDE THAT THE AUTHORITY SHALL BE DEEMED A "GOVERNMENTAL ENTITY" AND "POLITICAL SUBDIVISION" FOR THE PURPOSE OF THE TORT CLAIMS ACT; TO AUTHORIZE RURAL HEALTH AUTHORITIES TO PARTICIPATE IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AS A POLITICAL SUBDIVISION; TO PROVIDE THAT THE RURAL HEALTH AUTHORITIES SHALL BE TREATED AS A NONSTATE

GOVERNMENTAL HOSPITAL AND SHALL HAVE ALL RIGHTS, PRIVILEGES AND ENTITLEMENTS OF A NONSTATE GOVERNMENTAL HOSPITAL FOR PURPOSES OF THE MISSISSIPPI MEDICAID PROGRAM; TO DIRECT THE DIVISION OF MEDICAID TO CREATE AND IMPLEMENT A SUPPLEMENTAL PAYMENT PROGRAM TO SUPPORT THE ESSENTIAL SERVICES AND OPERATIONS OF THE DELTA REGIONAL HEALTH AUTHORITY; TO PROVIDE THAT ANY CONSOLIDATION OR COLLABORATION INVOLVING A REGIONAL HEALTH AUTHORITY AND OTHER PUBLIC, PRIVATE OR NONPROFIT HOSPITALS, HEALTH CARE FACILITIES OR PROVIDERS SHALL BE IMMUNE FROM LIABILITY UNDER THE FEDERAL AND STATE ANTITRUST OR COMPETITION LAWS TO THE FULLEST EXTENT ALLOWED BY LAW; TO AMEND SECTIONS 11-46-1, 41-7-173, 41-13-11, 41-13-15, 41-13-19, 41-13-35, 41-13-47 AND 41-13-101, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.
By Senator(s) Parker

S. B. No. 2714: Public Health and Welfare

AN ACT TO CREATE NEW SECTION 43-15-12, MISSISSIPPI CODE OF 1972, TO ESTABLISH QUALIFIED RESIDENTIAL TREATMENT PROGRAMS AS ALTERNATIVE PLACEMENTS FOR CHILDREN AND YOUTH IN THE CUSTODY OF THE DEPARTMENT OF CHILD PROTECTION SERVICES; TO SET CERTAIN REQUIREMENTS RELATED THERETO; AND FOR RELATED PURPOSES.
By Senator(s) Bryan

S. B. No. 2715: Education; Appropriations

AN ACT TO AMEND SECTION 37-139-3, MISSISSIPPI CODE OF 1972, TO RELOCATE THE MISSISSIPPI SCHOOL FOR MATHEMATICS AND SCIENCE TO THE CAMPUS OF MISSISSIPPI STATE UNIVERSITY BY THE 2026-2027 SCHOOL YEAR; TO PROVIDE THAT THE STATE BOARD OF EDUCATION SHALL COLLABORATE WITH THE BOARD OF TRUSTEES OF THE INSTITUTIONS OF HIGHER LEARNING TO FACILITATE THE RELOCATION; TO REQUIRE THE BOARD TO PRESENT A PLAN RELATED TO THE RELOCATION OF THE SCHOOL TO THE LEGISLATURE BY THE 2025 LEGISLATIVE SESSION; TO REQUIRE THE BOARD TO ENSURE THAT THE MISSISSIPPI SCHOOL FOR MATHEMATICS AND SCIENCE COLLABORATES WITH THE STARKVILLE OKTIBBEHA CONSOLIDATED SCHOOL DISTRICT, AS NEEDED; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2716: Insurance

AN ACT TO ESTABLISH THE "COMMISSION ON MISSISSIPPI PHARMACY BENEFITS MANAGER (PBM) AND MISSISSIPPI VISION BENEFITS MANAGER (VBM)LICENSURE ISSUES" TO STUDY AND DEVELOP RECOMMENDATIONS TO THE LEGISLATURE ON COMPREHENSIVE LICENSURE REVISIONS AND OVERSIGHT; TO PRESCRIBE THE MEMBERSHIP OF THE COMMISSION AND AUTHORIZE THE COMMISSION TO ORGANIZE, HOLD HEARINGS AND MAKE ITS REPORT; TO PRESCRIBE ISSUES FOR THE COMMISSION TO CONSIDER; AND FOR RELATED PURPOSES.
By Senator(s) Parker

S. B. No. 2717: Economic and Workforce Development

AN ACT TO AMEND SECTION 47-5-26, MISSISSIPPI CODE OF 1972, TO REMOVE PROVISIONS REQUIRING THAT THERE BE A DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT WHO SHALL SERVE AS THE CHIEF EXECUTIVE OFFICER OF PRISON INDUSTRIES AND DIRECTOR OF PRISON AGRICULTURAL ENTERPRISES; TO AMEND SECTION 47-5-541, MISSISSIPPI CODE OF 1972, TO REPLACE THE EXECUTIVE DIRECTOR OF ACCELERATEMS WITH THE EXECUTIVE DIRECTOR OF THE OFFICE OF WORKFORCE DEVELOPMENT, TO REQUIRE THAT THERE BE A DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT WHO SHALL WORK IN COLLABORATION WITH THE EXECUTIVE DIRECTOR OF THE OFFICE OF WORKFORCE DEVELOPMENT TO IMPLEMENT WORKFORCE

DEVELOPMENT PROGRAMS WITHIN THE CORRECTIONS SYSTEM, AND TO DESCRIBE THE DUTIES OF THE DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT; TO AMEND SECTION 47-5-577, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL FROM 2024 TO 2027; AND FOR RELATED PURPOSES.
By Senator(s) Sparks

S. B. No. 2718: Economic and Workforce Development; Appropriations

AN ACT TO AMEND SECTION 37-153-201, MISSISSIPPI CODE OF 1972, TO REMOVE THE MISSISSIPPI ALLIED HEALTH COLLEGE AND CAREER NAVIGATOR GRANT PROGRAM; TO AMEND SECTION 37-153-203, MISSISSIPPI CODE OF 1972, TO NOTE MAJOR WORKFORCE SHORTAGES WHICH IMPACT THE QUALITY OF PATIENT CARE AND AVAILABILITY OF HEALTH CARE, TO NOTE THE AVAILABILITY OF FEDERAL FUNDS TO MAXIMIZE THE USE OF TECHNOLOGY TO IMPROVE PATIENT CARE AND ADDRESS WORKFORCE SHORTAGES, AND TO NOTE THAT THE LEGISLATURE INTENDS TO PROVIDE FUNDING FOR EQUIPMENT AND TRAINING NECESSARY TO IMPLEMENT VIRTUAL NURSING AND OTHER PROGRAMS NECESSARY TO IMPROVING PATIENT CARE AND ADDRESSING WORKFORCE SHORTAGES; TO AMEND SECTION 37-153-205, MISSISSIPPI CODE OF 1972, TO ALLOW THE ACCELERATE MISSISSIPPI NURSING/ALLIED HEALTH GRANT PROGRAM TO PROVIDE GRANTS TO HOSPITALS FOR EQUIPMENT AND TRAINING NECESSARY TO IMPLEMENT VIRTUAL NURSING AND OTHER PROGRAMS, TO DEFINE TERMS, TO REMOVE CERTAIN DEFINITIONS, TO DESIGNATE SCHOLARSHIPS FOR TUITION AN ELIGIBLE EXPENSE, TO CLARIFY WHAT INFORMATION SHOULD BE INCLUDED ON AN APPLICATION FOR FUNDS, AND TO REMOVE THE STIPULATION THAT 75% OF THE FUNDS PROVIDED SHALL BE RESERVED FOR COMMUNITY AND JUNIOR COLLEGES; TO AMEND SECTION 37-153-207, MISSISSIPPI CODE OF 1972, TO REDEFINE THE ACCELERATE MISSISSIPPI PHYSICIAN RESIDENCY AND FELLOWSHIP START-UP GRANT PROGRAM AND ITS RESPONSIBILITIES AND TO STIPULATE THAT APPLICANTS AGREEING TO COMMIT A PORTION OF ANY FUNDS AS SUPPLEMENTAL MATCHING FUNDS TO OFFSET THE TOTAL COST OF THE APPROVED PROGRAM WILL BE PRIORITIZED FOR APPROVAL; TO REPEAL SECTION 37-153-209, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE MISSISSIPPI ALLIED HEALTH COLLEGE AND CAREER NAVIGATOR GRANT PROGRAM; TO AMEND SECTION 37-153-211, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT THE OFFICE MINIMIZE ANY EXPENSE OF ADMINISTRATIVE FUNDS BY ESTABLISHING POLICIES AND PROCEDURES MIRRORING PAST PROGRAMS UTILIZING OTHER FEDERAL AND STATE FUNDS; TO AMEND SECTION 37-153-217, MISSISSIPPI CODE OF 1972, TO NOTE THAT FEDERAL GRANT FUNDS THROUGH THE AMERICAN RESCUE PLAN ACT SHALL BE AVAILABLE THROUGH DECEMBER 31, 2026, OR ON THE DATE OF THE FUND EXPENDITURE DEADLINE PROVIDED BY THE FEDERAL GOVERNMENT; TO BRING FORWARD SECTION 37-153-215, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Parker

S. B. No. 2719: Economic and Workforce Development

AN ACT TO AMEND SECTION 71-5-353, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI WORKFORCE ENHANCEMENT TRAINING FUND TREASURY ACCOUNT, AS DIRECTED BY THE MISSISSIPPI OFFICE OF WORKFORCE DEVELOPMENT, IN COLLABORATION WITH THE MISSISSIPPI COMMUNITY COLLEGE BOARD, MAY BE USED TO PROVIDE TRAINING AND OTHER WORKFORCE RELATED POSTSECONDARY EDUCATION PROGRAMS AS APPROVED BY BOTH THE OFFICE OF WORKFORCE DEVELOPMENT AND THE INSTITUTIONS OF HIGHER LEARNING; AND FOR RELATED PURPOSES.
By Senator(s) Polk

S. B. No. 2720: Universities and Colleges; Appropriations

AN ACT TO CREATE THE MISSISSIPPI ACT WORKKEYS NATIONAL CAREER READINESS CERTIFICATE (NCRC) SCHOLARSHIP PROGRAM; TO ESTABLISH COMMUNITY COLLEGE SCHOLARSHIPS IN VARYING AMOUNTS FOR HIGH SCHOOL STUDENTS EARNING PLATINUM, GOLD AND SILVER WORKKEYS CERTIFICATES; TO REQUIRE THE MISSISSIPPI POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD TO ADMINISTER THE PROGRAM; TO PRESCRIBE INITIAL ELIGIBILITY AND RENEWAL REQUIREMENTS; TO AUTHORIZE SCHOLARSHIPS FOR BOTH FULL-TIME AND PART-TIME STUDENTS; TO PROHIBIT STUDENTS FROM RECEIVING COMBINED FINANCIAL AID IN AN AMOUNT GREATER THAN THE TOTAL COST OF ATTENDANCE AT THE COMMUNITY COLLEGE; AND FOR RELATED PURPOSES.
By Senator(s) Barrett

S. B. No. 2721: Universities and Colleges; Education

AN ACT TO ENACT THE REJECTING RACISM IN HIGHER EDUCATION ACT; TO ESTABLISH THE LEGISLATIVE FINDINGS OF THE ACT, INCLUDING THAT IT IS THE INTENT OF THE LEGISLATURE THAT ADMINISTRATORS, FACULTY, AND OTHER EMPLOYEES OF PUBLIC ELEMENTARY AND SECONDARY EDUCATION INSTITUTIONS MAINTAIN NONDISCRIMINATORY POLICIES IN ACCORDANCE WITH TITLE IV AND TITLE VI OF THE CIVIL RIGHTS ACT OF 1964; TO PROVIDE THAT NO OFFICER, AGENT, ADMINISTRATOR, EMPLOYEE, TEACHER, OR CONTRACTOR OF A POSTSECONDARY INSTITUTION MAY SEGREGATE, TRACK, CLASSIFY, OR TREAT DIFFERENTLY STUDENTS ON THE BASIS OF RACE, ETHNICITY, COLOR, OR NATIONAL ORIGIN EXCEPT WHERE EXPRESSLY REQUIRED BY STATE OR FEDERAL LAW; TO PROVIDE THAT A POSTSECONDARY INSTITUTION SHALL NOT EXPEND ANY STATE FUNDS AND SHALL REJECT ANY FEDERAL FUNDS WHOSE RECEIPT REQUIRES THE INSTITUTION TO PROMOTE, SUPPORT, OR MAINTAIN ANY DIVERSITY, EQUITY, OR INCLUSION PROGRAMS OR CAMPUS ACTIVITIES WHETHER OR NOT TARGETED OR PROVIDED TO EMPLOYEES, STUDENTS, GUESTS, OR THE PUBLIC; TO PROVIDE THAT POSTSECONDARY INSTITUTIONS THAT ARE IN VIOLATION OF THIS ACT SHALL NOT BE ELIGIBLE FOR STATE FUNDING; TO PROVIDE THAT IN ADDITION TO ENFORCEMENT BY THE ATTORNEY GENERAL OF MISSISSIPPI, AN INDIVIDUAL MAY ALSO BRING A PRIVATE RIGHT OF ACTION AGAINST ANY POSTSECONDARY INSTITUTION ENGAGED IN SUCH PROHIBITED DISCRIMINATION FOR AN INJUNCTION, ACTUAL DAMAGES, AND LIQUIDATED DAMAGES OF ONE MILLION DOLLARS; TO PROVIDE THAT NOTHING IN THIS STATUTE PROHIBITS OR AUTHORIZES OFFICERS, AGENTS, ADMINISTRATORS, EMPLOYEES, TEACHERS, OR CONTRACTORS OF A POSTSECONDARY INSTITUTION OR STUDENTS FROM DISCUSSING PUBLIC POLICY ISSUES OF THE DAY OR IDEAS THAT INDIVIDUALS MAY FIND UNWELCOME, DISAGREEABLE OR OFFENSIVE; AND FOR RELATED PURPOSES.
By Senator(s) McLendon

S. B. No. 2722: Universities and Colleges

AN ACT TO ENACT THE SAFE DORMITORIES ACT; TO SET THE LEGISLATIVE FINDINGS AND DEFINITIONS; TO PROVIDE THAT ANY PUBLIC BUILDING THAT MAINTAINS MULTIPLE-OCCUPANCY DORMITORY ROOMS SHALL PROVIDE STUDENT RESIDENTS THE OPTION TO BE HOUSED ONLY IN A DORMITORY ROOM WITH ROOMMATES OF THE SAME SEX; TO PROHIBIT A PERSON FROM ENTERING INTO A DORMITORY ROOM DESIGNATED EXCLUSIVELY FOR USE BY PERSONS OF THE OPPOSITE SEX; TO SET CERTAIN SPECIFIC EXCEPTIONS RELATED TO THIS PROHIBITION; TO REQUIRE ANY APPLICABLE GOVERNMENTAL ENTITY TO ESTABLISH REGULATIONS AND DISCIPLINARY PROCEDURES FOR ANY SUCH PERSON; TO ESTABLISH CERTAIN VIOLATIONS OF THE ACT; TO AUTHORIZE PRIVATE ENFORCEMENT OF THE ACT AND CAUSES OF ACTION; TO REQUIRE THE ATTORNEY GENERAL TO BRING AN ACTION TO ENFORCE COMPLIANCE WITH THE ACT; TO PROVIDE A SEVERABILITY CLAUSE TO THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Seymour

S. B. No. 2723: Universities and Colleges; Appropriations

AN ACT TO AMEND SECTION 37-106-75, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS OF THE HELP GRANT TO REMOVE THE CURRICULUM REQUIREMENT; TO ALIGN GRANT REQUIREMENTS WITH FEDERAL RULES RELATED TO FAMILY SIZE AND DETERMINATION OF NEED; TO REMOVE CERTAIN OUTDATED PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2724: Universities and Colleges; Appropriations

AN ACT TO AMEND SECTION 37-106-29, MISSISSIPPI CODE OF 1972, TO CREATE THE MISSISSIPPI RESIDENT TUITION ASSISTANCE GRANT AND PROMISE PROGRAM FOR STUDENTS OF UNIVERSITIES AND COMMUNITY COLLEGES IN THE STATE; TO SET ELIGIBILITY AND OTHER QUALIFICATIONS FOR RECEIPT OF ASSISTANCE UNDER THE PROGRAM; TO PROVIDE THAT AS A CONDITION FOR RENEWAL, A STUDENT SHALL MAKE STEADY ACADEMIC PROGRESS TOWARD A CERTIFICATE OR DEGREE AND HAVE A CUMULATIVE G.P.A. OF AT LEAST 2.50 ON A 4.0 SCALE; TO PROVIDE THAT NO STUDENT MAY RECEIVE AN AWARD FOR MORE THAN THE EQUIVALENT SEMESTERS OR QUARTERS REQUIRED TO COMPLETE ONE BACCALAUREATE DEGREE OR ONE CERTIFICATE OR ASSOCIATE DEGREE PROGRAM PER INSTITUTION; TO PROVIDE THAT PROMISE GRANTS SHALL EQUAL THE FULL AMOUNT REMAINING OF ANY TUITION AND REQUIRED FEES AFTER ALL OTHER STATE, FEDERAL, INSTITUTIONAL AND PRIVATE AID HAS BEEN APPLIED; TO PROVIDE THAT STUDENTS FROM FAMILIES MAKING BELOW 100% OF MEDIAN FAMILY INCOME FOR A FAMILY OF FOUR IN MISSISSIPPI MAY RECEIVE MTAG AWARDS AND PROMISE GRANTS AT THE SAME TIME IF ELIGIBLE FOR BOTH; TO SET CERTAIN REQUIREMENTS TO CONTINUE TO RECEIVE ASSISTANCE FROM THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2725: Universities and Colleges

AN ACT TO CREATE THE "MISSISSIPPI UNIVERSITY SYSTEM EFFICIENCY TASK FORCE" CREATED TO EXAMINE THE EFFICIENCY AND EFFECTIVENESS OF THE PUBLIC UNIVERSITY SYSTEM IN MISSISSIPPI, AS IT RELATES TO THE UNIVERSITIES' COLLECTIVE MISSION OF ENROLLING AND GRADUATING MORE DEGREED MISSISSIPPIANS AND RETAINING THEM IN THE STATE, AND ANTICIPATED NATIONWIDE CHALLENGES WITH REGARD TO DEMOGRAPHIC SHIFTS AND A PROJECTED OVERALL DECLINE IN ENROLLMENT; TO REQUIRE THE TASK FORCE TO DEVELOP RECOMMENDATIONS TO THE LEGISLATURE ON CHANGES TO POLICY AND LAWS IN MISSISSIPPI WITH A GOAL OF INCREASING THE EFFICIENCY OF THE PUBLIC UNIVERSITY SYSTEM IN THE STATE; TO SET THE MEMBERSHIP OF THE TASK FORCE; TO PROVIDE FOR OTHER PROVISIONS RELATED THERETO, INCLUDING PER DIEM AND VOTING; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, DeLano

S. B. No. 2726: Universities and Colleges

AN ACT TO CREATE NEW SECTION 37-101-450, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING SHALL CHOOSE THREE OF THE STATE INSTITUTIONS OF HIGHER LEARNING TO CLOSE BY JUNE 30, 2028; TO REQUIRE THE BOARD TO ANNOUNCE ITS DECISION BY JUNE 30, 2025; TO REQUIRE THE BOARD TO PROMULGATE FACTORS TO BE CONSIDERED IN ITS DECISION, INCLUDING ENROLLMENT DATA, DEGREES OFFERED, ECONOMIC IMPACT, AND ANY ADDITIONAL PURPOSES THAT THE INSTITUTION CURRENTLY SERVES TO THE STATE AND ITS CITIZENS, INCLUDING PROVIDING MEDICAL SERVICES, AGRICULTURE RESEARCH OR ENGINEERING RESEARCH OR SERVICES; TO REQUIRE THE BOARD TO HOST ONE LISTENING SESSION AT THE CAMPUS OF EACH INSTITUTION BEFORE ANNOUNCING ITS DECISION; TO PROVIDE THAT FOR

EACH STATE INSTITUTION THAT THE BOARD CLOSES, SUCH INSTITUTION'S REAL PROPERTY, TOGETHER WITH THE BUILDINGS AND OTHER IMPROVEMENTS ERECTED THEREON, ALONG WITH ITS ASSETS AND FUNDS MAY BE TRANSFERRED OR CONVEYED TO ANOTHER STATE AGENCY OR POLITICAL SUBDIVISION OR SOLD TO A NONPROFIT ENTITY; TO PROVIDE THAT ANY UNIVERSITY RESEARCH INSTITUTE OR LABORATORY ESTABLISHED WITHIN TITLES 37, 49 OR 57 THAT IS LOCATED AT AN INSTITUTION THAT IS CLOSED IN ACCORDANCE WITH THIS ACT MAY BE REESTABLISHED WITHIN ANOTHER INSTITUTION OF HIGHER LEARNING AS DECIDED BY THE BOARD OF TRUSTEES OF THE INSTITUTION OF HIGHER LEARNING; TO PROVIDE THE APPLICABLE CODE SECTIONS THAT WILL BE REPEALED FOR EACH INSTITUTION IF THE INSTITUTION IS CHOSEN BY THE BOARD TO BE CLOSED; AND FOR RELATED PURPOSES.
By Senator(s) Polk

S. B. No. 2727: Public Health and Welfare; Universities and Colleges

AN ACT TO ESTABLISH THE MISSISSIPPI K-12 AND POST-SECONDARY MENTAL HEALTH TASK FORCE DRAWING ON AVAILABLE DATA TO DETERMINE CHALLENGES IN MISSISSIPPI AS IT RELATES TO THE MENTAL HEALTH OF STUDENTS RANGING FROM K-12 THROUGH THE COMMUNITY COLLEGE AND UNIVERSITY SYSTEMS, ASSESS THE PUBLIC AND PRIVATE RESOURCES CURRENTLY AVAILABLE TO YOUTH SUFFERING FROM DEPRESSION, TRAUMA AND SUICIDAL IDEATION, AND DETERMINE WHERE GAPS EXIST IN SERVICE DELIVERY AND TREATMENT; TO PROVIDE FOR THE MEMBERSHIP OF THE TASK FORCE; TO REQUIRE THE TASK FORCE TO REVIEW AND MAKE RECOMMENDATIONS TO THE LEGISLATURE REGARDING AVAILABLE RESOURCES AND GAPS IN RESOURCES TO ADDRESS THIS CRISIS; TO PROVIDE FOR THE GOALS AND RESPONSIBILITIES OF THE TASK FORCE; TO REQUIRE THE TASK FORCE TO DEVELOP AND REPORT ITS FINDINGS AND RECOMMENDATIONS FOR PROPOSED LEGISLATION TO THE LEGISLATURE ON OR BEFORE OCTOBER 1, 2024; AND FOR RELATED PURPOSES.
By Senator(s) Boyd, Parker

S. B. No. 2728: Universities and Colleges; Appropriations

AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, ACTING ON BEHALF OF THE UNIVERSITY OF MISSISSIPPI TO ENTER INTO A LONG-TERM LEASE OF ALL OR ANY PORTION OF REAL PROPERTY UNDER ITS CONTROL AND POSSESSION FOR THE PURPOSE OF DEVELOPING ACADEMIC BUILDINGS, HOUSING, DINING HALLS, PARKING FACILITIES, AND/OR OTHER SPACES, INCLUDING RETAIL DEVELOPMENTS, FOR THE BENEFIT OF THE UNIVERSITY; TO PROVIDE THAT ANY SUCH PROPERTY SHALL BE LEASED FOR A PERIOD NOT TO EXCEED 65 YEARS; TO SET CERTAIN OTHER LEASE TERMS AND TO REQUIRE ANY LEASE TO BE SUBJECT TO THE APPROVAL OF I.H.L.; TO AUTHORIZE THE UNIVERSITY OF MISSISSIPPI TO NEGOTIATE ALL ASPECTS OF ANY LEASE WITH THE APPROVAL OF I.H.L.; TO PROVIDE THAT ALL PROCEEDS DERIVED FROM ANY SUCH LEASE SHALL BE DEPOSITED INTO A SPECIAL FUND ONLY FOR THE USE OF THE UNIVERSITY; TO REQUIRE ANY PROPERTY LEASED UNDER THIS ACT TO REVERT BACK TO THE UNIVERSITY AT THE END OF THE LEASE; AND FOR RELATED PURPOSES.
By Senator(s) Boyd

S. B. No. 2729: Universities and Colleges; Appropriations

AN ACT TO BRING FORWARD SECTIONS 37-144-1, 37-144-3, 37-144-5, 37-144-7, 37-144-9, 37-144-11, 37-144-13, 37-144-15, 37-144-17, 37-144-19 AND 37-144-21, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 37-146-1, 37-146-3, 37-146-5, 37-146-7, 37-146-9, 37-146-11, 37-146-13, 37-146-17, 37-146-19 AND 37-146-21, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE MISSISSIPPI RURAL

DENTISTS SCHOLARSHIP PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Boyd

S. B. No. 2730: Universities and Colleges; Appropriations
AN ACT TO AMEND SECTIONS 37-109-5, 37-109-7 AND 37-109-9, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS OF THE MISSISSIPPI DUAL ENROLLMENT/DUAL CREDIT SCHOLARSHIP PROGRAM; TO AUTHORIZE PRIVATE SCHOOL AND HOMESCHOOL STUDENTS TO BE ELIGIBLE FOR THE PROGRAM; TO PROVIDE THAT PARTICIPATING INSTITUTIONS MAY NOT CHARGE MORE THAN A RATE OF 40% OF THE AVERAGE COMMUNITY COLLEGE CREDIT HOUR TUITION FOR THE CURRENT ACADEMIC YEAR; TO AUTHORIZE TENTH-GRADE STUDENTS TO TAKE COURSES UNDER THE PROGRAM; TO AUTHORIZE STUDENTS TO QUALIFY FOR FUNDING FOR UP TO 12 CREDIT HOURS; TO DELETE CERTAIN OBSOLETE PROVISIONS; TO PROVIDE THAT FUNDS FROM THE PROGRAM SHALL BE USED TO COVER COSTS ASSOCIATED WITH BOOKS, COURSE MATERIALS, TOOLS, SUPPLIES, LAB FEES, TRANSPORTATION COSTS AND OTHER APPLICABLE COURSE FEES; TO REQUIRE FUNDING FOR THESE COSTS TO TRANSFER FROM THE SCHOLARSHIP FUND TO THE PROVIDING INSTITUTION, AS REQUESTED BY THE INSTITUTION; TO DELETE CERTAIN PROVISIONS RELATED TO CREDIT WEIGHTING MODELS; TO BRING FORWARD SECTION 37-15-38, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Boyd

S. B. No. 2731: Universities and Colleges; Appropriations
AN ACT TO CREATE THE "2024 IHL CAPITAL IMPROVEMENTS FUND" AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING FUNDS FOR A NEW, MULTIPURPOSE STADIUM FOR JACKSON STATE UNIVERSITY; TO DIRECT THE STATE TREASURER, IN CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE "2024 IHL CAPITAL IMPROVEMENTS FUND" CREATED IN THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Norwood, Thomas, Butler, Simmons (12th), Brumfield, Jackson

S. B. No. 2732: Public Health and Welfare; Appropriations
AN ACT TO CREATE THE MISSISSIPPI STATE EMPLOYEE MATERNITY LEAVE ACT TO PROVIDE SIX WEEKS OF PAID LEAVE TO CERTAIN EMPLOYEES WHO HAVE BEEN EMPLOYED WITH THE STATE FOR AT LEAST TWO YEARS; AND FOR RELATED PURPOSES.
By Senator(s) Boyd

S. B. No. 2733: Medicaid
AN ACT TO CREATE THE MISSISSIPPI WHOLESALE PRESCRIPTION DRUG IMPORTATION PROGRAM; TO PROVIDE THAT THE DIVISION OF MEDICAID SHALL ESTABLISH THE PROGRAM TO PROVIDE PRESCRIPTION DRUGS AVAILABLE OUTSIDE OF THE UNITED STATES TO CONSUMERS IN THE STATE AT A LOWER COST; TO REQUIRE THE DIVISION TO CONTRACT WITH ONE OR MORE PRESCRIPTION DRUG WHOLESALERS AND CANADIAN SUPPLIERS TO IMPORT PRESCRIPTION DRUGS; TO REQUIRE THE DIVISION TO DEVELOP A REGISTRATION PROCESS FOR HEALTH BENEFIT PLANS; TO REQUIRE PROVIDERS AND PHARMACIES TO OBTAIN AND DISPENSE SUCH DRUGS; TO REQUIRE THE DIVISION TO COMPLY WITH CERTAIN FEDERAL LAWS REGULATING SUCH PROGRAMS; TO PROVIDE THAT A PRESCRIPTION DRUG MAY BE IMPORTED INTO THE STATE ONLY IF THE DRUG MEETS F.D.A. STANDARDS AND DOES NOT VIOLATE FEDERAL PATENT LAWS, AMONG OTHER REQUIREMENTS; TO REQUIRE THE DIVISION TO MONITOR ANY POTENTIAL ANTICOMPETITIVE ACTIVITIES AFFECTED BY THE PROGRAM; TO AUTHORIZE THE DIVISION TO IMPOSE A FEE ON EACH PRESCRIPTION DRUG SOLD UNDER THE PROGRAM; TO REQUIRE THE

DIRECTOR OF THE DIVISION TO DEVELOP AUDITING PROCEDURES; TO REQUIRE THE DIVISION TO SUBMIT A REPORT ON THE PROGRAM TO THE LEGISLATURE AND GOVERNOR EACH YEAR; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2734: Economic and Workforce Development
AN ACT TO AMEND SECTION 71-11-3, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTIES FOR VIOLATIONS OF THE MISSISSIPPI EMPLOYMENT PROTECTION ACT TO INCLUDE ADMINISTRATIVE DISSOLUTION OR REVOCATION OF THE OFFENDING ENTITY; TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT SECURITY, DEPARTMENT OF REVENUE, SECRETARY OF STATE, DEPARTMENT OF HUMAN SERVICES AND THE ATTORNEY GENERAL MAY DRAFT REGULATIONS IMPLEMENTING ENFORCEMENT; TO AMEND SECTIONS 79-4-14.20, 79-4-15.30, 79-29-821 AND 79-29-1021, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.
By Senator(s) Williams

S. B. No. 2735: Medicaid
AN ACT TO BRING FORWARD SECTIONS 27-15-103, 27-15-109, 27-15-115 AND 27-15-129, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR CERTAIN PREMIUM TAXES APPLIED TO CERTAIN INSURANCE ENTITIES; TO BRING FORWARD SECTIONS 43-13-5, 43-13-11, 43-13-105, 43-13-107, 43-13-111, 43-13-113, 43-13-115, 43-13-116, 43-13-117, 43-13-117.1, 43-13-121, 43-13-122, 43-13-123, 43-13-126, 43-13-133, 43-13-143, 43-13-145 AND 43-13-147, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR VARIOUS PROVISIONS RELATED TO THE DIVISION OF MEDICAID, REIMBURSEMENT, BENEFICIARIES, HOSPITAL ASSESSMENT AND THE CHILDREN'S HEALTH INSURANCE PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell, Horhn

S. B. No. 2736: Insurance
AN ACT TO AMEND SECTION 73-21-153, MISSISSIPPI CODE OF 1972, TO DEFINE NEW TERMS AND REVISE THE DEFINITIONS OF EXISTING TERMS UNDER THE PHARMACY BENEFIT PROMPT PAY ACT; TO AMEND SECTION 73-21-155, MISSISSIPPI CODE OF 1972, TO PROHIBIT PHARMACY BENEFIT MANAGERS FROM CHARGING A PLAN SPONSOR MORE FOR A PRESCRIPTION DRUG THAN THE NET AMOUNT IT PAYS A PHARMACY FOR THE PRESCRIPTION DRUG; TO AMEND SECTION 73-21-156, MISSISSIPPI CODE OF 1972, TO REQUIRE PHARMACY BENEFIT MANAGERS TO PROVIDE A REASONABLE ADMINISTRATIVE APPEAL PROCEDURE TO ALLOW PHARMACIES TO CHALLENGE A REIMBURSEMENT FOR A SPECIFIC DRUG OR DRUGS AS BEING BELOW THE REIMBURSEMENT RATE REQUIRED BY THE PRECEDING PROVISION; TO PROVIDE THAT IF THE APPEAL IS UPHELD, THE PHARMACY BENEFIT MANAGER SHALL MAKE THE CHANGE IN THE PAYMENT TO THE REQUIRED REIMBURSEMENT RATE; TO PROVIDE THAT A PATIENT SHALL NOT PAY A COPAYMENT FOR A PRESCRIPTION THAT EXCEEDS THE TOTAL REIMBURSEMENT PAID BY THE PHARMACY BENEFIT MANAGER TO THE PHARMACY; TO AMEND SECTION 73-21-157, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT A PHARMACY BENEFIT MANAGER LICENSE BE RENEWED ANNUALLY; THAT A PHARMACY SERVICES ADMINISTRATIVE ORGANIZATION TO PROVIDE TO A PHARMACY OR PHARMACIST A COPY OF ANY CONTRACT ENTERED INTO ON BEHALF OF THE PHARMACY OR PHARMACIST BY THE PHARMACY SERVICES ADMINISTRATIVE ORGANIZATION; TO AMEND SECTION 73-21-161, MISSISSIPPI CODE OF 1972, TO PROHIBIT PHARMACIES, PHARMACY BENEFIT MANAGERS AND PHARMACY BENEFIT MANAGER AFFILIATES FROM ORDERING A PATIENT TO USE AN AFFILIATE PHARMACY OF ANOTHER PHARMACY BENEFIT MANAGER, OR OFFERING OR IMPLEMENTING PLAN DESIGNS THAT PENALIZE A PATIENT WHEN A PATIENT CHOOSES NOT TO USE AN AFFILIATE PHARMACY OR THE AFFILIATE PHARMACY OF ANOTHER PHARMACY BENEFIT MANAGER, OR INTERFERING WITH THE PATIENT'S RIGHT TO CHOOSE

THE PATIENT'S PHARMACY OR PROVIDER OF CHOICE; TO CREATE NEW SECTION 73-21-162, MISSISSIPPI CODE OF 1972, TO PROHIBIT PHARMACY BENEFIT MANAGERS AND PHARMACY BENEFIT MANAGER AFFILIATES FROM PENALIZING OR RETALIATING AGAINST A PHARMACIST, PHARMACY OR PHARMACY EMPLOYEE FOR EXERCISING ANY RIGHTS UNDER THIS ACT, INITIATING ANY JUDICIAL OR REGULATORY ACTIONS, OR APPEARING BEFORE ANY GOVERNMENTAL AGENCY, LEGISLATIVE MEMBER OR BODY OR ANY JUDICIAL AUTHORITY; TO AMEND SECTION 73-21-163, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF PHARMACY, FOR THE PURPOSES OF CONDUCTING INVESTIGATIONS, TO CONDUCT EXAMINATIONS OF PHARMACY BENEFIT MANAGERS AND TO ISSUE SUBPOENAS TO OBTAIN DOCUMENTS OR RECORDS THAT IT DEEMS RELEVANT TO THE INVESTIGATION; TO PROVIDE THAT MONIES FROM PENALTIES SHALL BE DEPOSITED IN A SPECIAL FUND FOR PURPOSES OF THE BOARD IN REGULATING PHARMACY BENEFIT MANAGERS; AND FOR RELATED PURPOSES.
By Senator(s) Parks

S. B. No. 2737: Judiciary, Division A

AN ACT TO AMEND SECTION 43-15-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CERTAIN BENEFITS AND RESOURCES TO BE PROVIDED TO FICTIVE KIN OF CHILDREN AND YOUTH IN THE CUSTODY OF THE DEPARTMENT OF CHILD PROTECTION SERVICES; AND FOR RELATED PURPOSES.
By Senator(s) Parker

S. B. No. 2738: Insurance

AN ACT TO AMEND SECTION 25-15-301, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN REVISIONS RELATED TO THE STATE AND SCHOOL EMPLOYEES HEALTH INSURANCE MANAGEMENT BOARD; TO PROVIDE THAT WHEN A PROPOSAL IS UNDER THE BOARD'S EVALUATION FOR PHARMACY BENEFITS OR THE MANAGEMENT THEREOF, THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI BOARD OF PHARMACY SHALL BE ONE OF THE MEMBERS OF THE EVALUATION COMMITTEE OF THE BOARD; TO AMEND SECTION 25-15-303, MISSISSIPPI CODE OF 1972, TO INCLUDE THE EXECUTIVE DIRECTOR OF THE BOARD OF PHARMACY AS A MEMBER OF THE MANAGEMENT BOARD; TO CREATE NEW SECTION 25-15-305, MISSISSIPPI CODE OF 1972, TO SET CERTAIN DEFINITIONS RELATED TO THE ACT, INCLUDING THE DEFINITIONS OF CLEAN CLAIMS, PHARMACY BENEFIT PLAN, PHARMACY BENEFIT MANAGEMENT PLAN ("PBM") AND REBATE; TO PROVIDE THAT THE ACT SHALL ONLY APPLY TO THE PBM AND ITS AFFILIATE THAT ADMINISTER THE STATE HEALTH PLAN; TO CREATE NEW SECTION 25-15-307, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PBM SHALL NOT REIMBURSE A PHARMACY OR PHARMACIST FOR A PRESCRIPTION DRUG OR PHARMACIST SERVICE IN A NET AMOUNT LESS THAN THE NATIONAL AVERAGE DRUG ACQUISITION COST FOR THE PRESCRIPTION DRUG OR PHARMACIST SERVICE IN EFFECT AT THE TIME THAT THE DRUG OR SERVICE IS ADMINISTERED OR DISPENSED, PLUS A PROFESSIONAL DISPENSING FEE AT LEAST EQUAL TO THE PROFESSIONAL DISPENSING FEE PAID BY THE MISSISSIPPI DIVISION OF MEDICAID FOR OUTPATIENT DRUGS; TO PROHIBIT PBMS FROM CHARGING A PLAN SPONSOR MORE FOR A PRESCRIPTION DRUG THAN THE NET AMOUNT IT PAYS A PHARMACY FOR THE PRESCRIPTION DRUG; TO REQUIRE PBMS TO PAY CLEAN CLAIMS WITHIN A CERTAIN TIME CONSTRAINT; TO PROVIDE CERTAIN EXCEPTIONS FROM THIS TIME CONSTRAINT; TO PROVIDE THAT IF THE BOARD FINDS THAT ANY PBM, AGENT OR OTHER PARTY RESPONSIBLE FOR REIMBURSEMENT FOR PRESCRIPTION DRUGS AND OTHER PRODUCTS HAS NOT PAID NINETY-FIVE PERCENT OF CLEAN CLAIMS RECEIVED FROM ALL PHARMACIES IN A CALENDAR QUARTER, HE SHALL BE SUBJECT TO ADMINISTRATIVE PENALTY OF NOT MORE THAN $25,000.00 TO BE ASSESSED BY THE BOARD; TO AUTHORIZE THE BOARD TO ADOPT RULES AND REGULATIONS NECESSARY TO ENSURE COMPLIANCE WITH THIS ACT; TO AUTHORIZE A NETWORK PHARMACY OR PHARMACIST TO DECLINE TO PROVIDE A BRAND

NAME DRUG, MULTISOURCE GENERIC DRUG, OR SERVICE, IF THE NETWORK PHARMACY OR PHARMACIST IS PAID LESS THAN THAT NETWORK PHARMACY'S COST FOR THE PRESCRIPTION; TO CREATE NEW SECTION 25-15-309, MISSISSIPPI CODE OF 1972, TO SET CERTAIN REQUIREMENTS RELATED TO PBM, INCLUDING THAT THE PBM MUST PROVIDE A REASONABLE ADMINISTRATIVE APPEAL PROCEDURE; TO AUTHORIZE THE BOARD TO AUDIT PBMS; TO REQUIRE A PBM TO REIMBURSE A PHARMACY OR PHARMACIST AN AMOUNT LESS THAN THE AMOUNT THAT THE PBM REIMBURSES A PBM AFFILIATE FOR PROVIDING THE SAME PHARMACIST SERVICES; TO CREATE NEW SECTION 25-15-311, MISSISSIPPI CODE OF 1972, TO REQUIRE PBMS TO OBTAIN A LICENSE FROM THE BOARD OF PHARMACY; TO CREATE NEW SECTION 25-15-313, MISSISSIPPI CODE OF 1972, TO REQUIRE PBMS TO PASS ON TO THE PLAN 100% OF ALL REBATES AND OTHER PAYMENTS THAT IT RECEIVES DIRECTLY OR INDIRECTLY FROM PHARMACEUTICAL MANUFACTURERS IN CONNECTION WITH CLAIMS OR PLAN ADMINISTRATION ON BEHALF OF THE PLAN; TO PROHIBIT A PBM OR THIRD-PARTY PAYER FROM CHARGING OR CAUSING A PATIENT TO PAY A COPAYMENT THAT EXCEEDS THE TOTAL REIMBURSEMENT PAID BY THE PBM TO THE PHARMACY; TO CREATE NEW SECTION 25-15-315, MISSISSIPPI CODE OF 1972, TO PROHIBIT A PHARMACY, PBM, OR PBM AFFILIATE FROM TAKING CERTAIN ACTIONS, INCLUDING MAKING REFERRALS OR INTERFERING WITH A PATIENT'S RIGHT TO CHOOSE THEIR PHARMACY; TO CREATE NEW SECTION 25-15-317, MISSISSIPPI CODE OF 1972, TO PROHIBIT PBMS FROM RETALIATING AGAINST A PHARMACIST OR PHARMACY BASED ON THE PHARMACIST'S OR PHARMACY'S EXERCISE OF ANY RIGHT OR REMEDY UNDER THIS ACT; TO CREATE NEW SECTION 25-15-319, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD TO BRING AN ACTION AGAINST A PBM OR PBM AFFILIATE TO RESTRAIN BY TEMPORARY OR PERMANENT INJUNCTION THE USE OF ANY METHOD THAT IS PROHIBITED BY THIS ACT; TO AUTHORIZE THE BOARD TO IMPOSE A MONETARY PENALTY ON ANY PBM FOUND TO BE IN NONCOMPLIANCE; TO CREATE NEW SECTION 25-15-319, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ON THE REQUEST BY ANY AGENCY OF THE STATE OF MISSISSIPPI, OR ANY POLITICAL SUBDIVISION OF THE STATE OR ANY OTHER PUBLIC ENTITY, A PBM SHALL DELIVER OR OTHERWISE MAKE AVAILABLE TO THE REQUESTING AGENCY OR ENTITY, IN ITS ENTIRETY AND WITH NO REDACTION, ANY THIRD-PARTY AGGREGATOR CONTRACTS OR CONTRACTS RELATING TO PBM SERVICES; TO PROVIDE THAT ANY ENTITY THAT DOES NOT COMPLY WITH THIS SECTION SHALL BE BARRED FOR FIVE YEARS FROM DOING BUSINESS IN THE STATE; AND FOR RELATED PURPOSES.
By Senator(s) Michel, Hopson

S. B. No. 2739: Insurance
AN ACT TO BRING FORWARD SECTIONS 73-21-151, 73-21-153, 73-21-155, 73-21-156, 73-21-157, 73-21-159, 73-21-161, 73-21-163, 73-21-175, 73-21-177, 73-21-179, 73-21-181, 73-21-183, 73-21-185, 73-21-187, 73-21-189, 73-21-191, 73-21-201, 73-21-203 AND 73-21-205, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE PHARMACY BENEFIT PROMPT PAY ACT, PHARMACY INTEGRITY ACT, AND PRESCRIPTION DRUGS CONSUMER AFFORDABLE ALTERNATIVE PAYMENT OPTIONS ACT, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 83-1-101, 83-1-155, 83-5-1, 83-5-3, 83-5-5, 83-9-1 AND 83-9-6, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE DEPARTMENT OF INSURANCE, THE JURISDICTION OF THE DEPARTMENT OF INSURANCE, CERTAIN SUPERVISION, NOTICE, APPEALS AND HEARINGS PROVISIONS, AND VARIOUS OTHER REQUIREMENTS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Michel

S. B. No. 2740: Insurance
AN ACT TO AMEND SECTIONS 19-7-7, 21-37-45 AND 37-7-303, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTIES, MUNICIPALITIES, SCHOOL DISTRICTS

AND POLITICAL SUBDIVISIONS TO POOL THEIR RISKS AND NEGOTIATE FOR THE PURCHASE OF PROPERTY INSURANCE, OR THE ESTABLISHMENT OF A SELF-INSURANCE FUND OR SELF-INSURANCE RESERVES, OR ANY COMBINATION THEREOF; AND FOR RELATED PURPOSES.
By Senator(s) Michel

S. B. No. 2741: Judiciary, Division A
AN ACT TO AMEND SECTION 99-39-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT PERMISSION FROM THE SUPREME COURT OF MISSISSIPPI BE OBTAINED BEFORE A MOTION FOR POST-CONVICTION COLLATERAL RELIEF MAY BE FILED IN A TRIAL COURT IF THE DENIAL OF A PREVIOUS POST-CONVICTION MOTION HAS BEEN AFFIRMED ON APPEAL; TO REQUIRE THAT PERMISSION FROM THE SUPREME COURT OF MISSISSIPPI BE OBTAINED BEFORE A MOTION FOR POST-CONVICTION COLLATERAL RELIEF MAY BE FILED IN A TRIAL COURT WHERE MORE THAN THREE YEARS AFTER THE TIME FOR TAKING AN APPEAL FROM A JUDGMENT OR CONVICTION HAS ELAPSED; AND FOR RELATED PURPOSES.
By Senator(s) Chassaniol

S. B. No. 2742: Public Health and Welfare
AN ACT TO DIRECT THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES TO SUBMIT AN AMENDMENT TO THE MISSISSIPPI CHILD CARE DEVELOPMENT FUND (CCDF) PLAN TO THE FEDERAL GOVERNMENT TO PROVIDE THAT CERTAIN PARENTS OR PRIMARY CAREGIVERS OF CHILDREN WILL BE ELIGIBLE FOR CHILD CARE SERVICES UNDER THE MISSISSIPPI CHILD CARE PAYMENT PROGRAM (CCPP) AND TO PROVIDE FOR AN APPEAL BY A CHILD CARE PROVIDER OR THE CHILD'S PARENT OR PRIMARY CAREGIVER TO THE ATTORNEY GENERAL OF THE DENIAL OR REVOCATION OF ELIGIBILITY FOR A CHILD CARE CERTIFICATE; TO DIRECT THE DEPARTMENT OF HUMAN SERVICES TO IMPLEMENT THE PROVISIONS OF THE PLAN AMENDMENT IN THE CCPP AFTER THE AMENDMENT IS APPROVED; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th), Norwood

S. B. No. 2743: Public Health and Welfare; Appropriations
AN ACT TO AMEND SECTION 43-17-5, MISSISSIPPI CODE OF 1972, TO DIRECT THE DEPARTMENT OF HUMAN SERVICES TO TRANSFER TO THE CHILD CARE AND DEVELOPMENT FUND (CCDF) EACH FISCAL YEAR THE FIRST $40,000,000.00 OF ANY UNSPENT, UNCOMMITTED TANF FUNDS REMAINING FROM THE PRIOR FISCAL YEAR, TO BE USED FOR VOUCHERS TO PAY FOR CHILD CARE FOR QUALIFYING CHILDREN UNDER THE CHILD CARE PAYMENT PROGRAM (CCPP); AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2744: Judiciary, Division A
AN ACT TO AMEND SECTION 41-4-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE DEPARTMENT OF MENTAL HEALTH SHALL PROMULGATE A RATING SCALE WITH PERFORMANCE INDICATORS FOR COMMUNITY MENTAL HEALTH AUTHORITIES; TO REQUIRE THE DEPARTMENT TO PERFORM A PERFORMANCE REVIEW AUDIT AT LEAST ONCE EVERY TWO YEARS; TO PROVIDE THAT THE DEPARTMENT MAY PLACE REGIONAL COMMISSIONS OR COMMUNITY MENTAL HEALTH CENTERS ON PROBATIONARY STATUS; TO PROVIDE THAT IF THE COMMUNITY MENTAL HEALTH CENTER DOES NOT ACHIEVE A PASSING SCORE ON THE PERFORMANCE AUDIT AFTER THE PROBATIONARY PERIOD, THE REGIONAL COMMISSION SHALL REPLACE THE COMMUNITY MENTAL HEALTH CENTER'S EXECUTIVE DIRECTOR AND ANY OTHER OFFICERS IDENTIFIED BY THE DEPARTMENT WITH CONTRACTORS; TO PROVIDE THAT THE CONTRACTOR SHALL REMAIN IN PLACE UNTIL THE DEPARTMENT DETERMINES THAT THE COMMUNITY MENTAL HEALTH CENTERS HAS ATTAINED SUSTAINED COMPLIANCE WITH THE PERFORMANCE STANDARD; TO PROVIDE

THAT NO RULES, REGULATIONS, OPERATIONAL STANDARDS, PERFORMANCE STANDARDS, OR OTHER STANDARDS PROMULGATED BY THE STATE BOARD OF MENTAL HEALTH OR THE STATE DEPARTMENT OF MENTAL HEALTH SHALL BE CONSTRUED TO CREATE A CAUSE OF ACTION; TO AMEND SECTION 41-19-33, MISSISSIPPI CODE OF 1972, TO SET CERTAIN REQUIREMENTS OF REGIONAL COMMISSIONS ESTABLISHING COMMUNITY MENTAL HEALTH CENTERS; TO REQUIRE COMMUNITY MENTAL HEALTH CENTERS TO PROVIDE A REPORT TO THE BOARD OF SUPERVISORS OF EACH COUNTY IN ITS REGION; TO REQUIRE COMMUNITY MENTAL HEALTH CENTERS TO PROVIDE CERTAIN MENTAL HEALTH SERVICES; TO ESTABLISH PROCEDURES RELATED TO PRE-AFFIDAVIT SCREENINGS FOR CIVIL COMMITMENTS; TO SET CERTAIN REPORTING REQUIREMENTS OF COMMUNITY MENTAL HEALTH CENTERS TO THE DEPARTMENT OF MENTAL HEALTH, INCLUDING SALARY DATA AND CASH BALANCES; TO PROVIDE THAT THE DEPARTMENT MAY DIRECT CONTROL OF THE COMMUNITY MENTAL HEALTH CENTER'S EXCESS CASH BALANCE IN CERTAIN CIRCUMSTANCES WHERE THE AUTHORITY IS NOT IN COMPLIANCE; TO AMEND SECTION 41-21-65, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN INTERESTED PERSON SHALL BE DIRECTED TO THE COMMUNITY MENTAL HEALTH CENTER FOR A PRE-AFFIDAVIT SCREENING PRIOR TO FILING AN AFFIDAVIT FOR COMMITMENT OF AN INDIVIDUAL; TO REQUIRE AN AFFIDAVIT FOR COMMITMENT OF AN INDIVIDUAL TO STATE THAT LESS RESTRICTIVE ALTERNATIVE TREATMENT WAS CONSIDERED AND SPECIFY WHY TREATMENT LESS RESTRICTIVE THAN INVOLUNTARY COMMITMENT IS NOT APPROPRIATE; TO AMEND SECTION 41-21-67, MISSISSIPPI CODE OF 1972, TO ESTABLISH A REQUIRED PRE-AFFIDAVIT SCREENING TO BE CONDUCTED BY THE COMMUNITY MENTAL HEALTH CENTER IN THE COUNTY OF FINANCIAL RESPONSIBILITY; TO REQUIRE THE INVESTIGATION TO INCLUDE CERTAIN COMPONENTS; TO PROVIDE THAT THE SCREENING TEAM SHALL HAVE ACCESS TO ALL RELEVANT MEDICAL RECORDS OF THE PROPOSED PATIENT; TO REQUIRE THE PRE-AFFIDAVIT SCREENER TO PROVIDE WRITTEN NOTICE TO CERTAIN ENTITIES, INCLUDING THE PROPOSED PATIENT; TO AUTHORIZE AN INTERESTED PERSON TO MAKE DIRECT PETITION TO A CHANCELLOR WHERE THE PRE-AFFIDAVIT SCREENER DOES NOT RECOMMEND COMMITMENT; TO PROVIDE THAT A JAIL OR OTHER DETENTION CENTER MAY NOT BE USED FOR CUSTODY UNLESS CERTAIN CONDITIONS ARE MET; TO PROHIBIT LAW ENFORCEMENT OR ANY OTHER PERSON FROM BRINGING CRIMINAL CHARGES AGAINST A PERSON WHO IS MENTALLY ILL AND IN NEED OF TREATMENT PURSUANT TO THIS CHAPTER SOLELY OR PRIMARILY BECAUSE THE PERSON IS MENTALLY ILL OR BECAUSE OF THE UNAVAILABILITY OF A STATE HOSPITAL BED; TO AMEND SECTION 41-21-73, MISSISSIPPI CODE OF 1972, TO LIMIT COMMITMENT IN A STATE-OPERATED FACILITY; TO PROVIDE THAT IF A PERSON IS RECEIVING TREATMENT FOR A MENTAL ILLNESS OR AN INTELLECTUAL DISABILITY IN A TREATMENT FACILITY AT THE TIME OF THE HEARING, THE PERSON MAY NOT BE COMMITTED TO A STATE-OPERATED FACILITY UNLESS CERTAIN FACTS ARE ESTABLISHED BY CLEAR AND CONVINCING EVIDENCE; TO PROHIBIT A PERSON WHO HAS BEEN JUDICIALLY COMMITTED UNDER THIS SECTION FROM BEING HELD IN A JAIL OR OTHER DETENTION FACILITY WHILE AWAITING ADMISSION TO A STATE-OPERATED FACILITY; TO PROVIDE THAT THE COUNTY OF RESIDENCE OF ANY SUCH PERSON SHALL PAY THE COST OF INTERIM TREATMENT; TO AMEND SECTION 41-21-68, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; TO AMEND SECTION 41-21-77, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A JAIL OR DETENTION CENTER MAY NOT BE USED FOR PERSONS WHO ARE AWAITING ADMISSION UNLESS THE COMMUNITY MENTAL HEALTH CENTER HAS EXHAUSTED THE AVAILABILITY OF OTHER APPROPRIATE FACILITIES, THE CHANCELLOR SPECIFICALLY AUTHORIZES IT, AND THE RESPONDENT IS ACTIVELY VIOLENT; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO SECTION 41-21-68, MISSISSIPPI CODE OF 1972, WHICH ALLOWS REGIONAL MENTAL HEALTH COMMISSIONS TO ESTABLISH REGIONAL HOLDING FACILITIES FOR THOSE HELD BY CIVIL COMMITMENT; TO AMEND SECTION 27-104-7,

MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE PUBLIC PROCUREMENT REVIEW BOARD ANY PERSONAL OR PROFESSIONAL SERVICES CONTRACT ENTERED INTO BY THE MISSISSIPPI DEPARTMENT OF MENTAL HEALTH IN CONTRACTING FOR STAFF OF COMMUNITY MENTAL HEALTH CENTERS THAT IT IS REPLACING IN ACCORDANCE WITH THIS ACT; TO REQUIRE PEER AND THE DEPARTMENT OF MENTAL HEALTH TO REPORT CERTAIN INFORMATION TO THE LEGISLATURE EACH YEAR; AND FOR RELATED PURPOSES.
By Senator(s) Boyd, England, DeLano, Wiggins

S. B. No. 2745: Insurance
AN ACT TO AMEND SECTION 83-11-501, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MOST AN INSURER SHALL BE REQUIRED TO PAY FOR THE REPAIR OF A VEHICLE OR REPAIR OR REPLACEMENT OF GLASS IS THE PREVAILING MARKET AMOUNT THAT SUCH VEHICLE OR GLASS COULD BE PROPERLY, FULLY AND FAIRLY REPAIRED OR REPLACED BY A CONTRACTOR OR REPAIR SHOP WITHIN A REASONABLE GEOGRAPHICAL OR TRADE AREA OF THE INSURED; TO REQUIRE REPAIRS BE PERFORMED PURSUANT TO OEM REPAIR PROCEDURES WITH OEM PARTS; TO PROHIBIT INSURERS FROM SOLICITING A REFERRAL FEE IN EXCHANGE FOR REFERRING AN INSURED TO A REPAIR FACILITY; TO PROHIBIT AN INSURER FROM SUGGESTING TO AN INSURED THAT THE INSURED MUST USE A SPECIFIC REPAIR FACILITY; TO SET CERTAIN OTHER REQUIREMENTS; TO PROVIDE THAT IN THE CASE OF A VIOLATION OF THIS ACT, AN INSURER MAY BE PENALIZED; AND FOR RELATED PURPOSES.
By Senator(s) Robinson, Rhodes

S. B. No. 2746: Judiciary, Division A; Appropriations
AN ACT TO AMEND SECTION 9-7-25, MISSISSIPPI CODE OF 1972, TO AUTHORIZE FOUR ADDITIONAL CIRCUIT COURT JUDGESHIPS IN THE SEVENTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ADDITIONAL LEGAL ASSISTANTS IN THE SEVENTH CIRCUIT COURT DISTRICT; TO PROVIDE THE PROCEDURE TO FILL THE CIRCUIT JUDGESHIPS CREATED IN THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Norwood

S. B. No. 2747: Judiciary, Division A; Appropriations
AN ACT TO AMEND SECTION 9-1-43, MISSISSIPPI CODE OF 1972, TO INCREASE THE COMPENSATION OF CIRCUIT CLERKS OF A COUNTY IN THE STATE WITH A COUNTY COURT; AND FOR RELATED PURPOSES.
By Senator(s) Boyd

S. B. No. 2748: Judiciary, Division A
AN ACT TO EXTEND THE REPEALER ON SECTIONS 13-7-1 THROUGH 13-7-47, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE GRAND JURY ACT AND PROVIDE FOR THE OPERATION OF THE STATE GRAND JURY; TO AMEND SECTION 13-7-3, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND REENACTED SECTION 13-7-7, MISSISSIPPI CODE OF 1972, TO EXPAND THE SUBJECT MATTER JURISDICTION OF THE STATE GRAND JURY; TO REMOVE THE REQUIREMENT THAT THE CRIMES MUST OCCUR WITHIN MORE THAN ONE CIRCUIT COURT DISTRICT OR HAVE TRANSPIRED OR HAVE SIGNIFICANCE IN MORE THAN ONE CIRCUIT COURT DISTRICT OF THIS STATE; TO AUTHORIZE THE ATTORNEY GENERAL TO NOTIFY THE PANEL JUDGE INSTEAD OF PETITIONING THE JUDGE; TO REQUIRE THE PANEL JUDGE TO IMPANEL A JURY WITHIN 30 DAYS OF RECEIVING NOTICE FROM THE ATTORNEY GENERAL; TO REMOVE THE AUTHORITY OF PANEL JUDGE TO LIMIT THE AUTHORITY OF THE INVESTIGATION OF THE STATE GRAND JURY; TO AMEND SECTION 13-7-15, MISSISSIPPI CODE OF 1972, TO AMEND THE QUALIFICATIONS OF JURORS FOR THE STATE GRAND JURY; TO AMEND SECTION 13-7-23, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE PANEL JUDGE TO DENY REQUEST TO AMEND THE NOTICE AND ORDER IMPANELING THE GRAND JURY; TO AMEND SECTION 13-7-41, MISSISSIPPI CODE

OF 1972, TO DELETE THE AUTHORITY OF THE DEPARTMENT OF PUBLIC SAFETY AND THE MISSISSIPPI BUREAU OF NARCOTICS TO PROVIDE SPACE FOR THE STATE GRAND JURY; TO REQUIRE LOCAL GOVERNMENT OFFICIALS AND LAW ENFORCEMENT SHALL COOPERATE TO ASSIST IN PROVIDING ACCOMMODATION OF THE STATE GRAND JURY; TO REPEAL SECTION 13-7-49, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT NOTHING IN THE STATE GRAND JURY ACT SHALL BE CONSTRUED AS AMENDING, REPEALING OR SUPERSEDING ANY OTHER LAW OF THIS STATE GOVERNING THE POWERS AND DUTIES OF COUNTY GRAND JURORS, DISTRICT ATTORNEYS OR LAW ENFORCEMENT AGENCIES OR OTHER OFFICIALS WITH REGARD TO THEIR AUTHORITY TO INVESTIGATE, INDICT OR PROSECUTE OFFENSES THAT ARE PRESCRIBED BY THIS CHAPTER AS WITHIN THE JURISDICTION OF THE STATE GRAND JURY; TO CREATE NEW SECTION 13-7-51, MISSISSIPPI CODE OF 1972, TO CODIFY AND EXTEND THE DATE OF THE REPEALER ON THE STATE GRAND JURY ACT; TO AMEND SECTION 99-11-3, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW RELATING TO VENUE FOR INDICTMENTS BY THE STATE GRAND JURY; TO AMEND SECTION 27, CHAPTER 553, LAWS OF 1993, AS LAST AMENDED BY CHAPTER 526, LAWS OF 2014, TO DELETE THE REPEALER, WHICH IS BEING CODIFIED IN NEW SECTION 13-7-51, MISSISSIPPI CODE OF 1972, FROM THE EFFECTIVE DATE SECTION OF THE ENABLING LEGISLATION THAT CREATED THE STATE GRAND JURY ACT; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2749: Public Health and Welfare
AN ACT TO ENACT THE SAFEGUARDING TEENS FROM OUT-OF-STATE PROCEDURES ACT; TO STATE LEGISLATIVE FINDINGS; TO DEFINE TERMS; TO CRIMINALIZE THE PROCUREMENT OF AN ABORTION FOR A MINOR GIRL, OBTAINING OF AN ABORTION-INDUCING DRUG OR THE AIDING OR ABETTING THE MINOR GIRL IN DOING SO BY HARBORING OR TRANSPORTING THE GIRL WITHIN THIS STATE; TO PROVIDE THAT SUCH A CRIME SHALL BE A FELONY; TO PROVIDE CRIMINAL PENALTIES; TO PROVIDE AN AFFIRMATIVE OFFENSE; TO CREATE A PRIVATE CAUSE OF ACTION; TO PROVIDE FOR SEVERABILITY OF THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) McLendon

S. B. No. 2750: Judiciary, Division A
AN ACT TO AMEND SECTION 43-21-353, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY REPORT TAKEN REGARDING AN ABUSED, NEGLECTED OR SEXUALLY EXPLOITED CHILD TO CHILD PROTECTION SERVICES SHALL INCLUDE THE NAME OF THE REPORTER; TO PROVIDE THAT THE CONFIDENTIALITY OF THE REPORT SHALL BE MAINTAINED PURSUANT TO STATE LAW OR AS OTHERWISE REQUIRED BY FEDERAL LAW; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2751: Medicaid
AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DIVISION OF MEDICAID SHALL ENSURE THAT NO NON-OPIOID DRUG APPROVED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION FOR THE TREATMENT OR MANAGEMENT OF PAIN SHALL BE DISADVANTAGED OR DISCOURAGED WITH RESPECT TO COVERAGE RELATIVE TO ANY OPIOID OR NARCOTIC DRUG FOR THE TREATMENT OR MANAGEMENT OF PAIN ON THE DIVISION'S MANDATORY PREFERRED DRUG LIST; TO PROVIDE CERTAIN PROVISIONS RELATED TO SUCH NONOPIOID DRUGS; TO EXTEND THE DATE OF REPEAL THEREON; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

S. B. No. 2752: Veterans and Military Affairs; Appropriations
AN ACT TO ESTABLISH A "DISABLED VETERAN AND DEPENDENTS PATRIOT SCHOLARSHIP PROGRAM" TO PROVIDE TUITION AND FEE WAIVERS FOR

ELIGIBLE VETERANS AND THEIR FAMILIES TO ATTEND MISSISSIPPI UNIVERSITIES AND COLLEGES; TO PROVIDE DEFINITIONS; TO PROVIDE CRITERIA FOR CONTINUING ELIGIBILITY AND FOR THE MAXIMUM DURATION OF THE WAIVER; TO PROVIDE FOR PROGRAM ADMINISTRATION BY THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTION 37-106-41, MISSISSIPPI CODE OF 1972, TO CONFORM PROVISIONS OF THE SCHOLARSHIP PROGRAM FOR CHILDREN OF PRISONERS OF WAR OR MIA/S IN SOUTHEAST ASIA; AND FOR RELATED PURPOSES.
By Senator(s) Tate

S. B. No. 2753: Judiciary, Division A

AN ACT TO ENACT THE SECURING AREAS FOR FEMALES EFFECTIVELY AND RESPONSIBLY (SAFER) ACT; TO STATE LEGISLATIVE FINDINGS; TO DEFINE TERMS; TO REQUIRE ANY PUBLIC BUILDING THAT MAINTAINS A RESTROOM TO HAVE A RESTROOM DESIGNATED FOR EXCLUSIVE USE BY FEMALES AND A RESTROOM DESIGNATED FOR EXCLUSIVE USE BY MALES OR TO HAVE A UNISEX RESTROOM; TO REQUIRE ANY PUBLIC BUILDING THAT MAINTAINS A CHANGING FACILITY SHALL TO HAVE A CHANGING FACILITY DESIGNATED FOR EXCLUSIVE USE BY FEMALES AND A CHANGING FACILITY DESIGNATED FOR EXCLUSIVE USE BY MALES OR A UNISEX CHANGING FACILITY; TO PROVIDE LIMITED CIRCUMSTANCES IN WHICH A PERSON MAY ENTER A RESTROOM OR CHANGING FACILITY DESIGNATED FOR THE OPPOSITE SEX; TO REQUIRE AN APPLICABLE GOVERNMENTAL ENTITY TO ESTABLISH REGULATIONS AND PROCEDURES FOR WHEN A PERSON ENTERS A RESTROOM OR CHANGING FACILITY OF THE OPPOSITE SEX AND REFUSES TO DEPART; TO PROVIDE THAT THE REFUSAL TO DEPART THE RESTROOM OR CHANGING FACILITY SHALL BE A MISDEMEANOR TRESPASS; TO CREATE A PRIVATE CAUSE OF ACTION; TO REQUIRE THE ATTORNEY GENERAL TO ENFORCE THE PROVISIONS OF THIS ACT; TO REQUIRE A REPORT TO CERTAIN GOVERNMENTAL ENTITIES; TO REQUIRE THE STATE OR ITS POLITICAL SUBDIVISIONS TO DISAGGREGATE GATHERED DATA OF INDIVIDUALS BY SEX AS EITHER MALE OR FEMALE AS DEFINED IN SECTION 1-3-40, MISSISSIPPI CODE OF 1972, WHEN IT GATHERS DATA OF INDIVIDUALS THAT IS DISAGGREGATED BY SEX; TO CREATE NEW SECTION 1-3-40, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS OF "FEMALE," "MALE," "SEX," "GIRL," "BOY," "WOMAN," "MAN," "MOTHER" AND "FATHER" WHEN THE TERMS ARE USED IN ANY STATUTE; TO PROVIDE FOR SEVERABILITY OF THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Harkins, England

S. B. No. 2754: Insurance

AN ACT TO AMEND SECTION 73-21-153, MISSISSIPPI CODE OF 1972, TO DEFINE NEW TERMS AND REVISE THE DEFINITIONS OF EXISTING TERMS UNDER THE PHARMACY BENEFIT PROMPT PAY ACT; TO AMEND SECTION 73-21-155, MISSISSIPPI CODE OF 1972, TO PROHIBIT CONTRACTS THAT VIOLATE PUBLIC POLICY; TO AMEND SECTION 73-21-156, MISSISSIPPI CODE OF 1972, TO REQUIRE PHARMACY BENEFIT MANAGERS TO PROVIDE A REASONABLE ADMINISTRATIVE APPEAL PROCEDURE TO ALLOW PHARMACIES TO CHALLENGE A REIMBURSEMENT FOR A SPECIFIC DRUG OR DRUGS AS BEING BELOW THE REIMBURSEMENT RATE REQUIRED BY THE PRECEDING PROVISION; TO PROVIDE THAT IF THE APPEAL IS UPHELD, THE PHARMACY BENEFIT MANAGER SHALL MAKE THE CHANGE IN THE PAYMENT TO THE REQUIRED REIMBURSEMENT RATE; TO AMEND SECTION 73-21-157, MISSISSIPPI CODE OF 1972, TO REQUIRE A PHARMACY SERVICES ADMINISTRATIVE ORGANIZATION TO PROVIDE TO A PHARMACY OR PHARMACIST A COPY OF ANY CONTRACT ENTERED INTO ON BEHALF OF THE PHARMACY OR PHARMACIST BY THE PHARMACY SERVICES ADMINISTRATIVE ORGANIZATION; TO CREATE NEW SECTION 73-21-158, MISSISSIPPI CODE OF 1972, TO PROHIBIT PHARMACY BENEFIT MANAGERS FROM CHARGING A PLAN SPONSOR MORE FOR A PRESCRIPTION DRUG THAN THE NET AMOUNT IT PAYS A PHARMACY FOR THE

PRESCRIPTION DRUG; TO PROHIBIT A PHARMACY BENEFIT MANAGER OR THIRD-PARTY PAYER FROM CHARGING A PATIENT TO PAY A COPAYMENT THAT EXCEEDS THE TOTAL REIMBURSEMENT PAID BY THE PHARMACY BENEFIT MANAGER TO THE PHARMACY; TO AMEND SECTION 73-21-161, MISSISSIPPI CODE OF 1972, TO PROHIBIT A PHARMACY BENEFIT MANAGER OR PHARMACY BENEFIT MANAGER AFFILIATES FROM ORDERING A PATIENT TO USE AN AFFILIATE PHARMACY OR THE AFFILIATE PHARMACY OF ANOTHER PHARMACY BENEFIT MANAGER, OR OFFERING OR IMPLEMENTING PLAN DESIGNS THAT PENALIZE A PATIENT WHEN A PATIENT CHOOSES NOT TO USE AN AFFILIATE PHARMACY OR THE AFFILIATE PHARMACY OF ANOTHER PHARMACY BENEFIT MANAGER, OR INTERFERING WITH THE PATIENT'S RIGHT TO CHOOSE THE PATIENT'S PHARMACY OR PROVIDER OF CHOICE; TO CREATE NEW SECTION 73-21-162, MISSISSIPPI CODE OF 1972, TO PROHIBIT PHARMACY BENEFIT MANAGERS AND PHARMACY BENEFIT MANAGER AFFILIATES FROM PENALIZING OR RETALIATING AGAINST A PHARMACIST, PHARMACY OR PHARMACY EMPLOYEE FOR EXERCISING ANY RIGHTS UNDER THIS ACT, INITIATING ANY JUDICIAL OR REGULATORY ACTIONS, OR APPEARING BEFORE ANY GOVERNMENTAL AGENCY, LEGISLATIVE MEMBER OR BODY OR ANY JUDICIAL AUTHORITY; TO AMEND SECTION 73-21-163, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF PHARMACY, FOR THE PURPOSES OF CONDUCTING INVESTIGATIONS, TO CONDUCT EXAMINATIONS OF PHARMACY BENEFIT MANAGERS AND TO ISSUE SUBPOENAS TO OBTAIN DOCUMENTS OR RECORDS THAT IT DEEMS RELEVANT TO THE INVESTIGATION; AND FOR RELATED PURPOSES.
By Senator(s) Bryan

S. B. No. 2755: Insurance

AN ACT TO ENACT THE MISSISSIPPI PRIOR AUTHORIZATION REFORM ACT; TO ESTABLISH THE LEGISLATIVE FINDINGS OF THE ACT; TO PROVIDE THE APPLICABILITY AND SCOPE OF THE ACT; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAINTAIN A COMPLETE LIST OF SERVICES FOR WHICH PRIOR AUTHORIZATIONS ARE REQUIRED; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAKE ANY CURRENT PRIOR AUTHORIZATION REQUIREMENTS AND RESTRICTIONS READILY ACCESSIBLE AND POSTED ON ITS WEBSITE; TO SET REQUIREMENTS FOR THE CLINICAL REVIEW CRITERIA OF HEALTH INSURANCE ISSUERS; TO PROHIBIT HEALTH INSURANCE ISSUERS FROM DENYING A CLAIM FOR FAILURE TO OBTAIN PRIOR AUTHORIZATION IF THE PRIOR AUTHORIZATION REQUIREMENT WAS NOT IN EFFECT ON THE DATE OF SERVICE ON THE CLAIM; TO REQUIRE HEALTH INSURERS TO MAKE CERTAIN PRIOR AUTHORIZATION STATISTICS AVAILABLE ON THEIR WEBSITE; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAKE AVAILABLE A STANDARDIZED ELECTRONIC PRIOR AUTHORIZATION REQUEST TRANSACTION PROCESS BY JANUARY 1, 2025; TO REQUIRE ALL HEALTH CARE PROFESSIONALS AND HEALTH CARE PROVIDERS TO USE THAT PROCESS NOT LATER THAN JANUARY 1, 2027; TO ESTABLISH CERTAIN REQUIREMENTS ON HEALTH INSURANCE ISSUERS FOR PRIOR AUTHORIZATIONS IN NONURGENT CIRCUMSTANCES AND URGENT CIRCUMSTANCES; TO PROVIDE CERTAIN QUALIFICATIONS OF PHYSICIANS QUALIFIED TO MAKE ADVERSE DETERMINATIONS; TO REQUIRE HEALTH INSURANCE ISSUERS TO GIVE CERTAIN NOTIFICATIONS WHEN MAKING AN ADVERSE DETERMINATION; TO ESTABLISH THE QUALIFICATIONS FOR PERSONNEL WHO REVIEW APPEALS OF PRIOR AUTHORIZATIONS; TO REQUIRE HEALTH INSURANCE ISSUERS TO PERIODICALLY REVIEW ITS PRIOR AUTHORIZATION REQUIREMENTS AND TO CONSIDER REMOVAL OF THESE REQUIREMENTS IN CERTAIN CASES; TO PROVIDE THAT A HEALTH INSURANCE ISSUER MAY NOT REVOKE OR FURTHER LIMIT, CONDITION OR RESTRICT A PREVIOUSLY ISSUED PRIOR AUTHORIZATION WHILE IT REMAINS VALID UNDER THIS ACT UNLESS CERTAIN EXCLUSIONS ARE APPLICABLE; TO PROVIDE HOW LONG PRIOR AUTHORIZATION APPROVALS SHALL BE VALID; TO PROVIDE HOW LONG THE PRIOR AUTHORIZATIONS FOR CHRONIC CONDITIONS SHALL BE VALID; TO ESTABLISH THE PROCEDURE FOR THE CONTINUITY OF PRIOR

APPROVALS FROM PREVIOUS HEALTH INSURANCE ISSUERS TO CURRENT ISSUERS; TO PROVIDE THAT A FAILURE BY A HEALTH INSURANCE ISSUER TO COMPLY WITH THE DEADLINES AND OTHER REQUIREMENTS SPECIFIED IN THIS ACT SHALL RESULT IN ANY HEALTH CARE SERVICES SUBJECT TO REVIEW TO BE AUTOMATICALLY DEEMED AUTHORIZED BY THE HEALTH INSURANCE ISSUER OR ITS CONTRACTED PRIVATE REVIEW AGENT; TO AUTHORIZE THE DEPARTMENT OF INSURANCE TO ISSUE CEASE AND DESIST ORDERS TO HEALTH INSURANCE ISSUERS OR PRIVATE REVIEW AGENTS; TO AUTHORIZE THE STATE DEPARTMENT OF INSURANCE TO IMPOSE UPON A PRIVATE REVIEW AGENT, HEALTH BENEFIT PLAN OR HEALTH INSURANCE ISSUER AN ADMINISTRATIVE FINE NOT TO EXCEED $10,000 PER VIOLATION OF THE ACT; TO REQUIRE HEALTH INSURANCE ISSUERS TO REPORT TO THE DEPARTMENT CERTAIN DATA; TO REQUIRE HEALTH INSURANCE ISSUERS TO NOTIFY THE COMMISSIONER OF INSURANCE OF SUSPECTED SUBMISSIONS OF FALSE REQUESTS FOR PRIOR AUTHORIZATION; TO REQUIRE THE COMMISSIONER TO HAVE AN ADMINISTRATIVE HEARING ON SUCH MATTERS TO RESOLVE THE ISSUE; TO AMEND SECTION 41-83-31, MISSISSIPPI CODE OF 1972, TO CONFORM AND TO SET CERTAIN QUALIFICATIONS AND TIME CONSTRAINTS FOR PHYSICIANS MAKING ADVERSE DETERMINATIONS THROUGH ANY PROGRAM OF UTILIZATION REVIEW; TO AMEND SECTIONS 41-83-1, 41-83-3, 41-83-13, 41-83-21, 83-1-101 AND 83-9-6.3 MISSISSIPPI CODE OF 1972, TO CONFORM WITH THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 41-83-5, 41-83-7, 41-83-9, 41-83-11, 41-83-15, 41-83-17, 41-83-19, 41-83-23, 41-83-25, 41-83-27 AND 41-83-29, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Michel

S. B. No. 2756: Insurance
AN ACT TO AMEND SECTION 25-15-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE AND SCHOOL EMPLOYEES HEALTH INSURANCE BOARD SHALL DETERMINE ALL BENEFITS AND EXCLUSIONS PROVIDED UNDER THE STATE AND SCHOOL EMPLOYEES' HEALTH INSURANCE PLAN; TO REPEAL SECTION 23-15-7, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR CERTAIN SERVICES INCLUDED IN THE STATE EMPLOYEES HEALTH INSURANCE PLAN; AND FOR RELATED PURPOSES.
By Senator(s) Michel

S. B. No. 2757: Insurance
AN ACT TO CREATE NEW SECTION 43-19-50, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT INSURERS AND INSURANCE COMPANIES SHALL PROVIDE CERTAIN INFORMATION TO THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES TO SATISFY CHILD SUPPORT ARREARS OF NONCUSTODIAL PARENTS; TO SET CERTAIN RESTRICTIONS RELATED THERETO; TO REQUIRE THE DEPARTMENT TO FACILITATE A SECURE ELECTRONIC PROCESS TO EXCHANGE INFORMATION; TO REQUIRE INSURERS TO WITHHOLD CLAIM PAYMENTS OR SETTLEMENTS UPON RECEIPT OF A NOTICE THAT THE CLAIMANT HAS OUTSTANDING CHILD SUPPORT OBLIGATIONS; TO PROVIDE THAT PRIORITY OVER WITHHOLDING THESE PAYMENTS SHALL BE GIVEN TO ATTORNEY FEES OR COSTS INCURRED, IF ANY, AND ANY STATUTORY OR SUBROGATION LIENS FOR MEDICAL EXPENSES; TO PROVIDE THAT ANY INFORMATION OBTAINED PURSUANT TO THIS ACT MUST BE USED ONLY FOR THE PURPOSE OF CARRYING OUT THE PROVISIONS OF THIS SECTION; TO PROVIDE THAT FAILURE TO COMPLY WITH THE PROVISIONS OF THIS ACT SHALL SUBJECT THE INSURER OR INSURANCE COMPANY TO A FINE OF NOT LESS THAN $1,000.00; AND FOR RELATED PURPOSES.
By Senator(s) Michel

S. B. No. 2758: Insurance
AN ACT TO AMEND SECTION 75-24-305, MISSISSIPPI CODE OF 1972, TO ADD ROOF FRAMING AND ROOF VENTILATION SYSTEM TO CERTAIN DEFINITIONS

RELATED TO RESIDENTIAL ROOFERS; TO AMEND SECTION 75-24-307, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN CIRCUMSTANCES IN WHICH PAYMENT MAY BE MADE FROM THE PROCEEDS OF A PROPERTY AND CASUALTY INSURANCE POLICY, A RESIDENTIAL ROOFING CONTRACTOR SHALL NOT REQUIRE ANY PAYMENTS FROM AN INSURED UNTIL THE FIVE-DAY CANCELLATION PERIOD HAS EXPIRED; TO REQUIRE RESIDENTIAL ROOFERS TO INCLUDE A STATEMENT IDENTIFYING THOSE ASPECTS OF THE REPAIR OR REPLACEMENT THAT ARE SEPARATE FROM OR ADDITIONAL TO THE REPAIR OR REPLACEMENT OF THE DAMAGE TO THE ROOF SYSTEM CAUSED BY A COVERED PERIL AND EXPLAINING THAT PAYMENT OF THOSE EXCESS OR ADDITIONAL ITEMS ARE THE INSURED'S RESPONSIBILITY; TO PROHIBIT RESIDENTIAL ROOFING CONTRACTORS FROM REPRESENTING OR NEGOTIATING, OR OFFERING OR ADVERTISING TO REPRESENT OR NEGOTIATE, ON BEHALF OF AN OWNER OR POSSESSOR OF RESIDENTIAL REAL ESTATE ON ANY INSURANCE CLAIM IN CONNECTION WITH THE REPAIR OR REPLACEMENT OF ROOF SYSTEMS; TO PROHIBIT SUCH CONTRACTORS FROM RECEIVING REFERRAL FEES FROM ATTORNEYS FOR REFERRING CLAIMS; TO PROHIBIT ROOFING CONTRACTORS FROM ADVERTISING OR OFFERING TO PAY, OR REBATE ALL OR ANY PORTION OF AN INSURED'S INSURANCE DEDUCTIBLE AS AN INDUCEMENT TO ENTER INTO THE RESIDENTIAL ROOFING CONTRACT; TO REQUIRE CERTAIN INFORMATION BE INCLUDED IN A POST-LOSS ASSIGNMENT; TO AMEND SECTION 75-24-311, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT RESIDENTIAL ROOFING CONTRACTORS SHALL BE SUBJECT TO DISCIPLINARY ACTION FOR ANY VIOLATION OF THE LAW, AMONG OTHER PUNISHMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Michel

S. B. No. 2759: Insurance

AN ACT TO CREATE THE TRANSPARENCY AND ACCOUNTABILITY OF PATIENT PREMIUMS INVESTED IN DENTAL CARE ACT; DEFINE "MEDICAL LOSS RATIO" AS THE MINIMUM PERCENTAGE OF ALL PREMIUM FUNDS COLLECTED BY A DENTAL INSURANCE PLAN EACH YEAR THAT MUST BE SPENT ON ACTUAL PATIENT CARE RATHER THAN ADMINISTRATIVE AND OVERHEAD COSTS; TO DEFINE "ADMINISTRATIVE AND OVERHEAD COSTS"; TO PROVIDE THAT A HEALTH CARE SERVICE PLAN THAT ISSUES, SELLS, RENEWS, OR OFFERS A SPECIALIZED HEALTH CARE SERVICE PLAN CONTRACT COVERING DENTAL SERVICES SHALL FILE A MLR WITH THE DEPARTMENT OF INSURANCE THAT IS ORGANIZED BY MARKET AND PRODUCT TYPE AND CONTAINS THE SAME INFORMATION REQUIRED IN THE 2013 FEDERAL MEDICAL LOSS RATIO ANNUAL REPORTING FORM; TO PROVIDE THE TIMELINE FOR SUBMITTING INFORMATION FOR DATA VERIFICATION OF THE HEALTH CARE SERVICE PLAN'S REPRESENTATIONS IN THE MEDICAL LOSS RATIO ANNUAL REPORT; TO PROVIDE THAT THE MEDICAL LOSS RATIO FOR DENTAL INSURANCE PLANS SHALL BE 83%; TO PROVIDE THE METHOD FOR CALCULATING THE TOTAL AMOUNT OF AN ANNUAL REBATE REQUIRED; TO PROVIDE THE TIME THAT A CARRIER OFFERING DENTAL BENEFIT PLANS HAS TO FILE GROUP PRODUCT BASE RATES AND ANY CHANGES; TO AUTHORIZE THE DEPARTMENT OF INSURANCE TO DISAPPROVE ANY BASE RATE CHANGES THAT ARE EXCESSIVE, INADEQUATE OR UNREASONABLE IN RELATION TO BENEFITS CHARGED; TO PROVIDE WHEN THE COMMISSIONER OF INSURANCE MAY PRESUMPTIVELY DISAPPROVE AS EXCESSIVE A DENTAL BENEFIT PLAN CARRIER'S RATE; TO PROVIDE THE HEARING PROCESS FOR WHEN A PROPOSED RATE CHANGE HAS BEEN PRESUMPTIVELY DISAPPROVED; TO AUTHORIZE THE DEPARTMENT OF INSURANCE TO PROMULGATE RULES AND REGULATIONS; TO PROVIDE THE APPLICABILITY OF THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Michel, McLendon, Kirby, Parker, McMahan

S. B. No. 2760: Insurance

AN ACT TO PROVIDE THAT FOR ANY INSURANCE POLICY THAT FALLS WITHIN THE JURISDICTION OF THE STATE INSURANCE DEPARTMENT UNDER TITLE 83, MISSISSIPPI CODE OF 1972, WHEN AN INSURER CANCELS A POLICY FOR NONPAYMENT OF PREMIUMS BUT THE INSURER MAILED A NOTICE OF CANCELLATION FOR NONPAYMENT OF PREMIUMS TO A DIFFERENT ADDRESS THAN THE ADDRESS SHOWN IN THE POLICY RESULTING IN THE NAMED INSURED FAILING TO RECEIVE PROPER NOTICE FROM THE INSURER, THE INSURED SHALL HAVE THE OPPORTUNITY TO PAY THE PAST-DUE PREMIUMS FOR THE POLICY; TO PROVIDE THAT IF THE INSURED PAYS THE PAST-DUE PREMIUMS ON THE POLICY, THE POLICY SHALL BE REINSTATED, AND THE ORIGINAL TERMS OF THE POLICY SHALL BE BINDING; TO AMEND SECTION 83-11-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; TO BRING FORWARD SECTION 83-11-9, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

S. B. No. 2761: Judiciary, Division A; Appropriations

AN ACT TO BRING FORWARD SECTION 9-1-36, MISSISSIPPI CODE OF 1972, WHICH IS A PROVISION RELATED TO JUDICIAL SUPPORT STAFF, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

S. B. No. 2762: Business and Financial Institutions

AN ACT TO CREATE A NEW SECTION TO ESTABLISH A MAXIMUM AMOUNT OF RETAINAGE AND ESTABLISH THE TIMING FOR RELEASE OF RETAINAGE WITH RESPECT TO THE PERFORMANCE OF CONTRACTS AND TO PROVIDE FOR THE PAYMENT OF INTEREST FOR IMPROPERLY HELD RETAINAGE; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THIS ACT; TO PROVIDE TYPES OF CONTRACTS TO WHICH THE PROVISIONS OF THIS ACT DO NOT APPLY; TO AMEND SECTIONS 31-5-15 AND 31-5-33, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "RETAINAGE" FOR PURPOSES OF CERTAIN PUBLIC WORKS CONTRACTS; AND FOR RELATED PURPOSES.

By Senator(s) Williams, Sparks

S. B. No. 2763: Business and Financial Institutions

AN ACT TO CREATE SECTION 81-5-109, MISSISSIPPI CODE OF 1972, TO REQUIRE BANKS TO REPORT SUSPECTED FRAUDULENT WIRE TRANSFERS OF $10,000.00 OR MORE TO THE SECRET SERVICE AND MISSISSIPPI OFFICE OF HOMELAND SECURITY WITHIN 24 HOURS OF NOTICE; AND FOR RELATED PURPOSES.

By Senator(s) Williams

S. B. No. 2764: Judiciary, Division A

AN ACT TO CREATE NEW SECTION 63-21-28, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF REVENUE TO ISSUE A CERTIFICATE OF TITLE PURSUANT TO A FILED AFFIDAVIT OF OWNERSHIP FOR A MANUFACTURED HOME OR A MOBILE HOME THAT IS MANUFACTURED BEFORE JULY 1, 1999; TO AMEND SECTION 63-21-29, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ISSUE A DISTINCTIVE CERTIFICATE OF TITLE FOR A MANUFACTURED HOME OR A MOBILE HOME MANUFACTURED BEFORE JULY 1, 1999; TO AMEND SECTION 63-21-30, MISSISSIPPI CODE OF 1972, TO ALLOW THE OWNER OF A MANUFACTURED HOME OR MOBILE HOME TO FILE AN AFFIDAVIT OF OWNERSHIP ATTACHED TO AN AFFIDAVIT OF AFFIXATION IN ORDER TO RETIRE THE CERTIFICATE OF TITLE; TO PROVIDE A STATUTORY FORM FOR THE AFFIDAVIT OF OWNERSHIP; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2765: Judiciary, Division A

AN ACT TO AMEND SECTION 13-3-57, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY NONRESIDENT PERSON, FIRM, GENERAL OR LIMITED PARTNERSHIP, OR ANY FOREIGN OR OTHER CORPORATION NOT QUALIFIED UNDER THE CONSTITUTION AND LAWS OF THIS STATE AS TO DOING BUSINESS HEREIN, WHO SHALL BE REGISTERED WITH THE SECRETARY OF STATE TO DO BUSINESS IN THIS STATE, SHALL BY SUCH ACT OR ACTS BE DEEMED TO BE DOING BUSINESS IN MISSISSIPPI SHALL THEREBY BE SUBJECTED TO THE JURISDICTION OF THE COURTS OF THIS STATE; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2766: Judiciary, Division A

AN ACT TO PROVIDE A RIGHT TO OBTAIN AND TO ENGAGE IN CONTRACEPTION; TO PROVIDE A HEALTH-CARE PROVIDER THE RIGHT TO PROVIDE CONTRACEPTIVES, CONTRACEPTION, AND CONTRACEPTION-RELATED INFORMATION; TO PROHIBIT THE STATE, ITS POLITICAL SUBDIVISIONS AND LOCAL GOVERNMENTAL AUTHORITIES FROM INFRINGING THE RIGHT TO CONTRACEPTION; TO PROVIDE FOR ENFORCEMENT OF THIS ACT BY THE ATTORNEY GENERAL; TO AUTHORIZE A PRIVATE CAUSE OF ACTION; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Hickman

S. B. No. 2767: Judiciary, Division A

AN ACT TO PROHIBIT A PARTY FROM USING A PEREMPTORY CHALLENGE TO REMOVE A PROSPECTIVE JUROR ON THE BASIS OF THE PROSPECTIVE JUROR'S RACE, ETHNICITY, GENDER, GENDER IDENTITY, SEXUAL ORIENTATION, NATIONAL ORIGIN, OR RELIGIOUS AFFILIATION, OR THE PERCEIVED MEMBERSHIP OF THE PROSPECTIVE JUROR IN ANY OF THOSE GROUPS; TO AUTHORIZE A PARTY, OR THE TRIAL COURT ON ITS OWN MOTION, TO OBJECT TO THE USE OF A PEREMPTORY CHALLENGE BASED ON THESE CRITERIA; TO REQUIRE THE PARTY EXERCISING THE CHALLENGE, UPON OBJECTION, TO STATE THE REASONS THE PEREMPTORY CHALLENGE HAS BEEN EXERCISED; TO REQUIRE THE COURT TO EVALUATE THE REASONS GIVEN AND, IF THE COURT GRANTS THE OBJECTION, AUTHORIZE THE COURT TO TAKE CERTAIN ACTIONS, INCLUDING, BUT NOT LIMITED TO, STARTING A NEW JURY SELECTION, DECLARING A MISTRIAL AT THE REQUEST OF THE OBJECTING PARTY, SEATING THE CHALLENGED JUROR, OR PROVIDING ANOTHER REMEDY AS THE COURT DEEMS APPROPRIATE; TO PROVIDE FOR A DE NOVO STANDARD OF REVIEW BY AN APPELLATE COURT REVIEWING THE DENIAL OF AN OBJECTION; TO PROVIDE THAT THE ACT APPLIES TO CRIMINAL JURY TRIALS IN WHICH JURY SELECTION BEGINS ON OR AFTER JANUARY 1, 2025; TO PROVIDE THAT THE ACT APPLIES TO CIVIL JURY TRIALS IN WHICH JURY SELECTION BEGINS ON OR AFTER JANUARY 1, 2027; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2768: Judiciary, Division A

AN ACT TO CREATE NEW SECTION 9-5-59, MISSISSIPPI CODE OF 1972, TO CREATE THE TWENTY-FIRST CHANCERY COURT DISTRICT; TO CREATE NEW SECTION 9-7-65, MISSISSIPPI CODE OF 1972, TO CREATE THE TWENTY-FOURTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-5-35, MISSISSIPPI CODE OF 1972, TO REDUCE THE NUMBER OF COUNTIES IN THE TENTH CHANCERY COURT DISTRICT; TO AMEND SECTION 9-5-49, MISSISSIPPI CODE OF 1972, TO REDUCE THE NUMBER OF COUNTIES IN THE SIXTEENTH CHANCERY COURT DISTRICT; TO AMEND SECTION 9-5-55, MISSISSIPPI CODE OF 1972, TO REDUCE THE NUMBER OF COUNTIES IN THE NINETEENTH CHANCERY COURT DISTRICT; TO AMEND SECTION 9-7-31, MISSISSIPPI CODE OF 1972, TO REDUCE THE NUMBER OF COUNTIES IN THE TENTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-7-35, MISSISSIPPI CODE OF 1972, TO REDUCE THE NUMBER OF COUNTIES IN THE TWELFTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-7-49, MISSISSIPPI

CODE OF 1972, TO REDUCE THE NUMBER OF COUNTIES IN THE NINETEENTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO PROVIDE LEGAL ASSISTANTS FOR THE TWENTY-FOURTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-5-36, MISSISSIPPI CODE OF 1972, TO CONFORM; TO PROVIDE THE PROCEDURE TO FILL THE OFFICE OF DISTRICT ATTORNEY FOR THE TWENTY-FOURTH CIRCUIT COURT DISTRICT; TO PROVIDE THE PROCEDURE TO FILL THE CHANCELLORSHIP AND THE CIRCUIT JUDGESHIP CREATED IN THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2769: Judiciary, Division A
AN ACT TO AMEND SECTION 41-21-67, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT INDIVIDUALS AWAITING CIVIL COMMITMENT PROCEEDINGS SHALL NOT BE HELD IN JAIL UNLESS THE COURT FINDS THAT THERE IS AN EMERGENCY BASIS FOR A TEMPORARY HOLD IN JAIL; TO PROVIDE THAT INDIVIDUALS HELD IN JAIL UNDER AN EMERGENCY BASIS SHALL ONLY BE HELD UP TO 72 HOURS AS LONG AS THE INDIVIDUAL IS UNDER SUPERVISION AND IS SUBJECT TO A MENTAL EXAMINATION WITHIN 24 HOURS; TO PROVIDE THAT NO INDIVIDUAL SHALL BE HELD IN JAIL FOR MORE THAN 72 HOURS; TO AMEND SECTION 41-21-68, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (13th)

S. B. No. 2770: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTIONS 23-17-1, 23-17-5, 23-17-8, 23-17-9, 23-17-11, 23-17-17, 23-17-19, 23-17-21, 23-17-29, 23-17-35, 23-17-39, 23-17-42, 23-17-43 AND 23-17-45, MISSISSIPPI CODE OF 1972, TO REVISE THE INITIATIVE MEASURE PROCESS TO PROVIDE THAT AMENDMENTS TO THE MISSISSIPPI CONSTITUTION MAY ONLY BE PROPOSED BY THE LEGISLATURE, BUT THAT THE PEOPLE SHALL HAVE THE RIGHT TO PROPOSE NEW LAWS AND TO AMEND OR REPEAL EXISTING LAWS BY INITIATIVE, AND TO APPROVE OR REJECT THE SAME IN AN ELECTION INDEPENDENT OF THE LEGISLATURE; TO CREATE NEW SECTION 23-17-4, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE SHALL SUBMIT ANY PROPOSED INITIATIVE MEASURE THAT IT RECEIVES TO THE LEGISLATIVE BUDGET OFFICE FOR THE PREPARATION OF A FISCAL ANALYSIS; TO CREATE NEW SECTION 23-17-20, MISSISSIPPI CODE OF 1972, TO PROVIDE THE DUTIES OF A PETITION CIRCULATOR; TO REPEAL SECTIONS 23-17-31, 23-17-33 AND 23-17-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR A LEGISLATIVE ALTERNATIVE TO AN INITIATIVE MEASURE; TO BRING FORWARD SECTIONS 23-17-3 AND 23-17-60, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Parker

S. B. No. 2771: Judiciary, Division A
AN ACT TO BRING FORWARD SECTIONS 9-7-1, 9-7-3, 9-7-5, 9-7-7, 9-7-9, 9-7-11, 9-7-13, 9-7-14, 9-7-15, 9-7-17, 9-7-19, 9-7-20, 9-7-21, 9-7-23, 9-7-25, 9-7-27, 9-7-29, 9-7-30, 9-7-31, 9-7-32, 9-7-33, 9-7-34, 9-7-35, 9-7-37, 9-7-39, 9-7-41, 9-7-42, 9-7-43, 9-7-44, 9-7-45, 9-7-47, 9-7-49, 9-7-51, 9-7-53, 9-7-54, 9-7-55, 9-7-57, 9-7-63 AND 9-7-64, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR CIRCUIT COURT JUDGES, DISTRICTS AND TERMS OF COURT FOR DISTRICTS ONE TO TWENTY-THREE, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 9-5-1, 9-5-3, 9-5-5, 9-5-7, 9-5-9, 9-5-11, 9-5-13, 9-5-17, 9-5-19, 9-5-21, 9-5-22, 9-5-23, 9-5-25, 9-5-27, 9-5-29, 9-5-31, 9-5-33, 9-5-35, 9-5-36, 9-5-37, 9-5-38, 9-5-39, 9-5-40, 9-5-41, 9-5-43, 9-5-45, 9-5-47, 9-5-49, 9-5-50, 9-5-51, 9-5-53, 9-5-54, 9-5-55, 9-5-57 AND 9-5-58, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR CHANCERY COURT JUDGES, DISTRICTS AND TERMS OF COURT FOR DISTRICTS ONE TO TWENTY, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-31-5, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE NUMBER OF LEGAL ASSISTANTS IN EACH CIRCUIT COURT DISTRICT, FOR PURPOSES OF POSSIBLE

AMENDMENT; TO BRING FORWARD SECTION 25-31-10, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE NUMBER OF FULL-TIME CRIMINAL INVESTIGATORS IN EACH CIRCUIT COURT DISTRICT, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2772: Judiciary, Division A
AN ACT TO AMEND SECTION 75-8-110, MISSISSIPPI CODE OF 1972, TO REVISE THE CHOICE OF LAW GOVERNING INVESTMENT SECURITIES TO PROVIDE THAT THE LOCAL LAW OF THE ENTITLEMENT HOLDER'S JURISDICTION GOVERNS; TO AMEND SECTION 75-8-511, MISSISSIPPI CODE OF 1972, TO REVISE THE PRIORITY AMONG SECURITY INTERESTS AND ENTITLEMENT HOLDERS TO PROVIDE THAT IF A SECURITIES INTERMEDIARY DOES NOT HAVE SUFFICIENT INTERESTS IN A PARTICULAR FINANCIAL ASSET TO SATISFY BOTH ITS OBLIGATIONS TO ENTITLEMENT HOLDERS WHO HAVE SECURITY ENTITLEMENTS TO THAT FINANCIAL ASSET AND ITS OBLIGATION TO A CREDITOR OF THE SECURITIES INTERMEDIARY WHO HAS A SECURITY INTEREST IN THAT FINANCIAL ASSET, THE CLAIMS OF ENTITLEMENT HOLDERS, OTHER THAN THE CREDITOR, HAVE PRIORITY OVER THE CLAIM OF THE CREDITOR; TO AMEND SECTIONS 75-9-305 AND 75-8-503, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins, Michel

S. B. No. 2773: Medicaid
AN ACT TO BRING FORWARD SECTION 43-13-115, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR MEDICAID BENEFICIARY ELIGIBILITY FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR MEDICAID SERVICES, TO EXTEND THE DATE OF REPEAL ON CERTAIN PROVISIONS; TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE MEDICAID HOSPITAL ASSESSMENT, TO EXTEND THE DATE OF REPEAL ON CERTAIN PROVISIONS; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2774: Judiciary, Division A
AN ACT TO BRING FORWARD SECTIONS 43-21-101, 43-21-103, 43-21-105, 43-21-107, 43-21-109, 43-21-111, 43-21-113, 43-21-115, 43-21-117, 43-21-119, 43-21-121, 43-21-123, 43-21-125 AND 43-21-127, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE ORGANIZATION, ADMINISTRATION AND OPERATION OF THE YOUTH COURT, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 43-21-151, 43-21-153, 43-21-155, 43-21-157 AND 43-21-159, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE JURISDICTION OF YOUTH COURT, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 43-21-205, MISSISSIPPI CODE OF 1972, WHICH RELATES TO COURT COSTS AND FEES FOR YOUTH COURT, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 43-21-261, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE DISCLOSURE OF CERTAIN RECORDS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 43-21-351, 43-21-353, 43-21-354, 43-21-355 AND 43-21-357, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR INTAKE INTO YOUTH COURT, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 43-21-651, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR APPEALS FROM YOUTH COURT, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 43-21-701 AND 43-21-703, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE MISSISSIPPI COMMISSION ON A UNIFORM YOUTH COURT SYSTEM AND PROCEDURES, FOR PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 43-21-753, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR A TEEN COURT PROGRAM, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 43-21-801, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE YOUTH COURT

SUPPORT FUND, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 9-5-1, 9-5-3, 9-5-5, 9-5-7, 9-5-9, 9-5-11, 9-5-13, 9-5-17, 9-5-19, 9-5-21, 9-5-22, 9-5-23, 9-5-25, 9-5-27, 9-5-29, 9-5-31, 9-5-33, 9-5-35, 9-5-36, 9-5-37, 9-5-38, 9-5-39, 9-5-40, 9-5-41, 9-5-43, 9-5-45, 9-5-47, 9-5-49, 9-5-50, 9-5-51, 9-5-53, 9-5-54, 9-5-55, 9-5-57 AND 9-5-58, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR CHANCERY COURT JUDGES, DISTRICTS AND TERMS OF COURT FOR DISTRICTS ONE TO TWENTY, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-5-255, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR FAMILY MASTERS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 9-9-14, 9-9-16, 9-9-17, 9-9-18, 9-9-18.1, 9-9-18.2, 9-9-18.3, 9-9-18.5 AND 9-9-18.6, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR ADDITIONAL COUNTY COURT JUDGES IN CERTAIN COUNTIES, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-9-36, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES ADDITIONAL COUNTY COURT JUDGES IN OVERCROWDED DOCKETS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-9-21, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE JURISDICTION OF COUNTY COURT, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2775: Insurance

AN ACT TO PROVIDE THAT A PLAN THAT PROVIDES HEALTH CARE SERVICES TO LOW-INCOME INDIVIDUALS ON A PREPAID BASIS SHALL NOT BE DEEMED TO BE HEALTH INSURANCE BUT INSTEAD SHALL BE CONSIDERED A HEALTH CARE SHARING MINISTRY; TO PROVIDE THAT SUCH PLAN SHALL NOT BE CONSIDERED TO BE ENGAGING IN THE BUSINESS OF INSURANCE FOR PURPOSES OF THIS TITLE 83; TO SET CERTAIN PLAN AND ELIGIBILITY REQUIREMENTS; TO PROVIDE THAT OPERATIONS CONSISTENT WITH THE STANDARDS OF THIS ACT SHALL CREATE A PRESUMPTION THAT THE OPERATING ENTITY SATISFIES THE REQUIREMENTS OF CERTAIN FEDERAL LAW; TO AMEND SECTION 83-77-1, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Parker

S. B. No. 2776: Judiciary, Division A

AN ACT TO AMEND SECTION 11-27-81, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO EXERCISE THE RIGHT TO IMMEDIATE POSSESSION OF EASEMENTS OR RIGHTS-OF-WAY FOR PUBLIC HIGHWAYS AND ROADS, AND FOR WATER UTILITIES, SEWER UTILITIES, DRAINAGE UTILITIES AND OTHER PUBLIC UTILITY PURPOSES IN CONNECTION WITH A PROJECT DEFINED IN SECTION 57-75-5(f)(xxxiii); AND FOR RELATED PURPOSES.
By Senator(s) Michel

S. B. No. 2777: Technology; Judiciary, Division A

AN ACT TO PROVIDE THAT A COUNTY OR MUNICIPALITY AND ANY OTHER POLITICAL SUBDIVISION OF THE STATE SHALL NOT BE LIABLE IN CONNECTION WITH A CYBERSECURITY INCIDENT IF THE ENTITY ADOPTS CERTAIN CYBERSECURITY STANDARDS; TO PROVIDE A REBUTTABLE PRESUMPTION AGAINST LIABILITY FOR COMMERCIAL ENTITIES THAT ARE IN SUBSTANTIAL COMPLIANCE WITH THIS ACT BY ADOPTING A CYBERSECURITY PROGRAM THAT SUBSTANTIALLY ALIGNS WITH CERTAIN SPECIFIED CYBERSECURITY STANDARDS; AND FOR RELATED PURPOSES.
By Senator(s) Boyd, McCaughn

S. B. No. 2778: Universities and Colleges

AN ACT TO CREATE NEW SECTION 75-99-1, MISSISSIPPI CODE OF 1972, TO ESTABLISH A SHORT TITLE FOR THE MISSISSIPPIANS' RIGHT TO NAME, LIKENESS AND VOICE ACT; TO CREATE NEW SECTION 75-99-3, MISSISSIPPI CODE OF 1972, TO DEFINE TERMS; TO CREATE NEW SECTION 75-99-5, MISSISSIPPI CODE OF

1972, TO PROVIDE THAT EVERY INDIVIDUAL HAS A PROPERTY RIGHT IN THEIR OWN NAME, LIKENESS, AND VOICE; TO CREATE NEW SECTION 75-99-7, MISSISSIPPI CODE OF 1972, to PROVIDE CERTAIN LIABILITY FOR PERSONS OR ENTITY WHO INFRINGE ON AN INDIVIDUAL'S RIGHTS UNDER THIS ACT; TO CREATE NEW SECTION 75-99-9, MISSISSIPPI CODE OF 1972, TO PROVIDE A FIRST AMENDMENT DEFENSE TO CIVIL ACTIONS BROUGHT UNDER THIS ACT; TO CREATE NEW SECTION 75-99-11, MISSISSIPPI CODE OF 1972, TO PROVIDE LIABILITY FOR THE COMMERCIAL USE OF AN INDIVIDUAL'S NAME, VOICE, OR LIKENESS; TO CREATE NEW SECTION 75-99-13, MISSISSIPPI CODE OF 1972, TO STATE THE RELATIONSHIP OF THE ACT TO OTHER LAW; TO PROVIDE THAT THE ACT IS SEVERABLE; AND FOR RELATED PURPOSES.
By Senator(s) Blackmon

S. B. No. 2779: Insurance

AN ACT TO REQUIRE ANY HEALTH PLAN OR POLICY DELIVERED, ISSUED FOR DELIVERY, OR RENEWED ON OR AFTER JANUARY 1, 2025, TO PROVIDE COVERAGE FOR HIV PREVENTION DRUGS; TO PROVIDE THAT THE COVERAGE FOR SEXUALLY TRANSMITTED INFECTION COUNSELING, PREVENTION, AND SCREENING MUST INCLUDE COVERAGE FOR HIV PREVENTION DRUGS AND THE SERVICES NECESSARY FOR INITIATION AND CONTINUED USE OF AN HIV PREVENTION DRUG; TO PROVIDE THAT A CARRIER SHALL NOT REQUIRE A COVERED PERSON TO UNDERGO STEP THERAPY OR TO RECEIVE PRIOR AUTHORIZATION BEFORE A PHARMACIST MAY DISPENSE AN HIV INFECTION PREVENTION DRUG, OR A PROVIDER MAY, ACTING WITHIN THE PROVIDER'S SCOPE OF PRACTICE, PRESCRIBE OR DISPENSE A DRUG FOR THE TREATMENT OF HIV; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DIVISION OF MEDICAID TO PROVIDE COVERAGE FOR HIV PREVENTION DRUGS AND SERVICES RELATED THERETO; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

S. B. No. 2780: Gaming; Ports and Marine Resources

AN ACT TO DEFINE STATE JURISDICTION OVER PUBLIC TRUST TIDELANDS AND THE AUTHORITY OF THE SECRETARY OF STATE TO APPROVE LEASES LOCATED ON PUBLIC TRUST TIDELANDS; TO CODIFY SECTION 29-15-1.1, MISSISSIPPI CODE OF 1972, TO DECLARE LEGISLATIVE INTENT RELATIVE TO PUBLIC TRUST TIDELANDS; TO AMEND SECTIONS 29-1-107, 29-15-1, 29-15-3, 29-15-5, 29-15-9, 29-15-10, 29-15-13 AND 59-15-1, MISSISSIPPI CODE OF 1972, AND TO CODIFY SECTION 29-15-2, MISSISSIPPI CODE OF 1972, TO CLARIFY THE REQUIREMENT OF A SEPARATE LEASE FROM THE SECRETARY OF STATE TO RENT LAND ON PUBLIC TRUST TIDELANDS PROPERTY, TO CLARIFY THAT THE LEASE NEEDED TO MOVE ON SHORE IS ONE WITH THE STATE OR THE STATE PORT AT GULFPORT, TO REVISE DEFINITIONS, TO PROVIDE THAT STATE-HELD TIDELANDS SUBJECT TO PUBLIC TRUST ARE PRESCRIBED IN TIDELANDS MAPS AND BOUNDARY AGREEMENTS AND COURT ORDERS CONFIRMING THE MAPS, TO CONFIRM ALL AUTHORITY OVER TIDELANDS IN THE STATE UNLESS SPECIFICALLY SEVERED OR GIVEN TO A SPECIFIC STATE AGENCY OR POLITICAL SUBDIVISION, TO CONFIRM AUTHORITY, MANAGEMENT AND ADMINISTRATIVE CONTROL OVER TIDELANDS IN THE SECRETARY OF STATE, TO CLARIFY THAT ONLY SPECIFIC ACTION BY THE LEGISLATURE CAN DIVEST THE SECRETARY OF STATE OF SUCH MANAGEMENT AND CONTROL, TO PROVIDE THAT ALL USES OF PUBLIC TRUST TIDELANDS FOR ANY GAMING PURPOSES BY A PERSON POSSESSING OR APPLYING FOR A GAMING LICENSE SHALL REQUIRE A TIDELANDS LEASE FROM THE STATE THROUGH THE SECRETARY OF STATE AND BE SUBJECT TO ANNUAL RENT, TO FURTHER CLARIFY THAT THE SECRETARY OF STATE IS THE TRUSTEE OF THE PUBLIC TRUST TIDELANDS, TO FURTHER CLARIFY THAT A TIDELANDS LEASE WITH THE SECRETARY OF STATE IS REQUIRED FOR USE OF THE TIDELANDS AND THAT STATE AGENCIES AND POLITICAL SUBDIVISIONS EXERCISING LITTORAL OR RIPARIAN RIGHTS ALSO REQUIRE A TIDELANDS LEASE, TO PROVIDE THAT THESE SECTIONS CONTROL

ALL OTHER STATUTES, TO CONFIRM STATE OWNERSHIP AND CONTROL OF TIDELANDS IN THE SECRETARY OF STATE UNLESS CLEAR TITLE OR CONTROL WAS DIVESTED, TO PROVIDE THAT ADMINISTRATIVE COSTS, LEGAL FEES AND LOST AD VALOREM TAXES SHALL BE PAID OUT OF THE PUBLIC TRUST TIDELANDS FUND, TO CLARIFY THE NEED FOR A TIDELANDS LEASE EVEN IF RENT EXEMPT, TO CLARIFY THAT THE USE OF TIDELANDS FOR MUNICIPAL HARBORS REQUIRES A TIDELANDS LEASE WITH THE SECRETARY OF STATE, AND IN CONFORMITY THERETO; TO AMEND SECTIONS 87-1-5, 97-33-1, 97-33-7, 97-33-17, 97-33-25 AND 97-33-27, MISSISSIPPI CODE OF 1972, TO DEFINE AND CLARIFY THE AUTHORITY OF THE MISSISSIPPI GAMING COMMISSION IN DETERMINING LEGAL GAMING SITES AND PRELIMINARY SITE APPROVAL AND TO CLARIFY AREAS AUTHORIZED FOR GAMING CASINO OPERATIONS AND THE AUTHORITY OF THE COMMISSION TO REGULATE MINIMUM SIZE, MINIMUM IMPROVEMENTS AND OTHER PROJECT REQUIREMENTS; AND FOR RELATED PURPOSES.
By Senator(s) Blount, Thompson, Wiggins, England, Ladner

S. B. No. 2781: Insurance

AN ACT TO CREATE THE HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION SERVICES ACT; TO ENSURE HEALTH INSURANCE COVERAGE FOR STANDARD FERTILITY PRESERVATION SERVICES WHEN MEDICALLY NECESSARY TREATMENT MAY DIRECTLY OR INDIRECTLY CAUSE IATROGENIC INFERTILITY CONSISTENT WITH ESTABLISHED MEDICAL PRACTICE AND PROFESSIONAL GUIDELINES; TO PROVIDE THAT A CARRIER OFFERING HEALTH INSURANCE COVERAGE IN THIS STATE SHALL PROVIDE COVERAGE FOR STANDARD FERTILITY PRESERVATION SERVICES FOR ANY COVERED INDIVIDUAL WHO MAY UNDERGO A MEDICALLY NECESSARY TREATMENT THAT MAY DIRECTLY OR INDIRECTLY CAUSE IATROGENIC INFERTILITY; TO PROHIBIT A CARRIER WHO OFFERS HEALTH INSURANCE COVERAGE IN THIS STATE FOR STANDARD FERTILITY PRESERVATION SERVICES FROM IMPOSING CERTAIN EXCLUSIONS, LIMITATIONS OR OTHER RESTRICTIONS; AND FOR RELATED PURPOSES.
By Senator(s) Frazier

S. B. No. 2782: Insurance; Appropriations

AN ACT TO AMEND SECTION 27-7-1001, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN TERMS RELATED TO CATASTROPHE SAVINGS ACCOUNTS, INCLUDING DISASTER MITIGATION EXPENSES AND DISASTER RECOVERY EXPENSES; TO AMEND SECTION 27-7-1003, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE LIMITS ON THE TOTAL AMOUNT THAT MAY BE CONTRIBUTED TO A CATASTROPHE SAVINGS ACCOUNT IS AN ANNUAL LIMIT; TO AMEND SECTION 27-7-1005, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT CATASTROPHE SAVINGS ACCOUNTS MAY BE USED FOR QUALIFIED DISASTER MITIGATION EXPENSES; TO AMEND SECTION 83-1-191, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI COMPREHENSIVE HURRICANE AND WIND DAMAGE MITIGATION PROGRAM TRUST FUND SHALL FUND THE COMPREHENSIVE HURRICANE AND WIND DAMAGE MITIGATION PROGRAM; TO ADD "WIND" TO THE MISSISSIPPI COMPREHENSIVE HURRICANE DAMAGE MITIGATION PROGRAM; TO DELETE THE REPEALER; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE DESIGNATED AS THE "MISSISSIPPI COMPREHENSIVE HURRICANE AND WIND DAMAGE MITIGATION PROGRAM TRUST FUND; TO AMEND SECTION 83-2-33, MISSISSIPPI CODE OF 1972, TO PROVIDE FUNDS FOR THE MISSISSIPPI COMPREHENSIVE HURRICANE AND WIND DAMAGE MITIGATION PROGRAM; TO TRANSFER FIVE MILLION DOLLARS FROM THE SURPLUS LINES ASSOCIATION TO THE MISSISSIPPI COMPREHENSIVE HURRICANE AND WIND DAMAGE MITIGATION PROGRAM TRUST FUND; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2783: Insurance

AN ACT TO PROHIBIT HEALTH INSURANCE PLANS FROM MODIFYING, ON RENEWAL, AN INSURED'S CONTRACTED BENEFIT LEVEL FOR ANY PRESCRIPTION DRUG THAT WAS APPROVED OR COVERED UNDER THE PLAN IN THE IMMEDIATELY PRECEDING PLAN YEAR AND PRESCRIBED DURING THAT YEAR FOR A MENTAL ILLNESS; TO LIST MODIFICATIONS PROHIBITED; TO CLARIFY WHAT IS NOT PROHIBITED; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

S. B. No. 2784: Insurance

AN ACT TO BRING FORWARD SECTIONS 25-15-3, 25-15-5, 25-15-7, 25-15-9, 25-15-11, 25-15-13, 25-15-14, 25-15-15, 25-15-16, 25-15-17, 25-15-19, 25-15-23, 25-15-101, 25-15-103, 25-15-105, 25-15-301 AND 25-15-303, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE STATE EMPLOYEES LIFE AND HEALTH INSURANCE PLAN AND OTHER GROUP INSURANCE PLANS FOR GOVERNMENT EMPLOYEES, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2785: Business and Financial Institutions; Government Structure

AN ACT TO ESTABLISH THE MISSISSIPPI BULLION DEPOSITORY IN THE OFFICE OF THE STATE TREASURER; TO PROVIDE FOR THE APPOINTMENT AND DUTIES OF THE ADMINISTRATOR AND DEPUTY ADMINISTRATOR; TO PROVIDE THAT DEPOSITS MAY NOT BE CONSIDERED PART OF THE STATE GENERAL FUND OR CERTIFIED AS AVAILABLE FOR APPROPRIATION; TO PROVIDE FOR THE DEPOSIT OF CERTAIN MONIES TO THE STATE GENERAL FUND; TO PROVIDE FOR THE RECEIPT OF DEPOSITS; TO SPECIFY PROCEDURES; TO SPECIFY CERTAIN DUTIES OF THE STATE TREASURER; TO REQUIRE THE PROMULGATION OF RULES; TO ESTABLISH STANDARDS FOR TESTING AND AUTHENTICITY; TO PROVIDE FOR THE DELIVERY AND SHIPPING OF DEPOSITS HELD BY OR ON BEHALF OF THE DEPOSITORY; TO PROVIDE FOR THE ISSUANCE OF A DEBIT CARD TO THE DEPOSITORY ACCOUNT HOLDER; TO PROVIDE PROCEDURES FOR THE TRANSFER OF ACCOUNTS; TO PROVIDE FOR ACCOUNTING OF DEPOSITORY ACCOUNT BALANCES; TO SPECIFY PROCEDURES FOR THE ESTABLISHMENT OF DEPOSITORY ACCOUNTS; TO REQUIRE CONTRACTS AND SPECIFY TERMS; TO PROVIDE FOR CONTRACT AMENDMENTS; TO SPECIFY WHEN A CAUSE OF ACTION FOR DENIAL OF DEPOSIT LIABILITY MAY ACCRUE; TO AUTHORIZE THE STATE TREASURER TO ESTABLISH FEES AND PENALTIES; TO PROVIDE FOR PLEDGES AND TRANSFERS OF DEPOSITORY ACCOUNTS; TO PROHIBIT CERTAIN PAYMENTS; TO PROVIDE FOR LIENS ON DEPOSITORY ACCOUNTS AND PAYMENTS OF CERTAIN OBLIGATIONS; TO PROVIDE FOR INVESTMENTS BY CERTAIN PERSONS AND ENTITIES; TO PROVIDE FOR CREDIT AGAINST CERTAIN TAX; TO PROVIDE FOR GOVERNANCE OF CERTAIN LAWS; TO ALLOW THE PLEDGE OR TRANSFER OF JOINTLY HELD ACCOUNTS; TO PROVIDE THAT OWNERSHIP NOT BE SEVERED THEREBY; TO ALLOW THE DEPOSITORY OR DEPOSITORY AGENT TO ACCEPT ACCOUNTS IN THE NAME OF A FIDUCIARY; TO PROVIDE PROCEDURES IN CASES OF PERSONS CLAIMING TO BE TRUSTEES; TO PROVIDE THAT THE DEPOSITORY NOT HAVE FURTHER LIABILITY; TO REQUIRE THE DEPOSITORY TO RECOGNIZE CERTAIN AUTHORITY UPON NOTICE; TO REQUIRE THE DEPOSITORY TO ENTER INTO CERTAIN TRANSACTIONS AND RELATIONSHIPS; TO PROHIBIT CERTAIN ACTS; TO VOID CERTAIN ACTIONS TO CONTROL ACCOUNTS; TO PROVIDE PROCEDURES FOR THE DEPOSITORY IN SUCH INSTANCES; TO REQUIRE THE STATE TREASURER TO ESTABLISH EXCHANGE RATE REFERENCES AND ACCOUNTING AND REPORTING REQUIREMENTS; TO REQUIRE AN ANNUAL REPORT; TO PROVIDE PROCEDURES TO CONDUCT RETAIL TRANSACTIONS; TO PROVIDE FOR THE LICENSING AND APPOINTMENT OF DEPOSITORY AGENTS; TO SPECIFY REQUIREMENTS APPLICABLE TO DEPOSITORY AGENTS; TO PROVIDE FOR DEPOSITORY AGENT SERVICES; TO PROHIBIT CERTAIN ACTS BY UNLICENSED PERSONS; TO PROHIBIT LICENSURE OF CERTAIN PERSONS; TO SPECIFY THE

CIRCUMSTANCES UNDER WHICH A PERSON MAY ENGAGE IN THE BUSINESS OF DEPOSITORY AGENT SERVICES; TO PROVIDE FOR APPLICATION FOR A DEPOSITORY AGENT LICENSE; TO REQUIRE CERTAIN SECURITY; TO ALLOW TEMPORARY LICENSURE; TO SPECIFY THE LIABILITY, DUTIES AND PROHIBITED ACTS OF A DEPOSITORY AGENT LICENSE HOLDER; TO PROVIDE FOR THE REVOCATION OF LICENSES; TO PROHIBIT THE CONSIDERATION OF DEPOSITS AS ASSETS IN CERTAIN PROCEEDINGS; TO REQUIRE THE FURNISHING OF CERTAIN INFORMATION IN CONNECTION WITH TRANSACTIONS; AND FOR RELATED PURPOSES.
By Senator(s) Chism

S. B. No. 2786: Insurance
AN ACT TO PROVIDE FOR FRAMEWORK FOR THE DEPARTMENT OF INSURANCE TO REGULATE LENDER-PLACED INSURANCE ON REAL PROPERTY; TO PROVIDE CERTAIN EXCLUSIONS TO THE ACT; TO PLACE CERTAIN REQUIREMENTS ON LENDER-PLACED INSURANCE POLICIES; TO PROVIDE CERTAIN CALCULATIONS TO BE FOLLOWED FOR DETERMINING THE REPLACEMENT COST VALUE OF REAL PROPERTY THAT ARE SUBJECT TO SUCH POLICY; TO PROHIBIT INSURANCE PRODUCERS OR INSURERS FROM ISSUING LENDER-PLACED INSURANCE ON MORTGAGED PROPERTY IF THE INSURER OR INSURANCE PRODUCER OR AFFILIATE OF THE INSURER OR INSURANCE PRODUCER, OWNS, PERFORMS THE SERVICING FOR, OR OWNS THE SERVICING RIGHT TO, THE MORTGAGED PROPERTY; TO PROHIBIT NO INSURER OR INSURANCE PROVIDER FROM COMPENSATING A LENDER, INSURER, INVESTOR OR SERVICER, INCLUDING THROUGH THE PAYMENT OF COMMISSIONS, FOR LENDER-PLACED INSURANCE POLICIES ISSUED BY THE INSURER; TO ESTABLISH CERTAIN PROHIBITIONS; TO PROVIDE CERTAIN EXCEPTIONS TO THE APPLICATION OF THE ACT; TO SET CERTAIN REQUIRED ELEMENTS OF LENDER-PLACED INSURANCE POLICIES; TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ENFORCE THE PROVISIONS OF THE ACT; TO AUTHORIZE THE DEPARTMENT OF INSURANCE TO IMPOSE A MONETARY PENALTY FOR VIOLATIONS OF THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Kirby

S. B. No. 2787: Judiciary, Division A
AN ACT TO ESTABLISH THE "STATEWIDE INTERVENTION COURTS TASK FORCE" TO EVALUATE THE IMPLEMENTATION OF A STATEWIDE INTERVENTION COURT; TO PRESCRIBE THE MEMBERSHIP OF THE TASK FORCE AND PROVIDE FOR ITS ORGANIZATION; TO PROVIDE FOR A REPORT BY THE TASK FORCE; AND FOR RELATED PURPOSES.
By Senator(s) Hickman

S. B. No. 2788: Business and Financial Institutions; Government Structure
AN ACT TO REENACT AND AMEND SECTION 73-60-5, MISSISSIPPI CODE OF 1972, WHICH WAS REPEALED BY OPERATION OF LAW IN 2013, TO REVIVE THE HOME INSPECTOR REGULATORY BOARD; TO PROVIDE THAT THE POWERS AND DUTIES OF THE MISSISSIPPI REAL ESTATE COMMISSION IN REGARDS TO HOME INSPECTORS SHALL BE TRANSFERRED TO THE MISSISSIPPI REAL ESTATE APPRAISAL BOARD; TO AMEND SECTIONS 73-60-1, 73-60-3, 73-60-7, 73-60-9, 73-60-11 AND 73-60-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTION 73-60-17, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTIONS 73-60-21, 73-60-23, 73-60-27, 73-60-29, 73-60-31, 73-60-33, 73-60-35, 73-60-37, 73-60-39, 73-60-41, 73-60-45, 73-60-47 AND 73-34-9, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Sparks

S. B. No. 2789: Business and Financial Institutions

AN ACT TO CREATE SECTION 81-5-109, MISSISSIPPI CODE OF 1972, TO REQUIRE BANKS TO REPORT SUSPECTED FRAUDULENT WIRE TRANSFERS OF $10,000.00 OR MORE TO THE SECRET SERVICE AND MISSISSIPPI OFFICE OF HOMELAND SECURITY WITHIN 24 HOURS OF NOTICE; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

S. B. No. 2790: Judiciary, Division A; Appropriations

AN ACT TO AMEND SECTION 99-15-15, MISSISSIPPI CODE OF 1972, TO REQUIRE APPOINTMENT OF COUNSEL FOR CRIMINAL DEFENDANTS IN JUSTICE COURT WHO ARE INDIGENT; TO AMEND SECTION 99-15-17, MISSISSIPPI CODE OF 1972, TO SET A CERTAIN AMOUNT AS THE MAXIMUM COMPENSATION FOR AN APPOINTED ATTORNEY IN JUSTICE COURT; AND FOR RELATED PURPOSES.

By Senator(s) Barnett, Blackmon

S. B. No. 2791: Business and Financial Institutions

AN ACT TO AMEND SECTION 73-35-35, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI REAL ESTATE COMMISSION TO PROMULGATE RULES, REGULATIONS AND FORMS FOR VOLUNTARY USE OF MISSISSIPPI REAL ESTATE LICENSEES IN RESIDENTIAL REAL ESTATE TRANSACTIONS IN MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2792: Judiciary, Division A

AN ACT TO AMEND SECTION 25-7-9, MISSISSIPPI CODE OF 1972, TO WAIVE THE ADOPTION FILING FEE FOR CASES INVOLVING THE DEPARTMENT OF CHILD PROTECTION SERVICES; TO AMEND SECTION 93-15-107, MISSISSIPPI CODE OF 1972, TO REQUIRE SUMMONS TO BE ISSUED AND SERVED ON A CHILD WHO IS 12 YEARS OR OLDER IN AN INVOLUNTARY TERMINATION OF PARENTAL RIGHTS PROCEEDING; TO PROVIDE THAT THE MINOR CHILD SHALL BE REPRESENTED BY COUNSEL THROUGHOUT THE PROCEEDINGS; TO REQUIRE THE COURT TO CONSIDER THE CHILD'S PREFERENCES, IF ANY, IF THE CHILD IS 14 YEARS OR OLDER AT THE TIME OF THE HEARING; TO PROVIDE THAT THE STYLE OF THE CASE SHALL NOT INCLUDE THE CHILD'S NAME; TO REQUIRE A COURT TO HOLD A HEARING ON THE PETITION WITHIN A CERTAIN PERIOD OF DAYS; TO AUTHORIZE THE COURT TO CONTINUE THE HEARING UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 43-21-201, MISSISSIPPI CODE OF 1972, TO REQUIRE A YOUTH COURT JUDGE TO APPOINT COUNSEL FOR AN INDIGENT CUSTODIAL PARENT OR GUARDIAN WHO IS A PARTY IN AN ABUSE, NEGLECT OR TERMINATION OF PARENTAL RIGHTS PROCEEDING; TO AUTHORIZE A YOUTH COURT JUDGE TO APPOINT COUNSEL FOR AN INDIGENT NONCUSTODIAL PARENT IF THE YOUTH COURT JUDGE DETERMINES THAT THE PARENT HAS DEMONSTRATED A SIGNIFICANT CUSTODIAL RELATIONSHIP WITH THE CHILD; TO CLARIFY THE DUTY OF AN ATTORNEY UNDER THE SECTION; TO PROVIDE THAT THE DEPARTMENT OF CHILD PROTECTION SERVICES SHALL HAVE THE RIGHT TO BE REPRESENTED BY AGENCY COUNSEL AT ALL STAGES OF THE PROCEEDINGS INVOLVING A CHILD FOR WHOM THE DEPARTMENT HAS CUSTODY OF; TO AMEND SECTION 43-21-105, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "NEGLECTED CHILD" AND "REASONABLE EFFORTS"; TO AMEND SECTION 43-21-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT JURISDICTION OF THE YOUTH COURT SHALL ATTACH AT THE OF THE OFFENSE, OR AT THE TIME OF THE ALLEGATION OF ABUSE, NEGLECT OR EXPLOITATION; TO CREATE A NEW SECTION WITHIN TITLE 43, CHAPTER 21, MISSISSIPPI CODE OF 1972, TO PROVIDE A NONCOMPREHENSIVE LIST OF REASONS THAT WOULD CONSTITUTE COMPELLING AND EXTRAORDINARY REASONS WHY TERMINATION OF PARENTAL RIGHTS WOULD NOT BE IN THE CHILD'S BEST INTERESTS; TO CREATE A NEW SECTION WITHIN TITLE 93, CHAPTER 15, MISSISSIPPI CODE OF 1972, TO PROVIDE A NONCOMPREHENSIVE LIST OF REASONS THAT WOULD

CONSTITUTE COMPELLING AND EXTRAORDINARY REASONS WHY TERMINATION OF PARENTAL RIGHTS WOULD NOT BE IN THE CHILD'S BEST INTERESTS; TO AMEND SECTION 43-21-613, MISSISSIPPI CODE OF 1972, TO REVISE THE TIMELINE FOR AND FREQUENCY OF PERMANENCY HEARINGS; TO AMEND SECTION 93-15-121, MISSISSIPPI CODE OF 1972, TO CLARIFY A GROUND FOR THE TERMINATION OF A PARENT'S PARENTAL RIGHTS; TO AMEND SECTION 97-5-39, MISSISSIPPI CODE OF 1972, TO CONFORM THE SECTION TO THE REVISED DEFINITION OF "NEGLECTED CHILD"; TO DEFINE "TORTURE" FOR THE PURPOSES OF FELONY CHILD ABUSE; TO AMEND SECTION 43-21-651, MISSISSIPPI CODE OF 1972, TO CLARIFY THE RIGHT OF APPEAL FROM YOUTH COURT; TO AMEND SECTION 43-21-351, MISSISSIPPI CODE OF 1972, TO REQUIRE YOUTH COURT INTAKE OFFICERS TO RECEIVE TRAINING ON MYCIDS; REQUIRE THE MISSISSIPPI JUDICIAL COLLEGE, IN CONJUNCTION WITH THE ADMINISTRATIVE OFFICE OF COURTS, TO DEVELOP TRAINING MATERIALS ON MYCIDS; TO AMEND SECTION 43-21-801, MISSISSIPPI CODE OF 1972, TO REQUIRE YOUTH COURT JUDGES TO RECEIVE AT LEAST 1 HOUR OF ANNUAL CONTINUING EDUCATION CONCERNING OVERSIGHT OF YOUTH COURT INTAKE OFFICERS AND MYCIDS; TO AMEND SECTIONS 43-21-301, 43-21-303 AND 93-17-3, MISSISSIPPI CODE OF 1972, TO CONFORM; TO BRING FORWARD SECTION 43-21-121, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT PROVIDES FOR THE APPOINTMENT OF GUARDIAN AD LITEMS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 93-15-111, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT PROVIDE FOR THE TERMINATION OF PARENTAL RIGHTS BY WRITTEN VOLUNTARY RELEASE, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2793: Accountability, Efficiency, Transparency
AN ACT TO REQUIRE APPOINTMENTS TO STATE AGENCIES, BOARDS AND COMMISSION POSITIONS TO REFLECT THE DEMOGRAPHIC OF THE AREA THEY ARE APPOINTED TO SERVE; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2794: Accountability, Efficiency, Transparency
AN ACT TO CREATE THE "MISSISSIPPI TOURISM REORGANIZATION ACT"; TO CREATE THE MISSISSIPPI DEPARTMENT OF TOURISM; TO REQUIRE THE GOVERNOR TO APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, AN EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TOURISM; TO PRESCRIBE THE GENERAL POWERS AND DUTIES OF THE DEPARTMENT OF TOURISM AND THE EXECUTIVE DIRECTOR; TO AUTHORIZE THE DEPARTMENT OF TOURISM TO ESTABLISH A PROGRAM OF GRANTS TO BE MATCHED BY TOURISM ENTITIES IN THE STATE; TO AUTHORIZE THE DEPARTMENT OF TOURISM TO SELL ADVERTISING AND OTHER TOURISM PROMOTIONAL INFORMATION AND TO CREATE THE MISSISSIPPI DEPARTMENT OF TOURISM ADVERTISING FUND; TO CREATE THE MISSISSIPPI TOURISM ASSOCIATION MARKETING ADVISORY BOARD TO ASSIST THE DEPARTMENT OF TOURISM; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO DIVERT A PORTION OF SALES TAX REVENUE COLLECTED FROM RESTAURANTS AND HOTELS INTO THE DEPARTMENT OF TOURISM ADVERTISING FUND INSTEAD OF THE MISSISSIPPI DEVELOPMENT AUTHORITY TOURISM FUND; TO REPEAL SECTION 57-1-59, MISSISSIPPI CODE OF 1972, WHICH PROVIDES GENERAL POWERS AND DUTIES OF THE MISSISSIPPI DEVELOPMENT AUTHORITY WITH RESPECT TO TOURISM; TO REPEAL SECTION 57-1-60, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ESTABLISH A PROGRAM OF GRANTS TO FINANCE, PROMOTE AND ADVERTISE LOCAL TOURIST ATTRACTIONS; TO REPEAL SECTION 57-1-61, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE TRANSFER OF FUNCTIONS OF THE TRAVEL AND TOURISM DIVISION OF THE AGRICULTURAL AND INDUSTRIAL BOARD TO THE DEPARTMENT OF ECONOMIC DEVELOPMENT; TO REPEAL SECTION 57-1-63, MISSISSIPPI CODE

OF 1972, WHICH PROVIDES FOR THE TRANSFER OF POWERS AND DUTIES OF STATE AGENCIES RELATING TO TOURISM TO THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO REPEAL SECTION 57-1-64, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE MISSISSIPPI DEVELOPMENT AUTHORITY TO SELL ADVERTISING AND OTHER TOURISM INFORMATION AND CREATES THE MISSISSIPPI DEVELOPMENT AUTHORITY TOURISM ADVERTISING FUND; TO REPEAL SECTION 57-1-64.1, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI TOURISM ASSOCIATION MARKETING ADVISORY BOARD TO ASSIST THE MISSISSIPPI DEVELOPMENT AUTHORITY; AND FOR RELATED PURPOSES.
By Senator(s) Thompson

S. B. No. 2795: Rules
AN ACT TO DESIGNATE THE KEMP'S RIDLEY, THE MOST ENDANGERED SEA TURTLE IN THE WORLD, AS THE "OFFICIAL STATE SEA TURTLE OF THE STATE OF MISSISSIPPI"; AND FOR RELATED PURPOSES.
By Senator(s) Thompson

S. B. No. 2796: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 57-1-57, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO FILE WITH THE SECRETARY OF THE SENATE AND THE CLERK OF THE HOUSE OF REPRESENTATIVES A COPY OF ITS STUDY TO DETERMINE IF THERE IS A SIGNIFICANT STATISTICAL DISPARITY IN THE TOTAL NUMBER OF QUALIFIED MINORITY CONTRACTORS OF GOODS AND SERVICES DOING BUSINESS IN THE STATE OF MISSISSIPPI AND THE ACTUAL NUMBER OF SUCH MINORITY CONTRACTORS WITH WHOM THE STATE OF MISSISSIPPI, OR WITH WHOM A PRIME CONTRACTOR WITH THE STATE OF MISSISSIPPI, HAS CONTRACTED TO PROVIDE GOODS AND SERVICES; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2797: Appropriations
AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF MENTAL HEALTH FOR THE PURPOSE OF FUNDING THE CIVIL COMMITMENT REFORM GRANT PROGRAM FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.
By Senator(s) Horhn

S. B. No. 2798: Accountability, Efficiency, Transparency
AN ACT TO CREATE THE STATE TRUTH COMMISSION; TO PRESCRIBE POWERS AND DUTIES OF THE COMMISSION; TO PROVIDE FOR THE ESTABLISHMENT OF PROCEDURES TO INVESTIGATE GRIEVANCES REGISTERED WITH THE COMMISSION; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2799: Government Structure
AN ACT RELATING TO APPOINTMENTS TO STATE BOARDS AND COMMISSIONS AND AGENCY DIRECTOR POSITIONS BY PUBLIC OFFICIALS WHICH REQUIRE SENATE CONFIRMATION; TO AMEND SECTION 7-1-35, MISSISSIPPI CODE OF 1972, TO REVISE AND STANDARDIZE TERMS OF OFFICE, PROCEDURES FOR FILLING VACANCIES AND THE RESPONSIBILITIES OF THE SECRETARY OF STATE REGARDING SAID APPOINTMENTS, AND TO CLARIFY THAT ANY ACTION TAKEN BY A BOARD WHOSE MEMBERS' TERM OF OFFICE HAS EXPIRED IS NULL AND VOID; TO AMEND SECTIONS 43-28-7, 73-33-3, 49-15-301, 69-15-2, 73-1-5, 39-11-1, 75-75-103, 73-4-7, 37-169-3, 73-75-7, 81-1-61, 81-3-12, 73-5-1, 43-3-103, 39-27-1, 31-13-1, 57-10-167, 29-5-213, 37-28-7, 73-6-3, 39-5-91, 59-7-125, 37-155-7, 65-1-46, 19-5-333, 37-4-3, 31-3-3, 69-44-3, 47-5-8, 73-7-1, 73-30-5, 45-39-3, 73-9-7, 43-26-1, 57-1-5, 43-13-107, 37-1-1, 37-63-3, 69-7-253, 73-69-21, 33-15-7, 41-59-7, 71-5-107, 73-13-5, 49-2-5, 25-4-5, 69-5-1, 27-104-101, 73-36-9, 49-19-1, 73-11-43, 75-76-9, 73-63-9, 55-15-21, 59-7-407, 59-5-21, 59-11-3, 61-3-7, 25-15-303, 41-3-1.1, 43-33-

704, 41-73-7,43-1-2, 25-53-7, 73-73-23, 45-4-3, 69-46-3, 73-2-13, 45-6-5, 39-3-101, 27-115-9, 49-15-305, 73-67-9, 73-43-3, 41-4-3, 63-17-57, 73-17-7, 73-15-9, 53-1-5, 73-19-7, 47-7-5, 51-15-1, 69-48-3, 51-9-1, 25-9-109, 43-13-107, 73-21-75, 73-23-41, 73-29-7, 37-106-9, 73-31-5, 25-11-15, 27-104-7, 45-1-2, 51-35-317, 73-34-7, 73-35-5, 37-33-155, 25-58-21, 73-59-21, 27-3-1, 69-10-2, 55-5-53, 49-17-45, 25-43-4.103, 73-53-8, 69-9-3, 65-9-9, 27-4-1, 51-27-1, 41-113-9, 51-13-105, 11-46-18, 77-13-29, 49-17-422, 7-1-501, 7-1-503, 35-1-1, 35-7-7, 73-39-55, 43-55-5, 35-3-24, 49-4-4, 83-34-7, 43-59-3, 71-3-85, 37-153-7, 59-7-125 AND 59-17-23, MISSISSIPPI CODE OF 1972, TO REVISE THE PROCEDURES AND TERMS OF OFFICE FOR THE APPOINTMENTS OF MEMBERS TO CERTAIN STATE BOARDS, AGENCIES, AND OTHER GOVERNMENT ENTITIES AND AUTHORITIES WHICH REQUIRE SENATE CONFIRMATION; AND FOR RELATED PURPOSES.
By Senator(s) Sparks

S. B. No. 2800: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 31-5-51, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERFORMANCE BOND IS NOT REQUIRED WHEN A CONTRACT FOR THE CONSTRUCTION, ALTERATION OR REPAIR OF ANY PUBLIC BUILDING OR PUBLIC WORK IS LESS THAN $50,000.00 AND THE PUBLIC BODY ELECTS TO MAKE TWO PAYMENTS VALUED AT 50% OF THE CONTRACT AMOUNT; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2801: Finance
AN ACT TO AMEND SECTION 27-19-56.549, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF CLARKDALE HIGH SCHOOL IN LAUDERDALE COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.
By Senator(s) Tate

S. B. No. 2802: Accountability, Efficiency, Transparency
AN ACT TO BRING FORWARD SECTION 27-104-7, MISSISSIPPI CODE OF 1972, WHICH CREATES THE PUBLIC PROCUREMENT REVIEW BOARD, FOR POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Parker

S. B. No. 2803: Finance
AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2804: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE PURPOSE OF SUPPORTING ALCORN STATE UNIVERSITY FOR THE FISCAL YEAR 2025.
By Senator(s) Butler, Simmons (13th), Thomas, Horhn, Frazier, Norwood, Jordan

S. B. No. 2805: Appropriations
AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO CLAIBORNE COUNTY TO DEFRAY EXPENSES FOR THE IMPROVEMENT AND CONSTRUCTION OF BALL FIELDS, BASKETBALL COURTS, OTHER PLAYGROUND EQUIPMENT AND A MULTIPURPOSE COMMUNITY CENTER FOR FISCAL YEAR 2025.
By Senator(s) Butler, Thomas, Jordan

S. B. No. 2806: Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO CLAIBORNE COUNTY TO DEFRAY EXPENSES FOR RENOVATIONS TO THE CLAIBORNE COUNTY LIBRARY FOR FISCAL YEAR 2025.

By Senator(s) Butler, Chism, Robinson, Hickman, Norwood, McLendon, Jordan

S. B. No. 2807: Finance

AN ACT TO AMEND SECTION 27-19-44, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DISTINCTIVE MOTOR VEHICLE LICENSE TAG AUTHORIZED TO BE ISSUED TO SUPPORTERS OF THE GARDEN CLUBS OF MISSISSIPPI, INC., MAY BE ISSUED AFTER PROOF HAS BEEN SUBMITTED TO THE DEPARTMENT OF REVENUE THAT 100 OF SUCH TAGS WILL BE PURCHASED; AND FOR RELATED PURPOSES.

By Senator(s) Tate

S. B. No. 2808: Finance

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 2809: Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEFRAY COSTS TO REPAIR, UPGRADE AND/OR RENOVATE THE STATE FAIRGROUNDS LOCATED IN JACKSON, MISSISSIPPI FOR THE FISCAL YEAR 2024.

By Senator(s) Younger

S. B. No. 2810: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO EXTEND THE EXEMPTION FROM THE PUBLIC PROCUREMENT REVIEW BOARD CERTAIN CONTRACTS ENTERED INTO BY THE COORDINATOR OF MENTAL HEALTH ACCESSIBILITY UNTIL 2027; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

S. B. No. 2811: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 57-1-14, MISSISSIPPI CODE OF 1972, TO EXEMPT CERTAIN RECORDS OF A PUBLIC BODY CONCERNING ECONOMIC DEVELOPMENT PROJECTS FROM THE MISSISSIPPI PUBLIC RECORDS ACT OF 1983 FOR A CERTAIN PERIOD OR DURING THE PERIOD OF REVIEW AND NEGOTIATION ON A PROJECT PROPOSAL; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

S. B. No. 2812: Judiciary, Division A

AN ACT TO STATE LEGISLATIVE FINDINGS REGARDING MEN AND WOMEN CONCERNING THEIR STATUS AS LEGALLY EQUAL BUT POSSESSING UNIQUE AND IMMUTABLE BIOLOGICAL DIFFERENCES THAT MANIFEST PRIOR TO BIRTH AND INCREASE AS THEY AGE AND EXPERIENCE PUBERTY; TO CREATE NEW SECTION 1-3-40, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS OF "WOMAN," "MAN," "GIRL," "BOY," "MOTHER," "FATHER," "MALE," "FEMALE" AND "SEX" WHEN THE TERMS ARE USED IN ANY STATUTE IN ORDER TO PREVENT UNJUST DISCRIMINATION, MAINTAIN SAFETY, PROTECT PRIVACY, AND ENSURE FAIRNESS; TO PROVIDE FOR SEVERABILITY OF THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Robinson, Rhodes

S. B. No. 2813: Judiciary, Division A

AN ACT TO CREATE NEW SECTION 1-3-82, MISSISSIPPI CODE OF 1972, TO DEFINE THE WORD "FEMALE" WHEN USED IN ANY STATUTE; TO CREATE NEW

SECTION 1-3-83, MISSISSIPPI CODE OF 1972, TO DEFINE THE WORD "MALE" WHEN USED IN ANY STATUTE; TO CREATE NEW SECTION 1-3-84, MISSISSIPPI CODE OF 1972, TO DEFINE THE WORD "SEX" WHEN USED IN ANY STATUTE; TO CREATE NEW SECTION 41-57-8, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT A BIRTH CERTIFICATE MUST INCLUDE, BUT NOT BE LIMITED TO, THE CHILD'S NAME, THE CHILD'S PARENTS' NAMES, IF KNOWN, THE BIRTHPLACE OF THE CHILD, THE SEX OF THE CHILD, IDENTIFIED AS MALE OR FEMALE, AS APPLICABLE; TO PROVIDE THAT THE DESIGNATION OF THE SEX OF AN INDIVIDUAL ON A BIRTH CERTIFICATION SHALL NOT BE CHANGED UNLESS A MISTAKE WAS MADE AT THE TIME THE BIRTH CERTIFICATE WAS ISSUED; TO AMEND SECTIONS 41-57-21, 41-57-23, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2814: Judiciary, Division A; Education

AN ACT TO ENACT THE TITLE IX PRESERVATION ACT; TO PROVIDE INTERPRETATION AND CLARIFICATION OF CERTAIN TERMS RELATING TO TITLE IX OF THE FEDERAL CODE; TO STATE LEGISLATIVE INTENT; TO CLARIFY TERMS FOR THE PURPOSES OF STATE LAW; TO PROVIDE THAT POLICIES AND LAWS THAT DISTINGUISH BETWEEN THE SEXES ARE SUBJECT TO INTERMEDIATE CONSTITUTIONAL SCRUTINY; TO REQUIRE THE STATE OR A LOCAL GOVERNMENTAL ENTITY TO DISAGGREGATE THE DATA OF INDIVIDUALS BY SEX BASED ON THE BIOLOGICAL SEX OF INDIVIDUALS AT BIRTH WHEN THE STATE OR LOCAL GOVERNMENTAL ENTITY GATHERS THE DATA OF INDIVIDUALS THAT IS DISAGGREGATED BY SEX; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2815: Judiciary, Division A

AN ACT TO STATE LEGISLATIVE FINDINGS REGARDING THE FUNDAMENTAL RIGHT OF PARENTS TO DIRECT THE EDUCATION, UPBRINGING, CARE AND CONTROL OF THEIR CHILDREN; TO RECOGNIZE THAT THE LIBERTY INTEREST OF A PARENT IN THE NURTURE, EDUCATION, CARE, CUSTODY, AND CONTROL OF THE PARENT'S CHILD IS A FUNDAMENTAL RIGHT; TO PROHIBIT AN AGENCY OR OFFICER OF THIS STATE OR ANY AGENCY OR OFFICER OF ANY SUBDIVISION OF THIS STATE FROM INFRINGING ON FUNDAMENTAL PARENTAL RIGHTS EXCEPT AS PROVIDED BY LAW NARROWLY TAILORED TO MEET A COMPELLING GOVERNMENTAL INTEREST BY THE LEAST RESTRICTIVE MEANS; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2816: Judiciary, Division A; Appropriations

AN ACT TO ENACT THE CIVIL COMMITMENT REFORM ACT; TO DEFINE TERMS; TO CREATE THE CIVIL COMMITMENT REFORM GRANT PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF MENTAL HEALTH FOR THE PURPOSE OF ENSURING THAT NO PERSON IS HELD IN JAIL PRIOR TO CIVIL COMMITMENT FOR MENTAL HEALTH TREATMENT BY EXPANDING AVAILABLE FACILITIES AT THE COMMUNITY MENTAL HEALTH CENTERS THROUGHOUT THE STATE; TO PROVIDE THAT EACH COMMUNITY MENTAL HEALTH CENTER SHALL RECEIVE A MINIMUM AMOUNT UNDER THE GRANT PROGRAM; TO REQUIRE THE DEPARTMENT TO PROMULGATE RULES AND REGULATIONS TO ADMINISTER THE GRANT PROGRAM; TO CREATE THE CIVIL COMMITMENT REFORM FUND AS A SPECIAL FUND IN THE STATE TREASURY; TO PROVIDE THAT MONIES APPROPRIATED OUT OF THE FUND MAY BE USED TO REIMBURSE ACTUAL OVERSIGHT COSTS UP TO A CERTAIN AMOUNT; TO AMEND SECTION 41-21-67, MISSISSIPPI CODE OF 1972, TO DELETE THE AUTHORITY OF A COURT TO HOLD A PERSON IN JAIL PRIOR TO CIVIL COMMITMENT; TO AMEND SECTION 41-20-5, MISSISSIPPI CODE OF 1972, TO AMEND THE POWERS AND DUTIES OF THE COORDINATOR OF MENTAL HEALTH ACCESSIBILITY; TO REQUIRE THE COORDINATOR TO DETERMINE RELEVANT FACTORS TO BE CONSIDERED IN THE DISTRIBUTION OF GRANTS UNDER THIS

ACT; TO REPEAL SECTION 41-21-68, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE AUTHORITY FOR REGIONAL COMMISSIONS TO ESTABLISH HOLDING FACILITIES FOR PERSONS FOR THE PURPOSE OF CIVIL COMMITMENT; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2817: Judiciary, Division A
AN ACT TO CREATE THE "MISSISSIPPI FAIR HOUSING ACT"; TO DEFINE CERTAIN TERMS AS USED IN THE ACT; TO MAKE LEGISLATIVE DECLARATION THAT THE OPPORTUNITY TO OBTAIN HOUSING AND OTHER REAL ESTATE WITHOUT DISCRIMINATION IS A CIVIL RIGHT; TO PROHIBIT CERTAIN CONDUCT IN REAL ESTATE TRANSACTIONS WITH EXCEPTION; TO PROHIBIT CERTAIN CONDUCT IN REAL ESTATE FINANCING WITH EXCEPTION; TO PROHIBIT CERTAIN REPRESENTATIONS IN REAL ESTATE TRANSACTIONS; TO PROHIBIT RETALIATION; TO PROVIDE A CIVIL REMEDY FOR VIOLATIONS OF THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2818: Business and Financial Institutions; Finance
AN ACT TO CREATE THE MISSISSIPPI SAVINGS INITIATIVE; TO AUTHORIZE THE CREATION OF INDIVIDUAL DEVELOPMENT ACCOUNTS FOR LOW-INCOME INDIVIDUALS THAT MAY BE UTILIZED BY THE ACCOUNT HOLDER FOR CERTAIN PURPOSES; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF BANKING AND CONSUMER FINANCE TO CONTRACT WITH FIDUCIARY ORGANIZATIONS TO SERVE AS INTERMEDIARIES BETWEEN INDIVIDUAL DEVELOPMENT ACCOUNT HOLDERS AND FINANCIAL INSTITUTIONS HOLDING ACCOUNT FUNDS; TO PROVIDE THAT THE GROSS HOUSEHOLD INCOME OF INDIVIDUAL DEVELOPMENT ACCOUNT HOLDERS MAY NOT EXCEED 185% OF THE POVERTY LEVEL AND THE ACCOUNT HOLDER'S NET WORTH MAY NOT EXCEED $10,000.00; TO REQUIRE INDIVIDUALS OPENING AN INDIVIDUAL DEVELOPMENT ACCOUNT TO ENTER INTO AN AGREEMENT WITH A FIDUCIARY ORGANIZATION; TO PROVIDE THAT THE DEPARTMENT OF HUMAN SERVICES SHALL PROVIDE MATCHING FUNDS FOR AMOUNTS CONTRIBUTED TO THE INDIVIDUAL DEVELOPMENT ACCOUNT BY THE INDIVIDUAL DEVELOPMENT ACCOUNT HOLDER; TO LIMIT THE AMOUNT OF MATCHING FUNDS THAT MAY BE PROVIDED FOR AN INDIVIDUAL DEVELOPMENT ACCOUNT; TO PROVIDE THE PURPOSES FOR WHICH INDIVIDUAL DEVELOPMENT ACCOUNTS MAY BE UTILIZED; TO PROVIDE CIVIL PENALTIES FOR THE WITHDRAWAL OF INDIVIDUAL DEVELOPMENT ACCOUNT FUNDS FOR PURPOSES OTHER THAN THOSE AUTHORIZED UNDER THIS ACT; TO REQUIRE FIDUCIARY ORGANIZATIONS TO MAKE QUARTERLY REPORTS TO THE MISSISSIPPI DEPARTMENT OF BANKING AND CONSUMER FINANCE CONTAINING CERTAIN INFORMATION; TO PROVIDE THAT FUNDS DEPOSITED IN AN INDIVIDUAL DEVELOPMENT ACCOUNT SHALL NOT BE COUNTED AS INCOME, ASSETS OR RESOURCES OF THE INDIVIDUAL IN DETERMINING FINANCIAL ELIGIBILITY FOR ASSISTANCE OR SERVICES PURSUANT TO ANY FEDERAL, FEDERALLY ASSISTED, STATE OR MUNICIPAL PROGRAM BASED ON NEED; TO AUTHORIZE THE USE OF TEMPORARY ASSISTANCE OF NEEDY FAMILY FUNDS AS MATCHING FUNDS; AND FOR RELATED PURPOSES.
By Senator(s) Horhn, Parker

S. B. No. 2819: Business and Financial Institutions
AN ACT TO AMEND SECTIONS 27-105-5, 27-105-303, 27-105-305, 27-105-315 AND 27-105-353, MISSISSIPPI CODE OF 1972, TO ALLOW UNITED STATES TREASURY-CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND CREDIT UNIONS WHOSE ACCOUNTS ARE INSURED BY THE NATIONAL CREDIT UNION ADMINISTRATION TO QUALIFY AS PUBLIC FUNDS DEPOSITORIES AND ACCEPT PUBLIC FUNDS FROM COUNTIES, MUNICIPALITIES AND OTHER LOCAL GOVERNMENTAL UNITS; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2820: Gaming; Finance

AN ACT TO AMEND SECTIONS 67-1-71, 87-1-5, 97-33-1, 97-33-7, 97-33-17, 97-33-25 AND 97-33-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE GAMING TO BE CONDUCTED ON VESSELS AS DEFINED IN SECTION 27-109-1 WHENEVER SUCH VESSEL IS ON THE PEARL RIVER OR AN ADJOINING BODY OF WATER WITHIN THE CORPORATE LIMITS OF A MUNICIPALITY WITH A POPULATION OF 145,000 OR MORE ACCORDING TO THE MOST RECENT FEDERAL DECENNIAL CENSUS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2821: Judiciary, Division A

AN ACT TO BRING FORWARD SECTIONS 9-23-1 THROUGH 9-23-23, MISSISSIPPI CODE OF 1972, WHICH ARE THE PROVISIONS THAT ENACT THE ALYCE GRIFFIN CLARKE INTERVENTION COURT ACT; TO AMEND SECTION 9-23-11, MISSISSIPPI CODE OF 1972, TO MAKE A NONSUBSTANTIVE, TECHNICAL REVISION; TO BRING FORWARD SECTION 9-23-51, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT ESTABLISHES THE DRUG COURT FUND IN THE STATE TREASURY FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-25-1, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT CREATE THE VETERAN TREATMENT COURTS FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 9-27-1 THROUGH 9-27-21, MISSISSIPPI CODE OF 1972, WHICH ARE THE PROVISIONS THAT ENACT THE RIVERS MCGRAW MENTAL HEALTH TREATMENT COURT ACT FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

S. B. No. 2822: Judiciary, Division A

AN ACT TO BRING FORWARD SECTION 9-21-1, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-21-3, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-21-5, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-21-7, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-21-9, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-21-11, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-21-13, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-21-14, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-21-15, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-21-17, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-21-19, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

S. B. No. 2823: Medicaid

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE PROVISIONS THAT PROVIDE FOR MEDICAID ELIGIBILITY, TO CONFORM WITH FEDERAL LAW TO ALLOW CHILDREN IN FOSTER CARE TO BE ELIGIBLE UNTIL THEIR TWENTY SIXTH BIRTHDAY; TO AUTHORIZE THE DIVISION OF MEDICAID TO APPLY FOR A FEDERAL FAMILY PLANNING WAIVER OR TO AMEND ITS STATE PLAN FOR SUCH PURPOSE; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE PROVISIONS THAT PROVIDE FOR MEDICAID SERVICES, TO COMPLY WITH FEDERAL LAW; TO PROVIDE THAT THE DIVISION OF MEDICAID SHALL UPDATE THE CASE MIX PAYMENT SYSTEM AND FAIR RENTAL REIMBURSEMENT SYSTEM AS NECESSARY TO MAINTAIN COMPLIANCE WITH

FEDERAL LAW; TO REVISE CERTAIN PROVISIONS RELATED TO FAMILY PLANNING SERVICES, INCLUDING THAT CONTRACEPTIVES MAY BE PRESCRIBED AND DISPENSED IN TWELVE MONTH SUPPLY INCREMENTS; TO DELETE TECHNICAL PROVISIONS RELATED TO THE MISSISSIPPI HOSPITAL ACCESS PROGRAM (MHAP); TO PROVIDE THAT THE DIVISION SHALL CONTRACT WITH THE STATE DEPARTMENT OF HEALTH TO PROVIDE PERINATAL HIGH RISK MANAGEMENT/INFANT SERVICES SYSTEM FOR ANY ELIGIBLE BENEFICIARY THAT CANNOT RECEIVE SUCH SERVICES UNDER A DIFFERENT PROGRAM; TO AUTHORIZE THE DIVISION TO REIMBURSE FOR SERVICES AT CERTIFIED COMMUNITY BEHAVIORAL HEALTH CENTERS; TO EXTEND THE DATE OF REPEAL ON SUCH SECTION; TO REQUIRE THE DIVISION TO COVER A CONTINUING GLUCOSE MONITORING (CGM) SERVICE AS A PHARMACY BENEFIT WHEN CERTAIN CONDITIONS ARE MET; TO INCLUDE ADDITIONAL LICENSED PROVIDERS IN THE DIVISION'S UPPER PAYMENT LIMITS PROGRAM; TO REQUIRE THE DIVISION TO PROVIDE REIMBURSEMENT FOR BEHAVIORAL HEALTH ASSESSMENT AND INTERVENTION SERVICES, PROVIDED BY ANY QUALIFIED LICENSED BEHAVIORAL HEALTH PROVIDER APPROVED BY CMS, AS DETERMINED BY THE DIVISION; TO REQUIRE THE DIVISION TO REIMBURSE AMBULANCE TRANSPORTATION SERVICES PROVIDERS THAT PROVIDE AN ASSESSMENT, TRIAGE, TREAT OR TRANSPORT ELIGIBLE MEDICAID BENEFICIARIES TO AN ALTERNATIVE DESTINATION IN THIS STATE OR PROVIDE AN ASSESSMENT OR TREAT ELIGIBLE MEDICAID BENEFICIARIES IN PLACE; TO SET CERTAIN REIMBURSEMENT LEVELS FOR SUCH PROVIDERS; TO AMEND SECTION 43-13-305, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATED TO MEDICAID AND THIRD PARTY BENEFITS TO COMPLY WITH FEDERAL LAW; TO AMEND SECTION 43-11-1, MISSISSIPPI CODE OF 1972, TO DEFINE ADULT DAY CARE FACILITY; TO AMEND SECTION 43-11-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT BEGINNING JULY 1, 2025, TO OPERATE AN ADULT DAY CARE CENTER IN MISSISSIPPI, A FACILITY PROVIDER SHALL BE LICENSED WITH THE LICENSING DIVISION OF THE STATE DEPARTMENT OF HEALTH; TO ESTABLISH THAT MISSISSIPPI MEDICAID WAIVER PROVIDERS ARE REQUIRED TO HAVE A STATE LICENSE AND HAVE A MEDICAID PROVIDER CONTRACT WITH THE DIVISION OF MEDICAID; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2824: Medicaid; Appropriations

AN ACT TO PROVIDE FOR THE LICENSURE AND REGULATION OF ADULT RESIDENTIAL TREATMENT FACILITIES AND ADULT SUPPORTIVE RESIDENTIAL FACILITIES BY THE STATE DEPARTMENT OF MENTAL HEALTH; TO DIRECT THE STATE BOARD OF MENTAL HEALTH TO ADOPT RULES PROVIDING FOR FACILITY REQUIREMENTS AND MINIMUM PROGRAMMATIC, STAFFING AND OPERATIONAL REQUIREMENTS OF SERVICES OFFERED AT THE FACILITIES; TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON, PARTNERSHIP, ASSOCIATION, CORPORATION OR OTHER ENTITY TO OWN OR OPERATE AN ADULT MENTAL HEALTH FACILITY WITHOUT HAVING APPLIED FOR AND OBTAINED A LICENSE FROM THE DEPARTMENT; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MENTAL HEALTH SERVICES PROVIDED BY ADULT RESIDENTIAL TREATMENT FACILITIES AND ADULT SUPPORTIVE RESIDENTIAL FACILITIES SHALL BE COVERED UNDER THE MEDICAID PROGRAM; TO PRESCRIBE THE INITIAL FEE SCHEDULES FOR THE FOUR LEVELS OF CARE PROVIDED IN THOSE FACILITIES; TO DIRECT THE DIVISION OF MEDICAID TO APPLY FOR A FEDERAL WAIVER AS NECESSARY TO ALLOW FOR THE IMPLEMENTATION OF THE PROVISIONS OF THIS ACT; TO EXTEND THE DATE OF THE REPEALER ON THAT SECTION; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2825: Appropriations

AN ACT TO MAKE CERTAIN TECHNICAL REVISIONS TO FISCAL YEAR 2024 APPROPRIATIONS; TO AMEND SECTION 7, CHAPTER 15, LAWS OF 2023, TO

REVISE THE AMOUNT OF FUNDS PROVIDED FOR THE ADMINISTRATIVE SUPPORT OF THE MISSISSIPPI AUTISM BOARD FROM THE APPROPRIATION TO THE BOARD OF PSYCHOLOGY; TO AMEND SECTION 1, CHAPTER 53, LAWS OF 2023, TO REVISE THE AMOUNT OF GENERAL FUNDS APPROPRIATED TO THE MISSISSIPPI INSURANCE DEPARTMENT; TO AMEND SECTION 2, CHAPTER 53, LAWS OF 2023, TO AMEND THE AMOUNT OF SPECIAL FUNDS APPROPRIATED TO THE MISSISSIPPI INSURANCE DEPARTMENT; TO AMEND SECTION 18, CHAPTER 53, LAWS OF 2023, TO CLARIFY THAT CERTAIN FUNDING FOR THE MISSISSIPPI VOLUNTEER FIREFIGHTER LENGTH-OF-SERVICE AWARD PROGRAM IS PROVIDED FROM SPECIAL FUNDS; TO DIRECT THE STATE TREASURER, IN CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER A CERTAIN SUM FROM THE GENERAL FUND TO THE MISSISSIPPI VOLUNTEER FIREFIGHTER LENGTH-OF-SERVICE AWARD PROGRAM FUND; TO AMEND SECTION 40, CHAPTER 91, LAWS OF 2023, TO CLARIFY THAT CERTAIN CAPITAL EXPENSE FUNDS APPROPRIATED TO THE MISSISSIPPI DEPARTMENT OF HEALTH ARE FOR EXPENSES INCURRED FROM A CERTAIN PERIOD; TO AMEND SECTION 1, CHAPTER 108, LAWS OF 2023, TO REVISE THE AMOUNT OF GENERAL FUNDS APPROPRIATED TO THE STATE BOARD OF EDUCATION; TO AMEND SECTION 2, CHAPTER 108, LAWS OF 2023, TO REVISE THE AMOUNT OF SPECIAL FUNDS APPROPRIATED TO THE STATE BOARD OF EDUCATION; TO AMEND SECTION 45, CHAPTER 108, LAWS OF 2023, TO CLARIFY THAT CERTAIN FUNDS PROVIDED TO THE CHARTER SCHOOL AUTHORIZER BOARD SHALL BE PROVIDED FROM THE STATE GENERAL FUND; TO AMEND SECTION 4, CHAPTER 34, LAWS OF 2023, TO REVISE THE AMOUNT OF FOUNDS INTENDED TO BE EXPENDED FOR THE PURPOSE OF REPLACEMENT OF STRUCTURALLY DEFICIENT BRIDGES ON THE LOCAL SYSTEM BRIDGE PROGRAM FROM THE APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN CONDITIONS ON UNEXPENDED MONIES IN THE EDUCATION ENHANCEMENT FUND; TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, TO DELETE THE AUTHORIZATION TO CARRY OVER CERTAIN FUNDS RELATED TO EARLY LEARNING COLLABORATIVES IF FUNDS REMAIN AFTER AWARDS UNDER THIS SECTION; TO AMEND SECTION 49-39-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY STATE AGENCY THAT RECEIVES FUNDS AWARDED BY THE BOARD FROM THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND TO ESCALATE THE FUNDS; TO AMEND SECTION 27-103-204.1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE TREASURER TO ESCALATE CERTAIN BORROWED FUNDS; TO DIRECT THE STATE TREASURER, IN CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER A CERTAIN SUM FROM THE CAPITAL EXPENSE FUND TO THE FORESTRY FACILITY GRANT PROGRAM FUND; AND FOR RELATED PURPOSES.
By Senator(s) Hopson

S. B. No. 2826: Appropriations
AN ACT TO AMEND SECTION 41-59-75, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN TECHNICAL AMENDMENTS TO THE MISSISSIPPI TRAUMA CARE SYSTEMS FUND; AND FOR RELATED PURPOSES.
By Senator(s) Parker

S. B. No. 2827: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 61-13-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PURCHASE AIRCRAFT FROM THE LOWEST AND BEST BIDDER WITHOUT PUBLISHING OR POSTING ADVERTISEMENT FOR BIDS, PROVIDED AT LEAST TWO COMPETITIVE BIDS HAVE BEEN SOLICITED; TO DELETE THE REQUIREMENT THAT THE PURCHASE BE IN COMPLIANCE WITH SECTIONS 31-7-1 THROUGH 31-7-21; AND FOR RELATED PURPOSES.
By Senator(s) DeBar

S. B. No. 2828: Accountability, Efficiency, Transparency

AN ACT TO TRANSFER, ON JULY 1, 2024, LAW ENFORCEMENT OFFICERS CURRENTLY OPERATING UNDER THE DEPARTMENT OF REVENUE AND THE DEPARTMENT OF AGRICULTURE AND COMMERCE, AND THE DUTIES OF SAID OFFICERS, TO THE DEPARTMENT OF PUBLIC SAFETY; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE DEPARTMENT OF REVENUE AND DEPARTMENT OF AGRICULTURE AND COMMERCE LAW ENFORCEMENT OFFICER TRANSFER FUND TO DEFRAY EXPENSES FOR OFFICERS' SALARIES AND OTHER COSTS TO IMPLEMENT AND ENFORCE THIS ACT; TO AMEND SECTIONS 27-3-13, 67-3-74, 69-1-30, 69-5-31 AND 69-29-1 MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2829: Finance

AN ACT TO AMEND SECTION 27-115-85, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY NET PROCEEDS GENERATED BY THE ALYCE G. CLARKE MISSISSIPPI LOTTERY LAW SHALL BE PAID INTO THE STATE HIGHWAY FUND FROM THE LOTTERY PROCEEDS FUND UPON REQUISITION OF THE STATE TRANSPORTATION COMMISSION; TO BRING FORWARD SECTION 27-115-51, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) McLendon

S. B. No. 2830: Finance

AN ACT TO AMEND SECTION 57-114-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "QUALIFIED BUSINESS OR INDUSTRY" TO MAKE IT CONFORM TO THE DEFINITION OF "QUALIFIED ECONOMIC DEVELOPMENT PROJECT"; TO AMEND SECTION 57-114-13, MISSISSIPPI CODE OF 1972, TO MODIFY THE DATE ON WHICH AN ANNUAL REPORT BY A QUALIFIED BUSINESS OR INDUSTRY IS DUE TO BE FILED WITH THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-114-15, MISSISSIPPI CODE OF 1972, TO CORRECT A REFERENCE TO THE DEPARTMENT OF REVENUE TO CONFORM TO THE APPLICABLE REFERENCE TO THE DEPARTMENT OF EMPLOYMENT SECURITY; AND FOR RELATED PURPOSES.

By Senator(s) Parker

S. B. No. 2831: Accountability, Efficiency, Transparency

AN ACT TO ESTABLISH A "TASK FORCE TO STUDY RESIDENTIAL HOME OWNERSHIP AND ATTAINABILITY IN MISSISSIPPI AND THE IMPACT OF FOREIGN CORPORATE ENTITY PURCHASE PRACTICES ON PRICE AND AVAILABILITY"; TO PRESCRIBE THE MEMBERSHIP OF THE TASK FORCE AND PROVIDE FOR ITS ORGANIZATION; TO PROVIDE FOR A REPORT BY THE TASK FORCE; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

S. B. No. 2832: Business and Financial Institutions

AN ACT TO AMEND SECTION 25-1-98, MISSISSIPPI CODE OF 1972, TO AMEND THE STATE TELEWORK POLICY; TO REQUIRE STATE AGENCIES TO COMPLY WITH THE PROVISIONS OF THIS ACT TO PARTICIPATE IN TELEWORK PRACTICES; TO REQUIRE THE STATE PERSONNEL BOARD TO PROMULGATE RULES FOR COMPLIANCE FOR THE STATE AGENCIES UNDER THEIR PURVIEW; AND FOR RELATED PURPOSES.

By Senator(s) Robinson, Rhodes

S. B. No. 2833: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO PAY THE COSTS ASSOCIATED WITH CONSTRUCTION, FURNISHING AND EQUIPPING OF A HYDROPONICS RESEARCH

AND TEACHING GREENHOUSE AT ALCORN STATE UNIVERSITY; AND FOR RELATED PURPOSES.
By Senator(s) Butler, Simmons (13th), Horhn, Blackmon, Brumfield, Jordan

S. B. No. 2834: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO PAY THE COSTS ASSOCIATED WITH REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO THE WALTER WASHINGTON ADMINISTRATION AND CLASSROOM BUILDING AT ALCORN STATE UNIVERSITY; AND FOR RELATED PURPOSES.
By Senator(s) Butler, Simmons (13th), Blackmon, Horhn, Brumfield, Jordan

S. B. No. 2835: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO PAY THE COSTS ASSOCIATED WITH REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO THE K.L. SIMMONS TECHNOLOGY BUILDING AT ALCORN STATE UNIVERSITY; AND FOR RELATED PURPOSES.
By Senator(s) Butler, Simmons (13th), Horhn, Blackmon, Brumfield, Jordan

S. B. No. 2836: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO PAY THE COSTS ASSOCIATED WITH CONSTRUCTION, FURNISHING AND EQUIPPING OF A SCIENCE, TECHNOLOGY, ENGINEERING, AGRICULTURE AND MATH (STEAM) OUTREACH CENTER AT ALCORN STATE UNIVERSITY; AND FOR RELATED PURPOSES.
By Senator(s) Butler, Simmons (13th), Horhn, Blackmon, Brumfield, Jordan

S. B. No. 2837: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE WEST JACKSON COUNTY UTILITY DISTRICT IN PAYING THE COSTS ASSOCIATED WITH THE REPLACEMENT OF FAILING ASBESTOS WATER MAIN PIPING IN THE CEDAR GROVE AREA IN JACKSON COUNTY, MISSISSIPPI, AND FOR THE CONSTRUCTION OF A WATER TANK; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2838: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST SOUTHEWEST MISSISSIPPI COMMUNITY COLLEGE IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A NEW WOMEN'S RESIDENCE HALL AND CAMPUS INFRASTRUCTURE UPGRADES AND MAINTENANCE, INCLUDING, BUT NOT LIMITED TO, THE WASTEWATER TREATMENT PLANT, WATER SYSTEM, FIBER, AND EMERGENCY GENERATORS; AND FOR RELATED PURPOSES.
By Senator(s) Brumfield

S. B. No. 2839: Appropriations
AN ACT TO AMEND SECTION 83-1-37, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL PAYMENT REQUIRED OF THE DEPARTMENT OF REVENUE TO THE CREDIT OF THE MUNICIPAL FIRE PROTECTION FUND; TO INCREASE THE PERCENTAGE PAYMENT OF THE DEPARTMENT OF REVENUE TO THE CREDIT OF THE MUNICIPAL FIRE PROTECTION FUND; TO AMEND SECTION 83-1-39, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL PAYMENT REQUIRED OF THE DEPARTMENT OF REVENUE TO THE CREDIT OF THE COUNTY VOLUNTEER FIRE DEPARTMENT FUND; TO INCREASE THE PERCENTAGE PAYMENT OF THE DEPARTMENT OF REVENUE TO THE CREDIT OF THE COUNTY VOLUNTEER FIRE DEPARTMENT FUND; AND FOR RELATED PURPOSES.
By Senator(s) Robinson

S. B. No. 2840: Appropriations

AN ACT TO AMEND SECTION 39-11-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI ARTS COMMISSION TO RETAIN A PERCENTAGE AMOUNT OF THE MONIES IN THE BUILDING FUND FOR THE ARTS TO DEFRAY ADMINISTRATIVE COSTS ASSOCIATED WITH ADMINISTERING THE GRANT PROGRAM UNDER THIS SECTION; AND FOR RELATED PURPOSES.

By Senator(s) McLendon

S. B. No. 2841: Appropriations

AN ACT TO ENACT THE STATE TREASURY EFFICIENCY AND TRANSPARENCY ACT; TO DEFINE TERMS; TO REQUIRE ALL FUNDS HELD BY STATE AGENCIES WITHIN THE STATE TREASURY OR OUTSIDE THE STATE TREASURY TO BE HELD IN INTEREST-BEARING ACCOUNTS; TO REQUIRE, WHEN IT IS REASONABLY FEASIBLE TO DO SO, THAT ALL FUNDS HELD BY STATE AGENCIES WITHIN THE STATE TREASURY SHALL BE INCLUDED IN POOLED INTEREST-BEARING ACCOUNTS TO BE INVESTED BY THE TREASURER; TO REQUIRE ALL STATE AGENCIES TO PROVIDE CERTAIN INFORMATION CONCERNING THE AGENCY'S FUNDS TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION AND THE STATE TREASURER; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO REPORT THE COMPILED FUND INFORMATION TO THE LEGISLATIVE BUDGET OFFICE; TO AUTHORIZE THE STATE FISCAL OFFICER TO DISAPPROVE OF PAYMENTS FROM THE STATE TREASURY IF A STATE AGENCY DOES NOT TIMELY PROVIDE THE INFORMATION REQUIRED BY THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Polk

S. B. No. 2842: Accountability, Efficiency, Transparency; Appropriations

AN ACT TO AMEND SECTIONS 33-15-401 AND 33-15-403, MISSISSIPPI CODE OF 1972, TO ESTABLISH AN OFFICE OF DISASTER ASSISTANCE COORDINATION AND ADVOCACY IN THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO PRESCRIBE THE DUTIES AND RESPONSIBILITIES OF THE OFFICE RELATIVE TO SUPPORT ACTIVITIES FOR DISASTER SURVIVORS; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

S. B. No. 2843: Accountability, Efficiency, Transparency; Appropriations

AN ACT TO AMEND SECTION 39-11-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI ARTS COMMISSION TO RETAIN A PERCENTAGE AMOUNT OF THE MONIES IN THE BUILDING FUND FOR THE ARTS TO DEFRAY ADMINISTRATIVE COSTS ASSOCIATED WITH ADMINISTERING THE GRANT PROGRAM UNDER THIS SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

S. B. No. 2844: Appropriations

AN ACT TO AMEND SECTION 25-9-147, MISSISSIPPI CODE OF 1972, TO REQUIRE THE LEGISLATURE, UPON CONSULTATION WITH THE STATE PERSONNEL BOARD, TO DEVELOP SALARY FUNDING LEVELS FOR EACH STATE AGENCY UNDER THE PURVIEW OF THE STATE PERSONNEL BOARD; TO REQUIRE AN AGENCY UNDER THE PURVIEW OF THE STATE PERSONNEL BOARD TO ENSURE THAT ALL PERSONAL SERVICES ACTIONS AND PAYROLL WILL NOT EXCEED THE SALARY FUNDING LEVELS PROVIDED BY THE STATE PERSONNEL BOARD; TO REQUIRE AN AGENCY TO CONTACT THE STATE PERSONNEL BOARD, THE LEGISLATIVE BUDGET OFFICE AND THE STATE FISCAL OFFICER TO REQUEST A REVISED SALARY FUNDING LEVEL IF THE AGENCY DETERMINES THAT THE SALARY FUNDING LEVEL IS INSUFFICIENT; TO AUTHORIZE THE STATE PERSONNEL BOARD TO APPROVE OR DENY REQUESTS TO REVISE THE SALARY FUNDING LEVELS; TO REQUIRE THE STATE PERSONNEL BOARD TO SEND NOTIFICATION TO CERTAIN ENTITIES WHEN THE STATE PERSONNEL BOARD

APPROVES OR DENIES A REQUEST TO REVISE AN AGENCY'S SALARY FUNDING LEVEL; AND FOR RELATED PURPOSES.
By Senator(s) Hopson

S. B. No. 2845: Appropriations
AN ACT TO BRING FORWARD SECTION 49-2-131, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION OF LAW THAT PROVIDES FOR THE MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM ACT OF 2022, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Branning

S. B. No. 2846: Appropriations
AN ACT TO AMEND SECTION 28, CHAPTER 549, LAWS OF 2023, TO MAKE TECHNICAL AMENDMENTS TO CLARIFY AND CORRECT CERTAIN NAMES AND PURPOSES OF VARIOUS PROJECTS FUNDED FROM DISBURSEMENTS FROM THE 2023 LOCAL IMPROVEMENTS PROJECT FUND; TO AMEND SECTION 4, CHAPTER 549, LAWS OF 2023, TO AMEND THE PURPOSE OF THE USE OF FUNDS RECEIVED BY JACKSON STATE UNIVERSITY FROM THE 2022 IHL CAPITAL IMPROVEMENTS FUND; TO AMEND SECTION 65-1-185, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION REFERENCING THE DEPARTMENT OF FINANCE AND ADMINISTRATION AND APPROPRIATION BY THE LEGISLATURE FROM THE PROCEDURE FOR THE USE OF FUNDS FROM THE 2023 DESOTO COUNTY INFRASTRUCTURE IMPROVEMENTS FUND; TO AMEND SECTION 65-1-187, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION REFERENCING THE DEPARTMENT OF FINANCE AND ADMINISTRATION AND APPROPRIATION BY THE LEGISLATURE FROM THE PROCEDURE FOR THE USE OF FUNDS FROM THE 2023 LAFAYETTE COUNTY INFRASTRUCTURE IMPROVEMENTS FUND; TO AMEND SECTION 65-1-189, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION REFERENCING THE DEPARTMENT OF FINANCE AND ADMINISTRATION AND APPROPRIATION BY THE LEGISLATURE FROM THE PROCEDURE FOR THE USE OF FUNDS FROM THE 2023 GULFPORT COMMERCE CORRIDOR FUND; AND FOR RELATED PURPOSES.
By Senator(s) Hopson

S. B. No. 2847: Appropriations
AN ACT TO AUTHORIZE EACH TOWN IN THE STATE OF MISSISSIPPI WITH A SHORT-LINE RAILROAD PARTIALLY WITHIN ITS TOWN LIMITS TO CARRY OUT AND IMPLEMENT, BY AND THROUGH ITS GOVERNING AUTHORITIES, THE ACQUISITION, RESTORATION, CONSTRUCTION, OWNERSHIP, OPERATION AND DISPOSITION OF SUCH SHORT-LINE RAILROAD; TO DEFINE TERMS; TO PROVIDE FOR THE REVERSION OF THE SHORT-LINE RAILROAD TO THE PRIOR OWNER IF A SUCCESSOR GOVERNING AUTHORITY OF THE TOWN CHOOSES TO TERMINATE THE SHORT-LINE RAILROAD PROJECT OR TRANSFER OWNERSHIP OF AN ACQUIRED SHORT-LINE RAILROAD; THE ENUMERATION OF ANY SPECIFIC RIGHTS AND POWERS CONTAINED IN THIS ACT SHALL BE CONSTRUED BROADLY TO EFFECTUATE THE PURPOSES OF THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Hopson

S. B. No. 2848: Appropriations
AN ACT TO AMEND SECTION 27-104-323, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY INVESTMENT EARNINGS OR INTEREST EARNED ON AMOUNTS IN A CERTAIN SPECIAL FUND SHALL BE TRANSFERRED TO THE CREDIT OF THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO BRING FORWARD SECTION 49-2-131, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION OF LAW THAT PROVIDES FOR THE MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM ACT OF 2022, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 41-3-16.1, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION OF LAW THAT PROVIDES FOR THE

ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 41-9-371, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION OF LAW THAT PROVIDES FOR THE MISSISSIPPI HOSPITAL SUSTAINABILITY GRANT PROGRAM, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-106-64, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION OF LAW THAT PROVIDES FOR THE SKILLED NURSING HOME AND HOSPITAL NURSES RETENTION LOAN REPAYMENT PROGRAM, FOR PURPOSES OF POSSIBLE AMENDMENT; TO DIRECT THE STATE TREASURER, IN CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER A CERTAIN SUM FROM THE GENERAL FUND TO THE CAPITAL EXPENSE FUND; AND FOR RELATED PURPOSES.
By Senator(s) Hopson

S. B. No. 2849: Finance
AN ACT TO AMEND SECTION 63-21-9, MISSISSIPPI CODE OF 1972, TO REQUIRE AN OWNER OF AN ALL-TERRAIN VEHICLE TO APPLY TO THE DEPARTMENT OF REVENUE FOR A CERTIFICATE OF TITLE; TO AMEND SECTION 63-21-5, MISSISSIPPI CODE OF 1972, TO AMEND THE DEFINITION OF "MOTOR VEHICLE" TO INCLUDE ALL-TERRAIN VEHICLES, AND TO AMEND THE DEFINITION OF "ALL-TERRAIN VEHICLE" TO INCLUDE UTILITY TASK VEHICLES, ALSO KNOWN AS SIDE-BY-SIDES, FOR PURPOSES OF THE MISSISSIPPI MOTOR VEHICLE AND MANUFACTURED HOUSING TITLE LAW; TO AMEND SECTIONS 63-21-15, 63-21-29, 63-21-53, 63-21-63, 63-21-67 AND 63-21-70, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 27-31-1, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM AD VALOREM TAXATION ANY ALL-TERRAIN VEHICLE, AS DEFINED IN SECTION 63-21-5, HELD BY A RETAILER ON A CONSIGNMENT OR FLOOR PLAN BASIS; AND FOR RELATED PURPOSES.
By Senator(s) Barrett, Younger

S. B. No. 2850: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF MAGNOLIA, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH DRAINAGE AND OTHER IMPROVEMENTS TO NORTH CHERRY STREET; AND FOR RELATED PURPOSES.
By Senator(s) Brumfield

S. B. No. 2851: Insurance
AN ACT TO CREATE NEW SECTION 83-1-111, MISSISSIPPI CODE OF 1972, TO EXEMPT NONPROFIT AGRICULTURAL MEMBERSHIP ORGANIZATIONS FROM INSURANCE REGULATION; TO PROVIDE THAT A NONPROFIT AGRICULTURAL MEMBERSHIP ORGANIZATIONS MAY PROVIDE COVERAGE FOR HEALTHCARE BENEFITS OR SERVICES FOR ITS MEMBERS AND THEIR FAMILIES PURSUANT TO CONTRACTS BETWEEN MEMBERS AND THE ORGANIZATION OR ITS AFFILIATES; TO PROVIDE THAT A NONPROFIT AGRICULTURAL MEMBERSHIP ORGANIZATION OR ITS AFFILIATE SHALL HAVE A DESIGNATED INDIVIDUAL WHO, IN CONSULTATION WITH THE STATE INSURANCE DEPARTMENT, OPERATES AS AN OMBUDSMAN TO ADDRESS CONCERNS FROM INSURED MEMBERS REGARDING THE NAMO PLAN; TO PROVIDE THAT THE STATE INSURANCE DEPARTMENT SHALL HAVE THE AUTHORITY TO REVIEW AND COMMENT ON THE COMPLAINT, PROVIDED THAT ALL COMPLAINTS SHALL BE INVESTIGATED AND RESOLVED SOLELY BY THE OMBUDSMAN AND NAMO OR ITS DESIGNEE; TO PROVIDE CERTAIN REQUIREMENTS FOR NAMO PLANS; TO PROVIDE THAT HEALTHCARE BENEFITS OR SERVICES MAY BE SOLD OR SOLICITED ONLY BY AN INSURANCE PRODUCER WHO IS BOTH APPOINTED BY AN ORGANIZATION MEETING THE REQUIREMENTS OF THIS ACT AND LICENSED AS AN INSURANCE PRODUCER TO SELL OR SOLICIT ACCIDENT AND HEALTH INSURANCE IN THIS STATE; TO AMEND SECTION 83-1-101, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Michel, Simmons (12th), Blackwell, Younger, Chassaniol, DeBar, Berry, Seymour, Tate, Fillingane, Whaley, Rhodes, Barrett, Blount, Blackmon, Barnett, England, McCaughn, Jackson, Butler, Robinson, Thomas, Hickman, Boyd, Suber, Sparks, Williams, Frazier, Parks, Polk, Turner-Ford, Carter, Hopson, McLendon, Norwood, Kirby

S. B. No. 2852: Public Health and Welfare

AN ACT TO AMEND SECTION 43-6-171, MISSISSIPPI CODE OF 1972, TO REVISE THE REQUIREMENTS FOR LEGISLATIVE DRAFTING OFFICES AND STATE AGENCIES TO USE CERTAIN RESPECTFUL REFERENCES TO INDIVIDUALS WITH DISABILITIES IN PREPARING LEGISLATION AND RULES; TO AMEND SECTIONS 13-1-305, 19-5-45, 21-37-6, 25-9-149, 25-15-13, 27-19-56, 27-19-56.134, 29-5-65, 37-13-91, 37-16-9, 37-23-63, 37-31-31, 37-31-33, 37-31-35, 37-31-39, 37-41-3, 37-151-5, 37-151-7, 37-151-81, 41-3-15, 41-4-18, 41-7-173, 41-7-191, 41-11-102, 41-11-105, 41-11-109, 41-11-111, 41-11-113, 41-13-35, 41-19-33, 41-19-205, 41-19-237, 41-19-257, 41-19-261, 41-19-291, 41-21-67, 41-21-131, 41-21-139, 41-31-15, 41-79-5, 43-6-1, 43-6-3, 43-6-5, 43-6-13, 43-6-15, 43-6-113, 43-6-125, 43-7-61, 43-13-117, 43-18-1, 43-27-25, 43-33-703, 43-33-717, 43-33-723, 45-1-2, 45-35-53, 47-5-1351, 49-7-39, 49-7-40, 71-3-3, 71-3-7, 71-3-105, 71-7-13, 75-74-9, 83-9-32, 93-7-3, 97-3-4, 1-3-24, 31-11-3 AND 25-3-25, MISSISSIPPI CODE OF 1972, TO MODERNIZE THE TERMINOLOGY THAT IS USED TO REFER TO PERSONS WITH MENTAL ILLNESS, PERSONS WITH AN INTELLECTUAL DISABILITY, HANDICAPPED PERSONS AND CRIPPLED PERSONS; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, Parker

S. B. No. 2853: Finance

AN ACT TO AMEND SECTION 67-1-3, MISSISSIPPI CODE OF 1972, TO EXPRESS THE FINDINGS AND INTENT OF THE LEGISLATURE REGARDING THE ADVISABILITY OF CREATING THE MISSISSIPPI ALCOHOLIC BEVERAGE CORPORATION; TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO PROVIDE DEFINITIONS; TO AMEND SECTION 67-1-19, MISSISSIPPI CODE OF 1972, TO CREATE THE ALCOHOLIC BEVERAGE CORPORATION AND TRANSFER TO IT THE POWERS AND DUTIES OF THE DEPARTMENT OF REVENUE WITH RESPECT TO ALCOHOLIC BEVERAGE OPERATIONS; TO CREATE NEW SECTION 67-1-21, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE ESTABLISHMENT OF THE CORPORATION'S BOARD OF DIRECTORS; TO PROVIDE THAT BOARD MEETINGS SHALL BE SUBJECT TO THE OPEN MEETINGS ACT; TO AMEND SECTION 67-1-23, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE APPOINTMENT OF THE CORPORATION'S PRESIDENT BY THE BOARD, SUBJECT TO THE APPROVAL OF THE GOVERNOR; TO CREATE NEW SECTION 67-1-110, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CORPORATION'S RECORDS SHALL BE SUBJECT TO THE PUBLIC RECORDS ACT, WITH CERTAIN EXCEPTIONS; TO CREATE NEW SECTION 67-1-112, MISSISSIPPI CODE OF 1972, TO DESCRIBE THE BOARD'S POWERS AND DUTIES; TO CREATE NEW SECTION 67-1-114, MISSISSIPPI CODE OF 1972, TO DESCRIBE THE PRESIDENT'S POWERS AND DUTIES; TO CREATE NEW SECTION 67-1-116, MISSISSIPPI CODE OF 1972, TO DESCRIBE THE CORPORATION'S POWERS AND DUTIES; TO CREATE NEW SECTION 67-1-118, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD TO HIRE AN ATTORNEY OR CONTRACT WITH OUTSIDE COUNSEL; TO CREATE NEW SECTION 67-1-120, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CORPORATION SHALL ESTABLISH AND MAINTAIN A PERSONNEL PROGRAM, INCLUDING ADMINISTRATIVE RULES AND REGULATIONS FOR ITS EMPLOYEES, MAY PROCURE BENEFIT PROGRAMS OR GROUP INSURANCE PLANS, AND SHALL PROVIDE OR ARRANGE FOR A RETIREMENT PLAN; TO PROVIDE CERTAIN CONDITIONS AND STANDARDS OF EMPLOYMENT FOR CORPORATION OFFICERS AND EMPLOYEES AND OF SERVICE FOR BOARD MEMBERS; TO CREATE NEW SECTION 67-1-122, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL DIVISION HEADS, OFFICERS AND EMPLOYEES OF THE CORPORATION SHALL BE CONSIDERED PUBLIC SERVANTS, AND ALL DIVISION HEADS AND OFFICERS SHALL BE REQUIRED TO FILE A STATEMENT OF ECONOMIC INTEREST WITH THE

MISSISSIPPI ETHICS COMMISSION; TO CREATE NEW SECTION 67-1-124, MISSISSIPPI CODE OF 1972, TO PROVIDE REPORTING AND AUDITING REQUIREMENTS FOR THE CORPORATION; TO CREATE NEW SECTION 67-1-126, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CORPORATION SHALL SUBMIT TO THE JOINT LEGISLATIVE BUDGET COMMITTEE A COPY OF THE CORPORATION'S ANNUAL OPERATING BUDGET FOR THE UPCOMING FISCAL YEAR; TO AMEND SECTIONS 67-1-7, 67-1-9, 67-1-13, 67-1-17, 67-1-18, 67-1-25, 67-1-27, 67-1-29, 67-1-33, 67-1-35, 67-1-37, 67-1-39, 67-1-41, 67-1-43, 67-1-45, 67-1-47, 67-1-49, 67-1-51, 67-1-51.1, 67-1-52, 67-1-53, 67-1-55, 67-1-57, 67-1-61, 67-1-63, 67-1-65, 67-1-67, 67-1-69, 67-1-71, 67-1-72, 67-1-73, 67-1-75, 67-1-77, 67-1-81, 67-1-83, 67-1-87, 67-1-89, 67-1-91, 67-1-101, 67-1-201, 67-1-203, 67-1-205, 67-1-207, 67-1-211, 67-3-3, 67-3-15, 67-3-17, 67-3-19, 67-3-22, 67-3-23, 67-3-25, 67-3-27, 67-3-28, 67-3-29, 67-3-31, 67-3-33, 67-3-35, 67-3-37, 67-3-39, 67-3-49, 67-3-52, 67-3-59, 67-3-61, 67-3-63, 67-3-69, 67-3-74, 67-5-5, 67-5-9, 67-5-11, 67-5-13, 67-7-5, 67-7-11, 67-9-1, 67-11-3, 67-11-7, 67-11-9, 67-11-11, 27-71-5, 27-71-7, 27-71-9, 27-71-11, 27-71-13, 27-71-15, 27-71-17, 27-71-29, 27-71-301, 27-71-307, 27-71-315, 27-71-335 AND 27-71-505, MISSISSIPPI CODE OF 1972, TO CONFORM; TO REPEAL SECTION 67-1-31, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE DEPARTMENT OF REVENUE TO ISSUE A WRITTEN CERTIFICATE OF APPOINTMENT TO ITS AGENTS AND INSPECTORS INVESTING THEM WITH THE POWERS AND DUTIES OF POLICE OFFICERS FOR ENFORCING THE PROVISIONS OF THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO REPEAL SECTION 67-1-32, MISSISSIPPI CODE OF 1972, WHICH ALLOWS RETIRING LAW ENFORCEMENT OFFICERS OF THE DEPARTMENT OF REVENUE TO RETAIN ONE SIDEARM AS PERSONAL PROPERTY; TO REPEAL SECTION 67-1-209, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE DEPARTMENT OF REVENUE TO HAVE A CONTRACT COMPLIANCE OFFICER TO MONITOR THE CONTRACT FOR WAREHOUSE AND DISTRIBUTION OPERATIONS AND ASSURE OPERATOR COMPLIANCE WITH ITS PERFORMANCE WORK STATEMENT; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 2854: Municipalities; County Affairs
AN ACT TO AMEND SECTION 17-13-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COUNTY TAX COLLECTOR SHALL BE A PARTY TO CERTAIN LOCAL AGREEMENTS BETWEEN A MUNICIPALITY AND THE COUNTY; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2855: Economic and Workforce Development; Finance
AN ACT TO AMEND SECTION 57-1-701, MISSISSIPPI CODE OF 1972, TO AMEND THE DEFINITIONS THAT APPLY TO THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND TO EXPAND THE POTENTIAL IMPACT ON ECONOMIC DEVELOPMENT; AND FOR RELATED PURPOSES.
By Senator(s) Thompson

S. B. No. 2856: Municipalities; County Affairs
AN ACT TO BRING FORWARD SECTIONS 19-5-105 AND 21-19-11, MISSISSIPPI CODE OF 1972, WHICH ARE THE PROVISIONS THAT RELATE TO COUNTIES AND MUNICIPALITIES CLEANING DILAPIDATED PROPERTY, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2857: Public Health and Welfare
AN ACT TO AMEND SECTION 41-137-39, MISSISSIPPI CODE OF 1972, TO PROVIDE ADDITIONAL AUTHORIZATIONS AND REQUIREMENTS RELATED TO PERFORMING BACKGROUND CHECKS AS PART OF THE MEDICAL CANNABIS ACT; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO OBTAIN CRIMINAL RECORDS BACKGROUND CHECKS FROM THE MISSISSIPPI JUSTICE INFORMATION CENTER OF THE DEPARTMENT OF PUBLIC SAFETY AND THE F.B.I.; TO AUTHORIZE THE

DEPARTMENT TO RECOUP ANY FEE ASSOCIATED WITH THE BACKGROUND CHECK; TO AMEND SECTION 41-137-47, MISSISSIPPI CODE OF 1972, TO PROVIDE ADDITIONAL MEASURES RELATED TO INVESTIGATION PROCEDURES BY LICENSING AGENCIES UNDER THE MEDICAL CANNABIS ACT; TO SET CERTAIN ADMINISTRATIVE HEARING PROCEDURES; TO AUTHORIZE THE LICENSING AGENCY TO RECOUP ANY FEE ASSOCIATED WITH THE INVESTIGATION OR HEARING PROCESS; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2858: Public Health and Welfare

AN ACT TO PROVIDE THAT A MANUFACTURER MAY MAKE AN INDIVIDUALIZED INVESTIGATIVE TREATMENT, AND AN ELIGIBLE PATIENT WHO HAS A LIFE-THREATENING OR SEVERELY DEBILITATING ILLNESS MAY RECEIVE SUCH TREATMENT IF THE PATIENT HAS GIVEN WRITTEN, INFORMED CONSENT; TO PROVIDE THAT A HEALTH PLAN, THIRD PARTY ADMINISTRATOR, OR GOVERNMENTAL AGENCY MAY PROVIDE COVERAGE FOR THE COST OF AN INDIVIDUALIZED INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE, OR THE COST OF SERVICES RELATED TO THE USE OF AN INDIVIDUALIZED INVESTIGATIONAL DRUG, OR BIOLOGICAL PRODUCT; TO PROHIBIT A LICENSING BOARD OR DISCIPLINARY SUBCOMMITTEE FROM REVOKING, FAILING TO RENEW, SUSPENDING, OR TAKING ANY ACTION AGAINST A HEALTH CARE PROVIDER'S LICENSE BASED SOLELY ON THE HEALTH CARE PROVIDER'S RECOMMENDATIONS TO AN ELIGIBLE PATIENT REGARDING ACCESS TO OR TREATMENT WITH AN INDIVIDUALIZED INVESTIGATIONAL DRUG; TO SET CERTAIN PROVISIONS RELATED TO CIVIL CAUSES OF ACTION AND LIABILITY RELATED TO THE ACT; TO PROHIBIT AN OFFICIAL, EMPLOYEE, OR AGENT OF THIS STATE FROM BLOCKING OR ATTEMPTING TO BLOCK AN ELIGIBLE PATIENT'S ACCESS TO AN INDIVIDUALIZED INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE; TO PROVIDE FOR THE SEVERABILITY OF THE ACT; TO BRING FORWARD SECTION 41-41-3, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Harkins

S. B. No. 2859: Public Health and Welfare; Appropriations

AN ACT TO AMEND SECTION 43-27-33, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO TRANSFER AT LEAST 30% OF THE BLOCK GRANT FOR THE STATE AND AVAILABLE FEDERAL FUNDS FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) CHILD WELFARE SERVICES TO THE CHILD CARE AND DEVELOPMENT FUND FOR EACH FISCAL YEAR; AND FOR RELATED PURPOSES.
By Senator(s) Blount

S. B. No. 2860: Public Health and Welfare

AN ACT TO CREATE NEW SECTIONS 43-11-28, 43-11-29, 43-11-30 AND 43-11-31, MISSISSIPPI CODE OF 1972, TO ENACT THE MEDICATION AIDE ACT TO AUTHORIZE MEDICATION AIDES TO ASSIST IN THE ADMINISTRATION OF MEDICATIONS IN PERSONAL CARE HOME-ASSISTED LIVING IN THE STATE; TO SET CERTAIN DEFINITIONS; TO ESTABLISH PROHIBITIONS; TO PROVIDE THAT A MEDICATION AIDE MAY PARTICIPATE IN MEDICATION ADMINISTRATION WHEN CERTIFIED THROUGH A MEDICATION AIDE CERTIFICATION PROGRAM IN ACCORDANCE WITH THIS ACT AND GENERALLY MANAGED BY A LICENSED HEALTHCARE PROFESSIONAL AT THE PERSONAL CARE HOME-ASSISTED LIVING; TO SET THE ROUTES BY WHICH AN AIDE MAY ADMINISTER MEDICATIONS; TO REQUIRE CERTAIN RECORDKEEPING PROCEDURES FOR FACILITIES USING A MEDICATION AIDE; TO SET THE MINIMUM COMPETENCIES FOR A MEDICATION AIDE; TO ESTABLISH THE REQUIREMENTS OF A MEDICATION AIDE CERTIFICATION PROGRAM, INCLUDING CURRICULUM STANDARDS, CONTINUING EDUCATION, AND HOUR REQUIREMENTS; TO SET PRACTICUM EXPERIENCE REQUIREMENTS; TO REQUIRE THE DEPARTMENT OF HEALTH TO CREATE A

MEDICATION AIDE REGISTRY; TO ESTABLISH CERTAIN DISCIPLINARY PROCEDURES WITHIN THE DEPARTMENT RELATING TO MEDICATION AIDES; AND FOR RELATED PURPOSES.
By Senator(s) Bryan

S. B. No. 2861: Public Health and Welfare
AN ACT TO AMEND SECTION 73-21-179, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN DEFINITIONS UNDER THE PHARMACY AUDIT INTEGRITY ACT; AND FOR RELATED PURPOSES.
By Senator(s) Bryan

S. B. No. 2862: Public Health and Welfare; Finance
AN ACT TO AMEND SECTION 45-14-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE BOARD OF HEALTH MAY COLLECT LICENSING AND ADMINISTRATION FEES FOR CERTAIN RADIOLOGICAL HEALTH SERVICES IN CONGRUENCE WITH FEDERAL REGULATIONS; AND FOR RELATED PURPOSES.
By Senator(s) Bryan

S. B. No. 2863: Public Health and Welfare
AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE TUNICA COUNTY HEALTHCARE AUTHORITY, TUNICA COUNTY BOARD OF SUPERVISORS, OR OTHER AUTHORIZED MANAGING ENTITY MAY APPLY FOR, AND THE STATE DEPARTMENT OF HEALTH SHALL ISSUE A CERTIFICATE OF NEED FOR THE CONSTRUCTION OF AN ACUTE CARE HOSPITAL IN TUNICA COUNTY UPON DEMONSTRATION OF THE FEASIBLE VIABILITY OF SUCH; AND FOR RELATED PURPOSES.
By Senator(s) Jackson

S. B. No. 2864: Public Health and Welfare
AN ACT TO AMEND SECTION 41-121-5, MISSISSIPPI CODE OF 1972, TO SET CERTAIN ADVERTISING STANDARDS FOR HEALTHCARE PROFESSIONALS; TO DEFINE COLLABORATING PHYSICIAN; TO INCLUDE CERTAIN TITLES FOR HEALTHCARE PROFESSIONALS; TO AMEND SECTION 41-121-7, MISSISSIPPI CODE OF 1972, TO REQUIRE NON-PHYSICIAN HEALTH CARE PRACTITIONERS THAT PRACTICE UNDER A COLLABORATIVE AGREEMENT TO DISPLAY, DISCLOSE AND POST A STATEMENT THAT IDENTIFIES THE NAME OF THE COLLABORATING PHYSICIAN; TO REQUIRE A HEALTH CARE PRACTITIONER WHO PRACTICES UNDER A COLLABORATION AGREEMENT TO INCLUDE THE NAME OF THE COLLABORATING PHYSICIAN ON ANY REFERRAL MADE FOR ANY PATIENT; TO AMEND SECTION 41-121-11, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE APPLICABLE ARTICLE; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2865: Public Health and Welfare
AN ACT TO AMEND SECTION 41-137-41, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY MEDICAL CANNABIS ESTABLISHMENT MAY ADVERTISE OR MARKET IN ANY FORM OF MEDIA, INCLUDING ELECTRONIC MEDIA, PRINT MEDIA, SOCIAL MEDIA PLATFORMS, WEBSITES AND ELECTRONIC COMMERCE PLATFORMS, BROADCAST, OR THROUGH MASS MESSAGING OR EMAIL COMMUNICATIONS, AND SIGNS ON OR OFF THE PROPERTY OF A MEDICAL CANNABIS ESTABLISHMENT; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (13th), Simmons (12th)

S. B. No. 2866: Education
AN ACT TO AMEND SECTION 37-9-79, MISSISSIPPI CODE OF 1972, TO REQUIRE SCHOOL DISTRICTS TO EMPLOY, CONTRACT OR OTHERWISE WORK COLLABORATIVELY WITH MENTAL HEALTH SERVICE PROVIDERS, INCLUDING CHILD PSYCHOLOGISTS, BEHAVIOR ANALYSTS, LICENSED MENTAL HEALTH

COUNSELORS, AND COMMUNITY MENTAL HEALTH CENTERS TO PROVIDE ITS STUDENTS WITH MENTAL HEALTH SERVICES; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (13th)

S. B. No. 2867: Public Health and Welfare
AN ACT TO AMEND SECTION 37-144-3, MISSISSIPPI CODE OF 1972, TO ADD A BOARD-CERTIFIED CHILD PSYCHIATRIST AS A MEMBER OF THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP COMMISSION; TO AMEND SECTION 37-144-5, MISSISSIPPI CODE OF 1972, TO INCLUDE THE MISSISSIPPI PSYCHIATRIC ASSOCIATION AMONG THE ORGANIZATIONS FROM WHICH THE COMMISSION SHALL SEEK INPUT REGARDING THE IMPLEMENTATION OF THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP PROGRAM; TO AMEND SECTION 37-144-7, MISSISSIPPI CODE OF 1972, TO INCLUDE CHILD PSYCHIATRY STUDENTS IN THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP RESIDENCY PROGRAM; AND FOR RELATED PURPOSES.
By Senator(s) McLendon

S. B. No. 2868: Public Health and Welfare
AN ACT TO AMEND SECTION 73-25-32, MISSISSIPPI CODE OF 1972, TO PROVIDE CERTAIN GROUNDS FOR REINSTATEMENT OF A PHYSICIAN'S LICENSE THAT HAS BEEN REVOKED BY THE BOARD OF MEDICAL LICENSURE FOR VIOLATION OF STATUTE; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2869: Education
AN ACT TO AMEND SECTION 37-15-9, MISSISSIPPI CODE OF 1972, TO ENACT THE "OUR CHILDREN'S HEALTH IMPACTS OUR FUTURE LAW"; TO REQUIRE THAT WHEN ANY CHILD APPLIES FOR ADMISSION OR ENROLLMENT IN ANY PUBLIC SCHOOL IN THE STATE, THE CHILD'S PARENT, LEGAL GUARDIAN OR LEGAL CUSTODIAN SHALL RECEIVE NOTICE ON THE SCHOOL REGISTRATION FORM OF THE IMPORTANCE THAT HIS OR HER CHILD RECEIVES A MEDICAL AND DENTAL PHYSICAL; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2870: Public Health and Welfare
AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF A HEALTH CARE CERTIFICATE OF NEED FOR THE CONSTRUCTION OF A 60-BED NURSING FACILITY IN ANY UNDERSERVED MINORITY ZIP CODE AREA IN THE STATE THAT MEETS CERTAIN QUALIFICATIONS; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2871: Public Health and Welfare
AN ACT TO AMEND SECTION 97-32-5, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE SALE OF TOBACCO OR TOBACCO PRODUCTS TO PERSONS UNDER 21 YEARS OF AGE; TO PROVIDE A CONSISTENT REFERENCE TO THE AGE IN THE MISSISSIPPI JUVENILE TOBACCO ACCESS PREVENTION ACT OF 1997; TO AMEND SECTIONS 97-32-9, 97-32-11, 97-32-15, 97-32-21 AND 97-32-23, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Suber

S. B. No. 2872: Public Health and Welfare
AN ACT TO REPEAL SECTIONS 41-7-171 THROUGH 41-7-209, MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI HEALTH CARE CERTIFICATE OF NEED LAW OF 1979; TO AMEND SECTIONS 23-15-625, 25-41-7, 35-1-19, 41-3-15, 41-4-18, 41-9-11, 41-9-23, 41-9-68, 41-9-209, 41-9-210, 41-71-7, 41-71-19, 41-73-5, 41-75-1, 41-75-5, 41-75-9, 41-75-25, 41-77-1, 41-77-5, 41-77-21, 41-77-23, 41-77-25, 43-11-9, 43-11-19, 43-13-117.5 AND 57-117-5, MISSISSIPPI CODE OF 1972, AND TO REPEAL

SECTION 41-9-311, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISION; AND FOR RELATED PURPOSES.
By Senator(s) Tate

S. B. No. 2873: Public Health and Welfare
AN ACT TO AMEND SECTIONS 41-9-69, 73-9-13 AND 73-43-11, MISSISSIPPI CODE OF 1972, TO PROVIDE MEDICAL RECORDS RETENTION REQUIREMENTS FOR HOSPITALS, PHYSICIANS AND DENTISTS; AND FOR RELATED PURPOSES.
By Senator(s) Parker

S. B. No. 2874: Public Health and Welfare
AN ACT TO AMEND SECTION 73-11-51, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF FUNERAL SERVICE SHALL PROMULGATE REGULATIONS THAT ESTABLISH MANDATORY CONTINUING EDUCATION REQUIREMENTS FOR FUNERAL SERVICE AND FUNERAL DIRECTING LICENSEES; TO SET THE CONTINUING EDUCATION HOUR REQUIREMENT FOR SUCH LICENSEES; TO REQUIRE PROVIDERS OF CONTINUING EDUCATION COURSES TO APPLY TO THE BOARD FOR APPROVAL TO OFFER COURSES FOR CREDIT TOWARD THE REQUIREMENT IN THIS ACT; TO AUTHORIZE THE BOARD TO CHARGE A FEE TO COVER THE COST OF MONITORING SUCH PROVIDERS; AND FOR RELATED PURPOSES.
By Senator(s) McCaughn

S. B. No. 2875: Public Health and Welfare
AN ACT TO AMEND SECTION 41-41-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A HEALTH CARE PROVIDER MAY PROVIDE HEALTH CARE NOT PROHIBITED BY LAW FOR AN UNEMANCIPATED MINOR ONLY AFTER FIRST OBTAINING THE CONSENT OF A PARENT, GUARDIAN OR SURROGATE; TO SET CERTAIN CONSENT REQUIREMENTS; TO AMEND SECTION 41-41-17, MISSISSIPPI CODE OF 1972, TO DELETE THE AUTHORIZATION THAT MINORS MAY PARTICIPATE AS SUBJECTS IN RESEARCH; TO AMEND SECTION 41-42-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CONTRACEPTIVE SUPPLIES AND INFORMATION MAY NOT BE FURNISHED BY A PHYSICIAN TO ANY MINOR EXCEPT IN CERTAIN CASES; TO REPEAL SECTION 41-41-13, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT NO PARENTAL CONSENT IS REQUIRED FOR TREATMENT OF VENEREAL DISEASE; TO REPEAL SECTION 41-41-14, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR MENTAL HEALTH TREATMENT OF MINORS AGE 15 AND OVER WITHOUT PARENTAL CONSENT; TO CREATE A NEW SECTION THAT AUTHORIZES A PARENT TO BRING SUIT FOR ANY VIOLATION OF THIS ACT; TO PROVIDE THAT ANY PERSON WHO SUCCESSFULLY ASSERTS A CLAIM OR DEFENSE UNDER THIS ACT MAY RECOVER DECLARATORY RELIEF, INJUNCTIVE RELIEF, NOMINAL DAMAGES, COMPENSATORY DAMAGES REASONABLE ATTORNEY'S FEES AND COSTS, AND ANY OTHER APPROPRIATE RELIEF; TO PROVIDE THAT SOVEREIGN, GOVERNMENTAL AND QUALIFIED IMMUNITIES TO SUIT AND FROM LIABILITY ARE WAIVED AND ABOLISHED TO THE EXTENT OF LIABILITY CREATED BY THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) England

S. B. No. 2876: Public Health and Welfare
AN ACT TO AMEND SECTIONS 73-7-1, 73-7-2, 73-7-3, 73-7-7, 73-7-9, 73-7-11, 73-7-12, 73-7-13, 73-7-14, 73-7-15, 73-7-16, 73-7-17, 73-7-18, 73-7-19, 73-7-21, 73-7-23, 73-7-25, 73-7-27, 73-7-29, 73-7-31, 73-7-33, 73-7-35, 73-7-37, AND CREATE NEW SECTIONS 73-7-14.1, 73-7-14.2, 73-7-39 AND 73-7-41, MISSISSIPPI CODE OF 1972, TO MERGE THE STATE BOARD OF COSMETOLOGY AND THE STATE BOARD OF BARBERING INTO THE STATE BOARD OF COSMETOLOGY AND BARBERING; TO PROVIDE FOR THE MEMBERSHIP OF THE BOARD; TO PROVIDE FOR THE APPOINTMENT OF THE EXECUTIVE DIRECTOR; TO REVISE THE LICENSING REQUIREMENTS OF BARBERS AND COSMETOLOGISTS; TO REQUIRE CERTAIN CONTINUING EDUCATION; TO SET CERTAIN PROHIBITIONS; TO PROVIDE THAT

THE BOARD MAY CHARGE A LICENSE FEE; TO SET THE BARBERING AND COSMETOLOGY SCHOOL REQUIREMENTS; TO SET CERTAIN VIOLATIONS, PENALTIES, AND FINES; TO MAKE TECHNICAL AMENDMENTS TO CONFORM; TO REPEAL SECTIONS 73-5-1 THROUGH 73-5-45, MISSISSIPPI CODE OF 1972, WHICH CREATES THE STATE BOARD OF BARBER EXAMINERS; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell, McMahan, Chassaniol, Kirby, Younger, Norwood, Polk

S. B. No. 2877: Public Health and Welfare
AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR ANY HEALTH CARE FACILITY THAT RELINQUISHED ITS CERTIFICATE OF NEED OR LICENSE FOR INPATIENT PSYCHIATRIC SERVICES, AS APPLICABLE, BECAUSE THE FACILITY CONVERTED FROM AN ACUTE CARE HOSPITAL TO A RURAL EMERGENCY HOSPITAL IN ACCORDANCE WITH CERTAIN FEDERAL REGULATIONS, THE DEPARTMENT OF HEALTH MAY LICENSE THE PSYCHIATRIC INPATIENT BEDS AS A SEPARATE ENTITY FROM THE RURAL EMERGENCY HOSPITAL; TO REQUIRE THE DEPARTMENT OF HEALTH TO ISSUE A CERTIFICATE OF NEED FOR ANY SUCH FACILITY, AS APPLICABLE; AND FOR RELATED PURPOSES.
By Senator(s) Suber

S. B. No. 2878: Public Health and Welfare
AN ACT TO AMEND SECTION 43-12-19, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES FROM SEEKING, APPLYING FOR OR REQUESTING THE UNITED STATES DEPARTMENT OF AGRICULTURE TO TEMPORARILY WAIVE THE ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWD) TIME LIMIT REQUIREMENT FOR ABAWDS TO RECEIVE SNAP BENEFITS FOR LONGER THAN THE ALLOWABLE TIME LIMIT IN ALL CASES; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2879: Public Health and Welfare
AN ACT TO AMEND SECTION 41-59-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AS A CONDITION OF HOLDING A VALID AMBULANCE LICENSE AND PERMIT, EACH ENTITY MUST SHOW PROOF THAT THE ENTITY HAS ENTERED INTO A MUTUAL AID AGREEMENT WITH ANOTHER ENTITY TO ENSURE THE GENERAL PUBLIC IS PROVIDED WITH PROPER RESPONSE TIMES DURING A CRITICAL HEALTH EMERGENCY; TO REQUIRE THE STATE BOARD OF HEALTH TO PROMULGATE REGULATIONS REGARDING SUCH MUTUAL AID AGREEMENTS; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2880: Public Health and Welfare
AN ACT TO PROVIDE THAT NO FEDERAL EXECUTIVE ORDER, AGENCY ORDER, RULE, GUIDANCE DOCUMENT, MEMORANDUM, DIRECTIVE, REGULATION OR ADMINISTRATIVE INTERPRETATION OF A LAW OR STATUTE ENROLLED BY THE UNITED STATES CONGRESS AND SIGNED BY THE PRESIDENT OF THE UNITED STATES, INCLUDING, WITHOUT LIMITATION, ANY PROVISION OF THE BIPARTISAN SAFER COMMUNITIES ACT, WHICH ALLOWS ANY MEDICAL, HEALTHCARE, BEHAVIORAL, OR MENTAL HEALTH TREATMENT, SERVICE, THERAPY OR COUNSELING WITHOUT PARENTAL NOTIFICATION OR CONSENT IN CONTRAVENTION OF THE PROVISIONS OF MISSISSIPPI CODE SECTIONS 37-13-173 AND 41-41-3, AS APPLICABLE, SHALL BE ENFORCED OR ORDERED TO BE ENFORCED BY ANY OFFICIAL, AGENT OR EMPLOYEE OF THIS STATE OR A POLITICAL SUBDIVISION THEREOF, TO PROVIDE FOR THE LEGISLATIVE INTENT OF THE ACT; TO ESTABLISH A PRIVATE RIGHT OF ACTION FOR VIOLATION OF THE ACT; TO BRING FORWARD SECTIONS 37-13-173 AND 41-41-3, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2881: Public Health and Welfare

AN ACT TO AMEND SECTION 41-4-7, MISSISSIPPI CODE OF 1972, TO PROVIDE AN ADDITIONAL POWER AND DUTY FOR THE DEPARTMENT OF MENTAL HEALTH; TO REQUIRE THE DEPARTMENT TO CERTIFY PRIVATELY-OWNED MENTAL HEALTH PROVIDERS THAT ARE NOT A PART OF THE COMMUNITY OR REGIONAL MENTAL HEALTH SERVICE PROVIDERS AND DO NOT RECEIVE STATE FUNDING; TO PROVIDE THAT THE DEPARTMENT MAY WAIVE ANY ADDITIONAL REQUIREMENTS THAT ARE SUITABLE FOR REGIONAL AND COMMUNITY MENTAL HEALTH PROVIDERS BUT NOT FOR PRIVATELY-OWNED MENTAL HEALTH PROVIDERS; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

S. B. No. 2882: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO EXEMPT STATE AGENCIES FROM THE PROCUREMENT AND BIDDING REQUIREMENTS FOR PURCHASES RELATED TO MUSEUM EXHIBITS AND DISPLAY ITEMS; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO EXEMPT ANY PERSONAL OR PROFESSIONAL SERVICES CONTRACTS ENTERED INTO BY A STATE AGENCY FOR THE DESIGN, OPERATION OR MAINTENANCE OF MUSEUM EXHIBITS FOR THE PURVIEW OF THE PUBLIC PROCUREMENT REVIEW BOARD; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

S. B. No. 2883: Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO ESTABLISH A COMMUNITY HEALTH WORKER CERTIFICATION PROGRAM IN THE STATE DEPARTMENT OF HEALTH; TO PROVIDE THAT THE DIVISION OF MEDICAID SHALL SEEK APPROVAL FROM THE CENTERS FOR MEDICARE AND MEDICAID SERVICES FOR A STATE PLAN AMENDMENT, WAIVER, OR ALTERNATIVE PAYMENT MODEL TO PROVIDE REIMBURSEMENT FOR CERTAIN SERVICES PROVIDED BY CERTIFIED COMMUNITY HEALTH WORKERS; TO PROVIDE THAT THE DEPARTMENT SHALL BE THE SOLE CERTIFYING BODY FOR THE COMMUNITY HEALTH WORKER PROFESSION AND PRACTICE IN MISSISSIPPI; FROM AND AFTER JANUARY 1, 2025, NO PERSON SHALL REPRESENT HIMSELF OR HERSELF AS A COMMUNITY HEALTH WORKER UNLESS HE OR SHE IS CERTIFIED AS SUCH IN ACCORDANCE WITH THE REQUIREMENTS OF THE DEPARTMENT; TO PROVIDE THAT THE DEPARTMENT SHALL PROMULGATE RULES NECESSARY TO CARRY OUT THE PROVISIONS OF THIS ACT, INCLUDING ESTABLISHING THE CORE COMPETENCIES OF COMMUNITY HEALTH WORKERS, THE COMMUNITY HEALTH WORKER CERTIFICATION APPLICATION AND RENEWAL PROCESS, CERTIFICATION APPLICATION AND RENEWAL FEES, PROCEDURES FOR CERTIFICATION DENIAL, SUSPENSION AND REVOCATION, AND THE SCOPE OF PRACTICE FOR CERTIFIED COMMUNITY HEALTH WORKERS; TO PROVIDE THAT THE DEPARTMENT SHALL APPROVE COMPETENCY-BASED TRAINING PROGRAMS AND TRAINING PROVIDERS, AND APPROVE ORGANIZATIONS TO PROVIDE CONTINUING EDUCATION FOR CERTIFIED COMMUNITY HEALTH WORKERS; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO PROVIDE MEDICAID REIMBURSEMENT FOR CERTAIN SERVICES PROVIDED BY CERTIFIED COMMUNITY HEALTH WORKERS; TO EXTEND THE DATE OF THE REPEALER ON THE SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2884: Public Health and Welfare

AN ACT TO PROHIBIT THE ADMINISTRATION OF THE COVID-19 MRNA VACCINATIONS UNTIL THE STATE DEPARTMENT OF HEALTH ANALYZES ANY EXISTING DATA AND CONCLUDES THAT THE BENEFITS OF SUCH VACCINE OUTWEIGH THE RISKS; TO PROVIDE THAT THE DEPARTMENT OF HEALTH SHALL

CONDUCT A STUDY AND MAKE RECOMMENDATIONS ON THE BENEFITS AND RISKS OF THE ADMINISTRATION OF COVID-19 MRNA VACCINATION; AND FOR RELATED PURPOSES.
By Senator(s) McLendon

S. B. No. 2885: Public Health and Welfare
AN ACT TO ESTABLISH A SCREENING AND APPROVAL PROGRAM FOR THE OVER-THE-COUNTER AVAILABILITY AND RETAIL SALE OF PRODUCTS THAT CONTAIN ANY SUBSTANCE WITH THE POTENTIAL TO BE RECREATIONALLY USED OR ABUSED; TO DEFINE CERTAIN TERMS RELATING TO THE ACT; TO REQUIRE THE STATE DEPARTMENT OF HEALTH TO ADMINISTER THE PROGRAM; TO REQUIRE THE STATE HEALTH OFFICER TO APPROVE OR DENY THE OVER-THE-COUNTER AVAILABILITY AND RETAIL SALE OF PRODUCTS THAT CONTAIN ANY SUBSTANCE WITH THE POTENTIAL TO BE RECREATIONALLY USED OR ABUSED; TO PROVIDE THAT A PROCESS TO APPEAL SUCH DETERMINATION SHALL BE AVAILABLE TO THE MANUFACTURER OR DISTRIBUTOR OF SUCH PRODUCT THAT WAS DENIED BY THE STATE HEALTH OFFICER; TO PROVIDE THAT THE DEPARTMENT SHALL ESTABLISH RULES AND REGULATIONS AS NECESSARY TO IMPLEMENT AND ADMINISTER THE PROGRAM; TO PROVIDE AN EXCEPTION FOR CERTAIN ORDINANCES AND REGULATIONS OF MUNICIPALITIES AND COUNTIES; AND FOR RELATED PURPOSES.
By Senator(s) McLendon

S. B. No. 2886: Public Health and Welfare; Finance
AN ACT TO PROVIDE DEFINITIONS RELATED TO NICOTINE VAPOR NONCOMBUSTIBLE PRODUCTS OR "ENDS PRODUCT" AND THEIR ASSOCIATED USES; TO REQUIRE MANUFACTURERS OF ENDS PRODUCTS TO PROVIDE THE DEPARTMENT OF REVENUE WITH A CERTIFICATION THAT THE MANUFACTURER IS COMPLIANT WITH CERTAIN FEDERAL RESTRICTIONS AND PROVISIONS OF THE ACT; TO REQUIRE MANUFACTURERS TO PAY A FEE FOR EACH PRODUCT FOR EACH ANNUAL CERTIFICATION; TO REQUIRE SUCH CERTIFICATION TO LIST ALL BRAND NAMES, CATEGORIES, CARTRIDGE TYPE, AND FLAVORS OF EACH ENDS PRODUCT SOLD IN THE STATE; TO PROVIDE THAT THE INFORMATION PROVIDED IN THE CERTIFICATION SHALL BE CONSIDERED CONFIDENTIAL COMMERCIAL OR FINANCIAL INFORMATION; TO REQUIRE THE MANUFACTURER TO PROVIDE CERTAIN NOTICES; TO REQUIRE THE DEPARTMENT OF REVENUE TO MAINTAIN A PUBLICLY AVAILABLE LIST OF ALL ENDS PRODUCT MANUFACTURERS AND THEIR RESPECTIVE PRODUCTS; TO ESTABLISH CERTAIN VIOLATIONS AND FINES RELATED TO THE ACT; TO SET THE PROCEDURE BY WHICH A MANUFACTURER MAY BE FINED; TO SET CERTAIN TIMELINES RELATIVE TO THE ACT; TO REQUIRE SUCH MANUFACTURERS TO HAVE AN AGENT FOR SERVICE OF PROCESS; TO PROVIDE THAT THE DEPARTMENT OF REVENUE MAY PROMULGATE RULES NECESSARY TO THE ACT; TO PROVIDE THAT ALL FEES AND PENALTIES COLLECTED BY THE DEPARTMENT OF REVENUE MAY BE USED FOR ADMINISTRATION AND ENFORCEMENT OF THE ACT; TO PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL PROVIDE A REPORT TO THE LEGISLATURE STARTING JANUARY 31, 2025, AND ANNUALLY THEREAFTER; AND FOR RELATED PURPOSES.
By Senator(s) Boyd

S. B. No. 2887: Public Health and Welfare
AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO DELETE THE CERTIFICATE OF NEED REQUIREMENT FOR LICENSED PSYCHIATRIC SERVICES AND TO PROVIDE BEGINNING ON JULY 1, 2024, THE DEPARTMENT SHALL NOT REQUIRE A CERTIFICATE OF NEED FOR ANY PSYCHIATRIC RESIDENTIAL TREATMENT FACILITY, PSYCHIATRIC HOSPITAL, END-STAGE RENAL DISEASE (ESRD) FACILITY, INTERMEDIATE CARE FACILITY FOR THE MENTALLY RETARDED, CHILD/ADOLESCENT PSYCHIATRIC BEDS OR

ANY OTHER LICENSED PSYCHIATRIC SERVICES OR MENTAL HEALTH SERVICES; AND FOR RELATED PURPOSES.
By Senator(s) Boyd

S. B. No. 2888: Public Health and Welfare
AN ACT TO CREATE THE CENTER FOR MISSISSIPPI MEDICAL CANNABIS RESEARCH AT THE NATIONAL CENTER FOR CANNABIS RESEARCH AND EDUCATION AT THE UNIVERSITY OF MISSISSIPPI; TO SET CERTAIN DUTIES AND RESPONSIBILITIES OF THE CENTER; TO REQUIRE THE UNIVERSITY OF MISSISSIPPI TO PROVIDE STAFF FOR THE CENTER; TO REQUIRE CERTAIN RESEARCH TO BE CONDUCTED AT THE CENTER; TO ESTABLISH THE MEDICAL CANNABIS RESEARCH ADVISORY BOARD, WHICH SHALL BE THE COMMITTEE THAT IS REQUIRED TO ADVISE THE LEGISLATURE ABOUT MEDICAL CANNABIS AND CANNABIS PRODUCT, PATIENT CARE, SERVICES AND INDUSTRY; TO PROVIDE FOR THE MEMBERSHIP OF THE BOARD; TO PROVIDE THE BOARD'S RESPONSIBILITIES; TO AUTHORIZE THE BOARD TO RECEIVE PER DIEM SUBJECT TO APPROPRIATION; TO REQUIRE THE DEPARTMENT OF HEALTH TO REPORT TO THE PUBLIC HEALTH AND WELFARE COMMITTEES OF THE MISSISSIPPI STATE SENATE AND THE HOUSE OF REPRESENTATIVES ON INFORMATION PROVIDED BY THE CENTER FOR MEDICAL CANNABIS RESEARCH; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2889: Education; Finance
AN ACT TO AMEND SECTION 27-7-22.37, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT QUALIFIED CONTRIBUTIONS TO PRESCHOOL OR PREKINDERGARTEN PROGRAMS SERVING CHILDREN AT LEAST THREE YEARS OF AGE ARE ELIGIBLE FOR THE INCOME TAX CREDIT APPLYING TO PREKINDERGARTEN PROGRAM SUPPORT CONTRIBUTIONS; AND FOR RELATED PURPOSES.
By Senator(s) Boyd

S. B. No. 2890: Finance
AN ACT TO AMEND SECTION 27-19-23, MISSISSIPPI CODE OF 1972, TO MODIFY THE DEFINITION OF "HYBRID VEHICLE," FOR PURPOSES OF THE HYBRID VEHICLE TAX, TO REQUIRE THE ABILITY TO BE CHARGED BY PLUGGING INTO AN EXTERNAL SOURCE; AND FOR RELATED PURPOSES.
By Senator(s) Robinson

S. B. No. 2891: Finance
AN ACT TO ENACT THE "RETAILER TAX FAIRNESS ACT"; TO DEFINE CERTAIN TERMS RELATING TO ELECTRONIC PAYMENT TRANSACTIONS; TO PROVIDE THAT A MERCHANT OR SELLER COLLECTING STATE TAXES OR LOCAL TAXES FROM A PURCHASER IN ANY ELECTRONIC PAYMENT TRANSACTION FOR WHICH THE MERCHANT OR SELLER PAYS OR IS CHARGED AN INTERCHANGE FEE, AND HAS NOT PASSED ON THAT COST TO THE PURCHASER AS A TRANSACTION FEE, WILL BE ENTITLED TO A CREDIT AGAINST SUCH TAXES; TO PROVIDE FOR THE AMOUNT OF THE CREDIT; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2892: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 29-5-203, MISSISSIPPI CODE OF 1972, TO REVISE THE BOUNDARIES OF THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; AND FOR RELATED PURPOSES.
By Senator(s) Michel

S. B. No. 2893: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE MISSISSIPPI DEPARTMENT OF

TRANSPORTATION IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION AND INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF EAST METRO PARKWAY AND EL DORADO ROAD IN THE CITY OF PEARL, MISSISSIPPI; AND FOR RELATED PURPOSES.
By Senator(s) Kirby

S. B. No. 2894: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF PEARL, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR, RENOVATION AND UPGRADES OF AND IMPROVEMENTS TO ITS CITY HALL BUILDING AND RELATED FACILITIES; AND FOR RELATED PURPOSES.
By Senator(s) Kirby

S. B. No. 2895: Accountability, Efficiency, Transparency
AN ACT TO CREATE NEW SECTION 57-31-35, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ACQUISITION AND DEVELOPMENT BY A COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY OR AN ECONOMIC DEVELOPMENT DISTRICT OF AT LEAST 800 OR MORE CONTIGUOUS ACRES AS A MEGASITE TO ATTRACT SIGNIFICANT INDUSTRIAL DEVELOPMENT PROJECTS; TO PROVIDE FOR THE FINANCING AND DEVELOPMENT OF SUCH MEGASITE PROJECTS; TO AMEND SECTION 19-9-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY COUNTY BOARD OF SUPERVISORS TO ISSUE NEGOTIABLE BONDS OF THE COUNTY TO RAISE MONEY FOR THE PURPOSES PROVIDED IN THIS ACT; TO AMEND SECTION 19-9-5, MISSISSIPPI CODE OF 1972, TO EXEMPT INDEBTEDNESS INCURRED UNDER THIS ACT FROM THE COUNTY DEBT LIMIT; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO EXEMPT PURCHASES FOR SUCH MEGASITE PROJECTS FROM PUBLIC BID REQUIREMENTS; TO AMEND SECTION 43-37-3, MISSISSIPPI CODE OF 1972, TO EXEMPT ANY PERSON, AGENCY OR OTHER ENTITY USING PUBLIC FUNDS IN ACCORDANCE WITH THIS ACT FROM CERTAIN APPRAISAL AND PRICING REQUIREMENTS; AND FOR RELATED PURPOSES.
By Senator(s) Younger

S. B. No. 2896: Finance
AN ACT TO PROVIDE THAT A CORPORATION OR OTHER LEGAL ENTITY MAY REGISTER MOTOR VEHICLES IN A RENTAL FLEET ON AN ANNUAL BASIS SO THAT THE REGISTRATION OF ALL MOTOR VEHICLES IN THE FLEET EXPIRES IN THE ANNIVERSARY MONTH ESTABLISHED BY THE COMMISSIONER OF REVENUE; TO PROVIDE FOR THE ISSUANCE OF SPECIAL LICENSE TAGS AND REGISTRATION CARDS FOR RENTAL FLEET MOTOR VEHICLES UPON APPLICATION OF THE CORPORATION OR OTHER LEGAL ENTITY OPERATING A FLEET; TO PROVIDE A FEE TO BE PAID TO THE DEPARTMENT OF REVENUE UPON THE FILING OF AN APPLICATION; TO PROVIDE THAT A RENTAL FLEET REGISTRATION CARD MUST BE CARRIED IN ALL MOTOR VEHICLES IN A RENTAL FLEET; TO PROVIDE FOR THE REGISTRATION OF MOTOR VEHICLES ADDED TO A RENTAL FLEET DURING A REGISTRATION YEAR; TO PROVIDE FOR THE REMOVAL OF A MOTOR VEHICLE FROM A RENTAL FLEET; TO PROVIDE THAT IF A MOTOR VEHICLE REGISTERED IN A FLEET IS REMOVED FROM THE FLEET, THE RENTAL FLEET LICENSE TAG REMOVED FROM THE MOTOR VEHICLE MAY BE TRANSFERRED TO AND USED ON ANOTHER MOTOR VEHICLE THAT IS ADDED TO THE FLEET TO REPLACE THE REMOVED MOTOR VEHICLE UNDER CERTAIN CONDITIONS; TO AMEND SECTIONS 27-19-3, 27-19-31, 27-19-43 AND 27-19-63, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "RENTAL FLEET" UNDER THE MOTOR VEHICLE PRIVILEGE TAX LAWS; TO PROVIDE THAT RENTAL FLEET MOTOR VEHICLES SHALL NOT BE ISSUED TAG DECALS NOTING THE MONTH AND YEAR OF EXPIRATION; TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PRORATE THE REGISTRATION YEAR OF MOTOR VEHICLES IN RENTAL FLEETS SO THAT THE REGISTRATION OF SUCH MOTOR VEHICLES WILL COINCIDE WITH THE ANNIVERSARY MONTH FOR RENTAL FLEETS; TO PROVIDE THAT THE OWNER OF MOTOR VEHICLES IN A

RENTAL FLEET MAY MAKE APPLICATION FOR LICENSE TAGS FOR SUCH MOTOR VEHICLES WITH THE DEPARTMENT OF REVENUE OR THE LOCAL TAX COLLECTOR; TO PROVIDE THAT THE ANNIVERSARY MONTH FOR THE PRIVILEGE LICENSE TAX FOR MOTOR VEHICLES THAT ARE IN A RENTAL FLEET SHALL BE ESTABLISHED BY THE COMMISSIONER OF REVENUE; TO BRING FORWARD SECTIONS 27-19-5, 27-19-11, 27-19-15 AND 27-19-17, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE MOTOR VEHICLE PRIVILEGE TAX LAWS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 2897: Finance
AN ACT TO AUTHORIZE A CREDIT OR REBATE FOR A HOME BUYER'S PORTION OF THE AD VALOREM TAXES ON THE HOME FOR THE YEAR OF PURCHASE IF THE BUYER, AT THE TIME OF CLOSING, EITHER IS AN AMERICAN VETERAN HONORABLY DISCHARGED FROM MILITARY SERVICE WITH A SERVICE-CONNECTED, TOTAL DISABILITY AND IS AT LEAST 65 YEARS OF AGE, IS THE UNREMARRIED SURVIVING SPOUSE OF SUCH A HOMEOWNER, OR IS THE UNREMARRIED SURVIVING SPOUSE OF A MEMBER OF THE UNITED STATES ARMED FORCES WHO WAS KILLED OR DIED ON ACTIVE DUTY OR OF A MEMBER OF A RESERVE COMPONENT OF THE UNITED STATES ARMED FORCES OR OF THE NATIONAL GUARD WHO WAS KILLED OR DIED ON ACTIVE DUTY FOR TRAINING; TO REQUIRE A HOME BUYER DESIRING A CREDIT OR REBATE TO SUBMIT A REQUEST TO THE DEPARTMENT OF REVENUE AFTER THE CLOSING TRANSACTION, BUT NO LATER THAN JANUARY 31 OF THE YEAR FOLLOWING THE PURCHASE YEAR; TO SPECIFY THE DOCUMENTATION THAT THE HOME BUYER MUST PROVIDE TO THE DEPARTMENT OF REVENUE; TO PROVIDE THAT PAYMENTS MADE BY THE DEPARTMENT OF REVENUE UNDER THIS ACT SHALL BE FROM CURRENT TAX COLLECTIONS; TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE RULES AND REGULATIONS TO ADMINISTER THIS ACT; TO AMEND SECTION 27-7-15, MISSISSIPPI CODE OF 1972, TO EXCLUDE REBATE PAYMENTS UNDER THIS ACT FROM THE DEFINITION OF GROSS INCOME FOR PURPOSES OF THE STATE INCOME TAX; TO AMEND SECTION 27-33-31, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Harkins

S. B. No. 2898: Finance
AN ACT TO REQUIRE THE STATE OF MISSISSIPPI AND ITS DEPARTMENTS, AGENCIES AND SUBDIVISIONS TO PAY TO THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM THE FULL AMOUNT OF THE EMPLOYER'S CONTRIBUTION ON THE AMOUNT OF COMPENSATION RECEIVED BY ANY PART-TIME EMPLOYEE, CONTRACT WORKER, CONTRACTUAL EMPLOYEE OR INDEPENDENT CONTRACTOR FOR SERVICES PERFORMED; TO AMEND SECTION 25-11-127, MISSISSIPPI CODE OF 1972, TO CONFORM; TO BRING FORWARD SECTIONS 25-11-123 AND 25-11-124, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Seymour

S. B. No. 2899: Finance
AN ACT TO DECLARE THE PUBLIC POLICY OF THE STATE REGARDING THE INVESTMENT OF MONIES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND EXPRESS LEGISLATIVE INTENT TO EMPHASIZE THE COMMITMENT OF THE STATE TO ONLY INVEST STATE TRUST FUND MONIES IN A MANNER THAT PRIORITIZES THE SAFETY OF INVESTMENTS AND THE HIGHEST RETURN ON INVESTMENT FOR BENEFICIARIES, WITHOUT CONSIDERATION FOR NONPECUNIARY BELIEFS OR POLITICAL FACTORS; TO AMEND SECTION 25-11-121, MISSISSIPPI CODE OF 1972, TO DIRECT THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO MAKE INVESTMENT DECISIONS WITH THE SOLE PURPOSE OF MAXIMIZING THE SAFETY OF, AND RETURN ON, ITS INVESTMENTS; TO PROHIBIT THE BOARD FROM MAKING INVESTMENT

DECISIONS WITH THE PRIMARY PURPOSE OF INFLUENCING ANY SOCIAL OR ENVIRONMENTAL POLICY OR ATTEMPTING TO INFLUENCE THE GOVERNANCE OF ANY CORPORATION; TO PROHIBIT THE BOARD FROM SACRIFICING INVESTMENT RETURNS OR ASSUMING GREATER INVESTMENT RISKS AS A MEANS OF PROMOTING COLLATERAL SOCIAL POLICY GOALS; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2900: Finance
AN ACT TO AMEND SECTION 63-21-39, MISSISSIPPI CODE OF 1972, TO REVISE THE REQUIREMENTS FOR TRANSFERRING A MOTOR VEHICLE TO BE SCRAPPED, DISMANTLED OR DESTROYED WHEN THE OWNER OR AUTHORIZED AGENT OF THE OWNER DOES NOT HAVE THE MOTOR VEHICLE TITLED IN HIS OR HER NAME; TO AMEND SECTION 63-21-16, MISSISSIPPI CODE OF 1972, TO REQUIRE THE ELECTRONIC TRANSMISSION OF LIENS; TO AMEND SECTION 63-21-18, MISSISSIPPI CODE OF 1972, TO PROVIDE SCRAPPERS AND DISMANTLERS WITH ACCESS TO THE MISSISSIPPI AUTOMATED REGISTRATION VEHICLE INFORMATION NETWORK (MARVIN) WITH PAYMENT OF A $100.00 FEE TO THE DEPARTMENT OF REVENUE, WHICH SHALL BE RENEWED ANNUALLY; TO AMEND SECTION 63-21-65, MISSISSIPPI CODE OF 1972, TO SPECIFY THE FUND CREATED WITHIN THE STATE TREASURY FOR FUNDS USED FOR ENFORCEMENT AND PERSONNEL AS THE "MOTOR TITLES REGISTRATION ENFORCEMENT FUND"; TO AMEND SECTION 63-21-75, MISSISSIPPI CODE OF 1972, TO CREATE AN ENFORCEMENT DIVISION WITHIN THE MOTOR VEHICLE SERVICES BUREAU WITHIN THE DEPARTMENT OF REVENUE; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2901: Finance
AN ACT TO PROVIDE NOTICE AND HEARING PROCEDURES TO BE FOLLOWED BY COUNTIES AND MUNICIPALITIES INTENDING TO EXCEED THE REVENUE-NEUTRAL RATE IN THEIR LEVY OF AD VALOREM TAXES; TO PROVIDE THAT THESE PROCEDURES DO NOT APPLY TO SCHOOL DISTRICT MILLAGE RATES; TO REQUIRE THE REFUND OF ANY PROPERTY TAXES OVER-COLLECTED BASED ON THE AMOUNT OF THE LEVY IN EXCESS OF THE REVENUE-NEUTRAL RATE, IF SUCH PROCEDURES WERE NOT FOLLOWED; TO PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL MONITOR COMPLIANCE WITH THIS ACT, AND TO AUTHORIZE THE DEPARTMENT TO PROMULGATE RULES AND REGULATIONS IN FURTHERANCE THEREOF; TO PROVIDE THAT, IF THE REVENUE-NEUTRAL RATE IS EXCEEDED IN VIOLATION OF THIS ACT, THE MILLAGE RATE FOR THE FOLLOWING YEAR SHALL REVERT TO THE NUMBER PREVIOUSLY IN EFFECT; TO SPECIFY THAT THE ACT DOES NOT APPLY TO ANY TAXING SUBDIVISION RECEIVING $5,000.00 OR LESS IN REVENUE FROM PROPERTY TAXES IN THE CURRENT YEAR; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 2902: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 31-11-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHEN UTILIZING THE CONSTRUCTION MANAGER AT-RISK METHOD OF PROJECT DELIVERY, THE DEPARTMENT OF FINANCE AND ADMINISTRATION MAY REQUIRE THE MANAGER TO PROCURE ANY AND ALL RESULTING CONSTRUCTION CONTRACTS NECESSARY TO COMPLETE THE PROJECT; TO PROVIDE THAT ALL SUCH CONTRACTS SHALL BE BETWEEN THE MANAGER AND THE CONTRACTORS AND SHALL BE EXEMPT FROM THE PROVISIONS OF THE BID LAW; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2903: Finance

AN ACT TO AMEND SECTION 25-14-5, MISSISSIPPI CODE OF 1972, TO ALLOW THE MISSISSIPPI DEFERRED COMPENSATION PLAN AND TRUST TO OFFER ROTH ACCOUNTS AND OTHER AFTER-TAX CONTRIBUTION VEHICLES; TO PROVIDE THAT A PARTICIPANT'S ROTH OR OTHER ALLOWABLE AFTER-TAX CONTRIBUTION INTO A DEFERRED COMPENSATION ACCOUNT SHALL BE TREATED BY THE EMPLOYER AS INCLUDABLE IN THE PARTICIPANT'S INCOME AT THE TIME THE PARTICIPANT WOULD HAVE RECEIVED THAT AMOUNT IN COMPENSATION IF THE PARTICIPANT HAD NOT MADE A DEFERRED ELECTION; TO PROVIDE THAT THE MISSISSIPPI DEFERRED COMPENSATION PLAN AND TRUST SHALL COMPLY WITH ANY QUALIFIED DOMESTIC RELATIONS ORDER UNDER THE INTERNAL REVENUE CODE ESTABLISHING THE RIGHT OF AN ALTERNATE PAYEE TO ALL OR A PORTION OF A PARTICIPANT'S BENEFIT UNDER THE PLAN; TO AMEND SECTION 25-14-15, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2904: Finance

AN ACT TO AMEND SECTION 25-11-105, MISSISSIPPI CODE OF 1972, TO REQUIRE ANY TERMINATED PLAN PREVIOUSLY APPROVED BY THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO PAY TO THE BOARD ITS PORTION OF THE UNFUNDED ACTUARIAL ACCRUED LIABILITY IN A LUMP SUM BEFORE TERMINATION, AS PROVIDED BY BOARD REGULATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2905: Finance

AN ACT TO AMEND SECTION 25-11-105, MISSISSIPPI CODE OF 1972, TO REQUIRE ANY TERMINATED PLAN PREVIOUSLY APPROVED BY THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO PAY TO THE BOARD ITS PORTION OF THE UNFUNDED ACTUARIAL ACCRUED LIABILITY IN A LUMP SUM BEFORE TERMINATION, AS PROVIDED BY BOARD REGULATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2906: Finance; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 27-67-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT 10% OF STATE USE TAX REVENUE SHALL BE DEPOSITED INTO THE STATE HIGHWAY FUND TO BE USED EXCLUSIVELY FOR THE CONSTRUCTION, RECONSTRUCTION, REPAIR OR MAINTENANCE OF HIGHWAYS OF THE STATE; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

S. B. No. 2907: Finance

AN ACT TO AMEND SECTION 25-11-411, MISSISSIPPI CODE OF 1972, TO REVISE THE EMPLOYER CONTRIBUTION RATES FOR PARTICIPANTS IN THE OPTIONAL RETIREMENT PROGRAM; TO AMEND SECTION 25-11-407, MISSISSIPPI CODE OF 1972, TO DELETE THE MINIMUM NUMBER OF COMPANIES THAT THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM MUST DESIGNATE TO PROVIDE INVESTMENT PRODUCTS FOR THE OPTIONAL RETIREMENT PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2908: Finance; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO INCREASE, FROM 18.5% TO 19.5%, THE PORTION OF THE STATE SALES TAX REVENUE COLLECTED ON BUSINESS ACTIVITIES IN A MUNICIPALITY THAT SHALL BE PAID TO THE MUNICIPALITY; TO PROVIDE THAT 10% OF THE STATE SALES TAX REVENUE COLLECTED ON BUSINESS ACTIVITIES IN A COUNTY, AND NOT IN A

MUNICIPALITY OR ON THE CAMPUS OF A STATE INSTITUTION OF HIGHER LEARNING OR COMMUNITY OR JUNIOR COLLEGE, SHALL BE PAID TO THE COUNTY; TO AMEND SECTION 27-65-53, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Sparks

S. B. No. 2909: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 25-7-65, MISSISSIPPI CODE OF 1972, TO INCREASE THE LEGAL RATE OF PUBLICATION OF PUBLIC BUSINESS AND TO PROVIDE FOR PUBLICATION OF CORRECTION OF LEGAL NOTICE ON THE WEBSITE OF THE NEWSPAPER OR THE WEBSITE OF THE COUNTY OR MUNICIPALITY; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th)

S. B. No. 2910: Finance
AN ACT TO BRING FORWARD SECTION 27-31-19, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Harkins

S. B. No. 2911: Finance
AN ACT TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO DIVERT 2% OF STATE SALES TAX REVENUE COLLECTED ON ACTIVITIES AT THE MISSISSIPPI COAST COLISEUM AND CONVENTION CENTER TO THE MISSISSIPPI COAST COLISEUM AND CONVENTION TRUST FUND; TO PROVIDE THAT SUCH FUNDS SHALL BE SPENT SOLELY TO DEFRAY THE COSTS OF CAPITAL IMPROVEMENTS OR MAJOR REPAIRS TO THE COLISEUM AND CONVENTION CENTER; TO DIVERT 2% OF STATE SALES TAX REVENUE COLLECTED ON ACTIVITIES AT THE MISSISSIPPI STATE FAIRGROUNDS TO A SPECIAL FUND MANAGED BY THE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR THE BENEFIT OF THE STATE FAIRGROUNDS; TO PROVIDE THAT SUCH FUNDS SHALL BE SPENT SOLELY TO DEFRAY THE COSTS OF CAPITAL IMPROVEMENTS OR MAJOR REPAIRS TO THE STATE FAIRGROUNDS; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2912: Government Structure
AN ACT TO AMEND SECTIONS 39-5-3 AND 39-5-7, MISSISSIPPI CODE OF 1972, TO REVISE THE APPOINTING AUTHORITY FOR MEMBERS OF THE BOARD OF TRUSTEES AND THE DIRECTOR OF THE DEPARTMENT OF ARCHIVES AND HISTORY; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2913: Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTIONS 5-8-3 AND 5-8-5, MISSISSIPPI CODE OF 1972, TO REQUIRE REGISTERED LOBBYISTS TO INCLUDE IN ANNUAL REGISTRATION STATEMENTS WHETHER THE LOBBYIST CLIENT IS A FOREIGN PRINCIPAL OF A FOREIGN ADVERSARY AND TO PROVIDE DEFINITIONS; AND FOR RELATED PURPOSES.
By Senator(s) Tate

S. B. No. 2914: Finance; Accountability, Efficiency, Transparency
AN ACT TO AMEND SECTION 27-67-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT 10% OF STATE USE TAX REVENUE SHALL BE DEPOSITED INTO THE 2022 CAPACITY PROJECT FUND; TO AMEND SECTION 75-76-129, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PORTION OF THE GAMING LICENSE FEES SHALL BE DEPOSITED INTO THE 2022 MAINTENANCE PROJECT FUND; AND FOR RELATED PURPOSES.
By Senator(s) Branning

S. B. No. 2915: Accountability, Efficiency, Transparency

AN ACT TO BRING FORWARD SECTION 25-4-5, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

S. B. No. 2916: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 5-8-3, 5-8-5, 5-8-9, 5-8-11, 5-8-17 AND 5-8-19, MISSISSIPPI CODE OF 1972, RELATING TO THE REGULATION OF LOBBYING, TO REQUIRE ANY LOBBYIST WHO HAS A MATERIAL FINANCIAL INTEREST IN A BUSINESS THAT MAY BENEFIT FROM LEGISLATIVE ACTION BY THE MISSISSIPPI LEGISLATURE TO MAKE A WRITTEN DISCLOSURE TO THE LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE AND THE CHAIRMEN OF THE COMMITTEES TO WHICH THE LEGISLATION IS ASSIGNED PRIOR TO FLOOR ACTION BY THE FULL SENATE OR HOUSE AS THE CASE MAY BE; TO PROVIDE DEFINITIONS; TO REQUIRE ORGANIZATIONS REGISTERED WITH THE LEGISLATURE TO DISCLOSE ON A SEMIANNUAL BASIS THE ISSUES, SPECIFIC BILLS AND REGULATIONS LOBBIED DURING THAT PERIOD WITH THE NAMES OF THE LOBBYISTS EMPLOYED; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

S. B. No. 2917: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 29-5-201, MISSISSIPPI CODE OF 1972, TO DEFINE THE AUTHORITY OF THE CAPITOL COMPLEX IMPROVEMENT DISTRICT RELATIVE TO THE DEMOLITION AND REMOVAL OF STRUCTURES, PROPERTY AND DEBRIS; TO AMEND SECTION 29-5-205, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION MAY PAY FOR IMPROVEMENT PROJECTS FROM ANY FUNDS APPROPRIATED BY THE LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Michel

S. B. No. 2918: Rules

AN ACT TO CREATE NEW SECTION 3-3-22, MISSISSIPPI CODE OF 1972, TO DESIGNATE THE KEMP'S RIDLEY SEA TURTLE AS THE OFFICIAL STATE TURTLE OF THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol, Younger, Fillingane, Thompson, Wiggins, DeBar

S. B. No. 2919: Appropriations

AN ACT TO ENACT THE MISSISSIPPI SEARCH AND RESCUE PROGRAM ACT; TO DEFINE TERMS; TO ESTABLISH THE MISSISSIPPI SEARCH AND RESCUE PROGRAM; TO REQUIRE THE OFFICE TO PERFORM CERTAIN DUTIES UNDER THE PROGRAM; TO REQUIRE THE DIRECTOR OF THE OFFICE TO PERFORM CERTAIN DUTIES; TO PROVIDE THAT THE PROGRAM SHALL BE PROVIDED WITH THE NECESSARY FUNDING FOR EQUIPMENT, TRAINING FACILITIES, AND WAREHOUSES FOR EQUIPMENT AND PERSONNEL FOR THE PROGRAM TO PERFORM ITS FUNCTIONS; TO CREATE A SPECIAL FUND WITH THE STATE TREASURY TO BE KNOWN AS THE MISSISSIPPI SEARCH AND RESCUE PROGRAM FUND; AND FOR RELATED PURPOSES.

By Senator(s) McLendon

S. B. No. 2920: Public Health and Welfare

AN ACT TO PROVIDE FOR A STANDARDIZED MEDICAL EXEMPTION FOR VACCINES; TO PROVIDE THAT IF ANY PHYSICIAN, NURSE PRACTITIONER OR PHYSICIAN'S ASSISTANT LICENSED TO PRACTICE MEDICINE COMPLETES THE REQUIRED MEDICAL EXEMPTION FORM STATING THAT SUCH VACCINATION MAY BE DETRIMENTAL TO AN INDIVIDUAL'S HEALTH, ANY STATE OR MUNICIPAL REQUIREMENT TO OBTAIN A VACCINATION SHALL BE INAPPLICABLE UNTIL SUCH VACCINATION IS FOUND TO NO LONGER BE DETRIMENTAL TO THE INDIVIDUAL'S HEALTH BY THE INDIVIDUAL'S PHYSICIAN, NURSE PRACTITIONER, OR PHYSICIAN'S ASSISTANT; TO PROHIBIT DISCRIMINATION ON BASIS OF AN

INDIVIDUAL'S STATUS OF HAVING A MEDICAL EXEMPTION; TO AMEND SECTION 41-23-37, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Hill

S. B. No. 2921: Finance

AN ACT TO AMEND SECTION 25-14-5, MISSISSIPPI CODE OF 1972, TO ALLOW THE MISSISSIPPI DEFERRED COMPENSATION PLAN AND TRUST TO OFFER ROTH ACCOUNTS AND OTHER AFTER-TAX CONTRIBUTION VEHICLES; TO PROVIDE THAT A PARTICIPANT'S ROTH OR OTHER ALLOWABLE AFTER-TAX CONTRIBUTION INTO A DEFERRED COMPENSATION ACCOUNT SHALL BE TREATED BY THE EMPLOYER AS INCLUDABLE IN THE PARTICIPANT'S INCOME AT THE TIME THE PARTICIPANT WOULD HAVE RECEIVED THAT AMOUNT IN COMPENSATION IF THE PARTICIPANT HAD NOT MADE A DEFERRED ELECTION; TO PROVIDE THAT THE MISSISSIPPI DEFERRED COMPENSATION PLAN AND TRUST SHALL COMPLY WITH ANY QUALIFIED DOMESTIC RELATIONS ORDER UNDER THE INTERNAL REVENUE CODE ESTABLISHING THE RIGHT OF AN ALTERNATE PAYEE TO ALL OR A PORTION OF A PARTICIPANT'S BENEFIT UNDER THE PLAN; TO AMEND SECTION 25-14-15, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Harkins

S. B. No. 2922: Public Health and Welfare

AN ACT TO AMEND SECTION 41-137-3, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN DEFINITIONS RELATED TO THE MEDICAL CANNABIS ACT, INCLUDING "CONCENTRATE," "DEBILITATING MEDICAL CONDITIONS," MEDICAL CANNABIS "UNIT" AND "HOMEBOUND"; TO AMEND SECTION 41-137-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE WRITTEN CERTIFICATIONS TO BE ISSUED TO HOMEBOUND PATIENTS THROUGH A TELEMEDICINE ASSESSMENT; TO AUTHORIZE TELEMEDICINE APPOINTMENTS FOR FOLLOW-UP VISITS FOR ANY QUALIFYING PATIENT; TO AMEND SECTION 41-137-9, MISSISSIPPI CODE OF 1972, TO ADD NONRESIDENT CARDHOLDERS INTO THE PRESUMPTION THAT THE INDIVIDUAL IS ENGAGED IN THE MEDICAL USE OF CANNABIS UNDER THIS CHAPTER IF THEY HAVE A REGISTRY IDENTIFICATION CARD AND AN AMOUNT OF MEDICAL CANNABIS THAT DOES NOT EXCEED THE ALLOWABLE AMOUNT; TO AMEND SECTION 41-137-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A LICENSED MEDICAL CANNABIS ESTABLISHMENT TO DELIVER MEDICAL CANNABIS DIRECTLY FROM A DISPENSARY TO A NURSING FACILITY, HOSPITAL, HOSPICE, ASSISTED LIVING FACILITY, PERSONAL CARE HOME, ADULT DAY CARE FACILITY, IF A REGISTERED QUALIFYING PATIENT IS OTHERWISE UNABLE TO OBTAIN MEDICAL CANNABIS; TO PROVIDE THAT AN EMPLOYEE OF SUCH FACILITY MAY RECEIVE THE MEDICAL CANNABIS AND ENSURE THAT THE PATIENT RECEIVES THE MEDICAL CANNABIS WITHOUT BEING REQUIRED TO OBTAIN A WORK PERMIT OR BE LICENSED AS A PRACTITIONER UNDER THE ACT; TO AMEND SECTION 41-137-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF A PROSPECTIVE DESIGNATED CAREGIVER HAS ALREADY COMPLETED A BACKGROUND CHECK AS A CONDITION OF ANY OTHER PROVISION OF THE ACT, THE CAREGIVER SHALL NOT HAVE TO COMPLETE AN ADDITIONAL BACKGROUND CHECK; TO AMEND SECTION 41-137-25, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; TO AMEND SECTION 41-137-35, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF HEALTH TO CONTRACT WITH A PRIVATE LABORATORY FOR THE PURPOSE OF CONDUCTING COMPLIANCE TESTING OVERSIGHT OF MEDICAL CANNABIS TESTING FACILITIES LICENSED IN THE STATE; TO AUTHORIZE THE NATIONAL CENTER FOR CANNABIS RESEARCH AND EDUCATION AT THE UNIVERSITY OF MISSISSIPPI TO CONTRACT WITH, ENGAGE OR OTHERWISE PERFORM RESEARCH IN TANDEM WITH ANY MEDICAL CANNABIS ESTABLISHMENT; TO PROVIDE THAT EACH LICENSED CANNABIS PROCESSING FACILITY SHALL OBTAIN GMP CERTIFICATION BY JULY 1, 2027, AND SHALL PRESENT PROOF OF SUCH CERTIFICATION TO THE MDOH BY

SUCH DATE; TO PROVIDE THAT FROM AND AFTER JULY 1, 2024, UNTIL JULY 1, 2025, THE MDOH SHALL NOT ISSUE ANY NEW LICENSES FOR CANNABIS CULTIVATION FACILITIES OR CANNABIS PROCESSING FACILITIES; PROVIDED, HOWEVER, ANY APPLICANT THAT HAS FILED AN APPLICATION WITH MDOH BUT HAS NOT RECEIVED A LICENSE BY JULY 1, 2024, MAY RECEIVE A LICENSE IF MDOH DEEMS THE APPLICATION COMPLETED BY JULY 1, 2024; TO REQUIRE MDOR AND MDOH TO INCLUDE CERTAIN QUESTIONS ON ANY APPLICATION FOR A LICENSE UNDER THE ACT; TO AMEND SECTION 41-137-37, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FROM AND AFTER JULY 1, 2024, UNTIL JULY 1, 2025, A LICENSING AGENCY SHALL NOT ISSUE A WAIVER FROM THE DISTANCE REQUIREMENT FOR CANNABIS ESTABLISHMENTS FROM CHURCHES, SCHOOLS OR CHILD CARE FACILITIES; TO AMEND SECTION 41-137-39, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MEDICAL CANNABIS ESTABLISHMENTS TO EMPLOY INDIVIDUALS ABOVE THE AGE OF 18; TO REVISE THE ALLOWABLE AMOUNT OF MEDICAL CANNABIS AND ALLOWABLE AMOUNT OF TOTAL THC; TO REQUIRE THAT A CERTIFICATE OF ANALYSIS FOR EACH MEDICAL CANNABIS PRODUCT BE MADE AVAILABLE TO A PATIENT IF REQUESTED; TO REVISE CERTAIN AGE LIMITATIONS RELATED TO THE ACT; TO PROVIDE THAT MDOH AND MDOR SHALL REQUIRE ANY INDIVIDUAL WITH A WORK PERMIT TO COMPLETE EDUCATIONAL TRAINING WITHIN 90 DAYS OF BEING ISSUED A WORK PERMIT; TO REQUIRE MDOH AND MDOR TO PROMULGATE AN APPROVED "RESPONSIBLE VENDOR" LIST OF ALL APPROVED EDUCATIONAL TRAINING VENDORS; TO REQUIRE INDIVIDUALS WITH WORK PERMITS TO COMPLETE CONTINUING EDUCATION AS A CONDITION OF MAINTAINING THEIR WORK PERMIT; TO AMEND SECTION 41-137-41, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN ADVERTISING STANDARDS, INCLUDING THE MEDIA FORMATS THAT MEDICAL CANNABIS ESTABLISHMENTS MAY BE ALLOWED TO ADVERTISE ON; TO REQUIRE MDOH AND MDOR TO ADOPT STANDARDS AND PROTOCOL DEVELOPMENT FOR THE SAFE DELIVERY OF MEDICAL CANNABIS BY CANNABIS TRANSPORTATION ENTITIES FROM A MEDICAL CANNABIS DISPENSARY TO REGISTERED QUALIFYING PATIENTS WHO ARE HOMEBOUND OR WHO ARE OTHERWISE IN THE CARE OF ANY NURSING FACILITY, HOSPITAL, HOSPICE AND ASSISTED LIVING; TO REQUIRE MDOR TO ADOPT PROCEDURES TO ALLOW MEDICAL CANNABIS DISPENSARIES TO PROCESS AND ACCEPT ORDERS FOR DELIVERY OR IN-STORE PICK-UP FOR MEDICAL CANNABIS PLACED THROUGH A WEBSITE, APPLICATION OR OTHER INTERNET-BASED ORDERING SYSTEM; TO AMEND SECTION 41-137-63, MISSISSIPPI CODE OF 1972, TO INCLUDE ADDITIONAL MEMBERS TO THE MEDICAL CANNABIS ADVISORY COMMITTEE; TO CREATE NEW SECTION 41-137-68, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MDOH SHALL ENGAGE WITH ITS RESPECTIVE COUNTERPARTS IN OTHER STATES WHO HAVE MEDICAL CANNABIS PROGRAMS TO EVALUATE THE FEASIBILITY OF CREATING AN INTERSTATE MONITORING SYSTEM TO ENFORCE THE PROVISIONS OF THIS CHAPTER; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2923: County Affairs
AN ACT TO AMEND SECTION 19-5-9, MISSISSIPPI CODE OF 1972, TO ALLOW CERTAIN COUNTIES TO OPT OUT OF REQUIRING PERMITTING AS A CONDITION TO CONSTRUCTION WITHIN THE UNINCORPORATED AREAS OF A COUNTY; TO AMEND SECTION 21-19-25, MISSISSIPPI CODE OF 1972, TO ALLOW CERTAIN MUNICIPALITIES TO OPT OUT OF REQUIRING PERMITTING AS A CONDITION TO CONSTRUCTION WITHIN THE MUNICIPALITY'S JURISDICTION; TO AMEND SECTION 73-59-1, MISSISSIPPI CODE OF 1972, TO INCREASE THE MONETARY THRESHOLD OF IMPROVEMENTS TO AN EXISTING RESIDENCE A PERSON MUST MEET IN ORDER TO FALL WITHIN THE DEFINITION OF REMODELER; TO AMEND 73-59-3, MISSISSIPPI CODE OF 1972, TO ESTABLISH AN ALTERNATIVE LICENSURE PROCEDURE FOR THE STATE BOARD OF CONTRACTORS; AND FOR RELATED PURPOSES.
By Senator(s) Suber

S. B. No. 2924: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 29-1-145, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO WITHHOLD UP TO 10% OF THE PROCEEDS FROM THE SALES OF TAX-FORFEITED PROPERTIES CERTIFIED TO THE STATE TO DEFRAY THE COST OF THE REMOVAL OF TREES ON SUCH PROPERTY WHICH POSE AN IMMEDIATE HARM TO LIFE OR PROPERTY ON ADJOINING PARCELS UPON NOTIFICATION OF THE APPROPRIATE CHANCERY CLERK OR MUNICIPAL CLERK; TO AUTHORIZE THE SECRETARY OF STATE TO REIMBURSE THE MUNICIPALITY WHEREIN THE MOST TAX-FORFEITED LANDS ARE LOCATED FOR CLEANUP AND MAINTENANCE COSTS ON SUCH PROPERTY FROM ANY REMAINING BALANCE IN THE LAND RECORDS MAINTENANCE FUND; TO AMEND SECTIONS 27-104-205 AND 29-1-95, MISSISSIPPI CODE OF 1972, TO EXEMPT THE LAND RECORDS MAINTENANCE FUND FROM CERTAIN SPECIAL FUND TRANSFER REQUIREMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. C. R. No. 525: Constitution; Judiciary, Division A

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 26 OF THE MISSISSIPPI CONSTITUTION OF 1890, TO EXPAND THE SUBJECT MATTER JURISDICTION OF THE STATE GRAND JURY; TO REMOVE THE REQUIREMENT THAT THE CRIMES MUST OCCUR WITHIN MORE THAN 1 CIRCUIT COURT DISTRICT OR HAVE TRANSPIRED OR HAVE SIGNIFICANCE IN MORE THAN 1 CIRCUIT COURT DISTRICT OF THIS STATE.

By Senator(s) Wiggins

S. C. R. No. 526: Accountability, Efficiency, Transparency

A CONCURRENT RESOLUTION PROPOSING AMENDMENTS TO SECTIONS 33, 56, 61 AND 72, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT THE PEOPLE RESERVE TO THEMSELVES THE RIGHT TO EXERCISE THE LEGISLATIVE POWER OF THE STATE TO PROPOSE NEW LAWS AND TO AMEND OR REPEAL EXISTING LAWS BY INITIATIVE, AND TO APPROVE OR REJECT THE SAME IN AN ELECTION INDEPENDENT OF THE LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) England (By Request)

S. C. R. No. 527: Accountability, Efficiency, Transparency

A CONCURRENT RESOLUTION PROPOSING AMENDMENTS TO SECTIONS 33, 56, 61 AND 72, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT THE PEOPLE RESERVE TO THEMSELVES THE RIGHT TO EXERCISE THE LEGISLATIVE POWER OF THE STATE TO PROPOSE NEW LAWS AND TO AMEND OR REPEAL EXISTING LAWS BY INITIATIVE MEASURE, AND TO APPROVE OR REJECT THE SAME IN AN ELECTION INDEPENDENT OF THE LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Parker

S. C. R. No. 528: Accountability, Efficiency, Transparency

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 33 OF THE MISSISSIPPI CONSTITUTION OF 1890, TO RESERVE THE RIGHT OF THE PEOPLE TO EXERCISE THE LEGISLATIVE POWER OF THE STATE TO PROPOSE NEW LAWS AND AMEND OR REPEAL EXISTING LAWS AND TO APPROVE OR REJECT THE SAME IN AN ELECTION INDEPENDENT OF THE LEGISLATURE; PROPOSING AN AMENDMENT TO SECTION 56 OF THE MISSISSIPPI CONSTITUTION OF 1890, TO CONFORM; PROPOSING AN AMENDMENT TO SECTION 72 OF THE MISSISSIPPI CONSTITUTION OF 1890, TO PRECLUDE THE SECTION FROM APPLYING TO INITIATIVE MEASURES APPROVED BY THE PEOPLE; PROPOSING AN AMENDMENT TO SECTION 273 OF THE MISSISSIPPI CONSTITUTION OF 1890, TO REMOVE THE BALLOT INITIATIVE POWERS OF THE PEOPLE FROM THIS SECTION, TO CHANGE THE REQUIREMENT FOR A MAJORITY OF QUALIFIED ELECTORS VOTING FOR OR AGAINST A RESOLUTION TO SIXTY

PERCENT, AND TO REQUIRE THAT CONSTITUTIONAL INITIATIVES ONLY ADDRESS ONE SUBJECT OR SUBJECT MATTER; AND PROPOSING AN ADDITION TO THE MISSISSIPPI CONSTITUTION OF 1890, TO CREATE SECTION 273A, TO ESTABLISH AND OUTLINE THE CITIZEN BALLOT INITIATIVE PROCESS.
By Senator(s) Robinson

S. C. R. No. 529: Constitution
A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 73 OF THE MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT THE GOVERNOR SHALL NOT VETO A CONDITION SET FORTH IN AN APPROPRIATION BILL AND TO PROVIDE THAT THE GOVERNOR'S PARTIAL VETO POWER IS ONLY APPLICABLE TO APPROPRIATION BILLS THAT FIX A DEFINITE MAXIMUM SUM TO BE PAID FROM THE STATE TREASURY AND CONTINUE TO BE IN FORCE WITHDRAWING MONEY FROM THE STATE TREASURY FOR UP TO TWO MONTHS AFTER THE EXPIRATION OF THE FISCAL YEAR ENDING AFTER THE MEETING OF THE LEGISLATURE AT ITS NEXT REGULAR SESSION.
By Senator(s) Wiggins

S. C. R. No. 530: Rules
A CONCURRENT RESOLUTION DESIGNATING MARCH 2024 AS "AMERICAN RED CROSS MONTH IN MISSISSIPPI" IN SUPPORT OF ITS CRITICAL HUMANITARIAN MISSION.
By Senator(s) Frazier

S. R. No. 32: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE FLORENCE HIGH SCHOOL VARSITY DANCE TEAM FOR WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION 3A-5A STATE CHAMPIONSHIPS IN HIP HOP AND IN POM.
By Senator(s) Rhodes, Kirby, Harkins

FIFTIETH DAY, TUESDAY, FEBRUARY 20, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Reverend James Granger, Senior Pastor, Union Baptist Church and Sunflower Baptist Church, Scooba, MS.

Senator Hickman led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

_____

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

_____

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

_____

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2022: Juvenile offenders; provide alternative sentencing and parole options. Title Sufficient. Committee Substitute. Do Pass.

FILLINGANE, Chairman

_____

Senator Michel called up the following House Amendment to **S. B. No. 2140** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 2:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Prior Authorization Reform Act."

SECTION 2. Legislative findings. The Mississippi Legislature finds and declares that:

(a) The health care professional-patient relationship is paramount and should not be subject to unreasonable third-party interference;

(b) Prior authorization programs may be subject to member coverage agreements and medical policies, but shall not hinder the independent medical judgment of a physician or other health care provider; and

(c) Prior authorization programs must be transparent to ensure a fair and consistent process for health care providers and their patients.

SECTION 3. Applicability and scope. This act applies to every health insurance issuer and all health benefit plans, as both terms are defined in Section 83-9-6.3, and all private review agents and utilization review plans, as both terms are defined in Section 41-83-1, with the exception of employee or employer self-insured health benefit plans under the federal Employee Retirement Income Security Act of 1974 or health care provided pursuant to the Workers' Compensation Act. This act does not diminish the duties and responsibilities under other federal or state law or rules promulgated under those laws applicable to a health insurer, health insurance issuer, health benefit plan, private review agent or utilization review plan, including, but not limited to, the requirement of a certificate in accordance with Section 41-83-3.

SECTION 4. Definitions. For purposes of this act, unless the context requires otherwise, the following terms shall have the meanings as defined in this section:

(a) "Adverse determination" means a determination by a health insurance issuer that, based on the information provided, a request for a benefit under the health insurance issuer's health benefit plan upon application of any utilization review technique does not meet the health insurance issuer's requirements for medical necessity, appropriateness, health care setting, level of care, or effectiveness or is determined to be experimental or investigational and the requested benefit is therefore denied, reduced, or terminated or payment is not provided or made, in whole or in part, for the benefit; the denial, reduction, or termination of or failure to provide or make payment, in whole or in part, for a benefit based on a determination by a health insurance issuer that a preexisting condition was present before the effective date of coverage; or a rescission of coverage determination, which does not include a cancellation or discontinuance of coverage that is attributable to a failure to timely pay required premiums or contributions toward the cost of coverage.

(b) "Appeal" means a formal request, either orally or in writing, to reconsider an adverse determination.

(c) "Approval" means a determination by a health insurance issuer that a health care service has been reviewed and, based on the information provided, satisfies the health insurance issuer's requirements for medical necessity and appropriateness.

(d) "Clinical review criteria" means the written screening procedures, decision abstracts, clinical protocols and practice guidelines used by a health insurance issuer to determine the necessity and appropriateness of health care services.

(e) "Department" means the Mississippi State Department of Insurance.

(f) "Emergency medical condition" means a medical condition manifesting itself by acute symptoms of sufficient severity, including, but not limited to, severe pain, such that a prudent layperson who possesses an average knowledge of health and medicine could reasonably expect the absence of immediate medical attention to result in:

(i) Placing the health of the individual or, with respect to a pregnant woman, the health of the woman or her unborn child, in serious jeopardy;

(ii) Serious impairment to bodily functions; or

(iii) Serious dysfunction of any bodily organ or part.

(g) "Emergency services" means health care items and services furnished or required to evaluate and treat an emergency medical condition.

(h) "Enrollee" means any person and his or her dependents enrolled in or covered by a health care plan.

(i) "Health care professional" means a physician, a registered professional nurse or other individual appropriately licensed or registered to provide health care services.

(j) "Health care provider" means any physician, hospital, ambulatory surgery center, or other person or facility that is licensed or otherwise authorized to deliver health care services.

(k) "Health care service" means any services or level of services included in the furnishing to an individual of medical care or the hospitalization incident to the

furnishing of such care, as well as the furnishing to any person of any other services for the purpose of preventing, alleviating, curing, or

healing human illness or injury, including behavioral health, mental health, home health and pharmaceutical services and products.

(l) "Health insurance issuer" has the meaning given to that term in Section 83-9-6.3. Any provision of this act that applies to a "health insurance issuer" also applies to any person or entity covered under the scope of this act in Section 3 of this act.

(m) "Medically necessary" means a health care professional exercising prudent clinical judgment would provide care to a patient for the purpose of preventing, diagnosing, or treating an illness, injury, disease or its symptoms and that are:

(i) In accordance with generally accepted standards of medical practice; and

(ii) Clinically appropriate in terms of type, frequency, extent, site and duration and are considered effective for the patient's illness, injury or disease; and not primarily for the convenience of the patient, treating physician, other health care professional, caregiver, family member or other interested party, but focused on what is best for the patient's health outcome.

(n) "Physician" means any person with a valid doctor of medicine, doctor of osteopathy or doctor of podiatry degree.

(o) "Prior authorization" means the process by which a health insurance issuer determines the medical necessity and medical appropriateness of an otherwise covered health care service before the rendering of such health care service. "Prior authorization" includes any health insurance issuer's requirement that an enrollee, health care professional or health care provider notify the health insurance issuer before, at the time of, or concurrent to providing a health care service.

(p) "Urgent health care service" means a health care service with respect to which the application of the time periods for making a nonexpedited prior authorization that in the opinion of a treating health care professional or health care provider with knowledge of the enrollee's medical condition:

(i) Could seriously jeopardize the life or health of the enrollee or the ability of the enrollee to regain maximum function;

(ii) Could subject the enrollee to severe pain that cannot be adequately managed without the care or treatment that is the subject of the utilization review; or

(iii) Could lead to likely onset of an emergency medical condition if the service is not rendered during the time period to render a prior authorization determination for an urgent medical service.

(q) "Urgent health care service" does not include emergency services.

(r) "Private review agent" has the meaning given to that term in Section 41-83-1.

SECTION 5. Disclosure and review of prior authorization requirements. (1) A health insurance issuer shall maintain a complete list of services for which prior authorization is required, including for all services where prior authorization is performed by an entity under contract with the health insurance issuer.

(2) A health insurance issuer shall make any current prior authorization requirements and restrictions, including the written clinical review criteria, readily

accessible and conspicuously posted on its website to enrollees, health care professionals and health care providers. Content published by a third party and licensed for use by a health insurance issuer may be made available through the health insurance issuer's secure, password-protected website so long as the access requirements of the website do not unreasonably restrict access. Requirements shall be described in detail, written in easily understandable language, and readily available to the health care professional and health care provider at the point of care. The website shall indicate for each service subject to prior authorization:

(a) When prior authorization became required for policies issued or health benefit plan documents delivered in Mississippi, including the effective date or dates and the termination date or dates, if applicable, in Mississippi;

(b) The date the Mississippi-specific requirement was listed on the health insurance issuer's, health benefit plan's, or private review agent's website;

(c) Where applicable, the date that prior authorization was removed for Mississippi; and

(d) Where applicable, access to a standardized electronic prior authorization request transaction process.

(3) The clinical review criteria must:

(a) Be based on nationally recognized, generally accepted standards except where state law provides its own standard;

(b) Be developed in accordance with the current standards of a national medical accreditation entity;

(c) Ensure quality of care and access to needed health care services;

(d) Be evidence-based;

(e) Be sufficiently flexible to allow deviations from norms when justified on a case-by-case basis; and

(f) Be evaluated and updated, if necessary, at least annually.

(4) A health insurance issuer shall not deny a claim for failure to obtain prior authorization if the prior authorization requirement was not in effect on the date of service on the claim.

(5) A health insurance issuer shall not deem as incidental or deny supplies or health care services that are routinely used as part of a health care service when:

(a) An associated health care service has received prior authorization; or

(b) Prior authorization for the health care service is not required.

(6) If a health insurance issuer intends either to implement a new prior authorization requirement or restriction or amend an existing requirement or restriction, the health insurance issuer shall provide contracted health care professionals and contracted health care providers of enrollees written notice of the new or amended requirement or amendment no less than sixty (60) days before the requirement or restriction is implemented. Written notice may take the form of a conspicuous notice posted on the health insurance issuer's public website or portal for contracted health care professionals and contracted health care providers. A health insurance issuer shall provide email notices to health care professionals or health care providers if the health

care professional or health care provider has requested to receive the notice through email. The health insurance issuer shall ensure that the new or amended requirement is not implemented unless the health insurance issuer's website has been updated to reflect the new or amended requirement or restriction. Written notice of a new, amended, or restricted prior authorization requirement, as required by this subsection (6), may be provided less than sixty (60) days in advance if a health insurance issuer determines and contemporaneously notifies the department in writing that:

(a) The health insurance issuer has identified fraudulent or abusive practices related to the health care service;

(b) The health care service is unavailable or scarce which necessitates the use of an alternative health care service;

(c) The health care service is newly introduced to the health care market and a delay in providing coverage for the health care service and would not be in the best interests of enrollees;

(d) The health care service is the subject of a clinical trial authorized by the United States Food and Drug Administration; or

(e) Changes to the health care service or its availability are otherwise required by law to be made by the health insurance issuer in less than sixty (60) days.

(7) Health insurance issuers using prior authorization shall make statistics available regarding prior authorization approvals and denials on their website in a readily accessible format. Following each calendar year, the statistics must be updated annually, by March 31, and include all of the following information:

(a) A list of all health care services, including medications, that are subject to prior authorization;

(b) The percentage of standard prior authorization requests that were approved, aggregated for all items and services;

(c) The percentage of standard prior authorization requests that were denied, aggregated for all items and services;

(d) The percentage of prior authorization requests that were approved after appeal, aggregated for all items and services;

(e) The percentage of prior authorization requests for which the timeframe for review was extended, and the request was approved, aggregated for all items and services;

(f) The percentage of expedited prior authorization requests that were approved, aggregated for all items and services;

(g) The percentage of expedited prior authorization requests that were denied, aggregated for all items and services;

(h) The average and median time that elapsed between the submission of a request and a determination by the payer, plan or health insurance issuer, for standard prior authorization, aggregated for all items and services;

(i) The average and median time that elapsed between the submission of a request and a decision by the payer, plan or health insurance issuer, for expedited prior authorizations, aggregated for all items and services; and

(j) Any other information as the department determines appropriate.

SECTION 6. Standardized electronic prior authorizations. (1) If any health insurance issuer requires prior authorization of a health care service, the insurer or its designee utilization review organization shall, by January 1, 2025, make available a standardized electronic prior authorization request transaction process using an Internet webpage, Internet webpage portal, or similar electronic, Internet, and web-based system.

(2) Not later than January 1, 2027, all health care professionals and health care providers shall be required to use the standardized electronic prior authorization request transaction process made available as required by subsection (1) of this section.

SECTION 7. Prior authorizations in nonurgent circumstances. If a health insurance issuer requires prior authorization of a health care service, the health insurance issuer must make an approval or adverse determination and notify the enrollee, the enrollee's health care professional, and the enrollee's health care provider of the approval or adverse determination as expeditiously as the enrollee's condition requires but no later than seven (7) calendar days after obtaining all necessary information to make the approval or adverse determination, unless a longer minimum time frame is required under federal law for the health insurance issuer and the health care service at issue. As used in this section, "necessary information" includes the results of any face-to-face clinical evaluation, second opinion or other clinical information that is directly applicable to the requested service that may be required. Notwithstanding the foregoing provisions of this section, health insurance issuers must comply with the requirements of Section 83-9-6.3 to respond by two (2) business days for prior authorization requests for pharmaceutical services and products.

SECTION 8. Prior authorizations in urgent circumstances. (1) If requested by a treating health care provider or health care professional for an enrollee, a health insurance issuer must render an approval or adverse determination concerning urgent health care services and notify the enrollee, the enrollee's health care professional and the enrollee's health care provider of that approval or adverse determination as expeditiously as the enrollee's condition requires but no later than forty-eight (48) hours after receiving all information needed to complete the review of the requested health care services, unless a longer minimum time frame is required under federal law for the health insurance issuer and the urgent health care service at issue.

(2) To facilitate the rendering of a prior authorization determination in conformance with this section, a health insurance issuer must establish a mechanism to ensure health care professionals have access to appropriately trained and licensed clinical personnel who have access to physicians for consultation, designated by the plan to make such determinations for prior authorization concerning urgent care services.

SECTION 9. Notifications for adverse determinations. If a health insurance issuer makes an adverse determination, the health insurance issuer shall include the following in the notification to the enrollee, the enrollee's health care professional, and the enrollee's health care provider:

(a) The reasons for the adverse determination and related evidence-based criteria, including a description of any missing or insufficient documentation;

(b) The right to appeal the adverse determination;

(c) Instructions on how to file the appeal; and

(d) Additional documentation necessary to support the appeal.

SECTION 10. Personnel qualified to review appeals. (1) A health insurance issuer must ensure that all appeals are reviewed by a physician when the request is by a physician or a representative of a physician. The physician must:

(a) Possess a current and valid nonrestricted license to practice medicine in any United States jurisdiction;

(b) Be certified by the board(s) of the American Board of Medical Specialists or the American Board of Osteopathy within the relevant specialty of a physician who typically manages the medical condition or disease;

(c) Be knowledgeable of, and have experience providing, the health care services under appeal;

(d) Not have been directly involved in making the adverse determination; and

(e) Consider all known clinical aspects of the health care service under review, including, but not limited to, a review of all pertinent medical records provided to the health insurance issuer by the enrollee's health care professional or health care provider and any medical literature provided to the health insurance issuer by the health care professional or health care provider.

(2) Notwithstanding the foregoing, a licensed health care professional who satisfies the requirements in this section may review appeal requests submitted by a health care professional licensed in the same profession.

SECTION 11. Insurer review of prior authorization requirements. A health insurance issuer shall periodically review its prior authorization requirements and consider removal of prior authorization requirements:

(a) Where a medication or procedure prescribed is customary and properly indicated or is a treatment for the clinical indication as supported by peer-reviewed medical publications; or

(b) For patients currently managed with an established treatment regimen.

SECTION 12. Revocation of prior authorizations. (1) A health insurance issuer may not revoke or further limit, condition or restrict a previously issued prior authorization approval while it remains valid under this act.

(2) Notwithstanding any other provision of law, if a claim is properly coded and submitted timely to a health insurance issuer, the health insurance issuer shall make payment according to the terms of coverage on claims for health care services for which prior authorization was required and approval received before the rendering of health care services, unless one (1) of the following occurs:

(a) It is timely determined that the enrollee's health care professional or health care provider knowingly and without exercising prudent clinical judgment provided health care services that required prior authorization from the health insurance issuer or its contracted private review agent without first obtaining prior authorization for those health care services;

(b) It is timely determined that the health care services claimed were not performed;

(c) It is timely determined that the health care services rendered were contrary to the instructions of the health insurance issuer or its contracted private review

agent or delegated reviewer if contact was made between those parties before the service being rendered;

(d) It is timely determined that the enrollee receiving such health care services was not an enrollee of the health care plan; or

(e) The approval was based upon a material misrepresentation by the enrollee, health care professional, or health care provider; as used in this paragraph, "material" means a fact or situation that is not merely technical in nature and results or could result in a substantial change in the situation.

(3) Nothing in this section shall preclude a private review agent or a health insurance issuer from performing post-service reviews of health care claims for purposes of payment integrity or for the prevention of fraud, waste, or abuse.

SECTION 13. Length of approvals. (1) A prior authorization approval shall be valid for the lesser of six (6) months after the date the health care professional or health care provider receives the prior authorization approval or the length of treatment as determined by the patient's health care professional or the renewal of the policy or plan, and the approval period shall be effective regardless of any changes, including any changes in dosage for a prescription drug prescribed by the health care professional. Notwithstanding the foregoing, a health insurer and an enrollee or his/her health care professional may extend a prior authorization approval for a longer period, by agreement. All dosage increases must be based on established evidentiary standards, and nothing in this section shall prohibit a health insurance issuer from having safety edits in place. This section shall not apply to the prescription of benzodiazepines or Schedule II narcotic drugs, such as opioids.

(2) Nothing in this section shall require a policy or plan to cover any care, treatment, or services for any health condition that the terms of coverage otherwise completely exclude from the policy's or plan's covered benefits without regard for whether the care, treatment or services are medically necessary.

SECTION 14. Approvals for chronic conditions. (1) If a health insurance issuer requires a prior authorization for a recurring health care service or maintenance medication for the treatment of a chronic or long-term condition, including, but not limited to, chemotherapy for the treatment of cancer, the approval shall remain valid for the lesser of twelve (12) months from the date the health care professional or health care provider receives the prior authorization approval or the length of the treatment as determined by the patient's health care professional. Notwithstanding the foregoing, a health insurer and an enrollee or his or her health care professional may extend a prior authorization approval for a longer period, by agreement. This section shall not apply to the prescription of benzodiazepines or Schedule II narcotic drugs, such as opioids.

(2) Nothing in this section shall require a policy or plan to cover any care, treatment or services for any health condition that the terms of coverage otherwise completely exclude from the policy's or plan's covered benefits without regard for whether the care, treatment, or services are medically necessary.

SECTION 15. Continuity of prior approvals. (1) On receipt of information documenting a prior authorization approval from the enrollee or from the enrollee's health care professional or health care provider, a health insurance issuer shall honor a prior authorization granted to an enrollee from a previous health insurance issuer for at least the initial ninety (90) days of an enrollee's coverage under a new health plan, subject to the terms of the member's coverage agreement.

(2) During the time period described in subsection (1) of this section, a health insurance issuer may perform its own review to grant a prior authorization approval subject to the terms of the member's coverage agreement.

(3) If there is a change in coverage of or approval criteria for a previously authorized health care service, the change in coverage or approval criteria does not affect an enrollee who received prior authorization approval before the effective date of the change for the remainder of the enrollee's plan year.

(4) Except to the extent required by medical exceptions processes for prescription drugs, nothing in this section shall require a policy or plan to cover any care, treatment or services for any health condition that the terms of coverage otherwise completely exclude from the policy's or plan's covered benefits without regard for whether the care, treatment or services are medically necessary.

SECTION 16. Effect of insurer's failure to comply. A failure by a health insurance issuer to comply with the deadlines and other requirements specified in this act shall result in any health care services subject to review to be automatically deemed authorized by the health insurance issuer or its contracted private review agent.

SECTION 17. Enforcement and administration. (1) In addition to the enforcement powers granted to it by law to enforce the provisions of this act, the department is granted specific authority to issue a cease-and-desist order or require a private review agent or health insurance issuer to submit a plan of correction for violations of this act, or both. Subject to regulations promulgated by the department under the provisions of the Mississippi Administrative Procedure Law and after proper notice and the opportunity for a hearing, the department may impose upon a private review agent, health benefit plan or health insurance issuer an administrative fine not to exceed Ten Thousand Dollars ($10,000.00) per violation for failure to submit a requested plan of correction, failure to comply with its plan of correction, or repeated violations of this act. All fines collected by the department under this section shall be deposited into the State General Fund. The department may also exercise all authority granted to it under Section 41-83-13 to deny or revoke a certificate of a private review agent for a violation of this act.

(2) Any person or his or her treating physician who has evidence that his or her health insurance issuer or health benefit plan is in violation of the provisions of this act may file a complaint with the department. The department shall review all complaints received and investigate all complaints that it deems to state a potential violation. The department shall fairly, efficiently and timely review and investigate complaints. Health insurance issuers, health benefit plans and private review agents found to be in violation of this act shall be penalized in accordance with this section.

(3) The department shall have the authority to promulgate rules and regulations under the Mississippi Administrative Procedures Law to govern the administration of this act.

SECTION 18. Reports to the department. (1) By June 1, 2025, and each June 1 after that date, a health insurance issuer shall report to the department, on a form issued by the department, the following aggregated trend data, de-identified of protected health information, related to the insurer's practices and experience for the prior plan year for health care services submitted for payment:

(a) The number of prior authorization requests;

(b) The number of prior authorization requests denied;

(c) The number of prior authorization appeals received;

(d) The number of adverse determinations reversed on appeal;

(e) Of the total number of prior authorization requests, the number of prior authorization requests that were not submitted electronically;

(f) The ten (10) health care services that were most frequently denied through prior authorization;

(g) The ten (10) reasons prior authorization requests were most frequently denied;

(h) The number of claims for health care services that were examined through a post-service utilization review process;

(i) The number and percentage of claims for health care services denied through post-service utilization review; and

(j) The ten (10) health care services that were most frequently denied as a result of post-service utilization reviews.

(2) All reports required by this section shall be considered public records under the Mississippi Public Records Act of 1983 and the department shall make all reports freely available to requestors and post all reports to its public website without redactions.

SECTION 19. False requests for prior authorization. If a health insurance issuer has clear and convincing evidence that a health care professional or health care provider has knowingly and willingly submitted false or fraudulent requests for prior authorization to the health insurance issuer, the issuer shall notify and provide that information to the Commissioner of Insurance. After receipt of such notification and information, the commissioner shall forward these reports to the Board of Medical Licensure or such other licensing agency with oversight of the health care provider.

SECTION 20. Section 41-83-1, Mississippi Code of 1972, is amended as follows:

41-83-1. As used in this chapter, the following terms shall be defined as follows:

(a) "Utilization review" means a system for reviewing the appropriate and efficient allocation of hospital resources and medical services given or proposed to be given, including, but not limited to, any prior authorization as defined in Section 4 of this act, to a patient or group of patients as to necessity for the purpose of determining whether such service should be covered or provided by an insurer, plan or other entity.

(b) "Private review agent" means a nonhospital-affiliated person or entity performing utilization review on behalf of:

(i) An employer or employees in the State of Mississippi; or

(ii) A third party that provides or administers hospital and medical benefits to citizens of this state, including: a health maintenance organization issued a certificate of authority under and by virtue of the laws of the State of Mississippi; or a health insurer, nonprofit health service plan, health insurance service organization, or preferred provider organization or other entity offering health insurance policies, contracts or benefits in this state.

(c) "Utilization review plan" means a description of the utilization review procedures of a private review agent.

(d) "Department" means the Mississippi State Department of * * * Insurance.

(e) "Certificate" means a certificate of registration granted by the Mississippi State Department of * * * Insurance to a private review agent.

SECTION 21. Section 41-83-3, Mississippi Code of 1972, is amended as follows:

41-83-3. (1) A private review agent who approves or denies payment or who recommends approval or denial of payment for hospital or medical services or whose review results in approval or denial of payment for hospital or medical services on a case by case basis, may not conduct utilization review in this state unless the Mississippi State Department of * * * Insurance has granted the private review agent a certificate.

(2) The Mississippi State Department of * * * Insurance shall issue a certificate to an applicant that has met all the requirements of this chapter and all applicable regulations of the department.

(3) A certificate issued under this chapter is not transferable.

(4) The State Department of * * * Insurance shall adopt regulations to implement the provisions of this chapter. Any personal information required by the department with respect to customers or patients shall be held in confidence and not disclosed to the public.

SECTION 22. Section 41-83-13, Mississippi Code of 1972, is amended as follows:

41-83-13. (1) The department shall deny a certificate to any applicant if, upon review of the application, the department finds that the applicant proposing to conduct utilization review does not:

(a) Have available the services of a physician to carry out its utilization review activities;

(b) Meet any applicable regulations the department adopted under this chapter relating to the qualifications of private review agents or the performance of utilization review; and

(c) Provide assurances satisfactory to the department that the procedure and policies of the private review agent will protect the confidentiality of medical records and the private review agent will be reasonably accessible to patients and providers for five (5) working days a week during normal business hours in this state.

(2) The department may revoke or deny a certificate if the holder does not comply with the performance assurances under this section, violates any provision of this chapter, or violates any regulation adopted pursuant to this chapter.

(3) Before denying or revoking a certificate under this section, the department shall provide the applicant or certificate holder with reasonable time to supply additional information demonstrating compliance with the requirements of this chapter and the opportunity to request a hearing. If an applicant or certificate holder requests a hearing, the department shall send a hearing notice and conduct a hearing * * *.

SECTION 23. Section 41-83-21, Mississippi Code of 1972, is amended as follows:

41-83-21. Notwithstanding language to the contrary elsewhere contained herein, if a licensed physician certifies in writing to an insurer within seventy-two (72) hours of an admission that the insured person admitted was in need of immediate hospital care for emergency services, such shall constitute a prima facie case of the medical necessity of the admission. To overcome this, the entity requesting the utilization review and/or the private review agent must show by clear and convincing evidence that the admitted person was not in need of immediate hospital care.

SECTION 24. Section 41-83-31, Mississippi Code of 1972, is amended as follows:

41-83-31. Any program of utilization review with regard to hospital, medical or other health care services provided in this state, including, but not limited to, any prior authorization as defined in Section 4 of this act, shall comply with the following:

(a) No determination adverse to a patient or to any affected health care provider shall be made on any question relating to the necessity or justification for any form of hospital, medical or other health care services without prior evaluation and concurrence in the adverse determination by a physician licensed to practice in Mississippi. The physician who made the adverse determination shall discuss the reasons for any adverse determination with the affected health care provider, if the provider so requests. The physician shall comply with this request within * * * seven (7) calendar days of being notified of a request. Adverse determination by a physician shall not be grounds for any disciplinary action against the physician by the State Board of Medical Licensure.

(b) Any determination regarding hospital, medical or other health care services rendered or to be rendered to a patient which may result in a denial of third-party reimbursement or a denial of precertification for that service shall include the evaluation, findings and concurrence of a physician trained in the relevant specialty or subspecialty, if requested by the patient's physician, to make a final determination that care rendered or to be rendered was, is, or may be medically inappropriate.

(c) The requirement in this section that the physician who makes the evaluation and concurrence in the adverse determination must be licensed to practice in Mississippi shall not apply to the Comprehensive Health Insurance Risk Pool Association or its policyholders and shall not apply to any utilization review company which reviews fewer than ten (10) persons residing in the State of Mississippi.

SECTION 25. Section 83-1-101, Mississippi Code of 1972, is amended as follows:

83-1-101. Notwithstanding any other provision of law to the contrary, and except as provided herein, any person or other entity which provides coverage in this state for medical, surgical, chiropractic, physical therapy, speech pathology, audiology, professional mental health, dental, hospital, or optometric expenses, whether such coverage is by direct payment, reimbursement * * * or otherwise, and all private review agents covered by Sections 41-83-1 through 41-83-31, shall be presumed to be subject to the jurisdiction of the State Insurance Department, unless (a) the person or other entity shows that while providing such services it is subject to the jurisdiction of another agency of this state, any subdivisions thereof, or the federal government; or (b) the person or other entity is providing coverage under the Direct Primary Care Act in Sections 83-81-1 through 83-81-11.

SECTION 26. Section 83-9-6.3, Mississippi Code of 1972, is amended as follows:

83-9-6.3. (1) As used in this section:

(a) "Health benefit plan" means services consisting of medical care, provided directly, through insurance or reimbursement, or otherwise, and including items and services paid for as medical care under any hospital or medical service policy or certificate, hospital or medical service plan contract, preferred provider organization, or health maintenance organization contract offered by a health insurance issuer. The term "health benefit plan" includes the Medicaid fee-for-service program and any managed care program, coordinated care program, coordinated care organization program or health maintenance organization program implemented by the Division of Medicaid.

(b) "Health insurance issuer" means any entity that offers health insurance coverage through a health benefit plan, policy, or certificate of insurance subject to state law that regulates the business of insurance. "Health insurance issuer" also includes a health maintenance organization, as defined and regulated under Section 83-41-301 et

seq., and includes the Division of Medicaid for the services provided by fee-for-service and through any managed care program, coordinated care program, coordinated care organization program or health maintenance organization program implemented by the division.

(c) "Prior authorization" means a utilization management criterion used to seek permission or waiver of a drug to be covered under a health benefit plan that provides prescription drug benefits.

(d) "Prior authorization form" means a standardized, uniform application developed by a health insurance issuer for the purpose of obtaining prior authorization.

(2) Notwithstanding any other provision of law to the contrary, in order to establish uniformity in the submission of prior authorization forms, on or after January 1, 2014, a health insurance issuer shall use only a single, standardized prior authorization form for obtaining any prior authorization for prescription drug benefits. The form shall not exceed two (2) pages in length, excluding any instructions or guiding documentation. The form shall also be made available electronically, and the prescribing provider may submit the completed form electronically to the health benefit plan. Additionally, the health insurance issuer shall submit its prior authorization forms to the Mississippi Department of Insurance to be kept on file on or after January 1, 2014. A copy of any subsequent replacements or modifications of a health insurance issuer's prior authorization form shall be filed with the Mississippi Department of Insurance within fifteen (15) days prior to use or implementation of such replacements or modifications.

(3) A health insurance issuer shall respond within two (2) business days upon receipt of a completed prior authorization request from a prescribing provider that was submitted using the standardized prior authorization form required by subsection (2) of this section. Notwithstanding the foregoing provisions of this subsection, health insurance issuers shall comply with Section 8 of this act in regard to prior authorizations in urgent circumstances.

SECTION 27. Section 41-83-5, Mississippi Code of 1972, is brought forward as follows:

41-83-5. No certificate is required for those private review agents conducting general in-house utilization review for hospitals, home health agencies, preferred provider organizations or other managed care entities, clinics, private physician offices or any other health facility or entity, so long as the review does not result in the approval or denial of payment for hospital or medical services for a particular case. Such general in-house utilization review is completely exempt from the provisions of this chapter.

SECTION 28. Section 41-83-7, Mississippi Code of 1972, is brought forward as follows:

41-83-7. (1) An applicant for a certificate shall:

(a) Submit an application to the department; and

(b) Pay to the department the application fee established by the department through regulation.

(2) The application shall:

(a) Be on a form and accompanied by any supporting documentation that the department requires; and

(b) Be signed and verified by the applicant.

(3) The application fee required under this section shall be sufficient to pay for the administrative cost of the certification program and any other cost associated with carrying out the provisions of this chapter.

SECTION 29. Section 41-83-9, Mississippi Code of 1972, is brought forward as follows:

41-83-9. In conjunction with the application, the private review agent shall submit information that the department requires including:

(a) A utilization review plan that includes a description of review criteria, standards and procedures to be used in evaluating proposed or delivered hospital and medical care and the provisions by which patients, physicians or hospitals may seek reconsideration or appeal of adverse decisions by the private review agent;

(b) The type and qualifications of the personnel either employed or under contract to perform the utilization review;

(c) The procedures and policies to insure that a representative of the private review agent is reasonably accessible to patients and providers at all times in this state;

(d) The policies and procedures to insure that all applicable state and federal laws to protect the confidentiality of individual medical records are followed;

(e) A copy of the materials designed to inform applicable patients and providers of the requirements of the utilization review plan; and

(f) A list of the third party payors for which the private review agent is performing utilization review in this state.

SECTION 30. Section 41-83-11, Mississippi Code of 1972, is brought forward as follows:

41-83-11. (1) A certificate expires on the second anniversary of its effective date unless the certificate is renewed for a two-year term as provided in this section.

(2) Before the certificate expires, a certificate may be renewed for an additional two-year term if the applicant:

(a) Otherwise is entitled to the certificate;

(b) Pays the department the renewal fee set by the department through regulation; and

(c) Submits to the department a renewal application on the form that the department requires and satisfactory evidence of compliance with any requirement of this chapter for certificate renewal.

SECTION 31. Section 41-83-15, Mississippi Code of 1972, is brought forward as follows:

41-83-15. The department shall establish reporting requirements to:

(a) Evaluate the effectiveness of private review agents; and

(b) Determine if the utilization review programs are in compliance with the provisions of this section and applicable regulations.

SECTION 32. Section 41-83-17, Mississippi Code of 1972, is brought forward as follows:

41-83-17. A private review agent may not disclose or publish individual medical records or any other confidential medical information obtained in the performance of utilization review activities without the patient's authorization or an order of a county, circuit or chancery court of Mississippi or a United States district court. Provided, however, that nothing in this chapter shall prohibit private review agents from providing information to a third party with whom the private review agent is under contract or acting on behalf of.

SECTION 33. Section 41-83-19, Mississippi Code of 1972, is brought forward as follows:

41-83-19. A person who violates any provision of this chapter or any regulation adopted under this chapter is guilty of a misdemeanor and on conviction is subject to a penalty not exceeding One Thousand Dollars ($1,000.00).

SECTION 34. Section 41-83-23, Mississippi Code of 1972, is brought forward as follows:

41-83-23. Any person aggrieved by a final decision of the department or a private review agent in a contested case under this chapter shall have the right of judicial appeal to the chancery court of the county of the residence of the aggrieved person.

Notwithstanding any provision of this chapter, the insured shall have the express right to pursue any legal remedies he may have in a court of competent jurisdiction.

SECTION 35. Section 41-83-25, Mississippi Code of 1972, is brought forward as follows:

41-83-25. (1) Every health insurance plan proposing to issue or deliver a health insurance policy or contract or administer a health benefit program which provides for the coverage of hospital and medical benefits and the utilization review of those benefits shall:

(a) Have a certificate in accordance with this chapter; or

(b) Contract with a private review agent who has a certificate in accordance with this chapter.

(2) Notwithstanding any other provisions of this chapter, for claims where the medical necessity of the provision of a covered benefit is disputed, a health service plan that does not meet the requirements of subsection (1) of this section shall pay any person or hospital entitled to reimbursement under the policy or contract.

SECTION 36. Section 41-83-27, Mississippi Code of 1972, is brought forward as follows:

41-83-27. (1) Every insurer proposing to issue or deliver a health insurance policy or contract or administer a health benefit program which provides for the coverage of hospital and medical benefits and the utilization review of such benefits shall:

(a) Have a certificate in accordance with this chapter; or

(b) Contract with a private review agent that has a certificate in accordance with this chapter.

(2) Notwithstanding any provision of this chapter, for claims where the medical necessity of the provision of a covered benefit is disputed, an insurer that does not meet

the requirements of subsection (1) of this section shall pay any person or hospital entitled to reimbursement under the policy or contract.

SECTION 37. Section 41-83-29, Mississippi Code of 1972, is brought forward as follows:

41-83-29. Any health insurer proposing to issue or deliver in this state a group or blanket health insurance policy or administer a health benefit program which provides for the coverage of hospital and medical benefits and the utilization review of such benefits shall:

(a) Have a certificate in accordance with this chapter; or

(b) Contract with a private review agent that has a certificate in accordance with this chapter.

SECTION 38. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO ENACT THE MISSISSIPPI PRIOR AUTHORIZATION REFORM ACT; TO ESTABLISH THE LEGISLATIVE FINDINGS OF THE ACT; TO PROVIDE THE APPLICABILITY AND SCOPE OF THE ACT; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAINTAIN A COMPLETE LIST OF SERVICES FOR WHICH PRIOR AUTHORIZATIONS ARE REQUIRED; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAKE ANY CURRENT PRIOR AUTHORIZATION REQUIREMENTS AND RESTRICTIONS READILY ACCESSIBLE AND POSTED ON ITS WEBSITE; TO SET REQUIREMENTS FOR THE CLINICAL REVIEW CRITERIA OF HEALTH INSURANCE ISSUERS; TO PROHIBIT HEALTH INSURANCE ISSUERS FROM DENYING A CLAIM FOR FAILURE TO OBTAIN PRIOR AUTHORIZATION IF THE PRIOR AUTHORIZATION REQUIREMENT WAS NOT IN EFFECT ON THE DATE OF SERVICE ON THE CLAIM; TO REQUIRE HEALTH INSURERS TO MAKE CERTAIN PRIOR AUTHORIZATION STATISTICS AVAILABLE ON THEIR WEBSITE; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAKE AVAILABLE A STANDARDIZED ELECTRONIC PRIOR AUTHORIZATION REQUEST TRANSACTION PROCESS BY JANUARY 1, 2025; TO REQUIRE ALL HEALTH CARE PROFESSIONALS AND HEALTH CARE PROVIDERS TO USE THAT PROCESS NOT LATER THAN JANUARY 1, 2027; TO ESTABLISH CERTAIN REQUIREMENTS ON HEALTH INSURANCE ISSUERS FOR PRIOR AUTHORIZATIONS IN NONURGENT CIRCUMSTANCES AND URGENT CIRCUMSTANCES; TO REQUIRE HEALTH INSURANCE ISSUERS TO GIVE CERTAIN NOTIFICATIONS WHEN MAKING AN ADVERSE DETERMINATION; TO ESTABLISH THE QUALIFICATIONS FOR PERSONNEL WHO REVIEW APPEALS OF PRIOR AUTHORIZATIONS; TO REQUIRE HEALTH INSURANCE ISSUERS TO PERIODICALLY REVIEW ITS PRIOR AUTHORIZATION REQUIREMENTS AND TO CONSIDER REMOVAL OF THESE REQUIREMENTS IN CERTAIN CASES; TO PROVIDE THAT A HEALTH INSURANCE ISSUER MAY NOT REVOKE OR FURTHER LIMIT, CONDITION OR RESTRICT A PREVIOUSLY ISSUED PRIOR AUTHORIZATION WHILE IT REMAINS VALID UNDER THIS ACT UNLESS CERTAIN EXCLUSIONS ARE APPLICABLE; TO PROVIDE HOW LONG PRIOR AUTHORIZATION APPROVALS SHALL BE VALID; TO PROVIDE HOW LONG THE PRIOR AUTHORIZATIONS FOR CHRONIC CONDITIONS SHALL BE VALID; TO ESTABLISH THE PROCEDURE FOR THE CONTINUITY OF PRIOR APPROVALS FROM PREVIOUS HEALTH INSURANCE ISSUERS TO CURRENT ISSUERS; TO PROVIDE THAT A FAILURE BY A HEALTH INSURANCE ISSUER TO COMPLY WITH THE DEADLINES AND OTHER REQUIREMENTS SPECIFIED IN THIS ACT SHALL RESULT IN ANY HEALTH CARE SERVICES SUBJECT TO REVIEW TO BE AUTOMATICALLY DEEMED AUTHORIZED BY THE HEALTH INSURANCE ISSUER OR ITS CONTRACTED PRIVATE REVIEW AGENT; TO

AUTHORIZE THE DEPARTMENT OF INSURANCE TO ISSUE CEASE AND DESIST ORDERS TO HEALTH INSURANCE ISSUERS OR PRIVATE REVIEW AGENTS; TO AUTHORIZE THE STATE DEPARTMENT OF INSURANCE TO IMPOSE UPON A PRIVATE REVIEW AGENT, HEALTH BENEFIT PLAN OR HEALTH INSURANCE ISSUER AN ADMINISTRATIVE FINE NOT TO EXCEED $10,000 PER VIOLATION OF THE ACT; TO REQUIRE HEALTH INSURANCE ISSUERS TO REPORT TO THE DEPARTMENT CERTAIN DATA; TO REQUIRE HEALTH INSURANCE ISSUERS TO NOTIFY THE COMMISSIONER OF INSURANCE OF SUSPECTED SUBMISSIONS OF FALSE REQUESTS FOR PRIOR AUTHORIZATION; TO REQUIRE THE COMMISSIONER TO HAVE AN ADMINISTRATIVE HEARING ON SUCH MATTERS TO RESOLVE THE ISSUE; TO AMEND SECTIONS 41-83-1, 41-83-3, 41-83-13, 41-83-21, 41-83-31, 83-1-101 AND 83-9-6.3, MISSISSIPPI CODE OF 1972, TO CONFORM WITH THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 41-83-5, 41-83-7, 41-83-9, 41-83-11, 41-83-15, 41-83-17, 41-83-19, 41-83-23, 41-83-25, 41-83-27 AND 41-83-29, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2140** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Branning moved that when the Senate adjourns, it adjourn in memory of Donald Chunn of Philadelphia, MS.

Senators Butler and Hopson moved that when the Senate adjourns, it adjourn in memory of Mrs. Frances Gage of Port Gibson, MS.

Senator Rhodes moved that when the Senate adjourns, it adjourn in memory of Lola Rogers Key, Carl Gray, Martha Ensign, John Ray Davis and Ellen Grace Davis of Pelahatchie, MS.

Senator Rhodes moved that when the Senate adjourns, it adjourn in memory of Betty Jean Vanderford of Puckett, MS.

Senator Rhodes moved that when the Senate adjourns, it adjourn in memory of Curtis Glenn Robinson and Vickie Warren Flowers of Brandon, MS.

Senators Kirby and Rhodes moved that when the Senate adjourns, it adjourn in memory of Kathryn Lee Shamburger of Brandon, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Linda Fleming Norris of Columbus, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Dellie Stone of Baldwyn, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Katie King Dale of Wiggins, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, February 21, 2024.

The motion prevailed, and at 10:36 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON AGRICULTURE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 2: Dr. Gregory A. (Greg) Howell, DVM, Wesson, Mississippi, State Board of Animal Health, four year term effective July 1, 2023 and ending June 30, 2027, representing a licensed and practicing veterinarian who holds a Doctor of Veterinary Medical Degree. Do Advise and Consent.

S. N. No. 62: Terry Wayne Emerson, West Point, Mississippi, State Board of Animal Health, four year term effective August 1, 2023 and ending July 31, 2027, representing a swine breeder and producer recommended by the Mississippi Pork Producers' Association. Do Advise and Consent.

S. N. No. 63: Andrew Page (Andy) Prosser, Madison, Mississippi, State Board of Animal Health, four year term effective August 1, 2023 and ending July 31, 2027, representing a catfish breeder and producer recommended by the MS Catfish Association. Do Advise and Consent.

YOUNGER, Chairman

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 2276: Clinic building at 1308 Belk Boulevard; transfer to Mississippi Department of Public Safety.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON FORESTRY

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2059: Biomass and Bioenergy with carbon capture technology; define. Title Sufficient. Do Pass.

MCCAUGHN, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Mrs. Frances Gage, Donald Chunn, Lola Rogers Key, Curtis Glenn Robinson, Dellie Stone, Katie King Dale, Carl Gray, Martha Ensign, John Ray Davis, Ellen Grace Davis, Betty Jean Vanderford, Vickie Warren Flowers, Kathryn Lee Shamburger and Linda Fleming Norris.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR TUESDAY, FEBRUARY 20, 2024

FIFTY-FIRST DAY, WEDNESDAY, FEBRUARY 21, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Chris Thomas, Pastor, The Gathering, Hattiesburg, MS.

Senator Fillingane led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2307: Compensation of elected state & district officers; extend repealer on. Title Sufficient. Do Pass.

S. B. No. 2308: Mississippi Public Records Act; extend date of repeal on. Title Sufficient. Do Pass.

S. B. No. 2309: Trip optimizer for state employee travel reimbursement; extend moratorium on application to certain state agencies. Title Sufficient. Do Pass.

S. B. No. 2310: County authorization to assess emergency telecommunications service charge; extend date of repeal on. Title Sufficient. Do Pass.

S. B. No. 2311: Sheriffs; remove cap on annual salary supplement. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2313: Charitable organization filing and reporting requirements; no more stringent than other state agency requirements. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2404: State Bond Attorney; authorize nterim appointment in case of conflict of interest. Title Sufficient. Do Pass.

S. B. No. 2628: Mississippi Capitol Region Utility Act; create. Title Sufficient. Do Pass.

PARKER, Chairman

Senator McCaughn called up the following entitled bill:

S. B. No. 2059: Biomass and Bioenergy with carbon capture technology; define.

YEAS AND NAYS On S. B. No. 2059. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting----None.

Voting Present--Chism, Hill, McMahan. Total--3.

Senator McCaughn entered a motion to reconsider the vote whereby **S. B. No. 2059** passed the Senate.

Senators Sparks and Bryan moved that when the Senate adjourns, it adjourn in memory of Larry (Crow) G. Cromeans of Itawamba County, MS.

Senator Norwood moved that when the Senate adjourns, it adjourn in memory of Wylma R. King of Jackson, MS.

Senators Barrett and Sparks moved that when the Senate adjourns, it adjourn in memory of Jimmy Perkins of Brookhaven, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, February 22, 2024.

The motion prevailed, and at 10:31 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. B. No. 2276: AN ACT TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO PURCHASE CERTAIN REAL PROPERTY, AND ANY IMPROVEMENTS THEREON, LOCATED ON BELK BOULEVARD IN OXFORD, MISSISSIPPI, KNOWN AS THE FORMER "RAYNER EYE CLINIC"; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2250: Squatted vehicles; ban. Title Sufficient. Do Pass.

S. B. No. 2509: Motor Carrier Regulatory Law; extend repeal on voluntary inspection program. Title Sufficient. Do Pass.

BRANNING, Chairman

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 292: AN ACT TO AMEND SECTIONS 63-11-23 AND 63-11-30, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE 120-DAY SUSPENSION FOR DUI VIOLATIONS BEGINS ON THE DATE THE JUDGE SIGNS THE ORDER FOR SUSPENSION; TO PROVIDE AN AGGRAVATED DUI PENALTY FOR PERSONS WHO ARE UNDER THE LEGAL AGE FOR PURCHASING ALCOHOLIC BEVERAGES; TO BRING FORWARD SECTION 63-11-31, MISSISSIPPI CODE OF 1972, WHICH REGULATES IGNITION INTERLOCK FOR DUI VIOLATIONS, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 438: AN ACT TO AMEND SECTION 97-23-93, MISSISSIPPI CODE OF 1972, TO REVISE PENALTIES FOR SHOPLIFTING; AND FOR RELATED PURPOSES.

H. B. No. 628: AN ACT TO AMEND SECTION 25-61-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE STATUTE GRANTING PERSONS THE RIGHT TO INSPECT PUBLIC RECORDS UNDER THE MISSISSIPPI PUBLIC RECORDS ACT; AND FOR RELATED PURPOSES.

H. B. No. 653: AN ACT TO AMEND SECTION 25-3-41, MISSISSIPPI CODE OF 1972, TO EXTEND THE EXPIRATION DATE OF THE MORATORIUM ON THE APPLICATION OF THE TRIP OPTIMIZER TYPE SYSTEM TO STATE AGENCIES; AND FOR RELATED PURPOSES.

H. B. No. 697: AN ACT TO CREATE THE MISSISSIPPI AVIATION SAFETY ACT; TO DEFINE TERMINOLOGY; TO PROVIDE THAT BEGINNING JULY 1, 2024, THE OWNING ENTITY OF ALL EXISTING OR NEWLY CONSTRUCTED COVERED TOWERS AND STRUCTURES THAT HAVE HEIGHT MEASUREMENTS OF MORE THAN 50 FEET BUT LESS THAN 200 FEET SHALL CAUSE SUCH TOWER OR STRUCTURE TO BE CLEARLY MARKED CONSISTENT WITH APPLICABLE GUIDANCE IN THE FAA ADVISORY CIRCULAR (AC 70/7460 IL) TO REQUIRE THE OWNING ENTITY OF A NEWLY CONSTRUCTED STRUCTURE, BEFORE THE COMPLETION OF CONSTRUCTION OF THE STRUCTURE TO DISCLOSE THE HEIGHT, THE PRECISE LOCATION OF LATITUDINAL AND LONGITUDINAL COORDINATES OF THE COVERED TOWERED OR STRUCTURE AND THE TYPE OF OBSTRUCTION MARKING OR LIGHTING TO THE APPROPRIATE ENTITY BY ELECTRONIC COMMUNICATION WITH THE APPROPRIATE ENTITIES; TO REQUIRE THE APPROPRIATE ENTITIES KEEP THEIR DATABASES CURRENT TO PROTECT ANY PROPRIETARY INFORMATION CONTAINED THEREIN; AND FOR RELATED PURPOSES.

H. B. No. 751: AN ACT TO AMEND SECTION 77-7-345, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE STATUTE AUTHORIZING THE COMMISSIONER OF PUBLIC SAFETY TO CREATE A VOLUNTARY PROGRAM FOR INSPECTION OF COMMERCIAL MOTOR VEHICLES; AND FOR RELATED PURPOSES.

H. B. No. 763: AN ACT TO AMEND SECTION 47-5-473, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PILOT WORK RELEASE PROGRAM UNDER WHICH THE SHERIFF IN PARTICIPATING COUNTIES MAY AUTHORIZE CERTAIN OFFENDERS TO ENGAGE IN WORK, EDUCATIONAL AND REHABILITATIVE PROGRAMS WHILE CONFINED IN JAIL; TO INCREASE THE NUMBER OF PARTICIPANTS FOR THE PROGRAM; AND FOR RELATED PURPOSES.

H. B. No. 873: AN ACT TO CREATE NEW SECTION 45-41-3, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE PURPLE ALERT AS AN ADDITIONAL MEANS TO ENGAGE THE PUBLIC IN THE SEARCH OF A MISSING PERSON; TO AUTHORIZE A LOCAL LAW ENFORCEMENT AGENCY TO ACTIVATE A PURPLE ALERT,

NOTWITHSTANDING THE EXISTENCE OF AN ACTIVE SILVER ALERT OR AMBER ALERT, FOR MISSING PERSONS HAVING A COGNITIVE DISABILITY THAT IS NOT DEMENTIA-RELATED; TO AUTHORIZE THE BROADCASTING OF INFORMATION RELATING TO A MISSING PERSON'S CASE TO THE LOCAL MEDIA AND NOTIFICATION SUBSCRIBERS IN THE AREA IN WHICH THE MISSING PERSON IS BELIEVED TO BE LOCATED; TO AMEND SECTION 45-41-1, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 940: AN ACT TO AMEND SECTION 65-1-85, MISSISSIPPI CODE OF 1972, TO UPDATE CERTAIN PUBLICATION AND BID AWARD REQUIREMENTS TO REQUIRE THE ADVERTISEMENT TO BE POSTED ON A WEBSITE DESIGNATED BY THE COMMISSION FOR TWO SUCCESSIVE WEEKS INSTEAD OF A PUBLICATION WITHIN THE SEAT OF STATE GOVERNMENT IN JACKSON, MISSISSIPPI; TO REVISE THE REQUIREMENTS FOR DESIGN-BUILD PROJECTS OF THE MISSISSIPPI TRANSPORTATION COMMISSION; TO ALLOW THE MISSISSIPPI TRANSPORTATION COMMISSION TO UTILIZE FEDERALLY APPROVED ALTERNATIVE CONTRACTING METHODS; AND FOR RELATED PURPOSES.

H. B. No. 1089: AN ACT TO AMEND SECTION 99-15-17, MISSISSIPPI CODE OF 1972, TO INCREASE COMPENSATION FOR COUNSEL APPOINTED TO INDIGENTS; AND FOR RELATED PURPOSES.

H. B. No. 1641: AN ACT TO AMEND SECTION 57-1-14, MISSISSIPPI CODE OF 1972, TO EXEMPT RECORDS OF A PUBLIC BODY WHICH CONTAIN CLIENT INFORMATION CONCERNING ECONOMIC DEVELOPMENT PROJECTS FROM THE MISSISSIPPI PUBLIC RECORDS ACT OF 1983; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1088: AN ACT TO AMEND SECTION 41-21-63, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A CIRCUIT COURT TO RETAIN JURISDICTION AND PROCEED WITH CIVIL COMMITMENT IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 99-13-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE CIRCUIT COURT TO PROCEED WITH COMMITMENT PROCEDURES FOR ANY PERSONS WITH AN INTELLECTUAL DISABILITY AND HAVE UNRESOLVED FELONY CHARGES; TO AMEND SECTIONS 41-21-65, 41-21-67, 41-21-71, 41-21-73 AND 41-21-83, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE CIRCUIT COURT TO PROCEED WITH COMMITMENT PROCEDURES; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE GOVERNOR
February 21, 2024

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Lee Bertha Cole, Jackson, Mississippi, Board of Directors of MS Industries for the Blind representing a legally blind individual, four year term effective July 1, 2023 and ending June 30, 2027.

Billy Vaughn (Bill) Mayfield, Brandon, Mississippi, Board of Directors of MS Industries for the Blind representing an educator with expertise in rehabilitation or the field of blindness, four year term effective July 1, 2024 and ending June 30, 2028.

Sandra K. Smith Hall, Hazlehurst, Mississippi, Board of Directors of MS Industries for the Blind representing an individual with at least five (5) years actual experience in manufacturing or a related field, four year term beginning July 1, 2023 and ending June 30, 2027.

Kelly Dawn Barham, Columbus, Mississippi, Educational Television Authority (MS Public Broadcasting BD) as the Teacher or Principal of a Secondary School representative, remainder of a four year term effective February 19, 2024 and ending June 30, 2025, vice Richard Sawyer.

Michael Joseph (Mike) McGrevey, Decatur, Mississippi, Mississippi Lottery Corporation Board of Directors, five year term effective January 1, 2024 and ending December 31, 2028.

Anthony Chester White, Brandon, Mississippi, Mississippi State Board of Massage Therapy as the consumer at large, four year term effective July 1, 2023 and ending June 30, 2027.

Richard Lewis (Lew) Yoder, Jr., Laurel, Mississippi, State Oil and Gas Board representing the Second Supreme Court District, six year term effective May 8, 2024 and ending May 7, 2030.

Alwyn Hall Luckey, Ocean Springs, Mississippi, Mississippi State Personnel Board as the 2nd Supreme Court District representative, five year term beginning July 1, 2024 and ending June 30, 2029.

Derrick Vaneil (Bo) Lewis, Brandon, Mississippi, Polygraph Examiners Board as the supervisor of the polygraph section of the Department of Public Safety, six year term effective March 1, 2023 and ending February 6, 2029, vice Ricky E. Dean.

James Brian Gomillion, Walnut Grove, Mississippi, Mississippi Real Estate Commission representing the Second Congressional District, four year term effective January 31, 2024 and ending June 30, 2027, vice Pam Powers.

James Robert (Jim) Stroo, Hattiesburg, Mississippi, Mississippi Real Estate Commission representing the Fourth Congressional District, remainder of a four year term beginning upon Senate Confirmation and ending June 30, 2026, vice Ken Austin.

Tate Reeves
GOVERNOR

The executive nominations in the foregoing message were referred to committees as follows:

Lee Bertha Cole, Board of Directors of MS Industries for the Blind, four year term effective July 1, 2023 and ending June 30, 2027, Public Health and Welfare.

Billy Vaughn (Bill) Mayfield, Board of Directors of MS Industries for the Blind, four year term effective July 1, 2024 and ending June 30, 2028, Public Health and Welfare.

Sandra K. Smith Hall, Board of Directors of MS Industries for the Blind, four year term beginning July 1, 2023 and ending June 30, 2027, Public Health and Welfare.

Kelly Dawn Barham, Educational Television Authority (MS Public Broadcasting BD) as the Teacher or Principal of a Secondary School representative, remainder of a four year term effective February 19, 2024 and ending June 30, 2025, Education.

Michael Joseph (Mike) McGrevey, Mississippi Lottery Corporation Board of Directors, five year term effective January 1, 2024 and ending December 31, 2028, Gaming.

Anthony Chester White, Mississippi State Board of Massage Therapy as the consumer at large, four year term effective July 1, 2023 and ending June 30, 2027, Public Health and Welfare.

Richard Lewis (Lew) Yoder, Jr., State Oil and Gas Board, six year term effective May 8, 2024 and ending May 7, 2030, Energy.

Alwyn Hall Luckey, Mississippi State Personnel Board as the 2nd Supreme Court District representative, five year term beginning July 1, 2024 and ending June 30, 2029, Accountability, Efficiency, Transparency.

Derrick Vaneil (Bo) Lewis, Polygraph Examiners Board as the supervisor of the polygraph section of the Department of Public Safety, six year term effective March 1, 2023 and ending February 6, 2029, Judiciary, Division B.

James Brian Gomillion, Mississippi Real Estate Commission, four year term effective January 31, 2024 and ending June 30, 2027, Business and Financial Institutions.

James Robert (Jim) Stroo, Mississippi Real Estate Commission, remainder of a four year term beginning upon Senate Confirmation and ending June 30, 2026, Business and Financial Institutions.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 124: Tuskegee Airmen Day; designate the fourth Thursday in March. Rules.

H. B. No. 365: Mississippi Musicians Month; designate the month of March each year as. Rules.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Larry (Crow) G. Cromeans, Wylma R. King and Jimmy Perkins.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR WEDNESDAY, FEBRUARY 21, 2024

FIFTY-SECOND DAY, THURSDAY, FEBRUARY 22, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Chism. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Pastor Jerry Rowley, Jr., The Rock Church, Laurel, MS.

Senator Robinson led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 628: Public records; extend repealer on statute granting persons public right of access to. Accountability, Efficiency, Transparency.

H. B. No. 653: Trip optimizer system; extend expiration date of moratorium on application to state agencies of. Accountability, Efficiency, Transparency.

H. B. No. 1641: Public records; exempt public body's records containing client information concerning economic development projects. Accountability, Efficiency, Transparency.

Senator McCaughn called up the motion to reconsider the vote whereby **S. B. No. 2059** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2059: Biomass and Bioenergy with carbon capture technology; define.

The foregoing motion prevailed.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Friday, February 23, 2024.

The motion prevailed, and at 10:30 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON ENERGY

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2453: Inadequacy of service; authorizing the commission to cancel a municipality's certificate to provide service upon findings of. Title Sufficient. Do Pass.

CARTER, Chairman

REPORT OF COMMITTEE ON ENERGY

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 7: Leland W. (Lee) McDivitt, III, Brandon, Mississippi, Commercial Mobile Radio Service BD as the MS Law Enforcement Officers Association representative, four year term beginning July 1, 2023 and ending June 30, 2027. Do Advise and Consent.

S. N. No. 8: Trebia Rodgers, Grenada Co., Mississippi, Commercial Mobile Radio Service Board as the representative from the MS 911 Coordinators Association, four year term beginning July 1, 2023 and ending June 30, 2027. Do Advise and Consent.

CARTER, Chairman

REPORT OF COMMITTEE ON CORRECTIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2444: Central Mississippi Pilot Prison Industries program; expand to all state, regional and private correctional facilities. Title Sufficient. Do Pass.

S. B. No. 2448: "Mississippi Earned Parole Eligibility Act"; delete repealer. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2445: Correctional system programs; extend repealers. Title Sufficient. Committee Substitute. Do Pass.

BARNETT, Chairman

REPORT OF COMMITTEE ON APPROPRIATIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2468: Budget; bring forward code sections related to and provide for transfers. Title Sufficient. Do Pass.

S. B. No. 2170: Appropriation; additional to Department of Health. Title Sufficient. Do Pass.

S. B. No. 2840: Building Fund for the Arts; authorize Mississippi Arts Commission to retain monies for administrative costs. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2844: Variable Compensation Plan; make certain amendments. Title Sufficient. Do Pass.

HOPSON, Chairman

REPORT OF COMMITTEE ON EDUCATION

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2169: Local supplement for assistant teachers; prohibit school districts from reducing when given state minimum raise. Title Sufficient. Do Pass.

S. B. No. 2245: Education data; authorize the Department of Education to report aggregate data in compliance with federal standards. Title Sufficient. Do Pass.

S. B. No. 2246: Preschool reporting requirements; revise technical provisions related thereto. Title Sufficient. Do Pass.

S. B. No. 2332: MAEP; revise funding formula. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2339: High school graduation requirements; allow sign language to be counted as a foreign language. Title Sufficient. Do Pass.

S. B. No. 2343: Mississippi Modified School Calendar Grant Program; establish and provide eligibility criteria. Title Sufficient. Do Pass.

S. B. No. 2556: Early Learning Collaborative Act; require the Department of Education to provide certain data on educational effects. Title Sufficient. Do Pass.

DEBAR, Chairman

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 124: Tuskegee Airmen Day; designate the fourth Thursday in March. Title Sufficient. Do Pass.

H. B. No. 365: Mississippi Musicians Month; designate the month of March each year as. Title Sufficient. Do Pass.

H. C. R. No. 29: State of the State address of Governor Reeves; call joint session. Title Sufficient. Do Be Adopted.

S. C. R. No. 520: "Family Medicine Appreciation Day" in Mississippi; designate. Title Sufficient. Do Be Adopted.

S. R. No. 29: Commend Co-Lin Community College "Lady Wolves" Softball Team for winning the 2023 NJCAA Division II Softball National Championship. Title Sufficient. Do Be Adopted.

S. R. No. 30: Commend Kossuth Girls Bowling team for 6th straight State Title and Kossuth Boys Bowling for 3rd straight state title. Title Sufficient. Do Be Adopted.

S. R. No. 31: Congratulate Sharkey-Issaquena Academy Football Team for winning MAIS Class 1A State Championship for tornado-damaged community. Title Sufficient. Do Be Adopted.

S. R. No. 32: Florence High School Varsity Dance Team; commend upon winning 3A-5A State Championships in Hip Hop and Pom. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

REPORT OF COMMITTEE ON FINANCE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2226: Israel Support Act of 2019; extend repealer on. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2304: Income tax refunds; provide procedures for MDOR to set off debts owed to MDHS against, and for hearings and appeals. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2320: Motor vehicles; require proof of liability insurance before license tag or decal may be issued or renewed. Title Sufficient. Do Pass.

S. B. No. 2476: Tax credits for qualified charitable and qualified foster care charitable organizations; extend repealer on. Title Sufficient. Do Pass.

S. B. No. 2477: Income tax; reenact and extend repealer on credit for certain railroad expenditures. Title Sufficient. Do Pass.

HARKINS, Chairman

REPORT OF COMMITTEES ON
LOCAL AND PRIVATE AND FINANCE

Mr. President: The above-named committees, having had under consideration the following, favorably report same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

S. B. No. 2248: City of Amory; reenact and extend repealer on hotel/motel and restaurant tourism tax, and authorize election for additional 1%. Title Sufficient. Do Pass.

PARKS, Chairman
HARKINS, Chairman

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 313: AN ACT TO AMEND SECTIONS 73-7-1, 73-7-2, 73-7-3, 73-7-7, 73-7-9, 73-7-11, 73-7-12, 73-7-13, 73-7-14, 73-7-15, 73-7-16, 73-7-17, 73-7-18, 73-7-19, 73-7-21, 73-7-23, 73-7-25, 73-7-27, 73-7-29, 73-7-31, 73-7-33, 73-7-35, 73-7-37 AND 73-7-71, MISSISSIPPI CODE OF 1972, TO MERGE THE STATE BOARD OF COSMETOLOGY AND THE STATE BOARD OF BARBERING INTO THE STATE BOARD OF COSMETOLOGY AND BARBERING; TO PROVIDE FOR THE MEMBERSHIP OF THE BOARD; TO PROVIDE FOR THE APPOINTMENT OF THE EXECUTIVE DIRECTOR; TO REVISE THE LICENSING REQUIREMENTS OF BARBERS AND COSMETOLOGISTS; TO REQUIRE CERTAIN CONTINUING EDUCATION; TO SET CERTAIN PROHIBITIONS; TO PROVIDE THAT THE BOARD MAY CHARGE LICENSE FEES; TO SET THE BARBERING AND COSMETOLOGY SCHOOL REQUIREMENTS; TO SET CERTAIN VIOLATIONS, PENALTIES AND FINES; TO MAKE TECHNICAL AMENDMENTS TO CONFORM; TO BRING FORWARD SECTION 73-7-5, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO CREATE NEW SECTION 73-7-13.1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR BARBER LICENSING REQUIREMENTS; TO REPEAL SECTIONS 73-7-63, MISSISSIPPI CODE OF 1972, WHICH PROVIDES A REPEALER ON THE STATE BOARD OF COSMETOLOGY; TO REPEAL SECTION 73-5-1, MISSISSIPPI CODE OF 1972, WHICH CREATES THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-3, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES THE STAFFING AND COMPENSATION OF THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-5, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES A SPECIAL FUND FOR DEPOSITS AND AUDITS; TO REPEAL SECTION 73-5-7, MISSISSIPPI CODE OF 1972, WHICH GIVES THE STATE BOARD OF BARBER EXAMINERS THE AUTHORITY TO CREATE AND ENFORCE RULES AND REGULATIONS; TO REPEAL SECTION 73-5-8, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES CERTIFICATE QUALIFICATIONS FOR BARBER INSTRUCTORS; TO REPEAL SECTION 73-5-9, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES THE REQUIREMENT FOR BARBERS TO BE REGISTERED WITH AND LICENSED BY THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-11, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR BARBERING SCHOOL ELIGIBILITY; TO REPEAL SECTION 73-5-12, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES COSMETOLOGY,

BARBER EXAMINATION AND ELIGIBILITY; TO REPEAL SECTION 73-5-15, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBES THE PROCEDURE FOR APPLICATIONS FOR BARBER EXAMINATIONS; TO REPEAL SECTION 73-5-17, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES CERTAIN REQUIREMENTS FOR THE ADMINISTRATION OF BARBER EXAMINATIONS; TO REPEAL SECTION 73-5-19, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE ISSUANCE OF CERTIFICATES OF REGISTRATION AS A BARBER; TO REPEAL SECTION 73-5-21, MISSISSIPPI CODE OF 1972, WHICH CREATES THE LICENSE PROCEDURES FOR PERSONS HAVING PRACTICED BARBERING IN ANOTHER STATE OR COUNTRY OR IN MILITARY SERVICE FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-23, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES CONSPICUOUS DISPLAY OF REGISTRATION CERTIFICATES AND THE PENALTY FOR VIOLATIONS; TO REPEAL SECTION 73-5-25, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES CERTIFICATE OR LICENSE DENIAL, SUSPENSION OR REVOCATION; TO REPEAL SECTION 73-5-27, MISSISSIPPI CODE OF 1972, WHICH CREATES THE HEARING PROCEDURES FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-29, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES FEES FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-31, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES APPLICATION FOR NONRESIDENT LICENSE FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-33, MISSISSIPPI CODE OF 1972, WHICH CREATES LICENSURE PROCEDURES AND FEES FOR BARBERSHOPS, AND THE ENFORCEMENT OF LICENSURE REQUIREMENTS FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-35, MISSISSIPPI CODE OF 1972, WHICH CREATES LICENSURE PROCEDURES AND FEES FOR BARBER SCHOOLS FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-37, MISSISSIPPI CODE OF 1972, WHICH SETS AN ANNUAL CYCLE FOR BARBER LICENSE RENEWAL FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-39, MISSISSIPPI CODE OF 1972, WHICH DEFINES WHAT CONSTITUTES THE PRACTICE OF BARBERING; TO REPEAL SECTION 73-5-41, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES EXEMPTIONS FROM LICENSING REQUIREMENTS FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-43, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES OFFENSES AND PENALTIES FOR THE STATE BOARD OF BARBER EXAMINERS; AND FOR RELATED PURPOSES.

H. B. No. 1105: AN ACT TO AMEND SECTION 79-29-109, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROHIBITION ON USING THE WORDS "PARTNERSHIP" AND "LIMITED PARTNERSHIP" WHEN PROVIDING A NAME FOR A LIMITED LIABILITY COMPANY AS SET FORTH IN ITS CERTIFICATE OF FORMATION; AND FOR RELATED PURPOSES.

H. B. No. 1121: AN ACT TO AMEND SECTIONS 7-1-1 AND 25-1-3, MISSISSIPPI CODE OF 1972, TO MAKE MINOR, NONSUBSTANTIVE CHANGES THAT CONFORM CHANGES MADE IN HOUSE BILL NO. 1276, 2023 REGULAR SESSION; AND FOR RELATED PURPOSES.

H. B. No. 1284: AN ACT TO ENACT THE MISSISSIPPI FOREIGN LAND OWNERSHIP ACT TO LIMIT THE ABILITY OF NONRESIDENT ALIENS TO MAINTAIN OWNERSHIP OF MISSISSIPPI AGRICULTURAL AND FORESTRY LAND IF THEY ARE FROM A COUNTRY THAT IS CONSIDERED A FOREIGN ADVERSARY BY THE UNITED STATES SECRETARY OF COMMERCE; TO DEFINE TERMS; TO LIMIT NONRESIDENT ALIENS FROM COUNTRIES THAT ARE LABELED ADVERSE TO THE UNITED STATES FROM EXERCISING OWNERSHIP OF MISSISSIPPI LANDS PAST A PRESCRIBED AMOUNT OF TIME; TO OUTLINE SITUATIONS FOR WHICH THIS ACT SHALL NOT APPLY; TO CREATE PROCEDURES FOR THE ATTORNEY GENERAL AND MISSISSIPPI SECRETARY OF STATE TO FOLLOW TO PENALIZE VIOLATIONS OF THIS ACT; TO AMEND SECTIONS 89-1-23 AND 29-1-75, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

H. B. No. 1298: AN ACT TO ESTABLISH THE MISSISSIPPI WILD TURKEY STAMP; TO DEFINE CERTAIN TERMS RELATING TO THE WILD TURKEY STAMP; TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON SIXTEEN YEARS OF AGE OR OLDER TO HUNT OR TAKE ANY WILD TURKEY WITHIN THIS STATE WITHOUT FIRST PROCURING A STATE WILD TURKEY STAMP OR ITS ELECTRONIC EQUIVALENT; TO PROVIDE THAT ANY PENALTY FOR NOT HAVING THE WILD TURKEY STAMP IN POSSESSION WHILE ENGAGED IN HUNTING OR TAKING WILD TURKEY SHALL BE WAIVED IF THE PERSON CAN VERIFY PURCHASE OF A WILD TURKEY STAMP PRIOR TO THE DATE OF THE VIOLATION; TO REQUIRE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO DETERMINE THE FORM OF THE WILD TURKEY STAMP AND THE ELECTRONIC EQUIVALENT OF SUCH STAMP; TO PROVIDE THE FEE FOR A RESIDENT AND NONRESIDENT WILD TURKEY STAMP; TO PROVIDE THAT ALL REVENUE FROM THE SALE OF WILD TURKEY STAMPS SHALL BE USED FOR PROJECTS APPROVED BY THE COMMISSION; TO PROVIDE PENALTIES FOR A VIOLATION OF THIS ACT; TO BRING FORWARD SECTIONS 49-7-1, 49-7-5 AND 49-7-26, MISSISSIPPI CODE OF 1972, FOR PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1304: AN ACT TO AMEND SECTION 69-1-23, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COMMISSIONER OF AGRICULTURE AND COMMERCE TO ADOPT RULES AND REGULATIONS TO PROVIDE FOR THE GRADING, BY AN OFFICIAL INSPECTOR, OF ANY GRAIN SUBMITTED FOR SALE AT ANY ELEVATOR OR GRAIN DEALER BY A GRAIN PRODUCER; TO REQUIRE THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE TO ADOPT RULES GOVERNING THE STANDARDS FOR SAMPLING AND GRADING GRAIN THAT ARE CONSISTENT WITH THE STANDARDS FOR SAMPLING AND GRADING GRAIN DEVELOPED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; TO REQUIRE THE DEPARTMENT TO CERTIFY GRAIN DEALERS AND COURSES OF INSTRUCTION IN SAMPLING AND GRADING GRAIN; TO PROVIDE FOR THE ISSUANCE OF CERTIFICATE FOR INDIVIDUALS CONDUCTING COURSES IN SAMPLING AND GRADING GRAIN; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 299: AN ACT TO AMEND SECTION 49-19-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI FORESTRY COMMISSION AND COUNTY FORESTERS WHO ARE EMPLOYED BY THE COMMISSION TO ELECTRONICALLY ACCEPT BIDS FOR TIMBER SALES; TO AMEND SECTION 29-3-45, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MANAGING BOARD MAY POST ADDITIONAL NOTICES AND MAY ALLOW FOR SUBMISSION OF ELECTRONIC BIDS; TO BRING FORWARD SECTION 29-1-1, 31-7-13, 49-19-3 AND 55-3-53, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1149: AN ACT TO AMEND SECTIONS 19-7-25, 19-25-65, AND 19-7-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN LIEU OF PRINTED LAW BOOKS BEING MAINTAINED IN THE COURTROOMS OF COURTHOUSES, SUCH

BOOKS MAY BE SOLELY MAINTAINED IN AN ELECTRONIC FORMAT; TO PROVIDE THAT IN COUNTY PUBLIC LAW LIBRAIRES, LAW BOOKS MAY BE SOLELY MAINTAINED IN AN ELECTRONIC FORMAT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR THURSDAY, FEBRUARY 22, 2024

FIFTY-THIRD DAY, FRIDAY, FEBRUARY 23, 2024

The Senate met at 9:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Absent--Barrett, Chism, DeLano, Parks, Tate. Total--5.

The Secretary announced a quorum present.

The invocation was delivered by Robert Green, Senior Pastor, Fondren Church, Jackson, MS.

Senator Harkins led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Kirby called up the following entitled resolution:

H. C. R. No. 29: State of the State address of Governor Reeves; call joint session.

YEAS AND NAYS On H. C. R. No. 29. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--None.

Absent and those not voting--Barrett, Chism, DeLano, Parks, Tate. Total--5.

On motion of Senator Kirby, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. C. R. No. 29.

Senator Butler moved that when the Senate adjourns, it adjourn in memory of Hilda Moore Turner of Jefferson County, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Austin Oliver and Gerald Dwayne Southard of Southaven, MS.

Senator Polk moved that the Senate stand in recess until 11:00 AM, at which time the Senate would then adjourn until 4:00 PM, Monday, February 26, 2024.

The motion prevailed, and at 9:16 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. B. No. 2140: AN ACT TO ENACT THE MISSISSIPPI PRIOR AUTHORIZATION REFORM ACT; TO ESTABLISH THE LEGISLATIVE FINDINGS OF THE ACT; TO PROVIDE THE APPLICABILITY AND SCOPE OF THE ACT; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAINTAIN A COMPLETE LIST OF SERVICES FOR WHICH PRIOR AUTHORIZATIONS ARE REQUIRED; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAKE ANY CURRENT PRIOR AUTHORIZATION REQUIREMENTS AND RESTRICTIONS READILY ACCESSIBLE AND POSTED ON ITS WEBSITE; TO SET REQUIREMENTS FOR THE CLINICAL REVIEW CRITERIA OF HEALTH INSURANCE ISSUERS; TO PROHIBIT HEALTH INSURANCE ISSUERS FROM DENYING A CLAIM FOR FAILURE TO OBTAIN PRIOR AUTHORIZATION IF THE PRIOR AUTHORIZATION REQUIREMENT WAS NOT IN EFFECT ON THE DATE OF SERVICE ON THE CLAIM; TO REQUIRE HEALTH INSURERS TO MAKE CERTAIN PRIOR AUTHORIZATION STATISTICS AVAILABLE ON THEIR WEBSITE; TO REQUIRE HEALTH INSURANCE

ISSUERS TO MAKE AVAILABLE A STANDARDIZED ELECTRONIC PRIOR AUTHORIZATION REQUEST TRANSACTION PROCESS BY JANUARY 1, 2025; TO REQUIRE ALL HEALTH CARE PROFESSIONALS AND HEALTH CARE PROVIDERS TO USE THAT PROCESS NOT LATER THAN JANUARY 1, 2027; TO ESTABLISH CERTAIN REQUIREMENTS ON HEALTH INSURANCE ISSUERS FOR PRIOR AUTHORIZATIONS IN NONURGENT CIRCUMSTANCES AND URGENT CIRCUMSTANCES; TO REQUIRE HEALTH INSURANCE ISSUERS TO GIVE CERTAIN NOTIFICATIONS WHEN MAKING AN ADVERSE DETERMINATION; TO ESTABLISH THE QUALIFICATIONS FOR PERSONNEL WHO REVIEW APPEALS OF PRIOR AUTHORIZATIONS; TO REQUIRE HEALTH INSURANCE ISSUERS TO PERIODICALLY REVIEW ITS PRIOR AUTHORIZATION REQUIREMENTS AND TO CONSIDER REMOVAL OF THESE REQUIREMENTS IN CERTAIN CASES; TO PROVIDE THAT A HEALTH INSURANCE ISSUER MAY NOT REVOKE OR FURTHER LIMIT, CONDITION OR RESTRICT A PREVIOUSLY ISSUED PRIOR AUTHORIZATION WHILE IT REMAINS VALID UNDER THIS ACT UNLESS CERTAIN EXCLUSIONS ARE APPLICABLE; TO PROVIDE HOW LONG PRIOR AUTHORIZATION APPROVALS SHALL BE VALID; TO PROVIDE HOW LONG THE PRIOR AUTHORIZATIONS FOR CHRONIC CONDITIONS SHALL BE VALID; TO ESTABLISH THE PROCEDURE FOR THE CONTINUITY OF PRIOR APPROVALS FROM PREVIOUS HEALTH INSURANCE ISSUERS TO CURRENT ISSUERS; TO PROVIDE THAT A FAILURE BY A HEALTH INSURANCE ISSUER TO COMPLY WITH THE DEADLINES AND OTHER REQUIREMENTS SPECIFIED IN THIS ACT SHALL RESULT IN ANY HEALTH CARE SERVICES SUBJECT TO REVIEW TO BE AUTOMATICALLY DEEMED AUTHORIZED BY THE HEALTH INSURANCE ISSUER OR ITS CONTRACTED PRIVATE REVIEW AGENT; TO AUTHORIZE THE DEPARTMENT OF INSURANCE TO ISSUE CEASE AND DESIST ORDERS TO HEALTH INSURANCE ISSUERS OR PRIVATE REVIEW AGENTS; TO AUTHORIZE THE STATE DEPARTMENT OF INSURANCE TO IMPOSE UPON A PRIVATE REVIEW AGENT, HEALTH BENEFIT PLAN OR HEALTH INSURANCE ISSUER AN ADMINISTRATIVE FINE NOT TO EXCEED $10,000 PER VIOLATION OF THE ACT; TO REQUIRE HEALTH INSURANCE ISSUERS TO REPORT TO THE DEPARTMENT CERTAIN DATA; TO REQUIRE HEALTH INSURANCE ISSUERS TO NOTIFY THE COMMISSIONER OF INSURANCE OF SUSPECTED SUBMISSIONS OF FALSE REQUESTS FOR PRIOR AUTHORIZATION; TO REQUIRE THE COMMISSIONER TO HAVE AN ADMINISTRATIVE HEARING ON SUCH MATTERS TO RESOLVE THE ISSUE; TO AMEND SECTIONS 41-83-1, 41-83-3, 41-83-13, 41-83-21, 41-83-31, 83-1-101 AND 83-9-6.3, MISSISSIPPI CODE OF 1972, TO CONFORM WITH THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 41-83-5, 41-83-7, 41-83-9, 41-83-11, 41-83-15, 41-83-17, 41-83-19, 41-83-23, 41-83-25, 41-83-27 AND 41-83-29, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. C. R. No. 29: A CONCURRENT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE MISSISSIPPI LEGISLATURE TO HEAR THE STATE OF THE STATE ADDRESS OF GOVERNOR TATE REEVES.

David Jordan, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:00 AM in memory of Hilda Moore Turner, Austin Oliver and Gerald Dwayne Southard.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR FRIDAY, FEBRUARY 23, 2024

S. R. No. 33: Rules
A RESOLUTION COMMENDING AND CONGRATULATING JACKSON STATE UNIVERSITY'S MARCHING BAND "SONIC BOOM OF THE SOUTH" AND DIRECTOR DR. RODERICK LITTLE FOR ITS EXCITING PERFORMANCE WITH ROCK LEGEND USHER DURING THE "APPLE MUSIC SUPER BOWL LVIII HALFTIME SHOW" ON THE OCCASION OF "JSU DAY AT THE CAPITOL" ON MARCH 19, 2024.
By Senator(s) Norwood, Frazier, Blount, Thomas, Horhn, Hickman, Simmons (12th)

FIFTY-SIXTH DAY, MONDAY, FEBRUARY 26, 2024

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.
Absent--Carter, Hill, Parks. Total--3.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Parks.

The invocation was delivered by Rev. Michael Herrin, Pastor, First Presbyterian Church of Port Gibson, Port Gibson, MS.

Senator Butler led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:
The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senators Sparks, Boyd, Suber, DeBar, Tate, Horhn, Frazier, Barrett, Williams, Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Branning, Brumfield, Bryan, Butler, Carter (in his absence), Chassaniol, Chism, DeLano, England, Fillingane, Harkins, Hickman, Hill (in her absence), Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks (in her absence), Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Thomas, Thompson, Turner-Ford, Whaley, Wiggins and Younger moved that when the Senate adjourns, it adjourn in memory of Chief Warrant Officer 4 Bryan Andrew Zemek of Oxford, MS.

Senators Sparks, Boyd, Suber, DeBar, Tate, Horhn, Frazier, Barrett, Williams, Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Branning, Brumfield, Bryan, Butler, Carter (in his absence), Chassaniol, Chism, DeLano, England, Fillingane, Harkins, Hickman, Hill (in her absence), Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks (in her absence), Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Thomas, Thompson, Turner-Ford, Whaley, Wiggins and Younger moved that when the Senate adjourns, it adjourn in memory of Chief Warrant Officer 4 Derek Joshua Abbott of Fulton, MS.

Senators Rhodes, Berry and McMahan moved that when the Senate adjourns, it adjourn in memory of Mrs. Charlene Harper of Iowa, LA.

Senators Polk, Fillingane and Johnson moved that when the Senate adjourns, it adjourn in memory of Cheryl Cranford of Hattiesburg, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Emilie Hodges Martin of Belden, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of James Roy Presley of Guntown, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time it would reconvene for the Joint Session in the Hall of the House of Representatives and that at the conclusion of the Joint Session, the Senate would then adjourn until 10:00 AM, Tuesday, February 27, 2024.

The motion prevailed, and at 4:19 PM, the Senate stood in recess.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 922: AN ACT TO PROVIDE THAT THE OFFICE OF ELECTION COMMISSIONER SHALL BE A NONPARTISAN OFFICE; TO PROVIDE THAT THE NAMES OF CANDIDATES FOR THE OFFICE OF ELECTION COMMISSIONER SHALL BE LISTED AS NONPARTISAN ON A BALLOT; TO AMEND SECTION 23-15-213, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO REVISE THE STAGGERED TERMS OF ELECTION COMMISSIONERS IN DISTRICTS TWO AND FOUR; TO PROVIDE THAT THOSE ELECTION COMMISSIONERS FROM DISTRICTS TWO AND FOUR ELECTED IN THE 2027 ELECTION SHALL BE ELECTED FOR A THREE-YEAR TERM; TO PROVIDE THAT THOSE ELECTION COMMISSIONERS FROM DISTRICTS TWO AND FOUR ELECTED IN THE 2030 ELECTION SHALL SERVE A FOUR-YEAR TERM AND EVERY FOUR YEARS THEREAFTER; TO AMEND SECTIONS 23-15-367 AND 23-15-511, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1035: AN ACT TO AMEND SECTION 23-15-975, MISSISSIPPI CODE OF 1972, TO INCLUDE JUSTICE COURT JUDGES IN THE "NONPARTISAN JUDICIAL ELECTION ACT"; TO AMEND SECTION 23-15-197, MISSISSIPPI CODE OF 1972, TO PROVIDE THE TIME FOR HOLDING AN ELECTION FOR THE OFFICE OF JUSTICE COURT JUDGE; TO AMEND SECTION 23-15-977, MISSISSIPPI CODE OF 1972, TO PROVIDE THE QUALIFYING FEE FOR ELECTION TO THE OFFICE OF JUSTICE COURT JUDGE; TO AMEND SECTIONS 9-11-2, 23-15-193, 23-15-297, 23-15-359, 23-15-973 AND 23-15-1021, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 23-15-833, 23-15-849 AND 23-15-981, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

JOINT SESSION

Pursuant to H. C. R. No. 29, a Joint Session was held in the Hall of the House of Representatives.

The House received the Senate.

The Joint Session was convened by Speaker Jason White.

Speaker Jason White introduced Lt. Governor Delbert Hosemann who presided over the Joint Session.

Lt. Governor Delbert Hosemann introduced his wife, Lynn Hosemann and Speaker Jason White's wife, Jolynn White who were present for the Joint Session.

Lt. Governor Delbert Hosemann introduced a host of dignitaries who were present for the Joint Session.

Lt. Governor Delbert Hosemann and Speaker Jason White called on the committee composed of Senators Blackwell, DeBar and Simmons S. (13th) and Representatives Fondren, Hurst and Oliver to escort Governor Tate Reeves and First Lady Elee Reeves to the dais.

Lt. Governor Delbert Hosemann introduced Governor Tate Reeves who addressed the joint assembly:

Thank you, Lieutenant Governor Hosemann and Speaker White.

To the members of the legislature and other elected officials – thank you. Thank you for what you do every single day to make Mississippi an even better place to live, to work, and to raise a family. Together, over the last four years, we've accomplished mission after mission for our state. And I have no doubt that by continuing to work together, Mississippi's best days are in front of us.

I would also like to thank the person who has been at the center of my life for over 23 years, my wonderful wife and our state's amazing first lady, Elee. Elee has been a source of strength and inspiration for me over the years and especially during my time as governor. She is a terrific mom, an excellent first lady, and a tremendous ambassador for our state. I'm lucky to have her in my life every single day, and I thank God that she is.

Before I go any further, it is with a heavy heart that I recognize the honorable service and tremendous sacrifice of Chief Warrant Officer Zemek and Chief Warrant Officer Abbott. Please join me in a moment of silence and prayer for their many friends and family.

Thank you. This tragic accident is yet another reminder that the freedoms we hold dear are not free. And a huge thank you to all of our brave men and women in uniform that champion freedom both domestically and abroad.

I will warn you this is going to be a boring speech.

It's got no hot buttons, virtually no conflict, no drama.

What I'm about to do tonight is to go over a game plan. It's not going to excite the newspaper reporters. It's probably not going to end up in anybody's campaign ads. But it is going to make a difference for Mississippi and for our fellow Mississippians.

We have just completed a heated campaign year in our state.

We know that some of you support the policies championed by Joe Biden.

We know that I am what Biden calls an extremist MAGA Republican.

And maybe over the next few weeks, you may be asked to pick which side you are on.

But not by me. And not tonight.

I am not going to focus on our differences. After 2023, we all know what they are.

I am here tonight instead to challenge you as a Legislature to waste no time on the things that divide us, and instead spend your energy this year on things that unite us.

Our state has many challenges. We also have many opportunities. In fact, we have more opportunities than we have ever had before. The task in front of us is whether we can roll up our sleeves and meet these challenges before these opportunities pass us by.

You are limited by our Constitution to 125 legislative calendar days. Time is of the essence. Let's not waste any of those days.

I am going to present you tonight with a list of tasks we must do together, to put Mississippi in position to attract even more great careers. All across our state, there are children in elementary school and middle school and high school whose future rides on our ability to get this done.

We have attracted more private investment in the first month of this term than we had in the 120 months before I became Governor. And believe me when I tell you that all this

movement toward Mississippi has gotten noticed. The people who decide where to locate or expand companies in America see the activity and they are checking us out. Success creates more success and momentum breeds even more momentum.

We have an opportunity to make just a few strategic decisions that can yield major results – and not just improvements far into the future, but right now in the present.

Most of you know me well. Most of us have known each other a long time. You may not think I'm that smart, but I can tell you I am a lot smarter than I was just four years ago. And what I'm smarter about is what it takes to attract new jobs to our state. Recruiting new industry has been my number one priority and it takes up the bulk of my time. It's given me a new more detailed perspective on what we have to offer – and what we need to do.

For the last year, I traveled the state to say that Mississippi has momentum. In my inaugural address, I articulated our mission: Mississippi Forever. Committing ourselves to the work so that – together – we can make Mississippi a vibrant, prosperous home for all her sons and daughters – forever.

Today, I want to talk a bit more about our vision for the next four years and this state we all take pride in. I want to articulate my ambition for where we can go, which rests on the fundamental nature of who we are.

We all have pride in the Mississippi spirit, and we all know what that means. Sure, it means that we're hospitable, God-glorifying, and resilient. But it also means that we have discipline and work ethic. This is a state whose economy does not rest on the wizardry of finance or the volatile next-big-thing. This is a state that is based on timeless economies. Agriculture and Forestry. Manufacturing and Industry. Tradesmen, craftsmen, cultivators, and workers dominate our land.

We make things – real things. We make fridges and fighter jets. We make cars and sow cotton. We make bullets and grow soybeans. You can touch our work, and know that highly-trained, capable, proud Mississippi hands made those products.

As long as I have been alive, our country and the western world have been steadily drifting away from this work. We've been happy to outsource that labor to others in far-off places. And what has it brought us? What has the bizarre combination of globalization and inflation given us that is better than the work of the hands?

We have a crisis of purpose and abundant despair in America. Anxiety, isolation, and addiction are on the rise. Everyone recognizes that our culture of outsourcing, apathy, and idleness is slowly killing us. The West is recognizing what we've lost, and Mississippi is poised to be the big winner in the realignment of our coming time.

In every C-suite in America, they know the need to reshore key industries. They know that we need to bring the work of making things home. For our economy and more importantly our national spirit, we cannot only be a nation of importers.

In all that time, Mississippi never stopped making real things. And now, as our national culture catches up to where we've been – we can say with our chest poked out that this is Mississippi's time.

We can take advantage of this moment and create unimagined wealth, prosperity, and purpose for our state. We can make Mississippi the new American capital of manufacturing, industry, and agribusiness. Mississippi can be the headwaters of America's supply chain if we are bold.

It is not just the advantage of our hard-working people. World-class Mississippi businesses currently move parts and products around the world thanks to our unique

logistics advantage. You can reach 90% of the US population with the shortest average drive and flight times from North Mississippi. Memphis, just to our North, is a global hub for air cargo and transportation served by FedEx and UPS. We are surrounded by water on three sides. In those waters are more than a dozen river ports and ports that are accessible to the Gulf of Mexico. We have deep-water ports at Gulfport and Pascagoula.

We have unique advantages in aviation and aerospace. The Stennis Space Center is overflowing with opportunities for commercial space business. Our abundant and rural aviation assets offer the promise of experimentation and innovation.

Let's take full advantage of the immovable asset that is our location. There is literally no better place to make things in America for Americans than right here in Mississippi.

To ensure the world cannot deny it, we must continue to invest in our infrastructure to make our logistics second to none.

One of Mississippi's greatest economic and logistical assets is our ports. We need to develop a plan of action to address our ports' backlog maintenance and capacity projects. Investing in our critical ports from Vicksburg (which handles 14 million tons of freight annually) to Gulfport (where the global maritime shipping industry requires increased channel depth) will yield economic dividends all across our state. We will attract more companies, create more jobs, and secure even more private investment.

We must also continue to invest in our airports to meet the demands of industry. By increasing capacity of our hangers through the Airport Improvement Loan Fund, we can take additional steps to attract global interest in our state.

And just like we did by creating an Office of Workforce Development, I am also calling on the legislature to establish and fund a state rail authority, whose purpose would be to steward our state's investments in our rail network. This authority would be an all-encompassing one-stop-shop for all things railroad and would tailor strategies to better develop rail in regions across the state.

Ports, airports, rail – and roads. As good stewards of taxpayer dollars, we should help the Mississippi Department of Transportation increase their efficiency by giving them authority to use alternative delivery methods in completing their construction projects. We have invested hundreds of millions of dollars in MDOT's maintenance and capacity road-building projects over the last four years, and we should continue these investments, with a plan for the future. Speed to market is critical, and that is why MDOT must use these resources to quickly develop a strategy to evaluate needed improvements at our top site development locations around the state.

World-class logistics infrastructure means world-class speed-to-market. Products move faster. Money flows back faster. More money circulates in our economy. That is the key to our future.

It also means we must have sites that are ready to go for large-scale investment. This is how we are shattering records for economic development. Over the last several years, we have worked with local communities to have 30 sites primed and ready – at all times – for immediate uplifting investment. We have invested over $100 million dollars in our site development program in the last three years and this year we must fully fund that program to continue our record-breaking achievements.

We must take full advantage of the Mississippi Miracle and ensure our workforce grows beyond most-improved and into the most-undeniable. You know how drastically we have improved our schools, and that the nation's education-reformers are all asking how they do what has been done in Mississippi. We've gone from bad to good. Now we must discover how to go from good to great.

We must be innovative. We must be open to new and different models. We should fund students, not systems. We should trust our parents, not bureaucrats, and we should embrace education freedom.

One example of how we can help accomplish this is by expanding a model that has worked on the campus of Mississippi University for Women – the Mississippi School for Math and Science.

To build on this model, I propose that we create 12 Mathematics and Engineering Magnet Schools throughout the state. By establishing eight Pre-K through 8th grade schools and three more high schools, we can help to ensure Mississippi kids are given the education required to be successful in an increasingly technological economy.

In fact, there is already a great location for one of these schools right across the street from this beautiful building – the old Central High School. Imagine hundreds of talented kids from all backgrounds learning the skills they need to be successful as engineers, computer scientists, and technicians at major tech companies like AWS. It would be good for our capital city and it would be great for those kids.

We should also help connect our students with the high-paying jobs our companies need filled. I call on the Legislature to enact an apprenticeship education model for our high school seniors. Students could receive academic credit in a hybrid environment versus the traditional classroom-only setting. Our kids could 'earn and learn' – meeting graduation requirements while being paid to develop the skills needed for their career.

Mississippi kids are our future. And by providing them with a cutting-edge education, we will ensure Mississippi's future remains bright.

It begins in the elementary, middle, and high school classrooms. Then we reach our potential by unleashing Mississippi innovation and research.

We have great minds across many disciplines, but we must double-down when it comes to manufacturing and industrial innovation and invention. We are in a competition for recruitment and retention of talent, and Mississippi has to lead the way. Today, I ask the legislature to establish an incentive program to retain and attract top researchers in relevant fields at our universities. We must win the talent war in order to outpace our competition.

We also need to renew our focus on commercializing these innovations. Right now, across our state, great minds are gathered together. In the halls of our universities. At the US Army's Engineer Research and Development Center in Vicksburg. Most people, I'm sure, would be shocked to know that there are more PHD's per capita in that town than any other place in America. At the Stennis Space Center, where innovation beyond anything this planet has ever seen is happening every day.

Mississippi has to take that research and transform it into wealth-generation for our communities. When we learn that art better, everyone can enjoy the spoils that come from the marriage of invention and hard work. We have more highly-credentialed research talent per capita than anywhere in the country. We need to deploy our resources with precision and intensity to seize that opportunity and turn research and innovation into prosperity for our people.

One organization critical to this mission is Innovate Mississippi. With the support of the Mississippi Development Authority, Innovate is administering the deployment of $86 million dollars in federal SSBCI funds. By doubling our investment into their operating budget, we can support the cluster strategy of development demanded by the manufacturers of today and make sure we are leveraging every opportunity to promote technology entrepreneurs in our state.

There is no sector that demands the innovation, workforce, logistics, and ambition that Mississippi can provide like energy. Mississippi must become masters of all energy–from pipelines to turbines and everything in between. As automation and growth unlock more human potential than ever before, there has never been a demand for abundant energy like this. As the spread of previously unimaginable computing power puts more pressure on our national grid, the demand for domestic sources of energy will be limitless. Large manufacturing and data center investments are getting larger and more expensive. The thirst for All-Of-The-Above Energy has never been greater.

We must and will do it all – from oil derricks on our Coast to solar panels in the Delta. I don't care if it's green wind power or black crude oil or anything in between. It's going to be made in Mississippi. All of the above and as much as we can do. As long as it is reliable, resilient, and affordable.

We have so much to offer to America's energy economy. Biomass from wood and agricultural fiber. We have companies working to unlock the potential of hydrogen and wind due to our abundant land and unique salt domes. We have permitted over two gigawatts of industrial solar production in the last few years. And of course, old reliable, natural gas still powers most of our energy portfolio and it is clean, affordable, and dependable. And we are proud of it.

We should also look at attracting the next innovation. We should attract manufacturing for key components and assembly of small modular nuclear reactors and expedite permitting and regulatory approvals for their rapid deployment within Mississippi. If we can be bold to position ourselves at the front of that wave, Mississippi industry and families will enjoy the rewards for many generations.

And of course my ambition is that this spirit of innovation and pride will carry over into our work in state government. We must transform the way our work is done inside the halls of government. We must unlock the potential that new technologies provide for us to do more with less. We need to reduce the bureaucratic measures that make it impossible for innovation to occur. We have so many layers of red tape between the scoping of a project and implementation that state employees are beleaguered and disillusioned. They have nearly given up on innovation, because our system seems designed to discourage it. We must reform the processes for procuring new technologies or risk falling behind. The economy for public sector technology is robust and competitive. We should do everything in our power to take full advantage of the reduction in cost and improved services to be better for our customers – the people of Mississippi.

I call for the creation of a task force whose goal is to improve technology within and across state government. By improving technology and ensuring it's implemented in a way that matches actual workflow, we can streamline processes at agencies, reduce the time it takes to complete tasks, share information more easily, and provide more efficient, effective services for Mississippians.

At the end of the day, that's who all this work is for. We're all here in this grand building, with all this tradition and ceremony, but we cannot do this for ourselves. That would be a sorry mission. We do all this for the people who selected us for this work. And at the end of the day, they demand only a few things from us.

First, they demand the lowest possible burden on them. That means committing to interfering with their lives as little as possible. We must not convince ourselves that we can solve everyone's problems, because we know that every intervention in our systems causes countless other ripples. We must be prudent and cautious. We must demand low taxes and regulations. I renew my call to ensure the tax burden on Mississippians is as low as we can possibly afford. Their money circulating in their towns will do more than any additional government program ever could.

And finally, they demand that we provide for safety – law and order. They have entrusted to us a monopoly on force. Our law enforcement officers have to run our streets, not those who use force for brute power or personal gain. That is why we must invest in our public safety efforts and use our resources strategically.

Earlier this month, I was proud to stand alongside our state, local and federal law enforcement partners as we announced Operation Unified – an initiative whose goal is to root out drug traffickers and violent criminals in Jackson.

Working together, we are sending a message to those looking to harm others that their actions will not be tolerated. Together, we are showing criminals that Mississippi will never rest until they are brought to justice and behind bars.

Our law enforcement officers are already making significant progress. To date, Operation Unified has taken 360 criminals off the streets, and we've seized 162 firearms and over 34,000 grams in illegal drugs - including fentanyl, meth, and cocaine.

Our law enforcement officers are true heroes and none of this would be possible without them. They are putting themselves in harm's way every single day to keep us safe, and together, I know we can make real progress in delivering the safety and protection Jacksonians deserve. I'm proud of their work, and I know you'll support them throughout this important mission and beyond.

Ultimately, if we handle these fundamentals, I know that the people of Mississippi will have cause to say we've done our jobs well. We are at our best when we focus on achieving those basic tasks that have been given to us. And then as we achieve those, we can lift our eyes to see what private industry can achieve when we remove roadblocks. We are at our worst when we obsess over divisions. Disagreement and pointed debate is necessary. Then we move forward into our bold, ambitious future. We embrace Mississippi's momentum. We carry ourselves with pride and make America's goods here.

I would like to leave you with a bold challenge. It's bold because it is simple and in politics, the simple things are often the hardest to do.

When we were all sworn in last month, we had a great spirit of bipartisanship. We came together, overwhelmed by our positive feelings toward each other and Mississippi.

I am asking you tonight to put those convictions in action.

Let's do the things that need to be done, that we can get done, together.

Let's work on that list this year.

There will be time to go back to politics and disagreement later. But this year, at this time, with these opportunities, let's come together.

I am proud to be a Mississippian, and proud to work with each of you. I look forward to what we can accomplish over the next four years working together.

God bless Mississippi.

On motion of Representative Shanks, the Joint Session was dissolved at 5:52 PM, and pursuant to motion by Senator Polk previously adopted, the Senate stood adjourned at 5:52 PM in memory of Chief Warrant Officer 4 Bryan Andrew Zemek, Chief Warrant Officer 4 Derek Joshua Abbott, Mrs. Charlene Harper, Cheryl Cranford, Emilie Hodges Martin and James Roy Presley.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR MONDAY, FEBRUARY 26, 2024

FIFTY-SEVENTH DAY, TUESDAY, FEBRUARY 27, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Reverend Chris Cumbest, Pastor, Wells Church, Jackson, MS.

Senator McCaughn led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 539: Medicaid; provide for presumptive eligibility for pregnant women. Medicaid.

H. B. No. 970: Medicaid; extend date of repealers on the services and managed care provisions and the provider assessment provisions. Medicaid.

REPORT OF COMMITTEE ON INSURANCE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2756: State and School Employees' Health Insurance Board; require board to determine applicable insurance benefits and exclusions. Title Sufficient. Do Pass.

S. B. No. 2758: Insurance; prohibit roofing contractors from taking certain actions related to insureds. Title Sufficient. Do Pass.

S. B. No. 2851: Nonprofit agricultural membership organization; authorize to issue health insurance and exempt from insurance regulation. Title Sufficient. Do Pass.

MICHEL, Chairman

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of John Charles Gaskins of Covington, LA.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Jewel Johnson of Morton, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Mary Louise Scott and Barbara Ann White of Saucier Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of John Carlton Hamilton of Hurley Community, MS.

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2016: Illegal dumping; increase penalties for. Title Sufficient. Do Pass.

S. B. No. 2196: Mississippi Terroristic Threats Law; provide enhanced penalty for threat against airport. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2288: Images or audio altered or created by digitization; criminalize dissemination of in certain circumstances. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2355: Walker's Law; enact to criminalize sexual extortion. Title Sufficient. Do Pass.

S. B. No. 2627: Firearms; criminalize manufacture, possession and use of machine gun conversion devices. Title Sufficient. Committee Substitute. Do Pass.

FILLINGANE, Chairman

Senator Polk moved that the Senate stand in recess until 5:00 PM or until the last committee report is filed, at which time the Senate would then adjourn until 10:00 AM, Wednesday, February 28, 2024.

The motion prevailed, and at 10:30 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON FINANCE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2405: Alcoholic beverages; revise certain geographic and entity restrictions. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2457: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Title Sufficient. Do Pass.

S. B. No. 2470: Sales tax; move the back-to-school sales tax holiday to the second Friday in July. Title Sufficient. Do Pass.

S. B. No. 2493: Bonds; repeal authorization for unissued bonds, and replace with cash funds. Title Sufficient. Do Pass.

S. B. No. 2901: Ad valorem tax; require counties and municipalities to provide notice and hearing before exceeding revenue-neutral rate. Title Sufficient. Do Pass.

HARKINS, Chairman

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 331: Counties and municipalities; authorize to choose not to be subject to requirement for permitting as a condition to construction. County Affairs.

REPORT OF COMMITTEE ON DRUG POLICY

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2279: Uniform Controlled Substances Act; revise schedules. Title Sufficient. Do Pass.

TURNER-FORD, Chairman

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 313: Board of Cosmetology and Barbering; create to regulate cosmetology and barber professions. Public Health and Welfare.

H. B. No. 774: MS Mobile Sports Wagering Act; create to legalize "online race book" and "online sports pool" betting. Gaming.

H. B. No. 1105: Limited Liability Company; remove prohibition on using the words "partnership" and "limited parternship" when providing a name for. Business and Financial Institutions.

H. B. No. 1149: Counties; authorize to only maintain electronic format of law books in county courtrooms and public county law libraries. County Affairs.

REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2131: Child support; create presumption that support continues past the age of majority for a disabled child. Title Sufficient. Do Pass.

S. B. No. 2038: Adoption petitions; clarify that attached certificate may be executed by any physician. Title Sufficient. Do Pass.

S. B. No. 2261: Child support; make certain amendments to provision concerning recovery from delinquent noncustodial parents. Title Sufficient. Do Pass.

S. B. No. 2262: Child support; revise provision related to in order to mirror current DHS practice and federal requirements. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2266: Mississippi Electronic Court System; require free access for public defenders. Title Sufficient. Do Pass.

WIGGINS, Chairman

REPORT OF COMMITTEE ON ELECTIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2144: Runoff elections; amend to lengthen the timing requirement. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2367: Ranked-choice voting; prohibit in Mississippi elections. Title Sufficient. Do Pass.

S. B. No. 2422: Election disputes; specify judges with jurisdiction to hear. Title Sufficient. Do Pass.

S. B. No. 2579: Absentee ballots; change receipt deadline. Title Sufficient. Do Pass.

ENGLAND, Chairman

REPORT OF COMMITTEE ON AGRICULTURE

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2631: State property; amend MDAC ability to expend funding for the Ag Museum and clarify the location of state fairgrounds. Title Sufficient. Committee Substitute. Do Pass.

YOUNGER, Chairman

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 504: AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN ADDITIONAL ROUND OF FIRE TRUCKS FOR COUNTIES AND MUNICIPALITIES UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM; AND FOR RELATED PURPOSES.

H. B. No. 1037: AN ACT TO AMEND SECTION 27-104-231, MISSISSIPPI CODE OF 1972, TO REVISE THE PROCESS FOR STATE AGENCIES TO AVOID OR LIMIT THE NEED FOR ANY ADDITIONAL, DEFICIT OR SUPPLEMENTAL APPROPRIATIONS; TO REQUIRE A STANDARDIZED REQUEST FORM PROMULGATED BY THE LEGISLATIVE BUDGET OFFICE AND THE DEPARTMENT OF FINANCE AND ADMINISTRATION; AND FOR RELATED PURPOSES.

H. B. No. 1704: AN ACT TO AMEND SECTION 7 OF CHAPTER 15, LAWS OF 2023, TO REVISE THE FISCAL YEAR 2024 APPROPRIATION TO THE BOARD OF PSYCHOLOGY TO REVISE THE AMOUNT OF FUNDS PROVIDED FOR THE ADMINISTRATIVE SUPPORT OF THE MISSISSIPPI AUTISM BOARD; TO AMEND SECTION 4 OF CHAPTER 34, LAWS OF 2023, TO REVISE THE FISCAL YEAR 2024 APPROPRIATION TO THE OFFICE OF STATE AID ROAD CONSTRUCTION TO REVISE THE AMOUNT OF FUNDS AUTHORIZED TO BE EXPENDED FOR THE REPLACEMENT OF STRUCTURALLY DEFICIENT BRIDGES; TO AMEND SECTION 41 OF CHAPTER 98, LAWS OF 2023, TO REVISE THE 2024 FISCAL YEAR APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO REVISE THE PURPOSES FOR WHICH ALCORN STATE UNIVERSITY MAY INCUR EXPENSES RELATED TO MAKING IMPROVEMENTS TO THE DAVEY L. WHITNEY COMPLEX AND WELLNESS CENTER; TO AMEND SECTIONS 1, 2 AND 18 OF CHAPTER 53, LAWS OF 2023, TO AMEND THE FISCAL YEAR 2024 APPROPRIATION TO THE MISSISSIPPI DEPARTMENT OF INSURANCE TO REVISE THE MAXIMUM AMOUNTS OF GENERAL AND SPECIAL FUNDS SO THAT THE MISSISSIPPI LENGTH OF SERVICE AWARD PROGRAM WILL BE FUNDED WITH SPECIAL FUNDS; TO AMEND SECTION 40 OF CHAPTER 91, LAWS OF 2023, TO REVISE THE FISCAL YEAR 2024 APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH TO CLARIFY THE PERIOD FOR WHICH EXPENDITURES MAY BE MADE FOR REIMBURSEMENT OF EXPENSES FOR SEVERE WEATHER STORM DAMAGE; TO AMEND SECTIONS 1, 2 AND 45 OF CHAPTER 108, LAWS OF 2023, TO AMEND THE FISCAL YEAR 2024 APPROPRIATION TO THE STATE DEPARTMENT OF EDUCATION TO REVISE THE MAXIMUM AMOUNTS OF GENERAL AND SPECIAL FUNDS TO CHANGE THE FUNDING SOURCES FOR THE CHARTER SCHOOL

AUTHORIZER BOARD; TO AMEND SECTION 27-103-204.1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE TREASURER TO ESCALATE HIS OR HER BUDGET AND EXPEND THE AMOUNT OF ANY FUNDS BORROWED FROM THE WORKING CASH-STABILIZATION RESERVE FUND TO OFFSET ANY TEMPORARY CASH FLOW DEFICIENCIES IN THE GF OBLIGATIONS FUND; TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT FUNDS APPROPRIATED FOR THE EARLY LEARNING COLLABORATIVE ACT OF 2013 REMAINING AFTER AWARDS TO EARLY LEARNING COLLABORATIVES AND THE DEPARTMENT'S ADMINISTRATIVE NEEDS ARE MET MAY BE CARRIED OVER IN THE FOLLOWING YEAR; TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT EDUCATION ENHANCEMENT FUNDS APPROPRIATED FOR CLASSROOM SUPPLIES, INSTRUCTIONAL MATERIALS AND EQUIPMENT FOR TEACHERS THAT ARE UNEXPENDED WILL BE CARRIED FORWARD, COMBINED WITH THE FOLLOWING YEAR'S ALLOCATION OF EDUCATION ENHANCEMENT FUND INSTRUCTIONAL SUPPLIES FUNDS AND REALLOCATED FOR THE FOLLOWING YEAR; TO AMEND SECTION 49-39-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE STATE AGENCIES RECEIVING FUNDS FROM THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND TO ESCALATE THEIR BUDGETS AND EXPEND SUCH FUNDS; TO DIRECT THE STATE TREASURER AND STATE FISCAL OFFICER TO TRANSFER CERTAIN AMOUNTS FROM AND TO CERTAIN FUNDS IN THE STATE TREASURY; AND FOR RELATED PURPOSES.

H. B. No. 1707: AN ACT TO AMEND SECTION 28 OF CHAPTER 549, LAWS OF 2023, TO CLARIFY AND CORRECT NAMES AND PURPOSES OF CERTAIN PROJECTS FUNDED WITH MONIES DISBURSED FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND; TO AMEND SECTION 4 OF CHAPTER 549, LAWS OF 2023, TO REVISE THE PURPOSE OF A CERTAIN PROJECT FUNDED WITH MONIES DISBURSED FROM THE 2022 IHL CAPITAL IMPROVEMENTS FUND; TO AMEND SECTION 27-104-373, MISSISSIPPI CODE OF 1972, TO EXEMPT PROJECTS FUNDED WITH MONIES DISBURSED FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND FROM THE PUBLIC PURCHASING REQUIREMENTS OF SECTION 31-7-13, MISSISSIPPI CODE OF 1972; TO AMEND SECTION 65-1-185, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE 2023 DESOTO COUNTY INFRASTRUCTURE IMPROVEMENTS FUND SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION INSTEAD OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 65-1-187, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE 2023 LAFAYETTE COUNTY INFRASTRUCTURE IMPROVEMENTS FUND SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION INSTEAD OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 65-1-189, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE 2023 GULFPORT COMMERCE CORRIDOR FUND SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION INSTEAD OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO MAKE SEVERAL TECHNICAL CHANGES APPLICABLE TO CERTAIN AMERICAN RECOVERY AND REINVESTMENT ACT PROJECTS UNDER THE PUBLIC PURCHASING LAW; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 299: Mississippi Forestry Commission; authorize to electronically accept bids for timber sales. Forestry.

H. B. No. 697: Mississippi Aviation Safety Act; create. Highways and Transportation.

H. B. No. 751: Commercial motor vehicles; extend repealer on authority of Commissioner of Public Safety to create voluntary inspection program. Highways and Transportation.

H. B. No. 940: MS Transportation Commission; revise publication and bid requirements for Design-Build projects and allow use of alternate contracting methods. Highways and Transportation.

H. B. No. 1284: Mississippi Foreign Land Ownership Act; create to prohibit acquisition of forestry and agricultural lands. Judiciary, Division A.

H. B. No. 1298: Mississippi Wild Turkey Stamp; establish. Wildlife, Fisheries and Parks.

H. B. No. 1304: Grain graders; provide process for certification of. Agriculture.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1460: AN ACT TO BRING FORWARD SECTION 49-2-131, MISSISSIPPI CODE OF 1972, WHICH CREATED THE MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1705: AN ACT TO BRING FORWARD SECTIONS 27-103-125, 27-103-139, 27-103-203, 27-103-211, 27-103-213 AND 27-103-303, MISSISSIPPI CODE OF 1972, WHICH RELATE TO VARIOUS ASPECTS OF THE BUDGET PROCESS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO DIRECT THE STATE TREASURER AND THE STATE FISCAL OFFICER TO MAKE CERTAIN TRANSFERS TO THE CAPITAL EXPENSE FUND DURING FISCAL YEAR 2025; AND FOR RELATED PURPOSES.

H. B. No. 1706: AN ACT TO BRING FORWARD SECTION 27-104-321, MISSISSIPPI CODE OF 1972, WHICH CREATED THE CORONAVIRUS STATE FISCAL RECOVERY FUND, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 27-104-323, MISSISSIPPI CODE OF 1972, TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER TO THE CORONAVIRUS STATE FISCAL RECOVERY FUND THE FULL AMOUNT OF ANY INTEREST EARNED ON AMOUNTS IN THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND THAT ARE REMAINING IN THE LOCAL FUND ON JULY 1, 2024; TO PROVIDE THAT ANY INTEREST EARNED ON AMOUNTS IN THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND AFTER JULY 1, 2024, SHALL BE DEPOSITED TO THE CREDIT OF THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO AUTHORIZE THE STATE FISCAL OFFICER TO TRANSFER TO THE FEDERAL GOVERNMENT ANY FUNDS IN THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND THAT HAVE NOT BEEN USED FOR THE PURPOSE FOR WHICH THEY WERE RECEIVED; TO BRING FORWARD SECTION 27-104-325, MISSISSIPPI CODE OF 1972, WHICH CREATED THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND, FOR THE PURPOSE OF POSSIBLE

AMENDMENT; TO BRING FORWARD SECTION 37-153-57, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE ACCELERATE MISSISSIPPI WORKFORCE DEVELOPMENT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-153-205, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE ACCELERATE MISSISSIPPI NURSING/ALLIED HEALTH GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-153-207, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE ACCELERATE MISSISSIPPI PHYSICIAN RESIDENCY AND FELLOWSHIP START-UP GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-153-209, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE MISSISSIPPI ALLIED HEALTH COLLEGE AND CAREER NAVIGATOR GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-106-64, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE SKILLED NURSING HOME AND HOSPITAL NURSES RETENTION LOAN REPAYMENT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 41-3-16.1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR THE SECOND ROUND OF GRANT AWARDS UNDER THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM, THE STATE DEPARTMENT OF HEALTH SHALL ADD TEN POINTS TO ANY GRANT APPLICATION THAT PROMOTES THE CONSOLIDATION OF SEPARATE SYSTEMS; TO PROVIDE THAT THE DEPARTMENT SHALL ADD TEN POINTS TO ANY APPLICATION WITH AT LEAST ONE SYSTEM THAT HAS CONSOLIDATED IN THE PAST, REGARDLESS OF WHETHER THE APPLICATION WOULD RESULT IN ADDITIONAL CONSOLIDATION IN THE FUTURE; TO PROVIDE THAT NO APPLICATION WILL RECEIVE MORE THAN A TOTAL OF TEN ADDITIONAL POINTS UNDER THE PROGRAM FOR ANY PAST OR FUTURE CONSOLIDATION OF SYSTEMS; TO BRING FORWARD SECTION 41-9-371, MISSISSIPPI CODE OF 1972, WHICH CREATED THE MISSISSIPPI HOSPITAL SUSTAINABILITY GRANT PROGRAM FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 49-2-131, MISSISSIPPI CODE OF 1972, WHICH CREATED THE MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO PROVIDE FOR THE TRANSFER OF CERTAIN FUNDS BY THE STATE TREASURER; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of John Charles Gaskins, Jewel Johnson, Mary Louise Scott, Barbara Ann White and John Carlton Hamilton.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, FEBRUARY 27, 2024

S. B. No. 2925: Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF BOLIVAR COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE BOLIVAR COUNTY COMMUNITY ACTION AGENCY, INC., AND THE FANNIE LOU HAMER BREAST CANCER FOUNDATION; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

S. R. No. 34: Rules

A RESOLUTION CELEBRATING THE LEGACY AND MEMORY OF FORMER PUBLIC SERVICE COMMISSIONER-SOUTHERN DISTRICT SAMUEL F. (SAM)

BRITTON AND EXTENDING THE SYMPATHY OF THE MISSISSIPPI SENATE TO HIS SURVIVING FAMILY.

By Senator(s) Johnson, Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Seymour, Simmons (12th), Simmons (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger

---

FIFTY-EIGHTH DAY, WEDNESDAY, FEBRUARY 28, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Senator McCaughn, joined by his son, Beau Whitten (Whit) McCaughn.

Senator Ladner led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

The National Anthem was performed by Senate Page Michelle Greene.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2302: State agencies; notify Legislature of proposed rule adoption. Title Sufficient. Do Pass.

S. B. No. 2406: MS Public Records Act; exempt certain private information of persons conducting in-state operations. Title Sufficient. Do Pass.

S. B. No. 2713: Regional health authorities; create the Delta Regional Health Authority and authorize creation of additional regional authorities. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2770: Ballot initiative process; revise statutory implementation. Title Sufficient. Do Pass.

S. C. R. No. 527: Constitution of 1890; amend to revise ballot initiative measure process. Title Sufficient. Do Be Adopted.

PARKER, Chairman

REPORT OF COMMITTEES ON
INSURANCE AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2125: State employees; require the state to offer health savings accounts to. Title Sufficient. Committee Substitute. Do Pass.

MICHEL, Chairman
PARKER, Chairman

Senator Parks called up the following entitled bill:

S. B. No. 2248: City of Amory; reenact and extend repealer on hotel/motel and restaurant tourism tax, and authorize election for additional 1%.

YEAS AND NAYS On S. B. No. 2248. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--Chism. Total--1.
Absent and those not voting----None.

On motion of Senator Parks, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 2248.

Senator Michel called up the following entitled bill:

S. B. No. 2851: Nonprofit agricultural membership organization; authorize to issue health insurance and exempt from insurance regulation.

YEAS AND NAYS On S. B. No. 2851. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Parker, Hill and Sparks as co-authors of **S. B. No. 2851**.

Senator Robinson moved that when the Senate adjourns, it adjourn in memory of Ralph L. Campbell of Laurel, MS.

Senator Whaley moved that when the Senate adjourns, it adjourn in memory of Ann Cocke Carpenter of Holly Springs, MS.

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2614: Uniform Post-Conviction Collateral Relief Act; amend certain provisions related to the filing of motions under. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2186: Sale of seized weapons; authorize use of proceeds to purchase equipment. Title Sufficient. Do Pass.

S. B. No. 2626: Firearms and weapons; authorize nonviolent felons to possess and use. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2613: Police chiefs and officers; require certain continuing education. Title Sufficient. Do Pass.

FILLINGANE, Chairman

Senator Polk moved that the Senate stand in recess until 5:00 PM or until the last committee report is filed, at which time the Senate would then adjourn until 10:00 AM, Thursday, February 29, 2024.

The motion prevailed, and at 10:41 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON MEDICAID

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 539: Medicaid; provide for presumptive eligibility for pregnant women. Title Sufficient. Do Pass.

H. B. No. 970: Medicaid; extend date of repealers on the services and managed care provisions and the provider assessment provisions. Title Sufficient. Do Pass.

BLACKWELL, Chairman

REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2272: Charities; amend the initial registration process. Title Sufficient. Do Pass.

S. B. No. 2544: Public deposit bidding; conform processes. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2545: Auditing threshold; define monetary donations. Title Sufficient. Do Pass.

S. B. No. 2762: Retainage; further define and outline the process related to. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2128: Real Estate Commission; grant discretion to issue license after felony conviction of crimes of moral turpitude. Title Sufficient. Do Pass.

POLK, Chairman

REPORT OF COMMITTEE ON VETERANS AND MILITARY AFFAIRS

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 37: Dr. David H. McElreath, Oxford, Mississippi, State Veterans Affairs Board as the representative from the 1st Congressional District as it existed March 1, 1992, five year term effective May 5, 2023 and ending May 4, 2028. Do Advise and Consent.

S. N. No. 38: CSM Silvester Tatum, Jackson, Mississippi, State Veterans Affairs Board to represent the 2nd Congressional District as it existed March 1, 1992, remainder

of five year term effective August 1, 2023 and ending May 31, 2025, vice BG George E. Irvin, Sr. Do Advise and Consent.

TATE, Chairman

REPORT OF COMMITTEE ON PORTS AND MARINE RESOURCES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2647: Mississippi Comprehensive Coastal Conservation and Restoration Act of 2024; enact. Title Sufficient. Do Pass.

S. B. No. 2648: Mississippi Department of Marine Resources; authorize oyster lease reconfiguration and make technical amendments. Title Sufficient. Do Pass.

S. B. No. 2653: Design-build method of contracting; extend repealer for use by State Port Authority. Title Sufficient. Do Pass.

S. B. No. 2654: MS Department of Marine Resources; clarify hearing procedures and establish compliance officer. Title Sufficient. Committee Substitute. Do Pass.

THOMPSON, Chairman

REPORT OF COMMITTEE ON TOURISM

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2142: Designate American Quarter Horse as the "Official State Horse of the State of Mississippi." Title Sufficient. Do Pass.

S. B. No. 2696: Mississippi Main Street; bring forth code sections. Title Sufficient. Committee Substitute. Do Pass.

CHASSANIOL, Chairman

REPORT OF COMMITTEE ON COUNTY AFFAIRS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2495: County boards of supervisors; may designate board attorney to serve as hearing officer in disputes regarding delinquent solid waste fees. Title Sufficient. Do Pass.

S. B. No. 2697: Property exemption; property used exclusively and directly for certain purposes belongs to the foundation using it. Title Sufficient. Do Pass.

SIMMONS (12TH), Chairman

REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2060: Memorial bridge; dedicate the Little Biloxi Bridge to World War II Infantryman Willie Edward King. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2635: Nonconsensual towing; regulate towing and charges for commercial vehicles. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2636: Memorial marker; place near the Clay Street exit ramp off I20 West for Jarod Squire and Derico Davis. Title Sufficient. Do Pass.

S. B. No. 2645: Mississippi Department of Transportation; design-build requirement revisions. Title Sufficient. Committee Substitute. Do Pass.

BRANNING, Chairman

REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2634: Memorial highways; designate segment in Shannon, Lee County, as the "Johnny R. Patterson Memorial Highway." Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2643: Highways; dedicate a section of Highway 8 to William Forrest Winter. Title Sufficient. Committee Substitute. Do Pass.

BRANNING, Chairman

REPORT OF COMMITTEE ON PUBLIC PROPERTY

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2708: Department of Public Safety Headquarters; authorize DPS to sell or lease the land. Title Sufficient. Do Pass.

S. B. No. 2275: MDOT; authorize the transfer and conveyance of certain real property to the Board of Supervisors of Greene County. Title Sufficient. Do Pass.

S. B. No. 2465: Public property; direct MDOT to convey certain land used as a park to the City of Marks. Title Sufficient. Do Pass.

S. B. No. 2494: State agency property; authorize DFA as central leasing agent for all state agencies. Title Sufficient. Committee Substitute. Do Pass.

SUBER, Chairman

_____

REPORT OF COMMITTEE ON LABOR

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2593: Labor; create study committee to study labor force participation rates. Title Sufficient. Committee Substitute. Do Pass.

BARRETT, Chairman

_____

MESSAGE FROM THE GOVERNOR
February 28, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2276: Clinic building at 1308 Belk Boulevard; transfer to Mississippi Department of Public Safety. (February 28, 2024, 3:30 PM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

_____

REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2072: Physical therapy practice laws; revise various provisions of. Title Sufficient. Do Pass.

S. B. No. 2145: Defending Affordable Prescription Drug Costs Act; enact to prohibit discriminating against 340B drug discount program entities. Title Sufficient. Do Pass.

S. B. No. 2152: Department of Human Services; authorize to enter into lease with counties and to appoint certain county directors. Title Sufficient. Do Pass.

S. B. No. 2157: Psychology Interjurisdictional Compact; enact. Title Sufficient. Do Pass.

S. B. No. 2165: Dietitian Licensure Compact; enact. Title Sufficient. Do Pass.

S. B. No. 2240: Board of Medical Licensure; revise licensure status, definitions, procedure, fines and temporary practice authority. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2329: Early Intervention Task Force; reconstitute and set membership and responsibilities. Title Sufficient. Do Pass.

S. B. No. 2340: Harper Grace's Law; extend repealer on authority to research and dispense cannabidiol (CBD oil) for medical purposes. Title Sufficient. Do Pass.

S. B. No. 2558: Mental Health Regional Commissions; authorize boards of supervisors to agree to board compositions. Title Sufficient. Do Pass.

S. B. No. 2857: Medical cannabis act; set additional provisions related to background checks, department investigations, fees and appeals. Title Sufficient. Do Pass.

S. B. No. 2888: Medical Cannabis Research Advisory Board; enact and create the Center for Mississippi Medical Cannabis Research. Title Sufficient. Committee Substitute. Do Pass.

BRYAN, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:30 PM in memory of Ralph L. Campbell and Ann Cocke Carpenter.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR WEDNESDAY, FEBRUARY 28, 2024

S. B. No. 2926: Appropriations
AN ACT TO PROVIDE AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2024 AND FISCAL YEAR 2025; THE STATE VETERANS AFFAIRS BOARD FOR FISCAL YEAR 2024; THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2024; THE DEPARTMENT OF REVENUE FOR FISCAL YEAR 2024; THE JOINT REAPPORTIONMENT COMMITTEE FOR FISCAL YEAR 2024; THE SECRETARY OF STATE FOR FISCAL YEAR 2024; THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR FISCAL YEAR 2024; STATE DEPARTMENT OF HEALTH FOR FISCAL YEAR 2024; DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2024 AND FISCAL YEAR 2025; DEPARTMENT OF CHILD PROTECTION SERVICES FOR FISCAL YEAR 2024; AND FOR RELATED PURPOSES.
By Senator(s) Hopson

FIFTY-NINTH DAY, THURSDAY, FEBRUARY 29, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Pastor James A. Young, Senior Pastor, Calvary Apostolic Faith Church, Louisville, MS.

Senator Hickman led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON TECHNOLOGY

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2703: Cybersecurity; require state agencies to report ransomware incidents and prohibit agencies from paying ransoms. Title Sufficient. Committee Substitute. Do Pass.

WILLIAMS, Chairman

Senator Blackwell called up the following entitled bill:

H. B. No. 539: Medicaid; provide for presumptive eligibility for pregnant women.

YEAS AND NAYS On H. B. No. 539. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier,

Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, Hill, McLendon, Seymour. Total--4.

Absent and those not voting----None.

Senator Blackwell called up the following entitled bill:

H. B. No. 970: Medicaid; extend date of repealers on the services and managed care provisions and the provider assessment provisions.

YEAS AND NAYS On H. B. No. 970. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Chism, McLendon. Total--2.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Senator Polk moved that the Senate stand in recess until 5:00 PM or until the last committee report is filed, at which time the Senate would then adjourn until 9:00 AM, Friday, March 1, 2024.

The motion prevailed, and at 10:45 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON GOVERNMENT STRUCTURE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2486: Proposals and requests for qualifications; simplify the receipt and registration process. Title Sufficient. Do Pass.

S. B. No. 2799: Public official appointments; revise terms of office and appointment procedures on certain state boards, districts and agencies. Title Sufficient. Committee Substitute. Do Pass.

JOHNSON, Chairman

REPORT OF COMMITTEES ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY AND GOVERNMENT STRUCTURE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2300: Occupational Licensing Review Board; revise membership. Title Sufficient. Committee Substitute. Do Pass.

PARKER, Chairman
JOHNSON, Chairman

REPORT OF COMMITTEES ON
BUSINESS AND FINANCIAL INSTITUTIONS AND GOVERNMENT STRUCTURE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2788: Mississippi Real Estate Commission; remove Home Inspector Board. Title Sufficient. Do Pass.

POLK, Chairman
JOHNSON, Chairman

REPORT OF COMMITTEES ON
CORRECTIONS AND GOVERNMENT STRUCTURE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2600: Parole and probation officers' study committee; study transferring authority and functions to DPS. Title Sufficient. Do Pass.

BARNETT, Chairman
JOHNSON, Chairman

REPORT OF COMMITTEES ON
ENERGY AND GOVERNMENT STRUCTURE

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

S. B. No. 2283: Public Service Commission; extend date of repeal on. Title Sufficient. Do Pass.

S. B. No. 2454: Mississippi Gulf Coast Region Utility Act; set to repeal on July 1, 2024. Title Sufficient. Do Pass.

CARTER, Chairman
JOHNSON, Chairman

REPORT OF COMMITTEE ON APPROPRIATIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2846: Appropriations; make technical revisions to certain transfers and provisions related to local projects. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2285: Department of Public Safety; revise salary scale. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2825: Appropriations; revise certain FY2024 appropriations, fund authority and transfers. Title Sufficient. Do Pass.

S. B. No. 2847: Short-line railroads; authorize towns to acquire, restore, construct, own, operate and dispose of. Title Sufficient. Do Pass.

S. B. No. 2926: Appropriation; additional appropriations for various state agencies for FY2024 & FY2025. Title Sufficient. Do Pass.

HOPSON, Chairman

REPORT OF COMMITTEES ON
ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2244: Foster care children; allow free access to museums and state parks, allow free transcripts from colleges and junior colleges. Title Sufficient. Do Pass.

PARKER, Chairman
HOPSON, Chairman

REPORT OF COMMITTEES ON
JUDICIARY, DIVISION A AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

S. B. No. 2550: Assistant district attorneys and criminal investigators; bring forward provisions related to. Title Sufficient. Do Pass.

S. B. No. 2761: Judicial support staff; bring forward provision related to. Title Sufficient. Do Pass.

WIGGINS, Chairman
HOPSON, Chairman

REPORT OF COMMITTEE ON FINANCE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2567: On-premises tobacco permit; authorize Department of Revenue to issue. Title Sufficient. Do Pass.

S. B. No. 2568: Native wineries; authorize to make sales at one satellite location in same county. Title Sufficient. Do Pass.

S. B. No. 2801: Distinctive motor vehicle license tag; authorize for supporters of Clarkdale High School in Lauderdale County. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2803: Local Option Alcoholic Beverage Control Law; revise definition of "qualified resort area." Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2903: MS Deferred Comp; allow Roth and other after-tax accounts, and comply with qualified domestic relations orders. Title Sufficient. Do Pass.

S. B. No. 2904: PERS; require any terminated plan to pay unfunded actuarial accrued liability to board in a lump sum before termination. Title Sufficient. Do Pass.

HARKINS, Chairman

REPORT OF COMMITTEES ON
HIGHWAYS AND TRANSPORTATION AND FINANCE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2644: Harvest permit license tag; increase weight category for. Title Sufficient. Do Pass.

BRANNING, Chairman
HARKINS, Chairman

REPORT OF COMMITTEE ON WILDLIFE, FISHERIES AND PARKS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2652: Wild turkey stamps; require for wild turkey hunters 16 years of age or older. Title Sufficient. Do Pass.

S. B. No. 2659: Mississippi Parks Corporation; create. Title Sufficient. Do Pass.

S. B. No. 2662: Johnny Kakales Act; enact to allow use of drones for hunting, trapping and taking wild hogs. Title Sufficient. Committee Substitute. Do Pass.

WHALEY, Chairman

REPORT OF COMMITTEE ON UNIVERSITIES AND COLLEGES

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2408: Identification cards and driver's licenses; require to have 988 Crisis Lifeline information. Title Sufficient. Do Pass.

BOYD, Chairman

REPORT OF COMMITTEE ON ELECTIONS

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2425: Ballot harvesting; define terms. Title Sufficient. Committee Substitute. Do Pass.

ENGLAND, Chairman

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 702: AN ACT TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, A POLITICAL SUBDIVISION OF THE STATE OR A MUNICIPALITY OF THE STATE MAY FORM A PUBLIC-PRIVATE PARTNERSHIP FOR A HIGHWAY, ROAD, BRIDGE OR OTHER ASSET IMPROVEMENT BY WHICH THE DEPARTMENT, POLITICAL SUBDIVISION OR MUNICIPALITY MAY NEGOTIATE FOR PRIVATE FUNDING ASSISTANCE TOWARD A HIGHWAY, ROAD, BRIDGE OR OTHER ASSET IMPROVEMENT IN EXCHANGE FOR NAMING RIGHTS OF THE SECTION OF HIGHWAY, ROAD, BRIDGE OR OTHER ASSET FOR WHICH THE PRIVATE FUNDING ASSISTANCE WAS PROVIDED; TO PROHIBIT THE COMMISSION FROM APPROVING AND THE DEPARTMENT FROM ENTERING INTO ANY AGREEMENT WITH AN ENTITY WHOSE PRODUCTS ARE ILLEGAL FOR USE BY MINORS; TO PRESCRIBE THE PURPOSES FOR WHICH FUNDS DERIVED FROM SUCH AGREEMENTS FOR NAMING RIGHTS MAY BE USED; TO CREATE A SPECIAL FUND IN THE STATE TREASURY FOR THE DEPOSIT OF SUCH FUNDS TO BE RETAINED AND MANAGED BY THE DEPARTMENT FOR THE PURPOSES OF THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 724: AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT CONVICTIONS THAT HAVE BEEN PARDONED ARE ELIGIBLE FOR EXPUNGEMENT; AND FOR RELATED PURPOSES.

H. B. No. 783: AN ACT TO AMEND SECTION 93-5-24, MISSISSIPPI CODE OF 1972, TO REVISE CUSTODY STANDARDS TO PROVIDE A REBUTTABLE PRESUMPTION OF JOINT CUSTODY WITH EQUAL PARENTING TIME IN ALL CUSTODY MATTERS; TO REQUIRE A COURT TO DOCUMENT REASONS FOR DEVIATION FROM JOINT CUSTODY IF THE COURT FAILS TO GRANT JOINT CUSTODY; TO BRING FORWARD SECTION 93-11-65, MISSISSIPPI CODE OF 1972, WHICH PROVIDES ADDITIONAL REMEDIES PROVIDED BY CHANCERY COURT, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1194: AN ACT TO AMEND SECTION 37-15-6, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE DEPARTMENT OF EDUCATION TO REPORT AGGREGATE DATA CONCERNING PUBLIC SCHOOL EXPULSIONS WHICH DOES NOT DISCLOSE STUDENTS' PERSONALLY IDENTIFIABLE INFORMATION; AND FOR RELATED PURPOSES.

H. B. No. 1196: AN ACT TO CREATE "WALKER'S LAW" WHICH CREATES THE OFFENSE OF SEXUAL EXTORTION AND AGGRAVATED SEXUAL EXTORTION; TO DEFINE NECESSARY TERMS; TO PROVIDE PENALTIES FOR VIOLATIONS; TO BRING FORWARD SECTION 97-3-82, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE CRIME OF EXTORTION, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1253: AN ACT TO AMEND SECTION 99-39-7, MISSISSIPPI CODE OF 1972, TO REQUIRE A PERSON SEEKING TO FILE A MOTION FOR POST-CONVICTION COLLATERAL RELIEF TO OBTAIN PERMISSION FROM THE MISSISSIPPI SUPREME COURT BEFORE FILING THE MOTION IN TRIAL COURT IF A DENIAL OF A PREVIOUS POST-CONVICTION MOTION HAS BEEN AFFIRMED ON APPEAL OR MORE THAN THREE YEARS HAVE ELAPSED AFTER THE TIME FOR TAKING AN APPEAL FROM A JUDGMENT OR CONVICTION; AND FOR RELATED PURPOSES.

H. B. No. 1390: AN ACT TO AMEND SECTION 25-31-21, MISSISSIPPI CODE OF 1972, TO PROVIDE PROCEDURES FOR RECUSAL BY ATTORNEYS FOR PURPOSES OF IMPANELING A GRAND JURY; AND FOR RELATED PURPOSES.

H. B. No. 1454: AN ACT TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2024, TO JULY 1, 2027, ON THE PROVISION OF LAW THAT PRESCRIBES CONDITIONS FOR PAROLE ELIGIBILITY FOR OFFENDERS; AND FOR RELATED PURPOSES.

H. B. No. 1617: AN ACT TO CREATE NEW SECTION 57-31-35, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ACQUISITION AND DEVELOPMENT BY AN INDUSTRIAL DEVELOPMENT AUTHORITY CREATED PURSUANT TO SECTION 57-31-1 ET SEQ., OR BY AN ECONOMIC DEVELOPMENT DISTRICT, CREATED PURSUANT TO SECTION 19-5-99, OF AT LEAST 800 OR MORE CONTIGUOUS ACRES AS A MEGASITE TO ATTRACT SIGNIFICANT INDUSTRIAL DEVELOPMENT PROJECTS; TO PROVIDE FOR THE FINANCING AND DEVELOPMENT OF SUCH A MEGASITE PROJECT; TO AMEND SECTIONS 19-9-1, 19-9-5 AND 43-37-3, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

H. B. No. 1621: AN ACT TO AMEND SECTION 57-114-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED BUSINESS OR INDUSTRY" UNDER THE MISSISSIPPI FLEXIBLE TAX INCENTIVE ACT; TO AMEND SECTION 57-114-13, TO REVISE THE TIME WITHIN WHICH A QUALIFIED BUSINESS OR INDUSTRY MUST FILE AN ANNUAL REPORT WITH THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR EACH QUALIFIED ECONOMIC DEVELOPMENT PROJECT WHICH HAS BEEN CERTIFIED, AND FOR WHICH ANY MISSISSIPPI FLEXIBLE TAX INCENTIVE ACT TAX INCENTIVE HAS BEEN AWARDED, BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-114-15, MISSISSIPPI CODE OF 1972, WHICH IS A SECTION OF THE MISSISSIPPI FLEXIBLE TAX INCENTIVE ACT, FOR THE PURPOSE OF CHANGING A REFERENCE TO THE DEPARTMENT OF REVENUE TO THE DEPARTMENT OF EMPLOYMENT SECURITY; AND FOR RELATED PURPOSES.

H. B. No. 1647: AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ESTABLISH ANY PROGRAM OR PROMULGATE ANY RULE, POLICY,

GUIDELINE, OR PLAN OR CHANGE ANY PROGRAM, RULE, POLICY OR GUIDELINE TO IMPLEMENT, ESTABLISH, CREATE, ADMINISTER, OR OTHERWISE OPERATE AN EXCHANGE, OR TO APPLY FOR, ACCEPT OR EXPEND FEDERAL MONIES RELATED TO THE CREATION, IMPLEMENTATION OR OPERATION OF AN EXCHANGE, AND TO ESTABLISH ANY ADVISORY BOARD OR COMMITTEE AS NECESSARY FOR PROVIDING RECOMMENDATIONS ON THE CREATION, IMPLEMENTATION OR OPERATION OF AN EXCHANGE; TO AMEND SECTION 83-5-72, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL LIFE, HEALTH AND ACCIDENT INSURANCE COMPANIES AND HEALTH MAINTENANCE ORGANIZATIONS DOING BUSINESS IN THIS STATE SHALL CONTRIBUTE CERTAIN AMOUNTS ANNUALLY TO THE HEALTH INSURANCE STATE EXCHANGE FUND; TO PROVIDE THE MAXIMUM AMOUNT OF TOTAL CONTRIBUTIONS THAT MAY BE COLLECTED; TO AMEND SECTIONS 83-9-203 AND 83-9-205, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 83-9-201, 83-9-207, 83-9-209, 83-9-211, 83-9-212, 83-9-213, 83-9-214, 83-9-215, 83-9-217, 83-9-219, 83-9-221, 83-9-222 AND 41-83-31, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AUTHORIZE AN INCOME TAX DEDUCTION FOR TAXPAYERS WHO PROVIDE HEALTH CARE SERVICES THAT ARE COVERED UNDER AN EXCHANGE AND UNDER WHICH THE TAXPAYER RECEIVES PAYMENT FOR SUCH SERVICES; TO PROVIDE FOR THE AMOUNT OF THE TAX DEDUCTION; TO AUTHORIZE AN INCOME TAX DEDUCTION FOR TAXPAYERS WHO PAY ALL OR ANY PORTION OF THE COST FOR AN INSURANCE POLICY FOR AN EMPLOYEE UNDER AN EXCHANGE; TO PROVIDE FOR THE AMOUNT OF THE TAX DEDUCTION; TO AUTHORIZE AN INSURANCE PREMIUM TAX CREDIT FOR TAXPAYERS PROVIDING INSURANCE POLICIES UNDER AN EXCHANGE; TO PROVIDE FOR THE AMOUNT OF THE TAX CREDIT; TO BRING FORWARD SECTIONS 27-7-17 AND 27-7-18, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR INCOME TAX DEDUCTIONS AND ADJUSTMENTS TO GROSS INCOME, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1669: AN ACT TO AMEND SECTION 37-21-3, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFICATION FOR AN ASSISTANT TEACHER TO INCLUDE A HIGH SCHOOL DIPLOMA/GED AND A CHILD DEVELOPMENT ASSOCIATE CREDENTIAL, A MONTESSORI CERTIFICATION OR AN EQUIVALENT CERTIFICATION; AND FOR RELATED PURPOSES.

H. B. No. 1670: AN ACT TO AMEND SECTION 37-151-81, MISSISSIPPI CODE OF 1972, TO CLARIFY THE CLASSIFICATION OF EXCEPTIONAL CHILDREN IN PRESCHOOL FOR REPORTING AND PURPOSES OF FUNDING TEACHER UNITS BY REMOVING THE REFERENCE TO THOSE CHILDREN'S AGES UNDER MAEP; AND FOR RELATED PURPOSES.

H. B. No. 1696: AN ACT TO PROVIDE FOR THE ADMINISTRATIVE TRANSITION OF SCHOOL DISTRICTS THAT HAVE BEEN PLACED INTO THE MISSISSIPPI ACHIEVEMENT SCHOOL DISTRICT INTO DISTRICTS OF TRANSFORMATION; TO REQUIRE THE COMPLETION TO THE TRANSITION TO BE COMPLETE BY JULY 1, 2025; TO PROHIBIT ANY ADDITIONAL SCHOOLS BEING PLACED INTO THE MISSISSIPPI ACHIEVEMENT SCHOOL DISTRICT AFTER JULY 1, 2024; TO PROVIDE THAT THE MISSISSIPPI ACHIEVEMENT SCHOOL DISTRICT SHALL BE DISSOLVED AFTER JULY 1, 2025; TO REQUIRE THE STATE BOARD OF EDUCATION TO PROVIDE THE MISSISSIPPI ACHIEVEMENT SCHOOL DISTRICT WITH NOTICE AND INSTRUCTIONS BY SEPTEMBER 1, 2024, REGARDING A TIMETABLE TO BE FOLLOWED FOR THE TRANSITION INTO A DISTRICT OF TRANSFORMATION; TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO REVISE THE CRITERIA TO BE USED BY THE STATE BOARD OF EDUCATION AND COMMISSION ON SCHOOL ACCREDITATION IN DETERMINING WHEN A STATE OF EMERGENCY EXISTS IN A SCHOOL DISTRICT WHICH WOULD DEEM THE SCHOOL DISTRICT ELIGIBLE FOR PLACEMENT INTO A DISTRICT OF TRANSFORMATION, INCLUDING PERSISTENT POOR ACADEMIC PERFORMANCE AND LACK OF

FINANCIAL RESOURCES; TO PROVIDE CONTINGENCY PLANS FOR SCHOOL DISTRICTS THAT ARE ELIGIBLE TO BE PLACED INTO A DISTRICT OF TRANSFORMATION BUT ARE NOT DUE TO LACK CAPACITY OF THE STATE BOARD OF EDUCATION TO DO SO WHICH REQUIRES THE DEVELOPMENT AND IMPLEMENTATION OF AN IMPROVEMENT PLAN WITH SUPPORT FROM THE STATE DEPARTMENT OF EDUCATION; TO REQUIRE THOSE SCHOOL DISTRICTS PLACED INTO A DISTRICT OF TRANSFORMATION FOR FINANCIAL REASONS TO REIMBURSE THE STATE FOR ANY COSTS INCURRED BY THE STATE ON THE DISTRICT'S BEHALF; TO DELETE THE AUTHORITY GRANTED TO THE STATE BOARD OF EDUCATION TO APPOINT AN INTERIM SUPERINTENDENT IN ANY SCHOOL DISTRICTS IN WHICH A MAJORITY OF ITS BOARD OF EDUCATION MEMBERS RESIGN FROM OFFICE; TO DELETE THE AUTHORITY GRANTED TO THE STATE BOARD OF EDUCATION TO REQUEST THE GOVERNOR, WHEN A STATE OF EMERGENCY HAS BEEN DECLARED IN A SCHOOL DISTRICT, TO REQUIRE THE OFFICE OF SUPERINTENDENT OF THE SCHOOL DISTRICT OR THE MEMBERSHIP OF THE SCHOOL BOARD TO BE RECALLED; TO AMEND SECTION 37-17-13, MISSISSIPPI CODE OF 1972, TO DELETE DUPLICATIVE LANGUAGE REGARDING THE RETURN OF A SCHOOL DISTRICT PLACED INTO DISTRICT TRANSFORMATION TO LOCAL CONTROL AFTER MAINTAINING A SATISFACTORY ACCOUNTABILITY RATING FOR THE REQUIRED PERIOD AND THE STATE BOARD OF EDUCATION HAS DETERMINED THAT THE IMPAIRMENTS HAVE BEEN SUBSTANTIALLY CORRECTED; TO AMEND SECTION 37-17-17, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE REPEAL OF THE MISSISSIPPI ACHIEVEMENT SCHOOL DISTRICT, EFFECTIVE ON JULY 1, 2025; AND FOR RELATED PURPOSES.

H. B. No. 1725: AN ACT TO DIRECT THE DIVISION OF MEDICAID TO ENTER INTO NEGOTIATIONS WITH THE FEDERAL GOVERNMENT TO OBTAIN A WAIVER OF APPLICABLE PROVISIONS OF THE MEDICAID LAWS AND REGULATIONS TO CREATE A PLAN TO ALLOW MEDICAID COVERAGE IN MISSISSIPPI FOR INDIVIDUALS DESCRIBED IN THE FEDERAL AFFORDABLE CARE ACT, TO BE KNOWN AS HEALTHY MISSISSIPPI WORKS (HMW); TO SPECIFY THE PROVISIONS THAT THE DIVISION SHALL SEEK TO HAVE INCLUDED IN THE WAIVER PLAN, WHICH INCLUDE THE COVERAGE GROUP, COPAYMENTS FOR NONEMERGENCY USE OF THE EMERGENCY ROOM, BENEFIT PACKAGES, FUNDING OF THE PLAN, AND THE TIMING FOR APPROVAL OF THE WAIVER; TO PROVIDE THAT THE COVERAGE GROUP FOR ELIGIBILITY UNDER HMW SHALL BE INDIVIDUALS WHO ARE 19 THROUGH 64 YEARS OF AGE WHOSE INCOME IS NOT MORE THAN 138% OF THE FEDERAL POVERTY LEVEL, AND TO THE EXTENT APPROVED IN THE WAIVER, WHO ARE EMPLOYED FOR AT LEAST TWENTY HOURS PER WEEK IN A POSITION FOR WHICH HEALTH INSURANCE IS NOT PROVIDED BY THE EMPLOYER OR ENROLLED AS A FULL TIME STUDENT IN SECONDARY OR POST-SECONDARY EDUCATION OR ENROLLED FULL TIME IN A WORKFORCE TRAINING PROGRAM; TO PROVIDE THAT THE COVERAGE GROUP SHALL NOT INCLUDE INDIVIDUALS WHO HAVE HEALTH INSURANCE COVERAGE THROUGH THEIR EMPLOYER OR PRIVATE HEALTH INSURANCE AND WHO VOLUNTARILY DISENROLL FROM THAT HEALTH INSURANCE COVERAGE UNTIL TWELVE MONTHS AFTER THE ENDING DATE OF THAT COVERAGE; TO PROVIDE THAT THE COVERAGE GROUP SHALL NOT INCLUDE NON-UNITED STATES CITIZENS WHO ARE INELIGIBLE FOR MEDICAID BENEFITS; TO PROVIDE THAT ALL INDIVIDUALS IN THE COVERAGE GROUP SHALL BE ENROLLED IN AND THEIR SERVICES SHALL BE PROVIDED BY THE MANAGED CARE ORGANIZATIONS (MCOS), COORDINATED CARE ORGANIZATIONS (CCOS) PROVIDER-SPONSORED HEALTH PLANS (PSHPS) AND OTHER SUCH ORGANIZATIONS PAID FOR SERVICES TO THE MEDICAID POPULATION ON A CAPITATED BASIS BY THE DIVISION; TO PROVIDE THAT ALL INDIVIDUALS IN THE COVERAGE GROUP ENROLLED UNDER HMW MUST PAY A COPAYMENT OF TEN DOLLARS FOR NONEMERGENCY USE OF THE EMERGENCY ROOM, WHICH COPAYMENT WILL BE WAIVED UNDER CERTAIN CIRCUMSTANCES; TO PROVIDE THAT INDIVIDUALS IN THE COVERAGE GROUP ENROLLED UNDER HMW WHO ARE 19 OR 20 YEARS OF AGE WILL RECEIVE ALL EPSDT BENEFITS TO

WHICH THEY MAY BE ENTITLED UNDER FEDERAL LAW AND REGULATION; TO PROVIDE THAT INDIVIDUALS ENROLLED UNDER HMW WHO ARE 21 THROUGH 64 YEARS OF AGE WILL HAVE ACCESS TO THE STATE PLAN BENEFIT PACKAGE FOR ADULTS ELIGIBLE UNDER THE FEDERAL AFFORDABLE CARE ACT; TO PROVIDE THAT THE MCOS, CCOS, PSHPS AND OTHER SUCH ORGANIZATIONS SHALL PROVIDE THE FOLLOWING SERVICES TO ASSIST INDIVIDUALS ENROLLED UNDER HMW WITH RESOURCES TO ENHANCE THEIR WORKFORCE OPPORTUNITIES: WORKFORCE TRAINING AND SKILLS-BUILDING TO ASSIST THE INDIVIDUAL WITH FINDING A JOB OR ADVANCING THEIR CAREER, AND FINANCIAL LITERACY MATERIALS TO PROMOTE WISE FINANCIAL DECISION-MAKING; TO PROVIDE THAT IF THE FEDERAL MATCHING FUND PROPORTION FOR MEDICAL SERVICES PROVIDED TO THE HMW POPULATION EVER FALLS BELOW 90%, THE WAIVER FOR HMW SHALL BE DISCONTINUED TO COINCIDE WITH THE EFFECTIVE DATE OF SUCH A DECREASE IN THE FEDERAL MATCHING FUND PROPORTION; TO PROVIDE THAT THE STATE MATCHING FUNDS FOR HMW SHALL INCLUDE CONTRIBUTIONS FROM HOSPITALS THAT ARE GENERATED THROUGH AN ASSESSMENT ON HOSPITALS AND CONTRIBUTIONS FROM MCOS, CCOS, PSHPS AND OTHER SUCH ORGANIZATIONS IN THE FORM OF AN ASSESSMENT AS PROVIDED IN THIS ACT; TO PROVIDE IF THE WAIVER AS DESCRIBED IN THIS ACT IS NOT SUBSTANTIALLY APPROVED BEFORE SEPTEMBER 30, 2024, OR IF THE WAIVER IS APPROVED BUT IS SUBSEQUENTLY TERMINATED, THEN THE DIVISION SHALL ALLOW FOR MEDICAID COVERAGE IN MISSISSIPPI FOR INDIVIDUALS DESCRIBED IN THE FEDERAL AFFORDABLE CARE ACT, TO BE KNOWN AS THE HEALTHY MISSISSIPPI WORKS (HMW) CATEGORY OF ELIGIBILITY, AND SHALL MOVE WITH ALL DELIBERATE SPEED TO SUBMIT THE REQUIRED STATE PLAN AMENDMENTS TO EFFECTUATE MEDICAID COVERAGE FOR THOSE INDIVIDUALS; TO PROVIDE THAT THE COVERAGE GROUP, DELIVERY SYSTEMS, BENEFIT PACKAGES AND FUNDING OF THE HMW CATEGORY OF ELIGIBILITY WILL BE SUBSTANTIALLY THE SAME AS THOSE IN THE WAIVER PLAN; TO PROVIDE FOR THE LEVY OF AN ASSESSMENT UPON EACH MANAGED CARE ORGANIZATION, COORDINATED CARE ORGANIZATION, PROVIDER SPONSORED HEALTH PLAN OR OTHER ORGANIZATION PAID FOR SERVICES ON A CAPITATED BASIS BY THE DIVISION, IN THE AMOUNT OF FOUR PERCENT ON THE TOTAL PAID CAPITATION, EXCLUDING ANY SUCH PAID AMOUNT THAT IS ATTRIBUTABLE TO SUPPLEMENTAL PAYMENTS; TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO PROVIDE THAT ALL OF THE PROVISIONS OF THIS ACT SHALL STAND REPEALED ON JANUARY 31, 2029; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2268: Missing or unidentified persons; provide procedures regarding investigation of. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2519: Mississippi Foreign Land Ownership Act; create. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2792: Foster care and adoption; revise provisions related to per recommendations of task force. Title Sufficient. Do Pass.

S. B. No. 2771: Judicial redistricting; bring forward code sections related to. Title Sufficient. Do Pass.

WIGGINS, Chairman

February 29, 2024

TO THE MISSISSIPPI SENATE:

GOVERNOR'S MESSAGE FOR SENATE BILL 2140

I am returning Senate Bill 2140: "AN ACT TO ENACT THE MISSISSIPPI PRIOR AUTHORIZATION REFORM ACT; TO ESTABLISH THE LEGISLATIVE FINDINGS OF THE ACT; TO PROVIDE THE APPLICABILITY AND SCOPE OF THE ACT; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAINTAIN A COMPLETE LIST OF SERVICES FOR WHICH PRIOR AUTHORIZATIONS ARE REQUIRED; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAKE ANY CURRENT PRIOR AUTHORIZATION REQUIREMENTS AND RESTRICTIONS READILY ACCESSIBLE AND POSTED ON ITS WEBSITE; TO SET REQUIREMENTS FOR THE CLINICAL REVIEW CRITERIA OF HEALTH INSURANCE ISSUERS; TO PROHIBIT HEALTH INSURANCE ISSUERS FROM DENYING A CLAIM FOR FAILURE TO OBTAIN PRIOR AUTHORIZATION IF THE PRIOR AUTHORIZATION REQUIREMENT WAS NOT IN EFFECT ON THE DATE OF SERVICE ON THE CLAIM; TO REQUIRE HEALTH INSURERS TO MAKE CERTAIN PRIOR AUTHORIZATION STATISTICS AVAILABLE ON THEIR WEBSITE; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAKE AVAILABLE A STANDARDIZED ELECTRONIC PRIOR AUTHORIZATION REQUEST TRANSACTION PROCESS BY JANUARY 1, 2025; TO REQUIRE ALL HEALTH CARE PROFESSIONALS AND HEALTH CARE PROVIDERS TO USE THAT PROCESS NOT LATER THAN JANUARY 1, 2027; TO ESTABLISH CERTAIN REQUIREMENTS ON HEALTH INSURANCE ISSUERS FOR PRIOR AUTHORIZATIONS IN NONURGENT CIRCUMSTANCES AND URGENT CIRCUMSTANCES; TO REQUIRE HEALTH INSURANCE ISSUERS TO GIVE CERTAIN NOTIFICATIONS WHEN MAKING AN ADVERSE DETERMINATION; TO ESTABLISH THE QUALIFICATIONS FOR PERSONNEL WHO REVIEW APPEALS OF PRIOR AUTHORIZATIONS; TO REQUIRE HEALTH INSURANCE ISSUERS TO PERIODICALLY REVIEW ITS PRIOR AUTHORIZATION REQUIREMENTS AND TO CONSIDER REMOVAL OF THESE REQUIREMENTS IN CERTAIN CASES; TO PROVIDE THAT A HEALTH INSURANCE ISSUER MAY NOT REVOKE OR FURTHER LIMIT, CONDITION OR RESTRICT A PREVIOUSLY ISSUED PRIOR AUTHORIZATION WHILE IT REMAINS VALID UNDER THIS ACT UNLESS CERTAIN EXCLUSIONS ARE APPLICABLE; TO PROVIDE HOW LONG PRIOR AUTHORIZATION APPROVALS SHALL BE VALID; TO PROVIDE HOW LONG THE PRIOR AUTHORIZATIONS FOR CHRONIC CONDITIONS SHALL BE VALID; TO ESTABLISH THE PROCEDURE FOR THE CONTINUITY OF PRIOR APPROVALS FROM PREVIOUS HEALTH INSURANCE ISSUERS TO CURRENT ISSUERS; TO PROVIDE THAT A FAILURE BY A HEALTH INSURANCE ISSUER TO COMPLY WITH THE DEADLINES AND OTHER REQUIREMENTS SPECIFIED IN THIS ACT SHALL RESULT IN ANY HEALTH CARE SERVICES SUBJECT TO REVIEW TO BE AUTOMATICALLY DEEMED AUTHORIZED BY THE HEALTH INSURANCE ISSUER OR ITS CONTRACTED PRIVATE REVIEW AGENT; TO AUTHORIZE THE DEPARTMENT OF INSURANCE TO ISSUE CEASE AND DESIST ORDERS TO HEALTH INSURANCE ISSUERS OR PRIVATE REVIEW AGENTS; TO AUTHORIZE THE STATE DEPARTMENT OF INSURANCE TO IMPOSE UPON A PRIVATE REVIEW AGENT, HEALTH BENEFIT PLAN OR HEALTH INSURANCE ISSUER AN ADMINISTRATIVE FINE NOT TO EXCEED $10,000 PER VIOLATION OF THE ACT; TO REQUIRE HEALTH INSURANCE ISSUERS TO REPORT TO THE DEPARTMENT CERTAIN DATA; TO REQUIRE HEALTH INSURANCE ISSUERS TO NOTIFY THE COMMISSIONER OF INSURANCE OF SUSPECTED SUBMISSIONS OF

FALSE REQUESTS FOR PRIOR AUTHORIZATION; TO REQUIRE THE COMMISSIONER TO HAVE AN ADMINISTRATIVE HEARING ON SUCH MATTERS TO RESOLVE THE ISSUE; TO AMEND SECTIONS 41-83-1, 41-83-3, 41-83-13, 41-83-21, 41-83-31, 49 83-1-101 AND 83-9-6.3, MISSISSIPPI CODE OF 1972, TO CONFORM WITH THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 41-83-5, 41-83-7, 41-83-9, 41-83-11, 41-83-15, 41-83-17, 41-83-19, 41-83-23, 41-83-25, 41-83-27 AND 41-83-29, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES" unsigned and accompanied by the following message.

Last year when I returned Senate Bill 2622, The Mississippi Prior Authorization Reform Act, I outlined in my veto message a few correctable flaws in the bill that had the potential to create significant negative unintended consequences. Over the Summer and Fall, I charged my staff with assembling a group of stakeholders to determine the best way to address these flaws, and recommendations were provided to members of the Legislature prior to the start of the 2024 Legislative Session. Through the legislative process, almost all of the flaws in the prior bill were addressed in Senate Bill 2140, and I want to specifically thank Chairman Sam Creekmore, the House leadership, and others for their efforts to amend Senate Bill 2140 to address these concerns.

The bill that is before me today is a significant improvement over last year's bill. Specifically, the current bill, addresses the flaws identified in my veto message by (1) placing regulatory authority over the prior authorization process with the Mississippi Department of Insurance; (2) removing language allowing the Mississippi Department of Insurance to receive reports of and investigate suspected healthcare fraud in the prior authorization process; (3) allowing the parties to an insurance contract to agree to extend the validity of a prior authorization beyond six months (or 12 months for a chronic condition); (4) codifying exceptions to the 60-day notice period before amending the prior authorization process in the case of drug unavailability or scarcity, or when a new drug is introduced to the market; (5) lessening administrative burdens on health insurers, specifically with respect to the qualifications of personnel conducting the initial review of a prior authorization request; and (6) making changes to timeframes and notice provisions to align the bill with CMS guidance that govern the administration of the Mississippi Medicaid program thereby reducing the cost on Mississippi Medicaid to implement this prior authorization process.

The scope of Senate Bill 2140, however, differs in one significant way from its predecessor. Senate Bill 2140 adds the Mississippi State and School Employees' Life and Health Insurance Plan ("State Plan"). The State Plan provides health insurance coverage for almost 190,000 state employees and their families. Currently, the State Plan is funded almost exclusively through the premiums paid by its insureds. Thus, every dollar in increased administrative and benefits costs imposed on the State Plan as a result of Senate Bill 2140 will be passed on to state employees and their families through premium increases.

While the price of a medical procedure generally remains stable over a period of 60 to 180 days, the price of pharmaceuticals can fluctuate wildly during that same period. Senate Bill 2140 limits the ability of the State Plan to quickly adjust the pharmaceuticals covered under the State Plan (known as the drug formulary), and thus the State Plan will be required to provide coverage for more costly drugs despite the fact that cheaper equivalent drugs may come to market or become available. Moreover, Senate Bill 2140 requires the State Plan to continue to provide coverage for pharmaceuticals taken by new state employees for a period of at least ninety days after beginning their employment with the state, despite the fact that such pharmaceuticals may not be covered under the State Plan and cheaper alternative equivalents are available.

The exact cost increase for pharmaceuticals imposed on the State Plan as a result of Senate Bill 2140 is challenging to estimate due to a number of unknowable variables, including what pharmaceuticals will come to market, what rebates will be offered on various pharmaceuticals, and what pharmaceuticals will be taken by new state

employees. However, based on historical data, the cost increase for pharmaceuticals alone to the State Plan has been conservatively estimated to be between $30 million and $110 million per year, with one estimate coming in at $140 million per year. These cost estimates were provided to the Senate prior to its concurrence in the House's amendments to Senate Bill 2140. Absent additional legislative action, such increased costs will be passed on to every state employee and their families, including every teacher, university professor, corrections officer, road crew member and social worker.

Assuming an increased cost to the State Plan of just $30 million annually, every person covered under the State Plan will see their premium increase approximately $158 a year, or $632 for a family of four. Assuming an increased cost of $100 million annually, every person covered under the State Plan will see their premium increase approximately $526 a year, or $2,104 for a family of four. State employees should not receive the equivalent of a pay cut as a result of the passage of Senate Bill 2140.

Over the past couple of years, Mississippi has made significant gains in closing the pay gap between private and public sector employees. Senate Bill 2140, however, represents a step in the wrong direction and will have the likely unintended consequence of widening that pay gap again. Thus, I call on the Legislature to pass legislation this session before Senate Bill 2140 becomes effective to remove the State Plan from its scope. Alternatively, I call on the Legislature to make a commitment to provide an annual appropriation to the State Health Plan to cover the increased costs to the State Plan as a result of Senate Bill 2140. Such increased costs should not be borne by state employees and their families.

In sum, while I agree that Senate Bill 2140 is a significant improvement over its predecessor and that reform of the prior authorization process is much needed, I am unwilling to sign the bill into law because of the potential increased costs that it may impose on each and every state employee and their families covered under the State Plan. Nevertheless, I will allow Senate Bill 2140 to become law without my signature to address the prior authorization process, and I also urge the Legislature to take immediate action to alleviate the financial burden that Senate Bill 2140 may place on state employees and their families.

Respectfully submitted,

TATE REEVES
GOVERNOR
(February 29, 2024, 4:00 PM)

REPORT OF COMMITTEE ON GAMING

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2132: Child support; withhold gaming prizes of persons who have outstanding child support arrearages. Title Sufficient. Committee Substitute. Do Pass.

BLOUNT, Chairman

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1162: AN ACT TO AMEND SECTION 15-1-59, MISSISSIPPI CODE OF 1972, TO REVISE THE STATUTE OF LIMITATIONS FOR PERSONAL ACTIONS FOR CHILD SEXUAL ABUSE; TO BRING FORWARD SECTION 99-1-5, MISSISSIPPI CODE OF 1972, WHICH PROVIDES TIME LIMITATIONS FOR PROSECUTION OF CRIMES, FOR PURPOSES OF AMENDMENT; TO BRING FORWARD SECTION 15-1-49, MISSISSIPPI CODE OF 1972, WHICH PROVIDES LIMITATIONS FOR PERSONAL ACTIONS THAT ARE NOT SPECIFICALLY PROVIDED FOR IN THE LAW; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEES ON
GAMING AND PORTS AND MARINE RESOURCES

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2780: Authority of Secretary of State to approve leases located on Public Trust Tidelands; clarify. Title Sufficient. Committee Substitute. Do Pass.

BLOUNT, Chairman
THOMPSON, Chairman

REPORT OF COMMITTEE ON ECONOMIC AND WORKFORCE DEVELOPMENT

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2569: State employee telework policies; amend. Title Sufficient. Do Pass.

S. B. No. 2570: Office of Workforce Development; extend exemption from PPRB provisions on rental/leasing of real property for agency business. Title Sufficient. Do Pass.

S. B. No. 2572: State Workforce Investment Board; amend to allow for proxy participation in meetings to meet quorum. Title Sufficient. Do Pass.

SPARKS, Chairman

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 702: Transportation funding; authorize public-private partnerships to include naming rights. Highways and Transportation.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 763: Pilot Work Release Program; extend repealer on authority of sheriff to establish for certain offenders in certain counties. Corrections.

H. B. No. 922: Election commissioner; revise office to be nonpartisan. Elections.

H. B. No. 1035: Justice court judges; include in the "Nonpartisan Judicial Election Act". Elections.

H. B. No. 1196: Sextortion; create crime of. Judiciary, Division B.

H. B. No. 1253: Post-conviction collateral relief; require certain petitioners to obtain Supreme Court permission before filing in trial court. Judiciary, Division B.

H. B. No. 1454: Conditions for parole eligibility; extend date of repeal on. Corrections.

H. B. No. 1725: Medicaid; seek federal waiver for plan to allow Medicaid coverage for persons described in the federal Affordable Care Act. Medicaid.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 80: Presumption of death; create for missing persons who have undergone a catastrophic event causing imminent peril. Judiciary, Division A.

H. B. No. 783: Child custody; require presumption of joint custody and equal parenting time. Judiciary, Division A.

H. B. No. 1088: Circuit courts; authorize jurisdiction for persons with criminal charges who may need civil commitment procedures. Judiciary, Division A.

REPORT OF COMMITTEE ON EDUCATION

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2695: Driver's education; revise certain provisions related thereto. Title Sufficient. Do Pass.

S. B. No. 2232: Newton Municipal School District; require election of board of trustees by population of the school district. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2349: Cardiac emergency response plans; require schools to implement and provide procedures and certain immunity related thereto. Title Sufficient. Do Pass.

S. B. No. 2684: Department of Education; to require to study and develop guidance on technology, nutrition and transportation. Title Sufficient. Do Pass.

S. B. No. 2685: Retired teachers; authorize to receive PERS benefits and work full-time in certain critical shortage areas. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2689: State subject area tests and accountability standards; replace with college prep test and revise provisions. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2407: Assistant teachers; revise certain licensure requirements. Title Sufficient. Do Pass.

DEBAR, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:32 PM.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, FEBRUARY 29, 2024

S. B. No. 2927: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO PAY THE COSTS ASSOCIATED WITH REPAIRS AND RENOVATIONS FOR ADA COMPLIANCE FOR BUILDINGS AND FACILITIES AT ALCORN STATE UNIVERSITY; AND FOR RELATED PURPOSES.
By Senator(s) Butler, Simmons (13th)

S. B. No. 2928: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF CLAIBORNE COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH VARIOUS CAPITAL IMPROVEMENT PROJECTS; AND FOR RELATED PURPOSES.
By Senator(s) Butler, Simmons (13th)

S. B. No. 2929: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF CLAY COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH VARIOUS CAPITAL IMPROVEMENTS, INCLUDING, BUT NOT LIMITED TO, THE REPAIR, PAVING AND RESURFACING OF ROADS AND THE RENOVATION OF THE COUNTY COURTHOUSE; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

S. B. No. 2930: Appropriations
AN ACT MAKING AN APPROPRIATION TO JACKSON STATE UNIVERSITY FOR THE PURPOSE OF DEFRAYING EXPENSES ASSOCIATED WITH THE DESIGN, DEVELOPMENT AND CONSTRUCTION OF STUDENT HOUSING FOR THE FISCAL YEAR 2025.
By Senator(s) Simmons (12th), Frazier, Norwood

S. B. No. 2931: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF COLUMBUS FOR THE PURPOSE OF DEFRAYING THE COSTS OF CERTAIN PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Younger

S. B. No. 2932: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF GLUCKSTADT, MISSISSIPPI, FOR THE PURPOSE OF DEFRAYING EXPENSES ASSOCIATED WITH THE WIDENING OF GLUCKSTADT ROAD FROM BOZEMAN ROAD TO INTERSTATE 55 FOR THE FISCAL YEAR 2025.
By Senator(s) Michel, Blackmon, Thomas, Horhn

S. B. No. 2933: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF BELZONI FOR THE PURPOSE OF DEFRAYING THE COSTS OF CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Thomas

S. B. No. 2934: Appropriations
AN ACT MAKING AN APPROPRIATION TO YAZOO COUNTY FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH DREAM INNOVATIONS, INCORPORATED, PROGRAMS FOR THE FISCAL YEAR 2025.
By Senator(s) Thomas

S. B. No. 2935: Appropriations
AN ACT MAKING AN APPROPRIATION TO HUMPHREYS COUNTY FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH THE REPAIR, RENOVATION AND IMPROVEMENT OF THE HUMPHREYS COUNTY COURTHOUSE FOR THE FISCAL YEAR 2025.
By Senator(s) Thomas

S. B. No. 2936: Appropriations
AN ACT MAKING AN APPROPRIATION TO HINDS COUNTY FOR THE PURPOSE OF DEFRAYING EXPENSES ASSOCIATED WITH THE RENOVATION AND REPAIR OF THE HINDS COUNTY CIRCUIT COURT COURTHOUSE IN THE FIRST JUDICIAL DISTRICT OF THE COUNTY FOR THE FISCAL YEAR 2025.
By Senator(s) Blount, Norwood, Horhn, Michel, Frazier

S. B. No. 2937: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE MEDICAL CANNABIS ADVISORY COMMITTEE FOR THE PURPOSE DESCRIBED SECTION 41-137-63 FOR THE FISCAL YEAR 2025.
By Senator(s) Blackwell

S. B. No. 2938: Appropriations
AN ACT MAKING AN APPROPRIATION TO FRANKLIN COUNTY FOR THE PURPOSE OF DEFRAYING EXPENSES RELATED TO BRIDGE, ROAD AND CULVERT CONSTRUCTION AND REPAIR FOR THE FISCAL YEAR 2025.
By Senator(s) Butler, Thomas

S. B. No. 2939: Appropriations
AN ACT MAKING AN APPROPRIATION TO COPIAH COUNTY FOR THE PURPOSE OF DEFRAYING THE COSTS OF DEMOLISHING THE FORMER HOSPITAL COMPLEX IN HAZLEHURST FOR THE FISCAL YEAR 2025.
By Senator(s) Butler, Berry, Barrett

S. B. No. 2940: Appropriations
AN ACT MAKING AN APPROPRIATION FROM THE CAPITAL EXPENSE FUND TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF PROVIDING FUNDING TO THE MISSISSIPPI BAPTIST MEDICAL CENTER IN JACKSON TO ESTABLISH A BURN CENTER OR UNIT AT THE MEDICAL CENTER FOR FISCAL YEAR 2024.
By Senator(s) Blackwell

S. B. No. 2941: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF MISSISSIPPI FOR THE PURPOSE OF FUNDING THE CENTER FOR MISSISSIPPI MEDICAL CANNABIS RESEARCH FOR THE FISCAL YEAR 2025.
By Senator(s) Blackwell

S. B. No. 2942: Appropriations
AN ACT MAKING AN APPROPRIATION TO WINSTON COUNTY, MISSISSIPPI, FOR THE PURPOSE OF DEFRAYING EXPENSES ASSOCIATED WITH THE REPAIR, RENOVATION, UPGRADE AND IMPROVEMENT OF THE LIBERTY PLATTSBURG WATER ASSOCIATION WATER INFRASTRUCTURE SYSTEM FOR THE FISCAL YEAR 2025.
By Senator(s) Branning

S. B. No. 2943: Appropriations
AN ACT MAKING AN APPROPRIATION OF CAPITAL EXPENSE FUNDS TO THE EMERGENCY ROAD AND BRIDGE REPAIR FUND TO BE UTILIZED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR THE FISCAL YEAR 2025.
By Senator(s) Branning

S. B. No. 2944: Appropriations
AN ACT MAKING AN APPROPRIATION TO NESHOBA COUNTY FOR THE PURPOSE OF PURCHASING FIRE TRUCKS AND FIREFIGHTING EQUIPMENT AND DEFRAYING EXPENSES AND COSTS TO IMPROVE THE VOLUNTEER FIRE STATIONS OF THE NESHOBA COUNTY VOLUNTEER FIRE ASSOCIATION FOR THE FISCAL YEAR 2025.
By Senator(s) Branning

S. B. No. 2945: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF PHILADELPHIA FOR THE PURPOSE OF PURCHASING A FIRE TRUCK FOR THE FISCAL YEAR 2025.
By Senator(s) Branning

S. B. No. 2946: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF SALTILLO FOR THE PURPOSE OF DEFRAYING EXPENSES RELATED TO THE CONSTRUCTION OF A NEW FIRE STATION FOR THE FISCAL YEAR 2025.
By Senator(s) McMahan

S. B. No. 2947: Appropriations
AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO LEE COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH THE RENOVATION OF THE POLLING PRECINCT AT PRATTS COMMUNITY CENTER AND WITH THE IMPROVEMENT TO PRATTS COMMUNITY CENTER PROPERTY, FOR FISCAL YEAR 2025.
By Senator(s) McMahan

S. B. No. 2948: Appropriations
AN ACT MAKING AN APPROPRIATION TO HINDS COUNTY FOR THE PURPOSE OF PURCHASING EQUIPMENT FOR THE HINDS COUNTY SHERIFF'S DEPARTMENT FOR THE FISCAL YEAR 2025.
By Senator(s) Norwood, Frazier

S. B. No. 2949: Appropriations
AN ACT MAKING AN APPROPRIATION TO DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSES DESCRIBED IN THE 2024 IHL CAPITAL IMPROVEMENTS FUND FOR THE FISCAL YEAR 2025.
By Senator(s) Norwood, Frazier, Simmons (12th), Thomas, Blount

S. B. No. 2950: Appropriations
AN ACT MAKING AN APPROPRIATION TO JACKSON STATE UNIVERSITY FOR THE PURPOSE OF DEFRAYING EXPENSES ASSOCIATED WITH CAMPUS SAFETY FOR THE FISCAL YEAR 2025.
By Senator(s) Norwood, Frazier, Hickman, Simmons (12th)

S. B. No. 2951: Appropriations
AN ACT MAKING AN APPROPRIATION TO SOUTHWEST MISSISSIPPI COMMUNITY COLLEGE FOR THE PURPOSE OF DEFRAYING THE COSTS OF DESIGNING AND CONSTRUCTING A DORMITORY AND CERTAIN OTHER INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Brumfield

S. B. No. 2952: Appropriations
AN ACT MAKING AN APPROPRIATION TO WILKINSON COUNTY FOR THE PURPOSE OF DEFRAYING THE COSTS OF CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Brumfield

S. B. No. 2953: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF PEARL FOR THE PURPOSE OF DEFRAYING THE COSTS OF CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Kirby

S. B. No. 2954: Appropriations
AN ACT MAKING AN APPROPRIATION TO QUITMAN COUNTY FOR THE PURPOSE OF DEFRAYING EXPENSES OF ECONOMIC AND TOURIST WORKFORCE DEVELOPMENT FOR THE FISCAL YEAR 2024.
By Senator(s) Jackson

S. B. No. 2955: Appropriations
AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO QUITMAN COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH THE CONSTRUCTION OF ROADS FOR FISCAL YEAR 2025.
By Senator(s) Jackson

S. B. No. 2956: Appropriations
AN ACT MAKING AN APPROPRIATION TO QUITMAN COUNTY FOR THE PURPOSE OF DEFRAYING EXPENSES OF CONSTRUCTION OF A NEW COUNTY JAIL FACILITY FOR THE FISCAL YEAR 2025.
By Senator(s) Jackson

S. B. No. 2957: Appropriations
AN ACT MAKING AN APPROPRIATION TO QUITMAN COUNTY, TO DEFRAY EXPENSES ASSOCIATED WITH THE IMPROVEMENT, RENOVATIONS, AND REPAIR OF THE INTERIOR AND EXTERIOR OF THE COURTHOUSE FOR FISCAL YEAR 2025.
By Senator(s) Jackson

S. B. No. 2958: Appropriations
AN ACT MAKING AN APPROPRIATION TO LINCOLN COUNTY FOR THE PURPOSE OF DEFRAYING THE COSTS OF CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Barrett

S. B. No. 2959: Appropriations
AN ACT MAKING AN APPROPRIATION TO LAWRENCE COUNTY FOR THE PURPOSE OF DEFRAYING EXPENSES RELATED TO ROAD CONSTRUCTION, REPAIR AND RESURFACING FOR THE FISCAL YEAR 2025.

By Senator(s) Barrett, Berry

S. B. No. 2960: Appropriations
AN ACT MAKING AN APPROPRIATION TO FRANKLIN COUNTY FOR THE PURPOSE OF DEFRAYING EXPENSES RELATED TO BRIDGE, ROAD AND CULVERT CONSTRUCTION AND REPAIR FOR THE FISCAL YEAR 2025.
By Senator(s) Barrett

S. B. No. 2961: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR THE HAMLET OF BOGUE CHITTO FOR THE PURPOSE OF DEFRAYING COSTS OF CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Barrett

S. B. No. 2962: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF BROOKHAVEN FOR THE PURPOSE OF DEFRAYING THE COSTS OF CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Barrett

S. B. No. 2963: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF MAGNOLIA IN PAYING THE COSTS ASSOCIATED WITH DRAINAGE AND OTHER IMPROVEMENTS TO NORTH CHERRY STREET FOR THE FISCAL YEAR 2025.
By Senator(s) Brumfield

S. B. No. 2964: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE JACKSON REVIVAL CENTER'S LITTLE AMBASSADORS DEVELOPMENTAL LEARNING CENTER FOR EXCEPTIONAL CHILDREN TO ASSIST THE CENTER FOR THE FISCAL YEAR 2025.
By Senator(s) Frazier, Norwood

S. B. No. 2965: Appropriations
AN ACT MAKING AN APPROPRIATION TO HINDS COUNTY FOR THE PURPOSE OF DEFRAYING EXPENSES RELATED TO THE MAINTENANCE AND STAFFING OF A PUBLIC DEFENDER'S OFFICE FOR THE FISCAL YEAR 2025.
By Senator(s) Frazier, Norwood

S. B. No. 2966: Appropriations
AN ACT MAKING AN APPROPRIATION TO JACKSON STATE UNIVERSITY FOR THE PURPOSE OF DEFRAYING EXPENSES OF REDESIGNING AND RENOVATING MCALLISTER-WHITESIDE HALL FOR THE FISCAL YEAR 2025.
By Senator(s) Frazier, Norwood

S. B. No. 2967: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE VFW POST 9832 FOR THE PURPOSE OF DEFRAYING THE COSTS OF THE CONSTRUCTION, REPAIRS AND/OR RENOVATIONS OF CERTAIN INFRASTRUCTURE FOR THE FISCAL YEAR 2025.
By Senator(s) Frazier

S. B. No. 2968: Appropriations
AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF JACKSON, TO DEFRAY COSTS ASSOCIATED WITH CERTAIN INFRASTRUCTURE PROJECTS IN WARD 4 FOR FISCAL YEAR 2025.
By Senator(s) Frazier, Norwood

S. B. No. 2969: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF WEST POINT TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR AND RENOVATION OF THE WEST POINT WATER AND LIGHT DEPARTMENT BUILDING FOR FISCAL YEAR 2025.
By Senator(s) Turner-Ford

S. B. No. 2970: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF WEST POINT TO DEFRAY EXPENSES ASSOCIATED WITH ROAD REPAIR, RESURFACING AND PAVING FOR FISCAL YEAR 2025.
By Senator(s) Turner-Ford

S. B. No. 2971: Appropriations
AN ACT MAKING AN APPROPRIATION TO CLAY COUNTY FOR THE PURPOSE OF DEFRAYING EXPENSES RELATED TO CAPITAL AND INFRASTRUCTURE IMPROVEMENTS TO INCLUDE, BUT NOT BE LIMITED TO, REPAIR AND RESURFACING OF ROADS AND RENOVATION, REPAIR AND IMPROVEMENT OF THE COUNTY COURTHOUSE FOR THE FISCAL YEAR 2025.
By Senator(s) Turner-Ford

S. B. No. 2972: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF ASSISTING THE WEST JACKSON COUNTY UTILITY DISTRICT TO PAY COSTS ASSOCIATED WITH CONSTRUCTING A WATER TANK FOR THE FISCAL YEAR 2025.
By Senator(s) England

S. B. No. 2973: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF ASSISTING THE WEST JACKSON COUNTY UTILITY DISTRICT TO PAY COSTS ASSOCIATED WITH THE REPLACEMENT OF FAILING WATER MAIN PIPING IN THE CEDAR GROVE AREA IN JACKSON COUNTY FOR THE FISCAL YEAR 2025.
By Senator(s) England

S. B. No. 2974: Appropriations
AN ACT MAKING AN APPROPRIATION TO YAZOO COUNTY FOR THE PURPOSE OF DEFRAYING EXPENSES RELATED TO THE CONSTRUCTION OF A NEW VOLUNTEER FIRE DEPARTMENT LOCATED IN SUPERVISOR DISTRICT 1 FOR THE FISCAL YEAR 2025.
By Senator(s) Thomas

S. B. No. 2975: Appropriations
AN ACT MAKING AN APPROPRIATION TO DREAM INNOVATIONS, INC., FOR THE PURPOSE OF DEFRAYING EXPENSES RELATED TO DREAM WORC FOR MATCHING FUNDS FOR GRANT AWARD FOR PURCHASING EQUIPMENT AND TRANSPORTATION, RENOVATING FACILITIES, UPGRADING ELECTRICAL AND NETWORK CAPABILITIES, TRAINING AND HIRING STAFF FOR THE FISCAL YEAR 2025.
By Senator(s) Thomas

S. B. No. 2976: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF TUPELO FOR THE PURPOSE OF DEFRAYING EXPENSES AND COSTS OF THE TUPELO REGIONAL SYMPHONY FOR THE FISCAL YEAR 2025.
By Senator(s) Bryan, McMahan

S. B. No. 2977: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF TUPELO FOR THE PURPOSE OF DEFRAYING EXPENSES RELATED TO THE CONSTRUCTION OF A

NEW FIRE STATION AND EMERGENCY COMMAND CENTER FOR THE FISCAL YEAR 2025.
By Senator(s) Bryan, McMahan

S. B. No. 2978: Appropriations
AN ACT MAKING AN APPROPRIATION TO HINDS COUNTY FOR THE PURPOSE OF DEFRAYING EXPENSES ASSOCIATED WITH DESIGNING AND CONSTRUCTING AND/OR RENOVATING SENIOR CITIZENS HOUSING, A MULTIPURPOSE BUILDING AND HOME IMPROVEMENTS THROUGH THE DEPARTMENT OF REHABILITATION SERVICES IN THE TOWN OF UTICA FOR FISCAL YEAR 2025.
By Senator(s) Butler, Norwood, Frazier, Simmons (13th), Thomas

S. B. No. 2979: Appropriations
AN ACT MAKING AN APPROPRIATION TO JACKSON STATE UNIVERSITY FOR THE PURPOSE OF DEFRAYING EXPENSES OF REDESIGNING AND RENOVATING THE ROSE E. MCCOY AUDITORIUM FOR THE FISCAL YEAR 2025.
By Senator(s) Butler, Norwood, Frazier, Simmons (13th), Thomas

S. B. No. 2980: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE PURPOSE OF PROVIDING FUNDING FOR STRENGTHENING AND ENHANCING THE GROWTH OF NEW REGIONAL HEALTH CARE AND MEDICAL SCIENCES FACILITIES OF ALCORN STATE UNIVERSITY IN THE SOUTHWEST MISSISSIPPI RIVER REGION FOR THE FISCAL YEAR 2025.
By Senator(s) Butler, Simmons (13th), Thomas

S. B. No. 2981: Appropriations
AN ACT MAKING AN APPROPRIATION TO CLAIBORNE COUNTY FOR THE PURPOSE OF DEFRAYING THE COSTS OF CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Butler, Thomas

S. B. No. 2982: Appropriations
AN ACT MAKING AN APPROPRIATION TO CLAIBORNE COUNTY FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH ENHANCING EDUCATION AND INFRASTRUCTURE PROJECTS WITHIN THE COUNTY FOR THE FISCAL YEAR 2025.
By Senator(s) Butler, Thomas

S. B. No. 2983: Local and Private
AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF PHILADELPHIA, MISSISSIPPI, TO CONTRIBUTE FUNDS TO PHILADELPHIA TRANSIT; AND FOR RELATED PURPOSES.
By Senator(s) Branning

S. C. R. No. 531: Rules
A CONCURRENT RESOLUTION DECLARING THAT MARCH 21, 2024, IS "WORLD DOWN SYNDROME DAY IN MISSISSIPPI" TO ENCOURAGE AWARENESS AND OPPORTUNITIES FOR INDIVIDUALS WITH DOWN SYNDROME.
By Senator(s) Kirby, Boyd

S. C. R. No. 532: Rules
A CONCURRENT RESOLUTION REMEMBERING THE GALLANT SERVICE AND COMMENDING THE LIFE OF UNITED STATES MARINE CORPS SERGEANT HAROLD HAMMETT WHO WAS LOST IN ACTION ON NOVEMBER 20, 1943, AT THE BATTLE OF TARAWA IN WORLD WAR II AND WHOSE REMAINS WERE RETURNED

FOR BURIAL IN MISSISSIPPI, AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE.
By Senator(s) Johnson, Robinson, Fillingane, Polk

S. R. No. 35: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE MILLSAPS "MAJORS" WOMEN'S BASKETBALL TEAM AND HEAD COACH JUSTIN LEBLANC FOR WINNING ITS FIRST-EVER CONFERENCE SAA TOURNAMENT TITLE AND ITS THIRD-EVER NCAA TOURNAMENT APPEARANCE.
By Senator(s) Blount, Frazier

S. R. No. 36: Rules
A RESOLUTION COMMENDING AND GIVING THANKS TO MOSS POINT PASTOR DERRICK TAPPER, FIRST BAPTIST CHURCH (SBC) AND MOSS POINT PASTOR KEVIN HENRY, FIRST MISSIONARY BAPTIST CHURCH, AND THEIR RESPECTIVE CONGREGATIONS, WHO UNITED AND HELD SERVICES IN A COMMON SANCTURY FOLLOWING THE DEVASTATING TORNADO DAMAGE ON JUNE 19, 2023, FOR THEIR COMMITMENT TO COMMUNITY.
By Senator(s) England

S. R. No. 37: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE HANCOCK HIGH SCHOOL "HAWKS" BOWLING TEAM AND COACH TREVIN BURGE FOR WINNING THE 2024 MHSAA CLASS II BOYS STATE CHAMPIONSHIP.
By Senator(s) Ladner

S. R. No. 38: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE HANCOCK HIGH SCHOOL "LADY HAWKS" GIRLS GOLF TEAM AND COACH CHIP BOURG FOR WINNING THE 2023 MHSAA CLASS 6A GIRLS GOLF STATE CHAMPIONSHIP.
By Senator(s) Ladner

S. R. No. 39: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE HARTFIELD ACADEMY "HAWKS" FOOTBALL TEAM AND HEAD COACH CRAIG BOWMAN FOR WINNING THEIR FIRST-EVER MAIS 6A STATE FOOTBALL CHAMPIONSHIP.
By Senator(s) Harkins

S. R. No. 40: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE BAY HIGH SCHOOL "TIGERS" BOYS SOCCER TEAM AND HEAD COACH CHRIS DOXEY FOR WINNING THEIR SECOND CONSECUTIVE MHSAA CLASS 4A STATE CHAMPIONSHIP.
By Senator(s) Ladner, Thompson

S. R. No. 41: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE LONG BEACH HIGH SCHOOL "BEARCATS" SOCCER TEAM AND COACH MATT DEFILLIPS FOR WINNING THEIR FOURTH-STRAIGHT MHSAA CLASS 6A STATE CHAMPIONSHIP.
By Senator(s) Thompson

S. R. No. 42: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE WEST HARRISON HIGH SCHOOL "HURRICANE" CHEER TEAM AND HEAD COACH HEATHER SERPAS FOR WINNING THEIR THIRD UNIVERSAL CHEERLEADERS ASSOCIATION (UCA) NATIONAL CHAMPIONSHIP AND FOURTH STATE TITLE IN THE LAST FIVE YEARS.
By Senator(s) Thompson, Ladner

SIXTIETH DAY, FRIDAY, MARCH 1, 2024

The Senate met at 9:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Absent--Chassaniol, Fillingane, Hickman, Tate. Total--4.

The Secretary announced a quorum present.

The invocation was delivered by Senator Brumfield.

Senator Thompson led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 903: AN ACT TO CREATE NEW SECTION 97-37-39, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE MANUFACTURE AND POSSESSION OF MACHINE GUN CONVERSION DEVICES; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Hopson called up the following entitled bill:

S. B. No. 2926: Appropriation; additional appropriations for various state agencies for FY2024 & FY2025.

YEAS AND NAYS On S. B. No. 2926. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--None.

Absent and those not voting--Chassaniol, Fillingane, Hickman, Tate. Total--4.

On motion of Senator Hopson, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 2926.

Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Laken Hope Riley of Woodstock, GA.

Senator Williams moved that when the Senate adjourns, it adjourn in memory of Reverend George C. Jackson of Oxford, MS.

Senator Parker moved that when the Senate adjourns, it adjourn in memory of Jerry Wright "Bugs" Williams of Maben, MS.

Senator Branning moved that when the Senate adjourns, it adjourn in memory of Jonathan Graham Chaney, Lawson Long and DJ Coburn of Philadelphia, MS.

Senators Thomas and Hopson moved that when the Senate adjourns, it adjourn in memory of Chief Kenneth Hampton of Yazoo City, MS.

Senator Hill moved that when the Senate adjourns, it adjourn in memory of Anthony Joseph Gendusa, Jr. of Poplarville, MS.

Senator Polk moved that the Senate stand in recess until 11:00 AM, at which time the Senate would then adjourn until 4:00 PM, Monday, March 4, 2024.

The motion prevailed, and at 9:34 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON CORRECTIONS

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2451: Corrections; require implementation of improved model for projecting inmate population growth. Title Sufficient. Committee Substitute. Do Pass.

BARNETT, Chairman

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 155: AN ACT TO AMEND SECTION 57-1-301, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "CAPITAL IMPROVEMENTS" FOR PURPOSES OF THE LOCAL GOVERNMENTS CAPITAL IMPROVEMENTS REVOLVING LOAN PROGRAM TO INCLUDE REPAIR, RENOVATION AND IMPROVEMENT OF MUNICIPAL NATURAL GAS FACILITIES; AND FOR RELATED PURPOSES.

H. B. No. 319: AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE COLUMBIA ACADEMY COUGARS; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAGS; AND FOR RELATED PURPOSES.

H. B. No. 418: AN ACT TO AMEND SECTION 45-6-19, MISSISSIPPI CODE OF 1972, TO REQUIRE THE CHIEF OF POLICE AND POLICE OFFICERS EMPLOYED BY ANY PUBLIC TWO-YEAR OR FOUR-YEAR COLLEGE OR UNIVERSITY AND ANY EXTENSION THEREOF IN THE STATE OF MISSISSIPPI, AND THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT TO COMPLETE ANNUAL CONTINUING EDUCATION COURSES PROVIDED BY AN ACCREDITED LAW ENFORCEMENT ACADEMY OR THE MISSISSIPPI ASSOCIATION OF POLICE CHIEFS; TO PROVIDE FOR THE REIMBURSEMENT OF COSTS TO ATTEND APPROVED TRAINING TO THE EMPLOYING ENTITY FOR THE REQUIRED TRAINING BY THE MISSISSIPPI BOARD OF LAW ENFORCEMENT OFFICERS STANDARDS AND TRAINING; TO PROVIDE FOR DISCIPLINARY ACTIONS FOR THOSE FAILING TO COMPLETE THE REQUIRED TRAINING; TO PROVIDE FOR AN ADMINISTRATIVE APPEALS PROCESS FOR ANY OFFICER AGGRIEVED BY DISCIPLINARY ACTIONS; AND FOR RELATED PURPOSES.

H. B. No. 624: AN ACT TO REENACT SECTION 27-7-22.42, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR QUALIFIED RAILROAD RECONSTRUCTION OR REPLACEMENT EXPENDITURES AND QUALIFIED NEW RAIL INFRASTRUCTURE EXPENDITURES, AND WHICH WAS REPEALED BY OPERATION OF LAW ON JANUARY 1, 2024; TO AMEND REENACTED SECTION 27-7-22.42, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON SECTION; AND FOR RELATED PURPOSES.

H. B. No. 733: AN ACT TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PORTION OF THE STATE SALES TAX REVENUE DERIVED FROM SALES OF BUSINESSES WITH A CERTAIN NORTH AMERICAN

INDUSTRY CLASSIFICATION SYSTEM CODE SHALL BE DEPOSITED INTO THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO AMEND SECTION 49-39-7, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

H. B. No. 776: AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; AND FOR RELATED PURPOSES.

H. B. No. 822: AN ACT TO REPEAL SECTION 9-7-26, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE APPOINTMENT OF CIRCUIT JUDGES FOR THE SEVENTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-12-1, MISSISSIPPI CODE OF 1972, TO CLARIFY APPEALS FROM THE CCID INFERIOR COURT; TO BRING FORWARD SECTION 11-51-81, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR APPEALS FROM MUNICIPAL COURTS, FOR PURPOSES OF AMENDMENT; TO BRING FORWARD SECTION 11-51-95, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES APPEALS OF INFERIOR TRIBUNALS TO CIRCUIT COURT, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 893: AN ACT TO AMEND SECTION 27-19-56.549, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE NAVY SEABEE FOUNDATION; AND FOR RELATED PURPOSES.

H. B. No. 1003: AN ACT TO AMEND SECTION 27-33-31, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION OF LAW THAT ALLOWS A HOMEOWNER WHO IS A TOTALLY DISABLED VETERAN AND THE UNREMARRIED SURVIVING SPOUSE OF SUCH A PERSON, AS WELL AS A QUALIFIED HOMEOWNER WHO IS THE UNREMARRIED SURVIVING SPOUSE OF A MEMBER OF THE UNITED STATES ARMED FORCES WHO WAS KILLED OR DIED ON ACTIVE DUTY, OR OF A MEMBER OF A RESERVE COMPONENT OF THE UNITED STATES ARMED FORCES OR OF THE NATIONAL GUARD WHO WAS KILLED OR DIED ON ACTIVE DUTY FOR TRAINING, TO APPLY FOR HOMESTEAD EXEMPTION WITHIN 30 CALENDAR DAYS OF THE CLOSING DATE FOR A HOMESTEAD PURCHASE, BUT NOT LATER THAN DECEMBER 31 OF THE YEAR OF PURCHASE; AND FOR RELATED PURPOSES.

H. B. No. 1006: AN ACT TO AMEND SECTION 49-15-84, MISSISSIPPI CODE OF 1972, TO LIMIT RECREATION CRAB LICENSES TO LICENSE HOLDERS RATHER THAN HOUSEHOLDS; AND FOR RELATED PURPOSES.

H. B. No. 1007: AN ACT TO AMEND SECTION 49-15-46, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE PRINTING OF OYSTER TAGS BY THE CATCHER IN COMPLIANCE WITH PROCEDURES AND REGULATIONS ADOPTED BY THE DEPARTMENT OF MARINE RESOURCES; AND FOR RELATED PURPOSES.

H. B. No. 1279: AN ACT TO AMEND SECTION 49-15-64.1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN WATERS THAT ARE PROTECTIVE AND STAGING AREAS FOR YOUNG SHRIMP SHALL BE PERMANENTLY CLOSED TO COMMERCIAL AND RECREATIONAL SHRIMP TRAWLING ACTIVITIES; AND FOR RELATED PURPOSES.

H. B. No. 1286: AN ACT TO PROVIDE THAT A CORPORATION OR OTHER LEGAL ENTITY MAY REGISTER MOTOR VEHICLES IN A RENTAL FLEET ON AN ANNUAL BASIS SO THAT THE REGISTRATION OF ALL MOTOR VEHICLES IN THE FLEET EXPIRES IN THE ANNIVERSARY MONTH ESTABLISHED BY THE COMMISSIONER OF REVENUE; TO PROVIDE FOR THE ISSUANCE OF SPECIAL LICENSE TAGS AND REGISTRATION CARDS FOR RENTAL FLEET MOTOR VEHICLES UPON APPLICATION OF THE CORPORATION OR OTHER LEGAL ENTITY

OPERATING A FLEET; TO PROVIDE A FEE TO BE PAID TO THE DEPARTMENT OF REVENUE UPON THE FILING OF AN APPLICATION; TO PROVIDE THAT A RENTAL FLEET REGISTRATION CARD MUST BE CARRIED IN ALL MOTOR VEHICLES IN A RENTAL FLEET; TO PROVIDE FOR THE REGISTRATION OF MOTOR VEHICLES ADDED TO A RENTAL FLEET DURING A REGISTRATION YEAR; TO PROVIDE FOR THE REMOVAL OF A MOTOR VEHICLE FROM A RENTAL FLEET; TO PROVIDE THAT IF A MOTOR VEHICLE REGISTERED IN A FLEET IS REMOVED FROM THE FLEET, THE RENTAL FLEET LICENSE TAG REMOVED FROM THE MOTOR VEHICLE MAY BE TRANSFERRED TO AND USED ON ANOTHER MOTOR VEHICLE THAT IS ADDED TO THE FLEET TO REPLACE THE REMOVED MOTOR VEHICLE UNDER CERTAIN CONDITIONS; TO AMEND SECTIONS 27-19-3, 27-19-31, 27-19-43 AND 27-19-63, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "RENTAL FLEET" UNDER THE MOTOR VEHICLE PRIVILEGE TAX LAWS; TO PROVIDE THAT RENTAL FLEET MOTOR VEHICLES SHALL NOT BE ISSUED TAG DECALS NOTING THE MONTH AND YEAR OF EXPIRATION; TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PRORATE THE REGISTRATION YEAR OF MOTOR VEHICLES IN RENTAL FLEETS SO THAT THE REGISTRATION OF SUCH MOTOR VEHICLES WILL COINCIDE WITH THE ANNIVERSARY MONTH FOR RENTAL FLEETS; TO PROVIDE THAT THE OWNER OF MOTOR VEHICLES IN A RENTAL FLEET MAY MAKE APPLICATION FOR LICENSE TAGS FOR SUCH MOTOR VEHICLES WITH THE DEPARTMENT OF REVENUE OR THE LOCAL TAX COLLECTOR; TO PROVIDE THAT THE ANNIVERSARY MONTH FOR THE PRIVILEGE LICENSE TAX FOR MOTOR VEHICLES THAT ARE IN A RENTAL FLEET SHALL BE ESTABLISHED BY THE COMMISSIONER OF REVENUE; TO BRING FORWARD SECTIONS 27-19-5, 27-19-11, 27-19-15 AND 27-19-17, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE MOTOR VEHICLE PRIVILEGE TAX LAWS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1353: AN ACT TO AMEND SECTION 95-11-3, MISSISSIPPI CODE OF 1972, TO INCLUDE HORSE RACING IN THE DEFINITION OF EQUINE ACTIVITY; TO AMEND SECTIONS 95-11-5 AND 95-11-7, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

H. B. No. 1359: AN ACT TO AMEND SECTION 31-19-1, 19-9-19, 21-33-315 AND 19-9-7, MISSISSIPPI CODE OF 1972, TO CLARIFY MUNICIPALITIES AND COUNTIES MAY ISSUE ANY BONDS AS SERIAL BONDS PAYABLE ANNUALLY OR AS A SINGLE TERM BOND PAYABLE ANNUALLY; AND FOR RELATED PURPOSES.

H. B. No. 1378: AN ACT TO AMEND SECTION 27-33-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A QUALIFIED HOMEOWNER WHO IS AN HONORABLY DISCHARGED AMERICAN VETERAN AND HAS REACHED 90 YEARS OF AGE ON OR BEFORE JANUARY 1 OF THE YEAR FOR WHICH HOMESTEAD EXEMPTION IS CLAIMED, SHALL BE ALLOWED AN EXEMPTION FROM ALL AD VALOREM TAXES ON THE ASSESSED VALUE OF THE HOMESTEAD PROPERTY; AND FOR RELATED PURPOSES.

H. B. No. 1439: AN ACT TO AMEND SECTION 49-15-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT RIPARIAN RIGHTS FOR THE HANCOCK COUNTY SHORELINE FROM BAYOU CADDY TO THE STATE LINE SHALL NOT EXTEND OUT FURTHER THAN 300 YARDS FROM THE AVERAGE LOW WATER MARK; TO BRING FORWARD SECTION 49-15-36, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1579: AN ACT TO AMEND THE BUSINESS IMPROVEMENT DISTRICT ACT; TO AMEND SECTION 21-43-117, MISSISSIPPI CODE OF 1972, TO ALLOW MODIFICATION OF THE PROCESS FOR PLAN AMENDMENTS DURING THE TEN YEAR PLAN PERIOD AND TO PROVIDE FOR DISBURSEMENT OF THE COLLECTED DISTRICT FUNDS; TO CREATE SECTION 21-43-118, MISSISSIPPI CODE OF 1972, TO REQUIRE ANNUAL MEETINGS OF THE DISTRICT AND PRESCRIBE METHODS TO AMEND THE DISTRICT PLAN; TO AMEND SECTION 21-43-119, MISSISSIPPI CODE

OF 1972, TO CONFORM WITH PLAN AMENDMENT PROCEDURES; TO AMEND SECTION 21-43-129, MISSISSIPPI CODE OF 1972, TO ALLOW THE DISTRICT TO DETERMINE ITS FISCAL YEAR AND TO RECEIVE DISBURSEMENT OF FUNDS FROM THE TAX COLLECTOR; AND FOR RELATED PURPOSES.

H. B. No. 1583: AN ACT TO CREATE THE CONSUMER FREEDOM OF CHOICE IN APPLIANCES ACT; TO DEFINE THE TERMS "GOVERNMENTAL ENTITY", "UTILITY SERVICE" AND "APPLIANCE"; TO PROHIBIT A GOVERNMENTAL ENTITY FROM ENACTING OR ENFORCING ANY RESOLUTION, ORDINANCE, REGULATION, RULE, CODE, OR POLICY TO TAKE ANY ACTION THAT RESTRICTS OR PROHIBITS, OR HAS THE EFFECT OF RESTRICTING OR PROHIBITING, ANY PERSON OR ENTITY FROM USING ANY APPLIANCE BASED ON THE TYPE OF UTILITY SERVICE REQUIRED TO OPERATE THE APPLIANCE; TO BRING FORWARD SECTIONS 77-3-3 AND 77-3-201, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE REGULATION OF PUBLIC UTILITIES, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1589: AN ACT TO AMEND SECTION 63-21-16, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A LIENHOLDER MUST ELECTRONICALLY TRANSMIT THE SATISFACTION AND RELEASE AND DISCHARGE OF A LIEN ON A MOTOR VEHICLE TO THE DEPARTMENT OF REVENUE NOT LATER THAN TEN DAYS AFTER THE DATE OF SATISFACTION OF THE LIEN; TO AMEND SECTIONS 63-21-39 AND 63-21-18, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT BEFORE A SCRAP METAL PROCESSOR MAY PURCHASE OR RECEIVE A MOTOR VEHICLE FROM THE OWNER OR AUTHORIZED AGENT OF THE OWNER OF THE MOTOR VEHICLE FOR THE PURPOSE OF SCRAPPING, DISMANTLING OR DESTROYING THE MOTOR VEHICLE, THE SCRAP METAL PROCESSOR MUST VERIFY THE ABSENCE OF ANY LIEN ON THE MOTOR VEHICLE; TO PROVIDE THAT IF A LIEN EXISTS ON THE MOTOR VEHICLE, THE SCRAP METAL PROCESSOR MAY NOT PURCHASE OR RECEIVE THE MOTOR VEHICLE FOR THE PURPOSE OF SCRAPPING, DISMANTLING OR DESTROYING THE VEHICLE, AND IS PROHIBITED FROM PURCHASING OR RECEIVING THE MOTOR VEHICLE FOR SUCH PURPOSES DURING ANY TIME FOR WHICH A LIEN EXISTS ON THE MOTOR VEHICLE; TO PROVIDE THAT A SCRAP METAL PROCESSOR MUST UTILIZE THE DEPARTMENT OF REVENUE'S AUTOMATED STATEWIDE MOTOR VEHICLE REGISTRATION SYSTEM FOR THE PURPOSE OF COMPLYING WITH SUCH REQUIREMENTS; AND FOR RELATED PURPOSES.

H. B. No. 1620: AN ACT TO AMEND SECTION 27-67-35, MISSISSIPPI CODE OF 1972, WHICH CREATES SPECIAL FUNDS IN THE STATE TREASURY TO BE USED TO PROVIDE MONIES TO ASSIST MUNICIPALITIES AND COUNTIES IN PAYING COSTS ASSOCIATED WITH ROAD AND BRIDGE IMPROVEMENTS AND, FOR MUNICIPALITIES, WATER AND SEWER INFRASTRUCTURE IMPROVEMENTS, TO REVISE THE TYPES OF EXPENDITURES THAT MAY BE CONSIDERED WHEN CALCULATING EXPENDITURES MADE BY A MUNICIPALITY OR COUNTY FOR SUCH PURPOSES DURING THE PREVIOUS FISCAL YEAR FOR THE PURPOSE OF ALLOCATING MONIES IN THE SPECIAL FUNDS TO THE MUNICIPALITY OR COUNTY; AND FOR RELATED PURPOSES.

H. B. No. 1660: AN ACT RELATING TO THE SALE OF CIGARETTES IN MISSISSIPPI; TO DEFINE CERTAIN TERMS; TO REQUIRE EACH CIGARETTE MANUFACTURER WHOSE CIGARETTES ARE SOLD IN MISSISSIPPI TO FILE AN ANNUAL CERTIFICATION WITH THE COMMISSIONER OF REVENUE CONTAINING SPECIFIED INFORMATION ABOUT THE MANUFACTURER AND ITS CIGARETTES; TO REQUIRE THE COMMISSIONER TO MAINTAIN A STATE CIGARETTE DIRECTORY AVAILABLE TO THE PUBLIC ON THE DEPARTMENT OF REVENUE'S WEBSITE; TO PROHIBIT THE SALE OF A MANUFACTURER'S CIGARETTES IF THE MANUFACTURER IS NOT LISTED ON THE DIRECTORY; TO GIVE RETAILERS AND IMPORTERS, DISTRIBUTORS AND WHOLESALERS AN OPPORTUNITY TO DISPOSE

OF THEIR CIGARETTE INVENTORY THAT IS NOT AUTHORIZED TO BE SOLD IN THE DIRECTORY BEFORE THE INVENTORY IS SEIZED; TO ESTABLISH CIVIL PENALTIES FOR RETAILERS AND OTHER ENTITIES SELLING CIGARETTES THAT ARE NOT INCLUDED IN THE DIRECTORY; TO REQUIRE MANUFACTURERS TO HAVE A REGISTERED AGENT IN THE STATE FOR SERVICE OF PROCESS; TO REQUIRE UNANNOUNCED COMPLIANCE CHECKS BY THE DEPARTMENT OF REVENUE; TO AUTHORIZE THE COMMISSIONER OF REVENUE TO PROMULGATE RULES AND REGULATIONS, AND TO USE FEES AND PENALTIES COLLECTED, FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS ACT; TO REQUIRE ANNUAL REPORTS TO THE LEGISLATURE ON THE STATUS OF THE STATE CIGARETTE DIRECTORY AND ENFORCEMENT ACTIVITIES; TO BRING FORWARD SECTION 27-69-53, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE CONFISCATION OF CIGARETTES NOT HAVING STAMPS AFFIXED TO THE PACKAGE AS REQUIRED UNDER THE TOBACCO TAX LAW, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-69-55, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES PROCEDURES FOR THE SEIZURE OF CERTAIN TOBACCO PRODUCTS UNDER THE TOBACCO TAX LAW, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-69-59, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE SEARCH AND SEIZURE OF ILLEGALLY SOLD TOBACCO PRODUCTS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO PROVIDE THAT NO LATER THAN SEPTEMBER 1, 2024, EVERY MANUFACTURER OF AN ENDS PRODUCT THAT IS SOLD FOR RETAIL SALE IN MISSISSIPPI SHALL EXECUTE AND DELIVER TO THE COMMISSIONER OF REVENUE A CERTIFICATION THAT THE MANUFACTURER IS COMPLIANT WITH THIS ACT; TO DEFINE CERTAIN TERMS; TO PROVIDE THAT THE INFORMATION SUBMITTED BY THE MANUFACTURER IS CONSIDERED CONFIDENTIAL COMMERCIAL OR FINANCIAL INFORMATION FOR PURPOSES OF THE MISSISSIPPI PUBLIC RECORDS ACT OF 1983; TO PROVIDE THAT BEGINNING ON OCTOBER 1, 2024, THE COMMISSIONER SHALL MAINTAIN AND MAKE PUBLICLY AVAILABLE ON THE DEPARTMENT OF REVENUE'S OFFICIAL WEBSITE A DIRECTORY THAT LISTS ALL ENDS PRODUCT MANUFACTURERS, BRAND NAMES, CATEGORIES, PRODUCT NAMES, AND FLAVORS FOR WHICH CERTIFICATION FORMS HAVE BEEN SUBMITTED AND APPROVED BY THE COMMISSIONER AND SHALL REQUIRE THE UPDATE OF THE DIRECTORY AT LEAST MONTHLY TO ENSURE ACCURACY; TO REQUIRE THE COMMISSIONER TO ESTABLISH A PROCESS TO PROVIDE LICENSED RETAILERS, DISTRIBUTORS, AND WHOLESALERS NOTICE OF THE INITIAL PUBLICATION OF THE DIRECTORY AND CHANGES MADE TO THE DIRECTORY IN THE PRIOR MONTH; TO PROVIDE THAT NEITHER A MANUFACTURER NOR ITS ENDS PRODUCTS SHALL BE INCLUDED OR RETAINED IN THE DIRECTORY IF THE COMMISSIONER DETERMINES THAT THE MANUFACTURER FAILED TO PROVIDE A COMPLETE AND ACCURATE CERTIFICATION AND PROVIDE PAYMENT; TO PROVIDE THAT AFTER THIRTY CALENDAR DAYS FOLLOWING REMOVAL FROM THE DIRECTORY, THE ENDS PRODUCT OF A MANUFACTURER IDENTIFIED IN THE NOTICE OF REMOVAL AND INTENDED FOR SALE IN MISSISSIPPI ARE SUBJECT TO SEIZURE, FORFEITURE, AND DESTRUCTION, AND SHALL NOT BE PURCHASED OR SOLD FOR RETAIL SALE IN MISSISSIPPI; BEGINNING ON OCTOBER 1, 2024, OR ON THE DATE THAT THE COMMISSIONER FIRST MAKES THE DIRECTORY AVAILABLE FOR PUBLIC INSPECTION ON THE DEPARTMENT OF REVENUE'S WEBSITE, WHICHEVER IS LATER, ENDS PRODUCTS NOT INCLUDED IN THE DIRECTORY, SHALL NOT BE SOLD FOR RETAIL SALE IN MISSISSIPPI, EITHER DIRECTLY OR THROUGH AN IMPORTER, DISTRIBUTOR, WHOLESALER, RETAILER, OR SIMILAR INTERMEDIARY OR INTERMEDIARIES; TO PROVIDE THAT EACH RETAILER SHALL HAVE SIXTY DAYS FROM THE DATE THAT THE COMMISSIONER FIRST MAKES THE DIRECTORY AVAILABLE FOR INSPECTION ON THE DEPARTMENT'S WEBSITE TO SELL PRODUCTS THAT WERE IN ITS INVENTORY AND NOT INCLUDED IN THE DIRECTORY OR REMOVE THOSE PRODUCTS FROM INVENTORY; TO PROVIDE THAT AFTER SIXTY CALENDAR DAYS FOLLOWING PUBLICATION OF THE DIRECTORY, ENDS PRODUCTS NOT LISTED IN THE DIRECTORY AND INTENDED FOR RETAIL SALE IN MISSISSIPPI ARE SUBJECT TO SEIZURE, FORFEITURE, AND

DESTRUCTION, AND MAY NOT BE PURCHASED OR SOLD FOR RETAIL SALE IN MISSISSIPPI EXCEPT AS OTHERWISE PROVIDED; TO PROVIDE THAT A RETAILER, DISTRIBUTOR, WHOLESALER, OR IMPORTER WHO SELLS OR OFFERS FOR SALE AN ENDS PRODUCT FOR RETAIL SALE IN MISSISSIPPI THAT IS NOT INCLUDED IN THE DIRECTORY SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN FIVE HUNDRED DOLLARS FOR EACH INDIVIDUAL ENDS PRODUCT OFFERED FOR SALE IN VIOLATION OF THIS ACT; TO PROVIDE THAT A MANUFACTURER WHOSE ENDS PRODUCTS ARE NOT LISTED IN THE DIRECTORY AND WHO CAUSES THE PRODUCTS THAT ARE NOT LISTED TO BE SOLD FOR RETAIL SALE IN MISSISSIPPI, IS SUBJECT TO A CIVIL PENALTY OF TEN THOUSAND DOLLARS FOR EACH INDIVIDUAL ENDS PRODUCT OFFERED FOR SALE IN VIOLATION OF THIS ACT; TO REQUIRE A MANUFACTURER LOCATED OUTSIDE OF THE UNITED STATES TO CAUSE EACH OF ITS IMPORTERS OF ANY OF ITS PRODUCTS TO BE SOLD IN MISSISSIPPI TO APPOINT, AND CONTINUALLY ENGAGE WITHOUT INTERRUPTION, THE SERVICES OF AN AGENT IN THE STATE; TO REQUIRE A MANUFACTURER TO PROVIDE WRITTEN NOTICE TO THE COMMISSIONER THIRTY CALENDAR DAYS PRIOR TO THE TERMINATION OF THE AUTHORITY OF AN AGENT; TO PROVIDE THAT EACH RETAILER, DISTRIBUTOR, AND WHOLESALER THAT SELLS OR DISTRIBUTES ELECTRONIC NICOTINE DELIVERY SYSTEMS OR NICOTINE LIQUIDS IN THIS STATE SHALL BE SUBJECT TO AT LEAST TWO UNANNOUNCED COMPLIANCE CHECKS; TO PROVIDE THAT BEGINNING ON JANUARY 31, 2025, AND ANNUALLY THEREAFTER, THE COMMISSIONER SHALL PROVIDE A REPORT TO THE LEGISLATURE THAT CONTAINS CERTAIN INFORMATION RELATED TO THE REGISTRY; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1006: Recreation crab licenses; limit to license holders rather than households. Ports and Marine Resources.

H. B. No. 1007: Oyster tags; authorize the printing of by the catcher. Ports and Marine Resources.

H. B. No. 1279: Shrimp trawling; provide that certain waters shall be permanently closed to. Ports and Marine Resources.

H. B. No. 1353: Horseracing; include in equine liability. Agriculture.

H. B. No. 1439: Riparian rights; revise what may be included in. Ports and Marine Resources.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 564: AN ACT TO AMEND SECTION 43-35-31, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "URBAN RENEWAL PROJECT POWERS" BY

PROVIDING THAT A MUNICIPALITY MAY RETAIN CERTAIN POWERS, INSTEAD OF AN URBAN RENEWAL AGENCY OR NONPROFIT OR HOUSING AUTHORITY, WHEN OPERATING UNDER THE URBAN RENEWAL LAW; AND FOR RELATED PURPOSES.

H. B. No. 1354: AN ACT TO AMEND SECTION 7, CHAPTER 483, LAWS OF 2022, TO INCREASE THE AMOUNT OF STATE REVENUE BONDS THAT MAY BE ISSUED TO PROVIDE FUNDS FOR THE ABC WAREHOUSE CONSTRUCTION FUND TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH LAND ACQUISITION FOR, AND THE DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW WAREHOUSE FOR THE DEPARTMENT OF REVENUE'S ALCOHOLIC BEVERAGE CONTROL DIVISION; TO AMEND SECTION 27-71-11, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF THE BAILMENT FEE CHARGED BY THE DEPARTMENT OF REVENUE ON CASES OF STORED ALCOHOLIC BEVERAGES FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PAYMENT OF THE DEBT SERVICE ON SUCH BONDS; TO AMEND SECTION 67-1-203, TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL SELECT A SITE AT THE HOLMES COUNTY INDUSTRIAL PARK IN HOLMES COUNTY, MISSISSIPPI, FOR THE CONSTRUCTION OF A NEW WAREHOUSE FOR THE DEPARTMENT OF REVENUE'S ALCOHOLIC BEVERAGE CONTROL DIVISION WAREHOUSE, AND THAT A CONTRACT FOR WAREHOUSE CONSTRUCTION SHALL BE ENTERED INTO NOT LATER THAN SEPTEMBER 1, 2024; TO AMEND SECTION 67-1-205, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS REGARDING THE OPERATION OF THE WAREHOUSE FOR THE DEPARTMENT OF REVENUE'S ALCOHOLIC BEVERAGE CONTROL DIVISION; AND FOR RELATED PURPOSES.

H. B. No. 1665: AN ACT TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL ESTABLISH A PROGRAM TO PROVIDE INCENTIVE PAYMENTS FOR DEVELOPERS TO DEVELOP PROPERTY IN THE CAPITOL COMPLEX IMPROVEMENT DISTRICT AND TO PLACE SUCH PROPERTY INTO USE WHICH WILL INCREASE THE VALUE OF THE PROPERTY AND PROMOTE ECONOMIC DEVELOPMENT AND THE PUBLIC INTEREST WITHIN THE DISTRICT; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THIS ACT; TO PROVIDE AN APPLICATION PROCESS FOR DEVELOPERS WHO DESIRE TO PARTICIPATE IN THE INCENTIVE PROGRAM; TO PROVIDE THAT WHEN PROPERTY IS DEVELOPED ACCORDING TO A DEVELOPMENT PLAN AND PLACED INTO USE, THE CITY OF JACKSON AND HINDS COUNTY SHALL REMIT TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR A CERTAIN PERIOD OF TIME, THE REVENUE DERIVED FROM THE APPLICABLE MUNICIPAL OR COUNTY AD VALOREM TAX LEVIED FOR GENERAL FUND PURPOSES ON A PORTION OF THE INCREASE IN THE ASSESSED VALUE OF THE PROPERTY; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEPOSIT SUCH REMITTED AMOUNTS INTO A SPECIAL FUND CREATED IN THIS ACT AND EXPEND MONIES IN THE FUND, UPON APPROPRIATION BY THE LEGISLATURE, TO PROVIDE INCENTIVE PAYMENTS TO SUCH DEVELOPERS; TO PROVIDE FOR THE AMOUNT OF THE INCENTIVE PAYMENTS AND PERIOD OF TIME THAT INCENTIVE PAYMENTS WILL BE MADE TO DEVELOPERS; TO PROVIDE THAT AFTER INCENTIVE PAYMENTS HAVE BEEN MADE TO A DEVELOPER FOR THE TIME PROVIDED IN THIS ACT, THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL DEPOSIT FUNDS RECEIVED FROM PAYMENTS REMITTED BY THE CITY OF JACKSON AND HINDS COUNTY INTO THE CAPITOL COMPLEX IMPROVEMENT DISTRICT PROJECT FUND FOR A CERTAIN PERIOD OF TIME; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 418: Continuing education training for police officers; extend to require for public colleges and universities and PRVWSD officers. Universities and Colleges.

H. B. No. 1194: Expulsions; authorize aggregate reporting by State Department of Education of data relating to. Education.

H. B. No. 1660: Cigarettes and vape products; require Commissioner of Revenue to establish separate directories to regulate sales of. Public Health and Welfare.

H. B. No. 1669: Assistant teachers; revise qualifications for employment. Education.

H. B. No. 1670: MAEP; clarify classification of exceptional children in preschool for reporting and purposes of funding teacher units. Education.

H. B. No. 1696: Failing schools; revise processes relating to being placed into a District of Transformation and abolishing the MS Achievement School District. Education.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:00 AM in memory of Laken Hope Riley, Reverend George C. Jackson, Jerry Wright "Bugs" Williams, Jonathan Graham Chaney, Lawson Long, DJ Coburn, Anthony Joseph Gendusa, Jr. and Chief Kenneth Hampton.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR FRIDAY, MARCH 1, 2024

S. R. No. 43: Rules
A RESOLUTION COMMENDING THE LINKS, INCORPORATED, ON THE OCCASION OF ITS "MISSISSIPPI LINKS DAY AT THE CAPITOL 2024", AND HONORING THE ORGANIZATION'S OUTSTANDING SERVICE TO THE COMMUNITY, THIS STATE AND THE NATION.
By Senator(s) Horhn, Blount, Simmons (12th)

SIXTY-THIRD DAY, MONDAY, MARCH 4, 2024

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Pastor Tom Washburn, Senior Adult Pastor, First Baptist Church, Jackson, MS.

Senator Kirby led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 539: AN ACT TO CREATE NEW SECTION 43-13-115.1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PREGNANT WOMEN SHALL BE DEEMED TO BE PRESUMPTIVELY ELIGIBLE FOR AMBULATORY PRENATAL CARE UNDER MEDICAID FOR UP TO 60 DAYS IF A QUALIFIED PROVIDER DETERMINES, ON THE BASIS OF PRELIMINARY INFORMATION, THAT THE TOTAL COUNTABLE NET FAMILY INCOME OF THE WOMAN DOES NOT EXCEED THE INCOME LIMITS FOR ELIGIBILITY OF PREGNANT WOMEN; TO REQUIRE PREGNANT WOMEN TO PROVIDE PROOF OF PREGNANCY AND DOCUMENTATION OF MONTHLY FAMILY INCOME WHEN SEEKING A DETERMINATION OF PRESUMPTIVE ELIGIBILITY; TO PROVIDE THAT QUALIFIED PROVIDERS ARE THOSE THAT MEET THE FEDERAL DEFINITION OF QUALIFIED PROVIDER, WHICH SHALL INCLUDE COUNTY HEALTH DEPARTMENTS, FEDERALLY QUALIFIED HEALTH CENTERS (FQHCS), AND OTHER ENTITIES APPROVED AND DESIGNATED BY THE DIVISION OF MEDICAID TO CONDUCT PRESUMPTIVE ELIGIBILITY DETERMINATIONS FOR PREGNANT WOMEN; TO REQUIRE PREGNANT WOMEN WHO ARE DETERMINED TO BE PRESUMPTIVELY ELIGIBLE FOR MEDICAID TO MAKE APPLICATION FOR MEDICAID BY NOT LATER THAN THE LAST DAY OF THE MONTH FOLLOWING THE MONTH DURING WHICH THE DETERMINATION IS MADE; AND FOR RELATED PURPOSES.

H. B. No. 970: AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE SERVICES AND MANAGED CARE PROVISIONS IN THE MEDICAID PROGRAM; TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MEDICAID PROVIDER ASSESSMENT PROVISIONS; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2606: DUI suspension; clarify how the 120 days are counted. Title Sufficient. Do Pass.

S. B. No. 2174: Motor vehicle theft; revise penalty for. Title Sufficient. Do Pass.

S. B. No. 2175: Receiving stolen property; revise the crime of. Title Sufficient. Do Pass.

S. B. No. 2180: Department of Public Safety; remove prior written approval for certain events. Title Sufficient. Committee Substitute. Do Pass.

FILLINGANE, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2286: Board on Law Enforcement Officer Standards and Training; revise certain provisions related to. Title Sufficient. Committee Substitute. Do Pass.

FILLINGANE, Chairman

REPORT OF COMMITTEES ON
ELECTIONS AND JUDICIARY, DIVISION B

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2577: Digitizations; create a criminal penalty for the wrongful dissemination of. Title Sufficient. Committee Substitute. Do Pass.

ENGLAND, Chairman
FILLINGANE, Chairman

REPORT OF COMMITTEES ON
CORRECTIONS AND JUDICIARY, DIVISION B

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2599: Alternative Incarceration Methodology (AIM); bring forward statutes. Title Sufficient. Do Pass.

BARNETT, Chairman
FILLINGANE, Chairman

REPORT OF COMMITTEES ON

WILDLIFE, FISHERIES AND PARKS AND JUDICIARY, DIVISION B

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2651: Trespass to hunt, fish, shoot or trap; revise offense description, and impose penalties and fees. Title Sufficient. Committee Substitute. Do Pass.

WHALEY, Chairman
FILLINGANE, Chairman

REPORT OF COMMITTEE ON ENERGY

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2601: Utility Service; prevent government restrictions based on energy source required. Title Sufficient. Do Pass.

S. B. No. 2603: Excavation; revise procedures and required white lining in certain stances. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2604: Public utilities contracts; allow certain bids to be submitted electronically. Title Sufficient. Do Pass.

CARTER, Chairman

Senators Brumfield, Blackmon, Jordan, Butler, Barnett, Frazier, Blount, Simmons D. T. (12th), Hickman and Horhn moved that when the Senate adjourns, it adjourn in memory of Anthony Cordell Witherspoon, II of Magnolia, MS.

Senator Berry moved that when the Senate adjourns, it adjourn in memory of Cruz Mackenzie Lewis of Shivers, MS.

Senator Berry moved that when the Senate adjourns, it adjourn in memory of Charles Gene "Jack" Tanner of Magee, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Jimmie Piznar of Homewood, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Marcelle Gruber Milner of Jackson, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Wallace Danny Chapman and Owen Benjamin Moore of Wiggins, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM or until the last committee report is filed, at which time the Senate would then adjourn until 10:00 AM, Tuesday, March 5, 2024.

The motion prevailed, and at 4:16 PM, the Senate stood in recess.

REPORT OF COMMITTEES ON
CORRECTIONS AND GOVERNMENT STRUCTURE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2700: State offenders serving sentences in county jails; repeal repealer. Title Sufficient. Do Pass.

BARNETT, Chairman
JOHNSON, Chairman

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 286: AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO REMOVE THE STATUTE OF LIMITATIONS ON THE CERTAIN CRIMES OF SEXUAL BATTERY WHEN DNA TESTING PROVIDES ADDITIONAL EVIDENCE; AND FOR RELATED PURPOSES.

H. B. No. 328: AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO INCREASE THE NUMBER OF PACKAGE RETAILER'S PERMITS THAT MAY BE OWNED BY A PERSON OR IN WHICH A PERSON MAY HAVE A CONTROLLING INTEREST FROM ONE TO THREE; AND FOR RELATED PURPOSES.

H. B. No. 329: AN ACT TO AMEND SECTION 67-1-83, MISSISSIPPI CODE OF 1972, TO ALLOW ANY COUNTY, MUNICIPALITY, TRIBE OR OTHER POLITICAL SUBDIVISION OF THE STATE THAT IS WET UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW TO AUTHORIZE PERMITTED PACKAGE RETAILERS TO ENGAGE IN PACKAGE RETAIL SALES DURING CERTAIN HOURS ON SUNDAY; TO PROVIDE THAT ANY COUNTY, MUNICIPALITY OR OTHER POLITICAL SUBDIVISION OF THE STATE THAT HAS AUTHORIZED PERMITTED PACKAGE RETAILERS TO ENGAGE IN PACKAGE RETAIL SALES DURING CERTAIN HOURS ON SUNDAY MAY PROHIBIT SUCH SALES BY AN ELECTION AS PROVIDED FOR IN THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1659: AN ACT TO AMEND SECTION 29-1-107, MISSISSIPPI CODE OF 1972, TO REQUIRE A LEASE FROM THE STATE THROUGH THE SECRETARY OF STATE FOR ANY USE OF THE PUBLIC TRUST TIDELANDS FOR ANY USE BY A GAMING OPERATION; TO CLARIFY THAT A GAMING USE IS SEPARATE FROM COMMERCIAL USE; TO CLARIFY THAT THE PUBLIC TRUST TIDELANDS LEASE NEEDED TO MOVE ON SHORE AND PAY THE STATUTORY ASSESSMENT IS A LEASE WITH THE STATE OR THE STATE PORT AT GULFPORT FOR A GAMING

OPERATION; TO AMEND SECTION 29-15-1, MISSISSIPPI CODE OF 1972, TO PROVIDE CERTAIN DEFINITIONS; TO CREATE NEW SECTION 29-15-1.1, MISSISSIPPI CODE OF 1972, TO PROVIDE THE LEGISLATIVE INTENT REGARDING THE STATE CONTROL OF THE PUBLIC TRUST TIDELANDS; TO CREATE NEW SECTION 29-15-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MANAGEMENT AND ADMINISTRATIVE CONTROL AND AUTHORITY OF THE PUBLIC TRUST TIDELANDS SHALL BE GIVEN TO THE SECRETARY OF STATE; TO PROVIDE THAT A PUBLIC TRUST TIDELANDS LEASE WITH THE STATE THROUGH THE SECRETARY OF STATE IS REQUIRED FOR USE OF THE PUBLIC TRUST TIDELANDS, INCLUDING THOSE BY STATE AGENCIES AND POLITICAL SUBDIVISIONS; TO PROVIDE THAT THE USE OF PUBLIC TRUST TIDELANDS FOR ANY GAMING PURPOSE REQUIRES A PUBLIC TRUST TIDELANDS LEASE FROM THE STATE; TO AMEND SECTION 29-15-3, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 29-15-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL EXISTING AND PROPOSED USES OF OR PROJECTS ON PUBLIC TRUST TIDELANDS BY ANY COMMERCIAL ACTIVITY SHALL REQUIRE A PUBLIC TRUST TIDELANDS LEASE FROM THE STATE THROUGH THE SECRETARY OF STATE; TO AMEND SECTION 29-15-9, MISSISSIPPI CODE OF 1972, TO ALLOW ADMINISTRATIVE COSTS LEGAL FEES AND LOST AD VALOREM TAXES, WITH LEGISLATIVE APPROVAL, TO BE PAID OUT OF THE PUBLIC TRUST TIDELANDS FUND; TO AMEND SECTION 29-15-10, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 29-15-13, MISSISSIPPI CODE OF 1972, TO CLARIFY THE NEED FOR A PUBLIC TRUST TIDELANDS LEASE EVEN IF PUBLIC USE OR PROJECT IS EXEMPT FROM RENTAL OR LEASE FEES; TO AMEND SECTION 59-15-1, MISSISSIPPI CODE OF 1972, TO CLARIFY THE STATE LEGISLATIVE INTENT THAT USE OF THE TIDELANDS FOR MUNICIPAL HARBORS REQUIRES A PUBLIC TRUST TIDELANDS LEASE WITH THE STATE THROUGH THE SECRETARY OF STATE; TO AMEND SECTIONS 21-17-1, 57-7-1, 59-7-405 AND 7-11-11, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTIONS 87-1-5, 97-33-1, 97-33-7, 97-33-17, 97-33-25 AND 97-33-27, MISSISSIPPI CODE OF 1972, TO CLARIFY THE DESCRIPTION OF CERTAIN STRUCTURES RELATED TO GAMING; TO BRING FORWARD SECTIONS 29-15-7, 29-15-11, 29-15-15, 29-15-17, 29-15-19, 29-15-21 AND 29-15-23, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE PUBLIC TRUST TIDELANDS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 59-15-3, 59-15-5, 59-15-7, 59-15-9, 59-15-11, 59-15-13, 59-15-15, 59-15-17 AND 59-15-19, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR SMALL CRAFT HARBORS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 59-7-1, 59-7-3, 59-7-5, 59-7-7, 59-7-9, 59-7-11, 59-7-13, 59-7-15, 59-7-17, 59-7-19, 59-7-21, 59-7-101, 59-7-103, 59-7-105, 59-7-107, 59-7-109, 59-7-111, 59-7-113, 59-7-115, 59-7-117, 59-7-119, 59-7-121, 59-7-123, 59-7-125, 59-7-127, 59-7-129, 59-7-131, 59-7-201, 59-7-203, 59-7-205, 59-7-207, 59-7-209, 59-7-211, 59-7-213, 59-7-301, 59-7-303, 59-7-305, 59-7-307, 59-7-309, 59-7-311, 59-7-313, 59-7-315, 59-7-317, 59-7-319, 59-7-321, 59-7-323, 59-7-401, 59-7-403, 59-7-407, 59-7-408, 59-7-409, 59-7-411, 59-7-413, 59-7-415, 59-7-417, 59-7-419, 59-7-421, 59-7-423, 59-7-425, 59-7-427, 59-7-429, 59-7-451, 59-7-453, 59-7-455, 59-7-501, 59-7-503, 59-7-505, 59-7-507, 59-7-509, 59-7-511, 59-7-513, 59-7-515, 59-7-517 AND 59-7-519, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR COUNTY AND MUNICIPAL HARBORS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 65-33-1, 65-33-3, 65-33-5, 65-33-7, 65-33-9, 65-33-11, 65-33-13, 65-33-15, 65-33-17, 65-33-19, 65-33-21, 65-33-23, 65-33-25, 65-33-27, 65-33-29, 65-33-31, 65-33-33, 65-33-35, 65-33-37, 65-33-39, 65-33-41, 65-33-43, 65-33-45, 65-33-47, 65-33-49, 65-33-51, 65-33-53, 65-33-55, 65-33-57, 65-33-59, 65-33-61, 65-33-63, 65-33-65, 65-33-67, 65-33-69 AND 65-33-71, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR SEA WALLS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 29-1-105, 53-3-41, 53-3-75, 55-7-13, 55-7-15, 55-7-21, 55-24-9, 59-3-1, 59-5-11, 59-9-19, 59-17-13, 61-3-15, 79-21-53, 27-31-39, 29-7-3, 39-7-3, 39-7-9, 49-15-301, 49-15-304, 49-17-711, 49-27-4, 49-27-5, 49-27-71, 57-15-5, 59-1-17, 59-9-21 AND 59-9-67, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON WILDLIFE, FISHERIES AND PARKS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2639: Department of Wildlife, Fisheries and Parks; bring forward certain code sections regarding. Title Sufficient. Committee Substitute. Do Pass.

H. B. No. 526: Hunting; authorize hunters to wear fluorescent pink as an alternative to fluorescent orange. Title Sufficient. Do Pass.

WHALEY, Chairman

REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2161: Medicaid reimbursements; revise certain provisions relating to a psychiatric residential treatment facility in DeSoto County. Title Sufficient. Committee Substitute. Do Pass.

BRYAN, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2535: Divorce; authorize a court to grant when it is determined that a marriage is irretrievably broken. Title Sufficient. Do Pass.

S. B. No. 2037: Child support award; cost of health insurance coverage obtained by noncustodial parent considered in determining. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2549: Chancery clerk; increase fees for recording deeds to land sold for taxes and redemption of such lands. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2764: Manufactured homes; create affidavit of ownership. Title Sufficient. Do Pass.

S. B. No. 2391: Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act; enact. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2529: District attorneys; amend provision related to temporary appointments. Title Sufficient. Do Pass.

WIGGINS, Chairman

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 564: Urban renewal project powers; revise definition of. Municipalities.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1659: Public Trust Tidelands; revise various provisions related to. Gaming; Ports and Marine Resources.

REPORT OF COMMITTEE ON UNIVERSITIES AND COLLEGES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2417: Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents Act; bring forward sections. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2725: University System Efficiency Task Force; create to examine the efficiency of the state public university system. Title Sufficient. Do Pass.

S. B. No. 2778: Mississippians' Right to Name, Likeness and Voice Act; enact. Title Sufficient. Committee Substitute. Do Pass.

BOYD, Chairman

REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2381: Pawnbrokers; remove the requirement of on-premises retention of purchased goods. Title Sufficient. Do Pass.

S. B. No. 2382: Pawnbrokers; allow to pass credit or debit card processing charges to customers. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2532: Bonds; clarify municipalities and counties may issue serial and single term. Title Sufficient. Do Pass.

S. B. No. 2543: Consumer Alternative Installment Loan Act; create a cap adjustment based on the loan amount. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2546: Remote online notarization; allow. Title Sufficient. Committee Substitute. Do Pass.

POLK, Chairman

REPORT OF COMMITTEE ON MUNICIPALITIES

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2707: Business Improvement District Act; technical amendments. Title Sufficient. Do Pass.

MCMAHAN, Chairman

REPORT OF COMMITTEES ON
MUNICIPALITIES AND JUDICIARY, DIVISION B

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2500: Homeless encampments; prohibit on public property and define as public nuisance on private property. Title Sufficient. Committee Substitute. Do Pass.

MCMAHAN, Chairman
FILLINGANE, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:35 PM in memory of Anthony Cordell Witherspoon, II, Cruz Mackenzie Lewis, Charles Gene "Jack" Tanner, Jimmie Piznar, Marcelle Gruber Milner, Wallace Danny Chapman and Owen Benjamin Moore.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR MONDAY, MARCH 4, 2024

SIXTY-FOURTH DAY, TUESDAY, MARCH 5, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Pastor Michael Thornhill, Associate Pastor, The Well Church, Magee, MS.

Senator Robinson led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON INSURANCE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2740: Insurance; authorize counties, municipalities, school districts and other political subdivisions to pool risk. Title Sufficient. Do Pass.

S. B. No. 2786: Lender-placed insurance on real property; provide framework for regulating. Title Sufficient. Do Pass.

MICHEL, Chairman

REPORT OF COMMITTEE ON TECHNOLOGY

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2698: Cyber Safety Review Board; create. Title Sufficient. Committee Substitute. Do Pass.

WILLIAMS, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2135: Shoplifting; delete finding required before imposing a sentence of imprisonment. Title Sufficient. Do Pass.

S. B. No. 2177: Bail; make certain amendments to provisions related to. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2441: Alternative nicotine products; prohibit distribution or sale of certain products. Title Sufficient. Committee Substitute. Do Pass.

FILLINGANE, Chairman

REPORT OF COMMITTEES ON
ENERGY AND JUDICIARY, DIVISION B

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2602: PSC and Public Utilities Staff; clarify ability to receive campaign contributions or participate in political activity. Title Sufficient. Committee Substitute. Do Pass.

CARTER, Chairman
FILLINGANE, Chairman

Senator Polk moved that the Senate stand in recess until 3:00 PM.

The motion prevailed, and at 10:27 AM, the Senate stood in recess.

The Senate resumed business at 3:00 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON FORESTRY

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2325: Forestry Facility Grant Program; bring forward. Title Sufficient. Committee Substitute. Do Pass.

MCCAUGHN, Chairman

REPORT OF COMMITTEE ON FINANCE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2298: Bonds; raise maximum fee paid to state's bond attorney from $500.00 to $750.00 for validation and issuance of. Title Sufficient. Do Pass.

S. B. No. 2466: Alcoholic beverages; revise certain provisions relating to sales to persons under the age of 21. Title Sufficient. Do Pass.

S. B. No. 2492: Use tax; allow municipalities to use revenue for personal property or equipment to be used for certain authorized purposes. Title Sufficient. Do Pass.

S. B. No. 2849: ATVs & UTVs; require titling, and exempt from ad valorem tax when held by retailers on consignment or floor plan basis. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2853: Mississippi Alcoholic Beverage Corporation; create. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2907: PERS optional retirement program for IHL employees; revise remittance of employer's contribution based on start date. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2830: Mississippi Flexible Tax Incentive Act; revise definition and annual report due date, and correct agency reference. Title Sufficient. Do Pass.

HARKINS, Chairman

REPORT OF COMMITTEES ON
PUBLIC HEALTH AND WELFARE AND FINANCE

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

S. B. No. 2862: Radiological health services; authorize Board of Health to collect fees in congruence with certain federal regulation. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2886: Nicotine vapor device directory; require manufacturers to provide certification, set penalties and other provisions. Title Sufficient. Committee Substitute. Do Pass.

BRYAN, Chairman
HARKINS, Chairman

REPORT OF COMMITTEE ON ECONOMIC AND WORKFORCE DEVELOPMENT

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2717: Mississippi Prison Industries Corporation; clarify conflicts in laws concerning leadership. Title Sufficient. Committee Substitute. Do Pass.

SPARKS, Chairman

REPORT OF COMMITTEE ON COUNTY AFFAIRS

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2502: Counties; shorten notice requirement for special meetings from five days to 24 hours. Title Sufficient. Committee Substitute. Do Pass.

SIMMONS (12TH), Chairman

REPORT OF COMMITTEE ON COUNTY AFFAIRS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2699: Purchasing law; raise expenditure triggering requirements for competitive bids. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2923: Residential builders and remodelers; revise license examination for certain license applicants. Title Sufficient. Committee Substitute. Do Pass.

SIMMONS (12TH), Chairman

REPORT OF COMMITTEES ON
MUNICIPALITIES AND COUNTY AFFAIRS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2856: Cleaning dilapidated property; bring forward code sections related to. Title Sufficient. Committee Substitute. Do Pass.

MCMAHAN, Chairman
SIMMONS (12TH), Chairman

REPORT OF COMMITTEES ON
GOVERNMENT STRUCTURE AND VETERANS AND MILITARY AFFAIRS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2514: State Veterans Affairs Board; revise composition of. Title Sufficient. Committee Substitute. Do Pass.

JOHNSON, Chairman
TATE, Chairman

REPORT OF COMMITTEE ON MEDICAID

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2733: Pharmaceuticals; authorize the Division of Medicaid to establish a wholesale prescription drug importation program. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2735: Medicaid reimbursement, services, beneficiaries, hospital assessment and premium tax; bring forward sections. Title Sufficient. Do Pass.

S. B. No. 2823: Medicaid; revise various technical provisions related thereto, including reimbursement levels and facility eligibility. Title Sufficient. Committee Substitute. Do Pass.

BLACKWELL, Chairman

REPORT OF COMMITTEE ON APPROPRIATIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2841: State Treasury Efficiency Act; enact. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2848: ARPA programs; revise related fund and bring forward provisions related to. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2487: The Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund; bring forward provision related to. Title Sufficient. Committee Substitute. Do Pass.

HOPSON, Chairman

REPORT OF COMMITTEES ON
AGRICULTURE AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2004: Grain grading; require state or federal certification and compliance with Federal Grain Inspection Service standards. Title Sufficient. Committee Substitute. Do Pass.

YOUNGER, Chairman
HOPSON, Chairman

REPORT OF COMMITTEES ON
EDUCATION AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

S. B. No. 2348: State Workforce Investment Board; make technical changes to provisions related thereto. Title Sufficient. Do Pass.

S. B. No. 2682: MS Critical Teacher Shortage Act of 1998; extend repealer on. Title Sufficient. Do Pass.

S. B. No. 2715: Mississippi School for Mathematics and Science; relocate to the campus of Mississippi State University. Title Sufficient. Committee Substitute. Do Pass.

DEBAR, Chairman
HOPSON, Chairman

REPORT OF COMMITTEES ON
JUDICIARY, DIVISION A AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2386: Appointed counsel; increase maximum compensation for. Title Sufficient. Do Pass.

WIGGINS, Chairman
HOPSON, Chairman

REPORT OF COMMITTEES ON
PUBLIC HEALTH AND WELFARE AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2341: Physician grant funding from Qualified Health Center Grant Program; extend date of funding. Title Sufficient. Do Pass.

BRYAN, Chairman
HOPSON, Chairman

REPORT OF COMMITTEES ON
UNIVERSITIES AND COLLEGES AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

S. B. No. 2724: Mississippi Resident Tuition Assistance and Promise Grant Program; create to provide financial assistance to students. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2728: University of Mississippi; authorize to enter long-term lease with approval of I.H.L. Title Sufficient. Committee Substitute. Do Pass.

BOYD, Chairman
HOPSON, Chairman

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 308: AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT A COUNTY HAS RECEIVED FUNDING FOR NO MORE THAN EIGHT ROUNDS FROM THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM IN ORDER TO RECEIVE ADDITIONAL MATCHING ASSISTANCE UNDER THE PROGRAM; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Berry moved that when the Senate adjourns, it adjourn in memory of Marlene Welch of Magee, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of James Henry Coulson and Barbara Louise White of Moss Point, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of David Arthur Walker of Perkinston, MS.

Senator Polk moved that the Senate stand in recess until the last committee report is filed or until 8:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, March 6, 2024.

The motion prevailed, and at 3:13 PM, the Senate stood in recess.

REPORT OF COMMITTEES ON MEDICAID AND CORRECTIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2526: Special Care Facility for Paroled Inmates; bring forward provisions for possible amendment. Title Sufficient. Committee Substitute. Do Pass.

BLACKWELL, Chairman
BARNETT, Chairman

REPORT OF COMMITTEE ON ELECTIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2580: Preelection day voting; allow. Title Sufficient. Do Pass.

S. B. No. 2058: Nonpartisan Judicial Election Act; amend to include justice court judges. Title Sufficient. Do Pass.

S. B. No. 2424: Absentee ballots; voters can cure ballots declared defective due to signature issues. Title Sufficient. Do Pass.

ENGLAND, Chairman

REPORT OF COMMITTEE ON ELECTIONS

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2575: Campaign finance; reform. Title Sufficient. Committee Substitute. Do Pass.

ENGLAND, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2822: Administrative Office of Courts; bring forward code sections related to. Title Sufficient. Do Pass.

S. B. No. 2269: Firearms, firearm entities and knives; prohibit governmental entities from entering into certain contracts regarding. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2744: Community mental health centers; rename and require certain oversight measures by Department of Mental Health. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2130: Homeowners' insurance; prohibit insurer from refusing to issue or to renew policy solely based on roof's age. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2260: Right to counsel; authorize State Defender to provide where there is a constitutional right. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2753: SAFER Act; enact. Title Sufficient. Committee Substitute. Do Pass.

WIGGINS, Chairman

REPORT OF COMMITTEES ON
INSURANCE AND JUDICIARY, DIVISION A

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2530: Peer-to-Peer Car Sharing Program Act; create. Title Sufficient. Do Pass.

MICHEL, Chairman
WIGGINS, Chairman

REPORT OF COMMITTEES ON
PUBLIC HEALTH AND WELFARE AND UNIVERSITIES AND COLLEGES

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2727: Mississippi Youth Mental Health Task Force; create and provide membership and duties. Title Sufficient. Do Pass.

BRYAN, Chairman
BOYD, Chairman

REPORT OF COMMITTEES ON
UNIVERSITIES AND COLLEGES AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2729: Rural Physician Scholarship Program and Rural Dentist Scholarship Program; bring forward provisions related thereto. Title Sufficient. Committee Substitute. Do Pass.

BOYD, Chairman
HOPSON, Chairman

REPORT OF COMMITTEES ON
UNIVERSITIES AND COLLEGES AND ENERGY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2557: Ground lease for solar installation at Mississippi Agricultural and Forestry Experimental Stations; authorize. Title Sufficient. Committee Substitute. Do Pass.

BOYD, Chairman
CARTER, Chairman

REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2156: Mississippi Rare Disease Advisory Council; create at UMMC. Title Sufficient. Do Pass.

S. B. No. 2159: Marriage and family therapists; revise certain requirements for licensure. Title Sufficient. Do Pass.

S. B. No. 2714: Qualified residential treatment programs; authorize as alternative placements for children and youth in CPS custody. Title Sufficient. Do Pass.

S. B. No. 2871: The Mississippi Juvenile Tobacco Access Prevention Act of 1997; amend to provide consistent reference to age. Title Sufficient. Do Pass.

S. B. No. 2873: Medical records retention requirements; provide for. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2874: State Board of Funeral Service; require certain continuing education courses for licensees. Title Sufficient. Do Pass.

S. B. No. 2858: Patients with life-threatening or debilitating illness; authorize to receive individualized investigative treatment. Title Sufficient. Do Pass.

S. B. No. 2860: Medication Aide Act; enact to allow aides to assist in the administration of medication in personal care homes. Title Sufficient. Committee Substitute. Do Pass.

BRYAN, Chairman

REPORT OF COMMITTEE ON AGRICULTURE

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2638: Cottage foods; further define and increase seller's allowed annual gross sales amount to $50,000.00. Title Sufficient. Committee Substitute. Do Pass.

YOUNGER, Chairman

REPORT OF COMMITTEES ON
JUDICIARY, DIVISION B AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2179: Department of Public Safety; revise certain provisions of. Title Sufficient. Committee Substitute. Do Pass.

FILLINGANE, Chairman
HOPSON, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2536: Nonprofit corporations which receive public funds; require reporting to Secretary of State. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2776: Immediate possession; authorize for certain public agencies for roads & public utilities for an economic development project. Title Sufficient. Do Pass.

WIGGINS, Chairman

REPORT OF COMMITTEE ON EDUCATION

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2680: Sixteenth section land; revise provisions regarding leasing when classified as agriculture. Title Sufficient. Do Pass.

S. B. No. 2681: Certified Academic Language Therapists; allow to help instruct students with dyslexia in schools. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2686: The Equal Opportunity for Students with Special Needs Act; extend repealer. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2690: Charter schools; set certain school accreditation rating requirements for renewal of charter. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2693: Failing schools and districts of transformation; revise certain provisions related thereto. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2691: Open enrollment; allow school district transfer if transferee board accepts, guarantee for active duty military children. Title Sufficient. Committee Substitute. Do Pass.

DEBAR, Chairman

REPORT OF COMMITTEES ON
TECHNOLOGY AND EDUCATION

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2062: Artificial Intelligence in Education Task Force Act; enact. Title Sufficient. Committee Substitute. Do Pass.

WILLIAMS, Chairman
DEBAR, Chairman

REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2916: Lobbying; require lobbyists with a material financial interest in an issue or bill to register with legislative officers. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2218: Mississippi Ireland Trade Commission; establish. Title Sufficient. Do Pass.

S. B. No. 2917: Capitol Complex Improvement District; define authority. Title Sufficient. Do Pass.

PARKER, Chairman

REPORT OF COMMITTEES ON
ELECTIONS AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2576: Voter ID; allow Secretary of State to promulgate rules regarding. Title Sufficient. Committee Substitute. Do Pass.

ENGLAND, Chairman
PARKER, Chairman

REPORT OF COMMITTEES ON
ENVIRONMENT PROT, CONS AND WATER RES AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2649: Department of Environmental Quality; provide additional powers to Executive Director. Title Sufficient. Do Pass.

DELANO, Chairman
PARKER, Chairman

REPORT OF COMMITTEES ON
PUBLIC HEALTH AND WELFARE AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2883: Community health workers; revise provisions of. Title Sufficient. Do Pass.

BRYAN, Chairman

PARKER, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 6:15 PM in memory of Marlene Welch, James Henry Coulson, Barbara Louise White and David Arthur Walker.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR TUESDAY, MARCH 5, 2024

SIXTY-FIFTH DAY, WEDNESDAY, MARCH 6, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Reverend Chad Bowen, Pastor, Forest United Methodist Church, Forest, MS.

Senator McCaughn led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Hopson called up the following entitled bill:

S. B. No. 2468: Budget; bring forward code sections related to and provide for transfers.

YEAS AND NAYS On S. B. No. 2468. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

S. B. No. 2840: Building Fund for the Arts; authorize Mississippi Arts Commission to retain monies for administrative costs.

On motion of Senator Hopson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2840. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

S. B. No. 2285: Department of Public Safety; revise salary scale.

On motion of Senator Hopson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2285. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

S. B. No. 2841: State Treasury Efficiency Act; enact.

On motion of Senator Polk, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2841. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

S. B. No. 2848: ARPA programs; revise related fund and bring forward provisions related to.

On motion of Senator Polk, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2848. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

S. B. No. 2487: The Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund; bring forward provision related to.

On motion of Senator Hopson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2487. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

S. B. No. 2470: Sales tax; move the back-to-school sales tax holiday to the second Friday in July.

YEAS AND NAYS On S. B. No. 2470. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senator DeBar as co-author of **S. B. No. 2470**.

Senator Harkins called up the following entitled bill:

S. B. No. 2567: On-premises tobacco permit; authorize Department of Revenue to issue.

YEAS AND NAYS On S. B. No. 2567. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it failed to pass, title standing as stated, by the following vote, a three-fifths vote being required:

Yeas--Barrett, Berry, Blackmon, Blount, Boyd, Bryan, Carter, DeBar, DeLano, England, Harkins, Hopson, Horhn, Jackson, Johnson, Kirby, Ladner, McCaughn, McMahan, Michel, Polk, Rhodes, Robinson, Suber, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--30.

Nays--Barnett, Blackwell, Branning, Brumfield, Butler, Chassaniol, Chism, Fillingane, Frazier, Hickman, Hill, Jordan, McLendon, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Tate, Turner-Ford. Total--22.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

S. B. No. 2801: Distinctive motor vehicle license tag; authorize for supporters of Clarkdale High School in Lauderdale County.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2801. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

S. B. No. 2803: Local Option Alcoholic Beverage Control Law; revise definition of "qualified resort area."

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2803. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.
Nays--Branning, Chism, Hill, Parker, Tate. Total--5.
Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

S. B. No. 2492: Use tax; allow municipalities to use revenue for personal property or equipment to be used for certain authorized purposes.

YEAS AND NAYS On S. B. No. 2492. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Younger moved that the rules be suspended for the consideration en bloc of S. N. No. 2, S. N. No. 62 and S. N. No. 63 and the motion prevailed.

Senator Younger called up the following entitled nominations:

S. N. No. 2: Dr. Gregory A. (Greg) Howell, DVM, Wesson, Mississippi, State Board of Animal Health, four year term effective July 1, 2023 and ending June 30, 2027, representing a licensed and practicing veterinarian who holds a Doctor of Veterinary Medical Degree.

S. N. No. 62: Terry Wayne Emerson, West Point, Mississippi, State Board of Animal Health, four year term effective August 1, 2023 and ending July 31, 2027, representing a swine breeder and producer recommended by the Mississippi Pork Producers' Association.

S. N. No. 63: Andrew Page (Andy) Prosser, Madison, Mississippi, State Board of Animal Health, four year term effective August 1, 2023 and ending July 31, 2027, representing a catfish breeder and producer recommended by the MS Catfish Association.

YEAS AND NAYS on consideration en bloc of S. N. No. 2, S. N. No. 62 and S. N. No. 63. On motion of Senator Younger, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Parker called up the following entitled bill:

S. B. No. 2307: Compensation of elected state & district officers; extend repealer on.

YEAS AND NAYS On S. B. No. 2307. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Parker called up the following entitled bill:

S. B. No. 2308: Mississippi Public Records Act; extend date of repeal on.

YEAS AND NAYS On S. B. No. 2308. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Parker called up the following entitled bill:

S. B. No. 2309: Trip optimizer for state employee travel reimbursement; extend moratorium on application to certain state agencies.

YEAS AND NAYS On S. B. No. 2309. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Parker called up the following entitled bill:

S. B. No. 2310: County authorization to assess emergency telecommunications service charge; extend date of repeal on.

YEAS AND NAYS On S. B. No. 2310. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Branning called up the following entitled bill:

S. B. No. 2509: Motor Carrier Regulatory Law; extend repeal on voluntary inspection program.

YEAS AND NAYS On S. B. No. 2509. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Barnett called up the following entitled bill:

S. B. No. 2444: Central Mississippi Pilot Prison Industries program; expand to all state, regional and private correctional facilities.

YEAS AND NAYS On S. B. No. 2444. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Barnett called up the following entitled bill:

S. B. No. 2448: "Mississippi Earned Parole Eligibility Act"; delete repealer.

On motion of Senator Barnett, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2448. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.
Nays--Chism. Total--1.
Absent and those not voting----None.
Voting Present--Branning, Hill. Total--2.

Senator Barnett called up the following entitled bill:

S. B. No. 2445: Correctional system programs; extend repealers.

On motion of Senator Barnett, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2445. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Tate entered a motion to reconsider the vote whereby **S. B. No. 2448** passed the Senate.

S. B. No. 2448: "Mississippi Earned Parole Eligibility Act"; delete repealer.

Senator McMahan entered a motion to reconsider the vote whereby **S. B. No. 2567** failed to pass the Senate.

S. B. No. 2567: On-premises tobacco permit; authorize Department of Revenue to issue.

Senator DeBar called up the following entitled bill:

S. B. No. 2169: Local supplement for assistant teachers; prohibit school districts from reducing when given state minimum raise.

YEAS AND NAYS On S. B. No. 2169. On motion of Senator Robinson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator DeBar called up the following entitled bill:

S. B. No. 2245: Education data; authorize the Department of Education to report aggregate data in compliance with federal standards.

YEAS AND NAYS On S. B. No. 2245. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator DeBar called up the following entitled bill:

S. B. No. 2246: Preschool reporting requirements; revise technical provisions related thereto.

YEAS AND NAYS On S. B. No. 2246. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator DeBar called up the following entitled bill:

S. B. No. 2339: High school graduation requirements; allow sign language to be counted as a foreign language.

YEAS AND NAYS On S. B. No. 2339. On motion of Senator Hickman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Nays--None.
Absent and those not voting----None.
Voting Present--Frazier, Norwood. Total--2.

Senator Michel called up the following entitled bill:

S. B. No. 2756: State and School Employees' Health Insurance Board; require board to determine applicable insurance benefits and exclusions.

On request of Senator Michel, unanimous consent was granted to make the following correction in **S. B. No. 2756**:

AMEND on lines 5 and 69 by striking "23-15-7**" and inserting in lieu thereof "**25-15-7**".**

POINT OF ORDER

A point of order was raised by Senator Wiggins that an amendment could not be offered when the Senate was closing on the bill.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order not well-taken.

Senator Parker offered the following AMENDMENT NO. 1.

AMEND on line 13 by striking the words "shall" and "all".

Amendment No. 1 to S. B. No. 2756 failed.

Senator Hill offered the following AMENDMENT NO. 2. (requested for division)

AMEND on lines 13 and 14 by striking the underlined language.

FURTHER, AMEND the title to conform.

POINT OF ORDER

A point of order was raised by Senator Simmons D. T. (12th) that a request for division was improper without first having had a voice vote.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order not well-taken, pursuant to Senate Rule 118.

Amendment No. 2 to S. B. No. 2756 failed.

YEAS AND NAYS On S. B. No. 2756. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackmon, Blackwell, Blount, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McLendon, McMahan,

Michel, Norwood, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Younger. Total--41.

Nays--Barrett, Boyd, Chism, Hill, Ladner, McCaughn, Parker, Parks, Polk, Seymour, Williams. Total--11.

Absent and those not voting----None.

Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 12:00 PM, the Senate stood in recess.

The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. C. R. No. 5: A CONCURRENT RESOLUTION COMMENDING MELISSA COOKSTON FOR HER OUTSTANDING SUCCESS AS A RESTAURATEUR, CHEF, AND AUTHOR.

H. C. R. No. 16: A CONCURRENT RESOLUTION COMMENDING AND CELEBRATING THE LIFE, LEGACY AND CONTRIBUTIONS OF MR. JIMMY BUFFETT, LEGENDARY AMERICAN SINGER-SONGWRITER AND BUSINESSMAN, AND EXPRESSING SINCEREST SYMPATHY UPON HIS PASSING.

H. C. R. No. 28: A CONCURRENT RESOLUTION REMEMBERING THE GALLANT SERVICE AND COMMENDING THE LIFE AND LEGACY OF GEORGE COUNTY SHERIFF'S DEPUTY JEREMY TODD MALONE, WHO WAS LOST IN THE LINE OF DUTY ON THURSDAY, JANUARY 4, 2024, AND EXPRESSING SYMPATHY TO HIS FAMILY AND FRIENDS UPON HIS PASSING.

H. C. R. No. 31: A CONCURRENT RESOLUTION COMMENDING THE DISTINGUISHED CAREER AND MERITORIOUS LEADERSHIP OF MS. PAMELA D.C. JUNIOR UPON THE OCCASION OF HER RETIREMENT AS THE DIRECTOR OF THE TWO MISSISSIPPI MUSEUMS.

Andrew Ketchings, Clerk of the House of Representatives

Senator Fillingane called up the following entitled bill:

S. B. No. 2016: Illegal dumping; increase penalties for.

YEAS AND NAYS On S. B. No. 2016. On motion of Senator Horhn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

S. B. No. 2196: Mississippi Terroristic Threats Law; provide enhanced penalty for threat against airport.

On motion of Senator Thompson, the Committee Substitute was adopted for consideration.

Senator Thompson offered the following AMENDMENT NO. 1.

AMEND on line 35 by inserting "not less than" before the word "five".

FURTHER, AMEND on line 39 by deleting the following:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to S. B. No. 2196 was adopted.

YEAS AND NAYS On S. B. No. 2196. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

S. B. No. 2288: Images or audio altered or created by digitization; criminalize dissemination of in certain circumstances.

On motion of Senator Johnson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2288. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

S. B. No. 2627: Firearms; criminalize manufacture, possession and use of machine gun conversion devices.

On motion of Senator DeLano, the Committee Substitute was adopted for consideration.

Senators DeBar and DeLano offered the following AMENDMENT NO. 1.

AMEND by inserting the following new subsection after line 28:

(4) This section shall be known as the "Jeremy Todd Malone Law."

Amendment No. 1 to S. B. No. 2627 was adopted.

YEAS AND NAYS On S. B. No. 2627. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackmon, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Johnson, Jordan, Kirby, McCaughn, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Younger. Total--39.

Nays--Chism, Hill, Seymour. Total--3.

Absent and those not voting----None.

Voting Present--Barrett, Blackwell, Branning, Jackson, Ladner, McLendon, McMahan, Parks, Tate, Whaley. Total--10.

Unanimous consent was granted to add Senator Horhn as co-author of **S. B. No. 2627**.

Senator Wiggins called up the following entitled bill:

S. B. No. 2131: Child support; create presumption that support continues past the age of majority for a disabled child.

YEAS AND NAYS On S. B. No. 2131. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

S. B. No. 2038: Adoption petitions; clarify that attached certificate may be executed by any physician.

YEAS AND NAYS On S. B. No. 2038. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

S. B. No. 2266: Mississippi Electronic Court System; require free access for public defenders.

YEAS AND NAYS On S. B. No. 2266. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting----None.
Not Voting--Sparks. Total--1.

Senator Michel called up the following entitled bill:

S. B. No. 2125: State employees; require the state to offer health savings accounts to.

On motion of Senator Johnson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2125. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

S. B. No. 2614: Uniform Post-Conviction Collateral Relief Act; amend certain provisions related to the filing of motions under.

On motion of Senator Sparks, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2614. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Bryan. Total--1.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

S. B. No. 2186: Sale of seized weapons; authorize use of proceeds to purchase equipment.

YEAS AND NAYS On S. B. No. 2186. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

S. B. No. 2626: Firearms and weapons; authorize nonviolent felons to possess and use.

On motion of Senator Hickman, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2626. On motion of Senator Hickman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it failed to pass, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blount, Boyd, Brumfield, Bryan, Butler, Fillingane, Hickman, Horhn, Jackson, Johnson, Jordan, Kirby, Michel, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Turner-Ford, Williams, Younger. Total--23.

Nays--Barrett, Berry, Blackwell, Branning, Carter, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Ladner, McCaughn, McLendon, McMahan, Norwood, Parker, Parks, Polk, Rhodes, Seymour, Suber, Tate, Thompson, Whaley, Wiggins. Total--29.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

S. B. No. 2613: Police chiefs and officers; require certain continuing education.

YEAS AND NAYS On S. B. No. 2613. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Tate called up the following entitled nomination:

S. N. No. 37: Dr. David H. McElreath, Oxford, Mississippi, State Veterans Affairs Board as the representative from the 1st Congressional District as it existed March 1, 1992, five year term effective May 5, 2023 and ending May 4, 2028.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 37 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Tate called up the following entitled nomination:

S. N. No. 38: CSM Silvester Tatum, Jackson, Mississippi, State Veterans Affairs Board to represent the 2nd Congressional District as it existed March 1, 1992, remainder of five year term effective August 1, 2023 and ending May 31, 2025, vice BG George E. Irvin, Sr..

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 38 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Branning called up the following entitled bill:

S. B. No. 2060: Memorial bridge; dedicate the Little Biloxi Bridge to World War II Infantryman Willie Edward King.

On motion of Senator Branning, the Committee Substitute was adopted for consideration.

Senator Branning offered the following AMENDMENT NO. 1.

AMEND by striking the text on line 15.

FURTHER, AMEND on line 17 by inserting before the period ", and shall stand repealed on June 30, 2024"

Amendment No. 1 to S. B. No. 2060 was adopted.

YEAS AND NAYS On S. B. No. 2060. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators DeLano and Carter as co-authors of **S. B. No. 2060**.

Senator Branning called up the following entitled bill:

S. B. No. 2634: Memorial highways; designate segment in Shannon, Lee County, as the "Johnny R. Patterson Memorial Highway."

On motion of Senator Branning, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2634. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Branning called up the following entitled bill:

S. B. No. 2643: Highways; dedicate a section of Highway 8 to William Forrest Winter.

On motion of Senator Branning, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2643. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Unanimous consent was granted to add Senators Blount and Thomas as co-authors of **S. B. No. 2643**.

Senator Bryan called up the following entitled bill:

S. B. No. 2152: Department of Human Services; authorize to enter into lease with counties and to appoint certain county directors.

YEAS AND NAYS On S. B. No. 2152. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled bill:

S. B. No. 2340: Harper Grace's Law; extend repealer on authority to research and dispense cannabidiol (CBD oil) for medical purposes.

YEAS AND NAYS On S. B. No. 2340. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled bill:

S. B. No. 2558: Mental Health Regional Commissions; authorize boards of supervisors to agree to board compositions.

YEAS AND NAYS On S. B. No. 2558. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senator Simmons D. T. (12th) as co-author of **S. B. No. 2558**.

Senator Parker called up the following entitled bill:

S. B. No. 2300: Occupational Licensing Review Board; revise membership.

On motion of Senator Parker, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2300. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Barnett called up the following entitled bill:

S. B. No. 2600: Parole and probation officers' study committee; study transferring authority and functions to DPS.

Senators Simmons D. T. (12th) and Hopson offered the following AMENDMENT NO. 1.

AMEND on line 53 by striking "its passage" and inserting the following in lieu thereof:

July 1, 2024, and shall stand repealed on June 30, 2024

Amendment No. 1 to S. B. No. 2600 was adopted.

YEAS AND NAYS On S. B. No. 2600. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

S. B. No. 2761: Judicial support staff; bring forward provision related to.

YEAS AND NAYS On S. B. No. 2761. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Whaley called up the following entitled bill:

S. B. No. 2652: Wild turkey stamps; require for wild turkey hunters 16 years of age or older.

Senators Suber and Whaley offered the following AMENDMENT NO. 1.

AMEND by striking lines 32-34 and inserting in lieu thereof the following:

(3) The fee to nonresident hunters for each stamp shall be Two Hundred Dollars ($200.00). There shall be no fee for resident hunters.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2652 was adopted.

YEAS AND NAYS On S. B. No. 2652. On motion of Senator Suber, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blount, Boyd, Bryan, Chassaniol, Chism, DeLano, England, Hill, Hopson, Horhn, Jackson, Jordan, Kirby, Ladner, McCaughn, McLendon, Parker, Parks, Polk, Rhodes, Robinson, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--33.

Nays--Barnett, Blackwell, DeBar, Fillingane, Frazier, Harkins, Johnson, Michel, Norwood, Seymour, Simmons D. T. (12th), Thomas. Total--12.

Absent and those not voting----None.

Voting Present--Branning, Brumfield, Butler, Carter, Hickman, McMahan, Simmons S. (13th). Total--7.

Senator Sparks called up the following entitled bill:

S. B. No. 2569: State employee telework policies; amend.

YEAS AND NAYS On S. B. No. 2569. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes,

Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Sparks called up the following entitled bill:

S. B. No. 2572: State Workforce Investment Board; amend to allow for proxy participation in meetings to meet quorum.

YEAS AND NAYS On S. B. No. 2572. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator DeBar called up the following entitled bill:

S. B. No. 2232: Newton Municipal School District; require election of board of trustees by population of the school district.

On motion of Senator DeBar, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2232. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator DeBar called up the following entitled bill:

S. B. No. 2349: Cardiac emergency response plans; require schools to implement and provide procedures and certain immunity related thereto.

YEAS AND NAYS On S. B. No. 2349. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane,

Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator DeBar moved that the rules be suspended to move to calendar item 161, **S. B. No. 2232**, and the motion prevailed.

On request of Senator DeBar, unanimous consent was granted to make the following correction in **S. B. No. 2232**:

AMEND on line 302 by striking the word "municipal".

Senator Barnett called up the following entitled bill:

S. B. No. 2451: Corrections; require implementation of improved model for projecting inmate population growth.

On motion of Senator Younger, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2451. On motion of Senator Younger, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

S. B. No. 2174: Motor vehicle theft; revise penalty for.

YEAS AND NAYS On S. B. No. 2174. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Blount, Hickman, Jackson, Simmons D. T. (12th). Total--4.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Parker, Hill and McLendon as co-authors of **S. B. No. 2174**.

Senator Fillingane called up the following entitled bill:

S. B. No. 2175: Receiving stolen property; revise the crime of.

YEAS AND NAYS On S. B. No. 2175. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Blount, Brumfield, Hickman, Horhn, Jackson, Simmons D. T. (12th). Total--6.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Parker, Hill and McLendon as co-authors of **S. B. No. 2175**.

Senator Wiggins called up the following entitled bill:

S. B. No. 2386: Appointed counsel; increase maximum compensation for.

YEAS AND NAYS On S. B. No. 2386. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--45.

Nays--None.

Not voting--Sparks. Total--1.

Voting Present--Barrett, Chism, Hill, McLendon, Suber, Tate. Total--6.

Senator Wiggins called up the following entitled bill:

S. B. No. 2260: Right to counsel; authorize State Defender to provide where there is a constitutional right.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2260. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons S. (13th), Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--Chism, Hill, McLendon, Sparks, Tate. Total--5.

Absent and those not voting----None.

Voting Present--Barrett, Simmons D. T. (12th), Suber. Total--3.

Senator Blackwell entered a motion to reconsider the vote whereby **S. B. No. 2652** passed the Senate.

S. B. No. 2652: Wild turkey stamps; require for wild turkey hunters 16 years of age or older.

Senator Seymour entered a motion to reconsider the vote whereby **S. B. No. 2627** passed the Senate.

S. B. No. 2627: Firearms; criminalize manufacture, possession and use of machine gun conversion devices.

Senator Parker entered a motion to reconsider the vote whereby **S. B. No. 2756** passed the Senate.

S. B. No. 2756: State and School Employees' Health Insurance Board; require board to determine applicable insurance benefits and exclusions.

Senator Hickman entered a motion to reconsider the vote whereby **S. B. No. 2626** failed to pass the Senate.

S. B. No. 2626: Firearms and weapons; authorize nonviolent felons to possess and use.

Senator Robinson moved that when the Senate adjourns, it adjourn in memory of Bobbie D. Welch of Laurel, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Cynthia J. Hickman of Saucier Community, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, March 7, 2024.

The motion prevailed, and at 4:04 PM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Bobbie D. Welch and Cynthia J. Hickman.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR WEDNESDAY, MARCH 6, 2024

SIXTY-SIXTH DAY, THURSDAY, MARCH 7, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Turner-Ford. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Steve Parten, Reservoir Campus Pastor, Pinelake Church, Brandon, MS.

Senator Harkins led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. C. R. No. 530: Designate March 2024 as "American Red Cross Month in Mississippi." Title Sufficient. Do Be Adopted.

S. C. R. No. 531: Declare that March 21, 2024, is "World Down Syndrome in Mississippi." Title Sufficient. Do Be Adopted.

S. C. R. No. 532: Commend the life of U.S. Marine Sergeant Harold Hammett of Hattiesburg, Mississippi, lost in World War II Battle Tarawa. Title Sufficient. Do Be Adopted.

S. R. No. 33: Congratulate JSU Marching Band "Sonic Boom of the South" for exciting performance during "Super Bowl LVIII Halftime Show." Title Sufficient. Do Be Adopted.

S. R. No. 34: Celebrate the legacy and memory of former Public Service Commissioner-Southern District Samuel F. (Sam) Britton. Title Sufficient. Do Be Adopted.

S. R. No. 35: Commend Millsaps "Majors" Women's Basketball Team for first-ever Conference Title. Title Sufficient. Do Be Adopted.

S. R. No. 36: Commend First Baptist Church (SBC) and First Missionary Baptist Church in Moss Point for combined services following tornado. Title Sufficient. Do Be Adopted.

S. R. No. 37: Commend Hancock High School "Hawks" Bowling Team for winning the 2024 MHSAA Class II Boys State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 38: Commend Hancock High "Lady Hawks" Girls Golf Team for winning the 2023 MHSAA Class 6A Girls Golf State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 39: Commend Hartfield Academy "Hawks" Football Team and Coach Craig Bowman for first ever MAIS 6A State Football Championship. Title Sufficient. Do Be Adopted.

S. R. No. 40: Commend Bay High "Tigers" Boys Soccer Team for winning second consecutive Class 4A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 41: Congratulate Long Beach High School "Bearcats" Soccer Team for fourth-straight Class 6A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 42: Commend West Harrison High "Hurricane" Cheer Team for their third National Championship in the last five years. Title Sufficient. Do Be Adopted.

S. R. No. 43: Commend and honor "Mississippi Links Day at the Capitol 2024" for their outstanding service. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

Senator Hopson called up the following entitled bill:

S. B. No. 2170: Appropriation; additional to Department of Health.

YEAS AND NAYS On S. B. No. 2170. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Turner-Ford. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 2844: Variable Compensation Plan; make certain amendments.

YEAS AND NAYS On S. B. No. 2844. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Turner-Ford. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 2825: Appropriations; revise certain FY2024 appropriations, fund authority and transfers.

YEAS AND NAYS On S. B. No. 2825. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Turner-Ford. Total--1.

Senator Harkins called up the following entitled bill:

S. B. No. 2226: Israel Support Act of 2019; extend repealer on.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2226. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackwell, Boyd, Branning, Bryan, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--39.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Voting Present--Blackmon, Blount, Brumfield, Butler, Frazier, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--12.

Unanimous consent was granted to add Senators Fillingane, England, Hill, Branning, McCaughn, Chism and Robinson as co-authors of **S. B. No. 2226**.

Senator Harkins called up the following entitled bill:

S. B. No. 2304: Income tax refunds; provide procedures for MDOR to set off debts owed to MDHS against, and for hearings and appeals.

On motion of Senator Fillingane, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2304. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Horhn. Total--1.

Absent and those not voting--Turner-Ford. Total--1.

Senator Harkins called up the following entitled bill:

S. B. No. 2476: Tax credits for qualified charitable and qualified foster care charitable organizations; extend repealer on.

YEAS AND NAYS On S. B. No. 2476. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner,

McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Senator Harkins called up the following entitled bill:

S. B. No. 2477: Income tax; reenact and extend repealer on credit for certain railroad expenditures.

YEAS AND NAYS On S. B. No. 2477. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Unanimous consent was granted to add Senator Branning as co-author of **S. B. No. 2477**.

Senator Barnett called up the motion to reconsider the vote whereby **S. B. No. 2448** passed the Senate and moved that it be reconsidered:

S. B. No. 2448: "Mississippi Earned Parole Eligibility Act"; delete repealer.

The foregoing motion prevailed.

Senator Barnett offered the following AMENDMENT NO. 1.

AMEND by striking lines 129 through 135 and renumbering subsections according.

FURTHER, amend by striking title and substituting:

AN ACT TO EXTEND THE AUTOMATIC REPEALER ON THE MISSISSIPPI EARNED PAROLE ELIGIBILITY ACT OF 2021; TO BRING FORWARD SECTION 1 OF CHAPTER 479, LAWS OF 2021, TO AMEND SECTIONS 47-7-3, 47-7-5 AND BRING FORWARD SECTIONS 47-7-3.1, 47-7-3.2, 47-7-15, 47-7-17 AND 47-7-18, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2448 was adopted.

YEAS AND NAYS On S. B. No. 2448. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--45.

Nays--Chism, Hill, McLendon, Parks, Seymour. Total--5.

Absent and those not voting--Turner-Ford. Total--1.

Voting Present--Branning. Total--1.

Senator Fillingane called up the motion to reconsider the vote whereby **S. B. No. 2627** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2627: Firearms; criminalize manufacture, possession and use of machine gun conversion devices.

The foregoing motion prevailed.

Senator Parker called up the following entitled bill:

S. B. No. 2404: State Bond Attorney; authorize interim appointment in case of conflict of interest.

YEAS AND NAYS On S. B. No. 2404. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Senator Branning called up the following entitled bill:

S. B. No. 2250: Squatted vehicles; ban.

YEAS AND NAYS On S. B. No. 2250. On motion of Senator Barrett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Unanimous consent was granted to add Senator Butler as co-author of **S. B. No. 2250**.

Senator Carter called up the following entitled nomination:

S. N. No. 8: Trebia Rodgers, Grenada Co., Mississippi, Commercial Mobile Radio Service Board as the representative from the MS 911 Coordinators Association, four year term beginning July 1, 2023 and ending June 30, 2027.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 8 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Senator Carter called up the following entitled bill:

S. B. No. 2453: Inadequacy of service; authorizing the commission to cancel a municipality's certificate to provide service upon findings of.

YEAS AND NAYS On S. B. No. 2453. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--37.

Nays--Barnett, Blackmon, Brumfield, Butler, Frazier, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Suber, Thomas. Total--13.

Absent and those not voting--Turner-Ford. Total--1.

Voting Present--Hickman. Total--1.

Unanimous consent was granted to add Senators Blackwell, Younger Parker as co-authors of **S. B. No. 2453**.

Senator DeBar called up the following entitled bill:

S. B. No. 2332: MAEP; revise funding formula.

On motion of Senator DeBar, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2332. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Voting Present--Hill, Ladner. Total--2.

Unanimous consent was granted to add Senators McLendon, Blount, Parker, Butler, Simmons S. (13th) and Hickman as co-authors of **S. B. No. 2332**.

Senator DeBar called up the following entitled bill:

S. B. No. 2343: Mississippi Modified School Calendar Grant Program; establish and provide eligibility criteria.

YEAS AND NAYS On S. B. No. 2343. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--45.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Voting Present--Berry, Chism, Hill, Hopson, Seymour, Simmons D. T. (12th). Total--6.

Unanimous consent was granted to add Senator Hickman as co-author of **S. B. No. 2343**.

Senator DeBar called up the following entitled bill:

S. B. No. 2556: Early Learning Collaborative Act; require the Department of Education to provide certain data on educational effects.

YEAS AND NAYS On S. B. No. 2556. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

MESSAGE FROM THE ARCHIVES AND HISTORY BD
February 27, 2024

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Rev. Reginald Maurice Buckley, Jackson, Mississippi, Mississippi Department of Archives and History Board of Trustees, unexpired term ending January 2028, vice Kimberly Campbell.

Dr. Mark Everett Keenum, Starkville, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2024 and ending January 1, 2030.

Dr. Lucius M. (Luke) Lampton, Magnolia, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2024 and ending January 1, 2030.

Katie Blount, Director
ARCHIVES AND HISTORY BD

The executive nominations in the foregoing message were referred to committees as follows:

Rev. Reginald Maurice Buckley, Mississippi Department of Archives and History Board of Trustees, unexpired term ending January 2028, Accountability, Efficiency, Transparency.

Dr. Mark Everett Keenum, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2024 and ending January 1, 2030, Accountability, Efficiency, Transparency.

Dr. Lucius M. (Luke) Lampton, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2024 and ending January 1, 2030, Accountability, Efficiency, Transparency.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. C. R. No. 5: Melissa Cookston; commend success as a restaurateur, chef and author. Rules.

H. C. R. No. 16: Jimmy Buffett; commend passing and honor the life and legacy of iconic song writer and businessman. Rules.

H. C. R. No. 28: Deputy Jeremy Todd Malone; commend life and legacy of service upon his passing. Rules.

H. C. R. No. 31: Pamela D. C. Junior; commend upon retirement as director of Two Mississippi Museums. Rules.

Senator Polk moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 11:42 AM, the Senate stood in recess.

The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1257: AN ACT TO AMEND SECTION 25-34-9, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT NOTARIES PUBLIC MAY CHARGE A FEE EXCEEDING $5.00 WHEN PERMITTED TO DO SO BY STATE LAW OR RULES PROMULGATED BY THE SECRETARY OF STATE; TO AMEND SECTION 25-34-7, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO AMEND SECTION 25-34-41, MISSISSIPPI CODE OF 1972, TO AUTHORIZE QUALIFIED NONRESIDENTS OF THE STATE OF MISSISSIPPI WHO ARE EMPLOYED OR HAVE A PRACTICE WITHIN THE STATE TO BE ISSUED A COMMISSION AS A NOTARY PUBLIC; TO AMEND SECTION 25-34-37, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1453: AN ACT RELATING TO THE FUNDING OF PUBLIC EDUCATION IN THE STATE OF MISSISSIPPI; TO CREATE NEW SECTION 37-151-201, MISSISSIPPI CODE OF 1972, TO ESTABLISH A NEW FUNDING FORMULA TO BE KNOWN AS THE "INVESTING IN THE NEEDS OF STUDENTS TO PRIORITIZE, IMPACT AND REFORM EDUCATION (INSPIRE) ACT OF 2024"; TO CREATE NEW SECTION 37-151-203, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN TERMS;

TO CREATE NEW SECTION 37-151-205, MISSISSIPPI CODE OF 1972, TO REQUIRE THE UNIFORM FUNDING FORMULA TO BE USED IN CALCULATING SCHOOL DISTRICT AND CHARTER SCHOOL FUNDING BEGINNING WITH THE 2024-2025 SCHOOL YEAR AND TO PRESCRIBE THE FORMULA; TO CREATE NEW SECTION 37-151-207, MISSISSIPPI CODE OF 1972, TO PRESCRIBE THE STUDENT BASE AMOUNT; TO CREATE NEW SECTION 37-151-209, MISSISSIPPI CODE OF 1972, TO ESTABLISH VARIOUS WEIGHTS TO BE APPLIED TO THE BASE AMOUNT FOR STUDENTS WHO ARE LOW INCOME STUDENTS, ENGLISH LANGUAGE LEARNERS, ELIGIBLE FOR SPECIAL EDUCATION SERVICES, GIFTED, ENROLLED IN CAREER AND TECHNICAL EDUCATION, AND RESIDING IN SPARSELY POPULATED SCHOOL DISTRICTS; TO CREATE NEW SECTION 37-151-211, MISSISSIPPI CODE OF 1972, TO REQUIRE STUDENT ENROLLMENT AND ATTENDANCE FIGURES TO BE DETERMINED ON THE BASIS OF AVERAGE DAILY MEMBERSHIP; TO CREATE NEW SECTION 37-151-213, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO REVIEW THE SPECIAL EDUCATION DISABILITY TIERS AND MAKE RECOMMENDATIONS RELATING TO THE USE OF AN IEP-BASED FUNDING MODEL FOR SPECIAL EDUCATION SERVICES; TO REQUIRE THE DEPARTMENT TO REPORT DATA REGARDING ENGLISH LANGUAGE LEARNERS TO CERTAIN LEGISLATIVE COMMITTEES; TO REQUIRE THE STATE BOARD OF EDUCATION TO MAKE PERIODIC RECOMMENDATIONS TO THE LEGISLATURE RELATING TO THE STUDENT BASE AMOUNT AND THE FUNDING FORMULA; TO CREATE NEW SECTION 37-151-215, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT A SCHOOL DISTRICT OR CHARTER SCHOOL HAS AUTONOMY, SUBJECT TO REGULATORY AND STATUTORY RESTRICTIONS, IN THE SPENDING OF ALL FUNDS ALLOCATED TO THAT SCHOOL DISTRICT OR CHARTER SCHOOL REGARDLESS OF THE COUNT OF STUDENTS IN WEIGHTED STUDENT CATEGORIES; TO CREATE NEW SECTION 37-151-217, MISSISSIPPI CODE OF 1972, TO REQUIRE TAX ASSESSORS TO FILE CERTAIN REPORTS WITH THE STATE DEPARTMENT OF EDUCATION AND TO REQUIRE THE DEPARTMENT TO CALCULATE DISTRICTS' REQUIRED MINIMUM MILLAGE AND THE CONTRIBUTION TO THE COST OF THE FUNDING FORMULA REQUIRED OF EACH SCHOOL DISTRICT AND CHARTER SCHOOL; TO CREATE NEW SECTION 37-151-219, MISSISSIPPI CODE OF 1972, TO REQUIRE SCHOOL DISTRICTS TO ADHERE TO STUDENT-TEACHER RATIOS DETERMINED ACCORDING TO STATE ACCREDITATION STANDARDS; TO CREATE NEW SECTION 37-151-221, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO REVIEW RULES AND REGULATIONS OF THE DEPARTMENT AND STATE BOARD OF EDUCATION WHICH INDIRECTLY CREATE A FISCAL IMPACT ON SCHOOL DISTRICTS AND TO REVISE SUCH RULES AND REGULATIONS AS APPROPRIATE TO FURTHER DISTRICT AUTONOMY; TO REQUIRE THE DEPARTMENT TO MAKE RECOMMENDATIONS TO THE LEGISLATURE FOR RELATED STATUTORY REVISIONS; TO CREATE NEW SECTION 37-151-223, MISSISSIPPI CODE OF 1972, TO ESTABLISH LIMITATIONS ON STATE FUNDING INCREASES AND DECREASES FOR SCHOOL DISTRICTS UNDER THE FUNDING FORMULA DURING EACH OF THE NEXT THREE FISCAL YEARS; TO CREATE A TASK FORCE TO EXAMINE WHETHER DISTRICTS HELD HARMLESS AND "F" RATED DISTRICTS WOULD BENEFIT FROM CONSOLIDATION; TO AMEND SECTIONS 37-57-1, 37-57-104, 37-57-105 AND 37-57-107, MISSISSIPPI CODE OF 1972, WHICH RELATE TO SCHOOL DISTRICT TAXATION, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT A PORTION OF EDUCATION ENHANCEMENT FUNDS BE DISTRIBUTED TO SCHOOL DISTRICTS TO FUND CAPITAL IMPROVEMENTS PROJECTS; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIRED DEPOSIT OF SALES TAX REVENUE INTO THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND; TO BRING FORWARD SECTION 27-67-31, MISSISSIPPI CODE OF 1972, WHICH REQUIRES A PORTION OF THE STATE USE TAXES TO BE DEPOSITED INTO THE SCHOOL AD VALOREM TAX REDUCTION FUND AND THE EDUCATION ENHANCEMENT FUND, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-115-85, MISSISSIPPI CODE OF 1972, WHICH REQUIRES A PORTION OF THE FUNDS

IN THE LOTTERY PROCEEDS FUND TO BE PAID INTO THE EDUCATION ENHANCEMENT FUND, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTIONS 1-3-26, 7-7-211, 19-9-157, 19-9-171, 25-4-29, 27-25-706, 27-33-3, 27-39-317, 29-3-47, 29-3-49, 29-3-113, 29-3-137, 31-7-9, 31-7-10, 37-1-3, 37-3-11, 37-3-83, 37-7-208, 37-7-301, 37-7-302, 37-7-303, 37-7-307, 37-7-319, 37-7-333, 37-7-339, 37-7-419, 37-9-17, 37-9-18, 37-9-23, 37-9-25, 37-9-33, 37-9-35, 37-9-37, 37-9-77, 37-11-11, 37-13-63, 37-13-64, 37-13-69, 37-15-38, 37-16-3, 37-17-6, 37-17-17, 37-19-7, 37-21-6, 37-21-7, 37-22-5, 37-23-1, 37-23-15, 37-23-69, 37-23-109, 37-23-179, 37-27-55, 37-27-57, 37-28-5, 37-28-53, 37-28,55, 37-29-1, 37-29-272, 37-29-303, 37-31-13, 37-31-75, 37-35-3, 37-37-3, 37-41-7, 37-45-49, 37-47-9, 37-47-24, 37-47-25, 37-47-33, 37-61-3, 37-61-5, 37-61-7, 37-61-19, 37-61-29, 37-61-35, 37-61-37, 37-68-7, 37-131-7, 37-131-9, 37-131-11, 37-151-9, 37-151-81, 37-151-85, 37-151-87, 37-151-89, 37-151-91, 37-151-93, 37-151-95, 37-151-97, 37-151-99, 37-151-101, 37-151-103, 37-151-105, 37-151-107, 37-173-9, 37-173-13, 37-175-13, 37-179-3, 37-181-7, 41-79-5, 43-17-5 AND 65-26-9, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO REPEAL SECTION 37-13-153, MISSISSIPPI CODE OF 1972, WHICH REQUIRED STATE FUNDING FOR HOME ECONOMICS TEACHERS TO BE INCLUDED AS A LINE ITEM IN THE EDUCATION APPROPRIATIONS BILLS FOR CERTAIN PRIOR FISCAL YEARS; TO REPEAL SECTIONS 37-151-1, 37-151-5, 37-151-6, 37-151-7, 37-151-7.1, 37-151-8, 37-151-10, 37-151-77, 37-151-79 AND 37-151-83, MISSISSIPPI CODE OF 1972, WHICH DEFINE CERTAIN TERMS AND PRESCRIBE THE FORMULA AND CERTAIN REQUIREMENTS UNDER THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM (MAEP); TO REPEAL SECTION 37-152-1, MISSISSIPPI CODE OF 1972, WHICH CREATES THE COMMISSION ON RESTRUCTURING THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM (MAEP); AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

_____

Senator Fillingane called up the following entitled bill:

S. B. No. 2355: Walker's Law; enact to criminalize sexual extortion.

President Hosemann yielded the gavel to Speaker Pro Tempore Kirby, who presided over the Senate.

Senator Simmons D. T. (12th) offered the following AMENDMENT NO. 1.

AMEND on line 84 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to S. B. No. 2355 was adopted.

YEAS AND NAYS On S. B. No. 2355. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.
Absent and those not voting--Turner-Ford. Total--1.

Unanimous consent was granted to add Senators Parker and Hickman as co-authors of **S. B. No. 2355**.

Senator England called up the following entitled bill:

S. B. No. 2144: Runoff elections; amend to lengthen the timing requirement.

On motion of Senator England, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2144. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.
Nays--None.
Absent and those not voting--Turner-Ford. Total--1.
Voting Present--Branning, Hopson. Total--2.

Senator England called up the following entitled bill:

S. B. No. 2367: Ranked-choice voting; prohibit in Mississippi elections.

YEAS AND NAYS On S. B. No. 2367. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackwell, Boyd, Branning, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horhn, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Williams, Younger. Total--37.
Nays--Barnett, Blackmon, Blount, Brumfield, Bryan, Butler, Frazier, Hickman, Jackson, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Wiggins. Total--14.
Absent and those not voting--Turner-Ford. Total--1.

Senator Parker called up the following entitled bill:

S. B. No. 2713: Regional health authorities; create the Delta Regional Health Authority and authorize creation of additional regional authorities.

On motion of Senator Parker, the Committee Substitute was adopted for consideration.

Senators Simmons D. T. (12th), Jackson, Jordan, Thomas and Simmons S. (13th) offered the following AMENDMENT NO. 1.

AMEND by striking SECTION 5 and substituting the following:

SECTION 5. Authority board. (1) There is created the Organizational Board of the Mississippi Delta Regional Health Authority (authority board). The authority board shall consist of the following thirteen (13) members:

(a) Three (3) members appointed by the Governor, one (1) from a federally qualified health center (FQHC) located in the Mississippi Delta, one (1) from a rural hospital located in the Mississippi Delta, and one (1) who has insurance coverage experience and is a resident of the Mississippi Delta;

(b) Two (2) members appointed by the Lieutenant

Governor, one (1) from a large hospital system that operates in the Mississippi Delta, and one (1) who is a financial operations officer from a hospital or federal health center located in the Mississippi Delta;

(c) Six (6) members selected by the five (5) members appointed under paragraphs (a) and (b) of this subsection, as follows:

(i) A representative of Coahoma Community College's allied health program;

(ii) A representative of Mississippi Delta Community College's nursing program;

(iii) A representative of Mississippi Valley State University's social work or environmental health program;

(iv) A representative of Delta State University's Department of Management/Marketing/Business Administration, Healthcare Administration program;

(v) An independent pharmacist who practices in the Mississippi Delta; and

(vi) An ambulatory transportation provider in the Mississippi Delta;

(d) The State Health Officer or his or her designee; and

(e) The special consultant on health care for the Delta Council.

(2) Once the authority has entered into its participation agreement, the authority organizational board shall become an operational board. Future members of the board of the Delta Regional Health Authority shall be appointed as provided in the participation agreements.

(3) The members of the authority board set forth in the participation agreement shall serve for staggered terms, and with no member serving a term longer than four (4) years; however, any member of the authority board may be reappointed to serve for two (2) additional consecutive terms. After the expiration of the initial staggered terms, all succeeding terms shall be for four (4) years from the expiration date of the previous term.

Any vacancy on the authority board shall be filled by the authority board within ninety (90) days of the vacancy for the remainder of the unexpired term.

(4) All members of the authority board shall serve without pay except for their actual travel expenses and other necessary expenses incurred in the performance of their official duties, to be reimbursed as in the case of state employees under the provisions of Section 25-3-41.

(5) All meetings of the authority board shall be subject to the Open Meetings Act in Section 25-41-1 et seq. The chief executive officer or a majority of members of the authority board may convene the board for a meeting.

(6) Except as may be otherwise provided by law, all records of the authority board shall be deemed public records and subject to public inspection as provided by Section 25-61-1 et seq.

Amendment No. 1 to S. B. No. 2713 failed.

Senator Parker offered the following AMENDMENT NO. 2.

AMEND on line 1831 by striking "its passage" and inserting in lieu thereof the following:

July 1, 2024, and shall stand repealed on June 30, 2024

Amendment No. 2 to S. B. No. 2713 was adopted.

YEAS AND NAYS On S. B. No. 2713. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackwell, Boyd, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--32.

Nays--Barnett, Blackmon, Blount, Branning, Brumfield, Butler, Chism, Frazier, Hickman, Hill, Jackson, Jordan, Norwood, Seymour, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--17.

Absent and those not voting--Bryan, Horhn, Turner-Ford. Total--3.

Senator Polk called up the following entitled bill:

S. B. No. 2272: Charities; amend the initial registration process.

YEAS AND NAYS On S. B. No. 2272. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes,

Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Senator Polk called up the following entitled bill:

S. B. No. 2545: Auditing threshold; define monetary donations.

YEAS AND NAYS On S. B. No. 2545. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Senator Thompson called up the following entitled bill:

S. B. No. 2653: Design-build method of contracting; extend repealer for use by State Port Authority.

YEAS AND NAYS On S. B. No. 2653. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Senator Chassaniol called up the following entitled bill:

S. B. No. 2142: Designate American Quarter Horse as the "Official State Horse of the State of Mississippi."

YEAS AND NAYS On S. B. No. 2142. On motion of Senator Hickman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner,

McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Unanimous consent was granted to add Senator Simmons S. (13th) as co-author of **S. B. No. 2142**.

Senator Suber called up the following entitled bill:

S. B. No. 2708: Department of Public Safety Headquarters; authorize DPS to sell or lease the land.

Senator Suber offered the following AMENDMENT NO. 1.

AMEND by striking lines 27 through 30 in their entirety and inserting in lieu thereof the following:

> A parcel of land situated in the Southeast One-Quarter (SE ¼) of the Southeast One-Quarter (SE ¼) and a part of the Southwest One-Quarter (SW ¼) of the Southeast One-Quarter (SE ¼), of Section 26, Township 6 North, Range 1 East, City of Jackson, First Judicial District of Hinds County, Mississippi and more particularly described as being bounded on the North and West by that certain parcel of land conveyed to the University of Mississippi Medical center and bounded on the East by Interstate Highway 55 right of way and bounded on the South by the North right of way of Woodrow Wilson Boulevard acquired by State Highway Commission and contains 9.6 acres, more or less.

AMEND by striking Sections 2 through 7 in their entirety and renumbering subsequent sections accordingly.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2708 was adopted.

Senator Blount offered the following AMENDMENT NO. 2.

AMEND on line 304 by inserting the following before the period:

and shall stand repealed on the day before its passage.

Amendment No. 2 to S. B. No. 2708 was adopted.

YEAS AND NAYS On S. B. No. 2708. On motion of Senator Suber, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner,

McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Senator Horhn entered a motion to reconsider the vote whereby **S. B. No. 2226** passed the Senate.

S. B. No. 2226: Israel Support Act of 2019; extend repealer on.

Senator Bryan called up the following entitled bill:

S. B. No. 2072: Physical therapy practice laws; revise various provisions of.

YEAS AND NAYS On S. B. No. 2072. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Not voting--Boyd. Total--1.

Voting Present--Hill, Michel, Seymour, Suber. Total--4.

Senator Bryan called up the following entitled bill:

S. B. No. 2157: Psychology Interjurisdictional Compact; enact.

Senator Bryan offered the following AMENDMENT NO. 1.

AMEND on line 1581 by striking "July 1, 2024" and inserting "its passage" in lieu thereof.

Amendment No. 1 to S. B. No. 2157 was adopted.

YEAS AND NAYS On S. B. No. 2157. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes,

Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Hill. Total--1.

Absent and those not voting--Turner-Ford. Total--1.

Senator Polk called up the following entitled bill:

S. B. No. 2788: Mississippi Real Estate Commission; remove Home Inspector Board.

President Pro Tempore Kirby yielded the gavel to Senator Hopson, who presided over the Senate.

Senator Hopson yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

YEAS AND NAYS On S. B. No. 2788. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Senator Carter called up the following entitled bill:

S. B. No. 2283: Public Service Commission; extend date of repeal on.

YEAS AND NAYS On S. B. No. 2283. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Senator Carter called up the following entitled bill:

S. B. No. 2454: Mississippi Gulf Coast Region Utility Act; set to repeal on July 1, 2024.

YEAS AND NAYS On S. B. No. 2454. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Senator Wiggins called up the following entitled bill:

S. B. No. 2550: Assistant district attorneys and criminal investigators; bring forward provisions related to.

YEAS AND NAYS On S. B. No. 2550. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Senator Whaley called up the following entitled bill:

S. B. No. 2662: Johnny Kakales Act; enact to allow use of drones for hunting, trapping and taking wild hogs.

On motion of Senator Brumfield, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2662. On motion of Senator Brumfield, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Unanimous consent was granted to add Senator Jackson as co-author of **S. B. No. 2662**.

Senator Boyd called up the following entitled bill:

S. B. No. 2408: Identification cards and driver's licenses; require to have 988 Crisis Lifeline information.

YEAS AND NAYS On S. B. No. 2408. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Turner-Ford. Total--1.

Senator England called up the following entitled bill:

S. B. No. 2425: Ballot harvesting; define terms.

On motion of Senator Tate, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2425. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--47.
Nays--Jordan, Norwood, Simmons D. T. (12th), Thomas. Total--4.
Absent and those not voting--Turner-Ford. Total--1.

Senator Wiggins called up the following entitled bill:

S. B. No. 2771: Judicial redistricting; bring forward code sections related to.

YEAS AND NAYS On S. B. No. 2771. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner,

McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Senator Sparks called up the following entitled bill:

S. B. No. 2570: Office of Workforce Development; extend exemption from PPRB provisions on rental/leasing of real property for agency business.

YEAS AND NAYS On S. B. No. 2570. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Turner-Ford. Total--1.

Senator DeBar called up the following entitled bill:

S. B. No. 2685: Retired teachers; authorize to receive PERS benefits and work full-time in certain critical shortage areas.

On motion of Senator Parker, the Committee Substitute was adopted for consideration.

President Pro Tempore Kirby yielded the gavel to President Hosemann, who presided over the Senate.

YEAS AND NAYS On S. B. No. 2685. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Bryan, Parks, Turner-Ford. Total--3.

Unanimous consent was granted to add Senators McLendon, Williams, Barnett, Sparks, Simmons S. (13th), Simmons D. T. (12th), Boyd, McCaughn, Thomas, Jordan, Brumfield, Jackson, Hickman and Butler as co-authors of **S. B. No. 2685**.

Senator DeLano entered a motion to reconsider the vote whereby **S. B. No. 2408** passed the Senate.

S. B. No. 2408: Identification cards and driver's licenses; require to have 988 Crisis Lifeline information.

Senator Sparks entered a motion to reconsider the vote whereby **S. B. No. 2260** passed the Senate.

S. B. No. 2260: Right to counsel; authorize State Defender to provide where there is a constitutional right.

Senator Simmons D. T. (12th) entered a motion to reconsider the vote whereby **S. B. No. 2713** passed the Senate.

S. B. No. 2713: Regional health authorities; create the Delta Regional Health Authority and authorize creation of additional regional authorities.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Friday, March 8, 2024.

The motion prevailed, and at 4:47 PM, the Senate stood in recess.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 874: AN ACT TO BRING FORWARD SECTION 45-1-12, MISSISSIPPI CODE OF 1972, WHICH IS THE SALARY SCALE FOR OFFICERS OF THE MISSISSIPPI HIGHWAY SAFETY PATROL AND THE MISSISSIPPI BUREAU OF NARCOTICS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1210: AN ACT TO ESTABLISH THE "DR. ELTON MAC HUDDLESTON RURAL VETERINARIANS SCHOLARSHIP PROGRAM AT MISSISSIPPI STATE UNIVERSITY" FOR THE PURPOSE OF PROVIDING SCHOLARSHIPS TO QUALIFYING STUDENTS PURSUING A DEGREE IN VETERINARY MEDICINE, WHO WILL THEN COMMIT TO THE PRACTICE OF VETERINARY MEDICINE IN RURAL AREAS OF THE STATE; TO PROVIDE THAT THE DEAN OF THE MISSISSIPPI STATE UNIVERSITY COLLEGE OF VETERINARY MEDICINE SHALL ADMINISTER THE SCHOLARSHIP PROGRAM; TO CAP THE NUMBER OF SCHOLARSHIPS AWARDED ANNUALLY; TO LIMIT TO FOUR YEARS DURATION FOR WHICH A STUDENT MAY RECEIVE SCHOLARSHIP FUNDS; TO DEFINE TERMINOLOGY USED IN THE ACT; TO AUTHORIZE THE DEAN OF THE COLLEGE OF VETERINARY MEDICINE TO

PROMULGATE RULES AND REGULATIONS FOR THE ADMINISTRATION OF THE PROGRAM WITH THE ADVICE AND CONSENT OF THE PRESIDENT OF MISSISSIPPI STATE UNIVERSITY AND THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING; TO PRESCRIBE THE MINIMUM CRITERIA FOR ELIGIBILITY FOR RECEIPT OF SCHOLARSHIP, CONTINUED MAINTENANCE OF THE SCHOLARSHIP AND POST PROGRAM COMPLETION OBLIGATIONS AND PENALTIES FOR FAILURE TO PERFORM THE CONTRACTUAL OBLIGATION OF THE SCHOLARSHIP AGREEMENT; TO AUTHORIZE THE MISSISSIPPI STATE UNIVERSITY COLLEGE OF VETERINARY MEDICINE IS AUTHORIZED TO ACCEPT GIFTS, DONATIONS, BEQUESTS, GRANTS AND ANY OTHER MONIES FROM ANY SOURCE WHATSOEVER TO BE USED FOR THE PURPOSES OF ADMINISTERING THE PROGRAM; TO REQUIRE THE DEAN TO SUBMIT AN ANNUAL REPORT TO THE LEGISLATURE WITH INFORMATION ABOUT WHO RECEIVED SCHOLARSHIPS UNDER THE PROGRAM AND HOW MUCH EACH PERSON RECEIVED, AND THE AMOUNT OF ANY GIFTS, DONATIONS AND OTHER FUNDS RECEIVED AND HOW THOSE FUNDS WERE USED FOR THE PURPOSE OF THE PROGRAM; AND FOR RELATED PURPOSES.

H. B. No. 1355: AN ACT TO AMEND SECTION 25-9-147, MISSISSIPPI CODE OF 1972, TO REQUIRE THE LEGISLATURE, UPON CONSULTATION WITH THE STATE PERSONNEL BOARD, TO DEVELOP SALARY FUNDING LEVELS FOR EACH STATE AGENCY UNDER THE PURVIEW OF THE STATE PERSONNEL BOARD; TO REQUIRE AN AGENCY UNDER THE PURVIEW OF THE STATE PERSONNEL BOARD TO ENSURE THAT ALL PERSONAL SERVICES ACTIONS AND PAYROLL WILL NOT EXCEED THE SALARY FUNDING LEVELS PROVIDED BY THE STATE PERSONNEL BOARD; TO REQUIRE AN AGENCY TO CONTACT THE STATE PERSONNEL BOARD, THE LEGISLATIVE BUDGET OFFICE AND THE STATE FISCAL OFFICER TO REQUEST A REVISED SALARY FUNDING LEVEL IF THE AGENCY DETERMINES THAT THE SALARY FUNDING LEVEL IS INSUFFICIENT; TO AUTHORIZE THE STATE PERSONNEL BOARD TO APPROVE OR DENY REQUESTS TO REVISE THE SALARY FUNDING LEVELS; TO REQUIRE THE STATE PERSONNEL BOARD TO SEND NOTIFICATION TO CERTAIN ENTITIES WHEN THE STATE PERSONNEL BOARD APPROVES OR DENIES A REQUEST TO REVISE AN AGENCY'S SALARY FUNDING LEVEL; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2926: Appropriation; additional appropriations for various state agencies for FY2024 & FY2025.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. C. R. No. 504: Mourning the passing of former Natchez Mayor and MDOT Executive Director Larry "Butch" Brown and recognizing his public service.

S. C. R. No. 505: Extend sympathy of the Legislature to the family of George County Deputy Sheriff Jeremy Malone who was lost in the line of duty.

S. C. R. No. 506: Extend sincerest sympathy of Mississippi Senate to surviving family of former Senator John G. Corlew.

S. C. R. No. 508: Extend sympathy of the Legislature on the passing of legendary Mississippi Blues-Rock Musician Greg "Fingers" Taylor.

S. C. R. No. 510: Mourn the loss and commend the life of Luster Bayless, legendary Costumer to John Wayne.

S. C. R. No. 515: Mourn the passing and recognize legal career of former Mississippi Supreme Court Justice James L. Robertson.

S. C. R. No. 516: Recognize Mississippi Supreme Court Presiding Justice Leslie D. King for "60 Courageous Judges Award."

S. C. R. No. 517: Extend sympathy of the Legislature on the passing of Margarett Allen-Bingham first female superintendent of correctional facility in MS.

S. C. R. No. 518: Mourn the loss and celebrate the contributions and career of Mississippi music icon and Tropical Rock legend Jimmy Buffett.

S. C. R. No. 519: Congratulate Ole Miss "Rebels" 2023 Football Team for historic season and dominating Peach Bowl victory.

Andrew Ketchings, Clerk of the House of Representatives

_____

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 177: AN ACT TO ENACT INTO LAW THE DIETITIAN LICENSURE COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-10-3, 73-10-7, AND 73-10-15, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 310: AN ACT TO AMEND SECTION 63-21-69, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF DAYS BY WHICH THE NEW OWNER OF THE VEHICLE HAS TO MAKE APPLICATION FOR ISSUANCE OF PRIVILEGE LICENSE TAG FROM SEVEN TO THIRTY WORKING DAYS; AND FOR RELATED PURPOSES.

H. B. No. 315: AN ACT TO AMEND SECTIONS 25-15-13, 37-13-91, 37-23-63, 41-4-18, 41-7-173, 41-7-191, 43-7-61 AND 43-18-1, MISSISSIPPI CODE OF 1972, TO MODERNIZE THE TERMINOLOGY THAT IS USED IN STATE STATUTES TO REFER TO PERSONS WITH AN INTELLECTUAL DISABILITY BY REPLACING THE TERM

"MENTALLY RETARDED" WITH "INTELLECTUAL DISABILITY"; AND FOR RELATED PURPOSES.

H. B. No. 317: AN ACT TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL DESIGN AND CAUSE TO BE CONSTRUCTED AND MAINTAINED AN EMERGENCY MEDICAL SERVICES MEMORIAL TO HONOR THOSE EMERGENCY MEDICAL SERVICES PERSONNEL WHO HAVE GIVEN THEIR LIVES IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES AND THOSE WHO HAVE MADE A DRAMATIC IMPACT ON OR SUBSTANTIAL CONTRIBUTION TO EMERGENCY MEDICAL SERVICES IN MISSISSIPPI; TO PROVIDE THAT THE DEPARTMENT SHALL FORM, ESTABLISH AND/OR COLLABORATE WITH A PRIVATE FOUNDATION OR NONPROFIT CORPORATION TO MAINTAIN THE MEMORIAL IN PERPETUITY AND DETERMINE THE ELIGIBILITY OF THOSE PERSONS TO BE INCLUDED ON THE MEMORIAL; AND FOR RELATED PURPOSES.

H. B. No. 760: AN ACT TO AMEND SECTION 41-99-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE BY WHICH THE STATE DEPARTMENT OF HEALTH MAY AWARD GRANTS TO MISSISSIPPI QUALIFIED HEALTH CENTERS FOR PURPOSES OF INCREASING ACCESS TO SERVICES FOR UNINSURED AND MEDICALLY INDIGENT PATIENTS AND PROVIDING A ONE-TIME SALARY SUPPLEMENT TO PRIMARY CARE PHYSICIANS BEING RECRUITED; AND FOR RELATED PURPOSES.

H. B. No. 845: AN ACT TO AMEND SECTION 79-11-507, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT A CHARITABLE ORGANIZATION'S ANNUAL FINANCIAL STATEMENT FILED WITH THE SECRETARY OF STATE MUST BE ACCOMPANIED BY FORMS REQUIRED TO BE FILED WITH THE INTERNAL REVENUE SERVICE FOR THE ORGANIZATION'S MOST RECENT FISCAL YEAR END; AND FOR RELATED PURPOSES.

H. B. No. 978: AN ACT TO AMEND SECTION 35-1-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE VETERANS AFFAIRS BOARD SHALL HAVE THIRTY DAYS AFTER RECEIVING WRITTEN NOTICE OF A CLAIM THROUGH POWER OF ATTORNEY ON BEHALF OF A VETERAN IN ORDER TO PROCESS THE CLAIM; TO PROVIDE THAT IF THE APPEAL TIME IS LESS THAN THIRTY DAYS THE STATE VETERANS AFFAIRS BOARD MAY ONLY ADVISE THE VETERAN WITH THE CLAIM; AND FOR RELATED PURPOSES.

H. B. No. 1000: AN ACT TO AMEND SECTION 79-4-14.21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE NOTICE OF DISSOLUTION TO A CORPORATION BY ELECTRONIC MAIL ONLY; TO AMEND SECTION 79-4-15.31, MISSISSIPPI CODE OF 1972, TO AUTHORIZE NOTICE OF REVOCATION OF A CERTIFICATE OF AUTHORITY TO A CORPORATION BY ELECTRONIC MAIL ONLY; TO AMEND SECTION 79-29-823, MISSISSIPPI CODE OF 1972, TO AUTHORIZE NOTICE OF DISSOLUTION TO A LIMITED LIABILITY COMPANY BY ELECTRONIC MAIL ONLY; TO AMEND SECTION 79-29-1023, MISSISSIPPI CODE OF 1972, TO AUTHORIZE NOTICE OF ADMINISTRATIVE REVOCATION OF REGISTRATION TO A FOREIGN LIMITED LIABILITY COMPANY BY ELECTRONIC MAIL ONLY; AND FOR RELATED PURPOSES.

H. B. No. 1001: AN ACT TO AMEND SECTION 35-1-41, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE VETERANS AFFAIRS BOARD TO PROVIDE INTERMENTS IN THE VETERANS CEMETERIES UNDER THE FEDERAL BURIAL EQUITY FOR GUARDS AND RESERVES ACT; TO SPECIFY THE INDIVIDUALS WHO ARE ELIGIBLE FOR INTERNMENT UNDER THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1021: AN ACT TO AMEND SECTIONS 75-67-309 AND 75-67-315, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF BANKING AND CONSUMER FINANCE TO ESTABLISH BY RULE, REGULATION OR ORDER, A PROCESS TO ALLOW CERTAIN PURCHASED AND/OR PLEDGED GOODS TO BE

STORED OFF PREMISES, AT A SECURE, NONRESIDENTIAL LOCATION; AND FOR RELATED PURPOSES.

H. B. No. 1062: AN ACT TO AMEND SECTION 75-67-313, MISSISSIPPI CODE OF 1972, TO AUTHORIZE PAWNBROKERS TO PASS CREDIT AND DEBIT CARD PROCESSING CHARGES TO THE CUSTOMERS; AND FOR RELATED PURPOSES.

H. B. No. 1102: AN ACT TO AMEND SECTION 43-19-48, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO USE A FINANCIAL INSTITUTION'S APPROVED METHODS OF COMMUNICATION TO SEND NOTICE OF ENCUMBRANCES; AND FOR RELATED PURPOSES.

H. B. No. 1123: AN ACT TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION, ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, TO TRANSFER AND CONVEY TO THE BOARD OF SUPERVISORS OF GREENE COUNTY, MISSISSIPPI, A CERTAIN PARCEL OF LAND SITUATED IN GREENE COUNTY, MISSISSIPPI, WHICH IS ADJACENT TO THE OLD HIGHWAY 63 CHICKASAWHAY RIVER BRIDGE; AND FOR RELATED PURPOSES.

H. B. No. 1129: AN ACT TO AMEND SECTIONS 41-123-1, 41-123-3, 41-123-5, 41-123-7, 41-123-9, AND 41-123-11, MISSISSIPPI CODE OF 1972, TO TRANSFER THE OFFICE OF MISSISSIPPI PHYSICIAN WORKFORCE FROM THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER TO THE STATE DEPARTMENT OF HEALTH; TO BRING FORWARD SECTION 41-123-13, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1153: AN ACT TO AMEND SECTIONS 97-32-5, 97-32-11, 97-32-15, AND 97-32-23, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE SALE OF TOBACCO TO ANY PERSON UNDER THE AGE OF 21 YEARS; TO BRING FORWARD SECTIONS 97-32-27 AND 97-32-29, MISSISSIPPI CODE OF 1972, WHICH REGULATE TOBACCO ON EDUCATIONAL PROPERTY, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1161: AN ACT TO AMEND SECTION 67-1-14, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MUNICIPALITIES LOCATED IN COUNTIES THAT HAVE VOTED AGAINST COMING OUT FROM UNDER THE DRY LAW MAY AUTHORIZE THE SALE OF ALCOHOLIC BEVERAGES PURSUANT TO AN ELECTION; AND FOR RELATED PURPOSES.

H. B. No. 1190: AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; AND FOR RELATED PURPOSES.

H. B. No. 1220: AN ACT TO AMEND SECTION 29-1-145, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO REIMBURSE COUNTIES AND MUNICIPALITIES FOR THE COST OF REMOVING TREES POSING A DANGER FROM TAX FORFEITED PROPERTY THAT HAS BEEN CERTIFIED TO THE STATE; TO PRESCRIBE THE MANNER IN WHICH FUNDS COLLECTED FOR THE MAINTENANCE OF TAX FORFEITED PARCELS ARE TO BE ALLOCATED TO COUNTIES AND MUNICIPALITIES; TO BRING FORWARD SECTION 29-1-95, MISSISSIPPI CODE OF 1972, WHICH CREATES THE LAND RECORDS MAINTENANCE FUND AND REQUIRES UNOBLIGATED FUNDS REMAINING AT THE END OF A FISCAL YEAR TO LAPSE INTO THE GENERAL FUND, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1230: AN ACT TO AMEND SECTION 37-7-104.3, MISSISSIPPI CODE OF 1972, TO EXTEND THE BONDING AUTHORITY OF THE SCHOOL BOARD FOR

THE STARKVILLE-OKTIBBEHA CONSOLIDATED SCHOOL DISTRICT UNTIL JULY 1, 2027; AND FOR RELATED PURPOSES.

H. B. No. 1404: AN ACT TO AMEND SECTIONS 23-15-171, 23-15-191, 23-15-193, 23-15-213, 23-15-833, 23-15-857, 23-15-981, 23-15-1031, 23-15-1083, 37-5-9, 37-7-215, 37-7-217, 37-7-227 AND 37-7-711, MISSISSIPPI CODE OF 1972, TO REVISE THE TIME FOR HOLDING RUNOFF ELECTIONS TO FOUR WEEKS AFTER THE FIRST ELECTION INSTEAD OF THREE WEEKS; AND FOR RELATED PURPOSES.

H. B. No. 1417: AN ACT TO AMEND SECTION 57-117-5, MISSISSIPPI CODE OF 1972, TO EXPAND THE RADIUS IN WHICH A HEALTH CARE INDUSTRY FACILITY MUST BE LOCATED FROM CERTAIN FACILITIES IN ORDER FOR THE AREA TO QUALIFY FOR CERTIFICATION AS A HEALTH CARE INDUSTRY ZONE BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; AND FOR RELATED PURPOSES.

H. B. No. 1519: AN ACT TO AUTHORIZE ANY TOWN IN THE STATE OF MISSISSIPPI WITH A SHORT-LINE RAILROAD PARTIALLY WITHIN ITS CORPORATE LIMITS TO CARRY-OUT AND IMPLEMENT, BY AND THROUGH ITS GOVERNING BODY, THE ACQUISITION, RESTORATION, CONSTRUCTION, OWNERSHIP, OVERSIGHT, OPERATION AND DISPOSITION OF SUCH SHORT-LINE RAILROAD; AND FOR RELATED PURPOSES.

H. B. No. 1525: AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS REGARDING THE ISSUANCE OF ON-PREMISES RETAILER'S PERMITS IN QUALIFIED RESORT AREAS BY THE ALCOHOLIC BEVERAGE CONTROL DIVISION OF THE DEPARTMENT OF REVENUE; TO PROVIDE THAT THE RESTRICTIONS ON THE MANUFACTURING, SALE OR STORAGE OF INTOXICATING LIQUORS WITHIN CERTAIN DISTANCES OF CHURCHES, SCHOOLS AND FUNERAL HOMES DO NOT INCLUDE COMMUNITY COLLEGES, JUNIOR COLLEGES, COLLEGES OR UNIVERSITIES; TO AMEND SECTION 67-1-37, MISSISSIPPI CODE OF 1972, TO DELETE THE PROHIBITION AGAINST THE ALCOHOLIC BEVERAGE CONTROL DIVISION OF THE DEPARTMENT OF REVENUE ISSUING AN ON-PREMISES RETAILER'S PERMIT FOR THE SALE OR CONSUMPTION OF ALCOHOLIC BEVERAGES IN OR ON THE CAMPUS OF ANY COMMUNITY OR JUNIOR COLLEGE, COLLEGE OR UNIVERSITY; AND FOR RELATED PURPOSES.

H. B. No. 1618: AN ACT TO AMEND SECTIONS 25-11-5 AND 25-11-103, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "INSTRUMENTALITY" FOR THE PURPOSE OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM LAWS AND INCLUDE HEALTH CARE COLLABORATIVES IN THE DEFINITION; TO AMEND SECTION 25-11-127, MISSISSIPPI CODE OF 1972, TO EXEMPT CERTAIN PEOPLE EMPLOYED BY OR PAID FOR ANY SERVICE BY A HEALTH CARE COLLABORATIVE OR OTHER ORGANIZATION; TO BRING FORWARD SECTION 25-11-105, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1627: AN ACT TO CREATE NEW SECTION 83-1-111, MISSISSIPPI CODE OF 1972, TO EXEMPT NONPROFIT AGRICULTURAL MEMBERSHIP ORGANIZATIONS FROM INSURANCE REGULATION; TO PROVIDE THAT A NONPROFIT AGRICULTURAL MEMBERSHIP ORGANIZATION MAY PROVIDE COVERAGE FOR HEALTHCARE BENEFITS OR SERVICES FOR ITS MEMBERS AND THEIR FAMILIES PURSUANT TO CONTRACTS BETWEEN MEMBERS AND THE ORGANIZATION OR ITS AFFILIATES; TO PROVIDE THAT A NONPROFIT AGRICULTURAL MEMBERSHIP ORGANIZATION OR ITS AFFILIATE SHALL HAVE A DESIGNATED INDIVIDUAL WHO, IN CONSULTATION WITH THE STATE INSURANCE DEPARTMENT, OPERATES AS AN OMBUDSMAN TO ADDRESS CONCERNS FROM INSURED MEMBERS REGARDING THE NAMO PLAN; TO PROVIDE THAT THE STATE INSURANCE DEPARTMENT SHALL HAVE THE AUTHORITY TO REVIEW AND

COMMENT ON THE COMPLAINT, PROVIDED THAT ALL COMPLAINTS SHALL BE INVESTIGATED AND RESOLVED SOLELY BY THE OMBUDSMAN AND NAMO OR ITS DESIGNEE; TO PROVIDE CERTAIN REQUIREMENTS FOR NAMO PLANS; TO PROVIDE THAT HEALTHCARE BENEFITS OR SERVICES MAY BE SOLD OR SOLICITED ONLY BY AN INSURANCE PRODUCER WHO IS BOTH APPOINTED BY AN ORGANIZATION MEETING THE REQUIREMENTS OF THIS ACT AND LICENSED AS AN INSURANCE PRODUCER TO SELL OR SOLICIT ACCIDENT AND HEALTH INSURANCE IN THIS STATE; TO AMEND SECTION 83-1-101, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; TO BRING FORWARD SECTIONS 83-5-1 AND 83-5-3, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1440: AN ACT TO AMEND SECTIONS 97-3-21 AND 99-19-101, MISSISSIPPI CODE OF 1972, TO PROVIDE ALTERNATIVE SENTENCING OPTIONS FOR JUVENILE OFFENDERS IN COMPLIANCE WITH UNITED STATES SUPREME COURT HOLDINGS IN THE CASES OF MILLER V. ALABAMA AND ROPER V. SIMMONS; AND FOR RELATED PURPOSES.

H. B. No. 1478: AN ACT TO AMEND SECTION 97-32-51, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IT IS UNLAWFUL TO DISTRIBUTE, SELL, OFFER FOR SALE, GIVE OR FURNISH ANY ALTERNATIVE NICOTINE PRODUCT THAT CANNOT BE LEGALLY MARKETED OR SOLD UNDER FEDERAL LAW OR UNITED STATES FOOD AND DRUG ADMINISTRATION RULE, REGULATION, OR GUIDANCE; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, MARCH 7, 2024

S. C. R. No. 533: Rules

A CONCURRENT RESOLUTION RECOGNIZING AND SALUTING THE LEGISLATIVE MEMBERS OF KAPPA ALPHA PSI FRATERNITY, INC., AND DESIGNATING MARCH 12, 2024, AS "KAPPA DAY AT THE STATE KAPITOL" AND CONGRATULATING FORMER SENATOR KENNY WAYNE JONES AS THE POLITICAL ACTION CHAIRMAN OF THE MIGHTY SOUTHWESTERN PROVINCE.

By Senator(s) Simmons (12th)

SIXTY-SEVENTH DAY, FRIDAY, MARCH 8, 2024

The Senate met at 9:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Tate. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Amy Whitten, Former Counsel and Court Administrator for the MS Supreme Court and past President of the MS Forum of the International Women's Forum, Jackson, MS.

Senator Robinson led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 298: AN ACT TO AMEND SECTION 29-5-201, MISSISSIPPI CODE OF 1972, TO AMEND THE DEFINITION OF "IMPROVEMENT PROJECTS" TO ALLOW FOR THE DEMOLITION OF SLUM AND BLIGHTED STATE-OWNED PROPERTIES LOCATED WITHIN THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL ESTABLISH A PROGRAM TO PROVIDE GRANTS TO ASSIST DEVELOPERS IN PAYING COSTS ASSOCIATED WITH ACQUISITION AND DEVELOPMENT OF TAX-FORFEITED PROPERTY WITHIN THE CAPITOL COMPLEX IMPROVEMENT DISTRICT THAT HAS BEEN STRUCK OFF TO THE STATE FOR THE NONPAYMENT OF AD VALOREM

TAXES, AND TO PLACE SUCH PROPERTY INTO USE AFTER DEVELOPMENT, WHICH WILL INCREASE THE VALUE OF THE PROPERTY AND PROMOTE ECONOMIC DEVELOPMENT AND THE PUBLIC INTEREST WITHIN THE DISTRICT; TO PROVIDE AN APPLICATION PROCESS FOR ENTITIES WHO DESIRE TO PARTICIPATE IN THE GRANT PROGRAM; TO CREATE THE "CAPITOL COMPLEX IMPROVEMENT DISTRICT TAX-FORFEITED PROPERTY FUND" AS A SPECIAL FUND IN THE STATE TREASURY AND TO PROVIDE THAT MONIES IN THE SPECIAL FUND SHALL BE EXPENDED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION, UPON APPROPRIATION BY THE LEGISLATURE, TO PROVIDE GRANTS AUTHORIZED UNDER THIS ACT; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CONTRACT WITH A NONPROFIT CORPORATION FOR THE PURPOSE OF ASSISTING THE DEPARTMENT IN CARRYING OUT THE PROVISIONS OF THIS ACT; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PURPOSE OF PROVIDING FUNDS FOR THE "CAPITOL COMPLEX IMPROVEMENT DISTRICT TAX-FORFEITED PROPERTY FUND"; AND FOR RELATED PURPOSES.

H. B. No. 516: AN ACT TO BRING FORWARD SECTIONS 31-1-1, 31-1-21, 31-1-25, 31-1-27, 31-3-1, 31-3-2, 31-3-3, 31-3-5, 31-3-7, 31-3-9, 31-3-11, 31-3-13, 31-3-14, 31-3-15, 31-3-17, 31-3-16, 31-3-21, 31-3-23, 31-5-3, 31-5-15, 31-5-17, 31-5-19, 31-5-21, 31-5-23, 31-5-25, 31-5-27, 31-5-29, 31-5-31, 31-5-33, 31-5-35, 31-5-37, 31-5-39, 31-5-41, 31-5-51, 31-5-52, 31-5-53, 31-5-55, 31-5-57, 31-7-1, 31-7-3, 31-7-5, 31-7-7, 31-7-9, 31-7-10, 31-7-11, 31-7-12, 31-7-13, 31-7-13.1, 31-7-13.2, 31-7-13.3, 31-7-14, 31-7-14.1, 31-7-15, 31-7-16, 31-7-18, 31-7-21, 31-7-23, 31-7-38, 31-7-47, 31-7-49, 31-7-53, 31-7-55, 31-7-57, 31-7-59, 31-7-61, 31-7-63, 31-7-65, 31-7-67, 31-7-73, 31-7-301, 31-7-303, 31-7-305, 31-7-307, 31-7-309, 31-7-311, 31-7-313, 31-7-315, 31-7-317, 31-7-401, 31-7-403, 31-7-405, 31-7-407, 31-7-409, 31-7-411, 31-7-413, 31-7-415, 31-7-417, 31-7-419, 31-7-421, 31-7-423, 31-8-1, 31-8-3, 31-8-5, 31-8-7, 31-8-9, 31-8-11, 31-8-13, 31-9-1, 31-9-5, 31-9-9, 31-9-13, 31-9-15, 31-11-1, 31-11-3, 31-11-4, 31-11-7, 31-11-25, 31-11-27, 31-11-29, 31-11-30, 31-11-31, 31-11-33, 31-11-35, 25-53-101, 25-53-105, 25-53-107, 25-53-109, 25-53-111, 25-53-113, 25-53-115, 25-53-117, 25-53-119, 25-53-121, 25-53-123, 25-53-125, 27-104-152, 27-104-153, 27-104-155, 27-104-157, 27-104-158, 27-104-159, 27-104-161, 27-104-163, 27-104-165, 27-104-167, 57-75-3, 57-75-5, 57-75-7, 57-75-9, 57-75-11, 57-75-13, 57-75-15, 57-75-17, 57-75-19, 57-75-21, 57-75-22, 57-75-23, 57-75-25, 57-75-27, 57-75-33, 57-75-35, 57-75-37, 63-11-47, 65-25-53, 65-27-7, 47-5-357, 19-31-37, 17-25-5, 45-1-39, 47-5-64, 47-5-66, 47-5-105, 47-5-20, 47-5-47, 47-5-79, 59-9-25, 71-5-116, 65-17-105, 65-19-61, 65-19-77, 61-13-1, 61-13-5, 7-7-51, 7-7-23, 7-7-25, 59-17-31, 59-5-37, 27-115-49, 27-104-7, 25-53-191, 65-1-87, 73-13-45, 73-63-55, 17-17-121, 25-53-25, 5-3-72, 25-53-151, 25-53-3, 27-115-69, 29-5-2, 25-53-21, 57-69-3, 27-104-103, 77-3-42, 25-53-29, 25-61-9, 47-5-66, 49-2-9, 43-27-35, 25-58-21, 65-43-3, 37-101-413, 25-53-5, 25-53-191 AND 37-101-15, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 722: AN ACT TO BRING FORWARD SECTIONS 9-7-1, 9-7-3, 9-7-5, 9-7-9, 9-7-13, 9-7-15, 9-7-17, 9-7-19, 9-7-20, 9-7-21, 9-7-23, 9-7-25, 9-7-27, 9-7-29, 9-7-30, 9-7-31, 9-7-32, 9-7-33, 9-7-34, 9-7-41, 9-7-43, 9-7-45, 9-7-46, 9-7-47, 9-7-49, 9-7-53, 9-7-55, 9-7-57 AND 9-7-63, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR CIRCUIT COURT JUDGES, DISTRICTS AND TERMS OF COURT FOR DISTRICTS ONE TO TWENTY-THREE, FOR PURPOSES OF AMENDMENT; TO AMEND SECTIONS 9-7-7, 9-7-11, 9-7-14, 9-7-35, 9-7-37, 9-7-39, 9-7-42, 9-7-44, 9-7-51, 9-7-54 AND 9-7-64, MISSISSIPPI CODE OF 1972, TO CLARIFY LANGUAGE IN PROVISIONS OF LAW FOR CIRCUIT COURT DISTRICTS; TO BRING FORWARD SECTIONS 9-5-1, 9-5-3, 9-5-5, 9-5-9, 9-5-17, 9-5-19, 9-5-21, 9-5-22, 9-5-23, 9-5-27, 9-5-31, 9-5-33, 9-5-35, 9-5-37, 9-5-39, 9-5-40, 9-5-41, 9-5-43, 9-5-45, 9-5-47, 9-5-49, 9-5-51, 9-5-53, 9-5-54, 9-5-55 AND 9-5-57, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR CHANCERY COURT JUDGES, DISTRICTS AND TERMS OF COURT FOR DISTRICTS ONE TO TWENTY; TO AMEND SECTIONS 9-5-7, 9-5-11, 9-5-13, 9-5-25, 9-5-29, 9-5-36, 9-5-38, 9-5-50 AND 9-5-58, MISSISSIPPI CODE OF 1972, TO CLARIFY LANGUAGE IN PROVISIONS OF LAW FOR CHANCERY COURT DISTRICTS; TO CREATE NEW

SECTIONS 9-5-60 AND 9-5-62, WHICH CREATE THE TWENTY-FIRST CHANCERY COURT DISTRICT; TO BRING FORWARD SECTIONS 9-3-1 AND 23-15-993, MISSISSIPPI CODE OF 1972, WHICH PROVIDE THE BOUNDARIES AND DESIGNATED POSITIONS FOR THE SUPREME COURT; TO BRING FORWARD SECTION 25-31-5, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 869: AN ACT TO REQUIRE A PROSECUTOR TO GIVE NOTICE TO A LAW ENFORCEMENT OFFICER BEFORE SENDING A GIGLIO LETTER OR PLACING THE OFFICER'S NAME ON A GIGLIO LIST; TO DEFINE THE TERMS "GIGLIO LETTER" AND "GIGLIO LIST"; TO REQUIRE THE PROSECUTOR TO GIVE THE OFFICER AN OPPORTUNITY TO REVIEW MATERIALS AND MEET WITH THE PROSECUTOR BEFORE THE GIGLIO LETTER IS SENT; TO AUTHORIZE AN OFFICER TO APPEAL A PROSECUTOR'S DECISION TO SEND A GIGLIO LETTER TO THE CIRCUIT COURT IN WHICH THE OFFICER RESIDES FOR A DE NOVO REVIEW; AND FOR RELATED PURPOSES.

H. B. No. 1156: AN ACT TO AMEND SECTIONS 23-15-557, 23-15-281, 23-15-285, 23-15-35, 23-15-115, 19-3-1, 21-5-5, 21-9-59 AND 23-15-283, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO POLLING PLACE SHALL BE CLOSED WITHIN SIXTY DAYS OF ANY PRIMARY, GENERAL, RUNOFF OR SPECIAL ELECTION UNLESS EXIGENT CIRCUMSTANCES EXIST; AND FOR RELATED PURPOSES.

H. B. No. 1269: AN ACT TO AMEND SECTION 73-1-19, MISSISSIPPI CODE OF 1972, TO REVISE THE MISSISSIPPI ARCHITECT LICENSING LAWS TO AUTHORIZE MULTI-DISCIPLINARY FIRMS TO INCLUDE ARCHITECTS, LANDSCAPE ARCHITECTS AND ENGINEERS AS LONG AS ONE ACTIVE MEMBER OR STOCKHOLDER OF THE FIRM HOLDS A CERTIFICATE TO PRACTICE ARCHITECTURE IN THE STATE OF MISSISSIPPI; TO AMEND SECTION 73-2-5, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATING TO A PERSON INDICATING HE OR SHE IS PRACTICING LANDSCAPE ARCHITECTURE OR IS A LANDSCAPE ARCHITECT; AND FOR RELATED PURPOSES.

H. B. No. 1459: AN ACT TO BRING FORWARD SECTIONS 99-39-1 THROUGH 99-39-29, MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI UNIFORM POST-CONVICTION COLLATERAL RELIEF ACT, FOR PURPOSES OF AMENDMENT; TO AMEND SECTION 47-7-47, MISSISSIPPI CODE OF 1972, TO EXTEND FROM ONE YEAR TO THREE YEARS THE LATEST PERIOD OF CONFINEMENT THAT AN OFFENDER MUST SERVE BEFORE A COURT MAY PLACE AN OFFENDER ON EARNED PROBATION; AND FOR RELATED PURPOSES.

H. B. No. 1461: AN ACT TO PROVIDE THAT NO LATER THAN AUGUST 1, 2024, EVERY MANUFACTURER OF AN ENDS PRODUCT THAT IS SOLD FOR RETAIL SALE IN MISSISSIPPI SHALL EXECUTE AND DELIVER TO THE DEPARTMENT OF REVENUE A CERTIFICATION THAT THE MANUFACTURER IS COMPLIANT WITH THIS ACT; TO DEFINE CERTAIN TERMS RELATING TO THIS ACT; TO PROVIDE THAT THE INFORMATION SUBMITTED BY THE MANUFACTURER IS CONSIDERED CONFIDENTIAL COMMERCIAL OR FINANCIAL INFORMATION FOR PURPOSES OF THE MISSISSIPPI PUBLIC RECORDS ACT OF 1983; TO PROVIDE THAT BEGINNING ON OCTOBER 1, 2024, THE DEPARTMENT OF REVENUE SHALL MAINTAIN AND MAKE PUBLICLY AVAILABLE ON THE DEPARTMENT OF REVENUE'S OFFICIAL WEBSITE A DIRECTORY THAT LISTS ALL ENDS PRODUCT MANUFACTURERS, BRAND NAMES, CATEGORIES, PRODUCT NAMES, AND FLAVORS FOR WHICH CERTIFICATION FORMS HAVE BEEN SUBMITTED AND APPROVED BY THE DEPARTMENT OF REVENUE AND SHALL UPDATE THE DIRECTORY AT LEAST MONTHLY TO ENSURE ACCURACY; TO REQUIRE THE DEPARTMENT OF REVENUE TO ESTABLISH A PROCESS TO PROVIDE LICENSED RETAILERS, DISTRIBUTORS, AND WHOLESALERS NOTICE OF THE INITIAL PUBLICATION OF THE DIRECTORY AND CHANGES MADE TO THE DIRECTORY IN THE PRIOR MONTH; TO PROVIDE

THAT NEITHER A MANUFACTURER NOR ITS ENDS PRODUCTS SHALL BE INCLUDED OR RETAINED IN THE DIRECTORY IF THE DEPARTMENT OF REVENUE DETERMINES THAT THE MANUFACTURER FAILED TO PROVIDE A COMPLETE AND ACCURATE CERTIFICATION AND PROVIDE PAYMENT; TO PROVIDE THAT AFTER THIRTY CALENDAR DAYS FOLLOWING REMOVAL FROM THE DIRECTORY, THE ENDS PRODUCT OF A MANUFACTURER IDENTIFIED IN THE NOTICE OF REMOVAL AND INTENDED FOR SALE IN MISSISSIPPI ARE SUBJECT TO SEIZURE, FORFEITURE, AND DESTRUCTION, AND SHALL NOT BE PURCHASED OR SOLD FOR RETAIL SALE IN MISSISSIPPI; BEGINNING ON OCTOBER 1, 2024, OR ON THE DATE THAT THE DEPARTMENT OF REVENUE FIRST MAKES THE DIRECTORY AVAILABLE FOR PUBLIC INSPECTION ON ITS OFFICIAL WEBSITE, WHICHEVER IS LATER, ENDS PRODUCTS NOT INCLUDED IN THE DIRECTORY, SHALL NOT BE SOLD FOR RETAIL SALE IN MISSISSIPPI, EITHER DIRECTLY OR THROUGH AN IMPORTER, DISTRIBUTOR, WHOLESALER, RETAILER, OR SIMILAR INTERMEDIARY OR INTERMEDIARIES; TO PROVIDE THAT EACH RETAILER SHALL HAVE SIXTY DAYS FROM THE DATE THAT THE DEPARTMENT OF REVENUE FIRST MAKES THE DIRECTORY AVAILABLE FOR INSPECTION ON ITS PUBLIC WEBSITE TO SELL PRODUCTS THAT WERE IN ITS INVENTORY AND NOT INCLUDED IN THE DIRECTORY OR REMOVE THOSE PRODUCTS FROM INVENTORY; TO PROVIDE THAT AFTER SIXTY CALENDAR DAYS FOLLOWING PUBLICATION OF THE DIRECTORY, ENDS PRODUCTS NOT LISTED IN THE DIRECTORY AND INTENDED FOR RETAIL SALE IN MISSISSIPPI ARE SUBJECT TO SEIZURE, FORFEITURE, AND DESTRUCTION, AND MAY NOT BE PURCHASED OR SOLD FOR RETAIL SALE IN MISSISSIPPI EXCEPT AS OTHERWISE PROVIDED IN THIS ACT; TO PROVIDE THAT A RETAILER, DISTRIBUTOR, WHOLESALER, OR IMPORTER WHO SELLS OR OFFERS FOR SALE AN ENDS PRODUCT FOR RETAIL SALE IN MISSISSIPPI THAT IS NOT INCLUDED IN THE DIRECTORY SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN FIVE HUNDRED DOLLARS FOR EACH INDIVIDUAL ENDS PRODUCT OFFERED FOR SALE IN VIOLATION OF THIS ACT; TO PROVIDE THAT A MANUFACTURER WHOSE ENDS PRODUCTS ARE NOT LISTED IN THE DIRECTORY AND WHO CAUSES THE PRODUCTS THAT ARE NOT LISTED TO BE SOLD FOR RETAIL SALE IN MISSISSIPPI, IS SUBJECT TO A CIVIL PENALTY OF TEN THOUSAND DOLLARS FOR EACH INDIVIDUAL ENDS PRODUCT OFFERED FOR SALE IN VIOLATION OF THIS ACT; TO REQUIRE A MANUFACTURER LOCATED OUTSIDE OF THE UNITED STATES TO CAUSE EACH OF ITS IMPORTERS OF ANY OF ITS PRODUCTS TO BE SOLD IN MISSISSIPPI TO APPOINT, AND CONTINUALLY ENGAGE WITHOUT INTERRUPTION, THE SERVICES OF AN AGENT IN THE STATE; TO REQUIRE A MANUFACTURER TO PROVIDE WRITTEN NOTICE TO THE DIVISION THIRTY CALENDAR DAYS PRIOR TO THE TERMINATION OF THE AUTHORITY OF AN AGENT; TO PROVIDE THAT EACH RETAILER, DISTRIBUTOR, AND WHOLESALER THAT SELLS OR DISTRIBUTES ELECTRONIC NICOTINE DELIVERY SYSTEMS OR NICOTINE LIQUIDS IN THIS STATE SHALL BE SUBJECT TO AT LEAST TWO UNANNOUNCED COMPLIANCE CHECKS; TO PROVIDE THAT BEGINNING ON JANUARY 31, 2025, AND ANNUALLY THEREAFTER, THE DEPARTMENT OF REVENUE SHALL PROVIDE A REPORT TO THE LEGISLATURE THAT CONTAINS CERTAIN INFORMATION RELATED TO THE REGISTRY; AND FOR RELATED PURPOSES.

H. B. No. 1473: AN ACT TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, AS AMENDED BY SECTION 32, CHAPTER 549, LAWS OF 2023, TO REDUCE BY $6,400,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING MISSISSIPPI STATE UNIVERSITY'S DIVISION OF AGRICULTURE, FORESTRY AND VETERINARY MEDICINE IN PAYING THE COSTS OF REPAIR AND RENOVATION OF, AND UPGRADES AND IMPROVEMENTS TO DORMAN HALL AND RELATED FACILITIES; TO REDUCE BY $4,300,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING THE UNIVERSITY OF SOUTHERN MISSISSIPPI IN PAYING THE COSTS OF RENOVATION AND EXPANSION OF AND UPGRADES, IMPROVEMENTS AND ADDITIONS TO HARDY HALL TO HOUSE THE

EXECUTIVE EDUCATION CENTER AND RELATED FACILITIES AT THE GULF PARK CAMPUS; TO CREATE THE 2024 IHL CAPITAL PROJECTS FUND IN THE STATE TREASURY TO ASSIST IN PAYING THE COSTS OF IHL PROJECTS FOR WHICH BONDING AUTHORITY IS REDUCED IN THIS ACT, IN THE AMOUNT OF THE REDUCTION FOR EACH PROJECT; TO TRANSFER $10,700,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2024 IHL CAPITAL PROJECTS FUND; TO AMEND SECTION 2, CHAPTER 480, LAWS OF 2021, TO REDUCE BY $758,372.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR EAST CENTRAL COMMUNITY COLLEGE; TO REMOVE THE $2,070,016.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR EAST MISSISSIPPI COMMUNITY COLLEGE; TO REDUCE BY $2,434,814.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ITAWAMBA COMMUNITY COLLEGE; TO REMOVE THE $2,052,257.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR NORTHEAST MISSISSIPPI COMMUNITY COLLEGE; TO REMOVE THE $1,714,541.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR SOUTHWEST MISSISSIPPI COMMUNITY COLLEGE; TO CREATE THE 2024 COMMUNITY COLLEGES CAPITAL PROJECTS FUND IN THE STATE TREASURY TO ASSIST IN PAYING THE COSTS OF COMMUNITY COLLEGE CAPITAL PROJECTS FOR WHICH BONDING AUTHORITY IS REDUCED IN THIS ACT IN THE AMOUNT OF THE REDUCTION FOR EACH COMMUNITY COLLEGE; TO TRANSFER $9,030,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2024 COMMUNITY COLLEGES CAPITAL PROJECTS FUND; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO REDUCE BY $60,000,000.00 AND $5,000,000.00 THE AMOUNTS OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR PROJECTS DEFINED IN SUBPARAGRAPHS (XXVIII) AND (XXX), RESPECTIVELY, OF SECTION 57-75-5(F); TO REMOVE THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR PROJECTS DEFINED IN SUBPARAGRAPH (XXVI) OF SECTION 57-75-5(F); TO AMEND SECTION 57-75-25, MISSISSIPPI CODE OF 1972, TO REDUCE BY $50,000,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED UNDER THE MISSISSIPPI SMALL ENTERPRISE DEVELOPMENT FINANCE ACT; TO AMEND SECTION 4, CHAPTER 460, LAWS OF 2006, AS LAST AMENDED BY SECTION 10, CHAPTER 511, LAWS OF 2010, TO REDUCE BY $9,280,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE DEPARTMENT OF MARINE RESOURCES EQUIPMENT AND FACILITIES FUND; TO AMEND SECTION 2, CHAPTER 522, LAWS OF 2011, TO REDUCE BY $3,377.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE 2011 MISSISSIPPI CIVIL RIGHTS MUSEUM AND MUSEUM OF MISSISSIPPI HISTORY CONSTRUCTION FUND; TO AMEND CHAPTER 464, LAWS OF 1999, AS LAST AMENDED BY SECTION 44, CHAPTER 472, LAWS OF 2015, TO REDUCE BY $18,627.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE 1999 DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS IMPROVEMENTS FUND; TO REPEAL SECTION 3, CHAPTER 580, LAWS OF 2007, AS AMENDED BY SECTION 11, CHAPTER 431, LAWS OF 2011, WHICH AUTHORIZES THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF $4,000,000.00 FOR THE GRAND GULF ACCESS ROAD CONSTRUCTION FUND, TO BE EXPENDED UNDER THE DIRECTION OF THE MISSISSIPPI TRANSPORTATION COMMISSION; TO AMEND SECTION 10, CHAPTER 567, LAWS OF 2013, AS LAST AMENDED BY SECTION 1, CHAPTER 372, LAWS OF 2022, TO DECREASE THE AMOUNT OF STATE GENERAL BONDS AUTHORIZED TO BE ISSUED FOR THE HINDS COUNTY DEVELOPMENT PROJECT LOAN FUND; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO MAKE LOANS TO HINDS COUNTY, MISSISSIPPI, TO ASSIST IN PAYING COSTS ASSOCIATED WITH REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO THE HINDS COUNTY COURTHOUSE IN THE CITY OF JACKSON, MISSISSIPPI; TO PROVIDE THE DEPARTMENT OF FINANCE AND ADMINISTRATION WITH CERTAIN POWERS AND DUTIES REGARDING ANY SUCH LOAN; TO AUTHORIZE THE ISSUANCE OF STATE

GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE LOANS AUTHORIZED BY THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1638: AN ACT TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO SUBMIT CERTAIN DEBTS OWED TO IT TO THE DEPARTMENT OF REVENUE FOR COLLECTION THROUGH A SETOFF AGAINST A DEBTOR'S MISSISSIPPI INCOME TAX REFUND; TO PROVIDE THE AMOUNT OF THE DEBT AND INCOME TAX REFUNDS TO WHICH THIS ACT APPLIES; TO PROVIDE FOR NOTICE TO A DEBTOR AND AN OPPORTUNITY FOR THE DEBTOR TO CONTEST AND APPEAL THE SETOFF; TO PROVIDE FOR THE DUTIES OF THE DEPARTMENT OF REVENUE UNDER THIS ACT; TO AUTHORIZE THE EXCHANGE OF INFORMATION BETWEEN THE DEPARTMENT OF REVENUE AND THE DEPARTMENT OF HUMAN SERVICES CLAIMANT AGENCY THAT IS NECESSARY TO ACCOMPLISH AND EFFECTUATE THE INTENT OF THIS ACT; TO PROVIDE THAT INFORMATION OBTAINED FROM THE DEPARTMENT OF REVENUE SHALL RETAIN ITS CONFIDENTIALITY AND TO PROVIDE PENALTIES FOR THE UNLAWFUL DISCLOSURE OF SUCH INFORMATION; TO AMEND SECTION 27-7-83, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Hopson called up the following entitled bill:

S. B. No. 2846: Appropriations; make technical revisions to certain transfers and provisions related to local projects.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2846. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

Senator Harkins called up the following entitled bill:

S. B. No. 2405: Alcoholic beverages; revise certain geographic and entity restrictions.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2405. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Branning, Chism, Parker. Total--3.

Absent and those not voting--Tate. Total--1.

Senator Harkins called up the following entitled bill:

S. B. No. 2493: Bonds; repeal authorization for unissued bonds, and replace with cash funds.

YEAS AND NAYS On S. B. No. 2493. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

Senator Harkins called up the following entitled bill:

S. B. No. 2903: MS Deferred Comp; allow Roth and other after-tax accounts, and comply with qualified domestic relations orders.

YEAS AND NAYS On S. B. No. 2903. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

Senator Harkins called up the following entitled bill:

S. B. No. 2904: PERS; require any terminated plan to pay unfunded actuarial accrued liability to board in a lump sum before termination.

Senator Blount explained the bill.

Senator Sparks offered the following AMENDMENT NO. 1.

AMEND on line 308 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to S. B. No. 2904 was adopted.

YEAS AND NAYS On S. B. No. 2904. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Younger. Total--48.
Nays--Chism, Hill, Williams. Total--3.
Absent and those not voting--Tate. Total--1.

Senator Kirby moved that the rules be suspended for the consideration en bloc of H. B. No. 124 and H. B. No. 365 and the motion prevailed.

Senator Kirby called up the following measures:

H. B. No. 124: Tuskegee Airmen Day; designate the fourth Thursday in March.

H. B. No. 365: Mississippi Musicians Month; designate the month of March each year as.

YEAS AND NAYS on consideration en bloc of H. B. No. 124 and H. B. No. 365. On motion of Senator Kirby, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Tate. Total--1.

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 520, S. R. No. 29, S. R. No. 30, S. R. No. 31, S. R. No. 32, S. C. R. No. 530, S. C. R. No. 531, S. C. R. No. 532, S. R. No. 33, S. R. No. 35, S. R. No. 36, S. R. No. 37, S. R. No. 38, S. R. No. 39, S. R. No. 41, S. R. No. 42 and S. R. No. 43 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

S. C. R. No. 520: Designate "Family Medicine Appreciation Day" in Mississippi.

S. R. No. 29: Commend Co-Lin Community College "Lady Wolves" Softball Team for winning the 2023 NJCAA Division II Softball National Championship.

S. R. No. 30: Commend Kossuth Girls Bowling team for 6th straight State Title and Kossuth Boys Bowling for 3rd straight state title.

S. R. No. 31: Congratulate Sharkey-Issaquena Academy Football Team for winning MAIS Class 1A State Championship for tornado-damaged community.

S. R. No. 32: Commend Florence High School Varsity Dance Team upon winning 3A-5A State Championships in Hip Hop and Pom.

S. C. R. No. 530: Designate March 2024 as "American Red Cross Month in Mississippi."

S. C. R. No. 531: Declare that March 21, 2024, is "World Down Syndrome in Mississippi."

S. C. R. No. 532: Commend the life of U.S. Marine Sergeant Harold Hammett of Hattiesburg, Mississippi, lost in World War II Battle Tarawa.

S. R. No. 33: Congratulate JSU Marching Band "Sonic Boom of the South" for exciting performance during "Super Bowl LVIII Halftime Show."

S. R. No. 35: Commend Millsaps "Majors" Women's Basketball Team for first-ever Conference Title.

S. R. No. 36: Commend First Baptist Church (SBC) and First Missionary Baptist Church in Moss Point for combined services following tornado.

S. R. No. 37: Commend Hancock High School "Hawks" Bowling Team for winning the 2024 MHSAA Class II Boys State Championship.

S. R. No. 38: Commend Hancock High "Lady Hawks" Girls Golf Team for winning the 2023 MHSAA Class 6A Girls Golf State Championship.

S. R. No. 39: Commend Hartfield Academy "Hawks" Football Team and Coach Craig Bowman for first ever MAIS 6A State Football Championship.

S. R. No. 41: Congratulate Long Beach High School "Bearcats" Soccer Team for fourth-straight Class 6A State Championship.

S. R. No. 42: Commend West Harrison High "Hurricane" Cheer Team for their third National Championship in the last five years.

S. R. No. 43: Commend and honor "Mississippi Links Day at the Capitol 2024" for their outstanding service.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 520, S. R. No. 29, S. R. No. 30, S. R. No. 31, S. R. No. 32, S. C. R. No. 530, S. C. R. No. 531, S. C. R. No. 532, S. R. No. 33, S. R. No. 35, S. R. No. 36, S. R. No. 37, S. R. No. 38, S. R. No. 39, S. R. No. 41, S. R. No. 42 and S. R. No. 43. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane,

Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

Unanimous consent was granted to add Senator McCaughn as co-author of **S. C. R. No. 520**.

Unanimous consent was granted to add Senators McCaughn and Simmons D. T. (12th) as co-authors of **S. C. R. No. 530**.

Unanimous consent was granted to add Senators England and McCaughn as co-authors of **S. C. R. No. 531**.

Unanimous consent was granted to add Senators DeBar and England as co-authors of **S. C. R. No. 532**.

Unanimous consent was granted to add Senators England and Kirby as co-authors of **S. R. No. 33**.

Unanimous consent was granted to add Senators Kirby and McCaughn as co-authors of **S. R. No. 35**.

Unanimous consent was granted to add Senator Seymour as co-author of **S. R. No. 36**.

Unanimous consent was granted to add Senator Seymour as co-author of **S. R. No. 42**.

Unanimous consent was granted to add Senators Blount and Simmons D. T. (12th) as co-authors of **S. R. No. 43**.

Senator Kirby called up the following entitled resolution:

S. R. No. 34: Celebrate the legacy and memory of former Public Service Commissioner-Southern District Samuel F. (Sam) Britton.

YEAS AND NAYS On S. R. No. 34. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

Unanimous consent was granted to add Senators Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams and Younger as co-authors of **S. R. No. 34**.

Senator Kirby called up the following entitled resolution:

S. R. No. 40: Commend Bay High "Tigers" Boys Soccer Team for winning second consecutive Class 4A State Championship.

YEAS AND NAYS On S. R. No. 40. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

Senator Turner-Ford called up the following entitled bill:

S. B. No. 2279: Uniform Controlled Substances Act; revise schedules.

YEAS AND NAYS On S. B. No. 2279. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

Senator Simmons D. T. (12th) called up the following entitled bill:

S. B. No. 2495: County boards of supervisors; may designate board attorney to serve as hearing officer in disputes regarding delinquent solid waste fees.

YEAS AND NAYS On S. B. No. 2495. On motion of Senator Simmons D. T. (12th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Tate. Total--1.

Senator Wiggins called up the following entitled bill:

S. B. No. 2519: Mississippi Foreign Land Ownership Act; create.

On motion of Senator McCaughn, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2519. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Tate. Total--1.

Unanimous consent was granted to add Senators Barrett, Blackwell, Boyd, Branning, Carter, Chism, England, Fillingane, Hill, Jordan, Ladner, McLendon, McMahan, Parker, Robinson, Seymour, Sparks, Wiggins and Williams as co-authors of **S. B. No. 2519**.

Senator DeBar called up the following entitled bill:

S. B. No. 2684: Department of Education; to require to study and develop guidance on technology, nutrition and transportation.

YEAS AND NAYS On S. B. No. 2684. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

Unanimous consent was granted to add Senators Norwood and Brumfield as co-authors of **S. B. No. 2684**.

Senator DeBar called up the following entitled bill:

S. B. No. 2407: Assistant teachers; revise certain licensure requirements.

YEAS AND NAYS On S. B. No. 2407. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

Unanimous consent was granted to add Senators Norwood, Brumfield and Jordan as co-authors of **S. B. No. 2407**.

Senator Carter called up the following entitled bill:

S. B. No. 2601: Utility Service; prevent government restrictions based on energy source required.

YEAS AND NAYS On S. B. No. 2601. On motion of Senator Chassaniol, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

Unanimous consent was granted to add Senators Barnett, Barrett, Blackmon, Boyd, Branning, Brumfield, Butler, Carter, Chism, DeLano, Frazier, Harkins, Hill, Jordan, Ladner, McCaughn, McLendon, McMahan, Rhodes, Robinson, Seymour, Simmons S. (13th), Sparks, Suber, Thompson, Whaley, Wiggins, Williams and Younger as co-authors of **S. B. No. 2601**.

Senator Barnett called up the following entitled bill:

S. B. No. 2700: State offenders serving sentences in county jails; repeal repealer.

YEAS AND NAYS On S. B. No. 2700. On motion of Senator Simmons D. T. (12th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Tate. Total--1.

Senator Wiggins called up the following entitled bill:

S. B. No. 2529: District attorneys; amend provision related to temporary appointments.

YEAS AND NAYS On S. B. No. 2529. On motion of Senator Barrett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Tate. Total--1.

Senator Polk called up the following entitled bill:

S. B. No. 2381: Pawnbrokers; remove the requirement of on-premises retention of purchased goods.

YEAS AND NAYS On S. B. No. 2381. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Chism. Total--1.

Absent and those not voting--Tate. Total--1.

Voting Present--Hill. Total--1.

Senator Polk called up the following entitled bill:

S. B. No. 2382: Pawnbrokers; allow to pass credit or debit card processing charges to customers.

On motion of Senator McMahan, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2382. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Norwood. Total--1.

Absent and those not voting--Tate. Total--1.

Voting Present--DeBar, Harkins, Jordan, Simmons D. T. (12th). Total--4.

Senator Polk called up the following entitled bill:

S. B. No. 2532: Bonds; clarify municipalities and counties may issue serial and single term.

YEAS AND NAYS On S. B. No. 2532. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

Senator Polk called up the following entitled bill:

S. B. No. 2543: Consumer Alternative Installment Loan Act; create a cap adjustment based on the loan amount.

On motion of Senator Sparks, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2543. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.
Nays--Chism, Hill. Total--2.
Absent and those not voting--Tate. Total--1.

Senator McMahan called up the following entitled bill:

S. B. No. 2707: Business Improvement District Act; technical amendments.

Senator McMahan offered the following AMENDMENT NO. 1.

AMEND by striking the following language on lines 17 and 18:

"amendment to the district plan within the ten year-plan period,"

Amendment No. 1 to S. B. No. 2707 was adopted.

YEAS AND NAYS On S. B. No. 2707. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Tate. Total--1.

Senator Fillingane called up the following entitled bill:

S. B. No. 2135: Shoplifting; delete finding required before imposing a sentence of imprisonment.

Senators Sparks and Wiggins offered the following AMENDMENT NO. 1.

AMEND by striking lines 48 through 57 and inserting in lieu thereof the following:

(a) Upon a first shoplifting conviction the defendant shall be guilty of a misdemeanor and fined not more than One Thousand Dollars ($1,000.00), or punished by imprisonment in the county jail not to exceed six (6) months, or by both, if the court finds * * * the offender cannot be safely and effectively supervised in the community, is not amenable to community-based treatment, or poses a significant risk to public safety. If such a finding is not made, the court shall suspend the sentence of imprisonment and impose a period of probation not exceeding one (1) year or a fine of not more than One Thousand Dollars ($1,000.00).

(b) Upon a second shoplifting conviction the defendant shall be guilty of a misdemeanor and fined not more than Two Thousand Five Hundred Dollars ($2,500.00) or punished by imprisonment in the county jail for a term not less than forty-eight (48) hours, not to exceed six (6) months, or by both, if the court finds * * * the offender cannot be safely and effectively supervised in the community, is not amenable to community-based treatment, or poses a significant risk to public safety. If such a finding is not made, the court shall suspend the sentence of imprisonment and impose a period of probation not exceeding one (1) year or a fine of not more than One Thousand Dollars ($1,000.00), or both.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2135 was adopted.

YEAS AND NAYS On S. B. No. 2135. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Tate. Total--1.

Unanimous consent was granted to add Senator Hill as co-author of **S. B. No. 2135**.

Senator Fillingane called up the following entitled bill:

S. B. No. 2177: Bail; make certain amendments to provisions related to.

On motion of Senator Simmons D. T. (12th), the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2177. On motion of Senator Simmons D. T. (12th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner,

McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

Senator Fillingane called up the following entitled bill:

S. B. No. 2441: Alternative nicotine products; prohibit distribution or sale of certain products.

On motion of Senator Fillingane, the Committee Substitute was offered for consideration and the motion lost.

YEAS AND NAYS On S. B. No. 2441. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Barrett. Total--1.

Absent and those not voting--Tate. Total--1.

Unanimous consent was granted to add Senators Branning, Jordan and McLendon as co-authors of **S. B. No. 2441**.

Senator McMahan called up the following entitled bill:

S. B. No. 2856: Cleaning dilapidated property; bring forward code sections related to.

On motion of Senator McMahan, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2856. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

Unanimous consent was granted to add Senator Jordan as co-author of **S. B. No. 2856**.

Senator DeBar called up the following entitled bill:

S. B. No. 2348: State Workforce Investment Board; make technical changes to provisions related thereto.

YEAS AND NAYS On S. B. No. 2348. On motion of Senator Robinson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Tate. Total--1.

Senator England called up the following entitled bill:

S. B. No. 2424: Absentee ballots; voters can cure ballots declared defective due to signature issues.

YEAS AND NAYS On S. B. No. 2424. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Tate. Total--1.

Unanimous consent was granted to add Senator England as co-author of **S. B. No. 2424**.

Senator Hopson moved that the rules be suspended to move to calendar item 46, **S. B. No. 2926**, and the motion prevailed.

Senator Hopson called up the following House Amendment to **S. B. No. 2926** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 2:

AMEND on line 23 by changing the figure "$685,916.00" to "$565,916.00"

AMEND FURTHER by deleting lines 39 through 42 and re-lettering the following paragraph as paragraph (e).

AMEND FURTHER on line 53 by changing the figure "$2,400,000.00" to "$2,542,000.00"

AMEND FURTHER on line 59 by changing the figure "$525,000.00" to "$547,000.00"

AMEND FURTHER by inserting the following after line 73:

"(h) Olivia Y., et al v. Phil Bryant, as Governor of the State of Mississippi and the Department of Human Services, United States District Court for the Southern District of Mississippi, Jackson Division, Cause No. 3:03cv251(L)(N)..... $ 120,000.00."

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2926** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

Senator Branning entered a motion to reconsider the vote whereby **S. B. No. 2846** passed the Senate.

S. B. No. 2846: Appropriations; make technical revisions to certain transfers and provisions related to local projects.

Unanimous consent was granted to add Senator England as co-author of **S. B. No. 2355**.

S. B. No. 2355: Walker's Law; enact to criminalize sexual extortion.

Senator Sparks entered a motion to reconsider the vote whereby **S. B. No. 2348** passed the Senate.

S. B. No. 2348: State Workforce Investment Board; make technical changes to provisions related thereto.

Senator Turner-Ford entered a motion to reconsider the vote whereby **S. B. No. 2441** passed the Senate.

S. B. No. 2441: Alternative nicotine products; prohibit distribution or sale of certain products.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Doris Cain Fluker of Vaiden, MS.

Senator Robinson moved that when the Senate adjourns, it adjourn in memory of Thomas Joseph Holifield of Laurel, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Percy James Wetzel of Biloxi, MS.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. C. R. No. 47: A CONCURRENT RESOLUTION COMMENDING THE DISTINGUISHED AND EXCEPTIONALLY LAUDABLE SERVICE OF MR. RYAN MILLER PROVIDED TO THE STATE OF MISSISSIPPI AS EXECUTIVE DIRECTOR OF THE OFFICE OF WORKFORCE DEVELOPMENT (ACCELERATEMS).

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 325: AN ACT TO PROVIDE THAT A RIGHT OF FIRST REFUSAL IN REAL PROPERTY IS EXTINGUISHED UPON THE DEATH OF THE GRANTEE UNLESS THE INSTRUMENT GRANTING THE RIGHT OR A MEMORANDUM OF THE CONTRACTUAL AGREEMENT OR INSTRUMENT CLEARLY STATES THAT UPON THE GRANTEE'S DEATH, IT SHALL INURE TO THE BENEFIT OF THE GRANTEE'S HEIRS AND ASSIGNS; AND FOR RELATED PURPOSES.

H. B. No. 619: AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 15 LOCATED IN LOUIN, JASPER COUNTY, MISSISSIPPI, AS THE "MAJOR SAMUEL S. (COACH) KING MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 694: AN ACT TO AMEND SECTION 93-11-157, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT NOTICE BE PROVIDED TO ANY EMPLOYER OF A PERSON HOLDING A COMMERCIAL DRIVER'S LICENSE WHEN THE PERSON IS BEHIND ON CHILD SUPPORT AND NOTIFIED OF POSSIBLE SUSPENSION OF HIS

OR HER COMMERCIAL DRIVER'S LICENSE; TO BRING FORWARD SECTION 93-11-163, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE PROCEDURE FOR SUSPENSION OF DRIVER'S LICENSES WHEN A PERSON OWES CHILD SUPPORT; AND FOR RELATED PURPOSES.

H. B. No. 750: AN ACT TO REENACT SECTIONS 13-7-1 THROUGH 13-7-49, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE GRAND JURY ACT AND PROVIDE FOR THE OPERATION OF A STATE GRAND JURY; TO CREATE NEW SECTION 13-7-51, MISSISSIPPI CODE OF 1972, TO CODIFY AND EXTEND THE DATE OF THE REPEALER ON THE STATE GRAND JURY ACT; TO AMEND SECTION 99-11-3, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW RELATING TO VENUE FOR INDICTMENTS BY THE STATE GRAND JURY; TO AMEND SECTION 27, CHAPTER 553, LAWS OF 1993, AS LAST AMENDED BY CHAPTER 526, LAWS OF 2014, TO DELETE THE REPEALER, WHICH IS BEING CODIFIED IN NEW SECTION 13-7-51, MISSISSIPPI CODE OF 1972, FROM THE EFFECTIVE DATE SECTION OF THE ENABLING LEGISLATION THAT CREATED THE STATE GRAND JURY ACT; AND FOR RELATED PURPOSES.

H. B. No. 752: AN ACT TO REENACT SECTIONS 77-1-1 THROUGH 77-1-6, 77-1-11, 77-1-15, 77-1-25 THROUGH 77-1-43, 77-1-47 AND 77-1-49, MISSISSIPPI CODE OF 1972, WHICH CREATE THE PUBLIC SERVICE COMMISSION AND PRESCRIBE ITS POWERS AND DUTIES; TO BRING FORWARD SECTION 77-1-53, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE PROCESS FOR INSTITUTING AND CONDUCTING LEGAL PROCEEDINGS FOR THE ENFORCEMENT OF STATUTES AND REGULATIONS ADMINISTERED BY THE COMMISSION AND WHICH IS BEING ADDED TO THE REPEALER SECTION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 77-1-55, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE STATUTE AUTHORIZING THE COMMISSION AND PUBLIC UTILITIES STAFF TO HIRE ATTORNEYS AND CONSULTANTS FOR CERTAIN PROCEEDINGS; TO AMEND SECTION 77-1-51, MISSISSIPPI CODE OF 1972, TO INCLUDE SECTIONS 77-1-53 AND 77-1-55, MISSISSIPPI CODE OF 1972, IN THE SECTION PROVIDING FOR THE AUTOMATIC REPEAL OF THOSE STATUTES CREATING THE PUBLIC SERVICE COMMISSION AND PRESCRIBING ITS POWERS AND DUTIES AND TO EXTEND THE DATE OF THE REPEALER ON THOSE STATUTES; AND FOR RELATED PURPOSES.

H. B. No. 756: AN ACT TO AMEND SECTION 47-5-1251, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PRISON INDUSTRY ENHANCEMENT PROGRAM THROUGH WHICH CERTAIN OFFENDERS IN THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS MAY BE EMPLOYED BY THE NONPROFIT CORPORATION FORMED UNDER THE MISSISSIPPI PRISON INDUSTRIES ACT; AND FOR RELATED PURPOSES.

H. B. No. 757: AN ACT TO REENACT SECTIONS 47-5-901 THROUGH 47-5-909, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE AND ESTABLISH CONDITIONS FOR THE HOUSING OF STATE OFFENDERS IN COUNTY JAILS WHENEVER THE COMMISSIONER OF CORRECTIONS DETERMINES THAT PHYSICAL SPACE IS NOT AVAILABLE IN THE STATE CORRECTIONAL INSTITUTIONS; TO AMEND SECTION 47-5-911, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE REENACTED CODE SECTIONS; AND FOR RELATED PURPOSES.

H. B. No. 758: AN ACT TO AMEND SECTION 47-5-579, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE CENTRAL MISSISSIPPI CORRECTIONAL FACILITY PILOT WORK INITIATIVE UNDER WHICH CERTAIN INMATES MAY BE ALLOWED TO PARTICIPATE IN WORK, EDUCATIONAL AND REHABILITATIVE PROGRAMS WHILE SERVING THEIR SENTENCE; AND FOR RELATED PURPOSES.

H. B. No. 759: AN ACT TO REENACT SECTIONS 47-5-531 THROUGH 47-5-571, 47-5-573 AND 47-5-575, MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI PRISON INDUSTRIES ACT OF 1990; TO AMEND REENACTED SECTION 47-5-537, MISSISSIPPI CODE OF 1972, TO UPDATE REVISED AGENCY NOMENCLATURE; TO AMEND REENACTED SECTION 47-5-559, MISSISSIPPI CODE OF 1972, TO UPDATE REVISED LEGISLATIVE COMMITTEE NOMENCLATURE; TO AMEND SECTION 47-5-577, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI PRISON INDUSTRIES ACT OF 1990; AND FOR RELATED PURPOSES.

H. B. No. 770: AN ACT TO AMEND SECTIONS 37-153-7 AND 27-104-7, MISSISSIPPI CODE OF 1972, TO EXTEND THE EXPIRATION DATE ON THE EXEMPTION FOR THE OFFICE OF WORKFORCE DEVELOPMENT FROM THE REQUIREMENTS OF THE PUBLIC PROCUREMENT REVIEW BOARD WHICH RELATE TO RENTAL AGREEMENTS AND THE LEASING OF REAL PROPERTY FOR PURPOSES OF CONDUCTING AGENCY BUSINESS; AND FOR RELATED PURPOSES.

H. B. No. 823: AN ACT TO DESIGNATE THE NORTH BRIDGE LOCATED ON MISSISSIPPI HIGHWAY 309, RECORDED IDENTIFICATION BEING, MDOT BRIDGE NO. 16764, LOCATED IN NORTH BYHALIA, MARSHALL COUNTY, MISSISSIPPI, AS THE "HUBERT INGRAM MEMORIAL BRIDGE"; AND FOR RELATED PURPOSES.

H. B. No. 844: AN ACT TO AMEND SECTION 47-7-17, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI STATE PAROLE BOARD TO SOLICIT RECOMMENDATIONS FROM CERTAIN INDIVIDUALS BEFORE A PAROLE HEARING; TO REQUIRE THE MISSISSIPPI STATE PAROLE BOARD TO NOTIFY CERTAIN INDIVIDUALS WITHIN A SET PERIOD OF TIME BEFORE A PAROLE HEARING; AND FOR RELATED PURPOSES.

H. B. No. 975: AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION, ACTING ON BEHALF OF THE STATE BOARD OF MENTAL HEALTH, TO PURCHASE CERTAIN REAL PROPERTY, AND ANY IMPROVEMENTS THEREON, LOCATED WITHIN THE CITY OF TUPELO, LEE COUNTY, MISSISSIPPI, WHICH IS LOCATED ADJACENT TO THE NORTH MISSISSIPPI STATE HOSPITAL; AND FOR RELATED PURPOSES.

H. B. No. 991: AN ACT TO DESIGNATE THE ENTIRE SEGMENT OF INTERSTATE 22 THAT LIES WITHIN THE STATE OF MISSISSIPPI, ALONG WITH A PORTION OF U.S. HIGHWAY 78 LOCATED IN BYHALIA, DESOTO COUNTY, MISSISSIPPI, THAT EXTENDS NORTHWESTERLY TO ITS POINT OF BEGINNING AT THE MISSISSIPPI-TENNESSEE STATE LINE, AS THE "MEDAL OF HONOR TRAIL"; AND FOR RELATED PURPOSES.

H. B. No. 1013: AN ACT TO CREATE THE PARAMEDICS RECRUITMENT AND RETENTION SCHOLARSHIP PROGRAM; TO PROVIDE THAT THE PROGRAM SHALL BE USED BY THE OFFICE OF WORKFORCE DEVELOPMENT, WITH THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY ACTING AS THE FISCAL AGENT, FOR THE PURPOSE OF PROVIDING FUNDING FOR GRANTS TO COVER THE FULL COST OF TUITION, FEES, BOOKS AND ANY REQUIRED UNIFORMS FOR QUALIFIED APPLICANTS TO ATTEND AN ACCREDITED PARAMEDIC PROGRAM AND TO REIMBURSE THE COST OF A QUALIFIED APPLICANT'S FEE FOR THE SUCCESSFUL COMPLETION OF THE NATIONAL REGISTRY PARAMEDIC COGNITIVE AND PSYCHOMOTOR EXAMINATIONS; TO PROVIDE HOW AN APPLICANT MAY QUALIFY FOR A GRANT; TO PROVIDE THAT THE RECIPIENT OF A GRANT SHALL COMMIT TO SERVING AS A PARAMEDIC FOR THREE CONTINUOUS YEARS IN THE STATE; TO PROVIDE THE REPORTING REQUIREMENTS; TO AUTHORIZE THE OFFICE OF WORKFORCE DEVELOPMENT TO ENTER INTO MOAS WITH LOCAL SCHOOL DISTRICTS FOR THE PURPOSE OF ALLOWING CERTAIN

HIGH SCHOOL STUDENTS TO ENROLL IN ACCREDITED PARAMEDIC TRAINING PROGRAMS THROUGH DUAL-CREDIT OR DUAL-ENROLLMENT; TO PROVIDE THAT SUCH STUDENT CANNOT TAKE THE CERTIFICATION EXAM UNTIL HE OR SHE ATTAINS 18 YEARS OF AGE; AND FOR RELATED PURPOSES.

H. B. No. 1025: AN ACT TO AMEND SECTION 47-5-8, MISSISSIPPI CODE OF 1972, TO ELIMINATE THE POSITION OF EXECUTIVE DEPUTY COMMISSIONER FROM THE DEPARTMENT OF CORRECTIONS; TO AMEND SECTION 47-5-26, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

H. B. No. 1167: AN ACT TO AMEND SECTION 73-54-17, MISSISSIPPI CODE OF 1972, TO REVISE THE REQUIREMENTS FOR A MARRIAGE AND FAMILY THERAPY LICENSE TO PROVIDE THAT AN APPLICANT'S DEGREE MAY BE IN MARRIAGE, COUPLE AND FAMILY COUNSELING FROM AN INSTITUTION OF HIGHER EDUCATION THAT IS ACCREDITED BY THE COUNCIL FOR ACCREDITATION OF COUNSELING AND RELATED EDUCATIONAL PROGRAMS; TO PROVIDE THAT THE APPLICANT SHALL COMPLETE A CLINICAL PRACTICUM THAT MEETS THE ACCREDITATION REQUIREMENTS OF COAMFTE OR CACREP PROGRAMS; TO REVISE THE REQUIREMENTS FOR A MARRIAGE AND FAMILY THERAPY ASSOCIATE LICENSE TO PROVIDE THAT THE REQUIRED CLINICAL PRACTICUM SHALL MEET THE ACCREDITATION REQUIREMENTS OF COAMFTE OR CACREP PROGRAMS; AND FOR RELATED PURPOSES.

H. B. No. 1207: AN ACT TO NAME THE ALCORN STATE UNIVERSITY EXTENSION AND RESEARCH COMPLEX, LOCATED IN LORMAN, JEFFERSON COUNTY, MISSISSIPPI, THE "DR. JESSE HARNESS, SR., EXTENSION AND RESEARCH CENTER"; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION IN CONJUNCTION WITH THE DEPARTMENT OF PUBLIC SAFETY TO ERECT THE PROPER LETTERING OR SIGNAGE ON THE OUTDOOR FACADE OF THE BUILDING DISPLAYING THE OFFICIAL NAME AS THE "DR. JESSE HARNESS, SR., EXTENSION AND RESEARCH CENTER"; AND FOR RELATED PURPOSES.

H. B. No. 1216: AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 35 NORTH LOCATED IN MARION COUNTY, MISSISSIPPI, AS THE "SHERIFF J.V. POLK MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 1287: AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 30 LOCATED IN PRENTISS COUNTY, MISSISSIPPI, AS THE "JAMIE NEAL GUIN, PCEPA LINEMAN, MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 1324: AN ACT TO REENACT AND AMEND SECTION 73-60-5, MISSISSIPPI CODE OF 1972, WHICH WAS REPEALED BY OPERATION OF LAW IN 2013, TO REVIVE THE HOME INSPECTOR REGULATORY BOARD; TO PROVIDE THAT THE POWERS AND DUTIES OF THE MISSISSIPPI REAL ESTATE COMMISSION IN REGARDS TO HOME INSPECTORS SHALL BE TRANSFERRED TO THE MISSISSIPPI REAL ESTATE APPRAISAL BOARD; TO AMEND SECTIONS 73-60-1, 73-60-3, 73-60-7, 73-60-9, 73-60-11 AND 73-60-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTION 73-60-17, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTIONS 73-60-21, 73-60-23, 73-60-27, 73-60-29, 73-60-31, 73-60-33, 73-60-35, 73-60-37, 73-60-39, 73-60-41, 73-60-45, 73-60-47 AND 73-34-9, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1343: AN ACT TO AMEND SECTION 89-5-8, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ATTORNEYS WHO HAVE RETIRED FROM THE PRACTICE OF LAW TO CORRECT A SCRIVENER'S ERROR MADE BY THE ATTORNEY WHILE STILL PRACTICING LAW; AND FOR RELATED PURPOSES.

H. B. No. 1366: AN ACT TO AMEND SECTION 91-17-401, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATING TO MONIES RECEIVED IN PARTIAL LIQUIDATION UNDER THE MISSISSIPPI PRINCIPAL AND INCOME ACT OF 2013; AND FOR RELATED PURPOSES.

H. B. No. 1450: AN ACT ENTERING THE STATE OF MISSISSIPPI INTO THE INTERSTATE TEACHER MOBILITY COMPACT FOR THE PURPOSE OF TO FACILITATING THE MOBILITY OF TEACHERS ACROSS MEMBER STATES TO THE COMPACT; TO ESTABLISH A COLLECTIVE REGULATORY FRAMEWORK THAT EXPEDITES AND ENHANCES THE ABILITY OF TEACHERS TO MOVE ACROSS STATE LINES; TO SET OUT THE AGREEMENT OF THE CONTRACTING STATES AND THE PURPOSE OF THE COMPACT; TO PROVIDE FOR THE MEMBERSHIP OF THE EDUCATION COMMISSION OF THE STATES AND PRESCRIBE THE POWER AND DUTIES PERTAINING THERETO; TO ESTABLISH THE COMMITTEES OF THE COMMISSION; AND FOR RELATED PURPOSES.

H. B. No. 1471: AN ACT TO AMEND SECTION 77-19-7, MISSISSIPPI CODE OF 1972, TO PROHIBIT ANY OFFICER OR EMPLOYEE OF THE OFFICE OF BROADBAND EXPANSION AND ACCESSIBILITY OF MISSISSIPPI FROM ACCEPTING OR RECEIVING, EITHER DIRECTLY OR INDIRECTLY, ANY GRATUITY, GIFT, GIFT IN-KIND, MONEY, EMOLUMENT, OR ANY OTHER PECUNIARY BENEFIT FROM ANY BROADBAND SERVICE PROVIDER, VENDOR, CONTRACTOR, OR SUBCONTRACTOR THAT DOES BUSINESS WITH OR CONTRACTS WITH THE OFFICE; AND FOR RELATED PURPOSES.

H. B. No. 1615: AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO REVISE THE PUBLIC PURCHASING LAW TO EXEMPT PURCHASES MADE BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE RENOVATION, REPAIR, RESTORATION OR IMPROVEMENTS TO THE STATE CAPITOL BUILDING AND GROUNDS OR ANY OTHER HISTORICAL BUILDINGS OR SITES UNDER THE GENERAL SUPERVISION AND CARE OF THE DEPARTMENT THAT ARE DUALLY DESIGNATED AS BOTH A NATIONAL HISTORIC LANDMARK AND A MISSISSIPPI LANDMARK; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PURCHASES MADE BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE RENOVATION, REPAIR, RESTORATION OR IMPROVEMENTS TO THE STATE CAPITOL BUILDING AND GROUNDS OR ANY OTHER HISTORICAL BUILDINGS OR SITES UNDER THE GENERAL SUPERVISION AND CARE OF THE DEPARTMENT THAT ARE DUALLY DESIGNATED AS BOTH A NATIONAL HISTORIC LANDMARK AND A MISSISSIPPI LANDMARK SHALL BE EXEMPT FROM REVIEW AND APPROVAL BY THE PUBLIC PROCUREMENT REVIEW BOARD; AND FOR RELATED PURPOSES.

H. B. No. 1625: AN ACT TO AMEND SECTION 75-24-29, MISSISSIPPI CODE OF 1972, TO REQUIRE BUSINESS ENTITIES TO REPORT BREACHES OF SECURITY TO THE OFFICE OF THE ATTORNEY GENERAL; AND FOR RELATED PURPOSES.

H. B. No. 1648: AN ACT TO AMEND SECTION 77-3-16, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ELECTRONIC SUBMISSION OF BIDS FOR PUBLIC UTILITY CONTRACTS; TO PROVIDE CERTAIN REQUIREMENTS FOR CONSTRUCTION BIDS THAT ARE SUBMITTED ELECTRONICALLY; AND FOR RELATED PURPOSES.

H. B. No. 1658: AN ACT TO AMEND SECTIONS 23-15-239, 23-15-266, 23-15-335, 23-15-265, 23-15-267, 23-15-333 AND 23-15-597, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF A COUNTY OR MUNICIPAL EXECUTIVE COMMITTEE ELECTS TO ENTER INTO A WRITTEN AGREEMENT WITH THE CIRCUIT OR MUNICIPAL CLERK OR THE COUNTY OR MUNICIPAL ELECTION COMMISSION AUTHORIZING THE CIRCUIT OR MUNICIPAL CLERK OR THE COUNTY OR MUNICIPAL ELECTION

COMMISSION TO PERFORM ALL OF THE DUTIES REQUIRED OF THE COUNTY OR MUNICIPAL EXECUTIVE COMMITTEE, THE CIRCUIT OR MUNICIPAL CLERK OR THE COUNTY OR MUNICIPAL ELECTION COMMISSION SHALL ENTER INTO THAT AGREEMENT; AND FOR RELATED PURPOSES.

H. B. No. 1675: AN ACT TO AMEND SECTION 89-12-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM FARM CREDIT SYSTEM COOPERATIVE ASSOCIATIONS UNDER THE PROVISIONS OF THE UNIFORM DISPOSITION OF UNCLAIMED PROPERTY ACT; TO AMEND SECTION 89-12-11, MISSISSIPPI CODE OF 1972, TO EXEMPT FARM CREDIT SYSTEM COOPERATIVE ASSOCIATIONS FROM THE REQUIREMENTS TO DISPOSE OF STOCK OR OTHER INTANGIBLE OWNERSHIP INTERESTS, DIVIDENDS, DISTRIBUTIONS OR PROPERTY PRESUMED TO BE ABANDONED BY AN OWNER AFTER THE SPECIFIED FIVE-YEAR PERIOD IN THE MANNER PRESCRIBED BY LAW; TO ALLOW FARM CREDIT SYSTEM COOPERATIVE ASSOCIATIONS TO RETAIN THE UNCLAIMED FUNDS WHICH SHALL BE USED FOR THE BENEFIT OF THE GENERAL MEMBERSHIP OF THE ASSOCIATION; AND FOR RELATED PURPOSES.

H. B. No. 1692: AN ACT TO AMEND SECTION 37-3-95, MISSISSIPPI CODE OF 1972, TO EXEMPT THE STATEWIDE COORDINATOR FOR JUNIOR RESERVE OFFICER TRAINING CORPS (JROTC) EMPLOYED BY THE STATE DEPARTMENT OF EDUCATION FROM THE STATE PERSONNEL BOARD QUALIFICATION; TO MAKE SUCH POSITION EQUIVALENT TO A DEPUTY DIRECTOR WITHIN THE DEPARTMENT'S ORGANIZATIONAL STRUCTURE; AND FOR RELATED PURPOSES.

H. B. No. 1744: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF LUCEDALE, MISSISSIPPI, TO LEVY A TAX THAT SHALL NOT EXCEED THREE PERCENT UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS; TO PROVIDE THAT SUCH TAX SHALL BE USED FOR THE PURPOSE OF GENERATING REVENUE FOR PARKS AND RECREATIONAL CAPITAL IMPROVEMENT PROJECTS; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

_____

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 74: AN ACT TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 45 LOCATED IN NOXUBEE COUNTY, MISSISSIPPI, AS THE "CHIEF PETTY OFFICER ANDREW TRIPLETT MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 75: AN ACT TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 45 LOCATED WITHIN THE INCORPORATED CITY LIMITS OF MACON, NOXUBEE COUNTY, MISSISSIPPI, AS THE "SERGEANT TRAVIS S. COOPER MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 120: AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 145/U.S. HIGHWAY 45 LOCATED IN THE TOWN OF SHANNON, LEE

COUNTY, MISSISSIPPI, AS THE "JOHNNY R. PATTERSON MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 652: AN ACT TO AMEND SECTION 59-5-37, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE PROVISION OF LAW WHICH AUTHORIZES THE STATE PORT AUTHORITY AND OTHER PORTS AND PORT COMMISSIONS TO USE THE DESIGN-BUILD METHOD OF CONTRACTING FOR CERTAIN PROJECTS; AND FOR RELATED PURPOSES.

H. B. No. 846: AN ACT TO AMEND SECTION 25-7-21, MISSISSIPPI CODE OF 1972, TO CONFORM THE FEES CHARGED BY CHANCERY CLERKS FOR FILING AND RECORDING DEEDS TO LAND SOLD FOR TAXES AND FOR RECORDING REDEMPTION OF LANDS SOLD FOR TAXES TO THOSE FEES SET IN SECTION 25-7-9(1)(B); AND FOR RELATED PURPOSES.

H. B. No. 907: AN ACT TO CREATE THE MISSISSIPPI CHILDCARE TEACHERS SHORTAGE STUDY COMMITTEE; TO PROVIDE THAT THE COMMITTEE IS TO STUDY THE MISSISSIPPI CHILDCARE WORKER SHORTAGE AND HOW TO INCREASE THE SUPPLY OF AFFORDABLE CHILDCARE SEATS WHILE ALSO RECOGNIZING EDUCATORS FOR THEIR ONGOING EFFORTS TO IMPROVE MISSISSIPPI'S EARLY EDUCATION AND CARE SYSTEM; TO PROVIDE THE MEMBERS OF THE COMMITTEE; TO PROVIDE WHAT THE STUDY COMMITTEE SHALL REVIEW; TO REQUIRE THE STUDY COMMITTEE TO REPORT TO CERTAIN OFFICIALS BY DECEMBER 1, 2024; AND FOR RELATED PURPOSES.

H. B. No. 1063: AN ACT TO AMEND SECTION 77-13-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "LOCATE REQUEST TICKET" AND "TRENCHLESS EXCAVATION"; TO AMEND SECTION 77-13-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE NOTICE REQUIRED FOR EXCAVATION SHALL CONTAIN THE LOCATION OF THE PROPOSED EXCAVATION, WHICH IS LIMITED TO AN AREA THE EXCAVATOR REASONABLY BELIEVES MAY BE COMPLETED WITHIN FOURTEEN CALENDAR DAYS FROM THE DATE AND TIME THE LOCATE REQUEST TICKET IS ENTERED INTO THE MISSISSIPPI 811, INC. SYSTEM AND DOES NOT INCLUDE ANY AREA IN WHICH THE EXCAVATOR HAS ALREADY COMPLETED THE EXCAVATION WORK; TO PROVIDE THAT PRIOR TO PROVIDING THE ADVANCE NOTICE TO MISSISSIPPI 811, INC., THE EXCAVATOR SHALL PRE-MARK THE APPROXIMATE BOUNDARY OF THE PROPOSED EXCAVATION AREA WITH WHITE PAINT, FLAGS, OR STAKES; TO PROVIDE THAT THE PROPOSED EXCAVATION LOCATION ON A RENEWAL LOCATE REQUEST TICKET SHALL NOT INCLUDE ANY AREA IN WHICH THE EXCAVATOR HAS ALREADY COMPLETED THE EXCAVATION WORK; TO PROVIDE THAT THE EXCAVATOR SHALL NOT USE POWER-DRIVEN EQUIPMENT FOR TRENCHLESS EXCAVATION, INCLUDING DIRECTIONAL DRILLING, ACROSS OR WITHIN THE MARKED APPROXIMATE LOCATION OF UNDERGROUND UTILITY LINES OR UNDERGROUND FACILITIES, WITH CERTAIN EXCEPTIONS; TO PROVIDE THAT FOR TRENCHLESS EXCAVATIONS, INCLUDING DIRECTIONAL DRILLING, PARALLEL TO THE MARKED APPROXIMATE LOCATION OF UNDERGROUND UTILITY LINES OR UNDERGROUND FACILITIES, THE EXCAVATOR SHALL USE CERTAIN NONINVASIVE METHODS TO IDENTIFY THE LOCATION OF THE UNDERGROUND UTILITY FACILITY AT CAREFUL AND PRUDENT INTERVALS; AND FOR RELATED PURPOSES.

H. B. No. 1092: AN ACT TO AMEND SECTION 63-7-62, MISSISSIPPI CODE OF 1972, TO ESTABLISH STANDARDS REGARDING THE INSTALLATION OF AUTOMOBILE AIRBAGS AND SUPPLEMENTAL RESTRAINT SYSTEMS; AND FOR RELATED PURPOSES.

H. B. No. 1135: AN ACT TO AMEND SECTION 23-15-913, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE LIST OF JUDGES SELECTED TO HEAR ELECTION DAY DISPUTES SHALL BE PROVIDED TO THE SECRETARY OF STATE, THE

CHANCERY CLERKS AND THE CIRCUIT CLERKS BY THE CHIEF JUSTICE OF THE SUPREME COURT NO LATER THAN SEVEN DAYS BEFORE THE ELECTION IN WHICH THE SELECTED JUDGES MAY HEAR ELECTION DAY DISPUTES; TO PROVIDE THAT THE LISTED AND SELECTED JUDGES SHALL HAVE SOLE JURISDICTION TO HEAR ELECTION DAY DISPUTES; TO AMEND SECTION 23-15-951, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

H. B. No. 1274: AN ACT TO CREATE THE MISSISSIPPI NONPROFIT PARTNERSHIP STUDY COMMITTEE; TO PROVIDE THAT THE COMMITTEE IS TO STUDY THE MISSISSIPPI ALLIANCE OF NONPROFITS AND PHILANTHROPY'S PROTOTYPE SYSTEM FOR WORKFORCE DEVELOPMENT AND EMPLOYMENT SERVICES; TO PROVIDE THE MEMBERS OF THE COMMITTEE; TO PROVIDE THAT THE COMMITTEE SHALL STUDY AND MAKE A REPORT ON THE PROTOTYPE SYSTEM THAT WILL IDENTIFY, DOCUMENT, NETWORK, ASSESS NEEDS AND CREATE A PLAN FOR INCREASING ACCOUNTABILITY, TRANSPARENCY, OCCUPATIONAL CAPACITY AND INFORMATION SHARING FOR NONPROFIT ORGANIZATIONS IN MISSISSIPPI THAT ARE AWARDED GRANTS AND CONTRACTS THAT USE FEDERAL OR STATE RESOURCES THAT ARE RELATED TO WORKFORCE DEVELOPMENT AND EMPLOYMENT SERVICES; TO REQUIRE THE STUDY COMMITTEE TO REPORT TO CERTAIN OFFICIALS BY DECEMBER 1, 2024; AND FOR RELATED PURPOSES.

H. B. No. 1288: AN ACT TO AMEND SECTIONS 65-3-71.359, 65-3-71.360 AND 65-3-71.361, MISSISSIPPI CODE OF 1972, TO CLARIFY THE TITLES OF CERTAIN MEMBERS OF THE UNITED STATES ARMED FORCES FOR WHOM CERTAIN SEGMENTS OF ROADWAY IN THE STATE WERE DESIGNATED AS MEMORIAL HIGHWAYS; AND FOR RELATED PURPOSES.

H. B. No. 1290: AN ACT TO CREATE THE "CHARITY PROTECTION ACT"; TO PROVIDE THAT THE PURPOSE OF THIS ACT IS TO MINIMIZE BURDENS PLACED ON THE CHARITABLE SECTOR, AND CREATE A GRANTMAKING ENVIRONMENT CENTERED ON EFFECTIVENESS AND IMPACT; TO DEFINE CERTAIN TERMS "CHARITABLE ORGANIZATION" AND "STATE AGENCY"; TO PROHIBIT STATE AGENCIES OR OFFICIALS OF SUCH AGENCIES FROM IMPOSING ANY ANNUAL FILING OR REPORTING REQUIREMENTS ON CERTAIN CHARITABLE ORGANIZATIONS THAT ARE MORE BURDENSOME THAN THE REQUIREMENTS AS PROVIDED IN STATUTES RELATING TO THE REGULATION OF CHARITABLE SOLICITATIONS; TO AMEND SECTIONS 79-11-503, 79-11-504, 79-11-507, 79-11-509, 79-11-513, 79-11-515, 79-11-518, 79-11-519 AND 79-11-521, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE REGULATION OF CHARITABLE SOLICITATIONS, TO CONFORM WITH THE PRECEDING PROVISIONS; TO BRING FORWARD SECTIONS 79-11-501, 79-11-505, 79-11-511, 79-11-517, 79-11-523, 79-11-524, 79-11-525, 79-11-526, 79-11-527 AND 79-11-529, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE REGULATION OF CHARITABLE SOLICITATIONS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 91-8-405, MISSISSIPPI CODE OF 1972, WHICH RELATES TO CHARITABLE TRUSTS, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1377: AN ACT TO AMEND SECTION 75-67-181, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI DEPARTMENT OF BANKING AND CONSUMER FINANCE TO ISSUE A MEMO ON JULY 1, 2024, AND ON JULY 1 FOR EACH SUBSEQUENT CALENDAR YEAR, AUTHORIZING A NEW MAXIMUM LOAN AMOUNT AS PERMITTED UNDER THIS ACT; TO PROVIDE THE METHOD OF CALCULATING SUCH NEW MAXIMUM LOAN AMOUNT; AND FOR RELATED PURPOSES.

H. B. No. 1463: AN ACT TO AMEND SECTION 65-3-71.341, MISSISSIPPI CODE OF 1972, TO SPECIFY THE PARAMETERS OF THE SEGMENT OF MISSISSIPPI

HIGHWAY 28 IN COPIAH COUNTY THAT IS TO BE DESIGNATED AS THE "CARROLL V. HOOD MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 1604: AN ACT TO AMEND SECTION 37-73-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SINGLE LIST OF NATIONALLY RECOGNIZED INDUSTRY CERTIFICATIONS SHALL ONLY BE USED FOR REIMBURSEMENT UNDER SECTION 37-153-15 AND NOT IN THE MISSISSIPPI STATEWIDE ACCOUNTABILITY SYSTEM OR IN DIPLOMA ENDORSEMENT REQUIREMENTS; TO PROVIDE THAT THE STATE WORKFORCE INVESTMENT BOARD SHALL CREATE A SEPARATE LIST OF NATIONALLY RECOGNIZED HIGH VALUE INDUSTRY CERTIFICATIONS FOR PARTICIPANTS ENROLLED IN COMMUNITY AND JUNIOR COLLEGES; TO REQUIRE, SUBJECT TO AVAILABLE FUNDING, THE MISSISSIPPI COMMUNITY COLLEGE BOARD TO PAY A CAREER AND TECHNICAL EDUCATION INCENTIVE GRANT TO CERTAIN COMMUNITY COLLEGES; TO AMEND SECTION 37-153-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CAREER AND TECHNICAL EDUCATION GRANTS MAY BE USED TO PURCHASE NEEDED EQUIPMENT; AND FOR RELATED PURPOSES.

H. B. No. 1664: AN ACT TO AMEND SECTION 77-1-11, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS RELATING TO THE ACCEPTANCE OR OFFER OF GIFTS; TO BRING FORWARD SECTION 77-3-14, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1681: AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 513 SOUTH IN STONEWALL, CLARKE COUNTY, MISSISSIPPI, AS THE "LANCE CORPORAL MAC HAMBURG, USMC, MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 15 SOUTH LOCATED IN WALNUT, TIPPAH COUNTY, MISSISSIPPI, AS THE "MAJ. GEN. ALBEN "AL" NORRIS HOPKINS, SR., MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 72 SOUTH LOCATED IN SLAYDEN, MARSHALL COUNTY, MISSISSIPPI, AS THE "EDDIE DIXON MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 311 SOUTH LOCATED IN HOLLY SPRINGS, MARSHALL COUNTY, MISSISSIPPI, AS THE "CHARLES W. AND JUANITA THOMAS MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF U.S. INTERSTATE 69 LOCATED IN DESOTO COUNTY, MISSISSIPPI, AS THE "MASON WILBANKS MEMORIAL HIGHWAY"; TO DESIGNATE A PORTION OF MISSISSIPPI HIGHWAY 30 LOCATED IN PRENTISS COUNTY, MISSISSIPPI, AS THE "J.P. DAVIS MEMORIAL HIGHWAY; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. C. R. No. 47: Ryan Miller; commend distinguished service as Executive Director of the Office of Workforce Development (AccelerateMS). Rules.

MESSAGE FROM THE GOVERNOR
March 8, 2024

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Jennifer C. Knight, Madison, Mississippi, Commercial Mobile Radio Service Board as the representative from the MS Chapter of the Assoc. of Public Safety Communication Officers representing the Central Public Service Commission District, four year term effective July 1, 2023 and ending June 30, 2027.

Jeremy Andra Felder, Hattiesburg, Mississippi, Gaming Commission, remainder of a four year term effective February 14, 2024 and ending September 30, 2027, vice Thomas Gresham.

Jason M. Osborne, Waveland, Mississippi, MS Advisory Commission on Marine Resources representing a member of a non-profit environmental organization (Coastal Conservation Association), remainder of a four year term effective July 1, 2023 and ending June 30, 2026, vice Natalie Guess.

Benjamin Blue (Ben) Morgan, Laurel, Mississippi, Mississippi Charter School Authorizer Board representing the Second Supreme Court District, three year term effective February 16, 2024 and ending August 31, 2026, vice Don Hinton, Jr..

Tate Reeves
GOVERNOR

The executive nominations in the foregoing message were referred to committees as follows:

Jennifer C. Knight, Commercial Mobile Radio Service Board as the representative from the MS Chapter of the Assoc. of Public Safety Communication Officers, four year term effective July 1, 2023 and ending June 30, 2027, Energy.

Jeremy Andra Felder, Gaming Commission, remainder of a four year term effective February 14, 2024 and ending September 30, 2027, Gaming.

Jason M. Osborne, MS Advisory Commission on Marine Resources, remainder of a four year term effective July 1, 2023 and ending June 30, 2026, Ports and Marine Resources.

Benjamin Blue (Ben) Morgan, Mississippi Charter School Authorizer Board, three year term effective February 16, 2024 and ending August 31, 2026, Education.

Senator Polk moved that the Senate adjourn until 4:00 PM, Monday, March 11, 2024.

The motion prevailed, and at 11:13 AM, the Senate stood adjourned in memory of Doris Cain Fluker, Thomas Joseph Holifield and Percy James Wetzel.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR FRIDAY, MARCH 8, 2024

S. B. No. 2984: Local and Private

AN ACT TO AMEND CHAPTER 904, LOCAL AND PRIVATE LAWS OF 2011, AS LAST AMENDED BY CHAPTER 908, LOCAL AND PRIVATE LAWS OF 2021, TO EXTEND THE REPEALER FROM JULY 1, 2025, TO JULY 1, 2028, ON THE PROVISION

OF LAW AUTHORIZING THE BOARD OF SUPERVISORS OF JACKSON COUNTY, MISSISSIPPI, AND THE GOVERNING AUTHORITIES OF THE CITY OF PASCAGOULA, MISSISSIPPI, TO JOIN TOGETHER TO CREATE THE LAPOINTE-KREBS FOUNDATION, INC., FOR THE PRESERVATION, MAINTENANCE, UPKEEP AND OPERATION OF THE LAPOINTE-KREBS HOUSE; TO INCREASE THE AMOUNT THE JACKSON COUNTY BOARD OF SUPERVISORS MAY CONTRIBUTE ANNUALLY TO THE LAPOINTE-KREBS FOUNDATION, INC., FROM $50,000.00 TO $75,000.00; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2985: Finance
AN ACT TO AMEND SECTION 27-7-15, MISSISSIPPI CODE OF 1972, TO EXCLUDE FROM GROSS INCOME UNDER THE STATE INCOME TAX LAW COMPENSATION AND INCOME OF ANY KIND RECEIVED BY A PERSON WHO IS AN HONORABLY DISCHARGED VETERAN OF THE ARMED FORCES OF THE UNITED STATES; AND FOR RELATED PURPOSES.
By Senator(s) Robinson

S. B. No. 2986: Finance
AN ACT TO ENACT THE MISSISSIPPI AFFORDABLE HOUSING TAX CREDIT ACT; TO PROVIDE A TAX CREDIT AGAINST MISSISSIPPI STATE INCOME TAX, FRANCHISE TAX OR INSURANCE PREMIUM TAX LIABILITY FOR ELIGIBLE INVESTORS IN LOW-INCOME AFFORDABLE HOUSE PROJECTS APPROVED BY THE MISSISSIPPI HOME CORPORATION; TO ESTABLISH STANDARDS FOR QUALIFIED PROJECTS AND THE TAX CREDIT TO BE ADMINISTERED BY THE MISSISSIPPI HOME CORPORATION; TO PROVIDE THAT STATE CREDITS SHALL NOT EXCEED FEDERAL LOW-INCOME HOUSING TAX CREDITS AND TO ESTABLISH A STATE CAP FOR THE CREDITS; TO PROVIDE FOR THE CARRYOVER OF UNUSED CREDITS; TO REQUIRE REVIEW OF THE PROGRAM; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2987: Finance
AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF TANGIBLE PERSONAL PROPERTY OR SERVICES TO 5TH SQUAD; AND FOR RELATED PURPOSES.
By Senator(s) Barrett

S. B. No. 2988: Finance
AN ACT TO CREATE A NEW SECTION IN TITLE 27, CHAPTER 7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN INCOME TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY INDIVIDUALS TO HABITAT FOR HUMANITY MISSISSIPPI CAPITAL AREA; TO LIMIT THE AMOUNT OF THE CREDIT; TO ALLOW EXCESS AMOUNTS OF THE CREDIT TO BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS; TO PROVIDE THAT THE CREDIT AUTHORIZED BY THIS ACT IS IN LIEU OF CHARITABLE DEDUCTIONS TAKEN UNDER THE INTERNAL REVENUE CODE AND UTILIZED FOR STATE TAX PURPOSES; TO CREATE A NEW SECTION IN TITLE 27, CHAPTER 7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN INCOME TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY BUSINESS ENTERPRISES TO HABITAT FOR HUMANITY MISSISSIPPI CAPITAL AREA; TO LIMIT THE AMOUNT OF THE CREDIT; TO ALLOW EXCESS AMOUNTS OF THE CREDIT TO BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS; TO PROVIDE THAT THE CREDIT AUTHORIZED BY THIS ACT IS IN LIEU OF CHARITABLE DEDUCTIONS TAKEN UNDER THE INTERNAL REVENUE CODE AND UTILIZED FOR STATE TAX PURPOSES; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2989: Finance

AN ACT TO AMEND SECTION 27-7-5, MISSISSIPPI CODE OF 1972, TO FREEZE THE PHASE-IN OF INCOME TAX CUTS; TO AMEND SECTIONS 27-13-5 AND 27-13-7, MISSISSIPPI CODE OF 1972, TO FREEZE THE PHASE-OUT OF THE CORPORATION FRANCHISE TAX; TO REPEAL SECTION 5, CHAPTER 499, LAWS OF 2016, WHICH PROVIDES THAT THE CORPORATION FRANCHISE TAX LAW IS REPEALED FROM AND AFTER JANUARY 1, 2028; AND FOR RELATED PURPOSES.

By Senator(s) Blount, Simmons (12th)

S. B. No. 2990: Finance

AN ACT TO AMEND SECTIONS 27-65-17 AND 27-65-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SALES OF EQUIPMENT AND MATERIALS USED IN CONNECTION WITH GEOPHYSICAL SURVEYING, EXPLORING, DEVELOPING, DRILLING, REDRILLING, COMPLETING, WORKING OVER, PRODUCING, DISTRIBUTING OR TESTING OF OIL, GAS AND OTHER MINERAL RESOURCES SHALL BE TAXED AT 4%; TO PROVIDE THAT OPERATORS THAT REBILL SALES OF EQUIPMENT AND MATERIALS TO NONOPERATING WORKING INTEREST OWNERS ON BEHALF OF THE JOINT ACCOUNT THROUGH JOINT INTEREST BILLING (JIB), WHERE THE SALES TAX HAS BEEN PAID OR ACCRUED BY THE OPERATOR, SHALL NOT BE CHARGED SALES TAX ON THE JIB AS SERVICES INCOME; TO ELIMINATE THE 7% TAX ON THE GROSS INCOME OF BUSINESSES PERFORMING SERVICES IN CONNECTION WITH GEOPHYSICAL SURVEYING, EXPLORING, DEVELOPING, DRILLING, PRODUCING, DISTRIBUTING, OR TESTING OF OIL, GAS AND OTHER MINERAL RESOURCES; TO AMEND SECTION 27-65-21, MISSISSIPPI CODE OF 1972, TO ELIMINATE THE 3.5% CONTRACTOR'S TAX ON OIL AND GAS WELL CONTRACTS; TO AMEND SECTIONS 19-5-9 AND 21-19-25, MISSISSIPPI CODE OF 1972, TO CONFORM TO A CHANGE IN SUBSECTION DESIGNATION; AND FOR RELATED PURPOSES.

By Senator(s) Carter

S. B. No. 2991: Appropriations

AN ACT MAKING AN APPROPRIATION TO DELTA STATE UNIVERSITY FOR THE PURPOSE OF DEFRAYING EXPENSES OF REDESIGNING, RENOVATING, FURNISHING AND EQUIPPING DORMITORIES FOR THE FISCAL YEAR 2025.

By Senator(s) Simmons (13th), Simmons (12th), Jackson

S. B. No. 2992: Appropriations

AN ACT MAKING AN APPROPRIATION TO COPIAH COUNTY FOR THE PURPOSE OF EXPANDING BROADBAND SERVICES TO UNSERVED AND UNDERSERVED AREAS WITHIN THE COUNTY, FOR THE FISCAL YEAR 2025.

By Senator(s) Berry, Butler

S. B. No. 2993: Finance

AN ACT TO AMEND SECTION 27-65-107, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE STATE SALES TAX SALES OF WATER FOR AGRICULTURAL PURPOSES; AND FOR RELATED PURPOSES.

By Senator(s) Rhodes

S. B. No. 2994: Finance

AN ACT TO AMEND SECTION 21, CHAPTER 480, LAWS OF 2021, TO INCREASE BY $10,000,000.00 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED TO PROVIDE FUNDS TO ASSIST THE CITY OF RIDGELAND, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE PRECONSTRUCTION, DESIGN, ENGINEERING, LAND ACQUISITION, RIGHT-OF-WAY ACQUISITION, CONSTRUCTION AND DEVELOPMENT OF THE COMMERCE PARK CONNECTOR PROJECT FROM LAKE HARBOUR DRIVE TO HIGHLAND COLONY PARKWAY; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2995: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE COAHOMA COMMUNITY COLLEGE RADIO STATION FOR THE PURPOSE OF DEFRAYING EXPENSES ASSOCIATED WITH THE PURCHASE OF EQUIPMENT AND FURNISHINGS FOR THE FISCAL YEAR 2025.
By Senator(s) Jackson, Simmons (12th), Simmons (13th)

S. B. No. 2996: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF DEFRAYING COSTS OF THE MISSISSIPPI DYSLEXIA THERAPY SCHOLARSHIP FOR STUDENTS WITH DYSLEXIA PROGRAM FOR THE FISCAL YEAR 2025.
By Senator(s) Simmons (13th), England

S. B. No. 2997: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF CLEVELAND FOR THE PURPOSE OF DEFRAYING EXPENSES RELATED TO THE NORTH INDUSTRIAL SITE FLOOD MITIGATION PROJECT AT THE MUNICIPAL AIRPORT FOR THE FISCAL YEAR 2025.
By Senator(s) Simmons (13th), Simmons (12th)

S. B. No. 2998: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF DEFRAYING THE COSTS OF THE SAVE OUR UNDERFUNDED LOCAL SCHOOLS GRANT PROGRAM FOR THE FISCAL YEAR 2025.
By Senator(s) Simmons (13th), Simmons (12th)

S. B. No. 2999: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI DELTA COMMUNITY COLLEGE FOR THE PURPOSE OF DEFRAYING THE COSTS OF CERTAIN PROJECTS AND PROGRAMS FOR THE FISCAL YEAR 2025.
By Senator(s) Simmons (13th), Jordan, Simmons (12th), Jackson

S. B. No. 3000: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE FANNIE LOU HAMER CANCER FOUNDATION FOR THE PURPOSE OF DEFRAYING EXPENSES RELATED TO THE CONSTRUCTION OF A FACILITY FOR THE FISCAL YEAR 2025.
By Senator(s) Simmons (13th), Butler, Jordan, Jackson, Thomas, Simmons (12th)

S. B. No. 3001: Finance
AN ACT TO AMEND SECTION 27-7-15, MISSISSIPPI CODE OF 1972, TO EXCLUDE AMOUNTS RECEIVED AS COMPENSATION FOR ACTIVE OR RESERVE DUTY IN THE NATIONAL GUARD FROM THE DEFINITION OF "GROSS INCOME" FOR PURPOSES OF THE STATE INCOME TAX LAW; AND FOR RELATED PURPOSES.
By Senator(s) Ladner

S. C. R. No. 534: Rules
A CONCURRENT RESOLUTION COMMEMORATING THE 125TH ANNIVERSARY OF THE FOUNDING OF THE CITY OF RIDGELAND, MISSISSIPPI.
By Senator(s) Michel, Horhn

S. C. R. No. 535: Rules
A CONCURRENT RESOLUTION EXHORTING AND ENCOURAGING ALL FOOT RACE SPONSORS TO ESTABLISH FIVE-YEAR AGE CATEGORIES UP TO AND INCLUDING "80 TO 84" FOR PARTICIPANTS.
By Senator(s) Horhn (By Request)

S. C. R. No. 536: Rules

A CONCURRENT RESOLUTION SALUTING AND EXTENDING THE CONGRATULATIONS OF THE MISSISSIPPI LEGISLATURE TO 90-YEAR-OLD BLUES LEGEND BOBBY RUSH FOR WINNING A 2024 GRAMMY AWARD FOR "BEST TRADITIONAL BLUES ALBUM" AT THE 66TH GRAMMY AWARDS FOR HIS ALBUM ENTITLED ALL MY LOVE FOR YOU.

By Senator(s) Norwood, Simmons (13th), Blackmon, Jordan, Frazier, Brumfield, Butler, Simmons (12th), Thomas, Jackson, Blount, Horhn

S. R. No. 44: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON ACADEMY "RAIDERS" BOYS BASKETBALL TEAM AND HEAD COACH JESSE TAYLOR FOR WINNING THE 2024 MAIS CLASS 6A BOYS BASKETBALL CHAMPIONSHIP AND WINNING THE 2024 MAIS OVERALL TOURNAMENT, THE "RAIDERS" FIRST OVERALL TITLE SINCE 2006.

By Senator(s) Michel

S. R. No. 45: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON PREP "PATRIOTS" BOYS SOCCER TEAM AND HEAD COACH JON MARCUS DUNCAN FOR WINNING THE 2024 MAIS DIVISION I CLASS 6A STATE SOCCER CHAMPIONSHIP.

By Senator(s) Kirby, Harkins, Blount, Michel

S. R. No. 46: Rules

A RESOLUTION RECOGNIZING CHARLESTIEN HARRIS OF CLARKSDALE, MISSISSIPPI, AS THE RECIPIENT OF THE "2023 FINANCIAL COUNSELOR OF THE YEAR" AWARD BY THE ASSOCIATION FOR FINANCIAL COUNSELING & PLANNING EDUCATION (AFCPE).

By Senator(s) Jackson, Simmons (12th)

S. R. No. 47: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE MERIDIAN HIGH SCHOOL "WILDCATS" BOYS BASKETBALL TEAM AND HEAD COACH RONALD NORMAN FOR WINNING THE FIRST MHSAA 7A STATE CHAMPIONSHIP.

By Senator(s) Hickman, Tate

S. R. No. 48: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE OLIVE BRANCH HIGH SCHOOL "CONQUISTADORS" (QUISTORS) BOYS BASKETBALL TEAM AND HEAD COACH ERIC ROMBAUGH FOR WINNING THE MHSAA CLASS 6A STATE CHAMPIONSHIP.

By Senator(s) Blackwell, McLendon, Parker

S. R. No. 49: Rules

A RESOLUTION RECOGNIZING THE FIVE PLAYERS AND THE COACH WITH STATE OF MISSISSIPPI CONNECTIONS AT SUPER BOWL LVIII BETWEEN THE KANSAS CITY CHIEFS AND THE SAN FRANCISCO 49ERS.

By Senator(s) Jackson, Johnson, Hickman, Thomas, Butler, Simmons (13th), Brumfield, Turner-Ford, Jordan, Barnett, Rhodes, Norwood, Blount, England, Berry, Hill, Frazier, Simmons (12th), Sparks, Ladner

---

SEVENTIETH DAY, MONDAY, MARCH 11, 2024

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.

Absent--McMahan, Parks, Turner-Ford. Total--3.

The Secretary announced a quorum present.

The invocation was delivered by Reverend Heather Hensarling, Pastor, First United Methodist Church, Columbia, MS.

Senator Fillingane led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 37: AN ACT TO AMEND SECTION 73-23-35, MISSISSIPPI CODE OF 1972, TO REVISE THE CIRCUMSTANCES AND CRITERIA UNDER WHICH A PHYSICAL THERAPIST MAY IMPLEMENT PHYSICAL THERAPY TREATMENT WITHOUT A REFERRAL FROM ANOTHER HEALTH CARE PROVIDER; TO AMEND SECTION 73-23-41, MISSISSIPPI CODE OF 1972, TO UPDATE THE NAME OF THE PHYSICAL THERAPY ASSOCIATION THAT SUBMITS LISTS OF NOMINEES FOR APPOINTMENTS TO THE STATE BOARD OF PHYSICAL THERAPY; TO AMEND SECTION 73-23-59, MISSISSIPPI CODE OF 1972, TO CONFORM THE GROUNDS FOR DISCIPLINARY ACTION AGAINST A PHYSICAL THERAPIST FOR IMPLEMENTING PHYSICAL THERAPY TREATMENT WITHOUT A REFERRAL TO THE AMENDMENT TO SECTION 73-23-35 IN THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 42: AN ACT TO AMEND SECTION 37-146-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE NUMBER OF STUDENTS ADMITTED ANNUALLY TO THE MISSISSIPPI RURAL DENTIST SCHOLARSHIP PROGRAM FROM THREE TO SIX; TO AMEND SECTION 37-146-1, MISSISSIPPI CODE OF 1972, TO RENAME THE MISSISSIPPI RURAL DENTISTS SCHOLARSHIP PROGRAM AS THE DR. GENE

NORRIS HOWELL, JR., MEMORIAL MISSISSIPPI RURAL DENTISTS SCHOLARSHIP PROGRAM; AND FOR RELATED PURPOSES.

H. B. No. 413: AN ACT TO AUTHORIZE A COURT TO AWARD REIMBURSEMENT OR PAYMENT OF ACTUAL EXPENSES INCURRED AS A RESULT OF INJURIES CAUSED BY A DOG BITE; TO AMEND SECTION 97-41-16, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE DOG AND CAT PROTECTION LAW TO CONFORM TO THE PRECEDING SECTION; TO BRING FORWARD SECTION 97-41-3, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES LAW ENFORCEMENT TO KILL NEGLECTED DOGS, FOR PURPOSES OF AMENDMENT WHICH AUTHORIZES; TO BRING FORWARD SECTION 95-5-21, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN OWNER OF POULTRY TO KILL A DOG THAT HAS HARMED ITS POULTRY OR LIVESTOCK, FOR PURPOSES OF AMENDMENT; TO BRING FORWARD SECTION 41-53-11, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES ANY SHERIFF TO KILL A DOG THAT IS RUNNING AT LARGE, FOR PURPOSES OF AMENDMENT; TO BRING FORWARD SECTIONS 21-19-9 AND 19-5-50, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE MUNICIPALITIES TO REGULATE ANIMALS RUNNING AT LARGE, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 585: AN ACT TO CREATE THE "DIGNITY AND SAFETY FOR INCARCERATED WOMEN ACT"; TO DEFINE CERTAIN TERMS AS USED UNDER THIS ACT; TO PROVIDE THAT EVERY RESTROOM AND CHANGING ROOM WITHIN A CORRECTIONAL FACILITY THAT IS FOR USE BY INCARCERATED INDIVIDUALS SHALL BE DESIGNATED FOR USE BY MEMBERS OF ONE SEX; TO PROHIBIT ANY INCARCERATED INDIVIDUAL FROM ENTERING A RESTROOM OR CHANGING ROOM THAT IS DESIGNATED FOR ONE SEX UNLESS HE OR SHE IS A MEMBER OF THAT SEX; TO PROVIDE THAT EVERY RESTROOM, CHANGING ROOM AND SLEEPING QUARTER WITHIN A CORRECTIONAL FACILITY THAT IS DESIGNATED FOR THE USE OF INCARCERATED ADULTS THAT IS ACCESSIBLE BY MULTIPLE INDIVIDUALS AT THE SAME TIME SHALL BE DESIGNATED FOR USE ONLY BY MEMBERS OF ONE SEX; TO PROVIDE CERTAIN REMEDIES FOR VIOLATIONS OF THIS ACT; TO REGULATE PUBLIC STUDENT HOUSING FOR SINGLE-SEX EDUCATIONAL HOUSING; TO REGULATE HOW PERSONS ENTER A SINGLE-SEX EDUCATIONAL HOUSING SPACE; TO REQUIRE GOVERNMENTAL ENTITIES TO ESTABLISH CERTAIN REGULATIONS WITH CERTAIN DISCIPLINARY PROCEDURES; TO PROVIDE THAT A PERSON WHO WILLFULLY ENTERS A SINGLE-SEX EDUCATIONAL HOUSING SPACE, WHEN SUCH ENTRANCE IS PROHIBITED, SHALL BE COMMITTING THE OFFENSE OF TRESPASS; TO AUTHORIZE ASSERTION OF A VIOLATION OF THIS ACT; TO AUTHORIZE THE ATTORNEY GENERAL TO BRING ACTION UNDER CERTAIN CIRCUMSTANCES; AND FOR RELATED PURPOSES.

H. B. No. 768: AN ACT TO REENACT SECTIONS 27-117-1 THROUGH 27-117-13, MISSISSIPPI CODE OF 1972, WHICH ARE THE ISRAEL SUPPORT ACT OF 2019; TO AMEND SECTION 27-117-15, MISSISSIPPI CODE OF 1972, TO REMOVE THE REPEALER ON THE ISRAEL SUPPORT ACT OF 2019; AND FOR RELATED PURPOSES.

H. B. No. 906: AN ACT TO PROVIDE FOR THE LICENSURE OF PROFESSIONAL MUSIC THERAPISTS BY THE STATE DEPARTMENT OF HEALTH; TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR THE ESTABLISHMENT, APPOINTMENT AND MEMBERSHIP OF THE MUSIC THERAPY ADVISORY COMMITTEE; TO DIRECT THE DEPARTMENT TO SEEK THE ADVICE OF THE ADVISORY COMMITTEE FOR ISSUES RELATED TO MUSIC THERAPY; TO PROVIDE THE POWERS AND DUTIES OF THE ADVISORY COMMITTEE; TO PROVIDE THAT BEGINNING ON JANUARY 1, 2025, NO PERSON WITHOUT A LICENSE AS A PROFESSIONAL MUSIC THERAPIST SHALL PRACTICE MUSIC THERAPY OR USE ANY TITLE THAT IMPLIES THAT THE PERSON IS A PROFESSIONAL MUSIC THERAPIST; TO PRESCRIBE CERTAIN REQUIREMENTS FOR PROFESSIONAL

MUSIC THERAPISTS IN THE PROVISION OF MUSIC THERAPY SERVICES; TO PROVIDE FOR LICENSURE APPLICATION AND QUALIFICATIONS FOR LICENSURE; TO PROVIDE FOR LICENSE RENEWAL; TO PROVIDE FOR DISCIPLINARY ACTIONS AGAINST LICENSEES; TO DIRECT THE STATE BOARD OF HEALTH TO SET CERTAIN FEES; TO CREATE A SPECIAL FUND IN THE STATE TREASURY; TO REQUIRE THAT ALL FEES COLLECTED BY THE DEPARTMENT UNDER THIS ACT SHALL BE DEPOSITED INTO THE SPECIAL FUND; AND FOR RELATED PURPOSES.

H. B. No. 934: AN ACT TO LIMIT THE REDISCLOSURE OF CONSUMER REPORTS REQUESTED IN CONNECTION WITH A CREDIT TRANSACTION INVOLVING A RESIDENTIAL MORTGAGE LOAN; TO DEFINE CERTAIN TERMS RELATING TO THE ACT; TO BRING FORWARD SECTIONS 75-24-215, 81-18-9, AND 93-11-69, MISSISSIPPI CODE OF 1972, WHICH RELATE TO OBLIGATIONS OF CONSUMER REPORTING AGENCIES, THE MISSISSIPPI S.A.F.E. MORTGAGE ACT, AND ENFORCEMENT OF SUPPORT FOR DEPENDENTS, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1234: AN ACT TO AMEND SECTION 89-1-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHEN A PERSON CONVEYS AN INTEREST IN PROPERTY TO TWO INDIVIDUALS WHO ARE MARRIED TO EACH OTHER, AND SUCH PROPERTY IS THE PRIMARY RESIDENCE OF THAT MARRIED COUPLE, THE DEED CONVEYING SUCH INTEREST SHALL CREATE A REBUTTABLE PRESUMPTION THAT THE PROPERTY IS THE PRIMARY RESIDENCE OF THE MARRIED INDIVIDUALS; TO PROVIDE THAT THE PROPERTY INTEREST SHALL BE CONSTRUED TO BE A TENANCY BY THE ENTIRETY WITH A RIGHT OF SURVIVORSHIP, UNLESS THERE ARE SPECIFIC PROVISIONS PROVIDED FOR IN THE DEED TO THE CONTRARY; AND FOR RELATED PURPOSES.

H. B. No. 1567: AN ACT TO BRING FORWARD SECTION 71-5-353, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1577: AN ACT TO AMEND SECTIONS 27-105-305 AND 27-105-353, MISSISSIPPI CODE OF 1972, TO PROVIDE NECESSARY UPDATES AND TO HARMONIZE BIDDING TERMS FOR PUBLIC DEPOSITS BETWEEN COUNTIES AND MUNICIPALITIES; TO REPEAL SECTION 27-105-363, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT THE TERM OF OFFICE OF A MUNICIPAL DEPOSITOR SHALL BE TWO YEARS; TO CLARIFY THE PUBLICATION AND BIDDING PROCESS FOR ANY QUALIFIED FINANCIAL INSTITUTION THAT SEEKS TO BECOME THE DEPOSITORY FOR COUNTY, MUNICIPAL AND SCHOOL FUNDS; AND FOR RELATED PURPOSES.

H. B. No. 1584: AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 9 IN WEBSTER COUNTY, MISSISSIPPI, THAT IS TO BE DESIGNATED AS THE "WARRANT OFFICER WILLIAM H. "BILL" SEABORN, JR., MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 755: AN ACT TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE STATUTE PRESCRIBING CONDITIONS FOR PAROLE ELIGIBILITY FOR STATE PRISONERS; TO AMEND SECTION 47-7-40, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN OFFENDER WHO IS ON PROBATION AND PAROLE MAY BE AWARDED EARNED-DISCHARGE CREDIT IF HE OR SHE PARTICIPATES IN FAITH-BASED ACTIVITIES OR FAITH-BASED SPONSORED ACTIVITIES; TO REQUIRE CERTAIN REPORTING REQUIREMENTS IN ORDER FOR AN OFFENDER TO RECEIVE SUCH CREDIT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. C. R. No. 518: A CONCURRENT RESOLUTION MOURNING THE LOSS AND CELEBRATING THE CONTRIBUTIONS AND CAREER OF MISSISSIPPI MUSIC ICON AND TROPICAL ROCK LEGEND AND USM ALUMNUS JIMMY BUFFETT OF PASCAGOULA, MISSISSIPPI, WHO CREATED HIS OWN GENRE OF MUSIC AND A WORLDWIDE MUSIC BUSINESS EMPIRE, AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE ON THE PASSING OF THIS MISSISSIPPI MUSIC LEGEND.

S. C. R. No. 519: A CONCURRENT RESOLUTION CELEBRATING AND CONGRATULATING THE UNIVERSITY OF MISSISSIPPI "OLE MISS REBELS" FOOTBALL TEAM AND HEAD COACH LANE KIFFIN, INCLUDING THE ATHLETES, COACHING STAFF, ADMINISTRATION, FACULTY, STUDENTS AND ALUMNI, FOR DOMINATING PENN STATE 38-25 IN THE 2023 PEACH BOWL, FOR ACHIEVING ITS FIRST 11-WIN SEASON IN OLE MISS' 129 SEASONS OF COLLEGE FOOTBALL, AND FOR ITS TOP 10 FINAL NATIONAL RANKING.

David Jordan, Chairman

MESSAGE FROM THE SPEAKER
March 7, 2024

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

Michael Anthony (Mike) Pruitt, Hattiesburg, Mississippi, Mississippi State Board of Education, term effective immediately and will expire June 30, 2031.

Philip Gunn
OUT GOING SPEAKER

The executive nomination in the foregoing message was referred to committee as follows:

Michael Anthony (Mike) Pruitt, Mississippi State Board of Education, term effective immediately and will expire June 30, 2031, Education.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. C. R. No. 505: A CONCURRENT RESOLUTION EXTENDING THE DEEP AND HEARTFELT SYMPATHY OF THE MISSISSIPPI LEGISLATURE TO THE FAMILY OF GEORGE COUNTY DEPUTY SHERIFF JEREMY TODD MALONE WHO WAS LOST IN THE LINE OF DUTY ON JANUARY 4, 2024.

S. C. R. No. 506: A CONCURRENT RESOLUTION EXTENDING THE SINCEREST SYMPATHY OF THE MISSISSIPPI SENATE TO THE SURVIVING FAMILY OF FORMER MISSISSIPPI SENATOR, CHAIRMAN OF THE STATE BOARD OF PUBLIC WELFARE AND RESPECTED TRIAL LAWYER JOHN G. CORLEW OF JACKSON COUNTY, MISSISSIPPI, AND COMMENDING HIS SERVICE TO HIS COMMUNITY AND HIS STATE.

S. C. R. No. 508: A CONCURRENT RESOLUTION EXTENDING THE DEEP AND HEARTFELT SYMPATHY OF THE LEGISLATURE ON THE PASSING OF LEGENDARY MISSISSIPPI BLUES-ROCK MUSICIAN GREG "FINGERS" TAYLOR WHO PLAYED HARMONICA FOR JIMMY BUFFETT AND THE CORAL REEFER BAND FROM 1974-2000.

S. C. R. No. 515: A CONCURRENT RESOLUTION MOURNING THE PASSING AND RECOGNIZING THE SIGNIFICANT JUDICIAL CAREER OF FORMER MISSISSIPPI SUPREME COURT JUSTICE JAMES L. ROBERTSON.

S. C. R. No. 516: A CONCURRENT RESOLUTION RECOGNIZING MISSISSIPPI SUPREME COURT PRESIDING JUSTICE AND FORMER REPRESENTATIVE LESLIE D. KING UPON HIS RECEIPT OF THE PRESTIGIOUS "60 COURAGEOUS JUDGES AWARD" BY THE NATIONAL JUDICIAL COLLEGE.

S. C. R. No. 517: A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO THE SURVIVING FAMILY AND FRIENDS OF MARGARETT LOUISE ALLEN-BINGHAM WHO WAS THE FIRST FEMALE SUPERINTENDENT OF A CORRECTIONAL FACILITY IN MISSISSIPPI AND LONGTIME RESPECTED LEADER IN THE FIELD OF CORRECTIONS AND MENTAL HEALTH.

David Jordan, Chairman

Senator Harkins called up the following entitled bill:

S. B. No. 2320: Motor vehicles; require proof of liability insurance before license tag or decal may be issued or renewed.

Senator Harkins offered the following AMENDMENT NO. 1.

AMEND on line 56 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to S. B. No. 2320 was adopted.

YEAS AND NAYS On S. B. No. 2320. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane,

Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--McMahan, Parks, Turner-Ford. Total--3.

Senator Harkins called up the following entitled bill:

S. B. No. 2457: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

Senator Williams offered the following AMENDMENT NO. 1.

AMEND by striking lines 325-335 and inserting in lieu thereof the following:

18. Land that is owned by a state institution of higher learning, land that is owned by an entity that is bound by an affiliation agreement with a state institution of higher learning, or land that is owned by one or more other entities so long as such other entities are solely owned, either directly or through additional entities, by an institution of higher learning and/or one or more entities bound by affiliation agreements with such institution, and:

a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7 * * *; and

b. A. Located adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9 * * *; or

B. Located in an area bounded on the north by College View Drive, on the east by Highway 12 East, on the south by Highway 12 East, on the west by Mill Street, on the north by Russell Street, then on the west by Colonel Muldrow Avenue, on the north by University Drive, on the west by Adkerson Way within a municipality through which run Highway 25, Highway 12 and Highway 82.

Amendment No. 1 to S. B. No. 2457 was adopted.

YEAS AND NAYS On S. B. No. 2457. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--42.

Nays--Branning, Chism, Frazier, Hill, Parker, Seymour, Tate. Total--7.

Absent and those not voting--McMahan, Parks, Turner-Ford. Total--3.

Senator Harkins called up the following entitled bill:

S. B. No. 2298: Bonds; raise maximum fee paid to state's bond attorney from $500.00 to $750.00 for validation and issuance of.

YEAS AND NAYS On S. B. No. 2298. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--None.

Absent and those not voting--McMahan, Parks, Turner-Ford. Total--3.

Voting Present--Chism, Hill. Total--2.

Senator Harkins called up the following entitled bill:

S. B. No. 2466: Alcoholic beverages; revise certain provisions relating to sales to persons under the age of 21.

Senator Harkins offered the following AMENDMENT NO. 1.

AMEND on line 109 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to S. B. No. 2466 was adopted.

YEAS AND NAYS On S. B. No. 2466. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--Blackwell, Chism, DeLano, Hill, Ladner, Seymour, Sparks. Total--7.

Absent and those not voting--McMahan, Parks, Turner-Ford. Total--3.

Voting Present--McCaughn, McLendon. Total--2.

Senator Harkins called up the following entitled bill:

S. B. No. 2830: Mississippi Flexible Tax Incentive Act; revise definition and annual report due date, and correct agency reference.

YEAS AND NAYS On S. B. No. 2830. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--McMahan, Parks, Turner-Ford. Total--3.

Senator Williams called up the following entitled bill:

S. B. No. 2698: Cyber Safety Review Board; create.

On motion of Senator Williams, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2698. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--McMahan, Parks, Turner-Ford. Total--3.

Unanimous consent was granted to add Senators Blackmon, Barnett, Parker, Butler and Brumfield as co-authors of **S. B. No. 2698**.

Senator Johnson called up the following entitled bill:

S. B. No. 2514: State Veterans Affairs Board; revise composition of.

On motion of Senator Tate, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2514. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--McMahan, Parks, Turner-Ford. Total--3.

Senator Fillingane called up the following entitled bill:

S. B. No. 2179: Department of Public Safety; revise certain provisions of.

On motion of Senator Fillingane, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2179. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--McMahan, Parks, Turner-Ford. Total--3.

Senator Williams called up the following entitled bill:

S. B. No. 2062: Artificial Intelligence in Education Task Force Act; enact.

On motion of Senator Johnson, the Committee Substitute was adopted for consideration.

Senator Blackmon offered the following AMENDMENT NO. 1.

AMEND on line 56 by striking "and".

FURTHER, AMEND on line 58 by inserting "and" after the semicolon.

FURTHER, AMEND by inserting the following below line 58:

(v) The members appointed under subparagraphs (ii), (iii) and (vi) of this paragraph shall come from separate school districts.

Amendment No. 1 to S. B. No. 2062 was adopted.

YEAS AND NAYS On S. B. No. 2062. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--43.

Nays--Chism, Tate. Total--2.

Absent and those not voting--McMahan, Parks, Turner-Ford. Total--3.
Voting Present--Barrett, Branning, Hill, Seymour. Total--4.

Senator Parker called up the following entitled bill:

S. B. No. 2218: Mississippi Ireland Trade Commission; establish.

YEAS AND NAYS On S. B. No. 2218. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.
Nays--None.
Absent and those not voting--McMahan, Parks, Turner-Ford. Total--3.

Unanimous consent was granted to add Senators Parker, Seymour and Robinson as co-authors of **S. B. No. 2218**.

Senator Parker called up the following entitled bill:

S. B. No. 2917: Capitol Complex Improvement District; define authority.

Senator Parker offered the following AMENDMENT NO. 1.

AMEND by inserting the following on line 44 after "welfare"

"provided that private property owners receive due process within the meaning of state and federal law"

Amendment No. 1 to S. B. No. 2917 was adopted.

YEAS AND NAYS On S. B. No. 2917. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.
Nays--None.
Absent and those not voting--McMahan, Parks, Turner-Ford. Total--3.

Unanimous consent was granted to add Senator Parker as co-author of **S. B. No. 2917**.

Senator Hopson moved that the rules be suspended to move to calendar item 20, **S. B. No. 2846**, and the motion prevailed.

Senator Hopson called up the motion to reconsider the vote whereby **S. B. No. 2846** passed the Senate and moved that it be reconsidered:

S. B. No. 2846: Appropriations; make technical revisions to certain transfers and provisions related to local projects.

The foregoing motion prevailed.

Senator Branning offered the following AMENDMENT NO. 1.

AMEND on line 1317 by adding the following after the word "museum"

or has a written binding agreement to display Marty Stuart memorabilia and/or similar memorabilia for a period of at least twenty-five (25) years

Amendment No. 1 to S. B. No. 2846 was adopted.

YEAS AND NAYS On S. B. No. 2846. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--McMahan, Parks, Turner-Ford. Total--3.

On motion of Senator Hopson, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 2846.

Senators Carter and DeLano moved that when the Senate adjourns, it adjourn in memory of Charles Kistner Pringle, Sr. of Biloxi, MS.

Senators Hopson and Butler moved that when the Senate adjourns, it adjourn in memory of Maxine Clauser Fox of Port Gibson, MS/Vicksburg, MS.

Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Jennifer "Bug" Brandy of Shuqualak, MS.

Senator Berry moved that when the Senate adjourns, it adjourn in memory of Malcolm "Buck" Rester of Silver Creek, MS.

Senator Barnett moved that when the Senate adjourns, it adjourn in memory of Lisa Lovett of Heidelberg, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Glenn Arnold Stone of Gulfport, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Ruby Elizabeth Threadgill of McHenry, MS.

Senators Whaley and Chism moved that when the Senate adjourns, it adjourn in memory of Ansley Haynes Thompson of New Albany, MS.

Senators Whaley, Blackwell, Parker and McLendon moved that when the Senate adjourns, it adjourn in memory of Cutter Crass of Olive Branch, MS.

Senator Sparks moved that when the Senate adjourns, it adjourn in memory of William Anthony Anderson, Sr. of New Albany, MS.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 346: AN ACT TO ESTABLISH THE SEIZURE SAFE SCHOOLS ACT; TO PROVIDE THAT BEGINNING ON JULY 1, 2025, EACH PUBLIC SCHOOL BOARD AND THE GOVERNING BODY OF EACH NONPUBLIC SCHOOL SHALL HAVE AT LEAST ONE EMPLOYEE AT EACH SCHOOL WHO HAS MET THE TRAINING REQUIREMENTS NECESSARY TO ADMINISTER SEIZURE RESCUE MEDICATION OR PERFORM MANUAL VAGUS NERVE STIMULATION FOR PERSONS EXPERIENCING SEIZURE DISORDER SYMPTOMS; TO REQUIRE TRAINING FOR SUCH PERSON TO BE CONSISTENT WITH GUIDELINES DEVELOPED BY THE EPILEPSY FOUNDATION OF AMERICA OR SIMILAR SUCCESSOR ORGANIZATION, TO REQUIRE THE TRAINING TO OCCUR EVERY TWO YEARS FOR THOSE EMPLOYEES OF THE SCHOOL WITH DIRECT CONTACT OR SUPERVISION OF CHILDREN; TO REQUIRE THE PARENTS OR LEGAL GUARDIANS OF CHILDREN WHO EXPERIENCE SEIZURE DISORDER SYMPTOMS TO PROVIDE WRITTEN AUTHORIZATION TO THE SCHOOL FOR THE ADMINISTRATION OF NECESSARY MEDICATION ALONG WITH A WRITTEN STATEMENT FROM THE CHILD'S MEDICAL PROVIDER; TO REQUIRE THE WRITTEN STATEMENT AND THE CHILD'S SEIZURE ACTION PLAN TO BE KEPT ON FILE BY THE SCHOOL NURSE OR SCHOOL ADMINISTRATOR; TO AUTHORIZE SCHOOLS TO PROVIDE AGE-APPROPRIATE SEIZURE EDUCATION PROGRAMS TO ALL STUDENTS ON SEIZURES AND SEIZURE DISORDERS; TO EXEMPT SCHOOL EMPLOYEES ACTING IN GOOD FAITH

AND IN SUBSTANTIAL COMPLIANCE WITH A STUDENT'S INDIVIDUAL HEALTH PLAN TO RENDER ASSISTANCE TO A CHILD EXPERIENCING A SEIZURE EPISODE FROM CIVIL AND CRIMINAL LIABILITY; AND FOR RELATED PURPOSES.

H. B. No. 616: AN ACT TO CREATE THE MISSISSIPPI RARE DISEASE ADVISORY COUNCIL AT THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER; TO DECLARE CERTAIN LEGISLATIVE FINDINGS RELATING TO RARE DISEASES; TO PRESCRIBE THE MEMBERSHIP AND DUTIES OF THE COUNCIL; TO REQUIRE THE COUNCIL TO SUBMIT AN ANNUAL REPORT TO THE GOVERNOR AND LEGISLATURE; TO REQUIRE THE GOVERNOR TO APPOINT MEMBERS OF A BOARD OF DIRECTORS FOR THE GOVERNANCE OF THE COUNCIL; TO REQUIRE THE BOARD OF DIRECTORS TO EMPLOY AN EXECUTIVE DIRECTOR FOR THE COUNCIL; AND FOR RELATED PURPOSES.

H. B. No. 761: AN ACT TO AMEND SECTION 41-29-136, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON HARPER GRACE'S LAW, WHICH AUTHORIZES RESEARCH AND THE DISPENSING, POSSESSION AND USE OF CANNABIDIOL (CBD OIL) FOR MEDICAL PURPOSES; AND FOR RELATED PURPOSES.

H. B. No. 764: AN ACT TO REENACT SECTIONS 41-3-1.1, 41-3-3, 41-3-4, 41-3-5.1, 41-3-6, 41-3-15, 41-3-16, 41-3-17, 41-3-18 AND 41-3-19, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF HEALTH, ESTABLISH THE POSITION OF EXECUTIVE OFFICER OF THE STATE DEPARTMENT OF HEALTH, AND ESTABLISH AND PRESCRIBE THE POWERS AND DUTIES OF THE STATE DEPARTMENT OF HEALTH; TO AMEND SECTION 41-3-20, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE REENACTED STATUTES; AND FOR RELATED PURPOSES.

H. B. No. 818: AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO REVISE THE RURAL FIRE TRUCK MATCHING ASSISTANCE PROGRAM TO REMOVE LANGUAGE THAT LIMITS ELIGIBILITY OF THE RURAL FIRE TRUCK MATCHING ASSISTANCE PROGRAM TO THOSE COUNTIES THAT HAVE RECEIVED FUNDING FOR EIGHT ROUNDS OR LESS FROM THE RURAL FIRE TRUCK MATCHING ASSISTANCE PROGRAM; TO AMEND SECTION 25-15-409, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO CONTRACT WITH A THIRD PARTY VENDOR TO ADMINISTER BENEFITS UNDER THE MISSISSIPPI FIRST RESPONDERS HEALTH AND SAFETY ACT AND TO AUTHORIZE PAYMENT FOR THAT VENDOR FROM THE MISSISSIPPI FIRST RESPONDERS HEALTH AND SAFETY TRUST FUND; TO AMEND SECTION 25-15-411, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT THE COMMISSIONER OF INSURANCE NOTIFY THE HOUSE OF REPRESENTATIVES AND SENATE INSURANCE CHAIRMEN BEFORE MAKING ANY DISTRIBUTIONS FROM THE MISSISSIPPI FIRST RESPONDERS HEALTH AND SAFETY TRUST FUND; TO AMEND SECTION 83-1-37, MISSISSIPPI CODE OF 1972, TO INCREASE THE CREDIT TO THE MUNICIPAL FIRE PROTECTION FUND; TO AMEND SECTION 83-1-39, MISSISSIPPI CODE OF 1972, TO INCREASE THE CREDIT TO THE COUNTY VOLUNTEER FIRE DEPARTMENT FUND; TO BRING FORWARD SECTION 83-5-72, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 888: AN ACT TO AMEND SECTION 27-7-1001, MISSISSIPPI CODE OF 1972, TO DEFINE "DISASTER MITIGATION EXPENSE", "DISASTER RECOVERY EXPENSES" AND "QUALIFIED CATASTROPHE EXPENSES"; TO AMEND SECTION 27-7-1003, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE LIMITS ON THE TOTAL AMOUNT THAT MAY BE CONTRIBUTED TO A CATASTROPHE SAVINGS ACCOUNT IS AN ANNUAL LIMIT; TO AMEND SECTION 27-7-1005, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT CATASTROPHE SAVINGS ACCOUNTS MAY BE USED FOR QUALIFIED DISASTER MITIGATION EXPENSES; TO AMEND SECTION 83-1-191,

MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI COMPREHENSIVE HURRICANE AND WIND DAMAGE MITIGATION TRUST FUND SHALL FUND THE COMPREHENSIVE HURRICANE AND WIND DAMAGE MITIGATION PROGRAM; TO ADD "WIND" TO THE MISSISSIPPI COMPREHENSIVE HURRICANE DAMAGE MITIGATION PROGRAM; TO DELETE THE REPEALER; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE DESIGNATED AS THE "MISSISSIPPI COMPREHENSIVE HURRICANE AND WIND DAMAGE MITIGATION PROGRAM TRUST FUND"; TO AMEND SECTION 83-2-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL PROPERTY AND CASUALTY INSURANCE COMPANIES DOING BUSINESS IN THIS STATE SHALL CONTRIBUTE, IN PROPORTION TO THEIR GROSS PREMIUMS, TO THE MISSISSIPPI COMPREHENSIVE HURRICANE AND WIND DAMAGE MITIGATION PROGRAM TRUST FUND; TO PROVIDE THAT TOTAL CONTRIBUTIONS COLLECTED FOR THE MISSISSIPPI COMPREHENSIVE HURRICANE AND WIND DAMAGE MITIGATION PROGRAM TRUST FUND SHALL NOT EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS; TO TRANSFER FIVE MILLION DOLLARS FROM THE MISSISSIPPI SURPLUS LINES ASSOCIATION TO THE MISSISSIPPI COMPREHENSIVE HURRICANE AND WIND DAMAGE MITIGATION PROGRAM TRUST FUND; TO BRING FORWARD SECTION 83-2-3, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

H. B. No. 1030: AN ACT TO AMEND SECTION 43-1-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE EXECUTIVE DIRECTOR OF HUMAN SERVICES TO APPOINT A NONRESIDENT OF THE COUNTY TO SERVE AS THE COUNTY DIRECTOR OF HUMAN SERVICES UNDER CERTAIN CIRCUMSTANCES; TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO ENTER INTO A LEASE WITH THE BOARD OF SUPERVISORS IN EACH COUNTY WHERE A LOCAL OFFICE IS LOCATED TO ALLOW THE DEPARTMENT TO MAXIMIZE THE AVAILABILITY OF FEDERAL FUNDS; TO PROVIDE THAT FAIR MARKET VALUE FOR THE COUNTY-FURNISHED BUILDING SHALL BE ESTABLISHED BY CONSULTATION BETWEEN THE DEPARTMENT AND EACH COUNTY BOARD OF SUPERVISORS, AND THE DEPARTMENT SHALL PAY THE FEDERAL SHARE FOR THE RENT TO THE COUNTY; TO PROVIDE THAT ALL MAINTENANCE AND REPAIRS OF THE LOCAL OFFICE REQUIRED TO KEEP IT IN AN ADEQUATE AND HABITABLE CONDITION FOR USE BY THE DEPARTMENT SHALL BE THE RESPONSIBILITY OF THE COUNTY; AND FOR RELATED PURPOSES.

H. B. No. 1048: AN ACT TO CREATE THE PEER-TO-PEER CAR SHARING PROGRAM ACT; TO AUTHORIZE VEHICLE OWNERS AND DRIVERS TO USE A BUSINESS PLATFORM FOR THE SHARING OF VEHICLES FOR FINANCIAL CONSIDERATION; TO PROVIDE FOR DEFINITIONS RELATED TO THE ACT; TO PROVIDE THAT A PEER-TO-PEER CAR SHARING PROGRAM SHALL ASSUME LIABILITY OF A SHARED VEHICLE OWNER FOR CERTAIN INJURIES OR DAMAGE WITH CERTAIN EXCEPTIONS; TO REQUIRE CERTAIN NOTIFICATIONS TO SHARED VEHICLE OWNERS ABOUT THE USE OF THEIR VEHICLE; TO PROVIDE THAT AN AUTHORIZED MOTOR VEHICLE LIABILITY INSURER MAY EXCLUDE CERTAIN COVERAGE IN SHARED VEHICLE OWNERS' INSURANCE POLICIES; TO REQUIRE A PEER-TO-PEER CAR SHARING PROGRAM TO COLLECT AND VERIFY RECORDS PERTAINING TO THE USE OF A SHARED VEHICLE; TO EXEMPT A PEER-TO-PEER CAR SHARING PROGRAM AND A SHARED VEHICLE OWNER FROM VICARIOUS LIABILITY; TO PROVIDE THAT AN AUTHORIZED MOTOR VEHICLE LIABILITY INSURER MAY HAVE CERTAIN INDEMNITY RIGHTS; TO PROVIDE THAT A PEER-TO-PEER CAR SHARING PROGRAM SHALL HAVE AN INSURABLE INTEREST IN A SHARED VEHICLE DURING THE CAR SHARING PERIOD; TO REQUIRE A CAR SHARING PROGRAM AGREEMENT TO HAVE CERTAIN CONSUMER PROTECTION DISCLOSURES; TO REQUIRE A PEER-TO-PEER CAR SHARING PROGRAM TO VERIFY DRIVER'S LICENSES; TO PROVIDE FOR SPECIFIC PROCEDURES REQUIRED OF PEER-TO-PEER CAR SHARING PROGRAMS IN REGARDS TO AUTOMOBILE SAFETY RECALLS; TO PROVIDE THAT THE COMMISSIONER OF

INSURANCE SHALL HAVE THE AUTHORITY TO PROMULGATE RULES AND REGULATIONS THAT ARE NECESSARY TO ADMINISTER AND ENFORCE THE PROVISIONS OF THIS ACT PROVIDED THAT SUCH RULES AND REGULATIONS ARE NOT INCONSISTENT WITH THE PROVISIONS OF THIS ACT; TO AMEND SECTIONS 27-19-40, 63-1-67, 77-8-1, 75-24-8 AND 27-17-35, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1068: AN ACT TO AMEND SECTION 41-61-59, MISSISSIPPI CODE OF 1972, TO ADD THE DEATH OF ANY PERSON UNDER THE AGE OF EIGHTEEN TO THE LIST OF DEATHS CATEGORIZED AS "AFFECTING PUBLIC INTEREST"; TO AMEND SECTION 41-61-63, MISSISSIPPI CODE OF 1972, TO REQUIRE COUNTY MEDICAL EXAMINERS TO ELECTRONICALLY ENTER INFORMATION FOR ALL DEATHS THAT OCCUR IN THE EXAMINER'S COUNTY IN A MANNER PRESCRIBED BY THE STATE MEDICAL EXAMINER; AND FOR RELATED PURPOSES.

H. B. No. 1079: AN ACT TO AMEND SECTION 83-9-5, MISSISSIPPI CODE OF 1972, TO CLARIFY REQUIREMENTS FOR A CLEAN CLAIM; TO PROVIDE THAT THE COMMISSIONER OF INSURANCE MAY ADOPT RULES AND REGULATIONS NECESSARY TO ENSURE COMPLIANCE WITH THIS SECTION; AND FOR RELATED PURPOSES.

H. B. No. 1090: AN ACT TO AMEND SECTION 41-29-105, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "PARAPHERNALIA" UNDER THE UNIFORM CONTROLLED SUBSTANCES LAW TO EXCLUDE ANY MATERIALS USED OR INTENDED FOR USE IN TESTING FOR THE PRESENCE OF OTHER EMERGING OR EXISTING DRUG THREATS OF CONCERN TO PUBLIC HEALTH AS IDENTIFIED BY THE STATE DEPARTMENT OF HEALTH; AND FOR RELATED PURPOSES.

H. B. No. 1116: AN ACT TO AMEND SECTION 27-104-205, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT THE MISSISSIPPI PUBLIC SERVICE COMMISSION BE FUNDED BY APPROPRIATIONS FROM THE GENERAL FUND; TO AMEND SECTIONS 77-1-6, 77-1-15, 77-1-29, 77-1-53, 77-3-8, 77-3-87, 77-3-89, 77-3-503, 77-3-507, 77-3-509 AND 77-11-201, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISIONS OF LAW REQUIRING CERTAIN EXPENSES OF THE MISSISSIPPI PUBLIC SERVICE COMMISSION TO BE DEFRAYED BY APPROPRIATION FROM THE STATE GENERAL FUND; AND FOR RELATED PURPOSES.

H. B. No. 1117: AN ACT TO AMEND SECTION 77-3-87, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN TAXES COLLECTED FROM UTILITIES TO BE CREDITED TO THE PUBLIC UTILITIES STAFF REGULATION FUND TO COVER THE EXPENSES OF THE PUBLIC UTILITIES STAFF; TO AMEND SECTION 27-104-205, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE PUBLIC UTILITIES STAFF IS NOT INCLUDED IN THE LIST OF STATE AGENCIES FUNDED BY APPROPRIATION FROM THE STATE GENERAL FUND UNDER THE MISSISSIPPI BUDGET TRANSPARENCY AND SIMPLIFICATION ACT OF 2016; AND FOR RELATED PURPOSES.

H. B. No. 1137: AN ACT TO AMEND SECTION 41-29-319, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "COMMUNITY ORGANIZATION"; TO AUTHORIZE A PRACTITIONER ACTING IN GOOD FAITH TO DIRECTLY, OR BY STANDING ORDER, PRESCRIBE AN OPIOID ANTAGONIST TO A COMMUNITY ORGANIZATION; TO AUTHORIZE A PERSON ACTING IN GOOD FAITH AND WITH REASONABLE CARE TO ADMINISTER AN OPIOID ANTAGONIST THAT WAS DISTRIBUTED BY A COMMUNITY ORGANIZATION TO ANOTHER PERSON WHOM HE OR SHE BELIEVES TO BE EXPERIENCING AN OPIOID-RELATED OVERDOSE; TO AUTHORIZE A COMMUNITY ORGANIZATION TO STORE AND DISTRIBUTE AN OPIOID ANTAGONIST; TO AUTHORIZE A MEMBER OF A COMMUNITY ORGANIZATION TO

ADMINISTER AN OPIOID ANTAGONIST TO ANOTHER PERSON; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO DISTRIBUTE AN OPIOID ANTAGONIST TO ANY MEMBER OF A COMMUNITY ORGANIZATION UPON A REQUEST MADE IN WRITING BY THE COMMUNITY ORGANIZATION; TO AUTHORIZE A PERSON TO STORE AN OPIOID ANTAGONIST THAT IS DISTRIBUTED BY A COMMUNITY ORGANIZATION; TO PROVIDE CERTAIN CRIMINAL AND CIVIL LIABILITY PROTECTION TO A COMMUNITY ORGANIZATION AND MEMBERS AND PERSONNEL OF SUCH ORGANIZATION; TO BRING FORWARD SECTION 73-21-73, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1140: AN ACT TO AMEND SECTION 25-61-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHERE ANY PUBLIC BODY IS PREPARING OR CONDUCTING A COMPETITIVE PROCUREMENT, THE TIME LIMITATIONS FOR PRODUCTION SHALL BE TOLLED UNTIL THE PUBLIC BODY DETERMINES IT WILL NOT ISSUE THE PROCUREMENT, CANCELS THE PROCUREMENT OR ISSUES A NOTICE NAMING ITS INTENDED AWARDEE; TO BRING FORWARD SECTION 25-61-9, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1143: AN ACT TO PROHIBIT HEALTH BENEFIT PLANS FROM REQUIRING STEP THERAPY OR FAIL-FIRST PROTOCOLS BEFORE THE PLAN PROVIDES COVERAGE OF CERTAIN PRESCRIPTION DRUGS TO TREAT ADVANCED, METASTATIC CANCER AND ASSOCIATED CONDITIONS; TO AMEND SECTION 83-9-36, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

H. B. No. 1144: AN ACT TO PROHIBIT GROUP HEALTH PLANS AND HEALTH INSURANCE ISSUERS THAT PROVIDE BENEFITS WITH RESPECT TO SCREENING, DIAGNOSTIC BREAST EXAMINATIONS AND SUPPLEMENTAL BREAST EXAMINATIONS FURNISHED TO INDIVIDUALS ENROLLED UNDER SUCH PLANS FROM IMPOSING ANY COST-SHARING REQUIREMENTS FOR THOSE SERVICES; TO AMEND SECTION 83-9-108, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

H. B. No. 1356: AN ACT TO AMEND SECTION 25-1-98, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS REGARDING THE USE OF TELEWORK BY EMPLOYEES OF STATE SERVICE AGENCIES; AND FOR RELATED PURPOSES.

H. B. No. 1357: AN ACT TO AMEND SECTION 69-5-3, MISSISSIPPI CODE OF 1972, TO REVISE THE POWERS AND DUTIES OF THE DEPARTMENT OF AGRICULTURE AND COMMERCE REGARDING THE STATE FAIRGROUNDS; TO AMEND SECTION 69-1-48, MISSISSIPPI CODE OF 1972, TO REVISE HOW THE DEPARTMENT OF AGRICULTURE AND COMMERCE EXPENDS CERTAIN FUNDS; AND FOR RELATED PURPOSES.

H. B. No. 1420: AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO REVISE THE PUBLIC PURCHASING LAW TO EXEMPT PURCHASES MADE BY STATE AGENCIES RELATED TO MUSEUM EXHIBITS AND ITEMS FOR DISPLAY; TO PROVIDE THE AGENCY TO REPORT TO THE CHAIRS OF CERTAIN LEGISLATIVE COMMITTEES EACH YEAR; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO EXEMPT ANY PERSONAL OR PROFESSIONAL SERVICES CONTRACT ENTERED INTO BY AN AGENCY FOR THE DESIGN, OPERATION OR MAINTENANCE OF MUSEUM EXHIBITS FROM REVIEW AND APPROVAL BY THE PUBLIC PROCUREMENT REVIEW BOARD; TO BRING FORWARD SECTION 31-7-413, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1421: AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO REVISE THE PUBLIC PURCHASING LAW TO PROVIDE THAT PURCHASES

WHICH DO NOT INVOLVE AN EXPENDITURE OF MORE THAN $10,000.00 MAY BE MADE WITHOUT ADVERTISING OR OTHERWISE REQUESTING COMPETITIVE BIDS; TO REVISE THE REVERSE AUCTION METHOD FOR RECEIVING BIDS TO DIFFERENTIATE BETWEEN AGENCIES AND GOVERNING AUTHORITIES; TO PROVIDE THAT IF AN AGENCY DETERMINES THAT A REVERSE AUCTION IS NOT IN THE BEST INTEREST OF THE AGENCY, THEN THAT DETERMINATION MUST BE APPROVED BY THE PUBLIC PROCUREMENT REVIEW BOARD; TO PROVIDE THAT IF A GOVERNING AUTHORITY DETERMINES THAT A REVERSE AUCTION IS NOT IN THE BEST INTEREST OF THE GOVERNING AUTHORITY, THEN THAT DETERMINATION MUST BE APPROVED BY THE GOVERNING BOARD OF THE GOVERNING AUTHORITY; TO PROVIDE THAT THE AGENCY AND GOVERNING AUTHORITY MUST SUBMIT AN EXPLANATION AS TO WHY A REVERSE AUCTION IS NOT IN THE BEST INTEREST OF THE AGENCY OR GOVERNING AUTHORITY; TO AMEND SECTIONS 31-3-1, 31-5-37 AND 31-5-51, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 31-7-103, MISSISSIPPI CODE OF 1972, TO INCREASE THE COMPETITIVE PURCHASING THRESHOLD FOR CERTAIN COUNTY PURCHASES; TO BRING FORWARD SECTION 31-7-119, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1558: AN ACT TO REQUIRE THE OWNERS OR OPERATORS OF SOCIAL MEDIA WEBSITES, APPLICATIONS OR OTHER PLATFORMS WHO CONTRACT WITH A SOCIAL MEDIA USER IN THE STATE OF MISSISSIPPI TO ENSURE THAT THE CONTENT POLICIES OF THE SOCIAL MEDIA PLATFORM ADDRESS AND RESPOND TO RISKS HARMFUL TO YOUTH RELATED TO THE SELL AND MISUSE OF TOBACCO OR NICOTINE PRODUCTS; AND FOR RELATED PURPOSES.

H. B. No. 1568: AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION, WITH THE APPROVAL OF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, ACTING ON BEHALF OF JACKSON STATE UNIVERSITY, TO EXPAND THE LEGAL PHYSICAL BOUNDARIES OF THE FLAGSHIP CAMPUS OF JACKSON STATE UNIVERSITY, LOCATED AT 1400 JOHN R. LYNCH STREET IN JACKSON, HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1637: AN ACT TO AMEND SECTION 45-14-31, MISSISSIPPI CODE OF 1972, TO DELETE THE SCHEDULE OF SPECIFIC FEES TO BE CHARGED BY THE STATE BOARD OF HEALTH FOR RADIOLOGICAL HEALTH SERVICES; TO PROVIDE THAT THE BOARD SHALL SET MATERIALS LICENSING FEES IN CONGRUENCE WITH AND SUBJECT TO CERTAIN FEDERAL REGULATIONS; TO PROVIDE THAT THE BOARD SHALL SET THE AMOUNT OF OTHER FEES CHARGED FOR PROVIDING RADIOLOGICAL HEALTH SERVICES, SUBJECT TO CERTAIN LIMITATIONS; AND FOR RELATED PURPOSES.

H. B. No. 1644: AN ACT TO PROVIDE THAT CONTRACTS BETWEEN A COUNTY OR MUNICIPALITY AND A PRIVATE PROVIDER OF AMBULANCE SERVICES FOR THE CONTRACTING PROVIDER TO BE THE EXCLUSIVE PROVIDER OF AMBULANCE SERVICES IN THE COUNTY OR MUNICIPALITY MUST CONTAIN A PROVISION THAT REQUIRES THE CONTRACTING PROVIDER TO HAVE A MUTUAL AID AGREEMENT WITH OTHER AMBULANCE SERVICE PROVIDERS TO RESPOND TO 911 AND NATURAL DISASTER CALLS AND PROVIDE SERVICE IN THE COUNTY OR MUNICIPALITY DURING TIMES AND CIRCUMSTANCES WHEN THE CONTRACTING PROVIDER IS EXPERIENCING SHORTAGES OF EQUIPMENT OR PERSONNEL THAT CAUSE A DELAY IN RESPONDING TO CALLS FOR SERVICE; AND FOR RELATED PURPOSES.

H. B. No. 1662: AN ACT TO AMEND SECTION 37-73-3, MISSISSIPPI CODE OF 1972, TO MODIFY THE DIRECTIVE OF THE OFFICE OF WORKFORCE

DEVELOPMENT FROM PILOTING A CAREER COACHING PROGRAM IN MIDDLE SCHOOLS AND HIGH SCHOOLS, TO IMPLEMENTING SUCH PROGRAM FOR THE LONG TERM; TO AMEND SECTION 37-153-209, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFICATION OF THE MISSISSIPPI ALLIED HEALTH COLLEGE AND CAREER NAVIGATOR TO PROVIDE THAT THE OFFICE OF WORKFORCE DEVELOPMENT SHALL PROMULGATE RULES AND REGULATIONS ON THE ELIGIBILITY REQUIREMENTS OF THE NAVIGATORS; TO CREATE NEW SECTION 37-153-223, MISSISSIPPI CODE OF 1972, TO CREATE THE INDIVIDUAL TRAINING ACCOUNT WORKFORCE REINFORCEMENT ASSISTANCE (ITA-WRAP) PROGRAM, WHICH SHALL BE DIRECTED BY THE OFFICE OF WORKFORCE DEVELOPMENT FOR THE PURPOSE OF PROVIDING EDUCATION AND TRAINING TO CITIZENS SEEKING EMPLOYMENT IN HIGH-WAGE, HIGH-DEMAND INDUSTRIES WITH DOCUMENTED WORKFORCE SHORTAGES PRIORITIZED BY THE OFFICE; TO PROVIDE FOR DEFINITIONS; TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT SECURITY SHALL SERVE AS FISCAL AGENT IN ADMINISTERING THE FUNDS; TO CREATE A NEW SECTION OF LAW TO AUTHORIZE THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES TO GRANT A PAID INTERNSHIP TO STUDENTS PURSUING JUNIOR OR SENIOR UNDERGRADUATE-LEVEL YEAR COURSEWORK TOWARD A BACHELOR'S DEGREE IN A PROGRAM THAT QUALIFIES THE INDIVIDUAL TO BECOME A REHABILITATION SPECIALIST OR A BENEFIT PROGRAM SPECIALIST WITHIN THE MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES; TO PROVIDE THAT THE FUNDS MAY BE USED FOR TUITION, BOOKS AND RELATED FEES; TO PROVIDE THE REQUIREMENTS TO BE ELIGIBLE AND REMAIN ELIGIBLE FOR THE INTERNSHIP; TO PROVIDE THE TERMS OF THE INTERNSHIP; TO BRING FORWARD SECTIONS 37-16-17, 37-1-3, 37-13-9, 37-17-3, 37-17-5, 37-17-6, 37-73-9, 37-1-4, 37-1-9, 37-1-11, 37-3-2, 37-3-4, 37-3-49, 37-3-59, 37-3-67, 37-3-79, 37-3-83, 37-3-89, 37-3-93, 37-3-95, 37-3-107, 37-4-3, 37-4-5, 37-4-11, 37-4-15, 37-7-301, 37-7-307, 37-7-335, 37-7-345, 37-7-346, 37-7-403, 37-7-407, 37-7-707, 37-7-1001, 37-9-1, 37-9-79, 37-9-201, 37-9-251, 37-11-54, 37-12-5, 37-13-6, 37-13-10, 37-13-19, 37-13-60, 37-13-60.1, 37-13-91, 37-13-92, 37-13-131, 37-13-133, 37-13-134, 37-13-135, 37-13-171, 37-13-173, 37-13-175, 37-13-193, 37-13-195, 37-13-205, 37-13-207, 37-13-211, 37-14-3, 37-15-38, 37-15-39, 37-16-3, 37-17-8, 37-17-12, 37-17-13, 37-17-15, 37-18-1, 37-18-5, 37-19-9, 37-21-7, 37-21-51, 37-21-53, 37-23-31, 37-23-69, 37-23-127, 37-23-137, 37-23-143, 37-23-145, 37-23-147, 37-23-193, 37-23-195, 37-23-197, 37-23-201, 37-23-203, 37-25-29, 37-27-1, 37-27-51, 37-27-93, 37-28-7, 37-28-15, 37-28-43, 37-28-47, 37-29-163, 37-29-165, 37-29-167, 37-29-169, 37-29-171, 37-29-232, 37-29-271, 37-29-272, 37-31-69, 37-31-73, 37-31-79, 37-31-103, 37-33-171, 37-33-173, 37-33-259, 37-33-261, 37-33-263, 37-35-9, 37-41-27, 37-43-1, 37-43-2, 37-43-19, 37-43-21, 37-43-31, 37-43-59, 37-45-1, 37-45-3, 37-45-5, 37-45-7, 37-45-9, 37-45-13, 37-45-15, 37-45-17, 37-45-19, 37-45-21, 37-45-23, 37-45-25, 37-45-27, 37-45-29, 37-45-31, 37-45-33, 37-45-35, 37-45-37, 37-45-41, 37-45-43, 37-45-45, 37-45-47, 37-45-49, 37-45-51, 37-45-57, 37-45-59, 37-47-1, 37-47-9, 37-47-27, 37-47-33, 37-47-35, 37-47-57, 37-47-61, 37-47-65, 37-47-67, 37-51-3, 37-51-7, 37-51-13, 37-51-17, 37-67-1, 37-69-3, 37-69-5, 37-69-7, 37-71-3, 37-71-9, 37-73-7, 37-99-1, 37-101-241, 37-101-243, 37-106-71, 37-106-75, 37-115-51, 37-133-5, 37-135-15, 37-138-7, 37-138-9, 37-138-11, 37-138-13, 37-138-14, 37-138-15, 37-138-17, 37-138-19, 37-138-21, 37-138-23, 37-139-3, 37-140-3, 37-140-5, 37-141-3, 37-141-7, 37-144-3, 37-144-5, 37-144-11, 37-146-3, 37-146-5, 37-146-7, 37-147-7, 37-149-1, 37-151-5, 37-151-9, 37-151-10, 37-151-25, 37-151-59, 37-151-61, 37-151-67, 37-151-75, 37-151-77, 37-151-83, 37-152-1, 37-153-3, 37-153-5, 37-153-7, 37-153-9, 37-153-11, 37-153-13, 37-153-15, 37-153-57, 37-153-59, 37-153-61, 37-153-205, 37-153-215, 37-154-1, 37-154-3, 37-155-103, 37-161-5, 37-161-7, 37-163-1, 37-169-1, 37-169-3, 37-169-5, 37-173-5, 37-173-21, 37-175-21, 37-177-5, 37-177-17, 37-177-21, 37-179-3, 37-181-5, 37-181-17, 37-1-2, 37-3-46, 37-7-337, 37-9-13, 37-11-64, 37-13-80.1, 37-17-1, 37-17-11, 37-17-17, 37-18-3, 37-18-7, 37-19-10, 37-23-1, 37-28-23, 37-28-33, 37-37-13, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1678: AN ACT TO AMEND SECTION 43-15-201, MISSISSIPPI CODE OF 1972, TO REQUIRE BABY SAFETY DEVICES TO BE REPORTED TO, INSPECTED BY AND APPROVED BY THE STATE DEPARTMENT OF HEALTH BEFORE THE DEVICE MAY BE USED BY AN EMERGENCY MEDICAL SERVICES PROVIDER; TO PROVIDE THAT THE LOCATION OF ANY BABY SAFETY DEVICES INSTALLED BEFORE JULY 1, 2024, MUST BE REPORTED TO THE DEPARTMENT; TO DIRECT THE DEPARTMENT TO MAKE RANDOM UNANNOUNCED INSPECTIONS OF BABY SAFETY DEVICES THROUGHOUT THE YEAR; TO REQUIRE THE STATE DEPARTMENT OF HEALTH TO CONDUCT AN ONGOING INFORMATION CAMPAIGN TO INFORM THE PUBLIC OF THE PROVISIONS OF THE BABY DROP-OFF LAW; TO AMEND SECTION 43-15-203, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF CHILD PROTECTION SERVICES TO REPORT ANNUALLY TO THE CHAIRMEN OF CERTAIN LEGISLATIVE COMMITTEES THE TOTAL NUMBER OF CHILDREN WHO WERE PLACED IN A BABY SAFETY DEVICE DURING THE PREVIOUS CALENDAR YEAR AND THE LOCATION OF THE BABY SAFETY DEVICES IN WHICH THOSE CHILDREN WERE PLACED; AND FOR RELATED PURPOSES.

H. B. No. 1685: AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO INCLUDE SEVEN SUBSTANCES AS SCHEDULE I CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE NO LEGITIMATE MEDICAL USE AND HAVE A HIGH POTENCY WITH GREAT POTENTIAL TO CAUSE HARM; TO AMEND SECTION 41-29-119, MISSISSIPPI CODE OF 1972, TO INCLUDE DARIDOREXANT AND ZURANOLONE AS SCHEDULE IV CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE A CURRENTLY ACCEPTED MEDICAL USE AND A LOW POTENTIAL FOR ABUSE THAT MAY LEAD TO LIMITED PHYSICAL DEPENDENCE OR PSYCHOLOGICAL DEPENDENCE RELATIVE TO THE DRUGS OR OTHER SUBSTANCES IN SCHEDULE III; TO REMOVE FENFLURAMINE AS A SCHEDULE IV CONTROLLED SUBSTANCE; TO AMEND SECTION 41-29-121, MISSISSIPPI CODE OF 1972, TO INCLUDE GANAXOLONE AS A SCHEDULE V CONTROLLED SUBSTANCE; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Blackwell moved that the Senate adjourn until 10:00 AM, Tuesday, March 12, 2024.

The motion prevailed, and at 5:00 PM, the Senate stood adjourned in memory of Charles Kistner Pringle, Sr., Maxine Clauser Fox, Jennifer "Bug" Brandy, Malcolm "Buck" Rester, Lisa Lovett, Glenn Arnold Stone, Ruby Elizabeth Threadgill, William Anthony Anderson, Sr., Cutter Crass and Ansley Haynes Thompson.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR MONDAY, MARCH 11, 2024

S. B. No. 3002: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF DEFRAYING THE COSTS OF THE FUND RURAL EDUCATION EVENLY GRANT PROGRAM FOR THE FISCAL YEAR 2025.
By Senator(s) Simmons (13th)

S. B. No. 3003: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF DEFRAYING THE COSTS OF THE MISSISSIPPI DYSLEXIA EDUCATION FUNDING GRANT PROGRAM FOR THE FISCAL YEAR 2025.

By Senator(s) Simmons (13th), England

S. B. No. 3004: Appropriations
AN ACT MAKING AN APPROPRIATION TO JACKSON STATE UNIVERSITY FOR THE PURPOSE OF CONSTRUCTING A MULTIPURPOSE STADIUM FOR THE FISCAL YEAR 2025.
By Senator(s) Horhn

S. B. No. 3005: Appropriations
AN ACT MAKING AN APPROPRIATION TO BE ADMINISTERED BY THE COMMUNITY FOUNDATION OF MISSISSIPPI TO DEFRAY THE EXPENSES OF REPAIRING, REHABILITATING AND IMPROVING THE RUSSELL C. DAVIS PLANETARIUM FOR THE FISCAL YEAR 2025.
By Senator(s) Horhn

SEVENTY-FIRST DAY, TUESDAY, MARCH 12, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by The Right Reverend Brian R. Seage, Tenth Bishop of the Episcopal Diocese of Mississippi.

Senator Chassaniol led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:
The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. C. R. No. 504: A CONCURRENT RESOLUTION MOURNING THE PASSING OF FORMER NATCHEZ MAYOR AND MISSISSIPPI DEPARTMENT OF TRANSPORTATION EXECUTIVE DIRECTOR LARRY LYNN "BUTCH" BROWN, SR., AND RECOGNIZING HIS EFFECTIVE TENURE OF PUBLIC SERVICE TO THE CITIZENS OF SOUTH MISSISSIPPI.

S. C. R. No. 510: A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMENDING THE LIFE AND PUBLIC CONTRIBUTIONS OF LUSTER BAYLESS OF RULEVILLE, MISSISSIPPI, LEGENDARY COSTUMER TO JOHN WAYNE AND FOUNDER OF UNITED AMERICAN COSTUME COMPANY, AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE ON HIS PASSING.

David Jordan, Chairman

Senator Harkins called up the following entitled bill:

S. B. No. 2568: Native wineries; authorize to make sales at one satellite location in same county.

YEAS AND NAYS On S. B. No. 2568. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Blackwell, Branning, Chism, Frazier, Parker, Tate. Total--6.

Absent and those not voting----None.

Unanimous consent was granted to add Senator Hill as co-author of **S. B. No. 2568**.

Senator Harkins called up the motion to reconsider the vote whereby **S. B. No. 2567** failed to pass the Senate and moved that it be reconsidered:

S. B. No. 2567: On-premises tobacco permit; authorize Department of Revenue to issue..

The foregoing motion prevailed.

YEAS AND NAYS On S. B. No. 2567. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blount, Boyd, Brumfield, Bryan, Butler, Carter, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--41.

Nays--Blackwell, Branning, Chassaniol, Chism, Frazier, Hill, Parker, Parks, Seymour, Sparks, Tate. Total--11.

Absent and those not voting----None.

Senator Harkins called up the motion to reconsider the vote whereby **S. B. No. 2226** passed the Senate and moved that it be reconsidered:

S. B. No. 2226: Israel Support Act of 2019; extend repealer on.

The foregoing motion prevailed.

Senator Harkins offered the following AMENDMENT NO. 1.

AMEND by inserting the following below line 137 and renumbering the subsequent section:

SECTION *. Section 27-105-33, Mississippi Code of 1972, is amended as follows:

27-105-33. It shall be the duty of the State Treasurer and the Executive Director of the Department of Finance and Administration on or about the tenth day of each month, and in their discretion at any other time, to analyze carefully the amount of cash in the General Fund of the state and in all special funds credited to any special purpose designated by the State Legislature or held to meet the budgets or appropriations for maintenance, improvements and services of the several institutions, boards, departments, commissions, agencies, persons or entities of the state, and to determine in their opinion when the cash in such funds is in excess of the amount required to meet the current needs and demands of no more than seven (7) business days on such funds and report their findings to the Governor. It shall be the duty of the State Treasurer to provide a cash flow model for forecasting revenues and expenditures on a bimonthly basis and providing technical assistance for its operation. The Department of Finance and Administration shall use the cash flow model furnished by the State Treasurer, in analyzing the amount of funds on deposit and available for investment.

The State Treasurer is hereby authorized, empowered and directed to invest all such excess general and special funds of the state in the following manner:

(a) Funds shall be allocated equally among all qualified state depositories which do not have demand accounts in excess of One Hundred Fifty Thousand Dollars ($150,000.00) until each qualified depository willing to accept the same shall have on deposit or in security repurchase agreements or in other securities authorized in paragraph (d) of this section at interest the sum of Three Hundred Thousand Dollars ($300,000.00). For the purposes of this subsection, no branch bank or branch office shall be counted as a separate depository.

(b) The balance, if any, of such excess general and special funds shall be offered to qualified depositories of the state on a pro rata basis as provided in Section 27-105-9. For the purposes of this subsection, the pro rata share of each depository shall be reduced by the amount of the average daily collected earning balance of demand deposits maintained by the State Treasurer pursuant to Section 27-105-9 during the preceding calendar year, and such reduction shall be allocated pro rata among other eligible depositories.

(c) Funds offered pursuant to paragraphs (a) and (b) above shall be invested for periods of up to one (1) year, and shall bear interest at an interest rate no less than that numerically equal to the bond equivalent yield on direct obligations of the United States Treasury of comparable maturity, as determined by the State Treasurer. In determining such rate, the State Treasurer shall consider the Legislature's desire to distribute funds equitably throughout the state to the maximum extent possible.

(d) To the extent that the State Treasurer shall find that general and special funds cannot be invested pursuant to paragraphs (a), (b) and (c) of this section for the stated maturity up to one (1) year, the Treasurer may invest such funds, together with any other funds required for current operation, as determined pursuant to this section, in the following:

(i) Time certificates of deposit or interest-bearing accounts with qualified state depositories. For those funds determined under prudent judgment of the State Treasurer to be made available for investment in time certificates of deposit, the rate of interest paid by the depositories shall be determined by rules and regulations adopted and promulgated by the State Treasurer which may include competitive bids. At the time of investment, the interest rate on such certificates of deposit under the provisions of this subparagraph shall be a rate not less than the bond equivalent yield on direct obligations of the United States Treasury with a similar length of maturity.

(ii) Direct United States Treasury obligations, the principal and interest of which are fully guaranteed by the government of the United States.

(iii) United States government agency, United States government instrumentality or United States government-sponsored enterprise obligations, the principal and interest of which are fully guaranteed by the government of the United States, such as the Government National Mortgage Association; or United States governmental agency, United States government instrumentality or United States government-sponsored enterprise obligations, the principal and interest of which are guaranteed by any United States government agency, United States government instrumentality or United States government-sponsored enterprise contained in a list promulgated by the State Treasurer.

(iv) Direct security repurchase agreements and reverse direct security repurchase agreements of any federal book entry of only those securities enumerated in subparagraphs (ii) and (iii) above. "Direct security repurchase agreement" means an agreement under which the state buys, holds for a specified time, and then sells back those securities and obligations enumerated in subparagraphs (ii) and (iii) above. "Reverse direct securities repurchase agreement" means an agreement under which the state sells and after a specified time buys back any of the securities and obligations enumerated in subparagraphs (ii) and (iii) above. A qualified state depository shall be given preference for such agreements when possible.

(v) Bonds issued, assumed or guaranteed by the Country of Israel, provided that:

1. Investments in such instruments shall be denominated in United States currency;

2. Such bonds must be of investment grade as rated by at least one (1) nationally recognized statistical rating agency; and

3. The amount of funds invested in such bonds at any time shall not exceed * * * Fifty Million Dollars ($50,000,000.00).

(vi) Corporate bonds and taxable municipal bonds; or corporate short-term obligations of corporations or of wholly owned subsidiaries of corporations, whose short-term obligations are rated A-1 or better by Standard and Poor's, rated P-1 or better by Moody's Investment Service, F-1 or better by Fitch Ratings, Ltd., or the equivalent of these ratings if assigned by another United States Securities and Exchange Commission designated Nationally Recognized Statistical Rating Organization.

(e) For the purposes of this section, direct obligations issued by the United States of America shall be deemed to include securities of, or other interests in, any

open-end or closed-end management type investment company or investment trust registered under the provisions of 15 USCS Section 80(a)-1 et seq., provided that the portfolio of such investment company or investment trust is limited to direct obligations issued by the United States of America, United States government agencies, United States government instrumentalities or United States government-sponsored enterprises, and to repurchase agreements fully collateralized by direct obligations of the United States of America, United States government agencies, United States government instrumentalities or United States government-sponsored enterprises, and the investment company or investment trust takes delivery of such collateral for the repurchase agreement, either directly or through an authorized custodian. The State Treasurer and the Executive Director of the Department of Finance and Administration shall review and approve the investment companies and investment trusts in which funds invested under paragraph (d) of this section may be invested. The total dollar amount of funds invested in all open-end and closed-end management type investment companies and investment trusts at any one time shall not exceed twenty percent (20%) of the total dollar amount of funds invested under paragraph (d) of this section.

(f) Investments authorized by subparagraphs (ii) and (iii) of paragraph (d) shall mature on such date or dates as determined by the State Treasurer in the exercise of prudent judgment to generate a favorable return to the state and will allow the monies to be available for use at such time as the monies will be needed for state purposes. However, the maturity of securities purchased as enumerated in subparagraphs (ii) and (iii) shall not exceed ten (10) years from date of purchase. Special funds shall be considered those funds created constitutionally, statutorily or administratively which are not considered general funds. All funds invested for a period of thirty (30) days or longer under paragraph (d) shall bear a rate at least equal to the current established rate under paragraph (c) of this section.

(g) Any interest-bearing deposits or certificates of deposit shall not exceed at any time the amount insured by the Federal Deposit Insurance Corporation in any one (1) banking institution, the Federal Savings and Loan Insurance Corporation in any one (1) savings and loan association, or other deposit insurance corporation approved by the State Treasurer, unless the uninsured portion is collateralized by the pledge of securities in the manner provided by Section 27-105-5.

(h) Unless otherwise provided, income from investments authorized by the provisions of this subsection shall be credited to the State General Fund.

(i) Not more than Five Hundred Thousand Dollars ($500,000.00) of funds may be invested with foreign financial institutions, and the State Treasurer may enter into price contracts for the purchase or exchange of foreign currency or other arrangements for currency exchange in an amount not to exceed Five Hundred Thousand Dollars ($500,000.00) upon specific direction of the Department of Economic and Community Development. The State Treasurer shall promulgate all rules and regulations for applications, qualifications and any other necessary matters for foreign financial institutions.

Any liquidating agent of a depository in liquidation, voluntary or involuntary, shall redeem from the state any bonds and securities which have been pledged to secure state funds and such redemption shall be at the par value or market value thereof, whichever is greater; otherwise, The liquidating agent or receiver may pay off the state in full for its deposits and retrieve the pledged securities without regard to par or market value.

The State Treasurer and the Executive Director of the Department of Finance and Administration shall make monthly reports to the Legislative Budget Office containing a full and complete statement of all funds invested by virtue of the provisions of this section and the revenues derived therefrom and the expenses incurred therewith, together with all such other information as may seem to each of them as being pertinent to inform fully the Mississippi Legislature with reference thereto.

The State Treasurer shall not deposit any funds on demand deposit with any authorized depository, unless such depository has contracted for interest-bearing accounts or time certificates of deposit.

Notwithstanding the foregoing, any financial institution not meeting the prescribed ratio requirement set forth in Section 27-105-5 whose accounts are insured by the Federal Deposit Insurance Corporation, or any successor to that insurance corporation, may receive state funds in an amount not exceeding the amount which is insured by such insurance corporations and may qualify as a state depository to the extent of such insurance for this purpose only. The paid-in and earned capital funds of such financial institution shall not be included in the computations specified in Section 27-105-9(a) and (b).

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2226 was adopted.

YEAS AND NAYS On S. B. No. 2226. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackwell, Boyd, Branning, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--41.

Nays--None.

Absent and those not voting----None.

Voting Present--Barnett, Blackmon, Blount, Brumfield, Frazier, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Turner-Ford. Total--11.

Unanimous consent was granted to add Senators McLendon and Williams as co-authors of **S. B. No. 2226**.

President Hosemann yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

Senator Fillingane called up the following entitled bill:

S. B. No. 2022: Juvenile offenders; provide alternative sentencing and parole options.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

Senator Simmons D. T. (12th) offered the following AMENDMENT NO. 1.

AMEND on line 34 by striking "judge" and inserting in lieu thereof "jury".

AMEND on line 35 by striking "held without a jury".

AMEND on line 37 by striking "court, sitting without a jury" and inserting in lieu thereof "jury".

FURTHER AMEND on line 39 by striking "court" and inserting in lieu thereof "jury".

AMEND on line 85 and 86 by striking ", or the judge sitting without a jury".

AMEND on line 186 and 187 by striking "sitting without a jury".

FURTHER AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 1 to S. B. No. 2022 failed by the following vote:

Yeas--Barnett, Blackmon, Blount, Brumfield, Bryan, Butler, Frazier, Hickman, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Suber, Thomas, Turner-Ford. Total--16.

Nays--Barrett, Berry, Blackwell, Boyd, Branning, Carter, Chassaniol, Chism, DeBar, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--34.

Absent and those not voting--DeLano, Horhn. Total--2.

YEAS AND NAYS On S. B. No. 2022. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackwell, Boyd, Branning, Bryan, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hopson, Horhn, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--38.

Nays--Blackmon, Blount, Brumfield, Butler, Frazier, Hickman, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--13.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

President Pro Tempore Kirby yielded the gavel to President Hosemann, who presided over the Senate.

Senator Parker called up the following entitled bill:

S. B. No. 2628: Mississippi Capitol Region Utility Act; create.

Senator Parker offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This chapter shall be known and may be cited as the "Mississippi Capitol Region Utility Act."

SECTION 2. (1) The Mississippi Legislature finds the following:

(a) For the benefit of the citizens centrally located in the State of Mississippi, including citizens residing or working in the capital city of the State of Mississippi, it is essential to have access to safe, clean and reliable water and wastewater systems at affordable, regulated rates which are just, reasonable and provide an adequate amount of capital to keep such systems in good repair;

(b) The availability of safe, clean and reliable water and wastewater systems has vast impacts on health, schools and academic outcomes, crime and safety, state and local government operations, businesses and economic development, the availability of a workforce, tourism and many other critical areas;

(c) The availability of safe, clean and reliable water and wastewater systems requires significant financial resources and human capital to engage in the planning, acquisition, construction, maintenance, coordination and operation required to deliver transparent and efficient services which meet and exceed federal and state regulations and requirements;

(d) On November 29, 2022, the Department of Justice filed a complaint alleging that the City of Jackson has failed to provide drinking water that is reliably compliant with the Safe Drinking Water Act to citizens within the boundaries of the water system. The Department of Justice simultaneously filed a proposal which would appoint a receiver, or an interim third-party manager, to stabilize the City of Jackson's public drinking water system and build confidence in the water system's ability to supply safe, clean and reliable water to citizens within the boundaries of the water system. The U.S. District Court for the Southern District of Mississippi appointed a receiver to oversee and operate the water system on November 29, 2022;

(e) On or about July 31, 2023, the U.S. District Court for the Southern District of Mississippi brought the City of Jackson's sewer and wastewater systems into the receivership;

(f) The order appointing a receiver does not have a termination date and ends only when final judgment is entered by the court. Before the court enters final judgment, the system must be stable, the financial plan sustainable, and the transition plan approved in order to transition the system to post-receivership operations;

(g) The creation and organization of a structure for future governance requires legislation for it to continue in perpetuity beyond the eventual end of the receiver's work and related federal court orders; and

(h) The creation and organization of a structure for future governance prior to the date of the conclusion of the receiver's work will allow for an orderly transition to ensure minimal disruption in water and wastewater service.

(2) Therefore, it is the intent of the Mississippi Legislature to:

(a) Provide the Mississippi Capitol Region Utility Authority the option to purchase the existing water and wastewater assets from the City of Jackson at fair market value as determined by the court, provided all existing system debts have been retired or paid. Upon completion of the purchase of assets, the water and wastewater assets shall be transferred to the utility authority's ownership, management and control to ensure all citizens have access to safe, clean and reliable water and wastewater systems at affordable, just and reasonable regulated rates, and to provide an adequate amount of capital to keep such systems in good repair;

(b) Authorize the Local Governments and Rural Water Systems Improvement Board created in Section 41-3-16 to loan to the authority funds required to purchase water assets as provided in this subsection (2) at an interest rate of zero percent (0%) with a forty-year term applying the maximum principal forgiveness available;

(c) Authorize the Mississippi Commission on Environmental Quality to loan to the authority funds requested to purchase wastewater assets as authorized in this subsection (2) at an interest rate of zero percent (0%) with a forty-year term applying the maximum principal forgiveness available, provided all requirements to be eligible for the loan are met by the authority and the transaction meets the requirements of federal law; and

(d) Partner with the Department of Health, the Department of Environmental Quality, the City of Jackson and other municipalities or governmental entities within the boundaries of the authority, and any other federal state or local entity in taking any action necessary under this chapter to ensure all citizens have access to safe, clean and reliable water and wastewater systems, with the understanding that federal and state agencies are solely responsible for regulating, but not operating, the utility authority.

SECTION 3. As used in this chapter, the following words and phrases have the meanings ascribed herein, unless the context clearly indicates otherwise:

(a) "Board" means the Board of Directors of the Mississippi Capitol Region Utility Authority.

(b) "Bonds" means revenue bonds and other certificates of indebtedness of the authority issued under the provisions of this chapter.

(c) "Court" means the U.S. District Court for the Southern District of Mississippi and the receiver, as defined herein.

(d) "Fiscal year" means the period of time beginning on July 1 of each year and ending on June 30 of each year.

(e) "Major procurement" means the procurement of any good or service in excess of One Million Dollars ($1,000,000.00).

(f) "Project" means the construction, development or acquisition by the utility authority of any infrastructure for water and wastewater systems or services and includes the upgrading or repair of existing systems.

(g) "Public agency" means any county, municipality, state board or utility authority owning or operating properties, districts created pursuant to the general laws or local and private laws of the State of Mississippi, or any other political subdivision of the State of Mississippi possessing the power to own and operate waterworks, water supply systems, sewerage systems, sewage treatment systems or other facilities or systems for the collection, transportation and treatment of water and wastewater.

(h) "Receiver" means the interim third-party manager for the water system owned by the City of Jackson who was appointed by the U.S. District Court for the Southern District of Mississippi on November 29, 2022, to oversee and operate the systems until the court issues final judgment.

(i) "Service territory" or "service area" means the geographic areas receiving water and wastewater services from the City of Jackson's water and wastewater systems as operated by JXN Water as of July 1, 2024.

(j) "System" or "systems" means any plants, structures, facilities or other real or personal property used or useful in the generation, storage, transportation or supply of water, and the collection, transportation, treatment or disposal of wastewater, including tanks, pipes, trunk lines, mains, sewers, conduits, pipelines, pumping and ventilating stations, plants, works, connections and any other real or personal property and rights therein necessary, useful or convenient for the purposes of the utility authority.

(k) "Utility authority" or "authority" means the Mississippi Capitol Region Utility Authority.

(l) "Wastewater" means water being disposed of by any person and which is contaminated with waste or sewage, including industrial, municipal, and any other wastewater that may cause impairment of the quality of waters in the state.

(m) "Water" means potable water from either surface water or groundwater sources.

SECTION 4. (1) There is hereby created and established a corporate nonprofit known as the Mississippi Capitol Region Utility Authority. The authority will be composed of geographic areas receiving water and wastewater services from the City of Jackson as of July 1, 2024, for the planning, acquisition, construction, maintenance, operation and coordination of water and wastewater systems in order to ensure the delivery of water and wastewater services to citizens. Such authority is created solely to accomplish the purposes of the state under this chapter, and the exercise by the authority of the powers conferred by this chapter shall be deemed and held to be the performance of an essential public function promoting the health, welfare and prosperity of the general public. It is the intent of the Legislature that the authority shall be accountable to ratepayers within the systems through the audits, reports and disclosures required by this chapter.

(2) The existence of the corporate nonprofit authority, which shall be domiciled in the State of Mississippi, shall begin upon the appointment of a majority of its board as provided in Section 5 of this act.

(3) The authority shall assume ownership, management and control over the water and wastewater systems on the date of termination of the receiver by the U.S. District Court for the Southern District of Mississippi, or an earlier date as ordered by the court. If the termination date is not the same for all systems, the authority shall assume ownership, management and control over the system for which the receivership is terminated on the termination date for that system.

(4) In the event of any action or matter challenging the creation, establishment, or statutory responsibilities of the authority, the Chief Justice of the Mississippi Supreme Court shall select an appropriate circuit or chancery court, which shall have exclusive jurisdiction over the matter. In any other matter, the court of competent jurisdiction shall have jurisdiction over the matter. For purposes of court costs, the authority shall be a private corporation.

(5) All funds provided by the federal government in H.R. 2617, the Consolidated Appropriations Act of 2023, and any other funds provided by the state or federal government in response to the water crisis detailed by the U.S. District Court for the Southern District of Mississippi in Case No. 3:22-cv-00686, United States v. City of Jackson, shall be spent according to the direction of the receiver and federal court within the service territory impacted by the water crisis and in accordance with federal law.

SECTION 5. (1) The affairs of the utility authority shall be administered by the board. The board shall be composed of nine (9) members to be selected as follows:

(a) The Mayor of the City of Jackson shall appoint one (1) member (Member 1), a member of the clergy leading a place of worship within the service area;

(b) The City Council of the City of Jackson, by majority vote, shall appoint two (2) members, including:

(i) Member 2, an employee of a local nonprofit located within the service area; and

(ii) Member 3, an owner of a restaurant located within the service area;

(c) The Governor shall appoint three (3) members, including:

(i) Member 4, an employee of a large nonhealthcare business with a minimum of two hundred (200) employees working in facilities within the service area;

(ii) Member 5, a small business owner whose primary business location is within the service area; and

(iii) Member 6, an at-large appointee who lives or works in the service area;

(d) The Lieutenant Governor shall appoint three (3) members, including:

(i) Member 7, an employee of a large health care facility within the service area;

(ii) Member 8, an employee of a post-secondary institution within the service area; and

(iii) Member 9, an at-large appointee who lives or works in the service area.

All members shall be appointed by September 1, 2024, and shall be subject to the advice and consent of the Senate.

In the appointment process, appointing authorities shall attempt to see that all portions of society and its diversity are represented in members of the authority. All appointed members must be residents of the State of Mississippi, must be ratepayers within the system boundaries, and must have significant, demonstrated experience in business management, fiscal affairs, public health or public utilities. No current or former federal, state or local elected officials may be appointed.

(2) Term lengths shall begin upon the date of termination of the receiver by the U.S. District Court for the Southern District of Mississippi or an earlier date as ordered by the court. Service by members between September 1, 2024, and the date of termination of the receiver shall not be counted in the term limits established herein.

(3) The initial terms of the board shall be as follows: Members 1 and 2 for a term of four (4) years, member 3 for a term of three (3) years, member 4 for a term of two (2) years, member 5 for a term of one (1) year, member 6 for a term of four (4) years, member 7 for a term of three (3) years, member 8 for a term of two (2) years, and member 9 for a term of one (1) year.

(4) Except as provided in subsection (2) of this section, appointments shall be for a term of four (4) years. Each member shall serve at the will and pleasure of his or her appointing authority and hold office until his successor has been appointed and qualified. Any member who changes residency outside of the service area, ends employment in the service area or allows his or her account to go into arrears shall be immediately discharged from the board. Vacancies shall be filled by appointment by the appropriate appointing authority, subject to the advice and consent of the Senate, for the length of the unexpired term only. Any member of the authority shall be eligible for reappointment for a maximum of two (2) full terms. Each member of the authority shall, before entering upon his duty, take an oath of office to administer the duties of his office faithfully and impartially, and a record of such oath shall be filed in the Office of the Secretary of State. The authority shall annually elect from its membership a chairman and vice chairman who shall

be eligible for reelection for up to four (4) consecutive terms. The authority shall also elect or appoint, and prescribe the duties of, such other officers, who need not be members, as the authority deems necessary or advisable, and the authority shall fix the compensation of such officers. The authority may delegate to one or more of its members, officers, employees or agents such powers and duties as it may deem proper, not inconsistent with this article or other provisions of law.

(5) The members of the board shall serve without salary but shall be entitled to receive per diem pay as provided in Section 25-3-69, plus travel and necessary expenses, including mileage, as provided in Section 25-3-41, incurred while in the performance of his or her duties as a board member upon authorization by the board. Expenses shall be paid from the available funds of the authority after the authority assumes ownership, management and control of the water, wastewater and storm systems as provided in this chapter. Subject to appropriations, until the date the authority assumes ownership, management and control of the water and wastewater systems as provided in this chapter, expenses shall be paid by the State of Mississippi.

(6) The board shall meet monthly, with four of these meetings each year held in various locations throughout the service area. All meeting agendas shall accommodate time for public comment in accordance with rules established by the board.

(7) All meetings of the board shall be subject to the Open Meetings Act in Section 25-41-1 et seq. The chairman or a majority of members of the board may convene the board for a meeting.

(8) Except as may be provided by law, all records of the authority shall be deemed public records and subject to public inspection as provided by Section 25-61-1 et seq.

(9) The board may by majority vote excuse the absence of any board member. If any board member is absent for two (2) board meetings in a twelve-month period without such absences being excused by the board, his or her membership on the board shall be terminated as a function of law, without any action by the board, and the removed board member shall be ineligible for reappointment to the board. The original appointing authority shall retain the right to appoint a new board member to replace the removed board member.

(10) No current or former employee of the authority shall be a board member.

(11) Until the utility authority assumes ownership, management and control of the water and wastewater systems, the board shall cooperate and coordinate with the receiver in order to provide the best opportunity for minimal disruption in service and maximum ease of transition after the receiver has concluded his work in overseeing and operating the water system.

SECTION 6. (1) The utility authority shall consult with the court in appointing a president by January 1, 2025, who shall serve at the will and pleasure of the board. If the authority does not have ownership, management and control of the water and wastewater systems by the date of the appointment of a president, the State of Mississippi shall pay the salary of the president on a bimonthly basis, subject to appropriations. The president shall serve as deputy to the receiver until the court enters final judgement, at which time the president shall manage the daily affairs of the authority and shall have such powers and duties as specified by this chapter, by the board, and any rules or regulations adopted by the board. The president shall not be a member of the board and shall serve at the will and pleasure of the board.

(2) Until the authority assumes ownership, management and control of the water and wastewater systems, the president shall cooperate and coordinate with the receiver in order to provide the best opportunity for minimal disruption in service and maximum

ease of transition after the receiver has concluded his work in overseeing and operating the water system.

(3) The president shall employ such personnel as he or she deems necessary. All personnel shall serve at the will and pleasure of the president.

(4) The board shall set the salary of the president at such level as necessary to recruit and retain a qualified professional with the expertise necessary in a public utility. The board may authorize whatsoever incentive compensation program for the president and authority staff as it deems necessary and proper. The authority shall be exempt from the provisions of Section 25-3-39.

SECTION 7. (1) The utility authority shall have the power, duty and responsibility to exercise general supervision over the design, construction, operation and maintenance of water and wastewater systems.

(2) The authority shall adopt rules and regulations regarding the design, construction or installation, operation and maintenance of water and wastewater systems.

(3) The authority shall adopt rules and regulations regarding the use of decentralized treatment systems, individual on-site wastewater treatment systems and centralized wastewater treatment systems.

(4) The authority shall adopt rules establishing performance standards for water and wastewater systems and the operation and maintenance of the same. Such rules and regulations shall include: the implementation of a standard application form for the installation, operation and maintenance of such systems; application review; approval or denial procedures for any proposed system; inspection, monitoring and reporting guidelines; and enforcement procedures.

(5) (a) Before a building or development which requires the installation of a water or wastewater system is constructed, the system must be submitted to the authority for certification that the system complies with the authority's requirements.

(b) Before approving or renewing a permit for a water or wastewater system within the authority, the state agency must require certification that the system complies with the authority's requirements.

(6) Any system of any municipality, public agency or other persons which contracts with the authority shall be subject to the terms of that contract and the terms of this chapter.

(7) Notwithstanding the provisions of Section 51-39-1 et seq., the authority shall have the full power to adopt rules and regulations and to construct, maintain, lease and operate facilities for the control of storm water quality and quantity. In addition, the provisions of Section 51-33-1 et seq. relating to drainage districts and flood control districts do not apply to the authority.

(8) The authority may control and operate the local retail water or wastewater services and may provide or be responsible for direct servicing of those services to residences, businesses and individuals; however, the authority shall not provide the same service in an area provided by a public utility or person holding a certificate of public convenience and necessity issued by the Mississippi Public Service Commission for the provision of such services in the certificated area.

(9) The authority shall enter into contracts for major procurements after bidding. The authority may adopt administrative rules and regulations pursuant to the provisions of this chapter providing for special procedures whereby the authority may make any class of procurement.

(10) In its bidding processes, the authority may do its own bidding and procurement or may utilize the services of the Department of Finance and Administration, the Department of Information Technology Services or other state agencies as appropriate and necessary.

(11) In the City of Ridgeland, which is served by only the wastewater system as of July 1, 2024, the authority shall have oversight or control of only wastewater service provided to ratepayers. To maintain consistency with the agreement in place with the City of Jackson prior to the existence of the authority, the City of Ridgeland shall have control over its rate structure, with the City of Ridgeland compensating the authority for its prorated share of wastewater conveyance, treatment, capital improvements and debt service.

SECTION 8. (1) The utility authority, in addition to any other powers granted under any other provision of law, is authorized:

(a) To acquire, construct, improve, enlarge, extend, repair, operate and maintain one or more of its systems used for the collection, transportation, treatment and disposal of water and wastewater;

(b) To make contracts with any person in furtherance thereof, and to make contracts with any person, under the terms of which the authority will collect, transport, treat or dispose of water and wastewater for such person;

(c) To make contracts with any person to design and construct any water and wastewater systems or facilities, and thereafter to purchase, lease or sell, by installments over such terms as may be deemed desirable, reasonable and necessary, or otherwise, any such system or systems;

(d) To enter into operating agreements with any person, for such terms and upon such conditions as may be deemed desirable, for the operation of any water and wastewater systems, and to lease to or from any person, for such term and upon such conditions as may be deemed desirable, any water and wastewater collection, transportation, treatment or other facilities or systems. Any such contract may contain provisions requiring any public agency or other person to regulate the quality and strength of materials to be handled by the respective system or systems and also may provide that the authority shall have the right to use any streets, alleys and public ways and places within the jurisdiction of a public agency or other person during the term of the contract;

(e) To enter into contracts with any person or public agency, including, but not limited to, contracts authorized by this chapter, in furtherance of any of the purposes authorized under this chapter upon such consideration as the board and such person may agree. Any such contract may extend over any period of time, notwithstanding any provision or rule of law to the contrary, may be upon such terms and for such consideration, nominal or otherwise, as the parties thereto shall agree, and may provide that it shall continue in effect until bonds specified therein, refunding bonds issued in lieu of such bonds, and all other obligations specified therein are paid or terminated. Any such contract shall be binding upon the parties thereto according to its terms;

(f) To sue and be sued, in its own name, and to enjoy all of the protections, immunities and benefits provided by the Mississippi Tort Claims Act, Section 11-46-1 et seq., as it may be amended or supplemented from time to time;

(g) To maintain office space at such place or places within the authority's boundaries as it may determine;

(h) To invest money of the authority, including proceeds from the sale of any bonds subject to any agreements with bondholders, on such terms and in such manner as the authority deems proper;

(i) To pay any outstanding City of Jackson bonds relating to the water and sewer systems under their existing terms;

(j) To require the necessary relocation or rerouting of roads and highways, railroad, telephone and telegraph lines, and properties, electric power lines, gas pipelines and related facilities, or to require the anchoring or other protection of any of these, provided fair compensation is first paid to the owners or an agreement with such owners regarding the payment of the cost of such relocation, and to acquire easements or rights-of-way for such relocation or rerouting and to convey the same to the owners of the property being relocated or rerouted in connection with the purposes of this chapter. This provision shall be in accordance with Mississippi Constitution Article 17A and Section 11-27-30;

(k) To acquire, construct, improve or modify, to operate or cause to be operated and maintained, either as owner of all or of any part in common with others, any water or wastewater system within the authority's service area. The authority may pay all or part of the cost of any system from any contribution by persons, firms, public agencies or corporations. The authority may receive, accept and use all funds, public or private, and pay all costs of the development, implementation and maintenance as may be determined as necessary for any project;

(l) To acquire, in its own name, by purchase on any terms and conditions and in any manner as it may deem proper, property for public use, or by gift, grant, lease, or otherwise, real property or easements therein, franchises and personal property necessary or convenient for its corporate purposes. This provision shall be in accordance with Mississippi Constitution Article 17A and Section 11-27-30;

(m) To acquire insurance for the authority's systems, facilities, buildings, treatment plants and all property, real or personal, to insure against all risks as any insurance may, from time to time, be available;

(n) To use any property and rent or lease any property to or from others, including public agencies, or make contracts for the use of the property. The authority may sell, lease, exchange, transfer, assign, pledge, mortgage or grant a security interest for any property. The powers to acquire, use and dispose of property as set forth in this paragraph shall include the power to acquire, use and dispose of any interest in that property, whether divided or undivided. Title to any property of the authority shall be held by the authority exclusively for the benefit of the public;

(o) To apply, contract for, accept, receive and administer gifts, grants, appropriations and donations of money, materials and property of any kind, including loans and grants from the United States, the state, a unit of local government, or any agency, department, district or instrumentality of any of the foregoing, upon any terms and conditions as the United States, the state, a unit of local government, or any agency, department, district or instrumentality shall impose. The authority may administer trusts. The authority may sell, lease, transfer, convey, appropriate and pledge any and all of its property and assets;

(p) To make and enforce, and from time to time amend and repeal, bylaws, rules, ordinances and regulations for the management of its business and affairs and for the construction, use, maintenance and operation of any of the systems under its management and control;

(q) To employ and terminate staff and other personnel, including attorneys, engineers and consultants, as may be necessary to the functioning of the authority;

(r) To establish and maintain rates, fees and any other charges for services and the use of systems and facilities within the control of the authority, and from time to time, to adjust such rates, fees and any other charges to the end that the revenues therefrom will be sufficient at all times to pay the expenses of operating and maintaining the facilities and treatment systems and all of the persons' obligations under any contract or bonds resolution with respect thereto or any obligation of any person under any agreement, contract, indenture or bonds resolution with respect thereto. Such rates, fees, assessments and other charges shall be subject to the jurisdiction of the Mississippi Public Service Commission. Such rates, fees, assessments and other charges shall be equal as levied on citizens throughout the authority's boundaries. For purposes of Section 77-3-33, the rates charged by the authority shall be just and reasonable if they are adequate to provide safe and reliable water and wastewater service to its customers, including providing an adequate amount of capital for the authority to perform such repairs, upgrades and improvements as it deems necessary on an ongoing basis. The Mississippi Public Service Commission shall defer to the authority's determination of what rates are just and reasonable absent a showing of manifest error;

(s) To adopt rules and regulations necessary to accomplish the purposes of the authority and to assure the payment of each participating person or public agency of its proportionate share of the costs for use of any of the systems and facilities of the authority and for the authority's proportionate share of the costs of the board;

(t) To enter on public or private lands, waters or premises for the purpose of making surveys, borings or soundings, or conducting tests, examinations or inspections for the purposes of the authority, subject to responsibility for any damage done to property entered;

(u) To accept industrial wastewater from within the boundaries of the authority for treatment and to require the pretreatment of same when, in the opinion of the authority, such pretreatment is necessary;

(v) To control and operate local retail water and wastewater services, and to provide or be responsible for direct servicing of those services to residences, businesses and individuals; however, the authority shall not provide the same services in an area provided by a public utility or person holding a certificate of public convenience and necessity issued by the Mississippi Public Service Commission for the provision of such services in the certificated area;

(w) To assume control and administer, within the authority's jurisdiction, any water or wastewater system or systems by agreement or contract with any person if the person providing such services requests to be relieved of that responsibility.;

(x) To acquire property designated by plan to sufficiently accommodate the location of water or wastewater systems and such requirements related directly thereto pursuant to the provisions of Title 11, Chapter 27, Mississippi Code of 1972. The authority may acquire property necessary for any system and the exercise of the powers, rights and duties conferred upon the authority by this chapter. No person owning the drilling rights or the right to share in production shall be prevented from exploring, developing or producing oil or gas with necessary rights-of-way for ingress and egress, pipelines and other means of transporting such interests on any lands or interest of the authority held or used for the purposes of this chapter, but any such activities shall be subject to reasonable regulations by the board that will adequately protect the systems or projects of the authority. This provision shall be in accordance with Mississippi Constitution Article 17A and Section 11-27-30;

(y) To use any legally available funds to acquire, rebuild, operate and maintain any existing water or wastewater systems owned or operated by any person;

(z) To refuse to receive water or wastewater from any public agency or person, except with regard to municipalities or other areas within the service territory of the systems as of July 1, 2024;

(aa) So long as any indebtedness on the systems of the authority remains outstanding, to require of a member public agency, or other person, that all water and wastewater within the boundaries of the authority be disposed of through the appropriate treatment system to the extent that the same may be available, but no public agency shall be precluded from constructing, operating and maintaining its own such system after the current indebtedness owing on the system as of July 1, 2024, is paid in full;

(bb) To adopt a seal and a symbol, and hold patents, copyrights, trademarks and service marks, and to enforce its rights with respect thereto;

(cc) To operate under the name JXN Water upon receiving permission of the court should the authority desire to maintain the receiver's organizational name; and

(dd) To write off revenues deemed uncollectible that were billed to customers prior to December 1, 2022, and further write off revenues deemed uncollectible after the third year of collection efforts as a regular accounting practice of the authority. Nothing herein permits the provision of services without charging applicable rates in effect at the time services are provided and requiring payment for such services.

(3) The authority shall:

(a) Submit annual reports to the Governor, Lieutenant Governor, Speaker of the House of Representatives, State Auditor, Joint Legislative Committee on Performance Evaluation and Expenditure Review and the governing authorities of any municipality whose citizens are within the authority's boundaries regarding the water quality and financial conditions of such system or systems, as well as a schedule of currently planned repairs, upgrades or improvements planned by the authority;

(b) Immediately submit to the Governor, Lieutenant Governor, Speaker of the House of Representatives and the governing authorities of any municipality whose citizens are within the authority's boundaries any information received from the Mississippi State Department of Health or Department of Environmental Quality or other state or federal regulatory agencies regarding the condition of a transferred eligible municipal system. The authority, in addition to abiding by any other federal or state reporting requirements, must also report such information to the public on its website and to individuals residing within the service area as required by federal or state law;

(c) Publish audited annual financial statements, which shall be made available to the public. The annual financial statements shall include disposition of all funds expended by the authority for any purpose. Quarterly financial statements shall be made available to the public by posting on the authority's website;

(d) Adopt by administrative rules and regulations a system of continuous internal audits;

(e) Adopt by administrative rules and regulations a code of ethics for officers and employees of the authority to carry out the standards of conduct established by this chapter; and

(f) Adopt by administrative rules and regulations guidelines for the disposal of property if the authority is dissolved.

SECTION 9. (1) The president, as chief executive officer of the utility authority, if so appointed by the board, shall direct and supervise all administrative and technical

activities in accordance with the provisions of this chapter, within the administrative rules and regulations adopted by the board, and in accordance with industry practice. The president shall:

(a) Supervise and administer or contract for the supervision and administration of the water and wastewater systems owned, managed or controlled by the authority;

(b) Employ and direct such personnel as may be necessary to carry out the purposes of this chapter and utilize such services, personnel or facilities of the authority as he or she may deem necessary;

(c) Make available for inspection by the board or any member of the board or the Governor, Lieutenant Governor, Speaker of the House or the governing authorities of any municipality whose citizens are served by the authority, upon request, all books, records, files and other information and documents of his or her office and advise the board and recommend such administrative rules and regulations and other matters he or she deems necessary and advisable to improve the operation and administration of the authority;

(d) Attend meetings of the board or appoint a designee to attend on his or her behalf;

(e) Not later than thirty (30) days before the beginning of the authority's fiscal year, submit the proposed annual budget of the authority to the board for review and approval. This shall include a schedule of planned repairs, upgrades or improvements to the systems and the anticipated capital cost of each. In addition, the proposed annual budget of the authority shall include a personnel table reporting information for each full-time and part-time permanent position, as follows:

(i) The position title and the salary for each position in the existing operating budget for the current fiscal year, indicating whether each position is filled or vacant as of the reporting date; and

(ii) The position title and the salary recommended for each position for the next fiscal year; and

(f) Require bond of Fifty Thousand Dollars ($50,000.00) from employees with access to funds or in such an amount as provided in the administrative rules and regulations of the board.

(2) The president may:

(a) Require bond from other employees as he or she deems necessary; and

(b) Upon specific or general approval of the board, enter into personal service contracts pursuant to administrative rules and regulations adopted by the board and compensate such consultants and technical assistants as may be required to carry out the provisions of this chapter.

(3) Agencies, departments or units of state government, including, but not limited to, the Mississippi Department of Health and the Mississippi Department of Environmental Quality, shall cooperate with the authority to regulate the authority and assure the effective operation of the authority's systems, with the understanding that such agencies act as a regulator and not operator of such systems. All state officers are hereby empowered and required to render such services to the authority within their respective functions as may be requested by the authority.

SECTION 10. Employees of the utility authority shall serve at the will and pleasure of the president, who shall determine their compensation and benefits in consultation with the board.

SECTION 11. Neither the directors of the utility authority, the board, its employees, nor any person or persons acting on their behalf, while acting within the scope of their authority, shall be subject to personal liability resulting from carrying out any of the powers granted herein in accordance with his or her good-faith belief that he or she is acting in the best interests of the authority.

SECTION 12. (1) The utility authority shall enter into its contracts for major procurements after a competitive and open procurement process. The authority may adopt administrative rules and regulations pursuant to the provisions of this chapter providing for special procedures whereby the authority may make any class of procurement. The authority shall endeavor to ensure the transparency and competitiveness of procurements of all sizes.

(2) In its bidding processes, the authority may do its own bidding and procurement or may utilize the services of other state agencies as appropriate and necessary. The president may declare an emergency for purchasing purposes which shall be governed by the administrative rules and regulations adopted by the board.

SECTION 13. All monies received by the utility authority shall be deposited into an operating account. Such account shall be established in a custodian financial institution domiciled in the State of Mississippi, insured by the Federal Deposit Insurance Corporation and collateralized as prescribed by Section 27-105-5.

SECTION 14. All division heads, officers and employees of the utility authority shall be considered public servants as defined in Section 25-4-103. All division heads and officers of the authority are subject to Section 25-4-25 and shall be required to file a Statement of Economic Interest with the Mississippi Ethics Commission.

SECTION 15. (1) Any public agency, pursuant to a duly adopted resolution of the governing body of such public agency, may enter into contracts with the utility authority under the terms of which the authority will manage, operate and contract for usage of its systems and facilities, or other services, for such public agency.

(2) Any public agency may enter into contracts with the authority for the authority to purchase or sell, by installments over such terms as may be deemed desirable, or otherwise, to any person or any systems. Any public agency may sell, donate, convey or otherwise dispose of water and wastewater facilities or systems, or any equipment, personal property or other things deemed necessary for the construction, operation and maintenance thereof to the authority without the necessity of appraisal, advertising or bidding. This section creates an alternative method of disposal of public property.

(3) Any public agency is authorized to enter into operating agreements with the authority, for such terms and upon such conditions as may be deemed desirable, for the operation of any of its systems by the authority or by any person contracting with the authority to operate such systems.

(4) Any public agency may lease to or from the authority, for such term and upon such conditions as may be deemed desirable, any of its systems.

(5) Any municipality or county may donate office space, equipment, supplies and materials to the authority.

(6) Any such contract may contain provisions requiring any public agency to regulate the quality and strength of the material to be handled by the wastewater systems and may also provide that the authority shall have the right to use any streets, alleys and

public ways and places within the jurisdiction of a public agency during the term of the contract. Such contracts may obligate the public agency to make payments to the authority or to a trustee in amounts which shall be sufficient to enable the authority to defray the expenses of administering, operating and maintaining its respective systems, to pay interest and principal (whether at maturity upon redemption or otherwise) on bonds of the authority issued under this chapter, and to fund reserves for debt service, for operation and maintenance and for renewals and replacements, to fulfill the requirements of any rate covenant with respect to debt service coverage contained in any resolution, trust indenture or other security agreement relating to the bonds of the authority issued under this chapter or to fulfill any other requirement relating to bonds issued pursuant to this chapter.

(7) Any public agency shall have the power to enter into contracts with the authority as deemed, in the discretion of the governing body of the public agency, would be in the best interest of the public agency. Such contracts may include a pledge of the full faith and credit of the public agency and/or the avails of any special assessments made by the public agency against property receiving benefits, as now or hereafter provided by law. Any such contract may:

(a) Provide for the sale or lease to, or use by, the authority, of the systems or any part thereof, of the public agency;

(b) Provide that the authority shall operate its systems or any part thereof of the public agency;

(c) Provide that the public agency shall have the right to continued use and/or priority use of the systems or any part thereof during the useful life thereof upon payment of reasonable charges therefor;

(d) Contain provisions to assure equitable treatment of public agencies contracting with the authority under this chapter; and

(e) Contain such other provisions and requirements as the parties thereto may determine to be appropriate or necessary.

Such contracts may extend over any period of time, notwithstanding any provisions of law to the contrary, and may extend beyond the life of the respective systems or any part thereof or the term of the bonds sold with respect to such facilities or improvements thereto.

(8) The obligations of a public agency arising under the terms of any contract referred to in this chapter, whether or not payable solely from a pledge of revenues, shall not be included within the indebtedness limitations of the public agency for purposes of any constitutional or statutory limitation or provision. To the extent provided in such contract and to the extent such obligations of the public agency are payable wholly or in part from the revenues and other monies derived by the public agency from the operation of its systems or of its combined systems, or any part thereof, such obligations shall be treated as expenses of operating such systems.

(9) Contracts referred to in this section may also provide for payments in the form of contributions to defray the cost of any purpose set forth in the contracts and as advances for the respective systems or any part thereof subject to repayment by the authority. A public agency may make such contributions or advances from its general fund or surplus fund or from special assessments or from any monies legally available therefor.

(10) Subject to the terms of a contract or contracts referred to in this chapter, the authority is hereby authorized to do and perform any and all acts or things necessary, convenient or desirable to carry out the purposes of such contracts, including the fixing, charging, collecting, maintaining and revising of rates, fees and other charges for the

services rendered to any user of any of the systems operated or maintained by the authority, whether or not such systems are owned by the authority.

(11) No provision of this chapter shall be construed to prohibit any public agency, otherwise permitted by law to issue bonds, from issuing bonds in the manner provided by law for the construction, renovation, repair or development of any systems or any part thereof.

SECTION 16. Whenever a public agency shall have executed a contract under this chapter and the payments thereunder are to be made either wholly or partly from the revenues of the public agency's systems, or any part thereof, or a combination of such systems, the duty is hereby imposed on the public agency to establish and maintain and from time to time to adjust the rate or fees charged by the public agency for the services of such systems, so that the revenues therefrom, together with any taxes and special assessments levied in support thereof, will be sufficient at all times to pay:

(a) The expense of operating and maintaining such systems, including, but not limited to, all of the public agency's obligations to the utility authority and the cost required to staff such systems, its successors or assigns under such contract; and

(b) All of the public agency's obligations under and in connection with bonds theretofore issued, or which may be issued thereafter and secured by the revenues of such systems. Any such contract may require the use of consulting engineers and financial experts to advise the public agency whether and when such rates and fees are to be adjusted.

SECTION 17. (1) Notwithstanding the provisions of Sections 77-3-21 and 77-3-23, the certificate of public convenience and necessity held by any municipality, public agency, district, public utility or other entity authorized by law to provide water and wastewater services may be cancelled and its powers, duties and responsibilities transferred to the utility authority in the manner provided by this section.

(2) Any entity described in subsection (1) of this section desiring to have its certificate of public convenience and necessity cancelled and its powers, duties and responsibilities transferred to the authority shall make a determination to that effect on its official minutes if a public entity, or by affidavit if not a public entity, and transmit such determination to the authority.

(3) Upon receipt of the document evidencing such determination from an entity to transfer its powers, duties and responsibilities to the authority, the authority shall, by resolution, declare whether it is willing and able to accept such transfer from the entity.

(4) Upon completion of the requirements of subsections (2) and (3) of this section and agreement by both parties to the transfer, the holder of the certificate of public convenience and necessity and the authority shall jointly petition the Public Service Commission to cancel the certificate of public convenience and necessity. The petition must be accompanied by copies of the official minutes, affidavit or resolution, as the case may be, reflecting the actions of the petitioners. After review of the petition and any other evidence as the Public Service Commission deems necessary, the commission may issue an order canceling the certificate and transferring to the authority the powers, duties and responsibilities granted by the certificate, including all assets and debts of the transferor petitioner related to such certificated services, real or personal, or both, if it finds that:

(a) Subsections (2) and (3) of this section have been complied with; and

(b) Such action is in the public interest.

(5) The authority and providers of water and wastewater services that are not holders of a certificate of a public convenience and necessity from the Public Service

Commission may enter into agreements for the provision of such services, including, but not limited to, the transfer to the authority of such provider's powers, duties, responsibilities, assets and debts.

(6) Nothing herein shall require an entity whose powers and duties were transferred to the authority to remain under the authority.

SECTION 18. (1) Any system of a municipality, public agency or other entity that becomes subject to the jurisdiction of the utility authority and this chapter shall not impair, invalidate or abrogate any liens, bonds or other certificates of indebtedness related to water or wastewater facilities and systems incurred prior to becoming subject to the jurisdiction of the authority.

(2) The authority may do and perform any and all acts necessary, convenient or desirable to ensure the payment, redemption or satisfaction of such liens, bonds or other certificates of indebtedness.

SECTION 19. (1) Sections 18 through 27 of this act apply to all bonds to be issued on or after July 1, 2024, and such provisions shall not affect, limit or alter the rights and powers of the utility authority under this chapter or any law of Mississippi to conduct the activities referred to herein in any way pertinent to the interests of the bondholders, including, without limitation, the authority's right to charge and collect rates, fees and charges and to fulfill the terms of any covenants made with the registered owners of any existing bonds, or in any other way impair the rights and remedies of the registered owners of any existing bonds, unless provision for full payment of such bonds, by escrow or otherwise, has been made pursuant to the terms of the bonds or the resolution, trust indenture or security interest securing the bonds.

(2) The authority shall have the power and is hereby authorized, from time to time, to borrow money and to issue revenue bonds and interim notes in such principal amounts as the authority may determine to be necessary to provide sufficient funds for achieving one or more of the purposes of this chapter, including, without limiting the generality of the foregoing, to defray all the costs of the project, the cost of the acquisition, construction, improvement, repair or extension of a system, or any part thereof, whether or not such facilities are owned by the authority, the payment of interest on bonds of the authority issued pursuant to this chapter, establishment of reserves to secure such bonds and payment of the interest thereon, expenses incident to the issuance of such bonds and to the implementation of the authority's system, and all other expenditures of the authority incident to or necessary or convenient to carry out the purposes of this chapter.

(3) Before issuing bonds, other than interim notes or refunding bonds as provided in Section 20 of this act, the board of directors of the authority shall adopt a resolution declaring its intention to issue such bonds and stating the maximum principal amount of bonds proposed to be issued, a general generic description of the proposed improvements and the proposed location thereof and the date, time and place at which the board of directors proposes to take further action with respect to the issuance of such bonds. The resolution shall be published once a week for at least three (3) consecutive weeks in at least one (1) newspaper having a general circulation within the geographical limits of the service area under this chapter.

(4) Bonds of the authority issued pursuant to this chapter shall be payable from and secured by a pledge of all or any part of the revenues derived from the operation of the systems or any part or parts thereof and any other monies legally available and designated therefor, as may be determined by the authority, subject only to any agreement with the purchasers of the bonds. Such bonds may be further secured by a trust indenture between the authority and a corporate trustee, which may be any trust company or bank having powers of a trust company without or within the state.

(5) Bonds of the authority issued pursuant to this chapter shall be authorized by a resolution or resolutions adopted by a majority affirmative vote of the total membership of the board. Such bonds may be issued in series, and each series of such bonds shall bear such date or dates, mature at such time or times, bear interest at such rate or rates (not exceeding the maximum rate set out in Section 75-17-103, Mississippi Code of 1972), be in such denomination or denominations, be in such form, carry such conversion privileges, have such rank or priority, be executed in such manner and by such officers, be payable from such sources in such medium of payment at such place or places within or without the state, provided that one such place shall be within the state, and be subject to such terms of redemption prior to maturity, all as may be provided by resolution or resolutions of the board. The term of such bonds issued pursuant to this chapter shall not exceed forty (40) years.

(6) Bonds of the authority issued pursuant to this chapter may be sold at such price or prices, at public or private sale, in such manner and at such times as may be determined by the authority to be in the public interest, and the authority may pay all expenses, premiums, fees and commissions which it may deem necessary and advantageous in connection with the issuance and sale thereof.

(7) Any pledge of earnings, revenues or other monies made by the authority shall be valid and binding from the time the pledge is made. The earnings, revenues or other monies so pledged and thereafter received by the authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the authority irrespective of whether such parties have notice thereof. Neither the resolution nor any other instrument by which a pledge is created need be recorded.

(8) Neither the members of the board nor any person executing the bonds shall be personally liable on the bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

(9) Proceeds from the sale of bonds of the authority may be invested, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earnings on such investments applied as provided in such resolution or trust indenture.

(10) Whenever any bonds shall have been signed by the officer designated by the resolution of the board to sign the bonds who was in office at the time of such signing but who may have ceased to be such officer prior to the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the manual or facsimile signatures of such officer upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially executing such bonds had remained in office until the delivery of the same to the purchaser or had been in office on the date such bonds may bear.

(11) The authority has the discretion to advance or borrow funds needed to satisfy any short-term cash flow demands or deficiencies or to cover start-up costs until such time as sufficient bonds, assets and revenues have been secured to satisfy the needs of the authority. The State of Mississippi shall provide surety for any advance or borrowing of funds required under this chapter through June 30, 2029.

SECTION 20. (1) The utility authority may, by resolution adopted by its board, issue refunding bonds for the purpose of paying any of its bonds at or prior to maturity or upon acceleration or redemption. Refunding bonds may be issued at such time prior to the maturity or redemption of the refunded bonds as the board deems to be in the public interest, without an election on the question of the issuance thereof. The refunding bonds may be issued in sufficient amounts to pay or provide the principal of the bonds being refunded, together with any redemption premium thereon, any interest accrued or to

accrue to the date of payment of such bonds, the expenses of issue of the refunding bonds, the expenses of redeeming the bonds being refunded, and such reserves for debt service or other capital or current expenses from the proceeds of such refunding bonds as may be required by the resolution, trust indenture or other security instruments. The issue of refunding bonds, the maturities and other details thereof, the security therefor, the rights of the holders and the rights, duties and obligations of the authority in respect of the same shall be governed by the provisions of this chapter relating to the issue of bonds other than refunding bonds insofar as the same may be applicable. Any such refunding may be effected, whether the obligations to be refunded shall have then matured or shall thereafter mature, either by the exchange of the refunding bonds for the obligations to be refunded thereby with the consent of the holders of the obligations so to be refunded, or by sale of the refunding bonds and the application of the proceeds thereof to the payment of the obligations proposed to be refunded thereby, and regardless of whether the obligations proposed to be refunded shall be payable on the same date or different dates or shall be due serially or otherwise.

(2) Borrowing by the authority may be made by the delivery of interim notes to any person or public agency or financial institution by a majority vote of the board of directors.

SECTION 21. All bonds, other than refunding bonds, interim notes and certificates of indebtedness, which may be issued pursuant to this chapter shall be validated as now provided by law in Sections 31-13-1 through 31-13-11, Mississippi Code of 1972; however, notice of such validation proceedings shall be addressed to the citizens of the respective public agencies which have contracted with the authority pursuant to this chapter, and whose contracts and the payments to be made by the public agencies thereunder constitute security for the bonds of the authority proposed to be issued, and such notice shall be published at least once in a newspaper or newspapers having a general circulation within the geographical boundaries of each of the contracting public agencies to whose citizens the notice is addressed. Such validation proceedings shall be instituted in any chancery courts within the boundaries of the authority. The validity of the bonds so validated and of the contracts and payments to be made by the public agencies thereunder constituting security for the bonds shall be forever conclusive against the authority and the public agencies, which are parties to said contracts, and the validity of said bonds and said contracts and the payments to be made thereunder shall never be called in question in any court in this state.

SECTION 22. Bonds issued under the provisions of this chapter shall not be deemed to constitute, within the meaning of any constitutional or statutory limitation, an indebtedness of the utility authority or the state. Such bonds shall be payable solely from the revenues or assets of the authority pledged therefor. Each bond issued under this chapter shall contain on the face thereof a statement to the effect that neither the authority nor the state shall be obligated to pay the same or the interest thereon except from the revenues or assets pledged therefor.

SECTION 23. The utility authority shall have power in connection with the issuance of its bonds pursuant to this chapter to:

(a) Covenant as to the use of any or all of its property, real or personal;

(b) Redeem the bonds, to covenant for their redemption and to provide the terms and conditions thereof;

(c) Covenant to charge rates, fees and charges sufficient to meet operating and maintenance expenses, renewals and replacements, principal and debt service on bonds, creation and maintenance of any reserves required by a bonds resolution, trust indenture or other security instrument and to provide for any margins or coverages over and above debt service on the bonds deemed desirable for the marketability of the bonds;

(d) Covenant and prescribe as to events of default and terms and conditions upon which any or all of its bonds shall become or may be declared due before maturity, as to the terms and conditions upon which such declaration and its consequences may be waived and as to the consequences of default and the remedies of the registered owners of the bonds;

(e) Covenant as to the mortgage or pledge of or the grant of a security interest in any real or personal property and all or any part of the revenues from any designated system or any part thereof or any revenue-producing contract or contracts made by the authority with any person or entity to secure the payment of bonds, subject to such agreements with the registered owners of bonds as may then exist;

(f) Covenant as to the custody, collection, securing, investment and payment of any revenues, assets, monies, funds or property with respect to which the authority may have any rights or interest;

(g) Covenant as to the purposes to which the proceeds from the sale of any bonds then or thereafter to be issued may be applied, and the pledge of such proceeds to secure the payment of the bonds;

(h) Covenant as to the limitations on the issuance of any additional bonds, the terms upon which additional bonds may be issued and secured, and the refunding of outstanding bonds;

(i) Covenant as to the rank or priority of any bonds with respect to any lien or security;

(j) Covenant as to the procedure by which the terms of any contract with or for the benefit of the registered owners of bonds may be amended or abrogated, the amount of bonds the registered owners of which must consent thereto, and the manner in which such consent may be given;

(k) Covenant as to the custody of any of its properties or investments, the safekeeping thereof, the insurance to be carried thereon, and the use and disposition of insurance proceeds;

(l) Covenant as to the vesting in a trustee or trustees, within or outside the state, of such properties, rights, powers and duties in trust as the authority may determine;

(m) Covenant as to the appointing and providing for the duties and obligations of a paying agent or paying agents or other fiduciaries within or outside the state;

(n) Make all other covenants and do any and all such acts and things as may be necessary, convenient or desirable in order to secure its bonds, or in the absolute discretion of the authority tend to make the bonds more marketable, notwithstanding that such covenants, acts or things may not be enumerated herein, it being the intention hereof to give the authority power to do all things in the issuance of bonds and in the provisions for security thereof which are not inconsistent with the Constitution of the state; and

(o) Execute all instruments necessary or convenient in the exercise of the powers herein granted or in the performance of covenants or duties, which may contain such covenants and provisions, as any purchaser of the bonds of the authority may reasonably require.

SECTION 24. The utility authority may, in any authorizing resolution of the board, trust indenture or other security instrument relating to its bonds issued pursuant to this chapter, provide for the appointment of a trustee who shall have such powers as are provided therein to represent the registered owners of any issue of bonds in the

enforcement or protection of their rights under any such resolution, trust indenture or security instrument. The authority may also provide in such resolution, trust indenture or other security instrument that the trustee, or in the event that the trustee so appointed shall fail or decline to so protect and enforce such registered owners' rights then such percentage of registered owners as shall be set forth in, and subject to the provisions of, such resolution, trust indenture or other security interest, may petition the court of proper jurisdiction for the appointment of a receiver of the authority's systems, the revenues of which are pledged to the payment of the principal of and interest on the bonds of such registered owners. Such receiver may exercise any power as may be granted in any such resolution, trust indenture or security instrument to enter upon and take possession of, acquire, construct, reconstruct or operate and maintain such system, fix charges for services of the system and enforce collection thereof, and receive all revenues derived from such system or facilities and perform the public duties and carry out the contracts and obligations of the authority in the same manner as the authority itself might do, all under the direction of such court.

SECTION 25. (1) The exercise of the powers granted by this chapter will be in all respects for the benefit of the people of the state, for their well-being and prosperity and for the improvement of their social and economic conditions, and the utility authority shall not be required to pay any tax or assessment on any property owned by the authority under the provisions of this chapter or upon the income therefrom, nor shall the authority be required to pay any recording fee or transfer tax of any kind on account of instruments recorded by it or on its behalf.

(2) Any bonds issued by the authority under this chapter, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

SECTION 26. All bonds issued under the provisions of this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

SECTION 27. The state hereby covenants with the registered owners of any bonds of the utility authority that so long as the bonds are outstanding and unpaid, the state will not limit or alter the rights and powers of the authority under this chapter to conduct the activities referred to herein in any way pertinent to the interests of the bondholders, including, without limitation, the authority's right to charge and collect rates, fees, assessments and charges and to fulfill the terms of any covenants made with the registered owners of the bonds, or in any other way impair the rights and remedies of the registered owners of the bonds, unless provision for full payment of such bonds, by escrow or otherwise, has been made pursuant to the terms of the bonds or the resolution, trust indenture or security interest securing the bonds.

SECTION 28. For the purposes of satisfying any temporary cash flow demands and deficiencies, and to maintain a working balance for the utility authority, the state, county, municipalities or public agencies within the geographic boundaries of the authority, or other persons, subject to their lawful authority to do so, are authorized to advance, at any time, such funds which in their discretion are necessary, or borrow such funds by issuance of notes, for initial capital contribution, and to cover start-up costs until such times as sufficient bonds, assets and revenues have been secured to satisfy the needs of the authority for its management, operation and formation. To this end, the state, county, municipality, public agency or person, subject to its lawful authority to do so, shall advance such funds, or borrow such funds by issuance of notes, under such terms and conditions as may be provided by resolution of the governing body, or other persons as defined in

this chapter, subject to their lawful authority to do so, except that each such resolution shall state:

(a) The need for the proceeds advanced or borrowed;

(b) The amount to be advanced or the amount to be borrowed;

(c) The maximum principal amount of any note issued the interest rate or maximum interest rate to be incurred, and the maturity date of said note;

(d) In addition, the governing body, or other persons as defined in this chapter, subject to their lawful authority to do so, may arrange for lines of credit with any bank, firm or person for the purpose of providing an additional source of repayment for notes issued pursuant to this section. Amounts drawn on a line of credit may be evidenced by negotiable or nonnegotiable notes or other evidences of indebtedness and contain such terms and conditions as the governing body, or other persons as defined in this chapter, subject to their lawful authority to do so, may authorize in the resolution approving the same;

(e) The governing body of the county, municipalities or other persons as defined in this chapter, subject to their lawful authority to do so, may authorize the repayment of such advances, notes, lines of credit and other debt incurred under this section, along with all costs associated with the same, including, but not limited to, rating agency fees, printing costs, legal fees, bank or trust company fees, line of credit fees and other charges to be reimbursed by the authority under such terms and conditions as are reasonable and are to be provided for by resolution of the governing body, or terms agreed upon with other persons as defined in this chapter, subject to their lawful authority to do so; and

(f) In addition, the governing body of the county, municipality or public agency may lease or donate office space and equipment to the authority under such terms and conditions as are reasonable and are to be provided for by resolution of the governing body, or terms agreed upon by the authority.

SECTION 29. This act, being necessary for the welfare of the state and its inhabitants, shall be liberally construed to effect the purposes thereof. If any section, provision, paragraph, sentence, phrase or word of this act shall be held invalid by any court of competent jurisdiction, the remainder of this act shall not be affected thereby.

SECTION 30. Sections 1 and 3 through 28 of this act shall be codified as a separate chapter in Title 51, Mississippi Code of 1972.

SECTION 31. This act shall take effect and be in force from and after July 1, 2024.

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

Amendment No. 1 to S. B. No. 2628 was adopted.

YEAS AND NAYS On S. B. No. 2628. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackwell, Boyd, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--35.

Nays--Barnett, Blackmon, Blount, Brumfield, Bryan, Butler, Frazier, Hickman, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--14.

Absent and those not voting--Horhn. Total--1.
Voting Present--Turner-Ford. Total--1.
Not Voting --Branning. Total--1.

Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 12:47 PM, the Senate stood in recess.

The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1311: AN ACT TO AMEND SECTION 37-103-25, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF TRUSTEES OF COMMUNITY AND JUNIOR COLLEGES WHICH BORDER ANOTHER STATE TO IMPLEMENT A POLICY FOR REDUCING OR WAIVING OUT-OF-STATE TUITION FOR NONRESIDENTS AND ESTABLISH CRITERIA FOR ELIGIBILITY; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator England called up the following entitled bill:

S. B. No. 2422: Election disputes; specify judges with jurisdiction to hear.

Senator England offered the following AMENDMENT NO. 1.

AMEND on lines 11-12 by striking the following language:

, chancery clerks and circuits clerks

FURTHER, AMEND on line 25 by inserting the following after the period:

Election disputes can only be filed in a circuit court with proper jurisdiction and heard by the judges selected by the Chief Justice of the Mississippi Supreme Court.

Amendment No. 1 to S. B. No. 2422 was adopted.

YEAS AND NAYS On S. B. No. 2422. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Parker called up the following entitled bill:

S. B. No. 2302: State agencies; notify Legislature of proposed rule adoption.

Senator Turner-Ford offered the following AMENDMENT NO. 1.

AMEND on line 10 by inserting after "agency" the following:

and the Mississippi Capitol Region Utility Authority

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2302 was adopted.

YEAS AND NAYS On S. B. No. 2302. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Parker called up the following entitled bill:

S. B. No. 2406: MS Public Records Act; exempt certain private information of persons conducting in-state operations.

YEAS AND NAYS On S. B. No. 2406. On motion of Senator Barrett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.
Absent and those not voting----None.

Senator Polk called up the following entitled bill:

S. B. No. 2544: Public deposit bidding; conform processes.

On motion of Senator Polk, the Committee Substitute was adopted for consideration.

Senator Turner-Ford offered the following AMENDMENT NO. 1.

AMEND by adding on line 58 after the period the following:

The board is prohibited from designating a depository during the last year of a four (4) year term.

Amendment No. 1 to S. B. No. 2544 was adopted.

YEAS AND NAYS On S. B. No. 2544. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--McMahan. Total--1.
Absent and those not voting----None.

Senator Thompson called up the following entitled bill:

S. B. No. 2648: Mississippi Department of Marine Resources; authorize oyster lease reconfiguration and make technical amendments.

YEAS AND NAYS On S. B. No. 2648. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Bryan called up the following entitled bill:

S. B. No. 2145: Defending Affordable Prescription Drug Costs Act; enact to prohibit discriminating against 340B drug discount program entities.

YEAS AND NAYS On S. B. No. 2145. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Unanimous consent was granted to add Senators Sparks, Branning, Butler and McLendon as co-authors of **S. B. No. 2145**.

Senator Williams called up the following entitled bill:

S. B. No. 2703: Cybersecurity; require state agencies to report ransomware incidents and prohibit agencies from paying ransoms.

On motion of Senator Williams, the Committee Substitute was adopted for consideration.

Senator Williams offered the following AMENDMENT NO. 1.

AMEND on line 178 by striking "or otherwise comply with".

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2703 was adopted.

YEAS AND NAYS On S. B. No. 2703. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Johnson called up the following entitled bill:

S. B. No. 2486: Proposals and requests for qualifications; simplify the receipt and registration process.

YEAS AND NAYS On S. B. No. 2486. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parker called up the following entitled bill:

S. B. No. 2244: Foster care children; allow free access to museums and state parks, allow free transcripts from colleges and junior colleges.

POINT OF ORDER

A point of order was raised by Senator Parker that S. B. No. 2244 has a forgiveness of a fee. It is a revenue bill, and the vote should be a 3/5 vote instead of a majority vote.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order well-taken.

Senator Hickman offered the following AMENDMENT NO. 1.

AMEND by striking lines 65-81 and inserting in lieu thereof the following:

(b) "Eligible foster parent" means an individual licensed by the Mississippi Department of Child Protection Services to operate a foster home to provide residential care to a child in the department's custody.

FURTHER, AMEND by striking lines 82-85 and inserting in lieu thereof the following:

(c) "Eligible child agency" means a child—placing agency or a residential child—caring agency licensed by the Mississippi Department of Child Protection Services as set forth in Section 43-15-107.

FURTHER, AMEND by striking lines 91-96 and inserting in lieu thereof the following:

(2) An eligible foster parent, including his or her spouse, foster children, biological children or any other member of his or her direct household, or the staff of an eligible child agency together with the children placed with the agency, as applicable, shall be allowed free admission to any state park in this state upon showing the appropriate license/ certificate issued by the department.

FURTHER, AMEND by striking lines 102-118 and inserting in lieu thereof the following:

(b) "Eligible foster parent" means an individual licensed by the Mississippi Department of Child Protection Services to operate a foster home to provide residential care to a child in the department's custody.

FURTHER, AMEND by striking lines 124-127 and inserting in lieu thereof the following:

(d) "Eligible child agency" means a child—placing agency or a residential child—caring agency licensed by the Mississippi Department of Child Protection Services as set forth in Section 43-15-107.

FURTHER, AMEND by striking lines 128-133 and inserting in lieu thereof the following:

(2) An eligible foster parent, including his or her spouse, foster children, biological children or any other member of his or her direct household, or the staff of an eligible child agency together with the children placed with the agency, as applicable, shall be allowed free admission to any state park in this state upon showing the appropriate license/ certificate issued by the department.

Amendment No. 1 to S. B. No. 2244 was adopted.

YEAS AND NAYS On S. B. No. 2244. On motion of Senator Hickman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Unanimous consent was granted to add Senators Butler and Simmons S. (13th) as co-authors of **S. B. No. 2244**.

Senator Whaley called up the following entitled bill:

S. B. No. 2659: Mississippi Parks Corporation; create.

Senator Whaley moved that **S. B. No. 2659** be recommitted to Wildlife, Fisheries and Parks, and the motion prevailed.

Senator Wiggins called up the following entitled bill:

S. B. No. 2268: Missing or unidentified persons; provide procedures regarding investigation of.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2268. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

S. B. No. 2792: Foster care and adoption; revise provisions related to per recommendations of task force.

YEAS AND NAYS On S. B. No. 2792. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Unanimous consent was granted to add Senators Sparks and Boyd as co-authors of **S. B. No. 2792**.

Senator DeBar called up the following entitled bill:

S. B. No. 2689: State subject area tests and accountability standards; replace with college prep test and revise provisions.

On motion of Senator DeBar, the Committee Substitute was adopted for consideration.

Senator DeBar offered the following AMENDMENT NO. 1.

AMEND on line 1232 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to S. B. No. 2689 was adopted.

YEAS AND NAYS On S. B. No. 2689. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Parker, Sparks, Branning, Boyd and Butler as co-authors of **S. B. No. 2689**.

Senator Fillingane called up the following entitled bill:

S. B. No. 2606: DUI suspension; clarify how the 120 days are counted.

Senator Wiggins offered the following AMENDMENT NO. 1.

AMEND on line 837 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to S. B. No. 2606 was adopted.

YEAS AND NAYS On S. B. No. 2606. On motion of Senator Barrett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Branning, Frazier, Parker. Total--3.

Absent and those not voting----None.

Senator Barnett called up the following entitled bill:

S. B. No. 2599: Alternative Incarceration Methodology (AIM); bring forward statutes.

Senator Sparks offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 99-15-26, Mississippi Code of 1972, is brought forward as follows:

99-15-26. (1) (a) In all criminal cases, felony and misdemeanor, other than crimes against the person, a crime of violence as defined in Section 97-3-2, a violation of Section

97-11-31, or crimes in which a person unlawfully takes, obtains or misappropriates funds received by or entrusted to the person by virtue of his or her public office or employment, the circuit or county court shall be empowered, upon the entry of a plea of guilty by a criminal defendant made on or after July 1, 2014, to withhold acceptance of the plea and sentence thereon pending successful completion of such conditions as may be imposed by the court pursuant to subsection (2) of this section.

(b) In all misdemeanor criminal cases, other than crimes against the person, the justice or municipal court shall be empowered, upon the entry of a plea of guilty by a criminal defendant, to withhold acceptance of the plea and sentence thereon pending successful completion of such conditions as may be imposed by the court pursuant to subsection (2) of this section.

(c) Notwithstanding paragraph (a) of this subsection (1), in all criminal cases charging a misdemeanor of domestic violence as defined in Section 99-3-7(5), a circuit, county, justice or municipal court shall be empowered, upon the entry of a plea of guilty by the criminal defendant, to withhold acceptance of the plea and sentence thereon pending successful completion of such conditions as may be imposed by the court pursuant to subsection (2) of this section.

(d) No person having previously qualified under the provisions of this section shall be eligible to qualify for release in accordance with this section for a repeat offense. A person shall not be eligible to qualify for release in accordance with this section if charged with the offense of trafficking of a controlled substance as provided in Section 41-29-139(f) or if charged with an offense under the Mississippi Implied Consent Law. Violations under the Mississippi Implied Consent Law can only be nonadjudicated under the provisions of Section 63-11-30.

(2) (a) Conditions which the circuit, county, justice or municipal court may impose under subsection (1) of this section shall consist of:

(i) Reasonable restitution to the victim of the crime.

(ii) Performance of not more than nine hundred sixty (960) hours of public service work approved by the court.

(iii) Payment of a fine not to exceed the statutory limit.

(iv) Successful completion of drug, alcohol, psychological or psychiatric treatment, successful completion of a program designed to bring about the cessation of domestic abuse, or any combination thereof, if the court deems treatment necessary.

(v) The circuit or county court, in its discretion, may require the defendant to remain in the program subject to good behavior for a period of time not to exceed five (5) years. The justice or municipal court, in its discretion, may require the defendant to remain in the program subject to good behavior for a period of time not to exceed two (2) years.

(b) Conditions which the circuit or county court may impose under subsection (1) of this section also include successful completion of an effective evidence-based program or a properly controlled pilot study designed to contribute to the evidence-based research literature on programs targeted at reducing recidivism. Such program or pilot study may be community based or institutionally based and should address risk factors identified in a formal assessment of the offender's risks and needs.

(3) When the court has imposed upon the defendant the conditions set out in this section, the court shall release the bail bond, if any.

(4) Upon successful completion of the court-imposed conditions permitted by subsection (2) of this section, the court shall direct that the cause be dismissed and the case be closed.

(5) Upon petition therefor, the court shall expunge the record of any case in which an arrest was made, the person arrested was released and the case was dismissed or the charges were dropped, there was no disposition of such case, or the person was found not guilty at trial.

SECTION 2. Section 99-15-19, Mississippi Code of 1972, is brought forward as follows:

99-15-19. Any county paying counsel fees and expenses incurred on appeal to the Supreme Court or by virtue of any prosecution charging the commission of a crime on the premises of the Mississippi State Penitentiary or the commission of a crime by any escapee therefrom, may request reimbursement of all such payments from the State Treasurer. The State Auditor shall issue his or her warrant, based upon a voucher sent by the Treasurer of any county entitled to such reimbursement together with a certification that such sums have been allowed and paid. The State Treasurer shall pay the amount of any such reimbursement out of any funds in the State Treasury appropriated for such purpose.

SECTION 3. Section 47-7-27, Mississippi Code of 1972, is brought forward as follows:

47-7-27. (1) The board may, at any time and upon a showing of probable violation of parole, issue a warrant for the return of any paroled offender to the custody of the department. The warrant shall authorize all persons named therein to return the paroled offender to actual custody of the department from which he was paroled.

(2) Any field supervisor may arrest an offender without a warrant or may deputize any other person with power of arrest by giving him a written statement setting forth that the offender has, in the judgment of that field supervisor, violated the conditions of his parole or earned-release supervision. The written statement delivered with the offender by the arresting officer to the official in charge of the department facility from which the offender was released or other place of detention designated by the department shall be sufficient warrant for the detention of the offender.

(3) The field supervisor, after making an arrest, shall present to the detaining authorities a similar statement of the circumstances of violation. The field supervisor shall at once notify the board or department of the arrest and detention of the offender and shall submit a written report showing in what manner the offender has violated the conditions of parole or earned-release supervision. An offender for whose return a warrant has been issued by the board shall, after the issuance of the warrant, be deemed a fugitive from justice.

(4) Whenever an offender is arrested on a warrant for an alleged violation of parole as herein provided, the board shall hold an informal preliminary hearing within seventy-two (72) hours to determine whether there is reasonable cause to believe the person has violated a condition of parole. A preliminary hearing shall not be required when the offender is not under arrest on a warrant or the offender signed a waiver of a preliminary hearing. The preliminary hearing may be conducted electronically.

(5) The right of the State of Mississippi to extradite persons and return fugitives from justice, from other states to this state, shall not be impaired by this chapter and shall remain in full force and effect. An offender convicted of a felony committed while on parole, whether in the State of Mississippi or another state, shall immediately have his parole revoked upon presentment of a certified copy of the commitment order to the board. If an offender is on parole and the offender is convicted of a felony for a crime committed

prior to the offender being placed on parole, whether in the State of Mississippi or another state, the offender may have his parole revoked upon presentment of a certified copy of the commitment order to the board.

(6) (a) The board shall hold a hearing for any parolee who is detained as a result of a warrant or a violation report within twenty-one (21) days of the parolee's admission to detention. The board may, in its discretion, terminate the parole or modify the terms and conditions thereof. If the board revokes parole for one or more technical violations the board shall impose a period of imprisonment to be served in a technical violation center operated by the department not to exceed ninety (90) days for the first revocation and not to exceed one hundred twenty (120) days for the second revocation. For the third revocation, the board may impose a period of imprisonment to be served in a technical violation center for up to one hundred * * * eighty (180) days or the board may impose the remainder of the suspended portion of the sentence. For the fourth and any subsequent revocation, the board may impose up to the remainder of the suspended portion of the sentence. The period of imprisonment in a technical violation center imposed under this section shall not be reduced in any manner.

(b) If the board does not hold a hearing or does not take action on the violation within the twenty-one-day time frame in paragraph (a) of this subsection, the parolee shall be released from detention and shall return to parole status. The board may subsequently hold a hearing and may revoke parole or may continue parole and modify the terms and conditions of parole. If the board revokes parole for one or more technical violations the board shall impose a period of imprisonment to be served in a technical violation center operated by the department not to exceed ninety (90) days for the first revocation and not to exceed one hundred twenty (120) days for the second revocation. For the third revocation, the board may impose a period of imprisonment to be served in a technical violation center for up to one hundred eighty (180) days or the board may impose the remainder of the suspended portion of the sentence. For the fourth and any subsequent revocation, the board may impose up to the remainder of the suspended portion of the sentence. The period of imprisonment in a technical violation center imposed under this section shall not be reduced in any manner.

(c) For a parolee charged with one or more technical violations who has not been detained awaiting the revocation hearing, the board may hold a hearing within a reasonable time. The board may revoke parole or may continue parole and modify the terms and conditions of parole. If the board revokes parole for one or more technical violations the board shall impose a period of imprisonment to be served in a technical violation center operated by the department not to exceed ninety (90) days for the first revocation and not to exceed one hundred twenty (120) days for the second revocation. For the third revocation, the board may impose a period of imprisonment to be served in a technical violation center for up to one hundred eighty (180) days or the board may impose the remainder of the suspended portion of the sentence. For the fourth and any subsequent revocation, the board may impose up to the remainder of the suspended portion of the sentence. The period of imprisonment in a technical violation center imposed under this section shall not be reduced in any manner.

(7) Unless good cause for the delay is established in the record of the proceeding, the parole revocation charge shall be dismissed if the revocation hearing is not held within the thirty (30) days of the issuance of the warrant.

(8) The chairman and each member of the board and the designated parole revocation hearing officer may, in the discharge of their duties, administer oaths, summon and examine witnesses, and take other steps as may be necessary to ascertain the truth of any matter about which they have the right to inquire.

(9) The board shall provide semiannually to the Oversight Task Force the number of warrants issued for an alleged violation of parole, the average time between detention on a warrant and preliminary hearing, the average time between detention on a warrant

and revocation hearing, the number of ninety-day sentences in a technical violation center issued by the board, the number of one-hundred-twenty-day sentences in a technical violation center issued by the board, the number of one-hundred-eighty-day sentences issued by the board, and the number and average length of the suspended sentences imposed by the board in response to a violation.

SECTION 4. Section 47-7-33.1, Mississippi Code of 1972, is brought forward as follows:

47-7-33.1. (1) The department shall create a discharge plan for any offender returning to the community, regardless of whether the person will discharge from the custody of the department, or is released on parole, pardon, or otherwise. At least ninety (90) days prior to an offender's earliest release date, the commissioner shall conduct a pre-release assessment and complete a written discharge plan based on the assessment results. The discharge plan for parole eligible offenders shall be sent to the parole board at least thirty (30) days prior to the offender's parole eligibility date for approval. The board may suggest changes to the plan that it deems necessary to ensure a successful transition.

(2) The pre-release assessment shall identify whether an inmate requires assistance obtaining the following basic needs upon release: transportation, clothing and food, financial resources, identification documents, housing, employment, education, health care and support systems. The discharge plan shall include information necessary to address these needs and the steps being taken by the department to assist in this process, including an up-to-date version of the information described in Section 63-1-309(4). Based on the findings of the assessment, the commissioner shall:

(a) Arrange transportation for inmates from the correctional facility to their release destination;

(b) Ensure inmates have clean, seasonally appropriate clothing, and provide inmates with a list of food providers and other basic resources immediately accessible upon release;

(c) Ensure inmates have a provisional driver's license issued pursuant to Title 63, Chapter 1, Article 7, Mississippi Code of 1972, a regular driver's license if eligible, or a state-issued identification card that is not a Department of Corrections identification card;

(d) Assist inmates in identifying safe, affordable housing upon release. If accommodations are not available, determine whether temporary housing is available for at least ten (10) days after release. If temporary housing is not available, the discharge plan shall reflect that satisfactory housing has not been established and the person may be a candidate for transitional reentry center placement;

(e) Refer inmates without secured employment to employment opportunities;

(f) Provide inmates with contact information of a health care facility/provider in the community in which they plan to reside;

(g) Notify family members of the release date and release plan, if the inmate agrees; and

(h) Refer inmates to a community or a faith-based organization that can offer support within the first twenty-four (24) hours of release.

(3) A written discharge plan shall be provided to the offender and supervising probation officer or parole officer, if applicable.

(4) A discharge plan created for a parole-eligible offender shall also include supervision conditions and the intensity of supervision based on the assessed risk to recidivate and whether there is a need for transitional housing. The board shall approve discharge plans before an offender is released on parole pursuant to this chapter.

SECTION 5. Section 47-7-47, Mississippi Code of 1972, is brought forward as follows:

47-7-47. (1) The judge of any circuit court may place an offender on a program of earned probation after a period of confinement as set out herein and the judge may seek the advice of the commissioner and shall direct that the defendant be under the supervision of the department.

(2) (a) Any circuit court or county court may, upon its own motion, acting upon the advice and consent of the commissioner not earlier than thirty (30) days nor later than one (1) year after the defendant has been delivered to the custody of the department, to which he has been sentenced, suspend the further execution of the sentence and place the defendant on earned probation, except when a death sentence or life imprisonment is the maximum penalty which may be imposed or if the defendant has been confined two (2) or more times for the conviction of a felony on a previous occasion in any court or courts of the United States and of any state or territories thereof or has been convicted of a felony involving the use of a deadly weapon.

(b) The authority granted in this subsection shall be exercised by the judge who imposed sentence on the defendant, or his successor.

(c) The time limit imposed by paragraph (a) of this subsection is not applicable to those defendants sentenced to the custody of the department prior to April 14, 1977. Persons who are convicted of crimes that carry mandatory sentences shall not be eligible for earned probation.

(3) When any circuit or county court places an offender on earned probation, the court shall give notice to the Mississippi Department of Corrections within fifteen (15) days of the court's decision to place the offender on earned probation. Notice shall be delivered to the central office of the Mississippi Department of Corrections and to the regional office of the department which will be providing supervision to the offender on earned probation.

(4) If the court places any person on probation or earned probation, the court may order the person, as a condition of probation, to a period of confinement and treatment at a private or public agency or institution, either within or without the state, which treats emotional, mental or drug-related problems. Any person who, as a condition of probation, is confined for treatment at an out-of-state facility shall be supervised pursuant to Section 47-7-71, and any person confined at a private agency shall not be confined at public expense. Time served in any such agency or institution may be counted as time required to meet the criteria of subsection (2)(a).

(5) If the court places any person on probation or earned probation, the court may order the person to make appropriate restitution to any victim of his crime or to society through the performance of reasonable work for the benefit of the community.

(6) If the court places any person on probation or earned probation, the court may order the person, as a condition of probation, to submit, as provided in Section 47-5-601, to any type of breath, saliva or urine chemical analysis test, the purpose of which is to detect the possible presence of alcohol or a substance prohibited or controlled by any law of the State of Mississippi or the United States.

SECTION 6. Section 47-5-931, Mississippi Code of 1972, is brought forward as follows:

47-5-931. (1) The Department of Corrections, in its discretion, may contract with the board of supervisors of one or more counties or with a regional facility operated by one or more counties, to provide for housing, care and control of offenders who are in the custody of the State of Mississippi. Any facility owned or leased by a county or counties for this purpose shall be designed, constructed, operated and maintained in accordance with American Correctional Association standards, and shall comply with all constitutional standards of the United States and the State of Mississippi, and with all court orders that may now or hereinafter be applicable to the facility. If the Department of Corrections contracts with more than one (1) county to house state offenders in county correctional facilities, excluding a regional facility, then the first of such facilities shall be constructed in Sharkey County and the second of such facilities shall be constructed in Jefferson County.

(2) The Department of Corrections shall contract with the board of supervisors of the following counties to house state inmates in regional facilities: (a) Marion and Walthall Counties; (b) Carroll and Montgomery Counties; (c) Stone and Pearl River Counties; (d) Winston and Choctaw Counties; (e) Kemper and Neshoba Counties; (f) Alcorn County and any contiguous county in which there is located an unapproved jail; (g) Yazoo County and any contiguous county in which there is located an unapproved jail; (h) Chickasaw County and any contiguous county in which there is located an unapproved jail; (i) George and Greene Counties and any contiguous county in which there is located an unapproved jail; (j) Washington County and any contiguous county in which there is located an unapproved jail; (k) Hinds County and any contiguous county in which there is located an unapproved jail; (l) Leake County and any contiguous county in which there is located an unapproved jail; (m) Issaquena County and any contiguous county in which there is located an unapproved jail; (n) Jefferson County and any contiguous county in which there is located an unapproved jail; (o) Franklin County and any contiguous county in which there is located an unapproved jail; (p) Holmes County and any contiguous county in which there is located an unapproved jail; and (q) Bolivar County and any contiguous county in which there is located an unapproved jail. The Department of Corrections shall decide the order of priority of the counties listed in this subsection with which it will contract for the housing of state inmates. For the purposes of this subsection, the term "unapproved jail" means any jail that the local grand jury determines should be condemned or has found to be of substandard condition or in need of substantial repair or reconstruction.

(3) In addition to the offenders authorized to be housed under subsection (1) of this section, the Department of Corrections may contract with any regional facility to provide for housing, care and control of not more than seventy-five (75) additional offenders who are in the custody of the State of Mississippi.

(4) The Governor and the Commissioner of Corrections are authorized to increase administratively the number of offenders who are in the custody of the State of Mississippi that can be placed in regional correctional facilities.

SECTION 7. Section 47-5-933, Mississippi Code of 1972, is brought forward as follows:

47-5-933. The Department of Corrections may contract for the purposes set out in Section 47-5-931 for a period of not more than twenty (20) years. The contract may provide that the Department of Corrections pay a fee of no more than Thirty-two Dollars and Seventy-one Cents ($32.71) per day for each offender that is housed in the facility. The Department of Corrections may include in the contract, as an inflation factor, a three percent (3%) annual increase in the contract price. The state shall retain responsibility for medical care for state offenders to the extent that is required by law; provided, however, the department may reimburse each facility for contract medical services as provided by law in an amount not to exceed Six Dollars and Twenty-five Cents ($6.25) per day per offender.

SECTION 8. Section 47-5-934, Mississippi Code of 1972, is brought forward as follows:

47-5-934. If a regional facility authorized under Section 47-5-931 experiences a disruption in the housing of state inmates due to a natural disaster in which the Governor has declared a disaster emergency under the laws of this state or the President of the United States has declared an emergency or major disaster to exist in this state, notwithstanding the limitation prescribed in Section 47-5-933, the term of the contract entered into by the Department of Corrections and the board of supervisors of the involved county or counties may be extended for a period not to exceed five (5) years.

SECTION 9. Section 47-5-935, Mississippi Code of 1972, is brought forward as follows:

47-5-935. Concurrent with the execution of a contract for housing of state offenders as authorized by Sections 47-5-931 through 47-5-941, the sheriff of a county where the facility is located is designated as the chief corrections officer for the facility housing state offenders, and in that capacity, shall assume responsibility for management of the corrections facility and for the provision of the care and control of the state offenders housed therein. The sheriff shall be subject to the direction of the department for management of the correctional facility. In addition to the compensation provided by Section 25-3-25, the sheriff shall receive Fifteen Thousand Six Hundred Dollars ($15,600.00) as compensation for the duties specified in Sections 47-5-931 through 47-5-941.

SECTION 10. Section 47-5-937, Mississippi Code of 1972, is brought forward as follows:

47-5-937. Sections 47-5-931 through 47-5-941 shall be full and complete authority for the exercise of all powers and authority granted herein and no requirements or restrictions of law which would otherwise be applicable to acts of the county or sheriff or the Department of Corrections shall be applicable except as expressly provided herein. The sheriff is expressly authorized to employ counsel to represent the facility to be paid a salary within the range allowed for a legal assistant to a district attorney with the employment to continue for a period of time not to exceed the duration of the indebtedness incurred for construction of the facility. The county or counties shall pay this cost and other costs incurred in the operation of the facility from the proceeds of the funds derived from the financing of the project and the housing of offenders.

SECTION 11. Section 47-5-938, Mississippi Code of 1972, is brought forward as follows:

47-5-938. (1) Offenders are encouraged to participate in work programs. The chief corrections officer as created in Section 47-5-935, with ratification of the board of supervisors of the county in which a correctional facility established pursuant to Sections 47-5-931 through 47-5-941, is located, may enter into agreements to provide work for any state offender housed in the facility, with the approval of the Commissioner of Corrections, to perform any work:

(a) Authorized in the Mississippi Prison Industries Act of 1990 as provided in Sections 47-5-531 through 47-5-575;

(b) Authorized in the Prison Agricultural Enterprises Act as provided in Sections 47-5-351 through 47-5-357;

(c) Authorized in the Penitentiary-Made Goods Law of 1978 as provided in Sections 47-5-301 through 47-5-331;

(d) Authorized in the Public Service Work Programs Act as provided in Sections 47-5-401 through 47-5-421;

(e) Authorized in Section 47-5-431, which authorizes the sheriff to use county or state offenders to pick up trash along public roads and state highways.

(2) The chief corrections officer shall promulgate rules and regulations as may be necessary to govern the work performance of the offenders for the parties to the agreements. Political subdivisions of the State of Mississippi including but not limited to counties, municipalities, school districts, drainage districts, water management districts and joint county-municipal endeavors are to have free use of the offender's labor but are responsible for reimbursing the facility for costs of transportation, guards, meals and other necessary costs when the inmates are providing work for that political body. Offenders may be compensated for work performed if the agreement so provides.

(3) There is created a special fund in the county treasury to be known as the "offender's compensation fund." All compensation paid to offenders shall be placed in the special fund for use by the offenders to purchase certain goods and other items of value as authorized in Section 47-5-109, for offenders housed in state correctional facilities. As provided in Section 47-5-194, no cash is to be paid to offenders. The agreement shall provide that a certain portion of the compensation shall be used for the welfare of the offenders. All money collected from the regional jail canteen operations shall be placed in a county special fund. Expenditures from that fund can be made by the chief corrections officer for any lawful purpose that is in the best interest and welfare of the offenders. The chief corrections officer, his employees and the county or counties owning the facility are given the authority necessary to carry out the provisions of this section.

(4) The provisions of this section shall be supplemental to any other provisions of law regarding offender labor and work programs.

SECTION 12. Section 47-5-939, Mississippi Code of 1972, is brought forward as follows:

47-5-939. In addition to housing offenders for the Department of Corrections, the Chief Corrections Officer may house pretrial detainees, county offenders and other persons legally subject to incarceration by order of a court of competent jurisdiction. All offenders are to be housed in accordance with American Corrections Association standards.

SECTION 13. Section 47-5-940, Mississippi Code of 1972, is brought forward as follows:

47-5-940. (1) (a) The Department of Corrections may contract with the Bolivar County Regional Facility for a five-year pilot program dedicated to an intensive and comprehensive alcohol and other drug treatment program for not more than two hundred fifty (250) inmates. The Bolivar County Regional Facility shall have the option of canceling the contract for the drug treatment program after giving the Department of Corrections thirty (30) days' notice of its intent to cancel. The program shall be a prison-based treatment program designed to reduce substance abuse by inmates, correct dysfunctional thinking and behavioral patterns, and prepare inmates to make a successful and crime-free readjustment to the community.

(b) The Department of Corrections shall reimburse the Bolivar County Regional Facility at the per diem rate allowed under Section 47-5-933.

(2) (a) An inmate who is within eighteen (18) months of his earned release date or parole date may be placed in the program.

(b) The Department of Corrections shall remove any inmate within seventy-two (72) hours after being notified by the Bolivar County Regional Facility that the inmate is violent or refuses to participate in the drug treatment program.

(3) The program shall consist, but is not limited to, the following components:

(a) An assessment and placement component using a recidivism needs assessment of the inmates.

(b) An intensive and comprehensive treatment and rehabilitation component which addresses the specific drug or alcohol problem of the inmate. This component shall include relapse prevention strategies and anger management strategies.

(c) An aftercare post-release component that has a specific transition plan for each inmate. The transition plan must address specific post-release needs such as employment, housing, medical care, relapse prevention and treatment. The plan shall require personnel to assist the inmate with these needs and to assist in finding community-based programs for the inmate. The plan shall require the inmate to be tracked in at least thirty-day intervals to measure compliance with his established transition plan.

(d) A monitoring assessment of recidivism containing post-release history of substance abuse, breaches of trust, arrests, convictions, employment, community functioning, and marital and family interaction.

(4) The department shall file a report annually on the program with specific data on recidivism of inmates including the data required in subsection (3)(d).

(5) The program authorized under this section may be renewed if it meets performance requirements as may be determined by the Legislature.

(6) This section shall be repealed on July 1, 2025.

SECTION 14. Section 47-5-941, Mississippi Code of 1972, is brought forward as follows:

47-5-941. In addition to any other authority granted by law, the Department of Corrections may contract with the Wilkinson County industrial development or economic development authority for the private incarceration of not more than one thousand (1,000) state inmates at a facility in Wilkinson County. Any such contract must comply with Sections 47-5-1211 through 47-5-1227.

SECTION 15. Section 47-5-942, Mississippi Code of 1972, is brought forward as follows:

47-5-942. (1) The Department of Corrections, in its discretion, may contract with the board of supervisors of a county to be determined by the department, to house not more than five hundred (500) adult male maximum security state inmates in a maximum security regional correctional facility constructed only with local, federal or private funds.

(2) The Department of Corrections may contract for a period of not more than twenty-five (25) years. The contract shall comply with the cost-savings requirements provided in Section 47-5-1211. The state shall retain responsibility for medical care for state offenders to the extent that is required by law.

SECTION 16. Section 47-5-943, Mississippi Code of 1972, is brought forward as follows:

47-5-943. The Mississippi Department of Corrections may contract with the Walnut Grove Correctional Authority or the governing authorities of the Municipality of Walnut Grove, Leake County, Mississippi, to provide for the private housing, care and control of not more than one thousand five hundred (1,500) offenders who are in the custody of the Department of Corrections at a maximum security facility in Walnut Grove. A county or circuit judge shall not order any offender to be housed in the correctional facility authorized in Sections 47-5-943 through 47-5-953. Commitment of offenders shall not be to this facility, but shall be to the jurisdiction of the department. The commissioner shall assign newly sentenced offenders to an appropriate facility consistent with public safety. Any facility owned or leased by the Walnut Grove Correctional Authority or the Municipality of Walnut Grove for this purpose shall be designed, constructed, operated and maintained in accordance with American Correctional Association standards, and shall comply with all constitutional standards of the United States and the State of Mississippi and with all court orders that may now or hereinafter be applicable to the facility. The contract must comply with Sections 47-5-1211 through 47-5-1227.

SECTION 17. Section 47-5-945, Mississippi Code of 1972, is brought forward as follows:

47-5-945. The Department of Corrections shall contract for the purposes set out in Section 47-5-943 for a period of not more than twenty (20) years. The Department of Corrections may include in the contract, as an inflation factor, a three percent (3%) annual increase in the contract price. The state shall retain responsibility for medical care for state offenders to the extent that is required by law.

SECTION 18. Section 47-5-949, Mississippi Code of 1972, is brought forward as follows:

47-5-949. The correctional facility authorized in Section 47-5-943 shall provide any juvenile offender housed in the facility with continuing education throughout his incarceration which leads to the presentation of a high school diploma or High School Equivalency Diploma equivalent. The facility also shall provide a program of vocational education, which is to be included in the continuing education program for a high school diploma or High School Equivalency Diploma equivalent.

SECTION 19. Section 47-5-951, Mississippi Code of 1972, is brought forward as follows:

47-5-951. The correctional facility authorized in Section 47-5-943 shall provide each juvenile offender housed in the facility alcohol and drug counseling and treatment throughout his incarceration.

SECTION 20. Section 47-5-953, Mississippi Code of 1972, is brought forward as follows:

47-5-953. (1) If a second public or private correctional facility for juvenile offenders is constructed, then the facility shall be located in Kemper County. The facility shall comply with the requirements and standards established in Sections 47-5-943 through 47-5-951.

(2) If a third public or private correctional facility for juveniles is constructed, a site in North Mississippi and a site in South Mississippi shall be considered. If a site is chosen in North Mississippi, then preference shall be given to Quitman County. The facility shall comply with the requirements and standards established in Sections 47-5-943 through 47-5-951.

SECTION 21. Section 47-5-1003, Mississippi Code of 1972, is brought forward as follows:

47-5-1003. (1) An intensive supervision program may be used as an alternative to incarceration for offenders who are not convicted of a crime of violence pursuant to Section 97-3-2 as selected by the court and for juvenile offenders as provided in Section 43-21-605. Any offender convicted of a sex crime shall not be placed in the program.

(2) The court may place the defendant on intensive supervision, except when a death sentence or life imprisonment is the maximum penalty which may be imposed by a court or judge.

(3) To protect and to ensure the safety of the state's citizens, any offender who violates an order or condition of the intensive supervision program may be arrested by the correctional field officer and placed in the actual custody of the Department of Corrections. Such offender is under the full and complete jurisdiction of the department and subject to removal from the program by the classification hearing officer.

(4) When any circuit or county court places an offender in an intensive supervision program, the court shall give notice to the Mississippi Department of Corrections within fifteen (15) days of the court's decision to place the offender in an intensive supervision program. Notice shall be delivered to the central office of the Mississippi Department of Corrections and to the regional office of the department which will be providing supervision to the offender in an intensive supervision program.

The courts may not require an offender to participate in the intensive supervision program during a term of probation or post-release supervision.

(5) The Department of Corrections shall provide to the Oversight Task Force all relevant data regarding the offenders participating in the intensive supervision program including the number of offenders admitted to the program annually, the number of offenders who leave the program annually and why they leave, the number of offenders who are arrested or convicted annually and the circumstances of the arrest and any other information requested.

SECTION 22. Section 9-23-1, Mississippi Code of 1972, is brought forward as follows:

9-23-1. This chapter shall be known and may be cited as the "Alyce Griffin Clarke Intervention Court Act."

SECTION 23. Section 9-23-3, Mississippi Code of 1972, is brought forward as follows:

9-23-3. (1) The Legislature of Mississippi recognizes the critical need for judicial intervention to reduce the incidence of alcohol and drug use, alcohol and drug addiction, and crimes committed as a result of alcohol and drug use and alcohol and drug addiction. It is the intent of the Legislature to facilitate local intervention court alternative orders adaptable to chancery, circuit, county, youth, municipal and justice courts.

(2) The goals of the intervention courts under this chapter include the following:

(a) To reduce alcoholism and other drug dependencies among adult and juvenile offenders and defendants and among respondents in juvenile petitions for abuse, neglect or both;

(b) To reduce criminal and delinquent recidivism and the incidence of child abuse and neglect;

(c) To reduce the alcohol-related and other drug-related court workload;

(d) To increase personal, familial and societal accountability of adult and juvenile offenders and defendants and respondents in juvenile petitions for abuse, neglect or both;

(e) To promote effective interaction and use of resources among criminal and juvenile justice personnel, child protective services personnel and community agencies; and

(f) To use corrections resources more effectively by redirecting prison-bound offenders whose criminal conduct is driven in part by drug and alcohol dependence to intensive supervision and clinical treatment available in the intervention court.

SECTION 24. Section 9-23-5, Mississippi Code of 1972, is brought forward as follows:

9-23-5. For the purposes of this chapter, the following words and phrases shall have the meanings ascribed unless the context clearly requires otherwise:

(a) "Chemical" tests means the analysis of an individual's: (i) blood, (ii) breath, (iii) hair, (iv) sweat, (v) saliva, (vi) urine, or (vii) other bodily substance to determine the presence of alcohol or a controlled substance.

(b) "Crime of violence" means an offense listed in Section 97-3-2.

(c) "Intervention court" means a drug court, mental health court, veterans court or problem-solving court that utilizes an immediate and highly structured intervention process for eligible defendants or juveniles that brings together mental health professionals, substance abuse professionals, local social programs and intensive judicial monitoring.

(d) "Evidence-based practices" means supervision policies, procedures and practices that scientific research demonstrates reduce recidivism.

(e) "Risk and needs assessment" means the use of an actuarial assessment tool validated on a Mississippi corrections population to determine a person's risk to reoffend and the characteristics that, if addressed, reduce the risk to reoffend.

SECTION 25. Section 9-23-7, Mississippi Code of 1972, is brought forward as follows:

9-23-7. The Administrative Office of Courts shall be responsible for certification and monitoring of local intervention courts according to standards promulgated by the State Intervention Courts Advisory Committee.

SECTION 26. Section 9-23-9, Mississippi Code of 1972, is brought forward as follows:

9-23-9. (1) The State Intervention Courts Advisory Committee is established to develop and periodically update proposed statewide evaluation plans and models for monitoring all critical aspects of intervention courts. The committee must provide the proposed evaluation plans to the Chief Justice and the Administrative Office of Courts. The committee shall be chaired by the Director of the Administrative Office of Courts or a designee of the director and shall consist of eleven (11) members all of whom shall be appointed by the Supreme Court. The members shall be broadly representative of the courts, mental health, veterans affairs, law enforcement, corrections, criminal defense bar, prosecutors association, juvenile justice, child protective services and substance abuse treatment communities.

(2) The State Intervention Courts Advisory Committee may also make recommendations to the Chief Justice, the Director of the Administrative Office of Courts and state officials concerning improvements to intervention court policies and procedures including the intervention court certification process. The committee may make suggestions as to the criteria for eligibility, and other procedural and substantive guidelines for intervention court operation.

(3) The State Intervention Courts Advisory Committee shall act as arbiter of disputes arising out of the operation of intervention courts established under this chapter and make recommendations to improve the intervention courts; it shall also make recommendations to the Supreme Court necessary and incident to compliance with established rules.

(4) The State Intervention Courts Advisory Committee shall establish through rules and regulations a viable and fiscally responsible plan to expand the number of adult and juvenile intervention court programs operating in Mississippi. These rules and regulations shall include plans to increase participation in existing and future programs while maintaining their voluntary nature.

(5) The State Intervention Courts Advisory Committee shall receive and review the monthly reports submitted to the Administrative Office of Courts by each certified intervention court and provide comments and make recommendations, as necessary, to the Chief Justice and the Director of the Administrative Office of Courts.

SECTION 27. Section 9-23-11, Mississippi Code of 1972, is amended as follows:

9-23-11. (1) The Administrative Office of Courts shall establish, implement and operate a uniform certification process for all intervention courts and other problem-solving courts including juvenile courts, veterans courts or any other court designed to adjudicate criminal actions involving an identified classification of criminal defendant to ensure funding for intervention courts supports effective and proven practices that reduce recidivism and substance dependency among their participants.

(2) The Administrative Office of Courts shall establish a certification process that ensures any new or existing intervention court meets minimum standards for intervention court operation.

(a) These standards shall include, but are not limited to:

(i) The use of evidence-based practices including, but not limited to, the use of a valid and reliable risk and needs assessment tool to identify participants and deliver appropriate interventions;

(ii) Targeting medium to high-risk offenders for participation;

(iii) The use of current, evidence-based interventions proven to reduce dependency on drugs or alcohol, or both;

(iv) Frequent testing for alcohol or drugs;

(v) Coordinated strategy between all intervention court program personnel involving the use of graduated clinical interventions;

(vi) Ongoing judicial interaction with each participant; and

(vii) Monitoring and evaluation of intervention court program implementation and outcomes through data collection and reporting.

(b) Intervention court certification applications shall include:

(i) A description of the need for the intervention court;

(ii) The targeted population for the intervention court;

(iii) The eligibility criteria for intervention court participants;

(iv) A description of the process for identifying appropriate participants including the use of a risk and needs assessment and a clinical assessment;

(v) A description of the intervention court intervention components, including anticipated budget and implementation plan;

(vi) The data collection plan which shall include collecting the following data:

1. Total number of participants;

2. Total number of successful participants;

3. Total number of unsuccessful participants and the reason why each participant did not complete the program;

4. Total number of participants who were arrested for a new criminal offense while in the intervention court program;

5. Total number of participants who were convicted of a new felony or misdemeanor offense while in the intervention court program;

6. Total number of participants who committed at least one (1) violation while in the intervention court program and the resulting sanction(s);

7. Results of the initial risk and needs assessment or other clinical assessment conducted on each participant; * * *

8. Total number of applications for screening by race, gender, offenses charged, indigence and, if not accepted, the reason for nonacceptance; and

9. Any other data or information as required by the Administrative Office of Courts.

(c) Every intervention court shall be certified under the following schedule:

(i) An intervention court application submitted after July 1, 2014, shall require certification of the intervention court based on the proposed drug court plan.

(ii) An intervention court initially established and certified after July 1, 2014, shall be recertified after its second year of funded operation on a time frame consistent with the other certified courts of its type.

(iii) A certified adult felony intervention court in existence on December 31, 2018, must submit a recertification petition by July 1, 2019, and be recertified under the requirements of this section on or before December 31, 2019; after the recertification, all certified adult felony intervention courts must submit a recertification petition every two (2) years to the Administrative Office of Courts. The recertification process must be completed by December 31 * * * of every odd calendar year.

(iv) A certified youth, family, misdemeanor or chancery intervention court in existence on December 31, 2018, must submit a recertification petition by July

31, 2020, and be recertified under the requirements of this section by December 31, 2020. After the recertification, all certified youth, family, misdemeanor and chancery intervention courts must submit a recertification petition every two (2) years to the Administrative Office of Courts. The recertification process must be completed by December 31 * * * of every even calendar year.

(3) All certified intervention courts shall measure successful completion of the drug court based on those participants who complete the program without a new criminal conviction.

(4) (a) All certified drug courts must collect and submit to the Administrative Office of Courts each month, the following data:

(i) Total number of participants at the beginning of the month;

(ii) Total number of participants at the end of the month;

(iii) Total number of participants who began the program in the month;

(iv) Total number of participants who successfully completed the intervention court in the month;

(v) Total number of participants who left the program in the month;

(vi) Total number of participants who were arrested for a new criminal offense while in the intervention court program in the month;

(vii) Total number of participants who were convicted for a new criminal arrest while in the intervention court program in the month; and

(viii) Total number of participants who committed at least one (1) violation while in the intervention court program and any resulting sanction(s).

(b) By August 1, 2015, and each year thereafter, the Administrative Office of Courts shall report to the PEER Committee the information in subsection (4)(a) of this section in a sortable, electronic format.

(5) All certified intervention courts may individually establish rules and may make special orders and rules as necessary that do not conflict with the rules promulgated by the Supreme Court or the Administrative Office of Courts.

(6) A certified intervention court may appoint the full- or part-time employees it deems necessary for the work of the intervention court and shall fix the compensation of those employees. Such employees shall serve at the will and pleasure of the judge or the judge's designee.

(7) The Administrative Office of Courts shall promulgate rules and regulations to carry out the certification and re-certification process and make any other policies not inconsistent with this section to carry out this process.

(8) A certified intervention court established under this chapter is subject to the regulatory powers of the Administrative Office of Courts as set forth in Section 9-23-17.

SECTION 28. Section 9-23-13, Mississippi Code of 1972, is brought forward as follows:

9-23-13. (1) An intervention court's alcohol and drug intervention component shall provide for eligible individuals, either directly or through referrals, a range of necessary court intervention services, including, but not limited to, the following:

(a) Screening using a valid and reliable assessment tool effective for identifying alcohol and drug dependent persons for eligibility and appropriate services;

(b) Clinical assessment; for a DUI offense, if the person has two (2) or more DUI convictions, the court shall order the person to undergo an assessment that uses a standardized evidence-based instrument performed by a physician to determine whether the person has a diagnosis for alcohol and/or drug dependence and would likely benefit from a court-approved medication-assisted treatment indicated and approved for the treatment of alcohol and/or drug dependence by the United States Food and Drug Administration, as specified in the most recent Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association. Upon considering the results of the assessment, the court may refer the person to a rehabilitative program that offers one or more forms of court-approved medications that are approved for the treatment of alcohol and/or drug dependence by the United States Food and Drug Administration;

(c) Education;

(d) Referral;

(e) Service coordination and case management; and

(f) Counseling and rehabilitative care.

(2) Any inpatient treatment or inpatient detoxification program ordered by the court shall be certified by the Department of Mental Health, other appropriate state agency or the equivalent agency of another state.

(3) All intervention courts shall make available the option for participants to use court-approved medication-assisted treatment while participating in the programs of the court in accordance with the recommendations of the National Drug Court Institute.

SECTION 29. Section 9-23-15, Mississippi Code of 1972, is brought forward as follows:

9-23-15. (1) In order to be eligible for alternative sentencing through a local intervention court, the participant must satisfy each of the following criteria:

(a) The participant cannot have any felony convictions for any offenses that are crimes of violence as defined in Section 97-3-2 within the previous ten (10) years.

(b) The crime before the court cannot be a crime of violence as defined in Section 97-3-2.

(c) Other criminal proceedings alleging commission of a crime of violence cannot be pending against the participant.

(d) The participant cannot be charged with burglary of a dwelling under Section 97-17-23(2) or 97-17-37.

(e) The crime before the court cannot be a charge of driving under the influence of alcohol or any other drug or drugs that resulted in the death of a person.

(f) The crime charged cannot be one of trafficking in controlled substances under Section 41-29-139(f), nor can the participant have a prior conviction for same.

(2) Participation in the services of an alcohol and drug intervention component shall be open only to the individuals over whom the court has jurisdiction, except that the

court may agree to provide the services for individuals referred from another intervention court. In cases transferred from another jurisdiction, the receiving judge shall act as a special master and make recommendations to the sentencing judge.

(3) (a) As a condition of participation in an intervention court, a participant may be required to undergo a chemical test or a series of chemical tests as specified by the intervention court. A participant is liable for the costs of all chemical tests required under this section, regardless of whether the costs are paid to the intervention court or the laboratory; however, if testing is available from other sources or the program itself, the judge may waive any fees for testing. The judge may waive all fees if the applicant is determined to be indigent.

(b) A laboratory that performs a chemical test under this section shall report the results of the test to the intervention court.

(4) A person does not have a right to participate in intervention court under this chapter. The court having jurisdiction over a person for a matter before the court shall have the final determination about whether the person may participate in intervention court under this chapter. However, any person meeting the eligibility criteria in subsection (1) of this section shall, upon request, be screened for admission to intervention court.

SECTION 30. Section 9-23-17, Mississippi Code of 1972, is brought forward as follows:

9-23-17. With regard to any intervention court, the Administrative Office of Courts shall do the following:

(a) Certify and re-certify intervention court applications that meet standards established by the Administrative Office of Courts in accordance with this chapter.

(b) Ensure that the structure of the intervention component complies with rules adopted under this section and applicable federal regulations.

(c) Revoke the authorization of a program upon a determination that the program does not comply with rules adopted under this section and applicable federal regulations.

(d) Make agreements and contracts to effectuate the purposes of this chapter with:

(i) Another department, authority or agency of the state;

(ii) Another state;

(iii) The federal government;

(iv) A state-supported or private university; or

(v) A public or private agency, foundation, corporation or individual.

(e) Directly, or by contract, approve and certify any intervention component established under this chapter.

(f) Require, as a condition of operation, that each intervention court created or funded under this chapter be certified by the Administrative Office of Courts.

(g) Collect monthly data reports submitted by all certified intervention courts, provide those reports to the State Intervention Courts Advisory Committee, compile an

annual report summarizing the data collected and the outcomes achieved by all certified intervention courts and submit the annual report to the Oversight Task Force.

(h) Every three (3) years contract with an external evaluator to conduct an evaluation of the effectiveness of the intervention court program, both statewide and individual intervention court programs, in complying with the key components of the intervention courts adopted by the National Association of Drug Court Professionals.

(i) Adopt rules to implement this chapter.

SECTION 31. Section 9-23-19, Mississippi Code of 1972, is brought forward as follows:

9-23-19. (1) All monies received from any source by the intervention court shall be accumulated in a fund to be used only for intervention court purposes. Any funds remaining in this fund at the end of a fiscal year shall not lapse into any general fund, but shall be retained in the Intervention Court Fund for the funding of further activities by the intervention court.

(2) An intervention court may apply for and receive the following:

(a) Gifts, bequests and donations from private sources.

(b) Grant and contract money from governmental sources.

(c) Other forms of financial assistance approved by the court to supplement the budget of the intervention court.

(3) The costs of participation in an alcohol and drug intervention program required by the certified intervention court may be paid by the participant or out of user fees or such other state, federal or private funds that may, from time to time, be made available.

(4) The court may assess such reasonable and appropriate fees to be paid to the local Intervention Court Fund for participation in an alcohol or drug intervention program; however, all fees may be waived if the applicant is determined to be indigent.

SECTION 32. Section 9-23-21, Mississippi Code of 1972, is brought forward as follows:

9-23-21. The director and members of the professional and administrative staff of the intervention court who perform duties in good faith under this chapter are immune from civil liability for:

(a) Acts or omissions in providing services under this chapter; and

(b) The reasonable exercise of discretion in determining eligibility to participate in the intervention court.

SECTION 33. Section 9-23-23, Mississippi Code of 1972, is brought forward as follows:

9-23-23. If the participant completes all requirements imposed upon him by the intervention court, including the payment of fines and fees assessed and not waived by the court, the charge and prosecution shall be dismissed. If the defendant or participant was sentenced at the time of entry of plea of guilty, the successful completion of the intervention court order and other requirements of probation or suspension of sentence will result in the record of the criminal conviction or adjudication being expunged. However, no expunction of any implied consent violation shall be allowed.

SECTION 34. Section 9-23-51, Mississippi Code of 1972, is brought forward as follows:

9-23-51. There is created in the State Treasury a special interest-bearing fund to be known as the Drug Court Fund. The purpose of the fund shall be to provide supplemental funding to all drug courts in the state. Monies from the funds derived from assessments under Section 99-19-73 shall be distributed by the State Treasurer upon warrants issued by the Administrative Office of Courts, pursuant to procedures set by the State Drug Courts Advisory Committee to assist both juvenile drug courts and adult drug courts. Funds from other sources shall be distributed to the drug courts in the state based on a formula set by the State Drug Courts Advisory Committee. The fund shall be a continuing fund, not subject to fiscal-year limitations, and shall consist of: (a) monies appropriated by the Legislature for the purposes of funding drug courts; (b) the interest accruing to the fund; (c) monies received under the provisions of Section 99-19-73; (d) monies received from the federal government; and (e) monies received from such other sources as may be provided by law.

SECTION 35. Section 9-25-1, Mississippi Code of 1972, is brought forward as follows:

9-25-1. (1) The Legislature recognizes that our military veterans have provided an invaluable service to our country. In doing so, many may have suffered the effects of, including, but not limited to, post-traumatic stress disorder, traumatic brain injury and depression, and may also suffer drug and alcohol dependency or addiction and co-occurring mental illness and substance abuse problems. As a result of this, some veterans come into contact with the criminal justice system and are charged with felony offenses. There is a critical need for the justice system to recognize these veterans, provide accountability for their wrongdoing, provide for the safety of the public, and provide for the treatment of our veterans. It is the intent of the Legislature to create a framework for which specialized veterans treatment courts may be established at the circuit court level and at the discretion of the circuit court judge.

(2) Authorization. A circuit court judge may establish a Veterans Treatment Court program. The Veterans Treatment Court may, at the discretion of the circuit court judge, be a separate court program or as a component of an existing intervention court program. At the discretion of the circuit court judge, the Veterans Treatment Court may be operated in one (1) county within the circuit court district, and allow veteran participants from all counties within the circuit court district to participate.

(3) Eligibility. (a) In order to be eligible to participate in a Veterans Treatment Court program established under this section, the attorney representing the state must consent to the defendant's participation in the program. Further, the court in which the criminal case is pending must have found that the defendant is a veteran of the United States Armed Forces as defined in Title 38 USCS.

(b) Participation in the services of an alcohol and drug intervention component shall only be open to the individuals over whom the court has jurisdiction, except that the court may agree to provide the services for individuals referred from another Veterans Treatment Court. In cases transferred from another jurisdiction, the receiving judge shall act as a special master and make recommendations to the sentencing judge.

(c) (i) As a condition of participation in a Veterans Treatment Court, a participant may be required to undergo a chemical test or a series of chemical tests as specified by the Veterans Treatment Court program. A participant may be held liable for costs associated with all chemical tests required under this section. However, a judge may waive any fees for testing.

(ii) A laboratory that performs chemical tests under this section shall report the results of the tests to the Veterans Treatment Courts.

(d) A person does not have the right to participate in a Veterans Treatment Court program under this chapter. The court having jurisdiction over a person for a matter before the court shall have the final determination about whether the person may participate in the Veterans Treatment Court program.

(e) A defendant shall be excluded from participating in a Veterans Treatment Court program if any one (1) of the following applies:

(i) The crime before the court is a crime of violence as set forth in paragraph (c) of this subsection.

(ii) The defendant does not demonstrate a willingness to participate in a treatment program.

(iii) The defendant has been previously convicted of a felony crime of violence including, but not limited to: murder, rape, sexual battery, statutory rape of a child under the age of sixteen (16), armed robbery, arson, aggravated kidnapping, aggravated assault, stalking, or any offense involving the discharge of a firearm or where serious bodily injury or death resulted to any person.

(f) The court in which the criminal case is pending shall allow an eligible defendant to choose whether to proceed through the Veterans Treatment Court program or otherwise through the justice system.

(g) Proof of matters under this section may be submitted to the court in which the criminal case is pending in any form the court determines to be appropriate, including military service and medical records, previous determinations of a disability by a veteran's organization or by the United States Department of Veterans Affairs, testimony or affidavits of other veterans or service members, and prior determinations of eligibility for benefits by any state or county veterans office.

(4) Administrative Office of Courts. With regard to any Veterans Treatment Court established under this chapter, the Administrative Office of Courts may do the following:

(a) Ensure that the structure of the intervention component complies with rules adopted under this chapter and applicable federal regulations.

(b) Revoke the authorization of a program upon a determination that the program does not comply with rules adopted under this chapter and applicable federal regulations.

(c) Enter into agreements and contracts to effectuate the purposes of this chapter with:

(i) Another department, authority, or agency of the state;

(ii) Another state;

(iii) The federal government;

(iv) A state-supported or private university; or

(v) A public or private agency, foundation, corporation, or individual.

(d) Directly, or by contract, approve and certify any intervention component established under this chapter.

(e) Require, as a condition of operation, that each veterans court created or funded under this chapter be certified by the Administrative Office of Courts.

(f) Adopt rules to implement this chapter.

(5) State Intervention Court Advisory Committee. (a) The State Intervention Court Advisory Committee shall be responsible for developing statewide rules and policies as they relate to Veterans Treatment Court programs.

(b) The State Intervention Court Advisory Committee may also make recommendations to the Chief Justice, the Director of the Administrative Office of Courts and state officials concerning improvements to Veterans Treatment Court policies and procedures.

(c) The State Intervention Court Advisory Committee shall act as an arbiter of disputes arising out of the operation of Veterans Treatment Court programs established under this chapter and make recommendations to improve the Veterans Treatment Court programs.

(6) Funding for Veterans Treatment Courts. (a) All monies received from any source by the Veterans Treatment Court program shall be accumulated in a fund to be used only for Veterans Treatment Court purposes. Any funds remaining in this fund at the end of the fiscal year shall not lapse into the General Fund, but shall be retained in the Veterans Treatment Court fund for the funding of further activities by the Veterans Treatment Court program.

(b) A Veterans Treatment Court program may apply for and receive the following:

(i) Gifts, bequests and donations from private sources.

(ii) Grant and contract money from governmental sources.

(iii) Other forms of financial assistance approved by the court to supplement the budget of the Veterans Treatment Court program.

(7) Immunity. The coordinator and members of the professional and administrative staff of the Veterans Treatment Court program who perform duties in good faith under this chapter are immune from civil liability for:

(a) Acts or omissions in providing services under this chapter; and

(b) The reasonable exercise of discretion in determining eligibility to participate in the Veterans Treatment Court program.

(8) This section shall be codified as a separate article in Title 9, Mississippi Code of 1972.

SECTION 36. Section 9-27-1, Mississippi Code of 1972, is brought forward as follows:

9-27-1. This chapter shall be known and may be cited as the "Rivers McGraw Mental Health Treatment Court Act."

SECTION 37. Section 9-27-3, Mississippi Code of 1972, is brought forward as follows:

9-27-3. (1) The Legislature recognizes the critical need for judicial intervention to establish court processes and procedures that are more responsive to the needs of defendants with mental illnesses, while maintaining public safety and the integrity of the court process.

(2) The goals of the mental health treatment courts under this chapter include the following:

(a) Reduce the number of future criminal justice contacts among offenders with mental illnesses;

(b) Reduce the inappropriate institutionalization of people with mental illnesses;

(c) Improve the mental and behavioral health and well-being of defendants who come in contact with the criminal justice system;

(d) Improve linkages between the criminal justice system and the mental health system;

(e) Expedite case processing;

(f) Protect public safety;

(g) Establish linkages with other state and local agencies and programs that target people with mental illnesses in order to maximize the delivery of services; and

(h) To use corrections resources more effectively by redirecting prison-bound offenders whose criminal conduct is driven in part by mental illnesses to intensive supervision and clinical treatment available in the mental health treatment court.

SECTION 38. Section 9-27-5, Mississippi Code of 1972, is brought forward as follows:

9-27-5. For the purposes of this chapter, the following words and phrases shall have the meanings ascribed unless the context clearly requires otherwise:

(a) "Behavioral health" means the promotion of mental health, resilience and wellbeing; the treatment of mental and substance use disorders; and the support of those who experience and/or are in recovery from these conditions, along with their families and communities.

(b) "Chemical tests" means the analysis of an individual's: (i) blood, (ii) breath, (iii) hair, (iv) sweat, (v) saliva, (vi) urine, or (vii) other bodily substance to determine the presence of alcohol or a controlled substance.

(c) "Clinical assessment" means the use of an actuarial assessment tool which evaluates an individual's physical, medical, cognitive, psychological (personality, emotions, beliefs and attitudes), and behavioral history and current conditions in order to determine the presence and severity of any mental health disorder.

(d) "Co-occurring disorder" means coexistence of both a mental health and a substance use disorder as defined in the Diagnostic and Statistical Manual (DSM).

(e) "Diagnostic and Statistical Manual (DSM)" is the publication by the American Psychiatric Association used by behavioral health professionals for the classification and diagnosing of mental health disorders.

(f) "Evidence-based practices" means practices which have been empirically researched and proven to have measurable positive outcomes; have been rigorously tested; have yielded consistent, replicable results; and have proven safe, beneficial and effective for a specific population.

(g) "Mental health" means a state of mental or emotional well-being that enables people to cope with the stresses of life, realize their abilities, learn, work well, and contribute to their community.

(h) "Mental health disorder" means a syndrome characterized by a clinically significant disturbance in an individual's cognition, emotion regulation or behavior that reflects a dysfunction in the psychological, biological or developmental process underlying mental functioning as defined by the current Diagnostic and Statistical Manual of Mental Disorders as published by the American Psychiatric Association.

(i) "Mental Health Treatment program" means a highly structured evidence-based program for mental and behavioral health treatment of defendants that:

(i) Brings together mental health professionals, local social programs and intensive judicial monitoring;

(ii) Follows the key components of the mental health treatment court curriculum published by the Bureau of Justice Assistance; and

(iii) Utilizes supervision, policies, procedures and practices that scientific research demonstrates reduces recidivism.

(j) "Risk and needs assessment" means an actuarial evaluation tool to guide decision making at various points across the criminal justice continuum by approximating an individual's likelihood of reoffending and determining what individual criminogenic needs must be addressed to reduce that likelihood. Criminogenic risk and needs assessment tools consist of questions that are designed to ascertain someone's history of criminal behavior, attitudes and personality, and life circumstances.

(k) "Risk and needs screening" means the use of a brief actuarial tool that is used to determine a defendant's eligibility of a mental health treatment court by measuring the criminogenic risk and needs, identifying risk and protective factors, supports development of case management plan goals and determines the need of a full risk and needs assessment.

(l) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that the individual continues using the substance despite significant substance-related problems such as impaired control, social impairment, risky behaviors, and pharmacological tolerance and withdrawal.

SECTION 39. Section 9-27-7, Mississippi Code of 1972, is brought forward as follows:

9-27-7. (1) The Administrative Office of Courts is the repository for reports filed by mental health treatment courts established under this chapter. The goal of the mental health treatment courts is to support effective and proven practices that reduce recidivism and provide behavioral health treatment for participants.

(2) Mental health treatment courts must adhere to the standards established in this chapter.

(a) These standards shall include, but are not limited to:

(i) The use of evidence-based practices including, but not limited to, the use of a valid and reliable risk and needs screening tool to identify participants, deliver appropriate treatments and services;

(ii) Targeting moderate to high-risk offenders for participation;

(iii) Utilizing current, evidence-based practices proven effective for behavioral health treatment;

(iv) Frequent testing for alcohol or drugs;

(v) Coordinated strategy between all mental health treatment court personnel;

(vi) Ongoing judicial interaction with each participant; and

(vii) Monitoring and evaluation of mental health treatment court implementation and outcomes through data collection and reporting.

(b) Mental health treatment courts must implement a data collection plan, utilizing the treatment court case management system, which shall include collecting the following data:

(i) Total number of participants;

(ii) Total number of successful participants;

(iii) Total number of unsuccessful participants and the reason why each participant did not complete the program;

(iv) Total number of participants who were arrested for a new criminal offense while in the mental health treatment court;

(v) Total number of participants who were convicted of a new felony offense while in the mental health treatment court;

(vi) Total number of participants who committed at least one (1) violation while in the mental health treatment court and the resulting sanction(s);

(vii) Results of the initial risk and needs screening or other clinical assessments conducted on each participant;

(viii) Total number of applications for screening by race, gender, offenses charged, indigence and if not accepted, the reason for nonacceptance; and

(ix) Any other data or information as required by the Administrative Office of Courts.

(3) All mental health treatment courts must measure successful completion of the program based on those participants who complete the program without a new criminal conviction.

(4) (a) Mental health treatment courts must collect and submit to the Administrative Office of Courts each month, the following data:

(i) Total number of participants at the beginning of the month;

(ii) Total number of participants at the end of the month;

(iii) Total number of new participants who began the program in the month;

(iv) Total number of participants who successfully completed the program in the month;

(v) Total number of participants who left the program in the month;

(vi) Total number of participants who were arrested for a new criminal offense while in the program in the month;

(vii) Total number of participants who were convicted of a new criminal offense while in the program in the month;

(viii) Total number of participants who committed at least one (1) violation while in the program and any resulting sanction(s);

(ix) Total number of active participants who did not receive treatment in the month;

(x) Total number of participants on prescribed psychotropic medications in the month;

(xi) Total number of new participants admitted to an acute psychiatric facility or a crisis stabilization unit in the first thirty (30) days of acceptance into the mental health treatment court; and

(xii) Total number of participants admitted to an acute psychiatric facility or a crisis stabilization unit in the month.

(b) By August 1, 2023, and each year thereafter, the Administrative Office of Courts shall report to the PEER Committee the information in subsection (4)(a) of this section in a sortable, electronic format.

(5) A certified mental health treatment court may individually establish rules and may make special orders and rules as necessary that do not conflict with rules promulgated by the Supreme Court or the Administrative Office of Courts.

(6) A certified mental health treatment court may appoint full- or part-time employees it deems necessary for the work of the mental health treatment court and shall fix the compensation of those employees, who shall serve at the will and pleasure of the circuit court judge who presides over the mental health treatment court.

(7) A certified mental health treatment court established under this chapter is subject to the regulatory powers of the Administrative Office of Courts as set forth in Section 9-27-13.

SECTION 40. Section 9-27-9, Mississippi Code of 1972, is brought forward as follows:

9-27-9. (1) Any mental and behavioral health treatment provider directly administering services to a participant shall be licensed by the appropriate state licensing board or hold a current and valid certification by the State Department of Mental Health or other appropriate state agency.

(2) A mental health treatment court shall provide either directly or through referrals, a range of services, including, but not limited to, the following:

(a) Screenings using a valid and reliable screening tool effective for identifying individuals with mental and behavioral health issues for eligibility and appropriate services;

(b) Clinical assessment;

(c) Referral to appropriate level of treatment services;

(d) Counseling and treatment for co-occurring substance use disorders;

(e) Employment Services;

(f) Education and/or vocational services; and

(g) Community service coordination, care and support.

SECTION 41. Section 9-27-11, Mississippi Code of 1972, is brought forward as follows:

9-27-11. (1) In order to be eligible for alternative sentencing through a local mental health treatment court, the defendant must satisfy each of the following criteria:

(a) The defendant cannot have any felony convictions for any offenses that are crimes of violence as defined in Section 97-3-2, other than burglary under Section 97-17-23(1), within the previous ten (10) years.

(b) The crime before the court cannot be a crime of violence as defined in Section 97-3-2, other than burglary under Section 97-17-23(1).

(c) Other criminal proceedings alleging commission of a crime of violence other than burglary under Section 97-17-23(1) cannot be pending against the defendant.

(d) The crime before the court cannot be a charge of driving under the influence of alcohol or any other substance that resulted in the death of a person. In addition, defendants who are ineligible for nonadjudication under Section 63-11-30 shall be ineligible to participate in a mental health treatment court.

(e) The crime charged cannot be one of trafficking in controlled substances under Section 41-29-139(f), nor can the defendant have a prior conviction for the same.

(2) Participation in the services of a mental health treatment component court shall be open only to the defendant over whom the court has jurisdiction, except that the court may agree to provide the services for participants referred from another mental health treatment court. In cases transferred from another jurisdiction, the receiving judge shall act as a special master and make recommendations to the sentencing judge.

(3) (a) As a condition of participation in a mental health treatment court, a defendant shall be required to undergo chemical testing as specified by the program. A participant is liable for the costs of all chemical tests required under this section, regardless of whether the costs are paid to the mental health treatment court or the laboratory; however, if testing is available from other sources or the program itself, the judge may waive any fees for testing. Fees may be waived if the defendant is determined by the court to be indigent.

(b) A laboratory that performs a chemical test under this section shall report the results of the test to the mental health treatment court.

(4) A defendant does not have a right to participate in a mental health treatment court under this chapter. The court having jurisdiction over a defendant for a matter before

the court shall have the final determination about whether the defendant may participate in the mental health treatment court under this chapter. However, any defendant meeting the eligibility criteria in subsection (1) of this section, shall, upon request, be screened for admission into the court's program.

SECTION 42. Section 9-27-13, Mississippi Code of 1972, is brought forward as follows:

9-27-13. (1) With regard to any mental health treatment court, the Administrative Office of the Courts shall do the following:

(a) Certify and re-certify mental health treatment court applications that meet with standards established by the Administrative Office of Courts in accordance with this chapter.

(b) Ensure that the structure of the mental health treatment court complies with rules adopted under this section and applicable federal regulations.

(c) Revoke certification of a mental health treatment court upon a determination that the program does not comply with rules adopted under this section and applicable federal regulations.

(d) Make agreements and contracts to effectuate the purposes of this chapter with:

(i) Another department, authority or agency of the state;

(ii) Another state;

(iii) The federal government;

(iv) A state-supported or private institute of higher learning; or

(v) A public or private agency, foundation, corporation or individual.

(e) Directly, or by contract, approve and certify any mental health treatment court component established under this chapter.

(f) Require, as a condition of operation, that each mental health treatment court created or funded under this chapter be certified by the Administrative Office of Courts.

(g) Collect monthly data from each certified mental health treatment court and compile an annual report summarizing the data collected and the outcomes achieved.

(h) Every three (3) years, if funding is available, contract with an external evaluator to conduct an evaluation of the compliance with the Bureau of Justice Assistance key components, as adapted for mental health treatment courts, and effectiveness of:

(i) Statewide mental health treatment court program; and

(ii) Individual mental health treatment courts.

(i) Adopt rules to implement this chapter.

SECTION 43. Section 9-27-15, Mississippi Code of 1972, is brought forward as follows:

9-27-15. (1) All monies received from any source by a mental health treatment court shall be accumulated in a local fund to be used only for mental health treatment court purposes. Any funds remaining in a local fund at the end of a fiscal year shall not lapse into any general fund, but shall be retained in the mental health treatment court fund for the funding of further activities by the mental health treatment court.

(2) A mental health treatment court may apply for and receive the following:

(a) Gifts, bequests and donations from private sources;

(b) Grant and contract monies from governmental sources; or

(c) Other forms of financial assistance approved by the court to supplement the budget of the mental health treatment court.

(3) The costs of participation required by the mental health treatment court may be paid by the participant or out of user fees or such other state, federal or private funds that may, from time to time, be made available.

(4) The mental health treatment court may assess reasonable and appropriate fees to be paid to the local mental health treatment court fund for participation in a mental health treatment court; however, all fees may be waived by the court if the defendant is determined by the court to be indigent.

SECTION 44. Section 9-27-17, Mississippi Code of 1972, is brought forward as follows:

9-27-17. The mental health treatment court coordinator and members of the professional and administrative staff of the mental health treatment court who perform duties in good faith under this chapter are immune from civil liability for:

(a) Acts or omissions in providing services under this chapter; and

(b) The reasonable exercise of discretion in determining eligibility to participate in the mental health court.

SECTION 45. Section 9-27-19, Mississippi Code of 1972, is brought forward as follows:

9-27-19. If the participant completes all requirements imposed by the mental health treatment court, the charge and prosecution shall be dismissed. If the defendant was sentenced at the time of entry of a plea of guilty, the successful completion of the mental health treatment court order and other requirements of probation or suspension of sentence will result in the record of the criminal conviction or adjudication being expunged. However, no expunction of any implied consent violations shall be allowed.

SECTION 46. Section 9-27-21, Mississippi Code of 1972, is brought forward as follows:

9-27-21. (1) The Administrative Office of Courts shall be responsible for certification and monitoring of mental health treatment courts.

(2) The Administrative Office of Courts shall promulgate rules and regulations to carry out the certification and re-certification process and make any other policies consistent with this section to carry out this process.

(3) The Administrative Office of Courts shall establish, implement and operate a uniform certification process for all mental health treatment courts designed to adjudicate criminal actions involving an identified classification of criminal defendants to ensure

funding for mental health treatment courts which supports effective and proven behavioral health treatment practices that reduce recidivism among their participants.

(4) (a) The Administrative Office of Courts shall establish a certification process that ensures any new or existing mental health treatment court meets standards for mental health treatment court operation.

(b) Mental health treatment court certification application must include:

(i) A description of the need for the mental health treatment court;

(ii) The targeted population for the mental health treatment court;

(iii) The eligibility criteria for mental health treatment court participants;

(iv) A description of the process for identifying eligible participants, using a risk and needs screening and a clinical assessment which focuses on accepting moderate to high-risk individuals; and

(v) A description of the mental health treatment court components, including anticipated budget, implementation plan, and a list of the evidence-based programs to which participants will be referred by the mental health treatment court.

(5) Every mental health treatment court shall be certified under the following schedule:

(a) All certified mental health treatment courts in existence on December 31, 2022, must submit a recertification petition to the Administrative Office of Courts before July 1, 2023. The mental health treatment court must submit a recertification petition every two (2) years.

(b) A mental health treatment court's certification expires on December 31 of every odd calendar year.

(6) A certified mental health treatment court established under this chapter is subject to the regulatory powers of the Administrative Office of Courts as set forth in Section 9-27-13.

SECTION 47. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT RELATING TO ALTERNATIVE INCARCERATION METHODOLOGY ("AIM"); TO BRING FORWARD SECTIONS 99-15-26, 99-15-19, 47-7-27, 47-7-33.1, 47-7-47, 47-5-931 THROUGH 47-5-953 AND 47-5-1003, MISSISSIPPI CODE OF 1972, RELATING TO ALTERNATIVE SENTENCING OPTIONS FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 9-23-1 THROUGH 9-23-23, MISSISSIPPI CODE OF 1972, WHICH ARE THE PROVISIONS THAT ENACT THE ALYCE GRIFFIN CLARKE INTERVENTION COURT ACT; TO AMEND SECTION 9-23-11, MISSISSIPPI CODE OF 1972, TO MAKE A NONSUBSTANTIVE, TECHNICAL REVISION; TO BRING FORWARD SECTION 9-23-51, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT ESTABLISHES THE DRUG COURT FUND IN THE STATE TREASURY FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-25-1, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT CREATES THE VETERAN TREATMENT COURTS FOR THE

PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 9-27-1 THROUGH 9-27-21, MISSISSIPPI CODE OF 1972, WHICH ARE THE PROVISIONS THAT ENACT THE RIVERS MCGRAW MENTAL HEALTH TREATMENT COURT ACT FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2599 was adopted.

YEAS AND NAYS On S. B. No. 2599. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Chism, Hill. Total--2.

Absent and those not voting----None.

Senator Whaley called up the following entitled bill:

H. B. No. 526: Hunting; authorize hunters to wear fluorescent pink as an alternative to fluorescent orange.

YEAS AND NAYS On H. B. No. 526. On motion of Senator Ladner, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled bill:

S. B. No. 2161: Medicaid reimbursements; revise certain provisions relating to a psychiatric residential treatment facility in DeSoto County.

On motion of Senator Bryan, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2161. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson,

Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Chism. Total--1.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

President Hosemann yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

Senator Boyd called up the following entitled bill:

S. B. No. 2725: University System Efficiency Task Force; create to examine the efficiency of the state public university system.

YEAS AND NAYS On S. B. No. 2725. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackwell, Boyd, Branning, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--39.

Nays--Barnett, Blount, Brumfield, Bryan, Frazier, Horhn, Jackson, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--12.

Absent and those not voting----None.

Voting Present--Blackmon. Total--1.

Unanimous consent was granted to add Senator McLendon as co-author of **S. B. No. 2725**.

Senator Horhn entered a motion to reconsider the vote whereby **S. B. No. 2628** passed the Senate.

S. B. No. 2628: Mississippi Capitol Region Utility Act; create.

Senator McMahan called up the following entitled bill:

S. B. No. 2500: Homeless encampments; prohibit on public property and define as public nuisance on private property.

On motion of Senator McMahan, the Committee Substitute was adopted for consideration.

Senator Hickman offered the following AMENDMENT NO. 1.

AMEND by inserting the following after line 101:

(7) In order to enforce the provisions of this section, the local municipal governing authority may establish a dilapidated property fund and make annual expenditures into the fund for the legal removal of homeless encampments on public and private property.

The local municipal governing authority establishing such fund shall prescribe rules and regulations for the administration of the fund and expenditures from the fund and shall spread these prescribed amounts and procedures on its minutes.

Amendment No. 1 to S. B. No. 2500 was adopted.

YEAS AND NAYS On S. B. No. 2500. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blount, Boyd, Branning, Bryan, Chism, DeBar, Fillingane, Harkins, Hickman, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McMahan, Michel, Parker, Parks, Rhodes, Robinson, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--32.

Nays--Barnett, Blackmon, Blackwell, Brumfield, Butler, Frazier, Horhn, Jackson, McLendon, Polk, Seymour, Simmons S. (13th), Thomas. Total--13.

Absent and those not voting--Chassaniol. Total--1.

Senator England, who would have voted yea on S. B. No. 2500, announced a pair with Senator Jordan, who would have voted nay.

Senator Simmons D. T. (12th), who would have voted nay on S. B. No. 2500, announced a pair with Senator Carter, who would have voted yea.

Senator Norwood, who would have voted nay on S. B. No. 2500, announced a pair with Senator DeLano, who would have voted yea.

Senator Blackwell called up the following entitled bill:

S. B. No. 2733: Pharmaceuticals; authorize the Division of Medicaid to establish a wholesale prescription drug importation program.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2733. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Turner-Ford. Total--1.

Senator Bryan called up the following entitled bill:

S. B. No. 2341: Physician grant funding from Qualified Health Center Grant Program; extend date of funding.

YEAS AND NAYS On S. B. No. 2341. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

S. B. No. 2744: Community mental health centers; rename and require certain oversight measures by Department of Mental Health.

Senator Boyd explained the Committee Substitute.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

Senator Simmons D. T. (12th) offered the following AMENDMENT NO. 1.

AMEND on line 2149 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to S. B. No. 2744 was adopted.

YEAS AND NAYS On S. B. No. 2744. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.
Nays--Rhodes, Tate. Total--2.
Absent and those not voting----None.
Voting Present--Barrett. Total--1.

Senator England called up the following entitled bill:

S. B. No. 2580: In-person early voting; allow.

Senator England offered the following AMENDMENT NO. 1.

AMEND the title on lines 1-20 by striking "preelection day" everywhere is appears and insert "in-person early" in lieu thereof.

FURTHER, AMEND on line 30 by striking "fourteen-day" and inserting "fifteen-day" in lieu thereof.

FURTHER, AMEND on lines 181 and 182 by striking "vote in person at the office of the registrar in the county in which he or she resides" and inserting in lieu thereof the following:

have the application and absentee ballot mailed to the elector

FURTHER, AMEND on line 236 by striking "preelection day" and inserting "in-person early" in lieu thereof.

FURTHER, AMEND on line 312 by restoring the deleted language.

FURTHER, AMEND on lines 312 and 313 by striking the following language:

received by the registrar not later than 7:00 p.m. on the day of the election

FURTHER, AMEND on line 379 by restoring the deleted language.

FURTHER, AMEND by striking on lines 379 and 380 the following language:

by 7:00 p.m. the day of the election

FURTHER, AMEND on line 480 before the comma by inserting "provided in Section 23-15-635"

FURTHER, AMEND on line 488 by striking "July 1, 2024" and inserting "January 1, 2026" in lieu thereof.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2580 was adopted.

YEAS AND NAYS On S. B. No. 2580. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Younger. Total--44.

Nays--Blackwell, Branning, Chism, Hill, McCaughn, Seymour, Tate, Whaley. Total--8.

Absent and those not voting----None.

Unanimous consent was granted to add Senators McLendon and Hickman as co-authors of **S. B. No. 2580**.

President Pro Tempore Kirby yielded the gavel to President Hosemann, who presided over the Senate.

Senator England called up the following entitled bill:

S. B. No. 2058: Nonpartisan Judicial Election Act; amend to include justice court judges.

Senator England offered the following AMENDMENT NO. 1.

AMEND on line 567 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to S. B. No. 2058 was adopted.

YEAS AND NAYS On S. B. No. 2058. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Berry, Blackmon, Blackwell, Branning, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Simmons S. (13th), Suber, Thompson, Whaley, Wiggins, Younger. Total--36.

Nays--Barrett, Blount, Boyd, Chism, Frazier, Hill, Norwood, Seymour, Sparks, Tate, Thomas, Turner-Ford, Williams. Total--13.

Absent and those not voting----None.

Voting Present--Barnett, Brumfield, Simmons D. T. (12th). Total--3.

_____

Senator Michel called up the following entitled bill:

S. B. No. 2530: Peer-to-Peer Car Sharing Program Act; create.

Senators McLendon and Michel offered the following AMENDMENT NO. 1.

AMEND on lines 100 and 117 by inserting the following language after the word "parties":

", or uninsured and underinsured motorist losses,"

Amendment No. 1 to S. B. No. 2530 was adopted.

YEAS AND NAYS On S. B. No. 2530. On motion of Senator McLendon, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Turner-Ford. Total--1.

Absent and those not voting----None.

_____

Unanimous consent was granted to add Senators Sparks and Boyd as co-authors of **S. B. No. 2530**.

Senator Boyd called up the following entitled bill:

S. B. No. 2729: Rural Physician Scholarship Program and Rural Dentist Scholarship Program; bring forward provisions related thereto.

On motion of Senator Blackmon, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2729. On motion of Senator Blackmon, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Boyd called up the following entitled bill:

S. B. No. 2557: Ground lease for solar installation at Mississippi Agricultural and Forestry Experimental Stations; authorize.

On motion of Senator Williams, the Committee Substitute was adopted for consideration.

Senator Barnett offered the following AMENDMENT NO. 1.

AMEND on line 134 by inserting before the comma the following:

or the Dean of the College of Agriculture and Applied Sciences at Alcorn State University

FURTHER, AMEND on line 141 by inserting the following before the period:

or Alcorn State University College of Agriculture Extension and Research Centers

FURTHER, AMEND on line 144 by inserting the following before the comma:

or Alcorn State University

FURTHER, AMEND on line 153 by striking "and" and inserting in lieu thereof the following:

to be

FURTHER, AMEND on line 154 by inserting the following before the period:

or into a special fund to be expended only for the use and benefit of Alcorn State University, respectively

FURTHER, AMEND on line 157 by inserting the following before the period:

or Alcorn State University, respectively

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2557 was adopted.

YEAS AND NAYS On S. B. No. 2557. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.
Nays--Chism, Hill, Ladner. Total--3.
Absent and those not voting----None.

Unanimous consent was granted to add Senator Simmons S. (13th) as co-author of **S. B. No. 2557**.

Senator DeBar called up the following entitled bill:

S. B. No. 2690: Charter schools; set certain school accreditation rating requirements for renewal of charter.

On motion of Senator DeBar, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2690. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.
Nays--Chism, Turner-Ford. Total--2.
Absent and those not voting----None.
Voting Present--Hill. Total--1.

Senator Younger moved that the rules be suspended to move to calendar item 27, **S. B. No. 2631**, and the motion prevailed.

Senator Younger called up the following entitled bill:

S. B. No. 2631: State property; amend MDAC ability to expend funding for the Ag Museum and clarify the location of state fairgrounds.

On motion of Senator Hopson, the Committee Substitute was adopted for consideration.

Senator Hopson offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 69-1-48, Mississippi Code of 1972, is amended as follows:

69-1-48. (1) For purposes of this section, the following words shall have the meanings ascribed herein:

(a) "Department" means the Mississippi Department of Agriculture and Commerce.

(b) "Museum" means the Mississippi Agriculture and Forestry Museum.

(2) The department may accept, budget, receive and expend funds from any source for improvements to * * * the Mississippi State Fairgrounds located at 1207 Mississippi Street, Jackson, Mississippi 39202, or the Mississippi Agriculture and Forestry Museum located at 1150 Lakeland Drive, Jackson, Mississippi 39216, upon appropriation by the Legislature and for marketing and promotion programs for events at the Mississippi State Fairgrounds located at 1207 Mississippi Street, Jackson, Mississippi 39202, or the Mississippi Agriculture and Forestry Museum located at 1150 Lakeland Drive, Jackson, Mississippi 39216, upon appropriation by the Legislature and for purposes as otherwise appropriated by the Legislature.

(3) (a) The department may allow a federal, state * * * or local governmental entity, or a public, private, commercial or charitable entity to use, publish or advertise the entity's name on department property and in its publications. Furthermore, the commissioner may lease to any public, private, commercial or charitable entity for a term not to exceed twenty (20) years naming rights for museum buildings or property, including, but not limited to, new construction, improvements to existing buildings, grounds and/or objects located on museum property in return for consideration benefitting the department. The department must obtain written approval of the Governor, Lieutenant Governor and the Secretary of State prior to entering any lease providing for naming rights of property under this section. The lessee shall pay the cost of erecting, maintaining and removing signage related to the property.

(b) Any funds received from the advertising or lease of naming rights shall be retained by the department and expended for improvements to * * * the Mississippi State Fairgrounds located at 1207 Mississippi Street, Jackson, Mississippi 39202, or the Mississippi Agriculture and Forestry Museum located at 1150 Lakeland Drive, Jackson, Mississippi 39216, upon appropriation by the Legislature and for marketing and promotion programs for events at the Mississippi State Fairgrounds located at 1207 Mississippi Street, Jackson, Mississippi 39202, or the Mississippi Agriculture and Forestry Museum located at 1150 Lakeland Drive, Jackson, Mississippi 39216, upon appropriation by the Legislature and for purposes as otherwise appropriated by the Legislature.

* * *

(4) (a) There is established in the State Treasury a special fund for the department for the monies collected under this section.

(b) Unexpended monies remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into the fund.

(5) (a) The department shall make reasonable attempts to notify the donor of any donated property or artifacts determined to be obsolete to allow such donor to retake possession of such item. If efforts to notify the donor prove unsuccessful, then the department may dispose of, auction or sell any property or artifact in the possession of the museum if the department determines that it is obsolete, no longer of value or use to the museum or unclaimed by the donor.

(b) All funds received under this section on behalf of the museum, shall be transferred into the * * * enterprise fund related to the museum. The enterprise funds shall be maintained in accordance with generally accepted accounting principles and regulations prescribed by the Department of Finance and Administration.

(c) Subject to appropriation by the Legislature, the department may expend these funds for improvements to the museum and for marketing and promotion programs for the museum in a manner consistent with the museum's historical purpose.

SECTION 2. Section 69-5-3, Mississippi Code of 1972, is amended as follows:

69-5-3. (1) The Department of Agriculture and Commerce shall set up rules and regulations consistent with the law governing the distribution of state monies for premiums or awards. It will be the duty of the department, at least twice each year, to approve premium lists or awards, and give out rules governing participants in state premium money in Mississippi. The department may invite the presidents of the various district livestock shows before the department when determining policies affecting district livestock shows.

(2) The Department of Agriculture and Commerce is hereby authorized to accept money or funds donated to the department, including funds to be awarded as prizes in livestock competition.

(3) The Department of Agriculture and Commerce shall have charge of the State Fairgrounds located * * * at or around 1207 Mississippi Street, Jackson, Mississippi 39202, including all buildings and improvements thereon, and shall have full power and authority in perfecting plans and causing to be held thereon the Mississippi State Fair and other such events that may be authorized by the department.

(4) The Department of Agriculture and Commerce is hereby authorized to employ an attorney as prescribed in Section 69-1-14.

(5) The Department of Agriculture and Commerce may take any action authorized in Section 1 of Chapter 306, Laws of 2000.

(6) The Department of Agriculture and Commerce may allow a commercial, charitable or governmental entity to use, publish and advertise such entity's name in connection with any of the buildings, improvements, grounds or objects located on the State Fairgrounds * * * at or around 1207 Mississippi Street, Jackson, Mississippi 39202, except for the Kirk Fordice Equine Center, or in connection with any of the events conducted on the State Fairgrounds in return for a monetary consideration paid to the department. Furthermore, the department may lease to any public, private, commercial or charitable entity for a term not to exceed twenty (20) years naming rights to buildings, except for the Kirk Fordice Equine Center, or property, including, but not limited to, new construction, improvements to existing buildings, grounds and/or objects located on the State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, in return for consideration benefitting the commission. The department must obtain written approval of the Governor, Lieutenant Governor and the Secretary of State prior to entering any lease providing for naming rights of property under this section. The

lessee shall pay the cost of erecting, maintaining and removing signage related to the property. Those funds received from an entity for allowing its name to be used, published or advertised in connection with the buildings, improvements, objects or events shall be retained by the department to be used for capital improvements to the fairgrounds or in its annual operating budget subject to appropriation by the Legislature. The department shall not enter into any such agreement with any vendor whose products are illegal for participation in or use by persons eighteen (18) years of age and under.

(7) The Commissioner of Agriculture and Commerce is authorized to form and establish a private foundation or nonprofit corporation to receive and disburse the funds generated by the sale of naming rights described in subsection (6) of this section and for any other donations made to the department. The funds shall be disbursed in accordance with the guidelines described in this section, and the foundation or nonprofit corporation shall be subject to the reporting requirements described in subsection (10) of this section. All funds shall remain with the foundation until disbursement and shall not be transferred to the State General Fund. No public funds shall be deposited into the account of the private foundation or nonprofit corporation established by the department for the benefit of the State Fairgrounds, nor shall the Legislature appropriate any State General Fund or Special Fund monies to the foundation or nonprofit corporation for such purposes. All monies received by the foundation shall be maintained separately from funds allocated to the department for operating and administrative costs associated with the State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202. In addition to the reporting of information to be included in the annual legislative report of the department, the private foundation or nonprofit corporation shall be subject to annual financial audits by the State Auditor and by auditors of donors in the same manner as required for state agencies.

(8) The Department of Agriculture and Commerce shall have the authority to enter into a lease or right-of-way with a third party covering any land or buildings on the State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, and any funds generated from such lease or right-of-way shall remain in a special fund managed by the department for the benefit of the State Fairgrounds. All monies in the special fund shall be subject to appropriation by the Legislature and may be used for capital improvements to the State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, or in the department's annual operating budget for operating and administrative costs associated with the State Fairgrounds. Any unexpended funds remaining in the special fund shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited in the fund.

(9) The Department of Agriculture and Commerce is hereby authorized, with the advice of the Mississippi Fair Advisory Council, to adopt such rules and regulations as may be necessary or desirable to carry out, execute or implement the provisions of this article.

(10) The Department of Agriculture and Commerce shall report by January 1 of each year a detailed financial statement of all monies received and expended under subsection (6) and subsection (7) of this section to the Lieutenant Governor, the Speaker of the House of Representatives and the Chairman of the Senate Agriculture Committee and the Chairman of the House of Representatives Agriculture Committee and the Chairmen of the Appropriations Committees of the House and Senate.

SECTION 3. Section 69-5-7, Mississippi Code of 1972, is amended as follows:

69-5-7. Headquarters of the Mississippi State Fair operations shall be in connection with the office of the Department of Agriculture and Commerce. The Mississippi State Fair shall occur on the Mississippi State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202.

SECTION 4. Section 69-5-8, Mississippi Code of 1972, is amended as follows:

69-5-8. The building under the jurisdiction of the Department of Agriculture and Commerce, * * * which is located * * * at or around the Mississippi State Fairgrounds, 1207 Mississippi Street, Jackson, Mississippi 39202, and used primarily as an arena for rodeo and livestock expositions and related events, shall be named the Kirk Fordice Equine Center. The Department of Agriculture and Commerce shall prepare or have prepared a distinctive plaque, to be placed in a prominent place within the Kirk Fordice Equine Center, that states the background, accomplishments and service to the state of Governor Kirk Fordice.

SECTION 5. Section 69-5-11, Mississippi Code of 1972, is amended as follows:

69-5-11. (1) The Department of Agriculture and Commerce shall charge for admission to the State Fair, which shall be hosted on the Mississippi State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202. The proceeds thereof shall be used for the repayment of revenue bonds issued for the purpose of constructing, equipping and furnishing new buildings and making improvements on the State Fairgrounds.

(2) Funds collected in excess of those required to retire any outstanding bond indebtedness may be used as operating revenue for the Department of Agriculture and Commerce for operating and administrative costs associated with the State Fairgrounds, and such excess funds received by the department shall be deposited in a special fund account managed by the department for the benefit of the State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202.

(3) The State Treasurer is hereby directed to invest such excess funds to the credit of the special account managed by the department for the benefit of the State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202.

SECTION 6. Section 69-5-13, Mississippi Code of 1972, is amended as follows:

69-5-13. The Department of Agriculture and Commerce is hereby authorized and empowered, in its discretion, to declare by resolution the number and type buildings which need to be constructed and the type of improvements that need to be made on the State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, and file a certified copy of said resolution with the * * * Department of Finance and Administration. If the * * * Department of Finance and Administration believes such construction and improvements to be in the best public interest, and that receipts from admission to the State Fair reasonably shall be expected to produce sufficient revenues over a period not to exceed twenty (20) years to retire bonds issued to pay the cost of such improvements as well as the interest thereon, it may, in its discretion, approve the request of the Department of Agriculture and Commerce.

SECTION 7. Section 69-5-27, Mississippi Code of 1972, is amended as follows:

69-5-27. The Department of Agriculture and Commerce shall have the power and authority, in its discretion, to borrow money from any bank or banks in an amount not in excess of Two Hundred Thousand Dollars ($200,000.00), to be used for the repair, renovation or maintenance of buildings located at the Mississippi State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202. The Department of Agriculture and Commerce may use any funds accruing to it to service and retire said indebtedness. Such loan shall not exceed a term of ten (10) years and shall bear interest at a rate not in excess of that provided for in Section 75-17-101.

Any loan secured under the provisions of this section shall be approved by the State Bond Commission.

SECTION 8. Section 69-5-31, Mississippi Code of 1972, is amended as follows:

69-5-31. (1) The Department of Agriculture and Commerce is authorized to hire and designate area law enforcement officers on a contractual basis to provide security and to enforce all laws of the State of Mississippi on the Mississippi State Fairgrounds Complex located at or around 1207 Mississippi Street, Jackson, Mississippi 39202. All officers must have attended and satisfactorily completed the training course required for law enforcement officers at the Law Enforcement Officer's Training Academy or an equivalent facility. All officers must be current with this certification. A complete record of all law enforcement training of each employee will be maintained in each employee's record of employment. Furthermore, the Department of Agriculture and Commerce may enter into a contract with any certified law enforcement officer to provide security to the Department of Agriculture and Commerce with jurisdiction to enforce all laws of the State of Mississippi on the property known as the "Mississippi State Fairgrounds Complex" located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, and any and all of its outlying buildings and property.

(2) (a) All officers while in performance of their duty on the premises or at any of the facilities at the Mississippi State Fairgrounds Complex located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, under the direction or control of the Department of Agriculture and Commerce and public property immediately adjacent to such facilities shall:

(i) Be required to dress in uniforms prescribed by the respective law enforcement agency by which he or she is employed; and

(ii) Be authorized to carry weapons.

(b) Employees designated as officers shall be duly sworn and vested with authority to bear arms and make arrests, and shall exercise primarily the responsibilities of the prevention and detection of crime, the apprehension of criminals, and the enforcement of the ordinances and policies of the Department of Agriculture and Commerce, a political subdivision of the State of Mississippi. Employees designated as such officers shall be considered law enforcement officers within the meaning of Section 45-6-3.

(3) The identities and personal information of the officers under the authority of this section are confidential and shall not be publicly disclosed by the department. The Department of Agriculture and Commerce shall redact the identities and personal information of officers contracted to serve on the Mississippi State Fairground Complex located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, from all contracts disclosed as public records in compliance with the Mississippi Public Records Act, prescribed under Section 25-61-1 et seq.; and such law enforcement contracts shall not be posted on the Department of Finance and Administration's searchable website, as required by the Mississippi Accountability and Transparency Act, prescribed under Section 27-104-151 et seq.

SECTION 9. Section 39-17-5, Mississippi Code of 1972, is amended as follows:

39-17-5. The Mississippi Sports Hall of Fame and Dizzy Dean Museum shall be funded, in part, by the sale of exclusive rights to market soft drinks at the State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, the Jim Buck Ross Mississippi Agriculture and Forestry Museum and the Mississippi Sports Hall of Fame and Dizzy Dean Museum; however, the sale of such rights for the State Fairgrounds shall include the Mississippi State Fair and the Dixie National Livestock Show and Rodeo and no other event or activity on the State Fairgrounds. The Mississippi Fair Commission and the Mississippi Department of Agriculture and Commerce shall have the authority to enter contracts for the sale of the aforementioned exclusive rights for a term not exceeding twelve (12) years per contract. If bids for the purchase of such rights are

in an amount that is less than the amount needed to construct the Mississippi Sports Hall of Fame and Dizzy Dean Museum, then the Mississippi Fair Commission and the Mississippi Department of Agriculture and Commerce may reject all bids and shall not be obligated to enter into such contracts. Funds so generated shall be deposited in a special, interest-bearing account, in the State Treasury to be administered by the Department of Finance and Administration. The account shall be known as the "Mississippi Sports Hall of Fame and Dizzy Dean Museum Account" and all interest accrued thereon shall be credited to the account. Any funds in the account shall not lapse into the General Fund at the end of the fiscal year but shall remain in the account. Any balance remaining at the end of the project shall be transferred to the operating account of the Mississippi Sports Hall of Fame and Dizzy Dean Museum.

SECTION 10. Section 39-23-3, Mississippi Code of 1972, is amended as follows:

39-23-3. The Mississippi Children's Museum may be located: (a) At the old National Guard Armory located on the Mississippi State Fairgrounds * * * which is located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, after the repair, renovation, furnishing and equipping of such facility by the Department of Finance and Administration as provided for in Sections 16 through 33 of Chapter 535, Laws of 1997, as amended; (b) In such structure and at such location as shall be submitted by the Board of Directors of the Mississippi Children's Museum, a Mississippi nonprofit corporation, to and approved as an appropriate structure and location by the Department of Finance and Administration, after the repair, renovation, furnishing and equipping of such facility by the Department of Finance and Administration as provided in Sections 16 through 33 of Chapter 535, Laws of 1997, as amended; or

(c) In the building, formerly known as the Mississippi Museum of Natural Science, on land located adjacent to the State Fairgrounds in the City of Jackson, County of Hinds, Mississippi, described more specifically as follows:

Starting at the point of intersection of the

North line of Pearl Street and the West line of

Jefferson Street, run Northerly along the West

line of Jefferson Street a distance of 240 feet

to the point of beginning, an iron pin.

Continue Northerly along the West line of

Jefferson Street for a distance of 257.9 feet to

an iron pin; turn left through an angle of 89 degrees -

57 minutes - 14 seconds and run Westerly for a

distance of 278.9 feet to an iron pin on the east

right-of-way line of the G.M. & O. Railroad; turn

left through an angle of 79 degrees - 29 minutes -

30 seconds and run Southerly along the East right-of-way

of the G.M. & O. Railroad (Said line being a curve

to the left with a radius of 2814.93 feet, chord

definition) for a distance of 260.4 feet to an iron

pipe; turn left through an angle of 95 degrees - 12

minutes - 26 seconds and run Easterly and parallel

with the North line of this tract for a distance of

314.7 feet to the point of beginning.

(d) On certain real property owned by the State of Mississippi and held by the Mississippi Department of Agriculture and Commerce, more particularly described as follows:

39 acres lying in the northeast corner of the

intersection of Mississippi 25 and Interstate 55.

(e) At any location in Hinds County as shall be submitted by the Board of Directors of the Mississippi Children's Museum, a Mississippi nonprofit corporation, to the Department of Finance and Administration and approved as an appropriate location by the Department of Finance and Administration.

SECTION 11. Section 39-23-5, Mississippi Code of 1972, is amended as follows:

39-23-5. (1) The Department of Finance and Administration shall proceed with the repair, renovation, furnishing and equipping of the old National Guard Armory on the Mississippi State Fairgrounds, which is located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, or another structure if approved by the Department of Finance and Administration as provided in Section 17 of Chapter 589, Laws of 1999, for its use as a children's museum as soon as practicable.

(2) The Department of Finance and Administration shall proceed with the repair, renovation, furnishing and equipping of the facility at the location described in Section 39-23-3(c) as soon as practicable.

(3) The Department of Finance and Administration shall proceed with the construction, furnishing and equipping of a facility at the location described in Section 39-23-3(d), if the location at such site is approved by the Board of Directors of the Mississippi Children's Museum and the Department of Finance and Administration, as soon as practicable.

(4) The Department of Finance and Administration shall proceed with the construction, furnishing and equipping of a facility at a location selected as provided in Section 39-23-3(e), if the location is approved by the Board of Directors of the Mississippi Children's Museum and the Department of Finance and Administration, as soon as practicable.

SECTION 12. Section 45-1-19, Mississippi Code of 1972, is amended as follows:

45-1-19. (1) The Department of Public Safety, through the Office of Capitol Police, shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi on the properties, from curb to curb, including adjoining streets, sidewalks and leased parking lots within the Capitol Complex, set forth in Section 29-5-2, the Governor's mansion, the Supreme Court Building, the Mississippi Department of Transportation Building and the Public Employees' Retirement System Building, and any property purchased, constructed or otherwise acquired by the State of Mississippi for conducting state business and not specifically under the supervision and care by any other state entity, but which is

reasonably assumed the Department of Public Safety would be responsible for such. The Department of Public Safety shall, through any person or persons appointed by the commissioner, make arrests for any violation of any law of the State of Mississippi on the grounds of or within those properties. The Department of Public Safety shall, in addition, enforce the provisions of this section and Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95, and prescribe such rules and regulations as are necessary therefor. The powers and duties related to the administration of Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95 shall remain with the Department of Finance and Administration.

(2) Subject to the approval of the Board of Trustees of State Institutions of Higher Learning, the Board of Trustees and the Department of Public Safety shall be authorized to enter into a contract for the Department of Public Safety to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi on the property of the Board of Trustees located at the corner of Ridgewood Road and Lakeland Drive in the City of Jackson.

(3) The Department of Public Safety and the Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Department of Agriculture located at 121 North Jefferson Street and the new Farmers Market Building located at the corner of High and Jefferson Streets in the City of Jackson, Hinds County, Mississippi. It is the intent of the Legislature that the Department of Public Safety will not post any security personnel at such buildings, but will provide regular vehicle patrols and responses to security system alarms.

(4) The Department of Public Safety and the Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Department of Agriculture known as the "Mississippi State Fairgrounds Complex" and any and all of its outlying buildings and property located at or around 1207 Mississippi Street, Jackson, Mississippi 39202. The Department of Public Safety and the Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to supply the security personnel to the Department of Agriculture with jurisdiction to enforce all laws of the State of Mississippi on this property and any and all buildings on this property. The Department of Public Safety is authorized to charge the Department of Agriculture a fee for security services provided for special events at the Mississippi State Fairgrounds Complex located at or around 1207 Mississippi Street, Jackson, Mississippi 39202. The fee charged will be commensurate with the cost associated with the Department of Public Safety providing those services.

(5) The Department of Public Safety and the Department of Revenue are authorized to enter into a contract for the Department of Public Safety to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi at the Alcoholic Beverage Control facility and the Department of Revenue main office.

(6) (a) The Department of Public Safety shall have primary jurisdiction relative to any other state or municipal law enforcement agency to enforce all laws of the State of Mississippi within the boundaries of the Capitol Complex Improvement District created in Section 29-5-203; such enforcement shall be its primary function. The Department of Public Safety may, through any person or persons appointed by the Department of Public Safety, make arrests for any violation of any law of the State of Mississippi and violations of the City of Jackson's traffic ordinances or ordinances related to the disturbance of the public peace which occurs within the boundaries of the district and within the boundaries of the City of Jackson. The Department of Public Safety may choose to present cases to either the District Attorney or the prosecuting attorneys designated by the Attorney General for prosecution of any violation of law that accrues or occurs, in whole or in part, within the boundaries established by Section 29-5-203. The jurisdiction of the Department of Public Safety granted under this subsection (6) shall be concurrent with the jurisdiction

of the City of Jackson, Mississippi, and that of Hinds County, Mississippi within the boundaries of the Capitol Complex Improvement District created in Section 29-5-203. At any time and/or during any event necessitating the coordination of and/or utilization at multiple jurisdictions, as determined by the Chief of Capitol Police or the Commissioner of the Department of Public Safety shall be the lead agency when the event occurs on property as defined herein that is owned or leased by the state as provided in subsection (1) of this section. The jurisdiction and authority of the Department of Public Safety under this subsection (6) shall be in addition to any other jurisdiction and authority provided to the department under this section or any other law.

(b) The Department of Public Safety shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi within the boundaries of the City of Jackson, Mississippi. The Department of Public Safety may, through any person or persons appointed by the Department of Public Safety, make arrests for any violation of any law of the State of Mississippi which occurs within the boundaries of the City of Jackson. The jurisdiction of the Department of Public Safety granted under this paragraph (b) shall not be primary and shall be concurrent with the jurisdiction of the City of Jackson, Mississippi, and that of Hinds County, Mississippi.

(c) Written approval from the Chief of the Capitol Police or the Commissioner of the Department of Public Safety shall be required before any event occurs which will take place on any street or sidewalk immediately adjacent to any building or property owned or occupied by any official, agency, board, commission, office or other entity of the State of Mississippi, or which can reasonably be expected to block, impede or otherwise hinder ingress thereto and/or egress therefrom. The Department of Public Safety shall promulgate rules and regulations to effectuate the provisions of this paragraph (c).

(d) The Chief of the Capitol Police and/or the Commissioner of the Department of Public Safety, the Chief of the Jackson Police Department, and the Sheriff of Hinds County shall hold a regular meeting within the boundaries of the Capitol Complex Improvement District to address the concerns of the public. Each meeting shall be called by the Chief of the Capitol Police; and the first meeting shall be called by October 15, 2023.

(7) The Department of Public Safety is authorized to enter into a contract with any county for the county to take custody of the misdemeanor offenders arrested under the authority granted under this section.

(8) All accrued personal leave earned pursuant to Section 25-3-93, accrued major medical leave earned pursuant to Section 25-3-95, accrued state compensatory leave earned pursuant to Section 25-3-92, and compensatory leave earned pursuant to the Fair Labor Standards Act (FLSA) shall transfer from the Department of Finance and Administration to the Department of Public Safety for all employees transferred under this section.

SECTION 13. Section 25-3-25, Mississippi Code of 1972, is amended as follows:

25-3-25. (1) Except as otherwise provided in subsections (2) through (12) of this section, the salaries of sheriffs of the various counties are fixed as full compensation for their services.

The annual salary for each sheriff shall be based upon the total population of his or her county according to the latest federal decennial census in the following categories and for the following amounts; however, no sheriff shall be paid less than the salary authorized under this section to be paid the sheriff based upon the population of the county according to the most recent federal decennial census:

(a) For counties with a total population of more than one hundred thousand (100,000), a salary of One Hundred Four Thousand Dollars ($104,000.00).

(b) For counties with a total population of more than forty-four thousand (44,000) and not more than one hundred thousand (100,000), a salary of Ninety-five Thousand Dollars ($95,000.00).

(c) For counties with a total population of more than thirty thousand (30,000) and not more than forty-four thousand (44,000), a salary of Ninety Thousand Dollars ($90,000.00).

(d) For counties with a total population of more than twelve thousand five hundred (12,500) and not more than thirty thousand (30,000), a salary of Eighty-five Thousand Dollars ($85,000.00).

(e) For counties with a total population of not more than twelve thousand five hundred (12,500), a salary of Eighty Thousand Dollars ($80,000.00).

(2) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Leflore County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars ($10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains a restitution center within the county;

(b) The Mississippi Department of Corrections operates and maintains a community work center within the county;

(c) There is a resident circuit court judge in the county whose office is located at the Leflore County Courthouse;

(d) There is a resident chancery court judge in the county whose office is located at the Leflore County Courthouse;

(e) The Magistrate for the Fourth Circuit Court District is located in the county and maintains his office at the Leflore County Courthouse;

(f) The Region VI Mental Health-Mental Retardation Center, which serves a multicounty area, calls upon the sheriff to provide security for out-of-town mental patients, as well as patients from within the county;

(g) The increased activity of the Child Support Division of the Department of Human Services in enforcing in the courts parental obligations has imposed additional duties on the sheriff; and

(h) The dispatchers of the enhanced E-911 system in place in Leflore County have been placed under the direction and control of the sheriff.

(3) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Rankin County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars ($10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains the Central Mississippi Correctional Facility within the county;

(b) The State Hospital is operated and maintained within the county at Whitfield;

(c) Hudspeth Regional Center, a facility maintained for the care and treatment of persons with an intellectual disability, is located within the county;

(d) The Mississippi Law Enforcement Officers Training Academy is operated and maintained within the county;

(e) The State Fire Academy is operated and maintained within the county;

(f) The Pearl River Valley Water Supply District, ordinarily known as the "Reservoir District," is located within the county;

(g) The Jackson-Medgar Wiley Evers International Airport is located within the county;

(h) The patrolling of the state properties located within the county has imposed additional duties on the sheriff; and

(i) The sheriff, in addition to providing security to the nearly one hundred thousand (100,000) residents of the county, has the duty to investigate, solve and assist in the prosecution of any misdemeanor or felony committed upon any state property located in Rankin County.

(4) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Neshoba County shall pay an annual supplement to the sheriff of the county an amount equal to Ten Thousand Dollars ($10,000.00).

(5) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Tunica County, in its discretion, may pay an annual supplement to the sheriff of the county an amount equal to Ten Thousand Dollars ($10,000.00), payable beginning April 1, 1997.

(6) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Hinds County shall pay an annual supplement to the sheriff of the county in an amount equal to Fifteen Thousand Dollars ($15,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) Hinds County has the greatest population of any county, two hundred fifty-four thousand four hundred forty-one (254,441) by the 1990 census, being almost one hundred thousand (100,000) more than the next most populous county;

(b) Hinds County is home to the State Capitol and the seat of all state government offices;

(c) Hinds County is the third largest county in geographic area, containing eight hundred seventy-five (875) square miles;

(d) Hinds County is comprised of two (2) judicial districts, each having a courthouse and county office buildings;

(e) There are four (4) resident circuit judges, four (4) resident chancery judges, and three (3) resident county judges in Hinds County, the most of any county, with the sheriff acting as chief executive officer and provider of bailiff services for all;

(f) The main offices for the clerk and most of the judges and magistrates for the United States District Court for the Southern District of Mississippi are located within the county;

(g) The state's only urban university, Jackson State University, is located within the county;

(h) The University of Mississippi Medical Center, combining the medical school, dental school, nursing school and hospital, is located within the county;

(i) Mississippi Veterans Memorial Stadium, the state's largest sports arena, is located within the county;

(j) The Mississippi State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, including the Coliseum and Trade Mart, are located within the county;

(k) Hinds County has the largest criminal population in the state, such that the Hinds County Sheriff's Department operates the largest county jail system in the state, housing almost one thousand (1,000) inmates in three (3) separate detention facilities;

(l) The Hinds County Sheriff's Department handles more mental and drug and alcohol commitment cases than any other sheriff's department in the state;

(m) The Mississippi Department of Corrections maintains a restitution center within the county;

(n) The Mississippi Department of Corrections regularly houses as many as one hundred (100) state convicts within the Hinds County jail system; and

(o) The Hinds County Sheriff's Department is regularly asked to provide security services not only at the Fairgrounds and Memorial Stadium, but also for events at the Mississippi Museum of Art and Jackson City Auditorium.

(7) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Wilkinson County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars ($10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county because the Mississippi Department of Corrections contracts for the private incarceration of state inmates at a private correctional facility within the county.

(8) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Marshall County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars ($10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county because the Mississippi Department of Corrections contracts for the private incarceration of state inmates at a private correctional facility within the county.

(9) In addition to the salary provided in subsection (1) of this section, the Board of Supervisors of Greene County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars ($10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains the South Mississippi Correctional Facility within the county;

(b) In 1996, additional facilities to house another one thousand four hundred sixteen (1,416) male offenders were constructed at the South Mississippi Correctional Facility within the county; and

(c) The patrolling of the state properties located within the county has imposed additional duties on the sheriff justifying additional compensation.

(10) In addition to the salary provided in subsection (1) of this section, the board of supervisors of any county, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars ($10,000.00). The amount of the supplement shall be spread on the minutes of the board. The annual supplement authorized in this subsection shall not be in addition to the annual supplements authorized in subsections (2) through (9).

(11) In addition to the salary provided in subsection (1) and the supplements authorized in subsections (2) through (10), the board of supervisors of any county, in its discretion, may pay an annual supplement in an amount not to exceed Five Thousand Dollars ($5,000.00) to the sheriff of any county in which a juvenile detention center is located. The amount of the supplement shall be spread on the minutes of the board.

(12) In addition to the salary provided in subsection (1) of this section and any supplements authorized in subsections (2) through (11) of this section, a sheriff may receive the premium pay provided for in Section 45-2-41 as part of the sheriff's compensation.

(13) (a) The salaries provided in this section shall be payable monthly on the first day of each calendar month by chancery clerk's warrant drawn on the general fund of the county; however, the board of supervisors, by resolution duly adopted and entered on its minutes, may provide that such salaries shall be paid semimonthly on the first and fifteenth day of each month. If a pay date falls on a weekend or legal holiday, salary payments shall be made on the workday immediately preceding the weekend or legal holiday.

(b) At least Ten Dollars ($10.00) from each fee collected and deposited into the county's general fund under the provisions of paragraphs (a), (c) and (g) of subsection (1) of Section 25-7-19 shall be used for the sheriffs' salaries authorized in Section 25-3-25; as such Ten Dollar ($10.00) amount was authorized during the 2007 Regular Session in Chapter 331, Laws of 2007, for the purpose of providing additional monies to the counties for sheriffs' salaries.

(14) (a) All sheriffs, each year, shall attend twenty (20) hours of continuing education courses in law enforcement. Such courses shall be approved by the Mississippi Board on Law Enforcement Officer Standards and Training. Such education courses may be provided by an accredited law enforcement academy or by the Mississippi Sheriffs' Association.

(b) The Mississippi Board on Law Enforcement Officer Standards and Training shall reimburse each county for the expenses incurred by sheriffs and deputy sheriffs for attendance at any approved training programs as required by this subsection.

SECTION 14. Section 29-5-81, Mississippi Code of 1972, is amended as follows:

29-5-81. Grounds of public buildings over which the Department of Finance and Administration has jurisdiction shall comprise the following:

(a) In the City of Jackson, Mississippi:

(i) The grounds surrounding all state buildings identified in Section 29-5-2(a)(i) and all seats of government property;

(ii) State Board of Health Complex: Bounded on the north by Stadium Drive, on the west by the property of Mississippi Hospital and Medical Service, on the south by Woodrow Wilson Avenue, on the southeast by property leased by the Mississippi Federation of Women's Clubs and on the east by North State Street;

(iii) The Barefield Property, the Sun-n-Sand Property and any other property described in Section 1 of Chapter 542, Laws of 2009;

(iv) The Mississippi State Fairgrounds Complex located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, including, but not limited to, the Mississippi Coliseum, Trademart, Kirk Fordice Equine Center, Mississippi Street Armory, and all arenas, barns, buildings, campgrounds and property whatsoever; such property being bounded on the north by High Street, on the west by Jefferson Street, on the east by Greymont Street, and on the south by Greymont Street.

(b) The grounds of Dr. Eldon Langston Bolton Building: Located in the City of Biloxi, Mississippi.

(c) The grounds of State Service Center: Located at the intersection of U.S. Highway 49 and John Merl Tatum Industrial Drive in the City of Hattiesburg, Mississippi.

(d) Any grounds of any property purchased, constructed or otherwise acquired by the State of Mississippi for conducting state business and not specifically under the supervision and care by any other state entity, but which is reasonably assumed the department would be responsible for such, as approved by the Public Procurement Review Board, including, but not limited to:

* * *(i) The grounds of the National Aeronautics and Space Administration (NASA) Shared Services Center and Lockheed Martin Building at Stennis Space Center;

* * *(ii) The grounds of the Mississippi Sports Hall of Fame;

* * *(iii) The grounds of the Mississippi Crafts Center;

* * *(iv) The grounds of the Mississippi Children's Museum; and

* * *(v) The grounds of the Mississippi Arts and Entertainment Center.

SECTION 15. Section 27-19-56.489, Mississippi Code of 1972, is amended as follows:

27-19-56.489. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for each motor vehicle registered in his name, which shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Fair Commission, may prescribe. The words "Dixie National Livestock Show and Rodeo" shall be featured prominently on the license tag. The Department of Revenue shall prescribe such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars ($2.00) to be retained by the tax collector, shall be remitted to the Department of

Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2019, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars ($30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he or she must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify the total fees collected under this section to the State Treasurer who shall distribute such collections as follows:

(a) Twenty-four Dollars ($24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the special fund created in subsection (7) of this section.

(b) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars ($2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars ($10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular and distinctive license tags issued under this section.

(7) There is established in the State Treasury a special fund which shall consist of monies deposited therein under subsection (4) of this section. Monies in the fund may be expended by the Mississippi Fair Commission, upon appropriation by the Legislature, for the benefit and use of the State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

SECTION 16. Section 29-5-2, Mississippi Code of 1972, is amended as follows:

29-5-2. The duties of the Department of Finance and Administration shall be as follows:

(a) (i) To exercise general supervision and care over and keep in good condition the following state property located in the City of Jackson: the New State Capitol Building, the Woolfolk State Office Building and Parking Garage, the Carroll Gartin Justice Building, the Walter Sillers Office Building and Parking Garage, the War Veterans' Memorial Building, the Charlotte Capers Building, the William F. Winter Archives and History Building, the Mississippi Museum Complex, the Gulf, Mobile and Ohio Train Depot (GM&O Depot), the Old State Capitol Building, the Governor's Mansion, the Heber Ladner Building, the Robert E. Lee Office Building, the Robert E. Lee Parking Garage, the former Naval Reserve Center, 515 East Amite Street, 620 North Street, 660 North Street, 700 North State Street, 350 High Street, 401 North Lamar Street, 455 North Lamar Street, the State Records Center, the Robert G. Clark, Jr. Building, the Mississippi State Fairgrounds Complex, located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, the former Central High Building, the Mississippi Workers' Compensation Commission Office Building, as well as all state-owned or leased buildings situated on seat of government property.

(ii) To exercise general supervision and care over and keep in good condition the Dr. Eldon Langston Bolton Building located in Biloxi, Mississippi.

(iii) To exercise general supervision and care over and keep in good condition the State Service Center, located at the intersection of U.S. Highway 49 and John Merl Tatum Industrial Drive in Hattiesburg, Mississippi.

(iv) To exercise general supervision and care over and keep in good condition any property purchased, constructed or otherwise acquired by the State of Mississippi for conducting state business and not specifically under the supervision and care * * * of any other state entity, but which is reasonably assumed the department would be responsible for such, as approved by the Public Procurement Review Board, including, but not limited to:

1. The National Aeronautics and Space Administration (NASA) Shared Services Center and Lockheed Martin Building at Stennis Space Center;

2. The Mississippi Sports Hall of Fame;

3. The Mississippi Crafts Center;

4. The Mississippi Children's Museum; and

5. The Mississippi Arts and Entertainment Center.

(b) To assign suitable office space for the various state departments, officers and employees who are provided with an office in any of the buildings under the jurisdiction or control of the Department of Finance and Administration. However, the assignment of space in the New Capitol Building shall be designated by duly passed resolution of the combined Senate Rules Committee and the House Management Committee, meeting as a joint committee, approved by the Lieutenant Governor and Speaker of the House of Representatives. A majority vote of the members of the Senate Rules Committee and a majority vote of the members of the House Management Committee shall be required on all actions taken, resolutions or reports adopted, and all other matters considered by the full combined committee on occasions when the Senate Rules Committee and the House Management Committee shall meet as a full combined committee.

(c) To approve or disapprove with the concurrence of the Public Procurement Review Board, any lease or rental agreements by any state agency or department, including any state agency financed entirely by federal and special funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration, including space necessary for parking to be used by state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building. In no event shall any employee, officer, department, federally funded agency or bureau of the state be authorized to enter into a lease or rental agreement without prior approval of the Department of Finance and Administration and the Public Procurement Review Board.

The Department of Finance and Administration is authorized to use architects, engineers, building inspectors and other personnel for the purpose of making inspections as may be deemed necessary in carrying out its duties and maintaining the facilities.

This section is not intended to apply to locations for which the Department of Finance and Administration has decided to solicit proposals in accordance with subsection (e) of this section.

(d) To acquire by lease, lease-purchase agreement, or otherwise, as provided in Section 27-104-107, and to assign through the Office of General Services, by lease or sublease agreement from the office, and with the concurrence of the Public Procurement Review Board, to any state agency or department, including any state agency financed entirely by federal and special funds, appropriate office space in the buildings acquired.

(e) To solicit and approve or disapprove, notwithstanding any rule of law to the contrary, and with the concurrence of the Public Procurement Review Board, any lease, use or rental agreement for a charge or other consideration for space not exceeding three thousand (3,000) square feet in any individual building listed in subsection (a) of this section, with a private entry who will provide food and/or catering services for state employees, visitors and the general public.

The department shall select the entity using a competitive process which shall be publicly advertised. In addition to satisfying any other requirements for the Public Procurement Review Board's approval, the department must demonstrate that any agreement entered into under this section will neither result in a net cost to the state, nor impair or impede the function of state agencies at such location.

SECTION 17. Section 27-104-7, Mississippi Code of 1972, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars ($1,000,000.00) in the source's business, whichever is smaller. No member shall be an officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(d) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(e) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including the adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:

(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board. The information shall be provided sufficiently in advance of the time the space is needed to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

(i) Black: having origins in any of the black racial groups of Africa;

(ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;

(iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;

(iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or

(v) Female;

(e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;

(f) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, promulgate rules and regulations governing the solicitation and selection of contractual services personnel, including personal and professional services contracts for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of:

1. Any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c);

2. Any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services;

3. Any personal service contracts entered into by the individual state institutions of higher learning;

4. Any personal service contracts entered into by the Mississippi Department of Transportation;

5. Any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department of Human Services determines would be useful in establishing and operating the Department of Child Protection Services;

6. Any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019;

7. Any contracts for entertainers and/or performers at the Mississippi State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, entered into by the Mississippi Fair Commission;

8. Any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services;

9. Any contract entered into by the Department of Public Safety for service on specialized equipment and/or software required for the operation of such specialized equipment for use by the Office of Forensics Laboratories;

10. Any personal or professional service contract entered into by the Mississippi Department of Health or the Department of Revenue solely in connection with their respective responsibilities under the Mississippi Medical Cannabis Act from February 2, 2022, through June 30, 2026;

11. Any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, or utility rate expert services;

12. Any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022;

13. Any personal or professional services contract entered into by the State Department of Health in carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program through June 30, 2026; and

14. And any personal or professional services contract entered into by the Mississippi Department of Environmental Quality in carrying out its responsibilities under the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022, through June 30, 2026.

Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may

propose shall be submitted to the Chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act.

(ii) From and after July 1, 2024, the Public Procurement Review Board shall promulgate rules and regulations that require the Department of Finance and Administration to conduct personal and professional services solicitations as provided in subparagraph (i) of this paragraph for those services in excess of Seventy-five Thousand Dollars ($75,000.00) for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority, with assistance to be provided from these entities. Any powers that have been conferred upon agencies in order to comply with the provisions of this section for personal and professional services solicitations shall be conferred upon the Department of Finance and Administration to conduct personal and professional services solicitations for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority for those services in excess of Seventy-five Thousand Dollars ($75,000.00). The Department of Finance and Administration shall make any submissions that are required to be made by other agencies to the Public Procurement Review Board for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority.

The provisions of this subparagraph (ii) shall stand repealed on June 30, 2027;

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars ($75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection (2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the procurements are made from other governmental entities, the private sector need not be solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed,

contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;

(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;

2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;

3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;

4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and

5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (o) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published

the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review or approval, the Public Procurement Review Board shall clearly set out the reasons for its action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1) source. A memorandum shall accompany the request form and address the following four (4) points:

(a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;

(b) Explanation of why this vendor is the only practicably available source from which to obtain this service;

(c) Explanation of why the price is considered reasonable; and

(d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise, the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts. Nothing in this section shall impair or limit the authority of the State Treasurer to enter into any personal or professional services contracts involving the management of trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

(9) Through December 31, 2024, the provisions of this section related to rental agreements or leasing of real property for the purpose of conducting agency business shall not apply to the Office of Workforce Development created in Section 37-153-7.

SECTION 18. Section 27-65-75, Mississippi Code of 1972, is amended as follows:

27-65-75. On or before the fifteenth day of each month, the revenue collected under the provisions of this chapter during the preceding month shall be paid and distributed as follows:

(1) (a) On or before August 15, 1992, and each succeeding month thereafter through July 15, 1993, eighteen percent (18%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. Except as otherwise provided in this paragraph (a), on or before August 15, 1993, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. However, in the event the State Auditor issues a certificate of noncompliance pursuant to Section 21-35-31, the Department of Revenue shall withhold ten percent (10%) of the allocations and payments to the

municipality that would otherwise be payable to the municipality under this paragraph (a) until such time that the department receives written notice of the cancellation of a certificate of noncompliance from the State Auditor.

A municipal corporation, for the purpose of distributing the tax under this subsection, shall mean and include all incorporated cities, towns and villages.

Monies allocated for distribution and credited to a municipal corporation under this paragraph may be pledged as security for a loan if the distribution received by the municipal corporation is otherwise authorized or required by law to be pledged as security for such a loan.

In any county having a county seat that is not an incorporated municipality, the distribution provided under this subsection shall be made as though the county seat was an incorporated municipality; however, the distribution to the municipality shall be paid to the county treasury in which the municipality is located, and those funds shall be used for road, bridge and street construction or maintenance in the county.

(b) On or before August 15, 2006, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college.

(c) On or before August 15, 2018, and each succeeding month thereafter until August 14, 2019, two percent (2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2019, and each succeeding month thereafter until August 14, 2020, four percent (4%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2020, and each succeeding month thereafter through July 15, 2023, six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2023, and each succeeding month thereafter, nine percent (9%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215.

(d) (i) On or before the fifteenth day of the month that the diversion authorized by this section begins, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a redevelopment project area developed under a redevelopment plan adopted under the

Tax Increment Financing Act (Section 21-45-1 et seq.) shall be allocated for distribution to the county in which the project area is located if:

1. The county:

a. Borders on the Mississippi Sound and the State of Alabama * * *; or

b. Is Harrison County, Mississippi, and the project area is within a radius of two (2) miles from the intersection of Interstate 10 and Menge Avenue;

2. The county has issued bonds under Section 21-45-9 to finance all or a portion of a redevelopment project in the redevelopment project area;

3. Any debt service for the indebtedness incurred is outstanding; and

4. A development with a value of Ten Million Dollars ($10,000,000.00) or more is, or will be, located in the redevelopment area.

(ii) Before any sales tax revenue may be allocated for distribution to a county under this paragraph, the county shall certify to the Department of Revenue that the requirements of this paragraph have been met, the amount of bonded indebtedness that has been incurred by the county for the redevelopment project and the expected date the indebtedness incurred by the county will be satisfied.

(iii) The diversion of sales tax revenue authorized by this paragraph shall begin the month following the month in which the Department of Revenue determines that the requirements of this paragraph have been met. The diversion shall end the month the indebtedness incurred by the county is satisfied. All revenue received by the county under this paragraph shall be deposited in the fund required to be created in the tax increment financing plan under Section 21-45-11 and be utilized solely to satisfy the indebtedness incurred by the county.

(2) On or before September 15, 1987, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, One Million One Hundred Twenty-five Thousand Dollars ($1,125,000.00) shall be allocated for distribution to municipal corporations as defined under subsection (1) of this section in the proportion that the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each such municipality during the preceding fiscal year bears to the total gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in municipalities statewide during the preceding fiscal year. The Department of Revenue shall require all distributors of gasoline and diesel fuel to report to the department monthly the total number of gallons of gasoline and diesel fuel sold by them to consumers and retailers in each municipality during the preceding month. The Department of Revenue shall have the authority to promulgate such rules and regulations as is necessary to determine the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each municipality. In determining the percentage allocation of funds under this subsection for the fiscal year beginning July 1, 1987, and ending June 30, 1988, the Department of Revenue may consider gallons of gasoline and diesel fuel sold for a period of less than one (1) fiscal year. For the purposes of this subsection, the term "fiscal year" means the fiscal year beginning July 1 of a year.

(3) On or before September 15, 1987, and on or before the fifteenth day of each succeeding month, until the date specified in Section 65-39-35, the proceeds derived from contractors' taxes levied under Section 27-65-21 on contracts for the construction or reconstruction of highways designated under the highway program created under Section 65-3-97 shall, except as otherwise provided in Section 31-17-127, be deposited into the State Treasury to the credit of the State Highway Fund to be used to fund that highway

program. The Mississippi Department of Transportation shall provide to the Department of Revenue such information as is necessary to determine the amount of proceeds to be distributed under this subsection.

(4) On or before August 15, 1994, and on or before the fifteenth day of each succeeding month through July 15, 1999, from the proceeds of gasoline, diesel fuel or kerosene taxes as provided in Section 27-5-101(a)(ii)1, Four Million Dollars ($4,000,000.00) shall be deposited in the State Treasury to the credit of a special fund designated as the "State Aid Road Fund," created by Section 65-9-17. On or before August 15, 1999, and on or before the fifteenth day of each succeeding month, from the total amount of the proceeds of gasoline, diesel fuel or kerosene taxes apportioned by Section 27-5-101(a)(ii)1, Four Million Dollars ($4,000,000.00) or an amount equal to twenty-three and one-fourth percent (23-1/4%) of those funds, whichever is the greater amount, shall be deposited in the State Treasury to the credit of the "State Aid Road Fund," created by Section 65-9-17. Those funds shall be pledged to pay the principal of and interest on state aid road bonds heretofore issued under Sections 19-9-51 through 19-9-77, in lieu of and in substitution for the funds previously allocated to counties under this section. Those funds may not be pledged for the payment of any state aid road bonds issued after April 1, 1981; however, this prohibition against the pledging of any such funds for the payment of bonds shall not apply to any bonds for which intent to issue those bonds has been published for the first time, as provided by law before March 29, 1981. From the amount of taxes paid into the special fund under this subsection and subsection (9) of this section, there shall be first deducted and paid the amount necessary to pay the expenses of the Office of State Aid Road Construction, as authorized by the Legislature for all other general and special fund agencies. The remainder of the fund shall be allocated monthly to the several counties in accordance with the following formula:

(a) One-third (1/3) shall be allocated to all counties in equal shares;

(b) One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state; and

(c) One-third (1/3) shall be allocated to counties based on the proportion that the rural population of the county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

For the purposes of this subsection, the term "gasoline, diesel fuel or kerosene taxes" means such taxes as defined in paragraph (f) of Section 27-5-101.

The amount of funds allocated to any county under this subsection for any fiscal year after fiscal year 1994 shall not be less than the amount allocated to the county for fiscal year 1994.

Any reference in the general laws of this state or the Mississippi Code of 1972 to Section 27-5-105 shall mean and be construed to refer and apply to subsection (4) of Section 27-65-75.

(5) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars ($1,666,666.00) each month shall be paid into the special fund known as the "Educational Facilities Revolving Loan Fund" created and existing under the provisions of Section 37-47-24. Those payments into that fund are to be made on the last day of each succeeding month hereafter. This subsection (5) shall stand repealed on July 1, 2026.

(6) An amount each month beginning August 15, 1983, through November 15, 1986, as specified in Section 6, Chapter 542, Laws of 1983, shall be paid into the special fund known as the Correctional Facilities Construction Fund created in Section 6, Chapter 542, Laws of 1983.

(7) On or before August 15, 1992, and each succeeding month thereafter through July 15, 2000, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited by the department into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars ($42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars ($42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(8) On or before August 15, 1992, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(9) On or before August 15, 1994, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, Two Hundred Fifty Thousand Dollars ($250,000.00) shall be paid into the State Aid Road Fund.

(10) On or before August 15, 1994, and each succeeding month thereafter through August 15, 1995, from the revenue collected under this chapter during the preceding month, Two Million Dollars ($2,000,000.00) shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(11) Notwithstanding any other provision of this section to the contrary, on or before February 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(12) Notwithstanding any other provision of this section to the contrary, on or before August 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1) on retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101 and the corresponding levy in Section 27-65-23 on the rental or lease of these vehicles, shall be deposited, after diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(13) On or before July 15, 1994, and on or before the fifteenth day of each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-22 that is derived from activities held on the Mississippi State Fairgrounds Complex located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, shall be paid into a special fund that is created in the State Treasury and shall be expended upon legislative appropriation solely to defray the costs of repairs and renovation at the Trade Mart and Coliseum.

(14) On or before August 15, 1998, and each succeeding month thereafter through July 15, 2005, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise

be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars ($2,000,000.00) into the special fund created under Section 69-37-39. On or before August 15, 2007, and each succeeding month thereafter through July 15, 2010, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars ($2,000,000.00) into the special fund created under Section 69-37-39 until all debts or other obligations incurred by the Certified Cotton Growers Organization under the Mississippi Boll Weevil Management Act before January 1, 2007, are satisfied in full. On or before August 15, 2010, and each succeeding month thereafter through July 15, 2011, fifty percent (50%) of that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars ($1,000,000.00). On or before August 15, 2011, and each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars ($1,000,000.00).

(15) Notwithstanding any other provision of this section to the contrary, on or before September 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited, without diversion, into the Telecommunications Ad Valorem Tax Reduction Fund established in Section 27-38-7.

(16) (a) On or before August 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a project as defined in Section 57-30-1 shall be deposited, after all diversions except the diversion provided for in subsection (1) of this section, into the Sales Tax Incentive Fund created in Section 57-30-3.

(b) On or before August 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-26-1 through 57-26-5, shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Project Sales Tax Incentive Fund created in Section 57-26-3.

(17) Notwithstanding any other provision of this section to the contrary, on or before April 15, 2002, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under Section 27-65-23 on sales of parking services of parking garages and lots at airports shall be deposited, without diversion, into the special fund created under Section 27-5-101(d).

(18) [Repealed]

(19) (a) On or before August 15, 2005, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and the revenue collected on the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall, except as otherwise provided in this subsection (19), be deposited, after all diversions, into the Redevelopment Project Incentive Fund as created in Section 57-91-9.

(b) For a municipality participating in the Economic Redevelopment Act created in Sections 57-91-1 through 57-91-11, the diversion provided for in subsection (1) of this section attributable to the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and attributable to the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall be deposited into the Redevelopment Project Incentive Fund as created in Section 57-91-9, as follows:

(i) For the first six (6) years in which payments are made to a developer from the Redevelopment Project Incentive Fund, one hundred percent (100%) of the diversion shall be deposited into the fund;

(ii) For the seventh year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, eighty percent (80%) of the diversion shall be deposited into the fund;

(iii) For the eighth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, seventy percent (70%) of the diversion shall be deposited into the fund;

(iv) For the ninth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, sixty percent (60%) of the diversion shall be deposited into the fund; and

(v) For the tenth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, fifty percent (50%) of the funds shall be deposited into the fund.

(20) On or before January 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-28-1 through 57-28-5 shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Sales Tax Incentive Fund created in Section 57-28-3.

(21) (a) On or before April 15, 2007, and each succeeding month thereafter through June 15, 2013, One Hundred Fifty Thousand Dollars ($150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the MMEIA Tax Incentive Fund created in Section 57-101-3.

(b) On or before July 15, 2013, and each succeeding month thereafter, One Hundred Fifty Thousand Dollars ($150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the Mississippi Development Authority Job Training Grant Fund created in Section 57-1-451.

(22) On or before June 1, 2024, and each succeeding month thereafter until December 31, 2057, an amount determined annually by the Mississippi Development Authority of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the MMEIA Tax Incentive Fund created in Section 18 of * * * Senate Bill No. 2001, 2024 Second Extraordinary Session. This amount shall be based on estimated payments due within the upcoming year to construction contractors pursuant to construction contracts subject to the tax imposed by Section 27-65-21 for construction to be performed on the project site of a project defined under Section 57-75-5(f)(xxxiii) for the coming year.

(23) Notwithstanding any other provision of this section to the contrary, on or before August 15, 2009, and each succeeding month thereafter, the sales tax revenue collected

during the preceding month under the provisions of Section 27-65-201 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(24) (a) On or before August 15, 2019, and each month thereafter through July 15, 2020, one percent (1%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2020, and each month thereafter through July 15, 2021, two percent (2%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2021, and each month thereafter, three percent (3%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. The revenue diverted pursuant to this subsection shall not be available for expenditure until February 1, 2020.

(b) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) must provide an annual report to the Legislature indicating the amount of funds deposited into the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, and a detailed record of how the funds are spent.

(25) The remainder of the amounts collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the General Fund.

(26) (a) It shall be the duty of the municipal officials of any municipality that expands its limits, or of any community that incorporates as a municipality, to notify the commissioner of that action thirty (30) days before the effective date. Failure to so notify the commissioner shall cause the municipality to forfeit the revenue that it would have been entitled to receive during this period of time when the commissioner had no knowledge of the action.

(b) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, if any funds have been erroneously disbursed to any municipality or any overpayment of tax is recovered by the taxpayer, the commissioner may make correction and adjust the error or overpayment with the municipality by withholding the necessary funds from any later payment to be made to the municipality.

(ii) Subject to the provisions of Sections 27-65-51 and 27-65-53, if any funds have been erroneously disbursed to a municipality under subsection (1) of this section for a period of three (3) years or more, the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of three (3) years beginning with the date of the first erroneous disbursement. However, if during such period, a municipality provides written notice to the Department of Revenue indicating the erroneous disbursement of funds, then the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of one (1) year beginning with the date of the first erroneous disbursement.

SECTION 19. Section 2 of this act shall take effect and be in force upon passage. The remaining sections of this act shall take effect and be in force from and after July 1, 2024.

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

Amendment No. 1 to S. B. No. 2631 was adopted.

YEAS AND NAYS On S. B. No. 2631. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, Hill, Seymour. Total--3.

Absent and those not voting----None.

Voting Present--Berry. Total--1.

Unanimous consent was granted to add Senator Blount as co-author of **S. B. No. 2631**.

Senator Branning moved that the rules be suspended to move to calendar item 42, **S. B. No. 2645**, and the motion prevailed.

Senator Branning called up the following entitled bill:

S. B. No. 2645: Mississippi Department of Transportation; design-build requirement revisions.

On motion of Senator Branning, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2645. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Parker and McLendon as co-authors of **S. B. No. 2645**.

Senator Harkins moved that the rules be suspended to move to calendar item 5, **S. B. No. 2853**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

S. B. No. 2853: Mississippi Alcoholic Beverage Corporation; create.

On motion of Senator Johnson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2853. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--Blount, Branning, Chism, Frazier, Hill, Parker, Seymour, Tate. Total--8.

Absent and those not voting----None.

Senator McLendon entered a motion to reconsider the vote whereby **S. B. No. 2729** passed the Senate.

S. B. No. 2729: Rural Physician Scholarship Program and Rural Dentist Scholarship Program; bring forward provisions related thereto.

Senators Hopson, Horhn and Butler moved that when the Senate adjourns, it adjourn in memory of Alderman Michael A. Mayfield, Sr. of Vicksburg, MS.

Senator Barnett moved that when the Senate adjourns, it adjourn in memory of J. K. Lovett of Oak Bowery, MS.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 753: AN ACT TO REENACT SECTIONS 73-7-1 THROUGH 73-7-37, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF COSMETOLOGY AND PRESCRIBE ITS DUTIES AND POWERS; TO AMEND SECTION 73-7-63, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE REENACTED SECTIONS; AND FOR RELATED PURPOSES.

H. B. No. 773: AN ACT TO AMEND SECTION 25-3-31, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE AUTHORITY TO EXCEED THE STATUTORY SALARY CAP FOR CERTAIN PROFESSIONALS EMPLOYED BY AN ELECTED STATE OR DISTRICT OFFICER; AND FOR RELATED PURPOSES.

H. B. No. 1103: AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE GOVERNING AUTHORITIES OF CERTAIN

MUNICIPALITIES THAT ARE DESIGNATED AS QUALIFIED RESORT AREAS UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW TO SPECIFY THE HOURS OF OPERATION OF FACILITIES OFFERING ALCOHOLIC BEVERAGES FOR SALE, TO SPECIFY THE PERCENTAGE OF REVENUE THAT FACILITIES OFFERING ALCOHOLIC BEVERAGES FOR SALE MUST DERIVE FROM THE PREPARATION, COOKING AND SERVING OF MEALS AND NOT FROM THE SALE OF BEVERAGES, AND TO DESIGNATE THE AREAS IN WHICH FACILITIES OFFERING ALCOHOLIC BEVERAGES FOR SALE MAY BE LOCATED; AND FOR RELATED PURPOSES.

H. B. No. 1697: AN ACT TO AUTHORIZE MUNICIPALITIES, COUNTIES, STATE AGENCIES, BOARDS OR COMMISSIONS, AND PUBLIC UNIVERSITIES AND COLLEGES TO ADOPT POLICIES UNDER WHICH THEY ARE AUTHORIZED TO PAY, FOR UP TO 30 DAYS, THE FULL REGULAR COMPENSATION OF ANY LAW ENFORCEMENT OFFICER, FIREFIGHTER OR EMERGENCY MEDICAL TECHNICIAN WHO PROTECTS THE PUBLIC INTEREST OF THE MUNICIPALITY OR COUNTY AND WHO IS KILLED IN THE LINE OF DUTY; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 124: AN ACT TO AMEND SECTION 3-3-7, MISSISSIPPI CODE OF 1972, TO DESIGNATE THE FOURTH THURSDAY OF MARCH AS TUSKEGEE AIRMEN DAY IN MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 365: AN ACT TO AMEND SECTION 3-3-7, MISSISSIPPI CODE OF 1972, TO DESIGNATE THE MONTH OF MARCH EACH YEAR AS "MISSISSIPPI MUSICIANS MONTH"; AND FOR RELATED PURPOSES.

David Jordan, Chairman

Senator Polk moved that the Senate adjourn until 10:00 AM, Wednesday, March 13, 2024.

The motion prevailed, and at 7:32 PM, the Senate stood adjourned in memory of Alderman Michael A. Mayfield, Sr. and J. K. Lovett.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, MARCH 12, 2024

S. B. No. 3006: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES FOR FISCAL YEAR 2025.

By Senator(s) Hopson, Polk, Parks, Butler, DeBar, DeLano

S. B. No. 3007: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT

UNIVERSITIES' DESIGNATED INSTITUTES, LABORATORIES AND PROGRAMS FOR WHICH THEY ARE RESPONSIBLE AND THE EXECUTIVE OFFICE OF THE BOARD OF TRUSTEES FOR FISCAL YEAR 2025; AND FOR RELATED PURPOSES.
By Senator(s) Hopson, Polk, Parks, Butler, DeBar, DeLano

S. B. No. 3008: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE ALCORN STATE UNIVERSITY AGRICULTURAL RESEARCH, EXTENSION AND LAND-GRANT PROGRAMS FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Parks, Butler, DeBar, DeLano

S. B. No. 3009: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI AGRICULTURAL AND FORESTRY EXPERIMENT STATION FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Parks, Butler, DeBar, DeLano

S. B. No. 3010: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Parks, Butler, DeBar, DeLano

S. B. No. 3011: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES INCURRED IN THE MAINTENANCE AND OPERATION OF THE FOREST AND WILDLIFE RESEARCH CENTER FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Parks, Butler, DeBar, DeLano

S. B. No. 3012: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE COLLEGE OF VETERINARY MEDICINE AT MISSISSIPPI STATE UNIVERSITY FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Parks, Butler, DeBar, DeLano

S. B. No. 3013: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE SUPPORT AND MAINTENANCE OF FINANCIAL AID SCHOLARSHIP, LOAN AND GRANT PROGRAMS AND THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID, FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Parks, Butler, DeBar, DeLano

S. B. No. 3014: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Parks, Butler, DeBar, DeLano

S. B. No. 3015: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE MISSISSIPPI COMMUNITY COLLEGE BOARD FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Frazier, Branning, Parker, Robinson

S. B. No. 3016: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE AID AND SUPPORT OF THE PUBLIC COMMUNITY AND JUNIOR COLLEGES OF THE STATE OF MISSISSIPPI FOR FISCAL YEAR 2025.

By Senator(s) Hopson, Polk, Frazier, Branning, Parker, Robinson

S. B. No. 3017: Appropriations
AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Frazier, Branning, Parker, Robinson

S. B. No. 3018: Appropriations
AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI ETHICS COMMISSION FOR THE FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Wiggins, DeBar, Hickman, Norwood

S. B. No. 3019: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE COMMISSION ON JUDICIAL PERFORMANCE OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Wiggins, DeBar, Hickman, Norwood

S. B. No. 3020: Appropriations
AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Wiggins, DeBar, Hickman, Norwood

S. B. No. 3021: Appropriations
AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Hill, Butler, Frazier

S. B. No. 3022: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE OFFICE OF STATE AID ROAD CONSTRUCTION OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Branning, Jackson, Thompson, Williams

S. B. No. 3023: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY FOR THE PURPOSES ENUMERATED IN SECTION 51-27-1, MISSISSIPPI CODE OF 1972, FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Branning, Jackson, Thompson, Williams

S. B. No. 3024: Appropriations
AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE STATE BOARD OF ARCHITECTURE AND LANDSCAPE ARCHITECTURE ADVISORY COMMITTEE FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Norwood, Hickman, Hill, Tate

S. B. No. 3025: Appropriations
AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE STATE BOARD OF FUNERAL SERVICES FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Norwood, Hickman, Hill, Tate

S. B. No. 3026: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF REGISTERED PROFESSIONAL GEOLOGISTS FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Norwood, Hickman, Hill, Tate

S. B. No. 3027: Appropriations
AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF MASSAGE THERAPY, FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Norwood, Hickman, Hill, Tate

S. B. No. 3028: Appropriations
AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI MOTOR VEHICLE COMMISSION FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Norwood, Hickman, Hill, Tate

S. B. No. 3029: Appropriations
AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF EXAMINERS FOR LICENSED PROFESSIONAL COUNSELORS FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Norwood, Hickman, Hill, Tate

S. B. No. 3030: Appropriations
AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Norwood, Hickman, Hill, Tate

S. B. No. 3031: Appropriations
AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC CONTRACTORS FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Norwood, Hickman, Hill, Tate

S. B. No. 3032: Appropriations
AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF VETERINARY EXAMINERS FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Norwood, Hickman, Hill, Tate

S. B. No. 3033: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI STATE BOARD OF CHIROPRACTIC EXAMINERS FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Parker, Butler, McLendon, Michel

S. B. No. 3034: Appropriations
AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO THE MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Parker, Butler, McLendon, Michel

S. B. No. 3035: Appropriations
AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHARMACY FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Parker, Butler, McLendon, Michel

S. B. No. 3036: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, DeLano, Barnett, McCaughn, McLendon

S. B. No. 3037: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DIXIE NATIONAL LIVESTOCK SHOW; A ROUNDUP FOR JUNIOR EXHIBITORS OF LIVESTOCK AND GOATS; SUPPLEMENTAL FUNDS FOR LIVESTOCK PREMIUMS; COUNTY LIVESTOCK SHOWS IN OFFERING AND PAYING PRIZES OR AWARDS TO COMPETITORS IN APPROVED COUNTY LIVESTOCK SHOWS; THE FIVE DISTRICT LIVESTOCK SHOWS; THE FIVE STATE DAIRY SHOWS; THE MISSISSIPPI HIGH SCHOOL RODEO; AND TO PROVIDE HOW SAID MONEY SHALL BE PAID OUT OF THE STATE TREASURY FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, DeLano, Barnett, McCaughn, McLendon

S. B. No. 3038: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI BOARD OF ANIMAL HEALTH FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, DeLano, Barnett, McCaughn, McLendon

S. B. No. 3039: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, DeLano, Barnett, McCaughn, McLendon

S. B. No. 3040: Appropriations
AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY, AND FOR THE PURPOSE OF ESTABLISHING A DISASTER RELIEF RESERVE FUND AND DEFRAYING THE COSTS RELATED TO CERTAIN DISASTER ASSISTANCE PROGRAMS FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, DeLano, Barnett, McCaughn, McLendon

S. B. No. 3041: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI GAMING COMMISSION FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Williams, Michel, Seymour, Tate

S. B. No. 3042: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Williams, Michel, Seymour, Tate

S. B. No. 3043: Appropriations
AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE PERSONNEL BOARD FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Williams, Michel, Seymour, Tate

S. B. No. 3044: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Williams, Michel, Seymour, Tate

S. B. No. 3045: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE VETERANS AFFAIRS BOARD AND THE MISSISSIPPI STATE VETERANS HOMES FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Williams, Michel, Seymour, Tate

S. B. No. 3046: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Michel, Turner-Ford, Wiggins

S. B. No. 3047: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF REVENUE, INCLUDING THE HOMESTEAD EXEMPTION DIVISION, THE MOTOR VEHICLE COMPTROLLER FUNCTIONS, THE ALCOHOLIC BEVERAGE CONTROL DIVISION LIQUOR DISTRIBUTION CENTER, THE ENFORCEMENT DIVISION, AND FOR THE PURPOSE OF REIMBURSING THE COUNTIES, COUNTY DISTRICTS AND MUNICIPAL SEPARATE SCHOOL DISTRICTS FOR TAX LOSSES INCURRED BY REASON OF THE EXEMPTION OF HOMES FROM CERTAIN AD VALOREM TAXES, AND FOR THE PURPOSE OF PURCHASING MOTOR VEHICLE LICENSE TAGS FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Michel, Turner-Ford, Wiggins

S. B. No. 3048: Appropriations
AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Michel, Turner-Ford, Wiggins

S. B. No. 3049: Appropriations
AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE BOARD OF TAX APPEALS FOR THE FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Michel, Turner-Ford, Wiggins

S. B. No. 3050: Appropriations
AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Michel, Turner-Ford, Wiggins

S. B. No. 3051: Appropriations
AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE TREASURER'S OFFICE FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Michel, Turner-Ford, Wiggins

S. B. No. 3052: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF SERVICE CHARGES TO BANKS FOR ACTING AS AGENTS OF THE STATE IN PAYING FULL FAITH AND CREDIT BONDS AND INTEREST OF THE STATE OF MISSISSIPPI, FROM THE EFFECTIVE DATE OF THIS ACT UNTIL SUCH BONDS SHALL BE PAID OR UNTIL JUNE 30, 2025, WHICHEVER SHALL FIRST OCCUR; AND FOR THE PAYMENT OF MATURING BONDS AND INTEREST ON THE FULL FAITH AND CREDIT BONDS OF THE STATE OF MISSISSIPPI FALLING DUE DURING FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Michel, Turner-Ford, Wiggins

S. B. No. 3053: Appropriations
AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE SUPPORT OF THE STATE DEPARTMENT OF BANKING AND CONSUMER FINANCE FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Blackwell, McLendon, Simmons (13th)

S. B. No. 3054: Appropriations
AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Blackwell, McLendon, Simmons (13th)

S. B. No. 3055: Appropriations
AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE EXECUTIVE DEPARTMENT, BEING THE GOVERNOR'S OFFICE AND STAFF, AND FOR EXPENSES INCIDENTAL TO THE PROPER OPERATION OF THE GOVERNOR'S MANSION AND RESIDENCE OF THE GOVERNOR FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Blackwell, McLendon, Simmons (13th)

S. B. No. 3056: Appropriations
AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Blackwell, McLendon, Simmons (13th)

S. B. No. 3057: Appropriations
AN ACT MAKING AN APPROPRIATION AND A REAPPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY TO AUTHORIZE AND REAUTHORIZE THE EXPENDITURE OF GULF COAST RESTORATION FUNDS PREVIOUSLY APPROPRIATED FOR PROJECTS FOR FISCAL YEAR 2025.
By Senator(s) Hopson, Polk, Blackwell, McLendon, Simmons (13th)

S. B. No. 3058: Appropriations
N ACT MAKING A REAPPROPRIATION TO CERTAIN AGENCIES TO REAUTHORIZE THE EXPENDITURE OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS PREVIOUSLY APPROPRIATED FOR CERTAIN PROJECTS FOR FISCAL YEAR 2025.
By

S. B. No. 3059: Appropriations
AN ACT TO PROVIDE AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE STATE BOARD OF COSMETOLOGY FOR FISCAL YEAR 2024; MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS FOR FISCAL YEAR 2024; MISSISSIPPI STATE DEPARTMENT OF HEALTH FOR YEARS 2024 AND 2025; WIRELESS COMMUNICATIONS COMMISSION FOR YEARS 2024 AND 2025; AND FOR RELATED PURPOSES.
By Senator(s) Hopson, Polk

SEVENTY-SECOND DAY, WEDNESDAY, MARCH 13, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Dr. Lamar Walker, Associate Pastor, Hopewell Missionary Baptist Church, Rienzi, MS.

Senator Parks led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. B. No. 2926: AN ACT TO PROVIDE AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2024 AND FISCAL YEAR 2025; THE STATE VETERANS AFFAIRS BOARD FOR FISCAL YEAR 2024; THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2024; THE DEPARTMENT OF REVENUE FOR FISCAL YEAR 2024; THE JOINT REAPPORTIONMENT COMMITTEE FOR FISCAL YEAR 2024; THE SECRETARY OF STATE FOR FISCAL YEAR 2024; THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR FISCAL YEAR 2024; STATE DEPARTMENT OF HEALTH FOR FISCAL YEAR 2024; DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2024 AND FISCAL YEAR 2025; DEPARTMENT OF CHILD PROTECTION SERVICES FOR FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

David Jordan, Chairman

Senator Harkins called up the following entitled bill:

S. B. No. 2907: PERS optional retirement program for IHL employees; revise remittance of employer's contribution based on start date.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2907. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parker called up the motion to reconsider the vote whereby **S. B. No. 2628** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2628: Mississippi Capitol Region Utility Act; create.

The foregoing motion prevailed.

Senator Branning moved for immediate consideration of **S. B. No. 2645**, and the motion prevailed.

S. B. No. 2645: Mississippi Department of Transportation; design-build requirement revisions.

Senator Branning moved to reconsider the vote whereby **S. B. No. 2645** passed the Senate.

The foregoing motion prevailed.

Senator Branning moved to reconsider the vote whereby the Committee Substitute was adopted.

The foregoing motion prevailed.

Recurring, on motion of Senator Branning, the Committee Substitute was offered for consideration and the motion lost.

YEAS AND NAYS On S. B. No. 2645. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parker called up the following entitled bill:

S. B. No. 2311: Sheriffs; remove cap on annual salary supplement.

On motion of Senator Parker, the Committee Substitute was adopted for consideration.

Senator Parker offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-3-25, Mississippi Code of 1972, is amended as follows:

25-3-25. (1) Except as otherwise provided in subsections (2) through (* * *3) of this section, the salaries of sheriffs of the various counties are fixed as full compensation for their services.

The annual salary for each sheriff shall be based upon the total population of his county according to the latest federal decennial census in the following categories and for the following amounts; however, no sheriff shall be paid less than the salary authorized under this section to be paid the sheriff based upon the population of the county according to the most recent federal decennial census:

(a) For counties with a total population of more than one hundred thousand (100,000), a salary of One Hundred Four Thousand Dollars ($104,000.00).

(b) For counties with a total population of more than forty-four thousand (44,000) and not more than one hundred thousand (100,000), a salary of Ninety-five Thousand Dollars ($95,000.00).

(c) For counties with a total population of more than thirty thousand (30,000) and not more than forty-four thousand (44,000), a salary of Ninety Thousand Dollars ($90,000.00).

(d) For counties with a total population of more than twelve thousand five hundred (12,500) and not more than thirty thousand (30,000), a salary of Eighty-five Thousand Dollars ($85,000.00).

(e) For counties with a total population of not more than twelve thousand five hundred (12,500), a salary of Eighty Thousand Dollars ($80,000.00).

* * *

(* * *2) In addition to the salary provided in subsection (1) of this section, the board of supervisors of any county, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed * * * Thirty-five Thousand Dollars ($35,000.00). The amount of the supplement shall be spread on the minutes of the board. * * *

* * *

(* * *3) In addition to the salary provided in subsection (1) of this section and any supplements authorized in * * * subsection (2) of this section, a sheriff may receive the premium pay provided for in Section 45-2-41 as part of the sheriff's compensation.

(* * *4) (a) The salaries provided in this section shall be payable monthly on the first day of each calendar month by chancery clerk's warrant drawn on the general fund of the county; however, the board of supervisors, by resolution duly adopted and entered on its minutes, may provide that such salaries shall be paid semimonthly on the first and fifteenth day of each month. If a pay date falls on a weekend or legal holiday, salary payments shall be made on the workday immediately preceding the weekend or legal holiday.

(b) At least Ten Dollars ($10.00) from each fee collected and deposited into the county's general fund under the provisions of paragraphs (a), (c) and (g) of subsection (1) of Section 25-7-19 shall be used for the sheriffs' salaries authorized in Section 25-3-25; as such Ten Dollar ($10.00) amount was authorized during the 2007 Regular Session in Chapter 331, Laws of 2007, for the purpose of providing additional monies to the counties for sheriffs' salaries.

(* * *5) (a) All sheriffs, each year, shall attend twenty (20) hours of continuing education courses in law enforcement. Such courses shall be approved by the Mississippi Board on Law Enforcement Officer Standards and Training. Such education courses may be provided by an accredited law enforcement academy or by the Mississippi Sheriffs' Association.

(b) The Mississippi Board on Law Enforcement Officer Standards and Training shall reimburse each county for the expenses incurred by sheriffs and deputy sheriffs for attendance at any approved training programs as required by this subsection.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO REVISE THE CAP FOR AN ANNUAL SUPPLEMENT PAYABLE BY THE BOARD OF SUPERVISORS OF ANY COUNTY TO ITS SHERIFF; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2311 was adopted.

YEAS AND NAYS On S. B. No. 2311. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.
Nays--Barnett, Blackmon, Turner-Ford. Total--3.
Absent and those not voting----None.

Unanimous consent was granted to add Senators Williams, Parker, Simmons D. T. (12th), Butler, Simmons S. (13th), Branning, Sparks, Boyd, Blackwell and Robinson as co-authors of **S. B. No. 2311**.

Senator Wiggins called up the following entitled bill:

S. B. No. 2261: Child support; make certain amendments to provision concerning recovery from delinquent noncustodial parents.

YEAS AND NAYS On S. B. No. 2261. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

S. B. No. 2262: Child support; revise provision related to in order to mirror current DHS practice and federal requirements.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2262. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Polk called up the following entitled bill:

S. B. No. 2762: Retainage; further define and outline the process related to.

On motion of Senator Williams, the Committee Substitute was adopted for consideration.

Senator Williams offered the following AMENDMENT NO. 1.

AMEND on line 261 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to S. B. No. 2762 was adopted.

YEAS AND NAYS On S. B. No. 2762. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Thompson called up the following entitled bill:

S. B. No. 2647: Mississippi Comprehensive Coastal Conservation and Restoration Act of 2024; enact.

YEAS AND NAYS On S. B. No. 2647. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators DeLano, Carter, Wiggins and England as co-authors of **S. B. No. 2647**.

Senator Suber called up the following entitled bill:

S. B. No. 2494: State agency property; authorize DFA as central leasing agent for all state agencies.

On motion of Senator Blount, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2494. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled bill:

S. B. No. 2165: Dietitian Licensure Compact; enact.

Senator Bryan moved that **S. B. No. 2165** be recommitted to Public Health and Welfare, and the motion prevailed.

Senator Bryan called up the following entitled bill:

S. B. No. 2240: Board of Medical Licensure; revise licensure status, definitions, procedure, fines and temporary practice authority.

President Hosemann yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

Senators Parker and DeBar offered the following AMENDMENT NO. 1.

AMEND on line 768 by inserting the following language as a new subsection (2) and renumbering subsequent subsections accordingly:

(2) Nothing herein shall be construed to prohibit, sanction, or to require a license with respect to any of the following:

The practice of the following doctors as defined by the laws of this state. Furthermore, this chapter is not intended to limit, restrict, enlarge, or alter the medical and/or surgical privileges and practice of the following professions as provided by the laws of this state:

(a) Dentistry (DDS or DMD)

(b) Optometry (OD);

(c) Chiropractic (DC);

(d) Veterinarian (DVM or (VDM).

(3) Nothing herein shall be construed to prohibit, sanction or punish licensed nurses, nurse practitioners or advanced practice nurses who are practicing within their scope of practice.

Amendment No. 1 to S. B. No. 2240 was adopted.

Senator DeBar offered the following AMENDMENT NO. 2.

AMEND on lines 1146 and 1147 by striking the words "after June 30, 2028" and inserting "on June 30, 2024" in lieu thereof.

Amendment No. 2 to S. B. No. 2240 was adopted.

YEAS AND NAYS On S. B. No. 2240. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Younger. Total--49.
Nays--Blackmon, Williams. Total--2.
Absent and those not voting----None.
Voting Present--Hill. Total--1.

Senator Bryan called up the following entitled bill:

S. B. No. 2329: Early Intervention Task Force; reconstitute and set membership and responsibilities.

Senator Bryan moved that **S. B. No. 2329** be recommitted to Public Health and Welfare, and the motion prevailed.

Senator Bryan called up the following entitled bill:

S. B. No. 2857: Medical cannabis act; set additional provisions related to background checks, department investigations, fees and appeals.

YEAS AND NAYS On S. B. No. 2857. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan declined to call up S. B. No. 2888, thereby remanding it to the heel of the calendar.

S. B. No. 2888: Medical Cannabis Research Advisory Board; enact and create the Center for Mississippi Medical Cannabis Research.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1126: AN ACT TO CREATE THE "WALKER MONTGOMERY PROTECTING CHILDREN ONLINE ACT" FOR THE PURPOSE OF PROTECTING MINOR CHILDREN FROM ONLINE HARMFUL MATERIAL AND ACCESS TO SUCH MATERIAL; TO REQUIRE DIGITAL SERVICE USERS TO REGISTER THEIR AGE; TO LIMIT THE COLLECTION AND USE OF MINOR USERS' PERSONAL IDENTIFYING INFORMATION; TO REQUIRE DIGITAL SERVICE PROVIDERS TO IMPLEMENT SAFETY STRATEGIES TO PREVENT MINOR USERS' EXPOSURE TO HARMFUL MATERIAL; TO AMEND SECTION 75-24-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A VIOLATION OF THIS ACT IS AN UNFAIR AND DECEPTIVE TRADE PRACTICE THAT IS ENFORCEABLE BY THE OFFICE OF THE ATTORNEY GENERAL; TO AMEND SECTION 97-5-31, MISSISSIPPI CODE OF 1972, TO INCLUDE MORPHED IMAGES OF DEPICTING MINOR CHILDREN IN EXPLICIT NATURE IN THE CRIME OF CHILD EXPLOITATION; AND FOR RELATED PURPOSES.

H. B. No. 1609: AN ACT TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERSON WHO IS OTHERWISE A QUALIFIED ELECTOR AND HAS BEEN CONVICTED OF CERTAIN DISENFRANCHISING CRIMES, EXCEPT FOR ARSON, ARMED ROBBERY, CARJACKING, EMBEZZLEMENT, BRIBERY, PERJURY, MURDER, RAPE, STATUTORY RAPE, SEXUAL BATTERY, OR HUMAN TRAFFICKING SHALL HAVE HIS OR HER RIGHT TO VOTE REVOKED, BUT SHALL HAVE THE RIGHT TO VOTE RESTORED FIVE YEARS AFTER RELEASE FROM CONFINEMENT FOR THE DISQUALIFYING CRIME, OR FIVE YEARS FROM THE DATE OF SUCH CONVICTION, WHICHEVER OCCURS LATER; TO AMEND SECTIONS 23-15-19, 23-15-125, 23-15-151, 23-15-153 AND 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO BRING FORWARD SECTIONS 97-39-3 AND 99-19-37, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 97-37-5, MISSISSIPPI CODE OF 1972, TO PROVIDE AN EXCEPTION TO THE FIREARMS PROHIBITION FOR PERSONS WHO HAVE HAD THEIR VOTING RIGHTS RESTORED; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 11:41 AM, the Senate stood in recess.

The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

Senator Branning called up the following entitled bill:

S. B. No. 2644: Harvest permit license tag; increase weight category for.

Senator Branning offered the following AMENDMENT NO. 1.

AMEND by striking Section 2 on lines 144 through 739 in its entirety and renumbering subsequent sections accordingly.

FURTHER, AMEND the title on lines 3 through 5 by striking the following language:

TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO ALLOW HARVEST TAG PURCHASERS TO QUALIFY FOR A 3% SALES TAX REDUCTION;

Amendment No. 1 to S. B. No. 2644 was adopted.

YEAS AND NAYS On S. B. No. 2644. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes,

Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Blount called up the following entitled bill:

S. B. No. 2132: Child support; withhold gaming prizes of persons who have outstanding child support arrearages.

On motion of Senator Blount, the Committee Substitute was adopted for consideration.

Senator Blount offered the following AMENDMENT NO. 1.

AMEND by deleting lines 188-192 and renumber subsections.

FURTHER, AMEND by striking lines 222-230 and substituting:

(3) The commission shall collaborate with the Department of Human Services to promulgate all rules and regulations necessary to carry out the provisions of this section, including, but not limited to, a procedure requiring the withholding of payments of progressive slot machine annuities and reportable cash gaming winnings of persons who have outstanding child support arrearages prior to the payment of a progressive slot annuity or cash gaming winnings.

FURTHER, AMEND by striking lines 255-259 and substituting:

(b) Until such time as the issue of child support arrearage is resolved, provided that the obligor has filed a written request for an administrative hearing with the Mississippi Department of Human Services Administrative Hearing Division prior to the end of the twenty-day period.

FURTHER, AMEND by striking lines 260-261 and substituting:

(7) Grounds for the written request for an administrative hearing challenging the encumbrance of game winnings shall be limited to the following:

Amendment No. 1 to S. B. No. 2132 was adopted.

YEAS AND NAYS On S. B. No. 2132. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Chassaniol, DeBar, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--45.

Nays--Barnett, Brumfield, Chism, DeLano, Horhn. Total--5.

Absent and those not voting----None.

Voting Present--Carter, Hill. Total--2.

Unanimous consent was granted to add Senators Younger and Jordan as co-authors of **S. B. No. 2132**.

Senator DeBar called up the following entitled bill:

S. B. No. 2695: Driver's education; revise certain provisions related thereto.

Senators McMahan and DeBar offered the following AMENDMENT NO. 1.

AMEND on line 219 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to S. B. No. 2695 was adopted.

YEAS AND NAYS On S. B. No. 2695. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Unanimous consent was granted to add Senators Tate and Simmons S. (13th) as co-authors of **S. B. No. 2695**.

Senator Fillingane called up the following entitled bill:

S. B. No. 2180: Department of Public Safety; remove prior written approval for certain events.

On motion of Senator Fillingane, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2180. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Unanimous consent was granted to add Senator Sparks as co-author of **S. B. No. 2180**.

Senator England moved that the rules be suspended to move to calendar item 21, **S. B. No. 2579**, and the motion prevailed.

Senator England called up the following entitled bill:

S. B. No. 2579: Absentee ballots; change receipt deadline.

Senator England offered the following AMENDMENT NO. 1.

AMEND on line 211 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to S. B. No. 2579 was adopted.

YEAS AND NAYS On S. B. No. 2579. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Unanimous consent was granted to add Senator Tate as co-author of **S. B. No. 2579**.

Senator England called up the following entitled bill:

S. B. No. 2577: Digitizations; create a criminal penalty for the wrongful dissemination of.

On motion of Senator England, the Committee Substitute was adopted for consideration.

Senator England offered the following AMENDMENT NO. 1.

AMEND by inserting after line 68 the following language:

As part of the injunctive relief, the court may order that any disseminated digitization be removed from any social media, electronic mail, electronic messaging, video sharing services, or any other physical or electronic method the digitization was disseminated through.

FURTHER, AMEND by inserting after line 100 the following language:

(f) A person that disseminates or receives a digitization to determine if it is a digitization for the purpose of detecting, preventing, responding to, or protecting against security incidents, identify theft, fraud, harassment, malicious or deceptive activities or any illegal activity, preserve the integrity or security of systems or investigate, report, or prosecute those reasonable for any such action.

Amendment No. 1 to S. B. No. 2577 was adopted.

YEAS AND NAYS On S. B. No. 2577. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams. Total--38.

Nays--Barnett, Blackmon, Brumfield, Butler, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Younger. Total--14.

Absent and those not voting----None.

Senator Carter called up the following entitled bill:

S. B. No. 2603: Excavation; revise procedures and required white lining in certain stances.

On motion of Senator Carter, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2603. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Carter called up the following entitled bill:

S. B. No. 2604: Public utilities contracts; allow certain bids to be submitted electronically.

YEAS AND NAYS On S. B. No. 2604. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner,

McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

S. B. No. 2535: Divorce; authorize a court to grant when it is determined that a marriage is irretrievably broken.

YEAS AND NAYS On S. B. No. 2535. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Suber, Thomas, Thompson, Turner-Ford, Wiggins, Younger. Total--40.

Nays--Chism, Ladner, Norwood, Parker, Seymour, Sparks, Tate, Whaley, Williams. Total--9.

Absent and those not voting----None.

Voting Present--Branning, Brumfield, Carter. Total--3.

Unanimous consent was granted to add Senator Blackmon as co-author of **S. B. No. 2535**.

Senator Wiggins called up the following entitled bill:

S. B. No. 2037: Child support award; cost of health insurance coverage obtained by noncustodial parent considered in determining.

On motion of Senator McCaughn, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2037. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

S. B. No. 2764: Manufactured homes; create affidavit of ownership.

YEAS AND NAYS On S. B. No. 2764. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Boyd called up the following entitled bill:

S. B. No. 2417: Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents Act; bring forward sections.

On motion of Senator Boyd, the Committee Substitute was adopted for consideration.

Senator Boyd offered the following AMENDMENT NO. 1.

AMEND on line 142 by inserting the word "other" after the word "any"

AMEND after line 150 by inserting the following language:

Student-athlete agreements, proposed agreements and any document that compile, summarize or disclose any of the terms of such agreements shall be exempt from the Mississippi Public Records Act of 1983.

AMEND after line 211 by inserting a new subsection (9) with the following language:

(9) No postsecondary educational institution may use funds appropriated from the State General Fund for the purpose of entering into a publicity rights agreement with a student-athlete and/or third party.

AMEND on lines 882 by striking the words "name, image or likeness" and inserting "publicity rights" in lieu thereof

AMEND on line 883 by inserting the following language before the period: in accordance with the Mississippi Intercollegiate Athletics Compensation and Publicity Rights Act

AMEND on line 905 by striking the words "July 1, 2024" and inserting the words "its passage" in lieu thereof.

Amendment No. 1 to S. B. No. 2417 was adopted.

YEAS AND NAYS On S. B. No. 2417. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Jackson, Polk. Total--2.

Absent and those not voting----None.

Voting Present--Turner-Ford. Total--1.

Unanimous consent was granted to add Senators Blackmon and Sparks as co-authors of **S. B. No. 2417**.

Senator Michel called up the following entitled bill:

S. B. No. 2740: Insurance; authorize counties, municipalities, school districts and other political subdivisions to pool risk.

YEAS AND NAYS On S. B. No. 2740. On motion of Senator Rhodes, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Rhodes and McLendon as co-authors of **S. B. No. 2740**.

Senator Carter called up the following entitled bill:

S. B. No. 2602: PSC and Public Utilities Staff; clarify ability to receive campaign contributions or participate in political activity.

On motion of Senator Carter, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2602. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Norwood. Total--1.

Absent and those not voting----None.

Senator McCaughn called up the following entitled bill:

S. B. No. 2325: Forestry Facility Grant Program; bring forward.

On motion of Senator McCaughn, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2325. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan declined to call up S. B. No. 2862, thereby remanding it to the heel of the calendar.

S. B. No. 2862: Radiological health services; authorize Board of Health to collect fees in congruence with certain federal regulation.

Senator Bryan called up the following entitled bill:

S. B. No. 2886: Nicotine vapor device directory; require manufacturers to provide certification, set penalties and other provisions.

On motion of Senator Turner-Ford, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2886. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Johnson, Jordan, Kirby, McCaughn, Michel, Parks, Polk, Rhodes, Robinson, Simmons S. (13th), Sparks, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Younger. Total--36.

Nays--Barrett, Branning, Chism, Hill, Jackson, Ladner, McLendon, Norwood, Parker, Seymour, Suber, Tate, Williams. Total--13.

Absent and those not voting----None.

Voting Present--Hickman, McMahan, Simmons D. T. (12th). Total--3.

Unanimous consent was granted to add Senator Ladner as co-author of **S. B. No. 2654**.

S. B. No. 2654: MS Department of Marine Resources; clarify hearing procedures and establish compliance officer.

Senator Simmons D. T. (12th) called up the following entitled bill:

S. B. No. 2502: Counties; shorten notice requirement for special meetings from five days to 24 hours.

On motion of Senator Simmons D. T. (12th), the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2502. On motion of Senator Simmons D. T. (12th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Blackwell called up the following entitled bill:

S. B. No. 2823: Medicaid; revise various technical provisions related thereto, including reimbursement levels and facility eligibility.

On motion of Senator Blackwell, the Committee Substitute was adopted for consideration.

Senator Blackwell offered the following AMENDMENT NO. 1.

AMEND on line 150 by inserting the following language after the period:

The division shall submit a waiver by July 1, 2024, to the Centers for Medicare and Medicaid Services to authorize the division to conduct less frequent medical redeterminations for children eligible under this subsection who have certain long-term or chronic conditions that do not need to be reidentified every year.

AMEND on line 490 by deleting the word "and" and inserting a comma in lieu thereof.

FURTHER, AMEND on line 490 by inserting the following after the word "gynecologists":

and pediatricians

FURTHER, AMEND, on line 782 after the period by inserting the following language:

The division, in consultation with the Mississippi Hospital Association, shall develop alternative models for distribution of medical claims and supplemental payments for inpatient and outpatient hospital services, and such models may include, but shall not be

limited to the following: increasing rates for inpatient and outpatient services; creating a low-income utilization pool of funds to reimburse hospitals for the costs of uncompensated care, charity care and bad debts as permitted and approved pursuant to federal regulations and the Centers for Medicare and Medicaid Services; supplemental payments based upon Medicaid utilization, quality, service lines and/or costs of providing such services to Medicaid beneficiaries and to uninsured patients. The goals of such payment models shall be to ensure access to inpatient and outpatient care and to maximize any federal funds that are available to reimburse hospitals for services provided. The Chairmen of the Senate and House Medicaid Committees shall be provided a copy of the proposed payment model(s) prior to submission.

FURTHER, AMEND, by inserting the following language on line 848 before paragraph (19):

(d) Supplemental payments to a hospital shall not decrease by more than five percent (5%) when compared to a hospital's prior year payment unless that hospital has closed, or changed services or patient volume which impact that hospital's payment, and the division shall not substantially change the methodologies used to calculate a hospital's supplemental payment. Nothing in this paragraph shall be construed to prohibit an increase in total funding available for hospital supplemental payment programs. For Mississippi providers described under this section, the division shall, subject to approval by the Centers for Medicare and Medicaid Services (CMS), implement and operate supplemental payment programs at the maximum levels permissible under applicable federal statutes and regulations.

FURTHER, AMEND on line 1216 by deleting "2024" and inserting "2028" in lieu thereof.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2823 was adopted.

YEAS AND NAYS On S. B. No. 2823. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McMahan, Michel, Norwood, Parker, Polk, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--Barrett, Branning, Chism, Hill, McLendon, Parks, Rhodes, Tate. Total--8.

Absent and those not voting----None.

President Hosemann yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

Senator DeBar called up the following entitled bill:

S. B. No. 2682: MS Critical Teacher Shortage Act of 1998; extend repealer on.

Senators Blount and DeBar offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-159-1, Mississippi Code of 1972, is reenacted as follows:

37-159-1. Sections 37-159-1 through 37-159-19 shall be known and may be cited as the "Mississippi Critical Teacher Shortage Act of 1998."

SECTION 2. Section 37-159-5, Mississippi Code of 1972, is reenacted as follows:

37-159-5. The State Board of Education shall prescribe rules and regulations which, subject to available appropriations, allow for reimbursement to the state licensed teachers, from both in state and out of state, who enter into a contract for employment in a school district situated within a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, for the expense of moving when the employment necessitates the relocation of the teacher to a different geographical area than that in which the teacher resides before entering into such contract. In order to be eligible for the reimbursement, the teacher must apply to the local district and the district must obtain the prior approval from the department for reimbursement before the relocation occurs. If the reimbursement is approved, the department shall provide funds to the school district to reimburse the teacher an amount not to exceed One Thousand Dollars ($1,000.00) for the documented actual expenses incurred in the course of relocating, including the expense of any professional moving company or persons employed to assist with the move, rented moving vehicles or equipment, mileage in the amount authorized for state employees under Section 25-3-41 if the teacher used his personal vehicle or vehicles for the move, meals and such other expenses associated with the relocation in accordance with the department's established rules and regulations. No teacher may be reimbursed for moving expenses under this section on more than one (1) occasion.

Nothing in this section shall be construed to require the actual residence to which the teacher relocates to be within the boundaries of the school district which has executed a contract for employment with the teacher or within the boundaries of the area designated by the State Board of Education as the critical teacher shortage area in order for the teacher to be eligible for reimbursement for his moving expenses. However, teachers must relocate within the boundaries of the State of Mississippi.

SECTION 3. Section 37-159-7, Mississippi Code of 1972, is reenacted as follows:

37-159-7. The school board of any school district situated within a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, in its discretion, may reimburse persons who interview for employment as a licensed teacher with the district for the mileage and other actual expenses incurred in the course of travel to and from the interview by such persons at the rate authorized for county and municipal employees under Section 25-3-41. Any reimbursement by a school board under this section shall be paid from funds other than adequate education program funds.

SECTION 4. Section 37-159-9, Mississippi Code of 1972, is reenacted as follows:

37-159-9. (1) There is established the University Assisted Teacher Recruitment and Retention Grant Program within the State Department of Education. The purposes of the program shall be to attract additional qualified teachers to those geographical areas of the state where there exists a critical shortage of teachers and to retain the qualified teachers already serving as licensed teachers in geographical critical teacher shortage areas by making available scholarships to persons working towards a Master of Education degree or an Educational Specialist degree at an institution of higher learning whose teacher education program is approved by the State Board of Education.

(2) Any institution of higher learning in the State of Mississippi which offers a Master of Education degree or an Educational Specialist degree may apply to the department for participation in the program. As part of the program, participating institutions shall collaborate with the Mississippi Teacher Center to identify, recruit and place teacher education graduates, from both within the state and out of state, in school districts situated within those areas of the state where there exists a critical shortage of teachers, as designated by the State Board of Education.

(3) The State Department of Education shall provide funds to participating institutions of higher learning for the purpose of awarding scholarships to qualified persons pursuing a Master of Education degree or an Educational Specialist degree at such institutions while rendering service to the state as a licensed teacher in a school district in a geographical area of the state where there exists a critical shortage of teachers, as approved by the State Board of Education. The financial scholarship shall be applied to the total cost for tuition, books, materials and fees at the institution in which the student is enrolled, not to exceed an amount equal to the highest total cost of tuition, books, materials and fees assessed by a state institution of higher learning during that school year. Teachers who relocate within Mississippi from out of state in order to participate in the program shall be classified as residents of the state for tuition purposes.

(4) Students awarded financial scholarships under the University Assisted Teacher Recruitment and Retention Grant Program may receive such awards for a maximum of four (4) school years; however, the maximum number of awards which may be made shall not exceed the length of time required to complete the number of academic hours necessary to obtain a Master of Education degree or an Educational Specialist degree. Financial scholarships under the program shall not be based upon an applicant's eligibility for financial aid.

(5) Persons relocating to a geographical area of the state where there exists a critical shortage of teachers, as approved by the State Board of Education, to participate in the University Assisted Teacher Recruitment and Retention Grant Program shall be eligible for reimbursement for their moving expenses to the critical teacher shortage area from the State Board of Education. The State Board of Education shall promulgate rules and regulations necessary for the administration of the relocation expense reimbursement component of the University Assisted Teacher Recruitment and Retention Grant Program.

(6) Subject to the availability of funds, the State Board of Education may provide for professional development and support services as may be necessary for the retention of teachers participating in the program in those geographical areas of the state where there exists a critical shortage of teachers.

(7) Any person participating in the program who fails to complete a program of study that will enable that person to obtain a Master of Education degree or Educational Specialist degree shall become liable immediately to the State Board of Education for the sum of all awards made to that person under the program, plus interest accruing at the current Stafford Loan rate at the time the person abrogates his participation in the program.

(8) As a condition for participation in the program, a teacher shall agree to employment as a licensed teacher in a school district located in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, for a period of not less than three (3) years, which shall include those years of service rendered while obtaining the Master of Education degree or Educational Specialist degree. However, for any person who obtained a Baccalaureate degree in education with a financial scholarship under the Critical Needs Teacher Scholarship Program and who entered the University Assisted Teacher Recruitment and Retention Grant Program before rendering service as a teacher, the period of employment for the purposes of this subsection shall be two (2) years, in addition to the employment

commitment required under the Critical Needs Teacher Scholarship Program. Service rendered by a participant as a licensed teacher in a school district in a geographical critical teacher shortage area before that teacher becomes a participant in the program may not be considered to fulfill the employment commitment required under this subsection. Any person failing to comply with this employment commitment in any required school year shall immediately be in breach of contract and become liable immediately to the State Department of Education for the sum of all scholarships awarded and relocation expenses granted to that person, less one-third (1/3) of the amount of that sum for each year that service was rendered, or for those persons whose required period of employment is two (2) years, less one-half (1/2) of the amount of that sum for each year that service was rendered, plus interest accruing at the current Stafford Loan rate at the time the breach occurs, except in the case of a deferral for cause by the State Board of Education when there is no employment position immediately available upon the teacher's obtaining of the Master of Education degree or Educational Specialist degree. After the period of such deferral, the person shall begin or resume the required teaching duties or shall become liable to the board under this subsection. If a claim for repayment under this subsection is placed in the hands of an attorney for collection after default, then the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(9) All funds received by the State Department of Education from the repayment of scholarship awards and relocation expenses by program participants shall be deposited in the Mississippi Critical Teacher Shortage Fund.

(10) The State Board of Education shall promulgate rules and regulations necessary for the proper administration of the University Assisted Teacher Recruitment and Retention Grant Program.

SECTION 5. Section 37-159-11, Mississippi Code of 1972, is reenacted as follows:

37-159-11. (1) There is established the Mississippi Employer-Assisted Housing Teacher Program, which shall be a special home loan program for eligible licensed teachers who render service to the state in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education. The home loan program shall be administered by the State Department of Education. The department may contract with one or more public or private entities to provide assistance in implementing and administering the program. The State Board of Education shall adopt rules and regulations regarding the implementation and administration of the program.

(2) Participation in the loan program shall be available to any licensed teacher who renders service in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education. Any person who receives a loan under the program shall be required to purchase a house and reside in a county in which the school district for which the teacher is rendering service, or any portion of the school district, is located. The maximum amount of a loan that may be made under the program to any person shall be Six Thousand Dollars ($6,000.00).

(3) Any loan made under the program to a person who actually renders service as a teacher in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, shall be converted to an interest-free grant on the basis of one (1) year's service for one-third (1/3) of the amount of the loan. Any person who does not render three (3) years' service as a teacher in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, shall be liable to the State Department of Education for one-third (1/3) of the amount of the loan for each year that he does not render such service, plus interest accruing at the current Stafford Loan rate at the time the person discontinues his service. If a claim for repayment under this subsection is placed in the hands of an attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(4) All funds received by the State Department of Education as repayment of loans by program participants shall be deposited in the Mississippi Critical Teacher Shortage Fund.

SECTION 6. Section 37-159-13, Mississippi Code of 1972, is reenacted as follows:

37-159-13. (1) There is established a pilot program to provide for the construction of rental housing units for teachers in the West Tallahatchie School District, which pilot program shall be administered by the State Department of Education. The department may contract with one or more public or private entities to provide assistance in implementing and administering the program. The State Board of Education shall adopt rules and regulations regarding the implementation and administration of the program.

(2) The West Tallahatchie School District shall receive proposals from developers for the construction of the rental housing units, and submit its recommendation to the State Department of Education about which developer should construct the units. The department shall make the final determination about the developer that will construct the units.

(3) After selection of the developer, the department shall loan the developer not more than Two Hundred Thousand Dollars ($200,000.00) for construction of the units. The interest rate on the loan shall be equal to one percent (1%) below the discount rate at the Federal Reserve Bank in the Federal Reserve district in which the school district is located, and the loan shall be repaid in not more than fifteen (15) years, as determined by the department. All funds received by the department as repayment of the principal and interest of the loan shall be deposited in the Mississippi Critical Teacher Shortage Fund. If a claim against the developer for repayment is placed in the hands of an attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(4) The developer shall operate the rental housing units. For a period of ten (10) years or until such time as the loan to the developer is repaid, whichever is longer, the priority for residence in the units shall be given first to teachers employed by the school district, then to other licensed school district employees, and then to any other school district employees.

SECTION 7. Section 37-159-17, Mississippi Code of 1972, is reenacted as follows:

37-159-17. There is established in the State Treasury a special fund to be designated the "Mississippi Critical Teacher Shortage Fund," into which shall be deposited those funds appropriated by the Legislature, and any other funds that may be made available, for the purpose of implementing the programs established under Sections 37-159-5, 37-9-77, 37-3-91 and 37-159-9 through 37-159-13. Money in the fund at the end of a fiscal year shall not lapse into the General Fund, and interest earned on any amounts deposited into the fund shall be credited to the special fund.

SECTION 8. Section 37-159-19, Mississippi Code of 1972, is amended as follows:

37-159-19. Sections 37-159-1 through 37-159-17 shall stand repealed on July 1, * * * 2027.

SECTION 9. Section 37-106-36, Mississippi Code of 1972, is amended as follows:

37-106-36. (1) There is established the "William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program."

(2) Subject to the availability of funds, an eligible applicant for an initial award must have:

(a) Graduated from a baccalaureate degree-granting institution of higher learning which is regionally accredited by the Southern Association of Colleges and Schools (SACS) or a comparable accreditation body;

(b) Signed a contract as a full-time * * * teacher in a public school district in Mississippi;

(c) Obtained a standard five-year license or a nontraditional five-year alternate route license. Persons with provisional emergency licenses shall not be eligible applicants; and

(d) Outstanding qualifying undergraduate or graduate educational loans, which may include the principal, interest and related expenses such as the required interest premium on the unpaid balances of government and commercial loans obtained by the recipient for undergraduate educational expense.

(3) Persons who have received funds from other forgivable loan programs established for teachers under Mississippi law, or who are presently in default or delinquent on any federal, state, local or commercial qualifying educational loan, shall not be eligible for this program.

(4) Provided that initial recipients remain eligible under the provisions of subsection (2) of this section, they may retain eligibility for two (2) additional awards, subject to the availability of funds.

(* * *5) Initial recipients shall be selected on a first-come, first-served basis of all eligible applicants, * * * subject to the availability of funds. In the second and * * * third years of an applicant's continued eligibility, priority consideration shall first be given to renewal applicants. * * * The State Financial Aid Board shall develop rules for ensuring that expenses of the program in a fiscal year do not exceed funding for the program in that fiscal year. For that purpose, and any other provision of this section to the contrary notwithstanding, the State Financial Aid Board may limit the acceptance of applications and may limit the number of awards.

(* * *6) Among * * * teacher recipients, priority consideration shall be given to persons who are teaching in a public school district designated as a geographical critical teacher shortage area by the State Board of Education.

(* * *7) Awards for recipients who have signed a contract to teach in a public school district that is not designated as a geographical critical teacher shortage area shall be as follows:

(a) One Thousand Five Hundred Dollars ($1,500.00) for the * * * initial award;

(b) Two Thousand Five Hundred Dollars ($2,500.00) for the second * * * award; and

(c) Three Thousand Five Hundred Dollars ($3,500.00) for the third * * * award.

(* * *8) Awards for recipients who have signed a contract to teach in a public school district that is designated as a geographical critical teacher shortage area shall be as follows:

(a) Four Thousand Dollars ($4,000.00) for the * * * initial award;

(b) Five Thousand Dollars ($5,000.00) for the second * * * award, provided the recipient continues to teach in the same public school district or another public school district designated a geographical shortage area by the State Board of Education; and

(c) Six Thousand Dollars ($6,000.00) for the third * * * award, provided the recipient continues to teach in the same public school district or another public school district designated a geographical shortage area by the State Board of Education.

(* * *9) * * * An initial recipient who moves to another public school district shall be eligible to receive an award based on the amount allowed under the program in the new district where the teacher is employed.

(* * *10) Awards shall be granted on a year-to-year basis, and recipients shall have no obligation to seek a future award.

(* * *11) Awards shall be paid annually, after the expiration of the one-year teaching contract for which the award was granted, to the recipient's lender or loan service provider, and shall be applied to the outstanding balance. Monies paid on the recipient's behalf toward qualifying undergraduate or graduate educational loans prior to receiving payment of the award shall not be eligible for repayment through the program.

(* * *12) During the teaching year for which the award is granted, a recipient must at all times keep the State Financial Aid Board informed of any changes to the recipient's current contact information and employment status.

(* * *13) Recipients who fail to maintain a standard or nontraditional license or fail to fulfill the one-year teaching contract on which the award was based shall forfeit any right to the award.

(* * *14) The State Financial Aid Board, in collaboration with the State Board of Education, shall track recipients of an award under this program through * * * the fourth year after receiving their initial award, unless the recipient shall leave teaching in a public school district at an earlier date. Data collected shall include recipients' undergraduate or graduate institution, school district, subject area/grade level in teaching and any other pertinent information necessary to determine the efficacy of the program in retaining teachers * * *.

(* * *15) The State Financial Aid Board shall promulgate regulations necessary for the proper administration of this section, including rules for ensuring that expenses of the program in a fiscal year do not exceed funding for the program in that fiscal year.

(* * *16) There is established in the State Treasury a special fund to be designated the "William F. Winter and Jack Reed, Sr., Loan Repayment Program Fund," into which shall be deposited those funds appropriated by the Legislature, and any other funds that may be made available, for the purpose of implementing the loan repayment program established herein. Money in the fund at the end of the fiscal year shall not lapse into the General Fund, and interest earned on any amounts deposited into the fund shall be credited to the special fund.

* * *

SECTION 10. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO REENACT SECTIONS 37-159-1, 37-159-5, 37-159-7, 37-159-9, 37-159-11, 37-159-13 AND 37-159-17, MISSISSIPPI CODE OF 1972, WHICH

CONSTITUTE THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998 AND INCLUDE THE UNIVERSITY ASSISTED TEACHER RECRUITMENT AND RETENTION GRANT PROGRAM, THE MISSISSIPPI EMPLOYER-ASSISTED HOUSING TEACHER PROGRAM, AND A PILOT PROGRAM TO PROVIDE FOR THE CONSTRUCTION OF RENTAL HOUSING FOR TEACHERS IN WEST TALLAHATCHIE SCHOOL DISTRICT; TO AMEND SECTION 37-159-19, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998; TO AMEND SECTION 37-106-36, MISSISSIPPI CODE OF 1972, TO REVISE THE AWARD CRITERIA OF THE WILLIAM F. WINTER AND JACK REED, SR., TEACHER LOAN REPAYMENT PROGRAM; TO PROVIDE THAT THE STATE FINANCIAL AID BOARD SHALL DEVELOP RULES FOR ENSURING THAT EXPENSES OF THE PROGRAM IN A FISCAL YEAR DO NOT EXCEED FUNDING FOR THE PROGRAM IN THAT FISCAL YEAR; TO PROVIDE THAT THE STATE FINANCIAL AID BOARD MAY LIMIT THE ACCEPTANCE OF APPLICATIONS AND MAY LIMIT THE NUMBER OF AWARDS; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2682 was adopted.

Senator Blount offered the following AMENDMENT NO. 2.

AMEND on line 397 by striking the deletion mark and inserting the following language:

This section shall stand repealed on July 1, 2028.

Amendment No. 2 to S. B. No. 2682 was adopted.

YEAS AND NAYS On S. B. No. 2682. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senator Tate as co-author of **S. B. No. 2682**.

Senator DeBar called up the following entitled bill:

S. B. No. 2715: Mississippi School for Mathematics and Science; relocate to the campus of Mississippi State University.

On motion of Senator DeBar, the Committee Substitute was offered for consideration and the motion lost.

Senator DeBar offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) shall conduct a viability study of the Mississippi University for Women. The purpose of the study shall be to address challenges and find solutions which help strengthen the campus and ensure its future success. The study shall:

(a) Evaluate the budget and current fiscal status of the university;

(b) Evaluate the physical plant of the university and the plan to ensure it is maintained;

(c) Evaluate current collaborations or opportunities for collaboration with other institutions related to course offerings or efficiency opportunities;

(d) Collect and analyze data and statistics related to enrollment and graduation rates and projections, with particular focus on the enrollment and graduation rates of Mississippi residents, as well as other data relating to shifting demographics;

(e) Examine any existing or developing plans to address projected nationwide demographic shifts and enrollment declines; and

(f) Review any other matters related to the viability, efficiency and effectiveness of Mississippi University for Women.

(2) Subject to appropriations, PEER may hire an expert in higher education to assist in the study. PEER may also request the assistance of the Mississippi Institutions of Higher Learning, the Legislative Budget Office, and any other related agency, entity or organization with expertise in higher education or a related area.

(3) By October 1, 2024, PEER shall submit the final feasibility study to the Chairmen of the Universities and Colleges Committees in the Mississippi Senate and Mississippi House of Representatives, the Chairmen of the Appropriations Committees in the Mississippi Senate and Mississippi House of Representatives, the Lieutenant Governor, and the Speaker of the House of Representatives.

SECTION 2. Section 37-117-1, Mississippi Code of 1972, is brought forward as follows:

37-117-1. The institution incorporated by the act of the legislature, approved March 12, 1884, and established in pursuance thereof, shall continue to exist as a body politic and corporate by the name of the "Mississippi College for Women," with all its property and franchises, rights, powers and privileges conferred on it by law, or properly incident to such a body and necessary to accomplish the purpose of its creation; said college may receive and hold all real estate and personal property conveyed or given to it for such purposes. However, the name "Mississippi State College for Women" is hereafter changed to "Mississippi University for Women," without interference with the rights, powers and prerogatives of said college which continue in all respects. Whenever the name "Mississippi College for Women" appears the same is construed to denote "Mississippi University for Women."

SECTION 3. Section 37-139-3, Mississippi Code of 1972, is brought forward as follows:

37-139-3. (1) There is hereby created the Mississippi School for Mathematics and Science which shall be a residential school for eleventh and twelfth grade high school students located on the campus of the Mississippi University for Women.

(2) The school shall be governed by the State Board of Education.

(3) The board shall develop a plan relating to the opening, the operation and the funding of the school. Such plan shall be presented to the Legislature during the 1988 Regular Session and shall include an equitable and reasonable plan for student recruitment without regard to race, creed or color.

(4) The purpose of the school shall be to educate the gifted and talented students of the state, and its curriculum and admissions policies shall reflect such purpose.

(5) The board shall prepare the annual budget for the school.

SECTION 4. Section 37-101-1, Mississippi Code of 1972, is brought forward as follows:

37-101-1. The following state institutions of higher learning shall be under the management and control of a board of trustees to be known as the Board of Trustees of State Institutions of Higher Learning, namely:

(a) The University of Mississippi;

(b) Mississippi State University of Agriculture and Applied Science;

(c) Mississippi University for Women;

(d) The University of Southern Mississippi;

(e) Delta State University;

(f) Alcorn State University;

(g) Jackson State University;

(h) Mississippi Valley State University;

(i) And any other of like kind which may be hereafter established by the state.

SECTION 5. Section 25-65-7, Mississippi Code of 1972, is brought forward as follows:

25-65-7. The provisions of this chapter shall only apply (a) to the following universities: (i) Alcorn State University, (ii) Delta State University, (iii) Jackson State University, (iv) Mississippi State University, (v) Mississippi State University Agriculture and Forestry Experiment Station, (vi) Mississippi State University Cooperative Extension Service, (vii) Mississippi State University Forest and Wildlife Research Center, (viii) Mississippi State University State Chemical Laboratory, (ix) Mississippi University for Women, (x) Mississippi Valley State University, (xi) The University of Mississippi, (xii) University of Mississippi Medical Center and * * * (xiii) The University of Southern Mississippi; (b) to the following community/junior colleges: (i) Coahoma Community College, (ii) Copiah-Lincoln Community College, (iii) East Central Community College, (iv) East Mississippi Community College, (v) Hinds Community College, (vi) Holmes Community College, (vii) Itawamba Community College, (viii) Jones County Junior College, (ix) Meridian Community College, (x) Mississippi Delta Community College, (xi) Mississippi Gulf Coast Community College, (xii) Northeast Mississippi Community College, (xiii) Northwest Mississippi Community College, (xiv) Pearl River Community College and (xv) Southwest Mississippi Community College; and (c) to the following agencies: (i) the Department of Finance and Administration, (ii) the State Tax

Commission, (iii) the Department of Education, (iv) the State Department of Health, (v) the Department of Mental Health, (vi) the Department of Agriculture and Commerce, (vii) the Mississippi Development Authority, (viii) the Department of Environmental Quality, (ix) the Department of Wildlife, Fisheries and Parks, (x) the Department of Corrections, (xi) the Division of Medicaid, (xii) the Department of Rehabilitation Services, (xiii) the Department of Public Safety, (xiv) the Mississippi Employment Security Commission, (xv) the Mississippi Department of Information Technology Services, (xvi) the Public Employees Retirement System, (xvii) the Mississippi Department of Transportation, (xviii) the Mississippi Gaming Commission and (xix) the Mississippi Department of Human Services.

SECTION 6. Section 37-117-5, Mississippi Code of 1972, is brought forward as follows:

37-117-5. The right belongs to each county to have a number of girls admitted, proportionate to its number of educable girls as compared with the whole number in the state. The total attendance at any session shall not exceed the entire allotment to the several counties for such session.

SECTION 7. Section 37-117-7, Mississippi Code of 1972, is brought forward as follows:

37-117-7. The apportionment of students to be admitted to the Mississippi State College for Women shall be made and announced by the president of the college annually, and communicated to the county superintendents of education by the first of August, or as soon thereafter as practicable. No applicant under sixteen years of age shall be admitted to the institution.

SECTION 8. Section 37-117-9, Mississippi Code of 1972, is brought forward as follows:

37-117-9. The superintendent of education of each county, after due notice published, shall examine applicants, not qualified to enter by certificate from an accredited school, upon questions prepared and submitted by the president of the Mississippi State College for Women, and, with the consent of the board of supervisors, shall give certificates of selection to the number of girls to which his county is entitled, in addition to those already in the said college, if any. County superintendents shall make their appointments of students to the said college not later than July 1 of each year.

The certificate of selection shall be attested by the clerk of the board of supervisors, under its seal, and shall entitle the holder to admission into the said college, with all the privileges thereof, to pursue all the industrial branches selected, and to enter the subclass or class for which she is fitted.

SECTION 9. Section 37-117-11, Mississippi Code of 1972, is brought forward as follows:

37-117-11. The privilege of rooming in the dormitories at the Mississippi State College for Women belongs to the free students, and to the due quota of girls from each county, in preference to all others. The basis of apportionment is hereby fixed at the present dormitory capacity. However, this provision shall not be construed to exclude pupils from free tuition who pay their board elsewhere.

SECTION 10. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO REQUIRE THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW TO CONDUCT A VIABILITY STUDY OF THE MISSISSIPPI UNIVERSITY FOR WOMEN; TO PROVIDE THAT THE PURPOSE OF THE STUDY SHALL BE TO ADDRESS CHALLENGES AND FIND SOLUTIONS WHICH HELP STRENGTHEN THE CAMPUS AND ENSURE ITS FUTURE SUCCESS; TO REQUIRE PEER TO SUBMIT THE FINAL FEASIBILITY STUDY TO THE CHAIRMEN OF THE UNIVERSITIES AND COLLEGES COMMITTEES IN THE MISSISSIPPI SENATE AND MISSISSIPPI HOUSE OF REPRESENTATIVES, THE CHAIRMEN OF THE APPROPRIATIONS COMMITTEES IN THE MISSISSIPPI SENATE AND MISSISSIPPI HOUSE OF REPRESENTATIVES, THE LIEUTENANT GOVERNOR, AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, BY OCTOBER 1, 2024; TO BRING FORWARD SECTIONS 37-117-1, 37-139-3, 37-101-1, 25-65-7, 37-117-5, 37-117-7, 37-117-9 AND 37-117-11, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2715 was adopted.

YEAS AND NAYS On S. B. No. 2715. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it failed to pass, title standing as stated, by the following vote:

Yeas--Berry, Blackwell, Blount, Boyd, Bryan, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hopson, Johnson, Kirby, McCaughn, McMahan, Michel, Polk, Rhodes, Robinson, Sparks, Thompson, Wiggins, Williams. Total--25.

Nays--Barnett, Barrett, Blackmon, Branning, Brumfield, Butler, Chism, Frazier, Hickman, Hill, Horhn, Jackson, Jordan, Ladner, McLendon, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Suber, Tate, Thomas, Turner-Ford, Whaley, Younger. Total--27.

Absent and those not voting----None.

Senator Younger called up the following entitled bill:

S. B. No. 2004: Grain grading; require state or federal certification and compliance with Federal Grain Inspection Service standards.

On motion of Senator Berry, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2004. On motion of Senator Berry, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

On motion of Senator Boyd, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 2417.

S. B. No. 2417: Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents Act; bring forward sections.

Senator Boyd called up the following entitled bill:

S. B. No. 2724: Mississippi Resident Tuition Assistance and Promise Grant Program; create to provide financial assistance to students.

On motion of Senator DeLano, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2724. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.
Nays--Chism, Hill, Polk. Total--3.
Absent and those not voting----None.
Voting Present--Hopson. Total--1.

Senator Boyd called up the following entitled bill:

S. B. No. 2728: University of Mississippi; authorize to enter long-term lease with approval of I.H.L.

On motion of Senator Jackson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2728. On motion of Senator Jackson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Blackwell called up the following entitled bill:

S. B. No. 2526: Special Care Facility for Paroled Inmates; bring forward provisions for possible amendment.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2526. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.
Nays--Chism, Hill, Tate. Total--3.
Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

S. B. No. 2130: Homeowners' insurance; prohibit insurer from refusing to issue or to renew policy solely based on roof's age.

On motion of Senator Johnson, the Committee Substitute was adopted for consideration.

Senator Johnson offered the following AMENDMENT NO. 1.

AMEND on line 47 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to S. B. No. 2130 was adopted.

YEAS AND NAYS On S. B. No. 2130. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McMahan, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.
Nays--Chism, Michel. Total--2.
Absent and those not voting----None.
Voting Present--Hill, McLendon, Suber, Thomas. Total--4.

Senator Wiggins called up the following entitled bill:

S. B. No. 2753: SAFER Act; enact.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2753. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackwell, Boyd, Branning, Bryan, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horhn, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--Blackmon, Blount, Brumfield, Butler, Frazier, Hickman, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--12.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Tate, McLendon, Blackwell, Fillingane, Berry, Hill, McCaughn, Suber, Sparks, Robinson, Barrett, Whaley, Seymour, Parks, Younger, Rhodes, Parker, McMahan, Williams and McLendon as co-authors of **S. B. No. 2753**.

Senator England called up the following entitled bill:

S. B. No. 2575: Campaign finance; reform.

President Pro Tempore Kirby yielded the gavel to President Hosemann, who presided over the Senate.

On motion of Senator England, the Committee Substitute was adopted for consideration.

Senator Hopson offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-801, Mississippi Code of 1972, is brought forward as follows:

23-15-801. (a) "Election" means a general, special, primary or runoff election.

(b) "Candidate" means an individual who seeks nomination for election, or election, to any elective office other than a federal elective office. For purposes of this article, an individual shall be deemed to seek nomination for election, or election:

(i) If the individual has received contributions aggregating in excess of Two Hundred Dollars ($200.00) or has made expenditures aggregating in excess of Two Hundred Dollars ($200.00) or for a candidate for the Legislature or any statewide or state district office, by the qualifying deadlines specified in Sections 23-15-299 and 23-15-977, whichever occurs first; or

(ii) If the individual has given his or her consent to another person to receive contributions or make expenditures on behalf of the individual and if the other person has received contributions aggregating in excess of Two Hundred Dollars ($200.00) during a calendar year, or has made expenditures aggregating in excess of Two Hundred Dollars ($200.00) during a calendar year.

(c) "Political committee" means any committee, party, club, association, political action committee, campaign committee or other groups of persons or affiliated

organizations that receives contributions aggregating in excess of Two Hundred Dollars ($200.00) during a calendar year or that makes expenditures aggregating in excess of Two Hundred Dollars ($200.00) during a calendar year for the purpose of influencing or attempting to influence the action of voters for or against the nomination for election, or election, of one or more candidates, or balloted measures. Political committee shall, in addition, include each political party registered with the Secretary of State.

(d) "Affiliated organization" means any organization that is not a political committee, but that directly or indirectly establishes, administers or financially supports a political committee.

(e) (i) "Contribution" shall include any gift, subscription, loan, advance or deposit of money or anything of value made by any person or political committee for the purpose of influencing any election for elective office or balloted measure;

(ii) "Contribution" shall not include the value of services provided without compensation by any individual who volunteers on behalf of a candidate or political committee; or the cost of any food or beverage for use in any candidate's campaign or for use by or on behalf of any political committee of a political party;

(iii) "Contribution to a political party" includes any gift, subscription, loan, advance or deposit of money or anything of value made by any person, political committee, or other organization to a political party and to any committee, subcommittee, campaign committee, political committee and other groups of persons and affiliated organizations of the political party;

(iv) "Contribution to a political party" shall not include the value of services provided without compensation by any individual who volunteers on behalf of a political party or a candidate of a political party.

(f) (i) "Expenditure" shall include any purchase, payment, distribution, loan, advance, deposit, gift of money or anything of value, made by any person or political committee for the purpose of influencing any balloted measure or election for elective office; and a written contract, promise, or agreement to make an expenditure;

(ii) "Expenditure" shall not include any news story, commentary or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless the facilities are owned or controlled by any political party, political committee, or candidate; or nonpartisan activity designed to encourage individuals to vote or to register to vote;

(iii) "Expenditure by a political party" includes 1. any purchase, payment, distribution, loan, advance, deposit, gift of money or anything of value, made by any political party and by any contractor, subcontractor, agent, and consultant to the political party; and 2. a written contract, promise, or agreement to make such an expenditure.

(g) The term "identification" shall mean:

(i) In the case of any individual, the name, the mailing address, and the occupation of such individual, as well as the name of his or her employer; and

(ii) In the case of any other person, the full name and address of the person.

(h) The term "political party" shall mean an association, committee or organization which nominates a candidate for election to any elective office whose name appears on the election ballot as the candidate of the association, committee or organization.

(i) The term "person" shall mean any individual, family, firm, corporation, partnership, association or other legal entity.

(j) The term "independent expenditure" shall mean an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate that is made without cooperation or consultation with any candidate or any authorized committee or agent of the candidate, and that is not made in concert with or at the request or suggestion of any candidate or any authorized committee or agent of the candidate.

(k) The term "clearly identified" shall mean that:

(i) The name of the candidate involved appears; or

(ii) A photograph or drawing of the candidate appears; or

(iii) The identity of the candidate is apparent by unambiguous reference.

SECTION 2. Section 23-15-803, Mississippi Code of 1972, is brought forward as follows:

23-15-803. (1) Each political committee shall file a statement of organization which must be received by the Secretary of State no later than forty-eight (48) hours after:

(a) Receipt of contributions aggregating in excess of Two Hundred Dollars ($200.00), or

(b) Having made expenditures aggregating in excess of Two Hundred Dollars ($200.00).

(2) The content of the statement of organization of a political committee shall include:

(a) The name, address, officers, and members of the committee;

(b) The designation of a chair of the organization and a custodian of the financial books, records and accounts of the organization, who shall be designated treasurer; and

(c) If the committee is authorized by a candidate, then the name, address, office sought and party affiliation of the candidate.

(3) Any change in information previously submitted in a statement of organization shall be reported and noted on the next regularly scheduled report.

(4) In addition to any other penalties provided by law, the Mississippi Ethics Commission may impose administrative penalties against any political committee that fails to comply with the requirements of this section in an amount not to exceed Five Thousand Dollars ($5,000.00) per violation. The notice, hearing and appeals provisions of Section 23-15-813 shall apply to any action taken pursuant to this subsection (4). The Mississippi Ethics Commission may pursue judicial enforcement of any penalties issued pursuant to this section.

SECTION 3. Section 23-15-805, Mississippi Code of 1972, is brought forward as follows:

23-15-805. (a) Candidates for state, state district, and legislative district offices, and every political committee, which makes reportable contributions to or expenditures in support of or in opposition to a candidate for any such office or makes reportable contributions to or expenditures in support of or in opposition to a statewide ballot measure, shall file all reports required under this article with the Office of the Secretary of State.

(b) Candidates for county or county district office, and every political committee which makes reportable contributions to or expenditures in support of or in opposition to a candidate for such office or makes reportable contributions to or expenditures in support of or in opposition to a countywide ballot measure or a ballot measure affecting part of a county, excepting a municipal ballot measure, shall file all reports required by this section in the office of the circuit clerk of the county in which the election occurs, or directly to the Office of the Secretary of State via facsimile, electronic mail, postal mail or hand delivery. The circuit clerk shall forward copies of all reports to the Office of the Secretary of State.

(c) Candidates for municipal office, and every political committee which makes reportable contributions to or expenditures in support of or in opposition to a candidate for such office, or makes reportable contributions to or expenditures in support of or in opposition to a municipal ballot measure shall file all reports required by this article in the office of the municipal clerk of the municipality in which the election occurs, or directly to the Office of the Secretary of State via facsimile, electronic mail, postal mail or hand delivery. The municipal clerk shall forward copies of all reports to the Office of the Secretary of State.

(d) The Secretary of State, the circuit clerks and the municipal clerks shall make all reports received under this subsection available for public inspection and copying and shall preserve the reports for a period of five (5) years.

SECTION 4. Section 23-15-807, Mississippi Code of 1972, is brought forward as follows:

23-15-807. (a) Each candidate or political committee shall file reports of contributions and disbursements in accordance with the provisions of this section. All candidates or political committees required to report such contributions and disbursements may terminate the obligation to report only upon submitting a final report that contributions will no longer be received or disbursements made and that the candidate or committee has no outstanding debts or obligations. The candidate, treasurer or chief executive officer shall sign the report.

(b) Candidates seeking election, or nomination for election, and political committees making expenditures to influence or attempt to influence voters for or against the nomination for election of one or more candidates or balloted measures at such election, shall file the following reports:

(i) In any calendar year during which there is a regularly scheduled election, a pre-election report shall be filed no later than the seventh day before any election in which the candidate or political committee has accepted contributions or made expenditures and shall be completed as of the tenth day before the election;

(ii) In 1987 and every fourth year thereafter, periodic reports shall be filed no later than the tenth day after April 30, May 31, June 30, September 30 and December 31, and shall be completed as of the last day of each period;

(iii) In any calendar years except 1987 and except every fourth year thereafter, a report covering the calendar year shall be filed no later than January 31 of the following calendar year; and

(iv) Except as otherwise provided in the requirements of paragraph (i) of this subsection (b), unopposed candidates are not required to file pre-election reports but must file all other reports required by paragraphs (ii) and (iii) of this subsection (b).

(c) All candidates for judicial office as defined in Section 23-15-975, or their political committees, shall file periodic reports in the year in which they are to be elected no later than the tenth day after April 30, May 31, June 30, September 30 and December 31.

Candidates for judicial office shall not be required to file an annual report during an election year, but shall file an annual report in all other years.

(d) Each report under this article shall disclose:

(i) For the reporting period and the calendar year, the total amount of all contributions and the total amount of all expenditures of the candidate or reporting committee, including those required to be identified pursuant to paragraph (ii) of this subsection (d) as well as the total of all other contributions and expenditures during the calendar year. The reports shall be cumulative during the calendar year to which they relate;

(ii) The identification of:

1. Each person or political committee who makes a contribution to the reporting candidate or political committee during the reporting period, whose contribution or contributions within the calendar year have an aggregate amount or value in excess of Two Hundred Dollars ($200.00) together with the date and amount of any such contribution;

2. Each person or organization, candidate or political committee who receives an expenditure, payment or other transfer from the reporting candidate, political committee or its agent, employee, designee, contractor, consultant or other person or persons acting in its behalf during the reporting period when the expenditure, payment or other transfer to the person, organization, candidate or political committee within the calendar year have an aggregate value or amount in excess of Two Hundred Dollars ($200.00) together with the date and amount of the expenditure;

(iii) The total amount of cash on hand of each reporting candidate and reporting political committee;

(iv) In addition to the contents of reports specified in paragraphs (i), (ii) and (iii) of this subsection (d), each political party shall disclose:

1. Each person or political committee who makes a contribution to a political party during the reporting period and whose contribution or contributions to a political party within the calendar year have an aggregate amount or value in excess of Two Hundred Dollars ($200.00), together with the date and amount of the contribution;

2. Each person or organization who receives an expenditure or expenditures by a political party during the reporting period when the expenditure or expenditures to the person or organization within the calendar year have an aggregate value or amount in excess of Two Hundred Dollars ($200.00), together with the date and amount of the expenditure;

(v) Disclosure required under this section of an expenditure to a credit card issuer, financial institution or business allowing payments and money transfers to be made over the Internet must include, by way of detail or separate entry, the amount of funds passing to each person, business entity or organization receiving funds from the expenditure.

(e) The appropriate office specified in Section 23-15-805 must be in actual receipt of the reports specified in this article by 5:00 p.m. on the dates specified in subsection (b) of this section. If the date specified in subsection (b) of this section shall fall on a weekend or legal holiday then the report shall be due in the appropriate office at 5:00 p.m. on the first working day before the date specified in subsection (b) of this section. The reporting candidate or reporting political committee shall ensure that the reports are delivered to the appropriate office by the filing deadline. The Secretary of State may approve specific means of electronic transmission of completed campaign finance disclosure reports,

which may include, but not be limited to, transmission by electronic facsimile (FAX) devices.

(f) (i) If any contribution of more than Two Hundred Dollars ($200.00) is received by a candidate or candidate's political committee after the tenth day, but more than forty-eight (48) hours before 12:01 a.m. of the day of the election, the candidate or political committee shall notify the appropriate office designated in Section 23-15-805, within forty-eight (48) hours of receipt of the contribution. The notification shall include:

1. The name of the receiving candidate;

2. The name of the receiving candidate's political committee, if any;

3. The office sought by the candidate;

4. The identification of the contributor;

5. The date of receipt;

6. The amount of the contribution;

7. If the contribution is in-kind, a description of the in-kind contribution; and

8. The signature of the candidate or the treasurer or chair of the candidate's political organization.

(ii) The notification shall be in writing, and may be transmitted by overnight mail, courier service, or other reliable means, including electronic facsimile (FAX), but the candidate or candidate's committee shall ensure that the notification shall in fact be received in the appropriate office designated in Section 23-15-805 within forty-eight (48) hours of the contribution.

SECTION 5. Section 23-15-809, Mississippi Code of 1972, is brought forward as follows:

23-15-809. (a) Every person who makes independent expenditures in an aggregate amount or value in excess of Two Hundred Dollars ($200.00) during a calendar year shall file a statement containing the information required under Section 23-15-807. Such statement shall be filed with the appropriate offices as provided for in Section 23-15-805, and such person shall be considered a political committee for the purpose of determining place of filing.

(b) Statements required to be filed by this subsection shall include:

(i) Information indicating whether the independent expenditure is in support of, or in opposition to, the candidate involved;

(ii) Under penalty of perjury, a certification of whether or not such independent expenditure is made in cooperation, consultation or concert with, or at the request or suggestion of, any candidate or any authorized committee or agent of such candidate; and

(iii) The identification of each person who made a contribution in excess of Two Hundred Dollars ($200.00) to the person filing such statement which was made for the purpose of furthering an independent expenditure.

SECTION 6. Section 23-15-811, Mississippi Code of 1972, is brought forward as follows:

23-15-811. (a) Any candidate or any other person who willfully violates the provisions and prohibitions of this article shall be guilty of a misdemeanor and upon conviction shall be punished by a fine in a sum not to exceed Three Thousand Dollars ($3,000.00) or imprisoned for not longer than six (6) months or by both fine and imprisonment.

(b) In addition to the penalties provided in subsection (a) of this section and Chapter 13, Title 97, Mississippi Code of 1972, any candidate or political committee which is required to file a statement or report and fails to file the statement or report on the date it is due may be compelled to file the statement or report by an action in the nature of a mandamus brought by the Mississippi Ethics Commission.

(c) No candidate shall be certified as nominated for election or as elected to office until he or she files all reports required by this article that are due as of the date of certification.

(d) No person shall be qualified to appear on the ballot if, by the time the candidate is approved to appear on the ballot for the office sought, he or she has failed to file all reports required to be filed within the last five (5) years.

(e) No candidate who is elected to office shall receive any salary or other remuneration for the office until he or she files all reports required by this article that are due as of the date the salary or remuneration is payable.

(f) In the event that a candidate fails to timely file any report required pursuant to this article but subsequently files a report or reports containing all of the information required to be reported, the candidate shall not be subject to the sanctions of subsections (c) and (d) of this section.

SECTION 7. Section 23-15-813, Mississippi Code of 1972, is brought forward as follows:

23-15-813. (a) In addition to any other penalty permitted by law, the Mississippi Ethics Commission shall require any candidate or political committee, as identified in Section 23-15-805(a), and any other political committee registered with the Secretary of State, who fails to file a campaign finance disclosure report as required under Sections 23-15-801 through 23-15-813, or Sections 23-17-47 through 23-17-53, or who shall file a report that fails to substantially comply with the requirements of Sections 23-15-801 through 23-15-813, or Sections 23-17-47 through 23-17-53, to be assessed a civil penalty as follows:

(i) Within five (5) calendar days after any deadline for filing a report pursuant to Sections 23-15-801 through 23-15-813, or Sections 23-17-47 through 23-17-53, the Secretary of State shall compile a list of those candidates and political committees who have failed to file a report. The list shall be provided to the Mississippi Ethics Commission. The Secretary of State shall provide each candidate or political committee, who has failed to file a report, notice of the failure by first-class mail.

(ii) Beginning with the tenth calendar day after which any report is due, the Mississippi Ethics Commission shall assess the delinquent candidate and political committee a civil penalty of Fifty Dollars ($50.00) for each day or part of any day until a valid report is delivered to the Secretary of State, up to a maximum of ten (10) days. In the discretion of the Mississippi Ethics Commission, the assessing of the fine may be waived, in whole or in part, if the Commission determines that unforeseeable mitigating circumstances, such as the health of the candidate, interfered with the timely filing of a report. Failure of a candidate or political committee to receive notice of failure to file a report from the Secretary of State is not an unforeseeable mitigating circumstance, and

failure to receive the notice shall not result in removal or reduction of any assessed civil penalty.

(iii) Filing of the required report and payment of the fine within ten (10) calendar days of notice by the Secretary of State that a required statement has not been filed constitutes compliance with Sections 23-15-801 through 23-15-813, or Sections 23-17-47 through 23-17-53.

(iv) Payment of the fine without filing the required report does not excuse or exempt any person from the filing requirements of Sections 23-15-801 through 23-15-813, and Sections 23-17-47 through 23-17-53.

(v) If any candidate or political committee is assessed a civil penalty, and the penalty is not subsequently waived by the Mississippi Ethics Commission, the candidate or political committee shall pay the fine to the Commission within ninety (90) days of the date of the assessment of the fine. If, after one hundred twenty (120) days of the assessment of the fine the payment for the entire amount of the assessed fine has not been received by the Commission, the Commission shall notify the Attorney General of the delinquency, and the Attorney General shall file, where necessary, a suit to compel payment of the civil penalty.

(b) (i) Upon the sworn application, made within sixty (60) calendar days of the date upon which the required report is due, of a candidate or political committee against whom a civil penalty has been assessed pursuant to subsection (a) of this section, the Secretary of State shall forward the application to the State Board of Election Commissioners. The State Board of Election Commissioners shall appoint one or more hearing officers who shall be former chancellors, circuit court judges, judges of the Court of Appeals or justices of the Supreme Court, to conduct hearings held pursuant to this article. The hearing officer shall fix a time and place for a hearing and shall cause a written notice specifying the civil penalties that have been assessed against the candidate or political committee and notice of the time and place of the hearing to be served upon the candidate or political committee at least twenty (20) calendar days before the hearing date. The notice may be served by mailing a copy of the notice by certified mail, postage prepaid, to the last-known business address of the candidate or political committee.

(ii) The hearing officer may issue subpoenas for the attendance of witnesses and the production of documents at the hearing. Process issued by the hearing officer shall extend to all parts of the state and shall be served by any person designated by the hearing officer for the service.

(iii) The candidate or political committee has the right to appear either personally, by counsel or both, to produce witnesses or evidence in his or her behalf, to cross-examine witnesses and to have subpoenas issued by the hearing officer.

(iv) At the hearing, the hearing officer shall administer oaths as may be necessary for the proper conduct of the hearing. All hearings shall be conducted by the hearing officer, who shall not be bound by strict rules of procedure or by the laws of evidence, but the determination shall be based upon sufficient evidence to sustain it. The scope of review at the hearing shall be limited to making a determination of whether failure to file a required report was due to an unforeseeable mitigating circumstance.

(v) In any proceeding before the hearing officer, if any witness fails or refuses to attend upon a subpoena issued by the commission, refuses to testify, or refuses to produce any documents called for by a subpoena, the attendance of the witness, the giving of his or her testimony or the production of the documents shall be enforced by a court of competent jurisdiction of this state in the manner provided for the enforcement of attendance and testimony of witnesses in civil cases in the courts of this state.

(vi) Within fifteen (15) calendar days after conclusion of the hearing, the hearing officer shall reduce his or her decision to writing and forward an attested true copy of the decision to the last-known business address of the candidate or political committee by way of United States first-class, certified mail, postage prepaid.

(c) (i) The right to appeal from the decision of the hearing officer in an administrative hearing concerning the assessment of civil penalties authorized pursuant to this section is granted. The appeal shall be to the Circuit Court of Hinds County and shall include a verbatim transcript of the testimony at the hearing. The appeal shall be taken within thirty (30) calendar days after notice of the decision of the commission following an administrative hearing. The appeal shall be perfected upon filing notice of the appeal and the prepayment of all costs, including the cost of preparing the record of the proceedings by the hearing officer, and filing a bond in the sum of Two Hundred Dollars ($200.00), conditioned that if the decision of the hearing officer is affirmed by the court, the candidate or political committee will pay the costs of the appeal and the action in court. If the decision is reversed by the court, the Mississippi Ethics Commission will pay the costs of the appeal and the action in court.

(ii) If there is an appeal, the appeal shall act as a supersedeas. The court shall dispose of the appeal and enter its decision promptly. The hearing on the appeal may be tried in vacation, in the court's discretion. The scope of review of the court shall be limited to a review of the record made before the hearing officer to determine if the action of the hearing officer is unlawful for the reason that it was 1. not supported by substantial evidence, 2. arbitrary or capricious, 3. beyond the power of the hearing officer to make, or 4. in violation of some statutory or constitutional right of the appellant. The decision of the court may be appealed to the Supreme Court in the manner provided by law.

(d) If, after forty-five (45) calendar days of the date of the administrative hearing procedure set forth in subsection (b), the candidate or political committee identified in subsection (a) of this section fails to pay the monetary civil penalty imposed by the hearing officer, the Secretary of State shall notify the Attorney General of the delinquency. The Attorney General shall investigate the offense in accordance with the provisions of this chapter, and where necessary, file suit to compel payment of the unpaid civil penalty.

(e) If, after twenty (20) calendar days of the date upon which a campaign finance disclosure report is due, a candidate or political committee identified in subsection (a) of this section shall not have filed a valid report with the Secretary of State, the Secretary of State shall notify the Attorney General of those candidates and political committees who have not filed a valid report, and the Attorney General shall prosecute the delinquent candidates and political committees.

SECTION 8. Section 23-15-815, Mississippi Code of 1972, is brought forward as follows:

23-15-815. (a) The Secretary of State shall prescribe and make available forms and promulgate rules and regulations necessary to implement this article.

(b) The Secretary of State, circuit clerks and municipal clerks shall, within forty-eight (48) hours after the time of the receipt by the appropriate office of reports and statements filed with it, make them available for public inspection, and copying at the expense of the person requesting such copying, and keep such designations, reports and statements for a period of three (3) years from the date of receipt.

SECTION 9. Section 23-15-817, Mississippi Code of 1972, is brought forward as follows:

23-15-817. The Secretary of State shall compile a list of all candidates for the Legislature or any statewide office who fail to file a campaign disclosure report by the

dates specified in Section 23-15-807(b). The list shall be provided to the Mississippi Ethics Commission so that the Commission may bring a mandamus as provided in Section 23-15-811 or take any other disciplinary action as provided in this chapter. The list shall also be disseminated to the members of the Mississippi Press Association within two (2) working days after such reports are due and made available to the public.

SECTION 10. Section 23-15-819, Mississippi Code of 1972, is brought forward as follows:

23-15-819. (1) It shall be unlawful for a foreign national, directly or through any other person, to make any contribution or any expenditure of money or other thing of value, or to promise expressly or impliedly to make any such contribution or expenditure, in connection with an election to any political office or in connection with any primary election, convention or caucus held to select candidates for any political office.

(2) No person shall solicit, accept or receive any such contribution from a foreign national.

(3) The term "foreign national" means:

(a) A foreign national as defined in 22 USCS 611(b), except that the terms "foreign national" does not include any individual who is a citizen of the United States; or

(b) An individual who is not a citizen of the United States and who is not lawfully admitted for permanent residence.

SECTION 11. Section 23-15-821, Mississippi Code of 1972, is brought forward as follows:

23-15-821. (1) The personal use of campaign contributions by any elected public officeholder or by any candidate for public office is prohibited.

(a) For the purposes of this section, "personal use" is defined as any use, other than expenditures related to gaining or holding public office, or performing the functions and duties of public office, for which the candidate for public office or elected public official would be required to treat the amount of the expenditure as gross income under Section 61 of the Internal Revenue Code of 1986, 26 USC Section 61, or any subsequent corresponding Internal Revenue Code of the United States, as from time to time amended. "Personal use" shall not include donations to a political organization, or to a political action committee, or to another candidate.

(b) "Candidate" shall mean any individual described in Section 23-15-801(b), and shall include any person having been a candidate until such time that the person takes office or files a termination report as provided in this section.

(c) "Officeholder" shall mean any elected or appointed official from the beginning of his or her term of office until that person no longer holds office.

(2) The following personal use expenditures are specifically prohibited under this section:

(a) Any residential or household items, supplies or expenditures, including mortgage, rent or utility payments for any part of any personal residence where a homestead exemption is claimed of a candidate or officeholder or a member of the candidate's or officeholder's family;

(b) Mortgage, rent or utility payments for any part of any nonresidential property that is owned by a candidate or officeholder or a member of a candidate's or

officeholder's family and used for campaign purposes, to the extent the payments exceed the fair market value of the property usage;

(c) Funeral, cremation or burial expenses within a candidate's or officeholder's family;

(d) Clothing, other than items of de minimis value that are used for gaining or holding public office or performing the functions and duties of public office;

(e) Automobiles, except for automobile rental expenses and other automobile expenses related to gaining or holding public office or performing the functions and duties of public office;

(f) Tuition payments within a candidate's or officeholder's family other than those associated with training campaign staff or associated with an officeholder's duties;

(g) Salary payments to a member of a candidate's family, unless the family member is providing bona fide services to the campaign. If a family member provides bona fide services to a campaign, any salary payments in excess of the fair market value of the services provided is personal use;

(h) Nondocumented loans of any type, including loans to candidates;

(i) Travel expenses except for travel expenses of a candidate, officeholder or staff member of the officeholder for travel undertaken as an ordinary and necessary expense of gaining or holding public office, or performing the functions and duties of public office or for attending meetings or conferences of officials similar to the office held or sought, or for an issue the legislative body is or will consider, or attending a state or national convention of any party. If a candidate or officeholder uses campaign contributions to pay expenses associated with travel that involves both personal activities and activities related to gaining or holding public office or performing the functions and duties of public office, the incremental expenses that result from the personal activities are personal use, unless the person(s) benefiting from this use reimburse(s) the campaign account within thirty (30) days for the amount of the incremental expenses; and

(j) Payment of any fines, fees or penalties assessed pursuant to Mississippi law.

(3) Any expense that reasonably relates to gaining or holding public office, or performing the functions and duties of public office, is a specifically permitted use of campaign contributions. Such expenditures are not considered personal use expenditures and may include, but are not limited to, the following expenditures:

(a) The defrayal of ordinary and necessary expenses of a candidate or officeholder, including expenses reasonably related to performing the duties of the office held or sought to be held;

(b) Campaign office or officeholder office expenses and equipment, provided the expenditures and the use of the equipment can be directly attributable to the campaign or office held;

(c) Donations to charitable organizations, not-for-profit organizations or for sponsorships, provided the candidate or officeholder does not receive monetary compensation, other than reimbursements of expenses, from the recipient organization;

(d) Gifts of nominal value and donations of a nominal amount made on a special occasion such as a holiday, graduation, marriage, retirement or death, unless made to a member of the candidate's or officeholder's family;

(e) Meal and beverage expenses which are incurred as part of a campaign activity or as a part of a function that is related to the candidate's or officeholder's responsibilities, including meals between and among candidates and/or officeholders that are incurred as an ordinary and necessary expense of seeking, holding or maintaining public office, or seeking, holding or maintaining a position within the Legislature or other publicly elected body;

(f) Reasonable rental or accommodation expenses incurred by an officeholder during a legislative session or a day or days in which the officeholder is required by his or her duties to be at the Capitol or another location outside the officeholder's county of residence. Such rental or accommodation expenses shall not exceed Fifty Dollars ($50.00) per day, if the officeholder receives per diem, or One Hundred Ninety Dollars ($190.00) per day, if the officeholder receives no per diem. Any expenses incurred under this paragraph (f) must be reported as an expenditure pursuant to this section;

(g) Communication access expenses, including mobile devices and Internet access costs. Examples of communication access expenses include, but are not limited to, the following: captioning on television advertisements; video clips; sign language interpreters; computer-aided real-time (CART) services; and assistive listening devices;

(h) Costs associated with memberships to chambers of commerce and civic organizations;

(i) Legal fees and costs associated with any civil action, criminal prosecution or investigation related to conduct reasonably related to the candidacy or performing the duties of the office held.

(4) Upon filing the termination report required under Section 23-15-807, any campaign contributions not used to pay for the expenses of gaining or holding public office or performing the functions and duties of public office shall:

(a) Be maintained in a campaign account(s);

(b) Be donated to a political organization, or to a political action committee, or to another candidate;

(c) Be transferred, in whole or in part, into a newly established political action committee or ballot question advocate;

(d) Be donated to a tax-exempt charitable organization as that term is used in Section 501(c)(3) of the Internal Revenue Code of 1986, 26 USC Section 501, or any subsequent corresponding Internal Revenue Code of the United States, as from time to time amended;

(e) Be donated to the State of Mississippi; or

(f) Be returned to a donor or donors.

(5) Any candidate for public office or any elected official who willfully violates this section shall be guilty of a misdemeanor and punished by a fine of One Thousand Dollars ($1,000.00) and by a state assessment equal to the amount of misappropriated campaign contributions. The state assessment shall be deposited into the Public Employees' Retirement System. No fine or assessment imposed under this section shall be paid by a third party.

(6) Any contributions accruing to a candidate's or officeholder's campaign account before January 1, 2018, shall be exempt and not subject to the provisions of this section.

All exempt contributions must be designated as exempt on all reports filed with the Secretary of State pursuant to the provisions of this chapter.

(7) The Mississippi Ethics Commission shall issue advisory opinions regarding any of the requirements set forth in this section. When any officeholder or candidate requests an advisory opinion, in writing, and has stated all of the facts to govern the opinion, and the Ethics Commission has prepared and delivered the opinion with references to the request, there shall be no civil or criminal liability accruing to or against any officeholder or candidate who, in good faith, follows the direction of the opinion and acts in accordance with the opinion, unless a court of competent jurisdiction, after a full hearing, judicially declares that the opinion is manifestly wrong and without any substantial support. No opinion shall be given or considered if the opinion would be given after judicial proceedings have commenced.

All advisory opinions issued pursuant to the provisions of this subsection (7) shall be made public and shall be issued within ninety (90) days of written request. The request for an advisory opinion shall be confidential as to the identity of the individual making the request. The Ethics Commission shall, so far as practicable and before making public * * * an advisory opinion issued under the provisions of on this subsection (7), make such deletions and changes thereto as may be necessary to ensure the anonymity of the public official and any other person named in the opinion.

SECTION 12. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO BRING FORWARD SECTIONS 23-15-801, 23-15-803, 23-15-805, 23-15-807, 23-15-809, 23-15-811, 23-15-813, 23-15-815, 23-15-817, 23-15-819, AND 23-15-821, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE DISCLOSURE OF CAMPAIGN FINANCES, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2575 was adopted.

YEAS AND NAYS On S. B. No. 2575. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Chassaniol, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Johnson, Kirby, Ladner, McCaughn, Parker, Parks, Polk, Rhodes, Robinson, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--33.

Nays--Brumfield, Butler, Carter, Chism, DeBar, Hickman, Hill, Horhn, Jackson, Jordan, McLendon, McMahan, Michel, Norwood, Seymour, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--19.

Absent and those not voting----None.

Senator DeBar called up the following entitled bill:

S. B. No. 2681: Certified Academic Language Therapists; allow to help instruct students with dyslexia in schools.

On motion of Senator DeLano, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2681. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Unanimous consent was granted to add Senators Barrett and Jordan as co-authors of **S. B. No. 2681**.

Senator DeBar called up the following entitled bill:

S. B. No. 2693: Failing schools and districts of transformation; revise certain provisions related thereto.

On motion of Senator Hopson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2693. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator DeBar called up the following entitled bill:

S. B. No. 2691: Open enrollment; allow school district transfer if transferee board accepts, guarantee for active duty military children.

Senator DeBar moved that **S. B. No. 2691** be recommitted to Education, and the motion prevailed.

Senator DeLano called up the following entitled bill:

S. B. No. 2649: Department of Environmental Quality; provide additional powers to Executive Director.

YEAS AND NAYS On S. B. No. 2649. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator England declined to call up S. B. No. 2576, thereby remanding it to the heel of the calendar.

S. B. No. 2576: Voter ID; allow Secretary of State to promulgate rules regarding.

Senator Parker called up the following entitled bill:

S. B. No. 2916: Lobbying; require lobbyists with a material financial interest in an issue or bill to register with legislative officers.

On motion of Senator Thompson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2916. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Harkins moved that the rules be suspended to move to calendar item 3, **S. B. No. 2849**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

S. B. No. 2849: ATVs & UTVs; require titling, and exempt from ad valorem tax when held by retailers on consignment or floor plan basis.

On motion of Senator Barrett, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2849. On motion of Senator Barrett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams. Total--49.

Nays--Chism, Hill. Total--2.

Absent and those not voting----None.

Voting Present--Younger. Total--1.

Senator Suber moved that the rules be suspended to move to calendar item 32, **S. B. No. 2275**, and the motion prevailed.

Senator Suber called up the following entitled bill:

S. B. No. 2275: MDOT; authorize the transfer and conveyance of certain real property to the Board of Supervisors of Greene County.

Senator Suber offered the following AMENDMENT NO. 1.

AMEND on line 10 after the word "convey" by inserting the following:

, in exchange for fair market value,

FURTHER, AMEND by inserting below line 46 the following language:

(5) Any expenses incurred in conducting a survey of the property shall be paid for by the Board of Supervisors of Greene County, Mississippi.

FURTHER, AMEND by inserting on line 48 before the period the following:

, and shall stand repealed on the day before its passage

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2275 was adopted.

YEAS AND NAYS On S. B. No. 2275. On motion of Senator Suber, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Simmons D. T. (12th) moved that the rules be suspended to move to calendar item 29, **S. B. No. 2697**, and the motion prevailed.

Senator Simmons D. T. (12th) called up the following entitled bill:

S. B. No. 2697: Property exemption; property used exclusively and directly for certain purposes belongs to the foundation using it.

YEAS AND NAYS On S. B. No. 2697. On motion of Senator Simmons D. T. (12th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Unanimous consent was granted to add Senator Williams as co-author of **S. B. No. 2697**.

Senator Boyd moved that the rules be suspended to move to calendar item 8, **S. B. No. 2408**, and the motion prevailed.

Senator Boyd called up the motion to reconsider the vote whereby **S. B. No. 2408** passed the Senate and moved that it be reconsidered:
S. B. No. 2408: Identification cards and driver's licenses; require to have 988 Crisis Lifeline information.

The foregoing motion prevailed.

Senator DeLano offered the following AMENDMENT NO. 1.

AMEND on line 204 by striking the word "to" and inserting "that may" in lieu thereof:

FURTHER, AMEND on lines 205 and 215 by inserting "or renewed" after the word "issued"

Amendment No. 1 to S. B. No. 2408 was adopted.

YEAS AND NAYS On S. B. No. 2408. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator England moved that the rules be suspended to move to calendar item 103, **S. B. No. 2576**, and the motion prevailed.

Senator England called up the following entitled bill:

S. B. No. 2576: Voter ID; allow Secretary of State to promulgate rules regarding.

On motion of Senator England, the Committee Substitute was adopted for consideration.

Senators England and Blount offered the following AMENDMENT NO. 1.

AMEND by striking Section 1 on lines 6 through 12 in its entirety and inserting in lieu thereof the following:

SECTION 1. Section 23-15-563, Mississippi Code of 1972, is amended as follows:

23-15-563. (1) Each person who appears to vote in person at a polling place or the registrar's office shall be required to identify himself or herself to a poll manager or the registrar by presenting current and valid photo identification before such person shall be allowed to vote.

(2) The identification required by subsection (1) of this section shall include, but not be limited to, the following:

(a) A * * * valid Mississippi driver's license;

(b) A * * * valid identification card issued by a branch, department, agency or entity of the State of Mississippi;

(c) A * * * valid United States passport;

(d) A * * * valid employee identification card containing a photograph of the elector and issued by any branch, department, agency or entity of the United States government, the State of Mississippi, or any county, municipality, board, authority or other entity of this state;

(e) A current and valid Mississippi license to carry a pistol or revolver;

(f) A valid tribal identification card containing a photograph of the elector;

(g) A * * * valid United States military identification card;

(h) A current and valid student identification card, containing a photograph of the elector, issued by any accredited college, university or community or junior college in the State of Mississippi; and

(i) An official Mississippi voter identification card containing a photograph of the elector.

(3) For purposes of this section valid shall mean an official government document that establishes the voter's identity and has no expiration date or has an issuance date not more than ten (10) years prior to the date the document is presented.

(* * *4) (a) A person who appears to vote in person at a polling place and does not have identification as required by this section may vote by affidavit ballot. The affidavit ballot shall then be counted if the person shall present acceptable photo identification to the registrar within five (5) days.

(b) An elector who has a religious objection to being photographed may vote by affidavit ballot, and the elector, within five (5) days after the election, shall execute an affidavit in the registrar's office affirming that the exemption applies.

(* * *5) The intentional failure of an election official to require a voter to present identification as required by this section shall be considered corrupt conduct under Section 97-13-19 and shall be reported to the Secretary of State and the Attorney General.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2576 was adopted.

YEAS AND NAYS On S. B. No. 2576. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Boyd, Branning, Bryan, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--Blount, Brumfield, Butler, Frazier, Horhn, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--10.

Absent and those not voting----None.

Voting Present--Jackson, Turner-Ford. Total--2.

Senator Fillingane moved that the rules be suspended to move to calendar item 12, **S. B. No. 2441**, and the motion prevailed.

Senator Fillingane called up the motion to reconsider the vote whereby **S. B. No. 2441** passed the Senate and moved that it be reconsidered:

S. B. No. 2441: Alternative nicotine products; prohibit distribution or sale of certain products..

The foregoing motion prevailed.

Senator Fillingane offered the following AMENDMENT NO. 1.

AMEND by striking the underlined language on lines 53 through 59 and inserting in lieu thereof the following:

It is unlawful to distribute, sell, offer for sale, give or furnish any electronic cigarette, electronic device that can be used to deliver nicotine that can be ingested into the body by inhaling or vaporizing, or any cartridge, component, liquid, capsule, or powder used to refill such electronic cigarette or electronic device that cannot be legally marketed or sold under federal law or United States Food and Drug Administration (FDA) rule, regulation, or guidance. It is not unlawful to sell any electronic cigarette that has a premarket tobacco product application filed by a manufacturer that remains under review by the FDA.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2441 was adopted.

YEAS AND NAYS On S. B. No. 2441. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Barrett, Tate. Total--2.

Absent and those not voting----None.

Senator McMahan entered a motion to reconsider the vote whereby **S. B. No. 2715** failed to pass the Senate.

S. B. No. 2715: Mississippi School for Mathematics and Science; relocate to the campus of Mississippi State University.

Senator Tate entered a motion to reconsider the vote whereby **S. B. No. 2886** passed the Senate.

S. B. No. 2886: Nicotine vapor device directory; require manufacturers to provide certification, set penalties and other provisions.

Senator Harkins entered a motion to reconsider the vote whereby **S. B. No. 2697** passed the Senate.

S. B. No. 2697: Property exemption; property used exclusively and directly for certain purposes belongs to the foundation using it.

Senator Branning entered a motion to reconsider the vote whereby **S. B. No. 2240** passed the Senate.

S. B. No. 2240: Board of Medical Licensure; revise licensure status, definitions, procedure, fines and temporary practice authority.

Unanimous consent was granted to add Senator Brumfield as co-author of **S. B. No. 2735**.

S. B. No. 2735: Medicaid reimbursement, services, beneficiaries, hospital assessment and premium tax; bring forward sections.

Senator Blount entered a motion to reconsider the vote whereby **S. B. No. 2311** passed the Senate.

S. B. No. 2311: Sheriffs; remove cap on annual salary supplement.

Unanimous consent was granted to withdraw Senator Chism as co-author of **S. B. No. 2519**.

S. B. No. 2519: Mississippi Foreign Land Ownership Act; create.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Saundra Jo Scott of Belden, MS.

Senator Polk moved that the Senate adjourn until 9:00 AM, Thursday, March 14, 2024.

The motion prevailed, and at 7:07 PM, the Senate stood adjourned in memory of Saundra Jo Scott.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR WEDNESDAY, MARCH 13, 2024

SEVENTY-THIRD DAY, THURSDAY, MARCH 14, 2024

The Senate met at 9:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Senator Berry.

Senator Younger led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Parker called up the motion to reconsider the vote whereby **S. B. No. 2311** passed the Senate and moved that it be reconsidered:

S. B. No. 2311: Sheriffs; remove cap on annual salary supplement.

The foregoing motion prevailed.

Senators Parker, Blount and Branning offered the following AMENDMENT NO. 2.

AMEND by inserting the following after line 75:

(6) Notwithstanding any provision of this section to the contrary, no sheriff shall receive for his services an annual salary less than the salary paid to that sheriff on the effective date of this act.

Amendment No. 2 to S. B. No. 2311 was adopted.

YEAS AND NAYS On S. B. No. 2311. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Barnett, Blackmon, Turner-Ford. Total--3.

Absent and those not voting----None.

Senator DeBar moved that the rules be suspended to move to calendar item 8, **S. B. No. 2348**, and the motion prevailed.

Senator DeBar called up the motion to reconsider the vote whereby **S. B. No. 2348** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2348: State Workforce Investment Board; make technical changes to provisions related thereto.

The foregoing motion prevailed.

Senator Simmons D. T. (12th) moved that the rules be suspended to move to calendar item 12, **S. B. No. 2697**, and the motion prevailed.

Senator Simmons D. T. (12th) called up the motion to reconsider the vote whereby **S. B. No. 2697** passed the Senate and moved that it be reconsidered:

S. B. No. 2697: Property exemption; property used exclusively and directly for certain purposes belongs to the foundation using it.

The foregoing motion prevailed.

Senator Simmons D. T. (12th) offered the following AMENDMENT NO. 1.

AMEND on line 289 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to S. B. No. 2697 was adopted.

YEAS AND NAYS On S. B. No. 2697. On motion of Senator Simmons D. T. (12th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Johnson called up the following entitled bill:

S. B. No. 2799: Public official appointments; revise terms of office and appointment procedures on certain state boards, districts and agencies.

On motion of Senator Sparks, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2799. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--50.
Nays--None.
Absent and those not voting----None.
Voting Present--Hill, Turner-Ford. Total--2.

Senator Blount called up the following entitled bill:

S. B. No. 2780: Authority of Secretary of State to approve leases located on Public Trust Tidelands; clarify.

On motion of Senator Blount, the Committee Substitute was adopted for consideration.

Senators Blount and Thompson offered the following AMENDMENT NO. 1.

AMEND by striking lines 406-414 and substitute:

(4) All existing or proposed public uses or projects of any federal, state or local governmental entity, including counties and municipalities, shall serve a higher public purpose of promoting the conservation, reclamation, preservation of the tidelands and submerged lands, public use for boating, boat launches, piers, small craft harbors, marinas, fishing, navigation, or commercial, recreational, resort, tourism, or residential development shall require a lease of State Public Trust Tidelands from the state from the Secretary of State but shall be exempt from any use, lease or rental fees.

The lease issued by the Secretary of State shall include lease terms that the existing or proposed public uses or projects of any federal, state or local governmental entity, including counties and municipalities are public uses or projects with the higher public purpose of promoting the conservation, reclamation, preservation of the tidelands and submerged lands, public use for boating, boat launches, piers, small craft harbor, marinas, fishing, navigation, or commercial, recreational, resort, tourism, or residential development.

The lease issued by the Secretary of State shall not include lease terms that restrict the existing or proposed public uses or projects of any federal, state or local governmental entity, including counties and municipalities provided such public uses or projects serve the higher public purpose of promoting the conservation, reclamation, preservation of the tidelands and submerged lands, public use for boating, boat launches, piers, small craft harbors, marinas, fishing, navigation, or commercial, recreational, resort, tourism, or residential development, and provided such use or project does not have any gaming component.

FURTHER, AMEND by striking lines 415-420 and substitute:

(5) Provided the use of the leased property serves the higher public purpose of promoting the conservation, reclamation, preservation of the tidelands and submerged lands, public use for boating, boat launches, piers, small craft harbors, marinas, fishing, navigation, or commercial, recreational, resort, tourism, or residential development, the federal, state or local governmental entity, including counties and municipalities, shall have exclusive control of the leased premises, and all revenues generated therefrom shall be used to maintain, repair, or improve the leased property, but no such use shall have any gaming component.

FURTHER, AMEND by striking lines 481-490 and substitute:

(b) Funds paid pursuant to paragraph (a) of this subsection may be appropriated by the Legislature in an amount necessary to cover the administrative cost incurred by the Mississippi * * * Department of Marine Resources. Any remaining funds shall be disbursed * * * to the * * * Department of Marine Resources for new and extra programs of tidelands management, such as conservation, reclamation, preservation, acquisition, education or the enhancement of public access to the Public Trust Tidelands or public improvement projects as they relate to those lands.

FURTHER, AMEND by striking lines 508-516 and substitute:

29-15-13. (1) All existing or proposed public uses or projects of any federal, state or local governmental entity * * *, including counties and municipalities, shall serve a higher public purpose of promoting the conservation, reclamation, preservation of the tidelands and submerged lands, public use for boating, boat launches, piers, small craft harbors, marinas, fishing, * * * navigation, or * * * commercial, recreational, resort, tourism or residential development shall require a lease from the Secretary of State but shall be exempt from any use, lease or rental fees.

FURTHER, AMEND by striking lines 679-684 and substitute:

(c) All licenses issued and approved to proceed with development by the commission and operating prior to December 31, 2023, are exempt from the minimum requirements set forth in subparagraphs (i) through (vi) below. No site approval issued by the commission prior to December 31, 2023, with an expiration date or term shall be extended beyond such term. The proposed licensee must republish and reapply for site approval upon the expiration of any such approval. So long as a licensee issued approval to proceed with development after December 31, 2023, is not revoked, voided, vacated, or lapsed by order or act of the commission, a proposed project shall meet, at a minimum, the following:

Amendment No. 1 to S. B. No. 2780 was adopted.

Senator Thompson offered the following AMENDMENT NO. 2.

AMEND on line 1275 by inserting the following before the period:

and shall stand repealed on the day before passage

Amendment No. 2 to S. B. No. 2780 was adopted.

YEAS AND NAYS On S. B. No. 2780. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Unanimous consent was granted to add Senator DeLano as co-author of **S. B. No. 2780**.

Unanimous consent was granted to add Senator Ladner as co-author of **S. B. No. 2647**.

S. B. No. 2647: Mississippi Comprehensive Coastal Conservation and Restoration Act of 2024; enact.

Unanimous consent was granted to add Senator Thomas as co-author of **S. B. No. 2693**.

S. B. No. 2693: Failing schools and districts of transformation; revise certain provisions related thereto.

Senator Wiggins called up the following entitled bill:

S. B. No. 2549: Chancery clerk; increase fees for recording deeds to land sold for taxes and redemption of such lands.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2549. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Chism, Hill, Seymour. Total--3.

Absent and those not voting----None.

Unanimous consent was granted to add Senator Jordan as co-author of **S. B. No. 2549**.

Senator Sparks called up the following entitled bill:

S. B. No. 2717: Mississippi Prison Industries Corporation; clarify conflicts in laws concerning leadership.

On motion of Senator Sparks, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2717. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Simmons D. T. (12th) called up the following entitled bill:

S. B. No. 2699: Purchasing law; raise expenditure triggering requirements for competitive bids.

Senator Simmons D. T. (12th) moved that S. B. No. 2699 be tabled subject to call, and the motion prevailed.

Senator Wiggins called up the following entitled bill:

S. B. No. 2822: Administrative Office of Courts; bring forward code sections related to.

YEAS AND NAYS On S. B. No. 2822. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Younger called up the following entitled bill:

S. B. No. 2638: Cottage foods; further define and increase seller's allowed annual gross sales amount to $50,000.00.

On motion of Senator Seymour, the Committee Substitute was adopted for consideration.

Senator Seymour offered the following AMENDMENT NO. 1.

AMEND on line 7 by striking the word "ALCOHOL PRODUCTS" and inserting in lieu thereof "WINE OR LIGHT WINE"

FURTHER, AMEND on line 28 after the word "consumption" by putting a period and insert the following after the period "Cottage foods may not be created using, nor stored within, commercial equipment or facilities."

FURTHER, AMEND on line 59 by striking the words "and any alcoholic beverage"

FURTHER, AMEND on line 60 by striking the words "beer," and "or light spirit product"

FURTHER, AMEND on line 123 by adding after the period the following:

An individual making homemade wine, as defined in Section 67-7-5, or light wine, as defined in Section 67-3-3, as part of a cottage food operation, shall not be exempt from prohibitions imposed within counties and municipalities of this state, which have hosted local option elections as provided in Sections 67-3-7 and/or 67-3-9, and successfully voted to prohibit the transportation, storage, sale, distribution, receipt and/or manufacture of wine, light spirit product and beer within said county or municipality.

FURTHER, AMEND on line 144 striking the words "and any alcoholic beverage"

FURTHER, AMEND on lines 145 through 146 by striking the words "beer," and "or light spirit products"

FURTHER, AMEND on lines 147 through 159 by striking the words "alcohol products" and inserting in lieu thereof "wine or light wine"

Amendment No. 1 to S. B. No. 2638 was adopted.

YEAS AND NAYS On S. B. No. 2638. On motion of Senator Seymour, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it failed to pass, title standing as stated, by the following vote:

Yeas--Berry, Chism, Hill, Ladner, McLendon, Seymour, Suber, Whaley, Wiggins, Williams, Younger. Total--11.

Nays--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, DeBar, Fillingane, Frazier, Harkins, Hopson, Horhn, Johnson, Jordan, Kirby, McCaughn, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Tate, Thomas, Thompson, Turner-Ford. Total--36.

Absent and those not voting--Bryan. Total--1.

Senator Hickman, who would have voted nay on S. B. No. 2638, announced a pair with Senator DeLano, who would have voted yea.

Senator Jackson, who would have voted nay on S. B. No. 2638, announced a pair with Senator England, who would have voted yea.

Senator Hill entered a motion to reconsider the vote whereby **S. B. No. 2638** failed to pass the Senate.

Senator Wiggins called up the following entitled bill:

S. B. No. 2776: Immediate possession; authorize for certain public agencies for roads & public utilities for an economic development project.

YEAS AND NAYS On S. B. No. 2776. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Barrett, Berry, Chism, Hill, Seymour, Tate. Total--6.

Absent and those not voting----None.

Senator Simmons D. T. (12th) moved that the rules be suspended to move to calendar item 38, **S. B. No. 2699**, and the motion prevailed.

On motion of Senator Simmons D. T. (12th) the following entitled bill was removed from the table for immediate consideration:

S. B. No. 2699: Purchasing law; raise expenditure triggering requirements for competitive bids.

On motion of Senator Simmons D. T. (12th), the Committee Substitute was adopted for consideration.

Senator Simmons D. T. (12th) offered the following AMENDMENT NO. 1.

AMEND on line 23 by deleting the semicolon and inserting the following language:

. Additionally, no requisition to purchase, purchase order or receiving report shall be required for the purchase of fuel or parts or repairs to equipment or heavy equipment with an acquisition cost of not more than Ten Thousand Dollars ($10,000.00) in the aggregate.

FURTHER, AMEND on line 23 to capitalize the word "however"

FURTHER, AMEND on line 44 by inserting the following after the period:

Additionally, no requisition to purchase, purchase order or receiving report shall be required for the purchase of fuel or parts or repairs to equipment or heavy equipment with an acquisition cost of not more than Ten Thousand Dollars ($10,000.00) in the aggregate.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2699 was adopted.

YEAS AND NAYS On S. B. No. 2699. On motion of Senator Simmons D. T. (12th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parks, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Chism, Hill, Parker, Polk, Tate. Total--5.

Absent and those not voting----None.

Senator Chassaniol moved that the rules be suspended to move to calendar item 22, **S. B. No. 2696**, and the motion prevailed.

Senator Chassaniol called up the following entitled bill:

S. B. No. 2696: Mississippi Main Street; bring forth code sections.

On motion of Senator McCaughn, the Committee Substitute was adopted for consideration.

Senator McCaughn offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-78-1, Mississippi Code of 1972, is brought forward as follows:

57-78-1. This act shall be known and may be cited as the "Mississippi Main Street Revitalization Grant Program Act."

SECTION 2. Section 57-78-3, Mississippi Code of 1972, is amended as follows:

57-78-3. The Mississippi Main Street Revitalization Grant Program Act will authorize the Legislature, as well as the * * * Department of Finance and Administration through appropriations by the Legislature, to make grants available to * * * eligible recipients for projects leading to the revitalization of Mississippi's downtowns or communities.

SECTION 3. Section 57-78-5, Mississippi Code of 1972, is amended as follows:

57-78-5. (1) For the purposes of this section:

(a) "Eligible recipient" means a:

(i) Main Street Designated Community, or local Main Street program that has achieved and maintained Designated Community Status by the Mississippi Main Street Association (MMSA), that is a good-standing member of the MMSA, has obtained Section 501(c)(3) tax-exempt status or Section 501(c)(6) tax-exempt status from the Internal Revenue Service * * *;

(ii) Main Street * * * Network Community * * *;

(iii) Main Street Associate Community;

(iv) Cities located in Mississippi that otherwise meet the requirements of this act; or

(v) Business improvement districts that otherwise meet the requirements of this act.

* * *

(* * *b) "Matching funds" means cash funds that are either in the applicant's possession or proposed by a match partner and clearly identified in a support letter and are reserved for the proposed project. No state funds may be included in determining the amount of the match.

(* * *c) " * * *Administrator" means the Mississippi Main Street Association.

(2) The * * * administrator shall accept applications from eligible recipients, prioritize their applications and submit a list of suggested recipients to the Legislature no later than December of each year. Applicants which did not receive an award the prior year shall receive priority for a grant the following year. * * * The Legislature shall review the submitted list and determine the projects for which to award grants to eligible recipients through the * * * Department of Finance and Administration in an appropriation bill. The * * * administrator will consider projects in relation to the following criteria:

(a) The demonstration of local financial need;

(b) Projects that demonstrate high local impact;

(c) Projects that produce a high level of public benefit;

(d) Projects that demonstrate best practices in

preservation;

(e) Projects that will have local administration and implementation capacity;

(f) The distribution of geographic size and location of the project;

(g) Projects that will be completed on time; and

(h) * * * Projects that are according to the Main Street Approach and Guiding Principles or a comparable community plan.

(3) The * * * Department of Finance and Administration shall provide grant funds to the * * * eligible recipients under this section on a reimbursement basis, not to exceed Five Hundred Thousand Dollars ($500,000.00) per community each year, and grantees shall not receive compensation for their required twenty percent (20%) of local match funds, which must cover at least twenty percent (20%) of the total project cost. * * * Municipalities with a population of over ten thousand (10,000) are required to possess local matching funds to cover at least twenty percent (20%) of the total project cost. Municipalities with a population of less than ten thousand (10,000), shall be required to have a local cash match of ten percent (10%) for the first One Hundred Thousand Dollars ($100,000.00) requested, then will be required to have a local cash match of twenty percent (20%) for any amount over One Hundred Thousand Dollars ($100,000.00).

(4) Eligible costs for the expenditure of grant funds include the acquisition of land and any improvements thereon, preservation of historic downtown structures and sites, and initiatives that will produce a revitalization to the economy of the historic downtown areas.

(5) Grants may be awarded for prospective purchases or for acquisitions of which the applicant has closed. In the latter

case, the applicant shall demonstrate:

(a) The closing occurred no more than twelve (12) months prior to the date of application for the grant; and

(b) The subject purchase was made to help preserve and revitalize the location and economy of a historic downtown community.

(6) * * * Applicants must contact the Mississippi Department of Archives and History as part of the application process to determine if the property they have acquired or wish to acquire is eligible for or already listed in the National Register of Historic Places ("historic"). Properties will be evaluated, and historic eligibility will be determined by the Mississippi Department of Archives and History using the National Register of Historic Places Criteria for Evaluation.

(a) All organizations that are awarded a grant for a project involving a historic property shall grant an easement on that property that will place reasonable restrictions on the use or development of the land and building(s).

(i) The Mississippi Department of Archives and History shall be the easement holder for all historic downtown properties. Any eligible historic downtown property will require an executed easement with a term limit based on the awarded grant amount. Projects receiving One Dollar ($1.00) to Two Hundred Fifty Thousand Dollars ($250,000.00) will require a ten-year minimum preservation easement and Two Hundred Fifty Thousand One Dollars ($250,001.00) to Five Hundred Thousand Dollars ($500,000.00) will require a fifteen-year minimum preservation easement.

(ii) In cases where the easement is granted to a holder other than the Mississippi Department of Archives and History, all terms and conditions of the easement shall be reviewed by and found by the Mississippi Department of Archives and History to accomplish the preservation of the historic downtown property. Such other holder shall demonstrate to the Department of Finance and Administration that it has the capacity and expertise to manage and enforce the terms of the easement.

(iii) The plans and specifications for any project requiring a preservation easement shall be developed in accordance with the "Secretary of the Interior's Standards for the Treatment of Historic Properties."

(b) Any project involving a property that the Mississippi Department of Archives and History has determined to be non-historic will not require an easement.

(7) Grantees must adhere to Mississippi state procedures and guidelines relating to the implementation and financing of the approved project. Grantees must also submit any and all audit and financial statements as required by the State of Mississippi.

(8) Nothing in this section shall preclude the subsequent transfer or assignment by a state agency or other owner or holder of any property interest acquired pursuant to this section to the State of Mississippi, the county, city, town or municipality in which the land is located, for the purpose of further preserving, improving or maintaining the downtown property. The * * * Department of Finance and Administration shall facilitate transfers and assignments of any such interests held by the department.

(9) There is created in the State Treasury a special fund to be known as the "Mississippi Main Street Revitalization Grant Program Fund," which shall consist of funds made available by the Legislature in any manner, funds received as grants, endowments or gifts from the federal government, its agencies and instrumentalities, and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the * * * Department of Finance and Administration, upon appropriation by the Legislature, for the purposes provided in this section.

(10) The * * * Department of Finance and Administration shall administer the fund and establish guidelines for the expenditure of grant funds and reports relating to the expenditure of grant funds. The department * * * shall provide the administrator with no more than two percent (2%) of the amount of funds deposited into the Mississippi Main Street Revitalization Grant Fund for administrative expenses in carrying out its duties under this section.

(11) To carry out this act, the * * * Department of Finance and Administration may enter into cooperative agreements with entities in the public and private sectors, including:

(a) Colleges and universities;

(b) Historical societies;

(c) State and local agencies; and

(d) Nonprofit organizations.

(12) To develop cooperative land-use strategies and conduct activities that facilitate the conservation of the historic, cultural, natural and scenic resources, the * * * Department of Finance and Administration may require that recipients seek and secure technical assistance from the * * * administrator, to the extent that a recipient of technical assistance is engaged in the protection, interpretation or commemoration of historically significant property in the area in and around the historic downtown site. The * * * administrator will provide administrative support to * * * eligible recipients to ensure proper grant administration and project implementation.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTIONS 57-78-3 AND 57-78-5, MISSISSIPPI CODE OF 1972, TO TRANSFER THE ADMINISTRATION OF THE MISSISSIPPI MAIN STREET REVITALIZATION GRANT PROGRAM FROM THE MISSISSIPPI DEVELOPMENT AUTHORITY TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO EXPAND GRANT PROGRAM ELIGIBILITY; TO ALLOW APPLICANTS THAT DID NOT RECEIVE A GRANT THE PRIOR YEAR TO TAKE PRIORITY FOR GRANTS GRANTED THE FOLLOWING YEAR; TO AMEND THE EASEMENT REQUIREMENTS FOR GRANTEES; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2696 was adopted.

YEAS AND NAYS On S. B. No. 2696. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Williams, Younger. Total--50.
Nays--Seymour, Wiggins. Total--2.
Absent and those not voting----None.

Unanimous consent was granted to add Senators Butler and Jordan as co-authors of **S. B. No. 2696**.

Senator Parker moved that the rules be suspended to move to calendar item 18, **S. B. No. 2770**, and the motion prevailed.

Senator Parker called up the following entitled bill:

S. B. No. 2770: Ballot initiative process; revise statutory implementation.

President Hosemann yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

Senator Parker offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-17-1, Mississippi Code of 1972, is amended as follows:

23-17-1. (1) For purposes of this chapter, the following term shall have the meaning ascribed herein:

"Initiative measure" means * * * a petition * * * for legislation.

(2) If any qualified elector of the state desires to initiate a proposed * * * initiative measure as authorized by * * * Section * * * 33 of the Mississippi Constitution of 1890, he or she shall first file with the Secretary of State a typewritten copy of the proposed initiative measure, which shall only contain a single subject, accompanied by an affidavit that the sponsor is a qualified elector of this state. The qualified elector of the state that desires to initiate a proposed initiative measure shall also provide the Secretary of State with an electronic mail address that the Secretary of State shall use to provide the notices required of this act, except where other methods are specifically required.

(3) The sponsor of * * * the initiative measure shall identify in the text of the initiative the amount and source of revenue required to implement the initiative. If the initiative requires a reduction in any source of government revenue, or a reallocation of funding from currently funded programs, the sponsor shall identify in the text of the initiative the program or programs whose funding must be reduced or eliminated to implement the initiative. The funding source or mechanism to pay the cost of the provisions of the initiative shall not be the Capital Expense Fund or the Working Cash Stabilization Fund i.e. Rainy Day Fund.

(4) The Director of the Legislative Budget Office shall provide a separate fiscal analysis of the initiative measure, including the amount, source of revenue and reallocation of funding required by the initiative measure.

(5) If the text of the initiative measure does not include all the requirements of subsection (3) of this section, the Secretary of State shall inform the sponsor of the measure. The sponsor shall have ten (10) working days from when notice was given to cure the defect.

(* * *6) The person proposing the measure shall also include all the information required under Section * * * 33, Mississippi Constitution of 1890.

SECTION 2. Section 23-17-3, Mississippi Code of 1972, is brought forward as follows:

23-17-3. The petition for a proposed initiative measure must be filed with the Secretary of State not less than ninety (90) days before the first day of the regular session of the Legislature at which it is to be submitted. A petition is valid for a period of twelve (12) months.

SECTION 3. The following shall be codified as Section 23-17-4, Mississippi Code of 1972:

23-17-4. The Secretary of State shall submit a copy of the proposed initiative measure to the Director of the Legislative Budget Office and give notice to the person filing the proposed measure of such transmittal. Upon receipt of the measure, the Director of the Legislative Budget Office shall, within ten (10) working days from receipt of the measure, prepare a fiscal analysis of the proposed initiative measure. The analysis shall review and evaluate the accuracy of the amount and source of revenue potentially required to implement the initiative measure and provide any other pertinent information regarding the cost to taxpayers. If the initiative measure requires a reduction in any source of government revenue, or a reallocation of funding from currently funded programs, the Director of the Legislative Budget Office shall determine whether any proposed reductions or eliminations are reasonably accurate. The analysis provided by the Director of the Legislative Budget Office shall be: (a) provided to the Secretary of State, (b) the analysis shall be posted on the Legislature's website for the public to review, and (c) the analysis shall be provided to the person filing the proposed initiative measure at the same time it is made available online.

SECTION 4. Section 23-17-5, Mississippi Code of 1972, is amended as follows:

23-17-5. Upon receipt of * * * the fiscal analysis from the State Budget Office, the Secretary of State shall submit a copy of the proposed initiative measure, with the fiscal analysis, to the Attorney General and give notice to the person filing the proposed initiative measure of such transmittal. Upon receipt of the initiative measure, the Attorney General may confer with the person filing the proposed measure and shall, within ten (10) working days from receipt * * *, review the proposal for matters of form and style, and such matters of substantive import as may be agreeable to the person filing the proposed initiative measure, and shall recommend such revision or alteration of the initiative measure as may be deemed necessary and appropriate, including enforcing the requirement that the initiative only contain a single subject. Except for the single-subject rule, the recommendations of the Attorney General shall be advisory only, and the person filing the proposed initiative measure may accept or reject them in whole or in part. If any recommendations of the Attorney General have not been accepted by the person filing the proposed measure, the ballot summary may be accompanied by a statement that reads: "The form and style of this proposal is not approved by the Attorney General of Mississippi." The Attorney General shall issue a Certificate of Review certifying that he or she has reviewed the initiative measure for form and style and that the recommendations thereon, if any, have been communicated to the person filing the proposed initiative measure, and such certificate shall issue whether or not the person filing the proposed initiative measure accepts such recommendations. Within fifteen (15) working days after notification of submittal of the proposed initiative measure to the Attorney General, the person filing the proposed measure, if he desires to proceed with his sponsorship, shall file the measure together with the Certificate of Review with the Secretary of State for assignment of a serial number and the Secretary of State shall thereupon submit to the Attorney General a certified copy of the measure filed. Upon submitting the proposal to the Secretary of State for assignment of a serial number the Secretary of State shall refuse to make such assignment unless the proposal is accompanied by a Certificate of Review.

SECTION 5. Section 23-17-8, Mississippi Code of 1972, is amended as follows:

23-17-8. When an * * * initiative measure is proposed * * * under the voter initiative procedure set forth in Section 23-17-1 et seq., the Secretary of State, with the approval of the Attorney General, may make a nonsubstantive clerical or technical correction in the section number reference or designation of the proposed amendment contained in an initiative measure, as may be appropriate or necessary in order to prevent the use of an existing section number or the possibility of the initiative being declared invalid only because of an error in the section number designation. Such a correction may be made at any time after the Attorney General's Certificate of Review with regard to the initiative measure has been issued * * * and before the ballot for the initiative measure is printed. The provisions of this section do not authorize the Secretary of State to make any change other than a nonsubstantive correction in the section number reference or designation of the proposed * * * initiative measure.

SECTION 6. Section 23-17-9, Mississippi Code of 1972, is amended as follows:

23-17-9. (1) Within seven (7) calendar days after the receipt of an initiative measure, the Attorney General shall formulate and transmit to the * * * State Board of Election Commissioners a concise statement posed as a question and not to exceed twenty (20) words, bearing the serial number of the initiative measure and a summary of the measure, not to exceed seventy-five (75) words, to follow the statement. The statement shall give a true and impartial statement of the purpose of the initiative measure. Neither the statement nor the summary may intentionally be an argument, nor likely to create prejudice, either for or against the measure. Such concise statement shall constitute the ballot title. The State Board of Election Commissioners shall convene within thirty (30) calendar days from receipt of the ballot title and summary from the Attorney General. The board shall review the submitted ballot title and summary and provide recommendations for the Attorney General. The board's recommendations shall be

advisory only. The Attorney General shall transmit a final copy of the ballot title and summary to the Secretary of State within five (5) working days of the State Board of Election Commissioner's meeting.

(2) The ballot title formulated by the Attorney General shall be the ballot title of the measure unless changed on appeal. When practicable, the question posed by the ballot title shall be written in such a way that an affirmative answer to such question and an affirmative vote on the measure would result in a change in then-current law, and a negative answer to the question and a negative vote on the measure would result in no change to then current law.

(3) The ballot summary shall be followed by a fiscal analysis, not to exceed fifty (50) words, indicating the amount, source of revenue and reallocation of funding potentially required by the initiative measure, as provided by the Legislative Budget Office.

SECTION 7. Section 23-17-11, Mississippi Code of 1972, is amended as follows:

23-17-11. Upon the filing of the ballot title and summary for an initiative measure in his or her office, the Secretary of State shall forthwith notify by certified mail return receipt requested, the person proposing the measure and any other individuals who have made written request for such notification of the exact language of the ballot title. The Secretary of State shall publish the title and summary for an initiative measure within ten (10) working days * * * by submitting the title and summary to the Mississippi Press Association. The title and summary shall also be posted on the Secretary of State's website and other appropriate electronic forums that are easily accessible by the public.

SECTION 8. Section 23-17-17, Mississippi Code of 1972, is amended as follows:

23-17-17. * * * The person proposing an initiative measure shall print blank petitions upon single sheets of paper of good writing quality not less than eight and one-half (8-1/2) inches in width and not less than fourteen (14) inches in length. Each sheet shall have a full, true and correct copy of the proposed measure referred to therein printed on the reverse side of the petition or attached thereto.

* * *

SECTION 9. Section 23-17-19, Mississippi Code of 1972, is amended as follows:

23-17-19. (1) The Secretary of State shall design the form. Each sheet of which shall contain the following:

"WARNING

EVERY PERSON WHO SIGNS THIS PETITION WITH ANY OTHER THAN HIS OR HER TRUE NAME, KNOWINGLY SIGNS MORE THAN ONE OF THESE PETITIONS RELATING TO THE SAME INITIATIVE MEASURE, SIGNS THIS PETITION WHEN HE OR SHE IS NOT A QUALIFIED ELECTOR OR MAKES ANY FALSE STATEMENT ON THIS PETITION MAY BE PUNISHED BY FINE, IMPRISONMENT, OR BOTH.

PETITION FOR INITIATIVE MEASURE

To the Honorable _____, Secretary of State of the State of Mississippi:

We, the undersigned citizens and qualified electors of the State of Mississippi, respectfully direct that this petition and the proposed measure known as Initiative Measure No. ____, entitled (here insert the established ballot title of the measure), a full, true and correct copy of which is printed or attached on the reverse side of this petition, be transmitted to the Legislature of the State of Mississippi at its next ensuing regular

session, and we respectfully petition the Legislature to adopt the proposed measure; and each of us for himself or herself says: I have personally signed this petition, I am a qualified elector of the State of Mississippi in the city (or town), county and congressional district written after my name, my residence address is correctly stated and I have knowingly signed this petition only once."

(2) Each sheet shall also provide adequate space for the following information: Petitioner's signature; print name for positive identification; residence address, street and number, if any; city or town; county; precinct; and congressional district.

(3) Each petition under this section must provide at the top of the page check boxes and statements printed in twelve-point type to clearly indicate whether the circulator of the petition is a paid circulator or a volunteer circulator.

SECTION 10. The following shall be codified as Section 23-17-20, Mississippi Code of 1972:

23-17-20. (1) Before gathering signatures, each petition circulator must register with the Secretary of State. A petition circulator must:

(a) Be eighteen (18) years or older;

(b) Be a legal resident of the State of Mississippi; and

(c) Sign an affidavit in front of a public notary attesting, under penalty of perjury, to meeting the qualifications of a petition circulator outlined in this section and that he or she witnessed all signatures in front of a third-party witness and has no reasonable cause to believe any submitted signature is fraudulent.

(2) (a) A circulator who is not to be paid for circulating a petition concerning a ballot issue shall display an identification badge that includes the words "VOLUNTEER CIRCULATOR" in bold-faced type that is clearly legible.

(b) A circulator who is to be paid for circulating a petition concerning a ballot issue shall display an identification badge that includes the words "PAID CIRCULATOR" in bold-faced type that is clearly legible and the name and telephone number of the individual employing the circulator.

(3) A petition circulator may not receive any fee, salary or other compensation based on the number of signatures he or she obtains.

(4) A person who willfully submits a fraudulent petition signature shall be guilty of a misdemeanor and, upon conviction, shall be subject to thirty (30) days in jail or a fine of Five Hundred Dollars ($500.00) for each offense.

SECTION 11. Section 23-17-21, Mississippi Code of 1972, is amended as follows:

23-17-21. Before a person may file a petition with the Secretary of State, the petition must be certified by the circuit clerk of each county in which the petition was circulated. The circuit clerk shall certify the signatures of qualified electors of that county and shall state the total number of qualified electors signing the petition in that county. The circuit clerk shall verify the name of each qualified elector signing on each petition. A circuit clerk may not receive any fee, salary or compensation from any private person or private legal entity, whether or not the entity is operated for profit, for the clerk's duties in certifying an initiative petition. When the person proposing any initiative measure has secured upon the petition a number of signatures of qualified electors equal to or exceeding the minimum number required by Section * * * 33 of the Mississippi Constitution of 1890 for the proposed measure, and such signatures have been certified by the circuit clerks of the various counties, he may submit the petition to the Secretary of

State for filing. The Secretary of State shall collect a fee of Five Hundred Dollars ($500.00) from the person filing the petition to pay part of the administrative and publication costs.

SECTION 12. Section 23-17-29, Mississippi Code of 1972, is amended as follows:

23-17-29. The Secretary of State shall file with the Clerk of the House and the Secretary of the Senate on the first day of the regular legislative session the complete text of each initiative for which a petition has been certified and filed with him or her. * * * The proposed certified initiative may be adopted * * * by a majority vote of each house of the Legislature. If the initiative is adopted * * * by the Legislature * * * but not placed into law by the Governor, rejected by the Legislature, or if no action is taken within four (4) months of the date that the initiative is filed with the Legislature, the Secretary of State shall place the initiative on the ballot for the next * * * occurring general election for the President of the United States or Governor of Mississippi. * * * An initiative * * * must receive * * * not less than * * * sixty percent (60%) of the * * * votes * * * to be approved. If conflicting initiatives * * * are approved at the same election, the initiative * * * receiving the highest number of affirmative votes shall prevail.

SECTION 13. Section 23-17-35, Mississippi Code of 1972, is amended as follows:

23-17-35. * * * Each initiative measure submitted to the people for approval or rejection shall be so printed on the ballot, under the proper heading, that a voter can, by making one (1) choice, express his or her approval or rejection of such measure. Substantially the following form shall be a compliance with this section:

INITIATIVE MEASURE NO. _____

(Here insert the ballot title of the measure.)

YES . . . . . ( )

NO . . . . . ( )

SECTION 14. Section 23-17-39, Mississippi Code of 1972, is amended as follows:

23-17-39. No more than * * * two (2) initiative proposals shall be submitted to the voters on a single ballot, and the first * * * two (2) initiative proposals submitted to the Secretary of State with sufficient petitions shall be the proposals which are submitted to the voters.

SECTION 15. Section 23-17-42, Mississippi Code of 1972, is amended as follows:

23-17-42. When a proposed change, alteration or amendment proposed to the Constitution by * * * the Legislature receives the required number of votes as provided in Section 273 * * *, Mississippi Constitution of 1890, the Secretary of State shall insert the proposed change, alteration or amendment into the Constitution by proclamation of his or her office certifying that the proposed change, alteration or amendment to the Constitution received the required number of votes as provided in Section 273 * * *, Mississippi Constitution of 1890. The Secretary of State shall also designate the article number and section number or numbers for the proposed change, alteration or amendment in the Constitution if the article number and section number or numbers are not provided * * *.

SECTION 16. Section 23-17-43, Mississippi Code of 1972, is amended as follows:

23-17-43. (1) When any new law or amendment or repeal of existing law submitted to the qualified electors by initiative measure as provided in Section 33, Mississippi Constitution of 1890, is approved by not less than sixty percent (60%) of the qualified electors voting thereon, the Secretary of State shall insert the proposed law, amendment or repeal into the statutes by proclamation of his or her office certifying that the proposed

law, amendment or repeal received the required number of votes as provided in Section 33. The Secretary of State shall also designate the article number and section number or numbers for the proposed law, amendment or repeal if the article number and section number or numbers are not provided in the initiative measure.

(2) If any new law or amendment * * * or repeal of existing law submitted to the qualified electors by initiative measure as provided in Section 33, Mississippi Constitution of 1890, is rejected by a majority of the qualified electors voting thereon, no initiative petition proposing the same, or substantially the same, amendment shall be submitted to the electors for at least two (2) years after the date of the election on such amendment.

SECTION 17. Section 23-17-45, Mississippi Code of 1972, is amended as follows:

23-17-45. (1) A pamphlet containing a copy of all initiative measures * * *, including the ballot title and ballot summary, arguments or explanations for and against each measure * * * and the fiscal analysis prepared by the * * * Legislative Budget * * * Office shall be compiled by the Secretary of State. The sponsor may prepare the argument or explanation on the measure. If the sponsor does not prepare the argument or explanation, then the Secretary of State shall do so. Each argument or explanation shall not exceed three hundred (300) words. The Secretary of State shall publish the ballot title, ballot summary, full text of each measure and arguments or explanations for and against each measure * * * on the Secretary of State's website and shall disseminate the ballot title, ballot summary, full text of each measure and arguments or explanations for and against each measure to the Mississippi Press Association. The costs of such printing and publication shall be borne by the Secretary of State from funds appropriated by the Legislature.

(2) The Secretary of State shall conduct at least one (1) public hearing in each congressional district on each measure to be placed on the ballot and shall give public notice thereof at least thirty (30) days before a hearing.

SECTION 18. Section 23-17-60, Mississippi Code of 1972, is brought forward as follows:

23-17-60. Any person who alleges that his or her signature on an initiative petition was obtained as the result of fraud or coercion, or that the person was intentionally misled as to the substance or effect of the petition, may have his or her signature removed from the initiative petition upon filing an affidavit to such effect with the Secretary of State anytime before the Secretary of State has accepted and filed the petition under Section 23-17-23.

SECTION 19. Sections 23-17-31, 23-17-33 and 23-17-37, Mississippi Code of 1972, which provide for a legislative alternative to an initiative measure, are hereby repealed.

SECTION 20. This act shall take effect and be in force from and after January 1 in the year following the year in which the Secretary of State certifies the passage of the constitutional amendment proposed in Senate Concurrent Resolution No. 527, 2024 Regular Session.

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

AN ACT TO AMEND SECTIONS 23-17-1, 23-17-5, 23-17-8, 23-17-9, 23-17-11, 23-17-17, 23-17-19, 23-17-21, 23-17-29, 23-17-35, 23-17-39, 23-17-42, 23-17-43 AND 23-17-45, MISSISSIPPI CODE OF 1972, TO REVISE THE INITIATIVE MEASURE PROCESS TO PROVIDE THAT AMENDMENTS TO THE MISSISSIPPI CONSTITUTION MAY ONLY BE PROPOSED BY THE LEGISLATURE, BUT THAT THE PEOPLE SHALL

HAVE THE RIGHT TO PROPOSE NEW LAWS AND TO AMEND OR REPEAL EXISTING LAWS BY INITIATIVE, AND TO APPROVE OR REJECT THE SAME IN AN ELECTION INDEPENDENT OF THE LEGISLATURE; TO CREATE NEW SECTION 23-17-4, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE SHALL SUBMIT ANY PROPOSED INITIATIVE MEASURE THAT IT RECEIVES TO THE LEGISLATIVE BUDGET OFFICE FOR THE PREPARATION OF A FISCAL ANALYSIS; TO CREATE NEW SECTION 23-17-20, MISSISSIPPI CODE OF 1972, TO PROVIDE THE DUTIES OF A PETITION CIRCULATOR; TO REPEAL SECTIONS 23-17-31, 23-17-33 AND 23-17-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR A LEGISLATIVE ALTERNATIVE TO AN INITIATIVE MEASURE; TO BRING FORWARD SECTIONS 23-17-3 AND 23-17-60, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senator Blackmon offered the following AMENDMENT NO. 1 TO AMENDMENT NO. 1.

AMEND on lines 311 and 354 by striking "sixty percent (60%)" and inserting "a majority" in lieu thereof.

FURTHER, AMEND the title to conform.

Amendment No. 1 to Amendment No. 1 to S. B. No. 2770 failed.

Senator Blackmon offered the following AMENDMENT NO. 2 TO AMENDMENT NO. 1.

FURTHER, AMEND on lines 329 and 331 by striking "two (2)" and inserting "four (4)" in lieu thereof.

FURTHER, AMEND the title to conform.

Amendment No. 2 to Amendment No. 1 to S. B. No. 2770 failed.

Senator Parker offered the following AMENDMENT NO. 3 TO AMENDMENT NO. 1.

AMEND on lines 311 and 354 by striking "sixty percent (60%)" and inserting "sixty-seven percent (67%)" in lieu thereof.

FURTHER, AMEND the title to conform.

Amendment No. 3 to Amendment No. 1 to S. B. No. 2770 was adopted.

Amendment No. 1 as amended to S. B. No. 2770 was adopted.

YEAS AND NAYS On S. B. No. 2770. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Branning, Brumfield, Butler, Frazier, Hickman, Horhn, Jackson, Jordan, Kirby, McCaughn, Michel, Norwood, Parker,

Rhodes, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Turner-Ford, Williams. Total--26.

Nays--Berry, Blackwell, Carter, Chassaniol, Chism, DeBar, Fillingane, Hill, Johnson, Ladner, McLendon, McMahan, Parks, Polk, Robinson, Seymour, Tate, Thompson, Whaley, Wiggins, Younger. Total--21.

Absent and those not voting--Bryan, DeLano, England, Harkins, Hopson. Total--5.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 48: AN ACT TO AUTHORIZE PROPERTY OWNERS IN A RESIDENTIAL SUBDIVISION THAT IS NOT GOVERNED BY A HOMEOWNERS ASSOCIATION TO ESTABLISH OR AMEND COVENANTS, CONDITIONS, AND RESTRICTIONS, INCLUDING THOSE THAT RUN WITH THE LAND; TO AUTHORIZE PROPERTY OWNERS IN A RESIDENTIAL SUBDIVISION THAT IS GOVERNED BY A HOMEOWNERS ASSOCIATION, TO ESTABLISH AND AMEND COVENANTS, CONDITIONS, AND RESTRICTIONS, INCLUDING THOSE THAT RUN WITH THE LAND; TO REQUIRE SUCH PROPERTY OWNERS TO FILE A PETITION THAT IS SIGNED BY A MAJORITY OF THE PROPERTY OWNERS TO ESTABLISH AND/OR AMEND COVENANTS, CONDITIONS AND RESTRICTIONS, IF NECESSARY; TO REQUIRE NOTICE OF THE HEARING ON SUCH PETITION TO BE PROVIDED THROUGH PUBLICATION; TO PROVIDE THAT IF THE CHANCELLOR FINDS THAT THE PETITION IS WELL TAKEN THEN HE OR SHE SHALL ENTER A DECREE ACCORDINGLY, WHICH SHALL BE FILED WITH THE CHANCERY CLERK; TO BRING FORWARD SECTIONS 17-1-23, 19-5-10, 21-19-63 AND 89-1-69, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 595: AN ACT TO AUTHORIZE SCHOOL PRINCIPALS TO PERMIT THE BOY SCOUTS OF AMERICA AND THE GIRL SCOUTS OF THE UNITED STATES OF AMERICA TO SPEAK WITH STUDENTS ABOUT CIVIC INVOLVEMENT AND THEIR PARTICIPATION; TO PROVIDE A PROCESS FOR APPROVAL OF REQUESTS TO SPEAK WITH STUDENTS; TO REQUIRE PARENTS TO BE NOTIFIED OF SUCH PRESENTATIONS BY THE BOY SCOUTS OR GIRL SCOUTS; TO REQUIRE PUBLIC SCHOOLS TO PROVIDE SPECIFIED INFORMATION TO CERTAIN PARENTS OR STUDENTS ON THE IMPORTANCE OF WATER SAFETY EDUCATION COURSES AND SWIMMING LESSONS; TO REQUIRE THE INFORMATION TO BE PROVIDED ELECTRONICALLY OR IN HARD COPY AND INCLUDE LOCAL OPTIONS FOR AGE-APPROPRIATE WATER SAFETY COURSES AND SWIMMING LESSONS THAT RESULT IN CERTIFICATION INDICATING SUCCESSFUL COMPLETION; TO DEFINE THE TERM "WATER SAFETY"; AND FOR RELATED PURPOSES.

H. B. No. 691: AN ACT TO AMEND SECTION 45-6-5, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPOSITION OF THE BOARD ON LAW ENFORCEMENT OFFICER STANDARDS AND TRAINING FROM THIRTEEN TO NINE; TO AMEND SECTION 45-6-7, MISSISSIPPI CODE OF 1972, TO REVISE THE BOARD'S POWERS AND DUTIES TO INCLUDE INVESTIGATIVE AUTHORITY; TO AMEND SECTION 45-6-19, MISSISSIPPI CODE OF 1972, TO REQUIRE CONTINUING EDUCATION TRAINING FOR ALL STATE AGENCY, COUNTY AND MUNICIPAL LAW ENFORCEMENT OFFICERS; TO AMEND SECTION 45-1-101, MISSISSIPPI CODE OF 1972, TO

CLARIFY REFERENCE TO RETIRED LAW ENFORCEMENT OFFICERS; AND FOR RELATED PURPOSES.

H. B. No. 900: AN ACT TO CREATE "THE FAMILIES' RIGHTS AND RESPONSIBILITIES ACT"; TO PROVIDE THE DEFINITIONS FOR THE ACT; TO PROHIBIT THE STATE OR ANY OTHER GOVERNMENTAL ENTITY FROM SUBSTANTIALLY BURDENING A PARENT'S FUNDAMENTAL RIGHT TO DIRECT THE UPBRINGING OF HIS OR HER CHILD; TO PROVIDE EXCEPTIONS TO THE PROHIBITION; TO PROVIDE THAT THIS ACT DOES NOT GIVE A PARENT A RIGHT TO ABUSE HIS OR HER CHILD; AND FOR RELATED PURPOSES.

H. B. No. 1106: AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO REQUIRE NATIONAL BOARD CERTIFIED OCCUPATIONAL THERAPISTS AND NATIONAL BOARD CERTIFIED SCHOOL PSYCHOLOGISTS WHO ARE EMPLOYED BY A SCHOOL DISTRICT OR THE STATE DEPARTMENT OF EDUCATION TO BE PAID AN ANNUAL SALARY SUPPLEMENT; AND FOR RELATED PURPOSES.

H. B. No. 1229: AN ACT TO REENACT SECTIONS 37-181-1 THROUGH 37-181-21, MISSISSIPPI CODE OF 1972, WHICH ARE THE EQUAL OPPORTUNITY FOR STUDENTS WITH SPECIAL NEEDS ACT AND ESTABLISH AN EDUCATION SCHOLARSHIP ACCOUNT (ESA) PROGRAM WITHIN THE STATE DEPARTMENT OF EDUCATION; TO AMEND SECTION 37-181-23, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE EQUAL OPPORTUNITY FOR STUDENTS WITH SPECIAL NEEDS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1265: AN ACT TO PROVIDE THAT AN INSURED INDIVIDUAL SHALL BE ENTITLED TO REIMBURSEMENT FOR CERTAIN SERVICES WHENEVER HIS OR HER POLICY OF INSURANCE, MEDICAL SERVICE PLAN, HOSPITAL SERVICE CONTRACT, OR HOSPITAL AND MEDICAL SERVICE CONTRACT ISSUED IN THE STATE OF MISSISSIPPI PROVIDES FOR REIMBURSEMENT FOR ANY SERVICE WHICH IS WITHIN THE LAWFUL SCOPE OF PRACTICE OF A DULY LICENSED PHARMACIST; TO AUTHORIZE LICENSED PHARMACISTS TO PARTICIPATE IN SUCH POLICIES, PLANS, OR CONTRACTS PROVIDING FOR PHARMACY SERVICES; AND FOR RELATED PURPOSES.

H. B. No. 1344: AN ACT TO REQUIRE DOMESTIC AND FOREIGN NONPROFIT CORPORATIONS TO FILE AN ANNUAL REPORT WITH THE SECRETARY OF STATE PROVIDING CERTAIN SPECIFIED INFORMATION, INCLUDING WHETHER THE CORPORATION HAS RECEIVED PUBLIC FUNDS FROM A GOVERNMENTAL ENTITY; TO AMEND SECTIONS 79-11-107 THROUGH 79-11-387, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTION 79-11-391, WHICH REQUIRES NONPROFIT CORPORATIONS TO FILE A STATUS REPORT UPON REQUEST OF THE SECRETARY OF STATE, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1370: AN ACT TO AMEND SECTIONS 97-17-85, 97-17-87, 97-17-93, 97-17-97 AND 97-47-5, MISSISSIPPI CODE OF 1972, TO INCLUDE UNMANNED OR UNCREWED AIRCRAFT TO THE ELEMENTS OF TRESPASS; TO BRING FORWARD SECTION 97-47-5, MISSISSIPPI CODE OF 1972, WHICH REGULATES SUCH AIRCRAFT OVER DEPARTMENT OF CORRECTIONS FACILITIES; TO AMEND SECTION 61-21-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THIS ACT; TO BRING FORWARD SECTION 61-21-7, MISSISSIPPI CODE OF 1972, WHICH REGULATES LIABILITY FOR UNCREWED AIRCRAFT, FOR PURPOSES OF AMENDMENT; TO AMEND SECTION 61-21-9, MISSISSIPPI CODE OF 1972, TO CONFORM TO THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1403: AN ACT TO AMEND SECTION 25-7-25, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN FILING FEES FOR JUSTICE COURT; AND FOR RELATED PURPOSES.

H. B. No. 1406: AN ACT TO REVISE THE ABSENTEE BALLOTING LAW; TO AMEND SECTIONS 23-15-633 AND 23-15-635, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN ELECTOR'S CERTIFICATE SHALL ONLY BE REQUIRED FOR MAILED ABSENTEE BALLOTS; TO AMEND SECTION 23-15-637, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL ABSENTEE BALLOTS CAST IN PERSON AT THE OFFICE OF THE REGISTRAR SHALL BE CAST USING THE OPTICAL MARK READING EQUIPMENT; TO PROVIDE THAT THE OPTICAL MARK READING EQUIPMENT SHALL BE SEALED EACH NIGHT; TO PROVIDE THAT IF FOR ANY REASON THE OPTICAL MARK READING EQUIPMENT BECOMES INOPERABLE, PAPER BALLOTS SHALL BE USED; TO AMEND SECTION 23-15-639, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MAILED ABSENTEE BALLOTS SHALL BE COUNTED BY THE RESOLUTION BOARD AT THE CLOSE OF THE POLLS ALONG WITH THE ABSENTEE BALLOTS CAST IN PERSON ON THE OPTICAL MARK READING EQUIPMENT; TO PROVIDE A PROCESS FOR ABSENTEE VOTERS TO CURE THEIR ABSENTEE BALLOT IF THE SIGNATURES ON THE APPLICATION DOES NOT MATCH THE SIGNATURE ON THE ENVELOPE; TO AMEND SECTIONS 23-15-641, 23-15-643, 23-15-645, 23-15-715, 23-15-719, 23-15-731, 23-15-391, 23-15-511, 23-15-631 AND 23-15-699, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO AMEND SECTION 23-15-627, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN METHODS OF NOTIFICATION TO BE ASKED ON THE ABSENTEE BALLOT APPLICATION; TO BRING FORWARD SECTIONS 23-15-621, 23-15-623, 23-15-625, 23-15-629, 23-15-647, 23-15-649, 23-15-651, 23-15-653, 23-15-657, 23-15-671, 23-15-673, 23-15-675, 23-15-677, 23-15-679, 23-15-681, 23-15-683, 23-15-685, 23-15-687, 23-15-691, 23-15-692, 23-15-693, 23-15-697, 23-15-701, 23-15-711, 23-15-713, 23-15-717, 23-15-721, 23-15-733, 23-15-735, 23-15-751, 23-15-753, 23-15-755, 23-15-517 AND 23-15-519, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1624: AN ACT TO ESTABLISH STATE STANDARDS AND OPERATING PROCEDURES FOR LOCAL COURT-APPOINTED SPECIAL ADVOCATE (CASA) PROGRAMS; TO DEFINE CERTAIN TERMS; TO AUTHORIZE A YOUTH COURT JUDGE TO ESTABLISH A LOCAL CASA PROGRAM GOVERNED BY A LOCAL BOARD OF DIRECTORS AND TO PRESCRIBE THE BOARD'S POWERS; TO REQUIRE THE STATE CASA ASSOCIATION TO PROVIDE SUPPORT SERVICES TO LOCAL CASA PROGRAMS; TO CREATE THE MISSISSIPPI CASA NETWORK FUND IN THE STATE TREASURY AND TO DIRECT THE DEPOSIT OF CERTAIN MONIES INTO THE FUND; TO ESTABLISH MINIMUM REQUIREMENTS FOR LOCAL CASA VOLUNTEERS; TO REQUIRE THE CLERK OF COURT TO PERFORM CERTAIN DUTIES IN RELATION TO CASA VOLUNTEERS APPOINTED TO A COURT CASE; TO PRESCRIBE THE DUTIES OF A CASA VOLUNTEER ASSIGNED TO A CASE; TO CREATE A STATE COURT-APPOINTED SPECIAL ADVOCATE (CASA) ASSOCIATION; TO PRESCRIBE THE STATE ASSOCIATION'S DUTIES; TO AUTHORIZE THE BOARD OF DIRECTORS OF THE ASSOCIATION TO EMPLOY A DIRECTOR AND TO ESTABLISH QUALIFICATIONS FOR THE DIRECTOR; TO AUTHORIZE THE ADMINISTRATIVE OFFICE OF COURTS TO PROVIDE SECRETARIAL AND SUPPORT SERVICES TO THE ASSOCIATION; TO REQUIRE LOCAL CASA PROGRAMS TO SUBMIT SPECIFIED DATA TO THE ASSOCIATION; TO AMEND SECTION 99-19-73, MISSISSIPPI CODE OF 1972, TO INCREASE THE STATE ASSESSMENT IMPOSED FOR DRUG VIOLATIONS FOR THE SUPPORT OF THE MISSISSIPPI FOSTER CARE FUND; TO AMEND SECTIONS 43-21-121 AND 43-21-261, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTION 37-26-11, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI FOSTER CARE FUND AND PRESCRIBES THE PURPOSES FOR WHICH MONIES IN THE FUND MAY BE EXPENDED, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1640: AN ACT TO AMEND SECTION 41-19-33, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF REGIONAL MENTAL HEALTH FACILITIES; TO

AMEND SECTION 41-21-65, MISSISSIPPI CODE OF 1972, TO REQUIRE COMPLETION OF A PRE-AFFIDAVIT SCREENING BEFORE ANY AFFIDAVIT FOR COMMITMENT IS FILED; TO AMEND SECTION 41-21-67, MISSISSIPPI CODE OF 1972, TO REQUIRE COMMUNITY MENTAL HEALTH CENTERS TO CONDUCT A PRELIMINARY INVESTIGATION BEFORE AN AFFIDAVIT FOR COMMITMENT IS FILED; TO AMEND SECTION 41-21-73, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN PROOF FOR COMMITMENT TO A STATE-OPERATED FACILITY; TO AMEND SECTIONS 41-21-140 AND 41-19-43, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO AMEND SECTION 41-21-71, MISSISSIPPI CODE OF 1972, TO REVISE HEARING DATES HELD AFTER EXAMINERS' CERTIFICATES; AND FOR RELATED PURPOSES.

H. B. No. 1668: AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE LEGISLATURE SHALL APPROPRIATE FUNDS FOR THE MISSISSIPPI TEACHER RESIDENCY PROGRAM FOR FISCAL YEAR 2025; AND FOR RELATED PURPOSES.

H. B. No. 1689: AN ACT TO CREATE NEW SECTION 97-13-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERSON WHO DISSEMINATES A DEEP FAKE SHALL BE GUILTY OF A CRIME IF THE PERSON KNOWS OR HAD REASON TO KNOW THAT THE INFORMATION BEING DISSEMINATED IS A DEEP FAKE AND THE DISSEMINATION OCCURS WITHIN NINETY DAYS OF AN ELECTION, WAS DISSEMINATED WITHOUT THE CONSENT OF THE DEPICTED INDIVIDUAL, AND WAS DISSEMINATED WITH THE INTENT TO INJURE A CANDIDATE, INFLUENCE THE RESULT OF AN ELECTION OR DETER ANY PERSON FROM VOTING; TO PROVIDE DEFINITIONS; TO PROVIDE THE SENTENCING FOR THE CRIME; TO PROVIDE A CAUSE OF ACTION FOR INJUNCTIVE RELIEF IN CERTAIN SITUATIONS; TO PROVIDE DEFENSES TO THE CRIME; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. C. R. No. 23: A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 241, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT ONLY CITIZENS OF THE UNITED STATES ARE ALLOWED THE OPPORTUNITY TO VOTE; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 12:31 PM, the Senate stood in recess.

The Senate resumed business at 2:00 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1087: AN ACT TO AMEND SECTION 23-15-907, MISSISSIPPI CODE OF 1972, TO DEFINE "CAREGIVER", "FAMILY MEMBER" AND "HOUSEHOLD MEMBER" FOR THE PURPOSES OF THE BALLOT HARVESTING LAW; AND FOR RELATED PURPOSES.

H. B. No. 1607: AN ACT TO BE KNOWN AS THE "MISSISSIPPI WOMEN'S BILL OF RIGHTS"; TO DECLARE CERTAIN LEGISLATIVE FINDINGS; TO DEFINE VARIOUS TERMS AND DECLARE RESTRICTIONS ON THE USE OF CERTAIN OTHER TERMS AS THOSE DEFINED AND RESTRICTED TERMS ARE USED IN STATUTES; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Branning moved that the rules be suspended to move to calendar item 23, **S. B. No. 2635**, and the motion prevailed.

Senator Branning called up the following entitled bill:

S. B. No. 2635: Nonconsensual towing; regulate towing and charges for commercial vehicles.

On motion of Senator Branning, the Committee Substitute was adopted for consideration.

Senator Branning offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. For the purposes of this act, the following terms shall have the following meanings, unless context clearly provides otherwise:

(a) "Motor vehicle" means a vehicle which self-propels, and is intended primarily for use and operation on public roads and highways.

(b) "Nonconsensual towing" means the moving, transporting or recovery of a commercial vehicle by a towing and recovery service without the prior consent or authorization of the owner or operator of the motor vehicle from private property and/or by police-initiated towing.

(c) "Towing" means the moving, transporting or recovery from public or private property, or from a storage facility of a person's commercial motor vehicle, the moving or removing of an unclaimed commercial vehicle, or the immobilization of or

preparation for moving or removing of the commercial motor vehicle, for which a fee is charged either directly or indirectly.

(i) Heavy-duty towing shall be the towing of a vehicle, including trailers and semitrailers, with a gross vehicle rating over twenty-six thousand (26,000) pounds.

(ii) Medium-duty towing shall be the towing of a vehicle, including trailers and semitrailers with a gross vehicle rating of over fifteen thousand (15,000) pounds to twenty-six thousand (26,000) pounds.

(d) "Towing and recovery service" means an individual or business entity that provides towing and recovery services at the direction of a law enforcement office or private property owner in exchange for a fee or charge.

(e) "Law enforcement officer" means any law enforcement public servant and/or State Highway Patrol Officer.

(f) "Tow list" means a list of approved towing companies compiled, maintained and utilized by a law enforcement officer or his or her designee, and as authorized by the Department of Public Safety to perform police-initiated towing services of disabled or abandoned commercial motor vehicles.

(g) "Police initiated towing" means towing of a commercial motor vehicle which was authorized, requested or dispatched by a law enforcement officer.

(h) "Vehicle immobilization device" means a mechanical device that is designated or adapted to be attached to a wheel, tire or other part of a parked commercial motor vehicle to prohibit the vehicle's usual manner of movement or operation.

(i) "Per pound billing" means a method of calculating a fee for towing using a formula that considers the weight of the commercial motor vehicle, equipment or cargo that is the subject of the towing and multiplies the weight of the vehicle, equipment or cargo by a monetary amount.

(j) "Drop fee" means a fee that a towing and recovery service charges to unhook a commercial motor vehicle from a tow truck.

(k) "Cargo" means goods and materials transported by a commercial motor vehicle as defined in 49 CFR Section 390.5, including, without limitation:

(i) Pallets;

(ii) Containers;

(iii) Bracing;

(iv) Air pillows;

(v) Tie-down assemblies and other securement systems;

(vi) Cradles;

(vii) Chocks; and

(viii) All other dunnage and packaging.

(l) "Commercial vehicle" means any self-propelled or motored device designed to be used or used primarily for the transportation of passengers or property, or

both, and have a gross vehicular weight rating of fifteen thousand (15,000) pounds or more.

SECTION 2. (1) The Department of Public Safety, Public Commercial Transportation Enforcement Division, shall create within the department a "Commercial Vehicle Towing Advisory Committee." The Commercial Vehicle Towing Advisory Committee shall consist of the following members:

(a) The Director of the Department of Public Safety, or his or her designee;

(b) The Director of the State Highway Patrol, or his or her designee;

(c) Two (2) members, appointed by the President of the Mississippi Towing Association, to represent the towing and recovery services within the state;

(d) Two (2) members, appointed by the President of the Mississippi Trucking Association, to represent the commercial motor carriers within the state; and

(e) One (1) member, appointed by the Governor, to represent the local police jurisdictions.

(2) Members of the Commercial Vehicle Towing Advisory Committee shall serve for a term of two (2) years. Members may serve consecutive terms. Members shall serve without compensation but shall be reimbursed for travel and other expenses actually and necessarily incurred in the performance of their duties.

(3) At the first meeting, the Commercial Vehicle Towing Advisory Committee shall elect a chairperson from its membership to serve for a term of two (2) years. A chairperson may serve consecutive terms.

(4) The Commercial Vehicle Towing Advisory Committee shall hold its first meeting no later than September 1, 2024, at a time and location within the state to be determined by the Director of the Department of Public Safety. Thereafter, meetings shall be held on dates and at times and locations within the state and selected by the chairperson in consultation with the other members or by the Director of the Department of Public Safety if the most recent chairperson's term has expired.

(5) The Commercial Vehicle Towing Advisory Committee shall keep and maintain a record of all proceedings of the Commercial Vehicle Towing Advisory Committee, and copies of all orders and/or recommendations issued by the Commercial Vehicle Towing Advisory Committee.

SECTION 3. (1) The Commercial Vehicle Towing Advisory Committee shall:

(a) Establish regulations and standards for the inclusion of a towing and recovery service on the tow list, including application procedures and minimum qualification requirements.

(b) Establish statewide maximum towing and storage rates for nonconsensual tows, including those for private property. The established maximum rates shall include maximum rates for administrative fees.

(i) A towing and recovery service may charge less than, but may not charge more than the approved statewide rates.

(ii) The governing authority of a municipality may require a towing and recovery service charge that is lower than the maximum rates on towing between points within such municipality than those provided by the committee's maximum rates.

The governing authority of a municipality shall not provide for higher maximum rates than are provided by the committee.

(iii) The towing and recovery service shall not charge or retain any fees not indicated by the committee for the maximum rates for towing and storage of a commercial motor vehicle after the nonconsensual tow from private property.

(iv) The statewide maximum towing and storage rates for nonconsensual tows shall be reviewed annually. Market fluctuations within the towing industry may be considered along with current consensual towing market rates and their relationship to nonconsensual towing rates.

(c) Require the towing and recovery service to ban the use of per-pound billing for nonconsensual towing.

(d) Publish a Towing Service Standard Manual, with rules governing the use of towing and recovery services for nonconsensually towing of commercial vehicles no later than January 1, 2025. At a minimum, the rules shall include the following provisions:

(i) Establish the information required to be included on any invoice associated with the towing of a commercial motor vehicle, including, but not limited to, requiring that the invoice be itemized;

(ii) Establish factors that shall be considered in determining whether a charge levied by a towing and recovery service is fair, equitable and reasonable;

(iii) Establish a process the committee shall use to receive, investigate and adjudicate complaints against a towing and recovery service;

(iv) Establish a service charge dispute resolution process that includes, at minimum, provisions requiring completion of a written complaint form, deadlines for initiating a complaint after receiving an itemized invoice, deadlines for responding to a complaint, cessation of storage fees during the complaint resolution process, a hearing on the complaint and deadlines for issuing a formal decision adjudicating the service charge dispute;

(v) Establish an appeals process for the appeal of any determination of order of the committee under this subsection;

(vi) Establish a disciplinary procedure for violations of the rules by the towing and recovery service, including the assessment of fines for violations and/on criminal misdemeanor or felony penalties and the suspension or removal of a towing and recovery service from the tow list; and

(vii) Establish a process the Department of Public Safety may use to suspend or remove a towing and recovery service from any tow list.

SECTION 4. (1) Upon nonconsensual towing and recovery of a commercial towing vehicle and movement of the commercial motor vehicle to a storage facility, a towing and recovery service shall allow an owner of a commercial motor vehicle or a designee of the owner of the commercial motor vehicle to access the vehicle in a reasonable manner as established by rules adopted by the Commercial Vehicle Towing Advisory Committee. Any vehicle towed nonconsensually in Mississippi must be stored in the State of Mississippi.

(2) The towing and recovery services shall provide a commercial vehicle owner or operator or owner's designee with reasonable access to the vehicle so that the vehicle owner and operator or the owner's designee may access and collect any personal property contained in the vehicle, regardless of whether any payment has been made for the towing and recovery service charges.

(3) If there is no dispute as to the charges assessed by the towing and recovery service for the nonconsensual towing of the commercial motor vehicle, the vehicle owner or operator or the owner's designee shall pay the towing service invoice and the towing and recovery service shall release the vehicle immediately.

SECTION 5. In authorizing a towing and recovery service to perform towing services, any law enforcement officer may utilize the services of a tow list, provided:

(a) They are under no obligation to include or retain the services of any towing and recovery service in any contract or agreement with respect to any tow list established pursuant to this subsection. A towing and recovery service is subject to removal from a towing list at any time; and

(b) An owner or operator of a commercial motor vehicle may request a specific towing and recovery service and that request shall be honored by the law enforcement officer unless the requested towing and recovery service cannot perform the requested towing and recovery service or does not respond in a reasonable time, as determined by the law enforcement officer.

SECTION 6. (1) It shall be unlawful for:

(a) A law enforcement officer to:

(i) Receive compensation or receive any other incentive, monetary or otherwise, to select a particular towing and recovery service from the list;

(ii) Hold any financial interest in a towing and recovery service; and

(iii) Recommend any towing and recovery service in the performance of his or her duties.

(2) Any member of the Commercial Vehicle Towing Advisory Committee or Department of Transportation to receive compensation from a towing and recovery service for the privilege of being included on the tow list.

(3) A towing and recovery service to pay money or other valuable consideration for the privilege of nonconsensual towing commercial motor vehicles.

(4) A towing and recovery service to employ or otherwise compensate individuals, commonly referred to as "spotters," whose primary task is to report the presence of unauthorized, improperly or illegally parked commercial motor vehicles for the purpose of towing or removal and storage.

(5) Nonconsensual tows for unauthorized, illegally parked commercial motor vehicles on private property must be performed by Mississippi-based towers. Towed vehicles must be stored within the State of Mississippi.

SECTION 7. (1) Before a towing and recovery service connects a commercial motor vehicle to a tow truck for a nonconsensual tow, the towing and recovery service shall:

(a) Document the vehicle's condition and the reason for the tow by:

(i) Taking at least four (4) photographs of the vehicle, with at least one (1) photograph taken from the front, one (1) photograph taken from the rear, one (1) photograph taken from the driver's side and one (1) taken from the passenger's side. These photographs must:

1. Show the entire vehicle from the required angle; and

2. Have the vehicle fill at least three-fourths (3/4) of the photograph, measured from side to side.

(ii) Take a photograph that shows the reason the vehicle is being towed nonconsensually. The photograph must show the portion of the vehicle in relation to the reason, including any sign that the vehicle was towed.

(c) Upon demand of the owner or operator of the commercial motor vehicle or the owner's designee, the Department of Transportation or the Commercial Vehicle Towing Advisory Committee, the towing and recovery service shall provide copies of the photographs.

(d) A towing and recovery service's failure to produce the photographs shall create a rebuttable presumption that the towing and recovery service did not have the authority to tow a vehicle from either a private property owner or operator or a law enforcement officer.

(2) Have authorization to nonconsensually tow a commercial motor vehicle. Authorization shall be found if:

(a) A law enforcement officer requests a police-initiated tow and requests that a towing and recovery service from the tow list provide towing.

(b) The towing and recovery service has received permission to tow the commercial motor vehicle within twenty-four (24) hours immediately preceding the towing, from the owner of the private property.

A towing service shall not tow a commercial motor vehicle from private property without the owner or operator of the private property giving the tower service written permission consistent with requirements under Section 85-7-251.

(c) In order for the towing and recovery service to conduct a nonconsensual tow, the private property owner must have posted signage visible and facing the driver at each entryway into the property stating that vehicles parked on the property without authorization or inappropriately or illegally parked are subject to being towed. The sign must also contain the international towing symbol no smaller than four (4) inches by four (4) inches and be permanently mounted in a position that is no lower than five (5) feet and no higher than eight (8) feet.

(3) The towing and recovery service shall not assess a drop fee to release the commercial motor vehicle after the vehicle is hooked up to the tow truck but before the vehicle is removed from the private property.

SECTION 8. A towing and recovery service shall not use vehicle immobilization devices except under the direction of law enforcement.

SECTION 9. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO PROVIDE FOR THE REGULATION OF NONCONSENSUAL TOWING AND CHARGES FOR COMMERCIAL MOTOR VEHICLES; TO CREATE THE COMMERCIAL VEHICLE TOWING ADVISORY COMMITTEE; TO ESTABLISH REGULATIONS FOR TOWING AND RECOVERY SERVICE PROVIDERS; TO

ESTABLISH A RESOLUTION PROCESS FOR COMMERCIAL MOTOR VEHICLE OWNERS WHO DISPUTE THE AMOUNT OF TOWING AND RECOVERY FEES AND CHARGES; TO REQUIRE THE COMMERCIAL VEHICLE TOWING ADVISORY COMMITTEE TO PROVIDE TOWING RATES BASED ON CERTAIN STANDARDS; TO PROVIDE FOR DISCIPLINARY ACTION AGAINST TOWING AND RECOVERY SERVICE PROVIDERS FOR VIOLATIONS; TO REQUIRE TOWING AND RECOVERY SERVICES THAT HAVE PERFORMED A NONCONSENSUAL TOW TO STORE THE VEHICLE IN MISSISSIPPI AND ALLOW THE VEHICLE OWNER REASONABLE ACCESS TO THE COMMERCIAL VEHICLE TO COLLECT PERSONAL PROPERTY; TO PROVIDE HOW A POLICE OFFICER MAY UTILIZE A TOW LIST; TO PROVIDE THAT MEMBERS OF THE COMMITTEE MAY NOT RECEIVE A BENEFIT FOR PLACING TOWING AND RECOVERY COMPANIES ON THE TOW LIST; TO PROVIDE PROCEDURES FOR WHAT A TOWING AND RECOVERY SERVICE MUST DO BEFORE PERFORMING A NONCONSENSUAL TOW; TO REQUIRE PRIVATE PROPERTY OWNERS TO DISPLAY SIGNAGE WARNING VEHICLE OPERATORS OF THE POTENTIAL OF BEING TOWED; TO PROHIBIT THE USE OF VEHICLE IMMOBILIZATION DEVICES, EXCEPT WHEN DIRECTED BY LAW ENFORCEMENT; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2635 was adopted.

YEAS AND NAYS On S. B. No. 2635. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Chism. Total--1.

Absent and those not voting----None.

Senator Whaley moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 2:07 PM, the Senate stood in recess.

The Senate resumed business at 2:16 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

Senator Boyd moved that the rules be suspended to move to calendar item 9, **S. B. No. 2729**, and the motion prevailed.

Senator Boyd called up the motion to reconsider the vote whereby **S. B. No. 2729** passed the Senate and moved that it be reconsidered:

S. B. No. 2729: Rural Physician Scholarship Program and Rural Dentist Scholarship Program; bring forward provisions related thereto.

The foregoing motion prevailed.

Senator McLendon offered the following AMENDMENT NO. 1.

AMEND on line 52 after the word "OB-GYN" by inserting the following:

, Mississippi Psychiatric Association

FURTHER, AMEND on line 90 by striking the words "brought forward" and inserting "amended" in lieu thereof.

FURTHER, AMEND on line 95 after the words "family physicians" and insert the words ", child psychiatrists"

FURTHER, AMEND on line 101 after the words "family medicine" and insert the words ", child psychiatry"

FURTHER, AMEND by inserting the following section as new SECTION 13 on line 391 and renumber the sections that follow

SECTION *. Section 37-144-3, Mississippi Code of 1972, is amended as follows:

37-144-3. (1) The Mississippi Rural Physicians Scholarship Program shall be administered by a commission to be known as the "Mississippi Rural Physicians Scholarship Commission." The commission shall be directed by a board composed of the following members:

(a) Two (2) generalist physicians appointed by and from the membership of the Mississippi State Medical Association, the term of which shall be three (3) years and may be reappointed for one (1) additional term;

(b) One (1) generalist physician appointed by and from the membership of each of the following organizations, the term of which shall be three (3) years and may be reappointed for one (1) additional term:

(i) Mississippi Academy of Family Physicians;

(ii) Mississippi Chapter, American College of Physicians;

(iii) Mississippi Chapter, American Academy of Pediatrics;

(iv) Mississippi Chapter, American College of OB-GYN;

(v) * * * Mississippi Psychiatric Association;

(* * *vi) Mississippi Medical and Surgical Association;

(* * *vii) Mississippi Osteopathic Association;

(c) Two (2) designees of the Dean of the University of Mississippi School of Medicine whose terms are at the discretion of the dean, at least one (1) of whom is a member of the University of Mississippi School of Medicine Admissions Committee;

(d) Two (2) medical students, one (1) of whom shall be selected yearly through a process developed by the Dean of the School of Medicine in consultation with the Chairs of the Departments of Family Medicine, Internal Medicine, OB-GYN and Pediatrics, and one (1) of whom shall be nominated for a one-year term by the Mississippi Chapter of the Student National Medical Association and approved by the Dean of the University of Mississippi School of Medicine;

(e) A member of the Board of Trustees of State Institutions of Higher Learning;

(f) The Chair of the Department of Family Medicine at the University of Mississippi School of Medicine; and

(g) A licensed psychiatrist appointed by the Mississippi Chapter of the American Psychiatric Association.

(2) The premedical advisors from the accredited four-year colleges and universities in the state and the directors or designees of the primary care generalist training programs in the State of Mississippi shall comprise an advisory committee to the commission to assist the commission in its administration of the Mississippi Rural Physicians Scholarship Program.

(3) Vacancies on the commission must be filled in a manner consistent with the original appointments.

(4) All appointments to the commission must be made no later than September 1, * * * 2024. After the members are appointed, the Chair of the Department of Family Medicine shall set a date for the organizational meeting that is mutually acceptable to the majority of the commission members. The organizational meeting shall be for the purposes of organizing the commission and establishing rules for transacting its business. A majority of the members of the commission shall constitute a quorum at all commission meetings. An affirmative vote of a majority of the members present and voting shall be required in the adoption of rules, reports and in any other actions taken by the commission. At the organizational meeting, the commission shall elect a chair and vice chair from the members appointed according to paragraphs (a) through (d) of subsection (1). The chair shall serve for a term of two (2) years, upon the expiration of which the vice chair shall assume the office of chair.

(5) After the organizational meeting, the commission shall hold no less than two (2) meetings annually.

(6) The commission may form an executive committee for the purpose of transacting business that must be conducted before the next regularly scheduled meeting of the commission. All actions taken by the executive committee must be ratified by the commission at its next regularly scheduled meeting.

(7) Members of the commission shall serve without compensation but may be reimbursed, subject to the availability of funding, for mileage and actual and necessary expenses incurred in attending meetings of the commission.

(8) Funding for the establishment and continued operation of the program and commission shall be appropriated out of any money in the General Fund not already appropriated to the University of Mississippi Medical Center.

Further, amend the title to conform.

Amendment No. 1 to S. B. No. 2729 was adopted.

YEAS AND NAYS On S. B. No. 2729. On motion of Senator McLendon, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes,

Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan moved that the rules be suspended to move to calendar item 47, **S. B. No. 2156**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

S. B. No. 2156: Mississippi Rare Disease Advisory Council; create at UMMC.

YEAS AND NAYS On S. B. No. 2156. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senator Boyd as co-author of **S. B. No. 2156**.

Senator Bryan moved that the rules be suspended to move to calendar item 51, **S. B. No. 2873**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

S. B. No. 2873: Medical records retention requirements; provide for.

On motion of Senator Turner-Ford, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2873. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senator Hill as co-author of **S. B. No. 2873**.

Senator Bryan moved that the rules be suspended to move to calendar item 58, **S. B. No. 2888**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

S. B. No. 2888: Medical Cannabis Research Advisory Board; enact and create the Center for Mississippi Medical Cannabis Research.

On motion of Senator Blackwell, the Committee Substitute was adopted for consideration.

Senator Blackwell offered the following AMENDMENT NO. 1.

AMEND on line 18 by deleting the words "Center for"

AMEND on line 19 by inserting the word "Program" after the word "Research" and by inserting the words "Center for" after the word "National"

AMEND on line 20 by deleting the word "program"

AMEND on lines 21, 55, 59, 62, 73, 76, 77, 80 and 86, by deleting the word "center" and inserting the word "Program" in lieu thereof.

AMEND on line 174-175 by deleting the words "center for" and inserting the word "Program" after the word "Research"

FURTHER, amend on lines 87-170 by deleting SECTION 2 in its entirety and substituting the following language in lieu thereof:

SECTION *. (1) There is established the Medical Cannabis Research Advisory Board, which shall be the board that is required to advise and review research about medical cannabis and cannabinoid research activities, status of research plans and research budget, and research findings of the Mississippi Medical Cannabis Research Program at the National Center for Cannabis Research and Education at the University of Mississippi.

(2) The advisory board shall consist of eleven (11) members, as follows:

(a) The Governor shall appoint four (4) members to the committee, as follows:

(i) Two (2) Medical Cannabis Researchers from the University of Mississippi's NCCRE;

(ii) One (1) registered qualifying patient enrolled in medical cannabis research in Mississippi; and

(iii) One (1) physician who is a Mississippi registered cannabis practitioner with over one hundred (100) cannabis patients.

(b) The Lieutenant Governor shall appoint four (4) members, as follows:

(i) One (1) medical cannabis research scientist;

(ii) One (1) representative from the MDOH who is involved in the Mississippi Medical Cannabis Program;

(iii) One (1) advanced practice registered nurse who is a Mississippi registered cannabis practitioner with over one hundred (100) patients; and

(iv) One (1) medical cannabis research technologist.

(c) The Speaker of the House shall appoint three (3) members, as follows:

(i) One (1) physician experienced as a principal investigator in cannabinoid research and/or clinical trials;

(ii) One (1) epidemiologist; and

(iii) One (1) patient care advocate.

(3) The advisory board shall meet at least every three (3) months or as often as necessary for the purpose of evaluating and making recommendations to the Legislature and the MDOH and MDOR regarding:

(a) Developing evidence-based guidance for treatment with medical cannabis based on the latest medical research that shall include:

(i) For each qualifying condition, a summary of the latest medical research regarding the treatment of the qualifying condition with medical cannabis;

(ii) Risks, contraindications, side effects, and adverse reactions that are associated with medical cannabis use; and

(iii) Potential drug interactions between medical cannabis and medications that have been approved by the United States Food and Drug Administration; and

(b) Educate recommending medical providers, pharmacy medical providers, medical cannabis cardholders, and the public regarding:

(i) The evidence-based guidance for treatment with medical cannabis;

(ii) Relevant warnings and safety information related to medical cannabis use; and

(iii) Other topics related to medical cannabis use as determined by the department.

(4) The Chairman of the Medical Cannabis Research Advisory Board shall be elected by the voting members of the board annually and shall not serve more than two (2) consecutive years as chairman.

(5) The members of the Medical Cannabis Research Advisory Board specified in subsection (2) of this section shall serve for terms that are concurrent with the terms of members of the Legislature, and any member appointed under subsection (2) of this section may be reappointed to the advisory board. The members of the advisory board specified in subsection (2) of this section shall serve without compensation but shall receive reimbursement to defray actual expenses incurred in the performance of board business as authorized by law.

The board shall:

(a) Nominate a board member to serve as chairperson of the board by a majority vote of the board members; and

(b) Meet as often as necessary to accomplish the duties assigned to the board under this act.

(6) Each board member, including the chair, has one (1) vote.

(7) (a) A majority of board members constitutes a quorum.

(b) A vote of a majority of the quorum at any board meeting is necessary to take action on behalf of the board.

(8) Subject to appropriation, a board member:

(a) Shall receive a per diem in the amount provided in Section 25-3-69 for each day engaged in the business of the board; and

(b) Shall receive reimbursement for travel expenses incurred while engaged in official business of the board in accordance with Section 25-3-41.

(9) The MDOH and MDOR shall act swiftly to assist the Advisory Board with any request.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2888 was adopted.

YEAS AND NAYS On S. B. No. 2888. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Younger. Total--43.

Nays--Barrett, Berry, Branning, Chism, Hill, Parker, Seymour, Tate, Williams. Total--9.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Boyd, Simmons S. (13th), Hickman and Jackson as co-authors of **S. B. No. 2888**.

Senator Bryan moved that the rules be suspended to move to calendar item 43, **S. B. No. 2727**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

S. B. No. 2727: Mississippi Youth Mental Health Task Force; create and provide membership and duties.

Senator Boyd offered the following AMENDMENT NO. 1.

AMEND by inserting the following below line 134 and renumbering the subsequent section:

SECTION *. (1) To complete the work it commenced in 2023, the Early Intervention Task Force created by Chapter 487, Laws of 2023, and dissolved December 1, 2023, is hereby reconstituted to serve in an advisory capacity to assist the state agency coordinating Part C of IDEA in implementing a new service delivery model. The goal of the task force shall be to collaborate with the state agency coordinating Part C of IDEA to design a new service delivery model and make changes to the Early Intervention Program.

(2) The members of the task force shall be as follows:

(a) The Chairmen of the Education Committees of the Mississippi Senate and the Mississippi House of Representatives, or their designee from their respective committee membership;

(b) The Chairmen of the Appropriations Committees of the Mississippi Senate and the Mississippi House of Representatives, or their designee from their respective committee membership;

(c) The Chairmen of the Public Health Committees of the Mississippi Senate and the Mississippi House of Representatives, or their designee from their respective committee membership; (d) One (1) member of the Mississippi State Senate, to be named by the Lieutenant Governor; and one (1) member of the Mississippi House of Representatives, to be named by the Speaker of the House of Representatives, who are interested in early intervention issues;

(e) The State Health Officer of the Mississippi Department of Health or a designated deputy;

(f) One (1) designee who is a direct service provider in the First Steps Early Intervention Program, to be named by the State Health Officer;

(g) One (1) faculty member from the Social Science Research Center (SSRC) at Mississippi State University, to be named by the Director of the SSRC;

(h) One (1) developmental-behavioral pediatrician with expertise in early childhood systems building, to be named by the Vice Chancellor of the University of Mississippi Medical Center; (i) One (1) general pediatrician, to be named by the Mississippi Chapter of the American Academy of Pediatrics;

(j) One (1) clinical psychologist with expertise in social-emotional health of infants and toddlers, to be named by the Vice Chancellor of the University of Mississippi Medical Center;

(k) One (1) school psychologist employed by a school district, to be named by the Mississippi Association of Psychologists in the Schools;

(l) One (1) early interventionist/development therapist, to be named by the State Health Officer;

(m) The Executive Director of the Mississippi Early Learning Alliance;

(n) One (1) family advocacy representative to be appointed by the Executive Director of the Mississippi Coalition for Citizens with Disabilities;

(o) One (1) parent representative with current experience with early intervention to be appointed by the Executive Director of the Mississippi Coalition for Citizens with Disabilities;

(p) One (1) faculty member from the College of Health Sciences at Jackson State University, to be named by the president of such university;

(q) One (1) pediatrician, to be named by the Mississippi Region of the National Medical Association;

(r) The Executive Director of the Division of Medicaid, Office of the Governor, or the executive director's designee; and (s) The Director of the State Department of Education's Early Childhood Education Office, or such director's designee.

(3) A faculty member from each of the universities within the institutions of higher learning with an early childhood development program or early intervention program may be named by the president of each university to assist the task force. In addition, the Executive Director of the Center for Mississippi Health Policy shall aid the task force.

(4) The task force shall meet within forty-five (45) days of the effective date of this act and shall commence its responsibilities set out in subsection (5) of this section.

(5) Specifically, in collaboration with the state agency coordinating Part C of IDEA, the task force shall:

(a) Review billing and reimbursement processes and rates for early intervention services in Mississippi and in other states, to ensure a timely receipt of payment to providers. In performing this function, a recommendation shall be made to the Legislature by January 1, 2025, on a more efficient system for providing compensation to providers and for billing and collecting from third-party payors;

(b) Evaluate early intervention service delivery models, including a hub or hybrid model involving university participation and determine how this model may impact the training of students and delivery of services to members of the eligible population. In performing this function, a recommendation shall be made to the Legislature that will offer a service delivery structure to enhance the efficient and effective delivery of quality services to the eligible population; and

(c) Review any other matters related to the above issues or related to early intervention services.

(6) The state agency coordinating Part C of IDEA and the task force may request the assistance of the Social Science Research Center at Mississippi State University, the Mississippi Early Learning Alliance or any other related entity or organization with expertise in early intervention services.

(7) The members of the task force shall elect a chair from among the members. The task force shall develop and report its findings and recommendations for proposed legislation to the Legislature in response to the proposal of the state agency coordinating Part C of IDEA to make changes to the service delivery structure for the program and changes to the way the state pays service providers and recoups payments from third-party payors, which shall be due to the task force and Legislature by December 1, 2024. A quorum of the membership shall be required to approve any final report and recommendation. Members of the task force shall be reimbursed for necessary travel expense in the same manner as public employees are reimbursed for official duties from any available funds, and members of the Legislature shall be reimbursed in the same manner as for attending out-of-session committee meetings.

(8) The Joint Legislative Committee on Performance Evaluation and Expenditure Review shall provide necessary clerical support for the meetings of the task force and research support as needed for the preparation of the report. Proposed legislation shall be prepared by the Legislative Services Offices of the Senate and House as requested.

(9) The task force shall be dissolved upon presentation of its report.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2727 was adopted.

Senator Horhn offered the following AMENDMENT NO. 2.

AMEND on line 60 by inserting the words "or contracted" after the word "employed".

Amendment No. 2 to S. B. No. 2727 was adopted.

YEAS AND NAYS On S. B. No. 2727. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Whaley moved that the rules be suspended to move to calendar item 31, **S. B. No. 2639**, and the motion prevailed.

Senator Whaley called up the following entitled bill:

S. B. No. 2639: Department of Wildlife, Fisheries and Parks; bring forward certain code sections regarding.

On motion of Senator Whaley, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2639. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Whaley moved that the rules be suspended to move to calendar item 29, **S. B. No. 2651**, and the motion prevailed.

Senator Whaley called up the following entitled bill:

S. B. No. 2651: Trespass to hunt, fish, shoot or trap; revise offense description, and impose penalties and fees.

On motion of Senator Suber, the Committee Substitute was adopted for consideration.

Senators Suber and Seymour offered the following AMENDMENT NO. 1.

AMEND on line 12 by inserting after "unlawful" the following:

for a person

FURTHER, AMEND on line 18 by striking "97-17-87" and inserting "97-17-93" in lieu thereof.

FURTHER, AMEND on line 41 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to S. B. No. 2651 was adopted.

YEAS AND NAYS On S. B. No. 2651. On motion of Senator Suber, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Unanimous consent was granted to add Senators Tate and McLendon as co-authors of **S. B. No. 2651**.

Senator Suber moved that the rules be suspended to move to calendar item 25, **S. B. No. 2465**, and the motion prevailed.

Senator Suber called up the following entitled bill:

S. B. No. 2465: Public property; direct MDOT to convey certain land used as a park to the City of Marks.

Senator Jackson offered the following AMENDMENT NO. 1.

AMEND on line 9 after the word "transfer" by inserting the following:

, in exchange for fair market value,

FURTHER, AMEND by inserting below line 38 the following language:

(5) Any expenses incurred in conducting a survey of the property shall be paid for by the City of Marks, Mississippi.

FURTHER, AMEND by inserting on line 40 before the period the following:

, and shall stand repealed on the day before its passage

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2465 was adopted.

YEAS AND NAYS On S. B. No. 2465. On motion of Senator Jackson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

_____

Senator Bryan moved that the rules be suspended to move to calendar item 59, **S. B. No. 2862**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

S. B. No. 2862: Radiological health services; authorize Board of Health to collect fees in congruence with certain federal regulation.

On motion of Senator Blount, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2862. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.
Nays--Chism, Seymour. Total--2.
Absent and those not voting----None.
Voting Present--Blackwell. Total--1.

_____

Senator Bryan moved that the rules be suspended to move to calendar item 52, **S. B. No. 2874**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

S. B. No. 2874: State Board of Funeral Service; require certain continuing education courses for licensees.

YEAS AND NAYS On S. B. No. 2874. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 3:05 PM, the Senate stood in recess.

The Senate resumed business at 3:21 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

Senator Bryan moved that the rules be suspended to move to calendar item 48, **S. B. No. 2159**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

S. B. No. 2159: Marriage and family therapists; revise certain requirements for licensure.

YEAS AND NAYS On S. B. No. 2159. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Bryan moved that the rules be suspended to move to calendar item 49, **S. B. No. 2714**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

S. B. No. 2714: Qualified residential treatment programs; authorize as alternative placements for children and youth in CPS custody.

YEAS AND NAYS On S. B. No. 2714. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Senator Bryan moved that the rules be suspended to move to calendar item 50, **S. B. No. 2871**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

S. B. No. 2871: The Mississippi Juvenile Tobacco Access Prevention Act of 1997; amend to provide consistent reference to age.

YEAS AND NAYS On S. B. No. 2871. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan moved that the rules be suspended to move to calendar item 53, **S. B. No. 2858**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

S. B. No. 2858: Patients with life-threatening or debilitating illness; authorize to receive individualized investigative treatment.

YEAS AND NAYS On S. B. No. 2858. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner,

McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Hill and McLendon as co-authors of **S. B. No. 2858**.

Senator Bryan moved that the rules be suspended to move to calendar item 54, **S. B. No. 2860**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

S. B. No. 2860: Medication Aide Act; enact to allow aides to assist in the administration of medication in personal care homes.

On motion of Senator Bryan, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2860. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan moved that the rules be suspended to move to calendar item 57, **S. B. No. 2883**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

S. B. No. 2883: Community health workers; revise provisions of.

YEAS AND NAYS On S. B. No. 2883. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan moved that the rules be suspended to move to calendar item 13, **S. B. No. 2240**, and the motion prevailed.

Senator Bryan called up the motion to reconsider the vote whereby **S. B. No. 2240** passed the Senate and moved that it be reconsidered:

S. B. No. 2240: Board of Medical Licensure; revise licensure status, definitions, procedure, fines and temporary practice authority.

The foregoing motion prevailed.

YEAS AND NAYS On S. B. No. 2240. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McMahan, Michel, Norwood, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Younger. Total--42.

Nays--Blackmon, Branning, Chism, Hill, Seymour, Williams. Total--6.

Absent and those not voting----None.

Voting Present--Barrett, Ladner, McLendon, Parker. Total--4.

Senator Seymour entered a motion to reconsider the vote whereby **S. B. No. 2575** passed the Senate.

S. B. No. 2575: Campaign finance; reform.

Senator Seymour entered a motion to reconsider the vote whereby **S. B. No. 2770** passed the Senate.

S. B. No. 2770: Ballot initiative process; revise statutory implementation.

Senator Seymour entered a motion to reconsider the vote whereby **S. B. No. 2776** passed the Senate.

S. B. No. 2776: Immediate possession; authorize for certain public agencies for roads & public utilities for an economic development project.

Senator Wiggins entered a motion to reconsider the vote whereby **S. B. No. 2822** passed the Senate.

S. B. No. 2822: Administrative Office of Courts; bring forward code sections related to.

Unanimous consent was granted to add Senator Norwood as a co-author of S. B. No. 2311, S. B. No. 2417, S. B. No. 2682, S. B. No. 2693, S. B. No. 2244, S. B. No. 2689, S. B. No. 2690 and S. B. No. 2268.

S. B. No. 2311: Sheriffs; revise cap on annual salary supplement.

S. B. No. 2417: Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents Act; bring forward sections.

S. B. No. 2693: Failing schools and districts of transformation; revise certain provisions related thereto.

S. B. No. 2244: Foster care children; allow free access to museums and state parks, allow free transcripts from colleges and junior colleges.

S. B. No. 2689: State subject area tests and accountability standards; replace with college prep test and revise provisions.

S. B. No. 2690: Charter schools; set certain school accreditation rating requirements for renewal of charter.

S. B. No. 2268: Missing or unidentified persons; provide procedures regarding investigation of.

Unanimous consent was granted to add Senators Norwood and Simmons D. T. (12th) as co-authors of **S. B. No. 2682**.

S. B. No. 2682: MS Critical Teacher Shortage Act of 1998; extend repealer on.

Senator Carter moved that when the Senate adjourns, it adjourn in memory of John Bartley Boykin of Meridian, MS/Washington, DC.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Robert O. Fick of State Line, MS.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of James Brown, Jr. and Glenn Tillman of Leakesville, MS.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of P.S. Garner, Jr. of Lucedale, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Jon Tyson Dollar of Haleyville, AL.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Jackie Paul Thomas of Baldwyn, MS.

Senators McMahan and Bryan moved that when the Senate adjourns, it adjourn in memory of Jim Beachum of Tupelo, MS.

Senator Bryan moved that when the Senate adjourns, it adjourn in memory of John E. Darden of Amory, MS.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 44: AN ACT TO AMEND SECTION 41-125-19, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PHYSICAL THERAPISTS DO NOT NEED TO HAVE PRIOR WORK EXPERIENCE IN ORDER TO WORK AT A PRESCRIBED PEDIATRIC EXTENDED CARE CENTER; AND FOR RELATED PURPOSES.

H. B. No. 297: AN ACT TO BRING FORWARD SECTIONS 25-53-1, 25-53-3, 25-53-5, 25-53-7, 25-53-9, 25-53-11, 25-53-13, 25-53-15, 25-53-17, 25-53-19, 25-53-21, 25-53-23, 25-53-25, 25-53-29, 25-53-51, 25-53-53, 25-53-55, 25-53-57, 25-53-59, 25-53-101, 25-53-105, 25-53-107, 25-53-109, 25-53-111, 25-53-113, 25-53-115, 25-53-117, 25-53-119, 25-53-121, 25-53-123, 25-53-125, 25-53-151, 25-53-171, 25-53-191, 25-53-193, 25-53-201, 25-58-1, 25-58-3, 41-143-1, 1-1-59, 7-1-403, 7-7-3, 19-5-307, 23-15-165, 25-1-100, 25-58-21, 25-65-5, 25-65-7, 27-7-83, 27-65-81, 27-104-7, 27-104-165, 27-104-205, 27-115-49, 31-7-10, 31-7-13, 37-101-413, 37-154-1, 43-1-28, 43-19-45, 45-27-7, 49-37-7, 57-13-23, 63-9-31, 63-21-18, 73-34-8, 75-12-33 AND 89-5-109, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 342: AN ACT TO AMEND SECTIONS 89-2-3 AND 89-2-25, MISSISSIPPI CODE OF 1972, TO ADD CYCLING TO THE ACTIVITIES EXEMPT FROM LIABILITY FOR RECREATIONAL LANDOWNERS; AND FOR RELATED PURPOSES.

H. B. No. 349: AN ACT TO IMPOSE CERTAIN RESTRICTIONS ON THE ELEVATING OR LOWERING A MOTOR VEHICLE; TO PROHIBIT MOTOR VEHICLE MODIFICATIONS THAT RESULT IN THE MOTOR VEHICLE'S FRONT FENDER BEING RAISED FOUR OR MORE INCHES ABOVE THE HEIGHT OF THE REAR FENDER; TO PROVIDE FOR THE MANNER OF MEASURING THE HEIGHT OF THE FRONT FENDER IN RELATION TO THE REAR FENDER; TO PROVIDE PENALTIES FOR VIOLATIONS; AND FOR RELATED PURPOSES.

H. B. No. 868: AN ACT TO CREATE THE "PROPERTY CLEANUP REVOLVING FUND" TO ASSIST MUNICIPALITIES WITH THE CLEAN UP OF PROPERTIES THAT HAVE BEEN DETERMINED TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE COMMUNITY IN ACCORDANCE WITH SECTION 21-19-11 OR COURT; TO AUTHORIZE THE CREATION OF A GRANT PROGRAM AND A REVOLVING LOAN PROGRAM ADMINISTERED BY THE MISSISSIPPI HOME CORPORATION FOR SUCH PROPERTY CLEANUP BY THE MUNICIPALITY; TO AUTHORIZE MUNICIPALITIES TO ENTER INTO AGREEMENTS AND TAKE SUCH ACTIONS NECESSARY TO PARTICIPATE IN THE GRANT PROGRAM AND LOAN PROGRAM; AND FOR RELATED PURPOSES.

H. B. No. 1206: AN ACT TO AMEND SECTION 49-7-31.4, MISSISSIPPI CODE OF 1972, TO REVISE DATES ON OPEN SEASON FOR FUR-BEARING ANIMALS AND HUNTING OPOSSUMS, RACOONS AND BOBCATS WITH DOGS AND GUNS; AND FOR RELATED PURPOSES.

H. B. No. 1341: AN ACT TO AMEND SECTION 37-15-29, MISSISSIPPI CODE OF 1972, TO CLARIFY THE SCHOOL ENROLLMENT CHOICES OF CHILDREN WHOSE PARENTS ARE ACTIVE MEMBERS OF THE UNITED STATES ARMED FORCES OR CIVILIAN MILITARY PERSONNEL; TO ALLOW THE CHILDREN OF ACTIVE MEMBERS OF THE UNITED STATES ARMED FORCES TO ATTEND THE SCHOOL DISTRICT OR SCHOOL OF THEIR CHOICE WHETHER OR NOT THE PARENT OR LEGAL GUARDIAN RESIDE ON A MILITARY BASE; TO ALLOW THE CHILDREN OF MILITARY CIVILIAN PERSONNEL WHO RESIDE ON A MILITARY BASE TO ATTEND THE SCHOOL DISTRICT OR SCHOOL OF THEIR CHOICE; TO REMOVE THE LIMITATION ON PROHIBITED DISTANCE OF TRANSPORTING SUCH STUDENTS BY EXCLUDING THE DISTRICT FROM PROVIDING TRANSPORTATION TO SUCH STUDENTS; TO LIMIT STUDENTS TO ONE TRANSFER PER ACADEMIC YEAR; TO PROVIDE THAT ONCE A CHILD HAS TRANSFERRED AND ENROLLED IN ANOTHER SCHOOL DISTRICT, HIS OR HER PARENT IS NOT REQUIRED TO REAPPLY FOR CONTINUED ADMISSION IN THE SCHOOL DISTRICT OR SCHOOL OF LAST ATTENDANCE; AND FOR RELATED PURPOSES.

H. B. No. 1350: AN ACT TO AMEND SECTION 77-3-707, MISSISSIPPI CODE OF 1972, TO PROHIBIT TELEPHONE SOLICITORS FROM MAKING ANY TELEPHONE SOLICITATION TO ANY PERSON IN THE STATE OF MISSISSIPPI REGARDING ANY MEDICARE ADVANTAGE PLAN; TO PROVIDE THAT IF A PERSON HAS FIRST INITIATED A CALL WITH AN ENTITY REGARDING A MEDICARE ADVANTAGE PLAN, A TELEPHONE SOLICITOR IS NOT PROHIBITED FROM THEN MAKING A TELEPHONE SOLICITATION REGARDING A MEDICARE ADVANTAGE PLAN; TO AMEND SECTIONS 77-3-709, 77-3-711 AND 77-3-723, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI TELEPHONE SOLICITATION ACT, TO CONFORM TO THE PRECEDING PROVISIONS; TO BRING FORWARD SECTIONS 77-3-603 AND 79-11-524, MISSISSIPPI CODE OF 1972, WHICH RELATE TO UNSOLICITED RESIDENTIAL TELEPHONIC SALES CALLS AND REGULATION OF CHARITABLE SOLICITATIONS, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1352: AN ACT TO AMEND SECTION 83-9-110, MISSISSIPPI CODE OF 1972, TO PROHIBIT ISSUERS OF MEDICARE SUPPLEMENTS FROM MAKING TELEPHONE SOLICITATIONS; TO AMEND SECTION 77-3-715, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ATTORNEY GENERAL TO ESTABLISH A PROCESS BY WHICH CONSUMERS WHO HAVE REGISTERED WITH THE DO NOT CALL REGISTRY CAN OBJECT TO ALL TELEPHONE SOLICITATIONS, INCLUDING THOSE THAT ARE EXEMPT; TO AMEND SECTION 77-3-711, MISSISSIPPI CODE OF 1972, TO EXCLUDE ISSUERS OF MEDICARE SUPPLEMENTS FROM THE EXEMPTION FOR CALLS RELATING TO INSURANCE FROM THE REQUIREMENTS OF THE TELEPHONE SOLICITATION ACT; TO AMEND SECTION 77-3-709, MISSISSIPPI CODE OF 1972, TO EXCLUDE CALLS TO CONSUMERS WHO HAVE OBJECTED TO ALL TELEPHONE SOLICITATIONS FROM CERTAIN EXEMPTIONS TO THE NO-CALLS DATABASE REQUIREMENTS WHICH THE ATTORNEY GENERAL IS AUTHORIZED TO MAKE; AND FOR RELATED PURPOSES.

H. B. No. 1396: AN ACT TO AMEND SECTION 37-13-137, MISSISSIPPI CODE OF 1972, TO REQUIRE SCHOOL DISTRICTS THAT HAVE AN IDENTIFIED STUDENT PERCENTAGE OF 25% OR MORE OF ENROLLED STUDENTS RECEIVING FREE LUNCH, AS DETERMINED BY PRIOR YEAR ENROLLMENT, TO APPLY TO THE UNITED STATES DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION SERVICE (FNS) FOR PARTICIPATION IN THE COMMUNITY ELIGIBILITY PROGRAMS, WHICH WOULD MAKE THE NATIONAL SCHOOL LUNCH PROGRAM AND SCHOOL BREAKFAST PROGRAM FREE TO ALL STUDENTS ENROLLED AT A PARTICULAR SCHOOL OR IN THE ENTIRE DISTRICT REGARDLESS OF REPORTED INCOME; AND FOR RELATED PURPOSES.

H. B. No. 1542: AN ACT TO AMEND SECTION 91-1-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR THE PURPOSES OF INTESTATE SUCCESSION, IF THE DECEDENT DIES BEFORE THE START OF A PREGNANCY BY ASSISTED REPRODUCTION RESULTING IN THE BIRTH OF AN INDIVIDUAL WHO LIVES AT LEAST ONE HUNDRED TWENTY HOURS AFTER BIRTH, THAT INDIVIDUAL IS DEEMED TO BE LIVING AT THE TIME OF THE DECEDENT'S DEATH UNDER CERTAIN CONDITIONS; TO AMEND SECTION 91-1-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

H. B. No. 1603: AN ACT TO DECLARE THAT THE RECORDS AND PROCEEDINGS OF AN ORGAN PROCUREMENT ORGANIZATION PEER REVIEW COMMITTEE ARE CONFIDENTIAL AND NOT DISCOVERABLE IN A CIVIL ACTION; TO DEFINE CERTAIN TERMS; TO DESCRIBE THE FUNCTIONS OF PEER REVIEW COMMITTEES; TO PROVIDE THAT PERSONS PROVIDING INFORMATION TO AND MEMBERS OF A PEER REVIEW COMMITTEE MAY NOT BE HELD LIABLE FOR ACTIONS TAKEN BY THE COMMITTEE; TO PROHIBIT A PEER REVIEW COMMITTEE AND ITS MEMBERS FROM REVEALING THE IDENTITY OF ORGAN DONORS AND RECIPIENTS; AND FOR RELATED PURPOSES.

H. B. No. 1629: AN ACT TO PROVIDE THAT THE MINIMUM ALLOWABLE REIMBURSEMENT RATE UNDER ANY POLICY OF ACCIDENT AND SICKNESS INSURANCE TO A PARTICIPATING AMBULANCE SERVICE PROVIDER OR AN OUT-OF-NETWORK AMBULANCE SERVICE PROVIDER SHALL BE THE GREATER OF THE RATES CONTRACTED BETWEEN AN AMBULANCE SERVICE PROVIDER AND A COUNTY, MUNICIPALITY OR SPECIAL PURPOSE DISTRICT OR AUTHORITY, OR OTHERWISE APPROVED OR ESTABLISHED BY ORDINANCE OR REGULATION ENACTED BY ANY SUCH COUNTY, MUNICIPALITY OR SPECIAL PURPOSE DISTRICT OR AUTHORITY, OR THREE HUNDRED TWENTY-FIVE PERCENT OF THE REIMBURSEMENT ALLOWED BY MEDICARE FOR SERVICES ORIGINATING IN RURAL AREAS; TO DEFINE THE TERM "AMBULANCE SERVICE PROVIDER" FOR THE PURPOSES OF THIS ACT; TO PROVIDE THAT IF AN AMBULANCE SERVICE PROVIDER'S BILLED CHARGES ARE LESS THAN THE MINIMUM ALLOWABLE REIMBURSEMENT RATE PROVIDED FOR IN THIS ACT, THEN SUCH MINIMUM ALLOWABLE REIMBURSEMENT RATE SHALL BE THE PROVIDER'S BILLED CHARGES; AND FOR RELATED PURPOSES.

H. B. No. 1642: AN ACT TO BRING FORWARD SECTIONS 27-7-22, 27-7-22.3, 27-7-22.5, 27-7-22.7, 27-7-22.13, 27-7-22.15, 27-7-22.16, 27-7-22.17, 27-7-22.18, 27-7-22.19, 27-7-22.20, 27-7-22.21, 27-7-22.22, 27-7-22.23, 27-7-22.25, 27-7-22.27, 27-7-22.28,27-7-22.29, 27-7-22.30, 27-7-22.31, 27-7-22.32, 27-7-22.33, 27-7-22.34, 27-7-22.35, 27-7-22.36, 27-7-22.37, 27-7-22.39, 27-7-22.40, 27-7-22.41, 27-7-22.42, 27-7-22.43, 27-7-22.44, 27-7-22.45, 27-7-22.46, 27-7-22.47, 27-7-22.48, 27-7-22.49, 27-7-205, 27-7-207, 27-7-209, 57-73-21,57-73-23, 57-87-5, 57-87-7,57-105-1, 57-10-409, 57-114-3, 57-114-7, 57-114-9, 57-115-3 AND 57-115-5, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE VARIOUS TAX CREDITS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1701: AN ACT TO BRING FORWARD SECTIONS 27-65-17, 27-65-18, 27-65-19, 27-65-20, 27-65-21, 27-65-22, 27-65-23, 27-65-24, 27-65-25, 27-65-26 AND 27-65-201, WHICH AUTHORIZE VARIOUS SALES TAXES, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-65-75, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE DISTRIBUTION OF STATE SALES TAX REVENUE, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-67-31, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE DISTRIBUTION OF STATE USE TAX REVENUE, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 27-55-11, 27-55-519 AND 27-55-521, WHICH PROVIDE FOR VARIOUS FUEL TAXES, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-5-101, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE DISTRIBUTION OF FUEL TAX

REVENUE, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 75-76-177 AND 75-76-129, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE IMPOSITION OF A GAMING LICENSE GROSS REVENUE FEE AND THE DISTRIBUTION OF STATE GAMING REVENUES UNDER THE MISSISSIPPI GAMING CONTROL ACT; TO BRING FORWARD SECTION 27-7-5, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR IMPOSITION OF THE STATE INCOME TAX, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

_____

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 848: AN ACT TO AMEND SECTIONS 41-7-173 AND 41-7-191, MISSISSIPPI CODE OF 1972, TO REMOVE CHEMICAL DEPENDENCY SERVICES AND FACILITIES, INTERMEDIATE CARE FACILITIES, INTERMEDIATE CARE FACILITIES FOR INDIVIDUALS WITH INTELLECTUAL DISABILITIES, AND PSYCHIATRIC RESIDENTIAL TREATMENT FACILITIES FROM THE REQUIREMENTS OF THE HEALTH CARE CERTIFICATE OF NEED LAW; TO AMEND SECTION 41-7-193, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL DISAPPROVE ANY APPLICATION FOR A CERTIFICATE OF NEED THAT FAILS TO CONFIRM THAT THE APPLICANT WILL PROVIDE A REASONABLE AMOUNT OF INDIGENT CARE, OR IF THE APPLICANT'S ADMISSION POLICIES DENY OR DISCOURAGE ACCESS TO CARE BY INDIGENT PATIENTS, OR IF SUCH APPROVAL WOULD HAVE A SIGNIFICANT ADVERSE EFFECT ON THE ABILITY OF AN EXISTING FACILITY OR SERVICE TO PROVIDE INDIGENT CARE; TO PROVIDE THAT A REASONABLE AMOUNT OF INDIGENT CARE IS AN AMOUNT THAT IS COMPARABLE TO THE AMOUNT OF SUCH CARE OFFERED BY OTHER PROVIDERS OF THE REQUESTED SERVICE WITHIN THE SAME, OR PROXIMATE, GEOGRAPHIC AREA; TO AMEND SECTIONS 41-77-1, 41-77-5, 41-77-21, 41-77-23 AND 41-77-25, MISSISSIPPI CODE OF 1972, TO DELETE ALL REFERENCES TO THE CERTIFICATE OF NEED LAW IN THE LICENSURE LAWS FOR BIRTHING CENTERS; AND FOR RELATED PURPOSES.

H. B. No. 1074: AN ACT TO AMEND SECTION 97-7-75, MISSISSIPPI CODE OF 1972, TO INCREASE PENALTIES FOR TERRORISTIC THREATS MADE AGAINST AN AIRPORT; AND FOR RELATED PURPOSES.

H. B. No. 1192: AN ACT TO AMEND SECTION 37-161-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE CREATION OF VIRTUAL PUBLIC SCHOOLS TO BE OPERATED BY LOCAL SCHOOL DISTRICTS, REGIONAL EDUCATION SERVICE AGENCIES OR LOCALLY SPONSORED VIRTUAL PUBLIC SCHOOLS; TO DEFINE THE TERM "LOCALLY SPONSORED VIRTUAL PUBLIC SCHOOL"; TO LIMIT THE NUMBER OF VIRTUAL PUBLIC SCHOOLS ESTABLISHED IN THE STATE TO THREE; TO REQUIRE ENROLLMENT IN A VIRTUAL PUBLIC SCHOOL TO BE FREE OF CHARGE AND OPEN TO STUDENTS FROM ANY SCHOOL DISTRICT IN THE STATE; TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO TRANSFER, FOR EACH STUDENT ENROLLED IN A VIRTUAL PUBLIC SCHOOL OPERATED BY A DISTRICT OTHER THAN THAT IN WHICH THE STUDENT RESIDES, AN AMOUNT EQUAL TO THE STUDENT'S HOME SCHOOL DISTRICT'S LOCAL OPERATIONAL TAX LEVY TO

THE SCHOOL DISTRICT OPERATING THE VIRTUAL PUBLIC SCHOOL; TO REQUIRE THE DEPARTMENT TO WITHHOLD SUCH AMOUNT FROM THE TRANSFERRING SCHOOL DISTRICT'S JANUARY PAYMENT OF ADEQUATE EDUCATION PROGRAM FUNDS; TO REQUIRE LOCALLY SPONSORED VIRTUAL PUBLIC SCHOOLS TO ADOPT CERTAIN ENROLLMENT POLICIES; TO AMEND SECTIONS 37-179-1 AND 37-179-3, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS RELATING TO DISTRICTS OF INNOVATION, IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

H. B. No. 1301: AN ACT TO ESTABLISH A MAXIMUM AMOUNT OF RETAINAGE AND ESTABLISH THE TIMING FOR RELEASE OF RETAINAGE WITH RESPECT TO THE PERFORMANCE OF CONSTRUCTION CONTRACTS AND TO PROVIDE FOR THE PAYMENT OF INTEREST FOR IMPROPERLY HELD RETAINAGE; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THIS ACT; TO PROVIDE TYPES OF CONTRACTS TO WHICH THE PROVISIONS OF THIS ACT DO NOT APPLY; TO AMEND SECTION 31-5-33, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "RETAINAGE" FOR PURPOSES OF CERTAIN PUBLIC WORKS CONTRACTS; AND FOR RELATED PURPOSES.

H. B. No. 1303: AN ACT TO AMEND SECTIONS 73-77-1, 73-77-3, 73-77-5, 73-77-7 AND 73-77-9, MISSISSIPPI CODE OF 1972, TO REVISE THE FRESH START ACT; TO PROVIDE THAT THE FRESH START ACT SHALL SUPERSEDE ANY OTHER PROVISION OF LAW TO THE CONTRARY; TO MAKE TECHNICAL, NONSUBSTANTIVE CHANGES; TO AMEND SECTIONS 19-5-353, 45-4-9, 45-6-11, 73-1-13, 73-9-61, 73-11-57, 73-14-35, 73-19-23, 73-21-97, 73-25-29, 73-25-101, 73-27-13, 73-29-13, 73-29-31, 73-31-21, 73-34-109, 73-39-77, 73-42-9, 73-42-11, 73-53-8, 73-55-19, 73-65-13, 73-71-33, 73-73-7, 73-75-19, 75-76-35, 75-76-131, 83-7-207, 83-39-15, 9-13-109, 21-27-131, 21-27-151, 27-109-5, 37-3-2, 41-29-303, 51-5-3, 67-3-19, 73-2-7, 73-3-2, 73-3-25, 73-4-17, 73-5-1, 73-5-11, 73-5-21, 73-6-13, 73-9-23, 73-11-51, 73-13-23, 73-13-77, 73-17-9, 73-17-11, 73-19-17, 73-21-85, 73-21-87, 73-21-111, 73-23-47, 73-23-51, 73-24-19, 73-24-21, 73-25-3, 73-25-14, 73-25-32, 73-26-3, 73-27-5, 73-27-12, 73-27-16, 73-29-19, 73-30-9, 73-31-13, 73-33-1, 73-38-9, 73-39-67, 73-39-71, 73-53-13, 73-54-13, 73-63-27, 73-67-21, 73-71-19, 75-27-305, 75-57-49, 75-60-31, 75-60-33, 75-76-67, 81-18-9, 83-17-75, 83-39-9, 73-34-14, 73-35-10, 73-69-7, 73-69-11, 75-15-11, 75-67-323, 75-67-421, 75-67-509, 75-67-609, 27-115-55, 37-13-89, 37-9-17, 37-29-232, 73-3-41, 73-4-25, 73-5-25, 73-6-19, 73-7-27, 73-17-15, 73-23-59, 73-30-21, 73-35-21, 73-38-27, 73-53-17, 73-60-31, 73-67-27, 73-75-13, 75-15-9, 75-60-19, 75-76-137, 77-8-25, 83-1-191, 83-17-71, 83-17-421, 83-17-519, 83-21-19, 83-49-11 AND 97-33-315, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTION 73-15-201, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 73-15-29, 73-3-339, 73-15-19 AND 73-15-21, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1622: AN ACT TO ESTABLISH THE "COMMERCIAL VEHICLE TOWING ADVISORY COMMITTEE" WITHIN THE COMMERCIAL TRANSPORTATION ENFORCEMENT DIVISION OF THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY; TO PROVIDE FOR THE COMMITTEE'S MEMBERSHIP COMPOSITION, TERMS OF SERVICE AND PRESCRIBE ITS POWERS AND DUTIES; TO PROVIDE FOR THE REGULATION OF NONCONSENSUAL TOWING AND CHARGES FOR COMMERCIAL MOTOR VEHICLES; TO ESTABLISH REGULATIONS FOR TOWING AND RECOVERY SERVICE PROVIDERS; TO ESTABLISH A RESOLUTION PROCESS FOR COMMERCIAL MOTOR VEHICLE OWNERS WHO DISPUTE THE AMOUNT OF TOWING AND RECOVERY FEES AND CHARGES; TO REQUIRE THE COMMITTEE TO APPROVE TOWING RATES BASED ON CERTAIN STANDARDS; TO PROVIDE FOR DISCIPLINARY ACTION AGAINST TOWING AND RECOVERY SERVICE PROVIDERS FOR VIOLATIONS; AND FOR RELATED PURPOSES.

H. B. No. 1655: AN ACT TO AMEND SECTION 23-15-299, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN ORDER TO QUALIFY TO RUN FOR OFFICE, A CANDIDATE MUST SUBMIT, ALONG WITH THE QUALIFICATION FEES, A NOTARIZED WRITTEN STATEMENT AND A COPY OF THE CANDIDATE'S MISSISSIPPI IDENTIFICATION CARD; TO REQUIRE THE SECRETARY OF STATE TO ASSESS A FIVE HUNDRED DOLLAR FINE TO ANY STATE EXECUTIVE COMMITTEE THAT FAILS TO TRANSMIT ANY WRITTEN STATEMENTS AND OTHER REQUIRED DOCUMENTS AND ACCOMPANYING FEES TO THE SECRETARY OF STATE BY 6:00 P.M. ON THE DATE OF THE QUALIFYING DEADLINE; TO PROVIDE THAT THE FINE SHALL BE FOR EACH WRITTEN STATEMENT THAT IS SUBMITTED AFTER 6:00 P.M. ON THE DATE OF THE QUALIFYING DEADLINE; TO REQUIRE THE SECRETARY OF STATE TO DEPOSIT ANY FINES RECEIVED FROM ANY STATE EXECUTIVE COMMITTEE INTO THE ELECTIONS SUPPORT FUND; TO PROVIDE A TIMELINE FOR AN EXECUTIVE COMMITTEE OR THE SECRETARY OF STATE, WHICHEVER IS APPLICABLE, TO DETERMINE WHETHER A CANDIDATE MEETS THE QUALIFICATIONS TO HOLD THE OFFICE HE OR SHE SEEKS; TO PROVIDE THAT ONCE AN EXECUTIVE COMMITTEE HAS DETERMINED WHETHER A CANDIDATE IS QUALIFIED TO HOLD THE OFFICE HE OR SHE SEEKS, THE SECRETARY OF THE EXECUTIVE COMMITTEE SHALL TRANSMIT A LIST OF ALL OF THOSE CANDIDATES AND HOW THE EXECUTIVE COMMITTEE RULED ON THEIR QUALIFICATIONS TO THE SECRETARY OF STATE FOR REVIEW; TO PROVIDE THE SECRETARY OF STATE A TIMELINE TO DETERMINE IF THE CANDIDATES WERE PROPERLY QUALIFIED OR DISQUALIFIED; TO PROVIDE THAT IF THE SECRETARY OF STATE DISAGREES WITH A DECISION MADE BY AN EXECUTIVE COMMITTEE, THE SECRETARY OF STATE SHALL NOTIFY THE EXECUTIVE COMMITTEE AND CANDIDATE AND GIVE THE EXECUTIVE COMMITTEE AND CANDIDATE TEN DAYS TO APPEAL THAT DETERMINATION; TO PROVIDE THE SECRETARY OF STATE TEN DAYS TO CONSIDER THE APPEAL OF THE EXECUTIVE COMMITTEE OR CANDIDATE; TO PROVIDE THAT IF THE SECRETARY OF STATE UPHOLDS HIS DETERMINATION, THE CANDIDATE MAY APPEAL THAT DETERMINATION; TO PROVIDE THAT IF A CANDIDATE HAS VOTED IN ANY ELECTION OUTSIDE OF THE JURISDICTION IN WHICH THEY SEEK TO REPRESENT DURING THE PERIOD IN WHICH THE CANDIDATE IS REQUIRED TO HAVE RESIDED WITHIN THE JURISDICTION, THE NAME OF SUCH CANDIDATE SHALL NOT APPEAR ON THE BALLOT; TO AMEND SECTION 23-15-961, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO AMEND SECTION 23-15-359, MISSISSIPPI CODE OF 1972, TO PROVIDE THE PROCESS FOR THAT JUDICIAL REVIEW; TO PROVIDE THAT IF A CANDIDATE HAS VOTED IN ANY ELECTION OUTSIDE OF THE JURISDICTION IN WHICH THEY SEEK TO REPRESENT DURING THE PERIOD IN WHICH THE CANDIDATE IS REQUIRED TO HAVE RESIDED WITHIN THE JURISDICTION, THE NAME OF SUCH CANDIDATE SHALL NOT APPEAR ON THE BALLOT; TO PROVIDE THAT A CANDIDATE AGGRIEVED BY THE DECISION OF THE APPROPRIATE ELECTION COMMISSION MAY FILE A PETITION FOR JUDICIAL REVIEW TO THE CIRCUIT COURT OF THE COUNTY IN WHICH THE ELECTION COMMISSION WHOSE DECISION IS BEING REVIEWED SITS; TO AMEND SECTION 23-15-1093, MISSISSIPPI CODE OF 1972, TO CHANGE THE DEADLINE TO QUALIFY TO RUN FOR PRESIDENT FROM JANUARY 1 THROUGH JANUARY 15 TO NOVEMBER 15 THROUGH DECEMBER 15; TO BRING FORWARD SECTIONS 23-15-963, 23-15-1085 AND 23-15-1089, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Friday, March 15, 2024.

The motion prevailed, and at 3:45 PM, the Senate stood in recess.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 765: AN ACT TO REENACT SECTIONS 37-159-1, 37-159-5, 37-159-7, 37-159-9, 37-159-11, 37-159-13 AND 37-159-17, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998 AND INCLUDE THE UNIVERSITY ASSISTED TEACHER RECRUITMENT AND RETENTION GRANT PROGRAM, THE MISSISSIPPI EMPLOYER-ASSISTED HOUSING TEACHER PROGRAM, AND A PILOT PROGRAM TO PROVIDE FOR THE CONSTRUCTION OF RENTAL HOUSING FOR TEACHERS IN WEST TALLAHATCHIE SCHOOL DISTRICT; TO AMEND SECTION 37-159-19, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998; TO AMEND SECTION 37-106-36, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS OF THE "WILLIAM F. WINTER AND JACK REED, SR., TEACHER LOAN REPAYMENT PROGRAM" FOR THE PURPOSE OF ALLOWING INDIVIDUALS PURSUING AN ALTERNATE ROUTE LICENSURE PATHWAY TO BECOME ELIGIBLE TO RECEIVE FINANCIAL ASSISTANCE UNDER THE PROGRAM; TO REMOVE THE CAP ON THE NUMBER OF APPLICANTS ELIGIBLE TO RECEIVE ASSISTANCE UNDER THE PROGRAM IN ANY FISCAL YEAR; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 819: AN ACT TO AMEND SECTIONS 83-11-17 AND 83-11-19, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT OF A FIFTEEN DOLLAR FILING FEE IN AUTOMOBILE CANCELLATION OR NONRENEWAL APPEALS; TO AMEND SECTION 83-17-251, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM PRELICENSING REQUIREMENTS INDIVIDUALS SEEKING LICENSURE IN THE LIFE LINE OF AUTHORITY ONLY; TO AMEND SECTION 83-17-523, MISSISSIPPI CODE OF 1972, TO CLARIFY THE COMPENSATION OF A PUBLIC ADJUSTER; TO PROVIDE THAT A PUBLIC ADJUSTER SHALL NOT PARTICIPATE IN THE RECONSTRUCTION, REPAIR OR RESTORATION OF DAMAGED PROPERTY THAT IS THE SUBJECT OF A CLAIM ADJUSTED BY THE ADJUSTER; TO PROVIDE THAT A PUBLIC ADJUSTER SHALL NOT ENGAGE IN ANY ACTIVITIES THAT MAY BE REASONABLY CONSTRUED AS A CONFLICT OF INTEREST; TO PROVIDE THAT A PUBLIC ADJUSTER SHALL NOT HAVE A FINANCIAL INTEREST IN ANY SALVAGE, REPAIR OR ANY OTHER BUSINESS ENTITY THAT OBTAINS BUSINESS IN CONNECTION WITH ANY CLAIM THAT THE PUBLIC ADJUSTER HAS A CONTRACT TO ADJUST; TO AUTHORIZE THE COMPREHENSIVE HEALTH INSURANCE RISK

POOL ASSOCIATION TO ESTABLISH AN ONLINE PORTAL TO ASSIST MISSISSIPPIANS IN SELECTING A HEALTH PLAN; AND FOR RELATED PURPOSES.

H. B. No. 1026: AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO ALLOW THE FAMILY PLANNING WAIVER PROGRAM UNDER THE MEDICAID PROGRAM TO BE CONDUCTED UNDER A WAIVER OR THE STATE PLAN; TO PROVIDE THAT CHILDREN IN STATE CUSTODY WHO ARE IN FOSTER CARE ON THEIR EIGHTEENTH BIRTHDAY SHALL BE MEDICAID ELIGIBLE UNTIL THEIR TWENTY-SIXTH BIRTHDAY; TO PROVIDE THAT CHILDREN WHO HAVE AGED OUT OF FOSTER CARE WHILE ON MEDICAID IN OTHER STATES SHALL QUALIFY UNTIL THEIR TWENTY-SIXTH BIRTHDAY; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO DIRECT THE DIVISION OF MEDICAID TO UPDATE THE CASE-MIX PAYMENT SYSTEM FAIR RENTAL REIMBURSEMENT SYSTEM FOR NURSING FACILITY SERVICES AS NECESSARY TO MAINTAIN COMPLIANCE WITH FEDERAL LAW; TO PROVIDE THAT THE DIVISION SHALL REIMBURSE AMBULANCE SERVICE PROVIDERS THAT PROVIDE AN ASSESSMENT, TRIAGE, TREATMENT OR TRANSPORTATION FOR ELIGIBLE MEDICAID BENEFICIARIES TO AN ALTERNATIVE DESTINATION IN THIS STATE OR PROVIDE AN ASSESSMENT OR TREAT ELIGIBLE MEDICAID BENEFICIARIES IN PLACE; TO DELETE THE LEGISLATIVE INTENT FOR THE DIVISION TO ENCOURAGE THE USE OF ALPHA HYDROXYPROGESTERONE CAPROATE TO PREVENT RECURRENT PRETERM BIRTHS; TO AUTHORIZE CONTRACEPTIVES TO BE PRESCRIBED AND DISPENSED IN TWELVE-MONTH SUPPLY INCREMENTS UNDER FAMILY PLANNING SERVICES; TO UPDATE AND CLARIFY LANGUAGE ABOUT THE DIVISION'S TRANSITION FROM THE MEDICARE UPPER PAYMENTS LIMITS (UPL) PROGRAM TO THE MISSISSIPPI HOSPITAL ACCESS PROGRAM (MHAP); TO AUTHORIZE THE DIVISION TO ESTABLISH A MEDICARE UPPER PAYMENT LIMITS PROGRAM FOR OTHER ELIGIBLE LICENSED PROVIDERS AS DETERMINED BY THE DIVISION; TO PROVIDE THAT SUPPLEMENTAL PAYMENTS TO A HOSPITAL SHALL NOT DECREASE BY MORE THAN FIVE PERCENT WHEN COMPARED TO A HOSPITAL'S PRIOR YEAR PAYMENT; TO PROVIDE THAT THE DIVISION SHALL NOT SUBSTANTIALLY CHANGE THE METHODOLOGIES USED TO CALCULATE A HOSPITAL'S SUPPLEMENTAL PAYMENT; TO REQUIRE THAT POPULATIONS ELIGIBLE FOR RECEIVING PERINATAL RISK MANAGEMENT SERVICES FROM MANAGED CARE ORGANIZATIONS RECEIVE THE SERVICES FROM THE MANAGED CARE ORGANIZATIONS INSTEAD OF USING THE SERVICES AT THE STATE DEPARTMENT OF HEALTH; TO AUTHORIZE THE DIVISION TO REIMBURSE CERTIFIED COMMUNITY BEHAVIORAL HEALTH CENTERS IN A MANNER DETERMINED BY THE DIVISION; TO EXTEND THE DATE OF THE REPEALER ON MEDICAID REIMBURSEMENT FOR A BORDER CITY UNIVERSITY-AFFILIATED PEDIATRIC TEACHING HOSPITAL; TO EXTEND THE DATE OF THE REPEALER ON THIS SECTION; TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A HOSPITAL ASSESSMENT MAY EXCEED THE ASSESSMENT IN THE PREVIOUS QUARTER BY MORE THAN THE SPECIFIED LIMIT WHEN SUCH INCREASE IS TO MAXIMIZE FEDERAL FUNDS THAT ARE AVAILABLE TO REIMBURSE HOSPITALS FOR SERVICES PROVIDED UNDER NEW PROGRAMS FOR HOSPITALS, INCREASED SUPPLEMENTAL PAYMENT PROGRAMS FOR HOSPITALS OR TO ASSIST WITH STATE MATCHING FUNDS AS AUTHORIZED BY THE LEGISLATURE; TO PROVIDE THAT STATE-OWNED ACUTE CARE HOSPITAL SHALL SUBMIT AN INTERGOVERNMENTAL TRANSFER (IGT) TO THE STATE OF MISSISSIPPI TO FUND THE NONFEDERAL SHARE OF THAT HOSPITAL'S SUPPLEMENTAL PAYMENTS; TO PROVIDE THAT THE HOSPITAL'S SUPPLEMENTAL PAYMENT SHALL NOT BE INCLUDED IN THE ASSESSMENT FOR THE NONFEDERAL SHARE FOR WHICH OTHER HOSPITALS ARE ASSESSED; TO EXTEND THE DATE OF THE REPEALER ON THIS SECTION; TO AMEND SECTION 43-13-305, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHEN A THIRD-PARTY PAYOR REQUIRES PRIOR AUTHORIZATION FOR AN ITEM OR SERVICE FURNISHED TO A MEDICAID RECIPIENT, THE PAYOR SHALL ACCEPT AUTHORIZATION PROVIDED BY THE DIVISION OF MEDICAID THAT THE ITEM OR SERVICE IS COVERED UNDER

THE STATE PLAN AS IF SUCH AUTHORIZATION WERE THE PRIOR AUTHORIZATION MADE BY THE THIRD-PARTY PAYOR FOR SUCH ITEM OR SERVICE; AND FOR RELATED PURPOSES.

H. B. No. 1222: AN ACT RELATING TO THE PRACTICE OF USING A LASER TO ACCOMPLISH LASER HAIR REMOVAL BY A LASER PRACTITIONER; TO PROVIDE THAT A LASER PRACTITIONER SHALL ONLY PERFORM LASER HAIR REMOVAL USING LASERS APPROVED BY THE FDA FOR NONINVASIVE PROCEDURES; TO PROHIBIT PERSONS FROM PERFORMING LASER HAIR REMOVAL UNLESS THE PERSON HOLDS THE APPROPRIATE LICENSE OR CERTIFICATE TO PRACTICE AS A HEALTH PROFESSIONAL; TO PROVIDE THAT A LASER PRACTITIONER WHO IS NOT A PHYSICIAN MUST COMPLETE A LASER PRACTITIONER TRAINING AND EDUCATION PROGRAM; TO PROVIDE THAT A LASER HAIR REMOVAL FACILITY MUST BE OVERSEEN BY A PHYSICIAN; TO PROVIDE THAT A PHYSICIAN SHALL ESTABLISH PROPER PROTOCOLS FOR LASER HAIR REMOVAL PROVIDED AT A FACILITY, INCLUDING COMPLICATION MANAGEMENT; TO PROVIDE THAT A LASER PRACTITIONER MUST FOLLOW ALL WRITTEN PROCEDURE PROTOCOLS ESTABLISHED AND REVISED BY A PHYSICIAN; TO PROVIDE THAT A PHYSICIAN SHALL NOT BE REQUIRED TO BE PHYSICALLY PRESENT OR TO SUPERVISE LASER HAIR REMOVAL PROCEDURES, BUT MAY BE AVAILABLE FOR COMMUNICATION DURING THE PROCEDURE; TO PROVIDE THAT A LASER PRACTITIONER SHALL BE PERMITTED TO PERFORM LASER HAIR REMOVAL ON A PATIENT WITHOUT THE PRIOR EVALUATION OR REFERRAL OF SUCH PATIENT BY A PHYSICIAN; TO PROVIDE THAT THIS ACT DOES NOT PROHIBIT A PERSON FROM ENGAGING IN THE PRACTICE FOR WHICH THEY ARE DULY LICENSED OR PRIVILEGED TO PRACTICE UNDER ANY OTHER LAW OF THIS STATE; AND FOR RELATED PURPOSES.

H. B. No. 1315: AN ACT TO AMEND SECTION 9-21-9, MISSISSIPPI CODE OF 1972, TO REQUIRE THE ADMINISTRATIVE DIRECTOR OF COURTS TO AUDIT THE MISSISSIPPI YOUTH COURT INFORMATION SYSTEM (MYCIDS); TO BRING FORWARD SECTION 43-21-261, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE ADMINISTRATIVE OFFICE OF COURT MAY DISCLOSE CERTAIN INFORMATION CONTAINED IN MYCIDS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 43-21-351 AND 43-21-801, MISSISSIPPI CODE OF 1972, WHICH REQUIRES INTAKE OFFICERS IN YOUTH COURT AND COUNTY COURT TO TIMELY ENTER INFORMATION INTO MYCIDS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-33-61, MISSISSIPPI CODE OF 1972, WHICH PROHIBITS SEX OFFENDERS FROM UTILIZING MYCIDS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 93-31-3, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE POWER OF ATTORNEY BE ENTERED INTO MYCIDS UNDER CERTAIN CIRCUMSTANCES, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 9-17-1, MISSISSIPPI CODE OF 1972, TO REVISE THE MANNER IN WHICH THE CIRCUIT JUDGES, CHANCELLORS AND COUNTY COURT JUDGES MAY ESTABLISH THE OFFICE OF COURT ADMINISTRATOR; TO REQUIRE THE ADMINISTRATIVE OFFICE OF COURTS TO DETERMINE IF A PROSPECTIVE COURT ADMINISTRATOR MEETS THE MINIMUM REQUIREMENTS BEFORE THE PERSON IS HIRED; TO AMEND SECTION 9-1-36, MISSISSIPPI CODE OF 1972, TO REQUIRE CIRCUIT JUDGES AND CHANCELLORS DESIRING TO EMPLOY SUPPORT STAFF TO HAVE CANDIDATES APPROVED BY THE ADMINISTRATIVE OFFICE OF COURTS BEFORE FILLING POSITIONS; AND FOR RELATED PURPOSES.

H. B. No. 1316: AN ACT TO PROHIBIT ANY COURT OR COUNTY BOARD OF SUPERVISORS FROM ENTERING INTO ANY MULTIYEAR CONTRACT OR SERVICE AGREEMENT FOR THE PURCHASE OF ANY WEB-BASED APPLICATION TO BE UTILIZED WITH THE MISSISSIPPI YOUTH COURT INFORMATION DELIVERY SYSTEM (MYCIDS) WITHOUT COMPLETING A COMPETITIVE BIDDING PROCESS FOR THOSE SERVICES; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972,

TO CONFORM TO THE PRECEDING SECTION; TO MAKE TECHNICAL REVISIONS TO THE COURT INTERPRETERS PROGRAM ADMINISTERED BY THE ADMINISTRATIVE OFFICE OF COURTS; TO AMEND SECTION 9-21-71, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 9-21-73, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE COURT INTERPRETER PROGRAM IS TO PROVIDE LANGUAGE ACCESS IN ALL MISSISSIPPI COURTS; TO AMEND SECTION 9-21-77, MISSISSIPPI CODE OF 1972, TO REVISE THE INTERPRETER'S OATH; TO AMEND SECTION 9-21-79, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS RELATING TO THE DETERMINATION OF WHETHER A COURT INTERPRETER IS NEEDED AND TO AUTHORIZE A LIMITED ENGLISH PROFICIENT INDIVIDUAL TO WAIVE THE SERVICES OF AN INTERPRETER; TO AMEND SECTION 9-21-80, MISSISSIPPI CODE OF 1972, TO DECLARE THAT ALL COURT INTERPRETERS ARE SUBJECT TO THE ETHICAL REQUIREMENTS OF THE MISSISSIPPI COURT INTERPRETER CREDENTIALING PROGRAM REGARDLESS OF WHETHER OR NOT THEY ARE LISTED ON THE ROSTER OF CREDENTIALED INTERPRETERS MAINTAINED BY THE ADMINISTRATIVE OFFICE OF COURTS; TO AMEND SECTION 9-21-81, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE EXPENSES OF AN INTERPRETER TO BE PAID WITH ANY FUNDS AVAILABLE FOR SUCH PURPOSE FOR ANY LIMITED ENGLISH PROFICIENT PARTY, WITNESS OR PARTICIPANT; TO CREATE NEW SECTION 9-21-82, MISSISSIPPI CODE OF 1972, TO REQUIRE EACH COURT TO SUBMIT AN ANNUAL REPORT CONTAINING SPECIFIED INFORMATION TO THE ADMINISTRATIVE OFFICE OF COURTS; TO AMEND SECTION 99-17-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE EXPENSES OF AN INTERPRETER IN A CRIMINAL PROCEEDING TO BE PAID WITH ANY FUNDS AVAILABLE FOR SUCH PURPOSE FOR ANY LIMITED ENGLISH PROFICIENT PARTY, WITNESS OR PARTICIPANT; AND FOR RELATED PURPOSES.

H. B. No. 1363: AN ACT TO AMEND SECTION 11-77-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "CHILD PORNOGRAPHY" AND "OBSCENE MATTER" AS USED UNDER STATUTES CREATING A CIVIL LIABILITY FOR DISTRIBUTION OF CERTAIN MATERIALS ON THE INTERNET BY COMMERCIAL ENTITIES; TO CREATE NEW SECTION 11-77-6, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COMMERCIAL ENTITIES THAT KNOWINGLY AND INTENTIONALLY PUBLISH SUCH MATERIAL ON THE INTERNET TO BE HELD CIVILLY LIABLE FOR DAMAGES TO INDIVIDUALS; TO AMEND SECTION 11-77-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN INTERNET SERVICE PROVIDER AND OTHER ENTITIES PROVIDING INTERNET CONNECTIVITY MAY NOT BE HELD LIABLE TO THE EXTENT THAT THE PROVIDER IS NOT RESPONSIBLE FOR CONTENT CREATION; TO CREATE NEW SECTION 11-77-9, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE SEVERABILITY OF PROVISIONS; AND FOR RELATED PURPOSES.

H. B. No. 1408: AN ACT TO AMEND SECTION 75-24-305, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "ROOF SYSTEM" UNDER THE INSURANCE BENEFITS ROOFING REPAIR CONSUMER PROTECTION ACT; TO AMEND SECTION 75-24-307, MISSISSIPPI CODE OF 1972, TO INCREASE THE REQUIRED CANCELLATION PERIOD IN ROOF SYSTEM REPAIR CONTRACTS FROM THREE TO FIVE DAYS AND TO PROHIBIT A RESIDENTIAL ROOFING CONTRACTOR FROM REQUIRING PAYMENT UNTIL THE EXPIRATION OF THE CANCELLATION PERIOD; TO PROHIBIT A RESIDENTIAL ROOFING CONTRACTOR FROM REPRESENTING A PROPERTY OWNER ON INSURANCE CLAIMS AND FROM RECEIVING PAYMENT FROM AN ATTORNEY FOR CLAIM REFERRALS; TO PRESCRIBE CERTAIN REQUIREMENTS FOR A POST-LOSS ASSIGNMENT BY AN INSURED TO A RESIDENTIAL ROOFING CONTRACTOR; TO AMEND SECTION 75-24-311, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

H. B. No. 1489: AN ACT TO BE KNOWN AS THE MISSISSIPPI TRIAGE, TREAT AND TRANSPORT TO ALTERNATIVE DESTINATION ACT; TO PROVIDE THAT HEALTH BENEFIT PLANS SHALL PROVIDE COVERAGE FOR AN AMBULANCE SERVICE TO

TREAT OR ASSESS AN ENROLLEE IN PLACE, OR TRIAGE OR TRIAGE AND TRANSPORT AN ENROLLEE TO AN ALTERATIVE DESTINATION, OR AN ENCOUNTER BETWEEN AN AMBULANCE SERVICE AND ENROLLEE THAT RESULTS WITHOUT TRANSPORT OF THE ENROLLEE UNDER THE PLAN; TO PROVIDE THAT THE COVERAGE REQUIRED UNDER THIS SECTION IS SUBJECT TO THE INITIATION OF AMBULANCE SERVICE TREATMENT AS A RESULT OF A 911 CALL THAT IS DOCUMENTED IN THE RECORDS OF THE AMBULANCE SERVICE AND SUBJECT TO DEDUCTIBLES OR CO-PAYMENT REQUIREMENTS OF THE PLAN, AND DOES NOT DIMINISH OR LIMIT BENEFITS OTHERWISE ALLOWABLE UNDER THE PLAN; TO PROVIDE THAT THE REIMBURSEMENT RATE FOR AN AMBULANCE SERVICE PROVIDER WHOSE OPERATORS ASSESS, TRIAGE, TREAT OR TRANSPORT AN ENROLLEE TO AN ALTERNATIVE DESTINATION SHALL BE NOT LESS THAN THE ADVANCED LIFE SUPPORT RATE WITH MILEAGE TO THE SCENE; TO PROVIDE THAT THE MINIMUM ALLOWABLE REIMBURSEMENT RATE UNDER ANY HEALTH BENEFIT PLAN TO A PARTICIPATING AMBULANCE SERVICE PROVIDER OR AN OUT-OF-NETWORK AMBULANCE SERVICE PROVIDER SHALL BE THE GREATER OF THE RATES CONTRACTED BETWEEN AN AMBULANCE SERVICE PROVIDER AND A COUNTY, MUNICIPALITY OR SPECIAL PURPOSE DISTRICT OR AUTHORITY, OR OTHERWISE APPROVED OR ESTABLISHED BY ORDINANCE OR REGULATION ENACTED BY ANY SUCH COUNTY, MUNICIPALITY OR SPECIAL PURPOSE DISTRICT OR AUTHORITY, OR THREE HUNDRED TWENTY-FIVE PERCENT OF THE REIMBURSEMENT ALLOWED BY MEDICARE FOR SERVICES ORIGINATING IN RURAL AREAS; TO PROVIDE THAT IF AN AMBULANCE SERVICE PROVIDER'S BILLED CHARGES ARE LESS THAN THE MINIMUM ALLOWABLE REIMBURSEMENT RATE PROVIDED FOR IN THIS ACT, THEN SUCH MINIMUM ALLOWABLE REIMBURSEMENT RATE SHALL BE THE PROVIDER'S BILLED CHARGES; AND FOR RELATED PURPOSES.

H. B. No. 1527: AN ACT TO PROHIBIT HEALTH BENEFIT PLANS, PHARMACY BENEFIT MANAGERS AND PRIVATE REVIEW AGENTS FROM SUBJECTING DRUGS PRESCRIBED FOR THE TREATMENT OR PREVENTION OF HIV OR AIDS TO A PRIOR AUTHORIZATION REQUIREMENT, STEP THERAPY, OR ANY OTHER PROTOCOL THAT COULD RESTRICT OR DELAY THE DISPENSING OF THE DRUG; AND FOR RELATED PURPOSES.

H. B. No. 1676: AN ACT TO AMEND SECTION 69-25-201, MISSISSIPPI CODE OF 1972, TO RENAME THE "MISSISSIPPI HEMP CULTIVATION ACT" AS THE "MISSISSIPPI INTOXICATING HEMP REGULATION ACT"; TO AMEND SECTION 69-25-203, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "CONSUMABLE HEMP PRODUCT", "INTOXICATING HEMP PRODUCT" AND "TOTAL THC"; TO AMEND SECTION 69-25-207, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL LICENSE HOLDERS TO ADHERE TO GOOD MANUFACTURING PRACTICES; TO AMEND SECTION 69-25-213, MISSISSIPPI CODE OF 1972, TO REDUCE FROM A CONCENTRATION OF MORE THAN 0.5% TO A CONCENTRATION OF MORE THAN 0.3%, THE VIOLATION OF PRODUCING CANNABIS SATIVA L. WITH A CERTAIN DELTA-9-TETRAHYDROCANNABINOL CONCENTRATION ON A DRY WEIGHT BASIS; TO AMEND SECTION 69-25-217, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE MANUFACTURE OR PRODUCTION OF ANY INTOXICATING HEMP PRODUCTS FOR SALE WITHIN THE STATE OF MISSISSIPPI, WITH CERTAIN EXCEPTIONS; TO PROHIBIT THE SALE OF ANY INTOXICATING HEMP PRODUCTS WITHIN THE STATE OF MISSISSIPPI, WITH CERTAIN EXCEPTIONS; TO PROHIBIT THE MANUFACTURE, PRODUCTION, OR SALE OF ANY HEMP PRODUCTS THAT CONTAIN AN ARTIFICIALLY DERIVED CANNABINOID; TO PROHIBIT THE SALE OF ANY CONSUMABLE HEMP PRODUCT TO ANY PERSON UNDER THE AGE OF 21 YEARS; TO TRANSFER THE ADMINISTRATION OF THE MISSISSIPPI INTOXICATING HEMP REGULATION ACT FROM THE COMMISSIONER AND DEPARTMENT OF AGRICULTURE AND COMMERCE TO THE STATE HEALTH OFFICER AND THE STATE DEPARTMENT OF HEALTH; TO AUTHORIZE THE MANUFACTURE, PRODUCTION, DISTRIBUTION, AND SALE OF A CONSUMABLE HEMP PRODUCT THAT CONTAINS

EQUAL TO OR LESS THAN 0.5 MILLIGRAMS OF TOTAL THC PER SERVING AND EQUAL TO OR LESS THAN 2.5 MILLIGRAMS OF TOTAL THC PER PACKAGE AND HAS A RATIO OF CANNABIDIOL TO TOTAL THC OF AT LEAST TWENTY TO ONE; TO PROVIDE THAT INTOXICATING HEMP PRODUCTS MAY ONLY BE SOLD IN MISSISSIPPI BY PERSONS OR BUSINESS ENTITIES LICENSED UNDER THE MISSISSIPPI MEDICAL CANNABIS ACT; TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH WILL BE RESPONSIBLE FOR LICENSING RETAILERS, WHOLESALERS, MANUFACTURERS, AND PROCESSORS OF CONSUMABLE HEMP PRODUCTS; TO AUTHORIZE THE DEPARTMENT OF CHARGE FEES FOR THOSE LICENSES; TO REQUIRE THAT A FINALIZED SAMPLE OF FINISHED HEMP PRODUCTS HAVE A CERTIFICATE OF ANALYSIS; TO REQUIRE THAT LABELS FOR HEMP PRODUCTS BE APPROVED BY THE DEPARTMENT OF HEALTH; TO PROVIDE CERTAIN REQUIREMENTS FOR CONSUMABLE FOOD MANUFACTURING DISTRIBUTORS; TO REQUIRE A LICENSED ENTITY TO PROVIDE A QUARTERLY REPORT TO THE DEPARTMENT; TO REQUIRE PRODUCTS CONTAINING CANNABIDIOL (CBD) TO BE TESTED IN A FACILITY WITH A DEA CERTIFICATION; TO IMPOSE A 3% EXCISE TAX ON CONSUMABLE HEMP PRODUCTS; TO AMEND SECTIONS 69-25-211, 69-25-215, 69-25-219, 69-25-221 AND 69-25-223, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO AMEND SECTION 41-137-3, MISSISSIPPI CODE OF 1972, TO INCLUDE INTOXICATING HEMP PRODUCTS IN THE DEFINITION OF THE TERM "CANNABIS PRODUCTS"; TO DEFINE THE TERMS "HEMP-DERIVED INGREDIENT" AND "INTOXICATING HEMP PRODUCT"; TO AMEND SECTION 41-137-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE PURCHASE OR ACQUISITION OF HEMP-DERIVED INGREDIENTS BY A CANNABIS CULTIVATION, PROCESSING OR RESEARCH FACILITY FOR THE MEDICAL USE OF CANNABIS; TO AMEND SECTION 41-137-11, MISSISSIPPI CODE OF 1972, TO INCLUDE INCORPORATING HEMP-DERIVED INGREDIENTS PURCHASED BY MEDICAL CANNABIS ESTABLISHMENTS IN THE CAPABILITIES OF THE SEED-TO-SALE TRACKING SYSTEM; TO AMEND SECTION 41-137-39, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ENTITIES NOT LICENSED UNDER THE MISSISSIPPI MEDICAL CANNABIS ACT ARE PROHIBITED FROM SELLING INTOXICATING HEMP PRODUCTS; TO AMEND SECTION 41-137-45, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON OR ENTITY TO SELL OR TRANSFER INTOXICATING HEMP PRODUCTS TO INDIVIDUALS IN THE STATE OF MISSISSIPPI, WITH CERTAIN EXCEPTIONS; TO PROVIDE PENALTIES FOR A PERSON OR BUSINESS ENTITY THAT UNLAWFULLY SELLS INTOXICATING HEMP PRODUCTS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1590: PERS; reconstitute membership of board and rescind scheduled employer's contribution increase. Government Structure.

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. C. R. No. 533: Recognize legislative members of Kappa Alpha Psi and designate March 12, 2024, as "Kappa Day at the State Kapitol." Title Sufficient. Do Be Adopted.

S. C. R. No. 534: Commemorate the 125th Anniversary of Ridgeland, Mississippi. Title Sufficient. Do Be Adopted.

S. C. R. No. 536: Extend congratulations of Legislature to Blues Legend Bobby Rush for winning 3rd Grammy Award for "Best Traditional Blues Album." Title Sufficient. Do Be Adopted.

S. R. No. 44: Commend Jackson Academy "Raiders" Boys Basketball Team for 2024 MAIS Class 6A Championship & Overall Tournament Championship. Title Sufficient. Do Be Adopted.

S. R. No. 45: Commend Jackson Prep "Patriots" Boys Soccer Team for winning MAIS Class 6A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 46: Recognize Charlestien Harris as recipient of the "2023 Financial Counselor of the Year" award by the AFCPE. Title Sufficient. Do Be Adopted.

S. R. No. 47: Commend Meridian High School "Wildcats" Boys Basketball Team for first 7A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 48: Commend Olive Branch High School "Conquistadors" Boys Basketball Team for winning the Class 6A State Title. Title Sufficient. Do Be Adopted.

S. R. No. 49: Recognize five players and the coach with Mississippi ties at Super Bowl LVIII. Title Sufficient. Do Be Adopted.

H. C. R. No. 5: Melissa Cookston; commend success as a restaurateur, chef and author. Title Sufficient. Do Be Adopted.

H. C. R. No. 16: Jimmy Buffett; commend passing and honor the life and legacy of iconic song writer and businessman. Title Sufficient. Do Be Adopted.

H. C. R. No. 28: Deputy Jeremy Todd Malone; commend life and legacy of service upon his passing. Title Sufficient. Do Be Adopted.

H. C. R. No. 31: Pamela D. C. Junior; commend upon retirement as director of Two Mississippi Museums. Title Sufficient. Do Be Adopted.

H. C. R. No. 47: Ryan Miller; commend distinguished service as Executive Director of the Office of Workforce Development (AccelerateMS). Title Sufficient. Do Be Adopted.

KIRBY, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 526: AN ACT TO AMEND SECTION 49-7-31.1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE HUNTERS TO WEAR SOLID UNBROKEN FLUORESCENT PINK AS AN ALTERNATIVE TO FLUORESCENT ORANGE WHEN HUNTING DEER DURING ANY GUN SEASON ON DEER; TO AMEND SECTION 49-7-31.5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE HUNTERS TO WEAR SOLID UNBROKEN FLUORESCENT PINK AS AN ALTERNATIVE TO FLUORESCENT ORANGE WHEN HUNTING WILD

HOGS DURING ANY OPEN GUN SEASON ON DEER; AND FOR RELATED PURPOSES.

David Jordan, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of John Bartley Boykin, Robert O. Fick, James Brown, Jr., Glenn Tillman, P.S. Garner, Jr., Jon Tyson Dollar, Jackie Paul Thomas, Jim Beachum and John E. Darden.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR THURSDAY, MARCH 14, 2024

SEVENTY-FOURTH DAY, FRIDAY, MARCH 15, 2024

The Senate met at 9:00 AM pursuant to adjournment, President Pro Tempore Kirby presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, Fillingane, Frazier, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--43.

Absent--Branning, DeLano, England, Harkins, Hopson, Parker, Parks, Tate, Thompson. Total--9.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Parker.

The invocation was delivered by Senator Frazier.

Senator Turner-Ford led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

President Pro Tempore Kirby yielded the gavel to Senator Michel, who presided over the Senate.

Senator Bryan called up the motion to reconsider the vote whereby **S. B. No. 2886** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2886: Nicotine vapor device directory; require manufacturers to provide certification, set penalties and other provisions.

The foregoing motion prevailed.

Senator Wiggins called up the motion to reconsider the vote whereby **S. B. No. 2776** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2776: Immediate possession; authorize for certain public agencies for roads & public utilities for an economic development project.

PARLIAMENTARY INQUIRY

Senator Simmons D. T. (12th) made a parliamentary inquiry relating to Senate Rule 127, asking whether, on a motion to table a motion to reconsider, the opponents have five minutes and the proponents have five minutes, with the speeches not being open to Q & A.

RULING OF THE CHAIR

The Chair, Senator Michel presiding, ruled the inquiry correct.

Recurring, Senator Wiggins moved to table the motion to reconsider the vote whereby **S. B. No. 2776** passed the Senate.

The foregoing motion prevailed.

Unanimous consent was granted to add Senators Bryan and Blackmon as co-authors of **S. B. No. 2776**.

Senator Wiggins called up the motion to reconsider the vote whereby **S. B. No. 2822** passed the Senate and moved that it be reconsidered:

S. B. No. 2822: Administrative Office of Courts; bring forward code sections related to..

The foregoing motion prevailed.

Senator Wiggins offered the following AMENDMENT NO. 1.

AMEND by inserting the following as a new section after line 19 and renumbering subsequent sections accordingly:

SECTION 1. The following shall be codified as Section 9-21-21, Mississippi Code of 1972:

9-21-21. (1) The Administrative Office of Courts shall establish a Youth Court Chancellor Pilot Program which includes, but is not limited to, the following components:

(a) The office of youth court chancellor shall be created in each of the designated chancery districts which shall be separate and distinguishable from the other office or offices of chancellor for the district.

(b) The senior chancellor in each designated chancery district shall have the right to assign causes and dockets and to set terms in districts consisting of more than one (1) county except for causes and dockets in the youth court division. All causes and dockets in the youth court division of each designated chancery district shall be assigned to the youth court chancellor who shall have the right to set terms in the youth court division of the district.

(c) The youth court chancellorship in each designated chancery district shall be separate and distinct and denominated for purposes of appointment and election as a separate "Place." The chancellor to fill the Place for youth court chancellor may be a resident of any county in the district and shall be by election to be held in every county within the district.

(d) In the case of the youth court chancellor's temporary absence from the county or district, another chancellor within the designated chancery district may temporarily serve in the youth court division. In the case of another chancellor's temporary absence from the county or district, the youth court chancellor may temporarily serve in the other chancellor's place.

(e) The youth court division of each designated chancery district shall encompass all counties within the district.

(f) The youth court division of each designated chancery district shall have exclusive jurisdiction over all youth court matters as set forth in Section 43-21-151.

(g) Sections 43-21-107, 43-21-111, 43-21-115, 43-21-119, and 43-21-123 shall not be applicable in a chancery district which is part of the pilot program.

(h) Each youth court chancellor shall receive an office operating allowance and may make application to the Administrative Office of Courts for additional personnel as set forth in Section 9-1-36.

(i) Each designated chancery district shall have one (1) intake officer who shall carry out the duties of the youth court intake unit set forth in Title 43, Chapter 21, for the entire youth court division of the district. Each intake officer shall be hired by and be an employee of the Administrative Office of Courts. Each intake officer shall be housed within an office of a chancery clerk within the chancery district.

(j) Each party in the youth court proceeding shall be represented by an attorney in accordance with Section 43-21-201.

(2) The following chancery districts shall be designated for participation in the pilot program and shall have one (1) youth court chancellor:

(a) The Second Chancery District;

(b) The Fourth Chancery District;

(c) The Fifth Chancery District;

(d) The Sixth Chancery District;

(e) The Seventh Chancery District;

(f) The Thirteenth Chancery District;

(g) The Fifteenth Chancery District;

(h) The Sixteenth Chancery District;

(i) The Twentieth Chancery District; and

(j) Any other chancery district within the state may request to be added to the pilot program upon full agreement by all counties within the district evidenced by a resolution spread upon the minutes of the board of supervisors by each county. The Administrative Office of Courts shall file a report with the Legislature requesting the inclusion of the chancery district within the pilot program.

(3) The Administrative Office of Courts is authorized to utilize the Mississippi Youth Court Information Delivery System (MYCIDS) or any other case management and electronic filing system for purposes of the pilot program regardless of any other rule or law to the contrary.

(4) There is created in the State Treasury a special fund to be known as the Chancery Youth Court Division Fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies in the fund shall be disbursed by the Administrative Office of Courts for the purpose of providing funding for the development and implementation of a chancery-based youth court pilot program as provided in this section. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund. Monies from the fund shall be distributed by the State Treasurer upon warrants issued by the Administrative Office of Courts. Monies in the fund shall consist of:

(a) Monies appropriated by the Legislature;

(b) The interest accruing to the fund;

(c) Monies received from the federal government;

(d) Donations; and/or

(e) Monies received from such other sources as may be provided by law.

(5) The Administrative Office of Courts is authorized and directed to pay the following expenses from the fund:

(a) Compensation and expenses of each youth court chancellor the same as every other chancellor within the state;

(b) Office operating allowance and compensation of support staff of each youth court chancellor the same as every other chancellor within the state;

(c) Compensation of each intake officer; and

(d) A capital improvement for each designated chancery district to be used solely for the purpose of establishing the youth court division of the district.

(6) The initial youth court chancellor for each of the designated chancery districts shall be appointed by the Governor of Mississippi to serve a two-year term.

(7) Candidates for the youth court chancellorships created by this act shall run for those offices in a the judicial election of November 2026. Candidates shall file the intent to be a candidate not as provided by Section 23-15-977, and shall run for office and be elected as provided in Sections 23-15-974 through 23-15-985, which is the Nonpartisan Judicial Election Act. The youth court chancellors shall be elected from each district. The term for the chancellors elected shall be as is provided for chancellors generally.

FURTHER AMEND by striking the title and inserting the following in lieu thereof:

AN ACT TO CREATE A NEW SECTION 9-21-21, MISSISSIPPI CODE OF 1972, TO DIRECT THE ADMINISTRATIVE OFFICE OF COURTS TO ESTABLISH A YOUTH COURT CHANCELLOR PILOT PROGRAM IN CERTAIN CHANCERY COURT DISTRICTS; TO ENUMERATE THE COMPONENTS OF THE PROGRAM; TO DESIGNATE CERTAIN CHANCERY COURT DISTRICTS TO THE PILOT PROGRAM; TO PROVIDE THAT EACH CHANCERY COURT DISTRICTS SHALL HAVE 1 YOUTH COURT CHANCELLORS; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE CHANCERY YOUTH COURT DIVISION FUND; TO AUTHORIZE THE ADMINISTRATIVE OFFICE COURTS TO MAKE CERTAIN EXPENDITURES FROM THE FUND; TO PROVIDE THAT THE INITIAL YOUTH COURT CHANCELLOR FOR EACH OF THE DESIGNATED CHANCERY DISTRICTS SHALL BE APPOINTED BY THE GOVERNOR TO SERVE A TWO-YEAR TERM; TO PROVIDE FOR THE ELECTION OF THE YOUTH COURT CHANCELLORS CREATED BY THIS ACT; TO BRING FORWARD SECTIONS 9-21-1, 9-21-3, 9-21-5, 9-21-7, 9-21-9, 9-21-11, 9-21-13, 9-21-14, 9-21-15, 9-21-17, AND 9-21-19, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS RELATED TO THE ADMINISTRATIVE OFFICE OF COURTS, FOR THE PURPOSE OF POSSIBLE AMENDMENT;

FURTHER AMEND the title to conform.

Amendment No. 1 to S. B. No. 2822 failed.

Senator Wiggins moved that **S. B. No. 2822** be recommitted to Judiciary, Division A, and the motion failed.

Senator Sparks offered the following AMENDMENT NO. 2.

AMEND on line 260 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 2 to S. B. No. 2822 was adopted.

Senator Wiggins moved that S. B. No. 2822 be tabled, and the motion failed.

YEAS AND NAYS On S. B. No. 2822. The rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, Fillingane, Frazier, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--42.

Nays--None.

Absent and those not voting--Branning, DeLano, England, Harkins, Hopson, Parker, Parks, Tate, Thompson. Total--9.

Not Voting--Kirby. Total--1.

Senators Wiggins and Sparks entered a motion to reconsider the vote whereby **S. B. No. 2822** passed the Senate.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 728: AN ACT TO BE KNOWN AS THE DEFENDING AFFORDABLE PRESCRIPTION DRUG COSTS ACT; TO PROVIDE DEFINITIONS FOR THE PURPOSE OF THE ACT; TO PROHIBIT HEALTH INSURANCE ISSUERS, PHARMACY BENEFIT MANAGERS AND OTHER THIRD PARTY PAYORS AND DRUG MANUFACTURERS AND DISTRIBUTORS FROM ENGAGING IN CERTAIN DISCRIMINATORY ACTIONS RELATING TO ENTITIES THAT ARE PARTICIPATING OR AUTHORIZED TO PARTICIPATE IN THE FEDERAL 340B DRUG DISCOUNT PROGRAM; TO PROVIDE THAT THE COMMISSION OF ANY ACT PROHIBITED BY THIS ACT IS CONSIDERED A VIOLATION OF THE CONSUMER PROTECTION ACT; TO AMEND SECTION 75-24-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISION; AND FOR RELATED PURPOSES.

H. B. No. 1323: AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO REMOVE THE STATUTE OF LIMITATIONS FOR PROSECUTION OF THE CRIME OF SEXUAL BATTERY OF A VULNERABLE PERSON; AND FOR RELATED PURPOSES.

H. B. No. 1623: AN ACT TO BRING FORWARD SECTIONS 57-26-1, 57-26-3, 57-26-5 AND 57-26-7, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR A TOURISM PROJECT SALES TAX INCENTIVE PROGRAM ADMINISTERED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1776: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE FISCAL YEAR 2025.

H. B. No. 1777: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR FISCAL YEAR 2025.

H. B. No. 1778: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2025.

H. B. No. 1779: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR FORESTERS FOR THE FISCAL YEAR 2025.

H. B. No. 1780: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR 2025.

H. B. No. 1781: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE GRAND GULF MILITARY MONUMENT COMMISSION FOR THE FISCAL YEAR 2025.

H. B. No. 1782: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT FOR THE FISCAL YEAR 2025.

H. B. No. 1783: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL YEAR 2025.

H. B. No. 1784: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE OIL AND GAS BOARD FOR THE FISCAL YEAR 2025.

H. B. No. 1785: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PAT HARRISON WATERWAY DISTRICT FOR THE FISCAL YEAR 2025.

H. B. No. 1786: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT FOR THE FISCAL YEAR 2025.

H. B. No. 1787: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR 2025.

H. B. No. 1788: AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PUBLIC UTILITIES STAFF FOR FISCAL YEAR 2025.

H. B. No. 1789: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION FOR THE FISCAL YEAR 2025.

H. B. No. 1790: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT FOR THE FISCAL YEAR 2025.

H. B. No. 1791: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR THE FISCAL YEAR 2025.

H. B. No. 1792: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE YELLOW CREEK STATE INLAND PORT AUTHORITY FOR THE FISCAL YEAR 2025.

H. B. No. 1793: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF BARBER EXAMINERS FOR THE FISCAL YEAR 2025.

H. B. No. 1794: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF CHILD PROTECTION SERVICES FOR THE FISCAL YEAR 2025.

H. B. No. 1795: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF COSMETOLOGY FOR THE FISCAL YEAR 2025.

H. B. No. 1796: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR 2025.

H. B. No. 1797: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF HUMAN SERVICES FOR THE FISCAL YEAR 2025.

H. B. No. 1798: AN ACT MAKING AN APPROPRIATION FROM GENERAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE FIRE ACADEMY FOR THE FISCAL YEAR 2025.

H. B. No. 1799: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2025.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1800: AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR 2025.

H. B. No. 1801: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF MEDICAL LICENSURE FOR THE FISCAL YEAR 2025.

H. B. No. 1802: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF NURSING HOME ADMINISTRATORS FOR THE FISCAL YEAR 2025.

H. B. No. 1803: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF NURSING FOR THE FISCAL YEAR 2025.

H. B. No. 1804: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF OPTOMETRY FOR THE FISCAL YEAR 2025.

H. B. No. 1805: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL YEAR 2025.

H. B. No. 1806: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PSYCHOLOGY FOR THE FISCAL YEAR 2025.

H. B. No. 1807: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD FOR FISCAL YEAR 2025.

H. B. No. 1808: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI REAL ESTATE COMMISSION FOR FISCAL YEAR 2025.

H. B. No. 1809: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF REHABILITATION SERVICES FOR FISCAL YEAR 2025.

H. B. No. 1810: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS FOR THE FISCAL YEAR 2025.

H. B. No. 1811: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ATHLETIC COMMISSION FOR THE FISCAL YEAR 2025.

H. B. No. 1812: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2025.

H. B. No. 1813: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUCTIONEERS COMMISSION FOR THE FISCAL YEAR 2025.

H. B. No. 1814: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2025.

H. B. No. 1815: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING SALARIES AND TRAVEL EXPENSES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS OF THE STATE AND PAYING OFFICE EXPENSES OF DISTRICT ATTORNEYS FOR THE FISCAL YEAR 2025.

H. B. No. 1817: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING THE EXPENSES AND PROVIDING CONTINGENT FUNDS FOR THE LEGISLATURE, THE EXPENSES OF THE JOINT LEGISLATIVE BUDGET COMMITTEE,

THE EXPENSES OF THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW, THE EXPENSES OF THE JOINT LEGISLATIVE REAPPORTIONMENT COMMITTEE, THE EXPENSES OF THE JOINT COMMITTEE ON COMPILATION, REVISION AND PUBLICATION OF LEGISLATION, PAYING THE MONTHLY EXPENSE ALLOWANCE OF THE MEMBERS OF THE LEGISLATURE, PAYING THE STATE'S SHARE OF VARIOUS ASSESSMENTS, AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2025.

H. B. No. 1818: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2025.

H. B. No. 1819: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF STATE PUBLIC DEFENDER OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2025.

H. B. No. 1820: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2025; AND FOR RELATED PURPOSES.

H. B. No. 1821: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE VETERANS' HOME PURCHASE BOARD AND MAKING NEW HOME LOANS AS AUTHORIZED BY LAW FOR THE FISCAL YEAR 2025.

H. B. No. 1822: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL YEAR 2025.

H. B. No. 1823: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL YEAR 2025.

H. B. No. 1824: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION FOR THE FISCAL YEAR 2025.

H. B. No. 1825: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL YEAR 2026.

H. B. No. 1826: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2025; AND FOR RELATED PURPOSES.

H. B. No. 1830: AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS AND SPECIAL FUNDS FOR FISCAL YEARS 2024 AND 2025 TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF DENTAL

EXAMINERS; THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY; THE MISSISSIPPI DEVELOPMENT AUTHORITY; THE OFFICE OF THE SECRETARY OF STATE; THE MISSISSIPPI WIRELESS COMMUNICATION COMMISSION; AND THE MISSISSIPPI STATE DEPARTMENT OF HEALTH; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess until 12:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, March 18, 2024.

The motion prevailed, and at 10:17 AM, the Senate stood in recess.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1015: AN ACT TO AMEND SECTION 77-7-335, MISSISSIPPI CODE OF 1972, TO AUTHORIZE DEPARTMENT OF PUBLIC SAFETY INSPECTORS TO ASSIST OTHER OFFICERS; TO AMEND SECTION 63-11-5, MISSISSIPPI CODE OF 1972, TO ADD COMMERCIAL MOTOR CARRIER INSPECTORS TO THE LIST OF PERSONS AUTHORIZED TO GIVE BREATH TESTS; AND FOR RELATED PURPOSES.

H. B. No. 1023: AN ACT TO AMEND SECTION 25-1-87, MISSISSIPPI CODE OF 1972, TO AUTHORIZE FRAUD INVESTIGATORS TO DRIVE UNMARKED VEHICLES; AND FOR RELATED PURPOSES.

H. B. No. 1455: AN ACT TO AMEND SECTION 47-5-579, MISSISSIPPI CODE OF 1972, TO REMOVE THE "PILOT" DESIGNATION FROM THE WORK INITIATIVE PROGRAM; TO REMOVE THE CAP ON THE NUMBER OF INMATES WHO MAY PARTICIAPTE IN THE WORK INITIATIVE; TO PROVIDE THE WORK INITIATIVE MAY BE CONDUCTED AT ANY FACILITY UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS RATHER THAN JUST AT THE CENTRAL MISSISSIPPI CORRECTIONAL FACILITY; TO REVISE THE AMOUNT OF THE INMATES' WAGES THAT ARE PAID TO THE CORPORATION FOR ADMINISTRATIVE EXPENSES AND THE AMOUNT THE INMATES SAVE FROM THEIR WAGES; TO REVISE THE DATA INFORMATION THAT IS REPORTED TO THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW (PEER) AND TO THE CORRECTIONS AND CRIMINAL JUSTICE OVERSIGHT TASK FORCE; TO EXTEND THE DATE OF REPEAL ON THIS SECTION TO JULY 1, 2027; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1379: AN ACT TO CREATE "THE STUDENTS SAFE AT SCHOOL ACT"; TO DEFINE TERMS UNDER THE ACT; TO OUTLINE STANDARDS; TO PROVIDE FOR STUDENT HEALTH AND WELLNESS PROTOCOLS; TO SET FORTH NOTICE REQUIREMENTS; TO ADDRESS STUDENT PARTICIPATION IN SHOOTER DRILLS; TO ADDRESS STUDENT PARTICIPATION IN ACTIVE SHOOTER SIMULATIONS; TO REQUIRE VIOLENCE PREVENTION TRAINING; TO PROVIDE FOR STUDENT PARTICIPATION IN SAFETY PLANNING; TO PROVIDE FOR PUBLICATION OF VENDORS; TO CREATE GUIDELINES TO MEASURE EFFECTIVENESS OF DRILLS; TO CREATE THE SCHOOL EMERGENCY RESPONSE MAPPING DATA GRANT PROGRAM WITHIN THE OFFICE OF THE ATTORNEY GENERAL; TO AUTHORIZE EACH SCHOOL DISTRICT, CHARTER SCHOOL GOVERNING BOARD AND PRIVATE SCHOOL GOVERNING BOARD, IN CONSULTATION WITH LOCAL LAW ENFORCEMENT AGENCIES, TO PROVIDE SCHOOL MAPPING DATA FOR EACH SCHOOL IN THE AREA OF THE LAW ENFORCEMENT AGENCY'S JURISDICTION; TO REQUIRE THE ENTITY PRODUCING THE DATA TO BE RESPONSIBLE FOR PROVIDING DATA TO THE SCHOOLS AND LOCAL LAW ENFORCEMENT AND PUBLIC SAFETY AGENCIES FOR USE IN RESPONSE TO EMERGENCIES; TO PRESCRIBE THE REQUIRED COMPONENTS OF WHAT SCHOOL MAPPING DATA SHOULD ENTAIL; TO REQUIRE THAT UPDATES TO THE SCHOOL MAPPING DATA BE ACCESSIBLE IN SOFTWARE PLATFORMS; TO ESTABLISH THE SCHOOL EMERGENCY RESPONSE MAPPING DATA GRANT PROGRAM IN THE STATE TREASURY; TO BRING FORWARD SECTION 37-11-5, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO CREATE THE MISSISSIPPI SCHOOL SAFETY TASK FORCE; TO PROVIDE FOR THE APPOINTMENT OF MEMBERS OF THE TASK FORCE; TO PROVIDE THAT THE TASK FORCE WILL CONTINUALLY STUDY ENSURING AND ENHANCING SAFE SCHOOL ENVIRONMENTS FOR STUDENTS, TEACHERS AND STAFF IN MISSISSIPPI, AND THE IMPLEMENTATION OF BEST PRACTICES FOR PREVENTION AND RESPONSE; TO PROVIDE FOR THE TASK FORCE TO CONDUCT ITS BUSINESS; TO REQUIRE THAT THE TASK FORCE WILL REPORT ITS FINDINGS AND ANY RECOMMENDATIONS TO THE LEGISLATURE ON AN ANNUAL BASIS; AND FOR RELATED PURPOSES.

H. B. No. 1401: AN ACT TO AMEND SECTIONS 23-15-557, 23-15-281 AND 23-15-285, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO POLLING PLACE MAY BE LOCATED AT ANY TYPE OF FACILITY THAT SELLS ANY TYPE OF ALCOHOLIC BEVERAGE; TO DEFINE "FACILITY" AND "ALCOHOLIC BEVERAGE"; TO PROVIDE THAT THE DEFINITION OF "FACILITY" SHALL NOT INCLUDE ANY GOVERNMENT-OWNED BUILDING OR ANY BUILDING OWNED BY A NONPROFIT ORIGINATION; TO BRING FORWARD SECTIONS 23-15-283 AND 23-15-259, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1487: AN ACT TO AMEND SECTION 29-5-203, MISSISSIPPI CODE OF 1972, TO REVISE THE BOUNDARIES OF THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 12:00 PM.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR FRIDAY, MARCH 15, 2024

S. R. No. 50: Rules
A RESOLUTION RECOGNIZING LEGENDARY JACKSON STATE UNIVERSITY HEAD VOLLEYBALL COACH ROSEMARIE WASHINGTON FOR BEING NAMED 2023 SWAC CHAMPIONSHIP COACH OF THE YEAR AND COMMENDING HER CHAMPIONSHIP TRADITION ON THE OCCASION OF HER RETIREMENT.
By Senator(s) Norwood, Simmons (12th), Frazier

SEVENTY-SEVENTH DAY, MONDAY, MARCH 18, 2024

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Reverend Tom Potter, Senior Pastor, Crawford Street United Methodist Church, Vicksburg, MS.

Senator Hopson led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:
The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. B. No. 2059: AN ACT TO CREATE NEW SECTIONS IN TITLE 49, CHAPTER 19, MISSISSIPPI CODE OF 1972, TO DEFINE BIOMASS AND OTHER RELEVANT TERMS; TO REQUIRE THAT ENERGY PRODUCED FROM CERTAIN SOURCES BE CONSIDERED CARBON NEUTRAL; TO REQUIRE THAT ENERGY PRODUCED FROM CERTAIN SOURCES IN CONJUNCTION WITH CARBON CAPTURE TECHNOLOGIES BE CONSIDERED CARBON NEGATIVE; AND FOR RELATED PURPOSES.

David Jordan, Chairman

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 73: AN ACT TO AMEND SECTION 37-13-81, 37-13-83, 37-13-85, 37-13-87 AND 37-13-89, MISSISSIPPI CODE OF 1972, TO CLARIFY THE NAME OF THE OFFICE OF COMPULSORY SCHOOL ATTENDANCE ENFORCEMENT AND DROPOUT PREVENTION WITHIN THE STATE DEPARTMENT OF EDUCATION; TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR OF THE OFFICE BY THE STATE SUPERINTENDENT OF PUBLIC EDUCATION; TO TRANSFER THE RESPONSIBILITY FOR EMPLOYING AND ESTABLISHING THE DUTIES OF SCHOOL ATTENDANCE OFFICERS FROM THE STATE DEPARTMENT OF EDUCATION TO LOCAL SCHOOL DISTRICTS; TO ABOLISH THE THREE REGIONAL SCHOOL ATTENDANCE OFFICER POSITIONS AND REPLACE THOSE POSITIONS WITH REGIONAL COORDINATORS WHO SHALL BE RESPONSIBLE FOR ENFORCEMENT OF THE MISSISSIPPI COMPULSORY SCHOOL ATTENDANCE LAW WITHIN THEIR REGION; TO PROVIDE THAT THE STATE SUPERINTENDENT OF PUBLIC EDUCATION SHALL SET THE SALARY OF REGIONAL COORDINATORS; TO PROVIDE THAT REGIONAL COORDINATORS SHALL BE COMPENSATED AT THE SAME SALARY RECEIVED FOR FISCAL YEAR 2024 RATE PLUS AN ADDITIONAL 25%; TO CLARIFY THE MINIMUM QUALIFICATIONS NECESSARY FOR SCHOOL ATTENDANCE OFFICERS AND REMOVE THE REQUIREMENT OF THE STATE PERSONNEL BOARD TO ESTABLISH ADDITIONAL QUALIFICATIONS FOR SCHOOL ATTENDANCE OFFICERS; TO PROVIDE THAT SCHOOL ATTENDANCE OFFICERS EMPLOYED BY THE STATE DEPARTMENT OF EDUCATION ON JULY 1, 2024, SHALL BE TRANSFERRED TO EMPLOYMENT STATUS AS EMPLOYEES OF THEIR RESPECTIVE SCHOOL DISTRICTS WITH WORK LOCATIONS THEREIN AND SHALL ENFORCE ATTENDANCE AT CHARTER SCHOOLS LOCATED WITHIN THE SCHOOL DISTRICT; TO PROVIDE FOR THE SHARING OF ADMINISTRATIVE AND COSTS SHARING RESPONSIBILITIES OF TWO OR MORE SCHOOL DISTRICTS WHICH WERE SIMULTANEOUSLY SERVED BY THE SAME SCHOOL ATTENDANCE OFFICER; TO PROVIDE FOR THE TRANSFER OF ANY UNUSED ACCUMULATED LEAVE; TO REQUIRE THE STATE TO PROVIDE FUNDING FOR ONE SCHOOL ATTENDANCE OFFICER FOR EVERY 3,000 COMPULSORY-SCHOOL-AGE CHILDREN IN ENROLLMENT IN THE PUBLIC SCHOOLS OF A COUNTY; TO ESTABLISH THE MINIMUM SALARY OF NEWLY HIRED SCHOOL ATTENDANCE OFFICERS BEGINNING JULY 1, 2024, AND AUTHORIZE LOCAL SCHOOL BOARDS TO PAY ADDITIONAL COMPENSATION ABOVE THE MINIMUM SALARY ON A SCALE ESTABLISHED BY THE LOCAL SCHOOL BOARD; TO PROVIDE THAT SCHOOL ATTENDANCE OFFICERS TRANSFERRED TO THE LOCAL SCHOOL DISTRICT FROM THE STATE DEPARTMENT OF EDUCATION SHALL BE COMPENSATED AT THE SAME SALARY RECEIVED FISCAL YEAR 2024 RATE PLUS AN ADDITIONAL 25%; TO PROVIDE THAT SCHOOL ATTENDANCE OFFICERS SHALL NOT EXPERIENCE ANY INTERRUPTION OF SERVICE WITH THE PUBLIC EMPLOYEES'

RETIREMENT SYSTEM AND THE SCHOOL EMPLOYEES' HEALTH INSURANCE PLAN AS A RESULT OF THE TRANSFER OF EMPLOYMENT RESPONSIBILITY; TO REQUIRE THE STATE DEPARTMENT OF EDUCATION AND THE MISSISSIPPI ASSOCIATION OF SCHOOL SUPERINTENDENTS TO SUBMIT A REPORT TO THE LEGISLATURE ON THE STATUS AND PROGRESS OF SCHOOL ATTENDANCE OFFICERS AS EMPLOYEES OF THE LUNCH SCHOOL DISTRICT; TO AMEND SECTION 37-13-107, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO AMEND SECTION 37-13-91, MISSISSIPPI CODE OF 1972, TO REQUIRE THE LOCAL SCHOOL DISTRICT TO REPORT ANY UNEXCUSED ABSENCE OF A STUDENT TO THE SCHOOL ATTENDANCE OFFICER WITHIN 24 HOURS OF THE ABSENCE; AND FOR RELATED PURPOSES.

H. B. No. 419: AN ACT TO BRING FORWARD SECTIONS 41-7-171, 41-7-173, 41-7-175, 41-7-183, 41-7-185, 41-7-187, 41-7-188, 41-7-189, 41-7-190, 41-7-191, 41-7-193, 41-7-195, 41-7-197, 41-7-201, 41-7-202, 41-7-205, 41-7-207, 41-7-209, 23-15-625, 25-41-7, 35-1-19, 41-3-15, 41-4-18, 41-9-11, 41-9-23, 41-9-68, 41-9-209, 41-9-210, 41-71-7, 41-71-19, 41-73-5, 41-75-1, 41-75-5, 41-75-9, 41-75-25, 41-77-1, 41-77-5, 41-77-21, 41-77-23, 41-77-25, 41-95-3, 43-11-9, 43-11-19, 57-117-5, 41-9-311, 43-13-117.5, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 430: AN ACT TO AUTHORIZE A PERSON WHO IS THE HOLDER OF CLASS 1 OR CLASS 2 MANUFACTURER'S PERMIT UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW, OR WHO IS LICENSED OR PERMITTED OUTSIDE OF THE STATE TO ENGAGE IN THE ACTIVITY OF MANUFACTURING WINE AND/OR DISTILLED SPIRITS TO SELL AND SHIP WINE AND DISTILLED SPIRITS DIRECTLY TO RESIDENTS IN THIS STATE, IF THE PERSON OBTAINS A DIRECT SHIPPER'S PERMIT FROM THE DEPARTMENT OF REVENUE; TO PROVIDE FOR THE ISSUANCE OF DIRECT SHIPPER'S PERMITS AND THE ISSUANCE OF WINE AND DISTILLED SPIRITS FULFILLMENT PROVIDER PERMITS; TO REQUIRE THE HOLDER OF A DIRECT SHIPPER'S PERMIT TO KEEP CERTAIN RECORDS; TO REQUIRE THE HOLDER OF A WINE AND DISTILLED SPIRITS FULFILLMENT PROVIDER PERMIT TO KEEP CERTAIN RECORDS; TO PROHIBIT THE HOLDER OF A DIRECT SHIPPER'S PERMIT FROM SELLING OR SHIPPING LIGHT WINE, LIGHT SPIRIT PRODUCTS OR BEER OR ANY ALCOHOLIC BEVERAGE OTHER THAN WINE OR DISTILLED SPIRITS; TO LIMIT THE AMOUNT OF WINE AND DISTILLED SPIRITS THAT A HOLDER OF A DIRECT SHIPPER'S PERMIT MAY SELL OR SHIP TO AN INDIVIDUAL EACH YEAR; TO PROHIBIT THE HOLDER OF A DIRECT SHIPPER'S PERMIT FROM SELLING OR SHIPPING WINE OR DISTILLED SPIRITS THAT IS AVAILABLE THROUGH THE ALCOHOLIC BEVERAGE CONTROL DIVISION OF THE DEPARTMENT OF REVENUE; TO PROVIDE FOR THE ANNUAL RENEWAL OF DIRECT SHIPPER'S PERMITS; TO PROVIDE THAT PERSONS PURCHASING OR RECEIVING A DIRECT SHIPMENT OF WINE OR DISTILLED SPIRITS FROM A DIRECT SHIPPER MUST BE AT LEAST TWENTY-ONE YEARS OF AGE; TO PROVIDE THAT PERSONS RECEIVING A DIRECT SHIPMENT OF WINE AND/OR DISTILLED SPIRITS FROM A DIRECT SHIPPER SHALL USE THE WINE OR DISTILLED SPIRITS FOR PERSONAL USE ONLY AND MAY NOT RESELL IT; TO IMPOSE CERTAIN REQUIREMENTS RELATING THE SHIPMENT OF WINE AND DISTILLED SPIRITS INTO THIS STATE; TO AUTHORIZE THE COMMISSIONER OF REVENUE TO ADOPT ANY RULES OR REGULATIONS AS NECESSARY TO CARRY OUT THIS ACT; TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS ACT; TO AMEND SECTIONS 27-71-5, 27-71-7, 27-71-15 AND 27-71-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THE PRIVILEGE TAX REQUIRED FOR THE ISSUANCE OF A DIRECT SHIPPER'S PERMIT AND FOR THE PRIVILEGE TAX REQUIRED FOR THE ISSUANCE OF A WINE AND DISTILLED SPIRITS FULFILLMENT PROVIDER PERMIT; TO LEVY A TAX UPON THE SALES AND SHIPMENTS OF WINE AND DISTILLED SPIRITS MADE BY A DIRECT SHIPPER; TO REQUIRE A CERTAIN AMOUNT OF THE TAXES LEVIED TO BE DEPOSITED INTO THE MENTAL HEALTH PROGRAMS FUND; TO AMEND SECTIONS 67-1-41, 67-1-45, 67-1-51, 67-1-53, 67-1-55, 67-1-57, 67-1-73, 97-31-47 AND 97-31-49,

MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 867: AN ACT TO AMEND SECTION 37-15-31, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT FOR THE SCHOOL BOARD OF THE SCHOOL DISTRICT OF A CHILD'S RESIDENCE CONSENT TO THE RELEASE OF THE STUDENT FOR TRANSFER TO ANOTHER SCHOOL DISTRICT; TO ONLY REQUIRE THAT THE TRANSFEREE SCHOOL BOARD APPROVE OR REFUSE THE TRANSFER OF A STUDENT UPON RECEIVING NOTICE AND OFFICIAL MEETING OF THE BOARD TO ACT ON SUCH TRANSFER; TO AUTHORIZE THE SIBLINGS OF A LAWFULLY TRANSFERRED STUDENT TO ENROLL IN THE TRANSFEREE SCHOOL DISTRICT AT THE DISCRETION OF THEIR PARENT(S) OR LEGAL GUARDIAN(S) TO PROVIDE THAT A TRANSFER STUDENT'S ATHLETIC ELIGIBILITY SHALL BE DETERMINED BY HIS OR HER FALL SEMESTER ENROLLMENT AND LIMIT PARTICIPATION TO ONE SCHOOL PER SCHOOL YEAR TO PROVIDE FOR THE ALLOCATION AND DISBURSEMENT OF FUNDS TO A RECEIVING SCHOOL DISTRICT UPON THE COMPLETION AND CERTIFICATION OF A STUDENT TRANSFER REQUEST; TO PROVIDE THAT TRANSFER AUTHORITY OF A DISTRICT TO RECEIVE OR DENY THE ACCEPTANCE OF A STUDENT REQUESTING TRANSFER INTO THE DISTRICT SHALL NOT SUPERSEDE ANY PROVISION OF AN ENFORCEABLE DESEGREGATION ORDER OR A COURT-APPROVED DESEGREGATION PLAN; TO AMEND SECTION 37-15-29, MISSISSIPPI CODE OF 1972, TO CLARIFY THE SCHOOL ENROLLMENT CHOICES OF CHILDREN WHOSE PARENTS ARE ACTIVE MEMBERS OF THE UNITED STATES ARMED FORCES OR CIVILIAN MILITARY PERSONNEL; TO ALLOW THE CHILDREN OF ACTIVE MEMBERS OF THE UNITED STATES ARMED FORCES TO ATTEND THE SCHOOL DISTRICT OR SCHOOL OF THEIR CHOICE; TO REMOVE THE LIMITATION ON PROHIBITED DISTANCE OF TRANSPORTING SUCH STUDENTS BY EXCLUDING THE DISTRICT FROM PROVIDING TRANSPORTATION TO SUCH STUDENTS; AND FOR RELATED PURPOSES.

H. B. No. 974: AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION, ACTING ON BEHALF OF THE STATE BOARD OF MENTAL HEALTH TO SELL AND CONVEY, TO THE CITY OF WATER VALLEY, CERTAIN REAL PROPERTY LOCATED WITHIN CITY OF WATER VALLEY, YALOBUSHA COUNTY, MISSISSIPPI, WHICH IS THE SITE OF THE FORMER WATER VALLEY HIGH SCHOOL; TO AMEND SECTION 1, CHAPTER 393, LAWS OF 2019, TO PROVIDE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO SELL CERTAIN REAL PROPERTY LOCATED IN LOWNDES COUNTY AND THE CITY OF COLUMBUS, MISSISSIPPI, FOR LESS THAN FAIR MARKET VALUE; TO PROVIDE THAT ANY PROCEEDS GENERATED FROM THE SALE OF THE LAND SHALL BE DEPOSITED INTO THE MISSISSIPPI EXISTING INDUSTRY PRODUCTIVITY LOAN PROGRAM BOND SINKING FUND; TO PROVIDE MDA MAY CORRECT ANY DISCREPANCIES IN THE LEGAL DESCRIPTION OF THE PROPERTY; AND FOR RELATED PURPOSES.

H. B. No. 1060: AN ACT TO AMEND SECTION 31-5-51, MISSISSIPPI CODE OF 1972, TO INCREASE THE THRESHOLD FOR PERFORMANCE BONDS IN PUBLIC WORKS CONTRACTS FROM $25,000.00 TO $75,000.00; TO PROVIDE THAT FOR ANY CONTRACT WITH THE STATE WHICH EXCEEDS $5,000.00, OR WITH A COUNTY, CITY OR OTHER PUBLIC AUTHORITY WHICH EXCEEDS $75,000.00, FOR THE CONSTRUCTION, ALTERATION, OR REPAIR OF ANY PUBLIC BUILDING OR PUBLIC WORK, IF A SUBCONTRACTOR OF THE GENERAL CONTRACTOR FOR THE CONTRACT DOES NOT HAVE GENERAL LIABILITY INSURANCE COVERAGE IN THE REQUIRED MINIMUM AMOUNT, THEN THE GENERAL CONTRACTOR SHALL BE LIABLE FOR ANY AMOUNT UNDER SUCH MINIMUM AMOUNT OF COVERAGE FOR WHICH THE SUBCONTRACTOR IS UNDERINSURED OR NOT INSURED; AND FOR RELATED PURPOSES.

H. B. No. 1100: AN ACT TO AMEND SECTION 41-41-3, MISSISSIPPI CODE OF 1972, TO PROHIBIT A HEALTH-CARE INSTITUTION OR HEALTH-CARE PROVIDER

FROM PROVIDING HEALTH CARE FOR AN UNEMANCIPATED MINOR WITHOUT FIRST OBTAINING THE CONSENT OF THE MINOR'S PARENT, GUARDIAN OR SURROGATE; TO PROVIDE FOR CERTAIN EXCEPTIONS TO THE REQUIREMENT OF OBTAINING PARENTAL CONSENT; TO AUTHORIZE A PARENT, GUARDIAN OR SURROGATE OF AN UNEMANCIPATED MINOR TO BRING SUIT FOR ANY VIOLATION OF THIS ACT; TO AMEND SECTIONS 41-41-17 AND 41-42-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO REPEAL SECTION 41-41-13, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT A PHYSICIAN OR NURSE PRACTITIONER MAY TREAT MINORS FOR VENEREAL DISEASE WITHOUT PARENTAL CONSENT, AND SECTION 41-41-14, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT A PHYSICIAN OR PSYCHOLOGIST MAY TREAT CERTAIN MINORS FOR MENTAL OR EMOTIONAL PROBLEMS CAUSED OR RELATED TO ALCOHOL OR DRUGS WITHOUT PARENTAL CONSENT; AND FOR RELATED PURPOSES.

H. B. No. 1163: AN ACT TO AMEND SECTION 21-25-23, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARDS OF TRUSTEES OF COMMUNITY AND JUNIOR COLLEGE TO ENTER INTO CONTRACT WITH A MUNICIPALITY FOR THE PROVISION OF FIRE PROTECTION SERVICES; TO AMEND SECTION 37-29-231, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARDS OF TRUSTEES OF COMMUNITY AND JUNIOR COLLEGE, IN ITS DISCRETION, TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE COUNTY GOVERNING AUTHORITY WHERE THE COMMUNITY OR JUNIOR COLLEGE IS LOCATED, TO PROVIDE FIRE PROTECTION AND FIRST RESPONDER SERVICES TO THE MAIN CAMPUS OF THE COMMUNITY OR JUNIOR COLLEGE; TO PROVIDE THE BOARD OF TRUSTEES OF THE COMMUNITY OR JUNIOR COLLEGE THE DISCRETION TO OFFSET THE COST OF THE SERVICES BY ASSESSING A STUDENT FEE EACH SEMESTER; TO AMEND SECTION 37-29-141, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

H. B. No. 1214: AN ACT TO CREATE THE JOINT LEGISLATIVE STUDY COMMITTEE ON BLOCKCHAIN, DIGITAL ASSETS, AND CRYPTOCURRENCY; TO DEVELOP A COMPREHENSIVE AND STRATEGIC PLAN THAT SETS POLICY OBJECTIVES AND RECOMMENDATIONS FOR THE USE OF BLOCKCHAIN, CRYPTOCURRENCY, AND OTHER DIGITAL ASSETS IN THE STATE OF MISSISSIPPI; TO PROVIDE FOR THE COMPOSITION OF THE STUDY COMMITTEE AND TIME BY WHICH APPOINTMENTS MUST BE MADE; TO STIPULATE THAT MEMBERS OF THE STUDY COMMITTEE SHALL SERVE WITHOUT COMPENSATION EXCEPT FOR ACTUAL EXPENSES INCURRED IN THE PERFORMANCE OF ITS DUTIES; AND FOR RELATED PURPOSES.

H. B. No. 1410: AN ACT TO REQUIRE ANY INSURER, SUBCONTRACTOR, THIRD PARTY ADMINISTRATOR OR OTHER PAYOR THAT ADMINISTERS A HEALTH BENEFIT POLICY ISSUED IN ANOTHER STATE THAT COVERS A PERSON IN THIS STATE TO REIMBURSE PROVIDERS AT THE REIMBURSEMENT RATE AS PROVIDED IN THE STATE OF ISSUANCE, IF THAT REIMBURSEMENT RATE IS HIGHER THAN THE REIMBURSEMENT RATE IN THIS STATE AND IF THE PREMIUM FOR SUCH POLICY WAS BASED ON CERTAIN BENEFITS AND PROVIDER NETWORK REIMBURSEMENTS IN THE ISSUING STATE; TO PROVIDE THAT IF A BENEFIT IS PROVIDED IN THE ISSUING STATE, THAT BENEFIT MUST BE PROVIDED TO COVERED PERSONS IN THIS STATE; TO EXEMPT ERISA AND SELF-FUNDED PLANS FROM THESE PROVISIONS; AND FOR RELATED PURPOSES.

H. B. No. 1441: AN ACT TO AMEND SECTION 97-37-37, MISSISSIPPI CODE OF 1972, TO REVISE THE TERM OF IMPRISONMENT FOR USE OF A FIREARM DURING THE COMMISSION OF A FELONY; AND FOR RELATED PURPOSES.

H. B. No. 1447: AN ACT TO CREATE THE STRENGTHENING ACADEMIC VICTORIES THROUGH EDUCATIONAL DEVELOPMENT AT DELTA STATE UNIVERSITY (SAVED) STUDY COMMITTEE; TO PROVIDE THAT THE COMMITTEE

SHALL DETERMINE THE FEASIBILITY OF ESTABLISHING AND ADMINISTERING MODEL RURAL EDUCATION SCHOOL PROGRAMS AT DELTA STATE UNIVERSITY AND MISSISSIPPI VALLEY STATE UNIVERSITY, IN CONJUNCTION WITH THE STATE BOARD OF EDUCATION, TO SERVE STUDENTS IN GRADES K-12 WITHIN THE EIGHTEEN COUNTIES OF THE MISSISSIPPI DELTA ENROLLED IN "D" AND "F" SCHOOLS AND DISTRICTS; TO RECONSTITUTE THE EARLY INTERVENTION TASK FORCE WITH A GOAL TO COLLABORATE WITH THE STATE AGENCY COORDINATING PART C OF IDEA TO DESIGN A NEW SERVICE DELIVERY MODEL AND MAKE CHANGES TO THE EARLY INTERVENTION PROGRAM; TO SET THE TASK FORCE'S DUTIES; TO REQUIRE THE TASK FORCE TO PREPARE A FINAL REPORT TO THE LEGISLATURE; TO REQUIRE THE STATE AGENCY COORDINATING PART C OF IDEA TO PREPARE AND DELIVER A REPORT THAT PROVIDES FOR POSSIBLE SOLUTIONS; TO DISSOLVE THE TASK FORCE UPON PRESENTATION OF THE REPORT; AND FOR RELATED PURPOSES.

H. B. No. 1548: AN ACT TO REQUIRE SCHOOLS AND SCHOOL SPONSORED ATHLETIC EVENTS, INCLUDING SCHOOL BOARDS, AND OPERATORS OF INDEPENDENT CHARTER SCHOOLS, TO SUPPORT, ADOPT, AND IMPLEMENT A CARDIAC EMERGENCY RESPONSE PLAN THAT INTEGRATES EVIDENCE BASED CORE ELEMENTS IN ACCORDANCE WITH THE AMERICAN HEART ASSOCIATION'S GUIDELINES OR ANOTHER NATIONALLY RECOGNIZED, EVIDENCE BASED STANDARD; TO EXEMPT SCHOOLS FROM THE PREREQUISITE THAT A MISSISSIPPI LICENSED PHYSICIAN MUST EXERCISE MEDICAL CONTROL AUTHORITY OVER THE PERSON USING AN AED; TO REQUIRE THAT ANY PERSON USING AN AUTOMATED EXTERNAL DEFIBRILLATOR MUST USE A FDA APPROVED DEVICE TO ASSURE THE SAFETY AND RELIABILITY OF THE DEVICE; TO AMEND SECTION 41-60-33, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

H. B. No. 1639: AN ACT TO CREATE THE TASK FORCE ON THE ESTABLISHMENT OF A MISSISSIPPI DELTA REGIONAL HEALTH AUTHORITY; TO PROVIDE FOR THE MEMBERSHIP OF THE TASK FORCE; TO SPECIFY THE MATTERS ON WHICH THE TASK FORCE SHALL GATHER INFORMATION, REVIEW, STUDY AND MAKE RECOMMENDATIONS; TO PROVIDE FOR THE MEETINGS AND FUNDING OF THE TASK FORCE; TO ASSIGN THE TASK FORCE TO THE STATE DEPARTMENT OF HEALTH FOR ADMINISTRATIVE PURPOSES; TO PROVIDE THAT THE TASK FORCE SHALL MAKE A REPORT OF ITS FINDINGS AND RECOMMENDATIONS TO THE LEGISLATURE AND THE GOVERNOR BY NOVEMBER 1, 2024, INCLUDING ANY RECOMMENDED LEGISLATION, AT WHICH TIME THE TASK FORCE SHALL BE DISSOLVED; AND FOR RELATED PURPOSES.

H. B. No. 1683: AN ACT TO BRING FORWARD SECTIONS 37-28-1, 37-28-3, 37-28-5, 37-28-7, 37-28-9, 37-28-11, 37-28-13, 37-28-15, 37-28-17, 37-28-19, 37-28-21, 37-28-23, 37-28-25, 37-28-27, 37-28-29, 37-28-31, 37-28-33, 37-28-35, 37-28-37, 37-28-39, 37-28-41, 37-28-43, 37-28-45, 37-28-49, 37-28-51,37-28-53, 37-28-55, 37-28-57, 37-28-59 AND 37-28-61, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS ESTABLISH THE MISSISSIPPI CHARTER SCHOOL ACT OF 2013, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO AMEND SECTION 37-28-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CHARTER SCHOOL EMPLOYEES HAVING SATISFIED ALL THE REQUIREMENTS FOR NATIONAL BOARD CERTIFICATION IN THEIR RESPECTIVE PROFESSIONAL DISCIPLINES, SHALL BE ENTITLED TO A $6,000.00 ANNUAL SALARY SUPPLEMENT; TO BRING FORWARD SECTION 31-7-1, MISSISSIPPI CODE OF 1972, WHICH IS THE TERMS AND DEFINITIONS SECTION OF THE PUBLIC PURCHASING ACT, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO BRING FORWARD SECTION 37-3-51, MISSISSIPPI CODE OF 1972, WHICH REQUIRES NOTICE BY THE DISTRICT ATTORNEY OF LICENSED SCHOOL EMPLOYEES WHO ARE CONVICTED OF CERTAIN SEX OFFENSES, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO BRING FORWARD SECTION 37-17-1, MISSISSIPPI CODE OF 1972, WHICH RELATES TO

THE REQUIRED ACCREDITATION OF PUBLIC SCHOOLS, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO BRING FORWARD SECTION 37-21-3, MISSISSIPPI CODE OF 1972, WHICH PROVIDE AND EXEMPTIONS FROM CERTAIN QUALIFICATION REQUIREMENTS FOR EDUCATORS AT THE PREKINDERGARTEN OR EARLY CHILDHOOD EDUCATION, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO BRING FORWARD SECTION 37-41-1, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE TRANSPORTATION OF STUDENTS, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO BRING FORWARD SECTION 37-151-5, MISSISSIPPI CODE OF 1972, WHICH IS THE TERMS AND DEFINITIONS SECTION OF THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

H. B. No. 1816: AN ACT MAKING A REAPPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO REAUTHORIZE THE EXPENDITURE OF CAPITAL EXPENSES AND SPECIAL FUNDS PREVIOUSLY APPROPRIATED FOR CONSTRUCTION AND/OR REPAIR AND RENOVATION PROJECTS AT VARIOUS STATE AGENCIES AND INSTITUTIONS, FOR FISCAL YEAR 2025.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON APPROPRIATIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 3006: Appropriation; IHL - General support. Title Sufficient. Do Pass.

S. B. No. 3007: Appropriation; IHL - Subsidiary programs. Title Sufficient. Do Pass.

S. B. No. 3008: Appropriation; IHL - Alcorn State - Agricultural programs. Title Sufficient. Do Pass.

S. B. No. 3009: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station. Title Sufficient. Do Pass.

S. B. No. 3010: Appropriation; IHL - Mississippi State University - Cooperative Extension Service. Title Sufficient. Do Pass.

S. B. No. 3011: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center. Title Sufficient. Do Pass.

S. B. No. 3012: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of. Title Sufficient. Do Pass.

S. B. No. 3013: Appropriation; IHL - Student Financial Aid. Title Sufficient. Do Pass.

S. B. No. 3014: Appropriation; IHL - University of Mississippi Medical Center. Title Sufficient. Do Pass.

S. B. No. 3015: Appropriation; Community and Junior Colleges Board - Administrative expenses. Title Sufficient. Do Pass.

S. B. No. 3016: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges. Title Sufficient. Do Pass.

S. B. No. 3017: Appropriation; Employment Security, Department of. Title Sufficient. Do Pass.

S. B. No. 3018: Appropriation; Ethics Commission. Title Sufficient. Do Pass.

S. B. No. 3019: Appropriation; Judicial Performance Commission. Title Sufficient. Do Pass.

S. B. No. 3020: Appropriation; Public Safety, Department of. Title Sufficient. Do Pass.

S. B. No. 3021: Appropriation; Mental Health, Department of. Title Sufficient. Do Pass.

S. B. No. 3022: Appropriation; Transportation, Department of - State Aid Road Construction, Office of. Title Sufficient. Do Pass.

S. B. No. 3023: Appropriation; Tennessee-Tombigbee Waterway Development Authority. Title Sufficient. Do Pass.

S. B. No. 3024: Appropriation; Architecture, Board of. Title Sufficient. Do Pass.

S. B. No. 3025: Appropriation; Funeral Services Board. Title Sufficient. Do Pass.

S. B. No. 3026: Appropriation; Geologists, Board of Registered Professional. Title Sufficient. Do Pass.

S. B. No. 3027: Appropriation; Massage Therapy, Board of. Title Sufficient. Do Pass.

S. B. No. 3028: Appropriation; Motor Vehicle Commission. Title Sufficient. Do Pass.

S. B. No. 3029: Appropriation; Counselors, Board of Examiners for Licensed Professional. Title Sufficient. Do Pass.

S. B. No. 3030: Appropriation; Accountancy, Board of Public. Title Sufficient. Do Pass.

S. B. No. 3031: Appropriation; Contractors, Board of. Title Sufficient. Do Pass.

S. B. No. 3032: Appropriation; Veterinary Examiners, Board of. Title Sufficient. Do Pass.

S. B. No. 3033: Appropriation; Chiropractic Examiners, Board of. Title Sufficient. Do Pass.

S. B. No. 3034: Appropriation; Dental Examiners, Board of. Title Sufficient. Do Pass.

S. B. No. 3035: Appropriation; Pharmacy, Board of. Title Sufficient. Do Pass.

S. B. No. 3036: Appropriation; Agriculture and Commerce, Department of. Title Sufficient. Do Pass.

S. B. No. 3037: Appropriation; Fair and Coliseum Commission - Livestock shows. Title Sufficient. Do Pass.

S. B. No. 3038: Appropriation; Animal Health, Board of. Title Sufficient. Do Pass.

S. B. No. 3039: Appropriation; Corrections, Department of. Title Sufficient. Do Pass.

S. B. No. 3040: Appropriation; Emergency Management Agency. Title Sufficient. Do Pass.

S. B. No. 3041: Appropriation; Gaming Commission. Title Sufficient. Do Pass.

S. B. No. 3042: Appropriation; Information Technology Services, Department of. Title Sufficient. Do Pass.

S. B. No. 3043: Appropriation; Personnel Board. Title Sufficient. Do Pass.

S. B. No. 3044: Appropriation; Military Department. Title Sufficient. Do Pass.

S. B. No. 3045: Appropriation; Veterans Affairs Board. Title Sufficient. Do Pass.

S. B. No. 3046: Appropriation; Audit, Department of. Title Sufficient. Do Pass.

S. B. No. 3047: Appropriation; Revenue, Department of. Title Sufficient. Do Pass.

S. B. No. 3048: Appropriation; Secretary of State. Title Sufficient. Do Pass.

S. B. No. 3049: Appropriation; Tax Appeals Board. Title Sufficient. Do Pass.

S. B. No. 3050: Appropriation; Workers' Compensation Commission. Title Sufficient. Do Pass.

S. B. No. 3051: Appropriation; Treasurer's Office. Title Sufficient. Do Pass.

S. B. No. 3052: Appropriation; Debt Service-Gen. Obli. Title Sufficient. Do Pass.

S. B. No. 3053: Appropriation; Banking and Consumer Finance, Department of. Title Sufficient. Do Pass.

S. B. No. 3054: Appropriation; Finance and Administration, Department of. Title Sufficient. Do Pass.

S. B. No. 3055: Appropriation; Governor's Office and Mansion. Title Sufficient. Do Pass.

S. B. No. 3056: Appropriation; Development Authority, Mississippi. Title Sufficient. Do Pass.

S. B. No. 3057: Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority. Title Sufficient. Do Pass.

S. B. No. 3058: Coronavirus State Fiscal Recovery Fund; FY2025 reappropriate to certain agencies. Title Sufficient. Do Pass.

S. B. No. 3059: Appropriations; additional for various state agencies for FY2024 and FY2025. Title Sufficient. Do Pass.

HOPSON, Chairman

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 533, S. C. R. No. 534, S. C. R. No. 536, S. R. No. 44, S. R. No. 45, S. R. No. 46, S. R. No. 47, S. R. No. 48, S. R. No. 49, H. C. R. No. 5, H. C. R. No. 16, H. C. R. No. 28, H. C. R. No. 31 and H. C. R. No. 47 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

S. C. R. No. 533: Recognize legislative members of Kappa Alpha Psi and designate March 12, 2024, as "Kappa Day at the State Kapitol."

S. C. R. No. 534: Commemorate the 125th Anniversary of Ridgeland, Mississippi.

S. C. R. No. 536: Extend congratulations of Legislature to Blues Legend Bobby Rush for winning 3rd Grammy Award for "Best Traditional Blues Album."

S. R. No. 44: Commend Jackson Academy "Raiders" Boys Basketball Team for 2024 MAIS Class 6A Championship & Overall Tournament Championship.

S. R. No. 45: Commend Jackson Prep "Patriots" Boys Soccer Team for winning MAIS Class 6A State Championship.

S. R. No. 46: Recognize Charlestien Harris as recipient of the "2023 Financial Counselor of the Year" award by the AFCPE.

S. R. No. 47: Commend Meridian High School "Wildcats" Boys Basketball Team for first 7A State Championship.

S. R. No. 48: Commend Olive Branch High School "Conquistadors" Boys Basketball Team for winning the Class 6A State Title.

S. R. No. 49: Recognize six players and coaches with Mississippi ties at Super Bowl LVIII.

H. C. R. No. 5: Melissa Cookston; commend success as a restaurateur, chef and author.

H. C. R. No. 16: Jimmy Buffett; commend and celebrate the life and legacy of iconic song writer and businessman and express sympathy upon his passing.

H. C. R. No. 28: Deputy Jeremy Todd Malone; commend life and legacy of service upon his passing.

H. C. R. No. 31: Pamela D. C. Junior; commend upon retirement as director of Two Mississippi Museums.

H. C. R. No. 47: Ryan Miller; commend distinguished service as Executive Director of the Office of Workforce Development (AccelerateMS).

YEAS AND NAYS on consideration en bloc of S. C. R. No. 533, S. C. R. No. 534, S. C. R. No. 536, S. R. No. 44, S. R. No. 45, S. R. No. 46, S. R. No. 47, S. R. No. 48, S. R. No. 49, H. C. R. No. 5, H. C. R. No. 16, H. C. R. No. 28, H. C. R. No. 31 and H. C. R. No. 47. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senator Thomas as co-author of **S. C. R. No. 533**.

Unanimous consent was granted to add Senators McCaughn and Thomas as co-authors of **S. C. R. No. 534**.

Unanimous consent was granted to add Senators Chassaniol, Hopson and Thomas as co-authors of **S. C. R. No. 536**.

Unanimous consent was granted to add Senators Chassaniol and Frazier as co-authors of **S. R. No. 44**.

Unanimous consent was granted to add Senator Frazier as co-author of **S. R. No. 45**.

Unanimous consent was granted to add Senators Frazier and McCaughn as co-authors of **S. R. No. 47**.

Unanimous consent was granted to add Senator Parker as co-author of **S. R. No. 48**.

Unanimous consent was granted to add Senators McCaughn, McMahan and Thomas as co-authors of **S. R. No. 49**.

Senator Whaley called up the motion to reconsider the vote whereby **S. B. No. 2652** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2652: Wild turkey stamps; require for wild turkey hunters 16 years of age or older.

The foregoing motion prevailed.

Senator Parker called up the motion to reconsider the vote whereby **S. B. No. 2713** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2713: Regional health authorities; create the Delta Regional Health Authority and authorize creation of additional regional authorities.

The foregoing motion prevailed.

Senator England called up the motion to reconsider the vote whereby **S. B. No. 2575** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2575: Campaign finance; reform.

The foregoing motion prevailed.

Senator Sparks called up the motion to reconsider the vote whereby **S. B. No. 2822** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2822: Administrative Office of Courts; bring forward code sections related to..

The foregoing motion prevailed.

Senators Norwood, Frazier, Horhn, Butler and Blount moved that when the Senate adjourns, it adjourn in memory of John Arthur Wicks, Sr. of Jackson, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Mr. Roosevelt Hayes, Sr. of Yazoo City, MS.

Senators Blount, Butler and Frazier moved that when the Senate adjourns, it adjourn in memory of Elbert Hilliard of Madison, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Gertrude Ellen "Trudy" Serby Gildea of Columbus, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Dr. Cherie Labat of Kiln, MS.

Senators Younger and Turner-Ford moved that when the Senate adjourns, it adjourn in memory of Waymon Martin Harpole of West Point, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of James Derkins (J.D.) Westfaul of Moss Point, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Ruby Louise Downs, Lisa Downs Dickson, Linda Brasfield Jordan and Marian Graham of Jackson, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Clara R. Gilbert of Ridgeland, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Zach T. Hederman of Brandon, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Charles Reginald McBride of Holmes County, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Burke Campbell "Bucky" Murphy, Jr. of Canton, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Dr. Banks Shepherd and Mary Ann M. Shepherd of Aberdeen, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Robert Curtis Dozier, Jr. of New Orleans, LA.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Doyle Elbert Webster and Betty Lee Daughdrill of Biloxi, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Earl Preston Reeves, Sr. of Wiggins, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, March 19, 2024.

The motion prevailed, and at 4:20 PM, the Senate stood in recess.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1208: AN ACT TO AMEND SECTION 49-7-79, MISSISSIPPI CODE OF 1972, TO REVISE THE LAW PROHIBITING HUNTING ON LANDS OF OTHERS; TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS ACT; TO AMEND SECTION 97-17-85, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 49-5-19, 97-17-87, 97-17-93, 97-17-97, MISSISSIPPI CODE OF 1972, WHICH RELATE TO WARNING NOTICES, WILLFUL OR MALICIOUS TRESPASS, ENTRY WITHOUT PERMISSION AND TRESPASS AFTER WARNING, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE LT. GOVERNOR
March 15, 2024

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

James Hinkle (Jimmy) Heidelberg, Pascagoula, Mississippi, Mississippi State Oil and Gas Board, term effective April 1, 2024 and ending March 31, 2028.

Delbert Hosemann
LT. GOVERNOR

The executive nomination in the foregoing message was referred to committee as follows:

James Hinkle (Jimmy) Heidelberg, Mississippi State Oil and Gas Board, term effective April 1, 2024 and ending March 31, 2028, Energy.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 74: Memorial highways; designate segment in Noxubee County as the "Chief Petty Officer Andrew Triplett Memorial Highway". Highways and Transportation.

H. B. No. 75: Memorial highway; designate a segment of U.S. Highway 45 in Macon, MS as the "Sgt. Travis S. Cooper Memorial Highway." Highways and Transportation.

H. B. No. 120: Memorial highways; designate segment in Shannon, Lee County as the "Johnny R. Patterson Memorial Highway." Highways and Transportation.

H. B. No. 310: Application for privilege license tag for vehicles; increase from seven to thirty working days. Finance.

H. B. No. 619: Memorial highway; designate a segment of MS Hwy 15 in Jasper County as the "Major Samuel S. (Coach) King Memorial Highway. Highways and Transportation.

H. B. No. 652: State Port Authority and other ports; delete repealer on authority to use design-build method of contracting. Ports and Marine Resources.

H. B. No. 823: Memorial bridge; designate north bridge on MS Hwy 309 as the "Hubert Ingram Memorial Bridge." Highways and Transportation.

H. B. No. 991: "Medal of Honor Trail"; designate portion of Interstate 22 and U.S. Highway 78 within the State of Mississippi as. Highways and Transportation.

H. B. No. 1206: Open Season; revise dates for fur-bearing animals and hunting opossums, racoons and bobcats with dogs and guns. Wildlife, Fisheries and Parks.

H. B. No. 1216: Memorial highways; designate segment in Marion County as the "Sheriff J.V. Polk Memorial Highway. Highways and Transportation.

H. B. No. 1287: Memorial highway; designate segment of MS Highway 30 in Prentiss County as the "Jamie Neal Guin, PCEPA Lineman, Memorial Highway." Highways and Transportation.

H. B. No. 1288: Memorial highways; clarify names of certain to reflect official title of U.S. service members for whom they are named. Highways and Transportation.

H. B. No. 1463: "Carrol V. Hood Memorial Highway"; specify parameters of location for designation. Highways and Transportation.

H. B. No. 1519: Short-line railroad; authorize certain towns to acquire and operate. Appropriations.

H. B. No. 1584: Memorial Highway; designate segment of MS Hwy 9 in Webster County as the "Warrant Officer William H. "Bill" Seaborn, Jr., Memorial Highway. Highways and Transportation.

H. B. No. 1622: Towing of commercial vehicles; regulate the nonconsensual towing of by towing and recovery services. Highways and Transportation.

H. B. No. 1681: Memorial Highways; designate segment MS Hwy 513 in Clarke County as "Lance Corporal Mac Hamburg, MSMC, Memorial Highway." Highways and Transportation.

H. B. No. 1744: City of Lucedale; authorize election for tax on hotels/motels to fund parks and recreational capital improvement projects. Local and Private; Finance.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of John Arthur Wicks, Sr., Linda Brasfield Jordan, Marian Graham, Clara R. Gilbert, Zach T. Hederman, Charles Reginald McBride, Burke Campbell "Bucky" Murphy, Jr., Dr. Banks Shepherd, Mary Ann M. Shepherd, Robert Curtis Dozier, Jr., Doyle Elbert Webster, Mr. Roosevelt Hayes, Sr., Betty Lee Daughdrill, Earl Preston Reeves, Sr., Elbert Hilliard, Gertrude Ellen "Trudy" Serby Gildea, Dr. Cherie Labat, Waymon Martin Harpole, James Derkins (J.D.) Westfaul, Ruby Louise Downs and Lisa Downs Dickson.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR MONDAY, MARCH 18, 2024

S. B. No. 3060: Local and Private
AN ACT TO AMEND CHAPTER 951, LOCAL AND PRIVATE LAWS OF 2023, TO AUTHORIZE THE BOARD OF SUPERVISORS OF RANKIN COUNTY, MISSISSIPPI, AND THE GOVERNING AUTHORITIES OF THE CITY OF PEARL, MISSISSIPPI, TO CONTRIBUTE AN AMOUNT NOT TO EXCEED $1,500,000.00 IN THE AGGREGATE ANNUALLY TO TRUSTMARK PARK; TO AMEND CHAPTER 952, LOCAL AND PRIVATE LAWS OF 2023, WHICH AUTHORIZES THE CITY OF PEARL TO CONTRIBUTE AN AMOUNT NOT TO EXCEED $750,000.00 TO TRUSTMARK PARK, TO CHANGE THE DATE OF THE CHAPTER'S REPEAL TO THE EFFECTIVE DATE OF THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Kirby

S. B. No. 3061: Local and Private
AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF MARSHALL COUNTY, MISSISSIPPI, TO EMPLOY SUCH ADDITIONAL PART-TIME COUNTY

PROSECUTING ATTORNEYS AS IT DETERMINES NECESSARY; AND FOR RELATED PURPOSES.
By Senator(s) Whaley

S. B. No. 3062: Local and Private
AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF MARSHALL COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO ICS HEAD START, NORTHEAST MISSISSIPPI COMMUNITY SERVICES, INC., AND ABANDONED TO ADORED ANIMAL SHELTER; AND FOR RELATED PURPOSES.
By Senator(s) Whaley

S. C. R. No. 537: Rules
A CONCURRENT RESOLUTION RECOGNIZING THE REMARKABLE GROWTH AND SUCCESS OF THE ATHLETIC PROGRAM AT WILLIAM CAREY UNIVERSITY AND COMMENDING THESE HIGHER EDUCATION ACCOMPLISHMENTS.
By Senator(s) Johnson, Fillingane, Barnett, Polk

S. C. R. No. 538: Rules
A CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DECLARE A STATE OF EMERGENCY IN CERTAIN COUNTIES IN MISSISSIPPI WHICH ARE EXPERIENCING MAJOR EXPENSE AND SEVERE ECONOMIC IMPACT LOSS DUE TO ONGOING DROUGHT CONDITIONS CAUSING PINE BEETLE OUTBREAK AND DEAD TREE REMOVAL.
By Senator(s) McCaughn

S. R. No. 51: Rules
A RESOLUTION RECOGNIZING THE OUTSTANDING HIGH SCHOOL ALL-AMERICAN CAREER OF JACKSON PREP'S MULTIPOSITION SENIOR BASEBALL STAR PLAYER KONNOR GRIFFIN.
By Senator(s) Kirby, Harkins, Michel, Blount, Rhodes

S. R. No. 52: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE HARTFIELD ACADEMY "LADY HAWKS" SOFTBALL TEAM AND COACH TODD AULTMAN FOR WINNING THE MAIS AAAAAA FAST PITCH SOFTBALL CHAMPIONSHIP FOR THE SECOND TIME IN THREE YEARS.
By Senator(s) Harkins

S. R. No. 53: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE OAK GROVE HIGH SCHOOL "LADY WARRIORS" CHEER TEAM AND COACH ASHLEY BURDINE FOR WINNING THE 2024 UNIVERSAL CHEERLEADERS ASSOCIATION (UCA) NATIONAL LARGE VARSITY GAME DAY LIVE CHAMPIONSHIP AND FOR THEIR IMPRESSIVE RECORD OF FIFTEEN STATE CHAMPIONSHIPS.
By Senator(s) Polk

S. R. No. 54: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE OAK GROVE HIGH SCHOOL "GOLDEN SPIRITS" DANCE TEAM AND COACH SARAH WILLIAMS FOR WINNING THE 2023 LARGE VARSITY JAZZ AND POM STATE CHAMPIONSHIP AND THEIR IMPRESSIVE RECORD OF NATIONAL CHAMPIONSHIP PLACEMENTS.
By Senator(s) Polk

SEVENTY-EIGHTH DAY, TUESDAY, MARCH 19, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Hill. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Reverend Marcus Thompson, President, Jackson State University, Jackson, MS.

Senator Norwood led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 41: Podiatrist; authorize to perform ankle surgery when meet certain requirements. Public Health and Welfare.

H. B. No. 42: MS Rural Dentists Scholarship Program; increase number of students who may be admitted into annually. Public Health and Welfare; Appropriations.

H. B. No. 44: Physical therapists; not required to have prior work experience to work at PPEC center. Public Health and Welfare.

H. B. No. 177: Dietician Licensure Compact; create. Public Health and Welfare.

H. B. No. 315: Mississippi Code; modernize terminology by replacing "mentally retarded" with "intellectual disability". Public Health and Welfare.

H. B. No. 317: EMS Memorial; Health Dept. shall design and construct to honor EMS personnel who died in line of duty. Public Health and Welfare; Appropriations.

H. B. No. 419: Health care certificate of need law; bring forward code sections related to. Public Health and Welfare.

H. B. No. 616: Mississippi Rare Disease Advisory Council; create at UMMC. Public Health and Welfare.

H. B. No. 728: Prescription drugs; prohibit discriminating actions against 340B drug discount program entities. Public Health and Welfare.

H. B. No. 753: State Board of Cosmetology; extend repealer on. Public Health and Welfare.

H. B. No. 760: MS Qualified Health Center Grant Program; extend date for Department of Health Grants for increased services and physicians. Public Health and Welfare; Appropriations.

H. B. No. 761: Harper Grace's Law; extend repealer on authority to research and dispense CBD oil for medical purposes. Public Health and Welfare.

H. B. No. 764: State Department of Health and State Board of Health; extend repealer on. Public Health and Welfare.

H. B. No. 848: CON; remove chemical dependency services and facilities and psychiatric residential treatment facilities from CON law. Public Health and Welfare.

H. B. No. 906: Professional music therapists; provide for licensure by State Department of Health. Public Health and Welfare; Appropriations.

H. B. No. 1030: DHS; authorize to enter into lease with counties having local offices to maximize federal funds. Public Health and Welfare.

H. B. No. 1068: County medical examiners; require to enter information electronically. Public Health and Welfare.

H. B. No. 1100: Minors; prohibit health care providers and institutions from providing health care to without parental consent. Public Health and Welfare.

H. B. No. 1129: Office of Mississippi Physician Workforce; transfer from UMMC to the State Department of Health. Public Health and Welfare; Appropriations.

H. B. No. 1222: Laser hair removal; restrict the practice of to certain health professionals. Public Health and Welfare.

H. B. No. 1311: Community and junior colleges; authorize board of trustees to reduce or waive out-of-state tuition for certain students. Universities and Colleges; Appropriations.

H. B. No. 1376: Qualified residential treatment programs; authorize certain youth in Child Protection Services to be placed in. Public Health and Welfare.

H. B. No. 1568: Jackson State University; authorize to expand physical boundaries to promote safety on campus. Universities and Colleges.

H. B. No. 1637: Radiological health services; revise fees charged by State Board of Health for providing. Public Health and Welfare.

H. B. No. 1639: Delta Regional Health Authority; create task force on the establishment of. Accountability, Efficiency, Transparency.

H. B. No. 1640: Mental Health; revise procedures for screening, evaluation and commitments for those with issues of. Public Health and Welfare.

H. B. No. 1676: Mississippi Intoxicating Hemp Regulation Act and Mississippi Medical Cannabis Act; revise certain provisions of. Public Health and Welfare.

Senator Hopson called up the following entitled bill:

S. B. No. 3006: Appropriation; IHL - General support.

YEAS AND NAYS On S. B. No. 3006. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Hill. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3007: Appropriation; IHL - Subsidiary programs.

YEAS AND NAYS On S. B. No. 3007. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Hill. Total--1.

Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3008, S. B. No. 3009, S. B. No. 3010, S. B. No. 3011 and S. B. No. 3012 and the motion prevailed.

Senator Hopson called up the following measures:

S. B. No. 3008: Appropriation; IHL - Alcorn State - Agricultural programs.

S. B. No. 3009: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

S. B. No. 3010: Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

S. B. No. 3011: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

S. B. No. 3012: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

YEAS AND NAYS on consideration en bloc of S. B. No. 3008, S. B. No. 3009, S. B. No. 3010, S. B. No. 3011 and S. B. No. 3012. On motion of Senator Parks, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Hill. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3013: Appropriation; IHL - Student Financial Aid.

YEAS AND NAYS On S. B. No. 3013. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Hill. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3014: Appropriation; IHL - University of Mississippi Medical Center.

YEAS AND NAYS On S. B. No. 3014. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Nays--None.
Absent and those not voting--Hill. Total--1.
Voting Present--Chism. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3015: Appropriation; Community and Junior Colleges Board - Administrative expenses.

YEAS AND NAYS On S. B. No. 3015. On motion of Senator Frazier, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Hill. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3016: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

YEAS AND NAYS On S. B. No. 3016. On motion of Senator Frazier, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Hill. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3017: Appropriation; Employment Security, Department of.

YEAS AND NAYS On S. B. No. 3017. On motion of Senator Frazier, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Nays--None.
Absent and those not voting--Hill. Total--1.
Not Voting--McCaughn. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3018: Appropriation; Ethics Commission.

YEAS AND NAYS On S. B. No. 3018. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Hill. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3019: Appropriation; Judicial Performance Commission.

YEAS AND NAYS On S. B. No. 3019. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Hill. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3020: Appropriation; Public Safety, Department of.

YEAS AND NAYS On S. B. No. 3020. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Hill. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3021: Appropriation; Mental Health, Department of.

YEAS AND NAYS On S. B. No. 3021. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Hill. Total--1.

Voting Present--McLendon. Total--1.

Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3022 and S. B. No. 3023 and the motion prevailed.

Senator Hopson called up the following measures:

S. B. No. 3022: Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

S. B. No. 3023: Appropriation; Tennessee-Tombigbee Waterway Development Authority.

YEAS AND NAYS on consideration en bloc of S. B. No. 3022 and S. B. No. 3023. On motion of Senator Hopson, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Hill. Total--1.

Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3024, S. B. No. 3025, S. B. No. 3026, S. B. No. 3027, S. B. No. 3028, S. B. No. 3029, S. B. No. 3030, S. B. No. 3031 and S. B. No. 3032 and the motion prevailed.

Senator Hopson called up the following measures:

S. B. No. 3024: Appropriation; Architecture, Board of.

S. B. No. 3025: Appropriation; Funeral Services Board.

S. B. No. 3026: Appropriation; Geologists, Board of Registered Professional.

S. B. No. 3027: Appropriation; Massage Therapy, Board of.

S. B. No. 3028: Appropriation; Motor Vehicle Commission.

S. B. No. 3029: Appropriation; Counselors, Board of Examiners for Licensed Professional.

S. B. No. 3030: Appropriation; Accountancy, Board of Public.

S. B. No. 3031: Appropriation; Contractors, Board of.

S. B. No. 3032: Appropriation; Veterinary Examiners, Board of.

YEAS AND NAYS on consideration en bloc of S. B. No. 3024, S. B. No. 3025, S. B. No. 3026, S. B. No. 3027, S. B. No. 3028, S. B. No. 3029, S. B. No. 3030, S. B. No. 3031 and S. B. No. 3032. On motion of Senator Hopson, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Hill. Total--1.

Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3033, S. B. No. 3034 and S. B. No. 3035 and the motion prevailed.

Senator Hopson called up the following measures:

S. B. No. 3033: Appropriation; Chiropractic Examiners, Board of.

S. B. No. 3034: Appropriation; Dental Examiners, Board of.

S. B. No. 3035: Appropriation; Pharmacy, Board of.

YEAS AND NAYS on consideration en bloc of S. B. No. 3033, S. B. No. 3034 and S. B. No. 3035. On motion of Senator Parker, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Hill. Total--1.

Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3036, S. B. No. 3037 and S. B. No. 3038 and the motion prevailed.

Senator Hopson called up the following measures:

S. B. No. 3036: Appropriation; Agriculture and Commerce, Department of.

S. B. No. 3037: Appropriation; Fair and Coliseum Commission - Livestock shows.

S. B. No. 3038: Appropriation; Animal Health, Board of.

YEAS AND NAYS on consideration en bloc of S. B. No. 3036, S. B. No. 3037 and S. B. No. 3038. On motion of Senator DeLano, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Hill. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3039: Appropriation; Corrections, Department of.

President Hosemann yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

YEAS AND NAYS On S. B. No. 3039. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Hill. Total--1.

Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3041, S. B. No. 3042 and S. B. No. 3043 and the motion prevailed.

Senator Hopson called up the following measures:

S. B. No. 3041: Appropriation; Gaming Commission.

S. B. No. 3042: Appropriation; Information Technology Services, Department of.

S. B. No. 3043: Appropriation; Personnel Board.

YEAS AND NAYS on consideration en bloc of S. B. No. 3041, S. B. No. 3042 and S. B. No. 3043. On motion of Senator Williams, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Hill. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3044: Appropriation; Military Department.

YEAS AND NAYS On S. B. No. 3044. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Nays--None.
Absent and those not voting--Hill. Total--1.
Not Voting--DeBar. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3045: Appropriation; Veterans Affairs Board.

YEAS AND NAYS On S. B. No. 3045. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.

Absent and those not voting--Hill. Total--1.

Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 11:19 AM, the Senate stood in recess.

The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

Senator Hopson called up the following entitled bill:

S. B. No. 3046: Appropriation; Audit, Department of.

President Hosemann yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

YEAS AND NAYS On S. B. No. 3046. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Hill. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3047: Appropriation; Revenue, Department of.

YEAS AND NAYS On S. B. No. 3047. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Hill. Total--1.

Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3048 and S. B. No. 3049 and the motion prevailed.

Senator Hopson called up the following measures:

S. B. No. 3048: Appropriation; Secretary of State.

S. B. No. 3049: Appropriation; Tax Appeals Board.

YEAS AND NAYS on consideration en bloc of S. B. No. 3048 and S. B. No. 3049. On motion of Senator Hopson, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Hill. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3050: Appropriation; Workers' Compensation Commission.

YEAS AND NAYS On S. B. No. 3050. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Nays--None.
Absent and those not voting--Hill. Total--1.
Voting Present--Harkins. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3051: Appropriation; Treasurer's Office.

YEAS AND NAYS On S. B. No. 3051. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes,

Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Hill. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3052: Appropriation; Debt Service-Gen. Obli.

YEAS AND NAYS On S. B. No. 3052. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Hill. Total--1.

Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3053, S. B. No. 3054 and S. B. No. 3055 and the motion prevailed.

Senator Hopson called up the following measures:

S. B. No. 3053: Appropriation; Banking and Consumer Finance, Department of.

S. B. No. 3054: Appropriation; Finance and Administration, Department of.

S. B. No. 3055: Appropriation; Governor's Office and Mansion.

YEAS AND NAYS on consideration en bloc of S. B. No. 3053, S. B. No. 3054 and S. B. No. 3055. On motion of Senator Polk, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Hill. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3056: Appropriation; Development Authority, Mississippi.

YEAS AND NAYS On S. B. No. 3056. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Hill. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3057: Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.

YEAS AND NAYS On S. B. No. 3057. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Hill. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3058: Coronavirus State Fiscal Recovery Fund; FY2025 reappropriate to certain agencies.

YEAS AND NAYS On S. B. No. 3058. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Hill. Total--1.

Senator Carter called up the following entitled nomination:

S. N. No. 7: Leland W. (Lee) McDivitt, III, Brandon, Mississippi, Commercial Mobile Radio Service BD as the MS Law Enforcement Officers Association representative, four year term beginning July 1, 2023 and ending June 30, 2027.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 7 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Hill. Total--1.

Senator Barnett entered a motion to reconsider the vote whereby **S. B. No. 3039** passed the Senate.

S. B. No. 3039: Appropriation; Corrections, Department of.

President Pro Tempore Kirby yielded the gavel to President Hosemann, who presided over the Senate.

Senator Bryan moved that when the Senate adjourns, it adjourn in memory of Hal Malchow of Gulfport, MS.

Senators Butler and Hopson moved that when the Senate adjourns, it adjourn in memory of Mrs. Madie B. Epps Tinsley of Hermanville, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Gabie Franks Nabors and Louis B. Nabors, Jr. of Columbus, MS.

Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Don Watkins of Fort Worth, TX.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, March 20, 2024.

The motion prevailed, and at 2:21 PM, the Senate stood in recess.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 752: Public Service Commission; extend repealer on its creation and powers and duties. Energy.

H. B. No. 1013: Paramedics Recruitment and Retention Scholarship Program; create. Economic and Workforce Development; Appropriations.

H. B. No. 1447: SAVED; create study committee to determine establishing model school for failing schools in the Mississippi Delta. Education; Appropriations.

H. B. No. 1678: Baby safety devices; require to be inspected and approved by Health Department before use by emergency medical services provider. Public Health and Welfare; Appropriations.

MESSAGE FROM THE GOVERNOR
March 19, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2926: Appropriation; additional appropriations for various state agencies for FY2024 & FY2025. (March 19, 2024, 11:01 AM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 73: School attendance officers; transfer responsibility of employment from MDE to local school districts. Education; Appropriations.

H. B. No. 286: Sexual Battery; remove statute of limitations when DNA evidence is discovered. Judiciary, Division B.

H. B. No. 292: DUI suspension; clarify how the 120 days are counted. Judiciary, Division B.

H. B. No. 438: Shoplifting; revise penalties for crime of. Judiciary, Division B.

H. B. No. 585: "Dignity and Safety for Incarcerated Women Act"; enact. Corrections; Universities and Colleges.

H. B. No. 724: Expungement; clarify expungement of pardoned convictions. Judiciary, Division B.

H. B. No. 755: Parole; extend repealer on statute prescribing conditions for eligibility. Corrections.

H. B. No. 756: Prison Industry Enhancement Program; extend repealer on. Government Structure.

H. B. No. 757: State offenders; extend repealer on authority to house in county jails when space is unavailable. Corrections.

H. B. No. 758: Pilot Work Initiative at Central MS Correctional Facility; extend repealer on. Corrections.

H. B. No. 759: Mississippi Prison Industries Act of 1990; extend repealer on. Government Structure.

H. B. No. 844: State Parole Board; require to solicit recommendations from and provide notification to certain individuals before parole hearing. Corrections.

H. B. No. 869: Giglio letter; require prosecutors to give law enforcement officers an opportunity to be heard before sending. Judiciary, Division B.

H. B. No. 873: Purple Alert; establish as additional means to aid search of missing persons with cognitive disabilities. Judiciary, Division B.

H. B. No. 903: Machine gun; provide crime for conversion to. Judiciary, Division B.

H. B. No. 904: "Victims of Human Trafficking and Commercial Sexual Exploitation Fund"; revise deposits for. Appropriations.

H. B. No. 1004: Sex offender registry; revise definitions for provisions of law that regulate. Judiciary, Division B.

H. B. No. 1015: DPS; authorize inspectors to assist other officers. Judiciary, Division B.

H. B. No. 1023: DHS Fraud Investigators; allow to drive unmarked vehicles. Judiciary, Division B.

H. B. No. 1025: Department of Corrections; eliminate executive deputy commissioner from. Government Structure.

H. B. No. 1063: Excavation; revise procedures and require white lining in certain stances. Energy.

H. B. No. 1074: Terroristic threats; increase penalties when made against an airport. Judiciary, Division B.

H. B. No. 1106: National board certified occupational therapists and school psychologists; require salary supplement for public education employees. Education; Appropriations.

H. B. No. 1153: Tobacco; prohibit sale to persons under. Judiciary, Division B.

H. B. No. 1162: Child sexual abuse; revise statute of limitatitons for claims. Judiciary, Division B.

H. B. No. 1192: Virtual public schools; authorize operation by certain educational providers or locally sponsored virtual public schools. Education; Appropriations.

H. B. No. 1323: Statute of limitations; increase for sexual battery of a vulnerable person. Judiciary, Division B.

H. B. No. 1350: Telephone solicitors; prohibit from making any solicitation regarding Medicare Advantage Plans. Energy.

H. B. No. 1352: Telephone solicitors; prohibit calls regarding Medicare supplements and to consumers opting out of all calls. Energy.

H. B. No. 1379: "Students Safe at School Act"; create to provide procedures for active shooter drills and simulations. Education; Appropriations.

H. B. No. 1396: Community Eligibility Provision of National School Lunch Program; require certain school districts to apply for. Education; Appropriations.

H. B. No. 1403: Justice Court; revise filing fees. Judiciary, Division B.

H. B. No. 1440: Juvenile offenders; provide alternative sentencing and parole options. Judiciary, Division B.

H. B. No. 1450: Interstate Teacher Mobility Compact; authorize entrance for purpose of facilitating mobility of teachers married to service members. Education; Appropriations.

H. B. No. 1455: Work initiative; remove cap on number of inmates who may participate in and revise certain reporting requirements for. Corrections.

H. B. No. 1459: MS Uniform Post-Conviction Collateral Relief Act; bring forward. Judiciary, Division B.

H. B. No. 1471: BEAM; prohibit from accepting gifts or other benefits from any broadband service provider, vendor, or contractor. Energy.

H. B. No. 1583: Consumer Freedom of Choice in Appliances Act; create. Energy.

H. B. No. 1648: Electronic bids; authorize public utilities to provide system for submittal of as additional option. Energy.

H. B. No. 1664: Acceptance or offer of gifts; revise provisions relating to. Energy.

H. B. No. 1668: Mississippi Teacher Residency Program; require Legislature to fund for fiscal year 2025. Education; Appropriations.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Mrs. Madie B. Epps Tinsley, Hal Malchow, Gabie Franks Nabors, Louis B. Nabors, Jr. and Don Watkins.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, MARCH 19, 2024

S. C. R. No. 539: Rules
A CONCURRENT RESOLUTION TO DESIGNATE MARCH 2024 AS "BRAIN INJURY AWARENESS MONTH IN MISSISSIPPI" TO PROMOTE AWARENESS OF THE EXTENT, CONSEQUENCES, CAUSES, TREATMENTS AND PREVENTION OF ACQUIRED BRAIN INJURIES.
By Senator(s) Michel

S. R. No. 55: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE EAST RANKIN ACADEMY SHOOTING SPORTS TEAM AND COACH VINCE BYNUM FOR WINNING THEIR FIFTH CONSECUTIVE MISSISSIPPI SCHOLASTIC SHOOTING PROGRAM STATE CHAMPIONSHIP.

By Senator(s) Rhodes, Kirby, Harkins

S. R. No. 56: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE EAST RANKIN ACADEMY "LADY PATRIOTS" GIRLS CROSS COUNTRY TEAM AND COACH DAVID HOPPER FOR WINNING THEIR THIRD CONSECUTIVE MAIS CLASS 5A STATE CHAMPIONSHIP.
By Senator(s) Rhodes, Kirby, Harkins

S. R. No. 57: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE EAST RANKIN ACADEMY "LADY PATRIOTS" GIRLS BASKETBALL TEAM AND COACH BROOKE RHODES FOR WINNING THE 2024 MAIS OVERALL TOURNAMENT CHAMPIONSHIP.
By Senator(s) Rhodes, Kirby, Harkins

SEVENTY-NINTH DAY, WEDNESDAY, MARCH 20, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Pro Tempore Kirby presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Dr. Brent Parker, Lead Pastor, First Baptist Church of Vancleave, Vancleave, MS.

Senator England led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:
The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 37: Physical therapists; revise circumstances and criteria under which they may implement treatment without a referral. Public Health and Welfare.

H. B. No. 346: "Seizure Safe Schools Act"; establish. Education.

H. B. No. 349: Squatted vehicles; prohibit modifications to motor vehicle which raise front fender a certain height above the rear fender. Highways and Transportation.

H. B. No. 595: Boys Scouts and Girl Scouts; allow to speak to students regarding civic involvement with prinicipal's approval. Education.

H. B. No. 765: MS Critical Teacher Shortage Act; extend repealer on. Education.

H. B. No. 867: Student transfers; remove requirement for current district of attendance to approve release. Education.

H. B. No. 1229: Equal Opportunity for Students with Special Needs Act; extend repealer on educational scholarship accounts (ESA). Education.

H. B. No. 1258: 16th section land; authorize local school board to grant an extension to holder of a long-term lease in good standing. Education.

H. B. No. 1341: Students of active duty service members and civilian personnel; revise residency requirements to allow transfers to another district of choice. Education.

H. B. No. 1478: Alternative nicotine products; prohibit sale or distribution of if prohibited under federal law or FDA rule or regulation. Public Health and Welfare.

H. B. No. 1548: Cardiac emergency response plan; require local school district to implement. Education.

H. B. No. 1683: MS Charter School Act of 2013; bring forward for purposes of possible amendments. Education.

H. B. No. 1692: State JROTC Coordinator; exempt from qualification requirements of the State Personnel Board. Education; Appropriations.

Senator Hopson called up the following entitled bill:

S. B. No. 3040: Appropriation; Emergency Management Agency.

YEAS AND NAYS On S. B. No. 3040. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

S. B. No. 3059: Appropriations; additional for various state agencies for FY2024 and FY2025.

YEAS AND NAYS On S. B. No. 3059. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the motion to reconsider the vote whereby **S. B. No. 3039** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 3039: Appropriation; Corrections, Department of.

The foregoing motion prevailed.

Senator Hopson moved that when the Senate adjourns, it adjourn in memory of Richard Preis Marcus of Vicksburg, MS.

Senator Turner-Ford moved that when the Senate adjourns, it adjourn in memory of Jack D. Cunningham and Jennie L. Gunn of West Point, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, March 21, 2024.

The motion prevailed, and at 10:24 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. C. R. No. 537: Recognize outstanding accomplishments of Athletic Program at William Carey University. Title Sufficient. Do Be Adopted.

S. C. R. No. 538: Request the Governor to Declare a State of Emergency in areas impacted by the ongoing drought and pine beetle outbreak. Title Sufficient. Do Be Adopted.

S. R. No. 50: Commend SWAC Championship tradition of JSU "Coach of the Year" Rose Washington. Title Sufficient. Do Be Adopted.

S. R. No. 51: Recognize outstanding Jackson Prep High School All-American Baseball Senior Shortstop Konnor Griffin. Title Sufficient. Do Be Adopted.

S. R. No. 52: Commend Hartfield Academy "Lady Hawks" Girls Softball team for winning MAIS AAAAAA Fastpitch Softball Championship. Title Sufficient. Do Be Adopted.

S. R. No. 53: Commend Oak Grove High School Cheer Team for winning 2024 UCA National Large Varsity Game Day Live Championship. Title Sufficient. Do Be Adopted.

S. R. No. 54: Commend Oak Grove High School Dance Team for winning the 2023 Large Varsity Jazz and Pom State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 55: Commend East Rankin Academy Shooting Sports Team for fifth consecutive State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 56: Commend East Rankin Academy "Lady Patriots" Girls Cross Country Team for third consecutive Class 5A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 57: Commend East Rankin Academy "Lady Patriots" Girls Basketball Team for winning 2024 MAIS Overall Tournament Championship. Title Sufficient. Do Be Adopted.

S. R. No. 58: Commend Hartfield Academy "Lady Hawks" Varsity Dance Team for winning MAIS State Championship Title. Title Sufficient. Do Be Adopted.

S. R. No. 59: Commend Hartfield Academy "Lady Hawks" Varsity Cheer Team for winning MAIS State Championship. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. C. R. No. 5: A CONCURRENT RESOLUTION COMMENDING MELISSA COOKSTON FOR HER OUTSTANDING SUCCESS AS A RESTAURATEUR, CHEF, AND AUTHOR.

H. C. R. No. 16: A CONCURRENT RESOLUTION COMMENDING AND CELEBRATING THE LIFE, LEGACY AND CONTRIBUTIONS OF MR. JIMMY BUFFETT, LEGENDARY AMERICAN SINGER-SONGWRITER AND BUSINESSMAN, AND EXPRESSING SINCEREST SYMPATHY UPON HIS PASSING.

H. C. R. No. 28: A CONCURRENT RESOLUTION REMEMBERING THE GALLANT SERVICE AND COMMENDING THE LIFE AND LEGACY OF GEORGE COUNTY SHERIFF'S DEPUTY JEREMY TODD MALONE, WHO WAS LOST IN THE LINE OF DUTY ON THURSDAY, JANUARY 4, 2024, AND EXPRESSING SYMPATHY TO HIS FAMILY AND FRIENDS UPON HIS PASSING.

H. C. R. No. 31: A CONCURRENT RESOLUTION COMMENDING THE DISTINGUISHED CAREER AND MERITORIOUS LEADERSHIP OF MS. PAMELA D.C. JUNIOR UPON THE OCCASION OF HER RETIREMENT AS THE DIRECTOR OF THE TWO MISSISSIPPI MUSEUMS.

H. C. R. No. 47: A CONCURRENT RESOLUTION COMMENDING THE DISTINGUISHED AND EXCEPTIONALLY LAUDABLE SERVICE OF MR. RYAN MILLER

PROVIDED TO THE STATE OF MISSISSIPPI AS EXECUTIVE DIRECTOR OF THE OFFICE OF WORKFORCE DEVELOPMENT (ACCELERATEMS).

David Jordan, Chairman

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 770: MS Office of Workforce Development; extend exemption from Public Procurement Review Board rental agreement requirements. Economic and Workforce Development.

H. B. No. 907: MS Childcare Teachers Shortage Study Committee; create. Economic and Workforce Development; Appropriations.

H. B. No. 1274: Mississippi Alliance of Nonprofits and Philanthropy; create study committee on partnership with. Economic and Workforce Development; Appropriations.

H. B. No. 1453: "Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) Act of 2024"; create. Education; Appropriations.

H. B. No. 1567: Workforce development fund; bring forward code section on. Economic and Workforce Development.

H. B. No. 1604: Comprehensive Career and Technical Education Reform Act; revise certain portions of regarding industry certification and grants. Economic and Workforce Development; Appropriations.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1662: Workforce development; revise certain provisions related to. Education; Appropriations.

MESSAGE FROM THE GOVERNOR
March 19, 2024

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Mark Alan Rigney, Madison, Mississippi, Commercial Mobile Radio Service Board as a wireless provider representative, four year term beginning July 1, 2023 and ending June 30, 2027.

William David (Bill) Sones, Sr., Brookhaven, Mississippi, Mississippi Business Finance Corporation as an individual with at least three (3) years of experience and background in the savings and loan association business, the commercial banking business or the mortgage banking business, six year term effective April 1, 2024 and ending March 31, 2030.

Anthony Lynn (Tony) Jones, Olive Branch, Mississippi, Mississippi Home Corporation representing the 3rd Supreme Court District, six year term effective May 24, 2024 and ending May 23, 2030.

Lisa Renee (Renee) Rice, Madison, Mississippi, Mississippi Hospital Equipment and Facilities Authority as a banker with experience in commercial lending, four year term effective March 12, 2024 and ending January 10, 2028.

Philip Edward Moran, Kiln, Mississippi, Parole Board, this appointment is effective January 1, 2024, to serve a term at the will and pleasure of the Governor, vice Anthony Layne Smith.

Anthony Lynn (Tony) Jones, Olive Branch, Mississippi, Mississippi Real Estate Commission representing the At-Large member, four year term beginning January 31, 2024 and ending June 30, 2027, vice Gwendolyn James.

Kenya Gatlin-Gray, LCSW, Meridian, Mississippi, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, remainder of a four year term beginning upon Senate Confirmation and ending June 30, 2026, vice Candace J. Riddley.

Anne Hall (Anne Hall) Brashier, Ridgeland, Mississippi, Mississippi Commission on the Status of Women representing an At-Large appointment, four year term beginning July 1, 2023 and ending June 30, 2027.

Tate Reeves
GOVERNOR

The executive nominations in the foregoing message were referred to committees as follows:

Mark Alan Rigney, Commercial Mobile Radio Service Board as a wireless provider representative, four year term beginning July 1, 2023 and ending June 30, 2027, Energy.

William David (Bill) Sones, Sr., Mississippi Business Finance Corporation as an individual with at least three (3) years of experience and background in the savings and loan association business, the commercial banking business or the mortgage banking business, six year term effective April 1, 2024 and ending March 31, 2030, Finance.

Anthony Lynn (Tony) Jones, Mississippi Home Corporation, six year term effective May 24, 2024 and ending May 23, 2030, Finance.

Lisa Renee (Renee) Rice, Mississippi Hospital Equipment and Facilities Authority as a banker with experience in commercial lending, four year term effective March 12, 2024 and ending January 10, 2028, Finance.

Philip Edward Moran, Parole Board, this appointment is effective January 1, 2024, to serve a term at the will and pleasure of the Governor, Corrections.

Anthony Lynn (Tony) Jones, Mississippi Real Estate Commission, four year term beginning January 31, 2024 and ending June 30, 2027, Business and Financial Institutions.

Kenya Gatlin-Gray, LCSW, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, remainder of a four year term beginning upon Senate Confirmation and ending June 30, 2026, Public Health and Welfare.

Anne Hall (Anne Hall) Brashier, Mississippi Commission on the Status of Women, four year term beginning July 1, 2023 and ending June 30, 2027, Rules.

_____

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Richard Preis Marcus, Jack D. Cunningham and Jennie L. Gunn.

Amanda Frusha White, Secretary of the Senate

_____

INTRODUCTIONS FOR WEDNESDAY, MARCH 20, 2024

S. B. No. 3063: Appropriations
AN ACT MAKING AN APPROPRIATION TO MADISON COUNTY FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH THE REPAIR AND REPLACEMENT OF WATER LINES OF THE WEST MADISON UTILITY DISTRICT FOR FISCAL YEAR 2025.
By Senator(s) Thomas

S. B. No. 3064: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR THE TOWN OF GUNNISON FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH THE CONSTRUCTION OF A LIGHTED, ASPHALT WALKING TRAIL FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th), Simmons (13th)

S. B. No. 3065: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF HOLLANDALE FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH CERTAIN INFRASTRUCTURE PROJECTS FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3066: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE VFW POST 4057 IN THE CITY OF TUPELO, MISSISSIPPI, FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH REPAIRS AND RENOVATIONS TO THE POST FOR FISCAL YEAR 2025.
By Senator(s) McMahan

S. B. No. 3067: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF BALDWYN, MISSISSIPPI, FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH UPGRADES, IMPROVEMENTS, REPAIR AND RENOVATION OF THE CITY PARK FOR FISCAL YEAR 2025.
By Senator(s) McMahan

S. B. No. 3068: Appropriations
AN ACT MAKING AN APPROPRIATION TO WASHINGTON COUNTY FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH CERTAIN INFRASTRUCTURE PROJECTS FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3069: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE FORREST-LAMAR ALLIANCE FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH ENVIRONMENTAL ASSESSMENTS AND PRECONSTRUCTION ENGINEERING FOR INFRASTRUCTURE

IMPROVEMENTS SURROUNDING THE EAGLE ONE MEGA SITE FOR FISCAL YEAR 2025.
By Senator(s) Johnson

S. B. No. 3070: Finance
AN ACT TO PROVIDE FOR AN INCOME TAX AND INSURANCE PREMIUM TAX CREDIT FOR TAXPAYERS THAT PAY A QUALIFIED COMMUNITY DEVELOPMENT ENTITY FOR QUALIFIED EQUITY INVESTMENTS; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THE TAX CREDIT; TO PROVIDE THAT THE AMOUNT OF THE CREDIT SHALL BE EQUAL TO A CERTAIN PERCENTAGE OF THE ADJUSTED PURCHASE PRICE PAID TO THE QUALIFIED COMMUNITY DEVELOPMENT ENTITY FOR THE QUALIFIED EQUITY INVESTMENT; TO PROVIDE THAT THE MAXIMUM AGGREGATE AMOUNT OF THE CREDITS THAT MAY BE ALLOCATED TO ALL TAXPAYERS IN ANY ONE STATE FISCAL YEAR SHALL NOT EXCEED $48,000,000.00 AND THAT THE CREDITS SHALL BE ALLOCATED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO PROVIDE FOR THE RECAPTURE OF ALL OR A PORTION OF THE CREDIT UNDER CERTAIN CIRCUMSTANCES; TO DEFINE THE TERMS "NEW MARKETS TAX CREDIT TRANSACTION," "PUBLIC BENEFIT CORPORATION," "PUBLIC ENTITY OR PUBLIC ENTITIES" AND "PUBLIC PROPERTY OR FACILITIES"; TO AUTHORIZE PUBLIC ENTITIES TO CREATE PUBLIC BENEFIT CORPORATIONS FOR THE PURPOSE OF ENTERING INTO FINANCING AGREEMENTS AND ENGAGING IN NEW MARKETS TAX CREDIT TRANSACTIONS; TO AUTHORIZE PUBLIC ENTITIES TO ENTER INTO FINANCING ARRANGEMENTS IN ORDER TO TRANSFER PUBLIC PROPERTY OR FACILITIES TO OR FROM PUBLIC BENEFIT CORPORATIONS; TO AUTHORIZE PUBLIC ENTITIES AND PUBLIC BENEFIT CORPORATIONS, WITH RESPECT TO NEW MARKETS TAX CREDIT TRANSACTIONS, TO ENTER INTO FINANCING ARRANGEMENTS WITH GOVERNMENTAL, NONPROFIT OR FOR PROFIT ENTITIES IN ORDER TO LEVERAGE FUNDS NOT OTHERWISE AVAILABLE TO PUBLIC ENTITIES FOR THE ACQUISITION, CONSTRUCTION OR RENOVATION OF PROPERTIES TRANSFERRED TO A PUBLIC BENEFIT CORPORATION; TO AMEND SECTION 27-15-129, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE INVESTMENTS THAT MAY REDUCE A TAXPAYER'S INSURANCE PREMIUM TAX LIABILITY UNDER SUCH SECTION SHALL NOT INCLUDE ANY INVESTMENT FOR WHICH A TAX CREDIT IS ALLOCATED UNDER THIS ACT; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 3071: Finance
AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN TAXPAYERS WHO INCUR COSTS FOR CERTAIN PRACTICES TO CONVERT VARIOUS KINDS OF LAND INTO PASTURE LAND SUITABLE FOR AGRICULTURAL PRODUCTION; TO LIMIT THE AMOUNT OF SUCH INCOME TAX CREDIT; AND FOR RELATED PURPOSES.
By Senator(s) Berry, Younger, Fillingane, Butler, Whaley, Rhodes, McCaughn

S. B. No. 3072: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE WALTER ANDERSON MUSEUM OF ART FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH PUBLIC PROGRAMS FOR THE FISCAL YEAR 2025.
By Senator(s) Chassaniol, England, DeLano, Jordan, Thompson, Simmons (12th), Simmons (13th), Carter, Kirby, Robinson, Wiggins, Seymour

S. B. No. 3073: Appropriations
AN ACT MAKING AN APPROPRIATION TO BOLIVAR COUNTY FOR THE PURPOSE OF DEFRAYING EXPENSES RELATED TO THE TERRENE LANDING RIVER BOAT PARK DOCK EXPANSION PROJECT FOR THE FISCAL YEAR 2025.
By Senator(s) Simmons (13th), Simmons (12th)

S. B. No. 3074: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF CARTHAGE, MISSISSIPPI, FOR THE PURPOSE OF DEFRAYING EXPENSES ASSOCIATED WITH THE REPAIR, RENOVATION, UPGRADE AND IMPROVEMENT OF THE CITY'S WASTEWATER TREATMENT FACILITY FOR THE FISCAL YEAR 2025.
By Senator(s) Branning

S. B. No. 3075: Appropriations
AN ACT MAKING AN APPROPRIATION TO MARSHALL COUNTY FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH CERTAIN INFRASTRUCTURE PROJECTS FOR FISCAL YEAR 2025; AND FOR RELATED PURPOSES.
By Senator(s) Whaley

S. B. No. 3076: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF DUCK HILL FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH CERTAIN INFRASTRUCTURE PROJECTS FOR FISCAL YEAR 2025; AND FOR RELATED PURPOSES.
By Senator(s) Chassaniol

S. B. No. 3077: Appropriations
AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO YAZOO COUNTY TO DEFRAY COSTS ASSOCIATED WITH THE RENOVATION AND REPAIR OF JONESTOWN PARK FOR FISCAL YEAR 2025.
By Senator(s) Thomas

S. B. No. 3078: Finance
AN ACT TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES, LEASES OR OTHER RETAIL TRANSFERS OF FIXED-WING AIRCRAFT, ENGINES, ACCESSORIES AND SPARE PARTS TO, OR TO BE USED BY, CERTIFIED COMMON CARRIERS IN THE TRANSPORT OF PERSONS OR PROPERTY IN INTERSTATE, INTRASTATE OR FOREIGN COMMERCE; AND FOR RELATED PURPOSES.
By Senator(s) Chassaniol, Jordan

S. B. No. 3079: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF SUNFLOWER FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH CERTAIN INFRASTRUCTURE PROJECTS AND EXPENDITURES FOR FISCAL YEAR 2025; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (13th)

S. B. No. 3080: Appropriations
AN ACT MAKING AN APPROPRIATION TO LEE COUNTY FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH ACQUIRING AND INSTALLING TORNADO SHELTERS AT EACH FIRE DEPARTMENT AND VOLUNTEER FIRE DEPARTMENT WITHIN THE COUNTY FOR FISCAL YEAR 2025.
By Senator(s) McMahan

S. B. No. 3081: Local and Private
AN ACT TO AMEND CHAPTER 939, LOCAL AND PRIVATE LAWS OF 1998, AS LAST AMENDED BY CHAPTER 901, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE REPEAL DATE FROM DECEMBER 31, 2024, TO DECEMBER 31, 2028, ON THE LAW THAT AUTHORIZES THE CITY OF FLORENCE TO IMPOSE A TAX UPON THE GROSS PROCEEDS OF THE SALES OF BARS AND RESTAURANTS; AND FOR RELATED PURPOSES.
By Senator(s) Rhodes

S. B. No. 3082: Local and Private
AN ACT TO AMEND CHAPTER 918, LOCAL AND PRIVATE LAWS OF 2017, AS LAST AMENDED BY CHAPTER 905, LOCAL AND PRIVATE LAWS OF 2021, TO EXTEND THE REPEAL DATE, FROM JULY 1, 2025, TO JULY 1, 2028, ON THE PROVISION OF LAW AUTHORIZING CONTRIBUTIONS BY THE BOARD OF SUPERVISORS OF LOWNDES COUNTY, MISSISSIPPI, TO THE UNITED WAY OF LOWNDES COUNTY; TO INCREASE THE MAXIMUM ANNUAL AMOUNT OF SUCH CONTRIBUTIONS FROM $130,000.00 to $150,000.00 FOR THE DURATION OF THE AUTHORIZED PERIOD; AND FOR RELATED PURPOSES.
By Senator(s) Younger

S. R. No. 58: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE HARTFIELD ACADEMY "LADY HAWKS" VARSITY DANCE TEAM AND COACH ADDISON SMITH FOR WINNING THE STATE CHAMPIONSHIP TITLE AT THE 2023 MAIS SPIRIT COMPETITION.
By Senator(s) Harkins

S. R. No. 59: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE HARTFIELD ACADEMY "LADY HAWKS" VARSITY CHEER TEAM AND COACH JODI GENTRY FOR WINNING THE STATE CHAMPIONSHIP TITLE AT THE 2023 MAIS SPIRIT COMPETITION.
By Senator(s) Harkins

-

EIGHTIETH DAY, THURSDAY, MARCH 21, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Elder Artis Millsap, The Ministry of Faith of The Apostles Doctrine, Heidelberg, MS.

Senator Barnett led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1163: Community and junior colleges; authorize to contract or enter into interlocal agreements with local governing authorities for first responders services. Universities and Colleges.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1776: Appropriation; Archives and History, Department of. Appropriations.

H. B. No. 1777: Appropriation; Engineers and Land Surveyors, Board of Registration for Professional. Appropriations.

H. B. No. 1778: Appropriation; Environmental Quality, Department of. Appropriations.

H. B. No. 1779: Appropriation; Foresters, Board of Registration for. Appropriations.

H. B. No. 1780: Appropriation; Forestry Commission. Appropriations.

H. B. No. 1781: Appropriation; Grand Gulf Military Monument Commission. Appropriations.

H. B. No. 1782: Appropriation; Port Authority, State. Appropriations.

H. B. No. 1783: Appropriation; Marine Resources, Department of. Appropriations.

H. B. No. 1784: Appropriation; Oil and Gas Board. Appropriations.

H. B. No. 1785: Appropriation; Pat Harrison Waterway District. Appropriations.

H. B. No. 1786: Appropriation; Pearl River Valley Water Supply District. Appropriations.

H. B. No. 1787: Appropriation; Public Service Commission. Appropriations.

H. B. No. 1788: Appropriation; Public Utilities Staff. Appropriations.

H. B. No. 1789: Appropriation; Soil and Water Conservation Commission. Appropriations.

H. B. No. 1790: Appropriation; Tombigbee River Valley Water Management District. Appropriations.

H. B. No. 1791: Appropriation; Wildlife, Fisheries and Parks, Department of. Appropriations.

H. B. No. 1792: Appropriation; Yellow Creek State Inland Port Authority. Appropriations.

H. B. No. 1793: Appropriation; Barber Examiners, Board of. Appropriations.

H. B. No. 1794: Appropriation: Child Protection Services, Department of. Appropriations.

H. B. No. 1795: Appropriation; Cosmetology, Board of. Appropriations.

H. B. No. 1796: Appropriation; Health, Department of. Appropriations.

H. B. No. 1797: Appropriation; Human Services, Department of. Appropriations.

H. B. No. 1798: Appropriation; Fire Academy. Appropriations.

H. B. No. 1799: Appropriation; Insurance, Department of. Appropriations.

H. B. No. 1800: Appropriation; Medicaid, Division of. Appropriations.

H. B. No. 1801: Appropriation; Medical Licensure, Board of. Appropriations.

H. B. No. 1802: Appropriation; Nursing Home Administrators, Board of. Appropriations.

H. B. No. 1803: Appropriation; Nursing, Board of. Appropriations.

H. B. No. 1804: Appropriation; Optometry, Board of. Appropriations.

H. B. No. 1805: Appropriation; Physical Therapy Board. Appropriations.

H. B. No. 1806: Appropriation; Psychology, Board of. Appropriations.

H. B. No. 1807: Appropriation; Real Estate Appraiser Licensing and Certification Board. Appropriations.

H. B. No. 1808: Appropriation: Real Estate Commission and Appraiser Licensing and Certification Board. Appropriations.

H. B. No. 1809: Appropriation; Rehabilitation Services, Department of. Appropriations.

H. B. No. 1810: Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for. Appropriations.

H. B. No. 1811: Appropriation; Athletic Commission. Appropriations.

H. B. No. 1812: Appropriation; Attorney General. Appropriations.

H. B. No. 1813: Appropriation; Auctioneers Commission. Appropriations.

H. B. No. 1814: Appropriation; Capital Post-Conviction Counsel, Office of. Appropriations.

H. B. No. 1815: Appropriation; District attorneys and staff. Appropriations.

H. B. No. 1817: Appropriation; Legislative expenses. Appropriations.

H. B. No. 1818: Appropriation; Public Employees' Retirement System. Appropriations.

H. B. No. 1819: Appropriation; State Public Defender, Office of. Appropriations.

H. B. No. 1820: Appropriation; Supreme Court, Court of Appeals and trial judges services. Appropriations.

H. B. No. 1821: Appropriation; Veterans' Home Purchase Board. Appropriations.

H. B. No. 1822: Appropriation; Arts Commission. Appropriations.

H. B. No. 1823: Appropriation; Education, Department of. Appropriations.

H. B. No. 1824: Appropriation; Educational Television, Authority for. Appropriations.

H. B. No. 1825: Appropriation; Library Commission. Appropriations.

H. B. No. 1826: Appropriation; Transportation, Department of. Appropriations.

H. B. No. 1830: Appropriation; additional appropriation FY24. Appropriations.

_____

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 537, S. C. R. No. 538, S. R. No. 50, S. R. No. 51, S. R. No. 52, S. R. No. 53, S. R. No. 54, S. R. No. 55, S. R. No. 56, S. R. No. 57, S. R. No. 58 and S. R. No. 59 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

S. C. R. No. 537: Recognize outstanding accomplishments of Athletic Program at William Carey University.

S. C. R. No. 538: Request the Governor to Declare a State of Emergency in areas impacted by the ongoing drought and pine beetle outbreak.

S. R. No. 50: Commend SWAC Championship tradition of JSU "Coach of the Year" Rose Washington.

S. R. No. 51: Recognize outstanding Jackson Prep High School All-American Baseball Senior Star Konnor Griffin.

S. R. No. 52: Commend Hartfield Academy "Lady Hawks" Girls Softball team for winning MAIS AAAAAA Fastpitch Softball Championship.

S. R. No. 53: Commend Oak Grove High School Cheer Team for winning 2024 UCA National Large Varsity Game Day Live Championship.

S. R. No. 54: Commend Oak Grove High School Dance Team for winning the 2023 Large Varsity Jazz and Pom State Championship.

S. R. No. 55: Commend East Rankin Academy Shooting Sports Team for fifth consecutive State Championship.

S. R. No. 56: Commend East Rankin Academy "Lady Patriots" Girls Cross Country Team for third consecutive Class 5A State Championship.

S. R. No. 57: Commend East Rankin Academy "Lady Patriots" Girls Basketball Team for winning 2024 MAIS Overall Tournament Championship.

S. R. No. 58: Commend Hartfield Academy "Lady Hawks" Varsity Dance Team for winning MAIS State Championship Title.

S. R. No. 59: Commend Hartfield Academy "Lady Hawks" Varsity Cheer Team for winning MAIS State Championship.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 537, S. C. R. No. 538, S. R. No. 50, S. R. No. 51, S. R. No. 52, S. R. No. 53, S. R. No. 54, S. R. No. 55, S. R. No. 56, S. R. No. 57, S. R. No. 58 and S. R. No. 59. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators DeBar, England, Seymour and Thompson as co-authors of **S. C. No. 537**.

Unanimous consent was granted to add Senators DeBar and Seymour as co-authors of **S. C. No. 538**.

Unanimous consent was granted to add Senator Frazier as co-author of **S. R. No. 50**.

Unanimous consent was granted to add Senator Frazier as co-author of **S. R. No. 51**.

Unanimous consent was granted to add Senator McCaughn as co-author of **S. R. No. 55**.

Unanimous consent was granted to add Senator McCaughn as co-author of **S. R. No. 56**.

Unanimous consent was granted to add Senator McCaughn as co-author of **S. R. No. 57**.

Senator Hopson moved that when the Senate adjourns, it adjourn in memory of Lawrence Raymond Dise, Jr. of Ocala, FL.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Barbara Read Shuttleworth of Woolmartket Community, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, March 25, 2024.

The motion prevailed, and at 10:26 AM, the Senate stood in recess.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 308: Rural Fire Truck Acquisition Assistance Program; revise to remove eight rounds requirement. County Affairs; Appropriations.

H. B. No. 691: Mississippi Board on Law Enforcement Officer Standards and Training; revise composition of and provide with investigative authority. Judiciary, Division B.

H. B. No. 868: "Property Cleanup Revolving Fund"; establish. Municipalities; Finance.

H. B. No. 1024: DHS; authorize to recover costs of fraud investigations. Judiciary, Division B.

H. B. No. 1087: Ballot harvesting; include certain definitions in prohibition on. Elections.

H. B. No. 1090: Paraphernalia; revise definition under the Uniform Controlled Substances Law. Drug Policy; Judiciary, Division B.

H. B. No. 1116: Public Sevice Commission; remove from the provisions of the MS Budget Transparency and Simplification Act. Energy; Appropriations.

H. B. No. 1117: Public Utilities Staff; remove from the provisions of the MS Budget Transparency and Simplification Act. Energy; Appropriations.

H. B. No. 1121: State officers; make minor, nonsubstantive changes regarding swearing in of. Elections.

H. B. No. 1123: MDOT; authorize the transfer and conveyance of certain real property to Greene County Board of Supervisors. Public Property.

H. B. No. 1126: "Walker Montgomery Protecting Children Online Act"; establish to protect minors from harmful content. Judiciary, Division B; Judiciary, Division A.

H. B. No. 1135: Election day disputes; require list of judges selected to hear to be provided to certain officials. Elections.

H. B. No. 1156: Polling places; prohibit from being closed within sixty days before an election. Elections.

H. B. No. 1207: Alcorn University Extension Annex; rename the "Dr. Jesse Harness, Sr., Extension and Research Center". Public Property; Appropriations.

H. B. No. 1208: Hunting and fishing on lands of others; revise provisions relating to and provide penalties for. Wildlife, Fisheries and Parks; Judiciary, Division B.

H. B. No. 1220: Tax forfeited property; authorize Secretary of State to reimburse local governments for tree removal and cleanup costs. Public Property; Appropriations.

H. B. No. 1252: Implied consent laws; authorize nonadjudication for violation under certain conditions. Judiciary, Division B.

H. B. No. 1325: Secretary of State employees; authorize certain employees to carry a firearm. Judiciary, Division B.

H. B. No. 1370: Trespass; clarify elements of. Judiciary, Division A.

H. B. No. 1401: Polling place; prohibit facility that sells alcoholic beverages to be used as. Elections.

H. B. No. 1404: Runoff elections; revise time for holding to four weeks. Elections.

H. B. No. 1406: Absentee voting; revise various provisions of. Elections.

H. B. No. 1441: Felony; increase penalties for commission of with use of semi-automatic firearm. Judiciary, Division B.

H. B. No. 1537: Sexual offense; provide immunity for reporting. Judiciary, Division B.

H. B. No. 1609: Voting rights; restore for certain disqualifying crimes. Constitution; Judiciary, Division B.

H. B. No. 1625: Corporate breach of security; require reports to the Attorney General. Technology.

H. B. No. 1655: Candidate qualifications; revise process for. Elections.

H. B. No. 1658: County and municipal executive committee agreements; revise. Elections.

H. B. No. 1685: Uniform Controlled Substances Act; revise schedules. Drug Policy.

H. B. No. 1689: Election crime; create for dissemination of a deep fake within 90 days of an election. Elections; Judiciary, Division B.

H. C. R. No. 23: Constitution; amend to provide that only citizens of the United States are allowed the opportunity to vote. Constitution; Elections.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1487: Capitol Complex Improvement District; revise boundaries of. Accountability, Efficiency, Transparency.

REPORT OF COMMITTEE ON AGRICULTURE

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

H. B. No. 1353: Horseracing; include in equine liability. Title Sufficient. Do Pass.

YOUNGER, Chairman

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 155: Local governments capital improvements revolving loan program; include municipal natural gas facilities. Finance.

H. B. No. 504: Rural Firetruck Acquisition Assistance Program; authorize an additional round for counties and municipalities. Appropriations.

H. B. No. 776: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Finance.

H. B. No. 893: Distinctive motor vehicle license tag; authorize issuance to supporters of the Navy Seabee Foundation. Finance.

H. B. No. 974: State Board of Mental Health; authorize DFA to sell and convey certain real property on behalf of to City of Water Valley, MS. Public Property; Appropriations.

H. B. No. 975: State Board of Mental Health; authorize DFA to purchase certain real property in Tupelo, MS, on behalf of. Public Property; Appropriations.

H. B. No. 1161: Alcoholic beverages; authorize municipalities in dry counties vote to come out from under the dry law. Finance.

H. B. No. 1190: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Finance.

H. B. No. 1354: Alcoholic Beverage Control Division warehouse; increase amount of revenue bonds authorized for and bailment fee authorized for paying debt service on bonds. Finance.

H. B. No. 1378: Homestead exemption; increase for honorably discharged veterans 90 years of age or older. Finance.

H. B. No. 1417: Health care industry zone; expand radius for location of certain facilities for certification by MDA as. Finance.

H. B. No. 1473: Bonds; repeal authorization for certain unissued bonds and replace certain unissued bonds with cash. Finance.

H. B. No. 1589: Motor vehicles; revise certain provisions regarding discharge of liens and scrapping. Finance.

H. B. No. 1617: County industrial development authorities certain; revise certain provisions regarding. Finance.

H. B. No. 1638: Income tax; allow DHS to collect debts owed to it through setoff against state income tax refunds. Finance.

H. B. No. 1642: Tax credits, various; bring forward sections of law relating to. Finance.

H. B. No. 1665: Capitol Complex Improvement District; authorize incentive for development of property in. Finance.

H. B. No. 1701: Taxes, various; bring forwards sections of law authorizing and providing for distribution of revenue. Finance.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 319: Distinguished motor vehicle license tag; authorize issuance to supporters of the Columbia Academy Cougars. Finance.

H. B. No. 430: Alcoholic beverages; allow direct sales and shipment of certain wines to residents in this state. Finance.

H. B. No. 733: Sales tax; deposit portion of revenue into the Mississippi Outdoor Stewardship Trust Fund. Wildlife, Fisheries and Parks; Finance.

H. B. No. 1060: Performance bonds; increase threshold amount in public works contracts. Finance.

H. B. No. 1286: Motor vehicles; provide procedure for licensing rental fleets. Finance.

H. B. No. 1460: Municipality and County Water Infrastructure Grant Program; bring forward for possible amendment. Appropriations.

H. B. No. 1620: Use tax; revise certain provisions regarding funds distributed to municipalities and counties for infrastructure assistance. Finance.

H. B. No. 1707: 2023 Local Improvements Projects Fund; clarify and correct names and purposes of certain projects funded from. Appropriations.

H. B. No. 1816: Appropriation, Reappropriation, DFA - Bureau of Building - FY 2024. Appropriations.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 297: Mississippi Department of Information Technology Services; bring forward code sections related to. Technology.

H. B. No. 298: Capitol Complex Improvement District; authorize demolition of certain property, authorize grants for development of certain property. Accountability, Efficiency, Transparency.

H. B. No. 818: Insurance; revise the Rural Fire Truck Matching Assistance Program, the MS First Responders Health and Safety Act and the Municipal and County Fire Funds. Insurance; Appropriations.

H. B. No. 819: Insurance; remove filing fee on auto cancellation or nonrenewal appeals and exempt life line applicants from prelicensing requirements. Insurance.

H. B. No. 888: Insurance mitigation; revise various provisions related to. Insurance; Appropriations.

H. B. No. 1048: Peer-to-peer Car Sharing Program Act; create. Insurance; Judiciary, Division A.

H. B. No. 1079: Clean claim; clarify requirements for. Insurance.

H. B. No. 1137: Opioid antagonists; authorize community organization to receive and administer. Judiciary, Division A.

H. B. No. 1143: Advanced Metastatic Cancer; prohibit health plans from requiring step therapy before covering certain drugs to treat. Insurance.

H. B. No. 1213: Living Donor Protection Act; create. Insurance.

H. B. No. 1265: Pharmacists; authorize reimbursement for under certain insurance policies, plans, or contracts. Insurance.

H. B. No. 1303: Fresh Start Act; revise certain provisions of. Economic and Workforce Development.

H. B. No. 1344: Nonprofit Corporations; require annual report to be filed with Secretary of State. Business and Financial Institutions.

H. B. No. 1410: Insurance reimbursement rates; revise certain provisions. Insurance.

H. B. No. 1489: Ambulance services; provide for payment for treatment in place and provide for minimum reimbursement rate in health insurance policies. Insurance.

H. B. No. 1527: HIV medications; prohibit health plans and Medicaid from subjecting to protocols that restrict dispensing of. Insurance.

H. B. No. 1627: Nonprofit Agricultural Membership Organizations; exempt from insurance regulation. Insurance.

H. B. No. 1629: Ambulance service providers; provide for minimum rate of reimbursement under any policy of accident and sickness insurance. Insurance.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 768: Israel Support Act of 2019; extend repealer on. Accountability, Efficiency, Transparency.

H. B. No. 845: Charitable organizations; require IRS forms filed annually with Secretary of State to be for the most recent fiscal year end. Business and Financial Institutions.

H. B. No. 871: Balance billing; exclude practice of dentistry from prohibition on. Insurance.

H. B. No. 900: "The Families' Rights and Responsibilities Act"; create. Judiciary, Division A.

H. B. No. 934: Consumer reports; limit redisclosure to third party. Business and Financial Institutions.

H. B. No. 978: State Veterans Affairs Board; revise provisions regarding processing of claims. Veterans and Military Affairs.

H. B. No. 1021: Pawnbrokers; authorize Commissioner of Banking to establish by rule a process allowing certain purchased and/or pledged goods to be stored off premises. Business and Financial Institutions.

H. B. No. 1026: Medicaid; make various technical amendments to the program. Medicaid.

H. B. No. 1062: Pawnbrokers; authorize to pass credit and debit card processing charges to customers. Business and Financial Institutions.

H. B. No. 1092: Automobile airbags and supplemental restraint systems; establish standards for installation of. Business and Financial Institutions.

H. B. No. 1144: Diagnostic and supplemental breast exams; prohibit insurers from imposing any cost-sharing requirements for. Insurance.

H. B. No. 1167: Marriage and family therapists; revise requirements for licensure. Public Health and Welfare.

H. B. No. 1214: Joint Legislative Study Committee on Blockchain, Cryptocurrency, and Other Digital Assets; create. Business and Financial Institutions; Finance.

H. B. No. 1269: Landscape architects; authorize to participate with multi-disciplinary engineer and architecture firms. Business and Financial Institutions.

H. B. No. 1271: Real estate; revise liability for certain provisions. Business and Financial Institutions.

H. B. No. 1290: Charity Protection Act; create. Business and Financial Institutions; Government Structure.

H. B. No. 1301: Construction contracts; provide certain requirements regarding retainage. Business and Financial Institutions.

H. B. No. 1316: Public purchasing; require competitive bidding for web-based application for MYCIDS. Judiciary, Division A.

H. B. No. 1324: Home Inspector Regulatory Board; revive and provide that MS Real Estate Appraisal Board shall regulate home inspectors. Business and Financial Institutions.

H. B. No. 1359: Serial bonds or single term bonds; authorize counties and municipalities to issue. Business and Financial Institutions.

H. B. No. 1366: Mississippi Principal and Income Act of 2013; revise provisions relating to partial liquidation. Business and Financial Institutions.

H. B. No. 1377: MS Consumer Alternative Installment Loan Act; require Dept.of Banking to issue memo authorizing new maximum loan amount and revise amount calculation. Business and Financial Institutions.

H. B. No. 1408: Residential roofing contractors; revise requirements under Insurance Benefits Roofing Repair Consumer Protection Act. Business and Financial Institutions.

H. B. No. 1577: Bidding terms for public depositories for counties and municipalities; make compatible. Business and Financial Institutions.

H. B. No. 1603: Organ procurement organizations; records and proceedings of PEER review committees are confidential and not discoverable. Judiciary, Division A.

H. B. No. 1675: Unclaimed property; prescribe process to be used by certain cooperatives with regard to disposition of. Business and Financial Institutions.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Lawrence Raymond Dise, Jr. and Barbara Read Shuttleworth.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, MARCH 21, 2024

S. B. No. 3083: Judiciary, Division B
AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO LARRY SILLS OF NEWTON COUNTY, MISSISSIPPI.
By Senator(s) McCaughn

S. R. No. 60: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE RAYMOND HIGH SCHOOL "RANGERS" BOYS BASKETBALL TEAM AND HEAD COACH TONY TADLOCK FOR WINNING THEIR SECOND CLASS 4A TITLE IN THE LAST THREE YEARS.
By Senator(s) Frazier

EIGHTY-FOURTH DAY, MONDAY, MARCH 25, 2024

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Reverend Tom Bryson, Co-Pastor of Southminister Presbyterian Church and Chaplain of the City of Vestavia Hills, Vestavia Hills, AL.

Senator McCaughn led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

MESSAGE FROM THE HOUSE
(Received Friday, March 22, 2024)

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2332: MAEP; revise funding formula.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE
(Received Friday, March 22, 2024)

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. C. R. No. 52: A CONCURRENT RESOLUTION URGING THE FEDERAL ENERGY REGULATORY COMMISSION TO EXTEND THE AUTHORIZATION FOR THE GULF LNG LIQUEFACTION PROJECT.

H. C. R. No. 54: A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE LIFE AND EXTRAORDINARY LEGACY OF CIRCUIT JUDGE CLAIBORNE "BUDDY" MCDONALD IV.

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES
(Referred Friday, March 22, 2024)

H. B. No. 48: Residential subdivisions; authorize property owners to establish and/or amend convenants, conditions and restrictions. Judiciary, Division A.

H. B. No. 325: Real property; right of first refusal expires on grantee's death unless specifically stated otherwise. Judiciary, Division A.

H. B. No. 342: Recreational landowners; add cycling to the list of activities exempt from liability. Judiciary, Division A.

H. B. No. 413: Dog bites; authorize payment for actual expenses for injuries caused by. Judiciary, Division A.

H. B. No. 694: Commercial Driver's License; require notice to employer when possibility of suspension for unpaid child support. Judiciary, Division A.

H. B. No. 722: Judicial districts; revise. Judiciary, Division A.

H. B. No. 750: State Grand Jury Act; codify and extend repealer. Judiciary, Division A.

H. B. No. 822: CCID inferior court; clarify appeals from and repeal appointment of temporary judges. Judiciary, Division A.

H. B. No. 846: Chancery clerk fees; conform recording deeds to land sold for taxes and redemption of such lands. Judiciary, Division A.

H. B. No. 1000: Corporations and LLCs; authorize notice of dissolution by electronic mail only. Judiciary, Division A.

H. B. No. 1001: Veterans cemeteries; authorize interments in under federal Burial Equity for Guards and Reserves Act. Veterans and Military Affairs.

H. B. No. 1086: Land partitions; revise provision that regulate. Judiciary, Division A.

H. B. No. 1089: Indigent counsel; increase compensation for. Judiciary, Division A.

H. B. No. 1102: DHS; authorize to use communication approved by financial institution for encumbrances. Judiciary, Division A.

H. B. No. 1226: CCID inferior court; authorize additional judges and clarify appeals from. Judiciary, Division A; Appropriations.

H. B. No. 1234: Tenancy by the entirety with rights of survivorship; create rebuttable presumption when deed to both spouses. Judiciary, Division A.

H. B. No. 1257: Notary public; clarify maximum fee permitted and authorize qualified nonresidents to be commissioned as. Judiciary, Division A.

H. B. No. 1315: MS Youth Court Information Delivery System (MYCIDS); require audit of. Judiciary, Division A.

H. B. No. 1319: Homeowner's insurance; prohibit insurer from refusing to issue or to renew policy soley based on roof's age. Judiciary, Division A.

H. B. No. 1343: Scrivener's affidavit; revise authority for attorney who submitted but are now retired. Judiciary, Division A.

H. B. No. 1363: Internet; create civil liability for distribution of child pornography and obscene matter by commercial entities. Judiciary, Division A.

H. B. No. 1390: Grand jury; clarify procedures for recusal of district attorney. Judiciary, Division A.

H. B. No. 1461: Vape directory; require Department of Revenue to maintain and publish. Public Health and Welfare.

H. B. No. 1542: Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at the time of death. Judiciary, Division A.

H. B. No. 1607: Mississippi Women's Bill of Rights; create. Judiciary, Division A.

H. B. No. 1624: Court-Appointed Special Advocate (CASA) Program; create state associate and standardize operations of local programs. Judiciary, Division A.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES
(Referred Friday, March 22, 2024)

H. B. No. 328: Alcoholic beverages; increase number of package retailer's permits a person may own. Finance.

H. B. No. 329: Alcoholic beverages; authorize local authorities of wet jurisdiction to permit package retail sales on Sunday. Finance.

H. B. No. 516: State agencies procurement; bring forward code sections related to. Accountability, Efficiency, Transparency.

H. B. No. 624: Income tax; reenact and extend repealer on credit for certain railroad expenditures. Finance.

H. B. No. 773: Elected State and District Officers; extend repealer on authority to exceed salary cap for professionals employed by. Accountability, Efficiency, Transparency.

H. B. No. 874: Department of Public Safety; revise salary scale of MHP and MBN officers. Appropriations.

H. B. No. 1003: Homestead exemption; revise time within which certain homeowners may apply for. Finance.

H. B. No. 1037: Deficit appropriations; revise process for state agencies to avoid the need for. (PEER bill). Appropriations.

H. B. No. 1103: Alcoholic beverages; authorize certain municipalities designated as qualified resort areas to regulate certain matters regarding the sale of. Finance.

H. B. No. 1140: Public Records Act; revise time limitations for producing a competitive sealed proposal. Accountability, Efficiency, Transparency.

H. B. No. 1210: The Dr. Elton Mac Huddleston Rural Veterinarians Scholarship Program; establish. Appropriations.

H. B. No. 1225: State Auditor; authorize to review and examine municipalities under certain conditions. Accountability, Efficiency, Transparency.

H. B. No. 1230: Starkville-Oktibbeha Consolidated School District; extend bonding authority until July 1, 2027. Finance.

H. B. No. 1273: Department of Public Safety; revise various provisions relating to. Accountability, Efficiency, Transparency.

H. B. No. 1355: State agencies; Personnel Board and LBO shall develop salary funding levels for. Accountability, Efficiency, Transparency; Appropriations.

H. B. No. 1356: Telework; revise certain provisions regarding use of by employees of state service agencies. Accountability, Efficiency, Transparency.

H. B. No. 1357: Department of Agriculture; revise authority to spend certain funds. Appropriations.

H. B. No. 1420: Public procurement laws; exempt certain contracts for museums. Accountability, Efficiency, Transparency.

H. B. No. 1421: Public purchasing; increase threshold for bidding and revise provisions related to reverse auctions. Accountability, Efficiency, Transparency.

H. B. No. 1525: Alcoholic beverages; revise certain provisions regarding locations for sale of. Finance.

H. B. No. 1558: Social media platforms; require owners or operators of to regulate advertisement of tobacco and nicotine products. Technology.

H. B. No. 1579: Business Improvement Districts Act; make various revisions concerning. Finance.

H. B. No. 1618: PERS; define "instrumentality" for purpose of PERS laws and include health care collaboratives in the definition. Finance.

H. B. No. 1621: Mississippi Flexible Tax Incentive Act; revise certain provisions of. Accountability, Efficiency, Transparency.

H. B. No. 1623: Tourism project sales tax incentive program; bring forward sections of law relating to. Finance.

H. B. No. 1644: Ambulance services providers; contracts with to provide exclusively in county or city must allow other providers to respond when necessary. Accountability, Efficiency, Transparency.

H. B. No. 1647: Commissioner of Insurance; authorize to implement a state insurance exchange, authorize income tax deductions and insurance premium tax credit. Finance.

H. B. No. 1697: Law enforcement and certain first responders killed in line of duty; authorize payment to family up to 30 days. Accountability, Efficiency, Transparency.

H. B. No. 1704: Appropriations; revise certain FY 2024 appropriations and direct transfers. Appropriations.

H. B. No. 1705: Budget process; bring forward certain sections relating to and provide for transfers of funds. Appropriations.

H. B. No. 1706: Programs funded with ARPA funds; revise certain provisions and bring forward sections of. Appropriations.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES
(Referred Friday, March 22, 2024)

H. B. No. 1615: Public procurement laws; exempt certain purchases and contracts for landmark buildings from. Accountability, Efficiency, Transparency.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES
(Referred Friday, March 22, 2024)

H. C. R. No. 52: Federal Energy Regulatory Commission; urge to extend authorization for the Gulf LNG Liquefaction Project. Rules.

H. C. R. No. 54: Circuit Judge Claiborne "Buddy" McDonald IV; commend life and legacy upon his passing. Rules.

MESSAGE FROM THE GOVERNOR
March 22, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2059: Biomass and Bioenergy with carbon capture technology; define. (March 22, 2024, 3:30 PM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

INTRODUCTIONS FOR FRIDAY, MARCH 22, 2024

S. B. No. 3084: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF MAGEE, MISSISSIPPI, FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Berry

S. B. No. 3085: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF NEWTON, FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH THE PURCHASE OF LAW ENFORCEMENT VEHICLES AND EQUIPMENT FOR FISCAL YEAR 2025.
By Senator(s) McCaughn

S. B. No. 3086: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE NEWTON MUNICIPAL SCHOOL DISTRICT FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH THE IMPROVEMENT, REPAIR AND UPGRADE OF CERTAIN CAMPUS FACILITIES FOR FISCAL YEAR 2025.
By Senator(s) McCaughn

S. B. No. 3087: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE SCOTT COUNTY SCHOOL DISTRICT FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH THE CONSTRUCTION OF A SCIENCE, TECHNOLOGY, ENGINEERING, THE ARTS AND MATHEMATICS (STEAM) ACADEMY FOR FISCAL YEAR 2025.
By Senator(s) McCaughn

S. B. No. 3088: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE NEWTON COUNTY SCHOOL DISTRICT FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH THE CAREER AND TECHNICAL EDUCATION PROGRAM FOR FISCAL YEAR 2025.
By Senator(s) McCaughn

S. B. No. 3089: Appropriations
AN ACT MAKING AN APPROPRIATION TO QUITMAN COMMUNITY HOSPITAL FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH EXPANDING SERVICES IN A DISTRESSED AREA FOR THE FISCAL YEAR 2025.
By Senator(s) Jackson

S. B. No. 3090: Appropriations
AN ACT MAKING AN APPROPRIATION TO TUNICA COUNTY FOR THE PURPOSE OF ROADWAY RENOVATIONS AND UPGRADING TRAFFIC SIGNALS ALONG CASINO STRIP RESORT BOULEVARD FOR THE FISCAL YEAR 2025.
By Senator(s) Jackson

S. B. No. 3091: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE SUNFLOWER HUMPHREYS COUNTIES FOR PROGRESS, INC. FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH THE RENOVATION AND CONSTRUCTION OF AN EMERGENCY STORM SHELTER FOR THE FISCAL YEAR 2025.
By Senator(s) Simmons (13th), Thomas

S. B. No. 3092: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF CANTON, MISSISSIPPI, FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH CERTAIN INFRASTRUCTURE PROJECTS FOR FISCAL YEAR 2025.
By Senator(s) Blackmon

S. B. No. 3093: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CANTON MUNICIPAL POLICE DEPARTMENT FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH THE ACQUISITION OF LAW ENFORCEMENT EQUIPMENT AND LAW ENFORCEMENT TRAINING FOR FISCAL YEAR 2025.
By Senator(s) Blackmon

S. B. No. 3094: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF MENDENHALL, MISSISSIPPI, FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH IMPROVEMENTS TO WATER AND SEWER INFRASTRUCTURE FOR THE FISCAL YEAR 2025.
By Senator(s) Berry

S. B. No. 3095: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF BRAXTON, MISSISSIPPI, FOR CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Berry

S. B. No. 3096: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF NEW HEBRON, MISSISSIPPI, FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH THE ACQUISITION OF A FIRE TRUCK AND WITH THE COSTS ASSOCIATED WITH ROAD REPAIRS, CONSTRUCTION, RESURFACING, AND IMPROVEMENTS TO TOWN STREETS FOR THE FISCAL YEAR 2025.
By Senator(s) Berry

S. B. No. 3097: Appropriations
AN ACT MAKING AN APPROPRIATION TO JEFFERSON DAVIS COUNTY FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH ROAD REPAIRS, CONSTRUCTION, RESURFACING, AND IMPROVEMENTS TO CERTAIN ROADWAYS FOR THE FISCAL YEAR 2025.
By Senator(s) Berry

S. B. No. 3098: Appropriations
AN ACT MAKING AN APPROPRIATION TO SIMPSON COUNTY FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH ROAD REPAIRS, CONSTRUCTION, RESURFACING AND IMPROVEMENTS TO ATHENS ROAD FOR THE FISCAL YEAR 2025.
By Senator(s) Berry

S. B. No. 3099: Finance
AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR EMPLOYERS WHO SPONSOR SKILLS TRAINING FOR EMPLOYEES; TO PROVIDE FOR THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT THE TAX CREDIT WILL BE GRANTED TO EMPLOYERS THAT PARTICIPATE IN EMPLOYER-SPONSORED TRAINING PROGRAMS THROUGH ANY COMMUNITY COLLEGE OR JUNIOR COLLEGE IN THE DISTRICT WITHIN WHICH THE EMPLOYER IS LOCATED OR TRAINING APPROVED BY THE COMMUNITY COLLEGE OR JUNIOR COLLEGE; TO PROVIDE THAT A COMMUNITY COLLEGE OR JUNIOR COLLEGE MAY COMMIT TO PROVIDE EMPLOYER-SPONSORED SKILLS TRAINING PROGRAMS FOR AN EMPLOYER FOR A MULTIPLE NUMBER OF YEARS, NOT TO EXCEED FIVE YEARS; TO PROVIDE THAT THE MISSISSIPPI COMMUNITY COLLEGE BOARD SHALL MAKE A REPORT TO THE LEGISLATURE BY JANUARY 30 OF EACH YEAR SUMMARIZING THE NUMBER OF PARTICIPANTS, THE JUNIOR OR COMMUNITY COLLEGE THROUGH WHICH THE TRAINING WAS OFFERED AND THE TYPE TRAINING OFFERED; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins, England

S. B. No. 3100: Local and Private

AN ACT TO AUTHORIZE THE BOARD OF DIRECTORS OF THE LEAKE COUNTY ECONOMIC DEVELOPMENT DISTRICT TO ENTER INTO A LONG-TERM LEASE AGREEMENT FOR PROPERTY OWNED BY THE LEAKE COUNTY ECONOMIC DEVELOPMENT DISTRICT TO EAST CENTRAL COMMUNITY COLLEGE FOR THE CONSTRUCTION OF A WORKFORCE TRAINING CENTER IN LEAKE COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Branning

S. B. No. 3101: Local and Private

AN ACT TO AMEND CHAPTER 912, LOCAL AND PRIVATE LAWS OF 2022, TO INCREASE THE AMOUNT OF FUNDS THE BOARD OF SUPERVISORS OF SUNFLOWER COUNTY, MISSISSIPPI, IS AUTHORIZED TO CONTRIBUTE ANNUALLY TO THE FANNIE LOU HAMER CANCER FOUNDATION; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

S. B. No. 3102: Local and Private

AN ACT TO AUTHORIZE THE HANCOCK COUNTY PORT AND HARBOR COMMISSION TO CONTRIBUTE TO THE PEARL RIVER COMMUNITY COLLEGE COUNTY TUITION ASSISTANCE PROGRAM FOR HANCOCK COUNTY STUDENTS; AND FOR RELATED PURPOSES.

By Senator(s) Thompson, Ladner

S. B. No. 3103: Local and Private

AN ACT TO AMEND CHAPTER LAW 925, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE DATE OF REPEAL TO JULY 1, 2028, ON THE LAW THAT AUTHORIZES THE BOARD OF SUPERVISORS OF LAUDERDALE COUNTY, MISSISSIPPI, TO LEVY AN ASSESSMENT, IN ADDITION TO ANY OTHER ASSESSMENTS AND COURT COSTS, FOR CIVIL CASES FILED AND MISDEMEANOR CONVICTIONS AND/OR NONADJUDICATIONS OBTAINED IN ITS JUSTICE COURT, TO BE USED TO FUND THE CONSTRUCTION, OPERATION, FURNISHING, TECHNOLOGY, MAINTENANCE AND RELATED NEEDS OF A NEW COUNTY OFFICE BUILDING TO BE KNOWN AS THE "LAUDERDALE COUNTY GOVERNMENT COMPLEX"; AND FOR RELATED PURPOSES.

By Senator(s) Tate

S. B. No. 3104: Local and Private

AN ACT TO AMEND SECTION 1, CHAPTER 940, LOCAL AND PRIVATE LAWS OF 2009, AS LAST AMENDED BY CHAPTER 903, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2024, TO JULY 1, 2028, ON THE PROVISION OF LAW THAT AUTHORIZES THE BOARD OF SUPERVISORS OF GREENE COUNTY, MISSISSIPPI, TO ASSESS A CERTAIN FEE FOR ANY CIVIL CASE FILED AND ANY MISDEMEANOR CONVICTION OBTAINED IN THE JUSTICE COURT OF THE COUNTY TO FUND CERTAIN MAINTENANCE AND CONSTRUCTION NEEDS OF THE GREENE COUNTY JUSTICE COURT COMPLEX; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. C. R. No. 540: Rules

A CONCURRENT RESOLUTION RECOGNIZING THE LEGACY OF ROSIE S. SIMMONS AS THE FIRST AFRICAN AMERICAN SINCE RECONSTRUCTION TO SERVE AS CIRCUIT CLERK OF BOLIVAR COUNTY, MISSISSIPPI.

By Senator(s) Simmons (13th), Simmons (12th)

S. R. No. 61: Rules

A RESOLUTION TO RECOGNIZE LEX LEMMERS, DIRECTOR OF PROGRAM MANAGEMENT AND RESIDENT ENGINEERING AT PACCAR ENGINE COMPANY IN

COLUMBUS AS THE 2023-2024 MISSISSIPPI MANUFACTURERS ASSOCIATION (MMA) CHAIRMAN OF THE BOARD.
By Senator(s) Younger

S. R. No. 62: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE 25 COACHES FROM ACROSS MISSISSIPPI WHO HAVE BEEN CHOSEN FOR THE MISSISSIPPI EXCELLENCE IN COACHING FELLOWSHIP, ALSO KNOWN AS "TOMORROW'S 25."
By Senator(s) DeBar

S. R. No. 63: Rules
A RESOLUTION COMMENDING AND CONGRATULATING SOUTHAVEN, MISSISSIPPI, AUTOMOBILE DEALER JEFF FIELD UPON HIS NOMINATION FOR THE PRESTIGIOUS 2024 TIME "DEALER OF THE YEAR" AWARD RECOGNIZING HIS COMMUNITY SERVICE AND INDUSTRY ACCOMPLISHMENTS.
By Senator(s) Parker, Blackwell, McLendon

S. R. No. 64: Rules
A RESOLUTION COMMENDING THE DISTINGUISHED PUBLIC SERVICE OF MR. RYAN MILLER AS EXECUTIVE DIRECTOR OF THE OFFICE OF WORKFORCE DEVELOPMENT (ACCELERATEMS).
By Senator(s) Parker

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. C. R. No. 507: "Omega Psi Phi Day"; designate March 9. 2024, in Mississippi.

Andrew Ketchings, Clerk of the House of Representatives

Senator Younger called up the following entitled bill:

H. B. No. 1353: Horseracing; include in equine liability.

YEAS AND NAYS On H. B. No. 1353. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Nays--None.
Absent and those not voting----None.
Voting Present--Chism, McCaughn. Total--2.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Hilton Ray Hammons, Charlie Hall, Elder George Gardner, Robert "RB" Gardner, Phyllis Greener Cox, Calvin Ammons and Hattie Pearl Jennings of Forest, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of David Dee Yates, Houston Westerfield, Willie Maude Moore and Sandra Ellen Carroll Baker of Morton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Joseph R. Wall, Roxie Smith, Antoinette "Ann" Summerford and Jane P. Cook of Newton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Betty Jane Morrow and Marilyn Taylor Horton of Conehatta, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Wanda Lee Campbell and James Jerry Harris of Decatur, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Grace Marie Walker of Hickory, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Gloria Dorothy Meaut Lestrade of Biloxi, MS.

Senator Polk moved that the Senate stand in recess until 6:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, March 26, 2024.

The motion prevailed, and at 4:14 PM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 6:00 PM in memory of Hilton Ray Hammons, Charlie Hall, Sandra Ellen Carroll Baker, Joseph R. Wall, Roxie Smith, Antoinette "Ann" Summerford, Jane P. Cook, Betty Jane Morrow, Marilyn Taylor Horton, Wanda Lee Campbell, James Jerry Harris, Grace Marie Walker, Elder George Gardner, Gloria Dorothy Meaut Lestrade, Robert "RB" Gardner, Phyllis Greener Cox, Calvin Ammons, Hattie Pearl Jennings, David Dee Yates, Houston Westerfield and Willie Maude Moore.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR MONDAY, MARCH 25, 2024

S. B. No. 3105: Finance

AN ACT TO AMEND SECTION 27-69-3, MISSISSIPPI CODE OF 1972, TO DEFINE "HEATED TOBACCO PRODUCT" AND REVISE THE DEFINITION OF "TOBACCO" TO INCLUDE HEATED TOBACCO PRODUCTS; TO AMEND SECTION 27-69-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THE EXCISE TAX RATE FOR HEATED TOBACCO PRODUCTS; AND FOR RELATED PURPOSES.

By Senator(s) Sparks, Harkins, Boyd, Younger, Rhodes, England

S. B. No. 3106: Finance
AN ACT TO AMEND SECTION 57-113-21, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITIONS OF "BUSINESS ENTERPRISE," "DATA CENTER" AND "STATE TAX" FOR PURPOSES OF THE SALES, USE, INCOME AND FRANCHISE TAX EXEMPTIONS FOR DATA CENTER ENTERPRISES; TO AMEND SECTION 57-113-23, MISSISSIPPI CODE OF 1972, TO REVISE THE REQUIRED CONTENTS OF THE APPLICATION TO BE SUBMITTED BY BUSINESS ENTERPRISES SEEKING THE EXEMPTIONS; TO AMEND SECTION 57-113-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A BUSINESS ENTERPRISE SHALL HAVE 60 DAYS FROM THE DATE OF NOTICE OF NONCOMPLIANCE IN WHICH TO REMEDY SUCH NONCOMPLIANCE BEFORE FORFEITING ITS TAX-EXEMPT STATUS, SUBJECT TO ANY PENALTIES PROVIDED IN MISSISSIPPI DEVELOPMENT AUTHORITY RULES AND REGULATIONS; AND FOR RELATED PURPOSES.
By Senator(s) Harkins

S. B. No. 3107: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF GUNNISON TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3108: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF BENOIT TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR AND RENOVATION OF ITS TOWN PARK FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3109: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF LELAND TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR AND RENOVATION OF ITS CITY PARK FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3110: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE PURPOSE OF ASSISTING RURAL PUBLIC HOSPITALS AT HIGH FINANCIAL RISK FOR THE FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3111: Appropriations
AN ACT MAKING AN APPROPRIATION TO JACKSON STATE UNIVERSITY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF REPAIR, RENOVATION AND/OR UPGRADES TO THE UNIVERSITY'S WATER SYSTEM FOR THE FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3112: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF GREENVILLE, MISSISSIPPI, FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH REPAIR, RENOVATION AND IMPROVEMENT OF SMALL SEWER MINI-SYSTEMS THAT HAVE EXCESSIVE INFLOW AND INFILTRATION WITHIN LOW TO MODERATE HOUSEHOLD INCOME AREAS FOR THE FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3113: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF GREENVILLE, MISSISSIPPI, FOR THE PURPOSE OF DEFRAYING COSTS IN THE DESIGN, CONSTRUCTION, AND IMPROVEMENTS TO A DOWNTOWN CORRIDOR FOR THE FISCAL YEAR 2025.

By Senator(s) Simmons (12th)

S. B. No. 3114: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF GREENVILLE, MISSISSIPPI, FOR THE PURPOSE OF DEFRAYING COSTS IN REPAIRING AND IMPROVING WATER AND SEWER INFRASTRUCTURE FOR THE FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3115: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR THE TOWN OF BENOIT, MISSISSIPPI, FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH THE CONSTRUCTION OF A WALKING TRAIL FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3116: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF BENOIT, MISSISSIPPI, FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH THE RENOVATION, REPAIR, AND IMPROVEMENT OF THE TOWN LIBRARY FOR THE FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3117: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF GREENVILLE TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR AND RENOVATION OF CITY PARKS FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3118: Appropriations
AN ACT MAKING AN APPROPRIATION TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 2 FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3119: Appropriations
AN ACT MAKING AN APPROPRIATION TO BOLIVAR COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 1 FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3120: Appropriations
AN ACT MAKING AN APPROPRIATION TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 5 FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3121: Appropriations
AN ACT MAKING AN APPROPRIATION TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 3 FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3122: Appropriations
AN ACT MAKING AN APPROPRIATION TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND

IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 4 FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3123: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF ROSEDALE TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND IMPROVEMENTS TO STREETS FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3124: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE JACKSON STATE UNIVERSITY AND ENTERGY SUSTAINABLE ENERGY PARTNERSHIP PROGRAM FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3125: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF GREENVILLE, TO DEFRAY EXPENSES ASSOCIATED WITH THE IMPROVEMENT, RENOVATIONS, REPAIR AND UPGRADE OF THE MID-DELTA REGIONAL AIRPORT FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3126: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF GREENVILLE TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR AND RENOVATION OF ITS WASTEWATER TREATMENT PLANT FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3127: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE WASHINGTON COUNTY BOARD OF SUPERVISORS TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR, RESURFACING AND IMPROVEMENTS TO CERTAIN ROADS IN SUPERVISOR DISTRICT 3 FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3128: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF COAHOMA TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING, AND IMPROVEMENTS TO STREETS FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3129: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF FARRELL TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3130: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF METCALFE TO DEFRAY EXPENSES ASSOCIATED WITH IMPROVEMENTS TO ITS WATER AND SEWER SYSTEMS FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3131: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF FRIARS POINT TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING, AND IMPROVEMENTS TO STREETS FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3132: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF FRIARS POINT TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3133: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF ROSEDALE TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR AND RENOVATION OF ITS CITY PARK FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3134: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF METCALFE TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR AND RENOVATION OF ITS TOWN PARK FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3135: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF GREENVILLE TO DEFRAY EXPENSES ASSOCIATED WITH THE DESIGN, CONSTRUCTION, FURNISHING, AND EQUIPPING OF THE MISSISSIPPI RIVER MUSEUM FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3136: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF BEULAH TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3137: Appropriations
AN ACT MAKING AN APPROPRIATION TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH MAKING REPAIRS, RESURFACING, AND MAKING IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 1 FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3138: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF BENOIT, MISSISSIPPI, TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3139: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF GREENVILLE TO DEFRAY EXPENSES FOR A NEW COMMUNITY HEALTH CENTER TO BE KNOWN AS DELTA HEALTH CENTER FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3140: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF LULA TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3141: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF METCALFE TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3142: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF COAHOMA AND COAHOMA COUNTY TO DEFRAY COSTS FOR THE IMPROVEMENT OF THE TOWN'S WATER AND SEWER SYSTEM AND FOR THE MOON LAKE SEWER PROJECT BETWEEN COAHOMA COUNTY AND THE TOWN OF COAHOMA TO DEFRAY EXPENSES FOR THE TOWN'S AND COUNTY'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3143: Appropriations
AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR, RENOVATION AND REFURBISHMENT OF THE E.E. BASS CULTURAL ARTS CENTER FOR FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3144: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI USA SEMIQUINCENTENNIAL COMMISSION FOR THE PURPOSE OF DEFRAYING EXPENSES ASSOCIATED WITH PLANNING, PROMOTING AND IMPLEMENTING APPROPRIATE PUBLIC CELEBRATIONS AND OFFICIAL EVENTS, PROGRAMS AND COMMEMORATIONS FOR THE FISCAL YEAR 2025.
By Senator(s) Chassaniol, Robinson, Horhn, Williams, Frazier, Suber

S. B. No. 3145: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI SYMPHONY ORCHESTRA FOR THE PURPOSE OF DEFRAYING THE COSTS OF EXPANDING ART EDUCATION STATEWIDE FOR THE FISCAL YEAR 2025.
By Senator(s) Chassaniol, Robinson, Frazier, Horhn, Blount, Norwood, McLendon, Thomas

S. B. No. 3146: Appropriations
AN ACT MAKING AN APPROPRIATION TO CARROLL COUNTY FOR THE CARROL COUNTY SCHOOL DISTRICT FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH THE DESIGN, DEVELOPMENT, CONSTRUCTION AND EQUIPPING OF A CAREER AND TECHNICAL FACILITY AND THE PURCHASE OF EQUIPMENT FOR EXISTING PROGRAMS FOR THE FISCAL YEAR 2025.
By Senator(s) Chassaniol

S. B. No. 3147: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF JACKSON, MISSISSIPPI, FOR THE PURPOSE OF DEFRAYING EXPENSES AND COSTS ASSOCIATED WITH RENOVATIONS AND IMPROVEMENTS TO THALIA MARA HALL TO ENSURE ADA COMPLIANCE FOR THE FISCAL YEAR 2025.
By Senator(s) Chassaniol, Robinson, Frazier, Horhn, Blount, Norwood, Michel, McLendon, Thomas

S. B. No. 3148: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF MARINE RESOURCES TO AUTHORIZE THE EXPENDITURE OF FUNDS FOR A GULF OF MEXICO ENERGY SECURITY ACT (GOMESA) PROJECT IN THE CITY OF DIAMONDHEAD FOR THE FISCAL YEAR 2025.
By Senator(s) Ladner

S. B. No. 3149: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY TO AUTHORIZE THE EXPENDITURE OF GULF COAST RESTORATION FUNDS FOR PROJECTS IN THE CITY OF DIAMONDHEAD FOR FISCAL YEAR 2025.
By Senator(s) Ladner

S. B. No. 3150: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE PEARLINGTON WATER SEWER DISTRICT FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH CERTAIN PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Ladner

S. B. No. 3151: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF BASSFIELD, MISSISSIPPI, FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH CERTAIN INFRASTRUCTURE PROJECTS, INCLUDING EMERGENCY PREPAREDNESS AND WATER AND SEWER INFRASTRUCTURE FOR THE FISCAL YEAR 2025.
By Senator(s) Berry

S. B. No. 3152: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF PICKENS FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Blackmon

S. B. No. 3153: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF LEXINGTON, MISSISSIPPI, FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH THE ACQUISITION OF AN INDUSTRIAL VACUUM AND JETTER TRUCK TO MAINTAIN THE CITY'S SEWER SYSTEM FOR THE FISCAL YEAR 2025.
By Senator(s) Blackmon

S. B. No. 3154: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF LEXINGTON, MISSISSIPPI, FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Blackmon

S. B. No. 3155: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF POLKVILLE FOR THE PURPOSE OF DEFRAYING EXPENSES ASSOCIATED WITH DESIGNING, RENOVATING AND UPGRADING A MULTIPURPOSE COMMUNITY CENTER AND SAFE ROOM FOR THE FISCAL YEAR 2025.
By Senator(s) Rhodes

S. B. No. 3156: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF FLORENCE FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH DESIGNING, DEVELOPING AND CONSTRUCTING A PARK AND RECREATIONAL FACILITY FOR THE FISCAL YEAR 2025.
By Senator(s) Rhodes

S. B. No. 3157: Finance
AN ACT TO AMEND SECTION 1, CHAPTER 492, LAWS OF 2020, AS AMENDED BY SECTION 4, CHAPTER 480, LAWS OF 2021, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED FOR THE STATE INSTITUTIONS OF HIGHER LEARNING FOR A CAPITAL PROJECT AT THE UNIVERSITY OF SOUTHERN MISSISSIPPI MAY BE USED; TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, AS AMENDED BY SECTION 1, CHAPTER 328, LAWS

OF 2022, AND BY SECTION 32, CHAPTER 549, LAWS OF 2023, FOR THE SAME PURPOSE; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 3158: Local and Private
AN ACT TO AMEND CHAPTER 952, LOCAL AND PRIVATE LAWS OF 2016, AS AMENDED BY CHAPTER 907, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE REPEAL DATE FROM JULY 1, 2024, TO JULY 1, 2028, ON THE LAW THAT AUTHORIZES THE CITY OF WINONA TO IMPOSE A TAX UPON THE GROSS PROCEEDS OF THE SALES OF RESTAURANTS; AND FOR RELATED PURPOSES.
By Senator(s) Chassaniol

S. B. No. 3159: Local and Private; Finance
AN ACT TO AMEND CHAPTER 991, LOCAL AND PRIVATE LAWS OF 1997, AS LAST AMENDED BY CHAPTER 945, LOCAL AND PRIVATE LAWS OF 2021, TO EXTEND THE DATE OF REPEAL TO OCTOBER 1, 2028, ON THE LAW THAT ESTABLISHES THE LAUDERDALE COUNTY TOURISM COMMISSION AND AUTHORIZES THE BOARD OF SUPERVISORS OF LAUDERDALE COUNTY, MISSISSIPPI, TO LEVY A 2.5% TAX ON THE GROSS PROCEEDS FROM ROOM RENTALS OF HOTELS AND MOTELS IN THE COUNTY FOR THE PURPOSE OF PROMOTING TOURISM; TO AUTHORIZE THE BOARD OF SUPERVISORS OF LAUDERDALE COUNTY, MISSISSIPPI, TO LEVY AN ADDITIONAL TAX OF $5.00 ON EACH OVERNIGHT ROOM RENTAL IN HOTELS OR MOTELS IN THE COUNTY FOR THE PURPOSE OF CONSTRUCTING A CENTRAL SPORTSPLEX IN THE COUNTY; TO PROVIDE THAT THE LEVY OF THE ADDITIONAL TAX MAY BE IMPOSED ONLY IF APPROVED AT AN ELECTION BY 60% OF THOSE VOTING; AND FOR RELATED PURPOSES.
By Senator(s) Tate

S. B. No. 3160: Local and Private
AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF WARREN COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO CENTRAL MISSISSIPPI PREVENTION SERVICES, INC., VICKSBURG FAMILY DEVELOPMENT SERVICES, TRIUMPH MINISTRIES, INC., WOMEN'S RESTORATION SHELTER OF MOUNTAIN FAITH MINISTRIES, GOOD SHEPHERD, INC., AND WE CARE COMMUNITY SERVICES, INC.; AND FOR RELATED PURPOSES.
By Senator(s) Hopson

S. B. No. 3161: Finance
AN ACT TO AUTHORIZE AN AD VALOREM TAX CREDIT FOR A PERSON, FIRM, OR CORPORATION OPERATING A REFINERY FOR THE REFINING OF OIL, GAS OR PETROLEUM PRODUCTS AND OWNING OIL, GAS OR PETROLEUM PRODUCTS, WHETHER PRODUCED WITHIN OR WITHOUT THE STATE, WHICH ARE LOCATED AT SUCH A REFINERY PRIOR TO BEING REFINED, ARE IN THE PROCESS OF BEING REFINED AT SUCH REFINERY, OR HAVE BEEN REFINED AT SUCH REFINERY AND ARE STORED AT SUCH REFINERY; TO PROVIDE THAT THE TAX CREDIT SHALL BE FOR THE AMOUNT OF ALL AD VALOREM TAXES PAYABLE THAT ARE ATTRIBUTABLE TO SUCH OIL, GAS, OR PETROLEUM PRODUCTS AND SHALL BE APPLIED AGAINST OTHER AD VALOREM TAXES PAYABLE ON OTHER TAXABLE REFINERY PROPERTY OF THE PERSON, FIRM OR CORPORATION OPERATING THE REFINERY; TO PROVIDE THAT AD VALOREM TAXES THAT ARE APPLIED AND USED AS A TAX CREDIT UNDER SECTION 27-7-22.5 MAY NOT BE APPLIED AND USED AS AN INCOME CREDIT UNDER THIS ACT; TO AMEND SECTION 27-7-22.5, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR ANY MANUFACTURER, DISTRIBUTOR, WHOLESALE OR RETAIL MERCHANT WHO PAYS AD VALOREM TAXES IMPOSED ON COMMODITIES, RAW MATERIALS, WORKS-IN-PROCESS, PRODUCTS, GOODS, WARES AND MERCHANDISE HELD FOR RESALE, TO PROVIDE THAT AD VALOREM TAXES THAT ARE APPLIED AND USED AS A TAX CREDIT UNDER THIS ACT MAY NOT BE APPLIED AND USED AS AN

INCOME CREDIT UNDER SUCH SECTION; TO BRING FORWARD SECTION 27-31-19, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN AD VALOREM TAX EXEMPTION FOR OIL, GAS, AND PETROLEUM PRODUCTS, WHETHER PRODUCED WITHIN OR WITHOUT THE STATE, WHICH ARE OWNED BY A PERSON, FIRM, OR CORPORATION OPERATING A REFINERY FOR THE REFINING OF OIL, GAS OR PETROLEUM PRODUCTS IN THE STATE, WHICH ARE IN TRANSIT TO OR SITUATED AT SUCH A REFINERY FOR REFINING THEREAT, ARE IN THE PROCESS OF BEING REFINED AT SUCH A REFINERY OR HAVE BEEN REFINED AT SUCH REFINERY AND ARE STILL OWNED BY OR IN THE HANDS OF THE REFINER, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.
By Senator(s) Harkins

S. B. No. 3162: Appropriations
AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND TO THE DEPARTMENT OF MENTAL HEALTH FOR THE PURPOSE OF ENTERING INTO A SUBGRANT WITH CANOPY CHILDREN'S SOLUTIONS FOR THE CONSTRUCTION AND RENOVATION OF THE CARES CENTER INCLUDING THE CHILDREN AND YOUTH PSYCHIATRIC RESIDENTIAL TREATMENT FACILITY FOR TRAUMA RECOVERY, FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.
By Senator(s) Hopson, Polk

S. B. No. 3163: Appropriations
AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR ADMINISTRATION AND REPORTING EXPENSES ALLOWABLE UNDER THE AMERICAN RESCUE PLAN ACT FOR THE PERIOD BEGINNING ON PASSAGE AND ENDING ON JUNE 30, 2025.
By Senator(s) Hopson, Polk

S. B. No. 3164: Appropriations
AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION BUREAU OF BUILDING, GROUNDS, AND REAL PROPERTY MANAGEMENT FOR ALLOWABLE CAPITAL PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT FOR THE PERIOD BEGINNING ON PASSAGE AND ENDING ON JUNE 30, 2025.
By Senator(s) Hopson, Polk

S. B. No. 3165: Appropriations
AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND TO THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF PROVIDING FUNDING FOR ALLOWABLE SURFACE TRANSPORTATION PROJECTS INCLUDED IN THE MAINTENANCE PROGRAM OF THE MDOT THREE-YEAR PLAN, FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.
By Senator(s) Hopson, Polk

EIGHTY-FIFTH DAY, TUESDAY, MARCH 26, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Bishop Sharma Lewis, Resident Bishop of The MS Episcopal Area of The United Methodist Church, Jackson, MS.

Senator Horhn led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. C. R. No. 539: Designate March 2024 as "Brain Injury Awarenesss Month in Mississippi." Title Sufficient. Do Be Adopted.

S. C. R. No. 540: Recognize legacy of Rosie S. Simmons as the first African American since Reconstruction to serve as Bolivar County Circuit Clerk. Title Sufficient. Do Be Adopted.

S. R. No. 60: Commend Raymond High School "Rangers" Basketball Team for winning second Class 4A State Championship in last three years. Title Sufficient. Do Be Adopted.

S. R. No. 61: Recognize Lex Lemmers of Columbus as Chair of the Board of Directors of the MMA. Title Sufficient. Do Be Adopted.

S. R. No. 62: Commend "Tomorrow's 25" Coaching Fellowship Program. Title Sufficient. Do Be Adopted.

S. R. No. 63: Commend Jeff Field for 2024 Automobile "Dealer of the Year" award. Title Sufficient. Do Be Adopted.

S. R. No. 64: Commend Ryan Miller for distinguished service as Executive Director of the Office of Workforce Development (AccelerateMS). Title Sufficient. Do Be Adopted.

H. C. R. No. 52: Federal Energy Regulatory Commission; urge to extend authorization for the Gulf LNG Liquefaction Project. Title Sufficient. Do Be Adopted.

H. C. R. No. 54: Circuit Judge Claiborne "Buddy" McDonald IV; commend life and legacy upon his passing. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

REPORT OF COMMITTEE ON RULES

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 91: Anne Hall (Anne Hall) Brashier, Ridgeland, Mississippi, Mississippi Commission on the Status of Women, four year term beginning July 1, 2023 and ending June 30, 2027, representing an At-Large appointment. Do Advise and Consent.

KIRBY, Chairman

Senator Kirby called up the following House Amendment to **S. C. R. No. 507** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

AMEND on lines 3 and 111 by striking "9" and inserting in lieu thereof "21".

AMEND title to conform.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. C. R. No. 507** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 292: DUI suspension; clarify how the 120 days are counted. Title Sufficient. Do Pass As Amended.

H. B. No. 438: Shoplifting; revise penalties for crime of. Title Sufficient. Do Pass As Amended.

H. B. No. 903: Machine gun; provide crime for conversion to. Title Sufficient. Do Pass As Amended.

H. B. No. 1024: DHS; authorize to recover costs of fraud investigations. Title Sufficient. Do Pass.

H. B. No. 1074: Terroristic threats; increase penalties when made against an airport. Title Sufficient. Do Pass As Amended.

H. B. No. 1196: Sextortion; create crime of. Title Sufficient. Do Pass As Amended.

H. B. No. 1253: Post-conviction collateral relief; require certain petitioners to obtain Supreme Court permission before filing in trial court. Title Sufficient. Do Pass As Amended.

H. B. No. 1440: Juvenile offenders; provide alternative sentencing and parole options. Title Sufficient. Do Pass As Amended.

H. B. No. 1441: Felony; increase penalties for commission of with use of semi-automatic firearm. Title Sufficient. Do Pass As Amended.

FILLINGANE, Chairman

Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 10:29 AM, the Senate stood in recess.

The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON FINANCE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2897: Ad valorem tax on home; allow credit or rebate for certain disabled veterans and surviving spouses of military members. Title Sufficient. Do Pass.

S. B. No. 3106: Tax exemptions; revise qualifying standards for business enterprises operating data centers. Title Sufficient. Do Pass.

S. B. No. 3161: Ad valorem tax; authorize a tax credit for certain refineries of oil, gas and petroleum products. Title Sufficient. Do Pass.

S. B. No. 2318: Ad valorem taxes; authorize local governments to grant exemptions for raw materials and work in progress inventory. Title Sufficient. Do Pass.

HARKINS, Chairman

Senator Sparks moved that when the Senate adjourns, it adjourn in memory of Paisley Oaks of Tishomingo County, MS.

Senator Horhn moved that when the Senate adjourns, it adjourn in memory of Ethel Lee Ellis-Lake of Starkville, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Christine France Hackl of Indianapolis, IN.

Senator Barnett moved that when the Senate adjourns, it adjourn in memory of Reginald Lance Martin of Brookhaven, MS.

Senator Berry moved that when the Senate adjourns, it adjourn in memory of Joe Riley of Newhebron, MS.

Senator Harkins moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, March 27, 2024.

The motion prevailed, and at 2:06 PM, the Senate stood in recess.

REPORT OF COMMITTEE ON APPROPRIATIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 1705: Budget process; bring forward certain sections relating to and provide for transfers of funds. Title Sufficient. Do Pass As Amended.

H. B. No. 1704: Appropriations; revise certain FY 2024 appropriations and direct transfers. Title Sufficient. Do Pass.

S. B. No. 3162: Appropriation; additional to DMH-Children & Youth PRTF, ARPA funds. Title Sufficient. Do Pass.

S. B. No. 3163: Appropriation; additional to DFA-Administration, ARPA funds. Title Sufficient. Do Pass.

S. B. No. 3164: Appropriation; additional to DFA-Bureau of Buildings, ARPA funds. Title Sufficient. Do Pass.

S. B. No. 3165: Appropriation; additional to MDOT-Surface Transportation Projects, ARPA funds. Title Sufficient. Do Pass.

HOPSON, Chairman

REPORT OF COMMITTEE ON FINANCE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 3105: Tobacco excise tax; provide rate for heated tobacco products. Title Sufficient. Do Pass.

S. B. No. 3070: Income tax and insurance premium tax; authorize a credit for certain investments in qualified community development entities. Title Sufficient. Do Pass.

S. B. No. 3099: Income tax; authorize a credit for certain employers that sponsor skills training for employees. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2990: Taxation of oilfield services; restructure. Title Sufficient. Committee Substitute. Do Pass.

HARKINS, Chairman

REPORT OF COMMITTEES ON
COUNTY AFFAIRS AND FINANCE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2143: Ad valorem tax; designate the authority of certain counties to levy up to seven mills for garbage collection. Title Sufficient. Do Pass.

SIMMONS (12TH), Chairman
HARKINS, Chairman

REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 1030: DHS; authorize to enter into lease with counties having local offices to maximize federal funds. Title Sufficient. Do Pass.

H. B. No. 1376: Qualified residential treatment programs; authorize certain youth in Child Protection Services to be placed in. Title Sufficient. Do Pass.

BRYAN, Chairman

REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

H. B. No. 728: Prescription drugs; prohibit discriminating actions against 340B drug discount program entities. Title Sufficient. Do Pass.

BRYAN, Chairman

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2453: Inadequacy of service; authorizing the commission to cancel a municipality's certificate to provide service upon findings of.

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Ethel Lee Ellis-Lake, Christine France Hackl, Paisley Oaks, Reginald Lance Martin and Joe Riley.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, MARCH 26, 2024

S. B. No. 3166: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF GOODMAN FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH THE PURCHASE OF A BUILDING TO BE USED AS A MULTIPURPOSE COMPLEX FOR THE FISCAL YEAR 2025.
By Senator(s) Blackmon

S. B. No. 3167: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE JACKSON-MEDGAR WILEY EVERS INTERNATIONAL AIRPORT FOR THE PURPOSE OF PROVIDING MATCHING FUNDS FOR CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Blount, Horhn, Frazier, Norwood, Michel

S. B. No. 3168: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF TAYLORSVILLE FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Rhodes

S. B. No. 3169: Appropriations
AN ACT MAKING AN APPROPRIATION TO RANKIN COUNTY FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH THE FLORENCE-BYRAM PARKWAY IMPROVEMENT PROJECT FOR THE FISCAL YEAR 2025.
By Senator(s) Rhodes

S. B. No. 3170: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF MIZE FOR THE PURPOSE OF DEFRAYING THE COSTS OF CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Rhodes

S. B. No. 3171: Appropriations
AN ACT MAKING AN APPROPRIATION TO SMITH COUNTY FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH REPAIRING ROADWAYS FOR THE FISCAL YEAR 2025.
By Senator(s) Rhodes

S. B. No. 3172: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF SYLVARENA FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Rhodes

S. B. No. 3173: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF RALEIGH FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Rhodes

S. B. No. 3174: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF RICHLAND FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH CONSTRUCTION OF THE U.S. HIGHWAY 49 PEDESTRIAN CROSSOVER FOR THE FISCAL YEAR 2025.
By Senator(s) Rhodes

S. B. No. 3175: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE MORTON FIRE DEPARTMENT FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH UPGRADING EQUIPMENT AND OFFSETTING VEHICLE EXPENSES FOR THE FISCAL YEAR 2025.
By Senator(s) McCaughn

S. B. No. 3176: Appropriations
AN ACT MAKING AN APPROPRIATION TO MERIDIAN MAIN STREET FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH UPGRADING, CONSTRUCTING, AND IMPROVING AN ALLEYWAY IN MERIDIAN, MISSISSIPPI, FOR THE FISCAL YEAR 2025.
By Senator(s) Tate

S. B. No. 3177: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF MERIDIAN FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH IMPROVEMENTS TO WATER AND SEWER INFRASTRUCTURE FOR THE FISCAL YEAR 2025.
By Senator(s) Tate

S. B. No. 3178: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF STONEWALL FOR THE TOWN'S POLICE DEPARTMENT FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH RENOVATING CERTAIN BUILDINGS AND PURCHASING VEHICLES AND EQUIPMENT FOR THE FISCAL YEAR 2025.
By Senator(s) Tate

S. B. No. 3179: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE LAUDERDALE COUNTY SCHOOL DISTRICT FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH TRAFFIC SAFETY IN SCHOOL ZONES FOR THE FISCAL YEAR 2025.
By Senator(s) Tate

S. B. No. 3180: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE PAT HARRISON WATERWAY DISTRICT FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH REPAIRING THE ARCHUSA CREEK LAKE DAM FOR THE FISCAL YEAR 2025.
By Senator(s) Tate

S. B. No. 3181: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF METCALFE FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH PAVING, RESURFACING, AND IMPROVING CERTAIN STREETS FOR THE FISCAL YEAR 2025.
By Senator(s) Simmons (12th)

S. B. No. 3182: Appropriations
AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR THE RURAL PHYSICIANS SCHOLARSHIP PROGRAM FOR FISCAL YEAR 2025.
By Senator(s) McLendon

S. B. No. 3183: Appropriations
AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH THE MISSISSIPPI MAIN STREET REVITALIZATION GRANT PROGRAM FOR THE PERIOD BEGINNING UPON PASSAGE AND ENDING JUNE 30, 2025; AND FOR RELATED PURPOSES.
By Senator(s) Williams, Chassaniol

S. B. No. 3184: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF DECATUR FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH PAVING LITTLE ROCK-DECATUR ROAD FOR THE FISCAL YEAR 2025.
By Senator(s) McCaughn

S. B. No. 3185: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE NEWTON COUNTY SHERIFF'S DEPARTMENT FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH RENOVATIONS AND CONSTRUCTION OF FACILITY IMPROVEMENTS AT THE NEWTON COUNTY DETENTION CENTER AND SHERIFF'S OFFICE FOR THE FISCAL YEAR 2025.
By Senator(s) McCaughn

S. B. No. 3186: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF MORTON FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH PAVING PROJECTS FOR ACCESS TO THE MORTON ATTENDANCE CENTER FOR THE FISCAL YEAR 2025.
By Senator(s) McCaughn

S. B. No. 3187: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF FOREST FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH A SEWER REHABILITATION PROJECT FOR THE FISCAL YEAR 2025.
By Senator(s) McCaughn

S. B. No. 3188: Appropriations

AN ACT MAKING AN APPROPRIATION TO NEWTON COUNTY FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH RURAL FIRE DEPARTMENT EXPENSES FOR THE FISCAL YEAR 2025.
By Senator(s) McCaughn

S. B. No. 3189: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF LAKE FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH THE LAKE FIRE DEPARTMENT EQUIPMENT UPGRADES AND IMPROVEMENTS FOR THE FISCAL YEAR 2025.
By Senator(s) McCaughn

S. B. No. 3190: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO ASSIST THE CITY OF TUPELO, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A NEW FIRE DEPARTMENT AND EMERGENCY COMMAND CENTER, WITH ANY REMAINING FUNDS BEING USED TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH THE PURCHASE OF EQUIPMENT FOR THE EMERGENCY COMMAND CENTER; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO ASSIST IN DEFRAYING THE COSTS OF THE NORTH MISSISSIPPI SYMPHONY ORCHESTRA; AND FOR RELATED PURPOSES.
By Senator(s) Bryan, McMahan

S. B. No. 3191: Appropriations
AN ACT MAKING AN APPROPRIATION TO LEE COUNTY FOR THE PURPOSE OF COSTS ASSOCIATED WITH ACQUIRING A FIRE TRUCK AND FIRE INFRASTRUCTURE EQUIPMENT FOR THE FISCAL YEAR 2025.
By Senator(s) McMahan

S. B. No. 3192: Appropriations
AN ACT MAKING AN APPROPRIATION TO LEE COUNTY FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) McMahan

S. B. No. 3193: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH THE MISSISSIPPI GOLF TRAIL PROJECT FOR THE FISCAL YEAR 2025.
By Senator(s) Robinson

S. B. No. 3194: Finance
AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO ASSIST THE CITY OF BALDWYN, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH UPGRADES AND ENHANCEMENTS TO THE CITY PARK; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO ASSIST THE CITY OF SALTILLO, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE COMPLETION OF THE NEW CITY FIRE DEPARTMENT; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO ASSIST VFW POST 4057 IN TUPELO, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH RENOVATIONS TO THE POST; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO ASSIST THE BOARD OF SUPERVISORS OF LEE COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS TO THE BUILDING HOUSING THE POLLING PRECINCT AT PRATTS COMMUNITY CENTER, WITH ANY REMAINING FUNDS BEING USED TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS TO PRATTS COMMUNITY CENTER'S PROPERTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO ASSIST THE BOARD OF SUPERVISORS OF LEE COUNTY, MISSISSIPPI,

IN PAYING THE COSTS ASSOCIATED WITH ACQUIRING AND INSTALLING AT LEAST TWO ABOVE-GROUND TORNADO SHELTERS AT EACH FIRE DEPARTMENT AND VOLUNTEER FIRE DEPARTMENT IN THE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO ASSIST THE BOARD OF SUPERVISORS OF LEE COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE LEE COUNTY JUVENILE DETENTION CENTER EDUCATION ADDITION; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO ASSIST THE BOARD OF SUPERVISORS OF LEE COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE EXPANSION OF THE COUNTY'S 911 EMERGENCY OPERATIONS CENTER; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO ASSIST THE BOARD OF SUPERVISORS OF LEE COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE ACQUISITION, REPAIR OR MAINTENANCE OF FIRE TRUCKS AND FIRE INFRASTRUCTURE EQUIPMENT; AND FOR RELATED PURPOSES.
By Senator(s) McMahan

S. B. No. 3195: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE BOYS AND GIRLS CLUBS OF CENTRAL MISSISSIPPI FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH REPLACING A ROOF ON A BUILDING FOR THE FISCAL YEAR 2025.
By Senator(s) Norwood, Hickman, Frazier, Blount

S. B. No. 3196: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF PARIS FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH PAVING AND STREET IMPROVEMENTS FOR THE FISCAL YEAR 2025.
By Senator(s) Suber

S. B. No. 3197: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF DERMA FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH PAVING AND STREET IMPROVEMENTS FOR THE FISCAL YEAR 2025.
By Senator(s) Suber

S. B. No. 3198: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF VARDAMAN FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH PAVING ROADS FOR THE FISCAL YEAR 2025.
By Senator(s) Suber

S. B. No. 3199: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF ALGOMA FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH PAVING AND STREET IMPROVEMENTS FOR THE FISCAL YEAR 2025.
By Senator(s) Suber

S. B. No. 3200: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TROY WATER ASSOCIATION FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH UPGRADES AND IMPROVEMENTS TO THE WATER SYSTEM FOR THE FISCAL YEAR 2025.
By Senator(s) Suber

S. B. No. 3201: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF PONTOTOC FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH THE CONSTRUCTION OF THE PONTOTOC FARMERS MARKET BUILDING FOR THE FISCAL YEAR 2025.
By Senator(s) Suber

S. B. No. 3202: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF TAYLOR FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH PAVING AND STREET IMPROVEMENTS FOR THE FISCAL YEAR 2025.
By Senator(s) Suber

S. B. No. 3203: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF OKOLONA FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH PAVING PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Suber

S. B. No. 3204: Appropriations
AN ACT MAKING AN APPROPRIATION TO CALHOUN COUNTY FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH SURFACING AND PAVING TO EXTEND COUNTY ROAD 306 FROM COUNTY ROAD 317 TO UNITED STATES CORP OF ENGINEERS PROPERTY LINE FOR THE FISCAL YEAR 2025.
By Senator(s) Suber

S. B. No. 3205: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TO CHICKASAW COUNTY HISTORICAL AND GENEALOGICAL SOCIETY FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH IMPROVEMENTS TO THE RESEARCH CENTER, MUSEUM, AND GROUNDS FOR THE FISCAL YEAR 2025.
By Senator(s) Suber

S. B. No. 3206: Appropriations
AN ACT MAKING AN APPROPRIATION TO CHICKASAW COUNTY FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Suber

S. B. No. 3207: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF HOUSTON FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH PAVING CITY STREETS FOR THE FISCAL YEAR 2025.
By Senator(s) Suber

S. B. No. 3208: Appropriations
AN ACT MAKING AN APPROPRIATION TO CALHOUN COUNTY FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Suber

S. B. No. 3209: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF BRUCE FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Suber

S. B. No. 3210: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF CALHOUN CITY FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH PAVING ROADS FOR THE FISCAL YEAR 2025.
By Senator(s) Suber

S. B. No. 3211: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF WATER VALLEY FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2025.
By Senator(s) Suber

S. B. No. 3212: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF COFFEEVILLE FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH PAVING AND STREET IMPROVEMENTS FOR THE FISCAL YEAR 2025.
By Senator(s) Suber

S. B. No. 3213: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE CITY OF OAKLAND FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH PAVING AND STREET IMPROVEMENTS FOR THE FISCAL YEAR 2025.
By Senator(s) Suber

S. B. No. 3214: Appropriations
AN ACT MAKING AN APPROPRIATION TO THE TOWN OF PITTSBORO FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH RENOVATION AND EXPANSION OF PITTSBORO CITY HALL FOR THE FISCAL YEAR 2025.
By Senator(s) Suber

S. C. R. No. 541: Rules
A CONCURRENT RESOLUTION ENCOURAGING FURTHER ECONOMIC TIES AND FRIENDSHIP BETWEEN THE STATE OF MISSISSIPPI AND THE REPUBLIC OF CHINA (TAIWAN).
By Senator(s) Chassaniol, McMahan, Frazier, Blackwell, Younger, Fillingane, Horhn, Suber, Butler

S. C. R. No. 542: Rules
A CONCURRENT RESOLUTION EXTENDING THE SINCEREST CONDOLENCES OF THE LEGISLATURE ON THE PASSING OF RESPECTED HISTORIC PRESERVATIONIST ELBERT RILEY HILLIARD, DIRECTOR EMERITUS OF THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY, AND HONORING HIS PUBLIC SERVICE.
By Senator(s) Chassaniol, Blount

EIGHTY-SIXTH DAY, WEDNESDAY, MARCH 27, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Pro Tempore Kirby presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

_____

The invocation was delivered by Pastor Jason Webb, Senior Pastor, Goodwater Baptist Church, Magee, MS.

_____

Senator Rhodes led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

_____

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

_____

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

_____

Senator Hopson called up the following entitled bill:

H. B. No. 1705: Budget process; bring forward certain sections relating to and provide for transfers of funds.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-103-125, Mississippi Code of 1972, is brought forward as follows:

27-103-125. The proposed budget of each state agency shall show the amounts required for operating expenses separately from the amounts required for permanent improvements. The overall budget shall show, separately by each source, the estimated amount of general fund revenue and of special fund revenues of general fund agencies. The total proposed expenditures in Part 1 of the overall budget shall not exceed the amount of estimated revenues that will be available in the general and special funds for appropriation or use during the succeeding fiscal year, including any balances other than unencumbered balances in general funds that will be on hand in the general and special funds at the close of the then current fiscal year. The total proposed expenditures from the State General Fund in Part 1 of the overall budget shall not exceed ninety-eight percent (98%) of the amount of general fund revenue estimate for the succeeding fiscal year. The general fund revenue estimate shall be the estimate jointly adopted by the Governor and the Joint Legislative Budget Committee. The Legislative Budget Office may recommend additional taxes or sources of revenue if in its judgment those additional funds are necessary to adequately support the functions of the state government.

SECTION 2. Section 27-103-139, Mississippi Code of 1972, is brought forward as follows:

27-103-139. On or before November 15 preceding each regular session of the Legislature, except the first regular session of a new term of office, the Governor shall submit to the members of the Legislature, the Legislative Budget Office or the members-elect, as the case may be, and to the executive head of each state agency a balanced budget for the succeeding fiscal year. The budget submitted shall be prepared

in a format that will include performance measurement data associated with the various programs operated by each agency. The total proposed expenditures in the balanced budget shall not exceed the amount of estimated revenues that will be available for appropriation or use during the succeeding fiscal year, including any balances other than unencumbered balances in general funds that will be on hand at the close of the then current fiscal year, as determined by the revenue estimate jointly adopted by the Governor and the Legislative Budget Committee. The total proposed expenditures from the State General Fund in the balanced budget shall not exceed ninety-eight percent (98%) of the amount of general fund revenue estimate for the succeeding fiscal year. The general fund revenue estimate shall be the estimate jointly adopted by the Governor and the Joint Legislative Budget Committee.

The revenues used in preparing the balanced budget shall be only those revenues that will be available under the general laws of the state as they exist when the balanced budget is prepared, and shall not include any proposed revenues that would become available only after the enactment of new legislation. If the Governor has any recommendations for additional proposed expenditures or proposed revenues that are not included in his balanced budget, he shall submit those recommendations in a supplement that is separate from his balanced budget, and whenever the Governor recommends any such additional proposed expenditures, he also shall recommend proposed revenues that are sufficient to fund the additional proposed expenditures, providing specific details regarding the sources and the total amount of those proposed revenues.

The Governor may employ a budget officer for the purpose of receiving information from the State Fiscal Officer and preparing his recommendations on the budget. If the Governor determines that information received from the State Fiscal Officer is not sufficient to enable him to prepare his budget recommendations, he may request an appropriation from the Legislature to provide additional staff within the Governor's office for that purpose. At the first regular session after his election for Governor, the Governor shall submit any budget recommendations plus the required revenue source recommendations no later than January 31 of that year.

SECTION 3. Section 27-103-203, Mississippi Code of 1972, is brought forward as follows:

27-103-203. (1) There is created in the State Treasury a special fund, separate and apart from any other fund, to be designated the Working Cash-Stabilization Reserve Fund.

(2) The Working Cash-Stabilization Reserve Fund shall not be considered as a surplus or available funds when adopting a balanced budget as required by law. The State Treasurer shall invest all sums in the Working Cash-Stabilization Reserve Fund not needed for the purposes provided for in this section in certificates of deposit, repurchase agreements and other securities as authorized in Section 27-105-33(d) or Section 7-9-103, as the State Treasurer may determine to yield the highest market rate available. If the Ayers Settlement Fund is created under Section 37-101-27(5), the first Five Million Dollars ($5,000,000.00) of interest earned on those sums each fiscal year shall be deposited into that fund until a total of Seventy Million Dollars ($70,000,000.00) has been deposited into the fund. The interest, or the remaining interest if the Ayers Settlement Fund is created, that is earned on those sums shall be deposited in the Working Cash-Stabilization Reserve Fund until the balance of principal and interest in the fund reaches ten percent (10%) of the total General Fund appropriations for the current fiscal year, and all interest earned in excess of amounts necessary to maintain the ten percent (10%) fund balance requirement shall be deposited by the State Treasurer into the State General Fund.

(3) The Working Cash-Stabilization Reserve Fund, except for Fifteen Million Dollars ($15,000,000.00) and the amount of the interest and income earned on the

principal of the Ayers Endowment Trust created by Section 37-101-27, shall be used by the State Treasurer for cash flow needs throughout the year when the Executive Director of the Department of Finance and Administration certifies that in his opinion there will be cash flow deficiencies in the State General Fund. No borrowing of monies from other special funds for such purposes as authorized by Section 31-17-101 et seq., shall be made as long as an unencumbered balance in excess of Fifteen Million Dollars ($15,000,000.00) and the interest and income earned on the principal of the Ayers Endowment Trust created by Section 37-101-27 remains in the fund. The State Treasurer shall reimburse the fund for all sums borrowed for those purposes from General Fund revenues collected during the fiscal year in which those funds are used. The State Treasurer shall immediately notify the Legislative Budget Office and the State Department of Finance and Administration of each transfer into and out of the fund. Fifteen Million Dollars ($15,000,000.00) in the Working Cash-Stabilization Reserve Fund shall remain available for exclusive use of the Ayers Endowment Trust created by Section 37-101-27. If the Ayers Settlement Fund is created under Section 37-101-27(5), beginning when a total of Fifty-five Million Dollars ($55,000,000.00) has been deposited into the fund, for each annual deposit of interest to that fund under subsection (2) of this section, the Ayers Endowment Trust created under Section 37-101-27(1) shall be reduced by an equal amount annually until the Ayers Endowment Trust reaches Zero Dollars ($0.00), at which time any requirements concerning the Ayers Endowment Trust in this section shall be null and void.

(4) The Working Cash-Stabilization Reserve Fund, except for Forty Million Dollars ($40,000,000.00), shall also be used for the purpose of covering any projected deficits that may occur in the General Fund at the end of a fiscal year as a result of revenue shortfalls. If the Governor determines that a deficit in revenues from all sources may occur, it shall be the duty of the Executive Director of the Department of Finance and Administration to transfer such funds as necessary to the General Fund to alleviate the deficit in accordance with Sections 27-104-13 and 31-17-123; however, not more than Fifty Million Dollars ($50,000,000.00) may be transferred from the fund for that purpose in any one (1) fiscal year.

(5) The Working Cash-Stabilization Reserve Fund also shall be used to provide funds for the Disaster Assistance Trust Fund when those funds are immediately needed to provide for disaster assistance under Sections 33-15-301 through 33-15-317. Any transfer of funds from the Working Cash-Stabilization Reserve Fund to the Disaster Assistance Trust Fund shall be made in accordance with the provisions of subsection (5) of Section 33-15-307.

(6) The Department of Finance and Administration shall immediately send notice of any transfers made, or other action taken under authority of this section, to the Legislative Budget Office.

(7) Funds deposited in the Working Cash-Stabilization Reserve Fund shall be used only for the purposes specified in this section, and as long as the provisions of this section remain in effect, no other expenditure, appropriation or transfer of funds in the Working Cash-Stabilization Reserve Fund shall be made except by act of the Legislature making specific reference to the Working Cash-Stabilization Reserve Fund as the source of those funds.

(8) Any funds appropriated from the Working Cash-Stabilization Reserve Fund that are unexpended at the end of a fiscal year shall lapse into the Working Cash-Stabilization Reserve Fund.

SECTION 4. Section 27-103-211, Mississippi Code of 1972, is brought forward as follows:

27-103-211. The total sum appropriated by the Legislature from the State General Fund for any fiscal year shall not exceed ninety-eight percent (98%) of the general fund

revenue estimate for that fiscal year developed by the Department of Revenue and the University Research Center and adopted by the Joint Legislative Budget Committee. The unencumbered balances in general funds that will be available and on hand at the close of the fiscal year shall not include projected amounts required to be deposited into the Working Cash-Stabilization Reserve Fund under Section 27-103-203.

SECTION 5. Section 27-103-213, Mississippi Code of 1972, is brought forward as follows:

27-103-213. (1) The unencumbered cash balance in the General Fund in the State Treasury at the close of each fiscal year shall be distributed to the Municipal Revolving Fund, the Working Cash-Stabilization Reserve Fund and the Capital Expense Fund in the manner provided in this section.

(2) (a) At the end of each fiscal year, the Executive Director of the Department of Finance and Administration and the State Treasurer shall determine the extent of the unencumbered cash balance existing in the General Fund in the State Treasury.

(b) As used in this section, the term "unencumbered cash balance" or "unencumbered General Fund cash balance" means the amount in the State General Fund after deducting all appropriations and other expenditures. However, if the Legislature has authorized additional or deficit appropriations or transfers from the State General Fund for that fiscal year, those amounts shall be subtracted from the unencumbered cash balance in the General Fund before determining the amount available for distribution. The unencumbered General Fund cash balance shall not be determined until after August 31 of each year, and it shall not be made until the State Treasurer has received a certificate in writing from the Executive Director of the Department of Finance and Administration, with notification to the Legislative Budget Office, showing the amount of the unencumbered General Fund cash balance.

(3) If any unencumbered General Fund cash balance is available for distribution under this section, the distribution of those funds shall be made by the Executive Director of the Department of Finance and Administration in the following order:

(a) To the Municipal Revolving Fund, an amount equal to Seven Hundred Fifty Thousand Dollars ($750,000.00); however, if the amount of the unencumbered General Fund cash balance is less than Seven Hundred Fifty Thousand Dollars ($750,000.00), then the total amount of the unencumbered General Fund cash balance shall be distributed to the Municipal Revolving Fund.

(b) To the Working Cash-Stabilization Reserve Fund, fifty percent (50%) of the amount of the unencumbered General Fund cash balance after the distributions are made under paragraph (a), not to exceed ten percent (10%) of the General Fund appropriations for the fiscal year that the unencumbered General Fund cash balance represents. For the purposes of this paragraph (b), the appropriations for the fiscal year shall be the total amount contained in the actual appropriation bills passed by the Legislature.

(c) To the Capital Expense Fund, any remaining amount of the unencumbered General Fund cash balance after the distributions are made under paragraphs (a) and (b).

SECTION 6. Section 27-103-303, Mississippi Code of 1972, is brought forward as follows:

27-103-303. (1) There is created in the State Treasury a special fund, separate and apart from any other fund, to be designated the Capital Expense Fund.

(2) The Capital Expense Fund shall not be considered as a surplus or available funds when adopting a balanced budget as required by law. The State Treasurer shall invest all sums in the Capital Expense Fund not needed for the purposes provided for in this section in certificates of deposit, repurchase agreements and other securities as authorized in Section 27-105-33(d) or Section 7-9-103, as the State Treasurer may determine to yield the highest market rate available. Interest earned on this fund shall be deposited by the State Treasurer into the State General Fund.

(3) The Capital Expense Fund shall be used for capital expense needs, repair and renovation of state-owned properties and specific expenditures authorized by the Legislature. The Legislature shall designate those capital expense projects, repair and renovation projects and other authorized projects in an appropriation act passed by the Legislature, which shall direct the Director of the Department of Finance and Administration to administer the projects.

(4) In addition to the purposes specified in subsection (3) of this section, the Capital Expense Fund shall be used to provide funds for emergency repairs on state-owned buildingsupon requisition of the Executive Director of the Department of Finance and Administration. Whenever the executive director determines that funds are immediately needed for emergency repairs on state-owned buildings, he or she shall requisition the funds needed from the Capital Expense Fund, which shall be subject to the limitations set forth in this subsection. At the same time he or she makes the requisition, the executive director shall notify the Lieutenant Governor, the Speaker of the House of Representatives, the respective Chairmen of the Senate Appropriations Committee, the Senate Finance Committee, the House Appropriations Committee and the House Ways and Means Committee and the Legislative Budget Office of his or her determination of the need for the funds, the amount that he or she has requisitioned and where the funds will be used. If the amount requisitioned is available in the Capital Expense Fund, is not allocated for any specific projects as authorized in subsection (3) of this section and is within the limitations set forth below in this subsection, then the executive director may escalate the budget of the Bureau of Building, Grounds and Real Property Management to use the full amount of the requisitioned funds for the emergency repairs and transfer that amount to the bureau for that purpose. If the amount requisitioned is more than the amount available in the Capital Expense Fund or above the limitations set forth below in this subsection, then the executive director may escalate the budget of the bureau to use the amount that is available within the limitations for the emergency repairs and transfer that amount to the bureau for that purpose. The maximum amount that may be transferred from the Capital Expense Fund to the bureau for any single emergency shall be One Million Dollars ($1,000,000.00), and the maximum amount that may be transferred to the bureau for all emergencies during any fiscal year shall be Five Million Dollars ($5,000,000.00).

(5) Funds deposited in the Capital Expense Fund shall be used only for the purposes specified in this section, and as long as the provisions of this section remain in effect, no other expenditure, appropriation or transfer of funds in the Capital Expense Fund shall be made except by act of the Legislature making specific reference to the Capital Expense Fund as the source of those funds.

(6) Unexpended funds in the Capital Expense Fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the fund for use under this section. Any funds appropriated from the Capital Expense Fund that are unexpended at the end of a fiscal year shall lapse into the Capital Expense Fund.

SECTION 7. During fiscal year 2025, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer to the Capital Expense Fund the amounts listed below from each of the following named funds:

FUND	FUND NUMBER	AMOUNT

General Fund	2999000000	$1.00
Treasurer's Office		
Abandoned Property	3317800000	$1.00
TOTAL		$2.00

SECTION 8. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 29, 2024.

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

AN ACT TO BRING FORWARD SECTIONS 27-103-125, 27-103-139, 27-103-203, 27-103-211, 27-103-213 AND 27-103-303, MISSISSIPPI CODE OF 1972, WHICH RELATE TO VARIOUS ASPECTS OF THE BUDGET PROCESS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO DIRECT THE STATE TREASURER AND THE STATE FISCAL OFFICER TO MAKE CERTAIN TRANSFERS TO THE CAPITAL EXPENSE FUND DURING FISCAL YEAR 2025; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1705 was adopted.

YEAS AND NAYS On H. B. No. 1705. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1704: Appropriations; revise certain FY 2024 appropriations and direct transfers.

YEAS AND NAYS On H. B. No. 1704. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

S. B. No. 3162: Appropriation; additional to DMH-Children & Youth PRTF, ARPA funds.

Senator Hopson offered the following AMENDMENT NO. 1.

AMEND by deleting Section 2 in its entirety and inserting the following in lieu thereof:

SECTION 2. As a condition of expending the funds appropriated under Section 1 of this act, the Department of Mental Health shall enter into a memorandum of agreement with Canopy Children's Solutions governing the operation of the CARES Center that requires Canopy Children's Solutions to:

(a) Give first preference to individuals who are under the care of the Department of Mental Health and Child Protection Services;

(b) Designate a minimum of thirty-three (33) of the facilities' beds for patients of the Department of Mental Health and Child Protection Services;

(c) Agree to provide and maintain such beds in a condition satisfactory to the Department of Mental Health by a date to be determined by the Department of Mental Health;

(d) Execute a promissory note and a deed of trust between Canopy Children's Solutions and the Department of Mental Health evidencing a security interest in the CARES Center for a sum equal to the amount of state funds expended to construct or renovate the CARES Center;

(e) Reimburse a sum equal to the amount of state funds expended to construct or renovate the CARES Center to the Department of Mental Health upon the substantial breach of the memorandum of agreement required by this section;

(f) Authorize the Department of Mental Health to assert or maintain a claim in any proceeding to recoup a sum equal to the amount of state funds expended to construct and renovate the CARES Center upon the substantial breach of the memorandum of agreement required by this section; and

(g) Release the Department of Mental Health, the state, and any of its political subdivisions from any obligation to maintain the CARES Center or any designated state beds.

For purposes of this section, a substantial breach of the memorandum of agreement shall include, but not be limited to, the failure to maintain in a satisfactory condition the designated state beds required by this section for a period of three (3) consecutive months, the dissolution of Canopy Children's Solutions, a filing for bankruptcy by Canopy Children's Solutions, or the permanent cessation of operation of the CARE Center.

Amendment No. 1 to S. B. No. 3162 was adopted.

YEAS AND NAYS On S. B. No. 3162. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Blackwell. Total--1.

Absent and those not voting----None.

Voting Present--Turner-Ford. Total--1.

Unanimous consent was granted to add Senators Branning, Butler, Frazier, Jordan, McMahan, Parker, Parks and Wiggins as co-authors of **S. B. No. 3162**.

Senator Hopson called up the following entitled bill:

S. B. No. 3163: Appropriation; additional to DFA-Administration, ARPA funds.

YEAS AND NAYS On S. B. No. 3163. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

S. B. No. 3164: Appropriation; additional to DFA-Bureau of Buildings, ARPA funds.

YEAS AND NAYS On S. B. No. 3164. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Chism. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 3165: Appropriation; additional to MDOT-Surface Transportation Projects, ARPA funds.

YEAS AND NAYS On S. B. No. 3165. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Simmons D. T. (12th) and Thomas as co-authors of **S. B. No. 3165**.

Senator Harkins called up the following entitled bill:

S. B. No. 2897: Ad valorem tax on home; allow credit or rebate for certain disabled veterans and surviving spouses of military members.

YEAS AND NAYS On S. B. No. 2897. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

S. B. No. 3106: Tax exemptions; revise qualifying standards for business enterprises operating data centers.

YEAS AND NAYS On S. B. No. 3106. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Chism, Polk. Total--2.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

S. B. No. 3161: Ad valorem tax; authorize a tax credit for certain refineries of oil, gas and petroleum products.

YEAS AND NAYS On S. B. No. 3161. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

S. B. No. 2318: Ad valorem taxes; authorize local governments to grant exemptions for raw materials and work in progress inventory.

YEAS AND NAYS On S. B. No. 2318. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

S. B. No. 3105: Tobacco excise tax; provide rate for heated tobacco products.

YEAS AND NAYS On S. B. No. 3105. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--Branning, DeBar. Total--2.

Senator Harkins called up the following entitled bill:

S. B. No. 3070: Income tax and insurance premium tax; authorize a credit for certain investments in qualified community development entities.

YEAS AND NAYS On S. B. No. 3070. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

S. B. No. 3099: Income tax; authorize a credit for certain employers that sponsor skills training for employees.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 3099. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

S. B. No. 2990: Taxation of oilfield services; restructure.

On motion of Senator Carter, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2990. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Michel called up the following entitled resolution:

S. R. No. 60: Commend Raymond High School "Rangers" Basketball Team for winning second Class 4A State Championship in last three years.

YEAS AND NAYS On S. R. No. 60. On motion of Senator Michel, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Carter called up the following House Amendment to **S. B. No. 2453** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 77-3-21, Mississippi Code of 1972, is amended as follows:

77-3-21. The commission may, after a hearing had upon due notice, make such findings as may be supported by proof as to whether any utility holding a certificate under the provisions of this article is rendering reasonably adequate service in any area covered by such utility's certificate. In the event the commission finds that such utility is not rendering reasonably adequate service the commission may enter an order specifying in what particulars such utility has failed to render reasonably adequate service and order that such failure be corrected within a reasonable time, such time to be fixed in such order. If the utility so ordered to correct such a failure fails to comply with such order of the commission and the commission finds that cancellation of its certificate would be in the best interest of the consuming public served by the holder of the certificate, its certificate for the area affected may be revoked and cancelled by the commission.

Prior to any municipality exercising the power of eminent domain as provided in Section 77-3-17, the commission shall determine that the certificate of public convenience and necessity granted to the utility pursuant to Section 77-3-13 for the service area wherein such facilities are located, shall be cancelled as provided in this section. Nothing in this paragraph shall be construed to include service for water and sewage.

Notwithstanding Section 77-3-1(1), the commission shall have jurisdiction to investigate whether any municipality that holds a certificate to provide service greater than one (1) mile outside its municipal boundaries is providing reasonably adequate service. Following a hearing and upon making such a finding, the commission shall have full authority to enter any order authorized under this section, including canceling the certificate for the area that extends beyond the municipalities' boundaries.

SECTION 2. Section 77-3-22, Mississippi Code of 1972, is amended as follows:

77-3-22. Notwithstanding Section 77-3-1(1), if the commission determines that any privately owned water and/or sewer system, or any municipally owned or operated electric utility providing service greater than one (1) mile outside its municipal boundaries and within its jurisdiction is unable or unwilling to adequately serve its customers or has been actually or effectively abandoned by its owner, or that its management is grossly inefficient, irresponsible or unresponsive to the needs of its customers, the commission or its designated representative may petition the Chancery Court of the First Judicial District of Hinds County or the chancery court of any county wherein the public utility does business for an order attaching the assets of the privately owned water and/or sewer system or municipally owned or operated electric utility and placing such * * * system under the sole control and responsibility of a receiver. If the court determines that the petition is proper in all respects and finds, after a hearing thereon, the allegations contained in the petition are true, it shall order that the * * * system be placed in receivership. The court, in its discretion and in consideration of the recommendation of the commission or its designated representative, may appoint a receiver who shall be a responsible individual, partnership, corporation or political subdivision knowledgeable in water * * *, sewer or electric service affairs and who shall maintain control and responsibility for the operation and management of the affairs of such * * * system. The receiver shall operate the * * * system so as to preserve the assets of the * * * system and to serve the best interests of its customers. The receiver shall be compensated from the assets of the * * * system in an amount to be determined by the court.

Control of and responsibility for the * * * system shall remain in the receiver until the court determines that it is in the best interests of the customers that the * * * system be returned to the owner, transferred to another owner or assumed by another * * * operator, system or public service corporation. If the court, after hearing, determines that control of and responsibility for the affairs of the * * * system should not be returned to the legal owner thereof, the receiver may proceed to liquidate the assets of such * * * system in the manner provided by law.

In any court-initiated receivership for a municipally owned or operated electric utility providing service greater than one (1) mile outside its municipal boundaries, the receiver shall assume the responsibilities and obligations of the municipality with regard to any existing wholesale power contract.

Mississippi laws and Mississippi Rules of Civil Procedure generally applicable to receivership shall govern receiverships created under this section.

This section is in addition to the provisions of Section 77-3-21.

SECTION 3. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 77-3-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSION TO CANCEL A MUNICIPALITY'S CERTIFICATE TO PROVIDE SERVICE GREATER THAN ONE MILE OUTSIDE ITS CORPORATE BOUNDARIES UPON A FINDING THAT THE MUNICIPALITY DID NOT PROVIDE REASONABLY ADEQUATE SERVICE; TO AMEND SECTION 77-3-22, MISSISSIPPI CODE OF 1972, TO INCLUDE MUNICIPALLY OWNED OR OPERATED ELECTRIC UTILITIES PROVIDING SERVICE GREATER THAN ONE MILE OUTSIDE OF MUNICIPAL BOUNDARIES; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2453** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Horhn. Total--1.

Absent and those not voting----None.

Senator Simmons D. T. (12th) called up the following entitled bill:

S. B. No. 2143: Ad valorem tax; designate the authority of certain counties to levy up to seven mills for garbage collection.

YEAS AND NAYS On S. B. No. 2143. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Chism, Hill. Total--2.

Absent and those not voting----None.

Voting Present--McCaughn. Total--1.

Senator Suber entered a motion to reconsider the vote whereby the Senate concurred in the House Amendment to **S. B. No. 2453**.

S. B. No. 2453: Inadequacy of service; authorizing the commission to cancel a municipality's certificate to provide service upon findings of.

Senator McMahan entered a motion to reconsider the vote whereby **S. B. No. 3163** passed the Senate.

S. B. No. 3163: Appropriation; additional to DFA-Administration, ARPA funds.

Senator Hopson moved that when the Senate adjourns, it adjourn in memory of Margaret Frances Salmon Bucci of Vicksburg, MS.

Senators Branning, Hopson and Blount moved that when the Senate adjourns, it adjourn in memory of Dan Jordan, Jr. of Philadelphia, MS.

Senator Branning moved that when the Senate adjourns, it adjourn in memory of Pat Mullins of Walnut Grove, MS.

Senator Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Vanessa Cassandra Hollins of Indianola, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of June Youngblood of Hickory, MS.

Senator Jackson moved that when the Senate adjourns, it adjourn in memory of Sallie Mae Cooper of Marks, MS.

Senator Johnson moved that when the Senate adjourns, it adjourn in memory of Drew Corey Turner of Oak Grove, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, March 28, 2024.

The motion prevailed, and at 11:31 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON CORRECTIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 755: Parole; extend repealer on statute prescribing conditions for eligibility. Title Sufficient. Do Pass As Amended.

H. B. No. 757: State offenders; extend repealer on authority to house in county jails when space is unavailable. Title Sufficient. Do Pass As Amended.

H. B. No. 758: Pilot Work Initiative at Central MS Correctional Facility; extend repealer on. Title Sufficient. Do Pass As Amended.

H. B. No. 763: Pilot Work Release Program; extend repealer on authority of sheriff to establish for certain offenders in certain counties. Title Sufficient. Do Pass As Amended.

H. B. No. 844: State Parole Board; require to solicit recommendations from and provide notification to certain individuals before parole hearing. Title Sufficient. Do Pass As Amended.

BARNETT, Chairman

REPORT OF COMMITTEE ON WILDLIFE, FISHERIES AND PARKS

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

H. B. No. 1206: Open Season; revise dates for fur-bearing animals and hunting opossums, racoons and bobcats with dogs and guns. Title Sufficient. Do Pass As Amended.

WHALEY, Chairman

REPORT OF COMMITTEE ON EDUCATION

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 44: Glen V. East, Gulfport, Mississippi, State Board of Education as the School Administrator, nine year term beginning July 1, 2023 and ending June 30, 2032. Do Advise and Consent.

S. N. No. 61: Dr. Ormella Cummings, Fulton, Mississippi, Mississippi Authority for Educational Television (Mississippi Public Broadcasting Board), four year term beginning July 1, 2023 and ending June 30, 2027. Do Advise and Consent.

S. N. No. 67: Kelly Dawn Barham, Columbus, Mississippi, Educational Television Authority (MS Public Broadcasting BD) as the Teacher or Principal of a Secondary School representative, remainder of a four year term effective February 19, 2024 and ending June 30, 2025. Do Advise and Consent.

S. N. No. 81: Benjamin Blue (Ben) Morgan, Laurel, Mississippi, Mississippi Charter School Authorizer Board, three year term effective February 16, 2024 and ending August 31, 2026, representing the Second Supreme Court District, vice Don Hinton, Jr.. Do Advise and Consent.

DEBAR, Chairman

REPORT OF COMMITTEE ON MEDICAID

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

H. B. No. 1725: Medicaid; seek federal waiver for plan to allow Medicaid coverage for persons described in the federal Affordable Care Act. Title Sufficient. Do Pass As Amended.

BLACKWELL, Chairman

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1855: AN ACT TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES, LEASES OR OTHER RETAIL TRANSFERS OF FIXED-WING AIRCRAFT TO, OR TO BE USED BY, CERTIFIED COMMON CARRIERS IN THE TRANSPORT OF PERSONS OR PROPERTY IN

INTERSTATE, INTRASTATE OR FOREIGN COMMERCE, AND ENGINES, ACCESSORIES AND SPARE PARTS FOR SUCH FIXED-WING AIRCRAFT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON AGRICULTURE

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

H. B. No. 1304: Grain graders; provide process for certification of. Title Sufficient. Do Pass.

YOUNGER, Chairman

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1949: AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF DEFRAYING ELIGIBLE ADMINISTRATION AND REPORTING EXPENSES RELATED TO THE CORONAVIRUS STATE FISCAL RECOVERY FUND FISCAL YEARS 2024 AND 2025.

H. B. No. 1950: AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION BUREAU OF BUILDING, GROUNDS, AND REAL PROPERTY MANAGEMENT FOR ALLOWABLE CAPITAL PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT FOR THE PERIOD BEGINNING UPON PASSAGE AND ENDING ON JUNE 30, 2024.

H. B. No. 1951: AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.

H. B. No. 1952: AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF PURCHASING ELIGIBLE EQUIPMENT FOR LAW ENFORCEMENT OFFICERS EMPLOYED BY AND THROUGH THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 2840: Building Fund for the Arts; authorize Mississippi Arts Commission to retain monies for administrative costs.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 74: Memorial highways; designate segment in Noxubee County as the "Chief Petty Officer Andrew Triplett Memorial Highway". Title Sufficient. Do Pass.

H. B. No. 75: Memorial highway; designate a segment of U.S. Highway 45 in Macon, MS as the "Sgt. Travis S. Cooper Memorial Highway." Title Sufficient. Do Pass.

H. B. No. 120: Memorial highways; designate segment in Shannon, Lee County as the "Johnny R. Patterson Memorial Highway." Title Sufficient. Do Pass.

H. B. No. 619: Memorial highway; designate a segment of MS Hwy 15 in Jasper County as the "Major Samuel S. (Coach) King Memorial Highway. Title Sufficient. Do Pass.

H. B. No. 823: Memorial bridge; designate north bridge on MS Hwy 309 as the "Hubert Ingram Memorial Bridge." Title Sufficient. Do Pass.

H. B. No. 1216: Memorial highways; designate segment in Marion County as the "Sheriff J.V. Polk Memorial Highway. Title Sufficient. Do Pass.

H. B. No. 1287: Memorial highway; designate segment of MS Highway 30 in Prentiss County as the "Jamie Neal Guin, PCEPA Lineman, Memorial Highway." Title Sufficient. Do Pass.

H. B. No. 1288: Memorial highways; clarify names of certain to reflect official title of U.S. service members for whom they are named. Title Sufficient. Do Pass.

H. B. No. 1463: "Carrol V. Hood Memorial Highway"; specify parameters of location for designation. Title Sufficient. Do Pass.

H. B. No. 1681: Memorial Highways; designate segment MS Hwy 513 in Clarke County as "Lance Corporal Mac Hamburg, MSMC, Memorial Highway." Title Sufficient. Do Pass.

H. B. No. 349: Squatted vehicles; prohibit modifications to motor vehicle which raise front fender a certain height above the rear fender. Title Sufficient. Do Pass.

H. B. No. 697: Mississippi Aviation Safety Act; create. Title Sufficient. Do Pass.

H. B. No. 751: Commercial motor vehicles; extend repealer on authority of Commissioner of Public Safety to create voluntary inspection program. Title Sufficient. Do Pass.

H. B. No. 940: MS Transportation Commission; revise publication and bid requirements for Design-Build projects and allow use of alternate contracting methods. Title Sufficient. Do Pass.

BRANNING, Chairman

REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

H. B. No. 1622: Towing of commercial vehicles; regulate the nonconsensual towing of by towing and recovery services. Title Sufficient. Do Pass As Amended.

BRANNING, Chairman

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1916: AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF PROVIDING GRANTS TO ELEVEN HOSPITALS THAT WERE INELIGIBLE FOR GRANTS FROM THE MISSISSIPPI HOSPITAL SUSTAINABILITY GRANT PROGRAM FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.

H. B. No. 1953: AN ACT TO AUTHORIZE AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY CERTAIN TAXPAYERS TO CERTAIN ELIGIBLE HOSPITALS; TO PROVIDE THE CRITERIA THAT A HOSPITAL MUST MEET IN ORDER FOR A CONTRIBUTION TO THE HOSPITAL TO QUALIFY FOR THE TAX CREDIT AUTHORIZED BY THIS ACT; TO LIMIT THE AMOUNT OF THE CREDIT; TO PROVIDE THAT UNUSED PORTIONS OF A CREDIT MAY BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS FROM THE CLOSE OF THE TAX YEAR IN WHICH THE CREDIT WAS EARNED; TO BRING FORWARD SECTION 27-7-17, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES VARIOUS INCOME TAX DEDUCTIONS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 27-7-22, 27-7-22.3, 27-7-22.5, 27-7-22.7, 27-7-22.13, 27-7-22.15, 27-7-22.16, 27-7-22.17, 27-7-22.18, 27-7-22.19, 27-7-22.20, 27-7-22.21, 27-7-22.22, 27-7-22.23, 27-7-22.25, 27-7-22.27, 27-7-22.28, 27-7-22.29, 27-7-22.30, 27-7-22.31, 27-7-22.32, 27-7-22.33, 27-7-22.34, 27-7-22.35, 27-7-22.36, 27-7-22.37, 27-7-22.39, 27-7-22.40, 27-7-22.42, 27-7-22.43, 27-7-22.44, 27-7-22.45, 27-7-22.46, 27-7-22.47, 27-7-22.48, 27-7-22.49, 27-7-205, 27-7-207, 27-7-209, 57-73-21, 57-73-23, 57-87-5, 57-87-7, 57-105-1, 57-10-409, 57-114-3, 57-114-7, 57-114-9, 57-115-3 AND 57-115-5, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE VARIOUS TAX CREDITS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2248: City of Amory; reenact and extend repealer on hotel/motel and restaurant tourism tax, and authorize election for additional 1%.

S. B. No. 2285: Department of Public Safety; bring forward code sections related to officer salaries.

S. B. No. 2468: Budget; bring forward code sections related to and provide for transfers.

S. B. No. 2487: The Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund; bring forward provision related to.

S. B. No. 2825: Appropriations; revise certain FY2024 appropriations, fund authority and transfers.

S. B. No. 2844: Variable Compensation Plan; make certain amendments.

S. B. No. 2846: Appropriations; make technical revisions to certain transfers and provisions related to local projects.

S. B. No. 2848: ARPA programs; revise and bring forward related provisions and provide for determination of unobligated funds by Nov. 1.

Andrew Ketchings, Clerk of the House of Representatives

_____

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1988: AN ACT TO AMEND SECTION 27-7-22.41, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE BY CERTAIN TAXPAYERS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS, TO INCREASE THE MAXIMUM AGGREGATE AMOUNT OF TAX CREDITS THAT MAY BE ALLOCATED BY THE DEPARTMENT OF REVENUE UNDER THIS SECTION DURING A CALENDAR YEAR; TO AUTHORIZE ADDITIONAL TAX CREDITS FOR CALENDAR YEAR 2024 FOR CONTRIBUTIONS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS; TO PROVIDE THAT A TAXPAYER WHO IS ALLOCATED A TAX CREDIT DURING A CALENDAR YEAR MAY USE THE CREDIT AGAINST INCOME TAXES AND INSURANCE PREMIUM TAXES IMPOSED FOR THE IMMEDIATELY PRECEDING TAXABLE YEAR, PROVIDED THAT THE TAXPAYER HAS NOT ALREADY FILED A RETURN FOR SUCH TAXES; TO PROVIDE THAT TAXPAYERS WHO APPLIED DURING THE MONTH OF JANUARY 2024, FOR TAX CREDITS FOR CALENDAR YEAR 2024, BUT WHO WERE UNABLE TO BE AWARDED CREDITS DUE TO THE LIMIT ON THE AGGREGATE AMOUNT OF CREDITS AUTHORIZED FOR CALENDAR YEAR

2024, SHALL BE GIVEN PRIORITY FOR SUCH ADDITIONAL TAX CREDITS; TO REVISE THE PERCENTAGE OF TAX CREDITS ALLOCATED DURING A CALENDAR YEAR FOR CONTRIBUTIONS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS THAT MAY BE ALLOCATED FOR CONTRIBUTIONS TO A SINGLE ORGANIZATION; TO BRING FORWARD SECTIONS 27-7-22, 27-7-22.3, 27-7-22.5, 27-7-22.7, 27-7-22.13, 27-7-22.15, 27-7-22.16, 27-7-22.17, 27-7-22.18, 27-7-22.19, 27-7-22.20, 27-7-22.21, 27-7-22.22, 27-7-22.23, 27-7-22.25, 27-7-22.27, 27-7-22.28,27-7-22.29, 27-7-22.30, 27-7-22.31, 27-7-22.32, 27-7-22.33, 27-7-22.34, 27-7-22.35, 27-7-22.36, 27-7-22.37, 27-7-22.39, 27-7-22.40, 27-7-22.42, 27-7-22.43, 27-7-22.44, 27-7-22.45, 27-7-22.46, 27-7-22.47, 27-7-22.48, 27-7-22.49, 27-7-205, 27-7-207, 27-7-209, 57-73-21, 57-73-23, 57-87-5, 57-87-7, 57-105-1, 57-10-409, 57-114-3, 57-114-7, 57-114-9, 57-115-3 AND 57-115-5, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE VARIOUS TAX CREDITS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

H. B. No. 1068: County medical examiners; require to enter information electronically. Title Sufficient. Do Pass As Amended.

BRYAN, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Margaret Frances Salmon Bucci, Dan Jordan, Jr., Pat Mullins, Vanessa Cassandra Hollins, June Youngblood, Sallie Mae Cooper and Drew Corey Turner.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR WEDNESDAY, MARCH 27, 2024

EIGHTY-SEVENTH DAY, THURSDAY, MARCH 28, 2024

The Senate met at 10:00 AM pursuant to adjournment, Senator Hopson presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes,

Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Dr. Linder Howze, Senior Pastor, Temple of Praise Ministries, Cleveland, MS.

Senator Simmons S. (13th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 298: Capitol Complex Improvement District; authorize demolition of certain property, authorize grants for development of certain property. Title Sufficient. Do Pass As Amended.

H. B. No. 653: Trip optimizer system; extend expiration date of moratorium on application to state agencies of. Title Sufficient. Do Pass.

H. B. No. 1273: Department of Public Safety; revise various provisions relating to. Title Sufficient. Do Pass As Amended.

H. B. No. 1420: Public procurement laws; exempt certain contracts for museums. Title Sufficient. Do Pass.

H. B. No. 1487: Capitol Complex Improvement District; revise boundaries of. Title Sufficient. Do Pass As Amended.

H. B. No. 1621: Mississippi Flexible Tax Incentive Act; revise certain provisions of. Title Sufficient. Do Pass As Amended.

H. B. No. 1639: Delta Regional Health Authority; create task force on the establishment of. Title Sufficient. Do Pass As Amended.

H. B. No. 1641: Public records; exempt public body's records containing client information concerning economic development projects. Title Sufficient. Do Pass.

H. B. No. 1644: Ambulance services providers; contracts with to provide exclusively in county or city must allow other providers to respond when necessary. Title Sufficient. Do Pass.

H. B. No. 1697: Law enforcement and certain first responders killed in line of duty; authorize payment to family up to 30 days. Title Sufficient. Do Pass As Amended.

PARKER, Chairman

REPORT OF COMMITTEE ON INSURANCE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 819: Insurance; remove filing fee on auto cancellation or nonrenewal appeals and exempt life line applicants from prelicensing requirements. Title Sufficient. Do Pass.

H. B. No. 871: Balance billing; exclude practice of dentistry from prohibition on. Title Sufficient. Do Pass.

H. B. No. 1079: Clean claim; clarify requirements for. Title Sufficient. Do Pass.

H. B. No. 1213: Living Donor Protection Act; create. Title Sufficient. Do Pass.

H. B. No. 1410: Insurance reimbursement rates; revise certain provisions. Title Sufficient. Do Pass.

H. B. No. 1489: Ambulance services; provide for payment for treatment in place and provide for minimum reimbursement rate in health insurance policies. Title Sufficient. Do Pass As Amended.

MICHEL, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 1162: Child sexual abuse; revise statute of limitatitons for claims. Title Sufficient. Do Pass.

H. B. No. 634: Sidearm of retired or deceased law enforcement officer; provide that the employing agency shall determine the amount. Title Sufficient. Do Pass As Amended.

H. B. No. 1004: Sex offender registry; revise definitions for provisions of law that regulate. Title Sufficient. Do Pass.

FILLINGANE, Chairman

Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 10:40 AM, the Senate stood in recess.

_____

The Senate resumed business at 10:50 AM, pursuant to recess, with President Pro Tempore Kirby presiding.

_____

Senator Hopson called up the motion to reconsider the vote whereby **S. B. No. 3163** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 3163: Appropriation; additional to DFA-Administration, ARPA funds.

The foregoing motion prevailed.

_____

Senator Parks called up the following House Amendment to **S. B. No. 2248** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. As used in this act, the following terms shall have the following meanings unless a different meaning is clearly indicated by the context in which they are used:

(a) "Governing authorities" means the governing authorities of the City of Amory, Mississippi.

(b) "Hotel" or "motel" means any establishment engaged in the business of furnishing or providing rooms intended or designed for dwelling, lodging or sleeping purposes to transient guests, where the establishment consists of six (6) or more guest rooms. The term "hotel" or "motel" does not include any hospital, convalescent or nursing home, sanitarium or any hotel-like facility operated by or in connection with a hospital or medical clinic providing rooms exclusively for patients and their families.

(c) "Restaurant" means all places where prepared food and beverages are sold for consumption on the premises. The term "restaurant" does not include any school, hospital, convalescent or nursing home or any restaurant-like facility operated by or in connection with a school, hospital, medical clinic, convalescent or nursing home providing food for students, patients, visitors or their families.

SECTION 2. (1) For the purpose of providing funds to promote tourism and parks and recreation, the governing authorities are authorized, in their discretion, to levy and collect from the following persons a tax, which shall be in addition to all of the taxes and assessments imposed. The tax shall be imposed on the following persons:

(a) A tax upon every person, firm or corporation operating a motel or hotel in the City of Amory, at a rate not to exceed three percent (3%) of the gross proceeds of room rentals for each such hotel or motel.

(b) A tax upon every person, firm or corporation operating a restaurant in the City of Amory, at a rate not to exceed three percent (3%) of the gross proceeds of the sales of the restaurant.

(2) Persons, firms or corporations liable for the levy imposed under subsection (1) of this section shall add the amount of the levy to the sales price of the rooms and products set out in subsection (1) of this section and shall collect, insofar as is practicable, the

amount of the tax due by them from the person receiving the services or product at the time of payment therefor.

(3) The tax shall be collected by and paid to the Department of Revenue on a form prescribed by the Department of Revenue in the manner that state sales taxes are computed, collected and paid; and full enforcement provisions and all other provisions of Chapter 65, Title 27, Mississippi Code of 1972, shall apply as necessary to the implementation and administration of this act.

(4) The proceeds of the tax, less three percent (3%) thereof which shall be retained by the Department of Revenue to defray the cost of collection, shall be paid to the governing authorities on or before the fifteenth day of the month following the month in which collected.

(5) The proceeds of the tax shall not be considered by the City of Amory as general fund revenues but shall be dedicated to and expended solely for the purposes specified in this section.

SECTION 3. Before any tax authorized under this act may be imposed, the governing authorities shall adopt a resolution declaring their intention to levy the tax, setting forth the amount of the tax to be imposed, the date upon which the tax shall become effective, and calling for an election to be held on the question. The date of the election shall be fixed in the resolution. Notice of such intention shall be published once each week for at least three (3) consecutive weeks in a newspaper published or having a general circulation in the City of Amory, with the first publication of the notice to be made not less than twenty-one (21) days before the date fixed in the resolution for the election and the last publication to be made not more than seven (7) days before the election. At the election, all qualified electors of the City of Amory may vote, and the ballots used in the election shall have printed thereon a brief statement of the amount and purposes of the proposed tax levy and the words "FOR THE TAX" and, on a separate line, "AGAINST THE TAX," and the voters shall vote by placing a cross (X) or check (ü) opposite their choice on the proposition. When the results of the election have been canvassed and certified, the city may levy the tax if sixty percent (60%) of the qualified electors who vote in the election vote in favor of the tax. At least thirty (30) days before the effective date of the tax provided in this section, the governing authorities shall furnish to the Department of Revenue a certified copy of the resolution evidencing the tax.

SECTION 4. Before the expenditure of the proceeds of the tax authorized by this act, a budget reflecting the anticipated receipts and expenditures shall be approved by the governing authorities of the city. The first budget of receipts and expenditures shall cover the period beginning with the effective date of the tax and ending with the end of the city's fiscal year, and thereafter, the budget shall be on the same fiscal basis as the budget of the city.

SECTION 5. Accounting for receipts and expenditures of the funds herein described shall be made separately from the accounting of receipts and expenditures of the general fund and any other funds of the City of Amory. The records reflecting the receipts and expenditures of the funds prescribed in this act shall be audited annually by an independent certified public accountant, and the accountant shall make a written report of his or her audit to the governing authorities. The audit shall be made and completed as soon as practicable after the close of the fiscal year, and expenses of the audit shall be paid from the funds derived in accordance with this act.

SECTION 6. This act shall replace Chapter 905, Local and Private Laws of 2014, as last amended by Chapter 945, Local and Private Laws of 2019, which repealed on July 1, 2023.

SECTION 7. This act shall be repealed from and after July 1, 2028.

SECTION 8. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF AMORY, MISSISSIPPI, TO LEVY A 3% TAX UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS AND TO UTILIZE THE REVENUE FROM THE TAX TO PROMOTE TOURISM AND PARKS AND RECREATION; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2248** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Chism. Total--1.

Absent and those not voting----None.

On motion of Senator Parks, and with unanimous consent of the Senate, the Secretary was directed to release immediately S. B. No. 2248.

Senator Hopson called up the following House Amendment to **S. B. No. 2285** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-1-12, Mississippi Code of 1972, is brought forward as follows:

45-1-12. (1) The salaries of all officers of the Mississippi Highway Safety Patrol who have completed the course of instruction in an authorized highway patrol training school on general law enforcement, and are serving as a sworn officer of the Highway Patrol in the enforcement of the laws of the State of Mississippi, including service in any other division of the Department of Public Safety, and the sworn law enforcement officers of the Mississippi Bureau of Narcotics, shall be determined and paid in accordance with the scale for officers salaries as provided in this subsection:

Department of Public Safety Sworn Officers Salary Schedule

Rank	Years of Experience		
	Less than 4	Over	4
	Over 8	Over 12	

Trooper	46,950				
Trooper FC			49,700		
Corporal	52,450				
Sergeant			55,200		

Rank	Years of Experience			
	Over 16		Over	20
	Over 24		Over 29	
Staff Sgt.	57,950			
Sr. Staff Sgt.			60,700	
Sgt. 1st Class	63,700			
		66,800		

Rank	Years of Experience			
	Over 5	Over 10	Over	15
	Over 20	Over 25	Over 29	
Master Sgt.				
	60,700	63,450	66,200	
	68,950	71,700	74,450	
Lieutenant				
	69,750	72,500	75,250	
	78,000	80,750	83,750	
Captain				
		82,000	85,000	
	88,000	91,000	94,000	
Major				
			94,000	
	97,000	100,000	103,000	
Lt. Colonel				
			103,000	
	106,000	109,000	112,000	
Colonel				
	119,500	119,500	119,500	119,500

Department of Public Safety/MS Bureau of Narcotics

Sworn Officers Salary Schedule

Rank	Years of Experience			
	Less than 4 Over 8	Over 4 Over 12		
LE-Agent I	46,950			
LE-Agent II		49,700		
LE-Agent III	52,450			
LE-Agent IV		55,200		

Rank	Years of Experience			
	Over 16 Over 24	Over 20 Over 29		
LE-Agent V	57,950			
LE-Agent VI		60,700		

Rank	Years of Experience			
	Over 7 Over 12	Over 17 Over 22	Over 27	Over 32
Lieutenant				
	69,750 78,000	72,500 80,750	75,250 83,750	
Captain				
	82,000 91,000	85,000 94,000	88,000	
Major				
	94,000	97,000	100,000	103,000
Lt. Colonel				
	109,000	103,000 112,000	106,000	
Colonel				
	119,500	119,500	119,500 119,500	

(2) All sworn officers in the Mississippi Highway Patrol and the Mississippi Bureau of Narcotics employed on a full-time basis shall be paid a salary in accordance with the

above scale. Notwithstanding any other provision of law to the contrary, any rank of any sworn officer not based upon a merit-based promotion or years of experience shall be at the will and pleasure of the appointing authority as approved by the State Personnel Board. The rank and years of experience of each sworn officer to be used in establishing the salary shall be determined by the rank and years of experience on July 1 of the current fiscal year.

(3) For purposes of applying the rank designation to the above scale, the following job classifications of the State Personnel Board shall be applicable for the Mississippi Highway Patrol:

Rank	Job Classes
(a) Trooper	DPS-Highway Patrol Officer I
	LE-Investigator II
(b) Trooper First Class	DPS-Highway Patrol Officer II
	LE-Investigator III
(c) Corporal	DPS-Highway Patrol Officer III
	LE-Investigator IV
(d) Sergeant	DPS-Highway Patrol Officer IV
	LE-Investigator V
(e) Staff Sergeant	DPS-Highway Patrol Officer V
(f) Senior Staff Sergeant	DPS-Highway Patrol Officer VI
	Tech Spec
(g) Master Sgt/Sgt. F/C	DPS-Assistant Inspector
	DPS-Highway Patrol Officer VII
	DPS-Investigator I
	DPS-Supv. Driver Serv.
(h) Lieutenant	DPS-Air Operations Officer
	DPS-Dir. Corr. Intelligence
	DPS-Dist. Executive Officer
	DPS-Regional Supv. Driver. Serv.
	DPS-Branch Director
	LE-Dir/Training
	LE-Dist. Investigator
(i) Captain	DPS-Staff Officer (MHP)

(j) Major	DPS-Bureau Director II
(k) Lt. Colonel	DPS-Deputy Administrator;
	DPS-Chief of Staff
(l) Colonel/Chief of Patrol	Dir-Office of MS Hwy Safety Patrol

(4) For purposes of applying the rank designation to the above scale, the following job classifications of the State Personnel Board shall be applicable for the Mississippi Bureau of Narcotics:

Rank	Job Classes
(a) Agents	LE-Agent I
	LE-Agent II
	LE-Agent III
	LE-Agent IV
	LE-Agent V
	LE-Agent VI
(b) Lieutenant	BN-District Investigator (LT)
(c) Captain	BN-District Commander
(d) Major	BN-Bureau Director II
	Office Director I
(e) Lt. Colonel	BN-Deputy Administrator
(f) Colonel	Director, Bureau of Narcotics

(5) In any fiscal year after July 1, 2015, in the event the Legislature provides across-the-board salary increases to state employees whose compensation is paid from the State General Fund and subject to specific appropriation therefor by the Legislature, the State Personnel Board shall revise the salary scale above to provide the same percentage or dollar amount increase as has been appropriated for other state employees.

(6) It shall be the duty of the Mississippi Department of Public Safety to file with the Legislative Budget Office and the State Fiscal Officer such data and information as may be required to enable the said Legislative Budget Office and State Fiscal Officer to budget and distribute the funds necessary to compensate the sworn officers of the Department of Public Safety according to the requirements of the salary scale. Such data and information so filed may be revised from time to time as necessitated to reflect the current number and experience of sworn officers employed by the department.

(7) The Commissioner of Public Safety, with approval by the State Personnel Board, is authorized to set the salaries equitably of sworn law enforcement officers assigned to the Commercial Transportation Enforcement Division and Capitol Police based upon the pay scale contained in this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO BRING FORWARD SECTION 45-1-12, MISSISSIPPI CODE OF 1972, WHICH IS THE SALARY SCALE FOR OFFICERS OF THE MISSISSIPPI HIGHWAY SAFETY PATROL AND THE MISSISSIPPI BUREAU OF NARCOTICS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senator Hopson called up the following House Amendment to **S. B. No. 2468** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-103-125, Mississippi Code of 1972, is brought forward as follows:

27-103-125. The proposed budget of each state agency shall show the amounts required for operating expenses separately from the amounts required for permanent improvements. The overall budget shall show, separately by each source, the estimated amount of general fund revenue and of special fund revenues of general fund agencies. The total proposed expenditures in Part 1 of the overall budget shall not exceed the amount of estimated revenues that will be available in the general and special funds for appropriation or use during the succeeding fiscal year, including any balances other than unencumbered balances in general funds that will be on hand in the general and special funds at the close of the then current fiscal year. The total proposed expenditures from the State General Fund in Part 1 of the overall budget shall not exceed ninety-eight percent (98%) of the amount of general fund revenue estimate for the succeeding fiscal year. The general fund revenue estimate shall be the estimate jointly adopted by the Governor and the Joint Legislative Budget Committee. The Legislative Budget Office may recommend additional taxes or sources of revenue if in its judgment those additional funds are necessary to adequately support the functions of the state government.

SECTION 2. Section 27-103-139, Mississippi Code of 1972, is brought forward as follows:

27-103-139. On or before November 15 preceding each regular session of the Legislature, except the first regular session of a new term of office, the Governor shall submit to the members of the Legislature, the Legislative Budget Office or the members-elect, as the case may be, and to the executive head of each state agency a balanced budget for the succeeding fiscal year. The budget submitted shall be prepared in a format that will include performance measurement data associated with the various programs operated by each agency. The total proposed expenditures in the balanced budget shall not exceed the amount of estimated revenues that will be available for appropriation or use during the succeeding fiscal year, including any balances other than unencumbered balances in general funds that will be on hand at the close of the then current fiscal year, as determined by the revenue estimate jointly adopted by the Governor and the Legislative Budget Committee. The total proposed expenditures from the State General Fund in the balanced budget shall not exceed ninety-eight percent (98%) of the amount of general fund revenue estimate for the succeeding fiscal year. The general fund

revenue estimate shall be the estimate jointly adopted by the Governor and the Joint Legislative Budget Committee.

The revenues used in preparing the balanced budget shall be only those revenues that will be available under the general laws of the state as they exist when the balanced budget is prepared, and shall not include any proposed revenues that would become available only after the enactment of new legislation. If the Governor has any recommendations for additional proposed expenditures or proposed revenues that are not included in his balanced budget, he shall submit those recommendations in a supplement that is separate from his balanced budget, and whenever the Governor recommends any such additional proposed expenditures, he also shall recommend proposed revenues that are sufficient to fund the additional proposed expenditures, providing specific details regarding the sources and the total amount of those proposed revenues.

The Governor may employ a budget officer for the purpose of receiving information from the State Fiscal Officer and preparing his recommendations on the budget. If the Governor determines that information received from the State Fiscal Officer is not sufficient to enable him to prepare his budget recommendations, he may request an appropriation from the Legislature to provide additional staff within the Governor's office for that purpose. At the first regular session after his election for Governor, the Governor shall submit any budget recommendations plus the required revenue source recommendations no later than January 31 of that year.

SECTION 3. Section 27-103-203, Mississippi Code of 1972, is brought forward as follows:

27-103-203. (1) There is created in the State Treasury a special fund, separate and apart from any other fund, to be designated the Working Cash-Stabilization Reserve Fund.

(2) The Working Cash-Stabilization Reserve Fund shall not be considered as a surplus or available funds when adopting a balanced budget as required by law. The State Treasurer shall invest all sums in the Working Cash-Stabilization Reserve Fund not needed for the purposes provided for in this section in certificates of deposit, repurchase agreements and other securities as authorized in Section 27-105-33(d) or Section 7-9-103, as the State Treasurer may determine to yield the highest market rate available. If the Ayers Settlement Fund is created under Section 37-101-27(5), the first Five Million Dollars ($5,000,000.00) of interest earned on those sums each fiscal year shall be deposited into that fund until a total of Seventy Million Dollars ($70,000,000.00) has been deposited into the fund. The interest, or the remaining interest if the Ayers Settlement Fund is created, that is earned on those sums shall be deposited in the Working Cash-Stabilization Reserve Fund until the balance of principal and interest in the fund reaches ten percent (10%) of the total General Fund appropriations for the current fiscal year, and all interest earned in excess of amounts necessary to maintain the ten percent (10%) fund balance requirement shall be deposited by the State Treasurer into the State General Fund.

(3) The Working Cash-Stabilization Reserve Fund, except for Fifteen Million Dollars ($15,000,000.00) and the amount of the interest and income earned on the principal of the Ayers Endowment Trust created by Section 37-101-27, shall be used by the State Treasurer for cash flow needs throughout the year when the Executive Director of the Department of Finance and Administration certifies that in his opinion there will be cash flow deficiencies in the State General Fund. No borrowing of monies from other special funds for such purposes as authorized by Section 31-17-101 et seq., shall be made as long as an unencumbered balance in excess of Fifteen Million Dollars ($15,000,000.00) and the interest and income earned on the principal of the Ayers Endowment Trust created by Section 37-101-27 remains in the fund. The State Treasurer shall reimburse the fund for all sums borrowed for those purposes from General Fund

revenues collected during the fiscal year in which those funds are used. The State Treasurer shall immediately notify the Legislative Budget Office and the State Department of Finance and Administration of each transfer into and out of the fund. Fifteen Million Dollars ($15,000,000.00) in the Working Cash-Stabilization Reserve Fund shall remain available for exclusive use of the Ayers Endowment Trust created by Section 37-101-27. If the Ayers Settlement Fund is created under Section 37-101-27(5), beginning when a total of Fifty-five Million Dollars ($55,000,000.00) has been deposited into the fund, for each annual deposit of interest to that fund under subsection (2) of this section, the Ayers Endowment Trust created under Section 37-101-27(1) shall be reduced by an equal amount annually until the Ayers Endowment Trust reaches Zero Dollars ($0.00), at which time any requirements concerning the Ayers Endowment Trust in this section shall be null and void.

(4) The Working Cash-Stabilization Reserve Fund, except for Forty Million Dollars ($40,000,000.00), shall also be used for the purpose of covering any projected deficits that may occur in the General Fund at the end of a fiscal year as a result of revenue shortfalls. If the Governor determines that a deficit in revenues from all sources may occur, it shall be the duty of the Executive Director of the Department of Finance and Administration to transfer such funds as necessary to the General Fund to alleviate the deficit in accordance with Sections 27-104-13 and 31-17-123; however, not more than Fifty Million Dollars ($50,000,000.00) may be transferred from the fund for that purpose in any one (1) fiscal year.

(5) The Working Cash-Stabilization Reserve Fund also shall be used to provide funds for the Disaster Assistance Trust Fund when those funds are immediately needed to provide for disaster assistance under Sections 33-15-301 through 33-15-317. Any transfer of funds from the Working Cash-Stabilization Reserve Fund to the Disaster Assistance Trust Fund shall be made in accordance with the provisions of subsection (5) of Section 33-15-307.

(6) The Department of Finance and Administration shall immediately send notice of any transfers made, or other action taken under authority of this section, to the Legislative Budget Office.

(7) Funds deposited in the Working Cash-Stabilization Reserve Fund shall be used only for the purposes specified in this section, and as long as the provisions of this section remain in effect, no other expenditure, appropriation or transfer of funds in the Working Cash-Stabilization Reserve Fund shall be made except by act of the Legislature making specific reference to the Working Cash-Stabilization Reserve Fund as the source of those funds.

(8) Any funds appropriated from the Working Cash-Stabilization Reserve Fund that are unexpended at the end of a fiscal year shall lapse into the Working Cash-Stabilization Reserve Fund.

SECTION 4. Section 27-103-211, Mississippi Code of 1972, is brought forward as follows:

27-103-211. The total sum appropriated by the Legislature from the State General Fund for any fiscal year shall not exceed ninety-eight percent (98%) of the general fund revenue estimate for that fiscal year developed by the Department of Revenue and the University Research Center and adopted by the Joint Legislative Budget Committee. The unencumbered balances in general funds that will be available and on hand at the close of the fiscal year shall not include projected amounts required to be deposited into the Working Cash-Stabilization Reserve Fund under Section 27-103-203.

SECTION 5. Section 27-103-213, Mississippi Code of 1972, is brought forward as follows:

27-103-213. (1) The unencumbered cash balance in the General Fund in the State Treasury at the close of each fiscal year shall be distributed to the Municipal Revolving Fund, the Working Cash-Stabilization Reserve Fund and the Capital Expense Fund in the manner provided in this section.

(2) (a) At the end of each fiscal year, the Executive Director of the Department of Finance and Administration and the State Treasurer shall determine the extent of the unencumbered cash balance existing in the General Fund in the State Treasury.

(b) As used in this section, the term "unencumbered cash balance" or "unencumbered General Fund cash balance" means the amount in the State General Fund after deducting all appropriations and other expenditures. However, if the Legislature has authorized additional or deficit appropriations or transfers from the State General Fund for that fiscal year, those amounts shall be subtracted from the unencumbered cash balance in the General Fund before determining the amount available for distribution. The unencumbered General Fund cash balance shall not be determined until after August 31 of each year, and it shall not be made until the State Treasurer has received a certificate in writing from the Executive Director of the Department of Finance and Administration, with notification to the Legislative Budget Office, showing the amount of the unencumbered General Fund cash balance.

(3) If any unencumbered General Fund cash balance is available for distribution under this section, the distribution of those funds shall be made by the Executive Director of the Department of Finance and Administration in the following order:

(a) To the Municipal Revolving Fund, an amount equal to Seven Hundred Fifty Thousand Dollars ($750,000.00); however, if the amount of the unencumbered General Fund cash balance is less than Seven Hundred Fifty Thousand Dollars ($750,000.00), then the total amount of the unencumbered General Fund cash balance shall be distributed to the Municipal Revolving Fund.

(b) To the Working Cash-Stabilization Reserve Fund, fifty percent (50%) of the amount of the unencumbered General Fund cash balance after the distributions are made under paragraph (a), not to exceed ten percent (10%) of the General Fund appropriations for the fiscal year that the unencumbered General Fund cash balance represents. For the purposes of this paragraph (b), the appropriations for the fiscal year shall be the total amount contained in the actual appropriation bills passed by the Legislature.

(c) To the Capital Expense Fund, any remaining amount of the unencumbered General Fund cash balance after the distributions are made under paragraphs (a) and (b).

SECTION 6. Section 27-103-303, Mississippi Code of 1972, is brought forward as follows:

27-103-303. (1) There is created in the State Treasury a special fund, separate and apart from any other fund, to be designated the Capital Expense Fund.

(2) The Capital Expense Fund shall not be considered as a surplus or available funds when adopting a balanced budget as required by law. The State Treasurer shall invest all sums in the Capital Expense Fund not needed for the purposes provided for in this section in certificates of deposit, repurchase agreements and other securities as authorized in Section 27-105-33(d) or Section 7-9-103, as the State Treasurer may determine to yield the highest market rate available. Interest earned on this fund shall be deposited by the State Treasurer into the State General Fund.

(3) The Capital Expense Fund shall be used for capital expense needs, repair and renovation of state-owned properties and specific expenditures authorized by the

Legislature. The Legislature shall designate those capital expense projects, repair and renovation projects and other authorized projects in an appropriation act passed by the Legislature, which shall direct the Director of the Department of Finance and Administration to administer the projects.

(4) In addition to the purposes specified in subsection (3) of this section, the Capital Expense Fund shall be used to provide funds for emergency repairs on state-owned buildingsupon requisition of the Executive Director of the Department of Finance and Administration. Whenever the executive director determines that funds are immediately needed for emergency repairs on state-owned buildings, he or she shall requisition the funds needed from the Capital Expense Fund, which shall be subject to the limitations set forth in this subsection. At the same time he or she makes the requisition, the executive director shall notify the Lieutenant Governor, the Speaker of the House of Representatives, the respective Chairmen of the Senate Appropriations Committee, the Senate Finance Committee, the House Appropriations Committee and the House Ways and Means Committee and the Legislative Budget Office of his or her determination of the need for the funds, the amount that he or she has requisitioned and where the funds will be used. If the amount requisitioned is available in the Capital Expense Fund, is not allocated for any specific projects as authorized in subsection (3) of this section and is within the limitations set forth below in this subsection, then the executive director may escalate the budget of the Bureau of Building, Grounds and Real Property Management to use the full amount of the requisitioned funds for the emergency repairs and transfer that amount to the bureau for that purpose. If the amount requisitioned is more than the amount available in the Capital Expense Fund or above the limitations set forth below in this subsection, then the executive director may escalate the budget of the bureau to use the amount that is available within the limitations for the emergency repairs and transfer that amount to the bureau for that purpose. The maximum amount that may be transferred from the Capital Expense Fund to the bureau for any single emergency shall be One Million Dollars ($1,000,000.00), and the maximum amount that may be transferred to the bureau for all emergencies during any fiscal year shall be Five Million Dollars ($5,000,000.00).

(5) Funds deposited in the Capital Expense Fund shall be used only for the purposes specified in this section, and as long as the provisions of this section remain in effect, no other expenditure, appropriation or transfer of funds in the Capital Expense Fund shall be made except by act of the Legislature making specific reference to the Capital Expense Fund as the source of those funds.

(6) Unexpended funds in the Capital Expense Fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the fund for use under this section. Any funds appropriated from the Capital Expense Fund that are unexpended at the end of a fiscal year shall lapse into the Capital Expense Fund.

SECTION 7. During fiscal year 2025, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer to the Capital Expense Fund the amounts listed below from each of the following named funds:

FUND	FUND NUMBER	AMOUNT
General Fund	2999000000	$1.00
Treasurer's Office		
Abandoned Property	3317800000	$1.00
TOTAL		$2.00

SECTION 8. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO BRING FORWARD SECTIONS 27-103-125, 27-103-139, 27-103-203, 27-103-211, 27-103-213 AND 27-103-303, MISSISSIPPI CODE OF 1972, WHICH RELATE TO VARIOUS ASPECTS OF THE BUDGET PROCESS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO DIRECT THE STATE TREASURER AND THE STATE FISCAL OFFICER TO MAKE CERTAIN TRANSFERS TO THE CAPITAL EXPENSE FUND DURING FISCAL YEAR 2025; AND FOR RELATED PURPOSES.

_____

Senator Hopson called up the following House Amendment to **S. B. No. 2487** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 88 by changing the figures "30" to "29"

_____

Senator Hopson called up the following House Amendment to **S. B. No. 2848** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-104-321, Mississippi Code of 1972, is brought forward as follows:

27-104-321. (1) All funds received by or on behalf of the State of Mississippi through the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) shall be deposited into the Coronavirus State Fiscal Recovery Fund created in subsection (2) of this section.

(2) There is created in the State Treasury a special fund to be designated as the "Coronavirus State Fiscal Recovery Fund." The special fund shall consist of funds required to be deposited into the special fund by subsection (1) of this section, funds appropriated or otherwise made available by the Legislature in any manner, and funds from any other source designated for deposit

into the special fund. Monies in the fund shall only be spent upon appropriation by the Legislature and shall only be used as provided in the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) or as authorized by federal rule or regulation or guidelines.

(3) Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the Coronavirus State Fiscal Recovery Fund. Any investment earnings or interest earned on amounts in the special fund shall be deposited to the credit of the special fund.

SECTION 2. Section 27-104-323, Mississippi Code of 1972, is amended as follows:

27-104-323. (1) All funds received by or on behalf of the State of Mississippi through the Coronavirus Local Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) for distribution to nonentitlement units of local government shall be deposited into the Coronavirus Local Fiscal Recovery Fund created in subsection (2) of this section.

(2) There is created in the State Treasury a special fund to be designated as the "Coronavirus Local Fiscal Recovery Fund" to be administered by the Department of Finance and Administration. The special fund shall consist of funds required to be deposited into the special fund by subsection (1) of this section, funds appropriated or otherwise made available by the Legislature in any manner, and funds from any other source designated for deposit into the special fund. The Department of Finance and Administration shall distribute the funds to the nonentitlement units of local government in accordance with the Coronavirus Local Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) and any applicable federal guidelines. Such funds shall only be used as provided in the Coronavirus Local Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) or as authorized by federal rule or regulation or guidelines.

(3) Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the Coronavirus Local Fiscal Recovery Fund. The State Fiscal Officer shall transfer to the Coronavirus State Fiscal Recovery Fund the full amount of any investment earnings or interest earned on amounts in the Coronavirus Local Fiscal Recovery Fund that are remaining in the Coronavirus Local Fiscal Recovery Fund on July 1, 2024. Any investment earnings or interest earned on amounts in the * * * Coronavirus Local Fiscal Recovery Fund after July 1, 2024, shall be deposited to the credit of the * * * Coronavirus State Fiscal Recovery Fund created in Section 27-104-321.

(4) The State Fiscal Officer is authorized, in his or her discretion, to transfer to the federal government any funds in the Coronavirus Local Fiscal Recovery Fund that have not been used for the purpose for which they were received.

(5) This section shall stand repealed on July 1, 2026.

SECTION 3. Section 27-104-325, Mississippi Code of 1972, is brought forward as follows:

27-104-325. There is created in the State Treasury a special fund to be designated as the "Coronavirus State Fiscal Recovery Lost Revenue Fund," which shall consist of funds calculated based on a reduction in the state's general revenue due to the coronavirus public health emergency, made available through the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021, and transferred into the fund by act of the Legislature. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Finance and Administration, upon appropriation by the Legislature, for the purpose of providing government services.

SECTION 4. Section 37-153-57, Mississippi Code of 1972, is brought forward as follows:

37-153-57. (1) There is established the Accelerate Mississippi Workforce Development Program, which shall be directed by the office for the purpose of providing education and training to citizens seeking employment in high-wage, high-demand industries in the state, including, but not limited to, the nursing and healthcare fields, which were impacted by the disruption to the economy and workforce caused by COVID-19. This program shall be subject to the availability of funds appropriated by the Legislature using Coronavirus State Fiscal Recovery Funds made available under ARPA or any other funds appropriated by the Legislature.

(2) As used in this section, the following words have the meanings ascribed unless the context requires otherwise:

(a) "Recipient" means a community college, institution of higher learning, or trainee recipient of grant funding under this section.

(b) "Trainee" means an individual receiving training or other services through programs under this article with the goal of becoming employed in a high-wage, high-demand industry.

(c) "High-wage, high-demand industry" means those industries paying above Mississippi's median annual income and prioritized by the office and the four (4) local workforce areas.

(d) "Eligible expenses" means a cost incurred by a recipient, pursuant to this article, to include:

(i) Necessary equipment or other supplies;

(ii) Curricula or other academic or training materials;

(iii) Remote learning or other classroom technology;

(iv) Stipends for teaching staff or faculty for workforce development programs;

(v) Trainee support, including tuition expenses and childcare or transportation assistance;

(vi) Coaching or mentoring services;

(vii) Job placement services;

(viii) Apprenticeship programs; and

(ix) Recruitment programs.

(3) The Department of Employment Security shall serve as fiscal agent in administering the funds.

(4) Subject to appropriation by the Legislature, allocations to recipients shall be awarded by the office through an application process, which shall require the applicant to provide:

(a) A detailed explanation of the program the applicant intends to use awarded funds to create or expand, including:

(i) A description of the high-wage, high-demand field or workforce shortage area the program is intended to address;

(ii) The number of trainees who will be served by the program; and

(iii) The average wage rate for trainees receiving employment after completing the program;

(b) A proposed budget on how awarded funds will be expended, including a plan to consistently report expenditures to the office throughout the funding commitment;

(c) A plan to provide data on participation and outcomes of the program, including a plan to report outcomes to the office throughout the funding commitment; and

(d) Other relevant information as determined appropriate by the office.

(5) Applicants agreeing to commit a portion of their federal COVID-19 relief funds, if they received federal COVID-19 relief funds directly, or other state, federal or private funds as supplemental matching funds to offset the total cost of the approved program will be prioritized for approval.

(6) The office shall:

(a) Inform each recipient of its portion of the funds appropriated to the grant program;

(b) Develop regulations and procedures to govern the administration of the grant program;

(c) Prioritize high-wage, high-skill industries, including, but not limited to, nursing jobs or other jobs within the healthcare field; and

(d) Coordinate with the Department of Employment Security to share information to identify individuals who were furloughed, unemployed, underemployed or otherwise displaced due to COVID-19.

(7) The office may use a maximum of two percent (2%) of funds allocated for this article for the administration of the grant program, to the extent permissible under federal law.

SECTION 5. Section 37-153-205, Mississippi Code of 1972, is brought forward as follows:

37-153-205. (1) There is established the Accelerate Mississippi Nursing/Allied Health Grant Program, which shall be directed by the office for the purpose of increasing capacity in nursing and allied health training programs, including accredited paramedic programs, job sectors which were severely impacted by the disruption to the economy and workforce caused by COVID-19.

(2) For purposes of this section, the following words shall have the meanings ascribed herein unless the context requires otherwise:

(a) "Grant program" means the program established in this section, which provides funding, as determined by the office, from federal COVID-19 relief funds to sustain and increase capacity in nursing and allied health education and training programs, including accredited paramedic programs, or to help retain and graduate nursing and allied health students, at community and junior colleges or other entities facilitating healthcare-focused training programs as determined by the office.

(b) "Recipient" means a community or junior college or other entities facilitating healthcare-focused training programs as determined by the office.

(c) "Trainee" means an individual receiving training or other services through the grant program under this article with the goal of becoming employed in the nursing or allied health field, including as a licensed paramedic.

(d) "COVID-19" means the Coronavirus Disease 2019.

(e) "Federal COVID-19 relief funds" means funds allocated to the State of Mississippi from the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2).

(f) "High-wage, high-demand industry" means those nursing or allied health jobs, including paramedics, paying above Mississippi's median annual income and prioritized by the office.

(g) "Eligible expenses" means a cost incurred by a recipient under this article, to include:

(i) Necessary equipment or other supplies to sustain or increase capacity in nursing or allied health training programs, including accredited paramedic programs;

(ii) Necessary infrastructure, including building renovation or construction, for increasing capacity in nursing or allied health training programs, including accredited paramedic programs;

(iii) Curricula or other academic or training materials to sustain or increase capacity in nursing or allied health training programs, including accredited paramedic programs;

(iv) Remote learning or other classroom technology to sustain or increase capacity in nursing or allied health training programs, including accredited paramedic programs;

(v) Job placement services for nursing or allied health students and graduates, including those in accredited paramedic programs;

(vi) Recruitment programs for nursing or allied health students and graduates, including those in accredited paramedic programs;

(vii) Other services aimed at helping retain and graduate current nursing and allied health students, including those in accredited paramedic programs.

(3) The Department of Employment Security shall serve as fiscal agent in administering the funds.

(4) Subject to appropriation by the Legislature, allocations to recipients shall be awarded by the office through an application process, which shall require the applicant to provide:

(a) A detailed explanation of the program the applicant intends to use awarded funds to create or expand, to include:

(i) A description of the nursing or allied health workforce shortage the program is intended to address, including specific information from hospitals, clinics, long-term care facilities or other health care providers in the region;

(ii) Any relevant waitlist or other information demonstrating high demand for graduates from the relevant nursing or allied health program;

(iii) The number of nursing or allied health students who will be served by the program; and

(iv) The average wage rate for nursing or allied health students receiving employment after completing the program;

(b) A proposed budget on how awarded funds will be expended, including a plan to consistently report expenditures to the office throughout the funding commitment;

(c) A plan to provide data on participation and outcomes of the program, including a plan to report outcomes to the office throughout the funding commitment; and

(d) Other relevant information as determined appropriate by the office.

(5) Applicants agreeing to commit a portion of their federal COVID-19 relief funds, if they received federal COVID-19 relief funds directly, or other state, federal or private funds as supplemental matching funds to offset the total cost of the approved program will be prioritized for approval.

(6) The office shall:

(a) Inform each recipient of its portion of the funds appropriated to the grant program;

(b) Develop regulations and procedures to govern the administration of the grant program;

(c) Prioritize jobs within the nursing or allied health fields which are currently experiencing staffing shortages in hospitals, clinics, long-term care facilities and other health care providers across the state; and

(d) Prioritize jobs which are high-wage, high-demand jobs within the nursing and allied health fields, including the paramedic field.

(7) Seventy-five percent (75%) of the funds provided through the appropriations process for this program shall be reserved for community and junior colleges. A maximum of twenty-five percent (25%) of the funds provided through the appropriations process for this program may be awarded to recipients other than a community or junior college which facilitate healthcare-focused training programs as determined by the office.

SECTION 6. Section 37-153-207, Mississippi Code of 1972, is brought forward as follows:

37-153-207. (1) There is established the Accelerate Mississippi Physician Residency and Fellowship Start-Up Grant Program, which shall be directed by the office for the purpose of creating new or increasing capacity in existing physician residency and fellowship programs in hospitals, which were severely impacted by the disruption to the economy and workforce caused by COVID-19.

(2) For purposes of this section, the following words shall have the meanings ascribed herein unless the context requires otherwise:

(a) "Grant program" means the program established in this section, which provides funding, as determined by the office, from federal COVID-19 relief funds to create new or increase capacity in existing physician residency and fellowship programs at general acute care hospitals in the State of Mississippi which are licensed by the Mississippi State Department of Health.

(b) "Recipient" means a general acute care hospital in the State of Mississippi which is licensed by the Mississippi State Department of Health.

(c) "Residency and fellowship programs" means advanced training programs in medical or surgical specialty areas which are accredited by the Accreditation Council for Graduate Medical Education or a similar accreditation body.

(d) "COVID-19" means the Coronavirus Disease 2019.

(e) "Federal COVID-19 relief funds" means funds allocated to the State of Mississippi from the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2).

(f) "Eligible expenses" means a cost incurred by a recipient, pursuant to this article, to include:

(i) Equipment or other supplies necessary for accreditation;

(ii) Necessary infrastructure, including building, renovation or construction, for accreditation;

(iii) Curricula or other academic or training materials necessary for accreditation;

(iv) Stipends for the recruitment, hiring and development of program directors, program coordinators, faculty and/or teaching staff and clinic staff necessary for accreditation; and

(v) Remote learning or other classroom technology.

(3) The Department of Employment Security shall serve as fiscal agent in administering the funds.

(4) Subject to appropriation by the Legislature, allocations to recipients shall be awarded by the office through an application process, which shall require the applicant to provide:

(a) Evidence that the applicant is in the process of preparing for accreditation, has applied for accreditation or has received accreditation for a new residency or fellowship program, or increased capacity in an existing residency or fellowship program;

(b) A detailed explanation of the residency or fellowship program the applicant intends to use awarded funds to create or expand, to include:

(i) A description of the workforce shortage the residency or fellowship program is intended to address, including specific information from health care providers in the region;

(ii) Any relevant waitlist or other information demonstrating high demand for medical school graduates to enter the residency or fellowship program;

(iii) The number of residents who will be served by the residency or fellowship program;

(iv) The budget for the residency or fellowship program, including a plan showing sustainability after accreditation and any required federal approval of the program; and

(v) The average wage rate for residents or fellows receiving employment after completing the program;

(c) A proposed budget on how awarded funds will be expended, including a plan to consistently report expenditures to the office throughout the funding commitment;

(d) A plan to provide data on participation and outcomes of the residency or fellowship program, including a plan to report outcomes to the office throughout the funding commitment; and

(e) Other relevant information as determined appropriate by the office.

(5) Applicants agreeing to commit a portion of their federal COVID-19 relief funds, if they received federal COVID-19 relief funds directly, or other state, federal or private funds as supplemental matching funds to offset the total cost of the approved program shall be prioritized for approval.

(6) The office shall:

(a) Inform each recipient of its portion of the funds appropriated to the grant program;

(b) Develop regulations and procedures to govern the administration of the grant program;

(c) Prioritize residency or fellowship programs within medical or surgical specialties which are currently experiencing staffing shortages in hospitals, clinics, long-term care facilities and other health care providers across the state;

(d) Prioritize residency or fellowship programs which produce graduates in high-demand medical and surgical fields;

(e) Establish a schedule of application deadlines and a system for considering applications on a rotating basis; and

(f) Ensure that every effort be made, in accordance with the priorities in this subsection, to provide funds for the placement of one (1) resident with each recipient before considering awarding funds for the placement of additional residents in the same round of consideration.

SECTION 7. Section 37-153-209, Mississippi Code of 1972, is brought forward as follows:

37-153-209. (1) There is established the Mississippi Allied Health College and Career Navigator Grant Program, which shall be directed by the office for the purpose of hiring professionals, or navigators, to provide individual assistance and guidance to students to assist them in many areas, from maneuvering challenges while enrolled in college programs and understanding the job market to working through course challenges, and to help retain and graduate nursing and allied health students, at community and junior colleges. Such navigators must be at least a registered nurse with at least two (2) years of experience in nursing. The grant program shall be funded from monies appropriated by the Legislature for that purpose.

(2) The office shall prescribe the terms and conditions of the grant program. To be eligible to receive a grant from the office under the grant program, a community college shall provide the following information:

(a) The number of nursing or allied health students who will be served by the program;

(b) A plan to provide data on participation and outcomes of the program, including a plan to report outcomes to the office throughout the funding commitment; and

(c) Any other information that the office determines is necessary.

SECTION 8. Section 37-106-64, Mississippi Code of 1972, is brought forward as follows:

37-106-64. (1) There is established the "Skilled Nursing Home and Hospital Nurses Retention Loan Repayment Program" for new nursing graduates to be administered by the Mississippi Postsecondary Education Financial Assistance Board.

(2) Subject to the availability of funds, an eligible applicant for an initial award must have:

(a) Legal residency in the State of Mississippi;

(b) Gained employment within the last year for the first time as a full-time licensed practical nurse or licensed registered nurse at a skilled nursing home in the State of Mississippi or a general acute care hospital in the State of Mississippi that is licensed by the Mississippi State Department of Health;

(c) A current relevant Mississippi professional license; and

(d) Outstanding qualifying educational loans, received at any point during the recipients postsecondary education career, which may include the principal, interest and related expenses such as the required interest premium on the unpaid balances of government and commercial loans obtained by the recipient for educational expense.

(3) Persons who have received funds from state-forgivable loan programs established under Mississippi law, or who are in default or delinquent on any federal, state, local or commercial qualifying educational loan, shall not be eligible for this program.

(4) Recipients in the program shall be selected on a first-come, first-served basis from all eligible applicants. The Mississippi Postsecondary Education Financial Assistance Board shall renew eligible applicants approved in prior years only if the renewal applicant continues to meet the standards set forth in this act, and the renewal applicant has not received full funding provided by this subsection (4).

(5) Awards for recipients who are employed at a skilled nursing home or a licensed general acute care hospital in the state may be a maximum of Six Thousand Dollars ($6,000.00) for each year of employment up to three (3) years.

(6) A recipient shall not be penalized for ending employment at a skilled nursing home or a licensed general acute care hospital in the State of Mississippi if the recipient begins working for another skilled nursing home or licensed general acute care hospital in the State of Mississippi during the year on which the award is based.

(7) Awards shall be granted on a year-to-year basis, and recipients have no obligation to seek a subsequent award.

(8) Awards shall be paid annually, after the expiration of the year of employment for which the award was granted, to the recipient's lender or loan service provider, to be applied to the outstanding balance. Monies paid by the recipient or on the recipient's behalf toward qualifying educational loans before payment of the award shall not be eligible for reimbursement through the program.

(9) During the employment year for which the award is granted, a recipient shall at all times keep the State Financial Aid Board informed of any changes to the recipient's current, correct and complete employment information and status.

(10) Recipients who fail to maintain a relevant Mississippi professional license or fail to fulfill the year of employment on which the award was based forfeit any right to the award.

(11) The Mississippi Postsecondary Education Financial Assistance Board, in collaboration with the State Board of Nursing and any other applicable state agency as determined by the Mississippi Postsecondary Education Financial Assistance Board, shall attempt to track award recipients under this program through their third employment year, unless the recipient leaves employment at a skilled nursing home or a licensed general acute care hospital in the state at an earlier date. Data collected shall include each recipients' place of employment and any other pertinent information necessary to determine the efficacy of the program in retaining nurses in skilled nursing homes or licensed general acute care hospitals in the State of Mississippi.

(12) The Mississippi Postsecondary Education Financial Assistance Board shall promulgate regulations necessary for the proper administration of this section, including setting a fiscal year policy for the program and application dates and deadlines.

(13) This section shall stand repealed on July 1, 2027.

SECTION 9. Section 41-3-16.1, Mississippi Code of 1972, is amended as follows:

41-3-16.1. (1) (a) The State Department of Health (department) shall establish a grant program to be known as the ARPA Rural Water Associations Infrastructure Grant Program (program) to assist rural water associations and entities in the construction of eligible drinking water infrastructure projects as provided in the Final Rule for the Coronavirus State and Local Fiscal Recovery Funds as established by the federal American Rescue Plan Act (ARPA).

(b) Rural water associations and any entity that received funding under the ARPA Rural Water Associations Infrastructure Grant Program or the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program before April 14, 2023, shall be ineligible for additional grants under this section.

(2) The program shall be funded from appropriations by the Legislature to the department from the Coronavirus State Fiscal Recovery Fund, and the department shall expend all such funds for the purposes provided in subsection (1) of this section.

(3) The department shall obligate the funds by the deadline set by the rules and guidelines of the United States Department of the Treasury and will adhere to the Treasury's rules and guidelines for reporting and monitoring projects funded through ARPA.

(4) (a) The department shall develop a system for use in ranking the grant applications received. The ranking system shall include the following factors, at a minimum: (a) the environmental impact of the proposed project; (b) the proposed project's ability to address noncompliance with state/federal requirements; (c) the extent to which the project promotes economic development; (d) the number of people served by the project (both new and existing users); (e) impacts of the proposed project on disadvantaged/ overburdened communities; (f) the grant applicant's prior efforts to secure funding to address the proposed project's objectives; (g) the grant applicant's proposed contribution of other funds or in-kind cost-sharing to the proposed project; (h) the grant applicant's long-term plans for the financial and physical operation and maintenance of the project; and (i) the grant applicant's capacity to initiate construction in a timely manner

and complete the proposed project by the deadline specified by rules and guidelines of the United States Department of the Treasury for ARPA funds.

(b) For the second round of grant awards, subject to the provisions of paragraph (d) of this subsection, the department shall * * * add ten (10) points to any grant * * * application that promotes the consolidation of separate systems. In order to receive the additional * * * ten (10) points, the systems that will consolidate shall be in a proximity of each other as determined by the department.

(c) * * * For the second round of grant awards, subject to the provisions of paragraph (d) of this subsection, the department shall add ten (10) points * * * to any application with at least one (1) system that has consolidated after January 1, 2018, and before application to this program and is otherwise eligible under this section, regardless of whether the application would result in additional consolidation in the future.

(d) If an application has received an additional ten (10) points under paragraph (b), it shall not receive any additional points under paragraph (c); and if an application has received an additional ten (10) points under paragraph (c), it shall not receive any additional points under paragraph (b). No application will receive more than a total of ten (10) additional points under this subsection for any past or future consolidation of systems.

(5) An application for a grant under this section shall be submitted at such time, be in such form, and contain such information as the department prescribes.

(6) (a) Upon the approval of an application for a grant under this section, the department shall enter into a project grant agreement with each grantee to establish the terms of the grant for the project, including the amount of the grant.

(b) (i) For the first award of grants, the maximum amount of funds that may be provided to any rural water association or entity from all grants under the program is Two Million Five Hundred Thousand Dollars ($2,500,000.00).

(ii) For the second round of grant awards, the maximum amount of funds that may be provided to any eligible association or entity from all grants under the program is Two Million Dollars ($2,000,000.00).

(c) Associations or entities that received funding under the first round of grant awards for this program or received funding in the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022 are ineligible to receive funding under the second round.

(7) The department shall have all powers necessary to implement and administer the program. Of the funds appropriated to the department for the program, not more than five percent (5%) may be used by the department to cover the department's costs of administering the program.

(8) In carrying out its responsibilities under the program, for any contract under the purview of the Public Procurement Review Board (PPRB), the department shall be exempt from any requirement that the PPRB approve any personal or professional services contracts or pre-approve any solicitation of such contracts. This subsection shall stand repealed on July 1, 2026.

(9) The department shall submit an annual report regarding the program no later than December 31 of each year to the Lieutenant Governor, the Speaker of the House, and the Chairmen of the Senate and House Appropriations Committees.

(10) For the purposes of this section, "entity" means:

(a) Any entity operating as a rural water association, regardless of whether such entities were user created, were initially organized not for profit, or have been granted tax-exempt status under state or federal law.

(b) Any nonprofit water or sewer provider not owned by the municipality or county and are not a Rural Water Association.

(c) Any entity eligible under this program shall be currently operating as a not-for-profit entity.

(d) "Entity" under this subsection does not include any state agency. No state agency shall be eligible under this program.

SECTION 10. Section 41-9-371, Mississippi Code of 1972, is brought forward as follows:

41-9-371. (1) There is established the Mississippi Hospital Sustainability Grant Program which shall be administered by the State Department of Health.

(2) In order to strengthen, improve and preserve access to Mississippi hospital care services for all Mississippians and in recognition of the challenges incurred by Mississippi hospitals as a result of the COVID-19 pandemic, funds from the program shall be distributed, upon appropriation by the Legislature, to each hospital licensed by the State of Mississippi, except for hospitals operated by the United States Department of Veterans Affairs and hospitals operated by the State Department of Mental Health. Licensed specialty hospitals that are recognized as such by the State Department of Health, except for those excluded under this subsection, are eligible for grants under the program.

(3) The department shall distribute grants to each eligible hospital based upon the following formula:

(a) Each hospital that has fewer than one hundred (100) licensed beds and that is not classified as a critical access hospital that operates an emergency department shall be eligible to receive Six Hundred Twenty-five Thousand Dollars ($625,000.00) to defray the costs of providing emergency department services.

(b) Each rural hospital that has fewer than one hundred (100) licensed beds and that is classified as a critical access hospital that operates an emergency department shall be eligible to receive Five Hundred Thousand Dollars ($500,000.00) to defray the costs of providing emergency department services.

(c) Each hospital that operates an emergency department and that has more than one hundred (100) licensed beds shall be eligible to receive One Million Dollars ($1,000,000.00).

(d) Each hospital with fewer than two hundred (200) licensed beds with the majority of such beds being dedicated to providing specialty services such as women's health services, long-term acute care, rehabilitation or psychiatric services shall be eligible to receive Five Hundred Thousand Dollars ($500,000.00).

(e) Each rural hospital with fewer than one hundred (100) licensed beds with no emergency department shall be eligible to receive Three Hundred Thousand Dollars ($300,000.00) to defray the costs of providing access to hospital care in rural communities.

(f) In addition to the funds provided in paragraphs (a) through (e) of this subsection, each small rural hospital with fifty (50) beds or less which operated an emergency department shall be eligible to receive Two Hundred Fifty Thousand Dollars

($250,000.00) to defray the costs of providing access to hospital care in rural communities.

(g) In addition to the funds distributed in paragraphs (a) through (c) and (e) through (f) of this subsection, any remaining funds appropriated for the purposes of this grant program shall be distributed to hospitals receiving funds in paragraphs (a) through (c) and (e) through (f) of this subsection on a pro rata amount by dividing the total amount of the remaining funds by the number of licensed beds attributable to all licensed Mississippi hospitals except for licensed beds attributable to hospitals described in paragraph (d) of this subsection and for licensed beds attributable to hospitals operated by the United States Department of Veterans Affairs and hospitals operated by the State Department of Mental Health and determining a dollar amount for each bed, and then multiplying that dollar amount by the number of licensed beds of that hospital.

(4) The department shall adopt such reasonable rules as necessary for the administration of the program, but shall not place additional qualification requirements on hospitals other than the minimum requirements in this section.

(5) The Mississippi Hospital Association shall form a work group to review the delivery of hospital services in Mississippi and shall make recommendations regarding the changes needed to sustain access to hospital care to the Lieutenant Governor, Speaker of the House, Chairmen of the House and Senate Public Health Committees with copies to the Governor and the State Health Officer.

SECTION 11. Section 49-2-131, Mississippi Code of 1972, is brought forward as follows:

49-2-131. (1) This section shall be known and may be cited as the "Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022."

(2) There is hereby established within the Mississippi Department of Environmental Quality the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program under which municipalities, counties and certain public utilities not regulated by the Public Service Commission may apply until February 1, 2023, for reimbursable grants to make necessary investments in water, wastewater, and stormwater infrastructure to be funded by the Legislature utilizing Coronavirus State Fiscal Recovery Funds made available under the federal American Rescue Plan Act of 2021 (ARPA). Such grants shall be made available to municipalities and counties to be matched with the Coronavirus Local Fiscal Recovery Funds awarded or to be awarded to them under ARPA on a one-to-one matching basis. Coronavirus Local Fiscal Recovery Funds that a county transfers to a municipality or that a county or municipality transfers to a public utility not regulated by the Public Service Commission are eligible on a one-to-one matching basis. Municipalities that received less than One Million Dollars ($1,000,000.00) in the total allocation of Coronavirus Local Fiscal Recovery Funds are eligible for a two-to-one match only on the Coronavirus Local Fiscal Recovery Funds awarded or to be awarded to them under ARPA. The Mississippi Department of Environmental Quality shall only accept two (2) rounds of submissions under the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program. The second round of submissions shall be the final round. The dollar amount for professional fees that can be allocated as a part of a county's, municipality's or public utility's matching share is not to exceed four percent (4%) of the total project cost.

(3) For purposes of this section, unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

(a) "MCWI Grant Program" means the Mississippi Municipality and County Water Infrastructure Grant Program.

(b) "ARPA" means the federal American Rescue Plan Act of 2021, Public Law 117-2, which amends Title VI of the Social Security Act.

(c) "State Recovery Funds" means Coronavirus State Fiscal Recovery Funds awarded through Section 602 of Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

(d) "Local Recovery Funds" means Coronavirus Local Fiscal Recovery Funds awarded through Section 603 of Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

(e) "Department" means the Department of Environmental Quality.

(f) "Professional fees" means fees for the services of attorneys and engineering, surveying, and environmental studies.

(g) "Project" means the infrastructure improvements defined in an application that (i) complies with all requirements of ARPA, and (ii) is eligible for a grant award under this section.

(4) (a) On or before July 1, 2022, the Department of Environmental Quality shall promulgate rules and regulations necessary to administer the MCWI Grant Program prescribed under this section, including application procedures and deadlines. The department is exempt from compliance with the Mississippi Administrative Procedures Law in fulfilling the requirements of this section.

(b) The Department of Health shall advise the Mississippi Department of Environmental Quality regarding all such rules and regulations as related to the federal Safe Drinking Water Act.

(5) Funding under the MCWI Grant Program shall be allocated to projects certified by the Mississippi Department of Environmental Quality as eligible for federal funding, including, but not be limited to, the following:

(a) Construction of publicly owned treatment works;

(b) Projects pursuant to the implementation of a nonpoint source pollution management program established under the Clean Water Act (CWA);

(c) Decentralized wastewater treatment systems that treat municipal wastewater or domestic sewage;

(d) Management and treatment of stormwater or subsurface drainage water;

(e) Water conservation, efficiency, or reuse measures;

(f) Development and implementation of a conservation and management plan under the CWA;

(g) Watershed projects meeting the criteria set forth in the CWA;

(h) Energy consumption reduction for publicly owned treatment works;

(i) Reuse or recycling of wastewater, stormwater, or subsurface drainage water;

(j) Facilities to improve drinking water quality;

(k) Transmission and distribution, including improvements of water pressure or prevention of contamination in infrastructure and lead service line replacements;

(l) New sources to replace contaminated drinking water or increase drought resilience, including aquifer storage and recovery system for water storage;

(m) Storage of drinking water, such as to prevent contaminants or equalize water demands;

(n) Purchase of water systems and interconnection of systems;

(o) New community water systems;

(p) Culvert repair, resizing, and removal, replacement of storm sewers, and additional types of stormwater infrastructure;

(q) Dam and reservoir rehabilitation, if the primary purpose of dam or reservoir is for drinking water supply and project is necessary for the provision of drinking water;

(r) Broad set of lead remediation projects eligible under EPA grant programs authorized by the Water Infrastructure Improvements for the Nation (WIIN) Act; and

(s) Any eligible drinking water, wastewater or stormwater project through ARPA guidelines, guidance, rules, regulations and other criteria, as may be amended from time to time, by the United States Department of the Treasury.

(6) The governing authority of a municipality, county or public utility that is not regulated by the Public Service Commission may submit an application for grant funds under this section if the applicant is an operator-member of Mississippi 811, Inc., as defined in Section 77-13-3. Applicants shall certify to the department that each expenditure of the funds awarded to them under this section is in compliance with ARPA guidelines, guidance, rules, regulations and other criteria, as may be amended from time to time, by the United States Department of the Treasury regarding the use of monies from the State Coronavirus State Fiscal Recovery Funds. Subsequent submissions will be due by the dates established by the department.

(7) An application for a grant under this section shall be submitted at such time, be in such form, and contain such information as the department prescribes. Each application for grant funds shall include the following at a minimum: (a) applicant contact information; (b) project description and type of project; (c) project map; (d) estimate of population affected by the project; (e) disadvantaged community criteria (population, median household income, unemployment, current water/sewer rates); (f) estimated project cost; (g) list of match funds of direct Coronavirus Local Fiscal Recovery Funds received and to be received from the federal government, a certification that such funds have been or will be used for the project detailed in the application, and documentation of commitment; (h) estimated project schedule and readiness to proceed; (i) engineering services agreement; (j) engineering reports; and (k) information about status of obtaining any required permits.

(8) The department must apply a system for use in ranking the grant applications received, unless the Legislature funds all eligible grant requests under the program. When applying the ranking system, the department shall apply a greater weight to projects that have approved engineering/design, plans and permits if the department has deemed the project is ready to begin construction within six (6) months. Projects that are included on the municipal or county engineer's approved list and provide applicable supporting documentation shall receive additional consideration awarded to the application. The ranking system shall include the following factors, at a minimum: (a) the environmental impact of the proposed project; (b) the proposed project's ability to address

noncompliance with state/federal requirements; (c) the extent to which the project promotes economic development; (d) the number of people served by the project and the number of communities the project serves; (e) impacts of the proposed project on disadvantaged/overburdened communities; (f) the grant applicant's prior efforts to secure funding to address the proposed project's objectives; (g) the grant applicant's proposed contribution of other funds or in-kind cost-sharing to the proposed project; (h) the grant applicant's long-term plans for the financial and physical operation and maintenance of the project; (i) the grant applicant's capacity to initiate construction in a timely manner and complete the proposed project by the deadline specified by the United States Department of Treasury rules for ARPA funds; (j) the extent to which the project benefits multiple political subdivisions in a regional manner; (k) the project's ability to enhance public service infrastructure, including transportation and emergency access; and (l) any other factors as determined by the department.

(9) The grant program shall include a specific emphasis on addressing the needs of an economically disadvantaged community, including providing safe, reliable drinking water in areas that lack infrastructure, providing sewage treatment capacity in unsewered areas and providing regional development of infrastructure to serve multiple communities.

(10) Applications shall be reviewed and scored as they are received, unless the Legislature funds all eligible grant requests under the program. The Mississippi Department of Environmental Quality shall certify whether each project submitted is a "necessary investment" in water, wastewater, or stormwater infrastructure as defined in the American Rescue Plan Act and all applicable guidance issued by the United States Department of the Treasury. The Department of Environmental Quality shall review the lists of recommended water infrastructure projects and issue its list of recommended projects to the Mississippi Department of Health for its advice. Grant agreements shall be executed between the recipient and the Mississippi Department of Environmental Quality. All final awards shall be determined at the discretion of the executive director of the department. Any funds awarded to the City of Jackson under this section shall be deposited in the Capital City Water/Sewer Projects Fund of the State Treasury. Funds shall be obligated to a grantee upon the execution of a grant agreement between the department and the approved applicant. Funds shall be made available to a grantee when the department obtains the necessary support for reimbursement. The department is authorized to conduct additional rounds of grants as needed; however, in the first round no more than forty percent (40%) of the total funds appropriated for each grant program may be awarded by the department, and the remaining funds may be awarded in the final round which shall occur no later than six (6) months from the previous round. To ensure equitable treatment between the categories of projects, no less than twenty percent (20%) awarded under this section shall be allocated to each of the three (3) categories of drinking water projects, wastewater projects and stormwater projects. In the final round, any funds not requested may be allocated to any category.

(11) Grant funds shall be used prospectively; however, grant funds may be used to reimburse expenses incurred before the enactment of this program if the costs are adequately documented and comply with applicable ARPA guidelines. An applicant must agree to obtain all necessary state and federal permits and follow all state bidding and contracting laws and fiscally sound practices in the administration of the funds.

(12) (a) Monies must be disbursed under this section in compliance with the guidelines, guidance, rules, regulations or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund, established by the American Rescue Plan of 2021.

(b) The use of funds allocated under this program shall be subject to audit by the United States Department of the Treasury's Office of Inspector General and the Mississippi Office of the State Auditor. Each person receiving funds under these programs

found to be fully or partially noncompliant with the requirements in this section shall return to the state all or a portion of the funds received.

(13) The department shall submit to the Lieutenant Governor, Speaker of the House, House and Senate Appropriations Chairmen, and the Legislative Budget Office quarterly reports and annual reports that are due by the dates established in the Compliance and Reporting Guidance by the United States Department of Treasury. The reports shall contain the applications received, the score of the applications, the amount of grant funds awarded to each applicant, the amount of grant funds expended by each applicant, and status of each applicant's project. The score of the applications is not required if the award was provided in the final round of grants and the Legislature provided the total amount of funds for all eligible grant requests.

(14) Grant funds shall be available under this section through December 31, 2026, or on the date of the fund expenditure deadline provided by the federal government, whichever occurs later. Each grant recipient shall certify for any project for which a grant is awarded that if the project is not completed by December 31, 2026, and the United States Congress does not enact an extension of the deadline on the availability of ARPA funds, then the grant recipient will complete the project through other funds.

(15) The Mississippi Department of Environmental Quality may retain an amount not to exceed five percent (5%) of the total funds allocated to the program to defray administrative costs.

(16) The department shall be exempt from provisions of the Public Procurement Review Board for any requirements of personal or professional service contracts or the pre-approval of the solicitation for such contracts used in the execution of its responsibilities under this section. This subsection shall stand repealed on January 1, 2026.

(17) The provisions of this section shall stand repealed on January 1, 2027.

SECTION 12. (1) (a) The State Fiscal Officer shall determine the amount of Coronavirus State Fiscal Recovery Funds appropriated to various agencies that will not be obligated as of November 1, 2024.

(b) In making the determination required by this subsection, the State Fiscal Officer shall use the criteria released by the United States Treasury to determine if the Coronavirus State Fiscal Recovery Funds are not obligated.

(2) If at any time during the period from passage of this act to November 1, 2024, a state agency determines that Coronavirus State Fiscal Recovery Funds will not be obligated by November 1, 2024, the state agency shall notify the State Fiscal Officer.

(3) If at any time the State Fiscal Officer determines that funds will be unobligated as of November 1, 2024, under subsection (1) or (2) of this section, the State Treasurer, in coordination with the State Fiscal Officer, shall transfer these funds to the Coronavirus State Fiscal Recovery Fund (Fund No. 682111300) by no later than November 5, 2024. No later than November 6, 2024, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the funds to the following funds:

A state agency that has authority to spend appropriated funds in any fund listed above may escalate its budget and expend the funds received under this section in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 13. Upon the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer to the Coronavirus State Fiscal

Recovery Fund (Fund No. 6821113000) from the following named funds the following sums:

FUND	FUND NUMBER	AMOUNT
Mississippi Municipal and County Water Infrastructure Fund	6822147000	$ 28,557,785.00
Mississippi Hospital Sustainability Grant Program Fund	6822130500	$ 6,850,000.00
MDCPS American Rescue Plan Act Fund	6822166100	$ 15,607,348.00
Trial Judges-ARPA 2021-(CPS) Fund	6822105100	$ 1,500,000.00
MH SB Corona State Fiscal Rec Funds ARPA Fund	6822437100	$ 29,384,500.00
MH CO Corona State Fiscal Rec Funds ARPA Fund	6822337100	$ 18,250,000.00
Trial Judges-ARPA 2021-Temporary Courts Fund	6822105200	$ 1,589,094.00
Mississippi Law Enforcement and Fire Fighters Premium Pay Fund	6822171100	$ 3,448,580.00
TOTAL		$105,187,307.00

SECTION 14. Upon the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the sum of One Dollar ($1.00) from the Coronavirus State Fiscal Recovery Fund (Fund No. 6821113000) to the Coronavirus State Fiscal Recovery Lost Revenue Fund (Fund No. 3822113000).

SECTION 15. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO BRING FORWARD SECTION 27-104-321, MISSISSIPPI CODE OF 1972, WHICH CREATED THE CORONAVIRUS STATE FISCAL RECOVERY FUND, FOR

THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 27-104-323, MISSISSIPPI CODE OF 1972, TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER TO THE CORONAVIRUS STATE FISCAL RECOVERY FUND THE FULL AMOUNT OF ANY INTEREST EARNED ON AMOUNTS IN THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND THAT ARE REMAINING IN THE LOCAL FUND ON JULY 1, 2024; TO PROVIDE THAT ANY INTEREST EARNED ON AMOUNTS IN THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND AFTER JULY 1, 2024, SHALL BE DEPOSITED TO THE CREDIT OF THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO AUTHORIZE THE STATE FISCAL OFFICER TO TRANSFER TO THE FEDERAL GOVERNMENT ANY FUNDS IN THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND THAT HAVE NOT BEEN USED FOR THE PURPOSE FOR WHICH THEY WERE RECEIVED; TO BRING FORWARD SECTION 27-104-325, MISSISSIPPI CODE OF 1972, WHICH CREATED THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-153-57, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE ACCELERATE MISSISSIPPI WORKFORCE DEVELOPMENT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-153-205, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE ACCELERATE MISSISSIPPI NURSING/ALLIED HEALTH GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-153-207, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE ACCELERATE MISSISSIPPI PHYSICIAN RESIDENCY AND FELLOWSHIP START-UP GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-153-209, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE MISSISSIPPI ALLIED HEALTH COLLEGE AND CAREER NAVIGATOR GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-106-64, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE SKILLED NURSING HOME AND HOSPITAL NURSES RETENTION LOAN REPAYMENT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 41-3-16.1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR THE SECOND ROUND OF GRANT AWARDS UNDER THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM, THE STATE DEPARTMENT OF HEALTH SHALL ADD TEN POINTS TO ANY GRANT APPLICATION THAT PROMOTES THE CONSOLIDATION OF SEPARATE SYSTEMS; TO PROVIDE THAT THE DEPARTMENT SHALL ADD TEN POINTS TO ANY APPLICATION WITH AT LEAST ONE SYSTEM THAT HAS CONSOLIDATED IN THE PAST, REGARDLESS OF WHETHER THE APPLICATION WOULD RESULT IN ADDITIONAL CONSOLIDATION IN THE FUTURE; TO PROVIDE THAT NO APPLICATION WILL RECEIVE MORE THAN A TOTAL OF TEN ADDITIONAL POINTS UNDER THE PROGRAM FOR ANY PAST OR FUTURE CONSOLIDATION OF SYSTEMS; TO BRING FORWARD SECTION 41-9-371, MISSISSIPPI CODE OF 1972, WHICH CREATED THE MISSISSIPPI HOSPITAL SUSTAINABILITY GRANT PROGRAM FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 49-2-131, MISSISSIPPI CODE OF 1972, WHICH CREATED THE MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO REQUIRE THE STATE FISCAL OFFICER TO DETERMINE THE AMOUNT OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS APPROPRIATED TO VARIOUS AGENCIES THAT WILL NOT BE OBLIGATED AS OF NOVEMBER 1, 2024; TO REQUIRE THE STATE FISCAL OFFICER TO TRANSFER THE FUNDS THAT ARE NOT OBLIGATED BY NOVEMBER 6, 2024, TO CERTAIN FUNDS; TO DIRECT THE STATE TREASURER, IN CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER CERTAIN SUMS TO THE CORONAVIRUS STATE FISCAL RECOVERY FUND FROM CERTAIN FUNDS; TO PROVIDE FOR THE TRANSFER OF CERTAIN FUNDS BY THE STATE TREASURER; AND FOR RELATED PURPOSES.

Senator Polk moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 10:59 AM, the Senate stood in recess.

The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON APPROPRIATIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 1210: The Dr. Elton Mac Huddleston Rural Veterinarians Scholarship Program; establish. Title Sufficient. Do Pass.

H. B. No. 504: Rural Firetruck Acquisition Assistance Program; authorize an additional round for counties and municipalities. Title Sufficient. Do Pass.

H. B. No. 1357: Department of Agriculture; revise authority to spend certain funds. Title Sufficient. Do Pass As Amended.

HOPSON, Chairman

REPORT OF COMMITTEES ON
PUBLIC HEALTH AND WELFARE AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

H. B. No. 1129: Office of Mississippi Physician Workforce; transfer from UMMC to the State Department of Health. Title Sufficient. Do Pass.

BRYAN, Chairman
HOPSON, Chairman

REPORT OF COMMITTEE ON PUBLIC PROPERTY

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

H. B. No. 1123: MDOT; authorize the transfer and conveyance of certain real property to Greene County Board of Supervisors. Title Sufficient. Do Pass As Amended.

SUBER, Chairman

Senator Blackwell called up the following entitled bill:

H. B. No. 1725: Medicaid; seek federal waiver for plan to allow Medicaid coverage for persons described in the federal Affordable Care Act.

Senator Blackwell offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Office of the Governor, Division of Medicaid, shall enter into negotiations with the Centers for Medicare and Medicaid Services (CMS) to obtain a waiver for applicable provisions of the Medicaid laws and regulations under Section 1115 of the Social Security Act to create a plan to allow Medicaid coverage in Mississippi for individuals described in this act, which contains the following provisions:

(a) Coverage group. Individuals eligible for coverage under this section shall be persons who are not less than nineteen (19) years of age but less than sixty-five (65) years of age, who currently reside in households that have an income of less than one hundred percent (100%) of federal poverty level, who are:

(i) Employed for at least one-hundred and twenty (120) hours per month in a position for which health insurance is not paid for by the employer;

(ii) Enrolled as a full-time student in secondary or post-secondary education;

(iii) Enrolled full-time in a workforce training program;

(iv) Enrolled for at least six (6) credit hours, or its equivalent, as a student in secondary education, post-secondary education, or a workforce training program and is employed for at least sixty (60) hours per month in a position for which health insurance is not paid for by the employer;

(v) The parent or guardian and the primary caregiver of a child under six (6) years of age;

(vi) A person who is physically, mentally or intellectually unable to meet the requirements of subparagraphs (i) through (iv) of this paragraph (a) as documented by a medical professional;

(vii) The primary caregiver for a disabled child, spouse or parent, provided that such disabled person qualifies for Medicaid coverage in accordance with the federal Social Security Act.

(b) Beneficiary enrollment. Any individual otherwise eligible for coverage under this section who has health insurance coverage through his or her employer or through private health insurance and who voluntarily disenrolls from that health insurance coverage shall not be in the coverage group until twelve (12) months after the ending date of that coverage. The coverage group shall not include non-United States citizens who are ineligible for Medicaid benefits. The division shall verify eligibility of each beneficiary in this coverage group no less than on a quarterly basis. The division may consider seasonal or part-time employees who are cumulatively employed for an average of one-hundred and twenty (120) hours per month over a twelve-month period as satisfying the work requirements of subsection (1)(a)(i) of this section.

The division shall provide qualified providers with such forms as are necessary for an individual in the coverage group to make application for Medicaid and information on how to assist such individuals in completing and filing such forms. The division shall make those application forms and the application process itself as simple as possible. In addition to the efforts of the division, the Department of Health shall administer a public awareness program regarding the coverage and eligibility offered in accordance with this act. Such program shall promote public awareness of the coverage offered in accordance

with this act to ensure that all eligible citizens of the State of Mississippi are aware of and have the opportunity to apply for eligibility.

(c) Delivery systems. All individuals in the coverage group shall be enrolled in and their services shall be provided by the managed care organizations (MCOs), coordinated care organizations (CCOs), provider-sponsored health plans (PSHPs) and other such organizations paid for services to the Medicaid population on a capitated basis by the division as described in Section 43-13-117(H).

(d) Benefit packages. Individuals enrolled under this act who are not less than nineteen (19) years of age but less than sixty five (65) years of age shall be provided essential health services as determined by the division, which shall, at a minimum, include ambulatory patient services, emergency services, hospitalization, prescription drugs, rehabilitative services, laboratory services, primary care services, preventive and wellness services and chronic disease management.

(e) Funding of the plan. (i) The Section 1115 waiver described in this section shall describe the funding for this act, which shall be a combination of state matching funds and federal matching funds in the proportions specified under the federal Affordable Care Act at the time of the effective date of this act. (ii) The state matching funds shall include contributions from MCOs, CCOs, PSHPs and other such organizations paid for services to the Medicaid population on a capitated basis by the division as described in Section 43-13-117(H) in the form of an assessment as provided in Section 2 of this act. The state matching funds shall also include contributions from hospitals that are generated through an assessment on hospitals as described in Section 43-13-145 and deposited into the Medical Care Fund created in Section 43-13-143.

(iii) The division is also authorized to accept any voluntary contributions donated to the division to be used as state matching funds for the purpose of this act, including, but not limited to, contributions from businesses and other entities. Notwithstanding any provision of this paragraph (e), state matching funds for the purposes of this act may be appropriated by the Legislature from any other sources.

(f) Timing. Within one hundred twenty (120) days of the effective date of this act, the division shall apply for a waiver of the applicable provisions of the Medicaid laws and regulations under Section 1115 of the Social Security Act to create a plan to allow Medicaid coverage in Mississippi in accordance with this act, which shall include a work requirement that requires beneficiaries to be employed for at least one hundred twenty (120) hours per month or for such beneficiary to be otherwise eligible within paragraph (a) of this subsection. The division shall provide a copy of such application to the Governor, Lieutenant Governor, Speaker of the House of Representatives, and the Chairmen of the Senate and House Medicaid Committees on the same day that the division officially applies to CMS for such waiver.

(2) The division shall begin enrolling eligible individuals into the coverage group established in this section within thirty (30) days of the effective date of CMS approving the division's waiver under this section.

(3) This section shall stand repealed on January 31, 2029.

(4) This section shall be subject to Section 3 of this act.

SECTION 2. (1) Notwithstanding any other provision of law, upon each managed care organization, coordinated care organization, provider sponsored health plan or other organization paid for services to the Medicaid population on a capitated basis by the Division of Medicaid as described in Section 43-13-117(H), there is levied an assessment of three percent (3%) on the total paid capitation. All assessments under this section shall be assessed and collected by the division on the 15th of each month and shall be deposited into the Medical Care Fund created by Section 43-13-143. Any amount generated by the assessment that is in excess of the amount needed to cover the state matching funds may be used to enhance provider reimbursement for those services that are most utilized by the coverage group as determined by the division. This section shall be effective in the first month that a capitated payment is provided to a managed care organization, coordinated care organization, provider sponsored health plan or other organization paid for services to the Medicaid population on a capitated basis by the division as described in Section 43-13-117(H) for coverage of individuals eligible under Section 1 of this act and Section 43-13-115. The Division of Medicaid is directed to apply for any applicable federal waiver to accomplish the purposes of this section.

(2) This section shall stand repealed on January 31, 2029.

(3) This section shall be subject to Section 3 of this act.

SECTION 3. (1) This section, section 1, section 2 and subsection (29) of Section 43-13-115 shall stand repealed on the date of any of the following:

(a) On such date that the Centers for Medicare and Medicaid Services (CMS) reject the division's work requirement waiver request provided for in Section 1 of this act;

(b) On such date that the Centers for Medicare and Medicaid Services (CMS) reject the assessment provided for in Section 2 of this act;

(c) On such date that the Centers for Medicare and Medicaid Services (CMS) withdraws approval of, cancels or constructively terminates any waiver that was previously issued to the division as a condition of the requirements of this act;

(d) On such date that a court of competent jurisdiction nullifies the work requirement provided for in Section 1 of this act; or

(e) On such date that a court of competent jurisdiction nullifies the assessment provided for in Section 2 of this act.

(2) If the division receives a waiver in accordance with Section 1 and 2 of this act, but the act is later repealed through any of the events or actions listed in subsection (1) of this section, then the division shall have thirty (30) days to cease coverage of eligible individuals under this act and to provide notice to such individuals of the termination of coverage.

SECTION 4. Section 43-13-115, Mississippi Code of 1972, is amended as follows:

43-13-115. Recipients of Medicaid shall be the following persons only:

(1) Those who are qualified for public assistance grants under provisions of Title IV-A and E of the federal Social Security Act, as amended, including those statutorily deemed to be IV-A and low income families and children under Section 1931 of the federal Social Security Act. For the purposes of this paragraph (1) and paragraphs (8), (17) and (18) of this section, any reference to Title IV-A or to Part A of Title IV of the federal Social Security Act, as amended, or the state plan under Title IV-A or Part A of Title IV, shall be

considered as a reference to Title IV-A of the federal Social Security Act, as amended, and the state plan under Title IV-A, including the income and resource standards and methodologies under Title IV-A and the state plan, as they existed on July 16, 1996. The Department of Human Services shall determine Medicaid eligibility for children receiving public assistance grants under Title IV-E. The division shall determine eligibility for low income families under Section 1931 of the federal Social Security Act and shall redetermine eligibility for those continuing under Title IV-A grants.

(2) Those qualified for Supplemental Security Income (SSI) benefits under Title XVI of the federal Social Security Act, as amended, and those who are deemed SSI eligible as contained in federal statute. The eligibility of individuals covered in this paragraph shall be determined by the Social Security Administration and certified to the Division of Medicaid.

(3) Qualified pregnant women who would be eligible for Medicaid as a low income family member under Section 1931 of the federal Social Security Act if her child were born. The eligibility of the individuals covered under this paragraph shall be determined by the division.

(4) [Deleted]

(5) A child born on or after October 1, 1984, to a woman eligible for and receiving Medicaid under the state plan on the date of the child's birth shall be deemed to have applied for Medicaid and to have been found eligible for Medicaid under the plan on the date of that birth, and will remain eligible for Medicaid for a period of one (1) year so long as the child is a member of the woman's household and the woman remains eligible for Medicaid or would be eligible for Medicaid if pregnant. The eligibility of individuals covered in this paragraph shall be determined by the Division of Medicaid.

(6) Children certified by the State Department of Human Services to the Division of Medicaid of whom the state and county departments of human services have custody and financial responsibility, and children who are in adoptions subsidized in full or part by the Department of Human Services, including special needs children in non-Title IV-E adoption assistance, who are approvable under Title XIX of the Medicaid program. The eligibility of the children covered under this paragraph shall be determined by the State Department of Human Services.

(7) Persons certified by the Division of Medicaid who are patients in a medical facility (nursing home, hospital, tuberculosis sanatorium or institution for treatment of mental diseases), and who, except for the fact that they are patients in that medical facility, would qualify for grants under Title IV, Supplementary Security Income (SSI) benefits under Title XVI or state supplements, and those aged, blind and disabled persons who would not be eligible for Supplemental Security Income (SSI) benefits under Title XVI or state supplements if they were not institutionalized in a medical facility but whose income is below the maximum standard set by the Division of Medicaid, which standard shall not exceed that prescribed by federal regulation.

(8) Children under eighteen (18) years of age and pregnant women (including those in intact families) who meet the financial standards of the state plan approved under Title IV-A of the federal Social Security Act, as amended. The eligibility of children covered under this paragraph shall be determined by the Division of Medicaid.

(9) Individuals who are:

(a) Children born after September 30, 1983, who have not attained the age of nineteen (19), with family income that does not exceed one hundred percent (100%) of the nonfarm official poverty level;

(b) Pregnant women, infants and children who have not attained the age of six (6), with family income that does not exceed one hundred thirty-three percent (133%) of the federal poverty level; and

(c) Pregnant women and infants who have not attained the age of one (1), with family income that does not exceed one hundred eighty-five percent (185%) of the federal poverty level.

The eligibility of individuals covered in (a), (b) and (c) of this paragraph shall be determined by the division.

(10) Certain disabled children age eighteen (18) or under who are living at home, who would be eligible, if in a medical institution, for SSI or a state supplemental payment under Title XVI of the federal Social Security Act, as amended, and therefore for Medicaid under the plan, and for whom the state has made a determination as required under Section 1902(e)(3)(b) of the federal Social Security Act, as amended. The eligibility of individuals under this paragraph shall be determined by the Division of Medicaid.

(11) Until the end of the day on December 31, 2005, individuals who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, and whose income does not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually, and whose resources do not exceed those established by the Division of Medicaid. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid. After December 31, 2005, only those individuals covered under the 1115(c) Healthier Mississippi waiver will be covered under this category.

Any individual who applied for Medicaid during the period from July 1, 2004, through March 31, 2005, who otherwise would have been eligible for coverage under this paragraph (11) if it had been in effect at the time the individual submitted his or her application and is still eligible for coverage under this paragraph (11) on March 31, 2005, shall be eligible for Medicaid coverage under this paragraph (11) from March 31, 2005, through December 31, 2005. The division shall give priority in processing the applications for those individuals to determine their eligibility under this paragraph (11).

(12) Individuals who are qualified Medicare beneficiaries (QMB) entitled to Part A Medicare as defined under Section 301, Public Law 100-360, known as the Medicare Catastrophic Coverage Act of 1988, and whose income does not exceed one hundred percent (100%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually.

The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid, and those individuals determined eligible shall receive Medicare cost-sharing expenses only as more fully defined by the Medicare Catastrophic Coverage Act of 1988 and the Balanced Budget Act of 1997.

(13) (a) Individuals who are entitled to Medicare Part A as defined in Section 4501 of the Omnibus Budget Reconciliation Act of 1990, and whose income does not exceed one hundred twenty percent (120%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually. Eligibility for Medicaid benefits is limited to full payment of Medicare Part B premiums.

(b) Individuals entitled to Part A of Medicare, with income above one hundred twenty percent (120%), but less than one hundred thirty-five percent (135%) of the federal poverty level, and not otherwise eligible for Medicaid. Eligibility for Medicaid benefits is limited to full payment of Medicare Part B premiums. The number of eligible individuals is limited by the availability of the federal capped allocation at one hundred

percent (100%) of federal matching funds, as more fully defined in the Balanced Budget Act of 1997.

The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid.

(14) [Deleted]

(15) Disabled workers who are eligible to enroll in Part A Medicare as required by Public Law 101-239, known as the Omnibus Budget Reconciliation Act of 1989, and whose income does not exceed two hundred percent (200%) of the federal poverty level as determined in accordance with the Supplemental Security Income (SSI) program. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid and those individuals shall be entitled to buy-in coverage of Medicare Part A premiums only under the provisions of this paragraph (15).

(16) In accordance with the terms and conditions of approved Title XIX waiver from the United States Department of Health and Human Services, persons provided home- and community-based services who are physically disabled and certified by the Division of Medicaid as eligible due to applying the income and deeming requirements as if they were institutionalized.

(17) In accordance with the terms of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193), persons who become ineligible for assistance under Title IV-A of the federal Social Security Act, as amended, because of increased income from or hours of employment of the caretaker relative or because of the expiration of the applicable earned income disregards, who were eligible for Medicaid for at least three (3) of the six (6) months preceding the month in which the ineligibility begins, shall be eligible for Medicaid for up to twelve (12) months. The eligibility of the individuals covered under this paragraph shall be determined by the division.

(18) Persons who become ineligible for assistance under Title IV-A of the federal Social Security Act, as amended, as a result, in whole or in part, of the collection or increased collection of child or spousal support under Title IV-D of the federal Social Security Act, as amended, who were eligible for Medicaid for at least three (3) of the six (6) months immediately preceding the month in which the ineligibility begins, shall be eligible for Medicaid for an additional four (4) months beginning with the month in which the ineligibility begins. The eligibility of the individuals covered under this paragraph shall be determined by the division.

(19) Disabled workers, whose incomes are above the Medicaid eligibility limits, but below two hundred fifty percent (250%) of the federal poverty level, shall be allowed to purchase Medicaid coverage on a sliding fee scale developed by the Division of Medicaid.

(20) Medicaid eligible children under age eighteen (18) shall remain eligible for Medicaid benefits until the end of a period of twelve (12) months following an eligibility determination, or until such time that the individual exceeds age eighteen (18).

(21) Women of childbearing age whose family income does not exceed one hundred eighty-five percent (185%) of the federal poverty level. The eligibility of individuals covered under this paragraph (21) shall be determined by the Division of Medicaid, and those individuals determined eligible shall only receive family planning services covered under Section 43-13-117(13) and not any other services covered under Medicaid. However, any individual eligible under this paragraph (21) who is also eligible under any other provision of this section shall receive the benefits to which he or she is entitled under that other provision, in addition to family planning services covered under Section 43-13-117(13).

The Division of Medicaid shall apply to the United States Secretary of Health and Human Services for a federal waiver of the applicable provisions of Title XIX of the federal Social Security Act, as amended, and any other applicable provisions of federal law as necessary to allow for the implementation of this paragraph (21). The provisions of this paragraph (21) shall be implemented from and after the date that the Division of Medicaid receives the federal waiver.

(22) Persons who are workers with a potentially severe disability, as determined by the division, shall be allowed to purchase Medicaid coverage. The term "worker with a potentially severe disability" means a person who is at least sixteen (16) years of age but under sixty-five (65) years of age, who has a physical or mental impairment that is reasonably expected to cause the person to become blind or disabled as defined under Section 1614(a) of the federal Social Security Act, as amended, if the person does not receive items and services provided under Medicaid.

The eligibility of persons under this paragraph (22) shall be conducted as a demonstration project that is consistent with Section 204 of the Ticket to Work and Work Incentives Improvement Act of 1999, Public Law 106-170, for a certain number of persons as specified by the division. The eligibility of individuals covered under this paragraph (22) shall be determined by the Division of Medicaid.

(23) Children certified by the Mississippi Department of Human Services for whom the state and county departments of human services have custody and financial responsibility who are in foster care on their eighteenth birthday as reported by the Mississippi Department of Human Services shall be certified Medicaid eligible by the Division of Medicaid until their twenty-first birthday.

(24) Individuals who have not attained age sixty-five (65), are not otherwise covered by creditable coverage as defined in the Public Health Services Act, and have been screened for breast and cervical cancer under the Centers for Disease Control and Prevention Breast and Cervical Cancer Early Detection Program established under Title XV of the Public Health Service Act in accordance with the requirements of that act and who need treatment for breast or cervical cancer. Eligibility of individuals under this paragraph (24) shall be determined by the Division of Medicaid.

(25) The division shall apply to the Centers for Medicare and Medicaid Services (CMS) for any necessary waivers to provide services to individuals who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, and whose income does not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually, and whose resources do not exceed those established by the Division of Medicaid, and who are not otherwise covered by Medicare. Nothing contained in this paragraph (25) shall entitle an individual to benefits. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid.

(26) The division shall apply to the Centers for Medicare and Medicaid Services (CMS) for any necessary waivers to provide services to individuals who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, who are end stage renal disease patients on dialysis, cancer patients on chemotherapy or organ transplant recipients on antirejection drugs, whose income does not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually, and whose resources do not exceed those established by the division. Nothing contained in this paragraph (26) shall entitle an individual to benefits. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid.

(27) Individuals who are entitled to Medicare Part D and whose income does not exceed one hundred fifty percent (150%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually. Eligibility for payment of the Medicare Part D subsidy under this paragraph shall be determined by the division.

(28) The division is authorized and directed to provide up to twelve (12) months of continuous coverage postpartum for any individual who qualifies for Medicaid coverage under this section as a pregnant woman, to the extent allowable under federal law and as determined by the division.

(29) Individuals described in Section (1)(a) of this act. The division shall apply for a waiver of the applicable provisions of the Medicaid laws and regulations under Section 1115 of the Social Security Act to create a plan to allow Medicaid coverage in Mississippi in accordance with Sections 1 and 2 of this act, including a work requirement that requires beneficiaries to be employed for at least one-hundred and twenty (120) hours per month or for such beneficiary to be otherwise eligible within Section (1)(a) of this act. The division shall begin enrolling eligible individuals into the coverage group established in this section within thirty (30) days of the effective date of CMS approving the division's waiver under this section. This paragraph (29) shall stand repealed on January 31, 2029. This subsection shall be subject to Section 3 of this act.

The division shall redetermine eligibility for all categories of recipients described in each paragraph of this section not less frequently than required by federal law.

SECTION 5. Section 43-13-5, Mississippi Code of 1972, is brought forward as follows:

43-13-5. The State Department of Public Welfare, after having made a determination with respect to eligibility with due regard to the resources and income of the applicant, may make vendor payments on behalf of eligible individuals for such care as may be authorized within the limits of available funds, provided that such medical or remedial care is rendered by or under the supervision of a licensed practitioner, and provided further that no regulation shall be promulgated which limits or abridges the recipient's free choice of the provider of medical and remedial care or service. Such recipients of medical assistance for the aged shall only be persons:

(1) Who shall have attained the age of sixty-five (65) years;

(2) Who are not receiving old age assistance;

(3) Who have net income and resources not exceeding amounts as may be set forth from time to time by the administering agency of the state; and

(4) Who have not made a voluntary assignment or transfer of property for the purpose of qualifying for such assistance at any time within two (2) years immediately prior to the filing of an application for medical assistance for the aged.

Medical assistance for the aged shall be payable under this article on behalf of any person who is a patient of an institution, public or private, where such payments are matchable under the provisions of the federal Social Security Act as amended and where such institution conforms to the requirements of the federal Social Security Act as amended and the applicable statutes of Mississippi.

SECTION 6. Section 43-13-11, Mississippi Code of 1972, is brought forward as follows:

43-13-11. The administering agency is authorized to contract with other state government and nongovernment agencies and organizations in the State of Mississippi

for purposes of performing all or part of the administrative aspects of medical or remedial care programs herein authorized, paying a reasonable fee for such service.

SECTION 7. Section 43-13-105, Mississippi Code of 1972, is brought forward as follows:

43-13-105. When used in this article, the following definitions shall apply, unless the context requires otherwise:

(a) "Administering agency" means the Division of Medicaid in the Office of the Governor as created by this article.

(b) "Division" or "Division of Medicaid" means the Division of Medicaid in the Office of the Governor.

(c) "Medical assistance" means payment of part or all of the costs of medical and remedial care provided under the terms of this article and in accordance with provisions of Titles XIX and XXI of the Social Security Act, as amended.

(d) "Applicant" means a person who applies for assistance under Titles IV, XVI, XIX or XXI of the Social Security Act, as amended, and under the terms of this article.

(e) "Recipient" means a person who is eligible for assistance under Title XIX or XXI of the Social Security Act, as amended and under the terms of this article.

(f) "State health agency" means any agency, department, institution, board or commission of the State of Mississippi, except the University of Mississippi Medical School, which is supported in whole or in part by any public funds, including funds directly appropriated from the State Treasury, funds derived by taxes, fees levied or collected by statutory authority, or any other funds used by "state health agencies" derived from federal sources, when any funds available to such agency are expended either directly or indirectly in connection with, or in support of, any public health, hospital, hospitalization or other public programs for the preventive treatment or actual medical treatment of persons with a physical disability, mental illness or an intellectual disability.

(g) "Mississippi Medicaid Commission" or "Medicaid Commission," wherever they appear in the laws of the State of Mississippi, means the Division of Medicaid in the Office of the Governor.

SECTION 8. Section 43-13-113, Mississippi Code of 1972, is brought forward as follows:

43-13-113. (1) The State Treasurer shall receive on behalf of the state, and execute all instruments incidental thereto, federal and other funds to be used for financing the medical assistance plan or program adopted pursuant to this article, and place all such funds in a special account to the credit of the Governor's Office-Division of Medicaid, which funds shall be expended by the division for the purposes and under the provisions of this article, and shall be paid out by the State Treasurer as funds appropriated to carry out the provisions of this article are paid out by him.

The division shall issue all checks or electronic transfers for administrative expenses, and for medical assistance under the provisions of this article. All such checks or electronic transfers shall be drawn upon funds made available to the division by the State Auditor, upon requisition of the director. It is the purpose of this section to provide that the State Auditor shall transfer, in lump sums, amounts to the division for disbursement under the regulations which shall be made by the director with the approval of the Governor; however, the division, or its fiscal agent in behalf of the division, shall be authorized in maintaining separate accounts with a Mississippi bank to handle claim payments, refund recoveries and related Medicaid program financial transactions, to

aggressively manage the float in these accounts while awaiting clearance of checks or electronic transfers and/or other disposition so as to accrue maximum interest advantage of the funds in the account, and to retain all earned interest on these funds to be applied to match federal funds for Medicaid program operations.

(2) The division is authorized to obtain a line of credit through the State Treasurer from the Working Cash-Stabilization Fund or any other special source funds maintained in the State Treasury in an amount not exceeding One Hundred Fifty Million Dollars ($150,000,000.00) to fund shortfalls which, from time to time, may occur due to decreases in state matching fund cash flow. The length of indebtedness under this provision shall not carry past the end of the quarter following the loan origination. Loan proceeds shall be received by the State Treasurer and shall be placed in a Medicaid designated special fund account. Loan proceeds shall be expended only for health care services provided under the Medicaid program. The division may pledge as security for such interim financing future funds that will be received by the division. Any such loans shall be repaid from the first available funds received by the division in the manner of and subject to the same terms provided in this section.

In the event the State Treasurer makes a determination that special source funds are not sufficient to cover a line of credit for the Division of Medicaid, the division is authorized to obtain a line of credit, in an amount not exceeding One Hundred Fifty Million Dollars ($150,000,000.00), from a commercial lender or a consortium of lenders. The length of indebtedness under this provision shall not carry past the end of the quarter following the loan origination. The division shall obtain a minimum of two (2) written quotes that shall be presented to the State Fiscal Officer and State Treasurer, who shall jointly select a lender. Loan proceeds shall be received by the State Treasurer and shall be placed in a Medicaid designated special fund account. Loan proceeds shall be expended only for health care services provided under the Medicaid program. The division may pledge as security for such interim financing future funds that will be received by the division. Any such loans shall be repaid from the first available funds received by the division in the manner of and subject to the same terms provided in this section.

(3) Disbursement of funds to providers shall be made as follows:

(a) All providers must submit all claims to the Division of Medicaid's fiscal agent no later than twelve (12) months from the date of service.

(b) The Division of Medicaid's fiscal agent must pay ninety percent (90%) of all clean claims within thirty (30) days of the date of receipt.

(c) The Division of Medicaid's fiscal agent must pay ninety-nine percent (99%) of all clean claims within ninety (90) days of the date of receipt.

(d) The Division of Medicaid's fiscal agent must pay all other claims within twelve (12) months of the date of receipt.

(e) If a claim is neither paid nor denied for valid and proper reasons by the end of the time periods as specified above, the Division of Medicaid's fiscal agent must pay the provider interest on the claim at the rate of one and one-half percent (1-1/2%) per month on the amount of such claim until it is finally settled or adjudicated.

(4) The date of receipt is the date the fiscal agent receives the claim as indicated by its date stamp on the claim or, for those claims filed electronically, the date of receipt is the date of transmission.

(5) The date of payment is the date of the check or, for those claims paid by electronic funds transfer, the date of the transfer.

(6) The above specified time limitations do not apply in the following circumstances:

(a) Retroactive adjustments paid to providers reimbursed under a retrospective payment system;

(b) If a claim for payment under Medicare has been filed in a timely manner, the fiscal agent may pay a Medicaid claim relating to the same services within six (6) months after it, or the provider, receives notice of the disposition of the Medicare claim;

(c) Claims from providers under investigation for fraud or abuse; and

(d) The Division of Medicaid and/or its fiscal agent may make payments at any time in accordance with a court order, to carry out hearing decisions or corrective actions taken to resolve a dispute, or to extend the benefits of a hearing decision, corrective action, or court order to others in the same situation as those directly affected by it.

(7) [Repealed.]

(8) If sufficient funds are appropriated therefor by the Legislature, the Division of Medicaid may contract with the Mississippi Dental Association, or an approved designee, to develop and operate a Donated Dental Services (DDS) program through which volunteer dentists will treat needy disabled, aged and medically-compromised individuals who are non-Medicaid eligible recipients.

SECTION 9. Section 43-13-116, Mississippi Code of 1972, is brought forward as follows:

43-13-116. (1) It shall be the duty of the Division of Medicaid to fully implement and carry out the administrative functions of determining the eligibility of those persons who qualify for medical assistance under Section 43-13-115.

(2) In determining Medicaid eligibility, the Division of Medicaid is authorized to enter into an agreement with the Secretary of the Department of Health and Human Services for the purpose of securing the transfer of eligibility information from the Social Security Administration on those individuals receiving supplemental security income benefits under the federal Social Security Act and any other information necessary in determining Medicaid eligibility. The Division of Medicaid is further empowered to enter into contractual arrangements with its fiscal agent or with the State Department of Human Services in securing electronic data processing support as may be necessary.

(3) Administrative hearings shall be available to any applicant who requests it because his or her claim of eligibility for services is denied or is not acted upon with reasonable promptness or by any recipient who requests it because he or she believes the agency has erroneously taken action to deny, reduce, or terminate benefits. The agency need not grant a hearing if the sole issue is a federal or state law requiring an automatic change adversely affecting some or all recipients. Eligibility determinations that are made by other agencies and certified to the Division of Medicaid pursuant to Section 43-13-115 are not subject to the administrative hearing procedures of the Division of Medicaid but are subject to the administrative hearing procedures of the agency that determined eligibility.

(a) A request may be made either for a local regional office hearing or a state office hearing when the local regional office has made the initial decision that the claimant seeks to appeal or when the regional office has not acted with reasonable promptness in making a decision on a claim for eligibility or services. The only exception to requesting a local hearing is when the issue under appeal involves either (i) a disability

or blindness denial, or termination, or (ii) a level of care denial or termination for a disabled child living at home. An appeal involving disability, blindness or level of care must be handled as a state level hearing. The decision from the local hearing may be appealed to the state office for a state hearing. A decision to deny, reduce or terminate benefits that is initially made at the state office may be appealed by requesting a state hearing.

(b) A request for a hearing, either state or local, must be made in writing by the claimant or claimant's legal representative. "Legal representative" includes the claimant's authorized representative, an attorney retained by the claimant or claimant's family to represent the claimant, a paralegal representative with a legal aid services, a parent of a minor child if the claimant is a child, a legal guardian or conservator or an individual with power of attorney for the claimant. The claimant may also be represented by anyone that he or she so designates but must give the designation to the Medicaid regional office or state office in writing, if the person is not the legal representative, legal guardian, or authorized representative.

(c) The claimant may make a request for a hearing in person at the regional office but an oral request must be put into written form. Regional office staff will determine from the claimant if a local or state hearing is requested and assist the claimant in completing and signing the appropriate form. Regional office staff may forward a state hearing request to the appropriate division in the state office or the claimant may mail the form to the address listed on the form. The claimant may make a written request for a hearing by letter. A simple statement requesting a hearing that is signed by the claimant or legal representative is sufficient; however, if possible, the claimant should state the reason for the request. The letter may be mailed to the regional office or it may be mailed to the state office. If the letter does not specify the type of hearing desired, local or state, Medicaid staff will attempt to contact the claimant to determine the level of hearing desired. If contact cannot be made within three (3) days of receipt of the request, the request will be assumed to be for a local hearing and scheduled accordingly. A hearing will not be scheduled until either a letter or the appropriate form is received by the regional or state office.

(d) When both members of a couple wish to appeal an action or inaction by the agency that affects both applications or cases similarly and arose from the same issue, one or both may file the request for hearing, both may present evidence at the hearing, and the agency's decision will be applicable to both. If both file a request for hearing, two (2) hearings will be registered but they will be conducted on the same day and in the same place, either consecutively or jointly, as the couple wishes. If they so desire, only one of the couple need attend the hearing.

(e) The procedure for administrative hearings shall be as follows:

(i) The claimant has thirty (30) days from the date the agency mails the appropriate notice to the claimant of its decision regarding eligibility, services, or benefits to request either a state or local hearing. This time period may be extended if the claimant can show good cause for not filing within thirty (30) days. Good cause includes, but may not be limited to, illness, failure to receive the notice, being out of state, or some other reasonable explanation. If good cause can be shown, a late request may be accepted provided the facts in the case remain the same. If a claimant's circumstances have changed or if good cause for filing a request beyond thirty (30) days is not shown, a hearing request will not be accepted. If the claimant wishes to have eligibility reconsidered, he or she may reapply.

(ii) If a claimant or representative requests a hearing in writing during the advance notice period before benefits are reduced or terminated, benefits must be continued or reinstated to the benefit level in effect before the effective date of the adverse action. Benefits will continue at the original level until the final hearing decision is rendered. Any hearing requested after the advance notice period will not be accepted as a timely request in order for continuation of benefits to apply.

(iii) Upon receipt of a written request for a hearing, the request will be acknowledged in writing within twenty (20) days and a hearing scheduled. The claimant or representative will be given at least five (5) days' advance notice of the hearing date. The local and/or state level hearings will be held by telephone unless, at the hearing officer's discretion, it is determined that an in-person hearing is necessary. If a local hearing is requested, the regional office will notify the claimant or representative in writing of the time of the local hearing. If a state hearing is requested, the state office will notify the claimant or representative in writing of the time of the state hearing. If an in-person hearing is necessary, local hearings will be held at the regional office and state hearings will be held at the state office unless other arrangements are necessitated by the claimant's inability to travel.

(iv) All persons attending a hearing will attend for the purpose of giving information on behalf of the claimant or rendering the claimant assistance in some other way, or for the purpose of representing the Division of Medicaid.

(v) A state or local hearing request may be withdrawn at any time before the scheduled hearing, or after the hearing is held but before a decision is rendered. The withdrawal must be in writing and signed by the claimant or representative. A hearing request will be considered abandoned if the claimant or representative fails to appear at a scheduled hearing without good cause. If no one appears for a hearing, the appropriate office will notify the claimant in writing that the hearing is dismissed unless good cause is shown for not attending. The proposed agency action will be taken on the case following failure to appear for a hearing if the action has not already been effected.

(vi) The claimant or his representative has the following rights in connection with a local or state hearing:

(A) The right to examine at a reasonable time before the date of the hearing and during the hearing the content of the claimant's case record;

(B) The right to have legal representation at the hearing and to bring witnesses;

(C) The right to produce documentary evidence and establish all facts and circumstances concerning eligibility, services, or benefits;

(D) The right to present an argument without undue interference;

(E) The right to question or refute any testimony or evidence including an opportunity to confront and cross-examine adverse witnesses.

(vii) When a request for a local hearing is received by the regional office or if the regional office is notified by the state office that a local hearing has been requested, the Medicaid specialist supervisor in the regional office will review the case record, reexamine the action taken on the case, and determine if policy and procedures have been followed. If any adjustments or corrections should be made, the Medicaid specialist supervisor will ensure that corrective action is taken. If the request for hearing was timely made such that continuation of benefits applies, the Medicaid specialist supervisor will ensure that benefits continue at the level before the proposed adverse action that is the subject of the appeal. The Medicaid specialist supervisor will also ensure that all needed information, verification, and evidence is in the case record for the hearing.

(viii) When a state hearing is requested that appeals the action or inaction of a regional office, the regional office will prepare copies of the case record and forward it to the appropriate division in the state office no later than five (5) days after receipt of the request for a state hearing. The original case record will remain in the

regional office. Either the original case record in the regional office or the copy forwarded to the state office will be available for inspection by the claimant or claimant's representative a reasonable time before the date of the hearing.

(ix) The Medicaid specialist supervisor will serve as the hearing officer for a local hearing unless the Medicaid specialist supervisor actually participated in the eligibility, benefits, or services decision under appeal, in which case the Medicaid specialist supervisor must appoint a Medicaid specialist in the regional office who did not actually participate in the decision under appeal to serve as hearing officer. The local hearing will be an informal proceeding in which the claimant or representative may present new or additional information, may question the action taken on the client's case, and will hear an explanation from agency staff as to the regulations and requirements that were applied to claimant's case in making the decision.

(x) After the hearing, the hearing officer will prepare a written summary of the hearing procedure and file it with the case record. The hearing officer will consider the facts presented at the local hearing in reaching a decision. The claimant will be notified of the local hearing decision on the appropriate form that will state clearly the reason for the decision, the policy that governs the decision, the claimant's right to appeal the decision to the state office, and, if the original adverse action is upheld, the new effective date of the reduction or termination of benefits or services if continuation of benefits applied during the hearing process. The new effective date of the reduction or termination of benefits or services must be at the end of the fifteen-day advance notice period from the mailing date of the notice of hearing decision. The notice to claimant will be made part of the case record.

(xi) The claimant has the right to appeal a local hearing decision by requesting a state hearing in writing within fifteen (15) days of the mailing date of the notice of local hearing decision. The state hearing request should be made to the regional office. If benefits have been continued pending the local hearing process, then benefits will continue throughout the fifteen-day advance notice period for an adverse local hearing decision. If a state hearing is timely requested within the fifteen-day period, then benefits will continue pending the state hearing process. State hearings requested after the fifteen-day local hearing advance notice period will not be accepted unless the initial thirty-day period for filing a hearing request has not expired because the local hearing was held early, in which case a state hearing request will be accepted as timely within the number of days remaining of the unexpired initial thirty-day period in addition to the fifteen-day time period. Continuation of benefits during the state hearing process, however, will only apply if the state hearing request is received within the fifteen-day advance notice period.

(xii) When a request for a state hearing is received in the regional office, the request will be made part of the case record and the regional office will prepare the case record and forward it to the appropriate division in the state office within five (5) days of receipt of the state hearing request. A request for a state hearing received in the state office will be forwarded to the regional office for inclusion in the case record and the regional office will prepare the case record and forward it to the appropriate division in the state office within five (5) days of receipt of the state hearing request.

(xiii) Upon receipt of the hearing record, an impartial hearing officer will be assigned to hear the case either by the Executive Director of the Division of Medicaid or his or her designee. Hearing officers will be individuals with appropriate expertise employed by the division and who have not been involved in any way with the action or decision on appeal in the case. The hearing officer will review the case record and if the review shows that an error was made in the action of the agency or in the interpretation of policy, or that a change of policy has been made, the hearing officer will discuss these matters with the appropriate agency personnel and request that an appropriate adjustment be made. Appropriate agency personnel will discuss the matter with the claimant and if the claimant is agreeable to the adjustment of the claim, then

agency personnel will request in writing dismissal of the hearing and the reason therefor, to be placed in the case record. If the hearing is to go forward, it shall be scheduled by the hearing officer in the manner set forth in subparagraph (iii) of this paragraph (e).

(xiv) In conducting the hearing, the state hearing officer will inform those present of the following:

(A) That the hearing will be recorded on tape and that a transcript of the proceedings will be typed for the record;

(B) The action taken by the agency which prompted the appeal;

(C) An explanation of the claimant's rights during the hearing as outlined in subparagraph (vi) of this paragraph (e);

(D) That the purpose of the hearing is for the claimant to express dissatisfaction and present additional information or evidence;

(E) That the case record is available for review by the claimant or representative during the hearing;

(F) That the final hearing decision will be rendered by the Executive Director of the Division of Medicaid on the basis of facts presented at the hearing and the case record and that the claimant will be notified by letter of the final decision.

(xv) During the hearing, the claimant and/or representative will be allowed an opportunity to make a full statement concerning the appeal and will be assisted, if necessary, in disclosing all information on which the claim is based. All persons representing the claimant and those representing the Division of Medicaid will have the opportunity to state all facts pertinent to the appeal. The hearing officer may recess or continue the hearing for a reasonable time should additional information or facts be required or if some change in the claimant's circumstances occurs during the hearing process which impacts the appeal. When all information has been presented, the hearing officer will close the hearing and stop the recorder.

(xvi) Immediately following the hearing the hearing tape will be transcribed and a copy of the transcription forwarded to the regional office for filing in the case record. As soon as possible, the hearing officer shall review the evidence and record of the proceedings, testimony, exhibits, and other supporting documents, prepare a written summary of the facts as the hearing officer finds them, and prepare a written recommendation of action to be taken by the agency, citing appropriate policy and regulations that govern the recommendation. The decision cannot be based on any material, oral or written, not available to the claimant before or during the hearing. The hearing officer's recommendation will become part of the case record which will be submitted to the Executive Director of the Division of Medicaid for further review and decision.

(xvii) The Executive Director of the Division of Medicaid, upon review of the recommendation, proceedings and the record, may sustain the recommendation of the hearing officer, reject the same, or remand the matter to the hearing officer to take additional testimony and evidence, in which case, the hearing officer thereafter shall submit to the executive director a new recommendation. The executive director shall

prepare a written decision summarizing the facts and identifying policies and regulations that support the decision, which shall be mailed to the claimant and the representative, with a copy to the regional office if appropriate, as soon as possible after submission of a recommendation by the hearing officer. The decision notice will specify any action to be taken by the agency, specify any revised eligibility dates or, if continuation of benefits applies, will notify the claimant of the new effective date of reduction or termination of benefits or services, which will be fifteen (15) days from the mailing date of the notice of decision. The decision rendered by the Executive Director of the Division of Medicaid is final and binding. The claimant is entitled to seek judicial review in a court of proper jurisdiction.

(xviii) The Division of Medicaid must take final administrative action on a hearing, whether state or local, within ninety (90) days from the date of the initial request for a hearing.

(xix) A group hearing may be held for a number of claimants under the following circumstances:

(A) The Division of Medicaid may consolidate the cases and conduct a single group hearing when the only issue involved is one (1) of a single law or agency policy;

(B) The claimants may request a group hearing when there is one (1) issue of agency policy common to all of them.

In all group hearings, whether initiated by the Division of Medicaid or by the claimants, the policies governing fair hearings must be followed. Each claimant in a group hearing must be permitted to present his or her own case and be represented by his or her own representative, or to withdraw from the group hearing and have his or her appeal heard individually. As in individual hearings, the hearing will be conducted only on the issue being appealed, and each claimant will be expected to keep individual testimony within a reasonable time frame as a matter of consideration to the other claimants involved.

(xx) Any specific matter necessitating an administrative hearing not otherwise provided under this article or agency policy shall be afforded under the hearing procedures as outlined above. If the specific time frames of such a unique matter relating to requesting, granting, and concluding of the hearing is contrary to the time frames as set out in the hearing procedures above, the specific time frames will govern over the time frames as set out within these procedures.

(4) The Executive Director of the Division of Medicaid, with the approval of the Governor, shall be authorized to employ eligibility, technical, clerical and supportive staff as may be required in carrying out and fully implementing the determination of Medicaid eligibility, including conducting quality control reviews and the investigation of the improper receipt of medical assistance. Staffing needs will be set forth in the annual appropriation act for the division. Additional office space as needed in performing eligibility, quality control and investigative functions shall be obtained by the division.

SECTION 10. Section 43-13-117, Mississippi Code of 1972, is brought forward as follows:

43-13-117. (A) Medicaid as authorized by this article shall include payment of part or all of the costs, at the discretion of the division, with approval of the Governor and the Centers for Medicare and Medicaid Services, of the following types of care and services

rendered to eligible applicants who have been determined to be eligible for that care and services, within the limits of state appropriations and federal matching funds:

(1) Inpatient hospital services.

(a) The division is authorized to implement an All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement methodology for inpatient hospital services.

(b) No service benefits or reimbursement limitations in this subsection (A)(1) shall apply to payments under an APR-DRG or Ambulatory Payment Classification (APC) model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(2) Outpatient hospital services.

(a) Emergency services.

(b) Other outpatient hospital services. The division shall allow benefits for other medically necessary outpatient hospital services (such as chemotherapy, radiation, surgery and therapy), including outpatient services in a clinic or other facility that is not located inside the hospital, but that has been designated as an outpatient facility by the hospital, and that was in operation or under construction on July 1, 2009, provided that the costs and charges associated with the operation of the hospital clinic are included in the hospital's cost report. In addition, the Medicare thirty-five-mile rule will apply to those hospital clinics not located inside the hospital that are constructed after July 1, 2009. Where the same services are reimbursed as clinic services, the division may revise the rate or methodology of outpatient reimbursement to maintain consistency, efficiency, economy and quality of care.

(c) The division is authorized to implement an Ambulatory Payment Classification (APC) methodology for outpatient hospital services. The division shall give rural hospitals that have fifty (50) or fewer licensed beds the option to not be reimbursed for outpatient hospital services using the APC methodology, but reimbursement for outpatient hospital services provided by those hospitals shall be based on one hundred one percent (101%) of the rate established under Medicare for outpatient hospital services. Those hospitals choosing to not be reimbursed under the APC methodology shall remain under cost-based reimbursement for a two-year period.

(d) No service benefits or reimbursement limitations in this subsection (A)(2) shall apply to payments under an APR-DRG or APC model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(3) Laboratory and x-ray services.

(4) Nursing facility services.

(a) The division shall make full payment to nursing facilities for each day, not exceeding forty-two (42) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the forty-two-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) From and after July 1, 1997, the division shall implement the integrated case-mix payment and quality monitoring system, which includes the fair rental system for property costs and in which recapture of depreciation is eliminated. The division may reduce the payment for hospital leave and therapeutic home leave days to the lower of the case-mix category as computed for the resident on leave using the assessment being utilized for payment at that point in time, or a case-mix score of 1.000 for nursing facilities, and shall compute case-mix scores of residents so that only services provided at the nursing facility are considered in calculating a facility's per diem.

(c) From and after July 1, 1997, all state-owned nursing facilities shall be reimbursed on a full reasonable cost basis.

(d) On or after January 1, 2015, the division shall update the case-mix payment system resource utilization grouper and classifications and fair rental reimbursement system. The division shall develop and implement a payment add-on to reimburse nursing facilities for ventilator-dependent resident services.

(e) The division shall develop and implement, not later than January 1, 2001, a case-mix payment add-on determined by time studies and other valid statistical data that will reimburse a nursing facility for the additional cost of caring for a resident who has a diagnosis of Alzheimer's or other related dementia and exhibits symptoms that require special care. Any such case-mix add-on payment shall be supported by a determination of additional cost. The division shall also develop and implement as part of the fair rental reimbursement system for nursing facility beds, an Alzheimer's resident bed depreciation enhanced reimbursement system that will provide an incentive to encourage nursing facilities to convert or construct beds for residents with Alzheimer's or other related dementia.

(f) The division shall develop and implement an assessment process for long-term care services. The division may provide the assessment and related functions directly or through contract with the area agencies on aging.

The division shall apply for necessary federal waivers to assure that additional services providing alternatives to nursing facility care are made available to applicants for nursing facility care.

(5) Periodic screening and diagnostic services for individuals under age twenty-one (21) years as are needed to identify physical and mental defects and to provide health care treatment and other measures designed to correct or ameliorate defects and physical and mental illness and conditions discovered by the screening services, regardless of whether these services are included in the state plan. The division may include in its periodic screening and diagnostic program those discretionary services authorized under the federal regulations adopted to implement Title XIX of the federal Social Security Act, as amended. The division, in obtaining physical therapy services, occupational therapy services, and services for individuals with speech, hearing and language disorders, may enter into a cooperative agreement with the State Department of Education for the provision of those services to handicapped students by public school districts using state funds that are provided from the appropriation to the Department of Education to obtain federal matching funds through the division. The division, in obtaining medical and mental health assessments, treatment, care and services for children who are in, or at risk of being put in, the custody of the Mississippi Department of Human Services may enter into a cooperative agreement with the Mississippi Department of Human Services for the provision of those services using state funds that are provided from the appropriation to the Department of Human Services to obtain federal matching funds through the division.

(6) Physician services. Fees for physician's services that are covered only by Medicaid shall be reimbursed at ninety percent (90%) of the rate established on January 1, 2018, and as may be adjusted each July thereafter, under Medicare. The division may provide for a reimbursement rate for physician's services of up to one hundred percent (100%) of the rate established under Medicare for physician's services that are provided after the normal working hours of the physician, as determined in accordance with regulations of the division. The division may reimburse eligible providers, as determined by the division, for certain primary care services at one hundred percent (100%) of the rate established under Medicare. The division shall reimburse obstetricians and gynecologists for certain primary care services as defined by the division at one hundred percent (100%) of the rate established under Medicare.

(7) (a) Home health services for eligible persons, not to exceed in cost the prevailing cost of nursing facility services. All home health visits must be precertified as required by the division. In addition to physicians, certified registered nurse practitioners, physician assistants and clinical nurse specialists are authorized to prescribe or order home health services and plans of care, sign home health plans of care, certify and recertify eligibility for home health services and conduct the required initial face-to-face visit with the recipient of the services.

(b) [Repealed]

(8) Emergency medical transportation services as determined by the division.

(9) Prescription drugs and other covered drugs and services as determined by the division.

The division shall establish a mandatory preferred drug list. Drugs not on the mandatory preferred drug list shall be made available by utilizing prior authorization procedures established by the division.

The division may seek to establish relationships with other states in order to lower acquisition costs of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs. In addition, if allowed by federal law or regulation, the division may seek to establish relationships with and negotiate with other countries to facilitate the acquisition of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs, if that will lower the acquisition costs of those prescription drugs.

The division may allow for a combination of prescriptions for single-source and innovator multiple-source drugs and generic drugs to meet the needs of the beneficiaries.

The executive director may approve specific maintenance drugs for beneficiaries with certain medical conditions, which may be prescribed and dispensed in three-month supply increments.

Drugs prescribed for a resident of a psychiatric residential treatment facility must be provided in true unit doses when available. The division may require that drugs not covered by Medicare Part D for a resident of a long-term care facility be provided in true unit doses when available. Those drugs that were originally billed to the division but are not used by a resident in any of those facilities shall be returned to the billing pharmacy for credit to the division, in accordance with the guidelines of the State Board of Pharmacy

and any requirements of federal law and regulation. Drugs shall be dispensed to a recipient and only one (1) dispensing fee per month may be charged. The division shall develop a methodology for reimbursing for restocked drugs, which shall include a restock fee as determined by the division not exceeding Seven Dollars and Eighty-two Cents ($7.82).

Except for those specific maintenance drugs approved by the executive director, the division shall not reimburse for any portion of a prescription that exceeds a thirty-one-day supply of the drug based on the daily dosage.

The division is authorized to develop and implement a program of payment for additional pharmacist services as determined by the division.

All claims for drugs for dually eligible Medicare/Medicaid beneficiaries that are paid for by Medicare must be submitted to Medicare for payment before they may be processed by the division's online payment system.

The division shall develop a pharmacy policy in which drugs in tamper-resistant packaging that are prescribed for a resident of a nursing facility but are not dispensed to the resident shall be returned to the pharmacy and not billed to Medicaid, in accordance with guidelines of the State Board of Pharmacy.

The division shall develop and implement a method or methods by which the division will provide on a regular basis to Medicaid providers who are authorized to prescribe drugs, information about the costs to the Medicaid program of single-source drugs and innovator multiple-source drugs, and information about other drugs that may be prescribed as alternatives to those single-source drugs and innovator multiple-source drugs and the costs to the Medicaid program of those alternative drugs.

Notwithstanding any law or regulation, information obtained or maintained by the division regarding the prescription drug program, including trade secrets and manufacturer or labeler pricing, is confidential and not subject to disclosure except to other state agencies.

The dispensing fee for each new or refill prescription, including nonlegend or over-the-counter drugs covered by the division, shall be not less than Three Dollars and Ninety-one Cents ($3.91), as determined by the division.

The division shall not reimburse for single-source or innovator multiple-source drugs if there are equally effective generic equivalents available and if the generic equivalents are the least expensive.

It is the intent of the Legislature that the pharmacists providers be reimbursed for the reasonable costs of filling and dispensing prescriptions for Medicaid beneficiaries.

The division shall allow certain drugs, including physician-administered drugs, and implantable drug system devices, and medical supplies, with limited distribution or limited access for beneficiaries and administered in an appropriate clinical setting, to be reimbursed as either a medical claim or pharmacy claim, as determined by the division.

It is the intent of the Legislature that the division and any managed care entity described in subsection (H) of this section encourage the use of Alpha-Hydroxyprogesterone Caproate (17P) to prevent recurrent preterm birth.

(10) Dental and orthodontic services to be determined by the division.

The division shall increase the amount of the reimbursement rate for diagnostic and preventative dental services for each of the fiscal years 2022, 2023 and 2024 by five percent (5%) above the amount of the reimbursement rate for the previous fiscal year. The division shall increase the amount of the reimbursement rate for restorative dental services for each of the fiscal years 2023, 2024 and 2025 by five percent (5%) above the amount of the reimbursement rate for the previous fiscal year. It is the intent of the Legislature that the reimbursement rate revision for preventative dental services will be an incentive to increase the number of dentists who actively provide Medicaid services. This dental services reimbursement rate revision shall be known as the "James Russell Dumas Medicaid Dental Services Incentive Program."

The Medical Care Advisory Committee, assisted by the Division of Medicaid, shall annually determine the effect of this incentive by evaluating the number of dentists who are Medicaid providers, the number who and the degree to which they are actively billing Medicaid, the geographic trends of where dentists are offering what types of Medicaid services and other statistics pertinent to the goals of this legislative intent. This data shall annually be presented to the Chair of the Senate Medicaid Committee and the Chair of the House Medicaid Committee.

The division shall include dental services as a necessary component of overall health services provided to children who are eligible for services.

(11) Eyeglasses for all Medicaid beneficiaries who have (a) had surgery on the eyeball or ocular muscle that results in a vision change for which eyeglasses or a change in eyeglasses is medically indicated within six (6) months of the surgery and is in accordance with policies established by the division, or (b) one (1) pair every five (5) years and in accordance with policies established by the division. In either instance, the eyeglasses must be prescribed by a physician skilled in diseases of the eye or an optometrist, whichever the beneficiary may select.

(12) Intermediate care facility services.

(a) The division shall make full payment to all intermediate care facilities for individuals with intellectual disabilities for each day, not exceeding sixty-three (63) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the sixty-three-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) All state-owned intermediate care facilities for individuals with intellectual disabilities shall be reimbursed on a full reasonable cost basis.

(c) Effective January 1, 2015, the division shall update the fair rental reimbursement system for intermediate care facilities for individuals with intellectual disabilities.

(13) Family planning services, including drugs, supplies and devices, when those services are under the supervision of a physician or nurse practitioner.

(14) Clinic services. Preventive, diagnostic, therapeutic, rehabilitative or palliative services that are furnished by a facility that is not part of a hospital but is

organized and operated to provide medical care to outpatients. Clinic services include, but are not limited to:

(a) Services provided by ambulatory surgical centers (ACSs) as defined in Section 41-75-1(a); and

(b) Dialysis center services.

(15) Home- and community-based services for the elderly and disabled, as provided under Title XIX of the federal Social Security Act, as amended, under waivers, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

(16) Mental health services. Certain services provided by a psychiatrist shall be reimbursed at up to one hundred percent (100%) of the Medicare rate. Approved therapeutic and case management services (a) provided by an approved regional mental health/intellectual disability center established under Sections 41-19-31 through 41-19-39, or by another community mental health service provider meeting the requirements of the Department of Mental Health to be an approved mental health/intellectual disability center if determined necessary by the Department of Mental Health, using state funds that are provided in the appropriation to the division to match federal funds, or (b) provided by a facility that is certified by the State Department of Mental Health to provide therapeutic and case management services, to be reimbursed on a fee for service basis, or (c) provided in the community by a facility or program operated by the Department of Mental Health. Any such services provided by a facility described in subparagraph (b) must have the prior approval of the division to be reimbursable under this section.

(17) Durable medical equipment services and medical supplies. Precertification of durable medical equipment and medical supplies must be obtained as required by the division. The Division of Medicaid may require durable medical equipment providers to obtain a surety bond in the amount and to the specifications as established by the Balanced Budget Act of 1997. A maximum dollar amount of reimbursement for noninvasive ventilators or ventilation treatments properly ordered and being used in an appropriate care setting shall not be set by any health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section. Reimbursement by these organizations to durable medical equipment suppliers for home use of noninvasive and invasive ventilators shall be on a continuous monthly payment basis for the duration of medical need throughout a patient's valid prescription period.

(18) (a) Notwithstanding any other provision of this section to the contrary, as provided in the Medicaid state plan amendment or amendments as defined in Section 43-13-145(10), the division shall make additional reimbursement to hospitals that serve a disproportionate share of low-income patients and that meet the federal requirements for those payments as provided in Section 1923 of the federal Social Security Act and any applicable regulations. It is the intent of the Legislature that the division shall draw down all available federal funds allotted to the state for disproportionate share hospitals. However, from and after January 1, 1999, public hospitals participating in the Medicaid disproportionate share program may be required to participate in an intergovernmental transfer program as provided in Section 1903 of the federal Social Security Act and any applicable regulations.

(b) (i) 1. The division may establish a Medicare Upper Payment Limits Program, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, or an allowable delivery system or provider payment

initiative authorized under 42 CFR 438.6(c), for hospitals, nursing facilities and physicians employed or contracted by hospitals.

2. The division shall establish a Medicaid Supplemental Payment Program, as permitted by the federal Social Security Act and a comparable allowable delivery system or provider payment initiative authorized under 42 CFR 438.6(c), for emergency ambulance transportation providers in accordance with this subsection (A)(18)(b).

(ii) The division shall assess each hospital, nursing facility, and emergency ambulance transportation provider for the sole purpose of financing the state portion of the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). The hospital assessment shall be as provided in Section 43-13-145(4)(a), and the nursing facility and the emergency ambulance transportation assessments, if established, shall be based on Medicaid utilization or other appropriate method, as determined by the division, consistent with federal regulations. The assessments will remain in effect as long as the state participates in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). In addition to the hospital assessment provided in Section 43-13-145(4)(a), hospitals with physicians participating in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b) shall be required to participate in an intergovernmental transfer or assessment, as determined by the division, for the purpose of financing the state portion of the physician UPL payments or other payment(s) authorized under this subsection (A)(18)(b).

(iii) Subject to approval by the Centers for Medicare and Medicaid Services (CMS) and the provisions of this subsection (A)(18)(b), the division shall make additional reimbursement to hospitals, nursing facilities, and emergency ambulance transportation providers for the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b), and, if the program is established for physicians, shall make additional reimbursement for physicians, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, provided the assessment in this subsection (A)(18)(b) is in effect.

(iv) Notwithstanding any other provision of this article to the contrary, effective upon implementation of the Mississippi Hospital Access Program (MHAP) provided in subparagraph (c)(i) below, the hospital portion of the inpatient Upper Payment Limits Program shall transition into and be replaced by the MHAP program. However, the division is authorized to develop and implement an alternative fee-for-service Upper Payment Limits model in accordance with federal laws and regulations if necessary to preserve supplemental funding. Further, the division, in consultation with the hospital industry shall develop alternative models for distribution of medical claims and supplemental payments for inpatient and outpatient hospital services, and such models may include, but shall not be limited to the following: increasing rates for inpatient and outpatient services; creating a low-income utilization pool of funds to reimburse hospitals for the costs of uncompensated care, charity care and bad debts as permitted and approved pursuant to federal regulations and the Centers for Medicare and Medicaid Services; supplemental payments based upon Medicaid utilization, quality, service lines and/or costs of providing such services to Medicaid beneficiaries and to uninsured patients. The goals of such payment models shall be to ensure access to inpatient and outpatient care and to maximize any federal funds that are available to reimburse hospitals for services provided. Any such documents required to achieve the goals described in this paragraph shall be submitted to the Centers for Medicare and Medicaid Services, with a proposed effective date of July 1, 2019, to the extent possible, but in no event shall the effective date of such payment models be later than July 1, 2020. The Chairmen of the Senate and House Medicaid Committees shall be provided a copy of the proposed payment model(s) prior to submission. Effective July 1, 2018, and until

such time as any payment model(s) as described above become effective, the division, in consultation with the hospital industry, is authorized to implement a transitional program for inpatient and outpatient payments and/or supplemental payments (including, but not limited to, MHAP and directed payments), to redistribute available supplemental funds among hospital providers, provided that when compared to a hospital's prior year supplemental payments, supplemental payments made pursuant to any such transitional program shall not result in a decrease of more than five percent (5%) and shall not increase by more than the amount needed to maximize the distribution of the available funds.

(v) 1. To preserve and improve access to ambulance transportation provider services, the division shall seek CMS approval to make ambulance service access payments as set forth in this subsection (A)(18)(b) for all covered emergency ambulance services rendered on or after July 1, 2022, and shall make such ambulance service access payments for all covered services rendered on or after the effective date of CMS approval.

2. The division shall calculate the ambulance service access payment amount as the balance of the portion of the Medical Care Fund related to ambulance transportation service provider assessments plus any federal matching funds earned on the balance, up to, but not to exceed, the upper payment limit gap for all emergency ambulance service providers.

3. a. Except for ambulance services exempt from the assessment provided in this paragraph (18)(b), all ambulance transportation service providers shall be eligible for ambulance service access payments each state fiscal year as set forth in this paragraph (18)(b).

b. In addition to any other funds paid to ambulance transportation service providers for emergency medical services provided to Medicaid beneficiaries, each eligible ambulance transportation service provider shall receive ambulance service access payments each state fiscal year equal to the ambulance transportation service provider's upper payment limit gap. Subject to approval by the Centers for Medicare and Medicaid Services, ambulance service access payments shall be made no less than on a quarterly basis.

c. As used in this paragraph (18)(b)(v), the term "upper payment limit gap" means the difference between the total amount that the ambulance transportation service provider received from Medicaid and the average amount that the ambulance transportation service provider would have received from commercial insurers for those services reimbursed by Medicaid.

4. An ambulance service access payment shall not be used to offset any other payment by the division for emergency or nonemergency services to Medicaid beneficiaries.

(c) (i) Not later than December l, 2015, the division shall, subject to approval by the Centers for Medicare and Medicaid Services (CMS), establish, implement and operate a Mississippi Hospital Access Program (MHAP) for the purpose of protecting patient access to hospital care through hospital inpatient reimbursement programs provided in this section designed to maintain total hospital reimbursement for inpatient services rendered by in-state hospitals and the out-of-state hospital that is authorized by federal law to submit intergovernmental transfers (IGTs) to the State of Mississippi and is classified as Level I trauma center located in a county contiguous to the state line at the maximum levels permissible under applicable federal statutes and regulations, at which

time the current inpatient Medicare Upper Payment Limits (UPL) Program for hospital inpatient services shall transition to the MHAP.

(ii) Subject to approval by the Centers for Medicare and Medicaid Services (CMS), the MHAP shall provide increased inpatient capitation (PMPM) payments to managed care entities contracting with the division pursuant to subsection (H) of this section to support availability of hospital services or such other payments permissible under federal law necessary to accomplish the intent of this subsection.

(iii) The intent of this subparagraph (c) is that effective for all inpatient hospital Medicaid services during state fiscal year 2016, and so long as this provision shall remain in effect hereafter, the division shall to the fullest extent feasible replace the additional reimbursement for hospital inpatient services under the inpatient Medicare Upper Payment Limits (UPL) Program with additional reimbursement under the MHAP and other payment programs for inpatient and/or outpatient payments which may be developed under the authority of this paragraph.

(iv) The division shall assess each hospital as provided in Section 43-13-145(4)(a) for the purpose of financing the state portion of the MHAP, supplemental payments and such other purposes as specified in Section 43-13-145. The assessment will remain in effect as long as the MHAP and supplemental payments are in effect.

(19) (a) Perinatal risk management services. The division shall promulgate regulations to be effective from and after October 1, 1988, to establish a comprehensive perinatal system for risk assessment of all pregnant and infant Medicaid recipients and for management, education and follow-up for those who are determined to be at risk. Services to be performed include case management, nutrition assessment/counseling, psychosocial assessment/counseling and health education. The division shall contract with the State Department of Health to provide services within this paragraph (Perinatal High Risk Management/Infant Services System (PHRM/ISS)). The State Department of Health shall be reimbursed on a full reasonable cost basis for services provided under this subparagraph (a).

(b) Early intervention system services. The division shall cooperate with the State Department of Health, acting as lead agency, in the development and implementation of a statewide system of delivery of early intervention services, under Part C of the Individuals with Disabilities Education Act (IDEA). The State Department of Health shall certify annually in writing to the executive director of the division the dollar amount of state early intervention funds available that will be utilized as a certified match for Medicaid matching funds. Those funds then shall be used to provide expanded targeted case management services for Medicaid eligible children with special needs who are eligible for the state's early intervention system. Qualifications for persons providing service coordination shall be determined by the State Department of Health and the Division of Medicaid.

(20) Home- and community-based services for physically disabled approved services as allowed by a waiver from the United States Department of Health and Human Services for home- and community-based services for physically disabled people using state funds that are provided from the appropriation to the State Department of Rehabilitation Services and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Rehabilitation Services.

(21) Nurse practitioner services. Services furnished by a registered nurse who is licensed and certified by the Mississippi Board of Nursing as a nurse practitioner,

including, but not limited to, nurse anesthetists, nurse midwives, family nurse practitioners, family planning nurse practitioners, pediatric nurse practitioners, obstetrics-gynecology nurse practitioners and neonatal nurse practitioners, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for nurse practitioner services of up to one hundred percent (100%) of the reimbursement rate for comparable services rendered by a physician for nurse practitioner services that are provided after the normal working hours of the nurse practitioner, as determined in accordance with regulations of the division.

(22) Ambulatory services delivered in federally qualified health centers, rural health centers and clinics of the local health departments of the State Department of Health for individuals eligible for Medicaid under this article based on reasonable costs as determined by the division. Federally qualified health centers shall be reimbursed by the Medicaid prospective payment system as approved by the Centers for Medicare and Medicaid Services. The division shall recognize federally qualified health centers (FQHCs), rural health clinics (RHCs) and community mental health centers (CMHCs) as both an originating and distant site provider for the purposes of telehealth reimbursement. The division is further authorized and directed to reimburse FQHCs, RHCs and CMHCs for both distant site and originating site services when such services are appropriately provided by the same organization.

(23) Inpatient psychiatric services.

(a) Inpatient psychiatric services to be determined by the division for recipients under age twenty-one (21) that are provided under the direction of a physician in an inpatient program in a licensed acute care psychiatric facility or in a licensed psychiatric residential treatment facility, before the recipient reaches age twenty-one (21) or, if the recipient was receiving the services immediately before he or she reached age twenty-one (21), before the earlier of the date he or she no longer requires the services or the date he or she reaches age twenty-two (22), as provided by federal regulations. From and after January 1, 2015, the division shall update the fair rental reimbursement system for psychiatric residential treatment facilities. Precertification of inpatient days and residential treatment days must be obtained as required by the division. From and after July 1, 2009, all state-owned and state-operated facilities that provide inpatient psychiatric services to persons under age twenty-one (21) who are eligible for Medicaid reimbursement shall be reimbursed for those services on a full reasonable cost basis.

(b) The division may reimburse for services provided by a licensed freestanding psychiatric hospital to Medicaid recipients over the age of twenty-one (21) in a method and manner consistent with the provisions of Section 43-13-117.5.

(24) [Deleted]

(25) [Deleted]

(26) Hospice care. As used in this paragraph, the term "hospice care" means a coordinated program of active professional medical attention within the home and outpatient and inpatient care that treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social and economic stresses that are experienced during the final stages of illness and during dying and bereavement and meets the Medicare requirements for participation as a hospice as provided in federal regulations.

(27) Group health plan premiums and cost-sharing if it is cost-effective as defined by the United States Secretary of Health and Human Services.

(28) Other health insurance premiums that are cost-effective as defined by the United States Secretary of Health and Human Services. Medicare eligible must have Medicare Part B before other insurance premiums can be paid.

(29) The Division of Medicaid may apply for a waiver from the United States Department of Health and Human Services for home- and community-based services for developmentally disabled people using state funds that are provided from the appropriation to the State Department of Mental Health and/or funds transferred to the department by a political subdivision or instrumentality of the state and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Mental Health and/or transferred to the department by a political subdivision or instrumentality of the state.

(30) Pediatric skilled nursing services as determined by the division and in a manner consistent with regulations promulgated by the Mississippi State Department of Health.

(31) Targeted case management services for children with special needs, under waivers from the United States Department of Health and Human Services, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(32) Care and services provided in Christian Science Sanatoria listed and certified by the Commission for Accreditation of Christian Science Nursing Organizations/Facilities, Inc., rendered in connection with treatment by prayer or spiritual means to the extent that those services are subject to reimbursement under Section 1903 of the federal Social Security Act.

(33) Podiatrist services.

(34) Assisted living services as provided through home- and community-based services under Title XIX of the federal Social Security Act, as amended, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

(35) Services and activities authorized in Sections 43-27-101 and 43-27-103, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(36) Nonemergency transportation services for Medicaid-eligible persons as determined by the division. The PEER Committee shall conduct a performance evaluation of the nonemergency transportation program to evaluate the administration of the program and the providers of transportation services to determine the most cost-effective ways of providing nonemergency transportation services to the patients served under the program. The performance evaluation shall be completed and provided to the members of the Senate Medicaid Committee and the House Medicaid Committee not later than January 1, 2019, and every two (2) years thereafter.

(37) [Deleted]

(38) Chiropractic services. A chiropractor's manual manipulation of the spine to correct a subluxation, if x-ray demonstrates that a subluxation exists and if the subluxation has resulted in a neuromusculoskeletal condition for which manipulation is appropriate treatment, and related spinal x-rays performed to document these conditions. Reimbursement for chiropractic services shall not exceed Seven Hundred Dollars ($700.00) per year per beneficiary.

(39) Dually eligible Medicare/Medicaid beneficiaries. The division shall pay the Medicare deductible and coinsurance amounts for services available under Medicare, as determined by the division. From and after July 1, 2009, the division shall reimburse crossover claims for inpatient hospital services and crossover claims covered under Medicare Part B in the same manner that was in effect on January 1, 2008, unless specifically authorized by the Legislature to change this method.

(40) [Deleted]

(41) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons with spinal cord injuries or traumatic brain injuries, as allowed under waivers from the United States Department of Health and Human Services, using up to seventy-five percent (75%) of the funds that are appropriated to the Department of Rehabilitation Services from the Spinal Cord and Head Injury Trust Fund established under Section 37-33-261 and used to match federal funds under a cooperative agreement between the division and the department.

(42) [Deleted]

(43) The division shall provide reimbursement, according to a payment schedule developed by the division, for smoking cessation medications for pregnant women during their pregnancy and other Medicaid-eligible women who are of child-bearing age.

(44) Nursing facility services for the severely disabled.

(a) Severe disabilities include, but are not limited to, spinal cord injuries, closed-head injuries and ventilator-dependent patients.

(b) Those services must be provided in a long-term care nursing facility dedicated to the care and treatment of persons with severe disabilities.

(45) Physician assistant services. Services furnished by a physician assistant who is licensed by the State Board of Medical Licensure and is practicing with physician supervision under regulations adopted by the board, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for physician assistant services of up to one hundred percent (100%) or the reimbursement rate for comparable services rendered by a physician for physician assistant services that are provided after the normal working hours of the physician assistant, as determined in accordance with regulations of the division.

(46) The division shall make application to the federal Centers for Medicare and Medicaid Services (CMS) for a waiver to develop and provide services for children with serious emotional disturbances as defined in Section 43-14-1(1), which may include home- and community-based services, case management services or managed care services through mental health providers certified by the Department of Mental Health. The division may implement and provide services under this waivered program only if funds for these services are specifically appropriated for this purpose by the Legislature, or if funds are voluntarily provided by affected agencies.

(47) (a) The division may develop and implement disease management programs for individuals with high-cost chronic diseases and conditions, including the use of grants, waivers, demonstrations or other projects as necessary.

(b) Participation in any disease management program implemented under this paragraph (47) is optional with the individual. An individual must affirmatively elect to participate in the disease management program in order to participate, and may elect to discontinue participation in the program at any time.

(48) Pediatric long-term acute care hospital services.

(a) Pediatric long-term acute care hospital services means services provided to eligible persons under twenty-one (21) years of age by a freestanding Medicare-certified hospital that has an average length of inpatient stay greater than twenty-five (25) days and that is primarily engaged in providing chronic or long-term medical care to persons under twenty-one (21) years of age.

(b) The services under this paragraph (48) shall be reimbursed as a separate category of hospital services.

(49) The division may establish copayments and/or coinsurance for any Medicaid services for which copayments and/or coinsurance are allowable under federal law or regulation.

(50) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons who are deaf and blind, as allowed under waivers from the United States Department of Health and Human Services to provide home- and community-based services using state funds that are provided from the appropriation to the State Department of Rehabilitation Services or if funds are voluntarily provided by another agency.

(51) Upon determination of Medicaid eligibility and in association with annual redetermination of Medicaid eligibility, beneficiaries shall be encouraged to undertake a physical examination that will establish a base-line level of health and identification of a usual and customary source of care (a medical home) to aid utilization of disease management tools. This physical examination and utilization of these disease management tools shall be consistent with current United States Preventive Services Task Force or other recognized authority recommendations.

For persons who are determined ineligible for Medicaid, the division will provide information and direction for accessing medical care and services in the area of their residence.

(52) Notwithstanding any provisions of this article, the division may pay enhanced reimbursement fees related to trauma care, as determined by the division in

conjunction with the State Department of Health, using funds appropriated to the State Department of Health for trauma care and services and used to match federal funds under a cooperative agreement between the division and the State Department of Health. The division, in conjunction with the State Department of Health, may use grants, waivers, demonstrations, enhanced reimbursements, Upper Payment Limits Programs, supplemental payments, or other projects as necessary in the development and implementation of this reimbursement program.

(53) Targeted case management services for high-cost beneficiaries may be developed by the division for all services under this section.

(54) [Deleted]

(55) Therapy services. The plan of care for therapy services may be developed to cover a period of treatment for up to six (6) months, but in no event shall the plan of care exceed a six-month period of treatment. The projected period of treatment must be indicated on the initial plan of care and must be updated with each subsequent revised plan of care. Based on medical necessity, the division shall approve certification periods for less than or up to six (6) months, but in no event shall the certification period exceed the period of treatment indicated on the plan of care. The appeal process for any reduction in therapy services shall be consistent with the appeal process in federal regulations.

(56) Prescribed pediatric extended care centers services for medically dependent or technologically dependent children with complex medical conditions that require continual care as prescribed by the child's attending physician, as determined by the division.

(57) No Medicaid benefit shall restrict coverage for medically appropriate treatment prescribed by a physician and agreed to by a fully informed individual, or if the individual lacks legal capacity to consent by a person who has legal authority to consent on his or her behalf, based on an individual's diagnosis with a terminal condition. As used in this paragraph (57), "terminal condition" means any aggressive malignancy, chronic end-stage cardiovascular or cerebral vascular disease, or any other disease, illness or condition which a physician diagnoses as terminal.

(58) Treatment services for persons with opioid dependency or other highly addictive substance use disorders. The division is authorized to reimburse eligible providers for treatment of opioid dependency and other highly addictive substance use disorders, as determined by the division. Treatment related to these conditions shall not count against any physician visit limit imposed under this section.

(59) The division shall allow beneficiaries between the ages of ten (10) and eighteen (18) years to receive vaccines through a pharmacy venue. The division and the State Department of Health shall coordinate and notify OB-GYN providers that the Vaccines for Children program is available to providers free of charge.

(60) Border city university-affiliated pediatric teaching hospital.

(a) Payments may only be made to a border city university-affiliated pediatric teaching hospital if the Centers for Medicare and Medicaid Services (CMS) approve an increase in the annual request for the provider payment initiative authorized under 42 CFR Section 438.6(c) in an amount equal to or greater than the estimated annual payment to be made to the border city university-affiliated pediatric teaching hospital. The estimate shall be based on the hospital's prior year Mississippi managed care utilization.

(b) As used in this paragraph (60), the term "border city university-affiliated pediatric teaching hospital" means an out-of-state hospital located within a city bordering the eastern bank of the Mississippi River and the State of Mississippi that submits to the division a copy of a current and effective affiliation agreement with an accredited university and other documentation establishing that the hospital is university-affiliated, is licensed and designated as a pediatric hospital or pediatric primary hospital within its home state, maintains at least five (5) different pediatric specialty training programs, and maintains at least one hundred (100) operated beds dedicated exclusively for the treatment of patients under the age of twenty-one (21) years.

(c) The cost of providing services to Mississippi Medicaid beneficiaries under the age of twenty-one (21) years who are treated by a border city university-affiliated pediatric teaching hospital shall not exceed the cost of providing the same services to individuals in hospitals in the state.

(d) It is the intent of the Legislature that payments shall not result in any in-state hospital receiving payments lower than they would otherwise receive if not for the payments made to any border city university-affiliated pediatric teaching hospital.

(e) This paragraph (60) shall stand repealed on July 1, 2024.

(B) Planning and development districts participating in the home- and community-based services program for the elderly and disabled as case management providers shall be reimbursed for case management services at the maximum rate approved by the Centers for Medicare and Medicaid Services (CMS).

(C) The division may pay to those providers who participate in and accept patient referrals from the division's emergency room redirection program a percentage, as determined by the division, of savings achieved according to the performance measures and reduction of costs required of that program. Federally qualified health centers may participate in the emergency room redirection program, and the division may pay those centers a percentage of any savings to the Medicaid program achieved by the centers' accepting patient referrals through the program, as provided in this subsection (C).

(D) (1) As used in this subsection (D), the following terms shall be defined as provided in this paragraph, except as otherwise provided in this subsection:

(a) "Committees" means the Medicaid Committees of the House of Representatives and the Senate, and "committee" means either one of those committees.

(b) "Rate change" means an increase, decrease or other change in the payments or rates of reimbursement, or a change in any payment methodology that results in an increase, decrease or other change in the payments or rates of reimbursement, to any Medicaid provider that renders any services authorized to be provided to Medicaid recipients under this article.

(2) Whenever the Division of Medicaid proposes a rate change, the division shall give notice to the chairmen of the committees at least thirty (30) calendar days before the proposed rate change is scheduled to take effect. The division shall furnish the chairmen with a concise summary of each proposed rate change along with the notice, and shall furnish the chairmen with a copy of any proposed rate change upon request.

The division also shall provide a summary and copy of any proposed rate change to any other member of the Legislature upon request.

(3) If the chairman of either committee or both chairmen jointly object to the proposed rate change or any part thereof, the chairman or chairmen shall notify the division and provide the reasons for their objection in writing not later than seven (7) calendar days after receipt of the notice from the division. The chairman or chairmen may make written recommendations to the division for changes to be made to a proposed rate change.

(4) (a) The chairman of either committee or both chairmen jointly may hold a committee meeting to review a proposed rate change. If either chairman or both chairmen decide to hold a meeting, they shall notify the division of their intention in writing within seven (7) calendar days after receipt of the notice from the division, and shall set the date and time for the meeting in their notice to the division, which shall not be later than fourteen (14) calendar days after receipt of the notice from the division.

(b) After the committee meeting, the committee or committees may object to the proposed rate change or any part thereof. The committee or committees shall notify the division and the reasons for their objection in writing not later than seven (7) calendar days after the meeting. The committee or committees may make written recommendations to the division for changes to be made to a proposed rate change.

(5) If both chairmen notify the division in writing within seven (7) calendar days after receipt of the notice from the division that they do not object to the proposed rate change and will not be holding a meeting to review the proposed rate change, the proposed rate change will take effect on the original date as scheduled by the division or on such other date as specified by the division.

(6) (a) If there are any objections to a proposed rate change or any part thereof from either or both of the chairmen or the committees, the division may withdraw the proposed rate change, make any of the recommended changes to the proposed rate change, or not make any changes to the proposed rate change.

(b) If the division does not make any changes to the proposed rate change, it shall notify the chairmen of that fact in writing, and the proposed rate change shall take effect on the original date as scheduled by the division or on such other date as specified by the division.

(c) If the division makes any changes to the proposed rate change, the division shall notify the chairmen of its actions in writing, and the revised proposed rate change shall take effect on the date as specified by the division.

(7) Nothing in this subsection (D) shall be construed as giving the chairmen or the committees any authority to veto, nullify or revise any rate change proposed by the division. The authority of the chairmen or the committees under this subsection shall be limited to reviewing, making objections to and making recommendations for changes to rate changes proposed by the division.

(E) Notwithstanding any provision of this article, no new groups or categories of recipients and new types of care and services may be added without enabling legislation from the Mississippi Legislature, except that the division may authorize those changes without enabling legislation when the addition of recipients or services is ordered by a court of proper authority.

(F) The executive director shall keep the Governor advised on a timely basis of the funds available for expenditure and the projected expenditures. Notwithstanding any other provisions of this article, if current or projected expenditures of the division are reasonably anticipated to exceed the amount of funds appropriated to the division for any fiscal year, the Governor, after consultation with the executive director, shall take all appropriate measures to reduce costs, which may include, but are not limited to:

(1) Reducing or discontinuing any or all services that are deemed to be optional under Title XIX of the Social Security Act;

(2) Reducing reimbursement rates for any or all service types;

(3) Imposing additional assessments on health care providers; or

(4) Any additional cost-containment measures deemed appropriate by the Governor.

To the extent allowed under federal law, any reduction to services or reimbursement rates under this subsection (F) shall be accompanied by a reduction, to the fullest allowable amount, to the profit margin and administrative fee portions of capitated payments to organizations described in paragraph (1) of subsection (H).

Beginning in fiscal year 2010 and in fiscal years thereafter, when Medicaid expenditures are projected to exceed funds available for the fiscal year, the division shall submit the expected shortfall information to the PEER Committee not later than December 1 of the year in which the shortfall is projected to occur. PEER shall review the computations of the division and report its findings to the Legislative Budget Office not later than January 7 in any year.

(G) Notwithstanding any other provision of this article, it shall be the duty of each provider participating in the Medicaid program to keep and maintain books, documents and other records as prescribed by the Division of Medicaid in accordance with federal laws and regulations.

(H) (1) Notwithstanding any other provision of this article, the division is authorized to implement (a) a managed care program, (b) a coordinated care program, (c) a coordinated care organization program, (d) a health maintenance organization program, (e) a patient-centered medical home program, (f) an accountable care organization program, (g) provider-sponsored health plan, or (h) any combination of the above programs. As a condition for the approval of any program under this subsection (H)(1), the division shall require that no managed care program, coordinated care program, coordinated care organization program, health maintenance organization program, or provider-sponsored health plan may:

(a) Pay providers at a rate that is less than the Medicaid All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement rate;

(b) Override the medical decisions of hospital physicians or staff regarding patients admitted to a hospital for an emergency medical condition as defined by 42 US Code Section 1395dd. This restriction (b) does not prohibit the retrospective review of the appropriateness of the determination that an emergency medical condition exists by chart review or coding algorithm, nor does it prohibit prior authorization for nonemergency hospital admissions;

(c) Pay providers at a rate that is less than the normal Medicaid reimbursement rate. It is the intent of the Legislature that all managed care entities described in this subsection (H), in collaboration with the division, develop and implement innovative payment models that incentivize improvements in health care quality, outcomes, or value, as determined by the division. Participation in the provider network of any managed care, coordinated care, provider-sponsored health plan, or similar contractor shall not be conditioned on the provider's agreement to accept such alternative payment models;

(d) Implement a prior authorization and utilization review program for medical services, transportation services and prescription drugs that is more stringent than the prior authorization processes used by the division in its administration of the Medicaid program. Not later than December 2, 2021, the contractors that are receiving capitated payments under a managed care delivery system established under this subsection (H) shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the prior authorization and utilization review program for medical services, transportation services and prescription drugs that is required to be implemented under this subparagraph (d);

(e) [Deleted]

(f) Implement a preferred drug list that is more stringent than the mandatory preferred drug list established by the division under subsection (A)(9) of this section;

(g) Implement a policy which denies beneficiaries with hemophilia access to the federally funded hemophilia treatment centers as part of the Medicaid Managed Care network of providers.

Each health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall use a clear set of level of care guidelines in the determination of medical necessity and in all utilization management practices, including the prior authorization process, concurrent reviews, retrospective reviews and payments, that are consistent with widely accepted professional standards of care. Organizations participating in a managed care program or coordinated care program implemented by the division may not use any additional criteria that would result in denial of care that would be determined appropriate and, therefore, medically necessary under those levels of care guidelines.

(2) Notwithstanding any provision of this section, the recipients eligible for enrollment into a Medicaid Managed Care Program authorized under this subsection (H) may include only those categories of recipients eligible for participation in the Medicaid Managed Care Program as of January 1, 2021, the Children's Health Insurance Program (CHIP), and the CMS-approved Section 1115 demonstration waivers in operation as of January 1, 2021. No expansion of Medicaid Managed Care Program contracts may be implemented by the division without enabling legislation from the Mississippi Legislature.

(3) (a) Any contractors receiving capitated payments under a managed care delivery system established in this section shall provide to the Legislature and the division statistical data to be shared with provider groups in order to improve patient access, appropriate utilization, cost savings and health outcomes not later than October 1 of each year. Additionally, each contractor shall disclose to the Chairmen of the Senate

and House Medicaid Committees the administrative expenses costs for the prior calendar year, and the number of full-equivalent employees located in the State of Mississippi dedicated to the Medicaid and CHIP lines of business as of June 30 of the current year.

(b) The division and the contractors participating in the managed care program, a coordinated care program or a provider-sponsored health plan shall be subject to annual program reviews or audits performed by the Office of the State Auditor, the PEER Committee, the Department of Insurance and/or independent third parties.

(c) Those reviews shall include, but not be limited to, at least two (2) of the following items:

(i) The financial benefit to the State of Mississippi of the managed care program,

(ii) The difference between the premiums paid to the managed care contractors and the payments made by those contractors to health care providers,

(iii) Compliance with performance measures required under the contracts,

(iv) Administrative expense allocation methodologies,

(v) Whether nonprovider payments assigned as medical expenses are appropriate,

(vi) Capitated arrangements with related party subcontractors,

(vii) Reasonableness of corporate allocations,

(viii) Value-added benefits and the extent to which they are used,

(ix) The effectiveness of subcontractor oversight, including subcontractor review,

(x) Whether health care outcomes have been improved, and

(xi) The most common claim denial codes to determine the reasons for the denials.

The audit reports shall be considered public documents and shall be posted in their entirety on the division's website.

(4) All health maintenance organizations, coordinated care organizations, provider-sponsored health plans, or other organizations paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall reimburse all providers in those organizations at rates no lower than those provided under this section for beneficiaries who are not participating in those programs.

(5) No health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall require its providers or beneficiaries to use any pharmacy that ships, mails or delivers prescription drugs or legend drugs or devices.

(6) (a) Not later than December 1, 2021, the contractors who are receiving capitated payments under a managed care delivery system established under this subsection (H) shall develop and implement a uniform credentialing process for providers. Under that uniform credentialing process, a provider who meets the criteria for credentialing will be credentialed with all of those contractors and no such provider will have to be separately credentialed by any individual contractor in order to receive reimbursement from the contractor. Not later than December 2, 2021, those contractors shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the uniform credentialing process for providers that is required under this subparagraph (a).

(b) If those contractors have not implemented a uniform credentialing process as described in subparagraph (a) by December 1, 2021, the division shall develop and implement, not later than July 1, 2022, a single, consolidated credentialing process by which all providers will be credentialed. Under the division's single, consolidated credentialing process, no such contractor shall require its providers to be separately credentialed by the contractor in order to receive reimbursement from the contractor, but those contractors shall recognize the credentialing of the providers by the division's credentialing process.

(c) The division shall require a uniform provider credentialing application that shall be used in the credentialing process that is established under subparagraph (a) or (b). If the contractor or division, as applicable, has not approved or denied the provider credentialing application within sixty (60) days of receipt of the completed application that includes all required information necessary for credentialing, then the contractor or division, upon receipt of a written request from the applicant and within five (5) business days of its receipt, shall issue a temporary provider credential/enrollment to the applicant if the applicant has a valid Mississippi professional or occupational license to provide the health care services to which the credential/enrollment would apply. The contractor or the division shall not issue a temporary credential/enrollment if the applicant has reported on the application a history of medical or other professional or occupational malpractice claims, a history of substance abuse or mental health issues, a criminal record, or a history of medical or other licensing board, state or federal disciplinary action, including any suspension from participation in a federal or state program. The temporary credential/enrollment shall be effective upon issuance and shall remain in effect until the provider's credentialing/enrollment application is approved or denied by the contractor or division. The contractor or division shall render a final decision regarding credentialing/enrollment of the provider within sixty (60) days from the date that the temporary provider credential/enrollment is issued to the applicant.

(d) If the contractor or division does not render a final decision regarding credentialing/enrollment of the provider within the time required in subparagraph (c), the provider shall be deemed to be credentialed by and enrolled with all of the contractors and eligible to receive reimbursement from the contractors.

(7) (a) Each contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to each provider for whom the contractor has denied the coverage of a procedure that was ordered or requested by the provider for or on behalf of a patient, a letter that provides a detailed

explanation of the reasons for the denial of coverage of the procedure and the name and the credentials of the person who denied the coverage. The letter shall be sent to the provider in electronic format.

(b) After a contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) has denied coverage for a claim submitted by a provider, the contractor shall issue to the provider within sixty (60) days a final ruling of denial of the claim that allows the provider to have a state fair hearing and/or agency appeal with the division. If a contractor does not issue a final ruling of denial within sixty (60) days as required by this subparagraph (b), the provider's claim shall be deemed to be automatically approved and the contractor shall pay the amount of the claim to the provider.

(c) After a contractor has issued a final ruling of denial of a claim submitted by a provider, the division shall conduct a state fair hearing and/or agency appeal on the matter of the disputed claim between the contractor and the provider within sixty (60) days, and shall render a decision on the matter within thirty (30) days after the date of the hearing and/or appeal.

(8) It is the intention of the Legislature that the division evaluate the feasibility of using a single vendor to administer pharmacy benefits provided under a managed care delivery system established under this subsection (H). Providers of pharmacy benefits shall cooperate with the division in any transition to a carve-out of pharmacy benefits under managed care.

(9) The division shall evaluate the feasibility of using a single vendor to administer dental benefits provided under a managed care delivery system established in this subsection (H). Providers of dental benefits shall cooperate with the division in any transition to a carve-out of dental benefits under managed care.

(10) It is the intent of the Legislature that any contractor receiving capitated payments under a managed care delivery system established in this section shall implement innovative programs to improve the health and well-being of members diagnosed with prediabetes and diabetes.

(11) It is the intent of the Legislature that any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall work with providers of Medicaid services to improve the utilization of long-acting reversible contraceptives (LARCs). Not later than December 1, 2021, any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to the Chairmen of the House and Senate Medicaid Committees and House and Senate Public Health Committees a report of LARC utilization for State Fiscal Years 2018 through 2020 as well as any programs, initiatives, or efforts made by the contractors and providers to increase LARC utilization. This report shall be updated annually to include information for subsequent state fiscal years.

(12) The division is authorized to make not more than one (1) emergency extension of the contracts that are in effect on July 1, 2021, with contractors who are receiving capitated payments under a managed care delivery system established under this subsection (H), as provided in this paragraph (12). The maximum period of any such extension shall be one (1) year, and under any such extensions, the contractors shall be subject to all of the provisions of this subsection (H). The extended contracts shall be revised to incorporate any provisions of this subsection (H).

(I) [Deleted]

(J) There shall be no cuts in inpatient and outpatient hospital payments, or allowable days or volumes, as long as the hospital assessment provided in Section 43-13-145 is in effect. This subsection (J) shall not apply to decreases in payments that are a result of: reduced hospital admissions, audits or payments under the APR-DRG or APC models, or a managed care program or similar model described in subsection (H) of this section.

(K) In the negotiation and execution of such contracts involving services performed by actuarial firms, the Executive Director of the Division of Medicaid may negotiate a limitation on liability to the state of prospective contractors.

(L) The Division of Medicaid shall reimburse for services provided to eligible Medicaid beneficiaries by a licensed birthing center in a method and manner to be determined by the division in accordance with federal laws and federal regulations. The division shall seek any necessary waivers, make any required amendments to its State Plan or revise any contracts authorized under subsection (H) of this section as necessary to provide the services authorized under this subsection. As used in this subsection, the term "birthing centers" shall have the meaning as defined in Section 41-77-1(a), which is a publicly or privately owned facility, place or institution constructed, renovated, leased or otherwise established where nonemergency births are planned to occur away from the mother's usual residence following a documented period of prenatal care for a normal uncomplicated pregnancy which has been determined to be low risk through a formal risk-scoring examination.

(M) This section shall stand repealed on July 1, 2024.

SECTION 11. Section 43-13-121, Mississippi Code of 1972, is brought forward as follows:

43-13-121. (1) The division shall administer the Medicaid program under the provisions of this article, and may do the following:

(a) Adopt and promulgate reasonable rules, regulations and standards, with approval of the Governor, and in accordance with the Administrative Procedures Law, Section 25-43-1.101 et seq.:

(i) Establishing methods and procedures as may be necessary for the proper and efficient administration of this article;

(ii) Providing Medicaid to all qualified recipients under the provisions of this article as the division may determine and within the limits of appropriated funds;

(iii) Establishing reasonable fees, charges and rates for medical services and drugs; in doing so, the division shall fix all of those fees, charges and rates at the minimum levels absolutely necessary to provide the medical assistance authorized by this article, and shall not change any of those fees, charges or rates except as may be authorized in Section 43-13-117;

(iv) Providing for fair and impartial hearings;

(v) Providing safeguards for preserving the confidentiality of records; and

(vi) For detecting and processing fraudulent practices and abuses of the program;

(b) Receive and expend state, federal and other funds in accordance with court judgments or settlements and agreements between the State of Mississippi and the federal government, the rules and regulations promulgated by the division, with the approval of the Governor, and within the limitations and restrictions of this article and within the limits of funds available for that purpose;

(c) Subject to the limits imposed by this article and subject to the provisions of subsection (8) of this section, to submit a Medicaid plan to the United States Department of Health and Human Services for approval under the provisions of the federal Social Security Act, to act for the state in making negotiations relative to the

submission and approval of that plan, to make such arrangements, not inconsistent with the law, as may be required by or under federal law to obtain and retain that approval and to secure for the state the benefits of the provisions of that law.

No agreements, specifically including the general plan for the operation of the Medicaid program in this state, shall be made by and between the division and the United States Department of Health and Human Services unless the Attorney General of the State of Mississippi has reviewed the agreements, specifically including the operational plan, and has certified in writing to the Governor and to the executive director of the division that the agreements, including the plan of operation, have been drawn strictly in accordance with the terms and requirements of this article;

(d) In accordance with the purposes and intent of this article and in compliance with its provisions, provide for aged persons otherwise eligible for the benefits provided under Title XVIII of the federal Social Security Act by expenditure of funds available for those purposes;

(e) To make reports to the United States Department of Health and Human Services as from time to time may be required by that federal department and to the Mississippi Legislature as provided in this section;

(f) Define and determine the scope, duration and amount of Medicaid that may be provided in accordance with this article and establish priorities therefor in conformity with this article;

(g) Cooperate and contract with other state agencies for the purpose of coordinating Medicaid provided under this article and eliminating duplication and inefficiency in the Medicaid program;

(h) Adopt and use an official seal of the division;

(i) Sue in its own name on behalf of the State of Mississippi and employ legal counsel on a contingency basis with the approval of the Attorney General;

(j) To recover any and all payments incorrectly made by the division to a recipient or provider from the recipient or provider receiving the payments. The division shall be authorized to collect any overpayments to providers sixty (60) days after the conclusion of any administrative appeal unless the matter is appealed to a court of proper jurisdiction and bond is posted. Any appeal filed after July 1, 2015, shall be to the Chancery Court of the First Judicial District of Hinds County, Mississippi, within sixty (60) days after the date that the division has notified the provider by certified mail sent to the proper address of the provider on file with the division and the provider has signed for the certified mail notice, or sixty (60) days after the date of the final decision if the provider does not sign for the certified mail notice. To recover those payments, the division may use the following methods, in addition to any other methods available to the division:

(i) The division shall report to the Department of Revenue the name of any current or former Medicaid recipient who has received medical services rendered during a period of established Medicaid ineligibility and who has not reimbursed the division for the related medical service payment(s). The Department of Revenue shall withhold from the state tax refund of the individual, and pay to the division, the amount of the payment(s) for medical services rendered to the ineligible individual that have not been reimbursed to the division for the related medical service payment(s).

(ii) The division shall report to the Department of Revenue the name of any Medicaid provider to whom payments were incorrectly made that the division has not been able to recover by other methods available to the division. The Department of Revenue shall withhold from the state tax refund of the provider, and pay to the division, the amount of the payments that were incorrectly made to the provider that have not been recovered by other available methods;

(k) To recover any and all payments by the division fraudulently obtained by a recipient or provider. Additionally, if recovery of any payments fraudulently obtained by a recipient or provider is made in any court, then, upon motion of the Governor, the judge of the court may award twice the payments recovered as damages;

(l) Have full, complete and plenary power and authority to conduct such investigations as it may deem necessary and requisite of alleged or suspected violations or abuses of the provisions of this article or of the regulations adopted under this article, including, but not limited to, fraudulent or unlawful act or deed by applicants for Medicaid

or other benefits, or payments made to any person, firm or corporation under the terms, conditions and authority of this article, to suspend or disqualify any provider of services, applicant or recipient for gross abuse, fraudulent or unlawful acts for such periods, including permanently, and under such conditions as the division deems proper and just, including the imposition of a legal rate of interest on the amount improperly or incorrectly paid. Recipients who are found to have misused or abused Medicaid benefits may be locked into one (1) physician and/or one (1) pharmacy of the recipient's choice for a reasonable amount of time in order to educate and promote appropriate use of medical services, in accordance with federal regulations. If an administrative hearing becomes necessary, the division may, if the provider does not succeed in his or her defense, tax the costs of the administrative hearing, including the costs of the court reporter or stenographer and transcript, to the provider. The convictions of a recipient or a provider in a state or federal court for abuse, fraudulent or unlawful acts under this chapter shall constitute an automatic disqualification of the recipient or automatic disqualification of the provider from participation under the Medicaid program.

A conviction, for the purposes of this chapter, shall include a judgment entered on a plea of nolo contendere or a nonadjudicated guilty plea and shall have the same force as a judgment entered pursuant to a guilty plea or a conviction following trial. A certified copy of the judgment of the court of competent jurisdiction of the conviction shall constitute prima facie evidence of the conviction for disqualification purposes;

(m) Establish and provide such methods of administration as may be necessary for the proper and efficient operation of the Medicaid program, fully utilizing computer equipment as may be necessary to oversee and control all current expenditures for purposes of this article, and to closely monitor and supervise all recipient payments and vendors rendering services under this article. Notwithstanding any other provision of state law, the division is authorized to enter into a ten-year contract(s) with a vendor(s) to provide services described in this paragraph (m). Notwithstanding any provision of law to the contrary, the division is authorized to extend its Medicaid Management Information System, including all related components and services, and Decision Support System, including all related components and services, contracts in effect on June 30, 2020, for a period not to exceed two (2) years without complying with state procurement regulations;

(n) To cooperate and contract with the federal government for the purpose of providing Medicaid to Vietnamese and Cambodian refugees, under the provisions of Public Law 94-23 and Public Law 94-24, including any amendments to those laws, only to the extent that the Medicaid assistance and the administrative cost related thereto are one hundred percent (100%) reimbursable by the federal government. For the purposes of Section 43-13-117, persons receiving Medicaid under Public Law 94-23 and Public Law 94-24, including any amendments to those laws, shall not be considered a new group or category of recipient; and

(o) The division shall impose penalties upon Medicaid only, Title XIX participating long-term care facilities found to be in noncompliance with division and certification standards in accordance with federal and state regulations, including interest at the same rate calculated by the United States Department of Health and Human Services and/or the Centers for Medicare and Medicaid Services (CMS) under federal regulations.

(2) The division also shall exercise such additional powers and perform such other duties as may be conferred upon the division by act of the Legislature.

(3) The division, and the State Department of Health as the agency for licensure of health care facilities and certification and inspection for the Medicaid and/or Medicare programs, shall contract for or otherwise provide for the consolidation of on-site inspections of health care facilities that are necessitated by the respective programs and functions of the division and the department.

(4) The division and its hearing officers shall have power to preserve and enforce order during hearings; to issue subpoenas for, to administer oaths to and to compel the attendance and testimony of witnesses, or the production of books, papers, documents and other evidence, or the taking of depositions before any designated individual competent to administer oaths; to examine witnesses; and to do all things conformable to law that may be necessary to enable them effectively to discharge the duties of their

office. In compelling the attendance and testimony of witnesses, or the production of books, papers, documents and other evidence, or the taking of depositions, as authorized by this section, the division or its hearing officers may designate an individual employed by the division or some other suitable person to execute and return that process, whose action in executing and returning that process shall be as lawful as if done by the sheriff or some other proper officer authorized to execute and return process in the county where the witness may reside. In carrying out the investigatory powers under the provisions of this article, the executive director or other designated person or persons may examine, obtain, copy or reproduce the books, papers, documents, medical charts, prescriptions and other records relating to medical care and services furnished by the provider to a recipient or designated recipients of Medicaid services under investigation. In the absence of the voluntary submission of the books, papers, documents, medical charts, prescriptions and other records, the Governor, the executive director, or other designated person may issue and serve subpoenas instantly upon the provider, his or her agent, servant or employee for the production of the books, papers, documents, medical charts, prescriptions or other records during an audit or investigation of the provider. If any provider or his or her agent, servant or employee refuses to produce the records after being duly subpoenaed, the executive director may certify those facts and institute contempt proceedings in the manner, time and place as authorized by law for administrative proceedings. As an additional remedy, the division may recover all amounts paid to the provider covering the period of the audit or investigation, inclusive of a legal rate of interest and a reasonable attorney's fee and costs of court if suit becomes necessary. Division staff shall have immediate access to the provider's physical location, facilities, records, documents, books, and any other records relating to medical care and services rendered to recipients during regular business hours.

(5) If any person in proceedings before the division disobeys or resists any lawful order or process, or misbehaves during a hearing or so near the place thereof as to obstruct the hearing, or neglects to produce, after having been ordered to do so, any pertinent book, paper or document, or refuses to appear after having been subpoenaed, or upon appearing refuses to take the oath as a witness, or after having taken the oath refuses to be examined according to law, the executive director shall certify the facts to any court having jurisdiction in the place in which it is sitting, and the court shall thereupon, in a summary manner, hear the evidence as to the acts complained of, and if the evidence so warrants, punish that person in the same manner and to the same extent as for a contempt committed before the court, or commit that person upon the same condition as if the doing of the forbidden act had occurred with reference to the process of, or in the presence of, the court.

(6) In suspending or terminating any provider from participation in the Medicaid program, the division shall preclude the provider from submitting claims for payment, either personally or through any clinic, group, corporation or other association to the division or its fiscal agents for any services or supplies provided under the Medicaid program except for those services or supplies provided before the suspension or termination. No clinic, group, corporation or other association that is a provider of services shall submit claims for payment to the division or its fiscal agents for any services or supplies provided by a person within that organization who has been suspended or terminated from participation in the Medicaid program except for those services or supplies provided before the suspension or termination. When this provision is violated by a provider of services that is a clinic, group, corporation or other association, the division may suspend or terminate that organization from participation. Suspension may be applied by the division to all known affiliates of a provider, provided that each decision to include an affiliate is made on a case-by-case basis after giving due regard to all relevant facts and circumstances. The violation, failure or inadequacy of performance may be imputed to a person with whom the provider is affiliated where that conduct was accomplished within the course of his or her official duty or was effectuated by him or her with the knowledge or approval of that person.

(7) The division may deny or revoke enrollment in the Medicaid program to a provider if any of the following are found to be applicable to the provider, his or her

agent, a managing employee or any person having an ownership interest equal to five percent (5%) or greater in the provider:

(a) Failure to truthfully or fully disclose any and all information required, or the concealment of any and all information required, on a claim, a provider application or a provider agreement, or the making of a false or misleading statement to the division relative to the Medicaid program.

(b) Previous or current exclusion, suspension, termination from or the involuntary withdrawing from participation in the Medicaid program, any other state's Medicaid program, Medicare or any other public or private health or health insurance program. If the division ascertains that a provider has been convicted of a felony under federal or state law for an offense that the division determines is detrimental to the best interest of the program or of Medicaid beneficiaries, the division may refuse to enter into an agreement with that provider, or may terminate or refuse to renew an existing agreement.

(c) Conviction under federal or state law of a criminal offense relating to the delivery of any goods, services or supplies, including the performance of management or administrative services relating to the delivery of the goods, services or supplies, under the Medicaid program, any other state's Medicaid program, Medicare or any other public or private health or health insurance program.

(d) Conviction under federal or state law of a criminal offense relating to the neglect or abuse of a patient in connection with the delivery of any goods, services or supplies.

(e) Conviction under federal or state law of a criminal offense relating to the unlawful manufacture, distribution, prescription or dispensing of a controlled substance.

(f) Conviction under federal or state law of a criminal offense relating to fraud, theft, embezzlement, breach of fiduciary responsibility or other financial misconduct.

(g) Conviction under federal or state law of a criminal offense punishable by imprisonment of a year or more that involves moral turpitude, or acts against the elderly, children or infirm.

(h) Conviction under federal or state law of a criminal offense in connection with the interference or obstruction of any investigation into any criminal offense listed in paragraphs (c) through (i) of this subsection.

(i) Sanction for a violation of federal or state laws or rules relative to the Medicaid program, any other state's Medicaid program, Medicare or any other public health care or health insurance program.

(j) Revocation of license or certification.

(k) Failure to pay recovery properly assessed or pursuant to an approved repayment schedule under the Medicaid program.

(l) Failure to meet any condition of enrollment.

(8) (a) As used in this subsection (8), the following terms shall be defined as provided in this paragraph, except as otherwise provided in this subsection:

(i) "Committees" means the Medicaid Committees of the House of Representatives and the Senate, and "committee" means either one of those committees.

(ii) "State Plan" means the agreement between the State of Mississippi and the federal government regarding the nature and scope of Mississippi's Medicaid Program.

(iii) "State Plan Amendment" means a change to the State Plan, which must be approved by the Centers for Medicare and Medicaid Services (CMS) before its implementation.

(b) Whenever the Division of Medicaid proposes a State Plan Amendment, the division shall give notice to the chairmen of the committees at least thirty (30) calendar days before the proposed State Plan Amendment is filed with CMS. The division shall furnish the chairmen with a concise summary of each proposed State Plan Amendment along with the notice, and shall furnish the chairmen with a copy of any proposed State Plan Amendment upon request. The division also shall provide a

summary and copy of any proposed State Plan Amendment to any other member of the Legislature upon request.

(c) If the chairman of either committee or both chairmen jointly object to the proposed State Plan Amendment or any part thereof, the chairman or chairmen shall notify the division and provide the reasons for their objection in writing not later than seven (7) calendar days after receipt of the notice from the division. The chairman or chairmen may make written recommendations to the division for changes to be made to a proposed State Plan Amendment.

(d) (i) The chairman of either committee or both chairmen jointly may hold a committee meeting to review a proposed State Plan Amendment. If either chairman or both chairmen decide to hold a meeting, they shall notify the division of their intention in writing within seven (7) calendar days after receipt of the notice from the division, and shall set the date and time for the meeting in their notice to the division, which shall not be later than fourteen (14) calendar days after receipt of the notice from the division.

(ii) After the committee meeting, the committee or committees may object to the proposed State Plan Amendment or any part thereof. The committee or committees shall notify the division and the reasons for their objection in writing not later than seven (7) calendar days after the meeting. The committee or committees may make written recommendations to the division for changes to be made to a proposed State Plan Amendment.

(e) If both chairmen notify the division in writing within seven (7) calendar days after receipt of the notice from the division that they do not object to the proposed State Plan Amendment and will not be holding a meeting to review the proposed State Plan Amendment, the division may proceed to file the proposed State Plan Amendment with CMS.

(f) (i) If there are any objections to a proposed rate change or any part thereof from either or both of the chairmen or the committees, the division may withdraw the proposed State Plan Amendment, make any of the recommended changes to the proposed State Plan Amendment, or not make any changes to the proposed State Plan Amendment.

(ii) If the division does not make any changes to the proposed State Plan Amendment, it shall notify the chairmen of that fact in writing, and may proceed to file the State Plan Amendment with CMS.

(iii) If the division makes any changes to the proposed State Plan Amendment, the division shall notify the chairmen of its actions in writing, and may proceed to file the State Plan Amendment with CMS.

(g) Nothing in this subsection (8) shall be construed as giving the chairmen or the committees any authority to veto, nullify or revise any State Plan Amendment proposed by the division. The authority of the chairmen or the committees under this subsection shall be limited to reviewing, making objections to and making recommendations for changes to State Plan Amendments proposed by the division.

(i) If the division does not make any changes to the proposed State Plan Amendment, it shall notify the chairmen of that fact in writing, and may proceed to file the proposed State Plan Amendment with CMS.

(ii) If the division makes any changes to the proposed State Plan Amendment, the division shall notify the chairmen of the changes in writing, and may proceed to file the proposed State Plan Amendment with CMS.

(h) Nothing in this subsection (8) shall be construed as giving the chairmen of the committees any authority to veto, nullify or revise any State Plan Amendment proposed by the division. The authority of the chairmen of the committees under this subsection shall be limited to reviewing, making objections to and making recommendations for suggested changes to State Plan Amendments proposed by the division.

SECTION 12. Section 43-13-122, Mississippi Code of 1972, is brought forward as follows:

43-13-122. (1) The division is authorized to apply to the Center for Medicare and Medicaid Services of the United States Department of Health and Human Services for waivers and research and demonstration grants.

(2) The division is further authorized to accept and expend any grants, donations or contributions from any public or private organization together with any additional federal matching funds that may accrue and, including, but not limited to, one hundred percent (100%) federal grant funds or funds from any governmental entity or instrumentality thereof in furthering the purposes and objectives of the Mississippi Medicaid program, provided that such receipts and expenditures are reported and otherwise handled in accordance with the General Fund Stabilization Act. The Department of Finance and Administration is authorized to transfer monies to the division from special funds in the State Treasury in amounts not exceeding the amounts authorized in the appropriation to the division.

SECTION 13. Section 43-13-123, Mississippi Code of 1972, is brought forward as follows:

43-13-123. The determination of the method of providing payment of claims under this article shall be made by the division, with approval of the Governor, which methods may be:

(a) By contract with insurance companies licensed to do business in the State of Mississippi or with nonprofit hospital service corporations, medical or dental service corporations, authorized to do business in Mississippi to underwrite on an insured premium approach, such medical assistance benefits as may be available, and any carrier selected under the provisions of this article is expressly authorized and empowered to undertake the performance of the requirements of that contract.

(b) By contract with an insurance company licensed to do business in the State of Mississippi or with nonprofit hospital service, medical or dental service organizations, or other organizations including data processing companies, authorized to do business in Mississippi to act as fiscal agent.

The division shall obtain services to be provided under either of the above-described provisions in accordance with the Personal Service Contract Review Board Procurement Regulations.

The authorization of the foregoing methods shall not preclude other methods of providing payment of claims through direct operation of the program by the state or its agencies.

SECTION 14. Section 43-13-126, Mississippi Code of 1972, is brought forward as follows:

43-13-126. As a condition of doing business in the state, health insurers, including self-insured plans, group health plans (as defined in Section 607(1) of the Employee Retirement Income Security Act of 1974), service benefit plans, managed care organizations, pharmacy benefit managers, or other parties that are by statute, contract, or agreement, legally responsible for payment of a claim for a health care item or service, are required to:

(a) Provide, with respect to individuals who are eligible for, or are provided, medical assistance under the state plan, upon the request of the Division of Medicaid, information to determine during what period the individual or their spouses or their dependents may be (or may have been) covered by a health insurer and the nature of the coverage that is or was provided by the health insurer (including the name, address and identifying number of the plan) in a manner prescribed by the Secretary of the Department of Health and Human Services;

(b) Accept the Division of Medicaid's right of recovery and the assignment to the division of any right of an individual or other entity to payment from the party for an item or service for which payment has been made under the state plan;

(c) Respond to any inquiry by the Division of Medicaid regarding a claim for payment for any health care item or service that is submitted not later than three (3) years after the date of the provision of that health care item or service; and

(d) Agree not to deny a claim submitted by the Division of Medicaid solely on the basis of the date of submission of the claim, the type or format of the claim form, or a failure to present proper documentation at the point of sale that is the basis of the claim, if:

(i) The claim is submitted by the division within the three-year period beginning on the date on which the item or service was furnished; and

(ii) Any action by the division to enforce its rights with respect to the claim is begun within six (6) years of the division's submission of the claim.

SECTION 15. Section 43-13-133, Mississippi Code of 1972, is brought forward as follows:

43-13-133. It is the intent of the Legislature that all federal matching funds for medical assistance under Titles V, XVIII and XIX of the federal Social Security Act paid into any state health agency after the passage of this article shall be used exclusively to defray the cost of medical assistance expended under the terms of this article.

SECTION 16. Section 43-13-143, Mississippi Code of 1972, is brought forward as follows:

43-13-143. There is created in the State Treasury a special fund to be known as the "Medical Care Fund," which shall be comprised of monies transferred by public or private health care providers, governing bodies of counties, municipalities, public or community hospitals and other political subdivisions of the state, individuals, corporations, associations and any other entities for the purpose of providing health care services. Any transfer made to the fund shall be paid to the State Treasurer for deposit into the fund, and all such transfers shall be considered as unconditional transfers to the fund. The monies in the Medical Care Fund shall be expended only for health care services, and may be expended only upon appropriation of the Legislature. All transfers of monies to the Division of Medicaid by health care providers and by governing bodies of counties, municipalities, public or community hospitals and other political subdivisions of the state shall be deposited into the fund. Unexpended monies remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on monies in the fund shall be deposited to the credit of the fund.

SECTION 17. Section 43-13-145, Mississippi Code of 1972, is brought forward as follows:

43-13-145. (1) (a) Upon each nursing facility licensed by the State of Mississippi, there is levied an assessment in an amount set by the division, equal to the maximum rate allowed by federal law or regulation, for each licensed and occupied bed of the facility.

(b) A nursing facility is exempt from the assessment levied under this subsection if the facility is operated under the direction and control of:

(i) The United States Veterans Administration or other agency or department of the United States government; or

(ii) The State Veterans Affairs Board.

(2) (a) Upon each intermediate care facility for individuals with intellectual disabilities licensed by the State of Mississippi, there is levied an assessment in an amount set by the division, equal to the maximum rate allowed by federal law or regulation, for each licensed and occupied bed of the facility.

(b) An intermediate care facility for individuals with intellectual disabilities is exempt from the assessment levied under this subsection if the facility is operated under the direction and control of:

(i) The United States Veterans Administration or other agency or department of the United States government;

(ii) The State Veterans Affairs Board; or

(iii) The University of Mississippi Medical Center.

(3) (a) Upon each psychiatric residential treatment facility licensed by the State of Mississippi, there is levied an assessment in an amount set by the division, equal to the maximum rate allowed by federal law or regulation, for each licensed and occupied bed of the facility.

(b) A psychiatric residential treatment facility is exempt from the assessment levied under this subsection if the facility is operated under the direction and control of:

(i) The United States Veterans Administration or other agency or department of the United States government;

(ii) The University of Mississippi Medical Center; or

(iii) A state agency or a state facility that either provides its own state match through intergovernmental transfer or certification of funds to the division.

(4) Hospital assessment.

(a) (i) Subject to and upon fulfillment of the requirements and conditions of paragraph (f) below, and notwithstanding any other provisions of this section, an annual assessment on each hospital licensed in the state is imposed on each non-Medicare hospital inpatient day as defined below at a rate that is determined by dividing the sum prescribed in this subparagraph (i), plus the nonfederal share necessary to maximize the Disproportionate Share Hospital (DSH) and Medicare Upper Payment Limits (UPL) Program payments and hospital access payments and such other supplemental payments as may be developed pursuant to Section 43-13-117(A)(18), by the total number of non-Medicare hospital inpatient days as defined below for all licensed Mississippi hospitals, except as provided in paragraph (d) below. If the state-matching funds percentage for the Mississippi Medicaid program is sixteen percent (16%) or less, the sum used in the formula under this subparagraph (i) shall be Seventy-four Million Dollars ($74,000,000.00). If the state-matching funds percentage for the Mississippi Medicaid program is twenty-four percent (24%) or higher, the sum used in the formula under this subparagraph (i) shall be One Hundred Four Million Dollars ($104,000,000.00). If the state-matching funds percentage for the Mississippi Medicaid program is between sixteen percent (16%) and twenty-four percent (24%), the sum used in the formula under this subparagraph (i) shall be a pro rata amount determined as follows: the current state-matching funds percentage rate minus sixteen percent (16%) divided by eight percent (8%) multiplied by Thirty Million Dollars ($30,000,000.00) and add that amount to Seventy-four Million Dollars ($74,000,000.00). However, no assessment in a quarter under this subparagraph (i) may exceed the assessment in the previous quarter by more than Three Million Seven Hundred Fifty Thousand Dollars ($3,750,000.00) (which would be Fifteen Million Dollars ($15,000,000.00) on an annualized basis). The division shall publish the state-matching funds percentage rate applicable to the Mississippi Medicaid program on the tenth day of the first month of each quarter and the assessment determined under the formula prescribed above shall be applicable in the quarter following any adjustment in that state-matching funds percentage rate. The division shall notify each hospital licensed in the state as to any projected increases or decreases in the assessment determined under this subparagraph (i). However, if the Centers for Medicare and Medicaid Services (CMS) does not approve the provision in Section 43-13-117(39) requiring the division to reimburse crossover claims for inpatient hospital services and crossover claims covered under Medicare Part B for dually eligible beneficiaries in the same manner that was in effect on January 1, 2008, the sum that otherwise would have been used in the formula under this subparagraph (i) shall be reduced by Seven Million Dollars ($7,000,000.00).

(ii) In addition to the assessment provided under subparagraph (i), an additional annual assessment on each hospital licensed in the state is imposed on each non-Medicare hospital inpatient day as defined below at a rate that is determined by dividing twenty-five percent (25%) of any provider reductions in the Medicaid program as authorized in Section 43-13-117(F) for that fiscal year up to the following maximum amount, plus the nonfederal share necessary to maximize the Disproportionate Share Hospital (DSH) and inpatient Medicare Upper Payment Limits (UPL) Program payments and inpatient hospital access payments, by the total number of non-Medicare hospital inpatient days as defined below for all licensed Mississippi hospitals: in fiscal year 2010, the maximum amount shall be Twenty-four Million Dollars ($24,000,000.00); in fiscal year 2011, the maximum amount shall be Thirty-two Million Dollars ($32,000,000.00); and in fiscal year 2012 and thereafter, the maximum amount shall be Forty Million Dollars ($40,000,000.00). Any such deficit in the Medicaid program shall be reviewed by the PEER Committee as provided in Section 43-13-117(F).

(iii) In addition to the assessments provided in subparagraphs (i) and (ii), an additional annual assessment on each hospital licensed in the state is imposed pursuant to the provisions of Section 43-13-117(F) if the cost-containment measures described therein have been implemented and there are insufficient funds in the Health Care Trust Fund to reconcile any remaining deficit in any fiscal year. If the Governor institutes any other additional cost-containment measures on any program or programs authorized under the Medicaid program pursuant to Section 43-13-117(F), hospitals shall be responsible for twenty-five percent (25%) of any such additional

imposed provider cuts, which shall be in the form of an additional assessment not to exceed the twenty-five percent (25%) of provider expenditure reductions. Such additional assessment shall be imposed on each non-Medicare hospital inpatient day in the same manner as assessments are imposed under subparagraphs (i) and (ii).

(b) Definitions.

(i) [Deleted]

(ii) For purposes of this subsection (4):

1. "Non-Medicare hospital inpatient day" means total hospital inpatient days including subcomponent days less Medicare inpatient days including subcomponent days from the hospital's most recent Medicare cost report for the second calendar year preceding the beginning of the state fiscal year, on file with CMS per the CMS HCRIS database, or cost report submitted to the Division if the HCRIS database is not available to the division, as of June 1 of each year.

a. Total hospital inpatient days shall be the sum of Worksheet S-3, Part 1, column 8 row 14, column 8 row 16, and column 8 row 17, excluding column 8 rows 5 and 6.

b. Hospital Medicare inpatient days shall be the sum of Worksheet S-3, Part 1, column 6 row 14, column 6 row 16.00, and column 6 row 17, excluding column 6 rows 5 and 6.

c. Inpatient days shall not include residential treatment or long-term care days.

2. "Subcomponent inpatient day" means the number of days of care charged to a beneficiary for inpatient hospital rehabilitation and psychiatric care services in units of full days. A day begins at midnight and ends twenty-four (24) hours later. A part of a day, including the day of admission and day on which a patient returns from leave of absence, counts as a full day. However, the day of discharge, death, or a day on which a patient begins a leave of absence is not counted as a day unless discharge or death occur on the day of admission. If admission and discharge or death occur on the same day, the day is considered a day of admission and counts as one (1) subcomponent inpatient day.

(c) The assessment provided in this subsection is intended to satisfy and not be in addition to the assessment and intergovernmental transfers provided in Section 43-13-117(A)(18). Nothing in this section shall be construed to authorize any state agency, division or department, or county, municipality or other local governmental unit to license for revenue, levy or impose any other tax, fee or assessment upon hospitals in this state not authorized by a specific statute.

(d) Hospitals operated by the United States Department of Veterans Affairs and state-operated facilities that provide only inpatient and outpatient psychiatric services shall not be subject to the hospital assessment provided in this subsection.

(e) Multihospital systems, closure, merger, change of ownership and new hospitals.

(i) If a hospital conducts, operates or maintains more than one (1) hospital licensed by the State Department of Health, the provider shall pay the hospital assessment for each hospital separately.

(ii) Notwithstanding any other provision in this section, if a hospital subject to this assessment operates or conducts business only for a portion of a fiscal year, the assessment for the state fiscal year shall be adjusted by multiplying the assessment by a fraction, the numerator of which is the number of days in the year during which the hospital operates, and the denominator of which is three hundred sixty-five (365). Immediately upon ceasing to operate, the hospital shall pay the assessment for the year as so adjusted (to the extent not previously paid).

(iii) The division shall determine the tax for new hospitals and hospitals that undergo a change of ownership in accordance with this section, using the best available information, as determined by the division.

(f) Applicability.

The hospital assessment imposed by this subsection shall not take effect and/or shall cease to be imposed if:

(i) The assessment is determined to be an impermissible tax under Title XIX of the Social Security Act; or

(ii) CMS revokes its approval of the division's 2009 Medicaid State Plan Amendment for the methodology for DSH payments to hospitals under Section 43-13-117(A)(18).

(5) Each health care facility that is subject to the provisions of this section shall keep and preserve such suitable books and records as may be necessary to determine the amount of assessment for which it is liable under this section. The books and records shall be kept and preserved for a period of not less than five (5) years, during which time those books and records shall be open for examination during business hours by the division, the Department of Revenue, the Office of the Attorney General and the State Department of Health.

(6) [Deleted]

(7) All assessments collected under this section shall be deposited in the Medical Care Fund created by Section 43-13-143.

(8) The assessment levied under this section shall be in addition to any other assessments, taxes or fees levied by law, and the assessment shall constitute a debt due the State of Mississippi from the time the assessment is due until it is paid.

(9) (a) If a health care facility that is liable for payment of an assessment levied by the division does not pay the assessment when it is due, the division shall give written notice to the health care facility demanding payment of the assessment within ten (10) days from the date of delivery of the notice. If the health care facility fails or refuses to pay the assessment after receiving the notice and demand from the division, the division shall withhold from any Medicaid reimbursement payments that are due to the health care facility the amount of the unpaid assessment and a penalty of ten percent (10%) of the amount of the assessment, plus the legal rate of interest until the assessment is paid in full. If the health care facility does not participate in the Medicaid program, the division shall turn over to the Office of the Attorney General the collection of the unpaid assessment by civil action. In any such civil action, the Office of the Attorney General shall collect the amount of the unpaid assessment and a penalty of ten percent (10%) of the amount of the assessment, plus the legal rate of interest until the assessment is paid in full.

(b) As an additional or alternative method for collecting unpaid assessments levied by the division, if a health care facility fails or refuses to pay the assessment after receiving notice and demand from the division, the division may file a notice of a tax lien with the chancery clerk of the county in which the health care facility is located, for the amount of the unpaid assessment and a penalty of ten percent (10%) of the amount of the assessment, plus the legal rate of interest until the assessment is paid in full. Immediately upon receipt of notice of the tax lien for the assessment, the chancery clerk shall forward the notice to the circuit clerk who shall enter the notice of the tax lien as a judgment upon the judgment roll and show in the appropriate columns the name of the health care facility as judgment debtor, the name of the division as judgment creditor, the amount of the unpaid assessment, and the date and time of enrollment. The judgment shall be valid as against mortgagees, pledgees, entrusters, purchasers, judgment creditors and other persons from the time of filing with the clerk. The amount of the judgment shall be a debt due the State of Mississippi and remain a lien upon the tangible property of the health care facility until the judgment is satisfied. The judgment shall be the equivalent of any enrolled judgment of a court of record and shall serve as authority for the issuance of writs of execution, writs of attachment or other remedial writs.

(10) (a) To further the provisions of Section 43-13-117(A)(18), the Division of Medicaid shall submit to the Centers for Medicare and Medicaid Services (CMS) any documents regarding the hospital assessment established under subsection (4) of this section. In addition to defining the assessment established in subsection (4) of this section if necessary, the documents shall describe any supplement payment programs and/or payment methodologies as authorized in Section 43-13-117(A)(18) if necessary.

(b) All hospitals satisfying the minimum federal DSH eligibility requirements (Section 1923(d) of the Social Security Act) may, subject to OBRA 1993 payment limitations, receive a DSH payment. This DSH payment shall expend the balance of the federal DSH allotment and associated state share not utilized in DSH payments to state-owned institutions for treatment of mental diseases. The payment to

each hospital shall be calculated by applying a uniform percentage to the uninsured costs of each eligible hospital, excluding state-owned institutions for treatment of mental diseases; however, that percentage for a state-owned teaching hospital located in Hinds County shall be multiplied by a factor of two (2).

(11) The division shall implement DSH and supplemental payment calculation methodologies that result in the maximization of available federal funds.

(12) The DSH payments shall be paid on or before December 31, March 31, and June 30 of each fiscal year, in increments of one-third (1/3) of the total calculated DSH amounts. Supplemental payments developed pursuant to Section 43-13-117(A)(18) shall be paid monthly.

(13) Payment.

(a) The hospital assessment as described in subsection (4) for the nonfederal share necessary to maximize the Medicare Upper Payments Limits (UPL) Program payments and hospital access payments and such other supplemental payments as may be developed pursuant to Section 43-3-117(A)(18) shall be assessed and collected monthly no later than the fifteenth calendar day of each month.

(b) The hospital assessment as described in subsection (4) for the nonfederal share necessary to maximize the Disproportionate Share Hospital (DSH) payments shall be assessed and collected on December 15, March 15 and June 15.

(c) The annual hospital assessment and any additional hospital assessment as described in subsection (4) shall be assessed and collected on September 15 and on the 15th of each month from December through June.

(14) If for any reason any part of the plan for annual DSH and supplemental payment programs to hospitals provided under subsection (10) of this section and/or developed pursuant to Section 43-13-117(A)(18) is not approved by CMS, the remainder of the plan shall remain in full force and effect.

(15) Nothing in this section shall prevent the Division of Medicaid from facilitating participation in Medicaid supplemental hospital payment programs by a hospital located in a county contiguous to the State of Mississippi that is also authorized by federal law to submit intergovernmental transfers (IGTs) to the State of Mississippi to fund the state share of the hospital's supplemental and/or MHAP payments.

(16) This section shall stand repealed on July 1, 2024.

SECTION 18. Section 27-15-103, Mississippi Code of 1972, is brought forward as follows:

27-15-103. (1) Except as otherwise provided in Section 83-61-11, in addition to the license tax now or hereafter provided by law, which tax shall be paid when the company enters or is admitted to do business in this state, there is hereby levied and imposed upon all foreign insurance companies and associations, including life insurance companies and associations, health, accident and industrial insurance companies and associations, fire and casualty insurance companies and associations, and all other foreign insurance companies and associations of every kind and description, an additional annual license or privilege tax of three percent (3%) of the gross amount of premium receipts received from, and on insurance policies and contracts written in, or covering risks located in this state, except for premiums received on policies issued to fund a deferred compensation plan qualified under Section 457 of the Federal Tax Code for federal tax exemption. In determining said amount of premiums, there shall be deducted therefrom premiums received for reinsurance from companies authorized to do business in this state, cash dividends paid under policy contracts in this state, and premiums returned to policyholders and cancellations on accounts of policies not taken, and, in the case of mutual insurance companies (including interinsurance and reciprocal exchanges, but not including mutual life, accident, health or industrial insurance companies) any refund made or credited to the policyholder other than for losses. The term "premium" as used herein shall also include policy fees, membership fees, and all other fees collected by the companies. No credit or deduction from gross premium receipts shall be allowed for any commission, fee or compensation paid to any agent, solicitor or representative. Provided, however, that any foreign insurance carrier selected to furnish service to the State of Mississippi under the State Employees Life and Health Insurance Plan shall not be required to pay the annual license or privilege tax on the premiums collected for coverage under the said plan.

(2) In the event that the Mississippi Supreme Court or another court finally adjudicates that any tax levied prior to July 1, 1985, under the provisions of this section was collected unconstitutionally and that a liability for a credit or refund for such collection has accrued, then the rate of tax set forth above shall be increased to four percent (4%) for a period of six (6) years beginning July 1 following such adjudication.

(3) The taxes herein levied and imposed for the calendar year 1982 and all calendar years thereafter shall be reduced by the net amount of income tax paid to this state for the preceding calendar year, provided, in no event may the credit be taken more than once. The credit herein authorized shall, in no event, be greater than the premium tax due under this section; it being the purpose and intent of this paragraph that whichever of the annual insurance premium tax or the income tax is greater in amount shall be paid.

SECTION 19. Section 27-15-109, Mississippi Code of 1972, is brought forward as follows:

27-15-109. (1) Except as otherwise provided in Section 83-61-11, there is hereby levied and imposed upon each domestic company doing business in this state an annual tax of three percent (3%) of the gross amount of premiums collected by such domestic company on insurance policies and contracts written in, or covering risks located in this state, except for premiums received on policies issued to fund a retirement, thrift or deferred compensation plan qualified under Section 401, Section 403 or Section 457 of the Federal Tax Code for federal tax exemption. Provided, however, that a domestic insurance company against which is levied additional premium tax under retaliatory laws of other states in which it does business, as a result of the tax increase provided by Sections 27-15-103 through 27-15-117, may deduct the total of such additional retaliatory tax from the state income tax due by it to the State of Mississippi. The insurance carriers selected to furnish service to the State of Mississippi, under the State Employees Life and Health Insurance Plan, shall not be required to pay the premium tax levied against insurance companies under this section on the premiums collected for coverage under the state employees plan.

(2) Except as expressly provided by subsection (1) of this section, all of the provisions of Sections 27-15-103 through 27-15-117 shall be applicable to such domestic insurance companies. However, the statement filed with the State Tax Commission by domestic insurance companies as provided in Section 27-15-107 shall include therein a sworn statement of all additional retaliatory premium taxes paid by them to other states as a result of the increase in premium taxes imposed by Sections 27-15-103 through 27-15-117, itemized by states to which paid.

(3) In the event that the Mississippi Supreme Court or another court finally adjudicates that any tax levied prior to July 1, 1985, under the provisions of this section was collected unconstitutionally and that a liability for a credit or refund for such collection has accrued, then the rate of tax set forth above shall be increased to four percent (4%) for a period of six (6) years beginning July 1 following such adjudication.

SECTION 20. Section 27-15-115, Mississippi Code of 1972, is brought forward as follows:

27-15-115. In addition to all other taxes authorized by law, insurance companies shall pay the license and privilege taxes imposed by Sections 27-15-81 and 27-15-83, the taxes imposed by Sections 27-15-103 through 27-15-117, ad valorem taxes on real estate and tangible personal property, state income tax, sales tax levied on a vendor with a requirement of adding it to the sales price and use tax levied on the cost of tangible personal property purchased outside this state for use within this state.

SECTION 21. Section 27-15-129, Mississippi Code of 1972, is brought forward as follows:

27-15-129. (1) The amount of premium tax payable pursuant to Sections 27-15-103, 27-15-109, 27-15-119 and 83-31-45, Mississippi Code of 1972, shall be reduced from the amount otherwise fixed in such sections if the payer files a sworn statement with the required annual report showing as of the beginning of the reporting period that at least the following amounts of the total admitted assets of the payer were invested and maintained in qualifying Mississippi investments as hereinafter defined in subsection (2) of this section over the period covered by such report:

Percentage of Total Admitted	Percentage of Premium

Assets in Qualifying Mississippi Investments	Tax Payable
1%	99%
2%	98%
3%	97%
4%	96%
5%	95%
6%	94%
7%	93%
8%	92%
9%	91%
10%	80%
15%	70%
20%	60%
25%	50%

(2) For the purpose of this section, "a qualifying Mississippi investment" is hereby defined as follows:

(a) Certificates of deposit issued by any bank or savings and loan association domiciled in this state;

(b) Bonds of this state or bonds of municipal, school, road or levee districts, or other political subdivisions of this state;

(c) Loans evidenced by notes and secured by deeds of trust on property located in this state;

(d) Real property located in this state;

(e) Policy loans to residents of Mississippi, or other loans to residents of this state, or to corporations domiciled in this state;

(f) Common or preferred stock, bonds and other evidences of indebtedness of corporations domiciled in this state; and

(g) Cash on deposit in any bank or savings and loan association domiciled in this state.

"A qualifying Mississippi investment" shall not include any investment for which a credit is allocated under Section 57-105-1 and/or Section 57-115-1 et seq.

(3) If the credits, or any part thereof, authorized by the preceding provisions of this section shall be held by a court of final jurisdiction to be unconstitutional and void for any reason or to make the annual premium taxes levied by Sections 27-15-103, 27-15-109, 27-15-119 and 83-31-45, Mississippi Code of 1972, unlawfully discriminatory or otherwise invalid under the Fourteenth Amendment or the Commerce Clause of the Constitution of the United States or under any state or other federal constitutional provisions, it is hereby expressly declared that such fact shall in no way affect the validity of the annual premium taxes levied thereby, and that such provisions would have been enacted even though the Legislature had known this credit section would be held invalid.

(4) This section shall apply to taxes accruing and investments existing from and after July 1, 1985.

SECTION 22. This act shall take effect and be in force from and after passage.

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

AN ACT TO REQUIRE THE DIVISION OF MEDICAID TO ENTER INTO NEGOTIATIONS WITH THE CENTERS FOR MEDICARE AND MEDICAID SERVICES (CMS) TO OBTAIN A WAIVER FOR APPLICABLE PROVISIONS OF THE MEDICAID LAWS AND REGULATIONS UNDER SECTION 1115 OF THE SOCIAL SECURITY ACT TO CREATE A PLAN TO ALLOW MEDICAID COVERAGE IN MISSISSIPPI FOR INDIVIDUALS WITHIN A CERTAIN COVERAGE GROUP; TO PROVIDE THAT THE COVERAGE GROUP SHALL INCLUDE INDIVIDUALS WHO ARE 19 THROUGH 64 YEARS OF AGE WHOSE INCOME IS LESS THAN 100% OF THE FEDERAL POVERTY LEVEL AND ARE EMPLOYED AT LEAST 120 HOURS PER MONTH IN A POSITION FOR WHICH HEALTH INSURANCE IS NOT PAID FOR BY THE EMPLOYER, ARE ENROLLED AS A FULL-TIME STUDENT OR IN WORKFORCE

TRAINING, OR ARE OTHERWISE ACTING AS A PRIMARY CAREGIVER FOR A DISABLED CHILD, SPOUSE, OR PARENT; TO PROVIDE COVERAGE FOR OTHER CERTAIN GROUPS; TO PROVIDE THAT ANY INDIVIDUAL OTHERWISE ELIGIBLE FOR COVERAGE UNDER THE ACT WHO HAS HEALTH INSURANCE COVERAGE AND VOLUNTARILY DISENROLLS SUCH COVERAGE SHALL NOT BE ELIGIBLE FOR COVERAGE UNTIL 12 MONTHS AFTER THE ENDING DATE OF THAT COVERAGE; TO PROHIBIT COVERAGE FOR ANY INDIVIDUAL WHO IS NOT A U.S. CITIZEN; TO REQUIRE THE DIVISION TO VERIFY ELIGIBILITY OF EACH BENEFICIARY NO LESS THAN ON A QUARTERLY BASIS; TO PROVIDE THAT ALL INDIVIDUALS IN THE COVERAGE GROUP SHALL BE ENROLLED IN AND THEIR SERVICES SHALL BE PROVIDED BY THE MANAGED CARE ORGANIZATIONS (MCOS), COORDINATED CARE ORGANIZATIONS (CCOS), PROVIDER-SPONSORED HEALTH PLANS (PSHPS) AND OTHER SUCH ORGANIZATIONS PAID FOR SERVICES TO THE MEDICAID POPULATION ON A CAPITATED BASIS BY THE DIVISION; TO PROVIDE THAT INDIVIDUALS ENROLLED UNDER THIS ACT SHALL BE PROVIDED ESSENTIAL HEALTH SERVICES AS DETERMINED BY THE DIVISION, WHICH SHALL, AT A MINIMUM, INCLUDE AMBULATORY PATIENT SERVICES, EMERGENCY SERVICES, HOSPITALIZATION, PRESCRIPTION DRUGS, REHABILITATIVE SERVICES, LABORATORY SERVICES, PRIMARY CARE SERVICES AND PREVENTIVE AND WELLNESS SERVICES AND CHRONIC DISEASE MANAGEMENT; TO PROVIDE FOR THE FUNDING OF THE PLAN; TO PROVIDE FOR THE LEVY OF AN ASSESSMENT UPON EACH MANAGED CARE ORGANIZATION, COORDINATED CARE ORGANIZATION, PROVIDER-SPONSORED HEALTH PLAN OR OTHER ORGANIZATION PAID FOR SERVICES ON A CAPITATED BASIS BY THE DIVISION, IN THE AMOUNT OF 3% ON THE TOTAL PAID CAPITATION; TO REQUIRE THE DIVISION TO APPLY FOR A WAIVER OF THE APPLICABLE PROVISIONS OF THE MEDICAID LAWS WITHIN 120 DAYS OF THE EFFECTIVE DATE OF THE ACT; TO PROVIDE THAT IF CMS REJECTS THE DIVISION'S WORK REQUIREMENT WAIVER REQUEST, THEN THIS ACT SHALL STAND REPEALED ON THE DATE OF SUCH REJECTION; TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; TO BRING FORWARD SECTIONS 43-13-5, 43-13-11, 43-13-105, 43-13-113, 43-13-116, 43-13-117, 43-13-121, 43-13-122, 43-13-123, 43-13-126, 43-13-133, 43-13-143, 43-13-145, 27-15-109, 27-15-115 AND 27-15-129, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senators Simmons D. T. (12th), Blount, Norwood, Frazier, Jackson, Brumfield, Blackmon, Jordan, Horhn, Thomas, Turner-Ford, Hickman, Bryan, Simmons S. (13th), Butler and Barnett offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-13-115, Mississippi Code of 1972, is amended as follows:

43-13-115. Recipients of Medicaid shall be the following persons only:

(1) Those who are qualified for public assistance grants under provisions of Title IV-A and E of the federal Social Security Act, as amended, including those statutorily deemed to be IV-A and low income families and children under Section 1931 of the federal Social Security Act. For the purposes of this paragraph (1) and paragraphs (8), (17) and (18) of this section, any reference to Title IV-A or to Part A of Title IV of the federal Social Security Act, as amended, or the state plan under Title IV-A or Part A of Title IV, shall be considered as a reference to Title IV-A of the federal Social Security Act, as amended,

and the state plan under Title IV-A, including the income and resource standards and methodologies under Title IV-A and the state plan, as they existed on July 16, 1996. The Department of Human Services shall determine Medicaid eligibility for children receiving public assistance grants under Title IV-E. The division shall determine eligibility for low income families under Section 1931 of the federal Social Security Act and shall redetermine eligibility for those continuing under Title IV-A grants.

(2) Those qualified for Supplemental Security Income (SSI) benefits under Title XVI of the federal Social Security Act, as amended, and those who are deemed SSI eligible as contained in federal statute. The eligibility of individuals covered in this paragraph shall be determined by the Social Security Administration and certified to the Division of Medicaid.

(3) Qualified pregnant women who would be eligible for Medicaid as a low income family member under Section 1931 of the federal Social Security Act if her child were born. The eligibility of the individuals covered under this paragraph shall be determined by the division.

(4) [Deleted]

(5) A child born on or after October 1, 1984, to a woman eligible for and receiving Medicaid under the state plan on the date of the child's birth shall be deemed to have applied for Medicaid and to have been found eligible for Medicaid under the plan on the date of that birth, and will remain eligible for Medicaid for a period of one (1) year so long as the child is a member of the woman's household and the woman remains eligible for Medicaid or would be eligible for Medicaid if pregnant. The eligibility of individuals covered in this paragraph shall be determined by the Division of Medicaid.

(6) Children certified by the State Department of Human Services to the Division of Medicaid of whom the state and county departments of human services have custody and financial responsibility, and children who are in adoptions subsidized in full or part by the Department of Human Services, including special needs children in non-Title IV-E adoption assistance, who are approvable under Title XIX of the Medicaid program. The eligibility of the children covered under this paragraph shall be determined by the State Department of Human Services.

(7) Persons certified by the Division of Medicaid who are patients in a medical facility (nursing home, hospital, tuberculosis sanatorium or institution for treatment of mental diseases), and who, except for the fact that they are patients in that medical facility, would qualify for grants under Title IV, Supplementary Security Income (SSI) benefits under Title XVI or state supplements, and those aged, blind and disabled persons who would not be eligible for Supplemental Security Income (SSI) benefits under Title XVI or state supplements if they were not institutionalized in a medical facility but whose income is below the maximum standard set by the Division of Medicaid, which standard shall not exceed that prescribed by federal regulation.

(8) Children under eighteen (18) years of age and pregnant women (including those in intact families) who meet the financial standards of the state plan approved under Title IV-A of the federal Social Security Act, as amended. The eligibility of children covered under this paragraph shall be determined by the Division of Medicaid.

(9) Individuals who are:

(a) Children born after September 30, 1983, who have not attained the age of nineteen (19), with family income that does not exceed one hundred percent (100%) of the nonfarm official poverty level;

(b) Pregnant women, infants and children who have not attained the age of six (6), with family income that does not exceed one hundred thirty-three percent (133%) of the federal poverty level; and

(c) Pregnant women and infants who have not attained the age of one (1), with family income that does not exceed one hundred eighty-five percent (185%) of the federal poverty level.

The eligibility of individuals covered in (a), (b) and (c) of this paragraph shall be determined by the division.

(10) Certain disabled children age eighteen (18) or under who are living at home, who would be eligible, if in a medical institution, for SSI or a state supplemental payment under Title XVI of the federal Social Security Act, as amended, and therefore for Medicaid under the plan, and for whom the state has made a determination as required under Section 1902(e)(3)(b) of the federal Social Security Act, as amended. The eligibility of individuals under this paragraph shall be determined by the Division of Medicaid.

(11) Until the end of the day on December 31, 2005, individuals who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, and whose income does not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually, and whose resources do not exceed those established by the Division of Medicaid. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid. After December 31, 2005, only those individuals covered under the 1115(c) Healthier Mississippi waiver will be covered under this category.

Any individual who applied for Medicaid during the period from July 1, 2004, through March 31, 2005, who otherwise would have been eligible for coverage under this paragraph (11) if it had been in effect at the time the individual submitted his or her application and is still eligible for coverage under this paragraph (11) on March 31, 2005, shall be eligible for Medicaid coverage under this paragraph (11) from March 31, 2005, through December 31, 2005. The division shall give priority in processing the applications for those individuals to determine their eligibility under this paragraph (11).

(12) Individuals who are qualified Medicare beneficiaries (QMB) entitled to Part A Medicare as defined under Section 301, Public Law 100-360, known as the Medicare Catastrophic Coverage Act of 1988, and whose income does not exceed one hundred percent (100%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually.

The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid, and those individuals determined eligible shall receive Medicare cost-sharing expenses only as more fully defined by the Medicare Catastrophic Coverage Act of 1988 and the Balanced Budget Act of 1997.

(13) (a) Individuals who are entitled to Medicare Part A as defined in Section 4501 of the Omnibus Budget Reconciliation Act of 1990, and whose income does not exceed one hundred twenty percent (120%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually. Eligibility for Medicaid benefits is limited to full payment of Medicare Part B premiums.

(b) Individuals entitled to Part A of Medicare, with income above one hundred twenty percent (120%), but less than one hundred thirty-five percent (135%) of the federal poverty level, and not otherwise eligible for Medicaid. Eligibility for Medicaid benefits is limited to full payment of Medicare Part B premiums. The number of eligible individuals is limited by the availability of the federal capped allocation at one hundred

percent (100%) of federal matching funds, as more fully defined in the Balanced Budget Act of 1997.

The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid.

(14) [Deleted]

(15) Disabled workers who are eligible to enroll in Part A Medicare as required by Public Law 101-239, known as the Omnibus Budget Reconciliation Act of 1989, and whose income does not exceed two hundred percent (200%) of the federal poverty level as determined in accordance with the Supplemental Security Income (SSI) program. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid and those individuals shall be entitled to buy-in coverage of Medicare Part A premiums only under the provisions of this paragraph (15).

(16) In accordance with the terms and conditions of approved Title XIX waiver from the United States Department of Health and Human Services, persons provided home- and community-based services who are physically disabled and certified by the Division of Medicaid as eligible due to applying the income and deeming requirements as if they were institutionalized.

(17) In accordance with the terms of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193), persons who become ineligible for assistance under Title IV-A of the federal Social Security Act, as amended, because of increased income from or hours of employment of the caretaker relative or because of the expiration of the applicable earned income disregards, who were eligible for Medicaid for at least three (3) of the six (6) months preceding the month in which the ineligibility begins, shall be eligible for Medicaid for up to twelve (12) months. The eligibility of the individuals covered under this paragraph shall be determined by the division.

(18) Persons who become ineligible for assistance under Title IV-A of the federal Social Security Act, as amended, as a result, in whole or in part, of the collection or increased collection of child or spousal support under Title IV-D of the federal Social Security Act, as amended, who were eligible for Medicaid for at least three (3) of the six (6) months immediately preceding the month in which the ineligibility begins, shall be eligible for Medicaid for an additional four (4) months beginning with the month in which the ineligibility begins. The eligibility of the individuals covered under this paragraph shall be determined by the division.

(19) Disabled workers, whose incomes are above the Medicaid eligibility limits, but below two hundred fifty percent (250%) of the federal poverty level, shall be allowed to purchase Medicaid coverage on a sliding fee scale developed by the Division of Medicaid.

(20) Medicaid eligible children under age eighteen (18) shall remain eligible for Medicaid benefits until the end of a period of twelve (12) months following an eligibility determination, or until such time that the individual exceeds age eighteen (18).

(21) Women of childbearing age whose family income does not exceed one hundred eighty-five percent (185%) of the federal poverty level. The eligibility of individuals covered under this paragraph (21) shall be determined by the Division of Medicaid, and those individuals determined eligible shall only receive family planning services covered under Section 43-13-117(13) and not any other services covered under Medicaid. However, any individual eligible under this paragraph (21) who is also eligible under any other provision of this section shall receive the benefits to which he or she is entitled under that other provision, in addition to family planning services covered under Section 43-13-117(13).

The Division of Medicaid shall apply to the United States Secretary of Health and Human Services for a federal waiver of the applicable provisions of Title XIX of the federal Social Security Act, as amended, and any other applicable provisions of federal law as necessary to allow for the implementation of this paragraph (21). The provisions of this paragraph (21) shall be implemented from and after the date that the Division of Medicaid receives the federal waiver.

(22) Persons who are workers with a potentially severe disability, as determined by the division, shall be allowed to purchase Medicaid coverage. The term "worker with a potentially severe disability" means a person who is at least sixteen (16) years of age but under sixty-five (65) years of age, who has a physical or mental impairment that is reasonably expected to cause the person to become blind or disabled as defined under Section 1614(a) of the federal Social Security Act, as amended, if the person does not receive items and services provided under Medicaid.

The eligibility of persons under this paragraph (22) shall be conducted as a demonstration project that is consistent with Section 204 of the Ticket to Work and Work Incentives Improvement Act of 1999, Public Law 106-170, for a certain number of persons as specified by the division. The eligibility of individuals covered under this paragraph (22) shall be determined by the Division of Medicaid.

(23) Children certified by the Mississippi Department of Human Services for whom the state and county departments of human services have custody and financial responsibility who are in foster care on their eighteenth birthday as reported by the Mississippi Department of Human Services shall be certified Medicaid eligible by the Division of Medicaid until their twenty-first birthday.

(24) Individuals who have not attained age sixty-five (65), are not otherwise covered by creditable coverage as defined in the Public Health Services Act, and have been screened for breast and cervical cancer under the Centers for Disease Control and Prevention Breast and Cervical Cancer Early Detection Program established under Title XV of the Public Health Service Act in accordance with the requirements of that act and who need treatment for breast or cervical cancer. Eligibility of individuals under this paragraph (24) shall be determined by the Division of Medicaid.

(25) The division shall apply to the Centers for Medicare and Medicaid Services (CMS) for any necessary waivers to provide services to individuals who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, and whose income does not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually, and whose resources do not exceed those established by the Division of Medicaid, and who are not otherwise covered by Medicare. Nothing contained in this paragraph (25) shall entitle an individual to benefits. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid.

(26) The division shall apply to the Centers for Medicare and Medicaid Services (CMS) for any necessary waivers to provide services to individuals who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, who are end stage renal disease patients on dialysis, cancer patients on chemotherapy or organ transplant recipients on antirejection drugs, whose income does not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually, and whose resources do not exceed those established by the division. Nothing contained in this paragraph (26) shall entitle an individual to benefits. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid.

(27) Individuals who are entitled to Medicare Part D and whose income does not exceed one hundred fifty percent (150%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually. Eligibility for payment of the Medicare Part D subsidy under this paragraph shall be determined by the division.

(28) The division is authorized and directed to provide up to twelve (12) months of continuous coverage postpartum for any individual who qualifies for Medicaid coverage under this section as a pregnant woman, to the extent allowable under federal law and as determined by the division.

(29) Under the federal Patient Protection and Affordable Care Act of 2010 and as amended, beginning July 1, 2024, individuals who are under sixty five (65) years of age, not pregnant, not entitled to nor enrolled for benefits in Part A of Title XVIII of the federal Social Security Act or enrolled for benefits in Part B of Title XVIII of the federal Social Security Act, are not described in any other part of this section, and whose income does not exceed one hundred thirty-three percent (133%) of the Federal Poverty Level applicable to a family of the size involved. The eligibility of individuals covered under this paragraph (29) shall be determined by the Division of Medicaid, and those individuals determined eligible shall only receive essential health benefits as described in the federal Patient Protection and Affordable Care Act of 2010 as amended. This paragraph (29) shall stand repealed on December 31, 2026.

The division shall redetermine eligibility for all categories of recipients described in each paragraph of this section not less frequently than required by federal law.

SECTION 2. Section 43-13-117, Mississippi Code of 1972, is amended as follows:

43-13-117. (A) Medicaid as authorized by this article shall include payment of part or all of the costs, at the discretion of the division, with approval of the Governor and the Centers for Medicare and Medicaid Services, of the following types of care and services rendered to eligible applicants who have been determined to be eligible for that care and services, within the limits of state appropriations and federal matching funds:

(1) Inpatient hospital services.

(a) The division is authorized to implement an All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement methodology for inpatient hospital services.

(b) No service benefits or reimbursement limitations in this subsection (A)(1) shall apply to payments under an APR-DRG or Ambulatory Payment Classification (APC) model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(2) Outpatient hospital services.

(a) Emergency services.

(b) Other outpatient hospital services. The division shall allow benefits for other medically necessary outpatient hospital services (such as chemotherapy, radiation, surgery and therapy), including outpatient services in a clinic or other facility that is not located inside the hospital, but that has been designated as an outpatient facility by the hospital, and that was in operation or under construction on July 1, 2009, provided that the costs and charges associated with the operation of the hospital clinic are included in the hospital's cost report. In addition, the Medicare thirty-five-mile rule will apply to those hospital clinics not located inside the hospital that are constructed after July 1, 2009. Where the same services are reimbursed as clinic services, the division

may revise the rate or methodology of outpatient reimbursement to maintain consistency, efficiency, economy and quality of care.

(c) The division is authorized to implement an Ambulatory Payment Classification (APC) methodology for outpatient hospital services. The division shall give rural hospitals that have fifty (50) or fewer licensed beds the option to not be reimbursed for outpatient hospital services using the APC methodology, but reimbursement for outpatient hospital services provided by those hospitals shall be based on one hundred one percent (101%) of the rate established under Medicare for outpatient hospital services. Those hospitals choosing to not be reimbursed under the APC methodology shall remain under cost-based reimbursement for a two-year period.

(d) No service benefits or reimbursement limitations in this subsection (A)(2) shall apply to payments under an APR-DRG or APC model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(3) Laboratory and x-ray services.

(4) Nursing facility services.

(a) The division shall make full payment to nursing facilities for each day, not exceeding forty-two (42) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the forty-two-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) From and after July 1, 1997, the division shall implement the integrated case-mix payment and quality monitoring system, which includes the fair rental system for property costs and in which recapture of depreciation is eliminated. The division may reduce the payment for hospital leave and therapeutic home leave days to the lower of the case-mix category as computed for the resident on leave using the assessment being utilized for payment at that point in time, or a case-mix score of 1.000 for nursing facilities, and shall compute case-mix scores of residents so that only services provided at the nursing facility are considered in calculating a facility's per diem.

(c) From and after July 1, 1997, all state-owned nursing facilities shall be reimbursed on a full reasonable cost basis.

(d) On or after January 1, 2015, the division shall update the case-mix payment system resource utilization grouper and classifications and fair rental reimbursement system. The division shall develop and implement a payment add-on to reimburse nursing facilities for ventilator-dependent resident services.

(e) The division shall develop and implement, not later than January 1, 2001, a case-mix payment add-on determined by time studies and other valid statistical data that will reimburse a nursing facility for the additional cost of caring for a resident who has a diagnosis of Alzheimer's or other related dementia and exhibits symptoms that require special care. Any such case-mix add-on payment shall be supported by a determination of additional cost. The division shall also develop and implement as part of the fair rental reimbursement system for nursing facility beds, an Alzheimer's resident bed depreciation enhanced reimbursement system that will provide an incentive to encourage nursing facilities to convert or construct beds for residents with Alzheimer's or other related dementia.

(f) The division shall develop and implement an assessment process for long-term care services. The division may provide the assessment and related functions directly or through contract with the area agencies on aging.

The division shall apply for necessary federal waivers to assure that additional services providing alternatives to nursing facility care are made available to applicants for nursing facility care.

(5) Periodic screening and diagnostic services for individuals under age twenty-one (21) years as are needed to identify physical and mental defects and to provide health care treatment and other measures designed to correct or ameliorate defects and physical and mental illness and conditions discovered by the screening services, regardless of whether these services are included in the state plan. The division may include in its periodic screening and diagnostic program those discretionary services authorized under the federal regulations adopted to implement Title XIX of the federal Social Security Act, as amended. The division, in obtaining physical therapy services, occupational therapy services, and services for individuals with speech, hearing and language disorders, may enter into a cooperative agreement with the State Department of Education for the provision of those services to handicapped students by public school districts using state funds that are provided from the appropriation to the Department of Education to obtain federal matching funds through the division. The division, in obtaining medical and mental health assessments, treatment, care and services for children who are in, or at risk of being put in, the custody of the Mississippi Department of Human Services may enter into a cooperative agreement with the Mississippi Department of Human Services for the provision of those services using state funds that are provided from the appropriation to the Department of Human Services to obtain federal matching funds through the division.

(6) Physician services. Fees for physician's services that are covered only by Medicaid shall be reimbursed at ninety percent (90%) of the rate established on January 1, 2018, and as may be adjusted each July thereafter, under Medicare. The division may provide for a reimbursement rate for physician's services of up to one hundred percent (100%) of the rate established under Medicare for physician's services that are provided after the normal working hours of the physician, as determined in accordance with regulations of the division. The division may reimburse eligible providers, as determined by the division, for certain primary care services at one hundred percent (100%) of the rate established under Medicare. The division shall reimburse obstetricians and gynecologists for certain primary care services as defined by the division at one hundred percent (100%) of the rate established under Medicare.

(7) (a) Home health services for eligible persons, not to exceed in cost the prevailing cost of nursing facility services. All home health visits must be precertified as required by the division. In addition to physicians, certified registered nurse practitioners, physician assistants and clinical nurse specialists are authorized to prescribe or order home health services and plans of care, sign home health plans of care, certify and recertify eligibility for home health services and conduct the required initial face-to-face visit with the recipient of the services.

(b) [Repealed]

(8) Emergency medical transportation services as determined by the division.

(9) Prescription drugs and other covered drugs and services as determined by the division.

The division shall establish a mandatory preferred drug list. Drugs not on the mandatory preferred drug list shall be made available by utilizing prior authorization procedures established by the division.

The division may seek to establish relationships with other states in order to lower acquisition costs of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs. In addition, if allowed by federal law or regulation,

the division may seek to establish relationships with and negotiate with other countries to facilitate the acquisition of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs, if that will lower the acquisition costs of those prescription drugs.

The division may allow for a combination of prescriptions for single-source and innovator multiple-source drugs and generic drugs to meet the needs of the beneficiaries.

The executive director may approve specific maintenance drugs for beneficiaries with certain medical conditions, which may be prescribed and dispensed in three-month supply increments.

Drugs prescribed for a resident of a psychiatric residential treatment facility must be provided in true unit doses when available. The division may require that drugs not covered by Medicare Part D for a resident of a long-term care facility be provided in true unit doses when available. Those drugs that were originally billed to the division but are not used by a resident in any of those facilities shall be returned to the billing pharmacy for credit to the division, in accordance with the guidelines of the State Board of Pharmacy and any requirements of federal law and regulation. Drugs shall be dispensed to a recipient and only one (1) dispensing fee per month may be charged. The division shall develop a methodology for reimbursing for restocked drugs, which shall include a restock fee as determined by the division not exceeding Seven Dollars and Eighty-two Cents ($7.82).

Except for those specific maintenance drugs approved by the executive director, the division shall not reimburse for any portion of a prescription that exceeds a thirty-one-day supply of the drug based on the daily dosage.

The division is authorized to develop and implement a program of payment for additional pharmacist services as determined by the division.

All claims for drugs for dually eligible Medicare/Medicaid beneficiaries that are paid for by Medicare must be submitted to Medicare for payment before they may be processed by the division's online payment system.

The division shall develop a pharmacy policy in which drugs in tamper-resistant packaging that are prescribed for a resident of a nursing facility but are not dispensed to the resident shall be returned to the pharmacy and not billed to Medicaid, in accordance with guidelines of the State Board of Pharmacy.

The division shall develop and implement a method or methods by which the division will provide on a regular basis to Medicaid providers who are authorized to prescribe drugs, information about the costs to the Medicaid program of single-source drugs and innovator multiple-source drugs, and information about other drugs that may be prescribed as alternatives to those single-source drugs and innovator multiple-source drugs and the costs to the Medicaid program of those alternative drugs.

Notwithstanding any law or regulation, information obtained or maintained by the division regarding the prescription drug program, including trade secrets and manufacturer or labeler pricing, is confidential and not subject to disclosure except to other state agencies.

The dispensing fee for each new or refill prescription, including nonlegend or over-the-counter drugs covered by the division, shall be not less than Three Dollars and Ninety-one Cents ($3.91), as determined by the division.

The division shall not reimburse for single-source or innovator multiple-source drugs if there are equally effective generic equivalents available and if the generic equivalents are the least expensive.

It is the intent of the Legislature that the pharmacists providers be reimbursed for the reasonable costs of filling and dispensing prescriptions for Medicaid beneficiaries.

The division shall allow certain drugs, including physician-administered drugs, and implantable drug system devices, and medical supplies, with limited distribution or limited access for beneficiaries and administered in an appropriate clinical setting, to be reimbursed as either a medical claim or pharmacy claim, as determined by the division.

It is the intent of the Legislature that the division and any managed care entity described in subsection (H) of this section encourage the use of Alpha-Hydroxyprogesterone Caproate (17P) to prevent recurrent preterm birth.

(10) Dental and orthodontic services to be determined by the division.

The division shall increase the amount of the reimbursement rate for diagnostic and preventative dental services for each of the fiscal years 2022, 2023 and 2024 by five percent (5%) above the amount of the reimbursement rate for the previous fiscal year. The division shall increase the amount of the reimbursement rate for restorative dental services for each of the fiscal years 2023, 2024 and 2025 by five percent (5%) above the amount of the reimbursement rate for the previous fiscal year. It is the intent of the Legislature that the reimbursement rate revision for preventative dental services will be an incentive to increase the number of dentists who actively provide Medicaid services. This dental services reimbursement rate revision shall be known as the "James Russell Dumas Medicaid Dental Services Incentive Program."

The Medical Care Advisory Committee, assisted by the Division of Medicaid, shall annually determine the effect of this incentive by evaluating the number of dentists who are Medicaid providers, the number who and the degree to which they are actively billing Medicaid, the geographic trends of where dentists are offering what types of Medicaid services and other statistics pertinent to the goals of this legislative intent. This data shall annually be presented to the Chair of the Senate Medicaid Committee and the Chair of the House Medicaid Committee.

The division shall include dental services as a necessary component of overall health services provided to children who are eligible for services.

(11) Eyeglasses for all Medicaid beneficiaries who have (a) had surgery on the eyeball or ocular muscle that results in a vision change for which eyeglasses or a change in eyeglasses is medically indicated within six (6) months of the surgery and is in accordance with policies established by the division, or (b) one (1) pair every five (5) years and in accordance with policies established by the division. In either instance, the eyeglasses must be prescribed by a physician skilled in diseases of the eye or an optometrist, whichever the beneficiary may select.

(12) Intermediate care facility services.

(a) The division shall make full payment to all intermediate care facilities for individuals with intellectual disabilities for each day, not exceeding sixty-three (63) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the sixty-three-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) All state-owned intermediate care facilities for individuals with intellectual disabilities shall be reimbursed on a full reasonable cost basis.

(c) Effective January 1, 2015, the division shall update the fair rental reimbursement system for intermediate care facilities for individuals with intellectual disabilities.

(13) Family planning services, including drugs, supplies and devices, when those services are under the supervision of a physician or nurse practitioner.

(14) Clinic services. Preventive, diagnostic, therapeutic, rehabilitative or palliative services that are furnished by a facility that is not part of a hospital but is organized and operated to provide medical care to outpatients. Clinic services include, but are not limited to:

(a) Services provided by ambulatory surgical centers (ACSs) as defined in Section 41-75-1(a); and

(b) Dialysis center services.

(15) Home- and community-based services for the elderly and disabled, as provided under Title XIX of the federal Social Security Act, as amended, under waivers, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

(16) Mental health services. Certain services provided by a psychiatrist shall be reimbursed at up to one hundred percent (100%) of the Medicare rate. Approved therapeutic and case management services (a) provided by an approved regional mental health/intellectual disability center established under Sections 41-19-31 through 41-19-39, or by another community mental health service provider meeting the requirements of the Department of Mental Health to be an approved mental health/intellectual disability center if determined necessary by the Department of Mental Health, using state funds that are provided in the appropriation to the division to match federal funds, or (b) provided by a facility that is certified by the State Department of Mental Health to provide therapeutic and case management services, to be reimbursed on a fee for service basis, or (c) provided in the community by a facility or program operated by the Department of Mental Health. Any such services provided by a facility described in subparagraph (b) must have the prior approval of the division to be reimbursable under this section.

(17) Durable medical equipment services and medical supplies. Precertification of durable medical equipment and medical supplies must be obtained as required by the division. The Division of Medicaid may require durable medical equipment providers to obtain a surety bond in the amount and to the specifications as established by the Balanced Budget Act of 1997. A maximum dollar amount of reimbursement for noninvasive ventilators or ventilation treatments properly ordered and being used in an appropriate care setting shall not be set by any health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section. Reimbursement by these organizations to durable medical equipment suppliers for home use of noninvasive and invasive ventilators shall be on a continuous monthly payment basis for the duration of medical need throughout a patient's valid prescription period.

(18) (a) Notwithstanding any other provision of this section to the contrary, as provided in the Medicaid state plan amendment or amendments as defined in Section 43-13-145(10), the division shall make additional reimbursement to hospitals that serve a disproportionate share of low-income patients and that meet the federal requirements for those payments as provided in Section 1923 of the federal Social Security Act and any applicable regulations. It is the intent of the Legislature that the division shall draw down all available federal funds allotted to the state for disproportionate share hospitals. However, from and after January 1, 1999, public hospitals participating in the Medicaid disproportionate share program may be required to participate in an intergovernmental

transfer program as provided in Section 1903 of the federal Social Security Act and any applicable regulations.

(b) (i) 1. The division may establish a Medicare Upper Payment Limits Program, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, or an allowable delivery system or provider payment initiative authorized under 42 CFR 438.6(c), for hospitals, nursing facilities and physicians employed or contracted by hospitals.

2. The division shall establish a Medicaid Supplemental Payment Program, as permitted by the federal Social Security Act and a comparable allowable delivery system or provider payment initiative authorized under 42 CFR 438.6(c), for emergency ambulance transportation providers in accordance with this subsection (A)(18)(b).

(ii) The division shall assess each hospital, nursing facility, and emergency ambulance transportation provider for the sole purpose of financing the state portion of the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). The hospital assessment shall be as provided in Section 43-13-145(4)(a), and the nursing facility and the emergency ambulance transportation assessments, if established, shall be based on Medicaid utilization or other appropriate method, as determined by the division, consistent with federal regulations. The assessments will remain in effect as long as the state participates in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). In addition to the hospital assessment provided in Section 43-13-145(4)(a), hospitals with physicians participating in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b) shall be required to participate in an intergovernmental transfer or assessment, as determined by the division, for the purpose of financing the state portion of the physician UPL payments or other payment(s) authorized under this subsection (A)(18)(b).

(iii) Subject to approval by the Centers for Medicare and Medicaid Services (CMS) and the provisions of this subsection (A)(18)(b), the division shall make additional reimbursement to hospitals, nursing facilities, and emergency ambulance transportation providers for the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b), and, if the program is established for physicians, shall make additional reimbursement for physicians, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, provided the assessment in this subsection (A)(18)(b) is in effect.

(iv) Notwithstanding any other provision of this article to the contrary, effective upon implementation of the Mississippi Hospital Access Program (MHAP) provided in subparagraph (c)(i) below, the hospital portion of the inpatient Upper Payment Limits Program shall transition into and be replaced by the MHAP program. However, the division is authorized to develop and implement an alternative fee-for-service Upper Payment Limits model in accordance with federal laws and regulations if necessary to preserve supplemental funding. Further, the division, in consultation with the hospital industry shall develop alternative models for distribution of medical claims and supplemental payments for inpatient and outpatient hospital services, and such models may include, but shall not be limited to the following: increasing rates for inpatient and outpatient services; creating a low-income utilization pool of funds to reimburse hospitals for the costs of uncompensated care, charity care and bad debts as permitted and approved pursuant to federal regulations and the Centers for Medicare and Medicaid Services; supplemental payments based upon Medicaid utilization, quality, service lines and/or costs of providing such services to Medicaid beneficiaries and to uninsured patients. The goals of such payment models shall be to ensure access to inpatient and outpatient care and to maximize any federal funds that are available to reimburse hospitals for services provided. Any such documents required to achieve the goals described in this paragraph shall be submitted to the Centers for Medicare and

Medicaid Services, with a proposed effective date of July 1, 2019, to the extent possible, but in no event shall the effective date of such payment models be later than July 1, 2020. The Chairmen of the Senate and House Medicaid Committees shall be provided a copy of the proposed payment model(s) prior to submission. Effective July 1, 2018, and until such time as any payment model(s) as described above become effective, the division, in consultation with the hospital industry, is authorized to implement a transitional program for inpatient and outpatient payments and/or supplemental payments (including, but not limited to, MHAP and directed payments), to redistribute available supplemental funds among hospital providers, provided that when compared to a hospital's prior year supplemental payments, supplemental payments made pursuant to any such transitional program shall not result in a decrease of more than five percent (5%) and shall not increase by more than the amount needed to maximize the distribution of the available funds.

(v) 1. To preserve and improve access to ambulance transportation provider services, the division shall seek CMS approval to make ambulance service access payments as set forth in this subsection (A)(18)(b) for all covered emergency ambulance services rendered on or after July 1, 2022, and shall make such ambulance service access payments for all covered services rendered on or after the effective date of CMS approval.

2. The division shall calculate the ambulance service access payment amount as the balance of the portion of the Medical Care Fund related to ambulance transportation service provider assessments plus any federal matching funds earned on the balance, up to, but not to exceed, the upper payment limit gap for all emergency ambulance service providers.

3. a. Except for ambulance services exempt from the assessment provided in this paragraph (18)(b), all ambulance transportation service providers shall be eligible for ambulance service access payments each state fiscal year as set forth in this paragraph (18)(b).

b. In addition to any other funds paid to ambulance transportation service providers for emergency medical services provided to Medicaid beneficiaries, each eligible ambulance transportation service provider shall receive ambulance service access payments each state fiscal year equal to the ambulance transportation service provider's upper payment limit gap. Subject to approval by the Centers for Medicare and Medicaid Services, ambulance service access payments shall be made no less than on a quarterly basis.

c. As used in this paragraph (18)(b)(v), the term "upper payment limit gap" means the difference between the total amount that the ambulance transportation service provider received from Medicaid and the average amount that the ambulance transportation service provider would have received from commercial insurers for those services reimbursed by Medicaid.

4. An ambulance service access payment shall not be used to offset any other payment by the division for emergency or nonemergency services to Medicaid beneficiaries.

(c) (i) Not later than December l, 2015, the division shall, subject to approval by the Centers for Medicare and Medicaid Services (CMS), establish, implement and operate a Mississippi Hospital Access Program (MHAP) for the purpose of protecting patient access to hospital care through hospital inpatient reimbursement programs provided in this section designed to maintain total hospital reimbursement for inpatient services rendered by in-state hospitals and the out-of-state hospital that is authorized by federal law to submit intergovernmental transfers (IGTs) to the State of Mississippi and is classified as Level I trauma center located in a county contiguous to the state line at the maximum levels permissible under applicable federal statutes and regulations, at which

time the current inpatient Medicare Upper Payment Limits (UPL) Program for hospital inpatient services shall transition to the MHAP.

(ii) Subject to approval by the Centers for Medicare and Medicaid Services (CMS), the MHAP shall provide increased inpatient capitation (PMPM) payments to managed care entities contracting with the division pursuant to subsection (H) of this section to support availability of hospital services or such other payments permissible under federal law necessary to accomplish the intent of this subsection.

(iii) The intent of this subparagraph (c) is that effective for all inpatient hospital Medicaid services during state fiscal year 2016, and so long as this provision shall remain in effect hereafter, the division shall to the fullest extent feasible replace the additional reimbursement for hospital inpatient services under the inpatient Medicare Upper Payment Limits (UPL) Program with additional reimbursement under the MHAP and other payment programs for inpatient and/or outpatient payments which may be developed under the authority of this paragraph.

(iv) The division shall assess each hospital as provided in Section 43-13-145(4)(a) for the purpose of financing the state portion of the MHAP, supplemental payments and such other purposes as specified in Section 43-13-145. The assessment will remain in effect as long as the MHAP and supplemental payments are in effect.

(19) (a) Perinatal risk management services. The division shall promulgate regulations to be effective from and after October 1, 1988, to establish a comprehensive perinatal system for risk assessment of all pregnant and infant Medicaid recipients and for management, education and follow-up for those who are determined to be at risk. Services to be performed include case management, nutrition assessment/counseling, psychosocial assessment/counseling and health education. The division shall contract with the State Department of Health to provide services within this paragraph (Perinatal High Risk Management/Infant Services System (PHRM/ISS)). The State Department of Health shall be reimbursed on a full reasonable cost basis for services provided under this subparagraph (a).

(b) Early intervention system services. The division shall cooperate with the State Department of Health, acting as lead agency, in the development and implementation of a statewide system of delivery of early intervention services, under Part C of the Individuals with Disabilities Education Act (IDEA). The State Department of Health shall certify annually in writing to the executive director of the division the dollar amount of state early intervention funds available that will be utilized as a certified match for Medicaid matching funds. Those funds then shall be used to provide expanded targeted case management services for Medicaid eligible children with special needs who are eligible for the state's early intervention system. Qualifications for persons providing service coordination shall be determined by the State Department of Health and the Division of Medicaid.

(20) Home- and community-based services for physically disabled approved services as allowed by a waiver from the United States Department of Health and Human Services for home- and community-based services for physically disabled people using state funds that are provided from the appropriation to the State Department of Rehabilitation Services and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Rehabilitation Services.

(21) Nurse practitioner services. Services furnished by a registered nurse who is licensed and certified by the Mississippi Board of Nursing as a nurse practitioner, including, but not limited to, nurse anesthetists, nurse midwives, family nurse practitioners, family planning nurse practitioners, pediatric nurse practitioners, obstetrics-gynecology nurse practitioners and neonatal nurse practitioners, under regulations adopted by the

division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for nurse practitioner services of up to one hundred percent (100%) of the reimbursement rate for comparable services rendered by a physician for nurse practitioner services that are provided after the normal working hours of the nurse practitioner, as determined in accordance with regulations of the division.

(22) Ambulatory services delivered in federally qualified health centers, rural health centers and clinics of the local health departments of the State Department of Health for individuals eligible for Medicaid under this article based on reasonable costs as determined by the division. Federally qualified health centers shall be reimbursed by the Medicaid prospective payment system as approved by the Centers for Medicare and Medicaid Services. The division shall recognize federally qualified health centers (FQHCs), rural health clinics (RHCs) and community mental health centers (CMHCs) as both an originating and distant site provider for the purposes of telehealth reimbursement. The division is further authorized and directed to reimburse FQHCs, RHCs and CMHCs for both distant site and originating site services when such services are appropriately provided by the same organization.

(23) Inpatient psychiatric services.

(a) Inpatient psychiatric services to be determined by the division for recipients under age twenty-one (21) that are provided under the direction of a physician in an inpatient program in a licensed acute care psychiatric facility or in a licensed psychiatric residential treatment facility, before the recipient reaches age twenty-one (21) or, if the recipient was receiving the services immediately before he or she reached age twenty-one (21), before the earlier of the date he or she no longer requires the services or the date he or she reaches age twenty-two (22), as provided by federal regulations. From and after January 1, 2015, the division shall update the fair rental reimbursement system for psychiatric residential treatment facilities. Precertification of inpatient days and residential treatment days must be obtained as required by the division. From and after July 1, 2009, all state-owned and state-operated facilities that provide inpatient psychiatric services to persons under age twenty-one (21) who are eligible for Medicaid reimbursement shall be reimbursed for those services on a full reasonable cost basis.

(b) The division may reimburse for services provided by a licensed freestanding psychiatric hospital to Medicaid recipients over the age of twenty-one (21) in a method and manner consistent with the provisions of Section 43-13-117.5.

(24) [Deleted]

(25) [Deleted]

(26) Hospice care. As used in this paragraph, the term "hospice care" means a coordinated program of active professional medical attention within the home and outpatient and inpatient care that treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social and economic stresses that are experienced during the final stages of illness and during dying and bereavement and meets the Medicare requirements for participation as a hospice as provided in federal regulations.

(27) Group health plan premiums and cost-sharing if it is cost-effective as defined by the United States Secretary of Health and Human Services.

(28) Other health insurance premiums that are cost-effective as defined by the United States Secretary of Health and Human Services. Medicare eligible must have Medicare Part B before other insurance premiums can be paid.

(29) The Division of Medicaid may apply for a waiver from the United States Department of Health and Human Services for home- and community-based services for developmentally disabled people using state funds that are provided from the appropriation to the State Department of Mental Health and/or funds transferred to the department by a political subdivision or instrumentality of the state and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Mental Health and/or transferred to the department by a political subdivision or instrumentality of the state.

(30) Pediatric skilled nursing services as determined by the division and in a manner consistent with regulations promulgated by the Mississippi State Department of Health.

(31) Targeted case management services for children with special needs, under waivers from the United States Department of Health and Human Services, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(32) Care and services provided in Christian Science Sanatoria listed and certified by the Commission for Accreditation of Christian Science Nursing Organizations/Facilities, Inc., rendered in connection with treatment by prayer or spiritual means to the extent that those services are subject to reimbursement under Section 1903 of the federal Social Security Act.

(33) Podiatrist services.

(34) Assisted living services as provided through home- and community-based services under Title XIX of the federal Social Security Act, as amended, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

(35) Services and activities authorized in Sections 43-27-101 and 43-27-103, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(36) Nonemergency transportation services for Medicaid-eligible persons as determined by the division. The PEER Committee shall conduct a performance evaluation of the nonemergency transportation program to evaluate the administration of the program and the providers of transportation services to determine the most cost-effective ways of providing nonemergency transportation services to the patients served under the program. The performance evaluation shall be completed and provided to the members of the Senate Medicaid Committee and the House Medicaid Committee not later than January 1, 2019, and every two (2) years thereafter.

(37) [Deleted]

(38) Chiropractic services. A chiropractor's manual manipulation of the spine to correct a subluxation, if x-ray demonstrates that a subluxation exists and if the subluxation has resulted in a neuromusculoskeletal condition for which manipulation is appropriate treatment, and related spinal x-rays performed to document these conditions. Reimbursement for chiropractic services shall not exceed Seven Hundred Dollars ($700.00) per year per beneficiary.

(39) Dually eligible Medicare/Medicaid beneficiaries. The division shall pay the Medicare deductible and coinsurance amounts for services available under Medicare,

as determined by the division. From and after July 1, 2009, the division shall reimburse crossover claims for inpatient hospital services and crossover claims covered under Medicare Part B in the same manner that was in effect on January 1, 2008, unless specifically authorized by the Legislature to change this method.

(40) [Deleted]

(41) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons with spinal cord injuries or traumatic brain injuries, as allowed under waivers from the United States Department of Health and Human Services, using up to seventy-five percent (75%) of the funds that are appropriated to the Department of Rehabilitation Services from the Spinal Cord and Head Injury Trust Fund established under Section 37-33-261 and used to match federal funds under a cooperative agreement between the division and the department.

(42) [Deleted]

(43) The division shall provide reimbursement, according to a payment schedule developed by the division, for smoking cessation medications for pregnant women during their pregnancy and other Medicaid-eligible women who are of child-bearing age.

(44) Nursing facility services for the severely disabled.

(a) Severe disabilities include, but are not limited to, spinal cord injuries, closed-head injuries and ventilator-dependent patients.

(b) Those services must be provided in a long-term care nursing facility dedicated to the care and treatment of persons with severe disabilities.

(45) Physician assistant services. Services furnished by a physician assistant who is licensed by the State Board of Medical Licensure and is practicing with physician supervision under regulations adopted by the board, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for physician assistant services of up to one hundred percent (100%) or the reimbursement rate for comparable services rendered by a physician for physician assistant services that are provided after the normal working hours of the physician assistant, as determined in accordance with regulations of the division.

(46) The division shall make application to the federal Centers for Medicare and Medicaid Services (CMS) for a waiver to develop and provide services for children with serious emotional disturbances as defined in Section 43-14-1(1), which may include home- and community-based services, case management services or managed care services through mental health providers certified by the Department of Mental Health. The division may implement and provide services under this waivered program only if funds for these services are specifically appropriated for this purpose by the Legislature, or if funds are voluntarily provided by affected agencies.

(47) (a) The division may develop and implement disease management programs for individuals with high-cost chronic diseases and conditions, including the use of grants, waivers, demonstrations or other projects as necessary.

(b) Participation in any disease management program implemented under this paragraph (47) is optional with the individual. An individual must affirmatively elect to participate in the disease management program in order to participate, and may elect to discontinue participation in the program at any time.

(48) Pediatric long-term acute care hospital services.

(a) Pediatric long-term acute care hospital services means services provided to eligible persons under twenty-one (21) years of age by a freestanding Medicare-certified hospital that has an average length of inpatient stay greater than twenty-five (25) days and that is primarily engaged in providing chronic or long-term medical care to persons under twenty-one (21) years of age.

(b) The services under this paragraph (48) shall be reimbursed as a separate category of hospital services.

(49) The division may establish copayments and/or coinsurance for any Medicaid services for which copayments and/or coinsurance are allowable under federal law or regulation.

(50) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons who are deaf and blind, as allowed under waivers from the United States Department of Health and Human Services to provide home- and community-based services using state funds that are provided from the appropriation to the State Department of Rehabilitation Services or if funds are voluntarily provided by another agency.

(51) Upon determination of Medicaid eligibility and in association with annual redetermination of Medicaid eligibility, beneficiaries shall be encouraged to undertake a physical examination that will establish a base-line level of health and identification of a usual and customary source of care (a medical home) to aid utilization of disease management tools. This physical examination and utilization of these disease management tools shall be consistent with current United States Preventive Services Task Force or other recognized authority recommendations.

For persons who are determined ineligible for Medicaid, the division will provide information and direction for accessing medical care and services in the area of their residence.

(52) Notwithstanding any provisions of this article, the division may pay enhanced reimbursement fees related to trauma care, as determined by the division in conjunction with the State Department of Health, using funds appropriated to the State Department of Health for trauma care and services and used to match federal funds under a cooperative agreement between the division and the State Department of Health. The division, in conjunction with the State Department of Health, may use grants, waivers, demonstrations, enhanced reimbursements, Upper Payment Limits Programs, supplemental payments, or other projects as necessary in the development and implementation of this reimbursement program.

(53) Targeted case management services for high-cost beneficiaries may be developed by the division for all services under this section.

(54) [Deleted]

(55) Therapy services. The plan of care for therapy services may be developed to cover a period of treatment for up to six (6) months, but in no event shall the plan of care exceed a six-month period of treatment. The projected period of treatment must be indicated on the initial plan of care and must be updated with each subsequent revised plan of care. Based on medical necessity, the division shall approve certification periods for less than or up to six (6) months, but in no event shall the certification period exceed the period of treatment indicated on the plan of care. The appeal process for any reduction in therapy services shall be consistent with the appeal process in federal regulations.

(56) Prescribed pediatric extended care centers services for medically dependent or technologically dependent children with complex medical conditions that require continual care as prescribed by the child's attending physician, as determined by the division.

(57) No Medicaid benefit shall restrict coverage for medically appropriate treatment prescribed by a physician and agreed to by a fully informed individual, or if the individual lacks legal capacity to consent by a person who has legal authority to consent on his or her behalf, based on an individual's diagnosis with a terminal condition. As used in this paragraph (57), "terminal condition" means any aggressive malignancy, chronic end-stage cardiovascular or cerebral vascular disease, or any other disease, illness or condition which a physician diagnoses as terminal.

(58) Treatment services for persons with opioid dependency or other highly addictive substance use disorders. The division is authorized to reimburse eligible providers for treatment of opioid dependency and other highly addictive substance use disorders, as determined by the division. Treatment related to these conditions shall not count against any physician visit limit imposed under this section.

(59) The division shall allow beneficiaries between the ages of ten (10) and eighteen (18) years to receive vaccines through a pharmacy venue. The division and the State Department of Health shall coordinate and notify OB-GYN providers that the Vaccines for Children program is available to providers free of charge.

(60) Border city university-affiliated pediatric teaching hospital.

(a) Payments may only be made to a border city university-affiliated pediatric teaching hospital if the Centers for Medicare and Medicaid Services (CMS) approve an increase in the annual request for the provider payment initiative authorized under 42 CFR Section 438.6(c) in an amount equal to or greater than the estimated annual payment to be made to the border city university-affiliated pediatric teaching hospital. The estimate shall be based on the hospital's prior year Mississippi managed care utilization.

b) As used in this paragraph (60), the term "border city university-affiliated pediatric teaching hospital" means an out-of-state hospital located within a city bordering the eastern bank of the Mississippi River and the State of Mississippi that submits to the division a copy of a current and effective affiliation agreement with an accredited university and other documentation establishing that the hospital is university-affiliated, is licensed and designated as a pediatric hospital or pediatric primary hospital within its home state, maintains at least five (5) different pediatric specialty training programs, and maintains at least one hundred (100) operated beds dedicated exclusively for the treatment of patients under the age of twenty-one (21) years.

(c) The cost of providing services to Mississippi Medicaid beneficiaries under the age of twenty-one (21) years who are treated by a border city university-affiliated pediatric teaching hospital shall not exceed the cost of providing the same services to individuals in hospitals in the state.

(d) It is the intent of the Legislature that payments shall not result in any in-state hospital receiving payments lower than they would otherwise receive if not for the payments made to any border city university-affiliated pediatric teaching hospital.

(e) This paragraph (60) shall stand repealed on July 1, 2024.

(61) Beginning July 1, 2024, essential health benefits as described in the federal Patient Protection and Affordable Care Act of 2010 and as amended, for individuals eligible for Medicaid under the federal Patient Protection and Affordable Care Act of 2010 as amended, as described in Section 43-13-115(29) of this article. These

services shall be provided as long as the Medicaid federal matching percentage is not less than ninety percent (90%) for Medicaid services to this population. This paragraph (61) shall stand repealed on December 31, 2026.

(B) Planning and development districts participating in the home- and community-based services program for the elderly and disabled as case management providers shall be reimbursed for case management services at the maximum rate approved by the Centers for Medicare and Medicaid Services (CMS).

(C) The division may pay to those providers who participate in and accept patient referrals from the division's emergency room redirection program a percentage, as determined by the division, of savings achieved according to the performance measures and reduction of costs required of that program. Federally qualified health centers may participate in the emergency room redirection program, and the division may pay those centers a percentage of any savings to the Medicaid program achieved by the centers' accepting patient referrals through the program, as provided in this subsection (C).

(D) (1) As used in this subsection (D), the following terms shall be defined as provided in this paragraph, except as otherwise provided in this subsection:

(a) "Committees" means the Medicaid Committees of the House of Representatives and the Senate, and "committee" means either one of those committees.

(b) "Rate change" means an increase, decrease or other change in the payments or rates of reimbursement, or a change in any payment methodology that results in an increase, decrease or other change in the payments or rates of reimbursement, to any Medicaid provider that renders any services authorized to be provided to Medicaid recipients under this article.

(2) Whenever the Division of Medicaid proposes a rate change, the division shall give notice to the chairmen of the committees at least thirty (30) calendar days before the proposed rate change is scheduled to take effect. The division shall furnish the chairmen with a concise summary of each proposed rate change along with the notice, and shall furnish the chairmen with a copy of any proposed rate change upon request. The division also shall provide a summary and copy of any proposed rate change to any other member of the Legislature upon request.

(3) If the chairman of either committee or both chairmen jointly object to the proposed rate change or any part thereof, the chairman or chairmen shall notify the division and provide the reasons for their objection in writing not later than seven (7) calendar days after receipt of the notice from the division. The chairman or chairmen may make written recommendations to the division for changes to be made to a proposed rate change.

(4) (a) The chairman of either committee or both chairmen jointly may hold a committee meeting to review a proposed rate change. If either chairman or both chairmen decide to hold a meeting, they shall notify the division of their intention in writing within seven (7) calendar days after receipt of the notice from the division, and shall set the date and time for the meeting in their notice to the division, which shall not be later than fourteen (14) calendar days after receipt of the notice from the division.

(b) After the committee meeting, the committee or committees may object to the proposed rate change or any part thereof. The committee or committees shall notify the division and the reasons for their objection in writing not later than seven (7) calendar days after the meeting. The committee or committees may make written recommendations to the division for changes to be made to a proposed rate change.

(5) If both chairmen notify the division in writing within seven (7) calendar days after receipt of the notice from the division that they do not object to the proposed

rate change and will not be holding a meeting to review the proposed rate change, the proposed rate change will take effect on the original date as scheduled by the division or on such other date as specified by the division.

(6) (a) If there are any objections to a proposed rate change or any part thereof from either or both of the chairmen or the committees, the division may withdraw the proposed rate change, make any of the recommended changes to the proposed rate change, or not make any changes to the proposed rate change.

(b) If the division does not make any changes to the proposed rate change, it shall notify the chairmen of that fact in writing, and the proposed rate change shall take effect on the original date as scheduled by the division or on such other date as specified by the division.

(c) If the division makes any changes to the proposed rate change, the division shall notify the chairmen of its actions in writing, and the revised proposed rate change shall take effect on the date as specified by the division.

(7) Nothing in this subsection (D) shall be construed as giving the chairmen or the committees any authority to veto, nullify or revise any rate change proposed by the division. The authority of the chairmen or the committees under this subsection shall be limited to reviewing, making objections to and making recommendations for changes to rate changes proposed by the division.

(E) Notwithstanding any provision of this article, no new groups or categories of recipients and new types of care and services may be added without enabling legislation from the Mississippi Legislature, except that the division may authorize those changes without enabling legislation when the addition of recipients or services is ordered by a court of proper authority.

(F) The executive director shall keep the Governor advised on a timely basis of the funds available for expenditure and the projected expenditures. Notwithstanding any other provisions of this article, if current or projected expenditures of the division are reasonably anticipated to exceed the amount of funds appropriated to the division for any fiscal year, the Governor, after consultation with the executive director, shall take all appropriate measures to reduce costs, which may include, but are not limited to:

(1) Reducing or discontinuing any or all services that are deemed to be optional under Title XIX of the Social Security Act;

(2) Reducing reimbursement rates for any or all service types;

(3) Imposing additional assessments on health care providers; or

(4) Any additional cost-containment measures deemed appropriate by the Governor.

To the extent allowed under federal law, any reduction to services or reimbursement rates under this subsection (F) shall be accompanied by a reduction, to the fullest allowable amount, to the profit margin and administrative fee portions of capitated payments to organizations described in paragraph (1) of subsection (H).

Beginning in fiscal year 2010 and in fiscal years thereafter, when Medicaid expenditures are projected to exceed funds available for the fiscal year, the division shall submit the expected shortfall information to the PEER Committee not later than December 1 of the year in which the shortfall is projected to occur. PEER shall review the computations of the division and report its findings to the Legislative Budget Office not later than January 7 in any year.

(G) Notwithstanding any other provision of this article, it shall be the duty of each provider participating in the Medicaid program to keep and maintain books, documents and other records as prescribed by the Division of Medicaid in accordance with federal laws and regulations.

(H) (1) Notwithstanding any other provision of this article, the division is authorized to implement (a) a managed care program, (b) a coordinated care program, (c) a coordinated care organization program, (d) a health maintenance organization program, (e) a patient-centered medical home program, (f) an accountable care organization program, (g) provider-sponsored health plan, or (h) any combination of the above programs. As a condition for the approval of any program under this subsection (H)(1), the division shall require that no managed care program, coordinated care program, coordinated care organization program, health maintenance organization program, or provider-sponsored health plan may:

(a) Pay providers at a rate that is less than the Medicaid All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement rate;

(b) Override the medical decisions of hospital physicians or staff regarding patients admitted to a hospital for an emergency medical condition as defined by 42 US Code Section 1395dd. This restriction (b) does not prohibit the retrospective review of the appropriateness of the determination that an emergency medical condition exists by chart review or coding algorithm, nor does it prohibit prior authorization for nonemergency hospital admissions;

(c) Pay providers at a rate that is less than the normal Medicaid reimbursement rate. It is the intent of the Legislature that all managed care entities described in this subsection (H), in collaboration with the division, develop and implement innovative payment models that incentivize improvements in health care quality, outcomes, or value, as determined by the division. Participation in the provider network of any managed care, coordinated care, provider-sponsored health plan, or similar contractor shall not be conditioned on the provider's agreement to accept such alternative payment models;

(d) Implement a prior authorization and utilization review program for medical services, transportation services and prescription drugs that is more stringent than the prior authorization processes used by the division in its administration of the Medicaid program. Not later than December 2, 2021, the contractors that are receiving capitated payments under a managed care delivery system established under this subsection (H) shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the prior authorization and utilization review program for medical services, transportation services and prescription drugs that is required to be implemented under this subparagraph (d);

(e) [Deleted]

(f) Implement a preferred drug list that is more stringent than the mandatory preferred drug list established by the division under subsection (A)(9) of this section;

(g) Implement a policy which denies beneficiaries with hemophilia access to the federally funded hemophilia treatment centers as part of the Medicaid Managed Care network of providers.

Each health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall use a clear set of level of care guidelines in the determination of medical necessity and in all utilization management

practices, including the prior authorization process, concurrent reviews, retrospective reviews and payments, that are consistent with widely accepted professional standards of care. Organizations participating in a managed care program or coordinated care program implemented by the division may not use any additional criteria that would result in denial of care that would be determined appropriate and, therefore, medically necessary under those levels of care guidelines.

(2) Notwithstanding any provision of this section, the recipients eligible for enrollment into a Medicaid Managed Care Program authorized under this subsection (H) may include only those categories of recipients eligible for participation in the Medicaid Managed Care Program as of January 1, 2021, the Children's Health Insurance Program (CHIP), and the CMS-approved Section 1115 demonstration waivers in operation as of January 1, 2021. No expansion of Medicaid Managed Care Program contracts may be implemented by the division without enabling legislation from the Mississippi Legislature.

(3) (a) Any contractors receiving capitated payments under a managed care delivery system established in this section shall provide to the Legislature and the division statistical data to be shared with provider groups in order to improve patient access, appropriate utilization, cost savings and health outcomes not later than October 1 of each year. Additionally, each contractor shall disclose to the Chairmen of the Senate and House Medicaid Committees the administrative expenses costs for the prior calendar year, and the number of full-equivalent employees located in the State of Mississippi dedicated to the Medicaid and CHIP lines of business as of June 30 of the current year.

(b) The division and the contractors participating in the managed care program, a coordinated care program or a provider-sponsored health plan shall be subject to annual program reviews or audits performed by the Office of the State Auditor, the PEER Committee, the Department of Insurance and/or independent third parties.

(c) Those reviews shall include, but not be limited to, at least two (2) of the following items:

(i) The financial benefit to the State of Mississippi of the managed care program,

(ii) The difference between the premiums paid to the managed care contractors and the payments made by those contractors to health care providers,

(iii) Compliance with performance measures required under the contracts,

(iv) Administrative expense allocation methodologies,

(v) Whether nonprovider payments assigned as medical expenses are appropriate,

(vi) Capitated arrangements with related party subcontractors,

(vii) Reasonableness of corporate allocations,

(viii) Value-added benefits and the extent to which they are used,

(ix) The effectiveness of subcontractor oversight, including subcontractor review,

(x) Whether health care outcomes have been improved, and

(xi) The most common claim denial codes to determine the reasons for the denials.

The audit reports shall be considered public documents and shall be posted in their entirety on the division's website.

(4) All health maintenance organizations, coordinated care organizations, provider-sponsored health plans, or other organizations paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall reimburse all providers in those organizations at rates no lower than those provided under this section for beneficiaries who are not participating in those programs.

(5) No health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall require its providers or beneficiaries to use any pharmacy that ships, mails or delivers prescription drugs or legend drugs or devices.

(6) (a) Not later than December 1, 2021, the contractors who are receiving capitated payments under a managed care delivery system established under this subsection (H) shall develop and implement a uniform credentialing process for providers. Under that uniform credentialing process, a provider who meets the criteria for credentialing will be credentialed with all of those contractors and no such provider will have to be separately credentialed by any individual contractor in order to receive reimbursement from the contractor. Not later than December 2, 2021, those contractors shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the uniform credentialing process for providers that is required under this subparagraph (a).

(b) If those contractors have not implemented a uniform credentialing process as described in subparagraph (a) by December 1, 2021, the division shall develop and implement, not later than July 1, 2022, a single, consolidated credentialing process by which all providers will be credentialed. Under the division's single, consolidated credentialing process, no such contractor shall require its providers to be separately credentialed by the contractor in order to receive reimbursement from the contractor, but those contractors shall recognize the credentialing of the providers by the division's credentialing process.

(c) The division shall require a uniform provider credentialing application that shall be used in the credentialing process that is established under subparagraph (a) or (b). If the contractor or division, as applicable, has not approved or denied the provider credentialing application within sixty (60) days of receipt of the completed application that includes all required information necessary for credentialing, then the contractor or division, upon receipt of a written request from the applicant and within five (5) business days of its receipt, shall issue a temporary provider credential/enrollment to the applicant if the applicant has a valid Mississippi professional or occupational license to provide the health care services to which the credential/enrollment would apply. The contractor or the division shall not issue a temporary credential/enrollment if the applicant has reported on the application a history of medical or other professional or occupational malpractice claims, a history of substance abuse or mental health issues, a criminal record, or a history of medical or other licensing board, state or federal disciplinary action, including any suspension from participation in a federal or state program. The temporary credential/enrollment shall be effective upon issuance and shall remain in effect until the provider's credentialing/enrollment application is approved or denied by the contractor or division. The contractor or division shall render a final decision regarding credentialing/enrollment of the provider within sixty (60) days from the date that the temporary provider credential/enrollment is issued to the applicant.

(d) If the contractor or division does not render a final decision regarding credentialing/enrollment of the provider within the time required in subparagraph (c), the provider shall be deemed to be credentialed by and enrolled with all of the contractors and eligible to receive reimbursement from the contractors.

(7) (a) Each contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to each provider for whom the contractor has denied the coverage of a procedure that was ordered or requested by the provider for or on behalf of a patient, a letter that provides a detailed explanation of the reasons for the denial of coverage of the procedure and the name and the credentials of the person who denied the coverage. The letter shall be sent to the provider in electronic format.

(b) After a contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) has denied coverage for a claim submitted by a provider, the contractor shall issue to the provider within sixty (60) days a final ruling of denial of the claim that allows the provider to have a state fair hearing and/or agency appeal with the division. If a contractor does not issue a final ruling of denial within sixty (60) days as required by this subparagraph (b), the provider's claim shall be deemed to be automatically approved and the contractor shall pay the amount of the claim to the provider.

(c) After a contractor has issued a final ruling of denial of a claim submitted by a provider, the division shall conduct a state fair hearing and/or agency appeal on the matter of the disputed claim between the contractor and the provider within sixty (60) days, and shall render a decision on the matter within thirty (30) days after the date of the hearing and/or appeal.

(8) It is the intention of the Legislature that the division evaluate the feasibility of using a single vendor to administer pharmacy benefits provided under a managed care delivery system established under this subsection (H). Providers of pharmacy benefits shall cooperate with the division in any transition to a carve-out of pharmacy benefits under managed care.

(9) The division shall evaluate the feasibility of using a single vendor to administer dental benefits provided under a managed care delivery system established in this subsection (H). Providers of dental benefits shall cooperate with the division in any transition to a carve-out of dental benefits under managed care.

(10) It is the intent of the Legislature that any contractor receiving capitated payments under a managed care delivery system established in this section shall implement innovative programs to improve the health and well-being of members diagnosed with prediabetes and diabetes.

(11) It is the intent of the Legislature that any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall work with providers of Medicaid services to improve the utilization of long-acting reversible contraceptives (LARCs). Not later than December 1, 2021, any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to the Chairmen of the House and Senate Medicaid Committees and House and Senate Public Health Committees a report of LARC utilization for State Fiscal Years 2018 through 2020 as well as any programs, initiatives, or efforts made by the contractors and providers to increase LARC utilization. This report shall be updated annually to include information for subsequent state fiscal years.

(12) The division is authorized to make not more than one (1) emergency extension of the contracts that are in effect on July 1, 2021, with contractors who are receiving capitated payments under a managed care delivery system established under

this subsection (H), as provided in this paragraph (12). The maximum period of any such extension shall be one (1) year, and under any such extensions, the contractors shall be subject to all of the provisions of this subsection (H). The extended contracts shall be revised to incorporate any provisions of this subsection (H).

(I) [Deleted]

(J) There shall be no cuts in inpatient and outpatient hospital payments, or allowable days or volumes, as long as the hospital assessment provided in Section 43-13-145 is in effect. This subsection (J) shall not apply to decreases in payments that are a result of: reduced hospital admissions, audits or payments under the APR-DRG or APC models, or a managed care program or similar model described in subsection (H) of this section.

(K) In the negotiation and execution of such contracts involving services performed by actuarial firms, the Executive Director of the Division of Medicaid may negotiate a limitation on liability to the state of prospective contractors.

(L) The Division of Medicaid shall reimburse for services provided to eligible Medicaid beneficiaries by a licensed birthing center in a method and manner to be determined by the division in accordance with federal laws and federal regulations. The division shall seek any necessary waivers, make any required amendments to its State Plan or revise any contracts authorized under subsection (H) of this section as necessary to provide the services authorized under this subsection. As used in this subsection, the term "birthing centers" shall have the meaning as defined in Section 41-77-1(a), which is a publicly or privately owned facility, place or institution constructed, renovated, leased or otherwise established where nonemergency births are planned to occur away from the mother's usual residence following a documented period of prenatal care for a normal uncomplicated pregnancy which has been determined to be low risk through a formal risk-scoring examination.

(M) This section shall stand repealed on July 1, * * * 2028.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO REVISE MEDICAID ELIGIBILITY TO INCLUDE THOSE INDIVIDUALS WHO ARE ENTITLED TO BENEFITS UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA), AS AMENDED; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO INCLUDE ESSENTIAL HEALTH BENEFITS FOR INDIVIDUALS ELIGIBLE FOR MEDICAID UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA), AS AMENDED; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, Substitute for Committee Amendment No. 1 to H. B. No. 1725 failed by the following vote:

Yeas--Barnett, Blackmon, Blount, Brumfield, Bryan, Butler, Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--15.

Nays--Barrett, Berry, Blackwell, Boyd, Branning, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--36.

Absent and those not voting--Turner-Ford. Total--1.

Senator Horhn offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on lines 61-62, 94, 153, 510-511 by striking the words "one-hundred and twenty (120) hours per month" and inserting "twenty (20) hours per week" in lieu thereof.

FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1725 failed by the following vote:

Yeas--Barnett, Blackmon, Blount, Brumfield, Bryan, Butler, Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--15.

Nays--Barrett, Berry, Blackwell, Boyd, Branning, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--36.

Absent and those not voting--Turner-Ford. Total--1.

Senator Horhn offered the following AMENDMENT NO. 2 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 92 by striking the words "on a quarterly basis" and inserting "twice a year" in lieu thereof.

FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 2 to Committee Amendment No. 1 to H. B. No. 1725 failed by the following vote:

Yeas--Barnett, Blackmon, Blount, Brumfield, Bryan, Butler, Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--16.

Nays--Barrett, Berry, Blackwell, Boyd, Branning, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--36.

Absent and those not voting----None.

Senator Fillingane offered the following AMENDMENT NO. 3 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 72 by inserting the word "or" after the semicolon.

AMEND on lines 73 through 78 by striking the following language and renumbering subsequent subparagraphs:

(v) The parent or guardian and the primary caregiver of a child under six (6) years of age;

(vi) A person who is physically, mentally or intellectually unable to meet the requirements of subparagraphs (i) through (iv) of this paragraph (a) as documented by a medical professional;

FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 3 to Committee Amendment No. 1 to H. B. No. 1725 failed by the following vote:

Yeas--Berry, Branning, Carter, Chassaniol, Chism, Fillingane, Hill, McCaughn, McLendon, Parks, Polk, Rhodes, Seymour, Whaley, Younger. Total--15.

Nays--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Jordan, Kirby, Ladner, McMahan, Michel, Norwood, Parker, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Wiggins, Williams. Total--36.

Absent and those not voting--Johnson. Total--1.

Senator Fillingane offered the following AMENDMENT NO. 4 TO COMMITTEE AMENDMENT NO. 1.

AMEND after line 159 by inserting a new paragraph (g) with the following language:

(g) Copayments. All individuals in the coverage group who are fulfilling the work requirement of this section shall be subject to the following copayments:

(i) Seventy-five Dollars ($75.00) for inpatient care;

(ii) Four Dollars ($4.00) for outpatient care;

(iii) Eight Dollars ($8.00) for nonemergency use of the emergency room (ER);

(iv) Four Dollars ($4.00) for a preferred prescription drug; or

(v) Eight Dollars ($8.00) for a nonpreferred prescription drug.

The amount of total copayments provided for in this paragraph shall not be more than five percent (5%) of the individual's total income during a calendar quarter. If this limit is reached, the individual shall not be charged for the rest of that quarter.

FURTHER, AMEND the title to conform.

Amendment No. 4 to Committee Amendment No. 1 to H. B. No. 1725 failed.

Committee Amendment No. 1 to H. B. No. 1725 was adopted.

YEAS AND NAYS On H. B. No. 1725. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Jordan,

Kirby, Ladner, McMahan, Michel, Norwood, Parker, Polk, Robinson, Simmons D. T. (12th), Simmons S. (13th), Tate, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Younger. Total--36.

Nays--Barrett, Berry, Branning, Chassaniol, Chism, Fillingane, Hill, Johnson, McCaughn, McLendon, Parks, Rhodes, Seymour, Sparks, Suber, Whaley. Total--16.

Absent and those not voting----None.

Unanimous consent was granted to add Senator Butler as co-author of **S. B. No. 3165**.

S. B. No. 3165: Appropriation; additional to MDOT-Surface Transportation Projects, ARPA funds.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Amy Rice Gables of Madison, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Dr. William F. Ferguson of Hernando, MS.

Senator Horhn moved that when the Senate adjourns, it adjourn in memory of James Hollins, Jr. of Flora, MS.

REPORT OF COMMITTEE ON FORESTRY

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

H. B. No. 299: Mississippi Forestry Commission; authorize to electronically accept bids for timber sales. Title Sufficient. Do Pass.

MCCAUGHN, Chairman

REPORT OF COMMITTEE ON FORESTRY

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 16: Joseph E. (Joe) Pettigrew, Kiln, Mississippi, MS Forestry Commission, six year term effective July 1, 2023 and ending June 30, 2029, representing the 4th Congressional District. Do Advise and Consent.

S. N. No. 17: Charles Bradley (Brad) Campbell, Starkville, Mississippi, State BD of Registration for Foresters to represent the East Central Forestry Commission District, five year term beginning July 1, 2023 and ending June 30, 2028. Do Advise and Consent.

MCCAUGHN, Chairman

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, April 1, 2024.

The motion prevailed, and at 3:35 PM, the Senate stood in recess.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1764: AN ACT TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SALES OF EQUIPMENT AND MATERIALS USED IN CONNECTION WITH GEOPHYSICAL SURVEYING, EXPLORING, DEVELOPING, DRILLING, REDRILLING, COMPLETING, WORKING OVER, PRODUCING, DISTRIBUTING, OR TESTING OF OIL, GAS AND OTHER MINERAL RESOURCES SHALL BE TAXED AT THE RATE OF FOUR PERCENT, AND THAT OPERATORS THAT REBILL SALES OF EQUIPMENT AND MATERIALS TO NONOPERATING WORKING INTEREST OWNERS ON BEHALF OF A JOINT ACCOUNT THROUGH THE JOINT INTEREST BILLING (JIB), WHERE THE SALES TAX HAS BEEN PAID OR ACCRUED BY THE OPERATOR SHALL NOT BE CHARGED A SALES TAX ON THE JIB AS SERVICES INCOME; TO AMEND SECTION 27-65-21, MISSISSIPPI CODE OF 1972, TO REMOVE FROM THE CONTRACTOR'S TAX CONTRACTS EXCEEDING $10,000.00 FOR THE REDRILLING, OR WORKING OVER, OR OF DRILLING OR COMPLETING AN OIL WELL OR A GAS WELL; TO AMEND SECTION 27-65-23, MISSISSIPPI CODE OF 1972, TO REVISE THE SALES TAX IMPOSED ON VARIOUS SERVICES TO PROVIDE FOR A TAX RATE OF FOUR PERCENT ON INCOME FROM SERVICES PERFORMED IN CONNECTION WITH GEOPHYSICAL SURVEYING, EXPLORING, DEVELOPING, DRILLING, REDRILLING, COMPLETING, WORKING OVER, PRODUCING, DISTRIBUTING, OR TESTING OF OIL, GAS AND OTHER MINERAL RESOURCES, INCLUDING OVERHEAD SERVICES, AND THAT OPERATORS THAT REBILL SALES OF EQUIPMENT AND MATERIALS TO NONOPERATING WORKING INTEREST OWNERS ON BEHALF OF A JOINT ACCOUNT THROUGH THE JOINT INTEREST BILLING (JIB), WHERE THE SALES TAX HAS BEEN PAID OR ACCRUED BY THE OPERATOR SHALL NOT BE CHARGED A SALES TAX ON THE JIB AS SERVICES INCOME; AND FOR RELATED PURPOSES.

H. B. No. 1768: AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR TAXPAYERS WHO PROVIDE PAID MATERNITY LEAVE AND PAID PATERNITY LEAVE FOR EMPLOYEES; TO PROVIDE ELIGIBILITY CRITERIA FOR THE TAX CREDIT; TO PROVIDE FOR THE AMOUNT OF THE CREDIT; AND FOR RELATED PURPOSES.

H. B. No. 1942: AN ACT TO PROVIDE FOR AN INCOME TAX AND INSURANCE PREMIUM TAX CREDIT FOR TAXPAYERS THAT PAY A QUALIFIED COMMUNITY DEVELOPMENT ENTITY FOR QUALIFIED EQUITY INVESTMENTS; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THE TAX CREDIT; TO PROVIDE THAT THE AMOUNT OF THE CREDIT SHALL BE EQUAL TO A CERTAIN PERCENTAGE OF THE ADJUSTED PURCHASE PRICE PAID TO THE QUALIFIED COMMUNITY DEVELOPMENT ENTITY FOR THE QUALIFIED EQUITY INVESTMENT; TO PROVIDE THAT THE MAXIMUM AGGREGATE AMOUNT OF THE CREDITS THAT MAY BE ALLOCATED TO ALL TAXPAYERS IN ANY ONE STATE FISCAL YEAR SHALL NOT EXCEED $20,000,000.00 AND THAT THE CREDITS SHALL BE ALLOCATED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO PROVIDE FOR THE RECAPTURE OF

ALL OR A PORTION OF THE CREDIT UNDER CERTAIN CIRCUMSTANCES; TO DEFINE THE TERMS "NEW MARKETS TAX CREDIT TRANSACTION," "PUBLIC BENEFIT CORPORATION," "PUBLIC ENTITY OR PUBLIC ENTITIES" AND "PUBLIC PROPERTY OR FACILITIES"; TO AUTHORIZE PUBLIC ENTITIES TO CREATE PUBLIC BENEFIT CORPORATIONS FOR THE PURPOSE OF ENTERING INTO FINANCING AGREEMENTS AND ENGAGING IN NEW MARKETS TAX CREDIT TRANSACTIONS; TO AUTHORIZE PUBLIC ENTITIES TO ENTER INTO FINANCING ARRANGEMENTS IN ORDER TO TRANSFER PUBLIC PROPERTY OR FACILITIES TO OR FROM PUBLIC BENEFIT CORPORATIONS; TO AUTHORIZE PUBLIC ENTITIES AND PUBLIC BENEFIT CORPORATIONS, WITH RESPECT TO NEW MARKETS TAX CREDIT TRANSACTIONS, TO ENTER INTO FINANCING ARRANGEMENTS WITH GOVERNMENTAL, NONPROFIT OR FOR PROFIT ENTITIES IN ORDER TO LEVERAGE FUNDS NOT OTHERWISE AVAILABLE TO PUBLIC ENTITIES FOR THE ACQUISITION, CONSTRUCTION OR RENOVATION OF PROPERTIES TRANSFERRED TO A PUBLIC BENEFIT CORPORATION; TO AMEND SECTION 27-15-129, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE INVESTMENTS THAT MAY REDUCE A TAXPAYER'S INSURANCE PREMIUM TAX LIABILITY UNDER SUCH SECTION SHALL NOT INCLUDE ANY INVESTMENT FOR WHICH A TAX CREDIT IS ALLOCATED UNDER THIS ACT; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1985: AN ACT TO AUTHORIZE AN INCOME TAX CREDIT AND AD VALOREM TAX CREDIT FOR TAXPAYERS FOR EACH DEPENDENT CHILD RESIDING WITH HIS OR HER PARENTS, LEGALLY MARRIED TO ONE ANOTHER; TO PROVIDE FOR THE AMOUNT OF THE TAX CREDIT; TO BRING FORWARD SECTIONS 27-7-22, 27-7-22.3, 27-7-22.5, 27-7-22.7, 27-7-22.13, 27-7-22.15, 27-7-22.16, 27-7-22.17, 27-7-22.18, 27-7-22.19, 27-7-22.20, 27-7-22.21, 27-7-22.22, 27-7-22.23, 27-7-22.25, 27-7-22.27, 27-7-22.28, 27-7-22.29, 27-7-22.30, 27-7-22.31, 27-7-22.32, 27-7-22.33, 27-7-22.34, 27-7-22.35, 27-7-22.36, 27-7-22.37, 27-7-22.39, 27-7-22.40, 27-7-22.41, 27-7-22.42, 27-7-22.43, 27-7-22.44, 27-7-22.45, 27-7-22.46, 27-7-22.47, 27-7-22.48, 27-7-22.49, 27-7-205, 27-7-207, 27-7-209, 57-73-21,57-73-23, 57-87-5, 57-87-7, 57-105-1, 57-10-409, 57-114-3, 57-114-7, 57-114-9, 57-115-3 AND 57-115-5, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE VARIOUS TAX CREDITS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1991: AN ACT TO AMEND SECTION 27-65-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERMS "GROSS PROCEEDS OF SALES", "GROSS INCOME" AND "INSTALLATION CHARGES" UNDER THE STATE SALES TAX LAWS; TO BRING FORWARD SECTIONS 27-65-21 AND 27-65-23, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE STATE SALES TAX LAW, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1485: AN ACT TO AMEND SECTION 27-7-15, MISSISSIPPI CODE OF 1972, TO EXCLUDE FORGIVEN, CANCELLED OR DISCHARGED FEDERAL STUDENT LOAN DEBT UNDER THE PUBLIC SERVICE LOAN FORGIVENESS

PROGRAM FROM THE DEFINITION OF "GROSS INCOME" FOR STATE INCOME TAX PURPOSES; AND FOR RELATED PURPOSES.

H. B. No. 1710: AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR EMPLOYERS WHO SPONSOR SKILLS TRAINING FOR EMPLOYEES; TO PROVIDE FOR THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT THE TAX CREDIT WILL BE GRANTED TO EMPLOYERS THAT PARTICIPATE IN EMPLOYER-SPONSORED TRAINING PROGRAMS THROUGH ANY COMMUNITY COLLEGE OR JUNIOR COLLEGE IN THE DISTRICT WITHIN WHICH THE EMPLOYER IS LOCATED OR TRAINING APPROVED BY THE COMMUNITY COLLEGE OR JUNIOR COLLEGE; TO PROVIDE THAT A COMMUNITY COLLEGE OR JUNIOR COLLEGE MAY COMMIT TO PROVIDE EMPLOYER-SPONSORED SKILLS TRAINING PROGRAMS FOR AN EMPLOYER FOR A MULTIPLE NUMBER OF YEARS, NOT TO EXCEED FIVE YEARS; TO PROVIDE THAT THE MISSISSIPPI COMMUNITY COLLEGE BOARD SHALL MAKE A REPORT TO THE LEGISLATURE BY JANUARY 30 OF EACH YEAR SUMMARIZING THE NUMBER OF PARTICIPANTS, THE JUNIOR OR COMMUNITY COLLEGE THROUGH WHICH THE TRAINING WAS OFFERED AND THE TYPE TRAINING OFFERED; AND FOR RELATED PURPOSES.

H. B. No. 1939: AN ACT TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL ESTABLISH A PROGRAM TO PROVIDE AN INCOME TAX CREDIT FOR TAXPAYERS WHO DEVELOP PROPERTY USED OR FORMERLY USED FOR COMMERCIAL PURPOSES IN THE CAPITOL COMPLEX IMPROVEMENT DISTRICT FOR THE PURPOSE OF CONVERTING THE PROPERTY TO RESIDENTIAL USE; TO PROVIDE AN APPLICATION PROCESS FOR TAXPAYERS WHO DESIRE TO PARTICIPATE IN THE TAX CREDIT PROGRAM; TO AUTHORIZE A REFUNDABLE INCOME TAX CREDIT FOR TAXPAYERS WHO INCUR COSTS FOR THE DEVELOPMENT OF PROPERTY AS PROVIDED IN THIS ACT; TO PROVIDE FOR THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT IF THE AMOUNT OF THE TAX CREDIT CLAIMED BY A TAXPAYER EXCEEDS THE AMOUNT OF INCOME TAX LIABILITY OF THE TAXPAYER FOR A TAXABLE YEAR, THE TAXPAYER SHALL BE ELIGIBLE TO RECEIVE A REFUND FROM THE DEPARTMENT OF REVENUE FOR THE AMOUNT OF SUCH EXCESS; TO PROVIDE THAT IN LIEU OF RECEIVING SUCH A REFUND, A TAXPAYER MAY SELL OR TRANSFER THE EXCESS PORTION OF THE TAX CREDIT TO ANY TAXPAYER HAVING A LIABILITY FOR INCOME TAXES; AND FOR RELATED PURPOSES.

H. B. No. 1983: AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PURPOSE OF MAKING CAPITAL IMPROVEMENTS FOR STATE INSTITUTIONS OF HIGHER LEARNING, COMMUNITY AND JUNIOR COLLEGES AND STATE AGENCIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE MATCHING FUNDS FOR FEDERAL FUNDS FOR THE WATER POLLUTION CONTROL REVOLVING FUND; TO AMEND SECTION 49-17-85, MISSISSIPPI CODE OF 1972, TO AUTHORIZE INTEREST AND INVESTMENT EARNINGS ON MONEY IN THE WATER POLLUTION CONTROL REVOLVING FUND TO BE UTILIZED TO PAY DEBT SERVICE ON THE BONDS AUTHORIZED TO BE ISSUED BY THIS ACT; TO AMEND SECTION 18, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AMOUNT OF STATE GENERAL OBLIGATION BONDS THAT MAY BE ISSUED TO PROVIDE FUNDS FOR THE "MISSISSIPPI DAM SAFETY FUND" AND TO EXTEND THE TIME WITHIN SUCH BONDS MAY BE ISSUED; TO AMEND SECTIONS 6 THROUGH 20, CHAPTER 521, LAWS OF 1995, AS LAST AMENDED BY SECTION 25, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE LOCAL GOVERNMENTS AND RURAL WATER SYSTEMS IMPROVEMENTS REVOLVING LOAN FUND; TO AMEND SECTION 1, CHAPTER 492, LAWS OF 2020, AS AMENDED BY SECTION 4, CHAPTER 480, LAWS OF 2021, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED FOR THE STATE INSTITUTIONS OF HIGHER LEARNING FOR A CAPITAL PROJECT AT THE UNIVERSITY OF SOUTHERN MISSISSIPPI MAY BE USED; TO AMEND

SECTION 1, CHAPTER 480, LAWS OF 2021, AS AMENDED BY SECTION 1, CHAPTER 328, LAWS OF 2022, AND BY SECTION 32, CHAPTER 549, LAWS OF 2023, FOR THE SAME PURPOSE; AND FOR RELATED PURPOSES.

H. B. No. 1984: AN ACT TO AUTHORIZE AN AD VALOREM TAX CREDIT FOR A PERSON, FIRM, OR CORPORATION OPERATING A REFINERY FOR THE REFINING OF OIL, GAS OR PETROLEUM PRODUCTS AND OWNING OIL, GAS OR PETROLEUM PRODUCTS, WHETHER PRODUCED WITHIN OR WITHOUT THE STATE, WHICH ARE LOCATED AT SUCH A REFINERY PRIOR TO BEING REFINED, ARE IN THE PROCESS OF BEING REFINED AT SUCH REFINERY, OR HAVE BEEN REFINED AT SUCH REFINERY AND ARE STORED AT SUCH REFINERY; TO PROVIDE THAT THE TAX CREDIT SHALL BE FOR THE AMOUNT OF ALL AD VALOREM TAXES PAYABLE THAT ARE ATTRIBUTABLE TO SUCH OIL, GAS, OR PETROLEUM PRODUCTS AND SHALL BE APPLIED AGAINST OTHER AD VALOREM TAXES PAYABLE ON OTHER TAXABLE REFINERY PROPERTY OF THE PERSON, FIRM OR CORPORATION OPERATING THE REFINERY; TO PROVIDE THAT AD VALOREM TAXES THAT ARE APPLIED AND USED AS A TAX CREDIT UNDER SECTION 27-7-22.5 MAY NOT BE APPLIED AND USED AS AN INCOME CREDIT UNDER THIS ACT; TO AMEND SECTION 27-7-22.5, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR ANY MANUFACTURER, DISTRIBUTOR, WHOLESALE OR RETAIL MERCHANT WHO PAYS AD VALOREM TAXES IMPOSED ON COMMODITIES, RAW MATERIALS, WORKS-IN-PROCESS, PRODUCTS, GOODS, WARES AND MERCHANDISE HELD FOR RESALE, TO PROVIDE THAT AD VALOREM TAXES THAT ARE APPLIED AND USED AS A TAX CREDIT UNDER THIS ACT MAY NOT BE APPLIED AND USED AS AN INCOME CREDIT UNDER SUCH SECTION; TO BRING FORWARD SECTION 27-31-19, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN AD VALOREM TAX EXEMPTION FOR OIL, GAS, AND PETROLEUM PRODUCTS, WHETHER PRODUCED WITHIN OR WITHOUT THE STATE, WHICH ARE OWNED BY A PERSON, FIRM, OR CORPORATION OPERATING A REFINERY FOR THE REFINING OF OIL, GAS OR PETROLEUM PRODUCTS IN THE STATE, WHICH ARE IN TRANSIT TO OR SITUATED AT SUCH A REFINERY FOR REFINING THEREAT, ARE IN THE PROCESS OF BEING REFINED AT SUCH A REFINERY OR HAVE BEEN REFINED AT SUCH REFINERY AND ARE STILL OWNED BY OR IN THE HANDS OF THE REFINER, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1986: AN ACT TO AMEND SECTION 27-7-22.48, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS MADE BY TAXPAYERS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS THAT CONTRACT OR MAKE OTHER AGREEMENTS OR ARRANGEMENTS WITH HEALTH CARE PERSONNEL TO PROVIDE HEALTH CARE SERVICES TO LOW-INCOME RESIDENTS OF THIS STATE, TO REVISE THE DEFINITION OF THE TERM "ELIGIBLE CHARITABLE ORGANIZATION"; TO PROVIDE THAT A TAXPAYER WHO IS ALLOCATED A TAX CREDIT DURING A CALENDAR MAY USE THE CREDIT AGAINST INCOME TAXES AND INSURANCE PREMIUM TAXES IMPOSED FOR THE IMMEDIATELY PRECEDING TAXABLE YEAR, PROVIDED THAT THE TAXPAYER HAS NOT ALREADY FILED A RETURN FOR SUCH TAXES; TO PROVIDE THAT TAX CREDITS THAT WERE NOT ALLOCATED DURING CALENDAR YEAR 2023, MAY BE ALLOCATED DURING CALENDAR 2024; AND FOR RELATED PURPOSES.

H. B. No. 1987: AN ACT TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL ESTABLISH A PROGRAM TO PROVIDE LOANS TO THE CAPITAL CITY REDEVELOPMENT FOUNDATION TO ASSIST THE FOUNDATION OR OTHER ENTITIES IN PAYING COSTS ASSOCIATED WITH ACQUISITION AND DEVELOPMENT OF CERTAIN PROPERTY IN THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; TO PROVIDE AN APPLICATION PROCESS FOR THE LOAN PROGRAM; TO CREATE THE "CAPITOL COMPLEX IMPROVEMENT DISTRICT PROPERTY IMPROVEMENT LOAN FUND" AS A SPECIAL FUND IN THE STATE

TREASURY AND TO PROVIDE THAT MONIES IN THE SPECIAL FUND SHALL BE EXPENDED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PROVIDE LOANS AUTHORIZED UNDER THIS ACT; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PURPOSE OF PROVIDING FUNDS FOR THE "CAPITOL COMPLEX IMPROVEMENT DISTRICT PROPERTY IMPROVEMENT LOAN FUND"; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. B. No. 2248: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF AMORY, MISSISSIPPI, TO LEVY A 3% TAX UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS AND TO UTILIZE THE REVENUE FROM THE TAX TO PROMOTE TOURISM AND PARKS AND RECREATION; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. B. No. 2840: AN ACT TO AMEND SECTION 39-11-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI ARTS COMMISSION TO RETAIN A PERCENTAGE AMOUNT OF THE MONIES IN THE BUILDING FUND FOR THE ARTS TO DEFRAY ADMINISTRATIVE COSTS ASSOCIATED WITH ADMINISTERING THE GRANT PROGRAM UNDER THIS SECTION; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. C. R. No. 507: A CONCURRENT RESOLUTION COMMENDING OMEGA PSI PHI FRATERNITY, INC., FOR ITS OUTSTANDING COMMUNITY SERVICE AND PHILANTHROPY AND DESIGNATING MARCH 9, 2024, AS "OMEGA PSI PHI DAY" IN MISSISSIPPI.

David Jordan, Chairman

REPORT OF COMMITTEE ON ELECTIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 922: Election commissioner; revise office to be nonpartisan. Title Sufficient. Do Pass.

H. B. No. 1121: State officers; make minor, nonsubstantive changes regarding swearing in of. Title Sufficient. Do Pass.

H. B. No. 1035: Justice court judges; include in the "Nonpartisan Judicial Election Act". Title Sufficient. Do Pass As Amended.

ENGLAND, Chairman

REPORT OF COMMITTEE ON FINANCE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 155: Local governments capital improvements revolving loan program; include municipal natural gas facilities. Title Sufficient. Do Pass.

H. B. No. 624: Income tax; reenact and extend repealer on credit for certain railroad expenditures. Title Sufficient. Do Pass.

H. B. No. 1003: Homestead exemption; revise time within which certain homeowners may apply for. Title Sufficient. Do Pass.

H. B. No. 1286: Motor vehicles; provide procedure for licensing rental fleets. Title Sufficient. Do Pass.

H. B. No. 1230: Starkville-Oktibbeha Consolidated School District; extend bonding authority until July 1, 2027. Title Sufficient. Do Pass.

HARKINS, Chairman

REPORT OF COMMITTEE ON FINANCE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 893: Distinctive motor vehicle license tag; authorize issuance to supporters of the Navy Seabee Foundation. Title Sufficient. Do Pass As Amended.

H. B. No. 776: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Title Sufficient. Do Pass As Amended.

HARKINS, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Amy Rice Gables, James Hollins, Jr. and Dr. William F. Ferguson.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, MARCH 28, 2024

S. B. No. 3215: Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LAFAYETTE COUNTY, MISSISSIPPI, TO PROVIDE FUNDING TO THE OXFORD-LAFAYETTE ECONOMIC DEVELOPMENT FOUNDATION, IN AN AMOUNT NOT TO EXCEED $250,000.00 IN ANY FISCAL YEAR, FOR ECONOMIC DEVELOPMENT PROJECTS IN THE COUNTY AND FOR ADMINISTRATIVE NEEDS OF THE FOUNDATION; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, Suber, Whaley

S. B. No. 3216: Local and Private; Finance

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF WALNUT, MISSISSIPPI, TO LEVY A SPECIAL TAX OF NOT MORE THAN 3% UPON THE GROSS PROCEEDS OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND TO LEVY A SPECIAL TAX OF NOT MORE THAN 3% UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS, FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE, CONSTRUCT, FINANCE, OPERATE, EQUIP, LEASE, AND MAINTAIN EXISTING AND NEW PARKS AND RECREATION FACILITIES AND EQUIPMENT WITHIN THE TOWN; TO PROVIDE FOR AN ELECTION ON WHETHER SUCH SPECIAL TAX MAY BE LEVIED; TO PROVIDE FOR THE ISSUANCE AND REPAYMENT OF DEBT RELATED TO PARKS AND RECREATION WITHIN THE TOWN FROM THE PROCEEDS OF THE SPECIAL TAX; TO PROVIDE FOR THE REFUNDING OR RESTRUCTURING OF DEBT PRESENTLY OUTSTANDING AND RELATED TO PARKS AND RECREATION WITHIN THE TOWN FROM THE PROCEEDS OF THE SPECIAL TAX; TO AUTHORIZE THE TOWN TO LEASE AND LEASE BACK PROPERTY TO PROMOTE PARKS AND RECREATION; AND FOR RELATED PURPOSES.

By Senator(s) Parks

NINETY-FIRST DAY, MONDAY, APRIL 1, 2024

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Randal Bowling, Pastor, Heritage Family Church, Brookhaven, MS.

Senator Barrett led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE
(Received Friday, March 29, 2024)

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1943: AN ACT TO AMEND SECTION 27-69-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "HEATED TOBACCO PRODUCT" UNDER THE TOBACCO TAX LAW; TO AMEND SECTION 27-69-13, MISSISSIPPI CODE OF 1972, TO LEVY AN EXCISE TAX ON HEATED TOBACCO PRODUCTS UNDER THE TOBACCO TAX LAW; TO AMEND SECTION 27-69-27, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

H. B. No. 1982: AN ACT TO ESTABLISH THE "MISSISSIPPI SCHOOL RESOURCE OFFICERS SCHOOL SAFETY (MS ROSS) ACT" FOR THE PURPOSE OF AUTHORIZING THE DEPARTMENT OF PUBLIC SAFETY TO ASSIST LOCAL LAW ENFORCEMENT AGENCIES AND SCHOOL GOVERNING BODIES WITH THE COST OF EMPLOYING A SCHOOL RESOURCE OFFICER (SRO) AT EACH SCHOOL CAMPUS WITHIN THE JURISDICTIONS OF THEIR LAW ENFORCEMENT AND GOVERNING AUTHORITIES; TO DEFINE TERMINOLOGY; TO PROVIDE THAT THE ASSISTANCE OF EMPLOYING SROS SHALL BE MADE AVAILABLE TO PUBLIC AND PRIVATE ELEMENTARY AND SECONDARY SCHOOLS; TO PROVIDE THAT THE DEPARTMENT SHALL ALLOCATE A PERCENTAGE OF THE COST FOR THE EMPLOYMENT OF ONE SRO FOR EACH SCHOOL CAMPUS; TO REQUIRE THE LOCAL LAW ENFORCEMENT AGENCY AND/OR THE SCHOOL GOVERNING BOARD TO PROVIDE THE REMAINING PERCENTAGE OF THE COST FOR THE EMPLOYMENT OF ONE SRO FOR EACH SCHOOL CAMPUS WITHIN THEIR JURISDICTION OF CONTROL; TO REQUIRE LOCAL LAW ENFORCEMENT AGENCIES AND SCHOOL GOVERNING BODIES TO MAKE JOINT APPLICATION TO THE DEPARTMENT FOR THE APPROVAL OF ALLOCATION OF FUNDS; TO SPECIFY THE INFORMATION TO BE INCLUDED IN THE APPLICATION; TO PRESCRIBE THE DETAILS OF THE PROGRAM INCLUDING THE REQUIREMENT OF A MEMORANDUM OF UNDERSTANDING OR INTERLOCAL AGREEMENT BETWEEN A LOCAL LAW ENFORCEMENT AGENCY AND A SCHOOL GOVERNING BODY; TO AMEND SECTION 37-7-321, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO CREATE THE MISSISSIPPI SCHOOL RESOURCE OFFICERS SCHOOL SAFETY (MS ROSS) FUND AS A SPECIAL FUND IN THE STATE TREASURY; TO PROVIDE THAT MONIES IN THE SPECIAL FUND SHALL BE USED TO PROVIDE FUNDS TO LOCAL LAW ENFORCEMENT AGENCIES AND SCHOOL GOVERNING BODIES FOR THE PURPOSES DESCRIBED IN THIS ACT; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR

THE MISSISSIPPI SCHOOL RESOURCE OFFICERS SCHOOL SAFETY (MS ROSS) FUND; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE
(Received, Friday, March 29, 2024)

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 2072: Physical therapy practice laws; revise various provisions of.

S. B. No. 2156: Mississippi Rare Disease Advisory Council; create at UMMC.

S. B. No. 2157: Psychology Interjurisdictional Compact; enact.

S. B. No. 2340: Harper Grace's Law; extend repealer on authority to research and dispense cannabidiol (CBD oil) for medical purposes.

S. B. No. 2557: Ground lease for solar installation at Mississippi Agricultural and Forestry Experimental Stations; authorize.

S. B. No. 2698: Cyber Security Review Board; create.

S. B. No. 2888: Medical Cannabis Research Advisory Board; enact and create the Mississippi Medical Cannabis Research Program.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE
(Received Friday, March 29, 2024)

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2408: Identification cards and driver's licenses; require to have 988 Crisis Lifeline information.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 1088: Circuit courts; authorize jurisdiction for persons with criminal charges who may need civil commitment procedures. Title Sufficient. Do Pass As Amended.

H. B. No. 1102: DHS; authorize to use communication approved by financial institution for encumbrances. Title Sufficient. Do Pass As Amended.

H. B. No. 1607: Mississippi Women's Bill of Rights; create. Title Sufficient. Do Pass As Amended.

H. B. No. 783: Child custody; require presumption of joint custody and equal parenting time. Title Sufficient. Do Pass As Amended.

H. B. No. 1343: Scrivener's affidavit; revise authority for attorney who submitted but are now retired. Title Sufficient. Do Pass.

H. B. No. 325: Real property; right of first refusal expires on grantee's death unless specifically stated otherwise. Title Sufficient. Do Pass.

H. B. No. 846: Chancery clerk fees; conform recording deeds to land sold for taxes and redemption of such lands. Title Sufficient. Do Pass.

H. B. No. 1086: Land partitions; revise provision that regulate. Title Sufficient. Do Pass As Amended.

H. B. No. 1284: Mississippi Foreign Land Ownership Act; create to prohibit acquisition of forestry and agricultural lands. Title Sufficient. Do Pass As Amended.

WIGGINS, Chairman

REPORT OF COMMITTEE ON PORTS AND MARINE RESOURCES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 652: State Port Authority and other ports; delete repealer on authority to use design-build method of contracting. Title Sufficient. Do Pass.

H. B. No. 1006: Recreation crab licenses; limit to license holders rather than households. Title Sufficient. Do Pass.

H. B. No. 1007: Oyster tags; authorize the printing of by the catcher. Title Sufficient. Do Pass.

H. B. No. 1279: Shrimp trawling; provide that certain waters shall be permanently closed to. Title Sufficient. Do Pass As Amended.

H. B. No. 1439: Riparian rights; revise what may be included in. Title Sufficient. Do Pass As Amended.

THOMPSON, Chairman

Senator Wiggins moved that the rules be suspended for the immediate consideration of **H. B. No. 1607**, and the motion prevailed.

Senator Wiggins moved that **H. B. No. 1607** be recommitted to Judiciary, Division A, and the motion prevailed.

H. B. No. 1607: Mississippi Women's Bill of Rights; create.

Senators Harkins and Michel moved that when the Senate adjourns, it adjourn in memory of Louis Buckner "Bucky" Gideon of Jackson, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Brenda Faye Weston of Mantee, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Marcus Oswalt of Bossier City, LA.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Kenneth Lane Zingery of Vicksburg, MS.

Senators Frazier, Norwood, Blount and Horhn moved that when the Senate adjourns, it adjourn in memory of Judge Joseph J. Lewis of Jackson, MS.

REPORT OF COMMITTEE ON ECONOMIC AND WORKFORCE DEVELOPMENT

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 770: MS Office of Workforce Development; extend exemption from Public Procurement Review Board rental agreement requirements. Title Sufficient. Do Pass As Amended.

H. B. No. 1303: Fresh Start Act; revise certain provisions of. Title Sufficient. Do Pass As Amended.

H. B. No. 1567: Workforce development fund; bring forward code section on. Title Sufficient. Do Pass.

SPARKS, Chairman

Senator Polk moved that the Senate stand in recess until 5:00 PM or until the last committee report is filed, at which time the Senate would then adjourn until 10:00 AM, Tuesday, April 2, 2024.

The motion prevailed, and at 4:17 PM, the Senate stood in recess.

REPORT OF COMMITTEE ON VETERANS AND MILITARY AFFAIRS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 978: State Veterans Affairs Board; revise provisions regarding processing of claims. Title Sufficient. Do Pass.

H. B. No. 1001: Veterans cemeteries; authorize interments in under federal Burial Equity for Guards and Reserves Act. Title Sufficient. Do Pass.

TATE, Chairman

REPORT OF COMMITTEE ON COUNTY AFFAIRS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 331: Counties and municipalities; authorize to choose not to be subject to requirement for permitting as a condition to construction. Title Sufficient. Do Pass As Amended.

H. B. No. 1149: Counties; authorize to only maintain electronic format of law books in county courtrooms and public county law libraries. Title Sufficient. Do Pass.

SIMMONS (12TH), Chairman

REPORT OF COMMITTEE ON UNIVERSITIES AND COLLEGES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 418: Continuing education training for police officers; extend to require for public colleges and universities and PRVWSD officers. Title Sufficient. Do Pass As Amended.

H. B. No. 939: Mississippi University Research Authority; revise and clarify composition of. Title Sufficient. Do Pass.

H. B. No. 1568: Jackson State University; authorize to expand physical boundaries to promote safety on campus. Title Sufficient. Do Pass.

BOYD, Chairman

REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 845: Charitable organizations; require IRS forms filed annually with Secretary of State to be for the most recent fiscal year end. Title Sufficient. Do Pass.

H. B. No. 1021: Pawnbrokers; authorize Commissioner of Banking to establish by rule a process allowing certain purchased and/or pledged goods to be stored off premises. Title Sufficient. Do Pass.

H. B. No. 1092: Automobile airbags and supplemental restraint systems; establish standards for installation of. Title Sufficient. Do Pass As Amended.

H. B. No. 1105: Limited Liability Company; remove prohibition on using the words "partnership" and "limited parternship" when providing a name for. Title Sufficient. Do Pass.

H. B. No. 1344: Nonprofit Corporations; require annual report to be filed with Secretary of State. Title Sufficient. Do Pass As Amended.

H. B. No. 1408: Residential roofing contractors; revise requirements under Insurance Benefits Roofing Repair Consumer Protection Act. Title Sufficient. Do Pass As Amended.

H. B. No. 1577: Bidding terms for public depositories for counties and municipalities; make compatible. Title Sufficient. Do Pass As Amended.

H. B. No. 1675: Unclaimed property; prescribe process to be used by certain cooperatives with regard to disposition of. Title Sufficient. Do Pass.

POLK, Chairman

REPORT OF COMMITTEE ON MUNICIPALITIES

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

H. B. No. 564: Urban renewal project powers; revise definition of. Title Sufficient. Do Pass.

MCMAHAN, Chairman

REPORT OF COMMITTEE ON EDUCATION

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 346: "Seizure Safe Schools Act"; establish. Title Sufficient. Do Pass As Amended.

H. B. No. 595: Boy Scouts and Girl Scouts; allow to speak to students regarding civic involvement with principal's approval. Title Sufficient. Do Pass As Amended.

H. B. No. 1341: Students of active duty service members and civilian personnel; revise residency requirements to allow transfers to another district of choice. Title Sufficient. Do Pass.

H. B. No. 765: MS Critical Teacher Shortage Act; extend repealer on. Title Sufficient. Do Pass As Amended.

H. B. No. 1194: Expulsions; authorize aggregate reporting by State Department of Education of data relating to. Title Sufficient. Do Pass.

H. B. No. 1669: Assistant teachers; revise qualifications for employment. Title Sufficient. Do Pass.

H. B. No. 1696: Failing schools; revise processes relating to being placed into a District of Transformation and abolishing the MS Achievement School District. Title Sufficient. Do Pass As Amended.

DEBAR, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:30 PM in memory of Louis Buckner "Bucky" Gideon, Brenda Faye Weston, Marcus Oswalt, Kenneth Lane Zingery and Judge Joseph J. Lewis.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR MONDAY, APRIL 1, 2024

NINETY-SECOND DAY, TUESDAY, APRIL 2, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Reverend James Nelson, Associate Pastor, Christ United Methodist Church, Jackson, MS.

Senator Williams led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON INSURANCE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 1143: Advanced Metastatic Cancer; prohibit health plans from requiring step therapy before covering certain drugs to treat. Title Sufficient. Do Pass As Amended.

H. B. No. 1265: Pharmacists; authorize reimbursement for under certain insurance policies, plans, or contracts. Title Sufficient. Do Pass As Amended.

H. B. No. 1627: Nonprofit Agricultural Membership Organizations; exempt from insurance regulation. Title Sufficient. Do Pass.

MICHEL, Chairman

Senator Carter called up the motion to reconsider the vote whereby the Senate concurred in the House Amendment to **S. B. No. 2453** and moved that it be reconsidered:

S. B. No. 2453: Inadequacy of service; authorizing the commission to cancel a municipality's certificate to provide service upon findings of.

The foregoing motion prevailed.

The vote now recurring on the motion to concur in the House Amendment to **S. B. No. 2453**.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the House Amendment to **S. B. No. 2453** by the following vote:

Yeas--Barrett, Berry, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--37.

Nays--Barnett, Blackmon, Brumfield, Butler, Frazier, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Suber, Thomas, Turner-Ford. Total--14.

Absent and those not voting----None.

Voting Present--Hickman. Total--1.

REPORT OF COMMITTEE ON DRUG POLICY

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

H. B. No. 1685: Uniform Controlled Substances Act; revise schedules. Title Sufficient. Do Pass.

TURNER-FORD, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 295: Arrest warrants; authorize electronic applications, signatures and records for. Title Sufficient. Do Pass As Amended.

H. B. No. 691: Mississippi Board on Law Enforcement Officer Standards and Training; revise composition of and provide with investigative authority. Title Sufficient. Do Pass As Amended.

H. B. No. 1015: DPS; authorize inspectors to assist other officers. Title Sufficient. Do Pass.

H. B. No. 873: Purple Alert; establish as additional means to aid search of missing persons with cognitive disabilities. Title Sufficient. Do Pass.

H. B. No. 1023: DHS Fraud Investigators; allow to drive unmarked vehicles. Title Sufficient. Do Pass.

H. B. No. 1323: Statute of limitations; increase for sexual battery of a vulnerable person. Title Sufficient. Do Pass As Amended.

FILLINGANE, Chairman

REPORT OF COMMITTEES ON
DRUG POLICY AND JUDICIARY, DIVISION B

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

H. B. No. 1090: Paraphernalia; revise definition under the Uniform Controlled Substances Law. Title Sufficient. Do Pass As Amended.

TURNER-FORD, Chairman
FILLINGANE, Chairman

REPORT OF COMMITTEES ON
ELECTIONS AND JUDICIARY, DIVISION B

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

H. B. No. 1689: Election crime; create for dissemination of a deep fake within 90 days of an election. Title Sufficient. Do Pass As Amended.

ENGLAND, Chairman
FILLINGANE, Chairman

REPORT OF COMMITTEES ON
WILDLIFE, FISHERIES AND PARKS AND JUDICIARY, DIVISION B

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

H. B. No. 1208: Hunting and fishing on lands of others; revise provisions relating to and provide penalties for. Title Sufficient. Do Pass As Amended.

WHALEY, Chairman
FILLINGANE, Chairman

Senator Polk moved that the Senate stand in recess until 2:45 PM.

The motion prevailed, and at 10:21 AM, the Senate stood in recess.

The Senate resumed business at 2:45 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON FINANCE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 310: Application for privilege license tag for vehicles; increase from seven to thirty working days. Title Sufficient. Do Pass As Amended.

H. B. No. 1161: Alcoholic beverages; authorize municipalities in dry counties vote to come out from under the dry law. Title Sufficient. Do Pass.

H. B. No. 1190: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Title Sufficient. Do Pass As Amended.

H. B. No. 1417: Health care industry zone; expand radius for location of certain facilities for certification by MDA as. Title Sufficient. Do Pass As Amended.

H. B. No. 1473: Bonds; repeal authorization for certain unissued bonds and replace certain unissued bonds with cash. Title Sufficient. Do Pass As Amended.

H. B. No. 1589: Motor vehicles; revise certain provisions regarding discharge of liens and scrapping. Title Sufficient. Do Pass As Amended.

H. B. No. 1618: PERS; define "instrumentality" for purpose of PERS laws and include health care collaboratives in the definition. Title Sufficient. Do Pass As Amended.

H. B. No. 1620: Use tax; revise certain provisions regarding funds distributed to municipalities and counties for infrastructure assistance. Title Sufficient. Do Pass As Amended.

H. B. No. 1638: Income tax; allow DHS to collect debts owed to it through setoff against state income tax refunds. Title Sufficient. Do Pass As Amended.

H. B. No. 1647: Commissioner of Insurance; authorize to implement a state insurance exchange, authorize income tax deductions and insurance premium tax credit. Title Sufficient. Do Pass As Amended.

H. B. No. 1665: Capitol Complex Improvement District; authorize incentive for development of property in. Title Sufficient. Do Pass As Amended.

H. B. No. 1617: County industrial development authorities certain; revise certain provisions regarding. Title Sufficient. Do Pass.

H. B. No. 1525: Alcoholic beverages; revise certain provisions regarding locations for sale of. Title Sufficient. Do Pass.

HARKINS, Chairman

REPORT OF COMMITTEE ON GAMING

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

H. B. No. 774: MS Mobile Sports Wagering Act; create to legalize "online race book" and "online sports pool" betting. Title Sufficient. Do Pass As Amended.

BLOUNT, Chairman

REPORT OF COMMITTEE ON ELECTIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 1135: Election day disputes; require list of judges selected to hear to be provided to certain officials. Title Sufficient. Do Pass As Amended.

H. B. No. 1404: Runoff elections; revise time for holding to four weeks. Title Sufficient. Do Pass As Amended.

H. B. No. 1406: Absentee voting; revise various provisions of. Title Sufficient. Do Pass As Amended.

ENGLAND, Chairman

REPORT OF COMMITTEE ON TECHNOLOGY

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

H. B. No. 297: Mississippi Department of Information Technology Services; bring forward code sections related to. Title Sufficient. Do Pass.

WILLIAMS, Chairman

REPORT OF COMMITTEE ON ENERGY

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 1471: BEAM; prohibit from accepting gifts or other benefits from any broadband service provider, vendor, or contractor. Title Sufficient. Do Pass As Amended.

H. B. No. 1583: Consumer Freedom of Choice in Appliances Act; create. Title Sufficient. Do Pass.

H. B. No. 1648: Electronic bids; authorize public utilities to provide system for submittal of as additional option. Title Sufficient. Do Pass.

H. B. No. 1664: Acceptance or offer of gifts; revise provisions relating to. Title Sufficient. Do Pass.

H. B. No. 1350: Telephone solicitors; prohibit from making any solicitation regarding Medicare Advantage Plans. Title Sufficient. Do Pass.

CARTER, Chairman

REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

H. B. No. 1271: Real estate; revise liability for certain provisions. Title Sufficient. Do Pass As Amended.

POLK, Chairman

REPORT OF COMMITTEE ON UNIVERSITIES AND COLLEGES

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

H. B. No. 1163: Community and junior colleges; authorize to contract or enter into interlocal agreements with local governing authorities for first responders services. Title Sufficient. Do Pass As Amended.

BOYD, Chairman

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. C. R. No. 41: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE RANGERS CHEER TEAM FOR WINNING THE 2024 UCA AND UDA COLLEGE CHEERLEADING NATIONAL CHAMPIONSHIP, OPEN ALL-GIRL DIVISION.

H. C. R. No. 44: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE 2023-2024 NORTHWEST COMMUNITY COLLEGE WOMEN'S SOCCER TEAM AND HEAD COACH JAMES BEATTIE UPON WINNING THE NATIONAL COMMUNITY AND JUNIOR COLLEGE ATHLETIC ASSOCIATION (NCJAA) REGIONS 23 WOMEN'S SOCCER STATE CHAMPIONSHIP.

H. C. R. No. 49: A CONCURRENT RESOLUTION COMMENDING LOCKE WARD, A LIFE LONG RESIDENT OF JACKSON, MISSISSIPPI, FOR HIS DETERMINATION AND AMAZING EFFORTS TO REVITALIZE OUR CAPITAL CITY AND HONOR HIM FOR GALVANIZING OTHERS TO DO THE SAME.

H. C. R. No. 51: A CONCURRENT RESOLUTION COMMENDING THE DISTINGUISHED CAREER AND DEDICATED SERVICE OF MR. LAWRENCE "BUD" YOUNG TO NORTHWEST MISSISSIPPI COMMUNITY COLLEGE UPON THE OCCASION OF HIS RETIREMENT.

H. C. R. No. 56: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE DANCE TEAM AND COACH PATRICE CHRISTIAN FOR WINNING THE 2024 OPEN HIP-HOP NATIONAL CHAMPIONSHIP.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. C. R. No. 509: Extend recognition to United States Senator Cindy Hyde-Smith as first woman elected to represent Mississippi in Washington, D.C.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON APPROPRIATIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 1037: Deficit appropriations; revise process for state agencies to avoid the need for. (PEER bill). Title Sufficient. Do Pass.

H. B. No. 1519: Short-line railroad; authorize certain towns to acquire and operate. Title Sufficient. Do Pass As Amended.

H. B. No. 1706: Programs funded with ARPA funds; revise certain provisions and bring forward sections of. Title Sufficient. Do Pass As Amended.

H. B. No. 1707: 2023 Local Improvements Projects Fund; clarify and correct names and purposes of certain projects funded from. Title Sufficient. Do Pass As Amended.

HOPSON, Chairman

REPORT OF COMMITTEES ON
EDUCATION AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

H. B. No. 1192: Virtual public schools; authorize operation by certain educational providers or locally sponsored virtual public schools. Title Sufficient. Do Pass As Amended.

H. B. No. 1379: "Students Safe at School Act"; create to provide procedures for active shooter drills and simulations. Title Sufficient. Do Pass As Amended.

DEBAR, Chairman
HOPSON, Chairman

REPORT OF COMMITTEES ON
PUBLIC HEALTH AND WELFARE AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

H. B. No. 317: EMS Memorial; Health Dept. shall design and construct to honor EMS personnel who died in line of duty. Title Sufficient. Do Pass.

H. B. No. 760: MS Qualified Health Center Grant Program; extend date for Department of Health Grants for increased services and physicians. Title Sufficient. Do Pass.

BRYAN, Chairman
HOPSON, Chairman

REPORT OF COMMITTEES ON
PUBLIC PROPERTY AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

H. B. No. 974: State Board of Mental Health; authorize DFA to sell and convey certain real property on behalf of to City of Water Valley, MS. Title Sufficient. Do Pass As Amended.

H. B. No. 975: State Board of Mental Health; authorize DFA to purchase certain real property in Tupelo, MS, on behalf of. Title Sufficient. Do Pass.

SUBER, Chairman

HOPSON, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2072: AN ACT TO AMEND SECTION 73-23-35, MISSISSIPPI CODE OF 1972, TO REVISE THE CIRCUMSTANCES AND CRITERIA UNDER WHICH A PHYSICAL THERAPIST MAY IMPLEMENT PHYSICAL THERAPY TREATMENT WITHOUT A REFERRAL FROM ANOTHER HEALTH CARE PROVIDER; TO AMEND SECTION 73-23-41, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN TECHNICAL NONSUBSTANTIVE CHANGES TO MODERNIZE LANGUAGE; TO AMEND SECTION 73-23-59, MISSISSIPPI CODE OF 1972, TO CONFORM THE GROUNDS FOR DISCIPLINARY ACTION AGAINST A PHYSICAL THERAPIST FOR IMPLEMENTING PHYSICAL THERAPY TREATMENT WITHOUT A REFERRAL; AND FOR RELATED PURPOSES.

S. B. No. 2156: AN ACT TO CREATE THE MISSISSIPPI RARE DISEASE ADVISORY COUNCIL AT THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER; TO DECLARE CERTAIN LEGISLATIVE FINDINGS RELATING TO RARE DISEASES; TO PRESCRIBE THE MEMBERSHIP AND DUTIES OF THE COUNCIL; TO REQUIRE THE COUNCIL TO SUBMIT AN ANNUAL REPORT TO THE GOVERNOR AND LEGISLATURE; TO REQUIRE THE GOVERNOR TO APPOINT MEMBERS OF A BOARD OF DIRECTORS FOR THE GOVERNANCE OF THE COUNCIL; TO REQUIRE THE BOARD OF DIRECTORS TO EMPLOY AN EXECUTIVE DIRECTOR FOR THE COUNCIL; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2340: AN ACT TO AMEND SECTION 41-29-136, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON HARPER GRACE'S LAW, WHICH AUTHORIZES RESEARCH AND THE DISPENSING, POSSESSION AND USE OF CANNABIDIOL (CBD OIL) FOR MEDICAL PURPOSES; AND FOR RELATED PURPOSES.

S. B. No. 2698: AN ACT TO CREATE THE CYBER SECURITY REVIEW BOARD; TO STIPULATE THAT THE BOARD SHALL BE RESPONSIBLE FOR ENSURING A COLLABORATIVE EFFORT TO ADDRESS CYBERSECURITY THREATS TO THE STATE OF MISSISSIPPI; TO NAME THE VOTING MEMBERS OF THE BOARD; TO NAME THE EX OFFICIO NONVOTING MEMBERS OF THE BOARD; TO ALLOW THE VOTING MEMBERS OF THE BOARD TO ADD EX OFFICIO NONVOTING MEMBERS OF THE BOARD AS NECESSARY; TO ALLOW THE BOARD TO ADOPT RULES WHICH GOVERN THE TIME AND PLACE OF MEETINGS ACCORDING TO CERTAIN REQUIREMENTS; TO REQUIRE THE BOARD TO PRODUCE A CYBERSECURITY REPORT AND PRESENT IT TO THE GOVERNOR, LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND CHAIRMEN OF TECHNOLOGY COMMITTEES OF THE MISSISSIPPI SENATE AND THE MISSISSIPPI HOUSE OF REPRESENTATIVES; TO REQUIRE THE BOARD TO CREATE A LIST OF BEST CYBERSECURITY PRACTICES FOR DISTRIBUTION; TO CREATE THE CYBER SECURITY REVIEW BOARD FUND; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 1704: AN ACT TO AMEND SECTION 7 OF CHAPTER 15, LAWS OF 2023, TO REVISE THE FISCAL YEAR 2024 APPROPRIATION TO THE BOARD OF PSYCHOLOGY TO REVISE THE AMOUNT OF FUNDS PROVIDED FOR THE ADMINISTRATIVE SUPPORT OF THE MISSISSIPPI AUTISM BOARD; TO AMEND SECTION 4 OF CHAPTER 34, LAWS OF 2023, TO REVISE THE FISCAL YEAR 2024 APPROPRIATION TO THE OFFICE OF STATE AID ROAD CONSTRUCTION TO REVISE THE AMOUNT OF FUNDS AUTHORIZED TO BE EXPENDED FOR THE REPLACEMENT OF STRUCTURALLY DEFICIENT BRIDGES; TO AMEND SECTION 41 OF CHAPTER 98, LAWS OF 2023, TO REVISE THE 2024 FISCAL YEAR APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO REVISE THE PURPOSES FOR WHICH ALCORN STATE UNIVERSITY MAY INCUR EXPENSES RELATED TO MAKING IMPROVEMENTS TO THE DAVEY L. WHITNEY COMPLEX AND WELLNESS CENTER; TO AMEND SECTIONS 1, 2 AND 18 OF CHAPTER 53, LAWS OF 2023, TO AMEND THE FISCAL YEAR 2024 APPROPRIATION TO THE MISSISSIPPI DEPARTMENT OF INSURANCE TO REVISE THE MAXIMUM AMOUNTS OF GENERAL AND SPECIAL FUNDS SO THAT THE MISSISSIPPI LENGTH OF SERVICE AWARD PROGRAM WILL BE FUNDED WITH SPECIAL FUNDS; TO AMEND SECTION 40 OF CHAPTER 91, LAWS OF 2023, TO REVISE THE FISCAL YEAR 2024 APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH TO CLARIFY THE PERIOD FOR WHICH EXPENDITURES MAY BE MADE FOR REIMBURSEMENT OF EXPENSES FOR SEVERE WEATHER STORM DAMAGE; TO AMEND SECTIONS 1, 2 AND 45 OF CHAPTER 108, LAWS OF 2023, TO AMEND THE FISCAL YEAR 2024 APPROPRIATION TO THE STATE DEPARTMENT OF EDUCATION TO REVISE THE MAXIMUM AMOUNTS OF GENERAL AND SPECIAL FUNDS TO CHANGE THE FUNDING SOURCES FOR THE CHARTER SCHOOL AUTHORIZER BOARD; TO AMEND SECTION 27-103-204.1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE TREASURER TO ESCALATE HIS OR HER BUDGET AND EXPEND THE AMOUNT OF ANY FUNDS BORROWED FROM THE WORKING CASH-STABILIZATION RESERVE FUND TO OFFSET ANY TEMPORARY CASH FLOW DEFICIENCIES IN THE GF OBLIGATIONS FUND; TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT FUNDS APPROPRIATED FOR THE EARLY LEARNING COLLABORATIVE ACT OF 2013 REMAINING AFTER AWARDS TO EARLY LEARNING COLLABORATIVES AND THE DEPARTMENT'S ADMINISTRATIVE NEEDS ARE MET MAY BE CARRIED OVER IN THE FOLLOWING YEAR; TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT EDUCATION ENHANCEMENT FUNDS APPROPRIATED FOR CLASSROOM SUPPLIES, INSTRUCTIONAL MATERIALS AND EQUIPMENT FOR TEACHERS THAT ARE UNEXPENDED WILL BE CARRIED FORWARD, COMBINED WITH THE FOLLOWING YEAR'S ALLOCATION OF EDUCATION ENHANCEMENT FUND INSTRUCTIONAL SUPPLIES FUNDS AND REALLOCATED FOR THE FOLLOWING YEAR; TO AMEND SECTION 49-39-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE STATE AGENCIES RECEIVING FUNDS FROM THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND TO ESCALATE THEIR BUDGETS AND EXPEND SUCH FUNDS; TO DIRECT THE STATE TREASURER AND STATE FISCAL OFFICER TO TRANSFER CERTAIN AMOUNTS FROM AND TO CERTAIN FUNDS IN THE STATE TREASURY; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON WILDLIFE, FISHERIES AND PARKS

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

H. B. No. 1298: Mississippi Wild Turkey Stamp; establish. Title Sufficient. Do Pass As Amended.

WHALEY, Chairman

Senator Norwood moved that when the Senate adjourns, it adjourn in memory of Felicia Breland of Picayune, MS.

Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Elder Tony B. Johnson of Lexington, SC.

Senators Thomas and Hopson moved that when the Senate adjourns, it adjourn in memory of Mr. Michael Green of Yazoo City, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Lowery Dale "Cotton" Adair, Nancy Carolyn "Maw Bell" Hall Bell, James Alton Brock, Mary "Billie" Brown, Deborah Jean Whittington Burleson and Leroy Carver of New Albany, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Jane Hutcheson Chism, Tracy Leroy Chism, Thomas Randy Cobb, Robert Dale Cook, Kennie Kirk Foley and Rickey Harold Gammell of New Albany, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Mary Helen Harris Hale, Charles Bradley Harris, Brenda Mae Smithey Kizer, John Knox Sanders, Gene Smith and Billy James Tanner of New Albany, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Teresa Taylor, Ansley Haynes Thompson, Norman Treadaway, Phillip Whiteside and Annie Mae Mildred Hall Willard of New Albany, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Ruth Swann Callicutt, Randall Leslie Darling, Peyton Ellis Denton, Janice Mae Ledbetter, Herbert Reece Newby, Johnny Clark Nolan and Gorden Carol Whittington of Myrtle, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Bryan Pierce Dunnam and Charles Ray "Chuck" Kidd of Blue Springs, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Hub Robbins Haynie of Etta, MS.

Senator Polk moved that the Senate stand in recess until the last committee report is filed or until 8:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, April 3, 2024.

The motion prevailed, and at 2:50 PM, the Senate stood in recess.

REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 313: Board of Cosmetology and Barbering; create to regulate cosmetology and barber professions. Title Sufficient. Do Pass.

H. B. No. 315: Mississippi Code; modernize terminology by replacing "mentally retarded" with "intellectual disability". Title Sufficient. Do Pass As Amended.

H. B. No. 764: State Department of Health and State Board of Health; extend repealer on. Title Sufficient. Do Pass As Amended.

H. B. No. 848: CON; remove chemical dependency services and facilities and psychiatric residential treatment facilities from CON law. Title Sufficient. Do Pass As Amended.

H. B. No. 1478: Alternative nicotine products; prohibit sale or distribution of if prohibited under federal law or FDA rule or regulation. Title Sufficient. Do Pass As Amended.

H. B. No. 1640: Mental Health; revise procedures for screening, evaluation and commitments for those with issues of. Title Sufficient. Do Pass As Amended.

H. B. No. 1660: Cigarettes and vape products; require Commissioner of Revenue to establish separate directories to regulate sales of. Title Sufficient. Do Pass As Amended.

H. B. No. 1676: Mississippi Intoxicating Hemp Regulation Act and Mississippi Medical Cannabis Act; revise certain provisions of. Title Sufficient. Do Pass As Amended.

BRYAN, Chairman

REPORT OF COMMITTEES ON
PUBLIC PROPERTY AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

H. B. No. 1207: Alcorn University Extension Annex; rename the "Dr. Jesse Harness, Sr., Extension and Research Center". Title Sufficient. Do Pass As Amended.

SUBER, Chairman
HOPSON, Chairman

REPORT OF COMMITTEE ON GOVERNMENT STRUCTURE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 756: Prison Industry Enhancement Program; extend repealer on. Title Sufficient. Do Pass As Amended.

H. B. No. 759: Mississippi Prison Industries Act of 1990; extend repealer on. Title Sufficient. Do Pass As Amended.

H. B. No. 1025: Department of Corrections; eliminate executive deputy commissioner from. Title Sufficient. Do Pass As Amended.

JOHNSON, Chairman

REPORT OF COMMITTEE ON EDUCATION

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 1229: Equal Opportunity for Students with Special Needs Act; extend repealer on educational scholarship accounts (ESA). Title Sufficient. Do Pass As Amended.

H. B. No. 1683: MS Charter School Act of 2013; bring forward for purposes of possible amendments. Title Sufficient. Do Pass As Amended.

DEBAR, Chairman

REPORT OF COMMITTEES ON
EDUCATION AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

H. B. No. 1450: Interstate Teacher Mobility Compact; authorize entrance for purpose of facilitating mobility of teachers married to service members. Title Sufficient. Do Pass As Amended.

DEBAR, Chairman
HOPSON, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 1315: MS Youth Court Information Delivery System (MYCIDS); require audit of. Title Sufficient. Do Pass As Amended.

H. B. No. 1316: Public purchasing; require competitive bidding for web-based application for MYCIDS. Title Sufficient. Do Pass.

H. B. No. 822: CCID inferior court; clarify appeals from and repeal appointment of temporary judges. Title Sufficient. Do Pass As Amended.

H. B. No. 1624: Court-Appointed Special Advocate (CASA) Program; create state associate and standardize operations of local programs. Title Sufficient. Do Pass As Amended.

H. B. No. 1607: Mississippi Women's Bill of Rights; create. Title Sufficient. Do Pass As Amended.

H. B. No. 722: Judicial districts; revise. Title Sufficient. Do Pass As Amended.

H. B. No. 1542: Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at the time of death. Title Sufficient. Do Pass As Amended.

H. B. No. 1137: Opioid antagonists; authorize community organization to receive and administer. Title Sufficient. Do Pass As Amended.

WIGGINS, Chairman

REPORT OF COMMITTEES ON
JUDICIARY, DIVISION B AND JUDICIARY, DIVISION A

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

H. B. No. 1126: "Walker Montgomery Protecting Children Online Act"; establish to protect minors from harmful content. Title Sufficient. Do Pass As Amended.

FILLINGANE, Chairman
WIGGINS, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:39 PM in memory of Felicia Breland, Elder Tony B. Johnson, Thomas Randy Cobb, Robert Dale Cook, Kennie Kirk Foley, Rickey Harold Gammell, Mary Helen Harris Hale, Charles Bradley Harris, Brenda Mae Smithey Kizer, John Knox Sanders, Gene Smith, Billy James Tanner, Lowery Dale "Cotton" Adair, Teresa Taylor, Ansley Haynes Thompson, Norman Treadaway, Phillip Whiteside, Annie Mae Mildred Hall Willard, Ruth Swann Callicutt, Randall Leslie Darling, Peyton Ellis Denton, Janice Mae Ledbetter, Herbert Reece Newby, Nancy Carolyn "Maw Bell" Hall Bell, Johnny Clark Nolan, Gorden Carol Whittington, Bryan Pierce Dunnam, Charles Ray "Chuck" Kidd, Hub Robbins Haynie, Mr. Michael Green, James Alton Brock, Mary "Billie" Brown, Deborah Jean Whittington Burleson, Leroy Carver, Jane Hutcheson Chism and Tracy Leroy Chism.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR TUESDAY, APRIL 2, 2024

NINETY-THIRD DAY, WEDNESDAY, APRIL 3, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Parks. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Michael Marshall, Minister, Zion Travelers Missionary Baptist Church, Jackson MS.

Senator Frazier led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Wiggins requested that the following history of Jimmy Buffett be placed in the journal. Without objection, the request was granted.

The Ripple Effect

Words are woefully inadequate to encapsulate the grief and sorrow, memories and other emotions when Cousin Jimmy departed this temporal plane for another shore. One ponders how to memorialize him in a non-intrusive, compassionate manner while respecting and considering his memory, family, friends and the numerous admirers and fans. Exploring the foundation of our existence should pacify these concerns and be somewhat illuminating. One cannot appreciate the journey without knowing from where it began.

Death and grief stroll hand in hand. Grief for him and what he will miss in this world. There is also grief for oneself for the myriad of reasons that we loved him and what we will miss. Then, perhaps, guilt for the selfish nature of one's personal grief as well as survivor's guilt. Invariably emotions turn to thoughts of mortality-of the loved one and our fleeting time on this shore. Thoughts about the existence and the origin of the universe and of man. There are no unquestioned answers concerning the creation of the universe and of man. These questions are eternal, infinite and primal in tone. No answer is wrong. Every answer is simply incomplete. John Prine sang: "Just give me one extra season so I can figure out the other 4. "The origin of the universe and of man consist of cryptic clues devoid of certainty.

The lineal origin of the Gulf Coast Buffett's can be traced to one event when a young man jumped from the second-floor window of his parent's home on Rockdale Ave. in Sydney, N.S. in 1906. The young man wanted to join others on the harbor front who had assembled as rescue crews to search for his brother, John, later Captain John Buffett, a crewmember of a schooner, Basil M. Geldert. It was reported missing while hauling whale bone to their native Newfoundland. The family had migrated from Rose Blanche, NF 3 years earlier and Catherine Skinner Buffett, young Jim Buffett's mother, refused to allow him to join the search.

His act of disobedience created the splash that formed the ripples that carried the Buffett's to Pascagoula. Jim's leap was a leap of faith in the truest sense. It was a gargantuan risk with an unlikely positive outcome. His progeny was formed from the ripples created by the jump. Uncle JD, Jim and Hilda's eldest child and Jimmy, Laurie and Lucy's father, was asked about his father's jump, he said: "I'm glad he jumped." This ripple effect is still vibrating along enveloping anything it breaches.

James Skinner Buffett became Captain James Delaney Buffett, a Master Mariner, eventually obtaining licenses in sail, steam and motorized vessels. He lived an adventurous life. He harvested seals and whales in the Arctic and in Antarctica. He circumnavigated the globe. He commanded several ships in the Pacific theater during WWII carrying troops to battle and repairing airplanes. Admiral Halsey flew him back to Brookley Field so he could drive to Pascagoula and lay eyes on his first grandchild, Baxter, and immediately return to the Pacific. He transported displaced persons from Europe after the war. He returned to the Arctic when they installed the NORAD system.

He was born in Rose Blanche, NF. His birth year is a mystery. His gravestone reads November 9, 1887. His naturalization documents state November 9, 1893. The discrepancy may be explained by having to give the appearance of being older to ship out from Sydney in 1906. A sailing ship captain would prefer hiring a 19-year-old young man over a 13 -year- old boy. The 1893 date also parallels what he told his grandchildren when he shared tales of his seafaring adventures. He was well respected by all and loved, respected and admired by his kids, grandkids and family.

It has been reported that he had 2 siblings: Captain John Skinner Buffett and Mabel Buffett Stratton. Mabel's daughter, Olive, pointed to the grave of a young girl in the same cemetery where her grandparents were buried as that of another child of theirs. She said that she died from a heat stroke while gathering blueberries. She was described as a beautiful child with flaxen hair the color of wheat and eyes as blue as the bluest sky.

When Jim arrived at the harbor front after the jump, word spread that the Basil M. Geldert had been wrecked on Sable Island: Graveyard of the Atlantic and the crew was safe. Apparently, this island has a multitude of shifting sand bars and is buffeted by frequent fierce storms. For centuries, many ships had been wrecked upon their shores. Rather than return home and certain punishment for the jump, he signed on a whaling ship as a cabin boy. He did not return to NS for over 60 years.

By April 1912, he sailed into Pascagoula and roomed at a boarding house on Front St. on the Pascagoula River. It was run by Hilda Norma Seymour and her mother, Condelaura Elizabeth Flechas Seymour. A mutual attraction developed. Hilda commented that Jim had a penchant for books and always had his nose buried in one. She put a personalized bookmark in one of his books in which she expressed her feelings for the young sailor. Their courtship started. He continued to return to the boarding house over the years on his voyages to Pascagoula as his ship was transporting lumber from there to the West Indies. On April 12, 1918, they eloped and were married in Gulfport, Ms. They set up house in Pascagoula and had 4 children: James (JD) Delaney, Jr.: Patricia (Patsy) Condelaura; Catherine (Aunt Kat) Marie; and William (Uncle Bill) Norman.

The Buffett's have a plethora of people named Delaney. From where did they come? On his naturalization papers, Captain James Skinner Buffett took Delaney as his middle name and dropped his mother's maiden name, Skinner, which was given at birth. When asked about this, he said that he had stayed with a family named Delaney in Philadelphia that took him in as family. The patriarch of the Delaney family was a man that he held in high regard and greatly admired so he took this name for his own. Now there are no less than seven Delaney's from the Gulf Coast clan of Buffett's.

On November 25, 1920, Uncle J.D. was turning 2 when Captain Buffett, Hilda and JD sailed into Havana Harbor. Captain Buffett messaged the ships moored in the harbor by flags that it was his son's birthday. Upon arrival, all the ships in the harbor were flying their flags acknowledging J.D.'s birthday. Mom had made a sailor suit for JD. After disembarking and arriving on shore in Havana, los ninos were amazed by the little sailor and continued to paw at his unique suit. Customs papers reflect that they sailed from Havana on January 4th and arrived in Jacksonville, FL on January 6", 1921. Patsy, their eldest daughter, was born on August 3,

1921. It appears that she was conceived on the voyage or while they were docked in Havana Harbor.

Later when Patsy was 4 and JD 6, they, along with their mother, their father and the ship's crew, sailed from the British West Indies to New York City. They ran into a Hurricane and Patsy was almost swept from the deck into the boiling seas as she attempted to retrieve a red ball that JD had thrown to her that made its way onto the deck. The first Mate, Danny Maloney, grabbed her from the deck and returned her to the safety of the family quarters seconds before she was cast into the vicious Atlantic Ocean. After sailing out of the hurricane, their ship was becalmed when the hurricane sucked away all the wind.

They were down to the last of their provisions which were salt tack (a hard biscuit used for sustenance and called hardtack) and coffee. Their ship eventually limped into NY Harbor. There was a photo and article reporting their arrival in a New York newspaper of Hilda in her mink coat holding onto JD and Patsy's hands. When asked if she was going to sail with her husband anymore, she said:" I'm gonna' get dem on dat train and nevuh gonna leave Pascagoula, again."

All of us Grandchildren referred to the Captain as Foo Foo and to Hilda as Mom. The source for his affectionate nickname has been recounted many times. When Foo Foo returned home from a voyage, he customarily whistled a greeting to let the family he had arrived. He had an unusual means of whistling wherein he curled his tongue. Baxter was a toddler. He could not whistle but could mimic the sound of his whistle by saying Foo Foo. The name stuck. All the grandkids followed suit; hence, the captain became Foo Foo.

It was a family tradition to meet his ships in New Orleans and go to Tujaque's Restaurant to celebrate. This is where Catherine first introduced him to Jack Rappaport, whom she later married. They both worked for ABC theaters in New Orleans. Jack was involved in promoting 3D movies. They later settled in Canton, Oh. To this day, Foo Foo is toasted when the family visits this esteemed New Orleans restaurant.

Patsy met a handsome boilermaker named Roy Baxter Lumpkin, while she worked at a retail business in Pascagoula. The son of an Alabama sharecropper, he and his 6 surviving brothers learned to weld and became boilermakers. They were married by Father P.J. Carey on 11/23/40. He and his brothers worked at Ingalls Shipyard. They eventually joined the war effort building Liberty ships. They made their home in Pascagoula, eventually moving a Navy House from Brookley field to a lot next door to Mom and Foo on Parsley Ave. They had 3 children: Roy Baxter, Jr.; Patricia Norma: and Mark Delaney.

Uncle JD married Mary Lorraine Peets, a beautiful and intelligent lady from Gulfport. They eventually moved to Mobile when their oldest child, James William, was about 2 years old. They settled in a home on Sunset Dr. which is near the present-day University Blvd. just off Airport Blvd. They had 2 more children: Loraine Marie and Lucy Anne. Their children and Patsy and Roy's children were almost matched by age: Jimmy and Baxter, Laurie and Patricia, and Lucy and Mark and Richard.

Billy married Mary Jo Butler. They had a son: Richard Delaney born on 10/23/56. He and Mary Jo divorced in 1958. He remarried Dorothy Joyce Vincent Farrior on 4/13/69 at the home of Polly and Jerry Lee in Pascagoula. They eventually settled in Gautier. Uncle Bill was a fun-loving renegade. He began a career as a merchant mariner when he got out of the Navy after WWII. He and a crewmate from Pascagoula, Tom Kelley, were crewing for Western Geophysical in Venezuela. After arriving in Venezuela, they commandeered a burro which they rode into a cantina. Federales were summoned after the burro kicked the bar over. They took the swords from the Federales who attempted to intervene. Billy claimed they spanked the soldiers with their swords. He pronounced the w in swords in his distinct brogue. When they arrived back in Pascagoula, they borrowed a police motorcycle and rode it into the Merchant and Marine Bank so Tom could ask one of the tellers, Mary Blake, out on a date. They made quite an impression. Mary and Tom eventually were married.

Eventually Foo Foo stopped making global adventures to be closer to home. He took a position captaining a menhaden fleet from their Moss Point, MS dock and doing yard work in Mom's backyard. He usually left on Sundays and returned on Friday. He would be picked up from the docks and sometimes take the family to the Evangeline Restaurant. This was a treat as it was the days when we could not eat meat on Fridays. When Mom made seafood gumbo or when we went to a seafood restaurant, we were spared from eating fish sticks or cheese sandwiches which were common Friday faire. He liked their stuffed crabs and crab fingers. It was while saving a ship from a fire on the dock of the plant that his left index finger became entangled within the bow line rope. He lost that finger. As part of his rehab, he squeezed a red rubber ball like the one Patricia was trying to retrieve when a hurricane tried to sweep her away.

Foo Foo did not believe in organized religion, but he believed in God. He often said that when you are on a ship encompassed in the darkness and surrounded by the massiveness of the ocean and the eternal depth and complexity of celestial beings, how can one not believe in God? He regarded the infinitesimal nature of the universe as a manifestation of God.

Mom *was* a devout Catholic. We went to Church with her for most Holy Days of Obligation, before school for the 6 AM mass, and on Sundays. They provided Richard a Catholic education at OLV through high school graduation. She made sure that the public-school grandkids went to Catechism on Saturdays. One time, she took some of us to the early weekday mass. She

had a friend that Jimmy referred to as Flossie Funeral who attended early mass frequently. Flossie had a bit of a hearing issue. They were whispering a bit loudly during mass and the priest shushed team. After mass, he was out front greeting the meager crowd. When Mom was next to him, she grabbed his hand and pulled his ear close to her mouth and said: “Don't do dat to me agin’. I been here before you got here and I'll here aftah’ you run off.” We never saw him again.

Mom also took her grandchildren to play bingo at the American Legion when they stayed with her on Saturday nights. She would also entertain them at cake walks sponsored by the Parish and by taking them to the Beach Park in Pascagoula. The family went, on occasion, to Marsh Lake behind the Old Spanish Fort to swim. One time, there was a heated conversation between Lucy and Mark about the mechanics of floating on one's back. They came to the agreement that it had to do with the displacement of water because Foo Foo had told them that is how ships float.

On Mom Buffett's side of the family, the Seymour's were original settlers on the Upper Gulf Coast.

Some came from Quebec, some from France and some were Native Canadians. Others came from Spain, Cuba, Germany, Prussia or the Canary Islands. Foo Foo used to tell us that we had a Native Canadian princess as an ancestor. We thought it was one of his yarns. It was only recently discovered that it was true. The Seymour's descended from Jean-Baptist Dit Graveline, a French explorer from Quebec that accompanied Pierre LeMoyne Suer D'lberville on the original expedition to colonize Louisiana when they arrived at present day Ocean Springs on the ship Renommee on January 6, 1700. He was one of the first settlers of Old Mobile arriving in 1702. He had a child with a Native Canadian woman named Suzanne. Suzanne's father was a Chief from Quebec, and she was a princess. Jean-Baptist was the first settler of Pascagoula, one of the first settlers of Louisiana, the Captain of the Pascagoula militia and one of the first settlers of Mobile. He died in Belle Fontaine in January 1762. Suzanne gave birth to their son, Jean-Baptist de Baudreau, on Massacre, later Dauphin, Island around 1715. He married her in 1727 to legitimize their son. Their son was very influential among the native tribes of the region as he spoke their languages and was an imposing figure. He was also influential among the Spanish and traded with them to the chagrin of the French. He posed a threat to the French government that controlled Louisiana because of his relations with tribes and nations with which the French were hostile. After a few skirmishes, trading with the Spanish in Pensacola, imprisonments and escaping to Cuba with his lover, where he was captured and returned to New Orleans. On June 7, 1757, he was executed on the breaking wheel, where his body was ravaged, mutilated, and thrown into the Mississippi River in front of what is now Jackson Square. There is a marker on the moonwalk commemorating him and portraying the unjust and inhumane treatment of him by the French authorities. He is one of few to be executed in the Americas in this manner.

On her mother's side, her grandfather was Captain Joseph J. Flechas, a sailor born in Spain. Her Flechas cousins had a shipyard in North Pascagoula. Her grandmother, Condelaura Villar Seymour traces her roots to Spain via Baldwin County, Al and Spanish held Pensacola. On her father's side, her grandfather was Moses Seymour and he had French, French Canadian and Native Canadian roots back to Jean Baptist dit Graveline and his son. Her family is also mentioned in the story of the casquette girls who ventured to the New Wor(d from France and landed on Mississippi Coast when it was the capitol of French Louisiana. They were to marry the settlers and help populate the area. This was researched by Randall Ladner and published in the Brides of Baleine, the name of the ship on which they were transported. Her paternal grandmother was Adolphine Bellman Seymour. She is from one of the original and most enduring families of Ocean Springs.

Hilda was the oldest of 7 children (1897-1989). Mildred Seymour Pelham (Aunt Coo) (1899-1961). She and Uncle Walter had the house in GautJer that Jimmy portrayed in “Life is Just a Tire Swing.” Lois Seymour Tew, 1901-1965, lived in Mobile. Hulbert (Bub) Seymour, 1903-1971 and Norman (Tut) Seymour, 1904-1977 were welterweight boxers dubbed The Fighting 5eymour’s. They fought from 1923-1931 along the Gulf Coast, New Orleans, Jackson, MS and up to St. Louis, Mo. Tut had an overall record of 25-34-12. Bub's record from the same period was 21-29-9. Blanche (1907-2000) lived in Tampa and was married to Uncle Harry Spavin. Bernard (1910-1978) was a merchant seaman who married Aunt Ophelia. They lived in Mobile and had 3 daughters and one son; Carol; Dottie; Condelaura (Condie); and Bernie.

The Buffett's home on Parsley Ave. was the center for birthdays, anniversaries, Sunday lunches, seafood boils, family reunions, and Mom's Gumbo. Foo Foo and Mom adopted Uncle Billy's son, Richard Delaney Buffett, when Mom was 62. Richard would be starting school soon and he needed a legal guardian to attend to these matters and Billy was usually at sea as a merchant seaman. They sent him to OLV where he graduated high school. Richard often commented that he had 2 Mamas: Mom and Aunt Patsy. For this, he is still thankful. It was a ripe time for celebrating when Foo Foo and Billy were home at the same time. The Mobile Buffett's would usually drive from Mobile for most Sunday dinner, celebrations, and when Mom made gumbo. They said they could smell it driving down the driveway. When Foo Foo answered the phone, which was a rarity, he would answer: “Buffett's summer home. Some are in and some are out.” Some still use that refrain to this very day.

Mom and Foo occasionally went out on Saturday nights for a drink. One night, they were at a bar near downtown and the docks. Someone threw lit fireworks that blew up in the bar. We were eating at their house the next day when Billy came. He was laughing and told a story about how he scared a bunch of people at a bar by throwing lit fireworks. Foo Foo sternly looked at him and said: “Your Mother and I were sitting there.” Billy was a big imposing man. But Foo Foo's words made him retract like a conch into its shell. Suddenly, he appeared very small, silent and embarrassed. Nothing else was said. He had made his point. Foo Foo had that type of command over us all.

Jimmy used to stay with Mom and Foo Foo in the summers. He would tell us about being in the Sea Scouts. We only had Boy Scouts in Pascagoula and were jealous. He and Baxter went to a Catholic Camp, Camp Graveline, near Belle Fontaine where Jean Baptist dit Graveline lived and died. That is where “Baxter went home and left me by myself.” Jimmy was an altar boy in Mobile until he was 17. Mom implored us on more than one occasion:” You ought'a be more like Jimmy. He gonna’ be a priest, ya know.” And we knew he would. He liked to gather all the kids in the neighborhood for mass. He held it in front of the huge Camellia bushes in Mom's front yard next to the ship's bell affixed by the front door. He conducted the entire mass. When it was time for communion, he placed white Camellia petals on our tongues as a substitute for the communion wafers. We would spit them out and he would brandish a red whiffle ball bat from under Foo Foo's robe that he wore as his priestly chasuble. He would proclaim that he was Father Whippin’ and that we would be punished for refusing communion. He would chase us down and whip us with that bat. Everybody loved playing Father Whippin’ and wanted to know when he was coming back or when we could play it again.

We all knew he would be a success. We thought he would be a successful priest, Bishop or maybe even a Cardinal. We just missed the singer-songwriter, pilot, sailor, surfer, bestselling author, friend of presidents, environmentalist, philanthropist and business mogul parts. His heart was as big as Foo Foo's. He was a natural leader full of charm and wit. He was respected as far back as the days of Parsley. He treated everyone with respect and was very creative, always doing something fun -from Father Whippin’, to building wooden aircraft carriers to being Jean Lafitte and playing Battle of New Orleans in that bayou in the woods. He and Baxter were closer in age, good friends and engaged in shenanigans on that bayou and beyond. It did not seem that the Camellia bush altar was very far from the first time we saw him on national TV on the Andy Williams Show. Soon other late-night appearances followed.

Foo Foo passed away on January 2, 1970. To say it was a knockout blow to the family is an understatement. We still grieve him. We still miss him. As Jimmy said: “and though I cried, I was so proud to love a man so rare. “It was the first family death the grandchildren had ever encountered and the end of our collective innocence. On that fateful day, Richard went out of the back porch into the backyard near the Mimosa tree. He immediately saw Foo Foo on the ground lying in the grass. He had been raking and burning leaves in his fire spot in the back near the woods and north of the bayou that ran to the M5 Sound. Richard said he thought Foo Foo was pranking him by mimicking a native American listening for the sound of vibrations from the ground. Then he saw where he had tossed his pitchfork towards the door to get their attention. Richard ran to his Aunt Patsy's to alert her. In his frantic state, he had the presence of mind to not get Mom *as* he knew the scene could be too much for her.

Now we face another ripple effect. Jimmy's ripple was a tsunami as it washed over so many. Jimmy will long be remembered, regaled and romanticized by the world. He touched many.

His family has many fond memories. He will always be loved and missed. His reach circumnavigated the world just as Foo Foo sailed it. In these intervening days, it has been hard to focus and difficult to conceptualize that he has gone. We find comfort in our memories; are proud of the heritage we shared and acknowledge how hard they strived to forge a life for us on the Gulf Coast. Finally, let us keep love, peace and hope in our hearts as we are but a continuum of the ripple effect created those who came before us.

One love, y'all.

Senator Hopson called up the following entitled bill:

H. B. No. 1210: The Dr. Elton Mac Huddleston Rural Veterinarians Scholarship Program; establish.

YEAS AND NAYS On H. B. No. 1210. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1037: Deficit appropriations; revise process for state agencies to avoid the need for. (PEER bill).

YEAS AND NAYS On H. B. No. 1037. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1519: Short-line railroad; authorize certain towns to acquire and operate.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. For the purposes of this act, the following terms shall have the meanings ascribed by this section unless the context clearly indicates otherwise:

(a) "Governing body" means the Mayor and Board of Aldermen or Council, as applicable, of a town.

(b) "Short-line railroad project" means any combination of the acquisition, restoration, construction, ownership, operation, oversight, maintenance and disposition of a short-line railroad by a town.

(c) "Short-line railroad" means a rail line that is no more than fifty (50) total route miles in length, located within and without the State of Mississippi, together with the line's corresponding right-of-way, fixtures, facilities, and related improvements, and that, as an independent operating concern, would qualify under the standards of the U.S. Surface Transportation Board as a Class III rail carrier under 49 CFR 1201(1-1).

(d) "Town" means a municipal corporation existing within the State of Mississippi classified as a town pursuant to Section 21-1-1, Mississippi Code of 1972, as of the effective date of this act, with a short-line railroad partially located within its municipal boundaries.

SECTION 2. (1) A town, acting through its governing body, is authorized to:

(a) Undertake a short-line railroad project, and, in conjunction therewith to acquire a short-line railroad, whether such short-line railroad relates to real property within or without the corporate limits of the town or the boundaries of the State of Mississippi, on such terms and conditions and for such considerations deemed by the governing body, in its sole determination, to be in the best interest of the public and in accordance with the premises and provisions of this act, and any such acquisition shall be evidenced by a resolution duly adopted and entered on the official minutes of the governing body;

(b) Implement and oversee all aspects of such short-line railroad project, including, without limitation, entering into and executing agreements with planning and development districts and private third parties for project management and consulting services associated with any and all aspects of the short-line railroad project, entering into and executing such agreements with third-party contractors for the restoration and construction of the short-line railroad and any improvements thereto, and entering into and executing such agreements with third party contractors for the maintenance of the short-line railroad, in each case as the governing body deems necessary or advisable to carry-out the short-line railroad project, whether such restoration, construction, and maintenance shall occur within or without the corporate limits of the town or the boundaries of the State of Mississippi;

(c) Enter into and execute such agreements with third-party operators for the operation of the short-line railroad that is the subject of the short-line railroad project, on such terms and conditions the governing body deems necessary, in the best interest of the public or advisable to carry-out the short-line railroad project, whether such operation shall occur within or without the corporate limits of the town or the boundaries of the State of Mississippi;

(d) Engage additional third parties and enter into such agreements reasonably necessary or required for the short-line railroad project, and to acquire,

purchase, install, lease, finance, construct, own, hold, equip, control, maintain, use, operate and repair structures and equipment necessary and convenient for the planning, development, use, operation and maintenance of the short-line railroad that is the subject of the short-line railroad project, including, but not limited to, utility installations;

(e) Sell, lease, trade, exchange, encumber or otherwise dispose of the short-line railroad that is the subject of the short-line railroad project and structures and equipment related thereto to individuals, firms or corporations, public or private, for all types of utility, industrial, commercial, agricultural or other economic development uses upon such terms and conditions, for such consideration, and with such safeguards as will best promote and protect the public interest, convenience and necessity, and to execute options, rights of first refusal, deeds, leases, contracts, access or use agreements, easements and other legal instruments necessary or convenient therefor;

(f) Employ engineers, attorneys, accountants, consultants and such executive and administrative personnel and other employees or independent contractors as shall be reasonably necessary to carry-out the short-line railroad project and the duties and authority authorized by this act, to determine their qualifications and duties, and to establish compensation and other employment benefits as may be advisable to attract and retain proficient personnel.

(g) Buy, lease, sell, convey and do all other necessary business transactions for carrying-out the short-line railroad project and to do all acts necessary and convenient to operate and carry-out the duties of such town pursuant to such short-line railroad project;

(h) Take all actions and expend any such state, federal, or other funds of the town as necessary to carry-out any action or agreement authorized pursuant to this act for the short-line railroad project;

(i) Accept from any public or private agency, or from any individual, grants for or in aid of the short-line railroad project, and to receive and accept contributions from any source of money or property or other things of value to be held, used and applied only for the purposes for which such grants or contributions may be made;

(j) Apply for and accept grants and loans from the State of Mississippi, any other state, or the United States of America or any agency thereof; and, to contract with any agency of the State of Mississippi, or any state adjacent thereto, and the United States of America in furtherance of a short-line railroad project;

(k) Adopt any and all lawful resolutions, orders and/or ordinances; to execute such documents, contracts, leases, certificates and indentures; and to do and perform any and all acts and things necessary and requisite to carry-out the purposes of this act; and

(l) To the extent a short-line railroad project is funded in whole or in part by grants or loans from the State of Mississippi, another state and the United States of America or any agency thereof, the governing body is authorized to bind successor boards with respect to all aspects of such short-line railroad project for a term not to exceed twenty (20) years.

(2) Any short-line railroad project undertaken by a town pursuant to this act is in all respects for the benefit of the people of such town and the State of Mississippi and is a public purpose, and such town will be performing an essential governmental function in the exercise of the powers conferred upon it by this act, and any property owned or held by such town or under its jurisdiction under the provisions of this act shall be exempt from all taxation in the State of Mississippi.

(3) The enumeration of any specific rights and powers

contained in this act, where followed by general powers, shall not be construed in a restrictive sense, but rather in as broad and comprehensive a sense as possible to effectuate the purposes of this act. Nothing in this act should be construed to limit, restrict, or otherwise alter the duties, responsibilities, and authority of the governing body as provided under the Mississippi Constitution of 1890 and the laws of the State of Mississippi.

(4) This act shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this act shall not be deemed to repeal or to be in derogation of any existing law of this state whereunder projects of the character herein defined may be constructed or financed.

SECTION 3. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AUTHORIZE ANY TOWN IN THE STATE OF MISSISSIPPI WITH A SHORT-LINE RAILROAD PARTIALLY WITHIN ITS CORPORATE LIMITS TO CARRY-OUT AND IMPLEMENT, BY AND THROUGH ITS GOVERNING BODY, THE ACQUISITION, RESTORATION, CONSTRUCTION, OWNERSHIP, OVERSIGHT, OPERATION AND DISPOSITION OF SUCH SHORT-LINE RAILROAD; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1519 was adopted.

YEAS AND NAYS On H. B. No. 1519. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Nays--Seymour. Total--1.
Absent and those not voting--Parks. Total--1.

President Hosemann yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

Senator Harkins called up the following entitled bill:

H. B. No. 155: Local governments capital improvements revolving loan program; include municipal natural gas facilities.

YEAS AND NAYS On H. B. No. 155. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

Senator Harkins called up the following entitled bill:

H. B. No. 893: Distinctive motor vehicle license tag; authorize issuance to supporters of the Navy Seabee Foundation.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-19-56.549, Mississippi Code of 1972, is amended as follows:

27-19-56.549. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (4) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of any one (1) of the following:

(a) Mississippi Association of Nurse Practitioners;

(b) * * * Navy Seabee Foundation;

(c) Saint Stanislaus College in Bay Saint Louis, Mississippi;

(d) Vancleave Live Oak Choctaw;

(e) Morton High School;

(f) Forest Municipal School District;

(g) Lake High School;

(h) Scott Central Attendance Center;

(i) Sebastopol Attendance Center;

(j) East Rankin Academy;

(k) Houston High School;

(l) Magnolia Heights School;

(m) Regents School of Oxford;

(n) The Garden Clubs of Mississippi, Inc.;

(o) Baptist Health Foundation, Inc.;

(p) Greene County Wildcats;

(q) Mississippi Disc Golf;

(r) Mississippi Road Builders Association;

(s) Clinton Public School District;

(t) Magnolia Speech School;

(u) Coahoma County Jr./Sr. High School;

(v) Clinton Community Nature Center;

(w) Most Worshipful King Hiram Grand Lodge & Electra Grand Chapter Order of Eastern Star A.F. & A.M., State of Mississippi;

(x) City of Olive Branch, Mississippi;

(y) Methodist Cursillo of Mississippi.

(2) The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the respective beneficiary organization listed in subsection (1) of this section, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(3) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (4) of this section, less Two Dollars ($2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(4) Beginning with any registration year commencing on or after July 1, 2022, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars ($30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(5) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars ($24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the appropriate beneficiary organization listed in subsection (1) of this section.

(b) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars ($2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(6) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(7) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars ($10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 27-19-56.549, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE NAVY SEABEE FOUNDATION; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 893 was adopted.

YEAS AND NAYS On H. B. No. 893. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

Senator Harkins called up the following entitled bill:

H. B. No. 310: Application for privilege license tag for vehicles; increase from seven to thirty working days.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 63-21-69, Mississippi Code of 1972, is amended as follows:

63-21-69. When a vehicle subject to titling under this chapter is acquired from a dealer or another person by sale or otherwise, the new owner of the vehicle shall have * * * thirty (30) full working days, exclusive of the date of delivery, within which to make application for the required privilege license tag.

No privilege license tag shall be issued by any tax collector or the State Tax Commission if the vehicle is subject to titling under this chapter unless the vehicle owner makes an application therefor and shall thereupon tender his application for certificate of title with the application for a privilege license. If, however, the vehicle owner already has a certificate of title, then the original certificate or, if his original certificate be in the hands of a lienholder, then his duplicate certificate or other official document as prescribed by the State Tax Commission shall be tendered to the tax collector or the State Tax Commission. The tax collector or the State Tax Commission, as the case may be, shall thereupon enter the number of the application or certificate on the privilege license application and on the privilege license receipt.

The provisions and requirements of this section implement the provisions and requirements of Section 27-19-59 and Section 27-19-61. Nothing contained in this section or in this chapter shall in any way amend or supersede any of the existing statutes of this state or any of the provisions or requirements of such statutes with respect to the registration of vehicles and making applications for privilege licenses for vehicles. However, the State Tax Commission shall by suitable rules and regulations provide for the implementation of the requirements of this section and this chapter with the requirements of existing statutes with respect to the registration of vehicles and with respect to obtaining privilege licenses therefor.

SECTION 2. Section 27-19-63, Mississippi Code of 1972, is amended as follows:

27-19-63. (1) Except as otherwise provided in this section, the privilege license tax levied by the provisions of this article shall be paid annually during the anniversary month of the acquisition of the vehicle. The privilege license tax levied shall be based on a period of twelve (12) months, even though the actual time from the acquisition of the vehicle to the end of the anniversary month of the next succeeding year may be more than twelve (12) months. Any person subject to the provisions of this article shall have an additional fifteen (15) days from the end of the anniversary month in which to purchase the tag and/or decals and to pay the privilege license tax without being in violation of this section. Any person owning a vehicle subject to taxation under the provisions of this article who fails or refuses to pay such tax and obtain the privilege license required within the prescribed period of time shall be guilty of violating the provisions of this article, and shall be liable for the amount of such tax plus a penalty as provided for in this section. If the person owning a vehicle subject to taxation under the provisions of this article does

not operate such vehicle on the highways of this state from the date of acquisition or, if previously registered, from the end of the anniversary month of his tag and decals to the date on which he makes application for the privilege license, he shall pay such license tax for a period of twelve (12) months beginning with the first day of the month in which he applies for such privilege license. The owner shall submit an affidavit with his application attesting to the fact that his vehicle was not operated on the highways of this state from the date of acquisition or, if previously registered, from the end of the anniversary month of his tag and decals to the date on which he makes application for the privilege license.

(2) Except as may be otherwise provided in subsection (3) of this section, the privilege license tax levied by the provision of this article on operators of motor vehicles in excess of ten thousand (10,000) pounds, gross vehicle weight, apportioned vehicles, rental and commercial trailers and buses shall be due annually during the anniversary month which shall be established by the Commissioner of Revenue; however, there shall be an additional fifteen (15) days from the end of the anniversary month in which to file an application with the department and pay the privilege license tax. The annual license tag and/or decals issued by the department for the license tax year shall be valid for a period of time to be determined by the chairman but not to exceed fifteen (15) months following the anniversary month; provided, however, this does not extend the time for filing the application with the department and the payment of the license tax. Any person who fails or refuses to pay such tax and obtain the privilege license required when due shall be guilty of violating the provision of this article and shall be liable for the entire amount of such tax from the date the liability was incurred, plus penalty as provided for in this section.

(3) The privilege license tax levied by the provisions of this article on operators of a motor vehicle that is in a corporate fleet or an individual fleet registered under Section 27-19-66 or a trailer in a fleet registered under Section 27-19-66.1 shall be due annually during the anniversary month which shall be established by the Commissioner of Revenue for corporate fleets and trailer fleets, and by the county tax collectors for individual fleets; however, there shall be an additional fifteen (15) days from the end of the anniversary month in which to file an application with the department or the county tax collector, as the case may be, and to purchase the tag or renew the registration of such motor vehicle and pay the privilege license tax. The department or the county tax collector, as the case may be, shall issue a tag or renew the annual registration of such motor vehicle for the license tax year only after all ad valorem taxes and privilege taxes due on such motor vehicle have been paid. Any person who fails or refuses to pay the privilege tax and obtain the privilege license required when due shall be guilty of violating the provisions of this article and shall be liable for the entire amount of such tax from the date the liability was incurred, plus penalty as provided for in this section.

(4) Penalties shall be assessed on the privilege license tax at the rate of five percent (5%) for the first fifteen (15) days of delinquency, or part thereof, and five percent (5%) for each additional thirty-day period of delinquency, or part thereof, not to exceed a maximum penalty of twenty-five percent (25%); however, a penalty of Two Hundred Fifty Dollars ($250.00), in addition to the maximum penalty for delinquency, shall be assessed against any person who is liable for the motor vehicle privilege license tax but who (a) displays an out-of-state license tag on the motor vehicle; or (b) displays a license tag or privilege license decal on the motor vehicle which was issued for another vehicle. The department, for good reason shown, may waive all or any part of the penalties imposed. No private passenger vehicle registered under this chapter shall have displayed on the front of such vehicle, or elsewhere, the official license tag of another state, whether or not such license tag has expired. Law enforcement officers of this state may remove from private passenger vehicles any out-of-state license tags so displayed.

(5) The requirement that the privilege tax be paid during the anniversary month of each year shall not apply in the following cases:

(a) When a motor vehicle is acquired, the owner or operator of the vehicle purchased shall have * * * thirty (30) full working days, exclusive of the date of delivery,

after the vehicle has been delivered to him, within which to make the application for the required privilege license, otherwise such person shall be liable for penalty as provided for in this section. Provided, however, that when any person shall acquire a vehicle as herein provided, and it shall be necessary that such vehicle be remodeled, changed or altered by such person before same is suitable for the purposes for which it was acquired, then such person shall have seven (7) full working days, exclusive of the day of the completion of such remodeling, change or alteration, after the completion thereof, or thirty (30) full working days, exclusive of the date of delivery, after the vehicle has been delivered to him, whichever is greater, within which to make application for the required privilege license; provided, that if such person fails to make application within such period, such person shall be liable for penalty as provided for in this section.

"Delivery" as used herein shall be construed to mean receipt of such vehicle by the purchaser thereof at his residence or place of business, and, in the event the vehicle is purchased at any place other than in the county of residence or place of business of such person, he shall be entitled to forty-eight (48) hours within which to transport such vehicle to the county of his residence or place of business. At all times during such transportation, the owner or operator of such vehicle shall have in his possession a true bill of sale, giving the description of the vehicle, the name and address of the dealer from whom purchased, the name and address of the owner or operator, and the date on which the vehicle was acquired. For failure to have such bill of sale in his possession during the entire time during which the vehicle is being transported, the owner or operator shall be liable for the annual privilege tax plus penalty as provided for in this section.

(b) Where a person has paid the current privilege license tax required by the laws of another state and applies for a privilege license in this state within thirty (30) days, no penalty shall be assessed; however, any person who fails to comply herewith shall be liable for the full annual tax, plus penalty as provided for in this section.

(6) Any nonresident of the State of Mississippi who has paid the current privilege license required by the laws of another state upon a private carrier of passengers, and thereafter becomes a resident of the State of Mississippi, or brings such vehicle into the State of Mississippi for use in connection with his business in this state, or who is gainfully employed in this state shall be entitled to operate such vehicle without obtaining a privilege license in this state for a period of not more than thirty (30) days.

"Resident" for the purpose of registration and operation of motor vehicles shall include, but not be limited to, the following:

(a) Any person, except a tourist or out-of-town student, who owns, leases or rents a place within the state and occupies same as a place of residence.

(b) Any person who engages in a trade, profession or occupation in this state or who accepts employment in other than seasonal agricultural work.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 63-21-69, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF DAYS BY WHICH THE NEW OWNER OF THE VEHICLE HAS TO MAKE APPLICATION FOR ISSUANCE OF THE PRIVILEGE LICENSE TAG FROM SEVEN TO THIRTY WORKING DAYS; TO AMEND SECTION 27-19-63, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 310 was adopted.

YEAS AND NAYS On H. B. No. 310. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator Harkins called up the following entitled bill:

H. B. No. 1190: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

Senator Williams offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-5, Mississippi Code of 1972, is amended as follows:

67-1-5. For the purposes of this article and unless otherwise required by the context:

(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine, light spirit product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines and native spirits. The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

(b) "Alcohol" means the product of distillation of any fermented liquid, whatever the origin thereof, and includes synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

(c) "Distilled spirits" means any beverage containing more than six percent (6%) of alcohol by weight produced by distillation of fermented grain, starch, molasses or sugar, including dilutions and mixtures of these beverages.

(d) "Wine" or "vinous liquor" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits, honey or berries and made in accordance with the revenue laws of the United States.

(e) "Person" means and includes any individual, partnership, corporation, association or other legal entity whatsoever.

(f) "Manufacturer" means any person engaged in manufacturing, distilling, rectifying, blending or bottling any alcoholic beverage.

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

(h) "Retailer" means any person who sells, distributes, or offers for sale or distribution, any alcoholic beverage for use or consumption by the purchaser and not for resale.

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its organization to be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

(j) "Division" means the Alcoholic Beverage Control Division of the Department of Revenue.

(k) "Municipality" means any incorporated city or town of this state.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day. When used in this article, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

(i) A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, which has suitable seating facilities for guests, and which has suitable kitchen facilities connected therewith for cooking an assortment of foods and meals commonly ordered at various hours of the day; the service of such food as sandwiches and salads only shall not be deemed in compliance with this requirement. Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this article unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue; or

(ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking. In addition to the other requirements of this subparagraph, the business must also serve food to guests for compensation within the building and derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales to live entertainment in the building, and from the rental of

all or part of the facilities of the business in the building to another party for a specific event or function.

(n) "Club" means an association or a corporation:

(i) Organized or created under the laws of this state for a period of five (5) years prior to July 1, 1966;

(ii) Organized not primarily for pecuniary profit but for the promotion of some common object other than the sale or consumption of alcoholic beverages;

(iii) Maintained by its members through the payment of annual dues;

(iv) Owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;

(v) The affairs and management of which are conducted by a board of directors, board of governors, executive committee, or similar governing body chosen by the members at a regular meeting held at some periodic interval; and

(vi) No member, officer, agent or employee of which is paid, or directly or indirectly receives, in the form of a salary or other compensation any profit from the distribution or sale of alcoholic beverages to the club or to members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

The department may, in its discretion, waive the five-year provision of this paragraph. In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this article, two (2) copies of a list of the names and residences of its members and similarly file, within ten (10) days after the election of any additional member, his name and address. Each club applying for a license shall also file with the department at the time of the application a copy of its articles of association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2) miles of a convent or monastery that is located in a county traversed by Interstate 55 and U.S. Highway 98. A convent or monastery may waive such distance restrictions in favor of allowing approval by the department of an area as a qualified resort area. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(i) The department may approve an area or locality outside of the limits of an incorporated municipality that is in the process of being developed as a qualified resort area if such area or locality, when developed, can reasonably be expected to meet the requisites of the definition of the term "qualified resort area." In such a case, the status of qualified resort area shall not take effect until completion of the development.

(ii) The term includes any state park which is declared a resort area by the department; however, such declaration may only be initiated in a written request for resort area status made to the department by the Executive Director of the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this article, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.

(iii) The term includes:

1. The clubhouses associated with the state park golf courses at the Lefleur's Bluff State Park, the John Kyle State Park, the Percy Quin State Park and the Hugh White State Park;

2. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

3. Any facility located on property that is a game reserve with restricted access that consists of at least three thousand (3,000) contiguous acres with no public roads and that offers as a service hunts for a fee to overnight guests of the facility;

4. Any facility located on federal property surrounding a lake and designated as a recreational area by the United States Army Corps of Engineers that consists of at least one thousand five hundred (1,500) acres;

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted against coming out from under the dry law; however, any such facility may only be located in areas designated by the governing authorities of such municipality;

6. Any municipality with a population in excess of ten thousand (10,000) according to the latest federal decennial census that is located in a county that is bordered by the Pearl River and is not traversed by Interstate Highway 20, with a population in excess of forty-five thousand (45,000) according to the latest federal decennial census;

7. The West Pearl Restaurant Tax District as defined in Chapter 912, Local and Private Laws of 2007;

8. a. Land that is located in any county in which Mississippi Highway 43 and Mississippi Highway 25 intersect and:

A. Owned by the Pearl River Valley Water Supply District, and/or

B. Located within the Reservoir Community District, zoned commercial, east of Old Fannin Road, north of Regatta Drive, south of Spillway Road, west of Hugh Ward Boulevard and accessible by Old Fannin Road, Spillway Road, Spann Drive and/or Lake Vista Place, and/or

C. Located within the Reservoir Community District, zoned commercial, west of Old Fannin Road, south of Spillway Road and extending to the boundary of the corporate limits of the City of Flowood, Mississippi;

b. The board of supervisors of such county, with respect to B and C of item 8.a., may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

9. Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no public roads, that offers as a service hunts for a fee to overnight guests of the facility, and has accommodations for at least fifty (50) overnight guests;

10. Any facility that:

a. Consists of at least six thousand (6,000) square feet being heated and cooled along with an additional adjacent area that consists of at least two thousand two hundred (2,200) square feet regardless of whether heated and cooled,

b. For a fee is used to host events such as weddings, reunions and conventions,

c. Provides lodging accommodations regardless of whether part of the facility and/or located adjacent to or in close proximity to the facility, and

d. Is located on property that consists of at least thirty (30) contiguous acres;

11. Any facility and related property:

a. Located on property that consists of at least one hundred twenty-five (125) contiguous acres and consisting of an eighteen-hole golf course, and/or located in a facility that consists of at least eight thousand (8,000) square feet being heated and cooled,

b. Used for the purpose of providing meals and hosting events, and

c. Used for the purpose of teaching culinary arts courses and/or turf management and grounds keeping courses, and/or outdoor recreation and leadership courses;

12. Any facility and related property that:

a. Consist of at least eight thousand (8,000) square feet being heated and cooled,

b. For a fee is used to host events,

c. Is used for the purpose of culinary arts courses, and/or live entertainment courses and art performances, and/or outdoor recreation and leadership courses;

13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

14. The clubhouse and associated eighteen-hole golf course located in a municipality traversed by Interstate Highway 55 and U.S. Highway 51 that has voted to come out from under the dry law;

15. a. Land that is planned for mixed-use development and consists of at least two hundred (200) contiguous acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed, and also including a facility that consists of at least four thousand (4,000) square feet that is not part of such land but is located adjacent to or in close proximity thereto, and which land is located:

A. In a county that has voted to come out from under the dry law,

B. Outside the corporate limits of any municipality in such county and adjacent to or in close proximity to a golf course located in a municipality in such county, and

C. Within one (1) mile of a state institution of higher learning;

b. The board of supervisors of such county may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

16. Any facility with a capacity of five hundred (500) people or more, to be used as a venue for private events, on a tract of land in the Southwest Quarter of Section 33, Township 2 South, Range 7 East, of a county where U.S. Highway 45 and U.S. Highway 72 intersect and that has not voted to come out from under the dry law;

17. One hundred five (105) contiguous acres, more or less, located in Hinds County, Mississippi, and in the City of Jackson, Mississippi, whereon are constructed a variety of buildings, improvements, grounds or objects for the purpose of holding events thereon to promote agricultural and industrial development in Mississippi;

18. Land that is owned by a state institution of higher learning, land that is owned by an entity that is bound by an affiliation agreement with a state institution of higher learning, or land that is owned by one or more other entities so long as such other entities are solely owned, either directly or through additional entities, by an institution of higher learning and/or one or more entities bound by affiliation agreements with such institution, and:

a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7 * * *; and

b. A. Located adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9 * * *; or

B. Located in an area bounded on the north by College View Drive, on the east by Highway 12 East, on the south by Highway 12 East, on the west by Mill Street, on the north by Russell Street, then on the west by Colonel Muldrow Avenue, on the north by University Drive, on the west by Adkerson Way within a municipality through which run Highway 25, Highway 12 and Highway 82.

If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, 2020, then that qualified resort area shall be incorporated into the qualified resort area created by this item 18;

19. Any facility and related property:

a. Used as a flea market or similar venue during a weekend (Saturday and Sunday) immediately preceding the first Monday of a month and having an annual average of at least one thousand (1,000) visitors for each such weekend and five hundred (500) vendors for Saturday of each such weekend, and

b. Located in a county that has not voted to come out from under the dry law and outside of but in close proximity to a municipality located in such county and which municipality has voted to come out from under the dry law;

20. Blocks 1, 2 and 3 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

21. Any municipality with a population in excess of two thousand (2,000) according to the latest federal decennial census and in which is located a part of White's Creek Lake and in which U.S. Highway 82 intersects with Mississippi Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River;

22. A restaurant located on a two-acre tract adjacent to a five-hundred-fifty-acre lake in the northeast corner of a county traversed by U.S. Interstate 55 and U.S. Highway 84;

23. Any tracts of land in Oktibbeha County, situated north of Bailey Howell Drive, Lee Boulevard and Old Mayhew Road, east of George Perry Street and south of Mississippi Highway 182, and not located on the property of a state institution of higher learning; however, the board of supervisors of such county may by resolution or other order:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

24. A municipality in which Mississippi Highway 27 and Mississippi Highway 28 intersect;

25. A municipality through which run Mississippi Highway 35 and Interstate 20;

26. A municipality in which Mississippi Highway 16 and Mississippi Highway 35 intersect;

27. A municipality in which U.S. Highway 82 and Old Highway 61 intersect;

28. A municipality in which Mississippi Highway 8 meets Mississippi Highway 1;

29. A municipality in which U.S. Highway 82 and Mississippi Highway 1 intersect;

30. A municipality in which Mississippi Highway 50 meets Mississippi Highway 9;

31. An area bounded on the north by Pearl Street, on the east by West Street, on the south by Court Street and on the west by Farish Street, within a municipality bordered on the east by the Pearl River and through which run Interstate 20 and Interstate 55;

32. Any facility and related property that:

a. Is contracted for mixed-use development improvements consisting of office and residential space and a restaurant and lounge, partially occupying the renovated space of a four-story commercial building which previously served as a financial institution; and adjacent property to the west consisting of a single-story office building that was originally occupied by the Brotherhood of Carpenters and Joiners of American Local Number 569; and

b. Is situated on a tract of land consisting of approximately one and one-tenth (1.10) acres, and the adjacent property to the west consisting of approximately 0.5 acres, located in a municipality which is the seat of county government, situated south of Interstate 10, traversed by U.S. Highway 90, partially bordered on one (1) side by the Pascagoula River and having its most southern boundary bordered by the Gulf of Mexico, with a population greater than twenty-two thousand (22,000) according to the 2010 federal decennial census; however, the governing authorities of such a municipality may by ordinance:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

C. Designate the areas within the facilities in which alcoholic beverages may be offered for sale;

33. Any facility with a maximum capacity of one hundred twenty (120) people that consists of at least three thousand (3,000) square feet being heated and cooled, has a commercial kitchen, has a pavilion that consists of at least nine thousand (9,000) square feet and is located on land more particularly described as follows:

All that part of the East Half of the Northwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi, that lies South of Mississippi State Highway 348 right-of-way and containing 19.48 acres, more or less.

ALSO,

The Northeast 38 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi.

ALSO,

The South 81 1/2 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi;

34. A municipality in which U.S. Highway 51 and Mississippi Highway 16 intersect;

35. A municipality in which Interstate 20 passes over Mississippi Highway 15;

36. Any municipality that is bordered in its northwestern boundary by the Pearl River, traversed by U.S. Highway 49 and Interstate 20, and is located in a county which has voted against coming out from under the dry law;

37. A municipality in which Mississippi Highway 28 and Mississippi Highway 29 North intersect;

38. An area bounded as follows within a municipality through which run Interstate 22 and Mississippi Highway 15: Beginning at a point at the intersection of Bankhead Street and Tallahatchie Trails; then running to a point at the intersection of Tallahatchie Trails and Interstate 22; then running to a point at the intersection of Interstate 22 and Carter Avenue; then running to a point at the intersection of Carter Avenue and Camp Avenue; then running to a point at the intersection of Camp Avenue and King Street; then running to a point at the intersection of King Street and E. Main Street; then running to a point at the intersection of E. Main Street and Camp Avenue; then running to a point at the intersection of Camp Avenue and Highland Street; then running to a point at the intersection of Highland Street and Adams Street; then running to a point at the intersection of Adams Street and Cleveland Street; then running to a point at the intersection of Cleveland Street and N. Railroad Avenue; then running to a point at the intersection of N. Railroad Avenue and McGill Street; then running to a point at the intersection of McGill Street and Snyder Street; then running to a point at the intersection of Snyder Street and Bankhead Street; then running to a point at the intersection of Bankhead Street and Tallahatchie Trails and the point of the beginning;

39. A municipality through which run Mississippi Highway 43 and U.S. Highway 80;

40. The coliseum in a municipality in which U.S. Highway 72 passes over U.S. Highway 45;

41. A piece of property on the northeast corner of the T-intersection where Builders Square Drive meets Mississippi Highway 471;

42. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities located on Oaks Country Club Road less than one-half (1/2) mile to the east of Mississippi Highway 15;

43. Any facility located on land more particularly described as follows:

The East Half (E 1/2) of the Southwest Quarter (SW 1/4) of Section 15, Township 3 North, Range 2 East; a 4 acre parcel in the Southwest Corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), Section 15, Township 3 North, Range 2 East, running 210 feet east and west and 840 feet running north and south; the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 22, Township 3 North, Range 2 East, all in Rankin County, Mississippi;

44. Any facility located on land more particularly described as follows:

Beginning at a point 1915 feet west and 2171 feet north of southeast corner, Section 11, Township 24 North, Range 2 West, Second Judicial District, Tallahatchie County, Mississippi, which point is the southwest corner of J.C. Section Lot mentioned in deed recorded in Book 50, page 34, in the records of the Chancery Clerk's Office at Sumner, in said District of said County; thence South 80° West, 19 feet to the east boundary of United States Highway 49-E, thence East along the east boundary of said Highway 270 feet to point of beginning of Lot to be conveyed; thence southeast along the east boundary of said Highway 204 feet to a concrete post at the intersection of the east boundary of said Highway with the west boundary of gravel road from Sumner to Webb, known as Oil Mill Road, thence Northwest along west boundary of said Oil Mill Road 194 feet to center of driveway running southwest from said Oil Mill Road to U.S. Highway 49-E; thence South 66° West along center of said driveway 128 feet to point of beginning, being situated in Northwest Quarter of Southeast Quarter of Section 11, together with all improvements situated thereon;

45. Any facility that:

a. Consists of at least five thousand six hundred (5,600) square feet being heated and cooled along with a lakeside patio that consists of at least two thousand two hundred (2,200) square feet, regardless of whether such patio is part of the facility and/or located adjacent to or in close proximity to the facility;

b. Includes a caterer's kitchen and green room for entertainment preparation;

c. For a fee is used to host events; and

d. Is located adjacent to or in close proximity to an approximately nine (9) acre lake on property that consists of at least one hundred twenty (120) acres in a county traversed by Mississippi Highway 15 and U.S. Highway 278;

46. Any municipality with a population in excess of one thousand (1,000) according to the 2010 federal decennial census and which is located in a county that is traversed by U.S. Highways 84 and 98 and has not voted to come out from under the dry law;

47. The clubhouse and associated nine-hole golf course, tennis courts and related facilities and swimming pool and related facilities located on or near U.S. Highway 82 between Mississippi Highway 15 and Mississippi Highway 9;

48. The downtown square area bound by East Service Drive, Commerce Street, Second Street and Court Street and adjacent properties in a municipality through which run Interstate 55, U.S. Highway 51 and Mississippi Highway 306;

49. All parcels zoned for mixed-use development located west of Mississippi Highway 589, more than four hundred (400) feet north of Old Highway 24, east of Parkers Creek and Black Creek, and south of J M Burge Road;

50. Any facility used by a soccer club and located on Old Highway 11 between one-tenth (0.1) and two-tenths (0.2) of a mile from its intersection with Oak Grove Road, in a county in which U.S. Highway 98 and Mississippi Highway 589 intersect;

51. Any municipality in which U.S. Highway 49 and Mississippi Highway 469 intersect;

52. Any facility that is:

a. Owned by a Veterans of Foreign Wars (VFW) organization that is a nonprofit corporation and registered with the Mississippi Secretary of State;

b. Used by such organization for its headquarters and other organization related purposes; and

c. Located outside of a municipality in a county that has not voted to come out from under the dry law;

53. The following within a municipality in which U.S. Highway 49 and U.S. 61 Highway intersect and through which flows the Sunflower River:

a. An area bounded as follows: Starting at the southern point of the intersection of Sunflower Avenue and 1st Street and going south along said avenue on its eastern side to 8th Street, then going east along said street on its northern side to West Tallahatchie Street, then going north along said street on its western side to 4th Street/Martin Luther King Boulevard, then going east along said street/boulevard on its northern side to Desoto Avenue, then going north along said avenue on its western side to 1st Street, then going west along said street on its southern side to the point of beginning along the southern side of Court Street;

b. Lots located at or near the intersection of Madison Avenue, Walnut Street, and Riverside Avenue that are in a commercial zone; and

c. Any facility located on the west side of Sunflower Avenue to the Sunflower River between the southern side of 6th Street and the northern side of 8th Street and which is operated as and/or was operated as a hotel or lodging facility, in consideration of payment, regardless of whether the facility meets the criteria for the definition of the term "hotel" in paragraph (l) of this section; and

d. Any facility located on the west side of Sunflower Avenue to the Sunflower River between the southern side of 3rd Street and the northern side of 4th Street/Martin Luther King Boulevard and which is operated as and/or was operated as a musical venue, in consideration of payment;

54. Any municipality in which Mississippi Highway 340 meets Mississippi Highway 15;

55. Any municipality in which Mississippi Highway 540 and Mississippi Highway 149 intersect;

56. Any municipality in which Mississippi Highway 15 and Mississippi Highway 345/Main Street intersect;

57. The property and structures thereon at the following locations within a municipality through which run U.S. Highway 45 and Mississippi Highway 145 and in which Mississippi Highway 370 and Mississippi Highway 145 intersect: 104 West Main Street, 106 West Main Street, 108 West Main Street, 110 West Main Street and 112 West Main Street;

58. Any municipality in which U.S. Highway 11 and Main Street intersect and which is located in a county having two (2) judicial districts;

59. Any municipality in which Interstate 22 passes over Mississippi Highway 9;

60. Any facility located on land more particularly described as follows:

A certain parcel of land being situated in the Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E, Rankin County, Mississippi, and being more particularly described as follows:

Commence at an existing 1/2" iron pin marking the Southwest corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13 seconds East along the East line of the Southeast 1/4 of the Northeast 1/4 for a distance of 33.18 feet to an existing 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds East for a distance of 2.08 feet to an existing 1/2" iron pin; run thence North 00 degrees 22 minutes 19 seconds East for a distance of 561.90 feet to an existing 1/2" iron pin; run thence North 00 degrees 16 minutes 18 seconds East for a distance of 76.42 feet to a set 1/2" iron pin marking the POINT OF BEGINNING of the parcel of land herein described; from said POINT OF BEGINNING, continue thence North 00 degrees 16 minutes 18 seconds East along an existing fence for a distance of 493.27 feet to an existing 1/2" iron pin; run thence North 03 degrees 08 minutes 15 seconds East for a distance of 170.22 feet to an existing 1/2" iron pin on the North line of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9; run thence North 89 degrees 46 minutes 45 seconds East along said North line of the Southeast 1/4 of the Northeast 1/4 of Section 9 for a distance of 1,305.51 feet to an existing 1/2" iron pin marking Northeast corner thereof; leaving said North line of the Southeast 1/4 of the Northeast 1/4 of Section 9, run thence South 00 degrees 08 minutes 35 seconds West along the East line of said Southeast 1/4 of the Northeast 1/4 of Section 9 for a distance of 663.19 feet to a set 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4 of Section 9, run thence South 89 degrees 46 minutes 45 seconds West for a distance of 1,315.51 feet to the POINT OF BEGINNING, containing 20.00 acres, more or less.

And Also: An easement for the purpose of ingress and egress being situated in the Southeast 1/4 of the Northeast 1/4 and in the Northeast 1/4 of the Southeast 1/4 of Section 9, T3N-R3E, Rankin County, Mississippi, and being more particularly described as follows:

Begin at an existing 1/2" iron pin marking the Southwest corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13 seconds East along the East line of the Southeast 1/4 of the Northeast 1/4 for a distance of 33.18 feet to an existing 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds East for a distance of 2.08 feet to an existing 1/2" iron pin; run thence North 00 degrees 22 minutes 19 seconds East for a distance of 561.90 feet to an existing 1/2" iron pin; run thence North 00 degrees 16 minutes 18 seconds East for a distance of 76.42 feet to a set 1/2" iron pin; run thence North 89 degrees 46 minutes 45 seconds East for a distance of 25.00 feet to a set 1/2" iron pin; run thence South 00 degrees 16 minutes 18 seconds West for a distance of 76.66 feet to a set 1/2" iron pin; run thence South 00 degrees 22 minutes 19 seconds West for a distance of 619.81 feet to a set 1/2" iron pin; run thence South 89 degrees 43 minutes 01 seconds West for a distance of 26.81 feet to a set 1/2" iron pin; run thence North 00 degrees 06 minutes 13 seconds East along the West line of the aforesaid Northeast 1/4 of the Southeast 1/4 of Section 9 for a distance of 25.00 feet to the POINT OF BEGINNING, containing 17,525.4 square feet, more or less.

61. Any municipality bordered on the east by the Pascagoula River and on the south by the Mississippi Sound;

62. The property and structures thereon located at parcel numbers 4969 198 000; 4969 200 000; 4969 201 000; 4969 206 000; 4969 207 000; 4969 208 000; 4969 218 000; 4969 199; 4969 204 000 and 4969 204 001, all in Block 4 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

63. Any municipality in which Mississippi Highway 12 meets Mississippi Highway 17;

64. Any municipality in which U.S. Highway 49 and Mississippi Highway 469 intersect;

65. The clubhouse and associated nine-hole golf course and related facilities located on or near the eastern corner of the point at which Golf Course Road meets Athens Road, in a county in which Mississippi Highway 13 and Mississippi Highway 28 intersect, with GPS coordinates of approximately 31.900370078041004, -89.7928067652611;

66. Any facility located at the south-to-southwest corner of the intersection of Madison Street and Bolton Brownsville Road, in a municipality in which Bolton Brownsville Road passes over Interstate 20, with GPS coordinates of approximately 32.349067271758955, -90.4596221146197;

67. Any facility located at the northwest corner of the intersection of Depot Street and Madison Street, in a municipality in which Bolton Brownsville Road passes over Interstate 20, with GPS coordinates of approximately 32.34903152971068, -90.46047660172901;

68. Any facility located on Hinds Boulevard approximately three-tenths (0.3) of a mile south of the point at which Hinds Boulevard diverges from Clinton Road, in a municipality whose northern boundary partially consists of Snake Creek Road, and whose southern boundary partially consists of Mississippi Highway 18, with GPS coordinates of approximately 32.26384517526713, -90.41586570183475;

69. Any facility located on Pleasant Grove Drive approximately one and three-tenths (1.3) miles southeast of its intersection with Harmony Drive, in a county through which run Interstate 55 and U.S. Highway 84, with GPS coordinates of approximately 31.512043770371907, -90.2506094382595;

70. Any facility located immediately north of the intersection of two roads, both named Mason Clark Drive, located between two-tenths (0.2) and three-tenths (0.3) of a mile southwest of Mississippi Highway 57/63, with GPS coordinates of approximately 31.135950529733048, -88.53068674585575;

71. Any facility located on Raj Road approximately three-tenths (0.3) of a mile south of Mississippi Highway 57/63, with GPS coordinates of approximately 31.139553708288418, -88.53411203512971; and

72. Any facility located on Raj Road approximately one-tenth (0.1) of a mile south of Mississippi Highway 57/63, with GPS coordinates of approximately 31.14184097577295, -88.53287700849411;

The status of these municipalities, districts, clubhouses, facilities, golf courses and areas described in this paragraph (o)(iii) as qualified resort areas does not require any declaration of same by the department.

The governing authorities of a municipality described, in whole or in part, in item 6, 21, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39, 46, 48, 51, 53, 54, 55, 58, 59, 61, 63, 64, 66, 67 or 68 of this paragraph (o)(iii) may by ordinance, with respect to the qualified resort area described in the same item: specify the hours of operation of facilities offering alcoholic beverages for sale; specify the percentage of revenue that facilities offering alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and designate the areas in which facilities offering alcoholic beverages for sale may be located.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The department shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon.

(q) "Native winery" means any place or establishment within the State of Mississippi where native wine is produced, in whole or in part, for sale.

(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19) adequately furnished and completely separate sleeping rooms with adequate facilities, that persons usually apply for and receive as overnight accommodations; however, such restriction on the minimum number of sleeping rooms shall not apply to establishments on the National Register of Historic Places. No place shall qualify as a bed and breakfast inn under this article unless on the date of the initial application for a license under this

article more than fifty percent (50%) of the sleeping rooms are located in a structure formerly used as a residence.

(s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

(t) "Spa facility" means an establishment within a municipality or qualified resort area and owned by a hotel where, in consideration of payment, patrons receive from licensed professionals a variety of private personal care treatments such as massages, facials, waxes, exfoliation and hairstyling.

(u) "Art studio or gallery" means an establishment within a municipality or qualified resort area that is in the sole business of allowing patrons to view and/or purchase paintings and other creative artwork.

(v) "Cooking school" means an establishment within a municipality or qualified resort area and owned by a nationally recognized company that offers an established culinary education curriculum and program where, in consideration of payment, patrons are given scheduled professional group instruction on culinary techniques. For purposes of this paragraph, the definition of cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a community or junior college, college or university in this state, and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

(x) "Native spirit" shall mean any beverage, produced in Mississippi for sale, manufactured primarily by the distillation of fermented grain, starch, molasses or sugar produced in Mississippi, including dilutions and mixtures of these beverages. In order to be classified as "native spirit" under the provisions of this article, at least fifty-one percent (51%) of the finished product by volume shall have been obtained from distillation of fermented grain, starch, molasses or sugar grown and produced in Mississippi.

(y) "Native distillery" shall mean any place or establishment within this state where native spirit is produced in whole or in part for sale.

(z) "Warehouse operator" shall have the meaning ascribed in Section 67-1-201.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1190 was adopted.

YEAS AND NAYS On H. B. No. 1190. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--45.

Nays--Branning, Chism, Parker. Total--3.

Absent and those not voting--Parks. Total--1.

Voting Present--Frazier, Norwood, Tate. Total--3.

Senator Harkins called up the following entitled bill:

H. B. No. 1638: Income tax; allow DHS to collect debts owed to it through setoff against state income tax refunds.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) For the purposes of this section, the following terms shall have the meanings ascribed by this section unless another meaning is plainly indicated:

(a) "Claimant agency" means the Mississippi Department of Human Services.

(b) "Debtor" means any individual, corporation or partnership owing money or having a delinquent account with the claimant agency, which obligation has not been adjudicated satisfied by court order, set aside by court order or discharged in bankruptcy.

(c) "Debt" means any sum due and owing the claimant agency for any overpayment under the Supplemental Nutrition Assistance Program, the Temporary Assistance to Needy Families Program and the Child Care and Development Fund Program.

(d) "Refund" means the Mississippi income tax refund which the department determines to be due any individual taxpayer, corporation or partnership.

(2) The collection remedy authorized by this section is in addition to and is not substitution for any other remedy available by law.

(3) (a) The claimant agency may submit debts in excess of One Hundred Twenty-five Dollars ($125.00) owed to it to the department for collection through setoff, under the procedure established by this section, except in cases where the validity of the debt is legitimately in dispute, an alternate means of collection is pending and believed to be adequate, or such collection would result in a loss of federal funds or federal assistance.

(b) Upon the request of the claimant agency, the department shall set off any refund against the sum certified by the claimant agency as provided in this section.

(4) (a) Within the time frame specified by the department, the claimant agency seeking to collect a debt through setoff shall supply the information necessary to identify each debtor whose refund is sought to be set off and certify the amount of debt owed by each such debtor.

(b) (i) If a debtor identified by the claimant agency is determined by the department to be entitled to a refund of at least Twenty-five Dollars ($25.00), the department shall transfer an amount equal to the refund owed, not to exceed the amount of the claimed debt certified, to the claimant agency. The department shall send the excess amount to the debtor within a reasonable time after such excess is determined.

(ii) At the time of the transfer of funds to the claimant agency under this paragraph (b), the department shall notify the taxpayer or taxpayers whose refund is sought to be set off that the transfer has been made. Such notice shall clearly set forth the name of the debtor, the manner in which the debt arose, the amount of the claimed debt, the transfer of funds to the claimant agency pursuant to this paragraph (b) and the intention to set off the refund against the debt, the amount of the refund in excess of the claimed debt, the taxpayer's opportunity to give written notice to contest the setoff within thirty (30) days of the date of mailing of the notice, the name and mailing address of the claimant agency to which the application for such a hearing must be sent, and the fact that the failure to apply for such a hearing, in writing, within the thirty-day period will be deemed a waiver of the opportunity to contest the setoff. In the case of a joint return or a joint refund, the notice shall also state the name of the taxpayer named in the return, if any, against whom no debt is claimed, the fact that a debt is not claimed against such taxpayer, the fact that such taxpayer is entitled to receive a refund if it is due him or her regardless of the debt asserted against his or her spouse, and that, in order to obtain a refund due him or her, such taxpayer must apply in writing for a hearing with the claimant agency named in the notice within thirty (30) days of the date of the mailing of the notice. The failure of a taxpayer to apply in writing for a hearing within such time will constitute waiver of the opportunity to contest the setoff.

(c) The claimant agency shall pay the department a fee, not to exceed Seventeen Dollars ($17.00), in each case in which a tax refund is identified as being available for setoff by the department. Such fee shall be deposited by the department into a special fund hereby created in the State Treasury, out of which the Legislature shall appropriate monies to defray expenses of the department in employing personnel to administer the provisions of this section.

(5) (a) When the claimant agency receives a protest or an application in writing from a taxpayer within thirty (30) days of the notice issued by the department, the claimant agency shall set a date to hear the protest and give notice to the taxpayer through the United States Postal Service or electronic digital transfer of the date so set. The time and place of such hearing shall be designated in such notice, and the date set shall be not less than fifteen (15) days from the date of such notice. If, at the hearing, the sum asserted as due and owing is found not to be correct, an adjustment to the claim may be made. The claimant agency shall give notice to the debtor of its final determination as provided in paragraph (c) of this subsection.

(b) No issues shall be reconsidered at the hearing which have been previously litigated.

(c) If any debtor is dissatisfied with the final determination made at the hearing by the claimant agency, he or she may appeal the final determination to the circuit court of the county in which the main office of the claimant agency is located by filing notice of appeal, within thirty (30) days of the date the notice of final determination was given by the claimant agency, with the administrative head of the claimant agency and with the clerk of the circuit court of the county in which the appeal shall be taken.

(6) Upon final determination of the amount of the debt due and owing by means of hearing or by the taxpayer's default through failure to submit a timely request for review, the claimant agency shall irreversibly recoup the amount of the debt due and owing and shall credit such amount to the debtor's obligation.

(7) (a) Pursuant to Section 27-7-83, the department may provide to a claimant agency all information necessary to accomplish and effectuate the intent of this section.

(b) The information obtained by the claimant agency from the department in accordance with the provisions of this section shall retain its confidentiality and shall only be used by the claimant agency in the pursuit of its debt collection duties and practices. Any employee or prior employee of the claimant agency who unlawfully discloses any such information for any other purpose, except as specifically authorized by law, shall be subject to the same penalties specified by law for unauthorized confidential information by an agent or employee of the department.

SECTION 2. Section 27-7-83, Mississippi Code of 1972, is amended as follows:

27-7-83. (1) Returns and return information filed or furnished under the provisions of this chapter shall be confidential, and except in accordance with proper judicial order, as otherwise authorized by this section, as authorized in Section 27-4-3 or as authorized under Section 27-7-821, it shall be unlawful for the Commissioner of Revenue or any deputy, agent, clerk or other officer or employee of the Department of Revenue or the Mississippi Department of Information Technology Services, or any former employee thereof, to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required. The provisions of this section shall apply fully to any federal return, a copy of any portion of a federal return, or any information reflected on a federal return which is attached to or made a part of the state tax return. Likewise, the provisions of this section shall apply to any federal return or portion thereof, or to any federal return information data which is acquired from the Internal Revenue Service for state tax administration purposes pursuant to the Federal-State Exchange Program cited at Section 6103, Federal Internal Revenue Code. The term "proper judicial order" as used in this section shall not include subpoenas or subpoenas duces tecum, but shall include only those orders entered by a court of record in this state after furnishing notice and a hearing to the taxpayer and the Department of Revenue. The court shall not authorize the furnishing of such information unless it is satisfied that the information is needed to pursue pending litigation wherein the return itself is in issue, or the judge is satisfied that the need for furnishing the information outweighs the rights of the taxpayer to have such information secreted.

(2) Returns and return information with respect to taxes imposed by this chapter shall be open to inspection by or disclosure to the Commissioner of the Internal Revenue Service of the United States, or the proper officer of any state imposing an income tax similar to that imposed by this chapter, or the authorized representatives of such agencies. Such inspection shall be permitted, or such disclosure made, only upon written request by the head of such agencies, or the district director in the case of the Internal Revenue Service, and only to the representatives of such agencies designated in a written statement to the Commissioner of Revenue as the individuals who are to inspect or to receive the return or return information on behalf of such agency. The Commissioner of Revenue is authorized to enter into agreements with the Internal Revenue Service and with other states for the exchange of returns and return information data, or the disclosure of returns or return information data to such agencies, only to the extent that the statutes of the United States or of such other state, as the case may be, grant substantially similar privileges to the proper officer of this state charged with the administration of the tax laws of this state.

(3) (a) The return of a person shall, upon written request, be open to inspection by or disclosure to:

(i) In the case of the return of an individual, that individual;

(ii) In the case of an income tax return filed jointly, either of the individuals with respect to whom the return is filed;

(iii) In the case of the return of a partnership, any person who was a member of such partnership during any part of the period covered by the return;

(iv) In the case of the return of a corporation or a subsidiary thereof, any person designated by resolution of its board of directors or other similar governing body, or any officer or employee of such corporation upon written request signed by any principal officer and attested to by the secretary or other officer;

(v) In the case of the return of an estate, the administrator, executor or trustee of such estate, and any heir at law, next of kin or beneficiary under the will, of the decedent, but only to the extent that such latter persons have a material interest which will be affected by information contained therein;

(vi) In the case of the return of a trust, the trustee or trustees, jointly or separately, and any beneficiary of such trust, but only to the extent that such beneficiary has a material interest which will be affected by information contained therein;

(vii) In the case of the return of an individual or a return filed jointly, any claimant agency or claimant local government seeking to collect a debt through the setoff procedure established in Sections 27-7-701 through 27-7-713, Sections 27-7-501 through 27-7-519 * * *, Sections 27-7-801 through 27-7-823, * * * or Section 1 of this act, from an individual with respect to whom the return is filed.

(b) If an individual described in paragraph (a) is legally incompetent, the applicable return shall, upon written request, be open to inspection by or disclosure to the committee, trustee or guardian of his estate.

(c) If substantially all of the property of the person with respect to whom the return is filed is in the hands of a trustee in bankruptcy or receiver, such return or returns for prior years of such person shall, upon written request, be open to inspection by or disclosure to such trustee or receiver, but only if the Commissioner of Revenue finds that such receiver or trustee, in his fiduciary capacity, has a material interest which will be affected by information contained therein.

(d) Any return to which this section applies shall, upon written request, also be open to inspection by or disclosure to the attorney-in-fact duly authorized in writing by any of the persons described in paragraph (a) of this subsection to inspect the return or receive the information on his behalf, subject to the conditions provided in paragraph (a).

(e) Return information with respect to any taxpayer may be open to inspection by or disclosure to any person authorized by this subsection to inspect any return of such taxpayer if the Commissioner of Revenue determines that such disclosure would not seriously impair state tax administration.

(4) The State Auditor and the employees of his office shall have the right to examine only such tax returns as are necessary for auditing the Department of Revenue and auditing benefits administered under the United States Department of Health and Human Services and the United States Department of Agriculture. The State Auditor and the employees of his office may make information related to auditing such benefits available to and may exchange the information with state agencies responsible for the administration of the benefits. Except as otherwise provided in this subsection (4), the same prohibitions against disclosure which apply to the Department of Revenue shall apply to the State Auditor and his employees or former employees.

(5) Officers and employees of the Mississippi Development Authority who execute a confidentiality agreement with the Department of Revenue shall be authorized to discuss and examine information to which this section applies at the offices of the Mississippi Department of Revenue. This disclosure is limited to information necessary to properly administer the programs under the jurisdiction of the Mississippi Development Authority.

The Department of Revenue is authorized to disclose to officers and employees of the Mississippi Development Authority who execute a confidentiality agreement the information necessary under the circumstances. The same prohibitions against disclosure which apply to the Department of Revenue shall apply to the officers or employees of the Mississippi Development Authority.

(6) Information required by the University Research Center to prepare the analyses required by Sections 57-13-101 through 57-13-109 shall be furnished to the University Research Center upon request. It shall be unlawful for any officer or employee of the University Research Center to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any information received by the center from the Department of Revenue other than as may be required by Sections 57-13-101 through 57-13-109 in an analysis prepared pursuant to Sections 57-13-101 through 57-13-109.

(7) Information required by the Mississippi Development Authority to prepare the reports required by Section 57-1-12.2 shall be furnished to the Mississippi Development Authority upon request. It shall be unlawful for any officer or employee of the Mississippi Development Authority to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any information received by the Mississippi Development Authority from the Department of Revenue other than as may be required by Section 57-1-12.2 in a report prepared pursuant to Section 57-1-12.2.

(8) Information necessary to comply with Chapter 13, Title 85, may be furnished to financial institutions. It shall be unlawful for any officer or employee of the financial institution to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any information received by the financial institution from the Department of Revenue other than as may be authorized by Chapter 13, Title 85.

(9) The Commissioner of Revenue and the Department of Revenue are authorized to discuss with and provide the Attorney General or his designated representative with information related to an offer to compromise and settle any doubtful claim regarding a finally determined tax liability as authorized by Section 31-19-30. It shall be unlawful for the Attorney General or any officer or employee of the Attorney General to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any information received by the Attorney General's office from the Commissioner of Revenue or Department of Revenue other than as may be required by Section 31-19-30.

(10) Nothing in this section shall be construed to prohibit the publication of statistics, so classified as to prevent the identification of particular reports or returns and the items thereof, or the inspection by the Attorney General, or any other attorney representing the state, of the report or return of any taxpayer who shall bring action to set aside the tax thereon, or against whom any action or proceeding has been instituted to recover any tax or penalty imposed.

(11) Nothing in this section shall prohibit the commissioner from making available information necessary to recover taxes owing the state pursuant to the authority granted in Section 27-75-16.

(12) Reports and returns required under the provisions of this chapter shall be preserved in accordance with approved records control schedules. No records, however, may be destroyed without the approval of the Director of the Department of Archives and History.

(13) The Department of Revenue is authorized to disclose to the Child Support Unit and to the Fraud Investigation Unit of the Department of Human Services without the need for a subpoena or proper judicial order the name, address, social security number, amount of income, source of income, assets and other relevant information, records and

tax forms for individuals who are delinquent in the payment of any child support as defined in Section 93-11-101 or who are under investigation for fraud or abuse of any state or federal program or statute as provided in Section 43-1-23.

(14) Nothing in this section shall prohibit the Department of Revenue from exchanging information with the federal government that is necessary to offset income tax refund payment on debts owed to this state or the United States.

(15) Nothing in this section shall prohibit the department from making available information that is necessary to be disclosed for the administration and enforcement of Section 27-7-87.

SECTION 3. Section 1 of this act shall be codified in Title 27, Chapter 7, Mississippi Code of 1972.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO PROVIDE PROCEDURES FOR THE MISSISSIPPI DEPARTMENT OF REVENUE TO SET OFF A TAXPAYER'S DEBT OWED TO THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES AGAINST THE TAXPAYER'S INCOME TAX REFUND; TO PROVIDE A PROCEDURE FOR THE TAXPAYER TO REQUEST A HEARING BEFORE THE DEPARTMENT OF HUMAN SERVICES TO CONTEST THE SETOFF, AND FOR THE TAXPAYER TO APPEAL THE DETERMINATION OF THE DEPARTMENT OF HUMAN SERVICES TO THE CIRCUIT COURT; TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROVIDE TO THE DEPARTMENT OF HUMAN SERVICES ALL INFORMATION NECESSARY TO ACCOMPLISH AND EFFECTUATE THE INTENT OF THIS ACT; TO PROVIDE FOR THE CONTINUED CONFIDENTIALITY OF SUCH INFORMATION; TO AMEND SECTION 27-7-83, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1638 was adopted.

YEAS AND NAYS On H. B. No. 1638. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Brumfield, Horhn, Turner-Ford. Total--3.

Absent and those not voting--Parks. Total--1.

Senator Harkins called up the following entitled bill:

H. B. No. 1525: Alcoholic beverages; revise certain provisions regarding locations for sale of.

YEAS AND NAYS On H. B. No. 1525. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--43.

Nays--Branning, Chism, Frazier, Hill, Norwood, Parker, Seymour, Turner-Ford. Total--8.

Absent and those not voting--Parks. Total--1.

President Pro Tempore Kirby yielded the gavel to Senator Hopson, who presided over the Senate.

Senator Kirby called up the following entitled nomination:

S. N. No. 91: Anne Hall (Anne Hall) Brashier, Ridgeland, Mississippi, Mississippi Commission on the Status of Women, four year term beginning July 1, 2023 and ending June 30, 2027, representing an At-Large appointment.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 91 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 539, S. C. R. No. 540, S. R. No. 61, S. R. No. 62, S. R. No. 63, S. R. No. 64 and H. C. R. No. 54 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

S. C. R. No. 539: Designate March 2024 as "Brain Injury Awareness Month in Mississippi."

S. C. R. No. 540: Recognize legacy of Rosie S. Simmons as the first African American since Reconstruction to serve as Bolivar County Circuit Clerk.

S. R. No. 61: Recognize Lex Lemmers of Columbus as Chair of the Board of Directors of the MMA.

S. R. No. 62: Commend "Tomorrow's 25" Coaching Fellowship Program.

S. R. No. 63: Commend Jeff Field for 2024 Automobile "Dealer of the Year" award.

S. R. No. 64: Commend Ryan Miller for distinguished service as Executive Director of the Office of Workforce Development (AccelerateMS).

H. C. R. No. 54: Circuit Judge Claiborne "Buddy" McDonald IV; commend life and legacy upon his passing.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 539, S. C. R. No. 540, S. R. No. 61, S. R. No. 62, S. R. No. 63, S. R. No. 64 and H. C. R. No. 54. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

Unanimous consent was granted to add Senators Frazier and McCaughn as co-authors of **S. C. R. No. 539**.

Unanimous consent was granted to add Senators Blount, Brumfield, Butler, Frazier, Horhn, Jackson, McCaughn, McLendon, Norwood, Suber, Thompson and Turner-Ford as co-authors of **S. C. R. No. 540**.

Senator Kirby called up the following entitled resolution:

H. C. R. No. 52: Federal Energy Regulatory Commission; urge to extend authorization for the Gulf LNG Liquefaction Project.

YEAS AND NAYS On H. C. R. No. 52. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Bryan. Total--1.

Absent and those not voting--Parks. Total--1.

REPORT OF COMMITTEE ON EDUCATION

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 40: Dr. Richard Lancing (Lance) Evans, New Albany, Mississippi, State Superintendent of Public Education, term beginning July 1, 2024. Do Advise and Consent.

DEBAR, Chairman

MESSAGE FROM THE GOVERNOR
April 3, 2024

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Rhoshunda G. Kelly, Madison, Mississippi, Commissioner of the Mississippi Department of Banking and Consumer Finance, four year term effective July 1, 2024 and ending June 30, 2028.

Mark Alan Rigney, Madison, Mississippi, Commercial Mobile Radio Service Board as a wireless provider representative, remainder of a four year term effective March 26, 2024 and ending June 30, 2024.

Mark Alan Rigney, Madison, Mississippi, Commercial Mobile Radio Service Board as a wireless provider representative, four year term effective July 1, 2024 and ending June 30, 2028.

Stephen W. Joe, DMD, Olive Branch, Mississippi, MS State Board of Dental Examiners to represent the Second Dental District, six year term effective March 26, 2024 and ending June 30, 2029, vice Dr. Robert Smith, Jr..

James Matthew (Matt) Mayo, Flowood, Mississippi, State Board of Education representing the First Supreme Court District, remainder of a nine year term effective March 26, 2024 and ending June 30, 2025, vice Dr. Angela S. Bass.

Dr. William J. (Bill) Ashley, Madison, Mississippi, Executive Director of the Mississippi Department of Employment Security, term effective April 1, 2024 and runs concurrent with Governor's second term in office.

Donald (Don) Clark, Jr., Canton, Mississippi, Board of Trustees of the Institutions of Higher Learning representing the First Supreme Court District, nine year term effective May 9, 2024 and ending May 8, 2033, vice Chip Morgan.

Jerry L. Griffith, Gulfport, Mississippi, Board of Trustees of the Institutions of Higher Learning representing the Second Supreme Court District, nine year term effective May 9, 2024 and ending May 8, 2033, vice Tom Duff.

James Hinkle (Jimmy) Heidelberg, Pascagoula, Mississippi, Board of Trustees of the Institutions of Higher Learning representing the Second Supreme Court District, nine year term effective May 9, 2024 and ending May 8, 2033, vice Dr. Alfred McNair.

Charles Richards (Charlie) Stephenson, West Point, Mississippi, Board of Trustees of the Institutions of Higher Learning representing the Third Supreme Court District, nine year term effective May 9, 2024 and ending May 8, 2033, vice Dr. J. Walt Starr.

David A. Jackson, Ridgeland, Mississippi, Mississippi Hospital Equipment and Facilities Authority as the representative of the First Supreme Court District, four year term effective July 1, 2024 and ending June 30, 2028.

Stephen Kenneth (Stephen) King, DVM, Tupelo, Mississippi, Mississippi Board of Veterinary Medicine representing the Third Supreme Court District, five year term effective April 23, 2024 and ending April 22, 2029, vice Dr. Stuart G. Denman.

Tate Reeves
GOVERNOR

The executive nominations in the foregoing message were referred to committees as follows:

Rhoshunda G. Kelly, Commissioner of the Mississippi Department of Banking and Consumer Finance, four year term effective July 1, 2024 and ending June 30, 2028, Business and Financial Institutions.

Mark Alan Rigney, Commercial Mobile Radio Service Board as a wireless provider representative, remainder of a four year term effective March 26, 2024 and ending June 30, 2024, Energy.

Mark Alan Rigney, Commercial Mobile Radio Service Board as a wireless provider representative, four year term effective July 1, 2024 and ending June 30, 2028, Energy.

Stephen W. Joe, DMD, MS State Board of Dental Examiners to represent the Second Dental District, six year term effective March 26, 2024 and ending June 30, 2029, Public Health and Welfare.

James Matthew (Matt) Mayo, State Board of Education, remainder of a nine year term effective March 26, 2024 and ending June 30, 2025, Education.

Dr. William J. (Bill) Ashley, Executive Director of the Mississippi Department of Employment Security, term effective April 1, 2024 and runs concurrent with Governor's second term in office, Finance.

Donald (Don) Clark, Jr., Board of Trustees of the Institutions of Higher Learning, nine year term effective May 9, 2024 and ending May 8, 2033, Universities and Colleges.

Jerry L. Griffith, Board of Trustees of the Institutions of Higher Learning, nine year term effective May 9, 2024 and ending May 8, 2033, Universities and Colleges.

James Hinkle (Jimmy) Heidelberg, Board of Trustees of the Institutions of Higher Learning, nine year term effective May 9, 2024 and ending May 8, 2033, Universities and Colleges.

Charles Richards (Charlie) Stephenson, Board of Trustees of the Institutions of Higher Learning, nine year term effective May 9, 2024 and ending May 8, 2033, Universities and Colleges.

David A. Jackson, Mississippi Hospital Equipment and Facilities Authority as the representative of the First Supreme Court District, four year term effective July 1, 2024 and ending June 30, 2028, Finance.

Stephen Kenneth (Stephen) King, DVM, Mississippi Board of Veterinary Medicine, five year term effective April 23, 2024 and ending April 22, 2029, Agriculture.

Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 11:18 AM, the Senate stood in recess.

The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

Senator Fillingane called up the following entitled bill:

H. B. No. 292: DUI suspension; clarify how the 120 days are counted.

Senator Barrett offered the following COMMITTEE AMENDMENT NO. 1.

AMEND on line 129 by deleting "to run"

FURTHER, AMEND on line 839 before the period by changing "2024" to "2023"

Committee Amendment No. 1 to H. B. No. 292 was adopted.

YEAS AND NAYS On H. B. No. 292. On motion of Senator Barrett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator Fillingane called up the following entitled bill:

H. B. No. 438: Shoplifting; revise penalties for crime of.

Senator Sparks offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-23-93, Mississippi Code of 1972, is amended as follows:

97-23-93. (1) Any person who shall willfully and unlawfully take possession of any merchandise owned or held by and offered or displayed for sale by any merchant, store

or other mercantile establishment with the intention and purpose of converting such merchandise to his own use without paying the merchant's stated price therefor shall be guilty of the crime of shoplifting and, upon conviction, shall be punished as is provided in this section.

(2) The requisite intention to convert merchandise without paying the merchant's stated price for the merchandise is presumed, and shall be prima facie evidence thereof, when such person, alone or in concert with another person, willfully:

(a) Conceals the unpurchased merchandise;

(b) Removes or causes the removal of unpurchased merchandise from a store or other mercantile establishment;

(c) Alters, transfers or removes any price-marking, any other marking which aids in determining value affixed to the unpurchased merchandise, or any tag or device used in electronic surveillance of unpurchased merchandise;

(d) Transfers the unpurchased merchandise from one (1) container to another; or

(e) Causes the cash register or other sales recording device to reflect less than the merchant's stated price for the unpurchased merchandise.

(3) Evidence of stated price or ownership of merchandise may include, but is not limited to:

(a) The actual merchandise or the container which held the merchandise alleged to have been shoplifted; or

(b) The content of the price tag or marking from such merchandise; or

(c) Properly identified photographs of such merchandise.

(4) Any merchant or his agent or employee may testify at a trial as to the stated price or ownership of merchandise.

(5) A person convicted of shoplifting merchandise for which the total price of all items shoplifted in violation of this section is less than or equal to One Thousand Dollars ($1,000.00) shall be punished as follows:

(a) Upon a first shoplifting conviction the defendant shall be guilty of a misdemeanor and fined not more than One Thousand Dollars ($1,000.00), or punished by imprisonment in the county jail not to exceed six (6) months, or by both, if the court finds * * * the offender cannot be safely and effectively supervised in the community, is not amenable to community-based treatment, or poses a significant risk to public safety. If such a finding is not made, the court shall suspend the sentence of imprisonment and impose a period of probation not exceeding one (1) year or a fine of not more than One Thousand Dollars ($1,000.00).

(b) Upon a second shoplifting conviction the defendant shall be guilty of a misdemeanor and fined not more than Two Thousand Five Hundred Dollars ($2,500.00) or punished by imprisonment in the county jail for a term not less than forty-eight (48) hours, not to exceed six (6) months, or by both, if the court finds * * * the offender cannot be safely and effectively supervised in the community, is not amenable to community-based treatment, or poses a significant risk to public safety. If such a finding is not made, the court shall suspend the sentence of imprisonment and impose a period of probation not exceeding one (1) year or a fine of not more than One Thousand Dollars ($1,000.00), or both.

(6) Upon a third or subsequent shoplifting conviction where the total price of all shoplifted merchandise is not less than Five Hundred Dollars ($500.00) or greater than One Thousand Dollars ($1,000.00), the defendant shall be guilty of a felony and fined not more than Three Thousand Dollars ($3,000.00), or imprisoned for a term not to exceed three (3) years, or by both such fine and imprisonment.

(7) A person convicted of shoplifting merchandise for which the total price of all items shoplifted in violation of this section exceeds One Thousand Dollars ($1,000.00) shall be guilty of a felony and, upon conviction, punished as provided in Section 97-17-41 for the offense of grand larceny.

(8) In determining the number of prior shoplifting convictions for purposes of imposing punishment under this section, the court shall disregard all such convictions occurring more than seven (7) years prior to the shoplifting offense in question.

(9) For the purpose of determining the gravity of the offense under subsection (7) of this section, the prosecutor may aggregate the total price of merchandise shoplifted from the same or separate mercantile establishments within the same legal jurisdiction over a period of thirty (30) or fewer days.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 97-23-93, MISSISSIPPI CODE OF 1972, TO MODIFY THE EVIDENTIARY STANDARD FOR IMPOSING A PENALTY OF IMPRISONMENT FOR THE CRIME OF SHOPLIFTING BY DELETING THE REQUIREMENT THAT A COURT FINDS SUBSTANTIAL AND COMPELLING REASONS FOR A REQUIRED FINDING UNDER THIS SECTION; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 438 was adopted.

YEAS AND NAYS On H. B. No. 438. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

Senator Bryan called up the following entitled bill:

H. B. No. 1030: DHS; authorize to enter into lease with counties having local offices to maximize federal funds.

YEAS AND NAYS On H. B. No. 1030. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator Bryan called up the following entitled bill:

H. B. No. 1376: Qualified residential treatment programs; authorize certain youth in Child Protection Services to be placed in.

YEAS AND NAYS On H. B. No. 1376. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Nays--None.
Absent and those not voting--Parks. Total--1.
Voting Present--Hill. Total--1.

Senator Bryan called up the following entitled bill:

H. B. No. 728: Prescription drugs; prohibit discriminating actions against 340B drug discount program entities.

YEAS AND NAYS On H. B. No. 728. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.
Nays--Chism, Turner-Ford. Total--2.
Absent and those not voting--Parks. Total--1.

Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 2:20 PM, the Senate stood in recess.

The Senate resumed business at 2:45 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

Senator DeBar moved that the rules be suspended for the consideration en bloc of S. N. No. 44, S. N. No. 61, S. N. No. 67 and S. N. No. 81 and the motion prevailed.

Senator DeBar called up the following entitled nominations:

S. N. No. 44: Glen V. East, Gulfport, Mississippi, State Board of Education as the School Administrator, nine year term beginning July 1, 2023 and ending June 30, 2032.

S. N. No. 61: Dr. Ormella Cummings, Fulton, Mississippi, Mississippi Authority for Educational Television (Mississippi Public Broadcasting Board), four year term beginning July 1, 2023 and ending June 30, 2027.

S. N. No. 67: Kelly Dawn Barham, Columbus, Mississippi, Educational Television Authority (MS Public Broadcasting BD) as the Teacher or Principal of a Secondary School representative, remainder of a four year term effective February 19, 2024 and ending June 30, 2025.

S. N. No. 81: Benjamin Blue (Ben) Morgan, Laurel, Mississippi, Mississippi Charter School Authorizer Board, three year term effective February 16, 2024 and ending August 31, 2026, representing the Second Supreme Court District, vice Don Hinton, Jr..

YEAS AND NAYS on consideration en bloc of S. N. No. 44, S. N. No. 61, S. N. No. 67 and S. N. No. 81. On motion of Senator DeBar, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.
Nays--Hill. Total--1.
Absent and those not voting--Parks. Total--1.
Voting Present--Chism. Total--1.

Senator Branning moved that the rules be suspended for the consideration en bloc of H. B. No. 74 and H. B. No. 75 and the motion prevailed.

Senator Branning called up the following measures:

H. B. No. 74: Memorial highways; designate segment in Noxubee County as the "Chief Petty Officer Andrew Triplett Memorial Highway".

H. B. No. 75: Memorial highway; designate a segment of U.S. Highway 45 in Macon, MS as the "Sgt. Travis S. Cooper Memorial Highway."

YEAS AND NAYS on consideration en bloc of H. B. No. 74 and H. B. No. 75. On motion of Senator Branning, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator Branning called up the following entitled bill:

H. B. No. 120: Memorial highways; designate segment in Shannon, Lee County as the "Johnny R. Patterson Memorial Highway."

Senator Branning offered the following AMENDMENT NO. 1.

AMEND on line 1, strike "MISSISSIPPI HIGHWAY 145" and insert in lieu thereof: MISSISSIPPI HIGHWAY 278

FURTHER, AMEND on line 6, strike the language in subsection (1) in its entirety, and replace in lieu thereof:

The segment of Mississippi Highway 278/U.S. Highway 45, also known as Noah Curtis Street, located in Shannon, Lee County, Mississippi, extending for a distance of approximately one (1) mile in the westerly direction from the eastern entrance of Shannon Primary School to a point immediately west of the on-ramp interchange with U.S. Highway 45, is designated and shall be known as the "Johnny R. Patterson Memorial Highway."

Amendment No. 1 to H. B. No. 120 was adopted.

YEAS AND NAYS On H. B. No. 120. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator Branning moved that the rules be suspended for the consideration en bloc of H. B. No. 619, H. B. No. 823, H. B. No. 1216 and H. B. No. 1287 and the motion prevailed.

Senator Branning called up the following measures:

H. B. No. 619: Memorial highway; designate a segment of MS Hwy 15 in Jasper County as the "Major Samuel S. (Coach) King Memorial Highway.

H. B. No. 823: Memorial bridge; designate north bridge on MS Hwy 309 as the "Hubert Ingram Memorial Bridge."

H. B. No. 1216: Memorial highways; designate segment in Marion County as the "Sheriff J.V. Polk Memorial Highway.

H. B. No. 1287: Memorial highway; designate segment of MS Highway 30 in Prentiss County as the "Jamie Neal Guin, PCEPA Lineman, Memorial Highway."

YEAS AND NAYS on consideration en bloc of H. B. No. 619, H. B. No. 823, H. B. No. 1216 and H. B. No. 1287. On motion of Senator Branning, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator Branning called up the following entitled bill:

H. B. No. 1288: Memorial highways; clarify names of certain to reflect official title of U.S. service members for whom they are named.

Senator Branning offered the following AMENDMENT NO. 1.

AMEND on line 38 by striking ", and shall stand repealed on June 30, 2024"

Amendment No. 1 to H. B. No. 1288 was adopted.

YEAS AND NAYS On H. B. No. 1288. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator Branning called up the following entitled bill:

H. B. No. 1463: "Carrol V. Hood Memorial Highway"; specify parameters of location for designation.

YEAS AND NAYS On H. B. No. 1463. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

Senator Branning called up the following entitled bill:

H. B. No. 1681: Memorial Highways; designate segment MS Hwy 513 in Clarke County as "Lance Corporal Mac Hamburg, MSMC, Memorial Highway."

Senator Branning offered the following AMENDMENT NO. 1.

AMEND on line 82, insert the following and renumber subsequent section(s) accordingly:

SECTION *. (1) The segment of Mississippi Highway 9 located in Webster County, Mississippi, extending from North Lake Circle in Euphora, Mississippi, in a northern direction for approximately one (1) mile to Dump Road in Euphora, Mississippi, is designated and shall be known as the "CW2 William H. "Bill" Seaborn, Jr. Memorial Highway" in memory of the late CW2 William H. "Bill" Seaborn, Jr., who was the recipient of four (4) military medals and who valiantly sacrificed his life in the Vietnam War.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION *. (1) The segment of Highway 39 that starts at North Hill Street located in the City of Meridian, Lauderdale County, Mississippi, and extends in a southward direction for one (1) mile is designated and shall be known as the "Cheri M. Barry Memorial Highway" in memory of the late former Meridian Mayor, Cheryl "Cheri" M. Barry, who was a diligent public servant, humanitarian and trailblazer.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION *. (1) The section of Mississippi Highway 15 located in Pontotoc County, Mississippi, beginning at the intersection of Mississippi Highway 15 and Mississippi Highway 278 in Pontotoc, Mississippi, and extending approximately one (1) mile south, is designated and shall be known as the "Judge Fred Wicker Memorial Highway" in memory of the late former World War II Army Veteran, Mississippi State Senator and Circuit Court Judge, Thomas Frederick Wicker.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION *. (1) The section of Mississippi Highway 311 located in Marshall County, Mississippi, beginning at the intersection of Mississippi Highway 7 and Mississippi Highway 311 in Holly Springs, Mississippi, and extending approximately one (1) mile west, is designated and shall be known as the "Charles and Juanita Thomas Memorial Highway" in memory of the late former outstanding Marshall County residents, Charles and Juanita Thomas, who both actively promoted the welfare of the county and its citizens.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION *. (1) The section of Mississippi Highway 7 located in Lafayette County, Mississippi, beginning at the intersection of Mississippi Highway 7 North and County Road 299 in Oxford, Mississippi, and extending north for approximately one (1) mile to County Road 1018 in Oxford, Mississippi, shall be known as the "Johnny Morgan Memorial Highway" in memory of the late State Senator and President of the Lafayette County Board of Supervisors, Johnny Morgan.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION *. (1) The section of Mississippi Highway 57 located in Greene County, Mississippi, that begins at Canaan Land United Pentecostal Church in Leakesville, Mississippi, and extends approximately one (1) mile east to the Big Creek Bridge in Hillman, Mississippi, shall be known as the "Purple Heart Highway" in honor of Rawleigh X.L. Bradley, who was injured during the Korean Conflict and was subsequently awarded the Purple Heart.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

FURTHER, AMEND the title on line 15 by adding the following after the semicolon:

TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 9 IN WEBSTER COUNTY, MISSISSIPPI, AS THE "CW2 WILLIAM H. "BILL" SEABORN, JR. MEMORIAL HIGHWAY" IN MEMORY OF THE LATE CW2 WILLIAM H. SEABORN, JR., WHO VALIANTLY SACRIFICED HIS LIFE IN THE VIETNAM WAR; TO DESIGNATE A SEGMENT OF HIGHWAY 39 IN MERIDIAN, LAUDERDALE COUNTY, MISSISSIPPI, AS THE "CHERI M. BARRY MEMORIAL HIGHWAY" IN MEMORY OF THE LATE MAYOR OF MERIDIAN, CHERYL "CHERI" M. BARRY; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 15 IN PONTOTOC COUNTY, MISSISSIPPI, AS THE "JUDGE FRED WICKER MEMORIAL HIGHWAY" IN MEMORY OF THE LATE FORMER WORLD WAR II ARMY VETERAN, MISSISSIPPI STATE SENATOR AND CIRCUIT COURT JUDGE, THOMAS FREDERICK WICKER; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 311 IN MARSHALL COUNTY, MISSISSIPPI, AS THE "CHARLES AND JUANITA THOMAS MEMORIAL HIGHWAY" IN MEMORY OF THE LATE FORMER OUTSTANDING RESIDENTS CHARLES AND JUANITA THOMAS; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 7 IN LAFAYETTE COUNTY, MISSISSIPPI, AS THE "JOHNNY MORGAN MEMORIAL HIGHWAY" IN MEMORY OF THE LATE STATE SENATOR AND PRESIDENT OF THE LAFAYETTE COUNTY BOARD OF SUPERVISORS, JOHNNY MORGAN; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 57 IN GREENE COUNTY, MISSISSIPPI, AS THE PURPLE HEART HIGHWAY;

Amendment No. 1 to H. B. No. 1681 was adopted.

YEAS AND NAYS On H. B. No. 1681. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator Branning called up the following entitled bill:

H. B. No. 751: Commercial motor vehicles; extend repealer on authority of Commissioner of Public Safety to create voluntary inspection program.

YEAS AND NAYS On H. B. No. 751. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator Michel called up the following entitled bill:

H. B. No. 1079: Clean claim; clarify requirements for.

YEAS AND NAYS On H. B. No. 1079. On motion of Senator Suber, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator Michel called up the following entitled bill:

H. B. No. 1213: Living Donor Protection Act; create.

YEAS AND NAYS On H. B. No. 1213. On motion of Senator Blackmon, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator Bryan called up the following entitled bill:

H. B. No. 1129: Office of Mississippi Physician Workforce; transfer from UMMC to the State Department of Health.

YEAS AND NAYS On H. B. No. 1129. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator Suber called up the following entitled bill:

H. B. No. 1123: MDOT; authorize the transfer and conveyance of certain real property to Greene County Board of Supervisors.

Senator Suber offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Mississippi Transportation Commission, acting on behalf of the Mississippi Department of Transportation, is authorized to transfer and convey, in exchange for fair market value, to the Board of Supervisors of Greene County, a certain parcel of land situated in Greene County, where the Chickasawhay River Bridge was once located, for the purpose of declaring the tract of land surplus property and restoring it to the local tax rolls, as it is better suited for private ownership. The property is more particularly described as follows:

That portion of Old Highway 63 in Section 12, Township 2 North, Range 6 West more particularly described as being 200 feet in total width (100 feet left of centerline and 100 feet right of centerline) beginning at station number 60+30 depicted in the plans of MDOT Project BR-1132-(3)A. Said parcel being 2,130 feet in total length and consisting of approximately 9.78 acres.

(2) (a) Of the property described in subsection (1) of this section, it is hereby understood and agreed by the Board of Supervisors of Greene County, as the grantee herein named, that all existing utilities located on, under or above the property herein described, shall remain at the discretion of the utility owners, and that the grantee, its assigns or successor boards in the title will not require the relocation of these utilities except by agreement with the utility owner.

(b) This conveyance is subject to the provisions that no junkyards, as defined in 23 USCS Section 136, shall be hereafter established or maintained on or above-described lands, and no signs, billboards, outdoor advertising structures or advertisement of any kind, as provided for in 23 USCS Section 131, shall be hereafter erected, displayed, placed or maintained upon or within the above-described land, except that signs may be erected and maintained to advertise the sale, hire or lease of the property, or principal activities conducted on the land upon which the signs are located.

(3) The State of Mississippi shall retain all mineral rights to the real property transferred under this section.

(4) The Mississippi Department of Transportation is authorized to correct any discrepancies in the legal description of the property provided in this section.

(5) Any expenses incurred in conducting a survey of the property shall be paid for by the Board of Supervisors of Greene County, Mississippi.

SECTION 2. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION, ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, TO TRANSFER AND CONVEY TO THE BOARD OF SUPERVISORS OF GREENE COUNTY, MISSISSIPPI, A CERTAIN PARCEL OF LAND SITUATED IN GREENE COUNTY, MISSISSIPPI, WHICH IS ADJACENT TO THE OLD HIGHWAY 63 CHICKASAWHAY RIVER BRIDGE, FOR FAIR MARKET VALUE; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1123 was adopted.

YEAS AND NAYS On H. B. No. 1123. On motion of Senator Suber, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

Senator McCaughn moved that the rules be suspended for the consideration en bloc of S. N. No. 16 and S. N. No. 17 and the motion prevailed.

Senator McCaughn called up the following entitled nominations:

S. N. No. 16: Joseph E. (Joe) Pettigrew, Kiln, Mississippi, MS Forestry Commission, six year term effective July 1, 2023 and ending June 30, 2029, representing the 4th Congressional District.

S. N. No. 17: Charles Bradley (Brad) Campbell, Starkville, Mississippi, State BD of Registration for Foresters to represent the East Central Forestry Commission District, five year term beginning July 1, 2023 and ending June 30, 2028.

YEAS AND NAYS on consideration en bloc of S. N. No. 16 and S. N. No. 17. On motion of Senator McCaughn, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

Senator England called up the following entitled bill:

H. B. No. 1121: State officers; make minor, nonsubstantive changes regarding swearing in of.

YEAS AND NAYS On H. B. No. 1121. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

Senator Wiggins called up the following entitled bill:

H. B. No. 1102: DHS; authorize to use communication approved by financial institution for encumbrances.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-19-48, Mississippi Code of 1972, is amended as follows:

43-19-48. (1) The Department of Human Services and financial institutions doing business in the state are required to enter into agreements:

(a) To develop and operate a data match system, using automated data exchanges, in which each such financial institution is required to provide for each calendar quarter the name, record address, social security number or other taxpayer identification number, and other identifying information for each noncustodial parent who maintains an account at such institution and who owes past-due support, as identified by the Department of Human Services by name and social security number or other taxpayer identification number;

(b) To encumber or surrender, as the case may be, assets held by such institution on behalf of any noncustodial parent who is subject to a child support lien; and

(c) To provide for payment of reasonable fees to financial institutions for conducting data matches, and for responding to other requests made pursuant to this section, with such fees not to exceed the actual costs incurred by such financial institutions.

(2) When the operation of such data match system results in the location of an account of a noncustodial parent who owes past-due support, or when such account is located through any means, the department may request and shall receive additional financial or other information including account numbers, names and social security numbers on record for accounts, and account balances, from any financial institution needed to establish, modify or enforce a support order.

(3) The department shall have the authority to encumber and seize assets held by an obligor in a financial institution doing business in Mississippi. Such assets shall be encumbered for either:

(a) A forty-five-day period; or

(b) Until such time as the issue of overdue support is resolved, provided the obligor has filed a petition for hearing with a court of appropriate jurisdiction and the financial institution receives written notice thereof from the department before the end of the said forty-five-day period.

(4) Notice of such encumbrance initiated by the department shall be provided to the financial institution and to the obligor:

(a) The department shall send, by certified mail or other approved types of communication as allowed by the financial institution, notice to the financial institution with which the account is placed, directing that the financial institution shall:

(i) Immediately encumber funds in any account(s) in which the obligor has an interest, and to the extent of the debt indicated in the notice from the department;

(ii) Forward the encumbered funds to the department after either the forty-five-day period stated in subsection 3(a) of this section, or a determination favorable to the department by a court of appropriate jurisdiction; or

(iii) In the event the obligor prevails before the court, immediately release said funds to the obligor.

(b) Notice shall be delivered to the obligor at the current mailing address as recorded by the department. Such notice shall be sent by regular mail at the commencement of the action described herein.

(c) The financial institution shall not disclose to an account holder or the depositor that the name of such person has been received from or furnished to the department. The financial institution shall disclose to its account holders or its depositors that under the data match system the department has the authority to request certain identifying information on the account holders' or the depositor's accounts.

(5) Challenges to encumbrance of an account:

(a) Challenges to such levy for child support arrearage may be initiated only by the obligor or by an account holder of interest.

(b) Challenges shall be made by the filing of a petition for hearing by the obligor in a court of appropriate jurisdiction under Rule 81(d)(2) of the Mississippi Rules of Civil Procedure. Service upon the department shall be as prescribed by Rule 4(d)(5) of the Mississippi Rules of Civil Procedure.

(c) Grounds for the petition challenging the encumbrance shall be limited to:

(i) Mistakes of identity; or

(ii) Mistakes in amount of overdue support.

(6) Liability of the financial institution and the department:

(a) Neither the department nor the financial institution shall be liable for any applicable early withdrawal penalties on the obligor's account(s).

(b) A financial institution shall be absolutely immune from any civil liability under any law or regulation to any person for the disclosure of or failure to disclose any information pursuant to this chapter or for the escrow, encumbrance, seizure or surrender of any assets held by the financial institution in response to any notice issued by the Department of Human Services, the Child Support Unit or any contractors or agents thereof unless the disclosure or failure to disclose was willful or intentional, or for any other action taken in good faith to comply with the requirements of this chapter.

(7) Any amount encumbered and forwarded by the financial institution under this section shall not exceed the arrearage owed by the obligor.

(8) The provisions herein and any other relevant sections shall be employed equally by authorized contractors of the department to collect delinquent support payments.

(9) A financial institution shall not be liable under federal or state law to any person:

(a) For any disclosure of information to the Department of Human Services;

(b) For encumbering or forwarding any assets held by such financial institution in response to a notice of lien or levy;

(c) For any other action taken in good faith to comply with the requirements of subsection (1)(a) or (b) above.

(10) Definitions. For purposes of this section:

(a) The term "financial institution" has the meaning given to such by Section 81-12-3, Mississippi Code of 1972, and shall include, but not be limited to, credit unions, stock brokerages, public or private entities administering retirement, savings, annuities, life insurance and/or pension funds;

(b) The term "account" means any money held in the name of the account owner individually or jointly with another, including, but not limited to, a * * * deposit account, demand account, member account, time certificate of deposit, share account, checking or negotiable withdrawal order account, savings account, time deposit account or money-market mutual fund account.

(11) Failure to comply with the provisions of this section or the willful rendering of false information shall subject the financial institution to a fine of not less than One Thousand Dollars ($1,000.00).

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 43-19-48, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO SEND NOTICE IN OTHER APPROVED TYPES OF COMMUNICATION AS ALLOWED BY THE FINANCIAL INSTITUTION RATHER THAN NOTICE REQUIRED BY CERTIFIED MAIL; TO REVISE THE DEFINITION OF THE TERM "ACCOUNT" TO CONFORM TO THE DEFINITION IN SECTION 85-13-1(F); AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1102 was adopted.

YEAS AND NAYS On H. B. No. 1102. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator Wiggins called up the following entitled bill:

H. B. No. 1343: Scrivener's affidavit; revise authority for attorney who submitted but are now retired.

YEAS AND NAYS On H. B. No. 1343. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator Thompson called up the following entitled bill:

H. B. No. 1006: Recreation crab licenses; limit to license holders rather than households.

YEAS AND NAYS On H. B. No. 1006. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator Thompson called up the following entitled bill:

H. B. No. 1007: Oyster tags; authorize the printing of by the catcher.

YEAS AND NAYS On H. B. No. 1007. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator Thompson called up the following entitled bill:

H. B. No. 1279: Shrimp trawling; provide that certain waters shall be permanently closed to.

Senator Thompson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-15-64.1, Mississippi Code of 1972, is amended as follows:

49-15-64.1. (1) The shrimp season shall open on the first Wednesday of June. The shrimp season shall be closed from January 1 until it is opened the first Wednesday of June, except south of the Intracoastal Waterway. The shrimp season shall be closed south of the Intracoastal Waterway and west of the Gulfport Ship Channel from May 1 until it is opened the first Wednesday of June, except as may be provided in subsection (2) of this section. For the purposes of this section only, that portion of the Intracoastal Waterway that extends from a point south of Long Beach to a point south of Point Clear is described as follows:

Begin at green buoy or beacon number 1 which is located approximately three (3) miles north of West Point on Cat Island, thence extending southwesterly to buoy or beacon number 4P, thence southwesterly to Pass Marianne Light, thence southwesterly to buoy or beacon number 15P at the northernmost point of Merrill Coquille, thence southwesterly to buoy or beacon number 17P, thence southwesterly to buoy or beacon number 22, thence westerly to Lighthouse Point and continuing westward following the meandering of the shoreline to the boundary line of the state.

(2) The * * * department may open the season at an earlier or later date in designated areas only after sampling areas within its jurisdiction where shrimp may be caught for the purpose of determining the count of shrimp per pound. The * * * department may also * * * close certain designated areas where the shrimp count is found, by sampling, to be in excess of sixty-eight (68) per pound. If a natural or man-made disaster has the potential of adversely affecting the shrimp fishery, the * * * department may open legal shrimping areas.

(3) The following waters are protective and staging areas for young shrimp, and are permanently closed to commercial and recreational * * * shrimp trawling activities:

All waters north of a line beginning at a point one-half mile due South of the shoreline at the Mississippi-Alabama state boundary; thence running westerly following the meanderings of the shoreline one-half mile therefrom to Light "5" in the Bayou Casotte Channel; thence running northerly to Light "7" in the Bayou Casotte Channel; thence running westerly following the meanderings of the shoreline one-half mile therefrom to the intersection with the Pascagoula Channel; thence running northwesterly to Beacon "50" in the Pascagoula Channel; thence running southwesterly to Beacon "49" in the Pascagoula Channel; thence running in the most direct line to the northeast point of Singing River Island; thence running westerly along the north shoreline to the northwest point of Singing River Island; thence running northwesterly to a point one-half mile due south of the mouth of Graveline Bayou; thence running westerly following the meanderings of the shoreline one-half mile therefrom to Beacon "18" in the Biloxi Bay Channel; thence running northwesterly to Beacon "22" in the Biloxi Bay Channel; thence running northwesterly to Beacon "26" in the Biloxi Bay Channel; thence running westerly to Beacon "34", exclusive of the Biloxi Channel itself; thence running westerly to Beacon "30" in the Biloxi Channel, exclusive of the Biloxi Channel itself; and thence running due South to a point on the north shore of Deer Island; thence running westerly following the north shore of Deer Island to the westernmost tip; thence running westerly in the most direct line to Biloxi Beacon "8"; thence running westerly following the meanderings of the shoreline at a distance of one-half mile therefrom to a point on the centerline of the CSX Railroad Bridge over St. Louis Bay; thence running westerly along the centerline of said bridge to a point one-half mile south of the western abutment; thence running

southwesterly following the meanderings of the shoreline, at a distance of one-half mile therefrom, to a point one-half mile due East of the mouth of Bayou Caddy; thence running due West to the mouth of Bayou Caddy; thence running southwesterly following the meanderings of the shoreline to the southernmost point of the Mississippi shoreline on the east bank of the mouth of the Pearl River thence following the meanderings of the east bank of the Pearl River to a point where the east bank of the Pearl River intersects the centerline of the Highway 90 bridge; thence westerly along the centerline of the Highway 90 bridge to a point that intersects the Mississippi-Louisiana state boundary.

(4) The redesignation of beacon numbers by the United States Coast Guard shall not alter the description of the boundary described in this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 49-15-64.1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN WATERS THAT ARE PROTECTIVE AND STAGING AREAS FOR YOUNG SHRIMP SHALL BE PERMANENTLY CLOSED TO COMMERCIAL AND RECREATIONAL SHRIMP TRAWLING ACTIVITIES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1279 was adopted.

YEAS AND NAYS On H. B. No. 1279. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator Simmons D. T. (12th) called up the following entitled bill:

H. B. No. 1149: Counties; authorize to only maintain electronic format of law books in county courtrooms and public county law libraries.

YEAS AND NAYS On H. B. No. 1149. On motion of Senator Simmons D. T. (12th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blount, Boyd, Branning, Brumfield, Butler, Chassaniol, DeBar, DeLano, Frazier, Hickman, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McMahan, Michel, Norwood, Polk, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Wiggins, Williams. Total--28.
Nays--Barrett, Berry, Blackwell, Bryan, Carter, Chism, England, Fillingane, Harkins, Hill, Hopson, McCaughn, McLendon, Parker, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Younger. Total--23.

Absent and those not voting--Parks. Total--1.

Senator Bryan entered a motion to reconsider the vote whereby **H. B. No. 1149** passed the Senate.

Senator Bryan entered a motion to reconsider the vote whereby **H. B. No. 120** passed the Senate as amended.

H. B. No. 120: Memorial highways; designate segment in Shannon, Lee County as the "Johnny R. Patterson Memorial Highway."

Senator Tate called up the following entitled bill:

H. B. No. 978: State Veterans Affairs Board; revise provisions regarding processing of claims.

YEAS AND NAYS On H. B. No. 978. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator Tate called up the following entitled bill:

H. B. No. 1001: Veterans cemeteries; authorize interments in under federal Burial Equity for Guards and Reserves Act.

YEAS AND NAYS On H. B. No. 1001. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator McMahan declined to call up H. B. No. 564, thereby remanding it to the heel of the calendar.

H. B. No. 564: Urban renewal project powers; revise definition of.

Senator Bryan called up the following entitled bill:

H. B. No. 317: EMS Memorial; Health Dept. shall design and construct to honor EMS personnel who died in line of duty.

YEAS AND NAYS On H. B. No. 317. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

Senator McLendon entered a motion to reconsider the vote whereby **S. C. R. No. 540** was adopted by the Senate.

S. C. R. No. 540: Recognize legacy of Rosie S. Simmons as the first African American since Reconstruction to serve as Bolivar County Circuit Clerk.

Senator Bryan called up the following entitled bill:

H. B. No. 760: MS Qualified Health Center Grant Program; extend date for Department of Health Grants for increased services and physicians.

YEAS AND NAYS On H. B. No. 760. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Parks. Total--1.

President Pro Tempore Kirby yielded the gavel to President Hosemann, who presided over the Senate.

Senator Jackson entered a motion to reconsider the vote whereby **H. B. No. 1123** passed the Senate as amended.

H. B. No. 1123: MDOT; authorize the transfer and conveyance of certain real property to Greene County Board of Supervisors.

Senator Sparks moved that the rules be suspended to move to calendar item 127, **H. B. No. 1567**, and the motion prevailed.

Senator Sparks called up the following entitled bill:

H. B. No. 1567: Workforce development fund; bring forward code section on.

Senator Sparks offered the following AMENDMENT NO. 1.

AMEND on line 311 by striking:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to H. B. No. 1567 was adopted.

YEAS AND NAYS On H. B. No. 1567. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Chism. Total--1.

Absent and those not voting--Parks. Total--1.

Voting Present--Turner-Ford. Total--1.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Charlotte Ann Fields, Eugene Wilson Davenport and Mark Douglas Turner of Columbus, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of James Gordon Robison of Saltillo, MS.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. C. R. No. 41: Northwest MS Community College Cheer Team; commend for winning 2024 UCA/UDA College Cheerleading National Championship, Open All-Girl Division. Rules.

H. C. R. No. 44: Northwest Mississippi Community College Women's Soccer Team; commend on winning NCJAA Region 23 Championship. Rules.

H. C. R. No. 49: Locke Ward; commend for efforts to revitalize our capital city and honor for galvanizing others to do the same. Rules.

H. C. R. No. 51: Lawrence "Bud" Young; commend distinguished career upon the occasion of his retirement. Rules.

H. C. R. No. 56: Northwest Mississippi Community College Dance Team; commend for winning the 2024 Open Hip-Hop National Chamionpship. Rules.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. C. R. No. 27: A CONCURRENT RESOLUTION COMMENDING FRIENDS OF MISSISSIPPI VETERANS FOR ITS TREMENDOUS PHILANTHROPIC WORK ON BEHALF OF MISSISSIPPI VETERANS AND EXPRESSING GREAT APPRECIATION TO MR. JACK WINSTEAD FOR HIS MANY YEARS OF VISIONARY LEADERSHIP.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, April 4, 2024.

The motion prevailed, and at 3:55 PM, the Senate stood in recess.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2157: AN ACT TO ENACT THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-31-7, 73-31-13, 73-31-14, 73-31-15, 73-31-21 AND 73-31-23, MISSISSIPPI CODE OF 1972, TO CONFORM THE PROVISIONS OF THE ACT; TO BRING FORWARD SECTIONS 73-31-9, 73-31-25 AND 73-31-27, MISSISSIPPI CODE OF 1972, FOR POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

S. B. No. 2453: AN ACT TO AMEND SECTION 77-3-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSION TO CANCEL A MUNICIPALITY'S CERTIFICATE TO PROVIDE SERVICE GREATER THAN ONE MILE OUTSIDE ITS

CORPORATE BOUNDARIES UPON A FINDING THAT THE MUNICIPALITY DID NOT PROVIDE REASONABLY ADEQUATE SERVICE; TO AMEND SECTION 77-3-22, MISSISSIPPI CODE OF 1972, TO INCLUDE MUNICIPALLY OWNED OR OPERATED ELECTRIC UTILITIES PROVIDING SERVICE GREATER THAN ONE MILE OUTSIDE OF MUNICIPAL BOUNDARIES; AND FOR RELATED PURPOSES.

S. B. No. 2557: AN ACT TO AMEND SECTION 37-113-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, UPON RECOMMENDATION OF THE DIRECTOR OF THE AGRICULTURAL AND FORESTRY EXPERIMENTAL STATION AT THE MISSISSIPPI STATE UNIVERSITY OF AGRICULTURE AND APPLIED SCIENCE OR THE DEAN OF THE COLLEGE OF AGRICULTURE AND APPLIED SCIENCES AT ALCORN STATE UNIVERSITY, TO ENTER INTO CONTRACTS, LEASES AND OTHER ARRANGEMENTS FOR TERMS NOT TO EXCEED 30 YEARS, WITH THE OPTION FOR TWO TEN-YEAR LEASE EXTENSIONS, WITH ANY PERSONS OR BUSINESS ENTITY FOR THE DEVELOPMENT OF A SOLAR INSTALLATION AT ANY BRANCH RESEARCH STATION OPERATED BY THE MISSISSIPPI AGRICULTURAL AND FORESTRY EXPERIMENTAL STATION OR THE ALCORN STATE UNIVERSITY COLLEGE OF AGRICULTURE EXTENSION AND RESEARCH CENTERS, AS APPLICABLE; TO SET CERTAIN LEASE REQUIREMENTS; TO PROVIDE THAT THE STATE SHALL RETAIN ALL MINERAL RIGHTS TO THE REAL PROPERTY LEASED UNDER THE ACT; TO PROVIDE CERTAIN CONTRACTUAL PROVISIONS THAT MUST BE INCLUDED IN THE LEASE; AND FOR RELATED PURPOSES.

S. B. No. 2888: AN ACT TO CREATE THE MISSISSIPPI MEDICAL CANNABIS RESEARCH PROGRAM AT THE NATIONAL CENTER FOR CANNABIS RESEARCH AND EDUCATION AT THE UNIVERSITY OF MISSISSIPPI; TO SET CERTAIN DUTIES AND RESPONSIBILITIES OF THE PROGRAM; TO REQUIRE THE UNIVERSITY OF MISSISSIPPI TO PROVIDE STAFF FOR THE PROGRAM; TO REQUIRE CERTAIN RESEARCH TO BE CONDUCTED AT THE PROGRAM; TO ESTABLISH THE MEDICAL CANNABIS RESEARCH ADVISORY BOARD, WHICH SHALL BE THE COMMITTEE THAT IS REQUIRED TO ADVISE THE LEGISLATURE ABOUT MEDICAL CANNABIS AND CANNABIS PRODUCTS, PATIENT CARE, SERVICES AND INDUSTRY; TO PROVIDE FOR THE MEMBERSHIP OF THE BOARD; TO PROVIDE THE BOARD'S RESPONSIBILITIES; TO AUTHORIZE THE BOARD TO RECEIVE PER DIEM SUBJECT TO APPROPRIATION; TO REQUIRE THE DEPARTMENT OF HEALTH TO REPORT TO THE PUBLIC HEALTH AND WELFARE COMMITTEES OF THE MISSISSIPPI STATE SENATE AND THE HOUSE OF REPRESENTATIVES ON INFORMATION PROVIDED BY THE PROGRAM FOR MEDICAL CANNABIS RESEARCH; AND FOR RELATED PURPOSES.

S. C. R. No. 509: A CONCURRENT RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI LEGISLATURE TO UNITED STATES SENATOR CINDY HYDE-SMITH AS THE FIRST WOMAN ELECTED TO REPRESENT THE STATE OF MISSISSIPPI IN WASHINGTON, D.C.

David Jordan, Chairman

MESSAGE FROM THE GOVERNOR
April 3, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2248: City of Amory; authorize to enact a tax on hotels, motels and restaurants for tourism and parks and recreation. (April 3, 2024, 1:01 PM)

S. B. No. 2840: Building Fund for the Arts; authorize Mississippi Arts Commission to retain monies for administrative costs. (April 3, 2024, 1:00 PM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 9: Michael C. Rozier, Jr., Hattiesburg, Mississippi, State Board of Contractors, five year term effective July 1, 2023 and ending June 30, 2028, representing the Building Contractor, vice John Laws. Do Advise and Consent.

S. N. No. 46: Joe Clifton Tew, Meridian, Mississippi, State Board of Funeral Service as the Funeral Service Licensed representative from the 1st Supreme Court District, four year term beginning December 22, 2023 and ending June 30, 2027, vice Keith T. Dean. Do Advise and Consent.

S. N. No. 74: James Robert (Jim) Stroo, Hattiesburg, Mississippi, Mississippi Real Estate Commission, remainder of a four year term beginning upon Senate Confirmation and ending June 30, 2026, representing the Fourth Congressional District, vice Ken Austin. Do Advise and Consent.

S. N. No. 10: Madison H. (Hamp) Smith, Tupelo, Mississippi, State Board of Contractors, five year term effective July 1, 2023 and ending June 30, 2028, representing the Electrical Contractor. Do Advise and Consent.

S. N. No. 18: Maxwell Mitchell (Max) Wells, Canton, Mississippi, State Board of Funeral Service as the At-Large member, four year term effective June 19, 2023 and ending March 13, 2027. Do Advise and Consent.

S. N. No. 45: Nicholas L. (Nick) Mallard, Brookhaven, Mississippi, State Board of Funeral Service as the Funeral Service Licensed representative from the 2nd Supreme Court District, four year term effective December 22, 2023 and ending June 30, 2027. Do Advise and Consent.

S. N. No. 60: Norman A. Cannady, Ridgeland, Mississippi, Mississippi Real Estate Appraisal Board, four year term effective January 2, 2024 and ending December 31, 2026, representing the 3rd Congressional District as district existed on July 1, 2004. Do Advise and Consent.

POLK, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Charlotte Ann Fields, Eugene Wilson Davenport, Mark Douglas Turner and James Gordon Robison.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR WEDNESDAY, APRIL 3, 2024

S. B. No. 3217: Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF RANKIN COUNTY, MISSISSIPPI, ON THEIR OWN OR TOGETHER WITH ONE OR MORE GOVERNING AUTHORITIES OF THE MUNICIPALITIES AND EXISTING DRAINAGE DISTRICTS WITHIN THE COUNTY, TO FORM THE RANKIN COUNTY STORMWATER MANAGEMENT AGENCY; TO PROVIDE THAT THE PURPOSE OF THE AGENCY IS TO MANAGE STORMWATER AND DRAINAGE WITHIN THE COUNTY; TO PROVIDE THAT THE AGENCY MAY BE FORMED BY THE PASSAGE OF AN ORDINANCE OR RESOLUTION THAT IS DULY ADOPTED BY THE GOVERNING AUTHORITIES OF EACH PARTICIPATING UNIT OF LOCAL GOVERNMENT, AFTER A DULY HELD ELECTION IN WHICH A MAJORITY OF THE QUALIFIED ELECTORS IN THE COUNTY VOTE IN FAVOR OF THE CREATION OF THE AGENCY; TO PROVIDE THAT THE POWERS OF THE AGENCY SHALL BE VESTED IN THE APPOINTED BOARD OF COMMISSIONERS; TO REQUIRE THE AGENCY, THROUGH ITS BOARD, TO CREATE A COMPLETE COMPREHENSIVE STORMWATER MANAGEMENT PLAN WITHIN 24 MONTHS AFTER THE CREATION OF THE AGENCY; TO PROVIDE THAT THE AGENCY SHALL ANNUALLY IMPOSE A UTILITY CHARGE UPON THE LANDOWNERS OF REAL PROPERTY WITHIN THE TERRITORY OF THE AGENCY; TO PROVIDE THAT LANDOWNERS MAY OBJECT TO THE AMOUNT OF THE UTILITY CHARGE IMPOSED AND THAT SUCH OBJECTION SHALL BE HEARD BY THE BOARD OF SUPERVISORS OF THE COUNTY; TO REQUIRE THE BOARD TO TAKE CERTAIN ACTIONS CONCERNING THE OBJECTION OF THE AMOUNT OF SUCH UTILITY CHARGE; TO REQUIRE THE BOARD OF SUPERVISORS OF THE COUNTY TO LEVY THE UTILITY CHARGE ANNUALLY; AND FOR RELATED PURPOSES.

By Senator(s) Harkins, Kirby, Rhodes

S. B. No. 3218: Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HINDS COUNTY, MISSISSIPPI, TO ENTER INTO A BINDING LEASE AGREEMENT, LEASE-PURCHASE AGREEMENT OR GROUND LEASE, FOR A TERM NOT TO EXCEED 30 YEARS, FOR PURPOSES OF ACQUIRING, MAINTAINING, CONSTRUCTING OR EQUIPPING A PUBLIC BUILDING OR BUILDINGS AND RELATED FACILITIES FOR USE AS A LAW ENFORCEMENT AND PUBLIC SAFETY FACILITY OR DETENTION CENTER, INCLUDING, BUT NOT LIMITED TO, MAKING ASSOCIATED INFRASTRUCTURE IMPROVEMENTS AND ACCESS ROAD IMPROVEMENTS; TO PROVIDE THAT CERTIFICATES OF PARTICIPATION ISSUED BY THE COUNTY IN FURTHERANCE OF CONSTRUCTING THE LAW ENFORCEMENT AND PUBLIC SAFETY FACILITY OR DETENTION CENTER MAY BE FINANCED FOR A TERM OF UP TO 30 YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Frazier, Horhn

S. C. R. No. 543: Rules

A CONCURRENT RESOLUTION COMMENDING THE MEMBERS OF PHI THETA KAPPA'S ALL-MISSISSIPPI ACADEMIC TEAM ON THE OCCASION OF "MISSISSIPPI PHI THETA KAPPA DAY."

By Senator(s) Boyd

S. R. No. 65: Rules

A RESOLUTION RECOGNIZING THE CONTRIBUTIONS OF ROCKFORD (ROCKY) VAUGHAN OF ACKERMAN, MISSISSIPPI, IN DESIGNING THE NEW MISSISSIPPI STATE FLAG.

By Senator(s) Williams, Boyd, England

NINETY-FOURTH DAY, THURSDAY, APRIL 4, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Senator Sparks.

Senator Wiggins led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 55: Larry Wayne Clark, Amory, Mississippi, Mississippi Motor Vehicle Commission to represent the state at large as chairman, term effective January 9, 2024 and runs concurrent with the Governor's second term in office. Do Advise and Consent.

S. N. No. 56: Gary Mack Grubbs, Hattiesburg, Mississippi, Mississippi Motor Vehicle Commission to represent the state at large as vice chairman, term effective January 9, 2024 and runs concurrent with the Governor's second term in office. Do Advise and Consent.

BRANNING, Chairman

Senator DeLano entered a motion to reconsider the vote whereby **S. N. No. 91** was confirmed by the Senate.

S. N. No. 91: Anne Hall (Anne Hall) Brashier, Ridgeland, Mississippi, Mississippi Commission on the Status of Women, four year term beginning July 1, 2023 and ending June 30, 2027, representing an At-Large appointment.

Senator Hopson called up the following entitled bill:

H. B. No. 1706: Programs funded with ARPA funds; revise certain provisions and bring forward sections of.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-104-321, Mississippi Code of 1972, is brought forward as follows:

27-104-321. (1) All funds received by or on behalf of the State of Mississippi through the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) shall be deposited into the Coronavirus State Fiscal Recovery Fund created in subsection (2) of this section.

(2) There is created in the State Treasury a special fund to be designated as the "Coronavirus State Fiscal Recovery Fund." The special fund shall consist of funds required to be deposited into the special fund by subsection (1) of this section, funds appropriated or otherwise made available by the Legislature in any manner, and funds from any other source designated for deposit

into the special fund. Monies in the fund shall only be spent upon appropriation by the Legislature and shall only be used as provided in the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) or as authorized by federal rule or regulation or guidelines.

(3) Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the Coronavirus State Fiscal Recovery Fund. Any investment earnings or interest earned on amounts in the special fund shall be deposited to the credit of the special fund.

SECTION 2. Section 27-104-323, Mississippi Code of 1972, is amended as follows:

27-104-323. (1) All funds received by or on behalf of the State of Mississippi through the Coronavirus Local Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) for distribution to nonentitlement units of local government shall be deposited into the Coronavirus Local Fiscal Recovery Fund created in subsection (2) of this section.

(2) There is created in the State Treasury a special fund to be designated as the "Coronavirus Local Fiscal Recovery Fund" to be administered by the Department of Finance and Administration. The special fund shall consist of funds required to be deposited into the special fund by subsection (1) of this section, funds appropriated or otherwise made available by the Legislature in any manner, and funds from any other source designated for deposit into the special fund. The Department of Finance and Administration shall distribute the funds to the nonentitlement units of local government in

accordance with the Coronavirus Local Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) and any applicable federal guidelines. Such funds shall only be used as provided in the Coronavirus Local Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) or as authorized by federal rule or regulation or guidelines.

(3) Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the Coronavirus Local Fiscal Recovery Fund. The State Fiscal Officer shall transfer to the Coronavirus State Fiscal Recovery Fund the full amount of any investment earnings or interest earned on amounts in the Coronavirus Local Fiscal Recovery Fund that are remaining in the Coronavirus Local Fiscal Recovery Fund on July 1, 2024. Any investment earnings or interest earned on amounts in the * * * Coronavirus Local Fiscal Recovery Fund after July 1, 2024, shall be deposited to the credit of the * * * Coronavirus State Fiscal Recovery Fund created in Section 27-104-321.

(4) The State Fiscal Officer is authorized, in his or her discretion, to transfer to the federal government any funds in the Coronavirus Local Fiscal Recovery Fund that have not been used for the purpose for which they were received.

SECTION 3. Section 27-104-325, Mississippi Code of 1972, is brought forward as follows:

27-104-325. There is created in the State Treasury a special fund to be designated as the "Coronavirus State Fiscal Recovery Lost Revenue Fund," which shall consist of funds calculated based on a reduction in the state's general revenue due to the coronavirus public health emergency, made available through the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021, and transferred into the fund by act of the Legislature. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Finance and Administration, upon appropriation by the Legislature, for the purpose of providing government services.

SECTION 4. Section 37-153-57, Mississippi Code of 1972, is brought forward as follows:

37-153-57. (1) There is established the Accelerate Mississippi Workforce Development Program, which shall be directed by the office for the purpose of providing education and training to citizens seeking employment in high-wage, high-demand industries in the state, including, but not limited to, the nursing and healthcare fields, which were impacted by the disruption to the economy and workforce caused by COVID-19. This program shall be subject to the availability of funds appropriated by the Legislature using Coronavirus State Fiscal Recovery Funds made available under ARPA or any other funds appropriated by the Legislature.

(2) As used in this section, the following words have the meanings ascribed unless the context requires otherwise:

(a) "Recipient" means a community college, institution of higher learning, or trainee recipient of grant funding under this section.

(b) "Trainee" means an individual receiving training or other services through programs under this article with the goal of becoming employed in a high-wage, high-demand industry.

(c) "High-wage, high-demand industry" means those industries paying above Mississippi's median annual income and prioritized by the office and the four (4) local workforce areas.

(d) "Eligible expenses" means a cost incurred by a recipient, pursuant to this article, to include:

(i) Necessary equipment or other supplies;

(ii) Curricula or other academic or training materials;

(iii) Remote learning or other classroom technology;

(iv) Stipends for teaching staff or faculty for workforce development programs;

(v) Trainee support, including tuition expenses and childcare or transportation assistance;

(vi) Coaching or mentoring services;

(vii) Job placement services;

(viii) Apprenticeship programs; and

(ix) Recruitment programs.

(3) The Department of Employment Security shall serve as fiscal agent in administering the funds.

(4) Subject to appropriation by the Legislature, allocations to recipients shall be awarded by the office through an application process, which shall require the applicant to provide:

(a) A detailed explanation of the program the applicant intends to use awarded funds to create or expand, including:

(i) A description of the high-wage, high-demand field or workforce shortage area the program is intended to address;

(ii) The number of trainees who will be served by the program; and

(iii) The average wage rate for trainees receiving employment after completing the program;

(b) A proposed budget on how awarded funds will be expended, including a plan to consistently report expenditures to the office throughout the funding commitment;

(c) A plan to provide data on participation and outcomes of the program, including a plan to report outcomes to the office throughout the funding commitment; and

(d) Other relevant information as determined appropriate by the office.

(5) Applicants agreeing to commit a portion of their federal COVID-19 relief funds, if they received federal COVID-19 relief funds directly, or other state, federal or private funds as supplemental matching funds to offset the total cost of the approved program will be prioritized for approval.

(6) The office shall:

(a) Inform each recipient of its portion of the funds appropriated to the grant program;

(b) Develop regulations and procedures to govern the administration of the grant program;

(c) Prioritize high-wage, high-skill industries, including, but not limited to, nursing jobs or other jobs within the healthcare field; and

(d) Coordinate with the Department of Employment Security to share information to identify individuals who were furloughed, unemployed, underemployed or otherwise displaced due to COVID-19.

(7) The office may use a maximum of two percent (2%) of funds allocated for this article for the administration of the grant program, to the extent permissible under federal law.

SECTION 5. Section 37-153-205, Mississippi Code of 1972, is brought forward as follows:

37-153-205. (1) There is established the Accelerate Mississippi Nursing/Allied Health Grant Program, which shall be directed by the office for the purpose of increasing capacity in nursing and allied health training programs, including accredited paramedic programs, job sectors which were severely impacted by the disruption to the economy and workforce caused by COVID-19.

(2) For purposes of this section, the following words shall have the meanings ascribed herein unless the context requires otherwise:

(a) "Grant program" means the program established in this section, which provides funding, as determined by the office, from federal COVID-19 relief funds to sustain and increase capacity in nursing and allied health education and training programs, including accredited paramedic programs, or to help retain and graduate nursing and allied health students, at community and junior colleges or other entities facilitating healthcare-focused training programs as determined by the office.

(b) "Recipient" means a community or junior college or other entities facilitating healthcare-focused training programs as determined by the office.

(c) "Trainee" means an individual receiving training or other services through the grant program under this article with the goal of becoming employed in the nursing or allied health field, including as a licensed paramedic.

(d) "COVID-19" means the Coronavirus Disease 2019.

(e) "Federal COVID-19 relief funds" means funds allocated to the State of Mississippi from the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2).

(f) "High-wage, high-demand industry" means those nursing or allied health jobs, including paramedics, paying above Mississippi's median annual income and prioritized by the office.

(g) "Eligible expenses" means a cost incurred by a recipient under this article, to include:

(i) Necessary equipment or other supplies to sustain or increase capacity in nursing or allied health training programs, including accredited paramedic programs;

(ii) Necessary infrastructure, including building renovation or construction, for increasing capacity in nursing or allied health training programs, including accredited paramedic programs;

(iii) Curricula or other academic or training materials to sustain or increase capacity in nursing or allied health training programs, including accredited paramedic programs;

(iv) Remote learning or other classroom technology to sustain or increase capacity in nursing or allied health training programs, including accredited paramedic programs;

(v) Job placement services for nursing or allied health students and graduates, including those in accredited paramedic programs;

(vi) Recruitment programs for nursing or allied health students and graduates, including those in accredited paramedic programs;

(vii) Other services aimed at helping retain and graduate current nursing and allied health students, including those in accredited paramedic programs.

(3) The Department of Employment Security shall serve as fiscal agent in administering the funds.

(4) Subject to appropriation by the Legislature, allocations to recipients shall be awarded by the office through an application process, which shall require the applicant to provide:

(a) A detailed explanation of the program the applicant intends to use awarded funds to create or expand, to include:

(i) A description of the nursing or allied health workforce shortage the program is intended to address, including specific information from hospitals, clinics, long-term care facilities or other health care providers in the region;

(ii) Any relevant waitlist or other information demonstrating high demand for graduates from the relevant nursing or allied health program;

(iii) The number of nursing or allied health students who will be served by the program; and

(iv) The average wage rate for nursing or allied health students receiving employment after completing the program;

(b) A proposed budget on how awarded funds will be expended, including a plan to consistently report expenditures to the office throughout the funding commitment;

(c) A plan to provide data on participation and outcomes of the program, including a plan to report outcomes to the office throughout the funding commitment; and

(d) Other relevant information as determined appropriate by the office.

(5) Applicants agreeing to commit a portion of their federal COVID-19 relief funds, if they received federal COVID-19 relief funds directly, or other state, federal or private

funds as supplemental matching funds to offset the total cost of the approved program will be prioritized for approval.

(6) The office shall:

(a) Inform each recipient of its portion of the funds appropriated to the grant program;

(b) Develop regulations and procedures to govern the administration of the grant program;

(c) Prioritize jobs within the nursing or allied health fields which are currently experiencing staffing shortages in hospitals, clinics, long-term care facilities and other health care providers across the state; and

(d) Prioritize jobs which are high-wage, high-demand jobs within the nursing and allied health fields, including the paramedic field.

(7) Seventy-five percent (75%) of the funds provided through the appropriations process for this program shall be reserved for community and junior colleges. A maximum of twenty-five percent (25%) of the funds provided through the appropriations process for this program may be awarded to recipients other than a community or junior college which facilitate healthcare-focused training programs as determined by the office.

SECTION 6. Section 37-153-207, Mississippi Code of 1972, is brought forward as follows:

37-153-207. (1) There is established the Accelerate Mississippi Physician Residency and Fellowship Start-Up Grant Program, which shall be directed by the office for the purpose of creating new or increasing capacity in existing physician residency and fellowship programs in hospitals, which were severely impacted by the disruption to the economy and workforce caused by COVID-19.

(2) For purposes of this section, the following words shall have the meanings ascribed herein unless the context requires otherwise:

(a) "Grant program" means the program established in this section, which provides funding, as determined by the office, from federal COVID-19 relief funds to create new or increase capacity in existing physician residency and fellowship programs at general acute care hospitals in the State of Mississippi which are licensed by the Mississippi State Department of Health.

(b) "Recipient" means a general acute care hospital in the State of Mississippi which is licensed by the Mississippi State Department of Health.

(c) "Residency and fellowship programs" means advanced training programs in medical or surgical specialty areas which are accredited by the Accreditation Council for Graduate Medical Education or a similar accreditation body.

(d) "COVID-19" means the Coronavirus Disease 2019.

(e) "Federal COVID-19 relief funds" means funds allocated to the State of Mississippi from the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2).

(f) "Eligible expenses" means a cost incurred by a recipient, pursuant to this article, to include:

(i) Equipment or other supplies necessary for accreditation;

(ii) Necessary infrastructure, including building, renovation or construction, for accreditation;

(iii) Curricula or other academic or training materials necessary for accreditation;

(iv) Stipends for the recruitment, hiring and development of program directors, program coordinators, faculty and/or teaching staff and clinic staff necessary for accreditation; and

(v) Remote learning or other classroom technology.

(3) The Department of Employment Security shall serve as fiscal agent in administering the funds.

(4) Subject to appropriation by the Legislature, allocations to recipients shall be awarded by the office through an application process, which shall require the applicant to provide:

(a) Evidence that the applicant is in the process of preparing for accreditation, has applied for accreditation or has received accreditation for a new residency or fellowship program, or increased capacity in an existing residency or fellowship program;

(b) A detailed explanation of the residency or fellowship program the applicant intends to use awarded funds to create or expand, to include:

(i) A description of the workforce shortage the residency or fellowship program is intended to address, including specific information from health care providers in the region;

(ii) Any relevant waitlist or other information demonstrating high demand for medical school graduates to enter the residency or fellowship program;

(iii) The number of residents who will be served by the residency or fellowship program;

(iv) The budget for the residency or fellowship program, including a plan showing sustainability after accreditation and any required federal approval of the program; and

(v) The average wage rate for residents or fellows receiving employment after completing the program;

(c) A proposed budget on how awarded funds will be expended, including a plan to consistently report expenditures to the office throughout the funding commitment;

(d) A plan to provide data on participation and outcomes of the residency or fellowship program, including a plan to report outcomes to the office throughout the funding commitment; and

(e) Other relevant information as determined appropriate by the office.

(5) Applicants agreeing to commit a portion of their federal COVID-19 relief funds, if they received federal COVID-19 relief funds directly, or other state, federal or private funds as supplemental matching funds to offset the total cost of the approved program shall be prioritized for approval.

(6) The office shall:

(a) Inform each recipient of its portion of the funds appropriated to the grant program;

(b) Develop regulations and procedures to govern the administration of the grant program;

(c) Prioritize residency or fellowship programs within medical or surgical specialties which are currently experiencing staffing shortages in hospitals, clinics, long-term care facilities and other health care providers across the state;

(d) Prioritize residency or fellowship programs which produce graduates in high-demand medical and surgical fields;

(e) Establish a schedule of application deadlines and a system for considering applications on a rotating basis; and

(f) Ensure that every effort be made, in accordance with the priorities in this subsection, to provide funds for the placement of one (1) resident with each recipient before considering awarding funds for the placement of additional residents in the same round of consideration.

SECTION 7. Section 37-153-209, Mississippi Code of 1972, is brought forward as follows:

37-153-209. (1) There is established the Mississippi Allied Health College and Career Navigator Grant Program, which shall be directed by the office for the purpose of hiring professionals, or navigators, to provide individual assistance and guidance to students to assist them in many areas, from maneuvering challenges while enrolled in college programs and understanding the job market to working through course challenges, and to help retain and graduate nursing and allied health students, at community and junior colleges. Such navigators must be at least a registered nurse with at least two (2) years of experience in nursing. The grant program shall be funded from monies appropriated by the Legislature for that purpose.

(2) The office shall prescribe the terms and conditions of the grant program. To be eligible to receive a grant from the office under the grant program, a community college shall provide the following information:

(a) The number of nursing or allied health students who will be served by the program;

(b) A plan to provide data on participation and outcomes of the program, including a plan to report outcomes to the office throughout the funding commitment; and

(c) Any other information that the office determines is necessary.

SECTION 8. Section 37-106-64, Mississippi Code of 1972, is brought forward as follows:

37-106-64. (1) There is established the "Skilled Nursing Home and Hospital Nurses Retention Loan Repayment Program" for new nursing graduates to be administered by the Mississippi Postsecondary Education Financial Assistance Board.

(2) Subject to the availability of funds, an eligible applicant for an initial award must have:

(a) Legal residency in the State of Mississippi;

(b) Gained employment within the last year for the first time as a full-time licensed practical nurse or licensed registered nurse at a skilled nursing home in the State of Mississippi or a general acute care hospital in the State of Mississippi that is licensed by the Mississippi State Department of Health;

(c) A current relevant Mississippi professional license; and

(d) Outstanding qualifying educational loans, received at any point during the recipients postsecondary education career, which may include the principal, interest and related expenses such as the required interest premium on the unpaid balances of government and commercial loans obtained by the recipient for educational expense.

(3) Persons who have received funds from state-forgivable loan programs established under Mississippi law, or who are in default or delinquent on any federal, state, local or commercial qualifying educational loan, shall not be eligible for this program.

(4) Recipients in the program shall be selected on a first-come, first-served basis from all eligible applicants. The Mississippi Postsecondary Education Financial Assistance Board shall renew eligible applicants approved in prior years only if the renewal applicant continues to meet the standards set forth in this act, and the renewal applicant has not received full funding provided by this subsection (4).

(5) Awards for recipients who are employed at a skilled nursing home or a licensed general acute care hospital in the state may be a maximum of Six Thousand Dollars ($6,000.00) for each year of employment up to three (3) years.

(6) A recipient shall not be penalized for ending employment at a skilled nursing home or a licensed general acute care hospital in the State of Mississippi if the recipient begins working for another skilled nursing home or licensed general acute care hospital in the State of Mississippi during the year on which the award is based.

(7) Awards shall be granted on a year-to-year basis, and recipients have no obligation to seek a subsequent award.

(8) Awards shall be paid annually, after the expiration of the year of employment for which the award was granted, to the recipient's lender or loan service provider, to be applied to the outstanding balance. Monies paid by the recipient or on the recipient's behalf toward qualifying educational loans before payment of the award shall not be eligible for reimbursement through the program.

(9) During the employment year for which the award is granted, a recipient shall at all times keep the State Financial Aid Board informed of any changes to the recipient's current, correct and complete employment information and status.

(10) Recipients who fail to maintain a relevant Mississippi professional license or fail to fulfill the year of employment on which the award was based forfeit any right to the award.

(11) The Mississippi Postsecondary Education Financial Assistance Board, in collaboration with the State Board of Nursing and any other applicable state agency as determined by the Mississippi Postsecondary Education Financial Assistance Board, shall attempt to track award recipients under this program through their third employment year, unless the recipient leaves employment at a skilled nursing home or a licensed general acute care hospital in the state at an earlier date. Data collected shall include each recipients' place of employment and any other pertinent information necessary to determine the efficacy of the program in retaining nurses in skilled nursing homes or licensed general acute care hospitals in the State of Mississippi.

(12) The Mississippi Postsecondary Education Financial Assistance Board shall promulgate regulations necessary for the proper administration of this section, including setting a fiscal year policy for the program and application dates and deadlines.

(13) This section shall stand repealed on July 1, 2027.

SECTION 9. Section 41-3-16.1, Mississippi Code of 1972, is brought forward as follows:

41-3-16.1. (1) (a) The State Department of Health (department) shall establish a grant program to be known as the ARPA Rural Water Associations Infrastructure Grant Program (program) to assist rural water associations and entities in the construction of eligible drinking water infrastructure projects as provided in the Final Rule for the Coronavirus State and Local Fiscal Recovery Funds as established by the federal American Rescue Plan Act (ARPA).

(b) Rural water associations and any entity that received funding under the ARPA Rural Water Associations Infrastructure Grant Program or the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program before April 14, 2023, shall be ineligible for additional grants under this section.

(2) The program shall be funded from appropriations by the Legislature to the department from the Coronavirus State Fiscal Recovery Fund, and the department shall expend all such funds for the purposes provided in subsection (1) of this section.

(3) The department shall obligate the funds by the deadline set by the rules and guidelines of the United States Department of the Treasury and will adhere to the Treasury's rules and guidelines for reporting and monitoring projects funded through ARPA.

(4) (a) The department shall develop a system for use in ranking the grant applications received. The ranking system shall include the following factors, at a minimum: (a) the environmental impact of the proposed project; (b) the proposed project's ability to address noncompliance with state/federal requirements; (c) the extent to which the project promotes economic development; (d) the number of people served by the project (both new and existing users); (e) impacts of the proposed project on disadvantaged/ overburdened communities; (f) the grant applicant's prior efforts to secure funding to address the proposed project's objectives; (g) the grant applicant's proposed contribution of other funds or in-kind cost-sharing to the proposed project; (h) the grant applicant's long-term plans for the financial and physical operation and maintenance of the project; and (i) the grant applicant's capacity to initiate construction in a timely manner and complete the proposed project by the deadline specified by rules and guidelines of the United States Department of the Treasury for ARPA funds.

(b) For the second round of grant awards, the department shall apply a greater weight to grant applications that promote consolidation of separate systems. In order to receive the additional weight, the systems that will consolidate shall be in a proximity of each other as determined by the department.

(c) In addition to the points awarded under paragraph (b) of this subsection, an additional ten (10) points shall be added to any application with at least one (1) system that has consolidated after January 1, 2018, and before application to this program and is otherwise eligible under this section.

(5) An application for a grant under this section shall be submitted at such time, be in such form, and contain such information as the department prescribes.

(6) (a) Upon the approval of an application for a grant under this section, the department shall enter into a project grant agreement with each grantee to establish the terms of the grant for the project, including the amount of the grant.

(b) (i) For the first award of grants, the maximum amount of funds that may be provided to any rural water association or entity from all grants under the program is Two Million Five Hundred Thousand Dollars ($2,500,000.00).

(ii) For the second round of grant awards, the maximum amount of funds that may be provided to any eligible association or entity from all grants under the program is Two Million Dollars ($2,000,000.00).

(c) Associations or entities that received funding under the first round of grant awards for this program or received funding in the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022 are ineligible to receive funding under the second round.

(7) The department shall have all powers necessary to implement and administer the program. Of the funds appropriated to the department for the program, not more than five percent (5%) may be used by the department to cover the department's costs of administering the program.

(8) In carrying out its responsibilities under the program, for any contract under the purview of the Public Procurement Review Board (PPRB), the department shall be exempt from any requirement that the PPRB approve any personal or professional services contracts or pre-approve any solicitation of such contracts. This subsection shall stand repealed on July 1, 2026.

(9) The department shall submit an annual report regarding the program no later than December 31 of each year to the Lieutenant Governor, the Speaker of the House, and the Chairmen of the Senate and House Appropriations Committees.

(10) For the purposes of this section, "entity" means:

(a) Any entity operating as a rural water association, regardless of whether such entities were user created, were initially organized not for profit, or have been granted tax-exempt status under state or federal law.

(b) Any nonprofit water or sewer provider not owned by the municipality or county and are not a Rural Water Association.

(c) Any entity eligible under this program shall be currently operating as a not-for-profit entity.

(d) "Entity" under this subsection does not include any state agency. No state agency shall be eligible under this program.

SECTION 10. Section 41-9-371, Mississippi Code of 1972, is brought forward as follows:

41-9-371. (1) There is established the Mississippi Hospital Sustainability Grant Program which shall be administered by the State Department of Health.

(2) In order to strengthen, improve and preserve access to Mississippi hospital care services for all Mississippians and in recognition of the challenges incurred by Mississippi hospitals as a result of the COVID-19 pandemic, funds from the program shall be distributed, upon appropriation by the Legislature, to each hospital licensed by the State of Mississippi, except for hospitals operated by the United States Department of Veterans Affairs and hospitals operated by the State Department of Mental Health.

Licensed specialty hospitals that are recognized as such by the State Department of Health, except for those excluded under this subsection, are eligible for grants under the program.

(3) The department shall distribute grants to each eligible hospital based upon the following formula:

(a) Each hospital that has fewer than one hundred (100) licensed beds and that is not classified as a critical access hospital that operates an emergency department shall be eligible to receive Six Hundred Twenty-five Thousand Dollars ($625,000.00) to defray the costs of providing emergency department services.

(b) Each rural hospital that has fewer than one hundred (100) licensed beds and that is classified as a critical access hospital that operates an emergency department shall be eligible to receive Five Hundred Thousand Dollars ($500,000.00) to defray the costs of providing emergency department services.

(c) Each hospital that operates an emergency department and that has more than one hundred (100) licensed beds shall be eligible to receive One Million Dollars ($1,000,000.00).

(d) Each hospital with fewer than two hundred (200) licensed beds with the majority of such beds being dedicated to providing specialty services such as women's health services, long-term acute care, rehabilitation or psychiatric services shall be eligible to receive Five Hundred Thousand Dollars ($500,000.00).

(e) Each rural hospital with fewer than one hundred (100) licensed beds with no emergency department shall be eligible to receive Three Hundred Thousand Dollars ($300,000.00) to defray the costs of providing access to hospital care in rural communities.

(f) In addition to the funds provided in paragraphs (a) through (e) of this subsection, each small rural hospital with fifty (50) beds or less which operated an emergency department shall be eligible to receive Two Hundred Fifty Thousand Dollars ($250,000.00) to defray the costs of providing access to hospital care in rural communities.

(g) In addition to the funds distributed in paragraphs (a) through (c) and (e) through (f) of this subsection, any remaining funds appropriated for the purposes of this grant program shall be distributed to hospitals receiving funds in paragraphs (a) through (c) and (e) through (f) of this subsection on a pro rata amount by dividing the total amount of the remaining funds by the number of licensed beds attributable to all licensed Mississippi hospitals except for licensed beds attributable to hospitals described in paragraph (d) of this subsection and for licensed beds attributable to hospitals operated by the United States Department of Veterans Affairs and hospitals operated by the State Department of Mental Health and determining a dollar amount for each bed, and then multiplying that dollar amount by the number of licensed beds of that hospital.

(4) The department shall adopt such reasonable rules as necessary for the administration of the program, but shall not place additional qualification requirements on hospitals other than the minimum requirements in this section.

(5) The Mississippi Hospital Association shall form a work group to review the delivery of hospital services in Mississippi and shall make recommendations regarding the changes needed to sustain access to hospital care to the Lieutenant Governor, Speaker of the House, Chairmen of the House and Senate Public Health Committees with copies to the Governor and the State Health Officer.

SECTION 11. Section 49-2-131, Mississippi Code of 1972, is brought forward as follows:

49-2-131. (1) This section shall be known and may be cited as the "Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022."

(2) There is hereby established within the Mississippi Department of Environmental Quality the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program under which municipalities, counties and certain public utilities not regulated by the Public Service Commission may apply until February 1, 2023, for reimbursable grants to make necessary investments in water, wastewater, and stormwater infrastructure to be funded by the Legislature utilizing Coronavirus State Fiscal Recovery Funds made available under the federal American Rescue Plan Act of 2021 (ARPA). Such grants shall be made available to municipalities and counties to be matched with the Coronavirus Local Fiscal Recovery Funds awarded or to be awarded to them under ARPA on a one-to-one matching basis. Coronavirus Local Fiscal Recovery Funds that a county transfers to a municipality or that a county or municipality transfers to a public utility not regulated by the Public Service Commission are eligible on a one-to-one matching basis. Municipalities that received less than One Million Dollars ($1,000,000.00) in the total allocation of Coronavirus Local Fiscal Recovery Funds are eligible for a two-to-one match only on the Coronavirus Local Fiscal Recovery Funds awarded or to be awarded to them under ARPA. The Mississippi Department of Environmental Quality shall only accept two (2) rounds of submissions under the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program. The second round of submissions shall be the final round. The dollar amount for professional fees that can be allocated as a part of a county's, municipality's or public utility's matching share is not to exceed four percent (4%) of the total project cost.

(3) For purposes of this section, unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

(a) "MCWI Grant Program" means the Mississippi Municipality and County Water Infrastructure Grant Program.

(b) "ARPA" means the federal American Rescue Plan Act of 2021, Public Law 117-2, which amends Title VI of the Social Security Act.

(c) "State Recovery Funds" means Coronavirus State Fiscal Recovery Funds awarded through Section 602 of Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

(d) "Local Recovery Funds" means Coronavirus Local Fiscal Recovery Funds awarded through Section 603 of Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

(e) "Department" means the Department of Environmental Quality.

(f) "Professional fees" means fees for the services of attorneys and engineering, surveying, and environmental studies.

(g) "Project" means the infrastructure improvements defined in an application that (i) complies with all requirements of ARPA, and (ii) is eligible for a grant award under this section.

(4) (a) On or before July 1, 2022, the Department of Environmental Quality shall promulgate rules and regulations necessary to administer the MCWI Grant Program prescribed under this section, including application procedures and deadlines. The department is exempt from compliance with the Mississippi Administrative Procedures Law in fulfilling the requirements of this section.

(b) The Department of Health shall advise the Mississippi Department of Environmental Quality regarding all such rules and regulations as related to the federal Safe Drinking Water Act.

(5) Funding under the MCWI Grant Program shall be allocated to projects certified by the Mississippi Department of Environmental Quality as eligible for federal funding, including, but not be limited to, the following:

(a) Construction of publicly owned treatment works;

(b) Projects pursuant to the implementation of a nonpoint source pollution management program established under the Clean Water Act (CWA);

(c) Decentralized wastewater treatment systems that treat municipal wastewater or domestic sewage;

(d) Management and treatment of stormwater or subsurface drainage water;

(e) Water conservation, efficiency, or reuse measures;

(f) Development and implementation of a conservation and management plan under the CWA;

(g) Watershed projects meeting the criteria set forth in the CWA;

(h) Energy consumption reduction for publicly owned treatment works;

(i) Reuse or recycling of wastewater, stormwater, or subsurface drainage water;

(j) Facilities to improve drinking water quality;

(k) Transmission and distribution, including improvements of water pressure or prevention of contamination in infrastructure and lead service line replacements;

(l) New sources to replace contaminated drinking water or increase drought resilience, including aquifer storage and recovery system for water storage;

(m) Storage of drinking water, such as to prevent contaminants or equalize water demands;

(n) Purchase of water systems and interconnection of systems;

(o) New community water systems;

(p) Culvert repair, resizing, and removal, replacement of storm sewers, and additional types of stormwater infrastructure;

(q) Dam and reservoir rehabilitation, if the primary purpose of dam or reservoir is for drinking water supply and project is necessary for the provision of drinking water;

(r) Broad set of lead remediation projects eligible under EPA grant programs authorized by the Water Infrastructure Improvements for the Nation (WIIN) Act; and

(s) Any eligible drinking water, wastewater or stormwater project through ARPA guidelines, guidance, rules, regulations and other criteria, as may be amended from time to time, by the United States Department of the Treasury.

(6) The governing authority of a municipality, county or public utility that is not regulated by the Public Service Commission may submit an application for grant funds under this section if the applicant is an operator-member of Mississippi 811, Inc., as defined in Section 77-13-3. Applicants shall certify to the department that each expenditure of the funds awarded to them under this section is in compliance with ARPA guidelines, guidance, rules, regulations and other criteria, as may be amended from time to time, by the United States Department of the Treasury regarding the use of monies from the State Coronavirus State Fiscal Recovery Funds. Subsequent submissions will be due by the dates established by the department.

(7) An application for a grant under this section shall be submitted at such time, be in such form, and contain such information as the department prescribes. Each application for grant funds shall include the following at a minimum: (a) applicant contact information; (b) project description and type of project; (c) project map; (d) estimate of population affected by the project; (e) disadvantaged community criteria (population, median household income, unemployment, current water/sewer rates); (f) estimated project cost; (g) list of match funds of direct Coronavirus Local Fiscal Recovery Funds received and to be received from the federal government, a certification that such funds have been or will be used for the project detailed in the application, and documentation of commitment; (h) estimated project schedule and readiness to proceed; (i) engineering services agreement; (j) engineering reports; and (k) information about status of obtaining any required permits.

(8) The department must apply a system for use in ranking the grant applications received, unless the Legislature funds all eligible grant requests under the program. When applying the ranking system, the department shall apply a greater weight to projects that have approved engineering/design, plans and permits if the department has deemed the project is ready to begin construction within six (6) months. Projects that are included on the municipal or county engineer's approved list and provide applicable supporting documentation shall receive additional consideration awarded to the application. The ranking system shall include the following factors, at a minimum: (a) the environmental impact of the proposed project; (b) the proposed project's ability to address noncompliance with state/federal requirements; (c) the extent to which the project promotes economic development; (d) the number of people served by the project and the number of communities the project serves; (e) impacts of the proposed project on disadvantaged/overburdened communities; (f) the grant applicant's prior efforts to secure funding to address the proposed project's objectives; (g) the grant applicant's proposed contribution of other funds or in-kind cost-sharing to the proposed project; (h) the grant applicant's long-term plans for the financial and physical operation and maintenance of the project; (i) the grant applicant's capacity to initiate construction in a timely manner and complete the proposed project by the deadline specified by the United States Department of Treasury rules for ARPA funds; (j) the extent to which the project benefits multiple political subdivisions in a regional manner; (k) the project's ability to enhance public service infrastructure, including transportation and emergency access; and (l) any other factors as determined by the department.

(9) The grant program shall include a specific emphasis on addressing the needs of an economically disadvantaged community, including providing safe, reliable drinking water in areas that lack infrastructure, providing sewage treatment capacity in unsewered areas and providing regional development of infrastructure to serve multiple communities.

(10) Applications shall be reviewed and scored as they are received, unless the Legislature funds all eligible grant requests under the program. The Mississippi Department of Environmental Quality shall certify whether each project submitted is a "necessary investment" in water, wastewater, or stormwater infrastructure as defined in

the American Rescue Plan Act and all applicable guidance issued by the United States Department of the Treasury. The Department of Environmental Quality shall review the lists of recommended water infrastructure projects and issue its list of recommended projects to the Mississippi Department of Health for its advice. Grant agreements shall be executed between the recipient and the Mississippi Department of Environmental Quality. All final awards shall be determined at the discretion of the executive director of the department. Any funds awarded to the City of Jackson under this section shall be deposited in the Capital City Water/Sewer Projects Fund of the State Treasury. Funds shall be obligated to a grantee upon the execution of a grant agreement between the department and the approved applicant. Funds shall be made available to a grantee when the department obtains the necessary support for reimbursement. The department is authorized to conduct additional rounds of grants as needed; however, in the first round no more than forty percent (40%) of the total funds appropriated for each grant program may be awarded by the department, and the remaining funds may be awarded in the final round which shall occur no later than six (6) months from the previous round. To ensure equitable treatment between the categories of projects, no less than twenty percent (20%) awarded under this section shall be allocated to each of the three (3) categories of drinking water projects, wastewater projects and stormwater projects. In the final round, any funds not requested may be allocated to any category.

(11) Grant funds shall be used prospectively; however, grant funds may be used to reimburse expenses incurred before the enactment of this program if the costs are adequately documented and comply with applicable ARPA guidelines. An applicant must agree to obtain all necessary state and federal permits and follow all state bidding and contracting laws and fiscally sound practices in the administration of the funds.

(12) (a) Monies must be disbursed under this section in compliance with the guidelines, guidance, rules, regulations or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund, established by the American Rescue Plan of 2021.

(b) The use of funds allocated under this program shall be subject to audit by the United States Department of the Treasury's Office of Inspector General and the Mississippi Office of the State Auditor. Each person receiving funds under these programs found to be fully or partially noncompliant with the requirements in this section shall return to the state all or a portion of the funds received.

(13) The department shall submit to the Lieutenant Governor, Speaker of the House, House and Senate Appropriations Chairmen, and the Legislative Budget Office quarterly reports and annual reports that are due by the dates established in the Compliance and Reporting Guidance by the United States Department of Treasury. The reports shall contain the applications received, the score of the applications, the amount of grant funds awarded to each applicant, the amount of grant funds expended by each applicant, and status of each applicant's project. The score of the applications is not required if the award was provided in the final round of grants and the Legislature provided the total amount of funds for all eligible grant requests.

(14) Grant funds shall be available under this section through December 31, 2026, or on the date of the fund expenditure deadline provided by the federal government, whichever occurs later. Each grant recipient shall certify for any project for which a grant is awarded that if the project is not completed by December 31, 2026, and the United States Congress does not enact an extension of the deadline on the availability of ARPA funds, then the grant recipient will complete the project through other funds.

(15) The Mississippi Department of Environmental Quality may retain an amount not to exceed five percent (5%) of the total funds allocated to the program to defray administrative costs.

(16) The department shall be exempt from provisions of the Public Procurement Review Board for any requirements of personal or professional service contracts or the pre-approval of the solicitation for such contracts used in the execution of its responsibilities under this section. This subsection shall stand repealed on January 1, 2026.

(17) The provisions of this section shall stand repealed on January 1, 2027.

SECTION 12. (1) The Legislature, based upon current United States Treasury guidance, has determined that all Coronavirus State Fiscal Recovery Funds must be obligated by December 31, 2024, and expended by December 31, 2026.

(2) (a) In order to meet the obligation deadline set forth by the United States Treasury, the State Fiscal Officer shall determine the amount of Coronavirus State Fiscal Recovery Funds appropriated to various agencies that will not be obligated as of November 1, 2024.

(b) In making the determination required by this section, the State Fiscal Officer shall use the guidance released by the United States Treasury to determine if the Coronavirus State Fiscal Recovery Funds are not obligated.

(3) If at any time during the period from passage of this act to November 1, 2024, a state agency determines that Coronavirus State Fiscal Recovery Funds will not be obligated by November 1, 2024, the state agency shall notify the State Fiscal Officer.

(4) If at any time the State Fiscal Officer determines that funds will be unobligated as of November 1, 2024, under subsection (2) or (3) of this section, the State Treasurer, in coordination with the State Fiscal Officer, shall transfer these funds to the Coronavirus State Fiscal Recovery Fund (Fund No. 682111300) by no later than November 5, 2024. The State Fiscal Officer may retain an amount not to exceed the lesser of the estimated cost of ARPA administration or Twenty Five Million Dollars ($25,000,000.00) in the Coronavirus State Fiscal Recovery Fund to be utilized for administrative and reporting costs. No later than November 6, 2024, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the funds to the ARPA - MDOT Maintenance Project Fund.

SECTION 13. There is created in the State Treasury a special fund to be designated as the "ARPA - MDOT Maintenance Project Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Transportation for eligible Surface Transportation maintenance projects included in the Maintenance Program of the Three-Year Plan as adopted by, amended by, or reissued by the Mississippi Transportation Commission under the authority of Section 65-1-141. The Department of Transportation may escalate its budget upon receiving Coronavirus State Fiscal Recovery Fund and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

The Department of Transportation shall determine if a project is eligible based upon Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury, including, but not limited to, Federal Register Volume 88, Issue 181, September 20, 2023, which allows for Surface Transportation projects.

SECTION 14. Upon the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer to the Coronavirus State Fiscal Recovery Fund (Fund No. 6821113000) from the following named funds the following sums:

FUND	FUND NUMBER	AMOUNT
Mississippi Municipal and County Water Infrastructure Fund	6822147000	$ 28,557,785.00
ARPA-Mississippi Independent School Infra Grant Fund	6822113400	$ 10,000,000.00
Mississippi Hospital Sustainability Grant Program Fund	6822130500	$ 36,458,878.00
MDCPS American Rescue Plan Act Fund	6822166100	$ 15,607,348.00
Trial Judges-ARPA 2021-(CPS) Fund	6822105100	$ 1,500,000.00
MH SB Corona State Fiscal Rec Funds ARPA Fund	6822437100	$ 29,384,500.00
MH CO Corona State Fiscal Rec Funds ARPA Fund	6822337100	$ 18,057,096.00
Trial Judges-ARPA 2021-Temporary Courts Fund	6822105200	$ 1,589,094.00
Mississippi Law Enforcement and Fire Fighters Premium Pay Fund	6822171100	$ 3,330,000.00
TOTAL		$144,484,701.00

SECTION 15. This act shall take effect and be in force from and after its passage and shall stand repealed on the day before its passage.

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

AD AN ACT TO BRING FORWARD SECTION 27-104-321, MISSISSIPPI CODE OF 1972, WHICH CREATED THE CORONAVIRUS STATE FISCAL RECOVERY FUND, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 27-104-323, MISSISSIPPI CODE OF 1972, TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER TO THE CORONAVIRUS STATE FISCAL RECOVERY FUND THE FULL AMOUNT OF ANY INTEREST EARNED ON AMOUNTS IN THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND THAT ARE REMAINING IN THE LOCAL FUND ON JULY 1, 2024; TO PROVIDE THAT ANY INTEREST EARNED ON AMOUNTS IN THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND AFTER JULY 1, 2024, SHALL BE DEPOSITED TO THE CREDIT OF THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO AUTHORIZE THE STATE FISCAL OFFICER TO TRANSFER TO THE FEDERAL GOVERNMENT ANY FUNDS IN THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND THAT HAVE NOT BEEN USED FOR THE PURPOSE FOR WHICH THEY WERE RECEIVED; TO BRING FORWARD SECTION 27-104-325, MISSISSIPPI CODE OF 1972, WHICH CREATED THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-153-57, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE ACCELERATE MISSISSIPPI WORKFORCE DEVELOPMENT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-153-205, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE ACCELERATE MISSISSIPPI NURSING/ALLIED HEALTH GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING

FORWARD SECTION 37-153-207, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE ACCELERATE MISSISSIPPI PHYSICIAN RESIDENCY AND FELLOWSHIP START-UP GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-153-209, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE MISSISSIPPI ALLIED HEALTH COLLEGE AND CAREER NAVIGATOR GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-106-64, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE SKILLED NURSING HOME AND HOSPITAL NURSES RETENTION LOAN REPAYMENT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 41-3-16.1, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 41-9-371, MISSISSIPPI CODE OF 1972, WHICH CREATED THE MISSISSIPPI HOSPITAL SUSTAINABILITY GRANT PROGRAM FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 49-2-131, MISSISSIPPI CODE OF 1972, WHICH CREATED THE MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO REQUIRE THE STATE FISCAL OFFICER TO TRANSFER CERTAIN FUNDS; TO CREATE THE "ARPA-MDOT MAINTENANCE PROJECT FUND" AS A SPECIAL FUND WITHIN THE STATE TREASURY; TO PROVIDE FOR THE TRANSFER OF CERTAIN FUNDS BY THE STATE TREASURER; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1706 was adopted.

YEAS AND NAYS On H. B. No. 1706. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1707: 2023 Local Improvements Projects Fund; clarify and correct names and purposes of certain projects funded from.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 28, Chapter 549, Laws of 2023, is amended as follows:

Section 28. Monies transferred pursuant to Sections 1 and 3 of this act into the 2023 Local Improvements Projects Fund shall be disbursed by the Department of Finance and Administration, pursuant to the authority granted by the department's appropriation bill, Senate Bill No. 3043, 2023 Regular Session, to spend those monies, as follows:

(a) To assist the City of Indianola, Mississippi, in paying costs associated with purchasing six (6) new police cars for the city's police department..... $ 400,000.00

(b) To assist Sunflower County, Mississippi, in paying costs associated with completing construction of the county's Transitional Shelter for Homeless families ..... $ 300,000.00

(c) To Tishomingo County, Mississippi, to assist the Belmont Volunteer Fire Department in paying costs associated with the purchase of equipment ..... $ 25,000.00

(d) To Alcorn County, Mississippi, to assist the Rienzi Volunteer Fire Department in paying costs associated with the purchase of equipment ..... $ 25,000.00

(e) To assist Prentiss County, Mississippi, in paying costs associated with replacing bridge SA 59-029 and repaving and restoring County Road 1475 and County Road 1481 located in Supervisors District 5 in Prentiss County ..... $ 450,000.00

(f) To assist Alcorn County, Mississippi, in paying costs associated with ongoing repair and renovation of the Alcorn County Courthouse..... $ 1,000,000.00

(g) To Kossuth, Mississippi, to assist in paying costs associated with renovation of the LC Follin Community Center ..... $ 150,000.00

(h) To assist the City of Corinth, Mississippi, in paying costs associated with repair and renovation to include the Coliseum and South Corinth High School ..... $ 500,000.00

(i) To Alcorn County, Mississippi, to assist in paying costs associated with construction of a new fire station for the Jacinto Volunteer Fire Department ..... $ 100,000.00

(j) To assist Alcorn County, Mississippi, in paying costs associated with special operations at the county's Emergency Management Agency .. $ 400,000.00

(k) To assist the City of Corinth, Mississippi, in paying costs associated with improvements to and maintenance of Harper Road ..... $ 500,000.00

(l) To assist the City of Corinth, Mississippi, in paying costs associated with general assistance to Corinth Theatre-Arts..... $ 25,000.00

(m) * * * [Deleted]

(n) To assist the City of Waynesboro with infrastructure improvements at the Waynesboro Sports Complex..... $ 1,500,000.00

(o) To assist George County, Mississippi, in paying costs associated with construction of the Agricola Multipurpose Center in George County, Mississippi..... $ 400,000.00

(p) To assist George County, Mississippi, in paying costs associated with the construction of the Basin-Barton Multipurpose Facility ..... $ 1,800,000.00

(q) To assist Jackson County, Mississippi, in paying costs associated with construction of a multipurpose arena..... $ 750,000.00

(r) To assist Itawamba County, Mississippi, in paying costs associated with repair and renovation of the Itawamba County Courthouse..... $ 1,500,000.00

(s) To assist the Town of Tremont, Mississippi, in paying costs associated with repair and remodeling of the town's Town Hall..... $ 150,000.00

(t) To assist Itawamba County, Mississippi, with providing funds to Volunteer Fire Departments located in the county, at the discretion of the Fire Coordinator ..... $ 150,000.00

(u) To assist the City of Fulton, Mississippi, in paying costs associated with renovation and remodeling of the city's City Hall and costs associated with street repairs ..... $ 500,000.00

(v) To assist Itawamba Community College in paying costs associated with capital construction related to the Health Sciences program ..... $ 1,500,000.00

(w) To assist the City of Jackson, Mississippi, to provide a federal match to the Jackson Redevelopment Authority for the train station ..... $ 420,000.00

(x) To assist the Lighthouse Academy for Dyslexia in Ocean Springs, Mississippi, in paying costs for general purposes for dyslexia services ..... $ 200,000.00

(y) To assist the City of Long Beach, Mississippi, in paying costs associated with purchasing portable equipment including a portable stage to promote tourism ..... $ 200,000.00

(z) To assist Lee County, Mississippi, in paying costs associated with the purchase of a fire truck for the Richmond Volunteer Fire Department ..... $ 350,000.00

(aa) To assist the Town of Tunica, Mississippi, in paying costs associated with road improvements ..... $ 500,000.00

(ab) To assist the Town of Marks, Mississippi, in paying costs associated with making water and sewer improvements in the town ..... $ 500,000.00

(ac) To assist the Town of Coldwater, Mississippi, in paying costs associated with paving the town square ..... $ 500,000.00

(ad) To assist the Town of Coldwater, Mississippi, in paying costs associated with the purchase of fire trucks ..... $ 250,000.00

(ae) To assist the City of Pascagoula, Mississippi, in paying costs associated with making upgrades and improvements to the Pascagoula City Hall building and related facilities ..... $ 2,000,000.00

(af) To assist the City of Pascagoula, Mississippi, for the Pascagoula Police Department in providing an East Pascagoula Police SubStation..... $ 2,000,000.00

(ag) To assist the Petal School District Board of Trustees in paying costs associated with the repair and renovation of and upgrades and improvements to the district's Central Office building and related facilities in Petal, Mississippi ..... $ 1,000,000.00

(ah) To assist Lauderdale County, Mississippi, in paying costs associated with building a new fire station for the Bailey Volunteer Fire Department ..... $ 100,000.00

(ai) To assist Tishomingo County, Mississippi, in paying costs associated with repairs to the Tishomingo County Courthouse..... $ 500,000.00

(aj) To assist Alcorn County, Mississippi, in paying costs associated with building a new fire station on Kendrick Road for the Farmington Volunteer Fire Department ..... $ 100,000.00

(ak) To assist the City of Lexington, Mississippi, in paying costs associated with the purchase of sewage pumping and vacuuming equipment and making street improvements..... $ 100,000.00

(al) To assist the Village of Eden with construction and repair of Town Hall and a safe room ..... $ 100,000.00

(am) To assist Holmes County, Mississippi, in paying costs associated with renovation of the Holmes County Courthouse ..... $ 150,000.00

(an) To assist the Jackson Public School District with the Career Development Center in paying costs associated with parking lot resurfacing including restriping and drainage repairs $ 250,000.00

(ao) To assist the Jackson Public School District with the Career Development Center in paying costs associated with trade shop repairs and upgrades, including roof leak repairs ..... $ 250,000.00

(ap) To assist the Jackson Public School District with the Career Development Center in paying costs associated with repair, renovation, furnishing and equipping of and upgrades and improvements to the Jackson Public School District's Career Development Center in Jackson, Mississippi ..... $ 100,000.00

(aq) To assist * * * Wilkinson County, Mississippi, in paying costs associated with the completion of construction, furnishing and equipping of a recreation center ..... $ 500,000.00

(ar) To assist Harrison County, Mississippi, with the following fire stations with various costs, funds are to be allocated equally: Vidalia Fire Station, Delisle Fire Station, Cuevas Fire and Rescue Station, and Henderson Point Fire Station ..... $ 100,000.00

(as) To assist the City of Pass Christian, Mississippi, with various costs for the city's Fire Department ..... $ 25,000.00

(at) To assist the City of Pass Christian, Mississippi, with various costs for the city's Police Department ..... $ 25,000.00

(au) To assist the City of New Albany, Mississippi, in paying costs associated with central business district renovations, upgrades and improvements as part of the city's downtown revitalization project ..... $ 500,000.00

(av) To assist Union County, Mississippi, in paying costs associated with the repair and renovation of and upgrades and improvements to the Union County Courthouse and Veterans Park in New Albany ..... $ 500,000.00

(aw) To assist the City of Jackson, Mississippi, acting through its Department of Planning and Development, in paying costs associated with the acquisition, demolition and/or removal of blighted properties in the City of Jackson and in the Mississippi House of Representatives District 71 ..... $ 250,000.00

(ax) To assist Lincoln County, Mississippi, in paying costs associated with the acquisition and installation of HVAC systems and equipment for the county courthouse ..... $ 250,000.00

(ay) To assist Lincoln County, Mississippi, in paying costs associated with renovations to the jail ..... $ 500,000.00

(az) To assist Desoto County, Mississippi, in paying costs associated with purchasing equipment for Alphaba-Cockrum-Ingrams Mill Volunteer Fire Department ..... $ 25,000.00

(ba) To assist Desoto County, Mississippi, in paying costs associated with purchasing equipment for the Lewisburg Volunteer Fire Department ..... $ 25,000.00

(bb) To assist Desoto County, Mississippi, in paying costs associated with the purchasing of equipment for the Love Volunteer Fire Department .... $ 25,000.00

(bc) To assist the City of Oxford, Mississippi, in paying costs associated with repair and renovation of a building to be used by the City of Oxford Police Department ..... $ 4,000,000.00

(bd) To assist Lafayette County, Mississippi, in paying the costs associated with the extension of West Oxford Loop in Lafayette County ... $ 1,000,000.00

(be) To assist the City of D'Iberville, Mississippi, in paying costs associated with the Mallett Road and Sangani Boulevard intersection and widening project ..... $ 1,000,000.00

(bf) To assist the City of Philadelphia, Mississippi, in paying costs associated with purchasing police cars for the Philadelphia Police Department ..... $ 160,000.00

(bg) To assist Kemper County, Mississippi, in paying costs associated with improvements within the county ..... $ 300,000.00

(bh) To assist the Town of Scooba, Mississippi, in paying costs associated with town improvements ..... $ 50,000.00

(bi) To assist Kemper County, Mississippi, in paying costs associated with purchasing fire equipment for the Kemper County Volunteer Fire Department ..... $ 60,000.00

(bj) To assist * * * the Porterville Water Association in paying costs associated with water line improvements * * * ..... $ 200,000.00

(bk) To assist East Mississippi Community College in paying costs associated with upgrades to equipment, furnishings and facilities for the Career Technical Education Program ..... $ 2,000,000.00

(bl) To assist the * * * Boys and Girls Club of Biloxi in paying costs associated with providing general support * * * ..... $ 1,000,000.00

(bm) To assist Warren County, Mississippi, in paying costs to assist the Warren County Sheriff's Office with site work and infrastructure improvements to the future Warren County Jail site ..... $ 1,000,000.00

(bn) To assist Madison County, Mississippi, in paying costs associated with the Reunion Parkway and Bozeman Road expansion project $12,000,000.00

(bo) To assist the Town of Edwards, Mississippi, in paying costs associated with improvements to the town's fire station ..... $ 250,000.00

(bp) To assist the Town of Raymond, Mississippi, in paying costs associated with repair and rehabilitation of the water tank on the town square in downtown Raymond and the Raymond water tank on the Hinds Community College campus ..... $ 250,000.00

(bq) To assist Clay County, Mississippi, in paying costs associated with paving and resurfacing of Lake Grove Road and Randle Road in Supervisors District 4 in Clay County ..... $ 1,000,000.00

(br) To assist Monroe County, Mississippi, with costs associated for the Prairie Rural Community Development Club to renovate the old Prairie School Building for use as a multipurpose center ..... $ 250,000.00

(bs) To assist the City of West Point, Mississippi, in paying costs associated with renovations to City Hall ..... $ 500,000.00

(bt) To assist Greene County, Mississippi, in paying costs associated with road construction and road repairs in the county ..... $ 500,000.00

(bu) To assist the City of Clinton, Mississippi, in paying costs associated with Phase II of site work for and construction and development of streets, street lighting and signals, electrical and communications distribution systems and equipment, water system and sewer system infrastructure and related infrastructure within an area bound by U.S. Highway 80, Springridge Road, Interstate 20 and Clinton-Raymond Road/Madison Street in the City of Clinton ..... $ 8,000,000.00

(bv) To assist the City of Clinton, Mississippi, in paying costs associated with the Clinton Raymond Bolton Edwards Water and Sewer Plant Capacity Expansion project $20,000,000.00

(bw) To assist the Gloster Southern Railroad with costs associated with line installations and new lines ..... $ 8,000,000.00

(bx) To assist the Town of Flora, Mississippi, in paying costs associated with water, sewer and drainage from Odom Road to Jackson Street and water infrastructure from McGraw Street to Peach Street ..... $ 2,500,000.00

(by) To * * * assist the Department of Finance and Administration Bureau of Building, Grounds and Real Property Management to complete renovations at the Mississippi Sports Hall of Fame ..... $ 500,000.00

(bz) * * * [Deleted]

(ca) To assist the City of Picayune, Mississippi, in paying costs associated with construction, equipping and furnishing of a new burn building and any

related structures and facilities for the Picayune Fire Department to replace the existing burn building ..... $ 350,000.00

(cb) To assist the City of Picayune, Mississippi, in paying costs associated with repairs and maintenance at the Picayune Memorial High School..... $ 150,000.00

(cc) To assist the Administrative Office of the Courts in paying costs associated with technological upgrades, equipment, furnishings, and installation for Courtroom 4 of the Hinds County Courthouse..... $ 50,000.00

(cd) To assist the City of Hazlehurst, Mississippi, in paying costs associated with repairs, renovations, educational programming, and expansion to the Mississippi Music Museum .....
$ 150,000.00

(ce) To assist the City of Hazlehurst, Mississippi, in paying costs associated with the Phase 5 Renovation Project of the Millsaps House ..... $ 200,000.00

(cf) To assist the Village of Beauregard, Mississippi, in paying costs associated with the construction of a community center ..... $ 400,000.00

(cg) To assist the City of Eupora, Mississippi, in paying costs associated with repaving and repair of streets
..... $ 400,000.00

(ch) To assist the Town of French Camp, Mississippi, in paying the costs associated with sidewalk repairs and infrastructure improvements for the town's Downtown Historic Area
$ 75,000.00

(ci) To assist Choctaw County, Mississippi, in paying costs associated with road repairs and resurfacing in Beat 3 Choctaw County..... $ 300,000.00

(cj) To assist Choctaw County, Mississippi, in paying costs associated with road repairs and resurfacing in Beat 1 Choctaw County..... $ 150,000.00

(ck) To assist Choctaw County, Mississippi, in paying costs associated with road repairs and resurfacing in Beat 5 Choctaw County..... $ 150,000.00

(cl) To provide funds to be distributed equally among the following fire departments in Choctaw County to assist in paying various department costs: Reform Volunteer Fire Department, Town of Ackerman Fire Department, ByWy Volunteer Fire Department, Simpson Volunteer Fire Department, Town of Weir Fire Department, Panhandle Volunteer Fire Department, Union Volunteer Fire Department, Town of French Camp Fire Department..... $ 200,000.00

(cm) To provide funds to be distributed equally among the following fire departments in Webster County to assist in paying various department costs: Tomnolen Fire Department, City of Eupora Fire Department and Town of Mathiston Fire Department .....
..... $ 75,000.00

(cn) To assist the Town of Ackerman, Mississippi, in paying costs associated with road repairs and resurfacing
..... $ 250,000.00

(co) To assist the Town of Mathiston, Mississippi, in paying costs associated with improvements to the town's infrastructure..... $ 200,000.00

(cp) To assist VFW Post 3806 in the City of Eupora, Mississippi, in paying costs associated with the Post building and Post activities..... $ 25,000.00

(cq) To assist American Legion Post 82 in the Town of Ackerman, Mississippi, in paying costs associated with the Post building and Post activities ..... $ 25,000.00

(cr) To assist the Town of Noxapater, Mississippi, in paying costs associated with road repairs and resurfacing .....
..... $ 200,000.00

(cs) To provide funds to be distributed equally among the following fire departments in Winston County to assist in paying various department costs: Nanih Waiya Volunteer Fire Department, Shiloh Fire Department, City of Louisville Fire Department, Lo Butcha Volunteer Fire Department and Beth Eden Volunteer Fire Department ..... $ 100,000.00

(ct) To assist the Town of Weir, Mississippi, in paying costs associated with repainting and other necessary repairs to the water tank .. $ 200,000.00

(cu) To assist the City of Grenada, Mississippi, in paying costs associated with street resurfacing ..... $ 1,000,000.00

(cv) To assist Grenada County, Mississippi, in paying costs associated with improvements to the Nat Trout Road and Hawkins Entrance ..... $ 500,000.00

(cw) To assist Carroll County, Mississippi, in paying costs associated with general road resurfacing and maintenance ..... $ 750,000.00

(cx) To provide funds to be distributed equally among the eighteen (18) volunteer fire departments in Lauderdale County, Mississippi, to assist in paying various department costs..... $ 360,000.00

(cy) To assist the City of Pontotoc, Mississippi, in paying costs associated with relocating the fire station on Main Street in the city to a less congested corner lot near the current location ..... $ 1,000,000.00

(cz) To assist the City of Pontotoc, Mississippi, in paying costs associated with the completion of a pavilion at the gateway to the Tanglefoot Trail..... $ 400,000.00

(da) To assist the City of Pontotoc, Mississippi, in paying costs associated with building and equipping a training center that provides trainee safety and live fire training to firefighters and first responders, benefitting both the Pontotoc City Fire Department and Pontotoc County volunteer fire departments ..... $ 500,000.00

(db) To assist the City of Pontotoc, Mississippi, in paying costs associated with renovation of and upgrades, improvements and additions to the Pontotoc Town Square Museum and Post Office building and the McMackin House necessary to provide and improve accessibility to and inside the buildings through the Pontotoc County Historical Society..... $ 50,000.00

(dc) To assist the Town of Como, Mississippi, in paying costs associated with road infrastructure repairs and improvements ..... $ 500,000.00

(dd) To assist Adams County, Mississippi, with costs associated with the Carthage Point Road drainage repair and flood control project ..... $ 500,000.00

(de) To assist the City of Natchez, Mississippi, for the purpose of providing funding to defray the expenses of the Concord Avenue Drainage Improvement Project for construction costs..... $ 500,000.00

(df) To assist the Town of Byhalia, Mississippi, in paying costs associated with relocation of water, sewer, gas utility lines and other equipment currently located on or near Mississippi Highway 309 near the Byhalia schools, and to assist in paying costs associated with street paving improvements to Mississippi Highway 309... $ 1,000,000.00

(dg) To assist the * * * Town of Byhalia, Mississippi, in paying costs associated with the renovation of the historic Byhalia High School to provide civic, business, and hospitality for the town..... $ 500,000.00

(dh) To assist the Lafayette County Sheriff's Department in paying costs associated with building a substation in the Harmontown Community with Lafayette County..... $ 250,000.00

(di) To assist the Town of New Houlka, Mississippi, in paying costs associated with the purchase of a new fire truck ..... $ 150,000.00

(dj) To assist the City of Houston, Mississippi, in paying costs associated with repair and overlay of streets including Airport Road, Church Street, Pittsboro Street, Dulaney Street, 1st Avenue, Harrington Street, Washington Street, Hamilton Street, Castle Street, Scott Street, Terrace Road and 6th Avenue $ 400,000.00

(dk) To assist the Town of Bude, Mississippi, in paying costs associated with improvements to the town's existing sewer lagoon for cleaning, removing excessive vegetation and including, but not limited to dredging of sludge and sediment ..... $ 500,000.00

(dl) To assist the Tennessee Valley Authority in paying costs associated with performing an assessment of the Holly Springs, Mississippi Utility Department and to be used for cutting of the right-of-way of the Holly Springs Utility Department ..... $ 500,000.00

(dm) To assist Benton County, Mississippi, in paying costs associated with repairs to the Benton County Historic Courthouse ..... $ 300,000.00

(dn) To assist Benton County Sheriff's Department in paying costs associated with the purchase of equipment and vehicles..... $ 400,000.00

(do) To assist Benton County, Mississippi, in paying costs associated with improvements to Benton County Veterans Park $ 300,000.00

(dp) To assist the Town of Abbeville, Mississippi, in paying costs associated with repairs and additions to the town's water system..... $ 500,000.00

(dq) To assist Union County, Mississippi, in paying costs associated with road maintenance on County Road 47 in Supervisors District 2 in Union County .... $ 900,000.00

(dr) To assist DeSoto County, Mississippi, with providing funds to assist in paying costs associated with construction, furnishing and equipping of a training facility for the Walls Volunteer Fire Department ..... $ 250,000.00

(ds) To assist the City of Hattiesburg, Mississippi, in paying costs associated with improvements in infrastructure in the Midtown area of the city, including, but not limited to, roads, bridges, water, sewer, drainage, sidewalks, stormwater detention, land acquisition, utility relocation and lighting ..... $ 2,000,000.00

(dt) To assist the Hancock County * * * Utility Authority with costs associated with * * * sewer system improvements in the areas of Kiln Delisle Road and Fenton Dedeaux Road..... $ 500,000.00

(du) To assist the Town of Caledonia, Mississippi, in paying costs associated with the purchase and upgrades of equipment..... $ 150,000.00

(dv) To assist the Town of Caledonia, Mississippi, in paying costs associated with upgrading the town's lighting infrastructure..... $ 350,000.00

(dw) To assist the Town of Brooksville, Mississippi, with matching funds for the Federal EPA Stag Grant to complete the town's water and wastewater infrastructure program ..... $ 500,000.00

(dx) To assist Noxubee County, Mississippi, in paying costs associated with the county's community sports complex redevelopment project including the addition of bleachers, concession stand, scoreboard, bathrooms and approximately four hundred (400) yards of roadway pavement..... $ 500,000.00

(dy) To provide funds to be distributed equally among the following fire departments in Scott County, Mississippi, to assist in purchasing equipment: Forest Fire Department, North Scott Volunteer Fire Department, Homewood Volunteer Fire Department, Lake Volunteer Fire Department, Liberty Volunteer Fire Department, Ludlow Volunteer Fire Department, Morton Fire Department and Sebastopol Fire Department ..... $ 200,000.00

(dz) To assist the City of Forest, Mississippi, in paying costs associated with constructing and developing a turn lane at a road by Tyson Foods for safety purposes..... $ 250,000.00

(ea) To assist the Town of Summit, Mississippi, for purpose of building a fire station for Summit Rural Fire Department..... $ 500,000.00

(eb) To assist Pike County, Mississippi, in paying costs associated with renovation and repairs to the Courthouse Complex buildings..... $ 750,000.00

(ec) To assist * * * Pike County, Mississippi, in paying costs associated with a building to house the ladder truck, 18-wheeler tanker truck, rescue pumper and smaller tanker truck for the Sunnyhill Volunteer Fire Department ..... $ 250,000.00

(ed) To assist the City of Columbia, Mississippi, in paying costs associated with the RA Johnson Drive stormwater retention pond project.. $ 300,000.00

(ee) To assist the City of Columbia, Mississippi, in paying costs associated with downtown storm drainage system improvements..... $ 500,000.00

(ef) To assist Marion County, Mississippi, in paying costs associated with paving roads within the county..... $ 500,000.00

(eg) To assist Marion County, Mississippi, in paying costs associated with roof repairs * * *..... $ 500,000.00

(eh) To assist the City of Purvis, Mississippi, in paying costs associated with VFW Post 3955 to expand and modernize the facility ..... $ 150,000.00

(ei) To assist the City of Pearl, Mississippi, in paying costs associated with construction of a bridge extending from the intersection of the extension of Ware Street and relocated St. Augustine Street to Pearson Road in the City of Pearl. $ 500,000.00

(ej) To assist the Town of Carrollton, Mississippi, in paying costs associated with the installation of high speed service via Delta Lightspeed $ 400,000.00

(ek) To assist the Town of North Carrollton, Mississippi, in paying costs associated with the installation of high speed service via Delta Lightspeed ..... $ 350,000.00

(el) To assist the City of Greenwood, Mississippi, in paying costs associated with improvements to Yazoo River Trail and Yazoo River Landing ..... $ 750,000.00

(em) To assist Montgomery County, Mississippi, in paying costs associated with an emergency generator, 65kw transfer switch, concrete pad and installation for the Stewart Water Association..... $ 100,000.00

(en) To assist the Town of Kilmichael, Mississippi, in paying costs associated with purchasing turnout suits and equipment for the Kilmichael Volunteer Fire Department ..... $ 100,000.00

(eo) To assist Montgomery County, Mississippi, for the purpose of the Red Hill Volunteer Fire Department..... $ 250,000.00

(ep) To assist the City of Winona, Mississippi, in paying costs associated with purchasing a fire truck..... $ 450,000.00

(eq) To assist Carroll County, Mississippi, in paying costs associated with improvements to County Road 83..... $ 700,000.00

(er) To assist the City of Tylertown, Mississippi, in paying costs associated with infrastructure improvements..... $ 500,000.00

(es) To assist Walthall County, Mississippi, in paying costs associated with the construction of a frontage road along the south side of Highway 98 Bypass ..... $ 750,000.00

(et) To assist the City of Gautier, Mississippi, in paying costs associated with construction of the Mississippi Songwriters Performing Arts Center..... $ 2,000,000.00

(eu) To assist the City of Gautier, Mississippi, in paying costs associated with constructing an inclusion and Americans With Disabilities Act (ADA) approved park area including, but not limited to, playground equipment for children with disabilities ..... $ 1,000,000.00

(ev) To assist the City of Gautier, Mississippi, in paying costs associated with improvements to Town Commons Park, including, but not limited to, parking and through roads for an amphitheater..... $ 2,000,000.00

(ew) To assist the City of Water Valley, Mississippi, in paying costs associated with maintenance, repairs and facilitation of broadband service by the city electric department
$ 750,000.00

(ex) To assist the City of Charleston, Mississippi, in paying costs associated with improvement and restoration of city streets ..... $ 500,000.00

(ey) To assist Yalobusha County, Mississippi, by providing funds to be used as matching funds for the Tennessee Valley Authority grant for the industrial park..... $ 100,000.00

(ez) To assist the City of Water Valley, Mississippi, in paying costs associated with restoration and maintenance of the Water Valley Civic Center ..... $ 250,000.00

(fa) To assist Oktibbeha County, Mississippi, in paying costs associated with constructing a new building for Oktibbeha County Circuit and County Court ..... $ 1,000,000.00

(fb) To assist the City of Starkville, Mississippi, in paying costs associated with the city's Main Street Project..... $ 1,500,000.00

(fc) To assist the Town of Sumner, Mississippi, in paying costs associated with the construction of a police department building and related facilities .... $ 250,000.00

(fd) To assist the Town of Webb, Mississippi, in paying costs associated with the construction of a community center .....
$ 250,000.00

(fe) To assist Newton County, Mississippi, in paying costs associated with purchasing a fire truck..... $ 250,000.00

(ff) To assist the Town of Decatur, Mississippi, in paying costs associated with the purchase of two (2) patrol vehicles and equipment..... $ 125,000.00

(fg) To assist the Town of Sebastopol, Mississippi, in paying costs associated with a building extension and fixtures for the town police department ..... $ 250,000.00

(fh) To assist the Town of Seminary, Mississippi, in paying costs associated with water and sewer infrastructure improvements ..... $ 250,000.00

(fi) To assist Jefferson Davis County, Mississippi, in paying costs associated with improvements to Broome Road ..... $ 100,000.00

(fj) To assist Jones County, Mississippi, in paying costs associated with mill and overlay to Graves Road and adjoining streets from Buffalo Hill Road to the city limits of Ellisville, Mississippi, and to extend the project to Mississippi Highway 588 $ 600,000.00

(fk) To assist the City of Laurel, Mississippi, in paying costs associated with additions to and expansion of the Veterans Memorial Museum in Laurel, Mississippi..... $ 200,000.00

(fl) To assist Jones County Junior College in paying costs associated with construction of a building to house the School of Design ..... $ 200,000.00

(fm) To assist the City of Brandon, Mississippi, in paying costs associated with infrastructure repairs, maintenance, upgrades and improvements ..... $ 1,000,000.00

(fn) To provide funds to be distributed equally among the following fire departments in Jasper County: Bay Springs Volunteer Fire Department, Central Volunteer Fire Department, Fellowship Volunteer Fire Department, Hal Volunteer Fire Department, Lake Eddins Volunteer Fire Department, Louin Volunteer Fire Department, Montrose Volunteer Fire Department, Mossville Volunteer Fire Department, Northeast Jasper Volunteer Fire Department, Paulding Volunteer Fire Department and Rose Hill Volunteer Fire Department..... $ 110,000.00

(fo) To assist Clarke County, Mississippi, in paying costs associated with infrastructure for the new Howard Industrial Expansion Plant, including, but not limited to, water, sewer and fencing..... $ 500,000.00

(fp) To assist Mississippi Wireless * * * Communication Commission in paying costs associated with adding new statewide communication towers in needed locations ..... $ 3,900,000.00

(fq) To assist Tippah County, Mississippi, in paying costs associated with the destruction of the old Tippah County Hospital..... $ 500,000.00

(fr) To assist the Town of Blue Mountain, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department..... $ 50,000.00

(fs) To assist the Town of Walnut, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department . $ 100,000.00

(ft) To assist the City of Ripley, Mississippi, in paying costs associated with the purchase of equipment for the city's fire department ... $ 175,000.00

(fu) To assist the Town of Falkner, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department .. $ 50,000.00

(fv) To assist the Town of Dumas, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department .. $ 50,000.00

(fw) To assist Tippah County, Mississippi, in paying costs association with the purchase of equipment for the Tippah County Sheriff's Department $ 100,000.00

(fx) To assist the Town of Falkner, Mississippi, in paying costs associated with the Heritage Museum..... $ 30,000.00

(fy) To assist * * * the CREATE Foundation with creating a Target Endowment Fund for various projects in * * * Tippah County, Mississippi... $ 75,000.00

(fz) To assist * * * VFW Post 4881 in paying costs associated with building maintenance * * *..... $ 25,000.00

(ga) To assist * * * American Legion Post 81 with costs associated * * * with building maintenance * * *..... $ 25,000.00

(gb) To assist the Town of Walnut, Mississippi, in paying costs associated with gas system improvements ..... $ 75,000.00

(gc) To assist Sharkey County, Mississippi, in paying costs associated with repairs to the Sharkey County Courthouse located in Rolling Fork, Mississippi..... $ 1,000,000.00

(gd) To assist Hinds County, Mississippi, in paying costs associated with purchasing and installing surveillance cameras on Dixon Road, McCain Avenue and South Drive ..... $ 25,000.00

(ge) To assist the City of Verona, Mississippi, in paying costs associated with site work and infrastructure related to the Old Town Project..... $ 500,000.00

(gf) To assist the Town of Taylorsville, Mississippi, in paying costs associated with infrastructure repair and to upgrade water, sewer and fire protection systems to industrial area..... $ 350,000.00

(gg) To assist the City of Guntown, Mississippi, in paying costs associated with repairing, reconstruction, resurfacing and other improvements such as curbs, drainage to Mike Avenue and to bring the road up to code, and any remaining funds shall be used for costs associated with making improvements to other streets in the city..... $ 750,000.00

(gh) To assist Prentiss County, Mississippi, in paying costs associated with making improvements to roads and bridges in Supervisors District 3 in Prentiss County..... $ 300,000.00

(gi) To assist the Town of Lena, Mississippi, in paying costs associated with road and water infrastructure projects ..... $ 500,000.00

(gj) To assist the Town of D'Lo, Mississippi, in paying costs associated with construction of a fire station ..... $ 50,000.00

(gk) To assist the Town of D'Lo, Mississippi, in paying costs associated with Phase II of paving town streets including First Street from Highway 149 to South Pine, Second Street from Highway 149 to South Maple, Third Street from Highway 149 to South Maple, Fourth Street from Highway 149 to South Maple and Cemetary Road..... $ 250,000.00

(gl) To assist the Town of D'Lo, Mississippi, in paying costs associated with Phase III of paving town streets including South Oak from Highway 540 to end, West Fifth from Highway 149 to South Oak, East Fifth from Highway 149 to South Oak, West Pecan from Willow Street to Highway 149, and East Pecan from Highway 149 to Water Tower $ 250,000.00

(gm) To assist Rankin County, Mississippi, to provide funds to be distributed equally among the following fire departments in Rankin County: Cleary Volunteer Fire Department, Star Volunteer Fire Department, Florence Volunteer Fire Department, SW Rankin Volunteer Fire Department and Monterey Volunteer Fire Department..... $ 75,000.00

(gn) To assist Copiah County, Mississippi, to provide funds to be distributed equally among the following fire departments in Copiah County: Crystal Springs Volunteer Fire Department, Hopewell Volunteer Fire Department, New Zion Volunteer Fire Department and Dentville Volunteer Fire Department..... $ 60,000.00

(go) To assist Simpson County, Mississippi, with costs associated with the Old Pearl Volunteer Fire Department ..... $ 15,000.00

(gp) To assist Rankin County, Mississippi, with funds associated with the road connecting U.S. Highway 49 to Pearson Road ..... $ 500,000.00

(gq) To assist the City of Crystal Springs, Mississippi, in paying costs associated with Chautauqua Park Amphitheater..... $ 500,000.00

(gr) To assist Hinds County, Mississippi, in paying costs associated with repairs for flood plain revisions to Eubanks Creek ..... $ 500,000.00

(gs) To assist the City of Ocean Springs, Mississippi, in paying costs associated with GIS mapping of infrastructure ..... $ 75,000.00

(gt) To assist the City of Ocean Springs, Mississippi, in paying costs associated with improvements or adding turn lanes, curbs, drainage and sidewalks ..... $ 400,000.00

(gu) To assist the City of Ocean Springs, Mississippi, in paying costs associated with covering the stage located at Fort Maurepas..... $ 450,000.00

(gv) * * * [Deleted]

(gw) To assist the Mississippi Organ Recovery Agency in paying costs associated with a statewide communications program..... $ 500,000.00

(gx) To assist the City of Senatobia, Mississippi, in paying costs associated with water, sewer and road infrastructure renovations in the Downtown Historic District... $ 2,000,000.00

(gy) To assist Rankin County, Mississippi, in paying costs associated with infrastructure improvements on the I-20 Connector Loop Project ..... $ 3,000,000.00

(gz) To assist the City of Senatobia, Mississippi, in paying costs associated with infrastructure repairs and improvements at the Senatobia Sports Park$ 600,000.00

(ha) To assist the City of Senatobia, Mississippi, in paying costs associated with sewer and water improvements to the New Image Water and Sewer System ..... $ 2,000,000.00

(hb) To assist Tate County, Mississippi, with reimbursement of funds for costs associated with Tate County Courthouse parking facility renovations; any remaining funds may be spent on drainage and road repairs as determined by the Tate County Board of Supervisors..... $ 1,650,000.00

(hc) To assist the Mississippi Department of Transportation in paying costs associated with improvements at the intersection of Highway 51 and Porter Street, and at the intersection of Highway 4 and I-55 intersection within the city limits of the City of Senatobia, Mississippi ..... $ 750,000.00

(hd) To assist Northwest Mississippi Community College in paying costs associated with capital infrastructure and repairs to the main campus facilities..... $ 2,000,000.00

(he) To assist the Cottonville-Savage Rural Water Association in paying costs associated with construction, repair and maintenance of, and acquiring equipment for, a water system

$ 285,000.00

(hf) To assist Holmes Community College in paying costs associated with the construction of a new Allied Health building

$ 1,000,000.00

(hg) To assist the Kosciusko School District in paying costs associated with infrastructure, construction and improvements to facilities throughout the district .....

$ 1,000,000.00

(hh) To assist the Edinburg Domestic Water Association in paying costs associated with the construction, repair and maintenance of, and acquiring equipment for, a water system.....

$ 150,000.00

(hi) To assist Leake County, Mississippi, in paying costs associated with the construction, repair and renovation of North Jordan Street ..... $ 2,500,000.00

(hj) To assist Leake County, Mississippi, in paying costs associated with the construction, repair and renovation of Red Dog Road..... $ 925,000.00

(hk) To assist Leake County, Mississippi, in paying costs associated with the local workforce initiative of the Leake County Development Association for students in Leake County.....

$ 50,000.00

(hl) To assist Holmes County, Mississippi, in paying costs associated with road resurfacing and repairs in Supervisors District 2 of the county ..... $ 500,000.00

(hm) To assist the City of Carthage, Mississippi, in paying costs associated with the construction, repair and renovation of the Carthage Coliseum ..... $ 1,000,000.00

(hn) To assist Leake County, Mississippi, in paying costs associated with acquiring firefighting equipment for Leake County fire departments ..... $ 100,000.00

(ho) To assist the Town of West, Mississippi, in paying costs associated with infrastructure improvements, renovations and rehabilitation of existing town properties, including, but not limited to, the Welcome Center, City Hall, Old City Hall and the Library, as well as the purchase of a new police vehicle, including the necessary equipment to outfit the vehicle.....

$ 300,000.00

(hp) To assist Attala County, Mississippi, in paying costs associated with the construction of an Attala County Fire Station, an Emergency Operations Center and E-911
Telecommunications Center ..... $ 3,600,000.00

(hq) To assist Attala County, Mississippi, in paying costs associated with the repair or replacement of the roof for the Old Jack Post Industrial Building..... $ 850,000.00

(hr) To assist the City of Kosciusko, Mississippi, in paying costs associated with the construction, renovation and rehabilitation of the Strand Theatre.. $ 500,000.00

(hs) To assist * * * Carmack Community Club in paying costs associated with the renovation, construction and rehabilitation of a building for the Carmack Community Club .....

$ 200,000.00

(ht) To assist the Possumneck-Carmack Water Association in paying costs associated with the construction, repair and maintenance of, and acquiring equipment for, the water association .....

$ 150,000.00

(hu) To assist Zama Water Association in paying costs associated with the construction, repair and maintenance of, and acquiring equipment for, the water association ..... $ 150,000.00

(hv) * * * [Deleted]

(hw) To assist Jasper County, Mississippi, in paying costs associated with repairs, resurfacing and improvements to roads and bridges..... $ 1,100,000.00

(hx) To assist the Town of Heidelberg, Mississippi, in paying costs associated with infrastructure improvements.....
$ 300,000.00

(hy) To assist the City of Bay Springs, Mississippi, in paying costs associated with infrastructure improvements.....
$ 150,000.00

(hz) To assist the East Jasper Consolidated School District in paying costs associated with the * * * repairs and renovations of the old Heidelberg Academy ..... $ 150,000.00

(ia) To assist Forrest County, Mississippi, in paying costs associated with repairs and improvements on Monroe Road
Extension ..... $ 325,000.00

(ib) To assist Lawrence County, Mississippi, in paying costs associated with pavement maintenance for the N.A. Sandifer Highway ..... $ 1,000,000.00

(ic) To assist Lincoln County, Mississippi, in paying costs associated with repairs and renovations to the county courthouse ..... $ 250,000.00

(id) To assist Holmes County, Mississippi, in paying costs associated with infrastructure improvements .....
$ 500,000.00

(ie) To assist the City of Lexington, Mississippi, in paying costs associated with renovations to the city hall and the municipal fire station ..... $ 500,000.00

(if) To assist the Town of Tchula, Mississippi, in paying costs associated with repairs, resurfacing and improvements to town streets..... $ 250,000.00

(ig) To assist the City of Olive Branch, Mississippi, in paying costs associated with the improvement and expansion of aircraft hangers ..... $ 1,500,000.00

(ih) To assist Marshall County, Mississippi, in paying costs associated with building the Chickasaw Trail Emergency Response Center ..... $ 1,500,000.00

(ii) To assist Desoto County, Mississippi, in paying costs associated with a parking lot and staging improvements at the National Guard Armory ..... $ 500,000.00

(ij) To assist the City of Byram, Mississippi, in paying costs associated with drainage repair projects .....
$ 500,000.00

(ik) To assist the City of Byram, Mississippi, in paying costs associated with improvements to the Terry Road Bridge.....
$ 250,000.00

(il) To assist the Town of Terry, Mississippi, in paying costs associated with the renovation of a community center and improvements to Main Street.... $ 300,000.00

(im) To assist Hinds County, Mississippi, in paying costs associated with widening, straightening and clearing debris from Eubanks Creek..... $ 500,000.00

(in) To assist the City of Oxford, Mississippi, in paying costs associated with the construction of a new police station..... $ 1,000,000.00

(io) To assist Panola County, Mississippi, in paying costs associated with improvements at the Panola County
Airport$ 500,000.00

(ip) To assist the City of Louisville, Mississippi, in paying costs associated with infrastructure improvements for the North and South Industrial Road Project..... $ 2,000,000.00

(iq) To assist Neshoba County, Mississippi, in paying costs associated with the purchase of equipment for the Neshoba County Sheriff's Department . $ 200,000.00

(ir) To assist the Brewer Community Association, Inc., in paying costs associated with the improvement and operation of the community center in Brewer, Mississippi..... $ 150,000.00

(is) To assist Tammy Wynette Legacy Park in paying costs associated with the improvement and operation of the Tammy Wynette Legacy Center in the Town of Tremont, Mississippi ..... $ 150,000.00

(it) To assist the Prairie Rural Community Development Club in paying costs associated with the improvement and operation of the former Prairie School in Prairie, Mississippi..... $ 150,000.00

(iu) To assist the City of Tupelo, Mississippi, in paying costs associated with improvements to Ballard Park including, but not limited to, inclusive playground equipment and any necessary playground equipment for special needs children ..... $ 500,000.00

(iv) To assist Jefferson County, Mississippi, in paying costs associated with infrastructure improvements to roads and bridges ..... $ 100,000.00

(iw) To assist Claiborne County, Mississippi, in paying costs associated with infrastructure improvements ..... $ 500,000.00

(ix) To assist Claiborne County, Mississippi, in paying costs associated with improvements to law enforcement facilities ..... $ 225,000.00

(iy) To assist Copiah County, Mississippi, in paying costs associated with the demolition of the former hospital complex in the City of Hazlehurst ..... $ 75,000.00

(iz) To assist the City of Natchez, Mississippi, in paying costs associated with various drainage projects ..... $ 500,000.00

(ja) To assist the Gulfport Redevelopment Commission in paying costs associated with a mixed-use downtown development project, including general infrastructure to leverage public and private investment ..... $ 2,000,000.00

(jb) To assist the City of Magee, Mississippi, in paying costs associated with infrastructure improvements ..... $ 500,000.00

(jc) To assist the City of Mendenhall, Mississippi, in paying costs associated with infrastructure improvements ..... $ 500,000.00

(jd) To assist the Village of Puckett, Mississippi, in paying costs associated with infrastructure improvements ..... $ 500,000.00

(je) To assist Montgomery County, Mississippi, in paying costs associated with the installation of traffic signals at the intersection of U.S. Highway 82 and Middleton Road and at the intersection of U.S. Highway 82 and Mission Road ..... $ 700,000.00

(jf) To assist Grenada County, Mississippi, in paying costs associated with improvements to Nat G. Trout Road..... $ 500,000.00

(jg) To assist the Kosciusko School District in paying costs associated with renovations and improvements to the Skipworth Auditorium..... $ 500,000.00

(jh) To assist Attala County, Mississippi, in paying costs associated with the repair and/or replacement of the roof of the Jack Post Industrial Building .. $ 250,000.00

(ji) To assist the City of Kosciusko, Mississippi, in paying costs associated with repairs and renovations to the Strand $ 250,000.00

(jj) To assist Greene County, Mississippi, in paying costs associated with the purchase of equipment for the Emergency 911 Call Center..... $ 705,000.00

(jk) To assist Greene County, Mississippi, in paying costs associated with the construction of a county-owned building..... $ 400,000.00

(jl) * * * [Deleted]

(jm) To assist the Mississippi Department of Transportation in paying costs associated with widening and improvements to State Highway/Old Highway 63 from Highway 57 to Highway 63 in Greene County, Mississippi..... $ 1,000,000.00

(jn) To assist George County, Mississippi, in paying costs associated with infrastructure improvements .....
$ 300,000.00

(jo) To assist Greene County, Mississippi, in paying costs associated with infrastructure improvements .....
$ 550,000.00

(jp) To assist the Town of State Line, Mississippi, in paying costs associated with Hurricane Zeta..... $ 250,000.00

(jq) To assist Wayne County, Mississippi, in paying costs associated with the repair and upgrades to courtrooms.....
$ 75,000.00

(jr) To assist the City of D'Iberville, Mississippi, in paying costs associated with the extension of Mallet Road.....
$ 2,500,000.00

(js) To assist the Mississippi State University Research and Technology Corporation in paying costs associated with the Mississippi Cybersecurity Center adjacent to Keesler Air Force Base..... $15,000,000.00

(jt) To assist the Jackson County School District in paying costs associated with repairs and renovations to facilities at St. Martin High School ..... $ 1,000,000.00

(ju) To assist Jackson County, Mississippi, in paying costs associated with upgrades at the intersection of Jim Ramsey Road and Old Fort Bayou Road ..... $ 500,000.00

(jv) To assist the City of Ocean Springs, Mississippi, in paying costs associated with repairs and restoration of the Mary C. O'Keefe Cultural Arts Center ..... $ 250,000.00

(jw) To assist the Lamar County School District in paying costs associated with the development of the new courtyard at the Sumrall High School..... $ 1,400,000.00

(jx) To assist the Town of Seminary, Mississippi, in paying costs associated with water and sewer improvements .....
$ 250,000.00

(jy) To assist the City of Collins, Mississippi, in paying costs associated with water and sewer improvement near the Collins Civic Center..... $ 400,000.00

(jz) To assist the City of Flowood, Mississippi, in paying costs associated with infrastructure improvements on Flowood Drive..... $ 1,500,000.00

(ka) To assist the City of Flowood, Mississippi, in paying costs associated with infrastructure improvements on Liberty Road and at Liberty Park ..... $ 1,250,000.00

(kb) To assist Rankin County, Mississippi, in paying costs associated with infrastructure improvements on the I-20 Connector Loop Project ..... $ 4,500,000.00

(kc) To assist the City of Meridian, Mississippi, in paying costs associated with infrastructure improvements to North Hills Street from Highway 19 to Highway 39.. $ 3,400,000.00

(kd) To assist the Kemper County School District in paying costs associated with software and training programs for the Career and Technical Education Center ..... $ 200,000.00

(ke) To assist the City of Picayune, Mississippi, in paying costs associated with infrastructure improvements.....
$ 500,000.00

(kf) To assist the City of Poplarville, Mississippi, in paying costs associated with the purchase of public safety vehicles, fire protection purchases, street paving and drainage improvements ..... $ 1,000,000.00

(kg) To assist the City of Vicksburg, Mississippi, in paying costs associated with repairs to the Fisher Ferry
Bridge $ 4,000,000.00

(kh) To assist the City of Vicksburg, Mississippi, in paying costs associated with infrastructure improvements.....
$ 500,000.00

(ki) To assist the South Delta School District in paying costs associated with asbestos demolition and remediation ..... $ 350,000.00

(kj) To assist with Pearl River Valley Water Supply District for the dredging fund $ 2,000,000.00

(kk) To assist the Lighthouse Academy for Dyslexia in Ocean Springs with costs associated for general purposes for dyslexia services..... $ 195,000.00

(kl) To assist the Culkin Water District with the reconstruction of water lines for an industrial park, schools, hospital and other accounts ..... $ 1,500,000.00

(km) To assist Warren County, Mississippi, in paying costs associated with upgrades and improvements to the historic Old Courthouse and grounds in Vicksburg .. $ 2,000,000.00

(kn) To assist Yazoo County, Mississippi, in paying costs associated with construction and repairs to the Lake George Bridge ..... $ 3,000,000.00

(ko) To assist the City of Ridgeland, Mississippi, in paying costs associated with the construction of the Commerce Park Connector Road..... $ 2,000,000.00

(kp) * * * [Deleted]

(kq) To assist the City of Jackson, Mississippi, in paying costs associated with repairs, renovations and upgrades to Thalia Mara Hall..... $ 1,500,000.00

(kr) To assist the Town of Bolton, Mississippi, in paying costs associated with repairs and renovations to the volunteer fire department..... $ 50,000.00

(ks) To assist Tunica County, Mississippi, in paying costs associated with repairs, resurfacing and improvements and traffic signal upgrades on Casino Strip Resort Boulevard.....
$ 500,000.00

(kt) To assist the Town of Lambert, Mississippi, in paying costs associated with equipment purchases for the town's fire department..... $ 100,000.00

(ku) To assist the City of Hattiesburg, Mississippi, in paying costs associated with improvements in infrastructure in the Midtown area of the city, including, but not limited to, roads, bridges, water, sewer, drainage, sidewalks, stormwater detention, land acquisition, utility relocation and lighting .....
$ 2,000,000.00

(kv) To assist Perry County, Mississippi, in paying costs associated with the construction of a roadway and a bridge to access the Perry County Industrial Park..... $ 750,000.00

(kw) To assist the City of Greenwood, Mississippi, in paying costs associated with infrastructure improvements.....
$ 500,000.00

(kx) To assist the Mississippi Development Authority in providing reimbursements for Major League Baseball mandated alterations and improvements to Trustmark Park ..... $ 1,300,000.00

(ky) To assist the Town of Gloster, Mississippi, in paying costs associated for infrastructure improvements to Gloster Road, Georgia Pacific 1 Road, Georgia Pacific 2 Road, Pepper House Road and East Railroad Avenue.. $ 2,500,000.00

(kz) To assist the City of Pearl, Mississippi, in paying costs associated with lighting improvements on U.S. Highway 80 ..... $ 1,500,000.00

(la) To assist the City of Richland, Mississippi, in paying costs associated with the U.S. Highway 49 pedestrian crossover ..... $ 500,000.00

(lb) To assist the City of Newton, Mississippi, in paying costs associated with demolition, repairs and renovations of the Medical and Community Facility..... $ 1,500,000.00

(lc) To assist the City of Forest, Mississippi, in paying costs associated with infrastructure improvements to Jack Lee Drive and Old Morton Road ..... $ 250,000.00

(ld) To assist the City of Hernando, Mississippi, in paying costs associated with the installation of a roundabout at the intersection of U.S. Highway 51 and Oak Grove Road
$ 1,500,000.00

(le) To assist Lee County, Mississippi, in paying costs associated with the acquisition of real property adjacent to Turner Industrial Park for the purpose of site expansion and rail spur improvements ..... $ 1,000,000.00

(lf) To assist Lee County, Mississippi, in paying costs associated with the purchase of a fire truck for the Richmond Fire Department in the Richmond community of Lee County.....
$ 358,000.00

(lg) To assist the City of Saltillo, Mississippi, in paying costs associated with the construction of a new fire station ..... $ 1,000,000.00

(lh) To assist the City of Gluckstadt, Mississippi, in paying costs associated with the construction of a municipal court building and a police station ..... $ 750,000.00

(li) To assist the City of Madison, Mississippi, in paying costs associated with the Madison Avenue bypass to U.S. Highway 51 ..... $ 2,000,000.00

(lj) To assist the City of Bay St. Louis, Mississippi, in paying costs associated with infrastructure improvements.....
$ 250,000.00

(lk) To assist Hancock County, Mississippi, in paying costs associated with infrastructure improvements .....
$ 500,000.00

(ll) To assist the City of Waveland, Mississippi, in paying costs associated with infrastructure improvements.....
$ 250,000.00

(lm) To assist the Horn Lake Creek Basin Interceptor Sewer District in paying the costs associated with infrastructure improvements..... $ 2,000,000.00

(ln) To assist the Twenty-third Circuit Court District in paying costs associated with the District Attorney's Office.....
$ 275,000.00

(lo) To assist the City of Southaven, Mississippi, in paying costs associated with traffic signal and intersection improvements at Stateline Road and Swinnea Road . $ 300,000.00

(lp) To assist the City of Southaven, Mississippi, in paying costs associated with upgrades and improvements to Snowden Grove Park..... $ 500,000.00

(lq) To assist the City of Southaven, Mississippi, in paying costs associated with a traffic signal and intersection improvements at Church Road and Tchulahoma Road

$ 350,000.00

(lr) To assist * * * Horn Lake Water Association, Inc., in paying costs associated with a water meter
replacement ..... $ 250,000.00

(ls) To assist Alcorn County, Mississippi, in paying costs associated with infrastructure improvements to the Industrial Access Roadway ..... $ 500,000.00

(lt) To assist the City of Corinth, Mississippi, in paying costs associated with the Polk Street bridge replacement project..... $ 1,500,000.00

(lu) To assist Blue Mountain Christian University in paying costs associated with the nursing school ..... $ 250,000.00

(lv) To assist the City of Farmington, Mississippi, in paying the costs associated with the purchase of vehicles and equipment for the police department..... $ 100,000.00

(lw) To assist Lamar County, Mississippi, in paying costs associated with infrastructure improvements to the roundabout at Oak Grove Road and Weathersby Road
$ 1,500,000.00

(lx) To assist the Jackson County Economic Development Foundation in paying costs associated with the employment of career coaches for the Jackson County School District.....
$ 600,000.00

(ly) To assist Jackson County, Mississippi, in paying costs associated with road and bridge repairs in Supervisor District 1..... $ 300,000.00

(lz) To assist Washington County, Mississippi, in paying costs associated with repair and renovations of Estes Street, Airdale Drive and Sidney Street..... $ 600,000.00

(ma) To assist the Town of Metcalfe, Mississippi, in paying costs associated with repairs, renovations and technological enhancements of town hall..... $ 100,000.00

(mb) To assist the Town of Benoit, Mississippi, in paying costs associated with repairs, renovations and technological enhancements of town hall..... $ 100,000.00

(mc) To assist the City of Leland, Mississippi, in paying costs associated with repairs, renovations and technological enhancements of city hall..... $ 75,000.00

(md) To assist Washington County, Mississippi, in paying costs associated with improvements, renovations, repairs and upgrades to the Greenville Mid-Delta Airport $ 500,000.00

(me) To assist the City of Cleveland, Mississippi, in paying costs associated with infrastructure and drainage improvements..... $ 500,000.00

(mf) To assist Bolivar County, Mississippi, in paying costs associated with the expansion of the Terrene Landing River Boat Dock and improvements to Terrene Landing Road..... $ 400,000.00

(mg) To assist Tishomingo County, Mississippi, in paying costs associated with the repair, renovation and expansion of the General Building 1016 at the Tri-State Commerce Park..... $ 650,000.00

(mh) To assist the City of Fulton, Mississippi, in paying costs associated with construction, renovation and repair of an acquired building to repurpose for use as the city hall..... $ 250,000.00

(mi) To assist the Town of Marietta, Mississippi, in paying costs associated with infrastructure improvements..... $ 200,000.00

(mj) To assist the Town of Mantachie, Mississippi, in paying costs associated with infrastructure improvements for the Fawn Grove Industrial Park..... $ 148,000.00

(mk) To assist the Town of Tishomingo, Mississippi, in paying costs associated with the replacement of gate valves and other water infrastructure projects.. $ 150,000.00

(ml) To assist the Village of Paden, Mississippi, in paying costs associated with the repairs and renovations of a village-owned industrial building..... $ 150,000.00

(mm) To assist Itawamba County, Mississippi, in paying costs associated with repairs and renovations to the RCDC facilities..... $ 40,000.00

(mn) To assist Tishomingo County, Mississippi, in paying costs associated with repairs and renovations at the Old Historical Courthouse..... $ 100,000.00

(mo) To assist the Town of Bruce, Mississippi, in paying costs associated with equipment upgrades and other purchases for the town's police department..... $ 50,000.00

(mp) To assist the Town of New Houlka, Mississippi, in paying costs associated with the purchase of a fire truck..... $ 125,000.00

(mq) To assist Calhoun County, Mississippi, in paying costs associated with the repairs, paving and improvements of County Road 137..... $ 125,000.00

(mr) To assist Calhoun County, Mississippi, in paying costs associated with the repairs, paving and improvements of County Road 306..... $ 1,000,000.00

(ms) To assist the Pat Harrison Waterway District in paying costs associated with the relocation of a boat ramp .....

$ 100,000.00

(mt) To assist the Mississippi Department of Transportation in paying costs associated with a turn lane and traffic signal at the intersection of McArthur Street and Highway 145 in Quitman, Mississippi ..... $ 100,000.00

(mu) To assist Clarke County, Mississippi, in paying costs associated with the purchase of vehicles and equipment for the Clarke County Sherriff's Department .....
$ 100,000.00

(mv) To assist Yazoo County, Mississippi, in paying costs associated with repairs and improvements to roads and bridges ..... $ 500,000.00

(mw) To assist the Town of Cary, Mississippi, in paying costs associated with the construction of a fire station .....
$ 250,000.00

(mx) To assist Yazoo City, Mississippi, in paying costs associated with the repair and renovation of the Triangle Cultural Center..... $ 200,000.00

(my) To assist the City of Long Beach, Mississippi, in paying costs associated with infrastructure improvements.....
$ 750,000.00

(mz) To assist the City of Pass Christian, Mississippi, in paying costs associated with infrastructure improvements.....
$ 750,000.00

(na) To assist the City of Macon, Mississippi, in paying costs associated with the purchase of fire trucks and firefighting equipment for the city's fire department ...
$ 350,000.00

(nb) To assist the City of West Point, Mississippi, in paying costs associated with repairs, resurfacing and improvements to streets ..... $ 1,000,000.00

(nc) To assist Tate County, Mississippi, in paying costs associated with infrastructure improvements for the Chrome-Craft Redevelopment project $ 1,000,000.00

(nd) To assist Union County, Mississippi, in paying costs associated with infrastructure improvements in Supervisor District 1 ..... $ 300,000.00

(ne) To assist Union County, Mississippi, in paying costs associated with infrastructure improvements in Supervisor District 2 ..... $ 300,000.00

(nf) To assist the Town of Potts Camp, Mississippi, in paying costs associated with infrastructure improvements.....
..... $ 300,000.00

(ng) To assist Jackson County, Mississippi, in paying costs associated with the engineering and construction of the Jackson County Blueway Connection, along the Pascagoula River.....
$ 500,000.00

(nh) To assist the City of Pascagoula, Mississippi, in defraying expenses associated with a police substation for East Pascagoula ..... $ 1,500,000.00

(ni) To assist the City of Ocean Springs, Mississippi, in paying costs associated with infrastructure improvements.....
$ 600,000.00

(nj) To assist the City of Starkville, Mississippi, in paying costs associated with the Starkville Main Street
Project..... $ 500,000.00

(nk) To assist Oktibbeha County, Mississippi, with costs associated with roof repairs to the Town of Maben's Fire
Department ..... $ 50,000.00

(nl) To * * * assist Oktibbeha County, Mississippi, in providing funds to be distributed equally among the following fire departments to assist in paying various department costs: Adaton Self Creek Volunteer Fire Department, Central Oktibbeha Fire Department, Maben Fire Department, and Sturgis/District 4 Volunteer Fire Department $ 200,000.00

(nm) To assist Webster County, Mississippi, with costs associated with the repairs and maintenance of the Volunteer Fire Departments buildings..... $ 250,000.00

(nn) To assist the City of Eupora, Mississippi, with costs associated with the purchase of a police vehicle .....
..... $ 55,000.00

(no) To assist the Town of Weir, Mississippi, with costs associated with infrastructure improvement projects and purchasing vehicles for the police department . $ 45,000.00

(np) To assist the Community Foundation for Mississippi in paying costs associated with providing direct services for reading intervention and training for teachers, and with renovations to building space to provide such services ..... $ 500,000.00

(nq) To assist the Marty Stuart Congress of Country Music Museum in paying costs associated with the construction of Phase 2 of the museum in the City of Philadelphia, Mississippi; however, no funds may be disbursed for such purposes until the Department of Finance and Administration is provided proof that the museum, museum owner or museum governing body, as applicable, possesses the ownership rights to all Marty Stuart memorabilia, exhibits and/or other items or material displayed in the museum or has a written binding agreement to display Marty Stuart memorabilia and/or similar memorabilia for a period of at least twenty-five (25) years . $10,000,000.00

(nr) To provide funds to the Three Rivers Solid Waste Management Authority to construct, repair, renovate, expand, enhance, improve, and equip the Three Rivers Regional Landfill in the City of Pontotoc, Mississippi, and the three (3) Authority Transfer Stations located in the City of Oxford, Mississippi, Lee County, Mississippi, and Monroe County, Mississippi..... $ 4,000,000.00

(ns) To assist the Chickasaw Inkana Foundation in paying costs associated with the construction, furnishing and equipping of the Chickasaw Heritage Center in the City of Tupelo, Mississippi ..... $ 4,950,000.00

(nt) To assist the Scenic Rivers Development Alliance in paying costs associated with the Okhissa Lake Development Project..... $ 8,000,000.00

(nu) To assist the City of Tupelo, Mississippi, with a match to federal funds for the construction of railroad improvements that run through the city for public safety and economic development improvements ..... $ 4,600,000.00

(nv) To assist Camp Kamassa in defraying expenses related to construction of buildings, facilities, complexes and related infrastructure..... $ 4,000,000.00

(nw) To assist Hinds Community College in paying costs associated with construction of the Health Science Complex at the Rankin Campus $16,000,000.00

(nx) To provide funds to the * * * Columbus Redevelopment Authority to use to assist the Columbus Redevelopment Authority in paying costs associated with the Park View - Burns Bottom Project..... $ 3,000,000.00

(ny) To the Prentiss County School District for upgrades to equipment, furnishings and facilities for the CTE program at Wheeler Attendance Center ..... $ 1,000,000.00

(nz) To the Grenada School District for upgrades to equipment, furnishings and facilities for the CTE program ..... $ 3,000,000.00

(oa) To the Itawamba County School District for upgrades to equipment, furnishings and facilities for the CTE program including equipment for aiding in logistics and maintenance ..... $ 4,000,000.00

(ob) To the George County School District for upgrades to equipment, furnishings and facilities for the CTE program..... $ 1,000,000.00

(oc) To the Jackson County School District for upgrades to equipment, furnishings and facilities for the CTE program at three high schools: East Central, Vancleave and St. Martin..... $ 9,000,000.00

(od) To the South Tippah School District for upgrades to equipment, furnishings and facilities for the CTE program..... $ 500,000.00

(oe) To the Senatobia Municipal School District for upgrades to equipment, furnishings and facilities for the CTE program..... $ 500,000.00

(of) To the Attala County School District for upgrades to equipment, furnishings and facilities for the CTE program at Kosciusko-Attala County Career Tech Center ..... $ 2,000,000.00

(og) To the Greene County School District for upgrades to equipment, furnishings and facilities for the CTE program ..... $ 2,000,000.00

(oh) To the Lee County School District for upgrades to equipment, furnishings and facilities for the CTE program ..... $ 350,000.00

(oi) To the Wayne County School District for upgrades to equipment, furnishings and facilities for the CTE program ..... $ 500,000.00

(oj) To Long Beach High School for upgrades to equipment, furnishings and facilities for the CTE program ..... $ 1,000,000.00

(ok) To the Newton County School System for upgrades to equipment, furnishings and facilities for the CTE program ..... $ 2,000,000.00

(ol) To the Tupelo Public School District for upgrades to equipment, furnishings and facilities for the CTE program ..... $ 350,000.00

SECTION 2. Section 4, Chapter 549, Laws of 2023, is amended as follows:

Section 4. (1) Monies transferred pursuant to Section 1 of this act into the 2022 IHL Capital Improvements Fund created in Section 37-101-83, Mississippi Code of 1972, shall be disbursed by the Department of Finance and Administration, pursuant to the authority granted by the department's appropriation bill, Senate Bill No. 3043, 2023 Regular Session, to spend those monies, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University		$ 13,197,500.00
	Repair, renovation, and expansion of and upgrades, improvements and additions to the David L. Whitney Complex and Wellness Center	$ 13,197,500.00
Alcorn State University/Division of Agriculture		$ 620,000.00
	Preplanning for renovation of the poultry science facilities on the Lorman Campus into a Poultry/Animal Science Center Academic Research Center Building Complex	$ 620,000.00
Delta State University		$ 8,122,500.00
	Repair, renovation, and upgrading of campus buildings and facilities	$ 2,800,000.00
	Repair and renovation of and upgrades, improvements and additions to the Walter Sillers Coliseum	$ 5,322,500.00

Jackson State University ..... $ 8,013,000.00
Construction, repair, renovation, furnishing and equipping of * * * residence halls and related facilities.....$ 8,013,000.00
Mississippi State University ..... $ 20,732,500.00
Repair, renovation, construction, acquisition of property, furnishing and equipping of related facilities to house the College of Architecture, Art and Design.....$ 5,732,500.00
Repair, renovation, construction, acquisition of property, furnishing and equipping of related facilities of the Kinesiology and Autism Building.....$ 15,000,000.00
Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine ..... $ 14,755,000.00
Repair and renovation of and upgrades and improvements to Dorman Hall and related facilities.....$ 1,300,000.00
Preplanning for renovation of and upgrades and improvements to the Bost Extension Center.....$ 455,000.00
Repair and renovation of and upgrades and improvements to Dorman Hall and related facilities.....$ 13,000,000.00
Mississippi University for Women ..... $ 9,312,500.00
Repair, renovation, and upgrading of campus buildings and facilities.....$ 8,712,500.00
Preplanning for repair and renovation of and upgrades and improvements to Old Pohl Gym.....$ 300,000.00
Preplanning for repair and renovation of and upgrades and improvements to the Hogarth Center.....$ 300,000.00
Mississippi Valley State University..... $ 3,427,500.00
Demolition of Leflore Hall and preplanning for construction, furnishing and equipping of a new residence hall and related facilities.....$ 3,427,500.00
University of Mississippi..... $ 18,382,500.00
Planning and construction, furnishing and

equipping of a
new building and
related facilities
to house the School
of Accountancy.....$ 14,382,500.00
Repair, renovation, and expansion
of the Nursing School in
Oxford.....$ 4,000,000.00
University of Mississippi Medical Center ..... $ 56,886,500.00
Repair, renovation,
and upgrading of
campus buildings
and facilities.....$ 11,350,000.00
Upgrades and improvements
to elevators and related
facilities.....$ 4,000,000.00
Development and
implementation of
campus wayfinding
system.....$ 1,536,500.00
Construction, furnishing
and equipping of a new Dental
School.....$ 40,000,000.00
University of Southern Mississippi ..... $ 22,162,500.00
Construction, furnishing
and equipping of a new
science research facility....$ 17,162,500.00
Repair and renovation of the
Criminal Justice Building
and improvements to the
Forensic Lab .....$ 5,000,000.00
University of Southern Mississippi/Gulf
Coast Campuses ..... $ 11,140,000.00
Repair, renovation,
and upgrading of
campus buildings
and facilities at
the Gulf Coast
Research Laboratory,
Halstead Campus.....$ 640,000.00
Ocean Enterprise at
the Port of Gulfport.....$ 10,000,000.00
Dubard School and Children's
Center for Communication and
Development – Gulf Park
campus for furnishing and
equipment.....$ 500,000.00.
IHL Education and Research Center ..... $ 6,500,000.00
Replacement of a chiller
and related equipment
for the campus air
conditioning and
heating system; replacement
of cooling tower and
related equipment for
the campus air conditioning
and heating system;
replacement of roof for
the Universities Center;

and replacement of campus
emergency management
system.....$ 6,500,000.00
TOTAL..... $ 193,252,000.00

(2) (a) Amounts transferred into such special fund pursuant to Section 1 of this act shall be disbursed to pay the costs of projects described in subsection (1) of this section. If any monies in such special fund are not used within four (4) years after the date funds are transferred under Section 1 of this act into the special fund, then the institution of higher learning for which any unused monies are allocated under subsection (1) of this section shall provide an accounting of such unused monies to the Department of Finance and Administration.

(b) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in subsection (1) of this section. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the monies in the special fund used for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his or her designee.

(4) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in subsection (1) of this section may be used for general repairs and renovations at the institution of higher learning.

SECTION 3. Section 65-1-185, Mississippi Code of 1972, is amended as follows:

65-1-185. There is created in the State Treasury a special fund to be designated as the "2023 DeSoto County Infrastructure Improvements Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies deposited into the fund shall be used * * *, upon appropriation by the Legislature, * * * by the Mississippi Department of Transportation in paying the costs associated with infrastructure improvements on Interstate 55 from Church Road to Goodman Road in Desoto County, Mississippi. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 4. Section 65-1-187, Mississippi Code of 1972, is amended as follows:

65-1-187. There is created in the State Treasury a special fund to be designated as the "2023 Lafayette County Infrastructure Improvements Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies deposited into the fund shall be used * * *, upon appropriation by the Legislature, * * * by the Mississippi Department of Transportation in paying the costs associated with infrastructure improvements on Highway 7 from Highway 9 to 0.2 miles North of Highway 6 in Lafayette County, Mississippi. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any

investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 5. Section 65-1-189, Mississippi Code of 1972, is amended as follows:

65-1-189. There is created in the State Treasury a special fund to be designated as the "2023 Gulfport Commerce Corridor Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies deposited into the fund shall be used * * *, upon appropriation by the Legislature, * * * by the Mississippi Department of Transportation in paying the costs associated with the Gulfport Commerce Corridor project located in the City of Gulfport. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 6. This act shall take effect and be in force from and after its passage, and shall stand repealed on the day before passage.

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

AN ACT TO AMEND SECTION 28, CHAPTER 549, LAWS OF 2023, TO MAKE TECHNICAL AMENDMENTS TO CLARIFY AND CORRECT CERTAIN NAMES AND PURPOSES OF VARIOUS PROJECTS FUNDED FROM DISBURSEMENTS FROM THE 2023 LOCAL IMPROVEMENTS PROJECT FUND; TO AMEND SECTION 4, CHAPTER 549, LAWS OF 2023, TO AMEND THE PURPOSE OF THE USE OF FUNDS RECEIVED BY JACKSON STATE UNIVERSITY FROM THE 2022 IHL CAPITAL IMPROVEMENTS FUND; TO AMEND SECTION 65-1-185, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION REFERENCING THE DEPARTMENT OF FINANCE AND ADMINISTRATION AND APPROPRIATION BY THE LEGISLATURE FROM THE PROCEDURE FOR THE USE OF FUNDS FROM THE 2023 DESOTO COUNTY INFRASTRUCTURE IMPROVEMENTS FUND; TO AMEND SECTION 65-1-187, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION REFERENCING THE DEPARTMENT OF FINANCE AND ADMINISTRATION AND APPROPRIATION BY THE LEGISLATURE FROM THE PROCEDURE FOR THE USE OF FUNDS FROM THE 2023 LAFAYETTE COUNTY INFRASTRUCTURE IMPROVEMENTS FUND; TO AMEND SECTION 65-1-189, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION REFERENCING THE DEPARTMENT OF FINANCE AND ADMINISTRATION AND APPROPRIATION BY THE LEGISLATURE FROM THE PROCEDURE FOR THE USE OF FUNDS FROM THE 2023 GULFPORT COMMERCE CORRIDOR FUND; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1707 was adopted.

YEAS AND NAYS On H. B. No. 1707. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

H. B. No. 624: Income tax; reenact and extend repealer on credit for certain railroad expenditures.

YEAS AND NAYS On H. B. No. 624. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

_____

Senator Harkins called up the following entitled bill:

H. B. No. 776: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-5, Mississippi Code of 1972, is amended as follows:

67-1-5. For the purposes of this article and unless otherwise required by the context:

(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine, light spirit product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines and native spirits. The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

(b) "Alcohol" means the product of distillation of any fermented liquid, whatever the origin thereof, and includes synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

(c) "Distilled spirits" means any beverage containing more than six percent (6%) of alcohol by weight produced by distillation of fermented grain, starch, molasses or sugar, including dilutions and mixtures of these beverages.

(d) "Wine" or "vinous liquor" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits, honey or berries and made in accordance with the revenue laws of the United States.

(e) "Person" means and includes any individual, partnership, corporation, association or other legal entity whatsoever.

(f) "Manufacturer" means any person engaged in manufacturing, distilling, rectifying, blending or bottling any alcoholic beverage.

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

(h) "Retailer" means any person who sells, distributes, or offers for sale or distribution, any alcoholic beverage for use or consumption by the purchaser and not for resale.

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its organization to be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

(j) "Division" means the Alcoholic Beverage Control Division of the Department of Revenue.

(k) "Municipality" means any incorporated city or town of this state.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day. When used in this article, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

(i) A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, which has suitable seating facilities for guests, and which has suitable kitchen facilities connected therewith for cooking an assortment of foods and meals commonly ordered at various hours of the day; the service of such food as sandwiches and salads only shall not be deemed in compliance with this requirement. Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this article unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue; or

(ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking. In addition to the other requirements of this subparagraph, the business must also serve food to guests for compensation within the building and

derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales to live entertainment in the building, and from the rental of all or part of the facilities of the business in the building to another party for a specific event or function.

(n) "Club" means an association or a corporation:

(i) Organized or created under the laws of this state for a period of five (5) years prior to July 1, 1966;

(ii) Organized not primarily for pecuniary profit but for the promotion of some common object other than the sale or consumption of alcoholic beverages;

(iii) Maintained by its members through the payment of annual dues;

(iv) Owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;

(v) The affairs and management of which are conducted by a board of directors, board of governors, executive committee, or similar governing body chosen by the members at a regular meeting held at some periodic interval; and

(vi) No member, officer, agent or employee of which is paid, or directly or indirectly receives, in the form of a salary or other compensation any profit from the distribution or sale of alcoholic beverages to the club or to members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

The department may, in its discretion, waive the five-year provision of this paragraph. In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this article, two (2) copies of a list of the names and residences of its members and similarly file, within ten (10) days after the election of any additional member, his name and address. Each club applying for a license shall also file with the department at the time of the application a copy of its articles of association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2) miles of a convent or monastery that is located in a county traversed by Interstate 55 and U.S. Highway 98. A convent or monastery may waive such distance restrictions in favor of allowing approval by the department of an area as a qualified resort area. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(i) The department may approve an area or locality outside of the limits of an incorporated municipality that is in the process of being developed as a qualified resort area if such area or locality, when developed, can reasonably be expected to meet the requisites of the definition of the term "qualified resort area." In such a case, the status of qualified resort area shall not take effect until completion of the development.

(ii) The term includes any state park which is declared a resort area by the department; however, such declaration may only be initiated in a written request for resort area status made to the department by the Executive Director of the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this article, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.

(iii) The term includes:

1. The clubhouses associated with the state park golf courses at the Lefleur's Bluff State Park, the John Kyle State Park, the Percy Quin State Park and the Hugh White State Park;

2. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

3. Any facility located on property that is a game reserve with restricted access that consists of at least three thousand (3,000) contiguous acres with no public roads and that offers as a service hunts for a fee to overnight guests of the facility;

4. Any facility located on federal property surrounding a lake and designated as a recreational area by the United States Army Corps of Engineers that consists of at least one thousand five hundred (1,500) acres;

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted against coming out from under the dry law; however, any such facility may only be located in areas designated by the governing authorities of such municipality;

6. Any municipality with a population in excess of ten thousand (10,000) according to the latest federal decennial census that is located in a county that is bordered by the Pearl River and is not traversed by Interstate Highway 20, with a population in excess of forty-five thousand (45,000) according to the latest federal decennial census;

7. The West Pearl Restaurant Tax District as defined in Chapter 912, Local and Private Laws of 2007;

8. a. Land that is located in any county in which Mississippi Highway 43 and Mississippi Highway 25 intersect and:

A. Owned by the Pearl River Valley Water Supply District, and/or

B. Located within the Reservoir Community District, zoned commercial, east of Old Fannin Road, north of Regatta Drive, south of Spillway Road, west of Hugh Ward Boulevard and accessible by Old Fannin Road, Spillway Road, Spann Drive and/or Lake Vista Place, and/or

C. Located within the Reservoir Community District, zoned commercial, west of Old Fannin Road, south of Spillway Road and extending to the boundary of the corporate limits of the City of Flowood, Mississippi;

b. The board of supervisors of such county, with respect to B and C of item 8.a., may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

9. Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no public roads, that offers as a service hunts for a fee to overnight guests of the facility, and has accommodations for at least fifty (50) overnight guests;

10. Any facility that:

a. Consists of at least six thousand (6,000) square feet being heated and cooled along with an additional adjacent area that consists of at least two thousand two hundred (2,200) square feet regardless of whether heated and cooled,

b. For a fee is used to host events such as weddings, reunions and conventions,

c. Provides lodging accommodations regardless of whether part of the facility and/or located adjacent to or in close proximity to the facility, and

d. Is located on property that consists of at least thirty (30) contiguous acres;

11. Any facility and related property:

a. Located on property that consists of at least one hundred twenty-five (125) contiguous acres and consisting of an eighteen-hole golf course, and/or located in a facility that consists of at least eight thousand (8,000) square feet being heated and cooled,

b. Used for the purpose of providing meals and hosting events, and

c. Used for the purpose of teaching culinary arts courses and/or turf management and grounds keeping courses, and/or outdoor recreation and leadership courses;

12. Any facility and related property that:

a. Consist of at least eight thousand (8,000) square feet being heated and cooled,

b. For a fee is used to host events,

c. Is used for the purpose of culinary arts courses, and/or live entertainment courses and art performances, and/or outdoor recreation and leadership courses;

13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

14. The clubhouse and associated eighteen-hole golf course located in a municipality traversed by Interstate Highway 55 and U.S. Highway 51 that has voted to come out from under the dry law;

15. a. Land that is planned for mixed-use development and consists of at least two hundred (200) contiguous acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed, and also including a facility that consists of at least four thousand (4,000) square feet that is not part of such land but is located adjacent to or in close proximity thereto, and which land is located:

A. In a county that has voted to come out from under the dry law,

B. Outside the corporate limits of any municipality in such county and adjacent to or in close proximity to a golf course located in a municipality in such county, and

C. Within one (1) mile of a state institution of higher learning;

b. The board of supervisors of such county may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

16. Any facility with a capacity of five hundred (500) people or more, to be used as a venue for private events, on a tract of land in the Southwest Quarter of Section 33, Township 2 South, Range 7 East, of a county where U.S. Highway 45 and U.S. Highway 72 intersect and that has not voted to come out from under the dry law;

17. One hundred five (105) contiguous acres, more or less, located in Hinds County, Mississippi, and in the City of Jackson, Mississippi, whereon are constructed a variety of buildings, improvements, grounds or objects for the purpose of holding events thereon to promote agricultural and industrial development in Mississippi;

18. Land that is owned by a state institution of higher learning, and:

a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7, and

b. Adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9.

If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, 2020, then that qualified resort area shall be incorporated into the qualified resort area created by this item 18;

19. Any facility and related property:

a. Used as a flea market or similar venue during a weekend (Saturday and Sunday) immediately preceding the first Monday of a month and having an annual average of at least one thousand (1,000) visitors for each such weekend and five hundred (500) vendors for Saturday of each such weekend, and

b. Located in a county that has not voted to come out from under the dry law and outside of but in close proximity to a municipality located in such county and which municipality has voted to come out from under the dry law;

20. Blocks 1, 2 and 3 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

21. Any municipality with a population in excess of two thousand (2,000) according to the latest federal decennial census and in which is located a part of White's Creek Lake and in which U.S. Highway 82 intersects with Mississippi Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River;

22. A restaurant located on a two-acre tract adjacent to a five-hundred-fifty-acre lake in the northeast corner of a county traversed by U.S. Interstate 55 and U.S. Highway 84;

23. Any tracts of land in Oktibbeha County, situated north of Bailey Howell Drive, Lee Boulevard and Old Mayhew Road, east of George Perry Street and south of Mississippi Highway 182, and not located on the property of a state institution of higher learning; however, the board of supervisors of such county may by resolution or other order:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

24. A municipality in which Mississippi Highway 27 and Mississippi Highway 28 intersect;

25. A municipality through which run Mississippi Highway 35 and Interstate 20;

26. A municipality in which Mississippi Highway 16 and Mississippi Highway 35 intersect;

27. A municipality in which U.S. Highway 82 and Old Highway 61 intersect;

28. A municipality in which Mississippi Highway 8 meets Mississippi Highway 1;

29. A municipality in which U.S. Highway 82 and Mississippi Highway 1 intersect;

30. A municipality in which Mississippi Highway 50 meets Mississippi Highway 9;

31. An area bounded on the north by Pearl Street, on the east by West Street, on the south by Court Street and on the west by Farish Street, within a municipality bordered on the east by the Pearl River and through which run Interstate 20 and Interstate 55;

32. Any facility and related property that:

a. Is contracted for mixed-use development improvements consisting of office and residential space and a restaurant and lounge, partially occupying the renovated space of a four-story commercial building which previously served as a financial institution; and adjacent property to the west consisting of a single-story office building that was originally occupied by the Brotherhood of Carpenters and Joiners of American Local Number 569; and

b. Is situated on a tract of land consisting of approximately one and one-tenth (1.10) acres, and the adjacent property to the west consisting of approximately 0.5 acres, located in a municipality which is the seat of county government, situated south of Interstate 10, traversed by U.S. Highway 90, partially bordered on one (1) side by the Pascagoula River and having its most southern boundary bordered by the Gulf of Mexico, with a population greater than twenty-two thousand (22,000) according to the 2010 federal decennial census; however, the governing authorities of such a municipality may by ordinance:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

C. Designate the areas within the facilities in which alcoholic beverages may be offered for sale;

33. Any facility with a maximum capacity of one hundred twenty (120) people that consists of at least three thousand (3,000) square feet being heated and cooled, has a commercial kitchen, has a pavilion that consists of at least nine thousand (9,000) square feet and is located on land more particularly described as follows:

All that part of the East Half of the Northwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi, that lies South of Mississippi State Highway 348 right-of-way and containing 19.48 acres, more or less.

ALSO,

The Northeast 38 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi.

ALSO,

The South 81 1/2 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi;

34. A municipality in which U.S. Highway 51 and Mississippi Highway 16 intersect;

35. A municipality in which Interstate 20 passes over Mississippi Highway 15;

36. Any municipality that is bordered in its northwestern boundary by the Pearl River, traversed by U.S. Highway 49 and Interstate 20, and is located in a county which has voted against coming out from under the dry law;

37. A municipality in which Mississippi Highway 28 and Mississippi Highway 29 North intersect;

38. An area bounded as follows within a municipality through which run Interstate 22 and Mississippi Highway 15: Beginning at a point at the intersection of Bankhead Street and Tallahatchie Trails; then running to a point at the intersection of Tallahatchie Trails and Interstate 22; then running to a point at the intersection of Interstate 22 and Carter Avenue; then running to a point at the intersection of Carter Avenue and Camp Avenue; then running to a point at the intersection of Camp Avenue and King Street; then running to a point at the intersection of King Street and E. Main Street; then running to a point at the intersection of E. Main Street and Camp Avenue; then running to a point at the intersection of Camp Avenue and Highland Street; then running to a point at the intersection of Highland Street and Adams Street; then running to a point at the intersection of Adams Street and Cleveland Street; then running to a point at the intersection of Cleveland Street and N. Railroad Avenue; then running to a point at the intersection of N. Railroad Avenue and McGill Street; then running to a point at the intersection of McGill Street and Snyder Street; then running to a point at the intersection of Snyder Street and Bankhead Street; then running to a point at the intersection of Bankhead Street and Tallahatchie Trails and the point of the beginning;

39. A municipality through which run Mississippi Highway 43 and U.S. Highway 80;

40. The coliseum in a municipality in which U.S. Highway 72 passes over U.S. Highway 45;

41. A piece of property on the northeast corner of the T-intersection where Builders Square Drive meets Mississippi Highway 471;

42. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities located on Oaks Country Club Road less than one-half (1/2) mile to the east of Mississippi Highway 15;

43. Any facility located on land more particularly described as follows:

The East Half (E 1/2) of the Southwest Quarter (SW 1/4) of Section 15, Township 3 North, Range 2 East; a 4 acre parcel in the Southwest Corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), Section 15, Township 3 North, Range 2 East, running 210 feet east and west and 840 feet running north and south; the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 22, Township 3 North, Range 2 East, all in Rankin County, Mississippi;

44. Any facility located on land more particularly described as follows:

Beginning at a point 1915 feet west and 2171 feet north of southeast corner, Section 11, Township 24 North, Range 2 West, Second Judicial District, Tallahatchie County, Mississippi, which point is the southwest corner of J.C. Section Lot mentioned in deed recorded in Book 50, page 34, in the records of the Chancery Clerk's Office at Sumner, in said District of said County; thence South 80° West, 19 feet to the east boundary of United States Highway 49-E, thence East along the east boundary of said Highway 270 feet to point of beginning of Lot to be conveyed; thence southeast along the east boundary of said Highway 204 feet to a concrete post at the intersection of the east boundary of said Highway with the west boundary of gravel road from Sumner to Webb, known as Oil Mill Road, thence Northwest along west boundary of said Oil Mill Road 194 feet to center of driveway running southwest from said Oil Mill Road to U.S. Highway 49-E; thence South 66° West along center of said driveway 128 feet to point of beginning, being situated in Northwest Quarter of Southeast Quarter of Section 11, together with all improvements situated thereon;

45. Any facility that:

a. Consists of at least five thousand six hundred (5,600) square feet being heated and cooled along with a lakeside patio that consists of at least two thousand two hundred (2,200) square feet, regardless of whether such patio is part of the facility and/or located adjacent to or in close proximity to the facility;

b. Includes a caterer's kitchen and green room for entertainment preparation;

c. For a fee is used to host events; and

d. Is located adjacent to or in close proximity to an approximately nine (9) acre lake on property that consists of at least one hundred twenty (120) acres in a county traversed by Mississippi Highway 15 and U.S. Highway 278;

46. Any municipality with a population in excess of one thousand (1,000) according to the 2010 federal decennial census and which is located in a county that is traversed by U.S. Highways 84 and 98 and has not voted to come out from under the dry law;

47. The clubhouse and associated nine-hole golf course, tennis courts and related facilities and swimming pool and related facilities located on or near U.S. Highway 82 between Mississippi Highway 15 and Mississippi Highway 9;

48. The downtown square area bound by East Service Drive, Commerce Street, Second Street and Court Street and adjacent properties in a municipality through which run Interstate 55, U.S. Highway 51 and Mississippi Highway 306;

49. All parcels zoned for mixed-use development located west of Mississippi Highway 589, more than four hundred (400) feet north of Old Highway 24, east of Parkers Creek and Black Creek, and south of J M Burge Road;

50. Any facility used by a soccer club and located on Old Highway 11 between one-tenth (0.1) and two-tenths (0.2) of a mile from its intersection with Oak Grove Road, in a county in which U.S. Highway 98 and Mississippi Highway 589 intersect;

51. Any municipality in which U.S. Highway 49 and Mississippi Highway 469 intersect;

52. Any facility that is:

a. Owned by a Veterans of Foreign Wars (VFW) organization that is a nonprofit corporation and registered with the Mississippi Secretary of State;

b. Used by such organization for its headquarters and other organization related purposes; and

c. Located outside of a municipality in a county that has not voted to come out from under the dry law;

53. The following within a municipality in which U.S. Highway 49 and U.S. 61 Highway intersect and through which flows the Sunflower River:

a. An area bounded as follows: Starting at the southern point of the intersection of Sunflower Avenue and 1st Street and going south along said avenue on its eastern side to 8th Street, then going east along said street on its northern side to West Tallahatchie Street, then going north along said street on its western side to 4th Street/Martin Luther King Boulevard, then going east along said street/boulevard on its northern side to Desoto Avenue, then going north along said avenue on its western side to 1st Street, then going west along said street on its southern side to the point of beginning along the southern side of Court Street;

b. Lots located at or near the intersection of Madison Avenue, Walnut Street, and Riverside Avenue that are in a commercial zone; and

c. Any facility located on the west side of Sunflower Avenue to the Sunflower River between the southern side of 6th Street and the northern side of 8th Street and which is operated as and/or was operated as a hotel or lodging facility, in consideration of payment, regardless of whether the facility meets the criteria for the definition of the term "hotel" in paragraph (l) of this section; and

d. Any facility located on the west side of Sunflower Avenue to the Sunflower River between the southern side of 3rd Street and the northern side of 4th Street/Martin Luther King Boulevard and which is operated as and/or was operated as a musical venue, in consideration of payment;

54. Any municipality in which Mississippi Highway 340 meets Mississippi Highway 15;

55. Any municipality in which Mississippi Highway 540 and Mississippi Highway 149 intersect;

56. Any municipality in which Mississippi Highway 15 and Mississippi Highway 345/Main Street intersect;

57. The property and structures thereon at the following locations within a municipality through which run U.S. Highway 45 and Mississippi Highway 145 and in which Mississippi Highway 370 and Mississippi Highway 145

intersect: 104 West Main Street, 106 West Main Street, 108 West Main Street, 110 West Main Street and 112 West Main Street;

58. Any municipality in which U.S. Highway 11 and Main Street intersect and which is located in a county having two (2) judicial districts;

59. Any municipality in which Interstate 22 passes over Mississippi Highway 9;

60. Any facility located on land more particularly described as follows:

A certain parcel of land being situated in the Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E, Rankin County, Mississippi, and being more particularly described as follows:

Commence at an existing 1/2" iron pin marking the Southwest corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13 seconds East along the East line of the Southeast 1/4 of the Northeast 1/4 for a distance of 33.18 feet to an existing 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds East for a distance of 2.08 feet to an existing 1/2" iron pin; run thence North 00 degrees 22 minutes 19 seconds East for a distance of 561.90 feet to an existing 1/2" iron pin; run thence North 00 degrees 16 minutes 18 seconds East for a distance of 76.42 feet to a set 1/2" iron pin marking the POINT OF BEGINNING of the parcel of land herein described; from said POINT OF BEGINNING, continue thence North 00 degrees 16 minutes 18 seconds East along an existing fence for a distance of 493.27 feet to an existing 1/2" iron pin; run thence North 03 degrees 08 minutes 15 seconds East for a distance of 170.22 feet to an existing 1/2" iron pin on the North line of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9; run thence North 89 degrees 46 minutes 45 seconds East along said North line of the Southeast 1/4 of the Northeast 1/4 of Section 9 for a distance of 1,305.51 feet to an existing 1/2" iron pin marking Northeast corner thereof; leaving said North line of the Southeast 1/4 of the Northeast 1/4 of Section 9, run thence South 00 degrees 08 minutes 35 seconds West along the East line of said Southeast 1/4 of the Northeast 1/4 of Section 9 for a distance of 663.19 feet to a set 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4 of Section 9, run thence South 89 degrees 46 minutes 45 seconds West for a distance of 1,315.51 feet to the POINT OF BEGINNING, containing 20.00 acres, more or less.

And Also: An easement for the purpose of ingress and egress being situated in the Southeast 1/4 of the Northeast 1/4 and in the Northeast 1/4 of the Southeast 1/4 of Section 9, T3N-R3E, Rankin County, Mississippi, and being more particularly described as follows:

Begin at an existing 1/2" iron pin marking the Southwest corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13 seconds East along the East line of the Southeast 1/4 of the Northeast 1/4 for a distance of 33.18 feet to an existing 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds East for a distance of 2.08 feet to an existing 1/2" iron pin; run thence North 00 degrees 22 minutes 19 seconds East for a distance of 561.90 feet to an existing 1/2" iron pin; run thence North 00 degrees 16 minutes 18 seconds East for a

distance of 76.42 feet to a set 1/2" iron pin; run thence North 89 degrees 46 minutes 45 seconds East for a distance of 25.00 feet to a set 1/2" iron pin; run thence South 00 degrees 16 minutes 18 seconds West for a distance of 76.66 feet to a set 1/2" iron pin; run thence South 00 degrees 22 minutes 19 seconds West for a distance of 619.81 feet to a set 1/2" iron pin; run thence South 89 degrees 43 minutes 01 seconds West for a distance of 26.81 feet to a set 1/2" iron pin; run thence North 00 degrees 06 minutes 13 seconds East along the West line of the aforesaid Northeast 1/4 of the Southeast 1/4 of Section 9 for a distance of 25.00 feet to the POINT OF BEGINNING, containing 17,525.4 square feet, more or less.

61. Any municipality bordered on the east by the Pascagoula River and on the south by the Mississippi Sound;

62. The property and structures thereon located at parcel numbers 4969 198 000; 4969 200 000; 4969 201 000; 4969 206 000; 4969 207 000; 4969 208 000; 4969 218 000; 4969 199; 4969 204 000 and 4969 204 001, all in Block 4 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

63. Any municipality in which Mississippi Highway 12 meets Mississippi Highway 17;

64. Any municipality in which U.S. Highway 49 and Mississippi Highway 469 intersect;

65. The clubhouse and associated nine-hole golf course and related facilities located on or near the eastern corner of the point at which Golf Course Road meets Athens Road, in a county in which Mississippi Highway 13 and Mississippi Highway 28 intersect, with GPS coordinates of approximately 31.900370078041004, -89.7928067652611;

66. Any facility located at the south-to-southwest corner of the intersection of Madison Street and Bolton Brownsville Road, in a municipality in which Bolton Brownsville Road passes over Interstate 20, with GPS coordinates of approximately 32.349067271758955, -90.4596221146197;

67. Any facility located at the northwest corner of the intersection of Depot Street and Madison Street, in a municipality in which Bolton Brownsville Road passes over Interstate 20, with GPS coordinates of approximately 32.34903152971068, -90.46047660172901;

68. Any facility located on Hinds Boulevard approximately three-tenths (0.3) of a mile south of the point at which Hinds Boulevard diverges from Clinton Road, in a municipality whose northern boundary partially consists of Snake Creek Road, and whose southern boundary partially consists of Mississippi Highway 18, with GPS coordinates of approximately 32.26384517526713, -90.41586570183475;

69. Any facility located on Pleasant Grove Drive approximately one and three-tenths (1.3) miles southeast of its intersection with Harmony Drive, in a county through which run Interstate 55 and U.S. Highway 84, with GPS coordinates of approximately 31.512043770371907, -90.2506094382595;

70. Any facility located immediately north of the intersection of two roads, both named Mason Clark Drive, located between two-tenths (0.2) and three-tenths (0.3) of a mile southwest of Mississippi Highway 57/63, with GPS coordinates of approximately 31.135950529733048, -88.53068674585575;

71. Any facility located on Raj Road approximately three-tenths (0.3) of a mile south of Mississippi Highway 57/63, with GPS coordinates of approximately 31.139553708288418, -88.53411203512971; * * *

72. Any facility located on Raj Road approximately one-tenth (0.1) of a mile south of Mississippi Highway 57/63, with GPS coordinates of approximately 31.14184097577295, -88.53287700849411; and

73. Any municipality through which run U.S. Highway 45 and Mississippi Highway 145 and in which Mississippi Highway 370 and Mississippi Highway 145 intersect; however, this designation as a qualified resort area shall only apply to the portion of such municipality which is located in a county that has not voted to come out from under the dry law.

The status of these municipalities, districts, clubhouses, facilities, golf courses and areas described in this paragraph (o)(iii) as qualified resort areas does not require any declaration of same by the department.

The governing authorities of a municipality described, in whole or in part, in item 6, 21, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39, 46, 48, 51, 53, 54, 55, 58, 59, 61, 63, 64, 66, 67 * * *, 68 or 73 of this paragraph (o)(iii) may by ordinance, with respect to the qualified resort area described in the same item: specify the hours of operation of facilities offering alcoholic beverages for sale; specify the percentage of revenue that facilities offering alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and designate the areas in which facilities offering alcoholic beverages for sale may be located.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The department shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon.

(q) "Native winery" means any place or establishment within the State of Mississippi where native wine is produced, in whole or in part, for sale.

(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19) adequately furnished and completely separate sleeping rooms with adequate facilities, that persons usually apply for and receive as overnight accommodations; however, such restriction on the minimum number of sleeping rooms shall not apply to establishments on the National Register of Historic Places. No place shall qualify as a bed and breakfast inn under this article unless on the date of the initial application for a license under this article more than fifty percent (50%) of the sleeping rooms are located in a structure formerly used as a residence.

(s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

(t) "Spa facility" means an establishment within a municipality or qualified resort area and owned by a hotel where, in consideration of payment, patrons receive from licensed professionals a variety of private personal care treatments such as massages, facials, waxes, exfoliation and hairstyling.

(u) "Art studio or gallery" means an establishment within a municipality or qualified resort area that is in the sole business of allowing patrons to view and/or purchase paintings and other creative artwork.

(v) "Cooking school" means an establishment within a municipality or qualified resort area and owned by a nationally recognized company that offers an established culinary education curriculum and program where, in consideration of payment, patrons are given scheduled professional group instruction on culinary techniques. For purposes of this paragraph, the definition of cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a community or junior college, college or university in this state, and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

(x) "Native spirit" shall mean any beverage, produced in Mississippi for sale, manufactured primarily by the distillation of fermented grain, starch, molasses or sugar produced in Mississippi, including dilutions and mixtures of these beverages. In order to be classified as "native spirit" under the provisions of this article, at least fifty-one percent (51%) of the finished product by volume shall have been obtained from distillation of fermented grain, starch, molasses or sugar grown and produced in Mississippi.

(y) "Native distillery" shall mean any place or establishment within this state where native spirit is produced in whole or in part for sale.

(z) "Warehouse operator" shall have the meaning ascribed in Section 67-1-201.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 776 was adopted.

YEAS AND NAYS On H. B. No. 776. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan,

Michel, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--Branning, Brumfield, Chism, Frazier, Hill, Norwood, Parker, Tate. Total--8.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

H. B. No. 1620: Use tax; revise certain provisions regarding funds distributed to municipalities and counties for infrastructure assistance.

Senator Branning offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-67-35, Mississippi Code of 1972, is amended as follows:

27-67-35. (1) (a) There is hereby created a special fund in the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of monies deposited therein under Section 27-67-31(e) and monies from any other source designated for deposit into such fund. Monies in the fund shall be expended by the department to provide funds to assist municipalities in this state in paying costs associated with:

(i) Repair, maintenance and/or reconstruction of roads, streets and bridges in municipalities * * *;

(ii) Repair, maintenance and/or other improvements to water infrastructure and sewer infrastructure, including storm water and drainage improvements * * *; and/or

(iii) As a pledge to pay all or a portion of debt service on debt issued by a municipality for the purposes provided in this subsection (1)(a).

These monies shall not be used for salaries, benefits or any form of compensation for employees, or for contract employees, administrative costs, debt service except as provided in this subsection (1)(a), personal property or equipment * * *, except for personal property or equipment to be used for the purposes allowed in subparagraphs (i) and (ii) of this subsection (1)(a), or for the construction or maintenance of public buildings or other structures that are not integral to the system of roads and bridges. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

(b) (i) Subject to the provisions of this paragraph (b) and Section 65-21-31, funds provided to municipalities under this subsection (1) shall be allocated and distributed to municipalities as follows:

1. Three Million Dollars ($3,000,000.00) shall be allocated to all municipalities in equal shares, and

2. The remainder of the funds allocated as follows:

a. One-half (1/2) shall be allocated to municipalities based on the proportion that the population of a municipality according to the most recent

federal decennial census bears to the total population of all municipalities in the state according to the most recent federal decennial census, and

b. One-half (1/2) shall be allocated to municipalities based on the proportion that the amount of sales tax revenue distributed to a municipality during the preceding fiscal year under Section 27-65-75(1)(a) bears to the total amount of sales tax revenue distributed to all municipalities during the preceding fiscal year under Section 27-65-75(1)(a). The department shall distribute funds under this subsection (1) on a semiannual basis with distributions being made in the months of January and July.

(ii) In order to be eligible to receive the full amount of funds allocated for distribution to a municipality during a year under this subsection (1), the municipality must have expended an amount not less than the amount of base expenditures during the previous municipal fiscal year for the purposes described in paragraph (a) of this subsection (1). If a municipality fails to expend such required amount, then the amount of funds allocated for distribution to the municipality shall be reduced by the percentage by which the municipality failed to expend the amount of base expenditures. For the purposes of this subsection (1), "base expenditures" means the average annual expenditures made by a municipality for purposes described in paragraph (a) of this subsection (1) for the two-year period beginning October 1, 2020, and ending September 30, 2022. Expenditure of grant proceeds, loan proceeds, or the proceeds of bonds issued by a municipality for the purposes described in paragraph (a) of this subsection (1) shall not be considered when calculating the base period. Beginning July 1, 2023, and each succeeding July 1 thereafter, the amount of the base expenditures shall be adjusted and compounded annually by increasing or decreasing such amount by a percentage amount that is equal to the lesser of one-half percent (0.5%) or to the United States inflation rate for the previous calendar year ending on December 31 as certified by the department and provided to the municipalities thereby within thirty (30) days of such certification. The United States inflation rate for a calendar year shall be the Consumer Price Index for the calendar year for urban consumers as calculated by the Bureau of Labor Statistics of the United States Department of Labor.

(c) The department and the Office of the State Auditor shall have all powers necessary to ensure the proper implementation of this subsection (1).

(2) (a) There is hereby created a special fund in the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of monies deposited therein under Section 27-67-31(f) and monies from any other source designated for deposit into such fund. Monies in the fund shall be expended by the department to provide funds to assist counties in this state in paying costs associated with (i) the repair, maintenance and/or reconstruction of roads, streets and bridges in counties, and/or (ii) as a pledge to pay all or a portion of debt service on debt issued by a county for the purposes provided in this subsection (2)(a). These monies shall not be used for salaries, benefits or any form of compensation for employees, or for contract employees, administrative costs, debt service except as provided in this subsection (2)(a), personal property or equipment (other than equipment to be permanently installed as part of a road or bridge), or for the construction or maintenance of public buildings or other structures that are not integral to the system of roads and bridges. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

(b) (i) Subject to the provisions of this paragraph (b) and Section 65-21-31, funds provided to counties under this subsection (2) shall be allocated and distributed to counties in the following proportions:

1. One-third (1/3) shall be allocated to all counties in equal shares,

2. One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state, and

3. One-third (1/3) shall be allocated to counties based on the proportion that the rural population of a county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

The department shall distribute funds under this subsection (2) on a semiannual basis with distributions being made in the months of January and July. Rural road miles and rural road population in the counties shall be determined in the same manner as they are determined for the purposes of the distribution formula in Section 65-9-3.

(ii) From and after July 1, 2020, of the funds allocated for distribution to a county during a year under this subsection (2), the maximum amount of such funds that may be distributed to the county during that year shall not exceed the amount of county funds expended by the county during the previous county fiscal year for purposes described in paragraph (a) of this subsection (2). Expenditure of the proceeds of bonds issued by a county to pay costs associated with the repair, maintenance and/or reconstruction of roads, streets and bridges shall not be considered when determining the amount of county funds expended by the county during the previous county fiscal year.

(c) The department and the Office of the State Auditor shall have all powers necessary to ensure the proper implementation of this subsection (2).

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 27-67-35, MISSISSIPPI CODE OF 1972, TO ALLOW MUNICIPALITIES TO USE MONIES FROM USE TAX REVENUE FOR PERSONAL PROPERTY OR EQUIPMENT TO BE USED FOR THE REPAIR, MAINTENANCE AND/OR RECONSTRUCTION OF ROADS, STREETS AND BRIDGES, OR TO BE USED FOR THE REPAIR, MAINTENANCE AND/OR OTHER IMPROVEMENTS TO WATER INFRASTRUCTURE AND SEWER INFRASTRUCTURE, INCLUDING STORM WATER AND DRAINAGE IMPROVEMENTS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1620 was adopted.

YEAS AND NAYS On H. B. No. 1620. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Kirby called up the motion to reconsider the vote whereby **S. C. R. No. 540** was adopted by the Senate and moved that the motion to reconsider be tabled:

S. C. R. No. 540: Recognize legacy of Rosie S. Simmons as the first African American since Reconstruction to serve as Bolivar County Circuit Clerk.

The foregoing motion prevailed.

Unanimous consent was granted to add Senators Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams and Younger as co-authors of **S. C. R. No. 540**.

Senator Michel called up the following entitled bill:

H. B. No. 819: Insurance; remove filing fee on auto cancellation or nonrenewal appeals and exempt life line applicants from prelicensing requirements.

Senator Hopson offered the following AMENDMENT NO. 1.

AMEND on line 230 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to H. B. No. 819 was adopted.

YEAS AND NAYS On H. B. No. 819. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Michel called up the following entitled bill:

H. B. No. 871: Balance billing; exclude practice of dentistry from prohibition on.

YEAS AND NAYS On H. B. No. 871. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Berry, Blackmon, Blackwell, Blount, Boyd, Bryan, Chassaniol, DeBar, Frazier, Harkins, Hickman, Hopson, Jackson, Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Parks, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th),

Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--33.

Nays--Barnett, Butler, Chism, DeLano, England, Fillingane, Hill, Jordan, Ladner, Norwood, Polk, Seymour, Thompson. Total--13.

Absent and those not voting----None.

Voting Present--Barrett, Branning, Brumfield, Carter, Horhn, Parker. Total--6.

Senator Wiggins called up the following entitled bill:

H. B. No. 1086: Land partitions; revise provision that regulate.

Senator Wiggins moved that H. B. No. 1086 be tabled subject to call, and the motion prevailed.

Senator Thompson called up the following entitled bill:

H. B. No. 1439: Riparian rights; revise what may be included in.

Senator Thompson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-15-9, Mississippi Code of 1972, is amended as follows:

49-15-9. The sole right of planting, cultivating in racks or other structures, and gathering oysters and erecting bathhouses and other structures in front of any land bordering on the Gulf of Mexico or Mississippi Sound or waters tributary thereto belongs to the riparian owner and extends not more than seven hundred fifty (750) yards from the shore, except for state-owned lands on Deer Island, which shall be not more than four hundred (400) yards from shore, measuring from the average low water mark, and except for state-owned lands along the Hancock County shoreline from Bayou Caddy to the Mississippi-Louisiana state boundary, which shall not extend out further than three hundred (300) yards from the average low watermark, but where the distance from shore to shore is less than fifteen hundred (1500) yards, the owners of either shore may plant and gather to a line equidistant between the two (2) shores, but no person shall plant in any natural channel so as to interfere with navigation, and such riparian rights shall not include any reef or natural oyster bed and does not extend beyond any channel. A riparian owner shall comply with the Coastal Wetlands Protection Act in exercising the use of these riparian rights. Stakes of such frail materials as will not injure any watercraft may be set up to designate the bounds of the plantation, but navigation shall not be impeded thereby. The riparian owner shall clearly mark such cultivation racks and other structures. The department may adopt regulations to require that the racks are adequately marked to ensure the safety of users of public waters. Any oysters planted by such riparian owner are the private property of such riparian owner, subject to the right of the department to adopt reasonable rules and regulations as to the planting and gathering of such oysters. All bathhouses, piers, wharfs, docks and pavilions, or other structures owned by the riparian owner are likewise the private property of such owner, who shall be entitled to the exclusive use, occupancy and possession thereof, and may abate any private or public nuisance committed by any person or persons in the area of his riparian ownership and may, for such purposes, resort to any remedial action authorized by law. The governing authorities of any municipality and the board of supervisors of any county are authorized to adopt reasonable rules and regulations to protect riparian owners in the enjoyment of their riparian rights, and for such purposes may regulate the use of beaches, landings, and riparian areas abutting or fronting on roads, streets or highways.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 49-15-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT RIPARIAN RIGHTS FOR THE HANCOCK COUNTY SHORELINE FROM BAYOU CADDY TO THE MISSISSIPPI-LOUISIANA STATE BOUNDARY SHALL NOT INCLUDE STATE-OWNED LAND WHICH SHALL NOT EXTEND FURTHER THAN 300 YARDS FROM THE AVERAGE LOW WATERMARK; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1439 was adopted.

YEAS AND NAYS On H. B. No. 1439. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 11:27 AM, the Senate stood in recess.

The Senate resumed business at 2:00 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 1353: AN ACT TO AMEND SECTION 95-11-3, MISSISSIPPI CODE OF 1972, TO INCLUDE HORSE RACING IN THE DEFINITION OF EQUINE ACTIVITY; TO AMEND SECTIONS 95-11-5 AND 95-11-7, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. C. R. No. 27: Friends of Mississippi Veterans and Mr. Jack Winstead; commend for philanthropic work and leadership. Rules.

Senator Sparks called up the following entitled bill:

H. B. No. 770: MS Office of Workforce Development; extend exemption from Public Procurement Review Board rental agreement requirements.

Senator Sparks offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-153-7, Mississippi Code of 1972, is amended as follows:

37-153-7. (1) There is created the Mississippi Office of Workforce Development and the Mississippi State Workforce Investment Board, which shall serve as the advisory board for the office. The Mississippi State Workforce Investment Board shall be composed of thirty-one (31) voting members, of which a majority shall be representatives of business and industry in accordance with the federal Workforce Innovation and Opportunity Act, or any successive acts.

(2) The members of the State Workforce Investment Board shall include:

(a) The Governor, or his designee;

(b) Nineteen (19) members, appointed by the Governor, of whom:

(i) A majority shall be representatives of businesses in the state, who:

1. Are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority, and who, in addition, may be members of a local board described in Section 3122(b)(2)(A)(i) of the federal Workforce Innovation and Opportunity Act. At least two (2) of the members appointed under this item 1. shall be small business owners, chief executives or operating officers of businesses with less than fifty (50) employees;

2. Represent businesses, including small businesses, or organizations representing businesses, which provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in high-demand industry sectors or occupations in the state; and

3. Are appointed from among individuals nominated by state business organizations and business trade associations;

(ii) Not less than twenty percent (20%) shall consist of representatives of the workforce within the state, which:

1. Includes labor organization representatives who have been nominated by state labor federations;

2. Includes a labor organization member or training director from an apprenticeship program in the state, which shall be a joint labor-management apprenticeship program if such a program exists in the state;

3. May include representatives of community-based organizations, including organizations serving veterans or providing or supporting competitive, integrated employment for individuals with disabilities, who have demonstrated experience and expertise in addressing employment, training or education needs of individuals with barriers to employment; and

4. May include representatives of organizations, including organizations serving out-of-school youth, who have demonstrated experience or expertise in addressing the employment, training or education needs of eligible youth;

(iii) The balance shall include government representatives, including the lead state officials with primary responsibility for core programs, and chief elected officials (collectively representing both cities and counties, where appropriate);

(c) Two (2) representatives of businesses in the state appointed by the Lieutenant Governor;

(d) Two (2) representatives of businesses in the state appointed by the Governor from a list of three (3) recommendations from the Speaker of the House; and

(e) The following state officials:

(i) The Executive Director of the Mississippi Department of Employment Security;

(ii) The Executive Director of the Department of Rehabilitation Services;

(iii) The State Superintendent of Public Education;

(iv) The Executive Director of the Mississippi Development Authority;

(v) The Executive Director of the Mississippi Community College Board;

(vi) The President of the Community College Association; and

(vii) The Commissioner of * * * Higher * * * Education.

(f) One (1) senator, appointed by the Lieutenant Governor, and one (1) representative, appointed by the Speaker of the House, shall serve on the state board in a nonvoting capacity.

(g) The Governor may appoint additional members if required by the federal Workforce Innovation and Opportunity Act, or any successive acts.

(h) Members of the board shall serve a term of four (4) years, and shall not serve more than three (3) consecutive terms.

(i) The membership of the board shall reflect the diversity of the State of Mississippi.

(j) The Governor shall designate the Chairman of the Mississippi State Workforce Investment Board from among the business and industry voting members of the board, and a quorum of the board shall consist of a majority of the voting members of the board.

(k) The voting members of the board who are not state employees shall be entitled to reimbursement of their reasonable expenses in the manner and amount specified in Section 25-3-41 and shall be entitled to receive per diem compensation as authorized in Section 25-3-69.

(3) Members of the state board may be recalled by their appointing authority for cause, including a felony conviction, fraudulent or dishonest acts or gross abuse of discretion, failure to meet board member qualifications, or chronic failure to attend board meetings.

(4) The Mississippi Department of Employment Security shall establish limits on administrative costs for each portion of Mississippi's workforce development system consistent with the federal Workforce Investment Act or any future federal workforce legislation.

(5) The Mississippi State Workforce Investment Board shall have the following duties * * *, which are intended to be consistent with the scope of duties provided in the federal Workforce Innovation and Opportunity Act, amendments and successor legislation to this act, and other relevant federal law:

(a) Through the office, develop and submit to the Governor, Lieutenant Governor and Speaker of the House a strategic plan for an integrated state workforce development system that aligns resources and structures the system to more effectively and efficiently meet the demands of Mississippi's employers and job seekers. This plan will comply with the federal Workforce Investment Act of 1998, as amended, the federal Workforce Innovation and Opportunity Act of 2014 and amendments and successor legislation to these acts;

(b) Assist the Governor, Lieutenant Governor and Speaker of the House in the development and continuous improvement of the statewide workforce investment system that shall include:

(i) Development of linkages in order to assure coordination and nonduplication among programs and activities; and

(ii) Review local workforce development plans that reflect the use of funds from the federal Workforce Investment Act, Workforce Innovation and Opportunity Act, the Wagner-Peyser Act and the amendment or successor legislation to the acts, and the Mississippi Comprehensive Workforce Training and Education Consolidation Act;

(c) Recommend to the office the designation of local workforce investment areas as required in Section 116 of the federal Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014. There shall be four (4) workforce investment areas that are generally aligned with the planning and development district structure in Mississippi. Planning and development districts will serve as the fiscal agents to manage Workforce Investment Act funds, oversee and support the local workforce investment boards aligned with the area and the local programs and activities as delivered by the one-stop employment and training system. The planning and development districts will perform this function through the provisions of the county cooperative service districts created under Sections 19-3-101 through 19-3-115; however, planning and development districts currently performing this function under the Interlocal Cooperation Act of 1974, Sections 17-13-1 through 17-13-17, may continue to do so;

(d) Assist the Governor in the development of an allocation formula for the distribution of funds for adult employment and training activities and youth activities to local workforce investment areas;

(e) Recommend comprehensive, results-oriented measures that shall be applied to all of Mississippi's workforce development system programs;

(f) Assist the Governor in the establishment and management of a one-stop employment and training system conforming to the requirements of the federal Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014, as amended, recommending policy for implementing the Governor's approved plan for employment and training activities and services within the state. In developing this one-stop career operating system, the Mississippi State Workforce Investment Board, in conjunction with local workforce investment boards, shall:

(i) Design broad guidelines for the delivery of workforce development programs;

(ii) Identify all existing delivery agencies and other resources;

(iii) Define appropriate roles of the various agencies to include an analysis of service providers' strengths and weaknesses;

(iv) Determine the best way to utilize the various agencies to deliver services to recipients; and

(v) Develop a financial plan to support the delivery system that shall, at a minimum, include an accountability system;

(g) To provide authority, in accordance with any executive order of the Governor, for developing the necessary collaboration among state agencies at the highest level for accomplishing the purposes of this article;

(h) To monitor the effectiveness of the workforce development centers and WIN job centers;

(i) To advise the Governor, public schools, community * * * and junior colleges and institutions of higher learning on effective school-to-work transition policies and programs that link students moving from high school to higher education and students moving between community colleges and four-year institutions in pursuit of academic and technical skills training;

(j) To work with industry to identify barriers that inhibit the delivery of quality workforce education and the responsiveness of educational institutions to the needs of industry;

(k) To provide periodic assessments on effectiveness and results of the overall Mississippi comprehensive workforce development system and district councils;

(l) Develop broad statewide development goals, including a goal to raise the state's labor force participation rate;

(m) Perform a comprehensive review of Mississippi's workforce development efforts, including the amount spent and effectiveness of programs supported by state or federal money; and

(n) To assist the Governor in carrying out any other responsibility required by the federal Workforce Investment Act of 1998, as amended and the Workforce Innovation and Opportunity Act, successor legislation and amendments.

(6) The Mississippi State Workforce Investment Board shall coordinate all training programs and funds within its purview, consistent with the federal Workforce Investment Act, Workforce Innovation and Opportunity Act, amendments and successor legislation to these acts, and other relevant federal law.

Each state agency director responsible for workforce training activities shall advise the Mississippi Office of Workforce Development and the State Workforce Investment Board of appropriate federal and state requirements. Each state agency, department and institution shall report any monies received for workforce training activities or career and technical education and a detailed itemization of how those monies were spent to the state board. The board shall compile the data and provide a report of the monies and expenditures to the Chairs of the House and Senate Appropriations Committee, the Chair of the House Workforce Development Committee and the Chair of the Senate Economic and Workforce Development Committee by October 1 of each year. Each such state agency director shall remain responsible for the actions of his agency; however, each state agency and director shall work cooperatively to fulfill the state's goals.

(7) The State Workforce Investment Board shall establish an executive committee, which shall consist of the following State Workforce Investment Board members:

(a) The Chair of the State Workforce Investment Board;

(b) Two (2) business representatives currently serving on the state board selected by the Governor;

(c) The two (2) business representatives currently serving on the state board appointed by the Lieutenant Governor;

(d) The two (2) business representatives currently serving on the state board appointed by the Governor from a list of three (3) recommendations from the Speaker of the House;

(e) The two (2) legislators, who shall serve in a nonvoting capacity, one (1) of whom shall be appointed by the Lieutenant Governor from the membership of the Mississippi Senate and one (1) of whom shall be appointed by the Speaker of the House of Representatives from the membership of the Mississippi House of Representatives.

(8) The executive committee shall select an executive director of the Office of Workforce Development, with the advice and consent of a majority of the State Workforce Investment Board. The executive committee shall seek input from economic development organizations across the state when selecting the executive director. The executive director shall:

(a) Be a person with extensive experience in development of economic, human and physical resources, and promotion of industrial and commercial development. The executive director shall have a bachelor's degree from a state-accredited institution and no less than eight (8) years of professional experience related to workforce or economic development;

(b) Perform the functions necessary for the daily operation and administration of the office, with oversight from the executive committee and the State Workforce Investment Board, to fulfill the duties of the state board as described in Chapter 476, Laws of 2020;

(c) Hire staff needed for the performance of his or her duties under Chapter 476, Laws of 2020. The executive director, with approval from the executive committee, shall set the compensation of any hired employees from any funds made available for that purpose;

(d) Enter any part of the Mississippi Community College Board, individual community and junior colleges, or other workforce training facilities operated by the state or its subdivisions;

(e) Serve at the will and pleasure of the executive committee;

(f) Promulgate rules and regulations, subject to oversight by the executive committee, not inconsistent with this article, as may be necessary to enforce the provisions in Chapter 476, Laws of 2020; and

(g) Perform any other actions he or she, in consultation with the executive committee, deems necessary to fulfill the duties under Chapter 476, Laws of 2020.

(9) The Office of Workforce Development and Mississippi Community College Board shall collaborate in the administration and oversight of the Mississippi Workforce Enhancement Training Fund and Mississippi Works Fund, as described in Section 71-5-353. The executive director shall maintain complete and exclusive operational control of the office's functions.

(10) The office shall file an annual and a quarterly report with the Governor, Secretary of State, President of the Senate, Speaker of the House, Chairman of the House Workforce Development Committee and Chairman of the Senate Economic and Workforce Development Committee. The annual report shall be filed not later than October 1 of each year regarding all funds approved by the office to be expended on workforce training during the prior calendar year. The quarterly and annual reports shall include:

(a) Information on the performance of the Mississippi Workforce Enhancement Training Fund and the Mississippi Works Fund, in terms of adding value to the local and state economy, the contribution to future growth of the state economy, and movement toward state goals, including increasing the labor force participation rate;

(b) With respect to specific workforce training projects:

(i) The location of the training;

(ii) The amount allocated to the project;

(iii) The purpose of the project;

(iv) The specific business entity that is the beneficiary of the project;

(v) The number of employees intended to be trained and actually trained, if applicable, in the course of the project; and

(vi) The types of funds used for the project;

(c) With respect to the grants that have been awarded under the Mississippi K-12 Workforce Development Grant Program created in Section 37-153-221:

(i) The entity that was awarded the grant;

(ii) The amount allocated to the grant;

(iii) The purpose of the grant; * * *

(iv) How the grant has been used since it was awarded; and

(d) With respect to the office's authority to select tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office:

(i) The policies that the office has adopted or amended on the process for the selection of tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office;

(ii) The eligible entities that the office determined may provide services, such as companies, nonprofit organizations, or other similar groups;

(iii) Any tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office, that have been selected by the office; and

(iv) What entity received the benefit of the tools and resources that were selected.

(e) All information concerning a proposed project which is provided to the executive director shall be kept confidential. Except as provided in subsections (13) and (14), such confidentiality shall not limit disclosure under the Mississippi Public Records Act of 1983 of records describing the nature, quantity, cost or other pertinent information related to the activities of, or services performed using, the Mississippi Workforce Enhancement Training Fund or the Mississippi Works Fund.

(11) In addition to other powers and duties provided in this section, the Office of Workforce Development shall also have the following powers and duties:

(a) Direct access to accounting and banking statements for all funds under its direction to ensure accurate and efficient management of funds and to improve internal control;

(b) The ability to enter into nondisclosure agreements to effectively support economic development activities and the proprietary nature of customized training for existing and new industry;

(c) To adopt and promulgate such rules and regulations as may be necessary or desirable for the purpose of implementing the Mississippi K-12 Workforce Development Grant Program created in Section 37-153-221;

(d) To receive contributions, donations, gifts, bequests of money, other forms of financial assistance and property, equipment, materials or manpower from persons, foundations, trust funds, corporations, organizations and other sources, public or private, made to the office, and may expend or use the same in accordance with the conditions prescribed by the donor, provided that no such condition is contrary to any provision of law;

(e) To contract with state agencies, governing authorities or economic and workforce development entities for shared programmatic efforts and support service or joint employment of personnel in order to further the office's purposes;

(f) To determine, subject to appropriation, the need for and, if desired, the selection of tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office, through processes established in policies adopted by the office that are deemed to be practical, feasible and in the public interest. These processes shall outline eligible entities that may provide such services, such as companies, nonprofit organizations, or other similar groups and shall ensure the office determines metrics for success, including deliverables as required by the office;

(g) To implement the career coaching program provided for in Section 37-73-3;

(h) To provide career coaches with access to technology to develop customized career pathways and connect students with post-secondary and employment opportunities matching their skills and interests; and

(i) To implement and oversee programs providing support to community and junior colleges for training needs that may arise when new businesses locate in Mississippi, to include providing support to existing industries that may lose employees as a result of the new business.

Through December 31, * * * 2025, the provisions of Section 27-104-7 related to rental agreements or leasing of real property for the purpose of conducting agency business shall not apply to the office.

(12) Nothing in Chapter 476, Laws of 2020 [Senate Bill No. 2564] shall void or otherwise interrupt any contract, lease, grant or other agreement previously entered into by the State Workforce Investment Board, Mississippi Community College Board, individual community or junior colleges, or other entities.

(13) Any records of the office which contain client information from the Mississippi Development Authority or local economic development entities concerning development projects shall be exempt from the provisions of the Mississippi Public Records Act of 1983 for a period of two (2) years after receipt of the information by the office. Confidential client information as described in this section shall not include the information which must be disclosed by the certified applicant related to a qualified economic development project in the annual report described in Section 57-1-759.

(14) Confidential client information in public records held by the office shall be exempt from the provisions of the Mississippi Public Records Act of 1983 during any period of review and negotiation on a project proposal facilitated by the Mississippi Development Authority or local economic development entities and for a period of thirty (30) days after approval, disapproval or abandonment of the proposal not to exceed one (1) year.

SECTION 2. Section 27-104-7, Mississippi Code of 1972, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars ($1,000,000.00) in the source's business, whichever is smaller. No member shall be an officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(d) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(e) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:

(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and

Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board. The information shall be provided sufficiently in advance of the time the space is needed to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

(i) Black: having origins in any of the black racial groups of Africa;

(ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;

(iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;

(iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or

(v) Female;

(e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;

(f) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, promulgate rules and regulations governing the solicitation and selection of contractual services personnel, including personal and professional services contracts for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of:

1. Any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c);

2. Any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services;

3. Any personal service contracts entered into by the individual state institutions of higher learning;

4. Any personal service contracts entered into by the Mississippi Department of Transportation;

5. Any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department of Human Services determines would be useful in establishing and operating the Department of Child Protection Services;

6. Any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019;

7. Any contracts for entertainers and/or performers at the Mississippi State Fairgrounds entered into by the Mississippi Fair Commission;

8. Any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services;

9. Any contract entered into by the Department of Public Safety for service on specialized equipment and/or software required for the operation of such specialized equipment for use by the Office of Forensics Laboratories;

10. Any personal or professional service contract entered into by the Mississippi Department of Health or the Department of Revenue solely in connection with their respective responsibilities under the Mississippi Medical Cannabis Act from February 2, 2022, through June 30, 2026;

11. Any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, or utility rate expert services;

12. Any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022;

13. Any personal or professional services contract entered into by the State Department of Health in carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program through June 30, 2026; and

14. And any personal or professional services contract entered into by the Mississippi Department of Environmental Quality in carrying out its responsibilities under the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022, through June 30, 2026.

Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may propose shall be submitted to the Chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act.

(ii) From and after July 1, 2024, the Public Procurement Review Board shall promulgate rules and regulations that require the Department of Finance and Administration to conduct personal and professional services solicitations as provided in subparagraph (i) of this paragraph for those services in excess of Seventy-five Thousand Dollars ($75,000.00) for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority, with assistance to be provided from these entities. Any powers that have been conferred upon agencies in order to comply with the provisions of this section for personal and professional services solicitations shall be conferred upon the Department of Finance and Administration to conduct personal and professional services solicitations for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority for those services in excess of Seventy-five Thousand Dollars ($75,000.00). The Department of Finance and Administration shall make any submissions that are required to be made by other agencies to the Public Procurement Review Board for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority.

The provisions of this subparagraph (ii) shall stand repealed on June 30, 2027;

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars ($75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection (2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the procurements are made from other governmental entities, the private sector need not be solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed, contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;

(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;

2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;

3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;

4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and

5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (o) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from

the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review or approval, the Public Procurement Review Board shall clearly set out the reasons for its action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1) source. A memorandum shall accompany the request form and address the following four (4) points:

(a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;

(b) Explanation of why this vendor is the only practicably available source from which to obtain this service;

(c) Explanation of why the price is considered reasonable; and

(d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal

relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise, the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts. Nothing in this section shall impair or limit the authority of the State Treasurer to enter into any personal or professional services contracts involving the management of trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

(9) Through December 31, * * * 2025, the provisions of this section related to rental agreements or leasing of real property for the purpose of conducting agency business shall not apply to the Office of Workforce Development created in Section 37-153-7.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTIONS 37-153-7 AND 27-104-7, MISSISSIPPI CODE OF 1972, TO EXTEND THE EXPIRATION DATE ON THE EXEMPTION FOR THE OFFICE OF WORKFORCE DEVELOPMENT FROM THE REQUIREMENTS OF THE PUBLIC PROCUREMENT REVIEW BOARD WHICH RELATE TO RENTAL AGREEMENTS AND THE LEASING OF REAL PROPERTY FOR PURPOSES OF CONDUCTING AGENCY BUSINESS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 770 was adopted.

YEAS AND NAYS On H. B. No. 770. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Rhodes, Robinson,

Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Polk. Total--1.

Senator Carter called up the following entitled bill:

H. B. No. 1583: Consumer Freedom of Choice in Appliances Act; create.

YEAS AND NAYS On H. B. No. 1583. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Bryan. Total--1.

Absent and those not voting----None.

Senator Carter called up the following entitled bill:

H. B. No. 1648: Electronic bids; authorize public utilities to provide system for submittal of as additional option.

YEAS AND NAYS On H. B. No. 1648. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Carter called up the following entitled bill:

H. B. No. 1664: Acceptance or offer of gifts; revise provisions relating to.

YEAS AND NAYS On H. B. No. 1664. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.
Absent and those not voting----None.
Voting Present--Barrett. Total--1.

Senator Carter called up the following entitled bill:

H. B. No. 1350: Telephone solicitors; prohibit from making any solicitation regarding Medicare Advantage Plans.

Senator Carter offered the following AMENDMENT NO. 1.

AMEND on line 204 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to H. B. No. 1350 was adopted.

YEAS AND NAYS On H. B. No. 1350. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting----None.
Voting Present--Horhn. Total--1.

Senator Suber called up the following entitled bill:

H. B. No. 974: State Board of Mental Health; authorize DFA to sell and convey certain real property on behalf of to City of Water Valley, MS.

Senator Suber offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Department of Finance and Administration, acting on behalf of the State Board of Mental Health may sell and convey, to the City of Water Valley, for a nominal fee established within a mutually agreed upon contract, acceptable to all parties, all of the rights, title and interest, certain real property located within City of Water Valley, Yalobusha County, Mississippi, which is the site of the former Water Valley High School, acquired through the board's purchase on or about May 16, 2003, from the nonprofit entity, Yalobusha County Economic Development Foundation, Inc., which initially purchased the property from the Water Valley School District on or about April 21, 2003, and such property being more particularly described as follows:

> Approximately 5.63 acres being Lot No. 108-West, Lot No. 109-West and part of Lot No. 105-West of the I.C.G.R.R. in the City of Water Valley, Mississippi, as shown on the Map of the City as corrected to date in 1959 by J. K. Boggs, and in the Second Judicial District of

Yalobusha County, Mississippi; being more particularly described as follows:

Beginning at an iron bolt at the Southeast Corner of Lot No. 105-West; thence N 89° 51' E, 424.44 feet to an iron bolt on the West ROW of Main Street; thence S 05° 04' E, 106.70 feet to a point; thence S 00° 54' E, 100.00 feet to a point; thence S 01° 39' W, 50.00 feet to a point; thence S 10° 45' W, 50.00 feet to a point; thence S 14° 51' W, 100.00 feet to a point; thence S 20° 22' W, 55.84 feet to an iron rod; thence N 89° 54' 36" W, 414.62 feet to an iron rod; thence N 00° 57' E, 465.97 feet to an iron rod; thence West, 170.14 feet to an iron rod on the East ROW of Griffin Street; thence N 00° 11' 14" W, 198.08 feet to an iron rod; thence S 89° 35' 56" E, 196.39 feet to an iron rod; thence S 00° 27' 57" E, 210.00 feet to the point of beginning.

(2) The State of Mississippi shall retain all mineral rights in the property transferred and conveyed under subsection (1) of this section.

(3) The Department of Finance and Administration may correct any discrepancies in any legal description provided in this section.

SECTION 2. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION, ACTING ON BEHALF OF THE STATE BOARD OF MENTAL HEALTH TO SELL AND CONVEY, TO THE CITY OF WATER VALLEY, CERTAIN REAL PROPERTY LOCATED WITHIN CITY OF WATER VALLEY, YALOBUSHA COUNTY, MISSISSIPPI, WHICH IS THE SITE OF THE FORMER WATER VALLEY HIGH SCHOOL; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 974 was adopted.

YEAS AND NAYS On H. B. No. 974. On motion of Senator Suber, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Suber declined to call up H. B. No. 975, thereby remanding it to the heel of the calendar.

H. B. No. 975: State Board of Mental Health; authorize DFA to purchase certain real property in Tupelo, MS, on behalf of.

Senator Bryan called up the following entitled bill:

H. B. No. 315: Mississippi Code; modernize terminology by replacing "mentally retarded" with "intellectual disability".

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-15-13, Mississippi Code of 1972, is amended as follows:

25-15-13. Each eligible employee may participate in the plan by signing up for the plan at the time of employment. Each eligible employee who declines coverage under the plan must sign a waiver of coverage. After acceptance in the plan, the employee may cease his or her participation by filing a specific disclaimer with the board. Forms for this purpose shall be prescribed and issued by the board. All eligible employees will be eligible to participate in the plan on the effective date of the plan or on the date on which they are employed by the state, whichever is later, provided they make the necessary contributions as provided in this article. Spouses of employees, unmarried dependent children from birth to age nineteen (19) years, unmarried dependent children who are full-time students up to age twenty-five (25) years, and * * * children with physical or mental disabilities, regardless of age, are eligible under the plan as of the date the employee becomes eligible. If both spouses are eligible employees who participate in the plan, the benefits shall apply individually to each spouse by virtue of his or her participation in the plan. If those spouses also have one or more eligible dependents participating in the plan, the cost of their dependents shall be calculated at a special family plan rate. The cost for participation by the dependents shall be paid by the spouse who elects to carry such dependents under his or her coverage.

SECTION 2. Section 37-13-91, Mississippi Code of 1972, is amended as follows:

37-13-91. (1) This section shall be referred to as the "Mississippi Compulsory School Attendance Law."

(2) The following terms as used in this section are defined as follows:

(a) "Parent" means the father or mother to whom a child has been born, or the father or mother by whom a child has been legally adopted.

(b) "Guardian" means a guardian of the person of a child, other than a parent, who is legally appointed by a court of competent jurisdiction.

(c) "Custodian" means any person having the present care or custody of a child, other than a parent or guardian of the child.

(d) "School day" means not less than five and one-half (5-1/2) and not more than eight (8) hours of actual teaching in which both teachers and pupils are in regular attendance for scheduled schoolwork.

(e) "School" means any public school, including a charter school, in this state or any nonpublic school in this state which is in session each school year for at least one hundred eighty (180) school days, except that the "nonpublic" school term shall be the number of days that each school shall require for promotion from grade to grade.

(f) "Compulsory-school-age child" means a child who has attained or will attain the age of six (6) years on or before September 1 of the calendar year and who has not attained the age of seventeen (17) years on or before September 1 of the calendar year; and shall include any child who has attained or will attain the age of five (5) years on or before September 1 and has enrolled in a full-day public school kindergarten program.

(g) "School attendance officer" means a person employed by the State Department of Education pursuant to Section 37-13-89.

(h) "Appropriate school official" means the superintendent of the school district, or his designee, or, in the case of a nonpublic school, the principal or the headmaster.

(i) "Nonpublic school" means an institution for the teaching of children, consisting of a physical plant, whether owned or leased, including a home, instructional staff members and students, and which is in session each school year. This definition shall include, but not be limited to, private, church, parochial and home instruction programs.

(3) A parent, guardian or custodian of a compulsory-school-age child in this state shall cause the child to enroll in and attend a public school or legitimate nonpublic school for the period of time that the child is of compulsory school age, except under the following circumstances:

(a) When a compulsory-school-age child is physically, mentally or emotionally incapable of attending school as determined by the appropriate school official based upon sufficient medical documentation.

(b) When a compulsory-school-age child is enrolled in and pursuing a course of special education, remedial education or education for * * * children with physical or mental disadvantages or disabilities.

(c) When a compulsory-school-age child is being educated in a legitimate home instruction program.

The parent, guardian or custodian of a compulsory-school-age child described in this subsection, or the parent, guardian or custodian of a compulsory-school-age child attending any charter school or nonpublic school, or the appropriate school official for any or all children attending a charter school or nonpublic school shall complete a "certificate of enrollment" in order to facilitate the administration of this section.

The form of the certificate of enrollment shall be prepared by the Office of Compulsory School Attendance Enforcement of the State Department of Education and shall be designed to obtain the following information only:

(i) The name, address, telephone number and date of birth of the compulsory-school-age child;

(ii) The name, address and telephone number of the parent, guardian or custodian of the compulsory-school-age child;

(iii) A simple description of the type of education the compulsory-school-age child is receiving and, if the child is enrolled in a nonpublic school, the name and address of the school; and

(iv) The signature of the parent, guardian or custodian of the compulsory-school-age child or, for any or all compulsory-school-age child or children

attending a charter school or nonpublic school, the signature of the appropriate school official and the date signed.

The certificate of enrollment shall be returned to the school attendance officer where the child resides on or before September 15 of each year. Any parent, guardian or custodian found by the school attendance officer to be in noncompliance with this section shall comply, after written notice of the noncompliance by the school attendance officer, with this subsection within ten (10) days after the notice or be in violation of this section. However, in the event the child has been enrolled in a public school within fifteen (15) calendar days after the first day of the school year as required in subsection (6), the parent or custodian may, at a later date, enroll the child in a legitimate nonpublic school or legitimate home instruction program and send the certificate of enrollment to the school attendance officer and be in compliance with this subsection.

For the purposes of this subsection, a legitimate nonpublic school or legitimate home instruction program shall be those not operated or instituted for the purpose of avoiding or circumventing the compulsory attendance law.

(4) An "unlawful absence" is an absence for an entire school day or during part of a school day by a compulsory-school-age child, which absence is not due to a valid excuse for temporary nonattendance. For purposes of reporting absenteeism under subsection (6) of this section, if a compulsory-school-age child has an absence that is more than thirty-seven percent (37%) of the instructional day, as fixed by the school board for the school at which the compulsory-school-age child is enrolled, the child must be considered absent the entire school day. Days missed from school due to disciplinary suspension shall not be considered an "excused" absence under this section. This subsection shall not apply to children enrolled in a nonpublic school.

Each of the following shall constitute a valid excuse for temporary nonattendance of a compulsory-school-age child enrolled in a noncharter public school, provided satisfactory evidence of the excuse is provided to the superintendent of the school district, or his designee:

(a) An absence is excused when the absence results from the compulsory-school-age child's attendance at an authorized school activity with the prior approval of the superintendent of the school district, or his designee. These activities may include field trips, athletic contests, student conventions, musical festivals and any similar activity.

(b) An absence is excused when the absence results from illness or injury which prevents the compulsory-school-age child from being physically able to attend school.

(c) An absence is excused when isolation of a compulsory-school-age child is ordered by the county health officer, by the State Board of Health or appropriate school official.

(d) An absence is excused when it results from the death or serious illness of a member of the immediate family of a compulsory-school-age child. The immediate family members of a compulsory-school-age child shall include children, spouse, grandparents, parents, brothers and sisters, including stepbrothers and stepsisters.

(e) An absence is excused when it results from a medical or dental appointment of a compulsory-school-age child.

(f) An absence is excused when it results from the attendance of a compulsory-school-age child at the proceedings of a court or an administrative tribunal if the child is a party to the action or under subpoena as a witness.

(g) An absence may be excused if the religion to which the compulsory-school-age child or the child's parents adheres, requires or suggests the observance of a religious event. The approval of the absence is within the discretion of the superintendent of the school district, or his designee, but approval should be granted unless the religion's observance is of such duration as to interfere with the education of the child.

(h) An absence may be excused when it is demonstrated to the satisfaction of the superintendent of the school district, or his designee, that the purpose of the absence is to take advantage of a valid educational opportunity such as travel, including vacations or other family travel. Approval of the absence must be gained from the superintendent of the school district, or his designee, before the absence, but the approval shall not be unreasonably withheld.

(i) An absence may be excused when it is demonstrated to the satisfaction of the superintendent of the school district, or his designee, that conditions are sufficient to warrant the compulsory-school-age child's nonattendance. However, no absences shall be excused by the school district superintendent, or his designee, when any student suspensions or expulsions circumvent the intent and spirit of the compulsory attendance law.

(j) An absence is excused when it results from the attendance of a compulsory-school-age child participating in official organized events sponsored by the 4-H or Future Farmers of America (FFA). The excuse for the 4-H or FFA event must be provided in writing to the appropriate school superintendent by the Extension Agent or High School Agricultural Instructor/FFA Advisor.

(k) An absence is excused when it results from the compulsory-school-age child officially being employed to serve as a page at the State Capitol for the Mississippi House of Representatives or Senate.

(5) Any parent, guardian or custodian of a compulsory-school-age child subject to this section who refuses or willfully fails to perform any of the duties imposed upon him or her under this section or who intentionally falsifies any information required to be contained in a certificate of enrollment, shall be guilty of contributing to the neglect of a child and, upon conviction, shall be punished in accordance with Section 97-5-39.

Upon prosecution of a parent, guardian or custodian of a compulsory-school-age child for violation of this section, the presentation of evidence by the prosecutor that shows that the child has not been enrolled in school within eighteen (18) calendar days after the first day of the school year of the public school which the child is eligible to attend, or that the child has accumulated twelve (12) unlawful absences during the school year at the public school in which the child has been enrolled, shall establish a prima facie case that the child's parent, guardian or custodian is responsible for the absences and has refused or willfully failed to perform the duties imposed upon him or her under this section. However, no proceedings under this section shall be brought against a parent, guardian or custodian of a compulsory-school-age child unless the school attendance officer has contacted promptly the home of the child and has provided written notice to the parent, guardian or custodian of the requirement for the child's enrollment or attendance.

(6) If a compulsory-school-age child has not been enrolled in a school within fifteen (15) calendar days after the first day of the school year of the school which the child is eligible to attend or the child has accumulated five (5) unlawful absences during the school year of the public school in which the child is enrolled, the school district superintendent, or his designee, shall report, within two (2) school days or within five (5) calendar days, whichever is less, the absences to the school attendance officer. The State Department of Education shall prescribe a uniform method for schools to utilize in reporting the unlawful absences to the school attendance officer. The superintendent, or his designee,

also shall report any student suspensions or student expulsions to the school attendance officer when they occur.

(7) When a school attendance officer has made all attempts to secure enrollment and/or attendance of a compulsory-school-age child and is unable to effect the enrollment and/or attendance, the attendance officer shall file a petition with the youth court under Section 43-21-451 or shall file a petition in a court of competent jurisdiction as it pertains to parent or child. Sheriffs, deputy sheriffs and municipal law enforcement officers shall be fully authorized to investigate all cases of nonattendance and unlawful absences by compulsory-school-age children, and shall be authorized to file a petition with the youth court under Section 43-21-451 or file a petition or information in the court of competent jurisdiction as it pertains to parent or child for violation of this section. The youth court shall expedite a hearing to make an appropriate adjudication and a disposition to ensure compliance with the Compulsory School Attendance Law, and may order the child to enroll or re-enroll in school. The superintendent of the school district to which the child is ordered may assign, in his discretion, the child to the alternative school program of the school established pursuant to Section 37-13-92.

(8) The State Board of Education shall adopt rules and regulations for the purpose of reprimanding any school superintendents who fail to timely report unexcused absences under the provisions of this section.

(9) Notwithstanding any provision or implication herein to the contrary, it is not the intention of this section to impair the primary right and the obligation of the parent or parents, or person or persons in loco parentis to a child, to choose the proper education and training for such child, and nothing in this section shall ever be construed to grant, by implication or otherwise, to the State of Mississippi, any of its officers, agencies or subdivisions any right or authority to control, manage, supervise or make any suggestion as to the control, management or supervision of any private or parochial school or institution for the education or training of children, of any kind whatsoever that is not a public school according to the laws of this state; and this section shall never be construed so as to grant, by implication or otherwise, any right or authority to any state agency or other entity to control, manage, supervise, provide for or affect the operation, management, program, curriculum, admissions policy or discipline of any such school or home instruction program.

SECTION 3. Section 37-23-63, Mississippi Code of 1972, is amended as follows:

37-23-63. Every child who is a resident citizen of the State of Mississippi under twenty-one (21) years of age, who cannot pursue all regular class work due to reasons of defective hearing, vision, speech, intellectual disability or other mental or physical conditions as determined by competent medical authorities and psychologists, who has not finished or graduated from high school, and who is in attendance in a private school, parochial school or speech, hearing and/or language clinic that is accredited by a state or regional accrediting agency or approved/licensed by the State Department of Education, shall be eligible and entitled to receive state financial assistance in the amount set forth in Section 37-23-69. Exceptional children as defined in Section 37-23-3(1) and who are certified by the designated state authority as requiring inpatient care in a private intermediate care facility for * * * individuals with intellectual disabilities or psychiatric residential treatment facility, with Medicaid reimbursement, shall be eligible and entitled to receive state and federal financial assistance under the provisions of Section 37-23-69, as allowable and available, if an approved private school is operated as an integral part of the facility that provides twenty-four (24) hours a day monitoring, treatment and education.

SECTION 4. Section 41-4-18, Mississippi Code of 1972, is amended as follows:

41-4-18. (1) Notwithstanding Section 41-7-191(11) and Section 41-7-171 et seq. * * * or any other section of law, the Department of Mental Health shall have the

authority to contract with private and/or public entities to transfer beds within intermediate care facilities for * * * individuals with intellectual disabilities owned and operated by the Department of Mental Health to locations owned and operated by private and/or public entities for the purpose of serving individuals with intellectual disabilities in the settings most appropriate to meet their needs.

(2) Any license granted to the Department of Mental Health by the Department of Health for the operation of transferred intermediate care facility for * * * individuals with intellectual disabilities beds shall remain in the name of the Department of Mental Health and shall not be transferred into the name of the contractor unless the contractor has received the appropriate certificates of need.

SECTION 5. Section 41-7-173, Mississippi Code of 1972, is amended as follows:

41-7-173. For the purposes of Section 41-7-171 et seq., the following words shall have the meanings ascribed herein, unless the context otherwise requires:

(a) "Affected person" means (i) the applicant; (ii) a person residing within the geographic area to be served by the applicant's proposal; (iii) a person who regularly uses health care facilities or HMOs located in the geographic area of the proposal which provide similar service to that which is proposed; (iv) health care facilities and HMOs which have, prior to receipt of the application under review, formally indicated an intention to provide service similar to that of the proposal being considered at a future date; (v) third-party payers who reimburse health care facilities located in the geographical area of the proposal; or (vi) any agency that establishes rates for health care services or HMOs located in the geographic area of the proposal.

(b) "Certificate of need" means a written order of the State Department of Health setting forth the affirmative finding that a proposal in prescribed application form, sufficiently satisfies the plans, standards and criteria prescribed for such service or other project by Section 41-7-171 et seq., and by rules and regulations promulgated thereunder by the State Department of Health.

(c) (i) "Capital expenditure," when pertaining to defined major medical equipment, shall mean an expenditure which, under generally accepted accounting principles consistently applied, is not properly chargeable as an expense of operation and maintenance and which exceeds One Million Five Hundred Thousand Dollars ($1,500,000.00).

(ii) "Capital expenditure," when pertaining to other than major medical equipment, shall mean any expenditure which under generally accepted accounting principles consistently applied is not properly chargeable as an expense of operation and maintenance and which exceeds, for clinical health services, as defined in * * * paragraph (k) below, Five Million Dollars ($5,000,000.00), adjusted for inflation as published by the State Department of Health or which exceeds, for nonclinical health services, as defined in * * * paragraph (k) below, Ten Million Dollars ($10,000,000.00), adjusted for inflation as published by the State Department of Health.

(iii) A "capital expenditure" shall include the acquisition, whether by lease, sufferance, gift, devise, legacy, settlement of a trust or other means, of any facility or part thereof, or equipment for a facility, the expenditure for which would have been considered a capital expenditure if acquired by purchase. Transactions which are separated in time but are planned to be undertaken within twelve (12) months of each other and are components of an overall plan for meeting patient care objectives shall, for purposes of this definition, be viewed in their entirety without regard to their timing.

(iv) In those instances where a health care facility or other provider of health services proposes to provide a service in which the capital expenditure for major medical equipment or other than major medical equipment or a combination of the two (2)

may have been split between separate parties, the total capital expenditure required to provide the proposed service shall be considered in determining the necessity of certificate of need review and in determining the appropriate certificate of need review fee to be paid. The capital expenditure associated with facilities and equipment to provide services in Mississippi shall be considered regardless of where the capital expenditure was made, in state or out of state, and regardless of the domicile of the party making the capital expenditure, in state or out of state.

(d) "Change of ownership" includes, but is not limited to, inter vivos gifts, purchases, transfers, lease arrangements, cash and/or stock transactions or other comparable arrangements whenever any person or entity acquires or controls a majority interest of an existing health care facility, and/or the change of ownership of major medical equipment, a health service, or an institutional health service. Changes of ownership from partnerships, single proprietorships or corporations to another form of ownership are specifically included. However, "change of ownership" shall not include any inherited interest acquired as a result of a testamentary instrument or under the laws of descent and distribution of the State of Mississippi.

(e) "Commencement of construction" means that all of the following have been completed with respect to a proposal or project proposing construction, renovating, remodeling or alteration:

(i) A legally binding written contract has been consummated by the proponent and a lawfully licensed contractor to construct and/or complete the intent of the proposal within a specified period of time in accordance with final architectural plans which have been approved by the licensing authority of the State Department of Health;

(ii) Any and all permits and/or approvals deemed lawfully necessary by all authorities with responsibility for such have been secured; and

(iii) Actual bona fide undertaking of the subject proposal has commenced, and a progress payment of at least one percent (1%) of the total cost price of the contract has been paid to the contractor by the proponent, and the requirements of this paragraph (e) have been certified to in writing by the State Department of Health.

Force account expenditures, such as deposits, securities, bonds, et cetera, may, in the discretion of the State Department of Health, be excluded from any or all of the provisions of defined commencement of construction.

(f) "Consumer" means an individual who is not a provider of health care as defined in paragraph (q) of this section.

(g) "Develop," when used in connection with health services, means to undertake those activities which, on their completion, will result in the offering of a new institutional health service or the incurring of a financial obligation as defined under applicable state law in relation to the offering of such services.

(h) "Health care facility" includes hospitals, psychiatric hospitals, chemical dependency hospitals, skilled nursing facilities, end-stage renal disease (ESRD) facilities, including freestanding hemodialysis units, intermediate care facilities, ambulatory surgical facilities, intermediate care facilities for * * * individuals with intellectual disabilities, home health agencies, psychiatric residential treatment facilities, pediatric skilled nursing facilities, long-term care hospitals, comprehensive medical rehabilitation facilities, including facilities owned or operated by the state or a political subdivision or instrumentality of the state, but does not include Christian Science sanatoriums operated or listed and certified by the First Church of Christ, Scientist, Boston, Massachusetts. This definition shall not apply to facilities for the private practice, either independently or by incorporated medical groups, of physicians, dentists or health care professionals except

where such facilities are an integral part of an institutional health service. The various health care facilities listed in this paragraph shall be defined as follows:

(i) "Hospital" means an institution which is primarily engaged in providing to inpatients, by or under the supervision of physicians, diagnostic services and therapeutic services for medical diagnosis, treatment and care of injured, disabled or sick persons, or rehabilitation services for the rehabilitation of injured, disabled or sick persons. Such term does not include psychiatric hospitals.

(ii) "Psychiatric hospital" means an institution which is primarily engaged in providing to inpatients, by or under the supervision of a physician, psychiatric services for the diagnosis and treatment of persons with mental illness.

(iii) "Chemical dependency hospital" means an institution which is primarily engaged in providing to inpatients, by or under the supervision of a physician, medical and related services for the diagnosis and treatment of chemical dependency such as alcohol and drug abuse.

(iv) "Skilled nursing facility" means an institution or a distinct part of an institution which is primarily engaged in providing to inpatients skilled nursing care and related services for patients who require medical or nursing care or rehabilitation services for the rehabilitation of injured, disabled or sick persons.

(v) "End-stage renal disease (ESRD) facilities" means kidney disease treatment centers, which includes freestanding hemodialysis units and limited care facilities. The term "limited care facility" generally refers to an off-hospital-premises facility, regardless of whether it is provider or nonprovider operated, which is engaged primarily in furnishing maintenance hemodialysis services to stabilized patients.

(vi) "Intermediate care facility" means an institution which provides, on a regular basis, health-related care and services to individuals who do not require the degree of care and treatment which a hospital or skilled nursing facility is designed to provide, but who, because of their mental or physical condition, require health-related care and services (above the level of room and board).

(vii) "Ambulatory surgical facility" means a facility primarily organized or established for the purpose of performing surgery for outpatients and is a separate identifiable legal entity from any other health care facility. Such term does not include the offices of private physicians or dentists, whether for individual or group practice, and does not include any abortion facility as defined in Section 41-75-1(f).

(viii) "Intermediate care facility for * * * individuals with intellectual disabilities" means an intermediate care facility that provides health or rehabilitative services in a planned program of activities to persons with an intellectual disability, also including, but not limited to, cerebral palsy and other conditions covered by the Federal Developmentally Disabled Assistance and Bill of Rights Act, Public Law 94-103.

(ix) "Home health agency" means a public or privately owned agency or organization, or a subdivision of such an agency or organization, properly authorized to conduct business in Mississippi, which is primarily engaged in providing to individuals at the written direction of a licensed physician, in the individual's place of residence, skilled nursing services provided by or under the supervision of a registered nurse licensed to practice in Mississippi, and one or more of the following services or items:

1. Physical, occupational or speech therapy;

2. Medical social services;

3. Part-time or intermittent services of a home health aide;

4. Other services as approved by the licensing agency for home health agencies;

5. Medical supplies, other than drugs and biologicals, and the use of medical appliances; or

6. Medical services provided by an intern or resident-in-training at a hospital under a teaching program of such hospital.

Further, all skilled nursing services and those services listed in items 1 through 4 of this subparagraph (ix) must be provided directly by the licensed home health agency. For purposes of this subparagraph, "directly" means either through an agency employee or by an arrangement with another individual not defined as a health care facility.

This subparagraph (ix) shall not apply to health care facilities which had contracts for the above services with a home health agency on January 1, 1990.

(x) "Psychiatric residential treatment facility" means any nonhospital establishment with permanent licensed facilities which provides a twenty-four-hour program of care by qualified therapists, including, but not limited to, duly licensed mental health professionals, psychiatrists, psychologists, psychotherapists and licensed certified social workers, for emotionally disturbed children and adolescents referred to such facility by a court, local school district or by the Department of Human Services, who are not in an acute phase of illness requiring the services of a psychiatric hospital, and are in need of such restorative treatment services. For purposes of this subparagraph, the term "emotionally disturbed" means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree, which adversely affects educational performance:

1. An inability to learn which cannot be explained by intellectual, sensory or health factors;

2. An inability to build or maintain satisfactory relationships with peers and teachers;

3. Inappropriate types of behavior or feelings under normal circumstances;

4. A general pervasive mood of unhappiness or depression; or

5. A tendency to develop physical symptoms or fears associated with personal or school problems. An establishment furnishing primarily domiciliary care is not within this definition.

(xi) "Pediatric skilled nursing facility" means an institution or a distinct part of an institution that is primarily engaged in providing to inpatients skilled nursing care and related services for persons under twenty-one (21) years of age who require medical or nursing care or rehabilitation services for the rehabilitation of injured, disabled or sick persons.

(xii) "Long-term care hospital" means a freestanding, Medicare-certified hospital that has an average length of inpatient stay greater than twenty-five (25) days, which is primarily engaged in providing chronic or long-term medical care to patients who do not require more than three (3) hours of rehabilitation or comprehensive rehabilitation per day, and has a transfer agreement with an acute care medical center and a comprehensive medical rehabilitation facility. Long-term care hospitals shall not use rehabilitation, comprehensive medical rehabilitation, medical

rehabilitation, sub-acute rehabilitation, nursing home, skilled nursing facility or sub-acute care facility in association with its name.

(xiii) "Comprehensive medical rehabilitation facility" means a hospital or hospital unit that is licensed and/or certified as a comprehensive medical rehabilitation facility which provides specialized programs that are accredited by the Commission on Accreditation of Rehabilitation Facilities and supervised by a physician board certified or board eligible in physiatry or other doctor of medicine or osteopathy with at least two (2) years of training in the medical direction of a comprehensive rehabilitation program that:

1. Includes evaluation and treatment of individuals with physical disabilities;

2. Emphasizes education and training of individuals with disabilities;

3. Incorporates at least the following core disciplines:

* * *a. Physical Therapy;

* * *b. Occupational Therapy;

* * *c. Speech and Language Therapy;

* * *d. Rehabilitation Nursing; and

4. Incorporates at least three (3) of the following disciplines:

* * *a. Psychology;

* * *b. Audiology;

* * *c. Respiratory Therapy;

* * *d. Therapeutic Recreation;

* * *e. Orthotics;

* * *f. Prosthetics;

* * *g. Special Education;

* * *h. Vocational Rehabilitation;

* * *i. Psychotherapy;

* * *j. Social Work;

* * *k. Rehabilitation Engineering.

These specialized programs include, but are not limited to: spinal cord injury programs, head injury programs and infant and early childhood development programs.

(i) "Health maintenance organization" or "HMO" means a public or private organization organized under the laws of this state or the federal government which:

(i) Provides or otherwise makes available to enrolled participants health care services, including substantially the following basic health care services:

usual physician services, hospitalization, laboratory, x-ray, emergency and preventive services, and out-of-area coverage;

(ii) Is compensated (except for copayments) for the provision of the basic health care services listed in subparagraph (i) of this paragraph to enrolled participants on a predetermined basis; and

(iii) Provides physician services primarily:

1. Directly through physicians who are either employees or partners of such organization; or

2. Through arrangements with individual physicians or one or more groups of physicians (organized on a group practice or individual practice basis).

(j) "Health service area" means a geographic area of the state designated in the State Health Plan as the area to be used in planning for specified health facilities and services and to be used when considering certificate of need applications to provide health facilities and services.

(k) "Health services" means clinically related (i.e., diagnostic, treatment or rehabilitative) services and includes alcohol, drug abuse, mental health and home health care services. "Clinical health services" shall only include those activities which contemplate any change in the existing bed complement of any health care facility through the addition or conversion of any beds, under Section 41-7-191(1)(c) or propose to offer any health services if those services have not been provided on a regular basis by the proposed provider of such services within the period of twelve (12) months prior to the time such services would be offered, under Section 41-7-191(1)(d). "Nonclinical health services" shall be all other services which do not involve any change in the existing bed complement or offering health services as described above.

(l) "Institutional health services" shall mean health services provided in or through health care facilities and shall include the entities in or through which such services are provided.

(m) "Major medical equipment" means medical equipment designed for providing medical or any health-related service which costs in excess of One Million Five Hundred Thousand Dollars ($1,500,000.00). However, this definition shall not be applicable to clinical laboratories if they are determined by the State Department of Health to be independent of any physician's office, hospital or other health care facility or otherwise not so defined by federal or state law, or rules and regulations promulgated thereunder.

(n) "State Department of Health" or "department" shall mean the state agency created under Section 41-3-15, which shall be considered to be the State Health Planning and Development Agency, as defined in paragraph (u) of this section.

(o) "Offer," when used in connection with health services, means that it has been determined by the State Department of Health that the health care facility is capable of providing specified health services.

(p) "Person" means an individual, a trust or estate, partnership, corporation (including associations, joint-stock companies and insurance companies), the state or a political subdivision or instrumentality of the state.

(q) "Provider" shall mean any person who is a provider or representative of a provider of health care services requiring a certificate of need under Section 41-7-171 et seq., or who has any financial or indirect interest in any provider of services.

(r) "Radiation therapy services" means the treatment of cancer and other diseases using ionizing radiation of either high energy photons (x-rays or gamma rays) or charged particles (electrons, protons or heavy nuclei). However, for purposes of a certificate of need, radiation therapy services shall not include low energy, superficial, external beam x-ray treatment of superficial skin lesions.

(s) "Secretary" means the Secretary of Health and Human Services, and any officer or employee of the Department of Health and Human Services to whom the authority involved has been delegated.

(t) "State Health Plan" means the sole and official statewide health plan for Mississippi which identifies priority state health needs and establishes standards and criteria for health-related activities which require certificate of need review in compliance with Section 41-7-191.

(u) "State Health Planning and Development Agency" means the agency of state government designated to perform health planning and resource development programs for the State of Mississippi.

SECTION 6. Section 41-7-191, Mississippi Code of 1972, is amended as follows:

41-7-191. (1) No person shall engage in any of the following activities without obtaining the required certificate of need:

(a) The construction, development or other establishment of a new health care facility, which establishment shall include the reopening of a health care facility that has ceased to operate for a period of sixty (60) months or more;

(b) The relocation of a health care facility or portion thereof, or major medical equipment, unless such relocation of a health care facility or portion thereof, or major medical equipment, which does not involve a capital expenditure by or on behalf of a health care facility, is within five thousand two hundred eighty (5,280) feet from the main entrance of the health care facility;

(c) Any change in the existing bed complement of any health care facility through the addition or conversion of any beds or the alteration, modernizing or refurbishing of any unit or department in which the beds may be located; however, if a health care facility has voluntarily delicensed some of its existing bed complement, it may later relicense some or all of its delicensed beds without the necessity of having to acquire a certificate of need. The State Department of Health shall maintain a record of the delicensing health care facility and its voluntarily delicensed beds and continue counting those beds as part of the state's total bed count for health care planning purposes. If a health care facility that has voluntarily delicensed some of its beds later desires to relicense some or all of its voluntarily delicensed beds, it shall notify the State Department of Health of its intent to increase the number of its licensed beds. The State Department of Health shall survey the health care facility within thirty (30) days of that notice and, if appropriate, issue the health care facility a new license reflecting the new contingent of beds. However, in no event may a health care facility that has voluntarily delicensed some of its beds be reissued a license to operate beds in excess of its bed count before the voluntary delicensure of some of its beds without seeking certificate of need approval;

(d) Offering of the following health services if those services have not been provided on a regular basis by the proposed provider of such services within the period of twelve (12) months prior to the time such services would be offered:

(i) Open-heart surgery services;

(ii) Cardiac catheterization services;

(iii) Comprehensive inpatient rehabilitation services;

(iv) Licensed psychiatric services;

(v) Licensed chemical dependency services;

(vi) Radiation therapy services;

(vii) Diagnostic imaging services of an invasive nature, i.e. invasive digital angiography;

(viii) Nursing home care as defined in subparagraphs (iv), (vi) and (viii) of Section 41-7-173(h);

(ix) Home health services;

(x) Swing-bed services;

(xi) Ambulatory surgical services;

(xii) Magnetic resonance imaging services;

(xiii) [Deleted]

(xiv) Long-term care hospital services;

(xv) Positron emission tomography (PET) services;

(e) The relocation of one or more health services from one physical facility or site to another physical facility or site, unless such relocation, which does not involve a capital expenditure by or on behalf of a health care facility, (i) is to a physical facility or site within five thousand two hundred eighty (5,280) feet from the main entrance of the health care facility where the health care service is located, or (ii) is the result of an order of a court of appropriate jurisdiction or a result of pending litigation in such court, or by order of the State Department of Health, or by order of any other agency or legal entity of the state, the federal government, or any political subdivision of either, whose order is also approved by the State Department of Health;

(f) The acquisition or otherwise control of any major medical equipment for the provision of medical services; however, (i) the acquisition of any major medical equipment used only for research purposes, and (ii) the acquisition of major medical equipment to replace medical equipment for which a facility is already providing medical services and for which the State Department of Health has been notified before the date of such acquisition shall be exempt from this paragraph; an acquisition for less than fair market value must be reviewed, if the acquisition at fair market value would be subject to review;

(g) Changes of ownership of existing health care facilities in which a notice of intent is not filed with the State Department of Health at least thirty (30) days prior to the date such change of ownership occurs, or a change in services or bed capacity as prescribed in paragraph (c) or (d) of this subsection as a result of the change of ownership; an acquisition for less than fair market value must be reviewed, if the acquisition at fair market value would be subject to review;

(h) The change of ownership of any health care facility defined in subparagraphs (iv), (vi) and (viii) of Section 41-7-173(h), in which a notice of intent as described in paragraph (g) has not been filed and if the Executive Director, Division of Medicaid, Office of the Governor, has not certified in writing that there will be no increase

in allowable costs to Medicaid from revaluation of the assets or from increased interest and depreciation as a result of the proposed change of ownership;

(i) Any activity described in paragraphs (a) through (h) if undertaken by any person if that same activity would require certificate of need approval if undertaken by a health care facility;

(j) Any capital expenditure or deferred capital expenditure by or on behalf of a health care facility not covered by paragraphs (a) through (h);

(k) The contracting of a health care facility as defined in subparagraphs (i) through (viii) of Section 41-7-173(h) to establish a home office, subunit, or branch office in the space operated as a health care facility through a formal arrangement with an existing health care facility as defined in subparagraph (ix) of Section 41-7-173(h);

(l) The replacement or relocation of a health care facility designated as a critical access hospital shall be exempt from subsection (1) of this section so long as the critical access hospital complies with all applicable federal law and regulations regarding such replacement or relocation;

(m) Reopening a health care facility that has ceased to operate for a period of sixty (60) months or more, which reopening requires a certificate of need for the establishment of a new health care facility.

(2) The State Department of Health shall not grant approval for or issue a certificate of need to any person proposing the new construction of, addition to, or expansion of any health care facility defined in subparagraphs (iv) (skilled nursing facility) and (vi) (intermediate care facility) of Section 41-7-173(h) or the conversion of vacant hospital beds to provide skilled or intermediate nursing home care, except as hereinafter authorized:

(a) The department may issue a certificate of need to any person proposing the new construction of any health care facility defined in subparagraphs (iv) and (vi) of Section 41-7-173(h) as part of a life care retirement facility, in any county bordering on the Gulf of Mexico in which is located a National Aeronautics and Space Administration facility, not to exceed forty (40) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the health care facility that were authorized under this paragraph (a).

(b) The department may issue certificates of need in Harrison County to provide skilled nursing home care for Alzheimer's disease patients and other patients, not to exceed one hundred fifty (150) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facilities that were authorized under this paragraph (b).

(c) The department may issue a certificate of need for the addition to or expansion of any skilled nursing facility that is part of an existing continuing care retirement community located in Madison County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (c), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall

revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of beds that may be authorized under the authority of this paragraph (c) shall not exceed sixty (60) beds.

(d) The State Department of Health may issue a certificate of need to any hospital located in DeSoto County for the new construction of a skilled nursing facility, not to exceed one hundred twenty (120) beds, in DeSoto County. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (d).

(e) The State Department of Health may issue a certificate of need for the construction of a nursing facility or the conversion of beds to nursing facility beds at a personal care facility for the elderly in Lowndes County that is owned and operated by a Mississippi nonprofit corporation, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (e).

(f) The State Department of Health may issue a certificate of need for conversion of a county hospital facility in Itawamba County to a nursing facility, not to exceed sixty (60) beds, including any necessary construction, renovation or expansion. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (f).

(g) The State Department of Health may issue a certificate of need for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in either Hinds, Madison or Rankin County, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (g).

(h) The State Department of Health may issue a certificate of need for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in either Hancock, Harrison or Jackson County, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the facility that were authorized under this paragraph (h).

(i) The department may issue a certificate of need for the new construction of a skilled nursing facility in Leake County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (i), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing

complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The provision of Section 41-7-193(1) regarding substantial compliance of the projection of need as reported in the current State Health Plan is waived for the purposes of this paragraph. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (i) shall not exceed sixty (60) beds. If the skilled nursing facility authorized by the certificate of need issued under this paragraph is not constructed and fully operational within eighteen (18) months after July 1, 1994, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need, if it is still outstanding, and shall not issue a license for the skilled nursing facility at any time after the expiration of the eighteen-month period.

(j) The department may issue certificates of need to allow any existing freestanding long-term care facility in Tishomingo County and Hancock County that on July 1, 1995, is licensed with fewer than sixty (60) beds. For the purposes of this paragraph (j), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the long-term care facilities that were authorized under this paragraph (j).

(k) The department may issue a certificate of need for the construction of a nursing facility at a continuing care retirement community in Lowndes County. The total number of beds that may be authorized under the authority of this paragraph (k) shall not exceed sixty (60) beds. From and after July 1, 2001, the prohibition on the facility participating in the Medicaid program (Section 43-13-101 et seq.) that was a condition of issuance of the certificate of need under this paragraph (k) shall be revised as follows: The nursing facility may participate in the Medicaid program from and after July 1, 2001, if the owner of the facility on July 1, 2001, agrees in writing that no more than thirty (30) of the beds at the facility will be certified for participation in the Medicaid program, and that no claim will be submitted for Medicaid reimbursement for more than thirty (30) patients in the facility in any month or for any patient in the facility who is in a bed that is not Medicaid-certified. This written agreement by the owner of the facility shall be a condition of licensure of the facility, and the agreement shall be fully binding on any subsequent owner of the facility if the ownership of the facility is transferred at any time after July 1, 2001. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than thirty (30) of the beds in the facility for participation in the Medicaid program. If the facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than thirty (30) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the written agreement.

(l) Provided that funds are specifically appropriated therefor by the Legislature, the department may issue a certificate of need to a rehabilitation hospital in Hinds County for the construction of a sixty-bed long-term care nursing facility dedicated to the care and treatment of persons with severe disabilities including persons with spinal cord and closed-head injuries and ventilator dependent patients. The provisions of Section 41-7-193(1) regarding substantial compliance with projection of need as reported in the current State Health Plan are waived for the purpose of this paragraph.

(m) The State Department of Health may issue a certificate of need to a county-owned hospital in the Second Judicial District of Panola County for the conversion of not more than seventy-two (72) hospital beds to nursing facility beds, provided that the recipient of the certificate of need agrees in writing that none of the beds at the nursing facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.), and that no claim will be submitted for Medicaid reimbursement in the nursing facility

in any day or for any patient in the nursing facility. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the nursing facility if the ownership of the nursing facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify any of the beds in the nursing facility for participation in the Medicaid program. If the nursing facility violates the terms of the written agreement by admitting or keeping in the nursing facility on a regular or continuing basis any patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the nursing facility, at the time that the department determines, after a hearing complying with due process, that the nursing facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 2001, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 2001, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(n) The department may issue a certificate of need for the new construction, addition or conversion of skilled nursing facility beds in Madison County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (n), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (n) shall not exceed sixty (60) beds. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 1998, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 1998, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(o) The department may issue a certificate of need for the new construction, addition or conversion of skilled nursing facility beds in Leake County, provided that the

recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (o), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (o) shall not exceed sixty (60) beds. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 2001, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 2001, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(p) The department may issue a certificate of need for the construction of a municipally owned nursing facility within the Town of Belmont in Tishomingo County, not to exceed sixty (60) beds, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (p), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The provision of Section 41-7-193(1) regarding substantial compliance of the projection of need as reported in the current State Health Plan is waived for the purposes of this paragraph. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 1998, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 1998, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance

of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(q) (i) Beginning on July 1, 1999, the State Department of Health shall issue certificates of need during each of the next four (4) fiscal years for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in each county in the state having a need for fifty (50) or more additional nursing facility beds, as shown in the fiscal year 1999 State Health Plan, in the manner provided in this paragraph (q). The total number of nursing facility beds that may be authorized by any certificate of need authorized under this paragraph (q) shall not exceed sixty (60) beds.

(ii) Subject to the provisions of subparagraph (v), during each of the next four (4) fiscal years, the department shall issue six (6) certificates of need for new nursing facility beds, as follows: During fiscal years 2000, 2001 and 2002, one (1) certificate of need shall be issued for new nursing facility beds in the county in each of the four (4) Long-Term Care Planning Districts designated in the fiscal year 1999 State Health Plan that has the highest need in the district for those beds; and two (2) certificates of need shall be issued for new nursing facility beds in the two (2) counties from the state at large that have the highest need in the state for those beds, when considering the need on a statewide basis and without regard to the Long-Term Care Planning Districts in which the counties are located. During fiscal year 2003, one (1) certificate of need shall be issued for new nursing facility beds in any county having a need for fifty (50) or more additional nursing facility beds, as shown in the fiscal year 1999 State Health Plan, that has not received a certificate of need under this paragraph (q) during the three (3) previous fiscal years. During fiscal year 2000, in addition to the six (6) certificates of need authorized in this subparagraph, the department also shall issue a certificate of need for new nursing facility beds in Amite County and a certificate of need for new nursing facility beds in Carroll County.

(iii) Subject to the provisions of subparagraph (v), the certificate of need issued under subparagraph (ii) for nursing facility beds in each Long-Term Care Planning District during each fiscal year shall first be available for nursing facility beds in the county in the district having the highest need for those beds, as shown in the fiscal year 1999 State Health Plan. If there are no applications for a certificate of need for nursing facility beds in the county having the highest need for those beds by the date specified by the department, then the certificate of need shall be available for nursing facility beds in other counties in the district in descending order of the need for those beds, from the county with the second highest need to the county with the lowest need, until an application is received for nursing facility beds in an eligible county in the district.

(iv) Subject to the provisions of subparagraph (v), the certificate of need issued under subparagraph (ii) for nursing facility beds in the two (2) counties from the state at large during each fiscal year shall first be available for nursing facility beds in the two (2) counties that have the highest need in the state for those beds, as shown in the fiscal year 1999 State Health Plan, when considering the need on a statewide basis and without regard to the Long-Term Care Planning Districts in which the counties are located. If there are no applications for a certificate of need for nursing facility beds in either of the two (2) counties having the highest need for those beds on a statewide basis by the date specified by the department, then the certificate of need shall be available for nursing facility beds in other counties from the state at large in descending order of the need for those beds on a statewide basis, from the county with the second highest need to the county with the lowest need, until an application is received for nursing facility beds in an eligible county from the state at large.

(v) If a certificate of need is authorized to be issued under this paragraph (q) for nursing facility beds in a county on the basis of the need in the Long-Term Care Planning District during any fiscal year of the four-year period, a certificate of need shall not also be available under this paragraph (q) for additional

nursing facility beds in that county on the basis of the need in the state at large, and that county shall be excluded in determining which counties have the highest need for nursing facility beds in the state at large for that fiscal year. After a certificate of need has been issued under this paragraph (q) for nursing facility beds in a county during any fiscal year of the four-year period, a certificate of need shall not be available again under this paragraph (q) for additional nursing facility beds in that county during the four-year period, and that county shall be excluded in determining which counties have the highest need for nursing facility beds in succeeding fiscal years.

(vi) If more than one (1) application is made for a certificate of need for nursing home facility beds available under this paragraph (q), in Yalobusha, Newton or Tallahatchie County, and one (1) of the applicants is a county-owned hospital located in the county where the nursing facility beds are available, the department shall give priority to the county-owned hospital in granting the certificate of need if the following conditions are met:

1. The county-owned hospital fully meets all applicable criteria and standards required to obtain a certificate of need for the nursing facility beds; and

2. The county-owned hospital's qualifications for the certificate of need, as shown in its application and as determined by the department, are at least equal to the qualifications of the other applicants for the certificate of need.

(r) (i) Beginning on July 1, 1999, the State Department of Health shall issue certificates of need during each of the next two (2) fiscal years for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in each of the four (4) Long-Term Care Planning Districts designated in the fiscal year 1999 State Health Plan, to provide care exclusively to patients with Alzheimer's disease.

(ii) Not more than twenty (20) beds may be authorized by any certificate of need issued under this paragraph (r), and not more than a total of sixty (60) beds may be authorized in any Long-Term Care Planning District by all certificates of need issued under this paragraph (r). However, the total number of beds that may be authorized by all certificates of need issued under this paragraph (r) during any fiscal year shall not exceed one hundred twenty (120) beds, and the total number of beds that may be authorized in any Long-Term Care Planning District during any fiscal year shall not exceed forty (40) beds. Of the certificates of need that are issued for each Long-Term Care Planning District during the next two (2) fiscal years, at least one (1) shall be issued for beds in the northern part of the district, at least one (1) shall be issued for beds in the central part of the district, and at least one (1) shall be issued for beds in the southern part of the district.

(iii) The State Department of Health, in consultation with the Department of Mental Health and the Division of Medicaid, shall develop and prescribe the staffing levels, space requirements and other standards and requirements that must be met with regard to the nursing facility beds authorized under this paragraph (r) to provide care exclusively to patients with Alzheimer's disease.

(s) The State Department of Health may issue a certificate of need to a nonprofit skilled nursing facility using the Green House model of skilled nursing care and located in Yazoo City, Yazoo County, Mississippi, for the construction, expansion or conversion of not more than nineteen (19) nursing facility beds. For purposes of this paragraph (s), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized under this paragraph (s).

(t) The State Department of Health shall issue certificates of need to the owner of a nursing facility in operation at the time of Hurricane Katrina in Hancock County that was not operational on December 31, 2005, because of damage sustained from Hurricane Katrina to authorize the following: (i) the construction of a new nursing facility in Harrison County; (ii) the relocation of forty-nine (49) nursing facility beds from the Hancock County facility to the new Harrison County facility; (iii) the establishment of not more than twenty (20) non-Medicaid nursing facility beds at the Hancock County facility; and (iv) the establishment of not more than twenty (20) non-Medicaid beds at the new Harrison County facility. The certificates of need that authorize the non-Medicaid nursing facility beds under subparagraphs (iii) and (iv) of this paragraph (t) shall be subject to the following conditions: The owner of the Hancock County facility and the new Harrison County facility must agree in writing that no more than fifty (50) of the beds at the Hancock County facility and no more than forty-nine (49) of the beds at the Harrison County facility will be certified for participation in the Medicaid program, and that no claim will be submitted for Medicaid reimbursement for more than fifty (50) patients in the Hancock County facility in any month, or for more than forty-nine (49) patients in the Harrison County facility in any month, or for any patient in either facility who is in a bed that is not Medicaid-certified. This written agreement by the owner of the nursing facilities shall be a condition of the issuance of the certificates of need under this paragraph (t), and the agreement shall be fully binding on any later owner or owners of either facility if the ownership of either facility is transferred at any time after the certificates of need are issued. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than fifty (50) of the beds at the Hancock County facility or more than forty-nine (49) of the beds at the Harrison County facility for participation in the Medicaid program. If the Hancock County facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than fifty (50) patients who are participating in the Medicaid program, or if the Harrison County facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than forty-nine (49) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility that is in violation of the agreement, at the time that the department determines, after a hearing complying with due process, that the facility has violated the agreement.

(u) The State Department of Health shall issue a certificate of need to a nonprofit venture for the establishment, construction and operation of a skilled nursing facility of not more than sixty (60) beds to provide skilled nursing care for ventilator dependent or otherwise medically dependent pediatric patients who require medical and nursing care or rehabilitation services to be located in a county in which an academic medical center and a children's hospital are located, and for any construction and for the acquisition of equipment related to those beds. The facility shall be authorized to keep such ventilator dependent or otherwise medically dependent pediatric patients beyond age twenty-one (21) in accordance with regulations of the State Board of Health. For purposes of this paragraph (u), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived, and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. The beds authorized by this paragraph shall be counted as pediatric skilled nursing facility beds for health planning purposes under Section 41-7-171 et seq. There shall be no prohibition of or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized by this paragraph.

(3) The State Department of Health may grant approval for and issue certificates of need to any person proposing the new construction of, addition to, conversion of beds of or expansion of any health care facility defined in subparagraph (x) (psychiatric residential treatment facility) of Section 41-7-173(h). The total number of beds which may be authorized by such certificates of need shall not exceed three hundred thirty-four (334) beds for the entire state.

(a) Of the total number of beds authorized under this subsection, the department shall issue a certificate of need to a privately owned psychiatric residential treatment facility in Simpson County for the conversion of sixteen (16) intermediate care facility for * * * individuals with intellectual disabilities (ICF- * * *IID) beds to psychiatric residential treatment facility beds, provided that facility agrees in writing that the facility shall give priority for the use of those sixteen (16) beds to Mississippi residents who are presently being treated in out-of-state facilities.

(b) Of the total number of beds authorized under this subsection, the department may issue a certificate or certificates of need for the construction or expansion of psychiatric residential treatment facility beds or the conversion of other beds to psychiatric residential treatment facility beds in Warren County, not to exceed sixty (60) psychiatric residential treatment facility beds, provided that the facility agrees in writing that no more than thirty (30) of the beds at the psychiatric residential treatment facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.) for the use of any patients other than those who are participating only in the Medicaid program of another state, and that no claim will be submitted to the Division of Medicaid for Medicaid reimbursement for more than thirty (30) patients in the psychiatric residential treatment facility in any day or for any patient in the psychiatric residential treatment facility who is in a bed that is not Medicaid-certified. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the psychiatric residential treatment facility if the ownership of the facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than thirty (30) of the beds in the psychiatric residential treatment facility for participation in the Medicaid program for the use of any patients other than those who are participating only in the Medicaid program of another state. If the psychiatric residential treatment facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than thirty (30) patients who are participating in the Mississippi Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement.

The State Department of Health, on or before July 1, 2002, shall transfer the certificate of need authorized under the authority of this paragraph (b), or reissue the certificate of need if it has expired, to River Region Health System.

(c) Of the total number of beds authorized under this subsection, the department shall issue a certificate of need to a hospital currently operating Medicaid-certified acute psychiatric beds for adolescents in DeSoto County, for the establishment of a forty-bed psychiatric residential treatment facility in DeSoto County, provided that the hospital agrees in writing (i) that the hospital shall give priority for the use of those forty (40) beds to Mississippi residents who are presently being treated in out-of-state facilities, and (ii) that no more than fifteen (15) of the beds at the psychiatric residential treatment facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.), and that no claim will be submitted for Medicaid reimbursement for more than fifteen (15) patients in the psychiatric residential treatment facility in any day or for any patient in the psychiatric residential treatment facility who is in a bed that is not Medicaid-certified. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the psychiatric residential treatment facility if the ownership of the facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than fifteen (15) of the beds in the psychiatric residential treatment facility for participation in the Medicaid program. If the psychiatric residential treatment facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing

basis more than fifteen (15) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement.

(d) Of the total number of beds authorized under this subsection, the department may issue a certificate or certificates of need for the construction or expansion of psychiatric residential treatment facility beds or the conversion of other beds to psychiatric treatment facility beds, not to exceed thirty (30) psychiatric residential treatment facility beds, in either Alcorn, Tishomingo, Prentiss, Lee, Itawamba, Monroe, Chickasaw, Pontotoc, Calhoun, Lafayette, Union, Benton or Tippah County.

(e) Of the total number of beds authorized under this subsection (3) the department shall issue a certificate of need to a privately owned, nonprofit psychiatric residential treatment facility in Hinds County for an eight-bed expansion of the facility, provided that the facility agrees in writing that the facility shall give priority for the use of those eight (8) beds to Mississippi residents who are presently being treated in out-of-state facilities.

(f) The department shall issue a certificate of need to a one-hundred-thirty-four-bed specialty hospital located on twenty-nine and forty-four one-hundredths (29.44) commercial acres at 5900 Highway 39 North in Meridian (Lauderdale County), Mississippi, for the addition, construction or expansion of child/adolescent psychiatric residential treatment facility beds in Lauderdale County. As a condition of issuance of the certificate of need under this paragraph, the facility shall give priority in admissions to the child/adolescent psychiatric residential treatment facility beds authorized under this paragraph to patients who otherwise would require out-of-state placement. The Division of Medicaid, in conjunction with the Department of Human Services, shall furnish the facility a list of all out-of-state patients on a quarterly basis. Furthermore, notice shall also be provided to the parent, custodial parent or guardian of each out-of-state patient notifying them of the priority status granted by this paragraph. For purposes of this paragraph, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of child/adolescent psychiatric residential treatment facility beds that may be authorized under the authority of this paragraph shall be sixty (60) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this paragraph or for the beds converted pursuant to the authority of that certificate of need.

(4) (a) From and after March 25, 2021, the department may issue a certificate of need to any person for the new construction of any hospital, psychiatric hospital or chemical dependency hospital that will contain any child/adolescent psychiatric or child/adolescent chemical dependency beds, or for the conversion of any other health care facility to a hospital, psychiatric hospital or chemical dependency hospital that will contain any child/adolescent psychiatric or child/adolescent chemical dependency beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person(s) receiving the certificate(s) of need authorized under this paragraph (a) or for the beds converted pursuant to the authority of that certificate of need. In issuing any new certificate of need for any child/adolescent psychiatric or child/adolescent chemical dependency beds, either by new construction or conversion of beds of another category, the department shall give preference to beds which will be located in an area of the state which does not have such beds located in it, and to a location more than sixty-five (65) miles from existing beds. Upon receiving 2020 census data, the department may amend the State Health Plan regarding child/adolescent psychiatric and child/adolescent chemical dependency beds to reflect the need based on new census data.

(i) [Deleted]

(ii) The department may issue a certificate of need for the conversion of existing beds in a county hospital in Choctaw County from acute care beds to child/adolescent chemical dependency beds. For purposes of this subparagraph (ii), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the hospital receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(iii) The department may issue a certificate or certificates of need for the construction or expansion of child/adolescent psychiatric beds or the conversion of other beds to child/adolescent psychiatric beds in Warren County. For purposes of this subparagraph (iii), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

If by January 1, 2002, there has been no significant commencement of construction of the beds authorized under this subparagraph (iii), or no significant action taken to convert existing beds to the beds authorized under this subparagraph, then the certificate of need that was previously issued under this subparagraph shall expire. If the previously issued certificate of need expires, the department may accept applications for issuance of another certificate of need for the beds authorized under this subparagraph, and may issue a certificate of need to authorize the construction, expansion or conversion of the beds authorized under this subparagraph.

(iv) The department shall issue a certificate of need to the Region 7 Mental Health/Retardation Commission for the construction or expansion of child/adolescent psychiatric beds or the conversion of other beds to child/adolescent psychiatric beds in any of the counties served by the commission. For purposes of this subparagraph (iv), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(v) The department may issue a certificate of need to any county hospital located in Leflore County for the construction or expansion of adult psychiatric beds or the conversion of other beds to adult psychiatric beds, not to exceed twenty (20) beds, provided that the recipient of the certificate of need agrees in writing that the adult psychiatric beds will not at any time be certified for participation in the Medicaid program and that the hospital will not admit or keep any patients who are participating in the Medicaid program in any of such adult psychiatric beds. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the hospital if the ownership of the hospital is transferred at any time after the issuance of the certificate of need. Agreement that the adult psychiatric beds will not be certified for participation in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this subparagraph (v), and if such hospital at any time after the issuance of the certificate of need, regardless of the ownership of the hospital, has any of such adult psychiatric beds certified for participation in the Medicaid program or

admits or keeps any Medicaid patients in such adult psychiatric beds, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the hospital at the time that the department determines, after a hearing complying with due process, that the hospital has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this subparagraph and in the written agreement by the recipient of the certificate of need.

(vi) The department may issue a certificate or certificates of need for the expansion of child psychiatric beds or the conversion of other beds to child psychiatric beds at the University of Mississippi Medical Center. For purposes of this subparagraph (vi), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed fifteen (15) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the hospital receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(b) From and after July 1, 1990, no hospital, psychiatric hospital or chemical dependency hospital shall be authorized to add any child/adolescent psychiatric or child/adolescent chemical dependency beds or convert any beds of another category to child/adolescent psychiatric or child/adolescent chemical dependency beds without a certificate of need under the authority of subsection (1)(c) and subsection (4)(a) of this section.

(5) The department may issue a certificate of need to a county hospital in Winston County for the conversion of fifteen (15) acute care beds to geriatric psychiatric care beds.

(6) The State Department of Health shall issue a certificate of need to a Mississippi corporation qualified to manage a long-term care hospital as defined in Section 41-7-173(h)(xii) in Harrison County, not to exceed eighty (80) beds, including any necessary renovation or construction required for licensure and certification, provided that the recipient of the certificate of need agrees in writing that the long-term care hospital will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the long-term care hospital who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the long-term care hospital, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the long-term care hospital will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this subsection (6), and if such long-term care hospital at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the long-term care hospital, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this subsection and in the written agreement by the recipient of the certificate of need. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived.

(7) The State Department of Health may issue a certificate of need to any hospital in the state to utilize a portion of its beds for the "swing-bed" concept. Any such hospital must be in conformance with the federal regulations regarding such swing-bed concept at the time it submits its application for a certificate of need to the State Department of Health, except that such hospital may have more licensed beds or a higher average daily census (ADC) than the maximum number specified in federal regulations for participation in the swing-bed program. Any hospital meeting all federal requirements for participation

in the swing-bed program which receives such certificate of need shall render services provided under the swing-bed concept to any patient eligible for Medicare (Title XVIII of the Social Security Act) who is certified by a physician to be in need of such services, and no such hospital shall permit any patient who is eligible for both Medicaid and Medicare or eligible only for Medicaid to stay in the swing beds of the hospital for more than thirty (30) days per admission unless the hospital receives prior approval for such patient from the Division of Medicaid, Office of the Governor. Any hospital having more licensed beds or a higher average daily census (ADC) than the maximum number specified in federal regulations for participation in the swing-bed program which receives such certificate of need shall develop a procedure to ensure that before a patient is allowed to stay in the swing beds of the hospital, there are no vacant nursing home beds available for that patient located within a fifty-mile radius of the hospital. When any such hospital has a patient staying in the swing beds of the hospital and the hospital receives notice from a nursing home located within such radius that there is a vacant bed available for that patient, the hospital shall transfer the patient to the nursing home within a reasonable time after receipt of the notice. Any hospital which is subject to the requirements of the two (2) preceding sentences of this subsection may be suspended from participation in the swing-bed program for a reasonable period of time by the State Department of Health if the department, after a hearing complying with due process, determines that the hospital has failed to comply with any of those requirements.

(8) The Department of Health shall not grant approval for or issue a certificate of need to any person proposing the new construction of, addition to or expansion of a health care facility as defined in subparagraph (viii) of Section 41-7-173(h), except as hereinafter provided: The department may issue a certificate of need to a nonprofit corporation located in Madison County, Mississippi, for the construction, expansion or conversion of not more than twenty (20) beds in a community living program for developmentally disabled adults in a facility as defined in subparagraph (viii) of Section 41-7-173(h). For purposes of this subsection (8), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized under this subsection (8).

(9) The Department of Health shall not grant approval for or issue a certificate of need to any person proposing the establishment of, or expansion of the currently approved territory of, or the contracting to establish a home office, subunit or branch office within the space operated as a health care facility as defined in Section 41-7-173(h)(i) through (viii) by a health care facility as defined in subparagraph (ix) of Section 41-7-173(h).

(10) Health care facilities owned and/or operated by the state or its agencies are exempt from the restraints in this section against issuance of a certificate of need if such addition or expansion consists of repairing or renovation necessary to comply with the state licensure law. This exception shall not apply to the new construction of any building by such state facility. This exception shall not apply to any health care facilities owned and/or operated by counties, municipalities, districts, unincorporated areas, other defined persons, or any combination thereof.

(11) The new construction, renovation or expansion of or addition to any health care facility defined in subparagraph (ii) (psychiatric hospital), subparagraph (iv) (skilled nursing facility), subparagraph (vi) (intermediate care facility), subparagraph (viii) (intermediate care facility for * * * individuals with intellectual disabilities) and subparagraph (x) (psychiatric residential treatment facility) of Section 41-7-173(h) which is owned by the State of Mississippi and under the direction and control of the State Department of Mental Health, and the addition of new beds or the conversion of beds from one category to another in any such defined health care facility which is owned by the State of Mississippi and under the direction and control of the State Department of Mental

Health, shall not require the issuance of a certificate of need under Section 41-7-171 et seq., notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(12) The new construction, renovation or expansion of or addition to any veterans homes or domiciliaries for eligible veterans of the State of Mississippi as authorized under Section 35-1-19 shall not require the issuance of a certificate of need, notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(13) The repair or the rebuilding of an existing, operating health care facility that sustained significant damage from a natural disaster that occurred after April 15, 2014, in an area that is proclaimed a disaster area or subject to a state of emergency by the Governor or by the President of the United States shall be exempt from all of the requirements of the Mississippi Certificate of Need Law (Section 41-7-171 et seq.) and any and all rules and regulations promulgated under that law, subject to the following conditions:

(a) The repair or the rebuilding of any such damaged health care facility must be within one (1) mile of the pre-disaster location of the campus of the damaged health care facility, except that any temporary post-disaster health care facility operating location may be within five (5) miles of the pre-disaster location of the damaged health care facility;

(b) The repair or the rebuilding of the damaged health care facility (i) does not increase or change the complement of its bed capacity that it had before the Governor's or the President's proclamation, (ii) does not increase or change its levels and types of health care services that it provided before the Governor's or the President's proclamation, and (iii) does not rebuild in a different county; however, this paragraph does not restrict or prevent a health care facility from decreasing its bed capacity that it had before the Governor's or the President's proclamation, or from decreasing the levels of or decreasing or eliminating the types of health care services that it provided before the Governor's or the President's proclamation, when the damaged health care facility is repaired or rebuilt;

(c) The exemption from Certificate of Need Law provided under this subsection (13) is valid for only five (5) years from the date of the Governor's or the President's proclamation. If actual construction has not begun within that five-year period, the exemption provided under this subsection is inapplicable; and

(d) The Division of Health Facilities Licensure and Certification of the State Department of Health shall provide the same oversight for the repair or the rebuilding of the damaged health care facility that it provides to all health care facility construction projects in the state.

For the purposes of this subsection (13), "significant damage" to a health care facility means damage to the health care facility requiring an expenditure of at least One Million Dollars ($1,000,000.00).

(14) The State Department of Health shall issue a certificate of need to any hospital which is currently licensed for two hundred fifty (250) or more acute care beds and is located in any general hospital service area not having a comprehensive cancer center, for the establishment and equipping of such a center which provides facilities and services for outpatient radiation oncology therapy, outpatient medical oncology therapy, and appropriate support services including the provision of radiation therapy services. The provisions of Section 41-7-193(1) regarding substantial compliance with the projection of need as reported in the current State Health Plan are waived for the purpose of this subsection.

(15) The State Department of Health may authorize the transfer of hospital beds, not to exceed sixty (60) beds, from the North Panola Community Hospital to the South

Panola Community Hospital. The authorization for the transfer of those beds shall be exempt from the certificate of need review process.

(16) The State Department of Health shall issue any certificates of need necessary for Mississippi State University and a public or private health care provider to jointly acquire and operate a linear accelerator and a magnetic resonance imaging unit. Those certificates of need shall cover all capital expenditures related to the project between Mississippi State University and the health care provider, including, but not limited to, the acquisition of the linear accelerator, the magnetic resonance imaging unit and other radiological modalities; the offering of linear accelerator and magnetic resonance imaging services; and the cost of construction of facilities in which to locate these services. The linear accelerator and the magnetic resonance imaging unit shall be (a) located in the City of Starkville, Oktibbeha County, Mississippi; (b) operated jointly by Mississippi State University and the public or private health care provider selected by Mississippi State University through a request for proposals (RFP) process in which Mississippi State University selects, and the Board of Trustees of State Institutions of Higher Learning approves, the health care provider that makes the best overall proposal; (c) available to Mississippi State University for research purposes two-thirds (2/3) of the time that the linear accelerator and magnetic resonance imaging unit are operational; and (d) available to the public or private health care provider selected by Mississippi State University and approved by the Board of Trustees of State Institutions of Higher Learning one-third (1/3) of the time for clinical, diagnostic and treatment purposes. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived.

(17) The State Department of Health shall issue a certificate of need for the construction of an acute care hospital in Kemper County, not to exceed twenty-five (25) beds, which shall be named the "John C. Stennis Memorial Hospital." In issuing the certificate of need under this subsection, the department shall give priority to a hospital located in Lauderdale County that has two hundred fifteen (215) beds. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person or entity receiving the certificate of need authorized under this subsection or for the beds constructed under the authority of that certificate of need.

(18) The planning, design, construction, renovation, addition, furnishing and equipping of a clinical research unit at any health care facility defined in Section 41-7-173(h) that is under the direction and control of the University of Mississippi Medical Center and located in Jackson, Mississippi, and the addition of new beds or the conversion of beds from one (1) category to another in any such clinical research unit, shall not require the issuance of a certificate of need under Section 41-7-171 et seq., notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(19) [Repealed]

(20) Nothing in this section or in any other provision of Section 41-7-171 et seq. shall prevent any nursing facility from designating an appropriate number of existing beds in the facility as beds for providing care exclusively to patients with Alzheimer's disease.

(21) Nothing in this section or any other provision of Section 41-7-171 et seq. shall prevent any health care facility from the new construction, renovation, conversion or expansion of new beds in the facility designated as intensive care units, negative pressure rooms, or isolation rooms pursuant to the provisions of Sections 41-14-1 through 41-14-11, or Section 41-14-31. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in

the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived.

SECTION 7. Section 43-7-61, Mississippi Code of 1972, is amended as follows:

43-7-61. (1) The Office of the State Long-Term Care Facilities Ombudsman shall establish a training and certification program. The State Ombudsman shall specify by rule the content of the training program. Each long-term care facilities ombudsman program shall bear the cost of training its own employees.

(2) The State Ombudsman shall establish minimum qualifications and recertification requirements for representatives of the Office of the State Long-Term Care Facilities Ombudsman. Such training shall include instruction in at least the following subjects as they relate to long-term care:

(a) The responsibilities and duties of community ombudsmen;

(b) The laws and regulations governing the receipt, investigation and resolution of issues of the well-being of a resident;

(c) The role of local, state and federal agencies that regulate long-term care facilities;

(d) The different kinds of long-term care facilities in Mississippi and the services provided in each kind;

(e) The special needs of the elderly and of * * * persons with physical and mental disabilities;

(f) The role of the family, the sponsor, the legal representative, the physician, the church, and other public and private agencies, and the community;

(g) How to work with long-term care facility staff;

(h) The aging process and characteristics of the long-term care facility resident or institutionalized elderly;

(i) Familiarity with and access to information concerning the laws and regulations governing Medicare, Medicaid, Social Security, Supplemental Security Income, the Veterans Administration and Workers' Compensation; and

(j) The training program shall include an appropriate internship to be performed in a long-term care facility.

(3) Persons selected by area agencies on aging who have satisfactorily completed the training arranged by the State Ombudsman shall be designated as representatives of the Office of the State Long-Term Care Facilities Ombudsman by the State Ombudsman.

(4) Each area agency on aging may appoint an advisory committee to advise it in the operation of its community ombudsman program. The number and qualifications of members of the advisory committee shall be determined by the area agency on aging.

(5) Ombudsmen who have successfully completed the training and certification program under this section shall be given identification cards which shall be presented to employees of a long-term care facility upon request.

SECTION 8. Section 43-18-1, Mississippi Code of 1972, is amended as follows:

43-18-1. The Governor, on behalf of this state, is * * * authorized to execute a compact in substantially the following form with all other jurisdictions legally joining therein; and the Legislature * * * signifies in advance its approval and ratification of such compact, which compact is as follows:

INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN

ARTICLE I.

It is the purpose and policy of the party states to cooperate with each other in the interstate placement of children to the end that:

(a) Each child requiring placement shall receive the maximum opportunity to be placed in a suitable environment and with persons or institutions having appropriate qualifications and facilities to provide a necessary and desirable degree and type of care.

(b) The appropriate authorities in a state where a child is to be placed may have full opportunity to ascertain the circumstances of the proposed placement, thereby promoting full compliance with applicable requirements for the protection of the child.

(c) The proper authorities of the state from which the placement is made may obtain the most complete information on the basis on which to evaluate a projected placement before it is made.

(d) Appropriate jurisdictional arrangements for the care of children will be promoted.

ARTICLE II.

As used in this compact:

(a) "Child" means a person who, by reason of minority, is legally subject to parental, guardianship or similar control.

(b) "Sending agency" means a party state, officer or employee thereof; a subdivision of a party state, or officer or employee thereof; a court of a party state; a person, corporation, association, charitable agency or other entity which sends, brings or causes to be sent or brought any child to another party state.

(c) "Receiving state" means the state to which a child is sent, brought, or caused to be sent or brought, whether by public authorities or private persons or agencies and whether for placement with state or local public authorities or for placement with private agencies or persons.

(d) "Placement" means the arrangement for the care of a child in a family free or boarding home or in a child-caring agency or institution but does not include any institution caring for * * * persons with mental illness or persons with an intellectual disability or any institution primarily educational in character, and any hospital or other medical facility.

ARTICLE III.

(a) No sending agency shall send, bring or cause to be sent or brought into any other party state any child for placement in foster care or as a preliminary to a possible adoption unless the sending agency shall comply with each and every requirement set forth in this article and with the applicable laws of the receiving state governing the placement of children therein.

(b) Prior to sending, bringing or causing any child to be sent or brought into a receiving state for placement in foster care or as a preliminary to a possible adoption, the sending agency shall furnish the appropriate public authorities in the receiving state written notice of the intention to send, bring or place the child in the receiving state. The notice shall contain:

(1) The name, date and place of birth of the child.

(2) The identity and address or addresses of the parents or legal guardian.

(3) The name and address of the person, agency or institution to or with which the sending agency proposes to send, bring or place the child.

(4) A full statement of the reasons for such proposed action and evidence of the authority pursuant to which the placement is proposed to be made.

(c) Any public officer or agency in a receiving state which is in receipt of a notice pursuant to paragraph (b) of this article may request of the sending agency, or any other appropriate officer or agency of or in the sending agency's state, and shall be entitled to receive therefrom, such supporting or additional information as it may deem necessary under the circumstances to carry out the purpose and policy of this compact.

(d) The child shall not be sent, brought or caused to be sent or brought into the receiving state until the appropriate public authorities in the receiving state shall notify the sending agency, in writing, to the effect that the proposed placement does not appear to be contrary to the interests of the child.

ARTICLE IV.

The sending, bringing or causing to be sent or brought into any receiving state of a child in violation of the terms of this compact shall constitute a violation of the laws respecting the placement of children of both the state in which the sending agency is located or from which it sends or brings the child and of the receiving state. Such violation may be punished or subjected to penalty in either jurisdiction in accordance with its laws. In addition to liability for any such punishment or penalty, any such violation shall constitute full and sufficient grounds for the suspension or revocation of any license, permit or other legal authorization held by the sending agency which empowers or allows it to place or care for children.

ARTICLE V.

(a) The sending agency shall retain jurisdiction over the child sufficient to determine all matters in relation to the custody, supervision, care, treatment and disposition of the child which it would have had if the child had remained in the sending agency's state, until the child is adopted, reaches majority, becomes self-supporting or is discharged with the concurrence of the appropriate authority in the receiving state. Such jurisdiction shall also include the power to effect or cause the return of the child or its transfer to another location and custody pursuant to law. The sending agency shall continue to have financial responsibility for support and maintenance of the child during the period of the placement. Nothing contained herein shall defeat a claim of jurisdiction by a receiving state sufficient to deal with an act of delinquency or crime committed therein.

(b) When the sending agency is a public agency, it may enter into an agreement with an authorized public or private agency in the receiving state providing for the performance of one or more services in respect of such case by the latter as agent for the sending agency.

(c) Nothing in this compact shall be construed to prevent a private charitable agency authorized to place children in the receiving state from performing services or acting as agent in that state for a private charitable agency of the sending state; nor to prevent the agency in the receiving state from discharging financial responsibility for the support and maintenance of a child who has been placed on behalf of the sending agency without relieving the responsibility set forth in paragraph (a) hereof.

ARTICLE VI.

A child adjudicated delinquent may be placed in an institution in another party jurisdiction pursuant to this compact but no such placement shall be made unless the child is given a court hearing on notice to the parent or guardian with opportunity to be heard, prior to his being sent to such other party jurisdiction for institutional care and the court finds that:

(1) Equivalent facilities for the child are not available in the sending agency's jurisdiction; and

(2) Institutional care in the other jurisdiction is in the best interest of the child and will not produce undue hardship.

ARTICLE VII.

The executive head of each jurisdiction party to this compact shall designate an officer who shall be general coordinator of activities under this compact in his jurisdiction and who, acting jointly with like officers of other party jurisdictions, shall have power to promulgate rules and regulations to carry out more effectively the terms and provisions of this compact.

ARTICLE VIII.

This compact shall not apply to:

(a) The sending or bringing of a child into a receiving state by his parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt, or his guardian and leaving the child with any such relative or nonagency guardian in the receiving state.

(b) Any placement, sending or bringing of a child into a receiving state pursuant to any other interstate compact to which both the state from which the child is sent or brought and the receiving state are party, or to any other agreement between * * * those states which has the force of law.

ARTICLE IX.

This compact shall be open to joinder by any state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and, with the consent of Congress, the government of Canada or any province thereof. It shall become effective with respect to any such jurisdiction when such jurisdiction has enacted the same into law. Withdrawal from this compact shall be by the enactment of a statute repealing the same, but shall not take effect until written notice of the withdrawal has been given by the withdrawing state to the Governor of each other party jurisdiction. Withdrawal of a party state shall not affect the rights, duties and obligations under this compact of any sending agency therein with respect to a placement made prior to the effective date of withdrawal.

ARTICLE X.

The provisions of this compact shall be liberally construed to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase,

clause, sentence or provision of this compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state party thereto, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

SECTION 9. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTIONS 25-15-13, 37-13-91, 37-23-63, 41-4-18, 41-7-173, 41-7-191, 43-7-61 AND 43-18-1, MISSISSIPPI CODE OF 1972, TO MODERNIZE THE TERMINOLOGY THAT IS USED IN STATE STATUTES TO REFER TO PERSONS WITH AN INTELLECTUAL DISABILITY BY REPLACING THE TERM "MENTALLY RETARDED" WITH "INTELLECTUAL DISABILITY"; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 315 was adopted.

YEAS AND NAYS On H. B. No. 315. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

_____

Senator Bryan called up the following entitled bill:

H. B. No. 764: State Department of Health and State Board of Health; extend repealer on.

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-3-1.1, Mississippi Code of 1972, is reenacted as follows:

41-3-1.1. (1) The State Board of Health is continued and reconstituted as follows:

There is created the State Board of Health which, from and after March 30, 2007, shall consist of eleven (11) members appointed with the advice and consent of the Senate, as follows:

(a) Five (5) members of the board shall be currently licensed physicians of good professional standing who have had at least seven (7) years' experience in the practice of medicine in this state. Three (3) members shall be appointed by the Governor, one (1) member shall be appointed by the Lieutenant Governor, and one (1) member shall be appointed by the Attorney General, in the manner provided in paragraph (d) of this subsection (1).

(b) Six (6) members of the board shall be individuals who have a background in public health or an interest in public health who are not currently or formerly licensed physicians. Four (4) of those members shall be appointed by the Governor, one (1) of those members shall be appointed by the Lieutenant Governor, and one (1) of those members shall be appointed by the Attorney General, in the manner provided in paragraph (d) of this subsection (1).

(c) The Governor, Lieutenant Governor and Attorney General shall give due regard to geographic distribution, race and gender in making their appointments to the board. It is the intent of the Legislature that the membership of the board reflect the population of the State of Mississippi. Of the Governor's appointments, one (1) member of the board shall be appointed from each of the four (4) congressional districts as constituted on June 30, 2007, and one (1) member of the board shall be appointed from each of the three (3) Supreme Court districts as constituted on June 30, 2007. Of the Lieutenant Governor's appointments, one (1) member of the board shall be appointed from the First Congressional District and one (1) member of the board shall be appointed from the Fourth Congressional District as constituted on June 30, 2007. Of the Attorney General's appointments, one (1) member of the board shall be appointed from the Second Congressional District and one (1) member of the board shall be appointed from the Third Congressional District as constituted on June 30, 2007.

(d) The initial members of the board shall be appointed for staggered terms, as follows: Of the Governor's appointments, two (2) members shall be appointed for terms that end on June 30, 2009; two (2) members shall be appointed for terms that end on June 30, 2011; and three (3) members shall be appointed for terms that end on June 30, 2013. Of the Lieutenant Governor's appointments, one (1) member shall be appointed for a term that ends on June 30, 2009; and one (1) member shall be appointed for a term that ends on June 30, 2013. Of the Attorney General's appointments, one (1) member shall be appointed for a term that ends on June 30, 2009; and one (1) member shall be appointed for a term that ends on June 30, 2011.

A member of the board serving before January 1, 2007, shall be eligible for reappointment to the reconstituted board unless the person is disqualified under subsection (4) of this section.

(2) At the expiration of the terms of the initial members, all members of the board shall be appointed by the Governor, in the same manner and from the same districts prescribed in subsection (1) of this section, for terms of six (6) years from the expiration of the previous term and thereafter until his or her successor is duly appointed. Vacancies in office shall be filled by appointment in the same manner as the appointment to the position that becomes vacant, subject to the advice and consent of the Senate at the next regular session of the Legislature. An appointment to fill a vacancy other than by expiration of a term of office shall be for the balance of the unexpired term and thereafter until his or her successor is duly appointed.

(3) The Lieutenant Governor may designate one (1) Senator and the Speaker of the House of Representatives may designate one (1) Representative to attend any meeting of the State Board of Health. The appointing authorities may designate alternate members from their respective houses to serve when the regular designees are unable to attend the meetings of the board. Those legislative designees shall have no jurisdiction or vote on any matter within the jurisdiction of the board. For attending meetings of the board, the legislators shall receive per diem and expenses, which shall be paid from the

contingent expense funds of their respective houses in the same amounts as provided for committee meetings when the Legislature is not in session; however, no per diem and expenses for attending meetings of the board will be paid while the Legislature is in session. No per diem and expenses will be paid except for attending meetings of the board without prior approval of the proper committee in their respective houses.

(4) (a) All members of the State Board of Health shall file with the Mississippi Ethics Commission, before the first day of May each year, the statement of economic interest as required by Sections 25-4-25 through 25-4-29.

(b) No member of the board shall participate in any action by the board or department if that action could have any monetary effect on any business with which that member is associated, as defined in Section 25-4-103.

(c) When any matter in which a member may not participate comes before the board or department, that member must fully recuse himself or herself from the entire matter. The member shall avoid debating, discussing or taking action on the subject matter during official meetings or deliberations by leaving the meeting room before the matter comes before the board and by returning only after the discussion, vote or other action is completed. The member shall not discuss the matter with other members, department staff or any other person. Any minutes or other record of the meeting shall accurately reflect the recusal. If a member is uncertain whether recusal is required, the member shall follow the determination of the Mississippi Ethics Commission. The commission may delegate that determination to its executive director.

(d) Upon a determination by the board or by any court of competent jurisdiction that a member of the board has violated the provisions of this subsection (4) regarding recusal, the member shall be removed from office. Any member of the board who violates the provisions of this section regarding recusal also shall be subject to the penalties set forth in Sections 25-4-109 through 25-4-117. After removal from office, the member shall not be eligible for appointment to any agency, board or commission of the state for a period of two (2) years. Nothing in this section shall be construed to limit the restrictions codified in Section 25-4-105.

SECTION 2. Section 41-3-3, Mississippi Code of 1972, is reenacted as follows:

41-3-3. Each person appointed as a member of the State Board of Health shall immediately take the oath prescribed by Section 268 of the Constitution and file a certificate thereof in the Office of the Secretary of State. Thereupon a commission shall be issued to him under the terms as specified in Section 41-3-1.

SECTION 3. Section 41-3-4, Mississippi Code of 1972, is reenacted as follows:

41-3-4. (1) There shall be a Chairman and Vice Chairman of the State Board of Health elected by and from its membership at the first meeting of the board; and the chairman shall be the presiding officer of the board. The chairman shall always be a physician member of the board. The board shall adopt rules and regulations governing times and places for meetings, and governing the manner of conducting its business. The board shall meet not less frequently than once each quarter, and at such other times as determined to be necessary. The term of office of any member who does not attend three (3) consecutive regular meetings of the board shall be automatically terminated, and the position shall be considered as vacant, except in cases of the serious illness of a board member or of his or her immediate family member. All meetings of the board shall be called by the chairman or by a majority of the members of the board, except the first meeting of the initial members of the reconstituted board, which shall be called by the Governor.

(2) The members of the board shall receive no annual salary but shall receive per diem compensation as is authorized by law for each day devoted to the discharge of

official board duties and shall be entitled to reimbursement for all actual and necessary expenses incurred in the discharge of their duties, including mileage as authorized by Section 25-3-41.

SECTION 4. Section 41-3-5.1, Mississippi Code of 1972, is reenacted as follows:

41-3-5.1. The State Department of Health shall be headed by an executive officer who shall be appointed by the State Board of Health. The executive officer shall be either a physician who has earned a graduate degree in public health or health care administration, or a physician who in the opinion of the board is fitted and equipped to execute the duties incumbent upon him or her by law. The executive officer shall not engage in the private practice of medicine. The term of office of the executive officer shall be six (6) years, and the executive officer may be removed for cause by majority vote of the members of the board. The executive officer shall be subject to such rules and regulations as may be prescribed by the State Board of Health. The executive officer shall be the State Health Officer with such authority and responsibility as is prescribed by law.

SECTION 5. Section 41-3-6, Mississippi Code of 1972, is reenacted as follows:

41-3-6. It shall be the duty of the State Board of Health to review the statutes of the State of Mississippi affecting public health and submit at least thirty (30) days prior to each regular session of the Legislature any proposed legislation as may be necessary to enhance the effective and efficient delivery of public health services and to bring existing statutes into compliance with modern technology and terminology. The board shall formulate a plan for consolidating and reorganizing existing state agencies having responsibilities in the field of public health to eliminate any needless duplication in services which may be found to exist. In carrying out the provisions of this section, the State Board of Health shall cooperate with and may utilize the services, facilities and personnel of any department or agency of the state, any private citizen task force and the committees on public health of both houses of the Legislature. The State Board of Health is authorized to apply for and expend funds made available to it by grant from any source in order to perform its responsibilities under this section.

SECTION 6. Section 41-3-15, Mississippi Code of 1972, is reenacted as follows:

41-3-15. (1) (a) There shall be a State Department of Health.

(b) The State Board of Health shall have the following powers and duties:

(i) To formulate the policy of the State Department of Health regarding public health matters within the jurisdiction of the department;

(ii) To adopt, modify, repeal and promulgate, after due notice and hearing, and enforce rules and regulations implementing or effectuating the powers and duties of the department under any and all statutes within the department's jurisdiction, and as the board may deem necessary;

(iii) To apply for, receive, accept and expend any federal or state funds or contributions, gifts, trusts, devises, bequests, grants, endowments or funds from any other source or transfers of property of any kind;

(iv) To enter into, and to authorize the executive officer to execute contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the provisions of this chapter, if it finds those actions to be in the public interest and the contracts or agreements do not have a financial cost that exceeds the amounts appropriated for those purposes by the Legislature;

(v) To appoint, upon recommendation of the Executive Officer of the State Department of Health, a Director of Internal Audit who shall be either a Certified Public Accountant or Certified Internal Auditor, and whose employment shall be continued at the discretion of the board, and who shall report directly to the board, or its designee; and

(vi) To discharge such other duties, responsibilities and powers as are necessary to implement the provisions of this chapter.

(c) The Executive Officer of the State Department of Health shall have the following powers and duties:

(i) To administer the policies of the State Board of Health within the authority granted by the board;

(ii) To supervise and direct all administrative and technical activities of the department, except that the department's internal auditor shall be subject to the sole supervision and direction of the board;

(iii) To organize the administrative units of the department in accordance with the plan adopted by the board and, with board approval, alter the organizational plan and reassign responsibilities as he or she may deem necessary to carry out the policies of the board;

(iv) To coordinate the activities of the various offices of the department;

(v) To employ, subject to regulations of the State Personnel Board, qualified professional personnel in the subject matter or fields of each office, and such other technical and clerical staff as may be required for the operation of the department. The executive officer shall be the appointing authority for the department, and shall have the power to delegate the authority to appoint or dismiss employees to appropriate subordinates, subject to the rules and regulations of the State Personnel Board;

(vi) To recommend to the board such studies and investigations as he or she may deem appropriate, and to carry out the approved recommendations in conjunction with the various offices;

(vii) To prepare and deliver to the Legislature and the Governor on or before January 1 of each year, and at such other times as may be required by the Legislature or Governor, a full report of the work of the department and the offices thereof, including a detailed statement of expenditures of the department and any recommendations the board may have;

(viii) To prepare and deliver to the Chairmen of the Public Health and Welfare/Human Services Committees of the Senate and House on or before January 1 of each year, a plan for monitoring infant mortality in Mississippi and a full report of the work of the department on reducing Mississippi's infant mortality and morbidity rates and improving the status of maternal and infant health; and

(ix) To enter into contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the provisions of this chapter, if he or she finds those actions to be in the public interest and the contracts or agreements do not have a financial cost that exceeds the amounts appropriated for those purposes by the Legislature. Each contract or agreement entered into by the executive officer shall be submitted to the board before its next meeting.

(2) The State Board of Health shall have the authority to establish an Office of Rural Health within the department. The duties and responsibilities of this office shall include the following:

(a) To collect and evaluate data on rural health conditions and needs;

(b) To engage in policy analysis, policy development and economic impact studies with regard to rural health issues;

(c) To develop and implement plans and provide technical assistance to enable community health systems to respond to various changes in their circumstances;

(d) To plan and assist in professional recruitment and retention of medical professionals and assistants; and

(e) To establish information clearinghouses to improve access to and sharing of rural health care information.

(3) The State Board of Health shall have general supervision of the health interests of the people of the state and to exercise the rights, powers and duties of those acts which it is authorized by law to enforce.

(4) The State Board of Health shall have authority:

(a) To make investigations and inquiries with respect to the causes of disease and death, and to investigate the effect of environment, including conditions of employment and other conditions that may affect health, and to make such other investigations as it may deem necessary for the preservation and improvement of health.

(b) To make such sanitary investigations as it may, from time to time, deem necessary for the protection and improvement of health and to investigate nuisance questions that affect the security of life and health within the state.

(c) To direct and control sanitary and quarantine measures for dealing with all diseases within the state possible to suppress same and prevent their spread.

(d) To obtain, collect and preserve such information relative to mortality, morbidity, disease and health as may be useful in the discharge of its duties or may contribute to the prevention of disease or the promotion of health in this state.

(e) To charge and collect reasonable fees for health services, including immunizations, inspections and related activities, and the board shall charge fees for those services; however, if it is determined that a person receiving services is unable to pay the total fee, the board shall collect any amount that the person is able to pay. Any increase in the fees charged by the board under this paragraph shall be in accordance with the provisions of Section 41-3-65.

(f) (i) To establish standards for, issue permits and exercise control over, any cafes, restaurants, food or drink stands, sandwich manufacturing establishments, and all other establishments, other than churches, church-related and private schools, and other nonprofit or charitable organizations, where food or drink is regularly prepared, handled and served for pay; and

(ii) To require that a permit be obtained from the Department of Health before those persons begin operation. If any such person fails to obtain the permit required in this subparagraph (ii), the State Board of Health, after due notice and opportunity for a hearing, may impose a monetary penalty not to exceed One Thousand Dollars ($1,000.00) for each violation. However, the department is not authorized to impose a monetary penalty against any person whose gross annual prepared food sales

are less than Five Thousand Dollars ($5,000.00). Money collected by the board under this subparagraph (ii) shall be deposited to the credit of the State General Fund of the State Treasury.

(g) To promulgate rules and regulations and exercise control over the production and sale of milk pursuant to the provisions of Sections 75-31-41 through 75-31-49.

(h) On presentation of proper authority, to enter into and inspect any public place or building where the State Health Officer or his representative deems it necessary and proper to enter for the discovery and suppression of disease and for the enforcement of any health or sanitary laws and regulations in the state.

(i) To conduct investigations, inquiries and hearings, and to issue subpoenas for the attendance of witnesses and the production of books and records at any hearing when authorized and required by statute to be conducted by the State Health Officer or the State Board of Health.

(j) To promulgate rules and regulations, and to collect data and information, on (i) the delivery of services through the practice of telemedicine; and (ii) the use of electronic records for the delivery of telemedicine services.

(k) To enforce and regulate domestic and imported fish as authorized under Section 69-7-601 et seq.

(5) (a) The State Board of Health shall have the authority, in its discretion, to establish programs to promote the public health, to be administered by the State Department of Health. Specifically, those programs may include, but shall not be limited to, programs in the following areas:

(i) Maternal and child health;

(ii) Family planning;

(iii) Pediatric services;

(iv) Services to crippled and disabled children;

(v) Control of communicable and noncommunicable disease;

(vi) Chronic disease;

(vii) Accidental deaths and injuries;

(viii) Child care licensure;

(ix) Radiological health;

(x) Dental health;

(xi) Milk sanitation;

(xii) Occupational safety and health;

(xiii) Food, vector control and general sanitation;

(xiv) Protection of drinking water;

(xv) Sanitation in food handling establishments open to the public;

(xvi) Registration of births and deaths and other vital events;

(xvii) Such public health programs and services as may be assigned to the State Board of Health by the Legislature or by executive order; and

(xviii) Regulation of domestic and imported fish for human consumption.

(b) The State Board of Health and State Department of Health shall not be authorized to sell, transfer, alienate or otherwise dispose of any of the home health agencies owned and operated by the department on January 1, 1995, and shall not be authorized to sell, transfer, assign, alienate or otherwise dispose of the license of any of those home health agencies, except upon the specific authorization of the Legislature by an amendment to this section. However, this paragraph (b) shall not prevent the board or the department from closing or terminating the operation of any home health agency owned and operated by the department, or closing or terminating any office, branch office or clinic of any such home health agency, or otherwise discontinuing the providing of home health services through any such home health agency, office, branch office or clinic, if the board first demonstrates that there are other providers of home health services in the area being served by the department's home health agency, office, branch office or clinic that will be able to provide adequate home health services to the residents of the area if the department's home health agency, office, branch office or clinic is closed or otherwise discontinues the providing of home health services. This demonstration by the board that there are other providers of adequate home health services in the area shall be spread at length upon the minutes of the board at a regular or special meeting of the board at least thirty (30) days before a home health agency, office, branch office or clinic is proposed to be closed or otherwise discontinue the providing of home health services.

(c) The State Department of Health may undertake such technical programs and activities as may be required for the support and operation of those programs, including maintaining physical, chemical, bacteriological and radiological laboratories, and may make such diagnostic tests for diseases and tests for the evaluation of health hazards as may be deemed necessary for the protection of the people of the state.

(6) (a) The State Board of Health shall administer the local governments and rural water systems improvements loan program in accordance with the provisions of Section 41-3-16.

(b) The State Board of Health shall have authority:

(i) To enter into capitalization grant agreements with the United States Environmental Protection Agency, or any successor agency thereto;

(ii) To accept capitalization grant awards made under the federal Safe Drinking Water Act, as amended;

(iii) To provide annual reports and audits to the United States Environmental Protection Agency, as may be required by federal capitalization grant agreements; and

(iv) To establish and collect fees to defray the reasonable costs of administering the revolving fund or emergency fund if the State Board of Health determines that those costs will exceed the limitations established in the federal Safe Drinking Water Act, as amended. The administration fees may be included in loan amounts to loan recipients for the purpose of facilitating payment to the board; however, those fees may not exceed five percent (5%) of the loan amount.

(7) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The department shall issue a license to Alexander Milne Home for Women, Inc., a 501(c)(3) nonprofit corporation, for the construction, conversion, expansion and operation of not more than forty-five (45) beds for developmentally disabled adults who have been displaced from New Orleans, Louisiana, with the beds to be located in a certified ICF-MR facility in the City of Laurel, Mississippi. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the license under this subsection (7). The license described in this subsection shall expire five (5) years from the date of its issue. The license authorized by this subsection shall be issued upon the initial payment by the licensee of an application fee of Sixty-seven Thousand Dollars ($67,000.00) and a monthly fee of Sixty-seven Thousand Dollars ($67,000.00) after the issuance of the license, to be paid as long as the licensee continues to operate. The initial and monthly licensing fees shall be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(8) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized to issue a license to an existing home health agency for the transfer of a county from that agency to another existing home health agency, and to charge a fee for reviewing and making a determination on the application for such transfer not to exceed one-half (1/2) of the authorized fee assessed for the original application for the home health agency, with the revenue to be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(9) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: For the period beginning July 1, 2010, through July 1, 2017, the State Department of Health is authorized and empowered to assess a fee in addition to the fee prescribed in Section 41-7-188 for reviewing applications for certificates of need in an amount not to exceed twenty-five one-hundredths of one percent (.25 of 1%) of the amount of a proposed capital expenditure, but shall be not less than Two Hundred Fifty Dollars ($250.00) regardless of the amount of the proposed capital expenditure, and the maximum additional fee permitted shall not exceed Fifty Thousand Dollars ($50,000.00). Provided that the total assessments of fees for certificate of need applications under Section 41-7-188 and this section shall not exceed the actual cost of operating the certificate of need program.

(10) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized to extend and renew any certificate of need that has expired, and to charge a fee for reviewing and making a determination on the application for such action not to exceed one-half (1/2) of the authorized fee assessed for the original application for the certificate of need, with the revenue to be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(11) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized and empowered, to revoke, immediately, the license and require closure of any institution for the aged or infirm, including any other remedy less than closure to protect the health and safety of the residents of said institution or the health and safety of the general public.

(12) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized and empowered, to require the temporary detainment of individuals for disease control purposes based upon violation of any order of the State Health Officer, as provided in Section 41-23-5. For the purpose of enforcing such orders of the State Health Officer, persons employed by the department as investigators shall have general arrest powers.

All law enforcement officers are authorized and directed to assist in the enforcement of such orders of the State Health Officer.

SECTION 7. Section 41-3-16, Mississippi Code of 1972, is reenacted as follows:

41-3-16. (1) (a) There is established a local governments and rural water systems improvements revolving loan and grant program to be administered by the State Department of Health, referred to in this section as "department," for the purpose of assisting counties, incorporated municipalities, districts or other water organizations that have been granted tax-exempt status under either federal or state law, in making improvements to their water systems, including construction of new water systems or expansion or repair of existing water systems. Loan and grant proceeds may be used by the recipient for planning, professional services, acquisition of interests in land, acquisition of personal property, construction, construction-related services, maintenance, and any other reasonable use which the board, in its discretion, may allow. For purposes of this section, "water systems" has the same meaning as the term "public water system" under Section 41-26-3.

(b) (i) There is created a board to be known as the "Local Governments and Rural Water Systems Improvements Board," referred to in this section as "board," to be composed of the following nine (9) members: the State Health Officer, or his designee, who shall serve as chairman of the board; the Executive Director of the Mississippi Development Authority, or his designee; the Executive Director of the Department of Environmental Quality, or his designee; the Executive Director of the Department of Finance and Administration, or his designee; the Executive Director of the Mississippi Association of Supervisors, or his designee; the Executive Director of the Mississippi Municipal League, or his designee; the Executive Director of the American Council of Engineering Companies of Mississippi, or his designee; the State Director of the United States Department of Agriculture, Rural Development, or his designee; and a manager of a rural water system.

The Governor shall appoint a manager of a rural water system from a list of candidates provided by the Executive Director of the Mississippi Rural Water Association. The Executive Director of the Mississippi Rural Water Association shall provide the Governor a list of candidates which shall contain a minimum of three (3) candidates for each appointment.

(ii) Nonappointed members of the board may designate another representative of their agency or association to serve as an alternate.

(iii) The gubernatorial appointee shall serve a term concurrent with the term of the Governor and until a successor is appointed and qualified. No member, officer or employee of the Board of Directors of the Mississippi Rural Water Association shall be eligible for appointment.

(c) The department, if requested by the board, shall furnish the board with facilities and staff as needed to administer this section. The department may contract, upon approval by the board, for those facilities and staff needed to administer this section, including routine management, as it deems necessary. The board may advertise for or solicit proposals from public or private sources, or both, for administration of this section or any services required for administration of this section or any portion thereof. It is the intent of the Legislature that the board endeavor to ensure that the costs of administration of this section are as low as possible in order to provide the water consumers of Mississippi safe drinking water at affordable prices.

(d) Members of the board may not receive any salary, compensation or per diem for the performance of their duties under this section.

(2) (a) There is created a special fund in the State Treasury to be designated as the "Local Governments and Rural Water Systems Improvements Revolving Loan Fund," referred to in this section as "revolving fund," which fund shall consist of those monies as provided in Sections 6 and 13 of Chapter 521, Laws of 1995. The revolving fund may receive appropriations, bond proceeds, grants, gifts, donations or funds from any source, public or private. Except as otherwise provided in this section, the revolving fund shall be credited with all repayments of principal and interest derived from loans made from the revolving fund. Except as otherwise provided in this section, the monies in the revolving fund may be expended only in amounts appropriated by the Legislature, and the different amounts specifically provided for the loan program and the grant program shall be so designated. Except as otherwise provided in this section, monies in the fund may only be expended for the grant program from the amount designated for such program. The revolving fund shall be maintained in perpetuity for the purposes established in this section and Sections 6 through 20 of Chapter 521, Laws of 1995. Unexpended amounts remaining in the revolving fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the revolving fund shall be deposited to the credit of the fund. Monies in the revolving fund may not be used or expended for any purpose except as authorized under this section and Sections 6 through 20 of Chapter 521, Laws of 1995. Any monies in the fund may be used to match any federal funds that are available for the same or related purposes for which funds are used and expended under this section and Sections 6 through 20 of Chapter 521, Laws of 1995. Any federal funds shall be used and expended only in accordance with federal laws, rules and regulations governing the expenditure of those funds. No person shall use any monies from the revolving fund for the acquisition of real property or any interest in real property unless that property is integral to the project funded under this section and the purchase is made from a willing seller. No county, incorporated municipality or district shall acquire any real property or any interest in any real property for a project funded through the revolving fund by condemnation. The board's application of Sections 43-37-1 through 43-37-13 shall be no more stringent or extensive in scope, coverage and effect than federal property acquisition laws and regulations.

(b) There is created a special fund in the State Treasury to be designated as the "Local Governments and Rural Water Systems Emergency Loan Fund," hereinafter referred to as "emergency fund," which fund shall consist of those monies as provided in Sections 6 and 13 of Chapter 521, Laws of 1995. The emergency fund may receive appropriations, bond proceeds, grants, gifts, donations or funds from any source, public or private. Except as otherwise provided in this section, the emergency fund shall be credited with all repayments of principal and interest derived from loans made from the emergency fund. Except as otherwise provided in this section, the monies in the emergency fund may be expended only in amounts appropriated by the Legislature. The emergency fund shall be maintained in perpetuity for the purposes established in this section and Section 6 of Chapter 521, Laws of 1995. Unexpended amounts remaining in the emergency fund at the end of a fiscal year shall not lapse into the State General Fund. Any interest earned on amounts in the emergency fund shall be deposited to the credit of the fund. Monies in the emergency fund may not be used or expended for any purpose except as authorized under this section and Section 6 of Chapter 521, Laws of 1995.

(c) The board created in subsection (1) shall establish loan and grant programs by which loans and grants may be made available to counties, incorporated municipalities, districts or other water organizations that have been granted tax-exempt status under either federal or state law, to assist those counties, incorporated municipalities, districts or water organizations in making water systems improvements, including the construction of new water systems or expansion or repair of existing water systems. Any entity eligible under this section may receive either a loan or a grant, or both. No grant awarded under the program established in this section may be made using funds from the loan program. Grants may be awarded only when the Legislature specifically appropriates funds for that particular purpose. The interest rate on those loans may vary from time to time and from loan to loan, and will be at or below market interest rates as determined by the board. The board shall act as quickly as is practicable and

prudent in deciding on any loan request that it receives. Loans from the revolving fund or emergency fund may be made to counties, incorporated municipalities, districts or other water organizations that have been granted tax-exempt status under either federal or state law, as set forth in a loan agreement in amounts not to exceed one hundred percent (100%) of eligible project costs as established by the board. The board may require county, municipal, district or other water organization participation or funding from other sources, or otherwise limit the percentage of costs covered by loans from the revolving fund or the emergency fund. The board may establish a maximum amount for any loan from the revolving fund or emergency fund in order to provide for broad and equitable participation in the programs.

(d) A county that receives a loan from the revolving fund or the emergency fund shall pledge for repayment of the loan any part of the homestead exemption annual tax loss reimbursement to which it may be entitled under Section 27-33-77, as may be required to meet the repayment schedule contained in the loan agreement. An incorporated municipality that receives a loan from the revolving fund or the emergency fund shall pledge for repayment of the loan any part of the sales tax revenue distribution to which it may be entitled under Section 27-65-75, as may be required to meet the repayment schedule contained in the loan agreement. All recipients of such loans shall establish a dedicated source of revenue for repayment of the loan. Before any county or incorporated municipality shall receive any loan, it shall have executed with the Department of Revenue and the board a loan agreement evidencing that loan. The loan agreement shall not be construed to prohibit any recipient from prepaying any part or all of the funds received. The repayment schedule in each loan agreement shall provide for (i) monthly payments, (ii) semiannual payments, or (iii) other periodic payments, the annual total of which shall not exceed the annual total for any other year of the loan by more than fifteen percent (15%). Except as otherwise provided in subsection (4) of this section, the loan agreement shall provide for the repayment of all funds received from the revolving fund within not more than fifteen (15) years or a term as otherwise allowed by the federal Safe Drinking Water Act, and all funds received from the emergency fund within not more than five (5) years from the date of project completion, and any repayment shall commence not later than one (1) year after project completion. The Department of Revenue shall withhold semiannually from counties and monthly from incorporated municipalities from the amount to be remitted to the county or municipality, a sum equal to the next repayment as provided in the loan agreement.

(e) Any county, incorporated municipality, district or other water organization desiring to construct a project approved by the board which receives a loan from the state for that purpose but which is not eligible to pledge for repayment under the provisions of paragraph (d) of this subsection shall repay that loan by making payments each month to the State Treasurer through the Department of Finance and Administration for and on behalf of the board according to Section 7-7-15, to be credited to either the revolving fund or the emergency fund, whichever is appropriate, in lieu of pledging homestead exemption annual tax loss reimbursement or sales tax revenue distribution.

Loan repayments shall be according to a repayment schedule contained in each loan agreement as provided in paragraph (d) of this subsection.

(f) Any district created pursuant to Sections 19-5-151 through 19-5-207 that receives a loan from the revolving fund or the emergency fund shall pledge for repayment of the loan any part of the revenues received by that district pursuant to Sections 19-5-151 through 19-5-207, as may be required to meet the repayment schedule contained in the loan agreement.

(g) The State Auditor, upon request of the board, shall audit the receipts and expenditures of a county, an incorporated municipality, district or other water organization whose loan repayments appear to be in arrears, and if the Auditor finds that the county, incorporated municipality, district or other water organization is in arrears in those repayments, the Auditor shall immediately notify the chairman of the board who may take

any action as may be necessary to enforce the terms of the loan agreement, including liquidation and enforcement of the security given for repayment of the loan, and the Executive Director of the Department of Finance and Administration who shall withhold all future payments to the county of homestead exemption annual tax loss reimbursements under Section 27-33-77 and all sums allocated to the county or the incorporated municipality under Section 27-65-75 until such time as the county or the incorporated municipality is again current in its loan repayments as certified by the board.

(h) Except as otherwise provided in this section, all monies deposited in the revolving fund or the emergency fund, including loan repayments and interest earned on those repayments, shall be used only for providing loans or other financial assistance to water systems as the board deems appropriate. In addition, any amounts in the revolving fund or the emergency fund may be used to defray the reasonable costs of administering the revolving fund or the emergency fund and conducting activities under this section and Sections 6 through 20 of Chapter 521, Laws of 1995, subject to any limitations established in the federal Safe Drinking Water Act, as amended and subject to annual appropriation by the Legislature. The department is authorized, upon approval by the board, to use amounts available to it from the revolving fund or the emergency fund to contract for those facilities and staff needed to administer and provide routine management for the funds and loan program. However, notwithstanding any other provision of law to the contrary, all or any portion of repayments of principal and interest derived from the fund uses described in this section may be designated or pledged for repayment of a loan as provided for in Section 31-25-28 in connection with a loan from the Mississippi Development Bank.

(3) In administering this section and Sections 6 through 20 of Chapter 521, Laws of 1995, the board created in subsection (1) of this section shall have the following powers and duties:

(a) To supervise the use of all funds made available under this section and Sections 6 through 20 of Chapter 521, Laws of 1995, for local governments and rural water systems improvements;

(b) To promulgate rules and regulations, to make variances and exceptions thereto, and to establish procedures in accordance with this section and Sections 6 through 20 of Chapter 521, Laws of 1995, for the implementation of the local governments and rural water systems improvements revolving loan program;

(c) To require, at the board's discretion, any loan or grant recipient to impose a per connection fee or surcharge or amended water rate schedule or tariff on each customer or any class of customers, benefiting from an improvement financed by a loan or grant made under this section, for repayment of any loan funds provided under this section and Sections 6 through 20 of Chapter 521, Laws of 1995. The board may require any loan or grant recipient to undergo a water system viability analysis and may require a loan or grant recipient to implement any result of the viability analysis. If the loan recipient fails to implement any result of a viability analysis as required by the board, the board may impose a monetary penalty or increase the interest rate on the loan, or both. If the grant recipient fails to implement any result of a viability analysis as required by the board, the board may impose a monetary penalty on the grant;

(d) To review and certify all projects for which funds are authorized to be made available under this section and Sections 6 through 20 of Chapter 521, Laws of 1995, for local governments and rural water systems improvements;

(e) To requisition monies in the Local Governments and Rural Water Systems Improvements Revolving Loan Fund and the Local Governments and Rural Water Systems Emergency Loan Fund and distribute those monies on a project-by-project basis in accordance with this section;

(f) To ensure that the funds made available under this section and Sections 6 through 20 of Chapter 521, Laws of 1995, to a county, an incorporated municipality, a district or a water organization that has been granted tax-exempt status under either federal or state law provide for a distribution of projects and funds among the entities under a priority system established by the board;

(g) To maintain in accordance with generally accepted government accounting standards an accurate record of all monies in the revolving fund and the emergency fund made available to counties, incorporated municipalities, districts or other water organizations under this section and Sections 6 through 20 of Chapter 521, Laws of 1995, and the costs for each project;

(h) To establish policies, procedures and requirements concerning viability and financial capability to repay loans that may be used in approving loans available under this section, including a requirement that all loan recipients have a rate structure which will be sufficient to cover the costs of operation, maintenance, major equipment replacement and repayment of any loans made under this section; and

(i) To file annually with the Legislature a report detailing how monies in the Local Governments and Rural Water Systems Improvements Revolving Loan Fund and the Local Governments and Rural Water Systems Emergency Loan Fund were spent during the preceding fiscal year in each county, incorporated municipality, district or other water organization, the number of projects approved and constructed, and the cost of each project.

For efficient and effective administration of the loan program, revolving fund and emergency fund, the board may authorize the department or the State Health Officer to carry out any or all of the powers and duties enumerated above.

(4) The board may, on a case-by-case basis and to the extent allowed by federal law, renegotiate the payment of principal and interest on loans made under this section to the six (6) most southern counties of the state covered by the Presidential Declaration of Major Disaster for the State of Mississippi (FEMA-1604-DR) dated August 29, 2005, and to incorporated municipalities, districts or other water organizations located in such counties; however, the interest on the loans shall not be forgiven for a period of more than twenty-four (24) months and the maturity of the loans shall not be extended for a period of more than forty-eight (48) months.

SECTION 8. Section 41-3-17, Mississippi Code of 1972, is reenacted as follows:

41-3-17. The State Board of Health is authorized to make and publish all reasonable rules and regulations necessary to enable it to discharge its duties and powers and to carry out the purposes and objectives of its creation. It is further authorized to make reasonable sanitary rules and regulations, to be enforced in the several counties by the county health officer under the supervision and control of the State Board of Health. The State Board of Health shall not make or enforce any rule or regulation that prohibits consumers from providing their own containers for the purpose of purchasing or accepting water from any vending machine or device which filters or treats water that has already been tested and determined to meet or exceed the minimum health protection standards prescribed for drinking water under the Mississippi Safe Drinking Water Law, if that vending machine or device meets or exceeds United States Environmental Protection Agency or national automatic merchandising standards.

SECTION 9. Section 41-3-18, Mississippi Code of 1972, is reenacted as follows:

41-3-18. (1) The board shall assess fees in the following amounts and for the following purposes:

(a) Food establishment annual permit fee, based on the assessment factors of the establishment as follows:

Assessment Category 1..... $ 30.00

Assessment Category 2..... 100.00

Assessment Category 3..... 150.00

Assessment Category 4..... 200.00

(b) Private water supply approval fee.....$ 10.00

The board may develop such reasonable standards, rules and regulations to clearly define each assessment category. Assessment categories shall be based upon the factors to the public health implications of the category and type of food preparation being utilized by the food establishment, utilizing the model Food Code of 1995, or as may be amended by the federal Food and Drug Administration.

Any increase in the fees charged by the board under this subsection shall be in accordance with the provisions of Section 41-3-65.

(2) The fee authorized under subsection (1)(a) of this section shall not be assessed for:

(a) Food establishments operated by public schools, public junior and community colleges, or state agencies or institutions, including, without limitation, the state institutions of higher learning and the State Penitentiary; and

(b) Persons who make infrequent casual sales of honey and who pack or sell less than five hundred (500) gallons of honey per year, and those persons shall not be inspected by the State Department of Health unless requested by the producer.

(3) The fee authorized under subsection (1)(b) of this section shall not be assessed for private water supplies used by foster homes licensed by the Department of Child Protection Services.

SECTION 10. Section 41-3-19, Mississippi Code of 1972, is reenacted as follows:

41-3-19. It is the duty of the State Board of Health to make a report, in writing, to the Governor, on or before the first day of December next preceding each session, not an extraordinary session of the Legislature, upon the sanitary condition, prospect, and needs of the state, setting forth the action of said board, of its officers and agents, the names thereof, and all its expenditures since the last preceding report, and such other matters as it may deem proper for the promotion of health or the prevention of disease. The report shall be laid before the Legislature by the Governor at its ensuing term.

SECTION 11. Section 41-3-20, Mississippi Code of 1972, is amended as follows:

41-3-20. Sections 41-3-1.1, 41-3-3, 41-3-4, 41-3-5.1, 41-3-6, 41-3-15, 41-3-16, 41-3-17, 41-3-18 and 41-3-19, which create the State Board of Health, establish the position of Executive Officer of the State Department of Health and establish the State Department of Health and prescribe its powers and duties, shall stand repealed on July 1, * * * 2027.

SECTION 12. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO REENACT SECTIONS 41-3-1.1, 41-3-3, 41-3-4, 41-3-5.1, 41-3-6, 41-3-15, 41-3-16, 41-3-17, 41-3-18 AND 41-3-19, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF HEALTH, ESTABLISH THE POSITION OF EXECUTIVE OFFICER OF THE STATE DEPARTMENT OF HEALTH, AND ESTABLISH AND PRESCRIBE THE POWERS AND DUTIES OF THE STATE DEPARTMENT OF HEALTH; TO AMEND SECTION 41-3-20, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE REENACTED STATUTES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 764 was adopted.

YEAS AND NAYS On H. B. No. 764. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

_____

Senator Bryan called up the following entitled bill:

H. B. No. 848: CON; remove chemical dependency services and facilities and psychiatric residential treatment facilities from CON law.

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-7-173, Mississippi Code of 1972, is amended as follows:

41-7-173. For the purposes of Section 41-7-171 et seq., the following words shall have the meanings ascribed herein, unless the context otherwise requires:

(a) "Affected person" means (i) the applicant; (ii) a person residing within the geographic area to be served by the applicant's proposal; (iii) a person who regularly uses health care facilities or HMOs located in the geographic area of the proposal which provide similar service to that which is proposed; (iv) health care facilities and HMOs which have, prior to receipt of the application under review, formally indicated an intention to provide service similar to that of the proposal being considered at a future date; (v) third-party payers who reimburse health care facilities located in the geographical area of the proposal; or (vi) any agency that establishes rates for health care services or HMOs located in the geographic area of the proposal.

(b) "Certificate of need" means a written order of the State Department of Health setting forth the affirmative finding that a proposal in prescribed application form,

sufficiently satisfies the plans, standards and criteria prescribed for such service or other project by Section 41-7-171 et seq., and by rules and regulations promulgated thereunder by the State Department of Health.

(c) (i) "Capital expenditure," when pertaining to defined major medical equipment, shall mean an expenditure which, under generally accepted accounting principles consistently applied, is not properly chargeable as an expense of operation and maintenance and which exceeds One Million Five Hundred Thousand Dollars ($1,500,000.00).

(ii) "Capital expenditure," when pertaining to other than major medical equipment, shall mean any expenditure which under generally accepted accounting principles consistently applied is not properly chargeable as an expense of operation and maintenance and which exceeds, for clinical health services, as defined in * * * paragraph (k) below, Five Million Dollars ($5,000,000.00), adjusted for inflation as published by the State Department of Health or which exceeds, for nonclinical health services, as defined in * * * paragraph (k) below, Ten Million Dollars ($10,000,000.00), adjusted for inflation as published by the State Department of Health.

(iii) A "capital expenditure" shall include the acquisition, whether by lease, sufferance, gift, devise, legacy, settlement of a trust or other means, of any facility or part thereof, or equipment for a facility, the expenditure for which would have been considered a capital expenditure if acquired by purchase. Transactions which are separated in time but are planned to be undertaken within twelve (12) months of each other and are components of an overall plan for meeting patient care objectives shall, for purposes of this definition, be viewed in their entirety without regard to their timing.

(iv) In those instances where a health care facility or other provider of health services proposes to provide a service in which the capital expenditure for major medical equipment or other than major medical equipment or a combination of the two (2) may have been split between separate parties, the total capital expenditure required to provide the proposed service shall be considered in determining the necessity of certificate of need review and in determining the appropriate certificate of need review fee to be paid. The capital expenditure associated with facilities and equipment to provide services in Mississippi shall be considered regardless of where the capital expenditure was made, in state or out of state, and regardless of the domicile of the party making the capital expenditure, in state or out of state.

(d) "Change of ownership" includes, but is not limited to, inter vivos gifts, purchases, transfers, lease arrangements, cash and/or stock transactions or other comparable arrangements whenever any person or entity acquires or controls a majority interest of an existing health care facility, and/or the change of ownership of major medical equipment, a health service, or an institutional health service. Changes of ownership from partnerships, single proprietorships or corporations to another form of ownership are specifically included. However, "change of ownership" shall not include any inherited interest acquired as a result of a testamentary instrument or under the laws of descent and distribution of the State of Mississippi.

(e) "Commencement of construction" means that all of the following have been completed with respect to a proposal or project proposing construction, renovating, remodeling or alteration:

(i) A legally binding written contract has been consummated by the proponent and a lawfully licensed contractor to construct and/or complete the intent of the proposal within a specified period of time in accordance with final architectural plans which have been approved by the licensing authority of the State Department of Health;

(ii) Any and all permits and/or approvals deemed lawfully necessary by all authorities with responsibility for such have been secured; and

(iii) Actual bona fide undertaking of the subject proposal has commenced, and a progress payment of at least one percent (1%) of the total cost price of the contract has been paid to the contractor by the proponent, and the requirements of this paragraph (e) have been certified to in writing by the State Department of Health.

Force account expenditures, such as deposits, securities, bonds, et cetera, may, in the discretion of the State Department of Health, be excluded from any or all of the provisions of defined commencement of construction.

(f) "Consumer" means an individual who is not a provider of health care as defined in paragraph (q) of this section.

(g) "Develop," when used in connection with health services, means to undertake those activities which, on their completion, will result in the offering of a new institutional health service or the incurring of a financial obligation as defined under applicable state law in relation to the offering of such services.

(h) "Health care facility" includes hospitals, psychiatric hospitals, * * * skilled nursing facilities, end-stage renal disease (ESRD) facilities, including freestanding hemodialysis units, * * * ambulatory surgical facilities, * * * home health agencies, * * * pediatric skilled nursing facilities, long-term care hospitals, comprehensive medical rehabilitation facilities, including facilities owned or operated by the state or a political subdivision or instrumentality of the state, but does not include Christian Science sanatoriums operated or listed and certified by the First Church of Christ, Scientist, Boston, Massachusetts. This definition shall not apply to facilities for the private practice, either independently or by incorporated medical groups, of physicians, dentists or health care professionals except where such facilities are an integral part of an institutional health service. The various health care facilities listed in this paragraph shall be defined as follows:

(i) "Hospital" means an institution which is primarily engaged in providing to inpatients, by or under the supervision of physicians, diagnostic services and therapeutic services for medical diagnosis, treatment and care of injured, disabled or sick persons, or rehabilitation services for the rehabilitation of injured, disabled or sick persons. Such term does not include psychiatric hospitals.

(ii) "Psychiatric hospital" means an institution which is primarily engaged in providing to inpatients, by or under the supervision of a physician, psychiatric services for the diagnosis and treatment of persons with mental illness.

(iii) * * * [Deleted]

(iv) "Skilled nursing facility" means an institution or a distinct part of an institution which is primarily engaged in providing to inpatients skilled nursing care and related services for patients who require medical or nursing care or rehabilitation services for the rehabilitation of injured, disabled or sick persons.

(v) "End-stage renal disease (ESRD) facilities" means kidney disease treatment centers, which includes freestanding hemodialysis units and limited care facilities. The term "limited care facility" generally refers to an off-hospital-premises facility, regardless of whether it is provider or nonprovider operated, which is engaged primarily in furnishing maintenance hemodialysis services to stabilized patients.

(vi) * * * [Deleted]

(vii) "Ambulatory surgical facility" means a facility primarily organized or established for the purpose of performing surgery for outpatients and is a separate identifiable legal entity from any other health care facility. Such term does not include the

offices of private physicians or dentists, whether for individual or group practice, and does not include any abortion facility as defined in Section 41-75-1(f).

(viii) * * * [Deleted]

(ix) "Home health agency" means a public or privately owned agency or organization, or a subdivision of such an agency or organization, properly authorized to conduct business in Mississippi, which is primarily engaged in providing to individuals at the written direction of a licensed physician, in the individual's place of residence, skilled nursing services provided by or under the supervision of a registered nurse licensed to practice in Mississippi, and one or more of the following services or items:

1. Physical, occupational or speech therapy;

2. Medical social services;

3. Part-time or intermittent services of a home health aide;

4. Other services as approved by the licensing agency for home health agencies;

5. Medical supplies, other than drugs and biologicals, and the use of medical appliances; or

6. Medical services provided by an intern or resident-in-training at a hospital under a teaching program of such hospital.

Further, all skilled nursing services and those services listed in items 1 through 4 of this subparagraph (ix) must be provided directly by the licensed home health agency. For purposes of this subparagraph, "directly" means either through an agency employee or by an arrangement with another individual not defined as a health care facility.

This subparagraph (ix) shall not apply to health care facilities which had contracts for the above services with a home health agency on January 1, 1990.

(x) * * * [Deleted]

(xi) "Pediatric skilled nursing facility" means an institution or a distinct part of an institution that is primarily engaged in providing to inpatients skilled nursing care and related services for persons under twenty-one (21) years of age who require medical or nursing care or rehabilitation services for the rehabilitation of injured, disabled or sick persons.

(xii) "Long-term care hospital" means a freestanding, Medicare-certified hospital that has an average length of inpatient stay greater than twenty-five (25) days, which is primarily engaged in providing chronic or long-term medical care to patients who do not require more than three (3) hours of rehabilitation or comprehensive rehabilitation per day, and has a transfer agreement with an acute care medical center and a comprehensive medical rehabilitation facility. Long-term care hospitals shall not use rehabilitation, comprehensive medical rehabilitation, medical rehabilitation, sub-acute rehabilitation, nursing home, skilled nursing facility or sub-acute care facility in association with its name.

(xiii) "Comprehensive medical rehabilitation facility" means a hospital or hospital unit that is licensed and/or certified as a comprehensive medical rehabilitation facility which provides specialized programs that are accredited by the Commission on Accreditation of Rehabilitation Facilities and supervised by a physician board certified or board eligible in physiatry or other doctor of medicine or osteopathy with at least two (2) years of training in the medical direction of a comprehensive rehabilitation program that:

1. Includes evaluation and treatment of individuals with physical disabilities;

2. Emphasizes education and training of individuals with disabilities;

3. Incorporates at least the following core disciplines:

* * *a. Physical Therapy;

* * *b. Occupational Therapy;

* * *c. Speech and Language Therapy;

* * *d. Rehabilitation Nursing; and

4. Incorporates at least three (3) of the following disciplines:

* * *a. Psychology;

* * *b. Audiology;

* * *c. Respiratory Therapy;

* * *d. Therapeutic Recreation;

* * *e. Orthotics;

* * *f. Prosthetics;

* * *g. Special Education;

* * *h. Vocational Rehabilitation;

* * *i. Psychotherapy;

* * *j. Social Work;

* * *k. Rehabilitation Engineering.

These specialized programs include, but are not limited to: spinal cord injury programs, head injury programs and infant and early childhood development programs.

(i) "Health maintenance organization" or "HMO" means a public or private organization organized under the laws of this state or the federal government which:

(i) Provides or otherwise makes available to enrolled participants health care services, including substantially the following basic health care services: usual physician services, hospitalization, laboratory, x-ray, emergency and preventive services, and out-of-area coverage;

(ii) Is compensated (except for copayments) for the provision of the basic health care services listed in subparagraph (i) of this paragraph to enrolled participants on a predetermined basis; and

(iii) Provides physician services primarily:

1. Directly through physicians who are either employees or partners of such organization; or

2. Through arrangements with individual physicians or one or more groups of physicians (organized on a group practice or individual practice basis).

(j) "Health service area" means a geographic area of the state designated in the State Health Plan as the area to be used in planning for specified health facilities and services and to be used when considering certificate of need applications to provide health facilities and services.

(k) "Health services" means clinically related (i.e., diagnostic, treatment or rehabilitative) services and includes * * * mental health and home health care services. "Clinical health services" shall only include those activities which contemplate any change in the existing bed complement of any health care facility through the addition or conversion of any beds, under Section 41-7-191(1)(c) or propose to offer any health services if those services have not been provided on a regular basis by the proposed provider of such services within the period of twelve (12) months prior to the time such services would be offered, under Section 41-7-191(1)(d). "Nonclinical health services" shall be all other services which do not involve any change in the existing bed complement or offering health services as described above. "Health services" does not include medical and related services for the diagnosis and treatment of chemical dependency such as alcohol and drug abuse.

(l) "Institutional health services" shall mean health services provided in or through health care facilities and shall include the entities in or through which such services are provided.

(m) "Major medical equipment" means medical equipment designed for providing medical or any health-related service which costs in excess of One Million Five Hundred Thousand Dollars ($1,500,000.00). However, this definition shall not be applicable to clinical laboratories if they are determined by the State Department of Health to be independent of any physician's office, hospital or other health care facility or otherwise not so defined by federal or state law, or rules and regulations promulgated thereunder.

(n) "State Department of Health" or "department" shall mean the state agency created under Section 41-3-15, which shall be considered to be the State Health Planning and Development Agency, as defined in paragraph (u) of this section.

(o) "Offer," when used in connection with health services, means that it has been determined by the State Department of Health that the health care facility is capable of providing specified health services.

(p) "Person" means an individual, a trust or estate, partnership, corporation (including associations, joint-stock companies and insurance companies), the state or a political subdivision or instrumentality of the state.

(q) "Provider" shall mean any person who is a provider or representative of a provider of health care services requiring a certificate of need under Section 41-7-171 et seq., or who has any financial or indirect interest in any provider of services.

(r) "Radiation therapy services" means the treatment of cancer and other diseases using ionizing radiation of either high energy photons (x-rays or gamma rays) or charged particles (electrons, protons or heavy nuclei). However, for purposes of a certificate of need, radiation therapy services shall not include low energy, superficial, external beam x-ray treatment of superficial skin lesions.

(s) "Secretary" means the Secretary of Health and Human Services, and any officer or employee of the Department of Health and Human Services to whom the authority involved has been delegated.

(t) "State Health Plan" means the sole and official statewide health plan for Mississippi which identifies priority state health needs and establishes standards and criteria for health-related activities which require certificate of need review in compliance with Section 41-7-191.

(u) "State Health Planning and Development Agency" means the agency of state government designated to perform health planning and resource development programs for the State of Mississippi.

SECTION 2. Section 41-7-191, Mississippi Code of 1972, is amended as follows:

41-7-191. (1) No person shall engage in any of the following activities without obtaining the required certificate of need:

(a) The construction, development or other establishment of a new health care facility, which establishment shall include the reopening of a health care facility that has ceased to operate for a period of sixty (60) months or more;

(b) The relocation of a health care facility or portion thereof, or major medical equipment, unless such relocation of a health care facility or portion thereof, or major medical equipment, which does not involve a capital expenditure by or on behalf of a health care facility, is within five thousand two hundred eighty (5,280) feet from the main entrance of the health care facility;

(c) Any change in the existing bed complement of any health care facility through the addition or conversion of any beds or the alteration, modernizing or refurbishing of any unit or department in which the beds may be located; however, if a health care facility has voluntarily delicensed some of its existing bed complement, it may later relicense some or all of its delicensed beds without the necessity of having to acquire a certificate of need. The State Department of Health shall maintain a record of the delicensing health care facility and its voluntarily delicensed beds and continue counting those beds as part of the state's total bed count for health care planning purposes. If a health care facility that has voluntarily delicensed some of its beds later desires to relicense some or all of its voluntarily delicensed beds, it shall notify the State Department of Health of its intent to increase the number of its licensed beds. The State Department of Health shall survey the health care facility within thirty (30) days of that notice and, if appropriate, issue the health care facility a new license reflecting the new contingent of beds. However, in no event may a health care facility that has voluntarily delicensed some of its beds be reissued a license to operate beds in excess of its bed count before the voluntary delicensure of some of its beds without seeking certificate of need approval;

(d) Offering of the following health services if those services have not been provided on a regular basis by the proposed provider of such services within the period of twelve (12) months prior to the time such services would be offered:

(i) Open-heart surgery services;

(ii) Cardiac catheterization services;

(iii) Comprehensive inpatient rehabilitation services;

(iv) Licensed psychiatric services;

(v) * * * [Deleted]

(vi) Radiation therapy services;

(vii) Diagnostic imaging services of an invasive nature, i.e. invasive digital angiography;

(viii) Nursing home care as defined in * * * subparagraph (iv) * * * of Section 41-7-173(h);

(ix) Home health services;

(x) Swing-bed services;

(xi) Ambulatory surgical services;

(xii) Magnetic resonance imaging services;

(xiii) [Deleted]

(xiv) Long-term care hospital services;

(xv) Positron emission tomography (PET) services;

(e) The relocation of one or more health services from one physical facility or site to another physical facility or site, unless such relocation, which does not involve a capital expenditure by or on behalf of a health care facility, (i) is to a physical facility or site within five thousand two hundred eighty (5,280) feet from the main entrance of the health care facility where the health care service is located, or (ii) is the result of an order of a court of appropriate jurisdiction or a result of pending litigation in such court, or by order of the State Department of Health, or by order of any other agency or legal entity of the state, the federal government, or any political subdivision of either, whose order is also approved by the State Department of Health;

(f) The acquisition or otherwise control of any major medical equipment for the provision of medical services; however, (i) the acquisition of any major medical equipment used only for research purposes, and (ii) the acquisition of major medical equipment to replace medical equipment for which a facility is already providing medical services and for which the State Department of Health has been notified before the date of such acquisition shall be exempt from this paragraph; an acquisition for less than fair market value must be reviewed, if the acquisition at fair market value would be subject to review;

(g) Changes of ownership of existing health care facilities in which a notice of intent is not filed with the State Department of Health at least thirty (30) days prior to the date such change of ownership occurs, or a change in services or bed capacity as prescribed in paragraph (c) or (d) of this subsection as a result of the change of ownership; an acquisition for less than fair market value must be reviewed, if the acquisition at fair market value would be subject to review;

(h) The change of ownership of any health care facility defined in * * * subparagraph (viii) of Section 41-7-173(h), in which a notice of intent as described in paragraph (g) has not been filed and if the Executive Director, Division of Medicaid, Office of the Governor, has not certified in writing that there will be no increase in allowable costs to Medicaid from revaluation of the assets or from increased interest and depreciation as a result of the proposed change of ownership;

(i) Any activity described in paragraphs (a) through (h) if undertaken by any person if that same activity would require certificate of need approval if undertaken by a health care facility;

(j) Any capital expenditure or deferred capital expenditure by or on behalf of a health care facility not covered by paragraphs (a) through (h);

(k) The contracting of a health care facility as defined in subparagraphs (i) through (viii) of Section 41-7-173(h) to establish a home office, subunit, or branch office in the space operated as a health care facility through a formal arrangement with an existing health care facility as defined in subparagraph (ix) of Section 41-7-173(h);

(l) The replacement or relocation of a health care facility designated as a critical access hospital shall be exempt from subsection (1) of this section so long as the critical access hospital complies with all applicable federal law and regulations regarding such replacement or relocation;

(m) Reopening a health care facility that has ceased to operate for a period of sixty (60) months or more, which reopening requires a certificate of need for the establishment of a new health care facility.

(2) The State Department of Health shall not grant approval for or issue a certificate of need to any person proposing the new construction of, addition to, or expansion of any health care facility defined in * * * subparagraph (iv) (skilled nursing facility) * * * of Section 41-7-173(h) or the conversion of vacant hospital beds to provide skilled * * * nursing home care, except as hereinafter authorized:

(a) The department may issue a certificate of need to any person proposing the new construction of any health care facility defined in subparagraphs (iv) and (vi) of Section 41-7-173(h) as part of a life care retirement facility, in any county bordering on the Gulf of Mexico in which is located a National Aeronautics and Space Administration facility, not to exceed forty (40) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the health care facility that were authorized under this paragraph (a).

(b) The department may issue certificates of need in Harrison County to provide skilled nursing home care for Alzheimer's disease patients and other patients, not to exceed one hundred fifty (150) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facilities that were authorized under this paragraph (b).

(c) The department may issue a certificate of need for the addition to or expansion of any skilled nursing facility that is part of an existing continuing care retirement community located in Madison County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (c), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of beds that may be authorized under the authority of this paragraph (c) shall not exceed sixty (60) beds.

(d) The State Department of Health may issue a certificate of need to any hospital located in DeSoto County for the new construction of a skilled nursing facility, not to exceed one hundred twenty (120) beds, in DeSoto County. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (d).

(e) The State Department of Health may issue a certificate of need for the construction of a nursing facility or the conversion of beds to nursing facility beds at a personal care facility for the elderly in Lowndes County that is owned and operated by a Mississippi nonprofit corporation, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (e).

(f) The State Department of Health may issue a certificate of need for conversion of a county hospital facility in Itawamba County to a nursing facility, not to exceed sixty (60) beds, including any necessary construction, renovation or expansion. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (f).

(g) The State Department of Health may issue a certificate of need for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in either Hinds, Madison or Rankin County, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (g).

(h) The State Department of Health may issue a certificate of need for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in either Hancock, Harrison or Jackson County, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the facility that were authorized under this paragraph (h).

(i) The department may issue a certificate of need for the new construction of a skilled nursing facility in Leake County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (i), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The provision of Section 41-7-193(1) regarding substantial compliance of the projection of need as reported in the current State Health Plan is waived for the purposes of this paragraph. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (i) shall not exceed sixty (60) beds. If the skilled nursing facility authorized by the certificate of need issued under this paragraph is not constructed and fully operational

within eighteen (18) months after July 1, 1994, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need, if it is still outstanding, and shall not issue a license for the skilled nursing facility at any time after the expiration of the eighteen-month period.

(j) The department may issue certificates of need to allow any existing freestanding long-term care facility in Tishomingo County and Hancock County that on July 1, 1995, is licensed with fewer than sixty (60) beds. For the purposes of this paragraph (j), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the long-term care facilities that were authorized under this paragraph (j).

(k) The department may issue a certificate of need for the construction of a nursing facility at a continuing care retirement community in Lowndes County. The total number of beds that may be authorized under the authority of this paragraph (k) shall not exceed sixty (60) beds. From and after July 1, 2001, the prohibition on the facility participating in the Medicaid program (Section 43-13-101 et seq.) that was a condition of issuance of the certificate of need under this paragraph (k) shall be revised as follows: The nursing facility may participate in the Medicaid program from and after July 1, 2001, if the owner of the facility on July 1, 2001, agrees in writing that no more than thirty (30) of the beds at the facility will be certified for participation in the Medicaid program, and that no claim will be submitted for Medicaid reimbursement for more than thirty (30) patients in the facility in any month or for any patient in the facility who is in a bed that is not Medicaid-certified. This written agreement by the owner of the facility shall be a condition of licensure of the facility, and the agreement shall be fully binding on any subsequent owner of the facility if the ownership of the facility is transferred at any time after July 1, 2001. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than thirty (30) of the beds in the facility for participation in the Medicaid program. If the facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than thirty (30) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the written agreement.

(l) Provided that funds are specifically appropriated therefor by the Legislature, the department may issue a certificate of need to a rehabilitation hospital in Hinds County for the construction of a sixty-bed long-term care nursing facility dedicated to the care and treatment of persons with severe disabilities including persons with spinal cord and closed-head injuries and ventilator dependent patients. The provisions of Section 41-7-193(1) regarding substantial compliance with projection of need as reported in the current State Health Plan are waived for the purpose of this paragraph.

(m) The State Department of Health may issue a certificate of need to a county-owned hospital in the Second Judicial District of Panola County for the conversion of not more than seventy-two (72) hospital beds to nursing facility beds, provided that the recipient of the certificate of need agrees in writing that none of the beds at the nursing facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.), and that no claim will be submitted for Medicaid reimbursement in the nursing facility in any day or for any patient in the nursing facility. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the nursing facility if the ownership of the nursing facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify any of the beds in the nursing facility for participation in the Medicaid program. If the nursing facility violates the terms of the written agreement by admitting or keeping in the nursing facility

on a regular or continuing basis any patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the nursing facility, at the time that the department determines, after a hearing complying with due process, that the nursing facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 2001, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 2001, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(n) The department may issue a certificate of need for the new construction, addition or conversion of skilled nursing facility beds in Madison County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (n), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (n) shall not exceed sixty (60) beds. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 1998, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 1998, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(o) The department may issue a certificate of need for the new construction, addition or conversion of skilled nursing facility beds in Leake County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (o),

and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (o) shall not exceed sixty (60) beds. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 2001, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 2001, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(p) The department may issue a certificate of need for the construction of a municipally owned nursing facility within the Town of Belmont in Tishomingo County, not to exceed sixty (60) beds, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (p), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The provision of Section 41-7-193(1) regarding substantial compliance of the projection of need as reported in the current State Health Plan is waived for the purposes of this paragraph. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 1998, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 1998, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(q) (i) Beginning on July 1, 1999, the State Department of Health shall issue certificates of need during each of the next four (4) fiscal years for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in each county in the state having a need for fifty (50) or more additional nursing facility

beds, as shown in the fiscal year 1999 State Health Plan, in the manner provided in this paragraph (q). The total number of nursing facility beds that may be authorized by any certificate of need authorized under this paragraph (q) shall not exceed sixty (60) beds.

(ii) Subject to the provisions of subparagraph (v), during each of the next four (4) fiscal years, the department shall issue six (6) certificates of need for new nursing facility beds, as follows: During fiscal years 2000, 2001 and 2002, one (1) certificate of need shall be issued for new nursing facility beds in the county in each of the four (4) Long-Term Care Planning Districts designated in the fiscal year 1999 State Health Plan that has the highest need in the district for those beds; and two (2) certificates of need shall be issued for new nursing facility beds in the two (2) counties from the state at large that have the highest need in the state for those beds, when considering the need on a statewide basis and without regard to the Long-Term Care Planning Districts in which the counties are located. During fiscal year 2003, one (1) certificate of need shall be issued for new nursing facility beds in any county having a need for fifty (50) or more additional nursing facility beds, as shown in the fiscal year 1999 State Health Plan, that has not received a certificate of need under this paragraph (q) during the three (3) previous fiscal years. During fiscal year 2000, in addition to the six (6) certificates of need authorized in this subparagraph, the department also shall issue a certificate of need for new nursing facility beds in Amite County and a certificate of need for new nursing facility beds in Carroll County.

(iii) Subject to the provisions of subparagraph (v), the certificate of need issued under subparagraph (ii) for nursing facility beds in each Long-Term Care Planning District during each fiscal year shall first be available for nursing facility beds in the county in the district having the highest need for those beds, as shown in the fiscal year 1999 State Health Plan. If there are no applications for a certificate of need for nursing facility beds in the county having the highest need for those beds by the date specified by the department, then the certificate of need shall be available for nursing facility beds in other counties in the district in descending order of the need for those beds, from the county with the second highest need to the county with the lowest need, until an application is received for nursing facility beds in an eligible county in the district.

(iv) Subject to the provisions of subparagraph (v), the certificate of need issued under subparagraph (ii) for nursing facility beds in the two (2) counties from the state at large during each fiscal year shall first be available for nursing facility beds in the two (2) counties that have the highest need in the state for those beds, as shown in the fiscal year 1999 State Health Plan, when considering the need on a statewide basis and without regard to the Long-Term Care Planning Districts in which the counties are located. If there are no applications for a certificate of need for nursing facility beds in either of the two (2) counties having the highest need for those beds on a statewide basis by the date specified by the department, then the certificate of need shall be available for nursing facility beds in other counties from the state at large in descending order of the need for those beds on a statewide basis, from the county with the second highest need to the county with the lowest need, until an application is received for nursing facility beds in an eligible county from the state at large.

(v) If a certificate of need is authorized to be issued under this paragraph (q) for nursing facility beds in a county on the basis of the need in the Long-Term Care Planning District during any fiscal year of the four-year period, a certificate of need shall not also be available under this paragraph (q) for additional nursing facility beds in that county on the basis of the need in the state at large, and that county shall be excluded in determining which counties have the highest need for nursing facility beds in the state at large for that fiscal year. After a certificate of need has been issued under this paragraph (q) for nursing facility beds in a county during any fiscal year of the four-year period, a certificate of need shall not be available again under this paragraph (q) for additional nursing facility beds in that county during the four-year period, and that county shall be excluded in determining which counties have the highest need for nursing facility beds in succeeding fiscal years.

(vi) If more than one (1) application is made for a certificate of need for nursing home facility beds available under this paragraph (q), in Yalobusha, Newton or Tallahatchie County, and one (1) of the applicants is a county-owned hospital located in the county where the nursing facility beds are available, the department shall give priority to the county-owned hospital in granting the certificate of need if the following conditions are met:

1. The county-owned hospital fully meets all applicable criteria and standards required to obtain a certificate of need for the nursing facility beds; and

2. The county-owned hospital's qualifications for the certificate of need, as shown in its application and as determined by the department, are at least equal to the qualifications of the other applicants for the certificate of need.

(r) (i) Beginning on July 1, 1999, the State Department of Health shall issue certificates of need during each of the next two (2) fiscal years for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in each of the four (4) Long-Term Care Planning Districts designated in the fiscal year 1999 State Health Plan, to provide care exclusively to patients with Alzheimer's disease.

(ii) Not more than twenty (20) beds may be authorized by any certificate of need issued under this paragraph (r), and not more than a total of sixty (60) beds may be authorized in any Long-Term Care Planning District by all certificates of need issued under this paragraph (r). However, the total number of beds that may be authorized by all certificates of need issued under this paragraph (r) during any fiscal year shall not exceed one hundred twenty (120) beds, and the total number of beds that may be authorized in any Long-Term Care Planning District during any fiscal year shall not exceed forty (40) beds. Of the certificates of need that are issued for each Long-Term Care Planning District during the next two (2) fiscal years, at least one (1) shall be issued for beds in the northern part of the district, at least one (1) shall be issued for beds in the central part of the district, and at least one (1) shall be issued for beds in the southern part of the district.

(iii) The State Department of Health, in consultation with the Department of Mental Health and the Division of Medicaid, shall develop and prescribe the staffing levels, space requirements and other standards and requirements that must be met with regard to the nursing facility beds authorized under this paragraph (r) to provide care exclusively to patients with Alzheimer's disease.

(s) The State Department of Health may issue a certificate of need to a nonprofit skilled nursing facility using the Green House model of skilled nursing care and located in Yazoo City, Yazoo County, Mississippi, for the construction, expansion or conversion of not more than nineteen (19) nursing facility beds. For purposes of this paragraph (s), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized under this paragraph (s).

(t) The State Department of Health shall issue certificates of need to the owner of a nursing facility in operation at the time of Hurricane Katrina in Hancock County that was not operational on December 31, 2005, because of damage sustained from Hurricane Katrina to authorize the following: (i) the construction of a new nursing facility in Harrison County; (ii) the relocation of forty-nine (49) nursing facility beds from the Hancock County facility to the new Harrison County facility; (iii) the establishment of not more than twenty (20) non-Medicaid nursing facility beds at the Hancock County facility; and (iv) the establishment of not more than twenty (20) non-Medicaid beds at the new Harrison County facility. The certificates of need that authorize the non-Medicaid nursing

facility beds under subparagraphs (iii) and (iv) of this paragraph (t) shall be subject to the following conditions: The owner of the Hancock County facility and the new Harrison County facility must agree in writing that no more than fifty (50) of the beds at the Hancock County facility and no more than forty-nine (49) of the beds at the Harrison County facility will be certified for participation in the Medicaid program, and that no claim will be submitted for Medicaid reimbursement for more than fifty (50) patients in the Hancock County facility in any month, or for more than forty-nine (49) patients in the Harrison County facility in any month, or for any patient in either facility who is in a bed that is not Medicaid-certified. This written agreement by the owner of the nursing facilities shall be a condition of the issuance of the certificates of need under this paragraph (t), and the agreement shall be fully binding on any later owner or owners of either facility if the ownership of either facility is transferred at any time after the certificates of need are issued. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than fifty (50) of the beds at the Hancock County facility or more than forty-nine (49) of the beds at the Harrison County facility for participation in the Medicaid program. If the Hancock County facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than fifty (50) patients who are participating in the Medicaid program, or if the Harrison County facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than forty-nine (49) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility that is in violation of the agreement, at the time that the department determines, after a hearing complying with due process, that the facility has violated the agreement.

(u) The State Department of Health shall issue a certificate of need to a nonprofit venture for the establishment, construction and operation of a skilled nursing facility of not more than sixty (60) beds to provide skilled nursing care for ventilator dependent or otherwise medically dependent pediatric patients who require medical and nursing care or rehabilitation services to be located in a county in which an academic medical center and a children's hospital are located, and for any construction and for the acquisition of equipment related to those beds. The facility shall be authorized to keep such ventilator dependent or otherwise medically dependent pediatric patients beyond age twenty-one (21) in accordance with regulations of the State Board of Health. For purposes of this paragraph (u), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived, and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. The beds authorized by this paragraph shall be counted as pediatric skilled nursing facility beds for health planning purposes under Section 41-7-171 et seq. There shall be no prohibition of or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized by this paragraph.

(3) * * * [Deleted]

(4) (a) From and after * * * July 1, 2024, the department may issue a certificate of need to any person for the new construction of any hospital * * * or psychiatric hospital * * * that will contain any child/adolescent psychiatric * * * beds, or for the conversion of any other health care facility to a hospital * * * or psychiatric hospital * * * that will contain any child/adolescent psychiatric * * * beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person(s) receiving the certificate(s) of need authorized under this paragraph (a) or for the beds converted pursuant to the authority of that certificate of need. In issuing any new certificate of need for any child/adolescent psychiatric * * * beds, either by new construction or conversion of beds of another category, the department shall give preference to beds which will be located in an area of the state which does not have such beds located in it, and to a location more than sixty-five (65) miles from existing beds. Upon receiving 2020 census data, the department may amend the State Health Plan regarding child/adolescent psychiatric * * * beds to reflect the need based on new census data.

(i) [Deleted]

(ii) * * * [Deleted]

(iii) The department may issue a certificate or certificates of need for the construction or expansion of child/adolescent psychiatric beds or the conversion of other beds to child/adolescent psychiatric beds in Warren County. For purposes of this subparagraph (iii), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

If by January 1, 2002, there has been no significant commencement of construction of the beds authorized under this subparagraph (iii), or no significant action taken to convert existing beds to the beds authorized under this subparagraph, then the certificate of need that was previously issued under this subparagraph shall expire. If the previously issued certificate of need expires, the department may accept applications for issuance of another certificate of need for the beds authorized under this subparagraph, and may issue a certificate of need to authorize the construction, expansion or conversion of the beds authorized under this subparagraph.

(iv) The department shall issue a certificate of need to the Region 7 Mental Health/Retardation Commission for the construction or expansion of child/adolescent psychiatric beds or the conversion of other beds to child/adolescent psychiatric beds in any of the counties served by the commission. For purposes of this subparagraph (iv), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(v) The department may issue a certificate of need to any county hospital located in Leflore County for the construction or expansion of adult psychiatric beds or the conversion of other beds to adult psychiatric beds, not to exceed twenty (20) beds, provided that the recipient of the certificate of need agrees in writing that the adult psychiatric beds will not at any time be certified for participation in the Medicaid program and that the hospital will not admit or keep any patients who are participating in the Medicaid program in any of such adult psychiatric beds. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the hospital if the ownership of the hospital is transferred at any time after the issuance of the certificate of need. Agreement that the adult psychiatric beds will not be certified for participation in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this subparagraph (v), and if such hospital at any time after the issuance of the certificate of need, regardless of the ownership of the hospital, has any of such adult psychiatric beds certified for participation in the Medicaid program or admits or keeps any Medicaid patients in such adult psychiatric beds, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the hospital at the time that the department determines, after a hearing complying with due process, that the hospital has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this subparagraph and in the written agreement by the recipient of the certificate of need.

(vi) The department may issue a certificate or certificates of need for the expansion of child psychiatric beds or the conversion of other beds to child psychiatric beds at the University of Mississippi Medical Center. For purposes of this subparagraph (vi), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed fifteen (15) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the hospital receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(b) From and after July 1, * * * 2024, no hospital * * * or psychiatric hospital * * * shall be authorized to add any child/adolescent psychiatric * * * beds or convert any beds of another category to child/adolescent psychiatric * * * beds without a certificate of need under the authority of subsection (1)(c) and subsection (4)(a) of this section.

(5) The department may issue a certificate of need to a county hospital in Winston County for the conversion of fifteen (15) acute care beds to geriatric psychiatric care beds.

(6) The State Department of Health shall issue a certificate of need to a Mississippi corporation qualified to manage a long-term care hospital as defined in Section 41-7-173(h)(xii) in Harrison County, not to exceed eighty (80) beds, including any necessary renovation or construction required for licensure and certification, provided that the recipient of the certificate of need agrees in writing that the long-term care hospital will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the long-term care hospital who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the long-term care hospital, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the long-term care hospital will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this subsection (6), and if such long-term care hospital at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the long-term care hospital, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this subsection and in the written agreement by the recipient of the certificate of need. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived.

(7) The State Department of Health may issue a certificate of need to any hospital in the state to utilize a portion of its beds for the "swing-bed" concept. Any such hospital must be in conformance with the federal regulations regarding such swing-bed concept at the time it submits its application for a certificate of need to the State Department of Health, except that such hospital may have more licensed beds or a higher average daily census (ADC) than the maximum number specified in federal regulations for participation in the swing-bed program. Any hospital meeting all federal requirements for participation in the swing-bed program which receives such certificate of need shall render services provided under the swing-bed concept to any patient eligible for Medicare (Title XVIII of the Social Security Act) who is certified by a physician to be in need of such services, and no such hospital shall permit any patient who is eligible for both Medicaid and Medicare or eligible only for Medicaid to stay in the swing beds of the hospital for more than thirty (30) days per admission unless the hospital receives prior approval for such patient from the Division of Medicaid, Office of the Governor. Any hospital having more licensed beds or a higher average daily census (ADC) than the maximum number specified in federal

regulations for participation in the swing-bed program which receives such certificate of need shall develop a procedure to ensure that before a patient is allowed to stay in the swing beds of the hospital, there are no vacant nursing home beds available for that patient located within a fifty-mile radius of the hospital. When any such hospital has a patient staying in the swing beds of the hospital and the hospital receives notice from a nursing home located within such radius that there is a vacant bed available for that patient, the hospital shall transfer the patient to the nursing home within a reasonable time after receipt of the notice. Any hospital which is subject to the requirements of the two (2) preceding sentences of this subsection may be suspended from participation in the swing-bed program for a reasonable period of time by the State Department of Health if the department, after a hearing complying with due process, determines that the hospital has failed to comply with any of those requirements.

(8) * * * [Deleted]

(9) The Department of Health shall not grant approval for or issue a certificate of need to any person proposing the establishment of, or expansion of the currently approved territory of, or the contracting to establish a home office, subunit or branch office within the space operated as a health care facility as defined in Section 41-7-173(h)(i) through (viii) by a health care facility as defined in subparagraph (ix) of Section 41-7-173(h).

(10) Health care facilities owned and/or operated by the state or its agencies are exempt from the restraints in this section against issuance of a certificate of need if such addition or expansion consists of repairing or renovation necessary to comply with the state licensure law. This exception shall not apply to the new construction of any building by such state facility. This exception shall not apply to any health care facilities owned and/or operated by counties, municipalities, districts, unincorporated areas, other defined persons, or any combination thereof.

(11) The new construction, renovation or expansion of or addition to any health care facility defined in subparagraph (ii) (psychiatric hospital) * * * and subparagraph (iv) (skilled nursing facility) * * * of Section 41-7-173(h) which is owned by the State of Mississippi and under the direction and control of the State Department of Mental Health, and the addition of new beds or the conversion of beds from one category to another in any such defined health care facility which is owned by the State of Mississippi and under the direction and control of the State Department of Mental Health, shall not require the issuance of a certificate of need under Section 41-7-171 et seq., notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(12) The new construction, renovation or expansion of or addition to any veterans homes or domiciliaries for eligible veterans of the State of Mississippi as authorized under Section 35-1-19 shall not require the issuance of a certificate of need, notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(13) The repair or the rebuilding of an existing, operating health care facility that sustained significant damage from a natural disaster that occurred after April 15, 2014, in an area that is proclaimed a disaster area or subject to a state of emergency by the Governor or by the President of the United States shall be exempt from all of the requirements of the Mississippi Certificate of Need Law (Section 41-7-171 et seq.) and any and all rules and regulations promulgated under that law, subject to the following conditions:

(a) The repair or the rebuilding of any such damaged health care facility must be within one (1) mile of the pre-disaster location of the campus of the damaged health care facility, except that any temporary post-disaster health care facility operating location may be within five (5) miles of the pre-disaster location of the damaged health care facility;

(b) The repair or the rebuilding of the damaged health care facility (i) does not increase or change the complement of its bed capacity that it had before the Governor's or the President's proclamation, (ii) does not increase or change its levels and types of health care services that it provided before the Governor's or the President's proclamation, and (iii) does not rebuild in a different county; however, this paragraph does not restrict or prevent a health care facility from decreasing its bed capacity that it had before the Governor's or the President's proclamation, or from decreasing the levels of or decreasing or eliminating the types of health care services that it provided before the Governor's or the President's proclamation, when the damaged health care facility is repaired or rebuilt;

(c) The exemption from Certificate of Need Law provided under this subsection (13) is valid for only five (5) years from the date of the Governor's or the President's proclamation. If actual construction has not begun within that five-year period, the exemption provided under this subsection is inapplicable; and

(d) The Division of Health Facilities Licensure and Certification of the State Department of Health shall provide the same oversight for the repair or the rebuilding of the damaged health care facility that it provides to all health care facility construction projects in the state.

For the purposes of this subsection (13), "significant damage" to a health care facility means damage to the health care facility requiring an expenditure of at least One Million Dollars ($1,000,000.00).

(14) The State Department of Health shall issue a certificate of need to any hospital which is currently licensed for two hundred fifty (250) or more acute care beds and is located in any general hospital service area not having a comprehensive cancer center, for the establishment and equipping of such a center which provides facilities and services for outpatient radiation oncology therapy, outpatient medical oncology therapy, and appropriate support services including the provision of radiation therapy services. The provisions of Section 41-7-193(1) regarding substantial compliance with the projection of need as reported in the current State Health Plan are waived for the purpose of this subsection.

(15) The State Department of Health may authorize the transfer of hospital beds, not to exceed sixty (60) beds, from the North Panola Community Hospital to the South Panola Community Hospital. The authorization for the transfer of those beds shall be exempt from the certificate of need review process.

(16) The State Department of Health shall issue any certificates of need necessary for Mississippi State University and a public or private health care provider to jointly acquire and operate a linear accelerator and a magnetic resonance imaging unit. Those certificates of need shall cover all capital expenditures related to the project between Mississippi State University and the health care provider, including, but not limited to, the acquisition of the linear accelerator, the magnetic resonance imaging unit and other radiological modalities; the offering of linear accelerator and magnetic resonance imaging services; and the cost of construction of facilities in which to locate these services. The linear accelerator and the magnetic resonance imaging unit shall be (a) located in the City of Starkville, Oktibbeha County, Mississippi; (b) operated jointly by Mississippi State University and the public or private health care provider selected by Mississippi State University through a request for proposals (RFP) process in which Mississippi State University selects, and the Board of Trustees of State Institutions of Higher Learning approves, the health care provider that makes the best overall proposal; (c) available to Mississippi State University for research purposes two-thirds (2/3) of the time that the linear accelerator and magnetic resonance imaging unit are operational; and (d) available to the public or private health care provider selected by Mississippi State University and approved by the Board of Trustees of State Institutions of Higher Learning one-third (1/3) of the time for clinical, diagnostic and treatment purposes. For purposes of this

subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived.

(17) The State Department of Health shall issue a certificate of need for the construction of an acute care hospital in Kemper County, not to exceed twenty-five (25) beds, which shall be named the "John C. Stennis Memorial Hospital." In issuing the certificate of need under this subsection, the department shall give priority to a hospital located in Lauderdale County that has two hundred fifteen (215) beds. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person or entity receiving the certificate of need authorized under this subsection or for the beds constructed under the authority of that certificate of need.

(18) The planning, design, construction, renovation, addition, furnishing and equipping of a clinical research unit at any health care facility defined in Section 41-7-173(h) that is under the direction and control of the University of Mississippi Medical Center and located in Jackson, Mississippi, and the addition of new beds or the conversion of beds from one (1) category to another in any such clinical research unit, shall not require the issuance of a certificate of need under Section 41-7-171 et seq., notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(19) [Repealed]

(20) Nothing in this section or in any other provision of Section 41-7-171 et seq. shall prevent any nursing facility from designating an appropriate number of existing beds in the facility as beds for providing care exclusively to patients with Alzheimer's disease.

(21) Nothing in this section or any other provision of Section 41-7-171 et seq. shall prevent any health care facility from the new construction, renovation, conversion or expansion of new beds in the facility designated as intensive care units, negative pressure rooms, or isolation rooms pursuant to the provisions of Sections 41-14-1 through 41-14-11, or Section 41-14-31. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived.

SECTION 3. Section 41-7-193, Mississippi Code of 1972, is amended as follows:

41-7-193. (1) No person may enter into any financing arrangement or commitment for financing a new institutional health service or any other project requiring a certificate of need unless such certificate has been granted for such purpose. A certificate of need shall not be granted or issued to any person for any proposal, cause or reason, unless the proposal has been reviewed for consistency with the specifications and the criteria established by the State Department of Health and substantially complies with the * * * projected need and with the applicable criteria and standards presented in the state health plan in effect at the time the application for the proposal was submitted.

(2) The department shall disapprove any application for a certificate of need:

(a) That does not substantially comply with the projected need or with applicable criteria and standards presented in the state health plan;

(b) That fails to confirm that the applicant will provide a reasonable amount of indigent care, or if the applicant's admission policies deny or discourage access to care by indigent patients; or

(c) If such approval would have a significant adverse effect on the ability of an existing facility or service to provide indigent care.

(3) (a) The department may use a variety of statistical methodologies, including, but not limited to, market share analysis or patient origin data to determine substantial compliance with projected need and with applicable criteria and standards in the state health plan.

(b) For the purpose of subsection (2) of this section, a reasonable amount of indigent care is an amount that is comparable to the amount of such care offered by other providers of the requested service within the same, or proximate, geographic area. The State Health Officer shall determine whether the amount of indigent care provided or proposed to be offered by an applicant is reasonable.

(* * *4) An application for a certificate of need for an institutional health service, medical equipment or any proposal requiring a certificate of need shall specify the time, within that granted, such shall be functional or operational according to a time schedule submitted with the application. Each certificate of need shall specify the maximum amount of capital expenditure that may be obligated. The State Department of Health shall periodically review the progress and time schedule of any person issued or granted a certificate of need for any purpose.

(* * *5) An application for a certificate of need may be filed at any time with the department after the applicant has given the department fifteen (15) days' written notice of its intent to apply for a certificate of need. The department shall not delay review of an application. The department shall make its recommendation approving or disapproving a complete application within forty-five (45) days of the date the application was filed or within fifteen (15) days of receipt of any requested information, whichever is later, * * * the request to be made by the department within fifteen (15) days of the filing of the application.

SECTION 4. Section 41-77-1, Mississippi Code of 1972, is amended as follows:

41-77-1. For purposes of this chapter:

(a) "Birthing center" * * * means a publicly or privately owned facility, place or institution constructed, renovated, leased or otherwise established where nonemergency births are planned to occur away from the mother's usual residence following a documented period of prenatal care for a normal uncomplicated pregnancy which has been determined to be low risk through a formal risk scoring examination. Care provided in a birthing center shall be provided by a licensed physician, or certified nurse midwife, and a registered nurse. Services provided in a birthing center shall be limited in the following manner: (i) surgical services shall be limited to those normally performed during uncomplicated childbirth, such as episiotomy and repair, and shall not include operative obstetrics or caesarean sections; (ii) labor shall not be inhibited, stimulated or augmented with chemical agents during the first or second stage of labor; (iii) systemic analgesia may be administered and local anesthesia for pudental block and episiotomy repair may be performed. General and conductive anesthesia shall not be administered at birthing centers; (iv) patients shall not remain in the facility in excess of twenty-four (24) hours.

Hospitals are excluded from the definition of a "birthing center" unless they choose to and are qualified to designate a portion or part of the hospital as a birthing center, and nothing herein shall be construed as referring to the usual service provided the pregnant female in the obstetric-gynecology service of an acute care hospital. Such facility or center, as heretofore stated, shall include the offices of physicians in private practice alone or in groups of two (2) or more; and such facility or center rendering service to pregnant female persons, as stated heretofore and by the rules and regulations promulgated by the licensing agency in furtherance thereof, shall be deemed to be a "birthing center" whether

using a similar or different name. Such center or facility if in any manner is deemed to be or considered to be operated or owned by a hospital or a hospital holding leasing or management company, for profit or not for profit, is required to comply with all birthing center standards governing a "hospital affiliated" birthing center as adopted by the licensing authority.

(b) "Hospital affiliated" birthing center * * * means a separate and distinct unit of a hospital or a building owned, leased, rented or utilized by a hospital and located in the same county as the hospital for the purpose of providing the service of a "birthing center." Such center or facility is not required to be licensed separately, and may operate under the license issued to the hospital if it is in compliance with Section 41-9-1 et seq., where applicable, and the rules and regulations promulgated by the licensing agency in furtherance thereof.

(c) "Freestanding" birthing center * * * means a separate and distinct facility or center or a separate and distinct organized unit of a hospital or other * * * entity for the purpose of performing the service of a "birthing center." Such facility or center must be separately licensed and must comply with all licensing standards promulgated by the licensing agency by virtue of this chapter. Further, such facility or center must be a separate, identifiable entity and must be physically, administratively and financially independent from other operations of any hospital or other health care facility or service and shall maintain a separate and required staff, including administrative staff. * * *

(d) "Licensing agency" * * * means the State Department of Health.

SECTION 5. Section 41-77-5, Mississippi Code of 1972, is amended as follows:

41-77-5. No person * * * or other entity, acting severally or jointly with any other person or entity, shall establish, conduct or maintain a "birthing center" in this state without a license under this chapter.

SECTION 6. Section 41-77-21, Mississippi Code of 1972, is amended as follows:

41-77-21. Any applicant or licensee aggrieved by the decision of the licensing agency after a hearing may, within thirty (30) days after the mailing or serving of notice of the decision as provided in Section 43-11-11, * * * file a notice of appeal to the Chancery Court of the First Judicial District of Hinds County or in the chancery court of the county in which the institution is located or proposed to be located. * * * Thereupon, the licensing agency shall * * * certify and file with the court a copy of the record and decision, including the transcript of the hearings in which the decision is based. No new or additional evidence shall be introduced in court; the case shall be determined upon the record certified to the court. The court may sustain or dismiss the appeal, modify or vacate the order complained of in whole or in part, as the case may be; but in case the order is wholly or partly vacated, the court may also, in its discretion, remand the matter to the licensing agency for such further proceedings, not inconsistent with the court's order, as, in the opinion of the court, justice may require. The order may not be vacated or set aside, either in whole or in part, except for errors of law, unless the court finds that the order of the licensing agency is not supported by substantial evidence, is contrary to the manifest weight of the evidence, is in excess of the statutory authority or jurisdiction of the licensing agency, or violates any vested constitutional rights of any party involved in the appeal. Pending final disposition of the matter, the status quo of the applicant or licensee shall be preserved, except as the court otherwise orders in the public interest. Rules with respect to court costs in other cases in chancery shall apply equally to cases hereunder. Appeals in accordance with law may be had to the Supreme Court of the State of Mississippi from any final judgment of the chancery court.

SECTION 7. Section 41-77-23, Mississippi Code of 1972, is amended as follows:

41-77-23. Any person or persons or other entity or entities establishing, managing or operating a "birthing center" or conducting the business of a "birthing center" without the required license, or which otherwise violate any of the provisions of this chapter * * * or the rules, regulations or standards promulgated in furtherance of any law in which the * * * licensing agency has authority therefor, shall be subject to the following penalties and sanctions of Section 41-7-209 * * *:

(a) Revocation of the license of the birthing center or a designated section, component or service thereof; or

(b) Nonlicensure of a specific or designated service offered by the birthing center.

In addition, any violation of any provision of this chapter or any rules or regulations promulgated in furtherance thereof by intent, fraud, deceit, unlawful design, willful and/or deliberate misrepresentation, or by careless, negligent or incautious disregard for such statutes or rules and regulations, either by persons acting individually or in concert with others, shall constitute a misdemeanor and shall be punishable by a fine not to exceed One Thousand Dollars ($1,000.00) for each such offense. Each day of continuing violation shall be considered a separate offense. The venue for prosecution of any such violation shall be in any county of the state in which any such violation, or portion thereof, occurred.

SECTION 8. Section 41-77-25, Mississippi Code of 1972, is amended as follows:

41-77-25. Upon receipt of an application for license and the license fee, the licensing agency shall issue a license if the applicant and the institutional facilities meet the requirements established under this chapter * * *. A license, unless suspended or revoked, shall be renewable annually upon payment of a renewal fee of Three Hundred Dollars ($300.00), which shall be paid to the licensing agency, and upon filing by the licensee and approval by the licensing agency of an annual report upon such uniform dates and containing such information in such form as the licensing agency requires. Any increase in the fee charged by the licensing agency under this section shall be in accordance with the provisions of Section 41-3-65. Each license shall be issued only for the premises and person or persons named in the application and shall not be transferable or assignable. Licenses shall be posted in a conspicuous place on the licensed premises.

SECTION 9. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTIONS 41-7-173 AND 41-7-191, MISSISSIPPI CODE OF 1972, TO REMOVE CHEMICAL DEPENDENCY SERVICES AND FACILITIES, INTERMEDIATE CARE FACILITIES, INTERMEDIATE CARE FACILITIES FOR INDIVIDUALS WITH INTELLECTUAL DISABILITIES, AND PSYCHIATRIC RESIDENTIAL TREATMENT FACILITIES FROM THE REQUIREMENTS OF THE HEALTH CARE CERTIFICATE OF NEED LAW; TO AMEND SECTION 41-7-193, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL DISAPPROVE ANY APPLICATION FOR A CERTIFICATE OF NEED THAT FAILS TO CONFIRM THAT THE APPLICANT WILL PROVIDE A REASONABLE AMOUNT OF INDIGENT CARE, OR IF THE APPLICANT'S ADMISSION POLICIES DENY OR DISCOURAGE ACCESS TO CARE BY INDIGENT PATIENTS, OR IF SUCH APPROVAL WOULD HAVE A SIGNIFICANT ADVERSE EFFECT ON THE ABILITY OF AN EXISTING FACILITY OR SERVICE TO PROVIDE INDIGENT CARE; TO PROVIDE THAT A REASONABLE AMOUNT OF INDIGENT CARE IS AN AMOUNT THAT IS COMPARABLE TO THE AMOUNT OF SUCH CARE OFFERED BY OTHER PROVIDERS

OF THE REQUESTED SERVICE WITHIN THE SAME, OR PROXIMATE, GEOGRAPHIC AREA; TO AMEND SECTIONS 41-77-1, 41-77-5, 41-77-21, 41-77-23 AND 41-77-25, MISSISSIPPI CODE OF 1972, TO DELETE ALL REFERENCES TO THE CERTIFICATE OF NEED LAW IN THE LICENSURE LAWS FOR BIRTHING CENTERS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 848 was adopted.

YEAS AND NAYS On H. B. No. 848. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Nays--Chism. Total--1.
Absent and those not voting----None.
Voting Present--Hill. Total--1.

Senator Bryan called up the following entitled bill:

H. B. No. 1640: Mental Health; revise procedures for screening, evaluation and commitments for those with issues of.

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-21-67, Mississippi Code of 1972, is amended as follows:

41-21-67. (1) (a) Prior to filing an affidavit for commitment of an individual, the relative or interested person shall be directed to the community mental health center in the county of financial responsibility or the county where the proposed patient is present for conduct of preliminary investigation to determine the need to file an affidavit for involuntary commitment. If the community mental health center is unavailable, any reputable licensed physician, psychologist, nurse practitioner or physician assistant, as allowed in the discretion of the court, may conduct the pre-affidavit screening and examination as set forth in Section 41-21-69. The pre-affidavit screening shall be completed within twenty-four (24) hours of the community mental health center being notified or before noon of the next day that the chancery clerk's office is in fact open, whichever is later. The community mental health center shall appoint a screener to conduct an investigation. The prospective petitioner may not be the pre-affidavit screener. The investigation must include:

(i) An interview with the proposed patient and other individuals who appear to have knowledge of the condition of the proposed patient, if practicable. In-person interviews with the proposed patient are preferred. If the proposed patient is not interviewed, specific reasons must be documented;

(ii) Identification and investigation of specific alleged conduct that is the basis for application;

(iii) Identification, exploration, and listing of the specific reasons for rejecting or recommending alternatives to involuntary commitment; and

(iv) In the case of a commitment based on mental illness, information relevant to treatment.

(b) In conducting the investigation required by this subsection, the screener shall have access to all relevant medical records of proposed patients currently in treatment facilities, state-operated treatment programs, or community-based treatment programs. Data collected pursuant to this clause shall be considered private data on individuals. The pre-affidavit screening report is not admissible as evidence in court except by agreement of counsel or as permitted by the rules of court and is not admissible in any court proceedings unrelated to the commitment proceedings.

(c) The notice must inform the proposed patient that if an affidavit for involuntary commitment is filed, the patient has certain rights, including the right to a court-appointed attorney, the right to attend hearings, and the right to oppose the proceeding and to present and contest evidence.

(d) When the pre-affidavit screener recommends commitment, a written report shall be sent to the chancery clerk for the county in which the petition is to be filed. The statement of facts contained in the written report must meet the requirements of Section 41-21-65(5), specifically certifying that a less restrictive alternative treatment was considered and specifying why treatment less restrictive than involuntary commitment is not appropriate.

(e) The pre-affidavit screener shall refuse to support the filing of an affidavit if the investigation does not disclose evidence sufficient to support commitment. Notice of the pre-affidavit screener's decision shall be provided to the court.

(f) If the interested person wishes to proceed with a petition contrary to the recommendation of the pre-affidavit screener, application may be made directly to the chancellor, who shall determine whether or not to proceed with the petition. Notice of the chancellor's determination shall be provided to the interested party.

(* * *2) * * * After a pre-affidavit screener has attempted to complete an in-person screening, if a person is actively violent or refuses to participate in the pre-affidavit screening and the screening cannot be completed, then upon recommendation of the community mental health center, the affidavit may be filed and a writ issued for a sheriff to intervene. After completing the pre-affidavit screening required by subsection (1) of this section, receiving the written report from the pre-affidavit screener, and upon filing of an affidavit of commitment, the clerk, upon direction of the chancellor of the court, shall issue a writ directed to the sheriff of the proper county to take into custody the person alleged to be in need of treatment and to take the person for pre-evaluation screening and treatment by the appropriate community mental health center established under Section 41-19-31. The community mental health center will be designated as the first point of entry for * * * pre-affidavit screening and treatment. * * * The * * * writ may provide where the person shall be held before being taken for * * * examination and treatment, which shall include any licensed medical facility or crisis stabilization unit. * * * Reapplication may be made to the chancellor. If a pauper's affidavit is filed by an affiant who is a guardian or conservator of a person in need of treatment, the court shall determine if either the affiant or the person in need of treatment is a pauper and if * * * the affiant or the person in need of treatment is determined to be a pauper, the county of the residence of the respondent shall bear the costs of commitment, unless funds for those purposes are made available by the state.

In any county in which a Crisis Intervention Team has been established under the provisions of Sections 41-21-131 through 41-21-143, the clerk, upon the direction of the

chancellor, may require that the person be referred to the Crisis Intervention Team for appropriate psychiatric or other medical services before the issuance of the writ.

(* * *3) Upon * * * receiving the pre-affidavit screening and filing of an affidavit of commitment, the chancellor shall immediately appoint and summon two (2) reputable, licensed physicians or one (1) reputable, licensed physician and either one (1) psychologist, nurse practitioner or physician assistant to conduct a physical and mental examination of the person at a place to be designated by the clerk or chancellor and to report their findings to the clerk or chancellor. However, if the pre-affidavit screening recommends against commitment, the chancellor may refuse to appoint two (2) physicians to conduct a physical and mental examination. However, any nurse practitioner or physician assistant conducting the examination shall be independent from, and not under the supervision of, the other physician conducting the examination. A nurse practitioner or psychiatric nurse practitioner conducting an examination under this chapter must be functioning within a collaborative or consultative relationship with a physician as required under Section 73-15-20(3). In all counties in which there is a county health officer, the county health officer, if available, may be one (1) of the physicians so appointed. If a licensed physician is not available to conduct the physical and mental examination within forty-eight (48) hours of the * * * pre-affidavit screening, the court, in its discretion and upon good cause shown, may permit the examination to be conducted by the following: (a) two (2) nurse practitioners, one (1) of whom must be a psychiatric nurse practitioner; or (b) one (1) psychiatric nurse practitioner and one (1) psychologist or physician assistant. Neither of the physicians nor the psychologist, nurse practitioner or physician assistant selected shall be related to that person in any way, nor have any direct or indirect interest in the estate of that person nor shall any full-time staff of residential treatment facilities operated directly by the State Department of Mental Health serve as examiner.

(* * *4) The clerk shall ascertain whether the respondent is represented by an attorney, and if it is determined that the respondent does not have an attorney, the clerk shall immediately notify the chancellor of that fact. If the chancellor determines that the respondent for any reason does not have the services of an attorney, the chancellor shall immediately appoint an attorney for the respondent at the time the examiners are appointed.

(* * *5) (a) If the chancellor determines that there is probable cause to believe that the respondent * * * has a mental illness and that there is no reasonable alternative to detention, the chancellor may order that the respondent be retained as an emergency patient at any licensed medical facility, crisis stabilization unit, or any other available suitable location for evaluation by a physician, nurse practitioner or physician assistant and that a peace officer transport the respondent to the specified facility, unit or location. If the community mental health center serving the county has partnered with Crisis Intervention Teams under the provisions of Sections 41-21-131 through 41-21-143, the order may specify that the licensed medical facility be a designated single point of entry within the county or within an adjacent county served by the community mental health center. If the person evaluating the respondent finds that the respondent * * * has a mental illness and in need of treatment, the chancellor may order that the respondent be retained at the licensed medical facility, crisis stabilization unit, or any other available suitable location as the court may so designate pending an admission hearing. If necessary, the chancellor may order a peace officer or other person to transport the respondent to that facility, or unit or suitable location. Any respondent so retained may be given such treatment as is indicated by standard medical practice. However, the respondent shall not be held in a hospital operated directly by the State Department of Mental Health * * *.

(b) A jail or other detention center may not be used for custody unless the community mental health center has explored and exhausted the availability of other appropriate facilities, such as the crisis stabilization unit, the local hospital and any Department of Mental Health certified location; the chancellor specifically authorizes it;

and the respondent is actively violent. The county of residence of any such person shall pay the cost of such interim treatment. The community mental health center shall provide documentation of the person's violent behavior and that no other appropriate facilities are available to the chancellor. Under these circumstances, no person may remain in a jail for longer than twenty-four (24) hours unless the community mental health center requests an additional twenty-four (24) hours from the chancellor. The community mental health center shall provide treatment during this timeframe pending placement at an appropriate facility. No peace officer or any other person shall place criminal charges against a person who has a mental illness and is in need of treatment pursuant to this chapter solely or primarily because the person has a mental illness or because of the unavailability of a state hospital bed.

For the purposes of this subsection (5), "actively violent" means that the behavior presents an immediate and serious danger to the safety of the individual or another, the individual has inflicted or attempted to inflict serious bodily harm on another, or has acted in such a way as to create a substantial risk of serious bodily harm to another, or has engaged in extreme destruction of property; and that there is a reasonable probability that this conduct will be repeated.

The provisions of this paragraph (b) shall not be construed to include jails that are designated as holding facilities under the requirement provided by Section 41-21-77.

(* * *6) (a) Whenever a licensed psychologist, nurse practitioner or physician assistant who is certified to complete examinations for the purpose of commitment or a licensed physician has reason to believe that a person poses an immediate substantial likelihood of physical harm to himself or others or is gravely disabled and unable to care for himself by virtue of mental illness, as defined in Section 41-21-61(e), then the physician, psychologist, nurse practitioner or physician assistant may hold the person or may admit the person to and treat the person in a licensed medical facility, without a civil order or warrant for a period not to exceed seventy-two (72) hours. However, if the seventy-two-hour period begins or ends when the chancery clerk's office is closed, or within three (3) hours of closing, and the chancery clerk's office will be continuously closed for a time that exceeds seventy-two (72) hours, then the seventy-two-hour period is extended until the end of the next business day that the chancery clerk's office is open. The person may be held and treated as an emergency patient at any licensed medical facility, available regional mental health facility, or crisis * * * stabilization unit. The physician or psychologist, nurse practitioner or physician assistant who holds the person shall certify in writing the reasons for the need for holding.

If a person is being held and treated in a licensed medical facility, and that person decides to continue treatment by voluntarily signing consent for admission and treatment, the seventy-two-hour hold may be discontinued without filing an affidavit for commitment. Any respondent so held may be given such treatment as indicated by standard medical practice. Persons acting in good faith in connection with the detention and reporting of a person believed to * * * have a mental illness shall incur no liability, civil or criminal, for those acts.

(b) Whenever an individual is held for purposes of receiving treatment as prescribed under paragraph (a) of this subsection, and it is communicated to the mental health professional holding the individual that the individual resides or has visitation rights with a minor child, and if the individual is considered to be a danger to the minor child, the mental health professional shall notify the Department of Child Protection Services prior to discharge if the threat of harm continues to exist, as is required under Section 43-21-353.

This paragraph (b) shall be known and may be cited as the "Andrew Lloyd Law."

SECTION 2. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 41-21-67, MISSISSIPPI CODE OF 1972, TO REQUIRE COMMUNITY MENTAL HEALTH CENTERS TO CONDUCT A PRELIMINARY INVESTIGATION BEFORE AN AFFIDAVIT FOR COMMITMENT IS FILED; TO PROHIBIT A JAIL OR OTHER DETENTION CENTER FROM BEING USED FOR CUSTODY UNLESS THE COMMUNITY MENTAL HEALTH CENTER HAS EXPLORED AND EXHAUSTED THE AVAILABILITY OF OTHER APPROPRIATE FACILITIES, SUCH AS THE CRISIS STABILIZATION UNIT, THE LOCAL HOSPITAL AND ANY DEPARTMENT OF MENTAL HEALTH CERTIFIED LOCATION UNLESS THE CHANCELLOR SPECIFICALLY AUTHORIZES IT AND THE RESPONDENT IS ACTIVELY VIOLENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1640 was adopted.

YEAS AND NAYS On H. B. No. 1640. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Williams entered a motion to reconsider the vote whereby **H. B. No. 1664** passed the Senate.

H. B. No. 1664: Acceptance or offer of gifts; revise provisions relating to.

Senator Suber called up the following entitled bill:

H. B. No. 1207: Alcorn University Extension Annex; rename the "Dr. Jesse Harness, Sr., Extension and Research Center".

Senator Butler offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Subject to approval by the Institutions of Higher Learning, the Alcorn State University Extension and Research Complex, located at 1000 ASU Drive 479 in Lorman, Jefferson County, Mississippi, shall be named the "Dr. Jesse Harness, Sr., Extension and Research Center." The Department of Finance and Administration shall prepare or have prepared a distinctive plaque, to be placed in a prominent place within the building, that states the background, accomplishments and service of Dr. Jesse Harness, Sr., to Alcorn State University and to the State of Mississippi. The Department of Finance and Administration in conjunction with the Alcorn State University shall erect

or cause to be erected proper lettering or signage on the outdoor facade of the building displaying the official name of the building as the "Dr. Jesse Harness, Sr., Extension and Research Center." SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO NAME THE ALCORN STATE UNIVERSITY EXTENSION AND RESEARCH COMPLEX, LOCATED IN LORMAN, JEFFERSON COUNTY, MISSISSIPPI, THE "DR. JESSE HARNESS, SR., EXTENSION AND RESEARCH CENTER"; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION IN CONJUNCTION WITH THE DEPARTMENT OF PUBLIC SAFETY TO ERECT THE PROPER LETTERING OR SIGNAGE ON THE OUTDOOR FACADE OF THE BUILDING DISPLAYING THE OFFICIAL NAME AS THE "DR. JESSE HARNESS, SR., EXTENSION AND RESEARCH CENTER"; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1207 was adopted.

YEAS AND NAYS On H. B. No. 1207. On motion of Senator Butler, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting----None.
Voting Present--Chism. Total--1.

Senator DeBar called up the following entitled nomination:

S. N. No. 40: Dr. Richard Lancing (Lance) Evans, New Albany, Mississippi, State Superintendent of Public Education, term beginning July 1, 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 40 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting----None.
Voting Present--Hill. Total--1.

Senator Hopson moved that the rules be suspended to move to calendar item 24, **S. B. No. 2825**, and the motion prevailed.

Senator Hopson called up the following House Amendment to **S. B. No. 2825** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 7 of Chapter 15, Laws of 2023, appropriation to the Board of Psychology, is amended as follows:

Section 7. Of the funds appropriated in Section 1, * * * Twenty-six Thousand Dollars ($26,000.00) is provided for the administrative support of the Mississippi Autism Board as prescribed by Section 73-75-11, Mississippi Code of 1972.

SECTION 2. Section 4 of Chapter 34, Laws of 2023, appropriation to the Office of State Aid Road Construction, is amended as follows:

Section 4. Of the funds appropriated in Section 1, it is the intention of the Legislature that an amount not to exceed * * * Thirty-four Million Dollars ($34,000,000.00) is authorized to be expended for the purpose of replacement of structurally deficient bridges on the Local System Bridge Program (LSBP).

SECTION 3. Section 41 of Chapter 98, Laws of 2023, appropriation to the Board of Trustees of State Institutions of Higher Learning, is amended as follows:

Section 41. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated, to the Institutions of Higher Learning for the purpose of reauthorizing the expenditure of Education Enhancement Funds to defray the expenses of the Institutions of Higher Learning, as authorized in Senate Bill No. 3002, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... $ 53,478,000.00.

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

(a) Delta State University – Commercial Aviation Department to defray expenses related to the purchase of flight simulators, training equipment, and other capital improvements .....
$ 2,478,000.00.

(b) University of Mississippi to defray expenses related to the operations of the Haley Barbour Center for the Study of American Politics ..... $ 1,000,000.00.

(c) University of Mississippi to defray expenses related to the Healthcare Innovation Tech Hub Infrastructure, Biomedical Innovation, Nano-Bio Immuno Engineering Consortium (NIEC), Data Science and Artificial Intelligence ..... $ 15,000,000.00.

(d) University of Mississippi to defray expenses related to the UM Early Learning and Evaluation Center ..... $ 10,000,000.00.

(e) Mississippi State University to defray the expenses related to the construction, furnishing, and equipping of the Kinesiology & Autism Building, High-Performance Computing Center and/or Ballew Hall..... $ 12,000,000.00.

(f) Mississippi University for Women to defray expenses related to the expansion of the nursing program.....
$ 2,500,000.00.

(g) Alcorn State University to defray the expenses related to the * * * repair, renovation, expansion, construction, furnishing and equipping of the Davey L. Whitney Complex and Wellness Center ..... $ 3,000,000.00.

(h) Jackson State University to defray the expenses related to the repair, renovation, and/or construction of a residence hall
$ 5,000,000.00.

(i) Alcorn State University for STEM related programs as determined by the university.....$ 1,500,000.00.

(j) IHL research institutions for the purpose of technology transfer and entrepreneurial programs, which may be connected to the Department of Defense and related federal research in Mississippi.....$ 1,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 4. Section 1 of Chapter 53, Laws of 2023, appropriation to the Mississippi Department of Insurance, is amended as follows:

Section 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Insurance for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....

$ * * *13,169,614.00.

SECTION 5. Section 2 of Chapter 53, Laws of 2023, appropriation to the Mississippi Department of Insurance, is amended as follows:

Section 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Mississippi Department of Insurance which is comprised of special source funds collected by or otherwise available to the department, for the support of the various offices of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024

$ * * *3,335,000.00.

SECTION 6. Section 18 of Chapter 53, Laws of 2023, appropriation to the Mississippi Department of Insurance, is amended as follows:

Section 18. Of the funds appropriated in Section * * *2 of this act, Three Million Dollars ($3,000,000.00) is provided to the department for the purpose of funding the Mississippi Length of Service Award Program, which was created in * * * Section 45-11-271, Mississippi Code of 1972.

SECTION 7. Section 40 of Chapter 91, Laws of 2023, appropriation to the State Department of Health, is amended as follows:

Section 40. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Department of Health for the purpose of providing funds to the Sharkey-Issaquena hospital and nursing home impacted by the severe weather storm on March 24, 2023, and March 25, 2023, for the payment of unreimbursed expenses incurred from March 24, 2023, through June 30, 2024, due to the emergency work for the period beginning upon the passage of this act and ending June 30, 2024.....

$ 1,500,000.00.

SECTION 8. Section 1 of Chapter 108, Laws of 2023, appropriation to the State Department of Education, is amended as follows:

Section 1. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of funding K-12 and other related educational activities, including certain agencies and programs, in the State of Mississippi, for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, and excluding the expenses of the Vocational and Technical Education Division.....$ * * *444,599,190.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education.....

$ 86,487,002.00.

(c) To the State Board of Education for the purpose of paying annual compensation to the Chickasaw Cession counties for sixteenth section lands which they

lost through sale by the state, as provided in Sections 29-3-137 through 29-3-141, Mississippi Code of 1972.....$ 16,945,631.00.

(d) To the State Board of Education for defraying the expenses of the Mississippi Adequate Education Program.....

$ 2,154,825,748.00.

TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED BY THIS SECTION BEING.....$ * * *2,702,857,571.00.

SECTION 9. Section 2 of Chapter 108, Laws of 2023, appropriation to the State Department of Education, is amended as follows:

Section 2. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in any special fund in the State Treasury to the credit of the proper fund or funds of the agencies or programs specified in the following paragraphs for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division.....$ * * *2,012,230,643.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education.....

$ 22,706,135.00.

(c) To the State Board of Education for the purpose of defraying the expenses of the Mississippi Adequate Education Program.....$ 245,112,197.00.

TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED BY THIS SECTION BEING.....$ * * *2,280,048,975.00.

SECTION 10. Section 45 of Chapter 108, Laws of 2023, appropriation to the State Department of Education, is amended as follows:

Section 45. * * * In addition to all other sums herein appropriated, One Million Four Hundred Thousand Dollars ($1,400,000.00) shall be provided to the Charter School Authorizer Board. Of this amount, Nine Hundred Thousand Dollars ($900,000.00) shall be provided from * * * any money in the State General Fund not otherwise appropriated and Five Hundred Thousand Dollars ($500,000.00) shall be provided from * * * any funds in the State Treasury to the credit of the Charter School Authorizer Board * * *.

SECTION 11. Section 27-103-204.1, Mississippi Code of 1972, is amended as follows:

27-103-204.1. Through the end of fiscal year 2028, the State Treasurer may borrow funds from the Working Cash-Stabilization Reserve Fund created in Section 27-103-203 to offset any temporary cash flow deficiencies in the GF Obligations Fund (Fund No. 22951000000). The amount borrowed from the Working Cash-Stabilization Reserve Fund under this section shall not exceed Two Hundred Fifty Million Dollars ($250,000,000.00) during any month. The State Treasurer may escalate his or her budget and expend the amount of any funds borrowed from the Working Cash-Stabilization Reserve Fund under this section in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. The State Treasurer shall reimburse the Working Cash-Stabilization Reserve Fund from the GF Obligations Fund for all sums borrowed for such temporary cash flow deficiency purposes within twenty (20) working days after the funds were borrowed. The State Treasurer shall immediately notify the Legislative Budget Office and the State Department of Finance and Administration of each transfer into and out of such funds.

SECTION 12. Section 37-21-51, Mississippi Code of 1972, is amended as follows:

37-21-51. (1) As used in this section:

(a) "Preschool or prekindergarten children" means any children who have not entered kindergarten but will have obtained four (4) years of age on or before September 1 of a school year.

(b) An "early learning collaborative" is a district or countywide council that writes and submits an application to participate in the voluntary prekindergarten

program. An early learning collaborative is comprised, at a minimum, of a public school district and/or a local Head Start affiliate if in existence, private or parochial schools, or one or more licensed child care centers. Agencies or other organizations that work with young children and their families may also participate in the collaborative to provide resources and coordination even if those agencies or organizations are not prekindergarten providers.

(c) A "prekindergarten provider" is a public, private or parochial school, licensed child care center or Head Start center that serves prekindergarten children and participates in the voluntary prekindergarten program.

(d) A "lead partner" is a public school district or other nonprofit entity with the instructional expertise and operational capacity to manage the early learning collaborative's prekindergarten program as described in the collaborative's approved application for funds. The lead partner serves as the fiscal agent for the collaborative and shall disburse awarded funds in accordance with the collaborative's approved application. The lead partner must facilitate a professional learning community for the teachers in the prekindergarten program and lead the collaborative. The lead partner ensures that the collaborative adopts and implements curriculum and assessments that align with the comprehensive early learning standards. The public school district shall be the lead partner if no other qualifying lead partner is selected.

(e) "Comprehensive early learning standards" are standards adopted by the State Board of Education that address the highest level of fundamental domains of early learning to include, but not be limited to, physical well-being and motor development, social/emotional development, approaches toward learning, language development and cognition and general knowledge. The comprehensive early learning standards shall also include standards for emergent literacy skills, including oral communication, knowledge of print and letters, phonological and phonemic awareness, and vocabulary and comprehension development.

(f) An "evidence-based curriculum" is an age-appropriate curriculum that demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on:

(i) Strong evidence from at least one (1) well-designed and well-implemented experimental study;

(ii) Moderate evidence from at least one (1) well-designed and well-implemented quasi-experimental study; or

(iii) Promising evidence from at least one (1) well-designed and well-implemented correlational study with statistical controls for selection bias.

(2) To ensure that all children have access to quality early childhood education and development services, the Legislature finds and declares the following:

(a) Parents have the primary duty to educate their young preschool children;

(b) The State of Mississippi can assist and educate parents in their role as the primary caregivers and educators of young preschool children;

(c) There is a need to explore innovative approaches and strategies for aiding parents and families in the education and development of young preschool children; and

(d) There exists a patchwork of prekindergarten entities but no coordination of services and there needs to be a coordination of these services.

(3) (a) This subsection shall be known and may be cited as the "Early Learning Collaborative Act of 2013."

(b) Effective with the 2013-2014 school year, the Mississippi State Department of Education shall establish a voluntary prekindergarten program, which shall be a collaboration among the entities providing prekindergarten programs including Head Start, licensed child care facilities and licensed public, parochial and private school prekindergarten programs. This program shall be implemented no later than the 2014-2015 school year. Enrollment in the prekindergarten program shall be coordinated with the Head Start agencies in the local areas and shall not be permitted to cause a reduction in children served by the Head Start program. Under this program, eligible entities may submit an application for funds to (i) defray the cost of additional and/or more qualified teaching staff, appropriate educational materials and equipment and to

improve the quality of educational experiences offered to four-year-old children in early care and education programs, and/or to (ii) extend developmentally appropriate education services at such programs currently serving four-year-old children to include practices of high quality instruction, and to (iii) administer, implement, monitor and evaluate the programs, and to (iv) defray the cost of professional development and age-appropriate child assessment.

(c) Subject to the availability of funds appropriated therefor, the State Department of Education shall administer the implementation, monitoring and evaluation of the voluntary prekindergarten program, including awards and the application process.

(i) The department shall establish a rigorous and transparent application process for the awarding of funds. Lead partners shall submit the applications on behalf of their early learning collaborative.

(ii) The department will establish monitoring policies and procedures that, at a minimum, will include at least one (1) site visit a year.

(iii) The department will provide technical assistance to collaboratives and their providers to improve the quality of prekindergarten programs. Technical assistance may include classroom-embedded support for teachers and assistant teachers.

(iv) The department will evaluate the effectiveness of each early childhood collaborative and each prekindergarten provider. If the State Department of Education adopts a statewide kindergarten screening that assesses the readiness of each student for kindergarten, the State Department of Education shall adopt a minimum rate of readiness that each prekindergarten provider must meet in order to remain eligible for prekindergarten program funds. Each parent who enrolls his or her child in the prekindergarten program must submit the child for the statewide kindergarten screening, regardless of whether the child is admitted to kindergarten in a public school.

(d) Prekindergarten program funds shall be awarded to early childhood collaboratives whose proposed programs meet the program criteria. The criteria shall include:

(i) Voluntary enrollment of children;

(ii) Collaboration among prekindergarten providers and other early childhood programs through the establishment of an early learning collaborative;

(iii) Qualifications of master teachers, teachers and assistants, which must conform to guidelines in Section 37-21-3;

(iv) At least fifteen (15) hours of annual professional development for program instructional staff, including professional development in early literacy, and individualized professional development plans for all teachers and teaching assistants supplemented by classroom-embedded support on an as-needed basis;

(v) The use of state-adopted comprehensive early learning standards;

(vi) The use of a curriculum based on strong evidence as defined in subsection (1)(f)(i) of this section and aligned with the comprehensive early learning standards;

(vii) The use of a curriculum based on moderate evidence as defined in subsection (1)(f)(ii) of this section and aligned with the comprehensive early learning standards if no strong-evidence curriculum is available;

(viii) The use of a curriculum based on promising evidence as defined in subsection (1)(f)(iii) of this section and aligned with the comprehensive early learning standards if no strong-evidence curriculum or moderate-evidence curriculum is available;

(ix) The use of age-appropriate assessments aligned to the comprehensive early learning standards;

(x) Teacher/child ratios of one (1) adult for every ten (10) children with a maximum of twenty (20) children per classroom and a minimum of five (5) children per classroom;

(xi) The provision of at least one (1) meal meeting state and federal nutrition guidelines for young children;

(xii) Plans to screen and/or refer children for vision, hearing and other health issues;

(xiii) Family engagement opportunities;

(xiv) Plans to serve children with disabilities as indicated under IDEA;

(xv) The number of instructional hours to be provided, which shall equal no less than five hundred forty (540) instructional hours per school year for half-day programs and one thousand eighty (1,080) instructional hours per school year for full-day programs; and

(xvi) A budget detailing the use of funds for allowed expenses.

Participating child care centers shall: (a) meet state child care facility licensure requirements unless exempted under Section 43-20-5, Mississippi Code of 1972, and (b) select and utilize a nationally recognized assessment tool, approved by the State Department of Education, designed to document classroom quality, which must be in place not later than July 1, 2016, as certified by the State Department of Education.

Within the prekindergarten program, a prekindergarten provider must comply with the antidiscrimination requirements applicable to public schools. A prekindergarten provider may not discriminate against a parent or child, including the refusal to admit a child for enrollment in the prekindergarten program, in violation of these antidiscrimination requirements. However, a prekindergarten provider may refuse to admit a child based on the provider's standard eligibility guidelines, provided that these guidelines do not violate the antidiscrimination requirements. Consistent with the Legislature's recognition of the primacy of a parent's role in the education of a preschool-age child and the related recognition of the state in assisting and educating parents in that role, if the State Department of Education adopts a statewide kindergarten screening that assesses the readiness of each student for kindergarten, the State Department of Education shall recognize each child's unique pattern of development when adopting a minimum rate of readiness that prekindergarten providers must meet in order to remain eligible for prekindergarten program funds. Each parent who enrolls his or her child in the prekindergarten program may submit the child for the statewide kindergarten screening, regardless of whether the child is admitted to kindergarten in a public school.

The State Department of Education may add program criteria not inconsistent with these requirements and shall develop policies and procedures to implement and enforce these criteria.

(e) The State Department of Education shall ensure that early learning collaboratives provide each parent enrolling a child in the voluntary prekindergarten program with a profile of every prekindergarten provider participating in the collaborative's geographic catchment area. The State Department of Education shall prescribe the information to be included in each profile as well as the format of the profiles. At a minimum, the profiles must include the prekindergarten provider's services, curriculum, instructor credentials and instructor-to-student ratio.

(f) A teacher, assistant teacher or other employee whose salary and fringe benefits are paid from state funds under this act shall only be classified as a state or local school district employee eligible for state health insurance benefits or membership in the Public Employees' Retirement System, if the person's employer is already an agency or instrumentality of the state, such as a school district, and the employee would be eligible for such benefits in the normal course of business.

(g) Funding shall be provided for this program beginning with the 2014 fiscal year subject to appropriation by the Legislature as provided in paragraph (h) of this subsection. The department shall make an annual report to the Legislature and the Governor regarding program operations and outcomes. Every three (3) years, with the first report due July 1, 2023, the department shall provide to the Legislature and the Governor a rigorous evaluation of program effectiveness using longitudinal data to measure short-term and long-term effects, including both achievement and nonachievement effects. After each three-year report, the PEER Committee shall review the three-year report and the intervening annual reports and submit an independent summary of its findings prior to the next legislative session.

(h) (i) The Legislature shall appropriate funds to implement the Early Education Collaborative Act of 2013 on a phased-in basis as follows:

1. The first phase shall be based on an annual state appropriation of not more than Eight Million Dollars ($8,000,000.00) and shall serve approximately three thousand five hundred (3,500) children through five (5) to eight (8) early learning collaboratives and their prekindergarten providers;

2. The second phase shall be based on an annual state appropriation of not more than Sixteen Million Dollars ($16,000,000.00) and shall serve approximately seven thousand (7,000) children through ten (10) to fifteen (15) early learning collaboratives and their prekindergarten providers;

3. The third phase shall be based on an annual state appropriation of not more than Thirty-three Million Nine Hundred Fifty Thousand Dollars ($33,950,000.00) and shall serve approximately fifteen thousand (15,000) children through twenty (20) to twenty-five (25) early learning collaboratives and their prekindergarten providers.

(ii) Future phases shall be based on interest in the program and the effectiveness of the program as determined by the school readiness of participants. Each phase shall last for at least three (3) years but no more than five (5) years. The State Department of Education shall determine when to move to a new phase of the program, within the timeline provided herein.

(iii) Funding shall be provided to early learning collaboratives on the basis of a minimum of Two Thousand Five Hundred Dollars ($2,500.00) per student in a full-day program per student in a full-day program and a minimum of One Thousand Two Hundred Fifty Dollars ($1,250.00) per student in a half-day program proposed in the collaborative's approved application. Once an early learning collaborative's plan is approved and funded, the collaborative and/or its prekindergarten providers shall receive funds on an ongoing basis unless the collaborative and/or its prekindergarten providers no longer meet the criteria to participate in the program.

(iv) Early learning collaboratives shall match state funds on a 1:1 basis. Local matching funds may include local tax dollars, federal dollars as allowed, parent tuition, philanthropic contributions, or in-kind donations of facilities, equipment and services required as part of the program such as food service or health screenings.

(v) The State Department of Education shall reserve no more than five percent (5%) of the appropriation in any year for administrative costs. * * *

(vi) In the initial phase of implementation, the State Department of Education shall award state funds under the Early Learning Collaborative Act of 2013 based on a community's capacity, commitment and need. To determine capacity, commitment and need, the State Department of Education shall require evidence of existing strong local collaborations of early education stakeholders. Such evidence shall include, but not be limited to, collaborations resulting from any of the following:

1. Participation in Excel By 5;

2. Participation in Supporting Partnerships to Assure Ready Kids (SPARK);

3. Participation in the Gilmore Early Learning Initiative (GELI); or

4. Participation in the Mississippi Building Blocks.

In determining community need, the department shall consider low academic achievement within the public school districts participating in an applicant early learning collaborative and the number and percentage of children without quality prekindergarten options.

(vii) All authority granted to the State Department of Education to establish program rules is subject to the public processes established in the provisions of the Mississippi Administrative Procedures Law, including, but not limited to, filing notice of the proposed rules, public hearings and any economic impact statement with the Office of the Secretary of State before presenting such information to the State Board of Education for final approval.

SECTION 13. Section 37-61-33, Mississippi Code of 1972, is amended as follows:

37-61-33. (1) There is created within the State Treasury a special fund to be designated the "Education Enhancement Fund" into which shall be deposited all the revenues collected pursuant to Sections 27-65-75(7) and (8) and 27-67-31(a) and (b).

(2) Of the amount deposited into the Education Enhancement Fund, Sixteen Million Dollars ($16,000,000.00) shall be appropriated each fiscal year to the State Department of Education to be distributed to all school districts. Such money shall be distributed to all school districts in the proportion that the average daily attendance of each school district bears to the average daily attendance of all school districts within the state for the following purposes:

(a) Purchasing, erecting, repairing, equipping, remodeling and enlarging school buildings and related facilities, including gymnasiums, auditoriums, lunchrooms, vocational training buildings, libraries, teachers' homes, school barns, transportation vehicles (which shall include new and used transportation vehicles) and garages for transportation vehicles, and purchasing land therefor;

(b) Establishing and equipping school athletic fields and necessary facilities connected therewith, and purchasing land therefor;

(c) Providing necessary water, light, heating, air-conditioning and sewerage facilities for school buildings, and purchasing land therefor;

(d) As a pledge to pay all or a portion of the debt service on debt issued by the school district under Sections 37-59-1 through 37-59-45, 37-59-101 through 37-59-115, 37-7-351 through 37-7-359, 37-41-89 through 37-41-99, 37-7-301, 37-7-302 and 37-41-81, or debt issued by boards of supervisors for agricultural high schools pursuant to Section 37-27-65, if such pledge is accomplished pursuant to a written contract or resolution approved and spread upon the minutes of an official meeting of the district's school board or board of supervisors. The annual grant to such district in any subsequent year during the term of the resolution or contract shall not be reduced below an amount equal to the district's grant amount for the year in which the contract or resolution was adopted. The intent of this provision is to allow school districts to irrevocably pledge a certain, constant stream of revenue as security for long-term obligations issued under the code sections enumerated in this paragraph or as otherwise allowed by law. It is the intent of the Legislature that the provisions of this paragraph shall be cumulative and supplemental to any existing funding programs or other authority conferred upon school districts or school boards. Debt of a district secured by a pledge of sales tax revenue pursuant to this paragraph shall not be subject to any debt limitation contained in the foregoing enumerated code sections.

(3) The remainder of the money deposited into the Education Enhancement Fund shall be appropriated as follows:

(a) To the State Department of Education as follows:

(i) Sixteen and sixty-one one-hundredths percent (16.61%) to the cost of the adequate education program determined under Section 37-151-7; of the funds generated by the percentage set forth in this section for the support of the adequate education program, one and one hundred seventy-eight one-thousandths percent (1.178%) of the funds shall be appropriated to be used by the State Department of Education for the purchase of textbooks to be loaned under Sections 37-43-1 through 37-43-59 to approved nonpublic schools, as described in Section 37-43-1. The funds to be distributed to each nonpublic school shall be in the proportion that the average daily attendance of each nonpublic school bears to the total average daily attendance of all nonpublic schools;

(ii) Seven and ninety-seven one-hundredths percent (7.97%) to assist the funding of transportation operations and maintenance pursuant to Section 37-19-23; and

(iii) Nine and sixty-one one-hundredths percent (9.61%) for including computers and computer software, to be distributed to all eligible teachers within the state through the use of procurement cards or a digital solution capable of tracking, paying and reporting purchases. Classroom supply funds shall not be expended for administrative purposes. On a date to be determined by the State Department of Education, but not later than July 1 of each year, local school districts shall determine and submit to the State Department of Education the number of teachers eligible to receive an allocation for the current year. For purposes of this

subparagraph, "teacher" means any employee of the school board of a school district, or the Mississippi School for the Arts, the Mississippi School for Math and Science, the Mississippi School for the Blind, the Mississippi School for the Deaf or public charter school, who is required by law to obtain a teacher's license from the State Department of Education and who is assigned to an instructional area of work as defined by the department, and shall include any full- or part-time gifted or special education teacher. It is the intent of the Legislature that all classroom teachers shall utilize these funds in a manner that addresses individual classroom needs and supports the overall goals of the school regarding supplies, instructional materials, equipment, computers or computer software under the provisions of this subparagraph, including the type, quantity and quality of such supplies, materials and equipment. Classroom supply funds allocated under this subparagraph shall supplement, not replace, other local and state funds available for the same purposes. The State Board of Education shall develop and promulgate rules and regulations for the administration of this subparagraph consistent with the above criteria, with particular emphasis on allowing the individual teachers to expend funds as they deem appropriate. The local school board shall require each school to issue credentials for a digital solution selected by or procurement cards provided by the Department of Finance and Administration under the provisions of Section 31-7-9(1)(c) for the use of teachers and necessary support personnel in making instructional supply fund expenditures under this section, consistent with the regulations of the Mississippi Department of Finance and Administration pursuant to Section 31-7-9. Such credentials or procurement cards shall be provided by the State Department of Education to local school districts on a date determined by the State Department of Education, but not later than August 1 of each year. Local school districts shall issue such credentials or procurement cards to classroom teachers at the beginning of the school year, but no later than August 1 of each year, and shall be issued in equal amounts per teacher determined by the total number of qualifying personnel and the current state appropriation for classroom supplies with the Education Enhancement Fund. After initial cards are issued under the timeline prescribed by this section, the State Department of Education may issue cards to districts for any classroom teacher hired after July 1 under a timeline prescribed by the State Department of Education. Such credentials or cards will expire on a predetermined date at the end of each school year, but not before April 1 of each year * * *;

(b) Twenty-two and nine one-hundredths percent (22.09%) to the Board of Trustees of State Institutions of Higher Learning for the purpose of supporting institutions of higher learning; and

(c) Fourteen and forty-one one-hundredths percent (14.41%) to the Mississippi Community College Board for the purpose of providing support to community and junior colleges.

(4) The amount remaining in the Education Enhancement Fund after funds are distributed as provided in subsections (2) and (3) of this section shall be appropriated for other educational needs.

(5) None of the funds appropriated pursuant to subsection (3)(a) of this section shall be used to reduce the state's General Fund appropriation for the categories listed in an amount below the following amounts:

(a) For subsection (3)(a)(ii) of this section, Thirty-six Million Seven Hundred Thousand Dollars ($36,700,000.00);

(b) For the aggregate of minimum program allotments in the 1997 fiscal year, formerly provided for in Chapter 19, Title 37, Mississippi Code of 1972, as amended, excluding those funds for transportation as provided for in paragraph (a) of this subsection.

(6) Any funds appropriated from the Education Enhancement Fund that are unexpended at the end of a fiscal year shall lapse into the Education Enhancement Fund * * *.

SECTION 14. Section 49-39-7, Mississippi Code of 1972, is amended as follows:

49-39-7. (1) (a) There is created in the State Treasury a special fund to be designated the "Mississippi Outdoor Stewardship Trust Fund." The special fund shall consist of monies appropriated by the Legislature. Monies shall be accounted for in such a manner to be termed unobligated funds or obligated funds. Unexpended

amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the special fund shall be deposited to the credit of the special fund; however, any unobligated monies in excess of Twenty Million Dollars ($20,000,000.00), excluding federal funds, remaining in the special fund at the end of a fiscal year that have not been appropriated shall lapse into the State General Fund. Monies in the special fund may be used upon selection by the board. The board and the Department of Finance and Administration may use not more than two percent (2%) of monies in the special fund to defray the board's expenses in carrying out its duties under this chapter.

(b) Subject to the provisions of this chapter, monies in the special fund may be used and expended by the board to provide funds for grants to counties, municipalities, state agencies and nongovernmental entities for:

(i) Improvement of state park outdoor recreation features and trails;

(ii) Acquisition and improvement of parks and trails by counties and municipalities, if such parks and trails lie within the jurisdiction of such counties and municipalities;

(iii) Restoration or enhancement projects to create or improve access to public waters and lands for public outdoor recreation, conservation education, or the safe use and enjoyment of permanently protected conservation land;

(iv) Restoration or enhancement on privately owned working agricultural lands and forests that support conservation of soil, water, habitat of fish and wildlife resources;

(v) Restoration or enhancement of wetlands, native forests, native grasslands and other unique habitats important for Mississippi's fish and wildlife; and

(vi) Acquisition of critical areas for the provision or protection of clean water, wildlife, hunting, fishing, military installation buffering or natural resource-based outdoor recreation. Real property may only be acquired under this subparagraph (vi) when the property:

1. Is, at the time of acquisition, being leased by the state as a wildlife management area;

2. Adjoins or is in close proximity to state or federal wildlife management areas or state parks, or would provide better public access to such areas;

3. Is identified in a wildlife action plan developed by a state agency;

4. Constitutes riparian lands, and its acquisition is for the purpose of protecting any drinking water supply; or

5. Surrounds a military base or military installation.

Acquisition of land under this subparagraph (vi) may not be made through the exercise of any power of eminent domain or any condemnation proceeding.

(c) Unless otherwise authorized by the board, a county, municipality, state agency or nongovernmental entity receiving funds for a project under this section must expend the funds for the project within two (2) years after receipt of the funds in order to be eligible to apply for additional funds for the project under this section. If a county, municipality, state agency or nongovernmental entity receiving funds for a project does not expend the funds within two (2) years after receipt of the funds, then the county, municipality, state agency or nongovernmental entity must provide an accounting of such unused funds and the reason for failure to expend the funds. If the board determines that the project will not be completed in a timely manner, the county, municipality, state agency or nongovernmental entity must then return any unexpended funds.

(d) Monies in the special fund may not be used, expended or transferred for any other purpose other than authorized in this chapter.

(e) Any state agency receiving funds from the Mississippi Outdoor Stewardship Trust Fund under this section may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(2) (a) The board shall accept applications from counties, municipalities, state agencies and nongovernmental entities for project proposals eligible for funding under

this section. The board shall evaluate the proposals received in accordance with this chapter.

(b) A county, municipality, state agency or nongovernmental entity desiring assistance under this section must submit a complete application to the board. The application must include a description of the purpose for which assistance is requested, the type and amount of assistance requested and any other information required by the board.

(c) The board shall require annual independent audits of all expenditures from the special fund and present those findings to the Governor, Lieutenant Governor, Speaker of the House, Chairs of the Senate and House Appropriations Committees, Chairs of the Senate Finance and House Ways and Means Committees and Chairs of the Senate and House Wildlife, Fisheries and Parks Committees.

(d) To be eligible for funding, any nongovernmental entity applicant must submit its most recent audit, disclose any audit deficiencies in the previous five (5) years, submit its certificate of good standing from the Mississippi Secretary of State, and submit a current list of its board members for purposes of conflicts of interest.

(e) For funds to be spent on private land, the applicant must show demonstrably that the project will benefit the public.

(f) Projects that acquire property shall not be considered for approval until after July 1, 2024.

(3) The board, at its first meeting of each calendar year, shall prepare a list of priorities and criteria to guide the selection of projects. The board shall give increased priority to projects:

(a) Supporting the public recreation and conservation efforts of state agencies, counties and municipalities;

(b) Leveraging or matching other nonfederal or federal funds available for similar purposes;

(c) Supporting and promoting recreation in the form of archery, boating, hiking, camping, fishing, hunting, running, jogging, biking, walking, shooting or similar outdoor activities;

(d) Contributing to the improvement of the quality and quantity of surface water and groundwater; or

(e) Contributing to the conservation of soil, water, and fish and wildlife resources on privately owned working agricultural lands or forests.

(4) Upon approval of the total list of projects by the board, the list of projects shall be submitted to the Lieutenant Governor, Speaker of the House, Chairs of the Senate and House Appropriations Committees, Chairs of the Senate Finance and House Ways and Means Committees and Chairs of the Senate and House Wildlife, Fisheries and Parks Committees. If federal funds or guidelines become available and are certified by the Executive Director of the Department of Finance and Administration or the Executive Director of the Mississippi Outdoor Stewardship Fund, the board shall be authorized to expend funds from the Mississippi Outdoor Stewardship Trust Fund and shall notify the Lieutenant Governor, Speaker of the House, Chairs of the Senate and House Appropriations Committees, Chairs of the Senate Finance and House Ways and Means Committees, Chairs of the Senate and House Wildlife, Fisheries and Parks Committees, and Legislative Budget Office of such expenditures prior to their distribution to certain projects approved by the board.

SECTION 15. Upon the effective day of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the amounts listed below from and to the following named funds:

(a) Five Million Dollars ($5,000,000.00) from the Capital Expense (Fund No. 6499C00000) to the Forestry Facility Grant Program Fund created by Section 57-1-783, Mississippi Code of 1972 (Fund No. 66142100000).

(b) Three Million Dollars ($3,000,000.00) from the Insurance Department's General Fund account (Fund No. 2250100000) to the Mississippi Volunteer Firefighter Length-of-Service Award Program (LOSAP) Fund created in Section 45-11-271, Mississippi Code of 1972 (Fund No. 3351600000).

SECTION 16. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 7 OF CHAPTER 15, LAWS OF 2023, TO REVISE THE FISCAL YEAR 2024 APPROPRIATION TO THE BOARD OF PSYCHOLOGY TO REVISE THE AMOUNT OF FUNDS PROVIDED FOR THE ADMINISTRATIVE SUPPORT OF THE MISSISSIPPI AUTISM BOARD; TO AMEND SECTION 4 OF CHAPTER 34, LAWS OF 2023, TO REVISE THE FISCAL YEAR 2024 APPROPRIATION TO THE OFFICE OF STATE AID ROAD CONSTRUCTION TO REVISE THE AMOUNT OF FUNDS AUTHORIZED TO BE EXPENDED FOR THE REPLACEMENT OF STRUCTURALLY DEFICIENT BRIDGES; TO AMEND SECTION 41 OF CHAPTER 98, LAWS OF 2023, TO REVISE THE 2024 FISCAL YEAR APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO REVISE THE PURPOSES FOR WHICH ALCORN STATE UNIVERSITY MAY INCUR EXPENSES RELATED TO MAKING IMPROVEMENTS TO THE DAVEY L. WHITNEY COMPLEX AND WELLNESS CENTER; TO AMEND SECTIONS 1, 2 AND 18 OF CHAPTER 53, LAWS OF 2023, TO AMEND THE FISCAL YEAR 2024 APPROPRIATION TO THE MISSISSIPPI DEPARTMENT OF INSURANCE TO REVISE THE MAXIMUM AMOUNTS OF GENERAL AND SPECIAL FUNDS SO THAT THE MISSISSIPPI LENGTH OF SERVICE AWARD PROGRAM WILL BE FUNDED WITH SPECIAL FUNDS; TO AMEND SECTION 40 OF CHAPTER 91, LAWS OF 2023, TO REVISE THE FISCAL YEAR 2024 APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH TO CLARIFY THE PERIOD FOR WHICH EXPENDITURES MAY BE MADE FOR REIMBURSEMENT OF EXPENSES FOR SEVERE WEATHER STORM DAMAGE; TO AMEND SECTIONS 1, 2 AND 45 OF CHAPTER 108, LAWS OF 2023, TO AMEND THE FISCAL YEAR 2024 APPROPRIATION TO THE STATE DEPARTMENT OF EDUCATION TO REVISE THE MAXIMUM AMOUNTS OF GENERAL AND SPECIAL FUNDS TO CHANGE THE FUNDING SOURCES FOR THE CHARTER SCHOOL AUTHORIZER BOARD; TO AMEND SECTION 27-103-204.1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE TREASURER TO ESCALATE HIS OR HER BUDGET AND EXPEND THE AMOUNT OF ANY FUNDS BORROWED FROM THE WORKING CASH-STABILIZATION RESERVE FUND TO OFFSET ANY TEMPORARY CASH FLOW DEFICIENCIES IN THE GF OBLIGATIONS FUND; TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT FUNDS APPROPRIATED FOR THE EARLY LEARNING COLLABORATIVE ACT OF 2013 REMAINING AFTER AWARDS TO EARLY LEARNING COLLABORATIVES AND THE DEPARTMENT'S ADMINISTRATIVE NEEDS ARE MET MAY BE CARRIED OVER IN THE FOLLOWING YEAR; TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT EDUCATION ENHANCEMENT FUNDS APPROPRIATED FOR CLASSROOM SUPPLIES, INSTRUCTIONAL MATERIALS AND EQUIPMENT FOR TEACHERS THAT ARE UNEXPENDED WILL BE CARRIED FORWARD, COMBINED WITH THE FOLLOWING YEAR'S ALLOCATION OF EDUCATION ENHANCEMENT FUND INSTRUCTIONAL SUPPLIES FUNDS AND REALLOCATED FOR THE FOLLOWING YEAR; TO AMEND SECTION 49-39-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE STATE AGENCIES RECEIVING FUNDS FROM THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND TO ESCALATE THEIR BUDGETS AND EXPEND SUCH FUNDS; TO DIRECT THE STATE TREASURER AND STATE FISCAL OFFICER TO TRANSFER CERTAIN AMOUNTS FROM AND TO CERTAIN FUNDS IN THE STATE TREASURY; AND FOR RELATED PURPOSES.

Senator Hopson moved that the rules be suspended to move to calendar item 25, **S. B. No. 2844**, and the motion prevailed.

Senator Hopson called up the following House Amendment to **S. B. No. 2844** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-9-147, Mississippi Code of 1972, is amended as follows:

25-9-147. (1) The State Personnel Board shall review on an annual basis the variable compensation plan adopted by the Legislature at the regular session of 1981 and subsequently implemented by the State Personnel Board. Each state department or agency subject to the variable compensation plan shall prepare an annual written report under the direction of the head of that department or agency outlining the impact which the plan has had on that department or agency during the preceding fiscal year. Such department or agency report shall be submitted to the State Personnel Board and shall become a part of the board's annual review of the variable compensation plan. After conducting its annual review of the plan and studying the report of each department or agency, the State Personnel Board shall prepare a written legislative report, to be submitted to the members of the Mississippi Legislature prior to January 1 of each year. This written report shall accurately reflect the effect of the variable compensation plan on the various departments or agencies subject to the plan. * * * The plan shall be named the "Colonel Guy Groff/Neville Kenning Variable Compensation Plan."

(2) The Legislature, upon consultation with the State Personnel Board, shall develop salary funding levels for each state agency under the purview of the State Personnel Board. The salary funding level will be developed for each fiscal year with information provided by the State Personnel Board and the state agency. The Legislative Budget Office shall provide a detailed listing of salary funding levels for each fiscal year to the State Personnel Board within thirty (30) days after the date of sine die adjournment of the regular legislative session. The State Personnel Board will then provide the salary funding levels to all agencies under their purview.

(3) An agency under the purview of the State Personnel Board shall ensure that all personal services actions and payroll will not exceed the salary funding levels provided by the State Personnel Board. The State Personnel Board shall monitor the impact of personal services actions to ensure their projected cost will not exceed the salary funding levels.

(4) If an agency determines that the salary funding level is insufficient, the agency shall contact the State Personnel Board, the Legislative Budget Office and the State Fiscal Officer to request a revised salary funding level. The State Personnel Board shall have the authority to approve or deny requests to revise the salary funding levels. When the State Personnel Board approves or denies a request, it shall send notification of the approval or denial with justification to the Chairmen of the House and Senate Appropriations and the Legislative Budget Office. The State Fiscal Officer shall certify that funds are available to be transferred.

SECTION 2. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 25-9-147, MISSISSIPPI CODE OF 1972, TO REQUIRE THE LEGISLATURE, UPON CONSULTATION WITH THE STATE PERSONNEL BOARD, TO DEVELOP SALARY FUNDING LEVELS FOR EACH STATE

AGENCY UNDER THE PURVIEW OF THE STATE PERSONNEL BOARD; TO REQUIRE AN AGENCY UNDER THE PURVIEW OF THE STATE PERSONNEL BOARD TO ENSURE THAT ALL PERSONAL SERVICES ACTIONS AND PAYROLL WILL NOT EXCEED THE SALARY FUNDING LEVELS PROVIDED BY THE STATE PERSONNEL BOARD; TO REQUIRE AN AGENCY TO CONTACT THE STATE PERSONNEL BOARD, THE LEGISLATIVE BUDGET OFFICE AND THE STATE FISCAL OFFICER TO REQUEST A REVISED SALARY FUNDING LEVEL IF THE AGENCY DETERMINES THAT THE SALARY FUNDING LEVEL IS INSUFFICIENT; TO AUTHORIZE THE STATE PERSONNEL BOARD TO APPROVE OR DENY REQUESTS TO REVISE THE SALARY FUNDING LEVELS; TO REQUIRE THE STATE PERSONNEL BOARD TO SEND NOTIFICATION TO CERTAIN ENTITIES WHEN THE STATE PERSONNEL BOARD APPROVES OR DENIES A REQUEST TO REVISE AN AGENCY'S SALARY FUNDING LEVEL; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2844** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

President Pro Tempore Kirby yielded the gavel to President Hosemann, who presided over the Senate.

Senator Hopson moved that the rules be suspended to move to calendar item 26, **S. B. No. 2846**, and the motion prevailed.

Senator Hopson called up the following House Amendment to **S. B. No. 2846** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 28 of Chapter 549, Laws of 2023, is amended as follows:

Section 28. Monies transferred pursuant to Sections 1 and 3 of this act into the 2023 Local Improvements Projects Fund shall be disbursed by the Department of Finance and Administration, pursuant to the authority granted by the department's appropriation bill, Senate Bill No. 3043, 2023 Regular Session, to spend those monies, as follows:

(a) To assist the City of Indianola, Mississippi, in paying costs associated with purchasing six (6) new police cars for the city's police department..... $400,000.00

(b) To assist Sunflower County, Mississippi, in paying costs associated with completing construction of the county's Transitional Shelter for Homeless families $300,000.00

(c) To Tishomingo County, Mississippi, to assist the Belmont Volunteer Fire Department in paying costs associated with the purchase of equipment $25,000.00

(d) To Alcorn County, Mississippi, to assist the Rienzi Volunteer Fire Department in paying costs associated with the purchase of equipment $25,000.00

(e) To assist Prentiss County, Mississippi, in paying costs associated with replacing bridge SA 59-029 and repaving and restoring County Road 1475 and County Road 1481 located in Supervisors District 5 in Prentiss County $450,000.00

(f) To assist Alcorn County, Mississippi, in paying costs associated with ongoing repair and renovation of the Alcorn County Courthouse..... $1,000,000.00

(g) To Kossuth, Mississippi, to assist in paying costs associated with renovation of the LC Follin Community Center $150,000.00

(h) To assist the City of Corinth, Mississippi, in paying costs associated with repair and renovation to include the Coliseum and South Corinth High School $500,000.00

(i) To Alcorn County, Mississippi, to assist in paying costs associated with construction of a new fire station for the Jacinto Volunteer Fire Department $100,000.00

(j) To assist Alcorn County, Mississippi, in paying costs associated with special operations at the county's Emergency Management Agency $400,000.00

(k) To assist the City of Corinth, Mississippi, in paying costs associated with improvements to and maintenance of Harper Road $500,000.00

(l) To assist the City of Corinth, Mississippi, in paying costs associated with general assistance to Corinth Theatre-Arts..... $25,000.00

(m) To assist the City of Jackson, Mississippi, in paying costs associated with renovations and upgrades for the Jackson Planetarium $1,000,000.00

(n) To assist the City of Waynesboro with infrastructure improvements at the Waynesboro Sports Complex..... $1,500,000.00

(o) To assist George County, Mississippi, in paying costs associated with construction of the Agricola Multipurpose Center in George County, Mississippi..... $400,000.00

(p) To assist George County, Mississippi, in paying costs associated with the construction of the Basin-Barton Multipurpose Facility $1,800,000.00

(q) To assist Jackson County, Mississippi, in paying costs associated with construction of a multipurpose arena..... $750,000.00

(r) To assist Itawamba County, Mississippi, in paying costs associated with repair and renovation of the Itawamba County Courthouse $1,500,000.00

(s) To assist the Town of Tremont, Mississippi, in paying costs associated with repair and remodeling of the town's Town Hall..... $150,000.00

(t) To assist Itawamba County, Mississippi, with providing funds to Volunteer Fire Departments located in the county, at the discretion of the Fire Coordinator $150,000.00

(u) To assist the City of Fulton, Mississippi, in paying costs associated with renovation and remodeling of the city's City Hall and costs associated with street repairs $500,000.00

(v) To assist Itawamba Community College in paying costs associated with capital construction related to the Health Sciences program $1,500,000.00

(w) To assist the City of Jackson, Mississippi, to provide a federal match to the Jackson Redevelopment Authority for the train station..... $420,000.00

(x) To assist the Lighthouse Academy for Dyslexia in Ocean Springs, Mississippi, in paying costs for general purposes for dyslexia services $200,000.00

(y) To assist the City of Long Beach, Mississippi, in paying costs associated with purchasing portable equipment including a portable stage to promote tourism $200,000.00

(z) To assist Lee County, Mississippi, in paying costs associated with the purchase of a fire truck for the Richmond Volunteer Fire Department $350,000.00

(aa) To assist the Town of Tunica, Mississippi, in paying costs associated with road improvements $500,000.00

(ab) To assist the Town of Marks, Mississippi, in paying costs associated with making water and sewer improvements in the town $500,000.00

(ac) To assist the Town of Coldwater, Mississippi, in paying costs associated with paving the town square $500,000.00

(ad) To assist the Town of Coldwater, Mississippi, in paying costs associated with the purchase of fire trucks $250,000.00

(ae) To assist the City of Pascagoula, Mississippi, in paying costs associated with making upgrades and improvements to the Pascagoula City Hall building and related facilities $2,000,000.00

(af) To assist the City of Pascagoula, Mississippi, for the Pascagoula Police Department in providing an East Pascagoula Police SubStation $2,000,000.00

(ag) To assist the Petal School District Board of Trustees in paying costs associated with the repair and renovation of and upgrades and improvements to the district's Central Office building and related facilities in Petal, Mississippi $1,000,000.00

(ah) To assist Lauderdale County, Mississippi, in paying costs associated with building a new fire station for the Bailey Volunteer Fire Department $100,000.00

(ai) To assist Tishomingo County, Mississippi, in paying costs associated with repairs to the Tishomingo County Courthouse $500,000.00

(aj) To assist Alcorn County, Mississippi, in paying costs associated with building a new fire station on Kendrick Road for the Farmington Volunteer Fire Department $100,000.00

(ak) To assist the City of Lexington, Mississippi, in paying costs associated with the purchase of sewage pumping and vacuuming equipment and making street improvements $100,000.00

(al) To assist the Village of Eden with construction and repair of Town Hall and a safe room $100,000.00

(am) To assist Holmes County, Mississippi, in paying costs associated with renovation of the Holmes County Courthouse $150,000.00

(an) To assist the Jackson Public School District with the Career Development Center in paying costs associated with parking lot resurfacing including restriping and drainage repairs $250,000.00

(ao) To assist the Jackson Public School District with the Career Development Center in paying costs associated with trade shop repairs and upgrades, including roof leak repairs $250,000.00

(ap) To assist the Jackson Public School District with the Career Development Center in paying costs associated with repair, renovation, furnishing and equipping of and upgrades and improvements to the Jackson Public School District's Career Development Center in Jackson, Mississippi $100,000.00

(aq) To assist * * * Wilkinson County, Mississippi, in paying costs associated with the completion of construction, furnishing and equipping of a recreation center $500,000.00

(ar) To assist Harrison County, Mississippi, with the following fire stations with various costs, funds are to be allocated equally: Vidalia Fire Station, Delisle Fire Station, Cuevas Fire and Rescue Station, and Henderson Point Fire Station..... $100,000.00

(as) To assist the City of Pass Christian, Mississippi, with various costs for the city's Fire Department $25,000.00

(at) To assist the City of Pass Christian, Mississippi, with various costs for the city's Police Department $25,000.00

(au) To assist the City of New Albany, Mississippi, in paying costs associated with central business district renovations, upgrades and improvements as part of the city's downtown revitalization project..... $500,000.00

(av) To assist Union County, Mississippi, in paying costs associated with the repair and renovation of and upgrades and improvements to the Union County Courthouse and Veterans Park in New Albany..... $500,000.00

(aw) To assist the City of Jackson, Mississippi, acting through its Department of Planning and Development, in paying costs associated with the acquisition, demolition and/or removal of blighted properties in the City of Jackson and in the Mississippi House of Representatives District 71 ..... $250,000.00

(ax) To assist Lincoln County, Mississippi, in paying costs associated with the acquisition and installation of HVAC systems and equipment for the county courthouse..... $250,000.00

(ay) To assist Lincoln County, Mississippi, in paying costs associated with renovations to the jail $500,000.00

(az) To assist Desoto County, Mississippi, in paying costs associated with purchasing equipment for Alphaba-Cockrum-Ingrams Mill Volunteer Fire Department..... $25,000.00

(ba) To assist Desoto County, Mississippi, in paying costs associated with purchasing equipment for the Lewisburg Volunteer Fire Department $25,000.00

(bb) To assist Desoto County, Mississippi, in paying costs associated with the purchasing of equipment for the Love Volunteer Fire Department $25,000.00

(bc) To assist the City of Oxford, Mississippi, in paying costs associated with repair and renovation of a building to be used by the City of Oxford Police Department $4,000,000.00

(bd) To assist Lafayette County, Mississippi, in paying the costs associated with the extension of West Oxford Loop in Lafayette County.... $1,000,000.00

(be) To assist the City of D'Iberville, Mississippi, in paying costs associated with the Mallett Road and Sangani Boulevard intersection and widening project $1,000,000.00

(bf) To assist the City of Philadelphia, Mississippi, in paying costs associated with purchasing police cars for the Philadelphia Police Department $160,000.00

(bg) To assist Kemper County, Mississippi, in paying costs associated with improvements within the county..... $300,000.00

(bh) To assist the Town of Scooba, Mississippi, in paying costs associated with town improvements $50,000.00

(bi) To assist Kemper County, Mississippi, in paying costs associated with purchasing fire equipment for the Kemper County Volunteer Fire Department $60,000.00

(bj) To assist * * * the Porterville Water Association in paying costs associated with water line improvements * * * $200,000.00

(bk) To assist East Mississippi Community College in paying costs associated with upgrades to equipment, furnishings and facilities for the Career Technical Education Program $2,000,000.00

(bl) To assist the * * * the Boys and Girls Club of Biloxi in paying costs associated with providing general support for the * * * club * * *..... $1,000,000.00

(bm) To assist Warren County, Mississippi, in paying costs to assist the Warren County Sheriff's Office with site work and infrastructure improvements to the future Warren County Jail site..... $1,000,000.00

(bn) To assist Madison County, Mississippi, in paying costs associated with the Reunion Parkway and Bozeman Road expansion project $12,000,000.00

(bo) To assist the Town of Edwards, Mississippi, in paying costs associated with improvements to the town's fire station $250,000.00

(bp) To assist the Town of Raymond, Mississippi, in paying costs associated with repair and rehabilitation of the water tank on the town square in downtown Raymond and the Raymond water tank on the Hinds Community College campus $250,000.00

(bq) To assist Clay County, Mississippi, in paying costs associated with paving and resurfacing of Lake Grove Road and Randle Road in Supervisors District 4 in Clay County..... $1,000,000.00

(br) To assist Monroe County, Mississippi, with costs associated for the Prairie Rural Community Development Club to renovate the old Prairie School Building for use as a multi-purpose center $250,000.00

(bs) To assist the City of West Point, Mississippi, in paying costs associated with renovations to City Hall $500,000.00

(bt) To assist Greene County, Mississippi, in paying costs associated with road construction and road repairs in the county $500,000.00

(bu) To assist the City of Clinton, Mississippi, in paying costs associated with Phase II of site work for and construction and development of streets, street lighting and signals, electrical and communications distribution systems and equipment, water system and sewer system infrastructure and related infrastructure within an area bound by U.S. Highway 80, Springridge Road, Interstate 20 and Clinton-Raymond Road/Madison Street in the City of Clinton..... $8,000,000.00

(bv) To assist the City of Clinton, Mississippi, in paying costs associated with the Clinton Raymond Bolton Edwards Water and Sewer Plant Capacity Expansion project $20,000,000.00

(bw) To assist the town of Gloster to support the Gloster Southern Railroad * * * Project..... $8,000,000.00

(bx) To assist the Town of Flora, Mississippi, in paying costs associated with water, sewer and drainage from Odom Road to Jackson Street and water infrastructure from McGraw Street to Peach Street..... $2,500,000.00

(by) To * * * assist the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management, in paying costs associated with completing renovations at the Mississippi Sports Hall of Fame $500,000.00

(bz) To assist the City of Greenville, Mississippi, in paying the costs associated with repairs and renovations to Frisby Park, Greenville Municipal, Maude Bryan Park and Rounds Park..... $500,000.00

(ca) To assist the City of Picayune, Mississippi, in paying costs associated with construction, equipping and furnishing of a new burn building and any

related structures and facilities for the Picayune Fire Department to replace the existing burn building $350,000.00

(cb) To assist the City of Picayune, Mississippi, in paying costs associated with repairs * * *, maintenance and improvements at the girls softball field at Picayune Memorial High School..... $150,000.00

(cc) To assist the Administrative Office of the Courts in paying costs associated with technological upgrades, equipment, furnishings, and installation for Courtroom 4 of the Hinds County Courthouse..... $50,000.00

(cd) To assist the City of Hazlehurst, Mississippi, in paying costs associated with repairs, renovations, educational programming, and expansion to the Mississippi Music Museum $150,000.00

(ce) To assist the City of Hazlehurst, Mississippi, in paying costs associated with the Phase 5 Renovation Project of the Millsaps House $200,000.00

(cf) To assist the Village of Beauregard, Mississippi, in paying costs associated with the construction of a community center $400,000.00

(cg) To assist the City of Eupora, Mississippi, in paying costs associated with repaving and repair of streets $400,000.00

(ch) To assist the Town of French Camp, Mississippi, in paying the costs associated with sidewalk repairs and infrastructure improvements for the town's Downtown Historic Area $75,000.00

(ci) To assist Choctaw County, Mississippi, in paying costs associated with road repairs and resurfacing in Beat 3 Choctaw County..... $300,000.00

(cj) To assist Choctaw County, Mississippi, in paying costs associated with road repairs and resurfacing in Beat 1 Choctaw County..... $150,000.00

(ck) To assist Choctaw County, Mississippi, in paying costs associated with road repairs and resurfacing in Beat 5 Choctaw County..... $150,000.00

(cl) To provide funds to be distributed equally among the following fire departments in Choctaw County to assist in paying various department costs: Reform Volunteer Fire Department, Town of Ackerman Fire Department, ByWy Volunteer Fire Department, Simpson Volunteer Fire Department, Town of Weir Fire Department, Panhandle Volunteer Fire Department, Union Volunteer Fire Department, Town of French Camp Fire Department..... $200,000.00

(cm) To provide funds to be distributed equally among the following fire departments in Webster County to assist in paying various department costs: Tomnolen Fire Department, City of Eupora Fire Department and Town of Mathiston Fire Department $75,000.00

(cn) To assist the Town of Ackerman, Mississippi, in paying costs associated with road repairs and resurfacing $250,000.00

(co) To assist the Town of Mathiston, Mississippi, in paying costs associated with improvements to the town's infrastructure..... $200,000.00

(cp) To assist VFW Post 3806 in the City of Eupora, Mississippi, in paying costs associated with the Post building and Post activities..... $25,000.00

(cq) To assist American Legion Post 82 in the Town of Ackerman, Mississippi, in paying costs associated with the Post building and Post activities $25,000.00

(cr) To assist the Town of Noxapater, Mississippi, in paying costs associated with road repairs and resurfacing $200,000.00

(cs) To provide funds to be distributed equally among the following fire departments in Winston County to assist in paying various department costs: Nanih Waiya Volunteer Fire Department, Shiloh Fire Department, City of Louisville Fire Department, Lo Butcha Volunteer Fire Department and Beth Eden Volunteer Fire Department $100,000.00

(ct) To assist the Town of Weir, Mississippi, in paying costs associated with repainting and other necessary repairs to the water tank $200,000.00

(cu) To assist the City of Grenada, Mississippi, in paying costs associated with street resurfacing $1,000,000.00

(cv) To assist Grenada County, Mississippi, in paying costs associated with improvements to the Nat Trout Road and Hawkins Entrance $500,000.00

(cw) To assist Carroll County, Mississippi, in paying costs associated with general road resurfacing and maintenance $750,000.00

(cx) To provide funds to be distributed equally among the eighteen (18) volunteer fire departments in Lauderdale County, Mississippi, to assist in paying various department costs..... $360,000.00

(cy) To assist the City of Pontotoc, Mississippi, in paying costs associated with relocating the fire station on Main Street in the city to a less congested corner lot near the current location $1,000,000.00

(cz) To assist the City of Pontotoc, Mississippi, in paying costs associated with the completion of a pavilion at the gateway to the Tanglefoot Trail $400,000.00

(da) To assist the City of Pontotoc, Mississippi, in paying costs associated with building and equipping a training center that provides trainee safety and live fire training to firefighters and first responders, benefitting both the Pontotoc City Fire Department and Pontotoc County volunteer fire departments $500,000.00

(db) To assist the City of Pontotoc, Mississippi, in paying costs associated with renovation of and upgrades, improvements and additions to the Pontotoc Town Square Museum and Post Office building and the McMackin House necessary to provide and improve accessibility to and inside the buildings through the Pontotoc County Historical Society..... $50,000.00

(dc) To assist the Town of Como, Mississippi, in paying costs associated with road infrastructure repairs and improvements $500,000.00

(dd) To assist Adams County, Mississippi, with costs associated with the Carthage Point Road drainage repair and flood control project $500,000.00

(de) To assist the City of Natchez, Mississippi, for the purpose of providing funding to defray the expenses of the Concord Avenue Drainage Improvement Project for construction costs..... $500,000.00

(df) To assist the Town of Byhalia, Mississippi, in paying costs associated with relocation of water, sewer, gas utility lines and other equipment currently located on or near Mississippi Highway 309 near the Byhalia schools, and to assist in paying costs associated with street paving improvements to Mississippi Highway 309 ..... $1,000,000.00

(dg) To assist the Town of Byhalia, Mississippi, * * * in paying costs associated with the renovation of the historic Byhalia High School to provide civic, business, and hospitality for the town..... $500,000.00

(dh) To assist the Lafayette County Sheriff's Department in paying costs associated with building a substation in the Harmontown Community with Lafayette County..... $250,000.00

(di) To assist the Town of New Houlka, Mississippi, in paying costs associated with the purchase of a new fire truck $150,000.00

(dj) To assist the City of Houston, Mississippi, in paying costs associated with repair and overlay of streets including Airport Road, Church Street, Pittsboro Street, Dulaney Street, 1st Avenue, Harrington Street, Washington Street, Hamilton Street, Castle Street, Scott Street, Terrace Road and 6th Avenue $400,000.00

(dk) To assist the Town of Bude, Mississippi, in paying costs associated with improvements to the town's existing sewer lagoon for cleaning,

removing excessive vegetation and including, but not limited to dredging of sludge and sediment $500,000.00

(dl) To assist the Tennessee Valley Authority in paying costs associated with performing an assessment of the Holly Springs, Mississippi Utility Department and to be used for cutting of the right-of-way of the Holly Springs Utility Department $500,000.00

(dm) To assist Benton County, Mississippi, in paying costs associated with repairs to the Benton County Historic Courthouse $300,000.00

(dn) To assist Benton County Sheriff's Department in paying costs associated with the purchase of equipment and vehicles..... $400,000.00

(do) To assist Benton County, Mississippi, in paying costs associated with improvements to Benton County Veterans Park $300,000.00

(dp) To assist the Town of Abbeville, Mississippi, in paying costs associated with repairs and additions to the town's water system..... $500,000.00

(dq) To assist Union County, Mississippi, in paying costs associated with road maintenance on County Road 47 in Supervisors District 2 in Union County $900,000.00

(dr) To assist DeSoto County, Mississippi, with providing funds to assist in paying costs associated with construction, furnishing and equipping of a training facility for the Walls Volunteer Fire Department..... $250,000.00

(ds) To assist the City of Hattiesburg, Mississippi, in paying costs associated with improvements in infrastructure in the Midtown area of the city, including, but not limited to, roads, bridges, water, sewer, drainage, sidewalks, stormwater detention, land acquisition, utility relocation and lighting $2,000,000.00

(dt) To assist * * * the Hancock County Utility Authority * * * with costs associated with sewer system improvements in the areas of Kiln Delisle Road and Fenton Dedeaux Road..... $500,000.00

(du) To assist the Town of Caledonia, Mississippi, in paying costs associated with the purchase and upgrades of equipment..... $150,000.00

(dv) To assist the Town of Caledonia, Mississippi, in paying costs associated with upgrading the town's lighting infrastructure..... $350,000.00

(dw) To assist the Town of Brooksville, Mississippi, with matching funds for the Federal EPA Stag Grant to complete the town's water and wastewater infrastructure program $500,000.00

(dx) To assist Noxubee County, Mississippi, in paying costs associated with the county's community sports complex redevelopment project including the addition of bleachers, concession stand, scoreboard, bathrooms and approximately four hundred (400) yards of roadway pavement..... $500,000.00

(dy) To provide funds to be distributed equally among the following fire departments in Scott County, Mississippi, to assist in purchasing equipment: Forest Fire Department, North Scott Volunteer Fire Department, Homewood Volunteer Fire Department, Lake Volunteer Fire Department, Liberty Volunteer Fire Department, Ludlow Volunteer Fire Department, Morton Fire Department and Sebastopol Fire Department $200,000.00

(dz) To assist the City of Forest, Mississippi, in paying costs associated with constructing and developing a turn lane at a road by Tyson Foods for safety purposes..... $250,000.00

(ea) To assist the Town of Summit, Mississippi, for purpose of building a fire station for Summit Rural Fire Department..... $500,000.00

(eb) To assist Pike County, Mississippi, in paying costs associated with renovation and repairs to the Courthouse Complex buildings..... $750,000.00

(ec) To assist the * * * Pike County, Mississippi, in paying costs associated with a building to house the ladder truck, 18-wheeler tanker truck, rescue

pumper and smaller tanker truck for the Sunnyhill Volunteer Fire Department $250,000.00

(ed) To assist the City of Columbia, Mississippi, in paying costs associated with the RA Johnson Drive stormwater retention pond project..... $300,000.00

(ee) To assist the City of Columbia, Mississippi, in paying costs associated with downtown storm drainage system improvements..... $500,000.00

(ef) To assist Marion County, Mississippi, in paying costs associated with paving roads within the county..... $500,000.00

(eg) To assist Marion County, Mississippi, in paying costs associated with roof repairs * * *..... $500,000.00

(eh) To assist the City of Purvis, Mississippi, in paying costs associated with VFW Post 3955 to expand and modernize the facility $150,000.00

(ei) To assist the City of Pearl, Mississippi, in paying costs associated with construction of a bridge extending from the intersection of the extension of Ware Street and relocated St. Augustine Street to Pearson Road in the City of Pearl $500,000.00

(ej) To assist the Town of Carrollton, Mississippi, in paying costs associated with the installation of high speed service via Delta Lightspeed... $400,000.00

(ek) To assist the Town of North Carrollton, Mississippi, in paying costs associated with the installation of high speed service via Delta Lightspeed $350,000.00

(el) To assist the City of Greenwood, Mississippi, in paying costs associated with improvements to Yazoo River Trail and Yazoo River Landing $750,000.00

(em) To assist Montgomery County, Mississippi, in paying costs associated with an emergency generator, 65kw transfer switch, concrete pad and installation for the Stewart Water Association..... $100,000.00

(en) To assist the Town of Kilmichael, Mississippi, in paying costs associated with purchasing turnout suits and equipment for the Kilmichael Volunteer Fire Department $100,000.00

(eo) To assist Montgomery County, Mississippi, for the purpose of the Red Hill Volunteer Fire Department..... $250,000.00

(ep) To assist the City of Winona, Mississippi, in paying costs associated with purchasing a fire truck..... $450,000.00

(eq) To assist Carroll County, Mississippi, in paying costs associated with improvements to County Road 83..... $700,000.00

(er) To assist the City of Tylertown, Mississippi, in paying costs associated with infrastructure improvements..... $500,000.00

(es) To assist Walthall County, Mississippi, in paying costs associated with the construction of a frontage road along the south side of Highway 98 Bypass..... $750,000.00

(et) To assist the City of Gautier, Mississippi, in paying costs associated with construction of the Mississippi Songwriters Performing Arts Center $2,000,000.00

(eu) To assist the City of Gautier, Mississippi, in paying costs associated with constructing an inclusion and Americans With Disabilities Act (ADA) approved park area including, but not limited to, playground equipment for children with disabilities $1,000,000.00

(ev) To assist the City of Gautier, Mississippi, in paying costs associated with improvements to Town Commons Park, including, but not limited to, parking and through roads for an amphitheater..... $2,000,000.00

(ew) To assist the City of Water Valley, Mississippi, in paying costs associated with maintenance, repairs and facilitation of broadband service by the city electric department

$750,000.00

(ex) To assist the City of Charleston, Mississippi, in paying costs associated with improvement and restoration of city streets $500,000.00

(ey) To assist Yalobusha County, Mississippi, by providing funds to be used as matching funds for the Tennessee Valley Authority grant for the industrial park $100,000.00

(ez) To assist the City of Water Valley, Mississippi, in paying costs associated with restoration and maintenance of the Water Valley Civic Center $250,000.00

(fa) To assist Oktibbeha County, Mississippi, in paying costs associated with constructing a new building for Oktibbeha County Circuit and County Court $1,000,000.00

(fb) To assist the City of Starkville, Mississippi, in paying costs associated with the city's Main Street Project..... ..... $1,500,000.00

(fc) To assist the Town of Sumner, Mississippi, in paying costs associated with the construction of a police department building and related facilities $250,000.00

(fd) To assist the Town of Webb, Mississippi, in paying costs associated with the construction of a community center $250,000.00

(fe) To assist Newton County, Mississippi, in paying costs associated with purchasing a fire truck..... $250,000.00

(ff) To assist the Town of Decatur, Mississippi, in paying costs associated with the purchase of two (2) patrol vehicles and equipment..... $125,000.00

(fg) To assist the Town of Sebastopol, Mississippi, in paying costs associated with a building extension and fixtures for the town police department $250,000.00

(fh) To assist the Town of Seminary, Mississippi, in paying costs associated with water and sewer infrastructure improvements $250,000.00

(fi) To assist Jefferson Davis County, Mississippi, in paying costs associated with improvements to Broome Road $100,000.00

(fj) To assist Jones County, Mississippi, in paying costs associated with mill and overlay to Graves Road and adjoining streets from Buffalo Hill road to the city limits of Ellisville, Mississippi, and to extend the project to Mississippi Highway 588, and for reimbursing Jones County for paving adjoining streets that has already been completed $600,000.00

(fk) To assist the City of Laurel, Mississippi, in paying costs associated with additions to and expansion of the Veterans Memorial Museum in Laurel, Mississippi..... $200,000.00

(fl) To assist Jones County Junior College in paying costs associated with construction of a building to house the School of Design $200,000.00

(fm) To assist the City of Brandon, Mississippi, in paying costs associated with infrastructure repairs, maintenance, upgrades and improvements $1,000,000.00

(fn) To provide funds to be distributed equally among the following fire departments in Jasper County: Bay Springs Volunteer Fire Department, Central Volunteer Fire Department, Fellowship Volunteer Fire Department, Hal Volunteer Fire Department, Lake Eddins Volunteer Fire Department, Louin Volunteer Fire Department, Montrose Volunteer Fire Department, Mossville Volunteer Fire Department, Northeast Jasper Volunteer Fire Department, Paulding Volunteer Fire Department and Rose Hill Volunteer Fire Department..... $110,000.00

(fo) To assist Clarke County, Mississippi, in paying costs associated with infrastructure for the new Howard Industrial Expansion Plant, including, but not limited to, water, sewer and fencing..... $500,000.00

(fp) To assist the Mississippi Wireless * * * Communication Commission in paying costs associated with adding new statewide communication towers in needed location $3,900,000.00

(fq) To assist Tippah County, Mississippi, in paying costs associated with the destruction of the old Tippah County Hospital..... $500,000.00

(fr) To assist the Town of Blue Mountain, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department $50,000.00

(fs) To assist the Town of Walnut, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department $100,000.00

(ft) To assist the City of Ripley, Mississippi, in paying costs associated with the purchase of equipment for the city's fire department $175,000.00

(fu) To assist the Town of Falkner, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department $50,000.00

(fv) To assist the Town of Dumas, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department $50,000.00

(fw) To assist Tippah County, Mississippi, in paying costs association with the purchase of equipment for the Tippah County Sheriff's Department $100,000.00

(fx) To assist the Town of Falkner, Mississippi, in paying costs associated with the Heritage Museum..... $30,000.00

(fy) To assist * * * the CREATE Foundation with creating a Target Endowment Fund for various projects in * * * Tippah County, Mississippi $75,000.00

(fz) To assist VFW Post 4881 in the City of Ripley, Mississippi, in paying costs associated with building maintenance * * *..... $25,000.00

(ga) To assist American Legion Post 81 in the City of Ripley, Mississippi, with costs associated * * * with building maintenance * * *..... $25,000.00

(gb) To assist the Town of Walnut, Mississippi, in paying costs associated with gas system improvements $75,000.00

(gc) To assist Sharkey County, Mississippi, in paying costs associated with repairs to the Sharkey County Courthouse located in Rolling Fork, Mississippi..... $1,000,000.00

(gd) To assist Hinds County, Mississippi, in paying costs associated with purchasing and installing surveillance cameras on Dixon Road, McCain Avenue and South Drive $25,000.00

(ge) To assist the City of Verona, Mississippi, in paying costs associated with site work and infrastructure related to the Old Town Project. $500,000.00

(gf) To assist the Town of Taylorsville, Mississippi, in paying costs associated with infrastructure repair and to upgrade water, sewer and fire protection systems to industrial area..... $350,000.00

(gg) To assist the City of Guntown, Mississippi, in paying costs associated with repairing, reconstruction, resurfacing and other improvements such as curbs, drainage to Mike Avenue and to bring the road up to code, and any remaining funds shall be used for costs associated with making improvements to other streets in the city..... $750,000.00

(gh) To assist Prentiss County, Mississippi, in paying costs associated with making improvements to roads and bridges in Supervisors District 3 in Prentiss County..... $300,000.00

(gi) To assist the Town of Lena, Mississippi, in paying costs associated with road and water infrastructure projects $500,000.00

(gj) To assist the Town of D'Lo, Mississippi, in paying costs associated with construction of a fire station $50,000.00

(gk) To assist the Town of D'Lo, Mississippi, in paying costs associated with Phase II of paving town streets including First Street from Highway 149 to South Pine, Second Street from Highway 149 to South Maple, Third Street from Highway 149 to South Maple, Fourth Street from Highway 149 to South Maple and Cemetary Road $250,000.00

(gl) To assist the Town of D'Lo, Mississippi, in paying costs associated with Phase III of paving town streets including South Oak from Highway 540 to end, West Fifth from Highway 149 to South Oak, East Fifth from Highway 149 to South Oak, West Pecan from Willow Street to Highway 149, and East Pecan from Highway 149 to Water Tower $250,000.00

(gm) To assist Rankin County, Mississippi, to provide funds to be distributed equally among the following fire departments in Rankin County: Cleary Volunteer Fire Department, Star Volunteer Fire Department, Florence Volunteer Fire Department, SW Rankin Volunteer Fire Department and Monterey Volunteer Fire Department. $75,000.00

(gn) To assist Copiah County, Mississippi, to provide funds to be distributed equally among the following fire departments in Copiah County: Crystal Springs Volunteer Fire Department, Hopewell Volunteer Fire Department, New Zion Volunteer Fire Department and Dentville Volunteer Fire Department..... $60,000.00

(go) To assist Simpson County, Mississippi, with costs associated with the Old Pearl Volunteer Fire Department $15,000.00

(gp) To assist Rankin County, Mississippi, with funds associated with the road connecting U.S. Highway 49 to Pearson Road $500,000.00

(gq) To assist the City of Crystal Springs, Mississippi, in paying costs associated with Chautauqua Park Amphitheater..... $500,000.00

(gr) To assist Hinds County, Mississippi, in paying costs associated with repairs for flood plain revisions to Eubanks Creek $500,000.00

(gs) To assist the City of Ocean Springs, Mississippi, in paying costs associated with GIS mapping of infrastructure $75,000.00

(gt) To assist the City of Ocean Springs, Mississippi, in paying costs associated with improvements or adding turn lanes, curbs, drainage and sidewalks $400,000.00

(gu) To assist the City of Ocean Springs, Mississippi, in paying costs associated with covering the stage located at Fort Maurepas..... $450,000.00

(gv) To the Mississippi Development Authority for the purpose of providing funding to WISPR Systems in Batesville, Mississippi, for research and development to expand its current small Unmanned Aircraft Systems (sUAS) manufacturing capabilities in Mississippi..... $500,000.00

(gw) To assist the Mississippi Organ Recovery Agency in paying costs associated with a statewide communications program..... $500,000.00

(gx) To assist the City of Senatobia, Mississippi, in paying costs associated with water, sewer and road infrastructure renovations in the Downtown Historic District... $2,000,000.00

(gy) To assist Rankin County, Mississippi, in paying costs associated with infrastructure improvements on the I-20 Connector Loop Project $3,000,000.00

(gz) To assist the City of Senatobia, Mississippi, in paying costs associated with infrastructure repairs and improvements at the Senatobia Sports Park.. $600,000.00

(ha) To assist the City of Senatobia, Mississippi, in paying costs associated with sewer and water improvements to the New Image Water and Sewer System $2,000,000.00

(hb) To assist Tate County, Mississippi, with reimbursement of funds for costs associated with Tate County Courthouse parking facility renovations; any remaining funds may be spent on drainage and road repairs as determined by the Tate County Board of Supervisors..... $1,650,000.00

(hc) To assist the Mississippi Department of Transportation in paying costs associated with improvements at the intersection of Highway 51 and Porter Street, and at the intersection of Highway 4 and I-55 intersection within the city limits of the City of Senatobia, Mississippi $750,000.00

(hd) To assist Northwest Mississippi Community College in paying costs associated with capital infrastructure and repairs to the main campus facilities $2,000,000.00

(he) To assist the Cottonville-Savage Rural Water Association in paying costs associated with construction, repair and maintenance of, and acquiring equipment for, a water system
$285,000.00

(hf) To assist Holmes Community College in paying costs associated with the construction of a new Allied Health building
$1,000,000.00

(hg) To assist the Kosciusko School District in paying costs associated with infrastructure, construction and improvements to facilities throughout the district .....
$1,000,000.00

(hh) To assist the Edinburg Domestic Water Association in paying costs associated with the construction, repair and maintenance of, and acquiring equipment for, a water system.....
$150,000.00

(hi) To assist Leake County, Mississippi, in paying costs associated with the construction, repair and renovation of North Jordan Street $2,500,000.00

(hj) To assist Leake County, Mississippi, in paying costs associated with the construction, repair and renovation of Red Dog Road..... $925,000.00

(hk) To assist Leake County, Mississippi, in paying costs associated with the local workforce initiative of the Leake County Development Association for students in Leake County.....
$50,000.00

(hl) To assist Holmes County, Mississippi, in paying costs associated with road resurfacing and repairs in Supervisors District 2 of the county $500,000.00

(hm) To assist the City of Carthage, Mississippi, in paying costs associated with the construction, repair and renovation of the Carthage Coliseum $1,000,000.00

(hn) To assist Leake County, Mississippi, in paying costs associated with acquiring firefighting equipment for Leake County fire departments $100,000.00

(ho) To assist the Town of West, Mississippi, in paying costs associated with infrastructure improvements, renovations and rehabilitation of existing town properties, including, but not limited to, the Welcome Center, City Hall, Old City Hall and the Library, as well as the purchase of a new police vehicle, including the necessary equipment to outfit the vehicle.....
$300,000.00

(hp) To assist Attala County, Mississippi, in paying costs associated with the construction of an Attala County Fire Station, an Emergency Operations Center and E-911
Telecommunications Center $3,600,000.00

(hq) To assist Attala County, Mississippi, in paying costs associated with the repair or replacement of the roof for the Old Jack Post Industrial Building
$850,000.00

(hr) To assist the City of Kosciusko, Mississippi, in paying costs associated with the construction, renovation and rehabilitation of the Strand Theatre..... $500,000.00

(hs) To assist the Carmack Community Club in Attala County, Mississippi, in paying costs associated with the renovation, construction and rehabilitation of a building for the * * * club..... $200,000.00

(ht) To assist the Possumneck-Carmack Water Association in paying costs associated with the construction, repair and maintenance of, and acquiring equipment for, the water association.....
$150,000.00

(hu) To assist Zama Water Association in paying costs associated with the construction, repair and maintenance of, and acquiring equipment for, the water association..... $150,000.00

(hv) To assist the Department of Finance and Administration in paying costs associated with the program established under Section 3 of House Bill No. 419, 2023 Regular Session..... $300,000.00

(hw) To assist Jasper County, Mississippi, in paying costs associated with repairs, resurfacing and improvements to roads and bridges..... $ 1,100,000.00

(hx) To assist the Town of Heidelberg, Mississippi, in paying costs associated with infrastructure improvements.....
$ 300,000.00

(hy) To assist the City of Bay Springs, Mississippi, in paying costs associated with infrastructure improvements.....
$ 150,000.00

(hz) To assist the East Jasper Consolidated School District in paying costs associated with * * * repairs and renovations of the old Heidelberg Academy ..... $ 150,000.00

(ia) To assist Forrest County, Mississippi, in paying costs associated with repairs and improvements on Monroe Road
Extension ..... $ 325,000.00

(ib) To assist Lawrence County, Mississippi, in paying costs associated with pavement maintenance for the N.A. Sandifer Highway ..... $ 1,000,000.00

(ic) To assist Lincoln County, Mississippi, in paying costs associated with repairs and renovations to the county courthouse ..... $ 250,000.00

(id) To assist Holmes County, Mississippi, in paying costs associated with infrastructure improvements .....
$ 500,000.00

(ie) To assist the City of Lexington, Mississippi, in paying costs associated with renovations to the city hall and the municipal fire station ..... $ 500,000.00

(if) To assist the Town of Tchula, Mississippi, in paying costs associated with repairs, resurfacing and improvements to town streets..... $ 250,000.00

(ig) To assist the City of Olive Branch, Mississippi, in paying costs associated with the improvement and expansion of aircraft hangers ..... $ 1,500,000.00

(ih) To assist Marshall County, Mississippi, in paying costs associated with building the Chickasaw Trail Emergency Response Center ..... $ 1,500,000.00

(ii) To assist Desoto County, Mississippi, in paying costs associated with a parking lot and staging improvements at the National Guard Armory ..... $ 500,000.00

(ij) To assist the City of Byram, Mississippi, in paying costs associated with drainage repair projects .....
$ 500,000.00

(ik) To assist the City of Byram, Mississippi, in paying costs associated with improvements to the Terry Road Bridge.....
$ 250,000.00.

(il) To assist the Town of Terry, Mississippi, in paying costs associated with the renovation of a community center and improvements to Main Street.... $ 300,000.00

(im) To assist Hinds County, Mississippi, in paying costs associated with widening, straightening and clearing debris from Eubanks Creek..... $ 500,000.00

(in) To assist the City of Oxford, Mississippi, in paying costs associated with the construction of a new police station..... $ 1,000,000.00

(io) To assist Panola County, Mississippi, in paying costs associated with improvements at the Panola County
Airport$ 500,000.00

(ip) To assist the City of Louisville, Mississippi, in paying costs associated with infrastructure improvements for the North and South Industrial Road Project..... $ 2,000,000.00

(iq) To assist Neshoba County, Mississippi, in paying costs associated with the purchase of equipment for the Neshoba County Sheriff's Department . $ 200,000.00

(ir) To assist the Brewer Community Association, Inc., in paying costs associated with the improvement and operation of the community center in Brewer, Mississippi..... $ 150,000.00

(is) To assist Tammy Wynette Legacy Park in paying costs associated with the improvement and operation of the Tammy Wynette Legacy Center in the Town of Tremont, Mississippi .....
$ 150,000.00

(it) To assist the Prairie Rural Community Development Club in paying costs associated with the improvement and operation of the former Prairie School in Prairie, Mississippi.....

$ 150,000.00

(iu) To assist the City of Tupelo, Mississippi, in paying costs associated with improvements to Ballard Park including, but not limited to, inclusive playground equipment and any necessary playground equipment for special needs children .....
$ 500,000.00

(iv) To assist Jefferson County, Mississippi, in paying costs associated with infrastructure improvements to roads and bridges ..... $ 100,000.00

(iw) To assist Claiborne County, Mississippi, in paying costs associated with infrastructure improvements .....
$ 500,000.00

(ix) To assist Claiborne County, Mississippi, in paying costs associated with improvements to law enforcement
facilities ..... $ 225,000.00

(iy) To assist Copiah County, Mississippi, in paying costs associated with the demolition of the former hospital complex in the City of Hazlehurst ..... $ 75,000.00

(iz) To assist the City of Natchez, Mississippi, in paying costs associated with various drainage projects .....
$ 500,000.00

(ja) To assist the Gulfport Redevelopment Commission in paying costs associated with a mixed-use downtown development project, including general infrastructure to leverage public and private investment ..... $ 2,000,000.00

(jb) To assist the City of Magee, Mississippi, in paying costs associated with infrastructure improvements .....
$ 500,000.00

(jc) To assist the City of Mendenhall, Mississippi, in paying costs associated with infrastructure improvements .....
$ 500,000.00

(jd) To assist the Village of Puckett, Mississippi, in paying costs associated with infrastructure improvements .....
$ 500,000.00

(je) To assist Montgomery County, Mississippi, in paying costs associated with the installation of traffic signals at the intersection of U.S. Highway 82 and Middleton Road and at the intersection of U.S. Highway 82 and Mission Road .....
$ 700,000.00

(jf) To assist Grenada County, Mississippi, in paying costs associated with improvements to Nat G. Trout Road .....
$ 500,000.00

(jg) To assist the Kosciusko School District in paying costs associated with renovations and improvements to the Skipworth Auditorium..... $ 500,000.00

(jh) To assist Attala County, Mississippi, in paying costs associated with the repair and/or replacement of the roof of the Jack Post Industrial Building .. $ 250,000.00

(ji) To assist the City of Kosciusko, Mississippi, in paying costs associated with repairs and renovations to the
Strand$ 250,000.00

(jj) To assist Greene County, Mississippi, in paying costs associated with the purchase of equipment for the Emergency 911 Call Center..... $ 705,000.00

(jk) To assist Greene County, Mississippi, in paying costs associated with the construction of a county-owned
building..... $ 400,000.00

(jl) To assist Greene County, Mississippi, in paying costs associated with the rehabilitation and repair of the Greene County Rural Events Center .... $ 600,000.00

(jm) To assist the Mississippi Department of Transportation in paying costs associated with widening and improvements to State Highway/Old Highway 63 from Highway 57 to Highway 63 in Greene County, Mississippi..... $ 1,000,000.00

(jn) To assist George County, Mississippi, in paying costs associated with infrastructure improvements .....
$ 300,000.00

(jo) To assist Greene County, Mississippi, in paying costs associated with infrastructure improvements .....

$ 550,000.00

(jp) To assist the Town of State Line, Mississippi, in paying costs associated with Hurricane Zeta..... $ 250,000.00

(jq) To assist Wayne County, Mississippi, in paying costs associated with the repair and upgrades to courtrooms.....
$ 75,000.00

(jr) To assist the City of D'Iberville, Mississippi, in paying costs associated with the extension of Mallet Road.....
$ 2,500,000.00

(js) To assist the Mississippi State University Research and Technology Corporation in paying costs associated with the Mississippi Cybersecurity Center adjacent to Keesler Air Force Base..... $15,000,000.00

(jt) To assist the Jackson County School District in paying costs associated with repairs and renovations to facilities at St. Martin High School ..... $ 1,000,000.00

(ju) To assist Jackson County, Mississippi, in paying costs associated with upgrades at the intersection of Jim Ramsey Road and Old Fort Bayou Road ..... $ 500,000.00

(jv) To assist the City of Ocean Springs, Mississippi, in paying costs associated with repairs and restoration of the Mary C. O'Keefe Cultural Arts Center ..... $ 250,000.00

(jw) To assist the Lamar County School District in paying costs associated with the development of the new courtyard at the Sumrall High School..... $ 1,400,000.00

(jx) To assist the Town of Seminary, Mississippi, in paying costs associated with water and sewer improvements .....
$ 250,000.00

(jy) To assist the City of Collins, Mississippi, in paying costs associated with water and sewer improvement near the Collins Civic Center..... $ 400,000.00

(jz) To assist the City of Flowood, Mississippi, in paying costs associated with infrastructure improvements on Flowood Drive..... $ 1,500,000.00

(ka) To assist the City of Flowood, Mississippi, in paying costs associated with infrastructure improvements on Liberty Road and at Liberty Park ..... $ 1,250,000.00

(kb) To assist Rankin County, Mississippi, in paying costs associated with infrastructure improvements on the I-20 Connector Loop Project ..... $ 4,500,000.00

(kc) To assist the City of Meridian, Mississippi, in paying costs associated with infrastructure improvements to North Hills Street from Highway 19 to Highway 39.. $ 3,400,000.00

(kd) To assist the Kemper County School District in paying costs associated with software and training programs for the Career and Technical Education Center ..... $ 200,000.00

(ke) To assist the City of Picayune, Mississippi, in paying costs associated with infrastructure improvements.....
$ 500,000.00

(kf) To assist the City of Poplarville, Mississippi, in paying costs associated with the purchase of public safety vehicles, fire protection purchases, street paving and drainage improvements ..... $ 1,000,000.00

(kg) To assist the City of Vicksburg, Mississippi, in paying costs associated with repairs to the Fisher Ferry
Bridge $ 4,000,000.00

(kh) To assist the City of Vicksburg, Mississippi, in paying costs associated with infrastructure improvements.....
$ 500,000.00

(ki) To assist the South Delta School District in paying costs associated with asbestos demolition and remediation .....
$ 350,000.00

(kj) To assist with Pearl River Valley Water Supply District for the dredging fund $ 2,000,000.00

(kk) To assist the Lighthouse Academy for Dyslexia in Ocean Springs with costs associated for general purposes for dyslexia services..... $ 195,000.00

(kl) To assist the Culkin Water District with the reconstruction of water lines for an industrial park, schools, hospital and other accounts ..... $ 1,500,000.00

(km) To assist Warren County, Mississippi, in paying costs associated with upgrades and improvements to the historic Old Courthouse and grounds in Vicksburg .. $ 2,000,000.00

(kn) To assist Yazoo County, Mississippi, in paying costs associated with construction and repairs to the Lake George Bridge ..... $ 3,000,000.00

(ko) To assist the City of Ridgeland, Mississippi, in paying costs associated with the construction of the Commerce Park Connector Road ..... $ 2,000,000.00

(kp) To assist the City of Jackson, Mississippi, in paying costs associated with repairs, renovation and upgrades to the Jackson Planetarium ..... $ 1,000,000.00

(kq) To assist the City of Jackson, Mississippi, in paying costs associated with repairs, renovations and upgrades to Thalia Mara Hall..... $ 1,500,000.00

(kr) To assist the Town of Bolton, Mississippi, in paying costs associated with repairs and renovations to the volunteer fire department ..... $ 50,000.00

(ks) To assist Tunica County, Mississippi, in paying costs associated with repairs, resurfacing and improvements and traffic signal upgrades on Casino Strip Resort Boulevard.....
$ 500,000.00

(kt) To assist the Town of Lambert, Mississippi, in paying costs associated with equipment purchases for the town's fire department..... $ 100,000.00

(ku) To assist the City of Hattiesburg, Mississippi, in paying costs associated with improvements in infrastructure in the Midtown area of the city, including, but not limited to, roads, bridges, water, sewer, drainage, sidewalks, stormwater detention, land acquisition, utility relocation and lighting .....
$ 2,000,000.00

(kv) To assist Perry County, Mississippi, in paying costs associated with the construction of a roadway and a bridge to access the Perry County Industrial Park..... $ 750,000.00

(kw) To assist the City of Greenwood, Mississippi, in paying costs associated with infrastructure improvements.....
$ 500,000.00

(kx) To assist the Mississippi Development Authority in providing reimbursements for Major League Baseball mandated alterations and improvements to Trustmark Park ..... $ 1,300,000.00

(ky) To assist the Town of Gloster, Mississippi, in paying costs associated for infrastructure improvements to Gloster Road, Georgia Pacific 1 Road, Georgia Pacific 2 Road, Pepper House Road and East Railroad Avenue .. $ 2,500,000.00

(kz) To assist the City of Pearl, Mississippi, in paying costs associated with lighting improvements on U.S. Highway 80 ..... $ 1,500,000.00

(la) To assist the City of Richland, Mississippi, in paying costs associated with the U.S. Highway 49 pedestrian crossover ..... $ 500,000.00

(lb) To assist the City of Newton, Mississippi, in paying costs associated with demolition, repairs and renovations of the Medical and Community Facility..... $ 1,500,000.00

(lc) To assist the City of Forest, Mississippi, in paying costs associated with infrastructure improvements to Jack Lee Drive and Old Morton Road ..... $ 250,000.00

(ld) To assist the City of Hernando, Mississippi, in paying costs associated with the installation of a roundabout at the intersection of U.S. Highway 51 and Oak Grove Road
$ 1,500,000.00

(le) To assist Lee County, Mississippi, in paying costs associated with the acquisition of real property adjacent to Turner Industrial Park for the purpose of site expansion and rail spur improvements ..... $ 1,000,000.00

(lf) To assist Lee County, Mississippi, in paying costs associated with the purchase of a fire truck for the Richmond Fire Department in the Richmond community of Lee County.....
$ 358,000.00

(lg) To assist the City of Saltillo, Mississippi, in paying costs associated with the construction of a new fire station ..... $ 1,000,000.00

(lh) To assist the City of Gluckstadt, Mississippi, in paying costs associated with the construction of a municipal court building and a police station ..... $ 750,000.00

(li) To assist the City of Madison, Mississippi, in paying costs associated with the Madison Avenue bypass to U.S. Highway 51 ..... $ 2,000,000.00

(lj) To assist the City of Bay St. Louis, Mississippi, in paying costs associated with infrastructure improvements.....
$ 250,000.00

(lk) To assist Hancock County, Mississippi, in paying costs associated with infrastructure improvements .....
$ 500,000.00

(ll) To assist the City of Waveland, Mississippi, in paying costs associated with infrastructure improvements.....
$ 250,000.00

(lm) To assist the Horn Lake Creek Basin Interceptor Sewer District in paying the costs associated with infrastructure improvements..... $ 2,000,000.00

(ln) To assist the Twenty-third Circuit Court District in paying costs associated with the District Attorney's Office .....
$ 275,000.00

(lo) To assist the City of Southaven, Mississippi, in paying costs associated with traffic signal and intersection improvements at Stateline Road and Swinnea Road . $ 300,000.00

(lp) To assist the City of Southaven, Mississippi, in paying costs associated with upgrades and improvements to Snowden Grove Park..... $ 500,000.00

(lq) To assist the City of Southaven, Mississippi, in paying costs associated with a traffic signal and intersection improvements at Church Road and Tchulahoma Road

$ 350,000.00

(lr) To assist * * * Horn Lake Water District in paying costs associated with a water meter replacement ..... $ 250,000.00

(ls) To assist Alcorn County, Mississippi, in paying costs associated with infrastructure improvements to the Industrial Access Roadway ..... $ 500,000.00

(lt) To assist the City of Corinth, Mississippi, in paying costs associated with the Polk Street bridge replacement project..... $ 1,500,000.00

(lu) To assist Blue Mountain Christian University in paying costs associated with the nursing school ..... $ 250,000.00

(lv) To assist the City of Farmington, Mississippi, in paying the costs associated with the purchase of vehicles and equipment for the police department..... $ 100,000.00

(lw) To assist Lamar County, Mississippi, in paying costs associated with infrastructure improvements to the roundabout at Oak Grove Road and Weathersby Road
$ 1,500,000.00

(lx) To assist the Jackson County Economic Development Foundation in paying costs associated with the employment of career coaches for the Jackson County School District.....
$ 600,000.00

(ly) To assist Jackson County, Mississippi, in paying costs associated with road and bridge repairs in Supervisor District 1..... $ 300,000.00

(lz) To assist Washington County, Mississippi, in paying costs associated with repair and renovations of Estes Street, Airdale Drive and Sidney Street..... $ 600,000.00

(ma) To assist the Town of Metcalfe, Mississippi, in paying costs associated with repairs, renovations and
technological enhancements of town hall ..... $ 100,000.00

(mb) To assist the Town of Benoit, Mississippi, in paying costs associated with repairs, renovations and
technological enhancements of town hall ..... $ 100,000.00

(mc) To assist the City of Leland, Mississippi, in paying costs associated with repairs, renovations and technological enhancements of city hall ..... $ 75,000.00

(md) To assist Washington County, Mississippi, in paying costs associated with improvements, renovations, repairs and upgrades to the Greenville Mid-Delta Airport $ 500,000.00

(me) To assist the City of Cleveland, Mississippi, in paying costs associated with infrastructure and drainage improvements ..... $ 500,000.00

(mf) To assist Bolivar County, Mississippi, in paying costs associated with the expansion of the Terrene Landing River Boat Dock and improvements to Terrene Landing Road..... $ 400,000.00

(mg) To assist Tishomingo County, Mississippi, in paying costs associated with the repair, renovation and expansion of the General Building 1016 at the Tri-State Commerce Park..... $ 650,000.00

(mh) To assist the City of Fulton, Mississippi, in paying costs associated with construction, renovation and repair of an acquired building to repurpose for use as the city hall..... $ 250,000.00

(mi) To assist the Town of Marietta, Mississippi, in paying costs associated with infrastructure improvements..... $ 200,000.00

(mj) To assist the Town of Mantachie, Mississippi, in paying costs associated with infrastructure improvements for the Fawn Grove Industrial Park..... $ 148,000.00

(mk) To assist the Town of Tishomingo, Mississippi, in paying costs associated with the replacement of gate valves and other water infrastructure projects.. $ 150,000.00

(ml) To assist the Village of Paden, Mississippi, in paying costs associated with the repairs and renovations of a village-owned industrial building..... $ 150,000.00

(mm) To assist Itawamba County, Mississippi, in paying costs associated with repairs and renovations to the RCDC facilities ..... $ 40,000.00

(mn) To assist Tishomingo County, Mississippi, in paying costs associated with repairs and renovations at the Old Historical Courthouse..... $ 100,000.00

(mo) To assist the Town of Bruce, Mississippi, in paying costs associated with equipment upgrades and other purchases for the town's police department..... $ 50,000.00

(mp) To assist the Town of New Houlka, Mississippi, in paying costs associated with the purchase of a fire truck..... $ 125,000.00

(mq) To assist Calhoun County, Mississippi, in paying costs associated with the repairs, paving and improvements of County Road 137..... $ 125,000.00

(mr) To assist Calhoun County, Mississippi, in paying costs associated with the repairs, paving and improvements of County Road 306..... $ 1,000,000.00

(ms) To assist the Pat Harrison Waterway District in paying costs associated with the relocation of a boat ramp ..... $ 100,000.00

(mt) To assist the Mississippi Department of Transportation in paying costs associated with a turn lane and traffic signal at the intersection of McArthur Street and Highway 145 in Quitman, Mississippi ..... $ 100,000.00

(mu) To assist Clarke County, Mississippi, in paying costs associated with the purchase of vehicles and equipment for the Clarke County Sherriff's Department ..... $ 100,000.00

(mv) To assist Yazoo County, Mississippi, in paying costs associated with repairs and improvements to roads and bridges ..... $ 500,000.00

(mw) To assist the Town of Cary, Mississippi, in paying costs associated with the construction of a fire station ..... $ 250,000.00

(mx) To assist Yazoo City, Mississippi, in paying costs associated with the repair and renovation of the Triangle Cultural Center..... $ 200,000.00

(my) To assist the City of Long Beach, Mississippi, in paying costs associated with infrastructure improvements..... $ 750,000.00

(mz) To assist the City of Pass Christian, Mississippi, in paying costs associated with infrastructure improvements..... $ 750,000.00

(na) To assist the City of Macon, Mississippi, in paying costs associated with the purchase of fire trucks and firefighting equipment for the city's fire department ... $ 350,000.00

(nb) To assist the City of West Point, Mississippi, in paying costs associated with repairs, resurfacing and improvements to streets ..... $ 1,000,000.00

(nc) To assist Tate County, Mississippi, in paying costs associated with infrastructure improvements for the Chrome-Craft Redevelopment project $ 1,000,000.00

(nd) To assist Union County, Mississippi, in paying costs associated with infrastructure improvements in Supervisor District 1 ..... $ 300,000.00

(ne) To assist Union County, Mississippi, in paying costs associated with infrastructure improvements in Supervisor District 2 ..... $ 300,000.00

(nf) To assist the Town of Potts Camp, Mississippi, in paying costs associated with infrastructure improvements..... $ 300,000.00

(ng) To assist Jackson County, Mississippi, in paying costs associated with the engineering and construction of the Jackson County Blueway Connection, along the Pascagoula River..... $ 500,000.00

(nh) To assist the City of Pascagoula, Mississippi, in defraying expenses associated with a police substation for East Pascagoula ..... $ 1,500,000.00

(ni) To assist the City of Ocean Springs, Mississippi, in paying costs associated with infrastructure improvements..... $ 600,000.00

(nj) To assist the City of Starkville, Mississippi, in paying costs associated with the Starkville Main Street Project..... $ 500,000.00

(nk) To assist Oktibbeha County, Mississippi, with costs associated with roof repairs to the Town of Maben's Fire Department ..... $ 50,000.00

(nl) To assist Oktibbeha County, Mississippi, in * * * providing funds to be distributed equally among the following fire departments to assist in paying various department costs: Adaton Self Creek Volunteer Fire Department, Central Oktibbeha Fire Department, Maben Fire Department, and Sturgis/District 4 Volunteer Fire Department $ 200,000.00

(nm) To assist Webster County, Mississippi, with costs associated with the repairs and maintenance of the Volunteer Fire Departments buildings..... $ 250,000.00

(nn) To assist the City of Eupora, Mississippi, with costs associated with the purchase of a police vehicle ..... $ 55,000.00

(no) To assist the Town of Weir, Mississippi, with costs associated with infrastructure improvement projects and purchasing vehicles for the police department. $ 45,000.00

(np) To assist the Community Foundation for Mississippi in paying costs associated with providing direct services for reading intervention and training for teachers, and with renovations to building space to provide such services ..... $ 500,000.00

(nq) To assist the Marty Stuart Congress of Country Music Museum in paying costs associated with the construction of Phase 2 of the museum in the City of

Philadelphia, Mississippi; however, no funds may be disbursed for such purposes until the Department of Finance and Administration is provided proof that the museum, museum owner or museum governing body, as applicable, possesses the ownership rights to all Marty Stuart memorabilia, exhibits and/or other items or material displayed in the museum or has a written binding agreement to display Marty Stuart memorabilia and/or similar memorabilia for a period of at least twenty-five (25) years . $10,000,000.00

(nr) To provide funds to the Three Rivers Solid Waste Management Authority to construct, repair, renovate, expand, enhance, improve, and equip the Three Rivers Regional Landfill in the City of Pontotoc, Mississippi, and the three (3) Authority Transfer Stations located in the City of Oxford, Mississippi, Lee County, Mississippi, and Monroe County, Mississippi..... $4,000,000.00

(ns) To assist the Chickasaw Inkana Foundation in paying costs associated with the construction, furnishing and equipping of the Chickasaw Heritage Center in the City of Tupelo, Mississippi $4,950,000.00

(nt) To assist the Scenic Rivers Development Alliance in paying costs associated with the Okhissa Lake Development Project..... $8,000,000.00

(nu) To assist the City of Tupelo, Mississippi, with a match to federal funds for the construction of railroad improvements that run through the city for public safety and economic development improvements $4,600,000.00

(nv) To assist Camp Kamassa in defraying expenses related to construction of buildings, facilities, complexes and related infrastructure..... $4,000,000.00

(nw) To assist Hinds Community College in paying costs associated with construction of the Health Science Complex at the Rankin Campus $16,000,000.00

(nx) To * * * assist the Columbus Redevelopment Authority in paying costs associated with the Park View - Burns Bottom Project..... $3,000,000.00

(ny) To the Prentiss County School District for upgrades to equipment, furnishings and facilities for the CTE program at Wheeler Attendance Center $1,000,000.00

(nz) To the Grenada School District for upgrades to equipment, furnishings and facilities for the CTE program $3,000,000.00

(oa) To the Itawamba County School District for upgrades to equipment, furnishings and facilities for the CTE program including equipment for aiding in logistics and maintenance $4,000,000.00

(ob) To the George County School District for upgrades to equipment, furnishings and facilities for the CTE program..... $1,000,000.00

(oc) To the Jackson County School District for upgrades to equipment, furnishings and facilities for the CTE program at three high schools: East Central, Vancleave and St. Martin..... $9,000,000.00

(od) To the South Tippah School District for upgrades to equipment, furnishings and facilities for the CTE program..... $500,000.00

(oe) To the Senatobia Municipal School District for upgrades to equipment, furnishings and facilities for the CTE program..... $500,000.00

(of) To the Attala County School District for upgrades to equipment, furnishings and facilities for the CTE program at Kosciusko-Attala County Career Tech Center $2,000,000.00

(og) To the Greene County School District for upgrades to equipment, furnishings and facilities for the CTE program..... $2,000,000.00

(oh) To the Lee County School District for upgrades to equipment, furnishings and facilities for the CTE program..... $350,000.00

(oi) To the Wayne County School District for upgrades to equipment, furnishings and facilities for the CTE program..... $500,000.00

(oj) To Long Beach High School for upgrades to equipment, furnishings and facilities for the CTE program $1,000,000.00

(ok) To the Newton County School System for upgrades to equipment, furnishings and facilities for the CTE program $2,000,000.00

(ol) To the Tupelo Public School District for upgrades to equipment, furnishings and facilities for the CTE program ..... $350,000.00.

SECTION 2. Section 4 of Chapter 549, Laws of 2023, is amended as follows:

Section 4. (1) Monies transferred pursuant to Section 1 of this act into the 2022 IHL Capital Improvements Fund created in Section 37-101-83, Mississippi Code of 1972, shall be disbursed by the Department of Finance and Administration, pursuant to the authority granted by the department's appropriation bill, Senate Bill No. 3043, 2023 Regular Session, to spend those monies, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University		$ 13,197,500.00
	Repair, renovation, and expansion of and upgrades, improvements and additions to the David L. Whitney Complex and Wellness Center	$ 13,197,500.00
Alcorn State University/Division of Agriculture		$ 620,000.00
	Preplanning for renovation of the poultry science facilities on the Lorman Campus into a Poultry/Animal Science Center Academic Research Center Building Complex	$ 620,000.00
Delta State University		$ 8,122,500.00
	Repair, renovation, and upgrading of campus buildings and facilities	$ 2,800,000.00
	Repair and renovation of and upgrades, improvements and additions to the Walter Sillers Coliseum	$ 5,322,500.00
Jackson State University		$ 8,013,000.00
	Construction, furnishing and equipping of a new residence hall and related facilities, and/or repairing and renovating existing residence halls and related facilities	$ 8,013,000.00
Mississippi State University		$ 20,732,500.00
	Repair, renovation, construction, acquisition of property, furnishing and equipping of related facilities to house the	

College of Architecture, Art and Design.....$ 5,732,500.00
Repair, renovation, construction, acquisition of property, furnishing and equipping of related facilities of the Kinesiology and Autism Building.....$ 15,000,000.00
Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine ..... $ 14,755,000.00
Repair and renovation of and upgrades and improvements to Dorman Hall and related facilities.....$ 1,300,000.00
Preplanning for renovation of and upgrades and improvements to the Bost Extension Center.....$ 455,000.00
Repair and renovation of and upgrades and improvements to Dorman Hall and related facilities.....$ 13,000,000.00
Mississippi University for Women ..... $ 9,312,500.00
Repair, renovation, and upgrading of campus buildings and facilities.....$ 8,712,500.00
Preplanning for repair and renovation of and upgrades and improvements to Old Pohl Gym.....$ 300,000.00
Preplanning for repair and renovation of and upgrades and improvements to the Hogarth Center.....$ 300,000.00
Mississippi Valley State University..... $ 3,427,500.00
Demolition of Leflore Hall and preplanning for construction, furnishing and equipping of a new residence hall and related facilities.....$ 3,427,500.00
University of Mississippi..... $ 18,382,500.00
Planning and construction, furnishing and equipping of a new building and related facilities to house the School of Accountancy.....$ 14,382,500.00
Repair, renovation, and expansion of the Nursing School in Oxford.....$ 4,000,000.00
University of Mississippi Medical Center ..... $ 56,886,500.00
Repair, renovation,

and upgrading of
campus buildings
and facilities.....$ 11,350,000.00
Upgrades and improvements
to elevators and related
facilities.....$ 4,000,000.00
Development and
implementation of
campus wayfinding
system.....$ 1,536,500.00
Construction, furnishing
and equipping of a new Dental
School.....$40,000,000.00
University of Southern Mississippi ..... $ 22,162,500.00
Construction, furnishing
and equipping of a new
science research facility.....$ 17,162,500.00
Repair and renovation of the
Criminal Justice Building
and improvements to the
Forensic Lab .....$ 5,000,000.00
University of Southern Mississippi/Gulf
Coast Campuses.....$ 11,140,000.00
Repair, renovation,
and upgrading of
campus buildings
and facilities at
the Gulf Coast
Research Laboratory,
Halstead Campus.....$ 640,000.00
Ocean Enterprise at
the Port of Gulfport $ 10,000,000.00
Dubard School and Children's
Center for Communication and
Development – Gulf Park campus
for furnishing and equipment...$ 500,000.00.
IHL Education and Research Center.....$ 6,500,000.00
Replacement of a chiller
and related equipment
for the campus air
conditioning and
heating system; replacement
of cooling tower and
related equipment for
the campus air conditioning
and heating system;
replacement of roof for
the Universities Center;
and replacement of campus
emergency management
system.....$6,500,000.00
TOTAL..... $ 193,252,000.00

(2) (a) Amounts transferred into such special fund pursuant to Section 1 of this act shall be disbursed to pay the costs of projects described in subsection (1) of this section. If any monies in such special fund are not used within four (4) years after the date funds are transferred under Section 1 of this act into the special fund, then the institution of higher learning for which any unused monies are allocated under subsection (1) of this section shall provide an accounting of such unused monies to the Department of Finance and Administration.

(b) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in subsection (1) of this section. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the monies in the special fund used for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his or her designee.

(4) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in subsection (1) of this section may be used for general repairs and renovations at the institution of higher learning.

SECTION 3. Section 27-104-373, Mississippi Code of 1972, is amended as follows:

27-104-373. (1) A special fund, to be designated as the "2023 Local Improvements Projects Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies in the fund shall be disbursed by the Department of Finance and Administration as provided in Section 28 of this act. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(2) Projects funded with monies disbursed from the 2023 Local Improvements Projects Fund under Section 28 of Chapter 549, 2023 Regular Session, as amended by Section 1 of this act, shall be exempt from the public purchasing requirements of Section 31-7-13.

SECTION 4. Section 65-1-185, Mississippi Code of 1972, is amended as follows:

65-1-185. There is created in the State Treasury a special fund to be designated as the "2023 DeSoto County Infrastructure Improvements Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies deposited into the fund shall be used by the * * * Mississippi Department of Transportation, upon appropriation by the Legislature, to assist * * * in paying the costs associated with infrastructure improvements on Interstate 55 from Church Road to Goodman Road in Desoto County, Mississippi. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 5. Section 65-1-187, Mississippi Code of 1972, is amended as follows:

65-1-187. There is created in the State Treasury a special fund to be designated as the "2023 Lafayette County Infrastructure Improvements Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies deposited into the fund shall be used by the * * * Mississippi Department of Transportation, upon appropriation by the Legislature, to assist * * * in

paying the costs associated with infrastructure improvements on Highway 7 from Highway 9 to 0.2 miles North of Highway 6 in Lafayette County, Mississippi. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 6. Section 65-1-189, Mississippi Code of 1972, is amended as follows:

65-1-189. There is created in the State Treasury a special fund to be designated as the "2023 Gulfport Commerce Corridor Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies deposited into the fund shall be used by the * * * Mississippi Department of Transportation, upon appropriation by the Legislature, to assist in paying the costs associated with the Gulfport Commerce Corridor project located in the City of Gulfport. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 7. Section 31-7-13, Mississippi Code of 1972, is amended as follows:

31-7-13. All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided.

(a) Bidding procedure for purchases not over $5,000.00. Purchases which do not involve an expenditure of more than Five Thousand Dollars ($5,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. However, nothing contained in this paragraph (a) shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of Five Thousand Dollars ($5,000.00) or less.

(b) Bidding procedure for purchases over $5,000.00 but not over $75,000.00. Purchases which involve an expenditure of more than Five Thousand Dollars ($5,000.00) but not more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder without publishing or posting advertisement for bids, provided at least two (2) competitive written bids have been obtained. Any state agency or community or junior college purchasing commodities or procuring construction pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, to accept the lowest competitive written bid under Seventy-five Thousand Dollars ($75,000.00). Any governing authority purchasing commodities pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, with regard to governing authorities other than counties, or its purchase clerk, or his designee, with regard to counties, to accept the lowest and best competitive written bid. Such authorization shall be made in writing by the governing authority and shall be maintained on file in the primary office of the agency and recorded in the official minutes of the governing authority, as appropriate. The purchasing agent or the purchase clerk, or his designee, as the case may be, and not the governing authority, shall be liable for any penalties and/or damages as may be imposed by law for any act or omission of the purchasing agent or purchase clerk, or his designee, constituting a violation of law in accepting any bid without approval by the governing authority. The term "competitive written bid" shall mean a bid submitted on a bid form furnished by the buying agency or governing authority and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor. "Competitive" shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. Any bid item for construction in excess of Five Thousand Dollars ($5,000.00) shall be broken down by components to provide detail of component description and pricing. These details shall be submitted with the written bids and become part of the bid evaluation criteria. Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids

submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities.

(c) Bidding procedure for purchases over $75,000.00.

(i) Publication requirement.

1. Purchases which involve an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder after advertising for competitive bids once each week for two (2) consecutive weeks in a regular newspaper published in the county or municipality in which such agency or governing authority is located. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars ($25,000.00) shall be bid. All references to American Recovery and Reinvestment Act projects in this section shall not apply to programs identified in Division B of the American Recovery and Reinvestment Act.

2. Reverse auctions shall be the primary method for receiving bids during the bidding process. If a purchasing entity determines that a reverse auction is not in the best interest of the state, then that determination must be approved by the Public Procurement Review Board. The purchasing entity shall submit a detailed explanation of why a reverse auction would not be in the best interest of the state and present an alternative process to be approved by the Public Procurement Review Board. If the Public Procurement Review Board authorizes the purchasing entity to solicit bids with a method other than reverse auction, then the purchasing entity may designate the other methods by which the bids will be received, including, but not limited to, bids sealed in an envelope, bids received electronically in a secure system, or bids received by any other method that promotes open competition and has been approved by the Office of Purchasing and Travel. However, reverse auction shall not be used for any public contract for design, construction, improvement, repair or remodeling of any public facilities, including the purchase of materials, supplies, equipment or goods for same and including buildings, roads and bridges. The Public Procurement Review Board must approve any contract entered into by alternative process. The provisions of this item 2 shall not apply to the individual state institutions of higher learning. The provisions of this item 2 requiring reverse auction as the primary method of receiving bids shall not apply to term contract purchases as provided in paragraph (n) of this section; however, a purchasing entity may, in its discretion, utilize reverse auction for such purchases. The provisions of this item 2 shall not apply to individual public schools, including public charter schools and public school districts, only when purchasing copyrighted educational supplemental materials and software as a service product. For such purchases, a local school board may authorize a purchasing entity in its jurisdiction to use a Request for Qualifications which promotes open competition and meets the requirements of the Office of Purchasing and Travel.

3. The date as published for the bid opening shall not be less than seven (7) working days after the last published notice; however, if the purchase involves a construction project in which the estimated cost is in excess of Seventy-five Thousand Dollars ($75,000.00), such bids shall not be opened in less than fifteen (15) working days after the last notice is published and the notice for the purchase of such construction shall be published once each week for two (2) consecutive weeks. * * * The notice of intention to let contracts or purchase equipment shall state the time and place at which bids shall be received, list the contracts to be made or types of equipment or supplies to be purchased, and, if all plans and/or specifications are not published, refer to the plans and/or specifications on file. If there is no newspaper published in the county or municipality, then such notice shall be given by posting same at the courthouse, or for municipalities at the city hall, and at two (2) other public places in the county or municipality, and also by publication once each week for two (2) consecutive weeks in some newspaper having a general circulation in the county or municipality in the above-provided manner. * * *

4. Agencies shall publish the notice required in subparagraph (i)3 of this paragraph (c) on the Mississippi Procurement Portal in accordance with Section 25-53-151. Agencies shall ensure that notice is sent to minority or women-owned businesses through the state's eProcurement system or by direct solicitation. Governing authorities shall ensure that notice is sent to minority or

women-owned businesses by using the services of the Mississippi Development Authority, Mississippi Procurement Technical Assistance Program, or by direct solicitation. Agencies and governing authorities shall ensure that minority or women-owned businesses are given equal time to respond to the solicitation.

5. Agencies and governing authorities using federal funds for the procurement of any good or service, including exempt personal and professional services, must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards - Subpart D - Post Federal Award Requirements Procurement Standards, in accordance with 2 CFR 200.317 through 2 CFR 200.327.

(ii) Bidding process amendment procedure. If all plans and/or specifications are published in the notification, then the plans and/or specifications may not be amended. If all plans and/or specifications are not published in the notification, then amendments to the plans/specifications, bid opening date, bid opening time and place may be made, provided that the agency or governing authority maintains a list of all prospective bidders who are known to have received a copy of the bid documents and all such prospective bidders are sent copies of all amendments. This notification of amendments may be made via mail, facsimile, electronic mail or other generally accepted method of information distribution. No addendum to bid specifications may be issued within two (2) working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum.

(iii) Filing requirement. In all cases involving governing authorities, before the notice shall be published or posted, the plans or specifications for the construction or equipment being sought shall be filed with the clerk of the board of the governing authority. In addition to these requirements, a bid file shall be established which shall indicate those vendors to whom such solicitations and specifications were issued, and such file shall also contain such information as is pertinent to the bid.

(iv) Specification restrictions.

1. Specifications pertinent to such bidding shall be written so as not to exclude comparable equipment of domestic manufacture. However, if valid justification is presented, the Department of Finance and Administration or the board of a governing authority may approve a request for specific equipment necessary to perform a specific job. Further, such justification, when placed on the minutes of the board of a governing authority, may serve as authority for that governing authority to write specifications to require a specific item of equipment needed to perform a specific job. In addition to these requirements, from and after July 1, 1990, vendors of relocatable classrooms and the specifications for the purchase of such relocatable classrooms published by local school boards shall meet all pertinent regulations of the State Board of Education, including prior approval of such bid by the State Department of Education.

2. Specifications for construction projects may include an allowance for commodities, equipment, furniture, construction materials or systems in which prospective bidders are instructed to include in their bids specified amounts for such items so long as the allowance items are acquired by the vendor in a commercially reasonable manner and approved by the agency/governing authority. Such acquisitions shall not be made to circumvent the public purchasing laws.

(v) Electronic bids. Agencies and governing authorities shall provide a secure electronic interactive system for the submittal of bids requiring competitive bidding that shall be an additional bidding option for those bidders who choose to submit their bids electronically. The Department of Finance and Administration shall provide, by regulation, the standards that agencies must follow when receiving electronic bids. Agencies and governing authorities shall make the appropriate provisions necessary to accept electronic bids from those bidders who choose to submit their bids electronically for all purchases requiring competitive bidding under this section. Any special condition or requirement for the electronic bid submission shall be specified in the advertisement for bids required by this section. Agencies or governing authorities that are currently without available high speed Internet access shall be exempt from the requirement of this subparagraph (v) until such time

that high speed Internet access becomes available. Any county having a population of less than twenty thousand (20,000) shall be exempt from the provisions of this subparagraph (v). Any municipality having a population of less than ten thousand (10,000) shall be exempt from the provisions of this subparagraph (v). The provisions of this subparagraph (v) shall not require any bidder to submit bids electronically. When construction bids are submitted electronically, the requirement for including a certificate of responsibility, or a statement that the bid enclosed does not exceed Fifty Thousand Dollars ($50,000.00), on the exterior of the bid envelope as indicated in Section 31-3-21(1) and (2) shall be deemed in compliance with by including same as an attachment with the electronic bid submittal.

(d) Lowest and best bid decision procedure.

(i) Decision procedure. Purchases may be made from the lowest and best bidder. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(ii) Decision procedure for Certified Purchasing Offices. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), Certified Purchasing Offices may also use the following procedure: Purchases may be made from the bidder offering the best value. In determining the best value bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions, documented previous experience, training costs and other relevant provisions, including, but not limited to, a bidder having a local office and inventory located within the jurisdiction of the governing authority, may be included in the best value calculation. This provision shall authorize Certified Purchasing Offices to utilize a Request For Proposals (RFP) process when purchasing commodities. All best value procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. No agency or governing authority shall accept a bid based on items or criteria not included in the specifications.

(iii) Decision procedure for Mississippi Landmarks. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), where purchase involves renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History under the authority of Sections 39-7-7 and 39-7-11, the agency or governing authority may use the following procedure: Purchases may be made from the lowest and best prequalified bidder. Prequalification of bidders shall be determined not less than fifteen (15) working days before the first published notice of bid opening. Prequalification criteria shall be limited to bidder's knowledge and experience in historical restoration, preservation and renovation. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid and prequalification procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(iv) Construction project negotiations authority. If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be

permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.

(e) Lease-purchase authorization. For the purposes of this section, the term "equipment" shall mean equipment, furniture and, if applicable, associated software and other applicable direct costs associated with the acquisition. Any lease-purchase of equipment which an agency is not required to lease-purchase under the master lease-purchase program pursuant to Section 31-7-10 and any lease-purchase of equipment which a governing authority elects to lease-purchase may be acquired by a lease-purchase agreement under this paragraph (e). Lease-purchase financing may also be obtained from the vendor or from a third-party source after having solicited and obtained at least two (2) written competitive bids, as defined in paragraph (b) of this section, for such financing without advertising for such bids. Solicitation for the bids for financing may occur before or after acceptance of bids for the purchase of such equipment or, where no such bids for purchase are required, at any time before the purchase thereof. No such lease-purchase agreement shall be for an annual rate of interest which is greater than the overall maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101, and the term of such lease-purchase agreement shall not exceed the useful life of equipment covered thereby as determined according to the upper limit of the asset depreciation range (ADR) guidelines for the Class Life Asset Depreciation Range System established by the Internal Revenue Service pursuant to the United States Internal Revenue Code and regulations thereunder as in effect on December 31, 1980, or comparable depreciation guidelines with respect to any equipment not covered by ADR guidelines. Any lease-purchase agreement entered into pursuant to this paragraph (e) may contain any of the terms and conditions which a master lease-purchase agreement may contain under the provisions of Section 31-7-10(5), and shall contain an annual allocation dependency clause substantially similar to that set forth in Section 31-7-10(8). Each agency or governing authority entering into a lease-purchase transaction pursuant to this paragraph (e) shall maintain with respect to each such lease-purchase transaction the same information as required to be maintained by the Department of Finance and Administration pursuant to Section 31-7-10(13). However, nothing contained in this section shall be construed to permit agencies to acquire items of equipment with a total acquisition cost in the aggregate of less than Ten Thousand Dollars ($10,000.00) by a single lease-purchase transaction. All equipment, and the purchase thereof by any lessor, acquired by lease-purchase under this paragraph and all lease-purchase payments with respect thereto shall be exempt from all Mississippi sales, use and ad valorem taxes. Interest paid on any lease-purchase agreement under this section shall be exempt from State of Mississippi income taxation.

(f) Alternate bid authorization. When necessary to ensure ready availability of commodities for public works and the timely completion of public projects, no more than two (2) alternate bids may be accepted by a governing authority for commodities. No purchases may be made through use of such alternate bids procedure unless the lowest and best bidder cannot deliver the commodities contained in his bid. In that event, purchases of such commodities may be made from one (1) of the bidders whose bid was accepted as an alternate.

(g) Construction contract change authorization. In the event a determination is made by an agency or governing authority after a construction contract is let that changes or modifications to the original contract are necessary or would better serve the purpose of the agency or the governing authority, such agency or governing authority may, in its discretion, order such changes pertaining to the construction that are necessary under the circumstances without the necessity of further public bids; provided that such change shall be made in a commercially reasonable manner and shall not be made to circumvent the public purchasing statutes. In addition to any other authorized person, the architect or engineer hired by an agency or governing authority with respect to any public construction contract shall have the authority, when granted by an agency or governing authority, to authorize changes or modifications to the original contract without the necessity of prior approval of the agency or governing authority when any such change or modification is less than one percent (1%) of the

total contract amount. The agency or governing authority may limit the number, manner or frequency of such emergency changes or modifications.

(h) Petroleum purchase alternative. In addition to other methods of purchasing authorized in this chapter, when any agency or governing authority shall have a need for gas, diesel fuel, oils and/or other petroleum products in excess of the amount set forth in paragraph (a) of this section, such agency or governing authority may purchase the commodity after having solicited and obtained at least two (2) competitive written bids, as defined in paragraph (b) of this section. If two (2) competitive written bids are not obtained, the entity shall comply with the procedures set forth in paragraph (c) of this section. In the event any agency or governing authority shall have advertised for bids for the purchase of gas, diesel fuel, oils and other petroleum products and coal and no acceptable bids can be obtained, such agency or governing authority is authorized and directed to enter into any negotiations necessary to secure the lowest and best contract available for the purchase of such commodities.

(i) Road construction petroleum products price adjustment clause authorization. Any agency or governing authority authorized to enter into contracts for the construction, maintenance, surfacing or repair of highways, roads or streets, may include in its bid proposal and contract documents a price adjustment clause with relation to the cost to the contractor, including taxes, based upon an industry-wide cost index, of petroleum products including asphalt used in the performance or execution of the contract or in the production or manufacture of materials for use in such performance. Such industry-wide index shall be established and published monthly by the Mississippi Department of Transportation with a copy thereof to be mailed, upon request, to the clerks of the governing authority of each municipality and the clerks of each board of supervisors throughout the state. The price adjustment clause shall be based on the cost of such petroleum products only and shall not include any additional profit or overhead as part of the adjustment. The bid proposals or document contract shall contain the basis and methods of adjusting unit prices for the change in the cost of such petroleum products.

(j) State agency emergency purchase procedure. If the governing board or the executive head, or his designees, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the head of such agency, or his designees, shall file with the Department of Finance and Administration (i) a statement explaining the conditions and circumstances of the emergency, which shall include a detailed description of the events leading up to the situation and the negative impact to the entity if the purchase is made following the statutory requirements set forth in paragraph (a), (b) or (c) of this section, and (ii) a certified copy of the appropriate minutes of the board of such agency requesting the emergency purchase, if applicable. Upon receipt of the statement and applicable board certification, the State Fiscal Officer, or his designees, may, in writing, authorize the purchase or repair without having to comply with competitive bidding requirements.

If the governing board or the executive head, or his designees, of any agency determines that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would threaten the health or safety of any person, or the preservation or protection of property, then the provisions in this section for competitive bidding shall not apply, and any officer or agent of the agency having general or specific authority for making the purchase or repair contract shall approve the bill presented for payment, and he shall certify in writing from whom the purchase was made, or with whom the repair contract was made.

Total purchases made under this paragraph (j) shall only be for the purpose of meeting needs created by the emergency situation. Following the emergency purchase, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be filed with the Department of Finance and Administration. Any contract awarded pursuant to this paragraph (j) shall not exceed a term of one (1) year.

Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (j).

(k) Governing authority emergency purchase procedure. If the governing authority, or the governing authority acting through its designee, shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions herein for competitive bidding shall not apply and any officer or agent of such governing authority having general or special authority therefor in making such purchase or repair shall approve the bill presented therefor, and he shall certify in writing thereon from whom such purchase was made, or with whom such a repair contract was made. At the board meeting next following the emergency purchase or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased, the price thereof and the nature of the emergency shall be presented to the board and shall be placed on the minutes of the board of such governing authority. Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (k).

(l) Hospital purchase, lease-purchase and lease authorization.

(i) The commissioners or board of trustees of any public hospital may contract with such lowest and best bidder for the purchase or lease-purchase of any commodity under a contract of purchase or lease-purchase agreement whose obligatory payment terms do not exceed five (5) years.

(ii) In addition to the authority granted in subparagraph (i) of this paragraph (l), the commissioners or board of trustees is authorized to enter into contracts for the lease of equipment or services, or both, which it considers necessary for the proper care of patients if, in its opinion, it is not financially feasible to purchase the necessary equipment or services. Any such contract for the lease of equipment or services executed by the commissioners or board shall not exceed a maximum of five (5) years' duration and shall include a cancellation clause based on unavailability of funds. If such cancellation clause is exercised, there shall be no further liability on the part of the lessee. Any such contract for the lease of equipment or services executed on behalf of the commissioners or board that complies with the provisions of this subparagraph (ii) shall be excepted from the bid requirements set forth in this section.

(m) Exceptions from bidding requirements. Excepted from bid requirements are:

(i) Purchasing agreements approved by department. Purchasing agreements, contracts and maximum price regulations executed or approved by the Department of Finance and Administration.

(ii) Outside equipment repairs. Repairs to equipment, when such repairs are made by repair facilities in the private sector; however, engines, transmissions, rear axles and/or other such components shall not be included in this exemption when replaced as a complete unit instead of being repaired and the need for such total component replacement is known before disassembly of the component; however, invoices identifying the equipment, specific repairs made, parts identified by number and name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required for the payment for such repairs.

(iii) In-house equipment repairs. Purchases of parts for repairs to equipment, when such repairs are made by personnel of the agency or governing authority; however, entire assemblies, such as engines or transmissions, shall not be included in this exemption when the entire assembly is being replaced instead of being repaired.

(iv) Raw gravel or dirt. Raw unprocessed deposits of gravel or fill dirt which are to be removed and transported by the purchaser.

(v) Governmental equipment auctions. Motor vehicles or other equipment purchased from a federal agency or authority, another governing authority or

state agency of the State of Mississippi, or any governing authority or state agency of another state at a public auction held for the purpose of disposing of such vehicles or other equipment. Any purchase by a governing authority under the exemption authorized by this subparagraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(vi) Intergovernmental sales and transfers. Purchases, sales, transfers or trades by governing authorities or state agencies when such purchases, sales, transfers or trades are made by a private treaty agreement or through means of negotiation, from any federal agency or authority, another governing authority or state agency of the State of Mississippi, or any state agency or governing authority of another state. Nothing in this section shall permit such purchases through public auction except as provided for in subparagraph (v) of this paragraph (m). It is the intent of this section to allow governmental entities to dispose of and/or purchase commodities from other governmental entities at a price that is agreed to by both parties. This shall allow for purchases and/or sales at prices which may be determined to be below the market value if the selling entity determines that the sale at below market value is in the best interest of the taxpayers of the state. Governing authorities shall place the terms of the agreement and any justification on the minutes, and state agencies shall obtain approval from the Department of Finance and Administration, prior to releasing or taking possession of the commodities.

(vii) Perishable supplies or food. Perishable supplies or food purchased for use in connection with hospitals, the school lunch programs, homemaking programs and for the feeding of county or municipal prisoners.

(viii) Single-source items. Noncompetitive items available from one (1) source only. In connection with the purchase of noncompetitive items only available from one (1) source, a certification of the conditions and circumstances requiring the purchase shall be filed by the agency with the Department of Finance and Administration and by the governing authority with the board of the governing authority. Upon receipt of that certification the Department of Finance and Administration or the board of the governing authority, as the case may be, may, in writing, authorize the purchase, which authority shall be noted on the minutes of the body at the next regular meeting thereafter. In those situations, a governing authority is not required to obtain the approval of the Department of Finance and Administration. Following the purchase, the executive head of the state agency, or his designees, shall file with the Department of Finance and Administration, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the source from whom it was purchased.

(ix) Waste disposal facility construction contracts. Construction of incinerators and other facilities for disposal of solid wastes in which products either generated therein, such as steam, or recovered therefrom, such as materials for recycling, are to be sold or otherwise disposed of; however, in constructing such facilities, a governing authority or agency shall publicly issue requests for proposals, advertised for in the same manner as provided herein for seeking bids for public construction projects, concerning the design, construction, ownership, operation and/or maintenance of such facilities, wherein such requests for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, environmental compatibility, legal responsibilities and such other matters as are determined by the governing authority or agency to be appropriate for inclusion; and after responses to the request for proposals have been duly received, the governing authority or agency may select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter contracts with one or more of the persons or firms submitting proposals.

(x) Hospital group purchase contracts. Supplies, commodities and equipment purchased by hospitals through group purchase programs pursuant to Section 31-7-38.

(xi) Information technology products. Purchases of information technology products made by governing authorities under the provisions of purchase

schedules, or contracts executed or approved by the Mississippi Department of Information Technology Services and designated for use by governing authorities.

(xii) Energy efficiency services and equipment. Energy efficiency services and equipment acquired by school districts, community and junior colleges, institutions of higher learning and state agencies or other applicable governmental entities on a shared-savings, lease or lease-purchase basis pursuant to Section 31-7-14.

(xiii) Municipal electrical utility system fuel. Purchases of coal and/or natural gas by municipally owned electric power generating systems that have the capacity to use both coal and natural gas for the generation of electric power.

(xiv) Library books and other reference materials. Purchases by libraries or for libraries of books and periodicals; processed film, videocassette tapes, filmstrips and slides; recorded audiotapes, cassettes and diskettes; and any such items as would be used for teaching, research or other information distribution; however, equipment such as projectors, recorders, audio or video equipment, and monitor televisions are not exempt under this subparagraph.

(xv) Unmarked vehicles. Purchases of unmarked vehicles when such purchases are made in accordance with purchasing regulations adopted by the Department of Finance and Administration pursuant to Section 31-7-9(2).

(xvi) Election ballots. Purchases of ballots printed pursuant to Section 23-15-351.

(xvii) Multichannel interactive video systems. From and after July 1, 1990, contracts by Mississippi Authority for Educational Television with any private educational institution or private nonprofit organization whose purposes are educational in regard to the construction, purchase, lease or lease-purchase of facilities and equipment and the employment of personnel for providing multichannel interactive video systems (ITSF) in the school districts of this state.

(xviii) Purchases of prison industry products by the Department of Corrections, regional correctional facilities or privately owned prisons. Purchases made by the Mississippi Department of Corrections, regional correctional facilities or privately owned prisons involving any item that is manufactured, processed, grown or produced from the state's prison industries.

(xix) Undercover operations equipment. Purchases of surveillance equipment or any other high-tech equipment to be used by law enforcement agents in undercover operations, provided that any such purchase shall be in compliance with regulations established by the Department of Finance and Administration.

(xx) Junior college books for rent. Purchases by community or junior colleges of textbooks which are obtained for the purpose of renting such books to students as part of a book service system.

(xxi) Certain school district purchases. Purchases of commodities made by school districts from vendors with which any levying authority of the school district, as defined in Section 37-57-1, has contracted through competitive bidding procedures for purchases of the same commodities.

(xxii) Garbage, solid waste and sewage contracts. Contracts for garbage collection or disposal, contracts for solid waste collection or disposal and contracts for sewage collection or disposal.

(xxiii) Municipal water tank maintenance contracts. Professional maintenance program contracts for the repair or maintenance of municipal water tanks, which provide professional services needed to maintain municipal water storage tanks for a fixed annual fee for a duration of two (2) or more years.

(xxiv) Purchases of Mississippi Industries for the Blind products or services. Purchases made by state agencies or governing authorities involving any item that is manufactured, processed or produced by, or any services provided by, the Mississippi Industries for the Blind.

(xxv) Purchases of state-adopted textbooks. Purchases of state-adopted textbooks by public school districts.

(xxvi) Certain purchases under the Mississippi Major Economic Impact Act. Contracts entered into pursuant to the provisions of Section 57-75-9(2), (3) and (4).

(xxvii) Used heavy or specialized machinery or equipment for installation of soil and water conservation practices purchased at auction. Used heavy or specialized machinery or equipment used for the installation and implementation of soil and water conservation practices or measures purchased subject to the restrictions provided in Sections 69-27-331 through 69-27-341. Any purchase by the State Soil and Water Conservation Commission under the exemption authorized by this subparagraph shall require advance authorization spread upon the minutes of the commission to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(xxviii) Hospital lease of equipment or services. Leases by hospitals of equipment or services if the leases are in compliance with paragraph (l)(ii).

(xxix) Purchases made pursuant to qualified cooperative purchasing agreements. Purchases made by certified purchasing offices of state agencies or governing authorities under cooperative purchasing agreements previously approved by the Office of Purchasing and Travel and established by or for any municipality, county, parish or state government or the federal government, provided that the notification to potential contractors includes a clause that sets forth the availability of the cooperative purchasing agreement to other governmental entities. Such purchases shall only be made if the use of the cooperative purchasing agreements is determined to be in the best interest of the governmental entity.

(xxx) School yearbooks. Purchases of school yearbooks by state agencies or governing authorities; however, state agencies and governing authorities shall use for these purchases the RFP process as set forth in the Mississippi Procurement Manual adopted by the Office of Purchasing and Travel.

(xxxi) Design-build method of contracting and certain other contracts. Contracts entered into under the provisions of Section 31-7-13.1, 37-101-44 or 65-1-85.

(xxxii) Toll roads and bridge construction projects. Contracts entered into under the provisions of Section 65-43-1 or 65-43-3.

(xxxiii) Certain purchases under Section 57-1-221. Contracts entered into pursuant to the provisions of Section 57-1-221.

(xxxiv) Certain transfers made pursuant to the provisions of Section 57-105-1(7). Transfers of public property or facilities under Section 57-105-1(7) and construction related to such public property or facilities.

(xxxv) Certain purchases or transfers entered into with local electrical power associations. Contracts or agreements entered into under the provisions of Section 55-3-33.

(xxxvi) Certain purchases by an academic medical center or health sciences school. Purchases by an academic medical center or health sciences school, as defined in Section 37-115-50, of commodities that are used for clinical purposes and 1. intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease, and 2. medical devices, biological, drugs and radiation-emitting devices as defined by the United States Food and Drug Administration.

(xxxvii) Certain purchases made under the Alyce G. Clarke Mississippi Lottery Law. Contracts made by the Mississippi Lottery Corporation pursuant to the Alyce G. Clarke Mississippi Lottery Law.

(xxxviii) Certain purchases made by the Department of Health and the Department of Revenue. Purchases made by the Department of Health and the Department of Revenue solely for the purpose of fulfilling their respective responsibilities under the Mississippi Medical Cannabis Act. This subparagraph shall stand repealed on June 30, 2026.

(n) Term contract authorization. All contracts for the purchase of:

(i) All contracts for the purchase of commodities, equipment and public construction (including, but not limited to, repair and maintenance), may be let for periods of not more than sixty (60) months in advance, subject to applicable statutory provisions prohibiting the letting of contracts during specified periods near the end of terms of office. Term contracts for a period exceeding twenty-four (24) months shall also

be subject to ratification or cancellation by governing authority boards taking office subsequent to the governing authority board entering the contract.

(ii) Bid proposals and contracts may include price adjustment clauses with relation to the cost to the contractor based upon a nationally published industry-wide or nationally published and recognized cost index. The cost index used in a price adjustment clause shall be determined by the Department of Finance and Administration for the state agencies and by the governing board for governing authorities. The bid proposal and contract documents utilizing a price adjustment clause shall contain the basis and method of adjusting unit prices for the change in the cost of such commodities, equipment and public construction.

(o) Purchase law violation prohibition and vendor penalty. No contract or purchase as herein authorized shall be made for the purpose of circumventing the provisions of this section requiring competitive bids, nor shall it be lawful for any person or concern to submit individual invoices for amounts within those authorized for a contract or purchase where the actual value of the contract or commodity purchased exceeds the authorized amount and the invoices therefor are split so as to appear to be authorized as purchases for which competitive bids are not required. Submission of such invoices shall constitute a misdemeanor punishable by a fine of not less than Five Hundred Dollars ($500.00) nor more than One Thousand Dollars ($1,000.00), or by imprisonment for thirty (30) days in the county jail, or both such fine and imprisonment. In addition, the claim or claims submitted shall be forfeited.

(p) Electrical utility petroleum-based equipment purchase procedure. When in response to a proper advertisement therefor, no bid firm as to price is submitted to an electric utility for power transformers, distribution transformers, power breakers, reclosers or other articles containing a petroleum product, the electric utility may accept the lowest and best bid therefor although the price is not firm.

(q) Fuel management system bidding procedure. Any governing authority or agency of the state shall, before contracting for the services and products of a fuel management or fuel access system, enter into negotiations with not fewer than two (2) sellers of fuel management or fuel access systems for competitive written bids to provide the services and products for the systems. In the event that the governing authority or agency cannot locate two (2) sellers of such systems or cannot obtain bids from two (2) sellers of such systems, it shall show proof that it made a diligent, good-faith effort to locate and negotiate with two (2) sellers of such systems. Such proof shall include, but not be limited to, publications of a request for proposals and letters soliciting negotiations and bids. For purposes of this paragraph (q), a fuel management or fuel access system is an automated system of acquiring fuel for vehicles as well as management reports detailing fuel use by vehicles and drivers, and the term "competitive written bid" shall have the meaning as defined in paragraph (b) of this section. Governing authorities and agencies shall be exempt from this process when contracting for the services and products of fuel management or fuel access systems under the terms of a state contract established by the Office of Purchasing and Travel.

(r) Solid waste contract proposal procedure. Before entering into any contract for garbage collection or disposal, contract for solid waste collection or disposal or contract for sewage collection or disposal, which involves an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), a governing authority or agency shall issue publicly a request for proposals concerning the specifications for such services which shall be advertised for in the same manner as provided in this section for seeking bids for purchases which involve an expenditure of more than the amount provided in paragraph (c) of this section. Any request for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, legal responsibilities and other relevant factors as are determined by the governing authority or agency to be appropriate for inclusion; all factors determined relevant by the governing authority or agency or required by this paragraph (r) shall be duly included in the advertisement to elicit proposals. After responses to the request for proposals have been duly received, the governing authority or agency shall select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter into contracts with one or more of the persons or firms submitting proposals. If the governing authority or agency deems

none of the proposals to be qualified or otherwise acceptable, the request for proposals process may be reinitiated. Notwithstanding any other provisions of this paragraph, where a county with at least thirty-five thousand (35,000) nor more than forty thousand (40,000) population, according to the 1990 federal decennial census, owns or operates a solid waste landfill, the governing authorities of any other county or municipality may contract with the governing authorities of the county owning or operating the landfill, pursuant to a resolution duly adopted and spread upon the minutes of each governing authority involved, for garbage or solid waste collection or disposal services through contract negotiations.

(s) Minority set-aside authorization. Notwithstanding any provision of this section to the contrary, any agency or governing authority, by order placed on its minutes, may, in its discretion, set aside not more than twenty percent (20%) of its anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the Department of Finance and Administration and shall be subject to bid requirements under this section. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder. For the purposes of this paragraph, the term "minority business" means a business which is owned by a majority of persons who are United States citizens or permanent resident aliens (as defined by the Immigration and Naturalization Service) of the United States, and who are Asian, Black, Hispanic or Native American, according to the following definitions:

(i) "Asian" means persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(ii) "Black" means persons having origins in any black racial group of Africa.

(iii) "Hispanic" means persons of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.

(iv) "Native American" means persons having origins in any of the original people of North America, including American Indians, Eskimos and Aleuts.

(t) Construction punch list restriction. The architect, engineer or other representative designated by the agency or governing authority that is contracting for public construction or renovation may prepare and submit to the contractor only one (1) preliminary punch list of items that do not meet the contract requirements at the time of substantial completion and one (1) final list immediately before final completion and final payment.

(u) Procurement of construction services by state institutions of higher learning. Contracts for privately financed construction of auxiliary facilities on the campus of a state institution of higher learning may be awarded by the Board of Trustees of State Institutions of Higher Learning to the lowest and best bidder, where sealed bids are solicited, or to the offeror whose proposal is determined to represent the best value to the citizens of the State of Mississippi, where requests for proposals are solicited.

(v) Insurability of bidders for public construction or other public contracts. In any solicitation for bids to perform public construction or other public contracts to which this section applies, including, but not limited to, contracts for repair and maintenance, for which the contract will require insurance coverage in an amount of not less than One Million Dollars ($1,000,000.00), bidders shall be permitted to either submit proof of current insurance coverage in the specified amount or demonstrate ability to obtain the required coverage amount of insurance if the contract is awarded to the bidder. Proof of insurance coverage shall be submitted within five (5) business days from bid acceptance.

(w) Purchase authorization clarification. Nothing in this section shall be construed as authorizing any purchase not authorized by law.

(x) Mississippi Regional Pre-Need Disaster Clean Up Act. (i) The Department of Finance and Administration shall enter into nine (9) contracts for the pre-need purchase of labor, services, work, materials, equipment, supplies or other personal property for disaster-related solid waste collection, disposal or monitoring. One

(1) contract shall be entered into for each of the nine (9) Mississippi Emergency Management Association districts:

1. Coahoma, DeSoto, Grenada, Panola, Quitman, Tallahatchie, Tate, Tunica and Yalobusha Counties;

2. Alcorn, Benton, Itawamba, Lafayette, Lee, Marshall, Pontotoc, Prentiss, Tippah, Tishomingo and Union Counties;

3. Attala, Bolivar, Carroll, Holmes, Humphreys, Leflore, Montgomery, Sunflower and Washington Counties;

4. Calhoun, Chickasaw, Choctaw, Clay, Lowndes, Monroe, Noxubee, Oktibbeha, Webster and Winston Counties;

5. Claiborne, Copiah, Hinds, Issaquena, Madison, Rankin, Sharkey, Simpson, Warren and Yazoo Counties;

6. Clarke, Jasper, Kemper, Lauderdale, Leake, Neshoba, Newton, Scott, and Smith Counties and the Mississippi Band of Choctaw Indians;

7. Adams, Amite, Franklin, Jefferson, Lawrence, Lincoln, Pike, Walthall and Wilkinson Counties;

8. Covington, Forrest, Greene, Jefferson Davis, Jones, Lamar, Marion, Perry and Wayne Counties; and

9. George, Hancock, Harrison, Jackson, Pearl River and Stone Counties.

Any such contract shall set forth the manner of awarding such a contract, the method of payment, and any other matter deemed necessary to carry out the purposes of the agreement. Such contract may be entered into only for a term of one (1) year, with an option for an additional one-year extension after the conclusion of the first year of the contract, and only after having solicited bids or proposals, as appropriate, which shall be publicly advertised by posting on a web page maintained by the Department of Finance and Administration through submission of such advertisement to the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority. The bid opening shall not occur until after the submission has been posted for at least ten (10) consecutive days. The state's share of expenditures for solid waste collection, disposal or monitoring under any contract shall be appropriated and paid in the manner set forth in the contract and in the same manner as for other solid waste collection, disposal, or monitoring expenses of the state. Any contract entered into under this paragraph shall not be subject to the provisions of Section 17-13-11.

(ii) Any board of supervisors of any county or any governing authority of any municipality may opt in to the benefits and services provided under the appropriate and relevant contract established in subparagraph (i) of this paragraph at the time of a disaster event in that county or municipality. At the time of opt in, the county or municipality shall assume responsibility for payment in full to the contractor for the disaster-related solid waste collection, disposal or monitoring services provided. Nothing in this subparagraph (ii) shall be construed as requiring a county or municipality to opt in to any such contract established in subparagraph (i) of this paragraph.

SECTION 8. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 28 OF CHAPTER 549, LAWS OF 2023, TO CLARIFY AND CORRECT NAMES AND PURPOSES OF CERTAIN PROJECTS FUNDED WITH MONIES DISBURSED FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND; TO AMEND SECTION 4 OF CHAPTER 549, LAWS OF 2023, TO REVISE THE PURPOSE OF A CERTAIN PROJECT FUNDED WITH MONIES DISBURSED FROM THE 2022 IHL CAPITAL IMPROVEMENTS FUND; TO AMEND SECTION 27-104-373, MISSISSIPPI CODE OF 1972, TO EXEMPT PROJECTS FUNDED WITH MONIES DISBURSED FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND FROM THE PUBLIC PURCHASING REQUIREMENTS OF SECTION 31-7-13, MISSISSIPPI CODE OF 1972; TO AMEND SECTION 65-1-185, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE 2023 DESOTO COUNTY INFRASTRUCTURE IMPROVEMENTS FUND SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION INSTEAD OF THE

DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 65-1-187, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE 2023 LAFAYETTE COUNTY INFRASTRUCTURE IMPROVEMENTS FUND SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION INSTEAD OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 65-1-189, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE 2023 GULFPORT COMMERCE CORRIDOR FUND SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION INSTEAD OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO MAKE SEVERAL TECHNICAL CHANGES APPLICABLE TO CERTAIN AMERICAN RECOVERY AND REINVESTMENT ACT PROJECTS UNDER THE PUBLIC PURCHASING LAW; AND FOR RELATED PURPOSES.

Senator Turner-Ford entered a motion to reconsider the vote whereby **H. B. No. 728** passed the Senate.

H. B. No. 728: Prescription drugs; prohibit discriminating actions against 340B drug discount program entities.

Senator Michel entered a motion to reconsider the vote whereby **H. B. No. 819** passed the Senate as amended.

H. B. No. 819: Insurance; remove filing fee on auto cancellation or nonrenewal appeals and exempt life line applicants from prelicensing requirements.

April 4, 2024

The President of the Senate has made the following Committee appointment(s):

JOINT LEGISLATIVE BUDGET COMMITTEE:

Lt. Governor Delbert Hosemann

Senator Dean Kirby

Senator Briggs Hopson

Senator Josh Harkins

Senator David Parker

Senator Nicole Boyd

Senator Rod Hickman

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Judge Shannon Clark of Waynesboro, MS.

Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Alison Hinton Davis of Brandon, MS.

Senator Norwood moved that when the Senate adjourns, it adjourn in memory of Martel Beaver of Florence, MS.

Senator Williams moved that when the Senate adjourns, it adjourn in memory of Ralph Edward Henley of Clarkson, MS.

Senator Bryan moved that when the Senate adjourns, it adjourn in memory of Christopher Durang of Montclair, NJ/Pipersville PA.

Senator Ladner moved that when the Senate adjourns, it adjourn in memory of Courtney Maureen Smith of Pass Christian, MS.

Senators Jackson and Jordan moved that when the Senate adjourns, it adjourn in memory of Robert Andre Harris of Crenshaw, MS.

Senators Jackson and Jordan moved that when the Senate adjourns, it adjourn in memory of Julius Harris of Como, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Doris "Dotty" Egger Richards of Columbus, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Friday, April 5, 2024.

The motion prevailed, and at 2:55 PM, the Senate stood in recess.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 2310: County authorization to assess emergency telecommunications service charge; extend date of repeal on.

S. B. No. 2382: Pawnbrokers; allow to pass credit or debit card processing charges to customers.

S. B. No. 2454: Mississippi Gulf Coast Region Utility Act; set to repeal on July 1, 2024.

S. B. No. 2532: Bonds; clarify municipalities and counties may issue serial and single term.

S. B. No. 2572: State Workforce Investment Board; amend to allow for proxy participation in meetings to meet quorum.

S. B. No. 2603: Excavation; revise procedures and required white lining in certain stances.

S. B. No. 2707: Business Improvement District Act; technical amendments.

S. B. No. 2740: Insurance; authorize counties, municipalities, school districts and other political subdivisions to pool risk.

S. B. No. 2830: Mississippi Flexible Tax Incentive Act; revise definition and annual report due date, and correct agency reference.

S. B. No. 2851: Nonprofit agricultural membership organization; authorize to issue health insurance and exempt from insurance regulation.

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2022: Juvenile offenders; provide alternative sentencing and parole options.

S. B. No. 2174: Motor vehicle theft; revise penalty for.

S. B. No. 2175: Receiving stolen property; revise the crime of.

S. B. No. 2196: Mississippi Terroristic Threats Law; provide enhanced penalty for threat against airport.

S. B. No. 2226: Israel Support Act of 2019; extend repealer on.

S. B. No. 2298: Bonds; raise maximum fee paid to state's bond attorney from $500.00 to $750.00 for validation and issuance of.

S. B. No. 2304: Income tax refunds; provide procedures for MDOR to set off debts owed to MDHS against, and for hearings and appeals.

S. B. No. 2445: Correctional system programs; extend repealers.

S. B. No. 2470: Sales tax; move the back-to-school sales tax holiday to the second Friday in July.

S. B. No. 2476: Tax credits for qualified charitable and qualified foster care charitable organizations; extend repealer on.

S. B. No. 2492: Use tax; allow municipalities to use revenue for personal property or equipment to be used for certain authorized purposes.

S. B. No. 2530: Peer-to-Peer Car Sharing Program Act; create.

S. B. No. 2570: Office of Workforce Development; extend exemption from PPRB provisions on rental/leasing of real property for agency business.

S. B. No. 2648: Mississippi Department of Marine Resources; authorize oyster lease reconfiguration and make technical amendments.

S. B. No. 2823: Medicaid; revise various technical provisions related thereto, including reimbursement levels and facility eligibility.

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Alison Hinton Davis, Martel Beaver, Ralph Edward Henley, Courtney Maureen Smith, Robert Andre Harris, Julius Harris, Doris "Dotty" Egger Richards, Christopher Durang and Judge Shannon Clark.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, APRIL 4, 2024

S. C. R. No. 544: Rules
A CONCURRENT RESOLUTION RECOGNIZING THE NEED TO PROTECT WORKPLACE SAFETY AND PRIVATE PROPERTY RIGHTS FROM INFRINGEMENT BY PROPOSED CHANGES TO THE OSHA WORKER WALKAROUND REPRESENTATIVE DESIGNATION PROCESS.
By Senator(s) Hill, McCaughn, Berry, Suber

S. R. No. 66: Rules
A RESOLUTION RECOGNIZING AND COMMENDING THE BLUE MOUNTAIN HIGH SCHOOL "LADY COUGARS" GIRLS BASKETBALL TEAM AND COACH REGINA CHILLS UPON WINNING THE MHSAA CLASS 1A GIRLS BASKETBALL STATE CHAMPIONSHIP.
By Senator(s) Parks

S. R. No. 67: Rules
A RESOLUTION COMMEMORATING SIMPSON COUNTY, MISSISSIPPI, UPON THE OCCASION OF ITS BICENTENNIAL ANNIVERSARY OBSERVANCE ON JULY 4, 2024.
By Senator(s) Berry, McLendon

S. R. No. 68: Rules
A RESOLUTION RECOGNIZING CERTIFIED RESIDENTIAL APPRAISER AND CERTIFIED DISTANCE EDUCATION INSTRUCTOR MELISSA BOND OF PICAYUNE, MISSISSIPPI, FOR DEVELOPING THE FIRST-IN-THE-NATION MISSISSIPPI PRACTICAL APPRAISER TRAINING (MPAT) PROGRAM AND COMMENDING THE STATE'S INNOVATIVE PATHWAY TO REAL ESTATE APPRAISER LICENSURE.
By Senator(s) Hill, Ladner

S. R. No. 69: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE 2024 SUMRALL HIGH SCHOOL "LADY BOBCATS" CHEER TEAM AND COACH KIM BLOUNT FOR BACK-TO-BACK UNIVERSAL CHEERLEADERS ASSOCIATION (UCA) NATIONAL CHAMPIONSHIPS.
By Senator(s) Fillingane

S. R. No. 70: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE SUMRALL HIGH SCHOOL "LADY BOBCATS" GIRLS SOCCER TEAM AND COACH TODD SIDERS FOR WINNING ITS FIRST MHSAA CLASS 4A STATE CHAMPIONSHIP.

By Senator(s) Fillingane

S. R. No. 71: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON STATE UNIVERSITY "LADY TIGERS" WOMEN'S BASKETBALL TEAM AND AWARD-WINNING COACH TOMEKIA REED FOR WINNING THE SWAC CHAMPIONSHIP FOR THE FIFTH STRAIGHT SEASON.

By Senator(s) Norwood, Frazier, Simmons (12th), Horhn, Thomas, Butler, Simmons (13th), Blackmon, Jordan, Brumfield

S. R. No. 72: Rules

A RESOLUTION COMMENDING AND CONGRATULATING PROFESSIONAL RODEO COMPETITOR ROVESKEY "FATTY" HICKMAN FROM SHUQUALAK, MISSISSIPPI, FOR HIS SUCCESS AND FAME IN REPRESENTING MISSISSIPPI ON THE SECOND SEASON OF THE NATIONAL TV SHOW ULTIMATE COWBOY SHOWDOWN: ALL-STARS.

By Senator(s) Hickman, Barnett, Barrett, Berry, Blackmon, Blount, Boyd, Bryan, Brumfield, Butler, Carter, Chassaniol, England, Hopson, Frazier, Jackson, Johnson, Jordan, Norwood, McCaughn, Horhn, Simmons (12th), Simmons (13th), Tate, Ladner, Thomas, Turner-Ford, Robinson, Sparks, Younger, Whaley, Williams

---

NINETY-FIFTH DAY, FRIDAY, APRIL 5, 2024

The Senate met at 9:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Parks. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Dr. Andy Miller, III, Vice President of Academic Affairs and Assistant Professor of Historical Theology - Wesley Biblical Seminary, Ridgeland, MS.

Senator Michel led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2448: "Mississippi Earned Parole Eligibility Act"; extend repealer and authorize parole for certain juvenile homicide offenders.

S. B. No. 2493: Bonds; repeal authorization for unissued bonds, and replace with cash funds.

S. B. No. 2567: On-premises tobacco permit; authorize Department of Revenue to issue.

S. B. No. 2696: Mississippi Main Street Grant Program; amend administration of and qualifications for.

S. B. No. 2697: Property exemption; property used exclusively and directly for certain purposes belongs to the foundation using it.

S. B. No. 2700: State offenders serving sentences in county jails; repeal repealer.

S. B. No. 2717: Mississippi Prison Industries Corporation; clarify conflicts in laws concerning leadership.

S. B. No. 2801: Distinctive motor vehicle license tag; authorize for supporters of Clarkdale High School in Lauderdale County.

S. B. No. 2803: Local Option Alcoholic Beverage Control Law; revise definition of "qualified resort area."

S. B. No. 2917: Capitol Complex Improvement District; define authority.

Andrew Ketchings, Clerk of the House of Representatives

Senator Harkins called up the following entitled bill:

H. B. No. 1003: Homestead exemption; revise time within which certain homeowners may apply for.

Senator Harkins offered the following AMENDMENT NO. 1.

AMEND on line 151 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to H. B. No. 1003 was adopted.

YEAS AND NAYS On H. B. No. 1003. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

_____

Senator Harkins called up the following entitled bill:

H. B. No. 1473: Bonds; repeal authorization for certain unissued bonds and replace certain unissued bonds with cash.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 6, Chapter 492, Laws of 2020, which authorizes the issuance of state general obligation bonds in the amount of Ten Million Dollars ($10,000,000.00) for the ACE Fund created in Section 57-1-16, is repealed.

SECTION 2. Section 10, Chapter 480, Laws of 2021, which authorizes the issuance of state general obligation bonds in the amount of Twenty Million Dollars ($20,000,000.00) for the ACE Fund created in Section 57-1-16, is repealed.

SECTION 3. Section 4, Chapter 460, Laws of 2006, is amended is follows:

Section 4. (1) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in Section 2 of this act. Upon the issuance of a certificate by the executive director of the department, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the executive director shall deliver a certified copy of his certificate or certificates to the commission. Upon receipt of the certificate, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, advertise for and accept bids, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this act shall not exceed * * * Twenty Million Seven Hundred Twenty Thousand Dollars ($20,720,000.00).

(2) Any investment earnings on amounts deposited into the special fund created in Section 2 of this act shall be used to pay debt service on bonds issued under this act, in accordance with the proceedings authorizing issuance of the bonds.

SECTION 4. Section 1, Chapter 480, Laws of 2021, as amended by Section 1, Chapter 328, Laws of 2022, and by Section 32, Chapter 549, Laws of 2023, is amended as follows:

Section 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University		$ 5,675,000.00
	Phase I of repair and renovation of and upgrades and improvements to campus dormitories	$ 5,675,000.00
Delta State University		$ 10,800,000.00
	Renovation and expansion of and upgrades,	

improvements and additions

to the Robert E. Smith

School of Nursing

Building and related

facilities.....$ 7,800,000.00

Repair, renovation

and upgrading of

campus buildings

and facilities.....$ 3,000,000.00

Jackson State University ..... $ 6,500,000.00

Phase III of repair,

renovation and

upgrading of campus

buildings, facilities,

and infrastructure.....$ 6,000,000.00

Preplanning for

construction, furnishing

and equipping of a new

dining facility and

related facilities.....$ 500,000.00

Mississippi State University ..... $ 15,000,000.00

Repair, renovation, construction,

acquisition of property,

furnishing and equipping

of related facilities to

house the College of

Architecture, Art

and Design.....$ 15,000,000.00

Mississippi State University/Division of

Agriculture, Forestry and Veterinary

Medicine.....$ * * * 1,600,000.00

Repair and renovation of

and upgrades and

improvements to Dorman Hall

and related facilities.....$ * * * 1,600,000.00

Mississippi University for Women .....$ 2,750,000.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....$ 2,750,000.00

Mississippi Valley State University.....$ 500,000.00

Preplanning for repair,

renovation, furnishing

and equipping of the

Charles Lackey

Recreation Center.....$ 500,000.00

University of Mississippi.....$ 12,000,000.00

Construction, furnishing

and equipping of a new

mechanical and power

plant building and related

facilities.....$ 12,000,000.00

University of Mississippi Medical Center .....$ 8,000,000.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....$ 8,000,000.00

University of Southern Mississippi .....$ 10,750,000.00

Repair and renovation

of Hickman Hall and

related facilities.....$ 10,000,000.00

Preplanning and

construction, furnishing

and equipping of a new

science research facility...$ 750,000.00

University of Southern Mississippi/Gulf

Coast Campuses .....$ * * * 1,500,000.00

Renovation and expansion

of and upgrades,

improvements and additions

to, Hardy Hall to house the

Executive Education Center

and related facilities

on the Gulf Park

Campus * * *; and
Repair, renovation,
life safety, and
ADA code upgrades,
furnishing and equipping
of campus buildings
and facilities
at the Gulf Coast
Research Laboratory,
Halstead Campus.....$ * * * 1,500,000.00
IHL Education and Research Center ..... $ 600,000.00
Planning, repair, renovation,
life safety and ADA code
upgrades of buildings,
facilities and infrastructure,
including the Paul B. Johnson
Tower, Edsel E. Thrash
Universities Center and
the Mississippi Public
Broadcasting Building.....$ 600,000.00
TOTAL ..... $ * * * 75,675,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that

are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed * * * Seventy-five Million Six Hundred Seventy-five Thousand Dollars ($75,675,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special funds created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 5. There is created in the State Treasury a special fund designated as the "2024 IHL Capital Projects Fund." The fund shall be maintained by the State Treasurer as a separate and special fund, apart from the State General Fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, but any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the State General Fund. Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control, to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine		$ 6,400,000.00
	Repair and renovation of and upgrades and improvements to Dorman Hall and related facilities	$ 6,400,000.00
University of Southern Mississippi/Gulf Coast Campuses		$ 4,300,000.00
	Construction, furnishing and equipping of Executive Education and Conference Center and related facilities on the Gulf Park; and	
	Repair, renovation life safety, and ADA code upgrades, furnishing and equipping of campus buildings and facilities at the Gulf Coast Research Laboratory, Halstead Campus	$ 4,300,000.00
TOTAL		$ 10,700,000.00

SECTION 6. Upon the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the sum of Ten Million Seven Hundred Thousand Dollars ($10,700,000.00) from the Capital Expense Fund (Fund No. 6499C00000) to the 2024 IHL Capital Projects Fund created in Section 5 of this act.

SECTION 7. Section 2, Chapter 480, Laws of 2021, is amended as follows:

Section 2. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Community and Junior Colleges Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest

earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund may not be used or expended for any purpose except as authorized under this act.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of acquisition of real property, construction of new facilities, equipping and furnishing facilities, including furniture and technology equipment and infrastructure, and addition to or renovation of existing facilities for community and junior college campuses as recommended by the Mississippi Community College Board. The amount to be expended at each community and junior college is as follows:

Coahoma	$ 1,601,497.00
Copiah-Lincoln	1,914,389.00
East Central	* * * 0.00
East Mississippi	* * * 1,030,000.00
Hinds	3,858,858.00
Holmes	2,670,171.00
Itawamba	* * * 1,532.00
Jones	2,354,904.00
Meridian	1,932,245.00
Mississippi Delta	1,801,892.00
Mississippi Gulf Coast	3,410,539.00
Northeast Mississippi	* * * 0.00
Northwest Mississippi	2,937,492.00
Pearl River	2,456,481.00
Southwest Mississippi	* * * 0.00
GRAND TOTAL	$ * * * 25,970,000.00

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the community college or junior college for which any such monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed * * * Twenty-five Million

Nine Hundred Seventy Thousand Dollars ($25,970,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special funds created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 8. There is created in the State Treasury a special fund designated as the "2024 Community Colleges Capital Projects Fund." The fund shall be maintained by the State Treasurer as a separate and special fund, apart from the State General Fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, but any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the State General Fund. Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of acquisition of real property, construction of new facilities, equipping and furnishing facilities, including furniture and technology equipment and infrastructure, and addition to or renovation of existing facilities for community and junior college campuses as recommended by the Mississippi

Community College Board. The amount to be expended at each community and junior college is as follows:

East Central	$ 1,788,372.00
East Mississippi	1,040,016.00
Itawamba	2,434,814.00
Northeast Mississippi	2,052,257.00
Southwest Mississippi	1,714,541.00
TOTAL	$ 9,030,000.00

SECTION 9. Upon the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the sum of Nine Million Thirty Thousand Dollars ($9,030,000.00) from the Capital Expense Fund (Fund No. 6499C00000) to the 2024 Community Colleges Capital Projects Fund created in Section 8 of this act.

SECTION 10. Section 57-75-15, Mississippi Code of 1972, is amended as follows:

[Through June 30, 2025, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the power and is hereby authorized and directed, upon receipt of a declaration from the authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars ($67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed Seventy-seven Million Dollars ($77,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to expend any remaining proceeds of bonds issued under the authority of this act prior to January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars ($10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars ($351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars ($12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section 57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight Million Five Hundred Thousand Dollars ($38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Five Million Dollars ($5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Four Million Five Hundred Thousand Dollars ($4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars ($5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Five Million Dollars ($5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xii) shall not exceed Thirty-three Million Dollars ($33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars ($2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Three Million Dollars ($3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Twenty-four Million Dollars ($24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Dollars ($2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Five Hundred Thousand Dollars ($500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvi) shall not exceed Ten Million Dollars ($10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars ($3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars ($96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars ($15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars ($23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred Thousand Dollars ($293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars ($30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars ($48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars ($88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars ($13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars ($25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvi) shall not exceed * * * Fifteen Million One Hundred Thousand Dollars ($15,100,000.00). No bonds shall be issued under this paragraph after July 1, 2021.

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars ($50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not * * * Seventy Million Dollars ($70,000,000.00). No bonds shall be issued under this paragraph after July 1, 2026.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars ($263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed * * * Six Million Dollars ($6,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(dd) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxxi) shall not exceed Two Hundred Forty-six Million Seven Hundred Ninety-eight Thousand Five Hundred Fifty Dollars ($246,798,550.00); however, the total amount of bonds that may be issued under the authority of this section for projects defined in Section 57-75-5(f)(xxxi) shall be reduced by the amount of any other funds authorized by the Legislature during the 2022 First Extraordinary Session specifically for such projects. No bonds shall be issued under this paragraph after July 1, 2040.

(ee) Bonds issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxii) shall not exceed Four Hundred Eighty-two Million Dollars ($482,000,000.00); however, the total amount of bonds that may be issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxii) shall be reduced by the amount of any other funds authorized by the Legislature specifically for such project. No bonds shall be issued under this paragraph after July 1, 2040.

(ff) Bonds issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxiii) shall not exceed Two Hundred Sixty Million Dollars ($260,000,000.00); however, the total amount of bonds that may be issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxiii) shall be reduced by the amount of any other funds authorized by the Legislature specifically for such project. No bonds shall be issued under this paragraph after July 1, 2040.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

(i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project area, including costs of design and engineering, all costs incurred to provide

land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;

(ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;

(iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list of expenses it incurred in regard to such projects to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;

(v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;

(vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(vii) Providing for the payment of interest on the bonds;

(viii) Providing debt service reserves;

(ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;

(x) For purposes authorized in paragraphs (b) and (c) of this subsection (4);

(xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);

(xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);

(xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);

(xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;

(xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);

(xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);

(xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing grants and loans as authorized in Section 57-75-11(tt);

(xxiii) Providing grants as authorized in Section 57-75-11(ww) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate; and

(xxiv) Providing loans, grants and other funds as authorized in * * * Section 57-75-11(xx), * * * (yy), * * * (zz) and * * * (aaa) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to a project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph (b)(i) shall not exceed Three Hundred Thousand Dollars ($300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars ($100,000.00) in the aggregate. Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided for the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars ($25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars ($25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.

(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable

before maturity at such time or times and upon such terms, with or without premium; bear such registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so published in one or more newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution

may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the fund, and the Department of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and

the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund unless the State Bond Commission, at the request of the authority, shall determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans, there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans, grants and other funds authorized in Section 57-75-11(jj), * * * (vv), * * * (xx), * * * (zz) and * * * (aaa) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund. However:

(i) Monies paid to the state from a county in which a project as defined in Section 57-75-5(f)(xxxii) is located and which is paid pursuant to any agreement under Section 57-75-37(6)(c)(iii) shall, after being received from the county and properly accounted for, be deposited into the State General Fund; and

(ii) Monies paid to the state from a county and/or municipality in which a project as defined in Section 57-75-5(f)(xxxiii) is located and which is paid pursuant to any agreement under Section 57-75-37(7)(c)(iii) shall, after being received from the county and/or municipality and properly accounted for, be deposited into the State General Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars ($500,000.00) at any one time.

[From and after July 1, 2025, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the power and is hereby authorized and directed, upon receipt of a declaration from the authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars ($67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed Seventy-seven Million Dollars ($77,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to expend any remaining proceeds of bonds issued under the authority of this act prior to January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars ($10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars ($351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars ($12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section 57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight Million Five Hundred Thousand Dollars ($38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Five Million Dollars ($5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Four Million Five Hundred Thousand Dollars ($4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars ($5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Five Million Dollars ($5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xii) shall not exceed Thirty-three Million Dollars ($33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars ($2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Three Million Dollars ($3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Twenty-four Million Dollars ($24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Dollars ($2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Five Hundred Thousand Dollars ($500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvi) shall not exceed Ten Million Dollars ($10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars ($3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars ($96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2016.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars ($15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars ($23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred Thousand Dollars ($293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars ($30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars ($48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars ($88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars ($13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars ($25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvi) shall not exceed * * * Fifteen Million One Hundred Thousand Dollars ($15,100,000.00). No bonds shall be issued under this paragraph after July 1, 2021.

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars ($50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not exceed * * * Seventy Million Dollars ($70,000,000.00). No bonds shall be issued under this paragraph after July 1, 2026.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars ($263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed * * * Six Million Dollars ($6,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(dd) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxxi) shall not exceed Two Hundred Forty-six Million Seven Hundred Ninety-eight Thousand Five Hundred Fifty Dollars ($246,798,550.00); however, the total amount of bonds that may be issued under the authority of this section for projects defined in Section 57-75-5(f)(xxxi) shall be reduced by the amount of any other funds authorized by the Legislature during the 2022 First Extraordinary Session specifically for such projects. No bonds shall be issued under this paragraph after July 1, 2040.

(ee) Bonds issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxii) shall not exceed Four Hundred Eight-two Million Dollars ($482,000,000.00); however, the total amount of bonds that may be issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxii) shall be reduced by the amount of any other funds authorized by the Legislature specifically for such project. No bonds shall be issued under this paragraph after July 1, 2040.

(ff) Bonds issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxiii) shall not exceed Two Hundred Sixty Million Dollars ($260,000,000.00); however, the total amount of bonds that may be issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxiii) shall be reduced by the amount of any other funds authorized by the Legislature specifically for such project. No bonds shall be issued under this paragraph after July 1, 2040.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

(i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project area, including costs of design and engineering, all costs incurred to provide land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;

(ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;

(iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list of expenses it incurred in regard to such projects to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;

(v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;

(vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(vii) Providing for the payment of interest on the bonds;

(viii) Providing debt service reserves;

(ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;

(x) For purposes authorized in paragraphs (b) and (c) of this subsection (4);

(xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);

(xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);

(xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);

(xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;

(xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);

(xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);

(xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing loans as authorized in Section 57-75-11(tt);

(xxiii) Providing grants as authorized in Section 57-75-11(ww) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate; and

(xxiv) Providing loans, grants and other funds as authorized in * * * Section 57-75-11(xx), * * * (yy), * * * (zz) and * * * (aaa) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development

Authority in providing assistance related to a project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph (b)(i) shall not exceed Three Hundred Thousand Dollars ($300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars ($100,000.00) in the aggregate. Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided for the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars ($25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars ($25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.

(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable before maturity at such time or times and upon such terms, with or without premium; bear such registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, advertise for and accept bids, issue and sell the bonds on sealed bids at public sale, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale for such price as it may determine to be for the best interest of the State of Mississippi, but no such sale shall be made at a price less than par plus accrued interest to date of delivery of the bonds to the purchaser. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually; provided that the first interest payment may be for any period of not more than one (1) year.

Notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so published in one or more newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide

for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the fund, and the Department of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund unless the State Bond Commission, at the request of the authority, shall

determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans, there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans, grants and other funds authorized in Section 57-75-11(jj), * * * (vv), * * * (xx), * * * (zz) and * * * (aaa) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund. However:

(i) Monies paid to the state from a county in which a project as defined in Section 57-75-5(f)(xxxii) is located and which is paid pursuant to any agreement under Section 57-75-37(6)(c)(iii) shall, after being received from the county and properly accounted for, be deposited into the State General Fund; and

(ii) Monies paid to the state from a county and/or municipality in which a project as defined in Section 57-75-5(f)(xxxiii) is located and which is paid pursuant to any agreement under Section 57-75-37(7)(c)(iii) shall, after being received from the county and/or municipality and properly accounted for, be deposited into the State General Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars ($500,000.00) at any one time.

SECTION 11. Section 2, Chapter 522, Laws of 2011, is amended as follows:

Section 2. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2011 Mississippi Civil Rights Museum and Museum of Mississippi History Construction Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund

shall be deposited to the credit of the fund. Monies in the fund may not be used or expended for any purpose except as authorized under this section.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of the following projects:

Preplanning, to include contracting with consultants with expertise in planning a civil rights museum and in artifact acquisition and of exhibit planning; the acquisition, storage and relocating of artifacts; exhibit design through construction documents, exhibit fabrication and exhibit installation; and designing, preplanning the construction of, and the construction, furnishing and equipping of the Mississippi Civil Rights Museum on state-owned property adjacent to the new Museum of Mississippi History located in the City of Jackson, Mississippi..... $ 20,000,000.00

Acquisition, storing and relocating of artifacts; exhibit design through construction, documents, exhibit fabrication and exhibit installation; and designing and preplanning the construction of the new Museum of Mississippi History on state-owned property located in the City of Jackson, Mississippi; and the construction, furnishing and equipping of Phase I of such museum; and designing, preplanning the construction of, and the construction of a parking garage and related facilities to serve the Mississippi Civil Rights Museum or the new Museum of Mississippi History.....$ * * * 17,996,623.00

Total $ * * * 37,996,623.00

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any monies allocated for a project described in paragraph (a) of this subsection that are in excess of that needed to complete the project may be used for other projects described in paragraph (a) of this subsection. In addition, any monies

allocated for a project described in paragraph (a) of this subsection may be used for facilities that will be jointly used by each museum described in paragraph (a) of this subsection.

(3) (a) (i) Subject to the provisions of this subsection, the commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed * * * Thirty-seven Million Nine Hundred Ninety-six Thousand Six Hundred Twenty-three Dollars ($37,996,623.00).

(ii) Planning for the construction of both museums described in subsection (2) of this section to include the parking garage, must be completed and cost estimates must be completed for the finished museums, less exhibit furnishings/displays, prior to any bonds being issued under this section to provide funds for the construction of either museum.

(iii) No bonds may be issued under this section for the purpose of providing funds to pay any costs associated with artifacts or exhibits for either of the museums described in subsection (2) of this section until the commission is provided proof that funds from private, local and/or federal sources have been irrevocably dedicated for such purposes in an amount equal to the amount of bonds to be issued to provide funds for such purposes.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, and attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the

commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds, and for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bond shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all

public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 12. Chapter 464, Laws of 1999, as amended by Chapter 386, Laws of 2000, as amended by Section 2, Chapter 553, Laws of 2010, as amended by Section 44, Chapter 472, Laws of 2015, is amended as follows:

Section 1. As used in this act, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

Section 2. (1) (a) A special fund, to be designated as the "1999 Department of Wildlife, Fisheries and Parks Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state and investment earnings on amounts in the fund shall be deposited into such fund.

(b) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishing and/or equipping facilities and purchasing real property for public facilities for the Department of Wildlife, Fisheries and Parks for the following projects:

(i) Critical dam repairs to lakes in, and renovation and repair of existing facilities and equipping facilities at the following parks and fishing lakes:

Bolivar	$ 500,000.00
Neshoba	450,000.00
Tom Bailey	275,000.00
Roosevelt	150,000.00
Trace	800,000.00
Legion	100,000.00
Percy Quinn	100,000.00
Walthall County	700,000.00
Tombigbee	100,000.00
Perry County	100,000.00
TOTAL	$ 3,275,000.00

(ii) Repairs, renovation and construction at the following state fish hatcheries:

Turcotte	$ 200,000.00

Meridian 250,000.00
Lyman 1,000,000.00
North Mississippi 1,000,000.00
TOTAL ..... $ 2,450,000.00

(iii) Construction of new headquarters buildings, and renovation and repair of existing headquarters buildings as considered necessary and appropriate by the Department of Wildlife, Fisheries and Parks at the following wildlife management areas:

Tuscumbia, Yockanookany, Choctaw, Chickasaw, Calhoun, Grenada, Chickasawhay, Sunflower ..... $ 1,550,000.00

(iv) Construction of new, and renovation and repair of equipment sheds as considered necessary and appropriate by the Department of Wildlife, Fisheries and Parks at the following wildlife management areas:

Black Prairie, Trim Cane, Malmaison, Caney Creek, Tallahala, Bienville, Chickasawhay, Sandy Creek, Caston Creek, Little Biloxi, Old River, Upper and Lower Pascagoula, Wolf River ..... $ 150,000.00

(v) Construction of new facilities and storage sheds, and renovation and repair of existing facilities and storage sheds at the following state lakes:

Lamar Bruce, Simpson County, Bogue Homa, Kemper County, Jeff Davis, Bill Waller, Mary Crawford, Oktibbeha County, Tippah County, Monroe County ..... $ 875,000.00

(vi) Construction of lakes (including, but not limited to, construction of dams, drainage structures and spillways related to such lakes), and construction of facilities, buildings, day use areas, campsites, infrastructure, utilities, roads, boat ramps and parking for such lakes in the following counties:

Copiah County ..... $ 3,250,000.00
George County ..... $ 500,000.00
TOTAL ..... $ 3,750,000.00

(vii) Repair, renovation, reconstruction or resurfacing of a certain public road in Yalobusha County beginning at Mississippi Highway 32 and extending northerly to the entrance of George Payne Cossar State Park $ 200,000.00

(viii) Repair, renovation and restoration of Lakeland Park in Wayne County ..... $ 100,000.00

(ix) Repair, renovation, reconstruction and resurfacing of certain public roads in Panola County beginning at the intersection of John Harmon Road and Mississippi Highway 315 and extending northerly along John Harmon Road and thence easterly along State Park Road to John Kyle State Park. Any state aid road funds or other

funds that may be available for such road projects may be used to match any of the funds authorized under this subparagraph (ix). However, if no state aid road funds or other funds are available to match the funds made available under this subparagraph (ix), then the funds authorized under this subparagraph (ix) may be used for the road project along State Park Road, and any remaining funds may be used on the John Harmon Road project ..... $ 500,000.00

(x) Paving a walking/bicycle path at Percy Quinn State Park ..... $ 25,000.00

(xi) Repair and renovation of manager and assistant manager residences at Percy Quinn State Park ..... $ 50,000.00

GRAND TOTAL ..... $ 12,925,000.00

(c) If a project described in paragraph (b) of this subsection is completed without utilizing the full amount of the funds allocated for such project, the Department of Wildlife, Fisheries and Parks may utilize such excess funds as necessary to complete any of the other projects described in paragraph (b) of this section.

(2) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in subsection (1) of this section. Promptly after the commission has certified, by resolution duly adopted, that the projects described in subsection (1) shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this act, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(4) The Department of Finance and Administration is authorized to pay for the purchase of real estate, construction, repair, renovation, furnishing and equipping of facilities.

Section 3. (1) (a) A special fund, to be designated as the "Pat Harrison Waterway District Lake Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(b) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to:

(i) Assist the Pat Harrison Waterway District in paying the costs associated with construction of a lake in George County, Mississippi * * * (including, but not limited to, construction of dams, drainage structures and spillways related to such lake), and construction of facilities, buildings, day use areas, campsites, infrastructure, utilities, roads, boat ramps and parking for such lake; and

(ii) Assist the Pat Harrison Waterway District in paying expenses incurred by the district for administrative, management, legal, accounting, engineering and other costs associated with the implementation of this section. Funds provided to the Pat Harrison Waterway District under this subparagraph (ii) shall not exceed three percent (3%) of the amount of bond proceeds deposited into the special fund.

(2) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in subsection (1) of this section. Promptly after the

commission has certified, by resolution duly adopted, that the projects described in subsection (1) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this act, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

Section 4. (1) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in Sections 2 and 3 of this act. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for the sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this act shall not exceed * * * Fifteen Million Nine Hundred Six Thousand Three Hundred Seventy-three Dollars ($15,906,373.00).

(2) The proceeds of the bonds issued pursuant to this act shall be deposited into the following special funds in not more than the following amounts:

(a) The 1999 Department of Wildlife, Fisheries and Parks Improvements Fund created pursuant to Section 2 of this act..... $ 12,925,000.00.

(b) The Pat Harrison Waterway District Lake Improvements Fund created pursuant to Section 3 of this act $ * * *2,981,373.00.

(3) Any investment earnings on amounts deposited into the special funds created in Sections 2 and 3 of this act shall be used to pay debt service on bonds issued under this act, in accordance with the proceedings authorizing issuance of such bonds.

Section 5. The principal of and interest on the bonds authorized under this act shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

Section 6. The bonds authorized by this act shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary,

such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

Section 7. All bonds and interest coupons issued under the provisions of this act have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this act, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

Section 8. The commission shall act as the issuing agent for the bonds authorized under this act, prescribe the form of the bonds, determine the appropriate method for the sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this act from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bond shall be published at least one (1) time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, to be selected by the commission.

The commission, when issuing any bonds under the authority of this act, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

Section 9. The bonds issued under the provisions of this act are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

Section 10. Upon the issuance and sale of bonds under the provisions of this act, the commission shall transfer the proceeds of any such sale or sales to the special funds created in Sections 2 and 3 of this act in the amounts provided for in Section 4(2) of this act. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

Section 11. The bonds authorized under this act may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this act. Any resolution providing for the issuance of bonds under the provisions of this act shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

Section 12. The bonds authorized under the authority of this act may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

Section 13. Any holder of bonds issued under the provisions of this act or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this act, or under such resolution, and may enforce and compel performance of all duties

required by this act to be performed, in order to provide for the payment of bonds and interest thereon.

Section 14. All bonds issued under the provisions of this act shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

Section 15. Bonds issued under the provisions of this act and income therefrom shall be exempt from all taxation in the State of Mississippi.

Section 16. The proceeds of the bonds issued under this act shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

Section 17. The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this act; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

Section 18. This act shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this act shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 13. Section 3, Chapter 580, Laws of 2007, as amended by Section 11, Chapter 431, Laws of 2011, which authorizes state general obligation bonds in the amount of $4,000,000.00 to be issued for the Grand Gulf Access Road Construction Fund, to be spent under the direction of the Mississippi Transportation Commission, is repealed.

SECTION 14. Section 57-71-25, Mississippi Code of 1972, is amended as follows:

57-71-25. (1) The seller is authorized to borrow, on the credit of the state, upon receipt of a resolution from the company requesting the same, money not exceeding the aggregate sum of * * * Zero Dollars ($0.00), outstanding at any one time, not including money borrowed to refund outstanding bonds, notes or replacement notes, as may be necessary to carry out the purposes of this act. The rate of interest on any such bonds or notes which are not subject to taxation shall not exceed the rates set forth in Section 75-17-101, Mississippi Code of 1972, for general obligation bonds.

(2) As evidence of indebtedness authorized in this act, general or limited obligation bonds of the state shall be issued from time to time to provide monies necessary to carry out the purposes of this act for such total amount, in such form, in such denominations, payable in such currencies (either domestic or foreign or both), and subject to such terms and conditions of issue, redemption and maturity, rate of interest and time of payment of interest as the seller directs, except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from date thereof and extending not more than twenty (20) years from date thereof.

(3) All bonds and notes issued under authority of this act shall be signed by the chairman of the seller, or by his facsimile signature, and the official seal of the seller shall be affixed thereto, attested by the secretary of the seller.

(4) All bonds and notes issued under authority of this act may be general or limited obligations of the state, and the full faith and credit of the State of Mississippi as to general obligation bonds, or the revenue derived from projects assisted as to limited obligation bonds, are hereby pledged for the payment of the principal of and the interest on such bonds and notes.

(5) Such bonds and notes and the income therefrom shall be exempt from all taxation in the State of Mississippi.

(6) The bonds may be issued as coupon bonds or registered as to both principal and interest as the seller may determine. If interest coupons are attached, they shall contain the facsimile signature of the chairman and the secretary of the seller.

(7) As to bonds issued hereunder and designated as taxable bonds by the seller, any immunity of the state to taxation by the United States government of interest on bonds or notes issued by the state is hereby waived.

SECTION 15. Upon the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer Fifty Million Dollars ($50,000,000.00) from the Capital Expense Fund (Fund No. 6499C00000) to the Triple Crown Project Fund.

SECTION 16. Upon the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer One Hundred Thirty-three Million Three Hundred Eleven Thousand Seven Hundred Thirty-eight Dollars ($133,311,738.00) from the Capital Expense Fund (Fund No. 6499C00000) to the Project Poppy Fund.

SECTION 17. This act shall take effect and be in force from and after its passage, and shall stand repealed on the day before its passage.

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

AN ACT TO REPEAL SECTION 6, CHAPTER 492, LAWS OF 2020, WHICH AUTHORIZES THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF $10,000,000.00 FOR THE ACE FUND; TO REPEAL SECTION 10, CHAPTER 480, LAWS OF 2021, WHICH AUTHORIZES THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF $20,000,000.00 FOR THE ACE FUND; TO AMEND SECTION 4, CHAPTER 460, LAWS OF 2006, TO REDUCE BY $9,280,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE DEPARTMENT OF MARINE RESOURCES EQUIPMENT AND FACILITIES FUND; TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, AS AMENDED BY SECTION 1, CHAPTER 328, LAWS OF 2022, AND BY SECTION 32, CHAPTER 549, LAWS OF 2023, TO REDUCE BY $6,400,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING MISSISSIPPI STATE UNIVERSITY'S DIVISION OF AGRICULTURE, FORESTRY AND VETERINARY MEDICINE IN PAYING THE COSTS OF REPAIR AND RENOVATION OF, AND UPGRADES AND IMPROVEMENTS TO, DORMAN HALL AND RELATED FACILITIES; TO REDUCE BY $4,300,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING THE UNIVERSITY OF SOUTHERN MISSISSIPPI IN PAYING THE COSTS OF CONSTRUCTION, FURNISHING AND EQUIPPING OF THE EXECUTIVE EDUCATION AND CONFERENCE CENTER AND RELATED FACILITIES ON ITS GULF PARK CAMPUS, AND OF REPAIR, RENOVATION, LIFE SAFETY, AND ADA CODE UPGRADES, FURNISHING AND EQUIPPING OF CAMPUS BUILDINGS AND FACILITIES AT THE GULF COAST RESEARCH LABORATORY, HALSTEAD CAMPUS; TO CREATE THE 2024 IHL CAPITAL PROJECTS FUND IN THE STATE TREASURY TO ASSIST IN PAYING THE COSTS OF IHL PROJECTS FOR WHICH BONDING AUTHORITY IS REDUCED IN THIS ACT, IN THE AMOUNT OF THE REDUCTION FOR EACH PROJECT; TO TRANSFER $10,700,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2024 IHL CAPITAL PROJECTS FUND; TO AMEND SECTION 2, CHAPTER 480, LAWS OF 2021, TO REMOVE THE $1,788,372.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR EAST CENTRAL COMMUNITY COLLEGE; TO REDUCE BY $1,040,016.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR EAST MISSISSIPPI COMMUNITY COLLEGE; TO REDUCE BY $2,434,814.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ITAWAMBA COMMUNITY COLLEGE; TO REMOVE THE $2,052,257.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR NORTHEAST MISSISSIPPI COMMUNITY COLLEGE; TO REMOVE THE $1,714,541.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR SOUTHWEST MISSISSIPPI COMMUNITY COLLEGE; TO CREATE THE 2024 COMMUNITY COLLEGES CAPITAL PROJECTS FUND IN THE

STATE TREASURY TO ASSIST IN PAYING THE COSTS OF COMMUNITY COLLEGE CAPITAL PROJECTS FOR WHICH BONDING AUTHORITY IS REDUCED IN THIS ACT IN THE AMOUNT OF THE REDUCTION FOR EACH COMMUNITY COLLEGE; TO TRANSFER $9,030,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2024 COMMUNITY COLLEGES CAPITAL PROJECTS FUND; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO REDUCE BY $20,000,000.00, $60,000,000.00 AND $5,000,000.00 THE AMOUNTS OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR PROJECTS DEFINED IN SUBPARAGRAPHS (XXVI), (XXVIII) AND (XXX), RESPECTIVELY, OF SECTION 57-75-5(F); TO AMEND SECTION 2, CHAPTER 522, LAWS OF 2011, TO REDUCE BY $3,377.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE 2011 MISSISSIPPI CIVIL RIGHTS MUSEUM AND MUSEUM OF MISSISSIPPI HISTORY CONSTRUCTION FUND; TO AMEND CHAPTER 464, LAWS OF 1999, AS LAST AMENDED BY SECTION 44, CHAPTER 472, LAWS OF 2015, TO REDUCE BY $18,627.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE 1999 DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS IMPROVEMENTS FUND; TO REPEAL SECTION 3, CHAPTER 580, LAWS OF 2007, AS AMENDED BY SECTION 11, CHAPTER 431, LAWS OF 2011, WHICH AUTHORIZES STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF $4,000,000.00 TO BE ISSUED FOR THE GRAND GULF ACCESS ROAD CONSTRUCTION FUND TO BE SPENT UNDER THE DIRECTION OF THE MISSISSIPPI TRANSPORTATION COMMISSION; TO AMEND SECTION 57-71-25, MISSISSIPPI CODE OF 1972, TO REDUCE BY $140,000,000.00 THE AMOUNT OF STATE GENERAL OR LIMITED OBLIGATION BONDS AUTHORIZED TO BE ISSUED UNDER THE MISSISSIPPI SMALL ENTERPRISE DEVELOPMENT FINANCE ACT; TO TRANSFER $50,000,000.00 FROM THE CAPITAL EXPENSE FUND TO THE TRIPLE CROWN PROJECT FUND; TO TRANSFER $133,311,738.00 FROM THE CAPITAL EXPENSE FUND TO THE PROJECT POPPY FUND; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1473 was adopted.

YEAS AND NAYS On H. B. No. 1473. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

Senator Bryan moved that the rules be suspended to move to calendar item 19, **H. B. No. 728**, and the motion prevailed.

Senator Bryan called up the motion to reconsider the vote whereby **H. B. No. 728** passed the Senate and moved that the motion to reconsider be tabled:

H. B. No. 728: Prescription drugs; prohibit discriminating actions against 340B drug discount program entities.

The foregoing motion prevailed.

Senator Fillingane called up the following entitled bill:

H. B. No. 1024: DHS; authorize to recover costs of fraud investigations.

YEAS AND NAYS On H. B. No. 1024. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

Senator Fillingane called up the following entitled bill:

H. B. No. 1253: Post-conviction collateral relief; require certain petitioners to obtain Supreme Court permission before filing in trial court.

Senator Sparks offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 99-39-5, Mississippi Code of 1972, is amended as follows:

99-39-5. (1) Any person sentenced by a court of record of the State of Mississippi, including a person currently incarcerated, civilly committed, on parole or probation or subject to sex offender registration for the period of the registration or for the first five (5) years of the registration, whichever is the shorter period, may file a motion to vacate, set aside or correct the judgment or sentence, a motion to request forensic DNA testing of biological evidence, or a motion for an out-of-time appeal if the person claims:

(a) That the conviction or the sentence was imposed in violation of the Constitution of the United States or the Constitution or laws of Mississippi;

(b) That the trial court was without jurisdiction to impose sentence;

(c) That the statute under which the conviction and/or sentence was obtained is unconstitutional;

(d) That the sentence exceeds the maximum authorized by law;

(e) That there exists evidence of material facts, not previously presented and heard, that requires vacation of the conviction or sentence in the interest of justice;

(f) That there exists biological evidence secured in relation to the investigation or prosecution attendant to the petitioner's conviction not tested, or, if previously tested, that can be subjected to additional DNA testing, that would provide a reasonable likelihood of more probative results, and that testing would demonstrate by reasonable probability that the petitioner would not have been convicted or would have

received a lesser sentence if favorable results had been obtained through such forensic DNA testing at the time of the original prosecution * * *;

(g) That his plea was made involuntarily;

(h) That his sentence has expired; his probation, parole or conditional release unlawfully revoked; or he is otherwise unlawfully held in custody;

(i) That he is entitled to an out-of-time appeal; or

(j) That the conviction or sentence is otherwise subject to collateral attack upon any grounds of alleged error heretofore available under any common law, statutory or other writ, motion, petition, proceeding or remedy.

(2) A motion for relief under this article shall be made within three (3) years after the time in which the petitioner's direct appeal is ruled upon by the Supreme Court of Mississippi or, in case no appeal is taken, within three (3) years after the time for taking an appeal from the judgment of conviction or sentence has expired, or in case of a guilty plea, within three (3) years after entry of the judgment of conviction. Excepted from this three-year statute of limitations are those cases in which the petitioner can demonstrate either:

(a) (i) That there has been an intervening decision of the Supreme Court of either the State of Mississippi or the United States which would have actually adversely affected the outcome of his conviction or sentence or that he has evidence, not reasonably discoverable at the time of trial, which is of such nature that it would be practically conclusive that had such been introduced at trial it would have caused a different result in the conviction or sentence. The exceptions in this subparagraph shall toll the applicable statute of limitations period for either one (1) year from the date the mandate was issued in the intervening decision or one (1) year from the date on which the facts supporting the claim presented could have been discovered through the exercise of due diligence; or

(ii) That, even if the petitioner pled guilty or nolo contendere, or confessed or admitted to a crime, there exists biological evidence not tested, or, if previously tested, that can be subjected to additional DNA testing that would provide a reasonable likelihood of more probative results, and that testing would demonstrate by reasonable probability that the petitioner would not have been convicted or would have received a lesser sentence if favorable results had been obtained through such forensic DNA testing at the time of the original prosecution.

(b) Likewise excepted are those cases in which the petitioner claims that his sentence has expired or his probation, parole or conditional release has been unlawfully revoked. Likewise excepted are filings for post-conviction relief in capital cases which shall be made within one (1) year after conviction.

(3) This motion is not a substitute for, nor does it affect, any remedy incident to the proceeding in the trial court, or direct review of the conviction or sentence.

(4) Proceedings under this article shall be subject to the provisions of Section 99-19-42.

(5) The ineffectiveness or incompetence of counsel during state collateral post-conviction proceedings shall not be a ground for relief in a proceeding arising under this article.

(* * *6) For the purposes of this article:

(a) "Biological evidence" means the contents of a sexual assault examination kit and any item that contains blood, semen, hair, saliva, skin tissue, fingernail

scrapings, bone, bodily fluids or other identifiable biological material that was collected as part of the criminal investigation or may reasonably be used to incriminate or exculpate any person for the offense. This definition applies whether that material is catalogued separately, such as on a slide, swab or in a test tube, or is present on other evidence, including, but not limited to, clothing, ligatures, bedding or other household material, drinking cups, cigarettes or other items * * *.

(b) "DNA" means deoxyribonucleic acid.

SECTION 2. Section 99-39-27, Mississippi Code of 1972, is amended as follows:

99-39-27. (1) The application for leave to proceed in the trial court filed with the Supreme Court under Section 99-39-7 shall name the State of Mississippi as the respondent.

(2) The application shall contain the original and two (2) executed copies of the motion proposed to be filed in the trial court together with such other supporting pleadings and documentation as the Supreme Court by rule may require.

(3) The prisoner shall serve an executed copy of the application upon the Attorney General simultaneously with the filing of the application with the court.

(4) The original motion, together with all files, records, transcripts and correspondence relating to the judgment under attack, shall promptly be examined by the court.

(5) Unless it appears from the face of the application, motion, exhibits and the prior record that the claims presented by those documents are not procedurally barred under Section 99-39-21 and that they further present a substantial showing of the denial of a state or federal right, the court shall by appropriate order deny the application. The court may, in its discretion, require the Attorney General upon sufficient notice to respond to the application.

(6) The court, upon satisfaction of the standards set forth in this article, is empowered to grant the application.

(7) In granting the application the court, in its discretion, may:

(a) Where sufficient facts exist from the face of the application, motion, exhibits, the prior record and the state's response, together with any exhibits submitted with those documents, or upon stipulation of the parties, grant or deny any or all relief requested in the attached motion.

(b) Allow the filing of the motion in the trial court for further proceedings under Sections 99-39-13 through 99-39-23.

(8) No application or relief shall be granted without the Attorney General being given at least five (5) days to respond.

(9) The dismissal or denial of an application under this section is a final judgment and shall be a bar to a second or successive application under this article. Excepted from this prohibition is an application filed under Section 99-19-57(2), raising the issue of the offender's supervening mental illness before the execution of a sentence of death. A dismissal or denial of an application relating to mental illness under Section 99-19-57(2) shall be res judicata on the issue and shall likewise bar any second or successive applications on the issue. Likewise excepted from this prohibition are those cases in which the prisoner can demonstrate either that there has been an intervening decision of the Supreme Court of either the State of Mississippi or the United States that would have actually adversely affected the outcome of his conviction or sentence or that he has

evidence, not reasonably discoverable at the time of trial, that is of such nature that it would be practically conclusive that, if it had been introduced at trial, it would have caused a different result in the conviction or sentence. Likewise exempted are those cases in which the prisoner claims that his sentence has expired or his probation, parole or conditional release has been unlawfully revoked. The intervening decision exception in this subsection shall toll the applicable statute of limitations period for one (1) year from the date the mandate was issued in the intervening decision. The newly discovered evidence exception under this subsection shall toll the applicable statute of limitations period for one (1) year from the date on which the facts supporting the claim presented could have been discovered through the exercise of due diligence.

(10) Proceedings under this section shall be subject to the provisions of Section 99-19-42.

(11) Post-conviction proceedings in which the defendant is under sentence of death shall be governed by rules established by the Supreme Court as well as the provisions of this section.

(12) The ineffectiveness or incompetence of counsel during State collateral post-conviction proceedings shall not be an exception for relief under this section.

SECTION 3. Section 99-39-23, Mississippi Code of 1972, is amended as follows:

99-39-23. (1) If an evidentiary hearing is required, the judge may appoint counsel for a petitioner who qualifies for the appointment of counsel under Section 99-15-15.

(2) The hearing shall be conducted as promptly as practicable, having regard for the need of counsel for both parties for adequate time for investigation and preparation.

(3) The parties shall be entitled to subpoena witnesses and compel their attendance, including, but not being limited to, subpoenas duces tecum.

(4) The court may receive proof by affidavits, depositions, oral testimony or other evidence and may order the petitioner brought before it for the hearing.

(5) If the court finds in favor of the petitioner, it shall enter an appropriate order with respect to the conviction or sentence under attack, and any supplementary orders as to rearraignment, retrial, custody, bail, discharge, correction of sentence or other matters that may be necessary and proper. The court shall make specific findings of fact, and state expressly its conclusions of law, relating to each issue presented.

(6) The order as provided in subsection (5) of this section or any order dismissing the petitioner's motion or otherwise denying relief under this article is a final judgment and shall be conclusive until reversed. It shall be a bar to a second or successive motion under this article. Excepted from this prohibition is a motion filed under Section 99-19-57(2), raising the issue of the convict's supervening mental illness before the execution of a sentence of death. A dismissal or denial of a motion relating to mental illness under Section 99-19-57(2) shall be res judicata on the issue and shall likewise bar any second or successive motions on the issue. Likewise excepted from this prohibition are those cases in which the petitioner, within the time period under Section 99-39-5(2)(a)(i), can demonstrate either that there has been an intervening decision of the Supreme Court of either the State of Mississippi or the United States which would have actually adversely affected the outcome of his conviction or sentence or that he has evidence, not reasonably discoverable at the time of trial, which is of such nature that it would be practically conclusive that, if it had been introduced at trial, it would have caused a different result in the conviction or sentence. Likewise excepted are those cases in which the petitioner, within the time period under Section 99-39-5(2)(a)(i), claims that his sentence has expired or his probation, parole or conditional release has been unlawfully revoked. Likewise excepted are those cases in which the petitioner has filed a prior

petition and has requested DNA testing under this article, provided the petitioner asserts new or different grounds for relief related to DNA testing not previously presented or the availability of more advanced DNA technology.

(7) No relief shall be granted under this article unless the petitioner proves by a preponderance of the evidence that he is entitled to the relief.

(8) Proceedings under this section shall be subject to the provisions of Section 99-19-42.

(9) In cases resulting in a sentence of death and upon a determination of indigence, appointment of post-conviction counsel shall be made by the Office of Capital Post-Conviction Counsel upon order entered by the Supreme Court promptly upon announcement of the decision on direct appeal affirming the sentence of death. The order shall direct the trial court to immediately determine indigence and whether the inmate will accept counsel.

(10) The ineffectiveness or incompetence of counsel during State collateral post-conviction proceedings shall not be an exception for relief under this section.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 99-39-5, MISSISSIPPI CODE OF 1972, TO IMPLEMENT A ONE-YEAR TIME LIMITATION ON THE INTERVENING DECISION AND NEWLY DISCOVERED EVIDENCE EXCEPTIONS; TO PROVIDE THAT THE INEFFECTIVENESS OR INCOMPETENCE OF COUNSEL DURING STATE COLLATERAL POST-CONVICTION PROCEEDINGS SHALL NOT BE A GROUND FOR RELIEF OR AN EXCEPTION FOR RELIEF IN A PROCEEDING ARISING UNDER THE MISSISSIPPI UNIFORM POST-CONVICTION COLLATERAL RELIEF ACT; TO AMEND SECTIONS 99-39-27 AND 99-39-23, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1253 was adopted.

YEAS AND NAYS On H. B. No. 1253. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackwell, Boyd, Branning, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--38.

Nays--Blackmon, Blount, Brumfield, Bryan, Butler, Frazier, Horhn, Jackson, Jordan, Norwood, Simmons S. (13th), Thomas. Total--12.

Absent and those not voting--Parks. Total--1.

Voting Present--Simmons D. T. (12th). Total--1.

Senator Hopson entered a motion to reconsider the vote whereby the Senate concurred in the House Amendment to **S. B. No. 2844**.

S. B. No. 2844: Variable Compensation Plan; make certain amendments.

Senator Bryan called up the following entitled bill:

H. B. No. 1068: County medical examiners; require to enter information electronically.

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-61-59, Mississippi Code of 1972, is amended as follows:

41-61-59. (1) A person's death that affects the public interest as specified in subsection (2) of this section shall be promptly reported to the medical examiner by the physician in attendance, any hospital employee, any law enforcement officer having knowledge of the death, the embalmer or other funeral home employee, any emergency medical technician, any relative or any other person present. The appropriate medical examiner shall notify the municipal or state law enforcement agency or sheriff and take charge of the body. When the medical examiner has received notification under Section 41-39-15(6) that the deceased is medically suitable to be an organ and/or tissue donor, the medical examiner's authority over the body shall be subject to the provisions of Section 41-39-15(6). The appropriate medical examiner shall notify the Mississippi Bureau of Narcotics within twenty-four (24) hours of receipt of the body in cases of death as described in subsection (2)(m) or (n) of this section.

(2) A death affecting the public interest includes, but is not limited to, any of the following:

(a) Violent death, including homicidal, suicidal or accidental death.

(b) Death caused by thermal, chemical, electrical or radiation injury.

(c) Death caused by criminal abortion, including self-induced abortion, or abortion related to or by sexual abuse.

(d) Death related to disease thought to be virulent or contagious that may constitute a public hazard.

(e) Death that has occurred unexpectedly or from an unexplained cause.

(f) Death of a person confined in a prison, jail or correctional institution.

(g) Death of a person where a physician was not in attendance within thirty-six (36) hours preceding death, or in prediagnosed terminal or bedfast cases, within thirty (30) days preceding death.

(h) Death of a person where the body is not claimed by a relative or a friend.

(i) Death of a person where the identity of the deceased is unknown.

(j) Death of a child under the age of two (2) years where death results from an unknown cause or where the circumstances surrounding the death indicate that sudden infant death syndrome may be the cause of death.

(k) Where a body is brought into this state for disposal and there is reason to believe either that the death was not investigated properly or that there is not an adequate certificate of death.

(l) Where a person is presented to a hospital emergency room unconscious and/or unresponsive, with cardiopulmonary resuscitative measures being performed, and dies within twenty-four (24) hours of admission without regaining consciousness or responsiveness, unless a physician was in attendance within thirty-six (36) hours preceding presentation to the hospital, or in cases in which the decedent had a prediagnosed terminal or bedfast condition, unless a physician was in attendance within thirty (30) days preceding presentation to the hospital.

(m) Death that is caused by drug overdose or which is believed to be caused by drug overdose.

(n) When a stillborn fetus is delivered and the cause of the demise is medically believed to be from the use by the mother of any controlled substance as defined in Section 41-29-105.

(o) Death of any person under the age of eighteen (18).

(3) The State Medical Examiner is empowered to investigate deaths, under the authority hereinafter conferred, in any and all political subdivisions of the state. The county medical examiners and county medical examiner investigators, while appointed for a specific county, may serve other counties on a regular basis with written authorization by the State Medical Examiner, or may serve other counties on an as-needed basis upon the request of the ranking officer of the investigating law enforcement agency. If a death affecting the public interest takes place in a county other than the one where injuries or other substantial causal factors leading to the death have occurred, jurisdiction for investigation of the death may be transferred, by mutual agreement of the respective medical examiners of the counties involved, to the county where the injuries or other substantial causal factors occurred, and the costs of autopsy or other studies necessary to the further investigation of the death shall be borne by the county assuming jurisdiction.

(4) (a) In criminal trials where the testimony of a current or former State Medical Examiner, Deputy State Medical Examiner, or member of the Mississippi Forensics Laboratory is needed, the use of audiovisual communications equipment to present such testimony remotely is allowed when the state has provided written notice to the defendant at least ninety (90) days prior to trial of its intent to present such remote testimony, and the defendant provides no written objection within fourteen (14) days of receiving such notice. Should the defendant object, the remote testimony shall only be permitted upon a finding by the court that the rights of the defendant to confront the witness against the defendant is not violated, that compelling circumstances exist to allow such remote testimony, and that the remote testimony can be provided with appropriate safeguards so as to assure the reliability of the testimony of the witness during the trial.

(b) All persons qualified to administer an oath in the State of Mississippi may swear a witness remotely by audiovisual communication technology, provided they can positively identify the witness and they are able to both see and hear the witness via audiovisual communications equipment.

(5) The chief county medical examiner or chief county medical examiner investigator may receive from the county in which he serves a salary of One Thousand Two Hundred Fifty Dollars ($1,250.00) per month, in addition to the fees specified in Sections 41-61-69 and 41-61-75, provided that no county shall pay the chief county medical examiner or chief county medical examiner investigator less than Three Hundred Dollars ($300.00) per month as a salary, in addition to other compensation provided by law. In any county having one or more deputy medical examiners or deputy medical examiner investigators, each deputy may receive from the county in which he serves, in

the discretion of the board of supervisors, a salary of not more than Nine Hundred Dollars ($900.00) per month, in addition to the fees specified in Sections 41-61-69 and 41-61-75; however, no county shall pay the deputy medical examiners or deputy medical examiner investigators less than Three Hundred Dollars ($300.00) per month as a salary in addition to other compensation provided by law. For this salary the chief shall assure twenty-four-hour daily and readily available death investigators for the county, and shall maintain copies of all medical examiner death investigations for the county for at least the previous five (5) years. He shall coordinate his office and duties and cooperate with the State Medical Examiner, and the State Medical Examiner shall cooperate with him.

SECTION 2. Section 41-61-63, Mississippi Code of 1972, is amended as follows:

41-61-63. (1) The State Medical Examiner shall:

(a) Provide assistance, consultation and training to county medical examiners, county medical examiner investigators and law enforcement officials.

(b) Keep complete records of all relevant information concerning deaths or crimes requiring investigation by the medical examiners.

(c) Promulgate rules and regulations regarding the manner and techniques to be employed while conducting autopsies; the nature, character and extent of investigations to be made into deaths affecting the public interest to allow a medical examiner to render a full and complete analysis and report; the format and matters to be contained in all reports rendered by the medical examiners; and all other things necessary to carry out the purposes of Sections 41-61-51 through 41-61-79. The State Medical Examiner shall make such amendments to these rules and regulations as may be necessary. All medical examiners, coroners and law enforcement officers shall be subject to such rules.

(d) Cooperate with the crime detection and medical examiner laboratories authorized by Section 45-1-17, the University of Mississippi Medical Center, the Attorney General, law enforcement agencies, the courts and the State of Mississippi.

(e) Promulgate rules and regulations regarding the manner in which county medical examiner investigators are required to enter electronically the information for all deaths that occur in the investigator's county.

(2) In addition, the medical examiners shall:

(a) Upon receipt of notification of a death affecting the public interest, make inquiries regarding the cause and manner of death, reduce the findings to writing and promptly make a full report to the State Medical Examiner on forms prescribed for that purpose. The medical examiner shall be authorized to inspect and copy the medical reports of the decedent whose death is under investigation. However, the records copied shall be maintained as confidential so as to protect the doctor/patient privilege. The medical examiners shall be authorized to request the issuance of subpoenas, through the proper court, for the attendance of persons and for the production of documents as may be required by their investigation.

(b) Complete the medical examiner's portion of the certificate of death within seventy-two (72) hours of assuming jurisdiction over a death, and forward the certificate to the funeral director or to the family. The medical examiner's portion of the certificate of death shall include the decedent's name, the date and time of death, the cause of death and the certifier's signature. If determination of the cause and/or manner of death are pending an autopsy or toxicological or other studies, these sections on the certificate may be marked "pending," with amendment and completion to follow the completion of the postmortem studies. The State Medical Examiner shall be authorized to amend a death certificate; however, the State Medical Examiner is not authorized to change or amend

any death certificate after he has resigned or been removed from his office as the State Medical Examiner. Where an attending physician refuses to sign a certificate of death, or in case of any death, the State Medical Examiner or properly qualified designee may sign the death certificate.

(c) Cooperate with other agencies as provided for the State Medical Examiner in subsection (1)(d) of this section.

(d) In all investigations of deaths affecting the public interest where an autopsy will not be performed, obtain or attempt to obtain postmortem blood, urine and/or vitreous fluids. Medical examiners may also obtain rectal temperature measurements, known hair samples, radiographs, gunshot residue/wiping studies, fingerprints, palm prints and other noninvasive studies as the case warrants and/or as directed by the State Medical Examiner. Decisions shall be made in consultation with investigating law enforcement officials and/or the State Medical Examiner. The cost of all studies not performed by the Mississippi Forensics Laboratory shall be borne by the county. County medical examiner investigators shall be authorized to obtain these postmortem specimens themselves following successful completion of the death investigation training school.

(e) In all investigations of deaths occurring in the manner specified in subsection (2)(j) of Section 41-61-59, a death investigation shall be performed by the medical examiners in accordance with the child death investigation protocol established by the State Medical Examiner. The results of the death investigation shall be reported to the State Medical Examiner on forms prescribed for that purpose by the State Medical Examiner and to appropriate authorities, including police and child protective services, within three (3) days of the conclusion of the death investigation.

(f) Electronically report all deaths, and all associated toxicology reports, that occur in the examiner's county to the State Medical Examiner in a manner prescribed by the State Medical Examiner.

(3) The medical examiner shall not use his position or authority to favor any particular funeral home or funeral homes.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 41-61-59, MISSISSIPPI CODE OF 1972, TO ADD THE DEATH OF ANY PERSON UNDER THE AGE OF EIGHTEEN TO THE LIST OF DEATHS CATEGORIZED AS "AFFECTING PUBLIC INTEREST"; TO AMEND SECTION 41-61-63, MISSISSIPPI CODE OF 1972, TO REQUIRE COUNTY MEDICAL EXAMINERS TO ENTER ELECTRONICALLY THE INFORMATION FOR ALL DEATHS, AND ALL ASSOCIATED TOXICOLOGY REPORTS, THAT OCCUR IN THE EXAMINER'S COUNTY IN A MANNER PRESCRIBED BY THE STATE MEDICAL EXAMINER; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1068 was adopted.

YEAS AND NAYS On H. B. No. 1068. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane,

Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

Senator Parker called up the following entitled bill:

H. B. No. 1644: Ambulance services providers; contracts with to provide exclusively in county or city must allow other providers to respond when necessary.

YEAS AND NAYS On H. B. No. 1644. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

Senator Parker called up the following entitled bill:

H. B. No. 1697: Law enforcement and certain first responders killed in line of duty; authorize payment to family up to 30 days.

Senator Parker offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) Whenever used in this section, the term:

(a) "Covered individual" means any individual who receives monetary compensation for his or her service as a law enforcement officer or firefighter, including a volunteer firefighter and any individual who receives monetary compensation for his or her service as an emergency medical technician as defined in this section when employed by an employer as defined in this section; it does not include employees of independent contractors.

(b) "Employer" means a county or municipality, any state agency, board or commission, public universities and colleges that employ, appoint or otherwise engage the services of covered individuals.

(c) "Firefighter" means an individual who is trained for the prevention and control of loss of life and property from fire or other emergencies, who is assigned to firefighting activity, and is required to respond to alarms and performs emergency actions at the location of a fire, hazardous materials or other emergency incident.

(d) "Law enforcement officer" means any lawfully sworn officer or employee of the state or any political subdivision of the state whose duties require the officer or employee to investigate, pursue, apprehend, arrest, transport or maintain custody of persons who are charged with, suspected of committing, or convicted of a crime, whether the officer is on regular duty on full-time status, an auxiliary or reserve officer, or is serving on a temporary or part-time status.

(e) "Cause of death" means any cause of death that would be covered under the Public Safety Officers' Benefits Act of 1976, the Hometown Heroes Survivors Benefits Act of 2003, generally codified at 42 USCS Chapter 46, or the Safeguarding America's First Responders Act of 2020.

(f) "Emergency medical technician" means a person licensed under Section 41-59-1 et seq., to provide emergency medical services as an emergency medical technician-ambulance, emergency medical technician-advanced, emergency medical technician-paramedic, or emergency medical technician-nurse-paramedic and who is employed by a nonprivate entity.

(2) (a) (i) The governing authorities of any municipality, the board of supervisors of any county, any state agency, board or commission, and any public university or college may establish a policy to pay to the covered individual's beneficiary the full amount of the covered individual's regular compensation for up to sixty (60) days when a covered individual, while engaged in the performance of the person's official duties, dies or receives accidental or intentional bodily injury that results in the loss of the covered individual's life and such death is the result of a covered cause of death, provided that the death is not the result of suicide and that the bodily injury is not intentionally self-inflicted.

(ii) If the governing authorities of a municipality, the board of supervisors of a county, any state agency, board or commission or public university or college adopt a policy pursuant to paragraph (a)(i) of this subsection (2), then within one (1) day after the date of death of a covered individual who dies while in performance of his or her duties, as set under this subsection, the governing authorities of the municipality, or the board of supervisors, the state agency, board or commission, public university or college, as the case may be, may make a payment in the amount set out under subparagraph (i) of this subsection (2) to the beneficiary of the covered individual.

(b) The payment provided for in this subsection shall be made to the beneficiary who was designated in writing by the covered individual, signed by the covered individual and delivered to the employer during the covered individual's lifetime. If no such designation is made, then the payment shall be made to the surviving child or children and spouse in equal portions, and if there is no surviving child or spouse, then to the parent or parents. If a beneficiary is not designated and there is no surviving child, spouse or parent, then the payment shall be made to the covered individual's estate.

(c) The payment made in this subsection is in addition to any workers' compensation or pension benefits or other payments made pursuant to Section 45-2-1 and is exempt from the claims and demands of creditors of the covered individual.

SECTION 2. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AUTHORIZE MUNICIPALITIES, COUNTIES, STATE AGENCIES, BOARDS OR COMMISSIONS, AND PUBLIC UNIVERSITIES AND COLLEGES TO ADOPT POLICIES UNDER WHICH THEY ARE AUTHORIZED TO PAY, FOR UP TO 60 DAYS, THE FULL REGULAR COMPENSATION OF ANY LAW ENFORCEMENT OFFICER, FIREFIGHTER OR EMERGENCY MEDICAL TECHNICIAN WHO PROTECTS

THE PUBLIC INTEREST OF THE MUNICIPALITY OR COUNTY AND WHO IS KILLED IN THE LINE OF DUTY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1697 was adopted.

YEAS AND NAYS On H. B. No. 1697. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

Senator Barrett entered a motion to reconsider the vote whereby **H. B. No. 1068** passed the Senate as amended.

H. B. No. 1068: County medical examiners; require to enter information electronically.

Senator Sparks entered a motion to reconsider the vote whereby **H. B. No. 1706** passed the Senate as amended.

H. B. No. 1706: Programs funded with ARPA funds; revise certain provisions and bring forward sections of.

Senators Robinson and Barnett moved that when the Senate adjourns, it adjourn in memory of Rachel Staples Hull and Barbara Stewart Staples of Laurel, MS.

Senator Hopson moved that when the Senate adjourns, it adjourn in memory of Elizabeth Whitman Dise of Ocala, FL.

Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Phyllis Carol Morrow of Flowood, MS.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 2159: Marriage and family therapists; revise certain requirements for licensure.

S. B. No. 2246: Preschool reporting requirements; revise technical provisions related thereto.

S. B. No. 2262: Child support; revise provision related to in order to mirror current DHS practice and federal requirements.

S. B. No. 2308: Mississippi Public Records Act; extend date of repeal on.

S. B. No. 2339: High school graduation requirements; allow sign language to be counted as a foreign language.

S. B. No. 2509: Motor Carrier Regulatory Law; extend repeal on voluntary inspection program.

S. B. No. 2514: State Veterans Affairs Board; revise composition of.

S. B. No. 2519: Mississippi Foreign Land Ownership Act; create.

S. B. No. 2545: Auditing threshold; define monetary donations.

S. B. No. 2556: Early Learning Collaborative Act; require the Department of Education to provide certain data on educational effects.

S. B. No. 2576: Voter ID; clarify what constitutes a valid voter ID.

S. B. No. 2643: Highways; dedicate a section of Highway 8 to William Forrest Winter.

S. B. No. 2644: Harvest permit license tag; increase weight category for.

S. B. No. 2788: Mississippi Real Estate Commission; remove Home Inspector Board.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. C. R. No. 520: Designate "Family Medicine Appreciation Day" in Mississippi.

S. C. R. No. 530: Designate March 2024 as "American Red Cross Month in Mississippi."

S. C. R. No. 531: Declare that March 21, 2024, is "World Down Syndrome in Mississippi."

S. C. R. No. 532: Commend the life of U.S. Marine Sergeant Harold Hammett of Hattiesburg, Mississippi, lost in World War II Battle Tarawa.

S. C. R. No. 534: Commemorate the 125th Anniversary of Ridgeland, Mississippi.

S. C. R. No. 536: Extend congratulations of Legislature to Blues Legend Bobby Rush for winning 3rd Grammy Award for "Best Traditional Blues Album."

S. C. R. No. 537: Recognize outstanding accomplishments of Athletic Program at William Carey University.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. C. R. No. 42: A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE LIFE AND LEGACY OF MRS. HILDA MOORE TURNER.

H. C. R. No. 43: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING ACCLAIMED MISSISSIPPI ARTIST BOBBY RUSH FOR WINNING HIS THIRD GRAMMY FOR BEST TRADITIONAL BLUES ALBUM AT THE 66TH GRAMMY AWARDS FOR HIS ALBUM ENTITLED "ALL MY LOVE FOR YOU."

H. C. R. No. 45: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE GEORGE COUNTY HIGH SCHOOL LADY REBELS FAST PITCH SOFTBALL TEAM AND HEAD COACH KASEY MCCANN UPON WINNING THEIR FIRST EVER MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 5A FAST PITCH SOFTBALL STATE CHAMPIONSHIP.

H. C. R. No. 46: A CONCURRENT RESOLUTION HONORING AND COMMENDING MR. JOHN D. ROBERTS UPON RECEIVING THE LEGION OF HONOR FOR HIS VALIANT AND HEROIC SERVICE DURING WORLD WAR II.

H. C. R. No. 50: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE CLINTON HIGH SCHOOL ATTACHÉ SHOW CHOIR FOR WINNING ITS 100TH GRAND CHAMPION TITLE.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess until 11:00 AM, at which time the Senate would then adjourn until 4:00 PM, Monday, April 8, 2024.

The motion prevailed, and at 10:11 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. C. R. No. 27: Friends of Mississippi Veterans and Mr. Jack Winstead; commend for philanthropic work and leadership. Title Sufficient. Do Be Adopted.

H. C. R. No. 41: Northwest MS Community College Cheer Team; commend for winning 2024 UCA/UDA College Cheerleading National Championship, Open All-Girl Division. Title Sufficient. Do Be Adopted.

H. C. R. No. 44: Northwest Mississippi Community College Women's Soccer Team; commend on winning NCJAA Region 23 Championship. Title Sufficient. Do Be Adopted.

H. C. R. No. 49: Locke Ward; commend for efforts to revitalize our capital city and honor for galvanizing others to do the same. Title Sufficient. Do Be Adopted.

H. C. R. No. 51: Lawrence "Bud" Young; commend distinguished career upon the occasion of his retirement. Title Sufficient. Do Be Adopted.

H. C. R. No. 56: Northwest Mississippi Community College Dance Team; commend for winning the 2024 Open Hip-Hop National Chamionpship. Title Sufficient. Do Be Adopted.

S. C. R. No. 541: Encourage further economic ties between Mississippi and Taiwan. Title Sufficient. Do Be Adopted.

S. C. R. No. 542: Extend condolences of the Legislature on the passing of Elbert Riley Hilliard, Director Emeritus of the MDAH. Title Sufficient. Do Be Adopted.

S. C. R. No. 543: Commend Phi Theta Kappa's All-Mississippi Academic Team. Title Sufficient. Do Be Adopted.

S. R. No. 65: Recognize contributions of Rocky Vaughn of Ackerman, Mississippi, in designing the new Mississippi State Flag. Title Sufficient. Do Be Adopted.

S. R. No. 66: Commend the Blue Mountain "Lady Cougars" Girls Basketball Team for winning first State Title. Title Sufficient. Do Be Adopted.

S. R. No. 67: Commemorate Simpson County upon its Bicentennial Celebration. Title Sufficient. Do Be Adopted.

S. R. No. 68: Recognize Melissa Bond for developing Mississippi Practical Appraiser Training (MPAT) program. Title Sufficient. Do Be Adopted.

S. R. No. 69: Commend 2024 Sumrall High School "Lady Bobcats" Cheer Team for back-to-back National Championships. Title Sufficient. Do Be Adopted.

S. R. No. 70: Commend Sumrall High School "Lady Bobcats" Girls Soccer Team for winning first Class 4A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 71: Commend JSU "Lady Tigers" Women's Basketball Team and Coach Tomekia Reed for winning SWAC Championship for 5th straight year. Title Sufficient. Do Be Adopted.

S. R. No. 72: Commend Shuqualak Rodeo Competitor Roveskey "Fatty" Hickman for fame on the national TV show Ultimate Cowboy Showdown: All Stars. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2060: Memorial bridge; dedicate the Little Biloxi Bridge to World War II Infantryman Willie Edward King.

S. B. No. 2144: Runoff elections; amend to lengthen the timing requirement.

S. B. No. 2232: Newton Municipal School District; require election of board of trustees by population of the school district.

S. B. No. 2283: Public Service Commission; extend date of repeal on.

S. B. No. 2349: Cardiac emergency response plans; require schools to implement and provide procedures and certain immunity related thereto.

S. B. No. 2417: Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents Act; bring forward sections.

S. B. No. 2425: Ballot harvesting; define terms.

S. B. No. 2486: Proposals and requests for qualifications; simplify the receipt and registration process.

S. B. No. 2577: Digitizations; create a criminal penalty for the wrongful dissemination of.

S. B. No. 2652: Wild turkey stamps; require for wild turkey hunters 16 years of age or older.

S. B. No. 2689: State subject area tests and accountability standards; replace with college prep test and revise provisions.

S. B. No. 2699: Purchasing law; raise expenditure triggering requirements for competitive bids.

S. B. No. 2857: Medical cannabis act; set additional provisions related to background checks, department investigations, fees and appeals.

S. B. No. 2873: Medical records retention requirements; provide for.

S. B. No. 2886: Nicotine vapor device directory; require manufacturers to provide certification, set penalties and other provisions.

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. C. R. No. 42: Hilda Moore Turner; commend her life upon her passing. Rules.

H. C. R. No. 43: Bobby Rush; commend and congratulate on winning his 3rd Grammy. Rules.

H. C. R. No. 45: George County High School; commend upon winning first ever MHSAA Class 5A Fast Pitch Softball State Championship. Rules.

H. C. R. No. 46: John D. Roberts; commend upon receiving Legion of Honor for valiant and heroic service during World War II. Rules.

H. C. R. No. 50: Clinton High School Attachè Show Choir; commend upon winning 100th Grand Champion title. Rules.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1855: Sales tax; exempt sales, leases or other retail transfers of certain fixed-wing aircraft. Finance.

H. B. No. 1943: Tobacco; define "heated tobacco product" under tobacco tax law and provide for rate of excise tax. Finance.

H. B. No. 1982: Mississippi School Resource Officers School Safety (MS ROSS) Act; create to provide funding to local law enforcement agencies. Finance.

H. B. No. 1984: Ad valorem tax; authorize a tax credit for certain refines of oil, gas and petroleum products. Finance.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:00 AM in memory of Phyllis Carol Morrow, Rachel Staples Hull, Barbara Stewart Staples and Elizabeth Whitman Dise.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR FRIDAY, APRIL 5, 2024

S. B. No. 3219: Local and Private; Finance
AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF VAIDEN, MISSISSIPPI, TO LEVY A 2% TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS TO PROVIDE FUNDS FOR THE PROMOTION OF TOURISM AND PARKS AND RECREATION; TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF VAIDEN TO LEVY A 2% TAX UPON THE GROSS PROCEEDS FROM ROOM RENTALS OF HOTELS AND MOTELS TO PROVIDE FUNDS FOR THE PROMOTION OF TOURISM AND PARKS AND RECREATION; TO REQUIRE THAT THE LEVY OF ANY TAX UNDER THIS ACT MAY BE IMPOSED ONLY IF APPROVED AT AN ELECTION BY 60% OF THOSE VOTING; TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF VAIDEN TO LEVY A 2% TAX UPON THE GROSS PROCEEDS FROM ROOM RENTALS OF HOTELS AND MOTELS TO PROVIDE FUNDS FOR THE PROMOTION OF TOURISM AND PARKS AND RECREATION; TO REQUIRE THAT THE LEVY OF THE ADDITIONAL TAX MAY BE IMPOSED ONLY IF APPROVED AT AN ELECTION BY 60% OF THOSE VOTING; AND FOR RELATED PURPOSES.
By Senator(s) Chassaniol

S. B. No. 3220: Local and Private

AN ACT TO AMEND CHAPTER 939, LOCAL AND PRIVATE LAWS OF 2010, AS LAST AMENDED BY CHAPTER 902, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2024, TO JULY 1, 2028, ON THE LAW THAT AUTHORIZES THE CITY OF FULTON, MISSISSIPPI, TO IMPOSE A TAX UPON THE GROSS PROCEEDS OF ROOM RENTALS FOR HOTELS OR MOTELS WITHIN THE CITY; AND FOR RELATED PURPOSES.
By Senator(s) Sparks

S. B. No. 3221: Local and Private; Finance
AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF RIDGELAND TO LEVY, ASSESS AND COLLECT A 1% TAX ON THE GROSS PROCEEDS OF ALL SALES FROM RESTAURANTS, AND A 2% TAX ON THE GROSS PROCEEDS OF ALL SALES FROM HOTELS AND MOTELS TO PROVIDE FUNDS SOLELY FOR CAPITAL IMPROVEMENTS FOR THE ENHANCEMENT OF FREEDOM RIDGE PARK, PHASE II; AND FOR RELATED PURPOSES.
By Senator(s) Michel, Horhn

S. R. No. 73: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST RANKIN HIGH SCHOOL GIRLS "LADY COUGARS" SOCCER TEAM AND COACH CARLI LITTLE FOR WINNING THE 2024 MHSAA CLASS 7A SOCCER CHAMPIONSHIP.
By Senator(s) Harkins

S. R. No. 74: Rules
A RESOLUTION COMMENDING AND CONGRATULATING AARON CLEVELAND, FOR BEING SELECTED AS "INSTRUCTOR OF THE YEAR" AT THE JACKSON COUNTY CAMPUS OF MISSISSIPPI GULF COAST COMMUNITY COLLEGE.
By Senator(s) England

S. R. No. 75: Rules
A RESOLUTION COMMENDING AND CONGRATULATING SANDRA PETERSON, FOR BEING SELECTED AS "INSTRUCTOR OF THE YEAR" AT THE HARRISON COUNTY CAMPUS OF MISSISSIPPI GULF COAST COMMUNITY COLLEGE.
By Senator(s) England

S. R. No. 76: Rules
A RESOLUTION COMMENDING AND CONGRATULATING LESLIE LYONS, FOR BEING SELECTED AS "INSTRUCTOR OF THE YEAR" REPRESENTING HEALTH SCIENCES AND THE CENTERS OF MISSISSIPPI GULF COAST COMMUNITY COLLEGE.
By Senator(s) England

S. R. No. 77: Rules
A RESOLUTION COMMENDING AND CONGRATULATING KATHERINE JELLUM FOR BEING SELECTED AS "INSTRUCTOR OF THE YEAR" REPRESENTING THE PERKINSTON CAMPUS OF THE MISSISSIPPI GULF COAST COMMUNITY COLLEGE.
By Senator(s) England

NINETY-EIGHTH DAY, MONDAY, APRIL 8, 2024

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Absent--Bryan, Tate. Total--2.

The Secretary announced a quorum present.

The invocation was delivered by Charles Hawkins, Parish Priest, St. John's Episcopal Church, Ocean Springs, MS.

Senator Wiggins led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2244: Foster care children; allow free access to museums and state parks, allow free transcripts from colleges and junior colleges.

S. B. No. 2424: Absentee ballots; voters can cure ballots declared defective due to signature issues.

S. B. No. 2441: Alternative nicotine products; prohibit distribution or sale of certain products.

S. B. No. 2728: University of Mississippi; authorize to enter long-term lease with approval of I.H.L.

S. B. No. 2762: Retainage; further define and outline the process related to.

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1764: Sales tax; revise rate regarding certain oil, gas and other mineral resources services, equipment and materials. Finance.

H. B. No. 1916: Appropriation; Health Department for grants to hospitals ineligible for grants from Hospital Sustainability Grant Program. Appropriations.

H. B. No. 1949: Appropriation; Finance and Administration, Department of, for eligible ARPA administration and reporting expenses. Appropriations.

H. B. No. 1950: Appropriation; Finance and Admin, Dept. of, Bureau of Building, Ground, and Real Property Management for eligible ARPA capital projects. Appropriations.

H. B. No. 1951: Appropriation; Health, Department of, for funding the ARPA Rural Water Associations Infrastructure Grant Program. Appropriations.

H. B. No. 1952: Appropriation; Public Safety, Department of, for purchases of ARPA eligible equipment. Appropriations.

H. B. No. 1983: Bonds; authorize issuance for various purposes. Finance.

H. B. No. 1991: Sales tax; revise definition of "gross proceeds of sales", "gross income" and "installation charges" and exempt certain services. Finance.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2159: AN ACT TO AMEND SECTION 73-54-17, MISSISSIPPI CODE OF 1972, TO REVISE THE REQUIREMENTS FOR A MARRIAGE AND FAMILY THERAPY LICENSE TO PROVIDE THAT THE APPLICANT'S DEGREE MAY BE FROM AN INSTITUTION ACCREDITED BY THE COUNCIL FOR ACCREDITATION OF COUNSELING AND RELATED EDUCATIONAL PROGRAMS (CACREP) AND TO REDUCE CERTAIN HOUR REQUIREMENTS; AND FOR RELATED PURPOSES.

S. B. No. 2246: AN ACT TO AMEND SECTION 37-151-81, MISSISSIPPI CODE OF 1972, TO MAKE A TECHNICAL CHANGE TO THE PROVISIONS THAT ESTABLISH THE PRESCHOOL REPORTING REQUIREMENT FOR SPECIAL EDUCATION STUDENTS TO ENSURE THE REPORTING OF ALL AGES OF PRESCHOOL CHILDREN; AND FOR RELATED PURPOSES.

S. B. No. 2262: AN ACT TO AMEND SECTION 43-19-34, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A MODIFICATION TO AN ORDER OF SUPPORT FOR MINOR CHILDREN SHALL NOT BE RETROACTIVE EXCEPT FROM THE DATE THAT NOTICE OF SUCH PETITION TO MODIFY HAS BEEN GIVEN, EITHER DIRECTLY OR THROUGH THE APPROPRIATE AGENT, TO THE OBLIGEE OR TO THE OBLIGOR WHERE THE OBLIGEE IS THE PETITIONER TO MIRROR CURRENT AGENCY POLICY AND FEDERAL LAW; AND FOR RELATED PURPOSES.

S. B. No. 2308: AN ACT TO AMEND SECTION 25-61-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE MISSISSIPPI PUBLIC RECORDS ACT; AND FOR RELATED PURPOSES.

S. B. No. 2310: AN ACT TO AMEND SECTION 19-5-371, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISION OF LAW AUTHORIZING COUNTY BOARDS OF SUPERVISORS TO ASSESS AN EMERGENCY

TELECOMMUNICATIONS SERVICE CHARGE; TO BRING FORWARD SECTIONS 19-5-303, 19-5-313, 19-5-319, 19-5-331, 19-5-333, 19-5-335, 19-5-337, 19-5-339, 19-5-341, 19-5-353, 19-5-357, 19-5-359 AND 19-5-361, MISSISSIPPI CODE OF 1972, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

S. B. No. 2339: AN ACT TO AMEND SECTION 37-16-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE BOARD OF EDUCATION SHALL DEVELOP A CURRICULUM RELATED TO THE STUDY OF SIGN LANGUAGE WHICH SHALL COUNT AS AN ACADEMIC CREDIT FOR FOREIGN LANGUAGES FOR THE PURPOSES OF HIGH SCHOOL GRADUATION REQUIREMENTS; AND FOR RELATED PURPOSES.

S. B. No. 2382: AN ACT TO AMEND SECTION 75-67-313, MISSISSIPPI CODE OF 1972, TO ALLOW PAWNBROKERS TO PASS CREDIT AND DEBIT CARD PROCESSING CHARGES TO THE CUSTOMERS; TO AMEND SECTION 75-67-315, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

S. B. No. 2509: AN ACT TO AMEND SECTION 77-7-345, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE PROVISION OF LAW THAT REGULATES THE COMMERCIAL MOTOR VEHICLE VOLUNTARY INSPECTION PROGRAM; AND FOR RELATED PURPOSES.

S. B. No. 2514: AN ACT TO AMEND SECTION 35-1-1, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPOSITION OF THE STATE VETERANS AFFAIRS BOARD; AND FOR RELATED PURPOSES.

S. B. No. 2519: AN ACT TO ENACT THE MISSISSIPPI FOREIGN LAND OWNERSHIP ACT TO LIMIT THE ABILITY OF NONRESIDENT ALIENS TO MAINTAIN OWNERSHIP OF MISSISSIPPI AGRICULTURAL AND FORESTRY LAND IF THEY ARE FROM A COUNTRY THAT IS CONSIDERED A FOREIGN ADVERSARY BY THE UNITED STATES SECRETARY OF COMMERCE; TO DEFINE TERMS; TO LIMIT NONRESIDENT ALIENS FROM COUNTRIES THAT ARE LABELED ADVERSE TO THE UNITED STATES FROM EXERCISING OWNERSHIP OF MISSISSIPPI LANDS PAST A PRESCRIBED AMOUNT OF TIME; TO OUTLINE SITUATIONS FOR WHICH THIS ACT SHALL NOT APPLY; TO CREATE PROCEDURES FOR THE ATTORNEY GENERAL AND MISSISSIPPI SECRETARY OF STATE TO FOLLOW TO PENALIZE VIOLATIONS OF THIS ACT; TO AMEND SECTIONS 89-1-23 AND 29-1-75, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2532: AN ACT TO AMEND SECTIONS 31-19-1, 19-9-19, 21-33-315 AND 19-9-7, MISSISSIPPI CODE OF 1972, TO CLARIFY MUNICIPALITIES AND COUNTIES MAY ISSUE ANY BONDS AS SERIAL BONDS PAYABLE ANNUALLY OR AS A SINGLE-TERM BOND PAYABLE ANNUALLY; AND FOR RELATED PURPOSES.

S. B. No. 2545: AN ACT TO AMEND SECTION 79-11-501, MISSISSIPPI CODE OF 1972, TO CLARIFY THE DEFINITION OF MONETARY DONATIONS; AND FOR RELATED PURPOSES.

S. B. No. 2576: AN ACT TO AMEND SECTION 23-15-563, MISSISSIPPI CODE OF 1972, TO FURTHER CLARIFY WHAT COUNTS AS VALID VOTER IDENTIFICATION; AND FOR RELATED PURPOSES.

S. B. No. 2603: AN ACT TO AMEND SECTION 77-13-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "LOCATE REQUEST TICKET" AND "TRENCHLESS EXCAVATION"; TO AMEND SECTION 77-13-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ADVANCE WRITTEN, ELECTRONIC OR TELEPHONIC NOTICE SHALL NOT BE REQUIRED WHERE A QUALIFIED OPERATOR USING REASONABLE CARE USES A HAND-POWERED PROBE ROD TO LOCATE THAT OPERATOR'S

UNDERGROUND FACILITIES FOR THE PURPOSE OF UNDERGROUND FACILITY MAPPING; TO PROVIDE THAT THE NOTICE REQUIRED FOR EXCAVATION SHALL CONTAIN THE LOCATION OF THE PROPOSED EXCAVATION, WHICH IS LIMITED TO AN AREA THE EXCAVATOR REASONABLY BELIEVES MAY BE COMPLETED WITHIN FOURTEEN CALENDAR DAYS FROM THE DATE AND TIME THE LOCATE REQUEST TICKET IS ENTERED INTO THE MISSISSIPPI 811, INC., SYSTEM AND DOES NOT INCLUDE ANY AREA IN WHICH THE EXCAVATOR HAS ALREADY COMPLETED THE EXCAVATION WORK; TO PROVIDE THAT PRIOR TO PROVIDING THE ADVANCE NOTICE TO MISSISSIPPI 811, INC., THE EXCAVATOR SHALL PRE-MARK THE APPROXIMATE BOUNDARY OF THE PROPOSED EXCAVATION AREA WITH WHITE PAINT, FLAGS, OR STAKES; TO PROVIDE THAT PRE-MARKING OF THE PROPOSED EXCAVATION AREA SHALL NOT BE REQUIRED IF THE AREA CAN BE DEFINED IN THE ADVANCE WRITTEN, ELECTRONIC OR TELEPHONIC NOTICE BY CERTAIN GEOGRAPHICAL DESCRIPTIONS; TO PROVIDE THAT THE PROPOSED EXCAVATION LOCATION ON A RENEWAL LOCATE REQUEST TICKET SHALL NOT INCLUDE ANY AREA IN WHICH THE EXCAVATOR HAS ALREADY COMPLETED THE EXCAVATION WORK; TO PROVIDE THAT THE EXCAVATOR SHALL NOT USE POWER-DRIVEN EQUIPMENT FOR TRENCHLESS EXCAVATION, INCLUDING DIRECTIONAL BORING, ACROSS OR WITHIN THE MARKED APPROXIMATE LOCATION OF UNDERGROUND UTILITY LINES OR UNDERGROUND FACILITIES, WITH CERTAIN EXCEPTIONS; TO PROVIDE THAT FOR TRENCHLESS EXCAVATIONS, INCLUDING DIRECTIONAL BORING, PARALLEL TO THE MARKED APPROXIMATE LOCATION OF UNDERGROUND UTILITY LINES OR UNDERGROUND FACILITIES, THE EXCAVATOR SHALL USE CERTAIN NONINVASIVE METHODS TO IDENTIFY THE LOCATION OF THE UNDERGROUND UTILITY FACILITY AT CAREFUL AND PRUDENT INTERVALS; AND FOR RELATED PURPOSES.

S. B. No. 2643: AN ACT TO DESIGNATE THE SEGMENT OF MISSISSIPPI HIGHWAY 8 THAT EXTENDS THROUGH GRENADA COUNTY, MISSISSIPPI, AS THE "WILLIAM WINTER MEMORIAL HIGHWAY" IN MEMORY OF THE LATE FORMER GOVERNOR WILLIAM FORREST WINTER; AND FOR RELATED PURPOSES.

S. B. No. 2644: AN ACT TO AMEND SECTION 27-19-11, MISSISSIPPI CODE OF 1972, TO EXTEND THE WEIGHT CATEGORY FOR HARVEST PERMIT LICENSE TAG HOLDERS; AND FOR RELATED PURPOSES.

S. B. No. 2740: AN ACT TO AMEND SECTIONS 19-7-7, 21-37-45 AND 37-7-303, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTIES, MUNICIPALITIES, SCHOOL DISTRICTS AND POLITICAL SUBDIVISIONS TO POOL THEIR RISKS AND NEGOTIATE FOR THE PURCHASE OF PROPERTY INSURANCE, OR THE ESTABLISHMENT OF A SELF-INSURANCE FUND OR SELF-INSURANCE RESERVES, OR ANY COMBINATION THEREOF; AND FOR RELATED PURPOSES.

S. B. No. 2830: AN ACT TO AMEND SECTION 57-114-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "QUALIFIED BUSINESS OR INDUSTRY" TO MAKE IT CONFORM TO THE DEFINITION OF "QUALIFIED ECONOMIC DEVELOPMENT PROJECT"; TO AMEND SECTION 57-114-13, MISSISSIPPI CODE OF 1972, TO MODIFY THE DATE ON WHICH AN ANNUAL REPORT BY A QUALIFIED BUSINESS OR INDUSTRY IS DUE TO BE FILED WITH THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-114-15, MISSISSIPPI CODE OF 1972, TO CORRECT A REFERENCE TO THE DEPARTMENT OF REVENUE TO CONFORM TO THE APPLICABLE REFERENCE TO THE DEPARTMENT OF EMPLOYMENT SECURITY; AND FOR RELATED PURPOSES.

David Jordan, Chairman

MESSAGE FROM THE GOVERNOR
April 8, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2072: Physical therapy practice laws; revise various provisions of. (April 8, 2024, 11:40 AM)

S. B. No. 2156: Mississippi Rare Disease Advisory Council; create at UMMC. (April 8, 2024, 11:41 AM)

S. B. No. 2157: Psychology Interjurisdictional Compact; enact. (April 8, 2024, 11:51 AM)

S. B. No. 2340: Harper Grace's Law; extend repealer on authority to research and dispense cannabidiol (CBD oil) for medical purposes. (April 8, 2024, 11:44 AM)

S. B. No. 2453: Inadequacy of service; authorizing the commission to cancel a municipality's certificate to provide service upon findings of. (April 8, 2024, 11:53 AM)

S. B. No. 2557: Ground lease for solar installation at Mississippi Agricultural and Forestry Experimental Stations; authorize. (April 8, 2024, 11:57 AM)

S. B. No. 2698: Cyber Security Review Board; create. (April 8, 2024, 11:45 AM)

S. B. No. 2888: Medical Cannabis Research Advisory Board; enact and create the Mississippi Medical Cannabis Research Program. (April 8, 2024, 11:59 AM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

REPORT OF COMMITTEE ON EDUCATION

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 82: Michael Anthony (Mike) Pruitt, Hattiesburg, Mississippi, Mississippi State Board of Education, term effective immediately and will expire June 30, 2031. Do Advise and Consent.

DEBAR, Chairman

Senator Kirby moved that the rules be suspended for the consideration en bloc of H. C. R. No. 27, H. C. R. No. 41, H. C. R. No. 44, H. C. R. No. 49, H. C. R. No. 51, H. C. R. No. 56, S. C. R. No. 541, S. C. R. No. 542, S. C. R. No. 543, S. R. No. 65, S. R. No. 66, S. R. No. 67, S. R. No. 68, S. R. No. 69, S. R. No. 70, S. R. No. 71 and S. R. No. 72 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

H. C. R. No. 27: Friends of Mississippi Veterans and Mr. Jack Winstead; commend for philanthropic work and leadership.

H. C. R. No. 41: Northwest MS Community College Cheer Team; commend for winning 2024 UCA/UDA College Cheerleading National Championship, Open All-Girl Division.

H. C. R. No. 44: Northwest Mississippi Community College Women's Soccer Team; commend on winning NCJAA Region 23 Championship.

H. C. R. No. 49: Locke Ward; commend for efforts to revitalize our capital city and honor for galvanizing others to do the same.

H. C. R. No. 51: Lawrence "Bud" Young; commend distinguished career upon the occasion of his retirement.

H. C. R. No. 56: Northwest Mississippi Community College Dance Team; commend for winning the 2024 Open Hip-Hop National Chamionpship.

S. C. R. No. 541: Encourage further economic ties between Mississippi and Taiwan.

S. C. R. No. 542: Extend condolences of the Legislature on the passing of Elbert Riley Hilliard, Director Emeritus of the MDAH.

S. C. R. No. 543: Commend Phi Theta Kappa's All-Mississippi Academic Team.

S. R. No. 65: Recognize contributions of Rocky Vaughn of Ackerman, Mississippi, in designing the new Mississippi State Flag.

S. R. No. 66: Commend the Blue Mountain "Lady Cougars" Girls Basketball Team for winning first State Title.

S. R. No. 67: Commemorate Simpson County upon its Bicentennial Celebration.

S. R. No. 68: Recognize Melissa Bond for developing Mississippi Practical Appraiser Training (MPAT) program.

S. R. No. 69: Commend 2024 Sumrall High School "Lady Bobcats" Cheer Team for back-to-back National Championships.

S. R. No. 70: Commend Sumrall High School "Lady Bobcats" Girls Soccer Team for winning first Class 4A State Championship.

S. R. No. 71: Commend JSU "Lady Tigers" Women's Basketball Team and Coach Tomekia Reed for winning SWAC Championship for 5th straight year.

S. R. No. 72: Commend Shuqualak Rodeo Competitor Roveskey "Fatty" Hickman for fame on the national TV show Ultimate Cowboy Showdown: All Stars.

YEAS AND NAYS on consideration en bloc of H. C. R. No. 27, H. C. R. No. 41, H. C. R. No. 44, H. C. R. No. 49, H. C. R. No. 51, H. C. R. No. 56, S. C. R. No. 541, S. C. R. No. 542, S. C. R. No. 543, S. R. No. 65, S. R. No. 66, S. R. No. 67, S. R. No. 68, S. R. No. 69, S. R. No. 70, S. R. No. 71 and S. R. No. 72. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Bryan, Tate. Total--2.

Unanimous consent was granted to add Senator Parker as co-author of **S. C. R. No. 541**.

Unanimous consent was granted to add Senator McLendon as co-author of **S. R. No. 67**.

Senator Carter called up the motion to reconsider the vote whereby **H. B. No. 1664** passed the Senate and moved that the motion to reconsider be tabled:

H. B. No. 1664: Acceptance or offer of gifts; revise provisions relating to.

The foregoing motion prevailed.

On motion of Senator Wiggins the following entitled bill was removed from the table for immediate consideration:

H. B. No. 1086: Land partitions; revise provision that regulate.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 11-21-3, Mississippi Code of 1972, is amended as follows:

11-21-3. (1) Partition of land held by joint tenants, tenants in common, or coparceners, having an estate in possession or a right of possession and not in reversion or remainder, whether the joint interest be in the freehold or in a term of years not less than five (5), may be made by judgment of the chancery court of that county in which the lands or some part thereof, are situated; or, if the lands be held by devise or descent, the division may be ordered by the chancery court of the county in which the will was probated or letters of administration granted, although none of the lands be in that county.

However, any person owning an indefeasible fee simple title to an undivided interest in land may procure a partition of said land and have the interest of such person set apart in fee simple free from the claims of life or other tenants, remaindermen or reversioners, provided the life or other tenants, and other known living persons having an interest in the lands, are made defendants if they do not join in the proceeding as plaintiffs.

(2) The court may, in its discretion, order any joint tenant, tenant in common, or coparcener, or any other person who is on the land to leave the land and remove only his or her own personal property from the land. If any person fails to leave the land as ordered, the court may order the sheriff of the county in which the land is located to remove the person and the person's possessions.

SECTION 2. The following shall be codified as Section 11-21-77.1, Mississippi Code of 1972:

11-21-77.1. Any court, in its discretion, may order any tenant in common or any other person who has possession or control over the property to return the property or separate himself or herself from the property. If any person fails to return the property so

ordered or separate himself or herself as ordered by the court, the sheriff of the county in which the property is located may be ordered to take the property or remove the person.

SECTION 3. Section 11-21-77, Mississippi Code of 1972, is amended as follows:

11-21-77. If the petitioner makes an affidavit at the commencement of his suit, or afterwards, of his right as a tenant in common, and that there is danger of the removal of the property, so as to defeat or endanger his right, the county court or the justice of the peace, as the case may be, shall issue a writ for the seizure of the property; and if the person having it in possession will not give a bond with sufficient sureties, approved by the officer executing the writ, conditioned to have the property forthcoming to abide the final order which shall be made in the case, payable to the petitioner, in a sum sufficient to cover his interest in the property, it shall be delivered to petitioner on his giving a bond, payable to the person from whom it was taken, with sufficient sureties, approved as above provided, in a penalty equal to the value of the interest of such person, conditioned to have the property before the county court or the justice of the peace, as the case may be, to abide the final order in the case; but if neither party give the required bond, the property shall remain in the hands of the officer, unless it be perishable or expensive to keep, in which case it shall be sold, as such property seized under attachment is sold, and the proceeds of the sale shall be disposed of according to the rights of the parties.

SECTION 4. Section 91-31-15, Mississippi Code of 1972, is amended as follows:

91-31-15. (1) Partition alternatives. (a) If all the interests of all cotenants that requested partition by sale are not purchased by other cotenants pursuant to Section 91-31-13, or if after conclusion of the buyout under Section 91-31-13, a cotenant remains that has requested partition in kind, the court shall order partition in kind unless the court, after consideration of the factors listed in Section 91-31-17, finds that partition in kind will result in manifest prejudice to the cotenants as a group. In considering whether to order partition in kind, the court shall approve a request by two (2) or more parties to have their individual interests aggregated.

(b) If the court does not order partition in kind under subsection (a), the court shall order partition by sale pursuant to Section 91-31-19 or, if no cotenant requested partition by sale, the court shall dismiss the action.

(c) If the court orders partition in kind pursuant to subsection (a), the court may require that one or more cotenants pay one or more other cotenants amounts so that the payments, taken together with the value of the in-kind distributions to the cotenants, will make the partition in kind just and proportionate in value to the fractional interests held.

(d) If the court orders partition in kind, the court shall allocate to the cotenants that are unknown, unlocatable, or the subject of a default judgment, if their interests were not bought out pursuant to Section 91-31-13, a part of the property representing the combined interests of these cotenants as determined by the court and this part of the property shall remain undivided.

(2) The court may, in its discretion, order any joint tenant, tenant in common, or coparcener, or any other person who is on the land to leave the land and remove all of his or her own personal property from the land. If any person fails to leave the land as ordered, the court may order the sheriff of the county in which the land is located to remove the person and the person's possessions.

SECTION 5. Section 91-31-5, Mississippi Code of 1972, is amended as follows:

91-31-5. Applicability; relation to other law. (a) This chapter applies to partition actions filed on or after July 1, 2020.

(b) In an action to partition real property under Title 11, Chapter 21, Mississippi Code of 1972, the court shall determine whether the property is heir property. If the court determines that the property is heir property, the property must be partitioned under this chapter unless * * * the party filing the motion requests to proceed under Sections 11-21-1 et seq.

(c) This chapter supplements Title 11, Chapter 21, Mississippi Code of 1972, and, if an action is governed by this chapter, replaces provisions that are inconsistent with this chapter.

SECTION 6. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 11-21-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A COURT, IN ITS DISCRETION, TO ORDER A JOINT TENANT, TENANT IN COMMON, COPARCENER OR ANY OTHER PERSON ON LAND IN DISPUTE FOR PARTITION TO LEAVE THE LAND OR BE REMOVED; TO CREATE NEW SECTION 11-21-77.1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY COURT, IN ITS DISCRETION, TO ORDER ANY TENANT IN COMMON OR ANY OTHER PERSON WHO HAS POSSESSION OR CONTROL OVER PROPERTY THAT IS IN DISPUTE FOR PARTITION TO RETURN THE PROPERTY OR SEPARATE HIMSELF OR HERSELF FROM THE PROPERTY; TO AMEND SECTION 11-21-77, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO AMEND SECTION 91-31-5, MISSISSIPPI CODE OF 1972, TO PROVIDE DISCRETION TO THE PERSON FILING THE PARTITION ACTION TO DECIDE IF THE UNIFORM HEIR PROPERTY PROVISIONS WILL BE APPLIED; TO AMEND SECTION 91-31-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A COURT, IN ITS DISCRETION, TO ORDER A JOINT TENANT, TENANT IN COMMON, COPARCENER OR ANY OTHER PERSON ON LAND IN DISPUTE FOR PARTITION TO LEAVE THE LAND OR BE REMOVED; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1086 was adopted.

YEAS AND NAYS On H. B. No. 1086. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--45.

Nays--Horhn, Norwood, Turner-Ford. Total--3.

Absent and those not voting--Bryan, Tate. Total--2.

Voting Present--Frazier, Simmons D. T. (12th). Total--2.

Senator Barnett called up the following entitled bill:

H. B. No. 755: Parole; extend repealer on statute prescribing conditions for eligibility.

Senator Barnett offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 1 of Chapter 479, Laws of 2021, is brought forward as follows:

Section 1. This act shall be known and may be cited as the "Mississippi Earned Parole Eligibility Act."

SECTION 2. Section 47-7-3, Mississippi Code of 1972, is amended as follows:

47-7-3. (1) Every prisoner who has been convicted of any offense against the State of Mississippi, and is confined in the execution of a judgment of such conviction in the Mississippi Department of Corrections for a definite term or terms of one (1) year or over, or for the term of his or her natural life, whose record of conduct shows that such prisoner has observed the rules of the department, and who has served the minimum required time for parole eligibility, may be released on parole as set forth herein:

(a) Habitual offenders. Except as provided by Sections 99-19-81 through 99-19-87, no person sentenced as a confirmed and habitual criminal shall be eligible for parole;

(b) Sex offenders. Any person who has been sentenced for a sex offense as defined in Section 45-33-23(h) shall not be released on parole except for a person under the age of nineteen (19) who has been convicted under Section 97-3-67;

(c) Capital offenders. No person sentenced for the following offenses shall be eligible for parole:

(i) Capital murder committed on or after July 1, 1994, as defined in Section 97-3-19(2);

(ii) Any offense to which an offender is sentenced to life imprisonment under the provisions of Section 99-19-101; or

(iii) Any offense to which an offender is sentenced to life imprisonment without eligibility for parole under the provisions of Section 99-19-101, whose crime was committed on or after July 1, 1994;

(d) Murder. No person sentenced for murder in the first degree, whose crime was committed on or after June 30, 1995, or murder in the second degree, as defined in Section 97-3-19, shall be eligible for parole;

(e) Human trafficking. No person sentenced for human trafficking, as defined in Section 97-3-54.1, whose crime was committed on or after July 1, 2014, shall be eligible for parole;

(f) Drug trafficking. No person sentenced for trafficking and aggravated trafficking, as defined in Section 41-29-139(f) through (g), shall be eligible for parole;

(g) Offenses specifically prohibiting parole release. No person shall be eligible for parole who is convicted of any offense that specifically prohibits parole release;

(h) (i) Offenders eligible for parole consideration for offenses committed after June 30, 1995. Except as provided in paragraphs (a) through (g) of this subsection, offenders may be considered eligible for parole release as follows:

1. Nonviolent crimes. All persons sentenced for a nonviolent offense shall be eligible for parole only after they have served twenty-five percent (25%) or ten (10) years, whichever is less, of the sentence or sentences imposed by the trial court. For purposes of this paragraph, "nonviolent crime" means a felony not designated as a crime of violence in Section 97-3-2.

2. Violent crimes. A person who is sentenced for a violent offense as defined in Section 97-3-2, except robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, and carjacking as defined in Section 97-3-117, shall be eligible for parole only after having served fifty percent (50%) or twenty (20) years, whichever is less, of the sentence or sentences imposed by the trial court. Those persons sentenced for robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, and carjacking as defined in Section 97-3-117, shall be eligible for parole only after having served sixty percent (60%) or twenty-five (25) years, whichever is less, of the sentence or sentences imposed by the trial court.

3. Nonviolent and nonhabitual drug offenses. A person who has been sentenced to a drug offense pursuant to Section 41-29-139(a) through (d), whose crime was committed after June 30, 1995, shall be eligible for parole only after he has served twenty-five percent (25%) or ten (10) years, whichever is less, of the sentence or sentences imposed.

(ii) Parole hearing required. All persons eligible for parole under subparagraph (i) of this paragraph (h) who are serving a sentence or sentences for a crime of violence, as defined in Section 97-3-2, shall be required to have a parole hearing before the Parole Board pursuant to Section 47-7-17, prior to parole release.

(iii) Geriatric parole. Notwithstanding the provisions in subparagraph (i) of this paragraph (h), a person serving a sentence who has reached the age of sixty (60) or older and who has served no less than ten (10) years of the sentence or sentences imposed by the trial court shall be eligible for parole. Any person eligible for parole under this subparagraph (iii) shall be required to have a parole hearing before the board prior to parole release. No inmate shall be eligible for parole under this subparagraph (iii) of this paragraph (h) if:

1. The inmate is sentenced as a habitual offender under Sections 99-19-81 through 99-19-87;

2. The inmate is sentenced for a crime of violence under Section 97-3-2;

3. The inmate is sentenced for an offense that specifically prohibits parole release;

4. The inmate is sentenced for trafficking in controlled substances under Section 41-29-139(f);

5. The inmate is sentenced for a sex crime; or

6. The inmate has not served one-fourth (1/4) of the sentence imposed by the court.

(iv) Parole consideration as authorized by the trial court. Notwithstanding the provisions of paragraph (a) of this subsection, any offender who has not committed a crime of violence under Section 97-3-2 and has served twenty-five percent (25%) or more of his sentence may be paroled by the State Parole Board if, after the sentencing judge or if the sentencing judge is retired, disabled or incapacitated, the senior circuit judge authorizes the offender to be eligible for parole consideration; or if the

senior circuit judge must be recused, another circuit judge of the same district or a senior status judge may hear and decide the matter. A petition for parole eligibility consideration pursuant to this subparagraph (iv) shall be filed in the original criminal cause or causes, and the offender shall serve an executed copy of the petition on the District Attorney. The court may, in its discretion, require the District Attorney to respond to the petition.

(2) The State Parole Board shall, by rules and regulations, establish a method of determining a tentative parole hearing date for each eligible offender taken into the custody of the Department of Corrections. The tentative parole hearing date shall be determined within ninety (90) days after the department has assumed custody of the offender. Except as provided in Section 47-7-18, the parole hearing date shall occur when the offender is within thirty (30) days of the month of his parole eligibility date. Any parole eligibility date shall not be earlier than as required in this section.

(3) Notwithstanding any other provision of law, an inmate shall not be eligible to receive earned time, good time or any other administrative reduction of time which shall reduce the time necessary to be served for parole eligibility as provided in subsection (1) of this section.

(4) Any inmate within forty-eight (48) months of his parole eligibility date and who meets the criteria established by the classification board shall receive priority for placement in any educational development and job-training programs that are part of his or her parole case plan. Any inmate refusing to participate in an educational development or job-training program, including, but not limited to, programs required as part of the case plan, shall be in jeopardy of noncompliance with the case plan and may be denied parole.

(5) In addition to other requirements, if an offender is convicted of a drug or driving under the influence felony, the offender must complete a drug and alcohol rehabilitation program prior to parole, or the offender shall be required to complete a postrelease drug and alcohol program as a condition of parole.

(6) Except as provided in subsection (1)(a) through (h) of this section, all other persons shall be eligible for parole after serving twenty-five percent (25%) of the sentence or sentences imposed by the trial court, or, if sentenced to thirty (30) years or more, after serving ten (10) years of the sentence or sentences imposed by the trial court.

(7) The Corrections and Criminal Justice Oversight Task Force established in Section 47-5-6 shall develop and submit recommendations to the Governor and to the Legislature annually on or before December 1st concerning issues relating to juvenile and habitual offender parole reform and to review and monitor the implementation of Chapter 479, Laws of 2021.

(8) The amendments contained in Chapter 479, Laws of 2021, shall apply retroactively from and after July 1, 1995.

(9) Notwithstanding provisions to the contrary in this section, a person who was sentenced before July 1, 2021, may be considered for parole if the person's sentence would have been parole eligible before July 1, 2021.

(10) This section shall stand repealed on July 1, * * * 2028.

SECTION 3. Section 47-7-5, Mississippi Code of 1972, is amended as follows:

47-7-5. (1) The State Parole Board, created under former Section 47-7-5, is hereby created, continued and reconstituted and shall be composed of five (5) members. The Governor shall appoint the members with the advice and consent of the Senate. All terms shall be at the will and pleasure of the Governor. Any vacancy shall be filled by the Governor, with the advice and consent of the Senate. The Governor shall appoint a chairman of the board.

(2) Any person who is appointed to serve on the board shall possess at least a bachelor's degree or a high school diploma and four (4) years' work experience. Each member shall devote his full time to the duties of his office and shall not engage in any other business or profession or hold any other public office. A member shall receive compensation or per diem in addition to his or her salary. Each member shall keep such hours and workdays as required of full-time state employees under Section 25-1-98. Individuals shall be appointed to serve on the board without reference to their political affiliations. Each board member, including the chairman, may be reimbursed for actual and necessary expenses as authorized by Section 25-3-41. Each member of the board shall complete annual training developed based on guidance from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association. Each first-time appointee of the board shall, within sixty (60) days of appointment, or as soon as practical, complete training for first-time Parole Board members developed in consideration of information from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association.

(3) The board shall have exclusive responsibility for the granting of parole as provided by Sections 47-7-3 and 47-7-17 and shall have exclusive authority for revocation of the same. The board shall have exclusive responsibility for investigating clemency recommendations upon request of the Governor.

(4) The board, its members and staff, shall be immune from civil liability for any official acts taken in good faith and in exercise of the board's legitimate governmental authority.

(5) The budget of the board shall be funded through a separate line item within the general appropriation bill for the support and maintenance of the department. Employees of the department which are employed by or assigned to the board shall work under the guidance and supervision of the board. There shall be an executive secretary to the board who shall be responsible for all administrative and general accounting duties related to the board. The executive secretary shall keep and preserve all records and papers pertaining to the board.

(6) The board shall have no authority or responsibility for supervision of offenders granted a release for any reason, including, but not limited to, probation, parole or executive clemency or other offenders requiring the same through interstate compact agreements. The supervision shall be provided exclusively by the staff of the Division of Community Corrections of the department.

(7) (a) The Parole Board is authorized to select and place offenders in an electronic monitoring program under the conditions and criteria imposed by the Parole Board. The conditions, restrictions and requirements of Section 47-7-17 and Sections 47-5-1001 through 47-5-1015 shall apply to the Parole Board and any offender placed in an electronic monitoring program by the Parole Board.

(b) Any offender placed in an electronic monitoring program under this subsection shall pay the program fee provided in Section 47-5-1013. The program fees shall be deposited in the special fund created in Section 47-5-1007.

(c) The department shall have absolute immunity from liability for any injury resulting from a determination by the Parole Board that an offender be placed in an electronic monitoring program.

(8) (a) The Parole Board shall maintain a central registry of paroled inmates. The Parole Board shall place the following information on the registry: name, address, photograph, crime for which paroled, the date of the end of parole or flat-time date and

other information deemed necessary. The Parole Board shall immediately remove information on a parolee at the end of his parole or flat-time date.

(b) When a person is placed on parole, the Parole Board shall inform the parolee of the duty to report to the parole officer any change in address ten (10) days before changing address.

(c) The Parole Board shall utilize an Internet website or other electronic means to release or publish the information.

(d) Records maintained on the registry shall be open to law enforcement agencies and the public and shall be available no later than July 1, 2003.

(9) An affirmative vote of at least four (4) members of the Parole Board shall be required to grant parole to an inmate convicted of capital murder or a sex crime.

(10) This section shall stand repealed on July 1, * * * 2028.

SECTION 4. Section 47-7-3.1, Mississippi Code of 1972, is brought forward as follows:

47-7-3.1. (1) In consultation with the Parole Board, the department shall develop a case plan for all parole-eligible inmates to guide an inmate's rehabilitation while in the department's custody and to reduce the likelihood of recidivism after release.

(2) The case plan shall include, but not be limited to:

(a) Programming and treatment requirements based on the results of a risk and needs assessment;

(b) Any programming or treatment requirements contained in the sentencing order; and

(c) General behavior requirements in accordance with the rules and policies of the department.

(3) With respect to parole-eligible inmates admitted to the department's custody on or after July 1, 2021, the department shall complete the case plan within ninety (90) days of admission. With respect to parole-eligible inmates admitted to the department's custody before July 1, 2021, the department shall complete the case plan by January 1, 2022.

(4) The department shall provide the inmate with a written copy of the case plan and the inmate's caseworker shall explain the conditions set forth in the case plan.

(a) Within ninety (90) days of admission, the caseworker shall notify the inmate of their parole eligibility date as calculated in accordance with Section 47-7-3(3);

(b) At the time a parole-eligible inmate receives the case plan, the department shall send the case plan to the Parole Board for approval.

(5) With respect to parole-eligible inmates admitted to the department's custody after July 1, 2021, the department shall ensure that the case plan is achievable prior to the inmate's parole eligibility date. With respect to parole-eligible inmates admitted to the department's custody before July 1, 2021, the department shall, to the extent possible, ensure that the case plan is achievable prior to the inmate's parole eligibility date or next parole hearing date, or date of release, whichever is sooner.

(6) The caseworker shall meet with the inmate every eight (8) weeks from the date the offender received the case plan to review the inmate's case plan progress.

(7) Every four (4) months the department shall electronically submit a progress report on each parole-eligible inmate's case plan to the Parole Board. The board may meet to review an inmate's case plan and may provide written input to the caseworker on the inmate's progress toward completion of the case plan.

(8) The Parole Board shall provide semiannually to the Oversight Task Force the number of parole hearings held, the number of prisoners released to parole without a hearing and the number of parolees released after a hearing.

(9) If the Department of Corrections fails to adequately provide opportunity and access for the completion of such case plans, the Department of Corrections shall, to the extent possible, contract with regional jail facilities that offer educational development and job-training programs to facilitate the fulfillment of the case plans of parole-eligible inmates.

SECTION 5. Section 47-7-3.2, Mississippi Code of 1972, is brought forward as follows:

47-7-3.2. (1) Notwithstanding Section 47-5-138, 47-5-139, 47-5-138.1 or 47-5-142, no person convicted of a criminal offense on or after July 1, 2014, shall be released by the department until he or she has served no less than the percentage of the sentence or sentences imposed by the court as set forth below:

(a) Twenty-five percent (25%) or ten (10) years, whichever is less, for a nonviolent crime;

(b) Fifty percent (50%) or twenty (20) years, whichever is less, for a crime of violence pursuant to Section 97-3-2, except for robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, or carjacking as defined in Section 97-3-117;

(c) Sixty percent (60%) or twenty-five (25) years, whichever is less, for robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, or carjacking as defined in Section 97-3-117.

(2) This section shall not apply to:

(a) Offenders sentenced to life imprisonment;

(b) Offenders convicted as habitual offenders pursuant to Sections 99-19-81 through 99-19-87;

(c) Offenders serving a sentence for a sex offense; or

(d) Offenders serving a sentence for trafficking pursuant to Section 41-29-139(f).

SECTION 6. Section 47-7-15, Mississippi Code of 1972, is brought forward as follows:

47-7-15. The board shall adopt an official seal of which the courts shall take judicial notice. Decisions of the board shall be made by majority vote, except as provided in Section 47-7-5(9).

The board shall keep a record of its acts and shall notify each institution of its decisions relating to the persons who are or have been confined therein. At the close of

each fiscal year the board shall submit to the Governor and to the Legislature a report with statistical and other data of its work.

SECTION 7. Section 47-7-17, Mississippi Code of 1972, is brought forward as follows:

47-7-17. (1) Within one (1) year after his admission and at such intervals thereafter as it may determine, the board shall secure and consider all pertinent information regarding each offender, except any under sentence of death or otherwise ineligible for parole, including the circumstances of his offense, his previous social history, his previous criminal record, including any records of law enforcement agencies or of a youth court regarding that offender's juvenile criminal history, his conduct, employment and attitude while in the custody of the department, the case plan created to prepare the offender for parole, and the reports of such physical and mental examinations as have been made. The board shall furnish at least three (3) months' written notice to each such offender of the date on which he is eligible for parole.

(2) Except as provided in Section 47-7-18, the board shall require a parole-eligible offender to have a hearing as required in this chapter before the board and to be interviewed. The hearing shall be held no later than thirty (30) days prior to the month of eligibility. No application for parole of a person convicted of a capital offense shall be considered by the board unless and until notice of the filing of such application shall have been published at least once a week for two (2) weeks in a newspaper published in or having general circulation in the county in which the crime was committed. The board shall, within thirty (30) days prior to the scheduled hearing, also give notice of the filing of the application for parole to the victim of the offense for which the prisoner is incarcerated and being considered for parole or, in case the offense be homicide, a designee of the immediate family of the victim, provided the victim or designated family member has furnished in writing a current address to the board for such purpose. The victim or designated family member shall be provided an opportunity to be heard by the board before the board makes a decision regarding release on parole. The board shall consider whether any restitution ordered has been paid in full. Parole release shall, at the hearing, be ordered only for the best interest of society, not as an award of clemency; it shall not be considered to be a reduction of sentence or pardon. An offender shall be placed on parole only when arrangements have been made for his proper employment or for his maintenance and care, and when the board believes that he is able and willing to fulfill the obligations of a law-abiding citizen. When the board determines that the offender will need transitional housing upon release in order to improve the likelihood of the offender becoming a law-abiding citizen, the board may parole the offender with the condition that the inmate spends no more than six (6) months in a transitional reentry center. At least fifteen (15) days prior to the release of an offender on parole, the director of records of the department shall give the written notice which is required pursuant to Section 47-5-177. Every offender while on parole shall remain in the legal custody of the department from which he was released and shall be amenable to the orders of the board. Upon determination by the board that an offender is eligible for release by parole, notice shall also be given within at least fifteen (15) days before release, by the board to the victim of the offense or the victim's family member, as indicated above, regarding the date when the offender's release shall occur, provided a current address of the victim or the victim's family member has been furnished in writing to the board for such purpose.

(3) Failure to provide notice to the victim or the victim's family member of the filing of the application for parole or of any decision made by the board regarding parole shall not

constitute grounds for vacating an otherwise lawful parole determination nor shall it create any right or liability, civilly or criminally, against the board or any member thereof.

(4) A letter of protest against granting an offender parole shall not be treated as the conclusive and only reason for not granting parole.

(5) The board may adopt such other rules not inconsistent with law as it may deem proper or necessary with respect to the eligibility of offenders for parole, the conduct of parole hearings, or conditions to be imposed upon parolees, including a condition that the parolee submit, as provided in Section 47-5-601 to any type of breath, saliva or urine chemical analysis test, the purpose of which is to detect the possible presence of alcohol or a substance prohibited or controlled by any law of the State of Mississippi or the United States. The board shall have the authority to adopt rules related to the placement of certain offenders on unsupervised parole and for the operation of transitional reentry centers. However, in no case shall an offender be placed on unsupervised parole before he has served a minimum of fifty percent (50%) of the period of supervised parole.

SECTION 8. Section 47-7-18, Mississippi Code of 1972, is brought forward as follows:

47-7-18 (1) No inmate convicted of a sex offense as defined by Section 45-33-23(h), a crime of violence as defined by Section 97-3-2, or both, nor an inmate who is eligible for geriatric parole shall be released on parole without a hearing before the Parole Board as required by Section 47-7-17. All other inmates eligible for parole pursuant to Section 47-7-3 shall be released from incarceration to parole supervision on the inmate's parole eligibility date, without a hearing before the board, if:

(a) The inmate has met the requirements of the parole case plan established pursuant to Section 47-7-3.1;

(b) A victim of the offense has not requested the board conduct a hearing;

(c) The inmate has not received a serious or major violation report within the past six (6) months;

(d) The inmate has agreed to the conditions of supervision; and

(e) The inmate has a discharge plan approved by the board.

(2) At least thirty (30) days prior to an inmate's parole eligibility date, the department shall notify the board in writing of the inmate's compliance or noncompliance with the case plan. If an inmate fails to meet a requirement of the case plan, prior to the parole eligibility date, he or she shall have a hearing before the board to determine if completion of the case plan can occur while in the community.

(3) Any inmate for whom there is insufficient information for the department to determine compliance with the case plan shall have a hearing with the board.

(4) A hearing shall be held with the board if requested by the victim following notification of the inmate's parole release date pursuant to Section 47-7-17.

(5) A hearing shall be held by the board if a law enforcement official from the community to which the inmate will return contacts the board or the department and requests a hearing to consider information relevant to public safety risks posed by the inmate if paroled at the initial parole eligibility date. The law enforcement official shall submit an explanation documenting these concerns for the board to consider.

(6) If a parole hearing is held, the board may determine the inmate has sufficiently complied with the case plan or that the incomplete case plan is not the fault of the inmate and that granting parole is not incompatible with public safety, the board may then parole the inmate with appropriate conditions. If the board determines that the inmate has sufficiently complied with the case plan but the discharge plan indicates that the inmate does not have appropriate housing immediately upon release, the board may parole the inmate to a transitional reentry center with the condition that the inmate spends no more

than six (6) months in the center. If the board determines that the inmate has not substantively complied with the requirement(s) of the case plan it may deny parole. If the board denies parole, the board may schedule a subsequent parole hearing and, if a new date is scheduled, the board shall identify the corrective action the inmate will need to take in order to be granted parole. Any inmate not released at the time of the inmate's initial parole date shall have a parole hearing at least every year.

SECTION 9. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO EXTEND THE AUTOMATIC REPEALER ON THE MISSISSIPPI EARNED PAROLE ELIGIBILITY ACT OF 2021; TO BRING FORWARD SECTION 1 OF CHAPTER 479, LAWS OF 2021; TO AMEND SECTIONS 47-7-3, 47-7-5 AND BRING FORWARD SECTIONS 47-7-3.1, 47-7-3.2, 47-7-15, 47-7-17 AND 47-7-18, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

Senator Barnett offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 500 by inserting before the period the following:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 755 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 755 was adopted.

YEAS AND NAYS On H. B. No. 755. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.
Nays--Chism, Hill, Seymour. Total--3.
Absent and those not voting--Bryan, Tate. Total--2.
Voting Present--Branning. Total--1.

Senator Barnett called up the following entitled bill:

H. B. No. 757: State offenders; extend repealer on authority to house in county jails when space is unavailable.

Senator Barnett offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-901, Mississippi Code of 1972, is reenacted as follows:

47-5-901. (1) (a) Any person committed, sentenced or otherwise placed under the custody of the Department of Corrections, on order of the sentencing court and subject to the other conditions of this subsection, may serve all or any part of his sentence in the county jail of the county wherein such person was convicted if the Commissioner of Corrections determines that physical space is not available for confinement of such person in the state correctional institutions. Such determination shall be promptly made by the Department of Corrections upon receipt of notice of the conviction of such person. The commissioner shall certify in writing that space is not available to the sheriff or other officer having custody of the person. Any person serving his sentence in a county jail shall be classified in accordance with Section 47-5-905.

(b) Any person committed, sentenced or otherwise placed under the custody of the Department of Corrections, on order of the sentencing court and subject to the other conditions of this subsection, may serve all or any part of his or her sentence in the county jail of the county wherein such person was convicted if the sheriff or president of the board of supervisors, requests such inmate or inmates. Upon such request, the department may allow such inmate or inmates to serve all or any part of such inmate's or inmates' sentence(s), as the case may be, in the county of conviction of the inmate or inmates or the county of request of a sheriff or board of supervisors outside the county of conviction. Such determination shall be promptly made by the Department of Corrections upon receipt of notice of the conviction of such person. Whenever a request is denied for an inmate or inmates, then the commissioner shall certify in writing to the sentencing court, sheriff, or president of the board of supervisors of a county, as the case may be, that such inmate or inmates does not qualify to serve the sentence or sentences in the county jail. Any person serving his sentence in a county jail shall be classified in accordance with Section 47-5-905.

(2) If state prisoners are housed in county jails due to a lack of capacity at state correctional institutions, the Department of Corrections shall determine the cost for food and medical attention for such prisoners. The cost of feeding and housing offenders confined in such county jails shall be based on actual costs or contract price per prisoner. In order to maximize the potential use of county jail space, the Department of Corrections is encouraged to negotiate a reasonable per day cost per prisoner, which in no event may exceed Twenty-five Dollars ($25.00) per day per offender, except as authorized in Section 47-5-909(2).

(3) (a) Upon vouchers submitted by the board of supervisors of any county housing persons due to lack of space at state institutions, the Department of Corrections shall pay to such county, out of any available funds, the actual cost of food, or contract price per prisoner, not to exceed Twenty-five Dollars ($25.00) per day per offender, except as authorized in Section 47-5-909(2), as determined under subsection (2) of this section for each day an offender is so confined beginning the day that the Department of Corrections receives a certified copy of the sentencing order or five (5) days after the sentencing order is sent, in writing, by such county to the department, whichever is earlier, and will terminate on the date on which the offender is released or otherwise removed from the custody of the county jail. The department, or its contracted medical provider, will pay to a provider of a medical service for any and all incarcerated persons from a correctional or detention facility an amount based upon negotiated fees as agreed to by the medical care service providers and the department and/or its contracted medical provider. In the absence of negotiated discounted fee schedule, medical care service providers will be paid by the department, or its contracted medical service provider, an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate. The board of supervisors of any county shall not be liable for any cost associated with medical attention for prisoners who are pretrial detainees or for prisoners who have been convicted that exceeds the Mississippi Medicaid

reimbursement rate or the reimbursement provided by the Department of Corrections, whichever is greater. This limitation applies to all medical care services, durable and nondurable goods, prescription drugs and medications. Such payment shall be placed in the county general fund and shall be expended only for food and medical attention for such persons.

(b) Upon vouchers submitted by the board of supervisors of any county housing offenders in county jails pending a probation or parole revocation hearing, the department shall pay the reimbursement costs provided in paragraph (a).

(c) If the probation or parole of an offender is revoked, the additional cost of housing the offender pending the revocation hearing shall be assessed as part of the offender's court cost and shall be remitted to the department.

(4) A person, on order of the sentencing court, may serve not more than twenty-four (24) months of his sentence in a county jail if the person is classified in accordance with Section 47-5-905 and the county jail is an approved county jail for housing state inmates under federal court order. The sheriff of the county shall have the right to petition the Commissioner of Corrections to remove the inmate from the county jail. The county shall be reimbursed in accordance with subsection (2) of this section.

(5) The Attorney General of the State of Mississippi shall defend the employees of the Department of Corrections and officials and employees of political subdivisions against any action brought by any person who was committed to a county jail under the provisions of this section.

(6) This section does not create in the Department of Corrections, or its employees or agents, any new liability, express or implied, nor shall it create in the Department of Corrections any administrative authority or responsibility for the construction, funding, administration or operation of county or other local jails or other places of confinement which are not staffed and operated on a full-time basis by the Department of Corrections. The correctional system under the jurisdiction of the Department of Corrections shall include only those facilities fully staffed by the Department of Corrections and operated by it on a full-time basis.

(7) An offender returned to a county for post-conviction proceedings shall be subject to the provisions of Section 99-19-42 and the county shall not receive the per-day allotment for such offender after the time prescribed for returning the offender to the Department of Corrections as provided in Section 99-19-42.

SECTION 2. Section 47-5-903, Mississippi Code of 1972, is reenacted as follows:

47-5-903. (1) A person committed, sentenced or otherwise placed under the custody of the Department of Corrections, on order of the sentencing court, may serve his or her sentence in any county jail if all of the following conditions are complied with:

(a) The person must be classified in accordance with Section 47-5-905;

(b) The person must not be classified as in need of close supervision;

(c) The sheriff of the county where the person will serve his or her sentence must request in writing that the person be allowed to serve his or her sentence in that county jail;

(d) After the person is classified and returned to the county, the county shall assume the full and complete responsibility for the care and expenses of housing such person; and

(e) The county jail must be an approved county jail for housing state inmates under federal court order.

(2) This section does not apply to inmates housed in county jails due to lack of space at state correctional facilities. The department may reimburse the county for the expense of housing an inmate under this section.

(3) The Attorney General of the State of Mississippi shall defend the employees of the Department of Corrections and officials and employees of political subdivisions against any action brought by any person who was committed to a county jail under the provisions of this section.

(4) The state, the Department of Corrections, and its employees or agents, shall not be liable to any person or entity for an inmate held in a county jail under this section.

SECTION 3. Section 47-5-905, Mississippi Code of 1972, is reenacted as follows:

47-5-905. (1) All persons placed under the custody of the Department of Corrections shall be processed at a reception and diagnostic center of the Department of Corrections and then be assigned to an appropriate correctional facility for a complete and thorough classification, not to exceed ninety (90) days, unless the department determines that a person can be properly processed and classified at the county jail in accordance with the department's classification plan.

(2) The Department of Corrections shall develop a plan for the processing and classification of inmates in county jails and shall implement the plan by January 1, 1993.

SECTION 4. Section 47-5-907, Mississippi Code of 1972, is reenacted as follows:

47-5-907. The sheriff of any county in this state shall have the right to petition the Commissioner of the Department of Corrections to remove a state inmate from the county jail in such county to the State Penitentiary. The commissioner shall remove such inmate from such county jail if the sheriff of such county sets forth just cause in his petition indicating why an inmate should be removed from such county jail to the State Penitentiary.

Just cause is established if such sheriff can sufficiently prove that such inmate has a dangerous behavior or sufficiently prove that there is no available or suitable medical facility where such inmate can be provided suitable medical services. The commissioner shall respond in writing to the petition no later than thirty (30) days after the receipt of such petition. If the petition to remove such inmate is denied by the commissioner, such sheriff and his agents shall have from the date of denial absolute immunity from liability for any injury resulting from subsequent behavior or from medical consequences regarding such inmate, provided that such injury resulted from conditions which were set forth in such petition.

SECTION 5. Section 47-5-909, Mississippi Code of 1972, is reenacted as follows:

47-5-909. (1) It is the policy of the Legislature that all inmates be removed from county jails as early as practicable. Sections 47-5-901 through 47-5-907 are temporary measures to help alleviate the immediate operating capacity limitations at correctional facilities and are not permanent measures to be included in the long-term operating capacity of the correctional system.

(2) Notwithstanding any other provision of law, to expedite the removal of inmates from county jails as early as practicable, absent a contract negotiated between the Department of Corrections and the county jail, the Department of Corrections shall pay county jails for housing state offenders out of any available funds as follows:

(a) Twenty-five Dollars ($25.00) per day per offender for days one (1) through thirty (30);

(b) Thirty-two Dollars and Seventy-one Cents ($32.71) per day per offender for days thirty-one (31) or greater when:

(i) An offender remains in the county jail after the Department of Corrections receives a certified copy of the sentencing order or five (5) days after the sentencing order is sent, in writing, by such county to the Department of Corrections, whichever is earlier; or

(ii) An offender remains in the county jail after being revoked from parole or probation or is sentenced to a technical violation center.

(3) The Department of Corrections is additionally responsible for all medical costs related to offenders housed at county jails under subsection (2) of this section.

SECTION 6. Section 47-5-911, Mississippi Code of 1972, is amended as follows:

47-5-911. Sections 47-5-901 through 47-5-911 shall stand repealed on July 1, * * * 2028.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO REENACT SECTIONS 47-5-901 THROUGH 47-5-909, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE AND ESTABLISH CONDITIONS FOR THE HOUSING OF STATE OFFENDERS IN COUNTY JAILS WHENEVER THE COMMISSIONER OF CORRECTIONS DETERMINES THAT PHYSICAL SPACE IS NOT AVAILABLE IN THE STATE CORRECTIONAL INSTITUTIONS; TO AMEND SECTION 47-5-911, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE REENACTED CODE SECTIONS; AND FOR RELATED PURPOSES.

Senator Barnett offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 228 by inserting before the period the following:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 757 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 757 was adopted.

YEAS AND NAYS On H. B. No. 757. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.
Absent and those not voting--Bryan, Tate. Total--2.

Senator Barnett called up the following entitled bill:

H. B. No. 758: Pilot Work Initiative at Central MS Correctional Facility; extend repealer on.

Senator Barnett offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-539, Mississippi Code of 1972, is amended as follows:

47-5-539. For the purposes of Sections 47-5-531 through 47-5-575, the following terms shall have the following meaning unless the context shall provide otherwise:

(a) "Chief executive officer" means the chief executive officer of the corporation established under this chapter.

(b) "Corporation" means the private nonprofit corporation which is required to be organized and formed to carry out the provisions of Sections 47-5-531 through 47-5-575 regarding prison industries.

(c) "Department" means the State Department of Corrections.

(d) "Inmate" means any person under the jurisdiction of the Mississippi Department of Corrections who is incarcerated within any of the following state, regional or private correctional * * * facilities:

(i) Central Mississippi Correctional Facility;

(ii) Marshall County Correctional Facility;

(iii) Mississippi State Penitentiary;

(iv) Delta Correctional Facility;

(v) Mississippi Correctional Institute for Women;

(vi) South Mississippi Correctional Institution;

(vii) Walnut Grove Correctional Facility;

(viii) Alcorn County Regional Correctional Facility;

(ix) Carroll/Montgomery County Regional Correctional Facility;

(x) George/Greene County Correctional Facility;

(xi) Bolivar County Correctional Facility;

(xii) Chickasaw County Regional Correctional Facility;

(xiii) Holmes/Humphreys County Correctional Facility;

(xiv) Issaquena County Correctional Facility;

(xv) Kemper/Neshoba County Regional Correctional Facility;

(xvi) Jefferson/Franklin County Correctional Facility;

(xvii) Leake County Correctional Facility;

(xviii) Marion/Walthall County Correctional Facility;

(xix) Washington County Regional Correctional Facility;

(xx) Yazoo Regional Correctional Facility;

(xxi) Stone County Correctional Facility;

(xxii) Winston/Choctaw County Correctional Facility;

(xxiii) East Mississippi Correctional Facility; and

(xxiv) Wilkinson County Correctional Facility.

(e) "Prison industry program" means any program which is considered to be a part of any prison industry in this state.

(f) "Prison agricultural enterprises" means all agricultural endeavors as defined in Section 47-5-353.

(g) "Work initiative" or "initiative" means the program authorized in Section 47-5-579.

SECTION 2. Section 47-5-579, Mississippi Code of 1972, is amended as follows:

47-5-579. (1) (a) The corporation is authorized to create a Pilot Work Initiative at * * * each of the state, regional and private facilities listed in Section 47-5-539(d). * * * Each initiative shall be limited to no more than twenty-five (25) inmates in the * * * state, regional or private facility at any given time.

(b) The department shall:

(i) Have the ultimate authority for oversight of the administration of the initiative;

(ii) Delegate the administration of the initiative to the corporation; and

(iii) Oversee the selection of inmates for admission to the initiative.

(2) (a) An inmate is eligible for participation in the initiative if the inmate has:

(i) No more than two (2) years remaining on the inmate's sentence;

(ii) Not been convicted under Section 97-9-49 within the last five (5) years; and

(iii) Not been sentenced for a sex offense as defined in Section 45-33-23(h).

(b) Any inmate that meets the eligibility requirements of paragraph (a) may request assignment to the work initiative established under this section.

(3) (a) The commissioner shall select inmates for admission to the program.

(b) An inmate currently participating in vocational training or a soft skills training program with the department shall have priority in admission to the program.

(4) (a) The chief executive officer may authorize the inmate to participate in educational or other rehabilitative programs designed to supplement his work initiative employment or to prepare the person for successful reentry.

(b) Before accepting any participants to the program, the corporation, in consultation with the department, shall adopt and publish rules and regulations to effectuate this section no later than six (6) months after the effective date of this section. These rules and regulations shall include all protection requirements for work release programs established pursuant to Sections 47-5-451 through 47-5-471. Participating employers shall pay no less than the prevailing wage for the position and shall under no circumstance pay less than the federal minimum wage.

(5) Any inmate assigned to the initiative who, without proper authority or just cause, leaves the area to which he has been assigned to work or attend educational or other rehabilitative programs, or leaves the vehicle or route of travel involved in his or her going to or returning from such place, will be guilty of escape as provided in Section 97-9-49. An offender who is convicted under Section 97-9-49 shall be ineligible for further participation in the work initiative during his or her current term of confinement.

(6) (a) The inmate shall maintain an account through a local financial institution and shall provide a copy of a check stub to the chief executive officer.

(b) The inmate shall be required:

(i) To pay twenty-five percent (25%) of the inmate's wages after mandatory deductions for the following purposes:

1. To pay support of dependents or to the Mississippi Department of Human Services on behalf of dependents as may be ordered by a judge of competent jurisdiction; and

2. To pay any fines, restitution, or costs as ordered by the court to include any fines and fees associated with obtaining a valid driver's license upon release.

(ii) To pay * * * fifteen percent (15%) of the inmate's wages to the corporation for administrative expenses to include transportation costs, to be remitted to the state, regional or private facility where the inmate provided the work.

(iii) To save fifty percent (50%) of the inmate's wages in the account required under paragraph (a) of this subsection. Monies under this sub-item shall be made available to the inmate upon parole or release.

(c) The inmate shall have access to the remaining * * * ten percent (10%) of the monies in the inmate's account to purchase incidental expenses.

(7) The chief executive officer of the corporation shall collect and maintain data which shall be shared semiannually with the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) and the Corrections and Criminal Justice Oversight Task Force in sortable electronic format. The first report shall be made on

January 15, * * * 2025, and in six-month intervals thereafter unless PEER establishes a different schedule. The data shall include:

(a) Total number of participants at the beginning of each month by race, gender, and offenses charged;

(b) Total number of participants at the end of each month by race, gender, and offenses charged;

(c) Total number of participants who began the program in each month by race, gender, and offenses charged;

(d) Total number of participants who successfully completed the program in each month by race, gender, and offenses charged;

(e) Total number of participants who left the program in each month and reason for leaving by race, gender, and offenses charged;

(f) Total number of participants who were arrested for a new criminal offense while in the program in each month by race, gender and offenses charged;

(g) Total number of participants who were convicted of a new crime while in the program in each month by race, gender and offenses charged;

(h) Total number of participants who completed the program and were convicted of a new crime within three (3) years of completing the program;

(i) Total amount earned by participants and how the earnings were distributed in each month;

(j) Results of any initial risk and needs assessments conducted on each participant by race, gender, and offenses charged;

(k) Total list of participating employers;

(l) Total list of jobs acquired by participants;

(m) Total list the hourly wage paid to each participant;

(n) Total accounting of the manner and use of the ten percent (10%) of the wages paid to the corporation by the inmate for administrative expenses;

(o) Total costs associated with program operations;

(p) Total list of participating financial institutions;

(q) The number of accounts opened by participants at financial institutions;

(r) The average hourly wage earned in the program; and

(s) Any other data or information as requested by the task force.

(8) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) shall conduct a review of the expanded initiative established under this section and produce a report to the Legislature on * * * its effectiveness by January 1, * * * 2026. The PEER Committee shall seek the assistance of the Corrections and Criminal Justice Task Force and may seek assistance from any other criminal justice experts it deems necessary during its review.

* * *

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTIONS 47-5-539 AND 47-5-579, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO EXPAND THE PILOT WORK INITIATIVE UNDER THE MISSISSIPPI PRISON INDUSTRIES CORPORATION AT CENTRAL MISSISSIPPI CORRECTIONAL FACILITY TO ANY STATE, REGIONAL AND PRIVATE CORRECTIONAL FACILITY IN THE STATE OF MISSISSIPPI WHICH HOUSE INMATES UNDER THE JURISDICTION OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; TO PRESCRIBE CERTAIN CONDITIONS FOR THE OPERATION OF THE MISSISSIPPI PRISON INDUSTRIES PROGRAM; TO EARMARK PAYMENTS FROM THE INMATE'S WORK RELEASE ACCOUNT FOR AUTHORIZED PURPOSES; TO DELETE THE AUTOMATIC REPEALER ON THE PRISON INDUSTRIES PROGRAM; AND FOR RELATED PURPOSES.

Senator Barnett offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 206 by inserting before the period the following:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 758 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 758 was adopted.

YEAS AND NAYS On H. B. No. 758. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Nays--None.
Absent and those not voting--Bryan, Tate. Total--2.

Senator Barnett called up the following entitled bill:

H. B. No. 763: Pilot Work Release Program; extend repealer on authority of sheriff to establish for certain offenders in certain counties.

Senator Barnett offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-473, Mississippi Code of 1972, is amended as follows:

47-5-473. (1) The Sheriffs of Rankin County, Harrison County and Lee County are authorized to establish a Pilot Work Release Program. No person sentenced for a crime listed in Section 97-3-2 shall be eligible for participation in the program established under this section. During the pilot phase of the program, there shall be a limit of twenty-five (25) people in the program at a time.

(2) The sheriff shall collect and maintain data which shall be shared semiannually with the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) and the Corrections and Criminal Justice Oversight Task Force in sortable electronic format. The first report shall be made * * * on January 15, * * * 2025, and in six-month intervals thereafter, unless PEER establishes a different schedule. The data shall include:

(a) Total number of participants at the beginning of each month by race, gender, and offenses charged;

(b) Total number of participants at the end of each month by race, gender, and offenses charged;

(c) Total number of participants who began the program in each month by race, gender, and offenses charged;

(d) Total number of participants who successfully completed the program in each month by race, gender, and offenses charged;

(e) Total number of participants who left the program in each month and reason for leaving by race, gender, and offenses charged;

(f) Total number of participants who were arrested for a new criminal offense while in the program in each month by race, gender, and offenses charged;

(g) Total number of participants who were convicted of a new crime while in the program in each month by race, gender, and offenses charged;

(h) Total number of participants who completed the program and were convicted of a new crime within three (3) years of completing the program;

(i) Total amount earned by participants and how the earnings were distributed in each month;

(j) Results of any initial risk and needs assessments conducted on each participant by race, gender, and offenses charged; and

(k) Any other data or information as requested by the task force.

(3) Any person who has been sentenced to confinement in jail or who has been sentenced for a felony conviction but is confined in a jail may request assignment to the work release program established under this section. Admission to the program shall be in the discretion of the sheriff. The sheriff may further authorize the offender to participate in educational or other rehabilitative programs designed to supplement his work release employment or to prepare the person for successful reentry. No offender shall be eligible for this program if he or she has more than one (1) year remaining on his or her sentence.

(4) The sheriff shall adopt and publish rules and regulations prior to accepting inmates. These rules and regulations shall at a minimum include all requirements for work

release programs established pursuant to Sections 47-5-451 through 47-5-471. Participating employers shall pay no less than the prevailing wage for the position and shall under no circumstance pay less than the federal minimum wage.

(5) Any offender assigned to such a program by the sheriff who, without proper authority or just cause, leaves the area to which he has been assigned to work or attend educational or other rehabilitative programs, or leaves the vehicle or route of travel involved in his or her going to or returning from such place, will be guilty of escape as provided in Section 97-9-49. An offender who is found guilty under this section shall be ineligible for further participation in a work release program during his or her current term of confinement.

(6) The offender shall maintain an account through a local financial institution and shall provide a copy of a check stub to the sheriff. The offender may be required to pay up to twenty-five percent (25%) of his or her wages after mandatory deductions for the following purposes:

(a) To pay support of dependents or to the Mississippi Department of Human Services on behalf of dependents as may be ordered by a judge of competent jurisdiction; and

(b) To pay any fines, restitution, or costs as ordered by the court to include any fines and fees associated with obtaining a valid driver's license upon release.

(7) The inmate shall have access to his or her account to purchase incidental expenses.

(8) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) shall conduct a review of the work release program established under this section and produce a report to the Legislature on * * * its effectiveness * * * on January 15, 2025, and in six-month intervals thereafter, unless PEER establishes a different schedule. The PEER Committee shall seek the assistance of the Corrections and Criminal Justice Task Force and may seek assistance from any other criminal justice experts it deems necessary during its review.

(9) This section shall stand repealed on July 1, * * * 2026.

SECTION 2. Section 47-5-577, Mississippi Code of 1972, is amended as follows:

47-5-577. Sections 47-5-531 through * * * 47-5-579, which create the Mississippi Prison Industries Act of 1990, shall stand repealed from and after July 1, * * * 2028.

SECTION 3. Section 47-5-579, Mississippi Code of 1972, is amended as follows:

47-5-579. (1) (a) The corporation is authorized to create a Pilot Work Initiative at the Central Mississippi Correctional Facility. The initiative shall be limited to no more than twenty-five (25) inmates in the program at any given time.

(b) The department shall:

(i) Have the ultimate authority for oversight of the administration of the initiative;

(ii) Delegate the administration of the initiative to the corporation; and

(iii) Oversee the selection of inmates for admission to the initiative.

(2) (a) An inmate is eligible for participation in the initiative if the inmate has:

(i) No more than two (2) years remaining on the inmate's sentence;

(ii) Not been convicted under Section 97-9-49 within the last five (5) years; and

(iii) Not been sentenced for a sex offense as defined in Section 45-33-23(h).

(b) Any inmate that meets the eligibility requirements of paragraph (a) may request assignment to the work initiative established under this section.

(3) (a) The commissioner shall select inmates for admission to the program.

(b) An inmate currently participating in vocational training or a soft skills training program with the department shall have priority in admission to the program.

(4) (a) The chief executive officer may authorize the inmate to participate in educational or other rehabilitative programs designed to supplement his work initiative employment or to prepare the person for successful reentry.

(b) Before accepting any participants to the program, the corporation, in consultation with the department, shall adopt and publish rules and regulations to effectuate this section no later than six (6) months after the effective date of this section. These rules and regulations shall include all protection requirements for work release programs established pursuant to Sections 47-5-451 through 47-5-471. Participating employers shall pay no less than the prevailing wage for the position and shall under no circumstance pay less than the federal minimum wage.

(5) Any inmate assigned to the initiative who, without proper authority or just cause, leaves the area to which he has been assigned to work or attend educational or other rehabilitative programs, or leaves the vehicle or route of travel involved in his or her going to or returning from such place, will be guilty of escape as provided in Section 97-9-49. An offender who is convicted under Section 97-9-49 shall be ineligible for further participation in the work initiative during his or her current term of confinement.

(6) (a) The inmate shall maintain an account through a local financial institution and shall provide a copy of a check stub to the chief executive officer.

(b) The inmate shall be required:

(i) To pay twenty-five percent (25%) of the inmate's wages after mandatory deductions for the following purposes:

1. To pay support of dependents or to the Mississippi Department of Human Services on behalf of dependents as may be ordered by a judge of competent jurisdiction; and

2. To pay any fines, restitution, or costs as ordered by the court to include any fines and fees associated with obtaining a valid driver's license upon release.

(ii) To pay * * * fifteen percent (15%) of the inmate's wages to the corporation for administrative expenses to include transportation costs to be remitted to the state, regional or private facility where the inmate provided the work.

(iii) To save fifty percent (50%) of the inmate's wages in the account required under paragraph (a) of this subsection. Monies under this sub-item shall be made available to the inmate upon parole or release.

(c) The inmate shall have access to the remaining * * * ten percent (10%) of the monies in the inmate's account to purchase incidental expenses.

(7) The chief executive officer of the corporation shall collect and maintain data which shall be shared semiannually with the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) and the Corrections and Criminal Justice Oversight Task Force in sortable electronic format. The first report shall be made on January 15, * * * 2025, and in six-month intervals thereafter unless PEER establishes a different schedule. The data shall include:

(a) Total number of participants at the beginning of each month by race, gender, and offenses charged;

(b) Total number of participants at the end of each month by race, gender, and offenses charged;

(c) Total number of participants who began the program in each month by race, gender, and offenses charged;

(d) Total number of participants who successfully completed the program in each month by race, gender, and offenses charged;

(e) Total number of participants who left the program in each month and reason for leaving by race, gender, and offenses charged;

(f) Total number of participants who were arrested for a new criminal offense while in the program in each month by race, gender and offenses charged;

(g) Total number of participants who were convicted of a new crime while in the program in each month by race, gender and offenses charged;

(h) Total number of participants who completed the program and were convicted of a new crime within three (3) years of completing the program;

(i) Total amount earned by participants and how the earnings were distributed in each month;

(j) Results of any initial risk and needs assessments conducted on each participant by race, gender, and offenses charged;

(k) Total list of participating employers;

(l) Total list of jobs acquired by participants;

(m) Total list the hourly wage paid to each participant;

(n) Total accounting of the manner and use of the ten percent (10%) of the wages paid to the corporation by the inmate for administrative expenses;

(o) Total costs associated with program operations;

(p) Total list of participating financial institutions;

(q) The number of accounts opened by participants at financial institutions;

(r) The average hourly wage earned in the program; and

(s) Any other data or information as requested by the task force.

(8) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) shall conduct a review of the expanded initiative established under this section and produce a report to the Legislature on * * * its effectiveness by January 1, * * * 2026. The PEER Committee shall seek the assistance of the Corrections and Criminal Justice Task Force and may seek assistance from any other criminal justice experts it deems necessary during its review.

* * *

SECTION 4. Section 47-5-531, Mississippi Code of 1972, is brought forward as follows:

47-5-531. Sections 47-5-531 through 47-5-575 shall be known as the "Mississippi Prison Industries Act of 1990."

SECTION 5. Section 47-5-533, Mississippi Code of 1972, is brought forward as follows:

47-5-533. (1) It is the finding of the Legislature that prison industry programs of the State Department of Corrections are uniquely different from other programs operated or conducted by other departments in that it is essential to the state that the prison industry programs provide inmates with useful activities that can lead to meaningful employment after release in order to assist in reducing the return of inmates to the system.

(2) It is further the finding of the Legislature that the mission of a prison industry program is:

(a) To reduce the cost of state government by operating prison industries primarily with inmate labor, which industries do not seek to unreasonably compete with private enterprise;

(b) To serve the rehabilitative goals of the state by duplicating as nearly as possible, the operating activities of a free-enterprise type of profit-making enterprise; and

(c) To serve the security goals of the state by reducing the idleness of inmates and by providing an incentive for good behavior while in prison.

SECTION 6. Section 47-5-535, Mississippi Code of 1972, is brought forward as follows:

47-5-535. (1) Except as otherwise specifically provided by law, it is the intent of the Legislature that a nonprofit corporation be organized and formed, within sixty (60) days from April 4, 1990, to lease and manage the prison industry programs of the Mississippi Correctional Industries. The corporation created and established shall be a body politic and corporate, may acquire and hold real and personal property, may receive, hold and dispense monies appropriated to it by the Legislature of the State of Mississippi received from the federal government, received from the sale of products, goods, and services which it produces, and received from any other sources whatsoever.

(2) Except as otherwise specifically provided by law, it is the further intent of the Legislature that the nonprofit corporation shall create any additional prison industry program as it deems fit, and any such program shall be created in compliance with the provisions of Sections 47-5-531 through 47-5-575.

(3) Except as otherwise specifically provided by law, it is the further intent of the Legislature that such nonprofit corporation shall have exclusive rights to operate any prison industry program and when such corporation is lawfully formed, no other public or private entity shall be allowed to carry out the provisions of Sections 47-5-531 through 47-5-575.

(4) It is the further intent of the Legislature, that the nonprofit corporation which is required to be organized and formed under Sections 47-5-531 through 47-5-575 shall locate and operate prison industries at any state correctional facility with the approval of the Commissioner of Corrections. It is the intent of the Legislature that the nonprofit corporation locate and operate such industries in an orderly and expeditious manner. Such corporation may locate and operate prison industries at other prison satellites, at community work centers in the state, at any private correctional facility which houses state inmates and at any regional correctional facility as authorized under Section 47-5-931. No industrial prison program shall be located at a site other than state prison facilities approved by the commissioner.

SECTION 7. Section 47-5-537, Mississippi Code of 1972, is brought forward as follows:

47-5-537. The Secretary of State, or his designee, shall assist the Department of Corrections and the Department of Finance and Administration in the formation of the nonprofit corporation, and within sixty (60) days after the formation of the corporation, the corporation shall apply for exemption from federal tax under the provisions of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended. Any program of the Division of Vocational Rehabilitation of the * * * Mississippi Department of Human Services shall not be classified as prison industries under the provisions Sections 47-5-531 through 47-5-575.

SECTION 8. Section 47-5-539, Mississippi Code of 1972, is brought forward as follows:

47-5-539. For the purposes of Sections 47-5-531 through 47-5-575, the following terms shall have the following meaning unless the context shall provide otherwise:

(a) "Chief executive officer" means the chief executive officer of the corporation established under this chapter.

(b) "Corporation" means the private nonprofit corporation which is required to be organized and formed to carry out the provisions of Sections 47-5-531 through 47-5-575 regarding prison industries.

(c) "Department" means the State Department of Corrections.

(d) "Inmate" means any person incarcerated within any state correctional facility.

(e) "Prison industry program" means any program which is considered to be a part of any prison industry in this state.

(f) "Prison agricultural enterprises" means all agricultural endeavors as defined in Section 47-5-353.

(g) "Work initiative" or "initiative" means the program authorized in Section 47-5-579.

SECTION 9. Section 47-5-541, Mississippi Code of 1972, is brought forward as follows:

47-5-541. (1) The corporation shall be governed by a board of directors. The terms of the board of directors in place before July 1, 2022, shall expire June 30, 2022. From and after July 1, 2022, the board of directors of the nonprofit corporation shall be composed of the following five (5) members:

(a) The Commissioner of the Department of Corrections or his or her designee;

(b) One (1) representative of the faith-based community, appointed by the Commissioner of the Department of Corrections with the advice and consent of the Senate;

(c) One (1) representative of the business community, appointed by the Commissioner of the Department of Corrections with the advice and consent of the Senate;

(d) The Executive Director of AccelerateMS or his or her designee; and

(e) The Executive Director of the Mississippi Community College Board or his or her designee.

For the initial appointments, the representative of the faith-based community shall serve for a term of one (1) year; the representative of the business community shall serve for a term of two (2) years; the Executive Director of the AccelerateMS or his or her designee shall serve for a term of three (3) years and the Executive Director of the Mississippi Community College Board shall serve for a term of four (4) years. All succeeding terms shall be for four (4) years from the expiration date of the previous term. The term of the Commissioner of Corrections shall run concurrent with his or her term or terms as commissioner. Initial appointments shall be made within thirty (30) days after July 1, 2022. Any vacancy on the board prior to the expiration of a term for any reason, including resignation, removal, disqualification, death or disability shall be filled in the manner prescribed in paragraphs (a) through (e) of this subsection for the balance of the unexpired term. The officers of the corporation shall consist of a chairman, vice chairman and a secretary-treasurer. The officers shall be selected by the members of the board. However, the Commissioner of Corrections shall not be eligible to serve as an officer of the corporation.

(2) The board of directors shall select and employ a chief executive officer of the corporation who shall serve at the pleasure of the board. The board shall set the compensation of the chief executive officer. The chief executive officer shall be responsible for the general business and entire operations of the corporation, and shall be responsible for operating the corporation in compliance with the bylaws of the corporation and in compliance with any provision of law. The board shall be authorized and empowered to do only those acts provided by law and by the bylaws of the corporation. Except as otherwise specifically provided by law, such board shall have the authority to establish prison industries, to cease the operation of any industry which it deems unsuitable or unprofitable, to enter into any lease or contract for the corporation and it shall have the full authority to establish prices for any industry good.

(3) No member of the board of directors shall vote on any matter that comes before the board that could result in pecuniary benefit for himself or for any entity in which such member has an interest.

(4) In addition to the board of directors, an advisory board may be set up for the benefit of each industry which is established pursuant to the provisions of Sections 47-5-531 through 47-5-575. Such boards shall be advisory only, and may be set up in the discretion of the board of directors of the corporation.

(5) Each member of the board of directors of the corporation shall receive per diem as provided in Section 25-3-69 for each day or fraction thereof spent in actual discharge of his official duties and shall be reimbursed for mileage and actual expenses incurred in the performance of his official duties in accordance with the requirements of Section 25-3-41, Mississippi Code of 1972.

(6) The board of directors shall make and publish policies, rules and regulations governing all business functions, including but not limited to accounting, marketing, purchasing and personnel, not inconsistent with the terms of Sections 47-5-531 through 47-5-575, as may be necessary for the efficient administration and operation of the corporation.

(7) The chief executive officer of the corporation shall:

(a) Employ all necessary employees of the corporation and dismiss them as is necessary;

(b) Administer the daily operations of the corporation, including establishing education, training and workforce development programs in collaboration with the Office of Workforce Development and other relevant state and federal agencies;

(c) Upon approval of the board of directors, execute any contracts on behalf of the corporation; and

(d) Take any further actions which are necessary and proper toward the achievement of the corporation purposes.

(8) A member of the board of directors of the corporation shall not be liable for any civil damages for any personal injury or property damage caused to a person as a result of any acts or omissions committed in good faith in the exercise of their duties as members of the board of directors of the corporation, except where a member of the board engages in acts or omissions which are intentional, willful, wanton, reckless or grossly negligent.

SECTION 10. Section 47-5-543, Mississippi Code of 1972, is brought forward as follows:

47-5-543. (1) Within sixty (60) days after the formation of the corporation pursuant to the provisions of Section 47-5-535, the State Department of Corrections shall lease to the corporation all existing prison industries including the buildings, land, furnishings, equipment and other chattel used in the operation of such industries. Such lease shall be agreed upon by the State Department of Corrections, State Department of Finance and Administration and the corporation. The initial term of such lease shall not exceed six (6) years, provided that such lease may be renewed for additional successive terms of years not to exceed six (6) years in any one (1) renewal. No sublease to the corporation shall be in excess of that amount for which the department is obligated to pay under any lease agreement with any other state agency. Any receivable and remaining funds shall be transferred to the corporation after the payment of any existing liabilities. No operating loss of any type shall be transferred to the corporation. The State Department of Corrections shall continue to manage and operate the prison industries until such industries are leased to the corporation. When leasing any prison industry program to the corporation, the corporation shall exercise a reasonable effort to employ any personnel of the State Department of Corrections who are currently involved in any prison industry program being leased to the corporation. Before the leasing of the prison industries, buildings, lands and other items mentioned herein to the corporation, the State Auditor of Public Accounts shall perform a comprehensive audit of all the items and things mentioned herein which are to be leased by the department to the corporation. The corporation may expand, eliminate, suspend or alter any of its industries as it sees fit.

(2) Any lands, buildings, equipment, furnishings, livestock, supplies and vehicles used in the department's farming operations which were leased or transferred to the nonprofit corporation under subsection (1) shall be transferred to the department. Any personnel in the department's farming operations employed by the nonprofit corporation who desire to be reassigned to the department and who are under state service may be reassigned to the department.

(3) The department is not required to lease land, buildings, equipment, furnishings or other chattel used in its prison agricultural enterprises.

SECTION 11. Section 47-5-545, Mississippi Code of 1972, is brought forward as follows:

47-5-545. Except as otherwise specifically provided by law, after the commissioning and implementation of a marketing feasibility study for any proposed new prison industry, the corporation may establish such prison industry. Before any new industry is established, the corporation shall hold a hearing to determine the impact such industry may have on the private sector market. The corporation shall provide adequate and advance notice regarding the nature, time, date and place of such hearing. After the hearing which is required under this section, the corporation may commence negotiations with the State Department of Corrections, with the Secretary of State, or his designee, serving as a mediator, regarding the leasing of land and other chattels for the purpose of establishing any new industry.

SECTION 12. Section 47-5-547, Mississippi Code of 1972, is brought forward as follows:

47-5-547. Except as otherwise specifically provided by law, any training program or auxiliary program associated with any existing prison industry shall be transferred to the corporation. The corporation is empowered and authorized to establish in participation with any community or junior college or state institution of higher learning, any training or auxiliary program for existing prison industries or for any industries which the corporation might create. Such community or junior college or state institution of higher learning shall provide assistance in business planning, marketing and analysis of existing or projected industries. These industrial services shall be contracted with any appropriate community or junior college or state institution of higher learning when these industries are developed at other correction sites.

SECTION 13. Section 47-5-549, Mississippi Code of 1972, is brought forward as follows:

47-5-549. Any service or item manufactured, processed, grown or produced by the corporation from its prison industries may be furnished or sold to any legislative, executive or judicial branch of the state, any political subdivision or any governing authority of the state, any other state, any school, college or university of the state, any foreign government, any agency of the federal government or to any private entity. The corporation shall make reasonable efforts to purchase raw materials from in-state vendors. The prices for industry-made products shall be established by the board of directors of the corporation or its designee.

SECTION 14. Section 47-5-551, Mississippi Code of 1972, is brought forward as follows:

47-5-551. In the event the corporation is dissolved or its lease of any prison industry program expires or is otherwise terminated, all property relating to such prison industry program which ceases to function because of such termination or dissolution, including all funds, buildings, land, furnishings, equipment and other chattels subsequently purchased or otherwise acquired by the corporation in connection with its continued operation of that program, automatically reverts to full ownership by the department.

SECTION 15. Section 47-5-553, Mississippi Code of 1972, is brought forward as follows:

47-5-553. Before any prison industry may commence operations, the chief executive officer of the corporation must communicate with the Commissioner of

Corrections regarding the proper security for the facility. If at anytime the Commissioner of Corrections recognizes a need for improvement in the security at any facility, then he or she shall communicate to the corporation regarding what improvements are needed for the facility to be properly secured. The corporation shall furnish its own security within the parameters of any prison industry work area.

SECTION 16. Section 47-5-555, Mississippi Code of 1972, is brought forward as follows:

47-5-555. The department shall, subject to the necessary security requirements and the needs of the corporation, provide to the corporation sufficient inmate labor for the various prison industry programs. The department may adopt rules and regulations as may be necessary to govern the use of inmates by the corporation. The corporation shall establish policies and procedures, subject to the approval of the department, relating to the use of inmates in the prison industry programs.

SECTION 17. Section 47-5-557, Mississippi Code of 1972, is brought forward as follows:

47-5-557. Any inmate who performs work for the corporation, except those inmates employed by the corporation in the Prison Industry Enhancement Program under Section 47-5-1251, shall not be deemed an agent, employee or involuntary servant of the corporation while performing such work or while going to and from work or other specified areas.

SECTION 18. Section 47-5-559, Mississippi Code of 1972, is brought forward as follows:

47-5-559. The corporation shall submit to the Governor and the Legislature, on or before January 1 of each year, a report on the status of the correctional work programs, including, but not limited to, the programs and funds which have been transferred to the corporation, the programs and funds to be taken over within the next year and the proposed use of the profits from such programs, a breakdown of the amount of noninmate labor used, work subcontracted to other vendors, use of consultants, finished goods purchased for resale, and the number of inmates working in the correctional work programs at the time of the report. In addition, the corporation shall submit to the department, the Governor and the Legislature an annual independently audited financial statement and such other information as may be requested by the Legislature together with recommendations from the corporation relating to provisions for reasonable tax incentives to private enterprises that employ inmates, parolees or former inmates who have participated in correctional work programs. The department shall include, as a portion of its annual report, a report on post-release job placement and the rate of subsequent contact with the correctional system for those inmates who have participated in the correctional work programs operated by the corporation and by the department. Beginning January 1, 1991, the State Auditor shall conduct an annual financial audit of the corporation in conjunction with an independent audit conducted by the corporation's auditors. The State Auditor and the legislative PEER committee shall also conduct a biennial performance audit of the corporation for the period beginning January 1, 1991, through January 1, 1993, and thereafter upon the joint request of the Senate Corrections Committee, House * * * Corrections Committee, Senate Finance Committee, and House Ways and Means Committee.

SECTION 19. Section 47-5-561, Mississippi Code of 1972, is brought forward as follows:

47-5-561. (1) In addition to its other powers, the corporation shall have the power to request, through the department, an appropriation of general revenue funds for the purposes of operation of, addition to or renovation of facilities or correctional work programs at the various correctional institutions; however, upon receipt of such

appropriation, the rental paid by the corporation for the operation of or such new remodeled or renovated facilities or the operation of a correctional work program shall be sufficient to amortize its cost over a period of five (5) years.

(2) The corporation shall maintain those prison industries funds in excess of that amount necessary for sustaining quarterly or monthly operations of the corporation in an interest-bearing account best serving the proper management of corporation funds and earning the maximum amount of interest allowed by law. The corporation shall cause monies from the interest-bearing account to be deposited quarterly or monthly into the corporation's checking account in order to pay the legal debts of the corporation, approved for payment by the corporation.

SECTION 20. Section 47-5-563, Mississippi Code of 1972, is brought forward as follows:

47-5-563. (1) The department may adopt such rules as may be necessary to govern the use of inmates by the corporation; however, such rules shall be related only to the need for security, inmate projections, and efficient operation of each institution.

(2) The corporation, with the input of the department, shall establish policies and procedures subject to the approval of the department's legal counsel relating to the use of inmates in the correctional work programs.

(3) All such policies and procedures adopted by the department and the corporation shall be placed on file in the Office of the Secretary of State.

SECTION 21. Section 47-5-565, Mississippi Code of 1972, is brought forward as follows:

47-5-565. To carry out the provisions of Sections 47-5-531 through 47-5-575, the provisions of Sections 47-5-301 et seq., and 47-5-501 et seq., Mississippi Code of 1972, the corporation shall authorize the transfer and expending of monies from the Prison Industries Fund.

SECTION 22. Section 47-5-567, Mississippi Code of 1972, is brought forward as follows:

47-5-567. Except as otherwise specifically provided by law, no inmate shall be eligible for unemployment compensation or workmen's compensation whether employed by the corporation or by any other private enterprise operating on the grounds of a correctional institution or elsewhere where such employment shall be a part of a correctional work program or work release program of either the corporation or the department.

SECTION 23. Section 47-5-569, Mississippi Code of 1972, is brought forward as follows:

47-5-569. (1) Except as otherwise specifically provided by law, if the department leases a single correctional work program at any correctional institution to the corporation, the corporation shall lease all such correctional work programs at that institution. Any rent paid by the corporation to the department shall be deposited in a correctional programs trust fund for enhancement of education and training, post-release job placement, and other correctional purposes related to the purposes of Sections 47-5-531 through 47-5-575.

(2) All leases of department-owned land for the funding or operations of the corporation shall be subject to the approval of the corporation, the Mississippi Department of Corrections and the Public Procurement Review Board.

(3) This section shall not apply to any program within the prison agricultural enterprises operated by the department.

SECTION 24. Section 47-5-571, Mississippi Code of 1972, is brought forward as follows:

47-5-571. Except as otherwise specifically provided by law, no goods, wares, services or merchandise manufactured, mined or offered in whole or in part by prisoners shall be sold or offered by any person or other authority except by the corporation, as authorized by Sections 47-5-531 through 47-5-575.

SECTION 25. Section 47-5-573, Mississippi Code of 1972, is brought forward as follows:

47-5-573. (1) In adopting or modifying master plans for correctional work programs, and in the administration of the Department of Corrections, it shall be the objective of the department to develop a logical sequence of vocational training, employment by correctional work programs, and post-release job placement for inmates participating in correctional work programs.

(2) The Department of Corrections shall establish guidelines for the development of correctional work programs.

(3) The needs of the corporation shall be considered by the department when assigning and transferring prisoners to correctional institutions. The following criteria shall be used when assigning and transferring inmates:

(a) Skills of the inmate relevant to the corporation's industries;

(b) Security classification of the inmate relevant to the type of corporation's industry;

(c) Duration of availability of the inmate for employment by the corporation;

(d) Establishment of a concept of potentially rehabilitative inmate.

SECTION 26. Section 47-5-575, Mississippi Code of 1972, is brought forward as follows:

47-5-575. Any records or reports which relate to the financial aspect or operations of the corporation, with the exception of any trade secrets, shall be considered as public records and shall be subject to the provisions of the Mississippi Public Records Act of 1983.

SECTION 27. Section 47-5-911, Mississippi Code of 1972, is amended as follows:

47-5-911. Sections 47-5-901 through 47-5-911 shall stand repealed on July 1, * * * 2028.

SECTION 28. Section 47-5-901, Mississippi Code of 1972, is brought forward as follows:

47-5-901. (1) (a) Any person committed, sentenced or otherwise placed under the custody of the Department of Corrections, on order of the sentencing court and subject to the other conditions of this subsection, may serve all or any part of his sentence in the county jail of the county wherein such person was convicted if the Commissioner of Corrections determines that physical space is not available for confinement of such person in the state correctional institutions. Such determination shall be promptly made by the Department of Corrections upon receipt of notice of the conviction of such person.

The commissioner shall certify in writing that space is not available to the sheriff or other officer having custody of the person. Any person serving his sentence in a county jail shall be classified in accordance with Section 47-5-905.

(b) Any person committed, sentenced or otherwise placed under the custody of the Department of Corrections, on order of the sentencing court and subject to the other conditions of this subsection, may serve all or any part of his or her sentence in the county jail of the county wherein such person was convicted if the sheriff or president of the board of supervisors, requests such inmate or inmates. Upon such request, the department may allow such inmate or inmates to serve all or any part of such inmate's or inmates' sentence(s), as the case may be, in the county of conviction of the inmate or inmates or the county of request of a sheriff or board of supervisors outside the county of conviction. Such determination shall be promptly made by the Department of Corrections upon receipt of notice of the conviction of such person. Whenever a request is denied for an inmate or inmates, then the commissioner shall certify in writing to the sentencing court, sheriff, or president of the board of supervisors of a county, as the case may be, that such inmate or inmates does not qualify to serve the sentence or sentences in the county jail. Any person serving his sentence in a county jail shall be classified in accordance with Section 47-5-905.

(2) If state prisoners are housed in county jails due to a lack of capacity at state correctional institutions, the Department of Corrections shall determine the cost for food and medical attention for such prisoners. The cost of feeding and housing offenders confined in such county jails shall be based on actual costs or contract price per prisoner. In order to maximize the potential use of county jail space, the Department of Corrections is encouraged to negotiate a reasonable per day cost per prisoner, which in no event may exceed Twenty-five Dollars ($25.00) per day per offender, except as authorized in Section 47-5-909(2).

(3) (a) Upon vouchers submitted by the board of supervisors of any county housing persons due to lack of space at state institutions, the Department of Corrections shall pay to such county, out of any available funds, the actual cost of food, or contract price per prisoner, not to exceed Twenty-five Dollars ($25.00) per day per offender, except as authorized in Section 47-5-909(2), as determined under subsection (2) of this section for each day an offender is so confined beginning the day that the Department of Corrections receives a certified copy of the sentencing order or five (5) days after the sentencing order is sent, in writing, by such county to the department, whichever is earlier, and will terminate on the date on which the offender is released or otherwise removed from the custody of the county jail. The department, or its contracted medical provider, will pay to a provider of a medical service for any and all incarcerated persons from a correctional or detention facility an amount based upon negotiated fees as agreed to by the medical care service providers and the department and/or its contracted medical provider. In the absence of negotiated discounted fee schedule, medical care service providers will be paid by the department, or its contracted medical service provider, an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate. The board of supervisors of any county shall not be liable for any cost associated with medical attention for prisoners who are pretrial detainees or for prisoners who have been convicted that exceeds the Mississippi Medicaid reimbursement rate or the reimbursement provided by the Department of Corrections, whichever is greater. This limitation applies to all medical care services, durable and nondurable goods, prescription drugs and medications. Such payment shall be placed in the county general fund and shall be expended only for food and medical attention for such persons.

(b) Upon vouchers submitted by the board of supervisors of any county housing offenders in county jails pending a probation or parole revocation hearing, the department shall pay the reimbursement costs provided in paragraph (a).

(c) If the probation or parole of an offender is revoked, the additional cost of housing the offender pending the revocation hearing shall be assessed as part of the offender's court cost and shall be remitted to the department.

(4) A person, on order of the sentencing court, may serve not more than twenty-four (24) months of his sentence in a county jail if the person is classified in accordance with Section 47-5-905 and the county jail is an approved county jail for housing state inmates under federal court order. The sheriff of the county shall have the right to petition the Commissioner of Corrections to remove the inmate from the county jail. The county shall be reimbursed in accordance with subsection (2) of this section.

(5) The Attorney General of the State of Mississippi shall defend the employees of the Department of Corrections and officials and employees of political subdivisions against any action brought by any person who was committed to a county jail under the provisions of this section.

(6) This section does not create in the Department of Corrections, or its employees or agents, any new liability, express or implied, nor shall it create in the Department of Corrections any administrative authority or responsibility for the construction, funding, administration or operation of county or other local jails or other places of confinement which are not staffed and operated on a full-time basis by the Department of Corrections. The correctional system under the jurisdiction of the Department of Corrections shall include only those facilities fully staffed by the Department of Corrections and operated by it on a full-time basis.

(7) An offender returned to a county for post-conviction proceedings shall be subject to the provisions of Section 99-19-42 and the county shall not receive the per-day allotment for such offender after the time prescribed for returning the offender to the Department of Corrections as provided in Section 99-19-42.

SECTION 29. Section 47-5-903, Mississippi Code of 1972, is brought forward as follows:

47-5-903. (1) A person committed, sentenced or otherwise placed under the custody of the Department of Corrections, on order of the sentencing court, may serve his or her sentence in any county jail if all of the following conditions are complied with:

(a) The person must be classified in accordance with Section 47-5-905;

(b) The person must not be classified as in need of close supervision;

(c) The sheriff of the county where the person will serve his or her sentence must request in writing that the person be allowed to serve his or her sentence in that county jail;

(d) After the person is classified and returned to the county, the county shall assume the full and complete responsibility for the care and expenses of housing such person; and

(e) The county jail must be an approved county jail for housing state inmates under federal court order.

(2) This section does not apply to inmates housed in county jails due to lack of space at state correctional facilities. The department may reimburse the county for the expense of housing an inmate under this section.

(3) The Attorney General of the State of Mississippi shall defend the employees of the Department of Corrections and officials and employees of political subdivisions

against any action brought by any person who was committed to a county jail under the provisions of this section.

(4) The state, the Department of Corrections, and its employees or agents, shall not be liable to any person or entity for an inmate held in a county jail under this section.

SECTION 30. Section 47-5-905, Mississippi Code of 1972, is brought forward as follows:

47-5-905. (1) All persons placed under the custody of the Department of Corrections shall be processed at a reception and diagnostic center of the Department of Corrections and then be assigned to an appropriate correctional facility for a complete and thorough classification, not to exceed ninety (90) days, unless the department determines that a person can be properly processed and classified at the county jail in accordance with the department's classification plan.

(2) The Department of Corrections shall develop a plan for the processing and classification of inmates in county jails and shall implement the plan by January 1, 1993.

SECTION 31. Section 47-5-907, Mississippi Code of 1972, is brought forward as follows:

47-5-907. The sheriff of any county in this state shall have the right to petition the Commissioner of the Department of Corrections to remove a state inmate from the county jail in such county to the State Penitentiary. The commissioner shall remove such inmate from such county jail if the sheriff of such county sets forth just cause in his petition indicating why an inmate should be removed from such county jail to the State Penitentiary.

Just cause is established if such sheriff can sufficiently prove that such inmate has a dangerous behavior or sufficiently prove that there is no available or suitable medical facility where such inmate can be provided suitable medical services. The commissioner shall respond in writing to the petition no later than thirty (30) days after the receipt of such petition. If the petition to remove such inmate is denied by the commissioner, such sheriff and his agents shall have from the date of denial absolute immunity from liability for any injury resulting from subsequent behavior or from medical consequences regarding such inmate, provided that such injury resulted from conditions which were set forth in such petition.

SECTION 32. Section 47-5-909, Mississippi Code of 1972, is brought forward as follows:

47-5-909. (1) It is the policy of the Legislature that all inmates be removed from county jails as early as practicable. Sections 47-5-901 through 47-5-907 are temporary measures to help alleviate the immediate operating capacity limitations at correctional facilities and are not permanent measures to be included in the long-term operating capacity of the correctional system.

(2) Notwithstanding any other provision of law, to expedite the removal of inmates from county jails as early as practicable, absent a contract negotiated between the Department of Corrections and the county jail, the Department of Corrections shall pay county jails for housing state offenders out of any available funds as follows:

(a) Twenty-five Dollars ($25.00) per day per offender for days one (1) through thirty (30);

(b) Thirty-two Dollars and Seventy-one Cents ($32.71) per day per offender for days thirty-one (31) or greater when:

(i) An offender remains in the county jail after the Department of Corrections receives a certified copy of the sentencing order or five (5) days after the sentencing order is sent, in writing, by such county to the Department of Corrections, whichever is earlier; or

(ii) An offender remains in the county jail after being revoked from parole or probation or is sentenced to a technical violation center.

(3) The Department of Corrections is additionally responsible for all medical costs related to offenders housed at county jails under subsection (2) of this section.

SECTION 33. Section 47-5-1251, Mississippi Code of 1972, is amended as follows:

47-5-1251. (1) There is created the "Prison Industry Enhancement Program," through which the Department of Corrections may contract with the nonprofit corporation organized and formed under the "Mississippi Prison Industries Act of 1990" to employ offenders within the custody of the department or prison industries.

(2) Except as provided in Section 47-5-579, which is the provision authorizing a work initiative, the offenders must be under the supervision of the department at all times while working. The offenders shall be paid, by the entity or entities, wages at a rate which is not less than that paid for similar work in the locality in which the work is performed. The wages may be subject to deductions which shall not, in the aggregate, exceed eighty percent (80%) of gross wages. The deductions shall be limited to the following:

(a) To pay federal, state and local taxes;

(b) To pay reasonable charges for room and board as determined by regulations issued by the Commissioner of Corrections;

(c) To support the offender's family pursuant to state statute, court order or agreement by the offender; and

(d) To pay contributions equaling not less than five percent (5%) but not more than twenty percent (20%) of the offender's gross wages into the Crime Victims' Compensation Fund as created in Section 99-41-29.

(3) Notwithstanding any other provision of the law to the contrary, the offenders shall not be qualified to receive any payments for unemployment compensation while incarcerated. However, the offenders shall not solely by their status as offenders be deprived of the right to participate in benefits made available by the federal or state government to other individuals on the basis of their employment, such as workers' compensation.

(4) Offenders who participate in the employment must do so voluntarily and must agree in advance to the specific deductions made from gross wages pursuant to this section and to all other financial arrangements or benefits resulting from participation in the employment.

(5) The Department of Corrections shall develop rules and regulations to meet the criteria established by the Bureau of Justice Assistance under the Prison Industry Enhancement Certification Program.

(6) This section shall stand repealed on July 1, * * * 2028.

SECTION 34. Section 1 of Chapter 479, Laws of 2021, is brought forward as follows:

Section 1. This act shall be known and may be cited as the "Mississippi Earned Parole Eligibility Act."

SECTION 35. Section 47-7-3, Mississippi Code of 1972, is amended as follows:

47-7-3. (1) Every prisoner who has been convicted of any offense against the State of Mississippi, and is confined in the execution of a judgment of such conviction in the Mississippi Department of Corrections for a definite term or terms of one (1) year or over, or for the term of his or her natural life, whose record of conduct shows that such prisoner has observed the rules of the department, and who has served the minimum required time for parole eligibility, may be released on parole as set forth herein:

(a) Habitual offenders. Except as provided by Sections 99-19-81 through 99-19-87, no person sentenced as a confirmed and habitual criminal shall be eligible for parole;

(b) Sex offenders. Any person who has been sentenced for a sex offense as defined in Section 45-33-23(h) shall not be released on parole except for a person under the age of nineteen (19) who has been convicted under Section 97-3-67;

(c) Capital offenders. No person sentenced for the following offenses shall be eligible for parole:

(i) Capital murder committed on or after July 1, 1994, as defined in Section 97-3-19(2);

(ii) Any offense to which an offender is sentenced to life imprisonment under the provisions of Section 99-19-101; or

(iii) Any offense to which an offender is sentenced to life imprisonment without eligibility for parole under the provisions of Section 99-19-101, whose crime was committed on or after July 1, 1994;

(d) Murder. No person sentenced for murder in the first degree, whose crime was committed on or after June 30, 1995, or murder in the second degree, as defined in Section 97-3-19, shall be eligible for parole;

(e) Human trafficking. No person sentenced for human trafficking, as defined in Section 97-3-54.1, whose crime was committed on or after July 1, 2014, shall be eligible for parole;

(f) Drug trafficking. No person sentenced for trafficking and aggravated trafficking, as defined in Section 41-29-139(f) through (g), shall be eligible for parole;

(g) Offenses specifically prohibiting parole release. No person shall be eligible for parole who is convicted of any offense that specifically prohibits parole release;

(h) (i) Offenders eligible for parole consideration for offenses committed after June 30, 1995. Except as provided in paragraphs (a) through (g) of this subsection, offenders may be considered eligible for parole release as follows:

1. Nonviolent crimes. All persons sentenced for a nonviolent offense shall be eligible for parole only after they have served twenty-five percent (25%) or ten (10) years, whichever is less, of the sentence or sentences imposed by the trial court. For purposes of this paragraph, "nonviolent crime" means a felony not designated as a crime of violence in Section 97-3-2.

2. Violent crimes. A person who is sentenced for a violent offense as defined in Section 97-3-2, except robbery with a deadly weapon as defined in

Section 97-3-79, drive-by shooting as defined in Section 97-3-109, and carjacking as defined in Section 97-3-117, shall be eligible for parole only after having served fifty percent (50%) or twenty (20) years, whichever is less, of the sentence or sentences imposed by the trial court. Those persons sentenced for robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, and carjacking as defined in Section 97-3-117, shall be eligible for parole only after having served sixty percent (60%) or twenty-five (25) years, whichever is less, of the sentence or sentences imposed by the trial court.

3. Nonviolent and nonhabitual drug offenses. A person who has been sentenced to a drug offense pursuant to Section 41-29-139(a) through (d), whose crime was committed after June 30, 1995, shall be eligible for parole only after he has served twenty-five percent (25%) or ten (10) years, whichever is less, of the sentence or sentences imposed.

(ii) Parole hearing required. All persons eligible for parole under subparagraph (i) of this paragraph (h) who are serving a sentence or sentences for a crime of violence, as defined in Section 97-3-2, shall be required to have a parole hearing before the Parole Board pursuant to Section 47-7-17, prior to parole release.

(iii) Geriatric parole. Notwithstanding the provisions in subparagraph (i) of this paragraph (h), a person serving a sentence who has reached the age of sixty (60) or older and who has served no less than ten (10) years of the sentence or sentences imposed by the trial court shall be eligible for parole. Any person eligible for parole under this subparagraph (iii) shall be required to have a parole hearing before the board prior to parole release. No inmate shall be eligible for parole under this subparagraph (iii) of this paragraph (h) if:

1. The inmate is sentenced as a habitual offender under Sections 99-19-81 through 99-19-87;

2. The inmate is sentenced for a crime of violence under Section 97-3-2;

3. The inmate is sentenced for an offense that specifically prohibits parole release;

4. The inmate is sentenced for trafficking in controlled substances under Section 41-29-139(f);

5. The inmate is sentenced for a sex crime; or

6. The inmate has not served one-fourth (1/4) of the sentence imposed by the court.

(iv) Parole consideration as authorized by the trial court. Notwithstanding the provisions of paragraph (a) of this subsection, any offender who has not committed a crime of violence under Section 97-3-2 and has served twenty-five percent (25%) or more of his sentence may be paroled by the State Parole Board if, after the sentencing judge or if the sentencing judge is retired, disabled or incapacitated, the senior circuit judge authorizes the offender to be eligible for parole consideration; or if the senior circuit judge must be recused, another circuit judge of the same district or a senior status judge may hear and decide the matter. A petition for parole eligibility consideration pursuant to this subparagraph (iv) shall be filed in the original criminal cause or causes, and the offender shall serve an executed copy of the petition on the District Attorney. The court may, in its discretion, require the District Attorney to respond to the petition.

(2) The State Parole Board shall, by rules and regulations, establish a method of determining a tentative parole hearing date for each eligible offender taken into the

custody of the Department of Corrections. The tentative parole hearing date shall be determined within ninety (90) days after the department has assumed custody of the offender. Except as provided in Section 47-7-18, the parole hearing date shall occur when the offender is within thirty (30) days of the month of his parole eligibility date. Any parole eligibility date shall not be earlier than as required in this section.

(3) Notwithstanding any other provision of law, an inmate shall not be eligible to receive earned time, good time or any other administrative reduction of time which shall reduce the time necessary to be served for parole eligibility as provided in subsection (1) of this section.

(4) Any inmate within forty-eight (48) months of his parole eligibility date and who meets the criteria established by the classification board shall receive priority for placement in any educational development and job-training programs that are part of his or her parole case plan. Any inmate refusing to participate in an educational development or job-training program, including, but not limited to, programs required as part of the case plan, shall be in jeopardy of noncompliance with the case plan and may be denied parole.

(5) In addition to other requirements, if an offender is convicted of a drug or driving under the influence felony, the offender must complete a drug and alcohol rehabilitation program prior to parole, or the offender shall be required to complete a postrelease drug and alcohol program as a condition of parole.

(6) Except as provided in subsection (1)(a) through (h) of this section, all other persons shall be eligible for parole after serving twenty-five percent (25%) of the sentence or sentences imposed by the trial court, or, if sentenced to thirty (30) years or more, after serving ten (10) years of the sentence or sentences imposed by the trial court.

(7) The Corrections and Criminal Justice Oversight Task Force established in Section 47-5-6 shall develop and submit recommendations to the Governor and to the Legislature annually on or before December 1st concerning issues relating to juvenile and habitual offender parole reform and to review and monitor the implementation of Chapter 479, Laws of 2021.

(8) The amendments contained in Chapter 479, Laws of 2021, shall apply retroactively from and after July 1, 1995.

(9) Notwithstanding provisions to the contrary in this section, a person who was sentenced before July 1, 2021, may be considered for parole if the person's sentence would have been parole eligible before July 1, 2021.

(10) This section shall stand repealed on July 1, * * * 2028.

SECTION 36. Section 47-7-5, Mississippi Code of 1972, is amended as follows:

47-7-5. (1) The State Parole Board, created under former Section 47-7-5, is hereby created, continued and reconstituted and shall be composed of five (5) members. The Governor shall appoint the members with the advice and consent of the Senate. All terms shall be at the will and pleasure of the Governor. Any vacancy shall be filled by the Governor, with the advice and consent of the Senate. The Governor shall appoint a chairman of the board.

(2) Any person who is appointed to serve on the board shall possess at least a bachelor's degree or a high school diploma and four (4) years' work experience. Each member shall devote his full time to the duties of his office and shall not engage in any other business or profession or hold any other public office. A member shall receive compensation or per diem in addition to his or her salary. Each member shall keep such hours and workdays as required of full-time state employees under Section 25-1-98. Individuals shall be appointed to serve on the board without reference to their political

affiliations. Each board member, including the chairman, may be reimbursed for actual and necessary expenses as authorized by Section 25-3-41. Each member of the board shall complete annual training developed based on guidance from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association. Each first-time appointee of the board shall, within sixty (60) days of appointment, or as soon as practical, complete training for first-time Parole Board members developed in consideration of information from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association.

(3) The board shall have exclusive responsibility for the granting of parole as provided by Sections 47-7-3 and 47-7-17 and shall have exclusive authority for revocation of the same. The board shall have exclusive responsibility for investigating clemency recommendations upon request of the Governor.

(4) The board, its members and staff, shall be immune from civil liability for any official acts taken in good faith and in exercise of the board's legitimate governmental authority.

(5) The budget of the board shall be funded through a separate line item within the general appropriation bill for the support and maintenance of the department. Employees of the department which are employed by or assigned to the board shall work under the guidance and supervision of the board. There shall be an executive secretary to the board who shall be responsible for all administrative and general accounting duties related to the board. The executive secretary shall keep and preserve all records and papers pertaining to the board.

(6) The board shall have no authority or responsibility for supervision of offenders granted a release for any reason, including, but not limited to, probation, parole or executive clemency or other offenders requiring the same through interstate compact agreements. The supervision shall be provided exclusively by the staff of the Division of Community Corrections of the department.

(7) (a) The Parole Board is authorized to select and place offenders in an electronic monitoring program under the conditions and criteria imposed by the Parole Board. The conditions, restrictions and requirements of Section 47-7-17 and Sections 47-5-1001 through 47-5-1015 shall apply to the Parole Board and any offender placed in an electronic monitoring program by the Parole Board.

(b) Any offender placed in an electronic monitoring program under this subsection shall pay the program fee provided in Section 47-5-1013. The program fees shall be deposited in the special fund created in Section 47-5-1007.

(c) The department shall have absolute immunity from liability for any injury resulting from a determination by the Parole Board that an offender be placed in an electronic monitoring program.

(8) (a) The Parole Board shall maintain a central registry of paroled inmates. The Parole Board shall place the following information on the registry: name, address, photograph, crime for which paroled, the date of the end of parole or flat-time date and other information deemed necessary. The Parole Board shall immediately remove information on a parolee at the end of his parole or flat-time date.

(b) When a person is placed on parole, the Parole Board shall inform the parolee of the duty to report to the parole officer any change in address ten (10) days before changing address.

(c) The Parole Board shall utilize an internet website or other electronic means to release or publish the information.

(d) Records maintained on the registry shall be open to law enforcement agencies and the public and shall be available no later than July 1, 2003.

(9) An affirmative vote of at least four (4) members of the Parole Board shall be required to grant parole to an inmate convicted of capital murder or a sex crime.

(10) This section shall stand repealed on July 1, * * * 2028.

SECTION 37. Section 47-7-3.1, Mississippi Code of 1972, is brought forward as follows:

47-7-3.1. (1) In consultation with the Parole Board, the department shall develop a case plan for all parole-eligible inmates to guide an inmate's rehabilitation while in the department's custody and to reduce the likelihood of recidivism after release.

(2) The case plan shall include, but not be limited to:

(a) Programming and treatment requirements based on the results of a risk and needs assessment;

(b) Any programming or treatment requirements contained in the sentencing order; and

(c) General behavior requirements in accordance with the rules and policies of the department.

(3) With respect to parole-eligible inmates admitted to the department's custody on or after July 1, 2021, the department shall complete the case plan within ninety (90) days of admission. With respect to parole-eligible inmates admitted to the department's custody before July 1, 2021, the department shall complete the case plan by January 1, 2022.

(4) The department shall provide the inmate with a written copy of the case plan and the inmate's caseworker shall explain the conditions set forth in the case plan.

(a) Within ninety (90) days of admission, the caseworker shall notify the inmate of their parole eligibility date as calculated in accordance with Section 47-7-3(3);

(b) At the time a parole-eligible inmate receives the case plan, the department shall send the case plan to the Parole Board for approval.

(5) With respect to parole-eligible inmates admitted to the department's custody after July 1, 2021, the department shall ensure that the case plan is achievable prior to the inmate's parole eligibility date. With respect to parole-eligible inmates admitted to the department's custody before July 1, 2021, the department shall, to the extent possible, ensure that the case plan is achievable prior to the inmate's parole eligibility date or next parole hearing date, or date of release, whichever is sooner.

(6) The caseworker shall meet with the inmate every eight (8) weeks from the date the offender received the case plan to review the inmate's case plan progress.

(7) Every four (4) months the department shall electronically submit a progress report on each parole-eligible inmate's case plan to the Parole Board. The board may meet to review an inmate's case plan and may provide written input to the caseworker on the inmate's progress toward completion of the case plan.

(8) The Parole Board shall provide semiannually to the Oversight Task Force the number of parole hearings held, the number of prisoners released to parole without a hearing and the number of parolees released after a hearing.

(9) If the Department of Corrections fails to adequately provide opportunity and access for the completion of such case plans, the Department of Corrections shall, to the extent possible, contract with regional jail facilities that offer educational development and job-training programs to facilitate the fulfillment of the case plans of parole-eligible inmates.

SECTION 38. Section 47-7-3.2, Mississippi Code of 1972, is brought forward as follows:

47-7-3.2. (1) Notwithstanding Section 47-5-138, 47-5-139, 47-5-138.1 or 47-5-142, no person convicted of a criminal offense on or after July 1, 2014, shall be released by the department until he or she has served no less than the percentage of the sentence or sentences imposed by the court as set forth below:

(a) Twenty-five percent (25%) or ten (10) years, whichever is less, for a nonviolent crime;

(b) Fifty percent (50%) or twenty (20) years, whichever is less, for a crime of violence pursuant to Section 97-3-2, except for robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, or carjacking as defined in Section 97-3-117;

(c) Sixty percent (60%) or twenty-five (25) years, whichever is less, for robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, or carjacking as defined in Section 97-3-117.

(2) This section shall not apply to:

(a) Offenders sentenced to life imprisonment;

(b) Offenders convicted as habitual offenders pursuant to Sections 99-19-81 through 99-19-87;

(c) Offenders serving a sentence for a sex offense; or

(d) Offenders serving a sentence for trafficking pursuant to Section 41-29-139(f).

SECTION 39. Section 47-7-15, Mississippi Code of 1972, is brought forward as follows:

47-7-15. The board shall adopt an official seal of which the courts shall take judicial notice. Decisions of the board shall be made by majority vote, except as provided in Section 47-7-5(9).

The board shall keep a record of its acts and shall notify each institution of its decisions relating to the persons who are or have been confined therein. At the close of each fiscal year the board shall submit to the Governor and to the Legislature a report with statistical and other data of its work.

SECTION 40. Section 47-7-17, Mississippi Code of 1972, is brought forward as follows:

47-7-17. (1) Within one (1) year after his admission and at such intervals thereafter as it may determine, the board shall secure and consider all pertinent information

regarding each offender, except any under sentence of death or otherwise ineligible for parole, including the circumstances of his offense, his previous social history, his previous criminal record, including any records of law enforcement agencies or of a youth court regarding that offender's juvenile criminal history, his conduct, employment and attitude while in the custody of the department, the case plan created to prepare the offender for parole, and the reports of such physical and mental examinations as have been made. The board shall furnish at least three (3) months' written notice to each such offender of the date on which he is eligible for parole.

(2) Except as provided in Section 47-7-18, the board shall require a parole-eligible offender to have a hearing as required in this chapter before the board and to be interviewed. The hearing shall be held no later than thirty (30) days prior to the month of eligibility. No application for parole of a person convicted of a capital offense shall be considered by the board unless and until notice of the filing of such application shall have been published at least once a week for two (2) weeks in a newspaper published in or having general circulation in the county in which the crime was committed. The board shall, within thirty (30) days prior to the scheduled hearing, also give notice of the filing of the application for parole to the victim of the offense for which the prisoner is incarcerated and being considered for parole or, in case the offense be homicide, a designee of the immediate family of the victim, provided the victim or designated family member has furnished in writing a current address to the board for such purpose. The victim or designated family member shall be provided an opportunity to be heard by the board before the board makes a decision regarding release on parole. The board shall consider whether any restitution ordered has been paid in full. Parole release shall, at the hearing, be ordered only for the best interest of society, not as an award of clemency; it shall not be considered to be a reduction of sentence or pardon. An offender shall be placed on parole only when arrangements have been made for his proper employment or for his maintenance and care, and when the board believes that he is able and willing to fulfill the obligations of a law-abiding citizen. When the board determines that the offender will need transitional housing upon release in order to improve the likelihood of the offender becoming a law-abiding citizen, the board may parole the offender with the condition that the inmate spends no more than six (6) months in a transitional reentry center. At least fifteen (15) days prior to the release of an offender on parole, the director of records of the department shall give the written notice which is required pursuant to Section 47-5-177. Every offender while on parole shall remain in the legal custody of the department from which he was released and shall be amenable to the orders of the board. Upon determination by the board that an offender is eligible for release by parole, notice shall also be given within at least fifteen (15) days before release, by the board to the victim of the offense or the victim's family member, as indicated above, regarding the date when the offender's release shall occur, provided a current address of the victim or the victim's family member has been furnished in writing to the board for such purpose.

(3) Failure to provide notice to the victim or the victim's family member of the filing of the application for parole or of any decision made by the board regarding parole shall not

constitute grounds for vacating an otherwise lawful parole determination nor shall it create any right or liability, civilly or criminally, against the board or any member thereof.

(4) A letter of protest against granting an offender parole shall not be treated as the conclusive and only reason for not granting parole.

(5) The board may adopt such other rules not inconsistent with law as it may deem proper or necessary with respect to the eligibility of offenders for parole, the conduct of parole hearings, or conditions to be imposed upon parolees, including a condition that the parolee submit, as provided in Section 47-5-601 to any type of breath, saliva or urine chemical analysis test, the purpose of which is to detect the possible presence of alcohol or a substance prohibited or controlled by any law of the State of Mississippi or the United States. The board shall have the authority to adopt rules related to the placement of

certain offenders on unsupervised parole and for the operation of transitional reentry centers. However, in no case shall an offender be placed on unsupervised parole before he has served a minimum of fifty percent (50%) of the period of supervised parole.

SECTION 41. Section 47-7-18, Mississippi Code of 1972, is brought forward as follows:

47-7-18 (1) No inmate convicted of a sex offense as defined by Section 45-33-23(h), a crime of violence as defined by Section 97-3-2, or both, nor an inmate who is eligible for geriatric parole shall be released on parole without a hearing before the Parole Board as required by Section 47-7-17. All other inmates eligible for parole pursuant to Section 47-7-3 shall be released from incarceration to parole supervision on the inmate's parole eligibility date, without a hearing before the board, if:

(a) The inmate has met the requirements of the parole case plan established pursuant to Section 47-7-3.1;

(b) A victim of the offense has not requested the board conduct a hearing;

(c) The inmate has not received a serious or major violation report within the past six (6) months;

(d) The inmate has agreed to the conditions of supervision; and

(e) The inmate has a discharge plan approved by the board.

(2) At least thirty (30) days prior to an inmate's parole eligibility date, the department shall notify the board in writing of the inmate's compliance or noncompliance with the case plan. If an inmate fails to meet a requirement of the case plan, prior to the parole eligibility date, he or she shall have a hearing before the board to determine if completion of the case plan can occur while in the community.

(3) Any inmate for whom there is insufficient information for the department to determine compliance with the case plan shall have a hearing with the board.

(4) A hearing shall be held with the board if requested by the victim following notification of the inmate's parole release date pursuant to Section 47-7-17.

(5) A hearing shall be held by the board if a law enforcement official from the community to which the inmate will return contacts the board or the department and requests a hearing to consider information relevant to public safety risks posed by the inmate if paroled at the initial parole eligibility date. The law enforcement official shall submit an explanation documenting these concerns for the board to consider.

(6) If a parole hearing is held, the board may determine the inmate has sufficiently complied with the case plan or that the incomplete case plan is not the fault of the inmate and that granting parole is not incompatible with public safety, the board may then parole the inmate with appropriate conditions. If the board determines that the inmate has sufficiently complied with the case plan but the discharge plan indicates that the inmate does not have appropriate housing immediately upon release, the board may parole the inmate to a transitional reentry center with the condition that the inmate spends no more than six (6) months in the center. If the board determines that the inmate has not substantively complied with the requirement(s) of the case plan it may deny parole. If the board denies parole, the board may schedule a subsequent parole hearing and, if a new date is scheduled, the board shall identify the corrective action the inmate will need to take in order to be granted parole. Any inmate not released at the time of the inmate's initial parole date shall have a parole hearing at least every year.

SECTION 42. (1) There is created a Correctional Facility Study Committee for the purpose of studying the following issues and making a report to the Legislature:

(a) The highest and best use and the efficiency of the State Penitentiary at Parchman in Sunflower and Quitman Counties and whether it would be in the best interest of the State of Mississippi to transfer its inmates, employees and programs to other state and regional facilities of the Mississippi Department of Corrections;

(b) Whether it would be in the best interest of the State of Mississippi to authorize the Mississippi Department of Corrections to hold the land at Parchman in trust and to lease the grounds and buildings for agricultural, industrial, commercial, residential recreational or other uses for a ground rental under certain conditions;

(c) Whether it would be in the best interest of the State of Mississippi to authorize the Mississippi Department of Corrections to designate an existing building at Parchman for the delivery of mental health services to inmates with mental illness incarcerated in any state or regional correctional facility to be known as the "Northwest Mississippi Facility for the Treatment and Care of Inmates With Mental Illness," and to prescribe standards for the operation of said mental health treatment facility; and

(d) Whether the buildings or other facilities at Parchman shall be renamed "Northwest Mississippi Correctional Facility."

(2) The committee shall be comprised of the following eight (8) members:

(a) The Chair of the House Corrections Committee;

(b) The chair of the Senate Corrections Committee;

(c) One (1) member of the Mississippi Senate, to be appointed by the Lieutenant Governor;

(d) One (1) member of the Mississippi House, to be appointed by the Speaker of the House of Representatives;

(e) One (1) member to be appointed by the Governor;

(f) The Commissioner of the Mississippi Department of Corrections, or a designee, as an ex officio nonvoting member;

(g) The Chairman of the Mississippi Parole Board, or a designee, as an ex officio nonvoting member; and

(h) The Commissioner of the Mississippi Department of Public Safety, or a designee, as an ex officio nonvoting member.

(3) Appointments to the study committee shall be made within thirty (30) days of the effective date of this act. At the first meeting, the committee shall elect from among its members a chairman, a vice chairman and any other officers determined to be necessary, and shall adopt rules for transacting business and keeping records. The study committee shall develop and report its findings to the Legislature on or before December 1, 2024.

(4) A majority of the members of the study committee shall constitute a quorum. In the adoption of rules, resolutions and reports, and in the election of a chairman, vice chairman and any other officers determined to be necessary, an affirmative vote of a majority of the members present shall be required.

(5) The study committee may request the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) to provide the staff and other support necessary for the study committee to perform its duties.

(6) To effectuate the purposes of this act, any department, division, board, bureau, committee, institution or agency of the state, or any political subdivision thereof, including criminal justice experts, shall, at the request of the chairman of the study committee, provide the facilities, assistance, information and data needed to enable the study committee to carry out its duties.

(7) The study committee shall be dissolved on or before January 1, 2025.

SECTION 43. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 47-5-473, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PILOT WORK RELEASE PROGRAM FOR THE CENTRAL MISSISSIPPI CORRECTIONAL FACILITY; TO AMEND SECTIONS 47-5-577 AND 47-5-579, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE MISSISSIPPI PRISON INDUSTRIES ACT OF 1990 FROM JULY 1, 2024, TO JULY 1, 2028, AND TO TRANSFER THE REPEALER IN SECTION 47-5-579 TO SECTION 47-5-577; TO BRING FORWARD SECTIONS 47-5-531, 47-5-533, 47-5-535, 47-5-537, 47-5-539, 47-5-541, 47-5-543, 47-5-545, 47-5-547, 47-5-549, 47-5-551, 47-5-553, 47-5-555, 47-5-557, 47-5-559, 47-5-561, 47-5-563, 47-5-565, 47-5-567, 47-5-569, 47-5-571, 47-5-573 AND 47-5-575, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 47-5-911, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISIONS OF LAW AUTHORIZING CERTAIN STATE OFFENDERS TO SERVE ALL OR PART OF THEIR SENTENCE IN CERTAIN COUNTY JAILS; TO BRING FORWARD SECTIONS 47-5-901, 47-5-903, 47-5-905, 47-5-907 AND 47-5-909, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 47-5-1251, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PRISON INDUSTRY ENHANCEMENT PROGRAM FROM JULY 1, 2024, TO JULY 1, 2028; TO EXTEND THE AUTOMATIC REPEALER ON THE MISSISSIPPI EARNED PAROLE ELIGIBILITY ACT OF 2021; TO BRING FORWARD SECTION 1 OF CHAPTER 479, LAWS OF 2021, TO AMEND SECTIONS 47-7-3 AND 47-7-5 AND BRING FORWARD SECTIONS 47-7-3.1, 47-7-3.2, 47-7-15, 47-7-17 AND 47-7-18, MISSISSIPPI CODE OF 1972, IN CONFORMITY; TO CREATE A STUDY COMMITTEE TO STUDY THE HIGHEST AND BEST USE OF THE STATE PENITENTIARY AT PARCHMAN; AND FOR RELATED PURPOSES.

Senator Barnett offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 1532 by inserting before the period the following:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 763 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 763 was adopted.

YEAS AND NAYS On H. B. No. 763. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Bryan, Tate. Total--2.

Senator Barnett called up the following entitled bill:

H. B. No. 844: State Parole Board; require to solicit recommendations from and provide notification to certain individuals before parole hearing.

Senator Barnett offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-7-17, Mississippi Code of 1972, is amended as follows:

47-7-17. (1) Within one (1) year after his admission and at such intervals thereafter as it may determine, the board shall secure and consider all pertinent information regarding each offender, except any under sentence of death or otherwise ineligible for parole, including the circumstances of his offense, his previous social history, his previous criminal record, including any records of law enforcement agencies or of a youth court regarding that offender's juvenile criminal history, his conduct, employment and attitude while in the custody of the department, the case plan created to prepare the offender for parole, and the reports of such physical and mental examinations as have been made. The board shall furnish at least three (3) months' written notice to each such offender of the date on which he is eligible for parole.

(2) Except as provided in Section 47-7-18, the board shall require a parole-eligible offender to have a hearing as required in this chapter before the board and to be interviewed. The hearing shall be held no later than thirty (30) days prior to the month of eligibility. No application for parole of a person convicted of a capital offense shall be considered by the board unless and until notice of the filing of such application shall have been published at least once a week for two (2) weeks in a newspaper published in or having general circulation in the county in which the crime was committed. The board shall, within thirty (30) days prior to the scheduled hearing, also give notice of the filing of the application for parole to the victim of the offense for which the prisoner is incarcerated and being considered for parole or, in case the offense be homicide, a designee of the immediate family of the victim, provided the victim or designated family member has furnished in writing a current address to the board for such purpose. The victim or designated family member shall be provided an opportunity to be heard by the board before the board makes a decision regarding release on parole. The board shall consider whether any restitution ordered has been paid in full. Parole release shall, at the hearing, be ordered only for the best interest of society, not as an award of clemency; it shall not be considered to be a reduction of sentence or pardon. An offender shall be placed on parole only when arrangements have been made for his proper employment or for his maintenance and care, and when the board believes that he is able and willing to fulfill

the obligations of a law-abiding citizen. When the board determines that the offender will need transitional housing upon release in order to improve the likelihood of the offender becoming a law-abiding citizen, the board may parole the offender with the condition that the inmate spends no more than six (6) months in a transitional reentry center. At least fifteen (15) days prior to the release of an offender on parole, the director of records of the department shall give the written notice which is required pursuant to Section 47-5-177. Every offender while on parole shall remain in the legal custody of the department from which he was released and shall be amenable to the orders of the board. Upon determination by the board that an offender is eligible for release by parole, notice shall also be given within at least fifteen (15) days before release, by the board to the victim of the offense or the victim's family member, as indicated above, regarding the date when the offender's release shall occur, provided a current address of the victim or the victim's family member has been furnished in writing to the board for such purpose.

(3) The board shall, within thirty (30) days prior to the scheduled hearing, solicit the written or oral recommendations of the Attorney General, the attorney who prosecuted the case, the judge who presided over the case, the chief of police of the municipality where the offender was convicted, the sheriff of the county where the offender was convicted, and the offender's attorney of record.

(4) The board shall, within thirty (30) days prior to the scheduled hearing, also give written or electronic notice of the filing of the application for parole to the attorney who prosecuted the case, the judge who presided over the case, the chief of police of the municipality where the offender was convicted, the sheriff of the county where the offender was convicted, and the offender's attorney of record.

(5) If the attorney who prosecuted the case or the judge who presided over the case is not living or serving, solicitation for recommendations under subsection (3) and notice under subsection (4) shall be given to the district attorney and one of the judges of the court in which the offender was convicted.

(* * *6) Failure to provide notice to the victim or the victim's family member of the filing of the application for parole or of any decision made by the board regarding parole shall not

constitute grounds for vacating an otherwise lawful parole determination nor shall it create any right or liability, civilly or criminally, against the board or any member thereof.

(* * *7) A letter of protest against granting an offender parole shall not be treated as the conclusive and only reason for not granting parole.

(* * *8) The board may adopt such other rules not inconsistent with law as it may deem proper or necessary with respect to the eligibility of offenders for parole, the conduct of parole hearings, or conditions to be imposed upon parolees, including a condition that the parolee submit, as provided in Section 47-5-601 to any type of breath, saliva or urine chemical analysis test, the purpose of which is to detect the possible presence of alcohol or a substance prohibited or controlled by any law of the State of Mississippi or the United States. The board shall have the authority to adopt rules related to the placement of certain offenders on unsupervised parole and for the operation of transitional reentry centers. However, in no case shall an offender be placed on unsupervised parole before he has served a minimum of fifty percent (50%) of the period of supervised parole.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 47-7-17, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI STATE PAROLE BOARD TO SOLICIT RECOMMENDATIONS FROM CERTAIN INDIVIDUALS BEFORE A PAROLE HEARING; TO REQUIRE THE MISSISSIPPI STATE PAROLE BOARD TO NOTIFY CERTAIN INDIVIDUALS WITHIN A SET PERIOD OF TIME BEFORE A PAROLE HEARING; AND FOR RELATED PURPOSES.

Senator Barnett offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 112 by inserting before the period the following:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 844 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 844 was adopted.

YEAS AND NAYS On H. B. No. 844. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Nays--None.
Absent and those not voting--Bryan, Tate. Total--2.

Senator McCaughn called up the following entitled bill:

H. B. No. 299: Mississippi Forestry Commission; authorize to electronically accept bids for timber sales.

YEAS AND NAYS On H. B. No. 299. On motion of Senator Rhodes, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Nays--None.
Absent and those not voting--Bryan, Tate. Total--2.

Senator England called up the following entitled bill:

H. B. No. 922: Election commissioner; revise office to be nonpartisan.

YEAS AND NAYS On H. B. No. 922. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Rhodes, Robinson, Sparks, Suber, Thompson, Whaley, Wiggins, Williams, Younger. Total--39.

Nays--Barnett, Brumfield, Chism, Hill, Horhn, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--11.

Absent and those not voting--Bryan, Tate. Total--2.

Senator Wiggins called up the following entitled bill:

H. B. No. 325: Real property; right of first refusal expires on grantee's death unless specifically stated otherwise.

YEAS AND NAYS On H. B. No. 325. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Bryan, Tate. Total--2.

Senator Wiggins called up the following entitled bill:

H. B. No. 846: Chancery clerk fees; conform recording deeds to land sold for taxes and redemption of such lands.

YEAS AND NAYS On H. B. No. 846. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Chism, Hill. Total--2.

Absent and those not voting--Bryan, Tate. Total--2.

Voting Present--Branning. Total--1.

Senator Simmons D. T. (12th) called up the following entitled bill:

H. B. No. 331: Counties and municipalities; authorize to choose not to be subject to requirement for permitting as a condition to construction.

Senator Suber offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 19-5-9, Mississippi Code of 1972, is amended as follows:

19-5-9. (1) The construction codes published by a nationally recognized code group which sets minimum standards and has the proper provisions to maintain up-to-date amendments are adopted as minimum standard guides for building, plumbing, electrical, gas, sanitary, and other related codes in Mississippi. Any county within the State of Mississippi, in the discretion of the board of supervisors, may adopt building codes, plumbing codes, electrical codes, sanitary codes, or other related codes dealing with general public health, safety or welfare, or a combination of the same, within but not exceeding the provisions of the construction codes published by nationally recognized code groups, by order or resolution in the manner prescribed in this section, but those codes so adopted shall apply only to the unincorporated areas of the county. However, those codes shall not apply to the erection, maintenance, repair or extension of farm buildings or farm structures, except as may be required under the terms of the "Flood Disaster Protection Act of 1973," and shall apply to a master planned community as defined in Section 19-5-10 only to the extent allowed in Section 19-5-10. The provisions of this section shall not be construed to authorize the adoption of any code which applies to the installation, repair or maintenance of electric wires, pipelines, apparatus, equipment or devices by or for a utility rendering public utility services, required by it to be utilized in the rendition of its duly authorized service to the public. Before any such code shall be adopted, it shall be either printed or typewritten and shall be presented in pamphlet form to the board of supervisors at a regular meeting. The order or resolution adopting the code shall not set out the code in full, but shall merely identify the same. The vote or passage of the order or resolution shall be the same as on any other order or resolution. After its adoption, the code or codes shall be certified to by the president and clerk of the board of supervisors and shall be filed as a permanent record in the office of the clerk who shall not be required to transcribe and record the same in the minute book as other orders and resolutions.

(2) If the board of supervisors of any county adopts or has adopted construction codes which do not have proper provisions to maintain up-to-date amendments, specifications in such codes for cements used in portland cement concrete shall be superseded by nationally recognized specifications referenced in any code adopted by the Mississippi Building Code Council.

(3) All provisions of this section shall apply to amendments and revisions of the codes mentioned in this section. The provisions of this section shall be in addition and supplemental to any existing laws authorizing the adoption, amendment or revision of county orders, resolutions or codes.

(4) Any code adopted under the provisions of this section shall not be in operation or force until sixty (60) days have elapsed from the adoption of same; however, any code adopted for the immediate preservation of the public health, safety and general welfare may be effective from and after its adoption by a unanimous vote of the members of the board. Within five (5) days after the adoption or passage of an order or resolution adopting that code or codes the clerk of the board of supervisors shall publish in a legal newspaper published in the county the full text of the order or resolution adopting and approving the

code, and the publication shall be inserted at least three (3) times, and shall be completed within thirty (30) days after the passage of the order or resolution.

(5) Any person or persons objecting to the code or codes may object in writing to the provisions of the code or codes within sixty (60) days after the passage of the order or resolution approving same, and if the board of supervisors adjudicates that ten percent (10%) or more of the qualified electors residing in the affected unincorporated areas of the county have objected in writing to the code or codes, then in such event the code shall be inoperative and not in effect unless adopted for the immediate preservation of the public health, safety and general welfare until approved by a special election called by the board of supervisors as other special elections are called and conducted by the election commissioners of the county as other special elections are conducted, the special election to be participated in by all the qualified electors of the county residing in the unincorporated areas of the county. If the voters approve the code or codes in the special election it shall be in force and in operation thereafter until amended or modified as provided in this section. If the majority of the qualified electors voting in the special election vote against the code or codes, then, in such event, the code or codes shall be void and of no force and effect, and no other code or codes dealing with that subject shall be adopted under the provisions of this section until at least two (2) years thereafter.

(6) After any such code shall take effect the board of supervisors is authorized to employ such directors and other personnel as the board, in its discretion, deems necessary and to expend general county funds or any other funds available to the board to fulfill the purposes of this section.

(7) For the purpose of promoting health, safety, morals or the general welfare of the community, the governing authority of any municipality, and, with respect to the unincorporated part of any county, the governing authority of any county, in its discretion, is empowered to regulate the height, number of stories and size of building and other structures, the percentage of lot that may be occupied, the size of the yards, courts and other open spaces, the density or population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes, but no permits shall be required except as may be required under the terms of the "Flood Disaster Protection Act of 1973" for the erection, maintenance, repair or extension of farm buildings or farm structures outside the corporate limits of municipalities.

(8) The authority granted in this section is cumulative and supplemental to any other authority granted by law.

(9) Notwithstanding any provision of this section to the contrary, any code adopted by a county before or after April 12, 2001, is subject to the provisions of Section 41-26-14(10).

(10) Notwithstanding any provision of this section to the contrary, the Boards of Supervisors of Jackson, Harrison, Hancock, Stone and Pearl River Counties shall enforce the requirements imposed under Section 17-2-1 as provided in such section.

(11) Regardless of whether a county adopts or has adopted codes, as set forth in this section, each and every county in this state shall require permitting as a condition to construction within the unincorporated areas of the county * * *; provided, however, that each county with a population under twenty-two thousand five hundred (22,500) according to the most recent federal decennial census may opt out of requiring such permitting by a majority vote of the board of supervisors made before December 31, 2024. Such an opt out shall only be effective until July 1, 2029. If a county is eligible to opt out but does not do so, or if the county is not eligible to opt out, the required permits shall contain, on their face, in conspicuous print, (a) the contractor's material purchase certificate number to the extent furnished by the Department of Revenue pursuant to Section 27-65-21(3) or the contractor's Taxpayer Identification Number as furnished by the Internal Revenue Service, and either a copy of such material purchase certificate furnished by the Department of

Revenue pursuant to Section 27-65-21(3), or a copy of the contractor's W-9, as the case may be, shall be required to be provided to the county as part of the prime contractor's application for such permit, prior to the issuance of such permit, and (b) the contractor's license or certificate of responsibility number as required by either Section 31-3-14 et seq., 51-5-1 et seq. or 73-59-1 et seq.

SECTION 2. Section 21-19-25, Mississippi Code of 1972, is amended as follows:

21-19-25. (1) Any municipality within the State of Mississippi may, in the discretion of its governing authority, adopt building codes, plumbing codes, electrical codes, gas codes, sanitary codes, or any other codes dealing with general public health, safety or welfare, or a combination of the same, by ordinance, in the manner prescribed in this section. Before any such code shall be adopted, it shall be either printed or typewritten, and it shall be presented in pamphlet form to the governing authority of the municipality at a regular meeting. The ordinance adopting the code shall not set out the code in full, but shall merely identify the same. The vote on passage of the ordinance shall be the same as on any other ordinances. After its adoption, the code shall be certified to by the mayor and clerk of the municipality, and shall be filed as a permanent record in the office of the clerk, who shall not be required to transcribe and record the same in the ordinance book as other ordinances. It shall not be necessary that the ordinance adopting the code or the code itself be published in full, but notice of the adoption of the code shall be given by publication in some newspaper of the municipality for one (1) time, or if there be no such newspaper, by posting at three (3) or more public places within the corporate limits, a notice in substantially the following form:

Notice is given that the city (or town or village) of _____, on the (give date of ordinance adopting code), adopted (state type of code and other information serving to identify the same) code.

(2) If the governing authority of any municipality adopts or has adopted construction codes which do not have proper provisions to maintain up-to-date amendments, specifications in such codes for cements used in portland cement concrete shall be superseded by nationally recognized specifications referenced in any code adopted by the Mississippi Building Code Council.

(3) All the provisions of this section shall apply to amendments and revisions of the code mentioned in this section. Any code adopted in accordance with this section shall not be in force for one (1) month after its passage, unless the municipal authorities in the ordinance authorize to the contrary. The provisions of this section shall be in addition and supplemental to any existing laws authorizing the adoption, amendment or revision of municipal ordinances or codes.

(4) Notwithstanding any provision of this section to the contrary, any code adopted by a municipality before or after April 12, 2001, is subject to the provisions of Section 41-26-14(10).

(5) Notwithstanding any provision of this section to the contrary, the governing authorities of each municipality in Jackson, Harrison, Hancock, Stone and Pearl River Counties shall enforce the requirements imposed under Section 17-2-1 as provided in such section.

(6) Regardless of whether the governing authority of any municipality adopts or has adopted construction codes, as set forth in this section, each and every governing authority of any municipality shall require permitting as a condition to construction within the municipality's jurisdiction * * *; provided, however, that each municipality with a population under seven thousand five hundred (7,500) according to the most recent federal decennial census may opt out of requiring such permitting by a majority vote of the governing authority made by December 31, 2025. Such an opt out shall only be effective until July 1, 2029. If a municipality is eligible to opt out but does not do so, or is

ineligible to opt out, all such permits shall contain on their faces, in conspicuous print, (a) the contractor's material purchase certificate number to the extent one is furnished by the Department of Revenue pursuant to Section 27-65-21(3) or the contractor's Taxpayer Identification Number as furnished by the Internal Revenue Service, and either a copy of such material purchase certificate furnished by the Department of Revenue pursuant to Section 27-65-21(3), or a copy of the contractor's W-9, as the case may be, shall be required to be provided to the governing authority of such municipality as part of the contractor's application for such permit, prior to the issuance of such permit, and (b) the contractor's license or certificate of responsibility number as required by either Section 31-3-14 et seq., 51-5-1 et seq. or 73-59-1 et seq.

(7) The provisions of this section shall apply to all municipalities of this state, whether operating under the code charter, a special charter, commission form, or other form of government.

SECTION 3. Section 73-59-1, Mississippi Code of 1972, is brought forward as follows:

73-59-1. For the purposes of this chapter, the following words shall have the meanings ascribed herein:

(a) "Board" means the State Board of Contractors created in Section 31-3-3, Mississippi Code of 1972.

(b) "Residential builder" means any corporation, partnership or individual who constructs a building or structure for sale for use by another as a residence or who, for a fixed price, commission, fee, wage or other compensation, undertakes or offers to undertake the construction, or superintending of the construction, of any building or structure which is not more than three (3) floors in height, to be used by another as a residence, when the total cost of the undertaking exceeds Fifty Thousand Dollars ($50,000.00).

(c) "Remodeler" means any corporation, partnership or individual who, for a fixed price, commission, fee, wage or other compensation, undertakes or offers to undertake the construction, or superintending of the construction, of improvements to an existing residence when the total cost of the improvements exceeds Ten Thousand Dollars ($10,000.00).

(d) "Residential construction" means any undertaking described in paragraph (b) of this section performed by a residential builder.

(e) "Residential improvement" means any undertaking described in paragraph (c) of this section performed by a remodeler.

(f) "Active licensee" means any builder or remodeler licensed under this chapter and engaged in building and remodeling.

(g) "Inactive licensee" means any builder or remodeler licensed under this chapter and not engaged in building or remodeling.

(h) "Construction manager" means any person or entity, other than a residential builder, remodeler or owner, who has a contract or agreement with the owner of the property for residential construction or residential improvement, no matter if that owner himself is the general contractor or a holder of a building permit.

(i) "Residential solar contractor" means any person or entity who installs, modifies, maintains, and repairs thermal and photovoltaic solar energy systems.

SECTION 4. Section 73-59-3, Mississippi Code of 1972, is brought forward as follows:

73-59-3. (1) Except as otherwise provided in Section 73-59-15 or Section 33-1-39, the following persons or entities shall be licensed by the board annually as an active licensee or inactive licensee, as appropriate:

(a) Persons or entities acting in the capacity as a residential builder;

(b) Persons or entities acting in the capacity as a residential remodeler;

(c) Persons or entities acting in the capacity as a construction manager through a contract or an agreement with the owner of the property being improved or constructed upon;

(d) Any subcontractor, of any tier, performing the following work or within the following trade, on any residential construction or residential improvement project, no matter the dollar amount of the construction or improvements:

(i) Electrical;

(ii) Plumbing;

(iii) Mechanical; and/or

(iv) Heating, ventilation and/or air conditioning; and

(e) Persons or entities acting in the capacity as a residential solar contractor.

(2) As a prerequisite to obtaining a license or renewal thereof, each of the persons or entities in subsection (1) of this section shall submit to the board:

(a) Proof of workers' compensation insurance, if required by applicable law; however, workers' compensation insurance shall not be required for inactive licensees;

(b) A federal employment identification number or social security number.

(3) The board may require liability insurance to be licensed under this chapter and it shall be reflected on the certificate of licensure; however, liability insurance shall not be required for inactive licensees.

(4) The board shall issue or renew a license to persons or entities required by subsection (1) of this section to be licensed, upon payment to the board of the license fee. The initial license fee shall be Fifty Dollars ($50.00). The license fee may thereafter be increased or decreased by the board and cannot exceed One Hundred Dollars ($100.00); however, the receipts from fees collected by the board shall be no greater than the amount required to pay all costs and expenses incurred by the board in enforcing the provisions of this chapter. Twenty-five Dollars ($25.00) of the fee required by this section which is assessed to residential builders licensed under the provisions of Section 73-59-1 et seq. shall be deposited to the Construction Education Fund created pursuant to Section 31-3-14 and shall be distributed to the Mississippi Housing Institute. The remaining fees collected under this chapter shall be deposited into the special fund in the State Treasury known as the "State Board of Contractors Fund" created pursuant to Section 31-3-17 and shall be used for the administration and enforcement of this chapter and as provided in Section 31-3-14. Amounts in such fund shall not lapse into the State General Fund at the end of a fiscal year. Interest accrued to such fund shall remain in the fund. All expenditures from the special fund shall be by requisition to the Department of Finance and Administration, signed by the executive director of the board and countersigned by the chairman or vice chairman of the board.

(5) Except as provided in Section 33-1-39, the license shall expire on the last day of the twelfth month following its issuance or renewal and shall become invalid unless renewed. The board may notify by mail or email every licensee under this chapter of the date of the expiration of his license and the amount of the fee required for renewal of the license for one (1) year. To receive notification by email, a licensee must notify the board of his desire to receive notification by email and provide an email address. Such notice may be mailed or emailed within thirty (30) days prior to the expiration date of the license. The failure on the part of any licensee to renew his license annually in such twelfth month shall not deprive such licensee of the right of renewal, provided that renewal is effected within one hundred eighty (180) days after the expiration date of the license by payment of the license fee plus a penalty of ten percent (10%) of the license fee. A new license required to replace a revoked, lost, mutilated or destroyed license may be issued, subject to the rules of the board, for a charge of not more than Fifty Dollars ($50.00). An inactive licensee may become an active licensee upon application meeting all the requirements of this section.

(6) Any person who is not a resident of the State of Mississippi who desires to perform residential construction or residential improvement shall be licensed to perform such construction or improvement as provided by this chapter.

SECTION 5. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 19-5-9, MISSISSIPPI CODE OF 1972, TO ALLOW CERTAIN COUNTIES TO OPT OUT OF REQUIRING PERMITTING AS A CONDITION TO CONSTRUCTION WITHIN THE UNINCORPORATED AREAS OF A COUNTY; TO AMEND SECTION 21-19-25, MISSISSIPPI CODE OF 1972, TO ALLOW CERTAIN MUNICIPALITIES TO OPT OUT OF REQUIRING PERMITTING AS A CONDITION TO CONSTRUCTION WITHIN THE MUNICIPALITY'S JURISDICTION; TO BRING FORWARD SECTIONS 73-59-1 AND 73-59-3, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senators Simmons D. T. (12th) and Harkins offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 355 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 331 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 331 was adopted.

YEAS AND NAYS On H. B. No. 331. On motion of Senator Simmons D. T. (12th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blount, Branning, Brumfield, Butler, Chassaniol, Chism, DeBar, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, Michel, Norwood, Parks, Polk, Rhodes,

Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Turner-Ford, Whaley, Younger. Total--38.

Nays--Blackwell, Boyd, Carter, DeLano, England, Horhn, McLendon, McMahan, Parker, Thompson, Wiggins, Williams. Total--12.

Absent and those not voting--Bryan, Tate. Total--2.

Senator Michel called up the following entitled bill:

H. B. No. 1143: Advanced Metastatic Cancer; prohibit health plans from requiring step therapy before covering certain drugs to treat.

Senator Michel offered the following COMMITTEE AMENDMENT NO. 1.

AMEND on line 87 by inserting the following language before the period:

, and shall stand repealed on June 30, 2026

Committee Amendment No. 1 to H. B. No. 1143 was adopted.

YEAS AND NAYS On H. B. No. 1143. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Bryan, Tate. Total--2.

Senator Fillingane called up the following entitled bill:

H. B. No. 1015: DPS; authorize inspectors to assist other officers.

YEAS AND NAYS On H. B. No. 1015. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Barnett, Blackmon. Total--2.

Absent and those not voting--Bryan, Tate. Total--2.

Senator Fillingane called up the following entitled bill:

H. B. No. 873: Purple Alert; establish as additional means to aid search of missing persons with cognitive disabilities.

YEAS AND NAYS On H. B. No. 873. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Bryan, Tate. Total--2.

Senator Fillingane called up the following entitled bill:

H. B. No. 1023: DHS Fraud Investigators; allow to drive unmarked vehicles.

YEAS AND NAYS On H. B. No. 1023. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Bryan, Tate. Total--2.

Senator Fillingane moved that the rules be suspended to move to calendar item 89, **H. B. No. 1196**, and the motion prevailed.

Senator Fillingane called up the following entitled bill:

H. B. No. 1196: Sextortion; create crime of.

Senator Williams offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as "Walker's Law."

SECTION 2. As used in this section, the following words have the meaning ascribed herein unless the context clearly requires otherwise:

(a) "Adult" means a person eighteen (18) years or older.

(b) "Minor" means any person under eighteen (18) years of age at the time of the alleged offense.

(c) "Great bodily injury" means bodily injury which causes a substantial risk of death, serious permanent disfigurement, or protracted loss or impairment of the function of a bodily member or organ.

(d) "Private image" means an image depicting sexually explicit nudity, sexual activity, sexual conduct as defined in Section 97-29-64, sexually explicit conduct as defined in Section 97-5-31, or sexual intercourse as defined in Section 97-3-65.

(e) "Image" means a photograph, film, videotape, recording, live transmission, digital or computer-generated visual depiction, or any other reproduction made by electronic, mechanical or other means.

(f) "Electronic mail" means the transmission of information or communication by the use of the internet, a computer, a facsimile machine, a pager, a cellular telephone, a video recorder or other electronic means sent to a person identified by a unique address or address number and received by that person.

(g) "Electronic communication" means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature, transmitted in whole or in part by a wire, radio, computer, electromagnetic, photoelectric or photo-optical system.

(h) "Disclose" means exhibit, transfer, publicize, distribute or reproduce.

(i) "Vulnerable person" has the same meaning as in Section 43-47-5.

SECTION 3. A person commits the offense of sexual extortion if the person intentionally threatens, including through the use of electronic mail or electronic communication, to release, exhibit or distribute a private image of another in order to compel or attempt to compel the victim to do any act or refrain from doing any act against his or her will, with the intent to obtain an additional private image or anything else of value. Notwithstanding provisions of this act to the contrary, a person convicted of sexual extortion shall be imprisoned:

(a) Not more than five (5) years for a first offense;

(b) Not more than ten (10) years for a second offense; or

(c) Not more than twenty (20) years for a third or subsequent offense.

SECTION 4. (1) A person commits the offense of aggravated sexual extortion if the person intentionally threatens, including through the use of electronic mail or electronic communication, to release, exhibit or distribute a private image of another in order to compel or attempt to compel the victim to do any act or refrain from doing any act against his or her will, with the intent to obtain an additional private image or anything else of value, and either:

(a) The victim is a minor or vulnerable person, and the person convicted of sexual extortion is an adult; or

(b) The victim suffers great bodily injury or death, and the appropriate court finds beyond a reasonable doubt that the sexual extortion of the victim was the proximate cause of the great bodily injury or death.

(2) A person convicted of aggravated sexual extortion shall be imprisoned not more than twenty (20) years.

SECTION 5. The youth court may order as a condition of sentencing behavioral health counseling from an appropriate agency or provider for any juvenile adjudicated under this act.

SECTION 6. For the purposes of venue under the provisions of this section, any violation of this section may be prosecuted in the county in which the communication originated, the county in which the communication was made, the county in which the communication was received or the county in which any act in execution or furtherance of the scheme occurred.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO ENACT WALKER'S LAW TO CREATE THE OFFENSE OF SEXUAL EXTORTION; TO DEFINE TERMS; TO CREATE THE OFFENSE OF SEXUAL EXTORTION AND AGGRAVATED SEXUAL EXTORTION; TO CREATE THE OFFENSE OF MISDEMEANOR SEXUAL EXTORTION WHEN THE OFFENDER IS A MINOR; TO PROVIDE CRIMINAL PENALTIES FOR THE OFFENSES; TO DEFINE PROPER CRIMINAL VENUE FOR THE PROSECUTION OF OFFENSES CREATED UNDER THIS ACT; AND FOR RELATED PURPOSES.

Senator Williams offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 56 by striking the word "twenty (20)" and inserting "fifteen (15)" in lieu thereof.

FURTHER, AMEND on line 73 by striking the word "twenty (20)" and inserting "fifteen (15)" in lieu thereof.

FURTHER, AMEND on line 84 by striking the following:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1196 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1196 was adopted.

YEAS AND NAYS On H. B. No. 1196. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Bryan, Tate. Total--2.

Senator Fillingane moved that the rules be suspended to move to calendar item 187, **H. B. No. 1126**, and the motion prevailed.

Senator Fillingane called up the following entitled bill:

H. B. No. 1126: "Walker Montgomery Protecting Children Online Act"; establish to protect minors from harmful content.

Senator Williams offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Walker Montgomery Protecting Children Online Act."

SECTION 2. For purposes of this act, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Digital service" means a website, an application, a program, or software that collects or processes personal identifying information with internet connectivity.

(b) "Digital service provider" means a person who:

(i) Owns or operates a digital service;

(ii) Determines the purpose of collecting and processing the personal identifying information of users of the digital service; and

(iii) Determines the means used to collect and process the personal identifying information of users of the digital service.

(c) "Harmful material" means material that is harmful to minors as defined by Section 11-77-3(d).

(d) "Known minor" means a child who is younger than eighteen (18) years of age who has not had the disabilities of minority removed for general purposes, and who the digital service provider knows to be a minor.

(e) "Personal identifying information" means any information, including sensitive information, that is linked or reasonably linkable to an identified or identifiable individual. The term includes pseudonymous information when the information is used by a controller or processor in conjunction with additional information that reasonably links the information to an identified or identifiable individual. The term does not include deidentified information or publicly available information.

SECTION 3. (1) This act applies only to a digital service provider who provides a digital service that:

(a) Connects users in a manner that allows users to socially interact with other users on the digital service;

(b) Allows a user to create a public, semi-public or private profile for purposes of signing into and using the digital service; and

(c) Allows a user to create or post content that can be viewed by other users of the digital service, including sharing content on:

(i) A message board;

(ii) A chat room; or

(iii) A landing page, video channel or main feed that presents to a user content created and posted by other users.

(2) This act does not apply to:

(a) A digital service provider who processes or maintains user data in connection with the employment, promotion, reassignment or retention of the user as an employee or independent contractor, to the extent that the user's data is processed or maintained for that purpose;

(b) A digital service provider's provision of a digital service that facilitates email or direct messaging services, if the digital service facilitates only those services; or

(c) A digital service provider's provision of a digital service that:

(i) Primarily functions to provide a user with access to news, sports, commerce, online video games or content primarily generated or selected by the digital service provider; and

(ii) Allows chat, comment or other interactive functionality that is incidental to the digital service.

(3) The internet service provider, internet service provider's affiliate or subsidiary, search engine or cloud service provider is not considered to be a digital service provider or to offer a digital service if the internet service provider or provider's affiliate or subsidiary, search engine or cloud service provider solely provides access or connection, including through transmission, download, intermediate storage, access software or other service, to an internet website or to other information or content:

(a) On the internet; or

(b) On a facility, system or network not under the control of the internet service provider, provider's affiliate or subsidiary, search engine or cloud service provider.

SECTION 4. (1) A digital service provider may not enter into an agreement with a person to create an account with a digital service unless the person has registered the person's age with the digital service provider. A digital service provider shall make commercially reasonable efforts to verify the age of the person creating an account with a level of certainty appropriate to the risks that arise from the information management practices of the digital service provider.

(2) A digital service provider shall not permit an account holder who is a known minor to be an account holder unless the known minor has the express consent from a parent or guardian. Acceptable methods of obtaining express consent of a parent or guardian include any of the following:

(a) Providing a form for the minor's parent or guardian to sign and return to the digital service provider by common carrier, facsimile or electronic scan;

(b) Providing a toll-free telephone number for the known minor's parent or guardian to call to consent;

(c) Coordinating a call with a known minor's parent or guardian over video conferencing technology;

(d) Collecting information related to the government-issued identification of the known minor's parent or guardian and deleting that information after confirming the identity of the known minor's parent or guardian;

(e) Allowing the known minor's parent or guardian to provide consent by responding to an email and taking additional steps to verify the identity of the known minor's parent or guardian; or

(f) Any other commercially reasonable method of obtaining consent in light of available technology.

SECTION 5. (1) A digital service provider that enters into an agreement with a known minor for access to a digital service shall:

(a) Limit collection of the known minor's personal identifying information to information reasonably necessary to provide the digital service; and

(b) Limit use of the known minor's personal identifying information to the purpose for which the information was collected.

(2) A digital service provider that enters into an agreement with a known minor for access to a digital service may not:

(a) Use the digital service to collect the known minor's precise geolocation data;

(b) Use the digital service to display targeted advertising involving harmful material to the known minor; or

(c) Share, disclose or sell the known minor's personal identifying information unless required to:

(i) Comply with a civil, criminal or regulatory inquiry, investigation, subpoena or summons by a governmental entity;

(ii) Comply with a law enforcement investigation;

(iii) Detect, block or prevent the distribution of unlawful, obscene or other harmful material to a known minor;

(iv) Block or filter spam;

(v) Prevent criminal activity; or

(vi) Protect the security of a digital service.

SECTION 6. (1) Except as provided by subsection (2) of this section, this act may not be construed as providing a basis for, or being subject to, a private right of action for a violation of this act.

(2) If a digital service provider violates this act, the parent or guardian of a known minor affected by that violation may bring a cause of action seeking:

(a) A declaratory judgment under Rule 57 of Mississippi Rules of Civil Procedure;

(b) An injunction against the digital service provider; or

(c) A monetary judgment or award not to exceed One Hundred Thousand Dollars ($100,000.00) per violation.

(3) A court may not certify an action brought under this section as a class action.

SECTION 7. Section 75-24-5, Mississippi Code of 1972, is amended as follows:

75-24-5. (1) Unfair methods of competition affecting commerce and unfair or deceptive trade practices in or affecting commerce are prohibited. Action may be brought under Section 75-24-5(1) only under the provisions of Section 75-24-9.

(2) Without limiting the scope of subsection (1) of this section, the following unfair methods of competition and unfair or deceptive trade practices or acts in the conduct of any trade or commerce are hereby prohibited:

(a) Passing off goods or services as those of another;

(b) Misrepresentation of the source, sponsorship, approval, or certification of goods or services;

(c) Misrepresentation of affiliation, connection, or association with, or certification by another;

(d) Misrepresentation of designations of geographic origin in connection with goods or services;

(e) Representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation, or connection that he does not have;

(f) Representing that goods are original or new if they are reconditioned, reclaimed, used, or secondhand;

(g) Representing that goods or services are of a particular standard, quality, or grade, or that goods are of a particular style or model, if they are of another;

(h) Disparaging the goods, services, or business of another by false or misleading representation of fact;

(i) Advertising goods or services with intent not to sell them as advertised;

(j) Advertising goods or services with intent not to supply reasonably expectable public demand, unless the advertisement discloses a limitation of quantity;

(k) Misrepresentations of fact concerning the reasons for, existence of, or amounts of price reductions;

(l) Advertising by or on behalf of any licensed or regulated health care professional which does not specifically describe the license or qualifications of the licensed or regulated health care professional;

(m) Charging an increased premium for reinstating a motor vehicle insurance policy that was cancelled or suspended by the insured solely for the reason that he was transferred out of this state while serving in the United States Armed Forces or on active duty in the National Guard or United States Armed Forces Reserve. It is also an unfair practice for an insurer to charge an increased premium for a new motor vehicle

insurance policy if the applicant for coverage or his covered dependents were previously insured with a different insurer and canceled that policy solely for the reason that he was transferred out of this state while serving in the United States Armed Forces or on active duty in the National Guard or United States Armed Forces Reserve. For purposes of determining premiums, an insurer shall consider such persons as having maintained continuous coverage. The provisions of this paragraph (m) shall apply only to such instances when the insured does not drive the vehicle during the period of cancellation or suspension of his policy;

(n) Violating the provisions of Section 75-24-8; * * *

(o) Violating the provisions of Section 73-3-38 * * *; and

(p) Violating the provisions of Sections 1 through 6 of this act.

SECTION 8. Section 97-5-31, Mississippi Code of 1972, is amended as follows:

97-5-31. As used in Sections 97-5-33 through 97-5-37, the following words and phrases shall have the meanings given to them in this section:

(a) "Child" means any individual who has not attained the age of eighteen (18) years and is an identifiable child.

(b) "Sexually explicit conduct" means actual, morphed or simulated:

(i) Oral genital contact, oral anal contact, or sexual intercourse as defined in Section 97-3-65, whether between persons of the same or opposite sex;

(ii) Bestiality;

(iii) Masturbation;

(iv) Sadistic or masochistic abuse;

(v) Lascivious exhibition of the genitals or pubic area of any person; or

(vi) Fondling or other erotic touching of the genitals, pubic area, buttocks, anus or breast.

(c) "Producing" means producing, directing, manufacturing, issuing, publishing, morphing or advertising.

(d) "Visual depiction" includes, without limitation, developed or undeveloped film and video tape or other visual unaltered, altered or morphed reproductions by computer and technology.

(e) "Computer" has the meaning given in Title 18, United States Code, Section 1030.

(f) "Morphed image" means any visual depiction or representation, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, simulated or other means, of sexually explicit conduct, where such visual depiction or representation has been created, adapted, or modified to appear an identifiable minor is engaging in sexual conduct or sexually explicit activity to appearing in a state of sexually explicit nudity.

(* * *g) "Simulated" means any depicting of the genitals or rectal areas that gives the appearance of sexual conduct or incipient sexual conduct.

(h) "Identifiable child" means a child who was a minor at the time the image was created, adapted, or modified or whose image as a child was used in the creating, adapting or modifying of the image; and is recognizable as an actual child by the child's face, likeness, or other distinguishing characteristic, such as a unique birthmark or other recognizable feature. The provisions of this paragraph (h) shall not be construed to require proof of the actual identity of the identifiable child.

SECTION 9. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO CREATE THE "WALKER MONTGOMERY PROTECTING CHILDREN ONLINE ACT" FOR THE PURPOSE OF PROTECTING MINOR CHILDREN FROM ONLINE HARMFUL MATERIAL AND ACCESS TO SUCH MATERIAL; TO REQUIRE DIGITAL SERVICE USERS TO REGISTER THEIR AGE; TO LIMIT THE COLLECTION AND USE OF MINOR USERS' PERSONAL IDENTIFYING INFORMATION; TO AMEND SECTION 75-24-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A VIOLATION OF THIS ACT IS AN UNFAIR AND DECEPTIVE TRADE PRACTICE THAT IS ENFORCEABLE BY THE OFFICE OF THE ATTORNEY GENERAL; TO AMEND SECTION 97-5-31, MISSISSIPPI CODE OF 1972, TO INCLUDE MORPHED IMAGES OF DEPICTING MINOR CHILDREN IN EXPLICIT NATURE IN THE CRIME OF CHILD EXPLOITATION; AND FOR RELATED PURPOSES.

Senator England offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND by deleting the semicolon on line 153 and inserting a period in lieu thereof.

FURTHER, AMEND by deleting line 154 through 156.

FURTHER, AMEND the title to conform.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1126 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1126 was adopted.

YEAS AND NAYS On H. B. No. 1126. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Bryan, Tate. Total--2.

Voting Present--Turner-Ford. Total--1.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Lane Coates of Nesbit, MS.

Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Ellie Lum Helms of Pearl, MS.

Senators Berry and Polk moved that when the Senate adjourns, it adjourn in memory of Peggy Jean Garner of Magee, MS.

Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Deacon Charles E. Hill, Darryl T. Walton, Jr. and Jamaiyia "Tupac" Foote of Shuqualak, MS.

Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Edward Davis of Brooksville, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of James Fletcher Wilkerson, Bettye Jo Hall Eure and Gloria Rushing of Morton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Steve Grace and Connie Mack Smith of Collinsville, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Anita Gibbs of Forest, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Becky Goss of Union, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Elton Wall of Decatur, MS.

Senator Rhodes moved that when the Senate adjourns, it adjourn in memory of Phyllis Carol Morrow of Brandon, MS.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 1725: Medicaid; seek federal waiver for plan to allow Medicaid coverage for persons described in the federal Affordable Care Act.

Representatives McGee,Creekmore IV,Hood

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 2543: Consumer Alternative Installment Loan Act; create a cap adjustment based on the loan amount.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate adjourn until 10:00 AM, Tuesday, April 9, 2024.

The motion prevailed, and at 6:06 PM, the Senate stood adjourned in memory of Lane Coates, Ellie Lum Helms, Steve Grace, Connie Mack Smith, Anita Gibbs, Becky Goss, Elton Wall, Phyllis Carol Morrow, Peggy Jean Garner, Deacon Charles E. Hill, Darryl T. Walton, Jr., Jamaiyia "Tupac" Foote, Edward Davis, James Fletcher Wilkerson, Bettye Jo Hall Eure and Gloria Rushing.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR MONDAY, APRIL 8, 2024

S. C. R. No. 545: Rules
A CONCURRENT RESOLUTION RECOGNIZING AND CONGRATULATING JESSICA BANAHAN MCNEEL, REPRESENTING THE PASCAGOULA-GAUTIER SCHOOL DISTRICT, AS THE "2024 MISSISSIPPI PARENT OF THE YEAR."
By Senator(s) Wiggins, Hopson, England

NINETY-NINTH DAY, TUESDAY, APRIL 9, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Dr. Gene Henderson, Former Pastor, First Baptist Church, Brandon, MS.

Senator Rhodes led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 74: AN ACT TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 45 LOCATED IN NOXUBEE COUNTY, MISSISSIPPI, AS THE "CHIEF PETTY OFFICER ANDREW TRIPLETT MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 75: AN ACT TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 45 LOCATED WITHIN THE INCORPORATED CITY LIMITS OF MACON, NOXUBEE COUNTY, MISSISSIPPI, AS THE "SERGEANT TRAVIS S. COOPER MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 155: AN ACT TO AMEND SECTION 57-1-301, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "CAPITAL IMPROVEMENTS" FOR PURPOSES OF THE LOCAL GOVERNMENTS CAPITAL IMPROVEMENTS REVOLVING LOAN PROGRAM TO INCLUDE REPAIR, RENOVATION AND IMPROVEMENT OF MUNICIPAL NATURAL GAS FACILITIES; AND FOR RELATED PURPOSES.

H. B. No. 317: AN ACT TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL DESIGN AND CAUSE TO BE CONSTRUCTED AND MAINTAINED AN EMERGENCY MEDICAL SERVICES MEMORIAL TO HONOR THOSE EMERGENCY MEDICAL SERVICES PERSONNEL WHO HAVE GIVEN THEIR LIVES IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES AND THOSE WHO HAVE MADE A DRAMATIC IMPACT ON OR SUBSTANTIAL CONTRIBUTION TO EMERGENCY MEDICAL SERVICES IN MISSISSIPPI; TO PROVIDE THAT THE DEPARTMENT SHALL FORM, ESTABLISH AND/OR COLLABORATE WITH A PRIVATE FOUNDATION OR NONPROFIT CORPORATION TO MAINTAIN THE MEMORIAL IN PERPETUITY AND DETERMINE THE ELIGIBILITY OF THOSE PERSONS TO BE INCLUDED ON THE MEMORIAL; AND FOR RELATED PURPOSES.

H. B. No. 619: AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 15 LOCATED IN LOUIN, JASPER COUNTY, MISSISSIPPI, AS THE "MAJOR SAMUEL S. (COACH) KING MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 751: AN ACT TO AMEND SECTION 77-7-345, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE STATUTE AUTHORIZING THE COMMISSIONER OF PUBLIC SAFETY TO CREATE A VOLUNTARY PROGRAM

FOR INSPECTION OF COMMERCIAL MOTOR VEHICLES; AND FOR RELATED PURPOSES.

H. B. No. 760: AN ACT TO AMEND SECTION 41-99-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE BY WHICH THE STATE DEPARTMENT OF HEALTH MAY AWARD GRANTS TO MISSISSIPPI QUALIFIED HEALTH CENTERS FOR PURPOSES OF INCREASING ACCESS TO SERVICES FOR UNINSURED AND MEDICALLY INDIGENT PATIENTS AND PROVIDING A ONE-TIME SALARY SUPPLEMENT TO PRIMARY CARE PHYSICIANS BEING RECRUITED; AND FOR RELATED PURPOSES.

H. B. No. 823: AN ACT TO DESIGNATE THE NORTH BRIDGE LOCATED ON MISSISSIPPI HIGHWAY 309, RECORDED IDENTIFICATION BEING, MDOT BRIDGE NO. 16764, LOCATED IN NORTH BYHALIA, MARSHALL COUNTY, MISSISSIPPI, AS THE "HUBERT INGRAM MEMORIAL BRIDGE"; AND FOR RELATED PURPOSES.

H. B. No. 978: AN ACT TO AMEND SECTION 35-1-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE VETERANS AFFAIRS BOARD SHALL HAVE THIRTY DAYS AFTER RECEIVING WRITTEN NOTICE OF A CLAIM THROUGH POWER OF ATTORNEY ON BEHALF OF A VETERAN IN ORDER TO PROCESS THE CLAIM; TO PROVIDE THAT IF THE APPEAL TIME IS LESS THAN THIRTY DAYS THE STATE VETERANS AFFAIRS BOARD MAY ONLY ADVISE THE VETERAN WITH THE CLAIM; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1001: AN ACT TO AMEND SECTION 35-1-41, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE VETERANS AFFAIRS BOARD TO PROVIDE INTERMENTS IN THE VETERANS CEMETERIES UNDER THE FEDERAL BURIAL EQUITY FOR GUARDS AND RESERVES ACT; TO SPECIFY THE INDIVIDUALS WHO ARE ELIGIBLE FOR INTERNMENT UNDER THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1006: AN ACT TO AMEND SECTION 49-15-84, MISSISSIPPI CODE OF 1972, TO LIMIT RECREATION CRAB LICENSES TO LICENSE HOLDERS RATHER THAN HOUSEHOLDS; AND FOR RELATED PURPOSES.

H. B. No. 1007: AN ACT TO AMEND SECTION 49-15-46, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE PRINTING OF OYSTER TAGS BY THE CATCHER IN COMPLIANCE WITH PROCEDURES AND REGULATIONS ADOPTED BY THE DEPARTMENT OF MARINE RESOURCES; AND FOR RELATED PURPOSES.

H. B. No. 1030: AN ACT TO AMEND SECTION 43-1-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE EXECUTIVE DIRECTOR OF HUMAN SERVICES TO APPOINT A NONRESIDENT OF THE COUNTY TO SERVE AS THE COUNTY DIRECTOR OF HUMAN SERVICES UNDER CERTAIN CIRCUMSTANCES; TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO ENTER INTO A LEASE WITH THE BOARD OF SUPERVISORS IN EACH COUNTY WHERE A LOCAL OFFICE IS LOCATED TO ALLOW THE DEPARTMENT TO MAXIMIZE THE AVAILABILITY OF FEDERAL FUNDS; TO PROVIDE THAT FAIR MARKET VALUE FOR THE COUNTY-FURNISHED BUILDING SHALL BE ESTABLISHED BY CONSULTATION BETWEEN THE DEPARTMENT AND EACH COUNTY BOARD OF SUPERVISORS, AND THE DEPARTMENT SHALL PAY THE FEDERAL SHARE FOR THE RENT TO THE COUNTY; TO PROVIDE THAT ALL MAINTENANCE AND REPAIRS OF THE LOCAL OFFICE REQUIRED TO KEEP IT IN AN ADEQUATE AND HABITABLE CONDITION FOR USE BY THE DEPARTMENT SHALL BE THE RESPONSIBILITY OF THE COUNTY; AND FOR RELATED PURPOSES.

H. B. No. 1037: AN ACT TO AMEND SECTION 27-104-231, MISSISSIPPI CODE OF 1972, TO REVISE THE PROCESS FOR STATE AGENCIES TO AVOID OR LIMIT

THE NEED FOR ANY ADDITIONAL, DEFICIT OR SUPPLEMENTAL APPROPRIATIONS; TO REQUIRE A STANDARDIZED REQUEST FORM PROMULGATED BY THE LEGISLATIVE BUDGET OFFICE AND THE DEPARTMENT OF FINANCE AND ADMINISTRATION; AND FOR RELATED PURPOSES.

H. B. No. 1079: AN ACT TO AMEND SECTION 83-9-5, MISSISSIPPI CODE OF 1972, TO CLARIFY REQUIREMENTS FOR A CLEAN CLAIM; TO PROVIDE THAT THE COMMISSIONER OF INSURANCE MAY ADOPT RULES AND REGULATIONS NECESSARY TO ENSURE COMPLIANCE WITH THIS SECTION; AND FOR RELATED PURPOSES.

H. B. No. 1121: AN ACT TO AMEND SECTIONS 7-1-1 AND 25-1-3, MISSISSIPPI CODE OF 1972, TO MAKE MINOR, NONSUBSTANTIVE CHANGES THAT CONFORM CHANGES MADE IN HOUSE BILL NO. 1276, 2023 REGULAR SESSION; AND FOR RELATED PURPOSES.

H. B. No. 1129: AN ACT TO AMEND SECTIONS 41-123-1, 41-123-3, 41-123-5, 41-123-7, 41-123-9, AND 41-123-11, MISSISSIPPI CODE OF 1972, TO TRANSFER THE OFFICE OF MISSISSIPPI PHYSICIAN WORKFORCE FROM THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER TO THE STATE DEPARTMENT OF HEALTH; TO BRING FORWARD SECTION 41-123-13, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1210: AN ACT TO ESTABLISH THE "DR. ELTON MAC HUDDLESTON RURAL VETERINARIANS SCHOLARSHIP PROGRAM AT MISSISSIPPI STATE UNIVERSITY" FOR THE PURPOSE OF PROVIDING SCHOLARSHIPS TO QUALIFYING STUDENTS PURSUING A DEGREE IN VETERINARY MEDICINE, WHO WILL THEN COMMIT TO THE PRACTICE OF VETERINARY MEDICINE IN RURAL AREAS OF THE STATE; TO PROVIDE THAT THE DEAN OF THE MISSISSIPPI STATE UNIVERSITY COLLEGE OF VETERINARY MEDICINE SHALL ADMINISTER THE SCHOLARSHIP PROGRAM; TO CAP THE NUMBER OF SCHOLARSHIPS AWARDED ANNUALLY; TO LIMIT TO FOUR YEARS DURATION FOR WHICH A STUDENT MAY RECEIVE SCHOLARSHIP FUNDS; TO DEFINE TERMINOLOGY USED IN THE ACT; TO AUTHORIZE THE DEAN OF THE COLLEGE OF VETERINARY MEDICINE TO PROMULGATE RULES AND REGULATIONS FOR THE ADMINISTRATION OF THE PROGRAM WITH THE ADVICE AND CONSENT OF THE PRESIDENT OF MISSISSIPPI STATE UNIVERSITY AND THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING; TO PRESCRIBE THE MINIMUM CRITERIA FOR ELIGIBILITY FOR RECEIPT OF SCHOLARSHIP, CONTINUED MAINTENANCE OF THE SCHOLARSHIP AND POST PROGRAM COMPLETION OBLIGATIONS AND PENALTIES FOR FAILURE TO PERFORM THE CONTRACTUAL OBLIGATION OF THE SCHOLARSHIP AGREEMENT; TO AUTHORIZE THE MISSISSIPPI STATE UNIVERSITY COLLEGE OF VETERINARY MEDICINE IS AUTHORIZED TO ACCEPT GIFTS, DONATIONS, BEQUESTS, GRANTS AND ANY OTHER MONIES FROM ANY SOURCE WHATSOEVER TO BE USED FOR THE PURPOSES OF ADMINISTERING THE PROGRAM; TO REQUIRE THE DEAN TO SUBMIT AN ANNUAL REPORT TO THE LEGISLATURE WITH INFORMATION ABOUT WHO RECEIVED SCHOLARSHIPS UNDER THE PROGRAM AND HOW MUCH EACH PERSON RECEIVED, AND THE AMOUNT OF ANY GIFTS, DONATIONS AND OTHER FUNDS RECEIVED AND HOW THOSE FUNDS WERE USED FOR THE PURPOSE OF THE PROGRAM; AND FOR RELATED PURPOSES.

H. B. No. 1213: AN ACT TO CREATE THE "LIVING DONOR PROTECTION ACT"; TO PROVIDE DEFINITIONS; TO PROHIBIT AN INSURER OF A LIFE, DISABILITY OR LONG-TERM CARE INSURANCE POLICY FROM DECLINING OR LIMITING COVERAGE OF A PERSON UNDER ANY POLICY OR OTHERWISE DISCRIMINATING AGAINST SUCH PERSON SOLELY DUE TO THE STATUS OF SUCH PERSON AS A LIVING ORGAN DONOR; TO AUTHORIZE THE MISSISSIPPI STATE DEPARTMENT OF HEALTH TO MAKE ANY MATERIAL IT RECEIVES RELATED TO LIVING ORGAN DONATION FROM A RECOGNIZED LIVING ORGAN DONATION ORGANIZATION AVAILABLE TO THE PUBLIC; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1216: AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 35 NORTH LOCATED IN MARION COUNTY, MISSISSIPPI, AS THE "SHERIFF J.V. POLK MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 1287: AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 30 LOCATED IN PRENTISS COUNTY, MISSISSIPPI, AS THE "JAMIE NEAL GUIN, PCEPA LINEMAN, MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 1343: AN ACT TO AMEND SECTION 89-5-8, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ATTORNEYS WHO HAVE RETIRED FROM THE PRACTICE OF LAW TO CORRECT A SCRIVENER'S ERROR MADE BY THE ATTORNEY WHILE STILL PRACTICING LAW; AND FOR RELATED PURPOSES.

H. B. No. 1376: AN ACT TO CREATE NEW SECTION 43-15-12, MISSISSIPPI CODE OF 1972, TO ESTABLISH QUALIFIED RESIDENTIAL TREATMENT PROGRAMS AS ALTERNATIVE PLACEMENTS FOR CHILDREN AND YOUTH WHO ARE IN THE CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES; TO DEFINE THE TERMS "QUALIFIED RESIDENTIAL TREATMENT PROGRAMS (QRTP)" AND "QUALIFIED ASSESSORS"; TO PROVIDE THE DUTIES OF A QUALIFIED ASSESSOR AS IT RELATES TO QRTP PLACEMENT OF A CHILD; TO PROVIDE CERTAIN DUTIES OF THE COURT AFTER A CHILD IS PLACED IN QRTP PLACEMENT; AND FOR RELATED PURPOSES.

H. B. No. 1463: AN ACT TO AMEND SECTION 65-3-71.341, MISSISSIPPI CODE OF 1972, TO SPECIFY THE PARAMETERS OF THE SEGMENT OF MISSISSIPPI HIGHWAY 28 IN COPIAH COUNTY THAT IS TO BE DESIGNATED AS THE "CARROLL V. HOOD MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 1525: AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS REGARDING THE ISSUANCE OF ON-PREMISES RETAILER'S PERMITS IN QUALIFIED RESORT AREAS BY THE ALCOHOLIC BEVERAGE CONTROL DIVISION OF THE DEPARTMENT OF REVENUE; TO PROVIDE THAT THE RESTRICTIONS ON THE MANUFACTURING, SALE OR STORAGE OF INTOXICATING LIQUORS WITHIN CERTAIN DISTANCES OF CHURCHES, SCHOOLS AND FUNERAL HOMES DO NOT INCLUDE COMMUNITY COLLEGES, JUNIOR COLLEGES, COLLEGES OR UNIVERSITIES; TO AMEND SECTION 67-1-37, MISSISSIPPI CODE OF 1972, TO DELETE THE PROHIBITION AGAINST THE ALCOHOLIC BEVERAGE CONTROL DIVISION OF THE DEPARTMENT OF REVENUE ISSUING AN ON-PREMISES RETAILER'S PERMIT FOR THE SALE OR CONSUMPTION OF ALCOHOLIC BEVERAGES IN OR ON THE CAMPUS OF ANY COMMUNITY OR JUNIOR COLLEGE, COLLEGE OR UNIVERSITY; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. C. R. No. 52: A CONCURRENT RESOLUTION URGING THE FEDERAL ENERGY REGULATORY COMMISSION TO EXTEND THE AUTHORIZATION FOR THE GULF LNG LIQUEFACTION PROJECT.

H. C. R. No. 54: A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE LIFE AND EXTRAORDINARY LEGACY OF CIRCUIT JUDGE CLAIBORNE "BUDDY" MCDONALD IV.

David Jordan, Chairman

REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

S. B. No. 2001: City of Houston; extend repeal date for tax on restaurants, hotels and motels for tourism and parks and recreation. Title Sufficient. Do Pass.

S. B. No. 2084: DeSoto County; authorize the contribution of funds for membership to the Chamber of Commerce. Title Sufficient. Do Pass.

S. B. No. 2138: DeSoto County Regional Utility Authority; increase borrowing/bonding authority from $40 Million to $80 Million. Title Sufficient. Do Pass.

S. B. No. 2510: Neshoba County; authorize board to donate funds to support Philadelphia Transit. Title Sufficient. Do Pass.

S. B. No. 2663: City of Carthage; extend repeal date on hotel, motel and restaurant tax. Title Sufficient. Do Pass.

S. B. No. 2925: Bolivar County; authorize contributions to Bolivar County Community Action Agency and Fannie Lou Hamer Breast Cancer Foundation. Title Sufficient. Do Pass.

S. B. No. 2983: City of Philadelphia; authorize governing authorities to donate funds to support Philadelphia Transit. Title Sufficient. Do Pass.

S. B. No. 2984: Jackson County & City of Pascagoula; extend repealer on LaPointe-Krebs Foundation, & authorize increased contribution. Title Sufficient. Do Pass.

S. B. No. 3060: City of Pearl & Rankin County; authorize annual contributions to Trustmark Park not to exceed $1,500,000.00 in the aggregate. Title Sufficient. Do Pass.

S. B. No. 3062: Marshall County; authorize contributions to various organizations. Title Sufficient. Do Pass.

S. B. No. 3082: Lowndes County; increase amount that may be contributed annually to the United Way. Title Sufficient. Do Pass.

S. B. No. 3100: Leake County; authorize lease between county economic development authority and East Central CC for workforce training center. Title Sufficient. Do Pass.

S. B. No. 3101: Sunflower County; increase authority to contribute funds to the Fannie Lou Hamer Cancer Foundation. Title Sufficient. Do Pass.

S. B. No. 3102: Hancock County Port and Harbor Commission; authorize to contribute to Pearl River Community College County Tuition Assistance Program. Title Sufficient. Do Pass.

PARKS, Chairman

REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

S. B. No. 3103: Lauderdale County; extend authorization of assessments on misdemeanor convictions and nonadjudications. Title Sufficient. Do Pass As Amended.

S. B. No. 3158: City of Winona; extend repealer on authority to levy tax on restaurants. Title Sufficient. Do Pass.

S. B. No. 3218: Hinds County; authorize to enter 30-year lease and finance 30-year certificates of participation for public safety facility. Title Sufficient. Do Pass.

S. B. No. 3081: City of Florence; extend repealer on bar and restaurant tax. Title Sufficient. Do Pass.

PARKS, Chairman

Senator Hopson called up the following entitled bill:

H. B. No. 504: Rural Firetruck Acquisition Assistance Program; authorize an additional round for counties and municipalities.

Senators McLendon and Hopson offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 17-23-1, Mississippi Code of 1972, is amended as follows:

17-23-1. (1) There is established the Rural Fire Truck Acquisition Assistance Program to be administered by the Department of Insurance for the purpose of assisting counties and municipalities in the acquisition of fire trucks.

(2) There is created in the State Treasury a special fund to be designated as the "Rural Fire Truck Fund." The Legislature may appropriate that amount necessary to fulfill the obligations created under this section by the Department of Insurance, from the State General Fund to such special fund, which sum shall be added to the remainder of the money transferred on July 1, 1995, and during the 1996 Regular Session to the Rural Fire Truck Fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. Unobligated amounts remaining in the Rural Fire Truck Fund, Fund No. 3507, or in any fund created for funds appropriated or otherwise made available for this program, may be used as matching funds by any county with remaining eligibility as provided herein. It is the intent of the Legislature that the Department of Insurance continue to accept applications from the counties for fire trucks as provided in subsection (3) of this section.

(3) (a) A county that meets the requirements provided herein may receive an amount not to exceed * * * One Million One Hundred Thousand Dollars ($1,100,000.00) as provided in subparagraphs (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii) and (xiii) of this paragraph, and such amount shall be divided as follows: an amount of not more than Fifty Thousand Dollars ($50,000.00) per fire truck for the first six (6) trucks and not more than Seventy Thousand Dollars ($70,000.00) per fire truck for the seventh, eighth, ninth, tenth and eleventh trucks, and not more than Ninety Thousand Dollars ($90,000.00) per fire truck for the twelfth, thirteenth, fourteenth * * *, fifteenth and sixteenth truck. Monies distributed under this chapter shall be expended only for the purchase of new or used fire trucks and such trucks must meet the National Fire Protection Association (NFPA) standards in the 1900 series and be approved by the Rural Fire Truck Review Committee.

(i) Any county that has not applied for a fire truck under this section is eligible to submit applications for * * * sixteen (16) fire trucks as follows: six (6) fire trucks at not more than Fifty Thousand Dollars ($50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * five (5) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of * * * One Million One Hundred Thousand Dollars ($1,100,000.00).

(ii) Any county that has received one (1) fire truck under this section is eligible to submit applications for * * * fifteen (15) fire trucks as follows: five (5) fire trucks at not more than Fifty Thousand Dollars ($50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * five (5) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of * * * One Million Fifty Thousand Dollars ($1,050,000.00).

(iii) Any county that has received two (2) fire trucks under this section is eligible to submit an application for * * * fourteen (14) fire trucks as follows: four (4) fire trucks at not more than Fifty Thousand Dollars ($50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * five (5) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of not more than * * * One Million Dollars ($1,000,000.00).

(iv) Any county that has received three (3) fire trucks under this section is eligible to submit an application for * * * thirteen (13) fire trucks as follows: three (3) fire trucks at not more than Fifty Thousand Dollars ($50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * five (5) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of not more than * * * Nine Hundred Fifty Thousand Dollars ($950,000.00).

(v) Any county that has received four (4) fire trucks under this section is eligible to submit an application for * * * twelve (12) fire trucks as follows: two (2) fire trucks at not more than Fifty Thousand Dollars ($50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * five (5) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of not more than * * * Nine Hundred Thousand Dollars ($900,000.00).

(vi) Any county that has received five (5) fire trucks under this section is eligible to submit an application for * * * eleven (11) fire trucks as follows: one (1) fire truck at not more than Fifty Thousand Dollars ($50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * five (5) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of not more than * * * Eight Hundred Fifty Thousand Dollars ($850,000.00).

(vii) Any county that has received six (6) fire trucks under this section is eligible to submit an application for * * * ten (10) fire trucks as follows: five (5) fire trucks at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * five (5) fire

trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of not more than * * * Eight Hundred Thousand Dollars ($800,000.00).

(viii) Any county that has received seven (7) fire trucks under this section is eligible to submit an application for * * * nine (9) fire trucks as follows: four (4) fire trucks at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * five (5) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of not more than * * * Seven Hundred Thirty Thousand Dollars ($730,000.00).

(ix) Any county that has received eight (8) fire trucks under this section is eligible to submit an application for * * * eight (8) fire trucks as follows: three (3) fire trucks at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * five (5) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of not more than * * * Six Hundred Sixty Thousand Dollars ($660,000.00).

(x) Any county that has received nine (9) fire trucks under this section is eligible to submit an application for * * * seven (7) fire trucks as follows: two (2) fire trucks at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * five (5) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of not more than * * * Five Hundred Ninety Thousand Dollars ($590,000.00).

(xi) Any county that has received ten (10) fire trucks under this section is eligible to submit an application for * * * six (6) fire trucks as follows: one (1) fire truck at not more than Seventy Thousand Dollars ($70,000.00) per truck, and * * * five (5) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck or a total of not more than * * * Five Hundred Twenty Thousand Dollars ($520,000.00).

(xii) Any county that has received eleven (11) fire trucks under this section is eligible to submit an application for * * * five (5) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck.

(xiii) Any county may apply for * * * five (5) fire trucks at not more than Ninety Thousand Dollars ($90,000.00) per truck as provided in subparagraph (xii), provided that the county agrees to forego any previous fire truck under subparagraphs (i) through (xi) for which the county has not previously applied, and that the county has received approval from the Rural Fire Truck Acquisition Assistance Program Committee to apply for and receive a truck under subparagraph (xii).

(b) The board of supervisors of the county shall submit its request for the receipt of monies to the Department of Insurance. A committee composed of the Commissioner of Insurance, the State Fire Coordinator, the Director of the Rating Bureau and the Director of the State Fire Academy shall review the requests by the boards of supervisors and shall determine whether the county or municipality for which the board of supervisors has requested a truck meets the requirements of eligibility under this chapter.

(c) To be eligible to receive monies under this chapter:

(i) A county or municipality must pledge to set aside or dedicate each year as matching funds, for a period not to extend over ten (10) years, local funds in an amount equal to or not less than one-tenth (1/10) of the amount of monies for which it is requesting distribution from the Rural Fire Truck Fund, which pledged monies may be derived from local ad valorem tax authorized by law or from any other funds available to the county or municipality, except for those funds received by municipalities or counties from the Municipal Fire Protection Fund or the County Volunteer Fire Department Fund, as defined in Sections 83-1-37 and 83-1-39.

(ii) A municipality must provide adequate documentation of its contract with the county that requires the municipality to provide fire protection in rural areas. The term "rural areas" means any area within the county located outside the

boundaries of an incorporated municipality or any incorporated municipality with a population of two thousand five hundred (2,500) or less.

(d) The Department of Insurance shall maintain an accurate record of all monies distributed to counties and municipalities and the number of fire trucks purchased and the cost for each fire truck, such records to be kept separate from other records of the Department of Insurance; notify counties and municipalities of the Rural Fire Truck Acquisition Assistance Program and the requirements for them to become eligible to participate; adopt and promulgate such rules and regulations as may be necessary and desirable to implement the provisions of this chapter; and file with the Legislature a report detailing how monies made available under this chapter were distributed and spent during the preceding portion of the fiscal year in each county and municipality, the number of fire trucks purchased, the counties and municipalities making such purchases, and the cost of each fire truck purchased.

(4) There is created in the State Treasury a special fund to be designated as the "Rural Fire Truck Matching Assistance Fund," which shall consist of funds appropriated by the Legislature from the State General Fund or any other special source fund. The Department of Insurance shall use the funds for matching assistance to counties and municipalities with remaining eligibility in accordance with the provisions of subsection (5) of this section. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund.

(5) Subject to appropriation by the Legislature, the Department of Insurance may provide funds to counties and municipalities out of the Rural Fire Truck Matching Assistance Fund in an amount exceeding the amount authorized in subsection (3) of this section. However, the total amount of funds allowed under this subsection combined with the funds provided in subsection (3) of this section shall not exceed eighty percent (80%) of the purchase price of the rural fire truck. A county or municipality is eligible for such matching assistance upon meeting the following criteria:

(a) The county or municipality's application is approved for funding in accordance with the criteria in subsection (3) of this section;

(b) The department determines that the county or municipality does not have sufficient funds available for the purchase of a rural fire truck with the funds authorized in subsection (3) of this section; and

(c) The county has received funding for no more than eight (8) rounds from the Rural Fire Truck Acquisition Assistance Program.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN ADDITIONAL ROUND OF FIRE TRUCKS FOR COUNTIES AND MUNICIPALITIES UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM; AND FOR RELATED PURPOSES.

Amendment No. 1 to H. B. No. 504 was adopted.

YEAS AND NAYS On H. B. No. 504. On motion of Senator McLendon, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1357: Department of Agriculture; revise authority to spend certain funds.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 69-1-48, Mississippi Code of 1972, is amended as follows:

69-1-48. (1) For purposes of this section, the following words shall have the meanings ascribed herein:

(a) "Department" means the Mississippi Department of Agriculture and Commerce.

(b) "Museum" means the Mississippi Agriculture and Forestry Museum.

(2) The department may accept, budget, receive and expend funds from any source for improvements to * * * the Mississippi State Fairgrounds located at 1207 Mississippi Street, Jackson, Mississippi 39202, or the Mississippi Agriculture and Forestry Museum located at 1150 Lakeland Drive, Jackson, Mississippi 39216, upon appropriation by the Legislature and for marketing and promotion programs for events at the Mississippi State Fairgrounds located at 1207 Mississippi Street, Jackson, Mississippi 39202, or the Mississippi Agriculture and Forestry Museum located at 1150 Lakeland Drive, Jackson, Mississippi 39216, upon appropriation by the Legislature and for purposes as otherwise appropriated by the Legislature.

(3) (a) The department may allow a federal, state * * * or local governmental entity, or a public, private, commercial or charitable entity to use, publish or advertise the entity's name on department property and in its publications. Furthermore, the commissioner may lease to any public, private, commercial or charitable entity for a term not to exceed twenty (20) years naming rights for museum buildings or property, including, but not limited to, new construction, improvements to existing buildings, grounds and/or objects located on museum property in return for consideration benefitting the department. The department must obtain written approval of the Governor, Lieutenant Governor and the Secretary of State prior to entering any lease providing for naming rights of property under this section. The lessee shall pay the cost of erecting, maintaining and removing signage related to the property.

(b) Any funds received from the advertising or lease of naming rights shall be retained by the department and expended for improvements to * * * the Mississippi

State Fairgrounds located at 1207 Mississippi Street, Jackson, Mississippi 39202, or the Mississippi Agriculture and Forestry Museum located at 1150 Lakeland Drive, Jackson, Mississippi 39216, upon appropriation by the Legislature and for marketing and promotion programs for events at the Mississippi State Fairgrounds located at 1207 Mississippi Street, Jackson, Mississippi 39202, or the Mississippi Agriculture and Forestry Museum located at 1150 Lakeland Drive, Jackson, Mississippi 39216, upon appropriation by the Legislature and for purposes as otherwise appropriated by the Legislature.

* * *

(4) (a) There is established in the State Treasury a special fund for the department for the monies collected under this section.

(b) Unexpended monies remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into the fund.

(5) (a) The department shall make reasonable attempts to notify the donor of any donated property or artifacts determined to be obsolete to allow such donor to retake possession of such item. If efforts to notify the donor prove unsuccessful, then the department may dispose of, auction or sell any property or artifact in the possession of the museum if the department determines that it is obsolete, no longer of value or use to the museum or unclaimed by the donor.

(b) All funds received under this section on behalf of the museum, shall be transferred into the * * * enterprise fund related to the museum. The enterprise funds shall be maintained in accordance with generally accepted accounting principles and regulations prescribed by the Department of Finance and Administration.

(c) Subject to appropriation by the Legislature, the department may expend these funds for improvements to the museum and for marketing and promotion programs for the museum in a manner consistent with the museum's historical purpose.

SECTION 2. Section 69-5-3, Mississippi Code of 1972, is amended as follows:

69-5-3. (1) The Department of Agriculture and Commerce shall set up rules and regulations consistent with the law governing the distribution of state monies for premiums or awards. It will be the duty of the department, at least twice each year, to approve premium lists or awards, and give out rules governing participants in state premium money in Mississippi. The department may invite the presidents of the various district livestock shows before the department when determining policies affecting district livestock shows.

(2) The Department of Agriculture and Commerce is hereby authorized to accept money or funds donated to the department, including funds to be awarded as prizes in livestock competition.

(3) The Department of Agriculture and Commerce shall have charge of the State Fairgrounds located * * * at or around 1207 Mississippi Street, Jackson, Mississippi 39202, including all buildings and improvements thereon, and shall have full power and authority in perfecting plans and causing to be held thereon the Mississippi State Fair and other such events that may be authorized by the department.

(4) The Department of Agriculture and Commerce is hereby authorized to employ an attorney as prescribed in Section 69-1-14.

(5) The Department of Agriculture and Commerce may take any action authorized in Section 1 of Chapter 306, Laws of 2000.

(6) The Department of Agriculture and Commerce may allow a commercial, charitable or governmental entity to use, publish and advertise such entity's name in connection with any of the buildings, improvements, grounds or objects located on the State Fairgrounds * * * at or around 1207 Mississippi Street, Jackson, Mississippi 39202, except for the Kirk Fordice Equine Center, or in connection with any of the events conducted on the State Fairgrounds in return for a monetary consideration paid to the department. Furthermore, the department may lease to any public, private, commercial or charitable entity for a term not to exceed twenty (20) years naming rights to buildings, except for the Kirk Fordice Equine Center, or property, including, but not limited to, new construction, improvements to existing buildings, grounds and/or objects located on the State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, in return for consideration benefitting the commission. The department must obtain written approval of the Governor, Lieutenant Governor and the Secretary of State prior to entering any lease providing for naming rights of property under this section. The lessee shall pay the cost of erecting, maintaining and removing signage related to the property. Those funds received from an entity for allowing its name to be used, published or advertised in connection with the buildings, improvements, objects or events shall be retained by the department to be used for capital improvements to the fairgrounds or in its annual operating budget subject to appropriation by the Legislature. The department shall not enter into any such agreement with any vendor whose products are illegal for participation in or use by persons eighteen (18) years of age and under.

(7) The Commissioner of Agriculture and Commerce is authorized to form and establish a private foundation or nonprofit corporation to receive and disburse the funds generated by the sale of naming rights described in subsection (6) of this section and for any other donations made to the department. The funds shall be disbursed in accordance with the guidelines described in this section, and the foundation or nonprofit corporation shall be subject to the reporting requirements described in subsection (10) of this section. All funds shall remain with the foundation until disbursement and shall not be transferred to the State General Fund. No public funds shall be deposited into the account of the private foundation or nonprofit corporation established by the department for the benefit of the State Fairgrounds, nor shall the Legislature appropriate any State General Fund or Special Fund monies to the foundation or nonprofit corporation for such purposes. All monies received by the foundation shall be maintained separately from funds allocated to the department for operating and administrative costs associated with the State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202. In addition to the reporting of information to be included in the annual legislative report of the department, the private foundation or nonprofit corporation shall be subject to annual financial audits by the State Auditor and by auditors of donors in the same manner as required for state agencies.

(8) The Department of Agriculture and Commerce shall have the authority to enter into a lease or right-of-way with a third party covering any land or buildings on the State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, and any funds generated from such lease or right-of-way shall remain in a special fund managed by the department for the benefit of the State Fairgrounds. All monies in the special fund shall be subject to appropriation by the Legislature and may be used for capital improvements to the State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, or in the department's annual operating budget for operating and administrative costs associated with the State Fairgrounds. Any unexpended funds remaining in the special fund shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited in the fund.

(9) The Department of Agriculture and Commerce is hereby authorized, with the advice of the Mississippi Fair Advisory Council, to adopt such rules and regulations as may be necessary or desirable to carry out, execute or implement the provisions of this article.

(10) The Department of Agriculture and Commerce shall report by January 1 of each year a detailed financial statement of all monies received and expended under subsection (6) and subsection (7) of this section to the Lieutenant Governor, the Speaker of the House of Representatives and the Chairman of the Senate Agriculture Committee and the Chairman of the House of Representatives Agriculture Committee and the Chairmen of the Appropriations Committees of the House and Senate.

SECTION 3. Section 69-5-7, Mississippi Code of 1972, is amended as follows:

69-5-7. Headquarters of the Mississippi State Fair operations shall be in connection with the office of the Department of Agriculture and Commerce. The Mississippi State Fair shall occur on the Mississippi State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202.

SECTION 4. Section 69-5-8, Mississippi Code of 1972, is amended as follows:

69-5-8. The building under the jurisdiction of the Department of Agriculture and Commerce, * * * which is located * * * at or around the Mississippi State Fairgrounds, 1207 Mississippi Street, Jackson, Mississippi 39202, and used primarily as an arena for rodeo and livestock expositions and related events, shall be named the Kirk Fordice Equine Center. The Department of Agriculture and Commerce shall prepare or have prepared a distinctive plaque, to be placed in a prominent place within the Kirk Fordice Equine Center, that states the background, accomplishments and service to the state of Governor Kirk Fordice.

SECTION 5. Section 69-5-11, Mississippi Code of 1972, is amended as follows:

69-5-11. (1) The Department of Agriculture and Commerce shall charge for admission to the State Fair, which shall be hosted on the Mississippi State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202. The proceeds thereof shall be used for the repayment of revenue bonds issued for the purpose of constructing, equipping and furnishing new buildings and making improvements on the State Fairgrounds.

(2) Funds collected in excess of those required to retire any outstanding bond indebtedness may be used as operating revenue for the Department of Agriculture and Commerce for operating and administrative costs associated with the State Fairgrounds, and such excess funds received by the department shall be deposited in a special fund account managed by the department for the benefit of the State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202.

(3) The State Treasurer is hereby directed to invest such excess funds to the credit of the special account managed by the department for the benefit of the State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202.

SECTION 6. Section 69-5-13, Mississippi Code of 1972, is amended as follows:

69-5-13. The Department of Agriculture and Commerce is hereby authorized and empowered, in its discretion, to declare by resolution the number and type buildings which need to be constructed and the type of improvements that need to be made on the State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, and file a certified copy of said resolution with the * * * Department of Finance and Administration. If the * * * Department of Finance and Administration believes such construction and improvements to be in the best public interest, and that receipts from admission to the State Fair reasonably shall be expected to produce sufficient revenues over a period not to exceed twenty (20) years to retire bonds issued to pay the cost of such improvements as well as the interest thereon, it may, in its discretion, approve the request of the Department of Agriculture and Commerce.

SECTION 7. Section 69-5-27, Mississippi Code of 1972, is amended as follows:

69-5-27. The Department of Agriculture and Commerce shall have the power and authority, in its discretion, to borrow money from any bank or banks in an amount not in excess of Two Hundred Thousand Dollars ($200,000.00), to be used for the repair, renovation or maintenance of buildings located at the Mississippi State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202. The Department of Agriculture and Commerce may use any funds accruing to it to service and retire said indebtedness. Such loan shall not exceed a term of ten (10) years and shall bear interest at a rate not in excess of that provided for in Section 75-17-101.

Any loan secured under the provisions of this section shall be approved by the State Bond Commission.

SECTION 8. Section 69-5-31, Mississippi Code of 1972, is amended as follows:

69-5-31. (1) The Department of Agriculture and Commerce is authorized to hire and designate area law enforcement officers on a contractual basis to provide security and to enforce all laws of the State of Mississippi on the Mississippi State Fairgrounds Complex located at or around 1207 Mississippi Street, Jackson, Mississippi 39202. All officers must have attended and satisfactorily completed the training course required for law enforcement officers at the Law Enforcement Officer's Training Academy or an equivalent facility. All officers must be current with this certification. A complete record of all law enforcement training of each employee will be maintained in each employee's record of employment. Furthermore, the Department of Agriculture and Commerce may enter into a contract with any certified law enforcement officer to provide security to the Department of Agriculture and Commerce with jurisdiction to enforce all laws of the State of Mississippi on the property known as the "Mississippi State Fairgrounds Complex" located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, and any and all of its outlying buildings and property.

(2) (a) All officers while in performance of their duty on the premises or at any of the facilities at the Mississippi State Fairgrounds Complex located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, under the direction or control of the Department of Agriculture and Commerce and public property immediately adjacent to such facilities shall:

(i) Be required to dress in uniforms prescribed by the respective law enforcement agency by which he or she is employed; and

(ii) Be authorized to carry weapons.

(b) Employees designated as officers shall be duly sworn and vested with authority to bear arms and make arrests, and shall exercise primarily the responsibilities of the prevention and detection of crime, the apprehension of criminals, and the enforcement of the ordinances and policies of the Department of Agriculture and Commerce, a political subdivision of the State of Mississippi. Employees designated as such officers shall be considered law enforcement officers within the meaning of Section 45-6-3.

(3) The identities and personal information of the officers under the authority of this section are confidential and shall not be publicly disclosed by the department. The Department of Agriculture and Commerce shall redact the identities and personal information of officers contracted to serve on the Mississippi State Fairground Complex located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, from all contracts disclosed as public records in compliance with the Mississippi Public Records Act, prescribed under Section 25-61-1 et seq.; and such law enforcement contracts shall not be posted on the Department of Finance and Administration's searchable website, as

required by the Mississippi Accountability and Transparency Act, prescribed under Section 27-104-151 et seq.

SECTION 9. Section 39-17-5, Mississippi Code of 1972, is amended as follows:

39-17-5. The Mississippi Sports Hall of Fame and Dizzy Dean Museum shall be funded, in part, by the sale of exclusive rights to market soft drinks at the State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, the Jim Buck Ross Mississippi Agriculture and Forestry Museum and the Mississippi Sports Hall of Fame and Dizzy Dean Museum; however, the sale of such rights for the State Fairgrounds shall include the Mississippi State Fair and the Dixie National Livestock Show and Rodeo and no other event or activity on the State Fairgrounds. The Mississippi Fair Commission and the Mississippi Department of Agriculture and Commerce shall have the authority to enter contracts for the sale of the aforementioned exclusive rights for a term not exceeding twelve (12) years per contract. If bids for the purchase of such rights are in an amount that is less than the amount needed to construct the Mississippi Sports Hall of Fame and Dizzy Dean Museum, then the Mississippi Fair Commission and the Mississippi Department of Agriculture and Commerce may reject all bids and shall not be obligated to enter into such contracts. Funds so generated shall be deposited in a special, interest-bearing account, in the State Treasury to be administered by the Department of Finance and Administration. The account shall be known as the "Mississippi Sports Hall of Fame and Dizzy Dean Museum Account" and all interest accrued thereon shall be credited to the account. Any funds in the account shall not lapse into the General Fund at the end of the fiscal year but shall remain in the account. Any balance remaining at the end of the project shall be transferred to the operating account of the Mississippi Sports Hall of Fame and Dizzy Dean Museum.

SECTION 10. Section 39-23-3, Mississippi Code of 1972, is amended as follows:

39-23-3. The Mississippi Children's Museum may be located: (a) At the old National Guard Armory located on the Mississippi State Fairgrounds * * * which is located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, after the repair, renovation, furnishing and equipping of such facility by the Department of Finance and Administration as provided for in Sections 16 through 33 of Chapter 535, Laws of 1997, as amended; (b) In such structure and at such location as shall be submitted by the Board of Directors of the Mississippi Children's Museum, a Mississippi nonprofit corporation, to and approved as an appropriate structure and location by the Department of Finance and Administration, after the repair, renovation, furnishing and equipping of such facility by the Department of Finance and Administration as provided in Sections 16 through 33 of Chapter 535, Laws of 1997, as amended; or

(c) In the building, formerly known as the Mississippi Museum of Natural Science, on land located adjacent to the State Fairgrounds in the City of Jackson, County of Hinds, Mississippi, described more specifically as follows:

Starting at the point of intersection of the

North line of Pearl Street and the West line of

Jefferson Street, run Northerly along the West

line of Jefferson Street a distance of 240 feet

to the point of beginning, an iron pin.

Continue Northerly along the West line of

Jefferson Street for a distance of 257.9 feet to

an iron pin; turn left through an angle of 89 degrees -

57 minutes - 14 seconds and run Westerly for a

distance of 278.9 feet to an iron pin on the east

right-of-way line of the G.M. & O. Railroad; turn

left through an angle of 79 degrees - 29 minutes -

30 seconds and run Southerly along the East right-of-way

of the G.M. & O. Railroad (Said line being a curve

to the left with a radius of 2814.93 feet, chord

definition) for a distance of 260.4 feet to an iron

pipe; turn left through an angle of 95 degrees - 12

minutes - 26 seconds and run Easterly and parallel

with the North line of this tract for a distance of

314.7 feet to the point of beginning.

(d) On certain real property owned by the State of Mississippi and held by the Mississippi Department of Agriculture and Commerce, more particularly described as follows:

39 acres lying in the northeast corner of the

intersection of Mississippi 25 and Interstate 55.

(e) At any location in Hinds County as shall be submitted by the Board of Directors of the Mississippi Children's Museum, a Mississippi nonprofit corporation, to the Department of Finance and Administration and approved as an appropriate location by the Department of Finance and Administration.

SECTION 11. Section 39-23-5, Mississippi Code of 1972, is amended as follows:

39-23-5. (1) The Department of Finance and Administration shall proceed with the repair, renovation, furnishing and equipping of the old National Guard Armory on the Mississippi State Fairgrounds, which is located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, or another structure if approved by the Department of Finance and Administration as provided in Section 17 of Chapter 589, Laws of 1999, for its use as a children's museum as soon as practicable.

(2) The Department of Finance and Administration shall proceed with the repair, renovation, furnishing and equipping of the facility at the location described in Section 39-23-3(c) as soon as practicable.

(3) The Department of Finance and Administration shall proceed with the construction, furnishing and equipping of a facility at the location described in Section 39-23-3(d), if the location at such site is approved by the Board of Directors of the Mississippi Children's Museum and the Department of Finance and Administration, as soon as practicable.

(4) The Department of Finance and Administration shall proceed with the construction, furnishing and equipping of a facility at a location selected as provided in Section 39-23-3(e), if the location is approved by the Board of Directors of the Mississippi Children's Museum and the Department of Finance and Administration, as soon as practicable.

SECTION 12. Section 45-1-19, Mississippi Code of 1972, is amended as follows:

45-1-19. (1) The Department of Public Safety, through the Office of Capitol Police, shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi on the properties, from curb to curb, including adjoining streets, sidewalks and leased parking lots within the Capitol Complex, set forth in Section 29-5-2, the Governor's mansion, the Supreme Court Building, the Mississippi Department of Transportation Building and the Public Employees' Retirement System Building, and any property purchased, constructed or otherwise acquired by the State of Mississippi for conducting state business and not specifically under the supervision and care by any other state entity, but which is reasonably assumed the Department of Public Safety would be responsible for such. The Department of Public Safety shall, through any person or persons appointed by the commissioner, make arrests for any violation of any law of the State of Mississippi on the grounds of or within those properties. The Department of Public Safety shall, in addition, enforce the provisions of this section and Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95, and prescribe such rules and regulations as are necessary therefor. The powers and duties related to the administration of Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95 shall remain with the Department of Finance and Administration.

(2) Subject to the approval of the Board of Trustees of State Institutions of Higher Learning, the Board of Trustees and the Department of Public Safety shall be authorized to enter into a contract for the Department of Public Safety to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi on the property of the Board of Trustees located at the corner of Ridgewood Road and Lakeland Drive in the City of Jackson.

(3) The Department of Public Safety and the Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Department of Agriculture located at 121 North Jefferson Street and the new Farmers Market Building located at the corner of High and Jefferson Streets in the City of Jackson, Hinds County, Mississippi. It is the intent of the Legislature that the Department of Public Safety will not post any security personnel at such buildings, but will provide regular vehicle patrols and responses to security system alarms.

(4) The Department of Public Safety and the Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Department of Agriculture known as the "Mississippi State Fairgrounds Complex" and any and all of its outlying buildings and property located at or around 1207 Mississippi Street, Jackson, Mississippi 39202. The Department of Public Safety and the Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to supply the security personnel to the Department of Agriculture with jurisdiction to enforce all laws of the State of Mississippi on this property and any and all buildings on this property. The Department of Public Safety is authorized to charge the Department of Agriculture a fee for security services provided for special events at the Mississippi State Fairgrounds Complex located at or around 1207 Mississippi Street, Jackson, Mississippi 39202. The fee charged will be commensurate with the cost associated with the Department of Public Safety providing those services.

(5) The Department of Public Safety and the Department of Revenue are authorized to enter into a contract for the Department of Public Safety to supply the

security personnel with jurisdiction to enforce all laws of the State of Mississippi at the Alcoholic Beverage Control facility and the Department of Revenue main office.

(6) (a) The Department of Public Safety shall have primary jurisdiction relative to any other state or municipal law enforcement agency to enforce all laws of the State of Mississippi within the boundaries of the Capitol Complex Improvement District created in Section 29-5-203; such enforcement shall be its primary function. The Department of Public Safety may, through any person or persons appointed by the Department of Public Safety, make arrests for any violation of any law of the State of Mississippi and violations of the City of Jackson's traffic ordinances or ordinances related to the disturbance of the public peace which occurs within the boundaries of the district and within the boundaries of the City of Jackson. The Department of Public Safety may choose to present cases to either the District Attorney or the prosecuting attorneys designated by the Attorney General for prosecution of any violation of law that accrues or occurs, in whole or in part, within the boundaries established by Section 29-5-203. The jurisdiction of the Department of Public Safety granted under this subsection (6) shall be concurrent with the jurisdiction of the City of Jackson, Mississippi, and that of Hinds County, Mississippi within the boundaries of the Capitol Complex Improvement District created in Section 29-5-203. At any time and/or during any event necessitating the coordination of and/or utilization at multiple jurisdictions, as determined by the Chief of Capitol Police or the Commissioner of the Department of Public Safety shall be the lead agency when the event occurs on property as defined herein that is owned or leased by the state as provided in subsection (1) of this section. The jurisdiction and authority of the Department of Public Safety under this subsection (6) shall be in addition to any other jurisdiction and authority provided to the department under this section or any other law.

(b) The Department of Public Safety shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi within the boundaries of the City of Jackson, Mississippi. The Department of Public Safety may, through any person or persons appointed by the Department of Public Safety, make arrests for any violation of any law of the State of Mississippi which occurs within the boundaries of the City of Jackson. The jurisdiction of the Department of Public Safety granted under this paragraph (b) shall not be primary and shall be concurrent with the jurisdiction of the City of Jackson, Mississippi, and that of Hinds County, Mississippi.

(c) Written approval from the Chief of the Capitol Police or the Commissioner of the Department of Public Safety shall be required before any event occurs which will take place on any street or sidewalk immediately adjacent to any building or property owned or occupied by any official, agency, board, commission, office or other entity of the State of Mississippi, or which can reasonably be expected to block, impede or otherwise hinder ingress thereto and/or egress therefrom. The Department of Public Safety shall promulgate rules and regulations to effectuate the provisions of this paragraph (c).

(d) The Chief of the Capitol Police and/or the Commissioner of the Department of Public Safety, the Chief of the Jackson Police Department, and the Sheriff of Hinds County shall hold a regular meeting within the boundaries of the Capitol Complex Improvement District to address the concerns of the public. Each meeting shall be called by the Chief of the Capitol Police; and the first meeting shall be called by October 15, 2023.

(7) The Department of Public Safety is authorized to enter into a contract with any county for the county to take custody of the misdemeanor offenders arrested under the authority granted under this section.

(8) All accrued personal leave earned pursuant to Section 25-3-93, accrued major medical leave earned pursuant to Section 25-3-95, accrued state compensatory leave earned pursuant to Section 25-3-92, and compensatory leave earned pursuant to the Fair Labor Standards Act (FLSA) shall transfer from the Department of Finance and

Administration to the Department of Public Safety for all employees transferred under this section.

SECTION 13. Section 25-3-25, Mississippi Code of 1972, is amended as follows:

25-3-25. (1) Except as otherwise provided in subsections (2) through (12) of this section, the salaries of sheriffs of the various counties are fixed as full compensation for their services.

The annual salary for each sheriff shall be based upon the total population of his or her county according to the latest federal decennial census in the following categories and for the following amounts; however, no sheriff shall be paid less than the salary authorized under this section to be paid the sheriff based upon the population of the county according to the most recent federal decennial census:

(a) For counties with a total population of more than one hundred thousand (100,000), a salary of One Hundred Four Thousand Dollars ($104,000.00).

(b) For counties with a total population of more than forty-four thousand (44,000) and not more than one hundred thousand (100,000), a salary of Ninety-five Thousand Dollars ($95,000.00).

(c) For counties with a total population of more than thirty thousand (30,000) and not more than forty-four thousand (44,000), a salary of Ninety Thousand Dollars ($90,000.00).

(d) For counties with a total population of more than twelve thousand five hundred (12,500) and not more than thirty thousand (30,000), a salary of Eighty-five Thousand Dollars ($85,000.00).

(e) For counties with a total population of not more than twelve thousand five hundred (12,500), a salary of Eighty Thousand Dollars ($80,000.00).

(2) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Leflore County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars ($10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains a restitution center within the county;

(b) The Mississippi Department of Corrections operates and maintains a community work center within the county;

(c) There is a resident circuit court judge in the county whose office is located at the Leflore County Courthouse;

(d) There is a resident chancery court judge in the county whose office is located at the Leflore County Courthouse;

(e) The Magistrate for the Fourth Circuit Court District is located in the county and maintains his office at the Leflore County Courthouse;

(f) The Region VI Mental Health-Mental Retardation Center, which serves a multicounty area, calls upon the sheriff to provide security for out-of-town mental patients, as well as patients from within the county;

(g) The increased activity of the Child Support Division of the Department of Human Services in enforcing in the courts parental obligations has imposed additional duties on the sheriff; and

(h) The dispatchers of the enhanced E-911 system in place in Leflore County have been placed under the direction and control of the sheriff.

(3) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Rankin County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars ($10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains the Central Mississippi Correctional Facility within the county;

(b) The State Hospital is operated and maintained within the county at Whitfield;

(c) Hudspeth Regional Center, a facility maintained for the care and treatment of persons with an intellectual disability, is located within the county;

(d) The Mississippi Law Enforcement Officers Training Academy is operated and maintained within the county;

(e) The State Fire Academy is operated and maintained within the county;

(f) The Pearl River Valley Water Supply District, ordinarily known as the "Reservoir District," is located within the county;

(g) The Jackson-Medgar Wiley Evers International Airport is located within the county;

(h) The patrolling of the state properties located within the county has imposed additional duties on the sheriff; and

(i) The sheriff, in addition to providing security to the nearly one hundred thousand (100,000) residents of the county, has the duty to investigate, solve and assist in the prosecution of any misdemeanor or felony committed upon any state property located in Rankin County.

(4) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Neshoba County shall pay an annual supplement to the sheriff of the county an amount equal to Ten Thousand Dollars ($10,000.00).

(5) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Tunica County, in its discretion, may pay an annual supplement to the sheriff of the county an amount equal to Ten Thousand Dollars ($10,000.00), payable beginning April 1, 1997.

(6) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Hinds County shall pay an annual supplement to the sheriff of the county in an amount equal to Fifteen Thousand Dollars ($15,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) Hinds County has the greatest population of any county, two hundred fifty-four thousand four hundred forty-one (254,441) by the 1990 census, being almost one hundred thousand (100,000) more than the next most populous county;

(b) Hinds County is home to the State Capitol and the seat of all state government offices;

(c) Hinds County is the third largest county in geographic area, containing eight hundred seventy-five (875) square miles;

(d) Hinds County is comprised of two (2) judicial districts, each having a courthouse and county office buildings;

(e) There are four (4) resident circuit judges, four (4) resident chancery judges, and three (3) resident county judges in Hinds County, the most of any county, with the sheriff acting as chief executive officer and provider of bailiff services for all;

(f) The main offices for the clerk and most of the judges and magistrates for the United States District Court for the Southern District of Mississippi are located within the county;

(g) The state's only urban university, Jackson State University, is located within the county;

(h) The University of Mississippi Medical Center, combining the medical school, dental school, nursing school and hospital, is located within the county;

(i) Mississippi Veterans Memorial Stadium, the state's largest sports arena, is located within the county;

(j) The Mississippi State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, including the Coliseum and Trade Mart, are located within the county;

(k) Hinds County has the largest criminal population in the state, such that the Hinds County Sheriff's Department operates the largest county jail system in the state, housing almost one thousand (1,000) inmates in three (3) separate detention facilities;

(l) The Hinds County Sheriff's Department handles more mental and drug and alcohol commitment cases than any other sheriff's department in the state;

(m) The Mississippi Department of Corrections maintains a restitution center within the county;

(n) The Mississippi Department of Corrections regularly houses as many as one hundred (100) state convicts within the Hinds County jail system; and

(o) The Hinds County Sheriff's Department is regularly asked to provide security services not only at the Fairgrounds and Memorial Stadium, but also for events at the Mississippi Museum of Art and Jackson City Auditorium.

(7) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Wilkinson County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars ($10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county because the Mississippi Department of Corrections contracts for the private incarceration of state inmates at a private correctional facility within the county.

(8) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Marshall County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars ($10,000.00). The

Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county because the Mississippi Department of Corrections contracts for the private incarceration of state inmates at a private correctional facility within the county.

(9) In addition to the salary provided in subsection (1) of this section, the Board of Supervisors of Greene County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars ($10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains the South Mississippi Correctional Facility within the county;

(b) In 1996, additional facilities to house another one thousand four hundred sixteen (1,416) male offenders were constructed at the South Mississippi Correctional Facility within the county; and

(c) The patrolling of the state properties located within the county has imposed additional duties on the sheriff justifying additional compensation.

(10) In addition to the salary provided in subsection (1) of this section, the board of supervisors of any county, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars ($10,000.00). The amount of the supplement shall be spread on the minutes of the board. The annual supplement authorized in this subsection shall not be in addition to the annual supplements authorized in subsections (2) through (9).

(11) In addition to the salary provided in subsection (1) and the supplements authorized in subsections (2) through (10), the board of supervisors of any county, in its discretion, may pay an annual supplement in an amount not to exceed Five Thousand Dollars ($5,000.00) to the sheriff of any county in which a juvenile detention center is located. The amount of the supplement shall be spread on the minutes of the board.

(12) In addition to the salary provided in subsection (1) of this section and any supplements authorized in subsections (2) through (11) of this section, a sheriff may receive the premium pay provided for in Section 45-2-41 as part of the sheriff's compensation.

(13) (a) The salaries provided in this section shall be payable monthly on the first day of each calendar month by chancery clerk's warrant drawn on the general fund of the county; however, the board of supervisors, by resolution duly adopted and entered on its minutes, may provide that such salaries shall be paid semimonthly on the first and fifteenth day of each month. If a pay date falls on a weekend or legal holiday, salary payments shall be made on the workday immediately preceding the weekend or legal holiday.

(b) At least Ten Dollars ($10.00) from each fee collected and deposited into the county's general fund under the provisions of paragraphs (a), (c) and (g) of subsection (1) of Section 25-7-19 shall be used for the sheriffs' salaries authorized in Section 25-3-25; as such Ten Dollar ($10.00) amount was authorized during the 2007 Regular Session in Chapter 331, Laws of 2007, for the purpose of providing additional monies to the counties for sheriffs' salaries.

(14) (a) All sheriffs, each year, shall attend twenty (20) hours of continuing education courses in law enforcement. Such courses shall be approved by the Mississippi Board on Law Enforcement Officer Standards and Training. Such education courses may be provided by an accredited law enforcement academy or by the Mississippi Sheriffs' Association.

(b) The Mississippi Board on Law Enforcement Officer Standards and Training shall reimburse each county for the expenses incurred by sheriffs and deputy sheriffs for attendance at any approved training programs as required by this subsection.

SECTION 14. Section 29-5-81, Mississippi Code of 1972, is amended as follows:

29-5-81. Grounds of public buildings over which the Department of Finance and Administration has jurisdiction shall comprise the following:

(a) In the City of Jackson, Mississippi:

(i) The grounds surrounding all state buildings identified in Section 29-5-2(a)(i) and all seats of government property;

(ii) State Board of Health Complex: Bounded on the north by Stadium Drive, on the west by the property of Mississippi Hospital and Medical Service, on the south by Woodrow Wilson Avenue, on the southeast by property leased by the Mississippi Federation of Women's Clubs and on the east by North State Street;

(iii) The Barefield Property, the Sun-n-Sand Property and any other property described in Section 1 of Chapter 542, Laws of 2009;

(iv) The Mississippi State Fairgrounds Complex located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, including, but not limited to, the Mississippi Coliseum, Trademart, Kirk Fordice Equine Center, Mississippi Street Armory, and all arenas, barns, buildings, campgrounds and property whatsoever; such property being bounded on the north by High Street, on the west by Jefferson Street, on the east by Greymont Street, and on the south by Greymont Street.

(b) The grounds of Dr. Eldon Langston Bolton Building: Located in the City of Biloxi, Mississippi.

(c) The grounds of State Service Center: Located at the intersection of U.S. Highway 49 and John Merl Tatum Industrial Drive in the City of Hattiesburg, Mississippi.

(d) Any grounds of any property purchased, constructed or otherwise acquired by the State of Mississippi for conducting state business and not specifically under the supervision and care by any other state entity, but which is reasonably assumed the department would be responsible for such, as approved by the Public Procurement Review Board, including, but not limited to:

* * *(i) The grounds of the National Aeronautics and Space Administration (NASA) Shared Services Center and Lockheed Martin Building at Stennis Space Center;

* * *(ii) The grounds of the Mississippi Sports Hall of Fame;

* * *(iii) The grounds of the Mississippi Crafts Center;

* * *(iv) The grounds of the Mississippi Children's Museum; and

* * *(v) The grounds of the Mississippi Arts and Entertainment Center.

SECTION 15. Section 27-19-56.489, Mississippi Code of 1972, is amended as follows:

27-19-56.489. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration

fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for each motor vehicle registered in his name, which shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Fair Commission, may prescribe. The words "Dixie National Livestock Show and Rodeo" shall be featured prominently on the license tag. The Department of Revenue shall prescribe such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars ($2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2019, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars ($30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he or she must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify the total fees collected under this section to the State Treasurer who shall distribute such collections as follows:

(a) Twenty-four Dollars ($24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the special fund created in subsection (7) of this section.

(b) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars ($2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be

Ten Dollars ($10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular and distinctive license tags issued under this section.

(7) There is established in the State Treasury a special fund which shall consist of monies deposited therein under subsection (4) of this section. Monies in the fund may be expended by the Mississippi Fair Commission, upon appropriation by the Legislature, for the benefit and use of the State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

SECTION 16. Section 29-5-2, Mississippi Code of 1972, is amended as follows:

29-5-2. The duties of the Department of Finance and Administration shall be as follows:

(a) (i) To exercise general supervision and care over and keep in good condition the following state property located in the City of Jackson: the New State Capitol Building, the Woolfolk State Office Building and Parking Garage, the Carroll Gartin Justice Building, the Walter Sillers Office Building and Parking Garage, the War Veterans' Memorial Building, the Charlotte Capers Building, the William F. Winter Archives and History Building, the Mississippi Museum Complex, the Gulf, Mobile and Ohio Train Depot (GM&O Depot), the Old State Capitol Building, the Governor's Mansion, the Heber Ladner Building, the Robert E. Lee Office Building, the Robert E. Lee Parking Garage, the former Naval Reserve Center, 515 East Amite Street, 620 North Street, 660 North Street, 700 North State Street, 350 High Street, 401 North Lamar Street, 455 North Lamar Street, the State Records Center, the Robert G. Clark, Jr. Building, the Mississippi State Fairgrounds Complex, located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, the former Central High Building, the Mississippi Workers' Compensation Commission Office Building, as well as all state-owned or leased buildings situated on seat of government property.

(ii) To exercise general supervision and care over and keep in good condition the Dr. Eldon Langston Bolton Building located in Biloxi, Mississippi.

(iii) To exercise general supervision and care over and keep in good condition the State Service Center, located at the intersection of U.S. Highway 49 and John Merl Tatum Industrial Drive in Hattiesburg, Mississippi.

(iv) To exercise general supervision and care over and keep in good condition any property purchased, constructed or otherwise acquired by the State of Mississippi for conducting state business and not specifically under the supervision and care * * * of any other state entity, but which is reasonably assumed the department would be responsible for such, as approved by the Public Procurement Review Board, including, but not limited to:

1. The National Aeronautics and Space Administration (NASA) Shared Services Center and Lockheed Martin Building at Stennis Space Center;

2. The Mississippi Sports Hall of Fame;

3. The Mississippi Crafts Center;

4. The Mississippi Children's Museum; and

5. The Mississippi Arts and Entertainment Center.

(b) To assign suitable office space for the various state departments, officers and employees who are provided with an office in any of the buildings under the jurisdiction or control of the Department of Finance and Administration. However, the assignment of space in the New Capitol Building shall be designated by duly passed resolution of the combined Senate Rules Committee and the House Management Committee, meeting as a joint committee, approved by the Lieutenant Governor and Speaker of the House of Representatives. A majority vote of the members of the Senate Rules Committee and a majority vote of the members of the House Management Committee shall be required on all actions taken, resolutions or reports adopted, and all other matters considered by the full combined committee on occasions when the Senate Rules Committee and the House Management Committee shall meet as a full combined committee.

(c) To approve or disapprove with the concurrence of the Public Procurement Review Board, any lease or rental agreements by any state agency or department, including any state agency financed entirely by federal and special funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration, including space necessary for parking to be used by state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building. In no event shall any employee, officer, department, federally funded agency or bureau of the state be authorized to enter into a lease or rental agreement without prior approval of the Department of Finance and Administration and the Public Procurement Review Board.

The Department of Finance and Administration is authorized to use architects, engineers, building inspectors and other personnel for the purpose of making inspections as may be deemed necessary in carrying out its duties and maintaining the facilities.

This section is not intended to apply to locations for which the Department of Finance and Administration has decided to solicit proposals in accordance with subsection (e) of this section.

(d) To acquire by lease, lease-purchase agreement, or otherwise, as provided in Section 27-104-107, and to assign through the Office of General Services, by lease or sublease agreement from the office, and with the concurrence of the Public Procurement Review Board, to any state agency or department, including any state agency financed entirely by federal and special funds, appropriate office space in the buildings acquired.

(e) To solicit and approve or disapprove, notwithstanding any rule of law to the contrary, and with the concurrence of the Public Procurement Review Board, any lease, use or rental agreement for a charge or other consideration for space not exceeding three thousand (3,000) square feet in any individual building listed in subsection (a) of this section, with a private entry who will provide food and/or catering services for state employees, visitors and the general public.

The department shall select the entity using a competitive process which shall be publicly advertised. In addition to satisfying any other requirements for the Public Procurement Review Board's approval, the department must demonstrate that any agreement entered into under this section will neither result in a net cost to the state, nor impair or impede the function of state agencies at such location.

SECTION 17. Section 27-104-7, Mississippi Code of 1972, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars ($1,000,000.00) in the source's business, whichever is smaller. No member shall be an officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(d) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(e) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including the adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and

Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:

(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board. The information shall be provided sufficiently in advance of the time the space is needed to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

(i) Black: having origins in any of the black racial groups of Africa;

(ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;

(iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;

(iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or

(v) Female;

(e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;

(f) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, promulgate rules and regulations governing the solicitation and selection of contractual services personnel, including personal and professional services contracts for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of:

1. Any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c);

2. Any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services;

3. Any personal service contracts entered into by the individual state institutions of higher learning;

4. Any personal service contracts entered into by the Mississippi Department of Transportation;

5. Any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department of Human Services determines would be useful in establishing and operating the Department of Child Protection Services;

6. Any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019;

7. Any contracts for entertainers and/or performers at the Mississippi State Fairgrounds located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, entered into by the Mississippi Fair Commission;

8. Any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services;

9. Any contract entered into by the Department of Public Safety for service on specialized equipment and/or software required for the operation of such specialized equipment for use by the Office of Forensics Laboratories;

10. Any personal or professional service contract entered into by the Mississippi Department of Health or the Department of Revenue solely in connection with their respective responsibilities under the Mississippi Medical Cannabis Act from February 2, 2022, through June 30, 2026;

11. Any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, or utility rate expert services;

12. Any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022;

13. Any personal or professional services contract entered into by the State Department of Health in carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program through June 30, 2026; and

14. And any personal or professional services contract entered into by the Mississippi Department of Environmental Quality in carrying out its responsibilities under the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022, through June 30, 2026.

Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may propose shall be submitted to the Chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act.

(ii) From and after July 1, 2024, the Public Procurement Review Board shall promulgate rules and regulations that require the Department of Finance and Administration to conduct personal and professional services solicitations as provided in subparagraph (i) of this paragraph for those services in excess of Seventy-five Thousand Dollars ($75,000.00) for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority, with assistance to be provided from these entities. Any powers that have been conferred upon agencies in order to comply with the provisions of this section for personal and professional services solicitations shall be conferred upon the Department of Finance and Administration to conduct personal and professional services solicitations for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority for those services in excess of Seventy-five Thousand Dollars ($75,000.00). The Department of Finance and Administration shall make any submissions that are required to be made by other agencies to the Public Procurement Review Board for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority.

The provisions of this subparagraph (ii) shall stand repealed on June 30, 2027;

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars ($75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection (2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the procurements are made from other governmental entities, the private sector need not be solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed, contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;

(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;

2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;

3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;

4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and

5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (o) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review or approval, the Public Procurement Review Board shall clearly set out the reasons for its action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form

furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1) source. A memorandum shall accompany the request form and address the following four (4) points:

(a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;

(b) Explanation of why this vendor is the only practicably available source from which to obtain this service;

(c) Explanation of why the price is considered reasonable; and

(d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise, the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts. Nothing in this section shall impair or limit the authority of the State Treasurer to enter into any personal or professional services contracts involving the management of trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

(9) Through December 31, 2024, the provisions of this section related to rental agreements or leasing of real property for the purpose of conducting agency business shall not apply to the Office of Workforce Development created in Section 37-153-7.

SECTION 18. Section 27-65-75, Mississippi Code of 1972, is amended as follows:

27-65-75. On or before the fifteenth day of each month, the revenue collected under the provisions of this chapter during the preceding month shall be paid and distributed as follows:

(1) (a) On or before August 15, 1992, and each succeeding month thereafter through July 15, 1993, eighteen percent (18%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. Except as otherwise provided in this paragraph (a), on or before August 15, 1993, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. However, in the event the State Auditor issues a certificate of noncompliance pursuant to Section 21-35-31, the Department of Revenue shall withhold ten percent (10%) of the allocations and payments to the municipality that would otherwise be payable to the municipality under this paragraph (a) until such time that the department receives written notice of the cancellation of a certificate of noncompliance from the State Auditor.

A municipal corporation, for the purpose of distributing the tax under this subsection, shall mean and include all incorporated cities, towns and villages.

Monies allocated for distribution and credited to a municipal corporation under this paragraph may be pledged as security for a loan if the distribution received by the municipal corporation is otherwise authorized or required by law to be pledged as security for such a loan.

In any county having a county seat that is not an incorporated municipality, the distribution provided under this subsection shall be made as though the county seat was an incorporated municipality; however, the distribution to the municipality shall be paid to the county treasury in which the municipality is located, and those funds shall be used for road, bridge and street construction or maintenance in the county.

(b) On or before August 15, 2006, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college.

(c) On or before August 15, 2018, and each succeeding month thereafter until August 14, 2019, two percent (2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2019, and each succeeding month thereafter until August 14, 2020, four percent (4%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2020, and each succeeding month thereafter through July 15, 2023, six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15,

2023, and each succeeding month thereafter, nine percent (9%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215.

(d) (i) On or before the fifteenth day of the month that the diversion authorized by this section begins, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a redevelopment project area developed under a redevelopment plan adopted under the Tax Increment Financing Act (Section 21-45-1 et seq.) shall be allocated for distribution to the county in which the project area is located if:

1. The county:

a. Borders on the Mississippi Sound and the State of Alabama * * *; or

b. Is Harrison County, Mississippi, and the project area is within a radius of two (2) miles from the intersection of Interstate 10 and Menge Avenue;

2. The county has issued bonds under Section 21-45-9 to finance all or a portion of a redevelopment project in the redevelopment project area;

3. Any debt service for the indebtedness incurred is outstanding; and

4. A development with a value of Ten Million Dollars ($10,000,000.00) or more is, or will be, located in the redevelopment area.

(ii) Before any sales tax revenue may be allocated for distribution to a county under this paragraph, the county shall certify to the Department of Revenue that the requirements of this paragraph have been met, the amount of bonded indebtedness that has been incurred by the county for the redevelopment project and the expected date the indebtedness incurred by the county will be satisfied.

(iii) The diversion of sales tax revenue authorized by this paragraph shall begin the month following the month in which the Department of Revenue determines that the requirements of this paragraph have been met. The diversion shall end the month the indebtedness incurred by the county is satisfied. All revenue received by the county under this paragraph shall be deposited in the fund required to be created in the tax increment financing plan under Section 21-45-11 and be utilized solely to satisfy the indebtedness incurred by the county.

(2) On or before September 15, 1987, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, One Million One Hundred Twenty-five Thousand Dollars ($1,125,000.00) shall be allocated for distribution to municipal corporations as defined under subsection (1) of this section in the proportion that the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each such municipality during the preceding fiscal year bears to the total gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in municipalities statewide during the preceding fiscal year. The Department of Revenue shall require all distributors of gasoline and diesel fuel to report to the department monthly the total number of gallons of gasoline and diesel fuel sold by them to consumers and retailers in each municipality during the preceding month. The Department of Revenue shall have the authority to promulgate such rules and regulations as is necessary to

determine the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each municipality. In determining the percentage allocation of funds under this subsection for the fiscal year beginning July 1, 1987, and ending June 30, 1988, the Department of Revenue may consider gallons of gasoline and diesel fuel sold for a period of less than one (1) fiscal year. For the purposes of this subsection, the term "fiscal year" means the fiscal year beginning July 1 of a year.

(3) On or before September 15, 1987, and on or before the fifteenth day of each succeeding month, until the date specified in Section 65-39-35, the proceeds derived from contractors' taxes levied under Section 27-65-21 on contracts for the construction or reconstruction of highways designated under the highway program created under Section 65-3-97 shall, except as otherwise provided in Section 31-17-127, be deposited into the State Treasury to the credit of the State Highway Fund to be used to fund that highway program. The Mississippi Department of Transportation shall provide to the Department of Revenue such information as is necessary to determine the amount of proceeds to be distributed under this subsection.

(4) On or before August 15, 1994, and on or before the fifteenth day of each succeeding month through July 15, 1999, from the proceeds of gasoline, diesel fuel or kerosene taxes as provided in Section 27-5-101(a)(ii)1, Four Million Dollars ($4,000,000.00) shall be deposited in the State Treasury to the credit of a special fund designated as the "State Aid Road Fund," created by Section 65-9-17. On or before August 15, 1999, and on or before the fifteenth day of each succeeding month, from the total amount of the proceeds of gasoline, diesel fuel or kerosene taxes apportioned by Section 27-5-101(a)(ii)1, Four Million Dollars ($4,000,000.00) or an amount equal to twenty-three and one-fourth percent (23-1/4%) of those funds, whichever is the greater amount, shall be deposited in the State Treasury to the credit of the "State Aid Road Fund," created by Section 65-9-17. Those funds shall be pledged to pay the principal of and interest on state aid road bonds heretofore issued under Sections 19-9-51 through 19-9-77, in lieu of and in substitution for the funds previously allocated to counties under this section. Those funds may not be pledged for the payment of any state aid road bonds issued after April 1, 1981; however, this prohibition against the pledging of any such funds for the payment of bonds shall not apply to any bonds for which intent to issue those bonds has been published for the first time, as provided by law before March 29, 1981. From the amount of taxes paid into the special fund under this subsection and subsection (9) of this section, there shall be first deducted and paid the amount necessary to pay the expenses of the Office of State Aid Road Construction, as authorized by the Legislature for all other general and special fund agencies. The remainder of the fund shall be allocated monthly to the several counties in accordance with the following formula:

(a) One-third (1/3) shall be allocated to all counties in equal shares;

(b) One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state; and

(c) One-third (1/3) shall be allocated to counties based on the proportion that the rural population of the county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

For the purposes of this subsection, the term "gasoline, diesel fuel or kerosene taxes" means such taxes as defined in paragraph (f) of Section 27-5-101.

The amount of funds allocated to any county under this subsection for any fiscal year after fiscal year 1994 shall not be less than the amount allocated to the county for fiscal year 1994.

Any reference in the general laws of this state or the Mississippi Code of 1972 to Section 27-5-105 shall mean and be construed to refer and apply to subsection (4) of Section 27-65-75.

(5) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars ($1,666,666.00) each month shall be paid into the special fund known as the "Educational Facilities Revolving Loan Fund" created and existing under the provisions of Section 37-47-24. Those payments into that fund are to be made on the last day of each succeeding month hereafter. This subsection (5) shall stand repealed on July 1, 2026.

(6) An amount each month beginning August 15, 1983, through November 15, 1986, as specified in Section 6, Chapter 542, Laws of 1983, shall be paid into the special fund known as the Correctional Facilities Construction Fund created in Section 6, Chapter 542, Laws of 1983.

(7) On or before August 15, 1992, and each succeeding month thereafter through July 15, 2000, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited by the department into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars ($42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars ($42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(8) On or before August 15, 1992, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(9) On or before August 15, 1994, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, Two Hundred Fifty Thousand Dollars ($250,000.00) shall be paid into the State Aid Road Fund.

(10) On or before August 15, 1994, and each succeeding month thereafter through August 15, 1995, from the revenue collected under this chapter during the preceding month, Two Million Dollars ($2,000,000.00) shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(11) Notwithstanding any other provision of this section to the contrary, on or before February 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(12) Notwithstanding any other provision of this section to the contrary, on or before August 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1) on retail sales of private carriers of passengers and light carriers of property, as defined in Section

27-51-101 and the corresponding levy in Section 27-65-23 on the rental or lease of these vehicles, shall be deposited, after diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(13) On or before July 15, 1994, and on or before the fifteenth day of each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-22 that is derived from activities held on the Mississippi State Fairgrounds Complex located at or around 1207 Mississippi Street, Jackson, Mississippi 39202, shall be paid into a special fund that is created in the State Treasury and shall be expended upon legislative appropriation solely to defray the costs of repairs and renovation at the Trade Mart and Coliseum.

(14) On or before August 15, 1998, and each succeeding month thereafter through July 15, 2005, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars ($2,000,000.00) into the special fund created under Section 69-37-39. On or before August 15, 2007, and each succeeding month thereafter through July 15, 2010, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars ($2,000,000.00) into the special fund created under Section 69-37-39 until all debts or other obligations incurred by the Certified Cotton Growers Organization under the Mississippi Boll Weevil Management Act before January 1, 2007, are satisfied in full. On or before August 15, 2010, and each succeeding month thereafter through July 15, 2011, fifty percent (50%) of that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars ($1,000,000.00). On or before August 15, 2011, and each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars ($1,000,000.00).

(15) Notwithstanding any other provision of this section to the contrary, on or before September 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited, without diversion, into the Telecommunications Ad Valorem Tax Reduction Fund established in Section 27-38-7.

(16) (a) On or before August 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a project as defined in Section 57-30-1 shall be deposited, after all diversions except the diversion provided for in subsection (1) of this section, into the Sales Tax Incentive Fund created in Section 57-30-3.

(b) On or before August 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-26-1 through 57-26-5, shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Project Sales Tax Incentive Fund created in Section 57-26-3.

(17) Notwithstanding any other provision of this section to the contrary, on or before April 15, 2002, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under Section 27-65-23 on sales of parking services of

parking garages and lots at airports shall be deposited, without diversion, into the special fund created under Section 27-5-101(d).

(18) [Repealed]

(19) (a) On or before August 15, 2005, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and the revenue collected on the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall, except as otherwise provided in this subsection (19), be deposited, after all diversions, into the Redevelopment Project Incentive Fund as created in Section 57-91-9.

(b) For a municipality participating in the Economic Redevelopment Act created in Sections 57-91-1 through 57-91-11, the diversion provided for in subsection (1) of this section attributable to the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and attributable to the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall be deposited into the Redevelopment Project Incentive Fund as created in Section 57-91-9, as follows:

(i) For the first six (6) years in which payments are made to a developer from the Redevelopment Project Incentive Fund, one hundred percent (100%) of the diversion shall be deposited into the fund;

(ii) For the seventh year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, eighty percent (80%) of the diversion shall be deposited into the fund;

(iii) For the eighth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, seventy percent (70%) of the diversion shall be deposited into the fund;

(iv) For the ninth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, sixty percent (60%) of the diversion shall be deposited into the fund; and

(v) For the tenth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, fifty percent (50%) of the funds shall be deposited into the fund.

(20) On or before January 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-28-1 through 57-28-5 shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Sales Tax Incentive Fund created in Section 57-28-3.

(21) (a) On or before April 15, 2007, and each succeeding month thereafter through June 15, 2013, One Hundred Fifty Thousand Dollars ($150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the MMEIA Tax Incentive Fund created in Section 57-101-3.

(b) On or before July 15, 2013, and each succeeding month thereafter, One Hundred Fifty Thousand Dollars ($150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the Mississippi Development Authority Job Training Grant Fund created in Section 57-1-451.

(22) On or before June 1, 2024, and each succeeding month thereafter until December 31, 2057, an amount determined annually by the Mississippi Development Authority of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the MMEIA Tax Incentive Fund created in Section 18 of * * * Senate Bill No. 2001, 2024 Second Extraordinary Session. This amount shall be based on estimated payments due within the upcoming year to construction contractors pursuant to construction contracts subject to the tax imposed by Section 27-65-21 for construction to be performed on the project site of a project defined under Section 57-75-5(f)(xxxiii) for the coming year.

(23) Notwithstanding any other provision of this section to the contrary, on or before August 15, 2009, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-201 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(24) (a) On or before August 15, 2019, and each month thereafter through July 15, 2020, one percent (1%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2020, and each month thereafter through July 15, 2021, two percent (2%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2021, and each month thereafter, three percent (3%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. The revenue diverted pursuant to this subsection shall not be available for expenditure until February 1, 2020.

(b) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) must provide an annual report to the Legislature indicating the amount of funds deposited into the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, and a detailed record of how the funds are spent.

(25) The remainder of the amounts collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the General Fund.

(26) (a) It shall be the duty of the municipal officials of any municipality that expands its limits, or of any community that incorporates as a municipality, to notify the commissioner of that action thirty (30) days before the effective date. Failure to so notify the commissioner shall cause the municipality to forfeit the revenue that it would have been entitled to receive during this period of time when the commissioner had no knowledge of the action.

(b) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, if any funds have been erroneously disbursed to any municipality or any overpayment of tax is recovered by the taxpayer, the commissioner may make correction and adjust the error or overpayment with the municipality by withholding the necessary funds from any later payment to be made to the municipality.

(ii) Subject to the provisions of Sections 27-65-51 and 27-65-53, if any funds have been erroneously disbursed to a municipality under subsection (1) of this section for a period of three (3) years or more, the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of three (3) years beginning with the date of the first erroneous disbursement. However, if during such period, a municipality provides written notice to the Department of Revenue indicating the erroneous disbursement of funds, then the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of one (1) year beginning with the date of the first erroneous disbursement.

SECTION 19. Section 2 of this act shall take effect and be in force upon passage. The remaining sections of this act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 69-1-48, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE'S AUTHORITY TO BUDGET FOR IMPROVEMENTS TO DEPARTMENT PROPERTY AND MARKETING AND PROMOTION PROGRAMS SHALL BE AT THE STATE FAIRGROUNDS AND THE MISSISSIPPI AGRICULTURE AND FORESTRY MUSEUM IN JACKSON, MISSISSIPPI, UPON APPROPRIATION OF THE LEGISLATURE AND FOR PURPOSES AS OTHERWISE APPROPRIATED BY THE LEGISLATURE; TO REQUIRE THE DEPARTMENT TO OBTAIN THE WRITTEN APPROVAL OF CERTAIN PERSONS PRIOR TO ENTERING INTO A LEASE PROVIDING FOR NAMING RIGHTS OF PROPERTY UNDER THIS SECTION; TO DELETE THE AUTHORITY OF THE DEPARTMENT TO ESCALATE CERTAIN FUNDS; TO AMEND SECTIONS 69-5-3, 69-5-7, 69-5-8, 69-5-11, 69-5-13, 69-5-27, 69-5-31, 39-17-5, 39-23-3, 39-23-5, 45-1-19, 25-3-25, 29-5-81, 27-19-56.489, 29-5-2, 27-104-7 AND 27-65-75, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1357 was adopted.

YEAS AND NAYS On H. B. No. 1357. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Chism, Seymour. Total--2.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

H. B. No. 1286: Motor vehicles; provide procedure for licensing rental fleets.

YEAS AND NAYS On H. B. No. 1286. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

H. B. No. 1618: PERS; define "instrumentality" for purpose of PERS laws and include health care collaboratives in the definition.

COMMITTEE AMENDMENT NO. 1 was replaced by SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Senator Parker offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-11-5, Mississippi Code of 1972, is amended as follows:

25-11-5. For the purposes of this article:

(a) The term "wages" means all remuneration for employment as defined herein, including the cash value of all remuneration paid in any medium other than cash, except that such term shall not include that part of such remuneration which, even if it were for "employment" within the meaning of the Federal Insurance Contributions Act, would not constitute "wages" within the meaning of that act. The amount by which an eligible employee's salary is reduced pursuant to a salary reduction agreement authorized under Section 25-17-5 shall be excluded from the term "wages," provided such exclusion does not conflict with federal law, including federal regulations and federal administrative interpretations thereunder, pertaining to the Federal Insurance Contributions Act or to Internal Revenue Code Section 125 cafeteria plans. If any salary reduction amounts excluded from "wages" under the prior sentence are determined to be "wages" by the Social Security Administration or the Internal Revenue Service and payroll tax deficiencies are assessed, the deficiencies shall be borne by the eligible employee and the adopting state agency or local governmental entity and not by the Public Employees' Retirement System of Mississippi as state administrator.

(b) The term "employment" means any service performed by an employee in the employ of the state, any political subdivision thereof, or any instrumentality of either for such employer, except (i) service which in the absence of an agreement entered into under this article would constitute "employment" as defined in the Social Security Act; or (ii) service which under applicable federal law may not be included in an agreement between the state and the Secretary of Health, Education and Welfare entered into under this article; or (iii) service in positions covered by a retirement system established by the

state or by a political subdivision or an instrumentality of either on the date the agreement referred to in Section 25-11-7 or any modification of such agreement is made applicable to the coverage group (as defined in Section 218(b)(5) of the Social Security Act) to which the employee performing such services belongs. Service which under the Social Security Act may be included in an agreement only upon certification by the Governor in accordance with Section 218(d)(3) of that act shall be included in the term "employment" if and when the Governor issues, with respect to such service, a certificate to the Secretary of Health, Education and Welfare pursuant to Section 25-11-11(5) of this article.

Services, the compensation for which is on a fee basis, may, to the extent permitted by applicable federal law, be excluded in any plan or agreement approved under or authorized by this article.

(c) The term "employee," in addition to its usual meaning, includes an officer of a state, a political subdivision thereof, or an instrumentality of either, and all school employees.

(d) The term "board" means the Board of Trustees of the Public Employees' Retirement System of Mississippi as provided by Section 25-11-15 of this article.

(e) The term "Secretary of Health, Education and Welfare" includes any individual to whom the Secretary of Health, Education and Welfare has delegated any functions under the Social Security Act with respect to coverage under such act of employees of states and their political subdivisions and, with respect to any action taken prior to April 11, 1953, includes the federal security administrator or any individual to whom he had delegated any such function.

(f) The term "political subdivision" includes any county, municipality, or other political subdivision within the State of Mississippi to which has been delegated certain functions of local government, and employees thereof who are eligible to become a coverage group under the terms of the Social Security Act.

(g) The term "instrumentality," when referring to an instrumentality of the state or political subdivision, includes only a juristic entity which is legally separate and distinct from the state or such subdivision and whose employees are not by virtue of their relation to such entity employees of the state or such subdivision. A health care collaborative or other organization formed pursuant to Sections 37-115-50 through 37-115-50.3 shall be considered an instrumentality of the state.

(h) The term "applicable federal law" refers to such provisions of federal law (including federal regulations and requirements issued pursuant thereto), as provide for extending the benefits of Title II of the Social Security Act to employees of states, political subdivisions, and their instrumentalities.

(i) The term "Social Security Act" means the Act of Congress approved August 14, 1935, Chapter 531, 49 Stat 620, officially cited as "The Social Security Act," as such act has been and may from time to time be amended.

(j) The term "Federal Insurance Contribution Act" means subchapter A of Chapter 9 of the Federal Internal Revenue Code of 1939 and subchapters A and B of Chapter 21 of the Federal Internal Revenue Code of 1954, as such Codes have been and may from time to time be amended; and the term "employee tax" means the tax imposed by Section 1400 of such Code of 1939 and Section 3101 of such Code of 1954.

SECTION 2. Section 25-11-103, Mississippi Code of 1972, is amended as follows:

25-11-103. (1) The following words and phrases as used in Articles 1 and 3, unless a different meaning is plainly required by the context, have the following meanings:

(a) "Accumulated contributions" means the sum of all the amounts deducted from the compensation of a member and credited to his or her individual account in the annuity savings account, together with regular interest as provided in Section 25-11-123.

(b) "Actuarial cost" means the amount of funds presently required to provide future benefits as determined by the board based on applicable tables and formulas provided by the actuary.

(c) "Actuarial equivalent" means a benefit of equal value to the accumulated contributions, annuity or benefit, as the case may be, when computed upon the basis of such mortality tables as adopted by the board of trustees, and regular interest.

(d) "Actuarial tables" mean such tables of mortality and rates of interest as adopted by the board in accordance with the recommendation of the actuary.

(e) "Agency" means any governmental body employing persons in the state service.

(f) "Average compensation" means the average of the four (4) highest years of earned compensation reported for an employee in a fiscal or calendar year period, or combination thereof that do not overlap, or the last forty-eight (48) consecutive months of earned compensation reported for an employee. The four (4) years need not be successive or joined years of service. In computing the average compensation for retirement, disability or survivor benefits, any amount lawfully paid in a lump sum for personal leave or major medical leave shall be included in the calculation to the extent that the amount does not exceed an amount that is equal to thirty (30) days of earned compensation and to the extent that it does not cause the employee's earned compensation to exceed the maximum reportable amount specified in paragraph (k) of this subsection; however, this thirty-day limitation shall not prevent the inclusion in the calculation of leave earned under federal regulations before July 1, 1976, and frozen as of that date as referred to in Section 25-3-99. In computing the average compensation, no amounts shall be used that are in excess of the amount on which contributions were required and paid, and no nontaxable amounts paid by the employer for health or life insurance premiums for the employee shall be used. If any member who is or has been granted any increase in annual salary or compensation of more than eight percent (8%) retires within twenty-four (24) months from the date that the increase becomes effective, then the board shall exclude that part of the increase in salary or compensation that exceeds eight percent (8%) in calculating that member's average compensation for retirement purposes. The board may enforce this provision by rule or regulation. However, increases in compensation in excess of eight percent (8%) per year granted within twenty-four (24) months of the date of retirement may be included in the calculation of average compensation if satisfactory proof is presented to the board showing that the increase in compensation was the result of an actual change in the position held or services rendered, or that the compensation increase was authorized by the State Personnel Board or was increased as a result of statutory enactment, and the employer furnishes an affidavit stating that the increase granted within the last twenty-four (24) months was not contingent on a promise or agreement of the employee to retire. Nothing in Section 25-3-31 shall affect the calculation of the average compensation of any member for the purposes of this article. The average compensation of any member who retires before July 1, 1992, shall not exceed the annual salary of the Governor.

(g) "Beneficiary" means any person entitled to receive a retirement allowance, an annuity or other benefit as provided by Articles 1 and 3. The term "beneficiary" may also include an organization, estate, trust or entity; however, a beneficiary designated or entitled to receive monthly payments under an optional settlement based on life contingency or under a statutory monthly benefit may only be a natural person. In the event of the death before retirement of any member who became a member of the system before July 1, 2007, and whose spouse and/or children are not entitled to a retirement allowance on the basis that the member has less than four (4)

years of membership service credit, or who became a member of the system on or after July 1, 2007, and whose spouse and/or children are not entitled to a retirement allowance on the basis that the member has less than eight (8) years of membership service credit, and/or has not been married for a minimum of one (1) year or the spouse has waived his or her entitlement to a retirement allowance under Section 25-11-114, the lawful spouse of a member at the time of the death of the member shall be the beneficiary of the member unless the member has designated another beneficiary after the date of marriage in writing, and filed that writing in the office of the executive director of the board of trustees. No designation or change of beneficiary shall be made in any other manner.

(h) "Board" means the board of trustees provided in Section 25-11-15 to administer the retirement system created under this article.

(i) "Creditable service" means "prior service," "retroactive service" and all lawfully credited unused leave not exceeding the accrual rates and limitations provided in Section 25-3-91 et seq., as of the date of withdrawal from service plus "membership service" and other service for which credit is allowable as provided in Section 25-11-109. Except to limit creditable service reported to the system for the purpose of computing an employee's retirement allowance or annuity or benefits provided in this article, nothing in this paragraph shall limit or otherwise restrict the power of the governing authority of a municipality or other political subdivision of the state to adopt such vacation and sick leave policies as it deems necessary.

(j) "Child" means either a natural child of the member, a child that has been made a child of the member by applicable court action before the death of the member, or a child under the permanent care of the member at the time of the latter's death, which permanent care status shall be determined by evidence satisfactory to the board. For purposes of this paragraph, a natural child of the member is a child of the member that is conceived before the death of the member.

(k) "Earned compensation" means the full amount earned during a fiscal year by an employee not to exceed the employee compensation limit set pursuant to Section 401(a)(17) of the Internal Revenue Code for the calendar year in which the fiscal year begins and proportionately for less than one (1) year of service. Except as otherwise provided in this paragraph, the value of maintenance furnished to an employee shall not be included in earned compensation. Earned compensation shall not include any amounts paid by the employer for health or life insurance premiums for an employee. Earned compensation shall be limited to the regular periodic compensation paid, exclusive of litigation fees, bond fees, performance-based incentive payments, and other similar extraordinary nonrecurring payments. In addition, any member in a covered position, as defined by Public Employees' Retirement System laws and regulations, who is also employed by another covered agency or political subdivision shall have the earnings of that additional employment reported to the Public Employees' Retirement System regardless of whether the additional employment is sufficient in itself to be a covered position. In addition, computation of earned compensation shall be governed by the following:

(i) In the case of constables, the net earnings from their office after deduction of expenses shall apply, except that in no case shall earned compensation be less than the total direct payments made by the state or governmental subdivisions to the official.

(ii) In the case of chancery or circuit clerks, the net earnings from their office after deduction of expenses shall apply as expressed in Section 25-11-123(f)(4).

(iii) In the case of members of the State Legislature, all remuneration or amounts paid, except mileage allowance, shall apply.

(iv) The amount by which an eligible employee's salary is reduced under a salary reduction agreement authorized under Section 25-17-5 shall be included as earned compensation under this paragraph, provided this inclusion does not conflict with federal law, including federal regulations and federal administrative interpretations under the federal law, pertaining to the Federal Insurance Contributions Act or to Internal Revenue Code Section 125 cafeteria plans.

(v) Compensation in addition to an employee's base salary that is paid to the employee under the vacation and sick leave policies of a municipality or other political subdivision of the state that employs him or her that exceeds the maximums authorized by Section 25-3-91 et seq. shall be excluded from the calculation of earned compensation under this article.

(vi) The maximum salary applicable for retirement purposes before July 1, 1992, shall be the salary of the Governor.

(vii) Nothing in Section 25-3-31 shall affect the determination of the earned compensation of any member for the purposes of this article.

(viii) The value of maintenance furnished to an employee before July 1, 2013, for which the proper amount of employer and employee contributions have been paid, shall be included in earned compensation. From and after July 1, 2013, the value of maintenance furnished to an employee shall be reported as earned compensation only if the proper amount of employer and employee contributions have been paid on the maintenance and the employee was receiving maintenance and having maintenance reported to the system as of June 30, 2013. The value of maintenance when not paid in money shall be fixed by the employing state agency, and, in case of doubt, by the board of trustees as defined in Section 25-11-15.

(ix) Except as otherwise provided in this paragraph, the value of any in-kind benefits provided by the employer shall not be included in earned compensation. As used in this subparagraph, "in-kind benefits" shall include, but not be limited to, group life insurance premiums, health or dental insurance premiums, nonpaid major medical and personal leave, employer contributions for social security and retirement, tuition reimbursement or educational funding, day care or transportation benefits.

(l) "Employee" means any person legally occupying a position in the state service, and shall include the employees of the retirement system created under this article.

(m) "Employer" means the State of Mississippi or any of its departments, agencies or subdivisions from which any employee receives his or her compensation.

(n) "Executive director" means the secretary to the board of trustees, as provided in Section 25-11-15(9), and the administrator of the Public Employees' Retirement System and all systems under the management of the board of trustees. Wherever the term "Executive Secretary of the Public Employees' Retirement System" or "executive secretary" appears in this article or in any other provision of law, it shall be construed to mean the Executive Director of the Public Employees' Retirement System.

(o) "Fiscal year" means the period beginning on July 1 of any year and ending on June 30 of the next succeeding year.

(p) "Medical board" means the board of physicians or any governmental or nongovernmental disability determination service designated by the board of trustees that is qualified to make disability determinations as provided for in Section 25-11-119.

(q) "Member" means any person included in the membership of the system as provided in Section 25-11-105. For purposes of Sections 25-11-103, 25-11-105,

25-11-109, 25-11-111, 25-11-113, 25-11-114, 25-11-115 and 25-11-117, if a member of the system withdrew from state service and received a refund of the amount of the accumulated contributions to the credit of the member in the annuity savings account before July 1, 2007, and the person reenters state service and becomes a member of the system again on or after July 1, 2007, and repays all or part of the amount received as a refund and interest in order to receive creditable service for service rendered before July 1, 2007, the member shall be considered to have become a member of the system on or after July 1, 2007, subject to the eight-year membership service requirement, as applicable in those sections. For purposes of Sections 25-11-103, 25-11-111, 25-11-114 and 25-11-115, if a member of the system withdrew from state service and received a refund of the amount of the accumulated contributions to the credit of the member in the annuity savings account before July 1, 2011, and the person reenters state service and becomes a member of the system again on or after July 1, 2011, and repays all or part of the amount received as a refund and interest in order to receive creditable service for service rendered before July 1, 2011, the member shall be considered to have become a member of the system on or after July 1, 2011.

(r) "Membership service" means service as an employee in a covered position rendered while a contributing member of the retirement system.

(s) "Position" means any office or any employment in the state service, or two (2) or more of them, the duties of which call for services to be rendered by one (1) person, including positions jointly employed by federal and state agencies administering federal and state funds. The employer shall determine upon initial employment and during the course of employment of an employee who does not meet the criteria for coverage in the Public Employees' Retirement System based on the position held, whether the employee is or becomes eligible for coverage in the Public Employees' Retirement System based upon any other employment in a covered agency or political subdivision. If or when the employee meets the eligibility criteria for coverage in the other position, then the employer must withhold contributions and report wages from the noncovered position in accordance with the provisions for reporting of earned compensation. Failure to deduct and report those contributions shall not relieve the employee or employer of liability thereof. The board shall adopt such rules and regulations as necessary to implement and enforce this provision.

(t) "Prior service" means:

(i) For persons who became members of the system before July 1, 2007, service rendered before February 1, 1953, for which credit is allowable under Sections 25-11-105 and 25-11-109, and which shall allow prior service for any person who is now or becomes a member of the Public Employees' Retirement System and who does contribute to the system for a minimum period of four (4) years.

(ii) For persons who became members of the system on or after July 1, 2007, service rendered before February 1, 1953, for which credit is allowable under Sections 25-11-105 and 25-11-109, and which shall allow prior service for any person who is now or becomes a member of the Public Employees' Retirement System and who does contribute to the system for a minimum period of eight (8) years.

(u) "Regular interest" means interest compounded annually at such a rate as determined by the board in accordance with Section 25-11-121.

(v) "Retirement allowance" means an annuity for life as provided in this article, payable each year in twelve (12) equal monthly installments beginning as of the date fixed by the board. The retirement allowance shall be calculated in accordance with Section 25-11-111. However, any spouse who received a spouse retirement benefit in accordance with Section 25-11-111(d) before March 31, 1971, and those benefits were terminated because of eligibility for a social security benefit, may again receive his or her

spouse retirement benefit from and after making application with the board of trustees to reinstate the spouse retirement benefit.

(w) "Retroactive service" means service rendered after February 1, 1953, for which credit is allowable under Section 25-11-105(b) and Section 25-11-105(k).

(x) "System" means the Public Employees' Retirement System of Mississippi established and described in Section 25-11-101.

(y) "State" means the State of Mississippi or any political subdivision thereof or instrumentality of the state.

(z) "State service" means all offices and positions of trust or employment in the employ of the state, or any political subdivision or instrumentality of the state, that elect to participate as provided by Section 25-11-105(f), including the position of elected or fee officials of the counties and their deputies and employees performing public services or any department, independent agency, board or commission thereof, and also includes all offices and positions of trust or employment in the employ of joint state and federal agencies administering state and federal funds and service rendered by employees of the public schools. Effective July 1, 1973, all nonprofessional public school employees, such as bus drivers, janitors, maids, maintenance workers and cafeteria employees, shall have the option to become members in accordance with Section 25-11-105(b), and shall be eligible to receive credit for services before July 1, 1973, provided that the contributions and interest are paid by the employee in accordance with that section; in addition, the county or municipal separate school district may pay the employer contribution and pro rata share of interest of the retroactive service from available funds. "State service" shall not include the President of the Mississippi Lottery Corporation and personnel employed by the Mississippi Lottery Corporation. From and after July 1, 1998, retroactive service credit shall be purchased at the actuarial cost in accordance with Section 25-11-105(b).

(aa) "Withdrawal from service" or "termination from service" means complete severance of employment in the state service of any member by resignation, dismissal or discharge.

(bb) The masculine pronoun, wherever used, includes the feminine pronoun.

(2) For purposes of this article, the term "political subdivision" shall have the meaning ascribed to such term in Section 25-11-5 and shall also include public charter schools.

(3) For purposes of this article, the term "instrumentality" shall have the meaning as defined in Section 25-11-5, and membership in the system shall not extend to any person employed by or paid for any service by a health care collaborative or other organization formed pursuant to Sections 37-115-50 through 37-115-50.3, unless the health care collaborative or other organization elects to participate in the system, as provided for by Section 25-11-105(f). Notwithstanding the foregoing and any other provision of law to the contrary, any health care collaborative formed pursuant to Sections 37-115-50 through 37-115-50.3 shall not enroll new employees from and after the effective date of this act.

SECTION 3. Section 25-11-127, Mississippi Code of 1972, is amended as follows:

25-11-127. (1) (a) No person who is being paid a retirement allowance or a pension after retirement under this article shall be employed or paid for any service by the State of Mississippi, including services as an employee, contract worker, contractual employee or independent contractor, until the retired person has been retired for not less than ninety (90) consecutive days from his or her effective date of retirement. After the

person has been retired for not less than ninety (90) consecutive days from his or her effective date of retirement or such later date as established by the board, he or she may be reemployed while being paid a retirement allowance under the terms and conditions provided in this section or in Section 25-11-126.

(b) No retiree of this retirement system who is reemployed or is reelected to office after retirement shall continue to draw retirement benefits while so reemployed, except as provided in this section or in Section 25-11-126.

(c) No person employed or elected under the exceptions provided for in this section shall become a member under Article 3 of the retirement system.

(2) Except as otherwise provided in Section 25-11-126, any person who has been retired under the provisions of Article 3 and who is later reemployed in service covered by this article shall cease to receive benefits under this article and shall again become a contributing member of the retirement system. When the person retires again, if the reemployment exceeds six (6) months, the person shall have his or her benefit recomputed, including service after again becoming a member, provided that the total retirement allowance paid to the retired member in his or her previous retirement shall be deducted from the member's retirement reserve and taken into consideration in recalculating the retirement allowance under a new option selected.

(3) The board shall have the right to prescribe rules and regulations for carrying out the provisions of this section.

(4) The provisions of this section shall not be construed to prohibit any retiree, regardless of age, from being employed and drawing a retirement allowance either:

(a) For a period of time not to exceed one-half (1/2) of the normal working days for the position in any fiscal year during which the retiree will receive no more than one-half (1/2) of the salary in effect for the position at the time of employment, or

(b) For a period of time in any fiscal year sufficient in length to permit a retiree to earn not in excess of twenty-five percent (25%) of retiree's average compensation.

To determine the normal working days for a position under paragraph (a) of this subsection, the employer shall determine the required number of working days for the position on a full-time basis and the equivalent number of hours representing the full-time position. The retiree then may work up to one-half (1/2) of the required number of working days or up to one-half (1/2) of the equivalent number of hours and receive up to one-half (1/2) of the salary for the position. In the case of employment with multiple employers, the limitation shall equal one-half (1/2) of the number of days or hours for a single full-time position.

Notice shall be given in writing to the executive director, setting forth the facts upon which the employment is being made, and the notice shall be given within five (5) days from the date of employment and also from the date of termination of the employment.

(5) Except as otherwise provided in subsection (6) of this section, the employer of any person who is receiving a retirement allowance and who is employed in service covered by subsection (4) of this section as an employee or a contractual employee shall pay to the board the full amount of the employer's contribution on the amount of compensation received by the retiree for his or her employment in accordance with regulations prescribed by the board. The retiree shall not receive any additional creditable service in the retirement system as a result of the payment of the employer's contribution. This subsection does not apply to persons who are receiving a retirement allowance and who contract with an employer to provide services as a true independent contractor, as defined by the board through regulation.

(6) (a) A member may retire and continue in municipal or county elective office provided that the member has reached the age and/or service requirement that will not result in a prohibited in-service distribution as defined by the Internal Revenue Service, or a retiree may be elected to a municipal or county office, provided that the person:

(i) Files annually, in writing, in the office of the employer and the office of the executive director of the system before the person takes office or as soon as possible after retirement, a waiver of all salary or compensation and elects to receive in lieu of that salary or compensation a retirement allowance as provided in this section, in which event no salary or compensation shall thereafter be due or payable for those services; however, any such officer or employee may receive, in addition to the retirement allowance, office expense allowance, mileage or travel expense authorized by any statute of the State of Mississippi; or

(ii) Elects to receive compensation for that elective office in an amount not to exceed twenty-five percent (25%) of the retiree's average compensation. In order to receive compensation as allowed in this subparagraph, the retiree shall file annually, in writing, in the office of the employer and the office of the executive director of the system, an election to receive, in addition to a retirement allowance, compensation as allowed in this subparagraph.

(b) The municipality or county in which the retired person holds elective office shall pay to the board the amount of the employer's contributions on the full amount of the regular compensation for the elective office that the retired person holds.

(c) As used in this subsection, the term "compensation" does not include office expense allowance, mileage or travel expense authorized by a statute of the State of Mississippi.

(7) Notwithstanding the foregoing and any other provision of law to the contrary, this section shall not apply to any person who has been retired under this article for ninety (90) consecutive days or more from his or her effective date of retirement from the system if employed by or paid for any service by a health care collaborative or other organization formed pursuant to Sections 37-115-50 through 37-115-50.3, unless the health care collaborative or other organization elects to participate in the system, as provided for by Section 25-11-105(f).

(8) Any retired teacher who returns to work in accordance with this section shall not be eligible to return to work under the provisions of Section 25-11-126.

SECTION 4. The following shall be codified as Section

25-11-126, Mississippi Code of 1972:

25-11-126. (1) Any person who has at least thirty (30) years of creditable service, who was employed as a public school teacher at the time of his or her retirement, has been retired at least ninety (90) days and is receiving a retirement allowance, and holds a standard teaching license in Mississippi, may be employed as a teacher in a public school district after retirement, and choose to continue receiving the retirement allowance under this article during his or her employment as a teacher after retirement in addition to receiving the salary authorized under this section, along with the local contribution of the school district in which the retiree is employed, at the discretion of the school district. Any teacher who has retired with at least twenty-five (25) years of creditable service as of July 1, 2024, may also participate in this program if the teacher otherwise qualifies under this act.

(2) A retired teacher may only be hired to teach in a school district designated by the Department of Education as having critical shortages and/or critical subject-area

shortages, and shall hold the related standard teaching license and/or endorsements to teach in the subject area. The base compensation authorized for returning retired teachers under Section 37-19-7 shall not be graduated annually in the same manner as teachers who are employed by a school district under traditional employment guidelines, but shall remain static for the entirety of his or her eligible teaching period as a retired teacher.

(3) (a) A retired teacher may be employed as a teacher, continue receiving his or her retirement allowance and be a contributing member of the system without accruing additional retirement benefits for a total of five (5) years, which may be performed consecutively or intermittently. This method is designed specifically to provide funding for the system to actuarially offset any pension liability created by this act. Each school district hiring retired teachers under the authority of this section, shall make a direct payment to the system, which shall serve as pension liability participation assessment. The pension liability participation assessment and the retired teacher's salary for returning to work shall be determined as follows:

(i) A school district shall rely on the salary schedule in Section 37-19-7 in considering the salary for a retired teacher; provided, however, that the school district may allocate up to one hundred twenty-five percent (125%) of the amount provided under the salary schedule comparable to the teacher's years of service and license type as salary and assessment under the program;

(ii) After determining the retired teacher's compensation, the school district may pay no more than fifty percent (50%) of the retired teacher's compensation as salary to the retired teacher; and

(iii) The remaining fifty percent (50%) of the retired teacher's compensation as salary shall be paid by the school district to PERS as a pension liability participation assessment.

(b) If a retired teacher, reemployed under the authority of this section, works in a school district for any portion of a scholastic year less than a full contractual term of traditional teachers, the time worked by the retired teacher shall constitute one (1) of the five (5) years of post retirement teaching eligibility. A retired teacher, under the authority of this section, shall be entitled to work in any applicable school district and shall not be obligated to remain in any one (1) school district for the entirety of his or her post retirement teaching eligibility, but shall be cumulative in nature so as not to exceed five (5) years. The salary authorized under Section 37-19-7 for retired teachers shall be prorated for any period worked by the retired teacher that is less than one (1) full academic year.

(c) The State Department of Education shall transfer to the system the Mississippi Adequate Education Program funds of local school districts that on or after July 1, 2024, hire retired members as teachers under this section and other funds that otherwise would have been payable to the districts if the districts had not taken advantage of this section. The crediting of assets and financing shall follow the provisions of Section 25-11-123.

(d) Local educational agencies shall transfer to the system Mississippi Adequate Education Program funds of local school districts that on or after July 1, 2024, hire retired members as teachers under this section and other funds that otherwise would have been payable to the districts if the districts had not taken advantage of this section. The crediting of assets and financing must follow the provisions of Section 25-11-123.

(4) Under the authority of this section, school districts may employ retired teachers based on criteria established by the department of education for critical teacher shortage areas and critical subject-matter areas. A school district that is not within a critical teacher shortage area may employ teachers for critical subject-matter areas.

(5) A person may be hired under this section subject to the following conditions:

(a) The retired member holds any teacher's professional license or certificate as may be required in Section 37-3-2, and holds the related standard teaching license and/or endorsements to teach in the applicable subject area;

(b) The superintendent of the employing school district certifies in writing to the State Department of Education that the retired member has the requisite experience, training and expertise for the position to be filled;

(c) The superintendent of the school district certifies or the principal of the school certifies that there was no preexisting arrangement for the person to be hired;

(d) The person had a satisfactory performance review for the most recent period before retirement; and

(e) The person is hired to teach in a critical subject-matter area or in a critical teacher shortage area.

(6) The State Superintendent of Public Education shall report the persons who are employed under this section to the executive director.

(7) The Department of Education shall promulgate regulations that prescribe a salary schedule that reflects the provisions of this act. Each school district shall create a policy, approved by the local school board, related to the hiring of retired teachers and including, but not limited to, the hiring of full and part-time retired teacher employees under this section and Section 25-11-127.

(8) Any retired teacher who returns to work in accordance with this section shall not be eligible to return to work under the provisions of Section 25-11-127.

SECTION 5. Section 37-19-7, Mississippi Code of 1972, is amended as follows:

37-19-7. (1) The allowance in the Mississippi Adequate Education Program for teachers' salaries in each public school district shall be determined and paid in accordance with the scale for teachers' salaries as provided in this subsection. For teachers holding the following types of licenses or the equivalent as determined by the State Board of Education, and the following number of years of teaching experience, the scale shall be as follows:

2022-2023 AND SUBSEQUENT SCHOOL YEARS MINIMUM SALARY SCHEDULE

Exp.	AAAA	AAA	AA	A
0	45,500.00	44,000.00	43,000.00	41,500.00
1	46,100.00	44,550.00	43,525.00	41,900.00
2	46,700.00	45,100.00	44,050.00	42,300.00
3	47,300.00	45,650.00	44,575.00	42,700.00
4	47,900.00	46,200.00	45,100.00	43,100.00
5	49,250.00	47,500.00	46,350.00	44,300.00
6	49,850.00	48,050.00	46,875.00	44,700.00

7	50,450.00	48,600.00	47,400.00	45,100.00
8	51,050.00	49,150.00	47,925.00	45,500.00
9	51,650.00	49,700.00	48,450.00	45,900.00
10	53,000.00	51,000.00	49,700.00	47,100.00
11	53,600.00	51,550.00	50,225.00	47,500.00
12	54,200.00	52,100.00	50,750.00	47,900.00
13	54,800.00	52,650.00	51,275.00	48,300.00
14	55,400.00	53,200.00	51,800.00	48,700.00
15	56,750.00	54,500.00	53,050.00	49,900.00
16	57,350.00	55,050.00	53,575.00	50,300.00
17	57,950.00	55,600.00	54,100.00	50,700.00
18	58,550.00	56,150.00	54,625.00	51,100.00
19	59,150.00	56,700.00	55,150.00	51,500.00
20	60,500.00	58,000.00	56,400.00	52,700.00
21	61,100.00	58,550.00	56,925.00	53,100.00
22	61,700.00	59,100.00	57,450.00	53,500.00
23	62,300.00	59,650.00	57,975.00	53,900.00
24	62,900.00	60,200.00	58,500.00	54,300.00
25	65,400.00	62,700.00	61,000.00	56,800.00
26	66,000.00	63,250.00	61,525.00	57,200.00
27	66,600.00	63,800.00	62,050.00	57,600.00
28	67,200.00	64,350.00	62,575.00	58,000.00
29	67,800.00	64,900.00	63,100.00	58,400.00
30	68,400.00	65,450.00	63,625.00	58,800.00
31	69,000.00	66,000.00	64,150.00	59,200.00
32	69,600.00	66,550.00	64,675.00	59,600.00
33	70,200.00	67,100.00	65,200.00	60,000.00
34	70,800.00	67,650.00	65,725.00	60,400.00
35 & above	71,400.00	68,200.00	66,250.00	60,800.00

2024-2025 AND SUBSEQUENT SCHOOL YEARS MINIMUM SALARY SCHEDULE

The school district, with assistance from the Department of Education, shall consider the teacher's years of service and license type and determine the corresponding salary for the retired teacher. After determining the retired teacher's corresponding salary, the school district may allocate up to one hundred and twenty-five percent (125%) of the amount provided under the salary schedule for such teacher, as applicable, as salary and assessment under the program.

After determining the retired teacher's salary, the school district may pay no more than fifty percent (50%) of the retired teacher's compensation as salary to the retired teacher. The remaining fifty percent (50%) of the retired teacher's compensation as salary shall be paid by the school district to PERS as a pension liability participation assessment.

It is the intent of the Legislature that any state funds made available for salaries of licensed personnel in excess of the funds paid for such salaries for the 1986-1987 school year shall be paid to licensed personnel pursuant to a personnel appraisal and compensation system implemented by the State Board of Education. The State Board of Education shall have the authority to adopt and amend rules and regulations as are necessary to establish, administer and maintain the system.

All teachers employed on a full-time basis shall be paid a minimum salary in accordance with the above scale. However, no school district shall receive any funds under this section for any school year during which the local supplement paid to any individual teacher shall have been reduced to a sum less than that paid to that individual teacher for performing the same duties from local supplement during the immediately preceding school year. The amount actually spent for the purposes of group health and/or life insurance shall be considered as a part of the aggregate amount of local supplement but shall not be considered a part of the amount of individual local supplement.

The level of professional training of each teacher to be used in establishing the salary allotment for the teachers for each year shall be determined by the type of valid teacher's license issued to those teachers on or before October 1 of the current school year. However, school districts are authorized, in their discretion, to negotiate the salary levels applicable to licensed employees who are receiving retirement benefits from the retirement system of another state, and the annual experience increment provided above in Section 37-19-7 shall not be applicable to any such retired certificated employee.

(2) (a) The following employees shall receive an annual salary supplement in the amount of Six Thousand Dollars ($6,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

(i) Any licensed teacher or retired teacher employed by a school district under the authority of Section 25-11-126 who has met the requirements and acquired a Master Teacher certificate from the National Board for Professional Teaching Standards and who is employed by a local school board or the State Board of Education as a teacher and not as an administrator. Such teacher shall submit documentation to the State Department of Education that the certificate was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the teacher shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(ii) A licensed nurse who has met the requirements and acquired a certificate from the National Board for Certification of School Nurses, Inc., and who is employed by a local school board or the State Board of Education as a school nurse and not as an administrator. The licensed school nurse shall submit documentation to the State Department of Education that the certificate was received before October 15 in order

to be eligible for the full salary supplement in the current school year, or the licensed school nurse shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(iii) Any licensed school counselor who has met the requirements and acquired a National Certified School Counselor (NCSC) endorsement from the National Board of Certified Counselors and who is employed by a local school board or the State Board of Education as a counselor and not as an administrator. Such licensed school counselor shall submit documentation to the State Department of Education that the endorsement was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school counselor shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. However, any school counselor who started the National Board for Professional Teaching Standards process for school counselors between June 1, 2003, and June 30, 2004, and completes the requirements and acquires the Master Teacher certificate shall be entitled to the master teacher supplement, and those counselors who complete the process shall be entitled to a one-time reimbursement for the actual cost of the process as outlined in paragraph (b) of this subsection.

(iv) Any licensed speech-language pathologist and audiologist who has met the requirements and acquired a Certificate of Clinical Competence from the American Speech-Language-Hearing Association and any certified academic language therapist (CALT) who has met the certification requirements of the Academic Language Therapy Association and who is employed by a local school board. The licensed speech-language pathologist and audiologist and certified academic language therapist shall submit documentation to the State Department of Education that the certificate or endorsement was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed speech-language pathologist and audiologist and certified academic language therapist shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(v) Any licensed athletic trainer who has met the requirements and acquired Board Certification for the Athletic Trainer from the Board of Certification, Inc., and who is employed by a local school board or the State Board of Education as an athletic trainer and not as an administrator. The licensed athletic trainer shall submit documentation to the State Department of Education that the certificate was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed athletic trainer shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(b) An employee shall be reimbursed for the actual cost of completing each component of acquiring the certificate or endorsement, excluding any costs incurred for postgraduate courses, not to exceed Five Hundred Dollars ($500.00) for each component, not to exceed four (4) components, for a teacher, school counselor or speech-language pathologist and audiologist, regardless of whether or not the process resulted in the award of the certificate or endorsement. A local school district or any private individual or entity may pay the cost of completing the process of acquiring the certificate or endorsement for any employee of the school district described under paragraph (a), and the State Department of Education shall reimburse the school district for such cost, regardless of whether or not the process resulted in the award of the certificate or endorsement. If a private individual or entity has paid the cost of completing the process of acquiring the certificate or endorsement for an employee, the local school district may agree to directly reimburse the individual or entity for such cost on behalf of the employee.

(c) All salary supplements, fringe benefits and process reimbursement authorized under this subsection shall be paid directly by the State Department of Education to the local school district and shall be in addition to its adequate education program allotments and not a part thereof in accordance with regulations promulgated by the State Board of Education. Local school districts shall not reduce the local supplement paid to any employee receiving such salary supplement, and the employee shall receive any local supplement to which employees with similar training and experience otherwise are entitled. However, an educational employee shall receive the salary supplement in the amount of Six Thousand Dollars ($6,000.00) for only one (1) of the qualifying certifications authorized under paragraph (a) of this subsection. No school district shall provide more than one (1) annual salary supplement under the provisions of this subsection to any one (1) individual employee holding multiple qualifying national certifications.

(d) If an employee for whom such cost has been paid, in full or in part, by a local school district or private individual or entity fails to complete the certification or endorsement process, the employee shall be liable to the school district or individual or entity for all amounts paid by the school district or individual or entity on behalf of that employee toward his or her certificate or endorsement.

(3) The following employees shall receive an annual salary supplement in the amount of Four Thousand Dollars ($4,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

Effective July 1, 2016, if funds are available for that purpose, any licensed teacher or retired teacher employed by a local school district under the authority of Section 25-11-126 who has met the requirements and acquired a Master Teacher Certificate from the National Board for Professional Teaching Standards and who is employed in a public school district located in one (1) of the following counties: Claiborne, Adams, Jefferson, Wilkinson, Amite, Bolivar, Coahoma, Leflore, Quitman, Sharkey, Issaquena, Sunflower, Washington, Holmes, Yazoo and Tallahatchie. The salary supplement awarded under the provisions of this subsection (3) shall be in addition to the salary supplement awarded under the provisions of subsection (2) of this section.

Teachers who meet the qualifications for a salary supplement under this subsection (3) who are assigned for less than one (1) full year or less than full time for the school year shall receive the salary supplement in a prorated manner, with the portion of the teacher's assignment to the critical geographic area to be determined as of June 15th of the school year.

(4) (a) This section shall be known and may be cited as the "Mississippi Performance-Based Pay (MPBP)" plan. In addition to the minimum base pay described in this section, only after full funding of MAEP and if funds are available for that purpose, the State of Mississippi may provide monies from state funds to school districts for the purposes of rewarding licensed teachers, administrators and nonlicensed personnel at individual schools showing improvement in student test scores. The MPBP plan shall be developed by the State Department of Education based on the following criteria:

(i) It is the express intent of this legislation that the MPBP plan shall utilize only existing standards of accreditation and assessment as established by the State Board of Education.

(ii) To ensure that all of Mississippi's teachers, administrators and nonlicensed personnel at all schools have equal access to the monies set aside in this section, the MPBP program shall be designed to calculate each school's performance as determined by the school's increase in scores from the prior school year. The MPBP program shall be based on a standardized scores rating where all levels of schools can be judged in a statistically fair and reasonable way upon implementation. At the end of

each year, after all student achievement scores have been standardized, the State Department of Education shall implement the MPBP plan.

(iii) To ensure all teachers cooperate in the spirit of teamwork, individual schools shall submit a plan to the local school district to be approved before the beginning of each school year beginning July 1, 2008. The plan shall include, but not be limited to, how all teachers, regardless of subject area, and administrators will be responsible for improving student achievement for their individual school.

(b) The State Board of Education shall develop the processes and procedures for designating schools eligible to participate in the MPBP. State assessment results, growth in student achievement at individual schools and other measures deemed appropriate in designating successful student achievement shall be used in establishing MPBP criteria.

(5) (a) If funds are available for that purpose, each school in Mississippi shall have mentor teachers, as defined by Sections 37-9-201 through 37-9-213, who shall receive additional base compensation provided for by the State Legislature in the amount of One Thousand Dollars ($1,000.00) per each beginning teacher that is being mentored. The additional state compensation shall be limited to those mentor teachers that provide mentoring services to beginning teachers. For the purposes of such funding, a beginning teacher shall be defined as any teacher in any school in Mississippi that has less than one (1) year of classroom experience teaching in a public school. For the purposes of such funding, no full-time academic teacher shall mentor more than two (2) beginning teachers.

(b) To be eligible for this state funding, the individual school must have a classroom management program approved by the local school board.

(6) Effective with the 2014-2015 school year, the school districts participating in the Pilot Performance-Based Compensation System pursuant to Section 37-19-9 may award additional teacher and administrator pay based thereon.

SECTION 6. Section 25-11-123, Mississippi Code of 1972, is amended as follows:

25-11-123. All of the assets of the system shall be credited according to the purpose for which they are held to one (1) of four (4) reserves; namely, the annuity savings account, the annuity reserve, the employer's accumulation account, and the expense account.

(a) Annuity savings account. In the annuity savings account shall be accumulated the contributions made by members to provide for their annuities, including interest thereon which shall be posted monthly. Credits to and charges against the annuity savings account shall be made as follows:

(1) Beginning July 1, 2010, except as otherwise provided in Section 25-11-126, the employer shall cause to be deducted from the salary of each member on each and every payroll of the employer for each and every payroll period nine percent (9%) of earned compensation as defined in Section 25-11-103. Future contributions shall be fixed biennially by the board on the basis of the liabilities of the retirement system for the various allowances and benefits as shown by actuarial valuation; however, any member earning at a rate less than Sixteen Dollars and Sixty-seven Cents ($16.67) per month, or Two Hundred Dollars ($200.00) per year, shall contribute not less than One Dollar ($1.00) per month, or Twelve Dollars ($12.00) per year.

(2) The deductions provided in paragraph (1) of this subsection shall be made notwithstanding that the minimum compensation provided by law for any member is reduced by the deduction. Every member shall be deemed to consent and agree to the deductions made and provided for in paragraph (1) of this subsection and shall receipt for his full salary or compensation, and payment of salary or compensation less the deduction

shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by the person during the period covered by the payment, except as to the benefits provided under Articles 1 and 3. The board shall provide by rules for the methods of collection of contributions from members and the employer. The board shall have full authority to require the production of evidence necessary to verify the correctness of amounts contributed.

(b) Annuity reserve. The annuity reserve shall be the account representing the actuarial value of all annuities in force, and to it shall be charged all annuities and all benefits in lieu of annuities, payable as provided in this article. If a beneficiary retired on account of disability is restored to active service with a compensation not less than his average final compensation at the time of his last retirement, the remainder of his contributions shall be transferred from the annuity reserve to the annuity savings account and credited to his individual account therein, and the balance of his annuity reserve shall be transferred to the employer's accumulation account.

(c) Employer's accumulation account. The employer's accumulation account shall represent the accumulation of all reserves for the payment of all retirement allowances and other benefits payable from contributions made by the employer, and against this account shall be charged all retirement allowances and other benefits on account of members. Credits to and charges against the employer's accumulation account shall be made as follows:

(1) On account of each member there shall be paid monthly into the employer's accumulation account by the employers for the preceding fiscal year an amount equal to a certain percentage of the total earned compensation, as defined in Section 25-11-103, of each member. * * * From and after the effective date of this act, the increase in the employer's contribution rate scheduled to take effect on July 1, 2024, is rescinded and shall not take effect.

(2) For the public good, any recommendation by the board to adjust the employer contributions shall be accompanied by at least two (2) assessments from actuaries who are independent from each other and the retirement plan. The actuaries shall analyze the economic impact of any such recommendation to the system and state, including, but not limited to, information showing the fiscal impact to every agency and arm of the state, including, but not limited to, state agencies, cities, counties and school districts. The actuarial assessments, with any such recommendation to adjust the employer contributions, shall be submitted to the Lieutenant Governor, Speaker of the House, Chairman of the Senate Appropriations Committee and Chairman of the House Appropriations Committee.

(3) The board shall have the authority to make recommendations regarding additional funding sources for the retirement plan, including employer contribution increases, based on the assets and liabilities of the retirement plan, and the analyses required by paragraph (2) of this subsection (c). The Legislature shall have the sole authority to implement any such recommendations.

(4) This section shall not be construed to provide authority to reduce or eliminate any earned benefits to be provided by the state to persons drawing a retirement allowance or to members of the system as of the effective date of this act.

(* * *5) On the basis of regular interest and of such mortality and other tables as are adopted by the board of trustees, the actuary engaged by the board to make each valuation required by this article during the period over which the accrued liability contribution is payable, immediately after making that valuation, shall determine the uniform and constant percentage of the earnable compensation of each member which, if contributed by the employer on the basis of compensation of the member throughout his entire period of membership service, would be sufficient to provide for the payment of any retirement allowance payable on his account for that service. The percentage rate so

determined shall be known as the "normal contribution rate." After the accrued liability contribution has ceased to be payable, the normal contribution rate shall be the percentage rate of the salary of all members obtained by deducting from the total liabilities on account of membership service the amount in the employer's accumulation account, and dividing the remainder by one percent (1%) of the present value of the prospective future salaries of all members as computed on the basis of the mortality and service tables adopted by the board of trustees and regular interest. The normal rate of contributions shall be determined by the actuary after each valuation.

(* * *6) The total amount payable in each year to the employer's accumulation account shall not be less than the sum of the percentage rate known as the "normal contribution rate" and the "accrued liability contribution rate" of the total compensation earnable by all members during the preceding year, provided that the payment by the employer shall be sufficient, when combined with the amounts in the account, to provide the allowances and other benefits chargeable to this account during the year then current.

(* * *7) The accrued liability contribution shall be discontinued as soon as the accumulated balance in the employer's accumulation account shall equal the present value, computed on the basis of the normal contribution rate then in force, or the prospective normal contributions to be received on account of all persons who are at that time members.

(* * *8) All allowances and benefits in lieu thereof, with the exception of those payable on account of members who receive no prior service credit, payable from contributions of the employer, shall be paid from the employer's accumulation account.

(* * *9) Upon the retirement of a member, an amount equal to his retirement allowance shall be transferred from the employer's accumulation account to the annuity reserve.

(* * *10) The employer's accumulation account shall be credited with any assets authorized by law to be credited to the account.

(d) Expense account. The expense account shall be the account to which the expenses of the administration of the system shall be charged, exclusive of amounts payable as retirement allowances and as other benefits provided herein. The Legislature shall make annual appropriations in amounts sufficient to administer the system, which shall be credited to this account. There shall be transferred to the State Treasury from this account, not less than once per month, an amount sufficient for payment of the estimated expenses of the system for the succeeding thirty (30) days. Any interest earned on the expense account shall accrue to the benefit of the system. However, notwithstanding the provisions of Sections 25-11-15(10) and 25-11-105(f)(v)5, all expenses of the administration of the system shall be paid from the interest earnings, provided the interest earnings are in excess of the actuarial interest assumption as determined by the board, and provided the present cost of the administrative expense fee of two percent (2%) of the contributions reported by the political subdivisions and instrumentalities shall be reduced to one percent (1%) from and after July 1, 1983, through June 30, 1984, and shall be eliminated thereafter.

(e) Collection of contributions. The employer shall cause to be deducted on each and every payroll of a member for each and every payroll period, beginning subsequent to January 31, 1953, the contributions payable by the member as provided in Articles 1 and 3.

The employer shall make deductions from salaries of employees as provided in Articles 1 and 3 and shall transmit monthly, or at such time as the board of trustees designates, the amount specified to be deducted to the Executive Director of the Public

Employees' Retirement System. The executive director, after making a record of all those receipts, shall deposit such amounts as provided by law.

(f) (1) Upon the basis of each actuarial valuation provided herein, the board of trustees shall biennially determine the normal contribution rate and the accrued liability contribution rate as provided in this section. The sum of these two (2) rates shall be known as the "employer's contribution rate." The percentage rate of those contributions shall be fixed biennially by the board on the basis of the liabilities of the retirement system for the various allowances and benefits as shown by actuarial valuation.

(2) The amount payable by the employer on account of normal and accrued liability contributions shall be determined by applying the employer's contribution rate to the amount of compensation earned by employees who are members of the system. Monthly, or at such time as the board of trustees designates, each department or agency shall compute the amount of the employer's contribution payable, with respect to the salaries of its employees who are members of the system, and shall cause that amount to be paid to the board of trustees from the personal service allotment of the amount appropriated for the operation of the department or agency, or from funds otherwise available to the agency, for the payment of salaries to its employees.

(3) Except as otherwise provided in Section 25-11-106:

(i) Constables shall pay employer and employee contributions on their net fee income as well as the employee contributions on all direct treasury or county payroll income.

(ii) The county shall be responsible for the employer contribution on all direct treasury or county payroll income of constables.

(4) Except as otherwise provided in Section 25-11-106.1, chancery and circuit clerks shall be responsible for both the employer and employee share of contributions on the proportionate share of net income attributable to fees, as well as the employee share of net income attributable to direct treasury or county payroll income, and the employing county shall be responsible for the employer contributions on the net income attributable to direct treasury or county payroll income.

(5) Once each year, under procedures established by the system, each employer shall submit to the Public Employees' Retirement System a copy of their report to Social Security of all employees' earnings.

(6) The board shall provide by rules for the methods of collection of contributions of employers and members. The amounts determined due by an agency to the various funds as specified in Articles 1 and 3 are made obligations of the agency to the board and shall be paid as provided herein. Failure to deduct those contributions shall not relieve the employee and employer from liability thereof. Delinquent employee contributions and any accrued interest shall be the obligation of the employee and delinquent employer contributions and any accrued interest shall be the obligation of the employer. The employer may, in its discretion, elect to pay any or all of the interest on delinquent employee contributions. From and after July 1, 1996, under rules and regulations established by the board, all employers are authorized and shall transfer all funds due to the Public Employees' Retirement System electronically and shall transmit any wage or other reports by computerized reporting systems.

SECTION 7. Section 25-11-105, Mississippi Code of 1972, is brought forward as follows:

25-11-105. I. THOSE WHO ARE ELIGIBLE FOR MEMBERSHIP

The membership of this retirement system shall be composed as follows:

(a) (i) All persons who become employees in the state service after January 31, 1953, and whose wages are subject to payroll taxes and are lawfully reported on IRS Form W-2, except those specifically excluded, or as to whom election is provided in Articles 1 and 3, shall become members of the retirement system as a condition of their employment.

(ii) From and after July 1, 2002, any individual who is employed by a governmental entity to perform professional services shall become a member of the system if the individual is paid regular periodic compensation for those services that is subject to payroll taxes, is provided all other employee benefits and meets the membership criteria established by the regulations adopted by the board of trustees that apply to all other members of the system; however, any active member employed in such a position on July 1, 2002, will continue to be an active member for as long as they are employed in any such position.

(b) All persons who become employees in the state service after January 31, 1953, except those specifically excluded or as to whom election is provided in Articles 1 and 3, unless they file with the board before the lapse of sixty (60) days of employment or sixty (60) days after the effective date of the cited articles, whichever is later, on a form prescribed by the board, a notice of election not to be covered by the membership of the retirement system and a duly executed waiver of all present and prospective benefits that would otherwise inure to them on account of their participation in the system, shall become members of the retirement system; however, no credit for prior service will be granted to members who became members of the system before July 1, 2007, until they have contributed to Article 3 of the retirement system for a minimum period of at least four (4) years, or to members who became members of the system on or after July 1, 2007, until they have contributed to Article 3 of the retirement system for a minimum period of at least eight (8) years. Those members shall receive credit for services performed before January 1, 1953, in employment now covered by Article 3, but no credit shall be granted for retroactive services between January 1, 1953, and the date of their entry into the retirement system, unless the employee pays into the retirement system both the employer's and the employee's contributions on wages paid him during the period from January 31, 1953, to the date of his becoming a contributing member, together with interest at the rate determined by the board of trustees. Members reentering after withdrawal from service shall qualify for prior service under the provisions of Section 25-11-117. From and after July 1, 1998, upon eligibility as noted above, the member may receive credit for such retroactive service provided:

(i) The member shall furnish proof satisfactory to the board of trustees of certification of that service from the covered employer where the services were performed; and

(ii) The member shall pay to the retirement system on the date he or she is eligible for that credit or at any time thereafter before the date of retirement the actuarial cost for each year of that creditable service. The provisions of this subparagraph (ii) shall be subject to the limitations of Section 415 of the Internal Revenue Code and regulations promulgated under Section 415.

Nothing contained in this paragraph (b) shall be construed to limit the authority of the board to allow the correction of reporting errors or omissions based on the payment of the employee and employer contributions plus applicable interest.

(c) All persons who become employees in the state service after January 31, 1953, and who are eligible for membership in any other retirement system shall become members of this retirement system as a condition of their employment, unless they elect at the time of their employment to become a member of that other system.

(d) All persons who are employees in the state service on January 31, 1953, and who are members of any nonfunded retirement system operated by the State of Mississippi, or any of its departments or agencies, shall become members of this system with prior service credit unless, before February 1, 1953, they file a written notice with the board of trustees that they do not elect to become members.

(e) All persons who are employees in the state service on January 31, 1953, and who under existing laws are members of any fund operated for the retirement of employees by the State of Mississippi, or any of its departments or agencies, shall not be entitled to membership in this retirement system unless, before February 1, 1953, any such person indicates by a notice filed with the board, on a form prescribed by the board, his individual election and choice to participate in this system, but no such person shall receive prior service credit unless he becomes a member on or before February 1, 1953.

(f) Each political subdivision of the state and each instrumentality of the state or a political subdivision, or both, is authorized to submit, for approval by the board of trustees, a plan for extending the benefits of this article to employees of any such political subdivision or instrumentality. Each such plan or any amendment to the plan for extending benefits thereof shall be approved by the board of trustees if it finds that the plan, or the plan as amended, is in conformity with such requirements as are provided in Articles 1 and 3; however, upon approval of the plan or any such plan previously approved by the board of trustees, the approved plan shall not be subject to cancellation or termination by the political subdivision or instrumentality. No such plan shall be approved unless:

(i) It provides that all services that constitute employment as defined in Section 25-11-5 and are performed in the employ of the political subdivision or instrumentality, by any employees thereof, shall be covered by the plan, with the exception of municipal employees who are already covered by existing retirement plans; however, those employees in this class may elect to come under the provisions of this article;

(ii) It specifies the source or sources from which the funds necessary to make the payments required by paragraph (d) of Section 25-11-123 and of paragraph (f)(v)2 and 3 of this section are expected to be derived and contains reasonable assurance that those sources will be adequate for that purpose;

(iii) It provides for such methods of administration of the plan by the political subdivision or instrumentality as are found by the board of trustees to be necessary for the proper and efficient administration thereof;

(iv) It provides that the political subdivision or instrumentality will make such reports, in such form and containing such information, as the board of trustees may from time to time require;

(v) It authorizes the board of trustees to terminate the plan in its entirety in the discretion of the board if it finds that there has been a failure to comply substantially with any provision contained in the plan, the termination to take effect at the expiration of such notice and on such conditions as may be provided by regulations of the board and as may be consistent with applicable federal law.

1. The board of trustees shall not finally refuse to approve a plan submitted under paragraph (f), and shall not terminate an approved plan without reasonable notice and opportunity for hearing to each political subdivision or instrumentality affected by the board's decision. The board's decision in any such case shall be final, conclusive and binding unless an appeal is taken by the political subdivision or instrumentality aggrieved by the decision to the Circuit Court of the First Judicial District of Hinds County, Mississippi, in accordance with the provisions of law with respect to civil causes by certiorari.

2. Each political subdivision or instrumentality as to which a plan has been approved under this section shall pay into the contribution fund, with respect to wages (as defined in Section 25-11-5), at such time or times as the board of trustees may by regulation prescribe, contributions in the amounts and at the rates specified in the applicable agreement entered into by the board.

3. Every political subdivision or instrumentality required to make payments under paragraph (f)(v)2 of this section is authorized, in consideration of the employees' retention in or entry upon employment after enactment of Articles 1 and 3, to impose upon its employees, as to services that are covered by an approved plan, a contribution with respect to wages (as defined in Section 25-11-5) not exceeding the amount provided in Section 25-11-123(d) if those services constituted employment within the meaning of Articles 1 and 3, and to deduct the amount of the contribution from the wages as and when paid. Contributions so collected shall be paid into the contribution fund as partial discharge of the liability of the political subdivisions or instrumentalities under paragraph (f)(v)2 of this section. Failure to deduct the contribution shall not relieve the employee or employer of liability for the contribution.

4. Any state agency, school, political subdivision, instrumentality or any employer that is required to submit contribution payments or wage reports under any section of this chapter shall be assessed interest on delinquent payments or wage reports as determined by the board of trustees in accordance with rules and regulations adopted by the board and delinquent payments, assessed interest and any other amount certified by the board as owed by an employer, may be recovered by action in a court of competent jurisdiction against the reporting agency liable therefor or may, upon due certification of delinquency and at the request of the board of trustees, be deducted from any other monies payable to the reporting agency by any department or agency of the state.

5. Each political subdivision of the state and each instrumentality of the state or a political subdivision or subdivisions that submit a plan for approval of the board, as provided in this section, shall reimburse the board for coverage into the expense account, its pro rata share of the total expense of administering Articles 1 and 3 as provided by regulations of the board.

(g) The board may, in its discretion, deny the right of membership in this system to any class of employees whose compensation is only partly paid by the state or who are occupying positions on a part-time or intermittent basis. The board may, in its discretion, make optional with employees in any such classes their individual entrance into this system.

(h) An employee whose membership in this system is contingent on his own election, and who elects not to become a member, may thereafter apply for and be admitted to membership; but no such employee shall receive prior service credit unless he becomes a member before July 1, 1953, except as provided in paragraph (b).

(i) If any member of this system changes his employment to any agency of the state having an actuarially funded retirement system, the board of trustees may authorize the transfer of the member's creditable service and of the present value of the member's employer's accumulation account and of the present value of the member's accumulated membership contributions to that other system, provided that the employee agrees to the transfer of his accumulated membership contributions and provided that the other system is authorized to receive and agrees to make the transfer.

If any member of any other actuarially funded system maintained by an agency of the state changes his employment to an agency covered by this system, the board of trustees may authorize the receipt of the transfer of the member's creditable service and of the present value of the member's employer's accumulation account and of the present value of the member's accumulated membership contributions from the other system,

provided that the employee agrees to the transfer of his accumulated membership contributions to this system and provided that the other system is authorized and agrees to make the transfer.

(j) Wherever state employment is referred to in this section, it includes joint employment by state and federal agencies of all kinds.

(k) Employees of a political subdivision or instrumentality who were employed by the political subdivision or instrumentality before an agreement between the entity and the Public Employees' Retirement System to extend the benefits of this article to its employees, and which agreement provides for the establishment of retroactive service credit, and who became members of the retirement system before July 1, 2007, and have remained contributors to the retirement system for four (4) years, or who became members of the retirement system on or after July 1, 2007, and have remained contributors to the retirement system for eight (8) years, may receive credit for that retroactive service with the political subdivision or instrumentality, provided that the employee and/or employer, as provided under the terms of the modification of the joinder agreement in allowing that coverage, pay into the retirement system the employer's and employee's contributions on wages paid the member during the previous employment, together with interest or actuarial cost as determined by the board covering the period from the date the service was rendered until the payment for the credit for the service was made. Those wages shall be verified by the Social Security Administration or employer payroll records. Effective July 1, 1998, upon eligibility as noted above, a member may receive credit for that retroactive service with the political subdivision or instrumentality provided:

(i) The member shall furnish proof satisfactory to the board of trustees of certification of those services from the political subdivision or instrumentality where the services were rendered or verification by the Social Security Administration; and

(ii) The member shall pay to the retirement system on the date he or she is eligible for that credit or at any time thereafter before the date of retirement the actuarial cost for each year of that creditable service. The provisions of this subparagraph (ii) shall be subject to the limitations of Section 415 of the Internal Revenue Code and regulations promulgated under Section 415.

Nothing contained in this paragraph (k) shall be construed to limit the authority of the board to allow the correction of reporting errors or omissions based on the payment of employee and employer contributions plus applicable interest. Payment for that time shall be made beginning with the most recent service. Upon the payment of all or part of the required contributions, plus interest or the actuarial cost as provided above, the member shall receive credit for the period of creditable service for which full payment has been made to the retirement system.

(l) Through June 30, 1998, any state service eligible for retroactive service credit, no part of which has ever been reported, and requiring the payment of employee and employer contributions plus interest, or, from and after July 1, 1998, any state service eligible for retroactive service credit, no part of which has ever been reported to the retirement system, and requiring the payment of the actuarial cost for that creditable service, may, at the member's option, be purchased in quarterly increments as provided above at the time that its purchase is otherwise allowed.

(m) All rights to purchase retroactive service credit or repay a refund as provided in Section 25-11-101 et seq. shall terminate upon retirement.

II. THOSE WHO ARE NOT ELIGIBLE FOR MEMBERSHIP

The following classes of employees and officers shall not become members of this retirement system, any other provisions of Articles 1 and 3 to the contrary notwithstanding:

(a) Patient or inmate help in state charitable, penal or correctional institutions;

(b) Students of any state educational institution employed by any agency of the state for temporary, part-time or intermittent work;

(c) Participants of Comprehensive Employment and Training Act of 1973 (CETA) being Public Law 93-203, who enroll on or after July l, 1979;

(d) From and after July 1, 2002, individuals who are employed by a governmental entity to perform professional service on less than a full-time basis who do not meet the criteria established in I(a)(ii) of this section.

III. TERMINATION OF MEMBERSHIP

Membership in this system shall cease by a member withdrawing his accumulated contributions, or by a member withdrawing from active service with a retirement allowance, or by a member's death.

SECTION 8. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTIONS 25-11-5 AND 25-11-103, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "INSTRUMENTALITY" FOR THE PURPOSE OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM LAWS AND INCLUDE HEALTH CARE COLLABORATIVES IN THE DEFINITION; TO AMEND SECTION 25-11-127, MISSISSIPPI CODE OF 1972, TO EXEMPT CERTAIN PEOPLE EMPLOYED BY OR PAID FOR ANY SERVICE BY A HEALTH CARE COLLABORATIVE OR OTHER ORGANIZATION; TO CONFORM TO NEW SECTION 25-11-126; TO CREATE NEW SECTION 25-11-126, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS WHO HAVE AT LEAST 30 YEARS OF CREDITABLE SERVICE IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM, WHO WERE EMPLOYED AS PUBLIC SCHOOL TEACHERS AT THE TIME OF THEIR RETIREMENT AND WHO HAVE BEEN RETIRED AT LEAST 90 DAYS AND RECEIVING A RETIREMENT ALLOWANCE, MAY BE EMPLOYED AS TEACHERS IN CERTAIN PUBLIC SCHOOL DISTRICTS AFTER THEIR RETIREMENT AND RECEIVE A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM DURING THEIR EMPLOYMENT AS TEACHERS IN ADDITION TO A SET SALARY; TO PROVIDE THAT SUCH RETIRED TEACHERS SHALL BE ELIGIBLE TO RETURN TO TEACHING AND CONTINUE TO RECEIVE A RETIREMENT BENEFIT FOR A TOTAL OF FIVE YEARS; TO STIPULATE THE AMOUNT TO BE PAID BY SCHOOL DISTRICTS, WHICH AVAIL THEMSELVES OF REEMPLOYING RETIRED TEACHERS TO PERS; TO PROVIDE THAT ANY TIME WORKED BY A RETIRED TEACHER IN A SCHOOL DISTRICT THAT IS LESS THAN A FULL CONTRACTUAL TERM OF TRADITIONAL TEACHERS SHALL CONSTITUTE ONE OF THE FIVE YEARS OF POST-RETIREMENT TEACHING ELIGIBILITY AND THE SALARY AUTHORIZED FOR SUCH INDIVIDUAL SHALL BE PRORATED FOR ANY TIME WORKED LESS THAN A FULL ACADEMIC YEAR; TO PROVIDE THAT A RETIRED TEACHER SHALL NOT BE RESTRICTED TO TEACHING IN ONE SCHOOL DISTRICT FOR HIS OR HER PERIOD OF POST-RETIREMENT TEACHING ELIGIBILITY; TO PROVIDE THAT SCHOOL DISTRICTS MAY EMPLOY RETIRED TEACHERS BASED ON CERTAIN CRITICAL TEACHER SHORTAGE CRITERIA DEVELOPED BY THE DEPARTMENT OF EDUCATION; TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE SALARY FOR RETIRED

TEACHERS RETURNING TO THE CLASSROOM; TO ALLOW RETIRED TEACHERS WHO HAD RECEIVED NATIONAL BOARD CERTIFICATION PRIOR TO RETIREMENT TO CONTINUE RECEIVING THE ANNUAL SUPPLEMENT FOR SUCH CERTIFICATION; TO AMEND SECTIONS 25-11-123, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO PROVIDE THAT THE INCREASE IN THE EMPLOYER'S CONTRIBUTION RATE THAT IS SCHEDULED TO TAKE EFFECT ON JULY 1, 2024, IS RESCINDED AND SHALL NOT TAKE EFFECT; TO REQUIRE THAT ANY RECOMMENDATION BY THE BOARD TO ADJUST EMPLOYER CONTRIBUTIONS BE ACCOMPANIED BY AT LEAST TWO INDEPENDENT ACTUARIAL ASSESSMENTS; TO ALLOW THE BOARD TO MAKE RECOMMENDATIONS REGARDING ADDITIONAL FUNDING SOURCES FOR THE RETIREMENT PLAN, INCLUDING EMPLOYER CONTRIBUTION INCREASES, BASED ON THE PLAN'S ASSETS AND LIABILITIES, AND THE REQUIRED ACTUARIAL ASSESSMENTS; TO RESERVE TO THE LEGISLATURE THE AUTHORITY TO IMPLEMENT SUCH RECOMMENDATIONS; TO SPECIFY THAT THE SECTION SHALL NOT BE CONSTRUED TO PROVIDE AUTHORITY TO REDUCE OR ELIMINATE ANY EARNED BENEFITS PROVIDED BY THE STATE TO CURRENT RETIREES OR CURRENT MEMBERS OF THE RETIREMENT SYSTEM; TO BRING FORWARD SECTION 25-11-105, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senators Bryan and Simmons D. T. (12th) offered the following AMENDMENT NO. 1 TO SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

AMEND by inserting before the period on line 1081 the following language:

, provided that the Legislature appropriates Two Hundred Fifty Million Dollars ($250,000,000.00) to the system this year

FURTHER, AMEND by inserting after the period on line 1081 the following language:

Notwithstanding any other provision in this section, in any year in which the Legislature does not appropriate Two Hundred Fifty Million Dollars ($250,000,000.00) to the system, the board shall retain its authority to increase the employer's contribution rate.

Amendment No. 1 to substitute for Committee Amendment No. 1 to H. B. No. 1618 failed.

Substitute for Committee Amendment No. 1 to H. B. No. 1618 was adopted.

YEAS AND NAYS On H. B. No. 1618. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackmon, Blackwell, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Johnson, Jordan, Kirby, McCaughn, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Simmons S. (13th), Sparks, Suber, Thompson, Whaley, Wiggins, Williams, Younger. Total--38.

Nays--Blount, Bryan, Chism, Ladner, Norwood, Seymour, Thomas. Total--7.

Absent and those not voting--Frazier, Jackson, McLendon, Simmons D. T. (12th), Turner-Ford. Total--5.

Senator Tate, who would have voted yea on H. B. No. 1618, announced a pair with Senator Barrett, who would have voted nay.

Senator Harkins called up the following entitled bill:

H. B. No. 1617: County industrial development authorities certain; revise certain provisions regarding.

YEAS AND NAYS On H. B. No. 1617. On motion of Senator Younger, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator DeBar called up the following House Amendment to **S. B. No. 2332** and moved that the Senate decline to concur, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This following shall be codified as Section 37-151-201, Mississippi Code of 1972:

37-151-201. This chapter shall be known and may be cited as the "Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) Act of 2024."

SECTION 2. The following shall be codified as Section 37-151-203, Mississippi Code of 1972:

37-151-203. The following words and phrases have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Average daily membership" or "ADM" means the figure that results when the total aggregate student enrollment of a school district or charter school during the period counted is divided by the number of days during the period counted upon which both teachers and students are in regular attendance for scheduled classroom instruction for not less than sixty percent (60%) of the normal school day. However, if a local school board or the governing board of a charter school adopts a class schedule that operates throughout the year for any or all schools in the district or the charter school, average daily membership must be computed by the State Department of Education so that the resulting average daily membership will not be higher or lower than if the local school board or the governing board had not adopted a year-round schedule.

(b) "Base amount" or "student base amount" means the student base funding level that is established in the funding formula as the estimated cost of educating a student with no additional measured needs or special factors.

(c) "Career and technical education course" or "CTE course" means a credit-bearing course that has been approved and classified by the department as a career and technical education, or CTE, course.

(d) "Charter school" means a public school that is established and operating under the terms of a charter contract pursuant to Chapter 28, Title 37, Mississippi Code of 1972.

(e) "Department" means the State Department of Education.

(f) "English Language Learner" or "ELL" means a student identified in accordance with federal law as entitled to English as a second language or bilingual services on the basis of the student's English language proficiency.

(g) "Final weighted enrollment" means the final product of applying weights to the average daily membership of a school district or charter school after accounting for the sparsity of a school district or charter school, as determined in Section 37-151-209.

(h) "Gifted student" means a student identified as eligible to participate in a gifted education program for the instruction of intellectually or academically gifted children, as defined and provided for in Sections 37-23-171 through 37-23-181.

(i) "Local contribution" means the amount of local tax money that school districts or charter schools must contribute to the cost of the funding formula for their district or charter school in a given fiscal year, as determined under Section 37-151-217.

(j) "Local minimum tax effort" means the amount in taxes that the local levying authority for each school district must raise on behalf of the school districts and charter schools in its geographic boundaries, as determined under Section 37-151-217.

(k) "Low income student" means a student who has been identified by the department, through direct certification, as a homeless, foster, runaway or migrant student, or a student who is participating in, or belonging to a household that is participating in, a means-tested program, including, but not limited to, direct family certification of income-based eligibility for free lunch under the National School Lunch Program, Head Start, Medicaid, the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), or Food Distribution Program on Indian Reservations (FDPIR).

(l) "Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE)," "funding formula," or "formula" means the formula used to determine annual operating funding for public schools on a per student basis, as prescribed in this chapter.

(m) "Preliminary weighted enrollment" means the initial product of applying weights to the average daily membership of a school district or charter school, as determined in Section 37-151-209.

(n) "School board" means a governmental board exercising management and control over a school district and the schools of that district pursuant to the Mississippi Constitution of 1890 and state statutes.

(o) "School district" or "district" means a governmental entity that establishes and supervises one or more public schools within its geographical limits pursuant to state statutes.

(p) "Sparsely populated district or charter school" means a school district or charter school with a density of less than eight (8) students per square mile, as determined

by dividing the average daily membership of a district or charter school by the square mileage within its geographic boundaries. For the purpose of determining the sparsity of a charter school, the square mileage of a charter school is equivalent to the square mileage within the geographic boundaries of the school district in which the charter school is located.

(q) "Special education program" means a program that provides services for exceptional children, as defined and authorized by Chapter 23, Title 37, Mississippi Code of 1972.

(r) "State share" means the amount the state contributes to the funding formula for the annual operating funding of each school district or charter school.

(s) "Superintendent" means the administrative head of a school district.

(t) "Uniform funding formula funds," "formula funding" or "formula funds" means all funds, both state and local, constituting the requirements for meeting the cost of the formula as established pursuant to this chapter.

(u) "Weight" or "weighting" means a multiplier used to adjust the preliminary weighted enrollment and final weighted enrollment to support the additional costs of educating students in defined student populations or in a defined geographic context.

SECTION 3. The following shall be codified as Section 37-151-205, Mississippi Code of 1972:

37-151-205. (1) Beginning with the 2025 fiscal year, the annual computation of the total amount of operational funding, both state and local, for the cost of educating students enrolled in the public schools in the State of Mississippi is determined in accordance with Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) established under this chapter.

(2) The annual amount of funding for the operation of each school district and charter school under INSPIRE is determined by multiplying the student base amount, as determined under Section 37-151-207, by the final weighted enrollment of the school district or charter school, as determined under Section 37-151-209.

SECTION 4. The following shall be codified as Section 37-151-207, Mississippi Code of 1972:

37-151-207. Beginning with the 2025 fiscal year, the student base amount shall not be less than Six Thousand Six Hundred Fifty Dollars ($6,650.00) per student. Upon the expiration of all hold harmless provisions granted to certain school districts under Section 37-151-223, the base student cost shall be adjusted annually at a rate of twenty percent (20%) multiplied by the consumer price index (CPI) beginning in fiscal year 2028. The calculation shall be performed annually by the Legislative Budget Office, and the resulting amount shall replace the previous year's base student cost.

SECTION 5. The following shall be codified as Section 37-151-209, Mississippi Code of 1972:

37-151-209. (1) The preliminary weighted enrollment of each school district and charter school under Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) is determined by applying the weights prescribed in this section, none of which is mutually exclusive of another, to each applicable student counted in the school district or charter school's average daily membership, as determined by Section 37-151-111.

(2) A weight of thirty percent (30%) is applied to each student identified as low income, as defined in Section 37-151-203: the total number of students identified in this subsection is multiplied by thirty one-hundredths (30/100).

(3) A weight of twenty percent (20%) is applied to each student identified as an English Language Learner, as defined in Section 37-151-203: the total number of students identified in this subsection is multiplied by twenty one-hundredths (20/100).

(4) The following weights are applied to students who are identified as entitled to and receiving services in a special education program:

(a) Tier I: A weight of sixty percent (60%) is applied to each student diagnosed with a specific learning disability, speech and language impairment, or developmental delay: the total number of students identified in this paragraph is multiplied by sixty one-hundredths (60/100).

(b) Tier II: A weight of one hundred twenty-five percent (125%) is applied to each student diagnosed with autism, hearing impairment, emotional disability, orthopedic impairment, intellectual disability, or other health impairment: the total number of students identified in this paragraph is multiplied by one hundred twenty-five one-hundredths (125/100).

(c) Tier III: A weight of one hundred seventy percent (170%) is applied to each student diagnosed with visual impairment, deaf-blindness, multiple disabilities, or traumatic brain injury: the total number of students identified in this paragraph is multiplied by one hundred seventy one-hundredths (170/100).

For the purpose of student counts, a student entitled to and receiving special education services may not be included under more than one (1) tier prescribed in paragraphs (a), (b) and (c) of this subsection. A student having multiple diagnoses must be counted under the highest tier applicable to that student.

(5) A weight of five percent (5%) is applied to five percent (5%) of a school district or charter school's average daily membership for the purpose of providing gifted education, regardless of the number of students in a school district or charter school that have been identified as gifted students: the total number of students in average daily membership in a school district or charter school, as determined by Section 37-151-111, is multiplied by five one-hundredths (5/100), which is again multiplied by five one-hundredths (5/100).

(6) A weight of ten percent (10%) is applied to each student enrolled in a career and technical education course, as defined in Section 37-151-203. A student enrolled in multiple career and technical education courses is counted once. The total number of students identified in this subsection is multiplied by ten one-hundredths (10/100).

(7) In each school district or charter school where the number of students identified as low income, as defined in Section 37-151-203, exceeds thirty-five percent (35%) of the school district or charter school's average daily membership, a weight of ten percent (10%) is applied only to the number of low income students in excess of the number of low income students which constitute thirty-five percent (35%) of average daily membership. The number of students eligible for this weight is calculated by subtracting the number of students equivalent to thirty-five percent (35%) of the average daily membership of that school district or charter school from the total number of students in that school district or charter school identified as low income: if the total number of students identified in subsection (2) exceeds thirty-five percent (35%) of the school district or charter school's total average daily membership, as determined in Section 37-151-111, the difference between the total number of students identified in subsection (2) and thirty-five percent (35%) of the school district or charter school's total average daily membership is multiplied by ten one-hundredths (10/100).

(8) The final weighted enrollment of each school district and charter school under INSPIRE is determined as follows:

(a) The final weighted enrollment for each school district or charter school that is not classified as a sparsely populated district or charter school, as defined in Section 37-151-203, is equivalent to the preliminary weighted enrollment of that school district or charter school, as determined in subsections (1) through (7) of this section: the State Department of Education shall add to the school district or charter school's average daily membership, as determined under Section 37-151-111, each of the additional figures calculated in accordance with subsections (2) through (7), and this total is the final weighted enrollment.

(b) The final weighted enrollment for each sparsely populated district or charter school, as defined in Section 37-151-203, is determined by multiplying the sparsity weight by the preliminary weighted enrollment, as determined in subsections (1) through (7) of this section, and then adding that figure to the preliminary weighted enrollment. To calculate the final weighted enrollment, the State Department of Education shall add to the school district or charter school's average daily membership, as determined under Section 37-151-111, each of the additional figures calculated in accordance with subsections (2) through (7) to determine the preliminary weighted enrollment, multiply this figure by the sparsity weight as determined below, and add this resulting number to the preliminary weighted enrollment to find the final weighted enrollment. To calculate the sparsity weight, the State Department of Education shall find the difference between the number of students per square mile in that district or charter school and a sparsity threshold of eight (8) students per square mile, and then shall divide the resulting figure by one hundred (100) to create a percentage: for example, if the number of students per square mile in a district is three (3), the difference is five (5) (eight (8) minus three (3)), and the sparsity weight is five percent (5%), or five one-hundredths (5/100).

SECTION 6. The following shall be codified as Section 37-151-211, Mississippi Code of 1972:

37-151-211. (1) A school district or charter school's average daily membership for the purposes of calculating the cost of Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) must be based on the number of students projected to be in enrollment in Mississippi public schools during the fiscal year for which an appropriation is made. The average daily membership of a school district or charter school for use in the funding formula must be computed and currently maintained by the State Board of Education in accordance with the following:

(a) Determination of school district average daily membership for use in the funding formula. Effective with fiscal year 2025, the State Department of Education shall determine the percentage change from the prior year of each school district's average of months two (2) and three (3) average daily membership (ADM) for the three (3) immediately preceding school years of the year for which funds are being appropriated. For any school district that experiences growth in the average of months two (2) and three (3) ADM each year of the three (3) years, the average percentage growth over the three-year period must be multiplied times the school district's average of months two (2) and three (3) ADM for the year immediately preceding the year for which formula funds are being appropriated. The resulting amount must be added to the school district's average of months two (2) and three (3) ADM for the year immediately preceding the year for which formula funds are being appropriated to arrive at the ADM to be used in determining a school district's funding formula allocation. Otherwise, months two (2) and three (3) ADM for the year immediately preceding the year for which formula funds are being appropriated will be used in determining a school district's funding formula allocation.

(b) Determination of charter school average daily membership for use in the funding formula. Effective with fiscal year 2025, the department shall base a charter school's average daily membership (ADM) on the enrollment projections for the relevant year set forth over the term of the charter contract.

(c) The average daily membership of a school district used for funding formula calculations, as determined in paragraph (a) of this subsection, must be reconciled with the school district's average daily membership using months two (2) and three (3) for the year for which INSPIRE funds are being appropriated, and any necessary adjustments must be made to payments during the school district's following year of operation. Any necessary adjustment for a school district must be based on the state share of the per pupil amount in effect for the year for which actual average daily membership did not meet expectations and not any new amount appropriated for the year in which the adjustment will be made. Reconciliation of average daily membership for charter schools must be based on requirements set forth in Section 37-28-55.

(2) The ADM of a school district or charter school must include any student enrolled in a dual enrollment-dual credit program as defined and provided for in Section 37-15-38. The State Department of Education shall make payments for dual enrollment-dual credit programs to the home school district or charter school in which the student is enrolled, in accordance with regulations promulgated by the State Board of Education. All state funding under the formula must cease upon completion of high school graduation requirements.

(3) The State Board of Education shall promulgate such rules and regulations as may be necessary for the counting and reporting of student enrollment by school districts and charter schools to the department in a manner that enables the provisions of this chapter to be carried out. The rules and regulations must require school districts and charter schools to submit data that includes, at a minimum, numbers for the specific student populations that are subject to weighting under the INSPIRE as well as the aggregate amount of students in enrollment when each calculation is made. For the first year of operation of a charter school, the State Board of Education shall use imputed student demographic data based on the traditional district in which the charter school is located to estimate student populations that are subject to weighting under INSPIRE.

SECTION 7. The following shall be codified as Section 37-151-213, Mississippi Code of 1972:

37-151-213. (1) As soon as practical following the effective date of this act, but no later than January 1, 2026, and each year thereafter, the department shall review the disability tiers established under this chapter to ensure that the various diagnoses and weightings are matched and classified appropriately. The department shall verify that the distribution of weights meets the Maintenance of Effort (MOE) requirements of the Individuals with Disabilities Education Act (IDEA) and that the total funding by the state dedicated to special education is sufficient to meet annual MOE requirements. The department also shall determine if the diagnoses are categorized appropriately based on the average costs of educating students in the state who are in special education programs. Before September 1 of each year, the department shall submit an annual report to the Education and Appropriations Committees of the House of Representatives and Senate recommending any revisions that are necessary in order for the state to comply with federal requirements under IDEA or which may be desirable to improve the delivery and funding of special education services throughout the state. The department may include any recommendations for transitioning to service-based, or Individual Education Plan (IEP)-based, tiers for funding special education services rather than diagnosis-based tiers.

(2) Before January 1, 2027, and each year thereafter, the department shall submit a detailed report to the Education and Appropriations Committees of the House of Representatives and Senate on the status of English Language Learners in the public

schools. The report must include data demonstrating the progress that is being made through programs and services aimed at improving English language mastery in non-English-proficient students and an assessment of the sufficiency of the supplemental allocation for those programs and services, along with any recommendations for adjustments to the weight prescribed under this chapter for English Language Learners. In order to create this report, the department may require each school district and charter school to submit an annual report to the department relating to the education of English Language Learners that includes the following:

(a) The number of English Language Learners who are being provided additional supports aimed at bringing non-English-proficient students to English language mastery;

(b) A detailed description of the programs and services being provided to English Language Learners;

(c) Detailed information relating to the expenditures of each English Language Learner program and service in the school district or charter school and the source of funding (federal, state, or local) for those programs and services; and

(d) Such other information relating to the education of English Language Learners which may be required by the department in order to meet legislative requirements.

(3) Before January 1, 2027, and every four (4) years thereafter, the State Board of Education shall submit to the Legislature a report that reviews the formula and the student base amount and includes recommendations for revisions based upon considerations which may include the effects of inflation, studies of the actual costs of education in the State of Mississippi, research in education and education finance, and public comment. Any study of actual costs of education pursuant to this subsection may include, but need not be limited to, the following:

(a) The relation of funding levels to student outcomes;

(b) Maintenance of effort in specified areas of focus to promote continuity of effective practices;

(c) Improved techniques for determining specific levels of funding needed to provide adequate special education services;

(d) Improved measures of change in the cost of education; and

(e) A review of the costs associated with serving low income students and how low income students are identified.

(4) (a) The State Superintendent of Public Education is responsible for the development of the report required under subsection (3) and shall convene a working group to solicit input and recommendations regarding revisions to the formula or student base amount and to examine whether school districts qualifying for the hold harmless provisions under subsections (1) and (2) of Section 37-151-223, as well as evaluating how districts designated with "F" accountability ratings, as determined by the State Board of Education, would benefit from school district consolidation or other legislative action to increase the financial sustainability, operational efficiency, and/or educational quality in those affected school districts.

(b) The working group shall be comprised of the following thirteen (13) members:

(i) The State Superintendent of Public Education;

(ii) Three (3) individuals appointed by the State Superintendent of Public Education;

(iii) One (1) superintendent from each Congressional district who oversees a school district with a student enrollment exceeding the fiftieth percentile of statewide district enrollment, to be appointed by the State Superintendent of Public Education;

(iv) One (1) superintendent from each Congressional district who oversees a school district with a student enrollment at or below the fiftieth percentile of the statewide district enrollment, to be appointed by the State Superintendent of Public Education; and

(v) One (1) representative who is the principal or chief administrative officer of a state charter school, to be appointed by the Charter School Authorizer Board.

If any of the selected superintendents are unavailable, or otherwise chooses to do so, they may designate his or her district's chief financial officer to serve as designee on their behalf.

(c) All appointments to the working group must be made no later than thirty (30) days after the effective date of this act. After the members are appointed, the working group shall conduct its organizational meeting on or before September 1, 2024, upon the call of the State Superintendent of Public Education, who shall serve as chairperson of the group. A majority of the members of the working group shall constitute a quorum.

(d) Members of the working group shall serve without compensation but may be reimbursed, subject to the availability of funding, for mileage and actual and necessary expenses incurred in attending meetings of the working group pursuant to Section 25-3-41.

(e) The Department of Finance and Administration, State Department of Education and the Legislative Budget Office shall provide administrative support to the working group.

(f) Before December 1, 2026, the working group shall prepare and submit a report of its findings and recommendations to the Governor, Lieutenant Governor and Speaker of the House of Representatives for consideration during the 2027 Regular Session of the Legislature.

SECTION 8. The following shall be codified as Section 37-151-215, Mississippi Code of 1972:

37-151-215. Allocations to school districts or charter schools made by the State Department of Education on the basis of the count of students in student categories established for the purpose of applying various weights under this chapter are intended only to generate total appropriation amounts on a per student basis. Except as otherwise required by applicable state or federal law or by applicable rules, regulations, policies, or order of the State Board of Education and the State Department of Education, a school district or charter school may exercise full autonomy in the spending of all funds allocated under the formula to the district or charter school so long as funds are expended in the manner determined by the school board or governing board to best meet the needs of the student population of the school district or charter school.

SECTION 9. The following shall be codified as Section 37-151-217, Mississippi Code of 1972:

37-151-217. (1) (a) Before February 1 of each year, the tax assessor of each county shall file reports with the State Department of Education which provide information essential to the department in determining the local contribution that each school district or charter school is required to provide toward the cost of Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE). A separate report must be filed for each school district or part of a school district situated in the county and must include the following information:

(i) The total assessed valuation of nonexempt property for school purposes in each school district;

(ii) Assessed value of exempt property owned by homeowners aged sixty-five (65) or older or disabled, as defined in Section 27-33-67(2);

(iii) The school district's tax loss from exemptions provided to applicants under the age of sixty-five (65) and not disabled, as defined in Section 27-33-67(1); and

(iv) The school district's homestead reimbursement revenues.

(b) The State Department of Education shall prepare and make available to the tax assessor of each county a form for the reports required under subsection (1)(a).

(2) (a) The department shall use the information submitted pursuant to subsection (1) to calculate and certify to each school district the millage required to raise its minimum local tax effort, which must be the value of not less than twenty-eight (28) mills for the then current fiscal year or a millage rate equivalent to twenty-seven percent (27%) of the total INSPIRE funds for the school district, any charter schools, and any Mississippi Achievement School District Schools located in its boundaries, whichever is a lesser amount as certified to the school district by the department, upon all of the taxable property of the school district, including the following sources:

(i) One hundred percent (100%) of Grand Gulf income, as prescribed in Section 27-35-309; and

(ii) One hundred percent (100%) of any fees in lieu of taxes, as prescribed in Section 27-31-104, in accordance with Section 37-57-1.

(b) The department shall determine the local contribution of each school district or charter school based on the minimum local tax effort, as determined under paragraph (a), and shall certify this required local contribution to each school district or charter school, as follows:

(i) For school districts in which there are no charter schools, the minimum local tax effort is the required local contribution for the school district.

(ii) For school districts in which there is located one or more charter schools, the local contribution of the school district is the product of multiplying the local pro rata amount by the average daily membership of the school district. The department will calculate the local pro rata amount by dividing the school district's minimum local tax effort by the sum of the average daily membership of the school district, as determined by Section 37-151-211, and the projected enrollment of charter school students, as specified in Section 37-151-211, who reside or are estimated to reside in the district, but excluding from this projected enrollment any resident students who are projected to transfer from the district to a charter school after the calculation of the district's average daily membership, so as not to double-count those students.

(iii) For each charter school, the local contribution is the sum of the local pro rata amount for each charter school student, as determined by Section 37-151-211, based on each student's district of residence. The department will calculate a local pro rata amount for each school district in which a student projected to attend the charter school resides or is estimated to reside using the methodology in subparagraph (ii) of this paragraph (b).

(iv) In the case of an agricultural high school, the local contribution is based on an equitable amount per pupil, as determined by the State Board of Education. The State Board of Education shall set the millage requirement to generate such an amount and will certify this amount and millage requirement to agricultural high schools in the same manner as for all other school districts under this subsection.

(v) In the case of a district in which a school or schools are absorbed by the Mississippi Achievement School District but not the entire district, the local contribution of the school district is the product of multiplying the local pro rata amount by the average daily membership of the school district. The department will calculate the local pro rata amount by dividing the school district's minimum local tax effort by the sum of the average daily membership of the school district, the average daily membership of the school or schools so absorbed by the Mississippi Achievement School District, and the projected enrollment of any charter school students, as specified in Section 37-151-211, who reside or are estimated to reside in the district, but excluding from this projected enrollment any resident students who are projected to transfer from the district to a charter school after the calculation of the district's average daily membership so as not to double-count those students.

(vi) In the case of a school or schools or an entire district absorbed by the Mississippi Achievement School District, the local contribution of the school or schools or the former district is the product of multiplying the local pro rata amount, as determined by subparagraph (v) of this paragraph, by the average daily membership of the absorbed school or schools or former district.

(3) Except as otherwise provided in Section 37-151-223(1) or 37-151-219(2), the required state share in support of Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) for each school district and charter school is determined by subtracting the required local contribution, which total amount may not exceed twenty-seven percent (27%) of the total projected funding formula cost, from the total projected INSPIRE cost, as determined under this chapter, for the school district or charter school.

(4) If the school board of any school district or charter school governing board determines that it is not economically feasible or practicable to operate any school within the district or charter school for the full one hundred eighty (180) days required for the school term of a scholastic year under Section 37-13-63, due to an enemy attack, man-made, technological, or natural disaster in which the Governor has declared a disaster emergency under the laws of this state or the President of the United States has declared an emergency or major disaster to exist in this state, the school board or charter school governing board may notify the State Department of Education of the disaster and submit a plan for altering the school term. If the State Board of Education finds the disaster to be the cause of the school not operating for the contemplated school term and that the school is located in a school district covered by the Governor's or President's disaster declaration, the board may permit the schools located in that district to be operated for less than one hundred eighty (180) days and, in such case, the State Department of Education may not reduce the state share in support of the funding formula for that district or charter school because of the failure to operate those schools for one hundred eighty (180) days.

SECTION 10. The following shall be codified as Section 37-151-219, Mississippi Code of 1972:

37-151-219. (1) To qualify for state funds under this chapter, a school district may not exceed a student-teacher ratio determined in accordance with appropriate accreditation standards developed by the Mississippi Commission on School Accreditation. However, a local district may apply to the State Board of Education for approval of a waiver to this section by submitting and justifying an alternative educational program to serve the needs of enrollment. The State Board of Education must approve or disapprove of the waiver no later than forty-five (45) days after the receipt of the application.

(2) If a school district violates a required student-teacher ratio, the state share in support of the funding formula for the next succeeding fiscal year to that school district must be reduced by the percentage variance that the actual student-teacher ratios in the school district is to the required student-teacher ratios established under accreditation standards.

(3) Notwithstanding the provisions of this section, the State Board of Education may waive the student-teacher requirements upon a finding that a good faith effort is being made by a school district to comply with the ratio provision but, due to a lack of classroom space which is beyond the district's control, it is physically impossible for the district to comply, and the cost of temporary classroom space cannot be justified.

(4) If a school district meets the highest levels of performance classification, as determined by the State Board of Education in the state's accountability standards, the State Board of Education, in its discretion, may exempt the school district from the maximum student-teacher ratio required under this section.

(5) This section is not applicable to charter schools.

SECTION 11. The following shall be codified as Section 37-151-221, Mississippi Code of 1972:

37-151-221. (1) The State Department of Education shall conduct a comprehensive review of all rules, regulations, orders and policies of the department and State Board of Education to identify all process standards used in the assignment of a district's accreditation status established by rule, regulation, order or policy which create a fiscal impact on school districts to determine if such standards are critical to student success. The department shall examine those rules, regulations, orders and policies to assess whether compliance with the administrative requirements causes a fiscal impact that has the effect of earmarking state funds before those funds are allocated to a school district and forcing inefficient spending while restricting innovation by the district. The study must identify those areas in which school districts are required to follow a prescribed or assumed investment of resources rather than be held to an expected outcome. The department also shall examine any rules, regulations, orders, policies or laws that prohibit or restrict the use of state funds or the use of local funds for certain expenditures to ascertain whether those provisions are necessary or desirable under Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE). Based on the results of the review, the State Board of Education or the department shall consider making any necessary or desirable revision to any rule, regulation, order or policy deemed inconsistent with the intent of the funding formula and shall submit to the Legislature, on or before January 1, 2026, a report of any recommended legislation for statutory revisions deemed necessary or desirable by the department or board in furthering the intent of the funding formula.

(2) It is the intent of the Legislature that the performance standards and classifications of the state accountability standards reflect the goals and intentions of Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE).

SECTION 12. The following shall be codified as Section 37-151-223, Mississippi Code of 1972:

37-151-223. (1) Notwithstanding the provisions of Section 37-151-217(3) or 37-151-219(2), the state share in support of the funding formula for a school district or charter school for fiscal year 2025 may not be less than an amount equal to the sum of all state funds received by that school district or charter school for fiscal year 2024, as follows:

(a) Funds distributed under the Mississippi Adequate Education Program;

(b) Funds distributed by the State Department of Education for the purpose of paying teachers' salaries according to the teacher salary schedule prescribed in Section 37-19-7 and assistant teachers, as prescribed in Section 37-21-7 for the 2023-2024 school year; and

(c) Funds distributed by and based on average daily enrollment or the total number of students enrolled for each day in each public school district or charter school, divided by the total number of school days, and allowable to be spent on any expenditures necessary to operate a public school district or charter school, excluding salary increases for superintendents, assistant superintendents or principals.

(2) Notwithstanding any other provision of this chapter, the state share in support of the funding formula for a school district or charter school for fiscal year 2026 and fiscal year 2027 may not be less than an amount equal to ninety-seven percent (97%) of the state funds received by that school district or charter school under Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) in the immediately preceding fiscal year; however, the limitations prescribed in this subsection do not apply to the extent that any portion of such a decrease in the required state share for a school district is attributable solely to a projected change in the school district's or charter school's average daily membership in the year for which funds are being allocated.

(3) This section shall stand repealed on July 1, 2027.

SECTION 13. Section 37-57-1, Mississippi Code of 1972, is amended as follows:

37-57-1. (1) (a) The boards of supervisors of the counties shall levy and collect all taxes for and on behalf of all school districts which were within the county school system or designated as special municipal separate school districts prior to July 1, 1986. Such taxes shall be collected by the county tax collector at the same time and in the same manner as county taxes are collected by him, and the same penalties for delinquency shall be applicable.

The governing authorities of the municipalities shall levy and collect all taxes for and on behalf of all school districts which were designated as municipal separate school districts prior to July 1, 1986. Such taxes shall be collected by the municipal tax collector at the same time and in the same manner as municipal taxes are collected by him, and the same penalties for delinquency shall be applicable.

Except as otherwise provided in Section 19-9-171, the county or municipal tax collector, as the case may be, shall pay such tax collections, except for taxes collected for the payment of the principal of and interest on school bonds or notes and except for taxes collected to defray collection costs, into the school depository and report to the school board of the appropriate school district at the same time and in the same manner as the tax collector makes his payments and reports of other taxes collected by him.

* * * However, the State Board of Education shall determine the appropriate levying authority for any school district created or reorganized after July 1, 1987.

(b) For the purposes of this chapter and any other laws pertaining to taxes levied or bonds or notes issued for and on behalf of school districts, the term "levying authority" means the board of supervisors of the county or the governing authorities of the municipality, whichever levies taxes for and on behalf of the particular school district as provided in paragraphs (a) and (b) of this subsection.

(2) The levying authority for the school district shall, at the same time and in the same manner as other taxes are levied by the levying authority, levy a tax of not less than twenty-eight (28) mills for the then current fiscal year * * * or a millage rate equivalent to twenty-seven percent (27%) of the * * * total Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE), whichever is a lesser amount, as certified to the school district by the State Department of Education, upon all of the taxable property of the school district * * *. However, in no case shall the minimum local ad valorem tax effort for any school district be equal to an amount that would require a millage rate exceeding fifty-five (55) mills in that school district. * * * However, * * * if a levying authority is levying in excess of fifty-five (55) mills on July 1, 1997, the levying authority may levy an additional amount not exceeding three (3) mills in the aggregate for the period beginning July 1, 1997, and ending June 30, 2003, subject to the limitation on increased receipts from ad valorem taxes prescribed in Sections 37-57-105 and 37-57-107. Nothing in this subsection shall be construed to require any school district that is levying more than fifty-five (55) mills pursuant to Sections 37-57-1 and 37-57-105 to decrease its millage rate to fifty-five (55) mills or less. In making such levy, the levying authority shall levy an additional amount sufficient to cover anticipated delinquencies and costs of collection so that the net amount of money to be produced by such levy shall be equal to the amount which the school district is required to contribute as its * * * minimum local ad valorem tax effort. The tax so levied shall be collected by the tax collector at the same time and in the same manner as other ad valorem taxes are collected by him. The amount of taxes so collected as a result of such levy shall be paid into the district maintenance fund of the school district by the tax collector at the same time and in the same manner as reports and payments of other ad valorem taxes are made by * * * the tax collector, except that the amount collected to defray costs of collection may be paid into the county general fund. The levying authority shall have the power and authority to direct and cause warrants to be issued against such fund for the purpose of refunding any amount of taxes erroneously or illegally paid into such fund where such refund has been approved in the manner provided by law.

SECTION 14. Section 37-57-104, Mississippi Code of 1972, is amended as follows:

37-57-104. (1) Each school board shall submit to the levying authority for the school district a certified copy of an order adopted by the school board requesting an ad valorem tax effort in dollars for the support of the school district. The copy of the order shall be submitted by the school board when the copies of the school district's budget are filed with the levying authority pursuant to Section 37-61-9. Upon receipt of the school board's order requesting the ad valorem tax effort in dollars, the levying authority shall determine the millage rate necessary to generate funds equal to the dollar amount requested by the school board. For the purpose of calculating this millage rate, any additional amount that is levied pursuant to Section 37-57-105(1) to cover anticipated delinquencies and costs of collection or any amount that may be levied for the payment of the principal and interest on school bonds or notes shall be excluded from the limitation of fifty-five (55) mills provided for in subsection (2) of this section.

(2) (a) Except as otherwise provided under paragraph (b) or (c) of this subsection, if the millage rate necessary to generate funds equal to the dollar amount requested by the school board is greater than fifty-five (55) mills, and if this millage rate is higher than the millage then being levied pursuant to the school board's order requesting the ad valorem tax effort for the currently existing fiscal year, then the levying authority shall call a referendum on the question of exceeding, during the next fiscal year, the then existing millage rate being levied for school district purposes. The referendum shall be scheduled

for not more than six (6) weeks after the date on which the levying authority receives the school board's order requesting the ad valorem tax effort.

When a referendum has been called, notice of the referendum shall be published at least five (5) days per week, unless the only newspaper published in the school district is published less than five (5) days per week, for at least three (3) consecutive weeks, in at least one (1) newspaper published in the school district. The notice shall be no less than one-fourth (1/4) page in size, and the type used shall be no smaller than eighteen (18) point and surrounded by a one-fourth-inch solid black border. The notice may not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The first publication of the notice shall be made not less than twenty-one (21) days before the date fixed for the referendum, and the last publication shall be made not more than seven (7) days before that date. If no newspaper is published in the school district, then the notice shall be published in a newspaper having a general circulation in the school district. The referendum shall be held, as far as is practicable, in the same manner as other referendums and elections are held in the county or municipality. At the referendum, all registered, qualified electors of the school district may vote. The ballots used at the referendum shall have printed thereon a brief statement of the amount and purpose of the increased tax levy and the words "FOR INCREASING THE MILLAGE LEVIED FOR SCHOOL DISTRICT PURPOSES FROM (MILLAGE RATE CURRENTLY LEVIED) MILLS TO (MILLAGE RATE REQUIRED UNDER SCHOOL BOARD'S ORDER) MILLS," and "AGAINST INCREASING THE MILLAGE LEVIED FOR SCHOOL DISTRICT PURPOSES FROM (MILLAGE RATE CURRENTLY LEVIED) MILLS TO (MILLAGE RATE REQUIRED UNDER SCHOOL BOARD'S ORDER) MILLS." The voter shall vote by

(3) If the millage rate necessary to generate funds equal to the dollar amount requested by the school board is equal to fifty-five (55) mills or less, but the dollar amount requested by the school board exceeds the next preceding fiscal year's ad valorem tax effort in dollars by more than four percent (4%), but not more than seven percent (7%) (as provided for under subsection (4) of this section), then the school board shall publish notice thereof at least five (5) days per week, unless the only newspaper published in the school district is published less than five (5) days per week, for at least three (3) consecutive weeks in a newspaper published in the school district. The notice shall be no less than one-fourth (1/4) page in size, and the type used shall be no smaller than eighteen (18) point and surrounded by a one-fourth-inch solid black border. The notice may not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The first publication shall be made not less than fifteen (15) days before the final adoption of the budget by the school board. If no newspaper is published in the school district, then the notice shall be published in a newspaper having a general circulation in the school district. If at any time before the adoption of the budget a petition signed by not less than twenty percent (20%) or fifteen hundred (1500), whichever is less, of the registered, qualified electors of the school district is filed with the school board requesting that a referendum be called on the question of exceeding the next preceding fiscal year's ad valorem tax effort in dollars by more than four percent (4%), then the school board shall adopt, not later than the next regular meeting, a resolution calling a referendum to be held within the school district upon the question. The referendum shall be called and held, and notice thereof shall be given, in the same manner provided for in subsection (2) of this section. The ballot shall contain the language "FOR THE SCHOOL TAX INCREASE OVER FOUR PERCENT (4%)" and "AGAINST THE SCHOOL TAX INCREASE OVER FOUR PERCENT (4%)." If a majority of the registered, qualified electors of the school district who vote in the referendum vote in favor of the question, then the increase requested by the school board shall be approved. For the purposes of this subsection, the revenue sources excluded from the increase limitation under Section 37-57-107 also shall be excluded from the limitation described in this subsection in the same manner as they are excluded under Section 37-57-107. Provided, however, that any increases requested by the school board as a result of the required local contribution to * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE), as certified to the local school district by the State Board of Education under Section * * * 37-151-217, shall not be subject to the four percent (4%) and/or seven percent (7%) tax increase limitations provided in this section.

(4) If the millage rate necessary to generate funds equal to the dollar amount requested by the school board is equal to fifty-five (55) mills or less, but the dollar amount requested by the school board exceeds the seven percent (7%) increase limitation provided for in Section 37-57-107, the school board may exceed the seven percent (7%) increase limitation only after the school board has determined the need for additional revenues and three-fifths (3/5) of the registered, qualified electors voting in a referendum called by the levying authority have voted in favor of the increase. The notice and manner of holding the referendum shall be as prescribed in subsection (2) of this section for a referendum on the question of increasing the millage rate in school districts levying more than fifty-five (55) mills for school district purposes.

(5) The aggregate receipts from ad valorem taxes levied for school district purposes pursuant to Sections 37-57-1 and 37-57-105, excluding collection fees, additional revenue from the ad valorem tax on any newly constructed properties or any existing properties added to the tax rolls or any properties previously exempt which were not assessed in the next preceding year, and amounts received by school districts from the School Ad Valorem Tax Reduction Fund pursuant to Section 37-61-35, shall be subject to the increase limitation under this section and Section 37-57-107.

(6) The school board shall pay to the levying authority all costs that are incurred by the levying authority in the calling and holding of any election under this section.

(7) The provisions of this section shall not be construed to affect in any manner the authority of school boards to levy millage for the following purposes:

(a) The issuance of bonds, notes and certificates of indebtedness, as authorized in Sections 37-59-1 through 37-59-45 and Sections 37-59-101 through 37-59-115;

(b) The lease of property for school purposes, as authorized under the Emergency School Leasing Authority Act of 1986 (Sections 37-7-351 through 37-7-359);

(c) The lease or lease-purchase of school buildings, as authorized under Section 37-7-301;

(d) The issuance of promissory notes in the event of a shortfall of ad valorem taxes and/or revenue from local sources, as authorized under Section 27-39-333; and

(e) The construction of school buildings outside the school district, as authorized under Section 37-7-401.

Any millage levied for the purposes specified in this subsection shall be excluded from the millage limitations established under this section.

SECTION 15. Section 37-57-105, Mississippi Code of 1972, is amended as follows:

37-57-105. (1) * * * In addition to the taxes levied under Section 37-57-1, the levying authority for the school district, as defined in Section 37-57-1, upon receipt of a certified copy of an order adopted by the school board of the school district requesting an ad valorem tax effort in dollars for the support of the school district and any charter schools located in the district, shall, at the same time and in the same manner as other ad valorem taxes are levied, levy an annual ad valorem tax in the amount fixed in such order upon all of the taxable property of such school district, which shall not be less than the millage rate certified by the State Board of Education as the uniform minimum school district ad valorem tax levy required for the support of * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) in such school district under Sections 37-57-1 and 37-151-217. * * * However, * * * any school district levying less than the uniform minimum school district ad valorem tax levy on July 1, 1997, shall only be required to increase its local district maintenance levy in four (4) mill annual increments in order to attain such millage requirements. In making such levy, the levying authority shall levy an additional amount sufficient to cover anticipated delinquencies and costs of collection so that the net amount of money to be produced by such levy shall be equal to the amount which is requested by * * * the school board. The proceeds of such tax levy, excluding levies for the payment of the principal of and interest on school bonds or notes and excluding levies for costs of collection, shall be placed in the school depository to the credit of the school district and shall be expended in the manner provided by law for the purpose of supplementing teachers' salaries, extending school terms, purchasing furniture, supplies and materials, and for all other lawful operating and incidental expenses of such school district * * *.

The monies authorized to be received by school districts from the School Ad Valorem Tax Reduction Fund pursuant to Section 37-61-35 shall be included as ad valorem tax receipts. The levying authority for the school district, as defined in Section 37-57-1, shall reduce the ad valorem tax levy for such school district in an amount equal to the amount distributed to such school district from the School Ad Valorem Tax Reduction Fund each calendar year pursuant to * * * Section 37-61-35. Such reduction shall not be less than the millage rate necessary to generate a reduction in ad valorem tax receipts equal to the funds distributed to such school district from the School Ad Valorem Tax Reduction Fund pursuant to Section 37-61-35. * * * The millage levy certified by the State

Board of Education as the * * * minimum * * * tax levy * * * shall be subject to the provisions of this paragraph.

In any county where there is located a nuclear generating power plant on which a tax is assessed under Section 27-35-309(3), such required levy and revenue produced thereby may be reduced by the levying authority in an amount in proportion to a reduction in the base revenue of any such county from the previous year. Such reduction shall be allowed only if the reduction in base revenue equals or exceeds five percent (5%). "Base revenue" shall mean the revenue received by the county from the ad valorem tax levy plus the revenue received by the county from the tax assessed under Section 27-35-309(3) and authorized to be used for any purposes for which a county is authorized by law to levy an ad valorem tax. For purposes of determining if the reduction equals or exceeds five percent (5%), a levy of millage equal to the prior year's millage shall be hypothetically applied to the current year's ad valorem tax base to determine the amount of revenue to be generated from the ad valorem tax levy. For the purposes of this section and Section 37-57-107, the portion of the base revenue used for the support of any school district shall be deemed to be the aggregate receipts from ad valorem taxes for the support of any school district. This paragraph shall apply to taxes levied for the 1987 fiscal year and for each fiscal year thereafter. If the Mississippi Supreme Court or another court finally adjudicates that the tax levied under Section 27-35-309(3) is unconstitutional, then this paragraph shall stand repealed.

(b) The State Department of Education shall calculate a local pro rata amount for the aggregate receipts of the tax levied in this section by dividing the aggregate receipts by the sum of the school district's average daily membership, as determined under Section 37-151-211, and the average daily membership of any charter school students who reside in the district.

(2) When the tax is levied upon the territory of any school district located in two (2) or more counties, the order of the school board requesting the levying of such tax shall be certified to the levying authority of each of the counties involved, and each of the levying authorities shall levy the tax in the manner specified herein. The taxes so levied shall be collected by the tax collector of the levying authority involved and remitted by the tax collector to the school depository of the home county to the credit of the school district involved as provided above, except that taxes for collection fees may be retained by the levying authority for deposit into its general fund.

(3) The aggregate receipts from ad valorem taxes levied for school district purposes, excluding collection fees, pursuant to this section and Section 37-57-1 shall be subject to the increased limitation under Section 37-57-107; however, if the ad valorem tax effort in dollars requested by the school district for the fiscal year exceeds the next preceding fiscal year's ad valorem tax effort in dollars by more than four percent (4%) but not more than seven percent (7%), then the school board shall publish notice thereof once each week for at least three (3) consecutive weeks in a newspaper having general circulation in the school district involved, with the first publication thereof to be made not less than fifteen (15) days prior to the final adoption of the budget by the school board. If at any time prior to * * * the adoption a petition signed by not less than twenty percent (20%) or fifteen hundred (1500), whichever is less, of the qualified electors of the school district involved shall be filed with the school board requesting that an election be called on the question of exceeding the next preceding fiscal year's ad valorem tax effort in dollars by more than four percent (4%) but not more than seven percent (7%), then the school board shall, not later than the next regular meeting, adopt a resolution calling an election to be held within such school district upon such question. The election shall be called and held, and notice thereof shall be given, in the same manner for elections upon the questions of the issuance of the bonds of school districts, and the results thereof shall be certified to the school board. The ballot shall contain the language "For the School Tax Increase Over Four Percent (4%)" and "Against the School Tax Increase Over Four Percent (4%)." If a majority of the qualified electors of the school district who voted in such election shall vote in favor of the question, then the stated increase requested by the

school board shall be approved. For the purposes of this paragraph, the revenue sources excluded from the increased limitation under Section 37-57-107 shall also be excluded from the limitation described herein in the same manner as they are excluded under Section 37-57-107.

SECTION 16. Section 37-57-107, Mississippi Code of 1972, is amended as follows:

37-57-107. (1) Beginning with the tax levy for the 1997 fiscal year and for each fiscal year thereafter, the aggregate receipts from taxes levied for school district purposes pursuant to Sections 37-57-105 and 37-57-1 shall not exceed the aggregate receipts from those sources during any one (1) of the immediately preceding three (3) fiscal years, as determined by the school board, plus an increase not to exceed seven percent (7%). For the purpose of this limitation, the term "aggregate receipts" when used in connection with the amount of funds generated in a preceding fiscal year shall not include excess receipts required by law to be deposited into a special account. However, the term "aggregate receipts" includes any receipts required by law to be paid to a charter school. The additional revenue from the ad valorem tax on any newly constructed properties or any existing properties added to the tax rolls or any properties previously exempt which were not assessed in the next preceding year may be excluded from the seven percent (7%) increase limitation set forth herein. Taxes levied for payment of principal of and interest on general obligation school bonds issued heretofore or hereafter shall be excluded from the seven percent (7%) increase limitation set forth herein. Any additional millage levied to fund any new program mandated by the Legislature shall be excluded from the limitation for the first year of the levy and included within such limitation in any year thereafter. For the purposes of this section, the term "new program" shall include, but shall not be limited to, (a) the Early Childhood Education Program * * *, as provided by Section 37-21-7, and any additional millage levied and the revenue generated therefrom, which is excluded from the limitation for the first year of the levy, to support the mandated Early Childhood Education Program shall be specified on the minutes of the school board and of the governing body making such tax levy; (b) any additional millage levied and the revenue generated therefrom, which shall be excluded from the limitation for the first year of the levy, for the purpose of generating additional local contribution funds required for * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE); and (c) any additional millage levied and the revenue generated therefrom which shall be excluded from the limitation for the first year of the levy, for the purpose of support and maintenance of any agricultural high school which has been transferred to the control, operation and maintenance of the school board by the board of trustees of the community college district under provisions of Section 37-29-272.

(2) The seven percent (7%) increase limitation prescribed in this section may be increased an additional amount only when the school board has determined the need for additional revenues and has held an election on the question of raising the limitation prescribed in this section. The limitation may be increased only if three-fifths (3/5) of those voting in the election shall vote for the proposed increase. The resolution, notice and manner of holding the election shall be as prescribed by law for the holding of elections for the issuance of bonds by the respective school boards. Revenues collected for the fiscal year in excess of the seven percent (7%) increase limitation pursuant to an election shall be included in the tax base for the purpose of determining aggregate receipts for which the seven percent (7%) increase limitation applies for subsequent fiscal years.

(3) Except as otherwise provided for excess revenues generated pursuant to an election, if revenues collected as the result of the taxes levied for the fiscal year pursuant to this section and Section 37-57-1 exceed the increase limitation, then it shall be the mandatory duty of the school board of the school district to deposit such excess receipts over and above the increase limitation into a special account and credit it to the fund for which the levy was made. It will be the further duty of such board to hold * * * the funds and invest the same as authorized by law. Such excess funds shall be calculated in the budgets for the school districts for the purpose for which such levies were made, for the

succeeding fiscal year. Taxes imposed for the succeeding year shall be reduced by the amount of excess funds available. Under no circumstances shall such excess funds be expended during the fiscal year in which such excess funds are collected.

(4) For the purposes of determining ad valorem tax receipts for a preceding fiscal year under this section, the term "fiscal year" means the fiscal year beginning October 1 and ending September 30.

(5) Beginning with the 2013-2014 school year, each school district in which a charter school is located shall pay to the charter school an amount for each student enrolled in the charter school equal to the ad valorem taxes levied per pupil for the support of the school district in which the charter school is located. The pro rata ad valorem taxes to be transferred to the charter school must include all levies for the support of the school district under Sections 37-57-1 (local contribution to the * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) formula) and 37-57-105 (school district operational levy) but may not include any taxes levied for the retirement of school district bonded indebtedness or short-term notes or any taxes levied for the support of vocational-technical education programs. Payments made pursuant to this subsection by a school district to a charter school must be made before the expiration of three (3) business days after the funds are distributed to the school district.

SECTION 17. Section 37-61-33, Mississippi Code of 1972, is amended as follows:

37-61-33. (1) There is created within the State Treasury a special fund to be designated the "Education Enhancement Fund" into which shall be deposited all the revenues collected pursuant to Sections 27-65-75(5), (7) and (8) and 27-67-31(a) and (b).

(2) Of the amount deposited into the Education Enhancement Fund, Sixteen Million Dollars ($16,000,000.00) shall be appropriated each fiscal year to the State Department of Education to be distributed to all school districts. Such money shall be distributed to all school districts in the proportion that the average daily * * * membership of each school district bears to the average daily * * * membership of all school districts within the state for the following purposes:

(a) Purchasing, erecting, repairing, equipping, remodeling and enlarging school buildings and related facilities, including gymnasiums, auditoriums, lunchrooms, vocational training buildings, libraries, teachers' homes, school barns, transportation vehicles (which shall include new and used transportation vehicles) and garages for transportation vehicles, and purchasing land therefor;

(b) Establishing and equipping school athletic fields and necessary facilities connected therewith, and purchasing land therefor;

(c) Providing necessary water, light, heating, air-conditioning and sewerage facilities for school buildings, and purchasing land therefor;

(d) As a pledge to pay all or a portion of the debt service on debt issued by the school district under Sections 37-59-1 through 37-59-45, 37-59-101 through 37-59-115, 37-7-351 through 37-7-359, 37-41-89 through 37-41-99, 37-7-301, 37-7-302 and 37-41-81, or debt issued by boards of supervisors for agricultural high schools pursuant to Section 37-27-65, if such pledge is accomplished pursuant to a written contract or resolution approved and spread upon the minutes of an official meeting of the district's school board or board of supervisors. The annual grant to such district in any subsequent year during the term of the resolution or contract shall not be reduced below an amount equal to the district's grant amount for the year in which the contract or resolution was adopted. The intent of this provision is to allow school districts to irrevocably pledge a certain, constant stream of revenue as security for long-term obligations issued under the code sections enumerated in this paragraph or as otherwise allowed by law. It is the intent of the Legislature that the provisions of this paragraph shall

be cumulative and supplemental to any existing funding programs or other authority conferred upon school districts or school boards. Debt of a district secured by a pledge of sales tax revenue pursuant to this paragraph shall not be subject to any debt limitation contained in the foregoing enumerated code sections * * *; and

(e) Any other purpose for which INSPIRE funds are not sufficient.

(3) The remainder of the money deposited into the Education Enhancement Fund shall be appropriated as follows:

(a) To the State Department of Education as follows:

(i) Sixteen and sixty-one one-hundredths percent (16.61%) to the cost of the adequate education program determined under Section 37-151-7; of the funds generated by the percentage set forth in this section for the support of the adequate education program, one and one hundred seventy-eight one-thousandths percent (1.178%) of the funds shall be appropriated to be used by the State Department of Education for the purchase of textbooks to be loaned under Sections 37-43-1 through 37-43-59 to approved nonpublic schools, as described in Section 37-43-1. The funds to be distributed to each nonpublic school shall be in the proportion that the average daily attendance of each nonpublic school bears to the total average daily attendance of all nonpublic schools;

(ii) Seven and ninety-seven one-hundredths percent (7.97%) to assist the funding of transportation operations and maintenance pursuant to Section 37-19-23; and

(iii) Nine and sixty-one one-hundredths percent (9.61%) for classroom supplies, instructional materials and equipment, including computers and computer software, to be distributed to all eligible teachers within the state through the use of procurement cards or a digital solution capable of tracking, paying and reporting purchases. Classroom supply funds shall not be expended for administrative purposes. On a date to be determined by the State Department of Education, but not later than July 1 of each year, local school districts shall determine and submit to the State Department of Education the number of teachers eligible to receive an allocation for the current year. For purposes of this subparagraph, "teacher" means any employee of the school board of a school district, or the Mississippi School for the Arts, the Mississippi School for Math and Science, the Mississippi School for the Blind, the Mississippi School for the Deaf or public charter school, who is required by law to obtain a teacher's license from the State Department of Education and who is assigned to an instructional area of work as defined by the department, and shall include any full- or part-time gifted or special education teacher. It is the intent of the Legislature that all classroom teachers shall utilize these funds in a manner that addresses individual classroom needs and supports the overall goals of the school regarding supplies, instructional materials, equipment, computers or computer software under the provisions of this subparagraph, including the type, quantity and quality of such supplies, materials and equipment. Classroom supply funds allocated under this subparagraph shall supplement, not replace, other local and state funds available for the same purposes. The State Board of Education shall develop and promulgate rules and regulations for the administration of this subparagraph consistent with the above criteria, with particular emphasis on allowing the individual teachers to expend funds as they deem appropriate. The local school board shall require each school to issue credentials for a digital solution selected by or procurement cards provided by the Department of Finance and Administration under the provisions of Section 31-7-9(1)(c) for the use of teachers and necessary support personnel in making instructional supply fund expenditures under this section, consistent with the regulations of the Mississippi Department of Finance and Administration pursuant to Section 31-7-9. Such credentials or procurement cards shall be provided by the State Department of Education to local school districts on a date determined by the State Department of Education, but not later than August 1 of each year. Local school districts shall issue such credentials or

procurement cards to classroom teachers at the beginning of the school year, but no later than August 1 of each year, and shall be issued in equal amounts per teacher determined by the total number of qualifying personnel and the current state appropriation for classroom supplies with the Education Enhancement Fund. After initial cards are issued under the timeline prescribed by this section, the State Department of Education may issue cards to districts for any classroom teacher hired after July 1 under a timeline prescribed by the State Department of Education. Such credentials or cards will expire on a predetermined date at the end of each school year, but not before April 1 of each year. All unexpended amounts will be carried forward, combined with the following year's allocation of Education Enhancement Fund instructional supplies funds and reallocated for the following year;

(b) Twenty-two and nine one-hundredths percent (22.09%) to the Board of Trustees of State Institutions of Higher Learning for the purpose of supporting institutions of higher learning; and

(c) Fourteen and forty-one one-hundredths percent (14.41%) to the Mississippi Community College Board for the purpose of providing support to community and junior colleges.

(4) The amount remaining in the Education Enhancement Fund after funds are distributed as provided in subsections (2) and (3) of this section shall be appropriated for other educational needs.

(5) None of the funds appropriated pursuant to subsection (3)(a) of this section shall be used to reduce the state's General Fund appropriation for the categories listed in an amount below the following amounts:

(a) For subsection (3)(a)(ii) of this section, Thirty-six Million Seven Hundred Thousand Dollars ($36,700,000.00);

(b) For the aggregate of minimum program allotments in the 1997 fiscal year, formerly provided for in Chapter 19, Title 37, Mississippi Code of 1972, as amended, excluding those funds for transportation as provided for in paragraph (a) of this subsection.

(6) Any funds appropriated from the Education Enhancement Fund that are unexpended at the end of a fiscal year shall lapse into the Education Enhancement Fund, except as otherwise provided in subsection (3)(a)(iii) of this section.

SECTION 18. Section 27-65-75, Mississippi Code of 1972, is amended as follows:

27-65-75. On or before the fifteenth day of each month, the revenue collected under the provisions of this chapter during the preceding month shall be paid and distributed as follows:

(1) (a) On or before August 15, 1992, and each succeeding month thereafter through July 15, 1993, eighteen percent (18%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. Except as otherwise provided in this paragraph (a), on or before August 15, 1993, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. However, in the event the State Auditor issues a certificate of noncompliance pursuant to Section 21-35-31, the Department of

Revenue shall withhold ten percent (10%) of the allocations and payments to the municipality that would otherwise be payable to the municipality under this paragraph (a) until such time that the department receives written notice of the cancellation of a certificate of noncompliance from the State Auditor.

A municipal corporation, for the purpose of distributing the tax under this subsection, shall mean and include all incorporated cities, towns and villages.

Monies allocated for distribution and credited to a municipal corporation under this paragraph may be pledged as security for a loan if the distribution received by the municipal corporation is otherwise authorized or required by law to be pledged as security for such a loan.

In any county having a county seat that is not an incorporated municipality, the distribution provided under this subsection shall be made as though the county seat was an incorporated municipality; however, the distribution to the municipality shall be paid to the county treasury in which the municipality is located, and those funds shall be used for road, bridge and street construction or maintenance in the county.

(b) On or before August 15, 2006, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college.

(c) On or before August 15, 2018, and each succeeding month thereafter until August 14, 2019, two percent (2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2019, and each succeeding month thereafter until August 14, 2020, four percent (4%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2020, and each succeeding month thereafter through July 15, 2023, six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2023, and each succeeding month thereafter, nine percent (9%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215.

(d) (i) On or before the fifteenth day of the month that the diversion authorized by this section begins, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a redevelopment project area developed under a redevelopment plan adopted under the

Tax Increment Financing Act (Section 21-45-1 et seq.) shall be allocated for distribution to the county in which the project area is located if:

1. The county:

a. Borders on the Mississippi Sound and the State of Alabama, or

b. Is Harrison County, Mississippi, and the project area is within a radius of two (2) miles from the intersection of Interstate 10 and Menge Avenue;

2. The county has issued bonds under Section 21-45-9 to finance all or a portion of a redevelopment project in the redevelopment project area;

3. Any debt service for the indebtedness incurred is outstanding; and

4. A development with a value of Ten Million Dollars ($10,000,000.00) or more is, or will be, located in the redevelopment area.

(ii) Before any sales tax revenue may be allocated for distribution to a county under this paragraph, the county shall certify to the Department of Revenue that the requirements of this paragraph have been met, the amount of bonded indebtedness that has been incurred by the county for the redevelopment project and the expected date the indebtedness incurred by the county will be satisfied.

(iii) The diversion of sales tax revenue authorized by this paragraph shall begin the month following the month in which the Department of Revenue determines that the requirements of this paragraph have been met. The diversion shall end the month the indebtedness incurred by the county is satisfied. All revenue received by the county under this paragraph shall be deposited in the fund required to be created in the tax increment financing plan under Section 21-45-11 and be utilized solely to satisfy the indebtedness incurred by the county.

(2) On or before September 15, 1987, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, One Million One Hundred Twenty-five Thousand Dollars ($1,125,000.00) shall be allocated for distribution to municipal corporations as defined under subsection (1) of this section in the proportion that the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each such municipality during the preceding fiscal year bears to the total gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in municipalities statewide during the preceding fiscal year. The Department of Revenue shall require all distributors of gasoline and diesel fuel to report to the department monthly the total number of gallons of gasoline and diesel fuel sold by them to consumers and retailers in each municipality during the preceding month. The Department of Revenue shall have the authority to promulgate such rules and regulations as is necessary to determine the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each municipality. In determining the percentage allocation of funds under this subsection for the fiscal year beginning July 1, 1987, and ending June 30, 1988, the Department of Revenue may consider gallons of gasoline and diesel fuel sold for a period of less than one (1) fiscal year. For the purposes of this subsection, the term "fiscal year" means the fiscal year beginning July 1 of a year.

(3) On or before September 15, 1987, and on or before the fifteenth day of each succeeding month, until the date specified in Section 65-39-35, the proceeds derived from contractors' taxes levied under Section 27-65-21 on contracts for the construction or reconstruction of highways designated under the highway program created under Section 65-3-97 shall, except as otherwise provided in Section 31-17-127, be deposited into the State Treasury to the credit of the State Highway Fund to be used to fund that highway

program. The Mississippi Department of Transportation shall provide to the Department of Revenue such information as is necessary to determine the amount of proceeds to be distributed under this subsection.

(4) On or before August 15, 1994, and on or before the fifteenth day of each succeeding month through July 15, 1999, from the proceeds of gasoline, diesel fuel or kerosene taxes as provided in Section 27-5-101(a)(ii)1, Four Million Dollars ($4,000,000.00) shall be deposited in the State Treasury to the credit of a special fund designated as the "State Aid Road Fund," created by Section 65-9-17. On or before August 15, 1999, and on or before the fifteenth day of each succeeding month, from the total amount of the proceeds of gasoline, diesel fuel or kerosene taxes apportioned by Section 27-5-101(a)(ii)1, Four Million Dollars ($4,000,000.00) or an amount equal to twenty-three and one-fourth percent (23-1/4%) of those funds, whichever is the greater amount, shall be deposited in the State Treasury to the credit of the "State Aid Road Fund," created by Section 65-9-17. Those funds shall be pledged to pay the principal of and interest on state aid road bonds heretofore issued under Sections 19-9-51 through 19-9-77, in lieu of and in substitution for the funds previously allocated to counties under this section. Those funds may not be pledged for the payment of any state aid road bonds issued after April 1, 1981; however, this prohibition against the pledging of any such funds for the payment of bonds shall not apply to any bonds for which intent to issue those bonds has been published for the first time, as provided by law before March 29, 1981. From the amount of taxes paid into the special fund under this subsection and subsection (9) of this section, there shall be first deducted and paid the amount necessary to pay the expenses of the Office of State Aid Road Construction, as authorized by the Legislature for all other general and special fund agencies. The remainder of the fund shall be allocated monthly to the several counties in accordance with the following formula:

(a) One-third (1/3) shall be allocated to all counties in equal shares;

(b) One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state; and

(c) One-third (1/3) shall be allocated to counties based on the proportion that the rural population of the county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

For the purposes of this subsection, the term "gasoline, diesel fuel or kerosene taxes" means such taxes as defined in paragraph (f) of Section 27-5-101.

The amount of funds allocated to any county under this subsection for any fiscal year after fiscal year 1994 shall not be less than the amount allocated to the county for fiscal year 1994.

Any reference in the general laws of this state or the Mississippi Code of 1972 to Section 27-5-105 shall mean and be construed to refer and apply to subsection (4) of Section 27-65-75.

(5) On or before August 15, 2024, and each succeeding month thereafter, One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars ($1,666,666.00) * * * shall be paid into the special fund known as the * * * Education Enhancement Fund created and existing under the provisions of Section * * * 37-61-33. * * *.

(6) An amount each month beginning August 15, 1983, through November 15, 1986, as specified in Section 6, Chapter 542, Laws of 1983, shall be paid into the special fund known as the Correctional Facilities Construction Fund created in Section 6, Chapter 542, Laws of 1983.

(7) On or before August 15, 1992, and each succeeding month thereafter through July 15, 2000, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited by the department into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars ($42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars ($42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(8) On or before August 15, 1992, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(9) On or before August 15, 1994, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, Two Hundred Fifty Thousand Dollars ($250,000.00) shall be paid into the State Aid Road Fund.

(10) On or before August 15, 1994, and each succeeding month thereafter through August 15, 1995, from the revenue collected under this chapter during the preceding month, Two Million Dollars ($2,000,000.00) shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(11) Notwithstanding any other provision of this section to the contrary, on or before February 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(12) Notwithstanding any other provision of this section to the contrary, on or before August 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1) on retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101 and the corresponding levy in Section 27-65-23 on the rental or lease of these vehicles, shall be deposited, after diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(13) On or before July 15, 1994, and on or before the fifteenth day of each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-22 that is derived from activities held on the Mississippi State Fairgrounds Complex shall be paid into a special fund that is created in the State Treasury and shall be expended upon legislative appropriation solely to defray the costs of repairs and renovation at the Trade Mart and Coliseum.

(14) On or before August 15, 1998, and each succeeding month thereafter through July 15, 2005, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million

Dollars ($2,000,000.00) into the special fund created under Section 69-37-39. On or before August 15, 2007, and each succeeding month thereafter through July 15, 2010, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars ($2,000,000.00) into the special fund created under Section 69-37-39 until all debts or other obligations incurred by the Certified Cotton Growers Organization under the Mississippi Boll Weevil Management Act before January 1, 2007, are satisfied in full. On or before August 15, 2010, and each succeeding month thereafter through July 15, 2011, fifty percent (50%) of that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars ($1,000,000.00). On or before August 15, 2011, and each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars ($1,000,000.00).

(15) Notwithstanding any other provision of this section to the contrary, on or before September 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited, without diversion, into the Telecommunications Ad Valorem Tax Reduction Fund established in Section 27-38-7.

(16) (a) On or before August 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a project as defined in Section 57-30-1 shall be deposited, after all diversions except the diversion provided for in subsection (1) of this section, into the Sales Tax Incentive Fund created in Section 57-30-3.

(b) On or before August 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-26-1 through 57-26-5, shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Project Sales Tax Incentive Fund created in Section 57-26-3.

(17) Notwithstanding any other provision of this section to the contrary, on or before April 15, 2002, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under Section 27-65-23 on sales of parking services of parking garages and lots at airports shall be deposited, without diversion, into the special fund created under Section 27-5-101(d).

(18) [Repealed]

(19) (a) On or before August 15, 2005, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and the revenue collected on the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall, except as otherwise provided in this subsection (19), be deposited, after all diversions, into the Redevelopment Project Incentive Fund as created in Section 57-91-9.

(b) For a municipality participating in the Economic Redevelopment Act created in Sections 57-91-1 through 57-91-11, the diversion provided for in subsection (1) of this section attributable to the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and attributable to the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall be deposited into the Redevelopment Project Incentive Fund as created in Section 57-91-9, as follows:

(i) For the first six (6) years in which payments are made to a developer from the Redevelopment Project Incentive Fund, one hundred percent (100%) of the diversion shall be deposited into the fund;

(ii) For the seventh year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, eighty percent (80%) of the diversion shall be deposited into the fund;

(iii) For the eighth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, seventy percent (70%) of the diversion shall be deposited into the fund;

(iv) For the ninth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, sixty percent (60%) of the diversion shall be deposited into the fund; and

(v) For the tenth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, fifty percent (50%) of the funds shall be deposited into the fund.

(20) On or before January 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-28-1 through 57-28-5 shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Sales Tax Incentive Fund created in Section 57-28-3.

(21) (a) On or before April 15, 2007, and each succeeding month thereafter through June 15, 2013, One Hundred Fifty Thousand Dollars ($150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the MMEIA Tax Incentive Fund created in Section 57-101-3.

(b) On or before July 15, 2013, and each succeeding month thereafter, One Hundred Fifty Thousand Dollars ($150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the Mississippi Development Authority Job Training Grant Fund created in Section 57-1-451.

(22) On or before June 1, 2024, and each succeeding month thereafter until December 31, 2057, an amount determined annually by the Mississippi Development Authority of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the MMEIA Tax Incentive Fund created in Section 18 of * * * Senate Bill No. 2001, 2024 Second Extraordinary Session. This amount shall be based on estimated payments due within the upcoming year to construction contractors pursuant to construction contracts subject to the tax imposed by Section 27-65-21 for construction to be performed on the project site of a project defined under Section 57-75-5(f)(xxxiii) for the coming year.

(23) Notwithstanding any other provision of this section to the contrary, on or before August 15, 2009, and each succeeding month thereafter, the sales tax revenue collected

during the preceding month under the provisions of Section 27-65-201 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(24) (a) On or before August 15, 2019, and each month thereafter through July 15, 2020, one percent (1%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2020, and each month thereafter through July 15, 2021, two percent (2%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2021, and each month thereafter, three percent (3%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. The revenue diverted pursuant to this subsection shall not be available for expenditure until February 1, 2020.

(b) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) must provide an annual report to the Legislature indicating the amount of funds deposited into the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, and a detailed record of how the funds are spent.

(25) The remainder of the amounts collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the General Fund.

(26) (a) It shall be the duty of the municipal officials of any municipality that expands its limits, or of any community that incorporates as a municipality, to notify the commissioner of that action thirty (30) days before the effective date. Failure to so notify the commissioner shall cause the municipality to forfeit the revenue that it would have been entitled to receive during this period of time when the commissioner had no knowledge of the action.

(b) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, if any funds have been erroneously disbursed to any municipality or any overpayment of tax is recovered by the taxpayer, the commissioner may make correction and adjust the error or overpayment with the municipality by withholding the necessary funds from any later payment to be made to the municipality.

(ii) Subject to the provisions of Sections 27-65-51 and 27-65-53, if any funds have been erroneously disbursed to a municipality under subsection (1) of this section for a period of three (3) years or more, the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of three (3) years beginning with the date of the first erroneous disbursement. However, if during such period, a municipality provides written notice to the Department of Revenue indicating the erroneous disbursement of funds, then the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of one (1) year beginning with the date of the first erroneous disbursement.

SECTION 19. Section 27-67-31, Mississippi Code of 1972, is brought forward as follows:

27-67-31. All administrative provisions of the sales tax law, and amendments thereto, including those which fix damages, penalties and interest for failure to comply with the provisions of said sales tax law, and all other requirements and duties imposed

upon taxpayer, shall apply to all persons liable for use taxes under the provisions of this article. The commissioner shall exercise all power and authority and perform all duties with respect to taxpayers under this article as are provided in said sales tax law, except where there is conflict, then the provisions of this article shall control.

The commissioner may require transportation companies to permit the examination of waybills, freight bills, or other documents covering shipments of tangible personal property into this state.

On or before the fifteenth day of each month, the amount received from taxes, damages and interest under the provisions of this article during the preceding month shall be paid and distributed as follows:

(a) On or before July 15, 1994, through July 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited in the School Ad Valorem Tax Reduction Fund created pursuant to Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total use tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Four Million Dollars ($4,000,000.00). Thereafter, the amounts diverted under this paragraph (a) during the fiscal year in excess of Four Million Dollars ($4,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(b) On or before July 15, 1994, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the Education Enhancement Fund created pursuant to Section 37-61-33.

(c) On or before July 15, 1997, and on or before the fifteenth day of each succeeding month thereafter, the revenue collected under the provisions of this article imposed and levied as a result of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund created pursuant to Section 27-51-105.

(d) On or before July 15, 1997, and on or before the fifteenth day of each succeeding month thereafter and after the deposits required by paragraphs (a) and (b) of this section are made, the remaining revenue collected under the provisions of this article imposed and levied as a result of Section 27-65-17(1) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund created pursuant to Section 27-51-105.

(e) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, seven and one-half percent (7-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, eleven and one-fourth percent (11-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15,

2022, and each succeeding month thereafter, fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1).

(f) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, seven and one-half percent (7-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, eleven and one-fourth percent (11-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2022, and each succeeding month thereafter, fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2).

(g) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, Four Hundred Sixteen Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents ($416,666.67) or one and one-fourth percent (1-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, Eight Hundred Thirty-three Thousand Three Hundred Thirty-three Dollars and Thirty-four Cents ($833,333.34) or two and one-half percent (2-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, One Million Two Hundred Fifty Thousand Dollars ($1,250,000.00) or three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2022, and each succeeding month thereafter through July 15, 2023, One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents ($1,666,666.67) or five percent (5%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2023, and each succeeding month thereafter, (i) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents ($1,666,666.67) or two and one-half percent (2-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13, and (ii) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents ($1,666,666.67) or two and one-half percent (2-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the State Aid Road Fund created in Section 65-9-17.

(h) On or before August 15, 2020, and each succeeding month thereafter through July 15, 2022, One Million Dollars ($1,000,000.00) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. Amounts deposited into the Local System Bridge Replacement and Rehabilitation Fund under this paragraph (h) shall be in addition to amounts deposited into the fund under paragraph (g) of this section.

(i) The remainder of the amount received from taxes, damages and interest under the provisions of this article shall be paid into the General Fund of the State Treasury by the commissioner.

SECTION 20. Section 27-115-85, Mississippi Code of 1972, is brought forward as follows:

27-115-85. Until June 30, 2028, net proceeds generated by the Alyce G. Clarke Mississippi Lottery Law, created pursuant to this chapter and deposited into the Lottery Proceeds Fund under Section 27-115-51(2), except as otherwise provided in this section, shall be paid into the State Highway Fund by warrant issued by the State Fiscal Officer upon requisition of the State Transportation Commission as needed to provide funds to repair, renovate and maintain highways and bridges of the state; however, funds paid into the State Highway Fund under this section shall be first used for matching federal funds authorized to the state pursuant to any federal highway infrastructure program implemented after September 1, 2018. However, all such monies deposited into the Lottery Proceeds Fund over Eighty Million Dollars ($80,000,000.00) in a fiscal year shall be transferred into the Education Enhancement Fund for the purposes of funding the Early Childhood Learning Collaborative, the Classroom Supply Fund and/or other educational purposes. From and after July 1, 2028, the net proceeds shall be deposited into the Lottery Proceeds Fund and shall be transferred to the State General Fund, except for the amounts over Eighty Million Dollars ($80,000,000.00) which shall continue to be deposited in the Education Enhancement Fund as provided above.

SECTION 21. Section 1-3-26, Mississippi Code of 1972, is amended as follows:

1-3-26. Wherever the phrase "minimum education program," "minimum program," * * * "minimum foundation program," "Mississippi Adequate Education Program," "adequate education program," or "MAEP" shall appear in the laws of this state, it shall be construed to mean * * * "Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE)" created under * * * Chapter 151, Title 37, Mississippi Code of 1972.

SECTION 22. Section 7-7-211, Mississippi Code of 1972, is amended as follows:

7-7-211. The department shall have the power and it shall be its duty:

(a) To identify and define for all public offices of the state and its subdivisions generally accepted accounting principles or other accounting principles as promulgated by nationally recognized professional organizations and to consult with the State Fiscal Officer in the prescription and implementation of accounting rules and regulations;

(b) To provide best practices, for all public offices of regional and local subdivisions of the state, systems of accounting, budgeting and reporting financial facts relating to said offices in conformity with legal requirements and with generally accepted accounting principles or other accounting principles as promulgated by nationally recognized professional organizations; to assist such subdivisions in need of assistance in the installation of such systems; to revise such systems when deemed necessary, and to report to the Legislature at periodic times the extent to which each office is maintaining such systems, along with such recommendations to the Legislature for improvement as seem desirable;

(c) To study and analyze existing managerial policies, methods, procedures, duties and services of the various state departments and institutions upon written request of the Governor, the Legislature or any committee or other body empowered by the Legislature to make such request to determine whether and where operations can be eliminated, combined, simplified and improved;

(d) To postaudit each year and, when deemed necessary, preaudit and investigate the financial affairs of the departments, institutions, boards, commissions, or other agencies of state government, as part of the publication of a comprehensive annual financial report for the State of Mississippi, or as deemed necessary by the State Auditor. In complying with the requirements of this paragraph, the department shall have the authority to conduct all necessary audit procedures on an interim and year-end basis;

(e) To postaudit and, when deemed necessary, preaudit and investigate separately the financial affairs of (i) the offices, boards and commissions of county governments and any departments and institutions thereof and therein; (ii) public school districts, departments of education and junior college districts; and (iii) any other local offices or agencies which share revenues derived from taxes or fees imposed by the State Legislature or receive grants from revenues collected by governmental divisions of the state; the cost of such audits, investigations or other services to be paid as follows: Such part shall be paid by the state from appropriations made by the Legislature for the operation of the State Department of Audit as may exceed the sum of Thirty-five Dollars ($35.00) per man-hour for the services of each staff person engaged in performing the audit or other service plus the actual cost of any independent specialist firm contracted by the State Auditor to assist in the performance of the audit, which sum shall be paid by the county, district, department, institution or other agency audited out of its general fund or any other available funds from which such payment is not prohibited by law. Costs paid for independent specialists or firms contracted by the State Auditor shall be paid by the audited entity through the State Auditor to the specialist or firm conducting the postaudit.

Each school district in the state shall have its financial records audited annually, at the end of each fiscal year, either by the State Auditor or by a certified public accountant approved by the State Auditor. Beginning with the audits of fiscal year 2010 activity, no certified public accountant shall be selected to perform the annual audit of a school district who has audited that district for three (3) or more consecutive years previously. Certified public accountants shall be selected in a manner determined by the State Auditor. The school district shall have the responsibility to pay for the audit, including the review by the State Auditor of audits performed by certified public accountants;

(f) To postaudit and, when deemed necessary, preaudit and investigate the financial affairs of the levee boards; agencies created by the Legislature or by executive order of the Governor; profit or nonprofit business entities administering programs financed by funds flowing through the State Treasury or through any of the agencies of the state, or its subdivisions; and all other public bodies supported by funds derived in part or wholly from public funds, except municipalities which annually submit an audit prepared by a qualified certified public accountant using methods and procedures prescribed by the department;

(g) To make written demand, when necessary, for the recovery of any amounts representing public funds improperly withheld, misappropriated and/or otherwise illegally expended by an officer, employee or administrative body of any state, county or other public office, and/or for the recovery of the value of any public property disposed of in an unlawful manner by a public officer, employee or administrative body, such demands to be made (i) upon the person or persons liable for such amounts and upon the surety on official bond thereof, and/or (ii) upon any individual, partnership, corporation or association to whom the illegal expenditure was made or with whom the unlawful disposition of public property was made, if such individual, partnership, corporation or association knew or had reason to know through the exercising of reasonable diligence that the expenditure was illegal or the disposition unlawful. Such demand shall be premised on competent evidence, which shall include at least one (1) of the following: (i) sworn statements, (ii) written documentation, (iii) physical evidence, or (iv) reports and findings of government or other law enforcement agencies. Other provisions notwithstanding, a demand letter issued pursuant to this paragraph shall remain confidential by the State Auditor until the individual against whom the demand letter is being filed has been served with a copy of such demand letter. If, however, such individual

cannot be notified within fifteen (15) days using reasonable means and due diligence, such notification shall be made to the individual's bonding company, if he or she is bonded. Each such demand shall be paid into the proper treasury of the state, county or other public body through the office of the department in the amount demanded within thirty (30) days from the date thereof, together with interest thereon in the sum of one percent (1%) per month from the date such amount or amounts were improperly withheld, misappropriated and/or otherwise illegally expended. In the event, however, such person or persons or such surety shall refuse, neglect or otherwise fail to pay the amount demanded and the interest due thereon within the allotted thirty (30) days, the State Auditor shall have the authority and it shall be his duty to institute suit, and the Attorney General shall prosecute the same in any court of the state to the end that there shall be recovered the total of such amounts from the person or persons and surety on official bond named therein; and the amounts so recovered shall be paid into the proper treasury of the state, county or other public body through the State Auditor. In any case where written demand is issued to a surety on the official bond of such person or persons and the surety refuses, neglects or otherwise fails within one hundred twenty (120) days to either pay the amount demanded and the interest due thereon or to give the State Auditor a written response with specific reasons for nonpayment, then the surety shall be subject to a civil penalty in an amount of twelve percent (12%) of the bond, not to exceed Ten Thousand Dollars ($10,000.00), to be deposited into the State General Fund;

(h) To investigate any alleged or suspected violation of the laws of the state by any officer or employee of the state, county or other public office in the purchase, sale or the use of any supplies, services, equipment or other property belonging thereto; and in such investigation to do any and all things necessary to procure evidence sufficient either to prove or disprove the existence of such alleged or suspected violations. The * * * Division of Investigation of the State Department of Audit may investigate, for the purpose of prosecution, any suspected criminal violation of the provisions of this chapter. For the purpose of administration and enforcement of this chapter, the enforcement employees of the * * * Division of Investigation of the State Department of Audit have the powers of a law enforcement officer of this state, and shall be empowered to make arrests and to serve and execute search warrants and other valid legal process anywhere within the State of Mississippi. All enforcement employees of the * * * Division of Investigation of the State Department of Audit hired on or after July 1, 1993, shall be required to complete the Law Enforcement Officers Training Program and shall meet the standards of the program;

(i) To issue subpoenas, with the approval of, and returnable to, a judge of a chancery or circuit court, in termtime or in vacation, to examine the records, documents or other evidence of persons, firms, corporations or any other entities insofar as such records, documents or other evidence relate to dealings with any state, county or other public entity. The circuit or chancery judge must serve the county in which the records, documents or other evidence is located; or where all or part of the transaction or transactions occurred which are the subject of the subpoena;

(j) In any instances in which the State Auditor is or shall be authorized or required to examine or audit, whether preaudit or postaudit, any books, ledgers, accounts or other records of the affairs of any public hospital owned or owned and operated by one or more political subdivisions or parts thereof or any combination thereof, or any school district, including activity funds thereof, it shall be sufficient compliance therewith, in the discretion of the State Auditor, that such examination or audit be made from the report of any audit or other examination certified by a certified public accountant and prepared by or under the supervision of such certified public accountant. Such audits shall be made in accordance with generally accepted standards of auditing, with the use of an audit program prepared by the State Auditor, and final reports of such audits shall conform to the format prescribed by the State Auditor. All files, working papers, notes, correspondence and all other data compiled during the course of the audit shall be available, without cost, to the State Auditor for examination and abstracting during the normal business hours of any business day. The expense of such certified reports shall

be borne by the respective hospital, or any available school district funds * * *, subject to examination or audit. The State Auditor shall not be bound by such certified reports and may, in his or their discretion, conduct such examination or audit from the books, ledgers, accounts or other records involved as may be appropriate and authorized by law;

(k) The State Auditor shall have the authority to contract with qualified public accounting firms to perform selected audits required in paragraphs (d), (e), (f) and (j) of this section, if funds are made available for such contracts by the Legislature, or if funds are available from the governmental entity covered by paragraphs (d), (e), (f) and (j). Such audits shall be made in accordance with generally accepted standards of auditing. All files, working papers, notes, correspondence and all other data compiled during the course of the audit shall be available, without cost, to the State Auditor for examination and abstracting during the normal business hours of any business day;

(l) The State Auditor shall have the authority to establish training courses and programs for the personnel of the various state and local governmental entities under the jurisdiction of the Office of the State Auditor. The training courses and programs shall include, but not be limited to, topics on internal control of funds, property and equipment control and inventory, governmental accounting and financial reporting, and internal auditing. The State Auditor is authorized to charge a fee from the participants of these courses and programs, which fee shall be deposited into the Department of Audit Special Fund. State and local governmental entities are authorized to pay such fee and any travel expenses out of their general funds or any other available funds from which such payment is not prohibited by law;

(m) Upon written request by the Governor or any member of the State Legislature, the State Auditor may audit any state funds and/or state and federal funds received by any nonprofit corporation incorporated under the laws of this state;

(n) To conduct performance audits of personal or professional service contracts by state agencies on a random sampling basis, or upon request of the State Personal Service Contract Review Board under Section 25-9-120(3);

(o) At the discretion of the State Auditor, the Auditor may conduct risk assessments, as well as performance and compliance audits based on Generally Accepted Government Auditing Standards (GAGAS) of any state-funded economic development program authorized under Title 57, Mississippi Code of 1972. After risk assessments or program audits, the State Auditor may conduct audits of those projects deemed high-risk, specifically as they identify any potential wrongdoing or noncompliance based on objectives of the economic development program. The Auditor is granted authority to gather, audit and review data and information from the Mississippi Development Authority or any of its agents, the Department of Revenue, and when necessary under this paragraph, the recipient business or businesses or any other private, public or nonprofit entity with information relevant to the audit project. The maximum amount the State Auditor may bill the oversight agency under this paragraph in any fiscal year is One Hundred Thousand Dollars ($100,000.00), based on reasonable and necessary expenses;

(p) To review and approve any independent auditor selected by the Mississippi Lottery Corporation in accordance with Section 27-115-89, to conduct an annual audit of the corporation; and

(q) To conduct audits or investigations of the Mississippi Lottery Corporation if, in the opinion of the State Auditor, conditions justify such audits or investigations.

SECTION 23. Section 19-9-157, Mississippi Code of 1972, is amended as follows:

19-9-157. The board of supervisors of the situs county, upon receipt of the payments pursuant to Section 19-9-151 less the payment made according to Section

19-9-153, shall pay all such funds in excess of Five Million Five Hundred Thousand Dollars ($5,500,000.00) to the governing authorities of the public school districts in such county in the proportion that the average daily * * * membership for the preceding scholastic year of each school district bears to the total average daily * * * membership of the county for the preceding scholastic year. Such funds may be expended only for the purposes of capital improvements to school facilities and only after plans therefor have been submitted to and approved by the * * * State Board of Education. The governing authorities of such school districts may borrow money in anticipation of receipt of payments pursuant to this section and the levying authority for the school district may issue negotiable notes therefor, for the purposes set forth herein. Such loan shall be repaid from the payments received under this section by the governing authorities of the public school district. However, no public school districts within the situs county shall be entitled to any payments after January 1, 1990.

SECTION 24. Section 19-9-171, Mississippi Code of 1972, is amended as follows:

19-9-171. The revenue from ad valorem taxes for school district purposes that are levied upon liquefied natural gas terminals or improvements thereto constructed after July 1, 2007, crude oil refineries constructed after July 1, 2007, and expansions or improvements to existing crude oil refineries constructed after July 1, 2007, shall be distributed to all public school districts in the county in which the facilities are located in the proportion that the average daily * * * membership of each school district bears to the total average daily * * * membership of all school districts in the county. The county or municipal tax collector, as the case may be, shall pay such tax collections, except for taxes collected for the payment of the principal of and interest on school bonds or notes and except for taxes collected to defray collection costs, into the appropriate school depository and report to the school board of the appropriate school district at the same time and in the same manner as the tax collector makes his payments and reports of other taxes collected by him.

SECTION 25. Section 25-4-29, Mississippi Code of 1972, is amended as follows:

25-4-29. (1) Required statements hereunder shall be filed as follows:

(a) Every incumbent public official required by paragraphs (a), (b), (d) and (e) of Section 25-4-25 to file a statement of economic interest shall file such statement with the commission on or before May 1 of each year that such official holds office, regardless of duration;

(b) Candidates for office required to file a statement hereunder shall file such statement within fifteen (15) days after the deadline for qualification for that public office;

(c) Persons who are required to file a statement because of appointment to fill a vacancy in an office or required to file under Section 25-4-25(d) and (e) shall file such statement within thirty (30) days of their appointment;

(d) No person by reason of successful candidacy or assuming additional offices shall be required to file more than one (1) statement of economic interest in any calendar year, except such official shall notify the commission as soon as practicable of additional offices not previously reported; and

(e) The commission may, on an individual case basis, provide for additional time to file a statement upon a showing that compliance with a filing date set out under paragraph (a), (b), (c) or (d) above would work an unreasonable hardship.

(2) Any person who fails to file a statement of economic interest within thirty (30) days of the date the statement is due shall be deemed delinquent by the commission. The commission shall give written notice of the delinquency to the person by United States

mail or by personal service of process. If within fifteen (15) days of receiving written notice of delinquency the delinquent filer has not filed the statement of economic interest, a fine of Fifty Dollars ($50.00) per day, not to exceed a total fine of One Thousand Dollars ($1,000.00), shall be assessed against the delinquent filer for each day thereafter in which the statement of economic interest is not properly filed. The commission shall enroll such assessment as a civil judgment with the circuit clerk in the delinquent filer's county of residence. The commission may enforce the judgment for the benefit of the State General Fund for the support of * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) in the same manner as is prescribed for other civil judgments.

SECTION 26. Section 27-25-706, Mississippi Code of 1972, is amended as follows:

27-25-706. The board of supervisors of any county in the State of Mississippi bordering on the Pearl River and having a population according to the 1970 census of not less than forty thousand (40,000) and not more than fifty thousand (50,000), and through which Interstate Highway 20 runs, and wherein there is being constructed or has been constructed a plant for the extracting of sulphur from natural gas, and the board of supervisors of any county in the State of Mississippi bordering on the Pearl River and having a population according to the 1970 census of not less than nineteen thousand (19,000) and not more than twenty-one thousand (21,000) and wherein U.S. Highway 49 and Mississippi Highway 28 intersect and wherein there is being constructed or has been constructed a plant for the extracting of sulphur from natural gas, are hereby authorized and empowered, in their discretion, to pledge all or any part of the county's share of the severance tax on gas extracted, handled or processed through such extraction plant, as additional security for the payment of bonds issued for the purpose of constructing, reconstructing, overlaying and/or repairing, an access road or roads or publicly owned railroads to and from such sulphur extraction plant. The amount so pledged for the payment of the principal of and the interest on such bonds shall be deducted and set aside by such board of supervisors prior to the distribution of such severance taxes in the manner provided by law, and only the amount of such severance taxes remaining after such deduction shall be subject to such distribution. The board of supervisors in such counties may pledge only up to fifty percent (50%) of such severance taxes as their respective county may receive to retire the bonds and interest pursuant to the authority of this section. The required local contribution of said counties to the cost of * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) shall not be reduced nor shall the obligation of the state under * * * the funding formula to said counties be increased because * * * of this section.

Such bonds shall be issued under the provisions of Sections 19-9-1 through * * * 19-9-19.

SECTION 27. Section 27-33-3, Mississippi Code of 1972, is amended as follows:

27-33-3. In order to recognize and give effect to the principle of tax-free homes as a public policy in Mississippi, to encourage home building and ownership, and to give additional security to family groups, it is hereby declared that homes legally assessed on the land roll, owned and actually occupied as a home by bona fide residents of this state, who are heads of families, shall be exempt from the ad valorem taxes herein enumerated, on not in excess of Seven Thousand Five Hundred Dollars ($7,500.00) of the assessed value including an area of land not in excess of that specified hereinafter in this article. The exemption from taxes shall be limited to the following:

(a) All homeowners who are heads of families and who qualify under the provisions of this article shall be exempt from taxes levied in 1983 and payable in 1984 and from taxes levied in 1984 and payable in 1985 as follows:

(i) The ad valorem taxes levied by counties pursuant to Section 27-39-329. Amounts so exempted shall not be reimbursed by the state.

(ii) Ad valorem taxes levied for maintenance and current expenses by or for a county as authorized by Section 27-39-303, but the levy for such purpose in any year for which reimbursement is to be made shall not exceed the millage levied for such purpose for the 1984 fiscal year; or a levy for county roads or a road district as authorized by Section 27-39-305; or a levy for constructing and maintaining all bridges and culverts as authorized by Section 65-15-7, but the levy for either or both of such purposes for which reimbursement is to be made shall not in any event exceed seven (7) mills in any year; the * * * levy for the support of * * * INSPIRE to produce the minimum local ad valorem tax effort required * * * of a school district by Section 37-57-1, and the supplementary school district tax levy for the support and maintenance of * * * schools as authorized by Section 37-57-105; provided, however, that the total of the levies made under said Sections 37-57-1 and 37-57-105, which shall be exempt under this article, shall be limited to twenty (20) mills for any affected property area, and in the event the total of such levies should exceed twenty (20) mills for any affected property area, the excess shall not be exempt under this article, and in such case, the levy for the support of the * * * funding formula shall have priority as an exempt levy;

(iii) Ad valorem taxes levied for the support and maintenance of agricultural high schools within the limits and as authorized by Section 37-27-3, and ad valorem taxes levied for the support of community or junior colleges within the limits and as authorized by subsection (2) of Section 37-29-141; provided, however, that the exemption from taxation and reimbursement for tax loss for agricultural high schools and community or junior colleges, or any combination of same, shall not exceed three (3) mills in any one (1) year for any one (1) county;

(iv) Ad valorem taxes levied for the support of * * * INSPIRE in a municipal separate school district to produce the minimum local ad valorem tax effort required of such municipal separate school district as authorized by Section * * * 37-57-1, and the supplementary tax levy for the support and maintenance of the schools of a municipal separate school district as authorized by Section 37-57-105; provided, however, the total of the levies made under said Sections * * * 37-57-1 and 37-57-105 which shall be exempt under this article shall be limited to fifteen (15) mills for any affected property area, except in those special municipal separate school districts as provided by Sections 37-7-701 through 37-7-743, the total of the levies made under Sections 37-7-739 and 37-57-105 for such special municipal separate school district which shall be exempt under this article shall not exceed twenty (20) mills, and in the event the total of such levies should exceed fifteen (15) mills for any affected property area, or twenty (20) mills in the case of a special municipal separate school district, the excess shall not be exempt under this article, and, in such case, the levy for the support of the * * * funding formula in the municipal separate school district shall have priority as an exempt levy;

(v) In the event any law referred to in this section is amended so as to authorize an increase in the tax levy for any purposes, such increase in the levy shall be applied to and taxes collected from the property owners on the entire assessed value of exempted homes; and the tax loss resulting from such increase shall not be reimbursed under the provisions of the Homestead Exemption Law, unless such law clearly specifies that the exempted assessed value of homes is exempt from such increase;

(vi) Ad valorem taxes levied under Sections 65-15-7 and 65-15-21 shall be used solely for purposes levied.

(b) Those homeowners who qualify for the exemptions provided for in subsection (a) of this section and who have reached the age of sixty-five (65) years on or before January 1 of the year for which the exemption is claimed; and service-connected, totally disabled American veterans who were honorably discharged from military service, upon presentation of proper proof of eligibility shall be exempt from any and all ad valorem

taxes, including the forest acreage tax authorized by Section 49-19-115, on homesteads not in excess of Seven Thousand Five Hundred Dollars ($7,500.00) of assessed value thereof; provided, however, that property owned jointly by husband and wife and property owned in fee simple by either spouse shall be eligible for this exemption in full if either spouse fulfills the age or disability requirement. On all other jointly owned property the amount of the allowable exemption shall be determined on the basis of each individual joint owner's qualifications and pro rata share of the property.

(c) Those homeowners who qualify for the exemptions provided for in subsection (a) of this section and who would be classified as disabled under the Federal Social Security Act (42 USCS Section 416(i)), upon presentation of proper proof of eligibility shall be exempt from any and all ad valorem taxes, including the forest acreage tax authorized by Section 49-19-115, on homesteads not in excess of Seven Thousand Five Hundred Dollars ($7,500.00) of assessed value thereof; provided, however, that property owned jointly by husband and wife and property owned in fee simple by either spouse shall be eligible for this exemption in full if either spouse fulfills the disability requirement. On all other jointly owned property, the amount of the allowable exemption shall be determined on the basis of each individual joint owner's qualifications and pro rata share of the property.

(d) Homeowners who qualify for exemption under subsection (c) of this section will not be included in the limitations of Section 27-33-59(e).

Reimbursement by the State of Mississippi to the various taxing units for the tax losses incurred because of the additional exemptions provided for under these subsections shall be made in accordance with the procedures outlined in Section 27-33-41.

This section shall not apply to claims for homestead exemptions filed in any calendar year subsequent to the 1984 calendar year.

SECTION 28. Section 27-39-317, Mississippi Code of 1972, is amended as follows:

27-39-317. The board of supervisors of each county shall, at its regular meeting in September of each year, levy the county ad valorem taxes for the fiscal year, and shall, by order, fix the tax rate, or levy, for the county, for the road districts, if any, and for the school districts, if any, and for any other taxing districts; and the rates, or levies, for the county and for any district shall be expressed in mills or a decimal fraction of a mill. Said tax rates, or levies, shall determine the ad valorem taxes to be collected upon each dollar of valuation, upon the assessment rolls of the county, including the assessment of motor vehicles as provided by the Motor Vehicle Ad Valorem Tax Law of 1958, Section 27-51-1 et seq., for county taxes; and upon each dollar of valuation for the respective districts, as shown upon the assessment rolls of the county, including the assessment of motor vehicles as provided by the Motor Vehicle Ad Valorem Tax Law of 1958, Section 27-51-1 et seq.; except as to such values as shall be exempt, in whole or in part, from certain tax rates or levies. If the rate or levy for the county is an increase from the previous fiscal year, then the proposed rate or levy shall be advertised in accordance with Section 27-39-203. If the board of supervisors of any county shall not levy the county taxes and the district taxes at its regular September meeting, the board shall levy the same on or before September 15 at an adjourned or special meeting, or thereafter, provided, however, that if such levy be not made on or before the fifteenth day of September then the tax collector or Department of Revenue may issue road and bridge privilege tax license plates for motor vehicles as defined in the Motor Vehicle Ad Valorem Tax Law of 1958, Section 27-51-1 et seq., without collecting or requiring proof of payment of county ad valorem taxes, and may continue to so issue such plates until such levy is duly certified to him, and for twenty-four (24) hours thereafter.

Notwithstanding the requirements of this section, in the event the Department of Revenue orders the county to make an adjustment to the tax roll pursuant to Section 27-35-113, the county shall have a period of thirty (30) days from the date of the commission's final determination to adjust the millage in order to collect the same dollar amount of taxes as originally levied by the board.

In making the levy of taxes, the board of supervisors shall specify, in its order, the levy for each purpose, as follows:

(a) For general county purposes (current expense and maintenance taxes), as authorized by Section 27-39-303.

(b) For roads and bridges, as authorized by Section 27-39-305.

(c) For schools, including the * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) levy and the levy for each school district including special municipal separate school districts, but not including other municipal separate school districts, and for an agricultural high school, county high school or community or junior college (current expense and maintenance taxes), as authorized by Chapter 57, Title 37, Mississippi Code of 1972, and any other applicable statute. The levy for schools shall apply to the assessed value of property in the respective school districts, including special municipal separate school districts, but not including other municipal separate school districts, and a distinct and separate levy shall be made for each school district, and the purpose for each levy shall be stated.

(d) For road bonds and the interest thereon, separately for countywide bonds and for the bonds of each road district.

(e) For school bonds and the interest thereon, separately for countywide bonds and for the bonds of each school district.

(f) For countywide bonds, and the interest thereon, other than for road bonds and school bonds.

(g) For loans, notes or any other obligation, and the interest thereon, if permitted by the law.

(h) For any other purpose for which a levy is lawfully made.

The order shall state all of the purposes for which the general county levy is made, using the administrative items suggested by the State Department of Audit * * * under the county budget law in its uniform system of accounts for counties, but the rate or levy for any item or purpose need not be shown; and if a countywide levy is made for any general or special purpose under the provisions of any law other than Section 27-39-303, each such levy shall be separately stated.

During the month of February of each year, if the order or resolution of the board of trustees of any school district of said county or partly in said county, is filed with it requesting the levying of ad valorem taxes for the support and maintenance of such school district for the following fiscal year, then the board of supervisors of every such county in the state shall notify, in writing, within thirty (30) days, the county superintendent of education of such county, the levy or levies it intends to make for the support and maintenance of such school districts of such county at its regular meeting in September following, and the county superintendent of education and the trustees of all such school districts shall be authorized to use such expressed intention of the board of supervisors in computing the support and maintenance budget or budgets of such school district or districts for the ensuing fiscal school year.

SECTION 29. Section 29-3-47, Mississippi Code of 1972, is amended as follows:

29-3-47. For its services the State Forestry Commission shall be entitled to receive its actual expenses incurred in the discharge of the duties herein imposed. In order to provide funds with which to pay for the general supervision and sale of forest products, fifteen percent (15%) of all receipts from the sales of forest products shall be placed by the board in a Forestry Escrow Fund and reserved to pay for work performed by the State Forestry Commission. Such payments shall be equal to the actual expenses incurred by the commission as substantiated by itemized bills presented to the board.

Money in the Forestry Escrow Fund may be used to pay for any forestry work authorized during the period of the agreement and shall not be subject to lapse by reason of county budget limitations.

In each school district having need of tree planting and timber stand improvement, the board of education is authorized to place additional amounts in the Forestry Escrow Fund to reimburse the State Forestry Commission for actual expenses incurred in performing this work, or to pay for any work done under private contract under the supervision of said commission. Such additional amounts may be made available from forest products sales receipts, funds borrowed from the sixteenth section principal fund as is provided for in Section 29-3-113, or any other funds available to the board of education excluding * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds. Expenditures from the Forestry Escrow Fund for tree planting, timber stand improvement, and other forestry work will be limited to payment for work recommended by the Forestry Commission and agreed to by the board of education.

When it becomes evident that the amount of money in the Forestry Escrow Fund is in excess of the amount necessary to accomplish the work needed to achieve the goals set by the board of education and the Forestry Commission, the State Forestry Commission shall advise said board to release any part of such funds as will not be needed, which may then be spent for any purpose authorized by law.

SECTION 30. Section 29-3-49, Mississippi Code of 1972, is amended as follows:

29-3-49. It shall be the duty of the State Forestry Commission, in the manner provided in Section 29-3-45, to enter into agreements for timber improvement purposes with the board of education upon the request of the board. The contract shall provide for the carrying out of a long-term program of timber improvement, including any or all of the following: The deadening of undesirable hardwoods, the planting of trees, the cutting and maintaining of fire lanes, and the establishment of marked boundaries on all lands classified as forest lands in the agreements, which provide for the reimbursement of all current costs incurred by the State Forestry Commission and the carrying out of the duties required by such agreements. In the alternative, the commission, in its discretion, may have the option to contract with a private contractor, subject to the approval of the board, to perform this work under the supervision of the commission. Payment of the reimbursements as hereinabove set forth to the Forestry Commission, or of compensation due under any such contract with private contractors shall be made upon presentation of itemized bills by the commission or the private contractors, as the case may be, and may be made out of any sixteenth section funds to the credit of, or accruing to, any school district in which such work shall be done, or out of any other funds available to such district, excluding * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds.

SECTION 31. Section 29-3-113, Mississippi Code of 1972, is amended as follows:

29-3-113. The principal fund shall be a permanent township fund which shall consist of funds heretofore or hereafter derived from certain uses or for certain resources of school trust lands which shall be invested and, except as otherwise provided in this section, only the interest and income derived from such funds shall be expendable by the school district.

The principal fund shall consist of:

(a) Funds received for easements and rights-of-way pursuant to Section 29-3-91;

(b) Funds received for sales of lieu land pursuant to Sections 29-3-15 through 29-3-25;

(c) Funds received from any permanent damage to the school trust land;

(d) Funds received from the sale of nonrenewable resources, including, but not limited to, the sale of sand, gravel, dirt, clays and royalties received from the sale of mineral ores, coal, oil and gas;

(e) Funds received from the sale of buildings pursuant to Section 29-3-77;

(f) Funds received from the sale of timber; and

(g) Funds received pursuant to Section 29-3-23(2).

It shall be the duty of the Board of Education to keep the principal fund invested in any direct obligation issued by or guaranteed in full as to principal and interest by the United States of America or in certificates of deposit issued by a qualified depository of the State of Mississippi as approved by the State Treasurer. The certificates of deposit may bear interest at any rate per annum which may be mutually agreed upon but in no case shall said rate be less than that paid on passbook savings.

The Board of Education is authorized to invest the funds in interest bearing deposits or other obligations of the types described in Section 27-105-33 or in any other type investment in which any other political subdivision of the State of Mississippi may invest, except that one hundred percent (100%) of the funds are authorized to be invested. For the purposes of investment, the principal fund of each township may be combined into one or more district accounts; however, the docket book of the county superintendent shall at all times reflect the proper source of such funds. Provided that funds received from the sale of timber shall be placed in a separate principal fund account, and may be expended for any of the purposes authorized by law.

The Board of Education shall have authority to borrow such funds at a rate of interest not less than four percent (4%) per annum and for a term not exceeding twenty (20) years, for the erection, equipment or repair of said district schools, to provide local funds for any building project approved by the State Board of Education or to provide additional funds for forest stand improvement as set forth in Section 29-3-47. In addition, the board may borrow the funds under the same interest restrictions for a term not exceeding ten (10) years to provide funds for the purchase of school buses. The Board of Education of any school district in any county that has an aggregate amount of assets in its principal fund in excess of Five Million Dollars ($5,000,000.00) may deduct an amount not to exceed Five Hundred Thousand Dollars ($500,000.00) for the purpose of covering the cost of asbestos removal from school district buildings. Such asbestos removal shall be construed to constitute the repair of school district facilities as prescribed in Section 29-3-115.

No school land trust funds may be expended after the annual payment date until the payment is made on such loan. Once a district is current on its loan payments, the district may spend expendable trust funds earned or accumulated in previous years for any purpose for which expendable trust funds may be spent. The annual payment can be made from any funds available to the school district except * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds.

It shall be unlawful for the Board of Education to borrow any sixteenth section school funds in any other manner than that prescribed herein, and if any such funds shall be borrowed or invested in any other manner, any officer concerned in making such loan and investment or suffering the same to be made in violation of the provisions of this section shall be liable personally and on his official bond for the safety of the funds so loaned.

SECTION 32. Section 29-3-137, Mississippi Code of 1972, is amended as follows:

29-3-137. (1) Beginning with the 1985-1986 fiscal year the Legislature of the State of Mississippi shall appropriate to the State Department of Education a sum of One Million Dollars ($1,000,000.00) to be disbursed to the Chickasaw counties, and an additional One Million Dollars ($1,000,000.00) each succeeding fiscal year thereafter until a maximum appropriation of Five Million Dollars ($5,000,000.00) is made for the fiscal year 1989-1990. Beginning with the appropriation for the 1990-1991 fiscal year, the amount appropriated under the provisions of this section shall not exceed the total average annual expendable revenue * * * received by the Choctaw counties from school lands, or Five Million Dollars ($5,000,000.00), whichever is the lesser.

(2) The State Department of Education is hereby authorized, empowered and directed to allocate for distribution such funds appropriated each year under subsection (1) of this section in proportion to the * * * amount of funding allotted under * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) to such school districts affected by the sale of Chickasaw cession school lands. School districts not wholly situated in Chickasaw cession affected territory shall receive a prorated amount of such allocation based on the percentage of such lands located within the district. Provided further, that the State Department of Education shall, in addition, deduct from each affected school district's allocation the amount such district shall receive from interest payments from the Chickasaw School Fund under Section 212, Mississippi Constitution of 1890 for each fiscal year. * * * The department shall document the foregoing computation in its annual budget request for the appropriation to the Chickasaw School Fund, and shall revise its budget request under such formula as the average annual revenues from sixteenth section school lands fluctuate.

(3) [Repealed]

SECTION 33. Section 31-7-9, Mississippi Code of 1972, is amended as follows:

31-7-9. (1) (a) The Office of Purchasing, Travel and Fleet Management shall adopt purchasing regulations governing the purchase by any agency of any commodity or commodities and establishing standards and specifications for a commodity or commodities and the maximum fair prices of a commodity or commodities, subject to the approval of the Public Procurement Review Board. It shall have the power to amend, add to or eliminate purchasing regulations. The adoption of, amendment, addition to or elimination of purchasing regulations shall be based upon a determination by the Office of Purchasing, Travel and Fleet Management with the approval of the Public Procurement Review Board, that such action is reasonable and practicable and advantageous to promote efficiency and economy in the purchase of commodities by the agencies of the state. Upon the adoption of any purchasing regulation, or an amendment, addition or elimination therein, copies of same shall be furnished to the State Auditor and to all agencies affected thereby. Thereafter, and except as otherwise may be provided in subsection (2) of this section, no agency of the state shall purchase any commodities covered by existing purchasing regulations unless such commodities be in conformity with the standards and specifications set forth in the purchasing regulations and unless the price thereof does not exceed the maximum fair price established by such purchasing regulations. The Office of Purchasing, Travel and Fleet Management shall furnish to any county or municipality or other local public agency of the state requesting same, copies of purchasing regulations adopted by the Office of Purchasing, Travel and Fleet

Management and any amendments, changes or eliminations of same that may be made from time to time.

(b) The Office of Purchasing, Travel and Fleet Management may adopt purchasing regulations governing the use of credit cards, procurement cards and purchasing club membership cards to be used by state agencies, governing authorities of counties and municipalities, school districts and the Chickasawhay Natural Gas District. Use of the cards shall be in strict compliance with the regulations promulgated by the office. Any amounts due on the cards shall incur interest charges as set forth in Section 31-7-305 and shall not be considered debt.

(c) Pursuant to the provision of Section 37-61-33(* * *2), the Office of Purchasing, Travel and Fleet Management of the Department of Finance and Administration is authorized to issue procurement cards or credentials for a digital solution to all public school district classroom teachers, charter school teachers, full- or part-time gifted or special education teachers and other necessary direct support personnel at the beginning of the school year, but no later than August 1 of each year, for the purchase of instructional supplies using Educational Enhancement Funds. The cards will be issued in equal amounts per teacher determined by the total number of qualifying personnel and the then current state appropriation for classroom instructional supplies under the Education Enhancement Fund. All purchases shall be in accordance with state law and teachers are responsible for verification of capital asset requirements when pooling monies to purchase equipment. The cards will expire on a predetermined date at the end of each school year, but not before April 1 of each year. All unexpended amounts will be carried forward, to be combined with the following year's instructional supply fund allocation, and reallocated for the following year. The Department of Finance and Administration is authorized to loan any start-up funds at the beginning of the school year to fund this procurement system for instructional supplies with loan repayment being made from sales tax receipts earmarked for the Education Enhancement Fund.

(d) In a sale of goods or services, the seller shall not impose a surcharge on a buyer who uses a state-issued credit card, procurement card, travel card, or fuel card. The Department of Finance and Administration shall have exclusive jurisdiction to enforce and adopt rules relating to this paragraph. Any rules adopted under this paragraph shall be consistent with federal laws and regulations governing credit card transactions described by this paragraph. This paragraph does not create a cause of action against an individual for a violation of this paragraph.

(2) The Office of Purchasing, Travel and Fleet Management shall adopt, subject to the approval of the Public Procurement Review Board, purchasing regulations governing the purchase of unmarked vehicles to be used by the Bureau of Narcotics and Department of Public Safety in official investigations pursuant to Section 25-1-87. Such regulations shall ensure that purchases of such vehicles shall be at a fair price and shall take into consideration the peculiar needs of the Bureau of Narcotics and Department of Public Safety in undercover operations.

(3) The Office of Purchasing, Travel and Fleet Management shall adopt, subject to the approval of the Public Procurement Review Board, regulations governing the certification process for certified purchasing offices, including the Mississippi Purchasing Certification Program, which shall be required of all purchasing agents at state agencies. Such regulations shall require entities desiring to be classified as certified purchasing offices to submit applications and applicable documents on an annual basis, and in the case of a state agency purchasing office, to have one hundred percent (100%) participation and completion by purchasing agents in the Mississippi Purchasing Certification Program, at which time the Office of Purchasing, Travel and Fleet Management may provide the governing entity with a certification valid for one (1) year from the date of issuance. The Office of Purchasing, Travel and Fleet Management shall set a fee in an amount that recovers its costs to administer the Mississippi Purchasing Certification Program, which shall be assessed to the participating state agencies.

(4) The Office of Purchasing, Travel and Fleet Management shall adopt purchasing regulations authorizing rural water associations to purchase at the state contract price afforded to agencies and governing authorities under this chapter.

SECTION 34. Section 31-7-10, Mississippi Code of 1972, is amended as follows:

31-7-10. (1) For the purposes of this section, the term "equipment" shall mean equipment, furniture, and if applicable, associated software and other applicable direct costs associated with the acquisition. In addition to its other powers and duties, the Department of Finance and Administration shall have the authority to develop a master lease-purchase program and, pursuant to that program, shall have the authority to execute on behalf of the state master lease-purchase agreements for equipment to be used by an agency, as provided in this section. Each agency electing to acquire equipment by a lease-purchase agreement shall participate in the Department of Finance and Administration's master lease-purchase program, unless the Department of Finance and Administration makes a determination that such equipment cannot be obtained under the program or unless the equipment can be obtained elsewhere at an overall cost lower than that for which the equipment can be obtained under the program. Such lease-purchase agreements may include the refinancing or consolidation, or both, of any state agency lease-purchase agreements entered into after June 30, 1990.

(2) All funds designated by agencies for procurement of equipment and financing thereof under the master lease-purchase program shall be paid into a special fund created in the State Treasury known as the "Master Lease-Purchase Program Fund," which shall be used by the Department of Finance and Administration for payment to the lessors for equipment acquired under master lease-purchase agreements.

(3) Upon final approval of an appropriation bill, each agency shall submit to the Public Procurement Review Board a schedule of proposed equipment acquisitions for the master lease-purchase program. Upon approval of an equipment schedule by the Public Procurement Review Board with the advice of the Department of Information Technology Services, the Office of Purchasing, Travel and Fleet Management, and the Division of Energy and Transportation of the Mississippi Development Authority as it pertains to energy efficient climate control systems, the Public Procurement Review Board shall forward a copy of the equipment schedule to the Department of Finance and Administration.

(4) The level of lease-purchase debt recommended by the Department of Finance and Administration shall be subject to approval by the State Bond Commission. After such approval, the Department of Finance and Administration shall be authorized to advertise and solicit written competitive proposals for a lessor, who will purchase the equipment pursuant to bid awards made by the using agency under a given category and then transfer the equipment to the Department of Finance and Administration as lessee, pursuant to a master lease-purchase agreement.

The Department of Finance and Administration shall select the successful proposer for the financing of equipment under the master lease-purchase program with the approval of the State Bond Commission.

(5) Each master lease-purchase agreement, and any subsequent amendments, shall include such terms and conditions as the State Bond Commission shall determine to be appropriate and in the public interest, and may include any covenants deemed necessary or desirable to protect the interests of the lessor, including, but not limited to, provisions setting forth the interest rate (or method for computing interest rates) for financing pursuant to such agreement, covenants concerning application of payments and funds held in the Master Lease-Purchase Program Fund, covenants to maintain casualty insurance with respect to equipment subject to the master lease-purchase agreement (and all state agencies are specifically authorized to purchase any insurance required by

a master lease-purchase agreement) and covenants precluding or limiting the right of the lessee or user to acquire equipment within a specified time (not to exceed five (5) years) after cancellation on the basis of a failure to appropriate funds for payment of amounts due under a lease-purchase agreement covering comparable equipment. The State Bond Commission shall transmit copies of each such master lease-purchase agreement and each such amendment to the Joint Legislative Budget Committee. To the extent provided in any master lease-purchase agreement, title to equipment leased pursuant thereto shall be deemed to be vested in the state or the user of the equipment (as specified in such master lease-purchase agreement), subject to default under or termination of such master lease-purchase agreement.

A master lease-purchase agreement may provide for payment by the lessor to the lessee of the purchase price of the equipment to be acquired pursuant thereto prior to the date on which payment is due to the vendor for such equipment and that the lease payments by the lessee shall commence as though the equipment had been provided on the date of payment. If the lessee, or lessee's escrow agent, has sufficient funds for payment of equipment purchases prior to payment due date to vendor of equipment, such funds shall be held or utilized on an as-needed basis for payment of equipment purchases either by the State Treasurer (in which event the master lease-purchase agreement may include provisions concerning the holding of such funds, the creation of a security interest for the benefit of the lessor in such funds until disbursed and other appropriate provisions approved by the Bond Commission) or by a corporate trustee selected by the Department of Finance and Administration (in which event the Department of Finance and Administration shall have the authority to enter into an agreement with such a corporate trustee containing terms and conditions approved by the Bond Commission). Earnings on any amount paid by the lessor prior to the acquisition of the equipment may be used to make lease payments under the master lease-purchase agreement or applied to pay costs and expenses incurred in connection with such lease-purchase agreement. In such event, the equipment-use agreements with the user agency may provide for lease payments to commence upon the date of payment by the lessor and may also provide for a credit against such payments to the extent that investment receipts from investment of the purchase price are to be used to make lease-purchase payments.

(6) The annual rate of interest paid under any lease-purchase agreement authorized under this section shall not exceed the maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101.

(7) The Department of Finance and Administration shall furnish the equipment to the various agencies, also known as the user, pursuant to an equipment-use agreement developed by the Department of Finance and Administration. Such agreements shall require that all monthly payments due from such agency be paid, transferred or allocated into the Master Lease-Purchase Program Fund pursuant to a schedule established by the Department of Finance and Administration. In the event such sums are not paid by the defined payment period, the Executive Director of the Department of Finance and Administration shall issue a requisition for a warrant to draw such amount as may be due from any funds appropriated for the use of the agency which has failed to make the payment as agreed.

(8) All master lease-purchase agreements executed under the authority of this section shall contain the following annual allocation dependency clause or an annual allocation dependency clause which is substantially equivalent thereto: "The continuation of each equipment schedule to this agreement is contingent in whole or in part upon the appropriation of funds by the Legislature to make the lease-purchase payments required under such equipment schedule. If the Legislature fails to appropriate sufficient funds to provide for the continuation of the lease-purchase payments under any such equipment schedule, then the obligations of the lessee and of the agency to make such lease-purchase payments and the corresponding provisions of any such equipment schedule to this agreement shall terminate on the last day of the fiscal year for which appropriations were made."

(9) The maximum lease term for any equipment acquired under the master lease-purchase program shall not exceed the useful life of such equipment as determined according to the upper limit of the asset depreciation range (ADR) guidelines for the Class Life Asset Depreciation Range System established by the Internal Revenue Service pursuant to the United States Internal Revenue Code and Regulations thereunder as in effect on December 31, 1980, or comparable depreciation guidelines with respect to any equipment not covered by ADR guidelines. The Department of Finance and Administration shall be deemed to have met the requirements of this subsection if the term of a master lease-purchase agreement does not exceed the weighted average useful life of all equipment covered by such agreement and the schedules thereto as determined by the Department of Finance and Administration. For purposes of this subsection, the "term of a master lease-purchase agreement" shall be the weighted average maturity of all principal payments to be made under such master lease-purchase agreement and all schedules thereto.

(10) Interest paid on any master lease-purchase agreement under this section shall be exempt from State of Mississippi income taxation. All equipment, and the purchase thereof by any lessor, acquired under the master lease-purchase program and all lease-purchase payments with respect thereto shall be exempt from all Mississippi sales, use and ad valorem taxes.

(11) The Governor, in his annual executive budget to the Legislature, shall recommend appropriations sufficient to provide funds to pay all amounts due and payable during the applicable fiscal year under master lease-purchase agreements entered into pursuant to this section.

(12) Any master lease-purchase agreement reciting in substance that such agreement has been entered into pursuant to this section shall be conclusively deemed to have been entered into in accordance with all of the provisions and conditions set forth in this section. Any defect or irregularity arising with respect to procedures applicable to the acquisition of any equipment shall not invalidate or otherwise limit the obligation of the Department of Finance and Administration, or the state or any agency of the state, under any master lease-purchase agreement or any equipment-use agreement.

(13) There shall be maintained by the Department of Finance and Administration, with respect to each master lease-purchase agreement, an itemized statement of the cash price, interest rates, interest costs, commissions, debt service schedules and all other costs and expenses paid by the state incident to the lease-purchase of equipment under such agreement.

(14) Lease-purchase agreements entered into by the Board of Trustees of State Institutions of Higher Learning pursuant to the authority of Section 37-101-413 or by any other agency which has specific statutory authority other than pursuant to Section 31-7-13(e) to acquire equipment by lease-purchase shall not be made pursuant to the master lease-purchase program under this section, unless the Board of Trustees of State Institutions of Higher Learning or such other agency elects to participate as to part or all of its lease-purchase acquisitions in the master lease-purchase program pursuant to this section.

(15) The Department of Finance and Administration may develop a master lease-purchase program for school districts and, pursuant to that program, may execute on behalf of the school districts master lease-purchase agreements for equipment to be used by the school districts. The form and structure of this program shall be substantially the same as set forth in this section for the master lease-purchase program for state agencies. If sums due from a school district under the master lease-purchase program are not paid by the expiration of the defined payment period, the Executive Director of the Department of Finance and Administration may withhold such amount that is due from the

school district's * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) allotments.

(16) The Department of Finance and Administration may develop a master lease-purchase program for community and junior college districts and, pursuant to that program, may execute on behalf of the community and junior college districts master lease-purchase agreements for equipment to be used by the community and junior college districts. The form and structure of this program must be substantially the same as set forth in this section for the master lease-purchase program for state agencies. If sums due from a community or junior college district under the master lease-purchase program are not paid by the expiration of the defined payment period, the Executive Director of the Department of Finance and Administration may withhold an amount equal to the amount due under the program from any funds allocated for that community or junior college district in the state appropriations for the use and support of the community and junior colleges.

(17) From and after July 1, 2016, the expenses of this agency shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law.

(18) From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

SECTION 35. Section 37-1-3, Mississippi Code of 1972, is amended as follows:

37-1-3. (1) The State Board of Education shall adopt rules and regulations and set standards and policies for the organization, operation, management, planning, budgeting and programs of the State Department of Education.

(a) The board is directed to identify all functions of the department that contribute to or comprise a part of the state system of educational accountability and to establish and maintain within the department the necessary organizational structure, policies and procedures for effectively coordinating such functions. Such policies and procedures shall clearly fix and delineate responsibilities for various aspects of the system and for overall coordination of the total system and its effective management.

(b) The board shall establish and maintain a system-wide plan of performance, policy and directions of public education not otherwise provided for.

(c) The board shall effectively use the personnel and resources of the department to enhance technical assistance to school districts in instruction and management therein.

(d) The board shall establish and maintain a central budget policy.

(e) The board shall establish and maintain within the State Department of Education a central management capacity under the direction of the State Superintendent of Public Education.

(f) The board, with recommendations from the superintendent, shall design and maintain a five-year plan and program for educational improvement that shall set forth objectives for system performance and development and be the basis for budget requests and legislative initiatives.

(2) (a) The State Board of Education shall adopt and maintain a curriculum and a course of study to be used in the public school districts that is designed to prepare the state's children and youth to be productive, informed, creative citizens, workers and

leaders, and it shall regulate all matters arising in the practical administration of the school system not otherwise provided for.

(b) Before the 1999-2000 school year, the State Board of Education shall develop personal living and finances objectives that focus on money management skills for individuals and families for appropriate, existing courses at the secondary level. The objectives must require the teaching of those skills necessary to handle personal business and finances and must include instruction in the following:

(i) Opening a bank account and assessing the quality of a bank's services;

(ii) Balancing a checkbook;

(iii) Managing debt, including retail and credit card debt;

(iv) Completing a loan application;

(v) The implications of an inheritance;

(vi) The basics of personal insurance policies;

(vii) Consumer rights and responsibilities;

(viii) Dealing with salesmen and merchants;

(ix) Computing state and federal income taxes;

(x) Local tax assessments;

(xi) Computing interest rates by various mechanisms;

(xii) Understanding simple contracts; and

(xiii) Contesting an incorrect billing statement.

(3) The State Board of Education shall have authority to expend any available federal funds, or any other funds expressly designated, to pay training, educational expenses, salary incentives and salary supplements to licensed teachers employed in local school districts or schools administered by the State Board of Education. Such incentive payments shall not be considered part of a school district's local supplement * * *, nor shall the incentives be considered part of the local supplement paid to an individual teacher for the purposes of Section 37-19-7(1). * * *

(4) The State Board of Education shall through its actions seek to implement the policies set forth in Section 37-1-2.

SECTION 36. Section 37-3-11, Mississippi Code of 1972, is amended as follows:

37-3-11. The State Superintendent of Public Education shall perform the duties assigned to him by the State Board of Education, and he shall have the following duties:

(a) To serve as secretary for the State Board of Education;

(b) To be the chief administrative officer of the State Department of Education;

(c) To recommend to the State Board of Education, for its consideration, rules and regulations for the supervision of the public schools and agricultural high schools

of the school districts throughout the state and for the efficient organization and conduct of the same;

(d) To collect data and make it available to the state board for determining the proper distribution of the * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds;

(e) To keep a complete record of all official acts of the State Superintendent and the acts of the State Board of Education;

(f) To prepare, have printed and furnish all officers charged with the administration of the laws pertaining to the public schools, such blank forms and books as may be necessary to the proper discharge of their duties, which printing is to be paid for out of funds provided by the Legislature;

(g) To have printed in pamphlet form the laws pertaining to the public schools and publish therein forms for conducting school business, the rules and regulations for the government of schools that the State Superintendent or the State Board of Education may recommend, and such other matters as may be deemed worthy of public interest pertaining to the public schools, which printing is to be paid for out of funds provided by the Legislature;

(h) To meet all superintendents annually at such time and place as the State Superintendent shall appoint for the purpose of accumulating facts relative to schools, to review the educational progress made in the various sections of the state, to compare views, discuss problems, hear discussions and suggestions relative to examinations and qualifications of teachers, methods of instruction, textbooks, summer schools for teachers, visitation of schools, consolidation of schools, health work in the schools, vocational education and other matters pertaining to the public school system;

(i) To advise all superintendents upon all matters involving the welfare of the schools, and at the request of any superintendent, to give an opinion upon a written statement of facts on all questions and controversies arising out of the interpretation and construction of the school laws, in regard to rights, powers and duties of school officers and superintendents, and to keep a record of all such decisions. Before giving any opinion, the superintendent may submit the statement of facts to the Attorney General, and it shall be the duty of the Attorney General forthwith to examine such statement and suggest the proper decision to be made upon such fact;

(j) To require annually, and as often as the State Superintendent may deem proper, of all superintendents, detailed reports on the educational business of the various districts;

(k) On or before January 10 in each year to prepare, under the direction of the State Board of Education, the annual information report of the State Department of Education as described in Section 37-151-97;

(l) To determine the number of educable children in the several school districts under rules and regulations prescribed by the State Board of Education; and

(m) To perform such other duties as may be prescribed by the State Board of Education.

SECTION 37. Section 37-3-83, Mississippi Code of 1972, is amended as follows:

37-3-83. (1) There is established within the State Department of Education, using only existing staff and resources, a School Safety Grant Program, available to all eligible public school districts, to assist in financing programs to provide school safety. However,

no monies from the Temporary Assistance for Needy Families grant may be used for the School Safety Grant Program.

(2) The school board of each school district, with the assistance of the State Department of Education School Safety Center, shall adopt a comprehensive local school district school safety plan and shall update the plan on an annual basis.

(3) Subject to the extent of appropriations available, the School Safety Grant Program shall offer any of the following specific preventive services, and other additional services appropriate to the most current school district school safety plan:

(a) Metal detectors;

(b) Video surveillance cameras, communications equipment and monitoring equipment for classrooms, school buildings, school grounds and school buses;

(c) Crisis management/action teams responding to school violence;

(d) Violence prevention training, conflict resolution training, behavioral stress training and other appropriate training designated by the State Department of Education for faculty and staff; and

(e) School safety personnel.

(4) Each local school district of this state may annually apply for school safety grant funds subject to appropriations by the Legislature. School safety grants shall include a base grant amount plus an additional amount per student in average daily * * * membership in the school or school district. The base grant amount and amount per student shall be determined by the State Board of Education, subject to specific appropriation therefor by the Legislature. In order to be eligible for such program, each local school board desiring to participate shall apply to the State Department of Education by May 31 before the beginning of the applicable fiscal year on forms provided by the department, and shall be required to establish a local School Safety Task Force to involve members of the community in the school safety effort. The State Department of Education shall determine by July 1 of each succeeding year which local school districts have submitted approved applications for school safety grants.

(5) As part of the School Safety Grant Program, the State Department of Education may conduct a pilot program to research the feasibility of using video camera equipment in the classroom to address the following:

(a) Determine if video cameras in the classroom reduce student disciplinary problems;

(b) Enable teachers to present clear and convincing evidence of a student's disruptive behavior to the student, the principal, the superintendent and the student's parents; and

(c) Enable teachers to review teaching performance and receive diagnostic feedback for developmental purposes.

(6) Any local school district may use audio/visual-monitoring equipment in classrooms, hallways, buildings, grounds and buses for the purpose of monitoring school disciplinary problems.

(7) As a component of the comprehensive local school district school safety plan required under subsection (2) of this section, the school board of a school district may adopt and implement a policy addressing sexual abuse of children, to be known as "Erin's

Law Awareness." Any policy adopted under this subsection may include or address, but need not be limited to, the following:

(a) Methods for increasing teacher, student and parental awareness of issues regarding sexual abuse of children, including knowledge of likely warning signs indicating that a child may be a victim of sexual abuse;

(b) Educational information for parents or guardians, which may be included in the school handbook, on the warning signs of a child being abused, along with any needed assistance, referral or resource information;

(c) Training for school personnel on child sexual abuse;

(d) Age-appropriate curriculum for students in prekindergarten through fifth grade;

(e) Actions that a child who is a victim of sexual abuse should take to obtain assistance and intervention;

(f) Counseling and resources available for students affected by sexual abuse; and

(g) Emotional and educational support for a child who has been abused to enable the child to be successful in school.

(8) As part of the school safety grant program, the State Department of Education shall establish three (3) pilot programs in six (6) school districts utilizing an evidence-based curriculum to provide students in Grades K-5 with skills to manage stress and anxiety in order for them to be better equipped to handle challenges in a healthy way and build resiliency. The Mississippi Department of Mental Health shall be responsible for the selection of the content of the evidence-based curriculum. The results of this pilot program shall be measured and reported, and such results shall be used in consideration of the implementation of this curriculum statewide.

(9) As a component of the comprehensive local school district safety plan required under subsection (2) of this section, beginning in the 2019-2020 school year, the State Department of Education shall require local school districts to conduct, every two (2) years, refresher training on mental health and suicide prevention for all school employees and personnel, including all cafeteria workers, custodians, teachers and administrators. The Mississippi Department of Mental Health shall be responsible for the development and/or selection of the content of the training, which training shall be provided at no cost to school employees. School districts shall report completion of the training to the State Department of Education.

SECTION 38. Section 37-7-208, Mississippi Code of 1972, is amended as follows:

37-7-208. The board of trustees of any consolidated school district may pay from * * * funds other than Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds the cost and expense of litigation involved by or resulting from the creation of or litigation to create single member school board trustee election districts, and pay from * * * funds other than the funding formula funds the cost or expense to implement any plan, decree or reorganization as approved by the court. Said payments by the board of trustees shall be deemed a "new program" under the provisions of Section 37-57-107, * * * and any additional millage levied for such purpose and the revenue generated therefrom shall be excluded from the tax increase limitation prescribed in Sections 37-57-105 and 37-57-107. The board of supervisors of any county in which there is located such consolidated school district may, in its discretion, contribute out of county general funds to the cost and expense of such litigation and/or the cost of implementing such redistricting plan.

SECTION 39. Section 37-7-301, Mississippi Code of 1972, is amended as follows:

37-7-301. The school boards of all school districts shall have the following powers, authority and duties in addition to all others imposed or granted by law, to wit:

(a) To organize and operate the schools of the district and to make such division between the high school grades and elementary grades as, in their judgment, will serve the best interests of the school;

(b) To introduce public school music, art, manual training and other special subjects into either the elementary or high school grades, as the board shall deem proper;

(c) To be the custodians of real and personal school property and to manage, control and care for same, both during the school term and during vacation;

(d) To have responsibility for the erection, repairing and equipping of school facilities and the making of necessary school improvements;

(e) To suspend or to expel a pupil or to change the placement of a pupil to the school district's alternative school or homebound program for misconduct in the school or on school property, as defined in Section 37-11-29, on the road to and from school, or at any school-related activity or event, or for conduct occurring on property other than school property or other than at a school-related activity or event when such conduct by a pupil, in the determination of the school superintendent or principal, renders that pupil's presence in the classroom a disruption to the educational environment of the school or a detriment to the best interest and welfare of the pupils and teacher of such class as a whole, and to delegate such authority to the appropriate officials of the school district;

(f) To visit schools in the district, in their discretion, in a body for the purpose of determining what can be done for the improvement of the school in a general way;

(g) To support, within reasonable limits, the superintendent, principal and teachers where necessary for the proper discipline of the school;

(h) To exclude from the schools students with what appears to be infectious or contagious diseases; provided, however, such student may be allowed to return to school upon presenting a certificate from a public health officer, duly licensed physician or nurse practitioner that the student is free from such disease;

(i) To require those vaccinations specified by the State Health Officer as provided in Section 41-23-37;

(j) To see that all necessary utilities and services are provided in the schools at all times when same are needed;

(k) To authorize the use of the school buildings and grounds for the holding of public meetings and gatherings of the people under such regulations as may be prescribed by said board;

(l) To prescribe and enforce rules and regulations not inconsistent with law or with the regulations of the State Board of Education for their own government and for the government of the schools, and to transact their business at regular and special meetings called and held in the manner provided by law;

(m) To maintain and operate all of the schools under their control for such length of time during the year as may be required;

(n) To enforce in the schools the courses of study and the use of the textbooks prescribed by the proper authorities;

(o) To make orders directed to the superintendent of schools for the issuance of pay certificates for lawful purposes on any available funds of the district and to have full control of the receipt, distribution, allotment and disbursement of all funds provided for the support and operation of the schools of such school district whether such funds be derived from state appropriations, local ad valorem tax collections, or otherwise. The local school board shall be authorized and empowered to promulgate rules and regulations that specify the types of claims and set limits of the dollar amount for payment of claims by the superintendent of schools to be ratified by the board at the next regularly scheduled meeting after payment has been made;

(p) To select all school district personnel in the manner provided by law, and to provide for such employee fringe benefit programs, including accident reimbursement plans, as may be deemed necessary and appropriate by the board;

(q) To provide athletic programs and other school activities and to regulate the establishment and operation of such programs and activities;

(r) To join, in their discretion, any association of school boards and other public school-related organizations, and to pay from local funds other than * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds, any membership dues;

(s) To expend local school activity funds, or other available school district funds, other than * * * INSPIRE funds, for the purposes prescribed under this paragraph. "Activity funds" shall mean all funds received by school officials in all school districts paid or collected to participate in any school activity, such activity being part of the school program and partially financed with public funds or supplemented by public funds. The term "activity funds" shall not include any funds raised and/or expended by any organization unless commingled in a bank account with existing activity funds, regardless of whether the funds were raised by school employees or received by school employees during school hours or using school facilities, and regardless of whether a school employee exercises influence over the expenditure or disposition of such funds. Organizations shall not be required to make any payment to any school for the use of any school facility if, in the discretion of the local school governing board, the organization's function shall be deemed to be beneficial to the official or extracurricular programs of the school. For the purposes of this provision, the term "organization" shall not include any organization subject to the control of the local school governing board. Activity funds may only be expended for any necessary expenses or travel costs, including advances, incurred by students and their chaperons in attending any in-state or out-of-state school-related programs, conventions or seminars and/or any commodities, equipment, travel expenses, purchased services or school supplies which the local school governing board, in its discretion, shall deem beneficial to the official or extracurricular programs of the district, including items which may subsequently become the personal property of individuals, including yearbooks, athletic apparel, book covers and trophies. Activity funds may be used to pay travel expenses of school district personnel. The local school governing board shall be authorized and empowered to promulgate rules and regulations specifically designating for what purposes school activity funds may be expended. The local school governing board shall provide (i) that such school activity funds shall be maintained and expended by the principal of the school generating the funds in individual bank accounts, or (ii) that such school activity funds shall be maintained and expended by the superintendent of schools in a central depository approved by the board. The local school governing board shall provide that such school activity funds be audited as part of the annual audit required in Section 37-9-18. The State Department of Education shall prescribe a uniform system of accounting and financial reporting for all school activity fund transactions;

(t) To enter into an energy performance contract, energy services contract, on a shared-savings, lease or lease-purchase basis, for energy efficiency services and/or equipment as provided for in Section 31-7-14;

(u) To maintain accounts and issue pay certificates on school food service bank accounts;

(v) (i) To lease a school building from an individual, partnership, nonprofit corporation or a private for-profit corporation for the use of such school district, and to expend funds therefor as may be available from any * * * sources other than INSPIRE funds. The school board of the school district desiring to lease a school building shall declare by resolution that a need exists for a school building and that the school district cannot provide the necessary funds to pay the cost or its proportionate share of the cost of a school building required to meet the present needs. The resolution so adopted by the school board shall be published once each week for three (3) consecutive weeks in a newspaper having a general circulation in the school district involved, with the first publication thereof to be made not less than thirty (30) days prior to the date upon which the school board is to act on the question of leasing a school building. If no petition requesting an election is filed prior to such meeting as hereinafter provided, then the school board may, by resolution spread upon its minutes, proceed to lease a school building. If at any time prior to said meeting a petition signed by not less than twenty percent (20%) or fifteen hundred (1500), whichever is less, of the qualified electors of the school district involved shall be filed with the school board requesting that an election be called on the question, then the school board shall, not later than the next regular meeting, adopt a resolution calling an election to be held within such school district upon the question of authorizing the school board to lease a school building. Such election shall be called and held, and notice thereof shall be given, in the same manner for elections upon the questions of the issuance of the bonds of school districts, and the results thereof shall be certified to the school board. If at least three-fifths (3/5) of the qualified electors of the school district who voted in such election shall vote in favor of the leasing of a school building, then the school board shall proceed to lease a school building. The term of the lease contract shall not exceed twenty (20) years, and the total cost of such lease shall be either the amount of the lowest and best bid accepted by the school board after advertisement for bids or an amount not to exceed the current fair market value of the lease as determined by the averaging of at least two (2) appraisals by certified general appraisers licensed by the State of Mississippi. The term "school building" as used in this paragraph (v)(i) shall be construed to mean any building or buildings used for classroom purposes in connection with the operation of schools and shall include the site therefor, necessary support facilities, and the equipment thereof and appurtenances thereto such as heating facilities, water supply, sewage disposal, landscaping, walks, drives and playgrounds. The term "lease" as used in this paragraph (v)(i) may include a lease-purchase contract;

(ii) If two (2) or more school districts propose to enter into a lease contract jointly, then joint meetings of the school boards having control may be held but no action taken shall be binding on any such school district unless the question of leasing a school building is approved in each participating school district under the procedure hereinabove set forth in paragraph (v)(i). All of the provisions of paragraph (v)(i) regarding the term and amount of the lease contract shall apply to the school boards of school districts acting jointly. Any lease contract executed by two (2) or more school districts as joint lessees shall set out the amount of the aggregate lease rental to be paid by each, which may be agreed upon, but there shall be no right of occupancy by any lessee unless the aggregate rental is paid as stipulated in the lease contract. All rights of joint lessees under the lease contract shall be in proportion to the amount of lease rental paid by each;

(w) To employ all noninstructional and noncertificated employees and fix the duties and compensation of such personnel deemed necessary pursuant to the recommendation of the superintendent of schools;

(x) To employ and fix the duties and compensation of such legal counsel as deemed necessary;

(y) Subject to rules and regulations of the State Board of Education, to purchase, own and operate trucks, vans and other motor vehicles, which shall bear the proper identification required by law;

(z) To expend funds for the payment of substitute teachers and to adopt reasonable regulations for the employment and compensation of such substitute teachers;

(aa) To acquire in its own name by purchase all real property which shall be necessary and desirable in connection with the construction, renovation or improvement of any public school building or structure. Whenever the purchase price for such real property is greater than Fifty Thousand Dollars ($50,000.00), the school board shall not purchase the property for an amount exceeding the fair market value of such property as determined by the average of at least two (2) independent appraisals by certified general appraisers licensed by the State of Mississippi. If the board shall be unable to agree with the owner of any such real property in connection with any such project, the board shall have the power and authority to acquire any such real property by condemnation proceedings pursuant to Section 11-27-1 et seq., Mississippi Code of 1972, and for such purpose, the right of eminent domain is hereby conferred upon and vested in said board. Provided further, that the local school board is authorized to grant an easement for ingress and egress over sixteenth section land or lieu land in exchange for a similar easement upon adjoining land where the exchange of easements affords substantial benefit to the sixteenth section land; provided, however, the exchange must be based upon values as determined by a competent appraiser, with any differential in value to be adjusted by cash payment. Any easement rights granted over sixteenth section land under such authority shall terminate when the easement ceases to be used for its stated purpose. No sixteenth section or lieu land which is subject to an existing lease shall be burdened by any such easement except by consent of the lessee or unless the school district shall acquire the unexpired leasehold interest affected by the easement;

(bb) To charge reasonable fees related to the educational programs of the district, in the manner prescribed in Section 37-7-335;

(cc) Subject to rules and regulations of the State Board of Education, to purchase relocatable classrooms for the use of such school district, in the manner prescribed in Section 37-1-13;

(dd) Enter into contracts or agreements with other school districts, political subdivisions or governmental entities to carry out one or more of the powers or duties of the school board, or to allow more efficient utilization of limited resources for providing services to the public;

(ee) To provide for in-service training for employees of the district;

(ff) As part of their duties to prescribe the use of textbooks, to provide that parents and legal guardians shall be responsible for the textbooks and for the compensation to the school district for any books which are not returned to the proper schools upon the withdrawal of their dependent child. If a textbook is lost or not returned by any student who drops out of the public school district, the parent or legal guardian shall also compensate the school district for the fair market value of the textbooks;

(gg) To conduct fund-raising activities on behalf of the school district that the local school board, in its discretion, deems appropriate or beneficial to the official or extracurricular programs of the district; provided that:

(i) Any proceeds of the fund-raising activities shall be treated as "activity funds" and shall be accounted for as are other activity funds under this section; and

(ii) Fund-raising activities conducted or authorized by the board for the sale of school pictures, the rental of caps and gowns or the sale of graduation invitations for which the school board receives a commission, rebate or fee shall contain a disclosure statement advising that a portion of the proceeds of the sales or rentals shall be contributed to the student activity fund;

(hh) To allow individual lessons for music, art and other curriculum-related activities for academic credit or nonacademic credit during school hours and using school equipment and facilities, subject to uniform rules and regulations adopted by the school board;

(ii) To charge reasonable fees for participating in an extracurricular activity for academic or nonacademic credit for necessary and required equipment such as safety equipment, band instruments and uniforms;

(jj) To conduct or participate in any fund-raising activities on behalf of or in connection with a tax-exempt charitable organization;

(kk) To exercise such powers as may be reasonably necessary to carry out the provisions of this section;

(ll) To expend funds for the services of nonprofit arts organizations or other such nonprofit organizations who provide performances or other services for the students of the school district;

(mm) To expend federal No Child Left Behind Act funds, or any other available funds that are expressly designated and authorized for that use, to pay training, educational expenses, salary incentives and salary supplements to employees of local school districts; except that incentives shall not be considered part of the local supplement * * *, nor shall incentives be considered part of the local supplement paid to an individual teacher for the purposes of Section 37-19-7(1) * * *;

(nn) To use any available funds, not appropriated or designated for any other purpose, for reimbursement to the state-licensed employees from both in state and out of state, who enter into a contract for employment in a school district, for the expense of moving when the employment necessitates the relocation of the licensed employee to a different geographical area than that in which the licensed employee resides before entering into the contract. The reimbursement shall not exceed One Thousand Dollars ($1,000.00) for the documented actual expenses incurred in the course of relocating, including the expense of any professional moving company or persons employed to assist with the move, rented moving vehicles or equipment, mileage in the amount authorized for county and municipal employees under Section 25-3-41 if the licensed employee used his personal vehicle or vehicles for the move, meals and such other expenses associated with the relocation. No licensed employee may be reimbursed for moving expenses under this section on more than one (1) occasion by the same school district. Nothing in this section shall be construed to require the actual residence to which the licensed employee relocates to be within the boundaries of the school district that has executed a contract for employment in order for the licensed employee to be eligible for reimbursement for the moving expenses. However, the licensed employee must relocate within the boundaries of the State of Mississippi. Any individual receiving relocation assistance through the Critical Teacher Shortage Act as provided in Section 37-159-5 shall not be eligible to receive additional relocation funds as authorized in this paragraph;

(oo) To use any available funds, not appropriated or designated for any other purpose, to reimburse persons who interview for employment as a licensed

employee with the district for the mileage and other actual expenses incurred in the course of travel to and from the interview at the rate authorized for county and municipal employees under Section 25-3-41;

(pp) Consistent with the report of the Task Force to Conduct a Best Financial Management Practices Review, to improve school district management and use of resources and identify cost savings as established in Section 8 of Chapter 610, Laws of 2002, local school boards are encouraged to conduct independent reviews of the management and efficiency of schools and school districts. Such management and efficiency reviews shall provide state and local officials and the public with the following:

(i) An assessment of a school district's governance and organizational structure;

(ii) An assessment of the school district's financial and personnel management;

(iii) An assessment of revenue levels and sources;

(iv) An assessment of facilities utilization, planning and maintenance;

(v) An assessment of food services, transportation and safety/security systems;

(vi) An assessment of instructional and administrative technology;

(vii) A review of the instructional management and the efficiency and effectiveness of existing instructional programs; and

(viii) Recommended methods for increasing efficiency and effectiveness in providing educational services to the public;

(qq) To enter into agreements with other local school boards for the establishment of an educational service agency (ESA) to provide for the cooperative needs of the region in which the school district is located, as provided in Section 37-7-345;

(rr) To implement a financial literacy program for students in Grades 10 and 11. The board may review the national programs and obtain free literature from various nationally recognized programs. After review of the different programs, the board may certify a program that is most appropriate for the school districts' needs. If a district implements a financial literacy program, then any student in Grade 10 or 11 may participate in the program. The financial literacy program shall include, but is not limited to, instruction in the same areas of personal business and finance as required under Section 37-1-3(2)(b). The school board may coordinate with volunteer teachers from local community organizations, including, but not limited to, the following: United States Department of Agriculture Rural Development, United States Department of Housing and Urban Development, Junior Achievement, bankers and other nonprofit organizations. Nothing in this paragraph shall be construed as to require school boards to implement a financial literacy program;

(ss) To collaborate with the State Board of Education, Community Action Agencies or the Department of Human Services to develop and implement a voluntary program to provide services for a prekindergarten program that addresses the cognitive, social, and emotional needs of four-year-old and three-year-old children. The school board may utilize any source of available revenue to fund the voluntary program. Effective with the 2013-2014 school year, to implement voluntary prekindergarten programs under the Early Learning Collaborative Act of 2013 pursuant to state funds awarded by the State Department of Education on a matching basis;

(tt) With respect to any lawful, written obligation of a school district, including, but not limited to, leases (excluding leases of sixteenth section public school trust land), bonds, notes, or other agreement, to agree in writing with the obligee that the Department of Revenue or any state agency, department or commission created under state law may:

(i) Withhold all or any part (as agreed by the school board) of any monies which such local school board is entitled to receive from time to time under any law and which is in the possession of the Department of Revenue, or any state agency, department or commission created under state law; and

(ii) Pay the same over to any financial institution, trustee or other obligee, as directed in writing by the school board, to satisfy all or part of such obligation of the school district.

The school board may make such written agreement to withhold and transfer funds irrevocable for the term of the written obligation and may include in the written agreement any other terms and provisions acceptable to the school board. If the school board files a copy of such written agreement with the Department of Revenue, or any state agency, department or commission created under state law then the Department of Revenue or any state agency, department or commission created under state law shall immediately make the withholdings provided in such agreement from the amounts due the local school board and shall continue to pay the same over to such financial institution, trustee or obligee for the term of the agreement.

This paragraph (tt) shall not grant any extra authority to a school board to issue debt in any amount exceeding statutory limitations on assessed value of taxable property within such school district or the statutory limitations on debt maturities, and shall not grant any extra authority to impose, levy or collect a tax which is not otherwise expressly provided for, and shall not be construed to apply to sixteenth section public school trust land;

(uu) With respect to any matter or transaction that is competitively bid by a school district, to accept from any bidder as a good-faith deposit or bid bond or bid surety, the same type of good-faith deposit or bid bond or bid surety that may be accepted by the state or any other political subdivision on similar competitively bid matters or transactions. This paragraph (uu) shall not be construed to apply to sixteenth section public school trust land. The school board may authorize the investment of any school district funds in the same kind and manner of investments, including pooled investments, as any other political subdivision, including community hospitals;

(vv) To utilize the alternate method for the conveyance or exchange of unused school buildings and/or land, reserving a partial or other undivided interest in the property, as specifically authorized and provided in Section 37-7-485;

(ww) To delegate, privatize or otherwise enter into a contract with private entities for the operation of any and all functions of nonacademic school process, procedures and operations including, but not limited to, cafeteria workers, janitorial services, transportation, professional development, achievement and instructional consulting services materials and products, purchasing cooperatives, insurance, business manager services, auditing and accounting services, school safety/risk prevention, data processing and student records, and other staff services; however, the authority under this paragraph does not apply to the leasing, management or operation of sixteenth section lands. Local school districts, working through their regional education service agency, are encouraged to enter into buying consortia with other member districts for the purposes of more efficient use of state resources as described in Section 37-7-345;

(xx) To partner with entities, organizations and corporations for the purpose of benefiting the school district;

(yy) To borrow funds from the Rural Economic Development Authority for the maintenance of school buildings;

(zz) To fund and operate voluntary early childhood education programs, defined as programs for children less than five (5) years of age on or before September 1, and to use any source of revenue for such early childhood education programs. Such programs shall not conflict with the Early Learning Collaborative Act of 2013;

(aaa) To issue and provide for the use of procurement cards by school board members, superintendents and licensed school personnel consistent with the rules and regulations of the Mississippi Department of Finance and Administration under Section 31-7-9; and

(bbb) To conduct an annual comprehensive evaluation of the superintendent of schools consistent with the assessment components of paragraph (pp) of this section and the assessment benchmarks established by the Mississippi School Board Association to evaluate the success the superintendent has attained in meeting district goals and objectives, the superintendent's leadership skill and whether or not the superintendent has established appropriate standards for performance, is monitoring success and is using data for improvement.

SECTION 40. Section 37-7-302, Mississippi Code of 1972, is amended as follows:

37-7-302. The board of trustees of any school district shall be authorized to borrow such funds as may be reasonable and necessary from the federal government, the State of Mississippi or any political subdivision or entity thereof, or any other governmental agency, from any individual, partnership, nonprofit corporation or private for-profit corporation, to aid such school districts in asbestos removal, to be repaid out of any * * * funds other than Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds; provided, however, that the grant of authority shall in no way be construed to require said boards of trustees to remove asbestos material or substances from any facilities under their control, nor shall there be any liability to said school districts or boards for the failure to so remove such asbestos materials. All indebtedness incurred under the provisions of this section shall be evidenced by the negotiable notes or certificates of indebtedness of the school district on whose behalf the money is borrowed. Said notes or certificates of indebtedness of the school district on whose behalf the money is borrowed shall be signed by the president of the school board and superintendent of schools of such school district. Such notes or certificates of indebtedness shall not bear a greater overall maximum interest rate to maturity than the rates now or hereafter authorized under the provisions of Section 19-9-19. No such notes or certificates of indebtedness shall be issued and sold for less than par and accrued interest. All notes or certificates of indebtedness shall mature in approximately equal installments of principal and interest over a period not to exceed twenty (20) years from the dates of the issuance thereof. Principal and interest shall be payable in such manner as may be determined by the school board. Such notes or certificates of indebtedness shall be issued in such form and in such denominations as may be determined by the school board and same may be made payable at the office of any bank or trust company selected by the school board and, in such case, funds for the payment of principal and interest due thereon shall be provided in the same manner provided by law for the payment of the principal and interest due on bonds issued by the taxing districts of this state.

SECTION 41. Section 37-7-303, Mississippi Code of 1972, is amended as follows:

37-7-303. (1) The school board of any school district may insure motor vehicles for any hazard that the board may choose, and shall insure the school buildings, equipment and other school property of the district against any and all hazards that the board may deem necessary to provide insurance against. In addition, the local school board of any school district shall purchase and maintain business property insurance and

business personal property insurance on all school district-owned buildings and/or contents as required by federal law and regulations of the Federal Emergency Management Agency (FEMA) as is necessary for receiving public assistance or reimbursement for repair, reconstruction, replacement or other damage to those buildings and/or contents caused by the Hurricane Katrina Disaster of 2005 or subsequent disasters. The school district is authorized to expend funds from any available source for the purpose of obtaining and maintaining that property insurance. The school district is authorized to enter into agreements with the Department of Finance and Administration, other local school districts, community or junior college districts, state institutions of higher learning, community hospitals and/or other state agencies to pool their liabilities to participate in a group business property and/or business personal property insurance program, subject to uniform rules and regulations as may be adopted by the Department of Finance and Administration. Such school board shall be authorized to contract for such insurance for a term of not exceeding five (5) years and to obligate the district for the payment of the premiums thereon. When necessary, the school board is authorized and empowered, in its discretion, to borrow money payable in annual installments for a period of not exceeding five (5) years at a rate of interest not exceeding eight percent (8%) per annum to provide funds to pay such insurance premiums. The money so borrowed and the interest thereon shall be payable from any school funds of the district other than * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds. The school boards of school districts are further authorized and empowered, in all cases where same may be necessary, to bring and maintain suits and other actions in any court of competent jurisdiction for the purpose of collecting the proceeds of insurance policies issued upon the property of such school district.

(2) Two (2) or more school districts, together with other educational entities or agencies, may agree to pool their liabilities to participate in a group workers' compensation program. The governing authorities of any school board or other educational entity or agency may authorize the organization and operation of, or the participation in such a group self-insurance program with other school boards and educational entities or agencies, subject to the requirements of Section 71-3-5. The Workers' Compensation Commission shall approve such group self-insurance programs subject to uniform rules and regulations as may be adopted by the commission applicable to all groups.

SECTION 42. Section 37-7-307, Mississippi Code of 1972, is amended as follows:

37-7-307. (1) For purposes of this section, the term "licensed employee" means any employee of a public school district required to hold a valid license by the Commission on Teacher and Administrator Education, Certification and Licensure and Development.

(2) The school board of a school district shall establish by rules and regulations a policy of sick leave with pay for licensed employees and teacher assistants employed in the school district, and such policy shall include the following minimum provisions for sick and emergency leave with pay:

(a) Each licensed employee and teacher assistant, at the beginning of each school year, shall be credited with a minimum sick leave allowance, with pay, of seven (7) days for absences caused by illness or physical disability of the employee during that school year.

(b) Any unused portion of the total sick leave allowance shall be carried over to the next school year and credited to such licensed employee and teacher assistant if the licensed employee or teacher assistant remains employed in the same school district. In the event any public school licensed employee or teacher assistant transfers from one public school district in Mississippi to another, any unused portion of the total sick leave allowance credited to such licensed employee or teacher assistant shall be credited to such licensed employee or teacher assistant in the computation of unused leave for retirement purposes under Section 25-11-109. Accumulation of sick leave allowed under this section shall be unlimited.

(c) No deduction from the pay of such licensed employee or teacher assistant may be made because of absence of such licensed employee or teacher assistant caused by illness or physical disability of the licensed employee or teacher assistant until after all sick leave allowance credited to such licensed employee or teacher assistant has been used.

(d) For the first ten (10) days of absence of a licensed employee because of illness or physical disability, in any school year, in excess of the sick leave allowance credited to such licensed employee, there shall be deducted from the pay of such licensed employee the established substitute amount of licensed employee compensation paid in that local school district, necessitated because of the absence of the licensed employee as a result of illness or physical disability. In lieu of deducting the established substitute amount from the pay of such licensed employee, the policy may allow the licensed employee to receive full pay for the first ten (10) days of absence because of illness or physical disability, in any school year, in excess of the sick leave allowance credited to such licensed employee. Thereafter, the regular pay of such absent licensed employee shall be suspended and withheld in its entirety for any period of absence because of illness or physical disability during that school year.

(3) (a) Beginning with the school year 1983-1984, each licensed employee at the beginning of each school year shall be credited with a minimum personal leave allowance, with pay, of two (2) days for absences caused by personal reasons during that school year. Effective for the 2010-2011 and 2011-2012 school years, licensed employees shall be credited with an additional one-half (1/2) day of personal leave for every day the licensed employee is furloughed without pay as provided in Section 37-7-308. Except as otherwise provided in paragraph (b) of this subsection, such personal leave shall not be taken on the first day of the school term, the last day of the school term, on a day previous to a holiday or a day after a holiday. Personal leave may be used for professional purposes, including absences caused by attendance of such licensed employee at a seminar, class, training program, professional association or other functions designed for educators. No deduction from the pay of such licensed employee may be made because of absence of such licensed employee caused by personal reasons until after all personal leave allowance credited to such licensed employee has been used. However, the superintendent of a school district, in his discretion, may allow a licensed employee personal leave in addition to any minimum personal leave allowance, under the condition that there shall be deducted from the salary of such licensed employee the actual amount of any compensation paid to any person as a substitute, necessitated because of the absence of the licensed employee. Any unused portion of the total personal leave allowance up to five (5) days shall be carried over to the next school year and credited to such licensed employee if the licensed employee remains employed in the same school district. Any personal leave allowed for a furlough day shall not be carried over to the next school year.

(b) Notwithstanding the restrictions on the use of personal leave prescribed under paragraph (a) of this subsection, a licensed employee may use personal leave as follows:

(i) Personal leave may be taken on the first day of the school term, the last day of the school term, on a day previous to a holiday or a day after a holiday if, on the applicable day, an immediate family member of the employee is being deployed for military service.

(ii) Personal leave may be taken on a day previous to a holiday or a day after a holiday if an employee of a school district has either a minimum of ten (10) years' experience as an employee of that school district or a minimum of thirty (30) days of unused accumulated leave that has been earned while employed in that school district.

(iii) Personal leave may be taken on the first day of the school term, the last day of the school term, on a day previous to a holiday or a day after a holiday if, on the applicable day, the employee has been summoned to appear for jury duty or as a witness in court.

(iv) Personal leave may be taken on the first day of the school term, the last day of the school term, on a day previous to a holiday or a day after a holiday if, on the applicable day, an immediate family member of the employee dies or funeral services are held. Any day of the three (3) bereavement days may be used at the discretion of the teacher, and are not required to be taken in consecutive succession.

For the purpose of this subsection (3), the term "immediate family member" means spouse, parent, stepparent, child or stepchild, grandparent or sibling, including a stepbrother or stepsister.

(4) Beginning with the school year 1992-1993, each licensed employee shall be credited with a professional leave allowance, with pay, for each day of absence caused by reason of such employee's statutorily required membership and attendance at a regular or special meeting held within the State of Mississippi of the State Board of Education, the Commission on Teacher and Administrator Education, Certification and Licensure and Development, the Commission on School Accreditation, the Mississippi Authority for Educational Television, the meetings of the state textbook rating committees or other meetings authorized by local school board policy.

(5) Upon retirement from employment, each licensed and nonlicensed employee shall be paid for not more than thirty (30) days of unused accumulated leave earned while employed by the school district in which the employee is last employed. Such payment for licensed employees shall be made by the school district at a rate equal to the amount paid to substitute teachers and for nonlicensed employees, the payment shall be made by the school district at a rate equal to the federal minimum wage. The payment shall be treated in the same manner for retirement purposes as a lump-sum payment for personal leave as provided in Section 25-11-103(f). Any remaining lawfully credited unused leave, for which payment has not been made, shall be certified to the Public Employees' Retirement System in the same manner and subject to the same limitations as otherwise provided by law for unused leave. No payment for unused accumulated leave may be made to either a licensed or nonlicensed employee at termination or separation from service for any purpose other than for the purpose of retirement.

(6) The school board may adopt rules and regulations which will reasonably aid to implement the policy of sick and personal leave, including, but not limited to, rules and regulations having the following general effect:

(a) Requiring the absent employee to furnish the certificate of a physician or dentist or other medical practitioner as to the illness of the absent licensed employee, where the absence is for four (4) or more consecutive school days, or for two (2) consecutive school days immediately preceding or following a nonschool day;

(b) Providing penalties, by way of full deduction from salary, or entry on the work record of the employee, or other appropriate penalties, for any materially false statement by the employee as to the cause of absence;

(c) Forfeiture of accumulated or future sick leave, if the absence of the employee is caused by optional dental or medical treatment or surgery which could, without medical risk, have been provided, furnished or performed at a time when school was not in session;

(d) Enlarging, increasing or providing greater sick or personal leave allowances than the minimum standards established by this section in the discretion of the school board of each school district.

(7) School boards may include in their budgets provisions for the payment of substitute employees, necessitated because of the absence of regular licensed employees. All such substitute employees shall be paid wholly from district funds * * *. Such school boards, in their discretion, also may pay, from district funds other than * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds, the whole or any part of the salaries of all employees granted leaves for the purpose of special studies or training.

(8) The school board may further adopt rules and regulations which will reasonably implement such leave policies for all other nonlicensed and hourly paid school employees as the board deems appropriate. Effective for the 2010-2011 and 2011-2012 school years, nonlicensed employees shall be credited with an additional one-half (1/2) day of personal leave for every day the nonlicensed employee is furloughed without pay as provided in Section 37-7-308.

(9) Vacation leave granted to either licensed or nonlicensed employees shall be synonymous with personal leave. Unused vacation or personal leave accumulated by licensed employees in excess of the maximum five (5) days which may be carried over from one year to the next may be converted to sick leave. The annual conversion of unused vacation or personal leave to sick days for licensed or unlicensed employees shall not exceed the allowable number of personal leave days as provided in Section 25-3-93. The annual total number of converted unused vacation and/or personal days added to the annual unused sick days for any employee shall not exceed the combined allowable number of days per year provided in Sections 25-3-93 and 25-3-95. Local school board policies that provide for vacation, personal and sick leave for employees shall not exceed the provisions for leave as provided in Sections 25-3-93 and 25-3-95. Any personal or vacation leave previously converted to sick leave under a lawfully adopted policy before May 1, 2004, or such personal or vacation leave accumulated and available for use prior to May 1, 2004, under a lawfully adopted policy but converted to sick leave after May 1, 2004, shall be recognized as accrued leave by the local school district and available for use by the employee. The leave converted under a lawfully adopted policy prior to May 1, 2004, or such personal and vacation leave accumulated and available for use as of May 1, 2004, which was subsequently converted to sick leave may be certified to the Public Employees' Retirement System upon termination of employment and any such leave previously converted and certified to the Public Employees' Retirement System shall be recognized.

(10) (a) For the purposes of this subsection, the following words and phrases shall have the meaning ascribed in this paragraph unless the context requires otherwise:

(i) "Catastrophic injury or illness" means a life-threatening injury or illness of an employee or a member of an employee's immediate family that totally incapacitates the employee from work, as verified by a licensed physician, and forces the employee to exhaust all leave time earned by that employee, resulting in the loss of compensation from the local school district for the employee. Conditions that are short-term in nature, including, but not limited to, common illnesses such as influenza and the measles, and common injuries, are not catastrophic. Chronic illnesses or injuries, such as cancer or major surgery, that result in intermittent absences from work and that are long-term in nature and require long recuperation periods may be considered catastrophic.

(ii) "Immediate family" means spouse, parent, stepparent, sibling, child or stepchild, grandparent, stepbrother or stepsister.

(b) Any school district employee may donate a portion of his or her unused accumulated personal leave or sick leave to another employee of the same school district who is suffering from a catastrophic injury or illness or who has a member of his or her

immediate family suffering from a catastrophic injury or illness, in accordance with the following:

(i) The employee donating the leave (the "donor employee") shall designate the employee who is to receive the leave (the "recipient employee") and the amount of unused accumulated personal leave and sick leave that is to be donated, and shall notify the school district superintendent or his designee of his or her designation.

(ii) The maximum amount of unused accumulated personal leave that an employee may donate to any other employee may not exceed a number of days that would leave the donor employee with fewer than seven (7) days of personal leave remaining, and the maximum amount of unused accumulated sick leave that an employee may donate to any other employee may not exceed fifty percent (50%) of the unused accumulated sick leave of the donor employee.

(iii) An employee must have exhausted all of his or her available leave before he or she will be eligible to receive any leave donated by another employee. Eligibility for donated leave shall be based upon review and approval by the donor employee's supervisor.

(iv) Before an employee may receive donated leave, he or she must provide the school district superintendent or his designee with a physician's statement that states that the illness meets the catastrophic criteria established under this section, the beginning date of the catastrophic injury or illness, a description of the injury or illness, and a prognosis for recovery and the anticipated date that the recipient employee will be able to return to work.

(v) Before an employee may receive donated leave, the superintendent of education of the school district shall appoint a review committee to approve or disapprove the said donations of leave, including the determination that the illness is catastrophic within the meaning of this section.

(vi) If the total amount of leave that is donated to any employee is not used by the recipient employee, the whole days of donated leave shall be returned to the donor employees on a pro rata basis, based on the ratio of the number of days of leave donated by each donor employee to the total number of days of leave donated by all donor employees.

(vii) Donated leave shall not be used in lieu of disability retirement.

(11) Effective January 1, 2020, the provisions of this section shall be fully applicable to any licensed employee of the Mississippi School of the Arts (MSA).

SECTION 43. Section 37-7-319, Mississippi Code of 1972, is amended as follows:

37-7-319. All public school boards may purchase group insurance coverage for the liability of all of its active full-time instructional and noninstructional personnel. Such policy shall be paid for with any funds available other than * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds.

SECTION 44. Section 37-7-333, Mississippi Code of 1972, is amended as follows:

37-7-333. The school boards of all school districts shall have full control of the receipt, distribution, allotment and disbursement of all funds which may be provided for the support and maintenance of the schools of such district whether such funds be * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) allotments, funds derived from supplementary tax levies as authorized by law, or funds derived from any other source whatsoever except as may otherwise be provided by law for control of the proceeds from school bonds or notes and the taxes levied to pay the

principal of and interest on such bonds or notes. The tax collector of each county shall make reports, in writing, verified by his affidavit, on or before the twentieth day of each month to the superintendent of schools of each school district within such county reflecting all school district taxes collected by him for the support of said school district during the preceding month. He shall at the same time pay over all such school district taxes collected by him for the support of said school district directly to said superintendent of schools.

All such allotments or funds shall be placed in the depository or depositories selected by the school board in the same manner as provided in Section 27-105-305 for the selection of county depositories. Provided, however, the annual notice to be given by the school board to financial institutions may be given by the school board at any regular meeting subsequent to the board's regular December meeting but prior to the regular May meeting. The bids of financial institutions for the privilege of keeping school funds may be received by the school board at some subsequent meeting, but no later than the regular June meeting; and the selection by the school board of the depository or depositories shall be effective on July 1 of each year. School boards shall advertise and accept bids for depositories, no less than once every three (3) years, when such board determines that it can obtain a more favorable rate of interest and less administrative processing. Such depository shall place on deposit with the superintendent of schools the same securities as required in Section 27-105-315.

In the event a bank submits a bid or offer to a school district to act as a depository for the district and such bid or offer, if accepted, would result in a contract in which a member of the school board would have a direct or indirect interest, the school board should not open or consider any bids received. The superintendent of schools shall submit the matter to the State Treasurer, who shall have the authority to solicit bids, select a depository or depositories, make all decisions and take any action within the authority of the school board under this section relating to the selection of a depository or depositories.

SECTION 45. Section 37-7-339, Mississippi Code of 1972, is amended as follows:

37-7-339. (1) The school board of any local school district, in its discretion, may provide extended day and extended school year programs for kindergarten or compulsory-school-age students, or both, and may expend any funds for these purposes which are available from sources other than * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE). It is not the intent of the Legislature, in enacting this section, to interfere with the Headstart program. School boards, in their discretion, may charge participants a reasonable fee for such programs.

(2) The school board of any school district may adopt any orders, policies, rules or regulations with respect to instruction within that school district for which no specific provision has been made by general law and which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code of 1972, or any order, policy, rule or regulation of the State Board of Education; those school boards also may alter, modify and repeal any orders, policies, rules or regulations enacted under this subsection. Any such program pertaining to reading must further the goal that Mississippi students will demonstrate a growing proficiency in reading and will reach or exceed the national average within the next decade.

SECTION 46. Section 37-7-419, Mississippi Code of 1972, is amended as follows:

37-7-419. The various school districts which may become parties to any such agreement are authorized to appropriate and expend for the purposes thereof any and all funds which may be required to carry out the terms of any such agreement from any funds available to any such party to such an agreement not otherwise appropriated without limitation as to the source of such funds, including * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds, sixteenth section funds,

funds received from the federal government or other sources by way of grant, donation or otherwise, and funds which may be available to any such party through the State Department of Education or any other agency of the state, regardless of the party to such agreement designated thereby to be primarily responsible for the construction or operation of any such regional high school center and regardless of the limitation on the expenditure of any such funds imposed by any other statute. However, no such funds whose use was originally limited to the construction of capital improvements shall be utilized for the purpose of defraying the administrative or operating costs of any such center. Any one or more of the parties to such an agreement may be designated as the fiscal agent or contracting party in carrying out any of the purposes of such agreement, and any and all funds authorized to be spent therefor by any of the said parties may be paid over to the fiscal agent or contracting party for disbursement by such fiscal agent or contracting party. Such disbursements shall be made and contracted for under the laws and regulations applicable to such fiscal or disbursing agent. All of the school district parties to any such agreement may issue bonds, negotiable notes or other evidences of indebtedness for the purpose of providing funds for the acquisition of land and for the construction of buildings and permanent improvements under the terms of any such agreement under any existing laws authorizing the issuance or sale thereof to provide funds for any capital improvement.

SECTION 47. Section 37-9-17, Mississippi Code of 1972, is amended as follows:

37-9-17. (1) On or before April 1 of each year, the principal of each school shall recommend to the superintendent of the local school district the licensed employees or noninstructional employees to be employed for the school involved except those licensed employees or noninstructional employees who have been previously employed and who have a contract valid for the ensuing scholastic year. If such recommendations meet with the approval of the superintendent, the superintendent shall recommend the employment of such licensed employees or noninstructional employees to the local school board, and, unless good reason to the contrary exists, the board shall elect the employees so recommended. If, for any reason, the local school board shall decline to elect any employee so recommended, additional recommendations for the places to be filled shall be made by the principal to the superintendent and then by the superintendent to the local school board as provided above. The school board of any local school district shall be authorized to designate a personnel supervisor or another principal employed by the school district to recommend to the superintendent licensed employees or noninstructional employees; however, this authorization shall be restricted to no more than two (2) positions for each employment period for each school in the local school district. Any noninstructional employee employed upon the recommendation of a personnel supervisor or another principal employed by the local school district must have been employed by the local school district at the time the superintendent was elected or appointed to office; a noninstructional employee employed under this authorization may not be paid compensation in excess of the statewide average compensation for such noninstructional position with comparable experience, as established by the State Department of Education. The school board of any local school district shall be authorized to designate a personnel supervisor or another principal employed by the school district to accept the recommendations of principals or their designees for licensed employees or noninstructional employees and to transmit approved recommendations to the local school board; however, this authorization shall be restricted to no more than two (2) positions for each employment period for each school in the local school district.

When the licensed employees have been elected as provided in the preceding paragraph, the superintendent of the district shall enter into a contract with such persons in the manner provided in this chapter.

If, at the commencement of the scholastic year, any licensed employee shall present to the superintendent a license of a higher grade than that specified in such individual's contract, such individual may, if funds are available from * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds of the district, or from district funds, be paid from such funds the amount to which such higher

grade license would have entitled the individual, had the license been held at the time the contract was executed.

(2) Superintendents/directors of schools under the purview of the State Board of Education, the superintendent of the local school district and any private firm under contract with the local public school district to provide substitute teachers to teach during the absence of a regularly employed schoolteacher shall require, through the appropriate governmental authority, that current criminal records background checks and current child abuse registry checks are obtained, and that such criminal record information and registry checks are on file for any new hires applying for employment as a licensed or nonlicensed employee at a school and not previously employed in such school under the purview of the State Board of Education or at such local school district prior to July 1, 2000. In order to determine the applicant's suitability for employment, the applicant shall be fingerprinted. If no disqualifying record is identified at the state level, the fingerprints shall be forwarded by the Department of Public Safety to the Federal Bureau of Investigation for a national criminal history record check. The fee for such fingerprinting and criminal history record check shall be paid by the applicant, not to exceed Fifty Dollars ($50.00); however, the State Board of Education, the school board of the local school district or a private firm under contract with a local school district to provide substitute teachers to teach during the temporary absence of the regularly employed schoolteacher, in its discretion, may elect to pay the fee for the fingerprinting and criminal history record check on behalf of any applicant. Under no circumstances shall a member of the State Board of Education, superintendent/director of schools under the purview of the State Board of Education, local school district superintendent, local school board member or any individual other than the subject of the criminal history record checks disseminate information received through any such checks except insofar as required to fulfill the purposes of this section. Any nonpublic school which is accredited or approved by the State Board of Education may avail itself of the procedures provided for herein and shall be responsible for the same fee charged in the case of local public schools of this state. The determination whether the applicant has a disqualifying crime, as set forth in subsection (3) of this section, shall be made by the appropriate governmental authority, and the appropriate governmental authority shall notify the private firm whether a disqualifying crime exists.

(3) If such fingerprinting or criminal record checks disclose a felony conviction, guilty plea or plea of nolo contendere to a felony of possession or sale of drugs, murder, manslaughter, armed robbery, rape, sexual battery, sex offense listed in Section 45-33-23(h), child abuse, arson, grand larceny, burglary, gratification of lust or aggravated assault which has not been reversed on appeal or for which a pardon has not been granted, the new hire shall not be eligible to be employed at such school. Any employment contract for a new hire executed by the superintendent of the local school district or any employment of a new hire by a superintendent/director of a new school under the purview of the State Board of Education or by a private firm shall be voidable if the new hire receives a disqualifying criminal record check. However, the State Board of Education or the school board may, in its discretion, allow any applicant aggrieved by the employment decision under this section to appear before the respective board, or before a hearing officer designated for such purpose, to show mitigating circumstances which may exist and allow the new hire to be employed at the school. The State Board of Education or local school board may grant waivers for such mitigating circumstances, which shall include, but not be limited to: (a) age at which the crime was committed; (b) circumstances surrounding the crime; (c) length of time since the conviction and criminal history since the conviction; (d) work history; (e) current employment and character references; (f) other evidence demonstrating the ability of the person to perform the employment responsibilities competently and that the person does not pose a threat to the health or safety of the children at the school.

(4) No local school district, local school district employee, member of the State Board of Education or employee of a school under the purview of the State Board of Education shall be held liable in any employment discrimination suit in which an allegation

of discrimination is made regarding an employment decision authorized under this Section 37-9-17.

(5) The provisions of this section shall be fully applicable to licensed employees of the Mississippi School of the Arts (MSA), established in Section * * * 37-140-3.

SECTION 48. Section 37-9-18, Mississippi Code of 1972, is amended as follows:

37-9-18. (1) (a) The State Board of Education shall promulgate rules and regulations concerning the type of financial reports required to be submitted by the superintendent of schools to the local school board, and the frequency with which the reports shall be submitted. The rules and regulations promulgated by the board shall include:

(i) A requirement that the reports be listed as an agenda item for discussion at a regularly scheduled meeting of the board;

(ii) A requirement that the minutes of the board meeting reflect that the reports were discussed;

(iii) A requirement that each board member present be provided a copy of all required reports; and

(iv) A requirement that a copy of all required reports be included in the official minutes of the board meeting at which the reports were discussed.

(b) The State Board of Education is authorized to require school districts to submit any of the required reports to the State Department of Education on a basis determined by the department.

(c) Failure to comply with any of the rules and regulations established by the State Board of Education with regard to reporting requirements shall constitute a violation of the Mississippi Public School Accountability Standards.

(2) The State Auditor shall audit the financial records of school districts in accordance with Section 7-7-211(e). The State Auditor shall give reasonable notice to school districts regarding the times during which the State Auditor will perform such audits. In any fiscal year in which the State Auditor is not scheduled to perform an audit, the school board shall cause all the financial records of the superintendent of schools to be audited in accordance with Section 7-7-211(e). If the school board so elects by resolution adopted each year, the audit shall be performed by the State Auditor. Contracts for the audit of public school districts shall be let by the school board in the manner prescribed by the State Auditor. The audit shall be conducted in accordance with generally accepted auditing standards and generally accepted accounting principles, and the report presented thereon shall be in accordance with generally accepted accounting principles. If the Auditor's opinion on the general purpose financial statements is a disclaimer, as that term is defined by generally accepted auditing standards, or if the State Auditor determines the existence of serious financial conditions in the district, the State Auditor shall immediately notify the State Board of Education. Upon receiving the notice, the State Superintendent of Public Education shall direct the school district to immediately cease all expenditures until a financial advisor is appointed by the state superintendent. However, if the disclaimer is a result of conditions caused by Hurricane Katrina 2005 and applies to fiscal years 2005 and/or 2006, then the Superintendent of Education may appoint a financial advisor, and may direct the school district to immediately cease all expenditures until a financial advisor is appointed. The financial advisor shall be an agent of the State Board of Education and shall be a certified public accountant or a qualified business officer. Unless the financial advisor is an employee of the State of Mississippi, they shall be deemed an independent contractor. The financial advisor shall, with the approval of the State Board of Education:

(a) Approve or disapprove all expenditures and all financial obligations of the district;

(b) Ensure compliance with any statutes and State Board of Education rules or regulations concerning expenditures by school districts;

(c) Review salaries and the number of all district personnel and make recommendations to the local school board of any needed adjustments. Should such recommendations necessitate the reduction in local salary supplement, such recommended reductions shall be only to the extent which will result in the salaries being comparable to districts similarly situated, as determined by the State Board of Education. The local school board, in considering either a reduction in personnel or a reduction in local supplements, shall not be required to comply with the time limitations prescribed in Sections 37-9-15 and 37-9-105 and, further, shall not be required to comply with Sections 37-19-11 and 37-19-7(1) in regard to reducing local supplements and the number of personnel;

(d) Work with the school district's business office to correct all inappropriate accounting procedures and/or uses of school district funds and to prepare the school district's budget for the next fiscal year;

(e) Report frequently to the State Board of Education on the corrective actions being taken and the progress being made in the school district. The financial advisor shall serve until such time as corrective action and progress is being made in such school district as determined by the State Board of Education with the concurrence of the State Auditor, or until such time as an interim conservator is assigned to such district by the State Board of Education under Section 37-17-6. The school district shall be responsible for all expenses associated with the use of the financial advisor. If the audit report reflects a failure by the school district to meet accreditation standards, the State Board of Education shall proceed under Section 37-17-6; and

(f) If a financial advisor is appointed to a school district in accordance with this subsection and it is determined by the financial advisor and/or any other official of the school district that an audit by a certified public accountant for that district was deficient in any manner, the financial advisor and/or any other official of the school district shall, within thirty (30) days, refer the matter to the State Board of Public Accountancy for follow-up and possible disciplinary action. Any disciplinary action by the State Board of Public Accountancy with regard to the certified public accountant shall, within thirty (30) days after notifying such certified public accountant, be reported to the Office of State Auditor.

(3) (a) When conducting an audit of a public school district, the State Auditor shall test to insure that the school district is complying with the requirements of Section 37-61-33(3)(a)(iii) relating to classroom supply funds. The audit must include a report of all classroom supply funds carried over from previous years. Based upon the audit report, the State Auditor shall compile a report on the compliance or noncompliance by all school districts with the requirements of Section 37-61-33(3)(a)(iii), which report must be submitted to the Chairmen of the Education and Appropriations Committees of the House of Representatives and Senate.

(b) When conducting an audit of a public school district, the State Auditor shall test to insure correct and appropriate coding at the function level. The audit must include a report showing correct and appropriate functional level expenditure codes in expenditures by the school district. Compliance standards for this audit provision shall be established by the Office of the State Auditor. Based upon the audit report, the State Auditor shall compile a report on the compliance or noncompliance by all public school districts with correct and appropriate coding at the function level, which report must be

submitted to the Chairmen of the Education and Appropriations Committees of the House of Representatives and Senate.

(4) In the event the State Auditor does not perform the audit examination, then the audit report of the school district shall be reviewed by the State Auditor for compliance with applicable state laws before final payment is made on the audit by the school board. All financial records, books, vouchers, cancelled checks and other financial records required by law to be kept and maintained in the case of municipalities shall be faithfully kept and maintained in the office of the superintendent of schools under the same provisions and penalties provided by law in the case of municipal officials.

SECTION 49. Section 37-9-23, Mississippi Code of 1972, is amended as follows:

37-9-23. The superintendent shall enter into a contract with each assistant superintendent, principal, licensed employee and person anticipating graduation from an approved teacher education program or the issuance of a proper license before October 15 or February 15, as the case may be, who is elected and approved for employment by the school board. Such contracts shall be in such form as shall be prescribed by the State Board of Education and shall be executed in duplicate with one (1) copy to be retained by the appropriate superintendent and one (1) copy to be retained by the principal, licensed employee or person recommended for a licensed position contracted with. The contract shall show the name of the district, the length of the school term, the position held (whether an assistant superintendent, principal or licensed employee), the scholastic years which it covers, the total amount of the annual salary and how same is payable. The amount of salary to be shown in such contract shall be the amount which shall have been fixed and determined by the school board, but, as to the licensed employees paid, in whole or in part, with * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds, such salary shall not be less than that required under the provisions of Chapter 19 of this title. Beginning with the 2010-2011 school year, the contract shall include a provision allowing the school district to reduce the state minimum salary by a pro rata daily amount in order to comply with the school district employee furlough provisions of Section 37-7-308, and shall include a provision which conditions the payment of such salary upon the availability of * * * uniform funding formula funds * * *. The contract entered into with any person recommended for a licensed position who is anticipating either graduation from an approved teacher education program before September 1 or December 31, as the case may be, or the issuance of a proper license before October 15 or February 15, as the case may be, shall be a conditional contract and shall include a provision stating that the contract will be null and void if, as specified in the contract, the contingency upon which the contract is conditioned has not occurred. If any superintendent, other than those elected, principal, licensed employee or person recommended for a licensed position who has been elected and approved shall not execute and return the contract within ten (10) days after same has been tendered to him for execution, then, at the option of the school board, the election of the licensed employee and the contract tendered to him shall be void and of no effect.

SECTION 50. Section 37-9-25, Mississippi Code of 1972, is amended as follows:

37-9-25. The school board shall have the power and authority, in its discretion, to employ the superintendent, unless such superintendent is elected at the November 2015 general election, for not exceeding four (4) scholastic years and the principals or licensed employees for not exceeding three (3) scholastic years. In such case, contracts shall be entered into with such superintendents, principals and licensed employees for the number of years for which they have been employed. However, in the event that a vacancy in the office of the superintendent of schools elected at the November 2015 general election shall occur before January 1, 2019, the local school board shall then appoint the superintendent of the school district and enter into contract with the appointee for a period not to exceed three (3) scholastic years. All such contracts with licensed employees shall for the years after the first year thereof be subject to the contingency that the licensed employee may be released if, during the life of the contract, the average daily * * *

membership should decrease from that existing during the previous year and thus necessitate a reduction in the number of licensed employees during any year after the first year of the contract. However, in all such cases the licensed employee must be released before July 1 or at least thirty (30) days prior to the beginning of the school term, whichever date should occur earlier. The salary to be paid for the years after the first year of such contract shall be subject to revision, either upward or downward, in the event of an increase or decrease in the funds available for the payment thereof, but, unless such salary is revised prior to the beginning of a school year, it shall remain for such school year at the amount fixed in such contract. However, where school district funds * * * are available during the school year in excess of the amount anticipated at the beginning of the school year, the salary to be paid for such year may be increased to the extent that such additional funds are available, and nothing herein shall be construed to prohibit same.

SECTION 51. Section 37-9-33, Mississippi Code of 1972, is amended as follows:

37-9-33. (1) In employing and contracting with appointed superintendents, principals and * * * licensed employees, the school board shall in all cases determine whether the amount of salary to be paid such superintendent, principals and * * * licensed employees is in compliance with the provisions of * * * this chapter and Section 37-19-7. No contract shall be entered into where the salary of a superintendent, principal or * * * licensed employee is to be paid, in whole or in part, from * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds except where the statutory requirements * * * as to the amount of such salary are fully met. Nothing herein shall be construed, however, to prohibit any school district from increasing the salaries of appointed superintendents, principals and * * * licensed employees above the amounts fixed by Section 37-19-7 * * *. Provided further, that school districts are authorized, in their discretion, to negotiate the salary levels applicable to * * * licensed employees employed after July 1, 2009, who are receiving retirement benefits from the retirement system of another state * * *. Nothing herein shall be construed to prohibit any school district from complying with the school district employee furlough provisions of Section 37-7-308.

(2) Each school district shall provide an annual report to the State Department of Education on the number of * * * licensed and * * * nonlicensed employees receiving a salary from the school district who are also receiving retirement benefits from the Public Employees' Retirement System. This report shall include the name of the employee(s), the hours per week for which the employee is under contract and the services for which the employee is under contract. Said required annual report shall be in a form and deadline promulgated by the State Board of Education.

SECTION 52. Section 37-9-35, Mississippi Code of 1972, is amended as follows:

37-9-35. * * * A reduction in the average daily * * * membership during a current year from that existing in the preceding year shall not authorize the discharge or release of a teacher or teachers during such current year. * * *

SECTION 53. Section 37-9-37, Mississippi Code of 1972, is amended as follows:

37-9-37. The amount of the salary to be paid any superintendent, principal or licensed employee shall be fixed by the school board, provided that the requirements of * * * this title are met as to superintendents, principals and licensed employees paid, in whole or in part, from * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds. In employing such superintendents, principals and licensed employees and in fixing their salaries, the school boards shall take into consideration the character, professional training, experience, executive ability and teaching capacity of the licensed employee, superintendent or principal. It is the intent of the Legislature that whenever the salary of the school district superintendent is set by a school board, the board shall take into consideration the amount of money that the district

spends per pupil, and shall attempt to insure that the administrative cost of the district and the amount of the salary of the superintendent are not excessive in comparison to the per pupil expenditure of the district.

SECTION 54. Section 37-9-77, Mississippi Code of 1972, is amended as follows:

37-9-77. (1) There is established the Mississippi School Administrator Sabbatical Program which shall be available to licensed teachers employed in Mississippi school districts for not less than three (3) years, for the purpose of allowing such teachers to become local school district administrators under the conditions set forth in this section. The State Board of Education, in coordination with the Board of Trustees of State Institutions of Higher Learning, shall develop guidelines for the program. Application shall be made to the State Department of Education for the Mississippi School Administrator Sabbatical Program by qualified teachers meeting the criteria for a department-approved administration program and who have been recommended by the local school board. Administration programs that are eligible for the administrator sabbatical program shall be limited to those that have been approved by the department by the January 1 preceding the date of admission to the program. Admission into the program shall authorize the applicant to take university course work and training leading to an administrator's license.

(2) The salaries of the teachers approved for participation in the administrator sabbatical program shall be paid by the employing school district from * * * funds other than Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds. However, the State Department of Education shall reimburse the employing school districts for the cost of the salaries and paid fringe benefits of teachers participating in the administrator sabbatical program for one (1) contract year. Reimbursement shall be made in accordance with the then current * * * salary schedule under Section 37-19-7, except that the maximum amount of the reimbursement from state funds shall not exceed the * * * salary prescribed for a teacher holding a Class A license and having five (5) years' experience. The local school district shall be responsible for that portion of a participating teacher's salary attributable to the local supplement and for any portion of the teacher's salary that exceeds the maximum amount allowed for reimbursement from state funds as provided in this subsection, and the school board may not reduce the local supplement payable to that teacher. Any reimbursements made by the State Department of Education to local school districts under this section shall be subject to available appropriations and may be made only to school districts determined by the State Board of Education as being in need of administrators.

(3) Such teachers participating in the program on a full-time basis shall continue to receive teaching experience and shall receive the salary prescribed in Section 37-19-7 * * *. Such participants shall be fully eligible to continue participation in the Public Employees' Retirement System and the Public School Employees Health Insurance Plan during the time they are in the program on a full-time basis.

(4) As a condition for participation in the School Administrator Sabbatical Program, such teachers shall agree to employment as administrators in the sponsoring school district for not less than five (5) years following completion of administrator licensure requirements. Any person failing to comply with this employment commitment in any required school year, unless the commitment is deferred as provided in subsection (5) of this section, shall immediately be in breach of contract and become liable to the State Department of Education for that amount of his salary and paid fringe benefits paid by the state while the teacher was on sabbatical, less twenty percent (20%) of the amount of his salary and paid fringe benefits paid by the state for each year that the person was employed as an administrator following completion of the administrator licensure requirements. In addition, the person shall become liable to the local school district for any portion of his salary and paid fringe benefits paid by the local school district while the teacher was on sabbatical that is attributable to the local salary supplement or is attributable to the amount that exceeds the maximum amount allowed for reimbursement from state funds as provided in subsection (2) of this section, less twenty percent (20%)

of the amount of his salary and paid fringe benefits paid by the school district for each year that the person was employed as an administrator following completion of the administrator licensure requirements. Interest on the amount due shall accrue at the current Stafford Loan rate at the time the breach occurs. If the claim for repayment of such salary and fringe benefits is placed in the hands of an attorney for collection after default, then the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(5) If there is not an administrator position immediately available in the sponsoring school district after a person has completed the administrator licensure requirements, or if the administrator position in the sponsoring school district in which the person is employed is no longer needed before the completion of the five-year employment commitment, the local school board shall defer any part of the employment commitment that has not been met until such time as an administrator position becomes available in the sponsoring school district. If such a deferral is made, the sponsoring school district shall employ the person as a teacher in the school district during the period of deferral, unless the person desires to be released from employment by the sponsoring school district and the district agrees to release the person from employment. If the sponsoring school district releases a person from employment, that person may be employed as an administrator in another school district in the state that is in need of administrators as determined by the State Board of Education, and that employment for the other school district shall be applied to any remaining portion of the five-year employment commitment required under this section. Nothing in this subsection shall prevent a school district from not renewing the person's contract before the end of the five-year employment commitment in accordance with the School Employment Procedures Law (Section 37-9-101 et seq.). However, if the person is not employed as an administrator by another school district after being released by the sponsoring school district, or after his contract was not renewed by the sponsoring school district, he shall be liable for repayment of the amount of his salary and fringe benefits as provided in subsection (4) of this section.

(6) All funds received by the State Department of Education from the repayment of salary and fringe benefits paid by the state from program participants shall be deposited in the Mississippi Critical Teacher Shortage Fund.

SECTION 55. Section 37-11-11, Mississippi Code of 1972, is amended as follows:

37-11-11. (1) For the purposes of this section, the term "hospital" shall include community-based programs and facilities licensed or approved by the Department of Mental Health for treatment of chemical substance use and abuse.

(2) When five (5) or more children of educable mind between the ages of six (6) and twenty-one (21) years who are capable of pursuing courses of instruction at secondary school level or below shall be confined in a hospital for an extended period of time, such children shall be eligible for and shall be provided with a program of education, instruction and training within such hospital in the manner hereinafter set forth, provided that the need for hospitalization for an extended period of time shall be certified by the chief of staff of such hospital and that the ability of such children to do school work shall be certified by qualified psychologists and/or educators approved by the State Board of Education.

(3) When five (5) or more children as set forth herein shall be confined in the same hospital, then the board of trustees of the school district in which such hospital is located shall be authorized and empowered, in its discretion, to provide a program of education, instruction and training to such children within such hospital. For such purpose the board shall be authorized and empowered to employ and contract with teachers, provide textbooks and other instructional materials, correspondence courses and instructional equipment and appliances, and otherwise provide for the furnishing of such program and to administer and supervise the same. Such program shall be furnished in a manner as prescribed by rules and regulations adopted by the State Board of Education. The state

board shall have full power to adopt such rules, regulations, policies and standards as it may deem necessary to carry out the purpose of this section, including the establishment of qualifications of any teachers employed under the provisions hereof. It is expressly provided, however, that no program shall be furnished under this section except in a hospital licensed for operation by the State of Mississippi and only in cases where such hospital shall consent thereto, shall provide any classroom space, furniture and facilities which may be deemed necessary, and otherwise shall cooperate in carrying out the provisions of this section. Before such program of education, instruction and training shall be provided, the governing authorities of said hospital shall enter into a contract with the board of trustees of the school district which stipulates that said hospital agrees to furnish the necessary classroom space, furniture and facilities and provide for their upkeep, fuel and such other things as may be necessary for the successful operation of the program of education, instruction and training.

(4) In cases when children who are residents of school districts other than the school district providing such education program may participate in the program prescribed in this section. The boards of trustees of the districts of which such children are residents shall pay to the board of trustees of the school district furnishing such school program the pro rata part of the expenses of furnishing such school program within such hospital, which payments may be made from any funds available for the operation and maintenance of the schools of the district in which such child is a resident. The amount so paid shall be based upon, but shall not exceed, the current per pupil cost of education in the school district of the child's residence, and the amount to be so paid by the school district of the child's residence shall be fixed by the State Board of Education. If the amount to be paid which has been so fixed shall not be paid upon due demand made by the school district providing a program therefor, then the State Board of Education shall deduct any such amounts from the next allocation of * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds attributable to any such district and shall remit the same to the board of trustees of such school district which is furnishing such school program. If the amounts so paid by such school districts of the child's residence shall not be sufficient to pay the expenses of furnishing such program, then the remainder of such expenses over and above that so paid by such school districts shall be paid by the State Board of Education to the school district providing such school program out of any funds available to the State Board of Education, including * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds. However, such payments shall not exceed Three Hundred Dollars ($300.00) per child in average daily * * * membership in such program. Provided, however, the State Board of Education shall in its discretion be authorized and empowered to exceed the said Three Hundred Dollars ($300.00) per pupil limitation where such limitation would make it impractical to operate such a program.

SECTION 56. Section 37-13-63, Mississippi Code of 1972, is amended as follows:

37-13-63. (1) Except as otherwise provided, all public schools in the state shall be kept in session for at least one hundred eighty (180) days in each scholastic year.

(2) If the school board of any school district shall determine that it is not economically feasible or practicable to operate any school within the district for the full one hundred eighty (180) days required for a scholastic year as contemplated due to an enemy attack, a man-made, technological or natural disaster or extreme weather emergency in which the Governor has declared a disaster or state of emergency under the laws of this state or the President of the United States has declared an emergency or major disaster to exist in this state, the school board may notify the State Department of Education of the disaster or weather emergency and submit a plan for altering the school term. If the State Board of Education finds the disaster or extreme weather emergency to be the cause of the school not operating for the contemplated school term and that such school was in a school district covered by the Governor's or President's disaster or state of emergency declaration, it may permit that school board to operate the schools in its district for less than one hundred eighty (180) days; however, in no instance of a declared

disaster or state of emergency under the provisions of this subsection shall a school board receive payment from the State Department of Education for per pupil expenditure for pupils in average daily * * * membership in excess of ten (10) days.

SECTION 57. Section 37-13-64, Mississippi Code of 1972, is amended as follows:

37-13-64. (1) Beginning with the 2010-2011 school term, any school district required to close the operation of its schools by decision of the superintendent, under the authority provided by the local school board, due to extreme weather conditions, in the best interests of the health and safety of the students, administration and staff of the school district, shall be exempt from the requirement that schools be kept in session a minimum of one hundred eighty (180) days. Any school district that closes its schools for reasons authorized under this section shall receive payment from the State Department of Education for per pupil expenditure for pupils in average daily * * * membership not to exceed ten (10) days.

(2) In the event weather conditions are cause for the closure of operations of schools in any local school district in any instance in which a state of emergency has not been declared pursuant to Section * * * 37-151-217(4), the State Board of Education may consider, on a case-by-case basis, requests submitted by local school districts to alter the school calendar consistent with the provision of that section.

SECTION 58. Section 37-13-69, Mississippi Code of 1972, is amended as follows:

37-13-69. All public schools of this state may observe such legal holidays as may be designated by the local school board, and no sessions of school shall be held on holidays so designated and observed. However, all schools shall operate for the full minimum term required by law exclusive of the holidays authorized by this section. The holidays thus observed shall not be deducted from the reports of the superintendents, principals and teachers, and such superintendents, principals and teachers shall be allowed pay for full time as though they had taught on those holidays. However, such holidays shall not be counted or included in any way in determining the average daily * * * membership of the school.

SECTION 59. Section 37-15-38, Mississippi Code of 1972, is amended as follows:

37-15-38. (1) The following phrases have the meanings ascribed in this section unless the context clearly requires otherwise:

(a) A dual enrolled student is a student who is enrolled in a community or junior college or state institution of higher learning while enrolled in high school.

(b) A dual credit student is a student who is enrolled in a community or junior college or state institution of higher learning while enrolled in high school and who is receiving high school and college credit for postsecondary coursework.

(2) A local school board, the Board of Trustees of State Institutions of Higher Learning and the Mississippi Community College Board shall establish a dual enrollment system under which students in the school district who meet the prescribed criteria of this section may be enrolled in a postsecondary institution in Mississippi while they are still in school.

(3) Dual credit eligibility. Before credits earned by a qualified high school student from a community or junior college or state institution of higher learning may be transferred to the student's home school district, the student must be properly enrolled in a dual enrollment program.

(4) Admission criteria for dual enrollment in community and junior college or university programs. The Mississippi Community College Board and the Board of

Trustees of State Institutions of Higher Learning may recommend to the State Board of Education admission criteria for dual enrollment programs under which high school students may enroll at a community or junior college or university while they are still attending high school and enrolled in high school courses. Students may be admitted to enroll in community or junior college courses under the dual enrollment programs if they meet that individual institution's stated dual enrollment admission requirements.

(5) Tuition and cost responsibility. Tuition and costs for university-level courses and community and junior college courses offered under a dual enrollment program may be paid for by the postsecondary institution, the local school district, the parents or legal guardians of the student, or by grants, foundations or other private or public sources. Payment for tuition and any other costs must be made directly to the credit-granting institution.

(6) Transportation responsibility. Any transportation required by a student to participate in the dual enrollment program is the responsibility of the parent, custodian or legal guardian of the student. Transportation costs may be paid from any available public or private sources, including the local school district.

(7) School district average daily * * * membership credit. When dually enrolled, the student may be counted, for * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) purposes, in the average daily * * * membership of the public school district in which the student attends high school.

(8) High school student transcript transfer requirements. Grades and college credits earned by a student admitted to a dual credit program must be recorded on the high school student record and on the college transcript at the university or community or junior college where the student attends classes. The transcript of the university or community or junior college coursework may be released to another institution or applied toward college graduation requirements.

(9) Determining factor of prerequisites for dual enrollment courses. Each university and community or junior college participating in a dual enrollment program shall determine course prerequisites. Course prerequisites shall be the same for dual enrolled students as for regularly enrolled students at that university or community or junior college.

(10) Process for determining articulation of curriculum between high school, university, and community and junior college courses. All dual credit courses must meet the standards established at the postsecondary level. Postsecondary level developmental courses may not be considered as meeting the requirements of the dual credit program. Dual credit memorandum of understandings must be established between each postsecondary institution and the school district implementing a dual credit program.

(11) [Deleted]

(12) Eligible courses for dual credit programs. Courses eligible for dual credit include, but are not necessarily limited to, foreign languages, advanced math courses, advanced science courses, performing arts, advanced business and technology, and career and technical courses. Distance Learning Collaborative Program courses approved under Section 37-67-1 shall be fully eligible for dual credit. All courses being considered for dual credit must receive unconditional approval from the superintendent of the local school district and the chief instructional officer at the participating community or junior college or university in order for college credit to be awarded. A university or community or junior college shall make the final decision on what courses are eligible for semester hour credits.

(13) High school Carnegie unit equivalency. One (1) three-hour university or community or junior college course is equal to one (1) high school Carnegie unit.

(14) Course alignment. The universities, community and junior colleges and the State Department of Education shall periodically review their respective policies and assess the place of dual credit courses within the context of their traditional offerings.

(15) Maximum dual credits allowed. It is the intent of the dual enrollment program to make it possible for every eligible student who desires to earn a semester's worth of college credit in high school to do so. A qualified dually enrolled high school student must be allowed to earn an unlimited number of college or university credits for dual credit.

(16) Dual credit program allowances. A student may be granted credit delivered through the following means:

(a) Examination preparation taught at a high school by a qualified teacher. A student may receive credit at the secondary level after completion of an approved course and passing the standard examination, such as an Advanced Placement or International Baccalaureate course through which a high school student is allowed CLEP credit by making a three (3) or higher on the end-of-course examination.

(b) College or university courses taught at a high school or designated postsecondary site by a qualified teacher who is an employee of the school district and approved as an instructor by the collaborating college or university.

(c) College or university courses taught at a college, university or high school by an instructor employed by the college or university and approved by the collaborating school district.

(d) Online courses of any public university, community or junior college in Mississippi.

(17) Qualifications of dual credit instructors. A dual credit academic instructor must meet the requirements set forth by the regional accrediting association (Southern Association of College and Schools). University and community and junior college personnel have the sole authority in the selection of dual credit instructors.

A dual credit career and technical education instructor must meet the requirements set forth by the Mississippi Community College Board in the qualifications manual for postsecondary career and technical personnel.

(18) Guidance on local agreements. The Chief Academic Officer of the State Board of Trustees of State Institutions of Higher Learning and the Chief Instructional Officers of the Mississippi Community College Board and the State Department of Education, working collaboratively, shall develop a template to be used by the individual community and junior colleges and institutions of higher learning for consistent implementation of the dual enrollment program throughout the State of Mississippi.

(19) Mississippi Works Dual Enrollment-Dual Credit Option. A local school board and the local community colleges board shall establish a Mississippi Works Dual Enrollment-Dual Credit Option Program under which potential or recent student dropouts may dually enroll in their home school and a local community college in a dual credit program consisting of high school completion coursework and a community college credential, certificate or degree program. Students completing the dual enrollment-credit option may obtain their high school diploma while obtaining a community college credential, certificate or degree. The Mississippi Department of Employment Security shall assist students who have successfully completed the Mississippi Works Dual Enrollment-Dual Credit Option in securing a job upon the application of the student or the participating school or community college. The Mississippi Works Dual Enrollment-Dual Credit Option Program will be implemented statewide in the 2012-2013 school year and thereafter. The State Board of Education, local school board and the local community

college board shall establish criteria for the Dual Enrollment-Dual Credit Program. Students enrolled in the program will not be eligible to participate in interscholastic sports or other extracurricular activities at the home school district. Tuition and costs for community college courses offered under the Dual Enrollment-Dual Credit Program shall not be charged to the student, parents or legal guardians. When dually enrolled, the student shall be counted, for * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) purposes, in the average daily * * * membership of the public school district in which the student attends high school * * *. Any transportation required by the student to participate in the Dual Enrollment-Dual Credit Program is the responsibility of the parent or legal guardian of the student, and transportation costs may be paid from any available public or private sources, including the local school district. Grades and college credits earned by a student admitted to this Dual Enrollment-Dual Credit Program shall be recorded on the high school student record and on the college transcript at the community college and high school where the student attends classes. The transcript of the community college coursework may be released to another institution or applied toward college graduation requirements. Any course that is required for subject area testing as a requirement for graduation from a public school in Mississippi is eligible for dual credit, and courses eligible for dual credit shall also include career, technical and degree program courses. All courses eligible for dual credit shall be approved by the superintendent of the local school district and the chief instructional officer at the participating community college in order for college credit to be awarded. A community college shall make the final decision on what courses are eligible for semester hour credits and the local school superintendent, subject to approval by the Mississippi Department of Education, shall make the final decision on the transfer of college courses credited to the student's high school transcript.

SECTION 60. Section 37-16-3, Mississippi Code of 1972, is amended as follows:

37-16-3. (1) The State Department of Education is directed to implement a program of statewide assessment testing which shall provide for the improvement of the operation and management of the public schools. The statewide program shall be timed, as far as possible, so as not to conflict with ongoing district assessment programs. As part of the program, the department shall:

(a) Establish, with the approval of the State Board of Education, minimum performance standards related to the goals for education contained in the state's plan including, but not limited to, basic skills in reading, writing and mathematics. The minimum performance standards shall be approved by April 1 in each year they are established.

(b) Conduct a uniform statewide testing program in grades deemed appropriate in the public schools, including charter schools, which shall include the administration of a career-readiness assessment, such as, but not limited to, the ACT WorkKeys Assessment, deemed appropriate by the Mississippi Department of Education working in coordination with the Office of Workforce Development, to any students electing to take the assessment. Each individual school district shall determine whether the assessment is administered in the tenth, eleventh or twelfth grade. The program may test skill areas, basic skills and high school course content.

(c) Monitor the results of the assessment program and, at any time the composite student performance of a school or basic program is found to be below the established minimum standards, notify the district superintendent or the governing board of the charter school, as the case may be, the school principal and the school advisory committee or other existing parent group of the situation within thirty (30) days of its determination. The department shall further provide technical assistance to a school district in the identification of the causes of this deficiency and shall recommend courses of action for its correction.

(d) Provide technical assistance to the school districts, when requested, in the development of student performance standards in addition to the established minimum statewide standards.

(e) Issue security procedure regulations providing for the security and integrity of the tests that are administered under the basic skills assessment program.

(f) In case of an allegation of a testing irregularity that prompts a need for an investigation by the Department of Education, the department may, in its discretion, take complete control of the statewide test administration in a school district or any part thereof, including, but not limited to, obtaining control of the test booklets and answer documents. In the case of any verified testing irregularity that jeopardized the security and integrity of the test(s), validity or the accuracy of the test results, the cost of the investigation and any other actual and necessary costs related to the investigation paid by the Department of Education shall be reimbursed by the local school district from funds other than federal funds, * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds, or any other state funds within six (6) months from the date of notice by the department to the school district to make reimbursement to the department.

(2) Uniform basic skills tests shall be completed by each student in the appropriate grade. These tests shall be administered in such a manner as to preserve the integrity and validity of the assessment. In the event of excused or unexcused student absences, make-up tests shall be given. The school superintendent of every school district in the state and the principal of each charter school shall annually certify to the State Department of Education that each student enrolled in the appropriate grade has completed the required basic skills assessment test for his or her grade in a valid test administration.

(3) Within five (5) days of completing the administration of a statewide test, the principal of the school where the test was administered shall certify under oath to the State Department of Education that the statewide test was administered in strict accordance with the Requirements of the Mississippi Statewide Assessment System as adopted by the State Board of Education. The principal's sworn certification shall be set forth on a form developed and approved by the Department of Education. If, following the administration of a statewide test, the principal has reason to believe that the test was not administered in strict accordance with the Requirements of the Mississippi Statewide Assessment System as adopted by the State Board of Education, the principal shall submit a sworn certification to the Department of Education setting forth all information known or believed by the principal about all potential violations of the Requirements of the Mississippi Statewide Assessment System as adopted by the State Board of Education. The submission of false information or false certification to the Department of Education by any licensed educator may result in licensure disciplinary action pursuant to Section 37-3-2 and criminal prosecution pursuant to Section 37-16-4.

SECTION 61. Section 37-17-6, Mississippi Code of 1972, is amended as follows:

37-17-6. (1) The State Board of Education, acting through the Commission on School Accreditation, shall establish and implement a permanent performance-based accreditation system, and all noncharter public elementary and secondary schools shall be accredited under this system.

(2) * * * The State Board of Education, acting through the Commission on School Accreditation, shall require school districts to provide school classroom space that is air-conditioned as a minimum requirement for accreditation.

(3) (a) * * * The State Board of Education, acting through the Commission on School Accreditation, shall require that school districts employ certified school librarians according to the following formula:

Number of Students Per School Library	Number of Certified School Librarians
0 - 499 Students	1/2 Full-time Equivalent Certified Librarian
500 or More Students	1 Full-time Certified Librarian

(b) The State Board of Education, however, may increase the number of positions beyond the above requirements.

(c) The assignment of certified school librarians to the particular schools shall be at the discretion of the local school district. No individual shall be employed as a certified school librarian without appropriate training and certification as a school librarian by the State Department of Education.

(d) School librarians in the district shall spend at least fifty percent (50%) of direct work time in a school library and shall devote no more than one-fourth (1/4) of the workday to administrative activities that are library related.

(e) Nothing in this subsection shall prohibit any school district from employing more certified school librarians than are provided for in this section.

(f) Any additional millage levied to fund school librarians required for accreditation under this subsection shall be included in the tax increase limitation set forth in Sections 37-57-105 and 37-57-107 and shall not be deemed a new program for purposes of the limitation.

(4) On or before December 31, 2002, the State Board of Education shall implement the performance-based accreditation system for school districts and for individual noncharter public schools which shall include the following:

(a) High expectations for students and high standards for all schools, with a focus on the basic curriculum;

(b) Strong accountability for results with appropriate local flexibility for local implementation;

(c) A process to implement accountability at both the school district level and the school level;

(d) Individual schools shall be held accountable for student growth and performance;

(e) Set annual performance standards for each of the schools of the state and measure the performance of each school against itself through the standard that has been set for it;

(f) A determination of which schools exceed their standards and a plan for providing recognition and rewards to those schools;

(g) A determination of which schools are failing to meet their standards and a determination of the appropriate role of the State Board of Education and the State Department of Education in providing assistance and initiating possible intervention. A failing district is a district that fails to meet both the absolute student achievement

standards and the rate of annual growth expectation standards as set by the State Board of Education for two (2) consecutive years. The State Board of Education shall establish the level of benchmarks by which absolute student achievement and growth expectations shall be assessed. In setting the benchmarks for school districts, the State Board of Education may also take into account such factors as graduation rates, dropout rates, completion rates, the extent to which the school or district employs qualified teachers in every classroom, and any other factors deemed appropriate by the State Board of Education. The State Board of Education, acting through the State Department of Education, shall apply a simple "A," "B," "C," "D" and "F" designation to the current school and school district statewide accountability performance classification labels beginning with the State Accountability Results for the 2011-2012 school year and following, and in the school, district and state report cards required under state and federal law. Under the new designations, a school or school district that has earned a "Star" rating shall be designated an "A" school or school district; a school or school district that has earned a "High-Performing" rating shall be designated a "B" school or school district; a school or school district that has earned a "Successful" rating shall be designated a "C" school or school district; a school or school district that has earned an "Academic Watch" rating shall be designated a "D" school or school district; a school or school district that has earned a "Low-Performing," "At-Risk of Failing" or "Failing" rating shall be designated an "F" school or school district. Effective with the implementation of any new curriculum and assessment standards, the State Board of Education, acting through the State Department of Education, is further authorized and directed to change the school and school district accreditation rating system to a simple "A," "B," "C," "D," and "F" designation based on a combination of student achievement scores and student growth as measured by the statewide testing programs developed by the State Board of Education pursuant to Chapter 16, Title 37, Mississippi Code of 1972. In any statute or regulation containing the former accreditation designations, the new designations shall be applicable;

(h) Development of a comprehensive student assessment system to implement these requirements; and

(i) The State Board of Education may, based on a written request that contains specific reasons for requesting a waiver from the school districts affected by Hurricane Katrina of 2005, hold harmless school districts from assignment of district and school level accountability ratings for the 2005-2006 school year. The State Board of Education upon finding an extreme hardship in the school district may grant the request. It is the intent of the Legislature that all school districts maintain the highest possible academic standards and instructional programs in all schools as required by law and the State Board of Education.

(5) (a) Effective with the 2013-2014 school year, the State Department of Education, acting through the Mississippi Commission on School Accreditation, shall revise and implement a single "A" through "F" school and school district accountability system complying with applicable federal and state requirements in order to reach the following educational goals:

(i) To mobilize resources and supplies to ensure that all students exit third grade reading on grade level by 2015;

(ii) To reduce the student dropout rate to thirteen percent (13%) by 2015; and

(iii) To have sixty percent (60%) of students scoring proficient and advanced on the assessments of the Common Core State Standards by 2016 with incremental increases of three percent (3%) each year thereafter.

(b) The State Department of Education shall combine the state school and school district accountability system with the federal system in order to have a single system.

(c) The State Department of Education shall establish five (5) performance categories ("A," "B," "C," "D" and "F") for the accountability system based on the following criteria:

(i) Student Achievement: the percent of students proficient and advanced on the current state assessments;

(ii) Individual student growth: the percent of students making one (1) year's progress in one (1) year's time on the state assessment, with an emphasis on the progress of the lowest twenty-five percent (25%) of students in the school or district;

(iii) Four-year graduation rate: the percent of students graduating with a standard high school diploma in four (4) years, as defined by federal regulations;

(iv) Categories shall identify schools as Reward ("A" schools), Focus ("D" schools) and Priority ("F" schools). If at least five percent (5%) of schools in the state are not graded as "F" schools, the lowest five percent (5%) of school grade point designees will be identified as Priority schools. If at least ten percent (10%) of schools in the state are not graded as "D" schools, the lowest ten percent (10%) of school grade point designees will be identified as Focus schools;

(v) The State Department of Education shall discontinue the use of Star School, High-Performing, Successful, Academic Watch, Low-Performing, At-Risk of Failing and Failing school accountability designations;

(vi) The system shall include the federally compliant four-year graduation rate in school and school district accountability system calculations. Graduation rate will apply to high school and school district accountability ratings as a compensatory component. The system shall discontinue the use of the High School Completer Index (HSCI);

(vii) The school and school district accountability system shall incorporate a standards-based growth model, in order to support improvement of individual student learning;

(viii) The State Department of Education shall discontinue the use of the Quality Distribution Index (QDI);

(ix) The State Department of Education shall determine feeder patterns of schools that do not earn a school grade because the grades and subjects taught at the school do not have statewide standardized assessments needed to calculate a school grade. Upon determination of the feeder pattern, the department shall notify schools and school districts prior to the release of the school grades beginning in 2013. Feeder schools will be assigned the accountability designation of the school to which they provide students;

(x) Standards for student, school and school district performance will be increased when student proficiency is at a seventy-five percent (75%) and/or when sixty-five percent (65%) of the schools and/or school districts are earning a grade of "B" or higher, in order to raise the standard on performance after targets are met;

(xi) The system shall include student performance on the administration of a career-readiness assessment, such as, but not limited to, the ACT WorkKeys Assessment, deemed appropriate by the * * * State Department of Education working in coordination with the Office of Workforce Development.

(6) Nothing in this section shall be deemed to require a nonpublic school that receives no local, state or federal funds for support to become accredited by the State Board of Education.

(7) The State Board of Education shall create an accreditation audit unit under the Commission on School Accreditation to determine whether schools are complying with accreditation standards.

(8) The State Board of Education shall be specifically authorized and empowered to withhold * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) allocations * * * to any public school district for failure to timely report student, school personnel and fiscal data necessary to meet state and/or federal requirements.

(9) [Deleted]

(10) The State Board of Education shall establish, for those school districts failing to meet accreditation standards, a program of development to be complied with in order to receive state funds, except as otherwise provided in subsection (15) of this section when the Governor has declared a state of emergency in a school district or as otherwise provided in Section 206, Mississippi Constitution of 1890. The state board, in establishing these standards, shall provide for notice to schools and sufficient time and aid to enable schools to attempt to meet these standards, unless procedures under subsection (15) of this section have been invoked.

(11) * * * The State Board of Education shall be charged with the implementation of the program of development in each applicable school district as follows:

(a) Develop an impairment report for each district failing to meet accreditation standards in conjunction with school district officials;

(b) Notify any applicable school district failing to meet accreditation standards that it is on probation until corrective actions are taken or until the deficiencies have been removed. The local school district shall develop a corrective action plan to improve its deficiencies. For district academic deficiencies, the corrective action plan for each such school district shall be based upon a complete analysis of the following: student test data, student grades, student attendance reports, student dropout data, existence and other relevant data. The corrective action plan shall describe the specific measures to be taken by the particular school district and school to improve: (i) instruction; (ii) curriculum; (iii) professional development; (iv) personnel and classroom organization; (v) student incentives for performance; (vi) process deficiencies; and (vii) reporting to the local school board, parents and the community. The corrective action plan shall describe the specific individuals responsible for implementing each component of the recommendation and how each will be evaluated. All corrective action plans shall be provided to the State Board of Education as may be required. The decision of the State Board of Education establishing the probationary period of time shall be final;

(c) Offer, during the probationary period, technical assistance to the school district in making corrective actions. * * * Subject to the availability of funds, the State Department of Education shall provide technical and/or financial assistance to all such school districts in order to implement each measure identified in that district's corrective action plan through professional development and on-site assistance. Each such school district shall apply for and utilize all available federal funding in order to support its corrective action plan in addition to state funds made available under this paragraph;

(d) Assign department personnel or contract, in its discretion, with the institutions of higher learning or other appropriate private entities with experience in the academic, finance and other operational functions of schools to assist school districts;

(e) Provide for publication of public notice at least one time during the probationary period, in a newspaper published within the jurisdiction of the school district failing to meet accreditation standards, or if no newspaper is published therein, then in a newspaper having a general circulation therein. The publication shall include the following: declaration of school system's status as being on probation; all details relating to the impairment report; and other information as the State Board of Education deems appropriate. Public notices issued under this section shall be subject to Section 13-3-31 and not contrary to other laws regarding newspaper publication.

(12) (a) If the recommendations for corrective action are not taken by the local school district or if the deficiencies are not removed by the end of the probationary period, the Commission on School Accreditation shall conduct a hearing to allow the affected school district to present evidence or other reasons why its accreditation should not be withdrawn. Additionally, if the local school district violates accreditation standards that have been determined by the policies and procedures of the State Board of Education to be a basis for withdrawal of school district's accreditation without a probationary period, the Commission on School Accreditation shall conduct a hearing to allow the affected school district to present evidence or other reasons why its accreditation should not be withdrawn. After its consideration of the results of the hearing, the Commission on School Accreditation shall be authorized, with the approval of the State Board of Education, to withdraw the accreditation of a public school district, and issue a request to the Governor that a state of emergency be declared in that district.

(b) If the State Board of Education and the Commission on School Accreditation determine that an extreme emergency situation exists in a school district that jeopardizes the safety, security or educational interests of the children enrolled in the schools in that district and that emergency situation is believed to be related to a serious violation or violations of accreditation standards or state or federal law, or when a school district meets the State Board of Education's definition of a failing school district for two (2) consecutive full school years, or if more than fifty percent (50%) of the schools within the school district are designated as Schools At-Risk in any one (1) year, the State Board of Education may request the Governor to declare a state of emergency in that school district. For purposes of this paragraph, the declarations of a state of emergency shall not be limited to those instances when a school district's impairments are related to a lack of financial resources, but also shall include serious failure to meet minimum academic standards, as evidenced by a continued pattern of poor student performance.

(c) Whenever the Governor declares a state of emergency in a school district in response to a request made under paragraph (a) or (b) of this subsection, the State Board of Education may take one or more of the following actions:

(i) Declare a state of emergency, under which some or all of state funds can be escrowed except as otherwise provided in Section 206, Constitution of 1890, until the board determines corrective actions are being taken or the deficiencies have been removed, or that the needs of students warrant the release of funds. The funds may be released from escrow for any program which the board determines to have been restored to standard even though the state of emergency may not as yet be terminated for the district as a whole;

(ii) Override any decision of the local school board or superintendent of education, or both, concerning the management and operation of the school district, or initiate and make decisions concerning the management and operation of the school district;

(iii) Assign an interim superintendent, or in its discretion, contract with a private entity with experience in the academic, finance and other operational functions of schools and school districts, who will have those powers and duties prescribed in subsection (15) of this section;

(iv) Grant transfers to students who attend this school district so that they may attend other accredited schools or districts in a manner that is not in violation of state or federal law;

(v) For states of emergency declared under paragraph (a) only, if the accreditation deficiencies are related to the fact that the school district is too small, with too few resources, to meet the required standards and if another school district is willing to accept those students, abolish that district and assign that territory to another school district or districts. If the school district has proposed a voluntary consolidation with another school district or districts, then if the State Board of Education finds that it is in the best interest of the pupils of the district for the consolidation to proceed, the voluntary consolidation shall have priority over any such assignment of territory by the State Board of Education;

(vi) For states of emergency declared under paragraph (b) only, reduce local supplements paid to school district employees, including, but not limited to, instructional personnel, assistant teachers and extracurricular activities personnel, if the district's impairment is related to a lack of financial resources, but only to an extent that will result in the salaries being comparable to districts similarly situated, as determined by the State Board of Education;

(vii) For states of emergency declared under paragraph (b) only, the State Board of Education may take any action as prescribed in Section 37-17-13.

(d) At the time that satisfactory corrective action has been taken in a school district in which a state of emergency has been declared, the State Board of Education may request the Governor to declare that the state of emergency no longer exists in the district.

(e) The parent or legal guardian of a school-age child who is enrolled in a school district whose accreditation has been withdrawn by the Commission on School Accreditation and without approval of that school district may file a petition in writing to a school district accredited by the Commission on School Accreditation for a legal transfer. The school district accredited by the Commission on School Accreditation may grant the transfer according to the procedures of Section 37-15-31(1)(b). In the event the accreditation of the student's home district is restored after a transfer has been approved, the student may continue to attend the transferee school district. The * * * per student allocation under Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) for the student's home school district shall be transferred monthly to the school district accredited by the Commission on School Accreditation that has granted the transfer of the school-age child.

(f) Upon the declaration of a state of emergency for any school district in which the Governor has previously declared a state of emergency, the State Board of Education may either:

(i) Place the school district into district transformation, in which the school district shall remain until it has fulfilled all conditions related to district transformation. If the district was assigned an accreditation rating of "D" or "F" when placed into district transformation, the district shall be eligible to return to local control when the school district has attained a "C" rating or higher for five (5) consecutive years, unless the State Board of Education determines that the district is eligible to return to local control in less than the five-year period;

(ii) Abolish the school district and administratively consolidate the school district with one or more existing school districts;

(iii) Reduce the size of the district and administratively consolidate parts of the district, as determined by the State Board of Education. However, no school

district which is not in district transformation shall be required to accept additional territory over the objection of the district; or

(iv) Require the school district to develop and implement a district improvement plan with prescriptive guidance and support from the State Department of Education, with the goal of helping the district improve student achievement. Failure of the school board, superintendent and school district staff to implement the plan with fidelity and participate in the activities provided as support by the department shall result in the school district retaining its eligibility for district transformation.

(g) There is established a Mississippi Recovery School District within the State Department of Education under the supervision of a deputy superintendent appointed by the State Superintendent of Public Education, who is subject to the approval by the State Board of Education. The Mississippi Recovery School District shall provide leadership and oversight of all school districts that are subject to district transformation status, as defined in Chapters 17 and 18, Title 37, Mississippi Code of 1972, and shall have all the authority granted under these two (2) chapters. The * * * State Department of Education, with the approval of the State Board of Education, shall develop policies for the operation and management of the Mississippi Recovery School District. The deputy state superintendent is responsible for the Mississippi Recovery School District and shall be authorized to oversee the administration of the Mississippi Recovery School District, oversee the interim superintendent assigned by the State Board of Education to a local school district, hear appeals that would normally be filed by students, parents or employees and heard by a local school board, which hearings on appeal shall be conducted in a prompt and timely manner in the school district from which the appeal originated in order to ensure the ability of appellants, other parties and witnesses to appeal without undue burden of travel costs or loss of time from work, and perform other related duties as assigned by the State Superintendent of Public Education. The deputy state superintendent is responsible for the Mississippi Recovery School District and shall determine, based on rigorous professional qualifications set by the State Board of Education, the appropriate individuals to be engaged to be interim superintendents and financial advisors, if applicable, of all school districts subject to district transformation status. After State Board of Education approval, these individuals shall be deemed independent contractors.

(13) Upon the declaration of a state of emergency in a school district under subsection (12) of this section, the Commission on School Accreditation shall be responsible for public notice at least once a week for at least three (3) consecutive weeks in a newspaper published within the jurisdiction of the school district failing to meet accreditation standards, or if no newspaper is published therein, then in a newspaper having a general circulation therein. The size of the notice shall be no smaller than one-fourth (1/4) of a standard newspaper page and shall be printed in bold print. If an interim superintendent has been appointed for the school district, the notice shall begin as follows: "By authority of Section 37-17-6, Mississippi Code of 1972, as amended, adopted by the Mississippi Legislature during the 1991 Regular Session, this school district (name of school district) is hereby placed under the jurisdiction of the State Department of Education acting through its appointed interim superintendent (name of interim superintendent)."

The notice also shall include, in the discretion of the State Board of Education, any or all details relating to the school district's emergency status, including the declaration of a state of emergency in the school district and a description of the district's impairment deficiencies, conditions of any district transformation status and corrective actions recommended and being taken. Public notices issued under this section shall be subject to Section 13-3-31 and not contrary to other laws regarding newspaper publication.

Upon termination of the state of emergency in a school district, the Commission on School Accreditation shall cause notice to be published in the school district in the same

manner provided in this section, to include any or all details relating to the corrective action taken in the school district that resulted in the termination of the state of emergency.

(14) The State Board of Education or the Commission on School Accreditation shall have the authority to require school districts to produce the necessary reports, correspondence, financial statements, and any other documents and information necessary to fulfill the requirements of this section.

Nothing in this section shall be construed to grant any individual, corporation, board or interim superintendent the authority to levy taxes except in accordance with presently existing statutory provisions.

(15) (a) Whenever the Governor declares a state of emergency in a school district in response to a request made under subsection (12) of this section, the State Board of Education, in its discretion, may assign an interim superintendent to the school district, or in its discretion, may contract with an appropriate private entity with experience in the academic, finance and other operational functions of schools and school districts, who will be responsible for the administration, management and operation of the school district, including, but not limited to, the following activities:

(i) Approving or disapproving all financial obligations of the district, including, but not limited to, the employment, termination, nonrenewal and reassignment of all licensed and nonlicensed personnel, contractual agreements and purchase orders, and approving or disapproving all claim dockets and the issuance of checks; in approving or disapproving employment contracts of superintendents, assistant superintendents or principals, the interim superintendent shall not be required to comply with the time limitations prescribed in Sections 37-9-15 and 37-9-105;

(ii) Supervising the day-to-day activities of the district's staff, including reassigning the duties and responsibilities of personnel in a manner which, in the determination of the interim superintendent, will best suit the needs of the district;

(iii) Reviewing the district's total financial obligations and operations and making recommendations to the district for cost savings, including, but not limited to, reassigning the duties and responsibilities of staff;

(iv) Attending all meetings of the district's school board and administrative staff;

(v) Approving or disapproving all athletic, band and other extracurricular activities and any matters related to those activities;

(vi) Maintaining a detailed account of recommendations made to the district and actions taken in response to those recommendations;

(vii) Reporting periodically to the State Board of Education on the progress or lack of progress being made in the district to improve the district's impairments during the state of emergency; and

(viii) Appointing a parent advisory committee, comprised of parents of students in the school district that may make recommendations to the interim superintendent concerning the administration, management and operation of the school district.

The cost of the salary of the interim superintendent and any other actual and necessary costs related to district transformation status paid by the State Department of Education shall be reimbursed by the local school district from funds other than * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds. The department shall submit an itemized statement to the superintendent of the

local school district for reimbursement purposes, and any unpaid balance may be withheld from the district's * * * funding formula funds.

At the time that the Governor, in accordance with the request of the State Board of Education, declares that the state of emergency no longer exists in a school district, the powers and responsibilities of the interim superintendent assigned to the district shall cease.

(b) In order to provide loans to school districts under a state of emergency or in district transformation status that have impairments related to a lack of financial resources, the School District Emergency Assistance Fund is created as a special fund in the State Treasury into which monies may be transferred or appropriated by the Legislature from any available public education funds. Funds in the School District Emergency Assistance Fund up to a maximum balance of Three Million Dollars ($3,000,000.00) annually shall not lapse but shall be available for expenditure in subsequent years subject to approval of the State Board of Education. Any amount in the fund in excess of Three Million Dollars ($3,000,000.00) at the end of the fiscal year shall lapse into the State General Fund or the Education Enhancement Fund, depending on the source of the fund.

The State Board of Education may loan monies from the School District Emergency Assistance Fund to a school district that is under a state of emergency or in district transformation status, in those amounts, as determined by the board, that are necessary to correct the district's impairments related to a lack of financial resources. The loans shall be evidenced by an agreement between the school district and the State Board of Education and shall be repayable in principal, without necessity of interest, to the School District Emergency Assistance Fund by the school district from any allowable funds that are available. The total amount loaned to the district shall be due and payable within five (5) years after the impairments related to a lack of financial resources are corrected. If a school district fails to make payments on the loan in accordance with the terms of the agreement between the district and the State Board of Education, the State Department of Education, in accordance with rules and regulations established by the State Board of Education, may withhold that district's * * * INSPIRE funds in an amount and manner that will effectuate repayment consistent with the terms of the agreement; the funds withheld by the department shall be deposited into the School District Emergency Assistance Fund.

The State Board of Education shall develop a protocol that will outline the performance standards and requisite timeline deemed necessary for extreme emergency measures. If the State Board of Education determines that an extreme emergency exists, simultaneous with the powers exercised in this subsection, it shall take immediate action against all parties responsible for the affected school districts having been determined to be in an extreme emergency. The action shall include, but not be limited to, initiating civil actions to recover funds and criminal actions to account for criminal activity. Any funds recovered by the State Auditor or the State Board of Education from the surety bonds of school officials or from any civil action brought under this subsection shall be applied toward the repayment of any loan made to a school district hereunder.

(16) If a majority of the membership of the school board of any school district resigns from office, the State Board of Education shall be authorized to assign an interim superintendent, who shall be responsible for the administration, management and operation of the school district until the time as new board members are selected or the Governor declares a state of emergency in that school district under subsection (12), whichever occurs first. In that case, the State Board of Education, acting through the interim superintendent, shall have all powers which were held by the previously existing school board, and may take any action as prescribed in Section 37-17-13 and/or one or more of the actions authorized in this section.

(17) (a) If the Governor declares a state of emergency in a school district, the State Board of Education may take all such action pertaining to that school district as is

authorized under subsection (12) or (15) of this section, including the appointment of an interim superintendent. The State Board of Education shall also have the authority to issue a written request with documentation to the Governor asking that the office of the superintendent of the school district be subject to recall. If the Governor declares that the office of the superintendent of the school district is subject to recall, the local school board or the county election commission, as the case may be, shall take the following action:

(i) If the office of superintendent is an elected office, in those years in which there is no general election, the name shall be submitted by the State Board of Education to the county election commission, and the county election commission shall submit the question at a special election to the voters eligible to vote for the office of superintendent within the county, and the special election shall be held within sixty (60) days from notification by the State Board of Education. The ballot shall read substantially as follows:

"Shall County Superintendent of Education _____ (here the name of the superintendent shall be inserted) of the _____ (here the title of the school district shall be inserted) be retained in office? Yes _____ No _____"

If a majority of those voting on the question votes against retaining the superintendent in office, a vacancy shall exist which shall be filled in the manner provided by law; otherwise, the superintendent shall remain in office for the term of that office, and at the expiration of the term shall be eligible for qualification and election to another term or terms.

(ii) If the office of superintendent is an appointive office, the name of the superintendent shall be submitted by the president of the local school board at the next regular meeting of the school board for retention in office or dismissal from office. If a majority of the school board voting on the question vote against retaining the superintendent in office, a vacancy shall exist which shall be filled as provided by law, otherwise the superintendent shall remain in office for the duration of his employment contract.

(b) The State Board of Education may issue a written request with documentation to the Governor asking that the membership of the school board of the school district shall be subject to recall. Whenever the Governor declares that the membership of the school board is subject to recall, the county election commission or the local governing authorities, as the case may be, shall take the following action:

(i) If the members of the local school board are elected to office, in those years in which the specific member's office is not up for election, the name of the school board member shall be submitted by the State Board of Education to the county election commission, and the county election commission at a special election shall submit the question to the voters eligible to vote for the particular member's office within the county or school district, as the case may be, and the special election shall be held within sixty (60) days from notification by the State Board of Education. The ballot shall read substantially as follows:

"Members of the _____ (here the title of the school district shall be inserted) School Board who are not up for election this year are subject to recall because of the school district's failure to meet critical accountability standards as defined in the letter of notification to the Governor from the State Board of Education. Shall the member of the school board representing this area, _____ (here the name of the school board member holding the office shall be inserted), be retained in office? Yes _____ No _____"

If a majority of those voting on the question vote against retaining the member of the school board in office, a vacancy in that board member's office shall exist, which shall be filled in the manner provided by law; otherwise, the school board member shall remain

in office for the term of that office, and at the expiration of the term of office, the member shall be eligible for qualification and election to another term or terms of office. However, if a majority of the school board members are recalled in the special election, the Governor shall authorize the board of supervisors of the county in which the school district is situated to appoint members to fill the offices of the members recalled. The board of supervisors shall make those appointments in the manner provided by law for filling vacancies on the school board, and the appointed members shall serve until the office is filled at the next regular special election or general election.

(ii) If the local school board is an appointed school board, the name of all school board members shall be submitted as a collective board by the president of the municipal or county governing authority, as the case may be, at the next regular meeting of the governing authority for retention in office or dismissal from office. If a majority of the governing authority voting on the question vote against retaining the board in office, a vacancy shall exist in each school board member's office, which shall be filled as provided by law; otherwise, the members of the appointed school board shall remain in office for the duration of their term of appointment, and those members may be reappointed.

(iii) If the local school board is comprised of both elected and appointed members, the elected members shall be subject to recall in the manner provided in subparagraph (i) of this paragraph (b), and the appointed members shall be subject to recall in the manner provided in subparagraph (ii).

(18) * * * The State Board of Education, acting through the Commission on School Accreditation, shall require each school district to comply with standards established by the State Department of Audit for the verification of fixed assets and the auditing of fixed assets records as a minimum requirement for accreditation.

(19) * * * The State Superintendent of Public Education and the State Board of Education * * * shall develop a comprehensive accountability plan to ensure that local school boards, superintendents, principals and teachers are held accountable for student achievement. * * *

(20) Before January 1, 2008, the State Board of Education shall evaluate and submit a recommendation to the Education Committees of the House of Representatives and the Senate on inclusion of graduation rate and dropout rate in the school level accountability system.

(21) If a local school district is determined as failing and placed into district transformation status for reasons authorized by the provisions of this section, the interim superintendent appointed to the district shall, within forty-five (45) days after being appointed, present a detailed and structured corrective action plan to move the local school district out of district transformation status to the deputy superintendent. A copy of the interim superintendent's corrective action plan shall also be filed with the State Board of Education.

SECTION 62. Section 37-17-17, Mississippi Code of 1972, is amended as follows:

37-17-17. (1) There is created the Mississippi Achievement School District for the purpose of transforming persistently failing public schools and districts throughout the state into quality educational institutions. The Mississippi Achievement School District shall be a statewide school district, separate and distinct from all other school districts but not confined to any specified geographic boundaries, and may be comprised of any public schools or school districts in the state which, during two (2) consecutive school years, are designated an "F" school or district by the State Board of Education under the accountability rating system or which have been persistently failing and chronically underperforming.

(2) The Mississippi Achievement School District shall be governed by the State Board of Education.

(3) The State Board of Education shall obtain suitable office space to serve as the administrative office of the school district.

(4) The State Board of Education shall select an individual to serve as superintendent of the Mississippi Achievement School District. The superintendent must be deemed by the board to be highly qualified with a demonstrable track record for producing results in a context relevant to that of Mississippi Achievement School District schools. The superintendent of the Mississippi Achievement School District shall exercise powers and duties that would afford significant autonomy but are bound by the governance of the State Board of Education.

(5) (a) Each public school or district in the state which, during each of two (2) consecutive school years or during two (2) of three (3) consecutive school years, receives an "F" designation by the State Board of Education under the accountability rating system or has been persistently failing as defined by the State Board of Education may be absorbed into and become a part of the Mississippi Achievement School District. All eligible public schools and districts shall be prioritized by the Mississippi Achievement School District according to criteria set by the Mississippi Achievement School District and publicized prior to the annual release of accountability rating data. The Mississippi Achievement School District shall takeover only the number of schools and districts for which it has the capacity to serve. The transfer of the school's/district's governance from the local school district to the Mississippi Achievement School District shall take effect upon the approval of the State Board of Education unless, in the sole determination of the Mississippi Achievement School District, the transition may be more smoothly accomplished through a gradual transfer of control. If the Mississippi Achievement School District elects not to assume complete control of a school or district immediately after that school receives an "F" designation during each of two (2) consecutive school years or during two (2) of the three (3) consecutive school years, the State Board of Education shall prescribe the process and timetable by which the school or district shall be absorbed; however, in no event may the transfer of the school or district to the Mississippi Achievement School District be completed later than the beginning of the school year next succeeding the year during which the school or district receives the "F" designation. School districts that are eligible to be absorbed by the Achievement School District, but are not absorbed due to the capacity of the Achievement School District, shall develop and implement a district improvement plan with prescriptive guidance and support from the Mississippi Department of Education, with the goal of helping the district improve student achievement. Failure of the school board, superintendent and school district staff to implement the plan with fidelity and participate in the activities provided as support by the department shall result in the school district retaining its eligibility for the Mississippi Achievement School District.

(b) The State Board of Education shall adopt rules and regulations governing the operation of the Mississippi Achievement School District.

(c) Designations assigned to schools or districts under the accountability rating system by the State Board of Education before the 2015-2016 school year may not be considered in determining whether a particular school or district is subject to being absorbed by the Mississippi Achievement School District. During the 2017-2018 school year, any school or district receiving an "F" designation after also being designated an "F" school or district in the 2015-2016 and 2016-2017 school years may be absorbed immediately by the Mississippi Achievement School District, upon approval of the State Board of Education.

(d) The school district from which an "F" school or district is being absorbed must cooperate fully with the Mississippi Achievement School District and the State Board of Education in order to provide as smooth a transition as possible in the school's/district's

governance and operations for the students enrolled in the school or district. Upon completion of the transfer of a school or district to the Mississippi Achievement School District, the school or district shall be governed by the rules, regulations, policies and procedures established by the State Board of Education specifically for the Mississippi Achievement School District, and the school or district shall no longer be under the purview of the school board of the local school district. In the event of the transfer of governance and operations of a school district, the State Board of Education shall abolish the district as prescribed in Section 37-17-13.

(e) Upon the transfer of the school or school district to the Mississippi Achievement School District, the individual appointed by the State Board of Education to serve as superintendent for the Mississippi Achievement School District shall be responsible for the administration, management and operation of the school or school district, including the following activities: (i) approving or denying all financial obligations of the school or school district; (ii) approving or denying the employment, termination, nonrenewal and reassignment of all licensed and nonlicensed personnel; (iii) approving or denying contractual agreements and purchase orders; (iv) approving or denying all claim dockets and the issuance of checks; (v) supervising the day-to-day activities of the school or school district's staff in a manner which in the determination of the Mississippi Achievement School District will best suit the needs of the school or school district; (vi) approving or denying all athletic, band and other extracurricular activities and any matters related to those activities; (vii) honoring any reasonable financial commitment of the district being absorbed; and (viii) reporting periodically to the State Board of Education on the progress or lack of progress being made in the school or school district to improve the school or school district's impairments.

(f) Upon attaining and maintaining a school or district accountability rating of "C" or better under the State Department of Education's accountability rating system for five (5) consecutive years, the State Board of Education may decide to revert the absorbed school or district back to local governance, provided the school or school(s) in question are not conversion charter schools. "Local governance" may include a traditional school board model of governance or other new form of governance such as mayoral control, or other type of governance. The State Board of Education shall determine the best form of local governance and school board composition after soliciting the input of local citizens and shall outline a process for establishing the type of governance selected. The manner and timeline for reverting a school or district back to local control shall be at the discretion of the State School Board, but in no case shall it exceed five (5) years.

(6) The Superintendent of the Mississippi Achievement School District shall hire those persons to be employed as principals, teachers and noninstructional personnel in schools or districts absorbed into the Mississippi Achievement School District. Only highly qualified individuals having a demonstrable record of success may be selected by the superintendent for such positions in the Mississippi Achievement School District. The superintendent may choose to continue the employment of any person employed in an "F" rated school when the school or district is absorbed into the Mississippi Achievement School District; alternatively, the superintendent may elect not to offer continued employment to a person formerly employed at a school or district that is absorbed into the Mississippi Achievement School District. Any persons employed by the Mississippi Achievement School District shall not be subject to Sections 37-9-101 through 37-9-113.

(7) (a) The Mississippi Achievement School District may use a school building and all facilities and property that is a part of a school and recognized as part of the facilities or assets of the school before it is absorbed into the Mississippi Achievement School District. In addition, the Mississippi Achievement School District shall have access to those additional facilities that typically were available to that school or district, its students, faculty and staff before its absorption by the Mississippi Achievement School District. Use of facilities by a school or district in the Mississippi Achievement School District must be unrestricted and free of charge. However, the Mississippi Achievement School District shall be responsible for providing routine maintenance and repairs necessary to maintain

the facilities in as good a condition as when the right of use was acquired by the Mississippi Achievement School District. The Mississippi Achievement School District shall be responsible for paying all utilities at the facilities used for the absorbed school. Any fixtures, improvements and tangible assets added to a school building or facility by the Mississippi Achievement School District must remain at the school or district building or facility if the school or district is returned to local governance.

(b) The State Board of Education shall include in the rules and regulations adopted pursuant to subsection (5) of this section specific provisions addressing the rights and responsibilities of the Mississippi Achievement School District relating to the real and personal property of a school or district that is absorbed into the Mississippi Achievement School District.

(8) (a) The Mississippi Achievement School District shall certify annually to the State Board of Education in which a Mississippi Achievement School District school or district is located the number of students residing in the school district which are enrolled in that school or district.

(b) Whenever an increase in funding is requested by the school board for the support of schools within a particular school district absorbed into the Mississippi Achievement School District, the State Board of Education and the superintendent for the Mississippi Achievement School District shall hold a public meeting in the local municipality having jurisdiction of the absorbed school district to allow input of local residents on the matter, and subsequent to the conclusion of such meeting, the board of the Mississippi Achievement School District shall submit its request for ad valorem increase in dollars to the local governing authority having jurisdiction over the absorbed school district for approval of the request for increase in ad valorem tax effort. In a district in which a school or schools but not the entire district is absorbed into the Mississippi Achievement School District, the local school district shall pay directly to the Mississippi Achievement School District an amount for each student enrolled in that school equal to the ad valorem tax receipts and in-lieu payments received per pupil for the support of the local school district in which the student resides. The pro rata ad valorem receipts and in-lieu receipts to be transferred to the Mississippi Achievement School District shall include all levies for the support of the local school district under Sections 37-57-1 (local contribution to * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE)) and 37-57-105 (school district operational levy) and may not include any taxes levied for the retirement of the local school district's bonded indebtedness or short-term notes or any taxes levied for the support of vocational-technical education programs, unless the school or schools absorbed include a high school at which vocational-technical education programs are offered. In no event may the payment exceed the pro rata amount of the local ad valorem payment to * * * INSPIRE under Section 37-57-1 for the school district in which the student resides. Payments made under this section by a school district to the Mississippi Achievement School District must be made before the expiration of three (3) business days after the funds are distributed to the local school district by the tax collector.

(c) If an entire school district is absorbed into the Mississippi Achievement School District, the tax collector shall pay the amounts as described in paragraph (b) of this subsection, with the exception that all funds should transfer, including taxes levied for the retirement of the local school district's bonded indebtedness or short-term notes and any taxes levied for the support of vocational-technical education programs. The Mississippi Achievement School District shall pay funds raised to retire the district's debts to the appropriate creditors on behalf of the former district.

(9) (a) The State Department of Education shall make payments to the Mississippi Achievement School District for each student in average daily membership at a Mississippi Achievement School District school equal to the state share of the * * * INSPIRE payments for each student in average daily * * * membership at the local school district or former local school district in which that school is located. In calculating the

local contribution for purposes of determining the state share of the * * * funding formula payments, the department shall deduct the pro rata local contribution of the school district or former school district in which the student resides * * *.

(b) Payments made pursuant to this subsection by the State Department of Education must be made at the same time and in the same manner as * * * INSPIRE payments are made to all other school districts under Sections 37-151-101 and 37-151-103. Amounts payable to the Mississippi Achievement School District must be determined by the State Department of Education in the same manner that such amounts are calculated for all other school districts under the * * * funding formula.

(10) The Mississippi Achievement School District shall be considered a local educational agency for the same purposes and to the same extent that all other school districts in the state are deemed local educational agencies under applicable federal laws.

(11) The Mississippi Achievement School District may receive donations or grants from any public or private source, including any federal funding that may be available to the school district or individual schools within the Mississippi Achievement School District.

(12) The Legislature may appropriate sufficient funding to the State Department of Education for the 2017 fiscal year for the specific purpose of funding the start-up, operational and any other required costs of the Mississippi Achievement School District during the 2017-2018 school year.

SECTION 63. Section 37-19-7, Mississippi Code of 1972, is amended as follows:

37-19-7. (1) * * * Teachers' salaries in each public school district shall be determined and paid in accordance with the scale for teachers' salaries as provided in this subsection. For teachers holding the following types of licenses or the equivalent as determined by the State Board of Education, and the following number of years of teaching experience, the scale shall be as follows:

2022-2023 AND SUBSEQUENT SCHOOL YEARS MINIMUM SALARY SCHEDULE

Exp.	AAAA	AAA	AA	A
0	45,500.00	44,000.00	43,000.00	41,500.00
1	46,100.00	44,550.00	43,525.00	41,900.00
2	46,700.00	45,100.00	44,050.00	42,300.00
3	47,300.00	45,650.00	44,575.00	42,700.00
4	47,900.00	46,200.00	45,100.00	43,100.00
5	49,250.00	47,500.00	46,350.00	44,300.00
6	49,850.00	48,050.00	46,875.00	44,700.00
7	50,450.00	48,600.00	47,400.00	45,100.00
8	51,050.00	49,150.00	47,925.00	45,500.00
9	51,650.00	49,700.00	48,450.00	45,900.00
10	53,000.00	51,000.00	49,700.00	47,100.00
11	53,600.00	51,550.00	50,225.00	47,500.00

12	54,200.00	52,100.00	50,750.00	47,900.00
13	54,800.00	52,650.00	51,275.00	48,300.00
14	55,400.00	53,200.00	51,800.00	48,700.00
15	56,750.00	54,500.00	53,050.00	49,900.00
16	57,350.00	55,050.00	53,575.00	50,300.00
17	57,950.00	55,600.00	54,100.00	50,700.00
18	58,550.00	56,150.00	54,625.00	51,100.00
19	59,150.00	56,700.00	55,150.00	51,500.00
20	60,500.00	58,000.00	56,400.00	52,700.00
21	61,100.00	58,550.00	56,925.00	53,100.00
22	61,700.00	59,100.00	57,450.00	53,500.00
23	62,300.00	59,650.00	57,975.00	53,900.00
24	62,900.00	60,200.00	58,500.00	54,300.00
25	65,400.00	62,700.00	61,000.00	56,800.00
26	66,000.00	63,250.00	61,525.00	57,200.00
27	66,600.00	63,800.00	62,050.00	57,600.00
28	67,200.00	64,350.00	62,575.00	58,000.00
29	67,800.00	64,900.00	63,100.00	58,400.00
30	68,400.00	65,450.00	63,625.00	58,800.00
31	69,000.00	66,000.00	64,150.00	59,200.00
32	69,600.00	66,550.00	64,675.00	59,600.00
33	70,200.00	67,100.00	65,200.00	60,000.00
34	70,800.00	67,650.00	65,725.00	60,400.00
35 & above	71,400.00	68,200.00	66,250.00	60,800.00

It is the intent of the Legislature that any state funds made available for salaries of licensed personnel in excess of the funds paid for such salaries for the 1986-1987 school year shall be paid to licensed personnel pursuant to a personnel appraisal and compensation system implemented by the State Board of Education. The State Board of Education shall have the authority to adopt and amend rules and regulations as are necessary to establish, administer and maintain the system.

All teachers employed on a full-time basis shall be paid a minimum salary in accordance with the above scale. However, no school district shall receive any funds under this section for any school year during which the local supplement paid to any individual teacher shall have been reduced to a sum less than that paid to that individual teacher for performing the same duties from local supplement during the immediately preceding school year. The amount actually spent for the purposes of group health and/or life insurance shall be considered as a part of the aggregate amount of local supplement but shall not be considered a part of the amount of individual local supplement.

The level of professional training of each teacher to be used in establishing the salary * * * for the * * * teacher for each year shall be determined by the type of valid teacher's license issued to * * * that teacher on or before October 1 of the current school year. However, school districts are authorized, in their discretion, to negotiate the salary levels applicable to licensed employees who are receiving retirement benefits from the retirement system of another state * * *.

(2) (a) The following employees shall receive an annual salary supplement in the amount of Six Thousand Dollars ($6,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

(i) Any licensed teacher who has met the requirements and acquired a Master Teacher certificate from the National Board for Professional Teaching Standards and who is employed by a local school board or the State Board of Education as a teacher and not as an administrator. Such teacher shall submit documentation to the State Department of Education that the certificate was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the teacher shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(ii) A licensed nurse who has met the requirements and acquired a certificate from the National Board for Certification of School Nurses, Inc., and who is employed by a local school board or the State Board of Education as a school nurse and not as an administrator. The licensed school nurse shall submit documentation to the State Department of Education that the certificate was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school nurse shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(iii) Any licensed school counselor who has met the requirements and acquired a National Certified School Counselor (NCSC) endorsement from the National Board of Certified Counselors and who is employed by a local school board or the State Board of Education as a counselor and not as an administrator. Such licensed school counselor shall submit documentation to the State Department of Education that the endorsement was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school counselor shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. However, any school counselor who started the National Board for Professional Teaching Standards process for school counselors between June 1, 2003, and June 30, 2004, and completes the requirements and acquires the Master Teacher certificate shall be entitled to the master teacher supplement, and those counselors who complete the process shall be entitled to a one-time reimbursement for the actual cost of the process as outlined in paragraph (b) of this subsection.

(iv) Any licensed speech-language pathologist and audiologist who has met the requirements and acquired a Certificate of Clinical Competence from the American Speech-Language-Hearing Association and any certified academic language

therapist (CALT) who has met the certification requirements of the Academic Language Therapy Association and who is employed by a local school board. The licensed speech-language pathologist and audiologist and certified academic language therapist shall submit documentation to the State Department of Education that the certificate or endorsement was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed speech-language pathologist and audiologist and certified academic language therapist shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(v) Any licensed athletic trainer who has met the requirements and acquired Board Certification for the Athletic Trainer from the Board of Certification, Inc., and who is employed by a local school board or the State Board of Education as an athletic trainer and not as an administrator. The licensed athletic trainer shall submit documentation to the State Department of Education that the certificate was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed athletic trainer shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(b) An employee shall be reimbursed for the actual cost of completing each component of acquiring the certificate or endorsement, excluding any costs incurred for postgraduate courses, not to exceed Five Hundred Dollars ($500.00) for each component, not to exceed four (4) components, for a teacher, school counselor or speech-language pathologist and audiologist, regardless of whether or not the process resulted in the award of the certificate or endorsement. A local school district or any private individual or entity may pay the cost of completing the process of acquiring the certificate or endorsement for any employee of the school district described under paragraph (a), and the State Department of Education shall reimburse the school district for such cost, regardless of whether or not the process resulted in the award of the certificate or endorsement. If a private individual or entity has paid the cost of completing the process of acquiring the certificate or endorsement for an employee, the local school district may agree to directly reimburse the individual or entity for such cost on behalf of the employee.

(c) All salary supplements, fringe benefits and process reimbursement authorized under this subsection shall be paid directly by the State Department of Education to the local school district and shall be in addition to its * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) allotments and not a part thereof in accordance with regulations promulgated by the State Board of Education. Local school districts shall not reduce the local supplement paid to any employee receiving such salary supplement, and the employee shall receive any local supplement to which employees with similar training and experience otherwise are entitled. However, an educational employee shall receive the salary supplement in the amount of Six Thousand Dollars ($6,000.00) for only one (1) of the qualifying certifications authorized under paragraph (a) of this subsection. No school district shall provide more than one (1) annual salary supplement under the provisions of this subsection to any one (1) individual employee holding multiple qualifying national certifications.

(d) If an employee for whom such cost has been paid, in full or in part, by a local school district or private individual or entity fails to complete the certification or endorsement process, the employee shall be liable to the school district or individual or entity for all amounts paid by the school district or individual or entity on behalf of that employee toward his or her certificate or endorsement.

(3) The following employees shall receive an annual salary supplement in the amount of Four Thousand Dollars ($4,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

Effective July 1, 2016, if funds are available for that purpose, any licensed teacher who has met the requirements and acquired a Master Teacher Certificate from the National Board for Professional Teaching Standards and who is employed in a public school district located in one (1) of the following counties: Claiborne, Adams, Jefferson, Wilkinson, Amite, Bolivar, Coahoma, Leflore, Quitman, Sharkey, Issaquena, Sunflower, Washington, Holmes, Yazoo and Tallahatchie. The salary supplement awarded under the provisions of this subsection (3) shall be in addition to the salary supplement awarded under the provisions of subsection (2) of this section.

Teachers who meet the qualifications for a salary supplement under this subsection (3) who are assigned for less than one (1) full year or less than full time for the school year shall receive the salary supplement in a prorated manner, with the portion of the teacher's assignment to the critical geographic area to be determined as of June 15th of the school year.

(4) (a) This subsection shall be known and may be cited as the "Mississippi Performance-Based Pay (MPBP)" plan. In addition to the minimum base pay described in this section, only * * * if funds are available for that purpose, the State of Mississippi may provide monies from state funds to school districts for the purposes of rewarding licensed teachers, administrators and nonlicensed personnel at individual schools showing improvement in student test scores. The MPBP plan shall be developed by the State Department of Education based on the following criteria:

(i) It is the express intent of this legislation that the MPBP plan shall utilize only existing standards of accreditation and assessment as established by the State Board of Education.

(ii) To ensure that all of Mississippi's teachers, administrators and nonlicensed personnel at all schools have equal access to the monies set aside in this section, the MPBP program shall be designed to calculate each school's performance as determined by the school's increase in scores from the prior school year. The MPBP program shall be based on a standardized scores rating where all levels of schools can be judged in a statistically fair and reasonable way upon implementation. At the end of each year, after all student achievement scores have been standardized, the State Department of Education shall implement the MPBP plan.

(iii) To ensure all teachers cooperate in the spirit of teamwork, individual schools shall submit a plan to the local school district to be approved before the beginning of each school year * * *. The plan shall include, but not be limited to, how all teachers, regardless of subject area, and administrators will be responsible for improving student achievement for their individual school.

(b) The State Board of Education shall develop the processes and procedures for designating schools eligible to participate in the MPBP. State assessment results, growth in student achievement at individual schools and other measures deemed appropriate in designating successful student achievement shall be used in establishing MPBP criteria.

(5) (a) If funds are available for that purpose, each school in Mississippi shall have mentor teachers, as defined by Sections 37-9-201 through 37-9-213, who shall receive additional base compensation provided for by the State Legislature in the amount of One Thousand Dollars ($1,000.00) per each beginning teacher that is being mentored. The additional state compensation shall be limited to those mentor teachers that provide mentoring services to beginning teachers. For the purposes of such funding, a beginning teacher shall be defined as any teacher in any school in Mississippi that has less than one (1) year of classroom experience teaching in a public school. For the purposes of such funding, no full-time academic teacher shall mentor more than two (2) beginning teachers.

(b) To be eligible for this state funding, the individual school must have a classroom management program approved by the local school board.

(6) Effective with the 2014-2015 school year, the school districts participating in the Pilot Performance-Based Compensation System pursuant to Section 37-19-9 may award additional teacher and administrator pay based thereon.

SECTION 64. Section 37-21-6, Mississippi Code of 1972, is amended as follows:

37-21-6. The Mississippi Early Childhood Education Program shall be the kindergarten program implemented by local school districts * * *.

SECTION 65. Section 37-21-7, Mississippi Code of 1972, is amended as follows:

37-21-7. (1) This section shall be referred to as the "Mississippi Elementary Schools Assistant Teacher Program," the purpose of which shall be to provide an early childhood education program that assists in the instruction of basic skills. The State Board of Education is authorized, empowered and directed to implement a statewide system of assistant teachers in kindergarten classes and in the first, second and third grades. The assistant teacher shall assist pupils in actual instruction under the strict supervision of a licensed teacher.

(2) (a) Except as otherwise authorized under subsection (7), each school district shall employ the total number of assistant teachers funded under subsection (6) of this section. The superintendent of each district shall assign the assistant teachers to the kindergarten, first-, second- and third-grade classes in the district in a manner that will promote the maximum efficiency, as determined by the superintendent, in the instruction of skills such as verbal and linguistic skills, logical and mathematical skills, and social skills.

(b) If a licensed teacher to whom an assistant teacher has been assigned is required to be absent from the classroom, the assistant teacher may assume responsibility for the classroom in lieu of a substitute teacher. However, no assistant teacher shall assume sole responsibility of the classroom for more than three (3) consecutive school days. Further, in no event shall any assistant teacher be assigned to serve as a substitute teacher for any teacher other than the licensed teacher to whom that assistant teacher has been assigned.

(3) Assistant teachers shall have, at a minimum, a high school diploma or a High School Equivalency Diploma equivalent, and shall show demonstratable proficiency in reading and writing skills. The State Department of Education shall develop a testing procedure for assistant teacher applicants to be used in all school districts in the state.

(4) (a) In order to receive funding, each school district shall:

(i) Submit a plan on the implementation of a reading improvement program to the State Department of Education; and

(ii) Develop a plan of educational accountability and assessment of performance, including pretests and posttests, for reading in Grades 1 through 6.

(b) Additionally, each school district shall:

(i) Provide annually a mandatory preservice orientation session, using an existing in-school service day, for administrators and teachers on the effective use of assistant teachers as part of a team in the classroom setting and on the role of assistant teachers, with emphasis on program goals;

(ii) Hold periodic workshops for administrators and teachers on the effective use and supervision of assistant teachers;

(iii) Provide training annually on specific instructional skills for assistant teachers;

(iv) Annually evaluate their program in accordance with their educational accountability and assessment of performance plan; and

(v) Designate the necessary personnel to supervise and report on their program.

(5) The State Department of Education shall:

(a) Develop and assist in the implementation of a statewide uniform training module, subject to the availability of funds specifically appropriated therefor by the Legislature, which shall be used in all school districts for training administrators, teachers and assistant teachers. The module shall provide for the consolidated training of each assistant teacher and teacher to whom the assistant teacher is assigned, working together as a team, and shall require further periodic training for administrators, teachers and assistant teachers regarding the role of assistant teachers;

(b) Annually evaluate the program on the district and state level. Subject to the availability of funds specifically appropriated therefor by the Legislature, the department shall develop: (i) uniform evaluation reports, to be performed by the principal or assistant principal, to collect data for the annual overall program evaluation conducted by the department; or (ii) a program evaluation model that, at a minimum, addresses process evaluation; and

(c) Promulgate rules, regulations and such other standards deemed necessary to effectuate the purposes of this section. Noncompliance with the provisions of this section and any rules, regulations or standards adopted by the department may result in a violation of compulsory accreditation standards as established by the State Board of Education and the Commission on School Accreditation.

(6) * * * Each school district shall be allotted sufficient funding under Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) for the purpose of employing assistant teachers. No assistant teacher shall be paid less than the amount he or she received in the prior school year. No school district shall receive any funds under this section for any school year during which the aggregate amount of the local contribution to the salaries of assistant teachers by the district shall have been reduced below such amount for the previous year.

For assistant teachers, the minimum annual salary shall be as follows:

2022-2023 and Subsequent Years Minimum Salary..... $17,000.00

In addition, for each one percent (1%) that the Sine Die General Fund Revenue Estimate Growth exceeds five percent (5%) in fiscal year 2006, as certified by the Legislative Budget Office to the State Board of Education and subject to the specific appropriation therefor by the Legislature, the State Board of Education shall revise the salary scale in the appropriate year to provide an additional one percent (1%) across-the-board increase in the base salaries for assistant teachers. The State Board of Education shall revise the salaries prescribed above for assistant teachers to conform to any adjustments made in prior fiscal years due to revenue growth over and above five percent (5%). The assistant teachers shall not be restricted to working only in the grades for which the funds were allotted, but may be assigned to other classes as provided in subsection (2)(a) of this section.

(7) (a) As an alternative to employing assistant teachers, any school district may use the * * * funding provided under subsection (6) of this section for the purpose of employing licensed teachers for kindergarten, first-, second- and third-grade classes; however, no school district shall be authorized to use the * * * funding for assistant teachers for the purpose of employing licensed teachers unless the district has established that the employment of licensed teachers using such funds will reduce the teacher:student ratio in the kindergarten, first-, second- and third-grade classes. All state funds for assistant teachers shall be applied to reducing teacher:student ratio in Grades K-3.

It is the intent of the Legislature that no school district shall dismiss any assistant teacher for the purpose of using the assistant teacher * * * funding to employ licensed teachers. School districts may rely only upon normal attrition to reduce the number of assistant teachers employed in that district.

(b) Districts meeting the highest levels of accreditation standards, as defined by the State Board of Education, shall be exempted from the provisions of subsection (4) of this section.

SECTION 66. Section 37-22-5, Mississippi Code of 1972, is amended as follows:

37-22-5. There is * * * created an Emergency Fund Loss Assistance Program to provide temporary grants to eligible school districts. The purpose of the program shall be to provide relief to school districts suffering losses of financial assistance under federal programs, such as the IMPACT Program, designed to serve the educational needs of children of government employees and Choctaw Indian children. Any school district which has sustained losses in direct payments from the federal government for the purpose of educating the children of federal government employees and Choctaw Indian children living on United States government owned reservation land shall be entitled to an Emergency Fund Loss Assistance Grant, in the amount of the reduction of the grant funds received from the federal government from prior years. This grant shall be limited to losses resulting from reductions in the level of federal funding allocated to school districts from prior years and not from reductions resulting from a loss of students served by the school districts. Losses incurred prior to July 1, 1987, shall not be considered for purposes of determining the amount of the grant. There is hereby established an Emergency Fund Loss Assistance Fund in the State Treasury which shall be used to distribute the emergency grants to school districts. Expenditures from this fund shall not exceed One Million Dollars ($1,000,000.00) in any fiscal year. If the total of all grant entitlements from local school districts exceeds such sum, then the grants to the school districts shall be prorated accordingly. * * *

SECTION 67. Section 37-23-1, Mississippi Code of 1972, is amended as follows:

37-23-1. The purpose of Sections 37-23-1 through 37-23-159 is to mandate free appropriate public educational services and equipment for exceptional children in the age range three (3) through twenty (20) for whom the regular school programs are not adequate and to provide, on a permissive basis, a free appropriate public education, as a part of the state's early intervention system in accordance with regulations developed in collaboration with the agency designated as "lead agency" under Part C of the Individuals with Disabilities Education Act. The portion of the regulations developed in collaboration with the lead agency which are necessary to implement the programs under the authority of the State Board of Education shall be presented to the State Board of Education for adoption. This specifically includes, but shall not be limited to, provision for day schools for the deaf and blind of an age under six (6) years, where early training is in accordance with the most advanced and best approved scientific methods of instruction, always taking into consideration the best interests of the child and his improvement at a time during which he is most susceptible of improvement. Educational programs to exceptional children under the age of three (3) years shall be eligible for * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds.

All references in the laws of this state to the "Individuals with Disabilities Education Act" or to the "IDEA" shall be construed to include any subsequent amendments to that act.

The educational programs and services provided for exceptional children in Sections 37-23-1 through 37-23-15, 37-23-31 through 37-23-35, 37-23-61 through 37-23-75 and 37-23-77 shall be designed to provide individualized appropriate special education and related services that enable a child to reach his or her appropriate and uniquely designed goals for success. The State Board of Education shall establish an accountability system for special education programs and students with disabilities. The system shall establish accountability standards for services provided to improve the educational skills designed to prepare children for life after their years in school. These standards shall be a part of the accreditation system and shall be implemented before July 1, 1996.

The State Department of Education shall establish goals for the performance of children with disabilities that will promote the purpose of IDEA and are consistent, to the maximum extent appropriate, with other goals and standards for children established by the State Department of Education. Performance indicators used to assess progress toward achieving those goals that, at a minimum, address the performance of children with disabilities on assessments, drop-out rates, and graduation rates shall be developed. Every two (2) years, the progress toward meeting the established performance goals shall be reported to the public.

SECTION 68. Section 37-23-15, Mississippi Code of 1972, is amended as follows:

37-23-15. (1) The State Department of Education, in accordance with Sections 37-23-1 through 37-23-75, and any additional authority granted in this chapter, shall:

(a) Adopt pilot programs under which certain students enrolled or enrolling in public schools in this state shall be tested for dyslexia and related disorders as may be necessary. The pilot programs shall provide that upon the request of a parent, student, school nurse, classroom teacher or other school personnel who has reason to believe that a student has a need to be tested for dyslexia, such student shall be reviewed for appropriate services. However, a student shall not be tested for dyslexia whose parent or guardian objects thereto on grounds that such testing conflicts with his conscientiously held religious beliefs.

(b) In accordance with the pilot programs adopted by the State Department of Education, such school boards shall provide remediation in an appropriate multi-sensory, systematic language-based regular education program or programs, as determined by the school district, such as the Texas Scottish Rite Hospital Dyslexia Training Program, pertinent to the child's physical and educational disorders or the sensory area in need of remediation for those students who do not qualify for special education services.

(c) The State Department of Education, by not later than January 1, 1997, shall make recommendations to the school boards designated for the pilot programs for the delivery of services to students who are identified as dyslexic.

(d) For the purposes of this section:

(i) "Dyslexia" means a language processing disorder which may be manifested by difficulty processing expressive or receptive, oral or written language despite adequate intelligence, educational exposure and cultural opportunity. Specific manifestations may occur in one or more areas, including difficulty with the alphabet, reading comprehension, writing and spelling.

(ii) "Related disorders" shall include disorders similar to or related to dyslexia such as developmental auditory imperception, dysphasia, specific developmental dyslexia, dyspraxia, developmental dysgraphia and developmental spelling disability.

(e) Local school districts designated for the pilot programs may utilize any source of funds other than * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds to provide any services under this section.

(f) Nothing in this section shall be construed to require any school district to implement this section unless the local school board, by resolution spread on its minutes, voluntarily agrees to comply with this section and any regulations promulgated under this section. Any local school board may withdraw from participation in the program authorized under this section by providing written notice of its determination to withdraw to the State Department of Education no later than June 1 of the preceding fiscal year.

(2) State funding for the pilot programs for testing students for dyslexia shall be subject to the availability of funds specifically appropriated therefor by the Legislature.

* * *

SECTION 69. Section 37-23-69, Mississippi Code of 1972, is amended as follows:

37-23-69. The State Department of Education may determine and pay the amount of the financial assistance to be made available to each applicant, and see that all applicants and the programs for them meet the requirements of the program for exceptional children. No financial assistance shall exceed the obligation actually incurred by the applicant for educational costs, which shall include special education and related services as defined by the Mississippi Department of Education Policies and Procedures Regarding Children with Disabilities under the federal Individuals with Disabilities Education Act (IDEA). Within the amount of available state funds * * * for that purpose, each such applicant may receive assistance according to the following allowances:

(a) If the applicant chooses to attend a private school, a parochial school or a speech, hearing and/or language clinic having an appropriate program for the applicant, and if the school or clinic meets federal and state regulations, then the educational costs reimbursement will be one hundred percent (100%) of the first Six Hundred Dollars ($600.00) in educational costs charged by the school or clinic; or, if the applicant is under six (6) years of age, and no program appropriate for the child exists in the public schools of his domicile, then the reimbursement shall be one hundred percent (100%) of the first Six Hundred Dollars ($600.00) in educational costs charged by the school or clinic, and fifty percent (50%) of the next Eight Hundred Dollars ($800.00) in educational costs charged by the school or clinic;

(b) A public school district shall be reimbursed for the educational costs of an applicant up to an annual maximum based on a * * * cost factor * * * determined by the State Board of Education if the following conditions are met: (i) an applicant in the age range six (6) through twenty (20) requests the public school district where he resides to provide an education for him and the nature of the applicant's educational problem is such that, according to best educational practices, it cannot be met in the public school district where the child resides; (ii) the public school district decides to provide the applicant a free appropriate education by placing him in a private school, a parochial school or a speech, hearing and/or language clinic having an appropriate program for the applicant; (iii) the program meets federal and state regulations; and (iv) the applicant is approved for financial assistance by a State Level Review Board established by the State Board of Education. The Review Board will act on financial assistance requests within five (5) working days of receipt. Nothing in this paragraph shall prevent two (2) or more public school districts from forming a cooperative to meet the needs of low incidence exceptional children, nor shall the public school be relieved of its responsibility to provide an education for all children. If state monies are not sufficient to fund all applicants, there will be a

ratable reduction for all recipients receiving state funds under this section. School districts may pay additional educational costs from available federal, state and local funds.

If an exceptional child, as defined in Section 37-23-3, is placed in a therapeutic or other group home licensed or approved by the state that has no educational program associated with it, the local school district in which the home is located shall offer an appropriate educational program to that child.

At any time that the Individualized Education Program (IEP) Committee in the district where the home is located determines that an exceptional child, as defined in Section 37-23-3, residing in that home can no longer be provided a free appropriate public education in that school district, and the State Department of Education agrees with that decision, then the State Department of Education shall recommend to the Department of Human Services placement of the child by the Department of Human Services, which shall take appropriate action. The placement of the exceptional child in the facility shall be at no cost to the local school district. Funds available under Sections 37-23-61 through 37-23-77, as well as any available federal funds, may be used to provide the educational costs of the placement. If the exceptional child is under the guardianship of the Department of Human Services or another state agency, the State Department of Education shall pay only for the educational costs of that placement, and the other agency shall be responsible for the room, board and any other costs. The special education and related services provided to the child shall be in compliance with State Department of Education and any related federal regulations. The State Board of Education may promulgate regulations that are necessary to implement this section; and

(c) If an appropriate local or regional system of care, including a free appropriate public education, is available for exceptional children who are currently being served in out-of-district or Department of Human Services placements under * * * paragraph (b) of this section or Section 37-23-77, then the state funds from the State Department of Education that would have been used for those placements may be paid into a pool of funds with funds from other state agencies to be used for the implementation of the individualized plans of care for those children. If there are sufficient funds to serve additional exceptional children because of cost savings as a result of serving these students at home and/or matching the pooled funds with federal dollars, the funds may be used to implement individualized plans of care for those additional exceptional children. Each local or regional provider of services included in the individualized plans of care shall comply with all appropriate state and federal regulations. The State Board of Education may promulgate regulations that are necessary to implement this section.

The State Department of Education may also provide for the payment of that financial assistance in installments and for proration of that financial assistance in the case of children attending a school or clinic for less than a full school session and, if available funds are insufficient, may allocate the available funds among the qualified applicants and local school districts by reducing the maximum assistance provided for in this section.

Any monies provided an applicant under Sections 37-23-61 through 37-23-75 shall be applied by the receiving educational institution as a reduction in the amount of the educational costs paid by the applicant, and the total educational costs paid by the applicant shall not exceed the total educational costs paid by any other child in similar circumstances enrolled in the same program in that institution. However, this limitation shall not prohibit the waiving of all or part of the educational costs for a limited number of children based upon demonstrated financial need, and the State Department of Education may adopt and enforce reasonable rules and regulations to carry out the intent of these provisions.

SECTION 70. Section 37-23-109, Mississippi Code of 1972, is amended as follows:

37-23-109. Any child development center created under the provisions of Sections 37-23-91 through 37-23-111 shall be entitled to receive all contributions and benefits allowed to the other school districts from the federal and state governments including, but not limited to, contributions on the basis of the average daily * * * membership per child, school textbooks and school lunch program.

SECTION 71. Section 37-23-179, Mississippi Code of 1972, is amended as follows:

37-23-179. (1) The board shall specifically promulgate rules, regulations and guidelines which establish model programs of gifted education and also establish minimum criteria for gifted education programs. In providing programs of gifted education, the local district may use the model programs prepared by the board or may itself develop programs of gifted education which, prior to being implemented, shall be approved by the board, provided, that no such plan or program shall be approved or continued unless it meets the minimum criteria established by the board.

(2) There is hereby created within the department an office for gifted education which shall be staffed by such professional, support and clerical personnel as may be necessary to implement the provisions of Sections 37-23-171 through 37-23-181.

(3) All local school districts may have programs of gifted education for intellectually, creatively and/or artistically gifted students in Grades 2 through 12 and for academically gifted students in Grades 9 through 12 approved by the board. Beginning with the 1993-1994 school year, all local school districts shall have programs of gifted education for intellectually gifted students in Grade 2, subject to the approval of the State Board of Education and the availability of funds appropriated therefor by line-item. Beginning with the 1994-1995 school year, all local school districts shall have programs of gifted education for intellectually gifted students in Grades 2 and 3, subject to the approval of the State Board of Education. Beginning with the 1995-1996 school year, all local school districts shall have programs of gifted education for intellectually gifted students in Grades 2, 3 and 4 subject to the approval of the State Board of Education. Beginning with the 1996-1997 school year, all local school districts shall have programs of gifted education for intellectually gifted students in Grades 2, 3, 4 and 5, subject to the approval of the State Board of Education. Beginning with the 1997-1998 school year, all local school districts shall have programs of gifted education for intellectually gifted students in Grades 2, 3, 4, 5 and 6, subject to the approval of the State Board of Education. * * * Each local school district shall include as a part of its five-year plan a description of any proposed gifted education programs of the district. * * *

SECTION 72. Section 37-27-55, Mississippi Code of 1972, is amended as follows:

37-27-55. When any pupils shall attend any agricultural high school or community or junior college under the provisions of Section 37-27-51, such pupils shall be reported and accounted for the allocation of * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds and building funds just as though such pupils were attending the regular schools of the district in which they reside. For this purpose reports shall be made to the board of trustees of the school district involved by the agricultural high school or community or junior college of the number of children in average daily * * * membership, and the average daily * * * membership of such pupils shall thereupon be included in reports made to the county or school district * * *. The allocation of * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds and state public school building funds shall be made for such children just as though such children were attending the regular schools of the district. However, all * * * funding formula funds which accrue to any district as a result of the pupils who are in attendance at such agricultural high school or community or junior college * * * shall be paid by the board of trustees of the municipal separate school district or the county board of education, as the case may be, to the agricultural high school or community or junior college at which the pupils are in attendance, and shall be expended

by said agricultural high school or community or junior college for the instruction of said pupils * * *. Funds allotted to the school district for building purposes under Chapter 47 of this title, shall, however, be retained by the school district entitled thereto. The term "school district" as used in Sections 37-27-51 through 37-27-59 shall be defined as including all public school districts in this state and also all agricultural high schools not located on the campus of a community or junior college.

SECTION 73. Section 37-27-57, Mississippi Code of 1972, is amended as follows:

37-27-57. Any additional or supplemental expenses incurred by the agricultural high school or community or junior college in the instruction of such pupils above that defrayed by * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds as provided in Section 37-27-55, shall be paid either from the amounts received from the state appropriation for the support of agricultural high schools or from the tax levy for the support of such agricultural high school or community or junior college or from any other funds which such agricultural high school or community or junior college may have available for such purpose.

SECTION 74. Section 37-28-5, Mississippi Code of 1972, is amended as follows:

37-28-5. As used in this chapter, the following words and phrases have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Applicant" means any person or group that develops and submits an application for a charter school to the authorizer.

(b) "Application" means a proposal from an applicant to the authorizer to enter into a charter contract whereby the proposed school obtains charter school status.

(c) "Authorizer" means the Mississippi Charter School Authorizer Board established under Section 37-28-7 to review applications, decide whether to approve or reject applications, enter into charter contracts with applicants, oversee charter schools, and decide whether to renew, not renew, or revoke charter contracts.

(d) "Charter contract" means a fixed-term, renewable contract between a charter school and the authorizer which outlines the roles, powers, responsibilities and performance expectations for each party to the contract.

(e) "Charter school" means a public school that is established and operating under the terms of charter contract between the school's governing board and the authorizer. The term "charter school" includes a conversion charter school and start-up charter school.

(f) "Conversion charter school" means a charter school that existed as a noncharter public school before becoming a charter school.

(g) "Education service provider" means a charter management organization, school design provider or any other partner entity with which a charter school intends to contract for educational design, implementation or comprehensive management.

(h) "Governing board" means the independent board of a charter school which is party to the charter contract with the authorizer and whose members have been elected or selected pursuant to the school's application.

(i) "Noncharter public school" means a public school that is under the direct management, governance and control of a school board or the state.

(j) "Parent" means a parent, guardian or other person or entity having legal custody of a child.

(k) "School board" means a school board exercising management and control over a local school district and the schools of that district pursuant to the State Constitution and state statutes.

(l) "School district" means a governmental entity that establishes and supervises one or more public schools within its geographical limits pursuant to state statutes.

(m) "Start-up charter school" means a charter school that did not exist as a noncharter public school before becoming a charter school.

(n) "Student" means any child who is eligible for attendance in a public school in the state.

(o) "Underserved students" means students * * * qualifying as low income or qualifying for a special education program under Section 37-151-203.

SECTION 75. Section 37-28-53, Mississippi Code of 1972, is amended as follows:

37-28-53. (1) Each charter school shall certify annually to the State Department of Education its student enrollment, average daily attendance and student participation in * * * federal programs * * *.

(2) Each charter school shall certify annually to the school board of the school district in which the charter school is located the number of enrolled charter school students residing in the school district.

SECTION 76. Section 37-28-55, Mississippi Code of 1972, is amended as follows:

37-28-55. (1) (a) The State Department of Education shall make payments to charter schools for each student in average daily * * * membership at the charter school, as determined under Section 37-151-211, equal to the state share of * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) payments for each student * * *, as determined under Section 37-151-217.

(b) Payments made pursuant to this subsection by the State Department of Education must be made at the same time and in the same manner as * * * INSPIRE payments are made to school districts under Sections 37-151-101 and 37-151-103. Amounts payable to a charter school must be determined by the State Department of Education pursuant to this section and the funding formula. * * * Enrollment projections made under Section 37-151-211 to determine the average daily membership of a charter school for calculating the state share payment must be reconciled with * * * a charter school's average daily * * * membership using months two (2) and three (3) * * * for the * * * year for which * * * INSPIRE funds are being appropriated, and any necessary adjustments must be made to payments during the school's following year of operation. Any necessary adjustment must be based on the state share of the per pupil amount in effect for the year for which average daily membership did not meet enrollment projections and not any new amount appropriated for the year in which the adjustment will be made. If a charter school is closed by the authorizer before the following year, it must pay to the state any amounts due before completion of the closure.

(2) (a) For students attending a charter school located in the school district in which the student resides, the school district in which * * * the charter school is located shall pay directly to the charter school an amount * * * as follows: the sum of the local pro rata amount, as calculated by the State Department of Education in accordance with Section 37-151-217(2)(b) (local contribution), and the local pro rata amount, as calculated

by the State Department of Education in accordance with Section 37-57-105 (school district operational levy), multiplied by the number of resident students enrolled in the charter school, based on the charter school's months two (2) and three (3) average daily membership of resident students for the current school year. However, the amount to the charter school may not include any taxes levied for the retirement of the local school district's bonded indebtedness or short-term notes or any taxes levied for the support of vocational-technical education programs. * * *

(b) The amount must be paid by the school district to the charter school before January 16 of the current fiscal year. If the local school district does not pay the required amount to the charter school before January 16, the State Department of Education shall reduce the local school district's January transfer of * * * INSPIRE funds by the amount owed to the charter school and shall redirect that amount to the charter school. Any such payments made under this * * * paragraph by the State Department of Education to a charter school must be made at the same time and in the same manner as * * * funding formula payments are made to school districts under Sections 37-151-101 and 37-151-103.

(3) (a) For students attending a charter school located in a school district in which the student does not reside, the State Department of Education shall pay to the charter school in which the students * * * are enrolled an amount as follows: the sum of the local pro rata amount, as calculated by the State Department of Education in accordance with Section 37-151-217(2)(b) (local contribution), and the local pro rata amount, as calculated by the State Department of Education in accordance with Section 37-57-105 (school district operational levy), multiplied by the number of students enrolled in the charter school but residing in that district, based on the charter school's months two (2) and three (3) average daily membership of these students for the current school year. However, the amount to the charter school may not include * * * any taxes levied for the retirement of the local school district's bonded indebtedness or short-term notes or any taxes levied for the support of vocational-technical education programs.

(b) * * * The State Department of Education shall reduce the school district's January transfer of * * * INSPIRE funds by the amount owed to the charter school and shall redirect that amount to the charter school. Any such payments made under this subsection (3) by the State Department of Education to a charter school must be made at the same time and in the same manner as * * * funding formula payments are made to school districts under Sections 37-151-101 and 37-151-103.

(4) (a) The State Department of Education shall direct the proportionate share of monies generated under federal * * * programs, including, but not limited to, special education, vocational, * * * English Language Learner, and other programs, to charter schools serving students eligible for such * * * funding. The department shall ensure that charter schools with rapidly expanding enrollments are treated equitably in the calculation and disbursement of all federal * * * program dollars. Each charter school that serves students who may be eligible to receive services provided through such programs shall comply with all reporting requirements to receive the aid.

(b) A charter school shall pay to a local school district any federal or state aid attributable to a student with a disability attending the charter school in proportion to the level of services for that student which the local school district provides directly or indirectly.

(c) Subject to the approval of the authorizer, a charter school and a local school district may negotiate and enter into a contract for the provision of and payment for special education services, including, but not necessarily limited to, a reasonable reserve not to exceed five percent (5%) of the local school district's total budget for providing special education services. The reserve may be used by the local school district only to offset excess costs of providing services to students with disabilities enrolled in the charter school.

(5) (a) The State Department of Education shall disburse state transportation funding to a charter school on the same basis and in the same manner as it is paid to school districts * * *.

(b) A charter school may enter into a contract with a school district or private provider to provide transportation to the school's students.

(6) The State Department of Education shall disburse Education Enhancement Funds for classroom supplies, instructional materials and equipment, including computers and computer software to all eligible charter school teachers on the same basis and in the same manner as it is paid to school districts under Section 37-61-33(3)(a)(iii) for the purpose of issuing procurement cards or credentials for a digital solution to eligible teachers.

SECTION 77. Section 37-29-1, Mississippi Code of 1972, is amended as follows:

37-29-1. (1) The creation, establishment, maintenance and operation of community colleges is authorized. Community colleges may admit students if they have earned one (1) unit less than the number of units required for high school graduation established by State Board of Education policy or have earned a High School Equivalency Diploma in courses correlated to those of senior colleges or professional schools. Subject to the provisions of Section 75-76-34, they shall offer, without limitation, education and training preparatory for occupations such as agriculture, industry of all kinds, business, homemaking and for other occupations on the semiprofessional and vocational-technical level. They may offer courses and services to students regardless of their previous educational attainment or further academic plans.

(2) The boards of trustees of the community college districts are authorized to establish an early admission program under which applicants having a minimum ACT composite score of twenty-six (26) or the equivalent SAT score may be admitted as full-time college students if the principal or guidance counselor of the student recommends in writing that it is in the best educational interest of the student. Such recommendation shall also state that the student's age will not keep him from being a successful full-time college student. Students admitted in the early admission program shall not be counted for * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) purposes in the average daily * * * membership of the school district in which they reside, and transportation required by a student to participate in the early admission program shall be the responsibility of the parents or legal guardians of the student. Grades and college credits earned by students admitted to the early admission program shall be recorded on the college transcript at the community college where the student attends classes, and may be released to another institution or used for college graduation requirements only after the student has successfully completed one (1) full semester of course work.

(3) The community colleges shall provide, through courses or other acceptable educational measures, the general education necessary to individuals and groups which will tend to make them capable of living satisfactory lives consistent with the ideals of a democratic society.

SECTION 78. Section 37-29-272, Mississippi Code of 1972, is amended as follows:

37-29-272. The board of trustees of any community college district in the state maintaining and operating an agricultural high school on July 1, 1994, is hereby authorized to transfer the control, maintenance and operation of said agricultural high school, including the transfer of title to all real and personal property used for agricultural high school purposes, to the county board of education of the county in which the school is located. Upon the acceptance by the county board of education and before an order

authorizing such transfer shall be entered, the board of trustees of the community college district and the county board of education in which such school is located shall by joint resolution agree in writing on the terms of such transfer, the extent of the rights of use and occupancy of the school and grounds, and the control, management, preservation and responsibility of transportation of students to such premises, to be spread upon the minutes of each governing authority. Upon such transfer, the county board of education may abolish the agricultural high school as a distinct school, and merge its activities, programs and students into the regular high school curricula of the school district. When a community college has transferred operation of an agricultural high school as provided herein, the pupils attending such school shall be reported, accounted for allocation of * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds and entitled to school transportation as though such pupils were attending the schools of the school district in which they reside, as provided in Sections 37-27-53 and 37-27-55 * * *. When any agricultural high school is transferred by the board of trustees of a community college to the county board of education as provided in this section, all laws relating to agricultural high school tax levies for the support or retirement of bonded indebtedness for agricultural high schools shall continue in full force and effect for the transferring community college district until current obligations on all bonded indebtednesses related to agriculture high schools have been satisfied and retired.

SECTION 79. Section 37-29-303, Mississippi Code of 1972, is amended as follows:

37-29-303. As used in Sections 37-29-301 through 37-29-305, the following terms shall be defined as provided in this section:

(a) "Full-time equivalent (FTE) enrollment" means the process by which the Southern Regional Education Board (SREB) calculates FTE by taking total undergraduate semester credit hours divided by thirty (30); total undergraduate quarter hours divided by forty-five (45); total graduate semester credit hours divided by twenty-four (24); and total graduate quarter hours divided by thirty-six (36).

(b) "State funds" means all funds appropriated by the Legislature including funds from the State General Fund, Education Enhancement Fund, Budget Contingency Fund and Health Care Expendable Fund.

(c) "E & G operations" means education and general expenses of the colleges and universities.

(d) * * * "Average daily membership (ADM)" has the same meaning as ascribed to that term under Section 37-151-203.

SECTION 80. Section 37-31-13, Mississippi Code of 1972, is amended as follows:

37-31-13. (1) Any appropriation that may be made under the provisions of Sections 37-31-1 through 37-31-15 shall be used by the board for the promotion of vocational education as provided for in the "Smith-Hughes Act" and for the purpose set forth in Sections 37-31-1 through 37-31-15. The state appropriation shall not be used for payments to high schools which are now receiving other state funds, except in lieu of not more than one-half (1/2) the amount that may be due such high schools from federal funds. Only such portion of the state appropriation shall be used as may be absolutely necessary to carry out the provisions of Sections 37-31-1 through 37-31-15, and to meet the federal requirements. Except as provided in subsection (2) of this section, the state appropriation shall not be used for payments to high schools for conducting vocational programs for more than ten (10) months in any school year, and only funds other than * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds may be expended for such purpose.

(2) Subject to annual approval by the State Board of Education, extended contracts for vocational agriculture education services and other related vocational education services which contribute to economic development may be conducted by local school districts, and state appropriations may be used for payments to school districts providing such services. The board of trustees of each school district shall determine whether any proposed services contribute to the economic development of the area. Local districts may apply to the Division of Vocational and Technical Education of the State Department of Education for any state funds available for these extended contracts. The State Board of Education shall establish the application process and the selection criteria for this program. The number of state funded extended contracts approved by the State Board of Education will be determined by the availability of funds specified for this purpose. The State Board of Education's decision shall be final. Payments under this subsection shall only be available to those high schools whose teachers of vocational programs are responsible for the following programs of instruction during those months between the academic years: (a) supervision and instruction of students in agricultural or other vocational experience programs; (b) group and individual instruction of farmers and agribusinessmen; (c) supervision of student members of youth groups who are involved in leadership training or other activity required by state or federal law; or (d) any program of vocational agriculture or other vocational-related services established by the Division of Vocational and Technical Education of the State Department of Education that contribute to the economic development of the geographic area.

SECTION 81. Section 37-31-75, Mississippi Code of 1972, is amended as follows:

37-31-75. The various counties, municipalities, school districts and community and junior college districts which may become parties to any agreement authorized by Sections 37-31-71 through 37-31-79 are authorized to appropriate and expend any and all funds which may be required to carry out the terms of the agreement from any funds available to any party to the agreement not otherwise appropriated without limitation as to the source of the funds, including * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds, sixteenth section funds, funds received from the federal government or other sources by way of grant, donation or otherwise, and funds which may be available to any such party through the State Department of Education or any other agency of the state, regardless of the party to the agreement designated by the agreement to be primarily responsible for the construction or operation of the regional education center and regardless of the limitation on the expenditure of any funds imposed by any other statute. However, no funds whose use was originally limited to the construction of capital improvements shall be utilized for the purpose of defraying the administrative or operating costs of any regional education center. Any one or more of the parties to an agreement may be designated as the fiscal agent or contracting party in carrying out any of the purposes of the agreement, and any and all funds authorized to be spent by any of the parties may be paid over to the fiscal agent or contracting party for disbursement by the fiscal agent or contracting party. Disbursements shall be made and contracted for under the laws and regulations applicable to the fiscal or disbursing agent, except to the extent they may be extended or modified by the provisions of Sections 37-31-71 through 37-31-79. All of the parties to the agreement may issue bonds, negotiable notes or other evidences of indebtedness for the purpose of providing funds for the acquisition of land and for the construction of buildings and permanent improvements under the terms of the agreement under any existing laws authorizing the issuance or sale of bonds, negotiable notes or other evidences of indebtedness to provide funds for any capital improvement.

SECTION 82. Section 37-35-3, Mississippi Code of 1972, is amended as follows:

37-35-3. (1) The board of trustees of any school district, including any community or junior college, may establish and maintain classes for adults, including general educational development classes, under the regulations authorized in this chapter and pursuant to the standards prescribed in subsection (3). The property and facilities of the

public school districts may be used for this purpose where such use does not conflict with uses already established.

(2) The trustees of any school district desiring to establish such program may request the taxing authority of the district to levy additional ad valorem taxes for the support of this program. The board of supervisors, in the case of a county school district, a special municipal separate school district, or a community or junior college district, and the governing authority of any municipality, in the case of a municipal separate school district, is authorized, in its discretion, to levy a tax not exceeding one (1) mill upon all the taxable property of the district for the support of this program. The tax shall be in addition to all other taxes authorized by law to be levied. In addition to the funds realized from any such levy, the board of trustees of any school district is authorized to use any surplus funds that it may have or that may be made available to it from local sources to supplement this program.

(3) (a) Any student participating in an approved High School Equivalency Diploma Option program administered by a local school district or a local school district with an approved contractual agreement with a community or junior college or other local entity shall not be considered a dropout. Students in such a program administered by a local school district shall be considered as enrolled within the school district of origin for the purpose of enrollment for * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) only. Such students shall not be considered as enrolled in the regular school program for academic or programmatic purposes.

(b) Students participating in an approved High School Equivalency Diploma Option program shall have an individual career plan developed at the time of placement to insure that the student's academic and job skill needs will be met. The Individual Career Plan will address, but is not limited to, the following:

(i) Academic and instructional needs of the student;

(ii) Job readiness needs of the student; and

(iii) Work experience program options available for the student.

(c) Students participating in an approved High School Equivalency Diploma Option program may participate in existing job and skills development programs or in similar programs developed in conjunction with the High School Equivalency Diploma Option program and the vocational director.

(d) High School Equivalency Diploma Option programs may be operated by local school districts or may be operated by two (2) or more adjacent school districts, pursuant to a contract approved by the State Board of Education. When two (2) or more school districts contract to operate a High School Equivalency Diploma Option program, the school board of a district designated to be the lead district shall serve as the governing board of the High School Equivalency Diploma Option program. Transportation for students placed in the High School Equivalency Diploma Option program shall be the responsibility of the school district of origin. The expense of establishing, maintaining and operating such High School Equivalency Diploma Option programs may be paid from funds made available to the school district through contributions, * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds or from local district maintenance funds.

(e) The State Department of Education will develop procedures and criteria for placement of a student in the High School Equivalency Diploma Option programs. Students placed in High School Equivalency Diploma Option programs shall have parental approval for such placement and must meet the following criteria:

(i) The student must be at least sixteen (16) years of age;

(ii) The student must be at least one (1) full grade level behind his or her ninth grade cohort or must have acquired less than four (4) Carnegie units;

(iii) The student must have taken every opportunity to continue to participate in coursework leading to a diploma; and

(iv) The student must be certified to be eligible to participate in the GED course by the school district superintendent, based on the developed criteria.

(f) Students participating in an approved High School Equivalency Diploma Option program, who are enrolled in subject area courses through January 31 in a school with a traditional class schedule or who are enrolled in subject area courses through October 31 or through March 31 in a school on a block schedule, shall be required to take the end-of-course subject area tests for those courses in which they are enrolled.

SECTION 83. Section 37-37-3, Mississippi Code of 1972, is amended as follows:

37-37-3. In addition to all auditors and other employees now or hereafter provided by law, the State Auditor may appoint and employ examiners in the Department of Audit. The examiners shall make such audits as may be necessary to determine the correctness and accuracy of all reports made to the State Department of Education by any school district or school official concerning the number of educable students in any school district, the number of students enrolled in any school district, the number of students in average daily * * * membership in any school district, and the number of students being transported or entitled to transportation to any of the public schools of this state.

SECTION 84. Section 37-41-7, Mississippi Code of 1972, is amended as follows:

37-41-7. The local school board is hereby authorized, empowered and directed to lay out all transportation routes and provide transportation for all school children who are entitled to transportation within their respective counties and school districts.

Any school district may, in the discretion of the school board, expend funds from any funds available to the school district * * *, including the amounts derived from district tax levies, sixteenth section funds, and all other available funds, for the purpose of supplementing funds available to the school board for paying transportation costs * * * not covered by * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds.

SECTION 85. Section 37-45-49, Mississippi Code of 1972, is amended as follows:

37-45-49. Any cost or fees provided by this chapter to be paid by any county board of education or board of trustees of a municipal separate school district may be paid by the county board of education from * * * any school funds of the district other than * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds, and by the municipal separate school district from the maintenance funds of the district, other than * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds. Any fees or costs provided by this chapter to be paid by the * * * department may be paid from the funds appropriated for its operation.

SECTION 86. Section 37-47-9, Mississippi Code of 1972, is amended as follows:

37-47-9. It is found and determined that the state should make an annual grant of Twenty-four Dollars ($24.00) for each child in average daily * * * membership in the public schools of the various school districts of this state during each school year, and that such monies should be applied for the purpose of establishing and maintaining adequate physical facilities for the public school district and/or the payment of existing debt therefor.

The grant to which each public school is entitled under the provisions of this section shall be credited to the school district of which such school is part. If any change is made in the operation or boundaries of any such school district, equitable reallocations shall be made by the * * * department of all balances to the credit of such school district, and all debits charged against the districts affected by the change in the boundaries or system of operation. The obligation of the state to make remittance of the sums appropriated or otherwise provided to make the annual grants provided by this section shall be subordinate to the pledge made to secure the state school bonds authorized under this chapter and the sinking fund created for their retirement. The grants shall be computed annually as soon as practicable after the end of the school year, and shall be based on the average daily * * * membership for such school year in all of the public schools operated by each school district as determined by the State Department of Education.

SECTION 87. Section 37-47-24, Mississippi Code of 1972, is amended as follows:

37-47-24. (1) There is established the Educational Facilities Revolving Loan Fund Program to be administered by the State Department of Education for the purpose of improving educational facilities in the State of Mississippi by assisting public schools in procuring funds for making certain capital improvements.

(2) There is created a special fund in the State Treasury designated as the "Educational Facilities Revolving Loan Fund," which shall consist of monies transferred from the State Public School Building Fund and other monies that the Legislature may make available. The revolving loan fund must be maintained in perpetuity for the purposes established in this section. Unexpended amounts remaining in the fund at the end of a fiscal year may not lapse into the State General Fund. Payments on the principal of and, when applicable, interest on loans procured from the fund and any interest earned on amounts in the fund must be deposited to the credit of the fund. Monies in the Educational Facilities Revolving Loan Fund may not be used or expended for any purpose except as authorized under this section.

(3) Of the funds deposited into the Educational Facilities Revolving Loan Fund, up to ninety-five percent (95%) must be made available for the purpose of making interest-free loans to qualified public school districts. The State Department of Education shall accept requests for loans under this subsection for the following purposes:

(a) Repairs and renovations to existing school buildings and related facilities used in the operation of the schools of a public school district;

(b) Construction of new facilities or repairs and renovations to existing school facilities for the purpose of establishing, improving or expanding prekindergarten programs in a public school district; and

(c) Construction of new career and technical education facilities or repairs and renovations to existing school facilities for the purpose of upgrading or expanding a school district's career and technical education program.

(4) An educational entity that receives a loan from the Educational Facilities Revolving Loan Fund shall not use the funds for athletic facilities.

(5) Each fiscal year, the State Department of Education may set aside an amount not to exceed three percent (3%) of the balance of the Educational Facilities Revolving Loan Fund to cover the administrative and fiscal management costs associated with the fund.

(6) The State Department of Education shall accept and make determinations on applications for loans and shall disburse funds and receive repayments on approved loans. Before October 1, 2022, the department shall establish rules and regulations for

the implementation and administration of the revolving loan program. The rules and regulations must include, at a minimum, provisions addressing the following:

(a) An application process by which public school districts may request a loan from the Educational Facilities Revolving Loan Fund, including the deadline by which the department must receive applications;

(b) The factors to be considered by the State Department of Education in determining whether an educational entity will be awarded the full or a partial amount of a loan requested. The maximum total amount of outstanding loans an applicant may receive in a fiscal year shall be limited to One Million Dollars ($1,000,000.00). The maximum total amount of a loan an applicant may receive for a single project shall not exceed One Million Dollars ($1,000,000.00) per fiscal year. A loan may not exceed one hundred percent (100%) of the cost of the project for which the loan is requested;

(c) The rates of interest on loans and terms of repayment. Approved loans under this program must be interest free and payable over a term of no more than ten (10) years commencing on the date the loan is received;

(d) A process by which the department determines if an entity receiving a loan is required to pledge monies for the repayment of the loan and sources of revenue that are acceptable whenever the department requires a pledge, which, for a school district receiving a loan, may not include * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds;

(e) The actions that may be taken if an entity is in arrears on loan repayments, which may include, in the case of a school district, the withholding of future payments of * * * uniform funding formula funds to the district, the withholding of state funds due to the school or district;

(f) Applicants demonstrating emergency or other critical infrastructure needs, as defined by the State Department of Education, shall receive first priority in receiving loans from the fund; and

(g) All other matters that the State Department of Education determines are necessary to establish and maintain the Educational Facilities Revolving Loan Fund Program as an accessible and perpetual source of funding for making facility improvements at all levels of education in the state.

(7) School districts may use funds from the Educational Facilities Revolving Loan Fund Program to pay the principal and interest of school district indebtedness represented by bonds or notes issued after July 1, 2017, but before July 1, 2022, for capital improvements. School districts shall be limited to a maximum loan amount of Five-hundred Thousand Dollars ($500,000.00) per year from the Educational Facilities Revolving Loan Fund Program for this purpose.

(8) The State Department of Education shall promulgate such rules and regulations as may be necessary for participation in the Educational Facilities Revolving Loan Program by a public educational entity.

SECTION 88. Section 37-47-25, Mississippi Code of 1972, is amended as follows:

37-47-25. Whenever the State Department of Education shall determine that any school district is in need of capital improvements to an extent in excess of that which may be financed by the credit then due such school district by the department, the department shall be empowered to advance or lend * * * the school district such sums as in the opinion of the department are necessary to be expended for capital improvements by * * * that school district. Such loans or advances shall be evidenced by appropriate agreements, and shall be repayable in principal by the school district from the annual grants to which

the school district shall become entitled and from such other funds as may be available. Such loans or advances shall not constitute a debt of the school district within the meaning of any provision or limitation of the Constitution or statutes of the State of Mississippi. The department shall not advance or lend to any school district any sum in excess of seventy-five percent (75%) of the estimated sum which will accrue to the * * * school district on account of grants to be made to the * * * school district within the twenty (20) years next following the date of the loan or advance. In determining the maximum allowable advance or loan, the department shall assume that the average daily * * * membership in the schools of the school district for the past preceding scholastic year, as confirmed by the audit of average daily * * * membership made by the State Department of Audit, will continue for the period during which the loan is to be repaid.

SECTION 89. Section 37-47-33, Mississippi Code of 1972, is amended as follows:

37-47-33. For the purpose of: (a) providing funds to enable the State Board of Education to make loans or advances to school districts as provided by Section 37-47-25 * * *; (b) providing funds for the payment and redemption of certificates of credit issued to school districts under Section 37-47-23, when such funds are not otherwise available * * *; or (c) providing funds in an amount not exceeding Twenty Million Dollars ($20,000,000.00) for the payment of allocations of Mississippi Adequate Education Program funds to school districts for capital expenditures approved under Section 37-151-7(4) by the State Board of Education which have not been pledged for debt by the school district, when such funds are not otherwise available * * *, the State Bond Commission is authorized and empowered to issue state school bonds under the conditions prescribed in this chapter. The aggregate principal amount of such bonds outstanding at any one (1) time, after deducting the amount of the sinking fund provided for the retirement of bonds issued for such purposes, shall never exceed the sum of One Hundred Million Dollars ($100,000,000.00). Within such limits, however, state school bonds may be issued from time to time under the conditions prescribed in this chapter. None of such bonds so issued shall have a maturity date later than July 1, 2021.

SECTION 90. Section 37-61-3, Mississippi Code of 1972, is amended as follows:

37-61-3. The * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) allotments * * * to the public school districts and the funds derived from the supplemental school district tax levies authorized by law shall be used exclusively for the support, maintenance and operation of the schools in the manner provided by law for the fiscal years for which such funds were appropriated, collected or otherwise made available, and no part of said funds or allotments shall be used in paying any expenses incurred during any preceding fiscal year. However, this shall not be construed to prohibit the payment of expenses incurred during the fiscal year after the close of such fiscal year from amounts remaining on hand at the end of such fiscal year, provided that such expenses were properly payable from such amounts. Moreover, this shall not be construed to prohibit the payment of the salaries of superintendents, principals and teachers and other school employees whose salaries are payable in twelve (12) monthly installments after the close of the fiscal year from amounts on hand for such purpose at the end of the fiscal year.

SECTION 91. Section 37-61-5, Mississippi Code of 1972, is amended as follows:

37-61-5. If in any year there should remain a balance in the * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds of any school district on June 30 which amount is not to be used or is not needed in the payment of expenses for the preceding fiscal year properly payable out of such * * * funding formula funds, then such balance on hand to the credit of such * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds of the school district shall be carried forward as a part of such * * * funding formula funds for the next succeeding fiscal year. The proper pro rata part of the amount so carried forward, to be determined by the percentage which the state * * * funding formula funds * * * during the

year bore to the entire amount * * * of the school district's funding formula funds, shall be charged against and deducted from the amount which the school district is allotted from state * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds for the succeeding fiscal year, in a manner prescribed by the State Auditor. The remainder of the amount so carried forward may be deducted from the amount which the school district is required to produce as its local minimum ad valorem tax effort for the support of the * * * funding formula for the succeeding fiscal year * * *.

SECTION 92. Section 37-61-7, Mississippi Code of 1972, is amended as follows:

37-61-7. If at the end of any fiscal year there should remain a balance in the school district fund of any school district which is not needed and is not to be used for paying the expenses properly payable out of such district fund for the preceding fiscal year, such balance shall be carried forward as a part of the school district fund for the next fiscal year and used and expended in the manner otherwise provided by law. Nothing in this section shall be construed as applying to balances * * * of Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds of a school district, and balances remaining in such funds shall be governed by Section 37-61-5.

SECTION 93. Section 37-61-19, Mississippi Code of 1972, is amended as follows:

37-61-19. It shall be the duty of the superintendents of schools and the school boards of all school districts to limit the expenditure of school funds during the fiscal year to the resources available. It shall be unlawful for any school district to budget expenditures from a fund in excess of the resources available within that fund. Furthermore, it shall be unlawful for any contract to be entered into or any obligation incurred or expenditure made in excess of the resources available for such fiscal year. Any member of the school board, superintendent of schools, or other school official, who shall knowingly enter into any contract, incur any obligation, or make any expenditure in excess of the amount available for the fiscal year shall be personally liable for the amount of such excess. However, no school board member, superintendent or other school official shall be personally liable: (a) in the event of any reduction in * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) payments by action of the Governor acting through the Department of Finance and Administration * * *; or (b) for claims, damages, awards or judgments, on account of any wrongful or tortious act or omission or breach of implied term or condition of any warranty or contract * * *. However, * * * the foregoing immunity provisions shall not be a defense in cases of fraud, criminal action or an intentional breach of fiduciary obligations imposed by statute.

SECTION 94. Section 37-61-29, Mississippi Code of 1972, is amended as follows:

37-61-29. The State Department of Audit is hereby authorized and empowered to post-audit and investigate the financial affairs and all transactions involving the school funds of the * * * school district including the * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds and supplementary district school funds, and to make separate and special audits thereof, as now provided by Sections 7-7-201 through 7-7-215 * * *.

SECTION 95. Section 37-61-35, Mississippi Code of 1972, is amended as follows:

37-61-35. There is hereby created a special fund in the State Treasury to be designated School Ad Valorem Tax Reduction Fund into which proceeds collected pursuant to Sections 27-65-75(7) and 27-67-31(a) shall be deposited. Beginning with the 1994 state fiscal year, the entire amount of monies in such special fund shall be appropriated annually to the State Department of Education which shall distribute the appropriated amount to the various school districts in the proportion that the average daily * * * membership of each school district bears to the average daily * * * membership of all school districts within the state. On or before * * * June 1 of each * * * year, the State

Department of Education shall notify each school district of the amount to which such district is entitled pursuant to this section.

SECTION 96. Section 37-61-37, Mississippi Code of 1972, is amended as follows:

37-61-37. There is established in the State Treasury a fund known as the "Mississippi Public Education Support Fund" (hereinafter referred to as "fund"). The fund shall consist of monies * * * as the Legislature may authorize or direct to be deposited into the fund. Monies in the fund, upon appropriation by the Legislature, may be expended by the * * * State Department of Education for classroom supplies, instructional materials and equipment, including computers and computer software, to be distributed to all school districts in the proportion that the average daily * * * membership of each school district bears to the average daily * * * membership of all school districts within the state. Unexpended amounts remaining in the fund at the end of the fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

SECTION 97. Section 37-68-7, Mississippi Code of 1972, is amended as follows:

37-68-7. (1) There is established the Equity in Distance Learning Grant Program which shall be administered by the department for the purpose of reimbursing schools for eligible expenses incurred in funding their distance learning plans, and in facilitating safe classroom and remote instruction.

(2) Subject to appropriations by the Legislature, allocations to schools shall be made based on average daily membership, as defined in Section * * * 37-151-203. For any school not funded under * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE), the department shall calculate the average-daily-membership equivalent or fund the school based on enrollment.

(3) Subject to the provisions of this chapter, and other applicable federal law and regulations, schools shall have the authority to use the funds provided in this grant program in a way which best facilitates their distance learning plan, and safe classroom or remote instruction.

(4) Schools are highly encouraged to commit a portion of their federal ESSER funds, above the amount required by Section 37-68-11(b), as supplemental matching funds to offset the total cost of purchasing sufficient electronic devices, technological supports and systems of service for its distance learning plan.

SECTION 98. Section 37-131-7, Mississippi Code of 1972, is amended as follows:

37-131-7. When any pupils shall attend any demonstration or practice school under the provisions of Section 37-131-3, such children shall be reported and accounted for the allocation of * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds and state public school building funds just as though such children were attending the regular schools of the district in which they reside. For this purpose, reports shall be made to the school district involved by the demonstration or practice school of the number of pupils in average daily * * * membership, and the average daily * * * membership of such children shall thereupon be included in reports made to the State Board of Education * * * by the * * * school district * * *.

Allocation of * * * the funding formula funds shall be made by the State Board of Education for such children just as though such children were attending the regular schools of the district. All * * * funding formula funds * * * which accrue to any district as a result of such children who are in attendance at a demonstration or practice school shall be paid by the board of trustees of the municipal separate school district or by the county board of education to the demonstration or practice school, and shall be used to defray

the cost and expense of maintaining, operating and conducting such demonstration or practice school.

All state public school building funds which accrue as a result of such children in attendance at a demonstration or practice school shall be credited directly to such demonstration or practice school, and all of the provisions of Chapter 47 of this title shall be fully applicable thereto.

SECTION 99. Section 37-131-9, Mississippi Code of 1972, is amended as follows:

37-131-9. In addition to the amounts paid to the demonstration or practice school from * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds, as provided in Section 37-131-7, the board of trustees of the school district involved may contract with the * * * demonstration or practice school for the payment of additional amounts thereto to defray expenses over and above those defrayed by * * * the funding formula funds, which additional amounts shall be paid from any funds available to the school district other than * * * funding formula funds, whether produced by a supplemental district tax levy or otherwise.

If the total funds paid to the demonstration or practice school by the school district are inadequate to defray the cost and expense of maintaining and operating such demonstration or practice school then the president or executive head of the institution may, subject to the approval of the Board of Trustees of State Institutions of Higher Learning, require the payment of additional fees or tuition in an amount to be fixed by the president or executive head of the institution, subject to the approval of the Board of Trustees of State Institutions of Higher Learning, which amount shall be paid by and collected from the student or his parents.

Boards of trustees of school districts involved may designate an area within the jurisdiction of the board as an attendance center as provided by law, and may require students in such area to attend demonstration or practice schools, subject to a satisfactory contract between the school board and the president or executive head of the institution operating the demonstration or practice school. In such event, all fees and tuition must be borne by the school district and in no case shall the child or the parents of the child assigned to such demonstration or practice school be required to pay any fees or tuition.

The president or executive head of the institution, subject to the approval of the Board of Trustees of State Institutions of Higher Learning, may also fix the amount of fees and tuition to be paid by students desiring to attend such demonstration or practice school in cases where there is no contract with the board of trustees of the school district in which the students reside therefor.

All funds received by an institution, under the provisions of this section, shall be deposited in a special fund and shall be used and expended solely for the purpose of defraying and paying the cost and expense of operating, maintaining and conducting such teachers demonstration and practice school. Such funds may be supplemented by and used in connection with any other funds available to the institutions for such purpose whether made available by legislative appropriation or otherwise.

SECTION 100. Section 37-131-11, Mississippi Code of 1972, is amended as follows:

37-131-11. All demonstration or practice schools established under the provisions of Section 37-131-1 shall, as far as may be practicable, be subject to and governed by the same laws as other public schools of the State of Mississippi, and shall make all reports required by law to be made by public schools to the State Board of Education * * * at the same time and in the same manner as such reports are made by other public schools. However, for the purpose of the allocation of * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds, the reports of

children in average daily * * * membership shall be made to the school district involved by * * * the demonstration or practice school, and a copy thereof shall be filed with the State Board of Education. The school district shall use * * * the reports so filed with it in making its reports to the State Board of Education for the purpose of the allocation of * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds, but the average daily * * * membership of the pupils attending such demonstration or practice school shall be segregated and separated in such reports from the average daily * * * membership in the regular schools of the district.

SECTION 101. Section 37-151-9, Mississippi Code of 1972, is amended as follows:

37-151-9. (1) The State Board of Education and State Superintendent of Education shall establish within the State Department of Education a special unit at the division level called the Office of Educational Accountability. The Director of the Office of Educational Accountability shall hold a position comparable to a deputy superintendent and shall be appointed by the State Board of Education with the advice and consent of the Senate. He shall serve at the will and pleasure of the State Board of Education and may employ necessary professional, administrative and clerical staff. The Director of the Office of Educational Accountability shall provide all reports to the Legislature, Governor, Mississippi Commission on School Accreditation and State Board of Education and respond to any inquiries for information.

(2) The Office of Educational Accountability is responsible for monitoring and reviewing programs developed under the Education Reform Act, the Mississippi Adequate Education Program Act of 1994, the Education Enhancement Fund, the "Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) Act of 2024," and subsequent education initiatives, and shall provide information, recommendations and an annual assessment to the Legislature, Governor, Mississippi Commission on School Accreditation and the State Board of Education. * * * The annual assessment of education reform programs shall be performed by the Office of Educational Accountability by December 1 of each year. * * *

(3) In addition, the Office of Educational Accountability shall have the following specific duties and responsibilities:

(a) Developing and maintaining a system of communication with school district personnel;

(b) Provide opportunities for public comment on the current functions of the State Department of Education's programs, needed public education services and innovative suggestions; and

(c) Assess both positive and negative impact on school districts of new education programs, including but not limited to The Mississippi Report Card and alternative school programs.

SECTION 102. Section 37-151-85, Mississippi Code of 1972, is amended as follows:

37-151-85. (1) * * * Using those funds appropriated by the Legislature for transportation purposes, the amount to be allotted by the State Board of Education for transportation shall be determined as follows:

The State Department of Education shall calculate the cost of transportation in school districts by ascertaining the average cost per pupil in average daily * * * membership of transported pupils in school districts classified in different density groups, as determined by the State Department of Education. Based on these calculations, the State Department of Education shall develop a scale for determining the allowable cost

per pupil in different density groups, which scale shall provide greatest allowance per pupil transported in school districts with lowest densities and smallest allowance per pupil in school districts with highest densities. The total allowance * * * under this section for transported children for any school district for the current year shall be the average daily * * * membership of the transported children for * * * months two (2) and three (3) of the prior year, multiplied by the allowance per transported pupil as provided herein. However, the State Department of Education is * * * authorized and empowered to make proper adjustments in allotments, under rules and regulations of the State Board of Education, in cases where major changes in the number of children in average daily * * * membership transported occur from one (1) year to another as a result of changes or alterations in the boundaries of school districts, a change in or relocation of attendance centers, or for other reasons which would result in major decrease or increase in the number of children in average daily * * * membership transported during the current school year as compared with the preceding year. Moreover, the State Board of Education is hereby authorized and empowered to make such payments to all districts and/or university-based programs as deemed necessary in connection with transporting exceptional children as defined in Section 37-23-3. The State Board of Education shall establish and implement all necessary rules and regulations to allot transportation payments to university-based programs. In developing density classifications under the provisions hereof, the State Department of Education may give consideration to the length of the route, the sparsity of the population, the lack of adequate roads, highways and bridges, and the presence of large streams or other geographic obstacles. In addition to funds allotted under the above provisions, funds shall be allotted to each school district that transports students from their assigned school or attendance center to classes in an approved vocational-technical center at a rate per mile not to exceed the average statewide cost per mile of school bus transportation during the preceding year exclusive of bus replacement. All such transportation must have prior approval by the State Department of Education.

(2) The average daily membership of transported children shall be reported by the school district in which such children attend school. If children living in a school district are transported at the expense of such school district to another school district, the average daily * * * membership of such transported children shall be deducted by the State Department of Education from the aggregate average daily attendance of transported children in the school district in which they attend school and shall be added to the aggregate average daily * * * membership of transported children of the school district from which they come for the purpose of calculating transportation allotments. However, such deduction shall not be made for the purpose of calculating * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funding.

(3) The State Department of Education shall include in the allowance for transportation for each school district an amount for the replacement of school buses or the purchase of new buses, which amount shall be calculated upon the estimated useful life of all school buses being used for the transportation of children in such school district, whether such buses be publicly or privately owned.

(4) The school boards of all districts operating school bus transportation are authorized and directed to establish a salary schedule for school bus drivers. No school district shall be entitled to receive the funds herein allotted for transportation unless it pays each of its nonstudent adult school bus drivers paid from such transportation allotments a minimum of One Hundred Ninety Dollars ($190.00) per month. In addition, local school boards may compensate school bus drivers, to include temporary or substitute bus drivers, for actual expenses incurred when acquiring an initial commercial license or any renewal of a commercial license in order to drive a school bus. In addition, local school boards may compensate school bus drivers, to include temporary or substitute bus drivers, for expenses, not to exceed One Hundred Dollars ($100.00), when acquiring an initial medical exam or any renewal of a medical exam, in order to qualify for a commercial driver's license.

(5) The State Board of Education shall be authorized and empowered to use such part of the funds appropriated for transportation * * * as may be necessary to finance driver training courses as provided for in Section 37-41-1 * * *.

(6) The State Board of Education, acting through the Department of Education, may compensate school bus drivers, to include temporary or substitute bus drivers, who are providing driving services to the various state operated schools, such as the Mississippi School for the Deaf, the Mississippi School for the Blind, the Mississippi School of the Arts, the Mississippi School for Math and Science and any other similar state operated schools, for actual expenses incurred when acquiring an initial commercial license or any renewal of a commercial license in order to drive a school bus, to include the expense, not to exceed One Hundred Dollars ($100.00), of acquiring an initial medical exam or any renewal of a medical exam in order to qualify for a commercial driver's license.

SECTION 103. Section 37-151-87, Mississippi Code of 1972, is amended as follows:

37-151-87. No school district shall pay any teacher less than the state minimum salary. * * * However, * * * school districts are authorized to reduce the state minimum salary by a pro rata daily amount in order to comply with the school district employee furlough provisions of Section 37-7-308. From and after July 1, 2012, no school district shall receive any funds under the provisions of this chapter for any school year during which the aggregate amount of local supplement * * * is reduced below such amount for the previous year. However, (a) where there has been a reduction in * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) allocations for such district in such year, (b) where there has been a reduction in the amount of federal funds to such district below the previous year, or (c) where there has been a reduction in ad valorem taxes to such school district for the 1986-1987 school year below the amount for the previous year due to the exemption of nuclear generating plants from ad valorem taxation pursuant to Section 27-35-309, * * * the aggregate amount of local supplement in such district may be reduced in the discretion of the local school board without loss of funds under this chapter. No school district may receive any funds under the provisions of this chapter for any school year if the aggregate amount of support from ad valorem taxation shall be reduced during such school year below such amount for the previous year; however, where there is a loss in * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) allocations, or where there is or heretofore has been a decrease in the total assessed value of taxable property within a school district, the aggregate amount of such support may be reduced proportionately. Nothing herein contained shall prohibit any school district from adopting or continuing a program or plan whereby teachers are paid varying salaries according to the teaching ability, classroom performance and other similar standards.

For purposes of this section, the term "local supplement" means the additional amount paid to an individual teacher over and above the salary schedule prescribed in Section 37-19-7 for the performance of regular teaching duties by that teacher.

SECTION 104. Section 37-151-89, Mississippi Code of 1972, is amended as follows:

37-151-89. The minimum base pay for all classroom teachers may be increased by the district from any funds available to it * * *.

SECTION 105. Section 37-151-91, Mississippi Code of 1972, is amended as follows:

37-151-91. The school boards of all school districts may establish salary schedules based on training, experience and other such factors as may be incorporated therein, including student progress and performance as developed by the State Board of

Education, paying teachers greater amounts than the scale provided * * * in Section 37-19-7, but no teacher may be paid less than the amount based upon the minimum scale of pay provided in * * * Section 37-19-7, * * * and all supplements paid from local funds shall be based upon the salary schedules so established. The school boards may call upon the State Department of Education for aid and assistance in formulating and establishing such salary schedules, and it shall be the duty of the State Department of Education, when so called upon, to render such aid and assistance. The amount actually paid to each teacher shall be based upon and determined by the type of * * * license held by such teacher.

SECTION 106. Section 37-151-93, Mississippi Code of 1972, is amended as follows:

37-151-93. (1) Legally transferred students going from one school district to another shall be counted for * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) allotments by the school district wherein the pupils attend school, but shall be counted for transportation allotment purposes in the school district which furnishes or provides the transportation. The school boards of the school districts which approve the transfer of a student under the provisions of Section 37-15-31 shall enter into an agreement and contract for the payment or nonpayment of any portion of their local maintenance funds which they deem fair and equitable in support of any transferred student. Except as provided in subsection (2) of this section, local maintenance funds shall be transferred only to the extent specified in the agreement and contract entered into by the affected school districts. The terms of any local maintenance fund payment transfer contract shall be spread upon the minutes of both of the affected school district school boards. The school district accepting any transfer students shall be authorized to accept tuition from such students under the provisions of Section 37-15-31(1) and such agreement may remain in effect for any length of time designated in the contract. The terms of such student transfer contracts and the amounts of any tuition charged any transfer student shall be spread upon the minutes of both of the affected school boards. No school district accepting any transfer students under the provisions of Section 37-15-31(2), which provides for the transfer of certain school district employee dependents, shall be authorized to charge such transfer students any tuition fees.

(2) Local maintenance funds shall be paid by the home school district to the transferee school district for students granted transfers under the provisions of Sections 37-15-29(3) and 37-15-31(3), * * * not to exceed the * * * student base amount, as defined in Section * * * 37-151-203, multiplied by the number of such legally transferred students.

SECTION 107. Section 37-151-95, Mississippi Code of 1972, is amended as follows:

37-151-95. * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds shall * * * cover one hundred percent (100%) of the cost of the State and School Employees' Life and Health Insurance Plan created under Article 7, Chapter 15, Title 25, Mississippi Code of 1972, for all district employees who work no less than twenty (20) hours during each week and regular nonstudent school bus drivers employed by the district.

Where the use of federal funding is allowable to defray, in full or in part, the cost of participation in the insurance plan by district employees who work no less than twenty (20) hours during each week and regular nonstudent school bus drivers, whose salaries are paid, in full or in part, by federal funds, the * * * use of funding formula funds as required under this section shall be reduced to the extent of the federal funding. Where the use of federal funds is allowable but not available, it is the intent of the Legislature that school districts contribute the cost of participation for such employees from local funds, except that parent fees for child nutrition programs shall not be increased to cover such cost.

The State Department of Education, in accordance with rules and regulations established by the State Board of Education, may withhold a school district's * * * INSPIRE funds for failure of the district to timely report student, fiscal and personnel data necessary to meet state and/or federal requirements. The rules and regulations promulgated by the State Board of Education shall require the withholding of * * * funding formula funds for those districts that fail to remit premiums, interest penalties and/or late charges under the State and School Employees' Life and Health Insurance Plan. Noncompliance with such rules and regulations shall result in a violation of compulsory accreditation standards as established by the State Board of Education and Commission on School Accreditation.

SECTION 108. Section 37-151-97, Mississippi Code of 1972, is amended as follows:

37-151-97. The State Department of Education shall develop an annual reporting process to inform the Legislature, local district personnel and the general public as to the ongoing and future plans for the state's educational programs. The annual reporting process will include those vital statistics that are commonly reported by schools and districts and that can provide clear demographic, strategic and educational information to constituencies such as, but not limited to, the following information:

(a) Student enrollment * * * and attendance * * * reported in the aggregate and specifically for each student population that is subject to weighting under Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE), and drop-out and graduation data;

(b) Overall student and district achievement;

(c) Budget, administrative costs and other pertinent fiscal information, including:

(i) The receipts and disbursements of all school funds handled by the board;

(ii) Reports of expenditures for public schools, which, upon request must be made available on an individual district basis by the State Department of Education;

1. Total Student Expenditures:

a. Instruction (1000s);

b. Other Student Instructional Expenditures (2100s, 2200s);

2. General Administration (2300s and 2500s);

3. School Administration (2400s);

4. Other Expenditures (2600s, 2700s, 2800s, 3100s, 3200s); and

5. Nonoperational Expenditures (4000s, 5000s, 6000s);

(iii) The number of school districts, school teachers employed, school administrators employed, pupils taught and the attendance record of pupils therein;

(iv) County and district levies for each school district and agricultural high school;

(v) The condition of vocational education, a list of schools to which federal and state aid has been given, and a detailed statement of the expenditures of federal funds and the state funds that may be provided, and the ranking of subjects taught as compared with the state's needs.

(d) Other as directed by the State Board of Education.

Further, the reporting process will include an annual report developed specifically to relate the mission and goals of the State Board of Education, state superintendent and departments. This document will become the method through which the strategic planning and management process of the department is articulated to the public. It will explain and inform the public of the major initiatives of the department and clearly identify rationale for program development and/or elimination. The report will establish benchmarks, future plans and discuss the effectiveness of educational programs.

In addition to the information specified herein, the State Board of Education shall have full and plenary authority and power to require the furnishing of such further, additional and supplementary information as it may deem necessary for the purpose of determining the cost of * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) in such school district for the succeeding fiscal year, the amount of the * * * funding formula funds to be allotted to each school district for the succeeding fiscal year, and for any other purpose authorized by law or deemed necessary by said State Board of Education.

It shall be the duty of the State Department of Education to prescribe the forms for the reports provided for in this section.

SECTION 109. Section 37-151-99, Mississippi Code of 1972, is amended as follows:

37-151-99. Based upon the information obtained pursuant to Section * * * 37-151-211(3) and upon such other and further information as provided by law, the State Department of Education shall, on or before June 1 of each year, or as soon thereafter as is practical, furnish each school board and charter school the preliminary estimate of the amount each will receive from * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) for the succeeding scholastic year, and at the same time shall furnish each such school board with a tentative estimate of the cost of the * * * local minimum tax effort for the uniform funding formula in the school district and the local contribution for the school district and each charter school for such succeeding fiscal year.

SECTION 110. Section 37-151-101, Mississippi Code of 1972, is amended as follows:

37-151-101. It shall be the duty of the State Department of Education to file with the State Treasurer and the State Fiscal Officer such data and information as may be required to enable the said State Treasurer and State Fiscal Officer to distribute the * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds by electronic funds transfer to the several school districts and charter schools at the time required and provided under the provisions of this chapter. Such data and information so filed shall show in detail the amount of funds to which each school district and charter school is entitled * * * under the funding formula. Such data and information so filed may be revised from time to time as necessitated by law. At the time provided by law, the State Treasurer and the State Fiscal Officer shall distribute to the several school districts and charter schools the amounts to which they are entitled * * * under the funding formula as provided by this chapter. Such distribution shall be made by electronic funds transfer to the depositories of the several school districts and charter schools designated

in writing to the State Treasurer based upon the data and information supplied by the State Department of Education for such distribution. In such instances, the State Treasurer shall submit a request for an electronic funds transfer to the State Fiscal Officer, which shall set forth the purpose, amount and payees, and shall be in such form as may be approved by the State Fiscal Officer so as to provide the necessary information as would be required for a requisition and issuance of a warrant. A copy of the record of * * * the electronic funds transfers shall be transmitted by the school district and charter school depositories to the Treasurer, who shall file duplicates with the State Fiscal Officer. The Treasurer and State Fiscal Officer shall jointly promulgate regulations for the utilization of electronic funds transfers to school districts and charter schools.

SECTION 111. Section 37-151-103, Mississippi Code of 1972, is amended as follows:

37-151-103. (1) Funds due each school district and charter school under * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) shall be paid in the following manner: Two (2) business days prior to the last working day of each month there shall be paid to each school district and charter school, by electronic funds transfer, one-twelfth (1/12) of the funds to which the district or charter school is entitled from funds appropriated for * * * funding formula. However, in December those payments shall be made on December 15th or the next business day after that date. All school districts shall process a single monthly or a bimonthly payroll for employees, in the discretion of the local school board, with electronic settlement of payroll checks secured through direct deposit of net pay for all school district employees. In addition, the State Department of Education may pay school districts and charter schools * * * under the funding formula on a date earlier than provided for by this section if it is determined that it is in the best interest of school districts and charter schools to do so.

* * * However, * * * if the cash balance in the State General Fund is not adequate on the due date to pay the amounts due to all school districts and charter schools in the state as determined by the State Superintendent of Public Education, the State Fiscal Officer shall not transfer * * * the funds payable to any school district or districts or charter schools until money is available to pay the amount due to all districts and charter schools.

(2) Notwithstanding any provision of this chapter or any other law requiring the number of children in average daily * * * membership or the average daily * * * membership of transported children to be determined on the basis of the preceding year, the State Board of Education is hereby authorized and empowered to make proper adjustments in allotments in cases where major changes in the number of children in average daily * * * membership or the average daily * * * membership of transported children occurs from one (1) year to another as a result of changes or alterations in the boundaries of school districts, the sending of children from one (1) county or district to another upon a contract basis, the termination or discontinuance of a contract for the sending of children from one (1) county or district to another, a change in or relocation of attendance centers, or for any other reason which would result in a major decrease or increase in the number of children in average daily * * * membership or the average daily * * * membership of transported children during the current school year as compared with the preceding year.

* * *

SECTION 112. Section 37-151-105, Mississippi Code of 1972, is amended as follows:

37-151-105. The State Board of Education shall have the authority to make such regulations not inconsistent with law which it deems necessary for the administration of this chapter. The State Board of Education, if it deems such practice necessary, may use reports of the first six (6) months of school for the purpose of determining average daily * * * membership.

SECTION 113. Section 37-151-107, Mississippi Code of 1972, is amended as follows:

37-151-107. Any superintendent of education, member of the local school board of any school district, superintendent, principal, teacher, carrier, bus driver or member or employee of the State Department of Education or State Board of Education, or any other person, who shall willfully violate any of the provisions of this chapter, or who shall willfully make any false report, list or record, or who shall willfully make use of any false report, list or record, concerning the number of school children in average daily * * * membership shall be guilty of a misdemeanor and upon conviction shall be punished by imprisonment in the county jail for a period not to exceed sixty (60) days or by a fine of not less than One Hundred Dollars ($100.00), nor more than Three Hundred Dollars ($300.00), or by both such fine and imprisonment, in the discretion of the court. In addition, any such person shall be civilly liable for all amounts of public funds which are illegally, unlawfully or wrongfully expended or paid out by virtue of or pursuant to such false report, list or record, and upon conviction or adjudication of civil liability hereunder, such person shall forfeit his license to teach for a period of three (3) years, if such person is the holder of such a license. Any suit to recover such funds illegally, unlawfully or wrongfully expended or paid out may be brought in the name of the State of Mississippi by the Attorney General or the proper district attorney or county attorney, and, in the event such suit * * * is brought against a person who is under bond, the sureties upon such bond shall likewise be liable for such amount illegally, unlawfully or wrongfully expended or paid out.

SECTION 114. Section 37-173-9, Mississippi Code of 1972, is amended as follows:

37-173-9. (1) (a) The parent or legal guardian is not required to accept the offer of enrolling in another public school in lieu of requesting a Mississippi Dyslexia Therapy Scholarship to a nonpublic school. However, if the parent or legal guardian chooses the public school option, the student may continue attending a public school chosen by the parent or legal guardian until the student completes Grade 12.

(b) If the parent or legal guardian chooses a public school within the district, the school district shall provide transportation to the public school selected by the parent or legal guardian. However, if the parent or legal guardian chooses a public school in another district, the parent or legal guardian is responsible to provide transportation to the school of choice.

These provisions do not prohibit a parent or legal guardian of a student diagnosed with dyslexia, at any time, from choosing the option of a Mississippi Dyslexia Therapy Scholarship which would allow the student to attend another public school or nonpublic special purpose school.

(2) If the parent or legal guardian chooses the nonpublic school option and the student is accepted by the nonpublic school pending the availability of a space for the student, the parent or legal guardian of the student must notify the department thirty (30) days before the first scholarship payment and before entering the nonpublic school in order to be eligible for the scholarship when a space becomes available for the student in the nonpublic school.

(3) The parent or legal guardian of a student may choose, as an alternative, to enroll the student in and transport the student to a public school in an adjacent school district which has available space and has a program with dyslexia services that provide daily dyslexia therapy sessions delivered by a department licensed dyslexia therapist, and that school district shall accept the student and report the student for purposes of the district's funding under * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE).

SECTION 115. Section 37-173-13, Mississippi Code of 1972, is amended as follows:

37-173-13. (1) The maximum scholarship granted per eligible student with dyslexia shall be an amount equivalent to the * * * student base amount under Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE).

(2) (a) The nonpublic school under this program shall report to the * * * State Department of Education the number of students with dyslexia who are enrolled in nonpublic schools on the Mississippi Dyslexia Therapy Scholarships as of September 30 of each year in order to determine funding for the subsequent year. Funds may not be transferred from any funding provided to the Mississippi School for the Deaf and the Blind for program participants who are eligible under Section 37-173-5.

(b) The * * * State Department of Education will disburse payments to nonpublic schools under this program in twelve (12) substantially equal installments. The initial payment shall be made after department verification of admission acceptance, and subsequent payments shall be made upon verification of continued enrollment and attendance at the nonpublic school.

SECTION 116. Section 37-175-13, Mississippi Code of 1972, is amended as follows:

37-175-13. (1) The maximum scholarship granted per eligible student with speech-language impairment shall be an amount equivalent to the * * * state share of per student funding under Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) in the school district in which a student resides.

(2) (a) Any nonpublic school under this program shall report to the State Department of Education the number of students with speech-language impairment who are enrolled in nonpublic schools on the Mississippi Speech-Language Therapy Scholarships as of September 30 of each year in order to determine funding for the subsequent year. Funds may not be transferred from any funding provided to the Mississippi School for the Deaf and the Blind for program participants who are eligible under Section 37-175-5.

(b) The State Department of Education shall make payments to nonpublic schools for each student at the nonpublic school equal to the state share of the * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) payments for each student in average daily * * * membership at the school district from which the student transferred. In calculating the local contribution for purposes of determining the state share of the * * * funding formula payments, the department shall deduct the pro rata local contribution of the school district in which the student resides, to be determined as provided in Section * * * 37-151-217(2).

(c) Payments made pursuant to this subsection by the State Department of Education must be made at the same time and in the same manner as * * * INSPIRE payments are made to school districts under Sections 37-151-101 and 37-151-103. Amounts payable to a nonpublic school must be determined by the State Department of Education.

(3) If the parent opts to remove a child from a public school to a nonpublic special purpose school and to receive a scholarship under this chapter, then transportation shall be provided at the parent's or guardian's expense.

SECTION 117. Section 37-179-3, Mississippi Code of 1972, is amended as follows:

37-179-3. (1) A district which is an applicant to be designated as a district of innovation under Section 37-179-1 shall:

(a) Establish goals and performance targets for the district of innovation proposal, which may include:

(i) Reducing achievement gaps among groups of public school students by expanding learning experiences for students who are identified as academically low-achieving;

(ii) Increasing pupil learning through the implementation of high, rigorous standards for pupil performance;

(iii) Increasing the participation of students in various curriculum components and instructional components within selected schools to enhance at each grade level;

(iv) Increasing the number of students who are college and career-ready;

(v) Motivating students at different grade levels by offering more curriculum choices and student learning opportunities to parents and students within the district;

(b) Identify changes needed in the district and schools to lead to better prepared students for success in life and work;

(c) Have a district wide plan of innovation that describes and justifies which schools and innovative practices will be incorporated;

(d) Provide documentation of community, educator, parental, and the local board's support of the proposed innovations;

(e) Provide detailed information regarding the rationale of requests for waivers from Title 37, Mississippi Code of 1972, which relate to the elementary and secondary education of public school students, and administrative regulations, and exemptions for selected schools regarding waivers of local school board policies;

(f) Document the fiscal and human resources the board will provide throughout the term of the implementation of the innovations within its plan; and

(g) Provide other materials as required by the department in compliance with the board's administrative regulations and application procedures.

(2) The district and all schools participating in a district's innovation plan shall:

(a) Ensure the same health, safety, civil rights, and disability rights requirements as are applied to all public schools;

(b) Ensure students meet compulsory attendance requirements under Sections 37-13-91 and 37-13-92;

(c) Ensure that high school course offerings meet or exceed the minimum required under Sections 37-16-7 and 37-3-49, for high school graduation or meet early graduation requirements that may be enacted by the Mississippi Legislature;

(d) Ensure the student performance standards meet or exceed those adopted by the State Board of Education as required by Sections 37-3-49, 37-16-3 and

37-17-6, including compliance with the statewide assessment system specified in Chapter 16, Title 37, Mississippi Code of 1972;

(e) Adhere to the same financial audits, audit procedures, and audit requirements as are applied under Section 7-7-211(e);

(f) Require state and criminal background checks for staff and volunteers as required of all public school employees and volunteers within the public schools and specified in Section 37-9-17;

(g) Comply with open records and open meeting requirements under Sections 25-41-1 et seq. and 25-61-1 et seq.;

(h) Comply with purchasing requirements and limitations under Chapter 39, Title 37, Mississippi Code of 1972;

(i) Provide overall instructional time that is equivalent to or greater than that required under Sections 37-1-11 and 37-13-67, but which may include on-site instruction, distance learning, online courses, and work-based learning on nontraditional school days or hours; and

(j) Provide data to the department as deemed necessary to generate school and district reports.

(3) (a) Only schools that choose to be designated as schools of innovation shall be included in a district's application;

(b) As used in this paragraph, "eligible employees" means employees that are regularly employed at the school and those employees whose primary job duties will be affected by the plan; and

(c) Notwithstanding the provisions of paragraph (a) of this subsection, a local school board may require a school that has been identified as a persistently low-achieving school under provisions of Section 37-17-6 to participate in the district's plan of innovation.

(4) Notwithstanding any statutes to the contrary, the board may approve the requests of districts of innovation to:

(a) Use capital outlay funds for operational costs;

(b) Hire persons for classified positions in nontraditional school and district assignments who have bachelors and advanced degrees from postsecondary education institutions accredited by a regional accrediting association (Southern Association of Colleges and Schools) or by an organization affiliated with the National Commission on Accrediting;

(c) Employ teachers on extended employment contracts or extra duty contracts and compensate them on a salary schedule other than the single salary schedule;

(d) Extend the school days as is appropriate within the district with compensation for the employees as determined locally;

(e) Establish alternative education programs and services that are delivered in nontraditional hours and which may be jointly provided in cooperation with another school district or consortia of districts;

(f) Establish online classes within the district for delivering alternative classes in a blended environment to meet high school graduation requirements;

(g) Use a flexible school calendar;

(h) Convert existing schools into schools of innovation; and

(i) Modify the formula under * * * Chapter 151, Title 37, Mississippi Code of 1972, for distributing * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds for students in average daily * * * membership in nontraditional programming time, including alternative programs and virtual programs. Funds granted to a district shall not exceed those that would have otherwise been distributed based on average daily * * * membership during regular instructional days.

SECTION 118. Section 37-181-7, Mississippi Code of 1972, is amended as follows:

37-181-7. (1) The ESA program created in this chapter shall be limited to five hundred (500) students in the school year 2015-2016, with new enrollment limited to five hundred (500) additional students each year thereafter. Subject to appropriation from the General Fund, each student's ESA shall be funded at Six Thousand Five Hundred Dollars ($6,500.00) for school year 2015-2016. For each subsequent year, this amount shall increase or decrease by the same proportion as the * * * student base amount under Section * * * 37-151-207 is increased or decreased.

(2) Subject to appropriation, eligible students shall be approved for participation in the ESA program as follows:

(a) Until participation in the ESA program reaches fifty percent (50%) of the annual enrollment limits in subsection (1) of this section, students shall be approved on a first-come, first-served basis, with applications being reviewed on a rolling basis;

(b) After participation reaches fifty percent (50%) of the annual enrollment limits in subsection (1) of this section, the department shall set annual application deadlines for the remaining number of available ESAs and begin to maintain a waiting list of eligible students. The waitlist will be maintained in the chronological order in which applications are received. The department shall award ESA program applications in chronological order according to the waitlist; and

(c) Participating students who remain eligible for the ESA program are automatically approved for participation for the following year and are not subject to the random selection process.

(3) No funds for an ESA may be expended from * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE), nor shall any school district be required to provide funding for an ESA.

SECTION 119. Section 41-79-5, Mississippi Code of 1972, is amended as follows:

41-79-5. (1) There is hereby established within the State Department of Health a school nurse intervention program, available to all public school districts in the state.

(2) By the school year 1998-1999, each public school district shall have employed a school nurse, to be known as a Health Service Coordinator, pursuant to the school nurse intervention program prescribed under this section. The school nurse intervention program shall offer any of the following specific preventive services, and other additional services appropriate to each grade level and the age and maturity of the pupils:

(a) Reproductive health education and referral to prevent teen pregnancy and sexually transmitted diseases, which education shall include abstinence;

(b) Child abuse and neglect identification;

(c) Hearing and vision screening to detect problems which can lead to serious sensory losses and behavioral and academic problems;

(d) Alcohol, tobacco and drug abuse education to reduce abuse of these substances;

(e) Scoliosis screening to detect this condition so that costly and painful surgery and lifelong disability can be prevented;

(f) Coordination of services for handicapped children to ensure that these children receive appropriate medical assistance and are able to remain in public school;

(g) Nutrition education and counseling to prevent obesity and/or other eating disorders which may lead to life-threatening conditions, for example, hypertension;

(h) Early detection and treatment of head lice to prevent the spread of the parasite and to reduce absenteeism;

(i) Emergency treatment of injury and illness to include controlling bleeding, managing fractures, bruises or contusions and cardiopulmonary resuscitation (CPR);

(j) Applying appropriate theory as the basis for decision making in nursing practice;

(k) Establishing and maintaining a comprehensive school health program;

(l) Developing individualized health plans;

(m) Assessing, planning, implementing and evaluating programs and other school health activities, in collaboration with other professionals;

(n) Providing health education to assist students, families and groups to achieve optimal levels of wellness;

(o) Participating in peer review and other means of evaluation to assure quality of nursing care provided for students and assuming responsibility for continuing education and professional development for self while contributing to the professional growth of others;

(p) Participating with other key members of the community responsible for assessing, planning, implementing and evaluating school health services and community services that include the broad continuum or promotion of primary, secondary and tertiary prevention; and

(q) Contributing to nursing and school health through innovations in theory and practice and participation in research.

(3) Public school nurses shall be specifically prohibited from providing abortion counseling to any student or referring any student to abortion counseling or abortion clinics. Any violation of this subsection shall disqualify the school district employing such public school nurse from receiving any state administered funds under this section.

(4) Repealed.

(5) Beginning with the 1997-1998 school year, to the extent that federal or state funds are available therefor and pursuant to appropriation therefor by the Legislature, in addition to the school nurse intervention program funds administered under subsection (4), the State Department of Health shall establish and implement a Prevention of Teen Pregnancy Pilot Program to be located in the public school districts with the highest numbers of teen pregnancies. The Teen Pregnancy Pilot Program shall provide the following education services directly through public school nurses in the pilot school districts: health education sessions in local schools, where contracted for or invited to provide, which target issues including reproductive health, teen pregnancy prevention and sexually transmitted diseases, including syphilis, HIV and AIDS. When these services are provided by a school nurse, training and counseling on abstinence shall be included.

(6) In addition to the school nurse intervention program funds administered under subsection (4) and the Teen Pregnancy Pilot Program funds administered under subsection (5), to the extent that federal or state funds are available therefor and pursuant to appropriation therefor by the Legislature, the State Department of Health shall establish and implement an Abstinence Education Pilot Program to provide abstinence education, mentoring, counseling and adult supervision to promote abstinence from sexual activity, with a focus on those groups which are most likely to bear children out of wedlock. Such abstinence education services shall be provided by the State Department of Health through its clinics, public health nurses, school nurses and through contracts with rural and community health centers in order to reach a larger number of targeted clients. For purposes of this subsection, the term "abstinence education" means an educational or motivational program which:

(a) Has as its exclusive purpose, teaching the social, psychological and health gains to be realized by abstaining from sexual activity;

(b) Teaches abstinence from sexual activity outside marriage as the expected standard for all school-age children;

(c) Teaches that abstinence from sexual activity is the only certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases and other associated health problems;

(d) Teaches that a mutually faithful monogamous relationship in context of marriage is the expected standard of human sexual activity;

(e) Teaches that sexual activity outside of the context of marriage is likely to have harmful psychological and physical effects;

(f) Teaches that bearing children out of wedlock is likely to have harmful consequences for the child, the child's parents and society;

(g) Teaches young people how to reject sexual advances and how alcohol and drug use increase vulnerability to sexual advances; and

(h) Teaches the importance of attaining self-sufficiency before engaging in sexual activity.

(7) * * * Pursuant to appropriation therefor by the Legislature, in addition to * * * funds allotted under * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE), each school district shall be allotted an * * * amount for the purpose of employing qualified public school nurses in such school district, which in no event shall be less than one (1) * * * nurse per school district, for such purpose. In the event the Legislature provides less funds than the total state funds needed for the public school nurse allotment, those school districts with fewer * * * nurses per the number of students in average daily membership shall be the first funded for such purpose, to the extent of funds available.

(8) Prior to the 1998-1999 school year, nursing staff assigned to the program shall be employed through the local county health department and shall be subject to the supervision of the State Department of Health with input from local school officials. Local county health departments may contract with any comprehensive private primary health care facilities within their county to employ and utilize additional nursing staff. Beginning with the 1998-1999 school year, nursing staff assigned to the program shall be employed by the local school district and shall be designated as "health service coordinators," and shall be required to possess a bachelor's degree in nursing as a minimum qualification.

(9) Upon each student's enrollment, the parent or guardian shall be provided with information regarding the scope of the school nurse intervention program. The parent or guardian may provide the school administration with a written statement refusing all or any part of the nursing service. No child shall be required to undergo hearing and vision or scoliosis screening or any other physical examination or tests whose parent objects thereto on the grounds such screening, physical examination or tests are contrary to his sincerely held religious beliefs.

(10) A consent form for reproductive health education shall be sent to the parent or guardian of each student upon his enrollment. If a response from the parent or guardian is not received within seven (7) days after the consent form is sent, the school shall send a letter to the student's home notifying the parent or guardian of the consent form. If the parent or guardian fails to respond to the letter within ten (10) days after it is sent, then the school principal shall be authorized to allow the student to receive reproductive health education. Reproductive health education shall include the teaching of total abstinence from premarital sex and, wherever practicable, reproductive health education should be taught in classes divided according to gender. All materials used in the reproductive health education program shall be placed in a convenient and easily accessible location for parental inspection. School nurses shall not dispense birth control pills or contraceptive devices in the school. Dispensing of such shall be the responsibility of the State Department of Health on a referral basis only.

(11) No provision of this section shall be construed as prohibiting local school districts from accepting financial assistance of any type from the State of Mississippi or any other governmental entity, or any contribution, donation, gift, decree or bequest from any source which may be utilized for the maintenance or implementation of a school nurse intervention program in a public school system of this state.

SECTION 120. Section 43-17-5, Mississippi Code of 1972, is amended as follows:

43-17-5. (1) The amount of Temporary Assistance for Needy Families (TANF) benefits which may be granted for any dependent child and a needy caretaker relative shall be determined by the county department with due regard to the resources and necessary expenditures of the family and the conditions existing in each case, and in accordance with the rules and regulations made by the Department of Human Services which shall not be less than the Standard of Need in effect for 1988, and shall be sufficient when added to all other income (except that any income specified in the federal Social Security Act, as amended, may be disregarded) and support available to the child to provide such child with a reasonable subsistence compatible with decency and health. The first family member in the dependent child's budget may receive an amount not to exceed Two Hundred Dollars ($200.00) per month; the second family member in the dependent child's budget may receive an amount not to exceed Thirty-six Dollars ($36.00) per month; and each additional family member in the dependent child's budget an amount not to exceed Twenty-four Dollars ($24.00) per month. The maximum for any individual family member in the dependent child's budget may be exceeded for foster or medical care or in cases of children with an intellectual disability or a physical disability. TANF benefits granted shall be specifically limited only (a) to children existing or conceived at the time the caretaker relative initially applies and qualifies for such assistance, unless

this limitation is specifically waived by the department, or (b) to a child born following a twelve-consecutive-month period of discontinued benefits by the caretaker relative.

(2) TANF benefits in Mississippi shall be provided to the recipient family by an online electronic benefits transfer system.

(3) The Department of Human Services shall deny TANF benefits to the following categories of individuals, except for individuals and families specifically exempt or excluded for good cause as allowed by federal statute or regulation:

(a) Families without a minor child residing with the custodial parent or other adult caretaker relative of the child;

(b) Families which include an adult who has received TANF assistance for sixty (60) months after the commencement of the Mississippi TANF program, whether or not such period of time is consecutive;

(c) Families not assigning to the state any rights a family member may have, on behalf of the family member or of any other person for whom the family member has applied for or is receiving such assistance, to support from any other person, as required by law;

(d) Families who fail to cooperate in establishing paternity or obtaining child support, as required by law;

(e) Any individual who has not attained eighteen (18) years of age, is not married to the head of household, has a minor child at least twelve (12) weeks of age in his or her care, and has not successfully completed a high school education or its equivalent, if such individual does not participate in educational activities directed toward the attainment of a high school diploma or its equivalent, or an alternative educational or training program approved by the department;

(f) Any individual who has not attained eighteen (18) years of age, is not married, has a minor child in his or her care, and does not reside in a place or residence maintained by a parent, legal guardian or other adult relative or the individual as such parent's, guardian's or adult relative's own home;

(g) Any minor child who has been, or is expected by a parent or other caretaker relative of the child to be, absent from the home for a period of more than thirty (30) days;

(h) Any individual who is a parent or other caretaker relative of a minor child who fails to notify the department of the absence of the minor child from the home for the thirty-day period specified in paragraph (g), by the end of the five-day period that begins with the date that it becomes clear to the individual that the minor child will be absent for the thirty-day period;

(i) Any individual who fails to comply with the provisions of the Employability Development Plan signed by the individual which prescribe those activities designed to help the individual become and remain employed, or to participate satisfactorily in the assigned work activity, as authorized under subsection (6)(c) and (d), or who does not engage in applicant job search activities within the thirty-day period for TANF application approval after receiving the advice and consultation of eligibility workers and/or caseworkers of the department providing a detailed description of available job search venues in the individual's county of residence or the surrounding counties;

(j) A parent or caretaker relative who has not engaged in an allowable work activity once the department determines the parent or caretaker relative is ready to engage in work, or once the parent or caretaker relative has received TANF assistance

under the program for twenty-four (24) months, whether or not consecutive, whichever is earlier;

(k) Any individual who is fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the jurisdiction from which the individual flees, for a crime, or an attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or who is violating a condition of probation or parole imposed under federal or state law;

(l) Aliens who are not qualified under federal law;

(m) For a period of ten (10) years following conviction, individuals convicted in federal or state court of having made a fraudulent statement or representation with respect to the individual's place of residence in order to receive TANF, food stamps or Supplemental Security Income (SSI) assistance under Title XVI or Title XIX simultaneously from two (2) or more states;

(n) Individuals who are recipients of federal Supplemental Security Income (SSI) assistance; and

(o) Individuals who are eighteen (18) years of age or older who are not in compliance with the drug testing and substance use disorder treatment requirements of Section 43-17-6.

(4) (a) Any person who is otherwise eligible for TANF benefits, including custodial and noncustodial parents, shall be required to attend school and meet the monthly attendance requirement as provided in this subsection if all of the following apply:

(i) The person is under age twenty (20);

(ii) The person has not graduated from a public or private high school or obtained a High School Equivalency Diploma equivalent;

(iii) The person is physically able to attend school and is not excused from attending school; and

(iv) If the person is a parent or caretaker relative with whom a dependent child is living, child care is available for the child.

The monthly attendance requirement under this subsection shall be attendance at the school in which the person is enrolled for each day during a month that the school conducts classes in which the person is enrolled, with not more than two (2) absences during the month for reasons other than the reasons listed in paragraph (e)(iv) of this subsection. Persons who fail to meet participation requirements in this subsection shall be subject to sanctions as provided in paragraph (f) of this subsection.

(b) As used in this subsection, "school" means any one (1) of the following:

(i) A school as defined in Section 37-13-91(2);

(ii) A vocational, technical and adult education program; or

(iii) A course of study meeting the standards established by the State Department of Education for the granting of a declaration of equivalency of high school graduation.

(c) If any compulsory-school-age child, as defined in Section 37-13-91(2), to which TANF eligibility requirements apply is not in compliance with the compulsory school attendance requirements of Section 37-13-91(6), the superintendent of schools of

the school district in which the child is enrolled or eligible to attend shall notify the county department of human services of the child's noncompliance. The Department of Human Services shall review school attendance information as provided under this paragraph at all initial eligibility determinations and upon subsequent report of unsatisfactory attendance.

(d) The signature of a person on an application for TANF benefits constitutes permission for the release of school attendance records for that person or for any child residing with that person. The department shall request information from the child's school district about the child's attendance in the school district's most recently completed semester of attendance. If information about the child's previous school attendance is not available or cannot be verified, the department shall require the child to meet the monthly attendance requirement for one (1) semester or until the information is obtained. The department shall use the attendance information provided by a school district to verify attendance for a child. The department shall review with the parent or caretaker relative a child's claim that he or she has a good cause for not attending school.

A school district shall provide information to the department about the attendance of a child who is enrolled in a public school in the district within five (5) working days of the receipt of a written request for that information from the department. The school district shall define how many hours of attendance count as a full day and shall provide that information, upon request, to the department. In reporting attendance, the school district may add partial days' absence together to constitute a full day's absence.

If a school district fails to provide to the department the information about the school attendance of any child within fifteen (15) working days after a written request, the department shall notify the Department of Audit within three (3) working days of the school district's failure to comply with that requirement. The Department of Audit shall begin audit proceedings within five (5) working days of notification by the Department of Human Services to determine the school district's compliance with the requirements of this subsection (4). If the Department of Audit finds that the school district is not in compliance with the requirements of this subsection, the school district shall be penalized as follows: The Department of Audit shall notify the State Department of Education of the school district's noncompliance, and the Department of Education shall reduce the calculation of the school district's average daily * * * membership that is used to determine the allocation of * * * Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) funds by the number of children for which the district has failed to provide to the Department of Human Services the required information about the school attendance of those children. The reduction in the calculation of the school district's * * * average daily membership under this paragraph shall be effective for a period of one (1) year.

(e) A child who is required to attend school to meet the requirements under this subsection shall comply except when there is good cause, which shall be demonstrated by any of the following circumstances:

(i) The minor parent is the caretaker of a child less than twelve (12) weeks old; or

(ii) The department determines that child care services are necessary for the minor parent to attend school and there is no child care available; or

(iii) The child is prohibited by the school district from attending school and an expulsion is pending. This exemption no longer applies once the teenager has been expelled; however, a teenager who has been expelled and is making satisfactory progress towards obtaining a High School Equivalency Diploma equivalent shall be eligible for TANF benefits; or

(iv) The child failed to attend school for one or more of the following reasons:

1. Illness, injury or incapacity of the child or the minor parent's child;

2. Court-required appearances or temporary incarceration;

3. Medical or dental appointments for the child or minor parent's child;

4. Death of a close relative;

5. Observance of a religious holiday;

6. Family emergency;

7. Breakdown in transportation;

8. Suspension; or

9. Any other circumstance beyond the control of the child, as defined in regulations of the department.

(f) Upon determination that a child has failed without good cause to attend school as required, the department shall provide written notice to the parent or caretaker relative (whoever is the primary recipient of the TANF benefits) that specifies:

(i) That the family will be sanctioned in the next possible payment month because the child who is required to attend school has failed to meet the attendance requirement of this subsection;

(ii) The beginning date of the sanction, and the child to whom the sanction applies;

(iii) The right of the child's parents or caretaker relative (whoever is the primary recipient of the TANF benefits) to request a fair hearing under this subsection.

The child's parent or caretaker relative (whoever is the primary recipient of the TANF benefits) may request a fair hearing on the department's determination that the child has not been attending school. If the child's parents or caretaker relative does not request a fair hearing under this subsection, or if, after a fair hearing has been held, the hearing officer finds that the child without good cause has failed to meet the monthly attendance requirement, the department shall discontinue or deny TANF benefits to the child thirteen (13) years old, or older, in the next possible payment month. The department shall discontinue or deny twenty-five percent (25%) of the family grant when a child six (6) through twelve (12) years of age without good cause has failed to meet the monthly attendance requirement. Both the child and family sanction may apply when children in both age groups fail to meet the attendance requirement without good cause. A sanction applied under this subsection shall be effective for one (1) month for each month that the child failed to meet the monthly attendance requirement. In the case of a dropout, the sanction shall remain in force until the parent or caretaker relative provides written proof from the school district that the child has reenrolled and met the monthly attendance requirement for one (1) calendar month. Any month in which school is in session for at least ten (10) days during the month may be used to meet the attendance requirement under this subsection. This includes attendance at summer school. The sanction shall be removed the next possible payment month.

(5) All parents or caretaker relatives shall have their dependent children receive vaccinations and booster vaccinations against those diseases specified by the State Health Officer under Section 41-23-37 in accordance with the vaccination and booster

vaccination schedule prescribed by the State Health Officer for children of that age, in order for the parents or caretaker relatives to be eligible or remain eligible to receive TANF benefits. Proof of having received such vaccinations and booster vaccinations shall be given by presenting the certificates of vaccination issued by any health care provider licensed to administer vaccinations, and submitted on forms specified by the State Board of Health. If the parents without good cause do not have their dependent children receive the vaccinations and booster vaccinations as required by this subsection and they fail to comply after thirty (30) days' notice, the department shall sanction the family's TANF benefits by twenty-five percent (25%) for the next payment month and each subsequent payment month until the requirements of this subsection are met.

(6) (a) If the parent or caretaker relative applying for TANF assistance is work eligible, as determined by the Department of Human Services, the person shall be required to engage in an allowable work activity once the department determines the parent or caretaker relative is determined work eligible, or once the parent or caretaker relative has received TANF assistance under the program for twenty-four (24) months, whether or not consecutive, whichever is earlier. No TANF benefits shall be given to any person to whom this section applies who fails without good cause to comply with the Employability Development Plan prepared by the department for the person, or who has refused to accept a referral or offer of employment, training or education in which he or she is able to engage, subject to the penalties prescribed in paragraph (e) of this subsection. A person shall be deemed to have refused to accept a referral or offer of employment, training or education if he or she:

(i) Willfully fails to report for an interview with respect to employment when requested to do so by the department; or

(ii) Willfully fails to report to the department the result of a referral to employment; or

(iii) Willfully fails to report for allowable work activities as prescribed in paragraphs (c) and (d) of this subsection.

(b) The Department of Human Services shall operate a statewide work program for TANF recipients to provide work activities and supportive services to enable families to become self-sufficient and improve their competitive position in the workforce in accordance with the requirements of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193), as amended, and the regulations promulgated thereunder, and the Deficit Reduction Act of 2005 (Public Law 109-171), as amended. Within sixty (60) days after the initial application for TANF benefits, the TANF recipient must participate in a job search skills training workshop or a job readiness program, which shall include resume writing, job search skills, employability skills and, if available at no charge, the General Aptitude Test Battery or its equivalent. All adults who are not specifically exempt shall be referred by the department for allowable work activities. An adult may be exempt from the mandatory work activity requirement for the following reasons:

(i) Incapacity;

(ii) Temporary illness or injury, verified by physician's certificate;

(iii) Is in the third trimester of pregnancy, and there are complications verified by the certificate of a physician, nurse practitioner, physician assistant, or any other licensed health care professional practicing under a protocol with a licensed physician;

(iv) Caretaker of a child under twelve (12) months, for not more than twelve (12) months of the sixty-month maximum benefit period;

(v) Caretaker of an ill or incapacitated person, as verified by physician's certificate;

(vi) Age, if over sixty (60) or under eighteen (18) years of age;

(vii) Receiving treatment for substance abuse, if the person is in compliance with the substance abuse treatment plan;

(viii) In a two-parent family, the caretaker of a severely disabled child, as verified by a physician's certificate; or

(ix) History of having been a victim of domestic violence, which has been reported as required by state law and is substantiated by police reports or court records, and being at risk of further domestic violence, shall be exempt for a period as deemed necessary by the department but not to exceed a total of twelve (12) months, which need not be consecutive, in the sixty-month maximum benefit period. For the purposes of this subparagraph (ix), "domestic violence" means that an individual has been subjected to:

1. Physical acts that resulted in, or threatened to result in, physical injury to the individual;

2. Sexual abuse;

3. Sexual activity involving a dependent child;

4. Being forced as the caretaker relative of a dependent child to engage in nonconsensual sexual acts or activities;

5. Threats of, or attempts at, physical or sexual abuse;

6. Mental abuse; or

7. Neglect or deprivation of medical care.

(c) For all families, all adults who are not specifically exempt shall be required to participate in work activities for at least the minimum average number of hours per week specified by federal law or regulation, not fewer than twenty (20) hours per week (thirty-five (35) hours per week for two-parent families) of which are attributable to the following allowable work activities:

(i) Unsubsidized employment;

(ii) Subsidized private employment;

(iii) Subsidized public employment;

(iv) Work experience (including work associated with the refurbishing of publicly assisted housing), if sufficient private employment is not available;

(v) On-the-job training;

(vi) Job search and job readiness assistance consistent with federal TANF regulations;

(vii) Community service programs;

(viii) Vocational educational training (not to exceed twelve (12) months with respect to any individual);

(ix) The provision of child care services to an individual who is participating in a community service program;

(x) Satisfactory attendance at high school or in a course of study leading to a high school equivalency certificate, for heads of household under age twenty (20) who have not completed high school or received such certificate;

(xi) Education directly related to employment, for heads of household under age twenty (20) who have not completed high school or received such equivalency certificate.

(d) The following are allowable work activities which may be attributable to hours in excess of the minimum specified in paragraph (c) of this subsection:

(i) Job skills training directly related to employment;

(ii) Education directly related to employment for individuals who have not completed high school or received a high school equivalency certificate;

(iii) Satisfactory attendance at high school or in a course of study leading to a high school equivalency, for individuals who have not completed high school or received such equivalency certificate;

(iv) Job search and job readiness assistance consistent with federal TANF regulations.

(e) If any adult or caretaker relative refuses to participate in allowable work activity as required under this subsection (6), the following full family TANF benefit penalty will apply, subject to due process to include notification, conciliation and a hearing if requested by the recipient:

(i) For the first violation, the department shall terminate the TANF assistance otherwise payable to the family for a two-month period or until the person has complied with the required work activity, whichever is longer;

(ii) For the second violation, the department shall terminate the TANF assistance otherwise payable to the family for a six-month period or until the person has complied with the required work activity, whichever is longer;

(iii) For the third violation, the department shall terminate the TANF assistance otherwise payable to the family for a twelve-month period or until the person has complied with the required work activity, whichever is longer;

(iv) For the fourth violation, the person shall be permanently disqualified.

For a two-parent family, unless prohibited by state or federal law, Medicaid assistance shall be terminated only for the person whose failure to participate in allowable work activity caused the family's TANF assistance to be sanctioned under this paragraph (e), unless an individual is pregnant, but shall not be terminated for any other person in the family who is meeting that person's applicable work requirement or who is not required to work. Minor children shall continue to be eligible for Medicaid benefits regardless of the disqualification of their parent or caretaker relative for TANF assistance under this subsection (6), unless prohibited by state or federal law.

(f) Any person enrolled in a two-year or four-year college program who meets the eligibility requirements to receive TANF benefits, and who is meeting the applicable work requirements and all other applicable requirements of the TANF program,

shall continue to be eligible for TANF benefits while enrolled in the college program for as long as the person meets the requirements of the TANF program, unless prohibited by federal law.

(g) No adult in a work activity required under this subsection (6) shall be employed or assigned (i) when any other individual is on layoff from the same or any substantially equivalent job within six (6) months before the date of the TANF recipient's employment or assignment; or (ii) if the employer has terminated the employment of any regular employee or otherwise caused an involuntary reduction of its workforce in order to fill the vacancy so created with an adult receiving TANF assistance. The Mississippi Department of Employment Security, established under Section 71-5-101, shall appoint one or more impartial hearing officers to hear and decide claims by employees of violations of this paragraph (g). The hearing officer shall hear all the evidence with respect to any claim made hereunder and such additional evidence as he may require and shall make a determination and the reason therefor. The claimant shall be promptly notified of the decision of the hearing officer and the reason therefor. Within ten (10) days after the decision of the hearing officer has become final, any party aggrieved thereby may secure judicial review thereof by commencing an action, in the circuit court of the county in which the claimant resides, against the department for the review of such decision, in which action any other party to the proceeding before the hearing officer shall be made a defendant. Any such appeal shall be on the record which shall be certified to the court by the department in the manner provided in Section 71-5-531, and the jurisdiction of the court shall be confined to questions of law which shall render its decision as provided in that section.

(7) The Department of Human Services may provide child care for eligible participants who require such care so that they may accept employment or remain employed. The department may also provide child care for those participating in the TANF program when it is determined that they are satisfactorily involved in education, training or other allowable work activities. The department may contract with Head Start agencies to provide child care services to TANF recipients. The department may also arrange for child care by use of contract or vouchers, provide vouchers in advance to a caretaker relative, reimburse a child care provider, or use any other arrangement deemed appropriate by the department, and may establish different reimbursement rates for child care services depending on the category of the facility or home. Any center-based or group home child care facility under this subsection shall be licensed by the State Department of Health pursuant to law. When child care is being provided in the child's own home, in the home of a relative of the child, or in any other unlicensed setting, the provision of such child care may be monitored on a random basis by the Department of Human Services or the State Department of Health. Transitional child care assistance may be continued if it is necessary for parents to maintain employment once support has ended, unless prohibited under state or federal law. Transitional child care assistance may be provided for up to twenty-four (24) months after the last month during which the family was eligible for TANF assistance, if federal funds are available for such child care assistance.

(8) The Department of Human Services may provide transportation or provide reasonable reimbursement for transportation expenses that are necessary for individuals to be able to participate in allowable work activity under the TANF program.

(9) Medicaid assistance shall be provided to a family of TANF program participants for up to twenty-four (24) consecutive calendar months following the month in which the participating family would be ineligible for TANF benefits because of increased income, expiration of earned income disregards, or increased hours of employment of the caretaker relative; however, Medicaid assistance for more than twelve (12) months may be provided only if a federal waiver is obtained to provide such assistance for more than twelve (12) months and federal and state funds are available to provide such assistance.

(10) The department shall require applicants for and recipients of public assistance from the department to sign a personal responsibility contract that will require the applicant or recipient to acknowledge his or her responsibilities to the state.

(11) The department shall enter into an agreement with the State Personnel Board and other state agencies that will allow those TANF participants who qualify for vacant jobs within state agencies to be placed in state jobs. State agencies participating in the TANF work program shall receive any and all benefits received by employers in the private sector for hiring TANF recipients. This subsection (11) shall be effective only if the state obtains any necessary federal waiver or approval and if federal funds are available therefor. Not later than September 1, 2021, the department shall prepare a report, which shall be provided to the Chairmen of the House and Senate Public Health Committees and to any other member of the Legislature upon request, on the history, status, outcomes and effectiveness of the agreements required under this subsection.

(12) Any unspent TANF funds remaining from the prior fiscal year may be expended for any TANF allowable activities.

(13) The Mississippi Department of Human Services shall provide TANF applicants information and referral to programs that provide information about birth control, prenatal health care, abstinence education, marriage education, family preservation and fatherhood. Not later than September 1, 2021, the department shall prepare a report, which shall be provided to the Chairmen of the House and Senate Public Health Committees and to any other member of the Legislature upon request, on the history, status, outcomes and effectiveness of the information and referral requirements under this subsection.

(14) No new TANF program requirement or restriction affecting a person's eligibility for TANF assistance, or allowable work activity, which is not mandated by federal law or regulation may be implemented by the Department of Human Services after July 1, 2004, unless such is specifically authorized by an amendment to this section by the Legislature.

SECTION 121. Section 65-26-9, Mississippi Code of 1972, is amended as follows:

65-26-9. (1) There is hereby created in the State Treasury a special fund to be known as the Tennessee-Tombigbee Waterway Bridge Bond Retirement Fund. All revenues pledged for the payment of the principal of and interest on the bonds authorized to be issued by this chapter shall be deposited into the bond retirement fund. Expenditures from the bond retirement fund shall be made only in accordance with this section.

(2) Subject to the provisions of subsection (3) of this section, amounts on deposit in the bond retirement fund and not immediately required for the making of any payments therefrom shall be invested in interest-bearing certificates of deposit in accordance with the provisions of Section 27-105-33, except interest so earned shall be credited to the bond retirement fund.

(3) (a) There is hereby established within the bond retirement fund two (2) separate accounts as follows: (i) the "Tennessee-Tombigbee General Account"; and (ii) the "Tennessee-Tombigbee Principal and Interest Account."

(b) (i) All amounts held in the bond retirement fund on April 23, 1986, and all amounts thereafter deposited in the bond retirement fund, shall be credited to the Tennessee-Tombigbee General Account.

(ii) Until such time as the transfer of funds from the Tennessee-Tombigbee General Account to the Tennessee-Tombigbee Principal and Interest Account occurs as provided in paragraph (b)(iii) of this subsection, amounts in the general account shall be applied to the following purposes and in the following order of

priority: first, to the extent required, to the payment, the principal of, redemption premium, if any, and interest on general obligation bonds; second, to the extent required, to the General Fund of the state to reimburse the state for expenditures in excess of twenty-five percent (25%) of the total costs of the principal and interest on bonds issued under authority of subsection (1) of Section 65-26-15 and for all expenditures for costs of the principal of and interest on bonds issued under authority of subsection (2) of Section 65-26-15; and third, to the extent required, if any, to the bridge construction fund created in Section 65-26-25 to make current payments to meet contractual obligations for bridge construction.

(iii) Upon certification of the State Treasurer, filed with and approved by the State Bond Commission, that the amount on deposit in the Tennessee-Tombigbee General Account, together with earnings on investments to accrue to it, is equal to or greater than the aggregate of the entire principal, redemption premium, if any, and interest due and to become due, until the final maturity date or earlier scheduled redemption date thereof, on all general obligation bonds outstanding as of the date of such certification, then the State Treasurer shall transfer from the Tennessee-Tombigbee General Account to the Tennessee-Tombigbee Principal and Interest Account an amount equal to the entire principal, redemption premium, if any, and interest due and to become due, until the final maturity date or scheduled redemption date thereof, on all general obligation bonds outstanding as of the date of such transfer. The State of Mississippi hereby covenants with the holders from time to time of general obligation bonds that amounts deposited in the Tennessee-Tombigbee Principal and Interest Account will be applied solely to the payment of the principal of, redemption premium, if any, and interest on general obligation bonds.

(iv) After the date of the transfer from the general account to the principal and interest account contemplated by paragraph (b)(iii) of this subsection, amounts from time to time on deposit in the Tennessee-Tombigbee General Account shall be applied monthly to the following purposes and in the following order of priority: first, to the extent required, to the payment of the principal of, redemption premium, if any, and interest on general obligation bonds issued under this chapter; second, to the extent required, to the General Fund of the state to reimburse the state for expenditures in excess of twenty-five percent (25%) of the total costs of the principal and interest on bonds issued under authority of subsection (1) of Section 65-26-15 and for all expenditures for costs of the principal of and interest on bonds issued under authority of subsection (2) of Section 65-26-15; and third, to the extent required, if any, to the bridge construction fund created in Section 65-26-25 to make current payments to meet contractual obligations for bridge construction.

(4) It is the intent of the Legislature that all outstanding general obligation bonds issued under this chapter shall be retired by the State Bond Commission on the earliest scheduled redemption date thereof, provided that there are sufficient funds in the bond retirement fund together with earnings on investments to accrue to it. When the principal of, redemption premium, if any, and interest on all such outstanding general obligation bonds are paid in full, then any amounts remaining in the bond retirement fund, or separate accounts therein, together with earnings on investments to accrue to it, shall be apportioned and paid as follows:

(a) Three Million Five Hundred Thousand Dollars ($3,500,000.00) of such funds shall be paid into the appropriate fund for use by the Yellow Creek State Inland Port Authority for equipment or facilities necessary to the operation of the port.

(b) Three Million Five Hundred Thousand Dollars ($3,500,000.00) shall be paid into the State General Fund.

(c) Seven Million Five Hundred Thousand Dollars ($7,500,000.00) shall be paid to Tishomingo County. Of the Seven Million Five Hundred Thousand Dollars ($7,500,000.00), (i) Two Million Five Hundred Thousand Dollars ($2,500,000.00) shall be

placed by the county in a special trust fund, the principal of which shall remain inviolate and the interest on which shall be expended solely for improvement of elementary and secondary education in Tishomingo County and distributed among the school districts therein based on the average daily * * * membership in each, and (ii) Five Million Dollars ($5,000,000.00) shall be placed in the county general fund and may be expended for general county purposes.

(d) The balance of such funds shall be paid to the counties of Alcorn, Chickasaw, Clay, Itawamba, Lee, Lowndes, Monroe, Noxubee, Kemper, Pontotoc, Prentiss and Tishomingo. Such funds shall be paid to such counties in the proportion that each county's contribution to the bridge bond fund bears to the total contribution from all twelve (12) counties; however, no county shall be paid more than Five Million Dollars ($5,000,000.00) under this paragraph (d). Such funds shall be deposited by the county into a special account to be expended solely for economic development purposes. No expenditure of funds from the special account shall be made unless the amount to be expended from the special account is matched by other county funds in an amount equal to fifteen percent (15%) of the special account funds to be expended and until the Mississippi * * * Development Authority, upon application by the board of supervisors, has certified that the proposed expenditure is for economic development purposes and has approved the expenditure for such purposes; provided, however, the fifteen percent (15%) match hereinabove imposed shall not be required when the proposed expenditure for economic development purposes is on land owned or leased by the federal, state, county or municipal government.

SECTION 122. Section 37-151-81, Mississippi Code of 1972, is amended as follows:

37-151-81. * * *

(* * *1) * * * For each * * * student with a disability who is being educated by a public school district or is placed in accord with Section 37-23-77, * * * and whose individualized educational program (IEP) requires an extended school year in accord with the State Department of Education criteria, a sufficient amount of funds shall be allocated for the purpose of providing the educational services the student requires. The State Board of Education shall promulgate such regulations as are required to insure the equitable distribution of these funds. All costs for the extended school year for a particular summer shall be reimbursed from funds appropriated for the fiscal year beginning July 1 of that summer. If sufficient funds are not made available to finance all of the required educational services, the State Department of Education shall expend available funds in such a manner that it does not limit the availability of appropriate education to * * * students with disabilities more severely than it does to * * * students without disabilities.

(* * *2) The State Department of Education is hereby authorized to match * * * INSPIRE and other funds allocated for provision of services to * * * students with disabilities with Division of Medicaid funds to provide language-speech services, physical therapy and occupational therapy to * * * students with disabilities who meet State Department of Education or Division of Medicaid standards and who are Medicaid eligible. Provided further, that the State Department of Education is authorized to pay such funds as may be required as a match directly to the Division of Medicaid pursuant to an agreement to be developed between the State Department of Education and the Division of Medicaid.

* * *

(* * *3) When any children who are residents of the State of Mississippi and qualify under the provisions of Section 37-23-31 * * * shall be provided a program of education, instruction and training within a school under the provisions of said section, the State Department of Education shall allocate * * * funds equivalent to the full base student cost and all qualifying weighted adjustments as prescribed in Section 37-151-209 * * *. The

university or college shall be eligible for state and federal funds for such programs on the same basis as local school districts. The university or college shall be responsible for providing for the additional costs of the program.

(* * *4) * * * A school district may provide a program of education and instruction to children ages five (5) years through twenty-one (21) years, who are resident citizens of the State of Mississippi, who cannot have their educational needs met in a regular public school program and who have not finished or graduated from high school, if those children are determined by competent medical authorities and psychologists to need placement in a state licensed facility for inpatient treatment, day treatment or residential treatment or a therapeutic group home. Such program shall operate under rules, regulations, policies and standards of school districts as determined by the State Board of Education. If a private school approved by the State Board of Education is operated as an integral part of the state licensed facility that provides for the treatment of such children, the private school within the facility may provide a program of education, instruction and training to such children by requesting the State Department of Education to allocate * * * funds equivalent to the full base student cost and all qualifying weighted adjustments as prescribed in Section 37-151-209 for each student placed in such facility for each approved class. The facility shall be responsible for providing any additional costs of the program.

* * *

SECTION 123. Section 37-13-153, Mississippi Code of 1972, which required state funding for home economics teachers to be included as a line item in the education appropriations bills for fiscal years 1995, 1996 and 1997, is repealed.

SECTION 124. Sections 37-151-1, 37-151-5, 37-151-6, 37-151-7, 37-151-7.1, 37-151-8, 37-151-10, 37-151-77, 37-151-79 and 37-151-83, Mississippi Code of 1972, which define certain terms and establish the formula to be used in determining the annual allocation of funds to each school district under the Mississippi Adequate Education Program (MAEP), are repealed.

SECTION 125. Section 37-152-1, Mississippi Code of 1972, which creates the Commission on Restructuring the Mississippi Adequate Education Program (MAEP), is repealed.

SECTION 126. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT RELATING TO THE FUNDING OF PUBLIC EDUCATION IN THE STATE OF MISSISSIPPI; TO CREATE NEW SECTION 37-151-201, MISSISSIPPI CODE OF 1972, TO ESTABLISH A NEW FUNDING FORMULA TO BE KNOWN AS THE "INVESTING IN THE NEEDS OF STUDENTS TO PRIORITIZE, IMPACT AND REFORM EDUCATION (INSPIRE) ACT OF 2024"; TO CREATE NEW SECTION 37-151-203, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN TERMS; TO CREATE NEW SECTION 37-151-205, MISSISSIPPI CODE OF 1972, TO REQUIRE THE UNIFORM FUNDING FORMULA TO BE USED IN CALCULATING SCHOOL DISTRICT AND CHARTER SCHOOL FUNDING BEGINNING WITH THE 2024-2025 SCHOOL YEAR AND TO PRESCRIBE THE FORMULA; TO CREATE NEW SECTION 37-151-207, MISSISSIPPI CODE OF 1972, TO PRESCRIBE THE STUDENT BASE AMOUNT; TO CREATE NEW SECTION 37-151-209, MISSISSIPPI CODE OF 1972, TO ESTABLISH VARIOUS WEIGHTS TO BE APPLIED TO THE BASE AMOUNT FOR STUDENTS WHO ARE LOW INCOME STUDENTS, ENGLISH LANGUAGE LEARNERS, ELIGIBLE FOR SPECIAL EDUCATION SERVICES, GIFTED, ENROLLED IN CAREER AND

TECHNICAL EDUCATION, AND RESIDING IN SPARSELY POPULATED SCHOOL DISTRICTS; TO CREATE NEW SECTION 37-151-211, MISSISSIPPI CODE OF 1972, TO REQUIRE STUDENT ENROLLMENT AND ATTENDANCE FIGURES TO BE DETERMINED ON THE BASIS OF AVERAGE DAILY MEMBERSHIP; TO CREATE NEW SECTION 37-151-213, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO REVIEW THE SPECIAL EDUCATION DISABILITY TIERS AND MAKE RECOMMENDATIONS RELATING TO THE USE OF AN IEP-BASED FUNDING MODEL FOR SPECIAL EDUCATION SERVICES; TO REQUIRE THE DEPARTMENT TO REPORT DATA REGARDING ENGLISH LANGUAGE LEARNERS TO CERTAIN LEGISLATIVE COMMITTEES; TO REQUIRE THE STATE BOARD OF EDUCATION TO MAKE PERIODIC RECOMMENDATIONS TO THE LEGISLATURE RELATING TO THE STUDENT BASE AMOUNT AND THE FUNDING FORMULA; TO CREATE NEW SECTION 37-151-215, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT A SCHOOL DISTRICT OR CHARTER SCHOOL HAS AUTONOMY, SUBJECT TO REGULATORY AND STATUTORY RESTRICTIONS, IN THE SPENDING OF ALL FUNDS ALLOCATED TO THAT SCHOOL DISTRICT OR CHARTER SCHOOL REGARDLESS OF THE COUNT OF STUDENTS IN WEIGHTED STUDENT CATEGORIES; TO CREATE NEW SECTION 37-151-217, MISSISSIPPI CODE OF 1972, TO REQUIRE TAX ASSESSORS TO FILE CERTAIN REPORTS WITH THE STATE DEPARTMENT OF EDUCATION AND TO REQUIRE THE DEPARTMENT TO CALCULATE DISTRICTS' REQUIRED MINIMUM MILLAGE AND THE CONTRIBUTION TO THE COST OF THE FUNDING FORMULA REQUIRED OF EACH SCHOOL DISTRICT AND CHARTER SCHOOL; TO CREATE NEW SECTION 37-151-219, MISSISSIPPI CODE OF 1972, TO REQUIRE SCHOOL DISTRICTS TO ADHERE TO STUDENT-TEACHER RATIOS DETERMINED ACCORDING TO STATE ACCREDITATION STANDARDS; TO CREATE NEW SECTION 37-151-221, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO REVIEW RULES AND REGULATIONS OF THE DEPARTMENT AND STATE BOARD OF EDUCATION WHICH INDIRECTLY CREATE A FISCAL IMPACT ON SCHOOL DISTRICTS AND TO REVISE SUCH RULES AND REGULATIONS AS APPROPRIATE TO FURTHER DISTRICT AUTONOMY; TO REQUIRE THE DEPARTMENT TO MAKE RECOMMENDATIONS TO THE LEGISLATURE FOR RELATED STATUTORY REVISIONS; TO CREATE NEW SECTION 37-151-223, MISSISSIPPI CODE OF 1972, TO ESTABLISH LIMITATIONS ON STATE FUNDING INCREASES AND DECREASES FOR SCHOOL DISTRICTS UNDER THE FUNDING FORMULA DURING EACH OF THE NEXT THREE FISCAL YEARS; TO CREATE A TASK FORCE TO EXAMINE WHETHER DISTRICTS HELD HARMLESS AND "F" RATED DISTRICTS WOULD BENEFIT FROM CONSOLIDATION; TO AMEND SECTIONS 37-57-1, 37-57-104, 37-57-105 AND 37-57-107, MISSISSIPPI CODE OF 1972, WHICH RELATE TO SCHOOL DISTRICT TAXATION, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT A PORTION OF EDUCATION ENHANCEMENT FUNDS BE DISTRIBUTED TO SCHOOL DISTRICTS TO FUND CAPITAL IMPROVEMENTS PROJECTS; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIRED DEPOSIT OF SALES TAX REVENUE INTO THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND; TO BRING FORWARD SECTION 27-67-31, MISSISSIPPI CODE OF 1972, WHICH REQUIRES A PORTION OF THE STATE USE TAXES TO BE DEPOSITED INTO THE SCHOOL AD VALOREM TAX REDUCTION FUND AND THE EDUCATION ENHANCEMENT FUND, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-115-85, MISSISSIPPI CODE OF 1972, WHICH REQUIRES A PORTION OF THE FUNDS IN THE LOTTERY PROCEEDS FUND TO BE PAID INTO THE EDUCATION ENHANCEMENT FUND, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTIONS 1-3-26, 7-7-211, 19-9-157, 19-9-171, 25-4-29, 27-25-706, 27-33-3, 27-39-317, 29-3-47, 29-3-49, 29-3-113, 29-3-137, 31-7-9, 31-7-10, 37-1-3, 37-3-11, 37-3-83, 37-7-208, 37-7-301, 37-7-302, 37-7-303, 37-7-307, 37-7-319, 37-7-333, 37-7-339, 37-7-419, 37-9-17, 37-9-18, 37-9-23, 37-9-25, 37-9-33, 37-9-35, 37-9-37, 37-9-77, 37-11-11, 37-13-63, 37-13-64, 37-13-69, 37-15-38, 37-16-3, 37-17-6, 37-17-17, 37-19-7, 37-21-6, 37-21-7, 37-22-5, 37-23-1, 37-23-15, 37-23-69, 37-23-109, 37-23-179, 37-27-55, 37-27-57, 37-28-5, 37-28-53, 37-28,55, 37-29-1, 37-29-272, 37-29-303,

37-31-13, 37-31-75, 37-35-3, 37-37-3, 37-41-7, 37-45-49, 37-47-9, 37-47-24, 37-47-25, 37-47-33, 37-61-3, 37-61-5, 37-61-7, 37-61-19, 37-61-29, 37-61-35, 37-61-37, 37-68-7, 37-131-7, 37-131-9, 37-131-11, 37-151-9, 37-151-81, 37-151-85, 37-151-87, 37-151-89, 37-151-91, 37-151-93, 37-151-95, 37-151-97, 37-151-99, 37-151-101, 37-151-103, 37-151-105, 37-151-107, 37-173-9, 37-173-13, 37-175-13, 37-179-3, 37-181-7, 41-79-5, 43-17-5 AND 65-26-9, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO REPEAL SECTION 37-13-153, MISSISSIPPI CODE OF 1972, WHICH REQUIRED STATE FUNDING FOR HOME ECONOMICS TEACHERS TO BE INCLUDED AS A LINE ITEM IN THE EDUCATION APPROPRIATIONS BILLS FOR CERTAIN PRIOR FISCAL YEARS; TO REPEAL SECTIONS 37-151-1, 37-151-5, 37-151-6, 37-151-7, 37-151-7.1, 37-151-8, 37-151-10, 37-151-77, 37-151-79 AND 37-151-83, MISSISSIPPI CODE OF 1972, WHICH DEFINE CERTAIN TERMS AND PRESCRIBE THE FORMULA AND CERTAIN REQUIREMENTS UNDER THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM (MAEP); TO REPEAL SECTION 37-152-1, MISSISSIPPI CODE OF 1972, WHICH CREATES THE COMMISSION ON RESTRUCTURING THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM (MAEP); AND FOR RELATED PURPOSES.

Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 11:48 AM, the Senate stood in recess.

The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON APPROPRIATIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 1823: Appropriation; Education, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1824: Appropriation; Educational Television, Authority for. Title Sufficient. Do Pass As Amended.

H. B. No. 1825: Appropriation; Library Commission. Title Sufficient. Do Pass As Amended.

H. B. No. 1812: Appropriation; Attorney General. Title Sufficient. Do Pass As Amended.

H. B. No. 1814: Appropriation; Capital Post-Conviction Counsel, Office of. Title Sufficient. Do Pass As Amended.

H. B. No. 1815: Appropriation; District attorneys and staff. Title Sufficient. Do Pass As Amended.

H. B. No. 1819: Appropriation; State Public Defender, Office of. Title Sufficient. Do Pass As Amended.

H. B. No. 1820: Appropriation; Supreme Court, Court of Appeals and trial judges services. Title Sufficient. Do Pass As Amended.

H. B. No. 1800: Appropriation; Medicaid, Division of. Title Sufficient. Do Pass As Amended.

H. B. No. 1797: Appropriation; Human Services, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1794: Appropriation: Child Protection Services, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1809: Appropriation; Rehabilitation Services, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1796: Appropriation; Health, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1782: Appropriation; Port Authority, State. Title Sufficient. Do Pass As Amended.

H. B. No. 1785: Appropriation; Pat Harrison Waterway District. Title Sufficient. Do Pass As Amended.

H. B. No. 1786: Appropriation; Pearl River Valley Water Supply District. Title Sufficient. Do Pass As Amended.

H. B. No. 1790: Appropriation; Tombigbee River Valley Water Management District. Title Sufficient. Do Pass As Amended.

H. B. No. 1792: Appropriation; Yellow Creek State Inland Port Authority. Title Sufficient. Do Pass As Amended.

H. B. No. 1826: Appropriation; Transportation, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1811: Appropriation; Athletic Commission. Title Sufficient. Do Pass As Amended.

H. B. No. 1813: Appropriation; Auctioneers Commission. Title Sufficient. Do Pass.

H. B. No. 1793: Appropriation; Barber Examiners, Board of. Title Sufficient. Do Pass As Amended.

H. B. No. 1795: Appropriation; Cosmetology, Board of. Title Sufficient. Do Pass As Amended.

H. B. No. 1777: Appropriation; Engineers and Land Surveyors, Board of Registration for Professional. Title Sufficient. Do Pass As Amended.

H. B. No. 1779: Appropriation; Foresters, Board of Registration for. Title Sufficient. Do Pass As Amended.

H. B. No. 1804: Appropriation; Optometry, Board of. Title Sufficient. Do Pass As Amended.

H. B. No. 1810: Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for. Title Sufficient. Do Pass As Amended.

H. B. No. 1821: Appropriation; Veterans' Home Purchase Board. Title Sufficient. Do Pass As Amended.

H. B. No. 1801: Appropriation; Medical Licensure, Board of. Title Sufficient. Do Pass As Amended.

H. B. No. 1803: Appropriation; Nursing, Board of. Title Sufficient. Do Pass As Amended.

H. B. No. 1802: Appropriation; Nursing Home Administrators, Board of. Title Sufficient. Do Pass As Amended.

H. B. No. 1805: Appropriation; Physical Therapy Board. Title Sufficient. Do Pass As Amended.

H. B. No. 1806: Appropriation; Psychology, Board of. Title Sufficient. Do Pass As Amended.

H. B. No. 1799: Appropriation; Insurance, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1798: Appropriation; Fire Academy. Title Sufficient. Do Pass As Amended.

H. B. No. 1818: Appropriation; Public Employees' Retirement System. Title Sufficient. Do Pass As Amended.

H. B. No. 1787: Appropriation; Public Service Commission. Title Sufficient. Do Pass As Amended.

H. B. No. 1788: Appropriation; Public Utilities Staff. Title Sufficient. Do Pass As Amended.

H. B. No. 1791: Appropriation; Wildlife, Fisheries and Parks, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1776: Appropriation; Archives and History, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1822: Appropriation; Arts Commission. Title Sufficient. Do Pass As Amended.

H. B. No. 1778: Appropriation; Environmental Quality, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1780: Appropriation; Forestry Commission. Title Sufficient. Do Pass As Amended.

H. B. No. 1781: Appropriation; Grand Gulf Military Monument Commission. Title Sufficient. Do Pass As Amended.

H. B. No. 1783: Appropriation; Marine Resources, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1784: Appropriation; Oil and Gas Board. Title Sufficient. Do Pass As Amended.

H. B. No. 1789: Appropriation; Soil and Water Conservation Commission. Title Sufficient. Do Pass As Amended.

H. B. No. 1817: Appropriation; Legislative expenses. Title Sufficient. Do Pass As Amended.

H. B. No. 1808: Appropriation: Real Estate Commission and Appraiser Licensing and Certification Board. Title Sufficient. Do Pass As Amended.

H. B. No. 1807: Appropriation; Real Estate Appraiser Licensing and Certification Board. Title Sufficient. Do Pass As Amended.

H. B. No. 1816: Appropriation, Reappropriation, DFA - Bureau of Building - FY 2024. Title Sufficient. Do Pass As Amended.

H. B. No. 1949: Appropriation; Finance and Administration, Department of, for eligible ARPA administration and reporting expenses. Title Sufficient. Do Pass As Amended.

H. B. No. 1950: Appropriation; Finance and Admin, Dept. of, Bureau of Building, Ground, and Real Property Management for eligible ARPA capital projects. Title Sufficient. Do Pass As Amended.

H. B. No. 1951: Appropriation; Health, Department of, for funding the ARPA Rural Water Associations Infrastructure Grant Program. Title Sufficient. Do Pass As Amended.

H. B. No. 1952: Appropriation; Public Safety, Department of, for purchases of ARPA eligible equipment. Title Sufficient. Do Pass As Amended.

H. B. No. 1830: Appropriation; additional appropriation FY24. Title Sufficient. Do Pass As Amended.

H. B. No. 1916: Appropriation; Health Department for grants to hospitals ineligible for grants from Hospital Sustainability Grant Program. Title Sufficient. Do Pass As Amended.

HOPSON, Chairman

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 2125: State employees; authorize the state to offer health savings accounts to.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 2645: Mississippi Department of Transportation; design-build requirement revisions.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2635: Nonconsensual towing; regulate towing and charges for commercial vehicles.

S. B. No. 2649: Department of Environmental Quality; provide additional powers to Executive Director.

Andrew Ketchings, Clerk of the House of Representatives

President Hosemann yielded the gavel to Speaker Pro Tempore Kirby, who presided over the Senate.

Senator DeBar called up the following House Amendment to **S. B. No. 2232** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend after line 314 by inserting the following:

"SECTION 2. Section 29-3-63, Mississippi Code of 1972, is amended as follows:

29-3-63. (1) The holder of a lease of sixteenth section or lieu land, at the expiration thereof, shall have a prior right, exclusive of all other persons, to re-lease or to extend an existing lease as may be agreed upon between the holder of the lease and board of education subject to the classification of said land. Provided, however, no holder of a lease of sixteenth section land classified as agricultural land shall have any priority rights in extending his lease contract, except as otherwise provided in Section 29-3-81. Provided, however, the compensation on an annual basis shall be the fair market rental of the land excluding buildings and improvements made on such land by the lessee, the title to which is not held in trust for the public schools, but in no event shall the compensation be less than the minimum amounts prescribed in subsection (2) of this section.

(2) The board of education shall not lease or extend a lease on land classified as industrial or commercial at an annual rental less than five percent (5%) of the current market value, exclusive of buildings or improvements not owned by the school district. Such minimum acceptable percentage shall not apply to land classified as farm-residential, residential, recreational and other land; however, fair market rental will apply to those lands as determined by appraisal, comparative analysis or comparison with the private sector.

(3) The prior right to re-lease or extend an existing oil, gas and mineral lease, or any part thereof, granted under this section shall be conditioned upon the existence of production of oil, gas or other minerals thereunder in paying quantities, or the existence of a well capable of such production, or the existence of drilling or reworking operations at the time of lease expiration. Provided, however, that said lease may, in the discretion

of the board of education, be extended only as to the lands included in a unit or units as defined by the appropriate agency having jurisdiction over said unit or units. The replacement lease shall be upon such terms and conditions as may be agreed upon between the holder of the lease and the board of education, provided that the rental and royalty provisions shall not be less than the rental and royalty provisions as set out in the expired lease and the primary term shall not exceed the limitations in Section 29-3-99. Bonus payment for the replacement lease shall be consistent with the requirements set out in Section 29-3-65 with respect to oil, gas and mineral leases.

(4) Where used in this section and Section 29-3-65, the term "oil and gas lease" or "oil, gas and mineral lease" shall include all leases originally executed pursuant to Section 29-3-99.

(5) The right to re-lease an oil, gas and mineral lease provided in subsection (3) above extends to oil, gas and mineral leases which have already expired as of May 7, 1992, subject to an accounting for production from the date of lease expiration to the date of the replacement lease authorized herein.

(6) The board of education of a school district located in a municipality where Interstate 59 and U.S. Highway 49 intersect in the Broadway - West Pine redevelopment area may grant the holder of a valid lease with a term of ninety-nine (99) years, which has completely satisfied the financial obligation of the original lease agreement, being free and clear of any debt pertaining thereto, and which has less than thirty (30) years remaining on its original term, the right to extend said lease for a period not to exceed twenty-five (25) years under any additional agreed upon terms, which shall serve as an addendum to the original lease agreement, and for consideration acceptable to the board and spread upon its minutes."

Further, amend by renumber the succeeding section accordingly.

Further, amend the title to conform.

Senator Blackwell moved that the rules be suspended to move to calendar item 36, **S. B. No. 2823**, and the motion prevailed.

Senator Blackwell called up the following House Amendment to **S. B. No. 2823** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-13-115, Mississippi Code of 1972, is amended as follows:

43-13-115. Recipients of Medicaid shall be the following persons only:

(1) Those who are qualified for public assistance grants under provisions of Title IV-A and E of the federal Social Security Act, as amended, including those statutorily deemed to be IV-A and low income families and children under Section 1931 of the federal Social Security Act. For the purposes of this paragraph (1) and paragraphs (8), (17) and (18) of this section, any reference to Title IV-A or to Part A of Title IV of the federal Social Security Act, as amended, or the state plan under Title IV-A or Part A of Title IV, shall be considered as a reference to Title IV-A of the federal Social Security Act, as amended, and the state plan under Title IV-A, including the income and resource standards and methodologies under Title IV-A and the state plan, as they existed on July 16, 1996. The Department of Human Services shall determine Medicaid eligibility for children receiving

public assistance grants under Title IV-E. The division shall determine eligibility for low income families under Section 1931 of the federal Social Security Act and shall redetermine eligibility for those continuing under Title IV-A grants.

(2) Those qualified for Supplemental Security Income (SSI) benefits under Title XVI of the federal Social Security Act, as amended, and those who are deemed SSI eligible as contained in federal statute. The eligibility of individuals covered in this paragraph shall be determined by the Social Security Administration and certified to the Division of Medicaid.

(3) Qualified pregnant women who would be eligible for Medicaid as a low income family member under Section 1931 of the federal Social Security Act if her child were born. The eligibility of the individuals covered under this paragraph shall be determined by the division.

(4) [Deleted]

(5) A child born on or after October 1, 1984, to a woman eligible for and receiving Medicaid under the state plan on the date of the child's birth shall be deemed to have applied for Medicaid and to have been found eligible for Medicaid under the plan on the date of that birth, and will remain eligible for Medicaid for a period of one (1) year so long as the child is a member of the woman's household and the woman remains eligible for Medicaid or would be eligible for Medicaid if pregnant. The eligibility of individuals covered in this paragraph shall be determined by the Division of Medicaid.

(6) Children certified by the State Department of Human Services to the Division of Medicaid of whom the state and county departments of human services have custody and financial responsibility, and children who are in adoptions subsidized in full or part by the Department of Human Services, including special needs children in non-Title IV-E adoption assistance, who are approvable under Title XIX of the Medicaid program. The eligibility of the children covered under this paragraph shall be determined by the State Department of Human Services.

(7) Persons certified by the Division of Medicaid who are patients in a medical facility (nursing home, hospital, tuberculosis sanatorium or institution for treatment of mental diseases), and who, except for the fact that they are patients in that medical facility, would qualify for grants under Title IV, Supplementary Security Income (SSI) benefits under Title XVI or state supplements, and those aged, blind and disabled persons who would not be eligible for Supplemental Security Income (SSI) benefits under Title XVI or state supplements if they were not institutionalized in a medical facility but whose income is below the maximum standard set by the Division of Medicaid, which standard shall not exceed that prescribed by federal regulation.

(8) Children under eighteen (18) years of age and pregnant women (including those in intact families) who meet the financial standards of the state plan approved under Title IV-A of the federal Social Security Act, as amended. The eligibility of children covered under this paragraph shall be determined by the Division of Medicaid.

(9) Individuals who are:

(a) Children born after September 30, 1983, who have not attained the age of nineteen (19), with family income that does not exceed one hundred percent (100%) of the nonfarm official poverty level;

(b) Pregnant women, infants and children who have not attained the age of six (6), with family income that does not exceed one hundred thirty-three percent (133%) of the federal poverty level; and

(c) Pregnant women and infants who have not attained the age of one (1), with family income that does not exceed one hundred eighty-five percent (185%) of the federal poverty level.

The eligibility of individuals covered in (a), (b) and (c) of this paragraph shall be determined by the division.

(10) Certain disabled children age eighteen (18) or under who are living at home, who would be eligible, if in a medical institution, for SSI or a state supplemental payment under Title XVI of the federal Social Security Act, as amended, and therefore for Medicaid under the plan, and for whom the state has made a determination as required under Section 1902(e)(3)(b) of the federal Social Security Act, as amended. The eligibility of individuals under this paragraph shall be determined by the Division of Medicaid.

(11) Until the end of the day on December 31, 2005, individuals who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, and whose income does not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually, and whose resources do not exceed those established by the Division of Medicaid. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid. After December 31, 2005, only those individuals covered under the 1115(c) Healthier Mississippi waiver will be covered under this category.

Any individual who applied for Medicaid during the period from July 1, 2004, through March 31, 2005, who otherwise would have been eligible for coverage under this paragraph (11) if it had been in effect at the time the individual submitted his or her application and is still eligible for coverage under this paragraph (11) on March 31, 2005, shall be eligible for Medicaid coverage under this paragraph (11) from March 31, 2005, through December 31, 2005. The division shall give priority in processing the applications for those individuals to determine their eligibility under this paragraph (11).

(12) Individuals who are qualified Medicare beneficiaries (QMB) entitled to Part A Medicare as defined under Section 301, Public Law 100-360, known as the Medicare Catastrophic Coverage Act of 1988, and whose income does not exceed one hundred percent (100%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually.

The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid, and those individuals determined eligible shall receive Medicare cost-sharing expenses only as more fully defined by the Medicare Catastrophic Coverage Act of 1988 and the Balanced Budget Act of 1997.

(13) (a) Individuals who are entitled to Medicare Part A as defined in Section 4501 of the Omnibus Budget Reconciliation Act of 1990, and whose income does not exceed one hundred twenty percent (120%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually. Eligibility for Medicaid benefits is limited to full payment of Medicare Part B premiums.

(b) Individuals entitled to Part A of Medicare, with income above one hundred twenty percent (120%), but less than one hundred thirty-five percent (135%) of

the federal poverty level, and not otherwise eligible for Medicaid. Eligibility for Medicaid benefits is limited to full payment of Medicare Part B premiums. The number of eligible individuals is limited by the availability of the federal capped allocation at one hundred percent (100%) of federal matching funds, as more fully defined in the Balanced Budget Act of 1997.

The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid.

(14) [Deleted]

(15) Disabled workers who are eligible to enroll in Part A Medicare as required by Public Law 101-239, known as the Omnibus Budget Reconciliation Act of 1989, and whose income does not exceed two hundred percent (200%) of the federal poverty level as determined in accordance with the Supplemental Security Income (SSI) program. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid and those individuals shall be entitled to buy-in coverage of Medicare Part A premiums only under the provisions of this paragraph (15).

(16) In accordance with the terms and conditions of approved Title XIX waiver from the United States Department of Health and Human Services, persons provided home- and community-based services who are physically disabled and certified by the Division of Medicaid as eligible due to applying the income and deeming requirements as if they were institutionalized.

(17) In accordance with the terms of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193), persons who become ineligible for assistance under Title IV-A of the federal Social Security Act, as amended, because of increased income from or hours of employment of the caretaker relative or because of the expiration of the applicable earned income disregards, who were eligible for Medicaid for at least three (3) of the six (6) months preceding the month in which the ineligibility begins, shall be eligible for Medicaid for up to twelve (12) months. The eligibility of the individuals covered under this paragraph shall be determined by the division.

(18) Persons who become ineligible for assistance under Title IV-A of the federal Social Security Act, as amended, as a result, in whole or in part, of the collection or increased collection of child or spousal support under Title IV-D of the federal Social Security Act, as amended, who were eligible for Medicaid for at least three (3) of the six (6) months immediately preceding the month in which the ineligibility begins, shall be eligible for Medicaid for an additional four (4) months beginning with the month in which the ineligibility begins. The eligibility of the individuals covered under this paragraph shall be determined by the division.

(19) Disabled workers, whose incomes are above the Medicaid eligibility limits, but below two hundred fifty percent (250%) of the federal poverty level, shall be allowed to purchase Medicaid coverage on a sliding fee scale developed by the Division of Medicaid.

(20) Medicaid eligible children under age eighteen (18) shall remain eligible for Medicaid benefits until the end of a period of twelve (12) months following an eligibility determination, or until such time that the individual exceeds age eighteen (18).

(21) Women and men of * * * reproductive age whose family income does not exceed one hundred eighty-five percent (185%) of the federal poverty level. The eligibility of individuals covered under this paragraph (21) shall be determined by the

Division of Medicaid, and those individuals determined eligible shall only receive family planning services covered under Section 43-13-117(13) and not any other services covered under Medicaid. However, any individual eligible under this paragraph (21) who is also eligible under any other provision of this section shall receive the benefits to which he or she is entitled under that other provision, in addition to family planning services covered under Section 43-13-117(13).

The Division of Medicaid * * * may apply to the United States Secretary of Health and Human Services for a federal waiver of the applicable provisions of Title XIX of the federal Social Security Act, as amended, and any other applicable provisions of federal law as necessary to allow for the implementation of this paragraph (21). * * *

(22) Persons who are workers with a potentially severe disability, as determined by the division, shall be allowed to purchase Medicaid coverage. The term "worker with a potentially severe disability" means a person who is at least sixteen (16) years of age but under sixty-five (65) years of age, who has a physical or mental impairment that is reasonably expected to cause the person to become blind or disabled as defined under Section 1614(a) of the federal Social Security Act, as amended, if the person does not receive items and services provided under Medicaid.

The eligibility of persons under this paragraph (22) shall be conducted as a demonstration project that is consistent with Section 204 of the Ticket to Work and Work Incentives Improvement Act of 1999, Public Law 106-170, for a certain number of persons as specified by the division. The eligibility of individuals covered under this paragraph (22) shall be determined by the Division of Medicaid.

(23) Children certified by the Mississippi Department of Human Services for whom the state and county departments of human services have custody and financial responsibility who are in foster care on their eighteenth birthday as reported by the Mississippi Department of Human Services shall be certified Medicaid eligible by the Division of Medicaid until their * * * twenty-sixth birthday. Children who have aged out of foster care while on Medicaid in other states shall qualify until their twenty-sixth birthday.

(24) Individuals who have not attained age sixty-five (65), are not otherwise covered by creditable coverage as defined in the Public Health Services Act, and have been screened for breast and cervical cancer under the Centers for Disease Control and Prevention Breast and Cervical Cancer Early Detection Program established under Title XV of the Public Health Service Act in accordance with the requirements of that act and who need treatment for breast or cervical cancer. Eligibility of individuals under this paragraph (24) shall be determined by the Division of Medicaid.

(25) The division shall apply to the Centers for Medicare and Medicaid Services (CMS) for any necessary waivers to provide services to individuals who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, and whose income does not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually, and whose resources do not exceed those established by the Division of Medicaid, and who are not otherwise covered by Medicare. Nothing contained in this paragraph (25) shall entitle an individual to benefits. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid.

(26) The division shall apply to the Centers for Medicare and Medicaid Services (CMS) for any necessary waivers to provide services to individuals who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, who are end stage renal

disease patients on dialysis, cancer patients on chemotherapy or organ transplant recipients on antirejection drugs, whose income does not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually, and whose resources do not exceed those established by the division. Nothing contained in this paragraph (26) shall entitle an individual to benefits. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid.

(27) Individuals who are entitled to Medicare Part D and whose income does not exceed one hundred fifty percent (150%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually. Eligibility for payment of the Medicare Part D subsidy under this paragraph shall be determined by the division.

(28) The division is authorized and directed to provide up to twelve (12) months of continuous coverage postpartum for any individual who qualifies for Medicaid coverage under this section as a pregnant woman, to the extent allowable under federal law and as determined by the division.

The division shall redetermine eligibility for all categories of recipients described in each paragraph of this section not less frequently than required by federal law.

SECTION 2. Section 43-13-117, Mississippi Code of 1972, as amended by House Bill Number 970, 2024 Regular Session, is amended as follows:

43-13-117. (A) Medicaid as authorized by this article shall include payment of part or all of the costs, at the discretion of the division, with approval of the Governor and the Centers for Medicare and Medicaid Services, of the following types of care and services rendered to eligible applicants who have been determined to be eligible for that care and services, within the limits of state appropriations and federal matching funds:

(1) Inpatient hospital services.

(a) The division is authorized to implement an All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement methodology for inpatient hospital services.

(b) No service benefits or reimbursement limitations in this subsection (A)(1) shall apply to payments under an APR-DRG or Ambulatory Payment Classification (APC) model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(2) Outpatient hospital services.

(a) Emergency services.

(b) Other outpatient hospital services. The division shall allow benefits for other medically necessary outpatient hospital services (such as chemotherapy, radiation, surgery and therapy), including outpatient services in a clinic or other facility that is not located inside the hospital, but that has been designated as an outpatient facility by the hospital, and that was in operation or under construction on July 1, 2009, provided that the costs and charges associated with the operation of the hospital clinic are included in the hospital's cost report. In addition, the Medicare thirty-five-mile rule will apply to those hospital clinics not located inside the hospital that are constructed

after July 1, 2009. Where the same services are reimbursed as clinic services, the division may revise the rate or methodology of outpatient reimbursement to maintain consistency, efficiency, economy and quality of care.

(c) The division is authorized to implement an Ambulatory Payment Classification (APC) methodology for outpatient hospital services. The division shall give rural hospitals that have fifty (50) or fewer licensed beds the option to not be reimbursed for outpatient hospital services using the APC methodology, but reimbursement for outpatient hospital services provided by those hospitals shall be based on one hundred one percent (101%) of the rate established under Medicare for outpatient hospital services. Those hospitals choosing to not be reimbursed under the APC methodology shall remain under cost-based reimbursement for a two-year period.

(d) No service benefits or reimbursement limitations in this subsection (A)(2) shall apply to payments under an APR-DRG or APC model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(3) Laboratory and x-ray services.

(4) Nursing facility services.

(a) The division shall make full payment to nursing facilities for each day, not exceeding forty-two (42) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the forty-two-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) From and after July 1, 1997, the division shall implement the integrated case-mix payment and quality monitoring system, which includes the fair rental system for property costs and in which recapture of depreciation is eliminated. The division may reduce the payment for hospital leave and therapeutic home leave days to the lower of the case-mix category as computed for the resident on leave using the assessment being utilized for payment at that point in time, or a case-mix score of 1.000 for nursing facilities, and shall compute case-mix scores of residents so that only services provided at the nursing facility are considered in calculating a facility's per diem.

(c) From and after July 1, 1997, all state-owned nursing facilities shall be reimbursed on a full reasonable cost basis.

(d) * * * The division shall update the case-mix payment system * * * and fair rental reimbursement system as necessary to maintain compliance with federal law. The division shall develop and implement a payment add-on to reimburse nursing facilities for ventilator-dependent resident services.

(e) The division shall develop and implement, not later than January 1, 2001, a case-mix payment add-on determined by time studies and other valid statistical data that will reimburse a nursing facility for the additional cost of caring for a resident who has a diagnosis of Alzheimer's or other related dementia and exhibits symptoms that require special care. Any such case-mix add-on payment shall be supported by a determination of additional cost. The division shall also develop and implement as part of the fair rental reimbursement system for nursing facility beds, an Alzheimer's resident bed depreciation enhanced reimbursement system that will provide an incentive to encourage nursing facilities to convert or construct beds for residents with Alzheimer's or other related dementia.

(f) The division shall develop and implement an assessment process for long-term care services. The division may provide the assessment and related functions directly or through contract with the area agencies on aging.

The division shall apply for necessary federal waivers to assure that additional services providing alternatives to nursing facility care are made available to applicants for nursing facility care.

(5) Periodic screening and diagnostic services for individuals under age twenty-one (21) years as are needed to identify physical and mental defects and to provide health care treatment and other measures designed to correct or ameliorate defects and physical and mental illness and conditions discovered by the screening services, regardless of whether these services are included in the state plan. The division may include in its periodic screening and diagnostic program those discretionary services authorized under the federal regulations adopted to implement Title XIX of the federal Social Security Act, as amended. The division, in obtaining physical therapy services, occupational therapy services, and services for individuals with speech, hearing and language disorders, may enter into a cooperative agreement with the State Department of Education for the provision of those services to handicapped students by public school districts using state funds that are provided from the appropriation to the Department of Education to obtain federal matching funds through the division. The division, in obtaining medical and mental health assessments, treatment, care and services for children who are in, or at risk of being put in, the custody of the Mississippi Department of Human Services may enter into a cooperative agreement with the Mississippi Department of Human Services for the provision of those services using state funds that are provided from the appropriation to the Department of Human Services to obtain federal matching funds through the division.

(6) Physician services. Fees for physician's services that are covered only by Medicaid shall be reimbursed at ninety percent (90%) of the rate established on January 1, 2018, and as may be adjusted each July thereafter, under Medicare. The division may provide for a reimbursement rate for physician's services of up to one hundred percent (100%) of the rate established under Medicare for physician's services that are provided after the normal working hours of the physician, as determined in accordance with regulations of the division. The division may reimburse eligible providers, as determined by the division, for certain primary care services at one hundred percent (100%) of the rate established under Medicare. The division shall reimburse obstetricians and gynecologists for certain primary care services as defined by the division at one hundred percent (100%) of the rate established under Medicare.

(7) (a) Home health services for eligible persons, not to exceed in cost the prevailing cost of nursing facility services. All home health visits must be precertified as required by the division. In addition to physicians, certified registered nurse practitioners, physician assistants and clinical nurse specialists are authorized to prescribe or order home health services and plans of care, sign home health plans of care, certify and recertify eligibility for home health services and conduct the required initial face-to-face visit with the recipient of the services.

(b) [Repealed]

(8) Emergency medical transportation services as determined by the division. The division shall reimburse ambulance service providers that provide an assessment, triage, treatment or transportation for eligible Medicaid beneficiaries to an alternative destination in this state or provide an assessment or treat eligible Medicaid beneficiaries in place. The reimbursement rate for an ambulance service provider that

provides an assessment, triage, treatment or transportation for an eligible Medicaid beneficiary to an alternative destination in this state shall be at a rate or methodology as determined by the division. The division shall consult with the Mississippi Ambulance Alliance in determining the initial rate or methodology, and the division shall give due consideration to the CMS Emergency Triage, Treat, and Transport (ET3) Model and shall give due consideration of the inclusion in the Transforming Reimbursement for Emergency Ambulance Transportation program. As used in this paragraph (8):

(a) "Alternative destination" means a lower-acuity facility that provides medical services, including (i) an urgent care center; (ii) a Federally Qualified Community Health Clinic; (iv) a behavioral or mental health care facility, including a crisis stabilization unit and a diversion center; and (v) any other facilities as determined by the division with due consideration of the CMS ET3 Model.

(b) "Alternative destination" does not include a: (i) critical access hospital; (ii) dialysis center; (iii) hospital; (iv) private residence; or (v) skilled nursing facility.

(c) "Ambulance service provider" means a person or entity that provides ambulance transportation and emergency medical services to a patient for which a permit is required under Section 41-59-9.

(9) Prescription drugs and other covered drugs and services as determined by the division.

The division shall establish a mandatory preferred drug list. Drugs not on the mandatory preferred drug list shall be made available by utilizing prior authorization procedures established by the division.

The division may seek to establish relationships with other states in order to lower acquisition costs of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs. In addition, if allowed by federal law or regulation, the division may seek to establish relationships with and negotiate with other countries to facilitate the acquisition of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs, if that will lower the acquisition costs of those prescription drugs.

The division may allow for a combination of prescriptions for single-source and innovator multiple-source drugs and generic drugs to meet the needs of the beneficiaries.

The executive director may approve specific maintenance drugs for beneficiaries with certain medical conditions, which may be prescribed and dispensed in three-month supply increments.

Drugs prescribed for a resident of a psychiatric residential treatment facility must be provided in true unit doses when available. The division may require that drugs not covered by Medicare Part D for a resident of a long-term care facility be provided in true unit doses when available. Those drugs that were originally billed to the division but are not used by a resident in any of those facilities shall be returned to the billing pharmacy for credit to the division, in accordance with the guidelines of the State Board of Pharmacy and any requirements of federal law and regulation. Drugs shall be dispensed to a recipient and only one (1) dispensing fee per month may be charged. The division shall develop a methodology for reimbursing for restocked drugs, which shall include a restock fee as determined by the division not exceeding Seven Dollars and Eighty-two Cents ($7.82).

Except for those specific maintenance drugs approved by the executive director, the division shall not reimburse for any portion of a prescription that exceeds a thirty-one-day supply of the drug based on the daily dosage.

The division is authorized to develop and implement a program of payment for additional pharmacist services as determined by the division.

All claims for drugs for dually eligible Medicare/Medicaid beneficiaries that are paid for by Medicare must be submitted to Medicare for payment before they may be processed by the division's online payment system.

The division shall develop a pharmacy policy in which drugs in tamper-resistant packaging that are prescribed for a resident of a nursing facility but are not dispensed to the resident shall be returned to the pharmacy and not billed to Medicaid, in accordance with guidelines of the State Board of Pharmacy.

The division shall develop and implement a method or methods by which the division will provide on a regular basis to Medicaid providers who are authorized to prescribe drugs, information about the costs to the Medicaid program of single-source drugs and innovator multiple-source drugs, and information about other drugs that may be prescribed as alternatives to those single-source drugs and innovator multiple-source drugs and the costs to the Medicaid program of those alternative drugs.

Notwithstanding any law or regulation, information obtained or maintained by the division regarding the prescription drug program, including trade secrets and manufacturer or labeler pricing, is confidential and not subject to disclosure except to other state agencies.

The dispensing fee for each new or refill prescription, including nonlegend or over-the-counter drugs covered by the division, shall be not less than Three Dollars and Ninety-one Cents ($3.91), as determined by the division.

The division shall not reimburse for single-source or innovator multiple-source drugs if there are equally effective generic equivalents available and if the generic equivalents are the least expensive.

It is the intent of the Legislature that the pharmacists providers be reimbursed for the reasonable costs of filling and dispensing prescriptions for Medicaid beneficiaries.

The division shall allow certain drugs, including physician-administered drugs, and implantable drug system devices, and medical supplies, with limited distribution or limited access for beneficiaries and administered in an appropriate clinical setting, to be reimbursed as either a medical claim or pharmacy claim, as determined by the division.

(10) Dental and orthodontic services to be determined by the division.

The division shall increase the amount of the reimbursement rate for diagnostic and preventative dental services for each of the fiscal years 2022, 2023 and 2024 by five percent (5%) above the amount of the reimbursement rate for the previous fiscal year. The division shall increase the amount of the reimbursement rate for restorative dental services for each of the fiscal years 2023, 2024 and 2025 by five percent (5%) above the amount of the reimbursement rate for the previous fiscal year. It is the intent of the

Legislature that the reimbursement rate revision for preventative dental services will be an incentive to increase the number of dentists who actively provide Medicaid services. This dental services reimbursement rate revision shall be known as the "James Russell Dumas Medicaid Dental Services Incentive Program."

The Medical Care Advisory Committee, assisted by the Division of Medicaid, shall annually determine the effect of this incentive by evaluating the number of dentists who are Medicaid providers, the number who and the degree to which they are actively billing Medicaid, the geographic trends of where dentists are offering what types of Medicaid services and other statistics pertinent to the goals of this legislative intent. This data shall annually be presented to the Chair of the Senate Medicaid Committee and the Chair of the House Medicaid Committee.

The division shall include dental services as a necessary component of overall health services provided to children who are eligible for services.

(11) Eyeglasses for all Medicaid beneficiaries who have (a) had surgery on the eyeball or ocular muscle that results in a vision change for which eyeglasses or a change in eyeglasses is medically indicated within six (6) months of the surgery and is in accordance with policies established by the division, or (b) one (1) pair every five (5) years and in accordance with policies established by the division. In either instance, the eyeglasses must be prescribed by a physician skilled in diseases of the eye or an optometrist, whichever the beneficiary may select.

(12) Intermediate care facility services.

(a) The division shall make full payment to all intermediate care facilities for individuals with intellectual disabilities for each day, not exceeding sixty-three (63) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the sixty-three-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) All state-owned intermediate care facilities for individuals with intellectual disabilities shall be reimbursed on a full reasonable cost basis.

(c) Effective January 1, 2015, the division shall update the fair rental reimbursement system for intermediate care facilities for individuals with intellectual disabilities.

(13) Family planning services, including drugs, supplies and devices, when those services are under the supervision of a physician or nurse practitioner. Contraceptives may be prescribed and dispensed in twelve-month supply increments.

(14) Clinic services. Preventive, diagnostic, therapeutic, rehabilitative or palliative services that are furnished by a facility that is not part of a hospital but is organized and operated to provide medical care to outpatients. Clinic services include, but are not limited to:

(a) Services provided by ambulatory surgical centers (ACSs) as defined in Section 41-75-1(a); and

(b) Dialysis center services.

(15) Home- and community-based services for the elderly and disabled, as provided under Title XIX of the federal Social Security Act, as amended, under waivers, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

(16) Mental health services. Certain services provided by a psychiatrist shall be reimbursed at up to one hundred percent (100%) of the Medicare rate. Approved therapeutic and case management services (a) provided by an approved regional mental health/intellectual disability center established under Sections 41-19-31 through 41-19-39, or by another community mental health service provider meeting the requirements of the Department of Mental Health to be an approved mental health/intellectual disability center if determined necessary by the Department of Mental Health, using state funds that are provided in the appropriation to the division to match federal funds, or (b) provided by a facility that is certified by the State Department of Mental Health to provide therapeutic and case management services, to be reimbursed on a fee for service basis, or (c) provided in the community by a facility or program operated by the Department of Mental Health. Any such services provided by a facility described in subparagraph (b) must have the prior approval of the division to be reimbursable under this section.

(17) Durable medical equipment services and medical supplies. Precertification of durable medical equipment and medical supplies must be obtained as required by the division. The Division of Medicaid may require durable medical equipment providers to obtain a surety bond in the amount and to the specifications as established by the Balanced Budget Act of 1997. A maximum dollar amount of reimbursement for noninvasive ventilators or ventilation treatments properly ordered and being used in an appropriate care setting shall not be set by any health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section. Reimbursement by these organizations to durable medical equipment suppliers for home use of noninvasive and invasive ventilators shall be on a continuous monthly payment basis for the duration of medical need throughout a patient's valid prescription period.

(18) (a) Notwithstanding any other provision of this section to the contrary, as provided in the Medicaid state plan amendment or amendments as defined in Section 43-13-145(10), the division shall make additional reimbursement to hospitals that serve a disproportionate share of low-income patients and that meet the federal requirements for those payments as provided in Section 1923 of the federal Social Security Act and any applicable regulations. It is the intent of the Legislature that the division shall draw down all available federal funds allotted to the state for disproportionate share hospitals. However, from and after January 1, 1999, public hospitals participating in the Medicaid disproportionate share program may be required to participate in an intergovernmental transfer program as provided in Section 1903 of the federal Social Security Act and any applicable regulations.

(b) (i) 1. The division may establish a Medicare Upper Payment Limits Program, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, or an allowable delivery system or provider payment initiative authorized under 42 CFR 438.6(c), for hospitals, nursing facilities * * * and, physicians and other eligible licensed providers as determined by the division who are employed or contracted by hospitals.

2. The division shall establish a Medicaid Supplemental Payment Program, as permitted by the federal Social Security Act and a comparable allowable delivery system or provider payment initiative authorized under 42 CFR

438.6(c), for emergency ambulance transportation providers in accordance with this subsection (A)(18)(b).

(ii) The division shall assess each hospital, nursing facility, and emergency ambulance transportation provider for the sole purpose of financing the state portion of the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). The hospital assessment shall be as provided in Section 43-13-145(4)(a), and the nursing facility and the emergency ambulance transportation assessments, if established, shall be based on Medicaid utilization or other appropriate method, as determined by the division, consistent with federal regulations. The assessments will remain in effect as long as the state participates in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). In addition to the hospital assessment provided in Section 43-13-145(4)(a), hospitals with physicians and other eligible licensed providers as determined by the division participating in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b) shall be required to participate in an intergovernmental transfer or assessment, as determined by the division, for the purpose of financing the state portion of the physician UPL payments or other payment(s) authorized under this subsection (A)(18)(b).

(iii) Subject to approval by the Centers for Medicare and Medicaid Services (CMS) and the provisions of this subsection (A)(18)(b), the division shall make additional reimbursement to hospitals, nursing facilities, and emergency ambulance transportation providers for the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b), and, if the program is established for physicians and other eligible licensed providers as determined by the division, shall make additional reimbursement for physicians and other eligible licensed providers as determined by the division, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, provided the assessment in this subsection (A)(18)(b) is in effect.

(iv) * * * The division is authorized to develop and implement an alternative fee-for-service Upper Payment Limits model in accordance with federal laws and regulations if necessary to preserve supplemental funding. * * *

(v) 1. To preserve and improve access to ambulance transportation provider services, the division shall seek CMS approval to make ambulance service access payments as set forth in this subsection (A)(18)(b) for all covered emergency ambulance services rendered on or after July 1, 2022, and shall make such ambulance service access payments for all covered services rendered on or after the effective date of CMS approval.

2. The division shall calculate the ambulance service access payment amount as the balance of the portion of the Medical Care Fund related to ambulance transportation service provider assessments plus any federal matching funds earned on the balance, up to, but not to exceed, the upper payment limit gap for all emergency ambulance service providers.

3. a. Except for ambulance services exempt from the assessment provided in this paragraph (18)(b), all ambulance transportation service providers shall be eligible for ambulance service access payments each state fiscal year as set forth in this paragraph (18)(b).

b. In addition to any other funds paid to ambulance transportation service providers for emergency medical services provided to Medicaid beneficiaries, each eligible ambulance transportation service provider shall

receive ambulance service access payments each state fiscal year equal to the ambulance transportation service provider's upper payment limit gap. Subject to approval by the Centers for Medicare and Medicaid Services, ambulance service access payments shall be made no less than on a quarterly basis.

c. As used in this paragraph (18)(b)(v), the term "upper payment limit gap" means the difference between the total amount that the ambulance transportation service provider received from Medicaid and the average amount that the ambulance transportation service provider would have received from commercial insurers for those services reimbursed by Medicaid.

4. An ambulance service access payment shall not be used to offset any other payment by the division for emergency or nonemergency services to Medicaid beneficiaries.

(c) (i) * * * The division shall, subject to approval by the Centers for Medicare and Medicaid Services (CMS), establish, implement and operate a Mississippi Hospital Access Program (MHAP) for the purpose of protecting patient access to hospital care through hospital inpatient reimbursement programs provided in this section designed to maintain total hospital reimbursement for inpatient services rendered by in-state hospitals and the out-of-state hospital that is authorized by federal law to submit intergovernmental transfers (IGTs) to the State of Mississippi and is classified as Level I trauma center located in a county contiguous to the state line at the maximum levels permissible under applicable federal statutes and regulations * * *.

(ii) Subject to approval by the Centers for Medicare and Medicaid Services (CMS), the MHAP shall provide increased inpatient capitation (PMPM) payments to managed care entities contracting with the division pursuant to subsection (H) of this section to support availability of hospital services or such other payments permissible under federal law necessary to accomplish the intent of this subsection.

* * *

(iv) The division shall assess each hospital as provided in Section 43-13-145(4)(a) for the purpose of financing the state portion of the MHAP, supplemental payments and such other purposes as specified in Section 43-13-145. The assessment will remain in effect as long as the MHAP and supplemental payments are in effect.

(v) Supplemental payments to a hospital shall not decrease by more than five percent (5%) when compared to a hospital's prior year payment and the division shall not substantially change the methodologies used to calculate a hospital's supplemental payment. Nothing in this subparagraph (v) shall be construed to prohibit an increase in total funding available for hospital supplemental payment programs.

(19) (a) Perinatal risk management services. The division shall promulgate regulations to be effective from and after October 1, 1988, to establish a comprehensive perinatal system for risk assessment of all pregnant and infant Medicaid recipients and for management, education and follow-up for those who are determined to be at risk. Services to be performed include case management, nutrition assessment/counseling, psychosocial assessment/counseling and health education. The division shall contract with the State Department of Health to provide services within this paragraph (Perinatal High Risk Management/Infant Services System (PHRM/ISS)) for any eligible beneficiary that cannot receive these services under a different program. The State Department of Health shall be reimbursed on a full reasonable cost basis for services provided under

this subparagraph (a). Any program authorized under subsection (H) of this section shall develop a perinatal risk management services program in consultation with the division and the State Department of Health or shall contract with the State Department of Health for these services, and the programs shall begin providing these services no later than January 1, 2025.

(b) Early intervention system services. The division shall cooperate with the State Department of Health, acting as lead agency, in the development and implementation of a statewide system of delivery of early intervention services, under Part C of the Individuals with Disabilities Education Act (IDEA). The State Department of Health shall certify annually in writing to the executive director of the division the dollar amount of state early intervention funds available that will be utilized as a certified match for Medicaid matching funds. Those funds then shall be used to provide expanded targeted case management services for Medicaid eligible children with special needs who are eligible for the state's early intervention system. Qualifications for persons providing service coordination shall be determined by the State Department of Health and the Division of Medicaid.

(20) Home- and community-based services for physically disabled approved services as allowed by a waiver from the United States Department of Health and Human Services for home- and community-based services for physically disabled people using state funds that are provided from the appropriation to the State Department of Rehabilitation Services and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Rehabilitation Services.

(21) Nurse practitioner services. Services furnished by a registered nurse who is licensed and certified by the Mississippi Board of Nursing as a nurse practitioner, including, but not limited to, nurse anesthetists, nurse midwives, family nurse practitioners, family planning nurse practitioners, pediatric nurse practitioners, obstetrics-gynecology nurse practitioners and neonatal nurse practitioners, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for nurse practitioner services of up to one hundred percent (100%) of the reimbursement rate for comparable services rendered by a physician for nurse practitioner services that are provided after the normal working hours of the nurse practitioner, as determined in accordance with regulations of the division.

(22) Ambulatory services delivered in federally qualified health centers, rural health centers and clinics of the local health departments of the State Department of Health for individuals eligible for Medicaid under this article based on reasonable costs as determined by the division. Federally qualified health centers shall be reimbursed by the Medicaid prospective payment system as approved by the Centers for Medicare and Medicaid Services. The division shall recognize federally qualified health centers (FQHCs), rural health clinics (RHCs) and community mental health centers (CMHCs) as both an originating and distant site provider for the purposes of telehealth reimbursement. The division is further authorized and directed to reimburse FQHCs, RHCs and CMHCs for both distant site and originating site services when such services are appropriately provided by the same organization.

(23) Inpatient psychiatric services.

(a) Inpatient psychiatric services to be determined by the division for recipients under age twenty-one (21) that are provided under the direction of a physician in an inpatient program in a licensed acute care psychiatric facility or in a licensed psychiatric residential treatment facility, before the recipient reaches age twenty-one (21)

or, if the recipient was receiving the services immediately before he or she reached age twenty-one (21), before the earlier of the date he or she no longer requires the services or the date he or she reaches age twenty-two (22), as provided by federal regulations. From and after January 1, 2015, the division shall update the fair rental reimbursement system for psychiatric residential treatment facilities. Precertification of inpatient days and residential treatment days must be obtained as required by the division. From and after July 1, 2009, all state-owned and state-operated facilities that provide inpatient psychiatric services to persons under age twenty-one (21) who are eligible for Medicaid reimbursement shall be reimbursed for those services on a full reasonable cost basis.

(b) The division may reimburse for services provided by a licensed freestanding psychiatric hospital to Medicaid recipients over the age of twenty-one (21) in a method and manner consistent with the provisions of Section 43-13-117.5.

(24) * * * Certified community behavioral health centers (CCBHCs). The division may reimburse CCBHCs in a manner determined by the division.

(25) [Deleted]

(26) Hospice care. As used in this paragraph, the term "hospice care" means a coordinated program of active professional medical attention within the home and outpatient and inpatient care that treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social and economic stresses that are experienced during the final stages of illness and during dying and bereavement and meets the Medicare requirements for participation as a hospice as provided in federal regulations.

(27) Group health plan premiums and cost-sharing if it is cost-effective as defined by the United States Secretary of Health and Human Services.

(28) Other health insurance premiums that are cost-effective as defined by the United States Secretary of Health and Human Services. Medicare eligible must have Medicare Part B before other insurance premiums can be paid.

(29) The Division of Medicaid may apply for a waiver from the United States Department of Health and Human Services for home- and community-based services for developmentally disabled people using state funds that are provided from the appropriation to the State Department of Mental Health and/or funds transferred to the department by a political subdivision or instrumentality of the state and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Mental Health and/or transferred to the department by a political subdivision or instrumentality of the state.

(30) Pediatric skilled nursing services as determined by the division and in a manner consistent with regulations promulgated by the Mississippi State Department of Health.

(31) Targeted case management services for children with special needs, under waivers from the United States Department of Health and Human Services, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(32) Care and services provided in Christian Science Sanatoria listed and certified by the Commission for Accreditation of Christian Science Nursing Organizations/Facilities, Inc., rendered in connection with treatment by prayer or spiritual means to the extent that those services are subject to reimbursement under Section 1903 of the federal Social Security Act.

(33) Podiatrist services.

(34) Assisted living services as provided through home- and community-based services under Title XIX of the federal Social Security Act, as amended, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

(35) Services and activities authorized in Sections 43-27-101 and 43-27-103, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(36) Nonemergency transportation services for Medicaid-eligible persons as determined by the division. The PEER Committee shall conduct a performance evaluation of the nonemergency transportation program to evaluate the administration of the program and the providers of transportation services to determine the most cost-effective ways of providing nonemergency transportation services to the patients served under the program. The performance evaluation shall be completed and provided to the members of the Senate Medicaid Committee and the House Medicaid Committee not later than January 1, 2019, and every two (2) years thereafter.

(37) [Deleted]

(38) Chiropractic services. A chiropractor's manual manipulation of the spine to correct a subluxation, if x-ray demonstrates that a subluxation exists and if the subluxation has resulted in a neuromusculoskeletal condition for which manipulation is appropriate treatment, and related spinal x-rays performed to document these conditions. Reimbursement for chiropractic services shall not exceed Seven Hundred Dollars ($700.00) per year per beneficiary.

(39) Dually eligible Medicare/Medicaid beneficiaries. The division shall pay the Medicare deductible and coinsurance amounts for services available under Medicare, as determined by the division. From and after July 1, 2009, the division shall reimburse crossover claims for inpatient hospital services and crossover claims covered under Medicare Part B in the same manner that was in effect on January 1, 2008, unless specifically authorized by the Legislature to change this method.

(40) [Deleted]

(41) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons with spinal cord injuries or traumatic brain injuries, as allowed under waivers from the United States Department of Health and Human Services, using up to seventy-five percent (75%) of the funds that are appropriated to the Department of Rehabilitation Services from the Spinal Cord and Head Injury Trust Fund established under Section 37-33-261 and used to match federal funds under a cooperative agreement between the division and the department.

(42) [Deleted]

(43) The division shall provide reimbursement, according to a payment schedule developed by the division, for smoking cessation medications for pregnant women during their pregnancy and other Medicaid-eligible women who are of child-bearing age.

(44) Nursing facility services for the severely disabled.

(a) Severe disabilities include, but are not limited to, spinal cord injuries, closed-head injuries and ventilator-dependent patients.

(b) Those services must be provided in a long-term care nursing facility dedicated to the care and treatment of persons with severe disabilities.

(45) Physician assistant services. Services furnished by a physician assistant who is licensed by the State Board of Medical Licensure and is practicing with physician supervision under regulations adopted by the board, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for physician assistant services of up to one hundred percent (100%) or the reimbursement rate for comparable services rendered by a physician for physician assistant services that are provided after the normal working hours of the physician assistant, as determined in accordance with regulations of the division.

(46) The division shall make application to the federal Centers for Medicare and Medicaid Services (CMS) for a waiver to develop and provide services for children with serious emotional disturbances as defined in Section 43-14-1(1), which may include home- and community-based services, case management services or managed care services through mental health providers certified by the Department of Mental Health. The division may implement and provide services under this waivered program only if funds for these services are specifically appropriated for this purpose by the Legislature, or if funds are voluntarily provided by affected agencies.

(47) (a) The division may develop and implement disease management programs for individuals with high-cost chronic diseases and conditions, including the use of grants, waivers, demonstrations or other projects as necessary.

(b) Participation in any disease management program implemented under this paragraph (47) is optional with the individual. An individual must affirmatively elect to participate in the disease management program in order to participate, and may elect to discontinue participation in the program at any time.

(48) Pediatric long-term acute care hospital services.

(a) Pediatric long-term acute care hospital services means services provided to eligible persons under twenty-one (21) years of age by a freestanding Medicare-certified hospital that has an average length of inpatient stay greater than twenty-five (25) days and that is primarily engaged in providing chronic or long-term medical care to persons under twenty-one (21) years of age.

(b) The services under this paragraph (48) shall be reimbursed as a separate category of hospital services.

(49) The division may establish copayments and/or coinsurance for any Medicaid services for which copayments and/or coinsurance are allowable under federal law or regulation.

(50) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons who are deaf and blind, as allowed under waivers from the United States Department of Health and Human Services to provide home- and community-based services using state funds that are provided from the appropriation to the State Department of Rehabilitation Services or if funds are voluntarily provided by another agency.

(51) Upon determination of Medicaid eligibility and in association with annual redetermination of Medicaid eligibility, beneficiaries shall be encouraged to undertake a physical examination that will establish a base-line level of health and identification of a usual and customary source of care (a medical home) to aid utilization of disease management tools. This physical examination and utilization of these disease management tools shall be consistent with current United States Preventive Services Task Force or other recognized authority recommendations.

For persons who are determined ineligible for Medicaid, the division will provide information and direction for accessing medical care and services in the area of their residence.

(52) Notwithstanding any provisions of this article, the division may pay enhanced reimbursement fees related to trauma care, as determined by the division in conjunction with the State Department of Health, using funds appropriated to the State Department of Health for trauma care and services and used to match federal funds under a cooperative agreement between the division and the State Department of Health. The division, in conjunction with the State Department of Health, may use grants, waivers, demonstrations, enhanced reimbursements, Upper Payment Limits Programs, supplemental payments, or other projects as necessary in the development and implementation of this reimbursement program.

(53) Targeted case management services for high-cost beneficiaries may be developed by the division for all services under this section.

(54) [Deleted]

(55) Therapy services. The plan of care for therapy services may be developed to cover a period of treatment for up to six (6) months, but in no event shall the plan of care exceed a six-month period of treatment. The projected period of treatment must be indicated on the initial plan of care and must be updated with each subsequent revised plan of care. Based on medical necessity, the division shall approve certification periods for less than or up to six (6) months, but in no event shall the certification period exceed the period of treatment indicated on the plan of care. The appeal process for any reduction in therapy services shall be consistent with the appeal process in federal regulations.

(56) Prescribed pediatric extended care centers services for medically dependent or technologically dependent children with complex medical conditions that require continual care as prescribed by the child's attending physician, as determined by the division.

(57) No Medicaid benefit shall restrict coverage for medically appropriate treatment prescribed by a physician and agreed to by a fully informed individual, or if the individual lacks legal capacity to consent by a person who has legal authority to consent on his or her behalf, based on an individual's diagnosis with a terminal condition. As used in this paragraph (57), "terminal condition" means any aggressive malignancy, chronic end-stage cardiovascular or cerebral vascular disease, or any other disease, illness or condition which a physician diagnoses as terminal.

(58) Treatment services for persons with opioid dependency or other highly addictive substance use disorders. The division is authorized to reimburse eligible providers for treatment of opioid dependency and other highly addictive substance use disorders, as determined by the division. Treatment related to these conditions shall not count against any physician visit limit imposed under this section.

(59) The division shall allow beneficiaries between the ages of ten (10) and eighteen (18) years to receive vaccines through a pharmacy venue. The division and the State Department of Health shall coordinate and notify OB-GYN providers that the Vaccines for Children program is available to providers free of charge.

(60) Border city university-affiliated pediatric teaching hospital.

(a) Payments may only be made to a border city university-affiliated pediatric teaching hospital if the Centers for Medicare and Medicaid Services (CMS) approve an increase in the annual request for the provider payment initiative authorized under 42 CFR Section 438.6(c) in an amount equal to or greater than the estimated annual payment to be made to the border city university-affiliated pediatric teaching hospital. The estimate shall be based on the hospital's prior year Mississippi managed care utilization.

(b) As used in this paragraph (60), the term "border city university-affiliated pediatric teaching hospital" means an out-of-state hospital located within a city bordering the eastern bank of the Mississippi River and the State of Mississippi that submits to the division a copy of a current and effective affiliation agreement with an accredited university and other documentation establishing that the hospital is university-affiliated, is licensed and designated as a pediatric hospital or pediatric primary hospital within its home state, maintains at least five (5) different pediatric specialty training programs, and maintains at least one hundred (100) operated beds dedicated exclusively for the treatment of patients under the age of twenty-one (21) years.

(c) The cost of providing services to Mississippi Medicaid beneficiaries under the age of twenty-one (21) years who are treated by a border city university-affiliated pediatric teaching hospital shall not exceed the cost of providing the same services to individuals in hospitals in the state.

(d) It is the intent of the Legislature that payments shall not result in any in-state hospital receiving payments lower than they would otherwise receive if not for the payments made to any border city university-affiliated pediatric teaching hospital.

(e) This paragraph (60) shall stand repealed on July 1, 2024.

(B) Planning and development districts participating in the home- and community-based services program for the elderly and disabled as case management providers shall be reimbursed for case management services at the maximum rate approved by the Centers for Medicare and Medicaid Services (CMS).

(C) The division may pay to those providers who participate in and accept patient referrals from the division's emergency room redirection program a percentage, as determined by the division, of savings achieved according to the performance measures and reduction of costs required of that program. Federally qualified health centers may participate in the emergency room redirection program, and the division may pay those centers a percentage of any savings to the Medicaid program achieved by the centers' accepting patient referrals through the program, as provided in this subsection (C).

(D) (1) As used in this subsection (D), the following terms shall be defined as provided in this paragraph, except as otherwise provided in this subsection:

(a) "Committees" means the Medicaid Committees of the House of Representatives and the Senate, and "committee" means either one of those committees.

(b) "Rate change" means an increase, decrease or other change in the payments or rates of reimbursement, or a change in any payment methodology that results in an increase, decrease or other change in the payments or rates of reimbursement, to any Medicaid provider that renders any services authorized to be provided to Medicaid recipients under this article.

(2) Whenever the Division of Medicaid proposes a rate change, the division shall give notice to the chairmen of the committees at least thirty (30) calendar days before the proposed rate change is scheduled to take effect. The division shall furnish the chairmen with a concise summary of each proposed rate change along with the notice, and shall furnish the chairmen with a copy of any proposed rate change upon request. The division also shall provide a summary and copy of any proposed rate change to any other member of the Legislature upon request.

(3) If the chairman of either committee or both chairmen jointly object to the proposed rate change or any part thereof, the chairman or chairmen shall notify the division and provide the reasons for their objection in writing not later than seven (7) calendar days after receipt of the notice from the division. The chairman or chairmen may make written recommendations to the division for changes to be made to a proposed rate change.

(4) (a) The chairman of either committee or both chairmen jointly may hold a committee meeting to review a proposed rate change. If either chairman or both chairmen decide to hold a meeting, they shall notify the division of their intention in writing within seven (7) calendar days after receipt of the notice from the division, and shall set the date and time for the meeting in their notice to the division, which shall not be later than fourteen (14) calendar days after receipt of the notice from the division.

(b) After the committee meeting, the committee or committees may object to the proposed rate change or any part thereof. The committee or committees shall notify the division and the reasons for their objection in writing not later than seven (7) calendar days after the meeting. The committee or committees may make written recommendations to the division for changes to be made to a proposed rate change.

(5) If both chairmen notify the division in writing within seven (7) calendar days after receipt of the notice from the division that they do not object to the proposed rate change and will not be holding a meeting to review the proposed rate change, the proposed rate change will take effect on the original date as scheduled by the division or on such other date as specified by the division.

(6) (a) If there are any objections to a proposed rate change or any part thereof from either or both of the chairmen or the committees, the division may withdraw the proposed rate change, make any of the recommended changes to the proposed rate change, or not make any changes to the proposed rate change.

(b) If the division does not make any changes to the proposed rate change, it shall notify the chairmen of that fact in writing, and the proposed rate change shall take effect on the original date as scheduled by the division or on such other date as specified by the division.

(c) If the division makes any changes to the proposed rate change, the division shall notify the chairmen of its actions in writing, and the revised proposed rate change shall take effect on the date as specified by the division.

(7) Nothing in this subsection (D) shall be construed as giving the chairmen or the committees any authority to veto, nullify or revise any rate change proposed by the division. The authority of the chairmen or the committees under this subsection shall be limited to reviewing, making objections to and making recommendations for changes to rate changes proposed by the division.

(E) Notwithstanding any provision of this article, no new groups or categories of recipients and new types of care and services may be added without enabling legislation from the Mississippi Legislature, except that the division may authorize those changes without enabling legislation when the addition of recipients or services is ordered by a court of proper authority.

(F) The executive director shall keep the Governor advised on a timely basis of the funds available for expenditure and the projected expenditures. Notwithstanding any other provisions of this article, if current or projected expenditures of the division are reasonably anticipated to exceed the amount of funds appropriated to the division for any fiscal year, the Governor, after consultation with the executive director, shall take all appropriate measures to reduce costs, which may include, but are not limited to:

(1) Reducing or discontinuing any or all services that are deemed to be optional under Title XIX of the Social Security Act;

(2) Reducing reimbursement rates for any or all service types;

(3) Imposing additional assessments on health care providers; or

(4) Any additional cost-containment measures deemed appropriate by the Governor.

To the extent allowed under federal law, any reduction to services or reimbursement rates under this subsection (F) shall be accompanied by a reduction, to the fullest allowable amount, to the profit margin and administrative fee portions of capitated payments to organizations described in paragraph (1) of subsection (H).

Beginning in fiscal year 2010 and in fiscal years thereafter, when Medicaid expenditures are projected to exceed funds available for the fiscal year, the division shall submit the expected shortfall information to the PEER Committee not later than December 1 of the year in which the shortfall is projected to occur. PEER shall review the computations of the division and report its findings to the Legislative Budget Office not later than January 7 in any year.

(G) Notwithstanding any other provision of this article, it shall be the duty of each provider participating in the Medicaid program to keep and maintain books, documents and other records as prescribed by the Division of Medicaid in accordance with federal laws and regulations.

(H) (1) Notwithstanding any other provision of this article, the division is authorized to implement (a) a managed care program, (b) a coordinated care program, (c) a coordinated care organization program, (d) a health maintenance organization program, (e) a patient-centered medical home program, (f) an accountable care organization program, (g) provider-sponsored health plan, or (h) any combination of the above programs. As a condition for the approval of any program under this subsection (H)(1), the division shall require that no managed care program, coordinated care program, coordinated care organization program, health maintenance organization program, or provider-sponsored health plan may:

(a) Pay providers at a rate that is less than the Medicaid All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement rate;

(b) Override the medical decisions of hospital physicians or staff regarding patients admitted to a hospital for an emergency medical condition as defined by 42 US Code Section 1395dd. This restriction (b) does not prohibit the retrospective review of the appropriateness of the determination that an emergency medical condition exists by chart review or coding algorithm, nor does it prohibit prior authorization for nonemergency hospital admissions;

(c) Pay providers at a rate that is less than the normal Medicaid reimbursement rate. It is the intent of the Legislature that all managed care entities described in this subsection (H), in collaboration with the division, develop and implement innovative payment models that incentivize improvements in health care quality, outcomes, or value, as determined by the division. Participation in the provider network of any managed care, coordinated care, provider-sponsored health plan, or similar contractor shall not be conditioned on the provider's agreement to accept such alternative payment models;

(d) Implement a prior authorization and utilization review program for medical services, transportation services and prescription drugs that is more stringent than the prior authorization processes used by the division in its administration of the Medicaid program. Not later than December 2, 2021, the contractors that are receiving capitated payments under a managed care delivery system established under this subsection (H) shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the prior authorization and utilization review program for medical services, transportation services and prescription drugs that is required to be implemented under this subparagraph (d);

(e) [Deleted]

(f) Implement a preferred drug list that is more stringent than the mandatory preferred drug list established by the division under subsection (A)(9) of this section;

(g) Implement a policy which denies beneficiaries with hemophilia access to the federally funded hemophilia treatment centers as part of the Medicaid Managed Care network of providers.

Each health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall use a clear set of level of care guidelines in the determination of medical necessity and in all utilization management practices, including the prior authorization process, concurrent reviews, retrospective reviews and payments, that are consistent with widely accepted professional standards of care. Organizations participating in a managed care program or coordinated care program implemented by the division may not use any additional criteria that would result in denial of care that would be determined appropriate and, therefore, medically necessary under those levels of care guidelines.

(2) Notwithstanding any provision of this section, the recipients eligible for enrollment into a Medicaid Managed Care Program authorized under this subsection (H) may include only those categories of recipients eligible for participation in the Medicaid Managed Care Program as of January 1, 2021, the Children's Health Insurance Program (CHIP), and the CMS-approved Section 1115 demonstration waivers in operation as of January 1, 2021. No expansion of Medicaid Managed Care Program contracts may be implemented by the division without enabling legislation from the Mississippi Legislature.

(3) (a) Any contractors receiving capitated payments under a managed care delivery system established in this section shall provide to the Legislature and the division statistical data to be shared with provider groups in order to improve patient access, appropriate utilization, cost savings and health outcomes not later than October 1 of each year. Additionally, each contractor shall disclose to the Chairmen of the Senate and House Medicaid Committees the administrative expenses costs for the prior calendar year, and the number of full-equivalent employees located in the State of Mississippi dedicated to the Medicaid and CHIP lines of business as of June 30 of the current year.

(b) The division and the contractors participating in the managed care program, a coordinated care program or a provider-sponsored health plan shall be subject to annual program reviews or audits performed by the Office of the State Auditor, the PEER Committee, the Department of Insurance and/or independent third parties.

(c) Those reviews shall include, but not be limited to, at least two (2) of the following items:

(i) The financial benefit to the State of Mississippi of the managed care program,

(ii) The difference between the premiums paid to the managed care contractors and the payments made by those contractors to health care providers,

(iii) Compliance with performance measures required under the contracts,

(iv) Administrative expense allocation methodologies,

(v) Whether nonprovider payments assigned as medical expenses are appropriate,

(vi) Capitated arrangements with related party subcontractors,

(vii) Reasonableness of corporate allocations,

(viii) Value-added benefits and the extent to which they are used,

(ix) The effectiveness of subcontractor oversight, including subcontractor review,

(x) Whether health care outcomes have been improved, and

(xi) The most common claim denial codes to determine the reasons for the denials.

The audit reports shall be considered public documents and shall be posted in their entirety on the division's website.

(4) All health maintenance organizations, coordinated care organizations, provider-sponsored health plans, or other organizations paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall reimburse all providers in those organizations at rates no lower than those provided under this section for beneficiaries who are not participating in those programs.

(5) No health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall require its providers or beneficiaries to use any pharmacy that ships, mails or delivers prescription drugs or legend drugs or devices.

(6) (a) Not later than December 1, 2021, the contractors who are receiving capitated payments under a managed care delivery system established under this subsection (H) shall develop and implement a uniform credentialing process for providers. Under that uniform credentialing process, a provider who meets the criteria for credentialing will be credentialed with all of those contractors and no such provider will have to be separately credentialed by any individual contractor in order to receive reimbursement from the contractor. Not later than December 2, 2021, those contractors shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the uniform credentialing process for providers that is required under this subparagraph (a).

(b) If those contractors have not implemented a uniform credentialing process as described in subparagraph (a) by December 1, 2021, the division shall develop and implement, not later than July 1, 2022, a single, consolidated credentialing process by which all providers will be credentialed. Under the division's single, consolidated credentialing process, no such contractor shall require its providers to be separately credentialed by the contractor in order to receive reimbursement from the contractor, but those contractors shall recognize the credentialing of the providers by the division's credentialing process.

(c) The division shall require a uniform provider credentialing application that shall be used in the credentialing process that is established under subparagraph (a) or (b). If the contractor or division, as applicable, has not approved or

denied the provider credentialing application within sixty (60) days of receipt of the completed application that includes all required information necessary for credentialing, then the contractor or division, upon receipt of a written request from the applicant and within five (5) business days of its receipt, shall issue a temporary provider credential/enrollment to the applicant if the applicant has a valid Mississippi professional or occupational license to provide the health care services to which the credential/enrollment would apply. The contractor or the division shall not issue a temporary credential/enrollment if the applicant has reported on the application a history of medical or other professional or occupational malpractice claims, a history of substance abuse or mental health issues, a criminal record, or a history of medical or other licensing board, state or federal disciplinary action, including any suspension from participation in a federal or state program. The temporary credential/enrollment shall be effective upon issuance and shall remain in effect until the provider's credentialing/enrollment application is approved or denied by the contractor or division. The contractor or division shall render a final decision regarding credentialing/enrollment of the provider within sixty (60) days from the date that the temporary provider credential/enrollment is issued to the applicant.

(d) If the contractor or division does not render a final decision regarding credentialing/enrollment of the provider within the time required in subparagraph (c), the provider shall be deemed to be credentialed by and enrolled with all of the contractors and eligible to receive reimbursement from the contractors.

(7) (a) Each contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to each provider for whom the contractor has denied the coverage of a procedure that was ordered or requested by the provider for or on behalf of a patient, a letter that provides a detailed explanation of the reasons for the denial of coverage of the procedure and the name and the credentials of the person who denied the coverage. The letter shall be sent to the provider in electronic format.

(b) After a contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) has denied coverage for a claim submitted by a provider, the contractor shall issue to the provider within sixty (60) days a final ruling of denial of the claim that allows the provider to have a state fair hearing and/or agency appeal with the division. If a contractor does not issue a final ruling of denial within sixty (60) days as required by this subparagraph (b), the provider's claim shall be deemed to be automatically approved and the contractor shall pay the amount of the claim to the provider.

(c) After a contractor has issued a final ruling of denial of a claim submitted by a provider, the division shall conduct a state fair hearing and/or agency appeal on the matter of the disputed claim between the contractor and the provider within sixty (60) days, and shall render a decision on the matter within thirty (30) days after the date of the hearing and/or appeal.

(8) It is the intention of the Legislature that the division evaluate the feasibility of using a single vendor to administer pharmacy benefits provided under a managed care delivery system established under this subsection (H). Providers of pharmacy benefits shall cooperate with the division in any transition to a carve-out of pharmacy benefits under managed care.

(9) The division shall evaluate the feasibility of using a single vendor to administer dental benefits provided under a managed care delivery system established in this subsection (H). Providers of dental benefits shall cooperate with the division in any transition to a carve-out of dental benefits under managed care.

(10) It is the intent of the Legislature that any contractor receiving capitated payments under a managed care delivery system established in this section shall implement innovative programs to improve the health and well-being of members diagnosed with prediabetes and diabetes.

(11) It is the intent of the Legislature that any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall work with providers of Medicaid services to improve the utilization of long-acting reversible contraceptives (LARCs). Not later than December 1, 2021, any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to the Chairmen of the House and Senate Medicaid Committees and House and Senate Public Health Committees a report of LARC utilization for State Fiscal Years 2018 through 2020 as well as any programs, initiatives, or efforts made by the contractors and providers to increase LARC utilization. This report shall be updated annually to include information for subsequent state fiscal years.

(12) The division is authorized to make not more than one (1) emergency extension of the contracts that are in effect on July 1, 2021, with contractors who are receiving capitated payments under a managed care delivery system established under this subsection (H), as provided in this paragraph (12). The maximum period of any such extension shall be one (1) year, and under any such extensions, the contractors shall be subject to all of the provisions of this subsection (H). The extended contracts shall be revised to incorporate any provisions of this subsection (H).

(I) [Deleted]

(J) There shall be no cuts in inpatient and outpatient hospital payments, or allowable days or volumes, as long as the hospital assessment provided in Section 43-13-145 is in effect. This subsection (J) shall not apply to decreases in payments that are a result of: reduced hospital admissions, audits or payments under the APR-DRG or APC models, or a managed care program or similar model described in subsection (H) of this section.

(K) In the negotiation and execution of such contracts involving services performed by actuarial firms, the Executive Director of the Division of Medicaid may negotiate a limitation on liability to the state of prospective contractors.

(L) The Division of Medicaid shall reimburse for services provided to eligible Medicaid beneficiaries by a licensed birthing center in a method and manner to be determined by the division in accordance with federal laws and federal regulations. The division shall seek any necessary waivers, make any required amendments to its State Plan or revise any contracts authorized under subsection (H) of this section as necessary to provide the services authorized under this subsection. As used in this subsection, the term "birthing centers" shall have the meaning as defined in Section 41-77-1(a), which is a publicly or privately owned facility, place or institution constructed, renovated, leased or otherwise established where nonemergency births are planned to occur away from the mother's usual residence following a documented period of prenatal care for a normal uncomplicated pregnancy which has been determined to be low risk through a formal risk-scoring examination.

(M) This section shall stand repealed on July 1, 2028.

SECTION 3. Section 43-13-145, Mississippi Code of 1972, as amended by House Bill Number 970, 2024 Regular Session, is amended as follows:

43-13-145. (1) (a) Upon each nursing facility licensed by the State of Mississippi, there is levied an assessment in an amount set by the division, equal to the

maximum rate allowed by federal law or regulation, for each licensed and occupied bed of the facility.

(b) A nursing facility is exempt from the assessment levied under this subsection if the facility is operated under the direction and control of:

(i) The United States Veterans Administration or other agency or department of the United States government; or

(ii) The State Veterans Affairs Board.

(2) (a) Upon each intermediate care facility for individuals with intellectual disabilities licensed by the State of Mississippi, there is levied an assessment in an amount set by the division, equal to the maximum rate allowed by federal law or regulation, for each licensed and occupied bed of the facility.

(b) An intermediate care facility for individuals with intellectual disabilities is exempt from the assessment levied under this subsection if the facility is operated under the direction and control of:

(i) The United States Veterans Administration or other agency or department of the United States government;

(ii) The State Veterans Affairs Board; or

(iii) The University of Mississippi Medical Center.

(3) (a) Upon each psychiatric residential treatment facility licensed by the State of Mississippi, there is levied an assessment in an amount set by the division, equal to the maximum rate allowed by federal law or regulation, for each licensed and occupied bed of the facility.

(b) A psychiatric residential treatment facility is exempt from the assessment levied under this subsection if the facility is operated under the direction and control of:

(i) The United States Veterans Administration or other agency or department of the United States government;

(ii) The University of Mississippi Medical Center; or

(iii) A state agency or a state facility that either provides its own state match through intergovernmental transfer or certification of funds to the division.

(4) Hospital assessment.

(a) (i) Subject to and upon fulfillment of the requirements and conditions of paragraph (f) below, and notwithstanding any other provisions of this section, an annual assessment on each hospital licensed in the state is imposed on each non-Medicare hospital inpatient day as defined below at a rate that is determined by dividing the sum prescribed in this subparagraph (i), plus the nonfederal share necessary to maximize the Disproportionate Share Hospital (DSH) and Medicare Upper Payment Limits (UPL) Program payments and hospital access payments and such other supplemental payments as may be developed pursuant to Section 43-13-117(A)(18), by the total number of non-Medicare hospital inpatient days as defined below for all licensed Mississippi hospitals, except as provided in paragraph (d) below. If the state-matching funds percentage for the Mississippi Medicaid program is sixteen percent (16%) or less, the sum used in the formula under this subparagraph (i) shall be Seventy-four Million Dollars ($74,000,000.00). If the state-matching funds percentage for the Mississippi Medicaid program is twenty-four percent (24%) or higher, the sum used in the formula under this subparagraph (i) shall be One Hundred Four Million Dollars ($104,000,000.00). If the state-matching funds percentage for the Mississippi Medicaid program is between sixteen percent (16%) and twenty-four percent (24%), the sum used in the formula under this subparagraph (i) shall be a pro rata amount determined as follows: the current state-matching funds percentage rate minus sixteen percent (16%) divided by eight percent (8%) multiplied by Thirty Million Dollars ($30,000,000.00) and add that amount to Seventy-four Million Dollars ($74,000,000.00). However, no assessment in a quarter under this subparagraph (i) may exceed the assessment in the previous quarter by more than Three Million Seven Hundred Fifty Thousand Dollars ($3,750,000.00) (which would be Fifteen Million Dollars ($15,000,000.00) on an annualized basis), unless such increase is to maximize federal funds that are available to reimburse hospitals for services provided under new programs for hospitals, increased supplemental payment programs for hospitals or to assist with state matching funds as authorized by the Legislature. The division shall

publish the state-matching funds percentage rate applicable to the Mississippi Medicaid program on the tenth day of the first month of each quarter and the assessment determined under the formula prescribed above shall be applicable in the quarter following any adjustment in that state-matching funds percentage rate. The division shall notify each hospital licensed in the state as to any projected increases or decreases in the assessment determined under this subparagraph (i). However, if the Centers for Medicare and Medicaid Services (CMS) does not approve the provision in Section 43-13-117(39) requiring the division to reimburse crossover claims for inpatient hospital services and crossover claims covered under Medicare Part B for dually eligible beneficiaries in the same manner that was in effect on January 1, 2008, the sum that otherwise would have been used in the formula under this subparagraph (i) shall be reduced by Seven Million Dollars ($7,000,000.00).

(ii) In addition to the assessment provided under subparagraph (i), an additional annual assessment on each hospital licensed in the state is imposed on each non-Medicare hospital inpatient day as defined below at a rate that is determined by dividing twenty-five percent (25%) of any provider reductions in the Medicaid program as authorized in Section 43-13-117(F) for that fiscal year up to the following maximum amount, plus the nonfederal share necessary to maximize the Disproportionate Share Hospital (DSH) and inpatient Medicare Upper Payment Limits (UPL) Program payments and inpatient hospital access payments, by the total number of non-Medicare hospital inpatient days as defined below for all licensed Mississippi hospitals: in fiscal year 2010, the maximum amount shall be Twenty-four Million Dollars ($24,000,000.00); in fiscal year 2011, the maximum amount shall be Thirty-two Million Dollars ($32,000,000.00); and in fiscal year 2012 and thereafter, the maximum amount shall be Forty Million Dollars ($40,000,000.00). Any such deficit in the Medicaid program shall be reviewed by the PEER Committee as provided in Section 43-13-117(F).

(iii) In addition to the assessments provided in subparagraphs (i) and (ii), an additional annual assessment on each hospital licensed in the state is imposed pursuant to the provisions of Section 43-13-117(F) if the cost-containment measures described therein have been implemented and there are insufficient funds in the Health Care Trust Fund to reconcile any remaining deficit in any fiscal year. If the Governor institutes any other additional cost-containment measures on any program or programs authorized under the Medicaid program pursuant to Section 43-13-117(F), hospitals shall be responsible for twenty-five percent (25%) of any such additional imposed provider cuts, which shall be in the form of an additional assessment not to exceed the twenty-five percent (25%) of provider expenditure reductions. Such additional assessment shall be imposed on each non-Medicare hospital inpatient day in the same manner as assessments are imposed under subparagraphs (i) and (ii).

(b) Definitions.

(i) [Deleted]

(ii) For purposes of this subsection (4):

1. "Non-Medicare hospital inpatient day" means total hospital inpatient days including subcomponent days less Medicare inpatient days including subcomponent days from the hospital's most recent Medicare cost report for the second calendar year preceding the beginning of the state fiscal year, on file with CMS per the CMS HCRIS database, or cost report submitted to the Division if the HCRIS database is not available to the division, as of June 1 of each year.

a. Total hospital inpatient days shall be the sum of Worksheet S-3, Part 1, column 8 row 14, column 8 row 16, and column 8 row 17, excluding column 8 rows 5 and 6.

b. Hospital Medicare inpatient days shall be the sum of Worksheet S-3, Part 1, column 6 row 14, column 6 row 16.00, and column 6 row 17, excluding column 6 rows 5 and 6.

c. Inpatient days shall not include residential treatment or long-term care days.

2. "Subcomponent inpatient day" means the number of days of care charged to a beneficiary for inpatient hospital rehabilitation and psychiatric care services in units of full days. A day begins at midnight and ends twenty-four (24) hours later. A part of a day, including the day of admission and day on which a patient returns

from leave of absence, counts as a full day. However, the day of discharge, death, or a day on which a patient begins a leave of absence is not counted as a day unless discharge or death occur on the day of admission. If admission and discharge or death occur on the same day, the day is considered a day of admission and counts as one (1) subcomponent inpatient day.

(c) The assessment provided in this subsection is intended to satisfy and not be in addition to the assessment and intergovernmental transfers provided in Section 43-13-117(A)(18). Nothing in this section shall be construed to authorize any state agency, division or department, or county, municipality or other local governmental unit to license for revenue, levy or impose any other tax, fee or assessment upon hospitals in this state not authorized by a specific statute.

(d) Hospitals operated by the United States Department of Veterans Affairs and state-operated facilities that provide only inpatient and outpatient psychiatric services shall not be subject to the hospital assessment provided in this subsection.

(e) Multihospital systems, closure, merger, change of ownership and new hospitals.

(i) If a hospital conducts, operates or maintains more than one (1) hospital licensed by the State Department of Health, the provider shall pay the hospital assessment for each hospital separately.

(ii) Notwithstanding any other provision in this section, if a hospital subject to this assessment operates or conducts business only for a portion of a fiscal year, the assessment for the state fiscal year shall be adjusted by multiplying the assessment by a fraction, the numerator of which is the number of days in the year during which the hospital operates, and the denominator of which is three hundred sixty-five (365). Immediately upon ceasing to operate, the hospital shall pay the assessment for the year as so adjusted (to the extent not previously paid).

(iii) The division shall determine the tax for new hospitals and hospitals that undergo a change of ownership in accordance with this section, using the best available information, as determined by the division.

(f) Applicability.

The hospital assessment imposed by this subsection shall not take effect and/or shall cease to be imposed if:

(i) The assessment is determined to be an impermissible tax under Title XIX of the Social Security Act; or

(ii) CMS revokes its approval of the division's 2009 Medicaid State Plan Amendment for the methodology for DSH payments to hospitals under Section 43-13-117(A)(18).

(5) Each health care facility that is subject to the provisions of this section shall keep and preserve such suitable books and records as may be necessary to determine the amount of assessment for which it is liable under this section. The books and records shall be kept and preserved for a period of not less than five (5) years, during which time those books and records shall be open for examination during business hours by the division, the Department of Revenue, the Office of the Attorney General and the State Department of Health.

(6) [Deleted]

(7) All assessments collected under this section shall be deposited in the Medical Care Fund created by Section 43-13-143.

(8) The assessment levied under this section shall be in addition to any other assessments, taxes or fees levied by law, and the assessment shall constitute a debt due the State of Mississippi from the time the assessment is due until it is paid.

(9) (a) If a health care facility that is liable for payment of an assessment levied by the division does not pay the assessment when it is due, the division shall give written notice to the health care facility demanding payment of the assessment within ten (10) days from the date of delivery of the notice. If the health care facility fails or refuses to pay the assessment after receiving the notice and demand from the division, the division shall withhold from any Medicaid reimbursement payments that are due to the health care facility the amount of the unpaid assessment and a penalty of ten percent (10%) of the amount of the assessment, plus the legal rate of interest until the assessment is paid in full. If the health care facility does not participate in the Medicaid

program, the division shall turn over to the Office of the Attorney General the collection of the unpaid assessment by civil action. In any such civil action, the Office of the Attorney General shall collect the amount of the unpaid assessment and a penalty of ten percent (10%) of the amount of the assessment, plus the legal rate of interest until the assessment is paid in full.

(b) As an additional or alternative method for collecting unpaid assessments levied by the division, if a health care facility fails or refuses to pay the assessment after receiving notice and demand from the division, the division may file a notice of a tax lien with the chancery clerk of the county in which the health care facility is located, for the amount of the unpaid assessment and a penalty of ten percent (10%) of the amount of the assessment, plus the legal rate of interest until the assessment is paid in full. Immediately upon receipt of notice of the tax lien for the assessment, the chancery clerk shall forward the notice to the circuit clerk who shall enter the notice of the tax lien as a judgment upon the judgment roll and show in the appropriate columns the name of the health care facility as judgment debtor, the name of the division as judgment creditor, the amount of the unpaid assessment, and the date and time of enrollment. The judgment shall be valid as against mortgagees, pledgees, entrusters, purchasers, judgment creditors and other persons from the time of filing with the clerk. The amount of the judgment shall be a debt due the State of Mississippi and remain a lien upon the tangible property of the health care facility until the judgment is satisfied. The judgment shall be the equivalent of any enrolled judgment of a court of record and shall serve as authority for the issuance of writs of execution, writs of attachment or other remedial writs.

(10) (a) To further the provisions of Section 43-13-117(A)(18), the Division of Medicaid shall submit to the Centers for Medicare and Medicaid Services (CMS) any documents regarding the hospital assessment established under subsection (4) of this section. In addition to defining the assessment established in subsection (4) of this section if necessary, the documents shall describe any supplement payment programs and/or payment methodologies as authorized in Section 43-13-117(A)(18) if necessary.

(b) All hospitals satisfying the minimum federal DSH eligibility requirements (Section 1923(d) of the Social Security Act) may, subject to OBRA 1993 payment limitations, receive a DSH payment. This DSH payment shall expend the balance of the federal DSH allotment and associated state share not utilized in DSH payments to state-owned institutions for treatment of mental diseases. The payment to each hospital shall be calculated by applying a uniform percentage to the uninsured costs of each eligible hospital, excluding state-owned institutions for treatment of mental diseases; however, that percentage for a state-owned teaching hospital located in Hinds County shall be multiplied by a factor of two (2).

(11) The division shall implement DSH and supplemental payment calculation methodologies that result in the maximization of available federal funds.

(12) The DSH payments shall be paid on or before December 31, March 31, and June 30 of each fiscal year, in increments of one-third (1/3) of the total calculated DSH amounts. Supplemental payments developed pursuant to Section 43-13-117(A)(18) shall be paid monthly.

(13) Payment.

(a) The hospital assessment as described in subsection (4) for the nonfederal share necessary to maximize the Medicare Upper Payments Limits (UPL) Program payments and hospital access payments and such other supplemental payments as may be developed pursuant to Section 43-3-117(A)(18) shall be assessed and collected monthly no later than the fifteenth calendar day of each month.

(b) The hospital assessment as described in subsection (4) for the nonfederal share necessary to maximize the Disproportionate Share Hospital (DSH) payments shall be assessed and collected on December 15, March 15 and June 15.

(c) The annual hospital assessment and any additional hospital assessment as described in subsection (4) shall be assessed and collected on September 15 and on the 15th of each month from December through June.

(14) If for any reason any part of the plan for annual DSH and supplemental payment programs to hospitals provided under subsection (10) of this section and/or

developed pursuant to Section 43-13-117(A)(18) is not approved by CMS, the remainder of the plan shall remain in full force and effect.

(15) Nothing in this section shall prevent the Division of Medicaid from facilitating participation in Medicaid supplemental hospital payment programs by a hospital located in a county contiguous to the State of Mississippi that is also authorized by federal law to submit intergovernmental transfers (IGTs) to the State of Mississippi to fund the state share of the hospital's supplemental and/or MHAP payments.

(16) This section shall stand repealed on July 1, 2028.

SECTION 4. Section 43-13-305, Mississippi Code of 1972, is amended as follows:

43-13-305. (1) By accepting Medicaid from the Division of Medicaid in the Office of the Governor, the recipient shall, to the extent of the payment of medical expenses by the Division of Medicaid, be deemed to have made an assignment to the Division of Medicaid of any and all rights and interests in any third-party benefits, hospitalization or indemnity contract or any cause of action, past, present or future, against any person, firm or corporation for Medicaid benefits provided to the recipient by the Division of Medicaid for injuries, disease or sickness caused or suffered under circumstances creating a cause of action in favor of the recipient against any such person, firm or corporation as set out in Section 43-13-125. The recipient shall be deemed, without the necessity of signing any document, to have appointed the Division of Medicaid as his or her true and lawful attorney-in-fact in his or her name, place and stead in collecting any and all amounts due and owing for medical expenses paid by the Division of Medicaid against such person, firm or corporation.

(2) Whenever a provider of medical services or the Division of Medicaid submits claims to an insurer on behalf of a Medicaid recipient for whom an assignment of rights has been received, or whose rights have been assigned by the operation of law, the insurer must respond within sixty (60) days of receipt of a claim by forwarding payment or issuing a notice of denial directly to the submitter of the claim. The failure of the insuring entity to comply with the provisions of this section shall subject the insuring entity to recourse by the Division of Medicaid in accordance with the provision of Section 43-13-315. In the case of a responsible insurer, other than the insurers exempted under federal law, that requires prior authorization for an item or service furnished to a recipient, the insurer shall accept authorization provided by the Division of Medicaid that the item or service is covered under the state plan (or waiver of such plan) for such recipient, as if such authorization were the prior authorization made by the insurer for such item or service. The Division of Medicaid shall be authorized to endorse any and all, including, but not limited to, multi-payee checks, drafts, money orders or other negotiable instruments representing Medicaid payment recoveries that are received by the Division of Medicaid.

(3) Court orders or agreements for medical support shall direct such payments to the Division of Medicaid, which shall be authorized to endorse any and all checks, drafts, money orders or other negotiable instruments representing medical support payments which are received. Any designated medical support funds received by the State Department of Human Services or through its local county departments shall be paid over to the Division of Medicaid. When medical support for a Medicaid recipient is available through an absent parent or custodial parent, the insuring entity shall direct the medical support payment(s) to the provider of medical services or to the Division of Medicaid.

SECTION 5. The Division of Medicaid shall develop a plan that will allow all Level 1 hospitals located in counties in states that border the State of Mississippi to participate in the division's supplemental payments program under Sections 43-13-117 and 43-13-145 and require those hospitals to pay their proportionate share of the assessments that Mississippi hospitals pay, or an equivalent amount, for participating in the supplemental payments program. The division shall report the plan to the Chairs of the House and Senate Medicaid Committees not later than December 1, 2024.

SECTION 6. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO ALLOW THE FAMILY PLANNING WAIVER PROGRAM UNDER THE MEDICAID PROGRAM TO BE CONDUCTED UNDER A WAIVER OR THE STATE PLAN; TO PROVIDE THAT CHILDREN IN STATE CUSTODY WHO ARE IN FOSTER CARE ON THEIR EIGHTEENTH BIRTHDAY SHALL BE MEDICAID ELIGIBLE UNTIL THEIR TWENTY-SIXTH BIRTHDAY; TO PROVIDE THAT CHILDREN WHO HAVE AGED OUT OF FOSTER CARE WHILE ON MEDICAID IN OTHER STATES SHALL QUALIFY UNTIL THEIR TWENTY-SIXTH BIRTHDAY; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO DIRECT THE DIVISION OF MEDICAID TO UPDATE THE CASE-MIX PAYMENT SYSTEM FAIR RENTAL REIMBURSEMENT SYSTEM FOR NURSING FACILITY SERVICES AS NECESSARY TO MAINTAIN COMPLIANCE WITH FEDERAL LAW; TO PROVIDE THAT THE DIVISION SHALL REIMBURSE AMBULANCE SERVICE PROVIDERS THAT PROVIDE AN ASSESSMENT, TRIAGE, TREATMENT OR TRANSPORTATION FOR ELIGIBLE MEDICAID BENEFICIARIES TO AN ALTERNATIVE DESTINATION IN THIS STATE OR PROVIDE AN ASSESSMENT OR TREAT ELIGIBLE MEDICAID BENEFICIARIES IN PLACE; TO DELETE THE LEGISLATIVE INTENT FOR THE DIVISION TO ENCOURAGE THE USE OF ALPHA HYDROXYPROGESTERONE CAPROATE TO PREVENT RECURRENT PRETERM BIRTHS; TO AUTHORIZE CONTRACEPTIVES TO BE PRESCRIBED AND DISPENSED IN TWELVE-MONTH SUPPLY INCREMENTS UNDER FAMILY PLANNING SERVICES; TO UPDATE AND CLARIFY LANGUAGE ABOUT THE DIVISION'S TRANSITION FROM THE MEDICARE UPPER PAYMENTS LIMITS (UPL) PROGRAM TO THE MISSISSIPPI HOSPITAL ACCESS PROGRAM (MHAP); TO AUTHORIZE THE DIVISION TO ESTABLISH A MEDICARE UPPER PAYMENT LIMITS PROGRAM FOR OTHER ELIGIBLE LICENSED PROVIDERS AS DETERMINED BY THE DIVISION; TO PROVIDE THAT SUPPLEMENTAL PAYMENTS TO A HOSPITAL SHALL NOT DECREASE BY MORE THAN FIVE PERCENT WHEN COMPARED TO A HOSPITAL'S PRIOR YEAR PAYMENT; TO PROVIDE THAT THE DIVISION SHALL NOT SUBSTANTIALLY CHANGE THE METHODOLOGIES USED TO CALCULATE A HOSPITAL'S SUPPLEMENTAL PAYMENT; TO REQUIRE THAT POPULATIONS ELIGIBLE FOR RECEIVING PERINATAL RISK MANAGEMENT SERVICES FROM MANAGED CARE ORGANIZATIONS RECEIVE THE SERVICES FROM THE MANAGED CARE ORGANIZATIONS INSTEAD OF USING THE SERVICES AT THE STATE DEPARTMENT OF HEALTH; TO AUTHORIZE THE DIVISION TO REIMBURSE CERTIFIED COMMUNITY BEHAVIORAL HEALTH CENTERS IN A MANNER DETERMINED BY THE DIVISION; TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A HOSPITAL ASSESSMENT MAY EXCEED THE ASSESSMENT IN THE PREVIOUS QUARTER BY MORE THAN THE SPECIFIED LIMIT WHEN SUCH INCREASE IS TO MAXIMIZE FEDERAL FUNDS THAT ARE AVAILABLE TO REIMBURSE HOSPITALS FOR SERVICES PROVIDED UNDER NEW PROGRAMS FOR HOSPITALS, INCREASED SUPPLEMENTAL PAYMENT PROGRAMS FOR HOSPITALS OR TO ASSIST WITH STATE MATCHING FUNDS AS AUTHORIZED BY THE LEGISLATURE; TO AMEND SECTION 43-13-305, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHEN A THIRD-PARTY PAYOR REQUIRES PRIOR AUTHORIZATION FOR AN ITEM OR SERVICE FURNISHED TO A MEDICAID RECIPIENT, THE PAYOR SHALL ACCEPT AUTHORIZATION PROVIDED BY THE DIVISION OF MEDICAID THAT THE ITEM OR SERVICE IS COVERED UNDER THE STATE PLAN AS IF SUCH AUTHORIZATION WERE THE PRIOR AUTHORIZATION MADE BY THE THIRD-PARTY PAYOR FOR SUCH ITEM OR SERVICE; TO DIRECT THE DIVISION OF MEDICAID TO DEVELOP A PLAN THAT WILL ALLOW ALL LEVEL 1 HOSPITALS LOCATED IN COUNTIES IN STATES THAT BORDER THE STATE OF MISSISSIPPI TO PARTICIPATE IN THE DIVISION'S SUPPLEMENTAL PAYMENTS PROGRAM, AND REQUIRE THOSE HOSPITALS TO PAY THEIR PROPORTIONATE SHARE OF THE ASSESSMENTS THAT MISSISSIPPI HOSPITALS PAY, OR AN EQUIVALENT AMOUNT, FOR PARTICIPATING IN THE SUPPLEMENTAL PAYMENTS PROGRAM; TO PROVIDE THAT THE DIVISION SHALL REPORT THE PLAN TO THE CHAIRS OF THE HOUSE AND SENATE MEDICAID

COMMITTEES NOT LATER THAN DECEMBER 1, 2024; AND FOR RELATED PURPOSES.

Senator DeBar called up the following House Amendment to **S. B. No. 2349** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend on line 61 by inserting "annually" before the semicolon.

Further, amend on line 68 by adding the following after the period:

"A school or local and regional board of education may accept gifts, grants and donations, including in-kind donations designated for the purchase of an AED that meets the standards established by the United States Food and Drug Administration and for the costs incurred to inspect and maintain such device and train staff in the use of such device."

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2349** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Boyd moved that the rules be suspended to move to calendar item 21, **S. B. No. 2408**, and the motion prevailed.

Senator Boyd called up the following House Amendment to **S. B. No. 2408** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-101-15, Mississippi Code of 1972, is amended as follows:

37-101-15. (a) The Board of Trustees of State Institutions of Higher Learning shall succeed to and continue to exercise control of all records, books, papers, equipment, and supplies, and all lands, buildings, and other real and personal property belonging to or assigned to the use and benefit of the board of trustees formerly supervising and controlling the institutions of higher learning named in Section 37-101-1. The board shall have and exercise control of the use, distribution and disbursement of all funds, appropriations and taxes, now and hereafter in possession, levied and collected, received, or appropriated for the use, benefit, support, and maintenance or capital outlay

expenditures of the institutions of higher learning, including the authorization of employees to sign vouchers for the disbursement of funds for the various institutions, except where otherwise specifically provided by law.

(b) The board shall have general supervision of the affairs of all the institutions of higher learning, including the departments and the schools thereof. The board shall have the power in its discretion to determine who shall be privileged to enter, to remain in, or to graduate therefrom. The board shall have general supervision of the conduct of libraries and laboratories, the care of dormitories, buildings, and grounds; the business methods and arrangement of accounts and records; the organization of the administrative plan of each institution; and all other matters incident to the proper functioning of the institutions. The board shall have the authority to establish minimum standards of achievement as a prerequisite for entrance into any of the institutions under its jurisdiction, which standards need not be uniform between the various institutions and which may be based upon such criteria as the board may establish.

(c) The board shall exercise all the powers and prerogatives conferred upon it under the laws establishing and providing for the operation of the several institutions herein specified. The board shall adopt such bylaws and regulations from time to time as it deems expedient for the proper supervision and control of the several institutions of higher learning, insofar as such bylaws and regulations are not repugnant to the Constitution and laws, and not inconsistent with the object for which these institutions were established. The board shall have power and authority to prescribe rules and regulations for policing the campuses and all buildings of the respective institutions, to authorize the arrest of all persons violating on any campus any criminal law of the state, and to have such law violators turned over to the civil authorities.

(d) For all institutions specified herein, the board shall provide a uniform system of recording and of accounting approved by the State Department of Audit. The board shall annually prepare, or cause to be prepared, a budget for each institution of higher learning for the succeeding year which must be prepared and in readiness for at least thirty (30) days before the convening of the regular session of the Legislature. All relationships and negotiations between the State Legislature and its various committees and the institutions named herein shall be carried on through the board of trustees. No official, employee or agent representing any of the separate institutions shall appear before the Legislature or any committee thereof except upon the written order of the board or upon the request of the Legislature or a committee thereof.

(e) For all institutions specified herein, the board shall prepare an annual report to the Legislature setting forth the disbursements of all monies appropriated to the respective institutions. Each report to the Legislature shall show how the money appropriated to the several institutions has been expended, beginning and ending with the fiscal years of the institutions, showing the name of each teacher, officer, and employee, and the salary paid each, and an itemized statement of each and every item of receipts and expenditures. Each report must be balanced, and must begin with the former balance. If any property belonging to the state or the institution is used for profit, the reports shall show the expense incurred in managing the property and the amount received therefrom. The reports shall also show a summary of the gross receipts and gross disbursements for each year and shall show the money on hand at the beginning of the fiscal period of the institution next preceding each session of the Legislature and the necessary amount of expense to be incurred from said date to January 1 following. The board shall keep the annual expenditures of each institution herein mentioned within the income derived from legislative appropriations and other sources, but in case of emergency arising from acts of providence, epidemics, fire or storm with the written approval of the Governor and by written consent of a majority of the senators and of the representatives it may exceed the income. The board shall require a surety bond in a surety company authorized to do business in this state of every employee who is the custodian of funds belonging to one or more of the institutions mentioned herein, which bond shall be in a sum to be fixed by

the board in an amount that will properly safeguard the said funds, the premium for which shall be paid out of the funds appropriated for said institutions.

(f) The board shall have the power and authority to elect the heads of the various institutions of higher learning and to contract with all deans, professors, and other members of the teaching staff, and all administrative employees of said institutions for a term not exceeding four (4) years. The board shall have the power and authority to terminate any such contract at any time for malfeasance, inefficiency, or contumacious conduct, but never for political reasons. It shall be the policy of the board to permit the executive head of each institution to nominate for election by the board all subordinate employees of the institution over which he presides. It shall be the policy of the board to elect all officials for a definite tenure of service and to reelect during the period of satisfactory service. The board shall have the power to make any adjustments it thinks necessary between the various departments and schools of any institution or between the different institutions.

(g) The board shall keep complete minutes and records of all proceedings which shall be open for inspection by any citizen of the state.

(h) The board shall have the power to enter into an energy performance contract, energy services contract, on a shared-savings, lease or lease-purchase basis, for energy efficiency services and/or equipment as prescribed in Section 31-7-14.

(i) The Board of Trustees of State Institutions of Higher Learning, for and on behalf of Jackson State University, is hereby authorized to convey by donation or otherwise easements across portions of certain real estate located in the City of Jackson, Hinds County, Mississippi, for right-of-way required for the Metro Parkway Project.

(j) In connection with any international contract between the board or one (1) of the state's institutions of higher learning and any party outside of the United States, the board or institution that is the party to the international contract is hereby authorized and empowered to include in the contract a provision for the resolution by arbitration of any controversy between the parties to the contract relating to such contract or the failure or refusal to perform any part of the contract. Such provision shall be valid, enforceable and irrevocable without regard to the justiciable character of the controversy. Provided, however, that in the event either party to such contract initiates litigation against the other with respect to the contract, the arbitration provision shall be deemed waived unless asserted as a defense on or before the responding party is required to answer such litigation.

(k) The Board of Trustees of State Institutions of Higher Learning ("board"), on behalf of any institution under its jurisdiction, shall purchase and maintain business property insurance and business personal property insurance on all university-owned buildings and/or contents as required by federal law and regulations of the Federal Emergency Management Agency (FEMA) as is necessary for receiving public assistance or reimbursement for repair, reconstruction, replacement or other damage to those buildings and/or contents caused by the Hurricane Katrina Disaster of 2005 or subsequent disasters. The board is authorized to expend funds from any available source for the purpose of obtaining and maintaining that property insurance. The board is authorized to enter into agreements with the Department of Finance and Administration, local school districts, community/junior college districts, community hospitals and/or other state agencies to pool their liabilities to participate in a group business property and/or business personal property insurance program, subject to uniform rules and regulations as may be adopted by the Department of Finance and Administration.

(l) The Board of Trustees of State Institutions of Higher Learning, or its designee, may approve the payment or reimbursement of reasonable travel expenses incurred by candidates for open positions at the board's executive office or at any of the state institutions of higher learning, when the job candidate has incurred expenses in traveling

to a job interview at the request of the board, the Commissioner of Higher Education or a state institution of higher learning administrator.

(m) (i) The Board of Trustees of State Institutions of Higher Learning is authorized to administer and approve contracts for the construction and maintenance of buildings and other facilities of the state institutions of higher learning, including related contracts for architectural and engineering services, which are paid for with self-generated funds.

(ii) Additionally, the board is authorized to oversee, administer and approve contracts for the construction and maintenance of buildings and other facilities of the state institutions of higher learning, including related contracts for architectural and engineering services, which are funded in whole or in part by general obligation bonds of the State of Mississippi at institutions designated annually by the board as being capable to procure and administer all such contracts. Prior to the disbursement of funds, an agreement for each project between the institution and the Department of Finance and Administration shall be executed. The approval and execution of the agreement shall not be withheld by either party unless the withholding party provides a written, detailed explanation of the basis for withholding to the other party. The agreement shall stipulate the responsibilities of each party, applicable procurement regulations, documentation and reporting requirements, conditions prior to, and schedule of, disbursement of general obligation bond funds to the institution and provisions concerning handling any remaining general obligation bonds at the completion of the project. Such agreement shall not include provisions that constitute additional qualifications or criteria that act to invalidate the designation of an institution as capable of procuring and administering such project. Inclusion of any such provisions may be appealed to the Public Procurement Review Board. This paragraph (ii) shall stand repealed from and after July 1, 2025.

(n) The Board of Trustees of State Institutions of Higher Learning ("board") shall require all faculty employed by and all students attending any of the state institutions of higher learning identified in Section 37-101-1 to be issued an identification badge that may be worn at all times while on campus property. Any identification card issued or renewed pursuant to this section, whether physical or in an electronic format, shall include the words "Crisis Lifeline - Dial or Text 988, or chat 988lifeline.org."

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 37-101-15, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN IDENTIFICATION CARDS TO HAVE 988 CRISIS LIFELINE CONTACT INFORMATION; AND FOR RELATED PURPOSES.

Senator Boyd called up the following House Amendment to **S. B. No. 2417** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-97-101, Mississippi Code of 1972, is amended as follows:

37-97-101. This article shall be known and may be cited as the "Mississippi Intercollegiate Athletics Compensation and Publicity Rights Act."

SECTION 2. Section 37-97-103, Mississippi Code of 1972, is amended as follows:

37-97-103. As used in this article, the following terms shall have the following meanings unless the context clearly indicates otherwise:

(a) "Compensation" means * * * any remuneration, in cash or in kind, whether provided at the time or at any subsequent date, to a student-athlete.

For the purposes of this article, "compensation" shall not mean * * * any grant, scholarship, fellowship, tuition assistance, or other form of financial aid provided to a student for pursuing a post-secondary education.

* * *

(* * *b) "Intercollegiate athletics program" means an intercollegiate athletics * * * sport played at the collegiate level for which eligibility requirements for participation by a student-athlete are established by a national association * * *, conference or any other group or organization with authority over the sport, that promotes or regulates collegiate athletics.

* * *

(* * *c) " * * *Publicity Rights" means * * * any right associated with the name, image, likeness, publicity, reputation, fame, or personal following of a student recognized under federal or state law as permitting an individual to control or profit from the use of the same.

* * *

(* * *d) "Postsecondary educational institution" means a public university or community college or private university or college.

* * *

(* * *e) "Student-athlete" means an * * * individual who is enrolled in or has signed a National Letter of Intent or other written agreement to enroll in a postsecondary educational institution or is being recruited by a postsecondary educational institution to participate in an intercollegiate athletics program. If an individual is permanently ineligible to participate in a particular intercollegiate sport, the individual is not a student-athlete for purposes of that sport.

(* * *f) "Third party" means * * * any individual or entity or group of the same other than a postsecondary educational institution, including a charitable organization that qualifies as an exempt organization under 26 USC Section 501(c)(3), as amended. * * *

SECTION 3. Section 37-97-105, Mississippi Code of 1972, is amended as follows:

37-97-105. (1) * * * A postsecondary educational institution or any officer, trustee, or employee, of a postsecondary educational institution, shall have the right to, directly or through an agreement with a third party, identify, create, solicit, facilitate, negotiate, support, assist and otherwise enable opportunities for a student-athlete to earn or attempt to earn compensation for the use of the student-athlete's publicity rights. Such right shall include, without limitation, the right to discuss with a student-athlete the potential to earn compensation for their publicity rights if they attend the postsecondary educational institution. Provided that a postsecondary educational institution or any officer, trustee, or employee, of a postsecondary educational institution does not:

(a) * * * Receive compensation from the student-athlete for facilitating, enabling, or assisting with such opportunities;

(b) * * * Attempt to influence a student-athlete's choice of professional representation related to such opportunities; or

(c) Attempt in bad faith to reduce such student-athlete's opportunities from competing third parties.

(2) * * * A third party shall have the right to compensate a student-athlete for the use of the student-athlete's publicity rights. This shall include the right to compensate the student-athlete for the use of the student-athlete's publicity rights in connection with the promotion of an athletic event in which the student-athlete may participate, the promotion of the postsecondary educational institution the student-athlete attends, and the promotion of the postsecondary educational institution's intercollegiate athletics programs.

(3) * * * A postsecondary educational institution or officer, trustee, or employee of a postsecondary institution shall have the right to compensate a student-athlete for the use of the student-athlete's publicity rights to the extent consistent with any legally enforceable rules of a national association, a conference or any other group or organization with authority over the sport, that promotes or regulates collegiate athletics applicable to that institution. Before any agreement for compensation for the use of a student-athlete's publicity rights is entered into, and before any compensation is provided to the student-athlete, a postsecondary educational institution may require a student-athlete enrolled at that institution or who has announced an intention to attend that institution, to disclose the agreement or the terms thereof to a designated official of the postsecondary educational institution in which the student-athlete is enrolled or intends to enroll in a manner prescribed by the institution.

Student-athlete agreements, proposed agreements and any documents that compile, summarize or disclose any of the terms of such agreements shall be exempt from the Mississippi Public Records Act of 1983. Postsecondary educational institutions and student-athletes shall not be compelled to disclose student-athlete agreements, proposed agreements and any documents that compile, summarize or disclose any of the terms of such agreements to a national association, a conference or any other group or organization with authority over the sport, that promotes or regulates collegiate athletics.

SECTION 4. Section 37-97-107, Mississippi Code of 1972, is amended as follows:

37-97-107. (1) * * * An agreement for the use of a student-athlete's publicity rights which is formed after the student-athlete has announced an intention to attend a postsecondary educational institution or while the student-athlete is participating in an intercollegiate sport at a postsecondary educational institution may be terminated either by the student-athlete or any other party to the agreement when the student-athlete's participation in the sport at the institution ends.

(2) * * * A postsecondary educational institution may impose reasonable limitations on the dates and time that a student-athlete may participate in publicity rights activities.

(3) * * * Nothing in this chapter shall restrict a postsecondary educational institution from exercising its sole discretion to control the authorized use of its marks or logos or to determine a student-athlete's apparel, gear or other wearables while participating in an intercollegiate athletics program activity.

(4) * * * A student-athlete may not receive or enter into a contract for compensation for the use of his or her publicity rights in a way that also uses any registered or licensed marks, logos, verbiage or designs of a postsecondary educational institution, unless the

institution has provided the student-athlete with written permission to do so prior to entering into the agreement or receipt of compensation.

(5) * * * If a student-athlete is granted permission to use the marks or logos, independently or through a third-party, the postsecondary educational institution may be compensated for the use. A postsecondary educational institution may prohibit a student-athlete from wearing any item of clothing, shoes, or other gear or wearables with the name, logo or insignia of any third party while participating in an intercollegiate athletics program activity.

(6) * * * A third party may not enter into, or offer to enter into, a publicity rights agreement with a student-athlete or otherwise compensate a student-athlete for the use of the student-athlete's publicity rights if a provision of the agreement or the use of the student-athlete's publicity rights conflicts with a provision of a contract, rule, regulation, standard or other requirement of the postsecondary educational institution where the student-athlete is enrolled or intends to enroll unless such contract or use is expressly approved in writing by the postsecondary educational institution.

(7) * * * No student-athlete who is enrolled in a postsecondary educational institution shall enter into a publicity rights agreement or receive compensation from a third party for the endorsement or promotion of brands, products, or services involving gambling, sports betting, controlled substances, marijuana, tobacco, alternative or electronic nicotine product or delivery system, alcohol, adult entertainment or any other brand, product or service that is reasonably considered to be inconsistent with the values or mission of a postsecondary educational institution or that, in the institution's sole judgment, negatively impacts or reflects adversely on a postsecondary education institution or its athletic programs, including, without limitation, bringing about public disrepute, embarrassment, scandal, ridicule or otherwise negatively impacting the reputation or the moral or ethical standards of the postsecondary educational institution.

(8) * * * Nothing in this chapter shall be construed to qualify a student-athlete as an employee of a postsecondary educational institution.

(9) * * * No postsecondary educational institution may use funds appropriated from the State General Fund to compensate a student-athlete for their publicity rights.

* * *

SECTION 5. Section 37-97-109, Mississippi Code of 1972, is amended as follows:

37-97-109. * * * (1) No postsecondary educational institution or any officer, trustee, or employee of a postsecondary educational institution shall be subject to a claim for damages related to their adoption, implementation, or enforcement of any contract, rule, regulation, standard or other requirement in compliance with this chapter. This chapter is not intended to and shall not waive or diminish any applicable defenses and immunities, including, without limitation, sovereign immunity applicable to public postsecondary educational institutions.

(2) A national association, a conference or any other group or organization with authority over the sport, that promotes or regulates collegiate athletics at a postsecondary educational institution to which this chapter applies shall not:

(a) Enforce a contract term, a rule, a regulation, a standard, a bylaw, guidance, or any other requirement that penalizes the institution, the institution's intercollegiate athletics program, or student-athlete for performing, participating in, or allowing an activity required or authorized by this chapter;

(b) Prevent a postsecondary educational institution from or penalize it for establishing agreements with a third-party entity to act on the institution's behalf to identify,

create, solicit, facilitate, negotiate, support, assist, and otherwise enable opportunities for a student-athlete to earn compensation from their publicity rights; or

(c) Penalize a postsecondary educational institution because an individual or entity whose purpose includes supporting and benefiting the postsecondary institution or its intercollegiate athletic programs violates any contract term, a rule, a regulation, a standard, a bylaw, guidance, or any other requirement that is in conflict with actions required or authorized by this chapter.

(3) A person or entity, regardless of residence, shall not give or promise compensation for the use of publicity rights of a student-athlete that is currently enrolled in or has signed a National Letter of Intent or other written agreement to enroll in a postsecondary educational institution within the State of Mississippi with the purpose of recruiting or inducing the student-athlete to enroll at another postsecondary educational institution.

SECTION 6. Section 73-42-1, Mississippi Code of 1972, is brought forward as follows:

73-42-1. This chapter may be cited as the "Uniform Athlete Agents Act."

SECTION 7. Section 73-42-3, Mississippi Code of 1972, is amended as follows:

73-42-3. In this chapter:

(a) "Agency contract" means an agreement in which a student-athlete authorizes a person to negotiate or solicit on behalf of the student-athlete a professional-sports-services contract, an endorsement contract, or compensation for the use of the student-athlete's * * * publicity rights, provided, however, that an agency contract shall not provide for athlete agent compensation that exceeds twenty percent (20%) of the agency contract.

(b) "Athlete agent" means an individual who enters into an agency contract with a student-athlete or, directly or indirectly, recruits, induces or solicits a student-athlete to enter into an agency contract. The term does not include a spouse, parent, sibling, grandparent or guardian of the student-athlete or an individual acting solely on behalf of a professional sports team or professional sports organization. The term includes an individual who represents to the public that the individual is an athlete agent.

(c) "Athletic director" means an individual responsible for administering the overall athletic program of an educational institution or, if an educational institution has separately administered athletic programs for male students and female students, the athletic program for males or the athletic program for females, as appropriate.

(d) "Contact" means a communication, direct or indirect, written or oral, between an athlete agent and a student-athlete, to recruit, induce or solicit the student-athlete to enter into an agency contract.

(e) "Endorsement contract" means * * * an agreement under which a student-athlete * * * receives * * * compensation or anything of value for the student-athlete's publicity * * * rights; and

* * *

(f) "Intercollegiate * * * athletics program" means an intercollegiate athletics sport played at the collegiate level for which eligibility requirements for participation by a student-athlete are established by a national association * * *, conference or any other group or organization with authority over the sport, that promotes or regulates collegiate athletics.

(g) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government; governmental subdivision, agency or instrumentality; public corporation, or any other legal or commercial entity.

(h) "Professional-sports-services contract" means an agreement under which an individual is employed or agrees to render services as a player on a professional sports team, with a professional sports organization, or as a professional athlete.

(i) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(j) "Registration" means registration as an athlete agent pursuant to this chapter.

(k) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(l) "Student-athlete" means an individual who * * * is enrolled in or has signed a National Letter of Intent or other written agreement to enroll in a postsecondary educational institution or is being recruited by a postsecondary educational institution to participate in an intercollegiate athletics program. If an individual is permanently ineligible to participate in a particular intercollegiate sport, the individual is not a student-athlete for purposes of that sport.

SECTION 8. Section 73-42-5, Mississippi Code of 1972, is amended as follows:

73-42-5. (1) The Secretary of State shall administer this chapter.

(2) By engaging in the business of an athlete agent in this state, a nonresident individual appoints the Secretary of State as the individual's agent to accept service of process in any civil action related to the individual's business as an athlete agent in this state.

(3) The Secretary of State may:

(a) Conduct public or private investigations within or outside of this state which * * * they consider necessary or appropriate to determine whether a person has violated, is violating, or is about to violate any provision of this chapter or a rule adopted under this chapter, or to aid in the enforcement of this chapter or in the adoption of rules and forms under this chapter;

(b) Require or permit a person to testify, file a statement, or produce a record, under oath or otherwise as * * * they may determine, as to all facts and circumstances concerning a matter to be investigated or about which an action or proceeding is to be instituted; and

(c) Publish a record concerning an action, proceeding, or an investigation under, or a violation of, this chapter or a rule adopted under this chapter if * * * they determine it is necessary or appropriate in the public interest.

(4) For the purpose of an investigation under this chapter, the Secretary of State or * * * their designated officer may administer oaths and affirmations, subpoena witnesses, seek compulsion of attendance, take evidence, require the filing of statements, and require the production of any records that the Secretary of State considers relevant or material to the investigation.

SECTION 9. Section 73-42-7, Mississippi Code of 1972, is brought forward as follows:

73-42-7. (1) Except as otherwise provided in subsection (2), an individual may not act as an athlete agent in this state before being issued a certificate of registration under Section 73-42-11 or 73-42-15.

(2) Before being issued a certificate of registration, an individual may act as an athlete agent for all purposes except signing an agency contract if within seven (7) days after an initial act as an athlete agent, the individual submits an application to register as an athlete agent in this state.

(3) An agency contract resulting from conduct in violation of this section is void. The athlete agent shall return any consideration received under the contract to the individual or entity who tendered or paid the consideration.

SECTION 10. Section 73-42-9, Mississippi Code of 1972, is brought forward as follows:

73-42-9. (1) An applicant for registration shall submit an application for registration to the Secretary of State in a form prescribed by the Secretary of State. An application filed under this section is a public record. Except as otherwise provided in subsection (2), the application must be in the name of an individual, signed by the applicant under penalty of perjury and must state or contain:

(a) The name of the applicant and the address of the applicant's principal place of business;

(b) The name of the applicant's business or employer, if applicable;

(c) Any business or occupation engaged in by the applicant for the five (5) years next preceding the date of submission of the application;

(d) A description of the applicant's:

(i) Formal training as an athlete agent;

(ii) Practical experience as an athlete agent; and

(iii) Educational background relating to the applicant's activities as an athlete agent;

(e) The names and addresses of three (3) individuals not related to the applicant who are willing to serve as references;

(f) The name, sport and last known team for each individual for whom the applicant provided services as an athlete agent during the five (5) years next preceding the date of submission of the application;

(g) The names and addresses of all persons who are:

(i) With respect to the athlete agent's business if it is not a corporation, the partners, officers, associates, individuals or profit-sharers; and

(ii) With respect to a company or corporation employing the athlete agent, the officers, directors and any shareholder of the corporation or member with a five percent (5%) or greater interest;

(h) Whether the applicant or any other person named pursuant to paragraph (g) has been convicted of a crime that, if committed in this state, would be a felony or other crime involving moral turpitude, and identify the crime;

(i) Whether there has been any administrative or judicial determination that the applicant or any other person named pursuant to paragraph (g) has made a false, misleading, deceptive or fraudulent representation;

(j) Any instance in which the conduct of the applicant or any other person named pursuant to paragraph (g) resulted in the imposition of a sanction, suspension or declaration of ineligibility to participate in an interscholastic or intercollegiate athletic event on a student-athlete or educational institution;

(k) Any sanction, suspension or disciplinary action taken against the applicant or any other person named pursuant to paragraph (g) arising out of occupational or professional conduct;

(l) Whether there has been any denial of an application for, suspension or revocation of, or refusal to renew, the certification, registration or licensure of the applicant or any other person named pursuant to paragraph (g) as an athlete agent in any state;

(m) Any pending litigation against the applicant in the applicant's capacity as an agent;

(n) A list of all other states in which the applicant is currently licensed or registered as an athlete agent and a copy of each state's license or registration, as applicable; and

(o) Consent to submit to a criminal background check before being issued a certificate of registration. Any fees connected with the background check shall be assessed to the applicant.

(2) An individual who has submitted an application for, and received a certificate of, registration or licensure as an athlete agent in another state, may submit a copy of the application and a valid certificate of registration or licensure from the other state in lieu of submitting an application in the form prescribed pursuant to subsection (1), along with the information requested in paragraphs (l), (m), (n) and (o) of subsection (1). The Secretary of State shall accept the application and the certificate from the other state as an application for registration in this state if the application to the other state:

(a) Was submitted in the other state within the six (6) months next preceding the submission of the application in this state and the applicant certifies the information contained in the application is current;

(b) Contains information substantially similar to or more comprehensive than that required in an application submitted in this state; and

(c) Was signed by the applicant under penalty of perjury.

(3) An athlete agent must notify the Secretary of State within thirty (30) days whenever the information contained in any application for registration as an athlete agent in this state changes in a material way or is, or becomes, inaccurate or incomplete in any respect. Events requiring notice shall include, but are not limited to, the following:

(a) Change in address of the athlete agent's principal place of business;

(b) Conviction of a felony or other crime involving moral turpitude by the athlete agent;

(c) Denial, suspension, refusal to renew, or revocation of a registration or license of the athlete agent as an athlete agent in any state; or

(d) Sanction, suspension or other disciplinary action taken against the athlete agent arising out of occupational or professional conduct.

SECTION 11. Section 73-42-11, Mississippi Code of 1972, is amended as follows:

73-42-11. (1) Except as otherwise provided in subsection (3), the Secretary of State shall issue a certificate of registration to an individual who complies with Section 73-42-9(1).

(2) Except as otherwise provided in subsection (3), the Secretary of State shall issue a certificate of registration to an individual whose application has been accepted under Section 73-42-9(2).

(3) The Secretary of State may refuse to issue a certificate of registration if * * * they determine that the applicant has engaged in conduct that has a significant adverse effect on the applicant's fitness to serve as an athlete agent. In making the determination, the Secretary of State may consider whether the applicant has:

(a) Been convicted of a crime in another state that, if committed in this state, would be a felony or other crime involving moral turpitude;

(b) Made a materially false, misleading, deceptive or fraudulent representation as an athlete agent or in the application;

(c) Engaged in conduct that would disqualify the applicant from serving in a fiduciary capacity;

(d) Engaged in conduct prohibited by Section 73-42-27;

(e) Had a registration, licensure or certification as an athlete agent suspended, revoked, or denied or been refused renewal of registration, licensure or certification in any state;

(f) Engaged in conduct or failed to engage in conduct the consequence of which was that a sanction, suspension or declaration of ineligibility to participate in an interscholastic or intercollegiate athletic event was imposed on a student-athlete or educational institution; or

(g) Engaged in conduct that significantly adversely reflects on the applicant's trustworthiness or credibility.

(4) In making a determination under subsection (3), the Secretary of State shall consider:

(a) How recently the conduct occurred;

(b) The nature of the conduct and the context in which it occurred; and

(c) Any other relevant conduct of the applicant.

(5) An athlete agent may apply to renew a registration by submitting an application for renewal in a form prescribed by the Secretary of State. An application filed under this section is a public record. The application for renewal must be signed by the applicant under penalty of perjury and must contain current information on all matters required in an original registration.

(6) An individual who has submitted an application for renewal of registration or licensure in another state, in lieu of submitting an application for renewal in the form prescribed pursuant to subsection (5), may file a copy of the application for renewal and a valid certificate of registration from the other state. The Secretary of State shall accept the application for renewal from the other state as an application for renewal in this state if the application to the other state:

(a) Was submitted in the other state within the last six (6) months and the applicant certifies the information contained in the application for renewal is current;

(b) Contains information substantially similar to or more comprehensive than that required in an application for renewal submitted in this state; and

(c) Was signed by the applicant under penalty of perjury.

(7) Except as provided in Section 33-1-39, a certificate of registration or a renewal of a registration is valid for two (2) years.

SECTION 12. Section 73-42-13, Mississippi Code of 1972, is amended as follows:

73-42-13. (1) After proper notice and an opportunity for a hearing, the Secretary of State may deny, suspend, revoke or refuse to renew a registration for conduct that would have justified denial of registration under Section 73-42-11(3) or for a violation of any provision of this chapter.

(2) (a) The Secretary of State shall appoint at least one (1) hearing officer for the purpose of holding hearings, compiling evidence and rendering decisions under this section and Section 73-42-11. The hearing officer shall fix the date for an adjudicatory hearing and notify the athlete agent involved. The hearing shall be held at a location to be designated by the hearing officer. Unless the time period is extended by the hearing officer, the hearing shall be held not less than fifteen (15) nor more than thirty (30) days after the mailing of notice to the athlete agent involved. At the conclusion of the hearing, the hearing officer shall make a recommendation regarding the registration of the athlete agent involved. The Secretary of State shall then take appropriate action by final order.

(b) Any athlete agent whose application for registration has been denied or not renewed, or whose registration has been revoked or suspended by the Secretary of State, within thirty (30) days after the date of such final order, shall have the right of a trial de novo on appeal to the circuit court * * * in Mississippi in the county of residence of the athlete agent, the student-athlete, or the educational institution * * *. If the secretary's final order is supported by substantial evidence and does not violate a state or federal law, then it shall be affirmed by the circuit court. Either party shall have the right of appeal to the Supreme Court as provided by law from any decision of the circuit court. No athlete agent shall be allowed to deliver services to a student-athlete domiciled or residing in Mississippi while any such appeal is pending.

(3) In addition to the reasons specified in subsection (1) of this section, the secretary shall be authorized to suspend the registration of any person for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a registration for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a registration suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a registration suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. Actions taken by the secretary in suspending the registration of a person when required by Section 93-11-157 are not actions from which an appeal may be taken under this section. Any appeal of a registration suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section. If there is any conflict between any provision of Section

93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 13. Section 73-42-15, Mississippi Code of 1972, is brought forward as follows:

73-42-15. The Secretary of State may issue a temporary certificate of registration while an application for registration or renewal is pending.

SECTION 14. Section 73-42-17, Mississippi Code of 1972, is brought forward as follows:

73-42-17. (1) An application for registration or renewal of registration must be accompanied by a fee in the following amount:

(a) Two Hundred Dollars ($200.00) for an initial application for registration.

(b) Two Hundred Dollars ($200.00) for an application for registration based upon a certificate of registration or licensure issued by another state.

(c) Two Hundred Dollars ($200.00) for an application for renewal of registration.

(d) Two Hundred Dollars ($200.00) for an application for renewal of registration based upon an application for renewal of registration or licensure submitted in another state.

(2) In addition, the Secretary of State may impose a fee for the actual costs incurred by the Secretary of State's office for processing and administering one or more criminal history background checks.

SECTION 15. Section 73-42-19, Mississippi Code of 1972, is amended as follows:

73-42-19. (1) An agency contract must be in a record, signed by the parties.

(2) An agency contract must state or contain:

(a) The amount and method of calculating the consideration to be paid by the student-athlete for services to be provided by the athlete agent under the contract and any other consideration or anything of value that the athlete agent has received or will receive from any other source for entering into the contract or for providing the services;

(b) The name of any person not listed in the application for registration or renewal who will be compensated because the student-athlete signed the agency contract;

(c) A description of any expenses that the student-athlete agrees to reimburse;

(d) A description of the services to be provided to the student-athlete;

(e) The duration of the contract; and

(f) The date of execution.

(3) An agency contract must contain, in close proximity to the signature of the student-athlete, a conspicuous notice in boldface type in capital letters stating:

WARNING TO STUDENT-ATHLETE

IF YOU SIGN THIS CONTRACT:

(1) YOU MAY LOSE YOUR ELIGIBILITY TO COMPETE AS A STUDENT-ATHLETE IN YOUR SPORT * * * UNLESS THIS CONTRACT IS SERVING AS A PUBLICITY RIGHTS AGREEMENT PURSUANT TO SECTION 37-97-103;

(2) BOTH YOU AND YOUR ATHLETE AGENT ARE REQUIRED TO TELL YOUR ATHLETIC DIRECTOR, IF YOU HAVE AN ATHLETIC DIRECTOR, WITHIN 72 HOURS AFTER ENTERING INTO AN AGENCY CONTRACT; AND

(3) YOU MAY CANCEL THIS CONTRACT WITHIN 14 DAYS AFTER SIGNING IT. CANCELLATION OF THE CONTRACT MAY NOT REINSTATE YOUR ELIGIBILITY.

(4) An agency contract that does not conform to this section is voidable by the student-athlete.

(5) The athlete agent shall give a copy of the signed agency contract to the student-athlete at the time of signing.

SECTION 16. Section 73-42-21, Mississippi Code of 1972, is amended as follows:

73-42-21. (1) Before an athlete agent, or his or her employee or representative, may initiate a first contact, direct or indirect, with any of the individuals listed below, with the intent or for the purpose of soliciting the student-athlete or of procuring * * * an agency contract from the student-athlete, the athlete agent, or his or her employee or representative, must provide the educational institution at which the student-athlete is enrolled with written notification of the planned contact with these individuals:

(a) The student-athlete;

(b) The student-athlete's spouse, parent, foster parent, guardian, sibling, aunt, uncle, grandparent, child or first cousin; or the parent, foster parent, sibling, aunt, uncle, grandparent, child or first cousin of the student-athlete's spouse; or

(c) A representative of any of the individuals enumerated in paragraphs (a) and (b) of this subsection (1).

(2) Within seventy-two (72) hours after entering into an agency contract or before the next scheduled athletic event in which the student-athlete may participate, whichever occurs first, the athlete agent shall give notice of the existence of the agency contract to the athletic director of the educational institution at which the student-athlete is enrolled or at which the athlete agent has reasonable grounds to believe the student-athlete intends to enroll.

(3) Within seventy-two (72) hours after entering into an agency contract or before the next athletic event in which the student-athlete may participate, whichever occurs first, the student-athlete shall inform the athletic director of the educational institution at which the student-athlete is enrolled or intends to enroll that he or she has entered into an agency contract.

SECTION 17. Section 73-42-23, Mississippi Code of 1972, is brought forward as follows:

73-42-23. (1) A student-athlete may cancel an agency contract by giving notice to the athlete agent of the cancellation within fourteen (14) days after the date the contract is signed.

(2) A student-athlete may not waive the right to cancel any agency contract.

(3) If a student-athlete cancels an agency contract, the student-athlete is not required to pay any consideration under the contract or to return any consideration received from the athlete agent to induce the student-athlete to enter into the contract.

SECTION 18. Section 73-42-25, Mississippi Code of 1972, is brought forward as follows:

73-42-25. (1) An athlete agent shall retain the following records for a period of five (5) years:

(a) The name and address of each individual represented by the athlete agent;

(b) Any agency contract entered into by the athlete agent; and

(c) Any direct costs incurred by the athlete agent in the recruitment or solicitation of a student-athlete.

(2) Records required by subsection (1) to be retained are open to inspection by the Secretary of State during normal business hours.

SECTION 19. Section 73-42-27, Mississippi Code of 1972, is brought forward as follows:

73-42-27. (1) An athlete agent may not engage in any of the following activities, within this state or otherwise, with the intent to induce a student-athlete to enter into an agency contract:

(a) Give any materially false or misleading information or make a materially false promise or representation;

(b) Furnish anything of value to a student-athlete before the student-athlete enters into the agency contract; or

(c) Furnish anything of value to any individual other than the student-athlete or another registered athlete agent.

(2) An athlete agent may not intentionally:

(a) Initiate contact with a student-athlete unless registered under this chapter;

(b) Refuse or willfully fail to retain or permit inspection of the records required by Section 73-42-25 or fail to provide the Secretary of State with any statements, documents, records or testimony required by the secretary under Section 73-42-5(3) and (4);

(c) Violate Section 73-42-7 by failing to register;

(d) Provide materially false or misleading information in an application for registration or renewal of registration;

(e) Predate or postdate an agency contract; or

(f) Fail to notify a student-athlete prior to the student-athlete's signing an agency contract for a particular sport that the signing by the student-athlete may make the student-athlete ineligible to participate as a student-athlete in that sport.

SECTION 20. Section 73-42-29, Mississippi Code of 1972, is brought forward as follows:

73-42-29. The commission of any act prohibited by Section 73-42-27 by an athlete agent is a felony punishable by a fine of not more than Ten Thousand Dollars ($10,000.00) or by imprisonment of not more than two (2) years, or both.

SECTION 21. Section 73-42-31, Mississippi Code of 1972, is amended as follows:

73-42-31. (1) An educational institution has a right of action against an athlete agent or a former student-athlete for damages caused by a violation of this act. In an action under this section, the court may award to the prevailing party costs and reasonable attorney's fees, except that costs and attorney's fees shall not be levied against a public educational institution.

(2) Damages of an educational institution under subsection (1) include losses and expenses incurred because, as a result of the activities of an athlete agent or former student-athlete, the educational institution was injured by a violation of this chapter or was penalized, disqualified or suspended from participation in athletics by a national association * * *, a conference or any other group or organization with authority over the sport, that promotes or regulates collegiate athletics or by reasonable self-imposed disciplinary action taken to mitigate sanctions.

(3) A right of action under this section does not accrue until the educational institution discovers or by the exercise of reasonable diligence would have discovered the violation by the athlete agent or * * * student-athlete.

(4) Any liability of the athlete agent or the * * * student-athlete under this section is several and not joint.

(5) This chapter does not restrict rights, remedies or defenses of any person under law or equity.

SECTION 22. Section 73-42-33, Mississippi Code of 1972, is brought forward as follows:

73-42-33. The Secretary of State may assess a civil penalty against an athlete agent not to exceed Twenty-five Thousand Dollars ($25,000.00) for a violation of this chapter.

SECTION 23. Section 73-42-34, Mississippi Code of 1972, is amended as follows:

73-42-34. (1) If the Secretary of State determines that a person has engaged in or is engaging in an act, practice, or course of business constituting a violation of this chapter or a rule adopted or order issued under this chapter, or that a person has materially aided or is materially aiding in an act, practice, or course of business constituting a violation of this chapter or a rule adopted or order issued under this chapter, then the secretary may:

(a) Issue an order directing the person to cease and desist from engaging in the act, practice, or course of business, or to take other action necessary or appropriate to comply with this chapter or any rule adopted or order issued under this chapter;

(b) Issue an order imposing an administrative penalty against an athlete agent who violated any provision of this chapter or any rule adopted or order issued under this chapter; and

(c) Take any other action authorized under the provisions of this chapter.

(2) An order issued under subsection (1) of this section is effective on the date of its issuance. Upon the order's issuance, the Secretary of State shall promptly serve each person subject to the order with a copy of the order and a notice that the order has been entered. The order must include a statement of any civil penalty or other administrative remedy to be imposed under subsection (1) of this section, a statement of the costs of investigation that the secretary will seek to recover, a statement of the reasons for the order, and a statement notifying the person of his or her right to a hearing under Section 73-42-13. If a person subject to the order does not request a hearing in writing within thirty (30) days of the date of the order and none is ordered by the hearing officer, then the order, including the imposition of a civil penalty or requirement for payment of the costs of investigation, shall become final as to that person by operation of law.

(3) In a final order, the secretary may charge the actual cost of an investigation or proceeding for a violation of this chapter or a rule adopted or order issued under this chapter.

(4) If a petition for judicial review of a final order is not filed in accordance with Section 73-42-37, or the petition is denied by the court, the secretary may file a certified copy of the final order with the clerk of a court in the jurisdiction where enforcement will be sought. The order so filed has the same effect as a judgment of the court and may be recorded, enforced, or satisfied in the same manner as a judgment of the court.

(5) If a person does not comply with an order issued under this section, the secretary may petition a court of competent jurisdiction to enforce the order and collect administrative civil penalties and costs imposed under the final order. The court may not require the secretary to post a bond in an action or proceeding under this section. If the court finds, after service and opportunity for hearing, that the person did not comply with the order, the court may adjudge the person in civil contempt of the order. The court may grant any relief the court determines is just and proper in the circumstances.

(6) Any person aggrieved by a final order of the secretary may obtain a review of the order in the circuit court * * * in Mississippi in the county of residence of the athlete agent, the student-athlete, or * * * educational institution by filing within thirty (30) days after the entry of the order, a written petition praying that the order be modified or set aside, in whole or in part. A copy of the petition shall be served upon the secretary, and the secretary shall certify and file with the court a copy of the record and evidence upon which the order was entered. When these have been filed, the court has exclusive jurisdiction to affirm, modify, enforce or set aside the order, in whole or in part. The findings of the secretary as to the facts, if supported by competent material and substantial evidence, are conclusive. The beginning of proceedings under this subsection does not operate as a stay of the secretary's order, unless specifically ordered by the court.

SECTION 24. Section 73-42-35, Mississippi Code of 1972, is brought forward as follows:

73-42-35. In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

SECTION 25. Section 73-42-37, Mississippi Code of 1972, is brought forward as follows:

73-42-37. The provisions of this chapter modify, limit and supersede the federal Electronic Signatures in Global and National Commerce Act, 15 USCS Section 7001, et seq., except that those provisions do not modify, limit, or supersede Section 101(c) of that act, 15 USCS Section 7001(c), and do not authorize electronic delivery of any of the notices described in Section 103(b) of that act, 15 USCS Section 7003(b).

SECTION 26. Section 73-42-39, Mississippi Code of 1972, is brought forward as follows:

73-42-39. The Secretary of State may promulgate rules and regulations necessary to administer, carry out and enforce this chapter and to define terms whether or not used in this chapter, but those definitions may not be inconsistent with this chapter.

SECTION 27. Section 93-19-17, Mississippi Code of 1972, is amended as follows:

93-19-17. (1) All persons eighteen (18) years of age or older, if not otherwise disqualified, or prohibited by law, shall have the capacity to enter into binding contractual relationships affecting the use of their * * * publicity rights while participating in intercollegiate sports as student-athletes in accordance with the Mississippi Intercollegiate Athletics Compensation and Publicity Rights Act. Nothing in this section shall be construed to affect any contracts entered into prior to July 1, 2021.

(2) In any legal action founded on a student-athlete * * * publicity rights contract entered into by a person eighteen (18) years of age or older, the person may sue in his or her own name as an adult and be sued in his or her own name as an adult and be served with process as an adult.

(3) For purposes of this section:

(a) "Intercollegiate * * * athletics program" means an intercollegiate athletics sport played at the collegiate level for which eligibility requirements for participation by a student-athlete are established by a national association * * *, conference or any other group or organization with authority over the sport, that promotes or regulates collegiate athletics; and

(b) "Student-athlete" means an individual who * * * is enrolled in or has signed a National Letter of Intent or other written agreement to enroll in a postsecondary educational institution or is being recruited by a postsecondary educational institution to participate in an intercollegiate athletics program. If an individual is permanently ineligible to participate in a particular intercollegiate sport, the individual is not a student-athlete for purposes of that sport.

SECTION 28. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 37-97-101, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ACT MAY BE CITED AS THE "MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION AND PUBLICITY RIGHTS ACT"; TO AMEND SECTION 37-97-103, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "COMPENSATION", "INTERCOLLEGIATE ATHLETICS PROGRAM", "PUBLICITY RIGHTS", "STUDENT-ATHLETE", AND "THIRD PARTY"; TO AMEND SECTION 37-97-105, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CERTAIN ACTIONS TAKEN BY A POSTSECONDARY EDUCATIONAL INSTITUTION OR AN OFFICER OR EMPLOYEE THEREOF RELATED TO STUDENT-ATHLETES AND THEIR PUBLICITY RIGHTS; TO AUTHORIZE A THIRD PARTY TO COMPENSATE A STUDENT-ATHLETE FOR THE USE OF THE STUDENT-ATHLETE'S PUBLICITY RIGHTS; TO AUTHORIZE SUCH INSTITUTION TO REQUIRE STUDENT-ATHLETES TO DISCLOSE PUBLICITY RIGHTS AGREEMENTS; TO AMEND SECTION 37-97-107, MISSISSIPPI CODE OF 1972, TO DELETE VARIOUS PROVISIONS THEREOF; TO PROVIDE THAT A POSTSECONDARY EDUCATIONAL INSTITUTION MAY IMPOSE REASONABLE LIMITATIONS ON THE DATES AND TIME THAT A STUDENT-ATHLETE MAY PARTICIPATE IN PUBLICITY RIGHTS ACTIVITIES; TO PROVIDE THAT NOTHING IN

THIS CHAPTER SHALL RESTRICT A POSTSECONDARY EDUCATIONAL INSTITUTION FROM EXERCISING ITS SOLE DISCRETION TO CONTROL THE AUTHORIZED USE OF ITS MARKS OR LOGOS OR TO DETERMINE A STUDENT-ATHLETE'S APPAREL, GEAR OR OTHER WEARABLES WHILE PARTICIPATING IN AN INTERCOLLEGIATE ATHLETICS PROGRAM ACTIVITY; TO PROHIBIT A STUDENT-ATHLETE FROM USING REGISTERED OR LICENSED LOGOS OR MARKS UNLESS THE INSTITUTION HAS PROVIDED WRITTEN PERMISSION TO DO SO; TO PROVIDE THAT NO STUDENT-ATHLETE WHO IS ENROLLED IN A POSTSECONDARY EDUCATIONAL INSTITUTION SHALL ENTER INTO A PUBLICITY RIGHTS AGREEMENT OR RECEIVE COMPENSATION FROM A THIRD PARTY FOR THE ENDORSEMENT OR PROMOTION OF BRANDS, PRODUCTS, OR SERVICES INVOLVING GAMBLING, SPORTS BETTING, CONTROLLED SUBSTANCES, MARIJUANA, TOBACCO, ALTERNATIVE OR ELECTRONIC NICOTINE PRODUCT OR DELIVERY SYSTEM, ALCOHOL, ADULT ENTERTAINMENT OR ANY OTHER BRAND, TO PROVIDE THAT NOTHING IN THIS CHAPTER SHALL BE CONSTRUED TO QUALIFY A STUDENT-ATHLETE AS AN EMPLOYEE OF A POSTSECONDARY EDUCATIONAL INSTITUTION; TO AMEND SECTION 37-97-109, MISSISSIPPI CODE OF 1972, TO SET CERTAIN PROHIBITIONS AGAINST ACTIONS TAKEN BY A NATIONAL ASSOCIATION, A CONFERENCE OR ANY OTHER GROUP OR ORGANIZATION WITH AUTHORITY OVER THE SPORT THAT PROMOTES OR REGULATES COLLEGIATE ATHLETICS AT A POSTSECONDARY EDUCATIONAL INSTITUTION; TO PROVIDE THAT A PERSON OR ENTITY, REGARDLESS OF RESIDENCE, SHALL NOT GIVE OR PROMISE COMPENSATION FOR THE USE OF PUBLICITY RIGHTS OF A STUDENT-ATHLETE WHO IS CURRENTLY ENROLLED IN OR HAS SIGNED A NATIONAL LETTER OF INTENT OR OTHER WRITTEN AGREEMENT TO ENROLL IN A POSTSECONDARY EDUCATIONAL INSTITUTION WITHIN THE STATE OF MISSISSIPPI WITH THE PURPOSE OF RECRUITING OR INDUCING THE STUDENT-ATHLETE TO ENROLL AT ANOTHER POSTSECONDARY EDUCATIONAL INSTITUTION; TO AMEND SECTION 73-42-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN AGENCY CONTRACT SHALL NOT PROVIDE FOR ATHLETE AGENT COMPENSATION THAT EXCEEDS 20% OF THE AGENCY CONTRACT; TO REVISE THE DEFINITION OF "AGENCY CONTRACT", "ENDORSEMENT CONTRACT" AND "STUDENT-ATHLETE" AND TO DEFINE "INTERCOLLEGIATE ATHLETICS PROGRAM"; TO AMEND SECTIONS 73-42-5, 73-42-11, 73-42-13, 73-42-19, 73-42-21, 73-42-31, 73-42-34 AND 93-19-17, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; TO BRING FORWARD SECTIONS 73-42-1, 73-42-7, 73-42-9, 73-42-15, 73-42-17, 73-42-23, 73-42-25, 73-42-27, 73-42-29, 73-42-33, 73-42-35, 73-42-37 AND 73-42-39, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2417** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Chism, Hill. Total--2.

Absent and those not voting----None.

Senator DeBar called up the following House Amendment to **S. B. No. 2689** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend on line 1232 by striking "30" and inserting in lieu thereof: "28".

Senator Parker called up the following House Amendment to **S. B. No. 2244** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

AMEND on line 107 by striking state park and inserting in lieu thereof: museum

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2244** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

H. B. No. 903: Machine gun; provide crime for conversion to.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following section shall be codified as Section 97-37-39, Mississippi Code of 1972:

97-37-39. (1) (a) Any person who manufactures, possesses, or uses a machine gun conversion device and who is not otherwise authorized by federal law to manufacture, possess or use a machine gun conversion device shall be guilty of a felony.

(b) For purposes of this section, the following terms shall have the meanings described herein:

(i) "Machine gun conversion" means a device that is designed, made and intended to convert a semiautomatic firearm into a machine gun.

(ii) Machine gun means and includes any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one (1) shot without manual reloading, by a single function of the trigger.

(2) Any person convicted of a first offense in violation of this act shall be guilty of a felony, and shall be sentenced to imprisonment for a term of not more than ten (10) years, fined not more than Ten Thousand Dollars ($10,000.00), or both.

(3) A person convicted of a second or subsequent offense shall be charged with a felony under this act and shall be sentenced to imprisonment for a term of not more than fifteen (15) years, fined not more than Twenty Thousand Dollars ($20,000.00), or both.

(4) This section shall be known as the "Jeremy Todd Malone Law."

SECTION 2. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO CREATE NEW SECTION 97-37-39, MISSISSIPPI CODE OF 1972, TO CRIMINALIZE THE MANUFACTURE, POSSESSION AND USE OF MACHINE GUN CONVERSION DEVICES; AND FOR RELATED PURPOSES.

Senators Fillingane and Whaley offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 15 after the period by inserting the following:

The term "machine gun conversion" does not include any semi-automatic firearm or any device designed only to aid the operator of a semi-automatic firearm to discharge the firearm more accurately or to pull the trigger more quickly as long as the operator must still function the trigger of the firearm for each shot fired.

FURTHER, AMEND after line 28 by inserting the following new subsection and renumbering subsequent subsections accordingly:

(4) Nothing in this section shall be construed to affect the right of possession or ownership of any firearm.

FURTHER, AMEND by deleting on line 32 the following:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 903 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 903 was adopted.

YEAS AND NAYS On H. B. No. 903. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Chism, Hill. Total--2.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

H. B. No. 1441: Felony; increase penalties for commission of with use of semi-automatic firearm.

Senator Hill offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-37-37, Mississippi Code of 1972, is amended as follows:

97-37-37. (1) Except to the extent that a greater minimum sentence is otherwise provided by any other provision of law, any person who uses or displays a firearm during the commission of any felony that is not defined as a crime of violence in Section 97-3-2 shall, in addition to the punishment provided for such felony, be sentenced to an additional term of imprisonment in the custody of the Department of Corrections of five (5) years * * *.

(2) Except to the extent that a greater minimum sentence is otherwise provided by any other provision of law, any convicted felon who uses or displays a firearm during the commission of any felony that is defined as a crime of violence in Section 97-3-2 shall, in addition to the punishment provided for such felony, be sentenced to an additional term of imprisonment in the custody of the Department of Corrections of * * * twenty (20) years, to run consecutively, not concurrently, which sentence shall not be reduced or suspended.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 97-37-37, MISSISSIPPI CODE OF 1972, TO REVISE THE TERM OF IMPRISONMENT FOR USE OF A FIREARM DURING THE COMMISSION OF A FELONY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1441 was adopted.

YEAS AND NAYS On H. B. No. 1441. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Whaley called up the following entitled bill:

H. B. No. 1206: Open Season; revise dates for fur-bearing animals and hunting opossums, racoons and bobcats with dogs and guns.

Senator Whaley offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-7-31.4, Mississippi Code of 1972, is amended as follows:

49-7-31.4. (1) The commission may fix the open season on fur-bearing animals between November 1 and March * * * 15 next following and fix the open season for hunting opossums, raccoons and bobcats with dogs and guns by licensed hunters from October 1 to * * * March 15 next following; but raccoons and bobcats may be run, hunted, chased or pursued throughout the year with dogs by licensed hunters.

(2) The commission may establish an additional open season on raccoon from July 1 through October 1, and the bag limit on raccoon during the additional open season shall be one (1) per party, per night.

(3) When the open season on fur-bearing animals, including any additional open season on raccoon, ends on a Friday, the commission shall have the authority to extend the season until thirty (30) minutes after sunset on the following Sunday.

SECTION 2. Section 49-7-31.1, Mississippi Code of 1972, as amended by House Bill No. 526, 2024 Regular Session, is amended as follows:

49-7-31.1. (1) When hunting deer during any * * * firearm season on deer, * * * every hunter, whether hunting with a firearm, bow and arrow or any other weapon, must wear in full view at least five hundred (500) square inches of solid unbroken fluorescent orange or solid unbroken fluorescent pink, except as otherwise provided in this section. * * *

(2) Hunters shall not be required to wear the five hundred (500) square inches of solid unbroken fluorescent orange or solid unbroken fluorescent pink required under subsection (1) of this section when:

(a) Hunting from a deer stand that is elevated twelve (12) feet or more above the ground; or

(b) Hunting in a fully enclosed blind.

(* * *3) A violation of this section is a Class III violation and is punishable as provided in Section 49-7-101.

SECTION 3. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 49-7-31.4, MISSISSIPPI CODE OF 1972, TO REVISE DATES ON OPEN SEASON FOR FUR-BEARING ANIMALS AND HUNTING OPOSSUMS, RACOONS AND BOBCATS WITH DOGS AND GUNS; TO AMEND SECTION 49-7-31.1, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 526, 2024 REGULAR SESSION, TO CLARIFY THE CIRCUMSTANCES UNDER WHICH

HUNTERS MUST WEAR SOLID UNBROKEN FLUORESCENT ORANGE OR SOLID UNBROKEN FLUORESCENT PINK; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1206 was adopted.

YEAS AND NAYS On H. B. No. 1206. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Younger called up the following entitled bill:

H. B. No. 1304: Grain graders; provide process for certification of.

YEAS AND NAYS On H. B. No. 1304. On motion of Senator Berry, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Branning moved that the rules be suspended to move to calendar item 47, **S. B. No. 2060**, and the motion prevailed.

Senator Branning called up the following House Amendment to **S. B. No. 2060** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Little Biloxi Bridge located on United States Highway 49 in Harrison County, Mississippi, is designated and shall be known as the "Willie E. King Memorial Bridge" in memory of the late World War II Infantryman Willie Edward King, who courageously gave his life during the Omaha Beach invasion of Normandy.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO DESIGNATE THE LITTLE BILOXI BRIDGE ON HIGHWAY 49 IN HARRISON COUNTY, MISSISSIPPI, AS THE "WILLIE E. KING MEMORIAL BRIDGE" IN MEMORY OF THE LATE WORLD WAR II INFANTRYMAN WILLIE EDWARD KING; AND FOR RELATED PURPOSES.

Senator Branning called up the following entitled bill:

H. B. No. 697: Mississippi Aviation Safety Act; create.

YEAS AND NAYS On H. B. No. 697. On motion of Senator Rhodes, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Parker called up the following entitled bill:

H. B. No. 1487: Capitol Complex Improvement District; revise boundaries of.

Senator Parker offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 29-5-203, Mississippi Code of 1972, is amended as follows:

[Through June 30, 2024, this section shall read as follows:]

29-5-203. There is created the Capitol Complex Improvement District to be composed of the following described area in the City of Jackson, Mississippi, that surrounds the State Capitol Building:

CAPITOL COMPLEX * * * BOUNDARIES

Beginning at a point on the west bank of the Pearl River determined by extending the south curb line of High Street east until it meets the bank of the Pearl River;

Then north along the west bank of the Pearl River (extending along the southern boundary of LeFleur's Bluff State Park) until it reaches a point on such bank determined by extending the east curb line of Ridgewood Road south until it meets the bank of the Pearl River;

Then north along such line determined by extending the east curb line of Ridgewood Road and continuing along such curb line until it reaches the northern drainage ditch of Eastover Drive;

Then west along the northern drainage ditch and curb line of Eastover Drive until it reaches the western curb line of the west frontage road of I-55;

Then south along the west curb line of such frontage road until it reaches the northern curb line of Lakeland Drive;

Then west along the northern curb line of Lakeland Drive until it reaches the eastern curb line of Old Canton Road;

Then north along the east curb line of Old Canton Road until it reaches the northern curb line of Meadowbrook Road;

Then west along the north curb line of Meadowbrook Road to the west curb line of North State Street;

Then south along the west curb line of North State Street to the north curb line of Hartfield Street;

Then west along the north curb line of Hartfield Street to the west curb line of Oxford Avenue;

Then south on the west curb line of Oxford Avenue to the north curb line of Mitchell Avenue which becomes Stonewall Street;

Then west along the north curb line of Mitchell Street and then Stonewall Street until it reaches the west curb line of Livingston Road;

Then south along the west curb line of Livingston Road until it reaches the south curb line of Woodrow Wilson Drive;

Then east along the south curb line of Woodrow Wilson Drive to the west curb line of Bailey Avenue (which becomes Gallatin Street);

Then south along the west curb line of Bailey Avenue and then Gallatin Street until it reaches the north curb line of West Capitol Street;

Then west along the north curb line of West Capitol Street until it intersects with the north curb line of Robinson Road;

Then west on the north curb line of Robinson Road until it intersects with the west curb line of Prentiss Street;

Then south along the west curb line of Prentiss Street until it intersects with the north curb line of John R. Lynch Street on the west side of Jackson State University;

Then west on the north curb line of John R. Lynch Street until it reaches the west curb line of Valley Street;

Then south along the west curb line of Valley Street until it reaches the south curb line of Morehouse Street;

Then east along the south curb line of Morehouse Street until it reaches the west curb line of Dalton Street;

Then south along the west curb line of Dalton Street until it reaches the south curb line of Florence Avenue;

Then east along the south curb line of Florence Avenue until it reaches the east curb line of University Blvd. (Terry Road);

Then north and along the east curb line of University Blvd. until it reaches the south curb line of Hooker Street;

Then east along the south curb line of Hooker Street extending in a straight line to the railroad tracks;

Then north on the west side of such railroad tracks to the south curb line of South Street;

Then east on South Street to the east curb line of Jefferson Street and extend the south curb line of South Street in a straight line to the east to the western edge of I-55;

Then north along the western edge of I-55 until it reaches the south curb line of High Street;

Then east along the south curb line of High Street and extending such line to the Pearl River and the point of the beginning.

[From and after July 1, 2024, this section shall read as follows:]

29-5-203. There is created the Capitol Complex Improvement District to be composed of the following described area in the City of Jackson, Mississippi, that surrounds the State Capitol Building:

CAPITOL COMPLEX * * * BOUNDARIES

Beginning at a point on the west bank of the Pearl River determined by extending the south curb line of High Street east until it meets the bank of the Pearl River;

Then north along the west bank of the Pearl River until it reaches a point on such bank determined by extending the north curb line of * * * Westbrook Road until it meets the bank of the Pearl River;

Then west along the north curb line of Westbrook Road until it reaches the west curb line of Old Canton Road;

Then south along the west curb line of Old Canton Road, and continuing west along the north curb line of Old Canton Road, and continuing west along the north curb line of Canton Mart Road until it reaches the west curb line of Interstate 55 South Frontage Road;

Then south along the west curb line of Interstate 55 South Frontage Road until it intersects with the north curb line of Northside Drive;

Then west along the north curb line of Northside Drive until it reaches the west track of the Illinois Central Railroad line;

Then south along the west track of the Illinois Central Railroad line to the north curb line of Mitchell Avenue which becomes Stonewall Street;

Then west along the north curb line of Mitchell Street and then Stonewall Street until it reaches the west curb line of Livingston Road;

Then south along the west curb line of Livingston Road until it reaches the south curb line of Woodrow Wilson Drive;

Then east along the south curb line of Woodrow Wilson Drive to the west curb line of Bailey Avenue (which becomes Gallatin Street);

Then south along the west curb line of Bailey Avenue and then Gallatin Street until it reaches the north curb line of West Monument Street;

Then west along the north curb line of West Monument Street until it intersects with West Capitol Street and becomes Rose Street;

Then south along the west curb line of Rose Street until it intersects with the north curb line of Robinson Road;

Then west on the north curb line of Robinson Road until it intersects with the west curb line of Prentiss Street;

Then south along the west curb line of Prentiss Street until it intersects with the north curb line of John R. Lynch Street on the west side of Jackson State University;

Then west on the north curb line of John R. Lynch Street until it reaches the west curb line of Ellis Avenue;

Then south along the west curb line of Ellis Avenue until it reaches the south curb line of Raymond Road;

Then east along the south curb line of Raymond Road until it reaches the north edge of Interstate 20 westbound;

Then east along the north edge of Interstate 20 until it overlaps with Interstate 55 and continues along such edge of Interstate 55/20 to the western edge of where it becomes Interstate 55;

Then north along the western edge of I-55 until it reaches the south curb line of High Street;

Then east along the south curb line of High Street and extending such line to the Pearl River and the point of the beginning.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 29-5-203, MISSISSIPPI CODE OF 1972, TO REVISE THE BOUNDARIES OF THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1487 was adopted.

YEAS AND NAYS On H. B. No. 1487. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--39.

Nays--Barnett, Blackmon, Brumfield, Butler, Frazier, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--12.

Absent and those not voting----None.

Voting Present--Hickman. Total--1.

Senator Fillingane called up the following entitled bill:

H. B. No. 1004: Sex offender registry; revise definitions for provisions of law that regulate.

Senator Sparks offered the following AMENDMENT NO. 1.

AMEND on line 332 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to H. B. No. 1004 was adopted.

Senator Chism offered the following AMENDMENT NO. 2.

AMEND by inserting after line 327 the following language and renumbering subsequent subsections:

(5) Any person required to register under this section is prohibited from living in campus student housing at an institution of higher learning or community college supported in whole or in part by the State of Mississippi.

(6) Civil liability:

(a) A person may assert a violation of subsection (5) of this section as a claim or defense in a judicial or administrative proceeding and obtain compensatory

damages, punitive damages, injunctive relief, declaratory relief or any other appropriate relief. Such claim may be brought against any applicable governmental entity for each building under its ownership, control or lease which caused or contributed to a violation of this subsection (6).

(b) A person under eighteen (18) years of age may bring an action throughout their minority through a parent or next friend and may bring an action in their own name upon reaching the age of majority.

(c) Notwithstanding any other provision of law, an action under this subsection (6) may be commenced, and relief may be granted, in a judicial proceeding without regard to whether the person commencing the action has sought or exhausted available administrative remedies.

(d) In any action or proceeding to enforce a provision of this subsection (6), a prevailing party who establishes a violation of this subsection (6) shall recover reasonable attorney's fees.

FURTHER, AMEND the title to conform.

Senator Chism offered the following AMENDMENT NO. 1 TO AMENDMENT NO. 2.

AMEND by striking subsection (6) in its entirety.

Amendment No. 1 to Amendment No. 2 to H. B. No. 1004 was adopted.

Amendment No. 2 to H. B. No. 1004 as amended failed.

YEAS AND NAYS On H. B. No. 1004. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

_____

Senator Hill entered a motion to reconsider the vote whereby **H. B. No. 1004** passed the Senate as amended.

_____

Senator England called up the following entitled bill:

H. B. No. 1035: Justice court judges; include in the "Nonpartisan Judicial Election Act".

Senator England offered the following COMMITTEE AMENDMENT NO. 1.

AMEND on line 70 by deleting "Fifteen Dollars ($15.00)" and inserting in lieu thereof "One Hundred Dollars ($100.00)"

Senators Blackmon and England offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 26 after the word "judges" by inserting the following language:

, who are licensed and/or authorized to practice law by the Mississippi Bar,

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1035 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1035 was adopted.

YEAS AND NAYS On H. B. No. 1035. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Boyd, Branning, Bryan, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Younger. Total--36.

Nays--Blount, Butler, Chism, Hill, Horhn, McLendon, McMahan, Norwood, Sparks, Tate, Williams. Total--11.

Absent and those not voting----None.

Voting Present--Barnett, Brumfield, Frazier, Simmons D. T. (12th), Simmons S. (13th). Total--5.

Senator Wiggins called up the following entitled bill:

H. B. No. 1088: Circuit courts; authorize jurisdiction for persons with criminal charges who may need civil commitment procedures.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-21-63, Mississippi Code of 1972, is amended as follows:

41-21-63. (1) No person, other than persons charged with crime, shall be committed to a public treatment facility except under the provisions of Sections 41-21-61 through 41-21-107 or 43-21-611 or 43-21-315. However, nothing herein shall be construed to repeal, alter or otherwise affect the provisions of Section 35-5-31 or to affect or prevent the commitment of persons to the Veterans Administration or other agency of the United States under the provisions of and in the manner specified in those sections.

(2) (a) The chancery court, or the chancellor in vacation, shall have jurisdiction under Sections 41-21-61 through 41-21-107 except over persons with unresolved felony charges unless paragraph (b) of this subsection applies.

(b) If a circuit court with jurisdiction over unresolved felony charges enters an order concluding that * * * a person is incompetent to stand trial and is not restorable to competency in the foreseeable future, the * * * circuit court shall retain jurisdiction and shall proceed with civil commitment procedures in the same manner as described in Sections 41-21-61 through 41-21-107. The order of the circuit court finding that the person is incompetent to stand trial and is not restorable to competency in the foreseeable future shall be in lieu of the affidavit for commitment provided for in Section 41-21-65. * * * Additionally, if the finding of the circuit court is based on the report and/or testimony of a physician or psychologist that has examined the person, the provisions of Section 41-21-67 for psychiatric examinations shall not apply.

(3) The circuit court shall also have jurisdiction under Sections 99-13-7, 99-13-9 and 99-13-11.

(4) Before the release of a person referred for civil commitment under this section and committed under Sections 41-21-61 through 41-21-107, the Department of Mental Health must notify the district attorney of the county where the offense was committed. The district attorney must notify the crime victim or a family member who has requested notification under Section 99-43-35 and the sheriffs of both the county where the offense was committed and the county of the committed person's destination.

SECTION 2. Section 99-13-9, Mississippi Code of 1972, is amended as follows:

99-13-9. When any person is indicted for an offense and acquitted on the ground of having an intellectual disability, the jury rendering the verdict shall state in the verdict that ground and whether the accused constitutes a danger to life or property and to the peace and safety of the community. If the jury certifies that the person with an intellectual disability is dangerous to the peace and safety of the community or to himself or herself, the circuit court shall * * * proceed with the person according to the law provided in the case of persons with an intellectual disability, the person with an intellectual disability himself being remanded to custody to await the further action of the * * * circuit court.

SECTION 3. Section 41-21-65, Mississippi Code of 1972, is amended as follows:

41-21-65. (1) It is the intention of the Legislature that the filing of an affidavit under this section be a simple, inexpensive, uniform, and streamlined process for the purpose of facilitating and expediting the care of individuals in need of treatment.

(2) The Uniform Civil Commitment Affidavit developed by the Department of Mental Health under this section must be provided by the clerk of the chancery court to any party or affiant seeking a civil commitment under this section, and must be utilized in all counties to commence civil commitment proceedings under this section. The affidavit must be made available to the public on the website of the Mississippi Department of Mental Health.

(3) The Department of Mental Health, in consultation with the Mississippi Chancery Clerks Association, the Mississippi Conference of Chancery Court Judges and the Mississippi Association of Community Mental Health Centers, must develop a written guide setting out the steps in the commitment process no later than January 1, 2020. The guide shall be designated as the "Uniform Civil Commitment Guide" and must include, but not be limited to, the following:

(a) Steps in the civil commitment process from affidavit to commitment, written in easily understandable layman's terms;

(b) A schedule of fees and assessments that will be charged to commence a commitment proceeding under this section;

(c) Eligibility requirements and instructions for filing a pauper's affidavit; and

(d) A statement on the front cover of the guide advising that persons wishing to pursue a civil commitment under this section are not required to retain an attorney for any portion of the commitment process.

(4) Immediately upon availability, but no later than January 1, 2020, the Uniform Civil Commitment Guide must be provided by the clerk of the chancery court to any party or affiant seeking a civil commitment under this section and also must be made available to the public on the website of the Mississippi Department of Mental Health.

(5) If any person is alleged to be in need of treatment, any relative of the person, or any interested person, may make affidavit of that fact and shall file the Uniform Civil Commitment Affidavit with the clerk of the chancery court of the county in which the person alleged to be in need of treatment resides, but the chancellor or duly appointed special master may, in his or her discretion, hear the matter in the county in which the person may be found or the circuit judge may hear such matter as provided in Section 41-21-63. The affidavit shall set forth the name and address of the proposed patient's nearest relatives and whether the proposed patient resides or has visitation rights with any minor children, if known, and the reasons for the affidavit. The affidavit must contain factual descriptions of the proposed patient's recent behavior, including a description of the behavior, where it occurred, and over what period of time it occurred, if known. Each factual allegation may be supported by observations of witnesses named in the affidavit. The Department of Mental Health, in consultation with the Mississippi Chancery Clerks' Association, shall develop a simple, one-page affidavit form for the use of affiants as provided in this section. The affidavit also must state whether the affiant has consulted with a Community Mental Health Center or a physician to determine whether the alleged acts by the proposed respondent warrant civil commitment in lieu of other less-restrictive treatment options. No chancery clerk shall require an affiant to retain an attorney for the filing of an affidavit under this section.

(6) The chancery clerk may charge a total filing fee for all services equal to the amount set out in Section 25-7-9(o), and the appropriate state and county assessments as required by law which include, but are not limited to, assessments for the Judicial Operation Fund (Section 25-7-9(3)(b)); the Electronic Court System Fund (Section 25-7-9(3)(a)); the Civil Legal Assistance Fund (Section 25-7-9(1)(k)); the Court Education and Training Fund (Section 37-26-3); State Court Constituent's Fund (Section 37-26-9(4)); and reasonable court reporter's fee. Costs incidental to the court proceedings as set forth in Section 41-21-79 may not be included in the assessments permitted by this subsection. The total of the fees and assessments permitted by this subsection may not exceed One Hundred Fifty Dollars ($150.00).

(7) The prohibition against charging the affiant other fees, expenses, or costs shall not preclude the imposition of monetary criminal penalties under Section 41-21-107 or any other criminal statute, or the imposition by the chancellor of monetary penalties for contempt if the affiant is found to have filed an intentionally false affidavit or filed the affidavit in bad faith for a malicious purpose.

(8) Nothing in this section shall be construed so as to conflict with Section 41-21-63.

(9) The Department of Mental Health shall provide annual training to chancery and circuit court clerks to inform them about statutory procedures for civil commitments.

SECTION 4. Section 41-21-67, Mississippi Code of 1972, is amended as follows:

41-21-67. (1) Whenever the affidavit provided for in Section 41-21-65 is filed with the chancery clerk, the clerk, upon direction of the chancellor of the court, shall issue a writ directed to the sheriff of the proper county to take into custody the person alleged to be in need of treatment and to take the person for pre-evaluation screening and treatment by the appropriate community mental health center established under Section 41-19-31. Except as otherwise provided in Section 41-21-63, the community mental health center will be designated as the first point of entry for pre-evaluation screening and treatment. If the community mental health center is unavailable, any reputable licensed physician, psychologist, nurse practitioner or physician assistant, as allowed in the discretion of the court, may conduct the pre-evaluation screening and examination as set forth in Section 41-21-69. The order may provide where the person shall be held before being taken for pre-evaluation screening and treatment. However, when the affidavit fails to set forth factual allegations and witnesses sufficient to support the need for treatment, the chancellor shall refuse to direct issuance of the writ. Reapplication may be made to the chancellor. If a pauper's affidavit is filed by an affiant who is a guardian or conservator of a person in need of treatment, the court shall determine if either the affiant or the person in need of treatment is a pauper and if * * * the affiant or the person in need of treatment is determined to be a pauper, the county of the residence of the respondent shall bear the costs of commitment, unless funds for those purposes are made available by the state.

In any county in which a Crisis Intervention Team has been established under the provisions of Sections 41-21-131 through 41-21-143, the clerk, upon the direction of the chancellor, may require that the person be referred to the Crisis Intervention Team for appropriate psychiatric or other medical services before the issuance of the writ.

(2) Upon issuance of the writ, the chancellor shall immediately appoint and summon two (2) reputable, licensed physicians or one (1) reputable, licensed physician and either one (1) psychologist, nurse practitioner or physician assistant to conduct a physical and mental examination of the person at a place to be designated by the clerk or chancellor and to report their findings to the clerk or chancellor. However, any nurse practitioner or physician assistant conducting the examination shall be independent from, and not under the supervision of, the other physician conducting the examination. A nurse practitioner or psychiatric nurse practitioner conducting an examination under this chapter must be functioning within a collaborative or consultative relationship with a physician as required under Section 73-15-20(3). In all counties in which there is a county health officer, the county health officer, if available, may be one (1) of the physicians so appointed. If a licensed physician is not available to conduct the physical and mental examination within forty-eight (48) hours of the issuance of the writ, the court, in its discretion and upon good cause shown, may permit the examination to be conducted by the following: (a) two (2) nurse practitioners, one (1) of whom must be a psychiatric nurse practitioner; or (b) one (1) psychiatric nurse practitioner and one (1) psychologist or physician assistant. Neither of the physicians nor the psychologist, nurse practitioner or physician assistant selected shall be related to that person in any way, nor have any direct or indirect interest in the estate of that person nor shall any full-time staff of residential treatment facilities operated directly by the State Department of Mental Health serve as examiner.

(3) The clerk shall ascertain whether the respondent is represented by an attorney, and if it is determined that the respondent does not have an attorney, the clerk shall immediately notify the chancellor of that fact. If the chancellor determines that the respondent for any reason does not have the services of an attorney, the chancellor shall immediately appoint an attorney for the respondent at the time the examiners are appointed.

(4) If the chancellor determines that there is probable cause to believe that the respondent is mentally ill and that there is no reasonable alternative to detention, the chancellor may order that the respondent be retained as an emergency patient at any licensed medical facility for evaluation by a physician, nurse practitioner or physician assistant and that a peace officer transport the respondent to the specified facility. If the

community mental health center serving the county has partnered with Crisis Intervention Teams under the provisions of Sections 41-21-131 through 41-21-143, the order may specify that the licensed medical facility be a designated single point of entry within the county or within an adjacent county served by the community mental health center. If the person evaluating the respondent finds that the respondent is mentally ill and in need of treatment, the chancellor may order that the respondent be retained at the licensed medical facility or any other available suitable location as the court may so designate pending an admission hearing. If necessary, the chancellor may order a peace officer or other person to transport the respondent to that facility or suitable location. Any respondent so retained may be given such treatment as is indicated by standard medical practice. However, the respondent shall not be held in a hospital operated directly by the State Department of Mental Health, and shall not be held in jail unless the court finds that there is no reasonable alternative.

(5) (a) Whenever a licensed psychologist, nurse practitioner or physician assistant who is certified to complete examinations for the purpose of commitment or a licensed physician has reason to believe that a person poses an immediate substantial likelihood of physical harm to himself or others or is gravely disabled and unable to care for himself by virtue of mental illness, as defined in Section 41-21-61(e), then the physician, psychologist, nurse practitioner or physician assistant may hold the person or may admit the person to and treat the person in a licensed medical facility, without a civil order or warrant for a period not to exceed seventy-two (72) hours. However, if the seventy-two-hour period begins or ends when the chancery clerk's office is closed, or within three (3) hours of closing, and the chancery clerk's office will be continuously closed for a time that exceeds seventy-two (72) hours, then the seventy-two-hour period is extended until the end of the next business day that the chancery clerk's office is open. The person may be held and treated as an emergency patient at any licensed medical facility, available regional mental health facility, or crisis intervention center. The physician or psychologist, nurse practitioner or physician assistant who holds the person shall certify in writing the reasons for the need for holding.

If a person is being held and treated in a licensed medical facility, and that person decides to continue treatment by voluntarily signing consent for admission and treatment, the seventy-two-hour hold may be discontinued without filing an affidavit for commitment. Any respondent so held may be given such treatment as indicated by standard medical practice. Persons acting in good faith in connection with the detention and reporting of a person believed to be mentally ill shall incur no liability, civil or criminal, for those acts.

(b) Whenever an individual is held for purposes of receiving treatment as prescribed under paragraph (a) of this subsection, and it is communicated to the mental health professional holding the individual that the individual resides or has visitation rights with a minor child, and if the individual is considered to be a danger to the minor child, the mental health professional shall notify the Department of Child Protection Services prior to discharge if the threat of harm continues to exist, as is required under Section 43-21-353.

This paragraph (b) shall be known and may be cited as the "Andrew Lloyd Law."

SECTION 5. Section 41-21-71, Mississippi Code of 1972, is amended as follows:

41-21-71. If, as a result of the examination, the appointed examiners certify that the person is not in need of treatment, the chancellor * * *, clerk or circuit judge as applicable shall dismiss the affidavit without the need for a further hearing. * * * Except as otherwise provided in Section 41-21-63, the chancellor or chancery clerk finds, based upon the appointed examiners' certificates and any other relevant evidence, that the respondent is in need of treatment and the certificates are filed with the chancery clerk within forty-eight (48) hours after the order for examination, or extension of that time as provided in Section 41-21-69, the clerk shall immediately set the matter for a hearing. The hearing shall be set within seven (7) days of the filing of the certificates unless an

extension is requested by the respondent's attorney. In no event shall the hearing be more than ten (10) days after the filing of the certificates.

SECTION 6. Section 41-21-73, Mississippi Code of 1972, is amended as follows:

41-21-73. (1) Except as otherwise provided in Section 41-21-63, the hearing shall be conducted before the chancellor. However, the hearing may be held at the location where the respondent is being held. Within a reasonable period of time before the hearing, notice of same shall be provided the respondent and his attorney, which shall include: (a) notice of the date, time and place of the hearing; (b) a clear statement of the purpose of the hearing; (c) the possible consequences or outcome of the hearing; (d) the facts that have been alleged in support of the need for commitment; (e) the names, addresses and telephone numbers of the examiner(s); and (f) other witnesses expected to testify.

(2) The respondent must be present at the hearing unless the chancellor determines that the respondent is unable to attend and makes that determination and the reasons therefor part of the record. At the time of the hearing, the respondent shall not be so under the influence or suffering from the effects of drugs, medication or other treatment so as to be hampered in participating in the proceedings. The court, at the time of the hearing, shall be presented a record of all drugs, medication or other treatment that the respondent has received pending the hearing, unless the court determines that such a record would be impractical and documents the reasons for that determination.

(3) The respondent shall have the right to offer evidence, to be confronted with the witnesses against him and to cross-examine them and shall have the privilege against self-incrimination. The rules of evidence applicable in other judicial proceedings in this state shall be followed.

(4) If the court finds by clear and convincing evidence that the proposed patient is a person with mental illness or a person with an intellectual disability and, if after careful consideration of reasonable alternative dispositions, including, but not limited to, dismissal of the proceedings, the court finds that there is no suitable alternative to judicial commitment, the court shall commit the patient for treatment in the least restrictive treatment facility that can meet the patient's treatment needs. Treatment before admission to a state-operated facility shall be located as closely as possible to the patient's county of residence and the county of residence shall be responsible for that cost. Admissions to state-operated facilities shall be in compliance with the catchment areas established by the State Department of Mental Health. A nonresident of the state may be committed for treatment or confinement in the county where the person was found.

Alternatives to commitment to inpatient care may include, but shall not be limited to: voluntary or court-ordered outpatient commitment for treatment with specific reference to a treatment regimen, day treatment in a hospital, night treatment in a hospital, placement in the custody of a friend or relative, or the provision of home health services.

For persons committed as having mental illness or having an intellectual disability, the initial commitment shall not exceed three (3) months.

(5) No person shall be committed to a treatment facility whose primary problems are the physical disabilities associated with old age or birth defects of infancy.

(6) The court shall state the findings of fact and conclusions of law that constitute the basis for the order of commitment. The findings shall include a listing of less restrictive alternatives considered by the court and the reasons that each was found not suitable.

(7) A stenographic transcription shall be recorded by a stenographer or electronic recording device and retained by the court.

(8) Notwithstanding any other provision of law to the contrary, neither the State Board of Mental Health or its members, nor the State Department of Mental Health or its related facilities, nor any employee of the State Department of Mental Health or its related facilities, unless related to the respondent by blood or marriage, shall be assigned or adjudicated custody, guardianship, or conservatorship of the respondent.

(9) The county where a person in need of treatment is found is authorized to charge the county of the person's residence for the costs incurred while the person is confined in the county where such person was found.

SECTION 7. Section 41-21-83, Mississippi Code of 1972, is amended as follows:

41-21-83. Except as otherwise provided in Section 41-21-63, if a hearing is requested as provided in Section 41-21-74, 41-21-81 or 41-21-99, the court shall not make a determination of the need for continued commitment unless a hearing is held and the court finds by clear and convincing evidence that (a) the person continues to have mental illness or have an intellectual disability; and (b) involuntary commitment is necessary for the protection of the patient or others; and (c) there is no alternative to involuntary commitment. Hearings held under this section shall be held in the chancery court of the county where the facility is located; however, if the patient is confined at the Mississippi State Hospital at Whitfield, Mississippi, the hearing shall be conducted by the Chancery Court of the First Judicial District of Hinds County, Mississippi.

The hearing shall be held within fourteen (14) days after receipt by the court of the request for a hearing. The court may continue the hearing for good cause shown. The clerk shall ascertain whether the patient is represented by counsel, and, if the patient is not represented, shall notify the chancellor who shall appoint counsel for him if the chancellor determines that the patient for any reason does not have the services of an attorney; however, the patient may waive the appointment of counsel subject to the approval of the court. Notice of the time and place of the hearing shall be served at least seventy-two (72) hours before the time of the hearing upon the patient, his attorney, the director, and the person requesting the hearing, if other than the patient, and any witnesses requested by the patient or his attorney, or any witnesses the court may deem necessary or desirable.

The patient must be present at the hearing unless the chancellor determines that the patient is unable to attend and makes that determination and the reasons therefor part of the record.

The court shall put its findings and the reasons supporting its findings in writing and shall have copies delivered to the patient, his attorney, and the director of the treatment facility. An appeal from the final commitment order by either party may be had on the terms prescribed for appeals in civil cases; however, such appeal shall be without supersedeas. The record on appeal shall include the transcript of the commitment hearing.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 41-21-63, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A CIRCUIT COURT TO RETAIN JURISDICTION AND PROCEED WITH CIVIL COMMITMENT IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 99-13-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE CIRCUIT COURT TO PROCEED WITH COMMITMENT PROCEDURES FOR ANY PERSONS WITH INTELLECTUAL DISABILITIES AND UNRESOLVED FELONY CHARGES; TO AMEND SECTIONS 41-21-65, 41-21-67, 41-21-71, 41-21-73 AND 41-21-83, MISSISSIPPI CODE OF 1972,

TO AUTHORIZE THE CIRCUIT COURT TO PROCEED WITH COMMITMENT PROCEDURES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1088 was adopted.

YEAS AND NAYS On H. B. No. 1088. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Bryan, Hopson. Total--2.

Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

H. B. No. 783: Child custody; require presumption of joint custody and equal parenting time.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 93-5-24, Mississippi Code of 1972, is amended as follows:

93-5-24. (1) Custody shall be awarded as follows according to the best interests of the child:

(a) Physical and legal custody to both parents jointly pursuant to subsections (2) through (7).

(b) Physical custody to both parents jointly pursuant to subsections (2) through (7) and legal custody to either parent.

(c) Legal custody to both parents jointly pursuant to subsections (2) through (7) and physical custody to either parent.

(d) Physical and legal custody to either parent pursuant to subsections (2) through (9).

(e) Upon a finding by the court that both of the parents of the child have abandoned or deserted such child or that both such parents are mentally, morally or otherwise unfit to rear and train the child the court may award physical and legal custody to:

(i) The person in whose home the child has been living in a wholesome and stable environment; or

(ii) Physical and legal custody to any other person deemed by the court to be suitable and able to provide adequate and proper care and guidance for the child.

In making an order for custody to either parent or to both parents jointly, the court, in its discretion, may require the parents to submit to the court a plan for the implementation of the custody order.

(2) Joint custody may be awarded where irreconcilable differences or any other ground is the ground for divorce * * *. Joint custody may be awarded whether irreconcilable differences or any other ground is the ground for divorce.

(3) * * * Whether after a trial on the merits or a presentation of an agreement between the parties, the court shall make a finding, on the record, if the court awards the mother paramount physical custody over the father. If the court awards the mother paramount physical custody over the father, the court shall order a parenting time schedule that favors both parents equally subject to the best interests of the child.

(4) There shall be a presumption that joint custody is in the best interest of a minor child where both parents have agreed to an award of joint custody.

(5) (a) For the purposes of this section, "joint custody" means joint physical and legal custody.

(b) For the purposes of this section, "physical custody" means those periods of time in which a child resides with or is under the care and supervision of one (1) of the parents.

(c) For the purposes of this section, "joint physical custody" means that each of the parents shall have significant periods of physical custody. Joint physical custody shall be shared by the parents in such a way so as to assure a child * * * equal, frequent, and continuing contact with both parents.

(d) For the purposes of this section, "legal custody" means the decision-making rights, the responsibilities and the authority relating to the health, education and welfare of a child.

(e) For the purposes of this section, "joint legal custody" means that the parents or parties share the decision-making rights, the responsibilities and the authority relating to the health, education and welfare of a child. An award of joint legal custody obligates the parties to equally share parenting time, to exchange information concerning the health, education and welfare of the minor child, and to confer with one another in the exercise of decision-making rights, responsibilities and authority.

An award of joint physical and legal custody obligates the parties to exchange information concerning the health, education and welfare of the minor child, and unless allocated, apportioned or decreed, the parents or parties shall confer with one another in the exercise of decision-making rights, responsibilities and authority.

(6) Any order for joint custody may be modified or terminated upon the petition of both parents or upon the petition of one (1) parent showing that a material change in circumstances has occurred.

(7) There shall be no presumption that it is in the best interest of a child that a mother be awarded either legal or physical custody.

(8) Notwithstanding any other provision of law, access to records and information pertaining to a minor child, including, but not limited to, medical, dental and school

records, shall not be denied to a parent because the parent is not the child's custodial parent.

(9) (a) (i) In every proceeding where the custody of a child is in dispute, there shall be a rebuttable presumption that it is detrimental to the child and not in the best interest of the child to be placed in sole custody, joint legal custody or joint physical custody of a parent who has a history of perpetrating family violence. The court may find a history of perpetrating family violence if the court finds, by a preponderance of the evidence, one (1) incident of family violence that has resulted in serious bodily injury to, or a pattern of family violence against, the party making the allegation or a family household member of either party. The court shall make written findings to document how and why the presumption was or was not triggered.

(ii) This presumption may only be rebutted by a preponderance of the evidence.

(iii) In determining whether the presumption set forth in subsection (9) has been overcome, the court shall consider all of the following factors:

1. Whether the perpetrator of family violence has demonstrated that giving sole or joint physical or legal custody of a child to the perpetrator is in the best interest of the child because of the other parent's absence, mental illness, substance abuse or such other circumstances which affect the best interest of the child or children;

2. Whether the perpetrator has successfully completed a batterer's treatment program;

3. Whether the perpetrator has successfully completed a program of alcohol or drug abuse counseling if the court determines that counseling is appropriate;

4. Whether the perpetrator has successfully completed a parenting class if the court determines the class to be appropriate;

5. If the perpetrator is on probation or parole, whether he or she is restrained by a protective order granted after a hearing, and whether he or she has complied with its terms and conditions; and

6. Whether the perpetrator of domestic violence has committed any further acts of domestic violence.

(iv) The court shall make written findings to document how and why the presumption was or was not rebutted.

(b) (i) If custody is awarded to a suitable third person, it shall not be until the natural grandparents of the child have been excluded and such person shall not allow access to a violent parent except as ordered by the court.

(ii) If the court finds that both parents have a history of perpetrating family violence, but the court finds that parental custody would be in the best interest of the child, custody may be awarded solely to the parent less likely to continue to perpetrate family violence. In such a case, the court may mandate completion of a treatment program by the custodial parent.

(c) If the court finds that the allegations of domestic violence are completely unfounded, the chancery court shall order the alleging party to pay all court costs and reasonable attorney's fees incurred by the defending party in responding to such allegations.

(d) (i) A court may award visitation by a parent who committed domestic or family violence only if the court finds that adequate provision for the safety of the child and the parent who is a victim of domestic or family violence can be made.

(ii) In a visitation order, a court may take any of the following actions:

1. Order an exchange of the child to occur in a protected setting;

2. Order visitation supervised in a manner to be determined by the court;

3. Order the perpetrator of domestic or family violence to attend and complete to the satisfaction of the court a program of intervention for perpetrators or other designated counseling as a condition of visitation;

4. Order the perpetrator of domestic or family violence to abstain from possession or consumption of alcohol or controlled substances during the visitation and for twenty-four (24) hours preceding the visitation;

5. Order the perpetrator of domestic or family violence to pay a fee to defray the cost of supervised visitation;

6. Prohibit overnight visitation;

7. Require a bond from the perpetrator of domestic or family violence for the return and safety of the child; or

8. Impose any other condition that is deemed necessary to provide for the safety of the child, the victim of family or domestic violence, or other family or household member.

(iii) Whether or not visitation is allowed, the court may order the address of the child or the victim of family or domestic violence to be kept confidential.

(e) The court may refer but shall not order an adult who is a victim of family or domestic violence to attend counseling relating to the victim's status or behavior as a victim, individually or with the perpetrator of domestic or family violence, as a condition of receiving custody of a child or as a condition of visitation.

(f) If a court allows a family or household member to supervise visitation, the court shall establish conditions to be followed during visitation.

SECTION 2. Section 93-5-1, Mississippi Code of 1972, is amended as follows:

93-5-1. Divorces from the bonds of matrimony may be decreed to the injured party for any one or more of the following * * * thirteen (13) causes:

First. Natural impotency.

Second. Adultery, unless it should appear that it was committed by collusion of the parties for the purpose of procuring a divorce, or unless the parties cohabited after a knowledge by complainant of the adultery.

Third. Being sentenced to any penitentiary, and not pardoned before being sent there.

Fourth. * * * Continued * * * desertion for the space of one (1) year.

Fifth. Habitual drunkenness.

Sixth. Habitual and excessive use of opium, morphine or other like drug.

Seventh. Habitual cruel and inhuman treatment, including spousal domestic abuse.

Spousal domestic abuse may be established through the reliable testimony of a single credible witness, who may be the injured party, and includes, but is not limited to:

That the injured party's spouse attempted to cause, or purposely, knowingly or recklessly caused bodily injury to the injured party, or that the injured party's spouse attempted by physical menace to put the injured party in fear of imminent serious bodily harm; or

That the injured party's spouse engaged in a pattern of behavior against the injured party of threats or intimidation, emotional or verbal abuse, forced isolation, sexual extortion or sexual abuse, or stalking or aggravated stalking as defined in Section 97-3-107, if the pattern of behavior rises above the level of unkindness or rudeness or incompatibility or want of affection.

Eighth. Having mental illness or an intellectual disability at the time of marriage, if the party complaining did not know of that infirmity.

Ninth. Marriage to some other person at the time of the pretended marriage between the parties.

Tenth. Pregnancy of the wife by another person at the time of the marriage, if the husband did not know of the pregnancy.

Eleventh. Either party may have a divorce if they are related to each other within the degrees of kindred between whom marriage is prohibited by law.

Twelfth. Incurable mental illness. However, no divorce shall be granted upon this ground unless the party with mental illness has been under regular treatment for mental illness and causes thereof, confined in an institution for persons with mental illness for a period of at least three (3) years immediately preceding the commencement of the action. However, transfer of a party with mental illness to his or her home for treatment or a trial visit on prescription or recommendation of a licensed physician, which treatment or trial visit proves unsuccessful after a bona fide effort by the complaining party to effect a cure, upon the reconfinement of the party with mental illness in an institution for persons with mental illness, shall be regular treatment for mental illness and causes thereof, and the period of time so consumed in seeking to effect a cure or while on a trial visit home shall be added to the period of actual confinement in an institution for persons with mental illness in computing the required period of three (3) years confinement immediately preceding the beginning of the action. No divorce shall be granted because of mental illness until after a thorough examination of the person with mental illness by two (2) physicians who are recognized authorities on mental diseases. One (1) of those physicians shall be either the superintendent of a state psychiatric hospital or institution or a veterans hospital for persons with mental illness in which the patient is confined, or a member of the medical staff of that hospital or institution who has had the patient in charge. Before incurable mental illness can be successfully proven as a ground for divorce, it shall be necessary that both of those physicians make affidavit that the patient is a person with mental illness at the time of the examination, and both affidavits shall be made a part of the permanent record of the divorce proceedings and shall create the prima facie presumption of incurable mental illness, such as would justify a divorce based on that ground. Service of process shall be made on the superintendent of the hospital or institution in which the defendant is a patient. If the patient is in a hospital or institution

outside the state, process shall be served by publication, as in other cases of service by publication, together with the sending of a copy by registered mail to the superintendent of the hospital or institution. In addition, process shall be served upon the next blood relative and guardian, if any. If there is no legal guardian, the court shall appoint a guardian ad litem to represent the interest of the person with mental illness. The relative or guardian and superintendent of the hospital or institution shall be entitled to appear and be heard upon any and all issues. The status of the parties as to the support and maintenance of the person with mental illness shall not be altered in any way by the granting of the divorce.

However, in the discretion of the chancery court, and in those cases as the court may deem it necessary and proper, before any such decree is granted on the ground of incurable mental illness, the complainant, when ordered by the court, shall enter into bond, to be approved by the court, in such an amount as the court may think just and proper, conditioned for the care and keeping of the person with mental illness during the remainder of his or her natural life, unless the person with mental illness has a sufficient estate in his or her own right for that purpose.

Thirteenth. Upon application of either party, the court may grant a divorce when the court finds there has been an irretrievable breakdown of the marriage and that further attempts at reconciliation are impractical or futile and not in the best interests of the parties or family.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 93-5-24, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT JOINT CUSTODY MAY BE AWARDED WHETHER IRRECONCILABLE DIFFERENCES OR ANY OTHER GROUND IS THE GROUND FOR DIVORCE; TO REQUIRE THE COURT TO MAKE A FINDING, ON THE RECORD, IF THE COURT AWARDS THE MOTHER PARAMOUNT PHYSICAL CUSTODY OVER THE FATHER AND ORDER A PARENTING TIME SCHEDULE THAT FAVORS BOTH PARENTS EQUALLY SUBJECT TO THE BEST INTERESTS OF THE CHILD; TO AMEND SECTION 93-5-1, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT OF WILLFUL AND OBSTINATE FROM THE GROUND OF DIVORCE FOR DESERTION; TO PROVIDE AN ADDITIONAL GROUND OF DIVORCE WHEN THE COURT FINDS THERE HAS BEEN AN IRRETRIEVABLE BREAKDOWN OF THE MARRIAGE AND THAT FURTHER ATTEMPTS AT RECONCILIATION ARE IMPRACTICAL OR FUTILE AND NOT IN THE BEST INTERESTS OF THE PARTIES OR FAMILY; AND FOR RELATED PURPOSES.

POINT OF ORDER

A point of order was raised by Senator Chism that Committee Amendment No. 1 is not germane to the original bill.

RULING OF THE CHAIR

The Chair, President Pro Tempore Kirby presiding, ruled the point of order well-taken, Committee Amendment No. 1 to H. B. No. 783 is not germane.

Senator Wiggins offered the following AMENDMENT NO. 2.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 93-5-24, Mississippi Code of 1972, is amended as follows:

93-5-24. (1) Custody shall be awarded as follows according to the best interests of the child:

(a) Physical and legal custody to both parents jointly pursuant to subsections (2) through (7).

(b) Physical custody to both parents jointly pursuant to subsections (2) through (7) and legal custody to either parent.

(c) Legal custody to both parents jointly pursuant to subsections (2) through (7) and physical custody to either parent.

(d) Physical and legal custody to either parent pursuant to subsections (2) through (9).

(e) Upon a finding by the court that both of the parents of the child have abandoned or deserted such child or that both such parents are mentally, morally or otherwise unfit to rear and train the child the court may award physical and legal custody to:

(i) The person in whose home the child has been living in a wholesome and stable environment; or

(ii) Physical and legal custody to any other person deemed by the court to be suitable and able to provide adequate and proper care and guidance for the child.

In making an order for custody to either parent or to both parents jointly, the court, in its discretion, may require the parents to submit to the court a plan for the implementation of the custody order.

(2) Joint custody may be awarded where irreconcilable differences or any other ground is the ground for divorce * * *. Joint custody may be awarded whether irreconcilable differences or any other ground is the ground for divorce.

(3) * * * Whether after a trial on the merits or a presentation of an agreement between the parties, the court shall make a finding, on the record, if the court awards the mother paramount physical custody over the father. If the court awards the mother paramount physical custody over the father, the court shall order a parenting time schedule that favors both parents equally subject to the best interests of the child.

(4) There shall be a presumption that joint custody is in the best interest of a minor child where both parents have agreed to an award of joint custody.

(5) (a) For the purposes of this section, "joint custody" means joint physical and legal custody.

(b) For the purposes of this section, "physical custody" means those periods of time in which a child resides with or is under the care and supervision of one (1) of the parents.

(c) For the purposes of this section, "joint physical custody" means that each of the parents shall have significant periods of physical custody. Joint physical custody shall be shared by the parents in such a way so as to assure a child * * * equal, frequent, and continuing contact with both parents.

(d) For the purposes of this section, "legal custody" means the decision-making rights, the responsibilities and the authority relating to the health, education and welfare of a child.

(e) For the purposes of this section, "joint legal custody" means that the parents or parties share the decision-making rights, the responsibilities and the authority relating to the health, education and welfare of a child. An award of joint legal custody obligates the parties to equally share parenting time, to exchange information concerning the health, education and welfare of the minor child, and to confer with one another in the exercise of decision-making rights, responsibilities and authority.

An award of joint physical and legal custody obligates the parties to exchange information concerning the health, education and welfare of the minor child, and unless allocated, apportioned or decreed, the parents or parties shall confer with one another in the exercise of decision-making rights, responsibilities and authority.

(6) Any order for joint custody may be modified or terminated upon the petition of both parents or upon the petition of one (1) parent showing that a material change in circumstances has occurred.

(7) There shall be no presumption that it is in the best interest of a child that a mother be awarded either legal or physical custody.

(8) Notwithstanding any other provision of law, access to records and information pertaining to a minor child, including, but not limited to, medical, dental and school records, shall not be denied to a parent because the parent is not the child's custodial parent.

(9) (a) (i) In every proceeding where the custody of a child is in dispute, there shall be a rebuttable presumption that it is detrimental to the child and not in the best interest of the child to be placed in sole custody, joint legal custody or joint physical custody of a parent who has a history of perpetrating family violence. The court may find a history of perpetrating family violence if the court finds, by a preponderance of the evidence, one (1) incident of family violence that has resulted in serious bodily injury to, or a pattern of family violence against, the party making the allegation or a family household member of either party. The court shall make written findings to document how and why the presumption was or was not triggered.

(ii) This presumption may only be rebutted by a preponderance of the evidence.

(iii) In determining whether the presumption set forth in subsection (9) has been overcome, the court shall consider all of the following factors:

1. Whether the perpetrator of family violence has demonstrated that giving sole or joint physical or legal custody of a child to the perpetrator is in the best interest of the child because of the other parent's absence, mental illness, substance abuse or such other circumstances which affect the best interest of the child or children;

2. Whether the perpetrator has successfully completed a batterer's treatment program;

3. Whether the perpetrator has successfully completed a program of alcohol or drug abuse counseling if the court determines that counseling is appropriate;

4. Whether the perpetrator has successfully completed a parenting class if the court determines the class to be appropriate;

5. If the perpetrator is on probation or parole, whether he or she is restrained by a protective order granted after a hearing, and whether he or she has complied with its terms and conditions; and

6. Whether the perpetrator of domestic violence has committed any further acts of domestic violence.

(iv) The court shall make written findings to document how and why the presumption was or was not rebutted.

(b) (i) If custody is awarded to a suitable third person, it shall not be until the natural grandparents of the child have been excluded and such person shall not allow access to a violent parent except as ordered by the court.

(ii) If the court finds that both parents have a history of perpetrating family violence, but the court finds that parental custody would be in the best interest of the child, custody may be awarded solely to the parent less likely to continue to perpetrate family violence. In such a case, the court may mandate completion of a treatment program by the custodial parent.

(c) If the court finds that the allegations of domestic violence are completely unfounded, the chancery court shall order the alleging party to pay all court costs and reasonable attorney's fees incurred by the defending party in responding to such allegations.

(d) (i) A court may award visitation by a parent who committed domestic or family violence only if the court finds that adequate provision for the safety of the child and the parent who is a victim of domestic or family violence can be made.

(ii) In a visitation order, a court may take any of the following actions:

1. Order an exchange of the child to occur in a protected setting;

2. Order visitation supervised in a manner to be determined by the court;

3. Order the perpetrator of domestic or family violence to attend and complete to the satisfaction of the court a program of intervention for perpetrators or other designated counseling as a condition of visitation;

4. Order the perpetrator of domestic or family violence to abstain from possession or consumption of alcohol or controlled substances during the visitation and for twenty-four (24) hours preceding the visitation;

5. Order the perpetrator of domestic or family violence to pay a fee to defray the cost of supervised visitation;

6. Prohibit overnight visitation;

7. Require a bond from the perpetrator of domestic or family violence for the return and safety of the child; or

8. Impose any other condition that is deemed necessary to provide for the safety of the child, the victim of family or domestic violence, or other family or household member.

(iii) Whether or not visitation is allowed, the court may order the address of the child or the victim of family or domestic violence to be kept confidential.

(e) The court may refer but shall not order an adult who is a victim of family or domestic violence to attend counseling relating to the victim's status or behavior as a victim, individually or with the perpetrator of domestic or family violence, as a condition of receiving custody of a child or as a condition of visitation.

(f) If a court allows a family or household member to supervise visitation, the court shall establish conditions to be followed during visitation.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 93-5-24, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT JOINT CUSTODY MAY BE AWARDED WHETHER IRRECONCILABLE DIFFERENCES OR ANY OTHER GROUND IS THE GROUND FOR DIVORCE; TO REQUIRE THE COURT TO MAKE A FINDING, ON THE RECORD, IF THE COURT AWARDS THE MOTHER PARAMOUNT PHYSICAL CUSTODY OVER THE FATHER AND ORDER A PARENTING TIME SCHEDULE THAT FAVORS BOTH PARENTS EQUALLY SUBJECT TO THE BEST INTERESTS OF THE CHILD; AND FOR RELATED PURPOSES.

Senator Bryan offered the following AMENDMENT NO. 1 TO AMENDMENT NO. 2.

AMEND on line 187 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to Amendment No. 2 to H. B. No. 783 was adopted.

Amendment No. 2 as amended to H. B. No. 783 was adopted.

YEAS AND NAYS On H. B. No. 783. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Bryan. Total--1.

Absent and those not voting----None.

Voting Present--Hill, Hopson, Simmons D. T. (12th). Total--3.

Senator Wiggins called up the following entitled bill:

H. B. No. 1284: Mississippi Foreign Land Ownership Act; create to prohibit acquisition of forestry and agricultural lands.

Senator Wiggins moved that **H. B. No. 1284** be recommitted to Judiciary, Division A, and the motion prevailed.

Senator Thompson called up the following entitled bill:

H. B. No. 652: State Port Authority and other ports; delete repealer on authority to use design-build method of contracting.

Senator Thompson offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 59-5-37, Mississippi Code of 1972, is amended as follows:

59-5-37. (1) The board or State Port Authority, in the performance of its duties, may employ such personnel and make all contracts and purchases incidental to or necessary for the advancement, promotion, development, establishment, insurance, maintenance, repair, improvement and operation of any ports, harbors, rivers, channels and waterways including, if required for its protection, retirement benefits, workers' compensation insurance and other employee benefits for the benefit of any employees of the board or State Port Authority. The board or State Port Authority may establish a trade development and promotion account to pay all direct and necessary expenses for the promotion and development of the state port. The authority is granted the power to sue and be sued in its own name.

(2) (a) The board or State Port Authority may, in its discretion, make such contracts or purchases according to the state purchasing laws. Contracts let for any port, harbor, river, channel or waterway improvements shall be advertised as required by law for the letting of public contracts, and such contracts shall be awarded to the lowest and best bidder who shall make bond as shall be required by the board or State Port Authority conditioned for the faithful prosecution and completion of work according to such contracts, such bond to be furnished by a corporate surety company qualified to do business in this state. However, the board may negotiate and enter into contracts with responsible lessees for the construction of facilities by lessees, such as those referred to in Section 59-5-11, and the acquisition thereof by the board upon such terms and conditions and for such amount as may be approved by the board.

(b) The State Port Authority shall be considered to be a "governing authority" under the state public purchasing laws as that term is defined in Section 31-7-1 and used in Sections 31-7-1 through 31-7-73, and shall not be subject to the jurisdiction of the Department of Finance and Administration, the Public Procurement Review Board or the Bureau of Building, Grounds and Real Property Management under the provisions of Sections 27-104-7, 29-5-2 and 31-11-3.

(3) * * * The board or State Port Authority, in its discretion, may use the design-build method of contracting for the renovation, repair and/or making of other

improvements to not more than one (1) freezer and related equipment and/or facilities and for the renovation, repair and/or making of other improvements to equipment and/or facilities at the State Port at Gulfport, Mississippi. Notwithstanding any other provision of law to the contrary, any port or port commission may use the design-build method of contracting for the renovation, repair and/or making of other improvements to equipment and/or facilities at the port. For the purposes of this subsection (3), the term "design-build method of contracting" means a contract that combines the design and construction phases of a project into a single contract and the contractor is required to satisfactorily perform, at a minimum, both the design and construction of the project.

* * *

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 59-5-37, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE PROVISION OF LAW WHICH AUTHORIZES THE STATE PORT AUTHORITY AND OTHER PORTS AND PORT COMMISSIONS TO USE THE DESIGN-BUILD METHOD OF CONTRACTING FOR CERTAIN PROJECTS; AND FOR RELATED PURPOSES.

Amendment No. 1 to H. B. No. 652 was adopted.

YEAS AND NAYS On H. B. No. 652. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Boyd called up the following entitled bill:

H. B. No. 418: Continuing education training for police officers; extend to require for public colleges and universities and PRVWSD officers.

Senator Sparks offered the following COMMITTEE AMENDMENT NO. 1.

AMEND on line 82 by striking the words "July 1, 2024" and inserting "its passage" in lieu thereof.

Committee Amendment No. 1 to H. B. No. 418 was adopted.

YEAS AND NAYS On H. B. No. 418. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Boyd called up the following entitled bill:

H. B. No. 939: Mississippi University Research Authority; revise and clarify composition of.

YEAS AND NAYS On H. B. No. 939. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Boyd called up the following entitled bill:

H. B. No. 1568: Jackson State University; authorize to expand physical boundaries to promote safety on campus.

YEAS AND NAYS On H. B. No. 1568. On motion of Senator Blackmon, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk called up the following entitled bill:

H. B. No. 845: Charitable organizations; require IRS forms filed annually with Secretary of State to be for the most recent fiscal year end.

YEAS AND NAYS On H. B. No. 845. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk called up the following entitled bill:

H. B. No. 1021: Pawnbrokers; authorize Commissioner of Banking to establish by rule a process allowing certain purchased and/or pledged goods to be stored off premises.

YEAS AND NAYS On H. B. No. 1021. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk called up the following entitled bill:

H. B. No. 1577: Bidding terms for public depositories for counties and municipalities; make compatible.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-105-305, Mississippi Code of 1972, is amended as follows:

27-105-305. The board of supervisors at the regular December 1997 meeting, and annually thereafter or, in the discretion of the board of supervisors, thereafter at such other interval of time as determined by the board of supervisors, * * * up to every four (4) years, shall give notice to all financial institutions in its county whose accounts are insured by the Federal Deposit Insurance Corporation (or any successor thereto), by publication, that bids will be received from financial institutions at the following January meeting, or some subsequent meeting, for the privilege of keeping the county funds, or any part thereof, which notice shall refer by name to this article and it shall not be necessary to incorporate in the notice the provisions of this article; and at the January meeting, or a subsequent meeting as may be designated in the notice, as the case may be, the board of supervisors shall receive such bids or proposals as the financial institutions may make for the privilege of keeping the county funds, or any part thereof. The bids or proposals shall designate the kind of security as authorized by law which the financial institutions propose to give as security for funds, and the board shall cause the county funds and all other funds in the hands of the county treasurer to be deposited in the qualified financial institution or

qualified institutions proposing the best terms, taking into consideration all material aspects of the proposal, including, but not limited to, net earnings, account costs, costs of transfer of accounts from existing depositories, banking services provided and other service considerations, and meeting the requirements provided in Section 27-105-315, having in view the safety of such funds. However, if a bank submits a bid or offer to the board of supervisors to act as a depository for the county and the bid or offer, if accepted, would result in a contract in which a member of the board of supervisors would have a direct or indirect interest, the board of supervisors may elect to not open or consider any bids received and submit the matter to the State Treasurer. Upon receipt of the bids received from the board of supervisors, the State Treasurer shall open and consider the bids received, select a depository or depositories, make all decisions and take any action within the authority of the board of supervisors under this section relating to the selection of a depository or depositories, including:

(a) The selecting and opening of accounts;

(b) Approval of securities;

(c) The transfer and deposit of funds between depositories; and

(d) All other related functions.

If the board of supervisors elects to open and consider the bids or offers, it shall not open or consider any bid which, if accepted, would result in a contract in which a member of the board of supervisors would have a direct or indirect interest. The board is prohibited from designating a depository during the last year of a four-year term.

SECTION 2. Section 27-105-353, Mississippi Code of 1972, is amended as follows:

27-105-353. The board of mayor and aldermen or other municipal authorities of each and every city, town or village in the state are required to select a depository in the manner provided by law for the selection of county depositories, including the same intervals of time as counties for receiving bids from financial institutions for the privilege of holding public funds. Before being selected, a depository must be certified by the State Treasurer as meeting the capital ratio requirement specified in Section 27-105-5 or 27-105-6. An institution shall not be a qualified depository and shall not receive any municipal funds unless its ratio has been certified annually by the State Treasurer as meeting the prescribed requirement. Notwithstanding the foregoing, any financial institution whether or not meeting the prescribed ratio requirement whose accounts are insured by the Federal Deposit Insurance Corporation or any successors to that insurance corporation may receive municipal funds in an amount not exceeding the amount that is insured by that insurance corporation and may qualify as a municipal depository to the extent of that insurance as prescribed in Section 27-105-315.

SECTION 3. Section 27-105-363, Mississippi Code of 1972, which allows for counties and municipalities to follow an identical process for selecting public depositories, is hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTIONS 27-105-305 AND 27-105-353, MISSISSIPPI CODE OF 1972, TO PROVIDE NECESSARY UPDATES AND TO HARMONIZE BIDDING TERMS FOR PUBLIC DEPOSITS BETWEEN COUNTIES AND MUNICIPALITIES; TO REPEAL SECTION 27-105-363, MISSISSIPPI CODE OF 1972, WHICH ALLOWS FOR

COUNTIES AND MUNICIPALITIES TO FOLLOW AN IDENTICAL PROCESS FOR SELECTING PUBLIC DEPOSITORIES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1577 was adopted.

YEAS AND NAYS On H. B. No. 1577. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Polk called up the following entitled bill:

H. B. No. 1675: Unclaimed property; prescribe process to be used by certain cooperatives with regard to disposition of.

YEAS AND NAYS On H. B. No. 1675. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator DeBar called up the following entitled bill:

H. B. No. 346: "Seizure Safe Schools Act"; establish.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) This act shall be known and may be cited as the "Seizure Safe Schools Act."

(2) As used in this act, the term "seizure action plan" means a written, individualized health plan designed to acknowledge and prepare for the health care needs of a student diagnosed with a seizure disorder.

SECTION 2. (1) (a) Beginning on July 1, 2025, the local school board of each public school district and the governing body of each nonpublic school shall have at least

one (1) school employee at each school who has met the training requirements necessary to administer or assist with the self-administration of:

(i) A seizure rescue medication or medication prescribed to treat seizure disorder symptoms as approved by the United States Food and Drug Administration and any successor agency; and

(ii) A manual dose of prescribed electrical stimulation using a vagus nerve stimulator (VNS) magnet as approved by the United States Food and Drug Administration and any successor agency.

(b) For those assigned the duties under paragraph (a) of this subsection, the training provided shall include instructions in administering seizure medications and manual vagus nerve stimulation, as well as the recognition of the signs and symptoms of seizures and the appropriate steps to be taken to respond to these symptoms.

(c) The presence of a registered nurse employed full-time by a school and assumes responsibility for the administration of seizure medications and the administration and oversight of vagus nerve stimulation, shall fulfill requirements of paragraphs (a) and (b) of this subsection.

(d) Every public and charter school shall, and nonpublic school is encouraged to, provide training every two (2) years to principals, guidance counselors, teachers and other relevant school personnel with direct contact and supervision of children, including bus drivers and classroom aids, on the recognition of the signs and symptoms of seizures and the appropriate steps for seizure first aid.

(e) Any training programs or guidelines adopted by any state agency for the training of school personnel in the health care needs of students diagnosed with a seizure disorder shall be fully consistent with training programs and guidelines developed by the Epilepsy Foundation of America and any successor organization that supports the welfare of individuals with epilepsy and seizure disorders. Notwithstanding any state agency requirement or other law to the contrary, for the purposes of this training, a local school district shall be permitted to use any adequate and appropriate training program or guidelines for training of school personnel in the seizure disorder care tasks covered under this section. The instruction must be approved by the State Department of Education or relevant state agency, may be provided online or in-person, and must be provided by the nonprofit entity free of charge.

(2) (a) Before administering a seizure rescue medication or medication prescribed to treat seizure disorder symptoms, the student's parent or guardian shall:

(i) Provide the school with a written authorization to administer the medication at school;

(ii) Provide a written statement from the student's health care practitioner, which shall contain the following information:

1. Student's name;

2. The name and purpose of the medication;

3. The prescribed dosage;

4. The route of administration;

5. The frequency that the medication may be administered; and

6. The circumstances under which the medication may be administered; and

(iii) Provide the prescribed medication to the school in its unopened, sealed package with the label affixed by the dispensing pharmacy intact.

(b) In addition to the statements required in paragraph (a) of this subsection, the parent or guardian of each student diagnosed with a seizure disorder shall collaborate with school personnel to create a seizure action plan. The State Board of Education shall promulgate administrative regulations establishing procedures for the development and content of seizure action plans.

(3) (a) The statements and seizure action plan required in subsection (2) of this section shall be kept on file in the office of the school nurse or school administrator.

(b) The seizure action plan requirement in paragraph (b) of subsection (2) of this section shall be distributed to any school personnel or volunteers responsible for the supervision or care of the student.

(4) The permission for the administration of any of the medications authorized under subsection (1)(a) of this section shall be effective for the school year in which it is granted and shall be renewed each following school year upon fulfilling the requirements of subsections (2) through (4) of this section.

(5) The requirements of subsections (1) through (5) of this section shall apply only to schools that have a student enrolled who has a seizure disorder, a seizure rescue medication or medication prescribed to treat seizure disorder symptoms approved by the United States Food and Drug Administration and any successor agency prescribed by the student's health care provider.

SECTION 3. Every public and charter school shall, and nonpublic school is encouraged to, provide an age-appropriate seizure education program to all students on seizures and seizure disorders. The seizure education program shall be consistent with guidelines published by the Epilepsy Foundation of America and any successor organization. The State Board of Education shall promulgate administrative regulations for the development and implementation of the seizure education program.

SECTION 4. A school district, school district employee or agent acting in good faith and in substantial compliance with the student's individual health plan and the instructions of the student's licensed health care professional, that provides assistance or services under this act shall not be liable in any criminal action for civil damages in his or her individual, marital, governmental, corporate or other capacities as a result of the services provided under this act to students with epilepsy or seizure disorders.

SECTION 5. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO ESTABLISH THE SEIZURE SAFE SCHOOLS ACT; TO PROVIDE THAT BEGINNING ON JULY 1, 2025, EACH PUBLIC SCHOOL BOARD AND THE GOVERNING BODY OF EACH NONPUBLIC SCHOOL SHALL HAVE AT LEAST ONE EMPLOYEE AT EACH SCHOOL WHO HAS MET THE TRAINING REQUIREMENTS NECESSARY TO ADMINISTER SEIZURE RESCUE MEDICATION OR PERFORM MANUAL VAGUS NERVE STIMULATION FOR PERSONS EXPERIENCING SEIZURE DISORDER SYMPTOMS; TO REQUIRE TRAINING FOR SUCH PERSON TO BE CONSISTENT WITH GUIDELINES DEVELOPED BY THE EPILEPSY FOUNDATION OF

AMERICA OR SIMILAR SUCCESSOR ORGANIZATION, TO REQUIRE THE TRAINING TO OCCUR EVERY TWO YEARS FOR THOSE EMPLOYEES OF THE SCHOOL WITH DIRECT CONTACT OR SUPERVISION OF CHILDREN; TO REQUIRE THE PARENTS OR LEGAL GUARDIANS OF CHILDREN WHO EXPERIENCE SEIZURE DISORDER SYMPTOMS TO PROVIDE WRITTEN AUTHORIZATION TO THE SCHOOL FOR THE ADMINISTRATION OF NECESSARY MEDICATION ALONG WITH A WRITTEN STATEMENT FROM THE CHILD'S MEDICAL PROVIDER; TO REQUIRE THE WRITTEN STATEMENT AND THE CHILD'S SEIZURE ACTION PLAN TO BE KEPT ON FILE BY THE SCHOOL NURSE OR SCHOOL ADMINISTRATOR; TO AUTHORIZE SCHOOLS TO PROVIDE AGE-APPROPRIATE SEIZURE EDUCATION PROGRAMS TO ALL STUDENTS ON SEIZURES AND SEIZURE DISORDERS; TO EXEMPT SCHOOL EMPLOYEES ACTING IN GOOD FAITH AND IN SUBSTANTIAL COMPLIANCE WITH A STUDENT'S INDIVIDUAL HEALTH PLAN TO RENDER ASSISTANCE TO A CHILD EXPERIENCING A SEIZURE EPISODE FROM CIVIL AND CRIMINAL LIABILITY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 346 was adopted.

YEAS AND NAYS On H. B. No. 346. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

_____

Senator DeBar called up the following entitled bill:

H. B. No. 1341: Students of active duty service members and civilian personnel; revise residency requirements to allow transfers to another district of choice.

YEAS AND NAYS On H. B. No. 1341. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

_____

Senator DeBar called up the following entitled bill:

H. B. No. 765: MS Critical Teacher Shortage Act; extend repealer on.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-159-1, Mississippi Code of 1972, is reenacted as follows:

37-159-1. Sections 37-159-1 through 37-159-19 shall be known and may be cited as the "Mississippi Critical Teacher Shortage Act of 1998."

SECTION 2. Section 37-159-5, Mississippi Code of 1972, is reenacted as follows:

37-159-5. The State Board of Education shall prescribe rules and regulations which, subject to available appropriations, allow for reimbursement to the state licensed teachers, from both in state and out of state, who enter into a contract for employment in a school district situated within a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, for the expense of moving when the employment necessitates the relocation of the teacher to a different geographical area than that in which the teacher resides before entering into such contract. In order to be eligible for the reimbursement, the teacher must apply to the local district and the district must obtain the prior approval from the department for reimbursement before the relocation occurs. If the reimbursement is approved, the department shall provide funds to the school district to reimburse the teacher an amount not to exceed One Thousand Dollars ($1,000.00) for the documented actual expenses incurred in the course of relocating, including the expense of any professional moving company or persons employed to assist with the move, rented moving vehicles or equipment, mileage in the amount authorized for state employees under Section 25-3-41 if the teacher used his personal vehicle or vehicles for the move, meals and such other expenses associated with the relocation in accordance with the department's established rules and regulations. No teacher may be reimbursed for moving expenses under this section on more than one (1) occasion.

Nothing in this section shall be construed to require the actual residence to which the teacher relocates to be within the boundaries of the school district which has executed a contract for employment with the teacher or within the boundaries of the area designated by the State Board of Education as the critical teacher shortage area in order for the teacher to be eligible for reimbursement for his moving expenses. However, teachers must relocate within the boundaries of the State of Mississippi.

SECTION 3. Section 37-159-7, Mississippi Code of 1972, is reenacted as follows:

37-159-7. The school board of any school district situated within a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, in its discretion, may reimburse persons who interview for employment as a licensed teacher with the district for the mileage and other actual expenses incurred in the course of travel to and from the interview by such persons at the rate authorized for county and municipal employees under Section 25-3-41. Any reimbursement by a school board under this section shall be paid from funds other than adequate education program funds.

SECTION 4. Section 37-159-9, Mississippi Code of 1972, is reenacted as follows:

37-159-9. (1) There is established the University Assisted Teacher Recruitment and Retention Grant Program within the State Department of Education. The purposes of the program shall be to attract additional qualified teachers to those geographical areas of the state where there exists a critical shortage of teachers and to retain the qualified teachers already serving as licensed teachers in geographical critical teacher shortage areas by making available scholarships to persons working towards a Master of Education

degree or an Educational Specialist degree at an institution of higher learning whose teacher education program is approved by the State Board of Education.

(2) Any institution of higher learning in the State of Mississippi which offers a Master of Education degree or an Educational Specialist degree may apply to the department for participation in the program. As part of the program, participating institutions shall collaborate with the Mississippi Teacher Center to identify, recruit and place teacher education graduates, from both within the state and out of state, in school districts situated within those areas of the state where there exists a critical shortage of teachers, as designated by the State Board of Education.

(3) The State Department of Education shall provide funds to participating institutions of higher learning for the purpose of awarding scholarships to qualified persons pursuing a Master of Education degree or an Educational Specialist degree at such institutions while rendering service to the state as a licensed teacher in a school district in a geographical area of the state where there exists a critical shortage of teachers, as approved by the State Board of Education. The financial scholarship shall be applied to the total cost for tuition, books, materials and fees at the institution in which the student is enrolled, not to exceed an amount equal to the highest total cost of tuition, books, materials and fees assessed by a state institution of higher learning during that school year. Teachers who relocate within Mississippi from out of state in order to participate in the program shall be classified as residents of the state for tuition purposes.

(4) Students awarded financial scholarships under the University Assisted Teacher Recruitment and Retention Grant Program may receive such awards for a maximum of four (4) school years; however, the maximum number of awards which may be made shall not exceed the length of time required to complete the number of academic hours necessary to obtain a Master of Education degree or an Educational Specialist degree. Financial scholarships under the program shall not be based upon an applicant's eligibility for financial aid.

(5) Persons relocating to a geographical area of the state where there exists a critical shortage of teachers, as approved by the State Board of Education, to participate in the University Assisted Teacher Recruitment and Retention Grant Program shall be eligible for reimbursement for their moving expenses to the critical teacher shortage area from the State Board of Education. The State Board of Education shall promulgate rules and regulations necessary for the administration of the relocation expense reimbursement component of the University Assisted Teacher Recruitment and Retention Grant Program.

(6) Subject to the availability of funds, the State Board of Education may provide for professional development and support services as may be necessary for the retention of teachers participating in the program in those geographical areas of the state where there exists a critical shortage of teachers.

(7) Any person participating in the program who fails to complete a program of study that will enable that person to obtain a Master of Education degree or Educational Specialist degree shall become liable immediately to the State Board of Education for the sum of all awards made to that person under the program, plus interest accruing at the current Stafford Loan rate at the time the person abrogates his participation in the program.

(8) As a condition for participation in the program, a teacher shall agree to employment as a licensed teacher in a school district located in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, for a period of not less than three (3) years, which shall include those years of service rendered while obtaining the Master of Education degree or Educational Specialist degree. However, for any person who obtained a Baccalaureate degree in education with a financial scholarship under the Critical Needs Teacher Scholarship Program and who entered the University Assisted Teacher Recruitment and Retention

Grant Program before rendering service as a teacher, the period of employment for the purposes of this subsection shall be two (2) years, in addition to the employment commitment required under the Critical Needs Teacher Scholarship Program. Service rendered by a participant as a licensed teacher in a school district in a geographical critical teacher shortage area before that teacher becomes a participant in the program may not be considered to fulfill the employment commitment required under this subsection. Any person failing to comply with this employment commitment in any required school year shall immediately be in breach of contract and become liable immediately to the State Department of Education for the sum of all scholarships awarded and relocation expenses granted to that person, less one-third (1/3) of the amount of that sum for each year that service was rendered, or for those persons whose required period of employment is two (2) years, less one-half (1/2) of the amount of that sum for each year that service was rendered, plus interest accruing at the current Stafford Loan rate at the time the breach occurs, except in the case of a deferral for cause by the State Board of Education when there is no employment position immediately available upon the teacher's obtaining of the Master of Education degree or Educational Specialist degree. After the period of such deferral, the person shall begin or resume the required teaching duties or shall become liable to the board under this subsection. If a claim for repayment under this subsection is placed in the hands of an attorney for collection after default, then the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(9) All funds received by the State Department of Education from the repayment of scholarship awards and relocation expenses by program participants shall be deposited in the Mississippi Critical Teacher Shortage Fund.

(10) The State Board of Education shall promulgate rules and regulations necessary for the proper administration of the University Assisted Teacher Recruitment and Retention Grant Program.

SECTION 5. Section 37-159-11, Mississippi Code of 1972, is reenacted as follows:

37-159-11. (1) There is established the Mississippi Employer-Assisted Housing Teacher Program, which shall be a special home loan program for eligible licensed teachers who render service to the state in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education. The home loan program shall be administered by the State Department of Education. The department may contract with one or more public or private entities to provide assistance in implementing and administering the program. The State Board of Education shall adopt rules and regulations regarding the implementation and administration of the program.

(2) Participation in the loan program shall be available to any licensed teacher who renders service in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education. Any person who receives a loan under the program shall be required to purchase a house and reside in a county in which the school district for which the teacher is rendering service, or any portion of the school district, is located. The maximum amount of a loan that may be made under the program to any person shall be Six Thousand Dollars ($6,000.00).

(3) Any loan made under the program to a person who actually renders service as a teacher in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, shall be converted to an interest-free grant on the basis of one (1) year's service for one-third (1/3) of the amount of the loan. Any person who does not render three (3) years' service as a teacher in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, shall be liable to the State Department of Education for one-third (1/3) of the amount of the loan for each year that he does not render such service, plus interest accruing at the current Stafford Loan rate at the time the person discontinues his service. If a claim for repayment under this subsection is

placed in the hands of an attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(4) All funds received by the State Department of Education as repayment of loans by program participants shall be deposited in the Mississippi Critical Teacher Shortage Fund.

SECTION 6. Section 37-159-13, Mississippi Code of 1972, is reenacted as follows:

37-159-13. (1) There is established a pilot program to provide for the construction of rental housing units for teachers in the West Tallahatchie School District, which pilot program shall be administered by the State Department of Education. The department may contract with one or more public or private entities to provide assistance in implementing and administering the program. The State Board of Education shall adopt rules and regulations regarding the implementation and administration of the program.

(2) The West Tallahatchie School District shall receive proposals from developers for the construction of the rental housing units, and submit its recommendation to the State Department of Education about which developer should construct the units. The department shall make the final determination about the developer that will construct the units.

(3) After selection of the developer, the department shall loan the developer not more than Two Hundred Thousand Dollars ($200,000.00) for construction of the units. The interest rate on the loan shall be equal to one percent (1%) below the discount rate at the Federal Reserve Bank in the Federal Reserve district in which the school district is located, and the loan shall be repaid in not more than fifteen (15) years, as determined by the department. All funds received by the department as repayment of the principal and interest of the loan shall be deposited in the Mississippi Critical Teacher Shortage Fund. If a claim against the developer for repayment is placed in the hands of an attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(4) The developer shall operate the rental housing units. For a period of ten (10) years or until such time as the loan to the developer is repaid, whichever is longer, the priority for residence in the units shall be given first to teachers employed by the school district, then to other licensed school district employees, and then to any other school district employees.

SECTION 7. Section 37-159-17, Mississippi Code of 1972, is reenacted as follows:

37-159-17. There is established in the State Treasury a special fund to be designated the "Mississippi Critical Teacher Shortage Fund," into which shall be deposited those funds appropriated by the Legislature, and any other funds that may be made available, for the purpose of implementing the programs established under Sections 37-159-5, 37-9-77, 37-3-91 and 37-159-9 through 37-159-13. Money in the fund at the end of a fiscal year shall not lapse into the General Fund, and interest earned on any amounts deposited into the fund shall be credited to the special fund.

SECTION 8. Section 37-159-19, Mississippi Code of 1972, is amended as follows:

37-159-19. Sections 37-159-1 through 37-159-17 shall stand repealed on July 1, * * * 2027.

SECTION 9. Section 37-106-36, Mississippi Code of 1972, is amended as follows:

37-106-36. (1) There is established the "William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program."

(2) Subject to the availability of funds, an eligible applicant for an initial award must have:

(a) Graduated from a baccalaureate degree-granting institution of higher learning which is regionally accredited by the Southern Association of Colleges and Schools (SACS) or a comparable accreditation body;

(b) Signed a contract as a full-time * * * teacher in a public school district in Mississippi;

(c) Obtained a standard five-year license or a nontraditional five-year alternate route license. Persons with provisional emergency licenses shall not be eligible applicants; and

(d) Outstanding qualifying undergraduate or graduate educational loans, which may include the principal, interest and related expenses such as the required interest premium on the unpaid balances of government and commercial loans obtained by the recipient for undergraduate educational expense.

(3) Persons who have received funds from other forgivable loan programs established for teachers under Mississippi law, or who are presently in default or delinquent on any federal, state, local or commercial qualifying educational loan, shall not be eligible for this program.

(4) Provided that initial recipients remain eligible under the provisions of subsection (2) of this section, they may retain eligibility for two (2) additional awards, subject to the availability of funds.

(* * *5) Initial recipients shall be selected on a first-come, first-served basis of all eligible applicants, * * * subject to the availability of funds. In the second and * * * third years of an applicant's continued eligibility, priority consideration shall first be given to renewal applicants. * * * The State Financial Aid Board shall develop rules for ensuring that expenses of the program in a fiscal year do not exceed funding for the program in that fiscal year. For that purpose, and any other provision of this section to the contrary notwithstanding, the State Financial Aid Board may limit the acceptance of applications and may limit the number of awards.

(* * *6) Among * * * teacher recipients, priority consideration shall be given to persons who are teaching in a public school district designated as a geographical critical teacher shortage area by the State Board of Education.

(* * *7) Awards for recipients who have signed a contract to teach in a public school district that is not designated as a geographical critical teacher shortage area shall be as follows:

(a) One Thousand Five Hundred Dollars ($1,500.00) for the * * * initial award;

(b) Two Thousand Five Hundred Dollars ($2,500.00) for the second * * * award; and

(c) Three Thousand Five Hundred Dollars ($3,500.00) for the third * * * award.

(* * *8) Awards for recipients who have signed a contract to teach in a public school district that is designated as a geographical critical teacher shortage area shall be as follows:

(a) Four Thousand Dollars ($4,000.00) for the * * * initial award;

(b) Five Thousand Dollars ($5,000.00) for the second * * * award, provided the recipient continues to teach in the same public school district or another public school district designated a geographical shortage area by the State Board of Education; and

(c) Six Thousand Dollars ($6,000.00) for the third * * * award, provided the recipient continues to teach in the same public school district or another public school district designated a geographical shortage area by the State Board of Education.

(* * *9) * * * An initial recipient who moves to another public school district shall be eligible to receive an award based on the amount allowed under the program in the new district where the teacher is employed.

(* * *10) Awards shall be granted on a year-to-year basis, and recipients shall have no obligation to seek a future award.

(* * *11) Awards shall be paid annually, after the expiration of the one-year teaching contract for which the award was granted, to the recipient's lender or loan service provider, and shall be applied to the outstanding balance. Monies paid on the recipient's behalf toward qualifying undergraduate or graduate educational loans prior to receiving payment of the award shall not be eligible for repayment through the program.

(* * *12) During the teaching year for which the award is granted, a recipient must at all times keep the State Financial Aid Board informed of any changes to the recipient's current contact information and employment status.

(* * *13) Recipients who fail to maintain a standard or nontraditional license or fail to fulfill the one-year teaching contract on which the award was based shall forfeit any right to the award.

(* * *14) The State Financial Aid Board, in collaboration with the State Board of Education, shall track recipients of an award under this program through * * * the fourth year after receiving their initial award, unless the recipient shall leave teaching in a public school district at an earlier date. Data collected shall include recipients' undergraduate or graduate institution, school district, subject area/grade level in teaching and any other pertinent information necessary to determine the efficacy of the program in retaining teachers * * *.

(* * *15) The State Financial Aid Board shall promulgate regulations necessary for the proper administration of this section, including rules for ensuring that expenses of the program in a fiscal year do not exceed funding for the program in that fiscal year.

(* * *16) There is established in the State Treasury a special fund to be designated the "William F. Winter and Jack Reed, Sr., Loan Repayment Program Fund," into which shall be deposited those funds appropriated by the Legislature, and any other funds that may be made available, for the purpose of implementing the loan repayment program established herein. Money in the fund at the end of the fiscal year shall not lapse into the General Fund, and interest earned on any amounts deposited into the fund shall be credited to the special fund.

(* * *17) This section shall stand repealed on July 1, * * * 2028.

SECTION 10. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO REENACT SECTIONS 37-159-1, 37-159-5, 37-159-7, 37-159-9, 37-159-11, 37-159-13 AND 37-159-17, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998 AND INCLUDE THE UNIVERSITY ASSISTED TEACHER RECRUITMENT AND RETENTION GRANT PROGRAM, THE MISSISSIPPI EMPLOYER-ASSISTED HOUSING TEACHER PROGRAM, AND A PILOT PROGRAM TO PROVIDE FOR THE CONSTRUCTION OF RENTAL HOUSING FOR TEACHERS IN THE WEST TALLAHATCHIE SCHOOL DISTRICT; TO AMEND SECTION 37-159-19, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998; TO AMEND SECTION 37-106-36, MISSISSIPPI CODE OF 1972, TO REVISE THE AWARD CRITERIA OF THE WILLIAM F. WINTER AND JACK REED, SR., TEACHER LOAN REPAYMENT PROGRAM; TO PROVIDE THAT THE STATE FINANCIAL AID BOARD SHALL DEVELOP RULES FOR ENSURING THAT EXPENSES OF THE PROGRAM IN A FISCAL YEAR DO NOT EXCEED FUNDING FOR THE PROGRAM IN THAT FISCAL YEAR; TO PROVIDE THAT THE STATE FINANCIAL AID BOARD MAY LIMIT THE ACCEPTANCE OF APPLICATIONS AND MAY LIMIT THE NUMBER OF AWARDS; AND FOR RELATED PURPOSES.

Senators Boyd and DeBar offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND after line 398 by inserting the following section and renumbering the subsequent sections accordingly:

SECTION *. Section 37-106-29, Mississippi Code of 1972, is brought forward as follows:

37-106-29. (1) There is established the Mississippi Resident Tuition Assistance Grant Program for college or university freshmen, sophomores, juniors and seniors to be administered by the Mississippi Postsecondary Education Financial Assistance Board established under Section 37-106-9, Mississippi Code of 1972, which shall set the dates and deadlines for applying for an award under this section. The board shall establish such rules and regulations as it deems necessary and proper to carry out the purposes and intent of this section.

(2) The board shall approve grants to full-time freshmen, sophomore, junior and senior Mississippi residents who meet the general requirements for student eligibility as provided in subsection (4) of this section.

(3) Mississippi Resident Tuition Assistance Grants shall be for Mississippi resident students from any Mississippi family whose prior year adjusted gross income (AGI) exceeds the maximum allowed to qualify for full Pell Grant eligibility and campus-based federal aid. Those Mississippi students qualifying for less than the full Pell Grant award shall receive a Mississippi Resident Tuition Assistance Grant in an amount not to exceed the maximum Pell Grant allowable for that individual student. The award shall be applied to tuition, rooms and meals, books, materials and fees not to exceed One Thousand Dollars ($1,000.00) for junior and senior students attending state institutions of higher learning in Mississippi or four-year regionally accredited, state-approved, nonprofit colleges and universities in Mississippi, and Five Hundred Dollars ($500.00) for freshmen and sophomores attending state institutions of higher learning or public community or junior colleges in Mississippi, or regionally accredited, state-approved, nonprofit two-year or four-year colleges in Mississippi, which will be prorated per term, semester or quarter of the academic year for costs of attendance, calculated according to the formula specified in subsection (8) of this section.

(4) The general requirements for initial eligibility of students for Mississippi Resident Tuition Assistance Grants consist of the following:

(a) Member of a Mississippi family whose prior year adjusted gross income (AGI) exceeds the maximum allowed to qualify for Pell Grant eligibility and campus-based federal aid.

(b) Acceptance for enrollment at any state institution of higher learning or public community or junior college located in Mississippi, or any regionally accredited, state-approved, nonprofit two-year or four-year college or university located in Mississippi and approved by the board.

(c) Completion of a secondary education as follows:

(i) Graduation from high school verified by the institution before disbursement of award with a minimum grade point average of 2.5 calculated on a 4.0 scale after seven (7) semesters as certified by the high school counselor or other authorized school official on the application; or

(ii) Attendance at a home education program during grade levels 9 through 12; or

(iii) Satisfactory completion of the High School Equivalency Diploma; or

(iv) Successful completion of the International Baccalaureate Program.

(d) A minimum score of fifteen (15) on the ACT test except that any student entering a vocational or technical program of study, or who has satisfactorily completed the High School Equivalency Diploma Test and attends a community or junior college will not be required to have a test score under the ACT unless a student enrolls in courses of academic study.

(e) Any student currently enrolled in any qualified institution shall have to only meet the same requirements as students who are applying for a renewal award.

(5) By accepting a Mississippi Resident Tuition Assistance Grant, the student is attesting to the accuracy, completeness and correctness of information provided to demonstrate the student's eligibility. Falsification of such information shall result in the denial of any pending grant and revocation of any award currently held to the extent that no further payments shall be made. Any student knowingly making false statements in order to receive a grant shall be guilty of a misdemeanor punishable, upon conviction thereof, by a fine of up to Ten Thousand Dollars ($10,000.00), a prison sentence of up to one (1) year in the county jail, or both, and shall be required to return all Mississippi Resident Tuition Assistance Grants wrongfully obtained.

(6) Eligibility for renewal of Mississippi Resident Tuition Assistance Grants shall be evaluated at the end of each semester, or term, of each academic year. As a condition for renewal, a student shall:

(a) Make steady academic progress toward a certificate or degree, as outlined in the school Satisfactory Academic Progress Standards and certified by the institution's registrar.

(b) Maintain continuous enrollment for not less than two (2) semesters or three (3) quarters in each successive academic year, unless granted an exception for cause by the administering board; examples of cause may include student participation in a cooperative program, internship program or foreign study program. If a student fails to maintain continuous enrollment, and is not granted an exception for cause by the administering board, the student is ineligible to receive the Mississippi Resident Tuition

Assistance Grant during the following semester or trimester or term of the regular academic year.

(c) Have a cumulative grade point average of at least 2.50 calculated on a 4.0 scale at the end of each semester or trimester or term.

(7) Each student, each year, must complete a Free Application for Federal Student Aid form or a Statement of Certification as designed by the administering board to determine his/her eligibility for a Mississippi Resident Tuition Assistance Grant.

(8) (a) The amount of the Mississippi Resident Tuition Assistance Grant awarded to any one (1) student, up to the maximum amount provided in subsection (3) of this section, shall be the difference of the student's cost of attendance at his accredited college of choice and the amount of federal aid such student may receive, not to supplant but to supplement the amount of any federal aid awarded to the student. Cost of attendance is the tuition and fees of the applicable institution plus an allowance for room and meals and books and materials.

(b) Payment of the Mississippi Resident Tuition Assistance Grant shall be made payable to the recipient and the educational institution and mailed directly to the institution, to be applied first to tuition.

(9) In order for an institution to remain eligible for its students to participate in the Mississippi Resident Tuition Assistance Grant Program, the institution shall comply with the following requirements:

(a) A complete and accurate roster of the eligibility status of each awarded student shall be made to the board for each term, semester or quarter of the academic year the student receives a Mississippi Resident Tuition Assistance Grant.

(b) The institution is required to make refunds to the Mississippi Resident Tuition Assistance Grant Fund for any funds which have not been disbursed to the recipient, in the case of students who have received a grant but who terminate enrollment during the academic term, semester or quarter of the academic year if an institution's refund policies permit a student to receive a refund in such instance. The recipient shall be responsible for the refund of any funds which have been disbursed by the institution in such instance.

(c) If a student drops below full-time status but does not terminate all enrollment during the term, semester or quarter of the academic year no refund will be required for that term. However, that student is ineligible to receive the Mississippi Resident Tuition Assistance Grant during the following term, semester or quarter of the regular academic year.

(d) The board may conduct its own annual audits of any institution participating in the Mississippi Resident Tuition Assistance Grant Program. The board may suspend or revoke an institution's eligibility to receive future monies under the program if it finds that the institution has not complied with the provisions of this section. In determining a student's initial eligibility, the number of prior semesters enrolled will not be counted against the student.

(10) No student may receive a Mississippi Resident Tuition Assistance Grant for more than the equivalent semesters or quarters required to complete one (1) baccalaureate degree or one (1) certificate or associate degree program per institution.

(11) No student receiving a Mississippi Eminent Scholars Grant as provided in Section 37-106-31 shall be eligible to receive the Mississippi Resident Tuition Assistance Grant pursuant to this section unless he is eligible for such award after the Mississippi Eminent Scholars Grant has been considered by the board when conducting an

assessment of the financial resources available to the student. In no case shall any student receive any combination of student financial aid that would exceed the cost of attendance, as defined in subsection (8)(a).

For purposes of this section, certificated shall mean, but not be limited to, all postsecondary vocational programs in eligible institutions approved by the board.

Further, amend the title to conform.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 765 was adopted.

Senators Hopson, DeBar, Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams and Younger offered the following AMENDMENT NO. 2 TO COMMITTEE AMENDMENT NO. 1.

AMEND after line 398 by inserting the following section and renumbering the subsequent sections accordingly:

SECTION *. Section 37-19-7, Mississippi Code of 1972, is amended as follows:

37-19-7. (1) The allowance in the Mississippi Adequate Education Program for teachers' salaries in each public school district shall be determined and paid in accordance with the scale for teachers' salaries as provided in this subsection. For teachers holding the following types of licenses or the equivalent as determined by the State Board of Education, and the following number of years of teaching experience, the scale shall be as follows:

* * *

2024-2025 AND SUBSEQUENT SCHOOL YEARS MINIMUM SALARY SCHEDULE

Exp.	AAAA	AAA	AA	A____
0	46,500.00	45,000.00	44,000.00	42,500.00
1	47,100.00	45,550.00	44,525.00	42,900.00
2	47,700.00	46,100.00	45,050.00	43,300.00
3	48,300.00	46,650.00	45,575.00	43,700.00
4	48,900.00	47,200.00	46,100.00	44,100.00
5	50,250.00	48,500.00	47,350.00	45,300.00
6	50,850.00	49,050.00	47,875.00	45,700.00
7	51,450.00	49,600.00	48,400.00	46,100.00
8	52,050.00	50,150.00	48,925.00	46,500.00
9	52,650.00	50,700.00	49,450.00	46,900.00

10	54,000.00	52,000.00	50,700.00	48,100.00
11	54,600.00	52,550.00	51,225.00	48,500.00
12	55,200.00	53,100.00	51,750.00	48,900.00
13	55,800.00	53,650.00	52,275.00	49,300.00
14	56,400.00	54,200.00	52,800.00	49,700.00
15	57,750.00	55,500.00	54,050.00	50,900.00
16	58,350.00	56,050.00	54,575.00	51,300.00
17	58,950.00	56,600.00	55,100.00	51,700.00
18	59,550.00	57,150.00	55,625.00	52,100.00
19	60,150.00	57,700.00	56,150.00	52,500.00
20	61,500.00	59,000.00	57,400.00	53,700.00
21	62,100.00	59,550.00	57,925.00	54,100.00
22	62,700.00	60,100.00	58,450.00	54,500.00
23	63,300.00	60,650.00	58,975.00	54,900.00
24	63,900.00	61,200.00	59,500.00	55,300.00
25	66,400.00	63,700.00	62,000.00	57,800.00
26	67,000.00	64,250.00	62,525.00	58,200.00
27	67,600.00	64,800.00	63,050.00	58,600.00
28	68,200.00	65,350.00	63,575.00	59,000.00
29	68,800.00	65,900.00	64,100.00	59,400.00
30	69,400.00	66,450.00	64,625.00	59,800.00
31	70,000.00	67,000.00	65,150.00	60,200.00
32	70,600.00	67,550.00	65,675.00	60,600.00
33	71,200.00	68,100.00	66,200.00	61,000.00
34	71,800.00	68,650.00	66,725.00	61,400.00
35 & above	72,400.00	69,200.00	67,250.00	61,800.00

It is the intent of the Legislature that any state funds made available for salaries of licensed personnel in excess of the funds paid for such salaries for the 1986-1987 school year shall be paid to licensed personnel pursuant to a personnel appraisal and compensation system implemented by the State Board of Education. The State Board of

Education shall have the authority to adopt and amend rules and regulations as are necessary to establish, administer and maintain the system.

All teachers employed on a full-time basis shall be paid a minimum salary in accordance with the above scale. However, no school district shall receive any funds under this section for any school year during which the local supplement paid to any individual teacher shall have been reduced to a sum less than that paid to that individual teacher for performing the same duties from local supplement during the immediately preceding school year. The amount actually spent for the purposes of group health and/or life insurance shall be considered as a part of the aggregate amount of local supplement but shall not be considered a part of the amount of individual local supplement.

The level of professional training of each teacher to be used in establishing the salary allotment for the teachers for each year shall be determined by the type of valid teacher's license issued to those teachers on or before October 1 of the current school year. However, school districts are authorized, in their discretion, to negotiate the salary levels applicable to licensed employees who are receiving retirement benefits from the retirement system of another state, and the annual experience increment provided above in Section 37-19-7 shall not be applicable to any such retired certificated employee.

(2) (a) The following employees shall receive an annual salary supplement in the amount of Six Thousand Dollars ($6,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

(i) Any licensed teacher who has met the requirements and acquired a Master Teacher certificate from the National Board for Professional Teaching Standards and who is employed by a local school board or the State Board of Education as a teacher and not as an administrator. Such teacher shall submit documentation to the State Department of Education that the certificate was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the teacher shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(ii) A licensed nurse who has met the requirements and acquired a certificate from the National Board for Certification of School Nurses, Inc., and who is employed by a local school board or the State Board of Education as a school nurse and not as an administrator. The licensed school nurse shall submit documentation to the State Department of Education that the certificate was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school nurse shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(iii) Any licensed school counselor who has met the requirements and acquired a National Certified School Counselor (NCSC) endorsement from the National Board of Certified Counselors and who is employed by a local school board or the State Board of Education as a counselor and not as an administrator. Such licensed school counselor shall submit documentation to the State Department of Education that the endorsement was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school counselor shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. However, any school counselor who started the National Board for Professional Teaching Standards process for school counselors between June 1, 2003, and June 30, 2004, and completes the requirements and acquires the Master Teacher certificate shall be entitled to the master teacher supplement, and those counselors who complete the process shall be entitled to a one-time reimbursement for the actual cost of the process as outlined in paragraph (b) of this subsection.

(iv) Any licensed speech-language pathologist and audiologist who has met the requirements and acquired a Certificate of Clinical Competence from the American Speech-Language-Hearing Association and any certified academic language therapist (CALT) who has met the certification requirements of the Academic Language Therapy Association and who is employed by a local school board. The licensed speech-language pathologist and audiologist and certified academic language therapist shall submit documentation to the State Department of Education that the certificate or endorsement was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed speech-language pathologist and audiologist and certified academic language therapist shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(v) Any licensed athletic trainer who has met the requirements and acquired Board Certification for the Athletic Trainer from the Board of Certification, Inc., and who is employed by a local school board or the State Board of Education as an athletic trainer and not as an administrator. The licensed athletic trainer shall submit documentation to the State Department of Education that the certificate was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed athletic trainer shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(b) An employee shall be reimbursed for the actual cost of completing each component of acquiring the certificate or endorsement, excluding any costs incurred for postgraduate courses, not to exceed Five Hundred Dollars ($500.00) for each component, not to exceed four (4) components, for a teacher, school counselor or speech-language pathologist and audiologist, regardless of whether or not the process resulted in the award of the certificate or endorsement. A local school district or any private individual or entity may pay the cost of completing the process of acquiring the certificate or endorsement for any employee of the school district described under paragraph (a), and the State Department of Education shall reimburse the school district for such cost, regardless of whether or not the process resulted in the award of the certificate or endorsement. If a private individual or entity has paid the cost of completing the process of acquiring the certificate or endorsement for an employee, the local school district may agree to directly reimburse the individual or entity for such cost on behalf of the employee.

(c) All salary supplements, fringe benefits and process reimbursement authorized under this subsection shall be paid directly by the State Department of Education to the local school district and shall be in addition to its adequate education program allotments and not a part thereof in accordance with regulations promulgated by the State Board of Education. Local school districts shall not reduce the local supplement paid to any employee receiving such salary supplement, and the employee shall receive any local supplement to which employees with similar training and experience otherwise are entitled. However, an educational employee shall receive the salary supplement in the amount of Six Thousand Dollars ($6,000.00) for only one (1) of the qualifying certifications authorized under paragraph (a) of this subsection. No school district shall provide more than one (1) annual salary supplement under the provisions of this subsection to any one (1) individual employee holding multiple qualifying national certifications.

(d) If an employee for whom such cost has been paid, in full or in part, by a local school district or private individual or entity fails to complete the certification or endorsement process, the employee shall be liable to the school district or individual or entity for all amounts paid by the school district or individual or entity on behalf of that employee toward his or her certificate or endorsement.

(3) The following employees shall receive an annual salary supplement in the amount of Four Thousand Dollars ($4,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

Effective July 1, 2016, if funds are available for that purpose, any licensed teacher who has met the requirements and acquired a Master Teacher Certificate from the National Board for Professional Teaching Standards and who is employed in a public school district located in one (1) of the following counties: Claiborne, Adams, Jefferson, Wilkinson, Amite, Bolivar, Coahoma, Leflore, Quitman, Sharkey, Issaquena, Sunflower, Washington, Holmes, Yazoo and Tallahatchie. The salary supplement awarded under the provisions of this subsection (3) shall be in addition to the salary supplement awarded under the provisions of subsection (2) of this section.

Teachers who meet the qualifications for a salary supplement under this subsection (3) who are assigned for less than one (1) full year or less than full time for the school year shall receive the salary supplement in a prorated manner, with the portion of the teacher's assignment to the critical geographic area to be determined as of June 15th of the school year.

(4) (a) This section shall be known and may be cited as the "Mississippi Performance-Based Pay (MPBP)" plan. In addition to the minimum base pay described in this section, only after full funding of MAEP and if funds are available for that purpose, the State of Mississippi may provide monies from state funds to school districts for the purposes of rewarding licensed teachers, administrators and nonlicensed personnel at individual schools showing improvement in student test scores. The MPBP plan shall be developed by the State Department of Education based on the following criteria:

(i) It is the express intent of this legislation that the MPBP plan shall utilize only existing standards of accreditation and assessment as established by the State Board of Education.

(ii) To ensure that all of Mississippi's teachers, administrators and nonlicensed personnel at all schools have equal access to the monies set aside in this section, the MPBP program shall be designed to calculate each school's performance as determined by the school's increase in scores from the prior school year. The MPBP program shall be based on a standardized scores rating where all levels of schools can be judged in a statistically fair and reasonable way upon implementation. At the end of each year, after all student achievement scores have been standardized, the State Department of Education shall implement the MPBP plan.

(iii) To ensure all teachers cooperate in the spirit of teamwork, individual schools shall submit a plan to the local school district to be approved before the beginning of each school year beginning July 1, 2008. The plan shall include, but not be limited to, how all teachers, regardless of subject area, and administrators will be responsible for improving student achievement for their individual school.

(b) The State Board of Education shall develop the processes and procedures for designating schools eligible to participate in the MPBP. State assessment results, growth in student achievement at individual schools and other measures deemed appropriate in designating successful student achievement shall be used in establishing MPBP criteria.

(5) (a) If funds are available for that purpose, each school in Mississippi shall have mentor teachers, as defined by Sections 37-9-201 through 37-9-213, who shall receive additional base compensation provided for by the State Legislature in the amount of One Thousand Dollars ($1,000.00) per each beginning teacher that is being mentored. The additional state compensation shall be limited to those mentor teachers that provide mentoring services to beginning teachers. For the purposes of such funding, a beginning teacher shall be defined as any teacher in any school in Mississippi that has less than one

(1) year of classroom experience teaching in a public school. For the purposes of such funding, no full-time academic teacher shall mentor more than two (2) beginning teachers.

(b) To be eligible for this state funding, the individual school must have a classroom management program approved by the local school board.

(6) Effective with the 2014-2015 school year, the school districts participating in the Pilot Performance-Based Compensation System pursuant to Section 37-19-9 may award additional teacher and administrator pay based thereon.

FURTHER, AMEND the title to conform.

Amendment No. 2 to Committee Amendment No. 1 to H. B. No. 765 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 765 was adopted.

YEAS AND NAYS On H. B. No. 765. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator DeBar called up the following entitled bill:

H. B. No. 1194: Expulsions; authorize aggregate reporting by State Department of Education of data relating to.

YEAS AND NAYS On H. B. No. 1194. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator DeBar called up the following entitled bill:

H. B. No. 1669: Assistant teachers; revise qualifications for employment.

YEAS AND NAYS On H. B. No. 1669. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

_____

Senator DeBar called up the following entitled bill:

H. B. No. 1696: Failing schools; revise processes relating to being placed into a District of Transformation and abolishing the MS Achievement School District.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-17-6, Mississippi Code of 1972, is amended as follows:

37-17-6. (1) The State Board of Education, acting through the Commission on School Accreditation, shall establish and implement a permanent performance-based accreditation system, and all noncharter public elementary and secondary schools shall be accredited under this system.

(2) * * * The State Board of Education, acting through the Commission on School Accreditation, shall require school districts to provide school classroom space that is air-conditioned as a minimum requirement for accreditation.

(3) (a) * * * The State Board of Education, acting through the Commission on School Accreditation, shall require that school districts employ certified school librarians according to the following formula:

Number of Students Per School Library	Number of Certified School Librarians
0 - 499 Students	1/2 Full-time Equivalent Certified Librarian
500 or More Students	1 Full-time Certified Librarian

(b) The State Board of Education, however, may increase the number of positions beyond the above requirements.

(c) The assignment of certified school librarians to the particular schools shall be at the discretion of the local school district. No individual shall be employed as a certified school librarian without appropriate training and certification as a school librarian by the State Department of Education.

(d) School librarians in the district shall spend at least fifty percent (50%) of direct work time in a school library and shall devote no more than one-fourth (1/4) of the workday to administrative activities that are library related.

(e) Nothing in this subsection shall prohibit any school district from employing more certified school librarians than are provided for in this section.

(f) Any additional millage levied to fund school librarians required for accreditation under this subsection shall be included in the tax increase limitation set forth in Sections 37-57-105 and 37-57-107 and shall not be deemed a new program for purposes of the limitation.

(4) * * * The State Board of Education shall implement the performance-based accreditation system for school districts and for individual noncharter public schools which shall include the following:

(a) High expectations for students and high standards for all schools, with a focus on the basic curriculum;

(b) Strong accountability for results with appropriate local flexibility for local implementation;

(c) A process to implement accountability at both the school district level and the school level;

(d) Individual schools shall be held accountable for student growth and performance;

(e) Set annual performance standards for each of the schools of the state and measure the performance of each school against itself through the standard that has been set for it;

(f) A determination of which schools exceed their standards and a plan for providing recognition and rewards to those schools;

(g) A determination of which schools are failing to meet their standards and a determination of the appropriate role of the State Board of Education and the State Department of Education in providing assistance and initiating possible intervention. A failing district is a district that fails to meet both the absolute student achievement standards and the rate of annual growth expectation standards as set by the State Board of Education for two (2) consecutive years. The State Board of Education shall establish the level of benchmarks by which absolute student achievement and growth expectations shall be assessed. In setting the benchmarks for school districts, the State Board of Education may also take into account such factors as graduation rates, dropout rates, completion rates, the extent to which the school or district employs qualified teachers in every classroom, and any other factors deemed appropriate by the State Board of Education. The State Board of Education, acting through the State Department of Education, shall apply a simple "A," "B," "C," "D" and "F" designation to the current school and school district statewide accountability performance classification labels * * * and in the school, district and state report cards required under state and federal law. * * * The State Board of Education, acting through the State Department of Education, is further authorized and directed to change the school and school district accreditation rating system to a simple "A," "B," "C," "D," and "F" designation based on a combination of student achievement scores and student growth as measured by the statewide testing programs developed by the State Board of Education pursuant to Chapter 16, Title 37, Mississippi Code of 1972. In any statute or regulation containing the former accreditation designations, the new designations shall be applicable; and

(h) Development of a comprehensive student assessment system to implement these requirements * * *.

* * *

(5) (a) * * * The State Department of Education, acting through the Mississippi Commission on School Accreditation, shall * * * implement a single "A" through "F" school and school district accountability system complying with applicable federal and state requirements in order to reach the following educational goals:

(i) To mobilize resources and supplies to ensure that all students exit third grade reading on grade level by 2015;

(ii) To reduce the student dropout rate to thirteen percent (13%) by 2015; and

(iii) To have sixty percent (60%) of students scoring proficient and advanced on the assessments of the Common Core State Standards by 2016 with incremental increases of three percent (3%) each year thereafter.

(b) The State Department of Education shall combine the state school and school district accountability system with the federal system in order to have a single system.

(c) The State Department of Education shall establish five (5) performance categories ("A," "B," "C," "D" and "F") for the accountability system based on the following criteria:

(i) Student Achievement: the percent of students proficient and advanced on the current state assessments;

(ii) Individual student growth: the percent of students making one (1) year's progress in one (1) year's time on the state assessment, with an emphasis on the progress of the lowest twenty-five percent (25%) of students in the school or district;

(iii) Four-year graduation rate: the percent of students graduating with a standard high school diploma in four (4) years, as defined by federal regulations;

(iv) Categories shall identify schools as Reward ("A" schools), Focus ("D" schools) and Priority ("F" schools). If at least five percent (5%) of schools in the state are not graded as "F" schools, the lowest five percent (5%) of school grade point designees will be identified as Priority schools. If at least ten percent (10%) of schools in the state are not graded as "D" schools, the lowest ten percent (10%) of school grade point designees will be identified as Focus schools;

(v) The State Department of Education shall discontinue the use of Star School, High-Performing, Successful, Academic Watch, Low-Performing, At-Risk of Failing and Failing school accountability designations;

(vi) The system shall include the federally compliant four-year graduation rate in school and school district accountability system calculations. Graduation rate will apply to high school and school district accountability ratings as a compensatory component. The system shall discontinue the use of the High School Completer Index (HSCI);

(vii) The school and school district accountability system shall incorporate a standards-based growth model, in order to support improvement of individual student learning;

(viii) The State Department of Education shall discontinue the use of the Quality Distribution Index (QDI);

(ix) The State Department of Education shall determine feeder patterns of schools that do not earn a school grade because the grades and subjects taught at the school do not have statewide standardized assessments needed to calculate a school grade. Upon determination of the feeder pattern, the department shall notify schools and school districts prior to the release of the school grades beginning in 2013. Feeder schools will be assigned the accountability designation of the school to which they provide students;

(x) Standards for student, school and school district performance will be increased when student proficiency is at a seventy-five percent (75%) and/or when sixty-five percent (65%) of the schools and/or school districts are earning a grade of "B" or higher, in order to raise the standard on performance after targets are met;

(xi) The system shall include student performance on the administration of a career-readiness assessment, such as, but not limited to, the ACT WorkKeys Assessment, deemed appropriate by the Mississippi Department of Education working in coordination with the Office of Workforce Development.

(6) Nothing in this section shall be deemed to require a nonpublic school that receives no local, state or federal funds for support to become accredited by the State Board of Education.

(7) The State Board of Education shall create an accreditation audit unit under the Commission on School Accreditation to determine whether schools are complying with accreditation standards.

(8) The State Board of Education shall be specifically authorized and empowered to withhold adequate education program fund allocations, whichever is applicable, to any public school district for failure to timely report student, school personnel and fiscal data necessary to meet state and/or federal requirements.

(9) [Deleted]

(10) The State Board of Education shall establish, for those school districts failing to meet accreditation standards, a program of development to be complied with in order to receive state funds, except as otherwise provided in subsection (15) of this section when the Governor has declared a state of emergency in a school district or as otherwise provided in Section 206, Mississippi Constitution of 1890. The state board, in establishing these standards, shall provide for notice to schools and sufficient time and aid to enable schools to attempt to meet these standards, unless procedures under subsection (15) of this section have been invoked.

(11) * * * The State Board of Education shall be charged with the implementation of the program of development in each applicable school district as follows:

(a) Develop an impairment report for each district failing to meet accreditation standards in conjunction with school district officials;

(b) Notify any applicable school district failing to meet accreditation standards that it is on probation until corrective actions are taken or until the deficiencies have been removed. The local school district shall develop a corrective action plan to improve its deficiencies. For district academic deficiencies, the corrective action plan for each such school district shall be based upon a complete analysis of the following: student test data, student grades, student attendance reports, student dropout data, existence and other relevant data. The corrective action plan shall describe the specific measures to be taken by the particular school district and school to improve: (i)

instruction; (ii) curriculum; (iii) professional development; (iv) personnel and classroom organization; (v) student incentives for performance; (vi) process deficiencies; and (vii) reporting to the local school board, parents and the community. The corrective action plan shall describe the specific individuals responsible for implementing each component of the recommendation and how each will be evaluated. All corrective action plans shall be provided to the State Board of Education as may be required. The decision of the State Board of Education establishing the probationary period of time shall be final;

(c) Offer, during the probationary period, technical assistance to the school district in making corrective actions. * * * Subject to * * * appropriations, the State Department of Education shall provide technical and/or financial assistance to all such school districts in order to implement each measure identified in that district's corrective action plan through professional development and on-site assistance. Each such school district shall apply for and utilize all available federal funding in order to support its corrective action plan in addition to state funds made available under this paragraph;

(d) Assign department personnel or contract, in its discretion, with the institutions of higher learning or other appropriate private entities with experience in the academic, finance and other operational functions of schools to assist school districts;

(e) Provide for publication of public notice at least one time during the probationary period, in a newspaper published within the jurisdiction of the school district failing to meet accreditation standards, or if no newspaper is published therein, then in a newspaper having a general circulation therein. The publication shall include the following: declaration of school system's status as being on probation; all details relating to the impairment report; and other information as the State Board of Education deems appropriate. Public notices issued under this section shall be subject to Section 13-3-31 and not contrary to other laws regarding newspaper publication.

(12) (a) If the recommendations for corrective action are not taken by the local school district or if the deficiencies are not removed by the end of the probationary period, the Commission on School Accreditation shall conduct a hearing to allow the affected school district to present evidence or other reasons why its accreditation should not be withdrawn. Additionally, if the local school district violates accreditation standards that have been determined by the policies and procedures of the State Board of Education to be a basis for withdrawal of school district's accreditation without a probationary period, the Commission on School Accreditation shall conduct a hearing to allow the affected school district to present evidence or other reasons why its accreditation should not be withdrawn. After its consideration of the results of the hearing, the Commission on School Accreditation shall be authorized, with the approval of the State Board of Education, to withdraw the accreditation of a public school district, and issue a request to the Governor that a state of emergency be declared in that district.

(b) (i) If the State Board of Education and the Commission on School Accreditation determine that an extreme emergency situation exists in a school district that jeopardizes the safety, security or educational interests of the children enrolled in the schools in that district and that emergency situation is believed to be related to a serious violation or violations of accreditation standards or state or federal law, * * * the State Board of Education may request the Governor to declare a state of emergency in that school district. For purposes of this paragraph, the declarations of a state of emergency * * * may include the school district's serious failure to meet minimum academic standards, as evidenced by a continued pattern of poor student performance, or impairments related to a lack of financial resources.

(ii) If the State Board of Education determines that a public school or district in the state which, during each of two (2) consecutive school years or during two (2) of three (3) consecutive school years, receives an "F" designation by the State Board of Education under the accountability rating system or has been persistently failing as defined by the State Board of Education; or if the State Board of Education determines

that a public school or district in the state which, during each of four (4) consecutive school years, receives a "D" or "F" designation by the State Board of Education under the accountability rating system or has been persistently failing as defined by the State Board of Education; or if more than fifty percent (50%) of the schools within a school district are designated as Schools-At-Risk in any one (1) year, then the board may place such school or district into a District of Transformation. The State Board of Education shall take over only the number of schools and districts for which it has the capacity to serve. The State Board of Education shall adopt rules and regulations governing any additional requirements for placement into a District of Transformation and the operation thereof. School districts or schools that are eligible to be placed into a District of Transformation due to poor academic performance but are not absorbed due to the capacity of the State Board of Education, shall develop and implement a district improvement plan with prescriptive guidance and support from the Mississippi Department of Education, with the goal of helping the district improve student achievement. Failure of the school board, superintendent and school district staff to implement the plan with fidelity and participate in the activities provided as support by the department shall result in the school district retaining its eligibility for placement into a District of Transformation.

(iii) If the State Board of Education determined that a school district is impaired with a serious lack of financial resources, the State Board of Education may place the school district into a District of Transformation. If a school district is placed into a District of Transformation for financial reasons, the school district shall be required to reimburse the state for any costs incurred by the state on behalf of the school district.

(c) Whenever the Governor declares a state of emergency in a school district in response to a request made under paragraph (a) or (b) of this subsection, or when the State Board of Education places a school district into a District of Transformation due to poor academic performance or financial reasons, the State Board of Education may take one or more of the following actions:

(i) Declare a state of emergency, under which some or all of state funds can be escrowed except as otherwise provided in Section 206, Constitution of 1890, until the board determines corrective actions are being taken or the deficiencies have been removed, or that the needs of students warrant the release of funds. The funds may be released from escrow for any program which the board determines to have been restored to standard even though the state of emergency may not as yet be terminated for the district as a whole;

(ii) Override any decision of the local school board or superintendent of education, or both, concerning the management and operation of the school district, or initiate and make decisions concerning the management and operation of the school district;

(iii) Assign an interim superintendent, or in its discretion, contract with a private entity with experience in the academic, finance and other operational functions of schools and school districts, who will have those powers and duties prescribed in subsection (15) of this section;

(iv) Grant transfers to students who attend this school district so that they may attend other accredited schools or districts in a manner that is not in violation of state or federal law;

(v) For states of emergency declared under paragraph (a) only, if the accreditation deficiencies are related to the fact that the school district is too small, with too few resources, to meet the required standards and if another school district is willing to accept those students, abolish that district and assign that territory to another school district or districts. If the school district has proposed a voluntary consolidation with another school district or districts, then if the State Board of Education finds that it is in the best interest of the pupils of the district for the consolidation to proceed, the voluntary

consolidation shall have priority over any such assignment of territory by the State Board of Education;

(vi) For * * * actions taken pursuant to paragraph (b) only, reduce local supplements paid to school district employees, including, but not limited to, instructional personnel, assistant teachers and extracurricular activities personnel, if the district's impairment is related to a lack of financial resources, but only to an extent that will result in the salaries being comparable to districts similarly situated, as determined by the State Board of Education;

(vii) For * * * actions taken pursuant to paragraph (b) only, the State Board of Education may take any action as prescribed in Section 37-17-13.

(d) At the time that satisfactory corrective action has been taken in a school district in which a state of emergency has been declared, the State Board of Education may request the Governor to declare that the state of emergency no longer exists in the district.

(e) The parent or legal guardian of a school-age child who is enrolled in a school district whose accreditation has been withdrawn by the Commission on School Accreditation and without approval of that school district may file a petition in writing to a school district accredited by the Commission on School Accreditation for a legal transfer. The school district accredited by the Commission on School Accreditation may grant the transfer according to the procedures of Section 37-15-31(1)(b). In the event the accreditation of the student's home district is restored after a transfer has been approved, the student may continue to attend the transferee school district. The per-pupil amount of the adequate education program allotment, including the collective "add-on program" costs for the student's home school district shall be transferred monthly to the school district accredited by the Commission on School Accreditation that has granted the transfer of the school-age child.

(f) Upon the declaration of a state of emergency for any school district in which the Governor has previously declared a state of emergency, the State Board of Education may either:

(i) Place the school district into district transformation, in which the school district shall remain until it has fulfilled all conditions related to district transformation. If the district was assigned an accreditation rating of "D" or "F" when placed into district transformation, the district shall be eligible to return to local control when the school district has attained a "C" rating or higher for * * * three (3) consecutive years * * *;

(ii) Abolish the school district and administratively consolidate the school district with one or more existing school districts;

(iii) Reduce the size of the district and administratively consolidate parts of the district, as determined by the State Board of Education. However, no school district which is not in district transformation shall be required to accept additional territory over the objection of the district; or

(iv) Require the school district to develop and implement a district improvement plan with prescriptive guidance and support from the State Department of Education, with the goal of helping the district improve student achievement. Failure of the school board, superintendent and school district staff to implement the plan with fidelity and participate in the activities provided as support by the department shall result in the school district retaining its eligibility for district transformation.

* * *

(13) Upon the declaration of a state of emergency in a school district under subsection (12) of this section, or upon the State Board of Education's placement of a school district into a District of Transformation for academic or financial reasons, the Commission on School Accreditation shall be responsible for public notice at least once a week for at least three (3) consecutive weeks in a newspaper published within the jurisdiction of the school district failing to meet accreditation standards, or if no newspaper is published therein, then in a newspaper having a general circulation therein. The size of the notice shall be no smaller than one-fourth (1/4) of a standard newspaper page and shall be printed in bold print. If an interim superintendent has been appointed for the school district, the notice shall begin as follows: "By authority of Section 37-17-6, Mississippi Code of 1972, as amended, adopted by the Mississippi Legislature during the 1991 Regular Session, this school district (name of school district) is hereby placed under the jurisdiction of the State Department of Education acting through its appointed interim superintendent (name of interim superintendent)."

The notice also shall include, in the discretion of the State Board of Education, any or all details relating to the school district's emergency status, including the declaration of a state of emergency in the school district and a description of the district's impairment deficiencies, conditions of any district transformation status and corrective actions recommended and being taken. Public notices issued under this section shall be subject to Section 13-3-31 and not contrary to other laws regarding newspaper publication.

Upon termination of * * * a school district in a District of Transformation, the Commission on School Accreditation shall cause notice to be published in the school district in the same manner provided in this section, to include any or all details relating to the corrective action taken in the school district that resulted in the termination of the state of emergency.

(14) The State Board of Education or the Commission on School Accreditation shall have the authority to require school districts to produce the necessary reports, correspondence, financial statements, and any other documents and information necessary to fulfill the requirements of this section.

Nothing in this section shall be construed to grant any individual, corporation, board or interim superintendent the authority to levy taxes except in accordance with presently existing statutory provisions.

(15) (a) Whenever the Governor declares a state of emergency in a school district in response to a request made under subsection (12) of this section, or when the State Board of Education places a school district into a District of Transformation for academic or financial reasons, the State Board of Education, in its discretion, may assign an interim superintendent to the school district, or in its discretion, may contract with an appropriate private entity with experience in the academic, finance and other operational functions of schools and school districts, who will be responsible for the administration, management and operation of the school district, including, but not limited to, the following activities:

(i) Approving or disapproving all financial obligations of the district, including, but not limited to, the employment, termination, nonrenewal and reassignment of all licensed and nonlicensed personnel, contractual agreements and purchase orders, and approving or disapproving all claim dockets and the issuance of checks; in approving or disapproving employment contracts of superintendents, assistant superintendents or principals, the interim superintendent shall not be required to comply with the time limitations prescribed in Sections 37-9-15 and 37-9-105;

(ii) Supervising the day-to-day activities of the district's staff, including reassigning the duties and responsibilities of personnel in a manner which, in the determination of the interim superintendent, will best suit the needs of the district;

(iii) Reviewing the district's total financial obligations and operations and making recommendations to the district for cost savings, including, but not limited to, reassigning the duties and responsibilities of staff;

(iv) Attending all meetings of the district's school board and administrative staff;

(v) Approving or disapproving all athletic, band and other extracurricular activities and any matters related to those activities;

(vi) Maintaining a detailed account of recommendations made to the district and actions taken in response to those recommendations;

(vii) Reporting periodically to the State Board of Education on the progress or lack of progress being made in the district to improve the district's impairments during the state of emergency; and

(viii) Appointing a parent advisory committee, comprised of parents of students in the school district that may make recommendations to the interim superintendent concerning the administration, management and operation of the school district.

The cost of the salary of the interim superintendent and any other actual and necessary costs related to district transformation status paid by the State Department of Education shall be reimbursed by the local school district from funds other than adequate education program funds. The department shall submit an itemized statement to the superintendent of the local school district for reimbursement purposes, and any unpaid balance may be withheld from the district's adequate education program funds. In the alternative, the local school district may pay the cost of the salary of the interim superintendent.

At the time that the Governor, in accordance with the request of the State Board of Education, declares that the state of emergency no longer exists in a school district, the * * * interim superintendent assigned to the district shall * * * remain in place for a period of two (2) years and shall work alongside the newly reconstituted school board. A new superintendent may be hired by the newly reconstituted board after the one (1) year state of emergency no longer exists, but he or she shall serve as deputy to the interim superintendent while the interim superintendent is assigned to the district.

(b) In order to provide loans to school districts under a state of emergency or in district transformation status that have impairments related to a lack of financial resources, the School District Emergency Assistance Fund is created as a special fund in the State Treasury into which monies may be transferred or appropriated by the Legislature from any available public education funds. Funds in the School District Emergency Assistance Fund up to a maximum balance of Three Million Dollars ($3,000,000.00) annually shall not lapse but shall be available for expenditure in subsequent years subject to approval of the State Board of Education. Any amount in the fund in excess of Three Million Dollars ($3,000,000.00) at the end of the fiscal year shall lapse into the State General Fund or the Education Enhancement Fund, depending on the source of the fund.

The State Board of Education may loan monies from the School District Emergency Assistance Fund to a school district that is under a state of emergency or in district transformation status, in those amounts, as determined by the board, that are necessary to correct the district's impairments related to a lack of financial resources. The loans shall be evidenced by an agreement between the school district and the State Board of Education and shall be repayable in principal, without necessity of interest, to the School District Emergency Assistance Fund by the school district from any allowable funds that are available. The total amount loaned to the district shall be due and payable within five

(5) years after the impairments related to a lack of financial resources are corrected. If a school district fails to make payments on the loan in accordance with the terms of the agreement between the district and the State Board of Education, the State Department of Education, in accordance with rules and regulations established by the State Board of Education, may withhold that district's adequate education program funds in an amount and manner that will effectuate repayment consistent with the terms of the agreement; the funds withheld by the department shall be deposited into the School District Emergency Assistance Fund.

The State Board of Education shall develop a protocol that will outline the performance standards and requisite timeline deemed necessary for extreme emergency measures. If the State Board of Education determines that an extreme emergency exists, simultaneous with the powers exercised in this subsection, it shall take immediate action against all parties responsible for the affected school districts having been determined to be in an extreme emergency. The action shall include, but not be limited to, initiating civil actions to recover funds and criminal actions to account for criminal activity. Any funds recovered by the State Auditor or the State Board of Education from the surety bonds of school officials or from any civil action brought under this subsection shall be applied toward the repayment of any loan made to a school district hereunder.

(16) * * * [Deleted]

(17) * * * [Deleted]

(18) * * * The State Board of Education, acting through the Commission on School Accreditation, shall require each school district to comply with standards established by the State Department of Audit for the verification of fixed assets and the auditing of fixed assets records as a minimum requirement for accreditation.

(19) * * * [Deleted]

(20) * * * [Deleted]

(21) If a local school district is determined as failing and placed into district transformation status for reasons authorized by the provisions of this section, the interim superintendent appointed to the district shall, within forty-five (45) days after being appointed, present a detailed and structured corrective action plan to move the local school district out of district transformation status to the deputy superintendent. A copy of the interim superintendent's corrective action plan shall also be filed with the State Board of Education.

SECTION 2. The following shall be codified as Section 37-17-6.1, Mississippi Code of 1972:

37-17-6.1. (1) In the Mississippi Achievement School District, in which as of January 1, 2024, two (2) local school districts have been placed into by the State Board of Education, specifically, the Yazoo City Municipal School District and the Humphreys County School District, there shall be an administrative transition of those school districts into two (2) separate Districts of Transformation with such transition completed by July 1, 2025. Until June 30, 2025, preceding the effective date of the required transition of school districts in the Mississippi Achievement School District into Districts of Transformation, the districts shall remain under the authority and control of the Mississippi Achievement School District and the State Board of Education.

(2) From and after July 1, 2024, no local school district shall be placed into the Mississippi Achievement School District and effective July 1, 2025, the Mississippi Achievement School District shall be dissolved.

(3) On or before September 1, 2024, the State Board of Education shall provide the Mississippi Achievement School District with notice and instructions regarding the timetable for actions to be taken to comply with the transition of those local schools into Districts of Transformation.

(4) A declaration of a state of emergency shall not be required by the Governor for the two (2) districts to transition from the Mississippi Achievement School District placement into a District of Transformation; however, the two (2) districts shall be required to comply with any and all obligations and laws as required by other Districts of Transformation and the State Board of Education shall have all the authorities granted to it in Sections 37-17-6 and 37-17-13, including the assignment of an interim superintendent to the Districts of Transformation, or in its discretion, contracting with an appropriate private entity with experience in the academic, finance and other operational functions of schools and school districts, who will be responsible for the administration, management and operation of the school district in accordance with Section 37-17-6(15), and the determination of when a District of Transformation is ready to be reconstituted, reorganized, and returned to local control.

SECTION 3. Section 37-17-13, Mississippi Code of 1972, is amended as follows:

37-17-13. (1) Whenever the Governor declares a state of emergency in a school district in response to a certification by the State Board of Education and the Commission on School Accreditation made under Section 37-17-6(12)(b), or when the State Board of Education places a school district into a District of Transformation for academic or financial reasons under Section 37-17-6 (12)(b), the State Board of Education, in addition to any actions taken under Section 37-17-6, * * * shall abolish the school district and assume control and administration of the schools formerly constituting the district, and appoint an interim superintendent to carry out this purpose under the direction of the State Board of Education. In such case, the State Board of Education shall have all powers which were held by the previously existing school board, and the previously existing superintendent of schools or county superintendent of education, including, but not limited to, those enumerated in Section 37-7-301, and the authority to request tax levies from the appropriate governing authorities for the support of the schools and to receive and expend the tax funds as provided by Section 37-57-1 et seq. and Section 37-57-105 et seq.

(2) When a school district is abolished under this section, loans from the School District Emergency Assistance Fund may be made by the State Board of Education for the use and benefit of the schools formerly constituting the district in accordance with the procedures set forth in Section 37-17-6(15) for such loans to the district. The abolition of a school district under this section shall not impair or release the property of that school district from liability for the payment of the loan indebtedness, and it shall be the duty of the appropriate governing authorities to levy taxes on the property of the district so abolished from year to year according to the terms of the indebtedness until same shall be fully paid.

* * *

(* * *3) After a local school board is abolished by the State Board of Education * * *, at such time the State Board of Education determines that the impairments are being substantially corrected and the responsibility of the district transformation in such district upon the conclusion of the final scholastic year in which a district has maintained a "C" accountability rating for * * * three (3) consecutive years * * *, the State Board of Education may appoint a new five-member board for the administration of the school district and shall notify the local county board of supervisors and/or municipal governing authority of such appointment, spreading the names of the new school board members on its minutes. The new local school board members shall be residents of the school district. The new local school board members appointed by the State Board of Education may serve in an advisory capacity to the interim superintendent for its first year of service and thereafter shall have full responsibility to administer the school district.

Thirty (30) days prior to the end of the first year of office as an advisory board, each member shall draw lots to determine when the members shall rotate off the board as follows: one (1) member shall serve a one-year term of office; one (1) member shall serve a two-year term of office; one (1) member shall serve a three-year term of office; one (1) member shall serve a four-year term of office; and one (1) member shall serve a five-year term of office. At that time, the State Board of Education shall notify the appropriate board of supervisors or municipal governing authority of this action and request them to provide for the election or appointment of school board members at the end of the terms of office in the manner provided by law, in order for the local residents of the school district to select a new school board on a phased-in basis. In such situations, the Governor will set the date of any necessary special election which shall be conducted by the county election commission. During the new school board's first two years administering the school district, the interim superintendent shall continue to serve alongside the school board. The State Board of Education shall * * * request the new school board to provide for the appointment of a superintendent to govern the reconstituted or reorganized school district * * * one (1) year after the new school board's first year of administering the school district. The new superintendent shall serve as deputy to the interim superintendent while the interim superintendent is assigned to the district. A board member or superintendent in office at the time the Governor declares a state of emergency in a school district, or when the State Board of Education places a school district into a District of Transformation due to academic or financial reasons, shall not be eligible to serve in the office of school board member or superintendent for the school district reconstituted or reorganized following the district transformation period.

* * *

SECTION 4. Section 37-17-17, which provides for the Mississippi Achievement School District, shall stand repealed on July 1, 2025.

SECTION 5. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THE PROCEDURE BY WHICH THE STATE BOARD OF EDUCATION MAY PLACE A FAILING SCHOOL OR SCHOOL DISTRICT INTO A DISTRICT OF TRANSFORMATION; TO ESTABLISH RELEVANT CRITERIA FOR SCHOOLS OR SCHOOL DISTRICTS TO BE PLACED INTO SUCH DISTRICTS; TO DELETE CERTAIN PROVISIONS RELATED TO MISSISSIPPI RECOVERY SCHOOL DISTRICTS, SCHOOL BOARDS OF FAILING SCHOOLS AND ELECTIONS OF MEMBERS OF FAILING SCHOOL BOARDS; TO PROVIDE THAT DISTRICTS THAT ARE PLACED INTO DISTRICT TRANSFORMATION SHALL BE ELIGIBLE TO RETURN TO LOCAL CONTROL WHEN THE DISTRICT HAS ATTAINED A "C" RATING OR HIGHER FOR THREE CONSECUTIVE YEARS; TO CREATE NEW SECTION 37-17-6.1, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS RELATED TO THE MISSISSIPPI ACHIEVEMENT SCHOOL DISTRICT WHICH INCLUDES THE YAZOO CITY MUNICIPAL SCHOOL DISTRICT AND THE HUMPHREYS COUNTY SCHOOL DISTRICT; TO PROVIDE CERTAIN TIMELINES ON THE TRANSITION OF SUCH DISTRICTS INTO DISTRICTS OF TRANSFORMATION; TO PROVIDE THAT THE BOARD OF EDUCATION SHALL HAVE THE AUTHORITY TO DETERMINE WHEN SUCH DISTRICT IS READY TO BE RECONSTITUTED, REORGANIZED AND RETURNED TO LOCAL CONTROL; TO DELETE CERTAIN OUTDATED LANGUAGE; TO AMEND SECTION 37-17-13, MISSISSIPPI CODE OF 1972, TO DELETE THE DATE OF REPEAL ON THE SECTION; TO DELETE CERTAIN PROVISIONS RELATED TO FAILING SCHOOLS; TO CONFORM TO THE PROVISIONS OF THE ACT; TO REPEAL SECTION 37-17-17, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE MISSISSIPPI

ACHIEVEMENT SCHOOL DISTRICT, ON JULY 1, 2025; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1696 was adopted.

YEAS AND NAYS On H. B. No. 1696. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Turner-Ford called up the following entitled bill:

H. B. No. 1685: Uniform Controlled Substances Act; revise schedules.

YEAS AND NAYS On H. B. No. 1685. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

H. B. No. 691: Mississippi Board on Law Enforcement Officer Standards and Training; revise composition of and provide with investigative authority.

Senator Sparks offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-6-5, Mississippi Code of 1972, is amended as follows:

45-6-5. (1) There is hereby created the Board on Law Enforcement Officer Standards and Training, which shall consist of thirteen (13) members.

(2) (a) The Governor shall appoint six (6) members of the board from the following specified categories:

(i) Two (2) members, each of whom is a chief of police of a municipality in this state, with one (1) of the appointees being appointed from a municipality having a population of less than five thousand (5,000) according to the latest federal decennial census * * *;

(ii) * * * Two (2) members who are sheriffs in this state;

(iii) One (1) member who is a district attorney in this state * * *; and

(iv) One (1) member who is a * * * current director of a Mississippi law enforcement officers' training academy. This member shall not serve successive terms on the board.

* * *

(b) The initial appointments to the board shall be made by the Governor no later than twenty (20) days after April 7, 1981, as follows: the chief of police and the representative of higher education each shall be appointed for a term of two (2) years; and the sheriff and the district attorney each shall be appointed for a term of three (3) years. Upon the expiration of the terms of the initial appointees to the board, each subsequent appointment shall be made for a term of three (3) years, beginning on the date of the expiration of the previous term. A vacancy in any appointed position on the board prior to the expiration of a term shall be filled by appointment of the Governor only for the balance of the unexpired term. Appointments shall be made within sixty (60) days of the occurrence of the vacancy.

(c) Any member appointed under this subsection who fails to attend three (3) consecutive meetings of the board shall be subject to removal by the Governor. The president of the board shall notify the Governor in writing when a member has failed to attend three (3) consecutive regular meetings.

(3) The remaining seven (7) members of the board shall be the following:

(a) The Attorney General, or * * * a deputy Attorney General as a designee * * *;

(b) The Director of the Mississippi Highway Safety Patrol, or his designee * * *;

(c) The President of the Mississippi * * * Association of Chiefs of Police, or his designee * * *;

(d) The * * * Commissioner of the Mississippi * * * Department of Public Safety or his designee;

(e) The President of the Mississippi Constable Association, or his designee who is a member of the association * * *;

(f) The President of the Mississippi Campus Law Enforcement Officers Association, or his designee who is a member of the association * * *; and

(g) The President of the Mississippi Sheriffs' Association, or his designee who is a member of the association.

The Attorney General, the Director of the Mississippi Highway Safety Patrol and the respective presidents of the foregoing associations, or their designees, shall serve only for their respective terms of office.

(4) Members of the board shall serve without compensation, but shall be entitled to receive reimbursement for any actual and reasonable expenses incurred as a necessary incident to such service, including mileage, as provided in Section 25-3-41.

(5) There shall be a chairman and a vice chairman of the board, elected by and from the membership of the board. The board shall adopt rules and regulations governing times and places for meetings and governing the manner of conducting its business, but the board shall meet at least every three (3) months.

* * *

(* * *6) If a person appointed to the board no longer occupies the status qualifying that person's appointment, that position on the board shall be immediately vacated and filled ex officio or by appointment of the Governor as otherwise provided in this section.

(* * *7) The board shall report annually to the Governor and the Legislature on its activities, and may make such other reports as it deems desirable.

(* * *8) Except as otherwise provided in this chapter, the training officers of all police academies in the state whose curricula are approved by the board shall be advisors to the board. They shall be entitled to all privileges of the board members, including travel expenses and subsistence, but shall not be eligible to vote at board meetings.

SECTION 2. Section 45-6-7, Mississippi Code of 1972, is amended as follows:

45-6-7. In addition to the powers conferred upon the board elsewhere in this chapter, the board shall have power to:

(a) Promulgate rules and regulations for the administration of this chapter, including the authority to require the submission of reports and information by law enforcement agencies of the state and its political subdivisions.

(b) Establish minimum educational and training standards for admission to employment or appointment as a law enforcement officer or a part-time law enforcement officer: (i) in a permanent position; and (ii) in a probationary status. The minimum educational and training standards for any law enforcement officer assigned to field or investigative duties shall include at least two (2) hours of training related to handling complaints of human trafficking and commercial sexual exploitation of children as defined in Section 43-21-105, communicating with such victims, and requiring the officer to contact the Department of Child Protection Services when human trafficking or commercial sexual exploitation is suspected.

(c) Certify persons as being qualified under the provisions of this chapter to be law enforcement officers or part-time law enforcement officers.

(d) Revoke certification for cause and in the manner provided in this chapter. The board is authorized to conduct investigations and subpoena documents regarding revocations. The board shall maintain a current list of all persons certified under this chapter who have been placed on probation, suspended, subjected to revocation of certification, or any combination of these. The board may establish a hearing panel for the purpose of providing a hearing to any law enforcement officer for whom the board believes there is a basis for reprimand, suspension, cancellation of, or recalling the certification of a law enforcement officer. The hearing panel shall provide its written findings and recommendations to the board.

(e) Establish minimum curriculum requirements for basic and advanced courses and programs for schools operated by or for the state or any political subdivision thereof for the specific purpose of training police and other law enforcement officers, both full- and part-time, which shall include a minimum of two (2) hours of training in a course

or courses related to the identification of and support for victims of human trafficking and commercial sexual exploitation.

(f) Consult and cooperate with counties, municipalities, state agencies, other governmental agencies, and with universities, colleges, community and junior colleges and other institutions concerning the development of training schools, programs or courses of instruction for personnel defined in this chapter.

(g) Make recommendations concerning any matter within its purview pursuant to this chapter.

(h) Make such inspection and evaluation as may be necessary to determine if governmental units are complying with the provisions of this chapter.

(i) Approve law enforcement officer training schools for operation by or for the state or any political subdivision thereof for the specific purpose of training personnel defined in this chapter.

(j) Upon the request of agencies employing personnel defined in this chapter, conduct surveys or aid municipalities and counties to conduct surveys through qualified public or private agencies and assist in the implementation of any recommendations resulting from such surveys.

(k) Upon request of agencies within the purview of this chapter, conduct general and specific management surveys and studies of the operations of the requesting agencies at no cost to those agencies. The role of the board under this subsection shall be that of management consultant.

(l) Adopt and amend regulations consistent with law, for its internal management and control of board programs.

(m) Enter into contracts or do such things as may be necessary and incidental to the administration of this chapter.

(n) Establish jointly with the State Board of Education the minimum level of basic law enforcement training required of persons employed by school districts as school security guards, or school resource officers or in other positions that have the powers of a peace officer.

SECTION 3. Section 45-6-19, Mississippi Code of 1972, is amended as follows:

45-6-19. (1) The chief of police of any municipality in the State of Mississippi is required to annually complete twenty (20) hours of executive level continuing education courses which are approved by the Mississippi Board on Law Enforcement * * * Officer Standards and Training. Any new chief of police having never previously served in that capacity, is required to complete forty (40) hours of executive level continuing education courses for his first year of service. Such education courses may be provided by an accredited law enforcement academy or by the Mississippi Association of Chiefs of Police.

(2) Any * * * law enforcement officer of any state agency, county or municipality in the State of Mississippi is required to annually complete a specified number of hours, as stated in this subsection, of continuing education courses which are approved by the Mississippi Board on Law Enforcement * * * Officer Standards and Training. The following number of hours of continuing education courses is required for * * * law enforcement officers specified in this subsection based upon the number of years following July 1, 2004:

0-2 years after July 1, 2004 .....8 hours of annual training

3-4 years after July 1, 2004 .....16 hours of annual training

5 or more years after July 1, 2004..24 hours of annual training

Such education courses may be provided by an accredited law enforcement academy or by the Mississippi Association of Chiefs of Police.

(3) The Mississippi Board on Law Enforcement * * * Officer Standards and Training shall reimburse each state agency, county or municipality for the expense incurred for chiefs of police and state agency, county or municipal * * * law enforcement officers in attendance at approved training programs as required by this section.

(4) Any chief of police or state agency, county or municipal * * * law enforcement officer who fails to comply with the provisions of this section shall be subject to having his certification as a chief of police or state agency, county or municipal * * * law enforcement officer revoked by the Mississippi Board on Law Enforcement * * * Officer Standards and Training, in accordance with Section 45-6-11.

(5) The Mississippi Board on Law Enforcement * * * Officer Standards and Training is authorized to institute and promulgate all rules necessary for considering the revocation of any municipal chief of police or state agency, county or municipal * * * law enforcement officer who does not comply with the provisions of this section, and may grant, for sufficient cause shown, an extension of time in which compliance with the provisions of this section may be made.

(6) Any chief of police or state agency, county or municipal * * * law enforcement officer who is aggrieved by any order or ruling made under the provisions of this section has the same rights and procedure of appeal as from any other order or ruling of the Mississippi Board on Law Enforcement Officers Standards and Training.

SECTION 4. Section 45-1-101, Mississippi Code of 1972, is amended as follows:

45-1-101. (1) This section may be referred to as the "HR218 Qualification Law."

(2) Any retired law enforcement officer who resides in this state and for whom the law enforcement agency from which the officer retired does not participate in the necessary certification for the retired officer to be certified according to the Law Enforcement Officers Safety Act of 2004 * * * or who does not reside in convenient proximity to the law enforcement agency from which the officer retired, may obtain the necessary certification from the Mississippi Association of Chiefs of Police.

SECTION 5. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 45-6-5, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPOSITION OF THE BOARD ON LAW ENFORCEMENT OFFICER STANDARDS AND TRAINING FROM THIRTEEN TO NINE; TO AMEND SECTION 45-6-7, MISSISSIPPI CODE OF 1972, TO REVISE THE BOARD'S POWERS AND DUTIES TO INCLUDE INVESTIGATIVE AUTHORITY; TO AMEND SECTION 45-6-19, MISSISSIPPI CODE OF 1972, TO REQUIRE CONTINUING EDUCATION TRAINING FOR ALL STATE AGENCY, COUNTY AND MUNICIPAL LAW ENFORCEMENT OFFICERS; TO AMEND SECTION 45-1-101, MISSISSIPPI CODE OF 1972, TO CLARIFY REFERENCE TO RETIRED LAW ENFORCEMENT OFFICERS; AND FOR RELATED PURPOSES.

Senator Sparks offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 242 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 691 was adopted.

Senator Hickman offered the following AMENDMENT NO. 2 TO COMMITTEE AMENDMENT NO. 1.

AMEND on lines 24 and 25 by deleting "who are sheriffs in this state;" and by inserting the following language in lieu thereof:

, each of whom is a sheriff of a county in this state, with one (1) of the appointees being appointed from a county having a population of less than twenty thousand (20,000) according to the latest federal decennial census;

FURTHER, AMEND the title to conform.

Amendment No. 2 to Committee Amendment No. 1 to H. B. No. 691 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 691 was adopted.

YEAS AND NAYS On H. B. No. 691. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

H. B. No. 1323: Statute of limitations; increase for sexual battery of a vulnerable person.

COMMITTEE AMENDMENT NO. 1 was replaced by SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Senator Sparks offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 99-1-5, Mississippi Code of 1972, is amended as follows:

99-1-5. (1) (a) The passage of time shall never bar prosecution against any person for the offenses of murder, manslaughter, aggravated assault, aggravated domestic violence, kidnapping, arson, burglary, forgery, counterfeiting, robbery, larceny, rape, embezzlement, obtaining money or property under false pretenses or by fraud, felonious abuse or battery of a child as described in Section 97-5-39, touching or handling a child for lustful purposes as described in Section 97-5-23, sexual battery of a child as described in Section 97-3-95(1)(c), (d) or (2), exploitation of children as described in Section 97-5-33, promoting prostitution under Section 97-29-51(2) when the person involved is a minor, felonious abuse of vulnerable persons, as described in Section 43-47-18 or any human trafficking offense as described in Section 97-3-54.1(1)(a), (1)(b) or (1)(c), Section 97-3-54.2, or Section 97-3-54.3.

(b) A person shall not be prosecuted for felonious assistance-program fraud, as described in Section 97-19-71, or for felonious abuse of vulnerable persons, as described in * * * Section 43-47-19, unless the prosecution for the offense is commenced within five (5) years * * * after the commission thereof.

(c) A person shall not be prosecuted for larceny of timber as described in Section 97-17-59, unless the prosecution for the offense is commenced within six (6) years * * * after the commission thereof.

(d) The time limitation on prosecution for conspiracy, as described in Section 97-1-1, shall be the same as for the underlying offense for which the defendant is accused of conspiring to commit.

(e) A person shall not be prosecuted for bribery as defined in Section 97-11-11, unless the prosecution for the offense is commenced within five (5) years after the commission thereof.

(2) A person shall not be prosecuted for any other offense not listed in this section unless the prosecution for the offense is commenced within two (2) years * * * after the commission thereof.

(3) Nothing contained in this section shall bar any prosecution against any person who shall abscond or flee from justice, or shall absent himself from this state or out of the jurisdiction of the court, or so conduct himself that he cannot be found by the officers of the law, or that process cannot be served upon him.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO REMOVE THE STATUTE OF LIMITATIONS FOR PROSECUTION OF THE CRIME OF SEXUAL BATTERY OF A VULNERABLE PERSON; AND FOR RELATED PURPOSES.

Substitute for Committee Amendment No. 1 to H. B. No. 1323 was adopted.

YEAS AND NAYS On H. B. No. 1323. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Turner-Ford called up the following entitled bill:

H. B. No. 1090: Paraphernalia; revise definition under the Uniform Controlled Substances Law.

Senator Turner-Ford offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-29-105, Mississippi Code of 1972, is amended as follows:

41-29-105. The following words and phrases, as used in this article, shall have the following meanings, unless the context otherwise requires:

(a) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by:

(i) A practitioner (or, in his presence, by his authorized agent); or

(ii) The patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor or dispenser. Such word does not include a common or contract carrier, public warehouseman or employee of the carrier or warehouseman. This definition shall not be applied to the term "agent" when such term clearly designates a member or officer of the Bureau of Narcotics or other law enforcement organization.

(c) "Board" means the Mississippi State Board of Medical Licensure.

(d) "Bureau" means the Mississippi Bureau of Narcotics. However, where the title "Bureau of Drug Enforcement" occurs, that term shall also refer to the Mississippi Bureau of Narcotics.

(e) "Commissioner" means the Commissioner of the Department of Public Safety.

(f) "Controlled substance" means a drug, substance or immediate precursor in Schedules I through V of Sections 41-29-113 through 41-29-121.

(g) "Counterfeit substance" means a controlled substance which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number or device, or any likeness thereof, of a manufacturer, distributor or dispenser other than the person who in fact manufactured, distributed or dispensed the substance.

(h) "Deliver" or "delivery" means the actual, constructive, or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.

(i) "Director" means the Director of the Bureau of Narcotics.

(j) "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the prescribing, administering, packaging, labeling or compounding necessary to prepare the substance for that delivery.

(k) "Dispenser" means a practitioner who dispenses.

(l) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

(m) "Distributor" means a person who distributes.

(n) "Drug" means (i) a substance recognized as a drug in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; (ii) a substance intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals; (iii) a substance (other than food) intended to affect the structure or any function of the body of man or animals; and (iv) a substance intended for use as a component of any article specified in this paragraph. Such word does not include devices or their components, parts, or accessories.

(o) "Hashish" means the resin extracted from any part of the plants of the genus Cannabis and all species thereof or any preparation, mixture or derivative made from or with that resin.

(p) "Immediate precursor" means a substance which the board has found to be and by rule designates as being the principal compound commonly used or produced primarily for use, and which is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail, or limit manufacture.

(q) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance, either directly or indirectly, by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. The term "manufacture" does not include the preparation, compounding, packaging or labeling of a controlled substance in conformity with applicable state and local law:

(i) By a practitioner as an incident to his administering or dispensing of a controlled substance in the course of his professional practice; or

(ii) By a practitioner, or by his authorized agent under his supervision, for the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale.

(r) "Marijuana" means all parts of the plant of the genus Cannabis and all species thereof, whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative, mixture or preparation of the plant or its seeds, excluding hashish.

The term "marijuana" does not include "hemp" as defined in and regulated by Sections 69-25-201 through 69-25-221.

(s) "Narcotic drug" means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(i) Opium and opiate, and any salt, compound, derivative or preparation of opium or opiate;

(ii) Any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of the substances referred to in subparagraph (i), but not including the isoquinoline alkaloids of opium;

(iii) Opium poppy and poppy straw; and

(iv) Cocaine, coca leaves and any salt, compound, derivative or preparation of cocaine, coca leaves, and any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine.

(t) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled under Section 41-29-111, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). Such word does include its racemic and levorotatory forms.

(u) "Opium poppy" means the plant of the species Papaver somniferum L., except its seeds.

(v) (i) "Paraphernalia" means all equipment, products and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance in violation of the Uniform Controlled Substances Law. It includes, but is not limited to:

1. Kits used, intended for use, or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived;

2. Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances;

3. Isomerization devices used, intended for use or designed for use in increasing the potency of any species of plant which is a controlled substance;

4. Testing equipment used, intended for use, or designed for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances;

5. Scales and balances used, intended for use or designed for use in weighing or measuring controlled substances;

6. Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used, intended for use or designed for use in cutting controlled substances;

7. Separation gins and sifters used, intended for use or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana;

8. Blenders, bowls, containers, spoons and mixing devices used, intended for use or designed for use in compounding controlled substances;

9. Capsules, balloons, envelopes and other containers used, intended for use or designed for use in packaging small quantities of controlled substances;

10. Containers and other objects used, intended for use or designed for use in storing or concealing controlled substances;

11. Hypodermic syringes, needles and other objects used, intended for use or designed for use in parenterally injecting controlled substances into the human body;

12. Objects used, intended for use or designed for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish or hashish oil into the human body, such as:

a. Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls;

b. Water pipes;

c. Carburetion tubes and devices;

d. Smoking and carburetion masks;

e. Roach clips, meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;

f. Miniature cocaine spoons and cocaine vials;

g. Chamber pipes;

h. Carburetor pipes;

i. Electric pipes;

j. Air-driven pipes;

k. Chillums;

l. Bongs; and

m. Ice pipes or chillers.

(ii) In determining whether an object is paraphernalia, a court or other authority should consider, in addition to all other logically relevant factors, the following:

1. Statements by an owner or by anyone in control of the object concerning its use;

2. Prior convictions, if any, of an owner, or of anyone in control of the object, under any state or federal law relating to any controlled substance;

3. The proximity of the object, in time and space, to a direct violation of the Uniform Controlled Substances Law;

4. The proximity of the object to controlled substances;

5. The existence of any residue of controlled substances on the object;

6. Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he knows, or should reasonably know, intend to use the object to facilitate a violation of the Uniform Controlled Substances Law; the innocence of an owner, or of anyone in control of the object, as to a direct violation of the Uniform Controlled Substances Law shall not prevent a finding that the object is intended for use, or designed for use as paraphernalia;

7. Instructions, oral or written, provided with the object concerning its use;

8. Descriptive materials accompanying the object which explain or depict its use;

9. National and local advertising concerning its use;

10. The manner in which the object is displayed for sale;

11. Whether the owner or anyone in control of the object is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;

12. Direct or circumstantial evidence of the ratio of sales of the object(s) to the total sales of the business enterprise;

13. The existence and scope of legitimate uses for the object in the community;

14. Expert testimony concerning its use.

(iii) "Paraphernalia" does not include any materials used or intended for use in testing for the presence of fentanyl or a fentanyl analog in a substance, or any materials used or intended for use in testing for the presence of other emerging or existing drug threats of concern to public health as identified by the State Department of Health and approved by the State Board of Health.

(w) "Person" means individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.

(x) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(y) "Practitioner" means:

(i) A physician, dentist, veterinarian, scientific investigator, optometrist certified to prescribe and use therapeutic pharmaceutical agents under Sections 73-19-153 through 73-19-165, or other person licensed, registered or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state; and

(ii) A pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in this state.

(z) "Production" includes the manufacture, planting, cultivation, growing or harvesting of a controlled substance.

(aa) "Sale," "sell" or "selling" means the actual, constructive or attempted transfer or delivery of a controlled substance for remuneration, whether in money or other consideration.

(bb) "State," when applied to a part of the United States, includes any state, district, commonwealth, territory, insular possession thereof, and any area subject to the legal authority of the United States of America.

(cc) "Ultimate user" means a person who lawfully possesses a controlled substance for his own use or for the use of a member of his household or for administering to an animal owned by him or by a member of his household.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 41-29-105, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "PARAPHERNALIA" UNDER THE UNIFORM CONTROLLED SUBSTANCES LAW TO EXCLUDE ANY MATERIALS USED OR INTENDED FOR USE IN TESTING FOR THE PRESENCE OF OTHER EMERGING OR EXISTING DRUG THREATS OF CONCERN TO PUBLIC HEALTH AS IDENTIFIED BY THE STATE DEPARTMENT OF HEALTH; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1090 was adopted.

YEAS AND NAYS On H. B. No. 1090. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes,

Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Senator Harkins moved that the rules be suspended to move to calendar item 4, **H. B. No. 1230**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

H. B. No. 1230: Starkville-Oktibbeha Consolidated School District; extend bonding authority until July 1, 2027.

YEAS AND NAYS On H. B. No. 1230. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Whaley called up the following entitled bill:

H. B. No. 1208: Hunting and fishing on lands of others; revise provisions relating to and provide penalties for.

Senator Suber offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-7-79, Mississippi Code of 1972, is amended as follows:

49-7-79. (1) It shall be unlawful for a person to knowingly enter the lands of another without the permission of or without being accompanied by the landowner or the lessee of the land, or the agent of such landowner or lessee, to hunt, fish, shoot * * * or trap * * * on the lands or leases of another * * *.

(2) A violation of subsection (1) of this section shall be a misdemeanor punishable as provided in Section 97-17-93.

(3) A second or subsequent violation of subsection (1) of this section shall also require forfeiture of all hunting, trapping and fishing privileges for a period of one (1) year. A violator shall pay a reinstatement fee of Five Hundred Dollars ($500.00) to have his privileges restored.

(4) Any fish, wildlife or parts thereof that have been unlawfully taken or possessed by means of a violation of subsection (1) of this section shall be seized by the law enforcement officer and disposed of by the department, or under its direction.

(5) In addition to any other fines or penalties, a person convicted of a violation of subsection (1) of this section shall be assessed an administrative fee of not less than One Hundred Dollars ($100.00) nor more than Five Hundred Dollars ($500.00) for each animal, bird, fish or part thereof taken or possessed by means of such violation.

(6) The clerk of the court shall collect and deposit the administrative fee with the State Treasurer.

(7) The administrative fee shall be credited to the department, which may expend it upon appropriation by the Legislature.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 49-7-79, MISSISSIPPI CODE OF 1972, TO REVISE THE DESCRIPTION OF THE OFFENSE OF TRESPASSING TO HUNT, FISH, SHOOT OR TRAP; TO SUBSTITUTE THE REQUIREMENT OF THE OFFENDER'S KNOWLEDGE OF THE TRESPASS FOR THE REQUIREMENT OF A PRIOR WARNING NOT TO TRESPASS; TO CLASSIFY VIOLATIONS AS MISDEMEANORS PUNISHABLE AS PROVIDED IN SECTION 97-17-93 FOR WILLFUL OR MALICIOUS TRESPASS; TO IMPOSE OTHER PENALTIES AND ADMINISTRATIVE FEES FOR VIOLATIONS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1208 was adopted.

YEAS AND NAYS On H. B. No. 1208. On motion of Senator Suber, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Blount called up the following entitled bill:

H. B. No. 774: MS Mobile Sports Wagering Act; create to legalize "online race book" and "online sports pool" betting.

Senator Blount offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-33-17, Mississippi Code of 1972, is brought forward as follows:

97-33-17. (1) All monies exhibited for the purpose of betting or alluring persons to bet at any game, and all monies staked or betted, shall be liable to seizure by any sheriff, constable, or police officer, together with all the appliances used or kept for use in gambling, or by any other person; and all the monies so seized shall be accounted for by the person making the seizure, and all appliances seized shall be destroyed; provided, however, this section shall not apply to betting, gaming or wagering on:

(a) A cruise vessel as defined in Section 27-109-1 whenever such vessel is in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79;

(b) In a structure located in whole or in part on shore in any of the three (3) most southern counties in the State of Mississippi in which the registered voters of the county have voted to allow such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79, if:

(i) The structure is owned, leased or controlled by a person possessing a gaming license, as defined in Section 75-76-5, to conduct legal gaming on a cruise vessel under paragraph (a) of this subsection;

(ii) The part of the structure in which licensed gaming activities are conducted is located entirely in an area which is located no more than eight hundred (800) feet from the mean high water line (as defined in Section 29-15-1) of the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to Harrison County only, no farther north than the southern boundary of the right-of-way for U.S. Highway 90, whichever is greater; and

(iii) In the case of a structure that is located in whole or part on shore, the part of the structure in which licensed gaming activities are conducted shall lie adjacent to state waters south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the structure is located consists of a parcel of real property, easements and rights-of-way for public streets and highways shall not be construed to interrupt the contiguous nature of the parcel, nor shall the footage contained within the easements and rights-of-way be counted in the calculation of the distances specified in subparagraph (ii) * * *;

(c) A vessel as defined in Section 27-109-1 whenever such vessel is on the Mississippi River or navigable waters within any county bordering on the Mississippi River, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on vessels as provided in Section 19-3-79; or

(d) That is legal under the laws of the State of Mississippi.

(2) Nothing in this section shall apply to any gambling device, machine or equipment that is owned, possessed, controlled, installed, procured, repaired or transported in accordance with subsection (4) of Section 97-33-7.

SECTION 2. Section 75-76-5, Mississippi Code of 1972, is brought forward as follows:

75-76-5. As used in this chapter, unless the context requires otherwise:

(a) "Applicant" means any person who has applied for or is about to apply for a state gaming license, registration or finding of suitability under the provisions of this chapter or approval of any act or transaction for which approval is required or permitted under the provisions of this chapter.

(b) "Application" means a request for the issuance of a state gaming license, registration or finding of suitability under the provisions of this chapter or for approval of any act or transaction for which approval is required or permitted under the provisions of this chapter but does not include any supplemental forms or information that may be required with the application.

(c) "Associated equipment" means any equipment or mechanical, electromechanical or electronic contrivance, component or machine used remotely or directly in connection with gaming or with any game, race book or sports pool that would not otherwise be classified as a gaming device, including dice, playing cards, links which connect to progressive slot machines, equipment which affects the proper reporting of gross revenue, computerized systems of betting at a race book or sports pool, computerized systems for monitoring slot machines, and devices for weighing or counting money.

(d) "Chairman" means the Chairman of the Mississippi Gaming Commission except when used in the term "Chairman of the State Tax Commission." "Chairman of the State Tax Commission" or "commissioner" means the Commissioner of Revenue of the Department of Revenue.

(e) "Commission" or "Mississippi Gaming Commission" means the Mississippi Gaming Commission.

(f) "Commission member" means a member of the Mississippi Gaming Commission.

(g) "Credit instrument" means a writing which evidences a gaming debt owed to a person who holds a license at the time the debt is created, and includes any writing taken in consolidation, redemption or payment of a prior credit instrument.

(h) "Enforcement division" means a particular division supervised by the executive director that provides enforcement functions.

(i) "Establishment" means any premises wherein or whereon any gaming is done.

(j) "Executive director" means the Executive Director of the Mississippi Gaming Commission.

(k) Except as otherwise provided by law, "game," or "gambling game" means any banking or percentage game played with cards, with dice or with any mechanical, electromechanical or electronic device or machine for money, property, checks, credit or any representative of value, including, without limiting, the generality of the foregoing, faro, monte, roulette, keno, fan tan, twenty one, blackjack, seven and a half, big injun, klondike, craps, poker, chuck a luck (dai shu), wheel of fortune, chemin de fer, baccarat, pai gow, beat the banker, panguingui, slot machine, or any other game or device approved by the commission. However, "game" or "gambling game" shall not include bingo games or raffles which are held pursuant to the provisions of Section 97-33-51, or the illegal gambling activities described in Section 97-33-8.

The commission shall not be required to recognize any game hereunder with respect to which the commission determines it does not have sufficient experience or expertise.

(l) "Gaming" or "gambling" means to deal, operate, carry on, conduct, maintain or expose for play any game as defined in this chapter.

(m) "Gaming device" means any mechanical, electromechanical or electronic contrivance, component or machine used in connection with gaming or any game which affects the result of a wager by determining win or loss. The term includes a system for processing information which can alter the normal criteria of random selection, which affects the operation of any game, or which determines the outcome of a game. The term does not include a system or device which affects a game solely by stopping its operation so that the outcome remains undetermined, and does not include any antique coin machine as defined in Section 27-27-12.

(n) "Gaming employee" means any person connected directly with the operation of a gaming establishment licensed to conduct any game, including:

(i) Boxmen;

(ii) Cashiers;

(iii) Change personnel;

(iv) Counting room personnel;

(v) Dealers;

(vi) Floormen;

(vii) Hosts or other persons empowered to extend credit or complimentary services;

(viii) Keno runners;

(ix) Keno writers;

(x) Machine mechanics;

(xi) Security personnel;

(xii) Shift or pit bosses;

(xiii) Shills;

(xiv) Supervisors or managers; and

(xv) Ticket writers.

The term "gaming employee" also includes employees of manufacturers or distributors of gaming equipment within this state whose duties are directly involved with the manufacture, repair or distribution of gaming equipment.

"Gaming employee" does not include bartenders, cocktail waitresses or other persons engaged in preparing or serving food or beverages unless acting in some other capacity.

(o) "Gaming license" means any license issued by the state which authorizes the person named therein to engage in gaming.

(p) "Gross revenue" means the total of all of the following, less the total of all cash paid out as losses to patrons and those amounts paid to purchase annuities to fund losses paid to patrons over several years by independent financial institutions:

(i) Cash received as winnings;

(ii) Cash received in payment for credit extended by a licensee to a patron for purposes of gaming; and

(iii) Compensation received for conducting any game in which the licensee is not party to a wager.

For the purposes of this definition, cash or the value of noncash prizes awarded to patrons in a contest or tournament are not losses.

The term does not include:

(i) Counterfeit money or tokens;

(ii) Coins of other countries which are received in gaming devices;

(iii) Cash taken in fraudulent acts perpetrated against a licensee for which the licensee is not reimbursed; or

(iv) Cash received as entry fees for contests or tournaments in which the patrons compete for prizes.

(q) "Hearing examiner" means a member of the Mississippi Gaming Commission or other person authorized by the commission to conduct hearings.

(r) "Investigation division" means a particular division supervised by the executive director that provides investigative functions.

(s) "License" means a gaming license or a manufacturer's, seller's or distributor's license.

(t) "Licensee" means any person to whom a valid license has been issued.

(u) "License fees" means monies required by law to be paid to obtain or continue a gaming license or a manufacturer's, seller's or distributor's license.

(v) "Licensed gaming establishment" means any premises licensed pursuant to the provisions of this chapter wherein or whereon gaming is done.

(w) "Manufacturer's," "seller's" or "distributor's" license means a license issued pursuant to Section 75-76-79.

(x) "Navigable waters" shall have the meaning ascribed to such term under Section 27-109-1.

(y) "Operation" means the conduct of gaming.

(z) "Party" means the Mississippi Gaming Commission and any licensee or other person appearing of record in any proceeding before the commission; or the Mississippi Gaming Commission and any licensee or other person appearing of record in any proceeding for judicial review of any action, decision or order of the commission.

(aa) "Person" includes any association, corporation, firm, partnership, trust or other form of business association as well as a natural person.

(bb) "Premises" means land, together with all buildings, improvements and personal property located thereon, and includes all parts of any vessel or cruise vessel.

(cc) "Race book" means the business of accepting wagers upon the outcome of any event held at a track which uses the pari-mutuel system of wagering.

(dd) "Regulation" means a rule, standard, directive or statement of general applicability which effectuates law or policy or which describes the procedure or requirements for practicing before the commission. The term includes a proposed regulation and the amendment or repeal of a prior regulation but does not include:

(i) A statement concerning only the internal management of the commission and not affecting the rights or procedures available to any licensee or other person;

(ii) A declaratory ruling;

(iii) An interagency memorandum;

(iv) The commission's decision in a contested case or relating to an application for a license; or

(v) Any notice concerning the fees to be charged which are necessary for the administration of this chapter.

(ee) "Respondent" means any licensee or other person against whom a complaint has been filed with the commission.

(ff) "Slot machine" means any mechanical, electrical or other device, contrivance or machine which, upon insertion of a coin, token or similar object, or upon payment of any consideration, is available to play or operate, the play or operation of which, whether by reason of the skill of the operator or application of the element of chance, or both, may deliver or entitle the person playing or operating the machine to receive cash, premiums, merchandise, tokens or anything of value, whether the payoff is made automatically from the machine or in any other manner. The term does not include any antique coin machine as defined in Section 27-27-12.

(gg) "Sports pool" means the business of accepting wagers on collegiate or professional sporting events or athletic events, by any system or method of wagering other than the system known as the "pari-mutuel method of wagering."

(hh) "State Tax Commission" or "department" means the Department of Revenue of the State of Mississippi.

(ii) "Temporary work permit" means a work permit which is valid only for a period not to exceed ninety (90) days from its date of issue and which is not renewable.

(jj) "Vessel" or "cruise vessel" shall have the meanings ascribed to such terms under Section 27-109-1.

(kk) "Work permit" means any card, certificate or permit issued by the commission, whether denominated as a work permit, registration card or otherwise, authorizing the employment of the holder as a gaming employee. A document issued by any governmental authority for any employment other than gaming is not a valid work permit for the purposes of this chapter.

(ll) "School or training institution" means any school or training institution which is licensed by the commission to teach or train gaming employees pursuant to Section 75-76-34.

(mm) "Cheat" means to alter the selection of criteria that determine:

(i) The rules of a game; or

(ii) The amount or frequency of payment in a game.

(nn) "Promotional activity" means an activity or event conducted or held for the purpose of promoting or marketing the individual licensed gaming establishment that is engaging in the promotional activity. The term includes, but is not limited to, a game of any kind other than as defined in paragraph (k) of this section, a tournament, a contest, a drawing, or a promotion of any kind.

SECTION 3. Section 75-76-33, Mississippi Code of 1972, is brought forward as follows:

75-76-33. (1) The commission shall, from time to time, adopt, amend or repeal such regulations, consistent with the policy, objects and purposes of this chapter, as it may deem necessary or desirable in the public interest in carrying out the policy and provisions of this chapter. The commission shall comply with the Mississippi Administrative Procedures Law when adopting, amending or repealing any regulations authorized under this section or under any other provision of this chapter.

(2) These regulations shall, without limiting the general powers herein conferred, include the following:

(a) Prescribing the method and form of application which any applicant for a license or for a manufacturer's, seller's or distributor's license must follow and complete before consideration of his application by the executive director or the commission.

(b) Prescribing the information to be furnished by any applicant or licensee concerning his antecedents, habits, character, associates, criminal record, business activities and financial affairs, past or present.

(c) Prescribing the information to be furnished by a licensee relating to his employees.

(d) Requiring fingerprinting of an applicant or licensee, and gaming employees of a licensee, or other methods of identification and the forwarding of all fingerprints taken pursuant to regulation of the Federal Bureau of Investigation.

(e) Prescribing the manner and procedure of all hearings conducted by the commission or any hearing examiner of the commission, including special rules of evidence applicable thereto and notices thereof.

(f) Requiring any applicant to pay all or any part of the fees and costs of investigation of such applicant as may be determined by the commission under paragraph (g) of this subsection (2).

(g) Prescribing the amounts of investigative fees only as authorized by regulations of the commission under paragraph (f) of this subsection, and collecting those fees. The commission shall adopt regulations setting the amounts of those fees at levels that will provide the commission with sufficient revenue, when combined with any other monies as may be deposited into the Mississippi Gaming Commission Fund created in Section 75-76-325, to carry out the provisions of this chapter without any state general funds. In calculating the amount of such fees, the commission shall:

(i) Attempt to set the fees at levels that will create a balance in the Mississippi Gaming Commission Fund that does not exceed, at the end of any state fiscal year, two percent (2%) of the projected amount of funds that will provide the commission with such sufficient revenue; and

(ii) Demonstrate the reasonableness of the relationship between a fee and the actual costs of the investigative activity for which the fee is being prescribed.

(h) Prescribing the manner and method of collection and payment of fees and issuance of licenses.

(i) Prescribing under what conditions a licensee may be deemed subject to revocation or suspension of his license.

(j) Requiring any applicant or licensee to waive any privilege with respect to any testimony at any hearing or meeting of the commission, except any privilege afforded by the Constitution of the United States or this state.

(k) Defining and limiting the area, games and devices permitted, and the method of operation of such games and devices, for the purposes of this chapter.

(l) Prescribing under what conditions the nonpayment of a gambling debt by a licensee shall be deemed grounds for revocation or suspension of his license.

(m) Governing the use and approval of gambling devices and equipment.

(n) Prescribing the qualifications of, and the conditions under which, attorneys, accountants and others are permitted to practice before the commission.

(o) Restricting access to confidential information obtained under this chapter and ensuring that the confidentiality of such information is maintained and protected.

(p) Prescribing the manner and procedure by which the executive director on behalf of the commission shall notify a county or a municipality wherein an applicant for a license desires to locate.

(q) Prescribing the manner and procedure for an objection to be filed with the commission and the executive director by a county or municipality wherein an applicant for a license desires to locate.

(3) Notwithstanding any other provision of law, each licensee shall be required to comply with the regulation that no wager may be placed by, or on behalf of, any individual or entity or group, not present on a licensed vessel or cruise vessel.

(4) From and after July 1, 2016, the expenses of this agency shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law.

(5) From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

SECTION 4. Section 75-76-89, Mississippi Code of 1972, is brought forward as follows:

75-76-89. (1) Except as otherwise provided in subsection (3) of this section, all licenses issued to the same person, including a wholly owned subsidiary of that person,

for the operation of any game, including a sports pool or race book, which authorize gaming at the same establishment must be merged into a single gaming license. A gaming license may not be issued to any person if the issuance would result in more than one (1) licensed operation at a single establishment, whether or not the profits or revenue from gaming are shared between the licensed operations.

(2) A person who has been issued a gaming license may establish a sports pool or race book on the premises of the establishment at which he or she conducts a gaming operation only after obtaining permission from the executive director.

SECTION 5. Section 75-76-91, Mississippi Code of 1972, is brought forward as follows:

75-76-91. (1) All licenses issued under the provisions of this chapter must be posted by the licensee and kept posted at all times in a conspicuous place in the establishment for which issued until replaced by a succeeding license.

(2) All licenses may be inspected by authorized state, county and municipal officials.

SECTION 6. Section 75-76-203, Mississippi Code of 1972, is brought forward as follows:

75-76-203. In order to be eligible to receive a state gaming license, a corporation shall:

(a) Be incorporated:

(i) In the State of Mississippi, although such corporation may be a wholly or partly owned subsidiary of a corporation which is chartered in another state of the United States; or

(ii) In another state of the United States, if all persons having any direct or indirect interest of any nature in such corporation are licensed as required by this chapter and any applicable regulations of the commission;

(b) Maintain an office of the corporation on the licensed premises;

(c) Comply with all of the requirements of the laws of the State of Mississippi pertaining to corporations; and

(d) Maintain a ledger in the principal office of the corporation in Mississippi, which shall:

(i) At all times reflect the ownership of every class of security issued by the corporation; and

(ii) Be available for inspection by the commission or the executive director or his employees at all reasonable times without notice.

SECTION 7. Section 75-76-205, Mississippi Code of 1972, is brought forward as follows:

75-76-205. No domestic corporation is eligible to receive a gaming license unless it is in good standing in this state. No foreign corporation is eligible to receive a gaming license unless it qualifies to do business in this state.

SECTION 8. Section 75-76-211, Mississippi Code of 1972, is brought forward as follows:

75-76-211. All officers and directors of the corporation which holds or applies for a state gaming license must be licensed individually, according to the provisions of this chapter; and if, in the judgment of the commission, the public interest will be served by requiring any or all of the corporation's individual stockholders, lenders, holders of evidences of indebtedness, underwriters, key executives, agents or employees to be licensed, the corporation shall require such persons to apply for a license in accordance with the laws and requirements in effect at the time the commission requires such licensing. A person who is required to be licensed by this section shall apply for a license within thirty (30) days after he becomes an officer or director. A person who is required to be licensed pursuant to a decision of the commission shall apply for a license within thirty (30) days after the executive director requests him to do so.

SECTION 9. Section 75-76-55, Mississippi Code of 1972, is brought forward as follows:

75-76-55. (1) Except as otherwise provided in Section 75-76-34, it is unlawful for any person, either as owner, lessee or employee, whether for hire or not, either solely or in conjunction with others, without having first procured and thereafter maintaining in effect a state gaming license:

(a) To deal, operate, carry on, conduct, maintain or expose for play in the State of Mississippi any gambling game, including, without limitation, any gaming device, slot machine, race book or sports pool;

(b) To provide or maintain any information service the primary purpose of which is to aid the placing or making of wagers on events of any kind; or

(c) To receive, directly or indirectly, any compensation or reward or any percentage or share of the money or property played, for keeping, running or carrying on any gambling game, including, without limitation, any slot machine, gaming device, race book or sports pool.

(2) Except as otherwise provided in Section 75-76-34, it is unlawful for any person knowingly to permit any gambling game, including, without limitation, any slot machine, gaming device, race book or sports pool to be conducted, operated, dealt or carried on in any house or building or other premises owned by him, in whole or in part, by a person who is not licensed pursuant to this chapter or by his employee.

SECTION 10. Section 75-76-79, Mississippi Code of 1972, is brought forward as follows:

75-76-79. (1) (a) Except as otherwise provided in paragraphs (b) and (c) of this subsection, it is unlawful for any person, either as owner, lessee or employee, whether for hire or not, to operate, carry on, conduct or maintain any form of manufacture, selling or distribution of any gaming device for use or play in Mississippi or for distribution outside of Mississippi without first procuring and maintaining all required federal and state licenses.

(b) A lessor who specifically acquires equipment for a capital lease is not required to be licensed under this section.

(c) The holder of a state gaming license or the holding company of a corporate licensee may, within two (2) years after cessation of business or upon specific approval by the executive director, dispose of by sale in a manner approved by the executive director, any or all of its gaming devices, including slot machines, without a distributor's license. In cases of bankruptcy of a state gaming licensee or foreclosure of a lien by a bank or other person holding a security interest for which gaming devices are

security, in whole or in part, for the lien, the executive director may authorize the disposition of the gaming devices without requiring a distributor's license.

(d) Any person whom the commission determines is a suitable person to receive a license under the provisions of this section may be issued a manufacturer's or distributor's license. The burden of proving his qualification to receive or hold a license under this section is at all times on the applicant or licensee.

(e) Every person who must be licensed pursuant to this section is subject to the provisions of Sections 75-76-199 through 75-76-265, unless exempted from those provisions by the commission.

(f) The commission may exempt, for any purpose, a manufacturer, seller or distributor from the provisions of Sections 75-76-199 through 75-76-265, if the commission determines that the exemption is consistent with the purposes of this chapter.

(g) As used in this section, "holding company" has the meaning ascribed to it in Section 75-76-199.

(2) If the commission determines that a manufacturer or distributor is unsuitable to receive or hold a license:

(a) No new gaming device or associated equipment manufactured by the manufacturer or distributed by the distributor may be approved;

(b) Any previously approved device or associated equipment manufactured by the manufacturer or distributed by the distributor is subject to revocation of approval if the reasons for the denial of the license also apply to that device or associated equipment;

(c) No new device or associated equipment manufactured by the manufacturer or distributed by the distributor may be sold, transferred or offered for use or play in Mississippi; and

(d) Any association or agreement between the manufacturer or distributor and a licensee must be terminated, unless otherwise provided by the commission. An agreement between such a manufacturer or distributor of gaming devices or associated equipment and a licensee shall be deemed to include a provision for its termination without liability on the part of the licensee upon a finding by the commission that the manufacturer is unsuitable to be associated with a gaming enterprise. Failure to include that condition in the agreement is not a defense in any action brought pursuant to this section to terminate the agreement.

(3) Failure of a licensee to terminate any association or agreement with a manufacturer or distributor of gaming devices or associated equipment after receiving notice of a determination of unsuitability, the denial of a license or failure to file a timely application for a license, is an unsuitable method of operation.

(4) There is hereby imposed and levied on each applicant for a manufacturer's, seller's or distributor's license under this section an annual license fee in the following amount:

(a) For the issuance or continuation of a manufacturer's license, One Thousand Dollars ($1,000.00).

(b) For the issuance or continuation of a seller's or distributor's license, Five Hundred Dollars ($500.00).

This fee is to be paid by the applicant to the * * * Department of Revenue on or before the filing of the application for a manufacturer's, seller's or distributor's license by

the applicant. Upon such payment the * * * Commissioner of Revenue shall certify to the executive director that such fee has been paid by the applicant.

Except for those amounts that a person issued a manufacturer's license under this section may charge for goods supplied or services rendered, the person holding the manufacturer's license may not be directly reimbursed by a holder of a gaming license for the cost of any fee paid by the person for the issuance or continuation of such a license, whether imposed under this section or any other provision of this chapter.

(5) A manufacturer or distributor of associated equipment who sells, transfers or offers the associated equipment for use or play in Mississippi may be required by the executive director to file an application for a finding of suitability to be a manufacturer or distributor of associated equipment.

Any person who directly or indirectly involves himself in the sale, transfer or offering for use or play in Mississippi of associated equipment who is not otherwise required to be licensed as a manufacturer or distributor may be required by the executive director to file an application for a finding of suitability to be a manufacturer or distributor of associated equipment.

If an application for a finding of suitability is not submitted within thirty (30) days after demand by the executive director, he may pursue any remedy or combination of remedies provided in this chapter.

(6) The executive director and his employees may inspect every gaming device which is manufactured, sold or distributed:

(a) For use in this state, before the gaming device is put into play.

(b) In this state for use outside this state, before the gaming device is shipped out of this state.

The executive director may inspect every gaming device which is offered for play within this state by a licensee.

The executive director may inspect all associated equipment which is manufactured, sold or distributed for use in this state before the equipment is installed or used by a gaming licensee.

In addition to all other fees and charges imposed by this chapter, the executive director may determine an inspection fee with regard to each manufacturer, seller or distributor which must not exceed the actual cost of inspection and investigation. Upon such determination, the executive director shall certify to the * * * Commissioner of Revenue the amount of the inspection fee and the name and address of the applicant. Upon such certification the * * * Department of Revenue shall proceed to assess and collect such inspection fee from the applicant.

SECTION 11. Section 75-76-101, Mississippi Code of 1972, is brought forward as follows:

75-76-101. (1) All gaming must be conducted with chips, tokens or other instrumentalities approved by the executive director or with the legal tender of the United States.

(2) No licensee shall permit participation by a person in a game conducted in the licensed gaming establishment if such person is not physically present in the licensed gaming establishment during the period of time when such game is being conducted, and all games and the participation of patrons therein shall be entirely located and conducted on the licensed premises.

SECTION 12. Section 75-76-175, Mississippi Code of 1972, is brought forward as follows:

75-76-175. (1) A credit instrument accepted on or after June 29, 1991, is valid and may be enforced by legal process.

(2) A licensee or a person acting on the licensee's behalf may accept an incomplete credit instrument which:

(a) Is signed by a patron; and

(b) States the amount of the debt in figures.

and may complete the instrument as is necessary for the instrument to be presented for payment.

(3) A licensee or person acting on behalf of a licensee:

(a) May accept a credit instrument that is dated later than the date of its execution if that later date is furnished at the time of the execution of the credit instrument by the patron.

(b) May not accept a credit instrument which is incomplete, except as authorized by subsection (2) of this section.

(c) May accept a credit instrument that is payable to an affiliated company or may complete a credit instrument in the name of an affiliated company as payee if the credit instrument otherwise complies with this subsection and the records of the affiliated company pertaining to the credit instrument are made available to the executive director upon request.

(4) This section does not prohibit the establishment of an account by a deposit of cash, recognized traveler's check, or any other instruments which is equivalent to cash.

(5) Any person who violates the provisions of this section is subject only to the penalties provided in Sections 75-76-103 through 75-76-119, inclusive.

(6) The commission may adopt regulations prescribing the conditions under which a credit instrument may be redeemed or presented to a bank for collection or payment.

SECTION 13. Section 75-76-177, Mississippi Code of 1972, is brought forward as follows:

75-76-177. (1) From and after August 1, 1990, there is hereby imposed and levied on each gaming licensee a license fee based upon all the gross revenue of the licensee as follows:

(a) Four percent (4%) of all the gross revenue of the licensee which does not exceed Fifty Thousand Dollars ($50,000.00) per calendar month;

(b) Six percent (6%) of all the gross revenue of the licensee which exceeds Fifty Thousand Dollars ($50,000.00) per calendar month and does not exceed One Hundred Thirty four Thousand Dollars ($134,000.00) per calendar month; and

(c) Eight percent (8%) of all the gross revenue of the licensee which exceeds One Hundred Thirty four Thousand Dollars ($134,000.00) per calendar month.

(2) All revenue received from any game or gaming device which is leased for operation on the premises of the licensee owner to a person other than the owner thereof or which is located in an area or space on such premises which is leased by the licensee owner to any such person, must be attributed to the owner for the purposes of this section and be counted as part of the gross revenue of the owner. The lessee is liable to the owner for his proportionate share of such license fees.

(3) If the amount of license fees required to be reported and paid pursuant to this section is later determined to be greater or less than the amount actually reported and paid by the licensee, the * * * Commissioner of Revenue shall:

(a) Assess and collect the additional license fees determined to be due, with interest thereon until paid; or

(b) Refund any overpayment, with interest thereon, to the licensee.

Interest must be computed, until paid, at the rate of one percent (1%) per month from the first day of the first month following either the due date of the additional license fees or the date of overpayment.

(4) Failure to pay the fees provided for in this section when they are due for continuation of a license shall be deemed a surrender of the license.

SECTION 14. Section 97-33-305, Mississippi Code of 1972, is brought forward as follows:

97-33-305. (1) Fantasy contests are legal in this state. A fantasy contest operator must comply with the provisions of this section if the operator's total player roster for all fantasy contests consists of one hundred (100) or more members of the general public.

(2) A fantasy contest operator must implement commercially reasonable procedures for fantasy contests with an entry fee to:

(a) Prevent employees of the operator, and relatives living in the same household with an employee of an operator, from competing in fantasy contests offered by an operator in which the operator offers a cash prize;

(b) Prevent sharing with third parties of confidential information that could affect fantasy contest play until the information is made publicly available;

(c) Prevent the operator from participating in a fantasy contest offered by the operator;

(d) Verify that a fantasy contest player is eighteen (18) years of age or older except as required in Section 97-33-307(5);

(e) Ensure that individuals who participate or officiate in a sporting event or who own, manage or coach a team or player who participates in a sporting event will not knowingly be allowed to enter a fantasy contest that is determined, in whole or in part, on accumulated statistical results that include a sporting event in which the individual could be involved as an athlete, official, owner, manager or coach;

(f) Allow individuals to restrict themselves from entering a fantasy contest upon request and provide reasonable steps to prevent the person from entering fantasy contests offered by the operator;

(g) Disclose the number of entries that a player may submit to each fantasy contest and provide reasonable steps to prevent players from submitting more than the allowable number;

(h) Restrict the number of entries submitted by a single player for any contest as follows:

(i) An operator shall not allow a player to submit more than one (1) entry in a contest involving twelve (12) or fewer players.

(ii) If the number of players in a contest is more than twelve (12) but fewer than thirty seven (37), an operator shall not allow a player to submit more than two (2) entries.

(iii) If the number of players in a contest is at least thirty seven (37) but no more than one hundred (100), an operator shall not allow a player to submit more than three (3) entries.

(iv) In any contest involving more than one hundred (100) players, an operator shall not allow a player to submit more than the lesser of:

1. Three percent (3%) of all entries; or

2. One hundred fifty (150) entries.

(v) For all advertised fantasy contests, the operator must prominently include information about the maximum number of entries that may be submitted for that contest.

(vi) An operator may establish fantasy contests in which there is no restriction on the number of entries, if those contests constitute less than two percent (2%) of the total number of contests it offers, and if the operator clearly discloses:

1. That there are no limits on the number of entries by each player in the contest; and

2. That the cost of participating in such a contest is Fifty Dollars ($50.00) or more per entry;

(i) Offer introductory procedures for players that are prominently displayed on the main page of the operator's platform to explain contest play and how to identify a highly experienced player;

(j) Identify all highly experienced players in every fantasy contest by a symbol attached to the players' usernames, or by other easily visible means, on all platforms supported by the operator; and

(k) Segregate fantasy contest player funds from operational funds or maintain a reserve in the form of cash, cash equivalents, payment processor reserves and receivables, an irrevocable letter of credit, a bond, or a combination thereof, in the amount of the total account balances of the fantasy contest players for the benefit and protection of the funds held in the accounts.

(3) An operator shall not offer contests based on the performance of participants in collegiate, high school or youth sports events.

(4) A fantasy contest operator offering fantasy contests with an entry fee in this state shall comply with audit procedures adopted by the commission to ensure compliance with this section.

(5) (a) Advertisements for contests and prizes offered by an operator shall not target prohibited participants, minors, or self excluded persons.

(b) Representations or implications about average winnings from contests shall not be unfair or misleading. Such representations shall include, at a minimum:

(i) The median and mean net winnings of all players participating in contests offered by the operator; and

(ii) The percentage of winnings awarded by the operator to highly experienced players participating in contests offered by the operator within the preceding calendar year.

(6) Operators shall prohibit the use of third party scripts or scripting programs for any contest and ensure that measures are in place to deter, detect and, to the extent reasonably possible, prevent cheating, including collusion, and the use of cheating devices, including use of software programs that submit entry fees or adjust the athletes selected by a player.

(7) The values of all prizes and awards offered to winning players must be established and made known to the players in advance of the contest.

SECTION 15. Section 97-33-27, Mississippi Code of 1972, is brought forward as follows:

97-33-27. If any person shall bet on a horse race or a yacht race or on a shooting match, he shall be fined not more than Five Hundred Dollars ($500.00), and, unless the fine and costs be immediately paid, he shall be imprisoned in the county jail not more than ninety (90) days; provided, however, this section shall not apply to betting, gaming or wagering:

(a) On a cruise vessel as defined in Section 27-109-1 whenever such vessel is in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79;

(b) In a structure located in whole or in part on shore in any of the three (3) most southern counties in the State of Mississippi in which the registered voters of the county have voted to allow such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79, if:

(i) The structure is owned, leased or controlled by a person possessing a gaming license, as defined in Section 75-76-5, to conduct legal gaming on a cruise vessel under paragraph (a) of this section;

(ii) The part of the structure in which licensed gaming activities are conducted is located entirely in an area which is located no more than eight hundred (800) feet from the mean high-water line (as defined in Section 29-15-1) of the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to Harrison County only, no farther north than the southern boundary of the right-of-way for U.S. Highway 90, whichever is greater; and

(iii) In the case of a structure that is located in whole or part on shore, the part of the structure in which licensed gaming activities are conducted shall lie adjacent to state waters south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the structure is located consists of a parcel of real property,

easements and rights-of-way for public streets and highways shall not be construed to interrupt the contiguous nature of the parcel, nor shall the footage contained within the easements and rights-of-way be counted in the calculation of the distances specified in subparagraph (ii) * * *;

(c) On a vessel as defined in Section 27-109-1 whenever such vessel is on the Mississippi River or navigable waters within any county bordering on the Mississippi River, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on vessels as provided in Section 19-3-79; or

(d) That is legal under the laws of the State of Mississippi.

SECTION 16. Section 97-33-8, Mississippi Code of 1972, is brought forward as follows:

97-33-8. (1) The provisions of this section are intended to clarify that the operation of "Internet sweepstakes cafes" is an illegal gambling activity under state law.

(2) It shall be unlawful for any person or entity to

possess, own, control, display, operate or have a financial interest in an electronic video monitor that:

(a) Is offered or made available to a person to play or participate in a simulated gambling program in return for direct or indirect consideration, including consideration associated with a product, service or activity other than the simulated gambling program; and

(b) The person who plays or participates in the simulated gambling program may become eligible to win, redeem or otherwise obtain a cash or cash-equivalent prize, whether or not the eligibility for or value of the prize is determined by or has any relationship to the outcome or play of the program.

(3) As used in this section, the following words and phrases shall have the meanings ascribed in this subsection, unless the context clearly indicates otherwise:

(a) "Simulated gambling program" means any method intended to be used by a person playing, participating or interacting with an electronic video monitor that is offered by another person or entity; that directly or indirectly implements the predetermination of a cash or cash-equivalent prize, or otherwise connects the player with the cash or cash-equivalent prize; and that is not legal under the Mississippi Gaming Control Act.

(b) "Consideration associated with a product, service or activity other than the simulated gambling program" means money or other value collected for a product, service or activity that is offered in any direct or indirect relationship to playing or participating in the simulated gambling program. The term includes consideration paid for Internet access or computer time, or a sweepstakes entry.

(c) "Electronic video monitor" means any unit, mechanism, computer or other terminal, or device that is capable of displaying moving or still images.

(4) Any person or entity violating the provisions of this section, upon conviction, shall be guilty of a misdemeanor and fined not more than One Thousand Dollars ($1,000.00) or imprisoned for not less than one (1) year, or both.

(5) The provisions of this section shall not apply to:

(a) Any lawful activity that is conducted for the primary purpose of entertaining children under the age of eighteen (18) years, during which money is paid for a token or chip that is used to play an electronic or other game, with the winner of the game earning tickets that can be exchanged for prizes;

(b) Any lawful marketing promotion, contest, prize or sweepstakes that is designed to attract consumer attention to a specific product or service which is offered for sale by the manufacturer, distributor, vendor or retailer of the product or service; or

(c) Any promotional activity as defined in Section 75-76-5 that is conducted by a gaming licensee.

SECTION 17. Section 97-33-25, Mississippi Code of 1972, is brought forward as follows:

97-33-25. If any person shall sell or buy, either directly or indirectly, any chance in what is commonly called pool, upon any event whatever, or shall in any manner engage in such business or pastime, he shall be fined not more than Five Hundred Dollars ($500.00) or shall be imprisoned in the county jail not more than ninety (90) days; provided, however, this section shall not apply to betting, gaming or wagering:

(a) On a cruise vessel as defined in Section 27-109-1 whenever such vessel is in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79;

(b) In a structure located in whole or in part on shore in any of the three (3) most southern counties in the State of Mississippi in which the registered voters of the county have voted to allow such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79, if:

(i) The structure is owned, leased or controlled by a person possessing a gaming license, as defined in Section 75-76-5, to conduct legal gaming on a cruise vessel under paragraph (a) of this section;

(ii) The part of the structure in which licensed gaming activities are conducted is located entirely in an area which is located no more than eight hundred (800) feet from the mean high-water line (as defined in Section 29-15-1) of the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to Harrison County only, no farther north than the southern boundary of the right-of-way for U.S. Highway 90, whichever is greater; and

(iii) In the case of a structure that is located in whole or part on shore, the part of the structure in which licensed gaming activities are conducted shall lie adjacent to state waters south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the structure is located consists of a parcel of real property, easements and rights-of-way for public streets and highways shall not be construed to interrupt the contiguous nature of the parcel, nor shall the footage contained within the easements and rights-of-way be counted in the calculation of the distances specified in subparagraph (ii) * * *;

(c) On a vessel as defined in Section 27-109-1 whenever such vessel is on the Mississippi River or navigable waters within any county bordering on the Mississippi River, and in which the registered voters of the county in which the port is located have

not voted to prohibit such betting, gaming or wagering on vessels as provided in Section 19-3-79; or

(d) That is legal under the laws of the State of Mississippi.

SECTION 18. Section 97-33-1, Mississippi Code of 1972, is brought forward as follows:

97-33-1. Except as otherwise provided in Section 97-33-8, if any person shall encourage, promote or play at any game, play or amusement, other than a fight or fighting match between dogs, for money or other valuable thing, or shall wager or bet, promote or encourage the wagering or betting of any money or other valuable things, upon any game, play, amusement, cockfight, Indian ball play or duel, other than a fight or fighting match between dogs, or upon the result of any election, event or contingency whatever, upon conviction thereof, he shall be fined in a sum not more than Five Hundred Dollars ($500.00); and, unless such fine and costs be immediately paid, shall be imprisoned for any period not more than ninety (90) days. However, this section shall not apply to betting, gaming or wagering:

(a) On a cruise vessel as defined in Section 27-109-1 whenever such vessel is in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79;

(b) In a structure located, in whole or in part, on shore in any of the three (3) most southern counties in the State of Mississippi in which the registered voters of the county have voted to allow such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79, if:

(i) The structure is owned, leased or controlled by a person possessing a gaming license, as defined in Section 75-76-5, to conduct legal gaming on a cruise vessel under paragraph (a) of this section;

(ii) The part of the structure in which licensed gaming activities are conducted is located entirely in an area which is located no more than eight hundred (800) feet from the mean high-water line (as defined in Section 29-15-1) of the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to Harrison County only, no farther north than the southern boundary of the right-of-way for U.S. Highway 90, whichever is greater; and

(iii) In the case of a structure that is located in whole or part on shore, the part of the structure in which licensed gaming activities are conducted shall lie adjacent to state waters south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the structure is located consists of a parcel of real property, easements and rights-of-way for public streets and highways shall not be construed to interrupt the contiguous nature of the parcel, nor shall the footage contained within the easements and rights-of-way be counted in the calculation of the distances specified in subparagraph (ii);

(c) On a vessel as defined in Section 27-109-1 whenever such vessel is on the Mississippi River or navigable waters within any county bordering on the Mississippi River, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on vessels as provided in Section 19-3-79; or

(d) That is legal under the laws of the State of Mississippi.

SECTION 19. Section 97-33-7, Mississippi Code of 1972, is brought forward as follows:

97-33-7. (1) Except as otherwise provided in Section 97-33-8, it shall be unlawful for any person or persons, firm, copartnership or corporation to have in possession, own, control, display, or operate any cane rack, knife rack, artful dodger, punch board, roll down, merchandise wheel, slot machine, pinball machine, or similar device or devices. Provided, however, that this section shall not be so construed as to make unlawful the ownership, possession, control, display or operation of any antique coin machine as defined in Section 27-27-12, or any music machine or bona fide automatic vending machine where the purchaser receives exactly the same quantity of merchandise on each operation of said machine. Any slot machine other than an antique coin machine as defined in Section 27-27-12 which delivers, or is so constructed as that by operation thereof it will deliver to the operator thereof anything of value in varying quantities, in addition to the merchandise received, and any slot machine other than an antique coin machine as defined in Section 27-27-12 that is constructed in such manner as that slugs, tokens, coins or similar devices are, or may be, used and delivered to the operator thereof in addition to merchandise of any sort contained in such machine, is hereby declared to be a gambling device, and shall be deemed unlawful under the provisions of this section. Provided, however, that pinball machines which do not return to the operator or player thereof anything but free additional games or plays shall not be deemed to be gambling devices, and neither this section nor any other law shall be construed to prohibit same.

(2) No property right shall exist in any person, natural or artificial, or be vested in such person, in any or all of the devices described herein that are not exempted from the provisions of this section; and all such devices are hereby declared to be at all times subject to confiscation and destruction, and their possession shall be unlawful, except when in the possession of officers carrying out the provisions of this section. It shall be the duty of all law enforcing officers to seize and immediately destroy all such machines and devices.

(3) A first violation of the provisions of this section shall be deemed a misdemeanor, and the party offending shall, upon conviction, be fined in any sum not exceeding Five Hundred Dollars ($500.00), or imprisoned not exceeding three (3) months, or both, in the discretion of the court. In the event of a second conviction for a violation of any of the provisions of this section, the party offending shall be subject to a sentence of not less than six (6) months in the county jail, nor more than two (2) years in the State Penitentiary, in the discretion of the trial court.

(4) Notwithstanding any provision of this section to the contrary, it shall not be unlawful to operate any equipment or device described in subsection (1) of this section or any gaming, gambling or similar device or devices by whatever name called while:

(a) On a cruise vessel as defined in Section 27-109-1 whenever such vessel is in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79;

(b) In a structure located, in whole or in part, on shore in any of the three (3) most southern counties in the State of Mississippi in which the registered voters of the county have voted to allow such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79, if:

(i) The structure is owned, leased or controlled by a person possessing a gaming license, as defined in Section 75-76-5, to conduct legal gaming on a cruise vessel under paragraph (a) of this subsection;

(ii) The part of the structure in which licensed gaming activities are conducted is located entirely in an area which is located no more than eight hundred (800) feet from the mean high-water line (as defined in Section 29-15-1) of the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to Harrison County only, no farther north than the southern boundary of the right-of-way for U.S. Highway 90, whichever is greater; and

(iii) In the case of a structure that is located in whole or part on shore, the part of the structure in which licensed gaming activities are conducted shall lie adjacent to state waters south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay. When the site upon which the structure is located consists of a parcel of real property, easements and rights-of-way for public streets and highways shall not be construed to interrupt the contiguous nature of the parcel, nor shall the footage contained within the easements and rights-of-way be counted in the calculation of the distances specified in subparagraph (ii);

(c) On a vessel as defined in Section 27-109-1 whenever such vessel is on the Mississippi River or navigable waters within any county bordering on the Mississippi River, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on vessels as provided in Section 19-3-79; or

(d) That is legal under the laws of the State of Mississippi.

(5) Notwithstanding any provision of this section to the contrary, it shall not be unlawful (a) to own, possess, repair or control any gambling device, machine or equipment in a licensed gaming establishment or on the business premises appurtenant to any such licensed gaming establishment during any period of time in which such licensed gaming establishment is being constructed, repaired, maintained or operated in this state; (b) to install any gambling device, machine or equipment in any licensed gaming establishment; (c) to possess or control any gambling device, machine or equipment during the process of procuring or transporting such device, machine or equipment for installation on any such licensed gaming establishment; or (d) to store in a warehouse or other storage facility any gambling device, machine, equipment, or part thereof, regardless of whether the county or municipality in which the warehouse or storage facility is located has approved gaming aboard cruise vessels or vessels, provided that such device, machine or equipment is operated only in a county or municipality that has approved gaming aboard cruise vessels or vessels. Any gambling device, machine or equipment that is owned, possessed, controlled, installed, procured, repaired, transported or stored in accordance with this subsection shall not be subject to confiscation, seizure or destruction, and any person, firm, partnership or corporation which owns, possesses, controls, installs, procures, repairs, transports or stores any gambling device, machine or equipment in accordance with this subsection shall not be subject to any prosecution or penalty under this section. Any person constructing or repairing such cruise vessels or vessels within a municipality shall comply with all municipal ordinances protecting the general health or safety of the residents of the municipality.

SECTION 20. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO BRING FORWARD SECTIONS 97-33-17, 75-76-5, 75-76-33, 75-76-89, 75-76-91, 75-76-203, 75-76-211, 75-76-55, 75-76-205, 75-76-175, 75-76-177, 75-76-101, 97-33-27, 97-33-305, 97-33-8, 97-33-25, 75-76-79, 97-33-1 AND 97-33-7, RELATING TO GAMING ESTABLISHMENTS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 774 was adopted.

YEAS AND NAYS On H. B. No. 774. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Brumfield, Butler, Chassaniol, DeBar, DeLano, England, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Parks, Polk, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--36.

Nays--Berry, Blackwell, Branning, Bryan, Chism, Fillingane, Frazier, Hill, McMahan, Norwood, Parker, Rhodes, Seymour, Suber, Tate. Total--15.

Absent and those not voting----None.

Voting Present--Carter. Total--1.

_____

Senator England called up the following entitled bill:

H. B. No. 1135: Election day disputes; require list of judges selected to hear to be provided to certain officials.

Senator England offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-913, Mississippi Code of 1972, is amended as follows:

23-15-913. (1) The judges listed and selected to hear election disputes, as provided in Section 23-15-951, shall be available on election day to immediately hear and resolve any election day disputes. The name of any judge selected to hear election day disputes shall be provided to the Secretary of State by the Chief Justice of the Mississippi Supreme Court at the time the appointment is made, unless the Secretary of State is a party to the election day dispute to which that special circuit judge is appointed.

(2) The rules for filing pleadings shall be relaxed to carry out the purposes of this section. The judges selected shall perform no other judicial duties on election day. If an election day dispute occurs, the circuit clerk shall only docket the dispute to the judge designated by the Supreme Court to hear the case in that county. When such election day dispute is filed, the circuit clerk shall immediately notify by phone, email or personally, the Chief Justice of the Supreme Court, or in his or her absence or disability, some other Justice of the Supreme Court, who shall forthwith notify the assigned special judge from the list of judges who were preselected to hear election day disputes, to proceed to the county in which the dispute has been filed to hear and determine the complaint. The circuit clerk shall cause a copy of such petition to be served upon the contestee, which shall serve as notice to such contestee. The Supreme Court shall make judges available to hear disputes in the county in which the disputes occur but no judge shall hear disputes

in the district or county in which he or she was elected nor shall any judge hear any dispute in which any potential conflict may arise. Each judge shall be fair and impartial and shall be assigned on that basis.

(3) The listed and selected judges provided by the Chief Justice of the Mississippi Supreme Court shall have sole jurisdiction to hear election day disputes. Election disputes can only be filed in a circuit court with proper jurisdiction and heard by one (1) of the judges selected by the Chief Justice of the Mississippi Supreme Court.

SECTION 2. Section 23-15-951, Mississippi Code of 1972, is amended as follows:

23-15-951. Except as otherwise provided by Section 23-15-955 or 23-15-961, a person desiring to contest the election of another person returned as elected to any office within any county, may, within twenty (20) days after the election, file a petition in the office of the clerk of the circuit court of the county, setting forth the grounds upon which the election is contested. When such a petition is filed, the circuit clerk shall immediately notify, by registered letter, telegraph, telephone, or personally the Chief Justice of the Supreme Court or in his or her absence, or disability, some other Justice of the Supreme Court, who shall forthwith designate and notify a circuit judge or chancellor of a district other than that which embraces the district, subdistrict, county or any of the counties, involved in the contest or complaint, to proceed to the county in which the contest or complaint has been filed to hear and determine the contest or complaint. The circuit clerk shall also cause a copy of such petition to be served upon the contestee, which shall serve as notice to such contestee.

The Supreme Court shall compile a list of judges throughout the state to hear such disputes before an election. The name of any judge selected to hear election day disputes shall be provided to the Secretary of State by the Chief Justice of the Supreme Court at the time the appointment is made, unless the Secretary of State is a party to the election day dispute to which the special circuit judge is appointed. It shall be the official duty of the designated circuit judge or chancellor to proceed to discharge the duty of hearing the contest at the earliest possible date. The date of the contest shall be fixed by the judge or chancellor, and the judge or chancellor shall provide reasonable notice to the contestant and the contestee of the date and time fixed for the contest. The judge or chancellor shall cause the contestant and contestee to be served in a reasonable manner. When the contestee is served, such contestee shall promptly file his or her answer, and cross-complaint, if the contestee has a cross-complaint.

The court shall, at the first term, cause an issue to be made up and tried by a jury, and the verdict of the jury shall find the person having the greatest number of legal votes at the election. If the jury shall find against the person returned elected, the clerk shall issue a certificate thereof; and the person in whose favor the jury shall find shall be commissioned by the Governor, and shall qualify and enter upon the duties of his or her office. Each party shall be allowed ten (10) peremptory challenges, and new trials shall be granted and costs awarded as in other cases. In case the election of district attorney or other state district election be contested, the petition may be filed in any county of the district or in any county of an adjoining district within twenty (20) days after the election, and like proceedings shall be had thereon as in the case of county officers, and the person found to be entitled to the office shall qualify as required by law and enter upon the duties of his or her office.

A person desiring to contest the election of another person returned as elected to any seat in the Mississippi Legislature shall comply with the provisions of Section 23-15-955. A person desiring to contest the qualifications of a candidate for nomination in a political party primary election shall comply with the provisions of Section 23-15-961.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 23-15-913, MISSISSIPPI CODE OF 1972, TO SPECIFY WHICH JUDGES HAVE JURISDICTION TO HEAR ELECTION DISPUTES ON ELECTION DAY; TO AMEND SECTION 23-15-951, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT ELECTION DAY DISPUTES BE HEARD BY JUDGES WHO HAVE BEEN SELECTED BY THE CHIEF JUSTICE OF THE SUPREME COURT TO HEAR SAID DISPUTES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1135 was adopted.

YEAS AND NAYS On H. B. No. 1135. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Williams called up the following entitled bill:

H. B. No. 297: Mississippi Department of Information Technology Services; bring forward code sections related to.

Senator Williams offered the following AMENDMENT NO. 1.

AMEND on line 5680 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to H. B. No. 297 was adopted.

YEAS AND NAYS On H. B. No. 297. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Polk called up the following entitled bill:

H. B. No. 1271: Real estate; revise liability for certain provisions.

Senator Sparks offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 73-35-21, Mississippi Code of 1972, is amended as follows:

73-35-21. (1) Except as otherwise provided in this section, the commission may, upon its own motion and shall upon the verified complaint in writing of any person, hold a hearing pursuant to Section 73-35-23 for the refusal of license or for the suspension or revocation of a license previously issued, or for such other action as the commission deems appropriate. The commission shall have full power to refuse a license for cause or to revoke or suspend a license where it has been obtained by false or fraudulent representation, or where the licensee in performing or attempting to perform any of the acts mentioned herein, is deemed to be guilty of:

(a) Making any substantial misrepresentation in connection with a real estate transaction;

(b) Making any false promises of a character likely to influence, persuade or induce;

(c) Pursuing a continued and flagrant course of misrepresentation or making false promises through agents or salespersons or any medium of advertising or otherwise;

(d) Any misleading or untruthful advertising;

(e) Acting for more than one (1) party in a transaction or receiving compensation from more than one (1) party in a transaction, or both, without the knowledge of all parties for whom he or she acts;

(f) Failing, within a reasonable time, to account for or to remit any monies coming into his or her possession which belong to others, or commingling of monies belonging to others with his own funds. Every responsible broker procuring the execution of an earnest money contract or option or other contract who shall take or receive any cash or checks shall deposit, within a reasonable period of time, the sum or sums so received in a trust or escrow account in a bank or trust company pending the consummation or termination of the transaction. "Reasonable time" in this context means by the close of business of the next banking day;

(g) Entering a guilty plea or conviction in a court of competent jurisdiction of this state, or any other state or the United States of any felony;

(h) Displaying a "for sale" or "for rent" sign on any property without the owner's consent;

(i) Failing to furnish voluntarily, at the time of signing, copies of all listings, contracts and agreements to all parties executing the same;

(j) Paying any rebate, profit or commission to any person other than a real estate broker or salesperson licensed under the provisions of this chapter;

(k) Inducing any party to a contract, sale or lease to break such contract for the purpose of substituting in lieu thereof a new contract, where such substitution is motivated by the personal gain of the licensee;

(l) Accepting a commission or valuable consideration as a real estate salesperson for the performance of any of the acts specified in this chapter from any person, except his or her employer who must be a licensed real estate broker;

(m) Failing to successfully pass the commission's background investigation for licensure or renewal as provided in Section 73-35-10; or

(n) Any act or conduct, whether of the same or a different character than hereinabove specified, which constitutes or demonstrates bad faith, incompetency or untrustworthiness, or dishonest, fraudulent or improper dealing. However, simple contact and/or communication with any mortgage broker or lender by a real estate licensee about any professional, including, but not limited to, an appraiser, home inspector, contractor, and/or attorney regarding a listing and/or a prospective or pending contract for the lease, sale and/or purchase of real estate shall not constitute conduct in violation of this section.

(2) No real estate broker shall practice law or give legal advice directly or indirectly unless said broker be a duly licensed attorney under the laws of this state. He or she shall not act as a public conveyancer nor give advice or opinions as to the legal effect of instruments nor give opinions concerning the validity of title to real estate; nor shall he or she prevent or discourage any party to a real estate transaction from employing the services of an attorney; nor shall a broker undertake to prepare documents fixing and defining the legal rights of parties to a transaction. However, when acting as a broker, he or she may use an earnest money contract form. A real estate broker shall not participate in attorney's fees, unless the broker is a duly licensed attorney under the laws of this state and performs legal services in addition to brokerage services.

(3) It is expressly provided that it is not the intent and purpose of the Mississippi Legislature to prevent a license from being issued to any person who is found to be of good reputation, is able to give bond, and who has lived in the State of Mississippi for the required period or is otherwise qualified under this chapter.

(4) In addition to the reasons specified in subsection (1) of this section, the commission shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

(5) Nothing in this chapter shall prevent an associate broker or salesperson from owning any lawfully constituted business organization, including, but not limited to, a corporation, limited liability company or limited liability partnership, for the purpose of receiving payments contemplated in this chapter. The business organization shall not be required to be licensed under this chapter and shall not engage in any other activity requiring a real estate license.

(6) The Mississippi Real Estate Commission shall not promulgate any rule or regulation, nor make any administrative or other interpretation, whereby any real estate licensee may be held responsible or subject to discipline or other actions by the commission relating to the * * * information required to be disclosed by Sections 89-1-501 through 89-1-523 or delivery of information required to be disclosed by Sections 89-1-501 through 89-1-523.

(7) The Mississippi Real Estate Commission shall not promulgate nor enforce any rule or regulation, nor make any administrative or other interpretation, whereby any real estate licensee may be required to include in any agreement or otherwise be required to agree to any requirement regarding unilateral termination by a buyer-agency agreement.

SECTION 2. Section 89-1-503, Mississippi Code of 1972, is amended as follows:

89-1-503. (1) The transferor of any real property subject to Sections 89-1-501 through 89-1-523 shall deliver to the prospective transferee the written property condition disclosure statement required by Sections 89-1-501 through 89-1-523, as follows:

(a) In the case of a sale, as soon as practicable before transfer of title.

(b) In the case of transfer by a real property sales contract, or by a lease together with an option to purchase, or a ground lease coupled with improvements, as soon as practicable before execution of the contract. For the purpose of this paragraph, "execution" means the making or acceptance of an offer.

With respect to any transfer subject to paragraph (a) or (b), the transferor shall indicate compliance with Sections 89-1-501 through 89-1-523 either on the receipt for deposit, the real property sales contract, the lease, or any addendum attached thereto or on a separate document.

If any disclosure, or any material amendment of any disclosure, required to be made by Sections 89-1-501 through 89-1-523, is delivered after the execution of an offer to purchase, the transferee shall have three (3) days after delivery in person or five (5) days after delivery by deposit in the mail, to terminate his or her offer by delivery of a written notice of termination to the transferor or the transferor's agent.

(2) If a transferor of real property subject to Sections 89-1-501 through 89-1-523 shall fail to deliver the disclosure statement required by Sections 89-1-501 through 89-1-523, or fails to complete some portion of the disclosure statement, the prospective transferee is presumed to be on notice to inquire of the transferor concerning the content of the disclosure or the lack thereof. Any duly licensed real estate broker or salesperson involved with the transaction shall have no duty or obligation nor be subject to discipline or other action of any kind by any licensing authority of the State of Mississippi, pertaining to the disclosure or the failure of any disclosure to comply with Sections 89-1-501 through 89-1-523, or the delivery thereof.

SECTION 3. Section 89-1-519, Mississippi Code of 1972, which provides that no person or entity shall be deemed the agent of the transferor or transferee for purposes of the disclosure requirements of Sections 89-1-501 through 89-1-523, is repealed.

SECTION 4. Section 89-1-523, Mississippi Code of 1972, is amended as follows:

89-1-523. (1) No transfer subject to Sections 89-1-501 through 89-1-523 shall be invalidated solely because of the failure of any person to comply with any provision of Sections 89-1-501 through 89-1-523.

(2) Notwithstanding any other provision of law to the contrary, no real estate licensee shall be subject to discipline or other action of any kind by any licensing authority of the State of Mississippi pertaining to information required to be disclosed by Sections 89-1-501 through 89-1-523 or delivery of information required to be disclosed by Sections 89-1-501 through 89-1-523.

SECTION 5. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 73-35-21, MISSISSIPPI CODE OF 1972, TO REVISE THE APPLICATION OF PROPERTY CONDITION DISCLOSURE STATEMENT LIABILITY REGARDING SECTIONS 89-1-501 THROUGH 89-1-523; TO AMEND SECTION 89-1-503, MISSISSIPPI CODE OF 1972, TO REVISE PROPERTY CONDITION DISCLOSURE STATEMENT LIABILITY REGARDING SECTIONS 89-1-501 THROUGH 89-1-523; TO REPEAL SECTION 89-1-519, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT NO PERSON OR ENTITY SHALL BE DEEMED THE AGENT OF THE TRANSFEROR OR TRANSFEREE FOR PURPOSES OF THE DISCLOSURE REQUIREMENTS OF SECTIONS 89-1-501 THROUGH 89-1-523; TO AMEND SECTION 89-1-523, MISSISSIPPI CODE OF 1972, TO REVISE THE ABILITY TO DISCIPLINE A REAL ESTATE LICENSEE FOR FAILURE TO COMPLY WITH PROPERTY CONDITION DISCLOSURE STATEMENTS AS REQUIRED IN SECTIONS 89-1-501 THROUGH 89-1-523; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1271 was adopted.

YEAS AND NAYS On H. B. No. 1271. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackmon, Blount, Boyd, Brumfield, Bryan, Butler, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Norwood, Parks, Polk, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--42.

Nays--Chism. Total--1.

Absent and those not voting----None.

Voting Present--Barrett, Blackwell, Branning, Carter, Harkins, Hill, Michel, Parker, Rhodes. Total--9.

Senator DeBar called up the following entitled bill:

H. B. No. 1192: Virtual public schools; authorize operation by certain educational providers or locally sponsored virtual public schools.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-161-3, Mississippi Code of 1972, is amended as follows:

37-161-3. (1) The Legislature finds and declares the following:

(a) Meeting the educational needs of children in our state's schools is of the greatest importance to the future welfare of the State of Mississippi;

(b) Closing the achievement gap between high-performing students, including the achievement gap among at-risk students, is a significant and present challenge;

(c) Providing a broader range of educational options to parents and utilizing existing resources, along with technology, may help students in the state improve their academic achievement; and

(d) Many of the state's school districts currently lack the capacity to provide other public school choices for students whose schools are low performing.

(2) There is created the Mississippi Virtual Public School Program, which is the responsibility of the State Department of Education. It is the intent of the Legislature that the Mississippi Virtual Public School established under this section provides Mississippi families with an alternative choice to access additional educational resources in an effort to improve academic achievement. The Mississippi Virtual Public School must be recognized as a public school and provide equitable treatment and resources as are other public schools in the state. Private providers, overseen by the State Department of Education, may be selected by the State Board of Education to administer, manage or operate virtual school programs in this state, including the total operation of the Mississippi Virtual Public School Program. Any private provider chosen to provide services under the provisions of this subsection shall be chosen through the Mississippi Online Course Application Process.

(3) Nothing in this section may be interpreted as precluding the use of computer- and Internet-based instruction for students in a virtual or remote setting utilizing the Mississippi Virtual Public School.

(4) As used in this section, the following words and phrases have the meanings respectively ascribed unless the context clearly requires otherwise:

(a) "Mississippi Virtual Public School" means a public school in which the state uses technology in order to deliver instruction to students via the Internet in a virtual or remote setting.

(b) "Sponsor" means the public school district is responsible for the academic process for each student, including, but not limited to, enrollment, awarding of credit and monitoring progress.

(5) (a) The State Board of Education shall establish the Mississippi Virtual Public School beginning in school year 2006-2007.

(b) Students who enroll in the Mississippi Virtual Public School may reside anywhere in the State of Mississippi.

(6) Subject to appropriation, the Mississippi Virtual Public School shall provide to each student enrolled in the school all necessary instructional materials. Subject to appropriation, the sponsored school must ensure that each student is provided access to the necessary technology, such as a computer and printer, and to an Internet connection for schoolwork purposes.

(7) The Mississippi Department of Education shall have approval authority for all coursework and policy of the Mississippi Virtual Public School.

(8) Each teacher employed by or participating in the delivery of instruction through the Mississippi Virtual Public School must meet all qualifications for licensure in the State of Mississippi.

(9) Any student who meets state residency requirements may enroll in the Mississippi Virtual Public School.

(10) Enrollment in the Mississippi Virtual Public School shall be free of charge to students. The costs associated with the operations of the virtual school must be shared by the State Department of Education, subject to appropriation, and/or the local school districts. Once the State Department of Education appropriation and the local school district budgeted funds for Mississippi Virtual Public School have been expended and students choose to enroll in online courses, the costs of the online courses may be the responsibility of the students' parents or guardians.

(11) The Mississippi Department of Education is directed to provide a report on the Mississippi Virtual Public School and recommendations related to the future role of virtual education in public schools to the Chairman of the Senate Education Committee and the Chairman of the House of Representatives Education Committee by October 1, 2024. The report shall include, but not be limited to, an update on the history, cost, usage and student achievement related to the current Mississippi Virtual Public School and other virtual education programs which may exist in school districts across the state. The report shall also include, but not be limited to, recommendations related to using virtual education tools, including tools provided by or used by other public schools districts in Mississippi and/or third party vendors, to address student achievement, access to courses and teacher shortages in public schools.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 37-161-3, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROVIDE A REPORT ON THE MISSISSIPPI VIRTUAL PUBLIC SCHOOL AND RECOMMENDATIONS RELATED TO THE FUTURE ROLE OF VIRTUAL EDUCATION IN PUBLIC SCHOOLS TO THE CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES EDUCATION COMMITTEES BY OCTOBER 1, 2024; AND FOR RELATED PURPOSES.

Senator DeBar offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on lines 101 through 102 by striking all of SECTION 2 and inserting the following language:

SECTION 2 This act shall be known and may be cited as the "Mississippi Modified School Calendar Grant Program."

SECTION 3. The Mississippi Legislature finds the following:

(a) Whereas, a modified school calendar apportioning required instructional days throughout the year can increase student achievement and engagement and provide staff with a more flexible schedule.

(b) Therefore, it is the intent of the Mississippi Legislature to incentivize public school districts to maintain or consider adopting a modified school calendar by offsetting costs associated with adopting a modified school calendar through a time-limited grant.

SECTION 4. For purposes of this act, the following words shall have the meanings ascribed herein unless the context requires otherwise:

(a) "Grant program" means the Mississippi Modified School Calendar Grant Program established in this act.

(b) "Department" means the Mississippi Department of Education.

(c) "Modified school calendar" means a nontraditional school calendar in which the length of summer break is shortened, there are breaks dispersed throughout the school year, and required instructional days are evenly distributed across the calendar year.

(d) "School district" means all public school districts.

SECTION 5. (1) There is established the Mississippi Modified School Calendar Grant Program which shall be administered by the department for the purpose of offsetting initial costs incurred by school districts which have implemented or intend to implement a modified school calendar.

(2) Subject to the provisions of this act and any other applicable state law and regulation, school districts receiving a grant shall have the authority to use the funds provided in this grant program in a way that best facilitates their plan to transition to and maintain a modified school calendar and maximize student achievement and engagement.

SECTION 6. (1) The department shall:

(a) Inform all school districts about the grant program;

(b) Develop regulations and procedures to govern the administration of the grant program, including application requirements, within two (2) months after enactment; and

(c) Subject to appropriation, award school districts meeting the requirements of the program a grant for expenses related to the adoption or maintenance of a modified school calendar beginning in the 2024-2025 academic year. Initial grant awards shall be made by July 1, 2024, and July 1 of each year thereafter.

(2) The department shall administer this program with existing personnel and resources and shall not contract for external support.

(3) An application for an award from the grant program shall include:

(a) The rationale for adopting a modified school calendar, including relevant short- and long-term goals of the school district, which a modified calendar may help achieve;

(b) Evidence of community support and engagement to move to a modified school calendar;

(c) A detailed budget of operating expenses expected to be incurred as a result of adopting a modified calendar; and

(d) A detailed calendar, including plans for any intercession activities.

(4) Grants awarded shall be used for expenses incurred as a result of the adoption of a modified school calendar, including, but not limited to:

(a) Transportation;

(b) Certified and noncertified staffing during intercessions;

(c) Remediation and enrichment programs during intercession; and

(d) Utilities.

SECTION 7. (1) School districts shall be eligible for a maximum award of Two Hundred Fifty Thousand Dollars ($250,000.00) per year for a maximum of three (3) years.

(2) Eligible school districts shall include those which implement a modified school calendar by the beginning of the 2024-2025 academic year. Any school district which implemented a modified school calendar in the 2021-2022, 2022-2023, 2023-2024 or 2024-2025 academic years shall also be eligible.

(3) The amount awarded each year shall be based on the actual budget and plan submitted by the school district, the number of students in the school district, and other factors which may increase the cost of delivery of services, including the rural nature of the school district.

(4) The amount of the award shall not exceed the actual budget submitted by the school district related to modified school calendar costs.

(5) Grants received by school districts under this chapter shall not be used to purchase land, construct new facilities or to finance or satisfy any existing debt.

SECTION 8. There is created a special fund in the State Treasury, to be known as the "Mississippi Modified School Calendar Grant Fund," from which the grants authorized by this act shall be disbursed by the department. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall remain in the fund and shall not lapse into the State General Fund. Any interest earned or investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 9. The department shall provide a comprehensive report on the use of funds distributed under this grant program and the effectiveness of modified calendar school districts to the Governor, Lieutenant Governor, Speaker of the House of Representatives, and Chairs of the Senate and House Appropriations and Education Committees by October 1, 2024, and October 1 of each year thereafter.

SECTION 10. This act shall take effect and be in force from and after its passage.

FURTHER, AMEND the title to conform.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1192 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1192 was adopted.

YEAS AND NAYS On H. B. No. 1192. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson,

Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Blackmon. Total--1.

Absent and those not voting----None.

Senator Bryan called up the following entitled bill:

H. B. No. 313: Board of Cosmetology and Barbering; create to regulate cosmetology and barber professions.

Senator Blackwell offered the following AMENDMENT NO. 1.

AMEND by striking all of SECTION 52 on lines 1469-1471 and inserting the following language in lieu thereof:

SECTION 52. This act shall take effect and be in force from and after January 1, 2025, except for Sections 1 and 27, which shall take effect and be in force from and after the passage of this act.

Licenses and registrations issued by the Mississippi State Board of Cosmetology and the State Board of Barber Examiners, prior to the effective date of this act, shall remain in full force and confer the same authority as when they were issued. Such licenses and registrations shall remain in full force until such time that the licenses and registrations expire or are revoked, as applicable.

All property and assets owned by the Mississippi State Board of Cosmetology and the State Board of Barber Examiners shall be vested in and transferred to the Mississippi State Board of Cosmetology and Barbering by January 1, 2025.

Any litigation, disciplinary action, or other proceeding pending as of the effective date of this act, in the name of or against the Mississippi State Board of Cosmetology or the State Board of Barber Examiners, shall continue in the name of the Mississippi State Board of Cosmetology and Barbering.

Amendment No. 1 to H. B. No. 313 was adopted.

Senator Boyd offered the following AMENDMENT NO. 2.

AMEND on line 79 by inserting the following language before the comma:

"and Barbering"

FURTHER, AMEND on line 362 by inserting the following language after the comma:

"five (5) elected delegates from the Mississippi Esthetics Association"

Amendment No. 2 to H. B. No. 313 was adopted.

Senator Hickman offered the following AMENDMENT NO. 3.

AMEND on line 1357 by deleting the words "shampoo, condition,"

Amendment No. 3 to H. B. No. 313 was adopted.

YEAS AND NAYS On H. B. No. 313. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

_____

Senator Johnson called up the following entitled bill:

H. B. No. 756: Prison Industry Enhancement Program; extend repealer on.

Senator Sparks offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-1251, Mississippi Code of 1972, is amended as follows:

47-5-1251. (1) There is created the "Prison Industry Enhancement Program," through which the Department of Corrections may contract with the nonprofit corporation organized and formed under the "Mississippi Prison Industries Act of 1990" to employ offenders within the custody of the department or prison industries.

(2) Except as provided in Section 47-5-579, which is the provision authorizing a work initiative, the offenders must be under the supervision of the department at all times while working. The offenders shall be paid, by the entity or entities, wages at a rate which is not less than that paid for similar work in the locality in which the work is performed. The wages may be subject to deductions which shall not, in the aggregate, exceed eighty percent (80%) of gross wages. The deductions shall be limited to the following:

(a) To pay federal, state and local taxes;

(b) To pay reasonable charges for room and board as determined by regulations issued by the Commissioner of Corrections;

(c) To support the offender's family pursuant to state statute, court order or agreement by the offender; and

(d) To pay contributions equaling not less than five percent (5%) but not more than twenty percent (20%) of the offender's gross wages into the Crime Victims' Compensation Fund as created in Section 99-41-29.

(3) Notwithstanding any other provision of the law to the contrary, the offenders shall not be qualified to receive any payments for unemployment compensation while incarcerated. However, the offenders shall not, solely by their status as offenders, be deprived of the right to participate in benefits made available by the federal or state

government to other individuals on the basis of their employment, such as workers' compensation.

(4) Offenders who participate in the employment must do so voluntarily and must agree in advance to the specific deductions made from gross wages pursuant to this section and to all other financial arrangements or benefits resulting from participation in the employment.

(5) The Department of Corrections shall develop rules and regulations to meet the criteria established by the Bureau of Justice Assistance under the Prison Industry Enhancement Certification Program.

(6) This section shall stand repealed on July 1, * * * 2027.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 47-5-1251, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PRISON INDUSTRY ENHANCEMENT PROGRAM THROUGH WHICH CERTAIN OFFENDERS IN THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS MAY BE EMPLOYED BY THE NONPROFIT CORPORATION FORMED UNDER THE MISSISSIPPI PRISON INDUSTRIES ACT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 756 was adopted.

YEAS AND NAYS On H. B. No. 756. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

_____

Senator Johnson called up the following entitled bill:

H. B. No. 759: Mississippi Prison Industries Act of 1990; extend repealer on.

Senator Sparks offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-531, Mississippi Code of 1972, is reenacted as follows:

47-5-531. Sections 47-5-531 through 47-5-575 shall be known as the "Mississippi Prison Industries Act of 1990."

SECTION 2. Section 47-5-533, Mississippi Code of 1972, is reenacted as follows:

47-5-533. (1) It is the finding of the Legislature that prison industry programs of the State Department of Corrections are uniquely different from other programs operated or conducted by other departments in that it is essential to the state that the prison industry programs provide inmates with useful activities that can lead to meaningful employment after release in order to assist in reducing the return of inmates to the system.

(2) It is further the finding of the Legislature that the mission of a prison industry program is:

(a) To reduce the cost of state government by operating prison industries primarily with inmate labor, which industries do not seek to unreasonably compete with private enterprise;

(b) To serve the rehabilitative goals of the state by duplicating as nearly as possible, the operating activities of a free-enterprise type of profit-making enterprise; and

(c) To serve the security goals of the state by reducing the idleness of inmates and by providing an incentive for good behavior while in prison.

SECTION 3. Section 47-5-535, Mississippi Code of 1972, is reenacted as follows:

47-5-535. (1) Except as otherwise specifically provided by law, it is the intent of the Legislature that a nonprofit corporation be organized and formed, within sixty (60) days from April 4, 1990, to lease and manage the prison industry programs of the Mississippi Correctional Industries. The corporation created and established shall be a body politic and corporate, may acquire and hold real and personal property, may receive, hold and dispense monies appropriated to it by the Legislature of the State of Mississippi received from the federal government, received from the sale of products, goods, and services which it produces, and received from any other sources whatsoever.

(2) Except as otherwise specifically provided by law, it is the further intent of the Legislature that the nonprofit corporation shall create any additional prison industry program as it deems fit, and any such program shall be created in compliance with the provisions of Sections 47-5-531 through 47-5-575.

(3) Except as otherwise specifically provided by law, it is the further intent of the Legislature that such nonprofit corporation shall have exclusive rights to operate any prison industry program and when such corporation is lawfully formed, no other public or private entity shall be allowed to carry out the provisions of Sections 47-5-531 through 47-5-575.

(4) It is the further intent of the Legislature, that the nonprofit corporation which is required to be organized and formed under Sections 47-5-531 through 47-5-575 shall locate and operate prison industries at any state correctional facility with the approval of the Commissioner of Corrections. It is the intent of the Legislature that the nonprofit corporation locate and operate such industries in an orderly and expeditious manner. Such corporation may locate and operate prison industries at other prison satellites, at community work centers in the state, at any private correctional facility which houses state inmates and at any regional correctional facility as authorized under Section 47-5-931. No industrial prison program shall be located at a site other than state prison facilities approved by the commissioner.

SECTION 4. Section 47-5-537, Mississippi Code of 1972, is reenacted and amended as follows:

47-5-537. The Secretary of State, or his designee, shall assist the Department of Corrections and the Department of Finance and Administration in the formation of the nonprofit corporation, and within sixty (60) days after the formation of the corporation, the corporation shall apply for exemption from federal tax under the provisions of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended. Any program of the Division of Vocational Rehabilitation of the * * * Mississippi Department of Human Services shall not be classified as prison industries under the provisions Sections 47-5-531 through 47-5-575.

SECTION 5. Section 47-5-539, Mississippi Code of 1972, is reenacted as follows:

47-5-539. For the purposes of Sections 47-5-531 through 47-5-575, the following terms shall have the following meaning unless the context shall provide otherwise:

(a) "Chief executive officer" means the chief executive officer of the corporation established under this chapter.

(b) "Corporation" means the private nonprofit corporation which is required to be organized and formed to carry out the provisions of Sections 47-5-531 through 47-5-575 regarding prison industries.

(c) "Department" means the State Department of Corrections.

(d) "Inmate" means any person incarcerated within any state correctional facility.

(e) "Prison industry program" means any program which is considered to be a part of any prison industry in this state.

(f) "Prison agricultural enterprises" means all agricultural endeavors as defined in Section 47-5-353.

(g) "Work initiative" or "initiative" means the program authorized in Section 47-5-579.

SECTION 6. Section 47-5-541, Mississippi Code of 1972, is reenacted as follows:

47-5-541. (1) The corporation shall be governed by a board of directors. The terms of the board of directors in place before July 1, 2022, shall expire June 30, 2022. From and after July 1, 2022, the board of directors of the nonprofit corporation shall be composed of the following five (5) members:

(a) The Commissioner of the Department of Corrections or his or her designee;

(b) One (1) representative of the faith-based community, appointed by the Commissioner of the Department of Corrections with the advice and consent of the Senate;

(c) One (1) representative of the business community, appointed by the Commissioner of the Department of Corrections with the advice and consent of the Senate;

(d) The Executive Director of AccelerateMS or his or her designee; and

(e) The Executive Director of the Mississippi Community College Board or his or her designee.

For the initial appointments, the representative of the faith-based community shall serve for a term of one (1) year; the representative of the business community shall serve for a term of two (2) years; the Executive Director of the AccelerateMS or his or her designee shall serve for a term of three (3) years and the Executive Director of the Mississippi Community College Board shall serve for a term of four (4) years. All succeeding terms shall be for four (4) years from the expiration date of the previous term. The term of the Commissioner of Corrections shall run concurrent with his or her term or terms as commissioner. Initial appointments shall be made within thirty (30) days after July 1, 2022. Any vacancy on the board prior to the expiration of a term for any reason, including resignation, removal, disqualification, death or disability shall be filled in the manner prescribed in paragraphs (a) through (e) of this subsection for the balance of the unexpired term. The officers of the corporation shall consist of a chairman, vice chairman and a secretary-treasurer. The officers shall be selected by the members of the board. However, the Commissioner of Corrections shall not be eligible to serve as an officer of the corporation.

(2) The board of directors shall select and employ a chief executive officer of the corporation who shall serve at the pleasure of the board. The board shall set the compensation of the chief executive officer. The chief executive officer shall be responsible for the general business and entire operations of the corporation, and shall be responsible for operating the corporation in compliance with the bylaws of the corporation and in compliance with any provision of law. The board shall be authorized and empowered to do only those acts provided by law and by the bylaws of the corporation. Except as otherwise specifically provided by law, such board shall have the authority to establish prison industries, to cease the operation of any industry which it deems unsuitable or unprofitable, to enter into any lease or contract for the corporation and it shall have the full authority to establish prices for any industry good.

(3) No member of the board of directors shall vote on any matter that comes before the board that could result in pecuniary benefit for himself or for any entity in which such member has an interest.

(4) In addition to the board of directors, an advisory board may be set up for the benefit of each industry which is established pursuant to the provisions of Sections 47-5-531 through 47-5-575. Such boards shall be advisory only, and may be set up in the discretion of the board of directors of the corporation.

(5) Each member of the board of directors of the corporation shall receive per diem as provided in Section 25-3-69 for each day or fraction thereof spent in actual discharge of his official duties and shall be reimbursed for mileage and actual expenses incurred in the performance of his official duties in accordance with the requirements of Section 25-3-41, Mississippi Code of 1972.

(6) The board of directors shall make and publish policies, rules and regulations governing all business functions, including but not limited to accounting, marketing, purchasing and personnel, not inconsistent with the terms of Sections 47-5-531 through 47-5-575, as may be necessary for the efficient administration and operation of the corporation.

(7) The chief executive officer of the corporation shall:

(a) Employ all necessary employees of the corporation and dismiss them as is necessary;

(b) Administer the daily operations of the corporation, including establishing education, training and workforce development programs in collaboration with the Office of Workforce Development and other relevant state and federal agencies;

(c) Upon approval of the board of directors, execute any contracts on behalf of the corporation; and

(d) Take any further actions which are necessary and proper toward the achievement of the corporation purposes.

(8) A member of the board of directors of the corporation shall not be liable for any civil damages for any personal injury or property damage caused to a person as a result of any acts or omissions committed in good faith in the exercise of their duties as members of the board of directors of the corporation, except where a member of the board engages in acts or omissions which are intentional, willful, wanton, reckless or grossly negligent.

SECTION 7. Section 47-5-543, Mississippi Code of 1972, is reenacted as follows:

47-5-543. (1) Within sixty (60) days after the formation of the corporation pursuant to the provisions of Section 47-5-535, the State Department of Corrections shall lease to the corporation all existing prison industries including the buildings, land, furnishings, equipment and other chattel used in the operation of such industries. Such lease shall be agreed upon by the State Department of Corrections, State Department of Finance and Administration and the corporation. The initial term of such lease shall not exceed six (6) years, provided that such lease may be renewed for additional successive terms of years not to exceed six (6) years in any one (1) renewal. No sublease to the corporation shall be in excess of that amount for which the department is obligated to pay under any lease agreement with any other state agency. Any receivable and remaining funds shall be transferred to the corporation after the payment of any existing liabilities. No operating loss of any type shall be transferred to the corporation. The State Department of Corrections shall continue to manage and operate the prison industries until such industries are leased to the corporation. When leasing any prison industry program to the corporation, the corporation shall exercise a reasonable effort to employ any personnel of the State Department of Corrections who are currently involved in any prison industry program being leased to the corporation. Before the leasing of the prison industries, buildings, lands and other items mentioned herein to the corporation, the State Auditor of Public Accounts shall perform a comprehensive audit of all the items and things mentioned herein which are to be leased by the department to the corporation. The corporation may expand, eliminate, suspend or alter any of its industries as it sees fit.

(2) Any lands, buildings, equipment, furnishings, livestock, supplies and vehicles used in the department's farming operations which were leased or transferred to the nonprofit corporation under subsection (1) shall be transferred to the department. Any personnel in the department's farming operations employed by the nonprofit corporation who desire to be reassigned to the department and who are under state service may be reassigned to the department.

(3) The department is not required to lease land, buildings, equipment, furnishings or other chattel used in its prison agricultural enterprises.

SECTION 8. Section 47-5-545, Mississippi Code of 1972, is reenacted as follows:

47-5-545. Except as otherwise specifically provided by law, after the commissioning and implementation of a marketing feasibility study for any proposed new prison industry, the corporation may establish such prison industry. Before any new industry is established, the corporation shall hold a hearing to determine the impact such industry may have on the private sector market. The corporation shall provide adequate and advance notice regarding the nature, time, date and place of such hearing. After the hearing which is required under this section, the corporation may commence negotiations with the State Department of Corrections, with the Secretary of State, or his designee, serving as a mediator, regarding the leasing of land and other chattels for the purpose of establishing any new industry.

SECTION 9. Section 47-5-547, Mississippi Code of 1972, is reenacted as follows:

47-5-547. Except as otherwise specifically provided by law, any training program or auxiliary program associated with any existing prison industry shall be transferred to the corporation. The corporation is empowered and authorized to establish in participation with any community or junior college or state institution of higher learning, any training or auxiliary program for existing prison industries or for any industries which the corporation might create. Such community or junior college or state institution of higher learning shall provide assistance in business planning, marketing and analysis of existing or projected industries. These industrial services shall be contracted with any appropriate community or junior college or state institution of higher learning when these industries are developed at other correction sites.

SECTION 10. Section 47-5-549, Mississippi Code of 1972, is reenacted as follows:

47-5-549. Any service or item manufactured, processed, grown or produced by the corporation from its prison industries may be furnished or sold to any legislative, executive or judicial branch of the state, any political subdivision or any governing authority of the state, any other state, any school, college or university of the state, any foreign government, any agency of the federal government or to any private entity. The corporation shall make reasonable efforts to purchase raw materials from in-state vendors. The prices for industry-made products shall be established by the board of directors of the corporation or its designee.

SECTION 11. Section 47-5-551, Mississippi Code of 1972, is reenacted as follows:

47-5-551. In the event the corporation is dissolved or its lease of any prison industry program expires or is otherwise terminated, all property relating to such prison industry program which ceases to function because of such termination or dissolution, including all funds, buildings, land, furnishings, equipment and other chattels subsequently purchased or otherwise acquired by the corporation in connection with its continued operation of that program, automatically reverts to full ownership by the department.

SECTION 12. Section 47-5-553, Mississippi Code of 1972, is reenacted as follows:

47-5-553. Before any prison industry may commence operations, the chief executive officer of the corporation must communicate with the Commissioner of Corrections regarding the proper security for the facility. If at anytime the Commissioner of Corrections recognizes a need for improvement in the security at any facility, then he or she shall communicate to the corporation regarding what improvements are needed for the facility to be properly secured. The corporation shall furnish its own security within the parameters of any prison industry work area.

SECTION 13. Section 47-5-555, Mississippi Code of 1972, is reenacted as follows:

47-5-555. The department shall, subject to the necessary security requirements and the needs of the corporation, provide to the corporation sufficient inmate labor for the various prison industry programs. The department may adopt rules and regulations as may be necessary to govern the use of inmates by the corporation. The corporation shall establish policies and procedures, subject to the approval of the department, relating to the use of inmates in the prison industry programs.

SECTION 14. Section 47-5-557, Mississippi Code of 1972, is reenacted as follows:

47-5-557. Any inmate who performs work for the corporation, except those inmates employed by the corporation in the Prison Industry Enhancement Program under Section 47-5-1251, shall not be deemed an agent, employee or involuntary servant of the

corporation while performing such work or while going to and from work or other specified areas.

SECTION 15. Section 47-5-559, Mississippi Code of 1972, is reenacted and amended as follows:

47-5-559. The corporation shall submit to the Governor and the Legislature, on or before January 1 of each year, a report on the status of the correctional work programs, including, but not limited to, the programs and funds which have been transferred to the corporation, the programs and funds to be taken over within the next year and the proposed use of the profits from such programs, a breakdown of the amount of noninmate labor used, work subcontracted to other vendors, use of consultants, finished goods purchased for resale, and the number of inmates working in the correctional work programs at the time of the report. In addition, the corporation shall submit to the department, the Governor and the Legislature an annual independently audited financial statement and such other information as may be requested by the Legislature together with recommendations from the corporation relating to provisions for reasonable tax incentives to private enterprises that employ inmates, parolees or former inmates who have participated in correctional work programs. The department shall include, as a portion of its annual report, a report on post-release job placement and the rate of subsequent contact with the correctional system for those inmates who have participated in the correctional work programs operated by the corporation and by the department. Beginning January 1, 1991, the State Auditor shall conduct an annual financial audit of the corporation in conjunction with an independent audit conducted by the corporation's auditors. The State Auditor and the legislative PEER committee shall also conduct a biennial performance audit of the corporation for the period beginning January 1, 1991, through January 1, 1993, and thereafter upon the joint request of the Senate Corrections Committee, House * * * Corrections Committee, Senate Finance Committee, and House Ways and Means Committee.

SECTION 16. Section 47-5-561, Mississippi Code of 1972, is reenacted as follows:

47-5-561. (1) In addition to its other powers, the corporation shall have the power to request, through the department, an appropriation of general revenue funds for the purposes of operation of, addition to or renovation of facilities or correctional work programs at the various correctional institutions; however, upon receipt of such appropriation, the rental paid by the corporation for the operation of or such new remodeled or renovated facilities or the operation of a correctional work program shall be sufficient to amortize its cost over a period of five (5) years.

(2) The corporation shall maintain those prison industries funds in excess of that amount necessary for sustaining quarterly or monthly operations of the corporation in an interest-bearing account best serving the proper management of corporation funds and earning the maximum amount of interest allowed by law. The corporation shall cause monies from the interest-bearing account to be deposited quarterly or monthly into the corporation's checking account in order to pay the legal debts of the corporation, approved for payment by the corporation.

SECTION 17. Section 47-5-563, Mississippi Code of 1972, is reenacted as follows:

47-5-563. (1) The department may adopt such rules as may be necessary to govern the use of inmates by the corporation; however, such rules shall be related only to the need for security, inmate projections, and efficient operation of each institution.

(2) The corporation, with the input of the department, shall establish policies and procedures subject to the approval of the department's legal counsel relating to the use of inmates in the correctional work programs.

(3) All such policies and procedures adopted by the department and the corporation shall be placed on file in the Office of the Secretary of State.

SECTION 18. Section 47-5-565, Mississippi Code of 1972, is reenacted as follows:

47-5-565. To carry out the provisions of Sections 47-5-531 through 47-5-575, the provisions of Sections 47-5-301 et seq., and 47-5-501 et seq., Mississippi Code of 1972, the corporation shall authorize the transfer and expending of monies from the Prison Industries Fund.

SECTION 19. Section 47-5-567, Mississippi Code of 1972, is reenacted as follows:

47-5-567. Except as otherwise specifically provided by law, no inmate shall be eligible for unemployment compensation or workmen's compensation whether employed by the corporation or by any other private enterprise operating on the grounds of a correctional institution or elsewhere where such employment shall be a part of a correctional work program or work release program of either the corporation or the department.

SECTION 20. Section 47-5-569, Mississippi Code of 1972, is reenacted as follows:

47-5-569. (1) Except as otherwise specifically provided by law, if the department leases a single correctional work program at any correctional institution to the corporation, the corporation shall lease all such correctional work programs at that institution. Any rent paid by the corporation to the department shall be deposited in a correctional programs trust fund for enhancement of education and training, post-release job placement, and other correctional purposes related to the purposes of Sections 47-5-531 through 47-5-575.

(2) All leases of department-owned land for the funding or operations of the corporation shall be subject to the approval of the corporation, the Mississippi Department of Corrections and the Public Procurement Review Board.

(3) This section shall not apply to any program within the prison agricultural enterprises operated by the department.

SECTION 21. Section 47-5-571, Mississippi Code of 1972, is reenacted as follows:

47-5-571. Except as otherwise specifically provided by law, no goods, wares, services or merchandise manufactured, mined or offered in whole or in part by prisoners shall be sold or offered by any person or other authority except by the corporation, as authorized by Sections 47-5-531 through 47-5-575.

SECTION 22. Section 47-5-573, Mississippi Code of 1972, is reenacted as follows:

47-5-573. (1) In adopting or modifying master plans for correctional work programs, and in the administration of the Department of Corrections, it shall be the objective of the department to develop a logical sequence of vocational training, employment by correctional work programs, and post-release job placement for inmates participating in correctional work programs.

(2) The Department of Corrections shall establish guidelines for the development of correctional work programs.

(3) The needs of the corporation shall be considered by the department when assigning and transferring prisoners to correctional institutions. The following criteria shall be used when assigning and transferring inmates:

(a) Skills of the inmate relevant to the corporation's industries;

(b) Security classification of the inmate relevant to the type of corporation's industry;

(c) Duration of availability of the inmate for employment by the corporation;

(d) Establishment of a concept of potentially rehabilitative inmate.

SECTION 23. Section 47-5-575, Mississippi Code of 1972, is reenacted as follows:

47-5-575. Any records or reports which relate to the financial aspect or operations of the corporation, with the exception of any trade secrets, shall be considered as public records and shall be subject to the provisions of the Mississippi Public Records Act of 1983.

SECTION 24. Section 47-5-577, Mississippi Code of 1972, is amended as follows:

47-5-577. Sections 47-5-531 through 47-5-575, which create the Mississippi Prison Industries Act of 1990, shall stand repealed from and after July 1, * * * 2027.

SECTION 25. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO REENACT SECTIONS 47-5-531 THROUGH 47-5-571, 47-5-573 AND 47-5-575, MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI PRISON INDUSTRIES ACT OF 1990; TO AMEND REENACTED SECTION 47-5-537, MISSISSIPPI CODE OF 1972, TO UPDATE REVISED AGENCY NOMENCLATURE; TO AMEND REENACTED SECTION 47-5-559, MISSISSIPPI CODE OF 1972, TO UPDATE REVISED LEGISLATIVE COMMITTEE NOMENCLATURE; TO AMEND SECTION 47-5-577, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI PRISON INDUSTRIES ACT OF 1990; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 759 was adopted.

YEAS AND NAYS On H. B. No. 759. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Johnson called up the following entitled bill:

H. B. No. 1025: Department of Corrections; eliminate executive deputy commissioner from.

Senator Sparks offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-8, Mississippi Code of 1972, is amended as follows:

47-5-8. (1) There is created the Mississippi Department of Corrections, which shall be under the policy direction of the Governor. The chief administrative officer of the department shall be the Commissioner of Corrections.

(2) * * * (* * *a) There shall be a Division of Administration and Finance within the department, which shall have as its chief administrative officer a Deputy Commissioner for Administration and Finance who shall be appointed by the commissioner, and shall be directly responsible to the commissioner.

(* * *b) There shall be a Division of Community Corrections within the department, which shall have as its chief administrative officer a Deputy Commissioner for Community Corrections, who shall be appointed by the commissioner, and shall be directly responsible to the commissioner. The Probation and Parole Board shall continue to exercise the authority as provided by law, but after July 1, 1976, the Division of Community Corrections shall serve as the administrative agency for the Probation and Parole Board.

(* * *c) There shall be a Division of Workforce Development within the department, which shall have as its chief administrative officer a Deputy Commissioner for Workforce Development, who shall be appointed by the commissioner, and shall be directly responsible to the commissioner.

(3) The department shall succeed to the exclusive control of all records, books, papers, equipment and supplies, and all lands, buildings and other real and personal property now or hereafter belonging to or assigned to the use and benefit or under the control of the Mississippi State Penitentiary and the Mississippi Probation and Parole Board, except the records of parole process and revocation and legal matters related thereto, and shall have the exercise and control of the use, distribution and disbursement of all funds, appropriations and taxes now or hereafter in possession, levied, collected or received or appropriated for the use, benefit, support and maintenance of these two (2) agencies except as otherwise provided by law, and the department shall have general supervision of all the affairs of the two (2) agencies herein named except as otherwise provided by law, and the care and conduct of all buildings and grounds, business methods and arrangements of accounts and records, the organization of the administrative plans of each institution, and all other matters incident to the proper functioning of the two (2) agencies.

(4) The commissioner may lease the lands for oil, gas, mineral exploration and other purposes, and contract with other state agencies for the proper management of lands under such leases or for the provision of other services, and the proceeds thereof shall be paid into the General Fund of the state.

SECTION 2. Section 47-5-26, Mississippi Code of 1972, is amended as follows:

47-5-26. (1) The commissioner shall employ the following personnel:

(a) A Deputy Commissioner for Administration and Finance, who shall supervise and implement all fiscal policies and programs within the department, supervise

and implement all hiring and personnel matters within the department, supervise the department's personnel director, supervise and implement all purchasing within the department and supervise and implement all data processing activities within the department, and who shall serve as the Chief Executive Officer of the Division of Administration and Finance. He shall possess either:

(i) A master's degree from an accredited four-year college or university in public or business administration, accounting, economics or a directly related field, and four (4) years of experience in work related to the above-described duties, one (1) year of which must have included line or functional supervision; or

(ii) A bachelor's degree from an accredited four-year college or university in public or business administration, accounting, economics or a directly related field, and six (6) years of experience in work related to the above-described duties, one (1) year of which must have included line or functional supervision. Certification by the State of Mississippi as a certified public accountant may be substituted for one (1) year of the required experience.

(b) A Deputy Commissioner for Community Corrections, who shall initiate and administer programs, including, but not limited to, supervision of probationers, parolees and suspensioners, counseling, community-based treatment, interstate compact administration and enforcement, prevention programs, halfway houses and group homes, technical violation centers, restitution centers, presentence investigations, and work and educational releases, and shall serve as the Chief Executive Officer of the Division of Community Services. The Deputy Commissioner for Community Corrections is charged with full and complete cooperation with the State Parole Board and shall make monthly reports to the Chairman of the Parole Board in the form and type required by the chairman, in his discretion, for the proper performance of the probation and parole functions. After a plea or verdict of guilty to a felony is entered against a person and before he is sentenced, the Deputy Commissioner for Community Corrections shall procure from any available source and shall file in the presentence records any information regarding any criminal history of the person such as fingerprints, dates of arrests, complaints, civil and criminal charges, investigative reports of arresting and prosecuting agencies, reports of the National Crime Information Center, the nature and character of each offense, noting all particular circumstances thereof and any similar data about the person. The Deputy Commissioner for Community Corrections shall keep an accurate and complete duplicate record of this file and shall furnish the duplicate to the department. This file shall be placed in and shall constitute a part of the inmate's master file. The Deputy Commissioner for Community Corrections shall furnish this file to the State Parole Board when the file is needed in the course of its official duties. He shall possess either: (i) a master's degree in counseling, corrections psychology, guidance, social work, criminal justice or some related field and at least four (4) years' full-time experience in such field, including at least one (1) year of supervisory experience; or (ii) a bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years' full-time work in corrections, one (1) year of which shall have been at the supervisory level.

(c) A Deputy Commissioner for Institutions, who shall administer institutions, reception and diagnostic centers, prerelease centers and other facilities and programs provided therein, and shall serve as the Chief Executive Officer of the Division of Institutions. He shall possess either: (i) a master's degree in counseling, criminal justice, psychology, guidance, social work, business or some related field, and at least four (4) years' full-time experience in corrections, including at least one (1) year of correctional management experience; or (ii) a bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years' full-time work in corrections, four (4) years of which shall have been at the correctional management level.

(d) A Deputy Commissioner for Programs, Education and Reentry, who shall initiate and administer programs, including but not limited to, education services, religious services, moral rehabilitation, alcohol and drug rehabilitation, and court reentry. The

Deputy Commissioner for Programs, Education and Reentry may coordinate with any educational institution to develop a program for moral rehabilitation with an emphasis on promoting effective programs for release. The Deputy Commissioner for Programs, Education and Reentry shall focus on reentry programs aimed at reducing recidivism. The programs shall incorporate a moral component focused on providing offenders with an opportunity to make positive changes while incarcerated that will enable them to be productive members of society upon their release. Such deputy commissioner shall possess either:

(i) A master's degree in counseling, corrections, psychology, guidance, social work, criminal justice or some related field and at least four (4) years' full-time experience in such field, including at least one (1) year of supervisory experience; or

(ii) A bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years full-time work in corrections, one (1) year of which shall have been at the supervisory level.

(e) A Deputy Commissioner for Workforce Development who shall serve as the Chief Executive Officer of Prison Industries and Director of Prison Agricultural Enterprises. The Deputy Commissioner for Workforce Development shall work in collaboration with the Executive Director of the Office of Workforce Development to implement workforce development programs within the corrections system which align with the strategic plan for an integrated workforce development system for the state, as described in Section 37-153-7. Such deputy commissioner shall be a person with extensive experience in development of economic, human and physical resources, with an emphasis in the corrections or reentry environments preferred. The Deputy Commissioner for Workforce Development shall have at least a bachelor's degree from a state-accredited institution and no less than eight (8) years of professional experience related to workforce development. The Deputy Commissioner for Workforce Development, with the assistance from the Office of Workforce Development, shall:

(i) Inventory and measure the effectiveness of current workforce development programs in the state corrections system, with the goal of eliminating any programs which do not result in desired outcomes, including, but not limited to, an increase in employment in reentering offenders, a better environment within correctional facilities in the state, or a reduction in recidivism;

(ii) Partner with educational institutions to provide additional opportunities in workforce development programs for offenders leading to high-wage, high-skill jobs upon reentry;

(iii) Provide information, as appropriate, to offenders on workforce development programs available within the corrections system;

(iv) Work with industry to identify barriers which inhibit offender reentry and employment and evaluate the responsiveness of the corrections system and other support entities to the needs of industry;

(v) Develop short- and long-term goals for the state related to workforce development and reentry offender employment within the corrections system, and

(vi) Perform a comprehensive review of workforce development in the corrections system, including the amount expended on programs supported by state or federal money and their outcomes.

* * *

(2) The commissioner shall employ an administrative assistant for parole matters who shall be selected by the State Parole Board who shall be an employee of the department assigned to the State Parole Board and who shall be located at the office of the State Parole Board, and who shall work under the guidance, supervision and direction of the board.

(3) The administrative assistant for parole matters shall receive an annual salary to be established by the Legislature. The salaries of department employees not established by the Legislature shall receive an annual salary established by the State Personnel Board.

(4) The commissioner shall employ a superintendent for the Parchman facility, Central Mississippi Correctional Facility and South Mississippi Correctional Institution of the Department of Corrections. The Superintendent of the Mississippi State Penitentiary shall reside on the grounds of the Parchman facility. Each superintendent shall appoint an officer in charge when he is absent.

Each superintendent shall develop and implement a plan for the prevention and control of an inmate riot and shall file a report with the Chairman of the Senate Corrections Committee and the Chairman of the House Penitentiary Committee on the first day of each regular session of the Legislature regarding the status of the plan.

In order that the grievances and complaints of inmates, employees and visitors at each facility may be heard in a timely and orderly manner, each superintendent shall appoint or designate an employee at the facility to hear grievances and complaints and to report grievances and complaints to the superintendent. Each superintendent shall institute procedures as are necessary to provide confidentiality to those who file grievances and complaints.

(5) For a one-year period beginning July 1, 2016, any person authorized for employment under this section shall not be subject to the rules, regulations and procedures of the State Personnel Board, except as otherwise provided under Section 25-9-127(5).

SECTION 3. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 47-5-8, MISSISSIPPI CODE OF 1972, TO ELIMINATE THE POSITION OF EXECUTIVE DEPUTY COMMISSIONER FROM THE DEPARTMENT OF CORRECTIONS; TO AMEND SECTION 47-5-26, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1025 was adopted.

YEAS AND NAYS On H. B. No. 1025. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes,

Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator DeBar called up the following entitled bill:

H. B. No. 1683: MS Charter School Act of 2013; bring forward for purposes of possible amendments.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-28-11, Mississippi Code of 1972, is amended as follows:

37-28-11. * * * (* * *1) The authorizer may receive appropriate gifts, grants and donations of any kind from any public or private entity to carry out the purposes of this chapter, subject to all lawful terms and conditions under which the gifts, grants or donations are given.

(* * *2) The authorizer may expend its resources, seek grant funds and establish partnerships to support its charter school authorizing activities.

(3) The Legislature may fund the authorizer through specific appropriation thereof.

SECTION 2. Section 37-28-55, Mississippi Code of 1972, is amended as follows:

37-28-55. (1) (a) The State Department of Education shall make payments to charter schools for each student in average daily attendance at the charter school equal to the state share of the adequate education program payments for each student in average daily attendance at the school district in which the charter school is located. In calculating the local contribution for purposes of determining the state share of the adequate education program payments, the department shall deduct the pro rata local contribution of the school district in which the student resides, to be determined as provided in Section 37-151-7(2)(a).

(b) Payments made pursuant to this subsection by the State Department of Education must be made at the same time and in the same manner as adequate education program payments are made to school districts under Sections 37-151-101 and 37-151-103. Amounts payable to a charter school must be determined by the State Department of Education. Amounts payable to a charter school over its charter term must be based on the enrollment projections set forth over the term of the charter contract. Such projections must be reconciled with the average daily attendance using months two (2) and three (3) ADA for the current year for which adequate education program funds are being appropriated and any necessary adjustments must be made to payments during the school's following year of operation.

(2) For students attending a charter school located in the school district in which the student resides, the school district in which a charter school is located shall pay directly to the charter school an amount for each student enrolled in the charter school equal to the ad valorem tax receipts and in-lieu payments received per pupil for the support of the local school district in which the student resides. The pro rata ad valorem receipts and in-lieu receipts to be transferred to the charter school shall include all levies for the support of the local school district under Sections 37-57-1 (local contribution to the adequate

education program) and 37-57-105 (school district operational levy) and may not include any taxes levied for the retirement of the local school district's bonded indebtedness or short-term notes or any taxes levied for the support of vocational-technical education programs. The amount of funds payable to the charter school by the school district must be based on the previous year's enrollment data and ad valorem receipts and in-lieu receipts of the local school district in which the student resides. The pro rata amount must be calculated by dividing the local school district's months one (1) through nine (9) average daily * * * attendance into the total amount of ad valorem receipts and in-lieu receipts, as reported to the State Department of Education by the local school district. The local school district shall pay an amount equal to this pro rata amount multiplied by the number of students enrolled in the charter school, based on the charter school's end of first month enrollment for the current school year. The amount must be paid by the school district to the charter school before January 16 of the current fiscal year. If the local school district does not pay the required amount to the charter school before January 16, the State Department of Education shall reduce the local school district's January transfer of Mississippi Adequate Education Program funds by the amount owed to the charter school and shall redirect that amount to the charter school. Any such payments made under this subsection (2) by the State Department of Education to a charter school must be made at the same time and in the same manner as adequate education program payments are made to school districts under Sections 37-151-101 and 37-151-103.

(3) For students attending a charter school located in a school district in which the student does not reside, the State Department of Education shall pay to the charter school in which the student is enrolled an amount as follows: the pro rata ad valorem receipts and in-lieu payments per pupil for the support of the local school district in which the student resides under Sections 37-57-1 (local contribution to the adequate education program) and 37-57-105 (school district operational levy), however, not including any taxes levied for the retirement of the local school district's bonded indebtedness or short-term notes or any taxes levied for the support of vocational-technical education programs. The amount of funds payable to the charter school by the school district must be based on the previous year's enrollment data and ad valorem receipts and in-lieu receipts of the local school district in which the student resides. The pro rata amount must be calculated by dividing the local school district's months one (1) through nine (9) average daily * * * attendance into the total amount of ad valorem receipts and in-lieu receipts, as reported to the State Department of Education by the transferor local school district. The payable amount shall be equal to this pro rata amount multiplied by the number of students enrolled in the charter school, based on the charter school's end of first month enrollment for the current school year. The State Department of Education shall reduce the school district's January transfer of Mississippi Adequate Education Program funds by the amount owed to the charter school and shall redirect that amount to the charter school. Any such payments made under this subsection (3) by the State Department of Education to a charter school must be made at the same time and in the same manner as adequate education program payments are made to school districts under Sections 37-151-101 and 37-151-103.

(4) (a) The State Department of Education shall direct the proportionate share of monies generated under federal and state categorical aid programs, including special education, vocational, gifted and alternative school programs, to charter schools serving students eligible for such aid. The department shall ensure that charter schools with rapidly expanding enrollments are treated equitably in the calculation and disbursement of all federal and state categorical aid program dollars. Each charter school that serves students who may be eligible to receive services provided through such programs shall comply with all reporting requirements to receive the aid.

(b) A charter school shall pay to a local school district any federal or state aid attributable to a student with a disability attending the charter school in proportion to the level of services for that student which the local school district provides directly or indirectly.

(c) Subject to the approval of the authorizer, a charter school and a local school district may negotiate and enter into a contract for the provision of and payment for special education services, including, but not necessarily limited to, a reasonable reserve not to exceed five percent (5%) of the local school district's total budget for providing special education services. The reserve may be used by the local school district only to offset excess costs of providing services to students with disabilities enrolled in the charter school.

(5) (a) The State Department of Education shall disburse state transportation funding to a charter school on the same basis and in the same manner as it is paid to school districts under the adequate education program.

(b) A charter school may enter into a contract with a school district or private provider to provide transportation to the school's students.

(6) The State Department of Education shall disburse Education Enhancement Funds for classroom supplies, instructional materials and equipment, including computers and computer software to all eligible charter school teachers on the same basis and in the same manner as it is paid to school districts under Section 37-61-33(3)(a)(iii) for the purpose of issuing procurement cards or credentials for a digital solution to eligible teachers.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 37-28-11, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT ALLOWED THE AUTHORIZER TO RECEIVE 3% OF ANNUAL PER-PUPIL ALLOCATIONS FOR CHARTER SCHOOLS; TO PROVIDE THAT THE LEGISLATURE MAY FUND THE AUTHORIZER THROUGH SPECIFIC APPROPRIATION THEREOF; TO AMEND SECTION 37-28-55, MISSISSIPPI CODE OF 1972, TO REVISE THE CHARTER SCHOOL FUNDING FORMULA TO ENSURE SUCH CALCULATION IS BASED ON AVERAGE DAILY ATTENDANCE INSTEAD OF AVERAGE DAILY MEMBERSHIP; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1683 was adopted.

YEAS AND NAYS On H. B. No. 1683. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Blackmon, Horhn, Thomas, Turner-Ford. Total--4.

Absent and those not voting----None.

Senator Wiggins declined to call up H. B. No. 1315, thereby remanding it to the heel of the calendar.

H. B. No. 1315: MS Youth Court Information Delivery System (MYCIDS); require audit of.

_____

Senator Wiggins declined to call up H. B. No. 1316, thereby remanding it to the heel of the calendar.

H. B. No. 1316: Public purchasing; require competitive bidding for web-based application for MYCIDS.

_____

Senator Wiggins declined to call up H. B. No. 822, thereby remanding it to the heel of the calendar.

H. B. No. 822: CCID inferior court; clarify appeals from and repeal appointment of temporary judges.

_____

Senator Wiggins called up the following entitled bill:

H. B. No. 1624: Court-Appointed Special Advocate (CASA) Program; create state associate and standardize operations of local programs.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. As used in this act, the following words and phrases have the meanings ascribed in this section unless the context clearly requires otherwise:

(a) "Association" means the state Court-Appointed Special Advocate Association established under Section 8 of this act.

(b) "Court" means youth court or, if there is no youth court in the county where the CASA program is located, then chancery court.

(c) "Court-appointed special advocate case" or "CASA case" means a child or group of siblings who are within the jurisdiction of the court as a result of abuse, neglect or dependency proceedings and for whom the court has appointed and the program director has assigned a CASA volunteer.

(d) "Court-appointed special advocate program" or "CASA program" means a program by which trained community volunteers are provided to the court for appointment to represent the best interests of children who have come into the court system as a result of dependency, abuse or neglect.

(e) "Court-appointed special advocate volunteer" or "CASA volunteer" means a person who completes training through, and is supervised by, a CASA program and appointed by a judge to represent the best interests of dependent, abused or neglected children in court.

(f) "Local board" means the local board of directors appointed or selected pursuant to Section 2 of this act to govern a local CASA program.

(g) "Program director" means the director of each local CASA program selected under Section 2 of this act.

(h) "State board" means the state board of directors elected under Section 8 of this act.

(i) "State director" means the director of the state association provided for in Section 10 of this act.

SECTION 2. (1) For the purpose of providing an independent, efficient and thorough representation for children who enter the court system as a result of dependency, abuse or neglect, there may be established a court-appointed special advocate program by the judge of the youth court or, if none, the senior chancellor in the county in which the program is established.

(2) A local CASA program must be governed by a local board of directors. For new CASA programs, the initial board must be appointed by the judge of the youth court or, if none, the senior chancellor. Thereafter, members must be selected by the existing board members. Each board must include at least seven (7) members. Each board member must have a demonstrated interest in child welfare issues and commitment to the purpose and role of the court-appointed special advocate volunteers. Employees of the Mississippi Department of Child Protection Services are not eligible to serve as officers on the board. As far as practicable, members must be representative of the racial and ethnic composition of the area served by the CASA program. The following are the powers and duties of the board:

(a) Determine major personnel, organization, fiscal, and program policies including, but not limited to, the following:

(i) Measures to be taken to safeguard the CASA program's information relating to children, their families and the CASA volunteers;

(ii) The procedures for the recruitment, screening, training and supervision of CASA volunteers; and

(iii) The procedure for and circumstances warranting dismissal of a CASA volunteer from the CASA program;

(b) Determine overall plans and priorities for the CASA program, including provisions for evaluating progress against performance;

(c) Approve the program budget;

(d) Enforce compliance with all conditions of all grants contracts;

(e) Determine rules and procedures for the governing board;

(f) Select the officers and the executive committee, if any, of the governing board;

(g) Meet at least four (4) times each year;

(h) Submit an annual report to the association in the uniform manner required, which must include, but need not be limited to, the following information:

(i) Number of CASA volunteers in the program;

(ii) Number of program staff;

(iii) Number of children served;

(iv) Number of volunteers receiving initial training;

(v) Number of and topics for in-service training;

(vi) The type of source of the funds received and the amount received from each type of source during the previous fiscal year;

(vii) The expenditures during the previous year; and

(viii) Other information as deemed appropriate.

(3) Local CASA programs shall comply with the National CASA Association and Mississippi CASA Association Standards for Programs. Local programs shall ensure that CASA volunteers are supervised adequately by providing at least one (1) supervisory staff person for every thirty (30) CASA volunteers who have been appointed by the court and assigned by the program director. Each local CASA program must be managed by a qualified director whose service may be voluntary or who may be paid a salary. The program director's duties include:

(a) Administration of the CASA program, as directed by the local and state boards;

(b) Recruitment, screening, training and supervision of CASA volunteers and other program staff;

(c) Facilitation of the performance of the court-appointed special advocates' duties; and

(d) Ensuring that the security measures established by the local and state boards for safeguarding the information relating to children, their families and the CASA volunteers are maintained.

(4) As far as practicable, CASA volunteers must be representative of the socioeconomic, racial and ethnic composition of the area served.

(5) CASA volunteers may be removed by the court for nonparticipation or other cause or by the program director pursuant to subsection (2) of this section.

(6) Employees of the Mississippi Department of Child Protection Services may not become volunteers or employees of the court appointed special advocate program.

(7) All written court-appointed special advocate reports submitted pursuant to Section 7 of this act must become part of the records of the child on file with the Mississippi Department of Child Protection Services.

(8) Each CASA volunteer, program director and other program staff must take an oath, administered by a judge of the court, to keep confidential all information related to the appointed case except in conferring with or reports to the court, parties to the case, the Mississippi Department of Child Protection Services, others designated by the court, and as provided by law.

(9) CASA volunteers must be appointed by the presiding judge to represent the best interest of the child, subject to judicial discretion, and only after confirmation from the program director that the CASA volunteer has been screened properly and trained.

SECTION 3. (1) Secretarial and support services for each CASA program must be provided by the association. The Administrative Office of Courts also may provide secretarial and support services.

(2) CASA programs may receive private funds and local, state and federal government funding to ensure total or partial funding of program activities.

SECTION 4. (1) The Mississippi CASA Network Fund is created as a separate trust fund in the State Treasury to be administered by the Administrative Office of Courts.

(2) The fund will receive amounts collected from proceeds from grants, contributions, appropriations or other monies made available for the purposes of the fund. Monies in the fund must be used to support CASA programs in Mississippi.

(3) Monies remaining in the fund at the close of a fiscal year and interest earned on monies in the fund may not lapse into the General Fund but must be carried forward to the next fiscal year.

(4) Fifty percent (50%) of the gross proceeds from the Mississippi Foster Care Fund created under Section 37-26-11 must be deposited into the Mississippi CASA Network Fund, and fifty percent (50%) must be granted to the Mississippi Association of Child Care Agencies for the purpose of expanding collaboration and training with the Department of Child Protection Services staff and other purposes.

(5) Monies in the fund must be appropriated for the purposes set forth in this act and may not be appropriated or transferred by the Legislature for any other purposes.

SECTION 5. (1) A CASA volunteer must meet the following minimum requirements:

(a) Be at least twenty-one (21) years of age;

(b) Be of good moral character;

(c) Complete a written application providing the names of at least three (3) references;

(d) Submit to a personal interview with program staff;

(e) Submit to a criminal records background check; and

(f) Submit to child and vulnerable person abuse registries checks.

(2) If found acceptable, the applicant shall obtain a minimum of thirty (30) hours of initial training and take an oath of confidentiality administered by a youth court judge or, if none, a chancellor in the chancery court district.

(3) Initial and in-service training of volunteers must be provided by the program director or staff following standards adopted pursuant to Section 9 of this act.

SECTION 6. (1) The clerk of court shall:

(a) Notify and provide a copy of all dependency, abuse and neglect petitions to the program director, as soon as the court makes a referral to the program director for assignment of a CASA volunteer to the case;

(b) Provide a copy of all court orders issued pursuant to this section; and

(c) Notify the program director of all scheduled court hearings for cases to which a CASA volunteer has been assigned.

(2) Upon appointment by the court to represent a child, the CASA volunteer will have access to all information and records pertaining to the child including, but not limited to, the records of the following entities: the Mississippi Department of Child Protection Services; childcare facilities licensed by the State Department of Health; public and private schools; physical and mental health care providers; law enforcement agencies; and other entities deemed appropriate by the court.

(3) With court approval, a CASA volunteer may have access to information and records pertaining to the parents or persons exercising custodial control or supervision of the child assigned to the CASA volunteer, including information and records of the court, the Mississippi Department of Child Protection Services, public and private child care facilities, public and private schools, and the medical and psychological records of the child assigned to the volunteer. The volunteer must have access to the medical and psychological records of parents when the court determines that the information is essential to the welfare of the child and the court orders it.

SECTION 7. (1) CASA volunteers who have a conflict of interest in a case may not be appointed to the case.

(2) The CASA volunteer shall:

(a) Attend all court hearings, except that the CASA volunteer may be excused by the court or the program director if emergency circumstances arise;

(b) Submit no less than one (1) written report and recommendation to the judge every six (6) months for consideration in determining the best interest of the child at the dispositional hearing, dispositional review hearings, and other hearings as requested by the court for as long as the case is assigned to the

CASA volunteer;

(c) Monitor the case by visiting the child as often as necessary to observe whether the child's essential needs are being met and whether court orders actually are being carried out;

(d) Participate in any treatment planning conferences and reviews involving the child to assess whether reasonable efforts are being made to provide services to the child and family and determine the appropriateness and progress of the child's permanent plan;

(e) Advocate a prompt, thorough review of the case if the child's circumstances warrant the attention of the court;

(f) Interview parties involved in the case, including interviewing and observing the child;

(g) Maintain complete written records about the case;

(h) Report any incidents of child or adult abuse or neglect to the appropriate authorities and to the program director;

(i) Remain actively involved in the case until dismissed from the case by the program director or judge with competent jurisdiction or when an adoption proceeding is finalized;

(j) Return all case-related materials including, but not limited to, written notes, court reports and agency documents to the program director upon the request of the program director; and

(k) Work with the Mississippi Department of Child Protection Services representatives to advocate the best interest of the child.

SECTION 8. (1) A State Court-Appointed Special Advocate Association is established. All CASA volunteers, local board members, program directors and staff are eligible for membership in the association. Other categories of membership may be created by the association.

(2) The association shall meet annually to elect a board of directors to manage the business of the association. The board shall elect a president, vice president, secretary and treasurer annually. The board shall meet at least four (4) times each year, and meetings may be held more frequently when called by the president of the board or by a majority of the board members.

SECTION 9. The association shall:

(a) Adopt and approve state standards for all CASA volunteers, program directors and other staff, including, but not limited to, guidelines for training;

(b) Adopt and approve the uniform annual data reporting procedures for local programs pursuant to subsection (2)(h) of Section 2; and

(c) Evaluate and make recommendations before January 1 of each year to the Supreme Court, Governor, Judiciary Committees of the House of Representatives and Senate, and the Administrative Offices of Courts addressing:

(i) Laws of the state and practices, policies and procedures within the state affecting the welfare of children and families; and

(ii) The effectiveness or ineffectiveness, including reasons, of local CASA volunteers advocating for permanent placement for the children in the state.

SECTION 10. (1) If the state board employs a full-time staff person to serve as the director of the association, then the state director must be a person who, by a combination of education, professional qualification, training and experience is qualified to perform the duties of this position. The state director must be of good moral character with at least two (2) years of experience working in a position managing a human services program and who has received a:

(a) Master's degree in social work, sociology, psychology, guidance and counseling, education, criminal justice or other human services field; or

(b) Baccalaureate degree in social work, sociology, psychology, guidance and counseling, education, criminal justice or other human service field with, in addition to the work experience required in this subsection, at least two (2) additional years of experience working in the human services field.

(2) The duties of the state director are as follows:

(a) To manage the state court-appointed special advocate office, including staff;

(b) To coordinate the activities of the association;

(c) To monitor the policies and practices of local CASA programs for compliance with state laws, National CASA Association Standards for Programs, and reporting requirements established by the state association; to assist local CASA programs in efforts to achieve compliance; and to report to the state association the status of compliance by local CASA programs;

(d) Upon request of local CASA programs, to provide technical assistance to local CASA programs;

(e) To provide technical assistance and support to judges of the youth courts, chancery court judges and others in the development of new local CASA programs;

(f) To coordinate a statewide public awareness campaign for generating interest in developing new CASA programs, recruiting volunteers and informing the public of the issues concerning child abuse and neglect; and

(g) Other duties as directed by the association.

SECTION 11. (1) Secretarial and support services for the state board may be provided by the Administrative Office of Courts.

(2) The association may receive private funds and local, state and federal government funds to financially assist existing local CASA programs, assist local efforts to start a CASA program, and support other activities deemed appropriate by the association.

SECTION 12. Each CASA program shall forward annually to the association data collected pursuant to Sections 2 and 9 of this act, along with any recommendations regarding the policies and practices of the court, the Mississippi Department of Child Protection Services, and child-care facilities and child-placement agencies affecting the children being represented by the CASA volunteers.

SECTION 13. Section 99-19-73, Mississippi Code of 1972, is amended as follows:

99-19-73. (1) Traffic violations. In addition to any monetary penalties and any other penalties imposed by law, there shall be imposed and collected the following state assessment from each person upon whom a court imposes a fine or other penalty for any violation in Title 63, Mississippi Code of 1972, except offenses relating to the Mississippi Implied Consent Law (Section 63-11-1 et seq.) and offenses relating to vehicular parking or registration:

FUND	AMOUNT
State Court Education Fund	[Deleted]
State Prosecutor Education Fund	[Deleted]
Vulnerable Persons Training, Investigation and Prosecution Trust Fund	[Deleted]
Child Support Prosecution Trust Fund	[Deleted]
Driver Training Penalty Assessment Fund	[Deleted]
Law Enforcement Officers Training Fund	[Deleted]
Spinal Cord and Head Injury Trust Fund (for all moving violations)	[Deleted]
Emergency Medical Services Operating Fund	[Deleted]
Mississippi Leadership Council on Aging Fund	[Deleted]
Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund	[Deleted]
Law Enforcement Officers and Fire Fighters Disability Benefits Trust Fund	[Deleted]
State Prosecutor Compensation Fund for the purpose of providing additional compensation for district attorneys and their legal assistants	[Deleted]
Crisis Intervention Mental Health Fund	[Deleted]
Intervention Court Fund	[Deleted]
Judicial Performance Fund	[Deleted]
Capital Defense Counsel Fund	[Deleted]
Indigent Appeals Fund	[Deleted]
Capital Post-Conviction Counsel Fund	[Deleted]
Victims of Domestic Violence Fund	[Deleted]
Public Defenders Education Fund	[Deleted]
Domestic Violence Training Fund	[Deleted]
Attorney General's Cyber Crime Unit	[Deleted]
Children's Safe Center Fund	[Deleted]
DuBard School for Language Disorders Fund	[Deleted]
Children's Advocacy Centers Fund	[Deleted]

Judicial System Operation Fund ..... [Deleted]
GENERAL FUND ..... $ 90.50

(2) Implied Consent Law violations. In addition to any monetary penalties and any other penalties imposed by law, there shall be imposed and collected the following state assessment from each person upon whom a court imposes a fine or any other penalty for any violation of the Mississippi Implied Consent Law (Section 63-11-1 et seq.):

FUND	AMOUNT
Crime Victims' Compensation Fund	[Deleted]
State Court Education Fund	[Deleted]
State Prosecutor Education Fund	[Deleted]
Vulnerable Persons Training, Investigation and Prosecution Trust Fund	[Deleted]
Child Support Prosecution Trust Fund	[Deleted]
Driver Training Penalty Assessment Fund	[Deleted]
Law Enforcement Officers Training Fund	[Deleted]
Emergency Medical Services Operating Fund	[Deleted]
Mississippi Alcohol Safety Education Program Fund	[Deleted]
Federal-State Alcohol Program Fund	[Deleted]
Mississippi Forensics Laboratory Implied Consent Law Fund	[Deleted]
Spinal Cord and Head Injury Trust Fund	[Deleted]
Capital Defense Counsel Fund	[Deleted]
Indigent Appeals Fund	[Deleted]
Capital Post-Conviction Counsel Fund	[Deleted]
Victims of Domestic Violence Fund	[Deleted]
Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund	[Deleted]
Law Enforcement Officers and Fire Fighters Disability Benefits Trust Fund	[Deleted]
State Prosecutor Compensation Fund for the purpose of providing additional compensation for district attorneys and their legal assistants	[Deleted]
Crisis Intervention Mental Health Fund	[Deleted]
Intervention Court Fund	[Deleted]
Statewide Victims' Information and Notification System Fund	[Deleted]
Public Defenders Education Fund	[Deleted]
Domestic Violence Training Fund	[Deleted]
Attorney General's Cyber Crime Unit	[Deleted]
GENERAL FUND	$ 243.50

(3) Game and Fish Law violations. In addition to any monetary penalties and any other penalties imposed by law, there shall be imposed and collected the following state assessment from each person upon whom a court imposes a fine or other penalty for any violation of the game and fish statutes or regulations of this state:

FUND	AMOUNT
State Court Education Fund	[Deleted]
State Prosecutor Education Fund	[Deleted]
Vulnerable Persons Training, Investigation and Prosecution Trust Fund	[Deleted]
Law Enforcement Officers Training Fund	[Deleted]
Hunter Education and Training Program Fund	[Deleted]
Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund	[Deleted]
Law Enforcement Officers and Fire Fighters Disability Benefits Trust Fund	[Deleted]
State Prosecutor Compensation Fund for the purpose of providing additional compensation for district attorneys and their legal assistants	[Deleted]

Crisis Intervention Mental Health Fund ..... [Deleted]
Intervention Court Fund ..... [Deleted]
Capital Defense Counsel Fund ..... [Deleted]
Indigent Appeals Fund ..... [Deleted]
Capital Post-Conviction Counsel Fund ..... [Deleted]
Victims of Domestic Violence Fund ..... [Deleted]
Public Defenders Education Fund ..... [Deleted]
Domestic Violence Training Fund ..... [Deleted]
Attorney General's Cyber Crime Unit ..... [Deleted]
GENERAL FUND ..... $ 89.00

(4) [Deleted]

(5) Speeding, reckless and careless driving violations. In addition to any assessment imposed under subsection (1) or (2) of this section, there shall be imposed and collected the following state assessment from each person upon whom a court imposes a fine or other penalty for driving a vehicle on a road or highway:

(a) At a speed that exceeds the posted speed limit by at least ten (10) miles per hour but not more than twenty (20) miles per hour $10.00

(b) At a speed that exceeds the posted speed limit by at least twenty (20) miles per hour but not more than thirty (30) miles per hour $20.00

(c) At a speed that exceeds the posted speed limit by thirty (30) miles per hour or more $30.00

(d) In violation of Section 63-3-1201, which is the offense of reckless driving $10.00

(e) In violation of Section 63-3-1213, which is the offense of careless driving $10.00

All assessments collected under this subsection shall be deposited into the State General Fund.

(6) Other misdemeanors. In addition to any monetary penalties and any other penalties imposed by law, there shall be imposed and collected the following state assessment from each person upon whom a court imposes a fine or other penalty for any misdemeanor violation not specified in subsection (1), (2) or (3) of this section, except offenses relating to vehicular parking or registration:

FUND — AMOUNT

Crisis Intervention Mental Health Fund ..... [Deleted]
State Court Education Fund ..... [Deleted]
State Prosecutor Education Fund ..... [Deleted]
Vulnerable Persons Training, Investigation and Prosecution Trust Fund ..... [Deleted]
Child Support Prosecution Trust Fund ..... [Deleted]
Law Enforcement Officers Training Fund ..... [Deleted]
Capital Defense Counsel Fund ..... [Deleted]
Indigent Appeals Fund ..... [Deleted]
Capital Post-Conviction Counsel Fund ..... [Deleted]
Victims of Domestic Violence Fund ..... [Deleted]
State Crime Stoppers Fund ..... [Deleted]
Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund ..... [Deleted]
Law Enforcement Officers and Fire Fighters Disability Benefits Trust Fund ..... [Deleted]
State Prosecutor Compensation Fund for the purpose of providing additional compensation for district attorneys and their legal assistants ..... [Deleted]
Crisis Intervention Mental Health Fund ..... [Deleted]
Intervention Court Fund ..... [Deleted]
Judicial Performance Fund ..... [Deleted]
Statewide Victims' Information and Notification System Fund ..... [Deleted]
Public Defenders Education Fund ..... [Deleted]

Domestic Violence Training Fund ..... [Deleted]
Attorney General's Cyber Crime Unit ..... [Deleted]
Information Exchange Network Fund ..... [Deleted]
Motorcycle Officer Training Fund ..... [Deleted]
Civil Legal Assistance Fund ..... [Deleted]
Justice Court Collections Fund ..... [Deleted]
Municipal Court Collections Fund ..... [Deleted]
GENERAL FUND $121.75

(7) Other felonies. In addition to any monetary penalties and any other penalties imposed by law, there shall be imposed and collected the following state assessment from each person upon whom a court imposes a fine or other penalty for any felony violation not specified in subsection (1), (2) or (3) of this section:

FUND AMOUNT
Crime Victims' Compensation Fund ..... [Deleted]
State Court Education Fund ..... [Deleted]
State Prosecutor Education Fund ..... [Deleted]
Vulnerable Persons Training, Investigation and Prosecution Trust Fund ..... [Deleted]
Child Support Prosecution Trust Fund ..... [Deleted]
Law Enforcement Officers Training Fund ..... [Deleted]
Capital Defense Counsel Fund ..... [Deleted]
Indigent Appeals Fund ..... [Deleted]
Capital Post-Conviction Counsel Fund ..... [Deleted]
Victims of Domestic Violence Fund ..... [Deleted]
Criminal Justice Fund ..... [Deleted]
Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund ..... [Deleted]
Law Enforcement Officers and Fire Fighters Disability Benefits Trust Fund ..... [Deleted]
State Prosecutor Compensation Fund for the purpose of providing additional compensation for district attorneys and their legal assistants ..... [Deleted]
Crisis Intervention Mental Health Fund ..... [Deleted]
Intervention Court Fund ..... [Deleted]
Statewide Victims' Information and Notification System Fund ..... [Deleted]
Public Defenders Education Fund ..... [Deleted]
Domestic Violence Training Fund ..... [Deleted]
Attorney General's Cyber Crime Unit ..... [Deleted]
Forensics Laboratory DNA Identification System Fund ..... [Deleted]
GENERAL FUND ..... $ 280.50

(8) Additional assessments on certain violations:

(a) Railroad crossing violations. In addition to any monetary penalties and any other penalties imposed by law, there shall be imposed and collected the following state assessment in addition to all other state assessments due under this section from each person upon whom a court imposes a fine or other penalty for any violation involving railroad crossings under Section 37-41-55, 63-3-1007, 63-3-1009, 63-3-1011, 63-3-1013 or 77-9-249:

Operation Lifesaver Fund $25.00

(b) Drug violations. In addition to any monetary penalties and any other penalties imposed by law, there shall be imposed and collected the following state assessment in addition to all other state assessments due under this section from each person upon whom a court imposes a fine or other penalty for any violation of Section 41-29-139:

Drug Evidence Disposition Fund $25.00
Mississippi Foster Care Fund ..... $ * * * 8.00

(c) Motor vehicle liability insurance violations. In addition to any monetary penalties and any other penalties imposed by law, there shall be imposed and collected the following state assessment in addition to all other state assessments due under this

section from each person upon whom a court imposes a fine or other penalty for any violation of Section 63-15-4(4) or Section 63-16-13(1):

Uninsured Motorist Identification Fund:

First offense.....$200.00

Second offense.....$300.00

Third or subsequent offense.....$400.00

(9) If a fine or other penalty imposed is suspended, in whole or in part, such suspension shall not affect the state assessment under this section. No state assessment imposed under the provisions of this section may be suspended or reduced by the court.

(10) (a) After a determination by the court of the amount due, it shall be the duty of the clerk of the court to promptly collect all state assessments imposed under the provisions of this section. The state assessments imposed under the provisions of this section may not be paid by personal check.

(b) It shall be the duty of the chancery clerk of each county to deposit all state assessments collected in the circuit, county and justice courts in the county on a monthly basis with the State Treasurer pursuant to appropriate procedures established by the State Auditor. The chancery clerk shall make a monthly lump-sum deposit of the total state assessments collected in the circuit, county and justice courts in the county under this section, and shall report to the Department of Finance and Administration the total number of violations under each subsection for which state assessments were collected in the circuit, county and justice courts in the county during that month.

(c) It shall be the duty of the municipal clerk of each municipality to deposit all the state assessments collected in the municipal court in the municipality on a monthly basis with the State Treasurer pursuant to appropriate procedures established by the State Auditor. The municipal clerk shall make a monthly lump-sum deposit of the total state assessments collected in the municipal court in the municipality under this section, and shall report to the Department of Finance and Administration the total number of violations under each subsection for which state assessments were collected in the municipal court in the municipality during that month.

(11) It shall be the duty of the Department of Finance and Administration to deposit on a monthly basis all state assessments into the State General Fund or proper special fund in the State Treasury. The Department of Finance and Administration shall issue regulations providing for the proper allocation of these funds.

(12) The State Auditor shall establish by regulation procedures for refunds of state assessments, including refunds associated with assessments imposed before July 1, 1990, and refunds after appeals in which the defendant's conviction is reversed. The Auditor shall provide in the regulations for certification of eligibility for refunds and may require the defendant seeking a refund to submit a verified copy of a court order or abstract by which the defendant is entitled to a refund. All refunds of state assessments shall be made in accordance with the procedures established by the Auditor.

SECTION 14. Section 43-21-121, Mississippi Code of 1972, is amended as follows:

43-21-121. (1) The youth court shall appoint a guardian ad litem for the child:

(a) When a child has no parent, guardian or custodian;

(b) When the youth court cannot acquire personal jurisdiction over a parent, a guardian or a custodian;

(c) When the parent is a minor or a person of unsound mind;

(d) When the parent is indifferent to the interest of the child or if the interests of the child and the parent, considered in the context of the cause, appear to conflict;

(e) In every case involving an abused or neglected child which results in a judicial proceeding; or

(f) In any other instance where the youth court finds appointment of a guardian ad litem to be in the best interest of the child.

(2) The guardian ad litem shall be appointed by the court when custody is ordered or at the first judicial hearing regarding the case, whichever occurs first.

(3) In addition to all other duties required by law, a guardian ad litem shall have the duty to protect the interest of a child for whom he has been appointed guardian ad

litem. The guardian ad litem shall investigate, make recommendations to the court or enter reports as necessary to hold paramount the child's best interest. The guardian ad litem is not an adversary party and the court shall ensure that guardians ad litem perform their duties properly and in the best interest of their wards. The guardian ad litem shall be a competent person who has no adverse interest to the minor. The court shall ensure that the guardian ad litem is adequately instructed on the proper performance of his duties.

(4) The court, including a county court serving as a youth court, may appoint either a suitable attorney or a suitable layman as guardian ad litem. In cases where the court appoints a layman as guardian ad litem, the court shall also appoint an attorney to represent the child. From and after January 1, 1999, in order to be eligible for an appointment as a guardian ad litem, such attorney or layperson must have received child protection and juvenile justice training provided by or approved by the Mississippi Judicial College within the year immediately preceding such appointment. The Mississippi Judicial College shall determine the amount of child protection and juvenile justice training which shall be satisfactory to fulfill the requirements of this section. The Administrative Office of Courts shall maintain a roll of all attorneys and laymen eligible to be appointed as a guardian ad litem under this section and shall enforce the provisions of this subsection.

(5) Upon appointment of a guardian ad litem, the youth court shall continue any pending proceedings for a reasonable time to allow the guardian ad litem to familiarize himself with the matter, consult with counsel and prepare his participation in the cause. The youth court shall issue an order of assignment that grants the guardian ad litem authority to review all relevant documents concerning the minor child and to interview all parties and witnesses involved in proceedings concerning the minor child for whom the guardian ad litem is appointed.

(6) Upon order of the youth court, the guardian ad litem shall be paid a reasonable fee as determined by the youth court judge or referee out of the county general fund as provided under Section 43-21-123. To be eligible for such fee, the guardian ad litem shall submit an accounting of the time spent in performance of his duties to the court.

(7) * * * The court, in its sound discretion, may appoint a volunteer trained layperson to assist children subject to the provisions of this section in addition to the appointment of a guardian ad litem. If the court utilizes his or her discretion as prescribed under this subsection, a volunteer Court-Appointed Special Advocate (CASA) shall be appointed from a local CASA program * * * pursuant to Sections 1 through 12 of House Bill No. 1624, 2024 Regular Session.

* * *

SECTION 15. Section 43-21-261, Mississippi Code of 1972, is amended as follows:

43-21-261. (1) Except as otherwise provided in this section, records involving children shall not be disclosed, other than to necessary staff or officials of the youth court, a guardian ad litem appointed to a child by the court, or a Court-Appointed Special Advocate (CASA) volunteer who may be assigned in * * * a dependency, abuse * * * or neglect case, except pursuant to an order of the youth court specifying the person or persons to whom the records may be disclosed, the extent of the records which may be disclosed and the purpose of the disclosure. Such court orders for disclosure shall be limited to those instances in which the youth court concludes, in its discretion, that disclosure is required for the best interests of the child, the public safety, the functioning of the youth court, or to identify a person who knowingly made a false allegation of child abuse or neglect, and then only to the following persons:

(a) The judge of another youth court or member of another youth court staff;

(b) The court of the parties in a child custody or adoption cause in another court;

(c) A judge of any other court or members of another court staff, including the chancery court that ordered a forensic interview;

(d) Representatives of a public or private agency providing supervision or having custody of the child under order of the youth court;

(e) Any person engaged in a bona fide research purpose, provided that no information identifying the subject of the records shall be made available to the researcher unless it is absolutely essential to the research purpose and the judge gives prior written approval, and the child, through his or her representative, gives permission to release the information;

(f) The Mississippi Department of Employment Security, or its duly authorized representatives, for the purpose of a child's enrollment into the Job Corps Training Program as authorized by Title IV of the Comprehensive Employment Training Act of 1973 (29 USCS Section 923 et seq.). However, no records, reports, investigations or information derived therefrom pertaining to child abuse or neglect shall be disclosed;

(g) Any person pursuant to a finding by a judge of the youth court of compelling circumstances affecting the health, safety or well-being of a child and that such disclosure is in the best interests of the child or an adult who was formerly the subject of a youth court delinquency proceeding;

(h) A person who was the subject of a knowingly made false allegation of child abuse or neglect which has resulted in a conviction of a perpetrator in accordance with Section 97-35-47 or which allegation was referred by the Department of Child Protection Services to a prosecutor or law enforcement official in accordance with the provisions of Section 43-21-353(4).

Law enforcement agencies may disclose information to the public concerning the taking of a child into custody for the commission of a delinquent act without the necessity of an order from the youth court. The information released shall not identify the child or his address unless the information involves a child convicted as an adult.

(2) Any records involving children which are disclosed under an order of the youth court or pursuant to the terms of this section and the contents thereof shall be kept confidential by the person or agency to whom the record is disclosed unless otherwise provided in the order. Any further disclosure of any records involving children shall be made only under an order of the youth court as provided in this section.

(3) Upon request, the parent, guardian or custodian of the child who is the subject of a youth court cause or any attorney for such parent, guardian or custodian, shall have the right to inspect any record, report or investigation relevant to a matter to be heard by a youth court, except that the identity of the reporter shall not be released, nor the name of any other person where the person or agency making the information available finds that disclosure of the information would be likely to endanger the life or safety of such person. The attorney for the parent, guardian or custodian of the child, upon request, shall be provided a copy of any record, report or investigation relevant to a matter to be heard by a youth court, but the identity of the reporter must be redacted and the name of any other person must also be redacted if the person or agency making the information available finds that disclosure of the information would be likely to endanger the life, safety or well-being of the person. A record provided to the attorney under this section must remain in the attorney's control and the attorney may not provide copies or access to another person or entity without prior consent of a court with appropriate jurisdiction.

(4) Upon request, the child who is the subject of a youth court cause shall have the right to have his counsel inspect and copy any record, report or investigation which is filed with the youth court or which is to be considered by the youth court at a hearing.

(5) (a) The youth court prosecutor or prosecutors, the county attorney, the district attorney, the youth court defender or defenders, or any attorney representing a child shall have the right to inspect and copy any law enforcement record involving children.

(b) The Department of Child Protection Services shall disclose to a county prosecuting attorney or district attorney any and all records resulting from an investigation into suspected child abuse or neglect when the case has been referred by the Department of Child Protection Services to the county prosecuting attorney or district attorney for criminal prosecution.

(c) Agency records made confidential under the provisions of this section may be disclosed to a court of competent jurisdiction.

(d) Records involving children shall be disclosed to the Division of Victim Compensation of the Office of the Attorney General upon the division's request without order of the youth court for purposes of determination of eligibility for victim compensation benefits.

(6) Information concerning an investigation into a report of child abuse or child neglect may be disclosed by the Department of Child Protection Services without order of the youth court to any attorney, physician, dentist, intern, resident, nurse, psychologist, social worker, family protection worker, family protection specialist, child caregiver, minister, law enforcement officer, or a public or private school employee making that report pursuant to Section 43-21-353(1) if the reporter has a continuing professional relationship with the child and a need for such information in order to protect or treat the child.

(7) Information concerning an investigation into a report of child abuse or child neglect may be disclosed without further order of the youth court to any interagency child abuse task force established in any county or municipality by order of the youth court of that county or municipality.

(8) Names and addresses of juveniles twice adjudicated as delinquent for an act which would be a felony if committed by an adult or for the unlawful possession of a firearm shall not be held confidential and shall be made available to the public.

(9) Names and addresses of juveniles adjudicated as delinquent for murder, manslaughter, burglary, arson, armed robbery, aggravated assault, any sex offense as defined in Section 45-33-23, for any violation of Section 41-29-139(a)(1) or for any violation of Section 63-11-30, shall not be held confidential and shall be made available to the public.

(10) The judges of the circuit and county courts, and presentence investigators for the circuit courts, as provided in Section 47-7-9, shall have the right to inspect any youth court records of a person convicted of a crime for sentencing purposes only.

(11) The victim of an offense committed by a child who is the subject of a youth court cause shall have the right to be informed of the child's disposition by the youth court.

(12) A classification hearing officer of the State Department of Corrections, as provided in Section 47-5-103, shall have the right to inspect any youth court records, excluding abuse and neglect records, of any offender in the custody of the department who as a child or minor was a juvenile offender or was the subject of a youth court cause of action, and the State Parole Board, as provided in Section 47-7-17, shall have the right to inspect such records when the offender becomes eligible for parole.

(13) The youth court shall notify the Department of Public Safety of the name, and any other identifying information such department may require, of any child who is adjudicated delinquent as a result of a violation of the Uniform Controlled Substances Law.

(14) The Administrative Office of Courts shall have the right to inspect any youth court records in order that the number of youthful offenders, abused, neglected, truant and dependent children, as well as children in need of special care and children in need of supervision, may be tracked with specificity through the youth court and adult justice system, and to utilize tracking forms for such purpose.

(15) Upon a request by a youth court, the Administrative Office of Courts shall disclose all information at its disposal concerning any previous youth court intakes alleging that a child was a delinquent child, child in need of supervision, child in need of special care, truant child, abused child or neglected child, as well as any previous youth court adjudications for the same and all dispositional information concerning a child who at the time of such request comes under the jurisdiction of the youth court making such request.

(16) The Administrative Office of Courts may, in its discretion, disclose to the Department of Public Safety any or all of the information involving children contained in the office's youth court data management system known as Mississippi Youth Court Information Delivery System or "MYCIDS."

(17) The youth courts of the state shall disclose to the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) any youth court records in order that the number of youthful offenders, abused, neglected, truant and

dependent children, as well as children in need of special care and children in need of supervision, may be tracked with specificity through the youth court and adult justice system, and to utilize tracking forms for such purpose. The disclosure prescribed in this subsection shall not require a court order and shall be made in sortable, electronic format where possible. The PEER Committee may seek the assistance of the Administrative Office of Courts in seeking this information. The PEER Committee shall not disclose the identities of any youth who have been adjudicated in the youth courts of the state and shall only use the disclosed information for the purpose of monitoring the effectiveness and efficiency of programs established to assist adjudicated youth, and to ascertain the incidence of adjudicated youth who become adult offenders.

(18) In every case where an abuse or neglect allegation has been made, the confidentiality provisions of this section shall not apply to prohibit access to a child's records by any state regulatory agency, any state or local prosecutorial agency or law enforcement agency; however, no identifying information concerning the child in question may be released to the public by such agency except as otherwise provided herein.

(19) In every case of child abuse or neglect, if a child's physical condition is medically labeled as medically "serious" or "critical" or a child dies, the confidentiality provisions of this section shall not apply. In such cases, the following information may be released by the Mississippi Department of Child Protection Services: the cause of the circumstances regarding the fatality or medically serious or critical physical condition; the age and gender of the child; information describing any previous reports of child abuse or neglect investigations that are pertinent to the child abuse or neglect that led to the fatality or medically serious or critical physical condition; the result of any such investigations; and the services provided by and actions of the state on behalf of the child that are pertinent to the child abuse or neglect that led to the fatality or medically serious or critical physical condition.

(20) Any member of a foster care review board designated by the Department of Child Protection Services shall have the right to inspect youth court records relating to the abuse, neglect or child in need of supervision cases assigned to such member for review.

(21) Information concerning an investigation into a report of child abuse or child neglect may be disclosed without further order of the youth court in any administrative or due process hearing held, pursuant to Section 43-21-257, by the Department of Child Protection Services for individuals whose names will be placed on the central registry as substantiated perpetrators.

(22) The Department of Child Protection Services may disclose records involving children to the following:

(a) A foster home, residential child-caring agency or child-placing agency to the extent necessary to provide such care and services to a child;

(b) An individual, agency or organization that provides services to a child or the child's family in furtherance of the child's permanency plan to the extent necessary in providing those services;

(c) Health and mental health care providers of a child to the extent necessary for the provider to properly treat and care for the child;

(d) An educational institution or educational services provider where the child is enrolled or where enrollment is anticipated to the extent necessary for the school to provide appropriate services to the child;

(e) Any state agency or board that administers student financial assistance programs. However, any records request under this paragraph shall be initiated by the agency or board for the purpose determining the child's eligibility for student financial assistance, and any disclosure shall be limited to the verification of the child's age during the period of time in which the child was in the department's legal custody; * * *

(f) Any other state agency if the disclosure is necessary to the department in fulfilling its statutory responsibilities in protecting the best interests of the child; and

(g) A court-appointed special advocate (CASA) volunteer representing the best interests of a dependent, abused or neglected child in court pursuant to Sections 1 through 12 of House Bill No. 1624, 2024 Regular Session.

(23) Nothing in this section or chapter shall require youth court approval for disclosure of records involving children as defined in Section 43-21-105(u), if the disclosure is made in a criminal matter by a municipal or county prosecutor, a district attorney or statewide prosecutor, pursuant to the Mississippi Rules of Criminal Procedure and the records are disclosed under a protective order issued by the circuit court presiding over the criminal matter which incorporates the penalties stated in Section 43-21-267.

SECTION 16. Section 37-26-11, Mississippi Code of 1972, is brought forward as follows:

37-26-11. (1) There is created in the State Treasury a special fund to be known as the Children's Advocacy Centers Fund, which shall be administered by the Office of the Attorney General. The purpose of the fund shall be for training forensic interviewers in child abuse and child sexual abuse cases, training law enforcement officers and prosecutors about child abuse cases, expanding the number of Children's Advocacy Centers of Mississippi to underserved areas, and other related purposes. Monies in the fund shall be expended by the Attorney General, upon appropriation by the Legislature. The fund shall be a continuing fund, not subject to fiscal-year limitations, and shall consist of:

(a) Monies appropriated by the Legislature for the purposes of funding the Children's Advocacy Centers of Mississippi;

(b) The interest accruing to the fund;

(c) Monies received under the provisions of Section 99-19-73;

(d) Monies received from the federal government;

(e) Donations; and

(f) Monies received from such other sources as may be provided by law.

(2) There is created in the State Treasury a special fund to be known as the Mississippi Foster Care Fund, which shall be administered by the Department of Child Protection Services. The purpose of the fund shall be for supporting the services directly provided to foster families and foster children by programs, persons or entities pursuant to contracts and grants that comply with Mississippi law, and for other related purposes. Monies in the fund shall be expended by the department, upon appropriation by the Legislature, only for the purposes stated in this subsection, and only in such amounts as then exist in the fund. The fund shall be a continuing fund, not subject to fiscal-year limitations, and shall consist of:

(a) Monies appropriated by the Legislature for the purposes of funding the Mississippi Foster Care Fund;

(b) The interest accruing to the fund;

(c) Monies received under the provisions of Section 99-19-73 for the Mississippi Foster Care Fund, ninety percent (90%) of which shall be used directly for supporting the services directly provided to foster families and foster children by programs, persons or entities pursuant to contracts and grants that comply with Mississippi law, and no more than ten percent (10%) of which shall be used for administrative purposes;

(d) Monies received from the federal government;

(e) Donations; and

(f) Monies received from such other sources as may be provided by law.

(3) From and after July 1, 2016, the expenses of the Children's Advocacy Centers Fund Program shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law and as determined by the State Fiscal Officer.

(4) From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

SECTION 17. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 29, 2024.

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

AN ACT TO ESTABLISH STATE STANDARDS AND OPERATING PROCEDURES FOR LOCAL COURT-APPOINTED SPECIAL ADVOCATE (CASA) PROGRAMS; TO DEFINE CERTAIN TERMS; TO AUTHORIZE A YOUTH COURT JUDGE TO ESTABLISH A LOCAL CASA PROGRAM GOVERNED BY A LOCAL BOARD OF DIRECTORS AND TO PRESCRIBE THE BOARD'S POWERS; TO REQUIRE THE STATE CASA ASSOCIATION TO PROVIDE SUPPORT SERVICES TO LOCAL CASA PROGRAMS; TO CREATE THE MISSISSIPPI CASA NETWORK FUND IN THE STATE TREASURY AND TO DIRECT THE DEPOSIT OF CERTAIN MONIES INTO THE FUND; TO ESTABLISH MINIMUM REQUIREMENTS FOR LOCAL CASA VOLUNTEERS; TO REQUIRE THE CLERK OF COURT TO PERFORM CERTAIN DUTIES IN RELATION TO CASA VOLUNTEERS APPOINTED TO A COURT CASE; TO PRESCRIBE THE DUTIES OF A CASA VOLUNTEER ASSIGNED TO A CASE; TO CREATE A STATE COURT-APPOINTED SPECIAL ADVOCATE (CASA) ASSOCIATION; TO PRESCRIBE THE STATE ASSOCIATION'S DUTIES; TO AUTHORIZE THE BOARD OF DIRECTORS OF THE ASSOCIATION TO EMPLOY A DIRECTOR AND TO ESTABLISH QUALIFICATIONS FOR THE DIRECTOR; TO AUTHORIZE THE ADMINISTRATIVE OFFICE OF COURTS TO PROVIDE SECRETARIAL AND SUPPORT SERVICES TO THE ASSOCIATION; TO REQUIRE LOCAL CASA PROGRAMS TO SUBMIT SPECIFIED DATA TO THE ASSOCIATION; TO AMEND SECTION 99-19-73, MISSISSIPPI CODE OF 1972, TO INCREASE THE STATE ASSESSMENT IMPOSED FOR DRUG VIOLATIONS FOR THE SUPPORT OF THE MISSISSIPPI FOSTER CARE FUND; TO AMEND SECTIONS 43-21-121 AND 43-21-261, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTION 37-26-11, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI FOSTER CARE FUND AND PRESCRIBES THE PURPOSES FOR WHICH MONIES IN THE FUND MAY BE EXPENDED, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1624 was adopted.

YEAS AND NAYS On H. B. No. 1624. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

H. B. No. 1137: Opioid antagonists; authorize community organization to receive and administer.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-29-319, Mississippi Code of 1972, is amended as follows:

41-29-319. (1) This section shall be known as the "Emergency Response and Overdose Prevention Act."

(2) As used in this section, the following terms shall be defined as provided in this subsection:

(a) "Administer" means the direct application of a drug to the body of an individual by injection, inhalation, ingestion or any other means.

(b) "Community organization" means an organization aimed at making desired improvements to a community's social health, well-being, and overall functioning. "Community organization" may include organizations that participate in social work, and that are related to the organized development of community social welfare through coordination of public and private agencies. Community organizations may exist in geographically, culturally, spiritually, and digitally bounded communities.

(* * *c) "Distribute" means to deliver an opioid antagonist drug or opioid antagonist device by means other than by administering.

(* * *d) "Education employee" means an employee of any school district, public charter school, private school, public or private university, community college or junior college.

(* * *e) "Possess" means to have physical control or custody of an opioid antagonist.

(* * *f) "Practitioner" means a physician licensed to practice medicine in this state or any licensed health care provider who is authorized to prescribe an opioid antagonist.

(* * *g) "Opioid antagonist" means any drug that binds to opioid receptors and blocks or inhibits the effects of opioids acting on those receptors and that is approved by the federal Food and Drug Administration for the treatment of an opioid-related overdose.

(* * *h) "Opioid-related overdose" means an acute condition, including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, mania or death, resulting from the consumption or use of an opioid or another substance with which an opioid was combined or that a layperson would reasonably believe to be resulting from the consumption or use of an opioid or another substance with which an opioid was combined for which medical assistance is required.

(* * *i) "Emergency medical technician" means an individual who possesses a valid emergency medical technician's certificate issued under Section 41-59-33.

(* * *j) "Storage" means possession of an opioid antagonist with the intent to distribute or administer the opioid antagonist.

(3) (a) A practitioner acting in good faith and in compliance with the standard of care applicable to that practitioner may directly, or by standing order, prescribe an opioid antagonist to a person at risk of experiencing an opioid-related overdose, or to a registered pain management clinic, community organization, family member, friend or other person in a position to assist such person at risk of experiencing an opioid-related overdose.

(b) A practitioner acting in good faith and in compliance with the standard of care applicable to that practitioner may issue a standing order to one or more individual pharmacies that authorizes the pharmacy to dispense an opioid antagonist to a person at

risk of experiencing an opioid-related overdose or to a community organization, family member, friend or other person in a position to assist such person at risk of experiencing an opioid-related overdose, without the person to whom the opioid antagonist is dispensed needing to have an individual prescription.

(4) A pharmacist acting in good faith and in compliance with the standard of care applicable to pharmacists may dispense opioid antagonists under a prescription or a standing order issued in accordance with subsection (3) of this section. However, before a pharmacist may dispense an opioid antagonist under the authority of subsection (3)(b) of this section, the pharmacist must complete a training program approved by the State Board of Pharmacy on opioid antagonists.

(5) (a) A person acting in good faith and with reasonable care to another person whom he or she believes to be experiencing an opioid-related overdose may administer an opioid antagonist that was prescribed or authorized by a standing order in accordance with subsection (3) of this section.

(b) A person acting in good faith and with reasonable care to another person whom he or she believes to be experiencing an opioid-related overdose may administer an opioid antagonist that was distributed by an education employee.

(c) A person acting in good faith and with reasonable care to another person whom he or she believes to be experiencing an opioid-related overdose may administer an opioid antagonist that was distributed by a community organization. Failure of a community organization, or a member or personnel of such organization, to act shall not expose such organization, member, or personnel to any criminal or civil liability.

(6) Emergency medical technicians, firefighters and law enforcement officers acting in good faith shall be authorized and permitted to administer an opioid antagonist as clinically indicated. Failure of an emergency medical technician, firefighter or law enforcement officer to act shall not expose such person to any criminal or civil liability.

(7) (a) An education employee may store or distribute an opioid antagonist.

(b) An education employee may administer an opioid antagonist to another person if the education employee:

(i) In good faith, believes the other person is experiencing a drug overdose; and

(ii) Acts with reasonable care in administering the opioid antagonist to the other person.

(c) The Department of Health may distribute an opioid antagonist to any education employee upon a request made in writing by the education employee.

(d) A person may store an opioid antagonist that is distributed by an education employee.

(8) (a) A community organization may store or distribute an opioid antagonist.

(b) A member of a community organization may administer an opioid antagonist to another person if such member:

(i) In good faith, believes the other person is experiencing a drug overdose; and

(ii) Acts with reasonable care in administering the opioid antagonist to the other person.

(c) The Department of Health may distribute an opioid antagonist to any member of a community organization upon a request made in writing by the community organization.

(d) A person may store an opioid antagonist that is distributed by a community organization.

(e) Failure of a community organization, or a member or personnel of such organization, to act shall not expose such organization, member, or personnel to any criminal or civil liability.

(* * *9) The following individuals are immune from any civil or criminal liability or professional licensing sanctions for the following actions authorized by this section:

(a) Any practitioner who prescribes or issues a standing order for an opioid antagonist in accordance with subsection (3) of this section;

(b) Any practitioner or pharmacist acting in good faith and in compliance with the standard of care applicable to that practitioner or pharmacist who dispenses an opioid antagonist under a prescription or standing order issued in accordance with subsection (3) of this section;

(c) (i) Any person other than a practitioner who administers an opioid antagonist in accordance with subsection (5) of this section; and

(ii) Any person other than a practitioner who stores an opioid antagonist distributed by an education employee;

(d) Any emergency medical technician, firefighters and law enforcement officers who administers an opioid antagonist in accordance with subsection (6) of this section.

(e) Any education employee who stores, distributes or administers an opioid antagonist under subsection (7) of this section.

SECTION 2. Section 73-21-73, Mississippi Code of 1972, is brought forward as follows:

73-21-73. As used in this chapter, unless the context requires otherwise:

(a) "Administer" means the direct application of a prescription drug pursuant to a lawful order of a practitioner to the body of a patient by injection, inhalation, ingestion or any other means.

(b) "Biological product" means the same as that term is defined in 42 USC Section 262.

(c) "Board of Pharmacy," "Pharmacy Board," "MSBP" or "board" means the State Board of Pharmacy.

(d) "Compounding" means (i) the production, preparation, propagation, conversion or processing of a sterile or nonsterile drug or device either directly or indirectly by extraction from substances of natural origin or independently by means of chemical or biological synthesis or from bulk chemicals or the preparation, mixing, measuring, assembling, packaging or labeling of a drug or device as a result of a practitioner's prescription drug order or initiative based on the practitioner/patient/pharmacist relationship in the course of professional practice, or (ii) for the purpose of, as an incident to, research, teaching or chemical analysis and not for sale or dispensing. Compounding

also includes the preparation of drugs or devices in anticipation of prescription drug orders based on routine regularly observed prescribing patterns.

(e) "Continuing education unit" means ten (10) clock hours of study or other such activity as may be approved by the board, including, but not limited to, all programs which have been approved by the American Council on Pharmaceutical Education.

(f) "Deliver" or "delivery" means the actual, constructive or attempted transfer in any manner of a drug or device from one (1) person to another, whether or not for a consideration, including, but not limited to, delivery by mailing or shipping.

(g) "Device" means an instrument, apparatus, implement, machine, contrivance, implant, in vitro reagent or other similar or related article, including any component part or accessory which is required under federal or state law to be prescribed by a practitioner and dispensed by a pharmacist.

(h) "Dispense" or "dispensing" means the interpretation of a valid prescription of a practitioner by a pharmacist and the subsequent preparation of the drug or device for administration to or use by a patient or other individual entitled to receive the drug.

(i) "Distribute" means the delivery of a drug or device other than by administering or dispensing to persons other than the ultimate consumer.

(j) "Drug" means:

(i) Articles recognized as drugs in the official United States Pharmacopeia, official National Formulary, official Homeopathic Pharmacopeia, other drug compendium or any supplement to any of them;

(ii) Articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals;

(iii) Articles other than food intended to affect the structure or any function of the body of man or other animals; and

(iv) Articles intended for use as a component of any articles specified in subparagraph (i), (ii) or (iii) of this paragraph.

(k) "Drugroom" means a business, which does not require the services of a pharmacist, where prescription drugs or prescription devices are bought, sold, maintained or provided to consumers.

(l) "Extern" means a student in the professional program of a school of pharmacy accredited by the American Council on Pharmaceutical Education who is making normal progress toward completion of a professional degree in pharmacy.

(m) "Foreign pharmacy graduate" means a person whose undergraduate pharmacy degree was conferred by a recognized school of pharmacy outside of the United States, the District of Columbia and Puerto Rico. Recognized schools of pharmacy are those colleges and universities listed in the World Health Organization's World Directory of Schools of Pharmacy, or otherwise approved by the Foreign Pharmacy Graduate Examination Committee (FPGEC) certification program as established by the National Association of Boards of Pharmacy.

(n) "Generic equivalent drug product" means a drug product which (i) contains the identical active chemical ingredient of the same strength, quantity and dosage form; (ii) is of the same generic drug name as determined by the United States Adoptive Names and accepted by the United States Food and Drug Administration; and

(iii) conforms to such rules and regulations as may be adopted by the board for the protection of the public to assure that such drug product is therapeutically equivalent.

(o) "Interchangeable biological product" or "I.B." means a biological product that the federal Food and Drug Administration:

(i) Has licensed and determined as meeting the standards for interchangeability under 42 USC Section 262(k)(4); or

(ii) Has determined is therapeutically equivalent as set forth in the latest edition of or supplement to the federal Food and Drug Administration's Approved Drug Products with Therapeutic Equivalence Evaluations.

(p) "Internet" means collectively the myriad of computer and telecommunications facilities, including equipment and operating software, which comprise the interconnected worldwide network of networks that employ the Transmission Control Protocol/Internet Protocol, or any predecessor or successor protocol to such protocol, to communicate information of all kinds by wire or radio.

(q) "Interested directly" means being employed by, having full or partial ownership of, or control of, any facility permitted or licensed by the Mississippi State Board of Pharmacy.

(r) "Interested indirectly" means having a spouse who is employed by any facility permitted or licensed by the Mississippi State Board of Pharmacy.

(s) "Intern" means a person who has graduated from a school of pharmacy but has not yet become licensed as a pharmacist.

(t) "Manufacturer" means a person, business or other entity engaged in the production, preparation, propagation, conversion or processing of a prescription drug or device, if such actions are associated with promotion and marketing of such drugs or devices.

(u) "Manufacturer's distributor" means any person or business who is not an employee of a manufacturer, but who distributes sample drugs or devices, as defined under subsection (i) of this section, under contract or business arrangement for a manufacturer to practitioners.

(v) "Manufacturing" of prescription products means the production, preparation, propagation, conversion or processing of a drug or device, either directly or indirectly, by extraction from substances from natural origin or independently by means of chemical or biological synthesis, or from bulk chemicals and includes any packaging or repackaging of the substance(s) or labeling or relabeling of its container, if such actions are associated with promotion and marketing of such drug or devices.

(w) "Misappropriation of a prescription drug" means to illegally or unlawfully convert a drug, as defined in subsection (i) of this section, to one's own use or to the use of another.

(x) "Nonprescription drugs" means nonnarcotic medicines or drugs that may be sold without a prescription and are prepackaged and labeled for use by the consumer in accordance with the requirements of the statutes and regulations of this state and the federal government.

(y) "Person" means an individual, corporation, partnership, association or any other legal entity.

(z) "Pharmacist" means an individual health care provider licensed by this state to engage in the practice of pharmacy. This recognizes a pharmacist as a learned professional who is authorized to provide patient services.

(aa) "Pharmacy" means any location for which a pharmacy permit is required and in which prescription drugs are maintained, compounded and dispensed for patients by a pharmacist. This definition includes any location where pharmacy-related services are provided by a pharmacist.

(bb) "Prepackaging" means the act of placing small precounted quantities of drug products in containers suitable for dispensing or administering in anticipation of prescriptions or orders.

(cc) "Unlawful or unauthorized possession" means physical holding or control by a pharmacist of a controlled substance outside the usual and lawful course of employment.

(dd) "Practice of pharmacy" means a health care service that includes, but is not limited to, the compounding, dispensing, and labeling of drugs or devices; interpreting and evaluating prescriptions; administering and distributing drugs and devices; the compounding, dispensing and labeling of drugs and devices; maintaining prescription drug records; advising and consulting concerning therapeutic values, content, hazards and uses of drugs and devices; initiating or modifying of drug therapy in accordance with written guidelines or protocols previously established and approved by the board; selecting drugs; participating in drug utilization reviews; storing prescription drugs and devices; ordering lab work in accordance with written guidelines or protocols as defined by paragraph (nn) of this section; providing pharmacotherapeutic consultations; supervising supportive personnel and such other acts, services, operations or transactions necessary or incidental to the conduct of the foregoing.

(ee) "Practitioner" means a physician, dentist, veterinarian, or other health care provider authorized by law to diagnose and prescribe drugs.

(ff) "Prescription" means a written, verbal or electronically transmitted order issued by a practitioner for a drug or device to be dispensed for a patient by a pharmacist. "Prescription" includes a standing order issued by a practitioner to an individual pharmacy that authorizes the pharmacy to dispense an opioid antagonist to certain persons without the person to whom the opioid antagonist is dispensed needing to have an individual prescription, as authorized by Section 41-29-319(3).

(gg) "Prescription drug" or "legend drug" means a drug which is required under federal law to be labeled with either of the following statements prior to being dispensed or delivered:

(i) "Caution: Federal law prohibits dispensing without prescription," or

(ii) "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian"; or a drug which is required by any applicable federal or state law or regulation to be dispensed on prescription only or is restricted to use by practitioners only.

(hh) "Product selection" means the dispensing of a generic equivalent drug product or an interchangeable biological product in lieu of the drug product ordered by the prescriber.

(ii) "Provider" or "primary health care provider" includes a pharmacist who provides health care services within his or her scope of practice pursuant to state law and regulation.

(jj) "Registrant" means a pharmacy or other entity which is registered with the Mississippi State Board of Pharmacy to buy, sell or maintain controlled substances.

(kk) "Repackager" means a person registered by the federal Food and Drug Administration as a repackager who removes a prescription drug product from its marketed container and places it into another, usually of smaller size, to be distributed to persons other than the consumer.

(ll) "Reverse distributor" means a business operator that is responsible for the receipt and appropriate return or disposal of unwanted, unneeded or outdated stocks of controlled or uncontrolled drugs from a pharmacy.

(mm) "Supportive personnel" or "pharmacist technician" means those individuals utilized in pharmacies whose responsibilities are to provide nonjudgmental technical services concerned with the preparation and distribution of drugs under the direct supervision and responsibility of a pharmacist.

(nn) "Written guideline or protocol" means an agreement in which any practitioner authorized to prescribe drugs delegates to a pharmacist authority to conduct specific prescribing functions in an institutional setting, or with the practitioner's individual patients, provided that a specific protocol agreement between the practitioner and the pharmacist is signed and filed as required by law or by rule or regulation of the board.

(oo) "Wholesaler" means a person who buys or otherwise acquires prescription drugs or prescription devices for resale or distribution, or for repackaging for resale or distribution, to persons other than consumers.

(pp) "Pharmacy benefit manager" has the same meaning as defined in Section 73-21-153.

SECTION 3. This act shall take effect and be in force from and after its passage, and shall stand repealed the day before its passage.

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

AN ACT TO AMEND SECTION 41-29-319, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "COMMUNITY ORGANIZATION"; TO AUTHORIZE A PRACTITIONER ACTING IN GOOD FAITH TO DIRECTLY, OR BY STANDING ORDER, PRESCRIBE AN OPIOID ANTAGONIST TO A COMMUNITY ORGANIZATION; TO AUTHORIZE A PERSON ACTING IN GOOD FAITH AND WITH REASONABLE CARE TO ADMINISTER AN OPIOID ANTAGONIST THAT WAS DISTRIBUTED BY A COMMUNITY ORGANIZATION TO ANOTHER PERSON WHOM HE OR SHE BELIEVES TO BE EXPERIENCING AN OPIOID-RELATED OVERDOSE; TO AUTHORIZE A COMMUNITY ORGANIZATION TO STORE AND DISTRIBUTE AN OPIOID ANTAGONIST; TO AUTHORIZE A MEMBER OF A COMMUNITY ORGANIZATION TO ADMINISTER AN OPIOID ANTAGONIST TO ANOTHER PERSON; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO DISTRIBUTE AN OPIOID ANTAGONIST TO ANY MEMBER OF A COMMUNITY ORGANIZATION UPON A REQUEST MADE IN WRITING BY THE COMMUNITY ORGANIZATION; TO AUTHORIZE A PERSON TO STORE AN OPIOID ANTAGONIST THAT IS DISTRIBUTED BY A COMMUNITY ORGANIZATION; TO PROVIDE CERTAIN CRIMINAL AND CIVIL LIABILITY PROTECTION TO A COMMUNITY ORGANIZATION AND MEMBERS AND PERSONNEL OF SUCH ORGANIZATION; TO BRING FORWARD SECTION 73-21-73, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1137 was adopted.

YEAS AND NAYS On H. B. No. 1137. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parker moved that the rules be suspended to move to calendar item 85, **H. B. No. 653**, and the motion prevailed.

Senator Parker called up the following entitled bill:

H. B. No. 653: Trip optimizer system; extend expiration date of moratorium on application to state agencies of.

YEAS AND NAYS On H. B. No. 653. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator England moved that the rules be suspended to move to calendar item 133, **H. B. No. 1406**, and the motion prevailed.

Senator England called up the following entitled bill:

H. B. No. 1406: Absentee voting; revise various provisions of.

Senator England offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-633, Mississippi Code of 1972, is amended as follows:

23-15-633. For mailed absentee ballots, on any envelope where the elector's signature and the signature of the attesting witness are required, the signature lines and the signatures shall be * * * in a box on the envelope to insure the integrity of the ballot and the following shall be printed on the flap on the back of the envelope in bold print and

in a distinguishing color: "YOUR VOTE WILL BE REJECTED AND NOT COUNTED IF THIS ENVELOPE IS NOT SIGNED * * * IN THE BOX ON THIS ENVELOPE BY YOU AND AN ATTESTING WITNESS."

SECTION 2. Section 23-15-635, Mississippi Code of 1972, is amended as follows:

23-15-635. (1) For mailed absentee ballots, the form of the elector's certificate, attesting witness certification and certificate of person providing voter assistance on the back of the envelope used by absentee voters who are not absent voters as defined in Section 23-15-673, shall be as follows:

"ELECTOR'S CERTIFICATE

STATE OF _____

COUNTY OF _____

I, _____, under penalty of perjury do solemnly swear that this envelope contains the ballot marked by me indicating my choice of the candidates or propositions to be submitted at the election to be held on the ___ day of _____, 2____, and I hereby authorize the registrar to place this envelope in the ballot box on my behalf, and I further authorize the election managers to open this envelope and place my ballot among the other ballots cast before such ballots are counted, and record my name on the poll list as if I were present in person and voted.

I further swear that I marked the enclosed ballot in secret.

Penalties for vote fraud are up to five (5) years in prison and a fine of up to Five Thousand Dollars ($5,000.00). (Miss. Code. Ann. Section 23-15-753.) Penalties for voter intimidation are up to one (1) year in jail and a fine of up to One Thousand Dollars ($1,000.00). (Miss. Code. Ann. Section 97-13-37.)

_____

(Signature of voter)

CERTIFICATE OF ATTESTING WITNESS

Under penalty of perjury I affirm that the above named voter personally appeared before me, on this the ___ day of _____, 2____, and is known by me to be the person named, and who, after being duly sworn or having affirmed, subscribed the foregoing oath or affirmation. That the voter exhibited to me his or her blank ballot; that the ballot was not marked or voted before the voter exhibited the ballot to me; that the voter was not solicited or advised by me to vote for any candidate, question or issue, and that the voter, after marking his or her ballot, placed it in the envelope, closed and sealed the envelope in my presence, and signed and swore or affirmed the above certificate.

_____ _____

(Attesting witness) (Address)

_____ _____

(Official title) (City and State)

CERTIFICATE OF PERSON PROVIDING VOTER ASSISTANCE

(To be completed only if the voter has received assistance in marking the enclosed ballot.) I, under penalty of perjury, hereby certify that the above-named voter declared to

me that he or she is blind, temporarily or permanently physically disabled, or cannot read or write, and that the voter requested that I assist the voter in marking the enclosed absentee ballot. I hereby certify that the ballot preferences on the enclosed ballot are those communicated by the voter to me, and that I have marked the enclosed ballot in accordance with the voter's instructions.

Penalties for vote fraud are up to five (5) years in prison and a fine of up to Five Thousand Dollars ($5,000.00). (Miss. Code. Ann. Section 23-15-753.) Penalties for voter intimidation are up to one (1) year in jail and a fine of up to One Thousand Dollars ($1,000.00). (Miss. Code. Ann. Section 97-13-37.)

_____

Signature of person providing assistance

_____

Printed name of person providing assistance

_____

Address of person providing assistance

_____

Date and time assistance provided

_____

Family relationship to voter (if any)"

(2) The envelope shall have printed on the flap on the back of the envelope in bold print and in a distinguishing color, the following: "YOUR VOTE WILL BE REJECTED AND NOT COUNTED IF THIS ENVELOPE IS NOT SIGNED * * * IN THE BOX ON THIS ENVELOPE BY YOU AND AN ATTESTING WITNESS."

SECTION 3. Section 23-15-637, Mississippi Code of 1972, is amended as follows:

23-15-637. (1) (a) Absentee ballots and applications received by mail, except for fax or electronically transmitted ballots as otherwise provided by Section 23-15-699 for UOCAVA ballots, must be postmarked on or before the date of the election and received by the registrar no more than five (5) business days after the election; any received after such time shall be handled as provided in Section 23-15-647 and shall not be counted.

(b) All ballots cast by the absent elector appearing in person in the office of the registrar shall be cast with an absentee paper ballot and deposited into * * * the optical mark reading (OMR) equipment by the voter, not later than 12:00 noon, * * * on the Saturday immediately preceding elections held on Tuesday, the Thursday immediately preceding elections held on Saturday, or the second day immediately preceding the date of elections held on other days. At the close of business each day at the office of the registrar, the * * * OMR equipment used shall be sealed as provided in Section 23-15-519 and not unsealed until the beginning of the next business day, and the * * * seal log shall be * * * kept as provided in Section 23-15-519 with the number of ballots cast which shall be stored in a secure location in the registrar's office. If for any reason the OMR equipment shall become inoperable, the registrar shall direct voters to cast paper ballots. The paper ballots shall be administered in accordance with the laws concerning paper ballots.

(2) * * * The registrar shall not send any absentee ballots to the precinct polling locations.

(3) The Secretary of State shall promulgate rules and regulations necessary to ensure that when a qualified elector who is qualified to vote absentee votes by absentee ballot, either by mail or in person with * * * the OMR equipment, that person's absentee vote is final and he or she may not vote at the polling place on election day. Notwithstanding any other provisions of law to the contrary, the Secretary of State shall promulgate rules and regulations necessary to ensure that absentee ballots shall remain in the registrar's office for counting and not be taken to the precincts on election day.

SECTION 4. Section 23-15-639, Mississippi Code of 1972, is amended as follows:

23-15-639. (1) The examination and counting of all absentee ballots shall be conducted as follows:

(a) At the opening of the regular balloting and at the opening of the polls, the resolution board established under Section 23-15-523 and trained in the process of canvassing absentee ballots shall first take the envelopes containing the mailed absentee ballots of such electors from the secure location at the circuit clerk's office, and the name, address and precinct inscribed on each envelope shall be announced by the election managers.

(b) The signature on the application shall then be compared with the signature in the box on the back of the envelope. If it corresponds and the affidavit, if one is required, is sufficient and the resolution board finds that the applicant is a registered and qualified voter or otherwise qualified to vote, the envelope shall then be opened and the mailed absentee ballot removed from the envelope, without its being unfolded, or permitted to be unfolded or examined.

(c) When a voter's absentee ballot is rejected because the signatures on the application and in the box on the envelope do not correspond, the registrar shall notify the voter within one (1) business day of the election that the voter's absentee ballot has been tentatively rejected because the signature on the application does not correspond with the signature in the box on the envelope. The notice shall inform the voter about the process of curing the deficiency and that if the voter does not cure the signatures by 12:00 p.m. on the fifth business day after the election, then the voter's ballot shall be rejected. Notice to the voter shall be made using the contact information that the voter provided on his or her absentee ballot application. The absentee cure form shall be transmitted to the voter via email or facsimile; however, if neither are available, then the form shall be transmitted by first-class mail to the voter. The form of the notice and the absentee cure form shall be provided for in rules and regulations prescribed by the Secretary of State.

(* * *d) Having observed and found the ballot to be regular as far as can be observed from its official endorsement, the resolution board shall deposit it in the ballot box with the other ballots before counting any ballots and enter the voter's name in the receipt book provided for that purpose. All absentee ballots received prior to 7:00 p.m. the day before the election shall be counted in the registrar's office by the resolution board when the polls close and then added to the votes cast in each precinct as well as the in-person absentee votes cast on the OMR equipment in the registrar's office. All absentee ballots received after 7:00 p.m. the day before the election but not later than the fifth business day after the election shall be processed by the resolution board.

(2) The resolution board shall also take such action as may be prescribed by the Secretary of State to ensure compliance with the identification requirements of Section 23-15-563.

(3) The resolution board shall process the absentee ballots using the procedure provided in subsection (1) of this section.

SECTION 5. Section 23-15-641, Mississippi Code of 1972, is amended as follows:

23-15-641. (1) For all absentee votes received by mail, if an affidavit or the certificate of the officer before whom the affidavit is taken is required and such affidavit or certificate is found to be insufficient, or if it is found that the signatures do not correspond and the voter has not cured his or her ballot as provided in Section 23-15-639, or that the applicant is not a duly qualified elector in the precinct, or otherwise qualified to vote, or that the ballot envelope is open or has been opened and resealed, or the voter is not eligible to vote absentee, the previously cast vote shall not be allowed. Without opening the voter's envelope the resolution board shall mark across its face "REJECTED", with the reason therefor.

(2) For all absentee votes received by mail, if the ballot envelope contains more than one (1) ballot of any kind, the ballot shall not be counted but shall be marked "REJECTED", with the reason therefor, and the registrar shall promptly notify the voter of such rejection. The voter's envelopes and affidavits, and the voter's envelope with its contents unopened, when such vote is rejected, shall be retained and preserved in the same manner as other ballots at the election. Such votes may be challenged in the same manner and for the same reasons that any other vote cast in such election may be challenged.

(3) For all absentee votes received by mail, if an affidavit is required and the officials find that the affidavit is insufficient, or if the officials find that the absentee voter is otherwise disqualified to vote, the envelope shall not be opened and a commissioner or executive committee member shall write across the face of the envelope "REJECTED" giving the reason therefor, and the registrar shall promptly notify the voter of such rejection.

(4) The ballots marked "REJECTED" shall be placed in a separate envelope in the secure ballot transfer case and delivered to the officials in charge of conducting the election at the central tabulation point of the county.

(5) All electors voting absentee shall be provided with written information to inform the person how to ascertain whether his or her ballot was counted and, if rejected, the reason therefor.

SECTION 6. Section 23-15-643, Mississippi Code of 1972, is amended as follows:

23-15-643. If an affidavit is required, the appropriate election officials shall examine the affidavit of each mailed absentee ballot envelope. If the officials are satisfied that the affidavit is sufficient and that the absentee voter is otherwise qualified to vote, an official shall announce the name of the voter and shall give any person present an opportunity to challenge in like manner and for the same cause as the voter could have been challenged had he presented himself personally in such precinct to vote. The ineligibility of the voter to vote by absentee ballot shall be a ground for a challenge. Also, the officials shall consider any absentee voter challenged when a person has previously filed a written challenge of such voter's right to vote. The election officials shall handle any such challenge in the same manner as other challenged ballots are handled.

SECTION 7. Section 23-15-645, Mississippi Code of 1972, is amended as follows:

23-15-645. (1) Absentee ballots cast in the registrar's office on the OMR equipment and absentee ballots that are received by mail that are deposited into a sealed ballot box shall be processed on election day but not tallied until after closing of the polls and announced simultaneously with all other votes cast on election day.

(2) After the votes have been counted, the officials shall preserve all applications, envelopes of mailed absentee ballots and the list of absent voters along with the mailed paper and paper ballots and other election materials and return the same to the registrar.

(3) Notwithstanding any other provision of law to the contrary, for federal and presidential general, special or primary elections, packages of protested, void and wholly blank ballots, voted ballots, open packages of unused ballots, sealed packages of unused ballots, and all absentee and military ballots and ballot envelopes, if any, shall be preserved for twenty-two (22) months after the date of any such general, special or primary election. For all other statewide, county or municipal elections, sealed packages of unused ballots, packages of protested, void and wholly blank ballots, open packages of unused ballots and all absentee and military ballots and ballot envelopes shall be retained for four (4) months, and may then be destroyed, provided a certificate articulating the election district identifying data and numbers of such ballots is filed with the balance of ballots described in this section, for the balance of the twenty-two-month retention period.

SECTION 8. Section 23-15-715, Mississippi Code of 1972, is amended as follows:

23-15-715. Any elector desiring an absentee ballot as provided in this subarticle may secure same if:

(a) Not more than forty-five (45) days nor later than 12:00 noon, * * * on the Saturday immediately preceding elections held on Tuesday, the Thursday immediately preceding elections held on Saturday, or the second day immediately preceding the date of elections held on other days, he shall appear in person before the registrar of the county in which he resides, or for municipal elections he shall appear in person before the city clerk of the municipality in which he resides and, when the elector so appears, he shall execute and file an application as provided in Section 23-15-627 and vote by absentee ballot and shall then proceed to feed his ballot into the OMR equipment. * * * If the absentee ballot has not been printed by forty-five (45) days preceding the election, the elector may appear and file an application anytime before the election. Then the absentee ballot shall be mailed by the circuit clerk to the elector as soon as the ballot has been printed.

(b) Within forty-five (45) days next prior to any election, any elector who cannot comply with paragraph (a) of this section by reason of temporarily residing outside the county, or any person who has a temporary or permanent physical disability, persons who are sixty-five (65) years of age or older, or any person who is the parent, spouse or dependent of a temporarily or permanently physically disabled person who is hospitalized outside of his county of residence or more than fifty (50) miles away from his residence and such parent, spouse or dependent will be with such person on election day, may make application for an absentee ballot by mailing the appropriate application to the registrar. Only persons temporarily residing out of the county of their residence, persons having a temporary or permanent physical disability, persons who are sixty-five (65) years of age or older, or any person who is the parent, spouse or dependent of a temporarily or permanently physically disabled person who is hospitalized outside of his county of residence or more than fifty (50) miles away from his residence, and such parent, spouse or dependent will be with such person on election day, may obtain absentee ballots by mail under the provisions of this subsection and as provided by Section 23-15-713. Applications of persons temporarily residing outside the county shall be sworn to and subscribed before an official who is authorized to administer oaths or other official authorized to witness absentee balloting as provided in this chapter, said application to be accompanied by such verifying affidavits as required by this chapter. The applications of persons having a temporary or permanent physical disability shall not be required to be accompanied by an affidavit but shall be witnessed and signed by a person eighteen (18) years of age or older. The registrar shall send to such absent voter a proper absentee voter ballot within twenty-four (24) hours, or as soon thereafter as the ballots are available, containing the names of all candidates who qualify or the proposition to be voted on in

such election, and with such ballot there shall be sent an official envelope containing upon it in printed form the recitals and data hereinafter required.

(c) Except when the voter has requested a runoff ballot on the initial absentee ballot application, upon request for a runoff ballot pursuant to Section 23-15-719, the registrar shall mail together the absentee ballot application and the absentee ballot to the absent voter for the runoff election.

SECTION 9. Section 23-15-719, Mississippi Code of 1972, is amended as follows:

23-15-719. (1) Except where the registrar has already mailed a ballot with an application, upon receipt of a properly completed application form by an elector qualified to vote absentee as provided in this article, the registrar shall mail the absent voter an absentee ballot within one (1) business day, or as soon as the absentee ballot is prepared and available, containing the names of all the candidates and propositions, if any, to be voted on in the election. The registrar shall include with the absentee ballot an official envelope that complies with the provisions of this article, as well as information to comply with Section 23-15-641(3) related to the status of the elector's ballot. The registrar shall identify the applicant by requiring him to present identification as required by Section 23-15-563, and shall then deliver the ballots to the applicant by mail or to the applicant in the registrar's office. The registrar shall not personally hand deliver ballots to voters. If the applicant is in the registrar's office, after the applicant has properly marked the ballot * * *, he shall deposit it in the * * * OMR equipment.

If the absentee voter is voting by mail, after the absentee voter has sealed the envelope, he or she shall subscribe and swear to an affidavit and mail the ballot to the address provided on the absentee ballot official envelope. The affidavit shall be in the following form, which shall be printed on the back of the envelope containing the applicant's ballot:

"STATE OF MISSISSIPPI

COUNTY OF _____

I, _____, do solemnly swear that this envelope contains the ballot marked by me indicating my choice of the candidates or propositions to be submitted at the election to be held on the ___ day of _____, 2___, and I hereby authorize the registrar to place this envelope in the ballot box on my behalf, and I further authorize the election managers to open this envelope and place my ballot among the other ballots cast before such ballots are counted, and record my name on the poll list as if I were present in person and voted.

I further swear that I marked the enclosed ballot in secret.

_____

(Signature of voter)

SWORN TO AND SUBSCRIBED before me, _____, this the ___ day of _____, 2___.

(Registrar) _____

(Registrar)"

After the completion of the requirements of this section, the elector shall * * * mail the envelope containing the ballot to the registrar.

(2) If the voter has received assistance in marking his ballot, the person providing the assistance shall complete the following form which shall be printed on the back of the envelope containing the applicant's ballot:

"CERTIFICATE OF PERSON PROVIDING VOTER ASSISTANCE

(To be completed only if the voter has received assistance in marking the enclosed ballot.) I hereby certify that the above-named voter declared to me that he or she is blind, temporarily or permanently physically disabled, or cannot read or write, and that the voter requested that I assist the voter in marking the enclosed absentee ballot. I hereby certify that the ballot preferences on the enclosed ballot are those communicated by the voter to me, and that I have marked the enclosed ballot in accordance with the voter's instructions.

_____

Signature of person providing assistance

_____

Printed name of person providing assistance

_____

Address of person providing assistance

_____

Date and time assistance provided

_____

Family relationship to voter (if any)"

(3) The envelope used pursuant to this section shall not contain the form prescribed by Section 23-15-635 and shall have printed on the flap on the back of the envelope in bold print and in a distinguishing color, the following: "YOUR VOTE WILL BE REJECTED AND NOT COUNTED IF THIS ENVELOPE IS NOT SIGNED * * * IN THE BOX ON THIS ENVELOPE BY YOU AND AN ATTESTING WITNESS."

SECTION 10. Section 23-15-731, Mississippi Code of 1972, is amended as follows:

23-15-731. Any presidential absentee ballots received in the mail by the registrar after the delivery of ballot boxes to the election managers and before the deadline for receipt of absentee ballots provided for in Section 23-15-637 shall be retained by the registrar and shall be delivered, together with the applications of the qualified absentee elector to an election official designated to receive them. The registrar shall receive a receipt from the designated election official for all such ballots and applications delivered. The designated election officials shall, upon the canvassing of the returns, count such ballots as if delivered to the proper precincts and such ballots shall be considered valid for all purposes as if they had been actually deposited in the proper precinct ballot boxes. For mailed absentee ballots, the appropriate election officials shall examine the affidavit of each envelope. If the officials are satisfied that the affidavit is sufficient and that the absentee voter is otherwise qualified to vote, an official shall announce the name of the voter and shall give any person present an opportunity to challenge in like manner and for the same cause as the voter could have been challenged had he or she presented himself or herself personally in such precinct to vote. The ineligibility of the voter to vote by absentee ballot shall be a ground for a challenge. The officials shall consider any absentee voter challenged when a person has previously filed a written challenge of such

voter's right to vote. The election officials shall handle any such challenge in the same manner as other challenged ballots are handled, and if the challenge is not affirmed, the officials shall then open the envelope. The officials shall then open the envelope in such manner as not to destroy the affidavit printed thereon and shall deposit the ballot marked "OFFICIAL ABSENTEE BALLOT," in a ballot box reserved for absentee ballots. The commissioners shall endorse on their pollbooks a proper notation to indicate that the absentee voter has voted in such election by absentee ballot.

SECTION 11. Section 23-15-391, Mississippi Code of 1972, is amended as follows:

23-15-391. The board of supervisors of each county and the governing authorities of each municipality shall use optical mark reading equipment * * * that complies with the specifications provided by law. The election commissioners may conduct special and municipal elections, as well as any necessary runoff elections, by paper ballot when the election commissioners determine that administration of an election by paper ballot will be less expensive than administration of the same election by optical mark reading equipment * * *.

SECTION 12. Section 23-15-511, Mississippi Code of 1972, is amended as follows:

23-15-511. The ballots shall, as far as practicable, be in the same order of arrangement as provided for paper ballots that are to be counted manually, except that the information may be printed in vertical or horizontal rows. Nothing in this chapter shall be construed as prohibiting the information being presented to the voters from being printed on both sides of a single ballot. In those years when a special election shall occur on the same day as the general election, the names of candidates in any special election and the general election shall be placed on the same ballot by the election commissioners or officials in charge of the election, but the general election candidates shall be clearly distinguished from the special election candidates. At any time a special election is held on the same day as a party primary election, the names of the candidates in the special election may be placed on the same ballot by the officials in charge of the election, but shall be clearly distinguished as special election candidates or primary election candidates.

Ballots shall be printed in plain clear type in black ink and upon clear white materials of such size and arrangement as to be compatible with the OMR equipment. Absentee ballots shall be prepared and printed in the same form and shall be on the same size and texture as the regular official ballots, except that they shall be printed on tinted paper; or the ink used to print the ballots shall be of a color different from that of the ink used to print the regular official ballots. Arrows may be printed on the ballot to indicate the place to mark the ballot, which may be to the right or left of the names of candidates and propositions. The titles of offices may be arranged in vertical columns on the ballot and shall be printed above or at the side of the names of candidates so as to indicate clearly the candidates for each office and the number to be elected. In case there are more candidates for an office than can be printed in one (1) column, the ballot shall be clearly marked that the list of candidates is continued on the following column. The names of candidates for each office shall be printed in vertical columns, grouped by the offices that they seek. In partisan elections, the party designation of each candidate, which may be abbreviated, shall be printed following his or her name.

One (1) sample ballot, which shall be a facsimile of the official ballot and instructions to the voters, shall be provided for each precinct and shall be posted in each polling place on election day.

* * *

SECTION 13. Section 23-15-621, Mississippi Code of 1972, is brought forward as follows:

23-15-621. The title of Sections 23-15-621 through 23-15-653 of this chapter shall be the Absentee Balloting Procedures Law.

SECTION 14. Section 23-15-623, Mississippi Code of 1972, is brought forward as follows:

23-15-623. All absentee ballots as authorized in Sections 23-15-671 through 23-15-697, in Sections 23-15-711 through 23-15-721, and Sections 23-15-731 and 23-15-733, shall be handled as provided in Sections 23-15-621 through 23-15-653.

SECTION 15. Section 23-15-625, Mississippi Code of 1972, is brought forward as follows:

23-15-625. (1) The registrar shall be responsible for providing applications for absentee voting as provided in this section. At least sixty (60) days before any election in which absentee voting is provided for by law, the registrar shall provide a sufficient number of applications. In the event a special election is called and set at a date which makes it impractical or impossible to prepare applications for absent elector's ballot sixty (60) days before the election, the registrar shall provide applications as soon as practicable after the election is called. The registrar shall fill in the date of the particular election on the application for which the application will be used.

(2) The registrar shall be authorized to disburse applications for absentee ballots to any qualified elector within the county where he or she serves. Any person who presents to the registrar an oral or written request for an absentee ballot application for a voter entitled to vote absentee by mail, other than the elector who seeks to vote by absentee ballot, shall, in the presence of the registrar, sign the application and print on the application his or her name and address and the name of the elector for whom the application is being requested in the place provided for on the application for that purpose. However, if for any reason such person is unable to write the information required, then the registrar shall write the information on a printed form which has been prescribed by the Secretary of State. The form shall provide a place for such person to place his or her mark after the form has been filled out by the registrar.

(3) It shall be unlawful for any person to solicit absentee ballot applications or absentee ballots for persons staying in any skilled nursing facility as defined in Section 41-7-173 unless the person soliciting the absentee ballot applications or absentee ballots is:

(a) A family member of the person staying in the skilled nursing facility; or

(b) A person designated by the person for whom the absentee ballot application or absentee ballot is sought, the registrar or the deputy registrar.

As used in this subsection, "family member" means a spouse, parent, grandparent, sibling, adult child, grandchild or legal guardian.

(4) The registrar in the county wherein a voter is qualified to vote upon receiving by mail the envelope containing the absentee ballots shall keep an accurate list of all persons preparing such ballots. The list shall be kept in a conspicuous place accessible to the public near the entrance to the registrar's office. The registrar shall also furnish to each precinct manager a list of the names of all persons in each respective precinct voting absentee by mail and in person to be posted in a conspicuous place at the polling place for public notice. The application on file with the registrar and the envelopes containing the ballots that voters mailed to the registrar shall be kept by the registrar in his or her office in a secure location. At the time such boxes are delivered to the election

commissioners or managers, the registrar shall also turn over a list of all such persons who have voted and whose mailed ballots are in the registrar's office.

(5) The registrar shall also be authorized to mail one (1) application to any qualified elector of the county, who is eligible to vote by absentee ballot, for use in a particular election.

(6) The registrar shall process all applications for absentee ballots by using the Statewide Election Management System. The registrar shall account for all absentee ballots delivered to and received by mail as well as those who voted absentee in person from qualified voters by processing such ballots using the Statewide Election Management System.

SECTION 16. Section 23-15-627, Mississippi Code of 1972, is amended as follows:

23-15-627. Any elector described in Section 23-15-713 may request an absentee ballot application and vote in person at the office of the registrar in the county in which he or she resides. The registrar shall be responsible for furnishing an absentee ballot application form to any elector authorized to receive an absentee ballot. Except as otherwise provided in Section 23-15-625, absentee ballot applications shall be furnished to a person only upon the oral or written request of the elector who seeks to vote by absentee ballot; however, the parent, child, spouse, sibling, legal guardian, those empowered with a power of attorney for that elector's affairs or agent of the elector, who is designated in writing and witnessed by a resident of this state who shall write his or her physical address on such designation, may orally request an absentee ballot application on behalf of the elector. The written designation shall be valid for one (1) year after the date of the designation. An absentee ballot application must have the seal of the circuit or municipal clerk affixed to it and be initialed by the registrar or his or her deputy in order to be used to obtain an absentee ballot. A reproduction of an absentee ballot application shall not be valid unless it is a reproduction provided by the office of the registrar of the jurisdiction in which the election is being held and which contains the seal and initials required by this section. Such application shall be substantially in the following form:

"OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

I, _____, duly qualified and registered in the ___ Precinct of the County of _____, and State of Mississippi, coming within the purview of the definition 'ABSENT ELECTOR' will be absent from the county of my residence on election day, or unable to vote in person because (check appropriate reason):

( ) (PRESIDENTIAL APPLICANT ONLY:) I am currently a resident of Mississippi or have moved therefrom within thirty (30) days of the coming presidential election.

( ) I am an enlisted or commissioned member, male or female, of any component of the United States Armed Forces and am a citizen of Mississippi, or spouse or dependent of such member.

( ) I am a member of the Merchant Marine or the American Red Cross and am a citizen of Mississippi or spouse or dependent of such member.

( ) I am a disabled war veteran who is a patient in any hospital and am a citizen of Mississippi or spouse or dependent of such veteran.

( ) I am a civilian attached to and serving outside of the United States with any branch of the Armed Forces or with the Merchant Marine or American Red Cross, and am a citizen of Mississippi or spouse or dependent of such civilian.

( ) I am a citizen of Mississippi temporarily residing outside the territorial limits of the United States and the District of Columbia.

( ) I am a student, teacher or administrator at a college, university, junior or community college, high, junior high, elementary or grade school, whose studies or employment at such institution necessitates my absence from the county of my voting residence or spouse or dependent of such student, teacher or administrator who maintains a common domicile outside the county of my voting residence with such student, teacher or administrator.

( ) I will be outside the county on election day.

( ) I have a temporary or permanent physical disability * * *.

( ) I am sixty-five (65) years of age or older.

( ) I am the parent, spouse or dependent of a person with a temporary or permanent physical disability who is hospitalized outside his or her county of residence or more than fifty (50) miles away from his or her residence, and I will be with such person on election day.

( ) I am a member of the congressional delegation, or spouse or dependent of a member of the congressional delegation.

( ) I am required to be at work on election day during the times which the polls will be open.

I hereby make application for an official ballot, or ballots, to be voted by me at the election to be held in _____, on _____.

Mail 'Absent Elector's Ballot' to me at the following address _____.

( ) I wish to receive an absentee ballot for the runoff election _____.

Notify me of problem with my "Absent Elector's Ballot" at the following:

Phone number: _____

Email address: _____

Mailing address: _____

I realize that I can be fined up to Five Thousand Dollars ($5,000.00) and sentenced up to five (5) years in the Penitentiary for making a false statement in this application and for selling my vote and violating the Mississippi Absentee Voter Law. (This sentence is to be in bold print.)

If you are temporarily or permanently disabled, you are not required to have this application notarized or signed by an official authorized to administer oaths for absentee balloting. You are required to sign this application in the proper place and have a person eighteen (18) years of age or older witness your signature and sign this application in the proper place.

DO NOT SIGN WITHOUT READING. (This sentence is to be in bold print.)

IN WITNESS WHEREOF I have hereunto set my hand and seal this the ____ day of _____, 2___.

_____

(Signature of absent elector)

SWORN TO AND SUBSCRIBED before me this the ____ day of _____, 2___.

_____

(Official authorized to administer oaths

for absentee balloting.)

TO BE SIGNED BY WITNESS FOR VOTERS TEMPORARILY OR PERMANENTLY DISABLED:

I HEREBY CERTIFY that this application for an absent elector's ballot was signed by the above-named elector in my presence and that I am at least eighteen (18) years of age, this the _____ day of _____, 2___.

_____

(Signature of witness)

CERTIFICATE OF DELIVERY

I hereby certify that _____ (print name of voter) has requested that I, _____ (print name of person delivering application), deliver to the voter this absentee ballot application.

_____

(Signature of person delivering application)

_____

(Address of person delivering application)"

SECTION 17. Section 23-15-629, Mississippi Code of 1972, is brought forward as follows:

23-15-629. (1) The application for an absentee ballot of a person who is permanently physically disabled shall be accompanied by a statement signed by such person's physician, or nurse practitioner, which statement must show that the person signing the statement is a licensed, practicing medical doctor or nurse practitioner and must indicate that the person applying for the absentee ballot is permanently physically disabled to such a degree that it is difficult for him or her to vote in person.

(2) An application accompanied by the statement provided for in subsection (1) of this section shall entitle such permanently physically disabled person to automatically receive an absentee ballot for all elections on a continuing basis without the necessity for reapplication.

(3) The registrar of each county shall keep an accurate list of the names and addresses of all persons whose applications for absentee ballot are accompanied by the statement set forth in subsection (1) of this section. Sixty (60) days before each election, the registrar shall deliver such list to the election commissioners who shall examine the list and delete from it the names of all persons listed who are no longer qualified electors of the county. Upon completion of such examination, the election commissioners shall return the list to the registrar by no later than forty-five (45) days before the election.

(4) The registrar shall mail a ballot to all persons who are determined by the election commissioners to be qualified electors pursuant to subsection (3) of this section by no later than forty (40) days before the election.

SECTION 18. Section 23-15-631, Mississippi Code of 1972, is amended as follows:

23-15-631. (1) The registrar shall enclose with each ballot mailed to an absent elector separate printed instructions furnished by the registrar containing the following:

(a) All absentee voters, excepting those with temporary or permanent physical disabilities or those who are sixty-five (65) years of age or older, who mark their ballots in the county of the residence shall use the registrar of that county as the witness. The absentee voter shall come to the office of the registrar and neither the registrar nor his or her deputy shall be required to go out of the registrar's office to serve as an attesting witness.

(b) Upon receipt of the enclosed ballot, you will not mark the ballot except in view or sight of the attesting witness. In the sight or view of the attesting witness, mark the ballot according to instructions.

(c) After marking the ballot, fill out and sign the "ELECTOR'S CERTIFICATE" on the back of the envelope so that the signature is * * * in a box on the envelope to ensure the integrity of the ballot. All absent electors shall have the attesting witness sign the "ATTESTING WITNESS CERTIFICATE" * * * in the box on the back of the envelope. Place the necessary postage on the envelope and deposit it in the post office or some government receptacle provided for deposit of mail so that the absent elector's ballot will be postmarked on or before the date of the election and received by the registrar no more than five (5) business days after the election.

Any notary public, United States postmaster, assistant United States postmaster, United States postal supervisor, clerk in charge of a contract postal station, or other officer having authority to administer an oath or take an acknowledgment may be an attesting witness; provided, however, that in the case of an absent elector who is temporarily or permanently physically disabled, the attesting witness may be any person eighteen (18) years of age or older and such person is not required to have the authority to administer an oath. If a postmaster, assistant postmaster, postal supervisor, or clerk in charge of a contract postal station acts as an attesting witness, his or her signature in a box on the elector's certificate must be authenticated by the cancellation stamp of their respective post offices. If an officer having authority to administer an oath or take an acknowledgement acts as attesting witness, his or her signature in a box on the elector's certificate, together with his or her title and address, but no seal, shall be required. Any affidavits made by an absent elector who is in the Armed Forces may be executed before a commissioned officer, warrant officer, or noncommissioned officer not lower in grade than sergeant rating or any person authorized to administer oaths.

(d) When the application accompanies the ballot it shall not be returned in the same envelope as the ballot but shall be returned in a separate preaddressed envelope provided by the registrar.

(e) A candidate for public office, or the spouse, parent or child of a candidate for public office, may not be an attesting witness for any absentee ballot upon which the candidate's name appears, unless the voter is related within the first degree to the candidate or the spouse, parent or child of the candidate.

(f) Any voter casting an absentee ballot who declares that he or she requires assistance to vote by reason of blindness, temporary or permanent physical disability or inability to read or write, shall be entitled to receive assistance in the marking of his or her

absentee ballot and in completing the affidavit on the absentee ballot envelope. The voter may be given assistance by anyone of the voter's choice other than a candidate whose name appears on the absentee ballot being marked, the spouse, parent or child of a candidate whose name appears on the absentee ballot being marked or the voter's employer, an agent of that employer or a union representative; however, a candidate whose name is on the ballot or the spouse, parent or child of such candidate may provide assistance upon request to any voter who is related within the first degree. In order to ensure the integrity of the ballot, any person who provides assistance to an absentee voter shall be required to sign and complete the "Certificate of Person Providing Voter Assistance" on the absentee ballot envelope.

(2) The foregoing instructions required to be provided by the registrar to the elector shall also constitute the substantive law pertaining to the handling of absentee ballots by the elector and registrar.

(3) The Secretary of State shall prepare instructions on how absent voters may comply with the identification requirements of Section 23-15-563.

SECTION 19. Section 23-15-647, Mississippi Code of 1972, is brought forward as follows:

23-15-647. The registrar shall keep safely and unopened all official absentee ballots which are received by mail after the applicable cutoff period establishing its validity. Upon receipt of such ballot, the registrar shall write the day and hour of the receipt of the ballot on its envelope. All such absentee ballots returned to the registrar after the cutoff time shall be safely kept unopened by the registrar for the period of time required for the preservation of ballots used in the election, and shall then, without being opened, be destroyed in like manner as the used ballots of the election.

SECTION 20. Section 23-15-649, Mississippi Code of 1972, is brought forward as follows:

23-15-649. For all elections, the election officials shall prepare and print, as soon as the deadline for the qualification of candidates has passed or forty-five (45) days before the election, whichever is later, official ballots for each voting precinct to be known as absentee voter ballots, which ballots shall be prepared and printed in the same form and shall be of the same size and texture as the regular official ballot except that they shall be printed on tinted paper of a tint different from that of the regular official ballot or with a header of different tint.

SECTION 21. Section 23-15-651, Mississippi Code of 1972, is brought forward as follows:

23-15-651. The results of the vote by absentee balloting shall be announced simultaneously with the vote cast on election day; provided that absentee ballots received after 7:00 p.m. the day before the election shall be kept in a secured and sealed ballot box, and shall be announced after the five-business-day period for receiving absentee ballots.

SECTION 22. Section 23-15-653, Mississippi Code of 1972, is brought forward as follows:

23-15-653. All registrars' offices shall remain open until noon on the two (2) Saturdays prior to each election.

SECTION 23. Section 23-15-657, Mississippi Code of 1972, is brought forward as follows:

23-15-657. The registrar is authorized to accept requests for absentee ballots by telephone. When a telephone request that an absentee ballot application be mailed by the registrar to an elector is made, the registrar shall ascertain the name and complete address of the person making the telephone request and shall print upon the absentee ballot application the name and complete address of the requestor and the relation of such person to the voter if requested by a person other than the voter and the date such request was made. Such requests shall be processed through the Statewide Election Management System.

SECTION 24. Section 23-15-671, Mississippi Code of 1972, is brought forward as follows:

23-15-671. The title of Sections 23-15-671 through 23-15-697 shall be the Armed Services Absentee Voting Law.

SECTION 25. Section 23-15-673, Mississippi Code of 1972, is brought forward as follows:

23-15-673. (1) For the purposes of this subarticle, the term "absent voter" shall mean and include the following persons if they are absent from their county of residence and are otherwise qualified to vote in Mississippi:

(a) Any enlisted or commissioned members, male or female, of the United States Army, or any of its respective components or various divisions thereof; any enlisted or commissioned members, male or female, of the United States Navy, or any of its respective components or various divisions thereof; any enlisted or commissioned members, male or female, of the United States Air Force, or any of its respective components or various divisions thereof; any enlisted or commissioned members, male or female, of the United States Marines, or any of its respective components or various divisions thereof; or any persons in any division of the armed services of the United States; or any persons who are members of the United States Space Force, who are citizens of Mississippi;

(b) Any member of the Merchant Marine and the American Red Cross who is a citizen of Mississippi;

(c) Any disabled war veteran who is a patient in any hospital and who is a citizen of Mississippi;

(d) Any civilian attached to and serving outside of the United States with any branch of the Armed Forces or with the Merchant Marine or American Red Cross, and who is a citizen of Mississippi;

(e) Any trained or certified emergency response provider who is deployed during the time period authorized by law for absentee voting, on election day, or during any state of emergency declared by the President of the United States or any Governor of any state within the United States;

(f) Any citizen of Mississippi temporarily residing outside the territorial limits of the United States and the District of Columbia;

(g) Any citizen of Mississippi enrolled as a student at the United States Naval Academy, the United States Coast Guard Academy, the United States Merchant Marine Academy, the United States Air Force Academy or the United States Military Academy.

(2) The spouse and dependents of any absent voter as set out in paragraphs (a) through (g) of subsection (1) of this section shall also be included in the meaning of absent voter and may register to vote and vote an absentee ballot as provided in this subarticle

if also absent from the county of their residence on the date of the election and otherwise qualified to vote in Mississippi.

(3) For the purpose of this subarticle, the term "election" shall mean and include the following sets of elections: special and runoff special elections, preferential and general elections, first and second primary elections or general elections without preferential elections, whichever system is applicable.

SECTION 26. Section 23-15-675, Mississippi Code of 1972, is brought forward as follows:

23-15-675. Any absent voter, as defined in Section 23-15-673, who is otherwise qualified, may, upon compliance with the provisions of this subarticle, vote in any elections which are held in his voting precinct when he is absent for the reasons set forth in this subarticle.

SECTION 27. Section 23-15-677, Mississippi Code of 1972, is brought forward as follows:

23-15-677. (1) All absent voters as defined in Section 23-15-673(1) and (2) may use a duly executed federal postcard application (as provided for in the Uniformed and Overseas Citizens Absentee Voting Act, 42 USCS 1973ff et seq.) to request a ballot or to register to vote, or to do both simultaneously.

(2) An absent voter who registers to vote utilizing a federal postcard application or a Federal Write-In-Absentee Ballot may vote in an election if the voter was registered to vote ten (10) or more days prior to the date of the election.

SECTION 28. Section 23-15-679, Mississippi Code of 1972, is brought forward as follows:

23-15-679. The official absentee voter ballots shall be prepared and printed in the same form and shall be of the same size and texture as the regular official ballot except that they shall be printed on tinted paper of a tint different from that of the regular official ballot.

SECTION 29. Section 23-15-681, Mississippi Code of 1972, is brought forward as follows:

23-15-681. Except as otherwise provided in this subarticle, all official absentee ballots shall be sent out and returned in envelopes on which there is printed across the face two (2) parallel horizontal bars, each one-fourth (1/4) of an inch wide, extending from one side of the envelope to the other side, with an intervening space of one-fourth (1/4) of an inch, the top bar to be one and one-fourth (1-1/4) inches from the top of the envelope, and with the words "OFFICIAL ELECTION BALLOTING MATERIAL-VIA AIR MAIL" between the bars. In the upper right corner of each such envelope there shall be printed in a box the words "FREE OF U.S. POSTAGE, INCLUDING AIR MAIL." All printing on the face of such envelopes shall be in black, and there shall be printed in black in the upper left corner of all such ballot envelopes an appropriate inscription for the return address of the sender.

SECTION 30. Section 23-15-683, Mississippi Code of 1972, is brought forward as follows:

23-15-683. In any elections, as soon as the deadline for the qualification of candidates has passed, or forty-five (45) days prior to the election, whichever is later, absentee ballots shall be prepared and printed for the elections, and both of said ballots shall have printed thereon the names of all candidates who originally qualify as candidates. However, such ballots shall be printed on paper of different tints or colors

and shall be styled so as to show which ballot is to be used for the first election and which ballot is to be used for the second election. When the proper application is made as is otherwise provided herein, the registrar shall send to the absent voter the proper absent voter ballots for the elections as is otherwise provided herein, and with such ballots there shall be sent also separate official envelopes for the return thereof. No additional ballot shall be thereafter sent to the absent voter for the second election but the absent voter shall ascertain which of the candidates who originally qualified are candidates in the second election and he or she may vote for his choice between them on the second election ballot previously sent him. If an absentee voter shall vote for any candidate on the second election ballot who is not a candidate in the second election, his vote for that office shall be disregarded.

SECTION 31. Section 23-15-685, Mississippi Code of 1972, is brought forward as follows:

23-15-685. Within forty-five (45) days next prior to any election upon application first made to the registrar of the county by any absent voter as defined in this subarticle, such person shall be sent an absentee voter ballot of the county of which he is a citizen and resident. The registrar shall send to such absent voter a proper absentee voter ballot containing the names of all candidates who qualify or the proposition to be voted upon in such elections, and with such ballot there shall be sent an official envelope containing upon it in printed form the recitals and data hereinafter required.

SECTION 32. Section 23-15-687, Mississippi Code of 1972, is brought forward as follows:

23-15-687. (1) The registrar shall keep all applications for absentee ballots and shall, within twenty-four (24) hours, if possible, send to the absent voter on whose behalf the application is made, the proper affidavit and the proper ballot or ballots applicable to the elections. Such information shall be processed through the Statewide Election Management System.

(2) One (1) application for an absentee ballot shall serve as a request by the applicant for an absentee ballot for:

(a) The next federal general election, including all primary elections associated with the election;

(b) All state and county primary and general elections that occur after the receipt of the application by the registrar through the date of the next federal general election that occurs after the receipt of the application by the registrar.

(3) The registrar shall preserve all applications for absentee ballots for one (1) year as a record to be furnished to any court or other duly constituted authority for inspection or evidence if properly requested.

(4) If the registrar rejects an application for an absentee ballot or denies a request to register to vote from a uniformed services applicant or an overseas voter, the registrar shall provide the person with the reasons for the rejection.

(5) Any runoff election for a federal election shall be considered a continuation of such federal election.

(6) An absent voter as defined in Section 23-15-673(1) may sign an absentee ballot application by electronic signature. The Secretary of State shall adopt rules necessary to implement this subsection.

SECTION 33. Section 23-15-691, Mississippi Code of 1972, is brought forward as follows:

23-15-691. As soon as possible after the printing of the official absentee ballot for any election, the registrar of the county shall send to any absent voter as defined in this subarticle, who shall, upon proper application, have requested same, the official absentee voter ballot or ballots provided for in this subarticle and the instructions for voting and returning the ballot. If the ballot is sent by mail the registrar shall send a self-addressed envelope or envelopes with the ballot and the instructions.

If the ballot is sent by mail, the gummed flap of the envelope provided for the return of the ballot must be separated by wax paper or other appropriate protective insert from the remaining balloting material. The voting instructions shall require a notation of the facts on the back of the envelope duly signed by the voter.

If applicable, the instructions shall indicate that the ballot shall be marked in ink or indelible pencil.

SECTION 34. Section 23-15-692, Mississippi Code of 1972, is brought forward as follows:

23-15-692. (1) An absent voter who resides outside the United States, who is a member of the United States Armed Forces or who is a family member of a member of the Armed Forces, and who is a registered voter of the State of Mississippi, may use the Federal Write-In-Absentee Ballot as provided for by 42 USCS 1973ff-2 in general, special, primary and runoff elections for local, state and federal offices.

(2) Upon receipt of a Federal Write-In-Absentee Ballot executed by a person who is a registered voter or whose information on the form is sufficient to register or update the registration of that person, the Federal Write-In-Absentee Ballot shall be considered as an absentee ballot request. Nothing in this subsection shall suspend the voter registration deadlines otherwise provided by law.

SECTION 35. Section 23-15-693, Mississippi Code of 1972, is brought forward as follows:

23-15-693. The absent voter, upon receipt of the absentee ballot, shall complete the declaration specified in the Uniformed and Overseas Citizens Absentee Voting Act, 42 USC Section 1973ff et seq.

SECTION 36. Section 23-15-697, Mississippi Code of 1972, is brought forward as follows:

23-15-697. When the absentee ballot has been voted and the envelope sealed, signed and certified to as provided above, the absentee voter shall mail the envelope containing the ballot to the registrar.

SECTION 37. Section 23-15-699, Mississippi Code of 1972, is amended as follows:

23-15-699. (1) Absent voters who have requested to receive absentee ballots and balloting materials may choose to receive such ballots and balloting materials by mail, facsimile device (FAX) or electronic mail delivery (e-mail). The Secretary of State shall establish procedures that allow an absent voter to make the choice authorized by this subsection.

(2) Consistent with the choice that the absent voter exercises pursuant to subsection (1) of this section, the registrar shall, in addition to mail, be authorized to use electronic facsimile (FAX) devices and electronic mail delivery (e-mail) to transmit balloting materials and absentee ballots. If the absent voter does not indicate a preference, delivery of such information shall be by mail.

(3) The registrar is authorized to receive by electronic facsimile (FAX) devices and electronic mail delivery (e-mail):

(a) Voted absentee ballots;

(b) Completed federal postcard applications as described in Section 23-15-677, which shall serve to request absentee ballots or to register to vote or to do both simultaneously; and

(c) Completed Federal Write-In-Absentee Ballots as described in Section 23-15-692.

(4) Once the registrar has received a voted absentee ballot pursuant to this section, he shall place the ballot in an absentee ballot envelope designated for absentee ballots under this subarticle and fill out the required information on the envelope. The registrar shall then notate on the envelope that the ballot was received under this section and a signature * * * in a box on the envelope shall not be required. Except as provided in this section, absentee ballots received under this subsection shall be treated in the same manner as other absentee ballots received under this subarticle.

(5) Access to voted absentee ballots before they are placed in an absentee ballot envelope shall be strictly limited to election officials who must process the ballot and any election official who views the ballots before they are placed in the envelope shall have the duty to protect the secrecy of the ballot choices; however, the failure of an election official to comply with this subsection shall not invalidate the ballot.

(6) Each circuit clerk shall furnish a suitable electronic mail delivery (e-mail) address that can be used to allow absent voters to comply with the provisions of this subarticle. Absentee ballots returned by mail by any absent voter as defined in Section 23-15-673 must be received by the registrar by the deadline for receipt of mail absentee ballots provided for in Section 23-15-637.

SECTION 38. Section 23-15-701, Mississippi Code of 1972, is brought forward as follows:

23-15-701. (1) The Secretary of State shall adopt such rules which are necessary and essential to implement this subarticle and to bring the state into compliance with the Uniformed and Overseas Citizens Absentee Voting Act, 42 USCS Section 1973ff et seq. The Secretary of State shall furnish the Legislature with a copy of such rules sixty (60) days after adoption by the Secretary of State.

(2) The Secretary of State may exercise emergency powers concerning absentee voting and registration of military personnel over any election during an armed conflict or other military contingencies involving United States Armed Forces or mobilization of those forces, including state national guard or reserve components. The Secretary of State shall adopt rules describing the emergency powers and the situations in which the powers will be exercised.

SECTION 39. Section 23-15-711, Mississippi Code of 1972, is brought forward as follows:

23-15-711. The title of Sections 23-15-711 through 23-15-721 shall be the Mississippi Absentee Voter Law.

SECTION 40. Section 23-15-713, Mississippi Code of 1972, is brought forward as follows:

23-15-713. For the purpose of this subarticle, any duly qualified elector may vote as provided in this subarticle if the elector falls within at least one (1) of the following categories:

(a) Any qualified elector who is a bona fide student, teacher or administrator at any college, university, junior college, high, junior high, or elementary grade school whose studies or employment at such institution necessitates his or her absence from the county of his or her voting residence on the date of any primary, general or special election, or the spouse and dependents of that student, teacher or administrator if such spouse or dependent(s) maintain a common domicile, outside of the county of his or her voting residence, with such student, teacher or administrator.

(b) Any qualified elector who is required to be away from his or her place of residence on any election day due to his or her employment as an employee of a member of the Mississippi congressional delegation and the spouse and dependents of such person if he or she shall be residing with such absentee voter away from the county of the spouse's voting residence.

(c) Any qualified elector who is away from his or her county of residence on election day for any reason.

(d) Any person who has a temporary or permanent physical disability and who, because of such disability, is unable to vote in person without substantial hardship to himself, herself or others, or whose attendance at the voting place could reasonably cause danger to himself, herself or others. For purposes of this paragraph (d), "temporary physical disability" shall include any qualified elector who is under a physician-imposed quarantine due to COVID-19 during the year 2020 or is caring for a dependent who is under a physician-imposed quarantine due to COVID-19 beginning with July 8, 2020, and the same being repealed on December 31, 2020.

(e) The parent, spouse or dependent of a person with a temporary or permanent physical disability who is hospitalized outside of his or her county of residence or more than fifty (50) miles distant from his or her residence, if the parent, spouse or dependent will be with such person on election day. For purposes of this paragraph (e), "temporary physical disability" shall include any qualified elector who is under a physician-imposed quarantine due to COVID-19 during the year 2020 or is caring for a dependent who is under a physician-imposed quarantine due to COVID-19 beginning with July 8, 2020, and the same being repealed on December 31, 2020.

(f) Any person who is sixty-five (65) years of age or older.

(g) Any member of the Mississippi congressional delegation absent from Mississippi on election day, and the spouse and dependents of such member of the congressional delegation.

(h) Any qualified elector who will be unable to vote in person because he or she is required to be at work on election day during the times at which the polls will be open.

SECTION 41. Section 23-15-717, Mississippi Code of 1972, is brought forward as follows:

23-15-717. Any elector enumerated in Section 23-15-713 applying for an absentee ballot shall complete an application form as provided in Section 23-15-627, and said elector shall fill in the application as is appropriate for his particular situation.

SECTION 42. Section 23-15-721, Mississippi Code of 1972, is brought forward as follows:

23-15-721. (1) Absentee ballots requested under the provisions of Section 23-15-715 for electors temporarily residing outside the county of residence shall be mailed to the elector's address outside of the county in which he or she is registered, and such electors shall appear before any official authorized to administer oaths or other official authorized to witness absentee balloting as provided in this article. The elector shall exhibit to such official his or her absentee ballot unmarked and thereupon proceed in secret to fill in the ballot. After the elector has properly marked the ballot and properly folded it, he or she shall deposit it in the envelope furnished him or her. After the elector has sealed the envelope he or she shall deliver it to the official before whom he or she is appearing and shall subscribe and swear to the elector's certificate provided for in Section 23-15-635, which affidavit shall be printed on the back of the envelope as provided for in Section 23-15-635 containing the elector's ballot.

(2) Electors who are temporarily or permanently physically disabled shall sign the elector's certificate and the certificate of attesting witness shall be signed by any person eighteen (18) years of age or older.

(3) After the completion of the requirements of this section, the elector shall mail the envelope containing the ballot to the registrar in the county wherein the elector is qualified to vote. The ballots must be postmarked by the date of the election and received by the registrar no more than five (5) business days after the election to be counted; any received after such time shall be handled as provided in Section 23-15-647 and shall not be counted.

SECTION 43. Section 23-15-733, Mississippi Code of 1972, is brought forward as follows:

23-15-733. The registrar shall keep safely and unopened all official presidential absentee ballots which are received subsequent to the deadline for receipt of mail absentee ballots provided for in Section 23-15-637. Upon receipt of such ballot, the registrar shall write the day and hour of the receipt of the ballot on its envelope. All such absentee ballots returned to the registrar shall be safely kept unopened by the registrar for the period of time required for the preservation of ballots used in the election, and shall then, without being opened, be destroyed in like manner as the used ballots of the election. Such information shall be processed through the Statewide Election Management System.

SECTION 44. Section 23-15-735, Mississippi Code of 1972, is brought forward as follows:

23-15-735. Except for ballots voted in person at the office of the registrar, absentee ballots shall not be delivered in person to an absentee voter or to any other person.

SECTION 45. Section 23-15-751, Mississippi Code of 1972, is brought forward as follows:

23-15-751. If any registrar or commissioner of elections shall refuse or neglect to perform any of the duties prescribed by Sections 23-15-621 through 23-15-735, or shall knowingly permit any person to sign a false affidavit or otherwise knowingly permit any person to violate Sections 23-15-621 through 23-15-735, or shall violate any of the provisions thereof, or if any officer taking the affidavits as provided in said acts shall make any false statement in his certificate thereto attached, he shall, upon conviction, be deemed guilty of a crime and shall be punished by a fine not exceeding One Thousand Dollars ($1,000.00) or by imprisonment in the Penitentiary not exceeding one (1) year, and shall be removed from office.

SECTION 46. Section 23-15-753, Mississippi Code of 1972, is brought forward as follows:

23-15-753. (1) Any person who willfully, unlawfully and feloniously procures, seeks to procure, or seeks to influence the vote of any person voting by absentee ballot, by the payment of money, the promise of payment of money, or by the delivery of any other item of value or promise to give the voter any item of value, or by promising or giving the voter any favor or reward in an effort to influence his vote, or any person who aids, abets, assists, encourages, helps, or causes any person voting an absentee ballot to violate any provision of law pertaining to absentee voting, or any person who sells his vote for money, favor, or reward, has been paid or promised money, a reward, a favor or favors, or any other item of value, or any person who fraudulently requests or submits an absentee ballot application for any voter, or any person who shall willfully swear falsely to any affidavit provided for in Sections 23-15-621 through 23-15-735, shall be guilty of the crime of "vote fraud" and, upon conviction, shall be sentenced to pay a fine of not less than Five Hundred Dollars ($500.00) nor more than Five Thousand Dollars ($5,000.00), or by imprisonment in the county jail for no more than one (1) year, or by both fine and imprisonment, or by being sentenced to the State Penitentiary for not less than one (1) year nor more than five (5) years.

(2) It shall be unlawful for any person who pays or compensates another person for assisting voters in marking their absentee ballots to base the pay or compensation on the number of absentee voters assisted or the number of absentee ballots cast by persons who have received the assistance. Any person who violates this section, upon conviction, shall be fined not less than One Thousand Dollars ($1,000.00) nor more than Five Thousand Dollars ($5,000.00), or imprisoned in the Penitentiary not less than one (1) year nor more than five (5) years, or both.

SECTION 47. Section 23-15-755, Mississippi Code of 1972, is brought forward as follows:

23-15-755. All of the provisions of Sections 23-15-621 through 23-15-735 shall be applicable, insofar as possible, to municipal, primary, preferential, general and special elections, and wherever herein any duty is imposed or any power or authority is conferred upon the county registrar, county election commissioners, or county executive committee with reference to a state and county election, such duty shall likewise be imposed and such power and authority shall likewise be conferred upon the municipal registrar, municipal election commission or municipal executive committee with reference to any municipal election. Any duty, obligation or responsibility imposed upon the registrar or upon the election commissioners, when applicable, shall likewise be conferred upon and devolved upon the appropriate party, executive committee or officials in any party primary.

SECTION 48. Section 23-15-517, Mississippi Code of 1972, is brought forward as follows:

23-15-517. At least one (1) hour before the opening of the polls, the officials in charge of the election shall arrive at the polling place and set up the voting booths so that they will be in clear view of the poll managers; the poll managers shall examine the ballots to verify that they have the correct ballots for their precinct and check the supplies, records and forms, and post the sample ballots and instructions to the voters. They shall also inspect the ballot boxes to ensure they contain only voted absentee ballots in their envelopes with the required applications, and then seal the box for voting.

Each voter shall receive written and/or verbal instructions by the poll managers instructing the voter how to properly vote the paper ballot before the voter enters the voting booth. If any voter needs additional instructions after entering the voting booth, two (2) poll managers may, if necessary, enter the booth and give him or her such additional instructions. If any voter spoils a ballot the voter may obtain others, one (1) at a time, not exceeding three (3) in all, upon returning each spoiled ballot. The word "SPOILED" shall be written across the face of the ballot and it shall be deposited into the sealed ballot box. When the polls close once the last ballot has been cast or at 7:00 p.m., whichever is later, the poll managers shall break the seal on the ballot box to process the absentee ballots.

Ballots marked as spoiled shall be bundled together and placed in an envelope designated for spoiled ballots. Once the polls have officially closed, the envelope that contains the spoiled ballots and the unused ballots shall be placed in the ballot box or other container provided for that purpose which shall be sealed and returned to the officials in charge of the election.

SECTION 49. Section 23-15-519, Mississippi Code of 1972, is brought forward as follows:

23-15-519. The poll managers shall prepare a ballot accounting report that documents the number of voters who have voted, as indicated by the receipt book and the number of ballots used in the election. The poll managers shall place the report in the ballot box, with the seal logs, receipt books, absentee ballots, affidavit ballots, challenged ballots, curbside ballots, emergency ballots, spoiled ballots and unused ballots, which thereupon shall be sealed with a tamper-evident seal, which is a seal that has been designed in such a way to allow someone to easily detect any tampering, so that no additional ballots may be deposited or removed from the ballot box. The poll managers, while they have possession of the election materials, and the officials in charge of the election, once the poll managers have delivered the ballot box to the counting center or other designated place, shall be required to keep a seal log to document each time a tamper-evident seal for a ballot box is opened or changed. The seal log shall require the name of the person who opened the seal, the old seal number, the new seal number, the date the seal was opened and the purpose for opening the seal. The receiving and returning poll manager shall deliver the ballot box to the counting center or other designated place and receive a signed, numbered receipt therefor. The poll books and other records and supplies shall be returned as directed by the officials in charge of the election. Failure to strictly comply with the provisions of this section shall not result in a presumption of fraud.

SECTION 50. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO REVISE THE ABSENTEE BALLOTING LAW; TO AMEND SECTIONS 23-15-633 AND 23-15-635, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN ELECTOR'S CERTIFICATE SHALL ONLY BE REQUIRED FOR MAILED ABSENTEE BALLOTS; TO AMEND SECTION 23-15-637, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL ABSENTEE BALLOTS CAST IN PERSON AT THE OFFICE OF THE REGISTRAR SHALL BE CAST USING THE OPTICAL MARK READING EQUIPMENT; TO PROVIDE THAT THE OPTICAL MARK READING EQUIPMENT SHALL BE SEALED EACH NIGHT; TO PROVIDE THAT IF FOR ANY REASON THE OPTICAL MARK READING EQUIPMENT BECOMES INOPERABLE, PAPER BALLOTS SHALL BE USED; TO AMEND SECTION 23-15-639, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MAILED ABSENTEE BALLOTS SHALL BE COUNTED BY THE RESOLUTION BOARD AT THE CLOSE OF THE POLLS ALONG WITH THE ABSENTEE BALLOTS CAST IN PERSON ON THE OPTICAL MARK READING EQUIPMENT; TO PROVIDE A PROCESS FOR ABSENTEE VOTERS TO CURE THEIR ABSENTEE BALLOT IF THE SIGNATURES ON THE APPLICATION DOES NOT MATCH THE SIGNATURE ON THE ENVELOPE; TO AMEND SECTIONS 23-15-641, 23-15-643, 23-15-645, 23-15-715, 23-15-719, 23-15-731, 23-15-391, 23-15-511, 23-15-631 AND 23-15-699, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO AMEND SECTION 23-15-627, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN METHODS OF NOTIFICATION TO BE ASKED ON THE ABSENTEE BALLOT APPLICATION; TO BRING FORWARD SECTIONS 23-15-621, 23-15-623, 23-15-625, 23-15-629, 23-15-647, 23-15-649, 23-15-651, 23-15-653, 23-15-657, 23-15-671, 23-15-673, 23-15-675, 23-15-677, 23-15-679, 23-15-681, 23-15-683,

23-15-685, 23-15-687, 23-15-691, 23-15-692, 23-15-693, 23-15-697, 23-15-701, 23-15-711, 23-15-713, 23-15-717, 23-15-721, 23-15-733, 23-15-735, 23-15-751, 23-15-753, 23-15-755, 23-15-517 AND 23-15-519, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1406 was adopted.

YEAS AND NAYS On H. B. No. 1406. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson entered a motion to reconsider the vote whereby **H. B. No. 1088** passed the Senate as amended.

H. B. No. 1088: Circuit courts; authorize jurisdiction for persons with criminal charges who may need civil commitment procedures.

Senator Hopson entered a motion to reconsider the vote whereby **H. B. No. 783** passed the Senate as amended.

H. B. No. 783: Child custody; require presumption of joint custody and equal parenting time.

Senator Hopson entered a motion to reconsider the vote whereby **H. B. No. 774** passed the Senate as amended.

H. B. No. 774: MS Mobile Sports Wagering Act; create to legalize "online race book" and "online sports pool" betting.

Senator Hopson entered a motion to reconsider the vote whereby **H. B. No. 1192** passed the Senate as amended.

H. B. No. 1192: Virtual public schools; authorize operation by certain educational providers or locally sponsored virtual public schools.

Senator Sparks entered a motion to reconsider the vote whereby **H. B. No. 1323** passed the Senate as amended.

H. B. No. 1323: Statute of limitations; increase for sexual battery of a vulnerable person.

Senator Hickman entered a motion to reconsider the vote whereby **H. B. No. 1441** passed the Senate as amended.

H. B. No. 1441: Felony; increase penalties for commission of with use of semi-automatic firearm.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of James Curtis Boyd, III of Hurley Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Charles Clozell Cooper of Perkinston, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Harold Boyd Ainsworth of Wiggins, MS.

Senators McMahan and Sparks moved that when the Senate adjourns, it adjourn in memory of Phillip Izard of Saltillo, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Joyce Elaine Everett of Newton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Marie McNair of Lawrence, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Krissi Leigh Munn of Decatur, MS.

Senator Ladner moved that when the Senate adjourns, it adjourn in memory of Elaine Elizabeth Lizana of Kiln, MS.

MESSAGE FROM THE ATTORNEY GENERAL
April 9, 2024

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

James Harrell (Jim) Herring, Sr., Canton, Mississippi, State Oil and Gas Board, four year term beginning May 7, 2024 and ending May 6, 2028.

Lynn Fitch
ATTORNEY GENERAL

The executive nomination in the foregoing message was referred to committee as follows:

James Harrell (Jim) Herring, Sr., State Oil and Gas Board, four year term beginning May 7, 2024 and ending May 6, 2028, Energy.

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2060: Memorial bridge; dedicate the Little Biloxi Bridge to World War II Infantryman Willie Edward King.
Senators Branning, DeLano, Ladner.

S. B. No. 2408: Identification cards and driver's licenses; require to have 988 Crisis Lifeline information.
Senators Boyd, DeLano, Sparks.

Senator Polk moved that the Senate adjourn until 10:00 AM, Wednesday, April 10, 2024.

The motion prevailed, and at 5:24 PM, the Senate stood adjourned in memory of James Curtis Boyd, III, Charles Clozell Cooper, Harold Boyd Ainsworth, Phillip Izard, Joyce Elaine Everett, Marie McNair, Krissi Leigh Munn and Elaine Elizabeth Lizana.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, APRIL 9, 2024

S. B. No. 3222: Judiciary, Division B
AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO ROBERT MAXWELL OF OKTIBBEHA COUNTY.
By Senator(s) Turner-Ford

S. B. No. 3223: Judiciary, Division B
AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO DEWITT COOPERWOOD OF OKTIBBEHA COUNTY.
By Senator(s) Turner-Ford

S. B. No. 3224: Local and Private
AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF HATTIESBURG, MISSISSIPPI, TO USE PART OF THE CITY'S TRAFFIC FINE MONEY FOR COMMUNITY DEVELOPMENT INITIATIVES; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 3225: Local and Private
AN ACT TO AMEND CHAPTER 952, LOCAL AND PRIVATE LAWS OF 1991, AS LAST AMENDED BY CHAPTER 976, LOCAL AND PRIVATE LAWS OF 1994, TO AUTHORIZE THE HATTIESBURG CONVENTION COMMISSION TO USE THE DESIGN-BUILD METHOD OF CONSTRUCTION CONTRACTING; AND FOR RELATED PURPOSES.
By Senator(s) Johnson

S. B. No. 3226: Judiciary, Division B
AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO PAMELA NULL OF ALCORN COUNTY.
By Senator(s) Parks

S. B. No. 3227: Judiciary, Division B
AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO TEDDY NULL OF ALCORN COUNTY.
By Senator(s) Parks

S. B. No. 3228: Judiciary, Division B
AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO KENNETH EDWARD BARNES OF WALTHALL COUNTY, MISSISSIPPI.
By Senator(s) Fillingane

S. B. No. 3229: Judiciary, Division B
AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO STANLEY BARNES, OF CLAIBORNE COUNTY, MISSISSIPPI.
By Senator(s) Butler, Thomas, Blackmon, Horhn, Simmons (12th), Barnett

S. R. No. 78: Rules
A RESOLUTION RECOGNIZING AND COMMENDING THE FLORENCE HIGH SCHOOL "EAGLES" BOYS SOCCER TEAM AND HEAD COACH JOSHUA CAVANAUGH FOR WINNING THE 2024 MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 5A BOYS SOCCER STATE CHAMPIONSHIP.
By Senator(s) Rhodes, Kirby, Harkins

S. R. No. 79: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE 2023-2024 FLORENCE HIGH SCHOOL LADY EAGLES SOCCER TEAM AND HEAD COACH BILL HOOD UPON WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 5A GIRLS STATE SOCCER CHAMPIONSHIP.
By Senator(s) Rhodes, Kirby, Harkins

S. R. No. 80: Rules
A RESOLUTION COMMENDING THE EXTENSIVE JUDICIAL CAREER AND SERVICE OF MISSISSIPPI COURT OF APPEALS JUDGE JIM GREENLEE OF OXFORD, MISSISSIPPI, ON THE OCCASION OF HIS RETIREMENT.
By Senator(s) Boyd, McCaughn, Thompson, Suber, Sparks, Whaley, Hopson

S. R. No. 81: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE CANTON HIGH SCHOOL "TIGERS" BOYS BASKETBALL TEAM AND HEAD COACH B.J. TOWNSEND FOR THEIR THRILLING VICTORY IN THE MHSAA CLASS 5A STATE CHAMPIONSHIP.
By Senator(s) Blackmon, Thomas

S. R. No. 82: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE 2023-2024 NORTHWEST COMMUNITY COLLEGE WOMEN'S SOCCER TEAM AND HEAD COACH JAMES BEATTIE UPON WINNING THE NATIONAL COMMUNITY AND JUNIOR COLLEGE ATHLETIC ASSOCIATION (NCJAA) REGION 23 WOMEN'S SOCCER STATE CHAMPIONSHIP.
By Senator(s) Whaley, Blackwell, Parker, Suber, McLendon, Boyd

---

ONE-HUNDREDTH DAY, WEDNESDAY, APRIL 10, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Senator Barnett.

Senator Suber led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2729: Rural Physicians Scholarship Program and Rural Dentists Scholarship Program; revise certain provisions of.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2454: AN ACT TO AMEND SECTION 49-17-707, MISSISSIPPI CODE OF 1972, TO MOVE THE DATE OF REPEAL ON THE MISSISSIPPI GULF COAST REGION UTILITY BOARD FROM 2027 TO 2024; TO AMEND SECTION 49-17-709,

MISSISSIPPI CODE OF 1972, TO MOVE THE DATE OF REPEAL ON THE BOARD OF DIRECTORS OF THE MISSISSIPPI GULF COAST REGION UTILITY BOARD FROM 2027 TO 2024; TO AMEND SECTION 49-17-711, MISSISSIPPI CODE OF 1972, TO MOVE THE DATE OF REPEAL ON PROVISIONS CONCERNING THE UTILITY BOARD'S EMPLOYEES AND BUDGET FROM 2027 TO 2024; TO AMEND SECTION 49-17-713, MISSISSIPPI CODE OF 1972, TO MOVE THE DATE OF REPEAL ON THE DUTIES AND RESPONSIBILITIES OF THE UTILITY BOARD FROM 2027 TO 2024; AND FOR RELATED PURPOSES.

S. B. No. 2556: AN ACT TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROVIDE CERTAIN DATA METRICS RELATING TO ACHIEVEMENT AND NON-ACHIEVEMENT EFFECTS OF THE EARLY LEARNING COLLABORATIVE ACT OF 2013 TO BETTER MEASURE PROGRAM OUTCOMES IN FUTURE EVALUATIONS; AND FOR RELATED PURPOSES.

S. B. No. 2572: AN ACT TO AMEND SECTION 37-153-7, MISSISSIPPI CODE OF 1972, TO ALLOW PROXY PARTICIPATION IN MEETINGS OF THE STATE WORKFORCE INVESTMENT BOARD IN ORDER TO MEET A QUORUM; AND FOR RELATED PURPOSES.

S. B. No. 2707: AN ACT TO AMEND THE BUSINESS IMPROVEMENT DISTRICT ACT; TO AMEND SECTION 21-43-117, MISSISSIPPI CODE OF 1972, TO ALLOW MODIFICATION OF THE PROCESS FOR PLAN AMENDMENTS DURING THE TEN-YEAR PLAN PERIOD AND TO PROVIDE FOR DISBURSEMENT OF THE COLLECTED DISTRICT FUNDS; TO CREATE SECTION 21-43-118, MISSISSIPPI CODE OF 1972, TO REQUIRE ANNUAL MEETINGS OF THE DISTRICT AND PRESCRIBE METHODS TO AMEND THE DISTRICT PLAN; TO AMEND SECTION 21-43-119, TO CONFORM WITH PLAN AMENDMENT PROCEDURES; TO AMEND SECTION 21-43-129, MISSISSIPPI CODE OF 1972, TO ALLOW THE DISTRICT TO DETERMINE ITS FISCAL YEAR AND TO RECEIVE DISBURSEMENT OF FUNDS FROM THE TAX COLLECTOR; AND FOR RELATED PURPOSES.

S. B. No. 2788: AN ACT TO REENACT AND AMEND SECTION 73-60-5, MISSISSIPPI CODE OF 1972, WHICH WAS REPEALED BY OPERATION OF LAW IN 2013, TO REVIVE THE HOME INSPECTOR REGULATORY BOARD; TO PROVIDE THAT THE POWERS AND DUTIES OF THE MISSISSIPPI REAL ESTATE COMMISSION IN REGARDS TO HOME INSPECTORS SHALL BE TRANSFERRED TO THE MISSISSIPPI REAL ESTATE APPRAISAL BOARD; TO AMEND SECTIONS 73-60-1, 73-60-3, 73-60-7, 73-60-9, 73-60-11 AND 73-60-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTION 73-60-17, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTIONS 73-60-21, 73-60-23, 73-60-27, 73-60-29, 73-60-31, 73-60-33, 73-60-35, 73-60-37, 73-60-39, 73-60-41, 73-60-45, 73-60-47 AND 73-34-9, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

S. B. No. 2851: AN ACT TO CREATE NEW SECTION 83-1-111, MISSISSIPPI CODE OF 1972, TO EXEMPT NONPROFIT AGRICULTURAL MEMBERSHIP ORGANIZATIONS FROM INSURANCE REGULATION; TO PROVIDE THAT A NONPROFIT AGRICULTURAL MEMBERSHIP ORGANIZATION MAY PROVIDE COVERAGE FOR HEALTHCARE BENEFITS OR SERVICES FOR ITS MEMBERS AND THEIR FAMILIES PURSUANT TO CONTRACTS BETWEEN MEMBERS AND THE ORGANIZATION OR ITS AFFILIATES; TO PROVIDE THAT A NONPROFIT AGRICULTURAL MEMBERSHIP ORGANIZATION OR ITS AFFILIATE SHALL HAVE A DESIGNATED INDIVIDUAL WHO, IN CONSULTATION WITH THE STATE INSURANCE DEPARTMENT, OPERATES AS AN OMBUDSMAN TO ADDRESS CONCERNS FROM INSURED MEMBERS REGARDING THE NAMO PLAN; TO PROVIDE THAT THE STATE INSURANCE DEPARTMENT SHALL HAVE THE AUTHORITY TO REVIEW AND COMMENT ON THE COMPLAINT, PROVIDED THAT ALL COMPLAINTS SHALL BE INVESTIGATED AND RESOLVED SOLELY BY THE OMBUDSMAN AND NAMO OR ITS DESIGNEE; TO PROVIDE CERTAIN REQUIREMENTS FOR NAMO PLANS; TO PROVIDE THAT HEALTHCARE BENEFITS OR SERVICES MAY BE SOLD OR SOLICITED ONLY BY AN INSURANCE PRODUCER WHO IS BOTH APPOINTED BY

AN ORGANIZATION MEETING THE REQUIREMENTS OF THIS ACT AND LICENSED AS AN INSURANCE PRODUCER TO SELL OR SOLICIT ACCIDENT AND HEALTH INSURANCE IN THIS STATE; TO AMEND SECTION 83-1-101, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. C. R. No. 520: A CONCURRENT RESOLUTION DESIGNATING FEBRUARY 6, 2024, AS "FAMILY MEDICINE APPRECIATION DAY" IN MISSISSIPPI IN HONOR OF THE 75TH ANNIVERSARY OF THE MISSISSIPPI ACADEMY OF FAMILY PHYSICIANS STATE CHARTER.

S. C. R. No. 530: A CONCURRENT RESOLUTION DESIGNATING MARCH 2024 AS "AMERICAN RED CROSS MONTH IN MISSISSIPPI" IN SUPPORT OF ITS CRITICAL HUMANITARIAN MISSION.

S. C. R. No. 531: A CONCURRENT RESOLUTION DECLARING THAT MARCH 21, 2024, IS "WORLD DOWN SYNDROME DAY IN MISSISSIPPI" TO ENCOURAGE AWARENESS AND OPPORTUNITIES FOR INDIVIDUALS WITH DOWN SYNDROME.

S. C. R. No. 532: A CONCURRENT RESOLUTION REMEMBERING THE GALLANT SERVICE AND COMMENDING THE LIFE OF UNITED STATES MARINE CORPS SERGEANT HAROLD HAMMETT WHO WAS LOST IN ACTION ON NOVEMBER 20, 1943, AT THE BATTLE OF TARAWA IN WORLD WAR II AND WHOSE REMAINS WERE RETURNED FOR BURIAL IN MISSISSIPPI, AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE.

S. C. R. No. 534: A CONCURRENT RESOLUTION COMMEMORATING THE 125TH ANNIVERSARY OF THE FOUNDING OF THE CITY OF RIDGELAND, MISSISSIPPI.

S. C. R. No. 536: A CONCURRENT RESOLUTION SALUTING AND EXTENDING THE CONGRATULATIONS OF THE MISSISSIPPI LEGISLATURE TO 90-YEAR-OLD BLUES LEGEND BOBBY RUSH FOR WINNING A 2024 GRAMMY AWARD FOR "BEST TRADITIONAL BLUES ALBUM" AT THE 66TH GRAMMY AWARDS FOR HIS ALBUM ENTITLED ALL MY LOVE FOR YOU.

S. C. R. No. 537: A CONCURRENT RESOLUTION RECOGNIZING THE REMARKABLE GROWTH AND SUCCESS OF THE ATHLETIC PROGRAM AT WILLIAM CAREY UNIVERSITY AND COMMENDING THESE HIGHER EDUCATION ACCOMPLISHMENTS.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 624: AN ACT TO REENACT SECTION 27-7-22.42, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR QUALIFIED RAILROAD RECONSTRUCTION OR REPLACEMENT EXPENDITURES AND QUALIFIED NEW RAIL INFRASTRUCTURE EXPENDITURES, AND WHICH WAS REPEALED BY OPERATION OF LAW ON JANUARY 1, 2024; TO AMEND REENACTED SECTION 27-7-22.42, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON SECTION; AND FOR RELATED PURPOSES.

H. B. No. 728: AN ACT TO BE KNOWN AS THE DEFENDING AFFORDABLE PRESCRIPTION DRUG COSTS ACT; TO PROVIDE DEFINITIONS FOR THE PURPOSE OF THE ACT; TO PROHIBIT HEALTH INSURANCE ISSUERS, PHARMACY BENEFIT MANAGERS AND OTHER THIRD PARTY PAYORS AND DRUG MANUFACTURERS AND DISTRIBUTORS FROM ENGAGING IN CERTAIN DISCRIMINATORY ACTIONS RELATING TO ENTITIES THAT ARE PARTICIPATING OR AUTHORIZED TO PARTICIPATE IN THE FEDERAL 340B DRUG DISCOUNT PROGRAM; TO PROVIDE THAT THE COMMISSION OF ANY ACT PROHIBITED BY THIS ACT IS CONSIDERED A VIOLATION OF THE CONSUMER PROTECTION ACT; TO AMEND SECTION 75-24-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISION; AND FOR RELATED PURPOSES.

H. B. No. 1583: AN ACT TO CREATE THE CONSUMER FREEDOM OF CHOICE IN APPLIANCES ACT; TO DEFINE THE TERMS "GOVERNMENTAL ENTITY", "UTILITY SERVICE" AND "APPLIANCE"; TO PROHIBIT A GOVERNMENTAL ENTITY FROM ENACTING OR ENFORCING ANY RESOLUTION, ORDINANCE, REGULATION, RULE, CODE, OR POLICY TO TAKE ANY ACTION THAT RESTRICTS OR PROHIBITS, OR HAS THE EFFECT OF RESTRICTING OR PROHIBITING, ANY PERSON OR ENTITY FROM USING ANY APPLIANCE BASED ON THE TYPE OF UTILITY SERVICE REQUIRED TO OPERATE THE APPLIANCE; TO BRING FORWARD SECTIONS 77-3-3 AND 77-3-201, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE REGULATION OF PUBLIC UTILITIES, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1648: AN ACT TO AMEND SECTION 77-3-16, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ELECTRONIC SUBMISSION OF BIDS FOR PUBLIC UTILITY CONTRACTS; TO PROVIDE CERTAIN REQUIREMENTS FOR CONSTRUCTION BIDS THAT ARE SUBMITTED ELECTRONICALLY; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 871: AN ACT TO AMEND SECTION 83-9-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR PURPOSES OF THE BALANCE BILLING PROHIBITION, A LICENSED HEALTH CARE PROVIDER RENDERING HOSPITAL, NURSING, MEDICAL OR SURGICAL SERVICES SHALL NOT INCLUDE THOSE IN THE PRACTICE OF DENTISTRY; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1024: AN ACT TO AMEND SECTION 99-19-77, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO RECOVER INVESTIGATIVE COSTS FROM A DEFENDANT; AND FOR RELATED PURPOSES.

H. B. No. 1644: AN ACT TO PROVIDE THAT CONTRACTS BETWEEN A COUNTY OR MUNICIPALITY AND A PRIVATE PROVIDER OF AMBULANCE SERVICES FOR THE CONTRACTING PROVIDER TO BE THE EXCLUSIVE PROVIDER OF AMBULANCE SERVICES IN THE COUNTY OR MUNICIPALITY MUST CONTAIN A PROVISION THAT REQUIRES THE CONTRACTING PROVIDER TO HAVE A MUTUAL

AID AGREEMENT WITH OTHER AMBULANCE SERVICE PROVIDERS TO RESPOND TO 911 AND NATURAL DISASTER CALLS AND PROVIDE SERVICE IN THE COUNTY OR MUNICIPALITY DURING TIMES AND CIRCUMSTANCES WHEN THE CONTRACTING PROVIDER IS EXPERIENCING SHORTAGES OF EQUIPMENT OR PERSONNEL THAT CAUSE A DELAY IN RESPONDING TO CALLS FOR SERVICE; AND FOR RELATED PURPOSES.

H. B. No. 1664: AN ACT TO AMEND SECTION 77-1-11, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS RELATING TO THE ACCEPTANCE OR OFFER OF GIFTS; TO BRING FORWARD SECTION 77-3-14, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 28: Stephanie P. Cummins, Brandon, Mississippi, MS State Personnel Board as an At-Large member, five year term effective July 1, 2023 and ending June 30, 2028. Do Advise and Consent.

S. N. No. 29: Scott Roach Shoemaker, Jackson, Mississippi, MS State Personnel Board, five year term effective July 1, 2023 and ending June 30, 2028, representing the 1st Supreme Court District. Do Advise and Consent.

S. N. No. 34: Norman R. McLeod, Brandon, Mississippi, Public Procurement Review Board, four year term beginning July 1, 2023 and ending June 30, 2027. Do Advise and Consent.

S. N. No. 50: James Keith Van Camp, Brandon, Mississippi, Information Technology Services Authority, five year term beginning January 17, 2024 and ending June 30, 2028. Do Advise and Consent.

S. N. No. 71: Alwyn Hall Luckey, Ocean Springs, Mississippi, Mississippi State Personnel Board as the 2nd Supreme Court District representative, five year term beginning July 1, 2024 and ending June 30, 2029. Do Advise and Consent.

S. N. No. 75: Rev. Reginald Maurice Buckley, Jackson, Mississippi, Mississippi Department of Archives and History Board of Trustees, unexpired term ending January 2028, vice Kimberly Campbell. Do Advise and Consent.

S. N. No. 76: Dr. Mark Everett Keenum, Starkville, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2024 and ending January 1, 2030. Do Advise and Consent.

S. N. No. 77: Dr. Lucius M. (Luke) Lampton, Magnolia, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2024 and ending January 1, 2030. Do Advise and Consent.

PARKER, Chairman

Senator Hopson called up the following entitled bill:

H. B. No. 1949: Appropriation; Finance and Administration, Department of, for eligible ARPA administration and reporting expenses.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money to the credit of the Coronavirus State Fiscal Recovery Fund, and allocated in a manner as determined by the Treasurer's Office to the Department of Finance and Administration for the purpose of defraying eligible administration and reporting expense related to the Coronavirus State Fiscal Recovery Fund for the period beginning from and after passage through June 30, 2025..... $ 20,000,000.00.

SECTION 2. The funds appropriated in Section 1 of this act shall be used for expenditures incurred on or after March 3, 2021, through the final expenditure date as determined by the United States Treasury.

SECTION 3. None of the funds appropriated under this act shall be used to pay employee premium payments.

SECTION 4. (1) As used in this section and Section 5 of this act, the term "department" means the Department of Finance and Administration.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

SECTION 5. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA; and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 6. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State

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

SECTION 7. This act shall take effect and be in force from and after its passage, and shall stand repealed on the day before its passage.

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

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF DEFRAYING ELIGIBLE ADMINISTRATION AND REPORTING EXPENSES RELATED TO THE CORONAVIRUS STATE FISCAL RECOVERY FUND FISCAL YEARS 2024 AND 2025.

Committee Amendment No. 1 to H. B. No. 1949 was adopted.

YEAS AND NAYS On H. B. No. 1949. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1950: Appropriation; Finance and Admin, Dept. of, Bureau of Building, Ground, and Real Property Management for eligible ARPA capital projects.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money to the credit of the Coronavirus State Fiscal Recovery Fund to the Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management for the purposes described in this section, for the period beginning upon passage, and ending June 30, 2025.....

$ 60,000,000.00.

This additional appropriation under this section is for the purpose of completing capital projects at any state-owned buildings or grounds that are allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

SECTION 2. "Capital projects" for the purpose of this act shall mean the following:

(a) Eligible projects under the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF), lead remediation, and stormwater infrastructure;

(b) Prevention, mitigation, or other services in congregate living facilities and other key settings;

(c) Ventilation system installation and improvements;

(d) Capital investments in public facilities to implement COVID-19 mitigation tactics;

(e) Improvements to state parks due to increased use;

(f) Any other eligible project through ARPA guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury, excluding broadband infrastructure.

SECTION 3. It is the intention of the Legislature that the Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management prioritize necessary investment in drinking water, wastewater, and stormwater infrastructure when determining projects unless the entity operates a congregate living facility or the purpose is expressly stated in this act.

SECTION 4. The funds appropriated under the provisions of Section 1 of this act shall be provided for capital projects at state-owned buildings as deemed necessary by the Department of Finance and Administration Bureau of Building, Grounds and Real Property Management.

SECTION 5. None of the funds appropriated under this act shall be used to pay employee premium payments.

SECTION 6. (1) As used in this section and Section 7 of this act, the term "department" means the Department of Finance and Administration Bureau of Building, Grounds and Real Property Management.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

SECTION 7. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA; and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 8. The Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management shall submit to the Joint Legislative Budget Committee by October 1 of each year an annual report. The reports shall contain a listing of the projects intended to be funded through this appropriation, the amount of

funds allocated toward each project, the amount of funds expended on each project, and the status of each project.

SECTION 9. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer, and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after its passage, and shall stand repealed on the day before its passage.

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

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION BUREAU OF BUILDING, GROUNDS, AND REAL PROPERTY MANAGEMENT FOR ALLOWABLE CAPITAL PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT FOR THE PERIOD BEGINNING UPON PASSAGE AND ENDING ON JUNE 30, 2024.

Committee Amendment No. 1 to H. B. No. 1950 was adopted.

YEAS AND NAYS On H. B. No. 1950. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1951: Appropriation; Health, Department of, for funding the ARPA Rural Water Associations Infrastructure Grant Program.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health for the purpose of funding the ARPA Rural Water Associations Infrastructure Grant Program established in Section 41-3-16.1, Mississippi Code of 1972, for the period beginning upon the passage of this act and ending June 30, 2025

$ 0.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the State Department of Health.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented

from time-to-time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time-to-time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. As a condition of receiving the funds appropriated herein, the State Department of Health shall award these funds to eligible entities that have not previously received funding in prior rounds.

SECTION 5. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after its passage, and shall stand repealed on the day before its passage.

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

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.

Committee Amendment No. 1 to H. B. No. 1951 was adopted.

YEAS AND NAYS On H. B. No. 1951. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes,

Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1952: Appropriation; Public Safety, Department of, for purchases of ARPA eligible equipment.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money to the credit of the Coronavirus State Fiscal Recovery Fund, and allocated in a manner as determined by the Treasurer's Office, to the Mississippi Department of Public Safety for the purpose of purchasing eligible equipment for law enforcement officers employed by and through the Mississippi Department of Public Safety for the period beginning from and after the passage of this act and ending June 30, 2025 .....

$ 0.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the Mississippi Department of Public Safety.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time-to-time, by the United States Department of the Treasury and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time-to-time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or

otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after its passage, and shall stand repealed on the day before its passage.

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

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF PURCHASING ELIGIBLE EQUIPMENT FOR LAW ENFORCEMENT OFFICERS EMPLOYED BY AND THROUGH THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.

Committee Amendment No. 1 to H. B. No. 1952 was adopted.

YEAS AND NAYS On H. B. No. 1952. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1830: Appropriation; additional appropriation FY24.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury, to the credit of the State Board of Cosmetology, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the State Board of Cosmetology for the period beginning July 1, 2023, and ending June 30, 2024 ..... $ 57,000.00.

This additional appropriation is for the purpose of defraying agency operational expenditures.

SECTION 2. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury, to the credit of the Mississippi State Board of Dental Examiners, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi State Board of Dental Examiners for the period beginning upon passage of this act, and ending June 30, 2025 ..... $ 320,000.00.

This additional appropriation is for the purpose of agency operational expenditures.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi State Department of Health for the period beginning January 1, 2024, and ending December 31, 2024 ..... $ 2,772,010.00.

This additional appropriation is for the purpose of defraying legal expenses associated with the City of Jackson Water litigation.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury, to the credit of the Wireless Communication Commission, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Wireless Communication Commission for the period beginning upon passage of this act, and ending
June 30, 2025 ..... $ 3,900,000.00.

This additional appropriation is for the purpose of paying costs associated with adding new statewide communication towers in needed locations pursuant to House Bill No. 603, 2023 Regular Session.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 30, 2023.

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

AN ACT TO PROVIDE AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE STATE BOARD OF COSMETOLOGY FOR FISCAL YEAR 2024; MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS FOR FISCAL YEAR 2024; MISSISSIPPI STATE DEPARTMENT OF HEALTH FOR YEARS 2024 AND 2025; WIRELESS COMMUNICATIONS COMMISSION FOR YEARS 2024 AND 2025; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1830 was adopted.

YEAS AND NAYS On H. B. No. 1830. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

H. B. No. 1161: Alcoholic beverages; authorize municipalities in dry counties vote to come out from under the dry law.

Senator Harkins offered the following AMENDMENT NO. 1.

AMEND on line 79 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to H. B. No. 1161 was adopted.

YEAS AND NAYS On H. B. No. 1161. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, DeBar, DeLano, England, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Polk, Robinson, Simmons D. T. (12th), Simmons S. (13th), Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--41.
Nays--Chism, Frazier, Parker, Parks, Seymour, Sparks, Tate. Total--7.
Absent and those not voting----None.
Voting Present--Branning, Rhodes. Total--2.

Senator Fillingane, who would have voted nay on H. B. No. 1161, announced a pair with Senator Chassaniol, who would have voted yea.

Senator Harkins called up the following entitled bill:

H. B. No. 1417: Health care industry zone; expand radius for location of certain facilities for certification by MDA as.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-117-5, Mississippi Code of 1972, is amended as follows:

57-117-5. (1) The MDA may certify an area as a health care industry zone if the following requirements are met:

(a) The area is located within:

(i) Three (3) contiguous counties which have certificates of need of more than three hundred seventy-five (375) acute care hospital beds; and/or

(ii) A county which has a hospital with a minimum capital investment of Two Hundred Fifty Million Dollars ($250,000,000.00) and for which construction is completed before July 1, 2017;

(b) The health care industry facility is located within an * * * eight-mile radius of:

(i) A facility with a certificate of need for hospital beds; and/or

(ii) A university or college that is:

1. Accredited by the Southern Association of Colleges and Schools and awards degrees and/or trains workers for jobs in health care or pharmaceutical fields of study and/or work, and

2. Located along or near Mississippi Highway 67 within a master planned community as defined in Section 19-5-10; and

(c) The zoning of the local government unit, if applicable, allows the construction or operation in the proposed health care industry zone of the health care industry facility.

(2) A health care industry facility that engages in an activity for which a certificate of need is required must comply with the provisions of Section 41-7-191 in order to be certified as a qualified business.

(3) The MDA may adopt and promulgate such rules and regulations, in compliance with the Mississippi Administrative Procedures Law, as are necessary for the efficient and effective administration of this section in keeping with the purposes for which it is enacted.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 57-117-5, MISSISSIPPI CODE OF 1972, TO EXPAND THE RADIUS IN WHICH A HEALTH CARE INDUSTRY FACILITY MUST BE LOCATED FROM CERTAIN FACILITIES IN ORDER FOR THE AREA TO QUALIFY FOR CERTIFICATION AS A HEALTH CARE INDUSTRY ZONE BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1417 was adopted.

YEAS AND NAYS On H. B. No. 1417. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Blount, Bryan. Total--2.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

H. B. No. 1589: Motor vehicles; revise certain provisions regarding discharge of liens and scrapping.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 63-21-16, Mississippi Code of 1972, is amended as follows:

63-21-16. (1) All designated agents appointed by the department * * * under Section 63-21-13 * * * may electronically transmit to the department * * * information entered by them on applications for a certificate of title given in connection with the sale or transfer of a motor vehicle, manufactured home or mobile home or a loan for which the owner's motor vehicle, manufactured home or mobile home is pledged to that institution as collateral for the loan. The format and the data required to be transmitted shall be established by the department * * *. Transmission of data shall meet minimum criteria and edits established by the department * * * equal to any edit presently existing in the statewide title registration system, or as may be established, to which the county tax collectors shall also conform. All data transmitted must successfully pass edits established by the department * * *, including lienholder name, mailing address and lienholder account number assigned to a lienholder by the department * * * to identify the lienholder, for the purpose of causing the data to appear in the certificate of title for which the application is made.

(2) It shall be the responsibility of the designated agent to verify all data before it is electronically transmitted. It shall also be the responsibility of the designated agent to ensure that the required certification of designated agent and the certification of statement of facts that are contained on the application for certificate of title appear above the signatures of both the owner and the authorized representative of the designated agent. Data which cannot be transmitted because of error shall be corrected by the designated agent when the statewide title registration system indicates that the data is erroneous or is not valid for the purposes of titling the motor vehicle, manufactured home or mobile home or for transfer of the data.

(3) When an institution has agreed to loan money for the purchase of a motor vehicle, manufactured home or mobile home, the institution shall complete an application for certificate of title or require the borrower to provide to the institution the copy of the application for certificate of title contained in the application packet which is designated "Lienholder's Copy" according to provisions of the Motor Vehicle and Manufactured Housing Title Law, which the owner will receive from the county tax collector or any designated agent upon completion of the application for title and registration process.

(4) An application for certificate of title originating from a designated agent shall be entered on the statewide title registration system by the originating lending institution when the transaction is for the purpose of perfecting the institution's interest in a vehicle, manufactured home or mobile home currently owned or purchased by the applicant, in connection with application for certificate of title or the purchase of a license tag or both.

(5) When an institution in this state adds a second lien on a certificate of title in possession of a first lienholder institution in this state, the second lienholder institution seeking to be shown on the certificate of title shall:

(a) Prepare the application for certificate of title in accordance with the requirements of Sections 63-21-15 and 63-21-45(1)(c);

(b) Obtain all required signatures; and

(c) Forward the completed application for certificate of title to the first lienholder together with any necessary remittance advice, a check for the title fee payable to the department * * * and a cover letter to the first lienholder requesting that the first lienholder attach the certificate of title to the required documents sent by the second lienholder and then forward the application, certificate of title and required documents to the department * * *.

(6) Upon receipt of the application for certificate of title from the second lienholder institution to record the second lien, the first lienholder institution shall compare the data contained in the application for certificate of title to the information contained in the original certificate of title. If the first lienholder institution is satisfied as to the ownership, accuracy

and order of priority of liens as shown in the application, it shall enter the data contained on the application for certificate of title prepared by the second lienholder on the statewide title registration system, including the designated agent number of the second lienholder. After entering the data from the application for certificate of title, the first lienholder institution shall immediately forward the application for certificate of title with the certificate of title attached to the application, the remittance advice and the second lienholder's check for the title fee to the department * * * within three (3) working days.

(7) In an assignment of lien pursuant to Section 63-21-47, the assignee shall receive the notice of assignment along with the current title attached and with the assignors interest open. The assignee lienholder shall prepare an application for certificate of title according to the notice of assignment, showing the assignee institution as the lienholder, and then shall electronically transmit the data to the department * * *. The completed application shall be forwarded to the department * * * within three (3) working days.

(8) The department * * *, upon receipt of applications for certificate of title, shall verify the data by accessing it on the statewide title registration system by the title application control number appearing on the application for title. After receiving verification that is satisfactory to the department * * * that the data necessary for the issuance of a new certificate of title exists, the department * * * shall issue a new certificate of title that records the interests of all the parties named in the application for certificate of title.

(9) Designated agents shall be connected to the statewide title registration system for the purpose of electronic transfer of applications for certificate of title data in the order of priority established by the department * * *.

(10) If a participating designated agent fails to comply with the provisions of this section or the rules adopted by the department * * * to implement this section, the department * * * may impose a penalty of Twenty-five Dollars ($25.00) for each instance of noncompliance. Any penalty imposed under this section not paid within thirty (30) days after a notice is given shall be subject to collection from the bond of the designated agent that is required to be provided under the provisions of Section 63-21-13(3). The penalty provided shall also be assessable, due and collectible from any licensed motor vehicle dealer or manufactured home or mobile home dealer for failure to accept an application for certificate of title for each and every vehicle, manufactured home or mobile home he sells to a consumer. These penalties shall be cumulative, supplemental and in addition to the penalties provided by any other law.

(11) This section shall apply to all designated agents appointed by the department * * * under Section 63-21-13, that choose to electronically transmit information on applications for certificates of title to the department * * *. This section shall not apply to other designated agents.

(12) Notwithstanding the foregoing, the department * * * shall not issue a certificate of title to a manufactured home or mobile home with respect to which title has been retired to real property under Section 63-21-30 unless with respect to the same manufactured home or mobile home title has been severed from real property pursuant to Section 63-21-30.

(13) Notwithstanding any requirement in this chapter that a lien on a motor vehicle or manufactured home shall be noted on the face of the certificate of title, if there are one or more liens or encumbrances on the motor vehicle or manufactured home, the department * * * may electronically transmit the lien to the first lienholder and notify the first lienholder of any additional liens. Subsequent lien satisfactions may be electronically transmitted to the department * * * and shall include the name and address of the person satisfying the lien. When electronic transmission of liens and lien satisfactions is used, a certificate of title need not be issued until the last lien is satisfied and a clear certificate of

title is issued to the owner of the motor vehicle or manufactured home. When a motor vehicle is subject to an electronic lien, the certificate of title for the motor vehicle shall be considered to be physically held by the lienholder for purposes of compliance with state or federal odometer disclosure requirements. A duly certified copy of the department * * *'s electronic record of the lien shall be admissible in any civil, criminal, or administrative proceeding in this state as evidence of the existence of the lien.

(14) Any lienholder with a federal Employer Identification Number (EIN) must electronically transmit the satisfaction and release and discharge of a lien on a motor vehicle to the department not later than fourteen (14) days after the date of satisfaction of the lien. The failure of any such lienholder to comply with the requirements of this subsection shall be a violation of this chapter. Any such lienholder who knowingly and willfully fails to transmit the satisfaction and release and discharge of a lien on a motor vehicle within fourteen (14) days after the date of the satisfaction of the lien shall be in violation of this section, and subject to a civil penalty of up to Two Hundred Fifty Dollars ($250.00) per violation, which shall be in addition to any other penalty provided in this chapter. In addition, the lienholder shall be liable for any attorney's fees, legal fees and/or other fees and costs incurred by a person in any action necessary to discharge and/or release a lien or otherwise affecting a lien for which the lienholder failed to transmit the required information.

(15) Notwithstanding any other provision of this chapter to the contrary, if a lien on a motor vehicle is older than eight (8) years from the date the lien was placed on the motor vehicle, the lien shall be recorded by the department in the automated statewide motor vehicle registration system as having been satisfied and released and discharged, unless annually recertified by the lienholder by utilizing the format and transmitting the data required by the department.

SECTION 2. Section 63-21-18, Mississippi Code of 1972, is amended as follows:

63-21-18. The Mississippi Department of Information Technology Services shall provide equipment for the operation and maintenance of the automated statewide motor vehicle, manufactured housing and mobile home registration system by the * * * department.

The automated statewide motor vehicle, manufactured housing and mobile home registration system shall provide for computer terminals and printers, as authorized by the * * * Department of Information Technology Services, to be located in the quantity necessary in each county seat tax collector's office and any other office in which more than fifty percent (50%) of the motor vehicle registrations in the county are made.

All county tax collectors shall participate in such system as it applies to Chapter 19, Title 27; Chapter 51, Title 27; Chapter 21, Title 63; Mississippi Code of 1972, in accordance with rules and regulations promulgated by the * * * department. Such rules and regulations shall provide that counties which have an existing computer system designed to produce registration data may elect to use such existing system to communicate title/registration data to the * * * department through the computer furnished by the state as hereinabove provided in this section. If the * * * department finds and determines that a county has failed to successfully establish or update title/registration data into the statewide vehicle, manufactured housing and mobile home title/registration system, either through use of equipment supplied by the * * * department or through the interfacing between the network system and county computer equipment, the * * * department shall thereafter cause to be withheld the county's homestead exemption reimbursement monies, except for school districts and municipalities, until such time as the county has complied with this provision. Such monies as are withheld from a county for failure to comply with this provision shall be placed into a special escrow account to be established in the State Treasury. Once the county achieves compliance by successfully establishing or updating title/registration data into the statewide vehicle, manufactured housing and mobile home title/registration system, then the * * *

department shall cause to be released to the county all funds held in escrow on the county's behalf during the period of noncompliance. All interest earned shall accrue to the benefit of the county on any funds placed in an escrow account. Any cost involved in interfacing between existing county computer systems and the state-provided computer shall be paid by the county.

The computer terminals and printers placed in each county tax collector's office may be utilized to provide additional computer functions as authorized by the * * * Department of Information Technology Services.

The State Fiscal Officer shall issue his warrants to the State Treasurer for the expenditures for the implementation and maintenance of the system upon requisitions signed by the * * * Commissioner of Revenue, as authorized by the Legislature.

It is the intent of the Legislature that the operation of the statewide motor vehicle, manufactured housing and mobile home title registration system shall be the responsibility of the * * * department.

The * * * department shall provide for the transfer of motor vehicle, manufactured housing and mobile home title and lien registration information to the * * * department by electronic means from banks and other lending institutions as provided in Section 63-21-18. The * * * Department of Information Technology Services shall cooperate with the * * * department in implementing the provisions of Section 63-21-18, and shall provide the * * * department with whatever assistance the * * * department needs to carry out the provisions of Section 63-21-18.

A used motor vehicle parts dealer or scrap metal processor must utilize the department's automated statewide motor vehicle registration system for the purpose of complying with the requirements of Section 63-21-39(1)(a).

SECTION 3. Section 63-21-39, Mississippi Code of 1972, is amended as follows:

63-21-39. (1) (a) An owner who scraps, dismantles or destroys a vehicle and a person who purchases a vehicle as scrap or to be dismantled or destroyed shall indicate same on the back of the certificate of title and shall immediately cause the certificate of title and any other documents required by the department * * * to be mailed or delivered to the department * * * for cancellation. A certificate of title of the vehicle shall not again be issued except upon application containing the information the department * * * requires, accompanied by a certificate of inspection in the form and content specified in Section 63-21-15(5) and proof of payment of a fee as provided in subsection (2) of this section. Before a used motor vehicle parts dealer or scrap metal processor may purchase or receive a motor vehicle from the owner or authorized agent of the owner of the motor vehicle for the purpose of scrapping, dismantling or destroying the motor vehicle, the used motor vehicle parts dealer or scrap metal processor must verify under Section 63-21-18 the absence of any lien on the motor vehicle. If a lien exists on the motor vehicle, the used motor vehicle parts dealer or scrap metal processor may not purchase or receive the motor vehicle for the purpose of scrapping, dismantling or destroying the vehicle, and may not purchase or receive the motor vehicle for such purposes during any time for which a lien exists on the motor vehicle.

(b) Notwithstanding any other provision of this chapter to the contrary, if the owner or authorized agent of the owner has not obtained a title in his or her name for the vehicle to be transferred, has lost the title for the vehicle to be transferred, or has returned the title to the department * * * in accordance with paragraph (a) of this subsection, he or she may sign a statement swearing that, in addition to the foregoing conditions, the vehicle is at least ten (10) model years old. The statement described in this paragraph may be used only to transfer such a vehicle to a licensed used motor vehicle parts dealer or scrap metal processor. The department shall promulgate a form for the statement which shall include, but not be limited to:

(i) A statement that the vehicle shall never be titled again; it must be dismantled or scrapped;

(ii) A description of the vehicle including the year, make, model and vehicle identification number;

(iii) The name, address, and driver's license number, nondriver identification card number or tribal identification card number of the owner;

(iv) A certification that the owner:

1. Never obtained a title to the vehicle in his or her name; or

2. Was issued a title for the vehicle, but the title was lost or stolen;

(v) A certification that the vehicle:

1. Is at least ten (10) model years old; and

2. Is not subject to any security interest or lien;

(vi) An acknowledgment that the owner and buyer of the vehicle realizes this form will be filed with the department and that:

1. It is a misdemeanor, punishable by a fine of not more than One Thousand Dollars ($1,000.00) or imprisonment for not more than six (6) months, or both, for conviction of a first offense of knowingly falsifying any information on this statement; and

2. It is a felony, punishable by a fine of not less than One Thousand Dollars ($1,000.00) nor more than Five Thousand Dollars ($5,000.00) or imprisonment for not less than one (1) year nor more than five (5) years, or both, for conviction of a second or subsequent offense of knowingly falsifying any information on this statement;

(vii) The owner's signature and the date of the transaction;

(viii) The name and address of the business acquiring the vehicle;

(ix) The National Motor Vehicle Title Information System identification number; and

(x) The business agent's signature and date along with a printed name and title if the agent is signing on behalf of a corporation.

(c) Until such time as the department makes available an Internet-based system, the used motor vehicle parts dealer or scrap metal processor shall mail or otherwise deliver the statement required under paragraph (b) of this subsection (1) to the department * * * within three (3) business days of the completion of the transaction, requesting that the department cancel the Mississippi certificate of title and registration. Once the department develops an Internet-based system, the used motor vehicle parts dealer or scrap metal processor shall utilize such system and within two (2) business days electronically submit the information contained in the statement using that system.

(d) Within two (2) business days of each day's close of business, the used motor vehicle parts dealer or scrap metal processor who purchases or receives motor vehicles for scrap or for parts shall deliver in a format approved by the department, by

electronic means once developed and made available by the department, a list of all such vehicles purchased that day for scrap or for parts. That list shall contain the following information:

(i) The name, address and contact information for the reporting entity;

(ii) The vehicle identification numbers of such vehicles;

(iii) The dates such vehicles were obtained;

(iv) The names of the individuals or entities from whom the vehicles were obtained, for use by law enforcement personnel and appropriate governmental agencies only;

(v) A statement of whether the vehicles were, or will be, crushed or disposed of, or offered for sale or other purposes;

(vi) A statement of whether the vehicle is intended for export out of the United States; and

(vii) The National Motor Vehicle Title Information System identification number of the business acquiring the vehicle.

In addition, the used motor vehicle parts dealer or scrap metal processor must certify compliance with the requirements of Section 63-21-39(1)(a).

(e) (i) For purposes of this subsection, the term "motor vehicle" shall not include a vehicle which has been crushed or flattened by mechanical means such that it is no longer the motor vehicle as described by the certificate of title, or such that the vehicle identification number is no longer visible or accessible.

(ii) In cases in which crushed or flattened vehicles are purchased or received, the purchasing or receiving used motor vehicle parts dealer or scrap metal processor shall verify that the seller has reported the vehicles in accordance with this subsection. Such verification may be in the form of a certification from the seller or a contract between the seller and the purchasing or receiving used motor vehicle parts dealer or scrap metal processor attesting to the seller's compliance with the reporting requirements of this subsection. Such verification must clearly identify the seller by a government issued photograph identification card or employer identification number, and the verification and copy of the identification card or number shall be maintained by the purchasing or receiving used motor vehicle parts dealer or scrap metal processor for a period of not less than two (2) years.

(f) The information obtained by the department in accordance with paragraph (d) of this subsection (1) shall be reported to the National Motor Vehicle Title Information System, in a format that will satisfy the requirement for reporting this information, in accordance with rules adopted by the United States Department of Justice in 28 CFR 25.56.

(g) Until such time as the department develops and makes available the internet-based system described in paragraph (d) of this subsection, the used motor vehicle parts dealer or scrap metal processor who purchases or receives motor vehicles for scrap or for parts shall deliver the information required by paragraph (d) to the National Motor Vehicle Title Information System through any data consolidator approved by such system, within forty-eight (48) hours of the day the vehicle was purchased or acquired by such used motor vehicle parts dealer or scrap metal processor which shall satisfy the requirements of paragraph (d).

(h) The information obtained by the department in accordance with paragraph (d) of this subsection (1) shall be made available only to law enforcement agencies and for purposes of canceling certificates of title. The information shall otherwise be considered to be confidential business information of the respective reporting entities.

(i) All records required under the provisions of this subsection shall be maintained for a period of two (2) years by the reporting entity and shall include a scanned or photocopied copy of the seller's or seller's representative's driver's license or state-issued identification card or other valid form of identification.

(j) A person who knowingly and willfully violates this subsection (1), or any person who knowingly and willfully falsifies or assists another person in falsifying the statement or information required under paragraph (b) or (d) of this subsection, or any person who knowingly and willfully sells a vehicle upon which there is an unsatisfied lien or security interest, or who purchases a vehicle without complying with either paragraph (a) or (b) of this subsection and who knowingly and willfully destroys or dismantles a vehicle upon which he knows that there is an unsatisfied lien or security interest shall:

(i) Be guilty of a misdemeanor, punishable by a fine not more than One Thousand Dollars ($1,000.00) or imprisonment for not more than six (6) months, or both, for conviction of a first offense; or

(ii) Upon conviction of a second or subsequent offense, a felony, punishable by imprisonment for not less than one (1) year nor more than five (5) years or a fine of not less than One Thousand Dollars ($1,000.00) nor more than Five Thousand Dollars ($5,000.00), or both.

In addition, the court may order each person convicted to pay restitution to any party suffering monetary loss in the amount of such loss. No part of any sentence imposed by the court shall be suspended unless such restitution has been paid in full.

(k) A person who knowingly and willfully fails to deliver the title as required under paragraph (a) of this subsection, or the statement required under paragraph (b) of this subsection to the department * * * within seventy-two (72) hours of the completion of the transaction, or who, until such time as the department develops and makes available the Internet-based system described in paragraph (d), fails to deliver the information required by paragraph (d) to the National Motor Vehicle Title Information System through any data consolidator approved by such system, within two (2) business days of the day the vehicle was purchased or acquired by such used motor vehicle parts dealer or scrap metal processor shall be in violation of this section, and subject to a civil penalty of up to One Thousand Dollars ($1,000.00) per violation. Actions to impose this penalty may be brought by any local or state law enforcement agency, district attorney, or by the Attorney General, in any court of competent jurisdiction. One-half (1/2) of the monies generated from such civil penalties shall be deposited in a special fund created in the State Treasury for use by the department * * *'s Title Bureau, and one-half (1/2) of the monies generated from such civil penalties shall be deposited in the general fund of the municipality if the suit was brought in a municipal court, or in the general fund of the county if the suit was brought in the court of a county.

(2) For the purpose of requesting a branded title on a vehicle with a salvage certificate of title, every owner of a vehicle that has been issued a salvage certificate of title in this state or any other state which has been restored in this state to its operating condition which existed prior to the event which caused the salvage certificate of title to be issued shall make application to the department * * *, accompanied by a certificate of inspection issued by the Department of Public Safety in the form and content specified in Section 63-21-15(5) and the payment of a fee of Seventy-five Dollars ($75.00) for each motor vehicle for which a certificate of inspection is issued. In addition, the Department of Public Safety may charge such a person a fee in the amount of Twenty-five Dollars

($25.00) for performing any vehicle identification number verification required by federal law or regulation for the vehicle for which the person is applying for a title. All such monies shall be collected by the Department of Public Safety and paid to the State Treasurer for deposit in a special fund that is hereby created in the State Treasury to be known as the "Salvage Certificate of Title Fund." Monies in the special fund may be expended by the Department of Public Safety, upon appropriation by the Legislature. The department * * * shall establish by regulation the minimum requirements by which a vehicle which has been issued a salvage certificate of title may be issued a branded title.

(3) Before a branded title may be issued for a vehicle for which a salvage certificate of title has been issued, the applicant shall submit, by hand delivery or mail, such documents and information to the Department of Public Safety as the department may require for the purpose of determining if the vehicle complies with the requirements of this section and all applicable regulations promulgated by the Commissioner of Public Safety and the department * * *. The Department of Public Safety also may require that an applicant bring a vehicle for which application for a branded title is being made to a Highway Patrol facility for a visual inspection whenever the department deems that a visual inspection is necessary or advisable. Nothing in this section shall be construed to prohibit inspectors of the Mississippi Highway Patrol from conducting on-site inspections and investigations of motor vehicle rebuilders or motor vehicle repair businesses to determine if such businesses are in compliance with all applicable laws relating to the motor vehicle title laws of this state and regulations promulgated by the Commissioner of Public Safety and the department * * *.

SECTION 4. Section 63-21-65, Mississippi Code of 1972, is amended as follows:

63-21-65. The department * * * shall deposit the fees collected under this chapter into a special fund that is created in the State Treasury to be known as the "Motor Vehicle Title and Registration Enforcement Fund" to the credit of the department. The fund shall consist of monies appropriated by the Legislature for the enforcement of this chapter and funds from fees and fines authorized under Sections 63-21-18 and 63-21-39. As much of those fees as appropriated by the Legislature shall only be used by the department to defray the cost of carrying out the duties of the department and to defray expenses for enforcement officers' salaries and fringe benefits and other costs to implement and enforce the provisions of this chapter, including the maintenance of the automated statewide motor vehicle and manufactured housing registration system. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

SECTION 5. Section 63-21-75, Mississippi Code of 1972, is amended as follows:

63-21-75. (1) (a) The department * * * is charged with the enforcement of the provisions of this chapter and * * * is * * * authorized and empowered to:

(i) Employ the necessary employees and sworn law enforcement officers to administer the enforcement of the laws prescribed under this chapter; and

(ii) Call upon any and all law enforcement agencies and officers of this state for * * * any assistance as it may deem necessary in order to assure such enforcement.

(b) It shall be the duty of * * * the enforcement officers of the department, law enforcement agencies and officers to render * * * assistance to the department * * * when called upon by the department to so do.

(2) The Commissioner of Revenue or his designated appointee may investigate, for the purpose of prosecution, any suspected criminal violation of the provisions of this chapter. For the purpose of the administration and enforcement of this chapter, the

Commissioner of Revenue, or his designated appointee, and enforcement employees have the powers of a peace officer of this state.

SECTION 6. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 63-21-16, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY LIENHOLDER WITH A FEDERAL EMPLOYER IDENTIFICATION NUMBER (EIN) MUST ELECTRONICALLY TRANSMIT THE SATISFACTION AND RELEASE AND DISCHARGE OF A LIEN ON A MOTOR VEHICLE TO THE DEPARTMENT OF REVENUE NOT LATER THAN 10 DAYS AFTER THE DATE OF SATISFACTION OF THE LIEN; TO AMEND SECTIONS 63-21-18 AND 63-21-39, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, BEFORE A USED MOTOR VEHICLE PARTS DEALER OR SCRAP METAL PROCESSOR MAY PURCHASE OR RECEIVE A MOTOR VEHICLE FROM THE OWNER OR AUTHORIZED AGENT OF THE OWNER OF THE MOTOR VEHICLE FOR THE PURPOSE OF SCRAPPING, DISMANTLING OR DESTROYING THE MOTOR VEHICLE, THE USED MOTOR VEHICLE PARTS DEALER OR SCRAP METAL PROCESSOR MUST VERIFY THE ABSENCE OF ANY LIEN ON THE MOTOR VEHICLE; TO PROVIDE THAT IF A LIEN EXISTS ON THE MOTOR VEHICLE, THE USED MOTOR VEHICLE PARTS DEALER OR SCRAP METAL PROCESSOR MAY NOT PURCHASE OR RECEIVE THE MOTOR VEHICLE FOR THE PURPOSE OF SCRAPPING, DISMANTLING OR DESTROYING THE VEHICLE, AND IS PROHIBITED FROM PURCHASING OR RECEIVING THE MOTOR VEHICLE FOR SUCH PURPOSES DURING ANY TIME FOR WHICH A LIEN EXISTS ON THE MOTOR VEHICLE; TO PROVIDE THAT A USED MOTOR VEHICLE PARTS DEALER OR SCRAP METAL PROCESSOR MUST UTILIZE THE DEPARTMENT OF REVENUE'S AUTOMATED STATEWIDE MOTOR VEHICLE REGISTRATION SYSTEM FOR THE PURPOSE OF COMPLYING WITH SUCH REQUIREMENTS; TO AMEND SECTION 63-21-65, MISSISSIPPI CODE OF 1972, TO SPECIFY THE FUND CREATED WITHIN THE STATE TREASURY FOR FUNDS USED FOR ENFORCEMENT AND PERSONNEL AS THE "MOTOR VEHICLE TITLE AND REGISTRATION ENFORCEMENT FUND"; TO AMEND SECTION 63-21-75, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO MAINTAIN EMPLOYEES TO ADMINISTER THE ENFORCEMENT OF THE MOTOR VEHICLE TITLE LAWS; TO AUTHORIZE THE COMMISSIONER OF REVENUE TO INVESTIGATE SUSPECTED CRIMINAL VIOLATIONS, AND TO GRANT THE COMMISSIONER AND ENFORCEMENT EMPLOYEES THE POWERS OF A PEACE OFFICER; AND FOR RELATED PURPOSES.

Senator Harkins offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 542 by striking "63-21-18" and inserting in lieu thereof "63-21-16".

FURTHER, AMEND on line 576 by striking "July 1, 2024, and shall stand repealed on June 30, 2024" and inserting in lieu thereof the following:

January 1, 2025, and shall stand repealed on December 31, 2024

FURTHER, AMEND the title on line 5 by striking "10" and inserting in lieu thereof "14".

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1589 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1589 was adopted.

YEAS AND NAYS On H. B. No. 1589. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

H. B. No. 1647: Commissioner of Insurance; authorize to implement a state insurance exchange, authorize income tax deductions and insurance premium tax credit.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. For the purposes of this act, the following words and phrases shall have the meanings as defined in this section unless the context clearly indicates otherwise:

(a) "Exchange" means a state, federal, or partnership exchange or marketplace operating in Mississippi pursuant to Section 1311 of the Federal Patient Protection and Affordable Care Act (Public Law 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), and regulations and guidance issued under those acts.

(b) "Comprehensive Health Insurance Risk Pool Association" means the mechanism as established in Sections 83-9-201 through 83-9-223.

(c) "Comprehensive Health Insurance Risk Pool Board" shall have the same meaning as provided in Section 83-9-205(b).

SECTION 2. The Commissioner of Insurance shall have the authority to:

(a) Establish any program, promulgate any rule, policy, guideline, or plan; or change any program, rule, policy or guideline to implement, establish, create, administer, or otherwise operate an exchange;

(b) Apply for, accept or expend federal monies related to the creation, implementation or operation of an exchange;

(c) Establish any advisory board or committee the Commissioner deems necessary for providing recommendations on the creation, implementation or operation of an exchange; and

(d) Use the services and funds of the Comprehensive Health Insurance Risk Pool Association and the Comprehensive Health Insurance Risk Pool Board to fulfill the purposes of this section.

The Commissioner of Insurance shall, immediately after the effective date of this act, begin action to carry out the authority provided for in this section.

SECTION 3. Section 83-5-72, Mississippi Code of 1972, is amended as follows:

83-5-72. All life, health and accident insurance companies and health maintenance organizations doing business in this state shall contribute annually, at such times as the Insurance Commissioner shall determine, in proportion to their gross premiums collected within the State of Mississippi during the preceding year, to a special fund in the State Treasury to be known as the "Health Insurance * * * State Exchange Fund" to be expended by the Insurance Commissioner in the payment of the expenses * * * incurred in the creation, implementation or operation of an exchange. The commissioner is hereby authorized to employ such actuarial and other assistance as shall be necessary to carry out the duties of the department; and the employees shall be under the authority and direction of the Insurance Commissioner. The amount to be contributed annually to the fund shall be fixed each year by the Insurance Commissioner at a percentage of the gross premiums so collected during the preceding year. However, a minimum assessment of One Hundred Dollars ($100.00) shall be charged each licensed life, health and accident insurance company regardless of the gross premium amount collected during the preceding year.

The total contributions collected for the Health Insurance * * * State Exchange Fund shall not exceed the sum of * * * One Million Five Hundred Thousand Dollars ($1,500,000.00) in each fiscal year.

* * *

SECTION 4. Section 83-9-203, Mississippi Code of 1972, is amended as follows:

83-9-203. It is the purpose of the Legislature to establish a mechanism to allow the availability of a health insurance program and to allow the availability of health and accident insurance coverage to those citizens of this state who (a) because of health conditions cannot secure such coverage, or (b) desire to obtain or continue health insurance coverage under any state or federal program designed to enable persons to obtain or maintain health insurance coverage. It is further the purpose of the Legislature to establish a mechanism to assist the Commissioner of Insurance with the creation, implementation or operation of an exchange.

SECTION 5. Section 83-9-205, Mississippi Code of 1972, is amended as follows:

83-9-205. As used in Sections 83-9-201 through 83-9-222, the following words shall have the meaning ascribed herein unless the context clearly requires otherwise:

(a) "Association" means the Comprehensive Health Insurance Risk Pool Association.

(b) "Board" means the board of directors of the association.

(c) "Church plan" has the meaning given such term under Section 3(33) of the Employee Retirement Income Security Act of 1974.

(d) "Commissioner" means the Commissioner of Insurance of this state.

(e) "Creditable coverage" has the meaning set forth in the federal Health Insurance Portability and Accountability Act of 1996 (26 USCS Section 9801(c)(1)). A period of creditable coverage shall not be counted, with respect to the enrollment of an individual who seeks coverage under the plan, if, after such period and before the enrollment date, the individual experiences a significant break in coverage.

(f) "Dependent" means a resident spouse or resident unmarried child under the age of nineteen (19) years, a child who is a student under the age of twenty-three (23) years and who is financially dependent upon the parent or a child of any age who is disabled and dependent upon the parent.

(g) "Excess or stoploss coverage" means an arrangement whereby an insurer insures against the risk that any one (1) claim will exceed a specific dollar amount or that the entire loss of a self-insurance plan will exceed a specific amount.

(h) "Federally defined eligible individual" means an individual:

(i) For whom, as of the date on which the individual seeks coverage under the plan, the aggregate of the periods of creditable coverage is eighteen (18) or more months;

(ii) Whose most recent prior creditable coverage was under a group health plan, governmental plan, church plan or health insurance coverage offered in connection with such a plan;

(iii) Who is not eligible for coverage under a group health plan, Part A or Part B of Title XVIII of the Social Security Act (Medicare), or a state plan under Title XIX of the act (Medicaid) or any successor program, and who does not have other health insurance coverage;

(iv) With respect to whom the most recent coverage within the period of aggregate creditable coverage was not terminated based on a factor relating to nonpayment of premiums or fraud;

(v) Who, if offered the option of continuation coverage under a COBRA continuation provision or under a similar state program, elected this coverage; and

(vi) Who has exhausted continuation coverage under this provision or program, if the individual elected the continuation coverage described in subparagraph (v).

(i) "Governmental plan" has the meaning given such term under Section 3(32) of the Employee Retirement Income Security Act of 1974 and any federal governmental plan.

(j) "Group health plan" means an employee welfare benefit plan as defined in Section 3(1) of the Employee Retirement Income Security Act of 1974 to the extent that the plan provides medical care to employees or their dependents as defined under the terms of the plan directly or through insurance, reimbursement or otherwise.

(k) "Health insurance coverage" means any hospital and medical expense incurred policy, nonprofit health care services plan contract, health maintenance organization subscriber contract or any other health care plan or arrangement that pays for or furnishes medical or health care services whether by insurance or otherwise.

(i) "Health insurance coverage" shall not include one or more, or any combination of, the following:

1. Coverage only for accident, or disability income insurance, or any combination thereof;

2. Coverage issued as a supplement to liability insurance;

3. Liability insurance, including general liability insurance and automobile liability insurance;

4. Workers' compensation or similar insurance;

5. Automobile medical payment insurance;

6. Credit-only insurance;

7. Coverage for on-site medical clinics; and

8. Other similar insurance coverage, specified in federal regulations issued pursuant to Public Law 104-191, under which benefits for medical care are secondary or incidental to other insurance benefits.

(ii) "Health insurance coverage" shall not include the following benefits if they are provided under a separate policy, certificate or contract of insurance or are otherwise not an integral part of the coverage:

1. Limited scope dental or vision benefits;

2. Benefits for long-term care, nursing home care, home health care, community-based care, or any combination thereof; or

3. Other similar, limited benefits specified in federal regulations issued pursuant to Public Law 104-191.

(iii) "Health insurance coverage" shall not include the following benefits if the benefits are provided under a separate policy, certificate or contract of insurance, there is no coordination between the provision of the benefits and any exclusion of benefits under any group health plan maintained by the same plan sponsor, and the benefits are paid with respect to an event without regard to whether benefits are provided with respect to such an event under any group health plan maintained by the same plan sponsor:

1. Coverage only for a specified disease or illness; or

2. Hospital indemnity or other fixed indemnity insurance.

(iv) "Health insurance coverage" shall not include the following if offered as a separate policy, certificate or contract of insurance:

1. Medicare supplemental health insurance as defined under Section 1882(g)(1) of the Social Security Act;

2. Coverage supplemental to the coverage provided under Chapter 55, Title 10, United States Code (Civilian Health and Medical Program of the Uniformed Services (CHAMPUS)); or

3. Similar supplemental coverage provided to coverage under a group health plan.

(l) "Health maintenance organization" means any organization authorized under the Health Maintenance Organization, Preferred Provider Organization and Other

Prepaid Health Benefit Plans Protection Act, Section 83-41-301 et seq., to operate a health maintenance organization in this state.

(m) "Insurer" means any entity that is authorized in this state to write health insurance coverage or that provides health insurance coverage in this state or any third-party administrator. For the purposes of Sections 83-9-201 through 83-9-222, insurer includes an insurance company, nonprofit health care services plan, fraternal benefit society, health maintenance organization, to the extent consistent with federal law any self-insurance arrangement covered by the Employee Retirement Income Security Act of 1974, as amended, that provides health care benefits in this state, any other entity providing a plan of health insurance coverage or health benefits subject to state insurance regulation and any reinsurer reinsuring health insurance coverage in this state.

(n) "Medicare" means coverage under both Parts A or B of Title XVIII of the Social Security Act, 42 USC, Section 1395 et seq., as amended.

(o) "Plan" means the health insurance plan adopted by the board under Sections 83-9-201 through 83-9-222.

(p) "Resident" means an individual who is legally located in the United States and has been legally domiciled in this state for a period to be established by the board and subject to the approval of the commissioner but in no event shall such residency requirement be greater than one (1) year, except that for a federally defined eligible individual, there shall not be a prior residency requirement.

(q) "Agent" means a person who is licensed to sell health insurance in this state or a third-party administrator.

(r) "Covered person" means any individual resident of this state (excluding dependents) who is eligible to receive benefits from any insurer.

(s) "Third-party administrator" means any entity who is paying or processing health insurance claims for any Mississippi resident.

(t) "Reinsurer" means any insurer from whom any person providing health insurance coverage for any Mississippi resident procures insurance for itself in the insurer, with respect to all or part of the health insurance coverage risk of the person.

(u) "Significant break in coverage" means a period of sixty-three (63) consecutive days during all of which the individual does not have any creditable coverage, except that neither a waiting period nor an affiliation period is taken into account in determining a significant break in coverage.

(v) "Exchange" means a state, federal, or partnership exchange or marketplace operating in Mississippi pursuant to Section 1311 of the Federal Patient Protection and Affordable Care Act (Public Law 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), and regulations and guidance issued under those acts.

SECTION 6. The Comprehensive Health Insurance Risk Pool Association shall have the authority to develop and fund an online portal that shall be available to all Mississippians to assist consumers in selection of a health plan. This program shall have the capacity to aggregate information regarding providers, drug coverage and pricing that would allow consumers to make informed decisions in selecting a health plan.

SECTION 7. Section 83-9-201, Mississippi Code of 1972, is brought forward as follows:

83-9-201. Sections 83-9-201 through 83-9-222 shall be known and may be cited as the "Comprehensive Health Insurance Risk Pool Association Act."

SECTION 8. Section 83-9-207, Mississippi Code of 1972, is brought forward as follows:

83-9-207. (1) Every insurer shall participate in the association.

(2) The requirements of this plan shall become effective April 15, 1991. The policies shall be available for sale January 1, 1992.

SECTION 9. Section 83-9-209, Mississippi Code of 1972, is brought forward as follows:

83-9-209. (1) Any individual who is and continues to be a resident shall be eligible for coverage under this plan if evidence is provided of:

(a) A notice of rejection or refusal to issue health insurance coverage for health reasons by one (1) insurer;

(b) A refusal by an insurer to issue health insurance coverage except with material underwriting restriction; or

(c) A refusal by an insurer to issue health insurance coverage except at a rate exceeding the plan rate.

(2) The board shall develop a procedure for eligibility for coverage by the association for any natural person who changes his domicile to this state and who at the time domicile is established in this state is insured by an organization similar to the association. The eligible maximum lifetime benefits for such covered person shall not exceed the lifetime benefits available through the association, less any benefits received from a similar organization in the former domiciliary state.

(3) The board may promulgate a list of medical or health conditions for which a person shall be eligible for plan coverage without applying for health insurance coverage under subsection (1) of this section. Persons who can demonstrate the existence or history of any medical or health conditions on such list promulgated by the board may not be required to provide the evidence specified in subsection (1) of this section. Any such list previously promulgated by the board may be amended or repealed by the board from time to time as may be appropriate.

(4) A person shall not be eligible for coverage under this plan if:

(a) The person has or obtains health insurance coverage, or would be eligible to have coverage if the person elected to obtain it; except that:

(i) A person may maintain other coverage for the period of time the person is satisfying a preexisting condition waiting period under a plan policy; and

(ii) A person may maintain plan coverage for the period of time the person is satisfying a preexisting condition waiting period under another health insurance policy intended to replace the plan policy.

(b) The person is determined to be eligible for health care benefits under the Mississippi Medicaid Law, Section 43-13-101 et seq., or Medicare.

(c) The person previously terminated plan coverage unless twelve (12) months have elapsed since the person's latest termination.

(d) The plan has paid out One Million Dollars ($1,000,000.00) in benefits on behalf of the person. The lifetime maximum shall be One Million Dollars ($1,000,000.00).

(e) The person is an inmate or resident of a public institution.

(f) The person's premiums are paid for or reimbursed under any government sponsored program or by any government agency or health care provider, except as an otherwise qualifying full-time employee, or dependent thereof, of a government agency or health care provider.

(5) The coverage of any person shall cease:

(a) On the date a person is no longer a resident of this state;

(b) Upon the death of the covered person;

(c) On the date state law requires cancellation of the policy; or

(d) At the option of the association, thirty (30) days after the association makes any inquiry concerning the person's eligibility or place of residence to which the person does not reply.

(6) The coverage of any person who ceases to meet the eligibility requirements of this section may be terminated immediately.

(7) It shall constitute an unfair trade practice for any insurer, insurance agent or broker, employer or third-party administrator to refer an individual employee or a dependent of an individual employee to the association, or to arrange for an individual employee or a dependent of an individual employee to apply to the program, for the purpose of separating such employee or dependent from a group health benefits plan provided in connection with the employee's employment.

SECTION 10. Section 83-9-211, Mississippi Code of 1972, is brought forward as follows:

83-9-211. (1) There is created a nonprofit legal entity to be known as the "Comprehensive Health Insurance Risk Pool Association." All insurers, as a condition of doing business, shall be members of the association.

(2) (a) The association shall operate subject to the supervision and approval of an eleven-member board of directors consisting of:

(i) Six (6) members appointed by the Insurance Commissioner. Two (2) of the commissioner's appointees shall be chosen from the general public and shall not be associated with the medical profession, a hospital or an insurer. Two (2) appointees shall be representatives of medical providers. One (1) appointee shall be a representative of businesses employing fewer than one hundred (100) employees. One (1) appointee shall be a representative of health insurance agents. Any board member appointed by the commissioner may be removed and replaced by him at any time without cause.

(ii) Three (3) members appointed by the participating insurers, at least one (1) of whom is a domestic insurer.

(iii) The Chair of the Senate Insurance Committee and the Chair of the House Insurance Committee, or their designees, who shall be nonvoting, ex officio members of the board.

(iv) Of those initial members appointed by the Insurance Commissioner, one (1) shall serve for a term of one (1) year, two (2) for a term of two (2)

years, and one (1) for a term of three (3) years. Of those initial members appointed by the participating insurers, one (1) shall serve for a term of one (1) year, one (1) shall serve for a term of two (2) years, and one (1) shall serve for a term of three (3) years. The appointing authority shall designate the period of service of each initial appointee at the time of appointment.

(v) All appointments after the initial term shall be for a term of three (3) years.

(b) The board of directors shall elect one (1) of its members as chairman.

(c) Board members may be reimbursed from monies of the association for actual and necessary expenses incurred by them as members in the manner and amount provided in Section 25-3-41, Mississippi Code of 1972, but shall not otherwise be compensated for their services.

(3) The association shall adopt a plan in accordance with Sections 83-9-201 through 83-9-222 and submit its articles, bylaws and operating rules to the State Department of Insurance for approval. If the association fails to adopt such plan and suitable articles, bylaws and operating rules within ninety (90) days after the appointment of the board, the State Department of Insurance shall adopt rules to effectuate the provisions of Sections 83-9-201 through 83-9-222; and such rules shall remain in effect until superseded by a plan and articles, bylaws and operating rules submitted by the association and approved by the State Department of Insurance.

(4) Individual board members shall not be liable and shall be immune from suit at law or equity for any conduct performed in good faith and which is within the subject matter over which they have been given jurisdiction.

SECTION 11. Section 83-9-212, Mississippi Code of 1972, is brought forward as follows:

83-9-212. Neither the board nor its employees shall be liable for any obligations of the association. There shall be no liability on the part of and no cause of action shall arise against any member insurer or its agents or employees, the association or its agents or employees, members of the board of directors or the commissioner or his representatives for any action or omission by them in the performance of their powers and duties under Sections 83-9-201 through 83-9-222. The board may provide in its bylaws or rules for indemnification of, and legal representation for, its members and employees.

SECTION 12. Section 83-9-213, Mississippi Code of 1972, is brought forward as follows:

83-9-213. (1) The association shall:

(a) Establish administrative and accounting procedures for the operation of the association.

(b) Establish procedures under which applicants and participants in the plan may have grievances reviewed by an impartial body and reported to the board.

(c) Select an administering insurer in accordance with Section 83-9-215.

(d) Collect the assessments provided in Section 83-9-217 from insurers and third-party administrators for claims paid under the plan and for administrative expenses incurred or estimated to be incurred during the period for which the assessment is made. The level of payments shall be established by the board. Assessments shall be collected pursuant to the plan of operation approved by the board. In addition to the collection of such assessments, the association shall collect an organizational assessment or

assessments from all insurers as necessary to provide for expenses which have been incurred or are estimated to be incurred prior to receipt of the first calendar year assessments. Organizational assessments shall be equal in amount for all insurers, but shall not exceed One Hundred Dollars ($100.00) per insurer for all such assessments. Assessments are due and payable within thirty (30) days of receipt of the assessment notice by the insurer.

(e) Require that all policy forms issued by the association conform to standard forms developed by the association. The forms shall be approved by the State Department of Insurance.

(f) Develop and implement a program to publicize the existence of the plan, the eligibility requirements for the plan, and the procedures for enrollment in the plan and to maintain public awareness of the plan.

(2) The association may:

(a) Exercise powers granted to insurers under the laws of this state.

(b) Take any legal actions necessary or proper for the recovery of any monies due the association under Sections 83-9-201 through 83-9-222. There shall be no liability on the part of and no cause of action of any nature shall arise against the Commissioner of Insurance or any of his staff, the administrator, the board or its directors, agents or employees, or against any participating insurer for any actions performed in accordance with Sections 83-9-201 through 83-9-222.

(c) Enter into contracts as are necessary or proper to carry out the provisions and purposes of Sections 83-9-201 through 83-9-222, including the authority, with the approval of the commissioner, to enter into contracts with similar organizations of other states for the joint performance of common administrative functions or with persons or other organizations for the performance of administrative functions.

(d) Sue or be sued, including taking any legal actions necessary or proper to recover or collect assessments due the association.

(e) Take any legal actions necessary to:

(i) Avoid the payment of improper claims against the association or the coverage provided by or through the association.

(ii) Recover any amounts erroneously or improperly paid by the association.

(iii) Recover any amounts paid by the association as a result of mistake of fact or law.

(iv) Recover other amounts due the association.

(f) Establish, and modify from time to time as appropriate, rates, rate schedules, rate adjustments, expense allowances, agents' referral fees, claim reserve formulas and any other actuarial function appropriate to the operation of the association. Rates and rate schedules may be adjusted for appropriate factors such as age, sex and geographic variation in claim cost and shall take into consideration appropriate factors in accordance with established actuarial and underwriting practices.

(g) Issue policies of insurance in accordance with the requirements of Sections 83-9-201 through 83-9-222.

(h) Appoint appropriate legal, actuarial and other committees as necessary to provide technical assistance in the operation of the plan, policy and other contract design, and any other function within the authority of the association.

(i) Borrow money to effect the purposes of the association. Any notes or other evidence of indebtedness of the association not in default shall be legal investments for insurers and may be carried as admitted assets.

(j) Establish rules, conditions and procedures for reinsuring risks of member insurers desiring to issue plan coverages to individuals otherwise eligible for plan coverages in their own name. Provision of reinsurance shall not subject the association to any of the capital or surplus requirements, if any, otherwise applicable to reinsurers.

(k) Prepare and distribute application forms and enrollment instruction forms to insurance producers and to the general public.

(l) Provide for reinsurance of risks incurred by the association.

(m) Issue additional types of health insurance policies to provide optional coverages, including Medicare supplemental health insurance.

(n) Provide for and employ cost containment measures and requirements including, but not limited to, disease management programs and incentives for participation therein, preadmission screening, second surgical opinion, concurrent utilization review and individual case management for the purpose of making the benefit plan more cost-effective.

(o) Design, utilize, contract or otherwise arrange for the delivery of cost-effective health care services, including establishing or contracting with preferred provider organizations, health maintenance organizations and other limited network provider arrangements.

(p) Serve as a mechanism to provide health and accident insurance coverage to citizens of this state under any state or federal program designed to enable persons to obtain or maintain health insurance coverage.

(3) The commissioner may, by rule, establish additional powers and duties of the board and may adopt such rules as are necessary and proper to implement Sections 83-9-201 through 83-9-222.

(4) The State Department of Insurance shall examine and investigate the association and make an annual report to the Legislature thereon. Upon such investigation, the Commissioner of Insurance, if he deems necessary, shall require the board: (a) to contract with an outside independent actuarial firm to assess the solvency of the association and for consultation as to the sufficiency and means of the funding of the association, and the enrollment in and the eligibility, benefits and rate structure of the benefits plan to ensure the solvency of the association; and (b) to close enrollment in the benefits plan at any time upon a determination by the outside independent actuarial firm that funds of the association are insufficient to support the enrollment of additional persons. In no case shall the commissioner require such actuarial study any less than once every two (2) years.

SECTION 13. Section 83-9-214, Mississippi Code of 1972, is brought forward as follows:

83-9-214. Upon the cessation of operations by the Comprehensive Health Insurance Risk Pool Association, the distribution of any funds held by the association, including the refund of assessments, shall require the prior approval of the Commissioner of Insurance.

SECTION 14. Section 83-9-215, Mississippi Code of 1972, is brought forward as follows:

83-9-215. (1) The board shall select an insurer, through a competitive bidding process, to administer the plan. The board shall evaluate bids submitted under this subsection based on criteria established by the board, which criteria shall include:

(a) The insurer's proven ability to handle large group accident and health insurance.

(b) The efficiency of the insurer's claims-paying procedures.

(c) An estimate of total charges for administering the plan.

(2) The administering insurer shall serve for a period of three (3) years. At least one (1) year prior to the expiration of each three-year period of service by an administering insurer, the board shall invite all insurers, including the current administering insurer, to submit bids to serve as the administering insurer for the succeeding three-year period. The selection of the administering insurer for the succeeding period shall be made at least six (6) months prior to the end of the current three-year period.

(3) The administering insurer shall:

(a) Perform all eligibility and administrative claims-payment functions relating to the plan.

(b) Pay an agent's referral fee as established by the board to each insurance agent who refers an applicant to the plan, if the applicant's application is accepted. The selling or marketing of plans shall not be limited to the administering insurer or its agents. The referral fees shall be paid by the administering insurer from monies received as premiums for the plan.

(c) Establish a premium-billing procedure for collection of premiums from insured persons. Billings shall be made periodically as determined by the board.

(d) Perform all necessary functions to assure timely payment of benefits to covered persons under the plan, including:

(i) Making available information relating to the proper manner of submitting a claim for benefits under the plan and distributing forms upon which submissions shall be made.

(ii) Evaluating the eligibility of each claim for payment under the plan.

(iii) Notifying each claimant within forty-five (45) days after receiving a properly completed and executed proof of loss whether the claim is accepted, rejected or compromised.

(iv) The board shall establish reasonable reimbursement amounts for any services covered under the benefit plans.

(e) Submit regular reports to the board regarding the operation of the plan. The frequency, content and form of the reports shall be as determined by the board.

(f) Following the close of each calendar year, determine net premiums, reinsurance premiums less administrative expense allowance, the expense of administration pertaining to the reinsurance operations of the association, and the

incurred losses of the year and report this information to the association and the State Department of Insurance.

(g) Pay claims expenses. If the payments by the administering insurer for claims expenses exceed the portion of premiums allocated by the board for payment of claims expenses, the board shall provide the administering insurer with additional funds for payment of claims expenses.

(4) (a) The administering insurer shall be paid, as provided in the contract of the association, for its direct and indirect expenses incurred in the performance of its services.

(b) As used in this subsection, the term "direct and indirect expenses" includes that portion of the audited administrative costs, printing expenses, claims administration expenses, management expenses, building overhead expenses and other actual operating and administrative expenses of the administering insurer which are approved by the board as allocable to the administration of the plan and included in the bid specifications.

SECTION 15. Section 83-9-217, Mississippi Code of 1972, is brought forward as follows:

83-9-217. (1) For the purpose of providing the funds necessary to carry out the powers and duties of the association, the board of directors shall assess the member insurers at such time and for such amounts as the board finds necessary. Assessments shall be due not less than thirty (30) days after prior written notice to the member insurers and shall accrue interest at twelve percent (12%) per annum on and after the due date.

(2) Each insurer shall be assessed an amount not to exceed Three Dollars ($3.00) per covered person insured or reinsured by each insurer per month. There shall not be such assessment on any insurer on policies or contracts insuring federal or state employees.

(3) The board shall make reasonable efforts designed to ensure that each covered person is counted only once with respect to any assessment. For that purpose, the board shall require each insurer that obtains excess or stoploss insurance to include in its count of covered persons all individuals whose coverage is insured (including by way of excess or stoploss coverage) in whole or part. The board shall allow a reinsurer to exclude from its number of covered persons those who have been counted by the primary insurer or by the primary reinsurer or primary excess or stoploss insurer for the purpose of determining its assessment under this subsection.

(4) Each insurer's assessment may be verified by the board based on annual statements and other reports deemed to be necessary by the board. The board may use any reasonable method of estimating the number of covered persons of an insurer if the specific number is unknown.

(5) If assessments and other receipts by the association, board or administering insurer exceed the actual losses and administrative expenses of the plan, the excess shall be held at interest and used by the board to offset future losses or to reduce plan premiums.

As used in this subsection, the term "future losses" includes reserves for claims incurred but not reported.

(6) The commissioner may suspend or revoke, after notice and hearing, the certificate of authority to transact insurance in this state of any member insurer which fails to pay an assessment or otherwise file any report or furnish information required to be filed with the board pursuant to the board's direction that the board determines is necessary in order for the board to perform its duties under this section. As an alternative,

the commissioner may levy a forfeiture on any member insurer which fails to pay an assessment when due. Such forfeiture shall not exceed five percent (5%) of the unpaid assessment per month, but no forfeiture shall be less than One Hundred Dollars ($100.00) per month.

SECTION 16. Section 83-9-219, Mississippi Code of 1972, is brought forward as follows:

83-9-219. The coverage provided by the plan shall be directly insured by the association, and the policies shall be issued through the administering insurer. Subject to the approval of the commissioner, the association may close enrollment in, and/or cease to offer the coverage provided by, the plan at any time upon a determination by the board that the availability of such coverage is no longer necessary.

SECTION 17. Section 83-9-221, Mississippi Code of 1972, is brought forward as follows:

83-9-221. (1) Coverage offered. (a) The plan shall offer the coverage specified in this section for each eligible person subject to the association's discretion to close enrollment and/or cease offering coverage as authorized in Section 83-9-219.

(b) If an eligible person is also eligible for Medicare coverage, the plan shall not pay or reimburse any person for expenses paid by Medicare.

(c) Any person whose health insurance coverage is involuntarily terminated for any reason other than nonpayment of premium may apply for coverage under the plan. If such coverage is applied for within sixty-three (63) days after the involuntary termination and if premiums are paid for the entire period of coverage, the effective date of the coverage shall be the date of termination of the previous coverage.

(2) Major medical expense coverage. The coverage issued by the plan, its schedule of benefits, exclusions and other limitations shall be established by the board and may be amended from time to time subject to the approval of the commissioner.

(3) In establishing the plan coverage, the board shall take into consideration the levels of health insurance coverage provided in the state and medical economic factors as may be deemed appropriate; and promulgate benefit levels, deductibles, coinsurance factors, exclusions and limitations determined to be generally reflective of and commensurate with health insurance coverage provided through a representative number of large employers in the state.

(4) Rates for coverages issued by the association may not be unreasonable in relation to the benefits provided, the risk experience and the reasonable expenses of providing the coverage.

(a) Separate schedules of premium rates based on age may apply for individual risks.

(b) Rates are subject to approval by the State Department of Insurance.

(c) Standard risk rates for coverages issued by the association shall be established by the association, subject to approval by the department, using reasonable actuarial techniques, and shall reflect anticipated experiences and expenses of such coverages for standard risks.

(d) The rating plan established by the association shall initially provide for rates equal to one hundred fifty percent (150%) of the average standard risk rates. Any changes in the initial rates shall be based on experience of the plan and shall reflect reasonably anticipated losses and expenses.

(e) No rate shall exceed one hundred seventy-five percent (175%) of the standard risk rate.

(5) Preexisting conditions. An association policy may contain provisions under which coverage is excluded during a period of twelve (12) months following the effective date of coverage with respect to a given covered individual for any preexisting condition, as long as:

(a) The condition manifested itself within a period of six (6) months before the effective date of coverage;

(b) Medical advice or treatment was recommended or received within a period of six (6) months before the effective date of coverage.

(6) Other sources primary. (a) The association shall be payer of last resort of benefits whenever any other benefit or source of third-party payment is available. The coverage provided by the association shall be considered excess coverage, and benefits otherwise payable under association coverage shall be reduced by all amounts paid or payable through any other health insurance coverage and by all hospital and medical expense benefits paid or payable under any workers' compensation coverage, automobile medical payment or liability insurance whether provided on the basis of fault or nonfault, and by any hospital or medical benefits paid or payable by any insurer or insurance arrangement or any hospital or medical benefits paid or payable under or provided pursuant to any state or federal law or program.

(b) No amounts paid or payable by Medicare or any other governmental program or any other insurance, or self-insurance maintained in lieu of otherwise statutorily required insurance, may be made or recognized as claims under such policy or be recognized as or towards satisfaction of applicable deductibles or out-of-pocket maximums or to reduce the limits of benefits available.

(c) The association shall have a cause of action against a participant for the recovery of the amount of any benefits paid to the participant which should not have been claimed or recognized as claims because of the provisions of this subsection or because otherwise not covered. Benefits due from the association may be reduced or refused as a setoff against any amount recoverable under this paragraph.

SECTION 18. Section 83-9-222, Mississippi Code of 1972, is brought forward as follows:

83-9-222. Neither the participation in the association as member insurers, the establishment of rates, forms or procedures nor any other joint or collective action required by Sections 83-9-201 through 83-9-222 shall be the basis of any legal action, criminal or civil liability or penalty against the association or any member insurer.

SECTION 19. Section 41-83-31, Mississippi Code of 1972, is brought forward as follows:

41-83-31. Any program of utilization review with regard to hospital, medical or other health care services provided in this state shall comply with the following:

(a) No determination adverse to a patient or to any affected health care provider shall be made on any question relating to the necessity or justification for any form of hospital, medical or other health care services without prior evaluation and concurrence in the adverse determination by a physician licensed to practice in Mississippi. The physician who made the adverse determination shall discuss the reasons for any adverse determination with the affected health care provider, if the provider so requests. The physician shall comply with this request within fourteen (14)

calendar days of being notified of a request. Adverse determination by a physician shall not be grounds for any disciplinary action against the physician by the State Board of Medical Licensure.

(b) Any determination regarding hospital, medical or other health care services rendered or to be rendered to a patient which may result in a denial of third-party reimbursement or a denial of precertification for that service shall include the evaluation, findings and concurrence of a physician trained in the relevant specialty or subspecialty, if requested by the patient's physician, to make a final determination that care rendered or to be rendered was, is, or may be medically inappropriate.

(c) The requirement in this section that the physician who makes the evaluation and concurrence in the adverse determination must be licensed to practice in Mississippi shall not apply to the Comprehensive Health Insurance Risk Pool Association or its policyholders and shall not apply to any utilization review company which reviews fewer than ten (10) persons residing in the State of Mississippi.

SECTION 20. A taxpayer who provides health care services that are in network under an exchange for which coverage is provided under the exchange and for which the taxpayer receives payment under the exchange, shall be allowed a deduction from income as provided in this section. The amount of the deduction shall be equal to twenty (20%) of the amount of the taxpayer's income derived from payment under an exchange for health care services provided by the taxpayer. For the purposes of this section, the term "exchange" means a state exchange as defined in Section 1 of this act.

SECTION 21. Subject to the provisions of this section, a taxpayer who pays all or any portion of the cost for an insurance policy under an exchange for an employee of the taxpayer shall be allowed a deduction from income for an amount equal to the cost paid by the taxpayer for the insurance policy. However, a taxpayer will not be eligible for the deduction if the taxpayer removes an employee from an insurance plan provided by the taxpayer and the employee becomes insured through an insurance policy provided under an exchange. For the purposes of this section, the term "exchange" means a state exchange as defined in Section 1 of this act.

SECTION 22. There shall be allowed a credit against the taxes imposed under Sections 27-15-103, 27-15-109 and 27-15-123, in an amount equal to twenty percent (20%) of a taxpayer's premium tax liability on the gross premium receipts on policies written for insurance under an exchange. For the purposes of this section, the term "exchange" means a state exchange as defined in Section 1 of this act.

SECTION 23. Section 27-7-17, Mississippi Code of 1972, is brought forward as follows:

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986. There shall also be allowed a deduction for expenses as provided in Section 41-137-51.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds, or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free bonds" applies only to the indebtedness incurred for the purpose of directly purchasing tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(I).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

(d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. (i) A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(ii) 1. For the purposes of computing income tax for tax years beginning after December 31, 2022, a taxpayer may treat specified research or experimental expenditures that are paid or incurred by the taxpayer during the tax year in connection with the taxpayer's trade or business as expenses that are not chargeable to the capital account. Such expenditures so treated shall be allowed as an immediate deduction. Such expenditures shall remain allowable as a full and immediate expense deduction in the year in which the expenses are incurred notwithstanding any changes to the federal Internal Revenue Code related to the depreciation of such specified research or experimental expenditures. A taxpayer may alternatively treat the depreciation of such specified research or experimental expenditures in accordance with the schedule provided in 26 USCS Section 174. A taxpayer may make an election whether to take a full and immediate deduction for such expenditures and/or to depreciate the expenditures

in accordance with 26 USCS Section 174. Such an election may be made for any tax year if made not later than the time prescribed by law for filing the return for such tax year, including extensions thereof. The method so elected by the taxpayer is irrevocable unless the commissioner specifically allows a change in the method.

2. For the purpose of computing income tax for tax years beginning after December 31, 2022, expenditures for business assets that are qualified property or qualified improvement property shall be eligible for one hundred percent (100%) bonus depreciation and may be deducted as an expense incurred by the taxpayer during the tax year during which the property is placed in service, notwithstanding any changes to federal law related to cost recovery beginning on January 1, 2023, or on any other date. A taxpayer may alternatively treat the depreciation of such business assets in accordance with the schedule provided in 26 USCS Section 168. A taxpayer may make an election whether to take a bonus depreciation deduction for such expenditures and/or to depreciate the expenditures in accordance with 26 USCS Section 168. Such an election may be made for any tax year if made not later than the time prescribed by law for filing the return for such tax year, including extensions thereof. The method so elected by the taxpayer is irrevocable unless the commissioner specifically allows a change in the method.

3. In any taxable year in which any 26 USCS Section 179 property is placed in service, a taxpayer may elect to treat the cost of such property as an expense which is not chargeable to a capital account, and any cost so treated shall be allowed as a deduction for that year. Mississippi's treatment of the deduction shall conform to the provisions of 26 USCS Section 179 in effect for that year.

4. For the purposes of this subparagraph (ii), unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

a. "Qualified improvement property" means and has the same definition as such term has in 26 USCS Section 168(e)(6) as it existed on January 1, 2021, and shall apply to property placed in service after December 31, 2022.

b. "Qualified property" means and has the same definition as such term has in 26 USCS Section 168(k) as it existed on January 1, 2021, and shall apply to property placed in service after December 31, 2022.

c. "Specified research or experimental expenditures" means and has the same definition as such term has in 26 USCS Section 174 as it existed on January 1, 2021.

5. Nothing in this subparagraph (ii) shall be construed to nullify or otherwise alter the treatment of depreciation expenses for any tax year prior to 2023.

6. The total of any method or combination of methods of depreciation used under this subparagraph (ii) cannot exceed one hundred percent (100%) of the cost of the subject property.

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, based upon cost, including cost of development, not otherwise deducted, or fair market value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the

prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided, in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars ($250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component member as defined in the Internal Revenue Code, or is an entity or a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid, accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

(i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;

(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903; and

(v) The deduction for medical expenses for the provision of gender transition procedures as defined in Section 41-141-3.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars ($3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars ($4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars ($4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars ($1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars ($2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars ($2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars ($3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars ($2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

(5) Notwithstanding any other provision in Title 27, Mississippi Code of 1972, there shall be allowed an income tax deduction for otherwise deductible expenses if:

(a) The payment(s) for such deductible expenses are made with the grant or loan program of the Paycheck Protection Program as authorized under (i) the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Consolidated Appropriations Act of 2021, (ii) the COVID-19 Economic Injury Disaster Loan Program, (iii) the 2020 COVID-19 Mississippi Business Assistance Act, (iv) the Rental Assistance Grant Program, (v) the Shuttered Venue Operators Grant Program and Restaurant Revitalization Fund authorized by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, and amended by the federal American Rescue Plan Act, and/or (vi) the Mississippi Agriculture Stabilization Act; and

(b) Such deductible expenses shall be allowed as deductions for federal income tax purposes.

SECTION 24. Section 27-7-18, Mississippi Code of 1972, is brought forward as follows:

27-7-18. (1) Alimony payments. In the case of a person described in Section 27-7-15(2)(e), there shall be allowed as a deduction from gross income amounts paid as periodic payments to the extent of such amounts as are includible in the gross income of the spouse as provided in Section 27-7-15(2)(e), payment of which is made within the person's taxable year.

(2) Unreimbursed moving expenses incurred after December 31, 1994, are deductible as an adjustment to gross income in accordance with provisions of the United States Internal Revenue Code, and rules, regulations and revenue procedures thereunder relating to moving expenses, not in direct conflict with the provisions of the Mississippi Income Tax Law.

(3) Amounts paid after December 31, 1998, by a self-employed individual for insurance which constitute medical care for the taxpayer, his spouse and dependents, are deductible as an adjustment to gross income in accordance with provisions of the United States Internal Revenue Code, and rules, regulations and revenue procedures thereunder relating to such payments, not in direct conflict with the provisions of the Mississippi Income Tax Law.

(4) Contributions or payments to a Mississippi Affordable College Savings (MACS) Program account are deductible from gross income as provided in Section 37-155-113. Payments made under a prepaid tuition contract entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided in Section 37-155-17.

(5) (a) Unreimbursed travel expenses, lodging expenses and lost wages an individual incurred as a result of, and related to, the donation, while living, of one or more of his or her organs for human organ transplantation, are deductible from gross income. The deduction from gross income authorized by this subsection may be claimed for only once and may not exceed Ten Thousand Dollars ($10,000.00).

(b) As used in this subsection, "organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow.

(6) In the case of a self-employed individual, there shall be allowed as a deduction from gross income an amount equal to:

(a) Seventeen percent (17%) of the federal self-employment taxes imposed on such individual for taxable years ending in calendar year 2017;

(b) Thirty-four percent (34%) of the federal self-employment taxes imposed on such individual for taxable years ending in calendar year 2018; and

(c) Fifty percent (50%) of the federal self-employment taxes imposed on such individual for taxable years ending in calendar year 2019 and thereafter.

(7) Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible from gross income as provided in Section 43-28-13.

SECTION 25. Sections 20 and 21 of this act shall be codified as new sections in Chapter 7, Title 27, Mississippi Code of 1972, and Section 22 of this act shall be codified as a new section in Chapter 15, Title 27, Mississippi Code of 1972.

SECTION 26. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ESTABLISH ANY PROGRAM OR PROMULGATE ANY RULE, POLICY, GUIDELINE, OR PLAN OR CHANGE ANY PROGRAM, RULE, POLICY OR GUIDELINE TO IMPLEMENT, ESTABLISH, CREATE, ADMINISTER, OR OTHERWISE OPERATE AN EXCHANGE, OR TO APPLY FOR, ACCEPT OR EXPEND FEDERAL MONIES RELATED TO THE CREATION, IMPLEMENTATION OR OPERATION OF AN EXCHANGE, AND TO ESTABLISH ANY ADVISORY BOARD OR COMMITTEE AS NECESSARY FOR PROVIDING RECOMMENDATIONS ON THE CREATION, IMPLEMENTATION OR OPERATION OF AN EXCHANGE; TO AMEND SECTION 83-5-72, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL LIFE, HEALTH AND ACCIDENT INSURANCE COMPANIES AND HEALTH MAINTENANCE ORGANIZATIONS DOING BUSINESS IN THIS STATE SHALL CONTRIBUTE CERTAIN AMOUNTS ANNUALLY TO THE HEALTH INSURANCE STATE EXCHANGE FUND; TO PROVIDE THE MAXIMUM AMOUNT OF TOTAL CONTRIBUTIONS THAT MAY BE COLLECTED; TO AMEND SECTIONS 83-9-203 AND 83-9-205, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 83-9-201, 83-9-207, 83-9-209, 83-9-211, 83-9-212, 83-9-213, 83-9-214, 83-9-215, 83-9-217, 83-9-219, 83-9-221, 83-9-222 AND 41-83-31, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AUTHORIZE AN INCOME TAX DEDUCTION FOR TAXPAYERS WHO PROVIDE HEALTH CARE SERVICES THAT ARE COVERED UNDER AN EXCHANGE AND UNDER WHICH THE TAXPAYER RECEIVES PAYMENT FOR SUCH SERVICES; TO PROVIDE FOR THE AMOUNT OF THE TAX DEDUCTION; TO AUTHORIZE AN INCOME TAX DEDUCTION FOR TAXPAYERS WHO PAY ALL OR ANY PORTION OF THE COST FOR AN INSURANCE POLICY FOR AN EMPLOYEE UNDER AN EXCHANGE; TO PROVIDE FOR THE AMOUNT OF THE TAX DEDUCTION; TO AUTHORIZE AN INSURANCE PREMIUM TAX CREDIT FOR TAXPAYERS PROVIDING INSURANCE POLICIES UNDER AN EXCHANGE; TO PROVIDE FOR THE AMOUNT OF THE TAX CREDIT; TO BRING FORWARD SECTIONS 27-7-17 AND 27-7-18, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR INCOME TAX DEDUCTIONS AND ADJUSTMENTS TO GROSS INCOME, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senator Harkins offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 805 by inserting the following before "is":

as amended by Senate Bill No. 2140, 2024 Regular Session,

AMEND on line 809 by inserting the following after "state":

, including, but not limited to, any prior authorization as defined in Section 4 of Senate Bill No. 2140, 2024 Regular Session,

AMEND on line 819 by striking "fourteen (14)" and inserting in lieu thereof the following:

seven (7)

FURTHER, AMEND the title to conform.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1647 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1647 was adopted.

YEAS AND NAYS On H. B. No. 1647. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--38.

Nays--Barnett, Brumfield, Bryan, Butler, Chism, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--14.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

H. B. No. 1665: Capitol Complex Improvement District; authorize incentive for development of property in.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this section, the following words and phrases shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Clerk" means the municipal clerk or county chancery clerk, as the case may be.

(b) "County" means Hinds County, Mississippi.

(c) "Department" means the Department of Finance and Administration.

(d) "Developer" means any person, firm, corporation, partnership or other entity who constructs, repairs, renovates, operates and/or maintains and/or procures the construction, repair, renovation, operation and/or maintenance of property such as buildings and other facilities within the district.

(e) "District" means the Capitol Complex Improvement District created in Section 29-5-203, Mississippi Code of 1972.

(f) "Municipality" means the City of Jackson, Mississippi.

(g) "Tax Assessor" means the Hinds County, Mississippi, tax assessor.

(2) (a) The department shall establish a program to provide incentive payments for developers to develop property such as buildings and other facilities within the district and to place such developed property into use, which will increase the value of the property and promote economic development and the public interest within the district.

(b) A developer desiring to participate in the incentive program established under this section must submit an application to the department. The application must contain a development plan that provides:

(i) A description of:

1. The property to be developed,

2. The purpose or purposes for which the property is being used at the time the application is submitted,

3. The type of work the developer will perform as part of development of the property, the purpose or purposes for which the property will be placed into use after development, and whether the development of such property will be complete before being placed into use, or developed in phases and placed in use in phases before development is complete, and

(ii) Any other information requested by the department.

(c) The department shall review such application and determine whether the developer is eligible to participate in the incentive program. If the department approves the developer for participation in the program, it shall issue a certificate of participation to the developer for the development plan. The department shall also provide a copy of the certification of participation and development plan to the clerk.

(d) After receipt of a certificate of participation and development plan under paragraph (c) of this subsection, the tax assessor shall certify the assessed value of the property to be developed under the development plan according to its most recently determined assessed value. This assessed value shall be the original assessed value of the property for the purposes of this section. Each year thereafter, the tax assessor shall certify the assessed value of the property described in the development plan and this assessed value shall be known as the current assessed value of the property for the purposes of this section.

(3) (a) (i) Beginning with the first year that property in a development plan is developed and placed into use for which it is developed, whether completely or in phases, and subject to ad valorem taxation based on such use, any amount by which the current assessed value of the property exceeds the original assessed value shall be known as the enhanced assessed value of the property for the purposes of this section.

(ii) For property in a development plan that for which development is complete when the property is first placed into use after development, the tax assessor shall annually certify the amount of the enhanced assessed value of the property to the municipality and county for the first year that the property is placed into use and subject to ad valorem tax based on such use and for each of the next succeeding four (4) years. For each year of such years, the clerk shall annually remit to the department an amount equal to the revenue derived from the ad valorem tax levied for general fund purposes by the municipality or county, as the case may be, on the enhanced assessed value of the property.

(iii) For property in a development plan that is developed in phases and placed into use in phases:

1. a. The tax assessor shall annually certify the amount of the enhanced assessed value of the property to the municipality and county for the first year of such years that the property is placed into use and subject to ad valorem tax based on such use and for each of the next succeeding years that the property is developed and placed into use in phases until the development is complete and the property is placed into use for which it was developed, and

b. The clerk shall:

A. For the first year of the years described in subitem a of this item 1, remit to the department an amount equal to the revenue derived from the ad valorem tax levied for general fund purposes by the municipality or county, as the case may be, on the enhanced assessed value of the property for such year, and

B. For each year of the succeeding years after the first year described in subitem a of this item 1 through the first year after the development of the property is complete and the property is subject to ad valorem tax based on the use for which it was developed, remit to the department an amount equal to the revenue derived from the ad valorem tax levied for general fund purposes by the municipality or county, as the case may be, on the amount of any increase of the enhanced assessed value of the property for the applicable year from the enhanced assessed value of the property for the immediately preceding year.

2. After such property has completed development according to a development plan and has been placed into use for which it was developed, the tax assessor shall annually certify the amount of the enhanced assessed value of the property to the municipality and county for the first year that the property is placed into use and subject to ad valorem tax based on such use and for each of the next succeeding four (4) years. For each of such years, the clerk shall annually remit to the department an amount equal to the revenue derived from the ad valorem tax levied by the municipality or county, as the case may be, for general fund purposes on the enhanced assessed value of the property.

(iv) The department shall deposit the funds received from the clerk under this subsection (3) into the special fund created in subsection (4) of this section.

(4) (a) There is created a special fund in the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of monies deposited therein under subsection of this section and monies from any other source designated for deposit into such fund. Monies in the fund shall be expended by the department, upon appropriation by the Legislature, to provide incentive payments to developers as provided in this section. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

(b) The department shall allocate and distribute monies in the special fund that are derived from payments made by a clerk related to a certificate of approval for property that is developed according to a development plan and placed into use after development and use such monies for the purpose of making incentive payments as follows:

(i) For property that has completed development according to a plan and that has been first placed into use after development is complete, the department shall:

1. Disburse to the developer an incentive payment for an amount equal to the amount remitted to the department under subsection (3)(a)(ii) of this section for the first year of the five (5) year period described therein, and

2. Deposit an amount equal to the amount remitted to the department under subsection (3)(a)(ii) of this section for each of the next four (4) years into the Capitol Complex Improvement District Project Fund created in Section 29-5-215, Mississippi Code of 1972; and

(ii) For property that is developed according to a plan in phases and placed into use in phases:

1. The department shall disburse to the developer for each applicable year an amount equal to the amount remitted to the department under subsection (3)(a)(iii)1 of this section, and

2. After such property has completed development according to the plan and has been placed into use, the department shall deposit an amount equal to the amount remitted to the department under subsection (3)(a)(iii)2 of this section for each of the next four (4) years into Capitol Complex Improvement District Project Fund created in Section 29-5-215, Mississippi Code of 1972.

(5) The Department of Finance and Administration shall have all powers necessary to implement and administer the program established under this section, and the Department of Finance and Administration shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL ESTABLISH A PROGRAM TO PROVIDE INCENTIVE PAYMENTS FOR DEVELOPERS TO DEVELOP PROPERTY IN THE CAPITOL COMPLEX IMPROVEMENT DISTRICT AND TO PLACE SUCH PROPERTY INTO USE WHICH WILL INCREASE THE VALUE OF THE PROPERTY AND PROMOTE ECONOMIC DEVELOPMENT AND THE PUBLIC INTEREST WITHIN THE DISTRICT; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THIS ACT; TO PROVIDE AN APPLICATION PROCESS FOR DEVELOPERS WHO DESIRE TO PARTICIPATE IN THE INCENTIVE PROGRAM; TO PROVIDE THAT WHEN PROPERTY IS DEVELOPED ACCORDING TO A DEVELOPMENT PLAN AND PLACED INTO USE, THE CITY OF JACKSON AND HINDS COUNTY SHALL REMIT TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR A CERTAIN PERIOD OF TIME, THE REVENUE DERIVED FROM THE APPLICABLE MUNICIPAL OR COUNTY AD VALOREM TAX LEVIED FOR GENERAL FUND PURPOSES ON A PORTION OF THE INCREASE IN THE ASSESSED VALUE OF THE PROPERTY; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEPOSIT SUCH REMITTED AMOUNTS INTO A SPECIAL FUND CREATED IN THIS ACT AND EXPEND MONIES IN THE FUND, UPON APPROPRIATION BY THE LEGISLATURE, TO PROVIDE INCENTIVE PAYMENTS TO SUCH DEVELOPERS; TO PROVIDE FOR THE AMOUNT OF THE INCENTIVE PAYMENTS AND PERIOD OF TIME THAT INCENTIVE PAYMENTS WILL BE MADE TO DEVELOPERS; TO PROVIDE THAT AFTER INCENTIVE PAYMENTS HAVE BEEN MADE TO A DEVELOPER FOR THE TIME PROVIDED IN THIS ACT, THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL DEPOSIT FUNDS RECEIVED FROM PAYMENTS REMITTED BY THE CITY OF JACKSON AND HINDS COUNTY INTO THE CAPITOL COMPLEX IMPROVEMENT DISTRICT PROJECT FUND FOR A CERTAIN PERIOD OF TIME; AND FOR RELATED PURPOSES.

Senators Horhn and Blount offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND by striking lines 41 through 42.

FURTHER, AMEND by replacing "district" with "municipality" on lines 40, 49 and 52.

FURTHER, AMEND by striking "Capitol Complex Improvement District Project Fund created in Section 29-5-215, Mississippi Code of 1972" on lines 176 through 178 and 189 through 191 and inserting in lieu thereof "the fund defined in Section 27-65-241(5)(b)".

FURTHER, AMEND the title to conform.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1665 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1665 was adopted.

YEAS AND NAYS On H. B. No. 1665. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Branning called up the motion to reconsider the vote whereby **H. B. No. 120** passed the Senate as amended and moved that it be reconsidered:

H. B. No. 120: Memorial highways; designate segment in Shannon, Lee County as the "Johnny R. Patterson Memorial Highway.".

The foregoing motion prevailed.

Senator Branning moved to reconsider the vote whereby Amendment No. 1 to **H. B. No. 120** was adopted by the Senate.

The foregoing motion prevailed.

The vote now recurring, Amendment No. 1 to H. B. No. 120 failed.

Senator Branning offered the following AMENDMENT NO. 2.

AMEND on line 1 by striking "MISSISSIPPI HIGHWAY 145/U.S. HIGHWAY 45" and inserting in lieu thereof: MISSISSIPPI HIGHWAY U.S. HIGHWAY 278

FURTHER, AMEND on line 3, after the semicolon, by inserting the following language:

TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 25 LOCATED IN TISHOMINGO COUNTY, MISSISSIPPI, AS THE "DR. KELLY S. SEGARS, SR. AND MARTHA SEGARS MEMORIAL HIGHWAY";

FURTHER, AMEND on line 6 by striking the language in subsection (1) in its entirety, and inserting in lieu thereof the following:

The segment of Mississippi Highway U.S. Highway 278, also known as Noah Curtis Street, located in Shannon, Lee County, Mississippi, extending for a distance of approximately one (1) mile in the westerly direction from the eastern entrance of Shannon Primary School to a point immediately west of the on-ramp interchange with U.S. Highway 45, is designated and shall be known as the "Johnny R. Patterson Memorial Highway."

FURTHER, AMEND after line 14 by inserting the following language and renumbering subsequent sections accordingly:

SECTION 2. (1) The segment of Mississippi Highway 25 located in Tishomingo County, Mississippi, beginning at County Road 150 in Iuka, Mississippi, and extending north for one (1) mile, is designated and shall be known as the "Dr. Kelly S. Segars, Sr. and Martha Segars Memorial Highway" in memory of Dr. Kelly S. Segars, Sr. and Martha Segars, who were known for their significant lifelong contributions to the development, growth and health of the citizens of Tishomingo County.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

Amendment No. 2 to H. B. No. 120 was adopted.

YEAS AND NAYS On H. B. No. 120. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Kirby called up the motion to reconsider the vote whereby **S. N. No. 91** was confirmed by the Senate and moved that the motion to reconsider be tabled:

S. N. No. 91: Anne Hall (Anne Hall) Brashier, Ridgeland, Mississippi, Mississippi Commission on the Status of Women, four year term beginning July 1, 2023 and ending June 30, 2027, representing an At-Large appointment.

The foregoing motion prevailed.

Senator Fillingane called up the following House Amendment to **S. B. No. 2022** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-3-21, Mississippi Code of 1972, is amended as follows:

97-3-21. (1) Except as otherwise provided for a juvenile offender in subsection (2) of this section, every person who * * * is:

(a) Convicted of first-degree murder shall be sentenced by the court to imprisonment for life in the custody of the Department of Corrections.

(* * *b) * * * Convicted of second-degree murder shall be imprisoned for life in the custody of the Department of Corrections if the punishment is so fixed by the jury in its verdict after a separate sentencing proceeding. If the jury fails to agree on fixing the penalty at imprisonment for life, the court shall fix the penalty at not less than twenty (20) nor more than forty (40) years in the custody of the Department of Corrections.

(* * *c) * * * Convicted of capital murder shall be sentenced (* * *i) to death; (* * *ii) to imprisonment for life in the State Penitentiary without parole; or (* * *iii) to imprisonment for life in the State Penitentiary with eligibility for parole as provided in Section 47-7-3(1)(* * *c)(iii).

(2) (a) For the purposes of this section, "juvenile offender" means a person who had not reached the age of eighteen (18) years at the time of the commission of the offense.

(b) A juvenile offender who is convicted of capital murder may be sentenced to life imprisonment or life imprisonment without eligibility for parole in the custody of the Mississippi Department of Corrections if the punishment is so fixed by the jury.

(c) If the jury fails to affix the sentence for capital murder as set out under subsection (b) of this section for a juvenile offender, then the court shall impose a sentence of not less than twenty-five (25) years but no more than fifty (50) years in the custody of the Mississippi Department of Corrections.

(d) (i) For a juvenile offender who is convicted of first-degree murder, the court shall impose a sentence of not less than twenty (20) nor more than forty (40) years in the custody of the Mississippi Department of Corrections.

(ii) For a juvenile offender who is convicted of second-degree murder, the court shall impose a sentence of not less than fifteen (15) nor more than thirty (30) years in the custody of the Mississippi Department of Corrections.

(e) The provisions of this subsection (2) apply retroactively irrespective of the dates of the commission of the offense, an arrest was made, or a judgment of conviction was entered.

SECTION 2. Section 99-19-101, Mississippi Code of 1972, is amended as follows:

99-19-101. (1) Upon conviction or adjudication of guilt of a defendant of capital murder * * *, the court shall conduct a separate sentencing proceeding to determine whether the defendant should be sentenced to death, life imprisonment without eligibility for parole, or life imprisonment; a sentence of death cannot be imposed if the defendant

was not at least eighteen (18) years of age at the time of the commission of the offense. The proceeding shall be conducted by the trial judge before the trial jury as soon as practicable. If, through impossibility or inability, the trial jury is unable to reconvene for a hearing on the issue of penalty, having determined the guilt of the accused, the trial judge may summon a jury to determine the issue of the imposition of the penalty. If the trial jury has been waived, or if the defendant pleaded guilty, the sentencing proceeding shall be conducted before a jury impaneled for that purpose or may be conducted before the trial judge sitting without a jury if both the State of Mississippi and the defendant agree thereto in writing. In the proceeding, evidence may be presented as to any matter that the court deems relevant to sentence, and shall include matters relating to any of the aggravating or mitigating circumstances. However, this subsection shall not be construed to authorize the introduction of any evidence secured in violation of the Constitution of the United States or of the State of Mississippi. The state and the defendant and the defendant's counsel shall be permitted to present arguments for or against the sentence of death.

(2) After hearing all the evidence, the jury shall deliberate on the following matters:

(a) Whether sufficient factors exist as enumerated in subsection (7) of this section;

(b) Whether sufficient aggravating circumstances exist as enumerated in subsection (5) of this section;

(c) Whether sufficient mitigating circumstances exist as enumerated in subsection (6) of this section, which outweigh the aggravating circumstances found to exist; and

(d) Based on these considerations, whether the defendant should be sentenced to life imprisonment, life imprisonment without eligibility for parole, or death.

(3) For the jury to impose a sentence of death, it must unanimously find in writing the following:

(a) That sufficient factors exist as enumerated in subsection (7) of this section;

(b) That sufficient aggravating circumstances exist as enumerated in subsection (5) of this section; * * *

(c) That there are insufficient mitigating circumstances, as enumerated in subsection (6), to outweigh the aggravating circumstances * * *; and

(d) That the defendant was eighteen (18) years of age or older at the time of the commission of the offense.

In each case in which the jury imposes the death sentence, the determination of the jury shall be supported by specific written findings of fact based upon the circumstances in subsections (5) and (6) of this section and upon the records of the trial and the sentencing proceedings. If, after the trial of the penalty phase, the jury does not make the findings requiring the death sentence or life imprisonment without eligibility for parole, or is unable to reach a decision, the court shall impose a sentence of life imprisonment.

(4) The judgment of conviction and sentence of death shall be subject to automatic review by the Supreme Court of Mississippi within sixty (60) days after certification by the sentencing court of the entire record, unless the time is extended for an additional period by the Supreme Court for good cause shown. The review by the Supreme Court shall have priority over all other cases and shall be heard in accordance with rules promulgated by the Supreme Court.

(5) Aggravating circumstances shall be limited to the following:

(a) The capital offense was committed by a person under sentence of imprisonment.

(b) The defendant was previously convicted of another capital offense or of a felony involving the use or threat of violence to the person.

(c) The defendant knowingly created a great risk of death to many persons.

(d) The capital offense was committed while the defendant was engaged, or was an accomplice, in the commission of, or an attempt to commit, or flight after committing or attempting to commit, any robbery, rape, arson, burglary, kidnapping, aircraft piracy, sexual battery, unnatural intercourse with any child under the age of twelve (12), or nonconsensual unnatural intercourse with mankind, or felonious abuse or battery of a child in violation of subsection (2) of Section 97-5-39, or the unlawful use or detonation of a bomb or explosive device.

(e) The capital offense was committed for the purpose of avoiding or preventing a lawful arrest or effecting an escape from custody.

(f) The capital offense was committed for pecuniary gain.

(g) The capital offense was committed to disrupt or hinder the lawful exercise of any governmental function or the enforcement of laws.

(h) The capital offense was committed to influence the policy of a governmental entity by intimidation or coercion, or to affect the conduct of a governmental entity by mass destruction or assassination.

(i) The capital offense was especially heinous, atrocious or cruel.

(j) The capital offense was committed to intimidate or coerce a civilian population.

(6) Mitigating circumstances shall be the following:

(a) The defendant has no significant history of prior criminal activity.

(b) The offense was committed while the defendant was under the influence of extreme mental or emotional disturbance.

(c) The victim was a participant in the defendant's conduct or consented to the act.

(d) The defendant was an accomplice in the capital offense committed by another person and his participation was relatively minor.

(e) The defendant acted under extreme duress or under the substantial domination of another person.

(f) The capacity of the defendant to appreciate the criminality of his conduct or to conform his conduct to the requirements of law was substantially impaired.

(g) The age of the defendant at the time of the crime.

(7) In order to return and impose a sentence of death the jury must make a written finding of one or more of the following:

(a) The defendant actually killed;

(b) The defendant attempted to kill;

(c) The defendant intended that a killing take place;

(d) The defendant contemplated that lethal force would be employed.

(8) For the purposes of this section, to "intimidate" or "coerce" do not include peaceful picketing, boycotts or other nonviolent action.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 20, 2024.

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

AN ACT TO AMEND SECTIONS 97-3-21 AND 99-19-101, MISSISSIPPI CODE OF 1972, TO PROVIDE ALTERNATIVE SENTENCING OPTIONS FOR JUVENILE OFFENDERS IN COMPLIANCE WITH UNITED STATES SUPREME COURT HOLDINGS IN THE CASES OF MILLER V. ALABAMA AND ROPER V. SIMMONS; AND FOR RELATED PURPOSES.

Senator Fillingane called up the following House Amendment to **S. B. No. 2174** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 2:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-17-42, Mississippi Code of 1972, is amended as follows:

97-17-42. (1) Any person who shall, willfully and without authority, take possession of or take away a motor vehicle of any value belonging to another, with intent to either permanently or temporarily convert it or to permanently or temporarily deprive the owner of possession or ownership, and any person who knowingly shall aid and abet in the taking possession or taking away of the motor vehicle, shall be guilty of * * * a felony and shall be * * * fined not more than Ten Thousand Dollars ($10,000.00), or imprisoned in the custody of the Department of Corrections for a term of not less than five (5) years but not to exceed twenty (20) years, or both.

(2) Any person convicted under this section who causes damage to any motor vehicle shall be ordered by the court to pay restitution to the owner or owners of the motor vehicle or vehicles damaged in the amount of damages caused to the vehicle and reasonable repair costs.

(3) This section shall not apply to the enforcement of a security interest in a motor vehicle.

(4) Any person who shall be convicted for a second or subsequent offense under this section shall be fined not more than Twenty Thousand Dollars ($20,000.00), or imprisoned in the * * * custody of the Department of Corrections for a term * * * of not less than ten (10) years but not to exceed forty (40) years, or both.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 97-17-42, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CRIME OF MOTOR VEHICLE THEFT SHALL BE A FELONY; TO REVISE THE PENALTIES FOR THE COMMISSION OF MOTOR VEHICLE THEFT; AND FOR RELATED PURPOSES.

Senator Fillingane called up the following House Amendment to **S. B. No. 2175** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 2:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-17-70, Mississippi Code of 1972, is amended as follows:

97-17-70. (1) A person commits the crime of receiving stolen property if he intentionally possesses, receives, retains or disposes of stolen property knowing that it has been stolen or having reasonable grounds to believe it has been stolen, unless the property is possessed, received, retained or disposed of with intent to restore it to the owner.

(2) The fact that the person who stole the property has not been convicted, apprehended or identified is not a defense to a charge of receiving stolen property.

(3) (a) Evidence that the person charged under this section stole the property that is the subject of the charge of receiving stolen property is not a defense to a charge under this section; however, dual charges of both stealing and receiving the same property shall not be brought against a single defendant in a single jurisdiction.

(b) Proof that a defendant stole the property that is the subject of a charge under this section shall be prima facie evidence that the defendant had knowledge that the property was stolen.

(4) Any person who shall be convicted of receiving stolen property which exceeds One Thousand Dollars ($1,000.00) or more, but less than Five Thousand Dollars ($5,000.00) in value and is not a motor vehicle shall be punished by imprisonment in the custody of the State Department of Corrections for a term not exceeding five (5) years or by a fine of not more than Ten Thousand Dollars ($10,000.00), or both.

(5) Any person who shall be convicted of receiving stolen property which exceeds Five Thousand Dollars ($5,000.00) or more, but less than Twenty-five Thousand Dollars ($25,000.00) in value and is not a motor vehicle shall be punished by imprisonment in the

custody of the State Department of Corrections for a term not exceeding ten (10) years or by a fine of not more than Ten Thousand Dollars ($10,000.00), or both.

(6) Any person who shall be convicted of receiving stolen property which exceeds Twenty-five Thousand Dollars ($25,000.00) in value and is not a motor vehicle shall be punished by imprisonment in the custody of the State Department of Corrections for a term not less than five (5) years but not exceeding twenty (20) years or by a fine of not more than Ten Thousand Dollars ($10,000.00), or both.

(7) Any person who shall be convicted of receiving stolen property which does not exceed One Thousand Dollars ($1,000.00) in value and is not a motor vehicle may be punished by imprisonment in the county jail for not more than six (6) months or by a fine of not more than One Thousand Dollars ($1,000.00), or both, if the court finds substantial and compelling reasons why the offender cannot be safely and effectively supervised in the community, is not amenable to community-based treatment, or poses a significant risk to public safety. If such a finding is not made, the court shall suspend the sentence of imprisonment and impose a period of probation not exceeding one (1) year or a fine of not more than One Thousand Dollars ($1,000.00), or both. Any person convicted of a third or subsequent offense under this subsection where the value of the property is not less than Five Hundred Dollars ($500.00), shall be imprisoned in the Penitentiary for a term not exceeding three (3) years or fined an amount not exceeding One Thousand Dollars ($1,000.00), or both.

(8) Any person who shall be convicted of receiving stolen property which is a motor vehicle under this section shall be punished by imprisonment in the custody of the State Department of Corrections for a term not less than five (5) years but not exceeding twenty (20) years or by a fine of not more than Ten Thousand Dollars ($10,000.00), or both.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 97-17-70, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT RECEIPT OF STOLEN PROPERTY VALUED AT A CERTAIN AMOUNT SHALL BE A FELONY WITH A MANDATORY MINIMUM TERM OF IMPRISONMENT; TO PROVIDE A MANDATORY SENTENCING RANGE FOR A PERSON CONVICTED OF THE RECEIPT OF STOLEN PROPERTY WHICH IS A MOTOR VEHICLE; AND FOR RELATED PURPOSES.

Senator Fillingane called up the following House Amendment to **S. B. No. 2196** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-7-75, Mississippi Code of 1972, is amended as follows:

97-7-75. (1) This section shall be known and may be cited as the "Mississippi Terroristic Threats Law."

(2) (a) A person commits the offense of making a terroristic threat when the person makes a threat to commit a crime of violence or a threat to cause bodily injury to another person if the threat does in fact cause a reasonable expectation or reasonable fear of the imminent commission of an offense and if, in making the threat, the person has the intent to:

(i) Intimidate or coerce a civilian population or segment of a civilian population; or

(ii) Influence or affect, by intimidation or coercion, the policy or conduct of a unit of government, educational institution, business or segment of the civilian population.

(b) It is not a defense to a prosecution under this section that, at the time the defendant made the terroristic threat, the defendant did not have the intent or capability to actually commit the specified offense, nor is it a defense that the threat was not made to a person who was a subject or intended victim of the threatened act.

(3) (a) A person convicted of the offense of making a terroristic threat is guilty of a felony punishable by imprisonment in the custody of the Mississippi Department of Corrections for not more than ten (10) years.

(b) A person convicted of the offense of making a terroristic threat against an airport shall be guilty of a felony and punished by imprisonment in the custody of the Mississippi Department of Corrections up to an additional five (5) years.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 97-7-75, MISSISSIPPI CODE OF 1972, TO INCREASE PENALTIES FOR TERRORISTIC THREATS MADE AGAINST AN AIRPORT; AND FOR RELATED PURPOSES.

Senator England called up the following House Amendment to **S. B. No. 2144** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-191, Mississippi Code of 1972, is amended as follows:

23-15-191. The first primary shall be held on the first Tuesday after the first Monday of August preceding any regular or general election; and the second primary shall be

held * * * four (4) weeks thereafter. The candidate that receives a majority of the votes cast in the election shall be the party nominee. If no candidate receives a majority vote at the election, then the two (2) candidates who receive the highest number of votes shall have their names placed on the ballot for the second primary election to be held * * * four (4) weeks later. The candidate who receives the most votes in the second primary election shall be the party nominee. However, if no candidate receives a majority vote at the first primary, and there is a tie in the election of those receiving the next highest vote, then those candidates receiving the next highest vote and the candidate receiving the highest vote shall have their names placed on the ballot for the second primary election to be held * * * four (4) weeks later, and whoever receives the most votes cast in the second primary election shall be the party nominee.

SECTION 2. Section 23-15-193, Mississippi Code of 1972, is amended as follows:

23-15-193. (1) At the election in 2023, and every four (4) years thereafter, there shall be elected a Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, State Treasurer, Attorney General, three (3) public service commissioners, three (3) Mississippi Transportation Commissioners, Commissioner of Insurance, Commissioner of Agriculture and Commerce, Senators and members of the House of Representatives in the Legislature, district attorneys for the several districts, clerks of the circuit and chancery courts of the several counties, as well as sheriffs, coroners, assessors, surveyors and members of the boards of supervisors, justice court judges and constables, and all other officers to be elected by the people at the general state election. All such officers shall hold their offices for a term of four (4) years, and until their successors are elected and qualified. The state officers shall be elected in the manner prescribed in Section 140 of the Constitution.

(2) The state officers that receive a majority of votes cast for the office at the general election shall be elected. If no candidate receives a majority number of votes cast at the election, then the two (2) candidates who receive the highest number of votes cast shall have their names placed on the ballot for the runoff election to be held * * * four (4) weeks later. The candidate who receives a majority of the votes cast in the runoff election shall be elected. However, if no candidate receives a majority vote cast at the election, and there is a tie in the election of those receiving the next highest vote, then those candidates receiving the next highest vote and the candidate receiving the highest number of votes cast shall have their names placed on the ballot for the runoff election to be held * * * four (4) weeks later, and whoever receives the majority of votes cast in the runoff election shall be elected. If it appears that two (2) or more candidates for state office have an equal number of votes after the runoff election, the interested candidates shall appear before the Chief Justice of the Mississippi Supreme Court within two (2) days after the canvass and the tie shall be determined by a toss of a coin or by lot fairly and publicly drawn, and a certificate of election shall be given accordingly.

SECTION 3. Section 23-15-213, Mississippi Code of 1972, is amended as follows:

23-15-213. (1) There shall be elected five (5) election commissioners for each county whose terms of office shall commence on the first Monday of January following their election and who shall serve for a term of four (4) years. Each of the commissioners shall be required to attend a training seminar provided by the Secretary of State and satisfactorily complete a skills assessment, and before acting, shall take and subscribe the oath of office prescribed by the Constitution. The oath shall be filed in the office of the clerk of the chancery court. Upon filing the oath of office, the election commissioner may be provided access to the Statewide Elections Management System for the purpose of performing his or her duties. Such skills assessment shall only be required once every four (4) years. While engaged in their duties, the commissioners shall be conservators of the peace in the county, with all the duties and powers of such.

(2) (a) At the general election in 2024 and every four (4) years thereafter, the qualified electors of the board of supervisors' Districts One, Three and Five shall elect in their district one (1) election commissioner.

(b) At the general election in 2023 and every four (4) years thereafter, the qualified electors of the board of supervisors' Districts Two and Four shall elect in their district one (1) election commissioner.

(c) No more than one (1) commissioner shall be a resident of and reside in each supervisor's district of the county; it being the purpose of this section that the county board of election commissioners shall consist of one (1) person from each supervisor's district of the county and that each commissioner be elected from the supervisor's district in which he or she resides.

(3) Candidates for county election commissioner shall qualify by filing with the clerk of the board of supervisors of their respective counties a petition personally signed by not less than fifty (50) qualified electors of the supervisor's district in which they reside, requesting that they be a candidate, by 5:00 p.m. not later than February 1 of the year in which the election occurs and unless the petition is filed within the required time, their names shall not be placed upon the ballot. All candidates shall declare in writing their party affiliation, if any, to the board of supervisors, and such party affiliation shall be shown on the official ballot.

(4) The petition shall have attached thereto a certificate of the county registrar showing the number of qualified electors on each petition, which shall be furnished by the registrar on request. The board shall determine the sufficiency of the petition, and if the petition contains the required number of signatures and is filed within the time required, the president of the board shall verify that the candidate is a resident of the supervisor's district in which he or she seeks election and that the candidate is otherwise qualified as provided by law, and shall certify that the candidate is qualified to the chair or secretary of the county election commission and the names of the candidates shall be placed upon the ballot for the ensuing election. No county election commissioner shall serve or be considered as elected until he or she has received a majority of the votes cast for the position or post for which he or she is a candidate. If a majority vote is not received in the first election, then the two (2) candidates receiving the most votes for each position or post shall be placed upon the ballot for a second election to be held * * * four (4) weeks later in accordance with appropriate procedures followed in other elections involving runoff candidates.

(5) In the first meeting in January of each year, the county election commissioners shall organize by electing a chair and a secretary, who shall serve a one-year term. The county election commissioners shall provide the names of the chair and secretary to the Secretary of State and provide notice of any change in officers which may occur during the year.

(6) It shall be the duty of the chair to have the official ballot printed and distributed at each general or special election.

SECTION 4. Section 23-15-833, Mississippi Code of 1972, is amended as follows:

23-15-833. Except as otherwise provided by law, the first Tuesday after the first Monday in November of each year shall be designated the regular special election day, and on that day an election shall be held to fill any vacancy in county, county district, and district attorney elective offices, and any vacancy in the office of circuit judge or chancellor.

All special elections, or elections to fill vacancies, shall in all respects be held, conducted and returned in the same manner as general elections, except that where no candidate receives a majority of the votes cast in the election, a runoff election shall be held * * * four (4) weeks after the election. The two (2) candidates who receive the highest

popular votes for the office shall have their names submitted as the candidates to the runoff and the candidate who leads in the runoff election shall be elected to the office. When there is a tie in the first election of those receiving the next highest vote, these two (2) and the one receiving the highest vote, none having received a majority, shall go into the runoff election and whoever leads in the runoff election shall be entitled to the office.

In those years when the regular special election day shall occur on the same day as the general election, the names of candidates in any special election and the general election shall be placed on the same ballot, but shall be clearly distinguished as general election candidates or special election candidates. At any time a special election is held on the same day as a party primary election, the names of the candidates in the special election may be placed on the same ballot, but shall be clearly distinguished as special election candidates or primary election candidates.

SECTION 5. Section 23-15-981, Mississippi Code of 1972, is amended as follows:

23-15-981. If two (2) or more candidates qualify for judicial office, the names of those candidates shall be placed on the general election ballot. If any candidate for such an office receives a majority of the votes cast for such office in the general election, he shall be declared elected. If no candidate for such office receives a majority of the votes cast for such office in the general election, the names of the two (2) candidates receiving the highest number of votes for such office shall be placed on the ballot for a second election to be held * * * four (4) weeks later in accordance with appropriate procedures followed in other elections involving runoff candidates.

SECTION 6. Section 23-15-1031, Mississippi Code of 1972, is amended as follows:

23-15-1031. Except as provided by Section 23-15-1081, the first primary election for Congressmen shall be held on the first Tuesday in June of the years in which congressmen are elected, and a second primary, if necessary, shall be held * * * four (4) weeks thereafter. Each year in which a presidential election is held, the congressional primary shall be held as provided in Section 23-15-1081. The election shall be held in all districts of the state on the same day. Candidates for United States Senator shall be nominated at the congressional primary next preceding the general election at which a senator is to be elected and in the same manner that congressmen are nominated. The chair and secretary of the state executive committee shall certify the vote for United States Senator to the Secretary of State in the same manner that county executive committees certify the returns of counties in general state and county primary elections.

SECTION 7. Section 23-15-1083, Mississippi Code of 1972, is amended as follows:

23-15-1083. Beginning in 1988, as an alternative to the congressional primary election date set forth in Section 23-15-1031, when a political party elects to conduct a presidential preference primary, the first primary election for congressmen, and senators, if senators are to be elected, shall be held on the second Tuesday in March, and the second primary, when one is necessary, shall be held * * * four (4) weeks thereafter, and the election shall be held in all districts of the state on the same day.

SECTION 8. Section 37-5-9, Mississippi Code of 1972, is amended as follows:

37-5-9. The name of any qualified elector who is a candidate for the county board of education shall be placed on the ballot used in the general elections by the county election commissioners, provided that the candidate files with the county election commissioners, not more than ninety (90) days and not less than sixty (60) days prior to the date of such general election, a petition of nomination signed by not less than fifty (50) qualified electors of the county residing within each supervisors district. Where there are less than one hundred (100) qualified electors in said supervisors district, it shall only be

required that said petition of nomination be signed by at least twenty percent (20%) of the qualified electors of such supervisors district. The candidate in each supervisors district who receives the majority of votes cast in the district shall be declared elected. If no candidate receives a majority of the votes cast at the election, a runoff shall be held between the two (2) candidates receiving the highest number of votes in the first election. The runoff election, in the event that such is necessary, shall be held * * * four (4) weeks after the first election.

When any member of the county board of education is to be elected from the county at large under the provisions of this chapter, then the petition required by the preceding paragraph hereof shall be signed by the required number of qualified electors residing in any part of the county outside of the territory embraced within a municipal separate school district or special municipal separate school district. The candidate who receives the majority of votes cast in the election shall be declared elected. If no candidate receives a majority of the votes cast at the election, a runoff shall be held between the two (2) candidates receiving the highest number of votes in the first election. The runoff election, in the event that such is necessary, shall be held * * * four (4) weeks after the first election.

In no case shall any qualified elector residing within a municipal separate school district or special municipal separate school district be eligible to sign a petition of nomination for any candidate for the county board of education under any of the provisions of this section.

SECTION 9. Section 37-7-215, Mississippi Code of 1972, is amended as follows:

37-7-215. All such elections shall be held on the first Tuesday after the first Monday in November of each year and in the same manner as general state and county elections are held and conducted. In the event a runoff is necessary the runoff shall be held * * * four (4) weeks thereafter.

SECTION 10. Section 37-7-217, Mississippi Code of 1972, is amended as follows:

37-7-217. (1) The county election commissioners shall indicate on the ballot which of the persons whose names appear thereon are candidates for a full term, and which of such persons, if any, are candidates for an unexpired term or terms.

(2) The qualified electors of each school district operating under Section 37-7-215 shall vote on the date specified in that section and at the special trustee election districts.

(3) A person elected shall assume the duties of his office for the full term on the first day of January if the election is for the full term. A person elected to an unexpired term shall assume office immediately.

(4) The county election commissioners shall forthwith certify the results of the election to the superintendent of the municipal separate or special municipal separate school district, as the case may be, which certificate shall be delivered to such superintendent within five (5) days following the first election.

(5) If a person does not receive a majority of the votes cast at the election, a runoff shall be held between the two (2) persons receiving the highest number of votes at the first election. In the event a runoff is necessary the runoff shall be held four (4) weeks thereafter.

SECTION 11. Section 37-7-227, Mississippi Code of 1972, is amended as follows:

37-7-227. (1) The county election commissioners shall indicate on the ballot which of the persons whose names appear thereon are candidates for a full term, and which of such persons, if any, are candidates for an unexpired term or terms. The candidate who receives a majority of the votes cast, either for a full term or for an unexpired term or

terms, as indicated on the ballot, shall be declared elected, and the person or persons elected to a full term shall assume the duties of his office on the first day of January of the year following such election. The person or persons elected to an unexpired term(s) shall assume office immediately. If no candidate receives a majority of the votes cast at the election, a runoff shall be held in the same manner * * * four (4) weeks after the election between the two (2) candidates receiving the highest number of votes upon the first ballot.

(2) Notwithstanding any other provision of law, if an election for school board trustees occurs on a Tuesday, during a general election, any runoff for such election shall occur * * * four (4) weeks after the election.

SECTION 12. Section 37-7-711, Mississippi Code of 1972, is amended as follows:

37-7-711. In all such special municipal separate school districts which may be so organized, reorganized or reconstituted to embrace the entire county in which the majority of the inhabitants of the county reside outside the corporate limits of the municipality, the name of any qualified elector who is a candidate for the board of trustees of such special municipal separate school district, whether such person be a candidate for an unexpired term or for a full term, shall be placed on the ballot used in the elections, provided that the candidate files with the county election commissioners, not more than ninety (90) days and not less than sixty (60) days prior to the date of such general election, a petition of nomination signed by not less than fifty (50) qualified electors of the county. Where there are less than one hundred (100) qualified electors in said area represented by the trustee, it shall only be required that said petition of nomination be signed by at least twenty percent (20%) of the qualified electors in said area. However, in any such special municipal separate school district which embraces the entire county and which borders the Mississippi River and in which Interstate Highway 20 and United States Highway 61 intersect and having a population in excess of forty-seven thousand (47,000) according to the 1990 federal decennial census, the candidate shall be required to file a petition of nomination with the county election commissioners not less than sixty (60) days prior to the date of such general election, in addition to the other requirements prescribed herein.

The candidate in each election who receives the majority of votes cast in the election shall be declared to have been elected. If no candidate receives a majority of the votes cast at the election, a runoff shall be held between the two (2) candidates receiving the highest number of votes in the first election. The runoff election, in the event that such is necessary, shall be held * * * four (4) weeks after the first election.

SECTION 13. This act shall take effect and be in force from and after January 1, 2025.

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

AN ACT TO AMEND SECTIONS 23-15-171, 23-15-191, 23-15-193, 23-15-213, 23-15-833, 23-15-857, 23-15-981, 23-15-1031, 23-15-1083, 37-5-9, 37-7-215, 37-7-217, 37-7-227 AND 37-7-711, MISSISSIPPI CODE OF 1972, TO REVISE THE TIME FOR HOLDING RUNOFF ELECTIONS TO FOUR WEEKS AFTER THE FIRST ELECTION INSTEAD OF THREE WEEKS; AND FOR RELATED PURPOSES.

Senator Carter called up the following House Amendment to **S. B. No. 2283** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 77-1-51, Mississippi Code of 1972, is amended as follows:

77-1-51. * * * This chapter shall stand repealed as of December 31, * * * 2028.

SECTION 2. Section 77-1-55, Mississippi Code of 1972, is amended as follows:

77-1-55. (1) The Public Service Commission, with the aid and the assistance of the Public Utilities Staff, shall have the power to monitor, investigate, and seek relief in any appropriate federal forum from all existing or proposed interstate rates, charges, allocations and classifications, and all rules and practices in relation thereto promulgated and prescribed by or for any public utility as defined in Section 77-3-3(d)(i).

(2) The Public Service Commission, with the aid and the assistance of the Public Utilities Staff, may seek relief from any proposed or final decision, order, regulation, rule or law that has an impact on any existing or proposed interstate rate, charge, allocation or classification.

(3) For the purpose of this section, the Public Service Commission and the Executive Director of the Public Utilities Staff may each enter into professional services contracts with one or more attorneys or consultants from a competent, qualified and independent firm as may be required by the commission or the executive director. Costs associated with the professional service contracts shall not exceed One Million Five Hundred Thousand Dollars ($1,500,000.00) for each agency with respect to each rate regulated affected utility in any twelve-month period. The consultants or counsel shall submit periodically, but no less frequently than once each calendar quarter, to the executive director or the commission, as applicable, for approval of payment, itemized bills detailing the work performed. The executive director or the chairman of the commission, as applicable, shall requisition the applicable public utility to make the requisite payments to such consultants. The commission shall allow the utility to recover both the total costs the utility incurred under this section and the carrying charges for those costs through a rate rider established to recover the costs incurred and carrying charges incurred. Such rider shall include a true-up provision to ensure actual recovery of costs paid or otherwise incurred by the utility.

* * *

SECTION 3. Section 77-1-1, Mississippi Code of 1972, is brought forward as follows:

77-1-1. A public service commission, hereinafter referred to in this chapter as the commission, is hereby created, consisting of three (3) members, one (1) to be elected from each of the three (3) Supreme Court districts by the qualified electors of such district. Elections for such officers shall be held in the general election in November 1959, and every four (4) years thereafter, and the terms of office of the three (3) commissioners elected at the general election in November 1959 shall expire on December 31, 1963.

The commissioners shall each receive a yearly salary fixed by the Legislature, payable monthly.

The commissioners shall each possess the qualifications prescribed for the Secretary of State. The commissioners shall not operate, own any stock in, or be in the

employment of any telephone company, gas or electric utility company, or any other public utility that shall come under their jurisdiction or supervision.

SECTION 4. Section 77-1-3, Mississippi Code of 1972, is brought forward as follows:

77-1-3. The commission shall have a seal, having around the margin the words "Mississippi Public Service Commission," and in the center such device as it may select. The acts of the commission shall be authenticated by its seal.

SECTION 5. Section 77-1-5, Mississippi Code of 1972, is brought forward as follows:

77-1-5. The commission shall keep an office in the City of Jackson, which shall be kept open Monday through Friday of each week for eight (8) hours each day. The commission shall meet at its office on the first Tuesday of each month and at such other times and places as its duties may require. The commission may sit from day to day and from time to time, and any meeting may be pretermitted not exceeding two (2) in any year.

The members of the commission shall devote their entire time to the performance of their official duties on every business day, except on the legal holidays enumerated in Section 3-3-7, Mississippi Code of 1972. However, official acts of the commission done on legal holidays shall be valid.

The commission shall keep regular minutes of its proceedings, which shall be a public record, and all orders, findings and acts of the commission shall be entered on the minutes.

Two (2) members of the commission shall be a quorum.

SECTION 6. Section 77-1-6, Mississippi Code of 1972, is amended as follows:

77-1-6. There is * * * established in the State Treasury a special fund to be known as the "Public Service Commission Regulation Fund." Such fund shall be the sole fund of the commission for all monies collected and deposited to the credit of or appropriated to the commission. The fund shall be administered as provided in this title and shall be audited annually by the State Auditor.

* * *

SECTION 7. Section 77-1-11, Mississippi Code of 1972, is brought forward as follows:

77-1-11. (1) It shall be unlawful for any public service commissioner, any candidate for public service commissioner, or any employee of the Public Service Commission or Public Utilities Staff to knowingly accept any gift, pass, money, campaign contribution or any emolument or other pecuniary benefit whatsoever, either directly or indirectly, from any person interested as owner, agent or representative, or from any person acting in any respect for such owner, agent or representative of any telephone company, gas or electric utility company, or any other public utility that shall come under the jurisdiction or supervision of the Public Service Commission. Any person found guilty of violating the provisions of this subsection shall immediately forfeit his or her office or position and shall be fined not less than Five Thousand Dollars ($5,000.00), imprisoned in the State Penitentiary for not less than one (1) year, or both.

(2) It shall be unlawful for any person interested as owner, agent or representative, or any person acting in any respect for such owner, agent or representative of any telephone company, gas or electric utility, or any other public utility that shall come under the jurisdiction or supervision of the Public Service Commission to offer any gift, pass,

money, campaign contribution or any emolument or other pecuniary benefit whatsoever to any public service commissioner, any candidate for public service commissioner or any employee of the Public Service Commission or Public Utilities Staff. Any party found guilty of violating the provisions of this subsection shall be fined not less than Five Thousand Dollars ($5,000.00), or imprisoned in the State Penitentiary for not less than one (1) year, or both.

(3) For purposes of this section, the term "emolument" shall include salary, donations, contributions, loans, stock tips, vacations, trips, honorarium, directorships or consulting posts. Expenses associated with social occasions afforded public servants shall not be deemed a gift, emolument or other pecuniary benefit as defined in Section 25-4-103(k), Mississippi Code of 1972.

(4) For purposes of this section, a person who is a member of a water, gas, electric or other cooperative association regulated by the Public Service Commission shall not, by virtue of such membership, be deemed an owner, agent or representative of such association unless such person is acting in any respect for or as an owner, agent or representative of such association; nor shall a person who owns less than one-half of one percent (1/2 of 1%) in stock, the value thereof not to exceed Ten Thousand Dollars ($10,000.00), of any public utility that is regulated by the Public Service Commission, or of any holding company of such public utility, by virtue of such ownership, be deemed an owner, agent or representative of such public utility unless such person is acting in any respect for or as an owner, agent or representative of such public utility.

SECTION 8. Section 77-1-15, Mississippi Code of 1972, is amended as follows:

77-1-15. (1) There shall be an executive secretary of the commission, * * * referred to in this chapter as the secretary, to be appointed by the commission, by and with the advice and consent of the Senate, for the term of the commissioners. The secretary must have the same qualifications as the commissioners and shall be subject to the same disqualifications and to like penalties, except that he shall not be liable to impeachment. He shall receive a salary fixed by the Legislature. He shall take the oath of office and shall be removable at the pleasure of the commission, which may fill any vacancy until the Senate confirms a successor. The secretary shall make bond as provided for other state officers, in the sum of Ten Thousand Dollars ($10,000.00), conditioned upon the faithful performance of the duties of his office.

(2) The secretary shall collect all fees and penalties collected by or paid to the commission, and shall cover the same into the State Treasury.

(3) The secretary of the commission shall be the custodian of all records, documents, and the seal of the commission. He shall issue all citations, subpoenas and other rightful orders and documents, and perform all other duties usually required of such officer, and as required by the commission.

(4) It shall be the duty and responsibility of the secretary to supervise and manage the offices and staff of the Public Service Commission and formulate written policies and procedures for the effective and efficient operation of the office and present these policies and procedures to the board for promulgation.

* * *

SECTION 9. Section 77-1-25, Mississippi Code of 1972, is brought forward as follows:

77-1-25. No member of the staff of the commission, or any other person, shall use uniforms, material, or equipment of the commission for private or political purposes. Members of the staff of the commission may be candidates for political office but must take a leave of absence to do so. Members of the staff of the commission may take part

in political campaigns other than campaigns for Public Service Commission but may not solicit or receive campaign contributions from regulated utilities. Anyone violating the provisions of this section shall be guilty of a misdemeanor and, upon conviction, shall be punished as provided by law and shall be dismissed from the staff of the commission.

SECTION 10. Section 77-1-27, Mississippi Code of 1972, is brought forward as follows:

77-1-27. All commission employees provided for in this chapter shall be paid out of the appropriations made to defray the expenses of the commission, upon requisitions and warrants in the same manner provided by law for the disbursements of appropriations for the commission. An itemized account shall be kept of all receipts and expenditures and shall be reported to the Legislature by the commission.

SECTION 11. Section 77-1-29, Mississippi Code of 1972, is amended as follows:

77-1-29. On or before the twentieth day of each calendar month, the commission shall pay into the State Treasury to the account of the "Public Service Commission Regulation Fund" all monies collected by it during the preceding calendar month, showing from whom collected, when collected and for what purposes collected. All disbursements made by the commission or from the regulation fund for any purposes, other than for salaries provided by law, shall be supported by a detailed and itemized statement approved by the commission for commission disbursements. The commission shall not expend funds from the "Public Service Commission Regulation Fund" to employ personnel whose services would duplicate services provided by any employee of the Public Utilities Staff.

* * *

SECTION 12. Section 77-1-31, Mississippi Code of 1972, is brought forward as follows:

77-1-31. The commission shall keep a docket of petitions and complaints, which shall be entered in regular order. The docket shall be called at each regular meeting of the board, and the cases thereon disposed of, or, if necessary, continued until the next meeting.

SECTION 13. Section 77-1-33, Mississippi Code of 1972, is brought forward as follows:

77-1-33. In any matter of inquiry pending before the commission or any member thereof, subpoenas for witnesses, and subpoenas duces tecum, may be issued by the secretary, under seal, or by any member without the seal, and shall be executed and returned by any sheriff, constable, or marshal, under the like penalties of law for failure to execute and return the process of the circuit court. If any person duly summoned to appear and testify before the commission, or before any one or more of the commissioners, shall fail or refuse to appear and testify, or to bring and produce, as commanded, any book, paper, or document, without a lawful excuse, or shall refuse to answer any proper question propounded to him by the commission or any of the commissioners, or if any person shall obstruct the commission, or one or more of the commissioners in the discharge of duty, or shall conduct himself in a rude, disrespectful, or disorderly manner before the commission deliberating in the discharge of duty, such witness or person shall be guilty of a misdemeanor, and, upon conviction, shall be fined not more than One Thousand Dollars ($1,000.00), or be imprisoned in the county jail for a period not exceeding six (6) months, or both.

SECTION 14. Section 77-1-35, Mississippi Code of 1972, is brought forward as follows:

77-1-35. The several members of the commission and the secretary may, in the discharge of their duties, administer oaths and take affidavits. The commission and each member thereof may examine witnesses under oath in all matters coming before them. If any person shall testify falsely, or make any false affidavit or oath before the commission, or before any of the commissioners, or before any officer, to any matter coming before the commission, he shall be guilty of perjury, and, upon conviction, shall be punished according to law.

SECTION 15. Section 77-1-37, Mississippi Code of 1972, is brought forward as follows:

77-1-37. Witnesses summoned to appear before the commission shall be entitled to the same per diem and mileage as witnesses attending the circuit court. Witnesses summoned by the commission on its behalf shall be paid as are other expenditures of the commission, upon the certificate of the commission showing the amount to which such witness may be entitled. Witnesses summoned for any carrier shall be paid by it.

SECTION 16. Section 77-1-39, Mississippi Code of 1972, is brought forward as follows:

77-1-39. In all cases where the testimony of witnesses is given orally before the commission any interested party or the commission shall have the right to have said testimony taken down and transcribed by a stenographer or court reporter, who is not an employee of the commission, to be agreed upon by the parties or appointed by the commission. The stenographer or court reporter so employed shall be duly sworn and his or her certificate that the transcript of such evidence is correct together with the official certificate of any one (1) of the commissioners that he has read the same and that it is in his opinion correct shall entitle such transcript or a certified copy thereof to be received in evidence on any appeal or in any court in this state subject only to any objection that the same is not relevant or material. The stenographer or court reporter shall be paid in accordance with the provisions of Section 9-13-33. The commission shall have the right to require any party demanding an official stenographer to guarantee or prepay the costs thereof in all proper cases.

SECTION 17. Section 77-1-41, Mississippi Code of 1972, is brought forward as follows:

77-1-41. All findings of the commission and the determination of every matter by it shall be made in writing and placed upon its minutes. Proof thereof shall be made by a copy of the same duly certified by the secretary under the seal of the commission. Whenever any matter has been determined by the commission, in the course of any proceeding before it the fact of such determination, duly certified, shall be received in all courts and by every officer in civil cases as prima facie evidence that such determination was right and proper. The record of the proceedings of the commission shall be deemed a public record, and shall at all reasonable times be subject to the inspection of the public.

SECTION 18. Section 77-1-43, Mississippi Code of 1972, is brought forward as follows:

77-1-43. The commission may apply to the circuit or chancery court, by proper proceeding, for aid in the enforcement of obedience to its process, and to compel compliance with Title 77, Mississippi Code of 1972, and its lawful rules, regulations, orders, decisions, and determinations. Said courts shall have jurisdiction to grant aid and relief in such cases, subject to the right of appeal to the Supreme Court by the party aggrieved. The commission itself may, by order after notice and hearing, institute such proceedings or, at the request of the commission by order after notice and hearing, the Attorney General, or district attorney in his district, shall institute such proceedings in the name of the commission.

SECTION 19. Section 77-1-47, Mississippi Code of 1972, is brought forward as follows:

77-1-47. Appeals from any final finding, order or judgment of the commission shall be taken and perfected by the filing of a bond in the sum of Five Hundred Dollars ($500.00) with two (2) sureties, or with a surety company qualified to do business in Mississippi as the surety, conditioned to pay the cost of such appeal. Said bond shall be approved by the chairman or secretary of the commission, or by the judge of the court to which such appeal is taken in case the chairman or secretary of the commission refuses to approve a proper bond tendered to them within the time limited for taking appeals. The commission may grant a supersedeas bond on any appeal, in such penalty and with such surety thereon as it may deem sufficient, and may, during the pendency of any appeal, at any time, require the increase of any such supersedeas bond or additional securities thereon. The judge of the Circuit Court of Hinds County may on petition therefor by any party entitled to an appeal, presented to him within six (6) months of the date of the final finding, order, or judgment of the commission appealed from, award a writ of supersedeas to any such final finding, order, or judgment of the commission, upon the filing of a supersedeas bond in an amount to be fixed by said judge. All appeal bonds for the payment of costs, and all supersedeas bonds, shall be made payable to the state and may be enforced in the name of the state by motion or other legal proceedings or remedy in any circuit court of this state having jurisdiction of a motion or action on such bond, and the process and proceedings thereon shall be as provided by law upon bonds of like character required and taken by any court of this state. Such circuit court may render and enter like judgments upon such bonds as may, by law, be rendered and entered upon bonds of like character, and process of execution shall issue upon such judgments, and may be levied and executed as provided by law in other cases.

SECTION 20. Section 77-1-49, Mississippi Code of 1972, is brought forward as follows:

77-1-49. The commission shall make a report every year to the Legislature of all its acts and doings for the preceding fiscal year.

SECTION 21. Section 77-1-53, Mississippi Code of 1972, is amended as follows:

77-1-53. (1) Whenever the commission, an employee of the commission or any employee of the public utilities staff has reason to believe that a willful and knowing violation of any statute administered by the commission or any regulation or any order of the commission has occurred, the commission may cause a written complaint to be served upon the alleged violator or violators. The complaint shall specify the provisions of such statute, regulation or order alleged to be violated and the facts alleged to constitute a violation thereof and shall require that the alleged violator appear before the commission at a time and place specified in the notice and answer the charges complained of. The time of appearance before the commission shall not be less than twenty (20) days from the date of the service of the complaint, unless the commission finds that the public convenience or necessity requires that such hearing be held at an earlier date.

(2) The commission shall afford an opportunity for a fair hearing to the alleged violator or violators at the time and place specified in the complaint. On the basis of the evidence produced at the hearing, the commission shall make findings of fact and conclusions of law and enter its order, which in its opinion will be in the best interests of the consuming public. Failure to appear at any such hearing, without prior authorization to do so from the commission, may result in the commission finding the alleged violator guilty of the charges complained of by default, and at such time an order may be entered, including the assessment of a penalty. The commission shall give written notice of such order to the alleged violator and to such other persons as shall have appeared at the hearing or made written request for notice of the order. The commission may assess such penalties as provided in subsection (3) of this section.

(3) Any person found by the commission, pursuant to a hearing or by default as provided in this section, violating any statute administered by the commission, or any regulation or order of the commission in pursuance thereof, shall be subject to a civil penalty of not more than Five Thousand Dollars ($5,000.00) for each violation, to be assessed and collected by the commission. Each day that a violation continues shall constitute a separate violation. In lieu of, or in addition to, the monetary penalty, the commission, for any violation by a certificate holder, may impose a penalty in accordance with Section 77-3-21, * * * if it finds that the violator is not rendering reasonably adequate service. Appeals from the imposition of the civil penalty may be taken to the Circuit Court of the First Judicial District of Hinds County in the same manner as appeals from orders of the commission constituting judicial findings.

(4) All penalties collected by the commission under this section shall be deposited in the Public Service Commission Regulation Fund.

(5) No portion of any penalty or costs associated with an administrative or court proceeding which results in the assessment of a penalty against a public utility for violation of any statute administered by the commission, or any regulation or order of the commission shall be considered by the commission in fixing any rates or charges of such public utility.

(6) This section shall be in addition to any other law which provides for the imposition of penalties for the violation of any statute administered by the commission or any regulation or order of the commission.

* * *

SECTION 22. Section 27-104-205, Mississippi Code of 1972, is amended as follows:

27-104-205. (1) From and after July 1, 2016, the expenses of the following enumerated state agencies shall be defrayed by appropriation of the Legislature from the State General Fund: the State Fire Marshal, the State Fire Academy (not including the State Fire Academy Workforce Program Fund), the Office of Secretary of State (not including the Preneed Contracts Loss Recovery Fund), * * * the Mississippi Department of Information Technology Services, (not including the Mississippi Department of Information Technology Services Revolving Fund), the State Personnel Board, the Mississippi Department of Insurance (not including the Municipal Fire Protection Fund, Section 83-1-37, the County Volunteer Fire Department Fund, Section 83-1-39, and the Mississippi Propane Education and Research Fund, Section 75-57-119), the Mississippi Law Enforcement Officers' Minimum Standards Board, the Mississippi Gaming Commission, the Office of the State Public Defender, the Mississippi Workers' Compensation Commission (not including the Second Injury Trust Fund) and the Office of Attorney General. Beginning July 1, 2016, any fees, assessments or other revenues charged for the support of the above-named state agencies shall be deposited into the State General Fund, and any special fund or depository established within the State Treasury for the deposit of such fees, assessments or revenues shall be abolished and the balance transferred to the State General Fund. Expenses heretofore drawn from such special funds or other depositories shall be drawn from the agencies' General Fund Account.

(2) Beginning with the fiscal year ending June 30, 2016, the amount to be appropriated annually from the State General Fund for the support of each of the above-named state agencies shall not exceed the amount appropriated for such purpose in the preceding fiscal year, plus any increases in or additional fees, assessments or other charges authorized by act of the Legislature for the succeeding fiscal year.

(3) The provisions of this section shall not apply to any trust fund account that is maintained by any above-named agency.

(4) The provisions of this section shall not prohibit any of the above-named agencies from maintaining clearing accounts in approved depositories.

(5) The provisions of this section shall not apply to any trust fund accounts maintained by the Public Employees' Retirement System and protected under Section 272A of the Mississippi Constitution of 1890.

SECTION 23. Section 77-3-8, Mississippi Code of 1972, is amended as follows:

77-3-8. (1) There is established in the commission a Public Service Commission staff, which staff shall be a unit, remain as a unit therein, and be responsive to the commission. The Public Service Commission staff shall consist of a sufficient number of professional, administrative, technical, clerical and other personnel as may be necessary for the staff to perform its duties and responsibilities as * * * provided in this chapter. All such personnel of the Public Service Commission staff shall be recommended by the executive secretary and hired or rejected by the commission. Personnel shall be dismissed only for cause in accordance with the rules and regulations of the State Personnel Board. The personnel of the Public Service Commission staff shall be compensated and reimbursed for their actual and necessary expenses, including food, lodging and travel, by the commission from the Public Service Commission Regulation Fund established by Section 77-1-6, and as authorized by Section 25-3-41. The Public Service Commission staff shall be responsible for gathering and analyzing information relating to all matters within the authority of the commission.

(2) The State Personnel Board shall establish and maintain entry-level salaries sufficiently competitive to attract competent, qualified applicants for the specialized skills and positions required by this section without regard to the salaries paid the commissioners and notwithstanding any other provisions of law to the contrary. The State Personnel Board shall authorize, where necessary, a range of salaries within which salary negotiations may be conducted for those positions for which specific knowledge, skills and abilities are set forth herein.

(3) The Public Service Commission staff shall perform such duties as are assigned to them by the commission.

* * *

SECTION 24. Section 77-3-87, Mississippi Code of 1972, is amended as follows:

77-3-87. All reasonable and necessary expenses of the administration of the duties imposed on the public utilities staff and on the commission by Title 77, Mississippi Code of 1972, excluding the reasonable and necessary expenses of the administration and enforcement by the commission of the laws of this state pursuant to Chapters 7 and 9, Title 77, Mississippi Code of 1972, shall be provided as follows: There is * * * levied a tax upon (a) all utilities, the rates of which are subject to regulation by the provisions of this chapter, and upon (b) all utilities not subject to such rate regulation which furnish to the ultimate consumer utility services of the type described by subparagraph (i) of paragraph (d) of Section 77-3-3 and otherwise subject to regulation by the provisions of this chapter, such levy to be effective on the first day of each year and to be calculated as follows: The rate of the tax shall be one hundred sixty-four thousandths of one percent (164/1000 of 1%) per year, of the gross revenues from the intrastate operations of the utilities taxed under this section. The rate of the tax for electric power associations and rural electrification authorities shall be ninety thousandths of one percent (90/1000 of 1%) per year of the gross revenues from the intrastate operations of electric power associations and rural electrification authorities taxed under this section. * * * The sum of all taxes levied by this section shall not exceed the total legislative appropriation of monies * * * from the Public Utilities Staff Regulation Fund and the Public Service Commission Regulation Fund for the ensuing fiscal year. The commission and the executive director

of the Public Utilities Staff shall certify to the Department of Revenue the amount of legislative appropriations of monies for the regulation of utilities. The Department of Revenue shall adjust the tax rates on a pro rata basis to generate the necessary revenues established by such legislative appropriations. Each utility which is subject to the tax levied by this section shall file a statement of its gross revenue by April 1 of each year showing the gross revenue for the preceding year's operation. These statements of gross revenue shall be filed with the Department of Revenue on forms prescribed and furnished by the Department of Revenue. The Department of Revenue shall file a copy of these statements of gross revenue with the Public Utilities Staff and the commission. The Department of Revenue shall calculate the amount of tax to be paid by each of the utilities and shall submit a statement thereof to the respective utilities, and the amount shown due in the statements to the utilities shall be paid by them within thirty (30) days thereafter to the Department of Revenue. The Department of Revenue shall furnish the Public Utilities Staff and the commission with an itemized list showing gross and net revenues, assessments, tax collections and other related information for the respective utilities. The Department of Revenue shall * * * pay these funds into the * * * State Treasury on the same day collected to the credit of the Public Utilities Staff Regulation Fund and to the Public Service Commission Regulation Fund in the proportion that the legislative appropriation of monies from each fund for the regulation of utilities for the ensuing fiscal year bears to the total legislative appropriation of monies from both funds for the regulation of utilities for the ensuing fiscal year.

All administrative provisions of the Mississippi Sales Tax Law, including those which fix damages, penalties and interest for nonpayment of taxes and for noncompliance with the provisions of such chapter, and all other duties and requirements imposed upon taxpayers, shall apply to all persons liable for taxes under the provisions of this chapter, and the Commissioner of Revenue shall exercise all the power and authority and perform all the duties with respect to taxpayers under this chapter as are provided in the Mississippi Sales Tax Law except where there is a conflict, then the provisions of this chapter shall control. The term "gross revenue" as used in this section is the total amount of all revenue derived by each of the utilities from its intrastate operations, which are subject to rate regulation under the provisions of this chapter or which constitute utility services of the type described by subparagraph (i) of paragraph (d) of Section 77-3-3 and which are regulated by this chapter and furnished to ultimate consumers. The Department of Revenue is * * * authorized to use all tax returns of any utilities available to it and to make audits as may be deemed necessary of all records of utilities in order to correctly determine the amount of such gross revenue.

All proceeds of the above-mentioned tax are * * * to be allocated to the Public Utilities Staff and to the commission in the manner provided in this section for the purpose of this chapter.

Each utility subject to the provisions of this section shall be allowed to recover, through the use of a rate adjustment clause or rider, the total amount of taxes paid by the utility pursuant to this section for the reasonable and necessary expenses of the commission and the Public Utilities Staff.

* * *

SECTION 25. Section 77-3-89, Mississippi Code of 1972, is amended as follows:

77-3-89. It shall be the duty of the State Auditor to advise the commission of the amount of money on hand in the "Public Service Commission Regulation Fund" from time to time. All expenses of the commission authorized by this article, or any other act of the Legislature, shall be paid by the State Treasurer upon warrants issued by the State Fiscal Officer, which warrants shall be issued upon requisition signed by the chairman of the commission and countersigned by one (1) of the commissioners. * * * The requisition shall show upon its face the purpose for which the payment is being made by reference to the minute book in which such payment was authorized. It shall be unlawful for any

person to withdraw any money from * * * the fund other than by requisition issued as * * * herein provided in this section. A record of all requisitions issued by the commission showing to whom, for what purpose, and date issued, shall be placed upon the minute books of the commission and shall become a part of the official record of the commission.

The books and accounts of the commission shall be audited at the end of each fiscal year, and at any other time deemed necessary, by the State Auditor and a copy of such audits shall be furnished to the Governor and the commission. The State Auditor may prescribe such further accounting procedure as he deems necessary for the withdrawal of funds by the commission from * * * the special fund. All requisitions drawn in compliance with this article shall be honored by the State Auditor and the funds disbursed in accordance therewith. The commission shall file a report at each regular session of the Legislature showing the expenditure of all funds by the commission.

The "Public Utilities Staff Regulation Fund" shall be administered in accordance with Section 77-2-19.

* * *

SECTION 26. Section 77-3-503, Mississippi Code of 1972, is amended as follows:

77-3-503. The following terms and phrases, when used in this article, shall have the following meaning ascribed to them, except where the context clearly indicates a different meaning:

(a) "Deaf person" means an individual who is unable to hear and understand oral communication, with or without the assistance of amplification devices.

(b) "Dual party relay system" means a procedure whereby a deaf, hearing or speech impaired TDD user can communicate with an intermediary party, who then orally relays the first party's message or request to a third party, or vice versa.

(c) "Exchange access facility" means the access from a particular telephone subscriber's premise to the telephone system of a local exchange telephone company. Exchange access facilities include local exchange company provided access lines, private branch exchange trunks and centrex network access registers, all as defined by tariffs of telephone companies as approved by the commission.

(d) "Hard of hearing person" means an individual who has suffered a permanent hearing loss which is severe enough to necessitate the use of amplification devices to hear oral communication.

(e) "Hearing impaired person" means a person who is deaf or hard of hearing.

(f) "Ring signaling device" means a mechanism such as a flashing light which visually indicates that a communication is being received through a telephone line. This phrase also means a mechanism such as adjustable volume ringers and buzzers which audibly and loudly indicate an incoming telephone communication.

(g) "Speech impaired person" means an individual who has suffered a loss of oral communication ability which prohibits normal usage of a standard telephone handset.

(h) "Telecommunications device" or "telecommunications device for the deaf, hearing or speech impaired" or "TDD" means a keyboard mechanism attached to or in place of a standard telephone by some coupling device used to transmit or receive signals through telephone lines.

(i) "Telephone company" means every corporation, company, association, joint stock association, partnership, and person and their lessees, trustees or receivers appointed by any court whatsoever, and every city or town owning, operating or managing any telephone line or part of a telephone line used in the conduct of the business of affording telephonic communication service for hire within this state.

(j) "Telephone line" includes conduits, ducts, poles, wires, cables, crossarms, receivers, transmitters, instruments, machines, appliances, instrumentalities and all devices, including radio and other advancements of the art of telephony, real estate, easements, apparatus, property and routes used and operated to facilitate the business of affording telephonic communication services to the public for hire within this state.

(k) "Trust fund" means the Dual Party Relay Service Trust Fund, which is a specific trust to be created by the Public Service Commission and to be established, invested, managed and maintained for the exclusive purpose of fulfilling the provisions of this article according to Public Service Commission rules and regulations.

* * *

SECTION 27. Section 77-3-507, Mississippi Code of 1972, is amended as follows:

77-3-507. (1) The Public Service Commission may impose upon all local exchange telephone companies operating in the State of Mississippi a monthly relay service fee in an amount to be determined by the commission based upon the amount of funding necessary to accomplish the purposes of this article and to provide dual party telephone relay services on a continuous basis. Such fees shall be paid by the local exchange companies to the credit of the Dual Party Relay Service Trust Fund. The commission may authorize local exchange companies to recover relay service fees through a surcharge on their customers in the manner prescribed by the commission. The relay service fees remitted by the local exchange companies shall not be subject to any tax, fee or assessment, nor shall it be considered revenue of the local exchange companies. The Dual Party Relay Service Trust Fund shall be credited with all interest income and earnings of the fund. The fund shall be established, invested and managed for the exclusive purpose of fulfilling the provisions of this article according to rules and regulations established by the Public Service Commission.

(2) Monies in the fund shall also include any appropriations authorized by the Legislature, any available funds authorized by the Public Service Commission, grants from other governmental or private entities, and any contributions or donations received by the Public Service Commission for the dual party relay service. All monies in the Dual Party Relay Service Trust Fund shall be used solely for the administration and operation of a statewide program to provide telecommunications access to persons who are speech and hearing impaired or similarly impaired.

(3) The users of the relay service shall be charged for telephone services, without additional charges for the use of the relay service other than any surcharge which may be imposed upon them under this section. The calling or called party shall bear an expense for making intrastate nonlocal calls considered and approved by the Public Service Commission as being equitable in comparison with non-TDD or DPR service customers.

* * *

SECTION 28. Section 77-3-509, Mississippi Code of 1972, is amended as follows:

77-3-509. (1) On or before August 1, 1990, the Public Service Commission shall appoint an advisory committee to monitor the statewide telecommunications relay access service and advise and make recommendations to the Public Service Commission in

pursuing services which meet the needs of the hearing or speech impaired and others similarly impaired in communicating with other users of telecommunications services.

(2) The advisory committee shall be composed of:

(a) One (1) deaf person recommended by the Mississippi Association of the Deaf;

(b) One (1) speech or hearing impaired person recommended by the Mississippi Association for Retired Persons;

(c) One (1) person recommended by the Coalition of Citizens with Disabilities;

(d) One (1) representative of telecommunications utilities chosen from a list of candidates provided by the Mississippi/Alabama Telephone Association;

(e) One (1) representative of the Mississippi Speech and Hearing Association;

(f) One (1) representative of the Veterans Administration;

(g) One (1) representative from Vocational Rehabilitation Deaf Services;

(h) One (1) hearing impaired representative of the Mississippi School for the Deaf;

(i) Two (2) representatives chosen from the Public Service Commission's staff and employees;

(j) One (1) person appointed by the Speaker of the House of Representatives;

(k) One (1) person appointed by the Lieutenant Governor of the Senate;

(l) One (1) representative from the provider of the DPR service; and

(m) Three (3) "at-large" individuals who have particular skills, knowledge, experience or ability but who are not necessarily speech or hearing impaired or otherwise affiliated with an organization serving the speech or hearing impaired.

The commission, in its discretion, may name a successor or similar organization to be represented on the committee if an organization or agency named in this subsection ceases to exist.

(3) The committee shall be appointed based on candidate names submitted by the recommending agency or organization. Each member of the advisory committee shall serve for a term of two (2) years. A member whose term has expired shall continue to serve until a qualified replacement is appointed. The members of the advisory committee shall serve without compensation but shall be entitled to reimbursement for travel and expenses incurred in the performance of their official duties and per diem, which shall be paid out of the trust fund on the same basis established for state employees.

* * *

SECTION 29. Section 77-11-201, Mississippi Code of 1972, is amended as follows:

77-11-201. All reasonable and necessary operating expenses of the administration of the duties imposed by law upon the Public Service Commission, including the salaries of personnel, in its regulation, inspection and supervision of municipally owned and/or operated gas utilities operating within the State of Mississippi shall be provided as follows: There is * * * levied a tax * * * equal to the sum of Twenty-five Thousand Dollars ($25,000.00) per year, which shall be prorated by the * * * Department of Revenue among the municipally owned and/or operated gas utilities * * * that are subject to the tax levied by this section each year, according to the gross revenue of each of such utilities from their intrastate operation during the calendar year preceding the assessment. Each utility which is subject to the tax levied by this section shall file a statement of such gross revenue by April 1 of each year showing the gross revenue for the preceding year's operation. These statements of gross revenue shall be filed with the commission and a copy thereof filed with the * * * Department of Revenue. The * * * Department of Revenue shall * * * calculate the pro rata amount of tax to be paid by each of * * * the utilities in order to provide the total amount * * * stated in this section and shall * * * submit a statement * * * for the amount due to the respective utilities * * *. The amount shown due in such statements to the respective utilities shall be paid by the respective utilities within thirty (30) days thereafter to the * * * Department of Revenue. The * * * Department of Revenue shall pay such funds into the State Treasury on the same day collected to the credit of the "Municipality Owned and/or Operated Gas Utilities Special Fund." All administrative provisions of the Mississippi Sales Tax Law, including those which fix damages, penalties and interest for nonpayment of taxes and for noncompliance with the provisions of such chapter, and all other duties and requirements imposed upon taxpayers, shall apply to all persons liable for taxes under the provisions of this chapter, and the * * * Commissioner of Revenue shall exercise all the power and authority and perform all the duties with respect to taxpayers under this chapter as are provided in the Mississippi Sales Tax Law except where there is a conflict, then the provisions of this chapter shall control. The term "gross revenue" as used in this section shall be deemed to be the total amount of all revenue derived by each of such utilities from its intrastate operations, and the * * * Department of Revenue is * * * authorized to make such audits as may be deemed necessary of any and all records of such utilities in order to correctly determine the amount of such gross revenue. It shall be the duty of the Department of Finance and Administration to advise the commission of the amount of money on hand from time to time. All expenses of the commission authorized by this section or any other act of the Legislature shall be paid by the State Treasurer upon warrants issued by the Department of Finance and Administration, which warrants shall be issued upon requisition signed by the chairman of the commission and countersigned by one (1) of the commissioners, and * * * the requisition shall show upon its face the purpose for which the payment is being made by reference to the minute book in which such payment was authorized. It shall be unlawful for any person to withdraw any money from * * * the fund other than by requisition issued as provided * * * in this section. A record of all requisitions issued by the commission showing to whom, for what purpose, and date issued shall be placed upon the minute books of the commission and shall become a part of the official records of the commission.

The books and accounts of the commission shall be audited at the end of each fiscal year, and at any other time deemed necessary, by the State Auditor, and a copy of such audits shall be furnished to the Governor and the commission. The State Auditor may prescribe such further accounting procedure as he deems necessary for the withdrawal of funds by the commission from * * * the special fund. All requisitions drawn in compliance with this section shall be honored by the Department of Finance and Administration and the funds disbursed in accordance therewith. The commission shall file a report at each regular session of the Legislature showing the expenditure of all funds by the commission. All proceeds of the above-mentioned tax are * * * to be allocated to the commission for the purpose of this section. In the event the funds provided by * * * the tax exceed the amount necessary for the purposes of this section at the end of any fiscal year, the commission shall certify the amount which the commission estimates will be necessary for the commission for each fiscal year to the * * * Department of Revenue, and the * * * Department of Revenue shall reduce the tax * * * imposed by this section to

such amount for the next fiscal year and shall collect the proportionate amount thereof as * * * provided in this section.

* * *

SECTION 30. This act shall take effect and be in force from and after June 30, 2024.

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

AN ACT TO AMEND SECTIONS 77-1-51 AND 77-1-55, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISIONS OF LAW CREATING THE MISSISSIPPI PUBLIC SERVICE COMMISSION AND PRESCRIBING ITS POWERS AND DUTIES; TO SPECIFY THE APPLICATION OF THE REPEALER CONTAINED IN SECTION 77-1-51 TO THE ENTIRE MISSISSIPPI PUBLIC SERVICE COMMISSION CHAPTER; TO BRING FORWARD SECTIONS 77-1-1, 77-1-3, 77-1-5, 77-1-11, 77-1-25, 77-1-27, 77-1-31, 77-1-33, 77-1-35, 77-1-37, 77-1-39, 77-1-41, 77-1-43, 77-1-47 AND 77-1-49, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTIONS 77-1-6, 77-1-15, 77-1-29, 77-1-53, 27-104-205, 77-3-8, 77-3-87, 77-3-89, 77-3-503, 77-3-507, 77-3-509 AND 77-11-201, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT THE MISSISSIPPI PUBLIC SERVICE COMMISSION BE FUNDED BY APPROPRIATIONS FROM THE STATE GENERAL FUND; TO DELETE CERTAIN PROVISIONS OF LAW REQUIRING CERTAIN EXPENSES TO BE DEFRAYED BY APPROPRIATION FROM THE STATE GENERAL FUND; AND FOR RELATED PURPOSES.

_____

Senator England called up the following House Amendment to **S. B. No. 2577** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) For the purposes of this section:

(a) "Candidate" means an individual who seeks a nomination or election to a federal, statewide, state district, legislative, judicial, county, county district or municipal office.

(b) "Digitization" means to alter an image or audio in a realistic manner utilizing an image or audio of a person, other than the person depicted, computer-generated images or audio, commonly called deepfakes. "Digitization" also includes the creation of an image or audio through the use of software, machine learning artificial intelligence or any other computer-generated or technological means. This includes any digital representation of speech or conduct that:

(i) A reasonable person would believe depicts the speech and/or conduct of an individual who did not engage in the speech and/or conduct as presented; and

(ii) The production of which was substantially dependent on technical means, rather than the ability of another individual to physically or verbally impersonate an individual.

(c) "Depicted individual" means an individual in a digitization who appears to be engaging in speech and/or conduct.

(d) "Disseminates" means transmitting a digitization to another person through social media, electronic mail, electronic messaging, video-sharing services or any other physical or electronic method.

(2) A person who disseminates a digitization or enters into a contract or other agreement to disseminate a digitization is guilty of a crime and may be sentenced as provided in subsection (3) of this section, if the person knows or reasonably should know that the item being disseminated is a digitization and the dissemination:

(a) Takes place within ninety (90) days of an election;

(b) Is disseminated without the consent of the depicted individual; and

(c) Is disseminated with the intent to injure the candidate, influence the results of an election or deter any person from voting.

(3) A person convicted under this section may be sentenced as follows:

(a) If the person commits the violation with the intent to incite or cause violence, cause bodily harm or to deter any person from voting, or has been previously convicted under this section within the last five (5) years, he or she may be sentenced to imprisonment for not more than five (5) years or to a payment of a fine not more than Ten Thousand Dollars ($10,000.00), or both; or

(b) In other cases, to imprisonment for not more than one (1) year or to a payment of a fine not more than Five Thousand Dollars ($5,000.00), or both.

(4) A cause of action for injunctive relief may be maintained against any person who is reasonably believed to be about to violate or who is in the process of violating this section. A cause of action may be brought by:

(a) The Attorney General;

(b) A district attorney if the depicted individual is a resident within their district, or if the impact of the digitization could or has impacted their district;

(c) The depicted individual;

(d) A candidate for nomination or election to a public office who is injured or likely to be injured by the dissemination of the digitization; or

(e) A political party whose nominee is on the ballot, and would be injured or is likely to be injured by the dissemination of the digitization.

As part of the injunctive relief, the court may order that any disseminated digitization be removed from any social media, electronic mail, electronic messaging, video-sharing services, or any other physical or electronic method the digitization was disseminated through.

(5) Clear and prominent language displayed throughout the digitization that informs the viewer that the depicted individual did not engage in the depicted speech and/or conduct shall be a defense to prosecution.

(6) This section does not apply to:

(a) A provider of an interactive computer service, as defined in 47 USC Section 153.

(b) A radio or television broadcasting station, including a cable or satellite television operator, programmer or producer that broadcasts any digitization prohibited by subsection (2) of this section as part of a bona fide newscast, news interview, news documentary, or on-the-spot coverage or a bona fide news event if the broadcast or publication clearly acknowledged through content or a disclosure, in a manner that can easily be heard and understood or read by the average listener or viewer, that there are questions about the authenticity of the election communication.

(c) A radio or television broadcasting station, including a cable or satellite television operator, programmer, producer, or internet website or online platform when the station or online platform is paid to broadcast any digitization prohibited by this section.

(d) An internet website or service provider, or a regularly published newspaper, magazine, or other periodical of general circulation, including an internet or electronic publication, that routinely carries news and commentary of general interest and that publishes any digitization prohibited by subsection (2) of this section, if the publication clearly states that the election communication, including materially deceptive media, does not accurately represent a ballot issue or candidate.

(e) Content that constitutes satire or parody.

(f) A person who disseminates or receives a digitization to determine if it is a digitization for the purpose of detecting, preventing, responding to, or protecting against security incidents, identify theft, fraud, harassment, malicious or deceptive activities or any illegal activity, preserve the integrity or security of systems or investigate, report, or prosecute those reasonable for any such action.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO CREATE A NEW SECTION IN TITLE 97, CHAPTER 13, MISSISSIPPI CODE OF 1972, TO CREATE CRIMINAL PENALTIES FOR THE WRONGFUL DISSEMINATION OF DIGITIZATIONS; AND FOR RELATED PURPOSES.

Senator Simmons D. T. (12th) called up the following House Amendment to **S. B. No. 2699** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 31-7-13, Mississippi Code of 1972, is amended as follows:

31-7-13. All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided.

(a) Bidding procedure for purchases not over * * * $10,000.00. Purchases which do not involve an expenditure of more than * * * Ten Thousand Dollars ($10,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. However, nothing contained in this paragraph (a) shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of * * * Ten Thousand Dollars ($10,000.00) or less.

(b) Bidding procedure for purchases over * * * $10,000.00 but not over $75,000.00. Purchases which involve an expenditure of more than * * * Ten Thousand Dollars ($10,000.00) but not more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder without publishing or posting advertisement for bids, provided at least two (2) competitive written bids have been obtained. Any state agency or community or junior college purchasing commodities or procuring construction pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, to accept the lowest competitive written bid under Seventy-five Thousand Dollars ($75,000.00). Any governing authority purchasing commodities pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, with regard to governing authorities other than counties, or its purchase clerk, or his designee, with regard to counties, to accept the lowest and best competitive written bid. Such authorization shall be made in writing by the governing authority and shall be maintained on file in the primary office of the agency and recorded in the official minutes of the governing authority, as appropriate. The purchasing agent or the purchase clerk, or his designee, as the case may be, and not the governing authority, shall be liable for any penalties and/or damages as may be imposed by law for any act or omission of the purchasing agent or purchase clerk, or his designee, constituting a violation of law in accepting any bid without approval by the governing authority. The term "competitive written bid" shall mean a bid submitted on a bid form furnished by the buying agency or governing authority and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor. "Competitive" shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. Any bid item for construction in excess of * * * Ten Thousand Dollars ($10,000.00) shall be broken down by components to provide detail of component description and pricing. These details shall be submitted with the written bids and become part of the bid evaluation criteria. Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities.

(c) Bidding procedure for purchases over $75,000.00.

(i) Publication requirement.

1. Purchases which involve an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder after advertising for competitive bids once

each week for two (2) consecutive weeks in a regular newspaper published in the county or municipality in which such agency or governing authority is located. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars ($25,000.00) shall be bid. All references to American Recovery and Reinvestment Act projects in this section shall not apply to programs identified in Division B of the American Recovery and Reinvestment Act.

2. Reverse auctions shall be the primary method for receiving bids during the bidding process. If * * * an agency or governing authority determines that a reverse auction is not in the best interest of the * * * agency or governing authority, then with respect to the agency, that determination must be approved by the Public Procurement Review Board, and with respect to the governing authority, that determination must be approved by the governing body of the governing authority. * * * An agency shall submit a detailed explanation of why a reverse auction would not be in the best interest of the * * * agency and present an alternative process to be approved by the Public Procurement Review Board. A governing authority shall make findings in its minutes of why a reverse auction would not be in the best interest of the governing authority. If as to an agency, the Public Procurement Review Board authorizes the purchasing entity to solicit bids with a method other than reverse auction, or if as to a governing authority, the governing board thereof authorizes the purchasing entity to solicit bids with a method other than reverse auction, then the purchasing entity may designate the other methods by which the bids will be received, including, but not limited to, bids sealed in an envelope, bids received electronically in a secure system, or bids received by any other method that promotes open competition and has been approved by the Office of Purchasing and Travel. However, reverse auction shall not be used for any public contract for design, construction, improvement, repair or remodeling of any public facilities, including the purchase of materials, supplies, equipment or goods for same and including buildings, roads and bridges. As to an agency, the Public Procurement Review Board must approve any contract entered into by alternative process. The provisions of this item 2 shall not apply to the individual state institutions of higher learning. The provisions of this item 2 requiring reverse auction as the primary method of receiving bids shall not apply to term contract purchases as provided in paragraph (n) of this section; however, a purchasing entity may, in its discretion, utilize reverse auction for such purchases. The provisions of this item 2 shall not apply to individual public schools, including public charter schools and public school districts, only when purchasing copyrighted educational supplemental materials and software as a service product. For such purchases, a local school board may authorize a purchasing entity in its jurisdiction to use a Request for Qualifications which promotes open competition and meets the requirements of the Office of Purchasing and Travel.

3. The date as published for the bid opening shall not be less than seven (7) working days after the last published notice; however, if the purchase involves a construction project in which the estimated cost is in excess of Seventy-five Thousand Dollars ($75,000.00), such bids shall not be opened in less than fifteen (15) working days after the last notice is published and the notice for the purchase of such construction shall be published once each week for two (2) consecutive weeks. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars ($25,000.00) shall be bid. For any projects in excess of Twenty-five Thousand Dollars ($25,000.00) under the American Recovery and Reinvestment Act, publication shall be made one (1) time and the bid opening for construction projects shall not be less than ten (10) working days after the date of the published notice. The notice of intention to let contracts or purchase equipment shall state the time and place at which bids shall be received, list the contracts to be made or types of equipment or supplies to be purchased, and, if all plans and/or specifications are not published, refer to the plans and/or specifications on file. If there is no newspaper published in the county or municipality, then such notice shall be given by posting same at the courthouse, or for municipalities at the city hall, and at two (2) other public places in the county or municipality, and also by publication once each week for two (2) consecutive weeks in some newspaper having a general circulation in the county or municipality in the

above-provided manner. On the same date that the notice is submitted to the newspaper for publication, the agency or governing authority involved shall mail written notice to, or provide electronic notification to the main office of the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority that contains the same information as that in the published notice. Submissions received by the Mississippi Procurement Technical Assistance Program for projects funded by the American Recovery and Reinvestment Act shall be displayed on a separate and unique Internet web page accessible to the public and maintained by the Mississippi Development Authority for the Mississippi Procurement Technical Assistance Program. Those American Recovery and Reinvestment Act related submissions shall be publicly posted within twenty-four (24) hours of receipt by the Mississippi Development Authority and the bid opening shall not occur until the submission has been posted for ten (10) consecutive days. The Department of Finance and Administration shall maintain information regarding contracts and other expenditures from the American Recovery and Reinvestment Act, on a unique Internet web page accessible to the public. The Department of Finance and Administration shall promulgate rules regarding format, content and deadlines, unless otherwise specified by law, of the posting of award notices, contract execution and subsequent amendments, links to the contract documents, expenditures against the awarded contracts and general expenditures of funds from the American Recovery and Reinvestment Act. Within one (1) working day of the contract award, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration, notice of the award, including the award recipient, the contract amount, and a brief summary of the contract in accordance with rules promulgated by the department. Within one (1) working day of the contract execution, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration a summary of the executed contract and make a copy of the appropriately redacted contract documents available for linking to the designated web page in accordance with the rules promulgated by the department. The information provided by the agency or governing authority shall be posted to the web page for the duration of the American Recovery and Reinvestment Act funding or until the project is completed, whichever is longer.

(ii) Bidding process amendment procedure. If all plans and/or specifications are published in the notification, then the plans and/or specifications may not be amended. If all plans and/or specifications are not published in the notification, then amendments to the plans/specifications, bid opening date, bid opening time and place may be made, provided that the agency or governing authority maintains a list of all prospective bidders who are known to have received a copy of the bid documents and all such prospective bidders are sent copies of all amendments. This notification of amendments may be made via mail, facsimile, electronic mail or other generally accepted method of information distribution. No addendum to bid specifications may be issued within two (2) working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum.

(iii) Filing requirement. In all cases involving governing authorities, before the notice shall be published or posted, the plans or specifications for the construction or equipment being sought shall be filed with the clerk of the board of the governing authority. In addition to these requirements, a bid file shall be established which shall indicate those vendors to whom such solicitations and specifications were issued, and such file shall also contain such information as is pertinent to the bid.

(iv) Specification restrictions.

1. Specifications pertinent to such bidding shall be written so as not to exclude comparable equipment of domestic manufacture. However, if valid justification is presented, the Department of Finance and Administration or the board of a governing authority may approve a request for specific equipment necessary to perform a specific job. Further, such justification, when placed on the minutes of the board of a

governing authority, may serve as authority for that governing authority to write specifications to require a specific item of equipment needed to perform a specific job. In addition to these requirements, from and after July 1, 1990, vendors of relocatable classrooms and the specifications for the purchase of such relocatable classrooms published by local school boards shall meet all pertinent regulations of the State Board of Education, including prior approval of such bid by the State Department of Education.

2. Specifications for construction projects may include an allowance for commodities, equipment, furniture, construction materials or systems in which prospective bidders are instructed to include in their bids specified amounts for such items so long as the allowance items are acquired by the vendor in a commercially reasonable manner and approved by the agency/governing authority. Such acquisitions shall not be made to circumvent the public purchasing laws.

(v) Electronic bids. Agencies and governing authorities shall provide a secure electronic interactive system for the submittal of bids requiring competitive bidding that shall be an additional bidding option for those bidders who choose to submit their bids electronically. The Department of Finance and Administration shall provide, by regulation, the standards that agencies must follow when receiving electronic bids. Agencies and governing authorities shall make the appropriate provisions necessary to accept electronic bids from those bidders who choose to submit their bids electronically for all purchases requiring competitive bidding under this section. Any special condition or requirement for the electronic bid submission shall be specified in the advertisement for bids required by this section. Agencies or governing authorities that are currently without available high speed Internet access shall be exempt from the requirement of this subparagraph (v) until such time that high speed Internet access becomes available. Any county having a population of less than twenty thousand (20,000) shall be exempt from the provisions of this subparagraph (v). Any municipality having a population of less than ten thousand (10,000) shall be exempt from the provisions of this subparagraph (v). The provisions of this subparagraph (v) shall not require any bidder to submit bids electronically. When construction bids are submitted electronically, the requirement for including a certificate of responsibility, or a statement that the bid enclosed does not exceed Fifty Thousand Dollars ($50,000.00), on the exterior of the bid envelope as indicated in Section 31-3-21(1) and (2) shall be deemed in compliance with by including same as an attachment with the electronic bid submittal.

(d) Lowest and best bid decision procedure.

(i) Decision procedure. Purchases may be made from the lowest and best bidder. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(ii) Decision procedure for Certified Purchasing Offices. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), Certified Purchasing Offices may also use the following procedure: Purchases may be made from the bidder offering the best value. In determining the best value bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions, documented previous experience, training costs and other relevant provisions, including, but not limited to, a bidder having a local office and inventory located within the jurisdiction of the governing authority, may be included in the best value calculation. This provision shall authorize Certified Purchasing Offices to utilize a Request

For Proposals (RFP) process when purchasing commodities. All best value procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. No agency or governing authority shall accept a bid based on items or criteria not included in the specifications.

(iii) Decision procedure for Mississippi Landmarks. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), where purchase involves renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History under the authority of Sections 39-7-7 and 39-7-11, the agency or governing authority may use the following procedure: Purchases may be made from the lowest and best prequalified bidder. Prequalification of bidders shall be determined not less than fifteen (15) working days before the first published notice of bid opening. Prequalification criteria shall be limited to bidder's knowledge and experience in historical restoration, preservation and renovation. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid and prequalification procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(iv) Construction project negotiations authority. If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.

(e) Lease-purchase authorization. For the purposes of this section, the term "equipment" shall mean equipment, furniture and, if applicable, associated software and other applicable direct costs associated with the acquisition. Any lease-purchase of equipment which an agency is not required to lease-purchase under the master lease-purchase program pursuant to Section 31-7-10 and any lease-purchase of equipment which a governing authority elects to lease-purchase may be acquired by a lease-purchase agreement under this paragraph (e). Lease-purchase financing may also be obtained from the vendor or from a third-party source after having solicited and obtained at least two (2) written competitive bids, as defined in paragraph (b) of this section, for such financing without advertising for such bids. Solicitation for the bids for financing may occur before or after acceptance of bids for the purchase of such equipment or, where no such bids for purchase are required, at any time before the purchase thereof. No such lease-purchase agreement shall be for an annual rate of interest which is greater than the overall maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101, and the term of such lease-purchase agreement shall not exceed the useful life of equipment covered thereby as determined according to the upper limit of the asset depreciation range (ADR) guidelines for the Class Life Asset Depreciation Range System established by the Internal Revenue Service pursuant to the United States Internal Revenue Code and regulations thereunder as in effect on December 31, 1980, or comparable depreciation guidelines with respect to any equipment not covered by ADR guidelines. Any lease-purchase agreement entered into pursuant to this paragraph (e) may contain any of the terms and conditions which a master lease-purchase agreement may contain under the provisions of Section 31-7-10(5), and shall contain an annual allocation dependency clause substantially similar to that set forth in Section 31-7-10(8). Each agency or governing authority entering into a lease-purchase transaction pursuant to this paragraph (e) shall maintain with respect to each such lease-purchase transaction the same information as required to be maintained by the

Department of Finance and Administration pursuant to Section 31-7-10(13). However, nothing contained in this section shall be construed to permit agencies to acquire items of equipment with a total acquisition cost in the aggregate of less than Ten Thousand Dollars ($10,000.00) by a single lease-purchase transaction. All equipment, and the purchase thereof by any lessor, acquired by lease-purchase under this paragraph and all lease-purchase payments with respect thereto shall be exempt from all Mississippi sales, use and ad valorem taxes. Interest paid on any lease-purchase agreement under this section shall be exempt from State of Mississippi income taxation.

(f) Alternate bid authorization. When necessary to ensure ready availability of commodities for public works and the timely completion of public projects, no more than two (2) alternate bids may be accepted by a governing authority for commodities. No purchases may be made through use of such alternate bids procedure unless the lowest and best bidder cannot deliver the commodities contained in his bid. In that event, purchases of such commodities may be made from one (1) of the bidders whose bid was accepted as an alternate.

(g) Construction contract change authorization. In the event a determination is made by an agency or governing authority after a construction contract is let that changes or modifications to the original contract are necessary or would better serve the purpose of the agency or the governing authority, such agency or governing authority may, in its discretion, order such changes pertaining to the construction that are necessary under the circumstances without the necessity of further public bids; provided that such change shall be made in a commercially reasonable manner and shall not be made to circumvent the public purchasing statutes. In addition to any other authorized person, the architect or engineer hired by an agency or governing authority with respect to any public construction contract shall have the authority, when granted by an agency or governing authority, to authorize changes or modifications to the original contract without the necessity of prior approval of the agency or governing authority when any such change or modification is less than one percent (1%) of the total contract amount. The agency or governing authority may limit the number, manner or frequency of such emergency changes or modifications.

(h) Petroleum purchase alternative. In addition to other methods of purchasing authorized in this chapter, when any agency or governing authority shall have a need for gas, diesel fuel, oils and/or other petroleum products in excess of the amount set forth in paragraph (a) of this section, such agency or governing authority may purchase the commodity after having solicited and obtained at least two (2) competitive written bids, as defined in paragraph (b) of this section. If two (2) competitive written bids are not obtained, the entity shall comply with the procedures set forth in paragraph (c) of this section. In the event any agency or governing authority shall have advertised for bids for the purchase of gas, diesel fuel, oils and other petroleum products and coal and no acceptable bids can be obtained, such agency or governing authority is authorized and directed to enter into any negotiations necessary to secure the lowest and best contract available for the purchase of such commodities.

(i) Road construction petroleum products price adjustment clause authorization. Any agency or governing authority authorized to enter into contracts for the construction, maintenance, surfacing or repair of highways, roads or streets, may include in its bid proposal and contract documents a price adjustment clause with relation to the cost to the contractor, including taxes, based upon an industry-wide cost index, of petroleum products including asphalt used in the performance or execution of the contract or in the production or manufacture of materials for use in such performance. Such industry-wide index shall be established and published monthly by the Mississippi Department of Transportation with a copy thereof to be mailed, upon request, to the clerks of the governing authority of each municipality and the clerks of each board of supervisors throughout the state. The price adjustment clause shall be based on the cost of such petroleum products only and shall not include any additional profit or overhead as part of

the adjustment. The bid proposals or document contract shall contain the basis and methods of adjusting unit prices for the change in the cost of such petroleum products.

(j) State agency emergency purchase procedure. If the governing board or the executive head, or his designees, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the head of such agency, or his designees, shall file with the Department of Finance and Administration (i) a statement explaining the conditions and circumstances of the emergency, which shall include a detailed description of the events leading up to the situation and the negative impact to the entity if the purchase is made following the statutory requirements set forth in paragraph (a), (b) or (c) of this section, and (ii) a certified copy of the appropriate minutes of the board of such agency requesting the emergency purchase, if applicable. Upon receipt of the statement and applicable board certification, the State Fiscal Officer, or his designees, may, in writing, authorize the purchase or repair without having to comply with competitive bidding requirements.

If the governing board or the executive head, or his designees, of any agency determines that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would threaten the health or safety of any person, or the preservation or protection of property, then the provisions in this section for competitive bidding shall not apply, and any officer or agent of the agency having general or specific authority for making the purchase or repair contract shall approve the bill presented for payment, and he shall certify in writing from whom the purchase was made, or with whom the repair contract was made.

Total purchases made under this paragraph (j) shall only be for the purpose of meeting needs created by the emergency situation. Following the emergency purchase, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be filed with the Department of Finance and Administration. Any contract awarded pursuant to this paragraph (j) shall not exceed a term of one (1) year.

Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (j).

(k) Governing authority emergency purchase procedure. If the governing authority, or the governing authority acting through its designee, shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions herein for competitive bidding shall not apply and any officer or agent of such governing authority having general or special authority therefor in making such purchase or repair shall approve the bill presented therefor, and he shall certify in writing thereon from whom such purchase was made, or with whom such a repair contract was made. At the board meeting next following the emergency purchase or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased, the price thereof and the nature of the emergency shall be presented to the board and shall be placed on the minutes of the board of such governing authority. Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (k).

(l) Hospital purchase, lease-purchase and lease authorization.

(i) The commissioners or board of trustees of any public hospital may contract with such lowest and best bidder for the purchase or lease-purchase of any commodity under a contract of purchase or lease-purchase agreement whose obligatory payment terms do not exceed five (5) years.

(ii) In addition to the authority granted in subparagraph (i) of this paragraph (l), the commissioners or board of trustees is authorized to enter into contracts for the lease of equipment or services, or both, which it considers necessary for the proper care of patients if, in its opinion, it is not financially feasible to purchase the necessary equipment or services. Any such contract for the lease of equipment or services executed by the commissioners or board shall not exceed a maximum of five (5) years' duration and shall include a cancellation clause based on unavailability of funds. If such cancellation clause is exercised, there shall be no further liability on the part of the lessee. Any such contract for the lease of equipment or services executed on behalf of the commissioners or board that complies with the provisions of this subparagraph (ii) shall be excepted from the bid requirements set forth in this section.

(m) Exceptions from bidding requirements. Excepted from bid requirements are:

(i) Purchasing agreements approved by department. Purchasing agreements, contracts and maximum price regulations executed or approved by the Department of Finance and Administration.

(ii) Outside equipment repairs. Repairs to equipment, when such repairs are made by repair facilities in the private sector; however, engines, transmissions, rear axles and/or other such components shall not be included in this exemption when replaced as a complete unit instead of being repaired and the need for such total component replacement is known before disassembly of the component; however, invoices identifying the equipment, specific repairs made, parts identified by number and name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required for the payment for such repairs.

(iii) In-house equipment repairs. Purchases of parts for repairs to equipment, when such repairs are made by personnel of the agency or governing authority; however, entire assemblies, such as engines or transmissions, shall not be included in this exemption when the entire assembly is being replaced instead of being repaired.

(iv) Raw gravel or dirt. Raw unprocessed deposits of gravel or fill dirt which are to be removed and transported by the purchaser.

(v) Governmental equipment auctions. Motor vehicles or other equipment purchased from a federal agency or authority, another governing authority or state agency of the State of Mississippi, or any governing authority or state agency of another state at a public auction held for the purpose of disposing of such vehicles or other equipment. Any purchase by a governing authority under the exemption authorized by this subparagraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(vi) Intergovernmental sales and transfers. Purchases, sales, transfers or trades by governing authorities or state agencies when such purchases, sales, transfers or trades are made by a private treaty agreement or through means of negotiation, from any federal agency or authority, another governing authority or state agency of the State of Mississippi, or any state agency or governing authority of another state. Nothing in this section shall permit such purchases through public auction except as provided for in subparagraph (v) of this paragraph (m). It is the intent of this section to allow governmental entities to dispose of and/or purchase commodities from other

governmental entities at a price that is agreed to by both parties. This shall allow for purchases and/or sales at prices which may be determined to be below the market value if the selling entity determines that the sale at below market value is in the best interest of the taxpayers of the state. Governing authorities shall place the terms of the agreement and any justification on the minutes, and state agencies shall obtain approval from the Department of Finance and Administration, prior to releasing or taking possession of the commodities.

(vii) Perishable supplies or food. Perishable supplies or food purchased for use in connection with hospitals, the school lunch programs, homemaking programs and for the feeding of county or municipal prisoners.

(viii) Single-source items. Noncompetitive items available from one (1) source only. In connection with the purchase of noncompetitive items only available from one (1) source, a certification of the conditions and circumstances requiring the purchase shall be filed by the agency with the Department of Finance and Administration and by the governing authority with the board of the governing authority. Upon receipt of that certification the Department of Finance and Administration or the board of the governing authority, as the case may be, may, in writing, authorize the purchase, which authority shall be noted on the minutes of the body at the next regular meeting thereafter. In those situations, a governing authority is not required to obtain the approval of the Department of Finance and Administration. Following the purchase, the executive head of the state agency, or his designees, shall file with the Department of Finance and Administration, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the source from whom it was purchased.

(ix) Waste disposal facility construction contracts. Construction of incinerators and other facilities for disposal of solid wastes in which products either generated therein, such as steam, or recovered therefrom, such as materials for recycling, are to be sold or otherwise disposed of; however, in constructing such facilities, a governing authority or agency shall publicly issue requests for proposals, advertised for in the same manner as provided herein for seeking bids for public construction projects, concerning the design, construction, ownership, operation and/or maintenance of such facilities, wherein such requests for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, environmental compatibility, legal responsibilities and such other matters as are determined by the governing authority or agency to be appropriate for inclusion; and after responses to the request for proposals have been duly received, the governing authority or agency may select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter contracts with one or more of the persons or firms submitting proposals.

(x) Hospital group purchase contracts. Supplies, commodities and equipment purchased by hospitals through group purchase programs pursuant to Section 31-7-38.

(xi) Information technology products. Purchases of information technology products made by governing authorities under the provisions of purchase schedules, or contracts executed or approved by the Mississippi Department of Information Technology Services and designated for use by governing authorities.

(xii) Energy efficiency services and equipment. Energy efficiency services and equipment acquired by school districts, community and junior colleges, institutions of higher learning and state agencies or other applicable governmental entities on a shared-savings, lease or lease-purchase basis pursuant to Section 31-7-14.

(xiii) Municipal electrical utility system fuel. Purchases of coal and/or natural gas by municipally owned electric power generating systems that have the capacity to use both coal and natural gas for the generation of electric power.

(xiv) Library books and other reference materials. Purchases by libraries or for libraries of books and periodicals; processed film, videocassette tapes, filmstrips and slides; recorded audiotapes, cassettes and diskettes; and any such items as would be used for teaching, research or other information distribution; however, equipment such as projectors, recorders, audio or video equipment, and monitor televisions are not exempt under this subparagraph.

(xv) Unmarked vehicles. Purchases of unmarked vehicles when such purchases are made in accordance with purchasing regulations adopted by the Department of Finance and Administration pursuant to Section 31-7-9(2).

(xvi) Election ballots. Purchases of ballots printed pursuant to Section 23-15-351.

(xvii) Multichannel interactive video systems. From and after July 1, 1990, contracts by Mississippi Authority for Educational Television with any private educational institution or private nonprofit organization whose purposes are educational in regard to the construction, purchase, lease or lease-purchase of facilities and equipment and the employment of personnel for providing multichannel interactive video systems (ITSF) in the school districts of this state.

(xviii) Purchases of prison industry products by the Department of Corrections, regional correctional facilities or privately owned prisons. Purchases made by the Mississippi Department of Corrections, regional correctional facilities or privately owned prisons involving any item that is manufactured, processed, grown or produced from the state's prison industries.

(xix) Undercover operations equipment. Purchases of surveillance equipment or any other high-tech equipment to be used by law enforcement agents in undercover operations, provided that any such purchase shall be in compliance with regulations established by the Department of Finance and Administration.

(xx) Junior college books for rent. Purchases by community or junior colleges of textbooks which are obtained for the purpose of renting such books to students as part of a book service system.

(xxi) Certain school district purchases. Purchases of commodities made by school districts from vendors with which any levying authority of the school district, as defined in Section 37-57-1, has contracted through competitive bidding procedures for purchases of the same commodities.

(xxii) Garbage, solid waste and sewage contracts. Contracts for garbage collection or disposal, contracts for solid waste collection or disposal and contracts for sewage collection or disposal.

(xxiii) Municipal water tank maintenance contracts. Professional maintenance program contracts for the repair or maintenance of municipal water tanks, which provide professional services needed to maintain municipal water storage tanks for a fixed annual fee for a duration of two (2) or more years.

(xxiv) Purchases of Mississippi Industries for the Blind products or services. Purchases made by state agencies or governing authorities involving any item that is manufactured, processed or produced by, or any services provided by, the Mississippi Industries for the Blind.

(xxv) Purchases of state-adopted textbooks. Purchases of state-adopted textbooks by public school districts.

(xxvi) Certain purchases under the Mississippi Major Economic Impact Act. Contracts entered into pursuant to the provisions of Section 57-75-9(2), (3) and (4).

(xxvii) Used heavy or specialized machinery or equipment for installation of soil and water conservation practices purchased at auction. Used heavy or specialized machinery or equipment used for the installation and implementation of soil and water conservation practices or measures purchased subject to the restrictions provided in Sections 69-27-331 through 69-27-341. Any purchase by the State Soil and Water Conservation Commission under the exemption authorized by this subparagraph shall require advance authorization spread upon the minutes of the commission to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(xxviii) Hospital lease of equipment or services. Leases by hospitals of equipment or services if the leases are in compliance with paragraph (l)(ii).

(xxix) Purchases made pursuant to qualified cooperative purchasing agreements. Purchases made by certified purchasing offices of state agencies or governing authorities under cooperative purchasing agreements previously approved by the Office of Purchasing and Travel and established by or for any municipality, county, parish or state government or the federal government, provided that the notification to potential contractors includes a clause that sets forth the availability of the cooperative purchasing agreement to other governmental entities. Such purchases shall only be made if the use of the cooperative purchasing agreements is determined to be in the best interest of the governmental entity.

(xxx) School yearbooks. Purchases of school yearbooks by state agencies or governing authorities; however, state agencies and governing authorities shall use for these purchases the RFP process as set forth in the Mississippi Procurement Manual adopted by the Office of Purchasing and Travel.

(xxxi) Design-build method of contracting and certain other contracts. Contracts entered into under the provisions of Section 31-7-13.1, 37-101-44 or 65-1-85.

(xxxii) Toll roads and bridge construction projects. Contracts entered into under the provisions of Section 65-43-1 or 65-43-3.

(xxxiii) Certain purchases under Section 57-1-221. Contracts entered into pursuant to the provisions of Section 57-1-221.

(xxxiv) Certain transfers made pursuant to the provisions of Section 57-105-1(7). Transfers of public property or facilities under Section 57-105-1(7) and construction related to such public property or facilities.

(xxxv) Certain purchases or transfers entered into with local electrical power associations. Contracts or agreements entered into under the provisions of Section 55-3-33.

(xxxvi) Certain purchases by an academic medical center or health sciences school. Purchases by an academic medical center or health sciences school, as defined in Section 37-115-50, of commodities that are used for clinical purposes and 1. intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease, and 2. medical devices, biological, drugs and radiation-emitting devices as defined by the United States Food and Drug Administration.

(xxxvii) Certain purchases made under the Alyce G. Clarke Mississippi Lottery Law. Contracts made by the Mississippi Lottery Corporation pursuant to the Alyce G. Clarke Mississippi Lottery Law.

(xxxviii) Certain purchases made by the Department of Health and the Department of Revenue. Purchases made by the Department of Health and the Department of Revenue solely for the purpose of fulfilling their respective responsibilities under the Mississippi Medical Cannabis Act. This subparagraph shall stand repealed on June 30, 2026.

(n) Term contract authorization. All contracts for the purchase of:

(i) All contracts for the purchase of commodities, equipment and public construction (including, but not limited to, repair and maintenance), may be let for periods of not more than sixty (60) months in advance, subject to applicable statutory provisions prohibiting the letting of contracts during specified periods near the end of terms of office. Term contracts for a period exceeding twenty-four (24) months shall also be subject to ratification or cancellation by governing authority boards taking office subsequent to the governing authority board entering the contract.

(ii) Bid proposals and contracts may include price adjustment clauses with relation to the cost to the contractor based upon a nationally published industry-wide or nationally published and recognized cost index. The cost index used in a price adjustment clause shall be determined by the Department of Finance and Administration for the state agencies and by the governing board for governing authorities. The bid proposal and contract documents utilizing a price adjustment clause shall contain the basis and method of adjusting unit prices for the change in the cost of such commodities, equipment and public construction.

(o) Purchase law violation prohibition and vendor penalty. No contract or purchase as herein authorized shall be made for the purpose of circumventing the provisions of this section requiring competitive bids, nor shall it be lawful for any person or concern to submit individual invoices for amounts within those authorized for a contract or purchase where the actual value of the contract or commodity purchased exceeds the authorized amount and the invoices therefor are split so as to appear to be authorized as purchases for which competitive bids are not required. Submission of such invoices shall constitute a misdemeanor punishable by a fine of not less than Five Hundred Dollars ($500.00) nor more than One Thousand Dollars ($1,000.00), or by imprisonment for thirty (30) days in the county jail, or both such fine and imprisonment. In addition, the claim or claims submitted shall be forfeited.

(p) Electrical utility petroleum-based equipment purchase procedure. When in response to a proper advertisement therefor, no bid firm as to price is submitted to an electric utility for power transformers, distribution transformers, power breakers, reclosers or other articles containing a petroleum product, the electric utility may accept the lowest and best bid therefor although the price is not firm.

(q) Fuel management system bidding procedure. Any governing authority or agency of the state shall, before contracting for the services and products of a fuel management or fuel access system, enter into negotiations with not fewer than two (2) sellers of fuel management or fuel access systems for competitive written bids to provide the services and products for the systems. In the event that the governing authority or agency cannot locate two (2) sellers of such systems or cannot obtain bids from two (2) sellers of such systems, it shall show proof that it made a diligent, good-faith effort to locate and negotiate with two (2) sellers of such systems. Such proof shall include, but not be limited to, publications of a request for proposals and letters soliciting negotiations and bids. For purposes of this paragraph (q), a fuel management or fuel access system is an automated system of acquiring fuel for vehicles as well as management reports detailing fuel use by vehicles and drivers, and the term "competitive written bid" shall have the meaning as defined in paragraph (b) of this section. Governing authorities and agencies shall be exempt from this process when contracting for the services and

products of fuel management or fuel access systems under the terms of a state contract established by the Office of Purchasing and Travel.

(r) Solid waste contract proposal procedure. Before entering into any contract for garbage collection or disposal, contract for solid waste collection or disposal or contract for sewage collection or disposal, which involves an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), a governing authority or agency shall issue publicly a request for proposals concerning the specifications for such services which shall be advertised for in the same manner as provided in this section for seeking bids for purchases which involve an expenditure of more than the amount provided in paragraph (c) of this section. Any request for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, legal responsibilities and other relevant factors as are determined by the governing authority or agency to be appropriate for inclusion; all factors determined relevant by the governing authority or agency or required by this paragraph (r) shall be duly included in the advertisement to elicit proposals. After responses to the request for proposals have been duly received, the governing authority or agency shall select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter into contracts with one or more of the persons or firms submitting proposals. If the governing authority or agency deems none of the proposals to be qualified or otherwise acceptable, the request for proposals process may be reinitiated. Notwithstanding any other provisions of this paragraph, where a county with at least thirty-five thousand (35,000) nor more than forty thousand (40,000) population, according to the 1990 federal decennial census, owns or operates a solid waste landfill, the governing authorities of any other county or municipality may contract with the governing authorities of the county owning or operating the landfill, pursuant to a resolution duly adopted and spread upon the minutes of each governing authority involved, for garbage or solid waste collection or disposal services through contract negotiations.

(s) Minority set-aside authorization. Notwithstanding any provision of this section to the contrary, any agency or governing authority, by order placed on its minutes, may, in its discretion, set aside not more than twenty percent (20%) of its anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the Department of Finance and Administration and shall be subject to bid requirements under this section. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder. For the purposes of this paragraph, the term "minority business" means a business which is owned by a majority of persons who are United States citizens or permanent resident aliens (as defined by the Immigration and Naturalization Service) of the United States, and who are Asian, Black, Hispanic or Native American, according to the following definitions:

(i) "Asian" means persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(ii) "Black" means persons having origins in any black racial group of Africa.

(iii) "Hispanic" means persons of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.

(iv) "Native American" means persons having origins in any of the original people of North America, including American Indians, Eskimos and Aleuts.

(t) Construction punch list restriction. The architect, engineer or other representative designated by the agency or governing authority that is contracting for public construction or renovation may prepare and submit to the contractor only one (1) preliminary punch list of items that do not meet the contract requirements at the time of

substantial completion and one (1) final list immediately before final completion and final payment.

(u) Procurement of construction services by state institutions of higher learning. Contracts for privately financed construction of auxiliary facilities on the campus of a state institution of higher learning may be awarded by the Board of Trustees of State Institutions of Higher Learning to the lowest and best bidder, where sealed bids are solicited, or to the offeror whose proposal is determined to represent the best value to the citizens of the State of Mississippi, where requests for proposals are solicited.

(v) Insurability of bidders for public construction or other public contracts. In any solicitation for bids to perform public construction or other public contracts to which this section applies, including, but not limited to, contracts for repair and maintenance, for which the contract will require insurance coverage in an amount of not less than One Million Dollars ($1,000,000.00), bidders shall be permitted to either submit proof of current insurance coverage in the specified amount or demonstrate ability to obtain the required coverage amount of insurance if the contract is awarded to the bidder. Proof of insurance coverage shall be submitted within five (5) business days from bid acceptance.

(w) Purchase authorization clarification. Nothing in this section shall be construed as authorizing any purchase not authorized by law.

(x) Mississippi Regional Pre-Need Disaster Clean Up Act. (i) The Department of Finance and Administration shall enter into nine (9) contracts for the pre-need purchase of labor, services, work, materials, equipment, supplies or other personal property for disaster-related solid waste collection, disposal or monitoring. One (1) contract shall be entered into for each of the nine (9) Mississippi Emergency Management Association districts:

1. Coahoma, DeSoto, Grenada, Panola, Quitman, Tallahatchie, Tate, Tunica and Yalobusha Counties;

2. Alcorn, Benton, Itawamba, Lafayette, Lee, Marshall, Pontotoc, Prentiss, Tippah, Tishomingo and Union Counties;

3. Attala, Bolivar, Carroll, Holmes, Humphreys, Leflore, Montgomery, Sunflower and Washington Counties;

4. Calhoun, Chickasaw, Choctaw, Clay, Lowndes, Monroe, Noxubee, Oktibbeha, Webster and Winston Counties;

5. Claiborne, Copiah, Hinds, Issaquena, Madison, Rankin, Sharkey, Simpson, Warren and Yazoo Counties;

6. Clarke, Jasper, Kemper, Lauderdale, Leake, Neshoba, Newton, Scott, and Smith Counties and the Mississippi Band of Choctaw Indians;

7. Adams, Amite, Franklin, Jefferson, Lawrence, Lincoln, Pike, Walthall and Wilkinson Counties;

8. Covington, Forrest, Greene, Jefferson Davis, Jones, Lamar, Marion, Perry and Wayne Counties; and

9. George, Hancock, Harrison, Jackson, Pearl River and Stone Counties.

Any such contract shall set forth the manner of awarding such a contract, the method of payment, and any other matter deemed necessary to carry out the purposes of the agreement. Such contract may be entered into only for a term of one (1) year, with

an option for an additional one-year extension after the conclusion of the first year of the contract, and only after having solicited bids or proposals, as appropriate, which shall be publicly advertised by posting on a web page maintained by the Department of Finance and Administration through submission of such advertisement to the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority. The bid opening shall not occur until after the submission has been posted for at least ten (10) consecutive days. The state's share of expenditures for solid waste collection, disposal or monitoring under any contract shall be appropriated and paid in the manner set forth in the contract and in the same manner as for other solid waste collection, disposal, or monitoring expenses of the state. Any contract entered into under this paragraph shall not be subject to the provisions of Section 17-13-11.

(ii) Any board of supervisors of any county or any governing authority of any municipality may opt in to the benefits and services provided under the appropriate and relevant contract established in subparagraph (i) of this paragraph at the time of a disaster event in that county or municipality. At the time of opt in, the county or municipality shall assume responsibility for payment in full to the contractor for the disaster-related solid waste collection, disposal or monitoring services provided. Nothing in this subparagraph (ii) shall be construed as requiring a county or municipality to opt in to any such contract established in subparagraph (i) of this paragraph.

SECTION 2. Section 31-3-1, Mississippi Code of 1972, is amended as follows:

31-3-1. The following words, as used in this chapter, shall have the meanings specified below:

"Board": The State Board of Contractors created under this chapter.

"Contractor": Any person contracting or undertaking as prime contractor, subcontractor or sub-subcontractor of any tier to do any erection, building, construction, reconstruction, demolition, repair, maintenance or related work on any public or private project; however, "contractor" shall not include any owner of a dwelling or other structure to be constructed, altered, repaired or improved and not for sale, lease, public use or assembly, or any person duly permitted by the Mississippi State Oil and Gas Board, pursuant to Section 53-3-11, Mississippi Code of 1972, to conduct operations within the state, and acting pursuant to said permit. It is further provided that nothing herein shall apply to:

(a) Any contract or undertaking on a public or private project by a prime contractor, subcontractor or sub-subcontractor of any tier involving erection, building, construction, reconstruction, repair, maintenance or related work where such contract, subcontract or undertaking is less than Fifty Thousand Dollars ($50,000.00);

(b) Highway construction, highway bridges, overpasses and any other project incidental to the construction of highways which are designated as federal aid projects and in which federal funds are involved;

(c) A residential project to be occupied by fifty (50) or fewer families and not more than three (3) stories in height;

(d) A residential subdivision where the contractor is developing either single-family or multifamily lots;

(e) A new commercial construction project not exceeding seventy-five hundred (7500) square feet and not more than two (2) stories in height undertaken by an individual or entity licensed under the provisions of Section 73-59-1 et seq.;

(f) Erection of a microwave tower built for the purpose of telecommunication transmissions;

(g) Any contract or undertaking on a public project by a prime contractor, subcontractor or sub-subcontractor of any tier involving the construction, reconstruction, repair or maintenance of fire protection systems where such contract, subcontract or undertaking is less than * * * Ten Thousand Dollars ($10,000.00);

(h) Any contract or undertaking on a private project by a prime contractor, subcontractor or sub-subcontractor of any tier involving the construction, reconstruction, repair or maintenance of fire protection systems where such contract, subcontract or undertaking is less than * * * Fifteen Thousand Dollars ($15,000.00);

(i) Any contract or undertaking on a private or public project by a prime contractor, subcontractor or sub-subcontractor of any tier involving the construction, reconstruction, repair or maintenance of technically specialized installations if performed by a Mississippi contractor who has been in the business of installing fire protection sprinkler systems on or before July 1, 2000; or

(j) Any contractor undertaking to build, construct, reconstruct, repair, demolish, perform maintenance on, or other related work, whether on the surface or subsurface, on oil or gas wells, pipelines, processing plants, or treatment facilities or other structures of facilities. Nothing herein shall be construed to limit the application or effect of Section 31-5-41.

"Certificate of responsibility": A certificate numbered and held by a contractor issued by the board under the provisions of this chapter after payment of the special privilege license tax therefor levied under this chapter.

"Person": Any person, firm, corporation, joint venture or partnership, association or other type of business entity.

"Private project": Any project for erection, building, construction, reconstruction, repair, maintenance or related work which is not funded in whole or in part with public funds.

"Public agency": Any board, commission, council or agency of the State of Mississippi or any district, county or municipality thereof, including school, hospital, airport and all other types of governing agencies created by or operating under the laws of this state.

"Public funds": Monies of public agencies, whether obtained from taxation, donation or otherwise; or monies being expended by public agencies for the purposes for which such public agencies exist.

"Public project": Any project for erection, building, construction, reconstruction, repair, maintenance or related work which is funded in whole or in part with public funds.

SECTION 3. Section 31-5-37, Mississippi Code of 1972, is amended as follows:

31-5-37. (1) All public works projects utilizing funds received by state or local governmental entities resulting from a federally declared disaster or a spill of national significance, including damages, penalties, fines or supplemental projects paid or financed by responsible parties pursuant to a court order, negotiated settlement, or other instrument, including under any law distributing such fines and penalties including the federal Resources and Ecosystems Sustainability, Tourist Opportunities and Revived Economy of the Gulf Coast Act of 2011 (R.E.S.T.O.R.E.), the Oil Pollution Act of 1990 or the Federal Water Pollution Control Act or similar legislation, shall be subject to the hiring policies established by this section.

(2) Contractors submitting bids for public works projects that involve an expenditure of * * * Ten Thousand Dollars ($10,000.00) or more and that are financed, in whole or in part, through the use of funds described in subsection (1) of this section shall submit with their bid a certification that they will comply with the provisions of this section if they are awarded a contract. The contractor shall submit to the agency or governing authority that solicited the bid and the Mississippi Department of Employment Security an employment plan within seven (7) days after the award of the contract which shall include the following:

(a) The types of jobs involved in the public works project;

(b) The skill level of the jobs involved in the project;

(c) Wage information on the jobs involved in the project;

(d) The number of vacant positions that the contractor and any subcontractor needs to fill;

(e) How the contractor and any subcontractor will recruit, low-wage and unemployed individuals for job vacancies;

(f) Such other information as may be required by the Mississippi Department of Employment Security; and

(g) Proof of registration with the Mississippi Department of Employment Security for taxation in accordance with the provisions of Title 71.

(3) From the date written notice of the contract award is received and until ten (10) business days after the receipt of the employment plan by the Mississippi Department of Employment Security, the contractor and any subcontractor shall not hire any personnel to fill vacant positions necessary for the public works project except residents of the State of Mississippi who are to be verified by the Mississippi Department of Employment Security and/or those qualified individuals who are submitted by the Mississippi Department of Employment Security. For purposes of this subsection, the contractor or subcontractor is authorized to employ Mississippi residents to begin work immediately, and such persons are to be verified by the Mississippi Department of Employment Security after employment by the contractor or subcontractor. During the ten-day period, the Mississippi Department of Employment Security shall submit qualified individuals to the contractor to consider for the vacant positions. The contractor shall review the individuals submitted by the department before hiring individuals who are not submitted by the department. The contract award shall be vacated if the contractor fails to comply with the provisions of this subsection.

SECTION 4. Section 31-5-51, Mississippi Code of 1972, is amended as follows:

31-5-51. (1) Any person entering into a formal contract with the state or any county, city or political subdivision thereof, or other public authority for the construction, alteration, or repair of any public building or public work, before entering into such contract, shall furnish to such public body, except as provided in subsection (5) of this section, bonds with good and sufficient surety as follows:

(a) A performance bond payable to, in favor of or for the protection of such public body, as owner, for the work to be done in an amount not less than the amount of the contract, conditioned for the full and faithful performance of the contract;

(b) A payment bond payable to such public body but conditioned for the prompt payment of all persons supplying labor or material used in the prosecution of the work under said contract, for the use of each such person, in an amount not less than the amount of the contract; and

(c) The bonds herein provided for may be made by any surety company which is authorized to do business in the State of Mississippi and listed on the United States Treasury Department's list of acceptable sureties, or such bonds may be guaranteed by a personal surety as provided for herein. The personal surety shall deposit with the State Treasurer cash or certificates of deposit in an amount not less than the amount of the contract, and the State Treasurer shall hold same in trust and on deposit for the benefit of the public body that is a party to the contract providing for the construction, alteration or repair of the public building or for the public work.

(2) Every person who has furnished labor or material used in the prosecution of the work provided for in such contract, in respect of which a payment bond is furnished and who has not been paid in full therefor before the expiration of a period of ninety (90) days after the date on which the last of the labor was performed by him or the last of the materials was furnished by him and for which such claim is made, provided the same has been approved, where required, by the public authority or its architect or engineers, or such approval is being withheld as a result of unreasonable acts of the contractor, shall have the right to sue on such payment bond for the amount, or the balance thereof that is due and payable, but unpaid at the time of institution of such suit and to prosecute said action to final execution and judgment. Notwithstanding anything to the contrary contained herein, if the amount claimed in such action is subject to contractual provisions or conditions, between the parties involved in such action, the action shall be abated pending the performance of such provisions and the fulfillment of such conditions.

(3) Any person having direct contractual relationship with a subcontractor but no contractual relationship express or implied with the contractor furnishing said payment bond shall have a right of action upon the said payment bond upon giving written notice to said contractor within ninety (90) days from the date on which such person did or performed the last of the labor or furnished or supplied the last of the material for which such claim is made, stating with substantial accuracy the amount claimed and the name of the party to whom the material was furnished or supplied or for whom the labor was done or performed. Such notice shall be given in writing by the claimant to the contractor or surety at any place where the contractor or surety maintains an office or conducts business. Such notice may be personally delivered by the claimant to the contractor or surety, or it may be mailed by certified mail, return receipt requested, postage prepaid, to the contractor or surety. No such action may be maintained by any person not having a direct contractual relationship with the contractor-principal, unless the notice required by this section shall have been given.

(4) The only persons protected by such payment bond, subject to the notice provisions of this section are:

(a) Subcontractors and material suppliers of the contractor;

(b) Sub-subcontractors and material suppliers of those subcontractors named in subsection (4)(a) of this section; and

(c) Laborers who have performed work on the project site.

(5) Whenever a contract is less than Twenty-five Thousand Dollars ($25,000.00) the owners may elect to make a lump sum payment at the completion of the job. Lump sum payments will not be made until completion and acceptance by the governing agency. In such a case a performance bond or payment bond will not be required.

(6) Except as otherwise provided in subsection (1)(c) for a personal surety, no surety or surety company shall be allowed to guarantee or write bonds for the benefit of the public body that is a party to a contract providing for the construction, alteration or repair of a public building or for public work, unless that surety is listed on the United States Treasury Department's list of acceptable sureties. If the surety is not listed on the

United States Treasury Department's list of acceptable sureties, the public body for which the public work is being performed shall be liable to the extent that the surety would be liable.

(7) Any person entering into a formal contract with the state which exceeds * * * Ten Thousand Dollars ($10,000.00), or with a county, city or other public authority which exceeds Twenty-five Thousand dollars ($25,000.00), for the construction, alteration, or repair of any public building or public work, before entering into such contract, shall furnish to the public body proof of general liability insurance coverage in an amount not less than One Million Dollars ($1,000,000.00) for bodily injury and property damage. Exempted from the provisions of this subsection are any persons who enter into a contract with the Mississippi Department of Rehabilitation Services for the construction, alteration or repair of the home of a disabled individual who has been determined eligible for services by the Mississippi Department of Rehabilitation Services.

SECTION 5. Section 31-7-103, Mississippi Code of 1972, is amended as follows:

31-7-103. The purchase clerk shall be responsible as hereinafter provided for the purchase and acquisition of all equipment, heavy equipment, machinery, supplies, commodities, materials and services to be acquired for the county from successful bidders or other vendors, as authorized by law. The central purchase system shall comply with the requirements prescribed by the State Department of Audit under the authority of Section 7-7-211 and in accordance with Section 31-7-113, and the purchase clerk shall be responsible for the maintenance of such system. No requisition to purchase, purchase order or receiving report shall be required for the purchase of any item or services with an acquisition cost of not more than * * * Five Thousand Dollars ($5,000.00) in the aggregate; however, the invoice for every such purchase shall be signed by the department head or his or her designee, or a receipt signed by the person making the purchase shall be attached to the invoice and forwarded to the purchase clerk. No claim based on any such purchase shall be approved except after compliance with the provisions of this section.

SECTION 6. Section 31-7-119, Mississippi Code of 1972, is brought forward as follows:

31-7-119. (1) Except as provided in subsection (2) of this section, neither the board of supervisors nor any member thereof shall individually purchase, order or receive any equipment, heavy equipment, machinery, supplies, commodities, materials or services for the use or benefit of the county.

(2) In any county in which the board of supervisors is not required to operate on a countywide system of road administration, the prohibition as provided in subsection (1) of this section shall not apply (a) to purchases of not more than Two Thousand Dollars ($2,000.00) in the aggregate; or (b) to the purchase of parts or repair services in emergency situations, which purchases are exempt from bid requirements pursuant to Section 31-7-13(m)(ii) and (iii). Any supervisor who purchases any item or services in accordance with this subsection (2) shall sign the invoice or receipt and forward it to the purchase clerk in the manner provided by Section 31-7-103. No claim based on any such purchase shall be approved unless the purchase was made in compliance with the provisions of this subsection.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO REVISE THE PUBLIC PURCHASING LAW TO PROVIDE THAT PURCHASES WHICH DO NOT INVOLVE AN EXPENDITURE OF MORE THAN $10,000.00 MAY BE MADE

WITHOUT ADVERTISING OR OTHERWISE REQUESTING COMPETITIVE BIDS; TO REVISE THE REVERSE AUCTION METHOD FOR RECEIVING BIDS TO DIFFERENTIATE BETWEEN AGENCIES AND GOVERNING AUTHORITIES; TO PROVIDE THAT IF AN AGENCY DETERMINES THAT A REVERSE AUCTION IS NOT IN THE BEST INTEREST OF THE AGENCY, THEN THAT DETERMINATION MUST BE APPROVED BY THE PUBLIC PROCUREMENT REVIEW BOARD; TO PROVIDE THAT IF A GOVERNING AUTHORITY DETERMINES THAT A REVERSE AUCTION IS NOT IN THE BEST INTEREST OF THE GOVERNING AUTHORITY, THEN THAT DETERMINATION MUST BE APPROVED BY THE GOVERNING BOARD OF THE GOVERNING AUTHORITY; TO PROVIDE THAT THE AGENCY AND GOVERNING AUTHORITY MUST SUBMIT AN EXPLANATION AS TO WHY A REVERSE AUCTION IS NOT IN THE BEST INTEREST OF THE AGENCY OR GOVERNING AUTHORITY; TO AMEND SECTIONS 31-3-1, 31-5-37 AND 31-5-51, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 31-7-103, MISSISSIPPI CODE OF 1972, TO INCREASE THE COMPETITIVE PURCHASING THRESHOLD FOR CERTAIN COUNTY PURCHASES; TO BRING FORWARD SECTION 31-7-119, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

_____

Senator Bryan called up the following House Amendment to **S. B. No. 2857** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-137-39, Mississippi Code of 1972, is amended as follows:

41-137-39. (1) (a) * * * The MDOH shall obtain criminal records background checks on all persons applying to become a licensee, an agent, or representative as defined herein, of a medical cannabis establishment. This shall include performing criminal records background checks on all potential employees, current employees, or representatives/agents of the MDOH Medical Cannabis Program. The required criminal history background includes information provided by the Federal Bureau of Investigation.

(b) For the purposes of this section, an applicant is any person who registers with or applies for an initial medical cannabis work permit, or a renewal of a medical cannabis work permit. Such a person or applicant may also be defined as an agent, an employee, a representative, etc. as further defined and sometimes used interchangeably as referenced in this section.

(c) For purposes of this section, an agent is a person who acts for or on behalf of, or who represents a medical cannabis establishment while in the course of business or employment with the Mississippi Medical Cannabis Program and may also be referred to as an agent, a representative, or vice versa.

(d) Representative means a principal officer, owner of ten percent (10%) or greater economic interest in a medical cannabis establishment with direct or indirect interest, officer, director, manager, employee, agent, volunteer, or other type representative of a registered medical cannabis licensee establishment.

(e) Principal officer means a person(s) who has ultimate responsibility for implementing the decisions of a cannabis testing facility or other such medical cannabis establishment and includes, but are not necessarily limited to, the Chief Executive Officer (CEO), Chief Administrative Office (CAO), Chief Financial Officer, (CFO), as applicable. Elected or appointed, the board as a whole creates agency policies and oversees the agency's managerial positions.

(f) Board member means an individual on a medical cannabis establishment's company or agency board which serves as an organization's governing body.

(g) Principal owner means the primary owner of a medical cannabis establishment, but often may be the sole owner.

(h) Any and every person/applicant seeking to become an owner or principal owner, principal officer, or officer, board member, director, manager, agent/representative, employee, care giver, or volunteer of a medical cannabis establishment shall apply for, or authorize the MDOH to obtain state and national criminal background checks to be conducted by the Mississippi Justice Information Center of the Department of Public Safety and the Federal Bureau of Investigation.

(i) Such criminal background checks shall conform to the applicable federal standards and shall include the taking of fingerprints.

(j) Once the Mississippi Justice Information Center of the Department of Public Safety completes a state level criminal history background check, they will forward the fingerprints to the Federal Bureau of Investigation for a national criminal history background check.

(k) The person seeking to become an agent/representative of a medical cannabis establishment shall authorize the release of such criminal background check to the MDOH and shall be responsible for the payment of any fee associated with the criminal background checks.

(l) The Mississippi Justice Information Center of the Department of Public Safety shall forward to the MDOH all information obtained concerning the applicant. MDOH will not disseminate the information and will only use such information as required to fulfill the purposes of this act.

(2) A medical cannabis establishment may not employ any person who:

(a) Was convicted of a disqualifying felony offense; or

(b) Is under twenty-one (21) years of age.

(3) The operating documents of a medical cannabis establishment must include procedures for the oversight of the medical cannabis establishment and procedures to ensure accurate record keeping and adequate security measures.

(4) A medical cannabis establishment shall implement appropriate security measures designed to deter and prevent the theft of medical cannabis and unauthorized entrance into areas containing medical cannabis.

(5) All cultivation, harvesting, processing and packaging of medical cannabis must take place in an enclosed, locked and secure facility with a physical address provided to the MDOH during the licensing and registration process. The facility shall be equipped with locks or other security devices that permit access only by agents of the medical cannabis establishment, emergency personnel or adults who are twenty-one (21) years of age and older and who are accompanied by medical cannabis establishment agents.

(6) No medical cannabis establishment other than a cannabis processing facility or cannabis research facility may produce cannabis concentrates, cannabis extractions, or other cannabis products.

(7) A medical cannabis establishment may not share office space with or refer patients to a practitioner.

(8) Medical cannabis establishments are subject to inspection by the MDOR and MDOH during business hours.

(9) Before medical cannabis may be dispensed to a cardholder, a dispensary agent must:

(a) Require that the individual present a registry identification card;

(b) Make a diligent effort to verify that the registry identification card presented to the dispensary is valid;

(c) Make a diligent effort to verify that the person presenting the registry identification card is the person identified on the registry identification card presented to the dispensary agent; and

(d) Not believe that the amount of medical cannabis dispensed would cause the person to possess more than the allowable amount of medical cannabis.

(10) A medical cannabis establishment shall not sell more than the allowable amount of medical cannabis to a cardholder. * * * A resident cardholder shall not obtain more than a total of twenty-four (24) MMCEUs of allowable medical cannabis in thirty (30) days from a dispensary or a combination of dispensaries.

The possession limit for resident cardholders of the allowable amount of medical cannabis shall be a total of twenty-eight (28) MMCEUs. There shall not be a possession limit on nonconsumable medical cannabis, including, but not limited to, suppositories, ointments, soaps, and lotions or other topical agents.

(11) For purposes of this chapter, total THC is defined as THCA multiplied by .877 plus THC Delta 9 and all other psychoactive forms or isomers of THC added together. A medical cannabis establishment shall not sell cannabis flower or trim that has a potency of greater than thirty percent (30%) total THC. A medical cannabis dispensary shall not sell cannabis tinctures, oils or concentrates that have a potency of greater than sixty percent (60%) total THC. Cannabis products that have a potency of over thirty percent (30%) total THC shall be clearly labeled as "extremely potent." Edible cannabis products, including food or drink products, that have been combined with usable cannabis or cannabis products shall be physically demarked and labeled with a clear determination of how much total THC is in a single-serving size and how much THC is in the entire package.

A medical cannabis product shall contain a notice of harm regarding the use of cannabis products. Edible cannabis products shall be homogenized to ensure uniform disbursement of cannabinoids throughout the product. All molded edible cannabis products shall be presented in the form of geometric shapes and shall not be molded to contain any images or characters designed or likely to appeal to minors, such as cartoons, toys, animals or children.

(12) A dispensary may not dispense more than the allowable amount of cannabis to a registered qualifying patient or a nonresident cardholder, directly or via a registered designated caregiver. Dispensaries shall ensure compliance with this limitation by maintaining internal, confidential records that include records specifying how much

medical cannabis is being dispensed to the registered qualifying patient or nonresident cardholder and whether it was dispensed directly to a registered qualifying patient, nonresident cardholder or to the registered designated caregiver.

(13) A nonresident cardholder shall not obtain more than a total of six (6) MMCEUs of allowable medical cannabis in a week from a dispensary or a combination of dispensaries. A nonresident cardholder shall not obtain more than a total of twelve (12) MMCEUs of allowable cannabis from a dispensary or a combination of dispensaries in a fifteen-day period.

(14) A nonresident may apply to receive a nonresident registry identification card up to thirty (30) days before arriving in Mississippi. A nonresident registry identification card shall be valid for fifteen (15) days. After the expiration of the card, a nonresident may apply for a renewal of the card and may be granted another card which shall be valid for another fifteen-day period. A nonresident registry identification card shall only be valid, at a maximum, for two (2) separate periods of fifteen (15) days in a three-hundred-sixty-five-day period. An applicant may indicate on his or her application the specific time period that he or she wishes for the card to be valid. The possession limit of the allowable amount of medical cannabis for nonresident cardholders shall be fourteen (14) MMCEUs.

(15) A medical cannabis dispensary agent or employee shall not issue a written certification. Employees and agents of a medical cannabis dispensary shall complete at least eight (8) hours of continuing education in medical cannabis as regulated by the MDOR in order to be certified to work at a medical cannabis dispensary. After the first year of employment, these employees shall complete five (5) hours of continuing education in medical cannabis annually to maintain this certification.

(16) Notwithstanding any other provision to the contrary, a patient with a debilitating medical condition who is between eighteen (18) years to twenty-five (25) years of age is not eligible for a medical cannabis registry identification card unless two (2) practitioners from separate medical practices have diagnosed the patient as having a debilitating medical condition after an in-person consultation. One (1) of these practitioners must be a physician or doctor of osteopathic medicine.

If one (1) of the recommending practitioners is not the patient's primary care practitioner, the recommending practitioner shall review the records of a diagnosing practitioner. The requirement that the two (2) practitioners be from separate medical practices does not apply if the patient is homebound or if the patient had a registry identification card before the age of eighteen (18).

(17) Except as otherwise provided in this section, a medical cannabis establishment shall not allow an individual who is younger than twenty-one (21) years old to enter the premises of the establishment unless the individual possesses a registry identification card and is accompanied by his or her legal guardian.

(18) A medical cannabis establishment shall only purchase, grow, cultivate, and use cannabis that is grown and cultivated in this state. Any medical cannabis that is grown and cultivated in this state shall not be transported outside of this state.

(19) Employees of all medical cannabis establishments shall apply for a work permit with the MDOH and MDOR, as applicable, before beginning employment with any establishment. The licensing agency for the respective medical cannabis establishment may issue work permits to these individuals. These licensing agencies shall maintain a work registry of all applicants and work permits issued. The fee for a work permit shall be Twenty-five Dollars ($25.00) and the permit shall be valid for five (5) years. Work permits shall be the property of the employee and shall not be transferable to other employees.

(20) For purposes of this subsection, "plant growth regulator cannabis" shall mean a cannabis plant whose growth and structure has been modified using plant growth hormones. A cannabis cultivation facility shall not cultivate and a cannabis dispensary shall not sell, transfer or provide for consumption plant growth regulator cannabis.

(21) A medical cannabis dispensary shall only make sales to cardholders inside the dispensary. A medical cannabis dispensary shall not sell or otherwise convey medical cannabis to a cardholder through the means of a drive-through, curbside delivery or other delivery outside the premises of the dispensary. Any topical cannabis product that is purchased by a dispensary from a licensed processor, and that is not ingested by the liver, may be sold to a cardholder or any person over the age of twenty-one (21) years old who is not a cardholder. Such products shall be placed in an area of the dispensary that does not require access with a registry identification card.

(22) Any and all contracts or agreements entered into by the MDOH and MDOR for information technology software, hardware, and/or services for the purpose of implementing and/or operating under the Mississippi Medical Cannabis Act shall include language reasonably limiting the ability of the vendor to escalate the ongoing cost of such software, hardware, and/or services during the term of the contract, including any amendments and/or extensions.

(23) The MDOR and MDOH shall not share the name, address or personal data of a registry identification cardholder to any federal government entity.

SECTION 2. Section 41-137-47, Mississippi Code of 1972, is amended as follows:

41-137-47. (1) The licensing agency is authorized to investigate, either on the basis of complaints filed with it or on its own initiative through compliance visits, reviews or audits, instances of suspected violations of any nature, including, but not limited to:

(a) Performing the duties and requirements set forth for licensees within the relevant statute and regulations;

(b) The providing of false information on an application or renewal for a license, incident to a hearing, or otherwise;

(c) The conviction of a licensee of a felony;

(d) The misappropriation of funds; and

(e) The inversion or diversion of medical cannabis or medical cannabis products, or of any other matter reflecting unfavorably upon the holder of a license under the act.

(2) On the basis of information developed during such an investigation, the licensing agency may exercise any number of compliance actions including:

(a) To revoke, suspend or refuse to renew any license issued by the licensing agency;

(b) Deny an application for a license; or

(c) Reprimand, fine and/or take any other actions in relation to a license, as the licensing agency may deem proper under the circumstances.

* * *

(3) The licensing agency may deny the application of any applicant who fails to meet the qualifications for obtaining such license under this chapter or any rules and regulations under this chapter.

(4) Whenever the results of such an investigation are filed, the licensee may request an administrative hearing on the matter. If a licensee or applicant wishes to appeal the licensing agency's decision, the licensee or applicant shall file its administrative appeal within twenty (20) days of receipt of the initial notice.

If such a hearing is requested, the licensing agency shall set a day for a hearing and shall notify the licensee that on the day fixed for hearing he or she may appear so that an administrative hearing may take place. The licensing agency shall then conduct a hearing on the record pursuant to the licensing agency's rules and regulations governing such hearings, at which time the burden shall be on the licensee or applicant to prove that the agency's decision was:

(a) Unsupported by substantial evidence;

(b) Arbitrary or capricious;

(c) Beyond the power of the administrative agency to make; or

(d) Violated some statutory or constitutional right of the aggrieved party.

If the licensee or applicant fails to appeal the initial notice within the prescribed time, the decision becomes final and cannot be further appealed.

(5) In cases where violations of this chapter have been substantiated, the licensing agency may assess a monetary penalty or recoupment of costs for those reasonable costs that are expended by the licensing agency in the investigation and conduct of a proceeding for the compliance issue that is the subject matter of the hearing, including, but not limited to, the costs of process service, court reporters, expert witnesses and investigations. The licensing agency shall determine the amount of investigative fees and costs owed by a licensee based on an itemized accounting after the investigation has been officially completed and a final determination or action has been determined. Upon final determination or action, the licensing agency shall give to the licensee an itemized accounting of the investigative fees and costs incurred. The licensing agency may recommend denial of, or refusal to take final action to approve the renewal of a licensee unless all investigative fees and costs have been paid in full by the licensee.

(* * *6) The licensing agency shall provide its initial notice of suspension, revocation, fine or other sanction by personal delivery or mailing by certified mail, signature required, to the medical cannabis establishment at the address on the registration certificate. A suspension shall not be for a longer period than six (6) months. The licensing agency shall provide its initial notice of denial by personal delivery, mailing by certified mail, signature required, or by electronic mail to the applicant at the physical or electronic address listed in its application.

(* * *7) A medical cannabis establishment may continue to possess and cultivate cannabis as otherwise authorized to do so under its license during a suspension, but it may not dispense, transfer or sell cannabis.

(* * *8) The MDOH shall immediately revoke the registry identification card of any cardholder who sells or otherwise transfers medical cannabis to a person or other entity, and the cardholder shall be disqualified from further participation in the medical cannabis program under this chapter.

(* * *9) Except as otherwise provided in subsection (* * *8) of this section, the MDOH may revoke the registry identification card of any cardholder who knowingly commits a violation of this chapter.

(* * *10) The hearing decision of the agency on a denial, revocation, suspension or fine is a final decision of the applicable agency subject to judicial review in accordance with Section 41-137-59.

(* * *11) No license issued by the MDOH or MDOR shall be transferred by the license holder to any other person or entity except with the written consent of the applicable licensing agency.

(* * *12) Any ongoing investigation by a licensing agency under this section shall be considered confidential and exempt from disclosure under the Mississippi Public Records Act of 1983, Sections 25-61-1 through 25-61-17.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 41-137-39, MISSISSIPPI CODE OF 1972, TO PROVIDE ADDITIONAL AUTHORIZATIONS AND REQUIREMENTS RELATED TO PERFORMING BACKGROUND CHECKS AS PART OF THE MEDICAL CANNABIS ACT; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO OBTAIN CRIMINAL RECORDS BACKGROUND CHECKS FROM THE MISSISSIPPI JUSTICE INFORMATION CENTER OF THE DEPARTMENT OF PUBLIC SAFETY AND THE F.B.I.; TO AUTHORIZE THE DEPARTMENT TO RECOUP ANY FEE ASSOCIATED WITH THE BACKGROUND CHECK; TO DELETE THE PROVISION OF LAW THAT PROHIBITS A RESIDENT CARDHOLDER FROM OBTAINING MORE THAN A TOTAL OF SIX MMCEUS OF ALLOWABLE MEDICAL CANNABIS IN A WEEK FROM A DISPENSARY OR A COMBINATION OF DISPENSARIES; TO AMEND SECTION 41-137-47, MISSISSIPPI CODE OF 1972, TO PROVIDE ADDITIONAL MEASURES RELATED TO INVESTIGATION PROCEDURES BY LICENSING AGENCIES UNDER THE MEDICAL CANNABIS ACT; TO SET CERTAIN ADMINISTRATIVE HEARING PROCEDURES; TO AUTHORIZE THE LICENSING AGENCY TO RECOUP ANY FEE ASSOCIATED WITH THE INVESTIGATION OR HEARING PROCESS; AND FOR RELATED PURPOSES.

Senator England called up the following House Amendment to **S. B. No. 2424** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 49 by inserting the following before the period:

", and shall stand repealed on June 30, 2024"

Senator Fillingane called up the following House Amendment to **S. B. No. 2441** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 104 by inserting ", and shall stand repealed on June 30, 2024" before the period.

Senator Polk called up the following House Amendment to **S. B. No. 2762** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Retainage" means that money, or other security as agreed to by the parties to a construction contract, earned by the contractor, subcontractor or lower tier sub-subcontractor or supplier, as the case may be, for work properly performed or materials suitably stored if payment for stored materials is provided for in the contract, which has been retained by the owner conditioned on final completion and acceptance of all work in connection with a project or projects by the contractor, subcontractor or lower tier sub-subcontractor or supplier.

(b) "Final completion" shall mean the stage of the project at which all work has been completed in accordance with the contract requirements, including, but not limited to, the completion of punch list items, the submission of contractual close-out documents, equipment manuals, warranty documents or other like required deliverables.

(2) (a) A construction contract on any project in this state which provides for progress payments in installments based upon an estimated percentage of completion with a percentage of the contract proceeds to be retained by the owner pending final completion of the contract may provide for the owner's withholding of retainage from payments to its contractor for work performed by that contractor on a construction project. However, there may not be retained more than five percent (5%) of the estimated amount of work properly done and the value of materials stored on the site or suitably stored and insured off-site. If an owner withholds an amount greater than that allowed by this paragraph (a), the owner shall be liable to the contractor for interest accruing on the excess amount withheld at the rate of one percent (1%) per month.

(b) A construction contract on any project in this state which provides for progress payments in installments based upon an estimated percentage of completion with a percentage of the contract proceeds to be retained by the contractor pending final completion of the contract may provide for the contractor's withholding of retainage from payments to its subcontractors for work performed by the subcontractors on a construction project. However, there may not be retained more than five percent (5%) of the estimated amount of work properly done and the value of materials stored on the site or suitably stored and insured off-site. If a contractor withholds an amount greater than that allowed by this paragraph (b), the contractor shall be liable to the subcontractor for interest accruing on the excess amount withheld at the rate of one percent (1%) per month.

(c) A construction contract on any project in this state which provides for progress payments in installments based upon an estimated percentage of completion

with a percentage of the contract proceeds to be retained by the subcontractor pending final completion of the contract may provide for the subcontractor's withholding of retainage from payments to its sub-subcontractors or material suppliers for work performed by such sub-subcontractors or material suppliers on a construction project. However, there may not be retained more than five percent (5%) of the estimated amount of work properly done and the value of materials stored on the site or suitably stored and insured off-site. If a subcontractor withholds an amount greater than that allowed by this paragraph (c), the subcontractor shall be liable to the sub-subcontractor or material supplier for interest accruing on the excess amount withheld at the rate of one percent (1%) per month.

(d) The five percent (5%) retainage described in paragraphs (a), (b) and (c) of this subsection shall apply to all items of work required to achieve final completion. Any amounts held above the five percent (5%) for items of work required to achieve final completion shall be subject to interest accruing on the excess amount at the rate of one percent (1%) per month.

(3) The owner shall release and pay retainage to the contractor for work completed on any construction contract no later than sixty (60) days after the final completion of the contractor's work provided all necessary certificates of occupancy have been issued. The contractor shall release and pay retainage to its subcontractors and subcontractors shall release and pay retainage to their sub-subcontractors for work completed pursuant to the requirements of Section 87-7-5, Mississippi Code of 1972.

(4) Nothing in this section limits or alters the paying party's right to withhold or not approve payment on grounds set forth in the party's contract, subcontract or sub-subcontract for work not properly performed or payment not earned; rather, this section is intended only to establish a maximum amount of retainage and provide for the payment of interest for improperly held retainage. Also, the paying party may condition payment on the receipt of payment from the party with whom the paying party contracted and a full release of any lien of the contractor, subcontractor or sub-subcontractor, as the case may be, for the amount of work being paid. For purposes of this subsection (4), "the paying party" shall mean the party in direct contractual privity with the party asserting that payment is due to it and, accordingly, shall not include any financial institution or other lender that is the source of the funds at issue.

(5) A party may not waive by contract or otherwise the right to receive interest, as provided for in this section.

(6) A contractor, subcontractor or sub-subcontractor may file a civil action solely against the party contractually obligated for the payment of the amount claimed to recover the amount due plus the interest accrued in accordance with this section. If the court finds in the civil action that the party contractually obligated for the payment of the amount claimed has not made payment in compliance with this section, the court shall award the interest specified in this section in addition to the amount due. In any such civil action, the party in whose favor a judgement is rendered shall be entitled to recover payment of reasonable attorneys' fees, court costs and reasonable expenses from the other party. For purposes of this subsection (6), "the party contractually obligated for the payment" shall mean the party in direct contractual privity with the party asserting that payment is due to it and, accordingly, shall not include any financial institution or other lender that is the source of the funds at issue.

(7) This section does not apply to the following:

(a) Residential homebuilding.

(b) Improvements to real property intended for residential purposes which consist of sixteen (16) or fewer residential units.

(c) Contracts, subcontracts or sub-subcontracts in the amount of Ten Thousand Dollars ($10,000.00) or less.

(d) Contracts awarded by the State of Mississippi, or any agency, unit or department of the State of Mississippi, or by any political subdivision thereof.

(8) This section does not amend or modify existing laws relating to mechanics and materialmen liens provided in Article 21, Title 85, Chapter 7, Mississippi Code of 1972.

(9) The rights and obligations created in this section cannot be modified or waived by any oral or written contract or agreement.

(10) The provisions of this section shall become effective for and apply to all contracts, as described in this section, entered into on or after July 1, 2024.

SECTION 2. Section 31-5-15, Mississippi Code of 1972, is amended as follows:

31-5-15. Under any public contract heretofore or hereafter made or awarded by the State of Mississippi, or any agency or department of the State of Mississippi, or by any political subdivision thereof, the contractor may, with the written consent of his or its surety, from time to time, withdraw the whole or any portion of the amount retained from payments due the contractor pursuant to the terms of the contract by depositing with the State Treasurer of the State of Mississippi, or the treasurer or secretary of the political subdivision of the State of Mississippi holding funds belonging to the contractor, the following security, or any combination thereof in an amount equal to or in excess of the amount so withdrawn, said securities to be accepted at the time of deposit at market value but not in excess of par value, to wit:

(* * *a) U.S. Treasury Bonds, U.S. Treasury Notes, U.S. Treasury Certificates of Indebtedness, or U.S. Treasury Bills, or

(* * *b) Bonds or notes of the State of Mississippi, or

(* * *c) Bonds of any political subdivision of the State of Mississippi, or

(* * *d) Certificates of deposit issued by commercial banks located in the State of Mississippi, provided that such certificate is negotiable or is accompanied by a power of attorney executed by the owner of the certificate in favor of the Treasurer of the State of Mississippi or of the treasurer or the secretary of the political subdivision involved, or

(* * *e) Certificates of deposit issued by savings and loan associations located in the State of Mississippi, the accounts of which are insured by the Federal * * * Deposit Insurance Corporation, or whose accounts are insured by a company approved by the State Board of Savings and Loan Associations, provided that such certificate is made payable with accrued interest on demand and is accompanied by a power of attorney executed by the owner of the certificate in favor of the Treasurer of the State of Mississippi or the treasurer or secretary of the political subdivision involved, and provided that any such certificate from any of the savings and loan associations referred to in this subparagraph shall not be for an amount in excess of the maximum dollar amount of coverage of the Federal Savings and Loan Insurance Corporation.

The agency or department of the state shall notify the State Treasurer of the amount of deposit required and shall also notify the State Treasurer when to release the deposit. The political subdivision of the state shall notify its treasurer or secretary of the amount of deposit required and shall also notify him when to release the deposit.

The State Treasurer, or the secretary or treasurer of the political subdivision holding said security, shall, from time to time, collect all interest or income on the security so

deposited and shall, by and with the written consent of contractor's surety, pay the same when and as collected to the contractor or contractors who deposited said obligations. If the deposit be in the form of coupon bonds, the coupons as they respectively become due shall be delivered to the contractor.

If in the event of an overpayment to a contractor the contracting authority is unable to obtain reimbursement for such overpayments from the contractor, the chief administrative officer of the contracting authority shall notify the contractor, its surety and the State Treasurer or other holder of the security, of the nature of the overpayment and of the failure to obtain reimbursement. Upon such notification, the security holder shall retain the income on the deposited security until an amount equal to the overpayment is accumulated and paid to the contracting authority.

In the event the contractor shall default in the performance of the contract or any portion thereof, the securities deposited by him in lieu of retainage and all interest and coupons and income accruing on said securities after said default may be sold by the state or any agency or department thereof, or any political subdivision, and the proceeds of said sale used as if such proceeds represented the retainage provided for under the contract. For the purposes of this section, the term "retainage" means money, or other security as agreed to by the parties to a construction contract, earned by the contractor, subcontractor or lower-tier sub-subcontractor or supplier, as the case may be, for work properly performed or materials suitably stored if payment for stored materials is provided for in the contract, which has been retained by the owner conditioned on final completion, to include, but not be limited to, deliverable and nondeliverable requirements such as completion of contractual closeout, provision of equipment manuals, provision of warranty documents, completion of punch list and acceptance of all work in connection with a project by the contractor, subcontractor or lower-tier sub-subcontractor or supplier.

SECTION 3. Section 31-5-33, Mississippi Code of 1972, is amended as follows:

31-5-33. (1) In any contract for the construction, repair, alteration or demolition of any building, structure or facility awarded by the State of Mississippi, or any agency, unit or department of the State of Mississippi, or by any political subdivision thereof, which contract provides for progress payments in installments based upon an estimated percentage of completion with a percentage of the contract proceeds to be retained by the state agency, unit or department, or by the political subdivision or contractor pending completion of the contract, such retainage shall be five percent (5%), and the amount retained by the prime contractor from each payment due the subcontractor shall not exceed the percentage withheld by the state, or any agency, unit or department of the state, or by any political subdivision thereof, from the prime contractor. For the purposes of this section and Section 31-5-15, the term "retainage" means that money, or other security as agreed to by the parties to a construction contract, earned by the contractor, subcontractor or lower tier sub-subcontractor or supplier, as the case may be, for work properly performed or materials suitably stored if payment for stored materials is provided for in the contract, which has been retained by the owner conditioned on final completion and acceptance of all work in connection with a project or projects by the contractor, subcontractor or lower tier sub-subcontractor or supplier.

On any contract as described herein, of which the total amount is Two Hundred Fifty Thousand Dollars ($250,000.00) or greater, or on any contract with a subcontractor, regardless of amount, five percent (5%) shall be retained until the work is at least fifty percent (50%) complete, on schedule and satisfactory in the architect's and/or engineer's opinion, at which time fifty percent (50%) of the retainage held to date shall be returned to the prime contractor for distribution to the appropriate subcontractors and suppliers. Provided, however, that future retainage shall be withheld at the rate of two and one-half percent (2-1/2%).

(2) The provisions of this section shall not apply to contracts let by the Mississippi Transportation Commission for the construction, improvement or maintenance of roads and bridges.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO ESTABLISH A MAXIMUM AMOUNT OF RETAINAGE AND ESTABLISH THE TIMING FOR RELEASE OF RETAINAGE WITH RESPECT TO THE PERFORMANCE OF CERTAIN CONTRACTS AND TO PROVIDE FOR THE PAYMENT OF INTEREST FOR IMPROPERLY HELD RETAINAGE; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THIS ACT; TO PROVIDE TYPES OF CONTRACTS TO WHICH THE PROVISIONS OF THIS ACT DO NOT APPLY; TO AMEND SECTIONS 31-5-15 AND 31-5-33, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "RETAINAGE" FOR PURPOSES OF CERTAIN PUBLIC WORKS CONTRACTS; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2762** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

_____

Senator Branning called up the following House Amendment to **S. B. No. 2635** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. For the purposes of this act, the following terms shall have the following meanings, unless context clearly provides otherwise:

(a) "Motor vehicle" means a vehicle which self-propels, and is intended primarily for use and operation on public roads and highways.

(b) "Nonconsensual towing" means the moving, transporting or recovery of a commercial vehicle by a towing and recovery service without the prior consent or authorization of the owner or operator of the motor vehicle from private property and/or by police-initiated towing.

(c) "Towing" means the moving, transporting or recovery from public or private property, or from a storage facility of a person's commercial motor vehicle, the moving or removing of an unclaimed commercial vehicle, or the immobilization of or

preparation for moving or removing of the commercial motor vehicle, for which a fee is charged either directly or indirectly.

(d) Heavy-duty towing shall be the towing of a vehicle, including trailers and semitrailers, with a gross vehicle rating over twenty-six thousand (26,000) pounds.

(e) Medium-duty towing shall be the towing of a vehicle, including trailers and semitrailers with a gross vehicle rating of over fifteen thousand (15,000) pounds to twenty-six thousand (26,000) pounds.

(f) "Towing and recovery service" means an individual or business entity that provides towing and recovery services at the direction of a law enforcement office or private property owner in exchange for a fee or charge.

(g) "Law enforcement officer" means any law enforcement public servant and/or State Highway Patrol Officer.

(h) "Tow list" means a list of approved towing companies compiled, maintained and utilized by a law enforcement officer or his or her designee, and as authorized by the Department of Public Safety to perform police-initiated towing services of disabled or abandoned commercial motor vehicles.

(i) "Police initiated towing" means towing of a commercial motor vehicle which was authorized, requested or dispatched by a law enforcement officer.

(j) "Vehicle immobilization device" means a mechanical device that is designated or adapted to be attached to a wheel, tire or other part of a parked commercial motor vehicle to prohibit the vehicle's usual manner of movement or operation.

(k) "Per pound billing" means a method of calculating a fee for towing using a formula that considers the weight of the commercial motor vehicle, equipment or cargo that is the subject of the towing and multiplies the weight of the vehicle, equipment or cargo by a monetary amount.

(l) "Drop fee" means a fee that a towing and recovery service charges to unhook a commercial motor vehicle from a tow truck.

(m) "Cargo" means goods and materials transported by a commercial motor vehicle as defined in 49 CFR Section 390.5, including, without limitation:

(i) Pallets;

(ii) Containers;

(iii) Bracing;

(iv) Air pillows;

(v) Tie-down assemblies and other securement systems;

(vi) Cradles;

(vii) Chocks; and

(viii) All other dunnage and packaging.

(n) "Commercial vehicle" means any self-propelled or motored device designed to be used or used primarily for the transportation of passengers or property, or

both, and have a gross vehicular weight rating of fifteen thousand (15,000) pounds or more.

SECTION 2. (1) The Department of Public Safety, Public Commercial Transportation Enforcement Division, shall create within the department a "Commercial Vehicle Towing Advisory Committee." The Commercial Vehicle Towing Advisory Committee shall consist of the following members:

(a) The Commissioner of the Mississippi Department of Public Safety, or his or her designee;

(b) The Director of the Mississippi Highway Patrol (Assistant Commissioner of the Mississippi Department of Public Safety), or his or her designee;

(c) Two (2) members, the President of the Mississippi Towing Association, and his or her appointee, to represent the towing and recovery services within the state;

(d) Two (2) members, appointed by the President of the Mississippi Trucking Association, to represent the commercial motor carriers within the state; and

(e) One (1) member, appointed by the Governor, to represent the local police jurisdictions.

(2) Members of the Commercial Vehicle Towing Advisory Committee shall serve for a term of two (2) years. Members may serve consecutive terms. Members shall serve without compensation.

(3) At the first meeting, the Commercial Vehicle Towing Advisory Committee shall elect a chairperson from its membership to serve for a term of two (2) years. A chairperson may serve consecutive terms.

(4) The Commercial Vehicle Towing Advisory Committee shall hold its first meeting no later than September 1, 2024, at a time and location within the state to be determined by the Commissioner of the Mississippi Department of Public Safety. Thereafter, meetings shall be held on dates and at times and locations within the state and selected by the chairperson in consultation with the other members or by the Commissioner of the Mississippi Department of Public Safety if the most recent chairperson's term has expired.

(5) The Commercial Vehicle Towing Advisory Committee shall keep and maintain a record of all proceedings of the Commercial Vehicle Towing Advisory Committee, and copies of all orders and/or recommendations issued by the Commercial Vehicle Towing Advisory Committee.

SECTION 3. (1) The Commercial Vehicle Towing Advisory Committee shall:

(a) Establish regulations and standards for the inclusion of a towing and recovery service on the tow list, including application procedures and minimum qualification requirements;

(b) Establish statewide maximum towing and storage rates for nonconsensual tows, including those for private property. The established maximum rates shall include maximum rates for administrative fees, provided as follows:

(i) A towing and recovery service may charge less than, but may not charge more than the approved statewide rates;

(ii) The towing and recovery service shall not charge or retain any fees not indicated by the committee for the maximum rates for towing and storage of a commercial motor vehicle after the nonconsensual tow from private property; and

(iii) The statewide maximum towing and storage rates for nonconsensual tows shall be reviewed annually. Market fluctuations within the towing industry may be considered along with current consensual towing market rates and their relationship to nonconsensual towing rates;

(c) Require the towing and recovery service to ban the use of per-pound billing for nonconsensual towing;

(d) Publish a Towing Service Standard Manual, with rules governing the use of towing and recovery services for nonconsensually towing of commercial vehicles no later than January 1, 2025. At a minimum, the rules shall include the following provisions to:

(i) Establish the information required to be included on any invoice associated with the towing of a commercial motor vehicle, including, but not limited to, requiring that the invoice be itemized;

(ii) Establish factors that shall be considered in determining whether a charge levied by a towing and recovery service is fair, equitable and reasonable;

(iii) Establish a process the committee shall use to receive, investigate and adjudicate complaints against a towing and recovery service;

(iv) Establish a service charge dispute resolution process that includes, at minimum, provisions requiring completion of a written complaint form, deadlines for initiating a complaint after receiving an itemized invoice, deadlines for responding to a complaint, cessation of storage fees during the complaint resolution process, a hearing on the complaint and deadlines for issuing a formal decision adjudicating the service charge dispute;

(v) Establish an appeals process for the appeal of any determination of order of the committee under this subsection;

(vi) Establish a disciplinary procedure for violations of the rules by the towing and recovery service, including the suspension or removal of a towing and recovery service from the tow list; and

(vii) Establish a process the Department of Public Safety may use to suspend or remove a towing and recovery service from any tow list.

SECTION 4. (1) Upon nonconsensual towing and recovery of a commercial towing vehicle and movement of the commercial motor vehicle to a storage facility, a towing and recovery service shall allow an owner of a commercial motor vehicle or a designee of the owner of the commercial motor vehicle to access the vehicle in a reasonable manner as established by rules adopted by the Commercial Vehicle Towing Advisory Committee. Any vehicle towed nonconsensually in Mississippi must be stored in the State of Mississippi.

(2) The towing and recovery services shall provide a commercial vehicle owner or operator or owner's designee with reasonable access to the vehicle so that the vehicle owner and operator or the owner's designee may access and collect any personal property contained in the vehicle, regardless of whether any payment has been made for the towing and recovery service charges.

(3) If there is no dispute as to the charges assessed by the towing and recovery service for the nonconsensual towing of the commercial motor vehicle, the vehicle owner or operator or the owner's designee shall pay the towing service invoice and the towing and recovery service shall release the vehicle immediately.

SECTION 5. In authorizing a towing and recovery service to perform towing services, any law enforcement officer may utilize the services of a tow list, provided:

(a) They are under no obligation to include or retain the services of any towing and recovery service in any contract or agreement with respect to any tow list established pursuant to this subsection. A towing and recovery service is subject to removal from a towing list at any time; and

(b) An owner or operator of a commercial motor vehicle may request a specific towing and recovery service and that request shall be honored by the law enforcement officer unless the requested towing and recovery service cannot perform the requested towing and recovery service or does not respond in a reasonable time, as determined by the law enforcement officer.

SECTION 6. (1) It shall be unlawful for:

(a) A law enforcement officer to:

(i) Receive compensation or receive any other incentive, monetary or otherwise, to select a particular towing and recovery service from the list;

(ii) Hold any financial interest in a towing and recovery service; and

(iii) Recommend any towing and recovery service in the performance of his or her duties;

(b) Any member of the Commercial Vehicle Towing Advisory Committee or Department of Transportation to receive compensation from a towing and recovery service for the privilege of being included on the tow list;

(c) A towing and recovery service to pay money or other valuable consideration for the privilege of nonconsensual towing commercial motor vehicles;

(d) A towing and recovery service to employ or otherwise compensate individuals, commonly referred to as "spotters," whose primary task is to report the presence of unauthorized, improperly or illegally parked commercial motor vehicles for the purpose of towing or removal and storage; and

(2) Nonconsensual tows for unauthorized, illegally parked commercial motor vehicles on private property must be performed by Mississippi-based towers. Towed vehicles must be stored within the State of Mississippi.

SECTION 7. (1) (a) Before a towing and recovery service connects a commercial motor vehicle to a tow truck for a nonconsensual tow, the towing and recovery service shall document the vehicle's condition and the reason for the tow by:

(i) Taking at least four (4) photographs of the vehicle, with at least one (1) photograph taken from the front, one (1) photograph taken from the rear, one (1) photograph taken from the driver's side and one (1) taken from the passenger's side. These photographs must:

1. Show the entire vehicle from the required angle; and

2. Have the vehicle fill at least three-fourths (3/4) of the photograph, measured from side to side; and

(ii) Taking a photograph that shows the reason the vehicle is being towed nonconsensually. The photograph must show the portion of the vehicle in relation to the reason, including any sign that the vehicle was towed.

(b) Upon demand of the owner or operator of the commercial motor vehicle or the owner's designee, the Department of Transportation or the Commercial Vehicle Towing Advisory Committee, the towing and recovery service shall provide copies of the photographs.

(c) A towing and recovery service's failure to produce the photographs shall create a rebuttable presumption that the towing and recovery service did not have the authority to tow a vehicle from either a private property owner or operator or a law enforcement officer.

(2) Before a towing and recovery service connects a commercial motor vehicle to a tow truck for a nonconsensual tow, the towing and recovery service shall have authorization to nonconsensually tow a commercial motor vehicle. Authorization shall be found if:

(a) A law enforcement officer requests a police-initiated tow and requests that a towing and recovery service from the tow list provide towing; or

(b) The towing and recovery service has received permission to tow the commercial motor vehicle from the owner of the private property.

A towing service shall not tow a commercial motor vehicle from private property without the owner or operator of the private property giving the tower service written permission.

(c) In order for the towing and recovery service to conduct a nonconsensual tow, the private property owner must have posted signage visible and facing the driver at each entryway into the property stating that vehicles parked on the property without authorization or inappropriately or illegally parked are subject to being towed. The sign must also contain the international towing symbol no smaller than four (4) inches by four (4) inches and be permanently mounted in a position that is no lower than five (5) feet and no higher than eight (8) feet.

(3) The towing and recovery service shall not assess a drop fee to release the commercial motor vehicle after the vehicle is hooked up to the tow truck but before the vehicle is removed from the private property.

SECTION 8. A towing and recovery service shall not use vehicle immobilization devices except under the direction of law enforcement.

SECTION 9. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on July 1, 2029.

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

AN ACT TO PROVIDE FOR THE REGULATION OF NONCONSENSUAL TOWING AND CHARGES FOR COMMERCIAL MOTOR VEHICLES; TO CREATE THE COMMERCIAL VEHICLE TOWING ADVISORY COMMITTEE; TO ESTABLISH REGULATIONS FOR TOWING AND RECOVERY SERVICE PROVIDERS; TO ESTABLISH A RESOLUTION PROCESS FOR COMMERCIAL MOTOR VEHICLE OWNERS WHO DISPUTE THE AMOUNT OF TOWING AND RECOVERY FEES AND CHARGES; TO REQUIRE THE COMMERCIAL VEHICLE TOWING ADVISORY COMMITTEE TO PROVIDE TOWING RATES BASED ON CERTAIN STANDARDS; TO PROVIDE FOR DISCIPLINARY ACTION AGAINST TOWING AND RECOVERY SERVICE PROVIDERS FOR VIOLATIONS; TO REQUIRE TOWING AND RECOVERY SERVICES THAT HAVE PERFORMED A NONCONSENSUAL TOW TO STORE THE

VEHICLE IN MISSISSIPPI AND ALLOW THE VEHICLE OWNER REASONABLE ACCESS TO THE COMMERCIAL VEHICLE TO COLLECT PERSONAL PROPERTY; TO PROVIDE HOW A POLICE OFFICER MAY UTILIZE A TOW LIST; TO PROVIDE THAT MEMBERS OF THE COMMITTEE MAY NOT RECEIVE A BENEFIT FOR PLACING TOWING AND RECOVERY COMPANIES ON THE TOW LIST; TO PROVIDE PROCEDURES FOR WHAT A TOWING AND RECOVERY SERVICE MUST DO BEFORE PERFORMING A NONCONSENSUAL TOW; TO REQUIRE PRIVATE PROPERTY OWNERS TO DISPLAY SIGNAGE WARNING VEHICLE OPERATORS OF THE POTENTIAL OF BEING TOWED; TO PROHIBIT THE USE OF VEHICLE IMMOBILIZATION DEVICES, EXCEPT WHEN DIRECTED BY LAW ENFORCEMENT; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2635** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

_____

Senator Parker called up the following entitled bill:

H. B. No. 298: Capitol Complex Improvement District; authorize demolition of certain property, authorize grants for development of certain property.

COMMITTEE AMENDMENT NO. 1 was replaced by SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Senator Parker offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This chapter shall be known and may be cited as the "Mississippi Capitol Region Utility Act."

SECTION 2. (1) The Mississippi Legislature finds the following:

(a) For the benefit of the citizens centrally located in the State of Mississippi, including citizens residing or working in the capital city of the State of Mississippi, it is essential to have access to safe, clean and reliable water and wastewater systems at affordable, regulated rates which are just, reasonable and provide an adequate amount of capital to keep such systems in good repair;

(b) The availability of safe, clean and reliable water and wastewater systems has vast impacts on health, schools and academic outcomes, crime and safety, state and local government operations, businesses and economic development, the availability of a workforce, tourism and many other critical areas;

(c) The availability of safe, clean and reliable water and wastewater systems requires significant financial resources and human capital to engage in the planning, acquisition, construction, maintenance, coordination and operation required to deliver transparent and efficient services which meet and exceed federal and state regulations and requirements;

(d) On November 29, 2022, the Department of Justice filed a complaint alleging that the City of Jackson has failed to provide drinking water that is reliably compliant with the Safe Drinking Water Act to citizens within the boundaries of the water system. The Department of Justice simultaneously filed a proposal which would appoint a receiver, or an interim third-party manager, to stabilize the City of Jackson's public drinking water system and build confidence in the water system's ability to supply safe, clean and reliable water to citizens within the boundaries of the water system. The U.S. District Court for the Southern District of Mississippi appointed a receiver to oversee and operate the water system on November 29, 2022;

(e) On or about July 31, 2023, the U.S. District Court for the Southern District of Mississippi brought the City of Jackson's sewer and wastewater systems into the receivership;

(f) The order appointing a receiver does not have a termination date and ends only when final judgment is entered by the court. Before the court enters final judgment, the system must be stable, the financial plan sustainable, and the transition plan approved in order to transition the system to post-receivership operations;

(g) The creation and organization of a structure for future governance requires legislation for it to continue in perpetuity beyond the eventual end of the receiver's work and related federal court orders; and

(h) The creation and organization of a structure for future governance prior to the date of the conclusion of the receiver's work will allow for an orderly transition to ensure minimal disruption in water and wastewater service.

(2) Therefore, it is the intent of the Mississippi Legislature to:

(a) Provide the Mississippi Capitol Region Utility Authority the option to purchase the existing water and wastewater assets from the City of Jackson at fair market value as determined by the court, provided all existing system debts have been retired or paid. Upon completion of the purchase of assets, the water and wastewater assets shall be transferred to the utility authority's ownership, management and control to ensure all citizens have access to safe, clean and reliable water and wastewater systems at affordable, just and reasonable regulated rates, and to provide an adequate amount of capital to keep such systems in good repair;

(b) Authorize the Local Governments and Rural Water Systems Improvement Board created in Section 41-3-16 to loan to the authority funds required to purchase water assets as provided in this subsection (2) at an interest rate of zero percent (0%) with a forty-year term applying the maximum principal forgiveness available;

(c) Authorize the Mississippi Commission on Environmental Quality to loan to the authority funds requested to purchase wastewater assets as authorized in this subsection (2) at an interest rate of zero percent (0%) with a forty-year term applying the maximum principal forgiveness available, provided all requirements to be eligible for the loan are met by the authority and the transaction meets the requirements of federal law; and

(d) Partner with the Department of Health, the Department of Environmental Quality, the City of Jackson and other municipalities or governmental entities within the

boundaries of the authority, and any other federal state or local entity in taking any action necessary under this chapter to ensure all citizens have access to safe, clean and reliable water and wastewater systems, with the understanding that federal and state agencies are solely responsible for regulating, but not operating, the utility authority.

SECTION 3. As used in this chapter, the following words and phrases have the meanings ascribed herein, unless the context clearly indicates otherwise:

(a) "Board" means the Board of Directors of the Mississippi Capitol Region Utility Authority.

(b) "Bonds" means revenue bonds and other certificates of indebtedness of the authority issued under the provisions of this chapter.

(c) "Court" means the U.S. District Court for the Southern District of Mississippi and the receiver, as defined herein.

(d) "Fiscal year" means the period of time beginning on July 1 of each year and ending on June 30 of each year.

(e) "Major procurement" means the procurement of any good or service in excess of One Million Dollars ($1,000,000.00).

(f) "Project" means the construction, development or acquisition by the utility authority of any infrastructure for water and wastewater systems or services and includes the upgrading or repair of existing systems.

(g) "Public agency" means any county, municipality, state board or utility authority owning or operating properties, districts created pursuant to the general laws or local and private laws of the State of Mississippi, or any other political subdivision of the State of Mississippi possessing the power to own and operate waterworks, water supply systems, sewerage systems, sewage treatment systems or other facilities or systems for the collection, transportation and treatment of water and wastewater.

(h) "Receiver" means the interim third-party manager for the water system owned by the City of Jackson who was appointed by the U.S. District Court for the Southern District of Mississippi on November 29, 2022, to oversee and operate the systems until the court issues final judgment.

(i) "Service territory" or "service area" means the geographic areas receiving water and wastewater services from the City of Jackson's water and wastewater systems as operated by JXN Water as of July 1, 2024.

(j) "System" or "systems" means any plants, structures, facilities or other real or personal property used or useful in the generation, storage, transportation or supply of water, and the collection, transportation, treatment or disposal of wastewater, including tanks, pipes, trunk lines, mains, sewers, conduits, pipelines, pumping and ventilating stations, plants, works, connections and any other real or personal property and rights therein necessary, useful or convenient for the purposes of the utility authority.

(k) "Utility authority" or "authority" means the Mississippi Capitol Region Utility Authority.

(l) "Wastewater" means water being disposed of by any person and which is contaminated with waste or sewage, including industrial, municipal, and any other wastewater that may cause impairment of the quality of waters in the state.

(m) "Water" means potable water from either surface water or groundwater sources.

SECTION 4. (1) There is hereby created and established a corporate nonprofit known as the Mississippi Capitol Region Utility Authority. The authority will be composed of geographic areas receiving water and wastewater services from the City of Jackson as of July 1, 2024, for the planning, acquisition, construction, maintenance, operation and coordination of water and wastewater systems in order to ensure the delivery of water and wastewater services to citizens. Such authority is created solely to accomplish the purposes of the state under this chapter, and the exercise by the authority of the powers conferred by this chapter shall be deemed and held to be the performance of an essential public function promoting the health, welfare and prosperity of the general public. It is the intent of the Legislature that the authority shall be accountable to ratepayers within the systems through the audits, reports and disclosures required by this chapter.

(2) The existence of the corporate nonprofit authority, which shall be domiciled in the State of Mississippi, shall begin upon the appointment of a majority of its board as provided in Section 5 of this act.

(3) The authority shall assume ownership, management and control over the water and wastewater systems on the date of termination of the receiver by the U.S. District Court for the Southern District of Mississippi, or an earlier date as ordered by the court. If the termination date is not the same for all systems, the authority shall assume ownership, management and control over the system for which the receivership is terminated on the termination date for that system.

(4) In the event of any action or matter challenging the creation, establishment, or statutory responsibilities of the authority, the Chief Justice of the Mississippi Supreme Court shall select an appropriate circuit or chancery court, which shall have exclusive jurisdiction over the matter. In any other matter, the court of competent jurisdiction shall have jurisdiction over the matter. For purposes of court costs, the authority shall be a private corporation.

(5) All funds provided by the federal government in H.R. 2617, the Consolidated Appropriations Act of 2023, and any other funds provided by the state or federal government in response to the water crisis detailed by the U.S. District Court for the Southern District of Mississippi in Case No. 3:22-cv-00686, United States v. City of Jackson, shall be spent according to the direction of the receiver and federal court within the service territory impacted by the water crisis and in accordance with federal law.

SECTION 5. (1) The affairs of the utility authority shall be administered by the board. The board shall be composed of nine (9) members to be selected as follows:

(a) The Mayor of the City of Jackson shall appoint one (1) member (Member 1), a member of the clergy leading a place of worship within the service area;

(b) The City Council of the City of Jackson, by majority vote, shall appoint two (2) members, including:

(i) Member 2, an employee of a local nonprofit located within the service area; and

(ii) Member 3, an owner of a restaurant located within the service area;

(c) The Governor shall appoint three (3) members, including:

(i) Member 4, an employee of a large nonhealthcare business with a minimum of two hundred (200) employees working in facilities within the service area;

(ii) Member 5, a small business owner whose primary business location is within the service area; and

(iii) Member 6, an at-large appointee who lives or works in the service area;

(d) The Lieutenant Governor shall appoint three (3) members, including:

(i) Member 7, an employee of a large health care facility within the service area;

(ii) Member 8, an employee of a post-secondary institution within the service area; and

(iii) Member 9, an at-large appointee who lives or works in the service area.

All members shall be appointed by September 1, 2024, and shall be subject to the advice and consent of the Senate.

In the appointment process, appointing authorities shall attempt to see that all portions of society and its diversity are represented in members of the authority. All appointed members must be residents of the State of Mississippi, must be ratepayers within the system boundaries, and must have significant, demonstrated experience in business management, fiscal affairs, public health or public utilities. No current or former federal, state or local elected officials may be appointed.

(2) Term lengths shall begin upon the date of termination of the receiver by the U.S. District Court for the Southern District of Mississippi or an earlier date as ordered by the court. Service by members between September 1, 2024, and the date of termination of the receiver shall not be counted in the term limits established herein.

(3) The initial terms of the board shall be as follows: Members 1 and 2 for a term of four (4) years, member 3 for a term of three (3) years, member 4 for a term of two (2) years, member 5 for a term of one (1) year, member 6 for a term of four (4) years, member 7 for a term of three (3) years, member 8 for a term of two (2) years, and member 9 for a term of one (1) year.

(4) Except as provided in subsection (2) of this section, appointments shall be for a term of four (4) years. Each member shall serve at the will and pleasure of his or her appointing authority and hold office until his successor has been appointed and qualified. Any member who changes residency outside of the service area, ends employment in the service area or allows his or her account to go into arrears shall be immediately discharged from the board. Vacancies shall be filled by appointment by the appropriate appointing authority, subject to the advice and consent of the Senate, for the length of the unexpired term only. Any member of the authority shall be eligible for reappointment for a maximum of two (2) full terms. Each member of the authority shall, before entering upon his duty, take an oath of office to administer the duties of his office faithfully and impartially, and a record of such oath shall be filed in the Office of the Secretary of State. The authority shall annually elect from its membership a chairman and vice chairman who shall be eligible for reelection for up to four (4) consecutive terms. The authority shall also elect or appoint, and prescribe the duties of, such other officers, who need not be members, as the authority deems necessary or advisable, and the authority shall fix the compensation of such officers. The authority may delegate to one or more of its members, officers, employees or agents such powers and duties as it may deem proper, not inconsistent with this article or other provisions of law.

(5) The members of the board shall serve without salary but shall be entitled to receive per diem pay as provided in Section 25-3-69, plus travel and necessary expenses,

including mileage, as provided in Section 25-3-41, incurred while in the performance of his or her duties as a board member upon authorization by the board. Expenses shall be paid from the available funds of the authority after the authority assumes ownership, management and control of the water, wastewater and storm systems as provided in this chapter. Subject to appropriations, until the date the authority assumes ownership, management and control of the water and wastewater systems as provided in this chapter, expenses shall be paid by the State of Mississippi.

(6) The board shall meet monthly, with four of these meetings each year held in various locations throughout the service area. All meeting agendas shall accommodate time for public comment in accordance with rules established by the board.

(7) All meetings of the board shall be subject to the Open Meetings Act in Section 25-41-1 et seq. The chairman or a majority of members of the board may convene the board for a meeting.

(8) Except as may be provided by law, all records of the authority shall be deemed public records and subject to public inspection as provided by Section 25-61-1 et seq.

(9) The board may by majority vote excuse the absence of any board member. If any board member is absent for two (2) board meetings in a twelve-month period without such absences being excused by the board, his or her membership on the board shall be terminated as a function of law, without any action by the board, and the removed board member shall be ineligible for reappointment to the board. The original appointing authority shall retain the right to appoint a new board member to replace the removed board member.

(10) No current or former employee of the authority shall be a board member.

(11) Until the utility authority assumes ownership, management and control of the water and wastewater systems, the board shall cooperate and coordinate with the receiver in order to provide the best opportunity for minimal disruption in service and maximum ease of transition after the receiver has concluded his work in overseeing and operating the water system.

SECTION 6. (1) The utility authority shall consult with the court in appointing a president by January 1, 2025, who shall serve at the will and pleasure of the board. If the authority does not have ownership, management and control of the water and wastewater systems by the date of the appointment of a president, the State of Mississippi shall pay the salary of the president on a bimonthly basis, subject to appropriations. The president shall serve as deputy to the receiver until the court enters final judgement, at which time the president shall manage the daily affairs of the authority and shall have such powers and duties as specified by this chapter, by the board, and any rules or regulations adopted by the board. The president shall not be a member of the board and shall serve at the will and pleasure of the board.

(2) Until the authority assumes ownership, management and control of the water and wastewater systems, the president shall cooperate and coordinate with the receiver in order to provide the best opportunity for minimal disruption in service and maximum ease of transition after the receiver has concluded his work in overseeing and operating the water system.

(3) The president shall employ such personnel as he or she deems necessary. All personnel shall serve at the will and pleasure of the president.

(4) The board shall set the salary of the president at such level as necessary to recruit and retain a qualified professional with the expertise necessary in a public utility. The board may authorize whatsoever incentive compensation program for the president

and authority staff as it deems necessary and proper. The authority shall be exempt from the provisions of Section 25-3-39.

SECTION 7. (1) The utility authority shall have the power, duty and responsibility to exercise general supervision over the design, construction, operation and maintenance of water and wastewater systems.

(2) The authority shall adopt rules and regulations regarding the design, construction or installation, operation and maintenance of water and wastewater systems.

(3) The authority shall adopt rules and regulations regarding the use of decentralized treatment systems, individual on-site wastewater treatment systems and centralized wastewater treatment systems.

(4) The authority shall adopt rules establishing performance standards for water and wastewater systems and the operation and maintenance of the same. Such rules and regulations shall include: the implementation of a standard application form for the installation, operation and maintenance of such systems; application review; approval or denial procedures for any proposed system; inspection, monitoring and reporting guidelines; and enforcement procedures.

(5) (a) Before a building or development which requires the installation of a water or wastewater system is constructed, the system must be submitted to the authority for certification that the system complies with the authority's requirements.

(b) Before approving or renewing a permit for a water or wastewater system within the authority, the state agency must require certification that the system complies with the authority's requirements.

(6) Any system of any municipality, public agency or other persons which contracts with the authority shall be subject to the terms of that contract and the terms of this chapter.

(7) Notwithstanding the provisions of Section 51-39-1 et seq., the authority shall have the full power to adopt rules and regulations and to construct, maintain, lease and operate facilities for the control of storm water quality and quantity. In addition, the provisions of Section 51-33-1 et seq. relating to drainage districts and flood control districts do not apply to the authority.

(8) The authority may control and operate the local retail water or wastewater services and may provide or be responsible for direct servicing of those services to residences, businesses and individuals; however, the authority shall not provide the same service in an area provided by a public utility or person holding a certificate of public convenience and necessity issued by the Mississippi Public Service Commission for the provision of such services in the certificated area.

(9) The authority shall enter into contracts for major procurements after bidding. The authority may adopt administrative rules and regulations pursuant to the provisions of this chapter providing for special procedures whereby the authority may make any class of procurement.

(10) In its bidding processes, the authority may do its own bidding and procurement or may utilize the services of the Department of Finance and Administration, the Department of Information Technology Services or other state agencies as appropriate and necessary.

(11) In the City of Ridgeland, which is served by only the wastewater system as of July 1, 2024, the authority shall have oversight or control of only wastewater service provided to ratepayers. To maintain consistency with the agreement in place with the City

of Jackson prior to the existence of the authority, the City of Ridgeland shall have control over its rate structure, with the City of Ridgeland compensating the authority for its prorated share of wastewater conveyance, treatment, capital improvements and debt service.

SECTION 8. (1) The utility authority, in addition to any other powers granted under any other provision of law, is authorized:

(a) To acquire, construct, improve, enlarge, extend, repair, operate and maintain one or more of its systems used for the collection, transportation, treatment and disposal of water and wastewater;

(b) To make contracts with any person in furtherance thereof, and to make contracts with any person, under the terms of which the authority will collect, transport, treat or dispose of water and wastewater for such person;

(c) To make contracts with any person to design and construct any water and wastewater systems or facilities, and thereafter to purchase, lease or sell, by installments over such terms as may be deemed desirable, reasonable and necessary, or otherwise, any such system or systems;

(d) To enter into operating agreements with any person, for such terms and upon such conditions as may be deemed desirable, for the operation of any water and wastewater systems, and to lease to or from any person, for such term and upon such conditions as may be deemed desirable, any water and wastewater collection, transportation, treatment or other facilities or systems. Any such contract may contain provisions requiring any public agency or other person to regulate the quality and strength of materials to be handled by the respective system or systems and also may provide that the authority shall have the right to use any streets, alleys and public ways and places within the jurisdiction of a public agency or other person during the term of the contract;

(e) To enter into contracts with any person or public agency, including, but not limited to, contracts authorized by this chapter, in furtherance of any of the purposes authorized under this chapter upon such consideration as the board and such person may agree. Any such contract may extend over any period of time, notwithstanding any provision or rule of law to the contrary, may be upon such terms and for such consideration, nominal or otherwise, as the parties thereto shall agree, and may provide that it shall continue in effect until bonds specified therein, refunding bonds issued in lieu of such bonds, and all other obligations specified therein are paid or terminated. Any such contract shall be binding upon the parties thereto according to its terms;

(f) To sue and be sued, in its own name, and to enjoy all of the protections, immunities and benefits provided by the Mississippi Tort Claims Act, Section 11-46-1 et seq., as it may be amended or supplemented from time to time;

(g) To maintain office space at such place or places within the authority's boundaries as it may determine;

(h) To invest money of the authority, including proceeds from the sale of any bonds subject to any agreements with bondholders, on such terms and in such manner as the authority deems proper;

(i) To pay any outstanding City of Jackson bonds relating to the water and sewer systems under their existing terms;

(j) To require the necessary relocation or rerouting of roads and highways, railroad, telephone and telegraph lines, and properties, electric power lines, gas pipelines and related facilities, or to require the anchoring or other protection of any of these, provided fair compensation is first paid to the owners or an agreement with such owners

regarding the payment of the cost of such relocation, and to acquire easements or rights-of-way for such relocation or rerouting and to convey the same to the owners of the property being relocated or rerouted in connection with the purposes of this chapter. This provision shall be in accordance with Mississippi Constitution Article 17A and Section 11-27-30;

(k) To acquire, construct, improve or modify, to operate or cause to be operated and maintained, either as owner of all or of any part in common with others, any water or wastewater system within the authority's service area. The authority may pay all or part of the cost of any system from any contribution by persons, firms, public agencies or corporations. The authority may receive, accept and use all funds, public or private, and pay all costs of the development, implementation and maintenance as may be determined as necessary for any project;

(l) To acquire, in its own name, by purchase on any terms and conditions and in any manner as it may deem proper, property for public use, or by gift, grant, lease, or otherwise, real property or easements therein, franchises and personal property necessary or convenient for its corporate purposes. This provision shall be in accordance with Mississippi Constitution Article 17A and Section 11-27-30;

(m) To acquire insurance for the authority's systems, facilities, buildings, treatment plants and all property, real or personal, to insure against all risks as any insurance may, from time to time, be available;

(n) To use any property and rent or lease any property to or from others, including public agencies, or make contracts for the use of the property. The authority may sell, lease, exchange, transfer, assign, pledge, mortgage or grant a security interest for any property. The powers to acquire, use and dispose of property as set forth in this paragraph shall include the power to acquire, use and dispose of any interest in that property, whether divided or undivided. Title to any property of the authority shall be held by the authority exclusively for the benefit of the public;

(o) To apply, contract for, accept, receive and administer gifts, grants, appropriations and donations of money, materials and property of any kind, including loans and grants from the United States, the state, a unit of local government, or any agency, department, district or instrumentality of any of the foregoing, upon any terms and conditions as the United States, the state, a unit of local government, or any agency, department, district or instrumentality shall impose. The authority may administer trusts. The authority may sell, lease, transfer, convey, appropriate and pledge any and all of its property and assets;

(p) To make and enforce, and from time to time amend and repeal, bylaws, rules, ordinances and regulations for the management of its business and affairs and for the construction, use, maintenance and operation of any of the systems under its management and control;

(q) To employ and terminate staff and other personnel, including attorneys, engineers and consultants, as may be necessary to the functioning of the authority;

(r) To establish and maintain rates, fees and any other charges for services and the use of systems and facilities within the control of the authority, and from time to time, to adjust such rates, fees and any other charges to the end that the revenues therefrom will be sufficient at all times to pay the expenses of operating and maintaining the facilities and treatment systems and all of the persons' obligations under any contract or bonds resolution with respect thereto or any obligation of any person under any agreement, contract, indenture or bonds resolution with respect thereto. Such rates, fees, assessments and other charges shall be subject to the jurisdiction of the Mississippi Public Service Commission. Such rates, fees, assessments and other charges shall be equal as levied on citizens throughout the authority's boundaries. For purposes of Section

77-3-33, the rates charged by the authority shall be just and reasonable if they are adequate to provide safe and reliable water and wastewater service to its customers, including providing an adequate amount of capital for the authority to perform such repairs, upgrades and improvements as it deems necessary on an ongoing basis. The Mississippi Public Service Commission shall defer to the authority's determination of what rates are just and reasonable absent a showing of manifest error;

(s) To adopt rules and regulations necessary to accomplish the purposes of the authority and to assure the payment of each participating person or public agency of its proportionate share of the costs for use of any of the systems and facilities of the authority and for the authority's proportionate share of the costs of the board;

(t) To enter on public or private lands, waters or premises for the purpose of making surveys, borings or soundings, or conducting tests, examinations or inspections for the purposes of the authority, subject to responsibility for any damage done to property entered;

(u) To accept industrial wastewater from within the boundaries of the authority for treatment and to require the pretreatment of same when, in the opinion of the authority, such pretreatment is necessary;

(v) To control and operate local retail water and wastewater services, and to provide or be responsible for direct servicing of those services to residences, businesses and individuals; however, the authority shall not provide the same services in an area provided by a public utility or person holding a certificate of public convenience and necessity issued by the Mississippi Public Service Commission for the provision of such services in the certificated area;

(w) To assume control and administer, within the authority's jurisdiction, any water or wastewater system or systems by agreement or contract with any person if the person providing such services requests to be relieved of that responsibility;

(x) To acquire property designated by plan to sufficiently accommodate the location of water or wastewater systems and such requirements related directly thereto pursuant to the provisions of Title 11, Chapter 27, Mississippi Code of 1972. The authority may acquire property necessary for any system and the exercise of the powers, rights and duties conferred upon the authority by this chapter. No person owning the drilling rights or the right to share in production shall be prevented from exploring, developing or producing oil or gas with necessary rights-of-way for ingress and egress, pipelines and other means of transporting such interests on any lands or interest of the authority held or used for the purposes of this chapter, but any such activities shall be subject to reasonable regulations by the board that will adequately protect the systems or projects of the authority. This provision shall be in accordance with Mississippi Constitution Article 17A and Section 11-27-30;

(y) To use any legally available funds to acquire, rebuild, operate and maintain any existing water or wastewater systems owned or operated by any person;

(z) To refuse to receive water or wastewater from any public agency or person, except with regard to municipalities or other areas within the service territory of the systems as of July 1, 2024;

(aa) So long as any indebtedness on the systems of the authority remains outstanding, to require of a member public agency, or other person, that all water and wastewater within the boundaries of the authority be disposed of through the appropriate treatment system to the extent that the same may be available, but no public agency shall be precluded from constructing, operating and maintaining its own such system after the current indebtedness owing on the system as of July 1, 2024, is paid in full;

(bb) To adopt a seal and a symbol, and hold patents, copyrights, trademarks and service marks, and to enforce its rights with respect thereto;

(cc) To operate under the name JXN Water upon receiving permission of the court should the authority desire to maintain the receiver's organizational name; and

(dd) To write off revenues deemed uncollectible that were billed to customers prior to December 1, 2022, and further write off revenues deemed uncollectible after the third year of collection efforts as a regular accounting practice of the authority. Nothing herein permits the provision of services without charging applicable rates in effect at the time services are provided and requiring payment for such services.

(3) The authority shall:

(a) Submit annual reports to the Governor, Lieutenant Governor, Speaker of the House of Representatives, State Auditor, Joint Legislative Committee on Performance Evaluation and Expenditure Review and the governing authorities of any municipality whose citizens are within the authority's boundaries regarding the water quality and financial conditions of such system or systems, as well as a schedule of currently planned repairs, upgrades or improvements planned by the authority;

(b) Immediately submit to the Governor, Lieutenant Governor, Speaker of the House of Representatives and the governing authorities of any municipality whose citizens are within the authority's boundaries any information received from the Mississippi State Department of Health or Department of Environmental Quality or other state or federal regulatory agencies regarding the condition of a transferred eligible municipal system. The authority, in addition to abiding by any other federal or state reporting requirements, must also report such information to the public on its website and to individuals residing within the service area as required by federal or state law;

(c) Publish audited annual financial statements, which shall be made available to the public. The annual financial statements shall include disposition of all funds expended by the authority for any purpose. Quarterly financial statements shall be made available to the public by posting on the authority's website;

(d) Adopt by administrative rules and regulations a system of continuous internal audits;

(e) Adopt by administrative rules and regulations a code of ethics for officers and employees of the authority to carry out the standards of conduct established by this chapter; and

(f) Adopt by administrative rules and regulations guidelines for the disposal of property if the authority is dissolved.

SECTION 9. (1) The president, as chief executive officer of the utility authority, if so appointed by the board, shall direct and supervise all administrative and technical activities in accordance with the provisions of this chapter, within the administrative rules and regulations adopted by the board, and in accordance with industry practice. The president shall:

(a) Supervise and administer or contract for the supervision and administration of the water and wastewater systems owned, managed or controlled by the authority;

(b) Employ and direct such personnel as may be necessary to carry out the purposes of this chapter and utilize such services, personnel or facilities of the authority as he or she may deem necessary;

(c) Make available for inspection by the board or any member of the board or the Governor, Lieutenant Governor, Speaker of the House or the governing authorities of any municipality whose citizens are served by the authority, upon request, all books, records, files and other information and documents of his or her office and advise the board and recommend such administrative rules and regulations and other matters he or she deems necessary and advisable to improve the operation and administration of the authority;

(d) Attend meetings of the board or appoint a designee to attend on his or her behalf;

(e) Not later than thirty (30) days before the beginning of the authority's fiscal year, submit the proposed annual budget of the authority to the board for review and approval. This shall include a schedule of planned repairs, upgrades or improvements to the systems and the anticipated capital cost of each. In addition, the proposed annual budget of the authority shall include a personnel table reporting information for each full-time and part-time permanent position, as follows:

(i) The position title and the salary for each position in the existing operating budget for the current fiscal year, indicating whether each position is filled or vacant as of the reporting date; and

(ii) The position title and the salary recommended for each position for the next fiscal year; and

(f) Require bond of Fifty Thousand Dollars ($50,000.00) from employees with access to funds or in such an amount as provided in the administrative rules and regulations of the board.

(2) The president may:

(a) Require bond from other employees as he or she deems necessary; and

(b) Upon specific or general approval of the board, enter into personal service contracts pursuant to administrative rules and regulations adopted by the board and compensate such consultants and technical assistants as may be required to carry out the provisions of this chapter.

(3) Agencies, departments or units of state government, including, but not limited to, the Mississippi Department of Health and the Mississippi Department of Environmental Quality, shall cooperate with the authority to regulate the authority and assure the effective operation of the authority's systems, with the understanding that such agencies act as a regulator and not operator of such systems. All state officers are hereby empowered and required to render such services to the authority within their respective functions as may be requested by the authority.

SECTION 10. Employees of the utility authority shall serve at the will and pleasure of the president, who shall determine their compensation and benefits in consultation with the board.

SECTION 11. Neither the directors of the utility authority, the board, its employees, nor any person or persons acting on their behalf, while acting within the scope of their authority, shall be subject to personal liability resulting from carrying out any of the powers granted herein in accordance with his or her good-faith belief that he or she is acting in the best interests of the authority.

SECTION 12. (1) The utility authority shall enter into its contracts for major procurements after a competitive and open procurement process. The authority may

adopt administrative rules and regulations pursuant to the provisions of this chapter providing for special procedures whereby the authority may make any class of procurement. The authority shall endeavor to ensure the transparency and competitiveness of procurements of all sizes.

(2) In its bidding processes, the authority may do its own bidding and procurement or may utilize the services of other state agencies as appropriate and necessary. The president may declare an emergency for purchasing purposes which shall be governed by the administrative rules and regulations adopted by the board.

SECTION 13. All monies received by the utility authority shall be deposited into an operating account. Such account shall be established in a custodian financial institution domiciled in the State of Mississippi, insured by the Federal Deposit Insurance Corporation and collateralized as prescribed by Section 27-105-5.

SECTION 14. All division heads, officers and employees of the utility authority shall be considered public servants as defined in Section 25-4-103. All division heads and officers of the authority are subject to Section 25-4-25 and shall be required to file a Statement of Economic Interest with the Mississippi Ethics Commission.

SECTION 15. (1) Any public agency, pursuant to a duly adopted resolution of the governing body of such public agency, may enter into contracts with the utility authority under the terms of which the authority will manage, operate and contract for usage of its systems and facilities, or other services, for such public agency.

(2) Any public agency may enter into contracts with the authority for the authority to purchase or sell, by installments over such terms as may be deemed desirable, or otherwise, to any person or any systems. Any public agency may sell, donate, convey or otherwise dispose of water and wastewater facilities or systems, or any equipment, personal property or other things deemed necessary for the construction, operation and maintenance thereof to the authority without the necessity of appraisal, advertising or bidding. This section creates an alternative method of disposal of public property.

(3) Any public agency is authorized to enter into operating agreements with the authority, for such terms and upon such conditions as may be deemed desirable, for the operation of any of its systems by the authority or by any person contracting with the authority to operate such systems.

(4) Any public agency may lease to or from the authority, for such term and upon such conditions as may be deemed desirable, any of its systems.

(5) Any municipality or county may donate office space, equipment, supplies and materials to the authority.

(6) Any such contract may contain provisions requiring any public agency to regulate the quality and strength of the material to be handled by the wastewater systems and may also provide that the authority shall have the right to use any streets, alleys and public ways and places within the jurisdiction of a public agency during the term of the contract. Such contracts may obligate the public agency to make payments to the authority or to a trustee in amounts which shall be sufficient to enable the authority to defray the expenses of administering, operating and maintaining its respective systems, to pay interest and principal (whether at maturity upon redemption or otherwise) on bonds of the authority issued under this chapter, and to fund reserves for debt service, for operation and maintenance and for renewals and replacements, to fulfill the requirements of any rate covenant with respect to debt service coverage contained in any resolution, trust indenture or other security agreement relating to the bonds of the authority issued under this chapter or to fulfill any other requirement relating to bonds issued pursuant to this chapter.

(7) Any public agency shall have the power to enter into contracts with the authority as deemed, in the discretion of the governing body of the public agency, would be in the best interest of the public agency. Such contracts may include a pledge of the full faith and credit of the public agency and/or the avails of any special assessments made by the public agency against property receiving benefits, as now or hereafter provided by law. Any such contract may:

(a) Provide for the sale or lease to, or use by, the authority, of the systems or any part thereof, of the public agency;

(b) Provide that the authority shall operate its systems or any part thereof of the public agency;

(c) Provide that the public agency shall have the right to continued use and/or priority use of the systems or any part thereof during the useful life thereof upon payment of reasonable charges therefor;

(d) Contain provisions to assure equitable treatment of public agencies contracting with the authority under this chapter; and

(e) Contain such other provisions and requirements as the parties thereto may determine to be appropriate or necessary.

Such contracts may extend over any period of time, notwithstanding any provisions of law to the contrary, and may extend beyond the life of the respective systems or any part thereof or the term of the bonds sold with respect to such facilities or improvements thereto.

(8) The obligations of a public agency arising under the terms of any contract referred to in this chapter, whether or not payable solely from a pledge of revenues, shall not be included within the indebtedness limitations of the public agency for purposes of any constitutional or statutory limitation or provision. To the extent provided in such contract and to the extent such obligations of the public agency are payable wholly or in part from the revenues and other monies derived by the public agency from the operation of its systems or of its combined systems, or any part thereof, such obligations shall be treated as expenses of operating such systems.

(9) Contracts referred to in this section may also provide for payments in the form of contributions to defray the cost of any purpose set forth in the contracts and as advances for the respective systems or any part thereof subject to repayment by the authority. A public agency may make such contributions or advances from its general fund or surplus fund or from special assessments or from any monies legally available therefor.

(10) Subject to the terms of a contract or contracts referred to in this chapter, the authority is hereby authorized to do and perform any and all acts or things necessary, convenient or desirable to carry out the purposes of such contracts, including the fixing, charging, collecting, maintaining and revising of rates, fees and other charges for the services rendered to any user of any of the systems operated or maintained by the authority, whether or not such systems are owned by the authority.

(11) No provision of this chapter shall be construed to prohibit any public agency, otherwise permitted by law to issue bonds, from issuing bonds in the manner provided by law for the construction, renovation, repair or development of any systems or any part thereof.

SECTION 16. Whenever a public agency shall have executed a contract under this chapter and the payments thereunder are to be made either wholly or partly from the revenues of the public agency's systems, or any part thereof, or a combination of such systems, the duty is hereby imposed on the public agency to establish and maintain and

from time to time to adjust the rate or fees charged by the public agency for the services of such systems, so that the revenues therefrom, together with any taxes and special assessments levied in support thereof, will be sufficient at all times to pay:

(a) The expense of operating and maintaining such systems, including, but not limited to, all of the public agency's obligations to the utility authority and the cost required to staff such systems, its successors or assigns under such contract; and

(b) All of the public agency's obligations under and in connection with bonds theretofore issued, or which may be issued thereafter and secured by the revenues of such systems. Any such contract may require the use of consulting engineers and financial experts to advise the public agency whether and when such rates and fees are to be adjusted.

SECTION 17. (1) Notwithstanding the provisions of Sections 77-3-21 and 77-3-23, the certificate of public convenience and necessity held by any municipality, public agency, district, public utility or other entity authorized by law to provide water and wastewater services may be cancelled and its powers, duties and responsibilities transferred to the utility authority in the manner provided by this section.

(2) Any entity described in subsection (1) of this section desiring to have its certificate of public convenience and necessity cancelled and its powers, duties and responsibilities transferred to the authority shall make a determination to that effect on its official minutes if a public entity, or by affidavit if not a public entity, and transmit such determination to the authority.

(3) Upon receipt of the document evidencing such determination from an entity to transfer its powers, duties and responsibilities to the authority, the authority shall, by resolution, declare whether it is willing and able to accept such transfer from the entity.

(4) Upon completion of the requirements of subsections (2) and (3) of this section and agreement by both parties to the transfer, the holder of the certificate of public convenience and necessity and the authority shall jointly petition the Public Service Commission to cancel the certificate of public convenience and necessity. The petition must be accompanied by copies of the official minutes, affidavit or resolution, as the case may be, reflecting the actions of the petitioners. After review of the petition and any other evidence as the Public Service Commission deems necessary, the commission may issue an order canceling the certificate and transferring to the authority the powers, duties and responsibilities granted by the certificate, including all assets and debts of the transferor petitioner related to such certificated services, real or personal, or both, if it finds that:

(a) Subsections (2) and (3) of this section have been complied with; and

(b) Such action is in the public interest.

(5) The authority and providers of water and wastewater services that are not holders of a certificate of a public convenience and necessity from the Public Service Commission may enter into agreements for the provision of such services, including, but not limited to, the transfer to the authority of such provider's powers, duties, responsibilities, assets and debts.

(6) Nothing herein shall require an entity whose powers and duties were transferred to the authority to remain under the authority.

SECTION 18. (1) Any system of a municipality, public agency or other entity that becomes subject to the jurisdiction of the utility authority and this chapter shall not impair, invalidate or abrogate any liens, bonds or other certificates of indebtedness related to water or wastewater facilities and systems incurred prior to becoming subject to the jurisdiction of the authority.

(2) The authority may do and perform any and all acts necessary, convenient or desirable to ensure the payment, redemption or satisfaction of such liens, bonds or other certificates of indebtedness.

SECTION 19. (1) Sections 18 through 27 of this act apply to all bonds to be issued on or after July 1, 2024, and such provisions shall not affect, limit or alter the rights and powers of the utility authority under this chapter or any law of Mississippi to conduct the activities referred to herein in any way pertinent to the interests of the bondholders, including, without limitation, the authority's right to charge and collect rates, fees and charges and to fulfill the terms of any covenants made with the registered owners of any existing bonds, or in any other way impair the rights and remedies of the registered owners of any existing bonds, unless provision for full payment of such bonds, by escrow or otherwise, has been made pursuant to the terms of the bonds or the resolution, trust indenture or security interest securing the bonds.

(2) The authority shall have the power and is hereby authorized, from time to time, to borrow money and to issue revenue bonds and interim notes in such principal amounts as the authority may determine to be necessary to provide sufficient funds for achieving one or more of the purposes of this chapter, including, without limiting the generality of the foregoing, to defray all the costs of the project, the cost of the acquisition, construction, improvement, repair or extension of a system, or any part thereof, whether or not such facilities are owned by the authority, the payment of interest on bonds of the authority issued pursuant to this chapter, establishment of reserves to secure such bonds and payment of the interest thereon, expenses incident to the issuance of such bonds and to the implementation of the authority's system, and all other expenditures of the authority incident to or necessary or convenient to carry out the purposes of this chapter.

(3) Before issuing bonds, other than interim notes or refunding bonds as provided in Section 20 of this act, the board of directors of the authority shall adopt a resolution declaring its intention to issue such bonds and stating the maximum principal amount of bonds proposed to be issued, a general generic description of the proposed improvements and the proposed location thereof and the date, time and place at which the board of directors proposes to take further action with respect to the issuance of such bonds. The resolution shall be published once a week for at least three (3) consecutive weeks in at least one (1) newspaper having a general circulation within the geographical limits of the service area under this chapter.

(4) Bonds of the authority issued pursuant to this chapter shall be payable from and secured by a pledge of all or any part of the revenues derived from the operation of the systems or any part or parts thereof and any other monies legally available and designated therefor, as may be determined by the authority, subject only to any agreement with the purchasers of the bonds. Such bonds may be further secured by a trust indenture between the authority and a corporate trustee, which may be any trust company or bank having powers of a trust company without or within the state.

(5) Bonds of the authority issued pursuant to this chapter shall be authorized by a resolution or resolutions adopted by a majority affirmative vote of the total membership of the board. Such bonds may be issued in series, and each series of such bonds shall bear such date or dates, mature at such time or times, bear interest at such rate or rates (not exceeding the maximum rate set out in Section 75-17-103, Mississippi Code of 1972), be in such denomination or denominations, be in such form, carry such conversion privileges, have such rank or priority, be executed in such manner and by such officers, be payable from such sources in such medium of payment at such place or places within or without the state, provided that one such place shall be within the state, and be subject to such terms of redemption prior to maturity, all as may be provided by resolution or resolutions of the board. The term of such bonds issued pursuant to this chapter shall not exceed forty (40) years.

(6) Bonds of the authority issued pursuant to this chapter may be sold at such price or prices, at public or private sale, in such manner and at such times as may be determined by the authority to be in the public interest, and the authority may pay all expenses, premiums, fees and commissions which it may deem necessary and advantageous in connection with the issuance and sale thereof.

(7) Any pledge of earnings, revenues or other monies made by the authority shall be valid and binding from the time the pledge is made. The earnings, revenues or other monies so pledged and thereafter received by the authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the authority irrespective of whether such parties have notice thereof. Neither the resolution nor any other instrument by which a pledge is created need be recorded.

(8) Neither the members of the board nor any person executing the bonds shall be personally liable on the bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

(9) Proceeds from the sale of bonds of the authority may be invested, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earnings on such investments applied as provided in such resolution or trust indenture.

(10) Whenever any bonds shall have been signed by the officer designated by the resolution of the board to sign the bonds who was in office at the time of such signing but who may have ceased to be such officer prior to the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the manual or facsimile signatures of such officer upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially executing such bonds had remained in office until the delivery of the same to the purchaser or had been in office on the date such bonds may bear.

(11) The authority has the discretion to advance or borrow funds needed to satisfy any short-term cash flow demands or deficiencies or to cover start-up costs until such time as sufficient bonds, assets and revenues have been secured to satisfy the needs of the authority. The State of Mississippi shall provide surety for any advance or borrowing of funds required under this chapter through June 30, 2029.

SECTION 20. (1) The utility authority may, by resolution adopted by its board, issue refunding bonds for the purpose of paying any of its bonds at or prior to maturity or upon acceleration or redemption. Refunding bonds may be issued at such time prior to the maturity or redemption of the refunded bonds as the board deems to be in the public interest, without an election on the question of the issuance thereof. The refunding bonds may be issued in sufficient amounts to pay or provide the principal of the bonds being refunded, together with any redemption premium thereon, any interest accrued or to accrue to the date of payment of such bonds, the expenses of issue of the refunding bonds, the expenses of redeeming the bonds being refunded, and such reserves for debt service or other capital or current expenses from the proceeds of such refunding bonds as may be required by the resolution, trust indenture or other security instruments. The issue of refunding bonds, the maturities and other details thereof, the security therefor, the rights of the holders and the rights, duties and obligations of the authority in respect of the same shall be governed by the provisions of this chapter relating to the issue of bonds other than refunding bonds insofar as the same may be applicable. Any such refunding may be effected, whether the obligations to be refunded shall have then matured or shall thereafter mature, either by the exchange of the refunding bonds for the obligations to be refunded thereby with the consent of the holders of the obligations so to be refunded, or by sale of the refunding bonds and the application of the proceeds thereof to the payment of the obligations proposed to be refunded thereby, and regardless of

whether the obligations proposed to be refunded shall be payable on the same date or different dates or shall be due serially or otherwise.

(2) Borrowing by the authority may be made by the delivery of interim notes to any person or public agency or financial institution by a majority vote of the board of directors.

SECTION 21. All bonds, other than refunding bonds, interim notes and certificates of indebtedness, which may be issued pursuant to this chapter shall be validated as now provided by law in Sections 31-13-1 through 31-13-11, Mississippi Code of 1972; however, notice of such validation proceedings shall be addressed to the citizens of the respective public agencies which have contracted with the authority pursuant to this chapter, and whose contracts and the payments to be made by the public agencies thereunder constitute security for the bonds of the authority proposed to be issued, and such notice shall be published at least once in a newspaper or newspapers having a general circulation within the geographical boundaries of each of the contracting public agencies to whose citizens the notice is addressed. Such validation proceedings shall be instituted in any chancery courts within the boundaries of the authority. The validity of the bonds so validated and of the contracts and payments to be made by the public agencies thereunder constituting security for the bonds shall be forever conclusive against the authority and the public agencies, which are parties to said contracts, and the validity of said bonds and said contracts and the payments to be made thereunder shall never be called in question in any court in this state.

SECTION 22. Bonds issued under the provisions of this chapter shall not be deemed to constitute, within the meaning of any constitutional or statutory limitation, an indebtedness of the utility authority or the state. Such bonds shall be payable solely from the revenues or assets of the authority pledged therefor. Each bond issued under this chapter shall contain on the face thereof a statement to the effect that neither the authority nor the state shall be obligated to pay the same or the interest thereon except from the revenues or assets pledged therefor.

SECTION 23. The utility authority shall have power in connection with the issuance of its bonds pursuant to this chapter to:

(a) Covenant as to the use of any or all of its property, real or personal;

(b) Redeem the bonds, to covenant for their redemption and to provide the terms and conditions thereof;

(c) Covenant to charge rates, fees and charges sufficient to meet operating and maintenance expenses, renewals and replacements, principal and debt service on bonds, creation and maintenance of any reserves required by a bonds resolution, trust indenture or other security instrument and to provide for any margins or coverages over and above debt service on the bonds deemed desirable for the marketability of the bonds;

(d) Covenant and prescribe as to events of default and terms and conditions upon which any or all of its bonds shall become or may be declared due before maturity, as to the terms and conditions upon which such declaration and its consequences may be waived and as to the consequences of default and the remedies of the registered owners of the bonds;

(e) Covenant as to the mortgage or pledge of or the grant of a security interest in any real or personal property and all or any part of the revenues from any designated system or any part thereof or any revenue-producing contract or contracts made by the authority with any person or entity to secure the payment of bonds, subject to such agreements with the registered owners of bonds as may then exist;

(f) Covenant as to the custody, collection, securing, investment and payment of any revenues, assets, monies, funds or property with respect to which the authority may have any rights or interest;

(g) Covenant as to the purposes to which the proceeds from the sale of any bonds then or thereafter to be issued may be applied, and the pledge of such proceeds to secure the payment of the bonds;

(h) Covenant as to the limitations on the issuance of any additional bonds, the terms upon which additional bonds may be issued and secured, and the refunding of outstanding bonds;

(i) Covenant as to the rank or priority of any bonds with respect to any lien or security;

(j) Covenant as to the procedure by which the terms of any contract with or for the benefit of the registered owners of bonds may be amended or abrogated, the amount of bonds the registered owners of which must consent thereto, and the manner in which such consent may be given;

(k) Covenant as to the custody of any of its properties or investments, the safekeeping thereof, the insurance to be carried thereon, and the use and disposition of insurance proceeds;

(l) Covenant as to the vesting in a trustee or trustees, within or outside the state, of such properties, rights, powers and duties in trust as the authority may determine;

(m) Covenant as to the appointing and providing for the duties and obligations of a paying agent or paying agents or other fiduciaries within or outside the state;

(n) Make all other covenants and do any and all such acts and things as may be necessary, convenient or desirable in order to secure its bonds, or in the absolute discretion of the authority tend to make the bonds more marketable, notwithstanding that such covenants, acts or things may not be enumerated herein, it being the intention hereof to give the authority power to do all things in the issuance of bonds and in the provisions for security thereof which are not inconsistent with the Constitution of the state; and

(o) Execute all instruments necessary or convenient in the exercise of the powers herein granted or in the performance of covenants or duties, which may contain such covenants and provisions, as any purchaser of the bonds of the authority may reasonably require.

SECTION 24. The utility authority may, in any authorizing resolution of the board, trust indenture or other security instrument relating to its bonds issued pursuant to this chapter, provide for the appointment of a trustee who shall have such powers as are provided therein to represent the registered owners of any issue of bonds in the enforcement or protection of their rights under any such resolution, trust indenture or security instrument. The authority may also provide in such resolution, trust indenture or other security instrument that the trustee, or in the event that the trustee so appointed shall fail or decline to so protect and enforce such registered owners' rights then such percentage of registered owners as shall be set forth in, and subject to the provisions of, such resolution, trust indenture or other security interest, may petition the court of proper jurisdiction for the appointment of a receiver of the authority's systems, the revenues of which are pledged to the payment of the principal of and interest on the bonds of such registered owners. Such receiver may exercise any power as may be granted in any such resolution, trust indenture or security instrument to enter upon and take possession of, acquire, construct, reconstruct or operate and maintain such system, fix charges for services of the system and enforce collection thereof, and receive all revenues derived

from such system or facilities and perform the public duties and carry out the contracts and obligations of the authority in the same manner as the authority itself might do, all under the direction of such court.

SECTION 25. (1) The exercise of the powers granted by this chapter will be in all respects for the benefit of the people of the state, for their well-being and prosperity and for the improvement of their social and economic conditions, and the utility authority shall not be required to pay any tax or assessment on any property owned by the authority under the provisions of this chapter or upon the income therefrom, nor shall the authority be required to pay any recording fee or transfer tax of any kind on account of instruments recorded by it or on its behalf.

(2) Any bonds issued by the authority under this chapter, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

SECTION 26. All bonds issued under the provisions of this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

SECTION 27. The state hereby covenants with the registered owners of any bonds of the utility authority that so long as the bonds are outstanding and unpaid, the state will not limit or alter the rights and powers of the authority under this chapter to conduct the activities referred to herein in any way pertinent to the interests of the bondholders, including, without limitation, the authority's right to charge and collect rates, fees, assessments and charges and to fulfill the terms of any covenants made with the registered owners of the bonds, or in any other way impair the rights and remedies of the registered owners of the bonds, unless provision for full payment of such bonds, by escrow or otherwise, has been made pursuant to the terms of the bonds or the resolution, trust indenture or security interest securing the bonds.

SECTION 28. For the purposes of satisfying any temporary cash flow demands and deficiencies, and to maintain a working balance for the utility authority, the state, county, municipalities or public agencies within the geographic boundaries of the authority, or other persons, subject to their lawful authority to do so, are authorized to advance, at any time, such funds which in their discretion are necessary, or borrow such funds by issuance of notes, for initial capital contribution, and to cover start-up costs until such times as sufficient bonds, assets and revenues have been secured to satisfy the needs of the authority for its management, operation and formation. To this end, the state, county, municipality, public agency or person, subject to its lawful authority to do so, shall advance such funds, or borrow such funds by issuance of notes, under such terms and conditions as may be provided by resolution of the governing body, or other persons as defined in this chapter, subject to their lawful authority to do so, except that each such resolution shall state:

(a) The need for the proceeds advanced or borrowed;

(b) The amount to be advanced or the amount to be borrowed;

(c) The maximum principal amount of any note issued the interest rate or maximum interest rate to be incurred, and the maturity date of said note;

(d) In addition, the governing body, or other persons as defined in this chapter, subject to their lawful authority to do so, may arrange for lines of credit with any bank, firm or person for the purpose of providing an additional source of repayment for

notes issued pursuant to this section. Amounts drawn on a line of credit may be evidenced by negotiable or nonnegotiable notes or other evidences of indebtedness and contain such terms and conditions as the governing body, or other persons as defined in this chapter, subject to their lawful authority to do so, may authorize in the resolution approving the same;

(e) The governing body of the county, municipalities or other persons as defined in this chapter, subject to their lawful authority to do so, may authorize the repayment of such advances, notes, lines of credit and other debt incurred under this section, along with all costs associated with the same, including, but not limited to, rating agency fees, printing costs, legal fees, bank or trust company fees, line of credit fees and other charges to be reimbursed by the authority under such terms and conditions as are reasonable and are to be provided for by resolution of the governing body, or terms agreed upon with other persons as defined in this chapter, subject to their lawful authority to do so; and

(f) In addition, the governing body of the county, municipality or public agency may lease or donate office space and equipment to the authority under such terms and conditions as are reasonable and are to be provided for by resolution of the governing body, or terms agreed upon by the authority.

SECTION 29. This act, being necessary for the welfare of the state and its inhabitants, shall be liberally construed to effect the purposes thereof. If any section, provision, paragraph, sentence, phrase or word of this act shall be held invalid by any court of competent jurisdiction, the remainder of this act shall not be affected thereby.

SECTION 30. Sections 1 and 3 through 28 of this act shall be codified as a separate chapter in Title 51, Mississippi Code of 1972.

SECTION 31. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO ENACT THE MISSISSIPPI CAPITOL REGION UTILITY ACT; TO ESTABLISH THE MISSISSIPPI CAPITOL REGION UTILITY AUTHORITY; TO PROVIDE FOR THE APPOINTMENT OF A PRESIDENT AND A BOARD OF DIRECTORS FOR SUCH AUTHORITY; TO CLARIFY THE POWERS AND DUTIES OF SUCH BOARD; TO ENSURE ACCESS TO SAFE, CLEAN AND RELIABLE WATER AND WASTEWATER SYSTEMS FOR THE CITIZENS OF CENTRAL MISSISSIPPI; AND FOR RELATED PURPOSES.

POINT OF ORDER

A point of order was raised by Senator Horhn that the new language is not germane to the bill.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order well-taken, it is not germane.

Senator Parker moved that **H. B. No. 298** be recommitted to Accountability, Efficiency, Transparency, and the motion prevailed.

Senator Michel called up the following entitled bill:

H. B. No. 1410: Insurance reimbursement rates; revise certain provisions.

YEAS AND NAYS On H. B. No. 1410. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Michel called up the following entitled bill:

H. B. No. 1489: Ambulance services; provide for payment for treatment in place and provide for minimum reimbursement rate in health insurance policies.

COMMITTEE AMENDMENT NO. 1 was replaced by SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Senator McLendon offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) This section shall be known and may be cited as the "Mississippi Triage, Treat and Transport to Alternative Destination Act."

(2) Definitions. As used in this section, the following terms shall be defined as provided in this subsection:

(a) "911 call" means a communication made on behalf of an enrollee indicating that the enrollee may need emergency medical services;

(b) (i) "Alternative destination" means a lower-acuity facility that provides medical services, including, without

limitation:

1. A federally qualified health center;

2. An urgent care center;

3. A physician's office or medical clinic, as chosen by the patient; and

4. A behavioral or mental health care facility, including, without limitation, a crisis stabilization unit and a diversion center.

(ii) "Alternative destination" does not include a:

1. Critical access hospital;

2. Dialysis center;

3. Hospital;

4. Private residence; or

5. Skilled nursing facility.

(c) "Ambulance service provider" means a person or entity that provides ambulance transportation and emergency medical services to a patient for which a permit is required under Section 41-59-9;

(d) "Enrollee" means an individual who is covered by any health benefit plan; and

(e) "Health benefit plan" means any such policy as defined by Section 83-63-3.

(3) Coverage for ambulance service to assess, triage and transport an enrollee to an alterative destination or treat in place. On and after July 1, 2024, any health benefit plan shall provide coverage for:

(a) An ambulance service to:

(i) Treat or assess an enrollee in place; or

(ii) Triage or triage and transport an enrollee to an alterative destination; or

(b) An encounter between an ambulance service and enrollee that results without transport of the enrollee.

(4) The coverage required under this section:

(a) Is subject to the initiation of ambulance service treatment as a result of a 911 call that is documented

in the records of the ambulance service;

(b) Is subject to deductibles or co-payment requirements of the health benefit plan;

(c) Does not diminish or limit benefits otherwise allowable under a health benefit plan, even if the billing claims for medical or behavioral health services overlap in time that is billed by the ambulance service provider that is also providing care; and

(d) Is subject to any provisions of the health benefit plan that apply to other services covered by the health benefit plan.

(5) The reimbursement rate for an ambulance service provider whose operators assess, triage, treat or transport an enrollee to an alternative destination shall be not less

than the minimum allowable reimbursement for advanced life support rate with mileage to the scene.

SECTION 2. (1) (a) The minimum allowable reimbursement rate under any policy of accident and sickness insurance as defined by Section 83-9-1 to an out-of-network ambulance service provider for all covered services shall be the rates contracted between an ambulance service provider and a county, municipality or special purpose district or authority, or otherwise approved or established by ordinance or regulation enacted by any such county, municipality or special purpose district or authority in which the covered healthcare services originated.

(b) In the absence of rates provided in subsection (a), the minimum allowable reimbursement rate to an out-of-network ambulance service provider shall be the greater of:

(i) Three hundred twenty-five percent (325%) of the reimbursement allowed by Medicare for the respective services originating in the respective geographic area; or

(ii) The ambulance service provider's billed charges.

(2) A payment made under this section shall be considered payment in full for the covered services provided, except for any copayment, coinsurance, deductible and other cost-sharing feature amounts required to be paid by the enrollee.

(3) For purposes of this section, the term "ambulance service provider" means a person or entity that provides ambulance transportation and emergency medical services to a patient for which a permit is required under Section 41-59-9.

(4) This section shall stand repealed on June 30, 2028.

SECTION 3. Sections 1 and 2 of this act shall be codified as new sections in Title 83, Chapter 9, Mississippi Code of 1972.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO BE KNOWN AS THE MISSISSIPPI TRIAGE, TREAT AND TRANSPORT TO ALTERNATIVE DESTINATION ACT; TO PROVIDE THAT HEALTH BENEFIT PLANS SHALL PROVIDE COVERAGE FOR AN AMBULANCE SERVICE TO TREAT OR ASSESS AN ENROLLEE IN PLACE, OR TRIAGE OR TRIAGE AND TRANSPORT AN ENROLLEE TO AN ALTERATIVE DESTINATION, OR AN ENCOUNTER BETWEEN AN AMBULANCE SERVICE AND ENROLLEE THAT RESULTS WITHOUT TRANSPORT OF THE ENROLLEE UNDER THE PLAN; TO PROVIDE THAT THE COVERAGE REQUIRED UNDER THIS SECTION IS SUBJECT TO THE INITIATION OF AMBULANCE SERVICE TREATMENT AS A RESULT OF A 911 CALL THAT IS DOCUMENTED IN THE RECORDS OF THE AMBULANCE SERVICE AND SUBJECT TO DEDUCTIBLES OR CO-PAYMENT REQUIREMENTS OF THE PLAN, AND DOES NOT DIMINISH OR LIMIT BENEFITS OTHERWISE ALLOWABLE UNDER THE PLAN; TO PROVIDE THAT THE REIMBURSEMENT RATE FOR AN AMBULANCE SERVICE PROVIDER WHOSE OPERATORS ASSESS, TRIAGE, TREAT OR TRANSPORT AN ENROLLEE TO AN ALTERNATIVE DESTINATION SHALL BE NOT LESS THAN THE MINIMUM ALLOWABLE REIMBURSEMENT FOR ADVANCED LIFE SUPPORT RATE WITH MILEAGE TO THE SCENE; TO PROVIDE THAT THE MINIMUM ALLOWABLE REIMBURSEMENT RATE UNDER ANY POLICY OF ACCIDENT AND SICKNESS INSURANCE TO AN OUT-OF-NETWORK AMBULANCE SERVICE

PROVIDER SHALL BE RATES CONTRACTED BETWEEN AN AMBULANCE SERVICE PROVIDER AND A COUNTY, MUNICIPALITY OR SPECIAL PURPOSE DISTRICT OR AUTHORITY, OR OTHERWISE APPROVED OR ESTABLISHED BY ORDINANCE OR REGULATION ENACTED BY ANY SUCH COUNTY, MUNICIPALITY OR SPECIAL PURPOSE DISTRICT OR AUTHORITY; TO PROVIDE THAT IN THE ABSENCE OF SUCH RATES, THE MINIMUM ALLOWABLE REIMBURSEMENT RATE SHALL BE THE GREATER OF THREE HUNDRED TWENTY-FIVE PERCENT OF THE REIMBURSEMENT ALLOWED BY MEDICARE FOR SERVICES ORIGINATING IN RURAL AREAS OR THE AMBULANCE SERVICE PROVIDER'S BILLED CHARGES; TO PROVIDE A DATE OF REPEAL ON SUCH PROVISIONS; AND FOR RELATED PURPOSES.

Senator McCaughn offered the following AMENDMENT NO. 1 TO SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

AMEND on line 121 before the period by inserting the following language:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to substitute for Committee Amendment No. 1 to H. B. No. 1489 failed.

Substitute for Committee Amendment No. 1 to H. B. No. 1489 was adopted.

YEAS AND NAYS On H. B. No. 1489. On motion of Senator McLendon, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--McCaughn. Total--1.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2903: MS Deferred Comp; allow Roth and other after-tax accounts, and comply with qualified domestic relations orders.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 11:58 AM, the Senate stood in recess.

_____

The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

_____

Senator Fillingane called up the following entitled bill:

H. B. No. 634: Sidearm of retired or deceased law enforcement officer; provide that the employing agency shall determine the amount.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-9-131, Mississippi Code of 1972, is amended as follows:

45-9-131. (1) Upon approval of the governing authority of the municipality or county, a member of any municipal or county law enforcement agency who retires under any state retirement system or leaves such employment after being employed for ten (10) continuous years of service may be allowed to purchase, as his or her personal property, one (1) sidearm which was issued to the law enforcement officer by the law enforcement agency from which he or she retired or by whom he or she was employed at the time of death. The governing authority of the municipality or county that employed the member of the law enforcement agency shall determine an agreed upon price to be paid for the sidearm.

(2) Upon approval of the director of a state agency, board or commission, a law enforcement officer employed by a state agency, board or commission who retires under any state retirement system may be allowed to purchase, as his or her personal property, one (1) sidearm which was issued to the law enforcement officer by a state agency, board or commission. The state agency, board or commission that employed the law enforcement officer shall determine an agreed upon price to be paid for the sidearm.

(3) Subject to the satisfactory completion of any required background checks, the next of kin of a law enforcement officer who is killed in the line of duty is authorized to purchase the sidearm that was issued to the officer. The amount to be paid for any * * * sidearm purchased under the authority of this subsection shall be an agreed upon price as determined by the appropriate governmental authority who employed the officer.

* * *

SECTION 2. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 45-9-131, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE GOVERNMENTAL AGENCY OF CERTAIN LAW ENFORCEMENT OFFICERS TO DETERMINE THE AMOUNT TO BE PAID FOR A SIDEARM OF RETIRED LAW ENFORCEMENT OFFICERS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 634 was adopted.

YEAS AND NAYS On H. B. No. 634. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk called up the following entitled bill:

H. B. No. 1092: Automobile airbags and supplemental restraint systems; establish standards for installation of.

Senator Suber offered the following COMMITTEE AMENDMENT NO. 1.

AMEND after line 83 by inserting the following language:

(4) For purposes of this section, in the event that a franchised motor vehicle dealer, as defined in Section 63-17-55, or its owners, did not know and should not have reasonably known, that a counterfeit automobile supplemental restraint system component, nonfunctional airbag or other component device has been imported, manufactured, sold, offered for sale, installed or reinstalled in lieu of a supplemental restraint system component at the franchised motor vehicle dealer's place of business or elsewhere, knowledge by any other person shall not be imputed to the franchised motor vehicle dealer or its owners, and the franchised motor vehicle dealer or its owners shall not have any criminal liability under this section.

Committee Amendment No. 1 to H. B. No. 1092 was adopted.

Senator Suber offered the following AMENDMENT NO. 2.

AMEND on line 76 by inserting after the word "knowingly" the following language:

manufactures, imports, distributes, offers for sale, sells or leases or otherwise transfers, or

Amendment No. 2 to H. B. No. 1092 was adopted.

YEAS AND NAYS On H. B. No. 1092. On motion of Senator Suber, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner,

McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk called up the following entitled bill:

H. B. No. 1105: Limited Liability Company; remove prohibition on using the words "partnership" and "limited parternship" when providing a name for.

YEAS AND NAYS On H. B. No. 1105. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk called up the following entitled bill:

H. B. No. 1344: Nonprofit Corporations; require annual report to be filed with Secretary of State.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) Each nonprofit corporation, as defined in Section 79-11-127(z), shall file an annual report with the Secretary of State Business Services Division before May 15 of each year on a form prescribed by the Secretary of State.

(2) Each domestic nonprofit corporation and each foreign nonprofit corporation authorized to transact business in this state shall deliver an annual report to the Secretary of State for filing, on such date as may be established by the Secretary of State, which provides the following information:

(a) The name of the nonprofit corporation and the state or country or other foreign jurisdiction under whose law it is organized;

(b) The name, email address and street or physical address of its registered agent in this state;

(c) The address of its principal office;

(d) The name, titles and business address of its principal officer;

(e) A brief description of the nature of its business; and

(f) Whether it has received public funds and a listing of any governmental entity that distributed the public funds. The term "public funds" means funds received by the organization during its most recently completed fiscal year which were received from the State of Mississippi or any local governmental authority located within the State of Mississippi.

(2) Information in the annual report must be current as of the date the annual report is executed on behalf of the nonprofit corporation.

(3) If an annual report does not contain the information required by this section, the Secretary of State shall provide written notice promptly to the reporting nonprofit corporation and return the report for correction. If the report is corrected to contain the information required by this section and delivered to the Secretary of State within thirty (30) days after the effective date of notice, the report is deemed to be timely filed.

(4) If the nonprofit corporation fails to file timely or fails to disclose the information required under this section, the corporation may be subject to the penalties of dissolution or disallowance of nonprofit status, or both.

(5) The requirements of this section shall not apply to water associations as defined in Section 79-11-394.

SECTION 2. Section 79-11-107, Mississippi Code of 1972, is amended as follows:

79-11-107. (1) The Secretary of State may prescribe and furnish, on request, forms for: (a) an application for a certificate of existence; (b) a foreign corporation's application for a certificate of authority to transact business in this state; (c) a foreign corporation's application for a certificate of withdrawal; and (d) the * * * annual report. If the Secretary of State so requires, use of these forms is mandatory.

(2) The Secretary of State may prescribe and furnish on request forms for other documents required or permitted to be filed by Section 79-11-101 et seq., but their use is not mandatory.

SECTION 3. Section 79-11-109, Mississippi Code of 1972, is amended as follows:

79-11-109. (1) Except as otherwise provided in subsection (4) of this section, the Secretary of State shall collect the following fees when the documents described in this subsection are delivered for filing:

Document	Fee
(a) Articles of incorporation	$50.00
(b) [Reserved]	
(c) Application for reserved name	25.00
(d) Notice of transfer or cancellation of reserved name	25.00
(e) [Reserved]	
(f) [Reserved]	
(g) [Reserved]	
(h) [Reserved]	

(i) [Reserved]

(j) Amendment of articles of incorporation 50.00

(k) Restatement of articles of incorporation with amendments 50.00

(l) Articles of merger 50.00

(m) Articles of dissolution 25.00

(n) Articles of revocation of dissolution 25.00

(o) Certificate of administrative dissolution No Fee

(p) Application for reinstatement following administrative dissolution 50.00

(q) Certificate of reinstatement No Fee

(r) Certificate of judicial dissolution No Fee

(s) Application for certificate of authority 100.00

(t) Application for amended certificate of authority 50.00

(u) Application for certificate of withdrawal 25.00

(v) Certificate of revocation of authority to transact business No Fee

(w) * * * Annual report * * * No Fee

(x) Articles of correction 50.00

(y) Application for certificate of existence or authorization 25.00

(z) Any other document required or permitted to be filed by Section 79-11-101 et seq. 25.00

(2) Except as otherwise provided in subsection (4) of this section, the Secretary of State shall collect a fee of Twenty-five Dollars ($25.00) upon being served with process under Section 79-11-101 et seq. The party to a proceeding causing service of process is entitled to recover the fee paid the Secretary of State as costs if the party prevails in the proceeding.

(3) Except as otherwise provided in subsection (4) of this section, the Secretary of State shall collect the following fees for copying and certifying the copy of any filed document relating to a domestic or foreign corporation:

(a) One Dollar ($1.00) a page for copying; and

(b) Ten Dollars ($10.00) for the certificate.

(4) The Secretary of State may collect a filing fee greater than the fee set forth in subsections (1), (2) and (3) in an amount not to exceed twice the fee set forth in subsections (1), (2) and (3) of processing the filing, if the form prescribed by the Secretary of State for such filing has not been used.

SECTION 4. Section 79-11-121, Mississippi Code of 1972, is amended as follows:

79-11-121. (1) Any person may apply to the Secretary of State to furnish a certificate of existence for a domestic or foreign corporation.

(2) The certificate of existence sets forth:

(a) The domestic corporation's corporate name or the foreign corporation's corporate name used in this state;

(b) That (i) the domestic corporation is duly incorporated under the law of this state, the date of its incorporation and the period of its duration if less than perpetual; or (ii) that the foreign corporation is authorized to transact business in this state;

(c) That all fees, taxes, and penalties owed to this state have been paid, if (i) payment is reflected in the records of the Secretary of State and (ii) nonpayment affects the good standing of the domestic or foreign corporation;

(d) That its most recent * * * annual report * * * has been delivered to the Secretary of State;

(e) That articles of dissolution have not been filed; and

(f) Other facts of record in the Office of the Secretary of State that may be requested by the application.

(3) Subject to any qualification stated in the certificate, a certificate of existence issued by the Secretary of State may be relied upon as conclusive evidence that the domestic or foreign corporation is in existence or is authorized to conduct activities in this state.

SECTION 5. Section 79-11-129, Mississippi Code of 1972, is amended as follows:

79-11-129. (1) Notice under this chapter must be in the form of a record unless oral notice is authorized by this chapter or is reasonable under the circumstances.

(2) Notice may be communicated in person or by delivery. If these forms of communication are impracticable, notice may be communicated by a newspaper of general circulation in the area where published; or by radio, television or other form of public broadcast communication.

(3) Oral notice is effective when communicated if communicated in a comprehensible manner.

(4) Written notice by a domestic or foreign corporation to a member, if in a comprehensible form, is effective:

(a) Upon deposit in the United States mail, if the postage or delivery charge is paid and the notice is correctly addressed to the member's address shown in the corporation's current record of members, or

(b) When given if the notice is delivered in any other manner that the member has authorized.

(5) Except as provided in subsection (4) of this section, written notice, if in a comprehensible form, is effective at the earliest of the following:

(a) When received;

(b) Five (5) days after its deposit in the United States mail, if mailed postpaid and correctly addressed;

(c) On the date shown on the return receipt, if sent by registered or certified mail, return receipt requested, and the receipt is signed by or on behalf of the addressee.

(6) Written notice is correctly addressed to a member of a domestic or foreign corporation if addressed to the member's address shown in the corporation's current list of members.

(7) A written notice or report delivered as part of a newsletter, magazine or other publication regularly sent to members shall constitute a written notice or report if addressed or delivered to the member's address shown in the corporation's current list of members, or in the case of members who are residents of the same household and who have the same address in the corporation's current list of members, if addressed or delivered to one (1) of such members, at the address appearing on the current list of members.

(8) Written notice is correctly addressed to a domestic or foreign corporation (authorized to transact business in this state), other than in its capacity as a member, if addressed to its registered agent or to its secretary at its principal office shown in its most recent * * * annual report or, in the case of a foreign corporation that has not yet delivered * * * an annual report, in its application for a certificate of authority.

(9) If Section 79-11-205 or any other provision of Section 79-11-101 et seq. prescribes notice requirements for particular circumstances, those requirements govern. If articles or bylaws prescribe notice requirements, not inconsistent with this section or other provisions of Section 79-11-101 et seq., those requirements govern.

(10) With respect to electronic communications:

(a) Unless otherwise provided in the articles of incorporation or bylaws, or otherwise agreed between the sender and the recipient, an electronic communication is received when:

(i) It enters an information processing system that the recipient has designated or uses for the purpose of receiving electronic records or information of the type sent and from which the recipient is able to retrieve the electronic record; and

(ii) It is in a form capable of being processed by that system.

(b) An electronic communication is received under subsection (10)(a) even if no individual is aware of its receipt.

(c) Receipt of an electronic acknowledgement from an information processing system described in subsection (10)(a) establishes that a record was received but, by itself, does not establish that the content sent corresponds to the content received.

(11) An authorization by a member of delivery of notices or communications by e-mail or similar electronic means may be revoked by the member by notice to the nonprofit corporation in the form of a record. Such an authorization is deemed revoked if (a) the corporation is unable to deliver two (2) consecutive notices or other communications to the member in the manner authorized; and (b) the inability becomes known to the secretary or other person responsible for giving the notice or other communication; but the failure to treat the inability as a revocation does not invalidate any meeting or other action.

SECTION 6. Section 79-11-283, Mississippi Code of 1972, is amended as follows:

79-11-283. (1) A corporation shall keep as permanent records minutes of all meetings of its members and board of directors, a record of all actions taken by the members or directors without a meeting, and a record of all actions taken by committees of the board of directors as authorized by Section 79-11-265.

(2) A corporation shall maintain appropriate accounting records.

(3) A corporation or its agent shall maintain a record of its members in a form that permits preparation of a list of the names and addresses of all members, in alphabetical order by class showing the number of votes each member is entitled to vote.

(4) A corporation shall maintain its records in written form or in any other form of a record.

(5) A corporation shall keep a copy of the following records at its principal office:

(a) Its articles or restated articles of incorporation and all amendments to them currently in effect;

(b) Its bylaws or restated bylaws and all amendments to them currently in effect;

(c) Resolutions adopted by its board of directors relating to the characteristics, qualifications, rights, limitations and obligations of members or any class or category of members;

(d) The minutes of all meetings of members and records of all actions approved by the members for the past three (3) years;

(e) All written communications to members generally within the past three (3) years;

(f) A list of the names and business or home addresses of its current directors and officers; and

(g) Its most recent * * * annual report delivered to the Secretary of State * * *.

SECTION 7. Section 79-11-347, Mississippi Code of 1972, is amended as follows:

79-11-347. The Secretary of State may commence a proceeding under Section 79-11-349 to administratively dissolve a corporation if:

(a) The corporation does not pay within sixty (60) days after they are due any taxes or penalties imposed by Section 79-11-101 et seq. or other law;

(b) The corporation does not deliver * * * the required annual report to the Secretary of State within sixty (60) days after it is due;

(c) The corporation is without a registered agent in this state for sixty (60) days or more;

(d) The corporation does not notify the Secretary of State within one hundred twenty (120) days that its registered agent has been changed or that its registered agent has resigned;

(e) The corporation's period of duration, if any, stated in its articles of incorporation expires;

(f) The corporation fails to report within the time period specified in Section 79-11-405 the suspension or revocation of its tax-exempt status under Section 501(c)(3) of the Internal Revenue Code; or

(g) An incorporator, director, officer or agent of the corporation signed a document he knew was false in any material respect with intent that the document be delivered to the Secretary of State for filing.

SECTION 8. Section 79-11-385, Mississippi Code of 1972, is amended as follows:

79-11-385. (1) The Secretary of State may commence a proceeding under Section 79-11-387 to revoke the certificate of authority of a foreign corporation authorized to transact business in this state if:

(a) The foreign corporation does not deliver the * * * annual report to the Secretary of State within sixty (60) days after it is due;

(b) The foreign corporation does not pay within sixty (60) days after they are due any franchise taxes or penalties imposed by Section 79-11-101 et seq. or other law;

(c) The foreign corporation is without a registered agent in this state for sixty (60) days or more;

(d) The foreign corporation does not inform the Secretary of State by an appropriate filing that its registered agent has changed or that its registered agent has resigned within ninety (90) days of the change or resignation;

(e) An incorporator, director, officer or agent of the foreign corporation signed a document such person knew was false in any material respect with intent that the document be delivered to the Secretary of State for filing; or

(f) The Secretary of State receives a duly authenticated certificate from the Secretary of State or other official having custody of corporate records in the state or country under whose law the foreign corporation is incorporated stating that it has been dissolved or has disappeared as the result of a merger.

(2) The Attorney General may commence a proceeding under Section 79-11-387 to revoke the certificate of authority of a foreign corporation authorized to transact business in this state if the foreign corporation has continued to exceed or abuse the authority conferred upon it by law.

SECTION 9. Section 79-11-387, Mississippi Code of 1972, is amended as follows:

79-11-387. (1) The Secretary of State upon determining that one or more grounds exist under Section 79-11-385 for revocation of a certificate of authority shall serve the foreign corporation with written notice of that determination under Section 79-11-381.

(2) The Attorney General upon determining that grounds exist under Section 79-11-385(2) for revocation of a certificate of authority shall request the Secretary of State to serve, and the Secretary of State shall serve the foreign corporation with written notice of that determination under Section 79-11-381.

(3) If the foreign corporation does not correct each ground for revocation or demonstrate to the reasonable satisfaction of the Secretary of State or Attorney General that each ground for revocation determined by the Secretary of State or Attorney General does not exist within sixty (60) days after service of the notice is perfected under Section 79-11-381, the Secretary of State may revoke the foreign corporation's certificate of authority by signing a certificate of revocation that recites the ground or grounds for revocation and its effective date. The Secretary of State shall file the original of the certificate and serve a copy on the foreign corporation under Section 79-11-381.

(4) The authority of a foreign corporation to transact business in this state ceases on the date shown on the certificate revoking its certificate of authority.

(5) The Secretary of State's revocation of a foreign corporation's certificate of authority appoints the Secretary of State, the foreign corporation's agent for service of process in any proceeding based on a cause of action which arose during the time the foreign corporation was authorized to transact business in this state. Service of process on the Secretary of State under this subsection is service on the foreign corporation. Upon receipt of process, the Secretary of State shall mail a copy of the process to the secretary of the foreign corporation at its principal office shown in its most recent * * * annual report or in any subsequent communications received from the corporation stating the current mailing address of its principal office, or, if none is on file, in its application for a certificate of authority.

(6) Revocation of a foreign corporation's certificate of authority does not terminate the authority of the registered agent of the corporation.

SECTION 10. Section 79-11-391, Mississippi Code of 1972, is brought forward as follows:

79-11-391. (1) Each domestic corporation, and each foreign corporation authorized to transact business in this state, shall upon request deliver to the Secretary of State a status report on a form prescribed and furnished by the Secretary of State that sets forth:

(a) The name of the corporation and the jurisdiction under whose law it is incorporated;

(b) The information required by Section 79-35-5(a);

(c) The address of its principal office;

(d) The names and business or residence addresses of its directors and principal officers;

(e) A brief description of the nature of its activities; and

(f) Whether or not it has members.

(2) Upon receiving the request for a status report, a domestic or foreign corporation shall have ninety (90) days to deliver the report to the Secretary of State.

(3) The information in the status report must be current on the date the status report is executed on behalf of the corporation.

(4) The Secretary of State may request a status report from time to time, but not more frequently than once every five (5) years, beginning five (5) years from the date upon which a domestic corporation was incorporated or a foreign corporation was authorized to transact business.

(5) If a status report does not contain the information required by this section, the Secretary of State shall promptly notify the reporting domestic or foreign corporation in writing and return the report to it for correction. If the report is corrected to contain the information required by this section and delivered to the Secretary of State within thirty (30) days after the effective date of notice, it is deemed to be timely filed.

SECTION 11. Section 1 of this act shall be codified as a new section in Title 79, Chapter 11, Mississippi Code of 1972.

SECTION 12. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO REQUIRE DOMESTIC AND FOREIGN NONPROFIT CORPORATIONS TO FILE AN ANNUAL REPORT WITH THE SECRETARY OF STATE PROVIDING CERTAIN SPECIFIED INFORMATION, INCLUDING WHETHER THE CORPORATION HAS RECEIVED PUBLIC FUNDS FROM A GOVERNMENTAL ENTITY; TO AMEND SECTIONS 79-11-107 THROUGH 79-11-387, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTION 79-11-391, WHICH REQUIRES NONPROFIT CORPORATIONS TO FILE A STATUS REPORT UPON REQUEST OF THE SECRETARY OF STATE, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1344 was adopted.

YEAS AND NAYS On H. B. No. 1344. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horhn, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--Barnett, Brumfield, Bryan, Butler, Frazier, Jackson, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--11.

Absent and those not voting----None.

Voting Present--Hickman. Total--1.

Senator Polk called up the following entitled bill:

H. B. No. 1408: Residential roofing contractors; revise requirements under Insurance Benefits Roofing Repair Consumer Protection Act.

Senator Branning offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 75-24-305, Mississippi Code of 1972, is amended as follows:

75-24-305. As used in Sections 75-24-301 through 75-24-311:

(a) "Emergency services" means services performed with the express permission of the insured and that are immediately necessary for:

(i) The preservation of the residential real estate; or

(ii) The health of the insured, owner or possessor.

"Emergency services" does not include inspection of the residential roof system or an estimation of the repair costs.

(b) "Insured" means an insured whose name appears on the face of the property and casualty insurance policy that provides coverage for the residential roof system to be repaired.

(c) "Residential roofing contractor" means a person or entity contracting or offering to contract with an insured, owner or possessor of a residential roof system to repair or replace a roof system on residential real estate, or any portion thereof, where all or part of the cost is expected to be paid as a benefit of a property and casualty insurance policy.

(d) "Residential" means a new or existing dwelling constructed for habitation by one (1) to four (4) families, including a detached garage.

(e) "Insurance benefits residential roof system repair contract" means a written contract with an insured to repair a roof system, or any part thereof, on residential real estate, or provide goods and services in connection with such repair, that is to be paid in whole, or in part, under a property and casualty insurance policy.

(f) "Roof system" means roof coverings, roof sheathing, roof weatherproofing, roof framing, roof ventilation system, and insulation.

SECTION 2. Section 75-24-307, Mississippi Code of 1972, is amended as follows:

75-24-307. (1) Before signing an insurance benefits residential roof system repair contract with an insured, a residential roofing contractor shall furnish to the insured:

(a) The following statement in at least * * * 12-point boldface type that is attached to the contract:

"You may cancel this insurance benefits residential roof system repair contract at any time within * * * five (5) business days after you have received written notice from your insurance company that all or any part of your claim, or all or part of the services and goods to be provided by this contract, is not a covered loss under your insurance policy. A notice of cancellation form is provided to you with this contract. To cancel this contract under these circumstances, sign and date, and then mail or deliver the attached Notice of Cancellation, or another similar written notice of cancellation, to the contractor within * * *

five (5) business days after you have received such written notice from your insurance company. If you cancel, any payments made under this residential roofing system repair contract, except for emergency services and repairs subsequently approved for payment by the insurance company and already performed by the contractor, will be returned to you within ten (10) business days following receipt by the contractor of your cancellation notice."; and

(b) Duplicate copies of a completed form captioned "NOTICE OF CANCELLATION" that is attached to the contract, is easily detachable, and contains the following in at least * * * 12-point boldface type:

"NOTICE OF CANCELLATION

(Name and address of contractor - to be entered by contractor)

(Date of contract - to be entered by contractor)

(Address of residential real estate to be repaired - to be entered by contractor)

I have been notified by my insurance company that all or any part of my claim, or the services and goods to be provided in the residential roofing system repair contract, is not a covered loss under the insurance policy.

I HEREBY CANCEL THIS TRANSACTION

Please return my prior payments within ten (10) days.

_____ _____

INSURED'S SIGNATURE DATE"

(2) (a) In circumstances in which payment may be made from the proceeds of a property and casualty insurance policy, a residential roofing contractor shall not require any payment from an insured until the five-day cancellation period has expired.

(b) For repairs made by a residential roofing contractor that are separate or additional to those repairs covered under the policy of insurance, the residential roofing contractor shall include a statement identifying those aspects of the repair or replacement which are separate from or additional to the repair or replacement of the damage to the roof system caused by a covered peril and explaining that payment of those excess or additional items are the insured's responsibility. This subsection does not limit an insured from communicating with the insurer about the estimated replacement cost of the repairs or replacement of the damaged roof system.

(3) A residential roofing contractor shall not represent or negotiate, or offer or advertise to represent or negotiate, on behalf of an owner or possessor of residential real estate on any insurance claim in connection with the repair or replacement of a roof system. This subsection does not prohibit an insured from including the residential roofing contractor in the insured's communications with the insurer about the damages to the roof system or the estimated replacement cost of the repairs or replacement of the damaged roof system. This subsection does not apply to a public adjuster licensed under Sections 83-17-501 through 83-17-527.

(4) (a) A residential roofing contractor shall not contract for, agree to, or receive anything of value from an attorney or other person acting in concert with an attorney for referring claims to the attorney or in connection with any claim for which the residential roofing contractor has performed or intends to perform services. A residential roofing contractor may not create a business relationship between an insured and an attorney or obligate an insured to hire a specified attorney.

(b) A residential roofing contractor shall not advertise or otherwise promise or offer to pay, or pay, or rebate all or any portion of an insured's insurance deductible as an inducement to enter into the residential roofing contract.

(5) A post-loss assignment by a named insured of rights or benefits to a residential roofing contractor under a property and casualty insurance policy insuring residential real estate shall authorize a residential roofing contractor only to be named as a co-payee for the payment of benefits under a property and casualty insurance policy covering residential real estate. The assignment shall include all of the following:

(a) An itemized description of the work to be performed;

(b) An itemized description of the materials, labor and fees for the work to be performed;

(c) A total itemized amount to be paid for the work to be performed;

(d) A statement that the residential roofing contractor has made no assurances that the claimed loss will be covered fully by an insurance contract; and

(e) The following notice in capitalized fourteen-point type:

"You are agreeing to give up certain rights you have under your insurance policy. Please read and understand this document before signing. The itemized description of the work to be done shown in this assignment form has not been agreed to by the insurer. The insurer has the right to pay only for the cost to repair or replace damaged property caused by a covered peril."

(6) A copy of the executed assignment shall be provided to the insurer of the residential real estate no later than five (5) business days after the execution date of the assignment.

(7) The assignment shall not impair the interest of a mortgagee listed on the declarations page of the property and casualty insurance policy that is the subject of the assignment.

(8) An assignment shall not prevent or inhibit an insurer from communication with the named insured or mortgagee listed on the declarations page of the property and casualty insurance policy that is the subject of the assignment.

(9) A residential roofing contractor shall comply with all

applicable building codes when replacing, repairing, constructing or reconstructing a roof system.

(10) Pursuant to the terms of the insured's contract, nothing in this section shall be construed to prohibit a residential roofing contractor from:

(a) Providing an insured an estimate for repair, replacement, construction or reconstruction of the insured's property and any such estimate may be submitted to the insured's insurance company;

(b) Conferring with an insurance company's representative about damage to an insured's property; or

(c) Discussing repair or replacement options with an insurance company's representative or the insured about options for the repair or replacement of the damage.

SECTION 3. Section 75-24-311, Mississippi Code of 1972, is amended as follows:

75-24-311. (1) Any residential roofing contractor in violation of Sections 75-24-301 through 75-24-311 shall be subject to the civil and criminal penalties and remedies under Sections 75-24-19, 75-24-20 and 75-24-23, and may be liable under a private right of action of the consumer.

(2) A violation of Sections 75-24-301 through 75-24-311 by a residential roofing contractor is an unfair and deceptive act or practice as defined by the Mississippi Consumer Protection Law, Section 75-24-1 et seq.

(3) Sections 75-24-301 through 75-24-311 do not prohibit an insured that is harmed by a deceptive trade practice from commencing a civil action against a residential roofing contractor.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 75-24-305, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "ROOF SYSTEM" UNDER THE INSURANCE BENEFITS ROOFING REPAIR CONSUMER PROTECTION ACT; TO AMEND SECTION 75-24-307, MISSISSIPPI CODE OF 1972, TO INCREASE THE REQUIRED CANCELLATION PERIOD IN ROOF SYSTEM REPAIR CONTRACTS FROM THREE TO FIVE DAYS AND TO PROHIBIT A RESIDENTIAL ROOFING CONTRACTOR FROM REQUIRING PAYMENT UNTIL THE EXPIRATION OF THE CANCELLATION PERIOD; TO PROHIBIT A RESIDENTIAL ROOFING CONTRACTOR FROM REPRESENTING A PROPERTY OWNER ON INSURANCE CLAIMS AND FROM RECEIVING PAYMENT FROM AN ATTORNEY FOR CLAIM REFERRALS; TO PRESCRIBE CERTAIN REQUIREMENTS FOR A POST-LOSS ASSIGNMENT BY AN INSURED TO A RESIDENTIAL ROOFING CONTRACTOR; TO AMEND SECTION 75-24-311, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

President Hosemann yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

Committee Amendment No. 1 to H. B. No. 1408 was adopted.

YEAS AND NAYS On H. B. No. 1408. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Jordan, Kirby, Ladner, McMahan, Michel, Norwood, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Younger. Total--42.

Nays--Chism, England, Hill, Johnson, McCaughn, McLendon, Parker, Seymour, Suber, Williams. Total--10.

Absent and those not voting----None.

Senator Brumfield entered a motion to reconsider the vote whereby **H. B. No. 1344** passed the Senate as amended.

H. B. No. 1344: Nonprofit Corporations; require annual report to be filed with Secretary of State.

Senator Fillingane called up the following entitled bill:

H. B. No. 295: Arrest warrants; authorize electronic applications, signatures and records for.

Senator Sparks offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) An application for any felony warrant or signature utilized by the judicial branch of state government shall not be denied legal effect or enforceability solely because it is in electronic form. Any such application, signature or record in electronic form shall have the full effect of law.

(2) If a provision of law requires the application for any felony warrant to be in writing, an electronic version of the written record shall satisfy such provision of law.

(3) If a provision of law requires a signature, an electronic signature satisfies such provision of law.

(4) Any application used to attach a digital signature to any felony warrant or affidavit must have security procedures in place that ensure the authenticity of the digital signature. The application must also be able to keep an electronic record of the warrant or affidavit, including the time and date of when the signature was attached. The application must also include encryption measures to ensure secure access of the application.

(5) Unless otherwise agreed to by a sender of a warrant application and the judge, an electronic record is received when:

(a) The record enters an information-processing system that the local court rules have designated and approved for the purpose of receiving electronic applications for warrants and from which the recipient is able to retrieve the electronic record; and

(b) It is in a form capable of being processed by the system.

(6) In any instance where an affidavit is submitted to a judge electronically, the electronic signature of the affiant shall satisfy the constitutional requirement that the testimony of the affiant be made under oath, provided that such signature is made under penalty of perjury and in compliance with subsection (4) of this section. If the requirements of subsection (4) of this section are met, it shall not be necessary for the oath to be made orally for the affidavit to have legal effect.

(7) An application for any felony warrant or signature made pursuant to this section shall contain a statement that the application is being made for a felony criminal investigation.

(8) Before any electronic felony warrant shall be issued pursuant to this section, the applicant shall be required to meet with a judge. The meeting required by this subsection may be through the use of video or teleconference devices.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AUTHORIZE THE USE OF ELECTRONIC WARRANT APPLICATIONS, ELECTRONIC SIGNATURES FOR THE APPLICATIONS AND ELECTRONIC VERSIONS OF WRITTEN RECORDS OF THE WARRANTS; AND FOR RELATED PURPOSES.

Senator Sparks offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 47 by inserting before the period the following language:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 295 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 295 was adopted.

YEAS AND NAYS On H. B. No. 295. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

_____

Senator Boyd called up the following entitled bill:

H. B. No. 1163: Community and junior colleges; authorize to contract or enter into interlocal agreements with local governing authorities for first responders services.

Senator Boyd offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 21-25-23, Mississippi Code of 1972, is amended as follows:

21-25-23. The governing authorities of any municipality are hereby authorized, when petitioned so to do by the Board of Trustees of State Institutions of Higher Learning or the board of trustees of a community or junior college district, to create, by ordinance, a fire district encompassing the area adjoining such municipality on which a part or all of a State Institution of Higher Learning or a community college is located, after the creation of which such governing authorities and the Board of Trustees of State Institutions of Higher Learning or the board of trustees of the affected community or junior college district shall have full power to contract for laying of water mains and any other pipes or connections to the water mains to be used in said fire district, and for the establishment and maintenance of fire service therein. However, no such governing authority shall have the power either to promulgate or enforce any charge, rule or regulation upon said district without first having received the ratification and consent of the Board of Trustees of State Institutions of Higher Learning or the board of trustees of the affected community or junior college district as reflected by the minutes of said trustees.

SECTION 2. Section 37-29-231, Mississippi Code of 1972, is amended as follows:

37-29-231. (1) The provisions of Sections 37-103-1 through 37-103-29 relating to the legal residence of and tuition to be charged any student applying for admission to state educational institutions shall be applicable to the boards of trustees of each junior college district in the state and to the administrative authorities of each such junior college governed by said board.

(2) The board of trustees of each community or junior college is authorized, in its discretion and as deemed necessary, to enter into contract with a municipality as authorized under Section 21-25-23, or into an interlocal agreement with the county governing authority of the county wherein the community or junior college is located if situated outside of the incorporated limits of any city or municipality therein, to provide fire protection and first responder services to the main campus of the community or junior college for which the contract or interlocal agreement was entered. In addition to fire protection services, first responder services shall also include law enforcement services and emergency medical transportation services.

SECTION 3. Section 37-29-141, Mississippi Code of 1972, is amended as follows:

37-29-141. (1) The board of trustees of any junior college district is expressly authorized and empowered to make a thorough study and evaluation of the costs of operation of the junior college district, and said board shall recommend a fair and acceptable tax rate for district general support and maintenance from each of the member counties.

The board of trustees of any junior college district as constituted as of July 1, 1964, shall have the authority to recommend the tax levy necessary for a newly contributing county to have representation on the board of trustees of said junior college.

From and after October 1, 1989, no county shall levy less than (a) one (1) mill for the support, and (b) one (1) mill for the enlargement, improvement and repair of the junior college within the district of which the county is a member. From and after October 1, 1990, the board of trustees of any junior college district may, by a sixty percent (60%) affirmative vote of the members of such board, recommend an additional one (1) mill which may be used for the support or for the enlargement, improvement and repair of the junior college within the district of which the county is a member. If a county is levying more than the minimum levy required herein for one category but less than the minimum levy required for the other, then the excess millage under the one may be applied towards making up the deficiency which exists in the other. If a county contributes to two (2) junior college districts, the combined levy for both districts shall not be less than the minimums required herein.

Any county having any school district located therein with a current operating deficit of Two Hundred Thousand Dollars ($200,000.00) or more on July 1, 1989, shall not be required to levy the minimum millage required under this subsection (1) until such time as the said operating deficit is eliminated, or for a period of three (3) fiscal years, whichever is less. Provided, however, that no such county shall levy a smaller tax millage for capital improvements and general support of a junior college district than was levied for the previous year.

No county shall levy a smaller tax millage for capital improvements and general support of a junior college district than was levied for the previous year, unless requested to make such reduction by the board of trustees of the district. When a county has a general reassessment of property to increase the county ad valorem tax assessments, such county may reduce the millage for general support and capital improvements, provided that its aggregate budget for junior college purposes is not lower than was paid the previous year.

In lieu of taxation, the board of trustees may fix the amount of enrollee tuition in an amount commensurate with the per capita cost of operating the district, which may also include any fees assessed by the board upon each student enrolled under the authority of Section 37-29-231 for the purpose of offsetting the cost of first responder services provided to the main campus of the community college by the local governing authority in accordance with the provisions of the contract entered into under the authority of Section 21-25-23 or the interlocal agreement entered into under the authority of Section 37-29-231.

(2) Taxes for the support, enlargement, improvement and repairs of junior colleges shall be levied annually against all of the property of each county and of each municipal separate school district, including added territory, which has established or may hereafter establish, or which has joined or may hereafter join, in the establishment or support of a junior college. In no case shall such levy exceed three (3) mills for support and three (3) mills for enlargement, improvement and repairs for each junior college within the district of which the county or municipal separate school district may be a component.

(3) The levy for support for any year in any given county or separate school district is that presently prevailing therein unless a change is recommended to the tax levying authorities by the board of trustees or by a vote of the people ascertained in an election called for that purpose by the tax levying authorities subsequent to the petition therefor signed by twenty percent (20%) of the qualified electors.

(4) Notwithstanding any provision of this section to the contrary, the minimum millage required under subsection (1) shall not be levied by the board of supervisors of any county within a junior college district until the board of trustees of the district adopts annually, an order, by a sixty percent (60%) affirmative vote of the members of the board, that such minimum millage shall be levied by each county within the district.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 21-25-23, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARDS OF TRUSTEES OF COMMUNITY AND JUNIOR COLLEGE TO ENTER INTO CONTRACT WITH A MUNICIPALITY FOR THE PROVISION OF FIRE PROTECTION SERVICES; TO AMEND SECTION 37-29-231, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARDS OF TRUSTEES OF COMMUNITY AND JUNIOR COLLEGE, IN ITS DISCRETION, TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE COUNTY GOVERNING AUTHORITY WHERE THE COMMUNITY OR

JUNIOR COLLEGE IS LOCATED, TO PROVIDE FIRE PROTECTION AND FIRST RESPONDER SERVICES TO THE MAIN CAMPUS OF THE COMMUNITY OR JUNIOR COLLEGE; TO PROVIDE THE BOARD OF TRUSTEES OF THE COMMUNITY OR JUNIOR COLLEGE THE DISCRETION TO OFFSET THE COST OF THE SERVICES BY ASSESSING A STUDENT FEE EACH SEMESTER; TO AMEND SECTION 37-29-141, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1163 was adopted.

YEAS AND NAYS On H. B. No. 1163. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

_____

Senator Carter moved that the rules be suspended to move to calendar item 174, **H. B. No. 1471**, and the motion prevailed.

Senator Carter called up the following entitled bill:

H. B. No. 1471: BEAM; prohibit from accepting gifts or other benefits from any broadband service provider, vendor, or contractor.

Senator Carter offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 77-19-7, Mississippi Code of 1972, is amended as follows:

77-19-7. (1) The Office of Broadband Expansion and Accessibility of Mississippi (BEAM) shall serve as the state broadband office to review applications and make determinations and awards for projects to provide broadband access in unserved or underserved areas using the BEAM Fund created pursuant to this chapter.

(2) It shall be the duty and responsibility of BEAM to:

(a) Coordinate all broadband expansion and accessibility efforts on behalf of the state to ensure an effective and efficient use of broadband grant funds;

(b) Develop the plan and application for federal grant programs and for sub-grantees to receive funds from said federal grants;

(c) Develop rules and procedures, if necessary and in accordance with the Administrative Procedures Act, to implement a competitive statewide broadband grant program;

(d) Coordinate all information provided by broadband service providers, including all broadband mapping efforts for the state. All information provided by a broadband service provider pursuant to this chapter shall be presumed to be confidential, proprietary, and subject to exemption from disclosure under state and federal law and shall not be subject to disclosure except in the form of a map where information that could be used to determine provider-specific information about the network of the broadband service providers is not disclosed. Such provider-specific information shall not be released to any person without written permission of the submitting broadband service provider. In no instance shall a broadband service provider be required to provide any data beyond that which it is required to provide to the Federal Communications Commission pursuant to 47 USC Section 641 et seq.; * * *

(e) Apply for and receive federal grants or funds, including, but not limited to, Coronavirus Capital Projects Fund established by Section 604 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, and the Broadband Equity, Access and Deployment Program established by the Infrastructure Investment and Jobs Act of 2021, and all other federal broadband grant programs and any state support grant programs * * *; and

(f) Grant final determinations for awards for projects to provide broadband access in unserved or underserved areas pursuant to subsection (1) of this section no later than sixty (60) days after publishing a preliminary determination of an award on BEAM's website pursuant to this chapter or thirty (30) days after this law goes into effect, whichever is later, unless BEAM determines that a proposed project includes an area where broadband services currently are deployed, or where construction is scheduled to be completed within one (1) year after the date of application.

(3) To effectuate the purposes of this chapter, any department, division, board, bureau, committee, institution or agency of the state, or any political subdivision thereof, shall, at the request of the Director of BEAM, provide the assistance, information and data needed to enable BEAM to carry out its duties.

(4) An officer or employee of BEAM shall not accept or receive any gratuity, gift, gift in-kind, money, emolument, or any other pecuniary benefit, either directly or indirectly, from any broadband service provider, vendor, contractor, subcontractor, nonprofit organization or association that does business with or contracts with BEAM, or any designee, employee, agent, officer, or representative of such broadband service provider, vendor, contractor, subcontractor, nonprofit organization or association. For purposes of this section, the term "emolument" includes salary, donations, contributions, loans, stock tips, vacations and trips.

(* * *5) There is created within the State Treasury the "Broadband Expansion and Accessibility of Mississippi (BEAM) Fund" for the purposes of the expansion and accessibility of broadband in unserved and underserved areas. The fund shall consist of all monies designated, accepted or appropriated by the State of Mississippi for broadband deployment; all monies received from the federal government awarded to or allocated by the state for broadband deployment; and donations, gifts and monies received from any other source, including transfers from other funds or accounts. Disbursements from the fund shall be made by the Department of Finance and Administration upon appropriation by the Legislature in accordance with the provisions of this chapter. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. Monies in the fund shall be invested by the State Treasurer in the same manner as monies in the State General Fund and interest earned on the investment of these monies shall be credited to the fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 77-19-7, MISSISSIPPI CODE OF 1972, TO ALLOW BEAM TO GRANT FINAL DETERMINATIONS FOR AWARDS FOR PROJECTS TO PROVIDE BROADBAND ACCESS IN CERTAIN UNSERVED OR UNDERSERVED AREAS; TO PROHIBIT ANY OFFICER OR EMPLOYEE OF THE OFFICE OF BROADBAND EXPANSION AND ACCESSIBILITY OF MISSISSIPPI FROM ACCEPTING OR RECEIVING, EITHER DIRECTLY OR INDIRECTLY, ANY GRATUITY, GIFT, GIFT IN-KIND, MONEY, EMOLUMENT, OR ANY OTHER PECUNIARY BENEFIT FROM ANY BROADBAND SERVICE PROVIDER, VENDOR, CONTRACTOR, OR SUBCONTRACTOR THAT DOES BUSINESS WITH OR CONTRACTS WITH THE OFFICE; AND FOR RELATED PURPOSES.

Senator Carter offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 77-19-7, Mississippi Code of 1972, is amended as follows:

77-19-7. (1) The Office of Broadband Expansion and Accessibility of Mississippi (BEAM) shall serve as the state broadband office to review applications and make determinations and awards for projects to provide broadband access in unserved or underserved areas using the BEAM Fund created pursuant to this chapter.

(2) It shall be the duty and responsibility of BEAM to:

(a) Coordinate all broadband expansion and accessibility efforts on behalf of the state to ensure an effective and efficient use of broadband grant funds;

(b) Develop the plan and application for federal grant programs and for sub-grantees to receive funds from said federal grants;

(c) Develop rules and procedures, if necessary and in accordance with the Administrative Procedures Act, to implement a competitive statewide broadband grant program;

(d) Coordinate all information provided by broadband service providers, including all broadband mapping efforts for the state. All information provided by a broadband service provider pursuant to this chapter shall be presumed to be confidential, proprietary, and subject to exemption from disclosure under state and federal law and shall not be subject to disclosure except in the form of a map where information that could be used to determine provider-specific information about the network of the broadband service providers is not disclosed. Such provider-specific information shall not be released to any person without written permission of the submitting broadband service provider. In no instance shall a broadband service provider be required to provide any data beyond that which it is required to provide to the Federal Communications Commission pursuant to 47 USC Section 641 et seq.; * * *

(e) Apply for and receive federal grants or funds, including, but not limited to, Coronavirus Capital Projects Fund established by Section 604 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, and the Broadband Equity, Access and Deployment Program established by the Infrastructure

Investment and Jobs Act of 2021, and all other federal broadband grant programs and any state support grant programs * * *; and

(f) Grant final determinations for awards for projects to provide broadband access in unserved or underserved areas pursuant to subsection (1) of this section no later than sixty (60) days after publishing a preliminary determination of an award on BEAM's website pursuant to this chapter or thirty (30) days after this law goes into effect, whichever is later, unless BEAM determines that a proposed project includes an area where broadband services currently are deployed, or where construction is scheduled to be completed within one (1) year after the date of application.

(3) To effectuate the purposes of this chapter, any department, division, board, bureau, committee, institution or agency of the state, or any political subdivision thereof, shall, at the request of the Director of BEAM, provide the assistance, information and data needed to enable BEAM to carry out its duties.

(4) There is created within the State Treasury the "Broadband Expansion and Accessibility of Mississippi (BEAM) Fund" for the purposes of the expansion and accessibility of broadband in unserved and underserved areas. The fund shall consist of all monies designated, accepted or appropriated by the State of Mississippi for broadband deployment; all monies received from the federal government awarded to or allocated by the state for broadband deployment; and donations, gifts and monies received from any other source, including transfers from other funds or accounts. Disbursements from the fund shall be made by the Department of Finance and Administration upon appropriation by the Legislature in accordance with the provisions of this chapter. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. Monies in the fund shall be invested by the State Treasurer in the same manner as monies in the State General Fund and interest earned on the investment of these monies shall be credited to the fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 77-19-7, MISSISSIPPI CODE OF 1972, TO ALLOW BEAM TO GRANT FINAL DETERMINATIONS FOR AWARDS FOR PROJECTS TO PROVIDE BROADBAND ACCESS IN CERTAIN UNSERVED OR UNDERSERVED AREAS; AND FOR RELATED PURPOSES.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1471 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1471 was adopted.

YEAS AND NAYS On H. B. No. 1471. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Whaley called up the following entitled bill:

H. B. No. 1298: Mississippi Wild Turkey Stamp; establish.

Senator Suber offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed herein unless the context clearly indicates otherwise:

(a) "Wild turkey" means the game bird Meleagris gallopavo.

(b) "Stamp" means the state wild turkey stamp, either in its physical or electronic form, furnished by the commission. A stamp is a specialized permit required for hunting wild turkeys, with proceeds directly dispersed into the conservation, management, protection or scientific research of wild turkeys.

(c) "Harvest tag" means the physical or electronic tool used to serve as an inventory of the annual bag limit allotted to individual wild turkey hunters. Harvest tags are invalidated upon the harvest of a wild turkey. Physical tags may be required to be attached to the wild turkey following harvest.

(d) "Nongovernmental entity" means a nonprofit organization primarily concerned with the protection and conservation of land and natural resources, as evidenced by its organizational documents.

(2) It shall be unlawful for any person sixteen (16) years of age or older to hunt or take wild turkeys during any open wild turkey season in the State of Mississippi without first having procured a stamp. The electronic stamp on file with the commission shall serve as proof of procurement.

(3) The fee to nonresident hunters for each stamp shall be Two Hundred Dollars ($200.00). There shall be no fee for resident hunters. Each stamp shall be valid through the final day of the spring wild turkey season following its purchase. After its expiration, another stamp must be procured in order to hunt or take wild turkeys in a future open wild turkey season.

(4) The commission may make the procurement of harvest tags dependent upon the purchase of a stamp.

(5) The commission shall determine the form of the stamp. The commission shall furnish physical stamps to bonded agents for issuance or sale in the same manner as other types of licenses or shall cause the electronic stamp to accrue to the purchaser's benefit when purchased from an automated point-of-sale source.

(6) Any person violating any of the provisions of this section shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than Twenty-five Dollars ($25.00) nor more than One Hundred Dollars ($100.00) as prescribed in Section 49-7-101.

(7) All revenue from the proceeds of stamps shall only be used and expended for the following objectives:

(a) Paying administrative or processing costs associated with a physical or electronic harvest tag program, or any other program governing or regulating the harvest of wild turkeys;

(b) Restoring, enhancing or protecting wild turkey populations or their habitats on public or private lands in Mississippi as prescribed by the department;

(c) Funding scientific research, as conducted by qualified professionals, into the ecology or management of wild turkeys, their habitats or their predators; and

(d) Increasing access to publicly available turkey hunting opportunities.

(8) Proceeds from stamps may be used as matching funds or fiscal leverage to secure grants or other financial awards are deemed to align with the objectives in subsection (7) of this section.

(9) The commission may enter into agreements with other state, federal or nongovernmental entities to execute the objectives in subsection (7) of this section.

SECTION 2. Section 1 of this act shall be codified as a new section in Title 49, Chapter 7, Mississippi Code of 1972.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO REQUIRE ALL PERSONS 16 YEARS OF AGE OR OLDER TO PROCURE A WILD TURKEY STAMP BEFORE HUNTING WILD TURKEYS IN THE STATE OF MISSISSIPPI; TO ESTABLISH THE FEE FOR NONRESIDENT HUNTERS AND PROVIDE THAT THERE SHALL BE NO FEE FOR RESIDENT HUNTERS; TO PROVIDE FOR THE FURNISHING OF THE STAMP; TO SET PENALTIES FOR VIOLATIONS; TO PROVIDE THE PURPOSES FOR WHICH FUNDS RAISED FROM THE SALE OF STAMPS MAY BE EXPENDED; AND FOR RELATED PURPOSES.

Senators Suber and Whaley offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 50 by inserting the following after "stamps":

shall be deposited into the Wild Turkey Stamp Fund created in this section and

FURTHER, AMEND by inserting the following under line 69:

(10) There is created in the State Treasury a special fund to be designated as the "Wild Turkey Stamp Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the State General Fund. Monies in the fund shall be used by the department or the commission, upon appropriation by the Legislature, to execute the objectives in subsections (7) and (8) of this section. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

FURTHER, AMEND the title to conform by inserting the following on line 7 after the semicolon:

TO CREATE THE WILD TURKEY STAMP FUND AS A SPECIAL FUND IN THE STATE TREASURY FOR USE BY THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS OR THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS, UPON LEGISLATIVE APPROPRIATION, IN FURTHERANCE OF THE OBJECTIVES OF THIS ACT;

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1298 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1298 was adopted.

YEAS AND NAYS On H. B. No. 1298. On motion of Senator Suber, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting----None.
Voting Present--Hill. Total--1.

_____

Senator Bryan called up the following entitled bill:

H. B. No. 1478: Alternative nicotine products; prohibit sale or distribution of if prohibited under federal law or FDA rule or regulation.

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-32-51, Mississippi Code of 1972, is amended as follows:

97-32-51. (1) For the purposes of this chapter:

(a) (i) "Alternative nicotine product" means:

1. An electronic cigarette;

2. Any other product that consists of or contains nicotine that can be ingested into the body by chewing, smoking, absorbing, dissolving, inhaling, vaporizing or by any other means;

3. Any electronic device that can be used to deliver nicotine to an individual inhaling from the device, including, but not limited to, any cartridge component, liquid, capsule or powder used to refill or resupply such an electronic device; or

4. An electronic cigar or cigarillo.

(ii) Alternative nicotine product does not include:

1. A cigarette or other tobacco product as defined in Section 97-32-3;

2. A product that is a drug under 21 USCS 321(g)(1);

3. A product that is a device under 21 USCS 321(h); or

4. A combination product described in 21 USCS 353(g).

(b) (i) "Electronic cigarette" means an electronic product or device that produces a vapor that delivers nicotine or other substances to the person inhaling from the device to simulate smoking, and is likely to be offered to, or purchased by, consumers as an electronic cigarette, electronic cigar, electronic cigarillo or electronic pipe.

(ii) Electronic cigarette does not include:

1. A cigarette or other tobacco products as defined in Section 97-32-3;

2. A product that is a drug under 21 USCS 321(g)(1);

3. A product that is a device under 21 USCS 321(h); or

4. A combination product described in 21 USCS 353(g).

(2) No person, either directly or indirectly by an agent or employee, or by a vending machine owned by the person or located in the person's establishment, shall sell, offer for sale, give or furnish any alternative nicotine product, or any cartridge, component, liquid, capsule or powder thereof, to an individual under twenty-one (21) years of age. It is unlawful to distribute, sell, offer for sale, give or furnish any electronic cigarette, electronic device that can be used to deliver nicotine that can be ingested into the body by inhaling or vaporizing, or any cartridge, component, liquid, capsule or powder used to refill such electronic cigarette or electronic device that cannot be legally marketed or sold under federal law or United States Food and Drug Administration (FDA) rule, regulation or guidance. It is not unlawful to sell any electronic cigarette that has a premarket tobacco product application filed by a manufacturer that remains under review by the FDA. The penalties described in this subsection shall be treble the fines described in this section, plus any other penalty provided by law, for the sale, use, possession or furnishing of a controlled substance or other substance to a person, if the alternative nicotine product contains any controlled substance that is otherwise prohibited by law, or any other substance that causes the recipient of such to require emergency medical care as a result of using the product. Each violation of the provisions of this section shall be treated as a separate offense. A violation of this subsection is punishable as follows:

(a) By a fine of Two Hundred Fifty Dollars ($250.00) for a first offense;

(b) By a fine of Five Hundred Dollars ($500.00) for a second offense; and

(c) By a fine of One Thousand Dollars ($1,000.00) for a third or subsequent offense.

(3) Before selling, offering for sale, giving or furnishing an alternative nicotine product, or any cartridge, component liquid, capsule or powder thereof, to an individual, a person shall verify that the individual is at least twenty-one (21) years of age by:

(a) Examining from any individual that appears to be under twenty-seven (27) years of age a government-issued photographic identification that establishes the individual is at least twenty-one (21) years of age; or

(b) For sales made through the internet or other remote sales methods, performing an age verification through an independent, third-party age verification service that compares information available from public records to the personal information entered by the individual during the ordering process that establishes the individual is twenty-one (21) years of age or older.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 97-32-51, MISSISSIPPI CODE OF 1972, TO PROHIBIT ANY PERSON FROM DISTRIBUTING, SELLING, OFFERING FOR SALE OR FURNISHING ANY ELECTRONIC CIGARETTE, ELECTRONIC DEVICE THAT CAN BE USED TO DELIVER NICOTINE THAT CAN BE INGESTED INTO THE BODY BY INHALING OR VAPORIZING, OR ANY CARTRIDGE, COMPONENT, LIQUID, CAPSULE OR POWDER USED TO REFILL SUCH ELECTRONIC CIGARETTE OR ELECTRONIC DEVICE THAT CANNOT BE LEGALLY MARKETED OR SOLD UNDER FEDERAL LAW OR RULE, REGULATION OR GUIDANCE PROMULGATED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION; TO PROVIDE AN EXCEPTION FOR ANY SUCH PRODUCT WHERE THE MANUFACTURER HAS FILED A PREMARKET TOBACCO PRODUCT APPLICATION THAT REMAINS UNDER REVIEW BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1478 was adopted.

YEAS AND NAYS On H. B. No. 1478. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--Tate. Total--1.
Absent and those not voting----None.

Senator Bryan called up the following entitled bill:

H. B. No. 1660: Cigarettes and vape products; require Commissioner of Revenue to establish separate directories to regulate sales of.

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. As used in Sections 1 through 9 of this act, the following words and phrases have the meanings ascribed in this section unless the context clearly requires otherwise:

(a) "Brand family" means all styles of cigarettes sold under the same trademark and differentiated from one another by means of additional modifiers or descriptors, including, but not limited to, "menthol," "lights," "kings" and "100s," and includes any brand name (alone or in conjunction with any other word), trademark, logo, symbol, motto, selling message, recognizable pattern of colors or any other indicia of product identification identical or similar to, or identifiable with, a previously known brand of cigarettes.

(b) "Cigarette" means a product that contains nicotine, is intended to be burned or heated under ordinary conditions of use, and consists of or contains any of the following:

(i) Any roll of tobacco wrapped in paper or in any substance not containing tobacco;

(ii) Tobacco, in any form, that is functional in the product, which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette; or

(iii) Any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette.

The term "cigarette" includes roll-your-own tobacco, meaning tobacco which, because of its appearance, type, packaging or labeling, is suitable for use and likely to be offered to, or purchased by, consumers as tobacco for making cigarettes. For purposes of this definition of the term "cigarette," nine one-hundredths (0.09) ounces of roll-your-own tobacco constitute one (1) individual cigarette.

(c) "Cigarette manufacturer" or "manufacturer" means an entity that does any of the following:

(i) Manufactures cigarettes anywhere that the manufacturer intends to be sold in the United States, including cigarettes intended to be sold in the United States through an importer;

(ii) Is the first purchaser anywhere, for resale in the United States, of cigarettes manufactured anywhere that the manufacturer does not intend to be sold in the United States; or

(iii) Becomes a successor of an entity described in subparagraph (i) or (ii).

(d) "Commissioner" means the Commissioner of Revenue of the Department of Revenue.

(e) "Department" means the Department of Revenue.

(f) "Directory" means the state cigarette directory created and maintained by the Commissioner of Revenue under Section 3 of this act.

(g) "Distributor" means a person, other than a retailer, who manufactures or produces cigarettes, or who ships, transports or imports cigarettes into this state, or who

in any manner acquires or possesses cigarettes and makes a first sale of the cigarettes in the state.

(h) "Importer" means a person, firm, corporation, association or other business entity who imports cigarettes from any state or foreign country for distribution, sale, use or consumption in the state.

(i) "Retailer" means a person, other than a wholesaler, whose business is that of selling merchandise at retail and who sells, or offers for sale, cigarettes to a consumer in this state.

(j) "Wholesaler" means a person, firm, corporation, association or other business entity who sells cigarettes to retailers in this state for the purpose of resale.

SECTION 2. (1) Before September 1 of each year, beginning in 2024, each cigarette manufacturer whose cigarettes are sold in this state, whether directly or through an importer, wholesaler, distributor, retailer or similar intermediary, shall execute and deliver a certification to the Commissioner of Revenue, on a form and in a manner prescribed by the commissioner, certifying that the manufacturer is in compliance with Sections 1 through 9 of this act. Each certification must include the following information:

(a) A list of the manufacturer's brand families that are sold in Mississippi, which must be updated by executing and delivering to the commissioner a supplemental certification no later than thirty (30) days before any addition to or modification of the list is to take effect;

(b) Verification that the manufacturer possesses all orders required by the United States Food and Drug Administration, which must be current, for the manufacture and sale of the cigarettes included in the manufacturer's brand families;

(c) Verification that the manufacturer is registered to do business in this state or has a resident agent for service of process, as required under Section 6 of this act; and

(d) All other information and materials specifically requested by the commissioner in the course of enforcing this section.

(2) A cigarette manufacturer that is not listed in the directory maintained by the commissioner pursuant to Section 3 of this act must submit an initial certification subject to the same requirements and review process required under this section for annual certifications.

(3) If the certification required under subsection (1) of this section is rejected due to incompleteness or incorrectness, the cigarette manufacturer may not submit supplemental documentation to try to cure the rejection but must execute and deliver an entirely new certification to the commissioner.

(4) Each annual certification form must be accompanied by a fee in such amount as may be prescribed by the Commissioner of Revenue.

(5) A manufacturer required to submit a certification form under this section must notify the commissioner of any material change to the certification form within thirty (30) days of the change. A material change includes, but is not limited to, any order or action by the Food and Drug Administration or any court which affects the ability of the manufacturer's cigarettes to be distributed for commercial distribution or sale in the United States.

(6) A manufacturer that falsely represents any information required by a certification form is guilty of a misdemeanor for each false representation.

SECTION 3. (1) Beginning on October 1, 2024, the commissioner shall maintain and make publicly available on the department's website a state cigarette directory listing all cigarette manufacturers that have provided current and accurate certification forms conforming to the requirements of Section 2 of this act and all brand families that are listed in each manufacturer's certification. The commissioner shall update the directory at least monthly to ensure accuracy. The commissioner shall establish a process to provide retailers, distributors, wholesalers and importers notice of the initial publication of the directory and subsequently, of changes made to the directory in the prior month.

(2) Neither a manufacturer nor its brand family may be included or retained in the directory if the commissioner determines that:

(a) The manufacturer failed to provide a complete and accurate certification as required by subsection (1) of this section;

(b) The manufacturer submitted a certification that does not comply with the requirements of Section 2 of this act;

(c) The manufacturer failed to include with its certification the payment required by subsection (4) of Section 2;

(d) The manufacturer sold cigarettes in Mississippi required to be certified under Sections 1 through 9 of this act during a period when either the manufacturer or the cigarettes were not certified and listed on the directory; or

(e) The information provided by the manufacturer in its certification is determined by the commissioner to contain false information or material misrepresentations or omissions.

(3) The commissioner shall provide a manufacturer notice and an opportunity to cure deficiencies before removing a manufacturer or its brand family of cigarettes from the directory.

(4) The commissioner may not remove a manufacturer or its brand family from the directory before the manufacturer has received notice of the intended removal from the commissioner setting forth the reasons for the action. Notice is sufficient and deemed to be immediately received by a manufacturer if the notice is sent either electronically or by facsimile to an electronic mail address or facsimile number, as the case may be, provided by the manufacturer in its most recent certification filed under Section 2 of this act.

(5) Upon receipt of the notice required under subsection (4) of this section, the manufacturer, no later than fifteen (15) business days from the date of service of the notice, must cure the deficiencies or otherwise establish that the manufacturer or its brand family should be included in the directory.

(6) The commissioner shall update the directory as necessary in order to correct mistakes and to add or remove a manufacturer or brand family to keep the directory in conformity with the requirements of Sections 1 through 9 of this act.

SECTION 4. (1) Except as provided in subsections (2) and (3) of this section, beginning October 1, 2024, or on the date that the commissioner first makes the directory available for public inspection on the department's website, whichever is later, cigarettes not included in the directory may not be sold for retail sale in Mississippi, either directly or through an importer, distributor, wholesaler, retailer or similar intermediary.

(2) (a) Each retailer has sixty (60) days from the date that the commissioner first makes the directory available for inspection on the department's website to either sell

cigarettes in the retailer's inventory which are not included in the directory or remove those cigarettes from inventory.

(b) Upon the expiration of the initial sixty (60) days after the first date the directory is available on the department's website, a retailer has thirty (30) days following the date of removal of a manufacturer or its brand family from the directory to either sell the cigarettes in the retailer's inventory on the date of removal from the directory or remove those cigarettes from inventory.

(3) (a) Each importer, distributor or wholesaler has sixty (60) days from the date that the commissioner first makes the directory available for inspection on the department's website to remove those cigarettes intended for sale in the state from its inventory.

(b) Upon the expiration of the initial sixty (60) days after the first date the directory is available on the department's website, an importer, distributor or wholesaler has thirty (30) days following the date of removal of a manufacturer or its brand family from the directory to remove those cigarettes intended for sale in the state from its inventory.

(4) Cigarettes that must be sold or removed from inventory under subsections (2) and (3) of this section because those cigarettes are not included in, or are removed from, the directory may not be purchased or sold for retail sale in Mississippi, either directly or through an importer, distributor, wholesaler, retailer or similar intermediary, and are subject to seizure, forfeiture and destruction. The cost of the seizure, forfeiture and destruction must be borne by the person from whom the cigarettes are confiscated. The commissioner may store and dispose of the seized cigarettes as appropriate in accordance with applicable federal, state and local laws pertaining to storage and disposal of such products.

(5) Cigarettes in the possession of a consumer who has made a bona fide purchase of the cigarettes subject to being seized under this section may not be seized.

SECTION 5. (1) In addition to the seizure and destruction of cigarettes being made available for sale in violation of Section 4 of this act, the following penalties apply:

(a) A retailer, distributor, wholesaler or importer who sells or offers for sale cigarettes in Mississippi which are not included in the directory is subject to a civil penalty in an amount not more than Five Hundred Dollars ($500.00) per day for each style of cigarette in a brand family which is offered for sale in violation of Sections 1 through 9 of this act until the offending product is removed from the market or properly listed on the directory.

(b) For a second violation, whether involving the same or a different style of cigarettes in a brand family, by the same retailer, distributor, wholesaler or importer occurring within a period of twelve (12) months, the civil penalty must be an amount not less than Seven Hundred Fifty Dollars ($750.00) nor more than One Thousand Dollars ($1,000.00) per day for each style of cigarette in a brand family which is offered for sale in violation of Sections 1 through 9 of this act until the offending product is removed from the market or properly listed on the directory.

(c) For a third violation, whether involving the same or a different style of cigarettes in a brand family, by the same retailer, distributor, wholesaler or importer occurring within a period of twelve (12) months after the initial violation, the civil penalty must be an amount not less than One Thousand Dollars ($1,000.00) nor more than One Thousand Five Hundred Dollars ($1,500.00) per day for each style of cigarette in a brand family which is offered for sale in violation of Sections 1 through 9 of this act until the offending product is removed from the market or properly listed on the directory.

(2) A manufacturer whose cigarettes are not listed in the directory and who causes the products that are not listed to be sold for retail sale in Mississippi, whether directly or through an importer, distributor, wholesaler, retailer or similar intermediary, is subject to a civil penalty of Ten Thousand Dollars ($10,000.00) per day for each style of cigarette in a brand family which is offered for sale in violation of Sections 1 through 9 of this act until the offending product is removed from the market or properly listed on the directory.

(3) In an action to enforce Sections 1 through 9 of this act, the state is entitled to recover costs, including the costs of investigation, expert witness fees and reasonable attorney fees.

SECTION 6. (1) As a condition precedent to having its name or its cigarettes listed and retained in the directory maintained by the commissioner pursuant to Section 3 of this act, a manufacturer not registered to do business in the state must appoint and continually engage, without interruption, a registered agent in Mississippi for service of process on whom all process and any action or proceeding arising out of the enforcement of Sections 1 through 9 of this act may be served. The manufacturer shall provide to the commissioner the name, address and telephone number of its agent for service of process and any other information relating to its agent which may be requested by the commissioner.

(2) As a condition precedent to having its name or its cigarettes listed and retained in the directory maintained by the commissioner pursuant to Section 3 of this act, a manufacturer located outside of the United States shall cause each of its importers of any of its cigarettes to be sold in Mississippi to appoint and continually engage, without interruption, the services of an agent in the state in accordance with this section. All obligations of a manufacturer imposed by this section with respect to appointment of its agent also apply to importers with respect to appointment of their agents.

(3) A manufacturer shall provide written notice to the commissioner no later than thirty (30) calendar days before the termination of the authority of an agent appointed pursuant to subsection (1) or (2) of this section. No less than five (5) calendar days before the termination of an existing agent appointment, a manufacturer shall provide to the commissioner the name, address and telephone number of its newly appointed agent for service of process and any other information relating to the new appointment which may be requested by the commissioner. If an agent terminates an agency appointment, the manufacturer must notify the commissioner of the termination within five (5) calendar days and include proof to the satisfaction of the commissioner of the appointment of a new agent.

SECTION 7. Each retailer, distributor and wholesaler that sells or distributes cigarettes in this state is subject to no less than two (2) unannounced compliance checks annually by the department for purposes of enforcing Sections 1 through 9 of this act. Unannounced follow-up compliance checks of all noncompliant retailers, distributors and wholesalers must be conducted no later than thirty (30) days after a violation of Sections 1 through 9 of this act. The department shall publish the results of all compliance checks at least annually and make the results available to the public on request.

SECTION 8. (1) The Commissioner of Revenue, acting through the Department of Revenue, may promulgate rules and regulations necessary to effectuate the purposes of this act.

(2) All fees and penalties collected by the commissioner pursuant to Sections 1 through 9 of this act must be used for the administration and enforcement of Sections 1 through 9 of this act.

SECTION 9. Before January 1, 2025, and annually thereafter, the commissioner shall provide a report to the Legislature on the status of the directory, manufacturers and cigarettes included in the directory, revenue and expenditures related to administration of

Sections 1 through 9 of this act, and enforcement activities undertaken pursuant to Sections 1 through 9 of this act.

SECTION 10. Section 27-69-53, Mississippi Code of 1972, is brought forward as follows:

27-69-53. Any cigarettes found at any point within this state, in the possession of a dealer or any person for a period of time longer than specified by Section 27-69-27 and not having affixed to the package, the stamps as required, and any tobacco subject to the tax found in the possession of any wholesaler, distributor or dealer required by this chapter to obtain a permit, who has not procured a permit, or whose permit has been revoked and not reinstated, are hereby declared to be contraband goods, and the same may be seized by the commissioner, or his agents, or employees, or by any peace officer of this state, when directed by the commissioner so to do, without a warrant, and the said goods shall be offered by the commissioner for sale at public auction to the highest bidder after due advertisement, but the commissioner before delivering any of said goods so seized shall require the purchaser to affix the proper amount of stamps to the cigarettes or pay the excise tax on other tobacco as required by this chapter. The proceeds of sale for any goods sold shall be paid to the State Treasurer by the commissioner as are other funds collected. Provided, that the cost of confiscation and sale shall be paid out of the proceeds derived from such sale before making remittance to the State Treasurer. The time limit herein specified for affixing said stamps shall not apply to any person who, within said time limits, shall offer for sale, either at wholesale or retail, any cigarettes, and all cigarettes when offered for sale either at wholesale or retail without the stamps having been first affixed, shall be subject to confiscation. Provided further, that any vehicle, not a common carrier, which may be used in transporting for the purpose of sale any unstamped cigarettes, shall likewise be subject to confiscation and sale in the same manner as above provided.

The seizure, forfeiture and sale of contraband goods under this section and Section 27-69-55 is supplemental and in addition to the seizure, forfeiture and sale of contraband tobacco provided for in Section 27-69-56. Where a basis exists under both this section and Section 27-69-55 and under Section 27-69-56 for the seizure, forfeiture and sale of the same contraband goods, such actions can proceed simultaneously. Where such simultaneous seizure, forfeiture and sale is undertaken and there is a conflict between the procedures contained in this section and Section 27-69-55 and those contained in Section 27-69-56, the procedures contained in Section 27-69-56 shall control and be followed.

SECTION 11. Section 27-69-55, Mississippi Code of 1972, is brought forward as follows:

27-69-55. In all cases of seizures of any tobacco, or other property hereafter made as being subject to forfeiture under the provisions of this chapter, which in the opinion of the officer or person making the seizure, is of the appraised value of Twenty-five Dollars ($25.00) or more, the said officer or person shall proceed as follows:

First: He shall cause a list containing a particular description of the tobacco or other property seized to be prepared in duplicate, and an appraisement thereof to be made by three (3) sworn appraisers to be selected by him, who shall be respectable and disinterested citizens of this state, residing within the county wherein the seizure was made. Said list and appraisement shall be properly attested by said officer, or person, and the said appraisers, for which service each of said appraisers shall be allowed the sum of One Dollar ($1.00) per day for not exceeding two (2) days, to be paid as other costs.

Second: If the said tobacco, or other property seized, is believed by the officer making the seizure to be of less value than Twenty-five Dollars ($25.00), no appraisement shall be made.

Third: The officer or person making the seizure shall proceed to give notice thereof for five (5) days, in writing, at three (3) places in the county where the seizure is made. One (1) of the notices shall be posted at the county courthouse; another at the place where the goods were seized; and the other at some public place. The notice shall describe the property seized, and state the time and place and cause of seizure, and give the name and place of residence, if known, of the person from whom the property was seized, and shall require any person claiming it to appear and make such claims in writing, within five (5) days from the date of the first posting of such notice. Such officer or person making the seizure shall also deliver to the person from whom the property was seized, and also to the owner, if known, a copy of said notice.

Fourth: Any person claiming the said property so seized as contraband within the time specified in the notice, may file with the commissioner a claim, in writing, stating his interest in the property seized, and may execute a bond to the State of Mississippi in a penal sum equal to double the value of said property so seized, but in no case shall said bond be less than the sum of One Hundred Dollars ($100.00), with securities to be approved by the clerk of the circuit court in the county in which the property is seized, conditioned that in the case of condemnation of the property so seized, the obligor shall pay to the State of Mississippi the full value of the property so seized, and all costs and expenses of the proceedings to obtain such condemnation, including a reasonable attorney's fee. And upon the delivery of such bond to the commissioner, he shall transmit the same with the duplicate list or description of the property seized to the county attorney of the county, or the district attorney of the district in which such seizure was made, and the said county attorney, or district attorney, as the case may be, shall prosecute the case to secure the forfeiture of said property in the court having jurisdiction. Upon the filing of the bond aforesaid, the said property shall be delivered to the claimant pending the outcome of the case, provided he shall at once affix the required stamps on cigarettes or pay the tax due on other tobacco products.

Fifth: If no claim is interposed, and no bond given within the time above specified, such property shall be forfeited without further proceedings, and the same shall be sold as herein provided, and the proceeds of the sale, when received by the commissioner, shall be paid into the State Treasury as are other funds collected, provided, that in seizures of property of less value than Twenty-five Dollars ($25.00), the same may be advertised with other quantities at Jackson by the commissioner and disposed of as hereinabove provided.

Sixth: In proceedings to secure a confiscation of the property hereinbefore mentioned, where the value of the goods seized at one time does not exceed the amount provided in Section 9-11-9, the justice court judge of the county where the property is seized shall have jurisdiction to try the cause. Where the value of the property seized at one time is in excess of the amount provided in Section 9-11-9, then the circuit court of the county where the property is seized shall have jurisdiction to try the cause; provided, that in counties having a county court, the county court shall have jurisdiction concurrent with the circuit court, and with the justice court where the value of the property seized does not exceed One Thousand Dollars ($1,000.00).

The proceedings against property seized according to the provisions of this chapter shall be considered a proceeding in rem unless otherwise herein provided.

Within ten (10) days after filing the bond provided for in paragraph fourth hereof, the claimant shall file a petition in the court having jurisdiction of said cause, which shall stand for a declaration, and the commissioner, or other party authorized to prosecute the confiscation of said property, shall plead to it as if it were an ordinary action at law, and the same rules of pleading and proceeding applicable to actions in the circuit court shall be observed in this action, and all issues made by the pleadings shall be tried and disposed of as other actions in the circuit court, and the judgment of the circuit court shall be framed to meet the circumstances of the case and the cost shall be adjudged as in other actions; provided, however, neither the state, nor the commissioner, nor any other

person representing the state, shall be liable for the cost in the event the court shall not confiscate the property in controversy.

The seizure, forfeiture and sale of contraband goods under this section and Section 27-69-53 is supplemental and in addition to the seizure, forfeiture and sale of contraband tobacco provided for in Section 27-69-56. Where a basis exists under both this section and Section 27-69-53 and under Section 27-69-56 for the seizure, forfeiture and sale of the same contraband goods, such actions can proceed simultaneously. Where such simultaneous seizure, forfeiture and sale is undertaken and there is a conflict between the procedures contained in this section and Section 27-69-53 and those contained in Section 27-69-56, the procedures contained in Section 27-69-56 shall control and be followed.

SECTION 12. Section 27-69-59, Mississippi Code of 1972, is brought forward as follows:

27-69-59. When the commissioner has good reason to believe that tobacco is being kept, sold, offered for sale, or given away in violation of this chapter, or regulations issued under authority hereof, he may make affidavit of such fact, describing the place or thing to be searched, before any justice of the peace, mayor of any city, town or village, or county or circuit judge of any county in this state, and such justice of the peace, mayor or county or circuit judge shall issue a search warrant directed to the sheriff or any constable or any police officer in any city, town or village, commanding him to proceed in the day time, or in the night time, to enter by breaking, if necessary, and to diligently search any building, room in a building, outhouses, place, wagon, cart, buggy, motorcycle, motor truck, automobile, water or air craft, or other vehicle as may be designated in the affidavit and search warrant, and to seize such tobacco so possessed and to hold the same until disposed of by law, and to arrest the person or persons in possession or control of the same.

Such writ shall be returnable instanter, or on a day to be stated, and a copy shall be served on the owner or person in possession, if such person be present or readily found.

If upon hearing, or the return of such search warrant, it shall appear that any tobacco unlawfully possessed were seized, the same shall be declared forfeited to this state, and shall be sold as provided in Section 27-69-55 of this chapter.

SECTION 13. For purposes of this section and Section 14 of this act, the following words and phrases shall have the meanings as defined in this section, unless the context clearly indicates otherwise:

(a) "Commissioner" means the Commissioner of Revenue of the Department of Revenue.

(b) "Department" means the Department of Revenue.

(c) "ENDS product":

(i) Means any noncombustible product that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, to produce vapor from nicotine in a solution;

(ii) Includes a consumable nicotine liquid solution suitable for use in an ENDS product, whether sold with the product or separately; and

(iii) Does not include any product regulated as a drug or device under Chapter V of the Federal Food, Drug, and Cosmetic Act (21 USC Section 351 et seq.).

(d) "Timely filed premarket tobacco product application" means an application pursuant to 21 USC Section 387j for an ENDS product containing nicotine derived from tobacco marketed in the United States as of August 8, 2016, that was submitted to the United States Food and Drug Administration on or before September 9, 2020, and accepted for filing.

(e) "FDA" means the United States Food and Drug Administration.

SECTION 14. (1) Before September 1, 2024, and annually thereafter, every manufacturer of an ENDS product that is sold for retail sale in Mississippi, whether directly or through an importer, wholesaler, distributor, retailer, or similar intermediary or intermediaries, shall execute and deliver to the Commissioner of Revenue a certification, under penalty of perjury on a form and in a manner prescribed by the commissioner, that the manufacturer is compliant with this section and that, for each ENDS product sold in Mississippi:

(a) The manufacturer has received a marketing granted order for the ENDS product from the FDA pursuant to 21 USC Section 387j; or

(b) The manufacturer submitted a timely filed premarket tobacco product application for the ENDS product to the FDA pursuant to 21 USC Section 387j, and the application either remains under review by the FDA or has received a denial order that has been and remains stayed by the FDA or court order, rescinded by the FDA, or vacated by a court.

(2) The certification form shall separately list each brand name, category (e.g., e-liquid, power unit, device, e-liquid cartridge, e-liquid pod, disposable), product name, and flavor for each ENDS product that is sold in Mississippi.

(3) Each annual certification form shall be accompanied by:

(a) A copy of:

(i) The marketing granted order issued by the FDA pursuant to 21 USC Section 387j;

(ii) A copy of the acceptance letter issued by the FDA pursuant to 21 USC Section 387j for a timely filed premarket tobacco product application; or

(iii) A document issued by FDA or by a court confirming that the premarket tobacco product application has received a denial order that has been and remains stayed by FDA or court order, rescinded by FDA, or vacated by a court; and

(b) A payment of Five Hundred Dollars ($500.00) for each ENDS product each time a manufacturer submits an annual certification form for that ENDS product.

(4) The information submitted by the manufacturer pursuant to subsection (3)(a) of this section is considered confidential commercial or financial information for purposes of the Mississippi Public Records Act of 1983 (Section 25-61-1, et al). The manufacturer may redact certain confidential commercial or financial information provided under subsection (3)(a) of this section. The commissioner shall not disclose such information except as required or authorized by law.

(5) A manufacturer required to submit a certification form pursuant to this section shall notify the commissioner within thirty (30) calendar days of any material change to the certification form, including the issuance or denial of a marketing authorization or other order by the FDA pursuant to 21 USC Section 387j, or any other order or action by the FDA or any court that affects the ability of the ENDS product to be introduced or delivered into interstate commerce for commercial distribution in the United States.

(6) Beginning on October 1, 2024, the commissioner shall maintain and make publicly available on the Department of Revenue's official website a directory that lists all ENDS product manufacturers, brand names, categories (e.g., e-liquid, e-liquid cartridge, e-liquid pod, disposable), product names, and flavors for which certification forms have been submitted and approved by the commissioner and shall update the directory at least monthly to ensure accuracy. The commissioner shall establish a process to provide licensed retailers, distributors, and wholesalers notice of the initial publication of the directory and changes made to the directory in the prior month.

(7) Neither a manufacturer nor its ENDS products shall be included or retained in the directory if the commissioner determines that any of the following apply:

(a) The manufacturer failed to provide a complete and accurate certification as required by subsection (1) of this section;

(b) The manufacturer submitted a certification that does not comply with the requirements of subsections (2) and (3) of this section;

(c) The manufacturer failed to include with its certification the payment required by subsection (3)(b) of this section;

(d) The manufacturer sold products in Mississippi required to be certified under this section during a period when either the manufacturer or the product had not been certified and listed on the directory; or

(e) The information provided by the manufacturer in its certification is determined by the commissioner to contain false information or contains material misrepresentations or omissions.

(8) The commissioner shall provide manufacturers notice and an opportunity to cure deficiencies before removing manufacturers or products from the directory.

(a) The commissioner may not remove the manufacturer or its products from the directory until at least thirty (30) business days after the manufacturer has been given notice of an intended action setting forth the reasons therefor. Notice shall be sufficient and be deemed immediately received by a manufacturer if the notice is sent either electronically or by facsimile to an electronic mail address or facsimile number, as the case may be, provided by the manufacturer in its most recent certification filed under subsections (2) and (3) of this section.

(b) The ENDS product manufacturer shall have fifteen (15) business days from the date of service of the notice of the commissioner's intended action to cure the deficiencies or otherwise establish that the ENDS product manufacturer or its products should be included in the directory.

(c) Retailers shall have thirty (30) days following the removal of a manufacturer or its products from the directory to sell such products that were in the retailer's inventory as of the date of removal.

(d) After thirty (30) calendar days following removal from the directory, the ENDS product of a manufacturer identified in the notice of removal and intended for sale in Mississippi is subject to seizure, forfeiture, and destruction, and may not be purchased or sold for retail sale in Mississippi. The cost of such seizure, forfeiture, and destruction shall be borne by the person from whom the products are confiscated, except that no products may be seized from a consumer who has made a bona fide purchase of such product. The commissioner may store and dispose of the seized products as appropriate, in accordance with federal, state and local laws pertaining to storage and disposal of such products.

(9) (a) Except as provided in paragraphs (b) and (c) of this subsection (9), beginning on October 1, 2024, or on the date that the commissioner first makes the directory available for public inspection on the Department of Revenue's official website, whichever is later, ENDS products not included in the directory, shall not be sold for retail sale in Mississippi, either directly or through an importer, distributor, wholesaler, retailer, or similar intermediary or intermediaries.

(b) Each retailer shall have sixty (60) days from the date that the commissioner first makes the directory available for inspection on its the department's website to sell products that were in its inventory and not included in the directory or remove those products from inventory.

(c) Each distributor or wholesaler shall have sixty (60) days from the date that the commissioner first makes the directory available for inspection on the department's website to remove those products intended for sale in the state from its inventory.

(d) After sixty (60) calendar days following publication of the directory, ENDS products not listed in the directory and intended for retail sale in Mississippi are subject to seizure, forfeiture, and destruction, and may not be purchased or sold for retail sale in Mississippi except as provided in subsection (8) of this section. The cost of such seizure, forfeiture, and destruction shall be paid by the person from whom the products are confiscated, except that no products may be seized from a consumer who has made a bona fide purchase of such product. The commissioner may store and dispose of the seized products as appropriate, in accordance with federal, state, and local laws pertaining to storage and disposal of such products.

(10) (a) A retailer, distributor, wholesaler, or importer who sells or offers for sale an ENDS product for retail sale in Mississippi that is not included in the directory shall be subject to a civil penalty of not more than Five Hundred Dollars ($500.00) per day for each individual ENDS product offered for sale in violation of this section until the offending product is removed from the market or until the offending product is properly listed on the directory.

(i) For a second violation of this type within a 12-month period, the civil penalty shall be at least Seven Hundred and Fifty Dollars ($750.00), but not more than One Thousand Dollars ($1,000.00), per product per day.

(ii) For a third violation of this type within a 12-month period after the initial violation, the civil penalty shall be at least One Thousand Dollars ($1,000.00), but not more than One Thousand Five Hundred Dollars ($1,500.00), per product per day.

(b) A manufacturer whose ENDS products are not listed in the directory and who causes the products that are not listed to be sold for retail sale in Mississippi, whether directly or through an importer, distributor, wholesaler, retailer, or similar intermediary or intermediaries, is subject to a civil penalty of Ten Thousand Dollars ($10,000.00) per day for each individual ENDS product offered for sale in violation of this section until the offending product is removed from the market or until the offending product is properly listed on the directory. In addition, any manufacturer that falsely represents any information required by a certification form shall be guilty of a misdemeanor for each false representation.

(c) In an action to enforce this section, the state shall be entitled to recover costs, including the costs of investigation, expert witness fees and reasonable attorney fees.

(d) A repeated violation of this section shall constitute a deceptive trade practice under Section 75-24-5.

(11) (a) A manufacturer not registered to do business in the state shall, as a condition precedent to having its name or its products listed and retained in the directory, appoint and continually engage without interruption a registered agent in Mississippi for service of process on whom all process and any action or proceeding arising out of the enforcement of this section may be served. The manufacturer shall provide to the commissioner the name, address, and telephone number of its agent for service of process and shall provide any other information relating to its agent as may be requested by the commissioner.

(b) A manufacturer located outside of the United States shall, as an additional condition precedent to having its products listed or retained in the directory, cause each of its importers of any of its products to be sold in Mississippi to appoint, and continually engage without interruption, the services of an agent in the state in accordance with the provisions of this section. All obligations of a manufacturer imposed by this section with respect to appointment of its agent shall also apply to the importers with respect to appointment of their agents.

(c) A manufacturer shall provide written notice to the commissioner thirty (30) calendar days prior to the termination of the authority of an agent appointed under paragraphs (a) and (b) of this subsection (11). No less than five (5) calendar days prior to the termination of an existing agent appointment, a manufacturer shall provide to the commissioner the name, address and telephone number of its newly appointed agent for service of process and shall provide any other information relating to the new appointment as may be requested by the commissioner. In the event an agent terminates an agency appointment, the manufacturer shall notify the commissioner of the termination within five (5) calendar days and shall include proof to the satisfaction of the commissioner of the appointment of a new agent.

(12) Each retailer, distributor, and wholesaler that sells or distributes electronic nicotine delivery systems or nicotine liquids in this state shall be subject to at least two (2) unannounced compliance checks annually by the department for purposes of enforcing this section. Unannounced follow-up compliance checks of all noncompliant retailers, distributors, and wholesalers shall be conducted within thirty (30) days after any violation of this article. The department shall publish the results of all compliance checks annually and shall make the results available to the public upon request.

(13) The commissioner may promulgate rules necessary to effect the purposes of this section.

(14) All fees and penalties collected by the commissioner pursuant to this section shall be used for administration and enforcement of this section.

(15) Before January 1, 2025, and annually thereafter, the commissioner shall provide a report to the Legislature regarding the status of the directory, manufacturers and products included in the directory, revenue and expenditures related to administration of this section, and enforcement activities undertaken pursuant to this section of this act.

SECTION 15. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT RELATING TO THE SALE OF CIGARETTES IN MISSISSIPPI; TO DEFINE CERTAIN TERMS; TO REQUIRE EACH CIGARETTE MANUFACTURER WHOSE CIGARETTES ARE SOLD IN MISSISSIPPI TO FILE AN ANNUAL CERTIFICATION WITH THE COMMISSIONER OF REVENUE CONTAINING

SPECIFIED INFORMATION ABOUT THE MANUFACTURER AND ITS CIGARETTES; TO REQUIRE THE COMMISSIONER TO MAINTAIN A STATE CIGARETTE DIRECTORY AVAILABLE TO THE PUBLIC ON THE DEPARTMENT OF REVENUE'S WEBSITE; TO PROHIBIT THE SALE OF A MANUFACTURER'S CIGARETTES IF THE MANUFACTURER IS NOT LISTED ON THE DIRECTORY; TO GIVE RETAILERS AND IMPORTERS, DISTRIBUTORS AND WHOLESALERS AN OPPORTUNITY TO DISPOSE OF THEIR CIGARETTE INVENTORY THAT IS NOT AUTHORIZED TO BE SOLD IN THE DIRECTORY BEFORE THE INVENTORY IS SEIZED; TO ESTABLISH CIVIL PENALTIES FOR RETAILERS AND OTHER ENTITIES SELLING CIGARETTES THAT ARE NOT INCLUDED IN THE DIRECTORY; TO REQUIRE MANUFACTURERS TO HAVE A REGISTERED AGENT IN THE STATE FOR SERVICE OF PROCESS; TO REQUIRE UNANNOUNCED COMPLIANCE CHECKS BY THE DEPARTMENT OF REVENUE; TO AUTHORIZE THE COMMISSIONER OF REVENUE TO PROMULGATE RULES AND REGULATIONS, AND TO USE FEES AND PENALTIES COLLECTED, FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS ACT; TO REQUIRE ANNUAL REPORTS TO THE LEGISLATURE ON THE STATUS OF THE STATE CIGARETTE DIRECTORY AND ENFORCEMENT ACTIVITIES; TO BRING FORWARD SECTION 27-69-53, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE CONFISCATION OF CIGARETTES NOT HAVING STAMPS AFFIXED TO THE PACKAGE AS REQUIRED UNDER THE TOBACCO TAX LAW, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-69-55, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES PROCEDURES FOR THE SEIZURE OF CERTAIN TOBACCO PRODUCTS UNDER THE TOBACCO TAX LAW, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-69-59, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE SEARCH AND SEIZURE OF ILLEGALLY SOLD TOBACCO PRODUCTS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO PROVIDE THAT NO LATER THAN SEPTEMBER 1, 2024, EVERY MANUFACTURER OF AN ENDS PRODUCT THAT IS SOLD FOR RETAIL SALE IN MISSISSIPPI SHALL EXECUTE AND DELIVER TO THE COMMISSIONER OF REVENUE A CERTIFICATION THAT THE MANUFACTURER IS COMPLIANT WITH THIS ACT; TO DEFINE CERTAIN TERMS; TO PROVIDE THAT THE INFORMATION SUBMITTED BY THE MANUFACTURER IS CONSIDERED CONFIDENTIAL COMMERCIAL OR FINANCIAL INFORMATION FOR PURPOSES OF THE MISSISSIPPI PUBLIC RECORDS ACT OF 1983; TO PROVIDE THAT BEGINNING ON OCTOBER 1, 2024, THE COMMISSIONER SHALL MAINTAIN AND MAKE PUBLICLY AVAILABLE ON THE DEPARTMENT OF REVENUE'S OFFICIAL WEBSITE A DIRECTORY THAT LISTS ALL ENDS PRODUCT MANUFACTURERS, BRAND NAMES, CATEGORIES, PRODUCT NAMES, AND FLAVORS FOR WHICH CERTIFICATION FORMS HAVE BEEN SUBMITTED AND APPROVED BY THE COMMISSIONER AND SHALL REQUIRE THE UPDATE OF THE DIRECTORY AT LEAST MONTHLY TO ENSURE ACCURACY; TO REQUIRE THE COMMISSIONER TO ESTABLISH A PROCESS TO PROVIDE LICENSED RETAILERS, DISTRIBUTORS, AND WHOLESALERS NOTICE OF THE INITIAL PUBLICATION OF THE DIRECTORY AND CHANGES MADE TO THE DIRECTORY IN THE PRIOR MONTH; TO PROVIDE THAT NEITHER A MANUFACTURER NOR ITS ENDS PRODUCTS SHALL BE INCLUDED OR RETAINED IN THE DIRECTORY IF THE COMMISSIONER DETERMINES THAT THE MANUFACTURER FAILED TO PROVIDE A COMPLETE AND ACCURATE CERTIFICATION AND PROVIDE PAYMENT; TO PROVIDE THAT AFTER THIRTY CALENDAR DAYS FOLLOWING REMOVAL FROM THE DIRECTORY, THE ENDS PRODUCT OF A MANUFACTURER IDENTIFIED IN THE NOTICE OF REMOVAL AND INTENDED FOR SALE IN MISSISSIPPI ARE SUBJECT TO SEIZURE, FORFEITURE, AND DESTRUCTION, AND SHALL NOT BE PURCHASED OR SOLD FOR RETAIL SALE IN MISSISSIPPI; BEGINNING ON OCTOBER 1, 2024, OR ON THE DATE THAT THE COMMISSIONER FIRST MAKES THE DIRECTORY AVAILABLE FOR PUBLIC INSPECTION ON THE DEPARTMENT OF REVENUE'S WEBSITE, WHICHEVER IS LATER, ENDS PRODUCTS NOT INCLUDED IN THE DIRECTORY, SHALL NOT BE SOLD FOR RETAIL SALE IN MISSISSIPPI, EITHER DIRECTLY OR THROUGH AN IMPORTER, DISTRIBUTOR, WHOLESALER, RETAILER, OR SIMILAR INTERMEDIARY OR INTERMEDIARIES; TO PROVIDE THAT EACH RETAILER SHALL HAVE SIXTY DAYS FROM THE DATE THAT THE COMMISSIONER FIRST MAKES THE

DIRECTORY AVAILABLE FOR INSPECTION ON THE DEPARTMENT'S WEBSITE TO SELL PRODUCTS THAT WERE IN ITS INVENTORY AND NOT INCLUDED IN THE DIRECTORY OR REMOVE THOSE PRODUCTS FROM INVENTORY; TO PROVIDE THAT AFTER SIXTY CALENDAR DAYS FOLLOWING PUBLICATION OF THE DIRECTORY, ENDS PRODUCTS NOT LISTED IN THE DIRECTORY AND INTENDED FOR RETAIL SALE IN MISSISSIPPI ARE SUBJECT TO SEIZURE, FORFEITURE, AND DESTRUCTION, AND MAY NOT BE PURCHASED OR SOLD FOR RETAIL SALE IN MISSISSIPPI EXCEPT AS OTHERWISE PROVIDED; TO PROVIDE THAT A RETAILER, DISTRIBUTOR, WHOLESALER, OR IMPORTER WHO SELLS OR OFFERS FOR SALE AN ENDS PRODUCT FOR RETAIL SALE IN MISSISSIPPI THAT IS NOT INCLUDED IN THE DIRECTORY SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN FIVE HUNDRED DOLLARS FOR EACH INDIVIDUAL ENDS PRODUCT OFFERED FOR SALE IN VIOLATION OF THIS ACT; TO PROVIDE THAT A MANUFACTURER WHOSE ENDS PRODUCTS ARE NOT LISTED IN THE DIRECTORY AND WHO CAUSES THE PRODUCTS THAT ARE NOT LISTED TO BE SOLD FOR RETAIL SALE IN MISSISSIPPI, IS SUBJECT TO A CIVIL PENALTY OF TEN THOUSAND DOLLARS FOR EACH INDIVIDUAL ENDS PRODUCT OFFERED FOR SALE IN VIOLATION OF THIS ACT; TO REQUIRE A MANUFACTURER LOCATED OUTSIDE OF THE UNITED STATES TO CAUSE EACH OF ITS IMPORTERS OF ANY OF ITS PRODUCTS TO BE SOLD IN MISSISSIPPI TO APPOINT, AND CONTINUALLY ENGAGE WITHOUT INTERRUPTION, THE SERVICES OF AN AGENT IN THE STATE; TO REQUIRE A MANUFACTURER TO PROVIDE WRITTEN NOTICE TO THE COMMISSIONER THIRTY CALENDAR DAYS PRIOR TO THE TERMINATION OF THE AUTHORITY OF AN AGENT; TO PROVIDE THAT EACH RETAILER, DISTRIBUTOR, AND WHOLESALER THAT SELLS OR DISTRIBUTES ELECTRONIC NICOTINE DELIVERY SYSTEMS OR NICOTINE LIQUIDS IN THIS STATE SHALL BE SUBJECT TO AT LEAST TWO UNANNOUNCED COMPLIANCE CHECKS; TO PROVIDE THAT BEGINNING ON JANUARY 31, 2025, AND ANNUALLY THEREAFTER, THE COMMISSIONER SHALL PROVIDE A REPORT TO THE LEGISLATURE THAT CONTAINS CERTAIN INFORMATION RELATED TO THE REGISTRY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1660 was adopted.

YEAS AND NAYS On H. B. No. 1660. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Hill. Total--1.

Absent and those not voting----None.

Senator Bryan called up the following entitled bill:

H. B. No. 1676: Mississippi Intoxicating Hemp Regulation Act and Mississippi Medical Cannabis Act; revise certain provisions of.

COMMITTEE AMENDMENT NO. 1 was replaced by SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Senator Blackwell offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 69-25-201, Mississippi Code of 1972, is amended as follows:

69-25-201. This article shall be known as the "Mississippi Intoxicating Hemp * * * Regulation Act." The regulation of hemp cultivation and processing shall be governed exclusively by the provisions of the Mississippi Intoxicating Hemp * * * Regulation Act. A municipality, county or other political subdivision of this state shall not enact, adopt or enforce a rule, ordinance, order, resolution or other regulation that allows, prohibits or penalizes the cultivation, production or processing of hemp in this state.

SECTION 2. Section 69-25-203, Mississippi Code of 1972, is amended as follows:

69-25-203. For purposes of this article, the following words and phrases shall have the meanings set forth below unless the context clearly indicates otherwise:

* * *

(* * *a) "Business entity" means a nonnatural person and includes nonprofit and for-profit corporations, partnerships, limited liability corporations, and other legal entities recognized by law.

(* * *b) "Commissioner" means the Commissioner of Agriculture and Commerce of the State of Mississippi. Where applicable under the provisions of this article, "commissioner" shall include the commissioner's designee.

(* * *c) "Delta-9-tetrahydrocannabinol" means the sum of the percentage by weight of tetrahydrocannabinol acid multiplied by eight hundred seventy-seven thousandths (0.877) plus the percentage by weight of delta-9-tetrahydrocannabinol.

(* * *d) "Department" means the Mississippi Department of Agriculture and Commerce.

(* * *e) "Grower" means a person, business entity, joint venture or cooperative that cultivates, grows or harvests hemp.

(* * *f) "Hemp" means the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts and salts of isomers, whether growing or not, with a delta-9-tetrahydrocannabinol (THC) concentration of not more than three-tenths percent (0.3%) on a dry weight basis that is grown or processed under this article.

(g) "Intoxicating hemp product" means a finished product intended for human or animal consumption containing any hemp, including naturally occurring cannabinoids, compounds, extracts, isolates, or resins, and that contains greater than five (5) milligrams of total THC per container; but does not exceed ten (10) milligrams of total THC per serving and one hundred (100) milligrams per container.

(h) "Legal description of land" means Global Position System coordinates and shall also include the metes and bounds to include township, range, and section for the location in which hemp is grown.

(i) "Person" means any person, firm, association, corporation or business entity.

(j) "Processor" means a person, business entity, joint venture or cooperative that receives hemp for processing into commodities, products or hemp seed. A processor also includes any such entity that brokers and/or stores hemp.

(k) "State plan" means the plan contemplated by 7 C.F.R. Part 990 Subpart B that a state must file for approval with the United States Secretary of Agriculture.

(l) "Total THC" means any and all forms of tetrahydrocannabinol that are contained naturally in the cannabis plant, as well as synthesized forms of THC and derived variations, derivatives, isomers and allotropes that have similar molecular and physiological characteristics of tetrahydrocannabinol, including, but not limited to, THCA, THC Delta 9, THC Delta 8, THC Delta 10 and THC Delta 6.

(* * *m) "USDA" means the United States Department of Agriculture.

SECTION 3. Section 69-25-207, Mississippi Code of 1972, is amended as follows:

69-25-207. (1) Pursuant to the provisions of this article, * * * growing and processing of hemp, as defined in Section 69-25-203, are authorized in this state. * * * Growing and processing of hemp are subject to regulation by the department and may only be performed by persons or business entities that hold a valid license or registration issued * * * under this article.

(2) The commissioner shall create a State Plan for submission to and approval by the United States Department of Agriculture and the United States Secretary of Agriculture. The commissioner and the department shall promulgate such reasonable regulations as necessary to implement the State Plan and provisions of this article. The commissioner and the department shall be authorized to promulgate any rule or regulation deemed necessary for the administration of the provisions of this article in compliance with any federal law, rule or regulation promulgated by the United States Department of Agriculture.

(3) The department is authorized to accept applications, and issue licenses and/or registrations for all hemp growers and hemp processors. The department shall adopt and enforce all rules and regulations related to those licenses and/or registrations.

(4) All hemp growers must be licensed by the department.

(5) All hemp processors must register with the department.

(6) All licensed * * * growers and registered processors shall keep and maintain crop and/or processing records in accordance with rules and regulations adopted and enforced by the department. The department may subject the required records to inspection. The department may make an inspection for the purpose of ensuring compliance with:

(a) USDA guidelines;

(b) Provisions of this article;

(c) Department rules and regulations;

(d) Any terms or conditions of a license issued hereunder;

(e) Good manufacturing practices (GMP);

(* * *f) Registration with the department; or

(* * *g) A final department order directed to the grower's or processor's hemp operations or activities.

(7) All hemp growers and processors shall be subject to a background investigation conducted by the Department of Public Safety, which shall include both a state and federal background check.

SECTION 4. Section 69-25-213, Mississippi Code of 1972, is amended as follows:

69-25-213. Negligent violations. (1) Upon a determination by the commissioner or the commissioner's designee, the following may constitute negligent violations:

(a) Failing to provide a legal description of land on which the grower produces hemp;

(b) Failing to obtain a license or other required authorization from the department;

(c) Failing to register with the department;

(d) Producing Cannabis sativa L. with a delta-9-tetrahydrocannabinol concentration of more than * * * three-tenths percent (0.3%) on a dry weight basis; or

(e) Any other violation of the State Plan, including any rules and regulations set forth by the department.

(2) Corrective action plan. (a) A hemp grower shall comply with a plan established by the commissioner or the commissioner's designee to correct the negligent violation, including:

(i) A reasonable date by which the hemp grower shall correct the negligent violation; and

(ii) A requirement that the hemp grower shall periodically report to the commissioner or the commissioner's designee regarding the compliance with the corrective plan for a period of not less than the next two (2) calendar years.

(b) The department shall notify the Mississippi Bureau of Narcotics of all corrective action plans implemented by the commissioner or the commissioner's designee.

(3) Result of negligent violation. A hemp grower that negligently violates the State Plan shall not, as a result of that violation, be subject to any criminal enforcement action by a state, county or local government entity.

(4) Repeat violations. A hemp grower that negligently violates the State Plan three (3) times in a five-year period shall be ineligible to produce hemp for a period of five (5) years beginning on the date of the third violation.

SECTION 5. Section 69-25-217, Mississippi Code of 1972, is amended as follows:

69-25-217. (1) It shall be unlawful for any person or business entity to:

(a) Violate this chapter or any rules or regulations promulgated under this chapter;

(b) Fail to comply with a corrective action plan issued by the commissioner under Section 69-25-213(2);

(c) Transport hemp or hemp materials in violation of Section 69-25-209 or rules or regulations adopted under this chapter; * * *

(d) Cultivate or grow hemp with a delta-9-tetrahydrocannabinol (THC) concentration of more than three-tenths percent (0.3%) on a dry weight basis * * *;

(e) Produce, process or sell any intoxicating hemp products within the State of Mississippi, except as authorized through this Act or the Mississippi Medical Cannabis Act;

(f) Produce, process, or sell any hemp product that contains an artificially derived cannabinoid as defined in Section 41-137-3;

(g) Sell or distribute any intoxicating hemp product to any person under the age of twenty-one (21) years old; or

(h) Sell any finished hemp product intended for human or animal consumption to a consumer within the state of Mississippi that contains greater than ten (10) milligrams of total THC per serving and one hundred (100) milligrams per container.

(2) In addition to any other penalty, fine or conviction, as applicable, any person or business entity that purposely, knowingly or recklessly violates this provision of this chapter relating to hemp production, sales, distribution or processing shall be guilty of a misdemeanor and, upon conviction of the violation, shall be fined in an amount not to exceed Five Thousand Dollars ($5,000.00), or sentenced to imprisonment in the county jail for not more than one (1) year, or both such fine and imprisonment.

(3) Notwithstanding subsection (2) of this section, if any person or entity purposely, recklessly or knowingly cultivates or grows hemp with a delta-9-tetrahydrocannabinol (THC) concentration of more than one percent (1%) on a dry weight basis that person or entity shall be guilty of a felony punishable by imprisonment for not more than five (5) years, or a fine of not more than Ten Thousand Dollars ($10,000.00), or both such fine and imprisonment.

(4) For purposes of this section, the terms "purposely", "knowingly" and "recklessly" have the following meanings:

(a) "Purposefully" means a person acts purposely with respect to a material element of an offense if:

(i) The element involves the nature of his or her conduct or a result thereof, it is his or her conscious object to engage in conduct of that nature or to cause such a result; and

(ii) The element involves the attendant circumstances, he or she is aware of the existence of such circumstances or he or she believes or hopes that they exist.

(b) "Knowingly" means a person acts knowingly with respect to a material element of an offense if:

(i) The element involves the nature of his or her conduct or the attendant circumstances, he or she is aware that his or her conduct is of that nature or that such circumstances exist; and

(ii) The element involves a result of his or her conduct, he or she is aware that it is practically certain that his or her conduct will cause such a result.

(c) "Recklessly" means a person acts recklessly with respect to a material element of an offense when he or she consciously disregards a substantial and unjustifiable risk that the material element exists or will result from his or her conduct. The risk must be of such a nature and degree that, considering the nature and purpose of the actor's conduct and the circumstances known to him or her, its disregard involves a gross deviation from the standard of conduct that a law-abiding person would observe in the actor's situation.

SECTION 6. (1) Intoxicating hemp products may only be sold to consumers in Mississippi by dispensaries licensed under the Mississippi Medical Cannabis Act.

(2) Nothing in this article shall limit or affect the interstate transport of hemp or hemp products through the state.

(3) Nothing in this article prohibits the transfer of hemp, hemp ingredients, or intoxicating hemp products by growers and processors to medical cannabis establishments in accordance with the Medical Cannabis Act.

SECTION 7. All labels for any product containing finished nonintoxicating hemp shall be approved by the department, provided that packaging, labeling, marketing, and other finished product regulation for intoxicating hemp products shall be governed by the Medical Cannabis Act.

A finalized sample of any finished nonintoxicating hemp product shall have a complete certificate of analysis (COA) from an independent testing facility and/or laboratory that analyzes the safety and potency of hemp products, and such COA shall be provided to the department.

SECTION 8. Any entity registered with the Department as provided under this article, shall submit a report on a quarterly basis due by the 20th of the following month detailing any hemp product produced, distributed, purchased, sold at wholesale or sold at retail.

A processor shall be subject to a fine as prescribed by the department per incident for the unlawful sale or purchase of any hemp products.

Any processor shall pay a minimum fine of One Thousand Dollars ($1,000.00) for failing to report to the department by the 20th of the following month, hemp products purchased or sold in Mississippi.

An electronic reporting system shall be implemented by the department.

SECTION 9. Products that contain hemp shall be tested in a testing facility and/or laboratory that meets the requirements of the Agricultural Act of 2018 and that analyzes the safety and potency of CBD products.

SECTION 10. (1) Any medical cannabis processing facility that intends to process intoxicating hemp products shall register with the Department of Health. Any such facility shall be subject to a nonrefundable annual registration fee of Five Thousand Dollars ($5,000.00), which shall be in addition to the prescribed licensing fee to operate as a medical cannabis processing facility. The Department of Health may register a medical cannabis processing facility as a medical cannabis processing facility that also processes intoxicating hemp products after such facility pays the fees required of this subsection. The Department of Health shall be responsible for oversight of any medical cannabis processing facility that processes intoxicating hemp products.

(2) Any medical cannabis dispensary that intends to acquire, possess, store, transfer, sell, supply or dispense intoxicating hemp products shall register with the Department of Revenue. Any such facility shall be subject to a nonrefundable annual registration fee of Five Thousand Dollars ($5,000.00), which shall be in addition to the prescribed licensing fee to operate as a medical cannabis dispensary. The Department of Revenue may register a medical cannabis dispensary as a medical cannabis dispensary that also acquires, possesses, stores, transfers, sells, supplies or dispenses intoxicating hemp products after such facility pays the fees required of this subsection. The Department of Revenue shall be responsible for the oversight of any such medical cannabis dispensary that acquires, possesses, stores, transfers, sells, supplies or dispenses intoxicating hemp products.

SECTION 11. (1) There is imposed, levied and assessed an excise tax on intoxicating hemp products. Dispensaries shall collect and remit an excise tax on forms and in a manner specified by the Commissioner of Revenue.

The excise tax on intoxicating hemp products shall be based on the sales price for which a dispensary sells to a consumer, and the rate of the excise tax shall be five percent (5%) of such sales price.

(2) All administrative provisions of the sales tax law and amendments thereto, including those which fix damages, penalties and interest for nonpayment of taxes and for noncompliance with the provision of the sales tax law, and all other requirements and duties imposed upon a taxpayer, shall apply to all persons liable for taxes under the provisions of this subsection. The Commissioner of the Department of Revenue shall exercise all power and authority and perform all duties with respect to taxpayers under this subsection as are provided in the sales tax law, except where there is conflict, then the provisions of this subsection shall control.

All excise taxes collected under the provisions of this section shall be deposited into the State General Fund.

(3) A dispensary, on forms and in a manner specified by the Commissioner of Revenue, shall collect and remit the sales tax levied in Section 27-65-17(1)(a) from the gross proceeds derived from each retail sale of intoxicating hemp products.

SECTION 12. Section 69-25-211, Mississippi Code of 1972, is amended as follows:

69-25-211. (1) (a) The commissioner or the commissioner's designee may enter, at reasonable times, upon any public or private property at which hemp is being cultivated or processed for the purpose of determining compliance with this * * * article and rules adopted under it. The * * * commissioner or the commissioner's designee may apply for, and any judge of a court of competent jurisdiction, may issue a search warrant as is necessary to achieve the purposes of this * * * article relating to things, property or places within the court's territorial jurisdiction.

(b) If the commissioner or the commissioner's designee determines that emergency conditions exist requiring immediate action necessary to protect public health or safety of the environment, the commissioner or the commissioner's designee may issue an order stating the existence of such conditions and requiring specific actions be taken to mitigate those conditions without providing prior notice or an adjudication hearing.

(c) Any person to whom such an order is issued shall immediately comply with that order, and may apply to the commissioner or the commissioner's for an adjudication hearing. Upon receiving an application for an adjudication hearing, the * * * commissioner or the commissioner's designee shall hold the hearing as soon as practicable and not later than thirty (30) days after receipt of the application. On the basis

of the hearing, the * * * commissioner or the commissioner's designee shall continue the order in effect, revoke it, or modify it.

(d) In addition to any other available remedies, the commissioner or the Mississippi Attorney General may apply to the circuit court in the county where any provision of this * * * article or an order issued under paragraph (b) of this subsection is being violated for an injunction restraining any person from continuing the violation.

(e) An employee of the state or any division, agency, institution thereof involved in the administration and/or enforcement of this article, shall not be subject to prosecution for violations related to possession or transportation of hemp or cannabis in conjunction with the employee's duties arising under this * * * article.

(2) In addition to any other liability or penalty provided by law, the department may revoke or refuse to issue or renew a hemp grower license or hemp processor registration and may impose a civil penalty for violations of:

(a) A license or registration requirement;

(b) License or registration terms or conditions;

(c) Department rules and regulations relating to growing or processing hemp; or

(d) A final order of the department that is specifically directed to the grower's or processor's hemp operations or activities.

(3) The department may impose administrative penalties for violations under this section in * * * substantially the same manner as provided for the Department of Agriculture and Commerce in Section 69-25-51.

SECTION 13. Section 69-25-215, Mississippi Code of 1972, is amended as follows:

69-25-215. If a hemp grower violates the State Plan, including growing hemp containing a delta-9-tetrahydrocannabinol (THC) concentration that exceeds three-tenths percent (0.3%) on a dry mass basis or a tolerance range as specified by USDA, with a culpable mental state greater than negligence as determined by the department, the commissioner shall immediately report the violation and the hemp grower to the United States Attorney General, the Mississippi Attorney General and the Mississippi Public Safety Commissioner. Such violations shall also be referred to the Mississippi Bureau of Narcotics for investigation. The Bureau of Narcotics may detain, seize and/or destroy the crop and may initiate a criminal case for any violation of this article or the Mississippi Uniform Controlled Substances Law. The Mississippi Attorney General shall, in person or by his or her designee, prosecute all criminal actions related to violations arising under this * * * article relating to hemp, on behalf of the state. Violations of the State Plan that involve culpability greater than negligence must be reported to the United States Attorney General and the Mississippi Attorney General. The provisions of Section 69-25-213 shall not apply to nonnegligent violations.

SECTION 14. Section 69-25-219, Mississippi Code of 1972, is amended as follows:

69-25-219. (1) Any person convicted of a felony relating to a controlled substance under state or federal law before, on or after * * * June 29, 2020, shall be ineligible, during the ten-year period following the date of the conviction to participate in the program established under this article and to * * * grow or process hemp under any regulations or guidelines issued under this article.

(2) Any person who materially falsifies any information contained in an application to participate in the State Plan established under this article shall be ineligible to participate in the State Plan.

(3) In addition to any inspection conducted, the department may inspect any hemp crop at any time and take a representative composite sample for analysis. It shall be the duty of the department to take such samples and deliver them to the State Chemist for examination and analysis. It shall be the duty of the State Chemist to cause as many analyses to be made of samples delivered to him or her by the department as may be necessary to properly implement the intent of this article. The State Chemist shall make a report of such analyses to the department.

(4) The department shall charge growers and processors a fee or fees as determined by the department in a sufficient amount to cover the costs required to administer and enforce the provisions of this * * * article.

SECTION 15. Section 69-25-221, Mississippi Code of 1972, is amended as follows:

69-25-221. No person shall operate as a hemp processor without first having secured a surety bond pursuant to this section. The * * * department shall promulgate rules and regulations as necessary to require hemp processors to secure a surety bond. A hemp processor may file with the department, in lieu of a surety bond, a certificate of deposit or irrevocable letter of credit from any bank or banking corporation insured by the Federal Deposit Insurance Corporation. Rules and regulations required for certificates of deposit and irrevocable letters of credit shall be promulgated by the * * * department.

SECTION 16. Section 69-25-223, Mississippi Code of 1972, is amended as follows:

69-25-223. (1) The provisions of this article which provide authority to the Commission of Agriculture and Commerce and the Mississippi Department of Agriculture and Commerce to administer the provisions, related to hemp operators, of the "Mississippi Intoxicating Hemp * * * Regulation Act * * *" shall be subject to legislative appropriation or receipt of necessary funding from any private or public entity for purposes of implementation.

(2) The provisions of this article shall not have any effect upon any programs administered by Mississippi State University, which shall remain exempt, as such programs related to the educational, research or testing functions performed by Mississippi State Chemical Laboratory, shall continue to function in accordance with the mission of the university, as approved by the Board of Trustees of State Institutions of Higher Learning.

SECTION 17. Section 41-137-3, Mississippi Code of 1972, is amended as follows:

41-137-3. For purposes of this chapter, unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

(a) "Ancillary product" means:

(i) Merchandise including, but not limited to, clothing, hats, pencils, pens, keychains, mugs, water bottles, beverage glasses, notepads, lanyards, or cannabis accessories which include or display a brand of a licensee and comply with state law;

(ii) Any equipment, products or materials of any kind which are used, intended for use, or designed for use in storing, smoking, vaporizing, or containing medical cannabis, cannabis products, or intoxicating hemp products, or for ingesting, inhaling, or

otherwise introducing medical cannabis, cannabis products, or intoxicating hemp products into the human body; and

(iii) Intoxicating hemp products, and non-intoxicating hemp products.

(* * *b) "Artificially derived cannabinoid" means a chemical substance that is created by a chemical reaction that changes the molecular structure of any chemical substance derived from the plant Cannabis family Cannabaceae. Such term shall not include:

(i) A naturally occurring chemical substance that is separated from the plant Cannabis family Cannabaceae by a chemical or mechanical extraction process;

(ii) Cannabinoids that are produced or processed by decarboxylation from a naturally occurring cannabinoid acid without the use of a chemical catalyst; or

(iii) Any other chemical substance identified by MDOH.

(* * *c) "Allowable amount of medical cannabis" means an amount not to exceed the maximum amount of Mississippi Medical Cannabis Equivalency Units ("MMCEU").

(* * *d) "Bona fide practitioner-patient relationship" means:

(i) A practitioner and patient have a treatment or consulting relationship, during the course of which the practitioner, within his or her scope of practice, has completed an in-person assessment of the patient's medical history and current mental health and medical condition and has documented their certification in the patient's medical file;

(ii) The practitioner has consulted in person with the patient with respect to the patient's debilitating medical condition; and

(iii) The practitioner is available to or offers to provide follow-up care and treatment to the patient.

(* * *e) "Cannabis" means all parts of the plant of the genus cannabis, the flower, the seeds thereof, the resin extracted from any part of the plant and every compound, * * * process, salt, derivative, mixture or preparation of the plant, its seeds or its resin, including whole plant extracts. Such term shall not mean cannabis-derived drug products approved by the federal Food and Drug Administration under Section 505 of the Federal Food, Drug, and Cosmetic Act, or hemp as defined in Section 69-25-203.

(* * *f) "Cannabis cultivation facility" means a business entity licensed and registered by the Mississippi Department of Health that * * * is authorized to:

(i) Acquire, grow, cultivate and harvest medical cannabis and/or hemp in an indoor, enclosed, locked and secure area for sale to other medical cannabis establishments;

(ii) Acquire and possess hemp-derived ingredients and intoxicating hemp products to sell to other medical cannabis establishments.

(* * *g) "Cannabis disposal entity" means a business licensed and registered by the Mississippi Department of Health that is involved in the commercial disposal or destruction of medical cannabis.

(* * *h) "Cannabis processing facility" means a business entity that is licensed and registered by the Mississippi Department of Health that:

(i) Acquires or intends to acquire cannabis from a cannabis cultivation facility;

(ii) Possesses cannabis or hemp with the intent to * * * process a cannabis product or an intoxicating hemp product;

(iii) * * * Processes or intends to * * * process a cannabis or intoxicating hemp product from unprocessed hemp ingredients, cannabis or a cannabis extract; and

(iv) Sells or intends to sell a cannabis product and/or intoxicating hemp products to a medical cannabis dispensary, cannabis testing facility or cannabis research facility.

(* * *i) "Cannabis products" means cannabis flower, concentrated cannabis, cannabis extracts and products that are infused with cannabis or an extract thereof and are intended for use or consumption by humans. The term includes, without limitation, edible cannabis products, beverages, topical products, ointments, oils, tinctures and suppositories that contain tetrahydrocannabinol (THC) and/or cannabidiol (CBD) except those products excluded from control under Sections 41-29-113 and 41-29-136.

(* * *j) "Cannabis research facility" or "research facility" means a research facility at any university or college in this state or an independent entity licensed and registered by the Mississippi Department of Health pursuant to this chapter that acquires cannabis from cannabis cultivation facilities and cannabis processing facilities in order to research cannabis, develop best practices for specific medical conditions, develop medicines and provide commercial access for medical use.

(* * *k) "Cannabis testing facility" or "testing facility" means an independent entity licensed and registered by the Mississippi Department of Health that analyzes the safety and potency of cannabis, cannabis products and hemp products, including, but not limited to, intoxicating hemp products.

(* * *l) "Cannabis transportation entity" means an independent entity licensed and registered by the Mississippi Department of Health that is involved in the commercial transportation of medical cannabis, cannabis products and intoxicating hemp products.

(* * *m) "Cannabis waste" means plant debris of the plant of the genus cannabis, including dead plants and all unused plant parts. This term shall not include seeds, roots, stems and stalks.

(* * *n) "Cannabinoid" means any of the chemical compounds that are the active constituents derived from THC.

(* * *o) "Canopy" means the total surface area within a cultivation area that is dedicated to the cultivation of flowering cannabis plants. The surface area of the plant canopy must be calculated in square feet and measured and must include all of the area within the boundaries where the cultivation of the flowering cannabis plants occurs. If the surface area of the plant canopy consists of noncontiguous areas, each component area must be separated by identifiable boundaries. If a tiered or shelving system is used in the cultivation area the surface area of each tier or shelf must be included in calculating the area of the plant canopy. Calculation of the area of the plant canopy may not include the areas within the cultivation area that are used to cultivate immature cannabis plants and seedlings, prior to flowering, and that are not used at any time to cultivate mature cannabis plants.

(* * *p) "Cardholder" means a registered qualifying patient or a registered designated caregiver who has been issued and possesses a valid registry identification card.

(* * *q) "Chronic pain" means a pain state in which the cause of the pain cannot be removed or otherwise treated, and which in the generally accepted course of medical practice, no relief or cure of the cause of the pain is possible, or none has been found after reasonable efforts by a practitioner.

(* * *r) "Concentrate" means a substance obtained by separating cannabinoids from cannabis by:

(i) A mechanical extraction process;

(ii) A chemical extraction process using a nonhydrocarbon-based or other solvent, such as water, vegetable glycerin, vegetable oils, animal fats, food-grade ethanol or steam distillation; or

(iii) A chemical extraction process using the hydrocarbon-based solvent carbon dioxide, provided that the process does not involve the use of high heat or pressure.

(* * *s) "Debilitating medical condition" means:

(i) Cancer, Parkinson's disease, Huntington's disease, muscular dystrophy, glaucoma, spastic quadriplegia, positive status for human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), hepatitis, amyotrophic lateral sclerosis (ALS), Crohn's disease, ulcerative colitis, sickle-cell anemia, Alzheimer's disease, agitation of dementia, post-traumatic stress disorder (PTSD), autism, pain refractory to appropriate opioid management, diabetic/peripheral neuropathy, spinal cord disease or severe injury, or the treatment of these conditions;

(ii) A chronic, terminal or debilitating disease or medical condition, or its treatment, that produces one or more of the following: cachexia or wasting syndrome, chronic pain, severe or intractable nausea, seizures, or severe and persistent muscle spasms, including, but not limited to, those characteristic of multiple sclerosis; or

(iii) Any other serious medical condition or its treatment added by the Mississippi Department of Health, as provided for in Section 41-137-17.

(* * *t) "Designated caregiver" means a person who:

(i) Has agreed to assist with a registered qualifying patient's medical use of medical cannabis;

(ii) Assists no more than five (5) registered qualifying patients with their medical use of medical cannabis, unless the designated caregiver's registered qualifying patients each reside in or are admitted to a health care facility or facility providing residential care services or day care services where the designated caregiver is employed;

(iii) Is at least twenty-one (21) years of age unless the person is the parent or legal guardian of each qualifying patient the person assists; and

(iv) Has not been convicted of a disqualifying felony offense.

(u) "Delta-9-tetrahydrocannabinol" means the sum of the percentage by weight of tetrahydrocannabinol acid multiplied by eight hundred seventy-seven thousandths (0.877) plus the percentage by weight of delta-9-tetrahydrocannabinol.

(* * *v) "Disqualifying felony offense" means:

(i) A conviction for a crime of violence, as defined in Section 97-3-2;

(ii) A conviction for a crime that was defined as a violent crime in the law of the jurisdiction in which the offense was committed, and that was classified as a felony in the jurisdiction where the person was convicted; or

(iii) A conviction for a violation of a state or federal controlled substances law that was classified as a felony in the jurisdiction where the person was convicted, including the service of any term of probation, incarceration or supervised release within the previous five (5) years and the offender has not committed another similar offense since the conviction. Under this subparagraph (iii), a disqualifying felony offense shall not include a conviction that consisted of conduct for which this chapter would likely have prevented the conviction but for the fact that the conduct occurred before February 2, 2022.

(* * *w) "Edible cannabis products" means products that:

(i) Contain or are infused with cannabis or an extract thereof;

(ii) Are intended for human consumption by oral ingestion; and

(iii) Are presented in the form of foodstuffs, beverages, extracts, oils, tinctures, lozenges and other similar products.

(* * *x) "Entity" means a corporation, general partnership, limited partnership or limited liability company that has been registered with the Secretary of State as applicable.

(y) "Grower" has the same meaning as set forth in Section 69-25-203.

(z) "Hemp" has the same meaning as set forth in Section 69-25-203.

(aa) "Hemp-derived ingredient" means a hemp biomass, hemp-derived distillate, or other substance derived from hemp to be used in the production of an intoxicating hemp product. Notwithstanding any provision to the contrary, hemp derived ingredients that may have a Total THC concentration above three tenths percent (0.3%) and less than or equal to five percent (5.0%) if not for consumer use or distribution and only sold or transferred between licensed hemp growers, processors, medical cannabis establishments, or certified laboratories, and will undergo further refinement or processing into a hemp product.

(bb) "Intoxicating hemp product" means a product as defined in Section 69-25-203.

(* * *cc) "MMCEU" means Mississippi Medical Cannabis Equivalency Unit. One unit of MMCEU shall be considered equal to * * * one (1) gram of THC in any medical cannabis product.

(* * *dd) "MDOH" means the Mississippi Department of Health.

(* * *ee) "MDOR" means the Mississippi Department of Revenue.

(* * *ff) "Medical cannabis" means cannabis, cannabis products and edible cannabis that are intended to be used by registered qualifying patients as provided in this chapter.

(* * *gg) "Medical cannabis dispensary" or "dispensary" means an entity licensed and registered with the MDOR that acquires, possesses, stores, transfers, sells, supplies or dispenses medical cannabis, equipment used for medical cannabis, cannabis products, ancillary products or related supplies and educational materials to cardholders or to other individuals as authorized by this act.

(* * *hh) "Medical cannabis establishment" means a cannabis cultivation facility, cannabis processing facility, cannabis testing facility, cannabis dispensary, cannabis transportation entity, cannabis disposal entity or cannabis research facility licensed and registered by the appropriate agency.

(* * *ii) "Medical cannabis establishment agent" means an owner, officer, board member, employee, volunteer or agent of a medical cannabis establishment.

(* * *jj) "Medical use" includes the acquisition, administration, cultivation, processing, delivery, harvest, possession, preparation, transfer, transportation, or use of medical cannabis or equipment relating to the administration of medical cannabis to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition. The term "medical use" does not include:

(i) The cultivation of cannabis unless the cultivation is done by a cannabis cultivation facility; or

(ii) The extraction of resin from cannabis by mechanical or chemical extraction unless the extraction is done by a cannabis processing facility.

(* * *kk) "Nonresident cardholder" means a person who:

(i) Has been diagnosed with a debilitating medical condition by a practitioner in his or her respective state or territory, or is the parent, guardian, conservator or other person with authority to consent to the medical use of medical cannabis by a person who has been diagnosed with a debilitating medical condition;

(ii) Is not a resident of Mississippi or who has been a resident of Mississippi for less than forty-five (45) days; and

(iii) Has submitted any documentation required by MDOH rules and regulations and has received confirmation of registration.

(* * *ll) "Practitioner" means a physician, certified nurse practitioner, physician assistant or optometrist who is licensed to prescribe medicine under the licensing requirements of their respective occupational boards and the laws of this state. In relation to a nonresident cardholder, the term means a physician, certified nurse practitioner, physician assistant or optometrist who is licensed to prescribe medicine under the licensing requirements of their respective occupational boards and under the laws of the state or territory in which the nonresident patient resides. For registered qualifying patients who are minors, "practitioner" shall mean a physician or doctor of osteopathic medicine who is licensed to prescribe medicine under the licensing requirements of their respective occupational boards and the laws of this state.

(mm) "Processor" has the same meaning as set forth in Section 69-25-203.

(* * *nn) "Public place" means a church or any area to which the general public is invited or in which the general public is permitted, regardless of the ownership of the area, and any area owned or controlled by a municipality, county, state or federal government, including, but not limited to, streets, sidewalks or other forms of public transportation. Such term shall not mean a private residential dwelling.

(* * *oo) "Qualifying patient" means a person who has been diagnosed by a practitioner as having a debilitating medical condition and has been issued a written certification.

(* * *pp) "Registry identification card" means a document issued by the MDOH that identifies a person as a registered qualifying patient, nonresident registered qualifying patient or registered designated caregiver.

(* * *qq) "School" means an institution for the teaching of children, consisting of a physical location, whether owned or leased, including instructional staff members and students, and which is in session each school year. This definition shall include, but not be limited to, public, private, church and parochial programs for kindergarten, elementary, junior high and high schools. Such term shall not mean a home instruction program.

(* * *rr) "Scope of practice" means the defined parameters of various duties, services or activities that may be provided or performed by a certified nurse practitioner as authorized under Sections 73-15-5 and 73-15-20, by an optometrist as authorized under Section 73-19-1, by a physician as authorized under Section 73-25-33, or by a physician assistant under Section 73-26-5, and rules and regulations adopted by the respective licensing boards for those practitioners.

(* * *ss) * * * "Total THC" means any and all forms of tetrahydrocannabinol that are contained naturally in the cannabis plant, as well as synthesized forms of THC and derived variations, derivatives, isomers and allotropes that have similar molecular and physiological characteristics of tetrahydrocannabinol, including, but not limited to, THCA, THC Delta 9, THC Delta 8, THC Delta 10 and THC Delta 6.

(* * *tt) "Written certification" means a form approved by the MDOH, signed and dated by a practitioner, certifying that a person has a debilitating medical condition. A written certification shall include the following:

(i) The date of issue and the effective date of the recommendation;

(ii) The patient's name, date of birth and address;

(iii) The practitioner's name, address, and federal Drug Enforcement Agency number; and

(iv) The practitioner's signature.

SECTION 18. Section 41-137-9, Mississippi Code of 1972, is amended as follows:

41-137-9. (1) There is a presumption that a registered qualifying patient is engaged in the medical use of medical cannabis under this chapter if the person is in possession of a registry identification card and an amount of medical cannabis that does not exceed the allowable amount of medical cannabis. There is a presumption that a registered designated caregiver is assisting in the medical use of medical cannabis under this chapter if the person is in possession of a registry identification card and an amount of medical cannabis that does not exceed the allowable amount of medical cannabis. These presumptions may be rebutted by evidence that conduct related to medical cannabis was not for the purpose of treating or alleviating a registered qualifying patient's debilitating medical condition or symptoms associated with the registered qualifying patient's debilitating medical condition under this chapter.

(2) Subject to the conditions, limitations, requirements and exceptions set forth in this chapter, the following activities related to medical cannabis or ancillary products shall be considered lawful:

(a) The purchase, transportation or possession of up to the allowable amount or medical use of medical cannabis;

(b) Financial reimbursement by a registered qualifying patient to the patient's registered designated caregiver for direct costs incurred by the registered designated caregiver for assisting with the registered qualifying patient's medical use of medical cannabis;

(c) Compensating a dispensary for goods or services provided;

(d) The provision, by a professional or occupational licensee, of advice or services related to medical cannabis activities allowed under this chapter, to the extent such advice or services meet or exceed the applicable professional or occupational standard of care;

(e) Providing or selling equipment used to ingest medical cannabis to a cardholder, nonresident cardholder or to a medical cannabis establishment;

(f) Acting as a designated caregiver to assist a registered qualifying patient with the act of using or administering medical cannabis;

(g) Activities by a medical cannabis establishment or a medical cannabis establishment agent that are allowed by its license and registration;

(h) Activities by a dispensary or a dispensary agent to:

(i) Possess, store or sell medical cannabis, ancillary products * * * and educational materials * * * to cardholders, nonresident cardholders * * *, other dispensaries, * * * and other individuals as permitted under the act;

(ii) To purchase or otherwise acquire medical cannabis products, cannabis products, ancillary products and intoxicating hemp products from cannabis cultivation facilities, cannabis processing facilities, cannabis research facilities or other dispensaries; or

(iii) Possess, store or sell intoxicating hemp products to any consumer twenty-one (21) years of age or older;

(i) Activities by a cannabis cultivation facility, cannabis processing facility or agents of these facilities to:

(i) Possess, plant, propagate, cultivate, grow, harvest, produce, process, manufacture, compound, convert, prepare, pack, repack or store medical cannabis and hemp-derived ingredients or intoxicating hemp products;

(ii) Purchase or otherwise acquire medical cannabis * * *, cannabis products, and intoxicating hemp products from medical cannabis establishments; or

(iii) Purchase or otherwise acquire hemp-derived ingredients or ancillary products from any lawful source; or

(* * *iv) Sell, supply or transfer medical cannabis products, cannabis products, ancillary products, equipment used to ingest medical cannabis, and related supplies and educational materials to other cannabis cultivation facilities, cannabis processing facilities or dispensaries * * *;

(j) Activities by a cannabis research facility, a cannabis testing facility or agents of these facilities to:

(i) Purchase or otherwise acquire medical cannabis from medical cannabis establishments;

(ii) Possess, purchase or otherwise acquire hemp-derived ingredients, or cannabis products, or intoxicating hemp products;

(* * *iii) Possess, produce, process, compound, convert, prepare, pack, test, repack and store medical cannabis, hemp-derived ingredients and cannabis products obtained from medical cannabis establishments; or

(* * *iv) Sell, supply or transfer medical cannabis, hemp-derived ingredients, cannabis products, ancillary products, and educational materials * * * to cannabis cultivation facilities, cannabis processing facilities, cannabis testing facilities and cannabis research facilities * * *;

(k) Activities by a cannabis transportation entity or a cannabis disposal entity to transport, supply, deliver, dispose of or destroy cannabis, cannabis products, intoxicating hemp products or hemp-derived ingredients, as applicable.

(3) Any medical cannabis, cannabis product, * * * ancillary product, or other interest in or right to property that is possessed, owned or used in connection with the medical use of medical cannabis as authorized by this chapter, or acts incidental to such use, shall not be seized or forfeited. This chapter shall not prevent the seizure or forfeiture of medical cannabis exceeding the allowable amounts of medical cannabis, nor shall it prevent seizure or forfeiture if the basis for the action is unrelated to the medical cannabis that is possessed, processed, transferred or used pursuant to this chapter. This section shall not be construed to prevent the seizure of intoxicating hemp products by the proper agency under this act.

(4) Possession of, or application for, a registry identification card shall not:

(a) Constitute probable cause or reasonable suspicion;

(b) Be used to support a search of the person or property of the person possessing or applying for the registry identification card; or

(c) Subject the person or property of the person to inspection by any governmental agency.

(5) It is the public policy of the State of Mississippi that contracts related to medical cannabis that are entered into by cardholders, medical cannabis establishments, medical cannabis establishment agents and those who allow property to be used by those persons, should be enforceable to the extent that those activities comply with the other provisions of this chapter. It is the public policy of the State of Mississippi that no contract entered into by a cardholder, a medical cannabis establishment, or a medical cannabis establishment agent, or by a person who allows property to be used for activities that are authorized under this chapter, shall be unenforceable on the basis that activities related to cannabis are prohibited by federal law.

(6) An applicant for a professional or occupational license shall not be denied a license based on previous employment related to medical cannabis activities that are allowed under this chapter.

SECTION 19. Section 41-137-11, Mississippi Code of 1972, is amended as follows:

41-137-11. (1) Each medical cannabis establishment shall use a statewide seed-to-sale tracking system certified by the MDOH to track medical cannabis from seed

or immature plant stage until the medical cannabis is purchased by a registered qualifying patient or registered designated caregiver or destroyed. Records entered into the seed-to-sale tracking system shall include each day's beginning inventory, harvests, acquisitions, sales, disbursements, remediations, disposals, transfers, ending inventory, and any other data necessary for inventory control records in the statewide seed-to-sale tracking system. Each medical cannabis dispensary shall be responsible for ensuring that all medical cannabis sold or disbursed to a registered qualifying patient or registered designated caregiver is recorded in the seed-to-sale tracking system as a purchase by or on behalf of the applicable registered qualifying patients.

(2) Amounts of medical cannabis shall be recorded in the following manner:

(a) For dried, unprocessed cannabis, in ounces or grams;

(b) For concentrates, in grams; or

(c) For infused products, by milligrams of THC.

(3) The seed-to-sale tracking system used by cannabis cultivation facilities, dispensaries, cannabis processing facilities, cannabis testing facilities, cannabis research facilities, cannabis transportation entities and cannabis disposal entities shall be capable of:

(a) Allowing those facilities and entities to interface with the statewide system such that a facility may enter and access information in the statewide system;

(b) Providing the MDOR and MDOH with access to all information stored in the system's database;

(c) Maintaining the confidentiality of all patient and caregiver data and records accessed or stored by the system such that all persons or entities other than the MDOR and MDOH may only access the information in the system that they are authorized by law to access;

(d) Producing analytical reports to the MDOR and MDOH regarding the total quantity of daily, monthly, and yearly sales at the facility per product type; the average prices of daily, monthly, and yearly sales at the facility per product type; and total inventory or sales record adjustments at the facility; * * *

(e) The ability to determine the amount of medical cannabis that a registered qualifying patient or registered designated caregiver has purchased that day in real time by searching a patient registration number * * *; and

(f) Incorporating hemp-derived ingredients, intoxicating hemp products, and cannabis products purchased and sold by medical cannabis establishments.

(4) Banks and other financial institutions may be allowed access to specific limited information from the seed-to-sale tracking system. The information that may be available to these institutions shall be limited to financial data of individuals and business entities that have a business relationship with these institutions. This information shall be limited to the information needed for banks to comply with applicable federal regulations and shall not disclose any medical or personal information about registered cardholders or designated caregivers.

SECTION 20. Section 41-137-35, Mississippi Code of 1972, is amended as follows:

41-137-35. (1) The MDOH shall issue licenses for cannabis cultivation facilities, cannabis processing facilities, cannabis transportation entities, cannabis disposal entities,

cannabis research facilities and cannabis testing facilities. The MDOR shall issue licenses for medical cannabis dispensaries.

(2) The cannabis cultivation facility license application fee shall be subject to the following tiers:

(a) Micro-cultivators.

(i) Tier 1. A cannabis cultivation facility with a canopy of one thousand (1,000) square feet or less shall be subject to a one-time nonrefundable license application fee of One Thousand Five Hundred Dollars ($1,500.00). The annual license fee shall be a nonrefundable fee of Two Thousand Dollars ($2,000.00).

(ii) Tier 2. A cannabis cultivation facility with a canopy of more than one thousand (1,000) square feet but not more than two thousand (2,000) square feet shall be subject to a one-time nonrefundable license application fee of Two Thousand Five Hundred Dollars ($2,500.00). The annual license fee shall be a nonrefundable fee of Three Thousand Five Hundred Dollars ($3,500.00).

(b) Cultivators.

(i) Tier 1. A cannabis cultivation facility with a canopy of not less than two thousand (2,000) square feet but not more than five thousand (5,000) square feet shall be subject to a one-time nonrefundable license application fee of Five Thousand Dollars ($5,000.00). The annual license fee shall be a nonrefundable fee of Fifteen Thousand Dollars ($15,000.00).

(ii) Tier 2. A cannabis cultivation facility with a canopy of not less than five thousand (5,000) square feet but not more than fifteen thousand (15,000) square feet shall be subject to a one-time nonrefundable license application fee of Ten Thousand Dollars ($10,000.00). The annual license fee shall be a nonrefundable fee of Twenty-five Thousand Dollars ($25,000.00).

(iii) Tier 3. A cannabis cultivation facility with a canopy of not less than fifteen thousand (15,000) square feet but not more than thirty thousand (30,000) square feet shall be subject to a one-time nonrefundable license application fee of Twenty Thousand Dollars ($20,000.00). The annual license fee shall be a nonrefundable fee of Fifty Thousand Dollars ($50,000.00).

(iv) Tier 4. A cannabis cultivation facility with a canopy of not less than thirty thousand (30,000) square feet but not more than sixty thousand (60,000) square feet shall be subject to a one-time nonrefundable license application fee of Thirty Thousand Dollars ($30,000.00). The annual license fee shall be a nonrefundable fee of Seventy-five Thousand Dollars ($75,000.00).

(v) Tier 5. A cannabis cultivation facility with a canopy of not less than sixty thousand (60,000) square feet but not more than one hundred thousand (100,000) square feet shall be subject to a one-time nonrefundable license application fee of Forty Thousand Dollars ($40,000.00). The annual license fee shall be a nonrefundable fee of One Hundred Thousand Dollars ($100,000.00).

(vi) Tier 6. A cannabis cultivation facility with a canopy of not less than one hundred thousand (100,000) square feet but not more than one hundred fifty thousand (150,000) square feet shall be subject to a one-time nonrefundable license application fee of Sixty Thousand Dollars ($60,000.00). The annual license fee shall be a nonrefundable fee of One Hundred Fifty Thousand Dollars ($150,000.00). Tier 6 cannabis cultivation facilities shall have not more than two (2) locations; however, the total canopy space of both locations combined may not exceed one hundred fifty thousand (150,000) square feet.

(3) The cannabis processing facility license application fee shall be subject to the following tiers:

(a) Micro-processors.

(i) Tier 1. A cannabis processing facility which processes less than two thousand (2,000) pounds of dried biomass cannabis material annually shall be subject to a one-time nonrefundable license application fee of Two Thousand Dollars ($2,000.00). The annual license fee shall be a nonrefundable fee of Three Thousand Five Hundred Dollars ($3,500.00).

(ii) Tier 2. A cannabis processing facility which processes not less than two thousand (2,000) pounds but less than three thousand (3,000) pounds of dried biomass cannabis material annually shall be subject to a one-time nonrefundable license application fee of Two Thousand Five Hundred Dollars ($2,500.00). The annual license fee shall be a nonrefundable fee of Five Thousand Dollars ($5,000.00).

(b) Processors. A cannabis processing facility which processes not less than three thousand (3,000) pounds of biomass cannabis material annually shall be subject to a one-time nonrefundable license application fee of Fifteen Thousand Dollars ($15,000.00). The annual license fee shall be a nonrefundable fee of Twenty Thousand Dollars ($20,000.00).

(4) A medical cannabis dispensary shall be subject to a one-time nonrefundable license application fee of Fifteen Thousand Dollars ($15,000.00). The annual license fee shall be a nonrefundable fee of Twenty-five Thousand Dollars ($25,000.00).

(5) Cannabis transportation entities shall be subject to a one-time nonrefundable application fee of Five Thousand Dollars ($5,000.00). The annual license fee shall be a nonrefundable fee of Seven Thousand Five Hundred Dollars ($7,500.00).

(6) Cannabis disposal entities shall be subject to a one-time nonrefundable application fee of Five Thousand Dollars ($5,000.00). The annual license fee shall be a nonrefundable fee of Seven Thousand Five Hundred Dollars ($7,500.00).

(7) Cannabis testing facilities shall be subject to a one-time nonrefundable application fee of Ten Thousand Dollars ($10,000.00) and an annual license fee of Fifteen Thousand Dollars ($15,000.00). An individual or business entity that has a direct or indirect ownership or economic interest in a licensed cannabis testing facility may also have a direct or indirect ownership or economic interest in a licensed medical cannabis transportation entity. A cannabis testing facility may enter into an agreement for the transportation of medical cannabis by a licensed medical cannabis transportation entity. MDOH * * * shall contract with a private laboratory for the purpose of conducting compliance testing oversight of medical cannabis testing facilities licensed in the state. Any such laboratory under contract for compliance testing oversight shall be prohibited from conducting any other commercial medical cannabis testing in this state.

(8) Cannabis research facilities shall be subject to a one-time nonrefundable application fee of Ten Thousand Dollars ($10,000.00) and an annual license fee of Fifteen Thousand Dollars ($15,000.00). A research facility at any university or college in this state shall be exempt from all fees imposed under this section.

(9) No individual or business entity shall have a direct or indirect ownership or economic interest of greater than ten percent (10%) in:

(a) More than one (1) cannabis cultivation facility license;

(b) More than one (1) cannabis processing facility license; and

(c) More than five (5) medical cannabis dispensary licenses.

(10) Minimum qualifications for applicants for a cannabis cultivation facility, a cannabis processing facility, a medical cannabis dispensary, a medical cannabis transportation entity or a medical cannabis disposal entity license(s) are as follows:

(a) An individual applicant for a cannabis cultivation facility, cannabis processing facility, medical cannabis dispensary, medical cannabis transportation entity or medical cannabis disposal license shall be a natural person who:

(i) Is at least twenty-one (21) years of age;

(ii) Has not previously held a license for a cannabis cultivation facility, cannabis processing facility, medical cannabis dispensary, medical cannabis transportation entity or medical cannabis disposal entity that has been revoked;

(iii) Has not been convicted of a disqualifying felony offense;

(iv) If possessing a professional or occupational license, that the license is in good standing;

(v) Has submitted a sworn statement indicating that he or she is a true and actual owner of the entity for which the license is desired, and that he or she intends to carry on the business authorized for himself or herself and the entity and not as the agent for any other entity * * *;

(vi) Has no outstanding tax delinquencies owed to the State of Mississippi;

(vii) Is not serving as a member of the Mississippi Senate or Mississippi House of Representatives through December 31, 2022;

(viii) Is not the spouse of a person serving as a member of the Mississippi Senate or Mississippi House of Representatives through December 31, 2022; and

(b) If the applicant is applying on behalf of an entity, in addition to paragraph (a) of this subsection, the individual applicant shall:

(i) Be legally authorized to submit an application on behalf of the entity;

(ii) Serve as the primary point of contact with the MDOR and MDOH;

(iii) Submit sufficient proof that the entity has no owner, board member, officer, or anyone with an economic interest in the entity who:

1. Is under the age of twenty-one (21);

2. Has previously been an owner of a medical cannabis dispensary, cannabis cultivation facility, a cannabis processing facility, medical cannabis transportation entity or medical cannabis disposal entity that has had its license revoked;

3. Has been convicted of a disqualifying felony offense;

4. Owes delinquent taxes to the State of Mississippi;

5. Is serving as a member of the Mississippi Senate or Mississippi House of Representatives through December 31, 2022; and

6. Is the spouse of a person serving as a member of the Mississippi Senate or Mississippi House of Representatives through December 31, 2022; and

(iv) Submit sufficient proof that if an owner, board member, officer or anyone with an economic interest in the entity has or had a professional or occupational license, that the license is in good standing.

(11) [Repealed]

(12) A micro-cultivator or a micro-processor shall both meet the minimum qualifications in subsection (10) of this section and shall also submit sufficient proof of the following:

(a) If a natural person, proof that the person has been a resident of the State of Mississippi and a citizen of the United States of America for at least three (3) years prior to the application date; or

(b) If a business entity, provide proof that:

(i) It was registered as an entity with the Secretary of State in Mississippi; and

(ii) One-hundred percent (100%) of the equity ownership interests in the entity are held by individuals who have been residents of the State of Mississippi and citizens of the United States of America for at least three (3) consecutive years prior to the application date.

(13) For purposes of this section, it shall be sufficient to prove Mississippi residency for the individual(s) to submit two (2) of the following source documents:

(a) Mississippi Tax Return Form 80-105 or Form 80-205 for each of the three (3) years preceding the application without schedules, worksheets, or attachments, and redacted to remove all financial information and all but the last four (4) digits of the individual's social security number for the three (3) years preceding the application;

(b) Ownership, lease, or rental documents for place of primary domicile for the three (3) years preceding the application;

(c) Billing statements, including utility bills for the three (3) years preceding the application; or

(d) Vehicle registration for the three (3) years preceding the application.

(14) Ownership in a cannabis cultivation facility license, cannabis processing facility license or a medical cannabis dispensary license or investment in a business that supports or benefits from such a license shall not disqualify or otherwise negatively impact the license or finding of suitability of such owner who is otherwise engaged in any other form of business operation in the state, if such business requires the owner to hold a license or be found suitable under state law.

(15) Any business or state entity applying for registration as a medical cannabis establishment must meet all the requirements specified in this chapter.

(16) A prospective medical cannabis establishment shall submit all of the following:

(a) An application, including:

(i) The legal name of the prospective medical cannabis establishment;

(ii) The physical address of the prospective medical cannabis establishment, which shall not be within one thousand (1,000) feet of the nearest property boundary line of a school, church or child care facility which exists or has acquired necessary real property for the operation of such facility before the date of the medical cannabis establishment application unless the entity has received approval from the school, church or child care facility and received the applicable waiver from their licensing agency, provided that the main point of entry of the cannabis establishment is not located within five hundred (500) feet of the nearest property boundary line of any school, church or child care facility;

(iii) The name of each principal officer and board member of the proposed medical cannabis establishment; and

(iv) Any additional information requested by the MDOR and MDOH.

(b) Operating procedures consistent with rules and regulations for oversight of the proposed medical cannabis establishment, including procedures to ensure accurate record keeping and adequate security measures.

(c) If the municipality or county where the proposed medical cannabis establishment would be located has enacted zoning restrictions, a sworn statement certifying that the proposed medical cannabis establishment is in compliance with the restrictions.

(d) If the municipality or county where the proposed medical cannabis establishment would be located requires a local registration, license or permit, then proof of receiving such registration, license or permit.

(e) If the application is on behalf of an entity, verification that none of the principal officers or board members have served as a principal officer or board member for a medical cannabis establishment that has had its license revoked.

(f) If the application is on behalf of an entity, verification that none of the principal officers or board members is under twenty-one (21) years of age.

(17) If a dispensary license is issued to an applicant that is still constructing the licensed premises, the applicant must complete construction and fulfill all obligations required by the Department of Revenue to open for business within eighteen (18) months, or the license shall be revoked.

(18) The MDOR and MDOH shall issue a renewal registration certificate within ten (10) days of receipt of the prescribed renewal application and renewal fee from a medical cannabis establishment if its license is not under suspension and has not been revoked.

(19) A licensing agency shall require disclosure only of persons, entities or affiliated entities who directly or indirectly own ten percent (10%) or more of a medical cannabis establishment issued a license by the licensing agency.

(20) Otherwise eligible applicants for licenses to operate as medical cannabis establishments under this chapter shall not be disqualified from receipt of a license based on:

(a) Their location on Mississippi Choctaw Indian Reservation Lands; or

(b) The involvement of the Mississippi Band of Choctaw Indians or any entity owned or operated by the Mississippi Band of Choctaw Indians as an owner or co-owner of such license, provided that such license shall be subject to revocation for material noncompliance with this chapter on the same basis as any other license.

(21) A cannabis processing facility that produces edible cannabis products shall hold a permit to operate as a food establishment and shall comply with all applicable requirements for food establishments as set by the MDOH.

* * *

SECTION 21. Section 41-137-39, Mississippi Code of 1972, as amended by Senate Bill No. 2857, 2024 Regular Session, is amended as follows:

41-137-39. (1) (a) * * * The MDOH shall obtain criminal records background checks on all persons applying to become a licensee, an agent, or representative as defined herein, of a medical cannabis establishment. This shall include performing criminal records background checks on all potential employees, current employees, or representatives/agents of the MDOH Medical Cannabis Program. The required criminal history background includes information provided by the Federal Bureau of Investigation.

(b) * * * For the purposes of this section, an applicant is any person who registers with or applies for an initial medical cannabis work permit, or a renewal of a medical cannabis work permit. Such a person or applicant may also be defined as an agent, an employee, a representative, etc. as further defined and sometimes used interchangeably as referenced in this section.

(c) * * * For purposes of this section, an agent is a person who acts for or on behalf of, or who represents a medical cannabis establishment while in the course of business or employment with the Mississippi Medical Cannabis Program and may also be referred to as an agent, a representative, or vice versa.

(d) * * * Representative means a principal officer, owner of ten percent (10%) or greater economic interest in a medical cannabis establishment with direct or indirect interest, officer, director, manager, employee, agent, volunteer, or other type representative of a registered medical cannabis licensee establishment.

(e) * * * Principal officer means a person(s) who has ultimate responsibility for implementing the decisions of a cannabis testing facility or other such medical cannabis establishment and includes, but are not necessarily limited to, the Chief Executive Officer (CEO), Chief Administrative Office (CAO), Chief Financial Officer, (CFO), as applicable. Elected or appointed, the board as a whole creates agency policies and oversees the agency's managerial positions.

(f) Board member means an individual on a medical cannabis establishment's company or agency board which serves as an organization's governing body.

(g) Principal owner means the primary owner of a medical cannabis establishment, but often may be the sole owner.

(h) Any and every person/applicant seeking to become an owner or principal owner, principal officer, or officer, board member, director, manager, agent/representative, employee, care giver, or volunteer of a medical cannabis establishment shall apply for, or authorize the MDOH to obtain state and national criminal background checks to be conducted by the Mississippi Justice Information Center of the Department of Public Safety and the Federal Bureau of Investigation.

(i) Such criminal background checks shall conform to the applicable federal standards and shall include the taking of fingerprints.

(j) Once the Mississippi Justice Information Center of the Department of Public Safety completes a state level criminal history background check, they will forward the fingerprints to the Federal Bureau of Investigation for a national criminal history background check.

(k) The person seeking to become an agent/representative of a medical cannabis establishment shall authorize the release of such criminal background check to the MDOH and shall be responsible for the payment of any fee associated with the criminal background checks.

(l) The Mississippi Justice Information Center of the Department of Public Safety shall forward to the MDOH all information obtained concerning the applicant. MDOH will not disseminate the information and will only use such information as required to fulfill the purposes of this act.

(2) A medical cannabis establishment may not employ any person who:

(a) Was convicted of a disqualifying felony offense; or

(b) Is under twenty-one (21) years of age.

(3) The operating documents of a medical cannabis establishment must include procedures for the oversight of the medical cannabis establishment and procedures to ensure accurate record keeping and adequate security measures.

(4) A medical cannabis establishment shall implement appropriate security measures designed to deter and prevent the theft of medical cannabis and unauthorized entrance into areas containing medical cannabis.

(5) All cultivation, harvesting, processing and packaging of medical cannabis must take place in an enclosed, locked and secure facility with a physical address provided to the MDOH during the licensing and registration process. The facility shall be equipped with locks or other security devices that permit access only by agents of the medical cannabis establishment, emergency personnel or adults who are twenty-one (21) years of age and older and who are accompanied by medical cannabis establishment agents.

(6) No medical cannabis establishment other than a cannabis processing facility or cannabis research facility may * * * process cannabis concentrates, cannabis extractions, or other cannabis products.

(7) A medical cannabis establishment may not share office space with or refer patients to a practitioner.

(8) Medical cannabis establishments are subject to inspection by the MDOR and MDOH during business hours.

(9) Before medical cannabis may be dispensed to a cardholder, a medical cannabis dispensary agent must:

(a) Require that the individual present a registry identification card;

(b) Make a diligent effort to verify that the registry identification card presented to the dispensary is valid;

(c) Make a diligent effort to verify that the person presenting the registry identification card is the person identified on the registry identification card presented to the medical cannabis dispensary agent; and

(d) Not believe that the amount of medical cannabis dispensed would cause the person to possess more than the allowable amount of medical cannabis.

(10) A medical cannabis establishment shall not sell more than the allowable amount of medical cannabis to a cardholder. * * * A resident cardholder shall not obtain more than a total of twenty-four (24) MMCEUs of allowable medical cannabis in thirty (30) days from a dispensary or a combination of dispensaries.

The possession limit for resident cardholders of the allowable amount of medical cannabis shall be a total of twenty-eight (28) MMCEUs. There shall not be a possession limit on intoxicating hemp products or nonconsumable medical cannabis, including, but not limited to, suppositories, ointments, soaps, and lotions or other topical agents.

(11) For purposes of this chapter, total THC is defined as THCA multiplied by .877 plus THC Delta 9 and all other psychoactive forms or isomers of THC added together. A medical cannabis establishment shall not sell cannabis flower or trim that has a potency of greater than thirty percent (30%) total THC. A medical cannabis dispensary shall not sell cannabis tinctures, oils or concentrates that have a potency of greater than sixty percent (60%) total THC. Cannabis products that have a potency of over thirty percent (30%) total THC shall be clearly labeled as "extremely potent." Edible cannabis products, including food or drink products, that have been combined with usable cannabis or cannabis products shall be physically demarked and labeled with a clear determination of how much total THC is in a single-serving size and how much THC is in the entire package.

A medical cannabis product shall contain a notice of harm regarding the use of cannabis products. Edible cannabis products shall be homogenized to ensure uniform disbursement of cannabinoids throughout the product. All molded edible cannabis products shall be presented in the form of geometric shapes and shall not be molded to contain any images or characters designed or likely to appeal to minors, such as cartoons, toys, animals or children.

(12) A dispensary may not dispense more than the allowable amount of cannabis to a registered qualifying patient or a nonresident cardholder, directly or via a registered designated caregiver. Dispensaries shall ensure compliance with this limitation by maintaining internal, confidential records that include records specifying how much medical cannabis is being dispensed to the registered qualifying patient or nonresident cardholder and whether it was dispensed directly to a registered qualifying patient, nonresident cardholder or to the registered designated caregiver.

(13) A nonresident cardholder shall not obtain more than a total of six (6) MMCEUs of allowable medical cannabis in a week from a dispensary or a combination of dispensaries. A nonresident cardholder shall not obtain more than a total of twelve (12) MMCEUs of allowable cannabis from a dispensary or a combination of dispensaries in a fifteen-day period.

(14) A nonresident may apply to receive a nonresident registry identification card up to thirty (30) days before arriving in Mississippi. A nonresident registry identification card shall be valid for fifteen (15) days. After the expiration of the card, a nonresident may apply for a renewal of the card and may be granted another card which shall be valid for another fifteen-day period. A nonresident registry identification card shall only be valid, at a maximum, for two (2) separate periods of fifteen (15) days in a three-hundred-sixty-five-day period. An applicant may indicate on his or her application the specific time period that he or she wishes for the card to be valid. The possession

limit of the allowable amount of medical cannabis for nonresident cardholders shall be fourteen (14) MMCEUs.

(15) A medical cannabis dispensary agent or employee shall not issue a written certification. Employees and agents of a medical cannabis dispensary shall complete at least eight (8) hours of continuing education in medical cannabis as regulated by the MDOR in order to be certified to work at a medical cannabis dispensary. After the first year of employment, these employees shall complete five (5) hours of continuing education in medical cannabis annually to maintain this certification.

(16) Notwithstanding any other provision to the contrary, a patient with a debilitating medical condition who is between eighteen (18) years to twenty-five (25) years of age is not eligible for a medical cannabis registry identification card unless two (2) practitioners from separate medical practices have diagnosed the patient as having a debilitating medical condition after an in-person consultation. One (1) of these practitioners must be a physician or doctor of osteopathic medicine.

If one (1) of the recommending practitioners is not the patient's primary care practitioner, the recommending practitioner shall review the records of a diagnosing practitioner. The requirement that the two (2) practitioners be from separate medical practices does not apply if the patient is homebound or if the patient had a registry identification card before the age of eighteen (18).

(17) Except as otherwise provided in this section, a medical cannabis establishment shall not allow an individual who is younger than twenty-one (21) years old to enter the premises of the establishment unless the individual possesses a registry identification card and is accompanied by his or her legal guardian.

(18) A medical cannabis establishment shall only purchase, grow, cultivate, and use cannabis that is grown and cultivated in this state.

(19) Any medical cannabis that is grown and cultivated in this state shall not be transported outside of this state. A hemp grower, hemp processor, medical cannabis cultivator and medical cannabis processor shall be permitted to purchase intoxicating hemp products and hemp-derived ingredients, as applicable, from outside of the state, provided that the intoxicating hemp products, or hemp-derived ingredients, as applicable, were produced using, or are, lawful hemp grown under another state's U.S.D.A. approved hemp program, and the intoxicating hemp products are in compliance with this act, the Mississippi Intoxicating Hemp Regulation Act, and the Agriculture Improvement Act of 2018 and any subsequent authorizations. Such materials shall be subject to laboratory testing requirements set forth in this act. A medical cannabis processor shall provide proof of compliance with the testing requirements of this act to the Department of Health. A medical cannabis processor shall upload each intoxicating hemp product into the seed-to-sale tracking system.

(* * *20) Employees of all medical cannabis establishments shall apply for a work permit with the MDOH and MDOR, as applicable, before beginning employment with any establishment. The licensing agency for the respective medical cannabis establishment may issue work permits to these individuals. These licensing agencies shall maintain a work registry of all applicants and work permits issued. The fee for a work permit shall be Twenty-five Dollars ($25.00) and the permit shall be valid for five (5) years. Work permits shall be the property of the employee and shall not be transferable to other employees.

(* * *21) For purposes of this subsection, "plant growth regulator cannabis" shall mean a cannabis plant whose growth and structure has been modified using plant growth hormones. A cannabis cultivation facility shall not cultivate and a cannabis dispensary shall not sell, transfer or provide for consumption plant growth regulator cannabis.

(* * *22) A medical cannabis dispensary shall only make medical cannabis sales to cardholders inside the dispensary. A medical cannabis dispensary shall not sell or otherwise convey medical cannabis to a cardholder through the means of a drive-through, curbside delivery or other delivery outside the premises of the dispensary. Any topical cannabis product that is purchased by a dispensary from a licensed processor, and that is not ingested by the liver, may be sold to a cardholder or any person over the age of twenty-one (21) years old who is not a cardholder. Any intoxicating hemp product may be sold by a medical cannabis dispensary to a cardholder or any person over the age of twenty-one (21) years old who is not a cardholder. Such products * * * may be placed in an area of the dispensary that does not require access with a registry identification card; provided, however, that all such products shall be placed in an area of the store that is separate and distinguishable from the area of the store that offers medical cannabis.

(* * *23) Any and all contracts or agreements entered into by the MDOH and MDOR for information technology software, hardware, and/or services for the purpose of implementing and/or operating under the Mississippi Medical Cannabis Act shall include language reasonably limiting the ability of the vendor to escalate the ongoing cost of such software, hardware, and/or services during the term of the contract, including any amendments and/or extensions.

(* * *24) The MDOR and MDOH shall not share the name, address or personal data of a registry identification cardholder to any federal government entity.

(25) Any finished hemp product intended for human or animal consumption that contains greater than ten (10) milligrams of total THC per serving and one hundred (100) milligrams per container shall not be sold or transferred to consumers in Mississippi. Nothing in this section shall prohibit the sale of intoxicating hemp products to medical cannabis establishments where such intoxicating hemp products were produced in compliance with this act and applicable state law.

SECTION 22. Section 41-137-45, Mississippi Code of 1972, is amended as follows:

41-137-45. (1) It shall be unlawful for any person or entity to cultivate, process, transport, use, possess, purchase, sell or transfer cannabis except as authorized by this chapter.

(2) A cardholder or medical cannabis establishment that purposely or knowingly fails to provide a notice required by Section 41-137-31 is guilty of a civil offense, punishable by a fine of no more than One Thousand Five Hundred Dollars ($1,500.00), which may be assessed and collected by the licensing agency.

(3) A medical cannabis establishment or an agent of a medical cannabis establishment that purposely, knowingly, or recklessly sells or otherwise transfers medical cannabis other than to a cardholder, a nonresident cardholder, or to a medical cannabis establishment or its agent as authorized under this chapter is guilty of a felony punishable by a fine of not more than Ten Thousand Dollars ($10,000.00), or by commitment to the custody of the Department of Corrections for not more than two (2) years, or both. A person convicted under this subsection may not continue to be affiliated with the medical cannabis establishment and is disqualified from further participation in the medical cannabis program under this chapter.

(4) A cardholder or nonresident cardholder who purposely, knowingly, or recklessly sells or otherwise transfers medical cannabis to a person or other entity is guilty of a felony punishable by a fine of not more than Three Thousand Dollars ($3,000.00), or by commitment to the custody of the Department of Corrections for not more than two (2) years, or both. A person convicted under this subsection is disqualified from further participation in the medical cannabis program under this chapter. (5) A person who purposely, knowingly, or recklessly makes a false statement to a law enforcement official

about any fact or circumstance relating to the medical use of cannabis to avoid arrest or prosecution is guilty of a misdemeanor punishable by a fine of not more than One Thousand Dollars ($1,000.00), by imprisonment in the county jail for not more than ninety (90) days, or both. If a person convicted of violating this subsection is a cardholder, the person is disqualified from further participation in the medical cannabis program under this chapter.

(6) A person who purposely submits false records or documentation for an application for a license for a medical cannabis establishment under this chapter is guilty of a felony punishable by a fine of not more than Five Thousand Dollars ($5,000.00), or by commitment to the custody of the Department of Corrections for not more than two (2) years, or both. A person convicted under this subsection may not continue to be affiliated with the medical cannabis establishment and is disqualified from further participation in the medical cannabis program under this chapter.

(7) A practitioner who purposely refers patients to a specific medical cannabis establishment or to a registered designated caregiver, who advertises in a medical cannabis establishment, or who issues written certifications while holding a financial interest in a medical cannabis establishment, is guilty of a civil offense for every false certification and shall be fined up to Five Thousand Dollars ($5,000.00) by the MDOH.

(8) Any person, including an employee or official of an agency or local government, who purposely, knowingly, or recklessly breaches the confidentiality of information obtained under this chapter is guilty of a misdemeanor punishable by a fine of not more than One Thousand Dollars ($1,000.00), or by imprisonment for not more than one hundred eighty (180) days in the county jail, or both.

(9) No person, other than a cannabis or hemp processing facility or its agents, complying with this chapter, or Chapter 25 of Title 69, Mississippi Code of 1972, as applicable to hemp operations, and the rules and regulations promulgated under * * * those chapters, may extract compounds from cannabis that involves a chemical extraction process using a nonhydrocarbon-based or other solvent, such as water, vegetable glycerin, vegetable oils, animal fats, steam distillation, food-grade ethanol, or hydrocarbon-based solvent carbon dioxide. No person may extract compounds from cannabis using ethanol in the presence or vicinity of an open flame. It shall be a felony punishable by commitment to the custody of the Mississippi Department of Corrections for up to three (3) years and a Ten Thousand Dollar ($10,000.00) fine for any person to purposely, knowingly, or recklessly violate this subsection.

(10) A medical cannabis establishment is guilty of a civil offense for any purposeful, knowing or reckless violation of this chapter or the rules and regulations issued under this chapter where no penalty has been specified, and shall be fined not more than Five Thousand Dollars ($5,000.00) for each such violation by its licensing agency.

(11) The penalties provided for under this section are in addition to any other criminal, civil or administrative penalties provided for under law, rule or regulation.

(12) In addition to peace officers within their jurisdiction, all law enforcement officers of MDOH and MDOR may enforce the provisions made unlawful by this chapter.

(13) It is unlawful for any person or entity to sell or transfer intoxicating hemp products to individuals in the State of Mississippi except as authorized by this chapter. Nothing in this act shall prohibit interstate transport of hemp as allowed under federal law and the Mississippi Intoxicating Hemp Regulation Act.

(14) In addition to any other penalty, fine or conviction, as applicable, a person or business entity that purposely, knowingly, or recklessly sells or otherwise transfers intoxicating hemp products to a person in the State of Mississippi except as authorized under this chapter is guilty of a misdemeanor punishable by a fine of not more than Five

Thousand Dollars ($5,000.00), or by commitment to the custody of the Department of Corrections for not more than one (1) year, or both. A person convicted under this subsection is disqualified from further participation in the medical cannabis program under this chapter and the hemp program under the Mississippi Intoxicating Hemp Regulation Act.

(15) Notwithstanding the foregoing, nothing in this section shall prohibit:

(a) Any licensed medical cannabis establishment from making, purchasing, selling, giving away, exchanging, distributing, marketing, or otherwise holding out for sale any cannabis product or ancillary product in accordance with the Medical Cannabis Act;

(b) The sale of an intoxicating hemp product to a medical cannabis cultivator or processor by an entity operating in accordance with the Agricultural Improvement Act of 2018, any subsequent authorizations and applicable state law.

(16) In addition to any other enforcement authority previously granted thereto, the Department of Health, Department of Revenue, and Department of Agriculture and Commerce, as applicable, may each investigate, either on the basis of complaints filed with it or on its own initiative through compliance visits, reviews or audits, instances of suspected violations of any nature, including, but not limited to:

(a) The inversion or diversion of medical cannabis, medical cannabis products, intoxicating hemp products, ancillary products or of any other matter that may violate the provisions of this act or pose a serious danger to the public;

(b) The sale of medical cannabis, medical cannabis products, intoxicating hemp products or ancillary products by an unlicensed entity; or

(c) The sale of medical cannabis, medical cannabis products, intoxicating hemp products or ancillary products by an entity to anyone who is ineligible to receive such product under the laws of this state.

(17) On the basis of information developed during such an investigation, any of the agencies listed in subsection (16) of this section may exercise any number of actions including:

(a) To revoke, suspend or refuse to renew any license issued by the licensing agency;

(b) Deny an application for a license;

(c) Reprimand, fine and/or take any other actions in relation to a license, as the licensing agency may deem proper under the circumstances; or

(d) Seize medical cannabis, medical cannabis products, intoxicating hemp products or ancillary products that were used in violation of the laws of this state.

(18) In cases where violations of this chapter have been substantiated, the licensing agency may assess a monetary penalty or recoupment of costs for those reasonable costs that are expended by the licensing agency in the investigation and conduct of a proceeding for the compliance issue or violation that is the subject matter of the hearing, including, but not limited to, the costs of process service, court reporters, expert witnesses and investigations. The licensing agency shall determine the amount of investigative fees and costs owed by an individual or entity that violated the provisions of this chapter, as applicable, based on an itemized accounting after the investigation has been officially completed and a final determination or action has been determined.

(19) A dispensary shall not sell, transfer or distribute any intoxicating hemp product to a consumer online, or via electronic or digital application.

SECTION 23. Section 41-137-13, Mississippi Code of 1972, is amended as follows:

41-137-13. (1) This chapter shall not be construed to do any of the following:

(a) Require an organization for managed care, health benefit plan, private health insurer, government medical assistance program, employer, property and casualty, or workers' compensation insurer or self-insured group providing coverage for a medical, pharmacy or health care service to pay for or reimburse any other individual or entity for costs associated with the medical use of cannabis;

(b) Require any employer to permit, accommodate, or allow the medical use of medical cannabis, or to modify any job or working conditions of any employee who engages in the medical use of medical cannabis or who for any reason seeks to engage in the medical use of medical cannabis;

(c) Prohibit any employer from refusing to hire, discharging, disciplining, or otherwise taking an adverse employment action against an individual with respect to hiring, discharging, tenure, terms, conditions, or privileges of employment as a result, in whole or in part, of that individual's medical use of medical cannabis, regardless of the individual's impairment or lack of impairment resulting from the medical use of medical cannabis;

(d) Prohibit or limit the ability of any employer from establishing or enforcing a drug-testing policy;

(e) Interfere with, impair or impede any federal restrictions or requirements on employment or contracting, including, but not limited to, regulations adopted by the United States Department of Transportation in Title 49, Code of Federal Regulations;

(f) Permit, authorize, or establish any individual's right to commence or undertake any legal action against an employer for refusing to hire, discharging, disciplining or otherwise taking an adverse employment action against an individual with respect to hiring, discharging, tenure, terms, conditions or privileges of employment due to the individual's medical use of medical cannabis;

(g) Affect, alter or otherwise impact the workers' compensation premium discount available to employers who establish a drug-free workplace program in accordance with Section 71-3-201 et seq.;

(h) Affect, alter or otherwise impact an employer's right to deny or establish legal defenses to the payment of workers' compensation benefits to an employee on the basis of a positive drug test or refusal to submit to or cooperate with a drug test, as provided under Section 71-3-7 and Section 71-3-121; or

(i) Affect, alter or supersede any obligation or condition imposed on a parolee, probationer or an individual participating in a pretrial diversion program or other court-ordered substance abuse rehabilitation program.

(2) This chapter does not authorize any individual to engage in, and does not prevent the imposition of any civil, criminal or other penalties for engaging in, the following conduct:

(a) Acting with negligence, gross negligence, recklessness, in breach of any applicable professional or occupational standard of care, or to effect an intentional wrong, as a result, in whole or in part, of that individual's medical use of medical cannabis;

(b) Possessing medical cannabis or otherwise engaging in the medical use of medical cannabis in any correctional facility, unless the correctional facility has elected to allow the cardholder to engage in the use of medical cannabis;

(c) Smoking medical cannabis or a hemp product, including, but not limited to, an intoxicating hemp product, in a public place or in a motor vehicle; for purposes of this paragraph (c), the term "smoking" includes vaping and any other method of inhalation of medical cannabis or a hemp product, as applicable;

(d) Operating, navigating, or being in actual physical control of any motor vehicle, aircraft, train, motorboat or other conveyance in a manner that would violate Section 59-23-7, Section 63-11-30 or federal law as a result, in whole or in part, of that individual's medical use of medical cannabis;

(e) Possessing medical cannabis in excess of the allowable amount of medical cannabis; or

(f) Consumption, by a registered designated caregiver, of cannabis provided for use to a registered qualifying patient.

SECTION 24. Sections 6 through 9 of this act shall be codified in Article 4 of Chapter 25, Title 69, Mississippi Code of 1972.

SECTION 25. Section 25-9-107, Mississippi Code of 1972, is amended as follows:

25-9-107. The following terms, when used in this chapter, unless a different meaning is plainly required by the context, shall have the following meanings:

(a) "Board" means the State Personnel Board created under the provisions of this chapter.

(b) "State service" means all employees of state departments, agencies and institutions as defined herein, except those officers and employees excluded by this chapter.

(c) "Nonstate service" means the following officers and employees excluded from the state service by this chapter. The following are excluded from the state service:

(i) Members of the State Legislature, their staff and other employees of the legislative branch;

(ii) The Governor and staff members of the immediate Office of the Governor;

(iii) Justices and judges of the judicial branch or members of appeals boards on a per diem basis;

(iv) The Lieutenant Governor, staff members of the immediate Office of the Lieutenant Governor and officers and employees directly appointed by the Lieutenant Governor;

(v) Officers and officials elected by popular vote and persons appointed to fill vacancies in elective offices;

(vi) Members of boards and commissioners appointed by the Governor, Lieutenant Governor or the State Legislature;

(vii) All academic officials, members of the teaching staffs and employees of the state institutions of higher learning, the Mississippi Community College Board, and community and junior colleges;

(viii) Officers and enlisted members of the National Guard of the state;

(ix) Prisoners, inmates, student or patient help working in or about institutions;

(x) Contract personnel; provided that any agency which employs state service employees may enter into contracts for personal and professional services only if such contracts are approved in compliance with the rules and regulations promulgated by the Public Procurement Review Board under Section 27-104-7. Before paying any warrant for such contractual services in excess of Seventy-five Thousand Dollars ($75,000.00), the Auditor of Public Accounts, or the successor to those duties, shall determine whether the contract involved was for personal or professional services, and, if so, was approved by the Public Procurement Review Board as required by law;

(xi) Part-time employees; however, part-time employees shall only be hired into authorized employment positions classified by the board, shall meet minimum qualifications as set by the board, and shall be paid in accordance with the Variable Compensation Plan as certified by the board;

(xii) Persons appointed on an emergency basis for the duration of the emergency; the effective date of the emergency appointments shall not be earlier than the date approved by the State Personnel Director, and shall be limited to thirty (30) working days. Emergency appointments may be extended to sixty (60) working days by the State Personnel Board;

(xiii) Physicians, dentists, veterinarians, nurse practitioners and attorneys, while serving in their professional capacities in authorized employment positions who are required by statute to be licensed, registered or otherwise certified as such, provided that the State Personnel Director shall verify that the statutory qualifications are met prior to issuance of a payroll warrant by the Auditor;

(xiv) Personnel who are employed and paid from funds received from a federal grant program which has been approved by the Legislature or the Department of Finance and Administration whose length of employment has been determined to be time-limited in nature. This subparagraph shall apply to personnel employed under the provisions of the Comprehensive Employment and Training Act of 1973, as amended, and other special federal grant programs which are not a part of regular federally funded programs wherein appropriations and employment positions are appropriated by the Legislature. Such employees shall be paid in accordance with the Variable Compensation Plan and shall meet all qualifications required by federal statutes or by the Mississippi Classification Plan;

(xv) The administrative head who is in charge of any state department, agency, institution, board or commission, wherein the statute specifically authorizes the Governor, board, commission or other authority to appoint said administrative head; however, the salary of such administrative head shall be determined by the State Personnel Board in accordance with the Variable Compensation Plan unless otherwise fixed by statute;

(xvi) The State Personnel Board shall exclude top-level positions if the incumbents determine and publicly advocate substantive program policy and report directly to the agency head, or the incumbents are required to maintain a direct confidential working relationship with a key excluded official. Further, a written job

classification shall be approved by the board for each such position, and positions so excluded shall be paid in conformity with the Variable Compensation Plan;

(xvii) Employees whose employment is solely in connection with an agency's contract to produce, store or transport goods, and whose compensation is derived therefrom;

(xviii) Repealed;

(xix) The associate director, deputy directors and bureau directors within the Department of Agriculture and Commerce;

(xx) Personnel employed by the Mississippi Industries for the Blind; provided that any agency may enter into contracts for the personal services of MIB employees without the prior approval of the State Personnel Board or the State Personal Service Contract Review Board; however, any agency contracting for the personal services of an MIB employee shall provide the MIB employee with not less than the entry-level compensation and benefits that the agency would provide to a full-time employee of the agency who performs the same services;

(xxi) Personnel employed by the Mississippi Department of Wildlife, Fisheries and Parks and the Mississippi Department of Marine Resources as law enforcement trainees (cadets); such personnel shall be paid in accordance with the Colonel Guy Groff State Variable Compensation Plan;

(xxii) Administrators and instructional employees under contract or employed by the Mississippi School of the Arts (MSA) established in Section 37-140-1 et seq.;

(xxiii) The President of the Mississippi Lottery Corporation and personnel employed by the Mississippi Lottery Corporation;

(xxiv) Employees, excluding administrative employees, of the State Veterans Affairs Board who are employed at a veterans home established by the State Veterans Affairs Board under Section 35-1-19;

(xxv) Personnel employed by the Mississippi Department of Health whose employment is * * * in connection with the department's responsibilities in implementing, administering and enforcing provisions of the Mississippi Medical Cannabis Act, and enforcing any provision of Sections 1 through 23 of this act, as applicable to the department. This subparagraph shall stand repealed on June 30, 2026; and

(xxvi) Personnel employed by the Mississippi Department of Revenue whose employment is * * * in connection with the department's responsibilities in implementing, administering and enforcing provisions of the Mississippi Medical Cannabis Act, and enforcing any provision of Sections 1 through 23 of this act, as applicable to the department. This subparagraph shall stand repealed on June 30, 2026.

(d) "Agency" means any state board, commission, committee, council, department or unit thereof created by the Constitution or statutes if such board, commission, committee, council, department, unit or the head thereof, is authorized to appoint subordinate staff by the Constitution or statute, except a legislative or judicial board, commission, committee, council, department or unit thereof.

SECTION 26. Section 25-43-1.103, Mississippi Code of 1972, is amended as follows:

25-43-1.103. (1) This chapter applies to all agencies and all proceedings not expressly exempted under this chapter.

(2) This chapter creates only procedural rights and imposes only procedural duties. They are in addition to those created and imposed by other statutes.

(3) Specific statutory provisions which govern agency proceedings and which are in conflict with any of the provisions of this chapter shall continue to be applied to all proceedings of any such agency to the extent of such conflict only.

(4) The provisions of this chapter shall not be construed to amend, repeal or supersede the provisions of any other law; and, to the extent that the provisions of any other law conflict or are inconsistent with the provisions of this chapter, the provisions of such other law shall govern and control.

(5) An agency may grant procedural rights to persons in addition to those conferred by this chapter so long as rights conferred upon other persons by any provision of law are not substantially prejudiced.

(6) For the purposes of implementing, administering and/or enforcing the provisions of rules and regulations promulgated pursuant to the Mississippi Medical Cannabis Act, and the provisions in Sections 1 through 23 of this act, as applicable to each department, the Mississippi State Department of Health and the Mississippi Department of Revenue shall be exempted from this chapter from February 2, 2022, through June 30, 2026. This subsection shall stand repealed on June 30, 2026.

SECTION 27. Section 25-53-1, Mississippi Code of 1972, is amended as follows:

25-53-1. The Legislature recognizes that in order for the State of Mississippi to receive the maximum use and benefit from information technology and services now in operation or which will in the future be placed in operation, there should be full cooperation and cohesive planning and effort by and between the several state agencies and that it is the responsibility of the Legislature to provide statutory authority therefor. The Legislature, therefore, declares and determines that for these and other related purposes there is hereby established an agency of state government to be known as the Mississippi Department of Information Technology Services (MDITS). The Legislature further declares that the Mississippi Department of Information Technology Services (MDITS) shall provide statewide services that facilitate cost-effective information processing and telecommunication solutions. State agencies shall work in full cooperation with the board of MDITS to identify opportunities to minimize duplication, reduce costs and improve the efficiency of providing common technology services across agency boundaries. The provisions of this chapter shall not apply to the Department of Human Services for a period of three (3) years beginning July 1, 2017. The provisions of this chapter shall not apply to the Department of Child Protection Services for a period of three (3) years beginning July 1, 2017. Through June 30, * * * 2026, the provisions of this chapter shall not apply to the Department of Health and the Department of Revenue for the purposes of implementing, administering and enforcing the provisions of the Mississippi Medical Cannabis Act, and any provision in Sections 1 through 23 of this act that are applicable to the departments individually or jointly.

SECTION 28. Section 25-53-5, Mississippi Code of 1972, is amended as follows:

25-53-5. The authority shall have the following powers, duties, and responsibilities:

(a) (i) The authority shall provide for the development of plans for the efficient acquisition and utilization of computer equipment and services by all agencies of state government, and provide for their implementation. In so doing, the authority may use the MDITS' staff, at the discretion of the executive director of the authority, or the authority may contract for the services of qualified consulting firms in the field of information technology and utilize the service of such consultants as may be necessary for such purposes. Pursuant to Section 25-53-1, the provisions of this section shall not

apply to the Department of Human Services for a period of three (3) years beginning on July 1, 2017. Pursuant to Section 25-53-1, the provisions of this section shall not apply to the Department of Child Protection Services for a period of three (3) years beginning July 1, 2017.

(ii) [Repealed]

(b) The authority shall immediately institute procedures for carrying out the purposes of this chapter and supervise the efficient execution of the powers and duties of the office of executive director of the authority. In the execution of its functions under this chapter, the authority shall maintain as a paramount consideration the successful internal organization and operation of the several agencies so that efficiency existing therein shall not be adversely affected or impaired. In executing its functions in relation to the institutions of higher learning and junior colleges in the state, the authority shall take into consideration the special needs of such institutions in relation to the fields of teaching and scientific research.

(c) Title of whatever nature of all computer equipment now vested in any agency of the State of Mississippi is hereby vested in the authority, and no such equipment shall be disposed of in any manner except in accordance with the direction of the authority or under the provisions of such rules and regulations as may hereafter be adopted by the authority in relation thereto.

(d) The authority shall adopt rules, regulations, and procedures governing the acquisition of computer and telecommunications equipment and services which shall, to the fullest extent practicable, ensure the maximum of competition between all manufacturers of supplies or equipment or services. In the writing of specifications, in the making of contracts relating to the acquisition of such equipment and services, and in the performance of its other duties the authority shall provide for the maximum compatibility of all information systems hereafter installed or utilized by all state agencies and may require the use of common computer languages where necessary to accomplish the purposes of this chapter. The authority may establish by regulation and charge reasonable fees on a nondiscriminatory basis for the furnishing to bidders of copies of bid specifications and other documents issued by the authority.

(e) The authority shall adopt rules and regulations governing the sharing with, or the sale or lease of information technology services to any nonstate agency or person. Such regulations shall provide that any such sharing, sale or lease shall be restricted in that same shall be accomplished only where such services are not readily available otherwise within the state, and then only at a charge to the user not less than the prevailing rate of charge for similar services by private enterprise within this state.

(f) The authority may, in its discretion, establish a special technical advisory committee or committees to study and make recommendations on technology matters within the competence of the authority as the authority may see fit. Persons serving on the Information Resource Council, its task forces, or any such technical advisory committees shall be entitled to receive their actual and necessary expenses actually incurred in the performance of such duties, together with mileage as provided by law for state employees, provided the same has been authorized by a resolution duly adopted by the authority and entered on its minutes prior to the performance of such duties.

(g) The authority may provide for the development and require the adoption of standardized computer programs and may provide for the dissemination of information to and the establishment of training programs for the personnel of the various information technology centers of state agencies and personnel of the agencies utilizing the services thereof.

(h) The authority shall adopt reasonable rules and regulations requiring the reporting to the authority through the office of executive director of such information as

may be required for carrying out the purposes of this chapter and may also establish such reasonable procedures to be followed in the presentation of bills for payment under the terms of all contracts for the acquisition of computer equipment and services now or hereafter in force as may be required by the authority or by the executive director in the execution of their powers and duties.

(i) The authority shall require such adequate documentation of information technology procedures utilized by the various state agencies and may require the establishment of such organizational structures within state agencies relating to information technology operations as may be necessary to effectuate the purposes of this chapter.

(j) The authority may adopt such further reasonable rules and regulations as may be necessary to fully implement the purposes of this chapter. All rules and regulations adopted by the authority shall be published and disseminated in readily accessible form to all affected state agencies, and to all current suppliers of computer equipment and services to the state, and to all prospective suppliers requesting the same. Such rules and regulations shall be kept current, be periodically revised, and copies thereof shall be available at all times for inspection by the public at reasonable hours in the offices of the authority. Whenever possible no rule, regulation or any proposed amendment to such rules and regulations shall be finally adopted or enforced until copies of the proposed rules and regulations have been furnished to all interested parties for their comment and suggestions.

(k) The authority shall establish rules and regulations which shall provide for the submission of all contracts proposed to be executed by the executive director for computer equipment and/or telecommunications or services, including cloud computing, to the authority for approval before final execution, and the authority may provide that such contracts involving the expenditure of less than such specified amount as may be established by the authority may be finally executed by the executive director without first obtaining such approval by the authority.

(l) The authority is authorized to consider new technologies, such as cloud computing, to purchase, lease, or rent computer equipment or services and to operate that equipment and use those services in providing services to one or more state agencies when in its opinion such operation will provide maximum efficiency and economy in the functions of any such agency or agencies.

(m) Upon the request of the governing body of a political subdivision or instrumentality, the authority shall assist the political subdivision or instrumentality in its development of plans for the efficient acquisition and utilization of computer equipment and services. An appropriate fee shall be charged the political subdivision by the authority for such assistance.

(n) The authority shall adopt rules and regulations governing the protest procedures to be followed by any actual or prospective bidder, offerer or contractor who is aggrieved in connection with the solicitation or award of a contract for the acquisition of computer equipment or services. Such rules and regulations shall prescribe the manner, time and procedure for making protests and may provide that a protest not timely filed shall be summarily denied. The authority may require the protesting party, at the time of filing the protest, to post a bond, payable to the state, in an amount that the authority determines sufficient to cover any expense or loss incurred by the state, the authority or any state agency as a result of the protest if the protest subsequently is determined by a court of competent jurisdiction to have been filed without any substantial basis or reasonable expectation to believe that the protest was meritorious; however, in no event may the amount of the bond required exceed a reasonable estimate of the total project cost. The authority, in its discretion, also may prohibit any prospective bidder, offerer or contractor who is a party to any litigation involving any such contract with the state, the

authority or any agency of the state to participate in any other such bid, offer or contract, or to be awarded any such contract, during the pendency of the litigation.

(o) The authority shall make a report in writing to the Legislature each year in the month of January. Such report shall contain a full and detailed account of the work of the authority for the preceding year as specified in Section 25-53-29(3).

All acquisitions of computer equipment and services involving the expenditure of funds in excess of the dollar amount established in Section 31-7-13(c), or rentals or leases in excess of the dollar amount established in Section 31-7-13(c) for the term of the contract, shall be based upon competitive and open specifications, and contracts therefor shall be entered into only after advertisements for bids are published in one or more daily newspapers having a general circulation in the state not less than fourteen (14) days prior to receiving sealed bids therefor. The authority may reserve the right to reject any or all bids, and if all bids are rejected, the authority may negotiate a contract within the limitations of the specifications so long as the terms of any such negotiated contract are equal to or better than the comparable terms submitted by the lowest and best bidder, and so long as the total cost to the State of Mississippi does not exceed the lowest bid. If the authority accepts one (1) of such bids, it shall be that which is the lowest and best. Through June 30, * * * 2026, the provisions of this paragraph shall not apply to acquisitions of information technology equipment and services made by the Mississippi Department of Health and the Mississippi Department of Revenue for the purposes of implementing, administering and enforcing the provisions of the Mississippi Medical Cannabis Act, and any provision in Sections 1 through 23 of this act that are applicable to the departments individually or jointly.

(p) When applicable, the authority may procure equipment, systems and related services in accordance with the law or regulations, or both, which govern the Bureau of Purchasing of the Office of General Services or which govern the Mississippi Department of Information Technology Services procurement of telecommunications equipment, software and services.

(q) The authority is authorized to purchase, lease, or rent information technology and services for the purpose of establishing pilot projects to investigate emerging technologies. These acquisitions shall be limited to new technologies and shall be limited to an amount set by annual appropriation of the Legislature. These acquisitions shall be exempt from the advertising and bidding requirement.

(r) To promote the maximum use and benefit from technology and services now in operation or which will in the future be placed in operation and to identify opportunities, minimize duplication, reduce costs and improve the efficiency of providing common technology services the authority is authorized to:

(i) Enter into master agreements for computer or telecommunications equipment or services, including cloud computing, available for shared use by state agencies, * * * institutions of higher learning and governing authorities; and

(ii) Enter into contracts for the acquisition of computer or telecommunications equipment or services, including cloud computing, that have been acquired by other entities, located within or outside of the State of Mississippi, so long as it is determined by the authority to be in the best interest of the state. The acquisitions provided in this paragraph (r) shall be exempt from the advertising and bidding requirements of Section 25-53-1 et seq.

(s) All fees collected by the Mississippi Department of Information Technology Services shall be deposited into the Mississippi Department of Information Technology Services Revolving Fund unless otherwise specified by the Legislature.

(t) The authority shall work closely with the council to bring about effective coordination of policies, standards and procedures relating to procurement of remote sensing and geographic information systems (GIS) resources. In addition, the authority is responsible for development, operation and maintenance of a delivery system infrastructure for geographic information systems data. The authority shall provide a warehouse for Mississippi's geographic information systems data.

(u) The authority shall manage one or more State Data Centers to provide information technology services on a cost-sharing basis. In determining the appropriate services to be provided through the State Data Center, the authority should consider those services that:

(i) Result in savings to the state as a whole;

(ii) Improve and enhance the security and reliability of the state's information and business systems; and

(iii) Optimize the efficient use of the state's information technology assets, including, but not limited to, promoting partnerships with the state institutions of higher learning and community colleges to capitalize on advanced information technology resources.

(v) The authority shall increase federal participation in the cost of the State Data Center to the extent provided by law and its shared technology infrastructure through providing such shared services to agencies that receive federal funds. With regard to state institutions of higher learning and community colleges, the authority may provide shared services when mutually agreeable, following a determination by both the authority and the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, as the case may be, that the sharing of services is mutually beneficial.

(w) The authority, in its discretion, may require new or replacement agency business applications to be hosted at the State Data Center. With regard to state institutions of higher learning and community colleges, the authority and the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, as the case may be, may agree that institutions of higher learning or community colleges may utilize business applications that are hosted at the State Data Center, following a determination by both the authority and the applicable board that the hosting of those applications is mutually beneficial. In addition, the authority may establish partnerships to capitalize on the advanced technology resources of the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, following a determination by both the authority and the applicable board that such a partnership is mutually beneficial.

(x) The authority shall provide a periodic update regarding reform-based information technology initiatives to the Chairmen of the House and Senate Accountability, Efficiency and Transparency Committees.

From and after July 1, 2018, the expenses of this agency shall be defrayed by appropriation from the State General Fund. In addition, in order to receive the maximum use and benefit from information technology and services, expenses for the provision of statewide shared services that facilitate cost-effective information processing and telecommunication solutions shall be defrayed by pass-through funding and shall be deposited into the Mississippi Department of Information Technology Services Revolving Fund unless otherwise specified by the Legislature. These funds shall only be utilized to pay the actual costs incurred by the Mississippi Department of Information Technology Services for providing these shared services to state agencies. Furthermore, state agencies shall work in full cooperation with the Board of the Mississippi Department of Information Technology Services to identify computer equipment or services to minimize

duplication, reduce costs, and improve the efficiency of providing common technology services across agency boundaries.

SECTION 29. Section 27-104-7, Mississippi Code of 1972, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars ($1,000,000.00) in the source's business, whichever is smaller. No member shall be an officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(d) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(e) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the

board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:

(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board. The information shall be provided sufficiently in advance of the time the space is needed to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

(i) Black: having origins in any of the black racial groups of Africa;

(ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;

(iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;

(iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or

(v) Female;

(e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;

(f) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, promulgate rules and regulations governing the solicitation and selection of contractual services personnel, including personal and professional services contracts for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of:

1. Any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c);

2. Any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services;

3. Any personal service contracts entered into by the individual state institutions of higher learning;

4. Any personal service contracts entered into by the Mississippi Department of Transportation;

5. Any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department of Human Services determines would be useful in establishing and operating the Department of Child Protection Services;

6. Any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019;

7. Any contracts for entertainers and/or performers at the Mississippi State Fairgrounds entered into by the Mississippi Fair Commission;

8. Any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services;

9. Any contract entered into by the Department of Public Safety for service on specialized equipment and/or software required for the operation of such specialized equipment for use by the Office of Forensics Laboratories;

10. Any personal or professional service contract entered into by the Mississippi Department of Health or the Department of Revenue * * * in connection with their respective responsibilities under the Mississippi Medical Cannabis Act, and any

provision in Sections 1 through 23 of this act that are applicable to the departments individually or jointly, from February 2, 2022, through June 30, 2026;

11. Any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, or utility rate expert services;

12. Any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022;

13. Any personal or professional services contract entered into by the State Department of Health in carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program through June 30, 2026; and

14. And any personal or professional services contract entered into by the Mississippi Department of Environmental Quality in carrying out its responsibilities under the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022, through June 30, 2026.

Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may propose shall be submitted to the Chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act.

(ii) From and after July 1, 2024, the Public Procurement Review Board shall promulgate rules and regulations that require the Department of Finance and Administration to conduct personal and professional services solicitations as provided in subparagraph (i) of this paragraph for those services in excess of Seventy-five Thousand Dollars ($75,000.00) for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority, with assistance to be provided from these entities. Any powers that have been conferred upon agencies in order to comply with the provisions of this section for personal and professional services solicitations shall be conferred upon the Department of Finance and Administration to conduct personal and professional services solicitations for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority for those services in excess of Seventy-five Thousand Dollars ($75,000.00). The Department of Finance and Administration shall make any submissions that are required to be made by other agencies to the Public Procurement Review Board for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority.

The provisions of this subparagraph (ii) shall stand repealed on June 30, 2027;

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars ($75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection

(2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the procurements are made from other governmental entities, the private sector need not be solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed, contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;

(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by

Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;

2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;

3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;

4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and

5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (o) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review

or approval, the Public Procurement Review Board shall clearly set out the reasons for its action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1) source. A memorandum shall accompany the request form and address the following four (4) points:

(a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;

(b) Explanation of why this vendor is the only practicably available source from which to obtain this service;

(c) Explanation of why the price is considered reasonable; and

(d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise, the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts. Nothing in this section shall impair or limit the authority of the State Treasurer to enter into any personal or professional services contracts involving the management of trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

(9) Through December 31, 2024, the provisions of this section related to rental agreements or leasing of real property for the purpose of conducting agency business shall not apply to the Office of Workforce Development created in Section 37-153-7.

SECTION 30. Section 31-7-13, Mississippi Code of 1972, is amended as follows:

31-7-13. All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided.

(a) Bidding procedure for purchases not over $5,000.00. Purchases which do not involve an expenditure of more than Five Thousand Dollars ($5,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. However, nothing contained in this paragraph (a) shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of Five Thousand Dollars ($5,000.00) or less.

(b) Bidding procedure for purchases over $5,000.00 but not over $75,000.00. Purchases which involve an expenditure of more than Five Thousand Dollars ($5,000.00) but not more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder without publishing or posting advertisement for bids, provided at least two (2) competitive written bids have been obtained. Any state agency or community or junior college purchasing commodities or procuring construction pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, to accept the lowest competitive written bid under Seventy-five Thousand Dollars ($75,000.00). Any governing authority purchasing commodities pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, with regard to governing authorities other than counties, or its purchase clerk, or his designee, with regard to counties, to accept the lowest and best competitive written bid. Such authorization shall be made in writing by the governing authority and shall be maintained on file in the primary office of the agency and recorded in the official minutes of the governing authority, as appropriate. The purchasing agent or the purchase clerk, or his designee, as the case may be, and not the governing authority, shall be liable for any penalties and/or damages as may be imposed by law for any act or omission of the purchasing agent or purchase clerk, or his designee, constituting a violation of law in accepting any bid without approval by the governing authority. The term "competitive written bid" shall mean a bid submitted on a bid form furnished by the buying agency or governing authority and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor. "Competitive" shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. Any bid item for construction in excess of Five Thousand Dollars ($5,000.00) shall be broken down by components to provide detail of component description and pricing. These details shall be submitted with the written bids and become part of the bid evaluation criteria. Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities.

(c) Bidding procedure for purchases over $75,000.00.

(i) Publication requirement.

1. Purchases which involve an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder after advertising for competitive bids once each week for two (2) consecutive weeks in a regular newspaper published in the county or municipality in which such agency or governing authority is located. However, all

American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars ($25,000.00) shall be bid. All references to American Recovery and Reinvestment Act projects in this section shall not apply to programs identified in Division B of the American Recovery and Reinvestment Act.

2. Reverse auctions shall be the primary method for receiving bids during the bidding process. If a purchasing entity determines that a reverse auction is not in the best interest of the state, then that determination must be approved by the Public Procurement Review Board. The purchasing entity shall submit a detailed explanation of why a reverse auction would not be in the best interest of the state and present an alternative process to be approved by the Public Procurement Review Board. If the Public Procurement Review Board authorizes the purchasing entity to solicit bids with a method other than reverse auction, then the purchasing entity may designate the other methods by which the bids will be received, including, but not limited to, bids sealed in an envelope, bids received electronically in a secure system, or bids received by any other method that promotes open competition and has been approved by the Office of Purchasing and Travel. However, reverse auction shall not be used for any public contract for design, construction, improvement, repair or remodeling of any public facilities, including the purchase of materials, supplies, equipment or goods for same and including buildings, roads and bridges. The Public Procurement Review Board must approve any contract entered into by alternative process. The provisions of this item 2 shall not apply to the individual state institutions of higher learning. The provisions of this item 2 requiring reverse auction as the primary method of receiving bids shall not apply to term contract purchases as provided in paragraph (n) of this section; however, a purchasing entity may, in its discretion, utilize reverse auction for such purchases. The provisions of this item 2 shall not apply to individual public schools, including public charter schools and public school districts, only when purchasing copyrighted educational supplemental materials and software as a service product. For such purchases, a local school board may authorize a purchasing entity in its jurisdiction to use a Request for Qualifications which promotes open competition and meets the requirements of the Office of Purchasing and Travel.

3. The date as published for the bid opening shall not be less than seven (7) working days after the last published notice; however, if the purchase involves a construction project in which the estimated cost is in excess of Seventy-five Thousand Dollars ($75,000.00), such bids shall not be opened in less than fifteen (15) working days after the last notice is published and the notice for the purchase of such construction shall be published once each week for two (2) consecutive weeks. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars ($25,000.00) shall be bid. For any projects in excess of Twenty-five Thousand Dollars ($25,000.00) under the American Recovery and Reinvestment Act, publication shall be made one (1) time and the bid opening for construction projects shall not be less than ten (10) working days after the date of the published notice. The notice of intention to let contracts or purchase equipment shall state the time and place at which bids shall be received, list the contracts to be made or types of equipment or supplies to be purchased, and, if all plans and/or specifications are not published, refer to the plans and/or specifications on file. If there is no newspaper published in the county or municipality, then such notice shall be given by posting same at the courthouse, or for municipalities at the city hall, and at two (2) other public places in the county or municipality, and also by publication once each week for two (2) consecutive weeks in some newspaper having a general circulation in the county or municipality in the above-provided manner. On the same date that the notice is submitted to the newspaper for publication, the agency or governing authority involved shall mail written notice to, or provide electronic notification to the main office of the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority that contains the same information as that in the published notice. Submissions received by the Mississippi Procurement Technical Assistance Program for projects funded by the American Recovery and Reinvestment Act shall be displayed on a separate and unique Internet web page accessible to the public and maintained by the Mississippi Development Authority

for the Mississippi Procurement Technical Assistance Program. Those American Recovery and Reinvestment Act related submissions shall be publicly posted within twenty-four (24) hours of receipt by the Mississippi Development Authority and the bid opening shall not occur until the submission has been posted for ten (10) consecutive days. The Department of Finance and Administration shall maintain information regarding contracts and other expenditures from the American Recovery and Reinvestment Act, on a unique Internet web page accessible to the public. The Department of Finance and Administration shall promulgate rules regarding format, content and deadlines, unless otherwise specified by law, of the posting of award notices, contract execution and subsequent amendments, links to the contract documents, expenditures against the awarded contracts and general expenditures of funds from the American Recovery and Reinvestment Act. Within one (1) working day of the contract award, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration, notice of the award, including the award recipient, the contract amount, and a brief summary of the contract in accordance with rules promulgated by the department. Within one (1) working day of the contract execution, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration a summary of the executed contract and make a copy of the appropriately redacted contract documents available for linking to the designated web page in accordance with the rules promulgated by the department. The information provided by the agency or governing authority shall be posted to the web page for the duration of the American Recovery and Reinvestment Act funding or until the project is completed, whichever is longer.

(ii) Bidding process amendment procedure. If all plans and/or specifications are published in the notification, then the plans and/or specifications may not be amended. If all plans and/or specifications are not published in the notification, then amendments to the plans/specifications, bid opening date, bid opening time and place may be made, provided that the agency or governing authority maintains a list of all prospective bidders who are known to have received a copy of the bid documents and all such prospective bidders are sent copies of all amendments. This notification of amendments may be made via mail, facsimile, electronic mail or other generally accepted method of information distribution. No addendum to bid specifications may be issued within two (2) working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum.

(iii) Filing requirement. In all cases involving governing authorities, before the notice shall be published or posted, the plans or specifications for the construction or equipment being sought shall be filed with the clerk of the board of the governing authority. In addition to these requirements, a bid file shall be established which shall indicate those vendors to whom such solicitations and specifications were issued, and such file shall also contain such information as is pertinent to the bid.

(iv) Specification restrictions.

1. Specifications pertinent to such bidding shall be written so as not to exclude comparable equipment of domestic manufacture. However, if valid justification is presented, the Department of Finance and Administration or the board of a governing authority may approve a request for specific equipment necessary to perform a specific job. Further, such justification, when placed on the minutes of the board of a governing authority, may serve as authority for that governing authority to write specifications to require a specific item of equipment needed to perform a specific job. In addition to these requirements, from and after July 1, 1990, vendors of relocatable classrooms and the specifications for the purchase of such relocatable classrooms published by local school boards shall meet all pertinent regulations of the State Board of Education, including prior approval of such bid by the State Department of Education.

2. Specifications for construction projects may include an allowance for commodities, equipment, furniture, construction materials or systems in which prospective bidders are instructed to include in their bids specified amounts for such items so long as the allowance items are acquired by the vendor in a commercially reasonable manner and approved by the agency/governing authority. Such acquisitions shall not be made to circumvent the public purchasing laws.

(v) Electronic bids. Agencies and governing authorities shall provide a secure electronic interactive system for the submittal of bids requiring competitive bidding that shall be an additional bidding option for those bidders who choose to submit their bids electronically. The Department of Finance and Administration shall provide, by regulation, the standards that agencies must follow when receiving electronic bids. Agencies and governing authorities shall make the appropriate provisions necessary to accept electronic bids from those bidders who choose to submit their bids electronically for all purchases requiring competitive bidding under this section. Any special condition or requirement for the electronic bid submission shall be specified in the advertisement for bids required by this section. Agencies or governing authorities that are currently without available high speed Internet access shall be exempt from the requirement of this subparagraph (v) until such time that high speed Internet access becomes available. Any county having a population of less than twenty thousand (20,000) shall be exempt from the provisions of this subparagraph (v). Any municipality having a population of less than ten thousand (10,000) shall be exempt from the provisions of this subparagraph (v). The provisions of this subparagraph (v) shall not require any bidder to submit bids electronically. When construction bids are submitted electronically, the requirement for including a certificate of responsibility, or a statement that the bid enclosed does not exceed Fifty Thousand Dollars ($50,000.00), on the exterior of the bid envelope as indicated in Section 31-3-21(1) and (2) shall be deemed in compliance with by including same as an attachment with the electronic bid submittal.

(d) Lowest and best bid decision procedure.

(i) Decision procedure. Purchases may be made from the lowest and best bidder. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(ii) Decision procedure for Certified Purchasing Offices. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), Certified Purchasing Offices may also use the following procedure: Purchases may be made from the bidder offering the best value. In determining the best value bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions, documented previous experience, training costs and other relevant provisions, including, but not limited to, a bidder having a local office and inventory located within the jurisdiction of the governing authority, may be included in the best value calculation. This provision shall authorize Certified Purchasing Offices to utilize a Request For Proposals (RFP) process when purchasing commodities. All best value procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. No agency or governing authority shall accept a bid based on items or criteria not included in the specifications.

(iii) Decision procedure for Mississippi Landmarks. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), where purchase

involves renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History under the authority of Sections 39-7-7 and 39-7-11, the agency or governing authority may use the following procedure: Purchases may be made from the lowest and best prequalified bidder. Prequalification of bidders shall be determined not less than fifteen (15) working days before the first published notice of bid opening. Prequalification criteria shall be limited to bidder's knowledge and experience in historical restoration, preservation and renovation. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid and prequalification procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(iv) Construction project negotiations authority. If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.

(e) Lease-purchase authorization. For the purposes of this section, the term "equipment" shall mean equipment, furniture and, if applicable, associated software and other applicable direct costs associated with the acquisition. Any lease-purchase of equipment which an agency is not required to lease-purchase under the master lease-purchase program pursuant to Section 31-7-10 and any lease-purchase of equipment which a governing authority elects to lease-purchase may be acquired by a lease-purchase agreement under this paragraph (e). Lease-purchase financing may also be obtained from the vendor or from a third-party source after having solicited and obtained at least two (2) written competitive bids, as defined in paragraph (b) of this section, for such financing without advertising for such bids. Solicitation for the bids for financing may occur before or after acceptance of bids for the purchase of such equipment or, where no such bids for purchase are required, at any time before the purchase thereof. No such lease-purchase agreement shall be for an annual rate of interest which is greater than the overall maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101, and the term of such lease-purchase agreement shall not exceed the useful life of equipment covered thereby as determined according to the upper limit of the asset depreciation range (ADR) guidelines for the Class Life Asset Depreciation Range System established by the Internal Revenue Service pursuant to the United States Internal Revenue Code and regulations thereunder as in effect on December 31, 1980, or comparable depreciation guidelines with respect to any equipment not covered by ADR guidelines. Any lease-purchase agreement entered into pursuant to this paragraph (e) may contain any of the terms and conditions which a master lease-purchase agreement may contain under the provisions of Section 31-7-10(5), and shall contain an annual allocation dependency clause substantially similar to that set forth in Section 31-7-10(8). Each agency or governing authority entering into a lease-purchase transaction pursuant to this paragraph (e) shall maintain with respect to each such lease-purchase transaction the same information as required to be maintained by the Department of Finance and Administration pursuant to Section 31-7-10(13). However, nothing contained in this section shall be construed to permit agencies to acquire items of equipment with a total acquisition cost in the aggregate of less than Ten Thousand Dollars ($10,000.00) by a single lease-purchase transaction. All equipment, and the purchase thereof by any lessor, acquired by lease-purchase under this paragraph and all lease-purchase payments with respect thereto shall be exempt from all Mississippi sales,

use and ad valorem taxes. Interest paid on any lease-purchase agreement under this section shall be exempt from State of Mississippi income taxation.

(f) Alternate bid authorization. When necessary to ensure ready availability of commodities for public works and the timely completion of public projects, no more than two (2) alternate bids may be accepted by a governing authority for commodities. No purchases may be made through use of such alternate bids procedure unless the lowest and best bidder cannot deliver the commodities contained in his bid. In that event, purchases of such commodities may be made from one (1) of the bidders whose bid was accepted as an alternate.

(g) Construction contract change authorization. In the event a determination is made by an agency or governing authority after a construction contract is let that changes or modifications to the original contract are necessary or would better serve the purpose of the agency or the governing authority, such agency or governing authority may, in its discretion, order such changes pertaining to the construction that are necessary under the circumstances without the necessity of further public bids; provided that such change shall be made in a commercially reasonable manner and shall not be made to circumvent the public purchasing statutes. In addition to any other authorized person, the architect or engineer hired by an agency or governing authority with respect to any public construction contract shall have the authority, when granted by an agency or governing authority, to authorize changes or modifications to the original contract without the necessity of prior approval of the agency or governing authority when any such change or modification is less than one percent (1%) of the total contract amount. The agency or governing authority may limit the number, manner or frequency of such emergency changes or modifications.

(h) Petroleum purchase alternative. In addition to other methods of purchasing authorized in this chapter, when any agency or governing authority shall have a need for gas, diesel fuel, oils and/or other petroleum products in excess of the amount set forth in paragraph (a) of this section, such agency or governing authority may purchase the commodity after having solicited and obtained at least two (2) competitive written bids, as defined in paragraph (b) of this section. If two (2) competitive written bids are not obtained, the entity shall comply with the procedures set forth in paragraph (c) of this section. In the event any agency or governing authority shall have advertised for bids for the purchase of gas, diesel fuel, oils and other petroleum products and coal and no acceptable bids can be obtained, such agency or governing authority is authorized and directed to enter into any negotiations necessary to secure the lowest and best contract available for the purchase of such commodities.

(i) Road construction petroleum products price adjustment clause authorization. Any agency or governing authority authorized to enter into contracts for the construction, maintenance, surfacing or repair of highways, roads or streets, may include in its bid proposal and contract documents a price adjustment clause with relation to the cost to the contractor, including taxes, based upon an industry-wide cost index, of petroleum products including asphalt used in the performance or execution of the contract or in the production or manufacture of materials for use in such performance. Such industry-wide index shall be established and published monthly by the Mississippi Department of Transportation with a copy thereof to be mailed, upon request, to the clerks of the governing authority of each municipality and the clerks of each board of supervisors throughout the state. The price adjustment clause shall be based on the cost of such petroleum products only and shall not include any additional profit or overhead as part of the adjustment. The bid proposals or document contract shall contain the basis and methods of adjusting unit prices for the change in the cost of such petroleum products.

(j) State agency emergency purchase procedure. If the governing board or the executive head, or his designees, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental

to the interests of the state, then the head of such agency, or his designees, shall file with the Department of Finance and Administration (i) a statement explaining the conditions and circumstances of the emergency, which shall include a detailed description of the events leading up to the situation and the negative impact to the entity if the purchase is made following the statutory requirements set forth in paragraph (a), (b) or (c) of this section, and (ii) a certified copy of the appropriate minutes of the board of such agency requesting the emergency purchase, if applicable. Upon receipt of the statement and applicable board certification, the State Fiscal Officer, or his designees, may, in writing, authorize the purchase or repair without having to comply with competitive bidding requirements.

If the governing board or the executive head, or his designees, of any agency determines that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would threaten the health or safety of any person, or the preservation or protection of property, then the provisions in this section for competitive bidding shall not apply, and any officer or agent of the agency having general or specific authority for making the purchase or repair contract shall approve the bill presented for payment, and he shall certify in writing from whom the purchase was made, or with whom the repair contract was made.

Total purchases made under this paragraph (j) shall only be for the purpose of meeting needs created by the emergency situation. Following the emergency purchase, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be filed with the Department of Finance and Administration. Any contract awarded pursuant to this paragraph (j) shall not exceed a term of one (1) year.

Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (j).

(k) Governing authority emergency purchase procedure. If the governing authority, or the governing authority acting through its designee, shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions herein for competitive bidding shall not apply and any officer or agent of such governing authority having general or special authority therefor in making such purchase or repair shall approve the bill presented therefor, and he shall certify in writing thereon from whom such purchase was made, or with whom such a repair contract was made. At the board meeting next following the emergency purchase or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased, the price thereof and the nature of the emergency shall be presented to the board and shall be placed on the minutes of the board of such governing authority. Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (k).

(l) Hospital purchase, lease-purchase and lease authorization.

(i) The commissioners or board of trustees of any public hospital may contract with such lowest and best bidder for the purchase or lease-purchase of any commodity under a contract of purchase or lease-purchase agreement whose obligatory payment terms do not exceed five (5) years.

(ii) In addition to the authority granted in subparagraph (i) of this paragraph (l), the commissioners or board of trustees is authorized to enter into contracts

for the lease of equipment or services, or both, which it considers necessary for the proper care of patients if, in its opinion, it is not financially feasible to purchase the necessary equipment or services. Any such contract for the lease of equipment or services executed by the commissioners or board shall not exceed a maximum of five (5) years' duration and shall include a cancellation clause based on unavailability of funds. If such cancellation clause is exercised, there shall be no further liability on the part of the lessee. Any such contract for the lease of equipment or services executed on behalf of the commissioners or board that complies with the provisions of this subparagraph (ii) shall be excepted from the bid requirements set forth in this section.

(m) Exceptions from bidding requirements. Excepted from bid requirements are:

(i) Purchasing agreements approved by department. Purchasing agreements, contracts and maximum price regulations executed or approved by the Department of Finance and Administration.

(ii) Outside equipment repairs. Repairs to equipment, when such repairs are made by repair facilities in the private sector; however, engines, transmissions, rear axles and/or other such components shall not be included in this exemption when replaced as a complete unit instead of being repaired and the need for such total component replacement is known before disassembly of the component; however, invoices identifying the equipment, specific repairs made, parts identified by number and name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required for the payment for such repairs.

(iii) In-house equipment repairs. Purchases of parts for repairs to equipment, when such repairs are made by personnel of the agency or governing authority; however, entire assemblies, such as engines or transmissions, shall not be included in this exemption when the entire assembly is being replaced instead of being repaired.

(iv) Raw gravel or dirt. Raw unprocessed deposits of gravel or fill dirt which are to be removed and transported by the purchaser.

(v) Governmental equipment auctions. Motor vehicles or other equipment purchased from a federal agency or authority, another governing authority or state agency of the State of Mississippi, or any governing authority or state agency of another state at a public auction held for the purpose of disposing of such vehicles or other equipment. Any purchase by a governing authority under the exemption authorized by this subparagraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(vi) Intergovernmental sales and transfers. Purchases, sales, transfers or trades by governing authorities or state agencies when such purchases, sales, transfers or trades are made by a private treaty agreement or through means of negotiation, from any federal agency or authority, another governing authority or state agency of the State of Mississippi, or any state agency or governing authority of another state. Nothing in this section shall permit such purchases through public auction except as provided for in subparagraph (v) of this paragraph (m). It is the intent of this section to allow governmental entities to dispose of and/or purchase commodities from other governmental entities at a price that is agreed to by both parties. This shall allow for purchases and/or sales at prices which may be determined to be below the market value if the selling entity determines that the sale at below market value is in the best interest of the taxpayers of the state. Governing authorities shall place the terms of the agreement and any justification on the minutes, and state agencies shall obtain approval from the Department of Finance and Administration, prior to releasing or taking possession of the commodities.

(vii) Perishable supplies or food. Perishable supplies or food purchased for use in connection with hospitals, the school lunch programs, homemaking programs and for the feeding of county or municipal prisoners.

(viii) Single-source items. Noncompetitive items available from one (1) source only. In connection with the purchase of noncompetitive items only available from one (1) source, a certification of the conditions and circumstances requiring the purchase shall be filed by the agency with the Department of Finance and Administration and by the governing authority with the board of the governing authority. Upon receipt of that certification the Department of Finance and Administration or the board of the governing authority, as the case may be, may, in writing, authorize the purchase, which authority shall be noted on the minutes of the body at the next regular meeting thereafter. In those situations, a governing authority is not required to obtain the approval of the Department of Finance and Administration. Following the purchase, the executive head of the state agency, or his designees, shall file with the Department of Finance and Administration, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the source from whom it was purchased.

(ix) Waste disposal facility construction contracts. Construction of incinerators and other facilities for disposal of solid wastes in which products either generated therein, such as steam, or recovered therefrom, such as materials for recycling, are to be sold or otherwise disposed of; however, in constructing such facilities, a governing authority or agency shall publicly issue requests for proposals, advertised for in the same manner as provided herein for seeking bids for public construction projects, concerning the design, construction, ownership, operation and/or maintenance of such facilities, wherein such requests for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, environmental compatibility, legal responsibilities and such other matters as are determined by the governing authority or agency to be appropriate for inclusion; and after responses to the request for proposals have been duly received, the governing authority or agency may select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter contracts with one or more of the persons or firms submitting proposals.

(x) Hospital group purchase contracts. Supplies, commodities and equipment purchased by hospitals through group purchase programs pursuant to Section 31-7-38.

(xi) Information technology products. Purchases of information technology products made by governing authorities under the provisions of purchase schedules, or contracts executed or approved by the Mississippi Department of Information Technology Services and designated for use by governing authorities.

(xii) Energy efficiency services and equipment. Energy efficiency services and equipment acquired by school districts, community and junior colleges, institutions of higher learning and state agencies or other applicable governmental entities on a shared-savings, lease or lease-purchase basis pursuant to Section 31-7-14.

(xiii) Municipal electrical utility system fuel. Purchases of coal and/or natural gas by municipally owned electric power generating systems that have the capacity to use both coal and natural gas for the generation of electric power.

(xiv) Library books and other reference materials. Purchases by libraries or for libraries of books and periodicals; processed film, videocassette tapes, filmstrips and slides; recorded audiotapes, cassettes and diskettes; and any such items as would be used for teaching, research or other information distribution; however, equipment such as projectors, recorders, audio or video equipment, and monitor televisions are not exempt under this subparagraph.

(xv) Unmarked vehicles. Purchases of unmarked vehicles when such purchases are made in accordance with purchasing regulations adopted by the Department of Finance and Administration pursuant to Section 31-7-9(2).

(xvi) Election ballots. Purchases of ballots printed pursuant to Section 23-15-351.

(xvii) Multichannel interactive video systems. From and after July 1, 1990, contracts by Mississippi Authority for Educational Television with any private educational institution or private nonprofit organization whose purposes are educational in regard to the construction, purchase, lease or lease-purchase of facilities and equipment and the employment of personnel for providing multichannel interactive video systems (ITSF) in the school districts of this state.

(xviii) Purchases of prison industry products by the Department of Corrections, regional correctional facilities or privately owned prisons. Purchases made by the Mississippi Department of Corrections, regional correctional facilities or privately owned prisons involving any item that is manufactured, processed, grown or produced from the state's prison industries.

(xix) Undercover operations equipment. Purchases of surveillance equipment or any other high-tech equipment to be used by law enforcement agents in undercover operations, provided that any such purchase shall be in compliance with regulations established by the Department of Finance and Administration.

(xx) Junior college books for rent. Purchases by community or junior colleges of textbooks which are obtained for the purpose of renting such books to students as part of a book service system.

(xxi) Certain school district purchases. Purchases of commodities made by school districts from vendors with which any levying authority of the school district, as defined in Section 37-57-1, has contracted through competitive bidding procedures for purchases of the same commodities.

(xxii) Garbage, solid waste and sewage contracts. Contracts for garbage collection or disposal, contracts for solid waste collection or disposal and contracts for sewage collection or disposal.

(xxiii) Municipal water tank maintenance contracts. Professional maintenance program contracts for the repair or maintenance of municipal water tanks, which provide professional services needed to maintain municipal water storage tanks for a fixed annual fee for a duration of two (2) or more years.

(xxiv) Purchases of Mississippi Industries for the Blind products or services. Purchases made by state agencies or governing authorities involving any item that is manufactured, processed or produced by, or any services provided by, the Mississippi Industries for the Blind.

(xxv) Purchases of state-adopted textbooks. Purchases of state-adopted textbooks by public school districts.

(xxvi) Certain purchases under the Mississippi Major Economic Impact Act. Contracts entered into pursuant to the provisions of Section 57-75-9(2), (3) and (4).

(xxvii) Used heavy or specialized machinery or equipment for installation of soil and water conservation practices purchased at auction. Used heavy or specialized machinery or equipment used for the installation and implementation of soil

and water conservation practices or measures purchased subject to the restrictions provided in Sections 69-27-331 through 69-27-341. Any purchase by the State Soil and Water Conservation Commission under the exemption authorized by this subparagraph shall require advance authorization spread upon the minutes of the commission to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(xxviii) Hospital lease of equipment or services. Leases by hospitals of equipment or services if the leases are in compliance with paragraph (l)(ii).

(xxix) Purchases made pursuant to qualified cooperative purchasing agreements. Purchases made by certified purchasing offices of state agencies or governing authorities under cooperative purchasing agreements previously approved by the Office of Purchasing and Travel and established by or for any municipality, county, parish or state government or the federal government, provided that the notification to potential contractors includes a clause that sets forth the availability of the cooperative purchasing agreement to other governmental entities. Such purchases shall only be made if the use of the cooperative purchasing agreements is determined to be in the best interest of the governmental entity.

(xxx) School yearbooks. Purchases of school yearbooks by state agencies or governing authorities; however, state agencies and governing authorities shall use for these purchases the RFP process as set forth in the Mississippi Procurement Manual adopted by the Office of Purchasing and Travel.

(xxxi) Design-build method of contracting and certain other contracts. Contracts entered into under the provisions of Section 31-7-13.1, 37-101-44 or 65-1-85.

(xxxii) Toll roads and bridge construction projects. Contracts entered into under the provisions of Section 65-43-1 or 65-43-3.

(xxxiii) Certain purchases under Section 57-1-221. Contracts entered into pursuant to the provisions of Section 57-1-221.

(xxxiv) Certain transfers made pursuant to the provisions of Section 57-105-1(7). Transfers of public property or facilities under Section 57-105-1(7) and construction related to such public property or facilities.

(xxxv) Certain purchases or transfers entered into with local electrical power associations. Contracts or agreements entered into under the provisions of Section 55-3-33.

(xxxvi) Certain purchases by an academic medical center or health sciences school. Purchases by an academic medical center or health sciences school, as defined in Section 37-115-50, of commodities that are used for clinical purposes and 1. intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease, and 2. medical devices, biological, drugs and radiation-emitting devices as defined by the United States Food and Drug Administration.

(xxxvii) Certain purchases made under the Alyce G. Clarke Mississippi Lottery Law. Contracts made by the Mississippi Lottery Corporation pursuant to the Alyce G. Clarke Mississippi Lottery Law.

(xxxviii) Certain purchases made by the Department of Health and the Department of Revenue. Purchases made by the Department of Health and the Department of Revenue * * * for the purpose of fulfilling their respective responsibilities under the Mississippi Medical Cannabis Act, and any provision in Sections 1 through 23 of this act that are applicable to the departments individually or jointly. This subparagraph shall stand repealed on June 30, 2026.

(n) Term contract authorization. All contracts for the purchase of:

(i) All contracts for the purchase of commodities, equipment and public construction (including, but not limited to, repair and maintenance), may be let for periods of not more than sixty (60) months in advance, subject to applicable statutory provisions prohibiting the letting of contracts during specified periods near the end of terms of office. Term contracts for a period exceeding twenty-four (24) months shall also be subject to ratification or cancellation by governing authority boards taking office subsequent to the governing authority board entering the contract.

(ii) Bid proposals and contracts may include price adjustment clauses with relation to the cost to the contractor based upon a nationally published industry-wide or nationally published and recognized cost index. The cost index used in a price adjustment clause shall be determined by the Department of Finance and Administration for the state agencies and by the governing board for governing authorities. The bid proposal and contract documents utilizing a price adjustment clause shall contain the basis and method of adjusting unit prices for the change in the cost of such commodities, equipment and public construction.

(o) Purchase law violation prohibition and vendor penalty. No contract or purchase as herein authorized shall be made for the purpose of circumventing the provisions of this section requiring competitive bids, nor shall it be lawful for any person or concern to submit individual invoices for amounts within those authorized for a contract or purchase where the actual value of the contract or commodity purchased exceeds the authorized amount and the invoices therefor are split so as to appear to be authorized as purchases for which competitive bids are not required. Submission of such invoices shall constitute a misdemeanor punishable by a fine of not less than Five Hundred Dollars ($500.00) nor more than One Thousand Dollars ($1,000.00), or by imprisonment for thirty (30) days in the county jail, or both such fine and imprisonment. In addition, the claim or claims submitted shall be forfeited.

(p) Electrical utility petroleum-based equipment purchase procedure. When in response to a proper advertisement therefor, no bid firm as to price is submitted to an electric utility for power transformers, distribution transformers, power breakers, reclosers or other articles containing a petroleum product, the electric utility may accept the lowest and best bid therefor although the price is not firm.

(q) Fuel management system bidding procedure. Any governing authority or agency of the state shall, before contracting for the services and products of a fuel management or fuel access system, enter into negotiations with not fewer than two (2) sellers of fuel management or fuel access systems for competitive written bids to provide the services and products for the systems. In the event that the governing authority or agency cannot locate two (2) sellers of such systems or cannot obtain bids from two (2) sellers of such systems, it shall show proof that it made a diligent, good-faith effort to locate and negotiate with two (2) sellers of such systems. Such proof shall include, but not be limited to, publications of a request for proposals and letters soliciting negotiations and bids. For purposes of this paragraph (q), a fuel management or fuel access system is an automated system of acquiring fuel for vehicles as well as management reports detailing fuel use by vehicles and drivers, and the term "competitive written bid" shall have the meaning as defined in paragraph (b) of this section. Governing authorities and agencies shall be exempt from this process when contracting for the services and products of fuel management or fuel access systems under the terms of a state contract established by the Office of Purchasing and Travel.

(r) Solid waste contract proposal procedure. Before entering into any contract for garbage collection or disposal, contract for solid waste collection or disposal or contract for sewage collection or disposal, which involves an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), a governing authority or agency shall issue

publicly a request for proposals concerning the specifications for such services which shall be advertised for in the same manner as provided in this section for seeking bids for purchases which involve an expenditure of more than the amount provided in paragraph (c) of this section. Any request for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, legal responsibilities and other relevant factors as are determined by the governing authority or agency to be appropriate for inclusion; all factors determined relevant by the governing authority or agency or required by this paragraph (r) shall be duly included in the advertisement to elicit proposals. After responses to the request for proposals have been duly received, the governing authority or agency shall select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter into contracts with one or more of the persons or firms submitting proposals. If the governing authority or agency deems none of the proposals to be qualified or otherwise acceptable, the request for proposals process may be reinitiated. Notwithstanding any other provisions of this paragraph, where a county with at least thirty-five thousand (35,000) nor more than forty thousand (40,000) population, according to the 1990 federal decennial census, owns or operates a solid waste landfill, the governing authorities of any other county or municipality may contract with the governing authorities of the county owning or operating the landfill, pursuant to a resolution duly adopted and spread upon the minutes of each governing authority involved, for garbage or solid waste collection or disposal services through contract negotiations.

(s) Minority set-aside authorization. Notwithstanding any provision of this section to the contrary, any agency or governing authority, by order placed on its minutes, may, in its discretion, set aside not more than twenty percent (20%) of its anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the Department of Finance and Administration and shall be subject to bid requirements under this section. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder. For the purposes of this paragraph, the term "minority business" means a business which is owned by a majority of persons who are United States citizens or permanent resident aliens (as defined by the Immigration and Naturalization Service) of the United States, and who are Asian, Black, Hispanic or Native American, according to the following definitions:

(i) "Asian" means persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(ii) "Black" means persons having origins in any black racial group of Africa.

(iii) "Hispanic" means persons of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.

(iv) "Native American" means persons having origins in any of the original people of North America, including American Indians, Eskimos and Aleuts.

(t) Construction punch list restriction. The architect, engineer or other representative designated by the agency or governing authority that is contracting for public construction or renovation may prepare and submit to the contractor only one (1) preliminary punch list of items that do not meet the contract requirements at the time of substantial completion and one (1) final list immediately before final completion and final payment.

(u) Procurement of construction services by state institutions of higher learning. Contracts for privately financed construction of auxiliary facilities on the campus of a state institution of higher learning may be awarded by the Board of Trustees of State Institutions of Higher Learning to the lowest and best bidder, where sealed bids are

solicited, or to the offeror whose proposal is determined to represent the best value to the citizens of the State of Mississippi, where requests for proposals are solicited.

(v) Insurability of bidders for public construction or other public contracts. In any solicitation for bids to perform public construction or other public contracts to which this section applies, including, but not limited to, contracts for repair and maintenance, for which the contract will require insurance coverage in an amount of not less than One Million Dollars ($1,000,000.00), bidders shall be permitted to either submit proof of current insurance coverage in the specified amount or demonstrate ability to obtain the required coverage amount of insurance if the contract is awarded to the bidder. Proof of insurance coverage shall be submitted within five (5) business days from bid acceptance.

(w) Purchase authorization clarification. Nothing in this section shall be construed as authorizing any purchase not authorized by law.

(x) Mississippi Regional Pre-Need Disaster Clean Up Act. (i) The Department of Finance and Administration shall enter into nine (9) contracts for the pre-need purchase of labor, services, work, materials, equipment, supplies or other personal property for disaster-related solid waste collection, disposal or monitoring. One (1) contract shall be entered into for each of the nine (9) Mississippi Emergency Management Association districts:

1. Coahoma, DeSoto, Grenada, Panola, Quitman, Tallahatchie, Tate, Tunica and Yalobusha Counties;

2. Alcorn, Benton, Itawamba, Lafayette, Lee, Marshall, Pontotoc, Prentiss, Tippah, Tishomingo and Union Counties;

3. Attala, Bolivar, Carroll, Holmes, Humphreys, Leflore, Montgomery, Sunflower and Washington Counties;

4. Calhoun, Chickasaw, Choctaw, Clay, Lowndes, Monroe, Noxubee, Oktibbeha, Webster and Winston Counties;

5. Claiborne, Copiah, Hinds, Issaquena, Madison, Rankin, Sharkey, Simpson, Warren and Yazoo Counties;

6. Clarke, Jasper, Kemper, Lauderdale, Leake, Neshoba, Newton, Scott, and Smith Counties and the Mississippi Band of Choctaw Indians;

7. Adams, Amite, Franklin, Jefferson, Lawrence, Lincoln, Pike, Walthall and Wilkinson Counties;

8. Covington, Forrest, Greene, Jefferson Davis, Jones, Lamar, Marion, Perry and Wayne Counties; and

9. George, Hancock, Harrison, Jackson, Pearl River and Stone Counties.

Any such contract shall set forth the manner of awarding such a contract, the method of payment, and any other matter deemed necessary to carry out the purposes of the agreement. Such contract may be entered into only for a term of one (1) year, with an option for an additional one-year extension after the conclusion of the first year of the contract, and only after having solicited bids or proposals, as appropriate, which shall be publicly advertised by posting on a web page maintained by the Department of Finance and Administration through submission of such advertisement to the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority. The bid opening shall not occur until after the submission has been posted for at least ten (10) consecutive days. The state's share of expenditures for solid waste collection,

disposal or monitoring under any contract shall be appropriated and paid in the manner set forth in the contract and in the same manner as for other solid waste collection, disposal, or monitoring expenses of the state. Any contract entered into under this paragraph shall not be subject to the provisions of Section 17-13-11.

(ii) Any board of supervisors of any county or any governing authority of any municipality may opt in to the benefits and services provided under the appropriate and relevant contract established in subparagraph (i) of this paragraph at the time of a disaster event in that county or municipality. At the time of opt in, the county or municipality shall assume responsibility for payment in full to the contractor for the disaster-related solid waste collection, disposal or monitoring services provided. Nothing in this subparagraph (ii) shall be construed as requiring a county or municipality to opt in to any such contract established in subparagraph (i) of this paragraph.

SECTION 31. (1) It shall be unlawful for any person to have or possess, with the intent to sell, intoxicating hemp intended for use in violating the provisions of this chapter, or regulations prescribed under this chapter. No property rights shall exist in any such products. All such property shall be considered contraband and shall be seized and forfeited to the state of Mississippi.

(2) An individual or entity that is not authorized to sell intoxicating hemp products in accordance with the provisions of this act that advertises the sale of intoxicating hemp products or offers to consumers products that are packaged and labeled as intoxicating hemp products shall be presumed to be violating the provisions of this act and such products shall be subject to seizure and forfeiture.

(3) The following are subject to forfeiture:

(a) All intoxicating hemp products, as defined in 69-25-203, which have been distributed, dispensed or acquired in violation of this chapter;

(b) All property which is used, or intended for use, as a container for property described in items (a) of this subsection;

(c) All money, deadly weapons, books, records and research products and materials, including formulas, microfilm, tapes and data which are used, or intended for use, in violation of this chapter.

(4) Property subject to forfeiture may be seized by the Department of Health, Department of Revenue, and Department of Agriculture and its agents, and duly sworn law enforcement officers acting within their jurisdiction upon process issued by any appropriate court having jurisdiction over the property. Seizure without process may be made if:

(a) The seizure is incident to an arrest or a search under a search warrant or an investigation under Section 41-137-45;

(b) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding based upon this chapter; or

(c) The Department of Health, Department of Revenue, and Department of Agriculture and Commerce, as applicable, and other law enforcement personnel described in this subsection have probable cause to believe that the property was used or is intended to be used in violation of this chapter.

(5) Intoxicating hemp products, seized or detained under the authority of this chapter, are deemed to be in the custody of the agent or agency so seizing the property and subject only to the orders and decrees of the court having jurisdiction over the

property. When such property is seized, it may be retained as evidence until final disposition of the cause in which such property is involved.

(6) Any intoxicating hemp seized under the authority of this chapter, shall be destroyed, adulterated and disposed of or otherwise rendered harmless and disposed of, upon written authorization of the Commissioner of Agriculture, Commissioner of the Mississippi Department of Revenue, or the State Health Officer of the Mississippi Department of Health, as applicable, after such intoxicating hemp product has served its usefulness as evidence or after such product is no longer useful for training or demonstration purposes. No intoxicating hemp product shall be disposed of, destroyed or rendered harmless under the authority of this section without an order from the director, Commissioner of the Mississippi Department of Revenue or the State Health Officer of the Mississippi Department of Health, as applicable, and without at least two (2) officers or agents of the bureau present as witnesses.

(7) A record of the disposition of such intoxicating hemp products and the method of destruction or adulteration employed along with the names of witnesses to such destruction or adulteration shall be retained by the applicable department.

(8) Any person under the age of twenty-one (21) years who purchases, receives, or has in his or her possession in any public place, any intoxicating hemp product(s), shall be guilty of a misdemeanor and shall be punished by a fine of not less than Two Hundred Dollars ($200.00) nor more than Five Hundred Dollars ($500.00). If a person under the age of twenty-one (21) years is convicted or enters a plea of guilty of purchasing, receiving or having in his or her possession in any public place any intoxicating hemp product(s)in violation of this subsection, the trial judge, in lieu of the penalties otherwise provided under this subsection, shall suspend the minor's driver's license by taking and keeping it in the custody of the court for a period of time not to exceed ninety (90) days. The judge so ordering the suspension shall enter upon his docket "DEFENDANT'S DRIVER'S LICENSE SUSPENDED FOR ___ DAYS IN LIEU OF CONVICTION" and such action by the trial judge shall not constitute a conviction. During the period that the minor's driver's license is suspended, the trial judge shall suspend the imposition of any fines or penalties that may be imposed under this subsection and may place the minor on probation subject to such conditions as the judge deems appropriate. If the minor violates any of the conditions of probation, then the trial judge shall return the driver's license to the minor and impose the fines, penalties or both, that he would have otherwise imposed, and such action shall constitute a conviction.

SECTION 32. This act shall take effect and be in force from and after its passage, subject to the following provisions:

(a) Within one hundred twenty (120) days of the effective date of this act, the Department of Health and Department of Revenue shall promulgate rules and regulations related to their responsibilities under this act;

(b) Beginning on October 1, 2024, each licensed medical cannabis testing facility may test hemp products, including, but not limited to, intoxicating hemp products;

(c) Until November 1, 2024, all hemp products that would be considered intoxicating hemp products as of the effective date of this act may continue to be sold in retail entities that are not licensed as medical cannabis dispensaries; and

(d) Beginning on November 1, 2024, all intoxicating hemp products shall only be sold to consumers through licensed medical cannabis dispensaries that are registered with the Department of Revenue to sell such products.

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

AN ACT TO AMEND SECTION 69-25-201, MISSISSIPPI CODE OF 1972, TO RENAME THE "MISSISSIPPI HEMP CULTIVATION ACT" AS THE "MISSISSIPPI INTOXICATING HEMP REGULATION ACT"; TO AMEND SECTION 69-25-203, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "INTOXICATING HEMP PRODUCT" AND "TOTAL THC"; TO AMEND SECTION 69-25-207, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL LICENSE HOLDERS TO ADHERE TO GOOD MANUFACTURING PRACTICES TO AMEND SECTION 69-25-213, MISSISSIPPI CODE OF 1972, TO REDUCE FROM A CONCENTRATION OF MORE THAN 0.5% TO A CONCENTRATION OF MORE THAN 0.3%, THE VIOLATION OF PRODUCING CANNABIS SATIVA L. WITH A CERTAIN DELTA-9-TETRAHYDROCANNABINOL CONCENTRATION ON A DRY WEIGHT BASIS; TO AMEND SECTION 69-25-217, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE PROCESSING OR GROWING OF ANY INTOXICATING HEMP PRODUCTS FOR SALE WITHIN THE STATE OF MISSISSIPPI, WITH CERTAIN EXCEPTIONS; TO PROHIBIT THE SALE OF ANY INTOXICATING HEMP PRODUCTS WITHIN THE STATE OF MISSISSIPPI, WITH CERTAIN EXCEPTIONS; TO PROHIBIT THE PROCESSING, GROWING, OR SALE OF ANY HEMP PRODUCTS THAT CONTAIN AN ARTIFICIALLY DERIVED CANNABINOID; TO PROHIBIT THE SALE OF ANY HEMP PRODUCT TO ANY PERSON UNDER THE AGE OF 21 YEARS; TO REGULATE THE PROCESSING, GROWING, DISTRIBUTION, AND SALE OF AN INTOXICATING HEMP PRODUCT THAT CONTAINS MORE THAN FIVE MILLIGRAMS OF TOTAL THC PER CONTAINER; TO PROVIDE THAT INTOXICATING HEMP PRODUCTS MAY ONLY BE SOLD TO CONSUMERS IN MISSISSIPPI BY PERSONS OR BUSINESS ENTITIES LICENSED UNDER THE MISSISSIPPI MEDICAL CANNABIS ACT; TO REQUIRE THAT A FINALIZED SAMPLE OF FINISHED NONINTOXICATING HEMP PRODUCTS HAVE A CERTIFICATE OF ANALYSIS; TO REQUIRE THAT LABELS FOR INTOXICATING HEMP PRODUCTS BE APPROVED BY THE DEPARTMENT OF AGRICULTURE; TO REQUIRE LICENSED HEMP GROWERS AND PROCESSORS TO PROVIDE A QUARTERLY REPORT; TO REQUIRE ALL HEMP PRODUCTS BE TESTED IN A TESTING FACILITY THAT MEETS CERTAIN REQUIREMENTS; TO REQUIRE ANY MEDICAL CANNABIS PROCESSING FACILITY THAT INTENDS TO PROCESS INTOXICATING HEMP PRODUCTS REGISTER WITH THE DEPARTMENT OF HEALTH; TO REQUIRE SUCH ENTITY PAY A NONREFUNDABLE ANNUAL REGISTRATION FEE OF $5,000.00; TO REQUIRE ANY MEDICAL CANNABIS DISPENSARY THAT INTENDS TO ACQUIRE OR SELL INTOXICATING HEMP PRODUCTS TO REGISTER WITH THE DEPARTMENT OF REVENUE; TO REQUIRE SUCH ENTITY PAY A NONREFUNDABLE ANNUAL REGISTRATION FEE OF $5,000.00; TO IMPOSE A 5% EXCISE TAX ON INTOXICATING HEMP PRODUCTS; TO AMEND SECTIONS 69-25-211, 69-25-215, 69-25-219, 69-25-221 AND 69-25-223, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO AMEND SECTION 41-137-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "HEMP-DERIVED INGREDIENT," "INTOXICATING HEMP PRODUCT" AND "ANCILLARY PRODUCT"; TO REVISE VARIOUS DEFINITIONS RELATED TO THE MEDICAL CANNABIS ACT, INCLUDING "TOTAL THC" AND "UNIT"; TO AMEND SECTION 41-137-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE PURCHASE OR ACQUISITION OF HEMP-DERIVED INGREDIENTS AND INTOXICATING HEMP PRODUCTS BY A CANNABIS CULTIVATION, PROCESSING, DISPENSING, OR RESEARCH FACILITY FOR THE MEDICAL USE OF CANNABIS; TO AMEND SECTION 41-137-11, MISSISSIPPI CODE OF 1972, TO INCLUDE INCORPORATING HEMP-DERIVED INGREDIENTS PURCHASED BY MEDICAL CANNABIS ESTABLISHMENTS IN THE CAPABILITIES OF THE SEED-TO-SALE TRACKING SYSTEM; TO AMEND SECTION 41-137-35, MISSISSIPPI CODE OF 1972, TO CONFORM WITH THE PROVISIONS OF THE ACT; TO AMEND SECTION 41-137-39, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2857, 2024 REGULAR SESSION, TO PROVIDE THAT ENTITIES NOT LICENSED UNDER THE MISSISSIPPI MEDICAL CANNABIS ACT ARE PROHIBITED FROM SELLING INTOXICATING HEMP PRODUCTS TO CONSUMERS; TO AUTHORIZE ENTITIES TO PURCHASE HEMP PRODUCTS FROM OUTSIDE OF THE STATE IF THE PRODUCTS WERE TESTED ACCORDING TO CERTAIN STATE AND FEDERAL STANDARDS; TO

REQUIRE A MEDICAL CANNABIS PROCESSOR TO UPLOAD EACH INTOXICATING HEMP PRODUCT INTO THE SEED-TO-SALE TRACKING SYSTEM; TO PROVIDE THAT MEDICAL CANNABIS AND INTOXICATING HEMP PRODUCTS SHALL BE IN SEPARATE AND DISTINGUISHABLE AREAS IN DISPENSARIES; TO PROHIBIT ANY FINISHED HEMP PRODUCT INTENDED FOR HUMAN OR ANIMAL CONSUMPTION THAT CONTAINS GREATER THAN TEN MILLIGRAMS OF TOTAL THC PER SERVING AND 100 MILLIGRAMS PER CONTAINER FROM BEING SOLD OR TRANSFERRED TO CONSUMERS IN MISSISSIPPI; TO AMEND SECTION 41-137-45, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON OR ENTITY NOT LICENSED AS A DISPENSARY UNDER THE MEDICAL CANNABIS ACT TO SELL OR TRANSFER INTOXICATING HEMP PRODUCTS TO CONSUMERS IN THE STATE OF MISSISSIPPI, WITH CERTAIN EXCEPTIONS; TO PROVIDE PENALTIES FOR A PERSON OR BUSINESS ENTITY THAT UNLAWFULLY SELLS INTOXICATING HEMP PRODUCTS; TO PROVIDE CERTAIN ENFORCEMENT AUTHORITY TO THE DEPARTMENT OF HEALTH, DEPARTMENT OF REVENUE, AND DEPARTMENT OF AGRICULTURE AND COMMERCE, AS APPLICABLE, TO ADMINISTER THE PROVISIONS OF THIS ACT; TO AUTHORIZE LICENSING AGENCIES TO ASSESS A MONETARY PENALTY OR RECOUPMENT OF COSTS FOR THOSE REASONABLE COSTS THAT ARE EXPENDED BY THE AGENCY IN THE INVESTIGATION AND CONDUCT OF A PROCEEDING FOR A COMPLIANCE ISSUE OR VIOLATION OF THE ACT; TO PROHIBIT A DISPENSARY FROM SELLING ANY INTOXICATING HEMP PRODUCT TO A CONSUMER ONLINE, OR VIA ELECTRONIC OR DIGITAL APPLICATION; TO AMEND SECTION 41-137-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THIS CHAPTER DOES NOT PREVENT THE IMPOSITION OF ANY CIVIL, CRIMINAL OR OTHER PENALTIES FROM THE SMOKING OF HEMP PRODUCTS IN PUBLIC PLACES; TO AMEND SECTION 25-9-107, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONNEL EMPLOYED BY THE MISSISSIPPI DEPARTMENT OF HEALTH AND/OR THE DEPARTMENT OF REVENUE WHOSE EMPLOYMENT IS IN CONNECTION WITH EITHER DEPARTMENT'S RESPONSIBILITIES IN IMPLEMENTING, ADMINISTERING AND ENFORCING PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT OR PROVISIONS OF THIS ACT SHALL BE EXEMPT FROM BEING CONSIDERED AS STATE SERVICE EMPLOYEES FOR PURPOSES OF THE STATE PERSONNEL BOARD; TO AMEND SECTION 25-43-1.103, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING AND/OR ENFORCING THE PROVISIONS OF THE RULES AND REGULATIONS PROMULGATED PURSUANT TO THE MISSISSIPPI MEDICAL CANNABIS ACT AND THE PROVISIONS OF THIS ACT, THE MISSISSIPPI STATE DEPARTMENT OF HEALTH AND THE MISSISSIPPI DEPARTMENT OF REVENUE SHALL BE EXEMPTED FROM THE ADMINISTRATIVE PROCEDURE ACT UNTIL 2026; TO AMEND SECTION 25-53-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THROUGH JUNE 30, 2026, THE PROVISIONS OF THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES BID AND CONTRACT REQUIREMENTS SHALL NOT APPLY TO THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING AND ENFORCING THE PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT AND THE PROVISIONS OF THIS ACT; TO AMEND SECTION 25-53-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PERSONAL OR PROFESSIONAL SERVICE CONTRACT ENTERED INTO BY THE MISSISSIPPI DEPARTMENT OF HEALTH AND/OR THE DEPARTMENT OF REVENUE IN CONNECTION WITH THEIR RESPECTIVE RESPONSIBILITIES UNDER THE MISSISSIPPI MEDICAL CANNABIS ACT OR THE PROVISIONS OF THIS ACT UNTIL JUNE 30, 2026; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PURCHASES MADE BY THE DEPARTMENT OF HEALTH AND/OR THE DEPARTMENT OF REVENUE FOR THE PURPOSE OF FULFILLING THEIR RESPECTIVE RESPONSIBILITIES UNDER THE MISSISSIPPI MEDICAL CANNABIS ACT AND THE PROVISIONS OF THIS ACT TO BE EXEMPT FROM CERTAIN BIDDING REQUIREMENTS; AND FOR RELATED PURPOSES.

Substitute for Committee Amendment No. 1 to H. B. No. 1676 was adopted.

YEAS AND NAYS On H. B. No. 1676. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Chassaniol, DeLano, England, Fillingane, Hickman, Hopson, Johnson, Jordan, Kirby, Ladner, Michel, Norwood, Parker, Parks, Polk, Robinson, Simmons D. T. (12th), Simmons S. (13th), Thompson, Whaley, Wiggins, Williams, Younger. Total--31.

Nays--Berry, Branning, Chism, Frazier, Hill, Horhn, Jackson, McCaughn, McLendon, McMahan, Seymour, Sparks, Suber, Tate, Thomas. Total--15.

Absent and those not voting----None.

Voting Present--Barrett, Brumfield, DeBar, Harkins, Rhodes, Turner-Ford. Total--6.

Senator Whaley entered a motion to reconsider the vote whereby **H. B. No. 1489** passed the Senate as amended.

H. B. No. 1489: Ambulance services; provide for payment for treatment in place and provide for minimum reimbursement rate in health insurance policies.

On motion of Senator Carter, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. B. No. 1471.

H. B. No. 1471: BEAM; prohibit from accepting gifts or other benefits from any broadband service provider, vendor, or contractor.

Senator DeBar called up the following entitled bill:

H. B. No. 1450: Interstate Teacher Mobility Compact; authorize entrance for purpose of facilitating mobility of teachers married to service members.

Senator DeLano offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The Governor is authorized and directed to execute the Interstate Teacher Mobility Compact on behalf of this state with any other state or states legally joining therein in the form substantially as follows:

ARTICLE I

PURPOSE

The purpose of this compact is to facilitate the mobility of teachers across the member states with the goal of supporting teachers through a new pathway to licensure. Through this compact, the member states seek to establish a collective regulatory framework which expedites and enhances the ability of teachers from a variety of backgrounds to move across state lines. This compact is intended to achieve the following

objectives, as applied in the State of Mississippi, and shall be interpreted according to Mississippi law. The member states hereby ratify the same intentions by subscribing hereto:

A. Create a streamlined pathway to licensure mobility for teachers;

B. Support the relocation of eligible military spouses;

C. Facilitate and enhance the exchange of licensure information between the member states;

D. Enhance the power of state and district level education officials to hire qualified, competent teachers by removing barriers to the employment of out-of-state teachers;

E. Support the retention of teachers in the profession by removing barriers to relicensure in a new state; and

F. Maintain state sovereignty in the regulation of the teaching profession.

ARTICLE II

DEFINITIONS

As used in this compact, and except as otherwise provided, the following definitions shall govern the terms herein:

A. "Active military member" means any person with full-time duty status in the Armed Forces of the United States, including members of the National Guard and Reserve.

B. "Adverse action" means any limitation or restriction imposed by a member state's licensing authority, such as revocation, suspension, reprimand, probation or limitation on the licensee's ability to work as a teacher.

C. "Bylaws" means those bylaws established by the Commission.

D. "Career and technical education license" means a current, valid authorization issued by a member state's licensing authority allowing an individual to serve as a teacher in P-12 public educational settings in a specific career and technical

education area.

E. "Charter member states" means a member state that has enacted legislation to adopt this compact where such legislation predates the initial meeting of the Commission after the effective date of the compact.

F. "Commission" means the interstate administrative body which membership consists of delegates of all states that have enacted this compact, and which is known as the Interstate Teacher Mobility Compact Commission.

G. "Commissioner" means the delegate of a member state.

H. "Eligible license" means a license to engage in the teaching profession which requires at least a bachelor's degree and the completion of a state approved program for teacher licensure.

I. "Eligible military spouse" means the spouse of any individual in full-time duty status in the active Armed Forces of the United States including members of the National Guard and Reserve moving as a result of a military mission or military

career progression requirements or are on their terminal move as a result of separation or retirement (to include surviving spouses of deceased military members).

J. "Executive Committee" means a group of Commissioners elected or appointed to act on behalf of, and within the powers granted to them by, the Commission as provided for herein.

K. "Licensing authority" means an official, agency, board, or other entity of a state that is responsible for the licensing and regulation of teachers authorized to teach in

P-12 public educational settings.

L. "Member state" means any state that has adopted this compact, including all agencies and officials of such a state.

M. "Receiving state" means any state where a teacher has applied for licensure under this compact.

N. "Rule" means any regulation promulgated by the Commission under this compact, which shall have the force of law in each member state. As applied in the State of Mississippi, such rules shall only be binding and have the force of law if consistent with Mississippi law.

O. "State" means a state, territory, or possession of the United States, and the District of Columbia.

P. "State practice laws" means a member state's laws, rules, and regulations that govern the teaching profession, define the scope of such profession, and create the methods and grounds for imposing discipline.

Q. "State Specific Requirements" means a requirement for licensure covered in coursework or examination that includes content of unique interest to the state.

R. "Teacher" means an individual who currently holds an authorization from a member state that forms the basis for employment in the P-12 public schools of the state to provide instruction in a specific subject area, grade level or student

population.

S. "Unencumbered License" means a current, valid authorization issued by a member state's licensing authority allowing an individual to serve as a teacher in P-12 public educational settings. An unencumbered license is not a restricted, probationary, provisional, substitute or temporary credential.

ARTICLE III

LICENSURE UNDER THE COMPACT

A. Licensure under this compact pertains only to the initial grant of a license by the receiving state. Nothing herein applies to any subsequent or ongoing compliance requirements that a receiving state might require for teachers.

B. Each member state shall, in accordance with rules of the commission, define, compile and update, as necessary, a list of eligible licenses and career and

technical education licenses that the member state is willing to consider for equivalency under this compact and provide the list to the commission. The list shall include those licenses that a receiving state is willing to grant teachers from other member states, pending a determination of equivalency by the receiving state's licensing authority.

C. Upon the receipt of an application for licensure by a teacher holding an unencumbered license, the receiving state shall determine which of the receiving state's eligible licenses the teacher is qualified to hold and shall grant such a license or licenses to the applicant. Such a determination shall be made in the sole discretion of the receiving state's licensing authority and may include a determination that the applicant is not eligible for any of the receiving state's licenses. For all teachers who hold an unencumbered license, the receiving state shall grant one or more unencumbered licenses that, in the receiving state's sole discretion, are equivalent to the license held by the teacher in any other member state.

D. For active duty military members and eligible military spouses who hold a license that is not unencumbered, the receiving state shall grant an equivalent license or licenses that, in the receiving state's sole discretion, is equivalent to the license or licenses held by the teacher in any other member state, except where the receiving state does not have an equivalent license.

E. For a teacher holding an unencumbered career and technical education license, the receiving state shall grant an unencumbered license equivalent to the career and technical education license held by the applying teacher and issued by another member state, as determined by the receiving state in its sole discretion, except where a career and technical education teacher does not hold a bachelor's degree and the receiving state requires a bachelor's degree for licenses to teach career and technical education. A receiving state may require career and technical education teachers to meet state industry recognized requirements, if required by law in the receiving state.

ARTICLE IV

LICENSURE NOT UNDER THE COMPACT

A. Except as provided in Article III, nothing in this compact shall be construed to limit or inhibit the power of a member state to regulate licensure or endorsements overseen by the member state's licensing authority.

B. When a teacher is required to renew a license received pursuant to this compact, the state granting such a license may require the teacher to complete state-specific requirements as a condition of licensure renewal or advancement in that state.

C. For purposes of determining compensation, a receiving state may require additional information from teachers receiving a license under the provisions of this compact.

D. Nothing in this compact shall be construed to limit the power of a member state to control and maintain ownership of its information pertaining to teachers or limit the application of a member state's laws or regulations governing the ownership, use or dissemination of information pertaining to teachers.

E. Nothing in this compact shall be construed to invalidate or alter any existing agreement or other cooperative arrangement which a member state may already be a party to or limit the ability of a member state to participate in any future agreement or other cooperative arrangement to:

1. Award teaching licenses or other benefits based on additional professional credentials, including, but not limited to, National Board Certification;

2. Participate in the exchange of names of teachers whose license has been subject to an adverse action by a member state; or

3. Participate in any agreement or cooperative arrangement with a nonmember state.

ARTICLE V

TEACHER QUALIFICATIONS AND REQUIREMENTS

FOR LICENSURE UNDER THE COMPACT

A. Except as provided for active military members or eligible military spouses under Article III.D, a teacher may only be eligible to receive a license under this compact where that teacher holds an unencumbered license in a member state.

B. A teacher eligible to receive a license under this compact shall, unless otherwise provided herein:

1. As the compact is applied in Mississippi, upon their application to receive a license under this compact and receipt of an employment offer by a school district, undergo a criminal background check in the receiving state in accordance with the laws and regulations of the receiving state; and

2. Provide the receiving state with information in addition to the information required for licensure for the purposes of determining compensation, if applicable.

ARTICLE VI

DISCIPLINE AND ADVERSE ACTIONS

A. Nothing in this compact shall be deemed or construed to limit the authority of a member state to investigate or impose disciplinary measures on teachers according to the state practice laws thereof.

B. Member states shall be authorized to receive, and shall provide, files and information regarding the investigation and discipline, if any, of teachers in other member states upon request. Any member state receiving such information or files shall protect and maintain the security and confidentiality thereof, in at least the same manner that it maintains its own investigatory or disciplinary files and information. Prior to disclosing any disciplinary or investigatory information

received from another member state, the disclosing state shall communicate its intention and purpose for such disclosure to the member state which originally provided that information.

ARTICLE VII

ESTABLISHMENT OF THE INTERSTATE TEACHER MOBILITY

COMPACT COMMISSION

A. The interstate compact member states hereby create and establish a joint public agency known as the Interstate Teacher Mobility Compact Commission:

1. The Commission is a joint interstate governmental agency comprised of states that have enacted the Interstate Teacher Mobility Compact; and

2. Nothing in this compact shall be construed to be a waiver of sovereign immunity.

B. Membership, Voting, and Meetings

1. Each member state shall have and be limited to one (1) delegate to the Commission, who shall be given the title of Commissioner.

2. The Commissioner shall be the primary administrative officer of the state licensing authority or their designee.

3. Any Commissioner may be removed or suspended from office as provided by the law of the state from which the Commissioner is appointed.

4. The member state shall fill any vacancy occurring in the Commission within ninety (90) days.

5. Each Commissioner shall be entitled to one (1) vote about the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the Commission. A Commissioner shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for Commissioners' participation in meetings by telephone or other means of communication.

6. The Commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

7. The Commission shall establish, by rule, a term of office for Commissioners.

C. The Commission shall have the following powers and duties:

1. Establish a Code of Ethics for the Commission;

2. Establish the fiscal year of the Commission;

3. Establish bylaws for the Commission;

4. Maintain its financial records in accordance with the bylaws of the Commission;

5. Meet and take such actions as are consistent with the provisions of this interstate compact, the bylaws and rules of the Commission;

6. Promulgate uniform rules to implement and administer this interstate compact. The rules shall have the force and effect of law and shall be binding in all member states, except that in Mississippi, the rules shall only be binding if consistent with Mississippi law. In the event the Commission exercises its rulemaking authority in a manner that is beyond the scope of the purposes of the compact, or the powers granted hereunder, then such an action by the Commission shall be invalid and have no force and effect of law;

7. Bring and prosecute legal proceedings or actions in the name of the Commission, provided that the standing of any member state licensing authority to sue or be sued under applicable law shall not be affected;

8. Purchase and maintain insurance and bonds;

9. Borrow, accept or contract for services of personnel, including, but not limited to, employees of a member state, or an associated nongovernmental organization that is open to membership by all states;

10. Hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and establish the Commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

11. Lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold, improve, or use, any property, real, personal or mixed, provided that at all times the Commission shall avoid any appearance of impropriety;

12. Sell, convey, mortgage, pledge, lease, exchange, abandon or otherwise dispose of any property real, personal or mixed;

13. Establish a budget and make expenditures;

14. Borrow money;

15. Appoint committees, including standing committees composed of members and such other interested persons as may be designated in this interstate compact, rules or bylaws;

16. Provide and receive information from, and cooperate with, law enforcement agencies;

17. Establish and elect an Executive Committee;

18. Establish and develop a charter for an Executive Information Governance Committee to advise on facilitating exchange of information, use of information, data privacy and technical support needs, and provide reports as needed;

19. Perform such other functions as may be necessary or appropriate to achieve the purposes of this interstate compact consistent with the state regulation of teacher licensure; and

20. Determine whether a state's adopted language is materially different from the model compact language such that the state would not qualify for participation in the compact.

D. The Executive Committee of the Interstate Teacher Mobility Compact Commission

1. The Executive Committee shall have the power to act on behalf of the Commission according to the terms of this interstate compact;

2. The Executive Committee shall be composed of eight (8) voting members:

a. The Commission chair, vice chair and treasurer; and

b. Five (5) members who are elected by the Commission from the current membership:

i. Four (4) voting members representing geographic regions in accordance with commission rules; and

ii. One (1) at large voting member in accordance with commission rules;

3. The Commission may add or remove members of the Executive Committee as provided in commission rules;

4. The Executive Committee shall meet at least once annually;

5. The Executive Committee shall have the following duties and responsibilities:

a. Recommend to the entire Commission changes to the rules or bylaws, changes to the compact legislation, fees paid by interstate compact member states such as annual dues, and any compact fee charged by the member states on behalf of the Commission. As applied in Mississippi, implementation of any recommendation or rules or bylaws related to annual dues shall be subject to appropriation by the Legislature;

b. Ensure Commission administration services are appropriately provided, contractual or otherwise;

c. Prepare and recommend the budget;

d. Maintain financial records on behalf of the Commission;

e. Monitor compliance of member states and provide reports to the Commission; and

f. Perform other duties as provided in rules or bylaws.

6. Meetings of the Commission

a. All meetings shall be open to the public, and public notice of meetings shall be given in accordance with Commission bylaws;

b. The Commission or the Executive Committee or other committees of the Commission may convene in a closed, nonpublic meeting if the Commission or Executive Committee or other committees of the Commission must discuss:

i. Noncompliance of a member state with its obligations under the compact;

ii. The employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the Commission's internal personnel practices and procedures;

iii. Current, threatened, or reasonably anticipated litigation;

iv. Negotiation of contracts for the purchase, lease or sale of goods, services or real estate;

v. Accusing any person of a crime or formally censuring any person;

vi. Disclosure of trade secrets or commercial or financial information that is privileged or confidential;

vii. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

viii. Disclosure of investigative records compiled for law enforcement purposes;

ix. Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the Commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact;

x. Matters specifically exempted from disclosure by federal or member state statute; and

xi. Others matters as set forth by Commission bylaws and rules;

c. If a meeting, or portion of a meeting, is closed pursuant to this provision, the Commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision; and

d. The Commission shall keep minutes of Commission meetings and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the Commission or order of a court of competent jurisdiction.

7. Financing of the Commission

a. The Commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization and ongoing activities;

b. The Commission may accept all appropriate donations and grants of money, equipment, supplies, materials and services, and receive, utilize and dispose of the same, provided that at all times the Commission shall avoid any appearance of impropriety or conflict of interest;

c. The Commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the Commission, in accordance with the commission rules, but the requirement to pay the assessment in Mississippi, shall be subject to appropriation by the Legislature;

d. The Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Commission pledge the credit of any of the member states, except by and with the authority of the member state; and

e. The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to accounting procedures established under Commission bylaws. All receipts and disbursements of funds of the Commission shall be reviewed annually in accordance with Commission bylaws, and a report of the review shall be included in and become part of the annual report of the Commission.

8. Qualified Immunity, Defense and Indemnification

a. The members, officers, executive director, employees and representatives of the Commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided that nothing in this paragraph shall be construed to protect any such person from suit or liability for any damage, loss, injury or liability caused by the intentional or willful or wanton misconduct of that person.

b. The Commission shall defend any member, officer, executive director, employee or representative of the Commission in any civil action seeking to impose liability arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error or omission did not result from that person's intentional or willful or wanton misconduct.

c. The Commission shall indemnify and hold harmless any member, officer, executive director, employee or representative of the Commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities, provided that the actual or alleged act, error or omission did not result from the intentional or willful or wanton misconduct of that person.

ARTICLE VIII

RULEMAKING

A. The Commission shall exercise its rulemaking powers pursuant to the criteria set forth in this interstate compact and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment, provided that as applied in the State of Mississippi, the rules shall only be binding if consistent with Mississippi law.

B. The Commission shall promulgate reasonable rules to achieve the intent and purpose of this interstate compact. In the event the Commission exercises its rulemaking authority in a manner that is beyond purpose and intent of this interstate compact, or the powers granted hereunder, then such an action by the Commission shall be invalid and have no force and effect of law in the member states.

C. If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within four (4) years of the date of adoption of the rule, then such rule shall have no further force and effect in any member state.

D. Rules or amendments to the rules shall be adopted or ratified at a regular or special meeting of the Commission in accordance with commission rules and bylaws.

E. Upon determination that an emergency exists, the Commission may consider and adopt an emergency rule with forty-eight (48) hours' notice, with opportunity to comment, provided that the usual rulemaking procedures shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

1. Meet an imminent threat to public health, safety, or welfare;

2. Prevent a loss of Commission or member state funds;

3. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or

4. Protect public health and safety.

F. As applied in the State of Mississippi, if a rule or amendment promulgated by the Commission conflicts with Mississippi law, Mississippi law shall control and the rule or amendment promulgated by the Commission shall have no effect.

ARTICLE IX

FACILITATING INFORMATION EXCHANGE

A. The Commission shall provide for facilitating the exchange of information to administer and implement the provisions of this compact in accordance with the rules of the Commission, consistent with generally accepted data protection principles and federal and state law.

B. Nothing in this compact shall be deemed or construed to alter, limit or inhibit the power of a member state to control and maintain ownership of its licensee information or alter, limit or inhibit the laws or regulations governing licensee information in the member state.

ARTICLE X

OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT

A. Oversight

1. The executive and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent, provided that as applied in the State of Mississippi, the compact shall only be binding if consistent with Mississippi law. The provisions of this compact

shall have standing as statutory law, provided that as applied in the State of Mississippi, the compact shall only be binding if consistent with Mississippi law.

2. Venue is proper and judicial proceedings by or against the Commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the Commission is located. The Commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. Nothing herein shall affect or limit the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct or any such similar matter.

3. All courts and all administrative agencies shall take judicial notice of the compact, the rules of the Commission, and any information provided to a member state pursuant thereto in any judicial or quasi-judicial proceeding in a

member state pertaining to the subject matter of this compact, or which may affect the powers, responsibilities or actions of the Commission.

4. The Commission shall be entitled to receive service of process in any proceeding regarding the enforcement or interpretation of the compact and shall have standing to intervene in such a proceeding for all purposes. Failure to provide the

Commission service of process shall render a judgment or order void as to the Commission, this compact or promulgated rules.

B. Default, Technical Assistance and Termination

1. If the Commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the Commission shall:

a. Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default or any other action to be taken by the Commission; and

b. Provide remedial training and specific technical assistance regarding the default.

2. If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the Commissioners of the

member states, and all rights, privileges and benefits conferred on that state by this compact may be terminated on the effective date of termination.

3. Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the Commission to the governor, the majority and

minority leaders of the defaulting state's legislature, the state licensing authority and each of the member states.

4. A state that has been terminated is responsible for all assessments, obligations and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

5. The Commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the Commission and the defaulting state.

6. The defaulting state may appeal the action of the Commission by petitioning the United States District Court for the District of Columbia or the federal district where the Commission has its principal offices.

C. Dispute Resolution

1. Upon request by a member state, the Commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

2. The Commission shall promulgate a rule providing for nonbinding alternative dispute resolution for disputes as appropriate.

D. Enforcement

1. The Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

2. By majority vote, the Commission may initiate legal action in a court of competent jurisdiction to enforce

compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include injunctive relief.

ARTICLE XI

EFFECTUATION, WITHDRAWAL, AND AMENDMENT

A. The compact shall come into effect on the date on which the compact statute is enacted into law in the tenth member state.

1. On or after the effective date of the compact, the Commission shall convene and review the enactment of each of the charter member states to determine if the statute enacted by each such charter member state is materially different from

the model compact statute.

2. A charter member state whose enactment is found to be materially different from the model compact statute shall be entitled to the default process set forth in Article X.

3. Member states enacting the compact subsequent to the charter member states shall be subject to the process set forth in Article VII.C.20 to determine if their enactments are materially different from the model compact statute and whether

they qualify for participation in the compact.

B. If any member state is later found to be in default, or is terminated or withdraws from the compact, the Commission shall remain in existence and the compact shall remain in effect even if the number of member states should be less than ten (10).

C. Any state that joins the compact after the Commission's initial adoption of the rules and bylaws shall be subject to the rules and bylaws as they exist on the date on which the compact becomes law in that state, provided that as applied in the State of Mississippi, the compact shall only be binding if consistent with Mississippi law. Any rule that has been

previously adopted by the Commission shall have the full force and effect of law on the day the compact becomes law in that state, provided that as applied in the State of Mississippi, the compact shall only be binding if consistent with Mississippi law, as the rules and bylaws may be amended as provided in this compact.

D. Any member state may withdraw from this compact by enacting a statute repealing the same. A member state's withdrawal shall not take effect until six (6) months after enactment of the repealing statute.

E. This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any other member state until it is enacted into the laws of all member states.

ARTICLE XII

CONSTRUCTION AND SEVERABILITY

The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any

member state or a state seeking membership in the compact, contrary to Mississippi law, or of the United States or the applicability thereof to any other government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any member state, or as applicable in the State of Mississippi, with Mississippi law, the compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

ARTICLE XIII

CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS

A. Nothing herein shall prevent or inhibit the enforcement of Mississippi law that is not inconsistent with the compact.

B. Any laws, statutes, regulations or other legal requirements in a member state in conflict with the compact are superseded to the extent of the conflict, provided that as applied in the State of Mississippi, the compact shall only be binding if consistent with Mississippi law.

C. All permissible agreements between the Commission and the member states are binding in accordance with their terms, provided that as applied in the State of Mississippi, the agreements shall only be binding if consistent with Mississippi law.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT ENTERING THE STATE OF MISSISSIPPI INTO THE INTERSTATE TEACHER MOBILITY COMPACT FOR THE PURPOSE OF TO FACILITATING THE MOBILITY OF TEACHERS ACROSS MEMBER STATES TO THE COMPACT; TO ESTABLISH A COLLECTIVE REGULATORY FRAMEWORK THAT EXPEDITES AND ENHANCES THE ABILITY OF TEACHERS TO MOVE ACROSS STATE LINES; TO SET OUT THE AGREEMENT OF THE CONTRACTING STATES AND THE PURPOSE OF THE COMPACT; TO PROVIDE FOR THE MEMBERSHIP OF THE EDUCATION COMMISSION OF THE STATES AND PRESCRIBE THE POWER AND DUTIES PERTAINING THERETO; TO ESTABLISH THE COMMITTEES OF THE COMMISSION; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1450 was adopted.

YEAS AND NAYS On H. B. No. 1450. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator DeBar called up the following entitled bill:

H. B. No. 1229: Equal Opportunity for Students with Special Needs Act; extend repealer on educational scholarship accounts (ESA).

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-181-5, Mississippi Code of 1972, is amended as follows:

37-181-5. (1) An eligible student shall qualify to participate in the ESA program if the parent or guardian signs an agreement promising:

(a) To provide an organized, appropriate educational program with measurable annual goals to their participating student and to provide an education for the participating student in at least the subjects of reading, grammar, mathematics, social studies and science;

(b) To document their participating student's disability at intervals and in a manner required under subsection (8) of this section;

(c) Not to enroll their participating student in a public school and to acknowledge as part of the agreement that the eligible school has provided clear notice to the parent or guardian that the participating student has no individual entitlement to a free appropriate public education (FAPE) from their home school district, including special education and related services, for as long as the student is participating in the ESA program;

(d) Not to file for their participating student a certificate of enrollment indicating participation in a home instruction program under Section 37-13-91, Mississippi Code of 1972; and

(e) Not to participate in the Mississippi Dyslexia Therapy Scholarship for Students with Dyslexia Program or the Mississippi Speech-Language Therapy Scholarship for Students with Speech-Language Impairments Program while participating in the ESA program.

(2) Parents or guardians shall use the funds deposited in a participating student's ESA for any of the following qualifying expenses, which shall be incurred within the awarded ESA school year, to educate the student using any of the below methods or combination of methods that meet the requirement in subsection (1)(a) of this section:

(a) Tuition and/or academic fees at an eligible school;

(b) Textbooks related to academic coursework;

(c) Payment to a tutor, as defined in Section 37-181-3(h);

(d) Payment for purchase of curriculum, including any supplemental materials required by the curriculum;

(e) Fees for nationally standardized norm-referenced achievement tests, including alternate assessments; and fees for Advanced Placement examinations or similar courses and any examinations related to college or university admission;

(f) Educational services or therapies from a licensed or certified practitioner or provider, including licensed or certified paraprofessionals or educational aides;

(g) Tuition and fees related to dual enrollment at a postsecondary institution;

(h) Textbooks related to academic coursework at a postsecondary institution;

(i) Surety bond payments if required by the department;

(j) No more than Fifty Dollars ($50.00) in annual consumable school supplies necessary for educational services and therapies, daily classroom activities, and tutoring;

(k) Computer hardware and software and other technological devices if an eligible school, licensed or certified tutor, licensed or certified educational service practitioner or provider, or licensed medical professional verifies in writing that these items are essential for the student to meet annual, measurable educational and academic goals or goals within the scope of the eligible student's IEP. Once a student is no longer participating in the ESA program, computer hardware and software and other technological devices purchased with ESA funds shall be donated to a public school or public library. Qualifying expenses for computer hardware and software include only those expenses incurred within the awarded ESA school year.

(3) To qualify to participate in the program, the parent or guardian of an eligible student shall also certify to the department that they have been accepted into an eligible school qualified to provide services for the participating student's disability or special education needs, or provide services addressing a participating student's IEP, as required under this act.

(* * *4) Neither a participating student, nor anyone on the student's behalf, may receive cash or cash-equivalent items, such as gift cards or store credit, from any refunds or rebates from any provider of services or products in the ESA program. Any refunds or rebates shall be credited directly to the participating student's ESA. The funds in an ESA may only be used for education-related purposes as defined in this chapter.

(* * *5) (a) Eligible schools, postsecondary institutions and educational service providers that serve participating students shall provide the parent or guardian who submitted the ESA program application with an original itemized receipt, including the service provider's name and address, for all qualifying expenses. The parent or guardian who submitted the ESA application shall provide the original itemized receipt to the department.

(b) In lieu of providing the parent or guardian who submitted the ESA program application with an original itemized receipt, the eligible schools, postsecondary institutions and educational service providers may provide to the department an original itemized receipt approved and signed off on by the parent or guardian who submitted the ESA application, including the service provider's name and address, for all qualifying expenses.

(* * *6) Payment for educational services through an ESA shall not preclude parents or guardians from paying for educational services using non-ESA funds.

(* * *7) For purposes of continuity of educational attainment, students who enroll in the ESA program shall remain eligible to receive quarterly ESA payments until the participating student returns to a public school, completes high school, completes the school year in which the student reaches the age of twenty-one (21), or does not have

eligibility verified by a parent or guardian as required under subsection (8) of this section, whichever occurs first.

(* * *8) Any funds remaining in a student's Education Scholarship Account upon completion of high school shall be returned to the state's General Fund.

(* * *9) Every three (3) years after initial enrollment in the ESA program, a parent or guardian of a participating student, except a student diagnosed as being a person with a permanent disability, shall document that the student continues to be identified by the school district, a federal or state government agency, or a licensed physician or psychometrist as a child with a disability, as defined by the federal Individuals with Disabilities Education Act (20 USCS Section 1401(3)).

(* * *10) An eligible student shall be allowed to return to his home school district at any time after enrolling in the ESA program, in compliance with regulations adopted by the department providing for the least disruptive process for doing so. Upon the participating student's return to his or her home school district, the student's Education Scholarship Account shall be closed and any remaining funds shall be distributed to the student's home school district at the end of the awarded ESA school year.

* * *

SECTION 2. Section 37-181-7, Mississippi Code of 1972, is amended as follows:

37-181-7. (1) * * * New enrollment in the ESA program created in this chapter shall be limited to five hundred (500) additional students each year * * *. Subject to appropriation from the General Fund, each student's ESA shall be funded at Six Thousand Five Hundred Dollars ($6,500.00) for school year 2015-2016. For each subsequent year, this amount shall increase or decrease by the same proportion as the base student cost under Section 37-151-7(1)(b) is increased or decreased.

(2) Subject to appropriation, eligible students shall be approved for participation in the ESA program as follows:

(a) * * * Students shall be approved on a first-come, first-served basis, with applications being reviewed on a rolling basis;

(b) After participation reaches fifty percent (50%) of the annual enrollment limits in subsection (1) of this section, the department shall set annual application deadlines for the remaining number of available ESAs and begin to maintain a waiting list of eligible students. The waitlist shall only include eligible students who have certified to the department that they have been accepted into an eligible school qualified to provide services for the participating student's disability or special education needs, or provide services addressing a participating student's IEP. The waitlist will be maintained in the chronological order in which applications are received. The department shall award ESA program applications in chronological order according to the waitlist; and

(c) Participating students who remain eligible for the ESA program are automatically approved for participation for the following year and are not subject to the random selection process.

(3) No funds for an ESA may be expended from the Mississippi Adequate Education Program, nor shall any school district be required to provide funding for an ESA.

SECTION 3. Section 37-181-9, Mississippi Code of 1972, is amended as follows:

37-181-9. (1) The department shall create a standard form that parents or guardians of students submit to establish their student's eligibility for an Education

Scholarship Account. The department shall ensure that the application is readily available to interested families through various sources, including the department's website and the copy of procedural safeguards annually given to parents or guardians. To be considered, an application must include certification that the student has been accepted into an eligible school qualified to provide services for the student's disability or special education needs, or provide services addressing a participating student's IEP.

(2) The department shall provide parents or guardians of participating students with a written explanation of the allowable uses of Education Scholarship Accounts, the responsibilities of parents and the duties of the department. This information shall also be made available on the department's website.

(3) The department shall annually notify all students with an IEP of the existence of the ESA program and shall ensure that lower-income families are made aware of their potential eligibility.

(4) The department may deduct an amount up to a limit of six percent (6%) from appropriations used to fund Education Scholarship Accounts to cover the costs of overseeing the funds and administering the ESA program.

(5) (a) The department shall make a determination of eligibility, and shall approve the application, within twenty-one (21) business days of receiving an application for participation in the ESA program, subject to the provisions of Section 37-181-3(b).

(b) The department shall provide for a procedure that children with a ruling of hearing impairment or children suspected of a hearing loss shall receive a comprehensive educational assessment which may include the areas of cognitive development, language/speech, audiological and academic achievement from the state-funded Mississippi Assistance Center for Hearing Loss. Children with a ruling of visual impairment or children suspected of a visual impairment shall receive a comprehensive low vision evaluation from the state-funded Low Vision Clinic.

(6) The home school district shall provide the parent or guardian of a participating student with a complete copy of the student's school records, while complying with the Family Educational Rights and Privacy Act of 1974 (20 USCS Section 1232(g)). The record shall be provided no later than thirty (30) days after a parent signs an agreement to participate in the ESA program.

SECTION 4. Section 37-181-13, Mississippi Code of 1972, is amended as follows:

37-181-13. (1) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) shall prepare a biannual report, beginning in 2018 and every two (2) years thereafter, assessing efficacy of Education Scholarship Accounts, to include the sufficiency of funding, and recommending any suggested changes in state law or policy necessary to improve the ESA program.

(2) The report shall assess:

(a) The degree to which eligible schools are meeting the needs of participating students as defined by the participating students' IEPs;

(b) The level of participating students' satisfaction with the ESA program;

(c) The level of parental or guardian satisfaction with the ESA program;

(d) Participating students' performance, both pre-assessment and post-assessment, on the eligible school's current assessment used to demonstrate academic progress, a nationally standardized norm-referenced achievement test, or a current state board-approved screener, as required in Section 37-181-15(f);

(e) Participating students' performance on Advanced Placement examinations or similar courses and any examinations related to college or university admission; provided that eligible schools must report participating students' performance on Advance Placement examinations and any examinations related to college or university admission;

(f) The four-year high school graduation rates and college acceptance rates of participating students; provided that eligible schools must report participating students' high school graduation rates and, if known, college acceptance rates;

(g) The percentage of funds used for each qualifying expense identified in Section 37-181-5(2); and

(h) The fiscal impact to the state and home school districts of the ESA program, which must consider both the impact on revenue and the impact on expenses. Furthermore, the fiscal savings associated with students departing public schools must be explicitly quantified, even if the public school losing the student(s) does not reduce its spending accordingly.

(3) The report shall:

(a) Apply appropriate analytical and behavioral science methodologies to ensure public confidence in the study; and

(b) Protect the identity of participating students and schools by, among other things, keeping anonymous all disaggregated data.

* * *

(* * *4) PEER shall provide the Legislature with a final copy of the report of the ESA program before December 31 each year the report is due. At the same time, the study shall also be placed in a prominent location on the PEER website.

(* * *5) PEER must make its data and methodology available for public review while complying with the requirements of the Family Educational Rights and Privacy Act (20 USCS Section 1232(g)).

SECTION 5. Section 37-181-15, Mississippi Code of 1972, is amended as follows:

37-181-15. (1) To ensure that students are treated fairly and kept safe, all eligible schools shall:

(a) Comply with the nondiscrimination policies set forth in 42 USCS 1981;

(b) Prior to a participating student's application for enrollment, provide parents or guardians with details of the school's programs, record of student achievement, qualifications, experience, capacities to serve students with special needs, and capacity to serve the participating student within the scope of their IEP;

(c) Comply with all health and safety laws or codes that apply to nonpublic schools;

(d) Hold a valid occupancy permit if required by their municipality;

(e) Have no public record of fraud or malfeasance;

(f) Require participating students to take a pre-assessment at the beginning of the school year and a post-assessment at the end of the school year. The eligible

school shall have the option * * * of selecting a nationally standardized norm-referenced achievement test, or a current state board-approved screener;

(g) Notify a parent or guardian applying for the ESA program that the parent or guardian waives the right of the participating student to an individual entitlement to a free and appropriate public education (FAPE) from their home school district, including special education and related services, for as long as the student is participating in the ESA program;

(h) Conduct criminal background checks on employees and:

(i) Exclude from employment any person not permitted by state law to work in a nonpublic school; and

(ii) Exclude from employment any person who might reasonably pose a threat to the safety of students; and

(i) An eligible school shall certify to the department upon enrollment of a participating student that the eligible school shall provide services for the participating student's disability or special education needs, or shall provide services addressing a participating student's IEP. Such certification must be received by the department before the ESA is reimbursed to an eligible student.

(2) Failure to comply with these requirements shall deem the eligible school ineligible to participate in the ESA program the following year.

SECTION 6. Section 37-181-17, Mississippi Code of 1972, is amended as follows:

37-181-17. (1) An eligible nonpublic school is autonomous and not an agent of the state or federal government and therefore:

(a) The State Department of Education or any other government agency shall not regulate the educational program of a nonpublic school, postsecondary institution or educational service provider that accepts funds from the parent or guardian of a participating student beyond the requirements of the ESA program as promulgated in this chapter;

(b) The creation of the Education Scholarship Account program does not expand the regulatory authority of the state, its officers, or any school district to impose any additional regulation of nonpublic schools, postsecondary institutions or educational service providers beyond those necessary to enforce the requirements of the ESA program; and

(c) Eligible schools, postsecondary institutions and educational service providers shall be given the maximum freedom to provide for the educational needs of their students without governmental control. No eligible school, postsecondary institution or educational service provider shall be required to alter its creed, practices, admission policies or curriculum in order to accept participating students.

(2) Eligible schools, or the parent or guardian who submitted the ESA application, must submit student performance data to the State Department of Education at the end of the school year, including the individual results of the pre-assessment and post-assessment required in Section 37-181-15(f). The department shall develop a uniformed reporting format for eligible schools to use when submitting assessment results.

(3) In any legal proceeding challenging the application of this chapter to an eligible school, postsecondary institution or educational service provider the state bears the burden of establishing that the law is necessary and does not impose any undue burden on the eligible school, postsecondary institution or educational service provider.

SECTION 7. Section 37-181-1, Mississippi Code of 1972, is reenacted as follows:

37-181-1. This chapter shall be known and may be cited as "The Equal Opportunity for Students with Special Needs Act."

SECTION 8. Section 37-181-3, Mississippi Code of 1972, is reenacted as follows:

37-181-3. The terms used in this chapter shall have the meanings ascribed herein, unless the context clearly indicates otherwise:

(a) "ESA program" means the Education Scholarship Account (ESA) program created in this chapter.

(b) "Eligible student" means any student who has had an active Individualized Education Program (IEP) within the past three (3) years and has maintained eligibility.

(c) "Participating student" means any student who meets the qualifications of an eligible student as defined in paragraph (b) of this section and is participating in an ESA program at an eligible school.

(d) "Parent" means a resident of this state who is a parent, legal guardian, custodian or other person with the authority to act on behalf of the eligible student.

(e) "Department" means the State Department of Education.

(f) "Home school district" means the public school district in which the student resides.

(g) "Eligible school" means a state-accredited special purpose school, a state-accredited nonpublic school, or a nonpublic school located in the state that has enrolled a participating student and is providing services for the participating student's disability or special education needs, or is providing services addressing a participating student's IEP. An eligible school does not include a home instruction program under Section 37-13-91, Mississippi Code of 1972.

(h) "Tutor" means a person who is certified or licensed by a state, regional, or national certification, licensing, or accreditation organization or who has earned a valid teacher's license or who has experience teaching at an eligible postsecondary institution.

(i) "Postsecondary institution" means a community college, college, or university accredited by a state, regional or national accrediting organization.

(j) "Educational service provider" means an eligible school, tutor, or other person or organization that provides education-related services and products to participating students.

(k) "Awarded ESA school year" means the duration of the school year in which ESA program funds are deposited in a student's ESA.

(l) Nothing in this section shall negate federal law requiring public school districts to identify and provide services to students with disabilities who live within the public school district, including those enrolled in nonpublic schools or home instruction programs.

(m) An eligible school shall provide notice to a participating student's home school district when the eligible student enrolls in the eligible school with an ESA. Furthermore, a public school district providing special education services to a participating

student enrolled in an eligible school shall be reimbursed by the eligible school, or parent or guardian who submitted the ESA application, fair market value for any special education services rendered to the eligible student in an amount not to exceed the amount of ESA funds reimbursed to the eligible student during the awarded ESA school year.

SECTION 9. Section 37-181-11, Mississippi Code of 1972, is reenacted as follows:

37-181-11. (1) To ensure that funds are spent appropriately, the State Department of Education shall adopt rules and policies necessary for the administration of the ESA program, including the auditing of Education Scholarship Accounts, and shall conduct or contract for random audits throughout the year.

(2) (a) The department shall develop a system for payment of benefits, including, but not limited to, allowing educational service providers to invoice the department for qualified expenses consistent with Section 37-181-5(2), or allowing the parent or guardian who submitted the ESA program application to seek reimbursement for qualified expenses consistent with Section 37-181-5(2).

(b) The department may make payments to educational service providers or reimbursement to the parent or guardian who submitted the ESA program application via check or warrant or electronic funds transfer or any other means of payment deemed to be commercially viable or cost-effective.

(c) The department may also establish by rule that some payments to educational service providers will be made on a quarterly basis, rather than an annual basis, if the educational services will be rendered over an extended period of time.

(3) The department shall adopt a process for removing educational service providers that defraud parents and for referring cases of fraud to law enforcement.

(4) The department shall establish or contract for the establishment of an online anonymous fraud reporting service.

(5) The department shall establish or contract for the establishment of an anonymous telephone hotline for fraud reporting.

SECTION 10. Section 37-181-19, Mississippi Code of 1972, is reenacted as follows:

37-181-19. The State Department of Education may receive and expend contributions from any public or private source to fund ESAs for participating students.

SECTION 11. Section 37-181-21, Mississippi Code of 1972, is reenacted as follows:

37-181-21. If any provision of this law or its application is held invalid, the invalidity does not affect other provisions or applications of this law which can be given effect without the invalid provision or application and to this end the provisions of this law are severable.

SECTION 12. Section 37-181-23, Mississippi Code of 1972, is reenacted and amended as follows:

37-181-23. Sections 37-181-1 through 37-181-23, Mississippi Code of 1972, shall stand repealed on July 1, * * * 2028.

SECTION 13. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTIONS 37-181-5, 37-181-7, 37-181-9, 37-181-13, 37-181-15 AND 37-181-17, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE EDUCATION SCHOLARSHIP ACCOUNT PROGRAM TO MAKE CERTAIN TECHNICAL REVISIONS THERETO; TO PROVIDE THAT IN ORDER TO BE ELIGIBLE FOR THE PROGRAM, THE PARENT OR GUARDIAN OF AN ELIGIBLE STUDENT MUST CERTIFY TO THE DEPARTMENT OF EDUCATION THAT THEY HAVE BEEN ACCEPTED INTO AN ELIGIBLE SCHOOL QUALIFIED TO PROVIDE SERVICES FOR THE PARTICIPATING STUDENT'S DISABILITY OR SPECIAL EDUCATION NEEDS, OR PROVIDE SERVICES ADDRESSING A PARTICIPATING STUDENT'S IEP; TO SET CERTAIN REPORTING REQUIREMENTS OF ELIGIBLE SCHOOLS, INCLUDING PARTICIPANTS' GRADUATION RATES AND ADVANCE PLACEMENT EXAMINATION PERFORMANCE; TO PROVIDE THAT ELIGIBLE SCHOOLS SHALL HAVE THE OPTION OF SELECTING A NATIONALLY STANDARDIZED NORM-REFERENCED ACHIEVEMENT TEST, OR A CURRENT STATE BOARD-APPROVED SCREENER FOR PARTICIPATING STUDENTS TO TAKE EACH YEAR; TO PROVIDE THAT FAILURE TO COMPLY WITH THE REQUIREMENTS OF THE CHAPTER SHALL DEEM THE ELIGIBLE SCHOOL INELIGIBLE TO PARTICIPATE IN THE ESA PROGRAM THE FOLLOWING YEAR; TO REENACT SECTIONS 37-181-1, 37-181-3, 37-181-11, 37-181-19 AND 37-181-21, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR VARIOUS PROVISIONS OF THE EQUAL OPPORTUNITY FOR STUDENTS WITH SPECIAL NEEDS ACT; TO AMEND REENACTED SECTION 37-181-23, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL OF SUCH ACT; AND FOR RELATED PURPOSES.

Senator England offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 483 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1229 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1229 was adopted.

YEAS AND NAYS On H. B. No. 1229. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Blount, Frazier, Norwood. Total--3.

Absent and those not voting----None.

Voting Present--Horhn. Total--1.

Senator Wiggins called up the following entitled bill:

H. B. No. 722: Judicial districts; revise.

COMMITTEE AMENDMENT NO. 1 was replaced by SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Senators Wiggins, McCaughn, Barrett, Sparks, Suber and Tate offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after line 107 and inserting in lieu thereof the following:

WHEREAS, it is the responsibility of the Legislature under Section 152 of the Mississippi Constitution of 1890 to redistrict the circuit and chancery court districts after each federal decennial census; and

WHEREAS, the Legislature has investigated the state of the trial courts and the trial court districts and has considered the needs of the state according to all the criteria imposed by the Constitution and by general law; NOW, THEREFORE,

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

SECTION 1. Section 9-5-9, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:] 9-5-9. The Second Chancery Court District is composed of the following counties:

(a) Jasper County;

(b) Newton County; and

(c) Scott County.

[From and after January 1, 2027, this section shall read as follows:]

9-5-9. (1) The Second Chancery Court District is composed of the following counties:

(a) Covington County;

(b) Jasper County;

(c) Newton County;

(d) Scott County;

(e) Simpson County; and

(f) Smith County.

(2) There shall be two (2) chancellors for the Second Chancery Court District. The two (2) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two." The chancellor to fill Place One must reside in either Jasper County, Newton County or Scott County, and the

chancellor to fill Place Two must reside in either Covington County, Simpson County, or Smith County.

SECTION 2. Section 9-5-11, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-5-11. (1) The Third Chancery Court District is composed of the following counties:

(a) DeSoto County;

(b) Grenada County;

(c) Montgomery County;

(d) Panola County;

(e) Tate County; and

(f) Yalobusha County.

(2) The Third Chancery Court District shall be divided into two (2) subdistricts as follows:

(a) Subdistrict 3-1 shall consist of DeSoto County.

(b) Subdistrict 3-2 shall consist of Grenada County, Montgomery County, Panola County, Tate County and Yalobusha County.

[From and after January 1, 2027, this section shall read as follows:]

9-5-11. The Third Chancery Court District is composed of the following counties:

(a) Carroll County;

(b) Grenada County;

(c) Montgomery County;

(d) Panola County;

(e) Tate County; and

(f) Yalobusha County.

SECTION 3. Section 9-5-13, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-5-13. (1) There shall be three (3) chancellors for the Third Chancery Court District.

(2) (a) The chancellor of Subdistrict 3-1 shall be elected from DeSoto County. The two (2) chancellors of Subdistrict 3-2 shall be elected from Grenada County, Montgomery County, Panola County, Tate County and Yalobusha County.

(b) For purposes of appointment and election, the three (3) chancellorships shall be separate and distinct. The chancellorship in Subdistrict 3-1 shall be denominated

only as "Place One," and the chancellorships in Subdistrict 3-2 shall be denominated only as "Place Two" and "Place Three."

[From and after January 1, 2027, this section shall read as follows:]

9-5-13. (1) There shall be * * * two (2) chancellors for the Third Chancery Court District.

(2) * * * The * * * two (2) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One * * *" and "Place Two * * *." * * *

SECTION 4. Section 9-5-15, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-5-15. (1) The Fourth Chancery Court District is composed of the following counties:

(a) Amite County;

(b) Franklin County;

(c) Pike County; and

(d) Walthall County.

(2) There shall be two (2) chancellors for the Fourth Chancery Court District. The two (2) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

[From and after January 1, 2027, this section shall read as follows:]

9-5-15. (1) The Fourth Chancery Court District is composed of the following counties:

(a) Forrest County;

(b) Perry County; and

(c) Stone County.

(2) There shall be two (2) chancellors for the Fourth Chancery Court District. The two (2) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 5. Section 9-5-21, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-5-21. The Sixth Chancery Court District is composed of the following counties:

(a) Attala County;

(b) Carroll County;

(c) Choctaw County;

(d) Kemper County;

(e) Neshoba County; and

(f) Winston County.

[From and after January 1, 2027, this section shall read as follows:]

9-5-21. The Sixth Chancery Court District is composed of the following counties:

(a) Attala County;

(b) Choctaw County;

(c) Kemper County;

(d) Neshoba County; and

(e) Winston County.

SECTION 6. Section 9-5-27, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-5-27. The Eighth Chancery Court District is composed of the following counties:

(a) Hancock County;

(b) Harrison County; and

(c) Stone County.

[From and after January 1, 2027, this section shall read as follows:]

9-5-27. The Eighth Chancery Court District is composed of the following counties:

(a) Hancock County; and

(b) Harrison County.

SECTION 7. Section 9-5-35, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-5-35. The Tenth Chancery Court District is composed of the following counties:

(a) Forrest County;

(b) Lamar County;

(c) Marion County;

(d) Pearl River County; and

(e) Perry County.

[From and after January 1, 2027, this section shall read as follows:]

9-5-35. The Tenth Chancery Court District is composed of the following counties:

(a) Jefferson Davis County;

(b) Lamar County;

(c) Marion County;

(d) Pearl River County; and

(e) Walthall County.

SECTION 8. Section 9-5-36, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-5-36. (1) There shall be four (4) chancellors for the Tenth Chancery Court District.

(2) The four (4) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two," "Place Three" and "Place Four." The chancellor to fill Place One and Place Four may be a resident of any county in the district. The chancellor to fill Place Two must be a resident of Lamar, Marion, Pearl River or Perry County. The chancellor to fill Place Three must be a resident of Forrest County. Election of the four (4) offices of chancellor shall be by election to be held in every county within the Tenth Chancery Court District.

[From and after January 1, 2027, this section shall read as follows:]

9-5-36. (1) There shall be four (4) chancellors for the Tenth Chancery Court District.

(2) The four (4) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two," "Place Three" and "Place Four." The chancellor to fill either Place One, Place Three or Place Four may be a resident of any county. The chancellor to fill Place Two must be a resident of Lamar County, Marion County, or Pearl River County.

SECTION 9. Section 9-5-41, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-5-41. (1) The Thirteenth Chancery Court District is composed of the following counties:

(a) Covington County;

(b) Jefferson Davis County;

(c) Lawrence County;

(d) Simpson County; and

(e) Smith County.

(2) There shall be two (2) chancellors for the Thirteenth Chancery Court District. The two (2) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

[From and after January 1, 2027, this section shall read as follows:]

9-5-41. (1) The Thirteenth Chancery Court District shall be Desoto County.

(2) There shall be three (3) chancellors for the Thirteenth Chancery Court District. The three (3) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two" and "Place Three."

SECTION 10. Section 9-5-47, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-5-47. The Fifteenth Chancery Court District is composed of the following counties:

(a) Copiah County; and

(b) Lincoln County.

[From and after January 1, 2027, this section shall read as follows:]

9-5-47. (1) The Fifteenth Chancery Court District is composed of the following counties:

(a) Copiah County;

(b) Lawrence County; and

(c) Lincoln County.

(2) There shall be two (2) chancellors for the Fifteenth Chancery Court District. The two (2) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 11. Section 9-5-49, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-5-49. The Sixteenth Chancery Court District is composed of the following counties:

(a) George County;

(b) Greene County; and

(c) Jackson County.

[From and after January 1, 2027, this section shall read as follows:]

9-5-49. The Sixteenth Chancery Court District shall be Jackson County.

SECTION 12. Section 9-5-51, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-5-51. (1) The Seventeenth Chancery Court District is composed of the following counties:

(a) Adams County;

(b) Claiborne County;

(c) Jefferson County; and

(d) Wilkinson County.

(2) The Seventeenth Chancery Court District shall be divided into two (2) subdistricts as follows:

(a) Subdistrict 17-1 shall consist of Claiborne County, Jefferson County, and the following precincts in Adams County: Airport Carpenter*, Convention Center*, Foster Mound, Maryland*, Northside School, Palestine, Pine Ridge, Thompson and Washington*.

(b) Subdistrict 17-2 shall consist of Wilkinson County and the following precincts in Adams County: Beau Pre, Bellemont, By-Pass Fire Station, Carpenter*, Concord, Convention Center*, Courthouse, Duncan Park, Kingston, Liberty Park, Maryland*, Morgantown, Oakland and Washington*.

(3) There shall be two (2) chancellors for the Seventeenth Chancery Court District. One (1) chancellor shall be elected from each subdistrict.

[From and after January 1, 2027, this section shall read as follows:]

9-5-51. (1) The Seventeenth Chancery Court District is composed of the following counties:

(a) Adams County;

(b) Amite County;

(c) Claiborne County;

(d) Franklin County;

(e) Jefferson County;

(f) Pike County; and

(g) Wilkinson County.

(2) The Seventeenth Chancery Court District shall be divided into two (2) subdistricts as follows:

(a) Subdistrict 17-1 shall consist of Adams County, Claiborne County, Jefferson County, and Wilkinson County.

(b) Subdistrict 17-2 shall consist of Amite County, Franklin County, and Pike County.

(3) There shall be two (2) chancellors for the Seventeenth Chancery Court District. One (1) chancellor shall be elected from each subdistrict.

SECTION 13. Section 9-5-55, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:] 9-5-55. The Nineteenth Chancery Court District is composed of the following counties:

(a) Jones County; and

(b) Wayne County.

[From and after January 1, 2027, this section shall read as follows:]

9-5-55. (1) The Nineteenth Chancery Court District is composed of the following counties:

(a) George County;

(b) Greene County;

(c) Jones County; and

(d) Wayne County.

(2) There shall be two (2) chancellors for the Nineteenth Chancery Court District. The two (2) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two." The chancellor to fill Place One must reside in Jones County, and the chancellor to fill Place Two must reside in either George County, Greene County, or Wayne County.

SECTION 14. Section 9-7-15, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-7-15. (1) The Fourth Circuit Court District shall be composed of the following counties:

(a) Leflore County;

(b) Sunflower County; and

(c) Washington County.

(2) The Fourth Circuit Court District shall be divided into four (4) subdistricts as follows:

(a) Subdistrict 4-1 shall consist of the following precincts in the following counties:

(i) Leflore County: Minter City, North Greenwood, Money, Northeast Greenwood, Schlater, West Greenwood, Mississippi Valley State University and Southeast Greenwood Precincts; and

(ii) Sunflower County: Ruleville, Rome, Sunflower Plantation, Drew, Doddsville, Boyer-Linn, Fairview-Hale and Ruleville North Precincts.

(b) Subdistrict 4-2 shall consist of the following precincts in the following counties:

(i) Sunflower County: Indianola 1, Sunflower, Indianola 3 North, Indianola 3 South and Indianola 3 Northeast Precincts; and

(ii) Washington County: Extension Building, Faith Lutheran Church, American Legion, Metcalfe City Hall, Elks Club, Leland Health Department Clinic, Leland Light and Water Plant and Greenville Industrial College Precincts.

(c) Subdistrict 4-3 shall consist of the following precincts in the following counties:

(i) Leflore County: East Greenwood Sub-A, East Greenwood Sub-B, Central Greenwood, North Itta Bena, South Itta Bena, Southwest Greenwood, Rising Sun, Sidon, Morgan City, Swiftown and South Greenwood Precincts;

(ii) Sunflower County: Moorhead, Inverness, Indianola 2 West and Indianola 2 East Precincts; and

(iii) Washington County: Arcola City Hall, Hollandale City Hall, Darlove Baptist Church and Mangelardi Bourbon Store Precincts.

(d) Subdistrict 4-4 shall consist of the following precincts in Washington County: St. James Episcopal Church, Swiftwater Baptist Church, Glen Allan Health Clinic, Italian Club, Ward's Recreation Center, Buster Brown Community Center, Avon Health Center, Kapco Company, Brent Center, William Percy Library and Grace Methodist Church Precincts.

(3) The local contributions required for the maintenance of the Fourth Circuit Court District shall be paid on a pro rata basis each by Leflore, Sunflower and Washington Counties.

[From and after January 1, 2027, this section shall read as follows:]

9-7-15. The Fourth Circuit Court District shall be Desoto County.

SECTION 15. Section 9-7-17, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-7-17. There shall be four (4) circuit judges for the Fourth Circuit Court District. One (1) circuit judge shall be elected from each subdistrict.

[From and after January 1, 2027, this section shall read as follows:]

9-7-17. (1) There shall be three (3) circuit judges for the Fourth Circuit Court District.

(2) For the purposes of appointment and election, the three (3) judgeships shall be separate and distinct and denominated as "Place One," "Place Two" and "Place Three."

SECTION 16. Section 9-7-19, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-7-19. The Fifth Circuit Court District is composed of the following counties:

(a) Attala County;

(b) Carroll County;

(c) Choctaw County;

(d) Grenada County;

(e) Montgomery County;

(f) Webster County; and

(g) Winston County.

[From and after January 1, 2027, this section shall read as follows:]

9-7-19. The Fifth Circuit Court District is composed of the following counties:

(a) Attala County;

(b) Carroll County;

(c) Choctaw County;

(d) Grenada County;

(e) Montgomery County; and

(f) Winston County.

SECTION 17. Section 9-7-21, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-7-21. (1) The Sixth Circuit Court District is composed of the following counties:

(a) Adams County;

(b) Amite County;

(c) Franklin County; and

(d) Wilkinson County.

(2) The Sixth Circuit Court District shall be divided into two (2) subdistricts as follows:

(a) Subdistrict 6-1 shall consist of Wilkinson County and the following precincts in the following counties:

(i) Adams County: Airport, By-Pass Fire Station, Carpenter, Concord*, Courthouse*, Duncan Park*, Foster Mound, Maryland*, Northside School, Pine Ridge, Thompson and Washington*; and

(ii) Amite County: Ariel, Berwick, Crosby, East Centreville, East Gloster*, Gloster*, Homochitto, South Liberty* and Street.

(b) Subdistrict 6-2 shall consist of Franklin County and the following precincts in the following counties:

(i) Adams County: Beau Pre, Bellemont, Concord*, Convention Center, Courthouse*, Duncan Park*, Kingston, Liberty Park, Maryland*, Morgantown, Oakland, Palestine and Washington*; and

(ii) Amite County: Amite River, East Fork, East Gloster*, East Liberty, Gloster*, Liberty, New Zion, Oneil, Riceville, Smithdale, South Liberty*, Tangipahoa, Tickfaw, Walls and Zion Hills.

(3) There shall be two (2) judges for the Sixth Circuit Court District. The two (2) judgeships shall be separate and distinct. One (1) judge shall be elected from each subdistrict.

[From and after January 1, 2027, this section shall read as follows:]

9-7-21. (1) The Sixth Circuit Court District is composed of the following counties:

(a) Adams County;

(b) Amite County;

(c) Claiborne County;

(d) Franklin County;

(e) Jefferson County;

(f) Pike County; and

(g) Wilkinson County.

(2) The Sixth Circuit Court District shall be divided into two (2) subdistricts as follows:

(a) Subdistrict 6-1 shall consist of Adams County, Claiborne County, Jefferson County and Wilkinson County.

(b) Subdistrict 6-2 shall consist of Amite County, Franklin County, and Pike County.

(3) There shall be two (2) judges for the Sixth Circuit Court District. The two (2) judgeships shall be separate and distinct. One (1) judge shall be elected from each subdistrict.

SECTION 18. Section 9-7-31, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-7-31. The Tenth Circuit Court District is composed of the following counties:

(a) Clarke County;

(b) Kemper County;

(c) Lauderdale County; and

(d) Wayne County.

[From and after January 1, 2027, this section shall read as follows:]

9-7-31. The Tenth Circuit Court District is composed of the following counties:

(a) Clarke County;

(b) Kemper County; and

(c) Lauderdale County.

SECTION 19. Section 9-7-33, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-7-33. (1) The Eleventh Circuit Court District is composed of the following counties:

(a) Bolivar County;

(b) Coahoma County;

(c) Quitman County; and

(d) Tunica County.

(2) The Eleventh Circuit Court District shall be divided into three (3) subdistricts as follows:

(a) Subdistrict 11-1 shall consist of the following precincts from the following counties:

(i) Bolivar County: Benoit, Beulah, Boyle, Choctaw, Cleveland Courthouse, East Central Cleveland*, East Cleveland*, East Rosedale, Gunnison, Longshot, North Cleveland, Northwest Cleveland*, Pace, Scott, Shaw, Skene, South Cleveland*, Stringtown, West Central Cleveland, West Cleveland and West Rosedale; and

(ii) Coahoma County: Bobo, Clarksdale 2-4*, Clarksdale 5-4*, Farrell*, Rena Lara and Sherard*.

(b) Subdistrict 11-2 shall consist of the following precincts from the following counties:

(i) Bolivar County: Cleveland Eastgate, Duncan/Alligator, East Central Cleveland*, East Cleveland*, Merigold, Mound Bayou, Northwest Cleveland*, Renova, Shelby, South Cleveland* and Winstonville;

(ii) Coahoma County: Cagle Crossing, Clarksdale 1-4*, Clarksdale 3-3, Clarksdale 3-4, Clarksdale 4-2, Clarksdale 4-3, Dublin and Roundaway; and

(iii) Quitman County: Belen*, District 3 South*, Lambert, Northwest Marks, Southwest Marks and West Lambert.

(c) Subdistricts 11-3 shall consist of Tunica County and the following precincts in the following counties:

(i) Coahoma County: Clarksdale 1-4*, Clarksdale 2-4*, Clarksdale 5-4*, Coahoma, Farrell*, Friar's Point, Jonestown, Lula, Lyon and Sherard*; and

(ii) Quitman County: Belen*, Crenshaw, Crowder, Darling, District 3 North, District 3 South* and Sledge.

[From and after January 1, 2027, this section shall read as follows:]

9-7-33. The Eleventh Circuit Court District is composed of the following counties:

(a) Bolivar County;

(b) Coahoma County;

(c) Leflore County;

(d) Quitman County;

(e) Sunflower County;

(f) Tunica County; and

(g) Washington County.

SECTION 20. Section 9-7-34, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-7-34. There shall be three (3) judges for the Eleventh Circuit Court District. One (1) judge shall be elected from each subdistrict.

[From and after January 1, 2027, this section shall read as follows:]

9-7-34. There shall be four (4) judges for the Eleventh Circuit Court District. The four (4) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two," "Place Three" and "Place Four."

SECTION 21. Section 9-7-39, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-7-39. (1) The Fourteenth Circuit Court District is composed of the following counties:

(a) Lincoln County;

(b) Pike County; and

(c) Walthall County.

(2) (a) There shall be two (2) judges for the Fourteenth Circuit Court District.

(b) The two (2) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

[From and after January 1, 2027, this section shall read as follows:]

9-7-39. (1) The Fourteenth Circuit Court District is composed of the following counties:

(a) Copiah County;

(b) Lawrence County; and

(c) Lincoln County.

(2) There shall be two (2) judges for the Fourteenth Circuit Court District. The two (2) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 22. Section 9-7-41, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-7-41. The Fifteenth Circuit Court District is composed of the following counties:

(a) Jefferson Davis County;

(b) Lamar County;

(c) Lawrence County;

(d) Marion County; and

(e) Pearl River County.

[From and after January 1, 2027, this section shall read as follows:]

9-7-41. The Fifteenth Circuit Court District is composed of the following counties:

(a) Jefferson Davis County;

(b) Lamar County;

(c) Marion County;

(d) Pearl River County; and

(e) Walthall County.

SECTION 23. Section 9-7-42, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-7-42. (1) There shall be three (3) judges for the Fifteenth Circuit Court District.

(2) The three (3) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two," and "Place Three." The judge to fill Place One must be a resident of Jefferson Davis, Lamar, Lawrence or Marion County. The judge to fill Place Two may be a resident of any county in the district. The judge to fill Place Three must be a resident of Pearl River County.

[From and after January 1, 2027, this section shall read as follows:]

9-7-42. (1) There shall be three (3) judges for the Fifteenth Circuit Court District.

(2) The three (3) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two" and "Place Three." The judge to fill Place One must be a resident of Jefferson Davis County, Lamar County, or Marion County. The judge to fill Place Two may be a resident of any county in the district. The judge to fill Place Three must be a resident of Pearl River County.

SECTION 24. Section 9-7-43, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:] 9-7-43. The Sixteenth Circuit Court District is composed of the following counties:

(a) Clay County;

(b) Lowndes County;

(c) Noxubee County; and

(d) Oktibbeha County.

[From and after January 1, 2027, this section shall read as follows:]

9-7-43. The Sixteenth Circuit Court District is composed of the following counties:

(a) Clay County;

(b) Lowndes County;

(c) Noxubee County;

(d) Oktibbeha County; and

(e) Webster County.

SECTION 25. Section 9-7-44, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-7-44. (1) There shall be three (3) judges for the Sixteenth Circuit Court District.

(2) The three (3) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two" and "Place Three." The judge to fill Place One must be a resident of Lowndes County. The judge to fill Place Two must be a resident of Oktibbeha County. The judge to fill Place Three must be a resident of either Clay or Noxubee County. Election of the three (3) offices of judge shall be by election to be held in every county within the Sixteenth Circuit Court District.

[From and after January 1, 2027, this section shall read as follows:]

9-7-44. (1) There shall be three (3) judges for the Sixteenth Circuit Court District.

(2) The three (3) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two" and "Place Three." The judge to fill Place One must be a resident of Lowndes County. The judge to fill Place Two must be a resident of Oktibbeha County. The judge to fill Place Three must be a resident of either Clay County, Noxubee County, or Webster County.

SECTION 26. Section 9-7-47, Mississippi Code of 1972, is amended follows:

[Until January 1, 2027, this section shall read as follows:]

9-7-47. The Eighteenth Circuit Court District shall be Jones County.

[From and after January 1, 2027, this section shall read as follows:]

9-7-47. (1) The Eighteenth Circuit Court District shall be composed of the following counties:

(a) George County;

(b) Greene County;

(c) Jones County; and

(d) Wayne County.

(2) There shall be two (2) circuit judges for the Eighteenth Circuit Court District. The two (2) judgeships shall be separate and distinct and be denominated for the purpose of appointment and election as "Place One" and "Place Two." The judge to fill Place One must reside in Jones County, and the judge to fill Place Two must reside in either George County, Greene County, or Wayne County.

SECTION 27. Section 9-7-49, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-7-49. * * * The Nineteenth Circuit Court District is composed of the following counties:

(a) George County;

(b) Greene County; and

(c) Jackson County.

* * *

[From and after January 1, 2027, this section shall read as follows:]

9-7-49. The Nineteenth Circuit Court District shall be Jackson County.

SECTION 28. Section 9-7-57, Mississippi Code of 1972, is amended as follows:

9-7-57. (1) The Twenty-second Circuit Court District is composed of the following counties:

(a) Claiborne County;

(b) Copiah County; and

(c) Jefferson County.

(2) This section shall stand repealed on January 1, 2027.

SECTION 29. Section 9-7-63, Mississippi Code of 1972, is amended as follows:

9-7-63. The Twenty-third Circuit Court District shall be DeSoto County. This section shall stand repealed on January 1, 2027.

SECTION 30. Section 9-7-64, Mississippi Code of 1972, is amended as follows:

9-7-64. (1) There shall be two (2) circuit judges for the Twenty-third Circuit Court District.

(2) For the purposes of appointment and election, the two (2) judgeships shall be separate and distinct and denominated as "Place One" and "Place Two."

(3) This section shall stand repealed on January 1, 2027.

SECTION 31. Section 25-31-5, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

25-31-5. (1) The following number of full-time legal assistants are authorized in the following circuit court districts:

(a) First Circuit Court District..... ten (10) legal assistants.

(b) Second Circuit Court District..... eleven (11) legal assistants.

(c) Third Circuit Court District..... six (6) legal assistants.

(d) Fourth Circuit Court District..... six (6) legal assistants.

(e) Fifth Circuit Court District.....five (5) legal assistants.

(f) Sixth Circuit Court District..... three (3) legal assistants.

(g) Seventh Circuit Court District..... * * * fourteen (14) legal assistants. Effective July 1, 2023, through July 1, 2025, the Seventh Circuit Court District shall have * * * sixteen (16) legal assistants.

(h) Eighth Circuit Court District.....three (3) legal assistants.

(i) Ninth Circuit Court District.....three (3) legal assistants.

(j) Tenth Circuit Court District..... five (5) legal assistants.

(k) Eleventh Circuit Court District.....five (5) legal assistants.

(l) Twelfth Circuit Court District.....five (5) legal assistants.

(m) Thirteenth Circuit Court District.....four (4) legal assistants.

(n) Fourteenth Circuit Court District..... six (6) legal assistants.

(o) Fifteenth Circuit Court District..... seven (7) legal assistants.

(p) Sixteenth Circuit Court District..... six (6) legal assistants.

(q) Seventeenth Circuit Court District..... four (4) legal assistants.

(r) Eighteenth Circuit Court District.....two (2) legal assistants.

(s) Nineteenth Circuit Court District..... seven (7) legal assistants.

(t) Twentieth Circuit Court District..... seven (7) legal assistants.

(u) Twenty-first Circuit Court District..... * * * five (5) legal assistants.

(v) Twenty-second Circuit Court District..... three (3) legal assistants.

(w) Twenty-third Circuit Court District ..... five (5) legal assistants.

(2) In addition to any legal assistants authorized pursuant to subsection (1) of this section, the following number of full-time legal assistants are authorized (i) in the following circuit court districts if funds are appropriated by the Legislature to adequately fund the salaries, expenses and fringe benefits of such legal assistants, or (ii) in any of the following circuit court districts in which the board of supervisors of one or more of the counties in a circuit court district adopts a resolution to pay all of the salaries, supplemental pay,

expenses and fringe benefits of legal assistants authorized in such district pursuant to this subsection:

(a) First Circuit Court District.....two (2) legal assistants.

(b) Second Circuit Court District.....two (2) legal assistants.

(c) Third Circuit Court District.....two (2) legal assistants.

(d) Fourth Circuit Court District.....two (2) legal assistants.

(e) Fifth Circuit Court District.....two (2) legal assistants.

(f) Sixth Circuit Court District.....two (2) legal assistants.

(g) Seventh Circuit Court District.....two (2) legal assistants.

(h) Eighth Circuit Court District.....two (2) legal assistants.

(i) Ninth Circuit Court District.....two (2) legal assistants.

(j) Tenth Circuit Court District.....two (2) legal assistants.

(k) Eleventh Circuit Court District.....two (2) legal assistants.

(l) Twelfth Circuit Court District.....two (2) legal assistants.

(m) Thirteenth Circuit Court District.....two (2) legal assistants.

(n) Fourteenth Circuit Court District.....two (2) legal assistants.

(o) Fifteenth Circuit Court District.....two (2) legal assistants.

(p) Sixteenth Circuit Court District.....two (2) legal assistants.

(q) Seventeenth Circuit Court District.....two (2) legal assistants.

(r) Eighteenth Circuit Court District.....two (2) legal assistants.

(s) Nineteenth Circuit Court District.....two (2) legal assistants.

(t) Twentieth Circuit Court District.....two (2) legal assistants.

(u) Twenty-first Circuit Court District.....two (2) legal assistants.

(v) Twenty-second Circuit Court District.....two (2) legal assistants.

(w) Twenty-third Circuit Court District.....two (2) legal assistants.

(3) The board of supervisors of any county may pay all or a part of the salary, supplemental pay, expenses and fringe benefits of any district attorney or legal assistant authorized in the circuit court district to which such county belongs pursuant to this section.

(4) The district attorney of any circuit court district may employ additional legal assistants or criminal investigators, or both, without regard to any limitation on the number of legal assistants authorized in this section or criminal investigators authorized by other provisions of law to the extent that the district attorney's office receives funds from any source. Any source shall include, but is not limited to, office-generated funds, funds from

a county, a combination of counties, a municipality, a combination of municipalities, federal funds, private grants or foundations, or by means of an Interlocal Cooperative Agreement authorized by Section 17-13-1 which may be expended for those positions in an amount sufficient to pay all of the salary, supplemental pay, expenses and fringe benefits of the positions. Such funds may either be paid out of district attorney accounts, transferred by the district attorney to the Department of Finance and Administration or to one or more of the separate counties comprising the circuit court district, and the funds shall be disbursed to such employees in the same manner as state-funded criminal investigators and full-time legal assistants. The district attorney shall report to the board of supervisors of each county comprising the circuit court district the amount and source of the supplemental salary, expenses and fringe benefits, and the board in each county shall spread the same on its minutes. The district attorney shall also report such information to the Department of Finance and Administration which shall make such information available to the Legislative Budget Office.

(5) The district attorney shall be authorized to assign the duties of a legal assistant regardless of the source of funding for such legal assistants.

[From and after January 1, 2027, this section shall read as follows:]

25-31-5. (1) The following number of full-time legal assistants are authorized in the following circuit court districts:

(a) First Circuit Court District..... ten (10) legal assistants.

(b) Second Circuit Court District..... eleven (11) legal assistants.

(c) Third Circuit Court District..... six (6) legal assistants.

(d) Fourth Circuit Court District.....five (5) legal assistants.

(e) Fifth Circuit Court District.....five (5) legal assistants.

(f) Sixth Circuit Court District..... three (3) legal assistants.

(g) Seventh Circuit Court District..... fourteen (14) legal assistants. Effective July 1, 2023, through July 1, 2025, the Seventh Circuit Court District shall have sixteen (16) legal assistants.

(h) Eighth Circuit Court District.....three (3) legal assistants.

(i) Ninth Circuit Court District.....three (3) legal assistants.

(j) Tenth Circuit Court District..... five (5) legal assistants.

(k) Eleventh Circuit Court District.....five (5) legal assistants.

(l) Twelfth Circuit Court District.....five (5) legal assistants.

(m) Thirteenth Circuit Court District.....four (4) legal assistants.

(n) Fourteenth Circuit Court District..... six (6) legal assistants.

(o) Fifteenth Circuit Court District..... seven (7) legal assistants.

(p) Sixteenth Circuit Court District..... six (6) legal assistants.

(q) Seventeenth Circuit Court District..... four (4) legal assistants.

(r) Eighteenth Circuit Court District.....two (2) legal assistants.

(s) Nineteenth Circuit Court District..... seven (7) legal assistants.

(t) Twentieth Circuit Court District..... seven (7) legal assistants.

(u) Twenty-first Circuit Court District..... five (5) legal assistants.

(2) In addition to any legal assistants authorized pursuant to subsection (1) of this section, the following number of full-time legal assistants are authorized (i) in the following circuit court districts if funds are appropriated by the Legislature to adequately fund the salaries, expenses and fringe benefits of such legal assistants, or (ii) in any of the following circuit court districts in which the board of supervisors of one or more of the counties in a circuit court district adopts a resolution to pay all of the salaries, supplemental pay, expenses and fringe benefits of legal assistants authorized in such district pursuant to this subsection:

(a) First Circuit Court District.....two (2) legal assistants.

(b) Second Circuit Court District.....two (2) legal assistants.

(c) Third Circuit Court District.....two (2) legal assistants.

(d) Fourth Circuit Court District.....two (2) legal assistants.

(e) Fifth Circuit Court District.....two (2) legal assistants.

(f) Sixth Circuit Court District.....two (2) legal assistants.

(g) Seventh Circuit Court District.....two (2) legal assistants.

(h) Eighth Circuit Court District.....two (2) legal assistants.

(i) Ninth Circuit Court District.....two (2) legal assistants.

(j) Tenth Circuit Court District.....two (2) legal assistants.

(k) Eleventh Circuit Court District.....two (2) legal assistants.

(l) Twelfth Circuit Court District.....two (2) legal assistants.

(m) Thirteenth Circuit Court District.....two (2) legal assistants.

(n) Fourteenth Circuit Court District.....two (2) legal assistants.

(o) Fifteenth Circuit Court District.....two (2) legal assistants.

(p) Sixteenth Circuit Court District.....two (2) legal assistants.

(q) Seventeenth Circuit Court District.....two (2) legal assistants.

(r) Eighteenth Circuit Court District.....two (2) legal assistants.

(s) Nineteenth Circuit Court District.....two (2) legal assistants.

(t) Twentieth Circuit Court District.....two (2) legal assistants.

(u) Twenty-first Circuit Court District.....two (2) legal assistants.

(3) The board of supervisors of any county may pay all or a part of the salary, supplemental pay, expenses and fringe benefits of any district attorney or legal assistant authorized in the circuit court district to which such county belongs pursuant to this section.

(4) The district attorney of any circuit court district may employ additional legal assistants or criminal investigators, or both, without regard to any limitation on the number of legal assistants authorized in this section or criminal investigators authorized by other provisions of law to the extent that the district attorney's office receives funds from any source. Any source shall include, but is not limited to, office-generated funds, funds from a county, a combination of counties, a municipality, a combination of municipalities, federal funds, private grants or foundations, or by means of an Interlocal Cooperative Agreement authorized by Section 17-13-1 which may be expended for those positions in an amount sufficient to pay all of the salary, supplemental pay, expenses and fringe benefits of the positions. Such funds may either be paid out of district attorney accounts, transferred by the district attorney to the Department of Finance and Administration or to one or more of the separate counties comprising the circuit court district, and the funds shall be disbursed to such employees in the same manner as state-funded criminal investigators and full-time legal assistants. The district attorney shall report to the board of supervisors of each county comprising the circuit court district the amount and source of the supplemental salary, expenses and fringe benefits, and the board in each county shall spread the same on its minutes. The district attorney shall also report such information to the Department of Finance and Administration which shall make such information available to the Legislative Budget Office.

(5) The district attorney shall be authorized to assign the duties of a legal assistant regardless of the source of funding for such legal assistants.

SECTION 32. Section 25-31-10, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

25-31-10. (1) Any district attorney may appoint a full-time criminal investigator.

(2) The district attorneys of the Fifth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth * * * and Twentieth * * * Circuit Court Districts may appoint one (1) additional full-time criminal investigator for a total of two (2) full-time criminal investigators.

(3) The district attorneys of the First, Second, Third, Fourth, Nineteenth, Twenty-first and Twenty-third Circuit Court Districts may appoint two (2) additional full-time criminal investigators for a total of three (3) full-time criminal investigators.

(4) The district attorney of the Seventh Circuit Court District may appoint * * * four (4) additional full-time criminal investigator for a total of * * * five (5) full-time criminal investigators.

(5) No district attorney or assistant district attorney shall accept any private employment, civil or criminal, in any matter investigated by such criminal investigators.

(6) The full and complete compensation for all public duties rendered by the criminal investigators shall be not more than Sixty-three Thousand Dollars ($63,000.00) per annum, to be determined at the discretion of the district attorney based upon the qualifications, education and experience of the criminal investigator, plus necessary travel and other expenses, to be paid in accordance with Section 25-31-8. However, the maximum salary under this subsection for a criminal investigator who has a law degree may be supplemented by the district attorney from other available funds, but not to exceed the maximum salary for a legal assistant to a district attorney.

(7) Any criminal investigator may be designated by the district attorney to attend the Law Enforcement Officers Training Program set forth in Section 45-6-1 et seq. The total expenses associated with attendance by criminal investigators at the Law Enforcement Officers Training Program shall be paid out of the funds of the appropriate district attorney.

(8) The district attorney shall be authorized to assign the duties of criminal investigators regardless of the source of funding for such criminal investigators.

[From and after January 1, 2027, this section shall read as follows:]

25-31-10. (1) Any district attorney may appoint a full-time criminal investigator.

(2) The district attorneys of the Fifth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth and Twentieth Circuit Court Districts may appoint one (1) additional full-time criminal investigator for a total of two (2) full-time criminal investigators.

(3) The district attorneys of the First, Second, Third, Fourth, Nineteenth and Twenty-first Circuit Court Districts may appoint two (2) additional full-time criminal investigators for a total of three (3) full-time criminal investigators.

(4) The district attorney of the Seventh Circuit Court District may appoint four (4) additional full-time criminal investigator for a total of five (5) full-time criminal investigators.

(5) No district attorney or assistant district attorney shall accept any private employment, civil or criminal, in any matter investigated by such criminal investigators.

(6) The full and complete compensation for all public duties rendered by the criminal investigators shall be not more than Sixty-three Thousand Dollars ($63,000.00) per annum, to be determined at the discretion of the district attorney based upon the qualifications, education and experience of the criminal investigator, plus necessary travel and other expenses, to be paid in accordance with Section 25-31-8. However, the maximum salary under this subsection for a criminal investigator who has a law degree may be supplemented by the district attorney from other available funds, but not to exceed the maximum salary for a legal assistant to a district attorney.

(7) Any criminal investigator may be designated by the district attorney to attend the Law Enforcement Officers Training Program set forth in Section 45-6-1 et seq. The total expenses associated with attendance by criminal investigators at the Law Enforcement Officers Training Program shall be paid out of the funds of the appropriate district attorney.

(8) The district attorney shall be authorized to assign the duties of criminal investigators regardless of the source of funding for such criminal investigators.

SECTION 33. The boundaries of the precincts described in Section 9-5-17 (Fifth Chancery Court District), Section 9-5-31, (Ninth Chancery Court District), Section 9-5-37 (Eleventh Chancery District), Section 9-5-43 (Fourteenth Chancery Court District), Section 9-5-51 (Seventeenth Chancery Court District), Section 9-7-21 (Sixth Circuit Court District), Section 9-7-23 (Seventh Circuit Court District), Section 9-7-29 (Ninth Circuit Court District) and Section 9-7-33 (Eleventh Circuit Court District), Mississippi Code of 1972, shall be the boundaries of the precincts as those boundaries are contained in the Census Bureau's 2010 TIGER/Line Shapefiles released in November 2010. Partial or split precincts are identified by an asterisk (*).

SECTION 34. (1) The Standing Joint Legislative Committee on Reapportionment is directed to provide the counties census block equivalency files and maps necessary to

assist the counties in identifying the boundaries of any subdistricts within a chancery or circuit court district.

(2) The Split Precinct Block List developed in conjunction with House Bill No. 703, 2015 Regular Session, that details the portions of the partial or split precincts that are contained within a judicial subdistrict by census block number as that list is utilized to detail partial or split precincts for judicial subdistricts in this act is hereby incorporated into and shall be construed to be an integral part of this act. A partial or split precinct contained in this act is identified by an asterisk (*) following its designation within any judicial subdistrict. The Standing Joint Legislative Committee on Reapportionment shall file the Split Precinct Block List with the Secretary of State.

(3) (a) This act shall be liberally construed to effectuate the purposes hereof and to redistrict the trial courts of this state in compliance with constitutional requirements.

(b) It is intended that this act and the districts and subdistricts described herein completely encompass all the area within the state and all the voters in this state. It is also intended that no district shall include any of the area included within the description of any other district, and that no subdistrict shall include any of the area included within the description of any other subdistrict.

(c) (i) If the districts or subdistricts described in this act do not carry out the purposes hereof because of: omissions; duplication; overlapping areas; erroneous nomenclature; lack of adequate maps or descriptions of political subdivisions, wards or other divisions thereof, or of their boundary lines; then the Secretary of State, at the joint request of the Lieutenant Governor and the Speaker of the House, by order, shall correct any omissions, overlaps, erroneous nomenclature or other defects in the description of the districts and subdistricts so as to accomplish the purposes and objectives of this act.

(ii) In promulgating any order under this subsection (3), the Secretary of State, in addition to insuring that all areas of the state are completely and accurately encompassed in the districts and subdistricts, shall be guided by the following standards:

1. Gaps in the description of any district or subdistrict shall be completed in a manner that results in a total description of the district or subdistrict that is consonant with the description of adjacent districts or subdistricts and results in complete contiguity of districts and subdistricts;

2. In any allocation of area or correction of descriptions made pursuant to this subsection, the Secretary of State shall, consistent with the foregoing standards, preserve the contiguity and compactness of districts and subdistricts and avoid the unnecessary division of political subdivisions.

(d) A copy of any order issued under this subsection shall be filed by the Secretary of State in his own office and in the offices of the affected commissioners of election and registrars. The Secretary of State may adopt reasonable rules regulating the procedure for applications for orders under this act and the manner of serving and filing any notice or copy of orders. Upon the filing of an order, the description of any affected district or subdistrict shall be deemed to have been corrected to the full extent as if the correction had been contained in the original description set forth in this act.

(e) The redistricting contained in this act supersedes any prior redistricting.

(4) The Joint Legislative Committee on Compilation, Revision and Publication of Legislation shall direct that subsections (1) through (3) of this section are placed in the editor's notes that follow Sections 9-5-1 and 9-7-1, Mississippi Code of 1972.

SECTION 35. (1) From January 1, 2027, to December 31, 2027:

(a) The person who held the Office of District Attorney in the Fourth Circuit Court District on December 31, 2026, shall be the senior full-time legal assistant in the Eleventh Circuit Court District; and

(b) The person who held the Office of District Attorney in the Twenty-second Circuit Court District on December 31, 2026, shall be the senior full-time legal assistant in the Sixth Circuit Court District.

(2) The annual salary of the senior full-time legal assistants shall be as provided for a full-time district attorney in Section 25-3-35(6).

(3) This section shall stand repealed on January 1, 2028.

SECTION 36. On January 1, 2027, the Office of District Attorney for the Fourth Circuit Court District created by this act shall be filled by the person who holds the Office of District Attorney for the Twenty-third Circuit Court District on December 31, 2026. Such person shall serve as the District Attorney for the Fourth Circuit Court District until a successor for such office, elected in the November 2027 general election, assumes the office on January 1, 2028.

SECTION 37. On January 1, 2027, the Office of District Attorney for the Fifth Circuit Court District, Sixth Circuit Court District, Tenth Circuit Court District, Eleventh Circuit Court District, Fourteenth Circuit Court District, Fifteenth Circuit Court District, Sixteenth Circuit Court District, Seventeenth Circuit Court District, Eighteenth Circuit Court District, and Nineteenth Circuit Court District created by this act shall be filled by the person who holds the office of district attorney for each respective circuit court district on December 31, 2026. Such person shall serve as the district attorney for the circuit court district created by this act until a successor for such office, elected in the November 2027 general election, assumes the office on January 1, 2028.

SECTION 38. Candidates for the offices of district attorney created by this act shall run for office in the general election to be conducted November 2027. Candidates shall file as is otherwise provided by law for district attorneys. The district attorney elected shall serve a four-year term to begin January 1, 2028, and the term of the office shall thereafter be as is provided for district attorneys generally.

SECTION 39. Candidates for the chancellorships and the circuit judgeships created by this act shall run for those offices in the general election for judicial officers to be conducted in November 2026. Candidates shall file as is provided in Section 23-15-977, and shall run for office and be elected as provided in Sections 23-15-974 through 23-15-985, which constitute the Nonpartisan Judicial Election Act. The judges elected shall serve four-year terms to begin January 1, 2027, and the terms of those offices shall thereafter be as provided for chancellors and circuit judges generally.

SECTION 40. Section 25-31-37, Mississippi Code of 1972, which authorizes the appointment of two (2) full-time assistant district attorneys and one (1) full-time criminal investigator for the Seventh Circuit Court District, shall stand repealed.

SECTION 41. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO REDISTRICT THE CIRCUIT AND CHANCERY COURT DISTRICTS PURSUANT TO SECTION 152 OF THE MISSISSIPPI CONSTITUTION OF 1890; TO AMEND SECTION 9-5-9, MISSISSIPPI CODE OF 1972, TO ADD COVINGTON COUNTY, SIMPSON COUNTY, AND SMITH COUNTY TO THE SECOND CHANCERY

COURT DISTRICT; TO PROVIDE TWO CHANCELLORS WITH RESIDENCY REQUIREMENTS FOR THE SECOND CHANCERY COURT DISTRICT; TO AMEND SECTION 9-5-11, MISSISSIPPI CODE OF 1972, TO ADD CARROLL COUNTY TO THE THIRD CHANCERY COURT DISTRICT; TO REMOVE DESOTO COUNTY FROM THE THIRD CHANCERY COURT DISTRICT; TO DELETE THE SUBDISTRICTS FROM THE THIRD CHANCERY COURT DISTRICT; TO AMEND SECTION 9-5-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THERE SHALL BE TWO CHANCELLORS FOR THE THIRD CHANCERY COURT DISTRICT; TO AMEND SECTION 9-5-15, MISSISSIPPI CODE OF 1972, TO REMOVE THE CURRENT COUNTIES FROM THE FOURTH CHANCERY COURT DISTRICT; TO ADD FORREST COUNTY, PERRY COUNTY, AND STONE COUNTY TO THE FOURTH CHANCERY COURT DISTRICT; TO AMEND SECTION 9-5-21, MISSISSIPPI CODE OF 1972, TO REMOVE CARROLL COUNTY FROM THE SIXTH CHANCERY COURT DISTRICT; TO AMEND SECTION 9-5-27, MISSISSIPPI CODE OF 1972, TO REMOVE STONE COUNTY FROM THE EIGHTH CHANCERY COURT DISTRICT; TO AMEND SECTION 9-5-35, MISSISSIPPI CODE OF 1972, TO ADD JEFFERSON DAVIS COUNTY AND WALTHALL COUNTY TO THE TENTH CHANCERY COURT DISTRICT; TO REMOVE FORREST COUNTY AND PERRY COUNTY FROM THE TENTH CHANCERY COURT DISTRICT; TO AMEND SECTION 9-5-36, MISSISSIPPI CODE OF 1972, TO REVISE THE RESIDENCY REQUIREMENTS OF THE CHANCELLORS ELECTED FROM THE TENTH CHANCERY COURT DISTRICT; TO AMEND SECTION 9-5-41, MISSISSIPPI CODE OF 1972, TO ADD DESOTO COUNTY TO THE THIRTEENTH CHANCERY COURT DISTRICT; TO PROVIDE THAT THERE SHALL BE THREE CHANCELLORS FOR THE THIRTEENTH CHANCERY COURT DISTRICT; TO AMEND SECTION 9-5-47, MISSISSIPPI CODE OF 1972, TO ADD LAWRENCE COUNTY TO THE FIFTEENTH CHANCERY COURT DISTRICT; TO PROVIDE THAT THERE SHALL BE TWO CHANCELLORS FOR THE FIFTEENTH CHANCERY COURT DISTRICT; TO AMEND SECTION 9-5-49, MISSISSIPPI CODE OF 1972, TO REMOVE GEORGE COUNTY AND GREENE COUNTY FROM THE SIXTEENTH CHANCERY COURT DISTRICT; TO AMEND SECTION 9-5-51, MISSISSIPPI CODE OF 1972, TO ADD AMITE COUNTY, FRANKLIN COUNTY AND PIKE COUNTY TO THE SEVENTEENTH CHANCERY COURT DISTRICT; TO REVISE THE SUBDISTRICTS IN THE SEVENTEENTH CHANCERY COURT DISTRICT; TO AMEND SECTION 9-5-55, MISSISSIPPI CODE OF 1972, TO ADD GEORGE COUNTY AND GREENE COUNTY TO THE NINETEENTH CHANCERY COURT DISTRICT; TO PROVIDE THAT THERE SHALL BE TWO CHANCELLORS FOR THE NINETEENTH CHANCERY COURT DISTRICT; TO PROVIDE RESIDENCY REQUIREMENTS FOR THE ELECTION OF CHANCELLORS FOR THE NINETEENTH CHANCERY COURT DISTRICT; TO AMEND SECTION 9-7-15, MISSISSIPPI CODE OF 1972, TO REMOVE THE CURRENT COUNTIES AND SUBDISTRICTS FROM THE FOURTH CIRCUIT COURT DISTRICT; TO ADD DESOTO COUNTY TO THE FOURTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-7-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THERE SHALL BE THREE CIRCUIT JUDGES FOR THE FOURTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-7-19, MISSISSIPPI CODE OF 1972, TO REMOVE WEBSTER COUNTY FROM THE FIFTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-7-21, MISSISSIPPI CODE OF 1972, TO ADD CLAIBORNE COUNTY, JEFFERSON COUNTY AND PIKE COUNTY TO THE SIXTH CIRCUIT COURT DISTRICT; TO REVISE THE SUBDISTRICTS IN THE SIXTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-7-31, MISSISSIPPI CODE OF 1972, TO REMOVE WAYNE COUNTY FROM THE TENTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-7-33, MISSISSIPPI CODE OF 1972, TO ADD LEFLORE COUNTY, SUNFLOWER COUNTY, AND WASHINGTON COUNTY TO THE ELEVENTH CIRCUIT COURT DISTRICT; TO DELETE THE SUBDISTRICTS FROM THE ELEVENTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-7-34, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THERE SHALL BE FOUR JUDGES FOR THE ELEVENTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-7-39, MISSISSIPPI CODE OF 1972, TO REMOVE PIKE COUNTY AND WALTHALL COUNTY FROM THE FOURTEENTH CIRCUIT COURT DISTRICT; TO ADD COPIAH COUNTY AND LAWRENCE COUNTY TO THE FOURTEENTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-7-41, MISSISSIPPI CODE OF 1972, TO ADD WALTHALL COUNTY TO THE

FIFTEENTH CIRCUIT COURT DISTRICT; TO REMOVE LAWRENCE COUNTY FROM THE FIFTEENTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-7-42, MISSISSIPPI CODE OF 1972, TO REVISE THE RESIDENCY REQUIREMENTS FOR THE JUDGES ELECTED FROM THE FIFTEENTH CIRCUIT COURT DISTRICT TO CONFORM TO THE REMOVAL OF LAWRENCE COUNTY; TO AMEND SECTION 9-7-43, MISSISSIPPI CODE OF 1972, TO ADD WEBSTER COUNTY TO THE SIXTEENTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-7-44, MISSISSIPPI CODE OF 1972, TO REVISE THE RESIDENCY REQUIREMENT FOR THE ELECTION OF CIRCUIT JUDGES IN THE SIXTEENTH CIRCUIT COURT DISTRICT IN CONFORMITY TO THE ADDITION OF WEBSTER COUNTY; TO AMEND SECTION 9-7-47, MISSISSIPPI CODE OF 1972, TO ADD GEORGE COUNTY, GREENE COUNTY, AND WAYNE COUNTY TO THE EIGHTEENTH CIRCUIT COURT DISTRICT; TO PROVIDE THAT THERE SHALL BE TWO CIRCUIT JUDGES IN THE EIGHTEENTH CIRCUIT COURT DISTRICT; TO PROVIDE RESIDENCY REQUIREMENTS FOR THE JUDGES ELECTED FOR THE EIGHTEENTH CIRCUIT COURT DISTRICT; TO AMEND SECTION 9-7-49, MISSISSIPPI CODE OF 1972, TO REMOVE GEORGE COUNTY AND GREENE COUNTY FROM THE NINETEENTH CIRCUIT COURT DISTRICT; TO DELETE LANGUAGE GOVERNING THE AMOUNT OF LOCAL CONTRIBUTION TO SUPPORT THE NINETEENTH CIRCUIT COURT DISTRICT; TO AMEND SECTIONS 9-7-57, 9-7-63 AND 9-7-64, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE TWENTY-FIRST AND TWENTY-THIRD CIRCUIT COURT DISTRICTS, TO PROVIDE THAT THE SECTIONS SHALL REPEAL ON A CERTAIN DATE; TO PROVIDE THAT REVISED PRECINCTS ARE FROM THE 2010 CENSUS; TO REQUIRE THE STANDING JOINT LEGISLATIVE COMMITTEE ON REAPPORTIONMENT TO ASSIST THE COUNTIES IN IDENTIFYING THE BOUNDARIES OF SUBDISTRICTS; TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO PROVIDE AN ADDITIONAL ASSISTANT DISTRICT ATTORNEY TO THE TWENTY-FIRST CIRCUIT COURT DISTRICT; TO PROVIDE ADDITIONAL ASSISTANT DISTRICT ATTORNEYS TO THE SEVENTH CIRCUIT COURT DISTRICT ALREADY PROVIDED IN SECTION 25-31-37 WHICH IS REPEALED BY THIS ACT; TO AMEND SECTION 25-31-10, MISSISSIPPI CODE OF 1972, TO PROVIDE THE TWENTY-FIRST CIRCUIT COURT DISTRICT WITH AN ADDITIONAL CRIMINAL INVESTIGATOR; TO PROVIDE ADDITIONAL CRIMINAL INVESTIGATORS TO THE SEVENTH CIRCUIT COURT DISTRICT ALREADY PROVIDED IN SECTION 25-31-37 WHICH IS REPEALED BY THIS ACT; TO REPEAL SECTION 25-31-37, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE APPOINTMENT OF ASSISTANT DISTRICT ATTORNEYS AND A CRIMINAL INVESTIGATOR FOR THE SEVENTH CIRCUIT COURT DISTRICT; TO PROVIDE SENIOR FULL-TIME LEGAL ASSISTANTS IN THE ELEVENTH AND SIXTH CIRCUIT COURT DISTRICTS FOR A ONE-YEAR PERIOD; TO PROVIDE THE PROCEDURE TO FILL THE OFFICES OF DISTRICT ATTORNEY AND THE JUDICIAL OFFICES CREATED BY VIRTUE OF THIS ACT; AND FOR RELATED PURPOSES.

Senator Simmons D. T. (12th) offered the following AMENDMENT NO. 1 TO SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after line 15 and inserting in lieu thereof the following:

WHEREAS, it is the responsibility of the Legislature under Section 152 of the Mississippi Constitution of 1890 to redistrict the circuit and chancery court districts; and

WHEREAS, the Legislature has investigated the state of the trial courts and the trial court districts and has considered the needs of the state according to all the criteria imposed by the Constitution and by general law; NOW, THEREFORE,

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

SECTION 1. Section 9-7-1, Mississippi Code of 1972, is reenacted as follows:

9-7-1. A circuit judge shall be elected for and from each circuit court district and the listing of individual precincts shall be those precincts as they existed on October 1, 1990. He may hold court in any other district with the consent of the judge thereof, when in their opinion the public interest may require. The terms of all circuit judges hereafter elected shall begin on the first day of January 1931 and their terms of office shall continue for four (4) years. A circuit judge shall be a resident of the district in which he or she serves but shall not be required to be a resident of a subdistrict if the district is divided into subdistricts.

SECTION 2. Section 9-7-3, Mississippi Code of 1972, is reenacted as follows:

9-7-3. (1) The state is divided into an appropriate number of circuit court districts severally numbered and composed of the counties as set forth in the sections which follow. A court to be styled "The Circuit Court of the County of ____" shall be held in each county, and within each judicial district of a county having two (2) judicial districts, at least twice a year. Court shall be held in circuit court districts consisting of a single county on the same dates state agencies and political subdivisions are open for business excluding legal holidays. The dates upon which terms shall commence and the number of days for which the terms shall continue in circuit court districts consisting of more than one (1) county shall be set by order of the circuit court judge in accordance with the provisions of subsection (2) of this section. A matter in court may extend past a term if the interest of justice so requires.

(2) An order establishing the commencement and continuation of terms of court for each of the counties within a circuit court district consisting of more than one (1) county shall be entered annually and not later than October 1 of the year immediately preceding the calendar year for which the terms of court are to become effective. Notice of the dates upon which the terms of court shall commence and the number of days for which the terms shall continue in each of the counties within a circuit court district shall be posted in the office of the circuit clerk of each county within the district and mailed to the office of the Secretary of State for publication and distribution to all Mississippi Bar members. If an order is not timely entered, the terms of court for each of the counties within any circuit court district shall remain unchanged for the next calendar year. A certified copy of any order entered under the provisions of this subsection shall, immediately upon the entry thereof, be delivered to the clerk of the board of supervisors in each of the counties within the circuit court district.

(3) The number of judges in each circuit court district shall be determined by the Legislature based upon the following criteria:

(a) The population of the district;

(b) The number of cases filed in the district;

(c) The case load of each judge in the district;

(d) The geographic area of the district;

(e) An analysis of the needs of the district by the court personnel of the district; and

(f) Any other appropriate criteria.

(4) The Judicial College of the University of Mississippi Law Center and the Administrative Office of Courts shall determine the appropriate:

(a) Specific data to be collected as a basis for applying the above criteria;

(b) Method of collecting and maintaining the specified data; and

(c) Method of assimilating the specified data.

(5) In a district having more than one (1) office of circuit judge, there shall be no distinction whatsoever in the powers, duties and emoluments of those offices except that the judge who has been for the longest time continuously a judge of that court or, should no judge have served longer in office than the others, the judge who has been for the longest time a member of The Mississippi Bar, shall be the senior judge. The senior judge shall have the right to assign causes and dockets and to set terms in districts consisting of more than one (1) county. A circuit court judge shall have the right to assign criminal matters to county court as provided in Section 9-9-21.

SECTION 3. Section 9-7-5, Mississippi Code of 1972, is reenacted as follows:

9-7-5. The First Circuit Court District is composed of the following counties:

(a) Alcorn County;

(b) Itawamba County;

(c) Lee County;

(d) Monroe County;

(e) Pontotoc County;

(f) Prentiss County; and

(g) Tishomingo County.

SECTION 4. Section 9-7-7, Mississippi Code of 1972, is reenacted as follows:

9-7-7. (1) There shall be four (4) judges for the First Circuit Court District.

(2) The four (4) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two," "Place Three" and "Place Four." The judge to fill Place One must reside in Alcorn, Prentiss or Tishomingo County. The judges to fill Place Two and Place Three must reside in Itawamba, Lee, Monroe or Pontotoc County. The judge to fill Place Four may be a resident of any county in the district. Election of the four (4) offices of judge shall be by election to be held in every county within the First Circuit Court District.

SECTION 5. Section 9-7-9, Mississippi Code of 1972, is reenacted as follows:

9-7-9. The Second Circuit Court District is composed of the following counties:

(a) Hancock County;

(b) Harrison County; and

(c) Stone County.

SECTION 6. Section 9-7-11, Mississippi Code of 1972, is reenacted as follows:

9-7-11. (1) There shall be four (4) judges for the Second Circuit Court District.

(2) The four (4) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two," "Place Three" and "Place Four."

SECTION 7. Section 9-7-13, Mississippi Code of 1972, is reenacted as follows:

9-7-13. The Third Circuit Court District is composed of the following counties:

(a) Benton County;

(b) Calhoun County;

(c) Chickasaw County;

(d) Lafayette County;

(e) Marshall County;

(f) Tippah County; and

(g) Union County.

SECTION 8. Section 9-7-14, Mississippi Code of 1972, is reenacted as follows:

9-7-14. (1) There shall be three (3) judges for the Third Circuit Court District.

(2) The three (3) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two" and "Place Three."

SECTION 9. Section 9-7-15, Mississippi Code of 1972, is reenacted as follows:

9-7-15. (1) The Fourth Circuit Court District shall be composed of the following counties:

(a) Leflore County;

(b) Sunflower County; and

(c) Washington County.

(2) The Fourth Circuit Court District shall be divided into four (4) subdistricts as follows:

(a) Subdistrict 4-1 shall consist of the following precincts in the following counties:

(i) Leflore County: Minter City, North Greenwood, Money, Northeast Greenwood, Schlater, West Greenwood, Mississippi Valley State University and Southeast Greenwood Precincts; and

(ii) Sunflower County: Ruleville, Rome, Sunflower Plantation, Drew, Doddsville, Boyer-Linn, Fairview-Hale and Ruleville North Precincts.

(b) Subdistrict 4-2 shall consist of the following precincts in the following counties:

(i) Sunflower County: Indianola 1, Sunflower, Indianola 3 North, Indianola 3 South and Indianola 3 Northeast Precincts; and

(ii) Washington County: Extension Building, Faith Lutheran Church, American Legion, Metcalfe City Hall, Elks Club, Leland Health Department Clinic, Leland Light and Water Plant and Greenville Industrial College Precincts.

(c) Subdistrict 4-3 shall consist of the following precincts in the following counties:

(i) Leflore County: East Greenwood Sub-A, East Greenwood Sub-B, Central Greenwood, North Itta Bena, South Itta Bena, Southwest Greenwood, Rising Sun, Sidon, Morgan City, Swiftown and South Greenwood Precincts;

(ii) Sunflower County: Moorhead, Inverness, Indianola 2 West and Indianola 2 East Precincts; and

(iii) Washington County: Arcola City Hall, Hollandale City Hall, Darlove Baptist Church and Mangelardi Bourbon Store Precincts.

(d) Subdistrict 4-4 shall consist of the following precincts in Washington County: St. James Episcopal Church, Swiftwater Baptist Church, Glen Allan Health Clinic, Italian Club, Ward's Recreation Center, Buster Brown Community Center, Avon Health Center, Kapco Company, Brent Center, William Percy Library and Grace Methodist Church Precincts.

(3) The local contributions required for the maintenance of the Fourth Circuit Court District shall be paid on a pro rata basis each by Leflore, Sunflower and Washington Counties.

SECTION 10. Section 9-7-17, Mississippi Code of 1972, is reenacted as follows:

9-7-17. There shall be four (4) circuit judges for the Fourth Circuit Court District. One (1) circuit judge shall be elected from each subdistrict.

SECTION 11. Section 9-7-19, Mississippi Code of 1972, is reenacted as follows:

9-7-19. The Fifth Circuit Court District is composed of the following counties:

(a) Attala County;

(b) Carroll County;

(c) Choctaw County;

(d) Grenada County;

(e) Montgomery County;

(f) Webster County; and

(g) Winston County.

SECTION 12. Section 9-7-20, Mississippi Code of 1972, is reenacted as follows:

9-7-20. (1) There shall be two (2) judges for the Fifth Circuit Court District.

(2) The two (2) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 13. Section 9-7-21, Mississippi Code of 1972, is reenacted as follows:

9-7-21. (1) The Sixth Circuit Court District is composed of the following counties:

(a) Adams County;

(b) Amite County;

(c) Franklin County; and

(d) Wilkinson County.

(2) The Sixth Circuit Court District shall be divided into two (2) subdistricts as follows:

(a) Subdistrict 6-1 shall consist of Wilkinson County and the following precincts in the following counties:

(i) Adams County: Airport, By-Pass Fire Station, Carpenter, Concord*, Courthouse*, Duncan Park*, Foster Mound, Maryland*, Northside School, Pine Ridge, Thompson and Washington*; and

(ii) Amite County: Ariel, Berwick, Crosby, East Centreville, East Gloster*, Gloster*, Homochitto, South Liberty* and Street.

(b) Subdistrict 6-2 shall consist of Franklin County and the following precincts in the following counties:

(i) Adams County: Beau Pre, Bellemont, Concord*, Convention Center, Courthouse*, Duncan Park*, Kingston, Liberty Park, Maryland*, Morgantown, Oakland, Palestine and Washington*; and

(ii) Amite County: Amite River, East Fork, East Gloster*, East Liberty, Gloster*, Liberty, New Zion, Oneil, Riceville, Smithdale, South Liberty*, Tangipahoa, Tickfaw, Walls and Zion Hills.

(3) There shall be two (2) judges for the Sixth Circuit Court District. The two (2) judgeships shall be separate and distinct. One (1) judge shall be elected from each subdistrict.

SECTION 14. Section 9-7-23, Mississippi Code of 1972, is reenacted as follows:

9-7-23. (1) The Seventh Circuit Court District shall be Hinds County.

(2) The Seventh Circuit Court District shall be divided into four (4) subdistricts in Hinds County as follows:

(a) Subdistrict 7-1 shall consist of the following precincts in Hinds County: 1, 2, 4, 5, 6, 8, 9, 10, 32, 33, 34, 35, 36, 44, 45, 46, 47, 72, 73, 74, 75, 76, 77, 78, 79, 92, 93, 96 and 97.

(b) Subdistrict 7-2 shall consist of the following precincts in Hinds County: 11, 12, 13, 14, 15, 16, 17, 23, 27, 28, 29, 30, 37, 38, 39, 40, 41, 42, 43, 80, 81, 82, 83, 84, 85, Brownsville, Cynthia, Pocahontas and Tinnin.

(c) Subdistrict 7-3 shall consist of the following precincts in Hinds County: 18, 19, 20, 21, 22, 24, 25, 26, 31, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 66, 67, 68, 69, 70, 71, 86, 89, and Jackson State.

(d) Subdistrict 7-4 shall consist of the following precincts in Hinds County: 87, 88, 90, 91, 94, 95, Bolton, Byram 1, Byram 2, Cayuga, Chapel Hill, Clinton 1, Clinton 2, Clinton 3, Clinton 4, Clinton 5, Clinton 6, Dry Grove, Edwards, Learned, Old Byram, Pinehaven, Raymond 1, Raymond 2, Spring Ridge, St. Thomas, Terry, Utica 1 and Utica 2.

SECTION 15. Section 9-7-25, Mississippi Code of 1972, is reenacted as follows:

9-7-25. (1) There shall be four (4) circuit judges for the Seventh Circuit Court District. One (1) judge shall be elected from each subdistrict.

(2) While there shall be no limitation whatsoever upon the powers and duties of the said judges other than as cast upon them by the Constitution and laws of this state, the court in the First Judicial District of Hinds County, in the discretion of the senior circuit judge, may be divided into civil and criminal divisions as a matter of convenience, by the entry of an order upon the minutes of the court.

SECTION 16. Section 9-7-27, Mississippi Code of 1972, is reenacted as follows:

9-7-27. (1) The Eighth Circuit Court District is composed of the following counties:

(a) Leake County;

(b) Neshoba County;

(c) Newton County; and

(d) Scott County.

(2) There shall be two (2) judges for the Eighth Circuit Court District.

(3) The two (2) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 17. Section 9-7-29, Mississippi Code of 1972, is reenacted as follows:

9-7-29. (1) The Ninth Circuit Court District is composed of the following counties:

(a) Issaquena County;

(b) Sharkey County; and

(c) Warren County.

(2) The Ninth Circuit Court District shall be divided into two (2) subdistricts as follows:

(a) Subdistrict 9-1 shall consist of Issaquena County, Sharkey County and the following precincts in Warren County: 3-61 Store*, American Legion Hall, Auditorium, Brunswick, Cedar Grove*, Kings*, Number 7 Fire Station*, St. Aloysius and Vicksburg Junior High School*.

(b) Subdistrict 9-2 shall consist of the following precincts in Warren County: 3-61 Store*, Beechwood, Bovina, Cedar Grove*, Culkin, Elks Lodge, Goodrum, Jett, Kings*, Moose Lodge, Number 7 Fire Station*, Oak Ridge, Plumbers Hall, Redwood, Tingleville, Vicksburg Junior High School*, YMCA and Yokena.

SECTION 18. Section 9-7-30, Mississippi Code of 1972, is reenacted as follows:

9-7-30. There shall be two (2) judges for the Ninth Circuit Court District. One (1) judge shall be elected from each subdistrict.

SECTION 19. Section 9-7-31, Mississippi Code of 1972, is reenacted as follows:

9-7-31. The Tenth Circuit Court District is composed of the following counties:

(a) Clarke County;

(b) Kemper County;

(c) Lauderdale County; and

(d) Wayne County.

SECTION 20. Section 9-7-32, Mississippi Code of 1972, is reenacted as follows:

9-7-32. (1) There shall be two (2) judges for the Tenth Circuit Court District.

(2) The two (2) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 21. Section 9-7-33, Mississippi Code of 1972, is reenacted as follows:

9-7-33. (1) The Eleventh Circuit Court District is composed of the following counties:

(a) Bolivar County;

(b) Coahoma County;

(c) Quitman County; and

(d) Tunica County.

(2) The Eleventh Circuit Court District shall be divided into three (3) subdistricts as follows:

(a) Subdistrict 11-1 shall consist of the following precincts from the following counties:

(i) Bolivar County: Benoit, Beulah, Boyle, Choctaw, Cleveland Courthouse, East Central Cleveland*, East Cleveland*, East Rosedale, Gunnison, Longshot, North Cleveland, Northwest Cleveland*, Pace, Scott, Shaw, Skene, South Cleveland*, Stringtown, West Central Cleveland, West Cleveland and West Rosedale; and

(ii) Coahoma County: Bobo, Clarksdale 2-4*, Clarksdale 5-4*, Farrell*, Rena Lara and Sherard*.

(b) Subdistrict 11-2 shall consist of the following precincts from the following counties:

(i) Bolivar County: Cleveland Eastgate, Duncan/Alligator, East Central Cleveland*, East Cleveland*, Merigold, Mound Bayou, Northwest Cleveland*, Renova, Shelby, South Cleveland* and Winstonville;

(ii) Coahoma County: Cagle Crossing, Clarksdale 1-4*, Clarksdale 3-3, Clarksdale 3-4, Clarksdale 4-2, Clarksdale 4-3, Dublin and Roundaway; and

(iii) Quitman County: Belen*, District 3 South*, Lambert, Northwest Marks, Southwest Marks and West Lambert.

(c) Subdistricts 11-3 shall consist of Tunica County and the following precincts in the following counties:

(i) Coahoma County: Clarksdale 1-4*, Clarksdale 2-4*, Clarksdale 5-4*, Coahoma, Farrell*, Friar's Point, Jonestown, Lula, Lyon and Sherard*; and

(ii) Quitman County: Belen*, Crenshaw, Crowder, Darling, District 3 North, District 3 South* and Sledge.

SECTION 22. Section 9-7-34, Mississippi Code of 1972, is reenacted as follows:

9-7-34. There shall be three (3) judges for the Eleventh Circuit Court District. One (1) judge shall be elected from each subdistrict.

SECTION 23. Section 9-7-35, Mississippi Code of 1972, is reenacted as follows:

9-7-35. (1) The Twelfth Circuit Court District is composed of the following counties:

(a) Forrest County; and

(b) Perry County.

(2) There shall be two (2) judges for the Twelfth Circuit Court District. The two (2) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 24. Section 9-7-37, Mississippi Code of 1972, is reenacted as follows:

9-7-37. (1) The Thirteenth Circuit Court District is composed of the following counties:

(a) Covington County;

(b) Jasper County;

(c) Simpson County; and

(d) Smith County.

(2) There shall be two (2) judges for the Thirteenth Circuit Court District. The two (2) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 25. Section 9-7-39, Mississippi Code of 1972, is reenacted as follows:

9-7-39. (1) The Fourteenth Circuit Court District is composed of the following counties:

(a) Lincoln County;

(b) Pike County; and

(c) Walthall County.

(2) (a) There shall be two (2) judges for the Fourteenth Circuit Court District.

(b) The two (2) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 26. Section 9-7-41, Mississippi Code of 1972, is reenacted as follows:

9-7-41. The Fifteenth Circuit Court District is composed of the following counties:

(a) Jefferson Davis County;

(b) Lamar County;

(c) Lawrence County;

(d) Marion County; and

(e) Pearl River County.

SECTION 27. Section 9-7-42, Mississippi Code of 1972, is reenacted as follows:

9-7-42. (1) There shall be three (3) judges for the Fifteenth Circuit Court District.

(2) The three (3) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two," and "Place Three." The judge to fill Place One must be a resident of Jefferson Davis, Lamar, Lawrence or Marion County. The judge to fill Place Two may be a resident of any county in the district. The judge to fill Place Three must be a resident of Pearl River County.

SECTION 28. Section 9-7-43, Mississippi Code of 1972, is reenacted as follows:

9-7-43. The Sixteenth Circuit Court District is composed of the following counties:

(a) Clay County;

(b) Lowndes County;

(c) Noxubee County; and

(d) Oktibbeha County.

SECTION 29. Section 9-7-44, Mississippi Code of 1972, is reenacted as follows:

9-7-44. (1) There shall be three (3) judges for the Sixteenth Circuit Court District.

(2) The three (3) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two" and "Place Three." The judge to fill Place One must be a resident of Lowndes County. The judge to fill Place Two must be a resident of Oktibbeha County. The judge to fill Place Three must be a resident of either Clay or Noxubee County. Election of the three (3) offices of judge shall be by election to be held in every county within the Sixteenth Circuit Court District.

SECTION 30. Section 9-7-45, Mississippi Code of 1972, is reenacted as follows:

9-7-45. The Seventeenth Circuit Court District shall be composed of the following counties:

(a) Panola County;

(b) Tallahatchie County;

(c) Tate County; and

(d) Yalobusha County.

SECTION 31. Section 9-7-47, Mississippi Code of 1972, is reenacted as follows:

9-7-47. The Eighteenth Circuit Court District shall be Jones County.

SECTION 32. Section 9-7-49, Mississippi Code of 1972, is reenacted as follows:

9-7-49. (1) The Nineteenth Circuit Court District is composed of the following counties:

(a) George County;

(b) Greene County; and

(c) Jackson County.

(2) The local contribution required for the maintenance of the Nineteenth Circuit Court District shall not exceed, as to George and Greene Counties, the amount of their present local contribution in their present respective circuit court districts, and any excess shall be paid by Jackson County.

SECTION 33. Section 9-7-51, Mississippi Code of 1972, is reenacted as follows:

9-7-51. (1) There shall be three (3) judges for the Nineteenth Circuit Court District. The three (3) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two" and "Place Three."

(2) The senior judge of the Nineteenth Circuit Court District may divide the court of any county within the district into civil, criminal and appellate court divisions as a matter of convenience by the entry of an order upon the minutes of the court.

SECTION 34. Section 9-7-53, Mississippi Code of 1972, is reenacted as follows:

9-7-53. The Twentieth Circuit Court District is composed of the following counties:

(a) Madison County; and

(b) Rankin County.

SECTION 35. Section 9-7-54, Mississippi Code of 1972, is reenacted as follows:

9-7-54. (1) There shall be three (3) judges for the Twentieth Circuit Court District.

(2) The three (3) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two" and "Place Three." The judge to fill Place One must reside in Rankin County, the judge to fill Place Two must reside in Madison County, and the judge to fill Place Three may reside in either Madison or Rankin County.

SECTION 36. Section 9-7-55, Mississippi Code of 1972, is reenacted as follows:

9-7-55. The Twenty-first Circuit Court District is composed of the following counties:

(a) Holmes County;

(b) Humphreys County; and

(c) Yazoo County.

SECTION 37. Section 9-7-57, Mississippi Code of 1972, is reenacted as follows:

9-7-57. The Twenty-second Circuit Court District is composed of the following counties:

(a) Claiborne County;

(b) Copiah County; and

(c) Jefferson County.

SECTION 38. Section 9-7-63, Mississippi Code of 1972, is reenacted as follows:

9-7-63. The Twenty-third Circuit Court District shall be DeSoto County.

SECTION 39. Section 9-7-64, Mississippi Code of 1972, is reenacted as follows:

9-7-64. (1) There shall be two (2) circuit judges for the Twenty-third Circuit Court District.

(2) For the purposes of appointment and election, the two (2) judgeships shall be separate and distinct and denominated as "Place One" and "Place Two."

SECTION 40. Section 9-5-1, Mississippi Code of 1972, is reenacted as follows:

9-5-1. A chancellor shall be elected for and from each of the chancery court districts as provided in this chapter and the listing of individual precincts shall be those precincts as they existed on October 1, 1990. He shall hold court in any other district with the consent of the chancellor thereof when in their opinion the public interest may be thereby promoted. The terms of all chancellors elected at the regular election for the year 1930 shall begin on the first day of January, 1931, and their terms of office shall continue for four (4) years. A chancellor shall be a resident of the district in which he serves but shall not be required to be a resident of a subdistrict if the district is divided into subdistricts.

SECTION 41. Section 9-5-3, Mississippi Code of 1972, is reenacted as follows:

9-5-3. (1) The state shall be divided into an appropriate number of chancery court districts, severally numbered and composed of the counties as set forth in the sections which follow. A court to be styled "The Chancery Court of the County of ____" shall be held in each county, and within each judicial district of a county having two (2) judicial districts, at least twice a year. Court shall be held in chancery court districts consisting of a single county on the same dates state agencies and political subdivisions are open for business excluding legal holidays. The dates upon which terms shall commence and the number of days for which terms shall continue in chancery court districts consisting of more than one (1) county shall be set by order of the chancellor in accordance with the provisions of subsection (2) of this section. A matter in court may extend past a term if the interest of justice so requires.

(2) An order establishing the commencement and continuation of terms of court for each of the counties within a chancery court district consisting of more than one (1) county shall be entered annually and not later than October 1 of the year immediately preceding the calendar year for which the terms of court are to become effective. Notice of the dates upon which terms of court shall commence and the number of days for which the terms shall continue in each of the counties within a chancery court district shall be

posted in the office of the chancery clerk of each county within the district and mailed to the office of the Secretary of State for publication and distribution to all Mississippi Bar members. If an order is not timely entered, the terms of court for each of the counties within the chancery court district shall remain unchanged for the next calendar year.

(3) The number of chancellorships for each chancery court district shall be determined by the Legislature based upon the following criteria:

(a) The population of the district;

(b) The number of cases filed in the district;

(c) The caseload of each chancellor in the district;

(d) The geographic area of the district;

(e) An analysis of the needs of the district by the court personnel of the district; and

(f) Any other appropriate criteria.

(4) The Judicial College of the University of Mississippi Law Center and the Administrative Office of Courts shall determine the appropriate:

(a) Specific data to be collected as a basis for applying the above criteria;

(b) Method of collecting and maintaining the specified data; and

(c) Method of assimilating the specified data.

(5) In a district having more than one (1) office of chancellor, there shall be no distinction whatsoever in the powers, duties and emoluments of those offices except that the chancellor who has been for the longest time continuously a chancellor of that court or, should no chancellor have served longer in office than the others, the chancellor who has been for the longest time a member of The Mississippi Bar shall be the senior chancellor. The senior chancellor shall have the right to assign causes and dockets and to set terms in districts consisting of more than one (1) county.

SECTION 42. Section 9-5-5, Mississippi Code of 1972, is reenacted as follows:

9-5-5. The First Chancery Court District is composed of the following counties:

(a) Alcorn County;

(b) Itawamba County;

(c) Lee County;

(d) Monroe County;

(e) Pontotoc County;

(f) Prentiss County;

(g) Tishomingo County; and

(h) Union County.

SECTION 43. Section 9-5-7, Mississippi Code of 1972, is reenacted as follows:

9-5-7. (1) There shall be four (4) chancellors for the First Chancery Court District.

(2) The four (4) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two," "Place Three" and "Place Four." The chancellor to fill Place One must be a resident of Alcorn, Prentiss or Tishomingo County. The chancellors to fill Place Two and Place Three must reside in Itawamba, Lee, Monroe, Pontotoc or Union County. The chancellor to fill Place Four may be a resident of any county in the district. Election of the four (4) offices of chancellor shall be by election to be held in every county within the First Chancery Court District.

SECTION 44. Section 9-5-9, Mississippi Code of 1972, is reenacted as follows:

9-5-9. The Second Chancery Court District is composed of the following counties:

(a) Jasper County;

(b) Newton County; and

(c) Scott County.

SECTION 45. Section 9-5-11, Mississippi Code of 1972, is reenacted as follows:

9-5-11. (1) The Third Chancery Court District is composed of the following counties:

(a) DeSoto County;

(b) Grenada County;

(c) Montgomery County;

(d) Panola County;

(e) Tate County; and

(f) Yalobusha County.

(2) The Third Chancery Court District shall be divided into two (2) subdistricts as follows:

(a) Subdistrict 3-1 shall consist of DeSoto County.

(b) Subdistrict 3-2 shall consist of Grenada County, Montgomery County, Panola County, Tate County and Yalobusha County.

SECTION 46. Section 9-5-13, Mississippi Code of 1972, is reenacted as follows:

[Until January 1, 2027, this section shall read as follows:]

9-5-13. (1) There shall be three (3) chancellors for the Third Chancery Court District.

(2) (a) The chancellor of Subdistrict 3-1 shall be elected from DeSoto County. The two (2) chancellors of Subdistrict 3-2 shall be elected from Grenada County, Montgomery County, Panola County, Tate County and Yalobusha County.

(b) For purposes of appointment and election, the three (3) chancellorships shall be separate and distinct. The chancellorship in Subdistrict 3-1 shall be denominated

only as "Place One," and the chancellorships in Subdistrict 3-2 shall be denominated only as "Place Two" and "Place Three."

[From and after January 1, 2027, this section shall read as follows:]

9-5-13. (1) There shall be four (4) chancellors for the Third Chancery Court District.

(2) (a) The two (2) chancellors of Subdistrict 3-1 shall be elected from DeSoto County. The two (2) chancellors of Subdistrict 3-2 shall be elected from Grenada County, Montgomery County, Panola County, Tate County and Yalobusha County.

(b) For purposes of appointment and election, the four (4) chancellorships shall be separate and distinct and denominated as "Place One," "Place Two," "Place Three" and "Place Four." The chancellorships in Subdistrict 3-1 shall be denominated only as "Place One" and "Place Four" and the chancellorships in Subdistrict 3-2 shall be denominated only as "Place Two" and "Place Three."

SECTION 47. Section 9-5-17, Mississippi Code of 1972, is reenacted as follows:

9-5-17. (1) The Fifth Chancery Court District is composed of Hinds County.

(2) The Fifth Chancery Court District shall be divided into the following four (4) subdistricts:

(a) Subdistrict 5-1 shall consist of the following precincts in Hinds County: 1, 2, 4, 5, 6, 8, 9, 10, 32, 33, 34, 35, 36, 44, 45, 46, 47, 72, 73, 74, 75, 76, 77, 78, 79, 92, 93, 96 and 97.

(b) Subdistrict 5-2 shall consist of the following precincts in Hinds County: 11, 12, 13, 14, 15, 16, 17, 23, 27, 28, 29, 30, 37, 38, 39, 40, 41, 42, 43, 80, 81, 82, 83, 84, 85, Brownsville, Cynthia, Pocahontas and Tinnin.

(c) Subdistrict 5-3 shall consist of the following precincts in Hinds County: 18, 19, 20, 21, 22, 24, 25, 26, 31, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 66, 67, 68, 69, 70, 71, 86, 89 and Jackson State.

(d) Subdistrict 5-4 shall consist of the following precincts in Hinds County: 87, 88, 90, 91, 94, 95, Bolton, Byram 1, Byram 2, Cayuga, Chapel Hill, Clinton 1, Clinton 2, Clinton 3, Clinton 4, Clinton 5, Clinton 6, Dry Grove, Edwards, Learned, Old Byram, Pinehaven, Raymond 1, Raymond 2, Spring Ridge, St. Thomas, Terry, Utica 1 and Utica 2.

SECTION 48. Section 9-5-19, Mississippi Code of 1972, is reenacted as follows:

9-5-19. (1) There shall be four (4) chancellors for the Fifth Chancery Court District. One (1) chancellor shall be elected from each subdistrict.

(2) While there shall be no limitation whatsoever upon the powers and duties of the said chancellors other than as cast upon them by the Constitution and laws of this state, the court in the First Judicial District of Hinds County, in the discretion of the senior chancellor, may be divided into four (4) divisions as a matter of convenience by the entry of an order upon the minutes of the court.

SECTION 49. Section 9-5-21, Mississippi Code of 1972, is reenacted as follows:

9-5-21. The Sixth Chancery Court District is composed of the following counties:

(a) Attala County;

(b) Carroll County;

(c) Choctaw County;

(d) Kemper County;

(e) Neshoba County; and

(f) Winston County.

SECTION 50. Section 9-5-22, Mississippi Code of 1972, is reenacted as follows:

9-5-22. (1) There shall be two (2) chancellors for the Sixth Chancery Court District.

(2) The two (2) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 51. Section 9-5-23, Mississippi Code of 1972, is reenacted as follows:

9-5-23. (1) The Seventh Chancery Court District is composed of the following counties:

(a) Bolivar County;

(b) Coahoma County;

(c) Leflore County;

(d) Quitman County;

(e) Tallahatchie County; and

(f) Tunica County.

(2) The Seventh Chancery Court District shall be divided into two (2) subdistricts as follows:

(a) Subdistrict 7-1 shall consist of Bolivar County and Coahoma County;

(b) Subdistrict 7-2 shall consist of Leflore County, Quitman County, Tallahatchie County and Tunica County.

SECTION 52. Section 9-5-25, Mississippi Code of 1972, is reenacted as follows:

9-5-25. There shall be three (3) chancellors for the Seventh Chancery Court District. The three (3) chancellorships shall be separate and distinct. One (1) chancellor shall be elected from Subdistrict 7-1 and shall be denominated for purposes of appointment and election only as "Place One," and two (2) chancellors shall be elected from Subdistrict 7-2 and shall be denominated for purposes of appointment and election only as "Place Two" and "Place Three."

SECTION 53. Section 9-5-27, Mississippi Code of 1972, is reenacted as follows:

9-5-27. The Eighth Chancery Court District is composed of the following counties:

(a) Hancock County;

(b) Harrison County; and

(c) Stone County.

SECTION 54. Section 9-5-29, Mississippi Code of 1972, is reenacted as follows:

9-5-29. (1) There shall be four (4) chancellors for the Eighth Chancery Court District.

(2) The four (4) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two," "Place Three" and "Place Four."

(3) While there shall be no limitation whatsoever upon the powers and duties of the chancellors other than as cast upon them by the Constitution and laws of this state, the court in the Eighth Chancery Court District, in the discretion of the senior chancellor, may be divided into four (4) divisions as a matter of convenience by the entry of an order upon the minutes of the court.

SECTION 55. Section 9-5-31, Mississippi Code of 1972, is reenacted as follows:

9-5-31. (1) The Ninth Chancery Court District is composed of the following counties:

(a) Humphreys County;

(b) Issaquena County;

(c) Sharkey County;

(d) Sunflower County;

(e) Warren County; and

(f) Washington County.

(2) The Ninth Chancery Court District shall be divided into three (3) subdistricts as follows:

(a) Subdistrict 9-1 shall consist of the following precincts in the following counties:

(i) Sunflower County: Boyer-Linn, Drew, Fairview-Hale, Indianola 2 East*, Indianola 3 North*, Indianola 3 Northeast*, Indianola 3 South*, Rome, Ruleville, Ruleville North and Sunflower Plantation; and

(ii) Washington County: American Legion, Brent Center, Buster Brown Community Center, Darlove Baptist Church*, Elks Club, Extension Building, Grace Methodist Church*, Greenville Industrial College, Leland Health Department Clinic, Leland Rotary Club, Metcalf City Hall and Potter House Church.

(b) Subdistrict 9-2 shall consist of Humphreys County and the following precincts in the following counties:

(i) Sunflower County: Doddsville, Indianola 2 East*, Indianola 2 West, Indianola 3 North*, Indianola 3 Northeast*, Indianola 3 South*, Indianola Southeast, Inverness, Moorhead, Sunflower 3 and Sunflower 4; and

(ii) Washington County: Arcola City Hall, Christ Wesleyan Methodist Church, Darlove Baptist Church*, Glen Allan Health Clinic, Grace Methodist Church*,

Hollandale City Hall, St. James Episcopal Church, Swiftwater Baptist Church, Tampa Drive and Ward's Recreation Center.

(c) Subdistrict 9-3 shall consist of Issaquena County, Sharkey County and Warren County.

SECTION 56. Section 9-5-33, Mississippi Code of 1972, is reenacted as follows:

9-5-33. There shall be three (3) chancellors for the Ninth Chancery Court District. One (1) chancellor shall be elected from each subdistrict.

SECTION 57. Section 9-5-35, Mississippi Code of 1972, is reenacted as follows:

9-5-35. The Tenth Chancery Court District is composed of the following counties:

(a) Forrest County;

(b) Lamar County;

(c) Marion County;

(d) Pearl River County; and

(e) Perry County.

SECTION 58. Section 9-5-36, Mississippi Code of 1972, is reenacted as follows:

9-5-36. (1) There shall be four (4) chancellors for the Tenth Chancery Court District.

(2) The four (4) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two," "Place Three" and "Place Four." The chancellor to fill Place One and Place Four may be a resident of any county in the district. The chancellor to fill Place Two must be a resident of Lamar, Marion, Pearl River or Perry County. The chancellor to fill Place Three must be a resident of Forrest County. Election of the four (4) offices of chancellor shall be by election to be held in every county within the Tenth Chancery Court District.

SECTION 59. Section 9-5-37, Mississippi Code of 1972, is reenacted as follows:

9-5-37. (1) The Eleventh Chancery Court District is composed of the following counties:

(a) Holmes County;

(b) Leake County;

(c) Madison County; and

(d) Yazoo County.

(2) The Eleventh Chancery Court District shall be divided into two (2) subdistricts as follows:

(a) Subdistrict 11-1 shall consist of Holmes County, Yazoo County and the following precincts in Madison County: Bible Church, Canton 4, Canton 5, Flora, Madison County Baptist Family Life Center, Magnolia Heights and Smith School;

(b) Subdistrict 11-2 shall consist of Leake County and the following precincts in Madison County: Bear Creek, Camden, Cameron, Canton 1, Canton 2, Canton 3, Canton 7, Cedar Grove, Cobblestone, Couparle, Gluckstadt, Highland Colony Baptist Church, Liberty, Lorman/Cavalier, Luther Branson School, Madison 1, Madison 2, Madison 3, Main Harbor, New Industrial Park, North Bay, Ratliff Ferry, Ridgeland 1, Ridgeland 3, Ridgeland 4, Ridgeland First Methodist Church, Ridgeland Tennis Center, Sharon, Sunnybrook, Tougaloo, Trace Harbor, Victory Baptist Church, Virlilia, Whisper Lake and Yandell Road.

SECTION 60. Section 9-5-38, Mississippi Code of 1972, is reenacted as follows:

9-5-38. There shall be three (3) chancellors for the Eleventh Chancery Court District. The three (3) chancellorships shall be separate and distinct. One (1) chancellor shall be elected from Subdistrict 11-1 and denominated for purposes of appointment and election only as "Place One," one (1) chancellor shall be elected from Subdistrict 11-2 and denominated for purposes of appointment and election only as "Place Two," and one (1) chancellor shall be elected at large from the entire Eleventh Chancery Court District and denominated for purposes of appointment and election only as "Place Three."

SECTION 61. Section 9-5-39, Mississippi Code of 1972, is reenacted as follows:

9-5-39. The Twelfth Chancery Court District is composed of the following counties:

(a) Clarke County; and

(b) Lauderdale County.

SECTION 62. Section 9-5-40, Mississippi Code of 1972, is reenacted as follows:

9-5-40. (1) There shall be two (2) judges for the Twelfth Chancery Court District.

(2) The two (2) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 63. Section 9-5-41, Mississippi Code of 1972, is reenacted as follows:

9-5-41. (1) The Thirteenth Chancery Court District is composed of the following counties:

(a) Covington County;

(b) Jefferson Davis County;

(c) Lawrence County;

(d) Simpson County; and

(e) Smith County.

(2) There shall be two (2) chancellors for the Thirteenth Chancery Court District. The two (2) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 64. Section 9-5-43, Mississippi Code of 1972, is reenacted as follows:

9-5-43. (1) The Fourteenth Chancery Court District is composed of the following counties:

(a) Chickasaw County;

(b) Clay County;

(c) Lowndes County;

(d) Noxubee County;

(e) Oktibbeha County; and

(f) Webster County.

(2) The Fourteenth Chancery Court District shall be divided into three (3) subdistricts as follows:

(a) Subdistrict 14-1 shall consist of Chickasaw County, Webster County and the following precincts in Oktibbeha County: Bell Schoolhouse*, Bradley, Center Grove, Central Starkville*, Craig Springs, Double Springs, East Starkville*, Gillespie Street Center*, Maben, North Adaton, North Longview, North Starkville 2*, North Starkville 3, Northeast Starkville, Self Creek, South Adaton, South Longview, South Starkville*, Sturgis and West Starkville*.

(b) Subdistrict 14-2 shall consist of the following precincts in the following counties:

(i) Clay County: Cedar Bluff, Central West Point, East West Point, Siloam, South West Point and Vinton; and

(ii) Lowndes County: Air Base A, Air Base B, Air Base C, Air Base D, Air Base E, Brandon A, Brandon B, Brandon C, Brandon D, Caledonia, Columbus High School A, Columbus High School B, Columbus High School C, Columbus High School D, Dowdle Gas Training Center B, Fairgrounds C, Fairgrounds E, Fairgrounds F, Hunt C, Lee Middle School, Mitchell A, New Hope A, New Hope B, New Hope C, New Hope D, New Hope E, Rural Hill A, Rural Hill B, Rural Hill C, Sale A, Sale B, Sale C, Steens A, Steens B, Steens C, Trinity B, Union Academy B, Union Academy C and University A.

(c) Subdistrict 14-3 shall consist of Noxubee County and the following precincts in the following counties:

(i) Clay County: Cairo, Caradine, North West Point, Pheba, Pine Bluff, Tibbee, Union Star and West West Point;

(ii) Lowndes County: Artesia, Coleman A, Coleman B, Crawford A, Fairgrounds A, Fairgrounds B, Fairgrounds D, Fairgrounds G, Hunt A, Hunt B, Mitchell B, New Hope F, Plum Grove A, Plum Grove B, Plum Grove C, Propst Park Community Hut, Trinity A, Union Academy A, University B, West Lowndes A and West Lowndes B; and

(iii) Oktibbeha County: Bell Schoolhouse*, Central Starkville*, East Starkville*, Gillespie Street Center*, Hickory Grove, North Starkville 2*, Oktoc, Osborn, Sessums, South Starkville*, Southeast Oktibbeha and West Starkville*.

SECTION 65. Section 9-5-45, Mississippi Code of 1972, is reenacted as follows:

9-5-45. There shall be three (3) chancellors for the Fourteenth Chancery Court District. One (1) chancellor shall be elected from each subdistrict.

SECTION 66. Section 9-5-47, Mississippi Code of 1972, is reenacted as follows:

9-5-47. The Fifteenth Chancery Court District is composed of the following counties:

(a) Copiah County; and

(b) Lincoln County.

SECTION 67. Section 9-5-49, Mississippi Code of 1972, is reenacted as follows:

9-5-49. The Sixteenth Chancery Court District is composed of the following counties:

(a) George County;

(b) Greene County; and

(c) Jackson County.

SECTION 68. Section 9-5-50, Mississippi Code of 1972, is reenacted as follows:

9-5-50. (1) There shall be three (3) chancellors for the Sixteenth Chancery Court District.

(2) The three (3) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two" and "Place Three."

SECTION 69. Section 9-5-51, Mississippi Code of 1972, is reenacted as follows:

9-5-51. (1) The Seventeenth Chancery Court District is composed of the following counties:

(a) Adams County;

(b) Claiborne County;

(c) Jefferson County; and

(d) Wilkinson County.

(2) The Seventeenth Chancery Court District shall be divided into two (2) subdistricts as follows:

(a) Subdistrict 17-1 shall consist of Claiborne County, Jefferson County, and the following precincts in Adams County: Airport Carpenter*, Convention Center*, Foster Mound, Maryland*, Northside School, Palestine, Pine Ridge, Thompson and Washington*.

(b) Subdistrict 17-2 shall consist of Wilkinson County and the following precincts in Adams County: Beau Pre, Bellemont, By-Pass Fire Station, Carpenter*, Concord, Convention Center*, Courthouse, Duncan Park, Kingston, Liberty Park, Maryland*, Morgantown, Oakland and Washington*.

(3) There shall be two (2) chancellors for the Seventeenth Chancery Court District. One (1) chancellor shall be elected from each subdistrict.

SECTION 70. Section 9-5-53, Mississippi Code of 1972, is reenacted as follows:

9-5-53. The Eighteenth Chancery Court District is composed of the following counties:

(a) Benton County;

(b) Calhoun County;

(c) Lafayette County;

(d) Marshall County; and

(e) Tippah County.

SECTION 71. Section 9-5-54, Mississippi Code of 1972, is reenacted as follows:

9-5-54. (1) There shall be two (2) chancellors for the Eighteenth Chancery Court District.

(2) The two (2) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 72. Section 9-5-55, Mississippi Code of 1972, is reenacted as follows:

9-5-55. The Nineteenth Chancery Court District is composed of the following counties:

(a) Jones County; and

(b) Wayne County.

SECTION 73. Section 9-5-57, Mississippi Code of 1972, is reenacted as follows:

9-5-57. The Twentieth Chancery Court District shall be Rankin County.

SECTION 74. Section 9-5-58, Mississippi Code of 1972, is reenacted as follows:

9-5-58. There shall be three (3) chancellors for the Twentieth Chancery Court District. For purposes of appointment and election the three (3) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One," "Place Two" and "Place Three."

SECTION 75. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO REENACT SECTIONS 9-7-1, 9-7-3, 9-7-5, 9-7-7, 9-7-9, 9-7-11, 9-7-13, 9-7-14, 9-7-15, 9-7-17, 9-7-19, 9-7-20, 9-7-21, 9-7-23, 9-7-25, 9-7-27, 9-7-29, 9-7-30, 9-7-31, 9-7-32, 9-7-33, 9-7-34, 9-7-35, 9-7-37, 9-7-39, 9-7-41, 9-7-42, 9-7-43, 9-7-44, 9-7-45, 9-7-47, 9-7-49, 9-7-51, 9-7-53, 9-7-54, 9-7-55, 9-7-57, 9-7-63 AND 9-7-64, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR CIRCUIT COURT JUDGES, DISTRICTS AND TERMS OF COURT FOR DISTRICTS ONE TO TWENTY-THREE; TO REENACT SECTIONS 9-5-1, 9-5-3, 9-5-5, 9-5-7, 9-5-9, 9-5-11, 9-5-13, 9-5-17, 9-5-19, 9-5-21, 9-5-22, 9-5-23, 9-5-25, 9-5-27, 9-5-29, 9-5-31, 9-5-33, 9-5-35, 9-5-36, 9-5-37, 9-5-38, 9-5-39, 9-5-40, 9-5-41, 9-5-43, 9-5-45, 9-5-47, 9-5-49, 9-5-50, 9-5-51, 9-5-53, 9-5-54, 9-5-55, 9-5-57 AND 9-5-58, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR CHANCERY COURT JUDGES, DISTRICTS AND TERMS OF COURT FOR DISTRICTS ONE TO TWENTY; AND FOR RELATED PURPOSES.

President Pro Tempore Kirby yielded the gavel to President Hosemann, who presided over the Senate.

Amendment No. 1 to substitute for Committee Amendment No. 1 to H. B. No. 722 failed.

Senators Turner-Ford and Hickman offered the following AMENDMENT NO. 2 TO SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

AMEND by striking Section 16 in its entirety and renumbering subsequent sections accordingly.

FURTHER, AMEND on line 711 by inserting "and" after the semicolon.

FURTHER, AMEND on line 712 by striking "; and"

FURTHER, AMEND on line 713 by striking "Webster County"

FURTHER, AMEND on line 737 by inserting "or" after the comma.

FURTHER, AMEND on line 738 by striking ", or Webster County"

FURTHER, AMEND the title to conform.

Amendment No. 2 to substitute for Committee Amendment No. 1 to H. B. No. 722 failed.

Substitute for Committee Amendment No. 1 to H. B. No. 722 was adopted.

YEAS AND NAYS On H. B. No. 722. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackwell, Boyd, Branning, Carter, Chism, DeBar, DeLano, Fillingane, Harkins, Hill, Hopson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--32.

Nays--Barnett, Blount, Brumfield, Butler, Frazier, Hickman, Horhn, Jackson, Norwood, Robinson, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--13.

Absent and those not voting--Bryan, Chassaniol, Johnson. Total--3.

Senator Turner-Ford, who would have voted nay on H. B. No. 722, announced a pair with Senator Blackmon, who would have voted yea.

Senator England, who would have voted yea on H. B. No. 722, announced a pair with Senator Jordan, who would have voted nay.

Senator Wiggins called up the following entitled bill:

H. B. No. 1542: Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at the time of death.

COMMITTEE AMENDMENT NO. 1 was replaced by SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Senators Wiggins and Younger offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) This section shall be known and may be cited as the "Chris McDill Law."

(2) For purposes of this section, the following words shall have the meaning herein ascribed unless the context clearly requires otherwise:

(a) "Assisted reproduction" means a method of causing pregnancy other than sexual intercourse.

(b) "Personal property" means goods and chattels or personal estate.

(3) When any person shall die possessed of personal property not bequeathed before the start of a pregnancy by assisted reproduction resulting in the birth of an individual who lives at least one hundred twenty (120) hours after birth, that individual is deemed to be living at the time of the decedent's death and shall be entitled to a child's part of the decedent's personal property as provided in this section if the decedent's personal representative and the court, not later than six (6) months after the decedent's death, received notice or had actual knowledge of an intent to use the decedent's genetic material in the assisted reproduction; and

(a) The embryo was in utero not later than thirty-six (36) months after the decedent's death; or

(b) The individual was born not later than forty-five (45) months after the decedent's death.

(4) (a) This section shall only be applicable if there is a record signed by the decedent and the person who intends to use the decedent's genetic material in the assisted reproduction that the decedent consented to the use of the decedent's genetic material in assisted reproduction after the death of the decedent.

(b) There shall be a rebuttable presumption that the decedent did not consent to the use of the decedent's genetic material in the assisted reproduction if the decedent was divorced or legally separated at the time of the decedent's death from the person who wishes to use the decedent's genetic material in the assisted reproduction.

(5) An individual deemed to be living at the time of the decedent's death under subsection (3) of this section shall be entitled to a child's part of the decedent's personal property, or the equivalent value thereof. If more than one (1) individual is deemed to be living at the time of the decedent's death under subsection (3) of this section, each individual shall be entitled to an equal share of a child's part of the decedent's personal property, or the equivalent value thereof.

(6) (a) Upon receipt of notice or the actual knowledge required under subsection (3) of this section, the court shall:

(i) Set aside a child's part of the decedent's personal property, or the equivalent value thereof, for distribution to an individual deemed to be living at the time of the decedent's death under subsection (3) of this section;

(ii) Distribute the remainder of the decedent's estate, except for the set-aside child's part of the decedent's personal property, or the equivalent value thereof, according to the statutes of descent and distribution; and

(iii) Enter an order closing the estate for all purposes except the distribution of the set aside part of the decedent's personal property or the equivalent value thereof.

(b) If an individual is deemed to be living at the time of the decedent's death under subsection (3) of this section, the court shall distribute the set aside portion of the decedent's personal estate according to subsection (5) of this section. If no individual is deemed living at the time of the decedent's death under subsection (3) of this section, the court shall distribute the set aside portion of the decedent's personal estate as is otherwise provided according to the statutes of descent and distribution.

(7) It is the intent of the Legislature that an individual deemed to be living at the time of the decedent's death under subsection (3) of this section shall be eligible for federal benefits under subchapter II of Chapter 7 of Title 41 of the United State Code.

SECTION 2. Section 91-1-11, Mississippi Code of 1972, is amended as follows:

91-1-11. (1) Except as provided in subsection (2) of this section, when any person shall die possessed of goods and chattels or personal estate not bequeathed, the same shall descend to and be distributed among his or her heirs in the same manner that real estate not devised descends.

(2) When any person shall die possessed of goods and chattels or personal estate not bequeathed, the provisions of Section 1 of this act are applicable in determining whether a child of a decedent is living at the time of the decedent's death.

SECTION 3. Section 91-1-7, Mississippi Code of 1972, is amended as follows:

91-1-7. (1) If a husband dies intestate and * * * does not leave children or descendants of children, his widow shall be entitled to his entire estate, real and personal, in fee simple, after payment of his debts; but where the deceased husband * * * leaves a child or children by that or a former marriage, or descendants of such child or children, his widow shall have a child's part of his estate, in either case in fee simple. If a married woman dies owning any real or personal estate not disposed of, it shall descend to her husband and her children or their descendants if she * * * has any surviving her, either by a former husband or by the surviving husband, in equal parts, according to the rules of descent. If she * * * has children and there also * * * are descendants of other children who have died before the mother, the descendants shall inherit the share to which the parent would have been entitled if living, as coheirs with the surviving children. If she * * * has no children or descendants of them, then the husband shall inherit all of her property.

(2) The provisions of Section 1 of this act are applicable in determining whether a child of a decedent is living at the time of the decedent's death.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO ENACT THE CHRIS MCDILL LAW; TO PROVIDE THAT FOR THE PURPOSES OF INTESTATE SUCCESSION, IF THE DECEDENT DIES BEFORE THE START OF A PREGNANCY BY ASSISTED REPRODUCTION RESULTING IN THE BIRTH OF AN INDIVIDUAL WHO LIVES AT LEAST 120 HOURS AFTER BIRTH, THAT INDIVIDUAL IS DEEMED TO BE LIVING AT THE TIME OF THE DECEDENT'S DEATH UNDER CERTAIN CONDITIONS; TO PROVIDE A PROCEDURE FOR THE DESCENT AND DISTRIBUTION OF THE DECEDENT'S ESTATE; TO AMEND SECTIONS 91-1-11 AND 91-1-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

Substitute for Committee Amendment No. 1 to H. B. No. 1542 was adopted.

YEAS AND NAYS On H. B. No. 1542. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Thomas, Whaley, Wiggins, Williams, Younger. Total--43.

Nays--Chism. Total--1.

Absent and those not voting----None.

Voting Present--Barrett, Hill, Hopson, Sparks, Suber, Tate, Thompson, Turner-Ford. Total--8.

Senator Wiggins moved that the rules be suspended to move to calendar item 183, **H. B. No. 1607**, and the motion prevailed.

Senator Wiggins called up the following entitled bill:

H. B. No. 1607: Mississippi Women's Bill of Rights; create.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Women's Bill of Rights."

SECTION 2. The Legislature finds:

(a) Men and women are legally equal but possess unique and immutable biological difference that manifest before birth and increase as they age and experience puberty.

(b) The State of Mississippi has an important interest in preventing unjust sex discrimination and in maintaining safety, privacy and fairness for all Mississippians.

(c) Biological differences between the sexes are enduring and, in some circumstances, may warrant the creation of separate social, educational, athletic or other spaces in order to ensure safety or allow members of each sex to succeed and thrive.

(d) Inconsistencies in court rulings and policy initiatives regarding sex discrimination and common sex-based words have endangered women's rights and resources and have put the existence of sex-based legal distinctions in jeopardy.

SECTION 3. (1) In order to prevent unjust discrimination, maintain safety, protect privacy, and ensure fairness, the following terms have the definitions ascribed in this section:

(a) "Woman" means an adult human of the female sex.

(b) "Man" means an adult human of the male sex.

(c) "Girl" means a human female who is a legal minor as defined in Section 1-3-27 unless otherwise provided by a specific statute.

(d) "Boy" means a human male who is a legal minor as defined in Section 1-3-27 unless otherwise provided by a specific statute.

(e) "Mother" means a female parent of a child or children.

(f) "Father" means a male parent of a child or children.

(g) "Female," when this term is used in reference to a natural person, means an individual who has, had, will have through the course of normal development, or would have, but for a developmental anomaly, genetic anomaly, or accident, the reproductive system that at some point produces ova.

(h) "Male," when this term is used in reference to a natural person, means an individual who has, had, will have through the course of normal development, or would have, but for a developmental anomaly, genetic anomaly, or accident, the reproductive system that at some point produces sperm.

(i) "Sex" means a person's biological sex, either male or female, as observed or clinically verified at birth. "Sex" is objective and fixed: there are only two (2) sexes, and every individual is either male or female. "Sex" does not include gender identity or other terms intended to convey a person's subjective sense of self. "Gender identity" and other such subjective terms may not be used as synonyms or substitutes for "sex."

(2) Whenever the term "girl" or "boy" is used in a statute in reference to the participation of a high-school-aged individual in a school or extracurricular program, the terms may not be understood to exclude the participation of a student who is a "woman" or "man," respectively.

(3) Persons with "DSD conditions," sometimes referred to as "differences in sex development," "disorders of sex development" or "intersex conditions," are not members of a third sex. Persons with a congenital and medically verifiable DSD diagnosis must be accommodated consistent with state and federal law.

(4) "Equal" does not necessarily mean "same" or "identical" with respect to the treatment of persons of different sexes because there are objective, immutable and enduring physical differences between males and females.

SECTION 4. If any provision of this act or the application of such provision to any person or circumstance is held to be unconstitutional, the remainder of this act and the

application of the provisions of such to any person or circumstance is not affected and remains in full force and effect.

SECTION 5. Sections 1 through 4 of this act shall be codified as a new article in Title 1, Chapter 3, Mississippi Code of 1972.

SECTION 6. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO BE KNOWN AS THE "MISSISSIPPI WOMEN'S BILL OF RIGHTS"; TO DECLARE CERTAIN LEGISLATIVE FINDINGS; TO DEFINE VARIOUS TERMS AND DECLARE RESTRICTIONS ON THE USE OF CERTAIN OTHER TERMS AS THOSE DEFINED AND RESTRICTED TERMS ARE USED IN STATUTES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1607 was adopted.

YEAS AND NAYS On H. B. No. 1607. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackwell, Boyd, Branning, Brumfield, Carter, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Jackson, Kirby, Ladner, McCaughn, McLendon, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Whaley, Wiggins, Williams, Younger. Total--34.

Nays--Butler, Frazier, Hickman, Norwood, Simmons S. (13th), Thomas, Turner-Ford. Total--7.

Absent and those not voting--Bryan, Chassaniol, Horhn, Thompson. Total--4.

Voting Present--Blount. Total--1.

Senator McMahan, who would have voted yea on H. B. No. 1607, announced a pair with Senator Blackmon, who would have voted nay.

Senator Barrett, who would have voted yea on H. B. No. 1607, announced a pair with Senator Jordan, who would have voted nay.

Senator Simmons D. T. (12th), who would have voted nay on H. B. No. 1607, announced a pair with Senator Johnson, who would have voted yea.

Senator Tate entered a motion to reconsider the vote whereby **H. B. No. 1478** passed the Senate as amended.

H. B. No. 1478: Alternative nicotine products; prohibit sale or distribution of if prohibited under federal law or FDA rule or regulation.

Senator Wiggins called up the following entitled bill:

H. B. No. 1315: MS Youth Court Information Delivery System (MYCIDS); require audit of.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 9-21-9, Mississippi Code of 1972, is amended as follows:

9-21-9. (1) The Administrative Director of Courts shall have the following duties and authority with respect to all courts in addition to any other duties and responsibilities as may be properly assigned by the Supreme Court and/or by law:

(a) To require the filing of reports, the collection and compilation of statistical data and other information on the judicial and financial operation of the courts and on the operation of other offices directly related to and serving the courts;

(b) To determine the state of the dockets and evaluate the practices and procedures of the courts and make recommendations concerning the number of judges and other personnel required for the efficient administration of justice;

(c) To prescribe uniform administrative and business methods, systems, forms and records to be used in the offices of the clerks of courts;

(d) To devise, promulgate and require the use of a uniform youth court case tracking system, including a youth court case filing form for filing with each individual youth court matter, to be utilized by the Administrative Office of Courts and the youth courts in order that the number of youthful offenders, abused, neglected, truant and dependent children, as well as children in need of special care and children in need of supervision, may be tracked with specificity through the youth court and adult justice systems; in support of the uniform case docketing system, the director shall require that all youth courts utilize the Mississippi Youth Court Information Delivery System (MYCIDS);

(e) To develop, promulgate and require the use of a statewide docket numbering system to be utilized by the youth courts, which youth court docket numbers shall standardize and unify the numbering system by which youth court docket numbers are assigned, such that each docket number would, among other things, identify the county and year in which a particular youth court action was commenced;

(f) To develop, promulgate and require the use of uniform youth court orders and forms in all youth courts and youth court proceedings;

(g) To prepare and submit budget recommendations for state appropriations necessary for the maintenance and operation of the judicial system and to authorize expenditures from funds appropriated for these purposes as permitted or authorized by law;

(h) To develop and implement personnel policies for nonjudicial personnel employed by the courts;

(i) To investigate, make recommendations concerning and assist in the securing of adequate physical accommodations for the judicial system;

(j) To procure, distribute, exchange, transfer and assign such equipment, books, forms and supplies as are acquired with state funds or grant funds or otherwise for the judicial system;

(k) To make recommendations for the improvement of the operations of the judicial system;

(l) To prepare and submit an annual report on the work of the judicial system to the Supreme Court;

(m) To take necessary steps in the collection of unpaid court costs, fines and forfeitures;

(n) To perform such additional administrative duties relating to the improvement of the administration of justice as may be assigned by the Supreme Court; * * *

(o) To promulgate standards, rules and regulations for computer and/or electronic filing and storage of all court records and court-related records maintained throughout the state in courts and in offices of circuit and chancery clerks * * * ; and

(p) To utilize the provisions of law that regulate public purchasing in Sections 31-7-1 et. seq., to contract with a provider to effectuate the requirements of paragraph (d) for the Mississippi Youth Court Information Delivery System (MYCIDS).

(2) The Administrative Director of Courts shall conduct an audit of the Mississippi Youth Court Information Delivery System (MYCIDS) by November 15, 2024, to make recommendations regarding any complaints, deficiencies and/or improvements, and provide a report of the audit to the Judiciary A Committees of the Mississippi House of Representatives and the Senate by January 1, 2025.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 9-21-9, MISSISSIPPI CODE OF 1972, TO REQUIRE THE ADMINISTRATIVE DIRECTOR OF COURTS TO AUDIT THE MISSISSIPPI YOUTH COURT INFORMATION SYSTEM (MYCIDS); AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1315 was adopted.

YEAS AND NAYS On H. B. No. 1315. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

H. B. No. 1316: Public purchasing; require competitive bidding for web-based application for MYCIDS.

YEAS AND NAYS On H. B. No. 1316. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Simmons D. T. (12th) entered a motion to reconsider the vote whereby **H. B. No. 1410** passed the Senate.

H. B. No. 1410: Insurance reimbursement rates; revise certain provisions.

Senator Simmons D. T. (12th) entered a motion to reconsider the vote whereby **H. B. No. 1607** passed the Senate as amended.

H. B. No. 1607: Mississippi Women's Bill of Rights; create.

Senator Blackwell entered a motion to reconsider the vote whereby **H. B. No. 1676** passed the Senate as amended.

H. B. No. 1676: Mississippi Intoxicating Hemp Regulation Act and Mississippi Medical Cannabis Act; revise certain provisions of.

Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 5:40 PM, the Senate stood in recess.

The Senate resumed business at 5:46 PM, pursuant to recess, with President Hosemann presiding.

Senator Branning moved that the rules be suspended to move to calendar item 151, **H. B. No. 349**, and the motion prevailed.

Senator Branning called up the following entitled bill:

H. B. No. 349: Squatted vehicles; prohibit modifications to motor vehicle which raise front fender a certain height above the rear fender.

Senators Barrett and DeLano offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 63-7-105, Mississippi Code of 1972:

63-7-105. (1) For purposes of this section:

(a) The height of the fender shall be a vertical measurement from, and perpendicular to, the ground, through the centerline of the wheel, and to the bottom of the fender.

(b) "Fender" means the pressed and formed part mounted over the road wheels of a motor vehicle to reduce the splashing of mud, water or similar substances.

(c) "Squatted vehicles" means vehicles whose front fenders have been raised four (4) or more inches greater than the rear fenders. The described modification makes a vehicle appear as if it is "squatting" on its back tires.

(2) (a) It shall be unlawful for any person to drive a passenger motor vehicle on the streets or highways of this state if, by alteration of the suspension, frame or chassis, the height of the front fender is raised four (4) or more inches greater than the height of the rear fender.

(b) Motor vehicles equipped with high clearance fenders to allow for increased front suspension articulation shall be exempt from the provision of paragraph (a) of this subsection.

(3) A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction:

(a) For a first offense, shall be fined One Hundred Dollars ($100.00);

(b) For a second offense, shall be fined Two Hundred Dollars ($200.00); and

(c) For a third or subsequent offense, shall be fined Three Hundred Dollars ($300.00) and have his or her license suspended by the Commission of Public Safety for a period of twelve (12) months from the date of conviction.

(4) Only offenses which occur within five (5) years of each other, including and immediately preceding the date of the last offense, shall constitute a prior offense within the meaning of this subsection.

(5) The penalties for this section shall take effect one hundred eighty (180) days after the effective date. For a period of one hundred eighty (180) days after the effective date, state and local law enforcement officers shall only issue warning tickets for a violation of the provisions of this section. From and after January 27, 2025, state and local law enforcement officers shall issue tickets that assess penalties, as outlined in subsection (3) of this section, to drivers of squatted vehicles.

SECTION 2. The following shall be codified as Section 63-7-107, Mississippi Code of 1972:

63-7-107. (1) The fines assessed and collected as a result of violating the provisions of Section 63-7-105 shall be deposited into the State General Fund and used

in their entirety to aid in funding Secondary School Driver Education and Training Programs, as established by Senate Bill No. 2695, 2024 Regular Session.

(2) Section 63-7-107, Mississippi Code of 1972, shall go into effect from and after the passage date, if any, of Senate Bill No. 2695, 2024 Regular Session.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO CREATE SECTION 63-7-105, MISSISSIPPI CODE OF 1972, TO PLACE RESTRICTIONS ON VEHICLE MODIFICATIONS THAT RESULT IN THE MOTOR VEHICLES' FRONT FENDERS BEING RAISED FOUR OR MORE INCHES GREATER THAN THE HEIGHT OF THE REAR FENDERS, TO PROVIDE AN EXEMPTION FROM THE NEW SUSPENSION MODIFICATION RULE, TO PROVIDE FOR THE MANNER OF MEASURING THE HEIGHT OF THE FENDERS, TO DEFINE RELEVANT TERMS, AND TO PROVIDE PENALTIES FOR VIOLATIONS; TO CREATE SECTION 63-7-107, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT FINES COLLECTED DUE TO VIOLATIONS OF THE PROVISIONS OF SECTION 63-7-105 BE DEPOSITED INTO THE STATE GENERAL FUND AND UTILIZED IN THEIR ENTIRETY TO AID IN FUNDING SECONDARY SCHOOL DRIVER EDUCATION PROGRAMS; AND FOR RELATED PURPOSES.

Amendment No. 1 to H. B. No. 349 was adopted.

YEAS AND NAYS On H. B. No. 349. On motion of Senator Barrett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Michel moved that the rules be suspended to move to calendar item 169, **H. B. No. 1265**, and the motion prevailed.

Senator Michel called up the following entitled bill:

H. B. No. 1265: Pharmacists; authorize reimbursement for under certain insurance policies, plans, or contracts.

COMMITTEE AMENDMENT NO. 1 was replaced by SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Senator Michel offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 73-21-153, Mississippi Code of 1972, is amended as follows:

73-21-153. For purposes of Sections 73-21-151 through 73-21-163, the following words and phrases shall have the meanings ascribed herein unless the context clearly indicates otherwise:

(a) "Board" means the State Board of Pharmacy.

(b) "Clean claim" means a completed billing instrument, paper or electronic, received by a pharmacy benefit manager from a pharmacist or pharmacies or the insured, which is accepted and payment remittance advice is provided by the pharmacy benefit manager. A clean claim includes resubmitted claims with previously identified deficiencies corrected.

(* * *c) "Commissioner" means the Mississippi Commissioner of Insurance.

(* * *d) "Day" means a calendar day, unless otherwise defined or limited.

(* * *e) "Electronic claim" means the transmission of data for purposes of payment of covered prescription drugs, other products and supplies, and pharmacist services in an electronic data format specified by a pharmacy benefit manager and approved by the department.

(* * *f) "Electronic adjudication" means the process of electronically receiving * * * and reviewing an electronic claim and either accepting and providing payment remittance advice for the electronic claim or rejecting an electronic claim.

(* * *g) "Enrollee" means an individual who has been enrolled in a pharmacy benefit management plan or a health insurance plan, or both.

(* * *h) "Health insurance plan" means benefits consisting of prescription drugs, other products and supplies, and pharmacist services provided directly, through insurance or reimbursement, or otherwise and including items and services paid for as prescription drugs, other products and supplies, and pharmacist services under any hospital or medical service policy or certificate, hospital or medical service plan contract, preferred provider organization agreement, or health maintenance organization contract offered by a health insurance issuer.

(i) "Payment remittance advice" means the claim detail that the pharmacy receives when successfully processing an electronic or paper claim. The claim detail shall contain, but is not limited to:

(i) The amount that the pharmacy benefit manager will reimburse for product ingredient;

(ii) The amount that the pharmacy benefit manager will reimburse for product dispensing fee; and

(iii) The amount that the pharmacy benefit manager dictates the patient must pay.

(j) "Pharmacist," "pharmacist services" and "pharmacy" or "pharmacies" shall have the same definitions as provided in Section 73-21-73.

(* * *k) "Pharmacy benefit manager" * * * means a business that provides pharmacy benefit management services or administers the prescription drug/device

portion of pharmacy benefit management plans or health insurance plans on behalf of plan sponsors, insurance companies, unions, health maintenance organizations or another pharmacy benefit manager. The term "pharmacy benefit manager" shall not include:

(i) An insurance company unless the insurance company is providing services as a pharmacy benefit manager * * *, in which case the insurance company shall be subject to Sections 73-21-151 through * * * 73-21-163 only for those pharmacy benefit manager services * * *; and

(ii) The pharmacy benefit manager of the Mississippi State and School Employees Health Insurance Plan when performing pharmacy benefit manager services for the plan, or the Mississippi Division of Medicaid or its contractors when performing pharmacy benefit manager services for the Division of Medicaid.

(l) "Pharmacy benefit management plan" means an arrangement for the delivery of pharmacist's services in which a pharmacy benefit manager undertakes to administer the payment or reimbursement of any of the costs of pharmacist's services, drugs or devices.

(* * *m) "Pharmacy benefit manager affiliate" means * * * an entity that directly or indirectly * * * owns or controls, is owned or controlled by, or is under common ownership or control with a pharmacy benefit manager.

* * *

(n) Pharmacy benefit management services shall include, but are not limited to, the following services, which may be provided either directly or through outsourcing or contracts:

(i) Adjudicate drug claims or any portion of the transaction;

(ii) Contract with retail and mail pharmacy networks;

(iii) Establish payment levels for pharmacies;

(iv) Develop formulary or drug list of covered therapies;

(v) Provide benefit design consultation;

(vi) Manage cost and utilization trends;

(vii) Contract for manufacturer rebates;

(viii) Provide fee-based clinical services to improve member care;

(ix) Third-party administration; and

(x) Sponsoring or providing cash discount cards as defined in Section 83-9-6.1.

(o) "Pharmacy services administrative organization" means any entity that contracts with a pharmacy or pharmacist to assist with third-party payer interactions and that may provide a variety of other administrative services, including contracting with pharmacy benefits managers on behalf of pharmacies and managing pharmacies' claims payments for third-party payers.

(* * *p) "Uniform claim form" means a form prescribed by rule by the State Board of Pharmacy; however, for purposes of Sections 73-21-151 through * * * 73-21-163,

the board shall adopt the same definition or rule where the State Department of Insurance has adopted a rule covering the same type of claim. The board may modify the terminology of the rule and form when necessary to comply with the provisions of Sections 73-21-151 through * * * 73-21-163.

* * *

(q) "Wholesale acquisition cost" means the wholesale acquisition cost of the drug as defined in 42 USC Section 1395w-3a(c)(6)(B).

SECTION 2. Section 73-21-155, Mississippi Code of 1972, is amended as follows:

73-21-155. (1) Reimbursement under a contract to a pharmacist or pharmacy for prescription drugs and other products and supplies that is calculated according to a formula that uses Medi-Span, Gold Standard or a nationally recognized reference that has been approved by the board in the pricing calculation shall use the most current reference price or amount in the actual or constructive possession of the pharmacy benefit manager, its agent, or any other party responsible for reimbursement for prescription drugs and other products and supplies on the date of electronic adjudication or on the date of service shown on the nonelectronic claim.

(2) Any contract that provides for less than reimbursement provided in subsection (1) of this section violates the public policy of the state and is void.

(* * *3) Pharmacy benefit managers, their agents and other parties responsible for reimbursement for prescription drugs and other products and supplies shall be required to update the nationally recognized reference prices or amounts used for calculation of reimbursement for prescription drugs and other products and supplies no less than every three (3) business days.

(* * *4) (a) All benefits payable * * * from a pharmacy benefit * * * manager shall be paid within seven (7) days after receipt of * * * a clean electronic claim where * * * the claim was electronically adjudicated, and shall be paid within thirty-five (35) days after receipt of due written proof of a clean claim where claims are submitted in paper format. Benefits * * * are overdue if not paid within seven (7) days or thirty-five (35) days, whichever is applicable, after the pharmacy benefit manager receives a clean claim containing necessary information essential for the pharmacy benefit manager to administer preexisting condition, coordination of benefits and subrogation provisions under the plan sponsor's health insurance plan. * * *

* * *

(* * *b) * * * If an electronic claim is denied, the pharmacy benefit manager shall * * * notify the pharmacist or pharmacy * * * within seven (7) days of the reasons why the claim or portion thereof is not clean and will not be paid and what substantiating documentation and information is required to adjudicate the claim as clean. If a written claim is denied, the pharmacy benefit manager shall notify the pharmacy or pharmacies * * * no later than thirty-five (35) days * * * of receipt of such claim * * *. The pharmacy benefit manager shall * * * provide the pharmacist or pharmacy * * * the reasons why the claim or portion thereof is not clean and will not be paid and what substantiating documentation and information is required to adjudicate the claim as clean. Any claim or portion thereof resubmitted with the supporting documentation and information requested by the pharmacy benefit manager shall be paid within twenty (20) days after receipt.

(* * *5) If the board finds that any pharmacy benefit manager, agent or other party responsible for reimbursement for prescription drugs and other products and supplies has not paid ninety-five percent (95%) of clean claims * * * received from all pharmacies in a

calendar quarter, he shall be subject to administrative penalty of not more than Twenty-five Thousand Dollars ($25,000.00) to be assessed by the State Board of Pharmacy.

(a) Examinations to determine compliance with this * * * section may be conducted by the board. The board may contract with qualified impartial outside sources to assist in examinations to determine compliance. The expenses of any such examinations shall be paid by the pharmacy benefit manager examined and deposited into a special fund that is created in the State Treasury, which shall be used by the board, upon appropriation by the Legislature, to support the operations of the board relating to the regulation of pharmacy benefit managers.

(b) Nothing in the provisions of this section shall require a pharmacy benefit manager to pay claims that are not covered under the terms of a contract or policy of accident and sickness insurance or prepaid coverage.

(c) If the claim is not denied for valid and proper reasons by the end of the applicable time period prescribed in this provision, the pharmacy benefit manager must pay the pharmacy (where the claim is owed to the pharmacy) or the patient (where the claim is owed to a patient) interest on accrued benefits at the rate of one and one-half percent (1-1/2%) per month accruing from the day after payment was due on the amount of the benefits that remain unpaid until the claim is finally settled or adjudicated. Whenever interest due pursuant to this provision is less than One Dollar ($1.00), such amount shall be credited to the account of the person or entity to whom such amount is owed.

(d) Any pharmacy benefit manager and a pharmacy may enter into an express written agreement containing timely claim payment provisions which differ from, but are at least as stringent as, the provisions set forth under subsection (* * *4) of this section, and in such case, the provisions of the written agreement shall govern the timely payment of claims by the pharmacy benefit manager to the pharmacy. If the express written agreement is silent as to any interest penalty where claims are not paid in accordance with the agreement, the interest penalty provision of * * * paragraph (c) of this subsection shall apply.

(e) The board may adopt rules and regulations necessary to ensure compliance with this subsection.

(* * *6) (a) For purposes of this subsection (* * *6), "network pharmacy" means a licensed pharmacy in this state that has a contract with a pharmacy benefit manager to provide covered drugs at a negotiated reimbursement rate. A network pharmacy or pharmacist may decline to provide a brand name drug, multisource generic drug, or service, if the network pharmacy or pharmacist is paid less than that network pharmacy's * * * cost for the * * * prescription. If the network pharmacy or pharmacist declines to provide such drug or service, the pharmacy or pharmacist shall provide the customer with adequate information as to where the prescription for the drug or service may be filled.

(b) The State Board of Pharmacy shall adopt rules and regulations necessary to implement and ensure compliance with this subsection, including, but not limited to, rules and regulations that address access to pharmacy services in rural or underserved areas in cases where a network pharmacy or pharmacist declines to provide a drug or service under paragraph (a) of this subsection. * * *

(* * *7) A pharmacy benefit manager shall not directly or indirectly retroactively deny or reduce a claim or aggregate of claims after the claim or aggregate of claims has been adjudicated.

SECTION 3. Section 73-21-156, Mississippi Code of 1972, is amended as follows:

73-21-156. (1) As used in this section, the following terms shall be defined as provided in this subsection:

(a) "Maximum allowable cost list" means a listing of drugs or other methodology used by a pharmacy benefit manager, directly or indirectly, setting the maximum allowable payment to a pharmacy or pharmacist for a generic drug, brand-name drug, biologic product or other prescription drug. The term "maximum allowable cost list" includes without limitation:

(i) Average acquisition cost, including national average drug acquisition cost;

(ii) Average manufacturer price;

(iii) Average wholesale price;

(iv) Brand effective rate or generic effective rate;

(v) Discount indexing;

(vi) Federal upper limits;

(vii) Wholesale acquisition cost; and

(viii) Any other term that a pharmacy benefit manager or a health care insurer may use to establish reimbursement rates to a pharmacist or pharmacy for pharmacist services.

(b) "Pharmacy acquisition cost" means the amount that a pharmaceutical wholesaler charges for a pharmaceutical product as listed on the pharmacy's billing invoice.

(2) Before a pharmacy benefit manager places or continues a particular drug on a maximum allowable cost list, the drug:

(a) If * * * a generic equivalent drug product as defined in 73-21-73, shall be listed as therapeutically equivalent and pharmaceutically equivalent "A" or "B" rated in the United States Food and Drug Administration's most recent version of the "Orange Book" or "Green Book" or have an NR or NA rating by Medi-Span, Gold Standard, or a similar rating by a nationally recognized reference approved by the board;

(b) Shall be available for purchase by each pharmacy in the state from national or regional wholesalers operating in Mississippi; and

(c) Shall not be obsolete.

(3) A pharmacy benefit manager shall:

(a) Provide access to its maximum allowable cost list to each pharmacy subject to the maximum allowable cost list;

(b) Update its maximum allowable cost list on a timely basis, but in no event longer than three (3) calendar days; and

(c) Provide a process for each pharmacy subject to the maximum allowable cost list to receive prompt notification of an update to the maximum allowable cost list.

(4) A pharmacy benefit manager shall:

(a) Provide a reasonable administrative appeal procedure to allow pharmacies to challenge a maximum allowable cost list and reimbursements made under a maximum allowable cost list for a specific drug or drugs as:

(i) Not meeting the requirements of this section; or

(ii) Being below the pharmacy acquisition cost.

(b) The reasonable administrative appeal procedure shall include the following:

(i) A dedicated telephone number, email address and website for the purpose of submitting administrative appeals;

(ii) The ability to submit an administrative appeal directly to the pharmacy benefit manager * * * or through a pharmacy service administrative organization; and

(iii) A period of no less than * * * forty-five (45) business days to file an administrative appeal.

(c) The pharmacy benefit manager shall respond to the challenge under paragraph (a) of this subsection (4) within * * * forty-five (45) business days after receipt of the challenge.

(d) If a challenge is made under paragraph (a) of this subsection (4), the pharmacy benefit manager shall within * * * forty-five (45) business days after receipt of the challenge either:

(i) * * * Uphold the appeal * * * and:

1. Make the change in the maximum allowable cost list payment to at least the pharmacy acquisition cost;

2. Permit the challenging pharmacy or pharmacist to reverse and rebill the claim in question if necessary;

3. Provide the National Drug Code that the increase or change is based on to the pharmacy or pharmacist; and

4. Make the change under item 1 of this subparagraph (i) effective for each similarly situated pharmacy as defined by the payor subject to the maximum allowable cost list; or

(ii) * * * Deny the appeal * * * and:

1. Provide the challenging pharmacy or pharmacist the National Drug Code and the name of the national or regional pharmaceutical wholesalers operating in Mississippi that have the drug currently in stock at a price below the maximum allowable cost as listed on the maximum allowable cost list; * * * and

* * *2. If the National Drug Code provided by the pharmacy benefit manager is not available below the pharmacy acquisition cost from the pharmaceutical wholesaler from whom the pharmacy or pharmacist purchases the majority of prescription drugs for resale, then the pharmacy benefit manager shall adjust the maximum allowable cost as listed on the maximum allowable cost list above the challenging pharmacy's pharmacy acquisition cost and permit the pharmacy to reverse and rebill each claim affected by the inability to procure the drug at a cost that is equal to or less than the previously challenged maximum allowable cost.

(5) A pharmacy benefit manager shall not deny an appeal submitted pursuant to subsection (4) of this section based upon an existing contract with the pharmacy that provides for a reimbursement rate lower than the actual acquisition cost of the pharmacy.

(6) A pharmacy or pharmacist that belongs to a pharmacy services administrative organization shall be provided a true and correct copy of any contract that the pharmacy services administrative organization enters into with a pharmacy benefit manager or third-party payer on the pharmacy's or pharmacist's behalf.

(* * *7) (a) A pharmacy benefit manager shall not reimburse a pharmacy or pharmacist in the state an amount less than the amount that the pharmacy benefit manager reimburses a pharmacy benefit manager affiliate for providing the same pharmacist services.

(b) The amount shall be calculated on a per unit basis based on the same brand and generic product identifier or brand and generic code number.

(8) A pharmacy benefit manager or third-party payer may not charge or cause a patient to pay a copayment that exceeds the total reimbursement paid by the pharmacy benefit manager to the pharmacy.

(9) As used in the section, "spread pricing" means any amount charged or claimed by a pharmacy benefit manager in excess of the ingredient cost for a dispensed prescription drug plus dispensing fee paid directly or indirectly to any pharmacy, pharmacist, or other provider on behalf of the health benefit plan, less a pharmacy benefit management fee.

(10) No pharmacy benefit manager, carrier, or health benefit plan may, either directly or through an intermediary, agent, or affiliate engage in, facilitate, or enter into a contract with another person involving spread pricing in this state.

(11) A pharmacy benefit manager contract with a carrier or health benefit plan entered into, renewed, or amended on or after the effective date this act must:

(a) Specify all forms of revenue, including pharmacy benefit management fees, to be paid by the carrier or health benefit plan to the pharmacy benefit manager; and

(b) Acknowledge that spread pricing is not permitted in accordance with this section.

SECTION 4. Section 73-21-157, Mississippi Code of 1972, is amended as follows:

73-21-157. (1) Before beginning to do business as a pharmacy benefit manager, a pharmacy benefit manager shall obtain a license to do business from the board. To obtain a license, the applicant shall submit an application to the board on a form to be prescribed by the board. This application shall be renewed annually.

(2) When applying for a license or renewal of a license, each pharmacy benefit manager * * * shall file * * * with the board:

(a) A copy of a certified audit report, if the pharmacy benefit manager has been audited by a certified public accountant within the last twenty-four (24) months; or

(b) If the pharmacy benefit manager has not been audited in the last twenty-four (24) months, a financial statement of the organization, including its balance sheet and income statement for the preceding year, which shall be verified by at least two (2) principal officers; and

* * *

(* * *c) Any other information relating to the operations of the pharmacy benefit manager required by the board.

(* * *3) (a) Any information required to be submitted to the board pursuant to licensure application that is considered proprietary by a pharmacy benefit manager shall be marked as confidential when submitted to the board. All such information shall not be subject to the provisions of the federal Freedom of Information Act or the Mississippi Public Records Act and shall not be released by the board unless subject to an order from a court of competent jurisdiction. The board shall destroy or delete or cause to be destroyed or deleted all such information thirty (30) days after the board determines that the information is no longer necessary or useful.

(b) Any person who knowingly releases, causes to be released or assists in the release of any such information shall be subject to a monetary penalty imposed by the board in an amount not exceeding Fifty Thousand Dollars ($50,000.00) per violation. When the board is considering the imposition of any penalty under this paragraph (b), it shall follow the same policies and procedures provided for the imposition of other sanctions in the Pharmacy Practice Act. Any penalty collected under this paragraph (b) shall be deposited into the special fund, and shall be used by the board, upon appropriation of the Legislature, to support the operations of the board relating to the regulation of pharmacy benefit managers.

(c) All employees of the board who have access to the information described in paragraph (a) of this subsection shall be fingerprinted, and the board shall submit a set of fingerprints for each employee to the Department of Public Safety for the purpose of conducting a criminal history records check. If no disqualifying record is identified at the state level, the Department of Public Safety shall forward the fingerprints to the Federal Bureau of Investigation for a national criminal history records check.

(* * *4) * * * The board may waive the requirements for filing financial information for the pharmacy benefit manager if an affiliate of the pharmacy benefit manager is already required to file such information under current law with the Commissioner of Insurance and allow the pharmacy benefit manager to file a copy of documents containing such information with the board in lieu of the statement required by this section.

(* * *5) The expense of administering this section shall be assessed annually by the board against all pharmacy benefit managers operating in this state.

(* * *6) A pharmacy benefit manager or third-party payor may not require pharmacy accreditation standards or recertification requirements inconsistent with, more stringent than, or in addition to federal and state requirements for licensure as a pharmacy in this state.

SECTION 5. The following shall be codified as Section 73-21-158, Mississippi Code of 1972:

73-21-158. (1) Each drug manufacturer shall submit a report to the Commissioner of the Mississippi Department of Insurance no later than the fifteenth day of January, April, July, and October with the current wholesale acquisition cost information for the prescription drugs sold in or into the state by that drug manufacturer.

(2) Not more than thirty (30) days after an increase in wholesale acquisition cost of forty percent (40%) or greater over the preceding five (5) calendar years or ten percent (10%) or greater in the preceding twelve (12) months for a prescription drug with a wholesale acquisition cost of Seventy Dollars ($70.00) or more for a manufacturer-packaged drug container, a drug manufacturer shall submit a report to the commissioner. The report must contain the following information:

(a) Name of the drug;

(b) Whether the drug is a brand name or a generic;

(c) The effective date of the change in wholesale acquisition cost;

(d) Aggregate, company-level research and development costs for the previous calendar year;

(e) Aggregate rebate amounts paid to each pharmacy benefits manager for the previous calendar year;

(f) The name of each of the drug manufacturer's drugs approved by the United States food and drug administration in the previous five (5) calendar years;

(g) The name of each of the drug manufacturer's drugs that lost patent exclusivity in the United States in the previous five (5) calendar years; and

(h) A concise statement of rationale regarding the factor or factors that caused the increase in the wholesale acquisition cost, such as raw ingredient shortage or increase in pharmacy benefit manager's rebates.

(2) The quality and types of information and data a drug manufacturer submits to the commissioner pursuant to this section must be the same as the quality and types of information and data the drug manufacturer includes in the drug manufacturer's annual consolidated report on Securities and Exchange Commission Form 10-K or any other public disclosure. A drug manufacturer shall notify the commissioner in writing if the drug manufacturer is introducing a new prescription drug to market at a wholesale acquisition cost that exceeds the threshold set for a specialty drug under the Medicare Part D Program.

(3) The notice must include a concise statement of rationale regarding the factor or factors that caused the new drug to exceed the Medicare Part D Program price. The drug manufacturer shall provide the written notice within three (3) calendar days following the release of the drug in the commercial market. A drug manufacturer may make the notification pending approval by the United States Food and Drug Administration if commercial availability is expected within three (3) calendar days following the approval.

(4) On or before April 1st of each year, a pharmacy benefits manager providing services for a health care plan shall file a report with the commissioner. The report must contain the following information for the previous calendar year:

(a) The aggregated rebates, fees, price protection payments and any other payments collected from each drug manufacturer;

(b) The aggregated dollar amount of rebates, price protection payments, fees, and any other payments collected from each drug manufacturer which were passed to health insurers;

(c) The aggregated fees, price concessions, penalties, effective rates, and any other financial incentive collected from pharmacies which were passed to enrollees at the point of sale;

(d) The aggregated dollar amount of rebates, price protection payments, fees, and any other payments collected from drug manufacturers which were retained as revenue by the pharmacy benefits manager; and

(e) The aggregated rebates passed on to employers.

(5) Reports submitted by pharmacy benefits managers under this section may not disclose the identity of a specific health benefit plan or enrollee, the identity of a drug manufacturer, the prices charged for specific drugs or classes of drugs, or the amount of any rebates or fees provided for specific drugs or classes of drugs.

(6) On or before April 1st of each year, each health insurer shall submit a report to the commissioner. The report must contain the following information for the previous two (2) calendar years:

(a) Names of the twenty-five (25) most frequently prescribed drugs across all plans;

(b) Names of the twenty-five (25) prescription drugs dispensed with the highest dollar spend in terms of gross revenue;

(c) Percent of increase in annual net spending for prescription drugs across all plans;

(d) Percent of increase in premiums which is attributable to prescription drugs across all plans;

(e) Percentage of specialty drugs with utilization management requirements across all plans; and

(f) Premium reductions attributable to specialty drug utilization management.

(7) A report submitted by a health insurer may not disclose the identity of a specific health benefit plan or the prices charged for specific prescription drugs or classes of prescription drugs.

SECTION 6. The following shall be codified as Section 73-21-160, Mississippi Code of 1972:

73-21-160. (1) The commissioner shall develop a website to publish information the commissioner receives under this chapter. The commissioner shall make the website available on the commissioner's website with a dedicated link prominently displayed on the home page, or by a separate, easily identifiable internet address.

(2) Within sixty days of receipt of reported information under this chapter, the commissioner shall publish the reported information on the website developed under this section. The information the commissioner publishes may not disclose or tend to disclose trade secret, proprietary, commercial, financial, or confidential information of any pharmacy, pharmacy benefits manager, drug wholesaler, or hospital.

(3) The commissioner may adopt rules to implement this chapter. The commissioner shall develop forms that must be used for reporting required under this chapter. The commissioner may contract for services to implement this chapter.

(4) A report received by the commissioner shall not be subject to the provisions of the federal Freedom of Information Act or the Mississippi Public Records Act and shall not be released by the department unless subject to an order from a court of competent jurisdiction. The department shall destroy or delete or cause to be destroyed or deleted all such information thirty (30) days after the department determines that the information is no longer necessary or useful.

SECTION 7. Section 73-21-161, Mississippi Code of 1972, is amended as follows:

73-21-161. (1) As used in this section, the term "referral" means:

(a) Ordering of a patient to a pharmacy benefit manager affiliate by a pharmacy benefit manager or a pharmacy benefit manager affiliate either orally or in writing, including online messaging, or any form of communication;

(b) Requiring a patient to use an affiliate pharmacy of another pharmacy benefit manager;

(* * *c) Offering or implementing plan designs that require patients to use affiliated pharmacies or affiliated pharmacies of another pharmacy benefit manager or that penalize a patient, including requiring a patient to pay the full cost for a prescription or a higher cost-share, when a patient chooses not to use an affiliate pharmacy or the affiliate pharmacy of another pharmacy benefit manager; or

(* * *d) Patient or prospective patient specific advertising, marketing, or promotion of a pharmacy by * * * a pharmacy benefit manager or pharmacy benefit manager affiliate.

The term "referral" does not include a pharmacy's inclusion by a pharmacy benefit manager or a pharmacy benefit manager affiliate in communications to patients, including patient and prospective patient specific communications, regarding network pharmacies and prices, provided that the pharmacy benefit manager or a pharmacy benefit manager affiliate includes information regarding eligible nonaffiliate pharmacies in those communications and the information provided is accurate.

(2) A pharmacy, pharmacy benefit manager, or pharmacy benefit manager affiliate licensed or operating in Mississippi shall be prohibited from:

(a) Making referrals;

(b) Transferring or sharing records relative to prescription information containing patient identifiable and prescriber identifiable data to or from a pharmacy benefit manager affiliate for any commercial purpose; however, nothing in this section shall be construed to prohibit the exchange of prescription information between a pharmacy and its affiliate for the limited purposes of pharmacy reimbursement; formulary compliance; pharmacy care; public health activities otherwise authorized by law; or utilization review by a health care provider; * * *

(c) Presenting a claim for payment to any individual, third-party payor, affiliate, or other entity for a service furnished pursuant to a referral from * * * a pharmacy benefit manager or pharmacy benefit manager affiliate * * *; or

(d) Interfering with the patient's right to choose the patient's pharmacy or provider of choice, including inducement, required referrals or offering financial or other incentives or measures that would constitute a violation of Section 83-9-6.

(3) This section shall not be construed to prohibit a pharmacy from entering into an agreement with a pharmacy benefit manager or pharmacy benefit manager affiliate to provide pharmacy care to patients, provided that the pharmacy does not receive referrals in violation of subsection (2) of this section and the pharmacy provides the disclosures required in subsection (1) of this section.

* * *

(* * *4) In addition to any other remedy provided by law, a violation of this section by a pharmacy shall be grounds for disciplinary action by the board under its authority granted in this chapter.

(* * *5) A pharmacist who fills a prescription that violates subsection (2) of this section shall not be liable under this section.

(6) This section shall not apply to facilities licensed to fill prescriptions solely for employees of a plan sponsor or employer.

SECTION 8. The following shall be codified as Section 73-21-162, Mississippi Code of 1972:

73-21-162. (1) Retaliation is prohibited.

(a) A pharmacy benefit manager may not retaliate against a pharmacist or pharmacy based on the pharmacist's or pharmacy's exercise of any right or remedy under this chapter. Retaliation prohibited by this section includes, but is not limited to:

(i) Terminating or refusing to renew a contract with the pharmacist or pharmacy;

(ii) Subjecting the pharmacist or pharmacy to an increased frequency of audits, number of claims audited, or amount of monies for claims audited; or

(iii) Failing to promptly pay the pharmacist or pharmacy any money owed by the pharmacy benefit manager to the pharmacist or pharmacy.

(b) For the purposes of this section, a pharmacy benefit manager is not considered to have retaliated against a pharmacy if the pharmacy benefit manager:

(i) Takes an action in response to a credible allegation of fraud against the pharmacist or pharmacy; and

(ii) Provides reasonable notice to the pharmacist or pharmacy of the allegation of fraud and the basis of the allegation before initiating an action.

(2) A pharmacy benefit manager or pharmacy benefit manager affiliate shall not penalize or retaliate against a pharmacist, pharmacy or pharmacy employee for exercising any rights under this chapter, initiating any judicial or regulatory actions or discussing or disclosing information pertaining to an agreement with a pharmacy benefit manager or a pharmacy benefit manager affiliate when testifying or otherwise appearing before any governmental agency, legislative member or body or any judicial authority.

SECTION 9. Section 73-21-163, Mississippi Code of 1972, is amended as follows:

73-21-163. (1) Whenever the board has reason to believe that a pharmacy benefit manager or pharmacy benefit manager affiliate is using, has used, or is about to use any method, act or practice prohibited in Sections 73-21-151 through 73-21-163 and that proceedings would be in the public interest, board may bring an action in the name of the board against the pharmacy benefit manager or pharmacy benefit manager affiliate to restrain by temporary or permanent injunction the use of such method, act or practice. The action shall be brought in the Chancery Court of the First Judicial District of Hinds County, Mississippi. The court is authorized to issue temporary or permanent injunctions to restrain and prevent violations of Sections 73-21-151 through 73-21-163 and such injunctions shall be issued without bond.

(2) The board may impose a monetary penalty on a pharmacy benefit manager or a pharmacy benefit manager affiliate for noncompliance with the provisions of the Sections 73-21-151 through 73-21-163, in amounts of not less than One Thousand Dollars ($1,000.00) per violation and not more than Twenty-five Thousand Dollars ($25,000.00) per violation. Each day that a violation continues * * * is a separate violation. The board shall prepare a record entered upon its minutes that states the basic facts upon which the

monetary penalty was imposed. Any penalty collected under this subsection (2) shall be deposited into the special fund of the board.

(3) For the purposes of conducting investigations, the board, through its executive director, may conduct examinations of a pharmacy benefit manager and may also issue subpoenas to any individual, pharmacy, pharmacy benefit manager, or any other entity having documents or records that it deems relevant to the investigation.

(* * *4) The board may assess a monetary penalty for those reasonable costs that are expended by the board in the investigation and conduct of a proceeding if the board imposes a monetary penalty under subsection (2) of this section. A monetary penalty assessed and levied under this section shall be paid to the board by the licensee, registrant or permit holder upon the expiration of the period allowed for appeal of those penalties under Section 73-21-101, or may be paid sooner if the licensee, registrant or permit holder elects. Any penalty collected by the board under this subsection (* * *4) shall be deposited into the special fund of the board.

(* * *5) When payment of a monetary penalty assessed and levied by the board against a licensee, registrant or permit holder in accordance with this section is not paid by the licensee, registrant or permit holder when due under this section, the board shall have the power to institute and maintain proceedings in its name for enforcement of payment in the chancery court of the county and judicial district of residence of the licensee, registrant or permit holder, or if the licensee, registrant or permit holder is a nonresident of the State of Mississippi, in the Chancery Court of the First Judicial District of Hinds County, Mississippi. When those proceedings are instituted, the board shall certify the record of its proceedings, together with all documents and evidence, to the chancery court and the matter shall be heard in due course by the court, which shall review the record and make its determination thereon in accordance with the provisions of Section 73-21-101. The hearing on the matter may, in the discretion of the chancellor, be tried in vacation.

(6) (a) The board may conduct audits to ensure compliance with the provisions of this act. In conducting audits, the board is empowered to request production of documents pertaining to compliance with the provisions of this act, and documents so requested shall be produced within seven (7) days of the request unless extended by the board or its duly authorized staff.

(b) The pharmacy benefit manager being audited shall pay all costs of such audit. The cost of the audit examination shall be deposited into the special fund and shall be used by the board, upon appropriation of the Legislature, to support the operations of the board relating to the regulation of pharmacy benefit managers.

(c) The board is authorized to hire independent consultants to conduct appeal audits of a pharmacy benefit manager and expend funds collected under this section to pay the cost of performing audit services.

(* * *7) The board shall develop and implement a uniform penalty policy that sets the minimum and maximum penalty for any given violation of Sections 73-21-151 through 73-21-163. The board shall adhere to its uniform penalty policy except in those cases where the board specifically finds, by majority vote, that a penalty in excess of, or less than, the uniform penalty is appropriate. That vote shall be reflected in the minutes of the board and shall not be imposed unless it appears as having been adopted by the board.

SECTION 10. The following shall be codified as Section 73-21-164, Mississippi Code of 1972:

73-21-164. (1) Pharmacy benefit managers shall also identify to the board any ownership affiliation of any kind with any pharmacy which, either directly or indirectly, through one or more intermediaries:

(a) Has an investment or ownership interest in a pharmacy benefit manager holding a certificate of authority;

(b) Shares common ownership with a pharmacy benefit manager holding a certificate of authority issued under this part; or

(c) Has an investor or a holder of an ownership interest which is a pharmacy benefit manager holding a certificate of authority issued under this part.

(2) A pharmacy benefit manager shall report any change in information required by this act to the board in writing within sixty (60) days after the change occurs.

SECTION 11. Section 73-21-179, Mississippi Code of 1972, is amended as follows:

73-21-179. For purposes of Sections 73-21-175 through 73-21-189:

(a) "Entity" means a pharmacy benefit manager, a managed care company, a health plan sponsor, an insurance company, a third-party payor, or any company, group or agent that represents or is engaged by those entities.

(b) "Health insurance plan" means benefits consisting of prescription drugs, other products and supplies, and pharmacist services provided directly, through insurance or reimbursement, or otherwise and including items and services paid for as prescription drugs, other products and supplies, and pharmacist services under any hospital or medical service policy or certificate, hospital or medical service plan contract, preferred provider organization agreement, or health maintenance organization contract offered by a health insurance

issuer.

(c) "Individual prescription" means the original prescription for a drug signed by the prescriber, and excludes refills referenced on the prescription.

(d) "Pharmacy benefit manager" means a business that provides pharmacy benefit management services or administers the prescription drug/device portion of pharmacy benefit management plans or health insurance plans on behalf of plan sponsors, insurance companies, unions and health maintenance organizations. * * *

The term "pharmacy benefit manager" shall not include an insurance company, unless the insurance company is providing services as a pharmacy benefit manager as defined in this section, in which case the insurance company shall be subject to Sections 73-21-151 through 73-21-163 only for those pharmacy benefit manager services.

(e) "Pharmacy benefit management plan" means an arrangement for the delivery of pharmacist's services in which a pharmacy benefit manager undertakes to administer the payment or reimbursement of any of the costs of pharmacist's services * * *, drugs or devices.

(f) "Pharmacy benefit management services" shall include, but are not limited to, the following services, which may be provided either directly or through outsourcing or contracts with other entities:

(i) Adjudicating drug claims or any portion of the transaction;

(ii) Contracting with retail and mail pharmacy networks;

(iii) Establishing payment levels for pharmacies;

(iv) Developing formulary or drug list of covered therapies;

(v) Providing benefit design consultation;

(vi) Managing cost and utilization trends;

(vii) Contracting for manufacturer rebates;

(viii) Providing fee-based clinical services to improve member care;

(ix) Third-party administration; and

(x) Sponsoring or providing cash discount cards as defined in Section 83-9-6.1.

(* * *g) "Pharmacist," "pharmacist services" and "pharmacy" or "pharmacies" shall have the same definitions as provided in Section 73-21-73.

SECTION 12. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2027.

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

AN ACT TO AMEND SECTION 73-21-153, MISSISSIPPI CODE OF 1972, TO REVISE VARIOUS DEFINITIONS RELATED TO THE PHARMACY BENEFIT PROMPT PAY ACT; TO AMEND SECTION 73-21-155, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY CONTRACT THAT PROVIDES FOR LESS THAN CERTAIN REIMBURSEMENT LEVELS VIOLATES THE PUBLIC POLICY OF THE STATE; TO SET CERTAIN TIMELINES REQUIRED UNDER THE ACT; TO AMEND SECTION 73-21-156, MISSISSIPPI CODE OF 1972, TO SET CERTAIN PROVISIONS RELATED TO APPEALS; TO PROVIDE THAT A PHARMACY OR PHARMACIST THAT BELONGS TO A PHARMACY SERVICES ADMINISTRATIVE ORGANIZATION SHALL BE PROVIDED A TRUE AND CORRECT COPY OF ANY CONTRACT THAT THE PHARMACY SERVICES ADMINISTRATIVE ORGANIZATION ENTERS INTO WITH A PHARMACY BENEFIT MANAGER OR THIRD-PARTY PAYER ON THE PHARMACY'S OR PHARMACIST'S BEHALF; TO PROVIDE THAT A PHARMACY BENEFIT MANAGER OR THIRD-PARTY PAYER MAY NOT CHARGE OR CAUSE A PATIENT TO PAY A COPAYMENT THAT EXCEEDS THE TOTAL REIMBURSEMENT PAID BY THE PHARMACY BENEFIT MANAGER TO THE PHARMACY; TO PROHIBIT SPREAD PRICING; TO AMEND SECTION 73-21-157, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN LICENSING STANDARDS AND REPORTS; TO ESTABLISH CERTAIN AUDITING STANDARDS RELATED TO THE ACT; TO CREATE NEW SECTION 73-21-158, MISSISSIPPI CODE OF 1972, TO REQUIRE EACH DRUG MANUFACTURER TO SUBMIT A REPORT TO THE COMMISSIONER OF THE DEPARTMENT OF INSURANCE THAT INCLUDES THE CURRENT WHOLESALE ACQUISITION COST; TO REQUIRE SUCH ENTITIES TO PROVIDE THE COMMISSIONER WITH VARIOUS DRUG PRICING INFORMATION WITHIN A CERTAIN TIME; TO REQUIRE PHARMACY BENEFIT MANAGERS TO FILE A REPORT WITH THE COMMISSIONER; TO REQUIRE EACH HEALTH INSURER TO SUBMIT A REPORT TO THE COMMISSIONER THAT INCLUDES CERTAIN DRUG PRESCRIPTION INFORMATION; TO CREATE NEW SECTION 73-21-160, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COMMISSIONER TO DEVELOP A WEBSITE TO PUBLISH INFORMATION RELATED TO THE ACT; TO AMEND SECTION 73-21-161, MISSISSIPPI CODE OF 1972, TO SET CERTAIN STANDARDS RELATED TO PHARMACIES, REFERRALS AND PHARMACY BENEFIT MANAGERS; TO CREATE NEW SECTION 73-21-162, MISSISSIPPI CODE OF 1972, TO PROHIBIT PHARMACY

BENEFIT MANAGERS FROM RETALIATING AGAINST PHARMACISTS OR PHARMACIES FOR TAKING CERTAIN ACTIONS; TO AMEND SECTION 73-21-163, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT TO CONDUCT INVESTIGATIONS, ISSUE SUBPOENAS AND TO CONDUCT AUDITS FOR ACTIONS RELATED TO THE ACT; TO CREATE NEW SECTION 73-21-164, MISSISSIPPI CODE OF 1972, TO REQUIRE PHARMACY BENEFIT MANAGERS TO IDENTIFY OWNERSHIP AFFILIATION OF ANY KIND TO THE BOARD; TO AMEND SECTION 73-21-179, MISSISSIPPI CODE OF 1972, TO REVISE VARIOUS PROVISIONS RELATED TO PHARMACY BENEFIT MANAGERS; AND FOR RELATED PURPOSES.

Substitute for Committee Amendment No. 1 to H. B. No. 1265 was adopted.

YEAS AND NAYS On H. B. No. 1265. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator DeBar moved that the rules be suspended to move to calendar item 176, **H. B. No. 1379**, and the motion prevailed.

Senator DeBar called up the following entitled bill:

H. B. No. 1379: "Students Safe at School Act"; create to provide procedures for active shooter drills and simulations.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Students Safe at School Act."

SECTION 2. (1) There is created the Mississippi School Safety Task Force (hereinafter referred to as the "Task Force") for the purpose of the continual study of ensuring and enhancing safe school environments for students, teachers and staff in Mississippi and to advise and assist the department in the implementation of best practices for prevention of and response to any type of emergency or other situation threatening the safety of students or school personnel or the property of local school districts.

(2) The Task Force shall be composed of the following thirteen (13) members:

(a) The State Superintendent of Public Education, who shall serve as the chairman;

(b) The Commissioner of the Mississippi Department of Public Safety or his or her designee, who shall serve as a vice chairman;

(c) The Executive Director of the Mississippi Department of Mental Health or his or her designee, who shall serve as a vice chairman;

(d) The Executive Director of the Mississippi Emergency Management Agency or his or her designee;

(e) The Director of the Mississippi Office of Homeland Security or his or her designee;

(f) The Director of the Mississippi Bureau of Narcotics or his or her designee;

(g) The Director of the Mississippi Highway Patrol or his or her designee;

(h) A representative of the Mississippi Association of School Superintendents;

(i) A representative of the Mississippi School Administrators Association;

(j) A representative of the Mississippi Association of School Resource Officers;

(k) A representative of the Mississippi Sheriffs' Association;

(l) A representative of the Mississippi Association of Chiefs of Police;

(m) An individual who provides security and safety services to a school district.

(3) The Task Force shall hold its first meeting within sixty (60) days of the effective date of this act, on a call of the chairman of the Task Force. A majority of the membership of the Task Force shall constitute a quorum and shall meet at the call of the chairman or one (1) of the vice chairmen if the chairmanship is vacant or if the chairman is unable to serve. All members must be notified in writing of all meetings at least five (5) business days before the date that a meeting of the Task Force is scheduled.

(4) The Task Force shall report its findings and recommendations to the Governor, the Lieutenant Governor, the Speaker of the House and the Chairmen of the Education Committees of the Legislature annually not later than December 1 each year.

SECTION 3. Section 37-11-5, Mississippi Code of 1972, is brought forward as follows:

37-11-5. (1) It shall be the duty of the principals and teachers in all public school buildings to instruct the pupils in the methods of fire drills and to practice fire drills until all the pupils in the school are familiar with the methods of escape. Such fire drills shall be conducted often enough to keep such pupils well drilled. It shall be the further duty of such principals and teachers to instruct the pupils in all programs of emergency management as may be designated by the State Department of Education.

(2) It shall be the further duty of such principals and teachers to develop and conduct an active shooter drill within the first sixty (60) days of each new school semester for students, teachers and staff.

SECTION 4. (1) In consultation with the School Safety Task Force, the Mississippi Department of Education shall develop policies and/or procedures to implement the

"Mississippi Behavioral Threat Assessment Management System" (MBTAMS) to ensure compliance within each local school district in the State of Mississippi.

(2) There is created within the Office of the Attorney General, the School Emergency Response Mapping Data Grant Program, for the purpose of establishing a single, verified source of mapping data for each school in the State of Mississippi that is standardized, accurate and accessible to public safety agencies and which ensures efficient responses to any emergency on a school campus. Each school district, charter school governing board and governing board of each private K-12 school, in consultation with local law enforcement agencies having appropriate jurisdiction in the county or municipality wherein the school district is located, may apply to receive funds from the program to provide school mapping data for each public, charter and private school in that county or municipality. The Attorney General may promulgate rules and regulations necessary to effectuate the provisions of this subsection.

SECTION 5. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO CREATE THE MISSISSIPPI SCHOOL SAFETY TASK FORCE, TO PROVIDE FOR THE APPOINTMENT OF MEMBERS OF THE TASK FORCE, TO PROVIDE THAT THE TASK FORCE SHALL CONTINUALLY STUDY ACTIONS THAT MAY BE TAKEN TO ENHANCE SAFE SCHOOL ENVIRONMENTS FOR STUDENTS, TEACHERS AND STAFF IN MISSISSIPPI, AND THE IMPLEMENTATION OF BEST PRACTICES FOR PREVENTION AND RESPONSE; TO REQUIRE THE TASK FORCE TO REPORT ITS FINDINGS AND ANY RECOMMENDATIONS TO THE LEGISLATURE ON AN ANNUAL BASIS; TO CREATE "THE STUDENTS SAFE AT SCHOOL ACT"; TO CREATE THE SCHOOL EMERGENCY RESPONSE MAPPING DATA GRANT PROGRAM, WITHIN THE OFFICE OF ATTORNEY GENERAL, FOR THE PURPOSE OF ESTABLISHING A SOURCE OF MAPPING DATA FOR EACH SCHOOL IN THE STATE TO ENSURE EFFICIENT RESPONSES TO ANY EMERGENCY ON A SCHOOL CAMPUS; TO REQUIRE THE TASK FORCE AND THE DEPARTMENT OF EDUCATION TO DEVELOP POLICIES AND PROCEDURES TO IMPLEMENT THE MISSISSIPPI BEHAVIORAL THREAT ASSESSMENT MANAGEMENT SYSTEM; TO BRING FORWARD SECTION 37-11-5, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1379 was adopted.

YEAS AND NAYS On H. B. No. 1379. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Sparks entered a motion to reconsider the vote whereby **H. B. No. 1035** passed the Senate as amended.

H. B. No. 1035: Justice court judges; include in the "Nonpartisan Judicial Election Act".

Senator Simmons D. T. (12th) entered a motion to reconsider the vote whereby **H. B. No. 722** passed the Senate as amended.

H. B. No. 722: Judicial districts; revise.

Senator Wiggins entered a motion to reconsider the vote whereby **H. B. No. 1265** passed the Senate as amended.

H. B. No. 1265: Pharmacists; authorize reimbursement for under certain insurance policies, plans, or contracts.

Senator Wiggins entered a motion to reconsider the vote whereby **H. B. No. 1316** passed the Senate.

H. B. No. 1316: Public purchasing; require competitive bidding for web-based application for MYCIDS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Master Gunnery Sergeant Robert Howard Verell of Pontotoc, MS.

MESSAGE FROM THE GOVERNOR
April 10, 2024

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Billye Jean Stroud, New Albany, Mississippi, State Board of Education to represent the Third Supreme Court District, remainder of a nine year term beginning upon Senate confirmation and ending June 30, 2030, vice Karen J. Morgan Elam.

Richard Cullen (Ric) Sawyer, Ocean Springs, Mississippi, Educational Television Authority (MS Public Broadcasting BD) as the Teacher or Principal of an Elementary School representative, four year term effective July 10, 2023 and ending June 30, 2027, vice David Allen.

Clinton Crawford (Clint) Rounsaville, Brookhaven, Mississippi, Board of Registration for Foresters as the representative from the Southwest Forestry Commission District, five year term effective July 1, 2023 and ending June 30, 2028.

Kristopher Daniel (Kris) Sanders, Holly Springs, Mississippi, Mississippi Hospital Equipment and Facilities Authority as the representative of the Third Supreme Court District, four year term effective July 1, 2024 and ending June 30, 2028.

David C. Newell, Jr., DVM, Meridian, Mississippi, State Board of Veterinary Medicine, five year term effective April 27, 2023 and ending April 22, 2028.

Tate Reeves
GOVERNOR

The executive nominations in the foregoing message were referred to committees as follows:

Billye Jean Stroud, State Board of Education to represent the Third Supreme Court District, remainder of a nine year term beginning upon Senate confirmation and ending June 30, 2030, Education.

Richard Cullen (Ric) Sawyer, Educational Television Authority (MS Public Broadcasting BD) as the Teacher or Principal of an Elementary School representative, four year term effective July 10, 2023 and ending June 30, 2027, Education.

Clinton Crawford (Clint) Rounsaville, Board of Registration for Foresters as the representative from the Southwest Forestry Commission District, five year term effective July 1, 2023 and ending June 30, 2028, Forestry.

Kristopher Daniel (Kris) Sanders, Mississippi Hospital Equipment and Facilities Authority as the representative of the Third Supreme Court District, four year term effective July 1, 2024 and ending June 30, 2028, Finance.

David C. Newell, Jr., DVM, State Board of Veterinary Medicine, five year term effective April 27, 2023 and ending April 22, 2028, Agriculture.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2799: Public official appointments; revise terms of office and appointment procedures on certain state boards, districts and agencies.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 292: DUI suspension; clarify how the 120 days are counted.

Representatives Horan,Burch,Owen

H. B. No. 438: Shoplifting; revise penalties for crime of.

Representatives Horan,Newman,Porter

H. B. No. 1567: Workforce development fund; bring forward code section on.

Representatives Bell (21st),Lott,McMillan

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 2681: Certified Academic Language Therapists; allow to help instruct students with dyslexia in schools.

S. B. No. 3032: Appropriation; Veterinary Examiners, Board of.

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 1279: Shrimp trawling; provide that certain waters shall be permanently closed to.

H. B. No. 1439: Riparian rights; revise what may be included in.

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2142: Designate American Quarter Horse as the "Official State Horse of the State of Mississippi."

S. B. No. 2170: Appropriation; additional to Department of Health.

S. B. No. 2792: Foster care and adoption; revise provisions related to per recommendations of task force.

S. B. No. 3006: Appropriation; IHL - General support.

S. B. No. 3007: Appropriation; IHL - Subsidiary programs.

S. B. No. 3008: Appropriation; IHL - Alcorn State - Agricultural programs.

S. B. No. 3009: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

S. B. No. 3010: Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

S. B. No. 3011: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

S. B. No. 3012: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

S. B. No. 3013: Appropriation; IHL - Student Financial Aid.

S. B. No. 3014: Appropriation; IHL - University of Mississippi Medical Center.

S. B. No. 3015: Appropriation; Community and Junior Colleges Board - Administrative expenses.

S. B. No. 3016: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

S. B. No. 3017: Appropriation; Employment Security, Department of.

S. B. No. 3018: Appropriation; Ethics Commission.

S. B. No. 3019: Appropriation; Judicial Performance Commission.

S. B. No. 3020: Appropriation; Public Safety, Department of.

S. B. No. 3021: Appropriation; Mental Health, Department of.

S. B. No. 3022: Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

S. B. No. 3023: Appropriation; Tennessee-Tombigbee Waterway Development Authority.

S. B. No. 3024: Appropriation; Architecture, Board of.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 3025: Appropriation; Funeral Services Board.

S. B. No. 3026: Appropriation; Geologists, Board of Registered Professional.

S. B. No. 3027: Appropriation; Massage Therapy, Board of.

S. B. No. 3028: Appropriation; Motor Vehicle Commission.

S. B. No. 3029: Appropriation; Counselors, Board of Examiners for Licensed Professional.

S. B. No. 3030: Appropriation; Accountancy, Board of Public.

S. B. No. 3031: Appropriation; Contractors, Board of.

S. B. No. 3033: Appropriation; Chiropractic Examiners, Board of.

S. B. No. 3034: Appropriation; Dental Examiners, Board of.

S. B. No. 3035: Appropriation; Pharmacy, Board of.

S. B. No. 3036: Appropriation; Agriculture and Commerce, Department of.

S. B. No. 3037: Appropriation; Fair and Coliseum Commission - Livestock shows.

S. B. No. 3038: Appropriation; Animal Health, Board of.

S. B. No. 3040: Appropriation; Emergency Management Agency.

S. B. No. 3041: Appropriation; Gaming Commission.

S. B. No. 3042: Appropriation; Information Technology Services, Department of.

S. B. No. 3043: Appropriation; Personnel Board.

S. B. No. 3044: Appropriation; Military Department.

S. B. No. 3045: Appropriation; Veterans Affairs Board.

S. B. No. 3046: Appropriation; Audit, Department of.

S. B. No. 3047: Appropriation; Revenue, Department of.

S. B. No. 3048: Appropriation; Secretary of State.

S. B. No. 3049: Appropriation; Tax Appeals Board.

S. B. No. 3050: Appropriation; Workers' Compensation Commission.

S. B. No. 3051: Appropriation; Treasurer's Office.

S. B. No. 3052: Appropriation; Debt Service-Gen. Obli.

S. B. No. 3053: Appropriation; Banking and Consumer Finance, Department of.

S. B. No. 3054: Appropriation; Finance and Administration, Department of.

S. B. No. 3055: Appropriation; Governor's Office and Mansion.

S. B. No. 3056: Appropriation; Development Authority, Mississippi.

S. B. No. 3057: Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.

S. B. No. 3058: Coronavirus State Fiscal Recovery Fund; FY2025 reappropriate to certain agencies.

S. B. No. 3059: Appropriations; additional for various state agencies for FY2024 and FY2025.

S. B. No. 3162: Appropriation; additional to DMH-Children & Youth PRTF, ARPA funds.

S. B. No. 3163: Appropriation; additional to DFA-Administration, ARPA funds.

S. B. No. 3164: Appropriation; additional to DFA-Bureau of Buildings, ARPA funds.

S. B. No. 3165: Appropriation; additional to MDOT-Surface Transportation Projects, ARPA funds.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2693: Failing schools and districts of transformation; revise certain provisions related thereto.

S. B. No. 2853: Mississippi Alcoholic Beverage Corporation; create.

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1485: Income tax; exclude forgiven, cancelled or discharged federal student loan debt under the Public Service Loan Forgiveness Program from the definition of "gross income". Finance.

H. B. No. 1710: Income tax; authorize a tax credit for certain employers that sponsor skills training for employees. Finance.

H. B. No. 1768: Income tax; provide a credit for taxpayers who provide paid maternity and paternity leave for employees. Finance.

H. B. No. 1939: Income tax; authorize a credit for costs incurred for development of certain property in the Capitol Complex Improvement District. Finance.

H. B. No. 1942: Income tax and insurance premium tax; authorize a credit for certain investments in qualified community development entities. Finance.

H. B. No. 1953: Tax credits; authorize for contributions by certain taxpayers to certain hospitals, bring forward various tax credit sections of law. Finance.

H. B. No. 1985: Income tax and ad valorem tax; authorize a child credit, bring forward various tax credit sections of law. Finance.

H. B. No. 1986: Tax credits; revise provisions regarding eligible charitable organizations assisting with providing health care services to low-income individuals. Finance.

H. B. No. 1987: Bonds; authorize issuance to provide funds for loans to improve certain properties in the Capitol Complex Improvement District. Finance.

H. B. No. 1988: Children's Promise Act; increase amount of tax credits that may be allocated under, bring forward various tax credit sections of law. Finance.

Senator Polk moved that the Senate adjourn until 10:00 AM, Thursday, April 11, 2024.

The motion prevailed, and at 6:04 PM, the Senate stood adjourned in memory of Master Gunnery Sergeant Robert Howard Verell.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR WEDNESDAY, APRIL 10, 2024

S. C. R. No. 546: Rules
A CONCURRENT RESOLUTION DESIGNATING APRIL 11, 2024, AS "REMAN DAY" IN MISSISSIPPI.
By Senator(s) Parks

S. R. No. 83: Rules
A RESOLUTION RECOGNIZING CHARLIE FRUGÉ OF OXFORD, MISSISSIPPI, FOR WINNING THE STUDENT NOMINATION TO THE STATE BOARD OF EDUCATION BASED ON THE COMPETITIVE PROCESS AND COMMENDING HIS ACADEMIC ACHIEVEMENTS.
By Senator(s) Boyd, Sparks, Whaley, Suber, Hopson

S. R. No. 84: Rules
A RESOLUTION REMEMBERING THE EDUCATIONAL LEGACY OF DR. LESLIE LEE DANIELS, THE FIRST AFRICAN-AMERICAN PRINCIPAL OF MCCOMB HIGH SCHOOL, AND THE FIRST AFRICAN-AMERICAN SUPERINTENDENT OF THE MCCOMB AND GREENWOOD SCHOOL DISTRICTS AND COMMEND HIS CONTRIBUTIONS TO PUBLIC EDUCATION.
By Senator(s) Brumfield, Turner-Ford, Butler, Barnett, Norwood, Simmons (12th), Thomas, Simmons (13th), Jackson, Hickman, Frazier

S. R. No. 85: Rules
A RESOLUTION MOURNING THE PASSING AND COMMENDING THE EFFECTIVE PUBLIC SERVICE OF FORMER MOUND BAYOU MAYOR EARL S. LUCAS AND EXTENDING CONDOLENCES TO HIS SURVIVING FAMILY.
By Senator(s) Simmons (13th), Simmons (12th), Norwood, Frazier

---

ONE-HUNDRED AND FIRST DAY, THURSDAY, APRIL 11, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Reverend Barry Earl Thompson, Springhill Missionary Baptist Church, Port Gibson, MS.

Senator Butler led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2125: AN ACT TO AMEND SECTION 83-62-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE AND SCHOOL EMPLOYEES HEALTH INSURANCE MANAGEMENT BOARD SHALL ALLOW STATE EMPLOYEES TO PARTICIPATE IN A HEALTH SAVINGS ACCOUNT PROGRAM, PROVIDED THAT THE EMPLOYEE PAYS THE FULL COST OF SUCH PROGRAM AND CONSENTS TO A PAYROLL DEDUCTION; TO BRING FORWARD SECTIONS 83-62-3 AND 25-15-5, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

S. B. No. 2543: AN ACT TO AMEND SECTION 75-67-181, MISSISSIPPI CODE OF 1972, TO CREATE A CAP ADJUSTMENT UTILIZING THE UNITED STATES BUREAU OF LABOR STATISTICS CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS

S. B. No. 2645: AN ACT TO AMEND SECTION 65-1-85, MISSISSIPPI CODE OF 1972, TO UPDATE CERTAIN PUBLICATION AND BID AWARD REQUIREMENTS; TO REVISE THE REQUIREMENTS FOR DESIGN-BUILD PROJECTS OF THE MISSISSIPPI TRANSPORTATION COMMISSION; TO ALLOW THE MISSISSIPPI TRANSPORTATION COMMISSION TO UTILIZE FEDERALLY APPROVED ALTERNATIVE CONTRACTING METHODS; AND FOR RELATED PURPOSES.

David Jordan, Chairman

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2283: Public Service Commission; extend date of repeal on.
Senators Carter, Williams, Harkins.

Senator Hopson called up the following entitled bill:

H. B. No. 1824: Appropriation; Educational Television, Authority for.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Authority for Educational Television for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 4,567,542.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Authority for Educational Television which is comprised of special source funds collected by or otherwise available to the Authority, for the purpose of defraying the expenses of the Authority for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 6,355,627.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 and Section 2, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 79

Time-Limited: 7

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed

by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. Funds appropriated herein shall first be used for the continuation of a full and complete broadcast schedule of educational and instructional, professional growth, and public service programs, with the production of new films and programs to be secondary thereto.

SECTION 5. It is the intention of the Legislature that the Mississippi Authority for Educational Television shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. Of the funds appropriated under the provisions of Section 2, Two Million One Hundred Eighteen Thousand Nine Hundred Sixty-six Dollars ($2,118,966.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 7. No part of the funds appropriated herein shall be transferred to, expended by, or used, directly or indirectly, for the benefit of any public relations, publicity or publication activities of any other state agency, department or officer, nor shall any personnel paid or equipment purchased with funds appropriated hereby be transferred or assigned to any other state agency, department or officer for public relations, publicity or publication activities of such office.

SECTION 8. It is the intention of the Legislature that the Mississippi Authority for Educational Television shall have the authority to expend funds in the Capital Equipment Replacement Revolving Fund, in accordance with Section 37-63-17, Mississippi Code of 1972, for the purpose of purchasing technical equipment for operating the educational radio and television facilities.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Content Operations	
Number of Locally Produced TV Programs	100
Number of Locally Produced Radio Programs	1,092
Number of Monthly Average Number of Web Site Users	25,000
Number of New Programs Produced and Broadcast Related to Fit to Eat Programming	8
Percent Increase in Visitors Viewing the Healthy Living Related Items on MPB	

Site	0.00
Percent of Radio Broadcasts and TV Alerts During Times of Emergency	100.00
Education Services	
Percent Increase in Users Using MPB Education Online Resources for Pre-K Children and Families	20.00
Number of Students Served by the Digital Education Network (DEN) Classroom	2,000
Number of School Districts Participating in the DEN Classroom	30
Number of Teachers Taking e-Learning Courses	1,800
Number of Teacher Continuing Education Units (CEUs) Provided by e-Learning Courses Offered	1,950
Percent Increase of Visitors to the MPB Education Website	10.00
Number of Rotary Clubs Sponsoring with MPB	0.00
Number of Early Childhood Educators Attending MPB Resource Workshops Involving PBS and MPB Programs/Content	200
Number of Childcare Centers Using PBS Content	0.00
Number of Parents Participating in Parents Are Teachers Too (PATT) Initiative	300
Technical Services	
Number of Transmitters On Air	8
On-Air Reliability	99.95
Number of IT Help Desk Orders Filled	600
Administration	
Number of Community Engagements/Outreach Events Including Virtual Engagements	350
Number of State Agency Partners	40
New Grant Dollars Acquired	150,000.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that an amount equal to One Dollar and Fifty Cents ($1.50) per square foot shall be paid to the Executive Office of the State Board of Institutions of Higher Learning to defray utility costs.

SECTION 12. It is the intention of the Legislature that the Authority for Educational Television may fund a program to focus on the manufacturing industry in Mississippi.

SECTION 13. Mississippi Authority for Educational Television is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed Two Million Dollars ($2,000,000.00).

SECTION 14. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise

appropriated, for the Educational Television Authority for the purpose of reauthorizing the expenditure of Education Enhancement Funds as authorized in House Bill No. 1614, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 . $ 4,019,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

a) Tower maintenance and upgrades ..... $ 3,060,000.00.

b) Digitalization of Educational Content and Mississippi History .. $ 668,000.00.

c) Production of a Medgar Evers documentary

$ 291,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 15. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Educational Television Authority for the purpose of reauthorizing the expenditure of Capital Expense Funds as authorized in House Bill No. 1614, 2023 Regular Session provide for tower maintenance and upgrades for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 260,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balances as of June 30, 2024. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1824 was adopted.

YEAS AND NAYS On H. B. No. 1824. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Chism, Hill. Total--2.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1825: Appropriation; Library Commission.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Library Commission and for carrying out the provisions of Section 39-3-107, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025

$ 10,992,225.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Library Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 4,805,256.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 46

Time-Limited: 1

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. Funds to be distributed to eligible public library systems under the Personnel Incentive Grants Program shall be paid quarterly in advance on or before September 30, December 31, March 31 and June 30.

SECTION 5. It is the intention of the Legislature that the Mississippi Library Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. Of the funds appropriated under the provisions of Section 2, Four Hundred Ninety-three Thousand Eight Hundred Forty-seven Dollars ($493,847.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Administrative Services	
Number of Help Desk Tickets Resolved	1,150
Library Services	
Number of Continuing Education Workshops Held per Year	30
Percent Increase of Citizens Informed by Acquiring Needed Information Through Mississippi Libraries	1.00
Number of Library Visits by Commission Staff	175
Number of Patrons Utilizing Braille, Audio, Etc	4,000
Number of Children Participating in Statewide Summer Library Prg	120,000
Number of Items Borrowed and Loaned on the Interlibrary Loan System	10,000
Number of Items Available for Use Statewide on the Interlibrary Loan System	5,000,000
Number of Searches on MAGNOLIA	35,000,000
Number of Items Available for Use at MLC (Primary Resource Library)	100,000

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 8. It is the intention of the Legislature that no less than One Million Three Hundred Fifty Thousand Dollars ($1,350,000.00) shall be expended for the Magnolia Database.

SECTION 9. Of the funds appropriated in Section 2, Three Hundred Fifty Thousand Dollars ($350,000.00) or so much thereof as may be necessary, is derived from the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for MAGNOLIA.

SECTION 10. Of the funds appropriated herein, Four Million Five Hundred Eighty-four Thousand Three Hundred Eighty-nine Dollars ($4,584,389.00) is provided for the cost of health insurance for all full-time library staff members in each public library in Mississippi.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL YEAR 2026.

Committee Amendment No. 1 to H. B. No. 1825 was adopted.

YEAS AND NAYS On H. B. No. 1825. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Chism, Hill. Total--2.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1812: Appropriation; Attorney General.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of the Attorney General for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 29,813,767.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in any special fund in the State Treasury to the credit of the Office of the Attorney General which is comprised of special source funds collected by or otherwise available to the office, for the purpose of defraying the expenses of the office for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 9,470,818.00.

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

AUTHORIZED HEADCOUNT:

Permanent: Full Time 88

Time-Limited: Full Time 204

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. It is the intention of the Legislature that the Office of the Attorney General shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail

comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

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

Performance Measures	FY2025 Target
Supportive Services	
Cost of Support Services as Percent of Budget, 2011-2012 Baseline: 5.10%	6.00
Training	
Ratings of Continuing Legal Education Training Presentation by Participants	95
Ratings of CRIMES System Training Presentation by Participants	0
Litigation	
Minimum Affirmations of Criminal Convictions 2011-2012 Baseline: 90.00%	95.00
Minimum Affirmations of Death Penalty Appeals 2011-2012 Baseline: 83.33%	85.00
Minimum Denial of Relief in Federal Habeas Corpus 2011-2012 Baseline: 86.96%	97.00
Minimum Pos Results of Civil Cases 2011-2012 Baseline: 96.00%	96.00
Percent Change of Affirmations of Criminal Convictions Attained	0.00
Percent Change of Death Penalty Review Cases Affirmed	0.00
Percent of Change of Appeals for Relief in Federal Habeas Corpus Cases Denied	0.00
Percent Change of Positive Results from Civil Cases	0.00
Opinions	
Percent Assigned to Attorneys in 3 Days or Less, 2011-2012 Baseline: 100.00%	100.00
Percent of Opinions Completed in 30 Days or Less, 2011-2012 Baseline: 76.00%	75.00
Percent Change of Opinion Requests Assigned to Attorneys within 3 Days or Less	0.00
Percent Change of Opinion Requests Completed within 30 Days or Less	5.00
State Agency Contracts	
Percent of Good and Excellent Ratings for Legal Services, 2011-2012 Baseline: 94.00%	100.00
Percent Change of Good/Excellent Ratings for Legal Services	0.00
Insurance Integrity Enforcement	
Minimum Positive Results of Workers' Compensation Cases 2011-2012 Baseline: 90.00%	99.00
Minimum Positive Results of Insurance Cases 2011-2012 Baseline: 90.00%	99.00
Percent Change of Positive Results of Workers' Compensation Insurance Fraud	5.00
Percent Change of Positive Results of	

Other Insurance Cases	0.00
Other Mandated Programs	
Medicaid Fraud Convictions vs Dispositions 2011-2012 Baseline: 100.00%	100.00
Medicaid Abuse Convictions vs Dispositions 2011-2012 Baseline: 95.00%	95.00
Minimum Defendants Convicted after Indictments (PID) 2011-2012 Baseline: 96.00%	90.00
Response to Consumer Complaints (Days) 2011-2012 Baseline: 3.14%	5.00
Average Number of Days to Respond to Consumer Complaints	5
Percent Change of Medicaid Fraud Convictions vs Dispositions	0.00
Percent Change of Medicaid Abuse Convictions vs Dispositions	0.00
Percent Change of Defendants Convicted After Indictment	0.00
Crime Victims Compensation	
Percent of Claims Processed in 12 Weeks or Less, 2011-2012 Baseline: 67.97%	75.00
Percent Change of Claims Processed Timely	0.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

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

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

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

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

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

It is the intention of the Legislature that the Attorney General’s Office shall prepare and submit a quarterly report to the Chairmen of the Appropriation Committees

of the Senate and House of Representatives that details the expenditures made for programs supported from General Fund court assessments allocated in this section. This report shall be submitted no later than the 15th day of the month succeeding the end of each calendar quarter.

SECTION 10. Of the funds appropriated in Section 2, Two Million Five Hundred Thousand Dollars ($2,500,000.00), or so much thereof, is provided for the purpose of providing funds to the Victims of Human Trafficking and Commercial Sexual Exploitation Fund.

SECTION 11. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Attorney General's Office to administer the Mississippi Telephone Solicitation Act, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 240,627.00.

SECTION 12. Of the funds appropriated under the provisions of Section 11 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	Full Time.....	3
Time-Limited:	Full Time.....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 13. No part of the money herein appropriated shall be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received; however, when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 14. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Office of the Attorney General that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. Of the funds appropriated in this act, funds are provided to defray the expenses of litigation defending the constitutionality of Mississippi statutes.

SECTION 17. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 18. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1812 was adopted.

YEAS AND NAYS On H. B. No. 1812. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1814: Appropriation; Capital Post-Conviction Counsel, Office of.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of Capital Post-Conviction Counsel, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
...$ 2,017,733.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Office of Capital Post-Conviction Counsel, for the purpose of defraying the expenses of the Office of Capital Post-Conviction Counsel of the State of Mississippi for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 0.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:
AUTHORIZED HEADCOUNT:
ermanent: 9
Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

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

SECTION 4. It is the intention of the Legislature that the Office of Capital Post-Conviction Counsel shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1814 was adopted.

YEAS AND NAYS On H. B. No. 1814. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Branning. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1815: Appropriation; District attorneys and staff.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying salaries and travel expenses of district attorneys, assistant district attorneys, criminal investigators, tort claims assessments, and paying office expenses of district attorneys for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 30,871,543.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Prosecutor Compensation Fund, referred to in Section 99-19-73, Mississippi Code of 1972, for the purpose of paying salaries of assistant district attorneys of the state as authorized in Section 25-31-5(1) for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 486,932.00.

SECTION 3. None of the funds authorized in this section shall be used to reimburse district attorneys or their staff for taxable meals incurred within their geographical district.

SECTION 4. Of the funds appropriated herein, office expenses of district attorneys as authorized by Section 25-31-8, Mississippi Code of 1972, in the amount of One Million Six Hundred Sixty-six Thousand Dollars ($1,666,000.00).

SECTION 5. It is the intention of the Legislature that the district attorneys and assistant district attorneys of the state shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated in this act and that those records shall be in the same format and level of details as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the budget requests for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process for each agency and institution appropriated funds within the provisions of this act.

SECTION 6. Of the funds provided in Section 1 of this act, Three Hundred Seventy-one Thousand Six Hundred Seventy-nine Dollars ($371,679.00), or so much thereof as may be necessary, is provided for two (2) full-time assistant district attorneys and (1) full-time criminal investigator pursuant to House Bill 1020, 2023 Regular Session, and engrossed in Section 25-31-37, Mississippi Code of 1972.

SECTION 7. It is the intention of the Legislature that with the funds provided herein, the district attorneys shall submit their Five-Year Strategic Plan(s) as required in Section 27-103-129(1), Mississippi Code of 1972.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal

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

SECTION 9. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING SALARIES AND TRAVEL EXPENSES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS OF THE STATE AND PAYING OFFICE EXPENSES OF DISTRICT ATTORNEYS FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1815 was adopted.

YEAS AND NAYS On H. B. No. 1815. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Branning. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1819: Appropriation; State Public Defender, Office of.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of State Public Defender of the State of Mississippi for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 4,114,989.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 25

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

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

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

.....FY2025

Performance Measures Target

Capital Defense

.....Percent of Trial Cases Opened Less Than

One Year..... 75.00

..... Percent Change in Running Average of

Reversals Due to Ineffective Assistance

of Counsel 0.10

.....Average of Reversals Due to Ineffective

Assistance of Counsel..... 8

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 4. Of the funds provided in Section 1 of this act, Four Hundred Forty-six Thousand Five Hundred Twenty-one Dollars ($446,521.00), or so much thereof as may be necessary, is provided for three (3) full-time assistant public defenders pursuant to House Bill 1020, 2023 Regular Session, and engrossed in Section 25-32-4, Mississippi Code of 1972.

SECTION 5. It is the intention of the Legislature that the Office of State Public Defender shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. Of the funds provided in Section 1, Two Hundred Seventy-eight Thousand Five Hundred Dollars ($278,500.00) shall be provided for the Indigent Parental Representation for the purpose of contracting with trained and certified attorneys to represent indigent parents or guardians in abuse, neglect or termination of parental rights proceedings as provided under Sections 43-21-201 and 99-18-13, Mississippi Code of 1972.

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

SECTION 10. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF STATE PUBLIC DEFENDER OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1819 was adopted.

YEAS AND NAYS On H. B. No. 1819. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Branning. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1820: Appropriation; Supreme Court, Court of Appeals and trial judges services.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi State Supreme Court for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 7,415,985.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Mississippi State Supreme Court which is comprised of special source funds collected by or otherwise available to the Mississippi State Supreme Court, for the purpose of defraying the expenses of the Mississippi State Supreme Court for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 964,021.00.

SECTION 3. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of the Mississippi State Supreme Court, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 70

Time-Limited: 0

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated to the Mississippi State Supreme Court for the purpose of defraying the expenses of special judges, chancellors and circuit judges for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 32,363,429.00.

SECTION 5. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the trial judges, for the purpose of defraying the expenses of special judges, chancellors and circuit judges for the fiscal year beginning July 1, 2024, and ending June 30, 2025. $ 4,192,368.00.

SECTION 6. Of the funds appropriated under Sections 4 and 5 of this act for the purpose of defraying the expenses of special judges, chancellors and circuit judges, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 109
Time-Limited: 0

SECTION 7. Of the funds appropriated under Sections 4 and 5 of this act, Ten Million Nine Hundred Thousand Dollars ($10,900,000.00) is provided for the purpose of employing support staff in an amount not to exceed One Hundred Thousand Dollars ($100,000.00) per fiscal year per judge.

SECTION 8. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for the purpose of funding the Administrative Office of Courts for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 16,852,868.00.

SECTION 9. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Administrative Office of Courts for the purpose of defraying the expenses of the Administrative Office of Courts and the Board of Certified Court Reporters for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 27,461,955.00.

SECTION 10. Of the funds appropriated under the provisions of this act for the purpose of funding the Administrative Office of Courts, the following positions are authorized:

AUTHORIZED HEADCOUNT:
Permanent: 48
Time-Limited: 0

SECTION 11. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the Continuing Legal Education Fund, a special fund hereby created in the State Treasury, for the purpose of defraying the expenses of providing continuing legal education programs to lawyers in Mississippi, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 159,397.00.

SECTION 12. It is the intention of the Legislature that interest earned from any investment or deposit to the Continuing Legal Education Fund made pursuant to Section 27-105-33, Mississippi Code of 1972, shall be credited by the State Treasurer to the Continuing Legal Education Fund and shall not be paid into the General Fund of Mississippi.

SECTION 13. Of the funds appropriated under the provisions of this act for the purpose of providing continuing legal education programs, the following positions are authorized:

AUTHORIZED HEADCOUNT:
Permanent: 2
Time-Limited: 0

SECTION 14. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated to the Mississippi State Supreme Court for the purpose of defraying the expenses of the Court of Appeals for the fiscal year beginning July 1, 2024, and ending June 30, 2025.. $ 5,237,619.00.

SECTION 15. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi State Supreme Court, for the purpose of defraying the expenses of the Court of Appeals for the fiscal year beginning July 1, 2024, and ending June 30, 2025.. $ 1,615,045.00.

SECTION 16. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of the Court of Appeals, the following positions are authorized:

AUTHORIZED HEADCOUNT:
Permanent: 58
Time-Limited: 0

SECTION 17. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Board of Bar Admissions, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 359,694.00.

SECTION 18. It is the intention of the Legislature that interest earned from any investment or deposit to the Board of Bar Admissions Fund made pursuant to Section 27-105-33, Mississippi Code of 1972, shall be credited by the State Treasurer to the Board of Bar Admissions Fund and shall not be paid into the General Fund of Mississippi.

SECTION 19. Of the funds appropriated under the provisions of this act for the purpose of funding the Board of Bar Admissions, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 3

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

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

SECTION 20. No part of the funds herein appropriated shall be used in the payment of attorney's fees, nor shall any of such funds be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; however, when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 21. It is the intent of the Legislature that the Mississippi State Supreme Court shall charge the maximum amount allowable by law for services rendered where charges for such services are provided for by statute, and for any other services rendered, shall charge an amount consistent with the cost of providing such services. The funds derived from these charges shall be deposited into a special fund account in the State Treasury to the credit of the Office of the Mississippi State Supreme Court.

SECTION 22. It is the intent of the Legislature that no part of the funds herein appropriated shall be required to be used for the payment of rent for the public space in the Law Library.

SECTION 23. In accordance with Section 9-21-13, Mississippi Code of 1972, the Director of the Administrative Office of Courts is authorized to direct expenditures of state monies appropriated to the Administrative Office of Courts or any courts of the state for any and all functions or projects directly or indirectly affecting the operation of any court and may transfer monies appropriated for the office or any account to any one or more other accounts or office. The Director of the Administrative Office of Courts shall notify, in writing, the Lieutenant Governor, the Speaker of the House of Representatives, the Chairman of the Senate Appropriations Committee, the Chairman of the House Appropriations A Committee, and the Legislative Budget Office of any transfer. The written notification shall include the justification for the transfer of funds, an explanation of need, the amount, and where the funds will be used. This written notification shall be sent on or before the fifteenth day of the month prior to the effective date of the transfer.

SECTION 24. Of the funds provided in Section 8, Three Hundred Eighty-nine Thousand Six Hundred Sixty-five Dollars ($389,665.00) or so much thereof as may be necessary, is provided for the Capitol Complex Improvement District inferior court judge and the support staff pursuant to House Bill 1020, 2023 Regular Session, and engrossed in Section 9-12-1, Mississippi Code of 1972. These employees shall be utilized for the Capitol Complex Improvement District established in Section 29-5-203, Mississippi Code of 1972.

SECTION 25. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality

and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 26. Of the funds appropriated under the provisions of this act, an amount not to exceed Two Million Four Hundred Sixty Thousand Five Hundred Dollars ($2,460,500.00) may be provided for the Comprehensive Electronic Court Systems Fund administered by the Administrative Office of Courts.

SECTION 27. It is the intention of the Legislature that the Mississippi State Supreme Court shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 28. Of the funds appropriated under the provisions of this act, Two Million Five Hundred Thousand Dollars ($2,500,000.00) shall be provided for the Youth Court Support Fund administered by the Administrative Office of Courts.

SECTION 29. Of the funds appropriated in Section 8, Nine Million Dollars ($9,000,000.00) is provided to defray the costs of the Drug Court Program.

SECTION 30. It is the intention of the Legislature that in the event there are not sufficient funds in the Judicial System Operation Fund created under Section 9-21-45, Mississippi Code of 1972, in any given year with which to pay the annual salary supplements set forth in Section 25-3-35, Mississippi Code of 1972, then the county treasury shall not be obligated to fund such salary supplements and the salary of county court judges shall be that in place prior to the passage of Section 9-9-11, Mississippi Code of 1972.

SECTION 31. Of the funds appropriated in Section 8, it is the intention of the Legislature that an amount of Six Million Seven Hundred Thousand Dollars ($6,700,000.00) may be allocated for the programs supported from General Fund court assessments as follows:

Drug Courts ..... $ 6,500,000.00
Civil Legal Assistance ..... $ 200,000.00

SECTION 32. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Supreme Court – Administrative Office of Courts, for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1640, 2023 Regular Session, for programmers, trainers and operations for the Mississippi Electronic Courts (MEC) System to meet the mandate to bring all the courts into the MEC System for the Supreme Court – Administrative Office of Courts for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 362,686.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 33. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Supreme Court – Administrative Office of Courts, for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1640, 2023 Regular Session, for IT equipment and Youth Court computers for the Supreme Court – Administrative Office of Courts for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 310,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 34. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Supreme Court – Administrative Office of Courts, for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1640, 2023 Regular Session, for temporary Intake Officers for the Supreme Court – Administrative Office of Courts for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 500,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 35. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 36. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2025; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1820 was adopted.

YEAS AND NAYS On H. B. No. 1820. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Branning. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1800: Appropriation; Medicaid, Division of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Governor's Office - Division of Medicaid for the purpose of providing medical assistance under the Mississippi Medicaid Law and defraying the expenses of the administration of such law, as provided in Section 43-13-101 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 846,481,498.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Medical Care Fund created by Section 43-13-143, Mississippi Code of 1972, for the purpose of providing medical assistance under the Mississippi Medicaid Law for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 409,536,067.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Governor's Office - Division of Medicaid which is comprised of special source funds collected by or otherwise available to the Division, for the purpose of providing medical assistance under the Mississippi Medicaid Law and defraying the expenses of the administration of such law, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 6,284,774,420.00.

Prior period recovery of funds may be maintained and expended by the division when the recovery is received or finalized. Any recoveries due to audits or third party recoveries may be used to offset the cost of such audits and third party recoveries and as such, the division may escalate Contractual Services as needed for these purposes.

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Health Care Expendable Fund, for the purpose of defraying the expenses of the Governor's Office - Division of Medicaid for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 63,230,003.00.

The above funds shall be allocated as follows:

CHIP Program at up to 209% level of poverty ..... $ 9,000,000.00.

Medical Program Matching Funds ..... $ 54,230,003.00.

It is the intention of the Legislature that funds may be shifted among the above allocated line items where needed at the discretion of the Executive Director of Governor's Office - Division of Medicaid.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 865

Time-Limited: 82

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for

new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 6. It is the intention of the Legislature that the Governor's Office - Division of Medicaid shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process with the Children's Health Insurance Program (CHIP) being separated from the Medical Services Program and submitted as a separate program. All Medicaid 1915 (C) Home and Community Based Services Waivers shall be presented as a budget program separate from the Medical Services Program. In addition, the performance measures reported for the Medical Services Program shall include an unduplicated case count of individuals served by eligibility status, and the number and the costs of emergency room visits.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Administrative Services	
Admin as a Percent of Total Budget	3.37
Third Party Liability Cost Avoided ($Thou)	1,585,036.00
Percent of Clean Claims Processed within 30 Days of Receipt	99.50
Percent of Clean Claims Processed within 90 Days of Receipt	100.00
Percent of Applications Processed within Std. of Promptness - Medicaid	90.00
Third Party Funds Recovered	7,686,779.00
Number of Providers Submitting Electronic Claims	29,000
Turnover Rate of Employees (%)	15.00
Medical Services	
Costs of Emergency Room Visits	173,254,711.00

Number of Emergency Room Visits	422,358
Medicaid Recipients - Enrolled (Persons)	776,139
Child Physical Exams (Ages 0-20)	320,851
Adult Physical Exams (21-Older)	10,700
Number of Fraud & Abuse Cases Investigated	325
Number of Medicaid Providers	40,000
Number of Medicaid Beneficiaries Assigned to a Managed Care Company	420,000
Percent of MSCAN Diabetic Members Aged 17-75 Receiving HBA1c Test	89.58
Percent of MSCAN Members with Persistent Asthma are Appropriately Prescribed Medication	71.08
Rate of EPSDT Well Child Screening (%)	75.00
Percent Change in Number of Recipients Enrolled From Last Year	-10.00
Percent Change in Number of Providers From Last Year	-12.22
Children's Health Insur Prg (chip)	
Number of CHIP Enrollees	43,000
Percent of CHIP Applications Processed within Std. of Promptness	90.00
Home & Comm-based Waiver Prg	
Elderly & Disabled - Persons Served	22,200
Elderly & Disabled - Funded Slots	22,200
Elderly & Disabled - Total Authorized Slots	22,200
Assisted Living - Persons Served	1,200
Assisted Living - Funded Slots	1,200
Assisted Living - Total Authorized Slots	1,200
Independent Living - Persons Served	5,800
Independent Living - Funded Slots	5,800
Independent Living - Total Authorized Slots	5,800
Traumatic Brain Injury - Persons Served	1,200
Traumatic Brain Injury - Funded Slots	1,200
Traumatic Brain Injury - Total Authorized Slots	1,200
Intellectual Disability - Persons Served	4,150
Intellectual Disability - Funded Slots	4,150
Intellectual Disability - Total Authorized Slots	4,150
Percent Change in Persons On Waiting List (E&D)	10.00
Percent Change in Persons On Waiting List (AL)	10.00
Percent Change in Persons On Waiting List (IL)	10.00
Percent Change in Persons On Waiting List (TBI)	10.00
Percent Change in Persons On Waiting List (IDD)	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. The Governor's Office - Division of Medicaid shall provide statistical and financial reports on a monthly basis to the Legislative Budget Office and the PEER Committee. These reports shall include, but are not limited to, an accounting of all funds spent in the medical program, the CHIP program, the Dialysis Transportation program, and each of the Home and Community Based Waiver programs, and an accounting of all funds spent in the administrative program, participant statistics and any other information requested by the Legislative Budget Office and the PEER Committee.

The Governor's Office - Division of Medicaid shall perform its cash flow projections on a predetermined monthly schedule and make this and any other information requested available, upon request, to the Chair of the Senate Public Health and Welfare Committee, the House Public Health and Human Services Committee, the House and Senate Medicaid Committees, the House and Senate Appropriations Committees, the Legislative Budget Office and the PEER Committee. A summary of this cash flow projection shall also be presented in the report referenced in the above paragraph.

SECTION 10. Of the funds appropriated under the provisions of this act in an amount not to exceed, Two Million Seven Hundred Fifty Thousand Dollars ($2,750,000.00) is provided for the purpose of funding a temporary program to provide nonemergency transportation to locations for necessary dialysis services for end-stage renal disease patients who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, whose income did not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and whose eligibility was covered under the former category of eligibility known as Poverty Level Aged and Disabled (PLADS).

SECTION 11. It is the intention of the Legislature that the funds appropriated in this act to the Governor's Office - Division of Medicaid for the Mississippi Coordinated Access Network (MS-CAN) program be used in the most efficient and effective manner possible to achieve the intended mission of the division. The division and the coordinated care organizations with which the division has contracted to conduct the MS-CAN program shall establish baselines for the health-related outcome measurement for each of the following health focus areas for presentation at the Joint Legislative Budget Committee hearings for Fiscal Year 2025, which will be used as the baseline levels for establishing targets for improvements in quality of care performance measures for the MS-CAN program in Fiscal Year 2025 and later fiscal years:

a. Comprehensive Diabetes Care (CDC) or successive measure.

b. Medication Management for People with Asthma (MMA) or successive measure.

c. Annual Monitoring for Patients on Persistent Medications (MPM) or successive measure.

d. Adult BMI Assessment (ABA) and Weight Assessment and Counseling for Nutrition and Physical Activity for Children/Adolescents (WCC) or successive measure.

In addition, for comparison purposes, these same baselines for the health-related outcome measurements shall be established for similar Medicaid recipients who are not enrolled in the MS-CAN program.

SECTION 12. It is the intention of the Legislature that the Governor's Office - Division of Medicaid and the Department of Human Services shall continue to work together to implement Section 43-12-1, Mississippi Code of 1972, known as the "Medicaid and Human Services Transparency and Fraud Prevention Act".

SECTION 13. Of the funds appropriated in Sections 1, 2, and 3 of this act, it is the intention of the Legislature that continued funding at or above the Fiscal Year 2024 appropriated amount shall be provided for Forty-one Hundred (4,100) slots for the Department of Rehabilitation Services Home and Community Based Waiver programs, and for Two Thousand Nine Hundred Fifty (2,950) slots for the Department of Mental Health for the Home and Community Based waiver program for Independent Living and the IDD Waiver program.

SECTION 14. The Governor's Office - Division of Medicaid is authorized to expend funds appropriated herein as necessary to provide currently existing home and community based services through any CMS approved state plan or home and

community based services waiver to individuals who qualify for those services to avoid institutionalization or to transition an individual from an institution to any home and community based setting. Provision of such services shall not count against any limit imposed under this act. It is the intention of the Legislature that the cost of providing home and community based services shall not exceed the cost of nursing facility services, as determined by the Division.

SECTION 15. Of the funds appropriated herein, no more than Five Hundred Three Thousand Five Hundred Twenty-two Dollars ($503,522.00) may be used to pay invoices to certain vendors for expenses incurred in FY 2020 and 2022.

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1800 was adopted.

YEAS AND NAYS On H. B. No. 1800. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1797: Appropriation; Human Services, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Human Services for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 75,956,688.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Human Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various divisions of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 1,738,701,848.00.

SECTION 3. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Department of Human Services that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 4. With the funds appropriated in this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	Full Time	1,296
Time-Limited:	Full Time	455

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 5. It is the intention of the Legislature that the Department of Human Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail

comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. Of the funds appropriated in Section 2 herein to the Department of Human Services, One Million Dollars ($1,000,000.00) shall be transferred to the Department of Health, Child Care Licensure Program from the Child Care Development Fund or other appropriate special fund. These funds are to be transferred to the Board of Health no later than July 31, 2024. The Department of Health shall make a complete accounting to the Department of Human Services detailing the uses of these funds in accordance with federal and state regulations.

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

SECTION 8. The Department of Human Services is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 9. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 10. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Support Services	
Percent of Referred/Directed Investigative Audits Conducted	100.00
Percent of Special Investigations Conducted	95.00
Percent of Referred/Obtained Fraud Investigations Conducted Timely	100.00
Percent of Referred Administrative Disqualification Hearings & Fair Hearings Conducted Timely	99.00
Percent of Monitoring Reviews Conducted within Acceptable Timeframes	98.00
Total Amount of Funds Recovered	3,500,000.00
Aging & Adult Services	
In-Home Services - Age 60 + (Persons Served)	32,680
Community Services - Age 60 + (Persons Served)	193,617
Number of Congregate Meals	468,272
Number of Home Delivered Meals	2,700,000
Substantiated Incidences of Abuse of Vulnerable Adults per 1,000 Population	0.17
Home Delivered Meals, Percent Reduction of Persons on Waiting list	5.00
Child Support Enforcement	
Number of Paternities Established	15,500
Percent Change in Paternities Established	3.30
Number of Obligations Established	16,000

Percent Change in Obligations Established	12.50
Total Collections ($)	378,000,000.00
Percent Change in Total Collections	-2.50
Number of Absent Parents Located	68,000
Percent of Child Support Cases Current on Payments	-2.53
Community Services	
Number of Elderly Served by CSBG & LIHEAP	20,352
Number of Disabled Served CSBG/LIHEAP	26,762
Number of Households Achieving Self-Sufficiency CSBG/LIHEAP	0
Percent Increase in Rate of Households Attaining Self-Sufficiency	0.00
Number of Households Stabilized CSBG/LIHEAP	0
Percent Increase in the Number of Households Stabilized	0.00
Number of Households Weatherized	516
Early Childhood Care & Dev	
Number of Children Served	30,138
Assistance Payments	
Dollar Amount of Assistance	6,240,877.00
Food Assistance	
Number of Average Monthly Households	225,000
Supplement Nutrition Assistance Program - SNAP ($)	716,413,100.00
Percent of Mississippi Households Receiving SNAP Benefits	22.51
Tanf Work Program	
Number of Average Monthly TANF Households	8,864
Number of Average Monthly Persons Served in TANF Work Program	1,107
TANF Work Program Participation Rate (%)	60.00
Number of Persons Employed Through the TANF Work Program for the Year	832
Number of Households Receiving TANF Benefits During the Year	9,969
Percent of Households Receiving TANF During the Year	49.00
Percent of TANF Participants in Job Trng Who Enter Employment	30.00
Percent of TANF Participants in Job Training Who Enter Employment at A Salary Sufficient to Be Ineligible for TANF	19.00
Percent of TANF Participants in Job Training Who Remain Employed For: One Year After Leaving the Program	75.00
Percent of TANF Participants in Job Training Who Remain Employed For: Five Years After Leaving the Program	65.00
Social Services Block Grant	
Number of Clients Served, Division of Family & Children's Services	75,611
Number of Clients Served, Aging & Adult Services	21,178
Number of Clients Served, Youth Services	12,880
Youth Services	
Community Services (Children Served)	15,000
Institutional Component (Children Served)	300

Number of Volunteers - Community Services/Institution	0
Number of Children Placed in Alternative Placement	0
Percent of Children Diverted from Institutional Care	95.00
Recidivism Rate (%)	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 11. It is the intent of the Legislature that the Department of Human Services, Division of Child Support Enforcement, make a concentrated effort to increase collections of past due child support payments. On or before January 1, 2025, the Executive Director of the Department of Human Services shall submit a report to the Legislative Budget Office detailing year-to-date performance measures in the Child Support Enforcement Program compared with the prior year.

SECTION 12. It is the intention of the Legislature that the Department of Human Services shall have the authority to spend such additional funds as it shall receive from the federal government in incentives or the federal match on those incentives for the purpose of child support enforcement.

SECTION 13. Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars ($250,000.00) shall be transferred to the Juvenile Facility Monitoring Unit at the Department of Public Safety no later than July 31, 2024.

SECTION 14. Of the funds appropriated herein, to the Department of Human Services One Million Dollars ($1,000,000.00), is provided for the support of the Home Delivered Meals Program and any additional funds that may be appropriated to this program.

SECTION 15. Of the funds provided in Section 1, herein to the Department of Human Services, an amount not to exceed One Hundred Thousand Dollars ($100,000.00) is provided to fund the Senior Olympics Program.

SECTION 16. It is the intention of the Legislature that the Governor’s Office, Division of Medicaid and the Department of Human Services shall continue to work together to implement Section 43-12-1, Mississippi Code of 1972, known as the "Medicaid and Human Services Transparency and Fraud Prevention Act".

SECTION 17. As a condition of receiving and expending any funds appropriated under this act, the Department of Human Services:

(a) Shall use a competitive procurement process for entering into all TANF subgrant agreements with non-state entities when the federal government does not direct to whom the funds must be subgranted;

(b) Upon awarding of a grant to any subgrantee of the department, shall require the subgrantee to submit a monthly report to the department that contains, but is not limited to, all of the following:

.....

(i) A listing of all costs incurred by the subgrantee during the previous month;

.....

(ii) A listing of all clients served by the subgrantee, with an explanation of which services were provided to the clients;

.....

(iii) A listing of all lower-tier subgrantees, who must be approved by the department before the execution of any such agreement by the prime subgrantee; and

.....

(iv) Any other data required by the department to provide sufficient evidence of budgetary compliance;

....(c) Shall not advance funds to a subgrantee for more than sixty (60) days; and

(d) Shall reimburse a subgrantee for expenses only after the required documentation is provided and is approved by the department.

SECTION 18. It is the intent of the Legislature, that within the funds available, the Department of Human Services may provide any qualifying grants of CARES Act or American Rescue Act funding in an amount not to exceed One Million Five Hundred

Thousand Dollars ($1,500,000.00) to the three (3) regional food banks that serve Mississippi, including Feed the Gulf Coast, Mid-South Food Bank, and Mississippi Food Network.

SECTION 19. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Human Services for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1622, 2023 Regular Session to defray expenses of the Department of Human Services for the fiscal year beginning July 1, 2024, and ending
June 30, 2025 ..... $ 58,327,806.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:
(a) To defray the Department's computer
expenses..... $ 4,327,806.00.
(b) To secure federal funding for a new
computer system..... $ 54,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 20. Of the funds appropriated herein, no more than Three Thousand Six Hundred Fifty-two Dollars ($3,652.00) may be used to pay invoices to certain vendors for expenses incurred in FY 2022.

SECTION 21. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 22. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF HUMAN SERVICES FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1797 was adopted.

YEAS AND NAYS On H. B. No. 1797. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1794: Appropriation: Child Protection Services, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Child Protection Services for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 131,484,228.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Child Protection Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various divisions of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 166,522,374.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 1,517

Time-Limited: 417

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. It is the intention of the Legislature that the Department of Child Protection Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. The Department of Child Protection Services is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

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

SECTION 8. Of the funds appropriated by this act, pursuant to Section 97-3-54.9, Mississippi Code of 1972, Two Hundred Fifty Thousand Dollars ($250,000.00) is provided for maintaining a 24-hour hotline that is to be manned at all times, and for a coordinator to work with the Department of Public Safety, and to contract with outside agencies or service providers to organize for the provision of specialized services, including counseling services and other appropriate care to children who have been victims of commercial and sexual exploitation or human trafficking.

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

SECTION 10. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Child Protection Services for the purpose of reauthorizing the expenditure of Capital Expense Fund, as reappropriated in HB 1625, 2023 Regular Session, for information technology system developments for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 5,157,695.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 11. Of the funds appropriated in Section 1, Eleven Million Eighty-six Thousand Two Hundred Thirty-nine Dollars ($11,086,239.00) is appropriated to maintain the Adoption Assistance and Congregate Care Homes Maintenance Payments and One Million Two Hundred Fifty-Four Thousand Nine Hundred Ninety-nine Dollars ($1,254,999.00) is provided to maintain the Foster Home Maintenance Payments. It is the intent of the Legislature that these funds be expended for said purpose.

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

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or

funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF CHILD PROTECTION SERVICES FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1794 was adopted.

YEAS AND NAYS On H. B. No. 1794. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

_____

Senator Hopson called up the following entitled bill:

H. B. No. 1809: Appropriation; Rehabilitation Services, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purposes of defraying the expenses of the Department of Rehabilitation Services for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 31,663,477.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Rehabilitation Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various offices of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 219,338,956.00.

SECTION 3. Of the funds appropriated under the provisions of Section 2, Three Million Six Hundred Eighty-one Thousand Eight Hundred Two Dollars ($3,681,802.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972. The above funds shall be allocated as follows:

Fully match all available federal funds	$ 2,782,590.00.
Independent Living Program which includes the State Attendant Care Program	$ 854,903.00.
Deaf and hard of hearing	$ 44,309.00.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 859

Time-Limited: 185

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 5. It is the intention of the Legislature that the Department of Rehabilitation Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. The Office of Vocational Rehabilitation for the Blind shall remain accredited by using not more than Five Hundred Dollars ($500.00) of the funds appropriated along with matching funds for payment of fees to an accreditation agency recommended by the Rehabilitation Services Administration.

SECTION 7. Of the funds appropriated herein, the Mississippi Department of Rehabilitation Services through the Office of Vocational Rehabilitation for the Blind is authorized to expend an amount not to exceed One Hundred Thousand Dollars ($100,000.00) for the National Federation for the Blind (NFB) News line service to allow blind and visually impaired persons to access newspapers through toll-free telephone calls.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Disability Determination Services	
Number of Dispositions	60,000
Processing Time (Days)	150
Voc Rehabilitation For The Blind	
Blind & Visually Impaired Served (Persons)	2,050
Number of Persons Rehabilitated	295
Independent Living (Number Served)	720
Percent Change in Persons Employed Compared to Persons Served	14.00
Vocational Rehabilitation	
Number of Clients Served	15,050
Number of Clients Rehabilitated	2,545
Percent Change of Persons Employed Compared to Persons Served	16.00
Persons Employed with Pay Rate Greater than Federal or State Minimum Wage	2,545
Persons with Significant Disabilities Leaving VR With Competitive, Self, or BEP Employment, Wage = or > Than Minimum	1,588
Spinal Cord & Head Injury Program	
Number of Clients Served	1,050
Percent Change in Number of Spinal Cord & Brain injuries per Year	3.00
Special Disability Programs	
Number of Clients Served	3,100
Percent Change in Persons Receiving HCBW Services Compared to Waiting List	25.00
Ratio of Cost to HCBW Services per Person Compared to an Institutional Setting	38.00
Support Services	
Percent of Total Budget	2.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 10. Of the funds appropriated in Section 1, it is the intention of the Legislature that One Million Five Hundred Sixty-three Thousand Thirty-nine Dollars ($1,563,039.00) shall be allocated to the Spinal Cord & Head Injury Trust supported from General Fund court assessments.

SECTION 11. Of the funds appropriated in Section 1 and Section 2 of this act, it is the intention of the Legislature that continued funding at or above the Fiscal Year 2024 appropriated amount shall be provided for Forty-one Hundred (4,100) slots in the Home and Community Based Waiver programs for Independent Living and Spinal Cord/Traumatic Brain Injury Waiver programs.

SECTION 12. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF REHABILITATION SERVICES FOR FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1809 was adopted.

YEAS AND NAYS On H. B. No. 1809. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1796: Appropriation; Health, Department of.

Senator Hill offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Department of Health for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 46,639,176.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the State Department of Health which is comprised of special source funds collected by

or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 536,059,421.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2, Five Hundred Twenty-six Thousand One Hundred Two Dollars ($526,102.00) shall be derived from the State General Fund and Eleven Million Three Hundred Twenty-eight Thousand Seven Hundred Eighty-three Dollars ($11,328,783.00) shall be derived from the Health Care Expendable Fund, created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the State Department of Health. The funds provided in this section shall be allocated as follows:

Early Intervention Program for increased reimbursements ..... $ 2,000,000.00
Breast and Cervical Cancer Program ..... $ 50,000.00
Maternal and Child Health Care Program ..... $ 1,242,943.00
Mississippi Health Care Alliance for the ST Elevated Myocardial Infarction Program (STEMI) and the Stroke System of Care Plan ..... $ 100,000.00
Health Department Programs ..... $ 8,461,942.00

SECTION 4. Of the funds appropriated in this act, Twenty-eight Million Dollars ($28,000,000.00) is allocated to the Trauma Care System. Of the General Fund court assessments provided in Section 1, Seven Million Twenty-three Thousand One Hundred Ninety-seven Dollars ($7,023,197.00) shall be allocated for Trauma Care Systems and One Million Eight Hundred Five Thousand Eight Hundred Fifty-nine Dollars ($1,805,859.00) shall be allocated for Emergency Medical Services. All additional funds are appropriated in Section 2. The State Department of Health may transfer a portion of Trauma Care System funds to the Division of Medicaid for the development and implementation of an enhanced reimbursement fee program related to trauma care and services, used to match federal funds, under a cooperative agreement between the State Department of Health and the Division of Medicaid.

It is the intention of the Legislature that none of the funds authorized herein for the Trauma Care System shall be expended to the benefit of any hospital located outside the boundaries of the State of Mississippi, unless otherwise excepted in this paragraph. Funds shall be expended by the Mississippi Department of Health for distribution to the Regional Medical Center or Le Bonheur Children's Hospital at Memphis, located in Memphis, Tennessee, or the University of South Alabama Medical Center located in Mobile, Alabama, or the Joseph M. Still Burn Centers, Inc., located in Augusta, Georgia, or any affiliates or any other Level 1 Trauma Center, or Tertiary Pediatric Trauma Center that participates in the Mississippi Trauma Care System, as determined by the Mississippi Department of Health.

SECTION 5. Of the funds appropriated in Section 2, Twenty Million Dollars ($20,000,000.00) shall be derived from the Tobacco Control Program Fund, created in Section 41-113-11, Mississippi Code of 1972, and shall be allocated as follows:

University of Mississippi Medical Center Cancer Institute ..... $ 4,250,000.00
Department of Education - Mary Kirkpatrick Haskell – Mary Sprayberry Public School Nurse Program ..... $ 3,060,000.00
Attorney General's Office - Alcohol and Tobacco Enforcement Unit ..... $ 680,000.00
University of Mississippi Medical Center – A Comprehensive Tobacco (ACT) Center ..... $ 595,000.00
Mississippi Health Care Alliance - ST Elevated Myocardial Infarction Program (STEMI) and Stroke System of Care Plan ..... $ 595,000.00
Mississippi Qualified Health Center Grant Program ..... $ 3,400,000.00
Mississippi Health Department Programs ..... $ 7,420,000.00

Of the funds appropriated in this section, the State Department of Health is authorized to expend funds to create and administer the Office of Tobacco Control within the department as outlined and created in Section 41-113-3, Mississippi Code of 1972.

SECTION 6. Of the funds appropriated in Section 1, One Million One Hundred Two Thousand Nine Hundred Fifteen Dollars ($1,102,915.00) shall be allocated as follows:

Mississippi Health Care Alliance - ST Elevated Myocardial Infarction Program (STEMI) and Stroke System of Care Plan ..... $ 279,400.00

Mississippi Qualified Health Center Grant Program ..... $ 600,000.00

Mississippi Health Department Programs ..... $ 223,515.00

SECTION 7. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 688

Time-Limited: 1,413

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 8. It is the intention of the Legislature that the State Department of Health shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Health Services	
State Infant Mortality Rate (per 1,000 Live Births)	8.60
Percent of Women who Received Prenatal Care in First Trimester	74.20
Percent of Live Births Delivered Prior to 37 Weeks of Gestation	14.80
Teenage Live Birth Rate Age 15-19 Years (per 1,000 Women Age 15-19)	23.40
Percent of Newborns with Positive and Inconclusive Genetic Screens who Received Recommended Follow-Up	100.00
Percent of Adults who are Obese (Body Mass Index of 30 or More, Regardless of Sex)	39.10
Health Protection	
Percent of Mississippi Population Receiving Water From a Public Water Supply	92.00
Percent of Mississippi Population Receiving Optimally Fluoridated Water	50.00
Transfer Time of Level III and IV Trauma Centers to Appropriate Facilities for Treatment (Minutes)	129.00
Communicable Disease	
Primary and Secondary Syphilis: Case Rate per 100,000	27.50
Tuberculosis: Number of Cases	51

Tuberculosis: Case Rate per 100,000
1.70
HIV Disease: Number of Cases
400.00
HIV Disease: Case Rate per 100,000
13.60
..... Rate of Two Year Old Children Fully
.....
Immunized (National Immunization Survey:
.....
4:3:1:3:3:1:4 series - 19 to 35 months) 74.00
Tobacco Control
..... Percent of Current Smokers Among Public
.....
Middle School Students 1.70
..... Percent of Current Smokers Among Public
.....
High School Students..... 2.10
..... Percent of Current Smokers Among Adults
.....
18 Years and Older 19.40
Public Health Emerg Prep/resp
..... Time Required for Command Staff to
.....
Report to Emergency Operations Center in
.....
Response to a National or Man-Made
.....
Disaster (Minutes) 30.00
Admin & Support Services
.....Percent of Mississippi Population Living
.....
in an Area Designated as a Health
.....
Professional Shortage Area: Mental
.....
Health..... 60.00
.....Percent of Mississippi Population Living
.....
in an Area Designated as a Health
.....
Professional Shortage Area: Dental..... 45.00
.....Percent of Mississippi Population Living
.....
in an Area Designated as a Health
.....
Professional Shortage Area: Primary
.....
Care 49.00
Medical Cannabis
..... Number of Conditions Added to the List
.....
of Debilitating Medical Conditions..... 2
Number of Qualifying Patients Approved
50,000
Number of Designated Caregivers Approved
54
..... Number of Registry Identification Cards

Revoked 25
Total Number of Patients with a Registry Identification Card 50,000
Number of Licensed Medical Practitioners 400
Number of Licensed Cannabis Cultivation Facilities 150
Number of Licensed Cannabis Processing Facilities 30
Number of Licensed Cannabis Testing Facilities 5
Number of Licensed Cannabis Waste Disposal Entities 8
Number of Licensed Cannabis Transportation Entities 40
Percent of Applications Approved 95

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 10. It is the intention of the Legislature that with the funds provided herein, the State Department of Health may provide and administer without charge, Hepatitis B vaccinations to Emergency Medical Services (EMS) personnel who are in need of such vaccinations through job related exposure.

SECTION 11. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated to the credit of the Local Governments and Rural Water Systems Emergency Loan Fund, and the Local Governments and Rural Water System Improvements Revolving Loan Fund as authorized in Chapter 521, Laws of 1995, to the State Department of Health for the purpose of defraying the expenses of the Local Governments and Rural Water Systems Improvements Board, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 4,300,000.00.

The purpose of these funds is to provide funds necessary to match projected federal funds available through the following federal fiscal year from the annual Clean Water State Revolving Fund (CWSRF) appropriations and from the supplemental Infrastructure Investment and Jobs Act (IIJA) appropriations.

SECTION 12. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Local Governments and Rural Water Systems Emergency Loan Fund, and the Local Governments and Rural Water System Improvements Revolving Loan Fund as authorized in Chapter 521, Laws of 1995, to the State Department of Health for the purpose of defraying the expenses of the Local Governments and Rural Water Systems Improvements Board, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 175,050,130.00.

SECTION 13. Of the funds appropriated under Section 12 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:
Permanent: 5
Time-Limited: 8

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed

Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 14. Of the funds appropriated in Section 2, One Million Dollars ($1,000,000.00) shall come from the Department of Human Services, Child Care Development Fund or other appropriate special funds for the purpose of child care licensure. These funds are to be transferred to the State Department of Health no later than July 31, 2024. The State Department of Health shall make a complete accounting of the uses of these funds to the Department of Human Services.

SECTION 15. It is the intention of the Legislature that the State Department of Health shall expend not more than Fifty Thousand Dollars ($50,000.00) of the funds appropriated herein for providing the oil known as "Lorenzo's Oil" for the treatment of the genetic disorder adrenoleukodystrophy (ALD), to children and Mississippi residents over the age of twenty-one (21) who have the genetic disorder adrenoleukodystrophy and for whom Medicaid does not reimburse the cost of providing the oil. The department may also provide needed pathology and biannual MRI exams.

SECTION 16. Of the funds appropriated in Section 1, Seven Hundred Thousand Dollars ($700,000.00) are provided for the purpose of purchasing AIDS drugs and other necessary AIDS related medical services.

SECTION 17. Of the funds appropriated herein, Two Hundred Fifty Thousand Dollars ($250,000.00) is provided for the Breast and Cervical Cancer Program.

SECTION 18. In addition to all other funds heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Medical Cannabis Act at the Department of Health for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 7,787,845.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 0

Time-Limited: 34

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 20. In addition to all other funds heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Burn Care Fund which is comprised of special source funds collected by or otherwise available to the department, for the purpose of funding reimbursement for uncompensated medical care to Mississippi burn victims through the trauma care system at in-state burn facilities including the Baptist Medical Center and the University of Mississippi Medical Center, or for uncompensated aero

medical transportation to out-of-state qualified United States Burn Care facilities, and such other provisions necessary to provide burn care for Mississippi residents, including reimbursement for travel, lodgings, meals and other reasonable travel-related expenses incurred by burn victims, family members and/or caregivers, for the fiscal year beginning July 1, 2024, and ending
June 30, 2025 ..... $ 1,000,000.00.

SECTION 21. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 22. It is the intention of the Legislature that the Mississippi Department of Health shall implement same day service to receive birth and death certificates.

SECTION 23. It is the intention of the Legislature that the Mississippi State Department of Health shall provide the Joint Legislative Budget Committee a report of all grants received by September 15, 2024. This notification will consist of the name of the grant and agency or nonprofit making the award, the award amount, and a short list of goals to be achieved.

SECTION 24. It is the intention of the Legislature that the Mississippi State Department of Health shall be the fiscal agent in all allowable grants awarded.

SECTION 25. Of the funds appropriated in Section 2, Seven Hundred Thousand Dollars ($700,000.00) shall come from the Department of Education for the purpose of maintenance of effort for the Early Intervention Program. These funds are to be transferred to the State Department of Health no later than December 31, 2024. The State Department of Health shall make a complete accounting of the uses of these funds to the Department of Education.

SECTION 26. The Mississippi Department of Health is authorized to obtain a line of credit through the State Treasurer from the Working Cash-Stabilization Fund or any other special source funds maintained in the State Treasury in an amount not exceeding Ten Million Dollars ($10,000,000.00) to fund shortfalls which, from time to time, may occur due to insufficient working cash spent in anticipation of receiving federal reimbursement. The length of indebtedness under this provision shall not carry past the end of the quarter following the loan origination. Loan proceeds shall be received by the State Treasurer and shall be placed in a Mississippi Department of Health designated special fund account. The division may pledge as security for such interim financing future funds that will be received by the division. Any such loans shall be repaid from the first available funds received by the department in the manner of and subject to the same terms provided in this section.

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

SECTION 28. With the funds appropriated herein, it is the intention of the Legislature that the Mississippi Department of Health is authorized to set the compensation of all nurse PINs, Epidemiologists and Disease Intervention Specialist Series based on the education and experience of the incumbent not to exceed the end salary as established by the State Personnel Board.

SECTION 29. It is the intent of the Legislature that the Chairman of the Board of Health may appoint an official replacement or representative with voting privileges to the Advisory Board of the Office of Mississippi Physician Workforce.

SECTION 30. It is the intention of the Legislature that the State Health Officer shall have the authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Health. It is further the intention of the Legislature that the State Health Officer shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 31. Of the funds appropriated in Section 1, it is the intention of the Legislature that Eight Hundred Fifty-nine Thousand Nine Hundred Three Dollars ($859,903.00) shall be allocated to the Domestic Violence program that is supported from General Fund court assessments.

SECTION 32. It is the intent of the Legislature that the Mississippi State Department of Health shall have authority to escalate the various budgets in both funds and positions, with the approval of the State Fiscal Officer, from any special funds collected or available for HIV medical or support services, clinical quality management, and administrative expenses not to exceed Five Million Dollars ($5,000,000.00), to the agency for expenditure. Upon such approval, the Mississippi State Department of Health may expend such funds in the manner authorized by law. Funds may be made available to local HIV/AIDS service providers.

The Executive Director of the Mississippi State Department of Health shall submit to the Department of Finance and Administration a certified statement providing a detailed explanation for any escalation, including a justification for the establishment of any new positions or reclassification of existing positions.

SECTION 33. Notwithstanding any other provision, the Department of Health shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 34. It is the intention of the Legislature that the State Department of Health is hereby authorized to escalate, budget and expend funds for salaries and positions, with the approval of the State Fiscal Officer, from fund numbers 5331400000, 5331500000 and 5820130100, for the purpose of operating the State Department of Health programs as authorized by law, in accordance with rules and regulation of the Department of Finance and Administration in a manner consistent with the escalation of federal funds and when grant requirements have changed that result in staffing needs but do not result in new or additional funds.

The Executive Director of the State Department of Health or designee shall submit to the Department of Finance and Administration a certified statement providing a detailed explanation for any escalation, including a justification for the establishment of any new positions or reclassification of existing positions.

SECTION 35. Of the funds appropriated in Section 1, Twelve Million Dollars ($12,000,000.00) is allocated for the purpose of providing reimbursable grants from the Office of Interpersonal Violence as described in this section.

The funds appropriated under this section shall be expended by the State Department of Health as a reimbursable grant. In determining reimbursable expenses, the State Department of Health shall use allowable costs as defined by the Office of Interpersonal Violence. Of the funds in this section, a minimum of Two Million Dollars ($2,000,000.00) is to be distributed to Children's Advocacy Centers of Mississippi for the purpose of conducting additional forensic interviews.

SECTION 36. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the State Department of Health for the purpose of reauthorizing the expenditure of Capital Expense Funds to defray the expenses of the State Department of Health, as authorized in HB 1626, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025. ..... $ 2,000,000.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds to defray the expense of establishing and equipping a burn center for the State of Mississippi. Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 37. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 38. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1796 was adopted.

YEAS AND NAYS On H. B. No. 1796. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

_____

Senator Hopson called up the following entitled bill:

H. B. No. 1782: Appropriation; Port Authority, State.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Mississippi State Port Authority at Gulfport, for the purpose of defraying the expenses of the authority for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 59,080,240.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 37

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

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

SECTION 3. It is the intention of the Legislature that the Mississippi State Port Authority at Gulfport shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. Of the funds appropriated herein, One Hundred Thirty-five Thousand Dollars ($135,000.00) is provided for salary increase for the purpose of funding overtime, callback or standby pay.

SECTION 6. It is the intention of the Legislature that the Mississippi State Port Authority at Gulfport shall only expend funds on activities directly related to the operation of the state port.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money appropriated under the provisions of Section 1 shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1782 was adopted.

YEAS AND NAYS On H. B. No. 1782. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1785: Appropriation; Pat Harrison Waterway District.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Pat Harrison Waterway District, for the purpose of

defraying the expenses of the district for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 7,056,595.00.

SECTION 2. Of the funds approved for expenditure under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 52

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Pat Harrison Waterway District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The funds herein approved for expenditure, except and less an amount approved by the State Fiscal Officer which shall be sufficient to cover disbursements for current operations, shall be deposited at interest with any official depository of the state at a rate of interest numerically not less than one percent (1%) below the bank discount rate on United States Treasury bills of comparable maturity as determined by the State Treasurer.

SECTION 6. The Pat Harrison Waterway District shall provide a report on completed park facilities repairs. This report shall be provided to the Legislature by December 1, 2024, and shall include photos of stated repairs. The Pat Harrison Waterway District shall provide the Joint Legislative Budget Committee a copy of this report with the subsequent fiscal year's budget submission.

SECTION 7. The Pat Harrison Waterway District shall provide an annual five-year plan containing a prioritized list detailing the purposes, goals and projected costs of projects which it intends to implement or is in the process of implementing. This report shall be provided to the Legislature on or before July 15 of each year as required in Section 51-15-119(2). The Pat Harrison Waterway District shall provide the Joint Legislative Budget Committee a copy of this report with the current year's budget submission.

SECTION 8. The Pat Harrison Waterway District shall provide an annual audit of the district operations. This report shall be provided to the Legislature as required in Section 51-15-119(3). The Pat Harrison Waterway District shall provide the Joint Legislative Budget Committee a copy of this report with the current year's budget submission.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PAT HARRISON WATERWAY DISTRICT FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1785 was adopted.

YEAS AND NAYS On H. B. No. 1785. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.
Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1786: Appropriation; Pearl River Valley Water Supply District.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any special source funds which are received by or otherwise become available to the Pearl River Valley Water Supply District, for the purpose of defraying the expenses of the district for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 19,423,699.00.

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

AUTHORIZED HEADCOUNT:

Permanent:	109
Time-Limited:	1

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for

salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

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

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

SECTION 3. It is the intention of the Legislature that the Pearl River Valley Water Supply District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The funds herein approved for expenditure, except and less an amount approved by the State Fiscal Officer which shall be sufficient to cover disbursements for current operations, shall be deposited at interest with any official depository of the state at a rate of interest numerically not less than one percent (1%) below the bank discount rate on United States Treasury bills of comparable maturity as determined by the State Treasurer.

SECTION 6. None of the funds appropriated for expenditure under this act may be expended by Pearl River Valley Water Supply District until the district agrees to comply with the following condition: the District shall waive traffic control fees for any vehicle displaying a “REZ” tag.

SECTION 7. None of the funds appropriated for expenditure under this act may be expended by Pearl River Valley Water Supply District until the district agrees to comply with the following conditions: (1) If any local governmental or nonprofit entity wins the bid for the ESPN Bass Masters Classic or the FLW Major Open, these events shall be exempt from the district's lottery system for host events at the reservoir and given priority of any and all date options available. (2) If any local governmental or nonprofit entity wins the bid for such events, the district shall waive the daily launch fees or any other special event fees for the ESPN Bass Masters Classic or the FLW Major Open. (3) The Catch A Dream Foundation Bass Classic shall be held on the first Sunday in May unless any local governmental or nonprofit entity wins the bid for the ESPN Bass Masters Classic or the FLW Major Open on that date. The Catch A Dream Foundation Bass Classic shall be exempt from the district's lottery system for host events at the reservoir and given priority for the first Sunday in May. The district shall waive the daily launch fees or any other special event fees for the Classic.

SECTION 8. Of the funds appropriated herein, Two Hundred Thousand Dollars ($200,000.00) is provided for salary increase for the purpose of funding overtime, callback or standby pay.

SECTION 9. Funds are provided herein out of the Ross Barnett Reservoir Dredging Fund for dredging and other related activities to remove sediments and debris from the bottom of the Ross Barnett Reservoir.

SECTION 10. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund, not otherwise appropriated for Pearl River Valley Water Supply District for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1631, 2023 Regular Session, for the purpose of defraying the expenses of Pearl River Valley Water Supply District for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 1,352,364.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 11. The funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law or in accordance with the provisions of a valid trust indenture.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1786 was adopted.

YEAS AND NAYS On H. B. No. 1786. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1790: Appropriation; Tombigbee River Valley Water Management District.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Tombigbee River Valley Water Management District, for the purpose of paying bond maturities, accrued interest, maintenance expenses, project development costs, and any other authorized expenses of the water management

district, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 7,706,169.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 17

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Tombigbee River Valley Water Management District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and

whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. All monies in possession of the district in excess of necessary operating funds shall be deposited with a bank or banks selected by the board of directors of the district. These funds shall be deposited in such bank or banks and in such manner that interest earned shall be at least equal to interest earnings on state funds deposited by the State Treasury.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1790 was adopted.

YEAS AND NAYS On H. B. No. 1790. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1792: Appropriation; Yellow Creek State Inland Port Authority.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Yellow Creek State Inland Port Authority, for the purpose of defraying the expenses of the Authority for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 12,012,746.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 15

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

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

SECTION 3. It is the intention of the Legislature that the Yellow Creek State Inland Port Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. Of the funds appropriated herein, Fifty Thousand Dollars ($50,000.00) is provided for salary increase for the purpose of funding overtime, callback or standby pay.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE YELLOW CREEK STATE INLAND PORT AUTHORITY FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1792 was adopted.

YEAS AND NAYS On H. B. No. 1792. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1826: Appropriation; Transportation, Department of.

Senator Branning offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Transportation, for the purpose of defraying the administrative expenses of the Mississippi Department of Transportation for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 1,418,308,055.00.

SECTION 2. The following offices are supported by the funds appropriated in Section 1: The Office of Administrative Services, the Office of Highways and the Office of Aeronautics and Rails. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2,698

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. Of the funds appropriated to the Mississippi Department of Transportation under the provisions of Section 1, the following amounts shall be available for expenditure in the program budgets as required by Section 27-103-127, Mississippi Code of 1972:

Administration and Other Expenses	$ 62,326,264.00
Construction	$ 978,634,918.00
Maintenance	$ 263,035,591.00
Debt Service	$ 78,353,744.00
Aeronautics, Rails and other	$ 35,957,538.00

SECTION 4. It is the intention of the Legislature that the Mississippi Department of Transportation shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. Of the funds appropriated in Section 1, it is the intention of the Legislature that Six Hundred Fifty Thousand Dollars ($650,000.00) shall be transferred to the Department of Agriculture and Commerce for the Beaver Control or Eradication Program during the Fiscal Year 2025.

SECTION 6. Of the funds appropriated in Section 1 and authorized for expenditure in Section 3, Five Million Dollars ($5,000,000.00) shall be transferred by the Mississippi Department of Transportation to the Department of Public Safety Office of Commercial Transportation Enforcement Division for the operations of the Division consistent with Sections 77-7-330, Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in Section 1 of this act, the Mississippi Department of Transportation shall expend such funds as necessary to conduct project planning. Such project planning shall apply to all preliminary engineering, right-of-way acquisition and construction projects of the department and, at a minimum, shall consist of policies for the oversight and management of project cost which:

(a) Establish a reasonable cost estimate for each project. For purposes of this provision, projects include preliminary engineering, right-of-way acquisition and construction;

(b) Capture and retain the initial project cost estimates for comparison with final actual expenditures;

(c) Require that any changes to a cost estimate for a project will be reviewed and approved by district or central office personnel. Such personnel shall be responsible for signing any revision, and providing a narrative description of the reasons for approving a revision;

(d) Capture the cost of consultants, engineers, attorneys, contract appraisers and other technical and professional contractors used in preliminary engineering, right-of-way acquisition and construction projects.

SECTION 8. None of the funds appropriated under the provisions of Section 1 of this act may be expended by the Department of Transportation for construction of new highways if such highway segment is less than ten (10) miles in length unless:

(a) The explanation and justification for letting such a contract for a length of less than ten (10) miles is entered upon the official minutes of the Transportation Commission;

(b) The commission, within ten (10) working days after entry of its explanation and justification upon its minutes, gives notice, by United States First Class Mail, and provides a copy of such entry upon its minutes, to the Chairman of the

Transportation Committee of the Mississippi House of Representatives and the Chairman of the Mississippi Senate Highways and Transportation Committee.

SECTION 9. It is the intention of the Legislature that of the sum appropriated in Section 1, the Department is authorized to provide a protective footwear allowance of not more than Two Hundred Dollars ($200.00) per person annually for Engineers, Maintenance, and Construction Workers as part of their safety equipment.

SECTION 10. Of the funds appropriated to the Mississippi Department of Transportation, Three Hundred Thousand Dollars ($300,000.00) shall be used for the Statewide Litter Prevention Program.

SECTION 11. Of the funds appropriated in Section 1, not less than Eighty Million Dollars ($80,000,000.00) shall be expended for contracted maintenance overlay and pavement rehabilitation.

SECTION 12. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to transfer between the various programs in an amount not to exceed ten percent (10%) of the amount allocated in Section 3, except that no transfers shall be authorized which increase the "Administrative and Other Expenses" Program or which decrease the "Maintenance" Program.

SECTION 13. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend an amount not to exceed Thirty Million Dollars ($30,000,000.00) received from other public or private entities as reimbursements for payments made on federal projects.

SECTION 14. With the funds appropriated in this act, the Mississippi Department of Transportation shall notify members of the Mississippi Senate and House of Representatives upon the award of projects within their respective districts and at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement of ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature." Further, the signage shall state the four-year legislative term in which the project was funded.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. The Mississippi Department of Transportation is authorized to dispose of or transfer used cell phones that are obsolete or inoperable to cell phone recycling programs dedicated to providing free phone access to United States military personnel.

SECTION 17. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Maintenance	
Number of Acres Mowed (First & Subsequent)	290,000
Percent Increase of Acreage Mowed	0.66
Slow the Expected Increases of Total Fatalities According to a 5 Year Rolling Average (697 or Less)	763.00
Percent Decrease in State-Maintained Lane Miles Needing Repair or Rehabilitation	3.50
Percent of Pavement Needs Met Annually	0.12
Percent of 4 Lane Highway Lane-Miles	

with an Acceptable Pavement Condition Rating	78.00
Percent of Interstate Lane-Miles with an Acceptable Pavement Condition Rating	73.00
Percent of 2 Lane Highway Lane-Miles with an Acceptable Pavement Condition Rating	70.00
Cost per Mile to Maintain State Highways	26,499
Number of Bridges in Poor Condition	170
Number of Bridges with Timber Components	105
Construction	
Percent of Miles of State Maintained Highways that Meet MDOT Thresholds for Congestion	2.11
Number of Lane Miles of State Maintained Highways Requiring Additional Capacity	591.46
Cost per Mile to Construct State Highways	21,000,000.00
Administration & Other	
Administration as a Percent of Total Budget	4.25
GO-MDOT-Total Number of Page Views	1,131,089
Percent Increase in Utilization of MDOTTRAFFIC.com Website	4.25
Bonded Debt Service	
MDOT's Share of Annual Debt Service will Not Exceed 3.75% of Annual Budget	0.74
Aeronautics & Rails	
Number of Airports Inspected	69
Number of Grade Crossings Inspected	2,100

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 18. The Mississippi Department of Transportation is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed One Hundred Twenty-five Million Dollars ($125,000,000.00).

SECTION 19. With the funds appropriated herein, the Mississippi Department of Transportation is authorized to make payments for expenses incurred during prior fiscal years for an amount not to exceed Forty-six Thousand Nine Hundred Thirteen Dollars and Ninety-one Cents ($46,913.91).

SECTION 20. In addition to all other funds appropriated herein, the following sums, or so much thereof as may be necessary is appropriated out of the following funds in the State Treasury to the credit of the Department of Transportation for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

(a) 2022 Capacity Project Fund for the purposes provided in Section 65-1-141.2, Mississippi Code of 1972..... .....

$ 250,000,000.00.

(b) 2022 Infrastructure Match Fund for the purposes provided in Section 65-1-183, Mississippi Code of 1972....

$ 40,000,000.00.

(c) 2022 Emergency Road and Bridge Fund for the purposes provided in Section 65-1-179.1, Mississippi Code of 1972 .....

$ 60,000,000.00.

(d) Strategic Multi-Modal Investments Fund for the purposes provided in Section 65-1-901, Mississippi Code of 1972 .....

$ 20,000,000.00

(e) 2023 DeSoto County Infrastructure Improvement Funds for the purposes provided in Section 65-1-185, Mississippi Code of 1972..... $ 25,000,000.00

(f) 2023 Lafayette County Infrastructure Improvement Funds for the purposes provided in Section 65-1-187, Mississippi Code of 1972..... $ 15,000,000.00

(g) 2023 Gulfport Commerce Corridor Fund for the purposes provided in Section 65-1-189, Mississippi Code of 1972 .....
$ 15,400,000.00

(h) 2022 Local Improvements Projects Fund for the purposes provided in Section 27-104-371..... $ 5,600,000.00.

SECTION 21. It is the intent of the Legislature that the funds appropriated in Section 20 subsection (c) of this act shall be expended on the projects included in the 2022 ERBR Solicitation.

SECTION 22. It is the intention of the Legislature that the Mississippi Department of Transportation shall expend such funds appropriated in Section 20 subsection (a), (b) and (c) as necessary to conduct project planning. Such project planning shall apply to all preliminary engineering, right-of-way acquisition and construction projects of the department and, at a minimum, shall consist of policies for the oversight and management of project cost which:

(a) Establish a reasonable cost estimate for each project. For purposes of this provision, projects include preliminary engineering, right-of-way acquisition and construction;

(b) Capture and retain the initial project cost estimates for comparison with final actual expenditures;

(c) Require that any changes to a cost estimate for a project will be reviewed and approved by district or central office personnel. Such personnel shall be responsible for signing any revision, and providing a narrative description of the reasons for approving a revision;

(d) Capture the cost of consultants, engineers, attorneys, contract appraisers and other technical and professional contractors used in preliminary engineering, right-of-way acquisition and construction projects.

SECTION 23. As a condition of receiving and expending the funds appropriated to the department in Section 20 subsection (d) of this act, the department shall ensure at least Ten Million Dollars ($10,000,000.00) is allocated to port projects.

SECTION 24. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 25. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2025; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1826 was adopted.

YEAS AND NAYS On H. B. No. 1826. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes,

Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1811: Appropriation; Athletic Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Athletic Commission Fund, for the purpose of defraying the expenses of the Mississippi Athletic Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 139,911.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 1

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of

Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

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

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

SECTION 3. It is the intention of the Legislature that the Mississippi Athletic Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. With the funds appropriated herein, the Chairman of the Commission shall be the ex officio recorder of permits and licenses and for his service as such shall receive an annual salary equal to Forty Thousand Dollars ($40,000.00).

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ATHLETIC COMMISSION FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1811 was adopted.

YEAS AND NAYS On H. B. No. 1811. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1813: Appropriation; Auctioneers Commission.

YEAS AND NAYS On H. B. No. 1813. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1793: Appropriation; Barber Examiners, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Board of Barber Examiners, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 332,928.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 4

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for

new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

.....FY2025
Performance Measures Target
Examination
Number of Examinations Given
425
Licensure & Regulation
Average Time of Processing In State Licenses
1
.....Average Time of Processing Out of State
.....
Licenses 1

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 4. It is the intention of the Legislature that the State Board of Barber Examiners shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their

appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF BARBER EXAMINERS FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1793 was adopted.

YEAS AND NAYS On H. B. No. 1793. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1795: Appropriation; Cosmetology, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Board of Cosmetology, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 1,016,500.00.

SECTION 2. Of the funds approved for expenditure under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 13

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the

State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. The State Board of Cosmetology shall not be authorized to expend any funds appropriated by this act after October 1, 2019, unless the board has adopted and implemented each of the following policies, which shall be conditions upon the receipt and expenditure of those funds:

(a) A policy that the board will not issue any licenses for the practice of wigology and will issue licenses and certifications only as provided under the cosmetology licensure law; and

(b) A policy that allows any person who holds a wig specialist license issued by the board before July 1, 2014, to continue his or her practice as it existed before July 1, 2014, and allows any person who holds a wig salon license issued by the board before July 1, 2014, to continue operating a wig salon under the statutory requirements as they existed before July 1, 2014, and provides that any such person will be eligible to receive a certificate of registration issued by the board.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

.....FY2025

Performance Measures	Target
Exam Administration	
Number of Students Tested	1,500

Cost per Licensing Examination 290.00
School Coordination
Number of School Permits 0.00
Establishment Inspections
..... Percent of Establishments, by Type .....
(Salons and Schools), That are Inspected .....
Each Year 80.00
..... Number of Average Violations per .....
Inspection by Type 3
Number of Documented Complaints Received 15
..... Percent of Documented Complaints .....
Resolved within Six Months 100.00
.....Percent of School Audits Resulting in .....
Disciplinary Actions 3.00
Licensure & Information Support
.....Percent of Completed Applications .....
Processed within Ten Business Days, by .....
Type (Practitioners, Instructors) 100.00
.....Number of Business Days from Date of .....
Completed Applications of New Salon and .....
School to Initial Inspection 14
..... Collect & Report the Percent of License .....
Renewals Issued within Seven Business .....
Days, Ten Business Days for Schools 100.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 5. It is the intent of this legislation to provide the funds for the board to meet when necessary, but under no circumstances shall it meet more than sixty-two (62) days a year.

SECTION 6. It is the intention of the Legislature that the State Board of Cosmetology shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

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

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

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

SECTION 10. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF COSMETOLOGY FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1795 was adopted.

YEAS AND NAYS On H. B. No. 1795. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1777: Appropriation; Engineers and Land Surveyors, Board of Registration for Professional.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Registration for Professional Engineers and Land Surveyors, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 551,335.00.

SECTION 2. Of the funds approved for expenditure under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 5

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are

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

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the State Board of Registration for Professional Engineers and Land Surveyors shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1777 was adopted.

YEAS AND NAYS On H. B. No. 1777. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1779: Appropriation; Foresters, Board of Registration for.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Registered Foresters Fund, for the purpose of defraying the expenses of the State Board of Registration for Foresters for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 62,755.00.

SECTION 2. It is the intention of the Legislature that the State Board of Registration for Foresters shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality

and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. Of the fund appropriated under the provisions of Section 1 of this act, Eighteen Thousand Six Hundred Twenty-six Dollars ($18,626.00) is provided for database upgrades and other improvements to the board's licensing system.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR FORESTERS FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1779 was adopted.

YEAS AND NAYS On H. B. No. 1779. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1804: Appropriation; Optometry, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Board of Optometry, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 230,054.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 1
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the State Board of Optometry shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF OPTOMETRY FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1804 was adopted.

YEAS AND NAYS On H. B. No. 1804. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1810: Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Board of Examiners for Social Workers and Marriage and Family Therapists for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 270,228.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 3

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Board of Examiners for Social Workers and Marriage and Family Therapists shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. Of the funds appropriated under the provisions of Section 1, Five Thousand Five Hundred Dollars ($5,500.00) is provided for the upgrade and

maintenance of the Board's Licensing and Regulatory System (LARS) to a CLOUD based system.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1810 was adopted.

YEAS AND NAYS On H. B. No. 1810. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1821: Appropriation; Veterans' Home Purchase Board.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Veterans' Home Purchase Board's revolving fund, for the purpose of defraying the expenses of the Veterans' Home Purchase Board and making new home loans as authorized by law for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 74,607,732.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 19

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Veterans' Home Purchase Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible

officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The Veterans' Home Purchase Board is hereby authorized to escalate, budget and expend funds from any source, not to exceed Ten Million Dollars ($10,000,000.00), for the purpose of making new home loans as authorized by law, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE VETERANS' HOME PURCHASE BOARD AND MAKING NEW HOME LOANS AS AUTHORIZED BY LAW FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1821 was adopted.

YEAS AND NAYS On H. B. No. 1821. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1801: Appropriation; Medical Licensure, Board of.

Senator Parker offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Board of Medical Licensure, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 4,054,088.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 28

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Licensure	
Percent of Licensees who Renew Online	100.00
Percent of Individual License Renewals Issued within Seven Business Days	100.00
Investigative	
Recidivism Rate for Those Receiving Disciplinary Actions	4.00
Number of Documented Complaints Received	400
Percent of Documented Complaints Resolved within Seven Business Days	15.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 4. It is the intention of the Legislature that the State Board of Medical Licensure shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds provided under the provisions of this act, and as approved by the Mississippi State Board of Medical Licensure (the Board), at the direction of the Board the Executive Director may negotiate and enter into a grant agreement to provide funding in an amount not to exceed Six Hundred Thousand Dollars ($600,000) for the Mississippi Physician Health Program.

SECTION 7. Of the funds provided under the provisions of this act, an amount not to exceed One Hundred Thirty Thousand Dollars ($130,000.00) may be allocated to the Mississippi Board of Pharmacy to defray the expense of the Mississippi Prescription Monitoring Program.

SECTION 8. It is the intention of the Legislature that the funds are appropriated here in accordance with a signed Memorandum of Understanding with the Mississippi Department of Health to assist with the implementation of the Medical Cannabis Act for registering and monitoring compliance with the rules and regulations of the Act.

SECTION 9. It is further the intention of the Legislature that, for Fiscal Year 2025, the board shall be allowed to recover all costs from a holder of a license who has been found by the board in violation of statute after notice and a hearing as provided by law. The expenses must be direct costs associated with the investigation and conduct of a proceeding for licensure revocation, suspension or restriction.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF MEDICAL LICENSURE FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1801 was adopted.

YEAS AND NAYS On H. B. No. 1801. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1803: Appropriation; Nursing, Board of.

Senator Parker offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Board of Nursing, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025... $ 5,069,202.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 37

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost

for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. Of the funds provided for herein, One Million Five Hundred Sixty Thousand Dollars ($1,560,000.00) shall be provided for the Office of Nursing Workforce (ONW). In accordance with Section 73-15-18(1), Mississippi Code of 1972, the Mississippi Board of Nursing is designated as the state agency responsible for the administration and supervision of the Nursing Workforce Program as an educational curriculum. The mission of the Office of Nursing Workforce is to carry out the scope of service and leadership tasks required of the profession by promoting a strong educational infrastructure between nursing practice and nursing education.

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

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

SECTION 6. It is the intention of the Legislature that the Mississippi Board of Nursing shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

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

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

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

SECTION 10. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF NURSING FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1803 was adopted.

YEAS AND NAYS On H. B. No. 1803. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1802: Appropriation; Nursing Home Administrators, Board of.

Senator Parker offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Nursing Home Administrators for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 205,994.00.

SECTION 2. With the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary

adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Nursing Home Administrators shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that the Mississippi State Board of Nursing Home Administrators deposit all revenue generated into a special fund in the State Treasury to the credit of the Mississippi State Board of Nursing Home Administrators and that all interest earned or deposited to the fund shall remain in the fund and not be paid into the State General Fund of Mississippi.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF NURSING HOME ADMINISTRATORS FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1802 was adopted.

YEAS AND NAYS On H. B. No. 1802. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1805: Appropriation; Physical Therapy Board.

Senator Parker offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Physical Therapy, for the purpose of defraying the expenses of the Mississippi State Board of Physical Therapy for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 327,681.00.

SECTION 2. With the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 3

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are

used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Physical Therapy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1805 was adopted.

YEAS AND NAYS On H. B. No. 1805. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1806: Appropriation; Psychology, Board of.

Senator Parker offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Psychology, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 160,063.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 1

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for

new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Psychology shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. Of the funds appropriated in Section 1, Twenty-six Thousand Dollars ($26,000.00) is provided for the administrative support of the Mississippi Autism Board as prescribed by Section 73-75-11, Mississippi Code of 1972.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PSYCHOLOGY FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1806 was adopted.

YEAS AND NAYS On H. B. No. 1806. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1799: Appropriation; Insurance, Department of.

Senator Parker offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Insurance for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 13,238,194.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Mississippi Department of Insurance which is comprised of special source funds collected by or otherwise available to the department, for the support of the various offices of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025. $ 3,130,000.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 129

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds

for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. It is the intention of the Legislature that the Mississippi Department of Insurance shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

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

Performance Measures	FY2025 Target
Lic & Reg MS Ins Co's & Agents	
Number of (Producer, Etc) Licenses Issued	218,000
Average Cost per License Issued	100.00
Number of Agent's C/A's Issued	580,000
Average Cost per Agent C/A Issued	25.00
Number of Requests for Assistance	24,500
Average Cost per Customer I/C Addressed	55.00
Number of Fire Marshal Fire Investigations	538
Cost per Fire Marshal Investigation	900.00
Number of Fire Marshal Inspections	8,000
Average Cost per Fire Marshal Inspection	60.00
Liquefied Compressed Gas	
Number of Accidents/Injuries/Deaths Due to Incidents Involving LCG	0.00
Number of Inspections	8,000
Average Cost per Inspection	60.00
Number of Safety Training Schools/Seminars	170
Average Cost per Safety Training School	145.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 6. Of the funds appropriated under the provisions of Section 1, Fifteen Thousand Seventy-nine Dollars ($15,079.00) is provided for the Mississippi Fire Personnel Minimum Standards and Certification Board.

SECTION 7. Of the funds appropriated under the provisions of Section 1, funds in the amount of Twenty Thousand Dollars ($20,000.00) is provided and shall be expended to pay the annual dues for the National Conference of Insurance Legislators.

SECTION 8. It is the intention of the Legislature that none of the funds appropriated above shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate are notified at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding any project for which the Legislature has made funds available. Any signage regarding any public event or project shall include the following language: "Funds were made available for this project by the Mississippi State Legislature."

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Within the limits of the funds available to the Mississippi Insurance Department for such purpose, the Commissioner of Insurance for the Mississippi Insurance Department may grant a paid internship to students pursuing junior or senior undergraduate level year coursework toward a bachelor's degree in risk management insurance or graduate level coursework towards a master's degree in business administration. Those applicants deemed qualified by the Mississippi Department of Insurance shall receive funds that may be used to pay for tuition, books and related fees to pursue their degree. It is the intent of the Legislature that the paid internship program shall be used as incentive for risk management insurance careers at the Mississippi Insurance Department.

SECTION 11. Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars ($250,000.00) is provided for the State Fire Marshal's Office for fire safety prevention and services, including, but not limited to, fire protection supplies and materials, smoke alarms, and public service announcements providing fire prevention information.

SECTION 12. Of the funds appropriated under the provisions of Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Propane Education and Research Program Fund, for the purpose of research and development of more cost effective uses of propane and on educational programs, safety programs, and market development of propane for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 130,000.00.

SECTION 13. Of the funds provided in Section 2, Three Million Dollars ($3,000,000.00) is provided from the Mississippi Volunteer Firefighter Length-of-Service Awards Program Fund. These funds are provided for the Mississippi Length-of-Service Award Program (LOSAP) established in Section 45-11-271 of the Mississippi Code of 1972.

SECTION 14. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Annual Fire Fund to the Mississippi Department of Insurance for the purposes allowed in Section 17-23-21, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 9,000,000.00.

SECTION 15. In addition to all other funds appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Rural Fire Truck Matching Assistance Fund

which was created in Section 17-23-1 (4), Mississippi Code of 1972 to the Mississippi Department of Insurance for the Rural Fire Truck Matching Assistance Program for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 2,000,000.00.

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

` AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1799 was adopted.

YEAS AND NAYS On H. B. No. 1799. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

_____

Senator Hopson called up the following entitled bill:

H. B. No. 1798: Appropriation; Fire Academy.

Senator Parker offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Fire Academy for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 6,354,428.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Fire Academy which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 0.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 60

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Training	
Number of Students Trained	12,000
Average Cost per Student Trained	781.07

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 5. It is the intention of the Legislature that the State Fire Academy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the

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

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the State Fire Academy for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of a state match to purchase a specialty rescue truck, as authorized in House Bill No. 1606, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 75,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 9. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the State Fire Academy for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of the completion of dorm rooms at the State Fire Academy, as authorized in HB 1606, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 160,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE FIRE ACADEMY FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1798 was adopted.

YEAS AND NAYS On H. B. No. 1798. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane,

Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1818: Appropriation; Public Employees' Retirement System.

Senator Parker offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Administrative Expense Account of the Public Employees' Retirement System for the purpose of defraying the administrative expenses of the Board of Trustees of the Public Employees' Retirement System, or out of any money in the State Treasury to the credit of the Retirement System Building Account of the Public Employees' Retirement System for the purpose of maintenance and general operation of the Retirement System Building, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 19,645,422.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 167

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed

by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Board of Trustees of the Public Employees' Retirement System shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. In accordance with the purposes of this article, there shall be established in the State Treasury the Public Employees' Retirement System Building Repair and Maintenance Fund, into which shall be deposited all funds collected as rental income from the building owned by the system located at 301 North President Street, Jackson, Mississippi. At the end of each fiscal year, any and all unexpended funds shall be transferred to the Administrative Budget Fund of the system.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 1, no more than Three Million Five Hundred Thirty-eight Thousand Dollars ($3,538,000.00) is provided for the purpose of defraying those expenses associated with maintaining, upgrading and operating the computer system.

SECTION 7. As a condition of expending the funds appropriated in Section 1 of this act, the Board of Trustees of the Public Employees' Retirement System shall:

a. Purchase equipment to live webcast board meetings; and

b. Live webcast and record all board meetings, excluding any executive sessions of the board under the provision of the Mississippi Open Meetings Act. Archived footage or a weblink to the archived footage shall be posted on the agency website within Forty-eight (48) hours of the date and time the meeting was held.

SECTION 8. The Public Employees' Retirement System is further authorized, in its discretion, to expend funds for the purchase of service pins for employees of the Public Employees' Retirement System.

SECTION 9. Of the funds appropriated in Section 1, no more than Three Hundred Thousand Dollars ($300,000.00) is provided, only for the explicit purpose of building maintenance and repair.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or

funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1818 was adopted.

YEAS AND NAYS On H. B. No. 1818. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1787: Appropriation; Public Service Commission.

Senator Parker offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Public Service Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 4,918,797.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Public Service Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 464,494.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 and Section 2, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 51

Time-Limited: 5

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Utility Regulatory Services	
Number of Utility Docket Cases	169
Number of Utility Complaints	4,600
Electric Complaints as a Percent of Total	58.00
Telecommunication Complaints as a Percent of Total	26.00
Water Complaints as a Percent of Total	12.00
Gas Complaints as a Percent of Total	3.00
Sewer Complaints as a Percent of Total	1.00
Average Cost per Utility Complaint	638.00

Time To Resolve Utility Complaints (Days)	3
Average Price of Electricity per Kilowatt Hour in MS for Residential Customers, by Utility Type: Investor-Owned Utilities (Cents/kWh)	0.13
Average Price of Electricity per Kilowatt Hour in MS for Residential Customers, by Utility Type: Electric Cooperatives (Cents/kWh)	0.13
Average Price of Electricity for Residential Customers in MS as a Percent of the April 2016 National Average, 12.43 Cents/kWh - Investor Owned Utilities	86.89
Average Price of Electricity for Residential Customers in MS as a Percent of the April 2016 National Average, 12.43 Cents/kWh - Electric Cooperative	95.14
Average Monthly Residential Electric Usage in MS (kWh)	1,200
Average Monthly Residential Electric Usage in MS as a Percent of the 2015 National Average, 909 kWh	135.00
Number of Pipeline Inspections	900
Average Cost per Pipeline Inspection	883.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 5. None of the funds herein appropriated by this act to the Public Service Commission shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Mississippi Public Service Commission that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 6. It is the intention of the Legislature that the Public Service Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

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

SECTION 8. It is the intention of the Legislature that the Public Service Commission shall compile the amount of time that is expended on each regulated entity during Fiscal Year 2024. On or before August 1, 2024, the Public Service Commission shall report these findings to the House of Representatives' Public Utilities Committee, the Senate's Energy Committee, and the Legislative Budget Office.

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

SECTION 10. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1787 was adopted.

YEAS AND NAYS On H. B. No. 1787. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1788: Appropriation; Public Utilities Staff.

Senator Parker offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Public Utilities Staff for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

..... $ 2,555,931.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 25
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be

approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Public Utilities Staff shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PUBLIC UTILITIES STAFF FOR FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1788 was adopted.

YEAS AND NAYS On H. B. No. 1788. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1791: Appropriation; Wildlife, Fisheries and Parks, Department of.

Senator DeLano offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Wildlife, Fisheries and Parks for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 9,663,903.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Wildlife, Fisheries and Parks which is comprised of special source funds collected by or otherwise available to the department for the support and maintenance of the department, including the Museum of Natural Science and the Bureau of Parks and Recreation, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 73,726,167.00.

The following sum, which is included in the sum appropriated above in this section, is appropriated out of the state excise taxes upon gasoline, oil and other petroleum products to the Fisheries and Wildlife Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 5,750,000.00.

The Department of Revenue is directed to set aside the amount of this appropriation or any part thereof at any time it sees fit, out of any collections of taxes upon gasoline, oil and other petroleum products, and to deduct the amounts so set aside from such funds before making distribution thereof. However, provisions shall first be made for the Highway Bonds Sinking Fund, as required under the provisions of Chapter 130, Laws of 1938, and any amendments thereto, and Section 27-5-101, Mississippi Code of 1972.

Any funds available in the Wildlife Heritage Fund may be expended by the Commission on Wildlife, Fisheries and Parks as authorized by law. The department shall make a detailed report to the Legislature regarding the spending of the Wildlife Heritage funds by September 1 for the preceding fiscal year.

SECTION 3. Of the funds appropriated under the provisions of Section 2 to the Bureau of Wildlife and Fisheries, funds in the amount of One Hundred Twenty-five Thousand Three Hundred Thirty-five Dollars ($125,335.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the purpose of defraying the expenses of Project WILD for Fiscal Year 2025.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 527

Time-Limited: 53

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 5. Each conservation officer and supervisor shall be furnished an allowance for uniforms not to exceed Five Hundred Fifty Dollars ($550.00) per annum.

Provided further, when any personnel of the Bureau of Wildlife and Fisheries are transferred from one (1) county to another on a permanent assignment, the expense monies now paid on out-of-county duty shall not be applicable.

SECTION 6. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Support Services	
Number of Hunting and Fishing Licenses Sold	480,000
Number of Registrations of Boats	52,000
Percent Change in License Sales	1.00
Fisheries	
Number of Fish Stocked for Public Waters	1,500,000
Number of Customers of DWFP Lakes	1,500,000
Number of Participants in Aquatic Education	1,500,000
Number of Access Facilities Built or Maintained (Boat Ramps)	35
Wildlife	
MDWFP Management for Hunters and Non-Consumptive Users (Man-Days)	125,000
Research Projects Conducted to Sustain Healthy and Abundant Wildlife Populations	6.00
Acres of Forest Inventory	1,000
Acres of Prescribed Burning, Waterfowl Management, and Timber Management on WMA's to Sustain Healthy & Abundant Wildlife	30,00
Percent Change in Number of Research Projects Conducted to Sustain Healthy and Abundant Wildlife Populations	0.00
Percent Change in Number of Private Land Acres Influenced	0.00
Percent Change in the Number of Forest Inventories Conducted	0.00
Law Enforcement	
Number of Hunter Education Participants	10,000
Number of Hours Patrolled on Land	175,000
Number of Hours Patrolled on Water	50,000
Number of Criminal Investigations Conducted	8,000
Number of Shooting Sport Programs	1,500
Number of Boating Accidents	50
Number of Boating Fatalities	7
Cost per Student for Hunter Education	50
Cost per Sports Program	525.00
Percent Change in Number of Boating Accidents	50.00
Percent Change in Boating Related Fatalities	50.00

Percent Change in Public Contacts per Officer/per Day	15.00
Special Projects	
Percent Increase in Improved Use of Special Funds	0.20
Parks	
Overnight Accommodation (Cabins/Motels)	250,000
Overnight Accommodations (Camping)	650,000
Day Use Services	400,000
Percent Change in Day Use Services	10.00
Percent Change in the Prior Year of Occupancy Rate of Cabins	25.00
Museum	
Statewide Education Programming	250,000
Total Public Programming	130,000
Number of Visitors to Exhibits	80,000
Number of Natural Heritage Records Entered	60,000
Percent Change of Students that Understand the Importance of Natural Resource Conservation	5.00
Percent Change of Visitors to Exhibits	3.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 8. Of the funds appropriated in Section 2, the following amount shall be derived from the Department of Wildlife, Fisheries and Parks Special Pearl River Timber Fund No. 3465, for the purpose of making improvements to the Pearl River Wildlife Management Area ..... $ 50,000.00.

SECTION 9. Of the funds appropriated within this act, the Commission on Wildlife, Fisheries and Parks may enter into cooperative agreements with the board of supervisors of any county or any group or combination of counties for the purpose of creating, improving or restoring parks, public game and fish habitat lying or to be situated wholly or partially within such county or in an adjoining county; and each county is empowered and authorized, in its discretion, to expend funds from the general county fund for such purposes from which fund they shall reimburse to the Commission on Wildlife, Fisheries and Parks the actual cost of all surveying and engineering projects incurred by the Department of Wildlife, Fisheries and Parks incidental thereto. Such boards of supervisors are further authorized and empowered, in their discretion, to enter into agreements necessary to carry out the purposes of this act with any other county, the United States Forest Service or any other agency if same should be necessary for the acquisition of land by lease or otherwise for such purposes.

SECTION 10. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 11. In order to be in compliance with Section 63-1-201 et seq., funds are herein provided and may be expended by the Department of Wildlife, Fisheries and Parks to pay the costs of commercial driver's licenses for specific employees and/or to reimburse such costs for specific employees who, in the course of their duties and responsibilities, are required to hold a valid Mississippi Commercial Driver's License.

SECTION 12. The Mississippi Department of Wildlife, Fisheries and Parks is authorized to provide financial support of One Hundred Seventy-five Thousand Dollars ($175,000.00) and to enter into an agreement with the Mississippi Cooperative Extension Service for a project specialist and related supportive cost.

SECTION 13. The department is authorized to spend up to sixty percent (60%) of revenue in the State Park Timber Endowment Fund, as needed, to operate and maintain the state parks.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. Of the funds appropriated in Section 1, it is the intention of the Legislature that Four Hundred Thousand Dollars ($400,000.00) is allocated for the detection and prevention of Chronic Wasting Disease in deer populations across the state.

SECTION 16. Of the funds appropriated in Section 1, it is the intention of the Legislature that Seventy-five Thousand Dollars ($75,000.00) is allocated for LeFleur's Bluff State Park for playground security expenses.

SECTION 17. Of the funds appropriated herein, Two Hundred Thousand Dollars ($200,000.00) may be provided to fund the Youth Participation Initiative for the purpose of educating children in the areas of hunting, fishing, conservation, and safety.

SECTION 18. The fund created pursuant to Section 49-5-21, Mississippi Code of 1972, and known as the "Fisheries and Wildlife Fund" shall be treated as a special trust fund. All funds derived from the sale of licenses, fees, fines and other revenues received by the department as provided by law, shall be deposited in the Fisheries and Wildlife Fund. In addition, revenue derived from the sale of timber on wildlife management areas, refuges and preserves shall be deposited into an account established for such revenues under the Fisheries and Wildlife Fund. The interest and any investment income earned on the fund shall be credited by the State Treasurer to the Fisheries and Wildlife Fund and shall not be paid into the General Fund. Any unexpended funds remaining in the fund at the end of the fiscal year shall not lapse and shall remain in the fund. Nothing in this section shall prevent the use of said funds from maintenance and upgrade of wildlife management areas.

SECTION 19. It is the intention of the Legislature that no more than One Million Three Hundred Thousand Dollars ($1,300,000.00) be expended from the Motor Vehicle Fund for the purchase of any type of motor vehicle.

SECTION 20. The executive director of the Department of Wildlife, Fisheries and Parks is authorized to enter into an agreement with any public or private entities to manage any park or parks within the state park system.

SECTION 21. It is the intent of the Legislature that no state-owned wildlife management area be closed and that to the greatest practicable extent, department land management decisions and actions may not result in any net loss of any acreage available for hunting opportunities that existed on July 1, 2006, as provided in Section 49-5-99(4). It is the intention of the Legislature that no state park be closed without legislative approval.

SECTION 22. It is the intent of the Legislature that the Mississippi Department of Wildlife, Fisheries and Parks shall have the authority to enter into multi-year contracts for the purpose of placing a sign on such state park property under the department's domain, in accordance with any applicable rules and regulations. All proceeds generated from these activities shall remain with the department and shall be deposited into the proper special fund.

SECTION 23. It is the intent of the Legislature that from the funds available to the Department of Wildlife, Fisheries and Parks, the department may purchase and pay premium(s) on property damage insurance on its motor vehicles, boats, trailers, real property improvements, buildings, furnishings, and such other assets as may be appropriate or practical, and/or as required by a granting entity.

SECTION 24. Of the funds appropriated under the provisions of Section 2, One Million Seven Hundred Fifty Thousand Dollars ($1,750,000.00) shall be designated for the purpose of defraying the operational expenses of Special Projects. None of these funds shall be used for "Personal Services."

SECTION 25. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks shall have the authority to receive, budget and expend funds from the Gulf and Wildlife Protection Fund, not to exceed Fifty Thousand Dollars ($50,000.00) for the purpose of preservation, protection, conservation, and acquisition of waters, land and wildlife of this state.

SECTION 26. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 27. Of the funds appropriated in Section 1, it is the intention of the Legislature that Fifty-eight Thousand Five Hundred Ninety-three Dollars ($58,593.00) may be allocated for the Hunter Education program supported from the General Fund court assessments.

SECTION 28. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Wildlife, Fisheries, and Parks the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1617, 2023 Regular Session. The purpose of these funds is to assist the Department with improving and developing the area in the LeFleur's Bluff Education and Tourism Complex and in coordination with the Mississippi Children's Museum, and the Department of Finance and Administration in order to promote tourism, education, and recreational activity that contributes to community well-being for the fiscal year beginning July 1, 2024, and ending June 30, 2025

$ 13,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 29. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Wildlife, Fisheries, and Parks the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1617, 2023 Regular Session for the purpose of providing equipment for the agency for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 1,100,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 30. Of the funds appropriated in Section 2, Eight Million One Hundred Thousand Dollars ($8,100,000.00) may be provided from the Mississippi Outdoor Stewardship Trust Fund. These funds are available for completing projects awarded to the Department by the Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund.

SECTION 31. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 32. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1791 was adopted.

YEAS AND NAYS On H. B. No. 1791. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

_____

Senator Hopson called up the following entitled bill:

H. B. No. 1776: Appropriation; Archives and History, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Department of Archives and History for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 11,663,588.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Department of Archives and History which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 12,938,358.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 151

Time-Limited: 6

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary

adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. It is the intention of the Legislature that the Department of Archives and History shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It is the intent of the Legislature that the Mississippi Department of Archives and History shall charge the maximum amount allowable for services rendered, consistent with the cost of providing such services. The funds derived from these charges shall be deposited into a special fund account in the State Treasury to the credit of the Mississippi Department of Archives and History.

SECTION 6. It is the intent of the Legislature that no part of the funds herein appropriated shall be required to be used for the payment of rent for the museum and public space in the State Historical Museum, Old Capitol Restoration.

SECTION 7. Of the funds provided in Section 2, Two Million Dollars ($2,000,000.00) is provided to the Department of Archives and History from the Mississippi Landmark Grant Fund in accordance with Section 39-5-23, Mississippi Code of 1972, to help support the preservation of Mississippi Landmark Properties.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Archives and History for the purpose of supporting the Statewide Oral History Project for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 45,748.00.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. Of the funds provided in Section 2, Seven Hundred Fifty Thousand Dollars ($750,000.00) is provided from Special Funds in the State Treasury to the credit of the State Treasury fund created in Section 27-19-56.69(8), Mississippi Code of 1972, for the purpose of paying the costs of repair and renovation of the New Capitol, the Old Capitol, the Governor's Mansion, and the War Memorial Building, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of funds.

SECTION 12. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of General Funds as authorized in HB 1612, 2023 Regular Session to provide for Beauvoir, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 100,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 13. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1612, 2023 Regular Session to defray expenses of the Department of Archives and History for the fiscal year beginning July 1, 2023, and ending June 30, 2024..... $ 12,186,271.00.

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

(a) De la Pointe-Krebs House ..... $ 86,271.00.

(b) Repair, renovation, and construction projects undertaken by the Department of Archives and History ..... $ 9,600,000.00.

(c) Vicksburg Military Park Interpretive Center ..... $ 1,000,000.00.

(d) Eudora Welty Library Project..... $ 1,500,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 14. Of the funds provided in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Historic Site Preservation Fund, for the purpose of making grants to nonprofit organizations in accordance with Section 39-5-22, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 2,000,000.00.

SECTION 15. Of the funds provided in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Community Heritage Preservation Grant Fund, for the purpose of grant assistance to Historic County Courthouses, School Buildings and Other Historic Buildings as in Section 39-5-145, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 5,000,000.00.

SECTION 16. The Mississippi Department of Archives and History is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and

Administration in a manner consistent with the escalation of federal funds not to exceed One Million Dollars ($1,000,000.00).

SECTION 17. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 18. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE FISCAL YEAR 2025.

Senator Hill offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND by inserting the following new section after line 205 and renumbering subsequent sections accordingly:

SECTION 18. None of the funds herein appropriated to the Mississippi Department of Archives and History shall be expended by the department unless and until the historic statue of the late Governor Theodore Gilmore Bilbo, which is presently in a location under the jurisdiction of the department, is permanently placed as a point of historical reference for public viewing in the newly constructed Museum of Mississippi History, or alternatively in the Mississippi Civil Rights Museum.

POINT OF ORDER

A point of order was raised by Senator Hopson that Amendment No. 1 pulls new language into the bill, and the amendment is not germane.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order not well-taken.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1776 failed.

Committee Amendment No. 1 to H. B. No. 1776 was adopted.

YEAS AND NAYS On H. B. No. 1776. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons

D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, Hill. Total--2.

Absent and those not voting----None.

Voting Present--Blount, Ladner. Total--2.

Senator Hopson called up the following entitled bill:

H. B. No. 1822: Appropriation; Arts Commission.

Senator McCaughn offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Arts Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 1,531,671.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Arts Commission which is comprised of special source funds and donations collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 2,661,700.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 10

Time-Limited: 2

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not

exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. It is the intention of the Legislature that the Mississippi Arts Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. Of the funds appropriated under the provisions of Section 2, funds in the amount of One Million Four Hundred Ninety Thousand Dollars ($1,490,000.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the following:

Training of educators and promotion of arts programs in public schools	$ 100,000.00
Miscellaneous grants and programs	$ 350,000.00
Whole Schools Initiative	$ 1,040,000.00

SECTION 6. It is the intention of the Legislature that the Arts Commission shall have the authority to transfer dollars appropriated herein designated for the "Challenge Program," specific amounts to a special fund in the State Treasury called the Arts Commission Challenge Initiative Fund. The unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and may be expended by the commission in subsequent fiscal years upon appropriation of the Legislature. Any interest earned on the fund shall be deposited to the credit of the fund and may be disbursed by the commission upon appropriations of the Legislature. It is the intention of the Legislature that the commission may award grants to arts organizations from monies in the fund and the grantees will be required to provide matching funds for the grants in an amount of not less than two (2) times the amount of the grant.

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

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

SECTION 9. It is the intention of the Legislature that the Arts Commission may retain an amount not to exceed one percent (1%) of the monies in the Building Fund for

the Arts for the purpose of defraying administrative costs associated with administering the grant program established in Section 39-11-13, Mississippi Code of 1972.

SECTION 10. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Arts Commission for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1611, 2023 Regular Session to provide for the funding of the Building Fund for the Arts Initiative for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 3,100,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1822 was adopted.

YEAS AND NAYS On H. B. No. 1822. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1778: Appropriation; Environmental Quality, Department of.

Senator McCaughn offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Environmental Quality for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 15,412,435.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Environmental Quality which is comprised of special source funds collected by or otherwise available to the department, for the support of the various offices of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025...

$ 248,933,629.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 212

Time-Limited: 165

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. It is the intention of the Legislature that the Department of Environmental Quality shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level

of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

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

Performance Measures	FY2025 Target
Pollution Control	
Percent of Days with Air Advisories	5.00
Percent of Air Permits Modified/Issued in a Timely Manner	50.00
Percent of Counties That Meet NAAQ Standards	75.00
Percent of Air Facilities Inspected	35.00
Percent of Air Facilities in Compliance with Regulatory Requirements	85.00
Percent of Waste Permits Issued/Modified in a Timely Manner	60.00
Percent of Waste Facilities Inspected	60.00
Percent of Inspected Waste Facilities in Compliance with Regulatory Requirements	65.00
Percent of Citizens who Have Access to Recycling Programs	55.00
Percent of Underground Storage Tanks in Compliance with Regulatory Requirements	60.00
Percent of Contaminated Sites That Have Completed Assessment	50.00
Percent of Contaminated Sites That Have Completed Remediation	5.00
Percent of Waters That Have Acceptable Quality for Their Designed Use	56.00
Percent of NPDES Permits Issued/Modified in a Timely Manner	70.00
Percent of NPDES Majors in Compliance	66.00
Percent of Staff with Expertise in the National Incident Management System	70.00
Percent of NPDES Majors Inspected per Year	50.00
Construction Grants	
Percent of SRF Loan Recipients in Compliance with Loan Agreements	90.00
Land & Water	
Percent of Annual Prioritized Water Resource Areas Adequately Characterized	80.00
Percent of Groundwater Use Permits Issued/Modified	90.00
Percent of Surface Water Use Permits Issued/Modified	90.00
Percent of Water Use Reported	80.00
Percent of High Hazard Dams with Emergency Action Plans	98.00
Geology	
Percent of Mining Facilities Inspected	95.00
Percent of Inspected Mining Facilities in Compliance with Regulatory Requirements	85.00
Administrative Services	
Administration as a Percent of Total Budget	5.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 6. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in Section 2, an amount no greater than Two Hundred Fifty Thousand Dollars ($250,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality - Office of Administrative Services for support of Legal Division environmental protection activities.

SECTION 8. Of the funds appropriated in Section 2, an amount no greater than One Hundred Thousand Dollars ($100,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality - Office of Pollution Control for support of the Household Hazardous Waste Collection Grants Program.

SECTION 9. Of the funds appropriated in Section 1, Two Million Six Hundred Thirty-five Thousand Dollars ($2,635,000.00), or so much thereof, is provided for the Clean Water Grant match.

SECTION 10. The Department of Environmental Quality (DEQ) may request that the Mississippi Development Authority (MDA) staff shall provide an economic viability assessment for any complete application or group of related complete applications submitted to DEQ after July 1, 1999, for which DEQ estimates that DEQ will be required to devote extraordinary effort to process the application or group of related applications within the one hundred eighty (180) days required by Section 49-17-29(3)(c). For purposes of this paragraph, "extraordinary effort" means the constant dedication of more than three (3) full-time equivalent positions for a period of at least one hundred eighty (180) days. The economic viability assessment shall include, but not be limited to: (i) an analysis of the current and future market viability of the project concerning which application(s) has been made to DEQ; and (ii) an analysis of the applicant's economic ability to construct, develop, maintain and operate the project as described in the application(s) submitted to DEQ. If the economic viability assessment concludes that the project is not economically viable for any reason, DEQ shall suspend processing the permit application(s), notwithstanding the provisions of Section 49-17-29(3)(c). Within thirty (30) days of the decision of MDA staff, the permit applicant may present any additional information on its behalf to the Executive Director of MDA, and the Executive Director shall review the MDA staff assessment. If additional information is received in writing from the applicant, the Executive Director of MDA shall make a decision in review of the MDA staff decision within sixty (60) days of the staff decision, and the decision of the Executive Director of MDA shall be the final administrative action of MDA in the matter.

SECTION 11. It is the intention of the Legislature that the Executive Director of the Department of Environmental Quality shall have authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Environmental Quality. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Department of Environmental Quality shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. Of the funds appropriated herein, it is the intent of the Legislature that the Department of Environmental Quality shall pay debt service on bonds issued to provide state matching funds for the State Revolving Loan Fund with interest earnings derived from the fund.

SECTION 14. Of the funds appropriated in Section 2, an amount not greater than Two Hundred Thousand Dollars ($200,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality to be used for dam and reservoir inspections, inventory, and reporting.

SECTION 15. It is the intention of the Legislature for the Department of Environmental Quality to continue with any agreements with Mississippi state agencies, including grant agreements, that provide environmental projects to restore Mississippi's natural resources in the wake of the Deepwater Horizon Oil Spill.

SECTION 16. Of the funds appropriated in Section 2, One Million Dollars ($1,000,000.00) is provided for the purpose of assessment, remediation, operation and maintenance, cost-sharing, oversight, and administration of water, land, and air contamination projects within the State of Mississippi pursuant to the 2020 settlement in The State of Mississippi ex rel. Lynn Fitch, Attorney General vs. EnPro, Inc., et.al.; Cause No. CV-2017-19-JMY2.

SECTION 17. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 18. Notwithstanding any other provision, the Department of Environmental Quality shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 19. With the funds appropriated herein, the Department of Environmental Quality is authorized to make payment to certain vendors for expenses incurred during 2021 and 2022 to certain vendors in the total amount..... $ 843,889.59.

SECTION 20. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 21. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1778 was adopted.

YEAS AND NAYS On H. B. No. 1778. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes,

Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1780: Appropriation; Forestry Commission.

Senator McCaughn offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the State Forestry Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 15,729,963.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Forestry Commission which is comprised of special source funds collected by or otherwise available to the commission, for the support and maintenance of the commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 12,603,954.00.

Of the funds specified in this section, Two Hundred Fifty Thousand Dollars ($250,000.00) shall be deposited in a fund created in the State Treasury called the "Forest Improvement Revolving Fund." Money in this fund shall be used by the State Forestry Commission to assist in the reforestation and growth improvement of the forests, woodlands, and publicly owned lands of the state, including sixteenth section lands, Camp Shelby, Columbia Training School and colleges and universities. Landowners who contract with the commission for such work shall pay to the commission its actual cost for conducting such work. Money received for this work by the commission shall be paid into the State Treasury, and the State Treasurer shall deposit such money in the "Forest Improvement Revolving Fund."

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

AUTHORIZED HEADCOUNT:

Permanent: 326

Time-Limited: 7

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds

for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. It is the intention of the Legislature that the State Forestry Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

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

Performance Measures	FY2025 Target
Forest Protection & Information	
Average Suppression Time (Hrs from Detection to Control)	2.00
Number of Acres Burned Under a Prescribed Burn Program	15,000
Percent of Fires Suppressed at 100 Acres or Less	95.00
Forest Management	
Forest Resource Development Program Acres Regenerated or Improved	35,000
Acres Monitored for Insect, Storm or Disease	19,800,000
Re-Inventory 20% of State's Forest Lands (% of Regions)	20.00
Percent Increase of Re-Inventory of State Forest Land	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 6. There is created in the State Treasury a fund designated as the Volunteer Fire Department Equipment Conversion Revolving Fund to be used by the State Forestry Commission to assist in the conversion of vehicles acquired by the State Forestry Commission through the Federal Excess Personal Property Program or by volunteer fire departments through other means to adapt them for use in the suppression of wildland fires. This assistance shall be in the form of fabrication of water tanks or other accessories necessary for the operation of fire suppression units, installation of piping and valves, painting or other similar or associated component work necessary to place fire suppression equipment into service. It is not for general vehicle maintenance or repair.

The Volunteer Fire Department Equipment Conversion Revolving Fund shall be funded by monies received from charges for work and services performed for volunteer fire departments by the State Forestry Commission. Monies collected from such charges shall be deposited into the Volunteer Fire Department Equipment Conversion Revolving Fund. The State Treasurer shall make disbursements therefrom for payment of materials, supplies and labor upon requisition of the Forestry Commission and upon the issuance of warrants therefor by the Department of Finance and Administration.

The amount of monies deposited into the Volunteer Fire Department Equipment Conversion Fund through this work shall not exceed Fifty Thousand Dollars ($50,000.00). Funds in excess of Fifty Thousand Dollars ($50,000.00) shall be placed in the State Forestry Commission's regular appropriated special funds. Monies in this revolving fund are to be considered special funds and shall be carried forward from one fiscal year to the next.

SECTION 7. There is created in the State Treasury a fund designated as the Camden State Forest Revolving Fund to be used by the State Forestry Commission to direct forest management activities on the Camden State Forest in Madison County, Mississippi. The forest management activities will include, but not be limited to, maintenance of property, timber sale activities and regeneration work.

The Camden State Forest Revolving Fund shall be funded by monies received from timber sales, leases, and any other source. Monies collected from these income sources shall be deposited into the Camden State Forest Revolving Fund. The State Treasurer shall make disbursements therefrom for payments of materials, supplies and labor upon requisition of the State Forestry Commission and upon the issuance of warrants therefor by the Department of Finance and Administration.

It is the intention of the Legislature that any revolving funds in excess of the budgeted amount needed for the necessary operation and maintenance of all properties under the direct supervision and management of the State Forestry Commission shall remain in the Camden State Forest Revolving Fund for use in future years.

SECTION 8. Of the funds appropriated in Section 2, it is the intention of the Legislature that Two Hundred Thousand Dollars ($200,000.00) shall be transferred to the Department of Agriculture and Commerce for the Beaver Control or Eradication Program during the Fiscal Year 2025.

SECTION 9. Any funds in the Salary, Wages and Fringe Benefits major object of expenditure may be used to purchase accumulated compensatory time within the funds available.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the

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

SECTION 13. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1780 was adopted.

YEAS AND NAYS On H. B. No. 1780. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1781: Appropriation; Grand Gulf Military Monument Commission.

Senator McCaughn offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Grand Gulf Military Monument Commission in the operation and maintenance of the Grand Gulf Military Monument for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 323,650.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Grand Gulf Military Monument Commission, for the purpose of defraying the expenses of the commission in the operation and maintenance of the Grand Gulf Military Monument for the fiscal year beginning July 1, 2024, and ending June 30, 2025.... $ 119,017.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 7

Time-Limited: 0

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

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

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. It is the intention of the Legislature that the Grand Gulf Military Monument Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 6. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund, not otherwise appropriated for Grand Gulf Military Monument Commission for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1618, 2023 Regular Session, for the purpose of defraying the expenses of Grand Gulf Military Monument Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 497,245.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

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

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

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

SECTION 10. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE GRAND GULF MILITARY MONUMENT COMMISSION FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1781 was adopted.

YEAS AND NAYS On H. B. No. 1781. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1783: Appropriation; Marine Resources, Department of.

Senator McCaughn offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Marine Resources for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 3,388,239.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Marine Resources for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 170,843,519.00.

Of the funds appropriated in this section, Three Million Fifty Thousand Dollars ($3,050,000.00) is derived from the state excise taxes upon gasoline, oil and other petroleum products.

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

AUTHORIZED HEADCOUNT:

Permanent: 106

Time-Limited: 65

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. It is the intention of the Legislature that the Department of Marine Resources shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. Each Marine Conservation Officer and Supervisor shall be furnished an allowance for uniforms not to exceed Six Hundred Dollars ($600.00) per annum.

SECTION 6. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Tidelands Fund No. 3345200000 to the Department of Marine Resources for the purpose of defraying the expenses of the tidelands projects for the fiscal year beginning July 1, 2024, and ending June 30, 2025 $ 12,455,247.00.

This amount is allocated as follows:

Total Public Access Projects	$	4,951,275.00
Total Management Projects	$	4,951,275.00
Bond Repayment	$	1,552,697.00
Prior Year Projects	$	1,000,000.00

Each political subdivision receiving funds authorized in this section shall be held responsible for complying with Section 29-15-9, Mississippi Code of 1972, and shall be subject to an audit by the State Auditor and shall submit detailed reports beginning June 30, and every six (6) months thereafter for the duration of the project to the Department of Marine Resources on how funds authorized in this section were expended.

It is the intention of the Legislature that any political subdivision seeking to qualify for tidelands funds for the subsequent fiscal year shall submit a proposal to the Department of Marine Resources no later than July 1, 2024. All proposals submitted will be reviewed and evaluated by the Department of Marine Resources in accordance to department plans and procedures. Multiphased projects, multiyear projects, proposed projects with high dollar value and projects that have a record of stacking funds shall be considered as low priority projects when evaluated.

It is the intention of the Legislature that if the amount of the Tidelands funds appropriated in this act exceed the actual amount of tidelands funds available, the available funds shall be allocated on a pro rata basis between projects listed in this section.

SECTION 7. It is the intention of the Legislature that the department shall place any special trust funds appropriated to the department in a special trust fund and the interest earned on the principal shall be credited to the special trust fund. Monies in the fund at the end of the fiscal year shall be retained in the special trust fund for use in the next succeeding fiscal year. The department may use the interest earned on the fund to pay reasonable costs for administering the fund and related projects.

SECTION 8. It is the intention of the Legislature that the Department of Marine Resources has the authorization to move tidelands funds between approved projects upon request from entity and proper completion of Form TTF-6 documentation.

SECTION 9. It is the intention of the Legislature for the Department of Marine Resources and the Department of Environmental Quality to continue with any agency partnerships, including grant agreements, that provide environmental projects to restore Mississippi’s natural resources in the wake of the Deepwater Horizon Oil Spill.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. Of the funds appropriated in Section 2, Eighty-seven Million Five Hundred Sixty Thousand Seven Hundred Five Dollars ($87,560,705.00) is provided for

the funding of the following Gulf of Mexico Energy Security Act (GOMESA) projects for FY 2025:

Of the funds appropriated in Section 2, Eighty Seven Million Five Hundred Sixty Thousand Seven Hundred Five Dollars ($87,560,705.00) is provided for the funding of the following Gulf of Mexico Energy Security Act (GOMESA) projects for FY 2025:

(a) To assist the City of Pascagoula with the Live Oak Corridor Drainage to Remedy Flooding ..... $ 2,000,000.00

(b) To assist the City of Gulfport with the North Gulfport Wastewater Treatment Plant UV Disinfection ..... $ 1,200,000.00

(c) To assist the Hancock County Utility Authority with the Stennis Space Center Wastewater Conveyance Project ..... $ 10,588,400.00

(d) To assist the City of Long Beach with the Small Craft Harbor Eastern Bulkhead Improvements ..... $ 2,693,000.00

(e) To assist the City of Pass Christian with the West Breakwater Wall Hurricane Mitigation Improvements ..... $ 2,590,000.00

(f) To assist the Department of Marine Resources with Oyster Spat ..... $ 2,000,000.00

(g) To assist the Institute for Marine Mammal Studies with Monitoring and Evaluation of Sea Turtle Nesting in Mississippi ..... $ 997,142.00

(h) To assist the University of Southern Mississippi with the Mississippi Coastal Fishery Resource Assessment ..... $ 505,437.00

(i) To assist the Hancock County Port and Harbor Commission with Bank Mitigation ..... $ 1,749,220.00

(j) To assist the University of Southern Mississippi with Oak Island Oyster Company in the Development and Testing of an Off Bottom Oyster Structure $ 1,195,571.00

(k) To assist Jackson County with Coastal Roadway Hurricane Protection ..... $ 750,000.00

(l) To assist the Institute for Marine Mammal Studies with Monitoring/Gauging Habitat Suitability for Dolphins and Turtles ..... $ 1,496,817.00

(m) To assist the Kiln Utility District with Jourdan River Shores Sewer Improvements Phase II $ 2,255,600.00

(n) To assist Harrison County with Sand Beach Outfall Coordination ..... $ 1,600,000.00

(o) To assist the City of Ocean Springs With Sewer Rehabilitation ..... $ 1,960,000.00

(p) To assist the Department of Marine Resources with Oyster Cultch ..... $ 1,000,000.00

(q) To assist the City of Pass Christian with Highway 90 Hurricane Mitigation Improvements ..... $ 2,540,000.00

(r) To assist Coastal Mississippi with the promotion of the Seafood Industry and their Economic Contributions to the State ..... $ 500,000.00

(s) To assist the City of Diamondhead With Drainage, Flood Prevention and Water Quality Improvements Phase II ..... $ 1,999,839.00

(t) To assist Jackson County with East Beach Outfalls/Shoreline Protection ..... $ 1,710,000.00

(u) To assist the City of Gautier with Hickory Hills/Lagrange Water Quality and Stormwater Improvements ..... $ 2,973,981.00

(v) To assist the City of Biloxi with Keegan Bayou Restoration ..... $ 2,520,000.00

(w) To assist the Department of Marine Resources with the Coffee Creek Outfall Pavilion $ 650,000.00

(x) To assist the City of Long Beach with Small Craft Harbor Southern Quay Bulkhead Improvements ..... $ 2,554,000.00

(y) To assist the Department of Marine Resources with Bonnet Carre Spillway Mitigation ..... $ 1,475,000.00

(z) To assist the City of D'Iberville with the Working Waterfront and Seafood Harbor Project $ 500,000.00

(aa) To assist the University of Southern Mississippi with the Ocean Enterprise Project..... $ 1,847,409.00

(bb) To assist the Department of Marine Resources with the Coffee Creek Outfall ..... $ 71,906.00

(cc) To assist the Department of Marine Resources with the Coffee Creek water quality..... $ 76,074.00

(dd) To assist Jackson County Board of Supervisors with the Front Beach Erosion Control $ 640,243.00

(ee) To assist the Department of Marine Resources with GOMESA project management, development and mitigation..... $ 1,304,315.00

(ff) To assist the Department of Marine Resources with artificial reef construction. ..... $ 443,351.00

(gg) To assist the Department of Environmental Quality with water quality..... $ 866,683.00

(hh) To assist the Department of Marine Resources with Bonnet Carre Response ..... $ 27,134.00

(ii) To assist Jackson County with a Watershed Development Plan ..... $ 28,088.00

(jj) To assist the City of Pass Christian With Sanitary Sewer Pump Station Repairs ..... $ 967,575.00

(kk) To assist Hancock County with Atlantic Street Sewer Improvements ..... $ 669,725.00

(ll) To assist the City of Long Beach with Small Craft Harbor SE Bulkhead Improvements ..... $ 2,188,000.00

(mm) To assist the Kiln Utility District with the Jordan River Shores Sewer Force Main Relocation ..... $ 189,828.00

(nn) To assist the City of Biloxi with the Point Cadet Living Shoreline ..... $ 756,537.00

(oo) To assist the Department of Marine Resources with MS Reef Fish Monitoring and Assessment ..... $ 47,657.00

(pp) To assist Hancock County Utility Authority with Oak Harbor Sewer Improvements..... $ 2,804,082.00

(qq) To assist Hancock County Port and Harbor Commission with Port Bienville Conservation Management ..... $ 261,643.00

(rr) To assist the City of Gautier with Water Quality and Infrastructure Sanitary Sewer ..... $ 38,899.00

(ss) To assist the City of Pascagoula with

Buena Vista Area Drainage ..... $ 490,712.00

(tt) To assist the City of Pass Christian with Gravity Sewer System Improvements Phase I ..... $ 1,650,669.00

(uu) To assist the City of Pascagoula with Point Park Pier Repair/Improvements ..... $ 322,651.00

(vv) To assist the Department of Marine Resources with the Railroad Corner Beneficial Use Site $ 57,606.00

(ww) To assist the University of Southern Mississippi with collection of Fishery-Dependent information on Blue Crabs ..... $ 32,254.00

(xx) To assist the National Oceans and Applications Research Center with the Cat Island Baseline Inventory of Seagrass Habitat ..... $ 9,679.00

(yy) To assist the National Oceans and Applications Research Center with the Inventory Of Wetlands Habitats ..... $ 93,436.00

(zz) To assist Mississippi State University with the Evaluation and Monitoring of Marine Mammal and Sea Turtles after Bonnet Carre Spillway Opening $ 1,073,767.00

(aaa) To assist the American Shrimp Processors Association with the Shrimp Processors Feasibility Study $ 602,728.00

(bbb) To assist the Jackson County Utility Authority with Septic System Abatements ..... $ 1,604,708.00

(ccc) To assist the University of Southern Mississippi with the Mississippi Coastal Fishery Resource Assessment ..... $ 43,932.00

(ddd) To assist the Department of Marine Resources with the Katrina Key Expansion ..... $ 430,000.00

(eee) To assist the Secretary of State with the Broadwater Marina Restoration ..... $ 3,678,850.00

(fff) To assist the City of Pass Christian with Sewer Pump Station Repairs ..... $ 366,335.00

(ggg) To assist the City of Diamondhead With Drainage, Flood Prevention and Water Quality Improvements ..... $ 1,193,447.00

(hhh) To assist the Department of Marine Resources with the Bonnet Carre and Mid Breton Response ..... $ 660,467.00

(iii) To assist the City of Ocean Springs with the Front Beach Pub Access and Storm Water Mitigation Improvements ..... $ 1,992,554.00

(jjj) To assist the City of Pass Christian with Phase II of the Gravity Sewer System Improvements ..... $ 4,524,487.00

(kkk) To assist the Department of Marine Resources with the Off Bottom Oyster Aquaculture..... $ 1,366,785.00

(lll) To assist the Department of Marine Resources with the Pelican Key Beneficial Use Site $ 348,220.00

(mmm) To assist the Department of Marine Resources with Phase II of the Katrina Key Expansion ..... $ 400,000.00

(nnn) To assist the Jackson County Board of Supervisors with the Pascagoula Beach Open Channel Outfalls ..... $ 1,339,000.00

(ooo) To assist the Department of Marine Resources with water testing for Seafood Consumption Safety ..... $ 45,262.00

SECTION 12. It is the intent of the Legislature that the Department of Marine Resources shall have the authority to expend funds in an amount not to exceed Seventeen Million Dollars ($17,000,000.00) from funds for the Gulf of Mexico Energy Security Act (GOMESA) that may become available to the agency in fiscal year 2025 in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 13. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 14. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 15. With the funds appropriated herein, the Mississippi Department of Marine Resources is authorized to make payments for expenses incurred during prior fiscal years for an amount not to exceed One Hundred Forty-four Thousand Six Hundred Fifty-eight Dollars and Fifty-Three Cents ($144,658.53).

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1783 was adopted.

YEAS AND NAYS On H. B. No. 1783. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1784: Appropriation; Oil and Gas Board.

Senator McCaughn offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Oil and Gas Board which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 2,807,932.00.

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

AUTHORIZED HEADCOUNT:

Permanent: Full Time 34

Time-Limited: Full Time 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the State Oil and Gas Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. The State Oil and Gas Board shall have the authority to receive, budget and expend funds from any source not to exceed Two Hundred Thousand Dollars ($200,000.00) for the Comprehensive Data Management Program in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE OIL AND GAS BOARD FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1784 was adopted.

YEAS AND NAYS On H. B. No. 1784. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1789: Appropriation; Soil and Water Conservation Commission.

Senator McCaughn offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the State Soil and Water Conservation Commission for the purpose of defraying the administrative expenses of the commission and carrying out the provisions of Section 69-27-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 569,503.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Soil and Water Conservation Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 24,774,057.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 9

Time-Limited: 6

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. It is the intention of the Legislature that the State Soil and Water Conservation Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. The State Soil and Water Conservation Commission is authorized to retain all funds generated from the sale of equipment. Any funds made available from the sale of equipment shall be deposited into the special fund in the State Treasury to the credit of the Soil and Water Conservation Commission and shall be used solely for the purpose of purchasing equipment.

SECTION 6. The State Soil and Water Conservation Commission is authorized to receive, budget and expend any proceeds derived from the sale of bonds authorized in Section 69-27-331 et seq., Mississippi Code of 1972. All expenditures shall be in accordance with conditions provided in Section 69-27-331 et seq., Mississippi Code of 1972.

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

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

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

SECTION 10. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1789 was adopted.

YEAS AND NAYS On H. B. No. 1789. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner,

McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 1817: Appropriation; Legislative expenses.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums, or so much thereof as may be necessary, are appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying salaries, mileage, insurance, matching funds and the daily expense allowance of the members of the Legislature for the Regular Session of 2025 and providing contingent funds for the House of Representatives and Senate for the fiscal year beginning July 1, 2024, and ending June 30, 2025, as follows:

For salaries, mileage, insurance, matching funds and daily expense allowance of members of the House of Representatives ..... $ 4,550,241.00.

For Contingent Fund for the House of Representatives ..... $ 8,761,689.00.

Out of the above amount appropriated for the Contingent Fund for the House of Representatives, not more than Fifteen Thousand Dollars ($15,000.00) shall be expended for defraying the expenses of and for the use of the members of the Mississippi Commission on Interstate Cooperation, as created under Section 5-5-1 et seq., Mississippi Code of 1972.

For salaries, mileage, insurance, matching funds and daily expense allowance of members of the Senate ..... $ 2,019,281.00.

For Contingent Fund for the Senate..... $ 6,129,528.00.

Out of the above amount appropriated for the Contingent Fund for the Senate, not more than Ten Thousand Dollars ($10,000.00) shall be expended for defraying the expenses of and for the use of the members of the Mississippi Commission on Interstate Cooperation, as created under Section 5-5-1 et seq., Mississippi Code of 1972.

For the joint legislative operations of the House of Representatives and the Senate ..... $ 1,238,838.00.

For the expenses of the Joint Legislative Budget Committee..... $ 4,873,832.00.

For the expenses of the Joint Legislative Committee on Performance Evaluation and Expenditure Review ..... $ 2,721,269.00.

For the expenses of the Joint Legislative Reapportionment Committee ..... $ 300,482.00.

For the expenses of the Joint Legislative Code Committee..... $ 400,000.00.

The Joint Legislative Reapportionment Committee shall prepare, publish and provide semiannual reports to each member of the Legislature and such reports shall provide a line-by-line detailed accounting of all receipts and expenditures of any and all monies appropriated by the Legislature to the Joint Legislative Reapportionment Committee. Any meetings of the Joint Legislative Reapportionment Committee shall be held in state offices or at publicly owned facilities.

SECTION 2. The following sums, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying the monthly expense allowance of the members of the Legislature, as provided in Section 5-1-41, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025, as follows:

For the House of Representatives ..... $ 2,682,317.00.

For the Senate ..... $ 1,164,718.00.

SECTION 3. The following sum, or so much thereof as may be necessary is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying the state's share of various assessments for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 471,211.00.

Of the funds authorized in this section, the following distribution shall be made:

Southern States Energy Board ..... $ 29,077.00.

Interstate Cooperation..... $ 361,899.00.

National Conference of Commissioners on Uniform State Laws..... $ 41,835.00.

The Energy Council..... $ 38,400.00.

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the joint operations of the House of Representatives and the Senate not otherwise appropriated, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 50,000.00.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this Legislature for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. None of the funds appropriated under the provisions of this act may be used to pay or reimburse any expenses of out-of-state travel for any member or employee of the House of Representatives without prior approval of the House Management Committee or for any member or employee of the Senate without prior approval of the Senate Rules Committee.

SECTION 7. Of the funds provided herein, the Clerk of the Mississippi House of Representatives and the Secretary of the Mississippi Senate may transfer funds between accounts for their respective chambers which are administered by the Mississippi House of Representatives and the Mississippi Senate.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING THE EXPENSES AND PROVIDING CONTINGENT FUNDS FOR THE LEGISLATURE, THE EXPENSES OF THE JOINT LEGISLATIVE BUDGET COMMITTEE, THE EXPENSES OF THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND

EXPENDITURE REVIEW, THE EXPENSES OF THE JOINT LEGISLATIVE REAPPORTIONMENT COMMITTEE, THE EXPENSES OF THE JOINT COMMITTEE ON COMPILATION, REVISION AND PUBLICATION OF LEGISLATION, PAYING THE MONTHLY EXPENSE ALLOWANCE OF THE MEMBERS OF THE LEGISLATURE, PAYING THE STATE'S SHARE OF VARIOUS ASSESSMENTS, AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1817 was adopted.

YEAS AND NAYS On H. B. No. 1817. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--Blackwell, Branning. Total--2.

Senator Hopson called up the following entitled bill:

H. B. No. 1808: Appropriation: Real Estate Commission and Appraiser Licensing and Certification Board.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Real Estate License Fund, for the purpose of defraying the expenses of the Mississippi Real Estate Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 1,764,116.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized for the Mississippi Real Estate Commission:

AUTHORIZED HEADCOUNT:

Permanent: 16

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It

shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Mississippi Real Estate Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI REAL ESTATE COMMISSION FOR FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1808 was adopted.

YEAS AND NAYS On H. B. No. 1808. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--Blackwell, Branning. Total--2.

Senator Hopson called up the following entitled bill:

H. B. No. 1807: Appropriation; Real Estate Appraiser Licensing and Certification Board.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Real Estate Appraisal License Fund, for the purpose of defraying the expenses of the Mississippi Real Estate Appraiser Licensing and Certification Board for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 497,940.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized for the Mississippi Real Estate Appraiser Licensing and Certification Board:

AUTHORIZED HEADCOUNT:
Permanent: 4
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are

used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Mississippi Real Estate Appraiser Licensing and Certification Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE

MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD FOR FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1807 was adopted.

YEAS AND NAYS On H. B. No. 1807. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--Blackwell, Branning. Total--2.

Senator Hopson called up the following entitled bill:

H. B. No. 1816: Appropriation, Reappropriation, DFA - Bureau of Building - FY 2024.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 3393100000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, for the purpose of reauthorizing the expenditure of funds previously appropriated for construction and/or repair and renovation projects at various state agencies and institutions, as authorized in HB No. 1643, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 . $ 59,856,026.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of special funds for construction and/or repair and renovation projects at various state agencies and institutions that had been authorized by the Legislature in prior fiscal years.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 2. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund 3390200000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1643, 2023 Regular Session; HB 1603, 2022 Regular Session; HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; HB 1666, 2019 Regular Session; HB 1616, 2018 Regular Session; SB 3015, 2017 Regular Session; SB 2911, 2016 Regular Session; SB 2902, 2014 Regular Session; and SB 2896, 2013 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 329,766.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in prior fiscal years for construction and/or repair and renovation projects at various state agencies and institutions.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 3. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund 3390300000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1643, 2023 Regular Session; HB 1603, 2022 Regular Session; HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; HB 1666, 2019 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 70,000,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in prior fiscal years for construction and/or repair and renovation projects at the Institutions of Higher Learning and Community and Junior Colleges and various state agencies and institutions.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 4. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 3391100000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1643, 2023 Regular Session, and SB 3045, 2022 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 11,597,210.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds escalated by the Department of Finance and Administration, Bureau of Building in the prior fiscal year for construction and/or repair, renovation, and improvement of state-owned properties, universities, and community colleges per authorization in SB 3045, 2022 Regular Session. Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 5. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 3391200000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1643, 2023 Regular Session, and SB 3045, 2022 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 9,436,476.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds escalated by the Department of Finance and Administration, Bureau of Building in the prior fiscal year for construction and/or repair, renovation, and improvement of state-owned properties, universities, and community colleges per authorization in Senate Bill 3045, 2022 Regular Session. Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 6. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493C00000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1643, 2023 Regular Session; HB 1603, 2022 Regular Session; HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; HB 1666, 2019 Regular Session; HB 1616, 2018 Regular Session; and SB 3015, 2017 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 241,974.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in prior fiscal years for upgrades and renovation of the water treatment facility at the Alcorn State University and related purposes.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2024, or change the purpose of which the funds were originally authorized. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 7. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund 6493200000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1643, 2023 Regular Session; HB 1603, 2022 Regular Session; HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; and HB 1667, 2019 Regular Session for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 87,069.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for improvements for the Law Enforcement Officer's Training Academy.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 8. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493300000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1643, 2023 Regular Session; HB 1603, 2022 Regular Session; HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; and SB 3049, 2019 Regular Session for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 583,698.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense funds for construction and/or repair, renovation, and improvements of state-owned properties, universities and community colleges that had been authorized by the Legislature in a prior fiscal year.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 9. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund 6493500000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1643, 2023 Regular Session; HB 1603, 2022 Regular Session; and SB 2948, 2021 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 2,388,461.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 10. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493600000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1643, 2023 Regular Session; HB 1603, 2022 Regular Session; and SB 2948, 2021 Regular Session for the fiscal year beginning July 1, 2024, and ending June 30, 2025.... $ 24,608,193.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 11. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493700000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1643, 2023 Regular Session; HB 1603, 2022 Regular Session; and HB 1550, 2022 Regular Session for the fiscal year beginning July 1, 2024, and ending June 30, 2025.... $ 54,208,736.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for construction, repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 12. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6494300000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1643, 2023 Regular Session, and SB 3045, 2022 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 7,037,359.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 13. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6494500000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, for the purpose of reauthorizing the expenditure of funds previously appropriated for construction and/or repair and renovation projects at various state agencies and institutions, as authorized in SB 3043, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 . $ 28,445,294.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds for construction and/or repair and renovation projects at various state agencies and institutions that had been authorized by the Legislature in prior fiscal years.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 14. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6611300000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 603, 2023 Regular Session; HB 1643, 2023 Regular Session; and HB 1353, 2022 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.... $ 73,718,240.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 15. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6611310000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 603, 2023 Regular Session; HB 1643, 2023 Regular Session; and HB 1353, 2022 Regular Session for the fiscal year beginning July 1, 2024, and ending June 30, 2025.... $ 11,744,146.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 16. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6611320000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 603, 2023 Regular Session; HB 1643, 2023 Regular Session; HB 1353, 2022 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 75,521,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 17. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6611330000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 603, 2023

Regular Session; HB 1643, 2023 Regular Session; and HB 1353, 2022 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025... $ 261,425,879.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 18. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6611340000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized HB 1643, 2023 Regular Session, and HB 1353, 2022 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 2,265,489.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 19. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6611360000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, for the purpose of reauthorizing the expenditure of funds previously appropriated for construction and/or repair and renovation projects at various state agencies and institutions, as authorized in HB 603, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 3,500,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds for construction and/or repair and renovation projects at various state agencies and institutions that had been authorized by the Legislature in prior fiscal years.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 20. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 3822113300 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, for the purpose of reauthorizing the expenditure of funds previously appropriated for construction, repair and renovation projects, and any other eligible expenses in connection with the Coronavirus Disease 2019 (COVID-19) as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith at various state agencies and institutions, as authorized in SB No. 3052, 2023 Regular Session, SB No. 3014, 2022 Regular Session, SB No. 3018, 2022 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 2,430,804.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds for construction, repair and renovation projects, and any other eligible

expenses in connection with the Coronavirus Disease 2019 (COVID-19) as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith at the Department of Public Safety and the Mississippi Emergency Management Agency that had been authorized by the Legislature in prior fiscal years.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 21. The Bureau of Building, Grounds and Real Property Management of the Office of General Services is expressly authorized and empowered to receive, budget and expend any state, local or other source funds designated for supplemental funding of construction and/or repair and renovation projects.

SECTION 22. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 23. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING A REAPPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO REAUTHORIZE THE EXPENDITURE OF CAPITAL EXPENSES AND SPECIAL FUNDS PREVIOUSLY APPROPRIATED FOR CONSTRUCTION AND/OR REPAIR AND RENOVATION PROJECTS AT VARIOUS STATE AGENCIES AND INSTITUTIONS, FOR FISCAL YEAR 2025.

Committee Amendment No. 1 to H. B. No. 1816 was adopted.

YEAS AND NAYS On H. B. No. 1816. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 1, **H. B. No. 1823**, and the motion prevailed.

Senator Hopson called up the following entitled bill:

H. B. No. 1823: Appropriation; Education, Department of.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of funding K-12 and other related educational activities, including certain agencies and programs, in the State of Mississippi, for the fiscal year beginning July 1, 2024, and ending June 30, 2025, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, and excluding the expenses of the Vocational and Technical Education Division ..... $ 154,241,578.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education .....
$ 86,494,722.00.

(c) To the State Board of Education for the purpose of paying annual compensation to the Chickasaw Cession counties for sixteenth section lands which they lost through sale by the state, as provided in Sections 29-3-137 through 29-3-141, Mississippi Code of 1972 ..... $ 15,223,869.00.

(d) To the State Board of Education for defraying the expenses of the Mississippi Adequate Education Program.....
$ 2,701,338,794.00.

TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED
BY THIS SECTION BEING.....$ 2,957,298,963.00.

SECTION 2. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in any special fund in the State Treasury to the credit of the proper fund or funds of the agencies or programs specified in the following paragraphs for the fiscal year beginning July 1, 2024, and ending June 30, 2025, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division ..... $ 2,011,385,678.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education .....
$ 22,707,865.00.

(c) To the State Board of Education for the purpose of defraying the expenses of the Mississippi Adequate Education Program ..... $ 245,112,197.00.

TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED
BY THIS SECTION BEING ..... $ 2,279,205,740.00.

SECTION 3. Of the funds appropriated in Section 2, One Hundred Twenty-six Thousand Four Hundred Seventy-two Dollars ($126,472.00), or so much of that sum as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Health Care Expendable Fund to the State Department of Education for the purpose of defraying the expenses of the department for the Mississippi Eye Screening Program for providing vision safety services.

SECTION 4. Of the funds appropriated in Section 2, the following sums, or so much of those sums as may be necessary, are derived out of any money in the State Treasury to the credit of the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, as follows:

(a) To the State Department of Education, excluding the expenses of the Vocational and Technical Education Division, for the following purposes:

Literacy Initiative and Assessment ..... $ 6,805,774.00
Educable Child ..... $ 7,000,000.00
Grants to school districts for
capital facilities and buses..... $ 16,000,000.00
Instructional materials..... $ 25,000,000.00
Students with Special Needs..... $ 1,800,000.00
Implementing Performance-Based Data
Collection and Accreditation
Model..... $ 274,937.00

Testing $ 6,125,670.00
Mississippi School for Math and Science ..... $ 725,000.00
Mississippi School for Fine Arts. ..... $ 777,632.00
Early Learning Collaboratives ..... $ 16,210,526.00
Other Early Learning Programs ..... $ 20,000,000.00
Early Learning Coaches ..... $ 3,251,533.00
Math Coaches ..... $ 5,000,000.00
WorkKeys ..... $ 1,000,000.00
Advanced Placement, Dual Credits, International Baccalaureate, Cambridge Diploma Endorsements ..... $ 300,000.00
Vocational Technical Grants ..... $ 1,000,000.00
Mississippi School for the Deaf and Blind ..... $ 1,407,037.00
TOTAL $ 112,678,109.00

(b) To the State Department of Education to defray the expenses of the Vocational and Technical Education Division .....
$ 6,637,258.00.

(c) To the State Department of Education to provide funding for the Mississippi Adequate Education Program .....
$ 245,112,197.00.

SECTION 5. Of the funds appropriated in this act, the following positions are authorized for the State Department of Education, excluding the expenses of the Vocational and Technical Education Division:

AUTHORIZED HEADCOUNT:
Permanent: 319
Time-Limited: 124

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth

within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

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

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

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided in this act shall be utilized in the most efficient and effective manner possible to achieve the intended mission of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Special Education	
Number of Special Education Teachers (FTE)	5,963
Number of Gifted Education Teachers	730
Percent Increase of Children with Disabilities in General Education Early Childhood Programs while Decreasing the Percent in Self-Contained Special Education Early Childhood Classrooms	76.00
General Administration	
Total Dollars Spent on General Administration	19,250,220.00
Percent of Total Budget Spent on General Administration	15.70
Create a Public-Facing Data System for All Stakeholders	100.00
Create a User-Friendly Website for the Public and School Districts to Access Data to Make Decisions	100.00
Create a Roadmap to Improve the Mississippi Student Information System	100.00
Number of Research Results Published to Support Improved Student Outcomes and Teacher Effectiveness	9
Graduation & Career Readiness	
Percent Increase of Students Graduating from High School Ready for College or Career in Each Subgroup	100.00
Early Childhood Education	
Percent Increase of Kindergarten Students Achieving End-Of-Year Target Score on Kindergarten Readiness Post-Test	69.74
Percent Increase of Early Learning Collaborative Sites Meeting Required Rate of Readiness	95.95
Number of Students Enrolled in Title I or Locally Funded Pre-K Classes	8,778
Teacher Tng & Professional Dev	
Reduce the Proportion of Inexperienced	

and Non-Certified Teachers in Schools That Are High Poverty	31.00
Reduce the Proportion of Inexperienced and Non-Certified Teachers in Schools That Are High Minority	35.00
Percent Increase of Districts Reporting Professional Growth System (PGS) Ratings for Teachers and Leaders	96.00
Percent Increase of Teacher Candidates Passing Licensure Exams on the First Attempt	45.00
Increase the Number of Licensed, Diverse Teachers and Leaders	35.00
Elementary Education	
Percent Increase of Students who Pass the 3rd Grade Reading Assessment at the First Administration in Each Subgroup	80.00
Secondary Education	
Increase the Number of Students Participating in and Passing Advanced Placement (AP), International Baccalaureate (IB) and Cambridge Exams in Each Subgroup	37.00
Percent Increase of Students Ready for College as Measured by Meeting ACT Benchmarks in Each Content Area (Public School Class Data, Grade 11)	11.00
Assessment & Development	
Increase the Percent of Students Proficient (Levels 4-5) on Statewide Assessments (Grades 3-8 & High School Composite) in Each Subgroup	53.00
Decrease the Percent of Students Scoring Levels 1-3 on Statewide Assessments in Each Subgroup	47.00
Increase Percent of Pre-Kindergarten Students in Public Schools Attaining Kindergarten Readiness on the Pre-K End-Of-Year Assessment	72.00
School Performance	
Percent of Schools Rated "C" or Higher	85.00
Percent of Districts Rated "C" or Higher	85.00
Percent of Students Demonstrating Growth on Statewide ELA Assessments in Each Subgroup	70.00
Percent of Students Demonstrating Growth on Statewide Math Assessments in Each Subgroup	75.00
Percent of Students Participating in Dual Credit in Each Subgroup	60.00
Percent of Students Passing Dual Credit in Each Subgroup	98.00
Increase the Growth of D and F Districts Demonstrating Growth, by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	80.00
Increase the Growth of D and F Schools by Improving the Letter Grade and/or Increasing the Number of Points within a	

Letter Grade	80.00
Increase the Growth of Districts of Transformation by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	100.00
Increase the Growth of Schools Under Districts of Transformation by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	100.00
Decrease the Number of High Schools Rated D or F	40.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 7. No school district shall expend any funds, received under the School Ad Valorem Reduction Grant, unless such school district has specifically identified the amount of the grant within the published budget as required by Section 37-61-9, Mississippi Code of 1972. The published budget shall include the following statement: "Ad Valorem taxes will be $_____ less as a result of the Ad Valorem Reduction Grants enacted by the Mississippi Legislature in 1992."

SECTION 8. Of the funds appropriated in Section 2, funds in the amount of One Million Dollars ($1,000,000.00) shall come from income derived from the principal of the Education Improvement Trust Fund created by Section 206A, Mississippi Constitution of 1890, and One Million Dollars ($1,000,000.00) shall be used for the School for Math and Science.

SECTION 9. Of the funds appropriated under the provisions of this act, the following positions are authorized for the Vocational and Technical Education Division of the State Department of Education:

AUTHORIZED HEADCOUNT:

Permanent:	48
Time-Limited:	5

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed

by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 10. Of the funds appropriated in this act, an amount not to exceed One Million Twenty-three Thousand Five Hundred Seventy-four Dollars ($1,023,574.00) is authorized for the support of vocational and technical education programs as authorized in Section 37-31-13, Mississippi Code of 1972, for a period in excess of ten (10) months in a calendar year.

SECTION 11. It is the intention of the Legislature that the Vocational and Technical Education Division of the State Department of Education shall, with the funds appropriated in Section 1, transfer no more than Seventy-five Thousand Dollars ($75,000.00) to the Mississippi Soil and Water Conservation Commission for the purpose of providing matching funds to purchase soil conservation equipment.

SECTION 12. Of the funds appropriated in this act, no more than One Hundred Seventy-five Thousand Dollars ($175,000.00) is provided for the purpose of supporting the Future Farmers of America Center.

SECTION 13. The State Department of Education shall transfer the designated amounts to the appropriate entities, which shall assume full responsibility for the expenditure of these funds in accordance with state laws and accept all responsibility for any improper expenditure, for the following:

Detention Centers	$ 2,975,000.00.
Dyslexia Program	$ 225,000.00.
Amplify Data Coaching	$ 1,100,000.00.
Magnolia Speech School	$ 1,000,000.00.
Principal Corp	$ 200,000.00.
Sight Savers	$ 375,000.00.
Teach for America	$ 1,250,000.00.
Teacher Corp	$ 200,000.00.
Vision Screening Research	$ 225,000.00.
Lighthouse Academy for Dyslexia	$ 200,000,00.
Algebra Nation	$ 1,100,000.00.
Save the Children	$ 75,000.00.
Mississippi Construction Education Program	$ 212,500.00.
T. K. Martin Center	$ 75,000.00.
JumpStart Act	$ 250,000.00.
Mastery Prep	$ 200,000.00.
Arts for All Mississippi	$ 40,000.00.
TOTAL	$ 9,702,500.00.

SECTION 14. It is the intention of the Legislature that of the funds provided for Other Early Learning Programs in Section 4(a), Twenty Million Dollars ($20,000,000.00) is included for the Mississippi Department of Education to provide grant opportunities for Other Early Learning Programs through public schools including other public school preschool programs not participating in Early Learning Collaboratives.

SECTION 15. Of the funds appropriated in this act, an amount not to exceed One Million Five Hundred Thousand Dollars ($1,500,000.00) shall be used for technological methods for agricultural programs, computer science, engineering or robotic engineering programs and equipment upgrades and Mississippi Elementary (ME) STEM and STEAM

programs from the Career and Technical Education Division of the State Department of Education. All programs must meet Mississippi Science Standards and/or College and Career Standards.

Of the funds appropriated in this section, an amount not to exceed One Million Dollars ($1,000,000.00) shall be distributed to the Mississippi State University Center for Cyber Education and used for computer science programs development and teacher training for elementary schools, middle schools, and high schools for the purpose of developing K-12 computer science curricula, including both academic and career and technical education programs, developing and delivering teacher training, and working with the State Board of Education and Institutions of Higher Learning in the state to develop teacher preparation programs for computer science endorsements. All programs must meet the 2018 Mississippi Computer Science Standards and/or Mississippi College and Career Standards.

SECTION 16. It is the intention of the Legislature that computer science courses may be taught by certified teacher or for elementary level classes, computer science courses may be taught by teachers who are trained by the district in computer science instruction.

SECTION 17. Of the funds appropriated in Section 1, the sum of Sixty-two Thousand One Hundred Ninety-one Dollars ($62,191.00), which is the aggregate sum that the school districts in the Chickasaw Cession receive annually from interest payments from the Chickasaw School Fund under Section 212, Mississippi Constitution of 1890, shall be deducted from the allocations to the school districts as provided in Section 29-3-137, Mississippi Code of 1972, and shall be distributed among the school districts in the Chickasaw Cession by the State Department of Education in the manner that those interest payments were distributed during Fiscal Year 1985.

SECTION 18. Of the funds provided in this act for the purpose of funding the Mississippi Adequate Education Program as determined under Section 37-151-7, Mississippi Code of 1972, the base student cost in Fiscal Year 2025 shall be Seven Thousand Four Hundred Twenty-one Dollars and Thirty-eight Cents ($7,421.38).

SECTION 19. It is the intention of the Legislature, that as a condition for receiving the funds appropriated in Sections 1(d) and 2(c), ninety percent (90%) of state contributions to the adequate education program must be spent on teacher salaries, classroom resources, add-on program cost and expenses other than salaries for superintendents, assistant superintendents, principals and assistant principals, or equivalent heads of districts or charter schools.

SECTION 20. With the funds provided in this act, it is the intention of the Legislature that School Attendance Officers and academic teachers at the Mississippi School for the Deaf and the Mississippi School for the Blind shall receive their annual increment.

SECTION 21. It is the intention of the Legislature that the State Board of Education shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated in this act and that those records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the budget requests for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process for each agency and institution appropriated funds within the provisions of this act.

SECTION 22. Of the funds appropriated in Section 1(a) to the State Board of Education, not less than Twenty-three Million Eighty Thousand Dollars ($23,080,000.00) shall be used for National Board Certification. Of this amount, Seven Hundred Thousand Dollars ($700,000.00) shall be used for the World Class Teacher Program providing instruction and assistance to teachers seeking National Board Certification.

SECTION 23. Of the funds appropriated in Section 1 and Section 4(a) not less than Fifteen Million Fifty-eight Thousand Dollars ($15,058,000.00) shall be used for the Educable Child Program. It is the intention of the Legislature that the State Board of Education shall allocate funding for the Educable Child Program based upon a recalculated formula in a manner to include only those billable days funded through appropriation of state funds and not District funds. It is the intent of the Legislature that

the Educable Child funds shall be exempt from budget cuts made to the Department of Education by the Legislature and/or the Office of the Governor.

SECTION 24. Of the funds appropriated in Section 1(a) and Section 4(a), not less than Three Million Dollars ($3,000,000.00) shall be used for the Education Scholarship Account (ESA) Program. It is the intent of the Legislature that the Education Scholarship Account (ESA) funds shall not be reduced by the State Department of Education and/or the Office of the Governor.

SECTION 25. The public school districts of the state are authorized at their discretion to pay with local funds one hundred percent (100%) of the cost of the health insurance premiums of the State and School Employees Health Insurance Plan for all retired members of the Public Employees' Retirement System who are employed as school bus drivers by the school districts. It is the intention of the Legislature that no state funds shall be used for this purpose.

SECTION 26. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in those received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 27. Of the funds appropriated in Section 1, not less than Six Million Four Hundred Fourteen Thousand Eight Hundred Ninety-eight Dollars ($6,414,898.00) shall be used for the Compulsory School Attendance Office and School Attendance Officers.

SECTION 28. Of the funds appropriated in this act, it is the intention of the Legislature that Three Million Sixty Thousand Dollars ($3,060,000.00) shall be used for the Mary Kirkpatrick-Mary Sprayberry Public School Nurse Program. The amount of Three Million Sixty Thousand Dollars ($3,060,000.00) is provided from the Department of Health.

SECTION 29. The State Department of Education shall contract with a Certified Public Accountant to calculate components of the Mississippi Adequate Education Program to include the base student cost, school district allocations, total program cost, add-on programs, and any other required components of Section 37-151-7, Mississippi Code of 1972. The contractor shall be responsible for calculating the estimates of these components due to the Legislative Budget Office and the Governor by August 1 and the final estimates due to the Legislative Budget Office and the Governor no later than January 2. A report detailing the funding of this contract shall be submitted by the State Department of Education to the Legislature no later than January 30, 2025.

SECTION 30. It is the intention of the Legislature that the State Board of Education shall charge a fee for room and board for students who enroll in the Mississippi School for Mathematics and Science and the Mississippi School of Arts. Such fees will be waived for any student enrolled in the State Children's Health Insurance Program. The amount of such fees shall be Five Hundred Dollars ($500.00) for each semester.

SECTION 31. It is the intent of the Legislature that each eligible employee who meets the National Board requirements under Section 37-19-7(2), Mississippi Code of 1972, shall be paid the full supplement and that such supplement shall be included on a prorated basis in the employee's monthly paycheck.

SECTION 32. It is the intention of the Legislature that the Mississippi Department of Education may loan any general or special source fund amount, not to exceed Five Million Dollars ($5,000,000.00), to any school district for the purpose of providing funds to school districts through the Emergency Assistance Fund as outlined in Section 37-17-6, Mississippi Code of 1972, during the period beginning July 1, 2024, and ending June 30, 2025. The school districts receiving these loans shall repay the Mississippi Department of Education the amount of the loan on or before June 30, 2025.

SECTION 33. Of the funds appropriated in Section 1(a), Seven Hundred Thousand Dollars ($700,000.00) shall be transferred to the Board of Health no later than December 31, 2024.

SECTION 34. Any school district receiving funds through Save the Children may provide a ten percent (10%) match from local funds for implementation of the program.

SECTION 35. Of the funds appropriated in Section 1(a), Two Million Dollars ($2,000,000.00) is provided for the Mississippi Community Oriented Policing Services in Schools (MCOPS) grant program. A portion of these funds not to exceed one percent (1%) may be used for training and administrative costs related to oversight and auditing of the program.

SECTION 36. Of the funds appropriated in Section 1(a) and Section 2(a), Twenty-four Million Dollars ($24,000,000.00) is provided for an Early Childhood Education Initiative program. The funding shall be provided to early learning collaboratives in Fiscal Year 2025 as follows: no less than Two Thousand Five Hundred Dollars ($2,500.00) per student in a full-day program and no less than One Thousand Two Hundred Fifty Dollars ($1,250.00) per student in a half-day program. Funds must be matched as provided by Section 37-21-51, Mississippi Code of 1972.

SECTION 37. Of the funds appropriated in Section 1(a) and Section 4(a), Fifteen Million Ninety-four Thousand Five Hundred Dollars ($15,094,500.00) shall be used for the Literacy Initiative and Assessment and monitoring and evaluating the adoption and implementation of high-quality instructional materials that have been reviewed through the approved state process and distributed through regional textbook depository as outlined in Section 37-43-23, Mississippi Code of 1972.

SECTION 38. Of the funds appropriated herein, funding is provided for the ACT test, which is the college readiness portion of the state accountability model.

SECTION 39. Of the funds appropriated in Section 1(a), Two Million Seven Hundred Fifty-three Thousand Four Hundred Eighty-two Dollars ($2,753,482.00) shall be used for the Mississippi School of the Arts and Four Million Thirty-seven Thousand Three Hundred Twenty Dollars ($4,037,320.00) shall be used for the Mississippi School for Mathematics and Science. It is the intention of the Legislature that of the funds appropriated in Section 1(a) for the Mississippi School of the Arts, One Million Three Hundred Seventy-six Thousand Seven Hundred Forty-one Dollars ($1,376,741.00) shall be paid to the school no later than July 10, 2024, and One Million Three Hundred Seventy-six Thousand Seven Hundred Forty-one Dollars ($1,376,741.00) shall be paid no later than January 10, 2025. All funds appropriated from Section 4(a) for the Mississippi School of the Arts shall be paid to the school each month within ten (10) working days after such amount was received by the Department of Education. It is the intention of the Legislature that the State Board of Education shall not reduce the appropriated amounts provided in this act for the Mississippi School of the Arts and the Mississippi School for Mathematics and Science.

SECTION 40. Of the funds appropriated in Section 1(b) and Section 2(b), Five Hundred Thousand Dollars ($500,000.00) is provided for career and technical grants to schools for qualified students as authorized by Section 37-153-15, Mississippi Code of 1972.

SECTION 41. Of the funds appropriated in this act, the following amounts shall be available to the Schools for the Blind and Deaf: Ten Million Five Hundred Thirty-three Thousand Five Hundred Seventeen Dollars ($10,533,517.00) from Section 1(a), One Million Four Hundred Seven Thousand Thirty-seven Dollars ($1,407,037.00) from Section 4(a), and Two Million Three Hundred Nine Thousand Seven Hundred Twenty-five Dollars ($2,309,725.00) from Section 2(a).

SECTION 42. Of the funds appropriated in this act, an amount not to exceed Four Million One Hundred Seventy-one Thousand Three Hundred One Dollars ($4,171,301.00) is authorized to fully fund the contract between the Department of Education and the Research & Curriculum Unit at Mississippi State University to fund career and technical curricula, services to secondary schools and career and technical assessments.

SECTION 43. Of the funds appropriated in Section 2(a) to the State Board of Education, Twenty Million Dollars ($20,000,000.00) is provided for the expenditure of funds from the Educational Facilities Revolving Loan Fund, which was created in Section 37-47-24, Mississippi Code of 1972. These funds are provided for the purpose of improving educational facilities in the State of Mississippi by assisting public schools in procuring funds for making certain capital improvements.

SECTION 44. Of the funds appropriated in Section 1(b) to the State Board of Education, Five Hundred Sixty-two Thousand Nine Hundred Ninety-nine Dollars

($562,999.00) is provided for secondary career and technical education instructors teaching at post-secondary institutions.

SECTION 45. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated for the purpose of defraying the expenses of the Charter School Authorizer Board for operational expenses for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 900,000.00.

SECTION 46. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Charter School Authorizer Board for operational expenses for the fiscal year beginning July 1, 2024, and ending June 30, 2025 $ 500,000.00.

SECTION 47. Of the funds appropriated in Section 1(b), One Million Four Hundred Thirty-two Thousand Eight Hundred Seventy-two Dollars ($1,432,872.00) shall be provided for new Career and Technical Education Programs as determined by the Division of Vocational and Technical Education at the Mississippi Department of Education. Of the funds appropriated to the department for these programs, no amount shall be expended by the department to defray administrative costs.

SECTION 48. The Mississippi Department of Education shall provide an annual report detailing the funding of industry certifications and the anticipated industry certifications that will be achieved in the upcoming fiscal year to the Legislative Budget Office and the Legislature no later than January 15, 2025.

SECTION 49. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated, for the Mississippi Department of Education for the purpose of reauthorizing the expenditure of Education Enhancement Funds as authorized in House Bill No. 1613, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 $ 12,915,973.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

a. Instructional Materials ..... $ 2,540,973.00.
b. Early Learning Collaboratives ..... $ 3,000,000.00.
c. Other Early Learning Programs..... $ 7,375,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 50. It is the intent of the Legislature that each eligible professional school counselor employee who meets the year of teaching experience requirements under Section 37-151-5(m), Mississippi Code of 1972, shall be considered having a year of experience for purposes of the annual experience salary increment.

SECTION 51. Of the funds appropriated in Section 1(a), an amount not to exceed Fifty Million Dollars ($50,000,000.00) shall be allocated for the purpose of providing funds to each public school district in the state as prescribed in the Minimum Salary Schedules in Section 37-19-7, Mississippi Code of 1972, for the 2024-2025 school year, and school years thereafter.

SECTION 52. Of the funds appropriated in Section 1(a), an amount not to exceed Twenty-five Thousand Dollars ($25,000.00) is provided to the State Department of Education for the purpose of examining the current education funding formula and recommending revisions or a replacement to the current education funding formula to the Senate and House Education Chairmen by October 1, 2024, for consideration in the 2025 Legislative Session.

SECTION 53. The money appropriated in this act shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 54. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 30, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL YEAR 2025.

Senator Polk offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 651 by striking "900,000.00" and inserting in lieu thereof "00.00".

FURTHER, AMEND on line 657 by striking "500,000.00" and inserting in lieu thereof "1,400,000.00".

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1823 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1823 was adopted.

YEAS AND NAYS On H. B. No. 1823. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

S. B. No. 2001: City of Houston; extend repeal date for tax on restaurants, hotels and motels for tourism and parks and recreation.

YEAS AND NAYS On S. B. No. 2001. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Chism. Total--1.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

S. B. No. 2084: DeSoto County; authorize the contribution of funds for membership to the Chamber of Commerce.

YEAS AND NAYS On S. B. No. 2084. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

S. B. No. 2138: DeSoto County Regional Utility Authority; increase borrowing/bonding authority from $40 Million to $80 Million.

YEAS AND NAYS On S. B. No. 2138. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

S. B. No. 2510: Neshoba County; authorize board to donate funds to support Philadelphia Transit.

YEAS AND NAYS On S. B. No. 2510. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

S. B. No. 2663: City of Carthage; extend repeal date on hotel, motel and restaurant tax.

YEAS AND NAYS On S. B. No. 2663. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Chism. Total--1.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

S. B. No. 2925: Bolivar County; authorize contributions to Bolivar County Community Action Agency and Fannie Lou Hamer Breast Cancer Foundation.

YEAS AND NAYS On S. B. No. 2925. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

S. B. No. 2983: City of Philadelphia; authorize governing authorities to donate funds to support Philadelphia Transit.

YEAS AND NAYS On S. B. No. 2983. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

S. B. No. 2984: Jackson County & City of Pascagoula; extend repealer on LaPointe-Krebs Foundation, & authorize increased contribution.

YEAS AND NAYS On S. B. No. 2984. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

S. B. No. 3060: City of Pearl & Rankin County; authorize annual contributions to Trustmark Park not to exceed $1,500,000.00 in the aggregate.

YEAS AND NAYS On S. B. No. 3060. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

S. B. No. 3062: Marshall County; authorize contributions to various organizations.

YEAS AND NAYS On S. B. No. 3062. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

S. B. No. 3082: Lowndes County; increase amount that may be contributed annually to the United Way.

YEAS AND NAYS On S. B. No. 3082. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Parks called up the following entitled bill:

S. B. No. 3100: Leake County; authorize lease between county economic development authority and East Central CC for workforce training center.

YEAS AND NAYS On S. B. No. 3100. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Parks called up the following entitled bill:

S. B. No. 3101: Sunflower County; increase authority to contribute funds to the Fannie Lou Hamer Cancer Foundation.

YEAS AND NAYS On S. B. No. 3101. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Parks called up the following entitled bill:

S. B. No. 3102: Hancock County Port and Harbor Commission; authorize to contribute to Pearl River Community College County Tuition Assistance Program.

YEAS AND NAYS On S. B. No. 3102. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

S. B. No. 3103: Lauderdale County; extend authorization of assessments on misdemeanor convictions and nonadjudications.

Senator Tate offered the following COMMITTEE AMENDMENT NO. 1.

AMEND on lines 24-25 by striking ", and on each civil case filed"

FURTHER, AMEND the title on line 5 by striking "CIVIL CASES FILED AND"

FURTHER, AMEND the title by inserting the following on line 10 after the semicolon:

TO REMOVE CIVIL CASES FROM THE ASSESSMENT AUTHORIZATION;

Committee Amendment No. 1 to S. B. No. 3103 was adopted.

YEAS AND NAYS On S. B. No. 3103. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

S. B. No. 3158: City of Winona; extend repealer on authority to levy tax on restaurants.

YEAS AND NAYS On S. B. No. 3158. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Chism. Total--1.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

S. B. No. 3218: Hinds County; authorize to enter 30-year lease and finance 30-year certificates of participation for public safety facility.

YEAS AND NAYS On S. B. No. 3218. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Chism. Total--1.

Unanimous consent was granted to add Senator Horhn as co-author of **S. B. No. 3218**.

Senator Parks called up the following entitled bill:

S. B. No. 3081: City of Florence; extend repealer on bar and restaurant tax.

YEAS AND NAYS On S. B. No. 3081. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Chism. Total--1.

Absent and those not voting----None.

REPORT OF COMMITTEE ON ENVIRONMENT PROT, CONS AND WATER RES

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 15: Jack H. Winstead, Brandon, Mississippi, MS Commission on Environmental Quality as the representative of the 3rd Congressional District as it existed in 1978, seven year term effective July 1, 2023 and ending June 30, 2030. Do Advise and Consent.

DELANO, Chairman

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 2311: Sheriffs; revise cap on annual salary supplement.

S. B. No. 2776: Immediate possession; authorize for certain public agencies for roads & public utilities for an economic development project.

S. B. No. 2862: Radiological health services; authorize Board of Health to collect fees in congruence with certain federal regulation.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1646: AN ACT TO AMEND CHAPTER 957, LOCAL AND PRIVATE LAWS OF 2012, AS LAST AMENDED BY CHAPTER 904, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2024, TO JULY 1, 2028, ON THE PROVISION OF LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF WEST POINT, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS; AND FOR RELATED PURPOSES.

H. B. No. 1716: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF JACKSON COUNTY, MISSISSIPPI, TO MAKE CONTRIBUTIONS TO HOME OF GRACE, THE MARY C. O'KEEFE CULTURAL CENTER OF ARTS AND EDUCATION, PASCAGOULA RIVER AUDUBON CENTER, UNITED WAY FOR JACKSON AND

GEORGE COUNTIES AND LIGHTHOUSE ACADEMY OF DYSLEXIA; AND FOR RELATED PURPOSES.

H. B. No. 1720: AN ACT TO AMEND CHAPTER 1016, LOCAL AND PRIVATE LAWS OF 2004, AS LAST AMENDED BY CHAPTER 908, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2024, TO JULY 1, 2028, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF PONTOTOC TO LEVY A TAX UPON THE GROSS SALES OF HOTELS, MOTELS AND RESTAURANTS FOR THE PROMOTION OF TOURISM AND PARKS AND RECREATION; AND FOR RELATED PURPOSES.

H. B. No. 1723: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF PIKE COUNTY, MISSISSIPPI, TO CONSTRUCT OR ACQUIRE A COUNTY JAIL ANYWHERE WITHIN THE COUNTY; TO ENTER INTO A LEASE AGREEMENT OR LEASE-PURCHASE ARRANGEMENT FOR A TERM NOT TO EXCEED THIRTY YEARS FOR THE PURPOSE OF PROVIDING FUNDS TO ACQUIRE, MAINTAIN, CONSTRUCT OR EQUIP A PUBLIC BUILDING OR BUILDINGS AND RELATED FACILITIES FOR USE AS A LAW ENFORCEMENT AND PUBLIC SAFETY FACILITY AND/OR COUNTY JAIL FACILITY; AND FOR RELATED PURPOSES.

H. B. No. 1743: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HUMPHREYS COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE FANNIE LOU HAMER CANCER FOUNDATION; AND FOR RELATED PURPOSES.

H. B. No. 1752: AN ACT TO AMEND CHAPTER 939, LOCAL AND PRIVATE LAWS OF 2010, AS LAST AMENDED BY CHAPTER 902, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2024, TO JULY 1, 2028, ON THE LAW THAT AUTHORIZES THE CITY OF FULTON, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF ROOM RENTALS FOR HOTELS OR MOTELS WITHIN THE CITY; AND FOR RELATED PURPOSES.

H. B. No. 1758: AN ACT TO AMEND CHAPTER 912, LOCAL AND PRIVATE LAWS OF 2012, TO INCREASE FROM $200,000.00 TO $350,000.00 THE PORTION OF THE OIL AND GAS SEVERANCE TAX REVENUE THAT THE BOARD OF SUPERVISORS OF JEFFERSON DAVIS COUNTY, MISSISSIPPI, MAY EXPEND TO ASSIST IN DEFRAYING THE COST OF GARBAGE COLLECTION AND DISPOSAL; AND FOR RELATED PURPOSES.

H. B. No. 1854: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, TO LEVY AN ASSESSMENT, IN ADDITION TO ANY OTHER ASSESSMENTS AND COURT COSTS, FOR CONVICTIONS OBTAINED IN ITS JUSTICE, COUNTY AND CIRCUIT COURTS, TO BE USED TO FUND REPAIRS TO AND RENOVATIONS OF THE COURTHOUSES AND PRETRIAL DETENTION FACILITIES OF HARRISON COUNTY; AND FOR RELATED PURPOSES.

H. B. No. 1931: AN ACT TO AMEND SECTION 1, CHAPTER 940, LOCAL AND PRIVATE LAWS OF 2009, AS LAST AMENDED BY CHAPTER 903, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2024, TO JULY 1, 2028, ON THE PROVISION OF LAW THAT AUTHORIZES THE BOARD OF SUPERVISORS OF GREENE COUNTY, MISSISSIPPI, TO ASSESS A CERTAIN FEE FOR ANY CIVIL CASE FILED AND ANY MISDEMEANOR CONVICTION OBTAINED IN THE JUSTICE COURT OF THE COUNTY TO FUND CERTAIN MAINTENANCE AND CONSTRUCTION NEEDS OF THE GREENE COUNTY JUSTICE COURT COMPLEX; AND FOR RELATED PURPOSES.

H. B. No. 1948: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF OLIVE BRANCH, MISSISSIPPI, TO ACQUIRE, BUY, SELL, LEASE, CONVEY OR OTHERWISE DISPOSE OF SITES WITHIN INDUSTRIAL, TECHNOLOGY,

OR EDUCATIONAL PARKS; TO FINANCE OR OTHERWISE PROVIDE OR RECEIVE FUNDING FOR CERTAIN PROJECTS AND FACILITIES THAT PROMOTE MUNICIPAL, COMMUNITY, TECHNOLOGICAL, INDUSTRIAL OR EDUCATIONAL DEVELOPMENT WITHIN THE CITY OF OLIVE BRANCH, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1968: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HUMPHREYS COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE CITY OF BELZONI, MISSISSIPPI, AND TO THE TOWNS OF ISOLA AND LOUISE, MISSISSIPPI, TO PROVIDE PARK AND RECREATIONAL FACILITIES AND ACTIVITIES TO SUCH MUNICIPALITIES, WHICH WILL BENEFIT THE RESIDENTS OF THE COUNTY; AND FOR RELATED PURPOSES.

H. B. No. 4090: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF ADAMS COUNTY, MISSISSIPPI, TO ENTER INTO A LEASE-PURCHASE AGREEMENT FOR A TERM NOT TO EXCEED THIRTY YEARS FOR THE LEASE PURCHASE OF A JAIL FACILITY WITHIN THE COUNTY; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 11:52 AM, the Senate stood in recess.

The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2130: Homeowners' insurance; prohibit insurer from refusing to issue or to renew policy solely based on roof's age.

S. B. No. 2179: Department of Public Safety; revise certain provisions related to.

S. B. No. 2858: Patients with life-threatening or debilitating illness; authorize to receive individualized investigative treatment.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON FINANCE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 1983: Bonds; authorize issuance for various purposes. Title Sufficient. Do Pass As Amended.

H. B. No. 1984: Ad valorem tax; authorize a tax credit for certain refines of oil, gas and petroleum products. Title Sufficient. Do Pass As Amended.

HARKINS, Chairman

REPORT OF COMMITTEES ON
LOCAL AND PRIVATE AND FINANCE

Mr. President: The above-named committees, having had under consideration the following, favorably report same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

H. B. No. 1744: City of Lucedale; authorize election for tax on hotels/motels to fund parks and recreational capital improvement projects. Title Sufficient. Do Pass As Amended.

S. B. No. 3216: Town of Walnut; authorize to levy tax on restaurants, hotels, and motels and to issue bonds for parks and recreation. Title Sufficient. Do Pass.

PARKS, Chairman
HARKINS, Chairman

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2180: Department of Public Safety; remove prior written approval for certain events and authorize enforcement of municipal code.

S. B. No. 2727: Mississippi Youth Mental Health Task Force; create and provide membership and duties.

S. B. No. 2753: SAFER Act; enact.

S. B. No. 2764: Manufactured homes; create affidavit of ownership.

S. B. No. 2771: Judicial redistricting; bring forward code sections related to.

S. B. No. 2780: Authority of Secretary of State to approve leases located on Public Trust Tidelands; clarify.

Andrew Ketchings, Clerk of the House of Representatives

Senator Suber called up the motion to reconsider the vote whereby **H. B. No. 1123** passed the Senate as amended and moved that it be reconsidered:

H. B. No. 1123: MDOT; authorize the transfer and conveyance of certain real property to Greene County Board of Supervisors.

The foregoing motion prevailed.

Senator Suber moved to reconsider the vote whereby Committee Amendment No. 1 to **H. B. No. 1123** was adopted by the Senate.

The foregoing motion prevailed.

Senator Jackson offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND after line 50 by inserting the following language and renumbering subsequent sections accordingly:

SECTION 2. (1) The State Transportation Commission, acting on behalf of the Mississippi Department of Transportation is authorized to sell, in exchange for fair market value, to the City of Marks, Mississippi, its interest in certain real property and any improvements thereon located in Marks, Mississippi, known as the "Marks Community Park," and being more particularly described as follows:

The Southwest Quadrant of the intersection of State Highways Numbers 3 and 6, in the City of Marks, Mississippi, Quitman County.

(2) (a) Of the property described in subsection (1) of this section, it is hereby understood and agreed by the City of Marks, Mississippi, as the grantee herein named, that all existing utilities located on, under or above the property herein described, shall remain at the discretion of the utility owners, and that the grantee, its assigns or successors in the title will not require the relocation of these utilities except by agreement with the utility owner.

(b) This conveyance is subject to the provisions that no junkyards, as defined in 23 USCS Section 136, shall be hereafter established or maintained on the above-described lands, and no signs, billboards, outdoor advertising structures or advertisement of any kind, as provided for in 23 USCS Section 131, shall be hereafter erected, displayed, placed or maintained upon or within the above-described land, except that signs may be erected and maintained to advertise the sale, hire or lease of the property, or principal activities conducted on the land upon which the signs are located.

(3) The State of Mississippi shall retain all mineral rights to the real property transferred under this section.

(4) The Mississippi Department of Transportation is authorized to correct any discrepancies in the legal description of the property provided in this section.

(5) Any expenses incurred in conducting a survey of the property shall be paid for by the City of Marks, Mississippi.

FURTHER, AMEND the title to conform.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1123 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1123 was adopted.

YEAS AND NAYS On H. B. No. 1123. On motion of Senator Suber, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Michel called up the motion to reconsider the vote whereby **H. B. No. 819** passed the Senate as amended and moved that it be reconsidered:

H. B. No. 819: Insurance; remove filing fee on auto cancellation or nonrenewal appeals and exempt life line applicants from prelicensing requirements.

The foregoing motion prevailed.

Senator Hopson offered the following AMENDMENT NO. 2.

AMEND on lines 139 through 142 by striking the new underlined language.

FURTHER, AMEND, on line 159 by inserting the following language before subsection (2):

(f) No public adjuster shall be entitled to any payment, commission, fee or other thing of value of any insurance settlement or agreed settlement that was made between the insured and the insurance company before the public adjuster and the insured entered into a contract for services.

(g) If an insurance company extends a written settlement offer to the insured before the insured enters into a contract with a public adjuster for services, then a public adjuster may only be entitled to an amount that is no more than ten percent (10%) of the settlement amount that is in excess of the amount that was offered in writing to the insured prior to entering into the contract with the public adjuster.

FURTHER, AMEND by striking Section 6 in its entirety on lines 229 through 230 and inserting the following language in lieu thereof:

SECTION 6. This act shall take effect and be in force from and after July 1, 2024.

FURTHER, AMEND the title to conform.

Amendment No. 2 to H. B. No. 819 was adopted.

YEAS AND NAYS On H. B. No. 819. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.
Voting Present--Hill. Total--1.

Senator Bryan called up the motion to reconsider the vote whereby **H. B. No. 1068** passed the Senate as amended and moved that it be reconsidered:

H. B. No. 1068: County medical examiners; require to enter information electronically..

The foregoing motion prevailed.

Senator Bryan moved to reconsider the vote whereby Committee Amendment No. 1 to **H. B. No. 1068** was adopted by the Senate.

The foregoing motion prevailed.

Senator Barrett offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-61-59, Mississippi Code of 1972, is amended as follows:

41-61-59. (1) A person's death that affects the public interest as specified in subsection (2) of this section shall be promptly reported to the medical examiner by the physician in attendance, any hospital employee, any law enforcement officer having knowledge of the death, the embalmer or other funeral home employee, any emergency medical technician, any relative or any other person present. The appropriate medical examiner shall notify the municipal or state law enforcement agency or sheriff and take charge of the body. When the medical examiner has received notification under Section 41-39-15(6) that the deceased is medically suitable to be an organ and/or tissue donor, the medical examiner's authority over the body shall be subject to the provisions of Section 41-39-15(6). The appropriate medical examiner shall notify the Mississippi Bureau of Narcotics within twenty-four (24) hours of receipt of the body in cases of death as described in subsection (2)(m) or (n) of this section.

(2) A death affecting the public interest includes, but is not limited to, any of the following:

(a) Violent death, including homicidal, suicidal or accidental death.

(b) Death caused by thermal, chemical, electrical or radiation injury.

(c) Death caused by criminal abortion, including self-induced abortion, or abortion related to or by sexual abuse.

(d) Death related to disease thought to be virulent or contagious that may constitute a public hazard.

(e) Death that has occurred unexpectedly or from an unexplained cause.

(f) Death of a person confined in a prison, jail or correctional institution.

(g) Death of a person where a physician was not in attendance within thirty-six (36) hours preceding death, or in prediagnosed terminal or bedfast cases, within thirty (30) days preceding death.

(h) Death of a person where the body is not claimed by a relative or a friend.

(i) Death of a person where the identity of the deceased is unknown.

(j) Death of a child under the age of two (2) years where death results from an unknown cause or where the circumstances surrounding the death indicate that sudden infant death syndrome may be the cause of death.

(k) Where a body is brought into this state for disposal and there is reason to believe either that the death was not investigated properly or that there is not an adequate certificate of death.

(l) Where a person is presented to a hospital emergency room unconscious and/or unresponsive, with cardiopulmonary resuscitative measures being performed, and dies within twenty-four (24) hours of admission without regaining consciousness or responsiveness, unless a physician was in attendance within thirty-six (36) hours preceding presentation to the hospital, or in cases in which the decedent had a prediagnosed terminal or bedfast condition, unless a physician was in attendance within thirty (30) days preceding presentation to the hospital.

(m) Death that is caused by drug overdose or which is believed to be caused by drug overdose.

(n) When a stillborn fetus is delivered and the cause of the demise is medically believed to be from the use by the mother of any controlled substance as defined in Section 41-29-105.

(o) Death of any person under the age of eighteen (18).

(3) The State Medical Examiner is empowered to investigate deaths, under the authority hereinafter conferred, in any and all political subdivisions of the state. The county medical examiners and county medical examiner investigators, while appointed for a specific county, may serve other counties on a regular basis with written authorization by the State Medical Examiner, or may serve other counties on an as-needed basis upon the request of the ranking officer of the investigating law enforcement agency. If a death affecting the public interest takes place in a county other than the one where injuries or other substantial causal factors leading to the death have occurred, jurisdiction for investigation of the death may be transferred, by mutual agreement of the respective medical examiners of the counties involved, to the county where the injuries or other substantial causal factors occurred, and the costs of autopsy or other studies necessary to the further investigation of the death shall be borne by the county assuming jurisdiction.

(4) (a) In criminal trials where the testimony of a current or former State Medical Examiner, Deputy State Medical Examiner, or member of the Mississippi Forensics Laboratory is needed, the use of audiovisual communications equipment to present such testimony remotely is allowed when the state has provided written notice to the defendant at least ninety (90) days prior to trial of its intent to present such remote testimony, and the defendant provides no written objection within fourteen (14) days of receiving such notice. Should the defendant object, the remote testimony shall only be permitted upon a finding by the court that the rights of the defendant to confront the witness against the defendant is not violated, that compelling circumstances exist to allow such remote testimony, and that the remote testimony can be provided with appropriate safeguards so as to assure the reliability of the testimony of the witness during the trial.

(b) All persons qualified to administer an oath in the State of Mississippi may swear a witness remotely by audiovisual communication technology, provided they can positively identify the witness and they are able to both see and hear the witness via audiovisual communications equipment.

(5) The chief county medical examiner or chief county medical examiner investigator may receive from the county in which he serves a salary of One Thousand Two Hundred Fifty Dollars ($1,250.00) per month, in addition to the fees specified in Sections 41-61-69 and 41-61-75, provided that no county shall pay the chief county medical examiner or chief county medical examiner investigator less than Three Hundred Dollars ($300.00) per month as a salary, in addition to other compensation provided by law. In any county having one or more deputy medical examiners or deputy medical examiner investigators, each deputy may receive from the county in which he serves, in the discretion of the board of supervisors, a salary of not more than Nine Hundred Dollars ($900.00) per month, in addition to the fees specified in Sections 41-61-69 and 41-61-75; however, no county shall pay the deputy medical examiners or deputy medical examiner investigators less than Three Hundred Dollars ($300.00) per month as a salary in addition to other compensation provided by law. For this salary the chief shall assure twenty-four-hour daily and readily available death investigators for the county, and shall maintain copies of all medical examiner death investigations for the county for at least the previous five (5) years. He shall coordinate his office and duties and cooperate with the State Medical Examiner, and the State Medical Examiner shall cooperate with him.

SECTION 2. Section 41-61-63, Mississippi Code of 1972, is amended as follows:

41-61-63. (1) The State Medical Examiner shall:

(a) Provide assistance, consultation and training to county medical examiners, county medical examiner investigators and law enforcement officials.

(b) Keep complete records of all relevant information concerning deaths or crimes requiring investigation by the medical examiners.

(c) Promulgate rules and regulations regarding the manner and techniques to be employed while conducting autopsies; the nature, character and extent of investigations to be made into deaths affecting the public interest to allow a medical examiner to render a full and complete analysis and report; the format and matters to be contained in all reports rendered by the medical examiners; and all other things necessary to carry out the purposes of Sections 41-61-51 through 41-61-79. The State Medical Examiner shall make such amendments to these rules and regulations as may be necessary. All medical examiners, coroners and law enforcement officers shall be subject to such rules.

(d) Cooperate with the crime detection and medical examiner laboratories authorized by Section 45-1-17, the University of Mississippi Medical Center, the Attorney General, law enforcement agencies, the courts and the State of Mississippi.

(e) Promulgate rules and regulations regarding the manner in which county medical examiner investigators are required to enter electronically the information for all deaths that occur in the investigator's county.

(2) In addition, the medical examiners shall:

(a) Upon receipt of notification of a death affecting the public interest, make inquiries regarding the cause and manner of death, reduce the findings to writing and promptly make a full report to the State Medical Examiner on forms prescribed for that purpose. The medical examiner shall be authorized to inspect and copy the medical reports of the decedent whose death is under investigation. However, the records copied shall be maintained as confidential so as to protect the doctor/patient privilege. The

medical examiners shall be authorized to request the issuance of subpoenas, through the proper court, for the attendance of persons and for the production of documents as may be required by their investigation.

(b) Complete the medical examiner's portion of the certificate of death within seventy-two (72) hours of assuming jurisdiction over a death, and forward the certificate to the funeral director or to the family. The medical examiner's portion of the certificate of death shall include the decedent's name, the date and time of death, the cause of death and the certifier's signature. If determination of the cause and/or manner of death are pending an autopsy or toxicological or other studies, these sections on the certificate may be marked "pending," with amendment and completion to follow the completion of the postmortem studies. The State Medical Examiner shall be authorized to amend a death certificate; however, the State Medical Examiner is not authorized to change or amend any death certificate after he has resigned or been removed from his office as the State Medical Examiner. Where an attending physician refuses to sign a certificate of death, or in case of any death, the State Medical Examiner or properly qualified designee may sign the death certificate.

(c) Cooperate with other agencies as provided for the State Medical Examiner in subsection (1)(d) of this section.

(d) In all investigations of deaths affecting the public interest where an autopsy will not be performed, obtain or attempt to obtain postmortem blood, urine and/or vitreous fluids. Medical examiners may also obtain rectal temperature measurements, known hair samples, radiographs, gunshot residue/wiping studies, fingerprints, palm prints and other noninvasive studies as the case warrants and/or as directed by the State Medical Examiner. Decisions shall be made in consultation with investigating law enforcement officials and/or the State Medical Examiner. The cost of all studies not performed by the Mississippi Forensics Laboratory shall be borne by the county. County medical examiner investigators shall be authorized to obtain these postmortem specimens themselves following successful completion of the death investigation training school.

(e) In all investigations of deaths occurring in the manner specified in subsection (2)(j) of Section 41-61-59, a death investigation shall be performed by the medical examiners in accordance with the child death investigation protocol established by the State Medical Examiner. The results of the death investigation shall be reported to the State Medical Examiner on forms prescribed for that purpose by the State Medical Examiner and to appropriate authorities, including police and child protective services, within three (3) days of the conclusion of the death investigation.

(f) Electronically report all deaths, and all associated toxicology reports, that occur in the examiner's county to the State Medical Examiner in a manner prescribed by the State Medical Examiner.

(3) The medical examiner shall not use his position or authority to favor any particular funeral home or funeral homes.

SECTION 3. Section 13-1-23, Mississippi Code of 1972, is amended as follows:

13-1-23. (1) Except as otherwise provided in subsection (2) of this section, a * * * person who shall remain beyond the sea, or absent himself or herself from this state, or conceal himself or herself in this state, for seven (7) years successively without being heard of, shall be presumed to be dead in any case where * * * the person's death shall come in question, unless proof be made that * * * the person was alive within that time. Any property or estate recovered in any such case shall be restored to the person evicted or deprived thereof, if, in a subsequent action, it shall be proved that the person so presumed to be dead is living.

(2) (a) This subsection shall be known and may be cited as the "Zeb Hughes Law."

(b) A person who has undergone a catastrophic event that exposed the person to imminent peril or danger reasonably expected to result in loss of life and whose absence following the event is not explained satisfactorily after diligent search or inquiry is presumed to be dead if the sworn testimony of persons having firsthand knowledge of the event, including law enforcement officers, first responders, search and rescue personnel and volunteers, eyewitnesses and any other persons, along with any other evidence before the court, is uncontradicted and supports a determination that the death of the missing person occurred in the catastrophic event. The death is presumed to have occurred at the time of the catastrophic event.

(c) The hearing to review evidence of the catastrophic event shall be held no less than two (2) years after the catastrophic event. Loss of life shall be proven by clear and convincing evidence. A notice of the hearing shall be provided to the coroner, the district attorney and the sheriff of the county in which the catastrophic event occurred within thirty (30) days of the date set for the hearing in accordance with the Mississippi Rules of Civil Procedure.

SECTION 4. The following shall be codified as Section 41-57-8, Mississippi Code of 1972:

41-57-8. (1) When a death is presumed to have occurred under Section 13-1-23, the State Registrar of Vital Statistics shall prepare a death certificate upon receipt of an order of a court of competent jurisdiction within the state. The court order shall include the following:

(a) The decedent's full legal name;

(b) The date of death, as determined by the evidence presented;

(c) The place of death, as determined by the evidence presented;

(d) The decedent's address at the time of death;

(e) The decedent's marital status at the time of death;

(f) The given name of the decedent's surviving spouse, if any;

(g) If known, information necessary to complete the medical portion of the death certificate, including the cause and manner of death. If the death occurred from a catastrophic event, the court order must include information on how and when the event occurred; and

(h) Such other information that may be required under rules and regulations promulgated by the State Board of Health.

(2) A death certificate issued pursuant to this section must identify the court that issued the order on which the death certificate is based and include the date of the court order.

(3) The record of a death registered under this section must be marked "presumptive."

SECTION 5. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 41-61-59, MISSISSIPPI CODE OF 1972, TO ADD THE DEATH OF ANY PERSON UNDER THE AGE OF EIGHTEEN TO THE LIST OF DEATHS CATEGORIZED AS "AFFECTING PUBLIC INTEREST"; TO AMEND SECTION 41-61-63, MISSISSIPPI CODE OF 1972, TO REQUIRE COUNTY MEDICAL EXAMINERS TO ENTER ELECTRONICALLY THE INFORMATION FOR ALL DEATHS, AND ALL ASSOCIATED TOXICOLOGY REPORTS, THAT OCCUR IN THE EXAMINER'S COUNTY IN A MANNER PRESCRIBED BY THE STATE MEDICAL EXAMINER; TO AMEND SECTION 13-1-23, MISSISSIPPI CODE OF 1972, TO CREATE AN EVIDENTIARY PRESUMPTION OF DEATH TO BE KNOWN AS THE "ZEB HUGHES LAW" WHENEVER UNCONTRADICTED SWORN TESTIMONY AND EVIDENCE SUPPORT A DETERMINATION OF THE DEATH OF A MISSING PERSON WHO HAS UNDERGONE A CATASTROPHIC EVENT THAT EXPOSED THE PERSON TO IMMINENT PERIL; TO CREATE NEW SECTION 41-57-8, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE REGISTRAR OF VITAL STATISTICS TO PREPARE A DEATH CERTIFICATE FOR A MISSING PERSON LEGALLY PRESUMED TO BE DEAD UPON RECEIPT OF A PROPER COURT ORDER; AND FOR RELATED PURPOSES.

Substitute for Committee Amendment No. 1 to H. B. No. 1068 was adopted.

YEAS AND NAYS On H. B. No. 1068. On motion of Senator Barrett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the motion to reconsider the vote whereby **H. B. No. 1706** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 1706: Programs funded with ARPA funds; revise certain provisions and bring forward sections of.

The foregoing motion prevailed.

Senator Fillingane called up the motion to reconsider the vote whereby **H. B. No. 1004** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 1004: Sex offender registry; revise definitions for provisions of law that regulate.

The foregoing motion prevailed.

Senator Wiggins called up the motion to reconsider the vote whereby **H. B. No. 1088** passed the Senate as amended and moved that it be reconsidered:

H. B. No. 1088: Circuit courts; authorize jurisdiction for persons with criminal charges who may need civil commitment procedures.

The foregoing motion prevailed.

Senator Bryan moved to reconsider the vote whereby Committee Amendment No. 1 to **H. B. No. 1088** was adopted by the Senate.

The foregoing motion prevailed.

Senator Bryan offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 430 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1088 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1088 was adopted.

YEAS AND NAYS On H. B. No. 1088. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Wiggins called up the motion to reconsider the vote whereby **H. B. No. 783** passed the Senate as amended and moved that the motion to reconsider be tabled:
H. B. No. 783: Child custody; require presumption of joint custody and equal parenting time.

The foregoing motion prevailed.

Senator Blount called up the motion to reconsider the vote whereby **H. B. No. 774** passed the Senate as amended and moved that the motion to reconsider be tabled:
H. B. No. 774: MS Mobile Sports Wagering Act; create to legalize "online race book" and "online sports pool" betting.

The foregoing motion prevailed.

Senator DeBar called up the motion to reconsider the vote whereby **H. B. No. 1192** passed the Senate as amended and moved that the motion to reconsider be tabled:
H. B. No. 1192: Virtual public schools; authorize operation by certain educational providers or locally sponsored virtual public schools.

The foregoing motion prevailed.

Senator Fillingane called up the motion to reconsider the vote whereby **H. B. No. 1323** passed the Senate as amended and moved that it be reconsidered:

H. B. No. 1323: Statute of limitations; increase for sexual battery of a vulnerable person..

The foregoing motion prevailed.

Senator Sparks moved to reconsider the vote whereby substitute for Committee Amendment No. 1 to **H. B. No. 1323** was adopted by the Senate.

The foregoing motion prevailed.

Senator Sparks offered the following AMENDMENT NO. 1 TO SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

AMEND on line 51 by inserting the following before the period:

, and shall stand repealed on June 30, 2024

Amendment No. 1 to substitute for Committee Amendment No. 1 to H. B. No. 1323 was adopted.

Substitute for Committee Amendment No. 1 as amended to H. B. No. 1323 was adopted.

YEAS AND NAYS On H. B. No. 1323. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the motion to reconsider the vote whereby **H. B. No. 1441** passed the Senate as amended and moved that it be reconsidered:

H. B. No. 1441: Felony; increase penalties for commission of with use of semi-automatic firearm.

The foregoing motion prevailed.

YEAS AND NAYS On H. B. No. 1441. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--Brumfield, Chism, Hickman, Jackson, Jordan, Simmons D. T. (12th). Total--6.

Absent and those not voting----None.

Voting Present--Branning, Tate. Total--2.

Senator Polk called up the motion to reconsider the vote whereby **H. B. No. 1344** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 1344: Nonprofit Corporations; require annual report to be filed with Secretary of State.

The foregoing motion prevailed.

Senator Michel called up the motion to reconsider the vote whereby **H. B. No. 1489** passed the Senate as amended and moved that it be reconsidered:

H. B. No. 1489: Ambulance services; provide for payment for treatment in place and provide for minimum reimbursement rate in health insurance policies.

The foregoing motion prevailed.

Senator Michel moved to reconsider the vote whereby substitute for Committee Amendment No. 1 to **H. B. No. 1489** was adopted by the Senate.

The foregoing motion prevailed.

Senator McLendon offered the following AMENDMENT NO. 2 TO SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

AMEND by inserting after line 91 the following language:

(6) This section shall apply to all contracts described in this section that are entered into or renewed on or after July 1, 2024.

Amendment No. 2 to substitute for Committee Amendment No. 1 to H. B. No. 1489 was adopted.

Substitute for Committee Amendment No. 1 as amended to H. B. No. 1489 was adopted.

YEAS AND NAYS On H. B. No. 1489. On motion of Senator McLendon, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--McCaughn, Turner-Ford. Total--2.

Senator Bryan called up the motion to reconsider the vote whereby **H. B. No. 1478** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 1478: Alternative nicotine products; prohibit sale or distribution of if prohibited under federal law or FDA rule or regulation.

The foregoing motion prevailed.

Senator Michel called up the motion to reconsider the vote whereby **H. B. No. 1410** passed the Senate and moved that the motion to reconsider be tabled:

H. B. No. 1410: Insurance reimbursement rates; revise certain provisions.

The foregoing motion prevailed.

Senator Wiggins called up the motion to reconsider the vote whereby **H. B. No. 1607** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 1607: Mississippi Women's Bill of Rights; create.

The foregoing motion prevailed.

Senator Bryan called up the motion to reconsider the vote whereby **H. B. No. 1676** passed the Senate as amended and moved that it be reconsidered:

H. B. No. 1676: Mississippi Intoxicating Hemp Regulation Act and Mississippi Medical Cannabis Act; revise certain provisions of.

The foregoing motion prevailed.

Senator Blackwell moved to reconsider the vote whereby substitute for Committee Amendment No. 1 to **H. B. No. 1676** was adopted by the Senate.

The foregoing motion prevailed.

Senator Blackwell offered the following AMENDMENT NO. 1 TO SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

AMEND by striking all of the language on lines 568 through 572 and renumbering subsequent subparagraphs accordingly.

FURTHER, AMEND, on line 624 by deleting the words "and/or hemp"

FURTHER, AMEND, on line 1209 by deleting the word "shall" and inserting "may" in lieu thereof.

Amendment No. 1 to substitute for Committee Amendment No. 1 to H. B. No. 1676 was adopted.

Senators Sparks and Hill offered the following AMENDMENT NO. 2 TO SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

AMEND by striking lines 3935 through 3951 and inserting the following language in lieu thereof:

This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

Amendment No. 2 to substitute for Committee Amendment No. 1 to H. B. No. 1676 was adopted.

Substitute for Committee Amendment No. 1 as amended to H. B. No. 1676 was adopted.

YEAS AND NAYS On H. B. No. 1676. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Johnson, Kirby, Ladner, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--38.

Nays--None.

Absent and those not voting----None.

Voting Present--Berry, Branning, Brumfield, Butler, Chism, Hill, Horhn, Jackson, Jordan, McCaughn, McLendon, Seymour, Tate, Turner-Ford. Total--14.

Senator England called up the motion to reconsider the vote whereby **H. B. No. 1035** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 1035: Justice court judges; include in the "Nonpartisan Judicial Election Act"..

The foregoing motion prevailed.

Senator Wiggins called up the motion to reconsider the vote whereby **H. B. No. 722** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 722: Judicial districts; revise.

The foregoing motion prevailed.

Senator Michel called up the motion to reconsider the vote whereby **H. B. No. 1265** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 1265: Pharmacists; authorize reimbursement for under certain insurance policies, plans, or contracts.

The foregoing motion prevailed.

Senator Wiggins called up the motion to reconsider the vote whereby **H. B. No. 1316** passed the Senate and moved that it be reconsidered:

H. B. No. 1316: Public purchasing; require competitive bidding for web-based application for MYCIDS.

The foregoing motion prevailed.

Senator Wiggins offered the following AMENDMENT NO. 1.

AMEND on line 1331 by striking ", and shall stand repealed on June 30, 2024"

Amendment No. 1 to H. B. No. 1316 was adopted.

YEAS AND NAYS On H. B. No. 1316. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following House Amendment to **S. B. No. 2298** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 31-13-11, Mississippi Code of 1972, is amended as follows:

31-13-11. The court costs in all such cases shall be paid by the county, municipality, or district proposing to issue said bonds or other written obligations, and in addition to such costs it shall also pay to the bond attorney a fee of not more than one-tenth of one percent (1/10 of 1%), provided said fee shall not be less than * * * Two Thousand Five Hundred Dollars ($2,500.00) nor more than * * * Ten Thousand Dollars ($10,000.00), of the amount of the bonds or other obligations issued or proposed to be

issued. The payment of this fee shall be full compensation for all legal services rendered in connection with the issuance of said bonds, except that when the state's bond attorney attends a hearing of objection to the validation of said bonds, his actual and necessary expenses and a reasonable rate of compensation for attending the said hearing as required by this chapter shall be taxed as a part of the costs of the validation proceedings, upon approval by the clerk or chancellor of an itemized account of such expenses and time expended. If objection is filed to the validation of said bonds, then in that event the taxation of court costs, including expenses and a reasonable rate of compensation for the bond attorney, shall be discretionary with the chancellor, as in other cases in the chancery court, against the issuing board or district, or the objector or objectors, or apportioned as the chancellor may deem proper.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 31-13-11, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM AND MAXIMUM FEE PAID TO THE STATE'S BOND ATTORNEY FOR THE VALIDATION AND ISSUANCE OF BONDS ISSUED OR PROPOSED TO BE ISSUED BY A COUNTY, MUNICIPALITY, OR OTHER DISTRICT OR SUBDIVISION OF THE STATE; AND FOR RELATED PURPOSES.

_____

Senator Barnett called up the following House Amendment to **S. B. No. 2445** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-473, Mississippi Code of 1972, is amended as follows:

47-5-473. (1) The Sheriffs of Rankin County, Harrison County and Lee County are authorized to establish a Pilot Work Release Program. No person sentenced for a crime listed in Section 97-3-2 shall be eligible for participation in the program established under this section. During the pilot phase of the program, there shall be a limit of twenty-five (25) people in the program at a time.

(2) The sheriff shall collect and maintain data which shall be shared semiannually with the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) and the Corrections and Criminal Justice Oversight Task Force in sortable electronic format. The first report shall be made before January 15, 2022, and in six-month intervals thereafter. The data shall include:

(a) Total number of participants at the beginning of each month by race, gender, and offenses charged;

(b) Total number of participants at the end of each month by race, gender, and offenses charged;

(c) Total number of participants who began the program in each month by race, gender, and offenses charged;

(d) Total number of participants who successfully completed the program in each month by race, gender, and offenses charged;

(e) Total number of participants who left the program in each month and reason for leaving by race, gender, and offenses charged;

(f) Total number of participants who were arrested for a new criminal offense while in the program in each month by race, gender, and offenses charged;

(g) Total number of participants who were convicted of a new crime while in the program in each month by race, gender, and offenses charged;

(h) Total number of participants who completed the program and were convicted of a new crime within three (3) years of completing the program;

(i) Total amount earned by participants and how the earnings were distributed in each month;

(j) Results of any initial risk and needs assessments conducted on each participant by race, gender, and offenses charged; and

(k) Any other data or information as requested by the task force.

(3) Any person who has been sentenced to confinement in jail or who has been sentenced for a felony conviction but is confined in a jail may request assignment to the work release program established under this section. Admission to the program shall be in the discretion of the sheriff. The sheriff may further authorize the offender to participate in educational or other rehabilitative programs designed to supplement his work release employment or to prepare the person for successful reentry. No offender shall be eligible for this program if he or she has more than one (1) year remaining on his or her sentence.

(4) The sheriff shall adopt and publish rules and regulations prior to accepting inmates. These rules and regulations shall at a minimum include all requirements for work release programs established pursuant to Sections 47-5-451 through 47-5-471. Participating employers shall pay no less than the prevailing wage for the position and shall under no circumstance pay less than the federal minimum wage.

(5) Any offender assigned to such a program by the sheriff who, without proper authority or just cause, leaves the area to which he has been assigned to work or attend educational or other rehabilitative programs, or leaves the vehicle or route of travel involved in his or her going to or returning from such place, will be guilty of escape as provided in Section 97-9-49. An offender who is found guilty under this section shall be ineligible for further participation in a work release program during his or her current term of confinement.

(6) The offender shall maintain an account through a local financial institution and shall provide a copy of a check stub to the sheriff. The offender may be required to pay up to twenty-five percent (25%) of his or her wages after mandatory deductions for the following purposes:

(a) To pay support of dependents or to the Mississippi Department of Human Services on behalf of dependents as may be ordered by a judge of competent jurisdiction; and

(b) To pay any fines, restitution, or costs as ordered by the court to include any fines and fees associated with obtaining a valid driver's license upon release.

(7) The inmate shall have access to his or her account to purchase incidental expenses.

(8) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) shall conduct a review of the work release program established under this section and produce a report to the Legislature on their effectiveness by December 1, 2022. The PEER Committee shall seek the assistance of the Corrections and Criminal Justice Task Force and may seek assistance from any other criminal justice experts it deems necessary during its review.

(9) This section shall stand repealed on July 1, * * * 2026.

SECTION 2. Section 47-5-577, Mississippi Code of 1972, is amended as follows:

47-5-577. Sections 47-5-531 through * * * 47-5-579, which create the Mississippi Prison Industries Act of 1990, shall stand repealed from and after July 1, * * * 2026.

SECTION 3. Section 47-5-579, Mississippi Code of 1972, is amended as follows:

47-5-579. (1) (a) The corporation is authorized to create a Pilot Work Initiative at the Central Mississippi Correctional Facility. The initiative shall be limited to no more than twenty-five (25) inmates in the program at any given time.

(b) The department shall:

(i) Have the ultimate authority for oversight of the administration of the initiative;

(ii) Delegate the administration of the initiative to the corporation; and

(iii) Oversee the selection of inmates for admission to the initiative.

(2) (a) An inmate is eligible for participation in the initiative if the inmate has:

(i) No more than two (2) years remaining on the inmate's sentence;

(ii) Not been convicted under Section 97-9-49 within the last five (5) years; and

(iii) Not been sentenced for a sex offense as defined in Section 45-33-23(h).

(b) Any inmate that meets the eligibility requirements of paragraph (a) may request assignment to the work initiative established under this section.

(3) (a) The commissioner shall select inmates for admission to the program.

(b) An inmate currently participating in vocational training or a soft skills training program with the department shall have priority in admission to the program.

(4) (a) The chief executive officer may authorize the inmate to participate in educational or other rehabilitative programs designed to supplement his work initiative employment or to prepare the person for successful reentry.

(b) Before accepting any participants to the program, the corporation, in consultation with the department, shall adopt and publish rules and regulations to effectuate this section no later than six (6) months after the effective date of this section. These rules and regulations shall include all protection requirements for work release programs established pursuant to Sections 47-5-451 through 47-5-471. Participating

employers shall pay no less than the prevailing wage for the position and shall under no circumstance pay less than the federal minimum wage.

(5) Any inmate assigned to the initiative who, without proper authority or just cause, leaves the area to which he has been assigned to work or attend educational or other rehabilitative programs, or leaves the vehicle or route of travel involved in his or her going to or returning from such place, will be guilty of escape as provided in Section 97-9-49. An offender who is convicted under Section 97-9-49 shall be ineligible for further participation in the work initiative during his or her current term of confinement.

(6) (a) The inmate shall maintain an account through a local financial institution and shall provide a copy of a check stub to the chief executive officer.

(b) The inmate shall be required:

(i) To pay twenty-five percent (25%) of the inmate's wages after mandatory deductions for the following purposes:

1. To pay support of dependents or to the Mississippi Department of Human Services on behalf of dependents as may be ordered by a judge of competent jurisdiction; and

2. To pay any fines, restitution, or costs as ordered by the court to include any fines and fees associated with obtaining a valid driver's license upon release.

(ii) To pay * * * fifteen percent (15%) of the inmate's wages to the corporation for administrative expenses to include transportation costs to be remitted to the state, regional or private facility where the inmate provided the work.

(iii) To save fifty percent (50%) of the inmate's wages in the account required under paragraph (a) of this subsection. Monies under this sub-item shall be made available to the inmate upon parole or release.

(c) The inmate shall have access to the remaining * * * ten percent (10%) of the monies in the inmate's account to purchase incidental expenses.

(7) The chief executive officer of the corporation shall collect and maintain data which shall be shared semiannually with the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) and the Corrections and Criminal Justice Oversight Task Force in sortable electronic format. The first report shall be made on January 15, 2023, and in six-month intervals thereafter unless PEER establishes a different schedule. The data shall include:

(a) Total number of participants at the beginning of each month by race, gender, and offenses charged;

(b) Total number of participants at the end of each month by race, gender, and offenses charged;

(c) Total number of participants who began the program in each month by race, gender, and offenses charged;

(d) Total number of participants who successfully completed the program in each month by race, gender, and offenses charged;

(e) Total number of participants who left the program in each month and reason for leaving by race, gender, and offenses charged;

(f) Total number of participants who were arrested for a new criminal offense while in the program in each month by race, gender and offenses charged;

(g) Total number of participants who were convicted of a new crime while in the program in each month by race, gender and offenses charged;

(h) Total number of participants who completed the program and were convicted of a new crime within three (3) years of completing the program;

(i) Total amount earned by participants and how the earnings were distributed in each month;

(j) Results of any initial risk and needs assessments conducted on each participant by race, gender, and offenses charged;

(k) Total list of participating employers;

(l) Total list of jobs acquired by participants;

(m) Total list the hourly wage paid to each participant;

(n) Total accounting of the manner and use of the ten percent (10%) of the wages paid to the corporation by the inmate for administrative expenses;

(o) Total costs associated with program operations;

(p) Total list of participating financial institutions;

(q) The number of accounts opened by participants at financial institutions;

(r) The average hourly wage earned in the program; and

(s) Any other data or information as requested by the task force.

(8) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) shall conduct a review of the initiative established under this section and produce a report to the Legislature on their effectiveness by January 1, 2024. The PEER Committee shall seek the assistance of the Corrections and Criminal Justice Task Force and may seek assistance from any other criminal justice experts it deems necessary during its review.

* * *

SECTION 4. Section 47-5-531, Mississippi Code of 1972, is brought forward as follows:

47-5-531. Sections 47-5-531 through 47-5-575 shall be known as the "Mississippi Prison Industries Act of 1990."

SECTION 5. Section 47-5-533, Mississippi Code of 1972, is brought forward as follows:

47-5-533. (1) It is the finding of the Legislature that prison industry programs of the State Department of Corrections are uniquely different from other programs operated or conducted by other departments in that it is essential to the state that the prison industry programs provide inmates with useful activities that can lead to meaningful employment after release in order to assist in reducing the return of inmates to the system.

(2) It is further the finding of the Legislature that the mission of a prison industry program is:

(a) To reduce the cost of state government by operating prison industries primarily with inmate labor, which industries do not seek to unreasonably compete with private enterprise;

(b) To serve the rehabilitative goals of the state by duplicating as nearly as possible, the operating activities of a free-enterprise type of profit-making enterprise; and

(c) To serve the security goals of the state by reducing the idleness of inmates and by providing an incentive for good behavior while in prison.

SECTION 6. Section 47-5-535, Mississippi Code of 1972, is brought forward as follows:

47-5-535. (1) Except as otherwise specifically provided by law, it is the intent of the Legislature that a nonprofit corporation be organized and formed, within sixty (60) days from April 4, 1990, to lease and manage the prison industry programs of the Mississippi Correctional Industries. The corporation created and established shall be a body politic and corporate, may acquire and hold real and personal property, may receive, hold and dispense monies appropriated to it by the Legislature of the State of Mississippi received from the federal government, received from the sale of products, goods, and services which it produces, and received from any other sources whatsoever.

(2) Except as otherwise specifically provided by law, it is the further intent of the Legislature that the nonprofit corporation shall create any additional prison industry program as it deems fit, and any such program shall be created in compliance with the provisions of Sections 47-5-531 through 47-5-575.

(3) Except as otherwise specifically provided by law, it is the further intent of the Legislature that such nonprofit corporation shall have exclusive rights to operate any prison industry program and when such corporation is lawfully formed, no other public or private entity shall be allowed to carry out the provisions of Sections 47-5-531 through 47-5-575.

(4) It is the further intent of the Legislature, that the nonprofit corporation which is required to be organized and formed under Sections 47-5-531 through 47-5-575 shall locate and operate prison industries at any state correctional facility with the approval of the Commissioner of Corrections. It is the intent of the Legislature that the nonprofit corporation locate and operate such industries in an orderly and expeditious manner. Such corporation may locate and operate prison industries at other prison satellites, at community work centers in the state, at any private correctional facility which houses state inmates and at any regional correctional facility as authorized under Section 47-5-931. No industrial prison program shall be located at a site other than state prison facilities approved by the commissioner.

SECTION 7. Section 47-5-537, Mississippi Code of 1972, is brought forward as follows:

47-5-537. The Secretary of State, or his designee, shall assist the Department of Corrections and the Department of Finance and Administration in the formation of the nonprofit corporation, and within sixty (60) days after the formation of the corporation, the corporation shall apply for exemption from federal tax under the provisions of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended. Any program of the Division of Vocational Rehabilitation of the State Department of Human Services shall not be classified as prison industries under the provisions Sections 47-5-531 through 47-5-575.

SECTION 8. Section 47-5-539, Mississippi Code of 1972, is brought forward as follows:

47-5-539. For the purposes of Sections 47-5-531 through 47-5-575, the following terms shall have the following meaning unless the context shall provide otherwise:

(a) "Chief executive officer" means the chief executive officer of the corporation established under this chapter.

(b) "Corporation" means the private nonprofit corporation which is required to be organized and formed to carry out the provisions of Sections 47-5-531 through 47-5-575 regarding prison industries.

(c) "Department" means the State Department of Corrections.

(d) "Inmate" means any person incarcerated within any state correctional facility.

(e) "Prison industry program" means any program which is considered to be a part of any prison industry in this state.

(f) "Prison agricultural enterprises" means all agricultural endeavors as defined in Section 47-5-353.

(g) "Work initiative" or "initiative" means the program authorized in Section 47-5-579.

SECTION 9. Section 47-5-541, Mississippi Code of 1972, is brought forward as follows:

47-5-541. (1) The corporation shall be governed by a board of directors. The terms of the board of directors in place before July 1, 2022, shall expire June 30, 2022. From and after July 1, 2022, the board of directors of the nonprofit corporation shall be composed of the following five (5) members:

(a) The Commissioner of the Department of Corrections or his or her designee;

(b) One (1) representative of the faith-based community, appointed by the Commissioner of the Department of Corrections with the advice and consent of the Senate;

(c) One (1) representative of the business community, appointed by the Commissioner of the Department of Corrections with the advice and consent of the Senate;

(d) The Executive Director of AccelerateMS or his or her designee; and

(e) The Executive Director of the Mississippi Community College Board or his or her designee.

For the initial appointments, the representative of the faith-based community shall serve for a term of one (1) year; the representative of the business community shall serve for a term of two (2) years; the Executive Director of the AccelerateMS or his or her designee shall serve for a term of three (3) years and the Executive Director of the Mississippi Community College Board shall serve for a term of four (4) years. All succeeding terms shall be for four (4) years from the expiration date of the previous term. The term of the Commissioner of Corrections shall run concurrent with his or her term or terms as commissioner. Initial appointments shall be made within thirty (30) days after

July 1, 2022. Any vacancy on the board prior to the expiration of a term for any reason, including resignation, removal, disqualification, death or disability shall be filled in the manner prescribed in paragraphs (a) through (e) of this subsection for the balance of the unexpired term. The officers of the corporation shall consist of a chairman, vice chairman and a secretary-treasurer. The officers shall be selected by the members of the board. However, the Commissioner of Corrections shall not be eligible to serve as an officer of the corporation.

(2) The board of directors shall select and employ a chief executive officer of the corporation who shall serve at the pleasure of the board. The board shall set the compensation of the chief executive officer. The chief executive officer shall be responsible for the general business and entire operations of the corporation, and shall be responsible for operating the corporation in compliance with the bylaws of the corporation and in compliance with any provision of law. The board shall be authorized and empowered to do only those acts provided by law and by the bylaws of the corporation. Except as otherwise specifically provided by law, such board shall have the authority to establish prison industries, to cease the operation of any industry which it deems unsuitable or unprofitable, to enter into any lease or contract for the corporation and it shall have the full authority to establish prices for any industry good.

(3) No member of the board of directors shall vote on any matter that comes before the board that could result in pecuniary benefit for himself or for any entity in which such member has an interest.

(4) In addition to the board of directors, an advisory board may be set up for the benefit of each industry which is established pursuant to the provisions of Sections 47-5-531 through 47-5-575. Such boards shall be advisory only, and may be set up in the discretion of the board of directors of the corporation.

(5) Each member of the board of directors of the corporation shall receive per diem as provided in Section 25-3-69 for each day or fraction thereof spent in actual discharge of his official duties and shall be reimbursed for mileage and actual expenses incurred in the performance of his official duties in accordance with the requirements of Section 25-3-41, Mississippi Code of 1972.

(6) The board of directors shall make and publish policies, rules and regulations governing all business functions, including but not limited to accounting, marketing, purchasing and personnel, not inconsistent with the terms of Sections 47-5-531 through 47-5-575, as may be necessary for the efficient administration and operation of the corporation.

(7) The chief executive officer of the corporation shall:

(a) Employ all necessary employees of the corporation and dismiss them as is necessary;

(b) Administer the daily operations of the corporation, including establishing education, training and workforce development programs in collaboration with the Office of Workforce Development and other relevant state and federal agencies;

(c) Upon approval of the board of directors, execute any contracts on behalf of the corporation; and

(d) Take any further actions which are necessary and proper toward the achievement of the corporation purposes.

(8) A member of the board of directors of the corporation shall not be liable for any civil damages for any personal injury or property damage caused to a person as a result of any acts or omissions committed in good faith in the exercise of their duties as members

of the board of directors of the corporation, except where a member of the board engages in acts or omissions which are intentional, willful, wanton, reckless or grossly negligent.

SECTION 10. Section 47-5-543, Mississippi Code of 1972, is brought forward as follows:

47-5-543. (1) Within sixty (60) days after the formation of the corporation pursuant to the provisions of Section 47-5-535, the State Department of Corrections shall lease to the corporation all existing prison industries including the buildings, land, furnishings, equipment and other chattel used in the operation of such industries. Such lease shall be agreed upon by the State Department of Corrections, State Department of Finance and Administration and the corporation. The initial term of such lease shall not exceed six (6) years, provided that such lease may be renewed for additional successive terms of years not to exceed six (6) years in any one (1) renewal. No sublease to the corporation shall be in excess of that amount for which the department is obligated to pay under any lease agreement with any other state agency. Any receivable and remaining funds shall be transferred to the corporation after the payment of any existing liabilities. No operating loss of any type shall be transferred to the corporation. The State Department of Corrections shall continue to manage and operate the prison industries until such industries are leased to the corporation. When leasing any prison industry program to the corporation, the corporation shall exercise a reasonable effort to employ any personnel of the State Department of Corrections who are currently involved in any prison industry program being leased to the corporation. Before the leasing of the prison industries, buildings, lands and other items mentioned herein to the corporation, the State Auditor of Public Accounts shall perform a comprehensive audit of all the items and things mentioned herein which are to be leased by the department to the corporation. The corporation may expand, eliminate, suspend or alter any of its industries as it sees fit.

(2) Any lands, buildings, equipment, furnishings, livestock, supplies and vehicles used in the department's farming operations which were leased or transferred to the nonprofit corporation under subsection (1) shall be transferred to the department. Any personnel in the department's farming operations employed by the nonprofit corporation who desire to be reassigned to the department and who are under state service may be reassigned to the department.

(3) The department is not required to lease land, buildings, equipment, furnishings or other chattel used in its prison agricultural enterprises.

SECTION 11. Section 47-5-545, Mississippi Code of 1972, is brought forward as follows:

47-5-545. Except as otherwise specifically provided by law, after the commissioning and implementation of a marketing feasibility study for any proposed new prison industry, the corporation may establish such prison industry. Before any new industry is established, the corporation shall hold a hearing to determine the impact such industry may have on the private sector market. The corporation shall provide adequate and advance notice regarding the nature, time, date and place of such hearing. After the hearing which is required under this section, the corporation may commence negotiations with the State Department of Corrections, with the Secretary of State, or his designee, serving as a mediator, regarding the leasing of land and other chattels for the purpose of establishing any new industry.

SECTION 12. Section 47-5-547, Mississippi Code of 1972, is brought forward as follows:

47-5-547. Except as otherwise specifically provided by law, any training program or auxiliary program associated with any existing prison industry shall be transferred to the corporation. The corporation is empowered and authorized to establish in participation with any community or junior college or state institution of higher learning, any training or

auxiliary program for existing prison industries or for any industries which the corporation might create. Such community or junior college or state institution of higher learning shall provide assistance in business planning, marketing and analysis of existing or projected industries. These industrial services shall be contracted with any appropriate community or junior college or state institution of higher learning when these industries are developed at other correction sites.

SECTION 13. Section 47-5-549, Mississippi Code of 1972, is brought forward as follows:

47-5-549. Any service or item manufactured, processed, grown or produced by the corporation from its prison industries may be furnished or sold to any legislative, executive or judicial branch of the state, any political subdivision or any governing authority of the state, any other state, any school, college or university of the state, any foreign government, any agency of the federal government or to any private entity. The corporation shall make reasonable efforts to purchase raw materials from in-state vendors. The prices for industry-made products shall be established by the board of directors of the corporation or its designee.

SECTION 14. Section 47-5-551, Mississippi Code of 1972, is brought forward as follows:

47-5-551. In the event the corporation is dissolved or its lease of any prison industry program expires or is otherwise terminated, all property relating to such prison industry program which ceases to function because of such termination or dissolution, including all funds, buildings, land, furnishings, equipment and other chattels subsequently purchased or otherwise acquired by the corporation in connection with its continued operation of that program, automatically reverts to full ownership by the department.

SECTION 15. Section 47-5-553, Mississippi Code of 1972, is brought forward as follows:

47-5-553. Before any prison industry may commence operations, the chief executive officer of the corporation must communicate with the Commissioner of Corrections regarding the proper security for the facility. If at anytime the Commissioner of Corrections recognizes a need for improvement in the security at any facility, then he or she shall communicate to the corporation regarding what improvements are needed for the facility to be properly secured. The corporation shall furnish its own security within the parameters of any prison industry work area.

SECTION 16. Section 47-5-555, Mississippi Code of 1972, is brought forward as follows:

47-5-555. The department shall, subject to the necessary security requirements and the needs of the corporation, provide to the corporation sufficient inmate labor for the various prison industry programs. The department may adopt rules and regulations as may be necessary to govern the use of inmates by the corporation. The corporation shall establish policies and procedures, subject to the approval of the department, relating to the use of inmates in the prison industry programs.

SECTION 17. Section 47-5-557, Mississippi Code of 1972, is brought forward as follows:

47-5-557. Any inmate who performs work for the corporation, except those inmates employed by the corporation in the Prison Industry Enhancement Program under Section 47-5-1251, shall not be deemed an agent, employee or involuntary servant of the corporation while performing such work or while going to and from work or other specified areas.

SECTION 18. Section 47-5-559, Mississippi Code of 1972, is brought forward as follows:

47-5-559. The corporation shall submit to the Governor and the Legislature, on or before January 1 of each year, a report on the status of the correctional work programs, including, but not limited to the programs and funds which have been transferred to the corporation, the programs and funds to be taken over within the next year and the proposed use of the profits from such programs, a breakdown of the amount of noninmate labor used, work subcontracted to other vendors, use of consultants, finished goods purchased for resale, and the number of inmates working in the correctional work programs at the time of the report. In addition, the corporation shall submit to the department, the Governor and the Legislature an annual independently audited financial statement and such other information as may be requested by the Legislature together with recommendations from the corporation relating to provisions for reasonable tax incentives to private enterprises that employ inmates, parolees or former inmates who have participated in correctional work programs. The department shall include, as a portion of its annual report, a report on post-release job placement and the rate of subsequent contact with the correctional system for those inmates who have participated in the correctional work programs operated by the corporation and by the department. Beginning January 1, 1991, the State Auditor shall conduct an annual financial audit of the corporation in conjunction with an independent audit conducted by the corporation's auditors. The State Auditor and the legislative PEER committee shall also conduct a biennial performance audit of the corporation for the period beginning January 1, 1991, through January 1, 1993, and thereafter upon the joint request of the Senate Corrections Committee, House Penitentiary Committee, Senate Finance Committee, and House Ways and Means Committee.

SECTION 19. Section 47-5-561, Mississippi Code of 1972, is brought forward as follows:

47-5-561. (1) In addition to its other powers, the corporation shall have the power to request, through the department, an appropriation of general revenue funds for the purposes of operation of, addition to or renovation of facilities or correctional work programs at the various correctional institutions; however, upon receipt of such appropriation, the rental paid by the corporation for the operation of or such new remodeled or renovated facilities or the operation of a correctional work program shall be sufficient to amortize its cost over a period of five (5) years.

(2) The corporation shall maintain those prison industries funds in excess of that amount necessary for sustaining quarterly or monthly operations of the corporation in an interest-bearing account best serving the proper management of corporation funds and earning the maximum amount of interest allowed by law. The corporation shall cause monies from the interest-bearing account to be deposited quarterly or monthly into the corporation's checking account in order to pay the legal debts of the corporation, approved for payment by the corporation.

SECTION 20. Section 47-5-563, Mississippi Code of 1972, is brought forward as follows:

47-5-563. (1) The department may adopt such rules as may be necessary to govern the use of inmates by the corporation; however, such rules shall be related only to the need for security, inmate projections, and efficient operation of each institution.

(2) The corporation, with the input of the department, shall establish policies and procedures subject to the approval of the department's legal counsel relating to the use of inmates in the correctional work programs.

(3) All such policies and procedures adopted by the department and the corporation shall be placed on file in the Office of the Secretary of State.

SECTION 21. Section 47-5-565, Mississippi Code of 1972, is brought forward as follows:

47-5-565. To carry out the provisions of Sections 47-5-531 through 47-5-575, the provisions of Sections 47-5-301 et seq., and 47-5-501 et seq., Mississippi Code of 1972, the corporation shall authorize the transfer and expending of monies from the Prison Industries Fund.

SECTION 22. Section 47-5-567, Mississippi Code of 1972, is brought forward as follows:

47-5-567. Except as otherwise specifically provided by law, no inmate shall be eligible for unemployment compensation or workmen's compensation whether employed by the corporation or by any other private enterprise operating on the grounds of a correctional institution or elsewhere where such employment shall be a part of a correctional work program or work release program of either the corporation or the department.

SECTION 23. Section 47-5-569, Mississippi Code of 1972, is brought forward as follows:

47-5-569. (1) Except as otherwise specifically provided by law, if the department leases a single correctional work program at any correctional institution to the corporation, the corporation shall lease all such correctional work programs at that institution. Any rent paid by the corporation to the department shall be deposited in a correctional programs trust fund for enhancement of education and training, post-release job placement, and other correctional purposes related to the purposes of Sections 47-5-531 through 47-5-575.

(2) All leases of department-owned land for the funding or operations of the corporation shall be subject to the approval of the corporation, the Mississippi Department of Corrections and the Public Procurement Review Board.

(3) This section shall not apply to any program within the prison agricultural enterprises operated by the department.

SECTION 24. Section 47-5-571, Mississippi Code of 1972, is brought forward as follows:

47-5-571. Except as otherwise specifically provided by law, no goods, wares, services or merchandise manufactured, mined or offered in whole or in part by prisoners shall be sold or offered by any person or other authority except by the corporation, as authorized by Sections 47-5-531 through 47-5-575.

SECTION 25. Section 47-5-573, Mississippi Code of 1972, is brought forward as follows:

47-5-573. (1) In adopting or modifying master plans for correctional work programs, and in the administration of the Department of Corrections, it shall be the objective of the department to develop a logical sequence of vocational training, employment by correctional work programs, and post-release job placement for inmates participating in correctional work programs.

(2) The Department of Corrections shall establish guidelines for the development of correctional work programs.

(3) The needs of the corporation shall be considered by the department when assigning and transferring prisoners to correctional institutions. The following criteria shall be used when assigning and transferring inmates:

(a) Skills of the inmate relevant to the corporation's industries;

(b) Security classification of the inmate relevant to the type of corporation's industry;

(c) Duration of availability of the inmate for employment by the corporation;

(d) Establishment of a concept of potentially rehabilitative inmate.

SECTION 26. Section 47-5-575, Mississippi Code of 1972, is brought forward as follows:

47-5-575. Any records or reports which relate to the financial aspect or operations of the corporation, with the exception of any trade secrets, shall be considered as public records and shall be subject to the provisions of the Mississippi Public Records Act of 1983.

SECTION 27. Section 47-5-911, Mississippi Code of 1972, is amended as follows:

47-5-911. Sections 47-5-901 through 47-5-911 shall stand repealed on July 1, * * * 2026.

SECTION 28. Section 47-5-901, Mississippi Code of 1972, is brought forward as follows:

47-5-901. (1) (a) Any person committed, sentenced or otherwise placed under the custody of the Department of Corrections, on order of the sentencing court and subject to the other conditions of this subsection, may serve all or any part of his sentence in the county jail of the county wherein such person was convicted if the Commissioner of Corrections determines that physical space is not available for confinement of such person in the state correctional institutions. Such determination shall be promptly made by the Department of Corrections upon receipt of notice of the conviction of such person. The commissioner shall certify in writing that space is not available to the sheriff or other officer having custody of the person. Any person serving his sentence in a county jail shall be classified in accordance with Section 47-5-905.

(b) Any person committed, sentenced or otherwise placed under the custody of the Department of Corrections, on order of the sentencing court and subject to the other conditions of this subsection, may serve all or any part of his or her sentence in the county jail of the county wherein such person was convicted if the sheriff or president of the board of supervisors, requests such inmate or inmates. Upon such request, the department may allow such inmate or inmates to serve all or any part of such inmate's or inmates' sentence(s), as the case may be, in the county of conviction of the inmate or inmates or the county of request of a sheriff or board of supervisors outside the county of conviction. Such determination shall be promptly made by the Department of Corrections upon receipt of notice of the conviction of such person. Whenever a request is denied for an inmate or inmates, then the commissioner shall certify in writing to the sentencing court, sheriff, or president of the board of supervisors of a county, as the case may be, that such inmate or inmates does not qualify to serve the sentence or sentences in the county jail. Any person serving his sentence in a county jail shall be classified in accordance with Section 47-5-905.

(2) If state prisoners are housed in county jails due to a lack of capacity at state correctional institutions, the Department of Corrections shall determine the cost for food and medical attention for such prisoners. The cost of feeding and housing offenders

confined in such county jails shall be based on actual costs or contract price per prisoner. In order to maximize the potential use of county jail space, the Department of Corrections is encouraged to negotiate a reasonable per day cost per prisoner, which in no event may exceed Twenty-five Dollars ($25.00) per day per offender, except as authorized in Section 47-5-909(2).

(3) (a) Upon vouchers submitted by the board of supervisors of any county housing persons due to lack of space at state institutions, the Department of Corrections shall pay to such county, out of any available funds, the actual cost of food, or contract price per prisoner, not to exceed Twenty-five Dollars ($25.00) per day per offender, except as authorized in Section 47-5-909(2), as determined under subsection (2) of this section for each day an offender is so confined beginning the day that the Department of Corrections receives a certified copy of the sentencing order or five (5) days after the sentencing order is sent, in writing, by such county to the department, whichever is earlier, and will terminate on the date on which the offender is released or otherwise removed from the custody of the county jail. The department, or its contracted medical provider, will pay to a provider of a medical service for any and all incarcerated persons from a correctional or detention facility an amount based upon negotiated fees as agreed to by the medical care service providers and the department and/or its contracted medical provider. In the absence of negotiated discounted fee schedule, medical care service providers will be paid by the department, or its contracted medical service provider, an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate. The board of supervisors of any county shall not be liable for any cost associated with medical attention for prisoners who are pretrial detainees or for prisoners who have been convicted that exceeds the Mississippi Medicaid reimbursement rate or the reimbursement provided by the Department of Corrections, whichever is greater. This limitation applies to all medical care services, durable and nondurable goods, prescription drugs and medications. Such payment shall be placed in the county general fund and shall be expended only for food and medical attention for such persons.

(b) Upon vouchers submitted by the board of supervisors of any county housing offenders in county jails pending a probation or parole revocation hearing, the department shall pay the reimbursement costs provided in paragraph (a).

(c) If the probation or parole of an offender is revoked, the additional cost of housing the offender pending the revocation hearing shall be assessed as part of the offender's court cost and shall be remitted to the department.

(4) A person, on order of the sentencing court, may serve not more than twenty-four (24) months of his sentence in a county jail if the person is classified in accordance with Section 47-5-905 and the county jail is an approved county jail for housing state inmates under federal court order. The sheriff of the county shall have the right to petition the Commissioner of Corrections to remove the inmate from the county jail. The county shall be reimbursed in accordance with subsection (2) of this section.

(5) The Attorney General of the State of Mississippi shall defend the employees of the Department of Corrections and officials and employees of political subdivisions against any action brought by any person who was committed to a county jail under the provisions of this section.

(6) This section does not create in the Department of Corrections, or its employees or agents, any new liability, express or implied, nor shall it create in the Department of Corrections any administrative authority or responsibility for the construction, funding, administration or operation of county or other local jails or other places of confinement which are not staffed and operated on a full-time basis by the Department of Corrections. The correctional system under the jurisdiction of the Department of Corrections shall include only those facilities fully staffed by the Department of Corrections and operated by it on a full-time basis.

(7) An offender returned to a county for post-conviction proceedings shall be subject to the provisions of Section 99-19-42 and the county shall not receive the per-day allotment for such offender after the time prescribed for returning the offender to the Department of Corrections as provided in Section 99-19-42.

SECTION 29. Section 47-5-903, Mississippi Code of 1972, is brought forward as follows:

47-5-903. (1) A person committed, sentenced or otherwise placed under the custody of the Department of Corrections, on order of the sentencing court, may serve his or her sentence in any county jail if all of the following conditions are complied with:

(a) The person must be classified in accordance with Section 47-5-905;

(b) The person must not be classified as in need of close supervision;

(c) The sheriff of the county where the person will serve his or her sentence must request in writing that the person be allowed to serve his or her sentence in that county jail;

(d) After the person is classified and returned to the county, the county shall assume the full and complete responsibility for the care and expenses of housing such person; and

(e) The county jail must be an approved county jail for housing state inmates under federal court order.

(2) This section does not apply to inmates housed in county jails due to lack of space at state correctional facilities. The department may reimburse the county for the expense of housing an inmate under this section.

(3) The Attorney General of the State of Mississippi shall defend the employees of the Department of Corrections and officials and employees of political subdivisions against any action brought by any person who was committed to a county jail under the provisions of this section.

(4) The state, the Department of Corrections, and its employees or agents, shall not be liable to any person or entity for an inmate held in a county jail under this section.

SECTION 30. Section 47-5-905, Mississippi Code of 1972, is brought forward as follows:

47-5-905. (1) All persons placed under the custody of the Department of Corrections shall be processed at a reception and diagnostic center of the Department of Corrections and then be assigned to an appropriate correctional facility for a complete and thorough classification, not to exceed ninety (90) days, unless the department determines that a person can be properly processed and classified at the county jail in accordance with the department's classification plan.

(2) The Department of Corrections shall develop a plan for the processing and classification of inmates in county jails and shall implement the plan by January 1, 1993.

SECTION 31. Section 47-5-907, Mississippi Code of 1972, is brought forward as follows:

47-5-907. The sheriff of any county in this state shall have the right to petition the Commissioner of the Department of Corrections to remove a state inmate from the county jail in such county to the State Penitentiary. The commissioner shall remove such inmate

from such county jail if the sheriff of such county sets forth just cause in his petition indicating why an inmate should be removed from such county jail to the State Penitentiary.

Just cause is established if such sheriff can sufficiently prove that such inmate has a dangerous behavior or sufficiently prove that there is no available or suitable medical facility where such inmate can be provided suitable medical services. The commissioner shall respond in writing to the petition no later than thirty (30) days after the receipt of such petition. If the petition to remove such inmate is denied by the commissioner, such sheriff and his agents shall have from the date of denial absolute immunity from liability for any injury resulting from subsequent behavior or from medical consequences regarding such inmate, provided that such injury resulted from conditions which were set forth in such petition.

SECTION 32. Section 47-5-909, Mississippi Code of 1972, is brought forward as follows:

47-5-909. (1) It is the policy of the Legislature that all inmates be removed from county jails as early as practicable. Sections 47-5-901 through 47-5-907 are temporary measures to help alleviate the immediate operating capacity limitations at correctional facilities and are not permanent measures to be included in the long-term operating capacity of the correctional system.

(2) Notwithstanding any other provision of law, to expedite the removal of inmates from county jails as early as practicable, absent a contract negotiated between the Department of Corrections and the county jail, the Department of Corrections shall pay county jails for housing state offenders out of any available funds as follows:

(a) Twenty-five Dollars ($25.00) per day per offender for days one (1) through thirty (30);

(b) Thirty-two Dollars and Seventy-one Cents ($32.71) per day per offender for days thirty-one (31) or greater when:

(i) An offender remains in the county jail after the Department of Corrections receives a certified copy of the sentencing order or five (5) days after the sentencing order is sent, in writing, by such county to the Department of Corrections, whichever is earlier; or

(ii) An offender remains in the county jail after being revoked from parole or probation or is sentenced to a technical violation center.

(3) The Department of Corrections is additionally responsible for all medical costs related to offenders housed at county jails under subsection (2) of this section.

SECTION 33. Section 47-5-1251, Mississippi Code of 1972, is amended as follows:

47-5-1251. (1) There is created the "Prison Industry Enhancement Program," through which the Department of Corrections may contract with the nonprofit corporation organized and formed under the "Mississippi Prison Industries Act of 1990" to employ offenders within the custody of the department or prison industries.

(2) Except as provided in Section 47-5-579, which is the provision authorizing a work initiative, the offenders must be under the supervision of the department at all times while working. The offenders shall be paid, by the entity or entities, wages at a rate which is not less than that paid for similar work in the locality in which the work is performed. The wages may be subject to deductions which shall not, in the aggregate, exceed eighty percent (80%) of gross wages. The deductions shall be limited to the following:

(a) To pay federal, state and local taxes;

(b) To pay reasonable charges for room and board as determined by regulations issued by the Commissioner of Corrections;

(c) To support the offender's family pursuant to state statute, court order or agreement by the offender; and

(d) To pay contributions equaling not less than five percent (5%) but not more than twenty percent (20%) of the offender's gross wages into the Crime Victims' Compensation Fund as created in Section 99-41-29.

(3) Notwithstanding any other provision of the law to the contrary, the offenders shall not be qualified to receive any payments for unemployment compensation while incarcerated. However, the offenders shall not solely by their status as offenders be deprived of the right to participate in benefits made available by the federal or state government to other individuals on the basis of their employment, such as workers' compensation.

(4) Offenders who participate in the employment must do so voluntarily and must agree in advance to the specific deductions made from gross wages pursuant to this section and to all other financial arrangements or benefits resulting from participation in the employment.

(5) The Department of Corrections shall develop rules and regulations to meet the criteria established by the Bureau of Justice Assistance under the Prison Industry Enhancement Certification Program.

(6) This section shall stand repealed on July 1, * * * 2026.

SECTION 34. Section 1 of Chapter 479, Laws of 2021, is brought forward as follows:

Section 1. This act shall be known and may be cited as the "Mississippi Earned Parole Eligibility Act."

SECTION 35. Section 47-7-3, Mississippi Code of 1972, is amended as follows:

47-7-3. (1) Every prisoner who has been convicted of any offense against the State of Mississippi, and is confined in the execution of a judgment of such conviction in the Mississippi Department of Corrections for a definite term or terms of one (1) year or over, or for the term of his or her natural life, whose record of conduct shows that such prisoner has observed the rules of the department, and who has served the minimum required time for parole eligibility, may be released on parole as set forth herein:

(a) Habitual offenders. Except as provided by Sections 99-19-81 through 99-19-87, no person sentenced as a confirmed and habitual criminal shall be eligible for parole;

(b) Sex offenders. Any person who has been sentenced for a sex offense as defined in Section 45-33-23(h) shall not be released on parole except for a person under the age of nineteen (19) who has been convicted under Section 97-3-67;

(c) Capital offenders. No person sentenced for the following offenses shall be eligible for parole:

(i) Capital murder committed on or after July 1, 1994, as defined in Section 97-3-19(2);

(ii) Any offense to which an offender is sentenced to life imprisonment under the provisions of Section 99-19-101; or

(iii) Any offense to which an offender is sentenced to life imprisonment without eligibility for parole under the provisions of Section 99-19-101, whose crime was committed on or after July 1, 1994;

(d) Murder. No person sentenced for murder in the first degree, whose crime was committed on or after June 30, 1995, or murder in the second degree, as defined in Section 97-3-19, shall be eligible for parole;

(e) Human trafficking. No person sentenced for human trafficking, as defined in Section 97-3-54.1, whose crime was committed on or after July 1, 2014, shall be eligible for parole;

(f) Drug trafficking. No person sentenced for trafficking and aggravated trafficking, as defined in Section 41-29-139(f) through (g), shall be eligible for parole;

(g) Offenses specifically prohibiting parole release. No person shall be eligible for parole who is convicted of any offense that specifically prohibits parole release;

(h) (i) Offenders eligible for parole consideration for offenses committed after June 30, 1995. Except as provided in paragraphs (a) through (g) of this subsection, offenders may be considered eligible for parole release as follows:

1. Nonviolent crimes. All persons sentenced for a nonviolent offense shall be eligible for parole only after they have served twenty-five percent (25%) or ten (10) years, whichever is less, of the sentence or sentences imposed by the trial court. For purposes of this paragraph, "nonviolent crime" means a felony not designated as a crime of violence in Section 97-3-2.

2. Violent crimes. A person who is sentenced for a violent offense as defined in Section 97-3-2, except robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, and carjacking as defined in Section 97-3-117, shall be eligible for parole only after having served fifty percent (50%) or twenty (20) years, whichever is less, of the sentence or sentences imposed by the trial court. Those persons sentenced for robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, and carjacking as defined in Section 97-3-117, shall be eligible for parole only after having served sixty percent (60%) or twenty-five (25) years, whichever is less, of the sentence or sentences imposed by the trial court.

3. Nonviolent and nonhabitual drug offenses. A person who has been sentenced to a drug offense pursuant to Section 41-29-139(a) through (d), whose crime was committed after June 30, 1995, shall be eligible for parole only after he has served twenty-five percent (25%) or ten (10) years, whichever is less, of the sentence or sentences imposed.

(ii) Parole hearing required. All persons eligible for parole under subparagraph (i) of this paragraph (h) who are serving a sentence or sentences for a crime of violence, as defined in Section 97-3-2, shall be required to have a parole hearing before the Parole Board pursuant to Section 47-7-17, prior to parole release.

(iii) Geriatric parole. Notwithstanding the provisions in subparagraph (i) of this paragraph (h), a person serving a sentence who has reached the age of sixty (60) or older and who has served no less than ten (10) years of the sentence or sentences imposed by the trial court shall be eligible for parole. Any person eligible for parole under this subparagraph (iii) shall be required to have a parole hearing before the board prior to

parole release. No inmate shall be eligible for parole under this subparagraph (iii) of this paragraph (h) if:

1. The inmate is sentenced as a habitual offender under Sections 99-19-81 through 99-19-87;

2. The inmate is sentenced for a crime of violence under Section 97-3-2;

3. The inmate is sentenced for an offense that specifically prohibits parole release;

4. The inmate is sentenced for trafficking in controlled substances under Section 41-29-139(f);

5. The inmate is sentenced for a sex crime; or

6. The inmate has not served one-fourth (1/4) of the sentence imposed by the court.

(iv) Parole consideration as authorized by the trial court. Notwithstanding the provisions of paragraph (a) of this subsection, any offender who has not committed a crime of violence under Section 97-3-2 and has served twenty-five percent (25%) or more of his sentence may be paroled by the State Parole Board if, after the sentencing judge or if the sentencing judge is retired, disabled or incapacitated, the senior circuit judge authorizes the offender to be eligible for parole consideration; or if the senior circuit judge must be recused, another circuit judge of the same district or a senior status judge may hear and decide the matter. A petition for parole eligibility consideration pursuant to this subparagraph (iv) shall be filed in the original criminal cause or causes, and the offender shall serve an executed copy of the petition on the District Attorney. The court may, in its discretion, require the District Attorney to respond to the petition.

(2) The State Parole Board shall, by rules and regulations, establish a method of determining a tentative parole hearing date for each eligible offender taken into the custody of the Department of Corrections. The tentative parole hearing date shall be determined within ninety (90) days after the department has assumed custody of the offender. Except as provided in Section 47-7-18, the parole hearing date shall occur when the offender is within thirty (30) days of the month of his parole eligibility date. Any parole eligibility date shall not be earlier than as required in this section.

(3) Notwithstanding any other provision of law, an inmate shall not be eligible to receive earned time, good time or any other administrative reduction of time which shall reduce the time necessary to be served for parole eligibility as provided in subsection (1) of this section.

(4) Any inmate within forty-eight (48) months of his parole eligibility date and who meets the criteria established by the classification board shall receive priority for placement in any educational development and job-training programs that are part of his or her parole case plan. Any inmate refusing to participate in an educational development or job-training program, including, but not limited to, programs required as part of the case plan, shall be in jeopardy of noncompliance with the case plan and may be denied parole.

(5) In addition to other requirements, if an offender is convicted of a drug or driving under the influence felony, the offender must complete a drug and alcohol rehabilitation program prior to parole, or the offender shall be required to complete a postrelease drug and alcohol program as a condition of parole.

(6) Except as provided in subsection (1)(a) through (h) of this section, all other persons shall be eligible for parole after serving twenty-five percent (25%) of the sentence

or sentences imposed by the trial court, or, if sentenced to thirty (30) years or more, after serving ten (10) years of the sentence or sentences imposed by the trial court.

(7) The Corrections and Criminal Justice Oversight Task Force established in Section 47-5-6 shall develop and submit recommendations to the Governor and to the Legislature annually on or before December 1st concerning issues relating to juvenile and habitual offender parole reform and to review and monitor the implementation of Chapter 479, Laws of 2021.

(8) The amendments contained in Chapter 479, Laws of 2021, shall apply retroactively from and after July 1, 1995.

(9) Notwithstanding provisions to the contrary in this section, a person who was sentenced before July 1, 2021, may be considered for parole if the person's sentence would have been parole eligible before July 1, 2021.

(10) This section shall stand repealed on July 1, * * * 2026.

SECTION 36. Section 47-7-5, Mississippi Code of 1972, is amended as follows:

47-7-5. (1) The State Parole Board, created under former Section 47-7-5, is hereby created, continued and reconstituted and shall be composed of five (5) members. The Governor shall appoint the members with the advice and consent of the Senate. All terms shall be at the will and pleasure of the Governor. Any vacancy shall be filled by the Governor, with the advice and consent of the Senate. The Governor shall appoint a chairman of the board.

(2) Any person who is appointed to serve on the board shall possess at least a bachelor's degree or a high school diploma and four (4) years' work experience. Each member shall devote his full time to the duties of his office and shall not engage in any other business or profession or hold any other public office. A member shall receive compensation or per diem in addition to his or her salary. Each member shall keep such hours and workdays as required of full-time state employees under Section 25-1-98. Individuals shall be appointed to serve on the board without reference to their political affiliations. Each board member, including the chairman, may be reimbursed for actual and necessary expenses as authorized by Section 25-3-41. Each member of the board shall complete annual training developed based on guidance from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association. Each first-time appointee of the board shall, within sixty (60) days of appointment, or as soon as practical, complete training for first-time Parole Board members developed in consideration of information from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association.

(3) The board shall have exclusive responsibility for the granting of parole as provided by Sections 47-7-3 and 47-7-17 and shall have exclusive authority for revocation of the same. The board shall have exclusive responsibility for investigating clemency recommendations upon request of the Governor.

(4) The board, its members and staff, shall be immune from civil liability for any official acts taken in good faith and in exercise of the board's legitimate governmental authority.

(5) The budget of the board shall be funded through a separate line item within the general appropriation bill for the support and maintenance of the department. Employees of the department which are employed by or assigned to the board shall work under the guidance and supervision of the board. There shall be an executive secretary to the board who shall be responsible for all administrative and general accounting duties related to

the board. The executive secretary shall keep and preserve all records and papers pertaining to the board.

(6) The board shall have no authority or responsibility for supervision of offenders granted a release for any reason, including, but not limited to, probation, parole or executive clemency or other offenders requiring the same through interstate compact agreements. The supervision shall be provided exclusively by the staff of the Division of Community Corrections of the department.

(7) (a) The Parole Board is authorized to select and place offenders in an electronic monitoring program under the conditions and criteria imposed by the Parole Board. The conditions, restrictions and requirements of Section 47-7-17 and Sections 47-5-1001 through 47-5-1015 shall apply to the Parole Board and any offender placed in an electronic monitoring program by the Parole Board.

(b) Any offender placed in an electronic monitoring program under this subsection shall pay the program fee provided in Section 47-5-1013. The program fees shall be deposited in the special fund created in Section 47-5-1007.

(c) The department shall have absolute immunity from liability for any injury resulting from a determination by the Parole Board that an offender be placed in an electronic monitoring program.

(8) (a) The Parole Board shall maintain a central registry of paroled inmates. The Parole Board shall place the following information on the registry: name, address, photograph, crime for which paroled, the date of the end of parole or flat-time date and other information deemed necessary. The Parole Board shall immediately remove information on a parolee at the end of his parole or flat-time date.

(b) When a person is placed on parole, the Parole Board shall inform the parolee of the duty to report to the parole officer any change in address ten (10) days before changing address.

(c) The Parole Board shall utilize an internet website or other electronic means to release or publish the information.

(d) Records maintained on the registry shall be open to law enforcement agencies and the public and shall be available no later than July 1, 2003.

(9) An affirmative vote of at least four (4) members of the Parole Board shall be required to grant parole to an inmate convicted of capital murder or a sex crime.

(10) This section shall stand repealed on July 1, * * * 2026.

SECTION 37. Section 47-7-3.1, Mississippi Code of 1972, is brought forward as follows:

47-7-3.1. (1) In consultation with the Parole Board, the department shall develop a case plan for all parole-eligible inmates to guide an inmate's rehabilitation while in the department's custody and to reduce the likelihood of recidivism after release.

(2) The case plan shall include, but not be limited to:

(a) Programming and treatment requirements based on the results of a risk and needs assessment;

(b) Any programming or treatment requirements contained in the sentencing order; and

(c) General behavior requirements in accordance with the rules and policies of the department.

(3) With respect to parole-eligible inmates admitted to the department's custody on or after July 1, 2021, the department shall complete the case plan within ninety (90) days of admission. With respect to parole-eligible inmates admitted to the department's custody before July 1, 2021, the department shall complete the case plan by January 1, 2022.

(4) The department shall provide the inmate with a written copy of the case plan and the inmate's caseworker shall explain the conditions set forth in the case plan.

(a) Within ninety (90) days of admission, the caseworker shall notify the inmate of their parole eligibility date as calculated in accordance with Section 47-7-3(3);

(b) At the time a parole-eligible inmate receives the case plan, the department shall send the case plan to the Parole Board for approval.

(5) With respect to parole-eligible inmates admitted to the department's custody after July 1, 2021, the department shall ensure that the case plan is achievable prior to the inmate's parole eligibility date. With respect to parole-eligible inmates admitted to the department's custody before July 1, 2021, the department shall, to the extent possible, ensure that the case plan is achievable prior to the inmate's parole eligibility date or next parole hearing date, or date of release, whichever is sooner.

(6) The caseworker shall meet with the inmate every eight (8) weeks from the date the offender received the case plan to review the inmate's case plan progress.

(7) Every four (4) months the department shall electronically submit a progress report on each parole-eligible inmate's case plan to the Parole Board. The board may meet to review an inmate's case plan and may provide written input to the caseworker on the inmate's progress toward completion of the case plan.

(8) The Parole Board shall provide semiannually to the Oversight Task Force the number of parole hearings held, the number of prisoners released to parole without a hearing and the number of parolees released after a hearing.

(9) If the Department of Corrections fails to adequately provide opportunity and access for the completion of such case plans, the Department of Corrections shall, to the extent possible, contract with regional jail facilities that offer educational development and job-training programs to facilitate the fulfillment of the case plans of parole-eligible inmates.

SECTION 38. Section 47-7-3.2, Mississippi Code of 1972, is brought forward as follows:

47-7-3.2. (1) Notwithstanding Section 47-5-138, 47-5-139, 47-5-138.1 or 47-5-142, no person convicted of a criminal offense on or after July 1, 2014, shall be released by the department until he or she has served no less than the percentage of the sentence or sentences imposed by the court as set forth below:

(a) Twenty-five percent (25%) or ten (10) years, whichever is less, for a nonviolent crime;

(b) Fifty percent (50%) or twenty (20) years, whichever is less, for a crime of violence pursuant to Section 97-3-2, except for robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, or carjacking as defined in Section 97-3-117;

(c) Sixty percent (60%) or twenty-five (25) years, whichever is less, for robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, or carjacking as defined in Section 97-3-117.

(2) This section shall not apply to:

(a) Offenders sentenced to life imprisonment;

(b) Offenders convicted as habitual offenders pursuant to Sections 99-19-81 through 99-19-87;

(c) Offenders serving a sentence for a sex offense; or

(d) Offenders serving a sentence for trafficking pursuant to Section 41-29-139(f).

SECTION 39. Section 47-7-15, Mississippi Code of 1972, is brought forward as follows:

47-7-15. The board shall adopt an official seal of which the courts shall take judicial notice. Decisions of the board shall be made by majority vote, except as provided in Section 47-7-5(9).

The board shall keep a record of its acts and shall notify each institution of its decisions relating to the persons who are or have been confined therein. At the close of each fiscal year the board shall submit to the Governor and to the Legislature a report with statistical and other data of its work.

SECTION 40. Section 47-7-17, Mississippi Code of 1972, is brought forward as follows:

47-7-17. (1) Within one (1) year after his admission and at such intervals thereafter as it may determine, the board shall secure and consider all pertinent information regarding each offender, except any under sentence of death or otherwise ineligible for parole, including the circumstances of his offense, his previous social history, his previous criminal record, including any records of law enforcement agencies or of a youth court regarding that offender's juvenile criminal history, his conduct, employment and attitude while in the custody of the department, the case plan created to prepare the offender for parole, and the reports of such physical and mental examinations as have been made. The board shall furnish at least three (3) months' written notice to each such offender of the date on which he is eligible for parole.

(2) Except as provided in Section 47-7-18, the board shall require a parole-eligible offender to have a hearing as required in this chapter before the board and to be interviewed. The hearing shall be held no later than thirty (30) days prior to the month of eligibility. No application for parole of a person convicted of a capital offense shall be considered by the board unless and until notice of the filing of such application shall have been published at least once a week for two (2) weeks in a newspaper published in or having general circulation in the county in which the crime was committed. The board shall, within thirty (30) days prior to the scheduled hearing, also give notice of the filing of the application for parole to the victim of the offense for which the prisoner is incarcerated and being considered for parole or, in case the offense be homicide, a designee of the immediate family of the victim, provided the victim or designated family member has furnished in writing a current address to the board for such purpose. The victim or designated family member shall be provided an opportunity to be heard by the board before the board makes a decision regarding release on parole. The board shall consider whether any restitution ordered has been paid in full. Parole release shall, at the hearing, be ordered only for the best interest of society, not as an award of clemency; it shall not be considered to be a reduction of sentence or pardon. An offender shall be placed on

parole only when arrangements have been made for his proper employment or for his maintenance and care, and when the board believes that he is able and willing to fulfill the obligations of a law-abiding citizen. When the board determines that the offender will need transitional housing upon release in order to improve the likelihood of the offender becoming a law-abiding citizen, the board may parole the offender with the condition that the inmate spends no more than six (6) months in a transitional reentry center. At least fifteen (15) days prior to the release of an offender on parole, the director of records of the department shall give the written notice which is required pursuant to Section 47-5-177. Every offender while on parole shall remain in the legal custody of the department from which he was released and shall be amenable to the orders of the board. Upon determination by the board that an offender is eligible for release by parole, notice shall also be given within at least fifteen (15) days before release, by the board to the victim of the offense or the victim's family member, as indicated above, regarding the date when the offender's release shall occur, provided a current address of the victim or the victim's family member has been furnished in writing to the board for such purpose.

(3) Failure to provide notice to the victim or the victim's family member of the filing of the application for parole or of any decision made by the board regarding parole shall not

constitute grounds for vacating an otherwise lawful parole determination nor shall it create any right or liability, civilly or criminally, against the board or any member thereof.

(4) A letter of protest against granting an offender parole shall not be treated as the conclusive and only reason for not granting parole.

(5) The board may adopt such other rules not inconsistent with law as it may deem proper or necessary with respect to the eligibility of offenders for parole, the conduct of parole hearings, or conditions to be imposed upon parolees, including a condition that the parolee submit, as provided in Section 47-5-601 to any type of breath, saliva or urine chemical analysis test, the purpose of which is to detect the possible presence of alcohol or a substance prohibited or controlled by any law of the State of Mississippi or the United States. The board shall have the authority to adopt rules related to the placement of certain offenders on unsupervised parole and for the operation of transitional reentry centers. However, in no case shall an offender be placed on unsupervised parole before he has served a minimum of fifty percent (50%) of the period of supervised parole.

SECTION 41. Section 47-7-18, Mississippi Code of 1972, is brought forward as follows:

47-7-18 (1) No inmate convicted of a sex offense as defined by Section 45-33-23(h), a crime of violence as defined by Section 97-3-2, or both, nor an inmate who is eligible for geriatric parole shall be released on parole without a hearing before the Parole Board as required by Section 47-7-17. All other inmates eligible for parole pursuant to Section 47-7-3 shall be released from incarceration to parole supervision on the inmate's parole eligibility date, without a hearing before the board, if:

(a) The inmate has met the requirements of the parole case plan established pursuant to Section 47-7-3.1;

(b) A victim of the offense has not requested the board conduct a hearing;

(c) The inmate has not received a serious or major violation report within the past six (6) months;

(d) The inmate has agreed to the conditions of supervision; and

(e) The inmate has a discharge plan approved by the board.

(2) At least thirty (30) days prior to an inmate's parole eligibility date, the department shall notify the board in writing of the inmate's compliance or noncompliance with the case plan. If an inmate fails to meet a requirement of the case plan, prior to the parole eligibility date, he or she shall have a hearing before the board to determine if completion of the case plan can occur while in the community.

(3) Any inmate for whom there is insufficient information for the department to determine compliance with the case plan shall have a hearing with the board.

(4) A hearing shall be held with the board if requested by the victim following notification of the inmate's parole release date pursuant to Section 47-7-17.

(5) A hearing shall be held by the board if a law enforcement official from the community to which the inmate will return contacts the board or the department and requests a hearing to consider information relevant to public safety risks posed by the inmate if paroled at the initial parole eligibility date. The law enforcement official shall submit an explanation documenting these concerns for the board to consider.

(6) If a parole hearing is held, the board may determine the inmate has sufficiently complied with the case plan or that the incomplete case plan is not the fault of the inmate and that granting parole is not incompatible with public safety, the board may then parole the inmate with appropriate conditions. If the board determines that the inmate has sufficiently complied with the case plan but the discharge plan indicates that the inmate does not have appropriate housing immediately upon release, the board may parole the inmate to a transitional reentry center with the condition that the inmate spends no more than six (6) months in the center. If the board determines that the inmate has not substantively complied with the requirement(s) of the case plan it may deny parole. If the board denies parole, the board may schedule a subsequent parole hearing and, if a new date is scheduled, the board shall identify the corrective action the inmate will need to take in order to be granted parole. Any inmate not released at the time of the inmate's initial parole date shall have a parole hearing at least every year.

SECTION 42. This act shall take effect and be in force from and after July 1, 2024, and shall be repealed from and after June 30, 2024.

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

AN ACT TO AMEND SECTION 47-5-473, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PILOT WORK RELEASE PROGRAM FOR THE CENTRAL MISSISSIPPI CORRECTIONAL FACILITY; TO AMEND SECTIONS 47-5-577 AND 47-5-579, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE MISSISSIPPI PRISON INDUSTRIES ACT OF 1990 FROM JULY 1, 2024, TO JULY 1, 2026, AND TO TRANSFER THE REPEALER IN SECTION 47-5-579 TO SECTION 47-5-577; TO BRING FORWARD SECTIONS 47-5-531, 47-5-533, 47-5-535, 47-5-537, 47-5-539, 47-5-541, 47-5-543, 47-5-545, 47-5-547, 47-5-549, 47-5-551, 47-5-553, 47-5-555, 47-5-557, 47-5-559, 47-5-561, 47-5-563, 47-5-565, 47-5-567, 47-5-569, 47-5-571, 47-5-573 AND 47-5-575, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 47-5-911, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISIONS OF LAW AUTHORIZING CERTAIN STATE OFFENDERS TO SERVE ALL OR PART OF THEIR SENTENCE IN CERTAIN COUNTY JAILS; TO BRING FORWARD SECTIONS 47-5-901, 47-5-903, 47-5-905, 47-5-907 AND 47-5-909, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 47-5-1251, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PRISON INDUSTRY ENHANCEMENT PROGRAM FROM JULY 1, 2024, TO JULY 1, 2026; TO EXTEND THE AUTOMATIC REPEALER ON THE MISSISSIPPI EARNED PAROLE ELIGIBILITY ACT OF 2021; TO BRING FORWARD SECTION 1 OF CHAPTER

479, LAWS OF 2021, TO AMEND SECTIONS 47-7-3 AND 47-7-5 AND BRING FORWARD SECTIONS 47-7-3.1, 47-7-3.2, 47-7-15, 47-7-17 AND 47-7-18, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

Senator Barnett called up the following House Amendment to **S. B. No. 2448** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 1 of Chapter 479, Laws of 2021, is brought forward as follows:

Section 1. This act shall be known and may be cited as the "Mississippi Earned Parole Eligibility Act."

SECTION 2. Section 47-7-3, Mississippi Code of 1972, is amended as follows:

47-7-3. (1) Every prisoner who has been convicted of any offense against the State of Mississippi, and is confined in the execution of a judgment of such conviction in the Mississippi Department of Corrections for a definite term or terms of one (1) year or over, or for the term of his or her natural life, whose record of conduct shows that such prisoner has observed the rules of the department, and who has served the minimum required time for parole eligibility, may be released on parole as set forth herein:

(a) Habitual offenders. Except as provided by Sections 99-19-81 through 99-19-87, no person sentenced as a confirmed and habitual criminal shall be eligible for parole;

(b) Sex offenders. Any person who has been sentenced for a sex offense as defined in Section 45-33-23(h) shall not be released on parole except for a person under the age of nineteen (19) who has been convicted under Section 97-3-67;

(c) Capital offenders. No person sentenced for the following offenses shall be eligible for parole:

(i) Capital murder committed on or after July 1, 1994, as defined in Section 97-3-19(2);

(ii) Any offense to which an offender is sentenced to life imprisonment under the provisions of Section 99-19-101; or

(iii) Any offense to which an offender is sentenced to life imprisonment without eligibility for parole under the provisions of Section 99-19-101, whose crime was committed on or after July 1, 1994;

(d) Murder. No person sentenced for murder in the first degree, whose crime was committed on or after June 30, 1995, or murder in the second degree, as defined in Section 97-3-19, shall be eligible for parole;

(e) Human trafficking. No person sentenced for human trafficking, as defined in Section 97-3-54.1, whose crime was committed on or after July 1, 2014, shall be eligible for parole;

(f) Drug trafficking. No person sentenced for trafficking and aggravated trafficking, as defined in Section 41-29-139(f) through (g), shall be eligible for parole;

(g) Offenses specifically prohibiting parole release. No person shall be eligible for parole who is convicted of any offense that specifically prohibits parole release;

(h) (i) Offenders eligible for parole consideration for offenses committed after June 30, 1995. Except as provided in paragraphs (a) through (g) of this subsection, offenders may be considered eligible for parole release as follows:

1. Nonviolent crimes. All persons sentenced for a nonviolent offense shall be eligible for parole only after they have served twenty-five percent (25%) or ten (10) years, whichever is less, of the sentence or sentences imposed by the trial court. For purposes of this paragraph, "nonviolent crime" means a felony not designated as a crime of violence in Section 97-3-2.

2. Violent crimes. A person who is sentenced for a violent offense as defined in Section 97-3-2, except robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, and carjacking as defined in Section 97-3-117, shall be eligible for parole only after having served fifty percent (50%) or twenty (20) years, whichever is less, of the sentence or sentences imposed by the trial court. Those persons sentenced for robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, and carjacking as defined in Section 97-3-117, shall be eligible for parole only after having served sixty percent (60%) or twenty-five (25) years, whichever is less, of the sentence or sentences imposed by the trial court.

3. Nonviolent and nonhabitual drug offenses. A person who has been sentenced to a drug offense pursuant to Section 41-29-139(a) through (d), whose crime was committed after June 30, 1995, shall be eligible for parole only after he has served twenty-five percent (25%) or ten (10) years, whichever is less, of the sentence or sentences imposed.

(ii) Parole hearing required. All persons eligible for parole under subparagraph (i) of this paragraph (h) who are serving a sentence or sentences for a crime of violence, as defined in Section 97-3-2, shall be required to have a parole hearing before the Parole Board pursuant to Section 47-7-17, prior to parole release.

(iii) Geriatric parole. Notwithstanding the provisions in subparagraph (i) of this paragraph (h), a person serving a sentence who has reached the age of sixty (60) or older and who has served no less than ten (10) years of the sentence or sentences imposed by the trial court shall be eligible for parole. Any person eligible for parole under this subparagraph (iii) shall be required to have a parole hearing before the board prior to parole release. No inmate shall be eligible for parole under this subparagraph (iii) of this paragraph (h) if:

1. The inmate is sentenced as a habitual offender under Sections 99-19-81 through 99-19-87;

2. The inmate is sentenced for a crime of violence under Section 97-3-2;

3. The inmate is sentenced for an offense that specifically prohibits parole release;

4. The inmate is sentenced for trafficking in controlled substances under Section 41-29-139(f);

5. The inmate is sentenced for a sex crime; or

6. The inmate has not served one-fourth (1/4) of the sentence imposed by the court.

(iv) Parole consideration as authorized by the trial court. Notwithstanding the provisions of paragraph (a) of this subsection, any offender who has not committed a crime of violence under Section 97-3-2 and has served twenty-five percent (25%) or more of his sentence may be paroled by the State Parole Board if, after the sentencing judge or if the sentencing judge is retired, disabled or incapacitated, the senior circuit judge authorizes the offender to be eligible for parole consideration; or if the senior circuit judge must be recused, another circuit judge of the same district or a senior status judge may hear and decide the matter. A petition for parole eligibility consideration pursuant to this subparagraph (iv) shall be filed in the original criminal cause or causes, and the offender shall serve an executed copy of the petition on the District Attorney. The court may, in its discretion, require the District Attorney to respond to the petition.

(2) The State Parole Board shall, by rules and regulations, establish a method of determining a tentative parole hearing date for each eligible offender taken into the custody of the Department of Corrections. The tentative parole hearing date shall be determined within ninety (90) days after the department has assumed custody of the offender. Except as provided in Section 47-7-18, the parole hearing date shall occur when the offender is within thirty (30) days of the month of his parole eligibility date. Any parole eligibility date shall not be earlier than as required in this section.

(3) Notwithstanding any other provision of law, an inmate shall not be eligible to receive earned time, good time or any other administrative reduction of time which shall reduce the time necessary to be served for parole eligibility as provided in subsection (1) of this section.

(4) Any inmate within forty-eight (48) months of his parole eligibility date and who meets the criteria established by the classification board shall receive priority for placement in any educational development and job-training programs that are part of his or her parole case plan. Any inmate refusing to participate in an educational development or job-training program, including, but not limited to, programs required as part of the case plan, shall be in jeopardy of noncompliance with the case plan and may be denied parole.

(5) In addition to other requirements, if an offender is convicted of a drug or driving under the influence felony, the offender must complete a drug and alcohol rehabilitation program prior to parole, or the offender shall be required to complete a postrelease drug and alcohol program as a condition of parole.

(6) Except as provided in subsection (1)(a) through (h) of this section, all other persons shall be eligible for parole after serving twenty-five percent (25%) of the sentence or sentences imposed by the trial court, or, if sentenced to thirty (30) years or more, after serving ten (10) years of the sentence or sentences imposed by the trial court.

(7) The Corrections and Criminal Justice Oversight Task Force established in Section 47-5-6 shall develop and submit recommendations to the Governor and to the Legislature annually on or before December 1st concerning issues relating to juvenile and habitual offender parole reform and to review and monitor the implementation of Chapter 479, Laws of 2021.

(8) The amendments contained in Chapter 479, Laws of 2021, shall apply retroactively from and after July 1, 1995.

(9) Notwithstanding provisions to the contrary in this section, a person who was sentenced before July 1, 2021, may be considered for parole if the person's sentence would have been parole eligible before July 1, 2021.

(10) This section shall stand repealed on July 1, * * * 2026.

SECTION 3. Section 47-7-5, Mississippi Code of 1972, is amended as follows:

47-7-5. (1) The State Parole Board, created under former Section 47-7-5, is hereby created, continued and reconstituted and shall be composed of five (5) members. The Governor shall appoint the members with the advice and consent of the Senate. All terms shall be at the will and pleasure of the Governor. Any vacancy shall be filled by the Governor, with the advice and consent of the Senate. The Governor shall appoint a chairman of the board.

(2) Any person who is appointed to serve on the board shall possess at least a bachelor's degree or a high school diploma and four (4) years' work experience. Each member shall devote his full time to the duties of his office and shall not engage in any other business or profession or hold any other public office. A member shall receive compensation or per diem in addition to his or her salary. Each member shall keep such hours and workdays as required of full-time state employees under Section 25-1-98. Individuals shall be appointed to serve on the board without reference to their political affiliations. Each board member, including the chairman, may be reimbursed for actual and necessary expenses as authorized by Section 25-3-41. Each member of the board shall complete annual training developed based on guidance from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association. Each first-time appointee of the board shall, within sixty (60) days of appointment, or as soon as practical, complete training for first-time Parole Board members developed in consideration of information from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association.

(3) The board shall have exclusive responsibility for the granting of parole as provided by Sections 47-7-3 and 47-7-17 and shall have exclusive authority for revocation of the same. The board shall have exclusive responsibility for investigating clemency recommendations upon request of the Governor.

(4) The board, its members and staff, shall be immune from civil liability for any official acts taken in good faith and in exercise of the board's legitimate governmental authority.

(5) The budget of the board shall be funded through a separate line item within the general appropriation bill for the support and maintenance of the department. Employees of the department which are employed by or assigned to the board shall work under the guidance and supervision of the board. There shall be an executive secretary to the board who shall be responsible for all administrative and general accounting duties related to the board. The executive secretary shall keep and preserve all records and papers pertaining to the board.

(6) The board shall have no authority or responsibility for supervision of offenders granted a release for any reason, including, but not limited to, probation, parole or executive clemency or other offenders requiring the same through interstate compact agreements. The supervision shall be provided exclusively by the staff of the Division of Community Corrections of the department.

(7) (a) The Parole Board is authorized to select and place offenders in an electronic monitoring program under the conditions and criteria imposed by the Parole Board. The conditions, restrictions and requirements of Section 47-7-17 and Sections

47-5-1001 through 47-5-1015 shall apply to the Parole Board and any offender placed in an electronic monitoring program by the Parole Board.

(b) Any offender placed in an electronic monitoring program under this subsection shall pay the program fee provided in Section 47-5-1013. The program fees shall be deposited in the special fund created in Section 47-5-1007.

(c) The department shall have absolute immunity from liability for any injury resulting from a determination by the Parole Board that an offender be placed in an electronic monitoring program.

(8) (a) The Parole Board shall maintain a central registry of paroled inmates. The Parole Board shall place the following information on the registry: name, address, photograph, crime for which paroled, the date of the end of parole or flat-time date and other information deemed necessary. The Parole Board shall immediately remove information on a parolee at the end of his parole or flat-time date.

(b) When a person is placed on parole, the Parole Board shall inform the parolee of the duty to report to the parole officer any change in address ten (10) days before changing address.

(c) The Parole Board shall utilize an Internet website or other electronic means to release or publish the information.

(d) Records maintained on the registry shall be open to law enforcement agencies and the public and shall be available no later than July 1, 2003.

(9) An affirmative vote of at least four (4) members of the Parole Board shall be required to grant parole to an inmate convicted of capital murder or a sex crime.

(10) This section shall stand repealed on July 1, * * * 2026.

SECTION 4. Section 47-7-3.1, Mississippi Code of 1972, is brought forward as follows:

47-7-3.1. (1) In consultation with the Parole Board, the department shall develop a case plan for all parole-eligible inmates to guide an inmate's rehabilitation while in the department's custody and to reduce the likelihood of recidivism after release.

(2) The case plan shall include, but not be limited to:

(a) Programming and treatment requirements based on the results of a risk and needs assessment;

(b) Any programming or treatment requirements contained in the sentencing order; and

(c) General behavior requirements in accordance with the rules and policies of the department.

(3) With respect to parole-eligible inmates admitted to the department's custody on or after July 1, 2021, the department shall complete the case plan within ninety (90) days of admission. With respect to parole-eligible inmates admitted to the department's custody before July 1, 2021, the department shall complete the case plan by January 1, 2022.

(4) The department shall provide the inmate with a written copy of the case plan and the inmate's caseworker shall explain the conditions set forth in the case plan.

(a) Within ninety (90) days of admission, the caseworker shall notify the inmate of their parole eligibility date as calculated in accordance with Section 47-7-3(3);

(b) At the time a parole-eligible inmate receives the case plan, the department shall send the case plan to the Parole Board for approval.

(5) With respect to parole-eligible inmates admitted to the department's custody after July 1, 2021, the department shall ensure that the case plan is achievable prior to the inmate's parole eligibility date. With respect to parole-eligible inmates admitted to the department's custody before July 1, 2021, the department shall, to the extent possible, ensure that the case plan is achievable prior to the inmate's parole eligibility date or next parole hearing date, or date of release, whichever is sooner.

(6) The caseworker shall meet with the inmate every eight (8) weeks from the date the offender received the case plan to review the inmate's case plan progress.

(7) Every four (4) months the department shall electronically submit a progress report on each parole-eligible inmate's case plan to the Parole Board. The board may meet to review an inmate's case plan and may provide written input to the caseworker on the inmate's progress toward completion of the case plan.

(8) The Parole Board shall provide semiannually to the Oversight Task Force the number of parole hearings held, the number of prisoners released to parole without a hearing and the number of parolees released after a hearing.

(9) If the Department of Corrections fails to adequately provide opportunity and access for the completion of such case plans, the Department of Corrections shall, to the extent possible, contract with regional jail facilities that offer educational development and job-training programs to facilitate the fulfillment of the case plans of parole-eligible inmates.

SECTION 5. Section 47-7-3.2, Mississippi Code of 1972, is brought forward as follows:

47-7-3.2. (1) Notwithstanding Section 47-5-138, 47-5-139, 47-5-138.1 or 47-5-142, no person convicted of a criminal offense on or after July 1, 2014, shall be released by the department until he or she has served no less than the percentage of the sentence or sentences imposed by the court as set forth below:

(a) Twenty-five percent (25%) or ten (10) years, whichever is less, for a nonviolent crime;

(b) Fifty percent (50%) or twenty (20) years, whichever is less, for a crime of violence pursuant to Section 97-3-2, except for robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, or carjacking as defined in Section 97-3-117;

(c) Sixty percent (60%) or twenty-five (25) years, whichever is less, for robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, or carjacking as defined in Section 97-3-117.

(2) This section shall not apply to:

(a) Offenders sentenced to life imprisonment;

(b) Offenders convicted as habitual offenders pursuant to Sections 99-19-81 through 99-19-87;

(c) Offenders serving a sentence for a sex offense; or

(d) Offenders serving a sentence for trafficking pursuant to Section 41-29-139(f).

SECTION 6. Section 47-7-15, Mississippi Code of 1972, is brought forward as follows:

47-7-15. The board shall adopt an official seal of which the courts shall take judicial notice. Decisions of the board shall be made by majority vote, except as provided in Section 47-7-5(9).

The board shall keep a record of its acts and shall notify each institution of its decisions relating to the persons who are or have been confined therein. At the close of each fiscal year the board shall submit to the Governor and to the Legislature a report with statistical and other data of its work.

SECTION 7. Section 47-7-17, Mississippi Code of 1972, is brought forward as follows:

47-7-17. (1) Within one (1) year after his admission and at such intervals thereafter as it may determine, the board shall secure and consider all pertinent information regarding each offender, except any under sentence of death or otherwise ineligible for parole, including the circumstances of his offense, his previous social history, his previous criminal record, including any records of law enforcement agencies or of a youth court regarding that offender's juvenile criminal history, his conduct, employment and attitude while in the custody of the department, the case plan created to prepare the offender for parole, and the reports of such physical and mental examinations as have been made. The board shall furnish at least three (3) months' written notice to each such offender of the date on which he is eligible for parole.

(2) Except as provided in Section 47-7-18, the board shall require a parole-eligible offender to have a hearing as required in this chapter before the board and to be interviewed. The hearing shall be held no later than thirty (30) days prior to the month of eligibility. No application for parole of a person convicted of a capital offense shall be considered by the board unless and until notice of the filing of such application shall have been published at least once a week for two (2) weeks in a newspaper published in or having general circulation in the county in which the crime was committed. The board shall, within thirty (30) days prior to the scheduled hearing, also give notice of the filing of the application for parole to the victim of the offense for which the prisoner is incarcerated and being considered for parole or, in case the offense be homicide, a designee of the immediate family of the victim, provided the victim or designated family member has furnished in writing a current address to the board for such purpose. The victim or designated family member shall be provided an opportunity to be heard by the board before the board makes a decision regarding release on parole. The board shall consider whether any restitution ordered has been paid in full. Parole release shall, at the hearing, be ordered only for the best interest of society, not as an award of clemency; it shall not be considered to be a reduction of sentence or pardon. An offender shall be placed on parole only when arrangements have been made for his proper employment or for his maintenance and care, and when the board believes that he is able and willing to fulfill the obligations of a law-abiding citizen. When the board determines that the offender will need transitional housing upon release in order to improve the likelihood of the offender becoming a law-abiding citizen, the board may parole the offender with the condition that the inmate spends no more than six (6) months in a transitional reentry center. At least fifteen (15) days prior to the release of an offender on parole, the director of records of the department shall give the written notice which is required pursuant to Section 47-5-177. Every offender while on parole shall remain in the legal custody of the department from which he was released and shall be amenable to the orders of the board. Upon determination by the board that an offender is eligible for release by parole, notice shall also be given within at least fifteen (15) days before release, by the board to the victim of

the offense or the victim's family member, as indicated above, regarding the date when the offender's release shall occur, provided a current address of the victim or the victim's family member has been furnished in writing to the board for such purpose.

(3) Failure to provide notice to the victim or the victim's family member of the filing of the application for parole or of any decision made by the board regarding parole shall not

constitute grounds for vacating an otherwise lawful parole determination nor shall it create any right or liability, civilly or criminally, against the board or any member thereof.

(4) A letter of protest against granting an offender parole shall not be treated as the conclusive and only reason for not granting parole.

(5) The board may adopt such other rules not inconsistent with law as it may deem proper or necessary with respect to the eligibility of offenders for parole, the conduct of parole hearings, or conditions to be imposed upon parolees, including a condition that the parolee submit, as provided in Section 47-5-601 to any type of breath, saliva or urine chemical analysis test, the purpose of which is to detect the possible presence of alcohol or a substance prohibited or controlled by any law of the State of Mississippi or the United States. The board shall have the authority to adopt rules related to the placement of certain offenders on unsupervised parole and for the operation of transitional reentry centers. However, in no case shall an offender be placed on unsupervised parole before he has served a minimum of fifty percent (50%) of the period of supervised parole.

SECTION 8. Section 47-7-18, Mississippi Code of 1972, is brought forward as follows:

47-7-18 (1) No inmate convicted of a sex offense as defined by Section 45-33-23(h), a crime of violence as defined by Section 97-3-2, or both, nor an inmate who is eligible for geriatric parole shall be released on parole without a hearing before the Parole Board as required by Section 47-7-17. All other inmates eligible for parole pursuant to Section 47-7-3 shall be released from incarceration to parole supervision on the inmate's parole eligibility date, without a hearing before the board, if:

(a) The inmate has met the requirements of the parole case plan established pursuant to Section 47-7-3.1;

(b) A victim of the offense has not requested the board conduct a hearing;

(c) The inmate has not received a serious or major violation report within the past six (6) months;

(d) The inmate has agreed to the conditions of supervision; and

(e) The inmate has a discharge plan approved by the board.

(2) At least thirty (30) days prior to an inmate's parole eligibility date, the department shall notify the board in writing of the inmate's compliance or noncompliance with the case plan. If an inmate fails to meet a requirement of the case plan, prior to the parole eligibility date, he or she shall have a hearing before the board to determine if completion of the case plan can occur while in the community.

(3) Any inmate for whom there is insufficient information for the department to determine compliance with the case plan shall have a hearing with the board.

(4) A hearing shall be held with the board if requested by the victim following notification of the inmate's parole release date pursuant to Section 47-7-17.

(5) A hearing shall be held by the board if a law enforcement official from the community to which the inmate will return contacts the board or the department and requests a hearing to consider information relevant to public safety risks posed by the inmate if paroled at the initial parole eligibility date. The law enforcement official shall submit an explanation documenting these concerns for the board to consider.

(6) If a parole hearing is held, the board may determine the inmate has sufficiently complied with the case plan or that the incomplete case plan is not the fault of the inmate and that granting parole is not incompatible with public safety, the board may then parole the inmate with appropriate conditions. If the board determines that the inmate has sufficiently complied with the case plan but the discharge plan indicates that the inmate does not have appropriate housing immediately upon release, the board may parole the inmate to a transitional reentry center with the condition that the inmate spends no more than six (6) months in the center. If the board determines that the inmate has not substantively complied with the requirement(s) of the case plan it may deny parole. If the board denies parole, the board may schedule a subsequent parole hearing and, if a new date is scheduled, the board shall identify the corrective action the inmate will need to take in order to be granted parole. Any inmate not released at the time of the inmate's initial parole date shall have a parole hearing at least every year.

SECTION 9. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO EXTEND THE AUTOMATIC REPEALER ON THE MISSISSIPPI EARNED PAROLE ELIGIBILITY ACT OF 2021; TO BRING FORWARD SECTION 1 OF CHAPTER 479, LAWS OF 2021; TO AMEND SECTIONS 47-7-3, 47-7-5 AND BRING FORWARD SECTIONS 47-7-3.1, 47-7-3.2, 47-7-15, 47-7-17 AND 47-7-18, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

Senator Barnett called up the following House Amendment to **S. B. No. 2700** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-911, Mississippi Code of 1972, which names a date of repeal for Sections 47-5-901 through 47-5-911, concerning state offenders serving sentences in county jails, is hereby repealed.

SECTION 2. Section 47-5-901, Mississippi Code of 1972, is brought forward as follows:

47-5-901. (1) (a) Any person committed, sentenced or otherwise placed under the custody of the Department of Corrections, on order of the sentencing court and subject to the other conditions of this subsection, may serve all or any part of his sentence in the county jail of the county wherein such person was convicted if the Commissioner of Corrections determines that physical space is not available for confinement of such

person in the state correctional institutions. Such determination shall be promptly made by the Department of Corrections upon receipt of notice of the conviction of such person. The commissioner shall certify in writing that space is not available to the sheriff or other officer having custody of the person. Any person serving his sentence in a county jail shall be classified in accordance with Section 47-5-905.

(b) Any person committed, sentenced or otherwise placed under the custody of the Department of Corrections, on order of the sentencing court and subject to the other conditions of this subsection, may serve all or any part of his or her sentence in the county jail of the county wherein such person was convicted if the sheriff or president of the board of supervisors, requests such inmate or inmates. Upon such request, the department may allow such inmate or inmates to serve all or any part of such inmate's or inmates' sentence(s), as the case may be, in the county of conviction of the inmate or inmates or the county of request of a sheriff or board of supervisors outside the county of conviction. Such determination shall be promptly made by the Department of Corrections upon receipt of notice of the conviction of such person. Whenever a request is denied for an inmate or inmates, then the commissioner shall certify in writing to the sentencing court, sheriff, or president of the board of supervisors of a county, as the case may be, that such inmate or inmates does not qualify to serve the sentence or sentences in the county jail. Any person serving his sentence in a county jail shall be classified in accordance with Section 47-5-905.

(2) If state prisoners are housed in county jails due to a lack of capacity at state correctional institutions, the Department of Corrections shall determine the cost for food and medical attention for such prisoners. The cost of feeding and housing offenders confined in such county jails shall be based on actual costs or contract price per prisoner. In order to maximize the potential use of county jail space, the Department of Corrections is encouraged to negotiate a reasonable per day cost per prisoner, which in no event may exceed Twenty-five Dollars ($25.00) per day per offender, except as authorized in Section 47-5-909(2).

(3) (a) Upon vouchers submitted by the board of supervisors of any county housing persons due to lack of space at state institutions, the Department of Corrections shall pay to such county, out of any available funds, the actual cost of food, or contract price per prisoner, not to exceed Twenty-five Dollars ($25.00) per day per offender, except as authorized in Section 47-5-909(2), as determined under subsection (2) of this section for each day an offender is so confined beginning the day that the Department of Corrections receives a certified copy of the sentencing order or five (5) days after the sentencing order is sent, in writing, by such county to the department, whichever is earlier, and will terminate on the date on which the offender is released or otherwise removed from the custody of the county jail. The department, or its contracted medical provider, will pay to a provider of a medical service for any and all incarcerated persons from a correctional or detention facility an amount based upon negotiated fees as agreed to by the medical care service providers and the department and/or its contracted medical provider. In the absence of negotiated discounted fee schedule, medical care service providers will be paid by the department, or its contracted medical service provider, an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate. The board of supervisors of any county shall not be liable for any cost associated with medical attention for prisoners who are pretrial detainees or for prisoners who have been convicted that exceeds the Mississippi Medicaid reimbursement rate or the reimbursement provided by the Department of Corrections, whichever is greater. This limitation applies to all medical care services, durable and nondurable goods, prescription drugs and medications. Such payment shall be placed in the county general fund and shall be expended only for food and medical attention for such persons.

(b) Upon vouchers submitted by the board of supervisors of any county housing offenders in county jails pending a probation or parole revocation hearing, the department shall pay the reimbursement costs provided in paragraph (a).

(c) If the probation or parole of an offender is revoked, the additional cost of housing the offender pending the revocation hearing shall be assessed as part of the offender's court cost and shall be remitted to the department.

(4) A person, on order of the sentencing court, may serve not more than twenty-four (24) months of his sentence in a county jail if the person is classified in accordance with Section 47-5-905 and the county jail is an approved county jail for housing state inmates under federal court order. The sheriff of the county shall have the right to petition the Commissioner of Corrections to remove the inmate from the county jail. The county shall be reimbursed in accordance with subsection (2) of this section.

(5) The Attorney General of the State of Mississippi shall defend the employees of the Department of Corrections and officials and employees of political subdivisions against any action brought by any person who was committed to a county jail under the provisions of this section.

(6) This section does not create in the Department of Corrections, or its employees or agents, any new liability, express or implied, nor shall it create in the Department of Corrections any administrative authority or responsibility for the construction, funding, administration or operation of county or other local jails or other places of confinement which are not staffed and operated on a full-time basis by the Department of Corrections. The correctional system under the jurisdiction of the Department of Corrections shall include only those facilities fully staffed by the Department of Corrections and operated by it on a full-time basis.

(7) An offender returned to a county for post-conviction proceedings shall be subject to the provisions of Section 99-19-42 and the county shall not receive the per-day allotment for such offender after the time prescribed for returning the offender to the Department of Corrections as provided in Section 99-19-42.

SECTION 3. Section 47-5-903, Mississippi Code of 1972, is brought forward as follows:

47-5-903. (1) A person committed, sentenced or otherwise placed under the custody of the Department of Corrections, on order of the sentencing court, may serve his or her sentence in any county jail if all of the following conditions are complied with:

(a) The person must be classified in accordance with Section 47-5-905;

(b) The person must not be classified as in need of close supervision;

(c) The sheriff of the county where the person will serve his or her sentence must request in writing that the person be allowed to serve his or her sentence in that county jail;

(d) After the person is classified and returned to the county, the county shall assume the full and complete responsibility for the care and expenses of housing such person; and

(e) The county jail must be an approved county jail for housing state inmates under federal court order.

(2) This section does not apply to inmates housed in county jails due to lack of space at state correctional facilities. The department may reimburse the county for the expense of housing an inmate under this section.

(3) The Attorney General of the State of Mississippi shall defend the employees of the Department of Corrections and officials and employees of political subdivisions

against any action brought by any person who was committed to a county jail under the provisions of this section.

(4) The state, the Department of Corrections, and its employees or agents, shall not be liable to any person or entity for an inmate held in a county jail under this section.

SECTION 4. Section 47-5-905, Mississippi Code of 1972, is brought forward as follows:

47-5-905. (1) All persons placed under the custody of the Department of Corrections shall be processed at a reception and diagnostic center of the Department of Corrections and then be assigned to an appropriate correctional facility for a complete and thorough classification, not to exceed ninety (90) days, unless the department determines that a person can be properly processed and classified at the county jail in accordance with the department's classification plan.

(2) The Department of Corrections shall develop a plan for the processing and classification of inmates in county jails and shall implement the plan by January 1, 1993.

SECTION 5. Section 47-5-907, Mississippi Code of 1972, is brought forward as follows:

47-5-907. The sheriff of any county in this state shall have the right to petition the Commissioner of the Department of Corrections to remove a state inmate from the county jail in such county to the State Penitentiary. The commissioner shall remove such inmate from such county jail if the sheriff of such county sets forth just cause in his petition indicating why an inmate should be removed from such county jail to the State Penitentiary.

Just cause is established if such sheriff can sufficiently prove that such inmate has a dangerous behavior or sufficiently prove that there is no available or suitable medical facility where such inmate can be provided suitable medical services. The commissioner shall respond in writing to the petition no later than thirty (30) days after the receipt of such petition. If the petition to remove such inmate is denied by the commissioner, such sheriff and his agents shall have from the date of denial absolute immunity from liability for any injury resulting from subsequent behavior or from medical consequences regarding such inmate, provided that such injury resulted from conditions which were set forth in such petition.

SECTION 6. Section 47-5-909, Mississippi Code of 1972, is brought forward as follows:

47-5-909. (1) It is the policy of the Legislature that all inmates be removed from county jails as early as practicable. Sections 47-5-901 through 47-5-907 are temporary measures to help alleviate the immediate operating capacity limitations at correctional facilities and are not permanent measures to be included in the long-term operating capacity of the correctional system.

(2) Notwithstanding any other provision of law, to expedite the removal of inmates from county jails as early as practicable, absent a contract negotiated between the Department of Corrections and the county jail, the Department of Corrections shall pay county jails for housing state offenders out of any available funds as follows:

(a) Twenty-five Dollars ($25.00) per day per offender for days one (1) through thirty (30);

(b) Thirty-two Dollars and Seventy-one Cents ($32.71) per day per offender for days thirty-one (31) or greater when:

(i) An offender remains in the county jail after the Department of Corrections receives a certified copy of the sentencing order or five (5) days after the sentencing order is sent, in writing, by such county to the Department of Corrections, whichever is earlier; or

(ii) An offender remains in the county jail after being revoked from parole or probation or is sentenced to a technical violation center.

(3) The Department of Corrections is additionally responsible for all medical costs related to offenders housed at county jails under subsection (2) of this section.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024, and shall be repealed from and after June 30, 2024.

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

AN ACT TO REPEAL SECTION 47-5-911, MISSISSIPPI CODE OF 1972; TO BRING FORWARD SECTIONS 47-5-901, 47-5-903, 47-5-905, 47-5-907, AND 47-5-909 FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senator Whaley called up the following House Amendment to **S. B. No. 2652** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed herein unless the context clearly indicates otherwise:

(a) "Wild turkey" means the game bird Meleagris gallopavo.

(b) "Stamp" means the state wild turkey stamp, either in its physical or electronic form, furnished by the commission. A stamp is a specialized permit required for hunting wild turkeys, with proceeds directly dispersed into the conservation, management, protection or scientific research of wild turkeys.

(c) "Harvest tag" means the physical or electronic tool used to serve as an inventory of the annual bag limit allotted to individual wild turkey hunters. Harvest tags are invalidated upon the harvest of a wild turkey. Physical tags may be required to be attached to the wild turkey following harvest.

(d) "Nongovernmental entity" means a nonprofit organization primarily concerned with the protection and conservation of land and natural resources, as evidenced by its organizational documents.

(2) It shall be unlawful for any person sixteen (16) years of age or older to hunt or take wild turkeys during any open wild turkey season in the State of Mississippi without first having procured a stamp. The electronic stamp on file with the commission shall serve as proof of procurement.

(3) The fee to nonresident hunters for each stamp shall be Two Hundred Dollars ($200.00). There shall be no fee for resident hunters. Each stamp shall be valid through the final day of the spring wild turkey season following its purchase. After its expiration, another stamp must be procured in order to hunt or take wild turkeys in a future open wild turkey season.

(4) The commission may make the procurement of harvest tags dependent upon the purchase of a stamp.

(5) The commission shall determine the form of the stamp. The commission shall furnish physical stamps to bonded agents for issuance or sale in the same manner as other types of licenses or shall cause the electronic stamp to accrue to the purchaser's benefit when purchased from an automated point-of-sale source.

(6) Any person violating any of the provisions of this section shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than Twenty-five Dollars ($25.00) nor more than One Hundred Dollars ($100.00) as prescribed in Section 49-7-101.

(7) All revenue from the proceeds of stamps shall only be used and expended for the following objectives:

(a) Paying administrative or processing costs associated with a physical or electronic harvest tag program, or any other program governing or regulating the harvest of wild turkeys;

(b) Restoring, enhancing or protecting wild turkey populations or their habitats on public or private lands in Mississippi as prescribed by the department;

(c) Funding scientific research, as conducted by qualified professionals, into the ecology or management of wild turkeys, their habitats or their predators; and

(d) Increasing access to publicly available turkey hunting opportunities.

(8) Proceeds from stamps may be used as matching funds or fiscal leverage to secure grants or other financial awards are deemed to align with the objectives in subsection (7) of this section.

(9) The commission may enter into agreements with other state, federal or nongovernmental entities to execute the objectives in subsection (7) of this section.

SECTION 2. Section 1 of this act shall be codified as a new section in Title 49, Chapter 7, Mississippi Code of 1972.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO REQUIRE ALL PERSONS 16 YEARS OF AGE OR OLDER TO PROCURE A WILD TURKEY STAMP BEFORE HUNTING WILD TURKEYS IN THE STATE OF MISSISSIPPI; TO ESTABLISH THE FEE FOR NONRESIDENT HUNTERS AND PROVIDE THAT THERE SHALL BE NO FEE FOR RESIDENT HUNTERS; TO PROVIDE FOR THE FURNISHING OF THE STAMP; TO SET PENALTIES FOR VIOLATIONS; TO PROVIDE THE PURPOSES FOR WHICH FUNDS RAISED FROM THE SALE OF STAMPS MAY BE EXPENDED; AND FOR RELATED PURPOSES.

Senator DeLano called up the following House Amendment to **S. B. No. 2649** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-2-13, Mississippi Code of 1972, is amended as follows:

49-2-13. The executive director shall have the following powers and duties:

(a) To administer the policies of the commission within the authority granted by the commission;

(b) To supervise and direct all administrative and technical activities of the department;

(c) To organize the administrative units of the department in accordance with the plan adopted by the commission and, with commission approval, alter such organizational plan and reassign responsibilities as he may deem necessary to carry out the policies of the commission;

(d) To coordinate the activities of the various offices of the department;

(e) To employ, subject to the approval of the commission, qualified professional personnel in the subject matter or fields of each office, and such other technical and clerical staff as may be required for the operation of the department;

(f) To recommend to the commission such studies and investigations as he may deem appropriate, and to carry out the approved recommendations in conjunction with the various offices;

(g) To merge and coordinate functions and duties where possible to eliminate the possibility of two (2) separate organizational entities performing the same or similar functions, including, but not limited to, functions of audit, inspection, collection, personnel, motor vehicles, accounting, data processing, payroll and any other such administrative, procedural or enforcement function;

(h) To coordinate all studies in the State of Mississippi concerned with the supply, development, use and conservation of natural resources within the jurisdiction of the department;

(i) To prepare and deliver to the Legislature and the Governor on or before January 1 of each year, and at such other times as may be required by the Legislature or Governor, a full report of the work of the department and the offices thereof, including a detailed statement of expenditures of the department and any recommendations the commission may have;

(j) To issue, modify or revoke any and all orders under authority granted by the commission which include, but are not limited to those which (i) prohibit, control or abate discharges of contaminants and wastes into the air and waters of the state; (ii) require the construction of new disposal systems or air-cleaning devices or any parts thereof, or the modification, extension or alteration of existing disposal systems or air-cleaning devices or any parts thereof, or the adoption of other remedial measures to prevent, control or abate air and water pollution or to cause the proper management of

solid wastes; (iii) impose penalties pursuant to Section 17-17-29 and Section 49-17-43 which have been agreed upon with alleged violators; and (iv) require compliance with the conditions of any permit issued by the Permit Board created in Section 49-17-28 and all regulations of the commission; * * *

(k) With the approval of the commission, to enter into contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the provisions of this chapter, provided the agreements do not have a financial cost in excess of the amounts appropriated for such purposes by the Legislature * * *; and

(l) With the approval of the commission, to enter into a contract(s) with any person or any public or private corporate entity to assist with the review, evaluation and processing of permit application(s) and/or certification application(s). Any person or entity requesting additional assistance for review, evaluation, and processing of an application for permit(s) or certification(s) must agree to pay all additional costs associated with such review, evaluation, and processing. The executive director shall submit an annual report on the following to the Chairs of the House and Senate Accountability, Efficiency and Transparency Committees:

(i) The backlog of permit applications and/or certification applications that exist on July 1, 2024;

(ii) The backlog of permit applications and/or certification applications that exist when the report is submitted;

(iii) The average price of permits and/or certifications that are being expedited;

(iv) The types of permits and/or certifications that are being expedited;

(v) What persons or public or private corporate entities are being used to assist with the review, evaluation and processing of permit applications and/or certification applications;

(vi) How much the persons or public or private corporate entities have been paid through the program; and

(vii) How many people leave the department for employment with the persons or public or private corporate entities that are being used to assist with the review, evaluation and processing of permit applications and/or certification applications.

This paragraph (1) shall stand repealed on July 1, 2028.

SECTION 2. Section 27-104-7, Mississippi Code of 1972, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars ($1,000,000.00) in the source's business, whichever is smaller. No member shall be an officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(d) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(e) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:

(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board. The information shall be provided sufficiently in advance of the time the space is needed to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

(i) Black: having origins in any of the black racial groups of Africa;

(ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;

(iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;

(iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or

(v) Female;

(e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements

for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;

(f) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, promulgate rules and regulations governing the solicitation and selection of contractual services personnel, including personal and professional services contracts for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of:

1. Any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c);

2. Any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services;

3. Any personal service contracts entered into by the individual state institutions of higher learning;

4. Any personal service contracts entered into by the Mississippi Department of Transportation;

5. Any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department of Human Services determines would be useful in establishing and operating the Department of Child Protection Services;

6. Any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019;

7. Any contracts for entertainers and/or performers at the Mississippi State Fairgrounds entered into by the Mississippi Fair Commission;

8. Any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services;

9. Any contract entered into by the Department of Public Safety for service on specialized equipment and/or software required for the operation of such specialized equipment for use by the Office of Forensics Laboratories;

10. Any personal or professional service contract entered into by the Mississippi Department of Health or the Department of Revenue solely in connection with their respective responsibilities under the Mississippi Medical Cannabis Act from February 2, 2022, through June 30, 2026;

11. Any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, or utility rate expert services;

12. Any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022;

13. Any personal or professional services contract entered into by the State Department of Health in carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program through June 30, 2026; * * *

14. And any personal or professional services contract entered into by the Mississippi Department of Environmental Quality in carrying out its responsibilities under the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022, through June 30, 2026 * * *; and

15. Any personal or professional services contract entered into by the Mississippi Department of Environmental Quality in carrying out its responsibilities under Section 49-2-13(l). This item 15 shall stand repealed on July 1, 2028.

Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may propose shall be submitted to the Chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act.

(ii) From and after July 1, 2024, the Public Procurement Review Board shall promulgate rules and regulations that require the Department of Finance and Administration to conduct personal and professional services solicitations as provided in subparagraph (i) of this paragraph for those services in excess of Seventy-five Thousand Dollars ($75,000.00) for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority, with assistance to be provided from these entities. Any powers that have been conferred upon agencies in order to comply with the provisions of this section for personal and professional services solicitations shall be conferred upon the Department of Finance and Administration to conduct personal and professional services solicitations for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority for those services in excess of Seventy-five Thousand Dollars ($75,000.00). The Department of Finance and Administration shall make any submissions that are required to be made by other agencies to the Public Procurement Review Board for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority.

The provisions of this subparagraph (ii) shall stand repealed on June 30, 2027;

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars ($75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection (2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the procurements are made from other governmental entities, the private sector need not be solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed, contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;

(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;

2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;

3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;

4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and

5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (o) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review or approval, the Public Procurement Review Board shall clearly set out the reasons for its action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form

furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1) source. A memorandum shall accompany the request form and address the following four (4) points:

(a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;

(b) Explanation of why this vendor is the only practicably available source from which to obtain this service;

(c) Explanation of why the price is considered reasonable; and

(d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise, the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts. Nothing in this section shall impair or limit the authority of the State Treasurer to enter into any personal or professional services contracts involving the management of trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

(9) Through December 31, 2024, the provisions of this section related to rental agreements or leasing of real property for the purpose of conducting agency business shall not apply to the Office of Workforce Development created in Section 37-153-7.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 49-2-13, MISSISSIPPI CODE OF 1972, TO ALLOW THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO ENTER INTO CONTRACTS FOR THE PURPOSE OF OBTAINING ASSISTANCE WITH THE REVIEW, EVALUATION, AND PROCESSING OF PERMIT AND CERTIFICATION APPLICATIONS; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO GRANT THE DEPARTMENT OF ENVIRONMENTAL QUALITY AN EXCEPTION TO PROCUREMENT REVIEW PROCESSES FOR SUCH CONTRACTS; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2649** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Senator Hopson called up the following House Amendment to **S. B. No. 2170** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the State Department of Health for the purpose of providing grants to eleven (11) hospitals that were ineligible for grants from the Mississippi Hospital Sustainability Grant Program established under Section 41-9-371, Mississippi Code of 1972, for the period beginning upon the passage of this act, and ending June 30, 2025..... $ 6,850,000.00

SECTION 2. The money appropriated by Section 1 shall be distributed to the following hospitals in the specified amounts:

(a) Oceans Behavioral Hospital of Tupelo..... $500,000.00

(b) Freedom Hospital of Magnolia, LLC $300,000.00

(c) Field Memorial Community Hospital dba Field Health System $750,000.00

(d) George County Hospital..... $875,000.00

(e) TBD Acquisitions II, Inc., dba Gulfport Behavioral Health System $500,000.00

(f) Holmes County Hospital and Clinics..... $750,000.00

(g) North Mississippi Medical Center-Gilmore-Amory $625,000.00

(h) North Sunflower Medical Center $750,000.00

(i) Independent Healthcare Management, Inc., dba Lackey Memorial Hospital..... $750,000.00

(j) Tyler Holmes Memorial Hospital $750,000.00

(k) Yalobusha General Hospital $300,000.00

TOTAL ..... $ 6,850,000.00

SECTION 3. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Capital Expense Fund not otherwise appropriated,

upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF PROVIDING GRANTS TO ELEVEN HOSPITALS THAT WERE INELIGIBLE FOR GRANTS FROM THE MISSISSIPPI HOSPITAL SUSTAINABILITY GRANT PROGRAM FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.

Senator Hopson called up the following House Amendment to **S. B. No. 3006** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support, maintenance, affirmative action plan, interest funds and repairs at the state-supported institutions of higher learning; for support of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 357,444,019.00.

SECTION 2. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of the proceeds from any federal, student fees or other special source funds not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support of education and general operations of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 1,173,152,510.00.

SECTION 3. The following sums, or so much thereof as may be necessary, are hereby appropriated out of any money in the Ayers Endowment Interest Fund, State Treasury Fund No. 3325800000, for the purposes as set out by the courts in the Ayers Case for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Alcorn State University	$ 424,500.00.
Jackson State University	$ 651,000.00.
Mississippi Valley State University	$ 424,500.00.
TOTAL:	$ 1,500,000.00.

SECTION 4. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning shall allocate funds to the off-campus centers based on a minimum rate of sixty-five percent (65%) of the on-campus cost of a full-time equivalent student. The on-campus distribution is to be determined without regard to the costs incurred by any one or more of them in the operation of off-campus degree-completing centers' classes. Off-campus centers which are operated jointly by two (2) or more institutions, the amount allocated to such centers shall be prorated among the institutions jointly operating such centers based on the full-time equivalent enrollment of such centers.

The board of trustees shall ensure that the off-campus centers are not charged with any indirect or overhead cost prorated from any on-campus activity. It is the intention of the Legislature that the on-campus operations charge the off-campus centers with only actual direct charges.

SECTION 5. Of the funds appropriated in Section 1 of this act, the amount of One Hundred Forty-five Thousand Dollars ($145,000.00) shall be used for the promotion and expenses of the Mississippi Governor's School for the Gifted and Talented.

Provided, however, that the Board of Trustees of State Institutions of Higher Learning shall develop the governing policy for faculty, course content and facilities selection on a competitive basis from all Mississippi senior colleges and universities. The Mississippi Governor's School for the Gifted and Talented shall accept not less than one (1) high school student nominee from each accredited high school in Mississippi. The nominees, selected under criteria developed and adopted by the Board of Trustees of State Institutions of Higher Learning, shall be provided a two-week tuition-free program.

SECTION 6. Of the funds appropriated in Section 1 of this act, the amount of Three Hundred Forty-nine Thousand Two Hundred Dollars ($349,200.00) shall be used for the promotion and expenses of the Teacher Corps.

SECTION 7. It is the intent of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 8. Of the funds appropriated in Section 1 of this act, the following amounts shall be used as set forth:

(a) For Mississippi State University as interest on agricultural land script fund and interest on sale of university land, the sum of..... $ 14,387.00.

(b) For the University of Mississippi as interest on original seminary fund, the sum of ..... $ 32,643.00.

(c) For the University of Mississippi as interest on 1904 land grant fund, the sum of ..... $ 9,965.00.

(d) For the University of Mississippi as interest on LaBauve Fund, the sum of $ 1,420.00.

(e) For Mississippi University for Women as interest on funds paid into the State Treasury as proceeds of sale of land donated to the Industrial Institute and College by the United States government, the sum of..... $ 9,389.00.

(f) For Alcorn State University as interest on land script and land sales funds, the sum of ..... $ 12,592.00.

SECTION 9. Of the funds appropriated in Section 2 of this act, the following amount shall be derived from Education Enhancement Funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972:

On-campus and off-campus support of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi for the sum of..... $ 68,873,070.00.

SECTION 10. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning shall first use special funds to the greatest extent possible to defray the costs of providing remediation at the state-supported institutions of higher learning.

SECTION 11. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Board of Trustees of State Institutions of Higher Learning, or any of the powers or duties of any institution under the jurisdiction of the board of trustees, that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 12. It is the intention of the Legislature that the budget requests of the institutions for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 13. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning continue to review, and eliminate when possible, duplicating programs and degrees in the existing institutions of higher learning in this state.

SECTION 14. No state appropriations or student tuition and fee receipts, except those specifically charged for the provision of the services, shall be used to support auxiliary enterprises, with the exception of intercollegiate athletics at a level designated by the board of trustees. It is the intent of the Legislature that auxiliary enterprises shall be self-supporting and that deficits not be taken from funds intended for instruction and academic programs.

SECTION 15. The Board of Trustees of State Institutions of Higher Learning shall report yearly to the Legislature the institution compliance with Section 97-11-51, Mississippi Code of 1972, which prohibits deficit spending.

SECTION 16. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 17. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Instruction	
Number of Undergraduate Degrees Awarded	12,221
Number of Graduate Degrees Awarded	4,592
Number of Degrees (Graduate & Undergraduate) Awarded in the STEM Field	3,468
Number of Degrees (Graduate & Undergraduate) Awarded in the Health Field	791
Number of Degrees (Graduate & Undergraduate) Awarded in the Education Field	1,220
Number of undergraduate degrees awarded per 100 undergraduate full-time equivalent (FTE) enrollment.	20.10
Number of Graduate Degrees Awarded per 100 Graduate FTE Enrollment	44.20
Number of Students Completing 30 Hours	13,915
Number of Students Completing 60 Hours	10,132
Research	
Number of Patents Obtained by Mississippi Public Universities in Emerging Technologies	25

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 18. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated equally to Jackson State University, Mississippi State University, the University of Mississippi, and the University of Southern Mississippi for economic development, reorganization, and relocation of efforts at those universities.... $ 2,000,000.00.

SECTION 19. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to Mississippi State University - Meridian Branch.....

$ 900,000.00.

SECTION 20. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 21. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to Jackson State University E-Learning Center..... $ 485,000.00.

SECTION 22. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to the Delta State University E-Learning Center.....

$ 155,000.00.

SECTION 23. It is the intent of the Legislature that at the end of Fiscal Year 2025 any unexpended balances in Ayers programs funds established pursuant to this act shall not lapse into the State General Fund, but shall carry over and be available for expenditure in the succeeding fiscal year, and subject to Legislative appropriation.

SECTION 24. None of the State General Funds appropriated by this act shall be expended for the purpose of travel outside the United States.

SECTION 25. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following sum, or so much thereof as may be necessary, shall be allocated to Delta State University Department of Commercial Aviation

$ 800,000.00.

SECTION 26. Of the funds appropriated in Section 1 and Section 2 of this act, One Hundred Ninety-one Thousand Six Hundred Ten Dollars ($191,610.00) is provided for geospatial site licenses.

SECTION 27. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 28. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount shall be allocated to the Delta State University Delta Center for Culture and Learning..... $ 100,000.00.

The funds allocated in this section shall only be used for the Delta Center for Culture and Learning.

SECTION 29. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to fund the Washington Center for Internships and Academic Seminars Mississippi Initiative Scholarship Program .....

$ 90,000.00.

This program will provide opportunities for Mississippi's university and college students to gain real-life experience working in Washington, D.C. The funding will provide scholarships at Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, and the University of Southern Mississippi. A written report shall be submitted listing the scholarship recipients by university to the Chairmen of the Senate and House Appropriations and Universities and Colleges Committees.

SECTION 30. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research in which a human embryo is killed or destroyed.

SECTION 31. Of the funds appropriated under the provisions of Section 1 of this act, an amount not more than One Hundred Twenty-five Thousand Dollars ($125,000.00) shall be allocated to implement university system efficiencies, including, but not limited to, academic, space, energy and any other system projects or expenditures that would lead

to improved efficiency. Such funds may also be used to draw down other funds or as matching funds.

SECTION 32. Of the funds appropriated under the provisions of Section 1 of this act, Nine Hundred Thousand Dollars ($900,000.00) shall be used to defray the expenses of the Children's Center for Communication and Development at the University of Southern Mississippi.

SECTION 33. Of the funds appropriated in Section 1 of this act, the amount of Nine Hundred Thousand Dollars ($900,000.00) is provided for defraying the expenses of the DuBard School at the University of Southern Mississippi.

SECTION 34. Of the funds appropriated under the provisions of Section 1 of this act, Two Hundred Sixty-six Thousand Seven Hundred Fifty Dollars ($266,750.00) is provided for the Southwest Mississippi Center for Culture and Learning at Alcorn State University.

SECTION 35. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Eight Hundred Fifty Thousand Dollars ($850,000.00) is provided for the Engineer Research and Development Center in Vicksburg, Mississippi, for Research and Development opportunities in Science and Technology initiatives.

SECTION 36. Of the funds appropriated in Section 1 of this act, Three Hundred Thousand Dollars ($300,000.00) is provided for the Delta State University Delta Music Institute.

SECTION 37. It is the intention of the Legislature that Mississippi Valley State University is authorized to provide water or sewer service to any existing, privately owned structures that presently take water or sewer service from Mississippi Valley State University. Furthermore, Mississippi Valley State University is authorized to charge a flat or metered rate for the service provided. Mississippi Valley State University shall not provide any water or sewer service to any new, privately owned structures.

SECTION 38. Of the funds appropriated in Section 2 of this act, One Million Five Hundred Thousand Dollars ($1,500,000.00), shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to Alcorn State University for STEM related programs as determined by the university.

SECTION 39. Of the funds appropriated in Section 2 of this act, One Million Dollars ($1,000,000.00), or so much as necessary, shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to the IHL research institutions for the purpose of technology transfer and entrepreneurial programs, which may be connected to the Department of Defense and related federal research in Mississippi. It is the intent of the legislature that funds can be used for both research and upgrades to the physical space in order to perform research and entrepreneurship.

SECTION 40. Of the funds appropriated in Section 2 of this act, One Million Dollars ($1,000,000.00), or so much thereof, is hereby appropriated out of any money in the State Treasury to the credit of the 2023 Declaration of Independence Center for the Study of American Freedom Fund, and allocated in a manner as determined by the Treasurer's Office, to support the operations of the Declaration of Independence Center for the Study of American Freedom ("Center") at the University of Mississippi, subject to the conditions that the Center shall:

(a) Promote scholarly research and civic education by exploring the principles of freedom expressed in our country's founding documents;

(b) Support individual faculty members at institutions of higher learning who have been named Declaration Fellows and who actively participate in the Center's network of scholars and further the mission and principles of the Center;

(c) Support classes, activities, and internships that advance students' understanding of American freedom at both the secondary and post-secondary level of education, including support for the operation of any Freedom Studies minor that may be available for academic credit at the University of Mississippi, as well as support for all Freedom Studies courses belonging to this minor; and

(d) Continue to be governed and advised in accordance with the Center governing structure described in the last paragraph of the Center mission statement signed by the Chancellor, Provost and founding Director of the Center and received in the Office of the Chancellor on March 1, 2023.

SECTION 41. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated, for the Institutions of Higher Learning for the purpose of reauthorizing the expenditure of Education Enhancement Funds to defray the expenses of the Institutions of Higher Learning, as authorized in Senate Bill 3000, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 26,593,681.00.

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

(a) University of Mississippi to defray expenses related to the operations of the Haley Barbour Center for the Study of American Politics ..... $ 975,000.00.

(b) University of Mississippi to defray expenses related to the Healthcare Innovation Tech Hub Infrastructure, Biomedical Innovation, Nano-Bio Immuno Engineering Consortium (NIEC), Data Science and Artificial Intelligence $ 4,946,184.00.

(c) University of Mississippi to defray expenses related to the UM Early Learning and Evaluation Center ..... $ 9,699,883.00.

(d) Mississippi University for Women to defray expenses related to the expansion of the nursing program.....

$ 2,472,614.00.

(e) Jackson State University to defray the expenses related to the repair, renovation, and/or construction of a residence hall $ 5,000,000.00.

(f) Alcorn State University to defray the expenses related to the repair, renovation, expansion, construction, furnishing and equipping of the Davey L. Whitney Complex and Wellness Center.....

$ 3,000,000.00.

(g) IHL research institutions for the purpose of technology transfer and entrepreneurial programs, which may be connected to the Department of Defense and related federal research in Mississippi:

Jackson State University ..... $ 250,000.00.
University of Mississippi ..... $ 250,000.00.
TOTAL: ..... $ 500,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 42. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the Institutions of Higher Learning for the purpose of reauthorizing the expenditure of Capital Expense Funds to defray the expenses of the Institutions of Higher Learning (IHL), acting through the Bureau of Building, Grounds and Real Property Management as authorized in SB 3000, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 2,568,641.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds for construction and/or repair and renovation projects for the Institutions of Higher Learning as allocated herein:

Delta State University ..... $ 1,007,559.00.
Mississippi Valley State University ..... $ 1,561,082.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 43. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated,

for the Institutions of Higher Learning for the purpose of reauthorizing the expenditure of Capital Expense Funds to defray the expenses of the Institutions of Higher Learning (IHL), as authorized in SB 3000, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 5,000,000.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds for the University of Southern Mississippi Ocean Enterprise – Gulfport.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 44. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, to support the operations of the Declaration of Independence Center for the Study of the American Freedom ("Center") at the University of Mississippi for the purpose of reauthorizing Capital Expense Funds as authorized in SB 3000, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 375,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 45. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated, for the Institutions of Higher Learning for the purpose of reauthorizing the expenditure of Education Enhancement Funds to defray the expenses of the Institutions of Higher Learning, as authorized in Senate Bill 3000, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 22,160,000.00.

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

(a) Delta State University – Commercial Aviation Department to defray expenses related to the construction and/or repair and renovation of hangers and classrooms, the purchase of flight simulators, training equipment, and the purchase and/or refurbishment of aircraft..... $ 5,000,000.00.

(b) Jackson State University to defray the expenses related to the repair, renovation, and/or construction of a residence
hall $ 5,000,000.00.

(c) Mississippi Valley State University to defray expenses related to capital needs, construction, and/or repair and renovation projects..... $ 2,160,000.00.

(d) Mississippi University for Women to defray expenses related to capital needs, construction, and/or repair and renovation projects..... $ 5,000,000.00.

(e) Alcorn State University to defray expenses related to capital needs, construction, and/or repair and renovation projects.....
$ 5,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 46. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated, for the Institutions of Higher Learning for the purpose of reauthorizing the expenditure of Education Enhancement Funds to defray the expenses of the Institutions of Higher Learning, as authorized in Senate Bill 3000, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 5,549,081.00.

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

(a) Mississippi Valley State University to defray expenses related to on-campus and off-campus support..... $ 2,656,420.00.

(b) Mississippi University for Women to defray expenses related to on-campus and off-campus support ..... $ 2,142,661.00.

(c) University of Mississippi defray expenses related to on-campus and off-campus support ..... $ 750,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 47. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated, for the purpose of reauthorizing the expenditure of General Funds for the T.K. Martin Center to study the IDEA Part C Early Intervention System in Mississippi and Mississippi's Laws Regarding Early Intervention, as authorized in SB 3000, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 250,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 48. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 49. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 50. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES FOR FISCAL YEAR 2025.

Senator Hopson called up the following House Amendment to **S. B. No. 3007** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums of money, or so much thereof as may be necessary, are hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support of the Center for Advanced Vehicular Systems, Center for Manufacturing Excellence, Mississippi State Chemical Laboratory, Water Resources Institute, Mississippi Law Research Institute, Jackson State University Urban Research Center, Mississippi Mineral Resources Research Institute, Research Institute of Pharmaceutical Sciences, the Supercomputer, the Stennis Institute of Government, Gulf Coast Research Laboratory, Polymer Institute, Small Business Development Center, Stennis Center for Higher Learning, the Commission for Volunteer Services, the State

Court Education Program, and the executive office of the board of trustees for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 37,508,086.00.

SECTION 2. The following sums of money, or so much thereof as may be necessary, are hereby appropriated out of the proceeds from any federal, student fees or other special source funds not otherwise appropriated, to the Center for Advanced Vehicular Systems, Center for Manufacturing Excellence, Board of Trustees of State Institutions of Higher Learning for the purpose of support of the Mississippi State Chemical Laboratory, Water Resources Institute, Mississippi Alcohol Safety Education Program, Stennis Institute of Government, Mississippi Law Research Institute, Mississippi Small Business Development Center, Mississippi Mineral Resources Research Institute, Research Institute of Pharmaceutical Sciences, the Supercomputer, Stennis Space Center's Center for Higher Learning, Gulf Coast Research Laboratory, Polymer Institute, Jackson State University Urban Research Center, the Commission for Volunteer Services, and the executive office of the board of trustees for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 56,867,659.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2 of this act hereof, the following amounts, or so much thereof as may be necessary, shall be expended by the Board of Trustees of State Institutions of Higher Learning for the purposes hereinafter set forth:

(a) From State General Funds, for the support of:

Center for Advanced Vehicular Systems for the sum of ..... $ 4,719,726.00.

Supercomputer for the sum of ..... $ 650,627.00.

Center for Manufacturing Excellence for the sum of ..... $ 3,055,335.00.

Mississippi Mineral Resources Institute for the sum of ..... $ 360,062.00.

State Court Education Program for the sum of ..... $ 2,052,549.00.

Mississippi Law Research Institute for the sum of ..... $ 877,354.00.

Executive Office of the Board of Trustees for the sum of ..... $ 7,345,135.00.

Mississippi Polymer Institute for the sum of ..... $ 897,881.00.

Mississippi Small Business Development Center for the sum of ..... $ 322,774.00.

Stennis Space Center - Center for Higher Learning for the sum of ..... $ 357,911.00.

Jackson State University Urban Research Center for the sum of ..... $ 533,364.00.

Stennis Institute of Government for the sum of ..... $ 775,525.00.

Commission for Volunteer Services for the sum of ..... $ 1,101,383.00.

Gulf Coast Research Laboratory for the sum of ..... $ 8,376,324.00.

Mississippi Water Resources Institute for the sum of ..... $ 351,676.00.

Mississippi State Chemical Laboratory for the sum of ..... $ 1,856,803.00.

Research Institute of Pharmaceutical Sciences for the sum of ..... $ 3,873,657.00.

(b) From Special Funds, for the support of:

Center for Advanced Vehicular Systems for the sum of ..... $ 142,782.00.

Center for Manufacturing Excellence for the sum of ..... $ 142,782.00.

Mississippi Mineral Resources Institute for

the sum of ..... $ 624,768.00.

Mississippi State University-Alcohol Safety for the sum of ..... $ 1,887,125.00.

Mississippi Law Research Institute for the sum of ..... $ 1,990,795.00.

Executive Office of the Board of Trustees for the sum of ..... $ 27,179,057.00.

Mississippi Small Business Development Center for the sum of ..... $ 3,198,907.00.

Commission for Volunteer Services for the sum of ..... $ 5,076,128.00.

Gulf Coast Research Laboratory for the sum of ..... $ 1,868,526.00.

Mississippi State Chemical Laboratory for the sum of ..... $ 498,965.00.

Research Institute of Pharmaceutical Sciences for the sum of ..... $ 14,257,824.00.

Of the funds appropriated under the provisions of Section 1 of this act and allocated to the Gulf Coast Research Laboratory, the Board of Trustees of State Institutions of Higher Learning shall allocate One Hundred Seventy-five Thousand Dollars ($175,000.00) for Sea Grants matching for the Fiscal Year 2025.

Provided further, it is the intention of the Legislature, in the event budget reductions are imposed on the Gulf Coast Research Laboratory by the Board of Trustees of State Institutions of Higher Learning, as a result of the Governor ordering budget reductions under the provisions of Section 27-104-13 or 31-17-123, Mississippi Code of 1972, the same percent reduction will be applied to those state funds identified in this section for Sea Grant match.

It is the intent of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

After the Mississippi State Chemical Laboratory has provided the maximum amount of services which may be provided free of charge under the provisions of Section 57-21-11(c), Mississippi Code of 1972, the laboratory shall not provide any additional services from the funds appropriated under the provisions of Sections 1 and 2 of this act if any charges for such services previously provided are more than ninety (90) days past due. After all such delinquent charges have been paid by a client, the laboratory may provide additional services to the client.

SECTION 4. Of the funds appropriated in Section 2 of this act and authorized for expenditure in Section 3(b) of this act, the following amounts shall be derived from Education Enhancement Funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972:

Center for Advanced Vehicular Systems.....$ 142,782.00.

Center for Manufacturing Excellence.....$ 142,782.00.

Gulf Coast Research Laboratory.....$ 142,782.00.

Executive Office of the Board of Trustees for the sum of ..... $ 402,396.00.

Total.....$ 830,742.00.

SECTION 5. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Board of Trustees of State Institutions of Higher Learning, or any of the powers or duties of any institution under the jurisdiction of the board of trustees, that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 6. It is the intention of the Legislature that the budget requests of the individual institutes, laboratories and programs consolidated in this bill for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 7. The Board of Trustees of State Institutions of Higher Learning shall report yearly to the Legislature any institution not in compliance with Section 97-11-51, Mississippi Code of 1972, which prohibits deficit spending.

SECTION 8. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research in which a human embryo is killed or destroyed.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES' DESIGNATED INSTITUTES, LABORATORIES AND PROGRAMS FOR WHICH THEY ARE RESPONSIBLE AND THE EXECUTIVE OFFICE OF THE BOARD OF TRUSTEES FOR FISCAL YEAR 2025; AND FOR RELATED PURPOSES.

Senator Hopson called up the following House Amendment to **S. B. No. 3008** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Alcorn State University Agricultural Research, Extension, and Land-Grant Programs for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 6,953,635.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available, for the support and maintenance of the Alcorn State University Agricultural Research, Extension, and Land-Grant Programs for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 335,000.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Three Hundred Thirty-five Thousand Dollars ($335,000.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi

Code of 1972, and allocated in a matter as determined by the Treasurer's Office. These funds are provided for the following:

(a) Agency Operations ..... $ 170,000.00.

(b) Poultry Sciences Academic Research Center ..... $ 165,000.00.

SECTION 4. Of the funds appropriated in Section 1 of this act, Three Hundred Thousand Dollars ($300,000.00) is provided for the Poultry Sciences Academic Research Center.

SECTION 5. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries which are withdrawn and no longer available.

SECTION 6. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

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

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

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

SECTION 10. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE ALCORN STATE UNIVERSITY AGRICULTURAL RESEARCH, EXTENSION AND LAND-GRANT PROGRAMS FOR FISCAL YEAR 2025.

Senator Hopson called up the following House Amendment to **S. B. No. 3009** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Agricultural and Forestry Experiment Station for the fiscal year beginning July 1, 2024, and ending June 30, 2025

$ 23,567,239.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the

Mississippi Agricultural and Forestry Experiment Station for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 10,419,372.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, One Million Three Hundred Fifty Thousand Dollars ($1,350,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as current restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2025 Regular Session of the Mississippi Legislature.

SECTION 6. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Plant Systems	
Number of Scientist FTE (Scientist Years)	29.78
Number of Research Publications	227
Percentage of Appropriated Funds & Extramural Funds	1.26
Animal Systems	
Number of Scientist FTE (Scientist Years)	26.09
Number of Research Publications	263
Percentage of Appropriated Funds and Extramural Funds	0.27
Health & Sustainable Communities	
Number of Scientist FTE (Scientist Years)	43.10
Number of Research Publications	212
Percentage of Appropriated Funds & Extramural Funds	0.37

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3010** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Cooperative Extension Service for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 32,441,057.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Cooperative Extension Service for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 14,302,211.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, One Million One Hundred Fifty Thousand Dollars ($1,150,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that the Mississippi Cooperative Extension Service provide programs in the emphasis areas of Agriculture, Family and Consumer Education, Natural Resources and Environment, 4-H, and Business and Community Development in each county.

SECTION 6. No part of the funds appropriated or authorized to be expended hereby shall be spent directly or indirectly for payment of attorneys' fees for the services of any attorney who was not employed by the Mississippi Cooperative Extension Service pursuant to the express authorization of the Board of Trustees of State Institutions of Higher Learning prior to performance of such legal services.

SECTION 7. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 8. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as current restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2025 Regular Session of the Mississippi Legislature.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided

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

Performance Measures	FY2025 Target
Agriculture	
Number of Published Information Items	300
Number of Mass Items	4,500
Number of Direct Educational Contacts	270,000
Average Cost per Educational Contact	13.46
Family & Consumer Education	
Number of Published Information Items	150
Number of Direct Educational Contacts	205,000
Average Cost per Educational Contact	9.34
Business & Community Dev	
Number of Direct Educational Contacts	88,000
Average Cost per Educational Contact	20.28
4-H Youth Development	
Number of Direct Educational Contacts	178,000
Average Cost per Educational Contact	11.66
Natural Resources & Environment	
Number of Published Information Items	150
Number of Mass Media Items	6,000
Number of Total Contacts Across all Delivery Methods/Events	370,000
Average Cost per Educational Contact	27.75

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3011** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of paying the expenses incurred in the operation and maintenance of the Forest and Wildlife Research Center, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 6,048,033.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Forest and Wildlife Research Center, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 1,361,059.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Four Hundred Fifty Thousand Dollars ($450,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2025 Regular Session of the Mississippi Legislature.

SECTION 6. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

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

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

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

SECTION 10. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3012** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning to be used for the operation of the College of Veterinary Medicine at Mississippi State University, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 19,359,478.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the College of Veterinary Medicine at Mississippi State University, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 32,764,049.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Seven Hundred Fifty Thousand Dollars ($750,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

.....FY2025
Performance Measures .....Target
Instruction
..... Percent of Year 4 DVM Students Passing
.....
NAVLE at Graduation..... 95.00
..... Percent of DVM Graduates Reporting
.....
Employment in the Field within 12 Months
.....
of Graduation 95.00
Research
Number of Grants/Contracts Awarded
55
.....Percent of Graduate Students Reporting
.....
Employment in the Field within 12 months
.....
of Graduation 95.00
Pub-service - Animal Health Ctr
..... Number of Patient Visits to AHC (AHC
.....
Caseload Managed)..... 38,880
.....Percent of Client Satisfaction Based on
.....
Surveys 98.00
..... Percent of Referring Veterinarian
.....
Satisfaction Based on Surveys 95.00
Pub-service - Diagnostic Lab

Number of Lab Accessions (Test Requests) 30,852
Vet Research & Diagnostic Lab
Number of Diagnostic Tests Performed 330,000
Academic Support
.....Percent of Vet Campers & Parents .....
Indicating "Willing to Recommend" on .....
Satisfaction Surveys..... 98.00
..... Percent of Alumni who Report a .....
Satisfactory Level of Engagement with .....
the College on Surveys..... 98.00
Operation & Maintenance
Number of Square Feet O&M/Custodial Services 500,237
.....Cost per Square Foot Maintenance & .....
Custodial Services 8.91

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 7. Of the funds appropriated in Section 1 of this act, the amount of One Hundred Twenty-five Thousand Dollars ($125,000.00) shall be used for the purpose of testing, programming, and personnel-related expenses for Chronic Waste Disease.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3013** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise

appropriated, to the Board of Trustees of State Institutions of Higher Learning for the support and maintenance of financial aid scholarship, loan and grant programs authorized by law and administered by the Mississippi Office of Student Financial Aid and for support of the Mississippi Office of Student Financial Aid, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 60,474,416.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized out of the proceeds derived from any federal funds, grants, donations, fees, or other special source funds which are collected by or otherwise become available for the support and maintenance of financial aid scholarship, loan and grant programs authorized by law including funds used as federal matching funds for the GEAR UP Mississippi Scholarship Program and administered by the Mississippi Office of Student Financial Aid and for support of the Mississippi Office of Student Financial Aid, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 4,740,000.00.

SECTION 3. None of the funds appropriated in this act shall be paid to or for the benefit of any student who applies for the first time, subsequent to July 1, 2024, for assistance through the Southeast Asia POW/MIA Grant established under the provisions of Section 37-106-41, the Public Management Graduate Internship established under the provisions of Section 37-106-43, the State Medical Education Loan established under the provisions of Section 37-106-61, the State Dental Education Loan established under the provisions of Section 37-106-63, the Graduate and Professional Degree Forgivable Loan established under the provisions of Section 37-106-65, the Health Care Professions Forgivable Loan established under the provisions of Section 37-106-67, or the Family Protection Specialist Social Worker Forgivable Loan established under the provisions of Section 37-106-69.

SECTION 4. It is the intention of the Legislature that of the funds appropriated under the provisions of Section 1 of this act, the Board of Trustees of State Institutions of Higher Learning shall expend from the support of the out-of-state graduate and professional studies program an amount not exceeding the funding necessary, contingent upon the availability of qualified applicants, for nine (9) new entering optometry students and the number of returning optometry students who received funding under the program during the preceding school year.

SECTION 5. In the allocation of funds appropriated under the provisions of Sections 1 and 2 of this act, among the student financial aid programs included herein, it is the intention of the Legislature that priority shall be given and funds shall be first allocated to all students eligible for financial aid under the provisions of Section 37-106-39, Mississippi Code of 1972.

SECTION 6. All funds provided for in this act shall be accounted for in an annual report, which shall be submitted at the next regular session of the Legislature within ten (10) days after the convening thereof. The report should detail for each grant, scholarship, or loan program the number of recipients, the total amount of awards made, and the average award amount. The report shall include the number of students at each institution receiving financial assistance and the amount of such assistance. For loan programs, the report shall also include a summary of the repayment status and method of repayment for student cohorts as well as an accounting of the receipt of funds in repayment. Furthermore, all funds received and expended shall be reported and otherwise accounted for in accordance with the provisions of Section 37-106-11, Mississippi Code of 1972, except where individual identifying information must be withheld pursuant to the Family Educational Rights and Privacy Act (FERPA), 20 USC Section 1232g 34 CFR Part 99.

No public or private institution of higher learning receiving funds under the respective provisions of this act, for the purpose of issuing scholarship grants or loans, shall issue any official transcripts for any persons who have any amount of repayment in arrears on the date such official transcript is requested.

SECTION 7. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 8. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Of the funds appropriated in Section 1 of this act, an amount not to exceed Seventy Thousand Dollars ($70,000.00) is provided for the Speech-Language Pathologists Loan Forgiveness Program established under the provisions of Section 37-106-73, Mississippi Code of 1972, and administered by the Mississippi Office of Student Financial Aid.

SECTION 11. Awards for the Higher Education Legislative Plan Grant Program, authorized by Section 37-106-75, shall be made to applicants meeting all program requirements and found to be in financial need according to the following definition:

(a) The family has one (1) child under the age of twenty-one (21), and the annual adjusted gross income of the family is less than Thirty-nine Thousand Five Hundred Dollars ($39,500.00); or

(b) The family has annual adjusted gross income of less than Thirty-nine Thousand Five Hundred Dollars ($39,500.00) plus Five Thousand Dollars ($5,000.00) for each additional child under the age of twenty-one (21).

SECTION 12. Of the funds appropriated in Section 1 of this act, Nine Million Eight Hundred Twenty-three Thousand Dollars ($9,823,000.00) is provided for the Mississippi Dual Enrollment/Dual Credit Scholarship Program Act of 2023, as established in Section 37-109-3, Mississippi Code of 1972. The funds provided herein are for eligible students to receive up to six (6) dual enrollment/dual credit semester credit hours prior to high school graduation pursuant to Section 37-109-7, Mississippi Code of 1972.

SECTION 13. Of the funds appropriated in Section 2 of this act, Two Million Dollars ($2,000,000.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972. This amount shall be used for the William F. Winter and Jack Reed, Sr. Teacher Loan Repayment Program established by Section 37-106-36, Mississippi Code of 1972.

SECTION 14. Of the funds appropriated in Section 2 of this act, One Million Dollars ($1,000,000.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972. This amount shall be used for the Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Act established by Section 37-106-81, Mississippi Code of 1972.

SECTION 15. It is the intention of the Legislature that no student should receive undergraduate grant aid through more than one state-supported undergraduate grant program in the same term of enrollment. If a student is eligible for aid through multiple grant programs, the student shall be awarded from the program that awards the larger sum.

SECTION 16. It is the intention of the Legislature that all students must demonstrate eligibility at the conclusion of each term during the regular academic year in order to continue to receive state-supported aid.

SECTION 17. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated, to the Mississippi Office of Student Financial Aid for the purpose of reauthorizing the expenditure of Education Enhancement Funds to defray the expenses of the Mississippi Office of Student Financial Aid, as authorized in Senate Bill 3007, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ...

$ 2,000,000.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds for the following:

(a) William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program ..... $ 1,900,000.00

(b) Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Act $ 100,000.00

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

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

SECTION 19. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3014** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the University of Mississippi Medical Center for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 187,030,786.00.

SECTION 2. The following sum of money, or so much thereof as may be necessary, is hereby authorized and approved for expenditure out of the proceeds derived from patient fees, student fees or any other special source funds which are collected by or otherwise become available, for the support and maintenance of the University of Mississippi Medical Center for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 1,689,491,753.00.

SECTION 3. With the funds appropriated and authorized for expenditure under the provisions of Sections 1 and 2 of this act, the University of Mississippi Medical Center shall maintain the School of Medicine, the School of Dentistry, the School of Nursing, the School of Health Related Professions, the School of Population Health, the Teaching Hospital and the Medical Center Service Area. The University of Mississippi Medical Center shall prepare and make available to the Legislature an accounting of expenditures for each of the divisions listed in this section at the beginning of the legislative session.

SECTION 4. Due to critical nurse shortages and staffing, it is the intention of the Legislature to enhance recognition of excellence and expand the experience factor in attracting qualified registered nurses.

SECTION 5. Of the funds appropriated in Section 1 of this act, and the funds authorized to be expended in Section 2 of this act, none may be used to provide medical services on behalf of any state agency, institution or political subdivision, except to the extent that such agency, institution or political subdivision reimburses the hospital for the cost of the services provided. Upon the rendering of medical services to any such agency, institution or political subdivision, the hospital shall issue an invoice for the charges which shall be paid within ninety (90) days. In the event that payment is not made within ninety (90) days, the hospital shall discontinue providing services to that agency, institution or political subdivision until all outstanding charges have been paid.

SECTION 6. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 7. It is the intention of the Legislature that the University of Mississippi Medical Center's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 8. Of the funds appropriated in Section 2 of this act, the following sums, or so much of those sums as may be necessary, are derived out of any money in the State Treasury to the credit of the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, as follows:

(a) Education activities or scholarships $ 6,888,029.00.
(b) Rural Physicians Scholarship Program $ 340,000.00.
(c) Rural Dentists Scholarship Program $ 105,000.00.
TOTAL ..... $ 7,333,029.00.

SECTION 9. Of the funds appropriated under the provisions of Section 2 of this act, Two Million Three Hundred Eighty Thousand Four Hundred Thirty-one Dollars ($2,380,431.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the University of Mississippi Medical Center.

SECTION 10. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, the sum of Four Hundred Twenty Thousand Dollars ($420,000.00) is hereby provided for scholarships for the Rural Dentists Scholarship Program as described in Section 37-146-1, Mississippi Code of 1972.

SECTION 11. Of the funds appropriated in Sections 1 and 2 of this act, Two Million One Hundred Seventy Thousand Dollars ($2,170,000.00) is hereby provided for scholarships for the Rural Physicians Scholarship Program as described in Section 37-141-1, Mississippi Code of 1972. Of this amount, Thirty-five Thousand Dollars ($35,000.00) is provided for a Psychiatrist Scholarship as described in Section 37-144-3, Mississippi Code of 1972.

SECTION 12. Of the funds appropriated in Sections 1 and 2 of this act, Two Hundred Eighty Thousand Eight Hundred Forty-eight Dollars ($280,848.00) is provided for the administration of the Rural Physicians Scholarship Program and the Rural Dentists Scholarship Program.

SECTION 13. Of the funds appropriated in Sections 1 and 2 of this act, One Million Three Hundred Eighty-two Thousand Two Hundred Fifty Dollars ($1,382,250.00) is provided for the Office of Mississippi Physician Workforce as described in Section 41-123-5, Mississippi Code of 1972.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, Seven Hundred Fifty Thousand Dollars ($750,000.00) shall be derived from the State General Fund and Four Million Two Hundred Fifty Thousand Dollars ($4,250,000.00) shall be derived from any special source funds collected by or otherwise become available for the support and maintenance of the University of Mississippi Medical Center for the University of Mississippi Medical Center Cancer Institute.

SECTION 16. Of the funds appropriated in Section 2 of this act, Five Hundred Ninety-five Thousand Dollars ($595,000.00) is hereby appropriated for A Comprehensive Tobacco (ACT) Center at the University of Mississippi Medical Center.

SECTION 17. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research that kills or destroys an existing human embryo.

SECTION 18. Of the funds appropriated under the provisions of Section 1 of this act, One Million Three Hundred Forty-nine Thousand Nine Hundred Ninety-eight Dollars

($1,349,998.00) shall be provided from General Funds and shall be provided to the Center of Excellence at the Blair E. Batson Hospital for Children for the care of abused and neglected children, and expended to improve, enlarge and/or construct the physical facilities of the Children's Safe Center and for support and maintenance of the center.

SECTION 19. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 20. Of the funds appropriated under the provisions of Section 1 of this act, Three Million Dollars ($3,000,000.00) shall be provided to the MIND Center at the University of Mississippi Medical Center.

SECTION 21. It is the intention of the Legislature that any cash balances at the Office of Physician Workforce, the Children's Safe Center, and the MIND Center shall only be spent in support of those divisions.

SECTION 22. Of the funds appropriated in Section 1 of this act, One Million Two Hundred Thousand Dollars ($1,200,000.00) shall be provided for the Child Health and Developmental Promotion (CHDP) Fellowship Program.

SECTION 23. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the University of Mississippi Medical Center for the purpose of reauthorizing the expenditure of Capital Expense Funds for the Asylum Hill Project, as authorized in SB 3008, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 2,292,839.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 24. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 25. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR FISCAL YEAR 2025.

Senator Hopson called up the following House Amendment to **S. B. No. 3015** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the administrative expenses of the Mississippi

Community College Board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 6,110,733.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Community College Board, for the purpose of defraying the administrative expenses of the Mississippi Community College Board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 93,702,884.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Three Hundred Fifty-six Thousand Dollars ($356,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 45

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

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

SECTION 5. Of the funds appropriated in Section 1 of this act, Five Hundred Forty-two Thousand Four Hundred Fifty-nine Dollars ($542,459.00) is provided to the Mississippi Community College Board for the purpose of defraying the cost of the Greenville Higher Education Center.

SECTION 6. Of the funds appropriated in Section 1 of this act, Thirty-seven Thousand Six Hundred Twenty-six Dollars ($37,626.00) is provided for geospatial site licenses.

SECTION 7. Of the funds appropriated in Section 2 of this act, Five Hundred Seventy-four Thousand Three Hundred Eighty-six Dollars ($574,386.00) shall be derived from the out of any money in the State Treasury to the credit of the Commission on Proprietary School and College Registration, for the purpose of defraying expenses incurred in the regulation and administration of the Mississippi Proprietary School and College Registration Law and the associated expenses of the Mississippi Community College Board.

SECTION 8. Of the funds appropriated herein, up to One Million Dollars ($1,000,000.00) shall be expended from the Work Force Carryover Fund as created in Section 37-153-31, Mississippi Code of 1972.

SECTION 9. Of the funds appropriated in Sections 1 and 2 of this act, Fifty Million Eight Hundred Thirty-one Thousand Eight Hundred Two Dollars ($50,831,802.00) is appropriated for the Workforce Education Program and Industrial Training. No funding obligation or commitment shall be made on behalf of the state for industrial training beyond the level of funding made available in this section. All industrial training program commitments made in Fiscal Year 2025 and future fiscal years shall be based only upon funds available in this section, and any proposed commitments shall be approved by the Executive Director of the Mississippi Community College Board or the Executive Director's designee prior to such commitment being finalized. Industrial training program commitments shall be made and based only upon training services provided and not for a specific funding amount. Any expenditures of funds authorized in this section are limited to obligations made July 1, 2024, or after, and shall not be expended for obligations made prior to this date.

SECTION 10. Of the funds appropriated in Section 2 of this act, Thirty Million Dollars ($30,000,000.00) shall be derived from unemployment compensation contributions deposited into the Mississippi Workforce Enhancement Training Fund and shall be utilized exclusively by the Mississippi Community College Board for workforce training in accordance with Senate Bill No. 2027, 2010 Regular Session. It is the intention of the Legislature that the Workforce Enhancement Training Fund shall have not less than Two Million Dollars ($2,000,000.00) set aside as a carry-forward to begin the Fiscal Year 2026 Workforce Education Program.

SECTION 11. Of the funds appropriated in Section 2 of this act, Two Million Five Hundred Thousand Dollars ($2,500,000.00) shall be derived from fees charged for the Workforce Online Training Program, and the Mississippi Virtual Community College and funds in the amount of Two Million Four Hundred Forty-four Thousand Nine Hundred Fourteen Dollars ($2,444,914.00) shall be transferred from the Community and Junior College Education Technology Fund for the purpose of defraying the costs of the Mississippi Virtual Community College, the Workforce Online Training Program and the administrative expenses of the Mississippi Community College Board.

SECTION 12. Of the funds appropriated in of Section 2 of this act, One Hundred Twenty-five Thousand Dollars ($125,000.00) shall be derived from fees charged for issuing duplicate transcripts and duplicate diplomas for the High School Equivalency Testing Program for the purpose of defraying the costs of administering the High School Equivalency Testing Program of the Mississippi Community College Board, pursuant to Section 37-35-9, Mississippi Code of 1972.

SECTION 13. Of the funds appropriated in Section 2 of this act, Thirty Million Dollars ($30,000,000.00) shall be derived from the transfer of postsecondary vocational and technical funds from the Mississippi Department of Education to the Mississippi Community College Board for the purpose of managing the day-to-day operations of postsecondary career and technical education.

SECTION 14. It is the intention of the Legislature that an amount equal to One Dollar and Fifty Cents ($1.50) per square foot shall be transferred to the Executive Office of the Board of Trustees of State Institutions of Higher Learning to defray utility costs.

SECTION 15. It is the intention of the Legislature that the budget requests for administrative expenses of the Mississippi Community College Board for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

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

SECTION 17. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

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

SECTION 19. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE MISSISSIPPI COMMUNITY COLLEGE BOARD FOR FISCAL YEAR 2025.

Senator Hopson called up the following House Amendment to **S. B. No. 3016** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the operation and support of the public community and junior colleges for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 218,060,872.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the special funds specified herein to the Mississippi Community College Board for the operation and support of the public community and junior colleges for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 63,385,786.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Sixty-two Million Seven Hundred Eighty-five Thousand Seven Hundred Eighty-six Dollars ($62,785,786.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, not otherwise appropriated, for the operation and support of public community and junior colleges.

SECTION 4. The funds provided in this section shall be allocated for the aid and support of the public and community junior colleges through the community college support funding formula and shall be apportioned in accordance with the following assigned weights:

Formula Section	FTE Formula
(a) Aid to Colleges:	
Base	15% prior year appropriation
Academic	1.0
Technical	1.0
(b) Career	1.0
(c) Associate Degree Nursing	1.19
(d) Associate Degree Allied Health	1.19

Academic, Technical, Career, Associate Degree Nursing and Associate Degree Allied Health funds shall be disbursed on the basis of prior year full-time equivalency (FTE) of hours generated during the summer, fall and spring semesters for each public community and junior college student actually enrolled and in attendance the last day of the sixth week of each semester, or its equivalent, counting only students who reside within the State of Mississippi. However, associate degree nursing students who reside outside the State of Mississippi may be counted for pay purposes.

The Director of the Mississippi Community College Board, or his designee, shall audit each public community and junior college and shall determine who shall be counted in each college and shall certify the number to the Mississippi Community College Board.

If, pending determination of the enrollment of students at the public community and junior colleges entitled to participate in this appropriation, as provided for in this section, the Mississippi Community College Board shall find and determine that any such public or community junior college does not have sufficient funds on hand for payment of the necessary expenses of its operation for the period commencing July 1, 2024, until distribution of the funds appropriated hereby, then, in that event, the Mississippi Community College Board is expressly authorized to make an advance to any such public community or junior college or colleges not having sufficient operating funds for such period from the funds appropriated hereby; provided, however, that the amount of any such advance to any one (1) public community or junior college shall not exceed thirty-three percent (33%) of the amount of state-appropriated funds received by

such public community or junior college during the preceding fiscal year; and provided, further, that the amount of any such advance shall be deducted from the pro rata part of the funds appropriated hereby accruing to said public community or junior college when enrollment has been ascertained and distribution of funds is made.

(a) Of the funds appropriated in Section 1 of this act, an amount not to exceed One Hundred Sixty-seven Million Eight Hundred Eighty-one Thousand Four Hundred Four Dollars ($167,88l,404.00) is authorized for the aid and support of the public community colleges to be distributed through the community college support funding formula.

(b) Of the funds provided in Section 3 of this act, Forty-nine Million Eight Hundred Eighty-four Thousand Nine Hundred Forty-six Dollars ($49,884,946.00), or so much as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Education Enhancement Fund and deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972. These funds are authorized for the aid and support of the public community colleges to be distributed through the community college support funding formula.

SECTION 5. The following public community and junior colleges which qualify shall participate in the funds provided herein:

Coahoma Community College, Copiah-Lincoln Community College, East Central Community College, East Mississippi Community College, Hinds Community College, Holmes Community College, Itawamba Community College, Jones County Junior College, Meridian Community College, Mississippi Delta Community College, Mississippi Gulf Coast Community College, Northeast Mississippi Community College, Northwest Mississippi Community College, Pearl River Community College, and Southwest Mississippi Community College.

SECTION 6. Of the funds appropriated in Section 1 of this act, an amount not to exceed Thirty Million Five Hundred Ninety-four Thousand Three Hundred Thirty-six Dollars ($30,594,336.00) is authorized for the aid of the public community and junior colleges to fund life and health insurance for all employees of the public community and junior colleges.

The funds allocated in this section shall only be used to participate in the State and School Employees' Life and Health Insurance Plan and any funds appropriated in this section for this purpose, which are not expended during the fiscal year shall be carried forward for the same purposes during the next succeeding fiscal year.

SECTION 7. Of the funds appropriated in Section 2 of this act, Six Hundred Thousand Dollars ($600,000.00) shall be derived out of any money in the State Treasury to the credit of the Insurance Carryover Fund No. 3295, for the purpose of fully funding life and health insurance through the State and School Employees' Life and Health Insurance Plan for all qualified community and junior college employees.

SECTION 8. Of the funds appropriated in Section 1 of this act, an amount not to exceed Six Million Seven Hundred Fifty Thousand Dollars ($6,750,000.00) shall be used for the purpose of Workforce and Economic Development Support, including the operation of the Workforce Development Centers and Advanced Training Centers, providing start-up costs for new career and technical programs, and providing the necessary funding to replace outdated and obsolete equipment for existing career and technical programs at each of the public community and junior colleges.

SECTION 9. Of the funds appropriated in Section 1 of this act, One Hundred Seventy-Nine Thousand Fifty Dollars ($179,050.00) shall be used for the purpose of defraying the cost of Sign Language Interpreter Training at the public community and junior colleges.

SECTION 10. Of the funds appropriated in Section 1 and provided in Section 2 of this act, Ten Million Dollars ($10,000,000.00) shall be used by the Mississippi Community College Board for the purpose of defraying the cost of the Education Technology Program at the public community and junior colleges and the Mississippi Community College Board. Seven Million Ninety-nine Thousand One Hundred Sixty Dollars ($7,099,160.00) shall be derived from Section 1, and Two Million Nine Hundred Thousand Eight Hundred Forty Dollars ($2,900,840.00) shall be derived from Section 3 of this act out of any money

in the State Treasury to the credit of the Education Enhancement Fund and deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 11. Of the funds appropriated in Section 1 of this act, Two Million Five Hundred Fifty-six Thousand Nine Hundred Twenty-two Dollars ($2,556,922.00) shall be used for the purpose of defraying the cost of the Associate Degree Nursing and Allied Health Programs.

SECTION 12. Of the funds appropriated in Section 1 of this act, Three Million Dollars ($3,000,000.00) shall be used for the purpose of continuing the dropout recovery initiative based on a successful program administered through the adult basic education program with the Mississippi Community College Board. These funds shall also be used for the purpose of enrolling low-skill adults in career pathways that combine high school equivalency, skills training and workforce credentials in an intensive program that produces adults who can compete for jobs.

Of the funds provided in this section, one-half (1/2) shall be allocated equally and the remaining one-half (1/2) shall be allocated on the basis of the prior year headcount enrollment in Adult Education, MIBEST or other career pathway programs.

The public community and junior colleges shall prepare and make available to the Legislature and the Legislative Budget Office a comprehensive report on the number of dropouts that have enrolled in a High School Equivalency and/or career program for each community and junior college during Fiscal Year 2024 on, or before, August 1, 2025.

SECTION 13. Of the funds provided in Section 3 of this act, Ten Million Dollars ($10,000,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Education Enhancement Fund and deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972. These funds shall be used for the Career and Technical Advantage Program which will provide start-up costs for new career and technical programs, expansion of existing career and technical programs, and infrastructure for career and technical program equipment, lab upgrades, and renovations to sustain the programs at public community colleges. Fifteen percent (15%) of the funds appropriated in this section shall be distributed evenly to each community college. The remaining eighty-five percent (85%) of the funds shall be distributed on the basis of prior year career and technical full-time equivalency (FTE) hours generated during the summer, fall, and spring semesters for each public community college.

SECTION 14. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Instruction	
Number of Total Degrees Awarded per 100 FTE Enrollment	32.13
Number of Associate Degrees Awarded per 100 FTE Enrollment	17.36
Number of Associate of Applied Science Degrees Awarded per 100 FTE Enrollment	8.76
Number of Certificates Awarded per 100 FTE Enrollment	12.80
Percent of First-Time Entering, Part-Time Degree- Seeking Students (Fall) who Earned 24 Credit Hours by the End of Year Two	18.01
Percent of First-Time Entering, Full-Time Degree-Seeking Students (Fall) who Earned 42 Credit Hours by the End of Year Two	48.54
Percent of Associate Degree Nursing and	

Practical Nursing Licensure Exam Pass Rates	94.31
Percent of Total Student Success, Which Includes Graduates, Transfers, and Retention (Those Still Enrolled)	71.22
Percent of Graduates	36.40
Percent of Transfers	21.01
Percent of Retention	8.06
Percent of Students Enrolled in Career/ Technical and Health Science Graduates	23.50
Percent of In-State Job Placements of Career/ Technical and Health Science Graduates	98.91
Number of High School Equivalencies Awarded	2,600

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 15. It is the intention of the Legislature that none of the General Funds appropriated herein shall be expended for the purpose of paying salaries, wages, and fringe benefits of any public community and junior college employee who is serving as a member of the State of Mississippi Legislature.

SECTION 16. A Mississippi Prepaid Affordable College Tuition (MPACT) program beneficiary shall be considered a Mississippi resident for the purposes of participating in this appropriation regardless of the beneficiary's residence on the date of enrollment, as set out in Section 37-155-5(d)(iii), Mississippi Code of 1972.

SECTION 17. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 18. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 19. It is the intention of the Legislature that the support of the community and junior colleges shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 20. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 21. The funds disbursed under the provisions of this act shall be accounted for through the Mississippi Community College Board. No part of the amount herein appropriated shall be used by the Mississippi Community College Board for administrative or other purposes except in the manner and to the extent authorized in this act making an appropriation for the expenses of the Mississippi Community College Board.

SECTION 22. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set

forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 23. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE AID AND SUPPORT OF THE PUBLIC COMMUNITY AND JUNIOR COLLEGES OF THE STATE OF MISSISSIPPI FOR FISCAL YEAR 2025.

Senator Hopson called up the following House Amendment to **S. B. No. 3017** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Employment Security for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 1,400,000.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Department of Employment Security, or its successor, for the purpose of defraying the expenses incurred by said department for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 136,255,576.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 367

Time-Limited: 126

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. Of the funds appropriated under the provisions of Section 2 of this act, the following sum shall be derived from money in the Unemployment Trust Fund, made available to this state under Section 903 of the Social Security Act, as amended (42 USCA Section 1103), to the Mississippi Department of Employment Security to be deposited in the Employment Security Administration Fund and used by the Mississippi Department of Employment Security for the following purposes:

(a) Payment of various One-Stop Administration expenses that support the service delivery of employment and workforce information services. This includes, but is not limited to, the following activities:

(i) Staff for delivery of reemployment services to UI claimants, including group job search assistance and staff-assisted referrals to jobs.

(ii) Equipment and resources for resource rooms.

(iii) Payment for rent, utilities and maintenance of facilities, including common spaces such as resource rooms, reception areas, conference areas, etc.

(iv) Payment of shared costs for operation of local One-Stop Career Centers, including payment for One-Stop operators.

(v) Purchase of computer equipment, network equipment, telecommunications equipment, application development and other technology resources.

(vi) Training, technical assistance, and professional development of staff who deliver employment and workforce information services.

(vii) Access Improvement costs for individuals with disabilities, including remodeling or retrofitting One-Stop Career Centers and purchasing appropriate software, hardware, furniture and supplies.

(b) Administration of the Unemployment Compensation (UC) law and its public employment service (ES) offices. This includes, but is not limited to, the following uses:

(i) ES and UI automation. This includes purchases, modifications, or automation of computer-related systems and related costs.

(ii) UI and ES Performance Improvement costs.

(iii) Fraud and Abuse Reduction costs.

(iv) UI Claims Filing and Payment Methods Improvement costs.

(v) Under the direction of the Bureau of Building, Grounds and Real Property Management to acquire lands and construct buildings thereon or improve existing buildings to be used as offices. The funds in this section are authorized for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 33,047,000.00.

The funds authorized in this section shall be requisitioned by the Mississippi Department of Employment Security from the Unemployment Trust Fund maintained by the Secretary of the Treasury of the United States as needed for the payment of obligations incurred under this appropriation, and such monies shall be deposited in the Employment Security Administration Fund in accordance with the provisions of Section 71-5-457, Mississippi Code of 1972.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in this act, a sum not to exceed Two Hundred Thousand Dollars ($200,000.00) is made available for Pathways2Possibilities from the Mississippi Works Fund collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 7. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for the purpose of defraying the expenses of the Office of Workforce Development for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 15,805,670.00.

SECTION 8. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available to the Office of Workforce Development for support of workforce programs, grants, and other similar activities for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 18,000,000.00.

SECTION 9. Of the funds appropriated in Section 7, Three Million Two Hundred Five Thousand Six Hundred Seventy Dollars ($3,205,670.00) is authorized for defraying the operating expenses of the Office of Workforce Development.

SECTION 10. Of the funds appropriated in Section 7, Twelve Million Dollars ($12,000,000.00) is authorized for operating the Career Coaching Program at the Office of Workforce Development.

SECTION 11. Unless otherwise specifically appropriated for that purpose by the Legislature, none of the funds authorized in Section 8 of this act shall be used for operational expenditures of the Office of Workforce Development except for reasonable administrative fees for grant oversight as provided by law.

SECTION 12. Of the funds appropriated in Section 8 of this act, the Office of Workforce Development is authorized to expend up to Three Million Dollars ($3,000,000.00) from the State Workforce Investment Funds from the State Workforce Investment Board, collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 13. Of the funds appropriated under the provisions of Section 8 of this act, the Office of Workforce Development is authorized to expend up to Fifteen Million Dollars ($15,000,000.00) from the Mississippi Works Fund collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 14. It is the intention of the Legislature that the Mississippi Department of Employment Security and the Office of Workforce Development shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that each agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 15. Of the funds appropriated in Section 1 of this act, an amount not to exceed One Million Four Hundred Thousand Dollars ($1,400,000.00) is authorized for the Mississippi Integrated Education and Workforce State Longitudinal Data System (SLDS).

SECTION 16. Of the funds appropriated under the provisions of Section 7 of this act, Six Hundred Thousand Dollars ($600,000.00) is authorized for Jobs for Mississippi Graduates.

SECTION 17. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

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

SECTION 19. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY FOR FISCAL YEAR 2025.

Senator Hopson called up the following House Amendment to **S. B. No. 3018** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Ethics Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 716,771.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 6

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

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

SECTION 3. It is the intention of the Legislature that the Mississippi Ethics Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality

and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature, that of the funds provided in Section 1 of this act, the Ethics Commission is hereby authorized to purchase and pay premiums for casualty insurance on passenger vehicles owned and operated by the agency.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3019** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Commission on Judicial Performance of the State of Mississippi for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 704,059.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Commission on Judicial Performance, for the purpose of defraying the expenses of the Commission on Judicial Performance of the State of Mississippi for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 21,672.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 5

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

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

SECTION 4. It is the intention of the Legislature that the Judicial Performance Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3020** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Department of Public Safety for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 158,155,576.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Public Safety for the purpose of defraying the expenses incurred in the operation of the various divisions of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 107,854,977.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 1,693

Time-Limited: 78

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If

the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. The Commissioner of Public Safety may, on a case-by-case basis, within funds available, recommend that corrective salary adjustments be made to the compensation of employees of the Department of Public Safety where an inequity was created between employees of equivalent capacity by previous application of the agency appropriation acts. Any such corrective salary adjustment plan must have prior approval by the State Personnel Board. Such adjustments will not be retroactive.

Any funds in the Salary, Wages and Fringe Benefits major object of expenditure may be used to purchase accumulated compensatory time within funds available.

SECTION 5. It is the intention of the Legislature, that the Department of Public Safety shall receive Five Million Dollars ($5,000,000.00) from the Mississippi Department of Transportation, for the operations of the Office of Commercial Transportation Enforcement Division that is authorized in Section 77-7-330, Mississippi Code of 1972.

SECTION 6. It is the intent of the Legislature that the local governments pay for part of the computer cost of the Mississippi Justice Information Center by maintaining their contribution to the Department of Public Safety.

SECTION 7. It is the intention of the Legislature that the Department of Public Safety designate certain employees to aid the Office of Forensics Laboratories in the billing and collecting of all fees charged for services rendered by the Office of Forensics Laboratories.

SECTION 8. No part of the funds appropriated herein shall be transferred to, expended by, or used, directly or indirectly, for the benefit of any public relations, publicity or publication activities of any other state agency, department or officer, nor shall any personnel paid with funds appropriated herein be transferred or assigned to any other state agency, department or officer for public relations, publicity, or publication activities of such office.

SECTION 9. It is the intention of the Legislature that the Department of Public Safety shall not issue citations for violations of speed limits on a quota basis. No funds expended under this act shall be used for such quota-based citations for violations of speed limits.

SECTION 10. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the

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

Performance Measures	FY2025 Target
Enforcement	
Percent Increase in Enforcement Citations	7.50
Percent Decrease in Fatalities	4.00
Percent Increase in DUI Arrests (includes felony DUI)	5.00
Number of Criminal Investigations	68,000
Number of Highway Fatalities per 100 Million Vehicle Miles of Travel	0.80
Number of Alcohol Impaired Driving Fatalities per 100,000 Population	1.60
Number of Driving Under the Influence (DUI) Arrests per 100,000 population	230.00
Percent Increase in Seatbelt/Child Restraint Citations	7.00
Driver Services	
Number of Driver's License/ID Cards Issued	635,250
Cost per License Document Produced	24.00
Number of Driver's Suspended	24,300
Number of Accident Reports Processed	1,650
Average Wait Time (Minutes)	20.00
Number of Documented Complaints	24
Percent Change in Wait Time	-5.00
Percent Change in Complaints	1.10
Percent Increase in Regular and Commercial Driver Licenses Issued	10.00
Support Services	
Number of Financial Transactions Processed	45,402
Number of Employees Supported	1,776
Forensic Analysis	
Number of Reports Issued (Cases)	25,000
Number of Court Testimonies (Cases)	200
Cost per Case Analyzed	450.00
Cost per Testimony	550.00
Percent of Days for Reports Issued	40.00
Dna Analysis	
Number of Known Felony Offender Samples in Database	165,000
Number of Proficiency Samples	950
Number of Casework Samples Examined	12,500
Cost per Sample	750.00
Maintain the Integrity of the CODIS Database	99.00
Forensic Pathology	
Number of Deaths Investigated	26,500
Number of Autopsies Performed SME Office	1,400
Cost per Autopsy Performed	2,000.00
Percent Change in the Number of Deaths Investigated	3.00
Percent of Coroners Educated by ME's Office	45.00
Percent Change in the Number of Autopsies Performed at SME Office	2.00
Training Academy	
Number of Basic Students to Graduate	200
Number of Basic Refresher Students to Graduate	10
Number of In-Service and Advanced	

Students to Graduate	850
Percent of Law Enforcement Officers Trained	100.00
Drug Enforcement	
Number of Drug Suspects Arrested	1,300
Number of Drug Cases Prosecuted	600
Number of Drug Organization Disrupted and/or Dismantled	4
Percent Change in Number of Drug Suspects Arrested	1.00
Percent Change in Number of Drug Cases Prosecuted	1.00
Percent Change in Number of Drug Organization Disrupted and/or Dismantled	1.00
Jail Officer Training	
Number of Jail and Youth Detention Officers Certified	250
Number of Certification Transactions	2,750
Number of Administrative Review Actions	5
Percent of Appointed Jail and Youth Detention Officers Obtaining Certification	60.00
Percent of Administrative Review Actions Taken Within One Year	1.00
Law Enforcement Training	
Number of Basic Law Enforcement Officers Certified	500
Number of Certification Transactions	2,500
Number of Training Quality Monitoring Actions	1,000
Percent of Appointed Law Enforcement Officers Obtaining Certification	75.00
Percent of Appointed Part-Time, Reserve, Auxiliary Officers Obtaining Certification	80.00
Percent of Administrative Disciplinary Actions Taken Within One Year	3.50
Highway Safety	
Number of Federal Applications Funded and Statewide Pgms Supported	10
Percent Decrease in the Number of Unrestrained Passenger Vehicle Occupant Fatalities by 5%	2.00
Percent Decrease in the Number of Fatalities in Crashes Involving a Driver or Motorcycle Operator with a BAC of .08 and Above	1.00
Justice	
Number of Juvenile Jail/Detention Alternatives	4
Number of Hot Spots Policing Programs Funded	3
Emerg Telecommunications Tng	
Number of Emergency Telecommunicators Certified	500
Number of Certification Transactions	2,000
Percent of Appointed Emergency Telecommunicators Obtaining Certification	75.00
Percent of Appointed Emergency Telecommunicators Obtaining	

Recertification	75.00
Percent of Administrative Review Actions Taken Within One Year	1.00
Council On Aging	
Number of Triad Programs Established	2
Number of Training Programs Conducted	0
Provide On-Site-Training	0
Percent Change in Number of Operational Triad Programs	3.00
Percent Increase in Funding to Counties to Educate Senior Citizens	0.00
Juvenile Facility Monitoring Unit	
Number of Facilities Inspected	125
Number of Strategic Plans Implemented	20
Percentage of Admin Review Actions Taken Within One Year	80.00
Homeland Security	
Number of OHS Grants for Jurisdictions	325
Number of First Responder Classes	210
Percent Increase in Emergency Task Force Responder Training and Exercises	2.00
Percent Increase in Citizen and Community Preparedness Training and Exercises	10.00
Percent Increase in Requests for Information	3.08
Percent Increase in National Incident Mgmt Training and Exercises	1.49
Investigations	
Number of Human Trafficking Cases Initiated	250
Number of Human Trafficking Arrests	50
Number of Human Trafficking Child Recoveries	25
Capitol Police	
Number of Patrols	65
Number of Emergencies (Medical, Weather, Active Shooter, etc.)	4,500
Average Time to Respond to an Emergency (Minutes)	5.00
Motor Carrier	
Number of Compliance Reviews	50,000
Number of On-site Examinations at Scales	32,000
Number of Trucks Weighed	5,800,000

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 11. It is the intention of the Legislature that all divisions within the Mississippi Department of Public Safety shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 12. Of the funds appropriated under the provisions of Section 2 of this act, funds may be expended to defray the costs of clothing for sworn nonuniform law enforcement officers in an amount not to exceed One Thousand Dollars ($1,000.00) annually per officer.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality

and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. The department is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 15. Of the funds provided herein, and in addition to the One Hundred Dollars ($100.00) authorized in Section 45-3-7, Mississippi Code of 1972, Department of Public Safety Officers who are licensed commercial pilots shall receive an additional Nine Hundred Dollars ($900.00), for a total of One Thousand Dollars ($1,000.00), additional compensation for such service.

SECTION 16. It is the direction of the Legislature that all Fair Labor Standards Act (FLSA) nonexempt sworn officers of the Mississippi Highway Safety Patrol who are working one hundred seventy-one (171) hours in a twenty-eight-day work cycle be compensated based on the annual salary established by the State Personnel Board for a one-hundred-sixty-hour per month schedule divided by two thousand eighty-seven and one hundred forty-three one thousandths (2,087.143), for an hourly rate, to be multiplied by two thousand two hundred twenty-three (2,223) or one hundred seventy-one (171) hours in a twenty-eight-day work cycle for a new annual salary. All hours worked over one hundred seventy-one (171) hours in a twenty-eight-day schedule shall be governed by the FLSA or other special compensation plan. All realignments after July 1, 2010, shall be calculated using this formula. This section shall be known as the "David R. Huggins Act."

SECTION 17. Of the funds appropriated in Sections 1 and 2 of this act, Four Hundred Ninety-five Thousand One Hundred Ninety Dollars ($495,190.00) is appropriated out of any funds in the State Treasury to the credit of the Department of Public Safety for the purposes of paying for eleven (11) hours of compensatory time at an hourly rate based on two thousand eighty-seven and one hundred forty-three one thousandths (2,087.143) hours per year for sworn officers who hold the rank of Lieutenant and above. The funds provided in this section to pay for the eleven (11) hours authorized in this section shall be expended only for this purpose.

SECTION 18. It is the intention of the Legislature that the Department of Public Safety shall provide an annual report to the Mississippi Legislature detailing any elected official or any other person who is not an employee of the Department of Public Safety who was transported in Highway Patrol aircraft during the fiscal year. The report shall be provided to each member of the Mississippi Legislature on or before January 15, 2025.

SECTION 19. The Commissioner of Public Safety shall have the authority to transfer any funds from any division within the Department of Public Safety to any other division of the Department of Public Safety Special Funds, including, but not limited to, Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741, 3742, 3744, 3747 and 3718, not to exceed Twenty Million Dollars ($20,000,000.00) collectively during Fiscal Year 2025. However, none of the funds appropriated by this act shall be expended unless the Department of Public Safety provides prior written notification of any transfer of funds provided in this section.

SECTION 20. The Bureau of Narcotics is authorized to expend a sum, not to exceed Five Hundred Thousand Dollars ($500,000.00) from account No. 3371800000, for purposes of effectuating the provisions of Section 41-29-179, Mississippi Code of 1972, Section 1 of this act. Expenditures authorized by this section may include, but not be limited to, costs associated with contracting with one or more vendors, contractors or other persons or entities to create, operate and maintain the forfeiture website and to provide continuing support in relation thereto. In the event an amount less than Five Hundred Thousand ($500,000.00) is required to effectuate the purposes of this section, the Bureau is authorized to expend the remainder of such authorized funds for the purchase of commodities, vehicles and/or other equipment necessary in the furtherance of the needs of the Bureau.

SECTION 21. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Four Million Three Hundred Twelve Thousand Six Hundred Two

Dollars ($4,312,602.00) may be allocated for the programs supported from General Fund court assessments as follows:

State Crime Stoppers Fund ..... $ 99,003.00.
Adult Driver Training ..... $ 75,794.00.
Information Exchange Network Fund ..... $ 264,007.00.
Forensics Laboratory of MS – Implied Consent Law Fund ..... $ 404,795.00.
Forensics Laboratory of MS – DNA Identification Fund ..... $ 629,543.00.
Law Enforcement and Firefighters Death Benefits Trust Fund ..... $ 191,361.00.
Law Enforcement Standards Training – Law Enforcement Officers Training Fund ..... $ 2,276,404.00.
Drug Abuse/Driver's License Reinstatement ..... $ 13,573.00.
Federal – State Alcohol Program Fund ..... $ 160,431.00.
MS Leadership Council on Aging Fund ..... $ 197,691.00.

SECTION 22. It is the intention of the Legislature that the Mississippi Bureau of Narcotics, Mississippi Department of Public Safety, shall have the authority to receive, budget and expend special funds from the Drug Evidence Disposition Funds (3372000000), not to exceed Five Hundred Thousand Dollars ($500,000.00).

SECTION 23. Of the funds appropriated by this act, pursuant to Section 97-3-54.9, Mississippi Code of 1972, Two Hundred Fifty Thousand Dollars ($250,000.00) is provided for the duties and operations of a Statewide Human Trafficking Coordinator and a data analyst within the Bureau of Investigation in the Department of Public Safety, who shall coordinate all statewide activities and work with the Department of Child Protection Services for all victims recovered.

SECTION 24. Of the funds appropriated by this act, pursuant to Section 45-1-2(7), Mississippi Code of 1972, Two Hundred Forty-two Thousand Six Hundred Three Dollars ($242,603.00) is provided for the duties and operations associated with the Mississippi School Safety Act of 2019.

SECTION 25. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated to the Department of Public Safety for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in Senate Bill No. 3012, 2023 Regular Session, to the Department of Public Safety for the fiscal year beginning July 1, 2024, and ending
June 30, 2025 ..... $ 6,208,815.00.

This reappropriation is for the following purposes:

(a) Forensics Case Backlog ..... $ 432,815.00.
(b) Driver Services Bureau IDEMIA System. ..... $ 5,610,000.00.
(c) Driver Services Bureau to upgrade and maintain the IDEMIA System and any equipment necessary to implement requirements under Section 63-1-16, Mississippi Code of 1972 .....
$ 166,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 26. The department may subgrant a portion of the funds appropriated herein to the Jackson Police Department for eligible activities contingent upon the execution of an operational agreement between the Capitol Police and Jackson Police Department on roles and responsibilities within the Capitol Complex Improvement District.

SECTION 27. With the funds appropriated herein, the Department of Public Safety is authorized to make payment to certain vendors for expenses incurred during Fiscal Years 2017 through 2023 in the following total amount..... $ 21,172.67.

SECTION 28. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or

funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 29. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3021** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Mental Health for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 234,534,597.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the support and maintenance of the Department of Mental Health for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 427,710,570.00.

SECTION 3. Of the funds appropriated under the provisions of Section 2 of this act, Twenty Million Nine Hundred Fifty-one Thousand Eight Hundred Eighty-six Dollars ($20,951,886.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the Department of Mental Health. The funds provided for in this section shall be allocated as follows:

$ 16,797,843.00	Expenses of the Department of Mental Health, payment of Medicaid state share, or prepayment of Medicaid state share.
$ 379,417.00	Alzheimer's disease services development and implementation of Senate Bill No. 2100, 1997 Regular Session.
$ 636,374.00	Crisis Centers
$ 2,000,000.00	Fentanyl and drug abuse education program pursuant to Section 41-29-323, Mississippi Code of 1972, and the Mississippi Collaborative Response to Mental Health Act established in House Bill No. 1222, 2023 Regular Session
$ 1,138,252.00	Physician services at community mental health centers.
$ 20,951,886.00	TOTAL

SECTION 4. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	5,827
Time-Limited:	422

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency

determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

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

Performance Measures	FY2025 Target
Services Management	
Number of On-Site Reviews Conducted by the Division of Audit	40
Number of On-Site Reviews Conducted for DMH Certified Provider Agencies	193
Mental Health Services	
Percent of Population Lacking Access to Community-Based Mental Health Care	30.00
Percent of DMH Clients Served in the Community vs. in an Institutional Setting	98.00
Increase by at Least 25% the Utilization of Alternative Placement/Treatment Options for Individuals who have had Multiple Hospitalizations & Do Not Respond to Traditional Treatment	25.00

Number served by PACT Teams and intensive case management teams	2,300
Number of Individuals Employed Through Supported Employment	441
Increase Access to Crisis Services by Tracking the Number of Calls to Mobile Crisis Response Teams	10,648
Number Referred from Mobile Crisis Response Teams to a Community Mental Health Center and Scheduled an Appointment	2,100
Number Diverted from a More Restrictive Environment Due to Mobile Crisis Response Teams	160
Increase the Number of Certified Peer Supt Specialists in the State	210
Idd Services	
Number of Individuals on Planning List for Home and Community-Based Services	2,700
Percent of DMH Institutionalized Clients who Could be Served in the Community	100.00
Percent of DMH Clients Served in the Community vs. in an Institutional Setting	89.00
Number of People Added from Planning List to ID/DD Waiver Services	300
Children & Youth Services	
Percent of Children with Serious Mental Illness Served by Local Multidisciplinary Assessment & Planning (MAP) Teams	1.20
Number Served by MAP Teams	810
Number of Children & Youth that are Served by Wraparound Facilitation	1,736
3% Alcohol Tax-alcohol/drug Prg	
Number of Residential Beds Made Available Statewide due to the Three Percent Tax Supplements	226
Number Receiving Residential Substance Use Disorder Treatment	1,529
Crisis Stabilization Units	
Average Length of Time from Mental Health Crisis to Receipt of Community Mental Health Crisis Service (Minutes)	1.50
Percent of People Receiving Mental Health Crisis Services who were Treated at Community Mental Health Centers vs. Institutions	98.00
Diversion Rate of Admissions to State Hospitals (% of People)	90.00
Number of Involuntary Admissions	1,600
Number of Voluntary Admissions	1,700
Mi - Institutional Care	
Number Served Adult Acute Psychiatric	1,246
Maintain Readmission Rates within National Trends	3.95
Mi - Support Services	
Support as an Overall Percent of Total Budget	5.30

Idd - Institutional Care	
Number of People Served in Residential IID Programs	687
Number of People Transitioned from Facility to ICF/IID Community Home	28
Idd - Group Homes	
Number of People Served in the 10-bed ICF/IID Community Homes	573
Percent of People Served in the Community vs. in an Institutional Setting	67.00
Idd - Community Programs	
Number of People Added from Planning List to ID/DD Waiver Services	115
Number of People Enrolled in the 1915i	531
Idd - Support Services	
Support as a Percent of Total Budget	4.30

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 6. The Department of Mental Health and its facilities shall have the authority, within funding and spending authority appropriated under the provisions of this act to transfer funds to the Division of Medicaid in payment of Medicaid match and designate that the funds thus transferred shall be applied to Medicaid match obligations arising in the subsequent fiscal year.

SECTION 7. Any person within the Department of Mental Health who must work on a statutory holiday or any holiday proclaimed by the Governor may, at the discretion of the Director of the Institution and the Executive Director of the Department of Mental Health and within available personnel funds, be paid "call-back pay" in lieu of "compensatory time credit."

SECTION 8. Of the funds appropriated to the "Service Budget," funds are included for the support of community mental health services for Fiscal Year 2025.

Provided, however, that none of the funds appropriated for the support of community mental health services shall be made available to any Regional Mental Health/Intellectual Disability Center which does not receive from each of its participating counties a dollar amount equivalent to what the proceeds of a three-fourths (3/4) mill tax on all taxable property in the county in Fiscal Year 1982 would have been or the amount of funds contributed to the center by the county in Fiscal Year 1984, whichever shall be greater. By means of performance contracts, the Department of Mental Health shall disburse the funds appropriated in this section for services for the mentally ill, intellectually disabled and alcohol/drug abusers. The State Board of Mental Health and the Department of Mental Health shall be responsible for selecting the types of services which shall be provided with the funds appropriated in this section, for developing and monitoring performance contracts and for holding contractors accountable for utilization of funds.

SECTION 9. Ellisville State School is authorized to draw up to Four Hundred Fifty Thousand Dollars ($450,000.00) from interest earned on funds invested in Ellisville State School Client's Trust Fund for the purpose of supplementing the cost related to supplies, property, and equipment in direct care.

SECTION 10. The Department of Mental Health and its facilities shall have the express legal authority, within funding and spending authority appropriated under the provisions of this act to purchase land for use by residential facilities operated by the department, either directly or by means of transferring funds to the Bureau of Building, Grounds and Real Property Management, and to transfer such funds to the Bureau of Building, Grounds, and Real Property Management for the purposes of constructing and equipping group homes for persons with mental illness, intellectual disability, and/or substance abuse; constructing and equipping such other buildings as may be required for treatment of persons with mental illness, intellectual disability, and/or substance abuse; repair and renovate existing buildings; and to construct, repair and/or renovate

employee housing. Any intermediate care facilities for individuals with intellectual disabilities (ICF/IID) constructed with funds authorized in this section shall be authorized to participate in Medicaid funding available for such services.

SECTION 11. It is the intention of the Legislature that the Department of Mental Health shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 12. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 13. It is the intention of the Legislature that the Executive Director of the Department of Mental Health shall have authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Mental Health. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Department of Mental Health shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration. None of the funds transferred with this section may be transferred to the Central Office for Personal Services.

SECTION 14. Of the funds appropriated under the provisions of this act, Twenty-nine Million Eight Hundred Ninety-seven Thousand One Hundred Sixty-nine Dollars ($29,897,169.00) is provided to the Department of Mental Health to expand those community-based services that will improve the State of Mississippi's compliance with the Olmstead decision of the United States Supreme Court. Further, it is the intention of the Legislature that the Department of Mental Health shall have the authority to transfer such sums from this source as are necessary to implement or improve those community services that are more appropriately addressed by the Mississippi Department of Education and/or the Mississippi Department of Rehabilitation Services to those agencies for that purpose. Further, it is the intention of the Legislature that any sums received from this source that are not expended during the fiscal year ending June 30, 2024, by the Mississippi Department of Mental Health shall be reappropriated for the same purpose during the fiscal year ending June 30, 2025. Further, it is the intention of the Legislature that the Department of Mental Health shall account for the expenditure of these funds in sufficient detail to clearly show the purposes for which such funds were expended. The Executive Director of the Department of Mental Health shall report any such reappropriation to the Legislative Budget Office no later than fifteen (15) days after the effective date of the reappropriation.

SECTION 15. Of the funds appropriated in this act, the Department of Mental Health, with approval by the board, may contract with Community Mental Health Centers, or suitable entities, for the purpose of operating the Crisis Intervention Centers at Grenada, Batesville, Brookhaven, Cleveland, Corinth, Laurel and Newton. The department shall provide quarterly progress reports on the operation of the crisis intervention centers to the Chairmen of the Senate and House Public Health and Appropriations Committees.

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

SECTION 17. The Department of Finance and Administration (DFA) shall transfer funds back to the Department of Mental Health, upon the request of the Department of Mental Health, where the funds received by DFA from the Department of Mental Health were special funds (neither general funds or bond funds) and where those funds are not required for the payment of costs already incurred on a building or repair project. For the purposes of this section, the term "special funds" includes any state source special funds, including, but not limited to, funds from the Health Care Expendable Fund. The duty of DFA to transfer funds back to the Department of Mental Health under this section applies to any funds described in this section that were transferred to DFA, regardless of the year that the transfer was made by the Department of Mental Health.

SECTION 18. It is the intention of the Legislature that the Department of Mental Health may provide, upon the availability of funds, Five Hundred Thousand Dollars ($500,000.00) to the Hope Village for Children Program.

SECTION 19. None of the funds provided in Section 1, 2, or 3 of this act shall be used to pay Medicaid match for the eleven (11) Community Mental Health Centers.

SECTION 20. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Three Million Nine Hundred Ten Thousand Seven Hundred Two Dollars ($3,910,702.00) shall be allocated to the Crisis Intervention Mental Health Fund supported by General Fund court assessments.

SECTION 21. Of the funds appropriated in this act, the Department of Mental Health shall fund ten (10) Programs of Assertive Community Treatment (PACT) Teams and provide supportive employment for individuals with intellectual and developmental disabilities.

SECTION 22. Notwithstanding any other provision, the Department of Mental Health shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 23. Of the funds appropriated in Section 1 and Section 2 of this act, it is the intention of the Legislature that Thirty Million Eight Hundred Eighty-seven Thousand Four Hundred Forty Dollars ($30,887,440.00) is provided for Two Thousand Nine Hundred Fifty (2,950) ID/DD Home and Community Based Waiver slots.

SECTION 24. With the funds appropriated herein, the Department of Mental Health is authorized to make payment for expenses incurred during Fiscal Year 2021 and 2022 as follows:

Vendor	Fiscal Year	Amount
Covington County Hospital	2021	$ 91,800.00
Personal Pharmacy Care	2022	$ 8,222.00

SECTION 25. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 26. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2025.

Senator Hopson called up the following House Amendment to **S. B. No. 3022** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Office of State Aid Road Construction Fund, for the purpose of defraying the expenses of the Office of State Aid Road Construction of the Mississippi Department of Transportation for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 209,940,933.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 49

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that an amount not to exceed Five Hundred Thousand Dollars ($500,000.00) is authorized to be expended from funds received from the Mississippi Development Authority as reimbursements for actual expenses incurred by the Office of State Aid Road Construction for administering and providing engineering services to

political subdivisions as authorized under Section 65-4-15, Mississippi Code of 1972. Any such funds shall be deposited into the Office of State Aid Roads Administrative Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025.

SECTION 4. Of the funds appropriated in Section 1, it is the intention of the Legislature that an amount not to exceed Thirty-four Million Dollars ($34,000,000.00) is authorized to be expended for the purpose of replacement of structurally deficient bridges on the Local System Bridge Program (LSBP).

SECTION 5. It is the intention of the Legislature that the Office of State Aid Road Construction shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Administrative	
Percent of Administrative Costs as Compared to Construction Costs	4.00
Maintain Level of Administrative Costs as Compared to Construction Costs at 5% or Under	5.00
Number of Projects Let to Contract	75
Percent of Personnel Devoted to Construction Programs	81.00
Federal Percent of Total Project Fund Obligations	20.00
Construction	
Percent Increase in Total Miles Paved	1.00
Percent of Total State Aid Funds Available Programmed or Obligated to Projects	75.00
Number of State Aid Projects Let to Contract	75
Number of Federal Projects Let to Contract	5
Number of State Aid Projects Completed	30
Number of Federal Projects Completed	20
Average Time from Initiation to Completion of a Fed Project (Days)	450
Number of Bridges Replaced or Repaired	85
Number of Structurally Deficient Bridges on the State Aid System	1,050
Average Cost of a State Aid/Federal Bridge Project	1,550,000.00
Local System Bridge	
Percent Change in Deficient LSBP Bridges	3.00
Average Number of Active LSBP Projects Per County	1.00
Percent of LSBP Funds Available Programmed or Obligated to Projects	85.00
Number of LSBP Projects Let to Contract	40
Number of LSBP Projects Completed	70
Number of LSBP Bridges Replaced or Repaired	40
Number of Eligible Deficient LSBP Bridges	1,050

Average Time From Initiation to Completion of a LSBP Project (Days)	450
Percent of Counties Utilizing All of Their Available LSBP Funds	30.00
Percent of Bridges Eligible for LSBP Funds	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 7. With the funds appropriated in this act, the Office of State Aid Road Construction shall notify members of the Mississippi Senate and House of Representatives upon the award of projects within their respective districts and at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature." The signage shall further state the four-year legislative term in which the project was funded.

SECTION 8. It is the intention of the Legislature to authorize the State Aid Engineer to utilize funds available to the Office of State Aid Road Construction, from any source herein appropriated or made available by the counties or any other source, to pay for costs necessary to comply with the National Bridge Inspection Standards and the Federal Highway Administration's requirements for bridge inspections and/or special studies necessary to comply with federal laws. The State Aid Engineer shall follow the same procedures as have heretofore been established by Sections 65-9-9, 65-9-15 and 65-9-17, Mississippi Code of 1972, for payment of such costs. The Office of State Aid Road Construction may accept, budget and expend these funds subject to and in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal or state funds.

SECTION 9. It is the intention of the Legislature that in the letting of contracts for which the Office of State Aid Road Construction administers and provides engineering services to political subdivisions under the Economic Development Highway Act, bids may be made from the lowest and best bidder after advertising for competitive sealed bids once in a newspaper published or having a circulation in the county or municipality where the contract will be performed, and the date published for the bid opening may be not less than seven (7) working days after the advertisement is published.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3023** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Tennessee-Tombigbee Waterway Development Authority for the purposes enumerated in Section 51-27-1, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 164,556.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Tennessee-Tombigbee Waterway Development Authority for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 342,584.00.

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

AUTHORIZED HEADCOUNT:
Permanent: 3
Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

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

SECTION 4. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the Tennessee-Tombigbee Waterway Development Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal

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

SECTION 9. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION TO THE TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY FOR THE PURPOSES ENUMERATED IN SECTION 51-27-1, MISSISSIPPI CODE OF 1972, FOR FISCAL YEAR 2025.

Senator Hopson called up the following House Amendment to **S. B. No. 3024** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Architecture and Landscape Architecture Advisory Committee, for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 358,782.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:
Permanent: 2
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed

by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Board of Architecture shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

_____

Senator Hopson called up the following House Amendment to **S. B. No. 3025** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Funeral Services for the purpose of defraying the expenses of said board for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 307,706.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:
AUTHORIZED HEADCOUNT:

Permanent: 2
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Funeral Services Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that

no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3026** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Board of Registered Professional Geologists for the purpose of defraying the expenses of the board, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 140,838.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 1

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed

by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Mississippi Board of Registered Professional Geologists shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF REGISTERED PROFESSIONAL GEOLOGISTS FOR FISCAL YEAR 2025.

Senator Hopson called up the following House Amendment to **S. B. No. 3027** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Massage Therapy Fund, for the purpose of defraying the expenses of the

Mississippi State Board of Massage Therapy for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 196,736.00.

SECTION 2. It is the intention of the Legislature that the Board of Massage Therapy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. The money herein appropriated shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 3027** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following House Amendment to **S. B. No. 3028** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Motor Vehicle Commission, as provided by Section 63-17-51 et seq., Mississippi Code of 1972, for the purpose of defraying the expenses of said commission, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.... $ 370,678.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 3

Time-Limited: 0

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

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

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Mississippi Motor Vehicle Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set

forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI MOTOR VEHICLE COMMISSION FOR FISCAL YEAR 2025.

Senator Hopson called up the following House Amendment to **S. B. No. 3029** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Examiners for Licensed Professional Counselors, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 377,256.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2

Time-Limited: 0

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

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

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Examiners for Licensed Professional Counselors shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. Of the funds appropriated in Section 1, One Hundred Thousand Dollars ($100,000.00) is allocated for expenses related to updating the Licensing Management System.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF EXAMINERS FOR LICENSED PROFESSIONAL COUNSELORS FOR FISCAL YEAR 2025.

Senator Hopson called up the following House Amendment to **S. B. No. 3030** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Public Accountancy, for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 731,018.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 5

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not

exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. Of the funds appropriated in Section 1, Forty-two Thousand Dollars ($42,000.00) shall only be expended for investigation, testimony, and administrative hearings related to matters under the jurisdiction of the board.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3031** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Public Contractors, for the purpose of defraying the expenses of said board, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 4,223,487.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNTS:

Permanent: 17

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Mississippi Board of Public Contractors shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. Of the funds appropriated in this act, it is the intention of the Legislature that the State Board of Contractors may expend funds not to exceed Two Million Three Hundred Thousand Dollars ($2,300,000.00) for the purpose of defraying the cost of (1) enforcement as set forth in Section 31-3-21, Mississippi Code of 1972, (2) enlisting of any private collection firm(s) to locate and collect any uncollected fines, and (3) administrative costs associated with collections. Any funds spent for this purpose shall be subject to a performance audit if requested by the Appropriations Chairmen in either the House or Senate.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3033** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Chiropractic Examiners, for the support of said board for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 134,145.00.

SECTION 2. It is the intention of the Legislature that the Chiropractic Examiners Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI STATE BOARD OF CHIROPRACTIC EXAMINERS FOR FISCAL YEAR 2025.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 3033** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following House Amendment to **S. B. No. 3034** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Dental Examiners, for the support of said board for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 1,186,918.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 8

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is

the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Mississippi Board of Dental Examiners shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. Of the funds provided under the provisions of this act, an amount not to exceed Twenty-seven Thousand Dollars ($27,000.00) shall be allocated to the Mississippi Board of Pharmacy to defray the expenses of the Mississippi Prescription Monitoring Program.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3035** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Pharmacy, for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 3,834,292.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent: 20

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the

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

Performance Measures	FY2025 Target
Licensure	
Percent of Licenses Issued within Ten Business Days	100.00
Percent of Renewals Issued within Two Business Days	100.00
Compliance	
Number of Written Complaints Received	80
Percent of Written Complaints Resolved within Six Months	100.00
Number of Investigations Conducted Due to the Diversion of Prescription Drugs, Impaired	20
Number of Investigations Conducted Due to the Pharmacists and Pharmacy Technicians	30
Recidivism Rate for Those Receiving Disciplinary Actions (% Avg of Three Years)	20.00
Prescription Monitoring Prg	
Percent of In-State Physicians Registered to PMP	100.00
Percent of Licensed APRNs Registered to PMP	100.00
Percent of Pharmacists Registered to PMP	100.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the Board of Pharmacy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. In accordance with the Pharmacy Benefit Prompt Pay Act, Sections 73-21-151 through 73-21-163, Mississippi Code of 1972, the Mississippi Board of Pharmacy may escalate the appropriate funds not to exceed Five Hundred Thousand Dollars ($500,000.00) of its budget during the fiscal year for the purposes of conducting compliance examinations and regulatory oversight as authorized by the act.

SECTION 8. In accordance with Section 73-21-127(h), Mississippi Code of 1972, the Mississippi Board of Pharmacy may accept and expend funds from any other state agency to defray the expenses of the Prescription Monitoring Program.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal

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

SECTION 10. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

_____

Senator Hopson called up the following House Amendment to **S. B. No. 3036** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Department of Agriculture and Commerce, including the Divisions of Support, Plant Industry, Farmers Central Market, Fair Commission, Livestock Coliseum, Industrial Showcase, and Trade Mart Building, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 9,188,088.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds, which are collected by or otherwise become available for the purpose of defraying the expenses of the State Department of Agriculture and Commerce, including the Divisions of Support and Plant Industry, Farmers Central Market, Fair Commission, Livestock Coliseum, Industrial Showcase, Agriculture Museum, the Fairgrounds, Dixie National Rodeo and Trade Mart Building for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 15,781,185.00.

The funds authorized for expenditure under the provisions of this section include subscription fees produced from the Market Bulletin and admission fees produced from the Mississippi Agriculture and Forestry Museum.

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

AUTHORIZED HEADCOUNT:

Permanent: 217

Time-Limited: 13

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is

the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Beaver Control Program or from any other special source funds made available to the Beaver Control Program, to the Department of Agriculture and Commerce for the support of the Beaver Control Program for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 1,100,000.00.

Of the special funds authorized in this section, Six Hundred Fifty Thousand Dollars ($650,000.00) shall be derived from funds received from the Mississippi Department of Transportation and from fees charged private persons/organizations, and Two Hundred Thousand Dollars ($200,000.00) shall be derived from funds received from the State Forestry Commission. A county in order to participate must pay up to Seven Thousand Five Hundred Dollars ($7,500.00), and if any county wishes to pay any additional funds than provided, those funds may be used only in said county.

SECTION 5. Of the funds appropriated in Section 2 of this act, the following sum, or so much thereof as may be necessary, shall be derived from the Mississippi Department of Agriculture and Commerce - Fruit and Vegetable Revolving Fund, for the purpose of defraying the expenses of the department ..... $ 600,000.00.

SECTION 6. Of the funds appropriated in Section 2 of this act, Seventy-four Thousand Eight Hundred Five Dollars ($74,805.00) shall be provided for the support of the Mississippi Egg Marketing Board.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Plant Industry	
Number of Pesticide Related Inspections	2,000
Number of Marketplace Inspections in Full Compliance	205
Number of Dealer Inspections in Full Compliance	110
Number of Agricultural and Non-Agricultural Pesticide Application Inspections in Full Compliance	1,200

Number of Agricultural and Non-Agricultural Record Inspections in Full Compliance	350
Percent of Marketplace Inspections in Full Compliance	85.00
Percent of Dealer Inspections in Full Compliance	96.00
Percent of Agricultural and Non-Agricultural Pesticide Application Inspections in Full Compliance	93.00
Percent of Agricultural and Non-Agricultural Record Inspections in Full Compliance	95.00
Museum	
Total Attendance	125,000
Number of Students in School Groups	18,000
Number of Private Revenue Generating Functions	500
Percent Change in Number of Private Revenue Generating Functions	1.00
Percent Change in Revenue from Private Functions	1.00
Percent Increase in Attendance from Prior Year	2.00
Percent Increase of School Students in Attendance from Prior Year	2.00
Revenue Generated from Functions	312,000.00
Regulatory	
Number of Retail Motor Fuel Devices Inspected	64,500
Number of Food Sanitation Inspections	4,500
Percent of Total Retail Motor Fuel Devices Inspected	100.00
Percent of Total Retail Food Sanitation Inspections	95.00
Percent of Consumer Complaints Answered within 48 Hours	99.00
Marketing	
Number of Persons Reached by Marketing Means	1,138,150
Percent Increase of Persons Reached by Marketing Means	3.00
Administration	
Maintain Administrative Cost at 18% of Total Budget	25.00
Livestock Theft	
Number of Cases Investigated	200
Number of Cases Cleared	30
Percent of Cases Prosecuted	20.00
Farmer's Market	
Number of Retail Spaces Rented (Average Per Week)	35
Amount of Revenue Generated through Rental Space Rented	45,000.00
Seed Testing Lab	
Number of Days to Run Cool Test	7
Number of Official Samples Collected	2,350
Number of Days for Germination Test (Average Depending on Type of Seed)	20
Number of Hours to Evaluate TZ Test	1

Mississippi State Fairgrounds	
Number of Event Days	520
Estimated Total Attendance	1,250,000
Egg Marketing Promotion	
Percent Increase in the Number of Eggs Purchased	2.00
Cost of Outreach in Relation to Consumers Reached. (This Number is the Percent of the Budget Dedicated to Advertising)	80.00
Percent Increase of Consumption of Eggs	2.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 8. The funds appropriated and authorized to be expended under the provisions of this act shall be expended for the purpose of defraying all expenses incurred by the State Department of Agriculture and Commerce in the operation of all programs and activities (except operation of the State Lime Plants, Veterinary Laboratory, Pink Bollworm-Plant Quarantine Inspection Stations and Fire Ant Program) authorized to be conducted and carried on by said department; including, but not limited to: the administration of the Feed, Fertilizer and Dairy Act; the Weights and Measures Act; the Meat Inspection Act of 1968; the Mississippi Pure Seed Law; and the following additional programs and activities: enforcement of the egg law; publication and distribution of the Mississippi Market Bulletin, agricultural statistics, market news service at Stoneville, Mississippi; and inspection, grading and certifying of fruits, vegetables, hay, grain, meat and meat products, milk and dairy products, pecans, seed and syrup.

SECTION 9. The Mississippi Department of Agriculture and Commerce, with the assistance of the State Department of Audit and the Department of Finance and Administration, shall establish nonbudgeted enterprise funds for all "for-profit" activities related to the Mississippi Agriculture and Forestry Museum. The funds shall be maintained in accordance with generally accepted accounting principles and regulations prescribed by the Department of Finance and Administration.

SECTION 10. Of the funds provided by the provisions of this act, it is the intent of the Legislature that not more than Thirty Thousand Dollars ($30,000.00) shall be expended for the Mississippi Senior Farmers' Market Nutrition Pilot Program, which shall be established by the State Department of Agriculture and Commerce to serve senior citizens above sixty (60) years of age who fall within one hundred thirty percent (130%) of the poverty level. The Commissioner of Agriculture may promulgate rules and regulations necessary to implement the Mississippi Senior Farmers' Market Nutrition Pilot Program.

SECTION 11. Of the funds appropriated in Section 1 of this act, Four Hundred Thousand ($400,000.00), is provided for matching funds required for the Mississippi Healthy Food and Families Program as established in Senate Bill No. 2077, 2022 Regular Session.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. It is the intention of the Legislature that the Department of Agriculture and Commerce shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 14. Of the funds appropriated in Section 2 of this act, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Agriculture and Commerce from the proceeds collected from surety bonds posted under the "Mississippi Grain Warehouse Law" as provided by Section 75-44-1 et seq., Mississippi Code of 1972 and the "Mississippi Grain Dealers Law of 1978" as provided by Section 75-45-301 et seq., Mississippi Code of 1972 for the purpose of paying claimants under such laws from the fiscal year beginning July 1, 2024, and ending
June 30, 2025 ..... $ 1,100,000.00.

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

SECTION 16. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR FISCAL YEAR 2025.

Senator Hopson called up the following House Amendment to **S. B. No. 3037** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Department of Agriculture and Commerce's special fund account to the State Department of Agriculture and Commerce for the purposes of defraying the costs of prizes, premiums, judges and other actual and necessary costs of putting on the Dixie National Livestock Show at the State Fairgrounds in Jackson, Mississippi, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 1,200,000.00.

SECTION 2. The following sums, or so much thereof as may be necessary, are appropriated out of any money in the State General Fund, not otherwise appropriated, to the State Department of Agriculture and Commerce as follows:

(a) For the support of annual roundup shows for junior exhibitors of junior steers, junior breeding cattle, beef cattle, dairy cattle, hogs, sheep and goats, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 54,066.00.

(b) To supplement the funds paid by the State Department of Agriculture and Commerce for livestock premiums at the State Fair, all livestock premiums to be paid on the American system of judging (1st, 2nd, 3rd, 4th, etc.) on all classes entered in the senior division for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 18,565.00.

(c) For the county livestock shows in offering and paying prizes or awards to competitors in the approved county livestock shows of Mississippi, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 12,644.00.

Provided, however, that of the amount herein appropriated in paragraph (c) of this section, not more than One Thousand Dollars ($1,000.00) shall be expended or used in any one (1) county of the state during each fiscal year. Provided, further, that none of the monies herein appropriated in paragraph (c) of this section shall be used in offering

or paying prizes or awards for any livestock show that is not held where there are adequate barns, pens and other facilities available for such a show.

Provided, further, in paragraph (c) of this section that the management of such shows shall be in the hands of a county livestock association, and such association shall guarantee a minimum amount of Five Hundred Dollars ($500.00) to be used in the paying of prizes, premiums or awards, and after said county show has been held and premiums paid, fifty percent (50%) of the amount, not exceeding One Thousand Dollars ($1,000.00), shall be paid upon requisition to the State Department of Agriculture and Commerce.

Provided, further, in paragraph (c) of this section that in any county which has two (2) shows with proper facilities, and a contiguous county has no such fair and desires to participate in a fair to be held in an adjoining county, each of the two (2) fairs in one (1) county may receive an equal proportion of the funds hereby appropriated, provided, both shows shall not receive an aggregate sum of more than One Thousand Dollars ($1,000.00).

(d) For the purpose of offering awards and prizes to competitors in the five (5) district livestock shows, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 54,585.00.

(e) For the purpose of offering awards and prizes to competitors in the five (5) state dairy shows as provided in Section 69-5-101 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 7,066.00.

Provided, further, that no part of the money herein appropriated under the provisions of paragraphs (d) and (e) of this section shall be used for any other purpose than to pay premium awards at said shows and state shows and expositions receiving legislative appropriation shall not conflict in dates in order that livestock exhibitors may make the circuit of shows. Provided, further, that none of the above-mentioned funds shall be paid to any district shows unless shows are held prior to roundup.

Not less than seventy-five percent (75%) of the funds herein appropriated under the provisions of paragraphs (d) and (e) of this section shall be used in awarding prizes or premiums to 4-H Club members and Smith-Hughes School members and other boys and girls having entries in said shows.

All funds herein appropriated under the provisions of paragraphs (d) and (e) of this section for the five (5) district livestock shows and the five (5) fall state dairy shows shall be distributed in such manner that the livestock exhibitors will each draw equal premium awards for comparable grades and placings at each of the said five (5) district spring shows and the five (5) fall state shows. The management of each district spring show and each state fall show shall submit to the State Department of Agriculture and Commerce, within fifteen (15) days after the close of each said show, a full report on the number of exhibitors at each said show, with the grades and placings of the different classes of livestock exhibited.

The State Commissioner of Agriculture and Commerce, together with a committee of three (3) to be named by the President of the Mississippi Livestock Council from that organization, shall summarize and prepare a unified list of awards for like classes in all spring district livestock shows and fall state dairy shows receiving state premium money, as authorized in paragraphs (d) and (e) of this section. The State Commissioner of Agriculture and Commerce shall approve and present a requisition to the State Fiscal Officer for the payment of the amount of funds in paragraphs (d) and (e) of this section due each show and said State Fiscal Officer shall issue his warrant thereon, and it shall be paid by the State Treasurer.

Provided, however, as a condition of expenditure of the funds appropriated in paragraphs (d) and (e) of this section, that the board of directors of any district livestock show may, in its discretion, choose to hold its show in the fall instead of the spring. If district shows are held in both spring and fall, then all funds herein appropriated for the five (5) district livestock shows shall be distributed in such a manner that the spring livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district spring show, and the fall livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district fall show.

(f) For promotion and expenses of the winners of the Mississippi High School Rodeo for attending the national finals, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 11,884.00.

(g) For promotion and expenses of the winners of the Mississippi Junior High School Rodeo for attending the national finals, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 10,000.00.

(h) For the support of the Southern Cutting Futurity Championship, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 42,730.00.

SECTION 3. Of the funds in Section 2 of this act, any funds that are remaining at the end of the fiscal year may be transferred between the different show awards and prize monies, with the exception that no county show in Section 2(c) of this act shall receive more than One Thousand Dollars ($1,000.00).

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

_____

Senator Hopson called up the following House Amendment to **S. B. No. 3038** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Board of Animal Health for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 1,646,814.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Board of Animal Health, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 1,236,452.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 23

Time-Limited: 5

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be

approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. It is the intention of the Legislature that the Mississippi Board of Animal Health shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. The Mississippi Board of Animal Health is authorized to accept and expend any grant, donation, or contribution from any individual, public or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations, contributions, and any carryover funds shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed Five Hundred Thousand Dollars ($500,000.00).

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their

appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. Of the funds in Section 2 of this act, Two Hundred Fifty Thousand Dollars ($250,000.00) is provided from the Animal Health Disaster Response Fund. These funds are provided for expenses incurred by the Board of Animal Health in responding to animal disease outbreaks as outlined in Section 69-15-21, Mississippi Code of 1972.

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

SECTION 10. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3040** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Emergency Management Agency in accordance with the provisions of Section 33-15-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 5,189,615.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Emergency Management Agency which is comprised of special source funds collected by or otherwise available to the agency, for the support and maintenance of the agency for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 20,895,255.00.

SECTION 3. Of the funds appropriated in Sections 1 and 2 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 108

Time-Limited: 68

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary

adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Emergency Management Agency for the purpose of defraying certain administrative expenses and the state share of the cost of disaster assistance programs, including, but not being limited to, public assistance programs, individual and family grant programs, and mitigation programs, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 585,056.00.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Emergency Management Agency Fund Nos. 33703, 3725, 3728, 372U, 3729, 37AH, 53730, 6820174300, and 58202 for the purpose of defraying certain administrative expenses and the state and federal share of the cost of disaster assistance programs, including, but not being limited to, public assistance programs, individual and family grant programs, and mitigation programs, for the fiscal year beginning July 1, 2024, and ending
June 30, 2025 ..... $ 456,588,556.00.

SECTION 6. The funds appropriated under the provisions of Sections 4 and 5 of this act are provided to defray certain administrative expenses and the state and federal share of the cost of disaster assistance programs, including public assistance programs, individual and family grant programs, and mitigation programs resulting from, but not being limited to, the following:

1604	Hurricane Katrina
4175	Severe Storms, Tornadoes, Flooding - Cities of Louisville & Tupelo
-	Hazard Mitigation
-	Other Needs Assistance
-	Mississippi Temporary Housing Program
-	Pre-Disaster Response
-	Emergency Preparedness Programs
4429	Feb 22-March 29, 2019 Flooding
4450	Severe Weather April 13, 2019

4470 Severe Weather October 26, 2019
4478 Severe Weather January 10-11, 2020
4528 Coronavirus Pandemic
4536 Severe Weather April 12, 2020 Easter Tornadoes
4538 Flooding Feb 10-18, 2020 (Pearl River Flood)
4248 Severe Storms, Tornadoes, Flooding - North Mississippi/Holly Springs
4268 Delta Flooding
4295 Pine Belt Tornado/Flooding
4314 Severe Storms, Flooding in Adams, Calhoun, Carroll, Claiborne, Holmes, Jefferson, Montgomery, Webster & Yazoo Counties
4350 Hurricane Nate
4415 Severe Storms, Flooding & Tornado in Clarke, Covington, Forrest, Greene, Jasper, Jones, Marion, Newton, Perry & Wayne Counties
4551 Severe Weather April 22-23, 2020
3544 Hurricane Sally
3548 Hurricane Delta
4576 Hurricane Zeta
4598 2021 Winter Storm
3582 Water Crisis EM Dec.
4697 Severe Weather March 24-25, 2023

SECTION 7. None of the funds appropriated in Section 4 of this act shall be used to establish a special reserve fund in the State Treasury for disaster relief except as provided for in Section 33-15-307, Mississippi Code of 1972.

SECTION 8. It is the intention of the Legislature that the Director of the Mississippi Emergency Management Agency may, upon the request of a local public emergency management organization in an area which has suffered a natural disaster, supply equipment to rural water associations to enable their continued operation when the local emergency management organization determines that such private entities provide services essential to the welfare of the community.

SECTION 9. It is the intention of the Legislature that the Director of the Mississippi Emergency Management Agency shall provide enhanced training to local governments, supervisors, mayors, civil defense groups and municipal associations in disaster management.

SECTION 10. It is the intention of the Legislature that the Mississippi Emergency Management Agency shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 11. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Emergency Mgmt Preparedness	
Percent of the Affected Population Informed	100.00
Average Time to Deliver Goods & Services	48
Recovery	
Number of Ongoing Projects	22
Number of Meetings Conducted	6,000
Average Cost per Project	20,000,000.00
Percent of Recovery Objectives Complete	100.00

Mitigation

Number of Workshops Conducted	14
Number of Ongoing Projects	15
Average Cost per Project	100,000.00
Percent Reduction in Damage Due to Natural and Man-Made Incidents	5.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 12. It is the intention of the Legislature that the Executive Director of the Mississippi Emergency Management Agency shall have authority to transfer not more than Five Hundred Thousand Dollars ($500,000.00) from any general or special fund treasury fund and major object budget category to another special or general fund treasury fund and major object budget category accordingly under the control of the Mississippi Emergency Management Agency. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Mississippi Emergency Management Agency shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 13. It is the intention of the Legislature that the Mississippi Emergency Management Agency shall submit a notification and summary of all state support funding on all disasters that require general funds or state support special funds to the Legislative Budget Office.

SECTION 14. It is the intention of the Legislature that from any funds appropriated in this act, the agency shall maintain a minimum of nine (9) Area Coordinators to provide daily assistance to local jurisdictions with emergency management activities as well as to provide quicker response to incidents and/or disasters. In addition, it is the intent of the Legislature that these Area Coordinators shall reside in or within fifty (50) miles of their assigned districts.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. With funds appropriated herein, the Mississippi Emergency Management Agency is authorized to make reimbursement payments directly to individual Mississippi citizens who have been or will be approved to participate in the Federal Emergency Management Agency's Safe Room Grant Program. All funds paid by the Mississippi Emergency Management Agency under this program will be reimbursed to the Agency by the Federal Emergency Management Agency.

SECTION 17. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the Mississippi Emergency Management Agency for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of defraying the expenses for vehicle purchases, as authorized in Senate Bill No. 3016, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025. ..... $ 78,238.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 18. With the funds appropriated herein, the Mississippi Emergency Management Agency is authorized to make payment for expenses incurred during Fiscal Year 2021 to Innovative Emergency Management, Inc. in an amount not to exceed Fifty-seven Thousand Six Hundred Ninety-nine Dollars and Thirteen Cents ($57,699.13).

SECTION 19. The expenditure of the funds appropriated by this act shall be under the direction of the Governor and shall be paid by the State Treasurer out of any

money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 20. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 30, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3041** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated for the purpose of defraying the expenses of the Mississippi Gaming Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 8,915,215.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Gaming Commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 1,626,774.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 118

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed

by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. Of the funds appropriated in Section 2 of this act, a portion shall be derived from the amount of forfeited property that is seized by the Gaming Commission, which shall be deposited into a special fund created by the Department of Finance and Administration and may be expended by the commission for the specific purpose of increasing law enforcement resources as outlined in Section 41-29-185, Mississippi Code 1972.

SECTION 5. Of the funds appropriated in Section 2 of this act, a portion shall be derived from the amount that is received by the Gaming Commission under the Gaming Control Act, which shall be deposited into a special fund created by the Department of Finance and Administration and may be expended by the commission for the purpose of investigating, permitting, interagency fees, and providing fingerprint analysis by the Department of Public Safety.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the Gaming Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Riverboat Gaming	
Annual State Riverboat Gaming Revenues (Billions)	2.00
Number of Casinos Regulated	26
Average Cost per Employee to Total State Riverboat Gaming Revenues	18,476,000.00
Charitable Bingo	
Number of Bingo Applications Received	30
Number of Bingo Halls Regulated	50
Average Cost per Employee to Total State Charitable Bingo Revenues	4,676,905.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Seventy-five Thousand Dollars ($75,000.00) is authorized to be transferred to the nonprofit organization, Mississippi Council on Compulsive Gambling, which provides crisis intervention and support services.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI GAMING COMMISSION FOR FISCAL YEAR 2025.

_____

Senator Hopson called up the following House Amendment to **S. B. No. 3042** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated for the purpose of defraying the expenses of the Mississippi Department of Information Technology Services, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 26,042,183.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Information Technology Services which are collected by or otherwise become available for the purpose of defraying expenses of the Mississippi Department of Information Technology Services as established in Section 27-104-203, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 21,487,878.00.

The funds in this section are provided to defray the costs incurred by the Department of Information Technology Services for providing telecommunication services, data center services, and/or other information technology services to state agencies.

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

AUTHORIZED HEADCOUNT:

Permanent: 125

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed

Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that the Executive Director of Information Technology Services (ITS) shall have authority to transfer an amount not to exceed Seven Hundred Fifty Thousand Dollars ($750,000.00) to the ITS Revolving Fund (3360900000). The purpose of this authority is to provide operating cash to alleviate cash flow problems in the ITS Revolving Fund. Any funds transferred during the fiscal year shall be transferred back to the State General Fund before the end of the lapse period for the fiscal year.

SECTION 5. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for the purpose of defraying the expenses of the Wireless Communication Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 11,051,853.00.

The Wireless Communication Commission shall follow all state procurement and bid laws for all contracts and consultants.

SECTION 6. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 10

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 7. It is the intention of the Legislature that none of the funds appropriated under the provisions of this act for the Wireless Communication Commission (WCC) shall be expended for the purpose of making a payment of any kind or for any purpose, directly or indirectly, to a member of the State of Mississippi Legislature, state official, WCC member, or person who has been a member of the WCC within the last year.

SECTION 8. It is the intention of the Legislature that the Department of Information Technology Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and

whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Wireless Communication Commission for the purpose of reauthorizing the expenditure of Capital Expense Fund, as appropriated in SB 3045, 2023 Regular Session, for the statewide refurbishment of the Mississippi Wireless Information Network (MSWIN) system for the fiscal year beginning July 1, 2024, and ending
June 30, 2025 ..... $ 8,638,705.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

_____

Senator Hopson called up the following House Amendment to **S. B. No. 3043** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the State Personnel Board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 4,917,078.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 43

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative

Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. None of the funds appropriated under the provisions of Section 1 of this act may be expended until the State Personnel Board, based on data provided by the Legislative Budget Office, determines and publishes the projected annual cost to fully fund all appropriated positions for all agencies with compliance language in their appropriation bills.

SECTION 4. It is the intention of the Legislature that the State Personnel Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer, and the State Fiscal

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

SECTION 8. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

_____

Senator Hopson called up the following House Amendment to **S. B. No. 3044** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the general expenses of the operation of the Mississippi National Guard for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 8,601,185.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated to the Mississippi National Guard, out of any money in the State Treasury to the credit of the Camp Shelby Timber Fund No. 3700, as created by Chapter 187, Laws of 1954, as amended; the Army National Guard Programs Fund No. 3701; the Camp Shelby Base Operations Fund No. 3705; and the Air National Guard Programs Fund No. 3709, for the purpose of carrying out the provisions of applicable statutes and federal/state agreements for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 150,970,727.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 775

Time-Limited: 24

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

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

SECTION 4. Of the funds appropriated under the provisions of Section 2 of this act, funds in the amount of Two Million Three Hundred Fifty Thousand Dollars ($2,350,000.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the purpose of defraying the expenses of the State Education Assistance Program.

SECTION 5. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. All funds authorized to be expended herein shall be expended and otherwise accounted for in accordance with the provisions of Section 27-104-1 et seq., Mississippi Code of 1972. If not needed for other purposes, the Adjutant General is hereby expressly authorized to invest any part of or all monies herein appropriated out of the Camp Shelby Timber Fund at the highest rate of interest obtainable and credit interest accruing on such investments to the respective fund. Such monies may be invested in any short-term bonds, notes or other direct obligations of the United States of America or the State of Mississippi or any county or municipality of this state, which said county or municipal bonds have been approved by a reputable bonds attorney or have been validated by a decree of the court, and in any event the said bonds, notes or obligations in which such funds are invested shall mature or be redeemable prior to the time the funds so invested will be needed for the refund or refunds herein provided for.

SECTION 7. Of the funds appropriated in Section 1 of this act, One Million Nine Hundred Twenty-eight Thousand Seventy-five Dollars ($1,928,075.00) shall be provided for the support of the Youth Challenge Program at Camp Shelby.

SECTION 8. Of the funds provided under the provisions of this act, Six Hundred Forty-four Thousand Eight Hundred Fifty-two Dollars ($644,852.00) is provided for the Armed Forces Military Museum located at Camp Shelby.

SECTION 9. Of the funds appropriated to be expended in this act, no General Funds shall be used to reimburse members and personnel of the Mississippi National Guard for the costs associated with attending authorized training. Any expenditure of funds for the purpose of compensation of such personnel and members for per diems and travel expenses shall be expended from any federal funds which are made available to the Mississippi National Guard for ancillary purposes.

SECTION 10. Of the funds provided under the provisions of this act, an amount not to exceed Three Hundred Thousand Dollars ($300,000.00) is provided for the Sonny Montgomery Center for America's Veterans at Mississippi State University.

SECTION 11. Of the funds provided in Sections 1 and 2 of this act, Ten Thousand Dollars ($10,000.00) is provided for the purchase of uniforms for the Youth Challenge Program staff.

SECTION 12. The Adjutant General of Mississippi is hereby authorized to transfer any part of appropriated funds, including general funds or capital expense funds, to special funds within the Mississippi Military Department, to facilitate federal grant matching requirements. Prior written notification of transfer shall be provided to the Legislative Budget Office and the Department of Finance and Administration. The Military Department shall provide an annual report of all transfers to the Chairmen of the Appropriations Committees and the Legislative Budget Office by October 1 each year, summarizing the status of projects funded by transfers to special funds over the prior fiscal year.

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

SECTION 14. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

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

SECTION 16. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR 2025.

Senator Hopson called up the following House Amendment to **S. B. No. 3045** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses and paying salaries of the State Veterans Affairs Board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 5,495,804.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Veterans Affairs Board which is comprised of special source funds collected by or otherwise available to the board, for the support and maintenance of said board for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 3,163,940.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 of this act and authorized for expenditure under the provisions of Section 2 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 38

Time-Limited: 26

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the operating expenses and paying salaries of the Mississippi State Veterans Homes as established in Section 35-1-19 for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ... $ 6,000,000.00.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Veterans Affairs Board, which is comprised of special source funds collected by or otherwise available to the board, for the purpose of defraying the expenses and paying salaries of the Mississippi State Veterans Homes as established in Section 35-1-19 for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 56,664,547.00.

SECTION 6. Of the funds appropriated under the provisions of Section 4 of this act and authorized for expenditure under the provision of Section 5 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 308

Time Limited: 389

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

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

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

SECTION 7. It is the intention of the Legislature that the Executive Director of the State Veterans Affairs Board has the authority to transfer spending authority between and within the budgets of the State Veterans Affairs Board and the Mississippi State Veterans Homes, in an amount not to exceed twenty-five percent (25%) of the authorized budgets in the aggregate. The purpose of this authority is to use available cash reserves more efficiently. It is further the intention of the Legislature that the State Veterans Affairs Board shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 8. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, funds in the amount of Two Hundred Fifty Thousand Dollars ($250,000.00) are provided to defray the cost of providing care to indigent/low-income Mississippi veterans and the nonveteran surviving spouses of Mississippi veterans if the surviving spouse was a resident of a state veterans home at the time of the veteran's death and who, subsequent to the veteran's death, meets the indigent/low-income criteria established by the State Veterans Affairs Board in the state veterans homes. It is the intention of the Legislature that the provision pertaining to use of indigent/low-income surviving spouses be retroactive for any such period, prior to the effective date of this act, that a current surviving spouse may have met the criteria. This section and its provisions shall be known and cited as the "Hilton R. 'Jack' Vance Act of 1997."

SECTION 9. The State Veterans Affairs Board shall have continued authority for all actions related to the planning, development, construction, and outfitting of the Mississippi Veterans Memorial Cemeteries, pursuant to Section 35-1-41.

SECTION 10. It is the intention of the Legislature that the State Veterans Affairs Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the budget request for Fiscal Year

2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 11. It is the intention of the Legislature that the State Veterans Affairs Board and the Mississippi State Veterans Homes are hereby authorized to escalate, budget and expend funds from fund number 3373200000, in an amount not to exceed Five Million Dollars ($5,000,000.00), for the purpose of operating the state veterans homes as authorized by law, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Mississippi State Veterans Affairs Board for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 3018, 2023 Regular Session, to defray operational expenses related to stand-up operating costs at the Tradition State Veterans Home for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 3,200,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 14. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 15. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3046** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, for the purpose of paying salaries and defraying the expenses of the State Department of Audit in making the audits and investigations of public offices of the state and counties as provided by Section 7-7-201 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 8,952,847.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any special funds in the State Treasury to the credit of the State Department of Audit's special fund account for the purpose of paying salaries and defraying the expenses of the State Department of Audit in making the audits and investigations of public offices of the state and counties as provided by Section 7-7-201 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 4,881,580.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 148

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Finance & Compliance	
County Government Audits- Percent Audited by CPA Firms	65.00
County Government Audits- Percent Audited by OSA	35.00

Single Audit Federal Program Coverage - Percent Audited by CPA Firms	35.00
Single Audit Federal Program Coverage - Percent Audited by OSA	65.00
ACFR Opinion Units - Percent General Fund Assets	75.00
ACFR Opinion Units - Percent General Fund Reserves	75.00
Technical Assistance	
Number of Technical Assistance Inquiries	6,400
Cost per Technical Assistance Inquiry	15.00
Percent Customer Satisfaction Rating of 70% or Higher	75.00
Investigations	
Recovered Embezzled and/or Misspent Funds as a Result of Investigations Conducted by this Office	600,000.00
Recovered Funds as a Percent of Total Misspent Funds	18.00
Performance Audits	
Number of Performance Audit Reports Completed	10
Number of Positive Changes Recommended in Performance Audits or Bond Monitoring Reports	25

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 2 of this act, it is the intention of the Legislature that Thirty Thousand Dollars ($30,000.00) is provided for the purpose of paying fees for a CPA Review Course for the Office of the State Auditor's employees to be reimbursed over a 12-month period by the employee taking the course.

SECTION 7. It is the intention of the Legislature that the State Auditor is hereby authorized to escalate, budget and expend funds from any source made available to comply with the Single Audit Act of 1984 for the purpose of employing staff, paying related expenses, or to engage private accountants, as necessary, to comply with the provisions of the act, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 8. No more than One Million Dollars ($1,000,000.00) may be provided to defray expenses incurred by the Office of the State Auditor pursuant to the rules and regulations of the United States Department of Justice Federal Equitable Sharing Program. These funds may only be used for nonbudgeted law enforcement purposes by the Office of the State Auditor.

SECTION 9. It is the intention of the Legislature that the State Department of Audit shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 10. Of the funds appropriated in Section 2 of this act, it is the intention of the Legislature that Two Hundred Thousand Dollars ($200,000.00) is provided for the

purpose of the Accountancy Fellowship Program as provided by Section 7-7-204, et seq., Mississippi Code of 1972.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3047** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Revenue, including the Homestead Exemption Division, the Motor Vehicle Comptroller functions, the Alcoholic Beverage Control Division Liquor Distribution Center, and The Enforcement Division for the fiscal year beginning July 1, 2024, and ending June 30, 2025

$ 53,990,195.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Revenue which are collected by or otherwise become available for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 22,259,786.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 613

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is

the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. It shall be the duty of the Commissioner of the Mississippi Department of Revenue, and he is hereby empowered to select in the manner provided by Section 27-3-13, Mississippi Code of 1972, such employees as may be necessary to the administration of all acts relating to the exemption of homesteads and the reimbursement of tax losses to the several taxing units of the state, and to assign them to the use of the Mississippi Department of Revenue.

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

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Tax Administration	
Cost per Unit of Work (Item/Case/Call)	12.67
Cost per Call Center Call Answered	3.87
Audit	
Cost per Audit	932.14
Tax Production per Audit	5,909.09
Tax Enforcement	
Cost per Dollar Collected in Recovery Actions	0.06
General Administration	
Average Cost per Return Processed	4.95

ROI - Revenue Collected per Dollar of Expense	150.25
Property & Motor Vehicle Services	
Cost per Homestead Exemption Application	3.60
Cost per Title Issued	2.79
Abc Liquor Distribution Center	
Cost per Case Shipped	2.48
ROI - GF Dollars Returned per Dollar of Cost	11.32
Enforcement	
Number of Permits-Alcohol	2,400
Number of Permits-Medical Cannabis	130
Number of Violations-Medical Cannabis	20
Average Number of Days to Issue Permit-Alcohol	23
Average Number of Days to Issue Permit-Medical Cannabis	25
Enforcement and Permitting Cost-Alcohol	1,387.70
Enforcement and Permitting Cost-Medical Cannabis	4,388.44
Percent Of Medical Cannabis Permits Receiving Administrative Action	5.00
Percent of Medical Cannabis Permits Receiving Criminal Action	10.00
Percent of Medical Cannabis Permits Inspected	100.00
Percent of Permit Applications Approved-Medical Cannabis	90.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Department of Revenue for the purpose of reimbursing the counties of the state, the road districts and school districts therein and the municipal separate school districts, for tax losses incurred by reason of the exemption of homes from certain ad valorem taxes under the provisions of Section 27-33-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 92,000,000.00.

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

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

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

SECTION 9. None of the funds appropriated under the provisions of Section 7 of this act may be distributed to any county, municipality, school district or other taxing district in which the assessed valuation of the taxing district has increased as a result of reappraisal of the property of the taxing district unless the governing board of the taxing district has published a notice in a newspaper having a general circulation in the taxing

district, stating the lower millage rate that would produce the same amount of revenue from ad valorem taxation on property of the taxing district that was produced in the fiscal year before the property of the taxing district was reappraised.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Department of Revenue – License Tag Commission from any other special source funds made available to the License Tag Commission, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 6,000,000.00.

SECTION 11. None of the funds appropriated in Section 10 of this act shall be expended to purchase motor vehicle license tags made or manufactured by any department, agency or instrumentality of a state other than the State of Mississippi. None of the funds appropriated in this section shall be used for the purchase of bolts, nuts or other fastening devices for attaching said motor vehicle license tags. Provided further, that all motor vehicles belonging to any state department, agency, commission, institution or any other division of state government shall have license tags which shall bear the words "Government" at the bottom of such license tags.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. It is the intention of the Legislature that the Mississippi Department of Revenue shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 14. Of the funds appropriated in this act, it is the intention of the Legislature that up to Eight Hundred Eleven Thousand Seven Hundred Forty Dollars ($811,740.00) shall be allocated as follows: to the Municipal Court Collections Program Four Hundred Five Thousand Eight Hundred Seventy Dollars ($405,870.00) and to the Justice Court Collections Program Four Hundred Five Thousand Eight Hundred Seventy Dollars ($405,870.00) to be supported from General Fund court assessments.

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

SECTION 16. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Revenue for the purpose of reauthorizing the expenditure of Capital Expense Funds, to defray the expenses of the Department of Revenue, as authorized in SB 3022, 2023 Regular Session for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 3,239,000.00.

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

(a) IT infrastructure, facility repairs, and equipment upgrades..... $ 829,000.00.

(b) Mississippi Medical Cannabis Act operational expenses..... $ 380,000.00.

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

$ 930,000.00.

(d) Computer hardware and equipment..... $ 1,100,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 17. With the funds herein appropriated, the Mississippi Department of Revenue is authorized to make payments for expenses incurred during prior fiscal years for an amount not to exceed Eight Hundred Fifty-five Dollars and Sixty Cents ($855.60).

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

SECTION 19. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF REVENUE, INCLUDING THE HOMESTEAD EXEMPTION DIVISION, THE MOTOR VEHICLE COMPTROLLER FUNCTIONS, THE ALCOHOLIC BEVERAGE CONTROL DIVISION LIQUOR DISTRIBUTION CENTER, THE ENFORCEMENT DIVISION, AND FOR THE PURPOSE OF REIMBURSING THE COUNTIES, COUNTY DISTRICTS AND MUNICIPAL SEPARATE SCHOOL DISTRICTS FOR TAX LOSSES INCURRED BY REASON OF THE EXEMPTION OF HOMES FROM CERTAIN AD VALOREM TAXES, AND FOR THE PURPOSE OF PURCHASING MOTOR VEHICLE LICENSE TAGS FOR FISCAL YEAR 2025.

_____

Senator Hopson called up the following House Amendment to **S. B. No. 3048** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Secretary of State for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 12,844,299.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Secretary of State for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 17,420,640.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 88

Time-Limited: 12

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

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

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. It is the intention of the Legislature that the Office of the Secretary of State shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Office of the Secretary of State that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 6. No part of the funds appropriated herein shall be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy, or other person who may be related by blood or marriage within the third degree, computed by the rules of the civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney

General; provided that when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 7. Of the funds appropriated in Section 1 of this act, the Secretary of State may use funds appropriated for the purposes of defraying litigation expenses associated with the enforcement of the Mississippi Securities Act, the Regulation of Charitable Solicitations Act, and the administration of the Public Trust.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Business Services	
Percent of Business Services Customer Phone Calls Answered	95.00
Elections	
Number of Poll Workers to Successfully Complete the Online Training Program	82
Number of Voter Registrations Updated on Secure Online Website	1,433
Percent of Poll Workers who Successfully Complete the Online Poll Manager Training on Their First Attempt	60.00
Publications	
Number of Visits to the Secretary of State's Website	9,000,000
Public Lands	
Number of Tax-Forfeited Properties Sold	2,000
Support Services	
Support Services as a Percent of Total Agency Expenditures	16.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 9. Of the funds appropriated in Section 1 of this act, no more than Five Hundred Thousand Dollars ($500,000.00) is provided for paying principal and interest on bond issues for county voting systems.

SECTION 10. Of the funds appropriated in Section 2 of this act, One Million Seven Hundred Fifty Thousand Dollars ($1,750,000.00), or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Land Records Maintenance Fund, for the purpose of making distributions to local governments for taxes owed during the fiscal year.

SECTION 11. Of the funds appropriated in Section 2 of this act, Four Million Two Hundred Fifteen Thousand Three Hundred Ninety-three Dollars ($4,215,393.00), or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Elections Support Fund, for the purpose of acquiring, upgrading, maintaining, or repairing voting equipment, systems, and supplies, hiring temporary technical support, conducting elections using such voting equipment or systems and training election officials during the fiscal year.

SECTION 12. Of the funds appropriated in Section 2 of this act, Eleven Million Dollars ($11,000,000.00), or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Public Trust Tidelands Fund, and is authorized to be transferred by the Secretary of State to the Mississippi Department of Marine Resources.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. Of the funds appropriated in Section 1 of this act, One Million Dollars ($1,000,000.00) is for the purpose of expenses related to cybersecurity and election integrity.

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

SECTION 16. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

_____

Senator Hopson called up the following House Amendment to **S. B. No. 3049** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Board of Tax Appeals for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 649,191.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:
Permanent: 6
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost

for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Board of Tax Appeals shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 30, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3050** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses incurred by the Mississippi Workers' Compensation Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 6,007,624.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Second

Injury Fund (Fund Number 3352300000) for the purpose of making payments under the provisions of Section 71-3-73, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 50,000.00.

SECTION 3. With the funds appropriated in Section 1 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:
Permanent: 55
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. It is the intention of the Legislature that the Mississippi Workers' Compensation Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It is the intention of the Legislature that with the funds appropriated in Section 1 of this act, the Mississippi Workers' Compensation Commission shall enter into a contract with the industrial private sector for the purpose of implementing a safety education and training program.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Adjudication	
Number of Cases Resolved at the Administrative or Commission Level within 3 Months	900
Number of Cases Resolved at the Administrative or Commission Level within 6 Months	950
Number of Cases Resolved at the Administrative or Commission Level within 9 Months	900
Number of Cases Resolved at the Administrative or Commission Level within 1 Year	900
Self-insurance	
Percent of Individual Self-Insurers Reviewed in the Past Fiscal Year	34.00
Percent of Individual Self-Insurer Reviews Conducted in the Past Fiscal Year Showing That Reserves are Insufficient to Cover Claims	5.00
Percent of Self-Insurance Groups Reviewed	100.00
Percent of Self-Insurance Group Reviews Conducted Showing That Reserves are Insufficient to Cover Claims	0.00
Medical Cost Containment	
Fee Schedule Adjustments (Cost in Millions)	35.00
Medical Cost Savings to Payers (as a % of Total Billings)	46.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

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

SECTION 8. It is the intention of the Legislature that the salary of the Workers' Compensation Commission members shall be equal and the salary of the commission chairman shall exceed these salaries as approved by the State Personnel Board.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the

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

SECTION 11. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3051** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Treasurer's office which are collected by or otherwise become available, to defray the expenses of the Office of the State Treasurer for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 6,189,245.00.

SECTION 2. Of the funds appropriated in Section 1 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 36

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for

salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

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

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

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Education Improvement Trust Fund No. 3219 for the purpose of investing funds for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 150,000.00.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Prepaid Affordable College Tuition Trust Fund for the purpose of paying all amounts due for prepaid tuition contracts of the Mississippi Prepaid Affordable College Tuition Program, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 35,000,000.00.

It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend an amount not to exceed One Million Dollars ($1,000,000.00) from any funds authorized for the Mississippi Prepaid Affordable College Tuition Program, for paying amounts due for prepaid tuition contracts of the Mississippi Prepaid Affordable College Tuition Program. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 5. No part of the funds appropriated herein shall be used in the payment of attorney's fees, nor shall any of said funds be used either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of the civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; provided that when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 6. It is the intention of the Legislature that the Office of the State Treasurer shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

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

SECTION 8. Of the funds appropriated to the State Treasury under the provisions of Section 1 of this act, the following amounts shall be available for expenditure in the following program budgets:

(a) Mississippi Prepaid Affordable College Tuition program ..... $ 1,854,655.00.

(b) Mississippi Affordable College Savings program..... $ 177,860.00.

(c) Treasury Office - Support programs..... $ 4,156,730.00.

Further, no funds to the credit of the Mississippi Prepaid Affordable College Tuition Administrative Fund shall be expended for purposes related to any program other than the Mississippi Prepaid Affordable College Tuition program.

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

SECTION 10. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

_____

Senator Hopson called up the following House Amendment to **S. B. No. 3052** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying service charges to banks for acting as agents of the State of Mississippi in paying bonds and interest on the full faith and credit bonds of the state, this appropriation to be available from the effective date of this act until such bonds shall be paid or until June 30, 2025, whichever shall first occur; and for the purpose of paying maturing bonds and interest on the full faith and credit bonds of the State of Mississippi falling due during Fiscal Year 2025..... $ 418,541,895.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury which is comprised of special source funds and interest earnings on bond proceeds for the purpose of paying maturing bonds and interest on the full faith and credit bonds of the State of Mississippi falling due during Fiscal Year 2025.....
$ 22,897,586.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is hereby authorized to expend any money in the State Treasury which is comprised of special source funds and interest earnings on bond proceeds for the purpose of paying maturing bonds and interest on the revenue bonds of the State of Mississippi falling due during Fiscal Year 2025..... $ 35,558,350.00.

SECTION 4. The several items covering maturing bonds and interest as evidenced by coupons on the bonds shall be paid out of the State Treasury as and when provided by law and according to the schedule of interest payments in the several issues of full faith and credit bonds or revenue bonds on which principal and interest is due and payable between the dates of July 1, 2024, and June 30, 2025.

SECTION 5. It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend any excess funds which become available from interest earnings on bond proceeds or from loan repayments received pursuant to bond documents. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 6. Of the funds appropriated in Section 1 of this act hereof, the sum of Five Hundred Thousand Dollars ($500,000.00), or so much thereof as may be necessary, is herein appropriated for paying bank service charges. Itemized statements of banks making service charges shall be attached to requisitions of the State Treasurer.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set

forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF SERVICE CHARGES TO BANKS FOR ACTING AS AGENTS OF THE STATE IN PAYING FULL FAITH AND CREDIT BONDS AND INTEREST OF THE STATE OF MISSISSIPPI, FROM THE EFFECTIVE DATE OF THIS ACT UNTIL SUCH BONDS SHALL BE PAID OR UNTIL JUNE 30, 2025, WHICHEVER SHALL FIRST OCCUR; AND FOR THE PAYMENT OF MATURING BONDS AND INTEREST ON THE FULL FAITH AND CREDIT BONDS OF THE STATE OF MISSISSIPPI FALLING DUE DURING FISCAL YEAR 2025.

_____

Senator Hopson called up the following House Amendment to **S. B. No. 3053** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Department of Banking and Consumer Finance, for the support of the State Department of Banking and Consumer Finance, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 11,810,056.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 78

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Department of Banking and Consumer Finance shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3054** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise

appropriated, to defray the expenses of the Department of Finance and Administration for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 38,038,291.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Department of Finance and Administration for the purpose of defraying the expenses incurred in the operation of the various offices of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 37,762,903.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 319

Time-Limited: 2

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Tort Claims Trust Fund not otherwise appropriated, for the purpose of defraying the

expenses of the Tort Claims Board in the administration of the Tort Claims Act for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 6,482,379.00.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 6

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Commission on the Status of Women for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 44,125.00.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Commission on the Status of Women for

the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 3,135.00.

This appropriation is made for the purpose of providing funds to defray the expense of the Mississippi Commission on the Status of Women as established pursuant to Sections 43-59-1 through 43-59-14, Mississippi Code of 1972.

SECTION 8. Of the funds appropriated under the provisions of Sections 6 and 7 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 1

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 9. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund for the purpose of defraying the expenses of State Property Insurance for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 22,270,619.00.

SECTION 10. Of the funds herein appropriated, it is the intention of the Legislature that two (2) of the allotted Full-Time Permanent Headcount in Section 3 of this act may be used for performing related administrative duties of the State Property Insurance Program.

SECTION 11. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Finance and Administration for the purpose of providing a grant to the Mississippi Home Corporation, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.... $ 1,810,227.00.

SECTION 12. The funds appropriated in Section 11 of this act shall be targeted to individuals with disabilities or individuals with serious mental illnesses who:

(1) Are being discharged from a state psychiatric hospital after a stay of more than ninety (90) days; or, nursing facility, or intermediate care facility for individuals with intellectual disabilities after a stay of more than ninety (90) days; or

(2) Have been discharged from a state psychiatric hospital within the last two (2) years; and

(a) Had multiple hospital visits in the last year due to mental illness; or

(b) Are known to the mental health or state-housing agency to have been arrested or incarcerated in the last year due to conduct related to mental illness; or

(c) Are known to the mental health or state-housing agency to have been homeless for one (1) full year or have had four (4) or more episodes of homelessness in the last three (3) years; or

(3) Lack a fixed, regular, and adequate nighttime residence and includes a subset for an individual who is exiting an institution where he or she resided for ninety (90) days or less and who resides in an emergency shelter or a place not meant for human habitation immediately before entering that institution.

Any funds appropriated herein to hire additional staff or employ staff shall only be used to implement this housing program.

SECTION 13. It is the intention of the Legislature that an annual financial report based upon the state's fiscal year shall be provided to the Attorney General, the Chairman of Senate Appropriations, the Chairman of House Appropriations, and the Legislative Budget Office.

SECTION 14. It is the intention of the Legislature that none of the funds appropriated under the provisions of this act for the Mississippi Home Corporation (MHC) shall be expended for the purpose of making a payment of any kind or for any purpose, directly or indirectly, to a member of the State of Mississippi Legislature, state official, MHC board member, or person who has been a member of the MHC within the last year.

SECTION 15. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund for the purpose of defraying the expenses of the Broadband Expansion and Accessibility of Mississippi (BEAM) as established in Sections 77-19-1 through 77-19-17, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 425,000.00.

SECTION 16. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Broadband Expansion and Accessibility of Mississippi (BEAM) as established in Sections 77-19-1 through 77-19-17, Mississippi Code of 1972, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 198,053,198.00.

SECTION 17. Of the funds appropriated under the provisions of Sections 15 and 16 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 6

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the

State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 18. It is the intention of the Legislature that the Department of Finance and Administration shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 19. The department is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 20. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 21. The Bureau of Building, Grounds and Real Property Management of the Office of General Services is hereby expressly authorized and empowered to receive, budget and expend any state, local or other source funds designated for supplemental funding of construction and/or repairs and renovation projects. The Bureau of Building, Grounds and Real Property Management of the Office of General Services shall not use any of the funds authorized in this section to pay salaries. For the purposes

of this section, the Bureau of Building, Grounds and Real Property Management of the Office of General Services does not have the authority to escalate from the Capital Expense Fund or the Working Cash-Stabilization Reserve Fund.

SECTION 22. Of the funds appropriated in Section 2 of this act, it is the intention of the Legislature that an amount not to exceed Four Million Five Hundred Thousand Dollars ($4,500,000.00) is authorized to be expended for the purpose of transferring funds to the Bureau of Building, Grounds and Real Property Management for the administration of projects for the repair and maintenance of state-owned buildings.

SECTION 23. A report based on expenditures incurred during the current and immediate past fiscal years shall be provided to the Legislative Budget Office each regularly scheduled legislative session. This report should reflect expenditures as a result of the operation of the Robert E. Lee Building, the Woolfolk State Office Building, the Gartin and Sillers Buildings, the Capitol Buildings, the Central High School Building, the Robert G. Clark, Jr. Building and other state buildings, and this report should contain any steps taken to reduce operating costs.

SECTION 24. It is the intention of the Legislature that no state-owned aircraft shall be utilized by any person except for official business only.

SECTION 25. Of the funds appropriated in Section 2 of this act, an amount not to exceed One Hundred Thousand Dollars ($100,000.00) is authorized to be expended to defray any shortfall in the Master Lease Purchase Program as defined in Section 31-7-10, Mississippi Code of 1972.

SECTION 26. Of the funds appropriated in Section 2 of this act, Twenty Million Dollars ($20,000,000.00) shall be expended from the Capitol Complex Improvement District Project Fund, as established in Section 29-5-215, Mississippi Code of 1972.

SECTION 27. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Capital City Water/Sewer Projects Fund not otherwise appropriated, to the Department of Finance and Administration, as authorized in Senate Bill No. 2962, 2023 Regular Session, for the purpose of providing funds to assist the City of Jackson, Mississippi, in paying costs associated with construction, reconstruction, repairs, upgrades and improvements to the City of Jackson's water and sewer systems and related facilities as authorized in Section 29-5-251, established in Section 37-185-31, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 29,769,968.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 28. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration, as authorized in Senate Bill 2962, 2023 Regular Session, for the purpose of defraying eligible administration and reporting expenses related to the Coronavirus State Fiscal Recovery Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 17,555.00

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 29. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration, as authorized in House Bill No. 1664, 2022 Regular Session, and House Bill No. 1717, 2023 Regular Session, for the purpose of reimbursing the State and School Employees' Life and Health Insurance Plan for eligible expenses for the fiscal year beginning July 1, 2024, and ending June 30,2025 ..... $ 425,719.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 30. Notwithstanding any other provision, the agency shall have the authority to escalate its headcount for any additional operational needs related to

Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 31. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 32. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 33. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2025.

Senator Hopson called up the following House Amendment to **S. B. No. 3055** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for expenses of the Executive Department, being the Governor's Office and staff, and for expenses incidental to the proper operation of the Governor's Mansion and residence of the Governor for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 3,140,991.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in Special Funds in the State Treasury to the credit of the Governor's Office for the purpose of defraying the expenses incurred by the Executive Department, being the Governor's Office and staff, for the fiscal year beginning July 1, 2024, and ending June 30, 2025

$ 636,616.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 39

Time-Limited: 7

Any escalations shall be made in accordance with the terms, conditions, and procedures established by law.

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

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the Executive Department shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3056** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Mississippi Development Authority for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 20,987,573.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Development Authority or the appropriate special fund for the purpose of defraying the expenses incurred in the operation of the various divisions of the authority for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 323,264,410.00.

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

AUTHORIZED HEADCOUNT:
Permanent: 155
Time-Limited: 39

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for

new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Economic Dev & Incentives	
Number of National Recruitment Contacts	1,000
Number of International Investment Contracts	1,800
Number of International Trade Contacts	1,000
Number of Qualified National Prospects	225
Return on Investment	10.00
Number of New Businesses - Global Contacts	15
Number of New Jobs from Global Contacts	3,000
Number of Minority and Small Business Contacts	8,000
Number of Minority Business Certification Applications Processed	170
Technical Assistance to Disadvantaged Contacts	2,300
State Contracting with Minority Business	55,000,000.00
Number of Interactions with Interested Businesses	3,000
Number of Qualified Contacts	750
Number of Expansions	30
Number of Jobs Created from Expansions	3,000
Number of Energy Efficiency and Renewable Energy Direct Contacts	10,000
Community Dev & Incentives	
Number of Requests for Financing or Incentives	225
Awarded Grants and Loans for Community and Economic Development	50,000,000.00
Number of Grants and Loans Awarded	100
Support Services Program	

Administration as a Percent of Total Budget	9.50
Tourism (Visit MS)	
Number of Tourist Inquiries Generated	38,638
Number of Visitors per Year	26,000,000
Travel Revenue ($ in Billions)	7.00
Number of Tourists Registered	2,706,927

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 5. Of the funds appropriated in Section 2 of this act, the amount of Eight Hundred Thousand Dollars ($800,000.00) shall be provided from the Mississippi Department of Transportation to defray the expenses of the Mississippi Development Authority in operating the state welcome centers.

SECTION 6. It is the intention of the Legislature that the Mississippi Development Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 7. Of the funds appropriated in Sections 1 and 2 of this act, the amount of Four Million Eight Hundred Seventy-six Thousand Two Hundred Ninety-eight Dollars ($4,876,298.00), or so much thereof as may be necessary, is provided for the purpose of supporting Mississippi Tourism Advertising and Promotion for Fiscal Year 2025, and shall not be expended for any type of cultural exchange program. Of the funds appropriated herein and allocated within this section, Two Hundred Ninety-nine Thousand Dollars ($299,000.00) is provided for Tourism Grant Development Awards.

SECTION 8. It is the intention of the Legislature that none of the funds appropriated above shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate are notified at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature."

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Of the funds appropriated in Section 1 of this act, One Hundred Thousand Dollars ($100,000.00) is provided for the Mississippi Delta National Heritage Areas.

SECTION 11. Of the funds appropriated in Section 1 of this act, One Hundred Thousand Dollars ($100,000.00) is provided for the Mississippi Hills National Heritage Area.

SECTION 12. It is the intention of the Legislature that the Mississippi Development Authority is hereby authorized to escalate, budget, and expend funds from any source not to exceed Ten Million Dollars ($10,000,000.00) in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 13. It is the intention of the Legislature that the Mississippi Development Authority shall submit a notification of any General Fund Transfers out of the major category Subsidies into any other major categories to the Legislative Budget Office.

SECTION 14. Of the funds appropriated in Section 1 of this act, Twenty Thousand Twenty-five Dollars ($20,025.00) shall be provided for the support of the Mississippi River Parkway Commission.

SECTION 15. Of the funds appropriated in Section 1 of this act, One Million Dollars ($1,000,000.00) shall be transferred to Innovate Mississippi.

SECTION 16. Of the funds appropriated in Section 1 of this act, One Hundred Fifty-six Thousand Dollars ($156,000.00) is provided for the Energy High School Academy, established in Section 37-69-7, Mississippi Code of 1972.

SECTION 17. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Fifty Thousand Dollars ($50,000.00) shall be allocated to the Mississippi Book Festival.

SECTION 18. Of the funds appropriated herein, Five Hundred Thousand Dollars ($500,000.00) shall be provided to the Mississippi Main Street Association for statewide support and operations.

SECTION 19. It is the intention of the Legislature that the Mississippi Development Authority shall provide quarterly reports on the status of Gulf Coast Restoration Fund projects to the Legislative Budget Office and the Department of Finance and Administration. It is further the intention of the Legislature that the Mississippi Development Authority shall provide the Joint Legislative Budget Committee a detailed report and other such related information on each project's expenditures with the subsequent fiscal year's budget submission.

SECTION 20. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated to the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as provided in Senate Bill No. 3046, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 . $ 744,784.00.

These funds are provided for administrative expenses at the Mississippi Development Authority as outlined in Section 57-119-7, Mississippi Code of 1972.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 21. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Capital Expense Funds for the Air Service Development Act, as authorized in Senate Bill No. 3046, 2023
Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 . $ 246,431.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 22. It is the intention of the Legislature that the Mississippi Development Authority may provide operational support to any park operated by the United States National Park Service in Mississippi during the event of a government shutdown that materially affects the operations of such park.

SECTION 23. Of the funds appropriated in Section 2 of this act, the following sums, or so much thereof as may be necessary is appropriated out of the following funds in the State Treasury to the credit of the Mississippi Development Authority for the purpose of Mississippi Major Economic Impact Projects for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

(a) Triple Crown Fund for the purposes described in Section 57-1-651, Mississippi Code of 1972 ..... $ 130,125,000.00.

(b) Project Poppy Fund for the purposes described in Senate Bill No. 2001, 2024 First Extraordinary

Session ..... $ 117,614,000.00.

(c) Project Atlas Fund for the purposes described in House Bill No. 1, 2024 Second Extraordinary Session..... $ 44,000,000.00.

It is the intention of the Legislature that the Mississippi Development Authority provide the reporting requirements of each fund appropriated in this section on or before January 5 of each year.

SECTION 24. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 25. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2025.

Senator Hopson called up the following House Amendment to **S. B. No. 3057** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the Gulf Coast Restoration Fund, as created in Section 57-119-1 Mississippi Code of 1972, not otherwise appropriated to the Mississippi Development Authority. These funds are provided for projects as outlined in Section 57-119-9, Mississippi Code of 1972, for assistance to local units of government, nongovernmental organizations, institutions of higher learning, community colleges, ports, airports, public-private partnerships, private for-profit entities, private nonprofit entities and local economic development entities for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 0.00.

Of the funds appropriated in this section the following sums are provided for projects:

SECTION 2. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 3047, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 49,960,148.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

Of the funds reappropriated in this section the following sums are provided for projects:

..... (a) To assist the City of Diamondhead with a Commercial District Transformation Project..... $ 2,000,000.00

..... (b) To assist the City of Moss Point with the Moss Point-Point of Connection Road ..... $ 200,000.00

..... (c) To assist the City of Long Beach with

the Long Beach Harbor Complex Restoration ..... $ 3,500,000.00
..... (d) To assist Heritage Spring Water, LLC., with the Heritage Spring Water Project in Stone, County, Mississippi ..... $ 260,000.00
..... (e) To assist the Pascagoula Redevelopment Authority with the Live, Work, Play Pascagoula Riverfront Redevelopment ..... $ 1,500,000.00
..... (f) To assist the Pearl River County Board of Supervisors with the Pearl River County Industrial Park Infrastructure and Site Development ..... $ 1,922,800.00
..... (g) To assist the City of Bay St. Louis with a City Government Safety Complex ..... $ 1,000,000.00
..... (h) To assist the Hancock County Port and Harbor Commission with the Technology Park and Site Development at Stennis Airport Phase I ..... $ 2,000,000.00
..... (i) To assist Mississippi State University Research and Technology Corporation with Continued Development of the Mississippi Cyber Center Project ..... $ 2,000,000.00
..... (j) To assist the City of Gulfport with the Daniel Boulevard Extension and Connector Road between Highway 49 and Canal Road ..... $ 4,600,000.00
..... (k) To assist the City of Lucedale with the Lucedale Municipal Park Stage ..... $ 498,000.00
..... (l) To assist the City of Moss Point with the Highway 63/Escatawpa Natural Gas Pipeline Installation ..... $ 1,750,000.00
..... (m) To assist the Moss Point Redevelopment Authority with the Moss Point Downtown Revitalization ..... $ 1,000,000.00
..... (n) To assist the George County Board of Supervisors with a Grain Elevator/River Road Rehabilitation ..... $ 1,599,906.00
..... (o) To assist the George County Board of Supervisors with the Old Highway 63 North Regional Agriculture and Agri-Tourism Accelerator Project ..... $ 1,599,372.00
..... (p) To assist the Jackson County Economic Development Foundation with the Sunplex Light Industrial Park Site Improvements and Trent Lott Airport ..... $ 2,000,000.00
..... (q) To assist the Pearl River County Board of Supervisors with the Pearl River County Technology Park Phase I and Site Development ..... $ 1,800,000.00
(r) To assist the Jackson County Board of Supervisors with the Vancleave Medical Center ..... $ 3,193,750.00
..... (s) To assist the City of Bay St. Louis with a Downtown ADA Boardwalk ..... $ 1,400,000.00
..... (t) To assist the City of Ocean Springs with Mary C. O'Keefe Cultural Arts Center Renovations and Signage ..... $ 700,000.00
..... (u) To assist the Gulf Hills Resort with the Development of 2,000 feet of Blueway Waterfront with Public Marina Access ..... $ 900,000.00
..... (v) To assist the Ohr-O'Keefe Museum of Arts with Completion of the Ohr-O'Keefe Museum Campus ..... $ 1,000,000.00
..... (w) To assist the University of Southern Mississippi with the USM Visualization and Digital Multimedia Center of Excellence ..... $ 2,501,320.00
..... (x) To assist Pinchers Seafood with a

Working Waterfront ..... $ 3,600,000.00

..... (y) To assist the Jackson County Economic Development Foundation and the Biloxi Bay RV Resort$ 1,585,000.00

..... (z) To assist Plaid Properties, LLC with the Redevelopment of Blighted Property into a WAMA Connected District..... $ 250,000.00

..... (aa) To assist the Ocean Springs Redevelopment Foundation with Public Works Redevelopment and Relocation ..... $ 2,000,000.00

..... (bb) To assist the Harrison County Development Commission with the I-10 and Canal Road Site Development..... $ 3,600,000.00

SECTION 3. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 3047, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 30,949,624.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

Of the funds reappropriated in this section the following sums are provided for projects:

(a) To assist the Gulfport Redevelopment Commission for the completion of the second and final phase of a mixed-use, downtown redevelopment project, including public use components, so as to leverage public and private investment..... $ 8,000,000.00

(b) To assist the City of Pass Christian with the Water Front Redevelopment Plan ..... $ 3,000,000.00

(c) To assist the Pascagoula Redevelopment Authority with the City of Pascagoula Rail Line Development Plan..... $ 3,061,356.00

(d) To assist the City of Biloxi with the Popp's Ferry Extension Project..... $ 3,000,000.00

(e) To assist the City of Waveland with the Waveland Marina Phase I ..... $ 2,000,000.00

(f) To assist the Ocean Springs Redevelopment Authority with City of Ocean Springs Projects..... $ 2,000,000.00

(g) To assist the City of Moss Point with Moss Point's Magnificent Mile 2.0..... $ 2,000,000.00

(h) To assist the Hancock County Port and Harbor Commission with the Technology Park at Stennis Airport Phase I ..... $ 2,000,000.00

(i) To assist the City of Long Beach with the Long Beach Harbor Complex Restoration ..... $ 1,000,000.00

(j) To assist the Mississippi State University Research and Technology Corporation with continued development of the Mississippi Cyber Center Project..... $ 1,000,000.00

(k) To assist the City of Diamondhead with the Commerce District Transportation ..... $ 367,591.00

(l) To assist the Ocean Springs Collective with Ocean Springs Collective Projects ..... $ 20,677.00

(m) To assist the Mississippi Export Railroad

with Mississippi Export Projects ..... $ 3,500,000.00

SECTION 4. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 3047, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 42,043,572.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

Of the funds reappropriated in this section the following sums are provided for projects:

(a) To assist the Mississippi State University Research and Technology Corporation with the design and construction of the Mississippi Cyber Center ..... $ 13,500,000.00

(b) To assist the University of Southern Mississippi Ocean Enterprise ..... $ 4,500,000.00

(c) To assist the Stone County Board of Supervisors with the Piney Wood Pellet Mill road, rail and bypass ..... $ 2,500,000.00

(d) To assist the Gulfport Redevelopment Commission for Phase I of a planned 3-phase project of downtown redevelopment to be used on a public use project so as to leverage public and private investment. ..... $ 2,500,000.00

(e) To assist the City of Ocean Springs and the OHOS Development LLC with a Public/Private Development ..... $ 3,989,976.00

(f) To assist the Pascagoula Redevelopment with downtown revitalization project ..... $ 2,141,376.00

(g) To assist Long Beach High School with the Long Beach High School Career and Technical Education Center ..... $ 2,500,000.00

(h) To assist the City of Diamondhead with the Town Center District – Commercial District Project $ 1,842,024.00

(i) To assist Stone County School District with the Stone County High School Career and Technical Education Center ..... $ 241,367.00

(j) To assist the City of Gulfport with flood control and/or drainage for the Forest Heights Project ..... $ 1,890,000.00

(k) To assist the City of Moss Point with the Interstate 10 Frontage Roads, North and South $ 2,000,000.00

(l) To assist the City of Picayune with the Friendship Park Revitalization Project ..... $ 1,160,704.00

(m) To assist Pearl River Community College PRCC Aviation Aerospace Academy ..... $ 1,074,848.00

(n) To assist the City of Bay St. Louis with the Court Street Parking facility, expansion and improvements ..... $ 983,951.00

(o) To assist the Walter Anderson Museum with Phase 3 and Phase 4 ..... $ 572,400.00

(p) To assist the City of Lucedale with

Ventura Drive Improvements ..... $ 555,825.00

(q) To assist George County with the Scott Road Project, widening and infrastructure ..... $ 91,101.00

SECTION 5. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 3047, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 20,824,283.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

Of the funds reappropriated in this section, the following sums are provided for projects recommended by the department and projects that meet the criteria outlined in Section 57-119-9, Mississippi Code of 1972:

(a) To assist Power Dynamics Innovations, LLC with Equipment and Facility Upgrades ..... $ 500,261.00

(b) To assist the City of Bay St. Louis with the Old Town Depot Revitalization District ..... $ 361,790.00

(c) To assist the City of Diamondhead with the Commercial District Transformation Project ..... $ 1,276,717.00

(d) To assist the University of Southern Mississippi with the Ocean Enterprise Phase I ..... $ 5,439,396.00

(e) To assist the Walter Anderson Museum Creative Complex Phase I and begin Phase II ..... $ 366,298.00

(f) To assist the Gulfport School with a STEM Exploration Lab ..... $ 39,218.00

Of the funds reappropriated in this section, the following sums are provided for projects that meet the criteria outlined in Section 57-119-9, Mississippi Code of 1972:

(a) To assist Harrison County with the Harrison County Law Enforcement Training Academy ..... $ 134,166.00

(b) To assist Mississippi State University Research and Technology Corporation with the design and construction of the Mississippi Cyber Center ..... $ 722,749.00

(c) To assist the Port of Pascagoula with the North Rail Connector ..... $ 6,600,000.00

(d) To assist the Pascagoula Redevelopment Authority with the Innovation Center ..... $ 1,000,000.00

(e) To assist the Pascagoula Redevelopment Authority with the City Center ..... $ 165,479.00

(f) To assist the Institute for Marine Mammal Studies with Educational Classrooms and Dorms ..... $ 3,000,000.00

(g) To assist the City of Long Beach with development and revitalization ..... $ 500,737.00

(h) To assist the City of Long Beach with the Quarles House ..... $ 616,531.00

(i) To assist George County with the Mississippi Export Railroad for the Enviva project ..... $ 100,941.00

SECTION 6. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 3047,

2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 5,500,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

Of the funds reappropriated in this section the following sums are provided for the following programs:

(a) For the Mississippi Development Authority and the Air Service Development Incentive Program ..... $ 2,500,000.00

(b) For the Mississippi Development Authority and the Quality of Place Incentives Program..... $ 3,000,000.00

Of these funds, One Million Dollars ($1,000,000.00) is provided for the development of a South Mississippi defense and space industry strategy for small companies to compete for defense related contracts to include government, industry and academia.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

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

AN ACT MAKING AN APPROPRIATION AND A REAPPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY TO AUTHORIZE AND REAUTHORIZE THE EXPENDITURE OF GULF COAST RESTORATION FUNDS PREVIOUSLY APPROPRIATED FOR PROJECTS FOR FISCAL YEAR 2025.

_____

Senator Hopson called up the following House Amendment to **S. B. No. 3058** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Office of Workforce Development, with the Department of Employment Security serving as the fiscal agent, as authorized in House Bill No. 1517, 2022 Regular Session, Senate Bill No. 3052, 2023 Regular Session, and Senate Bill No. 3113, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 55,000,000.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 2. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Environmental Quality, as authorized in Senate Bill No. 3056, 2022 Regular Session, House Bill No. 1716, 2023 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of administering the

Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program established in Section 49-2-131, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 434,200,000.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 3. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration, as authorized in House Bill No. 1518, 2022 Regular Session, House Bill No. 1719, 2023 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of providing funds to destination marketing organizations to assist in paying costs of certain marketing activities and providing funds to Mississippi Main Street Association, as provided in Section 57-123-3, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 21,448,316.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 4. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Mississippi Association of Independent Colleges and Universities (MAICU) Grant Program Fund not otherwise appropriated, to the Department of Finance and Administration, as authorized in Senate Bill No. 3064, 2022 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of funding the MAICU Grant Program established in Section 37-185-31, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 9,362,494.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 5. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management, as authorized in Senate Bill No. 3062, 2022 Regular Session, and Senate Bill No. 3118, 2023 Regular Session, for the purpose of completing capital projects at state-owned buildings or grounds that are allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 235,969,769.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 6. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration, as authorized in House Bill No. 1717, 2023 Regular Session, for the purpose of reimbursing the State and School Employees' Life and Health Insurance Plan for eligible expenses, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 2,946,442.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 7. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health, as authorized in House Bill No. 271, 2023 Regular Session, for the purpose of funding the Mississippi Hospital Sustainability Grant Program established in Section 41-9-371, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .... $ 44,951,493.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 8. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health, as authorized in House Bill No. 1614, 2022 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of operational expenditures needed to respond to the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 $ 2,455,593.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 9. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health, as authorized in Senate Bill No. 3060, 2022 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of funding the COVID-19 Hospital Expanded Capacity Program established in Section 41-14-31, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 11,328,147.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 10. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health, as authorized in Senate Bill No. 3060, 2022 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of funding the COVID-19 Mississippi Local Provider Innovation Grant Program established in Section 41-139-1, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 21,890,700.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 11. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health, as authorized in House Bill No. 1538, 2022 Regular Session, House Bill No. 1715, 2023 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of funding the ARPA Rural Water Associations Infrastructure Grant Program established under Section 41-3-16.1, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 362,368,821.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 12. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Child Protection Services, as authorized in House Bill No. 1611, 2022 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of defraying eligible operational expenses as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .... $ 23,651,446.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 13. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Lost Revenue

Fund not otherwise appropriated, to the University of Mississippi Medical Center, as authorized in Senate Bill No. 3010, 2022 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of constructing a new nursing school at the University of Mississippi Medical Center as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 45,128,750.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 14. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Lost Revenue Fund not otherwise appropriated, to the University of Mississippi Medical Center, as authorized in House Bill No. 1722, 2023 Regular Session, for the purpose of repair and renovation at and acquisition of equipment for the facility used for the adolescent psychiatric program, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 1,500,000.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 15. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Mental Health, as authorized in Senate Bill No. 2865, 2022 Regular Session, and Senate Bill No 3052, 2023 Regular Session, for the purpose of assisting with behavioral and mental health needs exacerbated by the Coronavirus Disease 2019 (COVID-19) pandemic, responding to other public health impacts, and other operational expenses as allowed under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 51,215,500.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 16. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated to the Mississippi National Guard as authorized in Senate Bill No. 3019, 2022 Regular Session, Senate Bill No. 2961, 2023 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 13,130,000.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 17. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Public Safety, as authorized in Senate Bill No. 3014, 2022 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of completing capital projects at state-owned buildings or grounds, crime prevention due to the increase in crime, and operational expenditures, including the additional purpose of backlogs at the Forensic Laboratory, necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 13,354,294.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 18. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the District Attorney's and staff, as authorized in House Bill No. 1625, 2022 Regular Session, Senate Bill No. 2961, 2023 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of funding additional salaries and office expenses of temporary legal assistants and support personnel as authorized by Section 25-31-5(2)(g), Mississippi Code of 1972, necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 464,580.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 19. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Office of the State Public Defender, as authorized in House Bill No. 1627, 2022 Regular Session, Senate Bill No. 2961, 2023 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of funding additional salaries and office expenses for public defenders assigned to special temporary courts that supplement those authorized under Section 9-7-25, Mississippi Code of 1972, necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2024, and ending
June 30, 2025 ..... $ 300,000.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 20. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Supreme Court – Trial Judges, as authorized in House Bill No. 1628, 2022 Regular Session, Senate Bill No. 2961, 2023 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of funding additional special temporary courts that supplement those authorized under Section 9-7-25, Mississippi Code of 1972, necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2024, and ending June 30, 2025
$ 1,500,000.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 21. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Mississippi Postsecondary Education Financial Assistance Board, as authorized in House Bill No. 1521, 2022 Regular Session, as amended by Senate Bill 2373, 2023 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of providing funding for the Skilled Nursing Home and Hospital Nurses Retention Loan Repayment Program, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 6,000,000.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 22. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated to the Department of Finance and Administration, as authorized in Senate Bill No. 3064, 2022 Regular Session, for the purpose of funding the Independent

Schools Infrastructure Grant Program established in Senate Bill No. 2780, 2022 Regular Session, and Senate Bill 3052, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 10,000,000.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 23. None of the funds reappropriated in this act shall be used to pay employee premium payments.

SECTION 24. (1) As used in this section, the term "agency" shall mean the entities in which funds were reappropriated in Sections 1 through 21 of this act.

(2) The agency shall not disburse any funds provided under this section to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the agency's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the agency shall ensure that all funds provided under this section are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(3) As a condition of receiving and expending the funds provided to the agency under this section, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds provided to the agency under this section complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(4) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the agency or recipient has expended or otherwise used any of the funds provided to the agency under this section for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the agency or recipient, then the agency or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 25. The money appropriated by this act shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 26. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 30, 2024.

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

AN ACT MAKING A REAPPROPRIATION TO CERTAIN AGENCIES TO REAUTHORIZE THE EXPENDITURE OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS PREVIOUSLY APPROPRIATED FOR CERTAIN PROJECTS FOR FISCAL YEAR 2025.

Senator Hopson called up the following House Amendment to **S. B. No. 3059** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Dental Examiners and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi State Board of Dental Examiners for the period beginning upon passage, and ending June 30, 2025 ..... $ 320,000.00.

This additional appropriation is for the purpose of defraying the costs of relocating the agency, facility inspections, and replacing the agency's database system.

SECTION 2. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Emergency Management Agency for the period beginning July 1, 2023, and ending June 30, 2024 ..... $ 1,575,864.00.

This additional appropriation is for the purpose of reimbursing the Disaster Trust Fund for expenditures incurred for the 2023 Wildfire Coordination Mission.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Development Authority and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Development Authority for the period beginning July 1, 2023, and ending June 30, 2024.

$ 5,000,000.00.

This additional appropriation is for the purpose of defraying the cost of the Forestry Facility Grant Program established in Section 57-1-781, Mississippi Code of 1972.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Office of the Secretary of State for the period upon passage, and ending June 30, 2025..... $ 3,977,000.00.

This additional appropriation is for the purpose of defraying the expenses of software system updates and upgrades.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Wireless Communication Commission and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Wireless Communication Commission for the period beginning upon passage, and ending June 30, 2025.....

$ 3,900,000.00.

This additional appropriation is for the purpose of defraying the cost associated with adding new statewide communication towers.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Mississippi State Department of Health for the period beginning January 1, 2024, and ending December 31, 2024 ..... $ 2,772,010.00.

This additional appropriation is provided for defraying the costs of legal expenses associated with the City of Jackson's water litigation.

SECTION 7. This act shall take effect and be in force from and after its passage.

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

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS AND SPECIAL FUNDS FOR FISCAL YEARS 2024 AND 2025 TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS; THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY; THE MISSISSIPPI DEVELOPMENT AUTHORITY; THE OFFICE OF THE SECRETARY OF STATE; THE MISSISSIPPI WIRELESS COMMUNICATION COMMISSION; AND THE MISSISSIPPI STATE DEPARTMENT OF HEALTH; AND FOR RELATED PURPOSES.

Senator Hopson called up the following House Amendment to **S. B. No. 3162** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money to the credit of the Coronavirus State Fiscal Recovery Fund, and allocated in a manner as determined by the Treasurer's Office, to the Mississippi Department of Public Safety for the purpose of purchasing eligible equipment for law enforcement officers employed by and through the Mississippi Department of Public Safety for the period beginning from and after the passage of this act and ending June 30, 2025 .....

$ 3,500,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the Mississippi Department of Public Safety.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time-to-time, by the United States Department of the Treasury and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as

may be amended from time-to-time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after its passage.

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

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF PURCHASING ELIGIBLE EQUIPMENT FOR LAW ENFORCEMENT OFFICERS EMPLOYED BY AND THROUGH THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.

Senator Hopson called up the following House Amendment to **S. B. No. 3163** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money to the credit of the Coronavirus State Fiscal Recovery Fund, and allocated in a manner as determined by the Treasurer's Office to the Department of Finance and Administration for the purpose of defraying eligible administration and reporting expense related to the Coronavirus State Fiscal Recovery Fund for the period beginning from and after passage through June 30, 2025..... $ 25,000,000.00.

SECTION 2. The funds appropriated in Section 1 of this act shall be used for expenditures incurred on or after March 3, 2021, through the final expenditure date as determined by the United States Treasury.

SECTION 3. This act shall take effect and be in force from and after its passage.

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

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF DEFRAYING ELIGIBLE ADMINISTRATION AND REPORTING EXPENSES RELATED TO THE CORONAVIRUS STATE FISCAL RECOVERY FUND FISCAL YEARS 2024 AND 2025.

Senator Hopson called up the following House Amendment to **S. B. No. 3164** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money to the credit of the Coronavirus State Fiscal Recovery Fund to the Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management for the purposes described in this section, for the period beginning upon passage, and ending June 30, 2025 .....

$ 26,687,307.00.

This additional appropriation under this section is for the purpose of completing capital projects at any state-owned buildings or grounds that are allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

SECTION 2. "Capital projects" for the purpose of this act shall mean the following:

(a) Eligible projects under the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF), lead remediation, and stormwater infrastructure;

(b) Prevention, mitigation, or other services in congregate living facilities and other key settings;

(c) Ventilation system installation and improvements;

(d) Capital investments in public facilities to implement COVID-19 mitigation tactics;

(e) Improvements to state parks due to increased use;

(f) Any other eligible project through ARPA guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury, excluding broadband infrastructure.

SECTION 3. It is the intention of the Legislature that the Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management prioritize necessary investment in drinking water, wastewater, and stormwater infrastructure when determining projects unless the entity operates a congregate living facility or the purpose is expressly stated in this act.

SECTION 4. The funds appropriated under the provisions of Section 1 of this act shall be provided for capital projects at state-owned buildings as deemed necessary by the Department of Finance and Administration Bureau of Building, Grounds and Real Property Management.

SECTION 5. None of the funds appropriated under this act shall be used to pay employee premium payments.

SECTION 6. (1) As used in this section and Section 7 of this act, the term "department" means the Department of Finance and Administration Bureau of Building, Grounds and Real Property Management.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

SECTION 7. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the

Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA; and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 8. The Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management shall submit to the Joint Legislative Budget Committee by October 1 of each year an annual report. The reports shall contain a listing of the projects intended to be funded through this appropriation, the amount of funds allocated toward each project, the amount of funds expended on each project, and the status of each project.

SECTION 9. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer, and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after its passage.

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

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION BUREAU OF BUILDING, GROUNDS, AND REAL PROPERTY MANAGEMENT FOR ALLOWABLE CAPITAL PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT FOR THE PERIOD BEGINNING UPON PASSAGE AND ENDING ON JUNE 30, 2024.

_____

Senator Hopson called up the following House Amendment to **S. B. No. 3165** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health for the purpose of funding the ARPA Rural Water Associations Infrastructure Grant Program established in Section 41-3-16.1, Mississippi Code of 1972, for the period beginning upon the passage of this act and ending June 30, 2025

..... $ 50,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the State Department of Health.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time-to-time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time-to-time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. As a condition of receiving the funds appropriated herein, the State Department of Health shall award these funds to eligible entities that have not previously received funding in prior rounds.

SECTION 5. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after its passage.

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

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Kenneth Neal King, Sr., Vicki Baker Williams and Irby Rudone "Rudy" Goldman of Winona, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Mary Jane Gallagher of Marion, IN.

Senators Thomas and Hickman moved that when the Senate adjourns, it adjourn in memory of Carlos Collins of Yazoo City, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Mrs. Christine "Nancy" Wilkerson of Bentonia, MS.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2060: Memorial bridge; dedicate the Little Biloxi Bridge to World War II Infantryman Willie Edward King.

Representatives Massengill,Arnold,Tubb

S. B. No. 2408: Identification cards and driver's licenses; require to have 988 Crisis Lifeline information.

Representatives Scoggin,Varner,Holloway (76th)

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 315: Mississippi Code; modernize terminology by replacing "mentally retarded" with "intellectual disability".

Representatives Creekmore IV,Yancey,Stepp

H. B. No. 764: State Department of Health and State Board of Health; extend repealer on.

Representatives Creekmore IV,Felsher,McLean

H. B. No. 848: CON; remove chemical dependency services and facilities and psychiatric residential treatment facilities from CON law.

Representatives Creekmore IV,Felsher,Yancey

H. B. No. 1190: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

Representatives Zuber,Johnson,Owen

H. B. No. 1253: Post-conviction collateral relief; require certain petitioners to obtain Supreme Court permission before filing in trial court.

Representatives Horan,Varner,Hurst

H. B. No. 1640: Mental Health; revise procedures for screening, evaluation and commitments for those with issues of.

Representatives Creekmore IV,Felsher,Hood

H. B. No. 1681: Memorial Highways; designate segment MS Hwy 513 in Clarke County as "Lance Corporal Mac Hamburg, MSMC, Memorial Highway."

Representatives Massengill,Tubb,Arnold

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 770: MS Office of Workforce Development; extend exemption from Public Procurement Review Board rental agreement requirements.

Representatives Bell (21st),McLean,Waldo

H. B. No. 1350: Telephone solicitors; prohibit from making any solicitation regarding Medicare Advantage Plans.

Representatives Powell,Lancaster,Hood

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Friday, April 12, 2024.

The motion prevailed, and at 3:43 PM, the Senate stood in recess.

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. C. R. No. 545: Recognize Jessica Banahan NcNeel as MDE "2024 Mississippi Parent of the Year." Title Sufficient. Do Be Adopted.

S. C. R. No. 546: Designate April 11, 2024, as "Reman Day" in Mississippi. Title Sufficient. Do Be Adopted.

S. R. No. 73: Commend Northwest Rankin "Lady Cougars" Soccer Team for 2024 MHSAA Class 7A Championship. Title Sufficient. Do Be Adopted.

S. R. No. 74: Commend Aaron Cleveland as Instructor of the Year at Jackson County Campus of MGCCC. Title Sufficient. Do Be Adopted.

S. R. No. 75: Commend Sandra Peterson as Instructor of the Year at the Harrison County Campus of MGCCC. Title Sufficient. Do Be Adopted.

S. R. No. 76: Commend Leslie Lyons as Instructor of the Year for Health Science Centers at MGCCC. Title Sufficient. Do Be Adopted.

S. R. No. 77: Commend Katherine Jellum as Instructor of the Year at Perkinston Campus of MGCCC. Title Sufficient. Do Be Adopted.

S. R. No. 78: Commend Florence High School "Eagles" Boys Soccer Team upon winning 2024 MHSAA Class 5A Boys Soccer State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 79: Commend Florence High School Lady Eagles Soccer Team upon winning MHSAA Class 5A State Soccer Championship. Title Sufficient. Do Be Adopted.

S. R. No. 80: Commend extensive judicial career and service of Mississippi Court of Appeals Judge Jim Greenlee on occasion of his retirement. Title Sufficient. Do Be Adopted.

S. R. No. 81: Commend Canton High School "Tigers" Boys Basketball Team for MHSAA Class 5A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 82: Commend Northwest Community College Women's Soccer Team on winning NCJAA Region 23 Championship. Title Sufficient. Do Be Adopted.

S. R. No. 83: Recognize Charlie Frugé of Oxford, Mississippi, as student nominee to the State Board of Education. Title Sufficient. Do Be Adopted.

S. R. No. 84: Remember educational legacy of Dr. Leslie Lee Daniels, first African-American Principal and Superintendent in McComb, MS. Title Sufficient. Do Be Adopted.

S. R. No. 85: Mourn the passing and commend public service of former Mound Bayou Mayor Earl S. Lucas. Title Sufficient. Do Be Adopted.

H. C. R. No. 42: Hilda Moore Turner; commend her life upon her passing. Title Sufficient. Do Be Adopted.

H. C. R. No. 43: Bobby Rush; commend and congratulate on winning his 3rd Grammy. Title Sufficient. Do Be Adopted.

H. C. R. No. 45: George County High School; commend upon winning first ever MHSAA Class 5A Fast Pitch Softball State Championship. Title Sufficient. Do Be Adopted.

H. C. R. No. 46: John D. Roberts; commend upon receiving Legion of Honor for valiant and heroic service during World War II. Title Sufficient. Do Be Adopted.

H. C. R. No. 50: Clinton High School Attachè Show Choir; commend upon winning 100th Grand Champion title. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 299: AN ACT TO AMEND SECTION 49-19-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI FORESTRY COMMISSION AND COUNTY FORESTERS WHO ARE EMPLOYED BY THE COMMISSION TO ELECTRONICALLY ACCEPT BIDS FOR TIMBER SALES; TO AMEND SECTION 29-3-45, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MANAGING BOARD MAY POST ADDITIONAL NOTICES AND MAY ALLOW FOR SUBMISSION OF ELECTRONIC BIDS; TO BRING FORWARD SECTION 29-1-1, 31-7-13, 49-19-3 AND 55-3-53, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 325: AN ACT TO PROVIDE THAT A RIGHT OF FIRST REFUSAL IN REAL PROPERTY IS EXTINGUISHED UPON THE DEATH OF THE GRANTEE UNLESS THE INSTRUMENT GRANTING THE RIGHT OR A MEMORANDUM OF THE CONTRACTUAL AGREEMENT OR INSTRUMENT CLEARLY STATES THAT UPON THE GRANTEE'S DEATH, IT SHALL INURE TO THE BENEFIT OF THE GRANTEE'S HEIRS AND ASSIGNS; AND FOR RELATED PURPOSES.

H. B. No. 846: AN ACT TO AMEND SECTION 25-7-21, MISSISSIPPI CODE OF 1972, TO CONFORM THE FEES CHARGED BY CHANCERY CLERKS FOR FILING AND RECORDING DEEDS TO LAND SOLD FOR TAXES AND FOR RECORDING

REDEMPTION OF LANDS SOLD FOR TAXES TO THOSE FEES SET IN SECTION 25-7-9(1)(B); AND FOR RELATED PURPOSES.

H. B. No. 873: AN ACT TO CREATE NEW SECTION 45-41-3, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE PURPLE ALERT AS AN ADDITIONAL MEANS TO ENGAGE THE PUBLIC IN THE SEARCH OF A MISSING PERSON; TO AUTHORIZE A LOCAL LAW ENFORCEMENT AGENCY TO ACTIVATE A PURPLE ALERT, NOTWITHSTANDING THE EXISTENCE OF AN ACTIVE SILVER ALERT OR AMBER ALERT, FOR MISSING PERSONS HAVING A COGNITIVE DISABILITY THAT IS NOT DEMENTIA-RELATED; TO AUTHORIZE THE BROADCASTING OF INFORMATION RELATING TO A MISSING PERSON'S CASE TO THE LOCAL MEDIA AND NOTIFICATION SUBSCRIBERS IN THE AREA IN WHICH THE MISSING PERSON IS BELIEVED TO BE LOCATED; TO AMEND SECTION 45-41-1, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 922: AN ACT TO PROVIDE THAT THE OFFICE OF ELECTION COMMISSIONER SHALL BE A NONPARTISAN OFFICE; TO PROVIDE THAT THE NAMES OF CANDIDATES FOR THE OFFICE OF ELECTION COMMISSIONER SHALL BE LISTED AS NONPARTISAN ON A BALLOT; TO AMEND SECTION 23-15-213, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO REVISE THE STAGGERED TERMS OF ELECTION COMMISSIONERS IN DISTRICTS TWO AND FOUR; TO PROVIDE THAT THOSE ELECTION COMMISSIONERS FROM DISTRICTS TWO AND FOUR ELECTED IN THE 2027 ELECTION SHALL BE ELECTED FOR A THREE-YEAR TERM; TO PROVIDE THAT THOSE ELECTION COMMISSIONERS FROM DISTRICTS TWO AND FOUR ELECTED IN THE 2030 ELECTION SHALL SERVE A FOUR-YEAR TERM AND EVERY FOUR YEARS THEREAFTER; TO AMEND SECTIONS 23-15-367 AND 23-15-511, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1015: AN ACT TO AMEND SECTION 77-7-335, MISSISSIPPI CODE OF 1972, TO AUTHORIZE DEPARTMENT OF PUBLIC SAFETY INSPECTORS TO ASSIST OTHER OFFICERS; TO AMEND SECTION 63-11-5, MISSISSIPPI CODE OF 1972, TO ADD COMMERCIAL MOTOR CARRIER INSPECTORS TO THE LIST OF PERSONS AUTHORIZED TO GIVE BREATH TESTS; AND FOR RELATED PURPOSES.

H. B. No. 1023: AN ACT TO AMEND SECTION 25-1-87, MISSISSIPPI CODE OF 1972, TO AUTHORIZE FRAUD INVESTIGATORS TO DRIVE UNMARKED VEHICLES; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. C. R. No. 27: A CONCURRENT RESOLUTION COMMENDING FRIENDS OF MISSISSIPPI VETERANS FOR ITS TREMENDOUS PHILANTHROPIC WORK ON BEHALF OF MISSISSIPPI VETERANS AND EXPRESSING GREAT APPRECIATION TO MR. JACK WINSTEAD FOR HIS MANY YEARS OF VISIONARY LEADERSHIP.

H. C. R. No. 41: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE RANGERS CHEER TEAM FOR WINNING THE 2024 UCA AND UDA COLLEGE CHEERLEADING NATIONAL CHAMPIONSHIP, OPEN ALL-GIRL DIVISION.

H. C. R. No. 44: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE 2023-2024 NORTHWEST COMMUNITY COLLEGE WOMEN'S SOCCER TEAM AND HEAD COACH JAMES BEATTIE UPON WINNING THE NATIONAL COMMUNITY AND JUNIOR COLLEGE ATHLETIC ASSOCIATION (NCJAA) REGIONS 23 WOMEN'S SOCCER STATE CHAMPIONSHIP.

H. C. R. No. 49: A CONCURRENT RESOLUTION COMMENDING LOCKE WARD, A LIFE LONG RESIDENT OF JACKSON, MISSISSIPPI, FOR HIS DETERMINATION AND AMAZING EFFORTS TO REVITALIZE OUR CAPITAL CITY AND HONOR HIM FOR GALVANIZING OTHERS TO DO THE SAME.

H. C. R. No. 51: A CONCURRENT RESOLUTION COMMENDING THE DISTINGUISHED CAREER AND DEDICATED SERVICE OF MR. LAWRENCE "BUD" YOUNG TO NORTHWEST MISSISSIPPI COMMUNITY COLLEGE UPON THE OCCASION OF HIS RETIREMENT.

H. C. R. No. 56: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE DANCE TEAM AND COACH PATRICE CHRISTIAN FOR WINNING THE 2024 OPEN HIP-HOP NATIONAL CHAMPIONSHIP.

David Jordan, Chairman

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2405: Alcoholic beverages; revise certain provisions regarding locations for sale of.

S. B. No. 2457: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

S. B. No. 2466: Alcoholic beverages; revise certain provisions relating to sales to persons under the age of 21.

S. B. No. 2634: Memorial highways; designate segment in Shannon, Lee County, as the "Johnny R. Patterson Memorial Highway."

S. B. No. 2682: MS Critical Teacher Shortage Act of 1998; extend repealer on.

S. B. No. 2695: Driver's education; revise certain provisions related thereto.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 776: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

Representatives Lamar,Zuber,Powell

H. B. No. 893: Distinctive motor vehicle license tag; authorize issuance to supporters of the Navy Seabee Foundation.

Representatives Lamar,Zuber,Holloway (76th)

H. B. No. 1003: Homestead exemption; revise time within which certain homeowners may apply for.

Representatives Lamar,Carpenter,Gibbs (36th)

H. B. No. 1473: Bonds; repeal authorization for certain unissued bonds and replace certain unissued bonds with cash.

Representatives Lamar,Steverson,Horan

H. B. No. 1620: Use tax; revise certain provisions regarding funds distributed to municipalities and counties for infrastructure assistance.

Representatives Lamar,Steverson,Barnett

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1646: City of West Point; extend repealer on authority to levy tax on hotels, motels and restaurants for tourism and parks and recreation. Local and Private.

H. B. No. 1716: Jackson County; authorize contributions to various organizations. Local and Private.

H. B. No. 1720: City of Pontotoc; extend repealer on authority to levy tax on hotels, motels and restaurants. Local and Private.

H. B. No. 1723: Pike County; authorize to construct or acquire county jail anywhere in county and authorize certain lease-purchase arrangement. Local and Private.

H. B. No. 1743: Humphreys County; authorize a contribution to the Fannie Lou Hamer Cancer Foundation. Local and Private.

H. B. No. 1752: City of Fulton; extend date of repeal on hotel/motel tourism tax. Local and Private.

H. B. No. 1758: Jefferson Davis County; increase portion of oil and gas severance tax that may be utilized for garbage collection and disposal. Local and Private.

H. B. No. 1854: Harrison County; authorize assessments on convictions for improvements to courthouses and pretrial dention facilities. Local and Private; Finance.

H. B. No. 1931: Greene County; extend repeal date on assessments in justice court. Local and Private.

H. B. No. 1968: Humphreys County; authorize contributions to Belzoni, Louise and Isola for parks and recreation. Local and Private.

H. B. No. 4090: Adams County; authorize to enter into a certain lease purchase agreement for a jail facility. Local and Private.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Kenneth Neal King, Sr., Vicki Baker Williams, Irby Rudone "Rudy" Goldman, Mary Jane Gallagher, Carlos Collins and Mrs. Christine "Nancy" Wilkerson.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR THURSDAY, APRIL 11, 2024

ONE-HUNDRED AND SECOND DAY, FRIDAY, APRIL 12, 2024

The Senate met at 9:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Turner-Ford, Whaley, Wiggins, Younger. Total--47.

Absent--Johnson, Parks, Tate, Thompson, Williams. Total--5.

The Secretary announced a quorum present.

The invocation was delivered by Pastor R. L. Mitchell, Shady Grove Missionary Baptist Church, Jackson, MS.

Senator Frazier led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 3039: Appropriation; Corrections, Department of.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 1143: Advanced Metastatic Cancer; prohibit health plans from requiring step therapy before covering certain drugs to treat.

Andrew Ketchings, Clerk of the House of Representatives

Senator Michel called up the following House Amendment to **S. B. No. 2530** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Title. This chapter shall be known and may be cited as the Peer-to-Peer Car Sharing Program Act.

SECTION 2. Definitions. For purposes of this chapter, the following terms shall have the meanings defined herein unless the context clearly indicates otherwise:

(a) "Car Sharing Delivery Period" means the period of time during which a shared vehicle is being delivered to the location of the car sharing start time, if applicable, as documented by the governing car sharing program agreement.

(b) "Car Sharing Period" means the period of time that commences with the car sharing delivery period or, if there is no car sharing delivery period, the period of time that commences with the car sharing start time and in either case ends at the car sharing termination time.

(c) "Car Sharing Program Agreement" means the terms and conditions applicable to a shared vehicle owner and a shared vehicle driver that governs the use of a shared vehicle through a peer-to-peer car sharing program.

(d) "Car Sharing Start Time" means the time when the shared vehicle becomes subject to the control of the shared vehicle driver at or after the time the reservation of a shared vehicle is scheduled to begin as documented in the records of a peer–to–peer car sharing program.

(e) "Car Sharing Termination Time" means the earliest of the following events:

(i) The expiration of the agreed upon period of time established for the use of a shared vehicle according to the terms of the car sharing program agreement

if the shared vehicle is delivered to the location agreed upon in the car sharing program agreement;

(ii) When the shared vehicle is returned to a location as alternatively agreed upon by the shared vehicle owner and shared vehicle driver as communicated through a peer–to–peer car sharing program, which alternatively agreed upon location shall be incorporated into the car sharing program agreement; or

(iii) When the shared vehicle owner or the shared vehicle owner's authorized designee, takes possession and control of the shared vehicle.

(f) "Peer-to-Peer Car Sharing" means the authorized use of a vehicle by an individual other than the vehicle's owner through a peer–to–peer car sharing program. This term shall not be construed to mean rental car or rental activity.

(g) "Peer-to-Peer Car Sharing Program" means a business platform that connects vehicle owners with drivers to enable the sharing of vehicles for financial consideration. This term shall not mean rental car company. An individual or business entity lawfully engaging in a peer–to–peer car sharing program shall not be considered as any of the following:

(i) As a "rental company" as that term is defined in Section 27-19-40(4);

(ii) As being engaged in renting a motor vehicle to another within the meaning of Section 63-1-67;

(iii) As a "transportation network company" as that term is defined in Section 77-8-1; or

(iv) As being engaged in the business of renting motor vehicles under rental agreements within the meaning of Section 75-24-8.

(h) "Shared Vehicle" means a vehicle that is available for sharing through a peer-to-peer car sharing program.

(i) "Shared Vehicle Driver" means an individual who has been authorized to drive the shared vehicle by the shared vehicle owner under a car sharing program agreement.

(j) "Shared Vehicle Owner" means the registered owner, or a person or entity designated by the registered owner, of a vehicle made available for sharing to shared vehicle drivers through a peer-to-peer car sharing program. A shared vehicle owner shall not mean a person "renting a motor vehicle to another" as that activity is described in Section 63-1-67. A shared vehicle owner is not "engaged in the business of renting motor vehicles under rental agreements" within the meaning of Section 75-24-8.

SECTION 3. Insurance coverage during car sharing period.

(1) Except as provided in subsection (2) of this section, a peer-to-peer car sharing program shall assume liability of a shared vehicle owner for bodily injury or property damage to third parties, or uninsured and underinsured motorist losses, during the car

sharing period in an amount stated in the peer-to-peer car sharing program agreement, provided that the amount shall not be less than that set forth in Section 63-15-43.

(2) Notwithstanding the definition of "car sharing termination time" as set forth in this act, the assumption of liability under subsection (1) of this section shall not apply to any shared vehicle owner when:

(a) A shared vehicle owner makes an intentional or fraudulent material misrepresentation or omission to the peer-to-peer car sharing program before the car sharing period in which the loss occurred; or

(b) Acting in concert with a shared vehicle driver who fails to return the shared vehicle pursuant to the terms of the car sharing program agreement.

(3) Notwithstanding the definition of "car sharing termination time" as set forth in this act, the assumption of liability under subsection (1) of this section shall include any bodily injury or property damage losses by damaged third parties, or uninsured and underinsured motorist losses, as required by Sections 63-15-1 et seq.

(4) A peer-to-peer car sharing program shall ensure that, during each car sharing period, the shared vehicle owner and the shared vehicle driver are insured under a motor vehicle liability insurance policy that provides insurance coverage in amounts no less than the minimum amounts set forth in Section 63-15-43; and

(a) Recognizes that the shared vehicle insured under the policy is made available and used through a peer-to-peer car sharing program; or

(b) Does not exclude use of a shared vehicle by a shared vehicle driver.

(5) The insurance described under subsection (4) of this section may be satisfied by motor vehicle liability insurance maintained by:

(a) A shared vehicle owner;

(b) A shared vehicle driver;

(c) A peer-to-peer car sharing program; or

(d) Both a shared vehicle owner, a shared vehicle driver and a peer-to-peer car sharing program.

(6) The insurance described in subsection (5) of this section that is satisfying the insurance requirement of subsection (4) of this section shall be primary during each car sharing period, and in the event that a claim occurs in another state with

minimum financial responsibility limits higher than the minimum amounts set forth in Section 63-15-43, during the car sharing period, the coverage maintained under subsection (5) shall satisfy the difference in minimum coverage amounts, up to the applicable policy limits.

(7) The insurer, insurers or peer-to-peer car sharing program providing coverage under subsections (4) or (5) of this section shall assume primary liability for a claim when:

(a) A dispute exists as to who was in control of the shared motor vehicle at the time of the loss and the peer-to-peer car sharing program does not have available, did not retain or fails to provide the information required by Section 8 of this act; or

(b) A dispute exists as to whether the shared vehicle was returned to the alternatively agreed upon location.

(8) If insurance maintained by a shared vehicle owner or shared vehicle driver in accordance with subsection (5) of this section has lapsed or does not provide the required coverage, insurance maintained by a peer-to-peer car sharing program shall provide the coverage required by subsection (4) of this section beginning with the first dollar of a claim and have the duty to defend such claim except under circumstances as set forth in subsection (2) of this section.

(9) Coverage under an automobile insurance policy maintained by the peer-to-peer car sharing program shall not be dependent on another automobile insurer first denying a claim nor shall another automobile insurance policy be required to first deny a claim.

(10) Nothing in this act:

(a) Limits the liability of the peer-to-peer car sharing program for any act or omission of the peer-to-peer car sharing program itself that results in injury to any person as a result of the use of a shared vehicle through a peer-to-peer car sharing program; or

(b) Limits the ability of the peer-to-peer car sharing program to, by contract, seek indemnification from the shared vehicle owner or the shared vehicle driver for economic loss sustained by the peer-to-peer car sharing program resulting from a breach of the terms and conditions of the car sharing program agreement.

SECTION 4. Notification of Implications of Lien. At the time when a vehicle owner registers as a shared vehicle owner on a peer-to-peer car sharing program and before the time when the shared vehicle owner makes a shared vehicle available for car sharing on the peer-to-peer car sharing program, the peer-to-peer car sharing program shall notify the shared vehicle owner that, if the shared vehicle has a lien against it, the use of the shared vehicle through a peer-to-peer car sharing program, including use without physical damage coverage, may violate the terms of the contract with the lienholder.

SECTION 5. Exclusions in motor vehicle liability insurance policies. (1) An authorized insurer that writes motor vehicle liability insurance in the state may exclude any and all coverage and the duty to defend or indemnify for any claim afforded under a shared vehicle owner's motor vehicle liability insurance policy, including, but not limited to:

(a) Liability coverage for bodily injury and property damage;

(b) Uninsured and underinsured motorist coverage;

(c) Medical payments coverage;

(d) Comprehensive physical damage coverage; and

(e) Collision physical damage coverage.

(2) Nothing in this act:

(a) Invalidates or limits an exclusion contained in a motor vehicle liability insurance policy, including any insurance policy in use or approved for use that excludes coverage for motor vehicles made available for rent, sharing or hire or for any business use;

(b) Invalidates, limits or restricts an insurer's ability under existing law to underwrite any insurance policy; or

(c) Invalidates, limits or restricts an insurer's ability under existing law to cancel and nonrenew policies.

SECTION 6. Recordkeeping; use of vehicle in car sharing.

A peer-to-peer car sharing program shall collect and verify records pertaining to the use of a vehicle, including, but not limited to, times used, car sharing period pick-up and drop-off locations, fees paid by the shared vehicle driver and revenues received by the shared vehicle owner and provide that information upon request to the shared vehicle owner, the shared vehicle owner's insurer or the shared vehicle driver's insurer to facilitate a claim coverage investigation, settlement, negotiation or litigation. The peer-to-peer car sharing program shall retain the records for a time period not less than the three-year limitation under Section 15-1-49.

SECTION 7. Vicarious liability. A peer-to-peer car sharing program and a shared vehicle owner shall be exempt from vicarious liability consistent with 49 USC Section 30106 and under any state or local law that imposes liability solely based on vehicle ownership.

SECTION 8. Contribution against indemnification. A motor vehicle insurer that defends or indemnifies a claim against a shared vehicle that is excluded under the terms of its policy shall have the right to seek recovery against the motor vehicle insurer of the peer-to-peer car sharing program if the claim is: (a) Made against the shared vehicle owner or the shared vehicle driver for loss or injury that occurs during the car sharing period; and

(b) Excluded under the terms of its policy.

SECTION 9. Insurable interest. (1) Notwithstanding any other law, statute, rule or regulation to the contrary, a peer-to-peer car sharing program shall have an insurable interest in a shared vehicle during the car sharing period.

(2) Nothing in this section creates liability on a peer-to-peer car sharing program to maintain the coverage mandated by Section 3 of this act.

(3) A peer–to–peer car sharing program may own and maintain as the named insured one or more policies of motor vehicle liability insurance that provides coverage for:

(a) Liabilities assumed by the peer–to–peer car sharing program under a peer–to–peer car sharing program agreement;

(b) Any liability of the shared vehicle owner; or

(c) Damage or loss to the shared motor vehicle or any liability of the shared vehicle driver.

SECTION 10. Consumer protection disclosures. (1) Each car sharing program agreement made in the state shall disclose to the shared vehicle owner and the shared vehicle driver:

(a) Any right of the peer-to-peer car sharing program to seek indemnification from the shared vehicle owner or the shared vehicle driver for economic loss sustained by the peer-to-peer car sharing program resulting from a breach of the terms and conditions of the car sharing program agreement;

(b) That a motor vehicle liability insurance policy issued to the shared vehicle owner for the shared vehicle or to the shared vehicle driver does not provide a defense or indemnification for any claim asserted by the peer-to-peer car sharing program;

(c) That the peer-to-peer car sharing program's insurance coverage on the shared vehicle owner and the shared vehicle driver is in effect only during each car sharing period and that, for any use of the shared vehicle by the shared vehicle driver after the car sharing termination time, the shared vehicle driver and the shared vehicle owner may not have insurance coverage;

(d) The daily rate, fees, and if applicable, any insurance or protection package costs that are charged to the shared vehicle owner or the shared vehicle driver;

(e) That the shared vehicle owner's motor vehicle liability insurance may not provide coverage for a shared vehicle;

(f) An emergency telephone number to personnel capable of fielding roadside assistance and other customer service inquiries; and

(g) If there are conditions under which a shared vehicle driver must maintain a personal automobile insurance policy with certain applicable coverage limits on a primary basis in order to book a shared motor vehicle.

SECTION 11. Driver's license verification and data retention. (1) A peer-to-peer car sharing program may not enter into a peer-to-peer car sharing program agreement with a driver unless the driver who will operate the shared vehicle:

(a) Holds a driver's license issued under Section 63-1-5 that authorizes the driver to operate vehicles of the class of the shared vehicle; or

(b) Is a nonresident who:

(i) Has a driver's license issued by the state or country of the driver's residence that authorizes the driver in that state or country to drive vehicles of the class of the shared vehicle; and

(ii) Is at least the same age as that required of a resident to drive; or

(c) Otherwise is specifically authorized under Title 63, Chapter 1, Mississippi Code of 1972, to drive vehicles of the class of the shared vehicle.

(2) A peer-to-peer car sharing program shall keep a record of:

(a) The name and address of the shared vehicle driver;

(b) The number of the driver's license of the shared vehicle driver and each other person, if any, who will operate the shared vehicle; and

(c) The place of issuance of the driver's license.

SECTION 12. Responsibility for equipment. A peer-to-peer car sharing program shall have sole responsibility for any equipment, such as a GPS system or other special equipment that is put in or on the vehicle to monitor or facilitate the car sharing transaction, and shall agree to indemnify and hold harmless the vehicle owner for any damage to or theft of such equipment during the sharing period not caused by the vehicle owner. The peer-to-peer car sharing program has the right to seek indemnity from the shared vehicle driver for any loss or damage to such equipment that occurs during the sharing period.

SECTION 13. Automobile safety recalls. (1) At the time when a vehicle owner registers as a shared vehicle owner on a peer-to-peer car sharing program and before the time when the shared vehicle owner makes a shared vehicle available for car sharing on the peer-to-peer car sharing program, the peer-to-peer car sharing program shall:

(a) Verify that the shared vehicle does not have any safety recalls on the vehicle for which the repairs have not been made; and

(b) Notify the shared vehicle owner of the requirements under subsection (2) of this section.

(2) (a) If the shared vehicle owner has received an actual notice of a safety recall on the vehicle, a shared vehicle owner shall not make a vehicle available as a shared vehicle on a peer-to-peer car sharing program until the safety recall repair has been made.

(b) If a shared vehicle owner receives an actual notice of a safety recall on a shared vehicle while the shared vehicle is made available on the peer-to-peer car sharing program, the shared vehicle owner shall remove the shared vehicle as available on the peer-to-peer car sharing program, as soon as practicably possible after receiving the notice of the safety recall and until the safety recall repair has been made.

(c) If a shared vehicle owner receives an actual notice of a safety recall while the shared vehicle is being used in the possession of a shared vehicle driver, as soon as practicably possible after receiving the notice of the safety recall, the shared vehicle owner shall notify the peer-to-peer car sharing program about the safety recall so that the shared vehicle owner may address the safety recall repair.

SECTION 14. Regulations. The Commissioner of Insurance may promulgate rules and regulations that are necessary to administer and enforce the provisions of this act provided that such rules and regulations are not inconsistent with the provisions of this act.

SECTION 15. Section 27-19-40, Mississippi Code of 1972, is amended as follows:

27-19-40. (1) A motor vehicle dealer or automobile auction may apply to the State Tax Commission for special in-transit tags or plates, which when properly displayed shall authorize the motor vehicle dealer or automobile auction to operate a motor vehicle upon the highways of this state without paying the annual highway privilege tax upon such vehicle and without attaching any other license tag or plate to such vehicle, if:

(a) The movement of the motor vehicle is for the purpose of sale of such vehicle to another motor vehicle dealer or automobile auction;

(b) The motor vehicle is being moved from the place of business of one motor vehicle dealer or automobile auction to the place of business of another motor vehicle dealer or automobile auction; and

(c) The special in-transit tag or plate is displayed in plain view on the motor vehicle in the manner prescribed by the State Tax Commission.

(2) A motor vehicle dealer or automobile auction may apply for a temporary tag or plate to be used when a motor vehicle in this state is sold by the motor vehicle dealer or automobile auction to a nonresident of the State of Mississippi or when a motor vehicle is sold by a motor vehicle dealer or automobile auction to a Mississippi resident who may temporarily exit this state before obtaining a Mississippi tag or plate. Such tag or plate when properly displayed shall authorize the purchaser of such a motor vehicle to operate the motor vehicle upon the highways of this state. The temporary tag or plate shall be valid for a period of seven (7) full working days, exclusive of the date of purchase, after the date the motor vehicle is purchased; however, if the temporary tag or plate is issued to a nonresident of the State of Mississippi, the temporary tag or plate shall be valid for the number of days within which the nonresident is required to obtain a permanent motor vehicle license tag or plate by the laws of the nonresident's state of residence.

(3) The State Tax Commission shall issue such tags or plates to each motor vehicle dealer or automobile auction who applies for them upon payment of a fee in an amount equal to Two Dollars ($2.00) for each in-transit tag or plate and Five Dollars ($5.00) for each temporary tag or plate.

(4) Whenever a rental company acquires a vehicle from a dealer by sale or otherwise, the rental company may apply for a temporary tag or plate to be issued by the dealer. Such tag or plate, when properly displayed, authorizes the rental company to operate the motor vehicle upon the highways of this state. The temporary tag or plate is valid for a period of thirty (30) full working days, exclusive of the date of delivery. Any dealer issuing a temporary tag under this subsection may collect from the purchaser requesting the issuance of the temporary tag a fee of Five Dollars ($5.00). The penalties established under Section 27-19-63, are not applicable until after the expiration of the thirty-day period under this subsection. For the purposes of this subsection, the term "rental company" means any person or entity in the business of providing primarily motor vehicles to the public under a rental agreement for a rental period not to exceed thirty (30) days, provided that any person or business entity lawfully engaging in a peer-to-peer car sharing program under the Peer-to-Peer Car Sharing Program Act shall not be considered as a rental company.

(5) The tags or plates authorized pursuant to this section shall be designed by the State Tax Commission. The State Tax Commission shall adopt rules and regulations necessary to implement this section, including, but not limited to, rules and regulations

establishing procedures for issuing such tags or plates and for the use and display of such tags or plates. Each motor vehicle dealer or automobile auction who is issued tags or plates pursuant to this section shall keep such records as may be required by the State Tax Commission.

(6) Any motor vehicle dealer or automobile auction who uses a tag or plate issued pursuant to this section for a purpose that is not authorized by this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of One Thousand Dollars ($1,000.00), and the use of all tags or plates issued to such motor vehicle dealer or automobile auction pursuant to this section shall be suspended for a period of one (1) year.

(7) As used in this section, the terms "motor vehicle dealer" and "automobile auction" shall have the meanings ascribed to such terms in Section 27-19-303, Mississippi Code of 1972.

SECTION 16. Section 63-1-67, Mississippi Code of 1972, is amended as follows:

63-1-67. (1) No person shall rent a motor vehicle to any other person unless the latter person is then duly licensed under the provisions of this article, or, in the case of a nonresident, then duly licensed under the laws of the state or country of his residence except a nonresident whose home state or country does not require that an operator be licensed.

(2) No person shall rent a motor vehicle to another until he has inspected the license of the person to whom the vehicle is to be rented and compared and verified the signature thereon with the signature of such person written in his presence.

(3) Every person renting a motor vehicle to another shall keep a record of the registration number of the motor vehicle so rented, the name and address of the person to whom the vehicle is rented, the number of the license of said latter person and the date and place when and where said license was issued. Such record shall be open to inspection by any police officer or officers or employee of the commissioner.

(4) The provisions of this section shall not apply to any person or business entity lawfully engaging in a peer-to-peer car sharing program or acting as a shared vehicle owner under the Peer-to-Peer Car Sharing Program Act.

SECTION 17. Section 77-8-1, Mississippi Code of 1972, is amended as follows:

77-8-1. (1) As used in this chapter:

(a) "Personal vehicle" means a vehicle that is used by a transportation network company driver and is:

(i) Owned, leased or otherwise authorized for use by the transportation network company driver; and

(ii) Not a common carrier by motor vehicle, contract carrier by motor vehicle, or restricted motor carrier under Chapter 7, Title 77, Mississippi Code of 1972.

(b) "Commissioner" means the Commissioner of Insurance.

(c) "Department" means the Mississippi Department of Insurance.

(d) "Digital network" means any online-enabled technology application service, website or system offered or utilized by a transportation network company that enables the prearrangement of rides with transportation network company drivers.

(e) "Transportation network company" means a corporation, partnership, sole proprietorship, or other entity that is licensed under this chapter and operating in Mississippi that uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides. A transportation network company shall not be deemed to control, direct or manage the personal vehicles or transportation network company drivers that connect to its digital network, except where agreed to by written contract.

(f) "Transportation network company driver" or "driver" means an individual who:

(i) Receives connections to potential passengers and related services from a transportation network company in exchange for payment of a fee to the transportation network company; and

(ii) Uses a personal vehicle to offer or provide a prearranged ride to riders upon connection through a digital network controlled by a transportation network company in return for compensation or payment of a fee.

(g) "Transportation network company rider" or "rider" means an individual or persons who use a transportation network company's digital network to connect with a transportation network driver who provides prearranged rides to the rider in the driver's personal vehicle between points chosen by the rider.

(h) "Prearranged ride" means the provision of transportation by a driver to a rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the driver transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle. A prearranged ride does not include transportation provided using a common carrier by motor vehicle, contract carrier by motor vehicle, or restricted motor carrier under Chapter 7, Title 77, Mississippi Code of 1972. A prearranged ride does not include shared expense carpool arrangements or vanpooling as defined in Section 77-7-7, or any other type of arrangement or service in which the driver receives a fee that does not exceed the driver's costs associated with providing the ride.

(2) The provisions of this section shall not apply to any person or business entity lawfully engaging in a peer-to-peer car sharing program under the Peer-to-Peer Car Sharing Program Act.

SECTION 18. Section 75-24-8, Mississippi Code of 1972, is amended as follows:

75-24-8. (1) The following words and phrases when used in this section have the meaning respectively ascribed to them, except for instances where the context clearly describes and indicates a different meaning:

(a) "Additional mandatory charge" means any separately stated charges that a renter is required to pay that specifically relate to the operation of a rental vehicle. This term includes, but is not limited to, a customer facility charge, airport concession recovery fee, vehicle license recovery fee, and any government imposed taxes or fees.

(b) "Quote" means an estimated cost of rental provided to a potential customer based on information provided by the customer, including potential dates of rental, location or class of vehicle.

(c) "Vehicle license recovery fee" means a charge to recover costs to license, title, register, plate, or inspect a rental vehicle that are incurred by a person or entity engaged in the business of renting motor vehicles under rental agreements.

(2) If a person or entity engaged in the business of renting motor vehicles under rental agreements imposes additional mandatory charges, the person or entity shall:

(a) Provide a good-faith estimate of the total charges for the entire rental, including all additional mandatory charges, whenever a quote is provided to a potential customer. The good-faith estimate may exclude mileage charges and charges for optional items that cannot be determined prior to completing a rental reservation based on the information provided by the potential customer; and

(b) Disclose in the rental contract provided to the renter the total charges for the entire rental, including all additional mandatory charges. Total charges for the entire rental do not include any charges that cannot be determined at the time the rental commences.

(3) The provisions of this section shall not apply to any person or business entity lawfully engaging in a peer-to-peer car sharing program under the Peer-to-Peer Car Sharing Program Act.

SECTION 19. Section 27-17-35, Mississippi Code of 1972, is amended as follows:

27-17-35. (1) Upon each person operating a taxicab, U-drive-it, or other forms of renting motor vehicles (for the transportation of persons for hire), whether driven by the person renting same, or by driver furnished by the person operating the station, for each automobile so operated, as follows:

In municipalities of class 1 ..... $15.00
In municipalities of class 2 ..... $10.00
In municipalities of classes 3, 4, 5, 6, 7, and elsewhere in the county..... $ 5.00

(2) The provisions of this section shall not apply to any person or business entity lawfully engaging in a peer-to-peer car sharing program or acting as a shared vehicle owner under the Peer-to-Peer Car Sharing Program Act.

SECTION 20. Effective date. This act shall take effect and be in force from and after two hundred and seventy (270) days from the date that the Governor signed the bill, or if the Governor did not sign the bill, then two hundred and seventy (270) days from the date the bill became law absent the Governor's signature.

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

AN ACT TO CREATE THE PEER-TO-PEER CAR SHARING PROGRAM ACT; TO AUTHORIZE VEHICLE OWNERS AND DRIVERS TO USE A BUSINESS PLATFORM FOR THE SHARING OF VEHICLES FOR FINANCIAL CONSIDERATION; TO PROVIDE FOR DEFINITIONS RELATED TO THE ACT; TO PROVIDE THAT A

PEER-TO-PEER CAR SHARING PROGRAM SHALL ASSUME LIABILITY OF A SHARED VEHICLE OWNER FOR CERTAIN INJURIES OR DAMAGE WITH CERTAIN EXCEPTIONS; TO REQUIRE CERTAIN NOTIFICATIONS TO SHARED VEHICLE OWNERS ABOUT THE USE OF THEIR VEHICLE; TO PROVIDE THAT AN AUTHORIZED MOTOR VEHICLE LIABILITY INSURER MAY EXCLUDE CERTAIN COVERAGE IN SHARED VEHICLE OWNERS' INSURANCE POLICIES; TO REQUIRE A PEER-TO-PEER CAR SHARING PROGRAM TO COLLECT AND VERIFY RECORDS PERTAINING TO THE USE OF A SHARED VEHICLE; TO EXEMPT A PEER-TO-PEER CAR SHARING PROGRAM AND A SHARED VEHICLE OWNER FROM VICARIOUS LIABILITY; TO PROVIDE THAT AN AUTHORIZED MOTOR VEHICLE LIABILITY INSURER MAY HAVE CERTAIN INDEMNITY RIGHTS; TO PROVIDE THAT A PEER-TO-PEER CAR SHARING PROGRAM SHALL HAVE AN INSURABLE INTEREST IN A SHARED VEHICLE DURING THE CAR SHARING PERIOD; TO REQUIRE A CAR SHARING PROGRAM AGREEMENT TO HAVE CERTAIN CONSUMER PROTECTION DISCLOSURES; TO REQUIRE A PEER-TO-PEER CAR SHARING PROGRAM TO VERIFY DRIVER'S LICENSES; TO PROVIDE FOR SPECIFIC PROCEDURES REQUIRED OF PEER-TO-PEER CAR SHARING PROGRAMS IN REGARDS TO AUTOMOBILE SAFETY RECALLS; TO PROVIDE THAT THE COMMISSIONER OF INSURANCE SHALL HAVE THE AUTHORITY TO PROMULGATE RULES AND REGULATIONS THAT ARE NECESSARY TO ADMINISTER AND ENFORCE THE PROVISIONS OF THIS ACT PROVIDED THAT SUCH RULES AND REGULATIONS ARE NOT INCONSISTENT WITH THE PROVISIONS OF THIS ACT; TO AMEND SECTIONS 27-19-40, 63-1-67, 77-8-1, 75-24-8 AND 27-17-35, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2530** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Turner-Ford, Whaley, Wiggins, Younger. Total--47.

Nays--None.

Absent and those not voting--Johnson, Parks, Tate, Thompson, Williams. Total--5.

Senator Chassaniol called up the following House Amendment to **S. B. No. 2142** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The American Quarter Horse, which is well-suited for the intricate and quick maneuvers required for rodeo events, is hereby designated the "Official State Horse of the State of Mississippi."

SECTION 2. The Kemp's Ridley sea turtle, the most endangered sea turtle in the world, which is native to Mississippi, is hereby designated the "Official Sea Turtle of the State of Mississippi."

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO DESIGNATE THE AMERICAN QUARTER HORSE AS THE "OFFICIAL STATE HORSE OF THE STATE OF MISSISSIPPI"; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2142** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Turner-Ford, Whaley, Wiggins, Younger. Total--47.

Nays--None.

Absent and those not voting--Johnson, Parks, Tate, Thompson, Williams. Total--5.

Senator Wiggins called up the following House Amendment to **S. B. No. 2792** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-21-105, Mississippi Code of 1972, is amended as follows:

43-21-105. The following words and phrases, for purposes of this chapter, shall have the meanings ascribed herein unless the context clearly otherwise requires:

(a) "Youth court" means the Youth Court Division.

(b) "Judge" means the judge of the Youth Court Division.

(c) "Designee" means any person that the judge appoints to perform a duty which this chapter requires to be done by the judge or his designee. The judge may not appoint a person who is involved in law enforcement or who is an employee of the Mississippi Department of Human Services or the Mississippi Department of Child Protection Services to be his designee.

(d) "Child" and "youth" are synonymous, and each means a person who has not reached his eighteenth birthday. A child who has not reached his eighteenth birthday and is on active duty for a branch of the armed services or is married is not considered a "child" or "youth" for the purposes of this chapter.

(e) "Parent" means the father or mother to whom the child has been born, or the father or mother by whom the child has been legally adopted.

(f) "Guardian" means a court-appointed guardian of the person of a child.

(g) "Custodian" means any person having the present care or custody of a child whether such person be a parent or otherwise.

(h) "Legal custodian" means a court-appointed custodian of the child.

(i) "Delinquent child" means a child who has reached his tenth birthday and who has committed a delinquent act.

(j) "Delinquent act" is any act, which if committed by an adult, is designated as a crime under state or federal law, or municipal or county ordinance other than offenses punishable by life imprisonment or death. A delinquent act includes escape from lawful detention and violations of the Uniform Controlled Substances Law and violent behavior.

(k) "Child in need of supervision" means a child who has reached his seventh birthday and is in need of treatment or rehabilitation because the child:

(i) Is habitually disobedient of reasonable and lawful commands of his parent, guardian or custodian and is ungovernable; or

(ii) While being required to attend school, willfully and habitually violates the rules thereof or willfully and habitually absents himself therefrom; or

(iii) Runs away from home without good cause; or

(iv) Has committed a delinquent act or acts.

(l) "Neglected child" means a child:

(i) Whose parent, guardian or custodian or any person responsible for his care or support, neglects or refuses, when able so to do, to provide for him proper and necessary care or support, or education as required by law, or medical, surgical, or other care necessary for his well-being; however, a parent who withholds medical treatment from any child who in good faith is under treatment by spiritual means alone through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof shall not, for that reason alone, be considered to be neglectful under any provision of this chapter; or

(ii) Who is otherwise without proper care, custody, supervision or support; or

(iii) Who, for any reason, lacks the special care made necessary for him by reason of his mental condition, whether the mental condition is having mental illness or having an intellectual disability; or

(iv) Who * * * is not provided, by the child's parent, guardian or custodian, with food, clothing or shelter necessary to sustain the life or health of the child, excluding such failure caused primarily by financial inability unless relief services have been offered and refused and the child is in imminent risk of harm.

(m) "Abused child" means a child whose parent, guardian or custodian or any person responsible for his care or support, whether legally obligated to do so or not, has caused or allowed to be caused, upon the child, sexual abuse, sexual exploitation, commercial sexual exploitation, emotional abuse, mental injury, nonaccidental physical injury or other maltreatment. However, physical discipline, including spanking, performed on a child by a parent, guardian or custodian in a reasonable manner shall not be deemed abuse under this section. "Abused child" also means a child who is or has been trafficked within the meaning of the Mississippi Human Trafficking Act by any person, without regard to the relationship of the person to the child.

(n) "Sexual abuse" means obscene or pornographic photographing, filming or depiction of children for commercial purposes, or the rape, molestation, incest, prostitution or other such forms of sexual exploitation of children under circumstances which indicate that the child's health or welfare is harmed or threatened.

(o) "A child in need of special care" means a child with any mental or physical illness that cannot be treated with the dispositional alternatives ordinarily available to the youth court.

(p) A "dependent child" means any child who is not a child in need of supervision, a delinquent child, an abused child or a neglected child, and which child has been voluntarily placed in the custody of the Department of Child Protection Services by his parent, guardian or custodian.

(q) "Custody" means the physical possession of the child by any person.

(r) "Legal custody" means the legal status created by a court order which gives the legal custodian the responsibilities of physical possession of the child and the duty to provide him with food, shelter, education and reasonable medical care, all subject to residual rights and responsibilities of the parent or guardian of the person.

(s) "Detention" means the care of children in physically restrictive facilities.

(t) "Shelter" means care of children in physically nonrestrictive facilities.

(u) "Records involving children" means any of the following from which the child can be identified:

(i) All youth court records as defined in Section 43-21-251;

(ii) All forensic interviews conducted by a child advocacy center in abuse and neglect investigations;

(iii) All law enforcement records as defined in Section 43-21-255;

(iv) All agency records as defined in Section 43-21-257; and

(v) All other documents maintained by any representative of the state, county, municipality or other public agency insofar as they relate to the apprehension, custody, adjudication or disposition of a child who is the subject of a youth court cause.

(v) "Any person responsible for care or support" means the person who is providing for the child at a given time. This term shall include, but is not limited to, stepparents, foster parents, relatives, nonlicensed babysitters or other similar persons responsible for a child and staff of residential care facilities and group homes that are licensed by the Department of Human Services or the Department of Child Protection Services.

(w) The singular includes the plural, the plural the singular and the masculine the feminine when consistent with the intent of this chapter.

(x) "Out-of-home" setting means the temporary supervision or care of children by the staff of licensed day care centers, the staff of public, private and state schools, the staff of juvenile detention facilities, the staff of unlicensed residential care facilities and group homes and the staff of, or individuals representing, churches, civic or social organizations.

(y) "Durable legal custody" means the legal status created by a court order which gives the durable legal custodian the responsibilities of physical possession of the child and the duty to provide him with care, nurture, welfare, food, shelter, education and reasonable medical care. All these duties as enumerated are subject to the residual rights and responsibilities of the natural parent(s) or guardian(s) of the child or children.

(z) "Status offense" means conduct subject to adjudication by the youth court that would not be a crime if committed by an adult.

(aa) "Financially able" means a parent or child who is ineligible for a court-appointed attorney.

(bb) "Assessment" means an individualized examination of a child to determine the child's psychosocial needs and problems, including the type and extent of any mental health, substance abuse or co-occurring mental health and substance abuse disorders and recommendations for treatment. The term includes, but is not limited to, a drug and alcohol, psychological or psychiatric evaluation, records review, clinical interview or the administration of a formal test and instrument.

(cc) "Screening" means a process, with or without the administration of a formal instrument, that is designed to identify a child who is at increased risk of having mental health, substance abuse or co-occurring mental health and substance abuse disorders that warrant immediate attention, intervention or more comprehensive assessment.

(dd) "Durable legal relative guardianship" means the legal status created by a youth court order that conveys the physical and legal custody of a child or children by durable legal guardianship to a relative or fictive kin who is licensed as a foster or resource parent.

(ee) "Relative" means a person related to the child by affinity or consanguinity within the third degree.

(ff) "Fictive kin" means a person not related to the child legally or biologically but who is considered a relative due to a significant, familial-like and ongoing relationship with the child and family.

(gg) "Reasonable efforts" means the exercise of reasonable care and due diligence by the Department of Human Services, the Department of Child Protection Services, or any other appropriate entity or person to use * * * services appropriate to the child's background which are accessible and available to meet the individualized needs of the child and child's family to prevent removal and reunify the family as soon as safely possible consistent with the best interests of the child.

Reasonable efforts must be made in collaboration with the family and must address the individualized needs of the family which brought the child to the attention of the Department of Child Protection Services and may not consist of required services that are not related to the family's needs.

(hh) "Commercial sexual exploitation" means any sexual act or crime of a sexual nature, which is committed against a child for financial or economic gain, to obtain a thing of value for quid pro quo exchange of property or for any other purpose.

(ii) "Compelling and extraordinary reasons" why termination of parental rights would not be in the child's best interests may include, but are not limited to, when:

(i) A child is being cared for by a relative and that relative, who is otherwise an appropriate, safe and loving placement for the child, is unwilling to participate in termination of parental rights proceedings;

(ii) Guardianship is available;

(iii) A natural parent is incarcerated but subject to be released within a reasonable time and could be given an opportunity to work a service plan toward possible reunification;

(iv) A natural parent is terminally ill and unable to care or provide for the child;

(v) The absence of the parent is due to the parent's admission or commitment to any institution or health facility or due to active service in state or federal armed forces;

(vi) A child twelve (12) years or older objects to the termination of parental rights;

(vii) The child is placed in a residential treatment facility and adoption is unlikely or undesirable or the child is not in an adoptive placement, or it is likely the child will age out of the Department of Child Protection Services' custody rather than be adopted;

(viii) Necessary for compliance with the Indian Child Welfare Act; and

(ix) The department has not provided services within the time frames indicated in the case plan and there is evidence that the family may achieve reunification within six (6) months or there is a finding that reasonable efforts were not made.

SECTION 2. Section 43-21-301, Mississippi Code of 1972, is amended as follows:

43-21-301. (1) No court other than the youth court shall issue an arrest warrant or custody order for a child in a matter in which the youth court has exclusive original jurisdiction but shall refer the matter to the youth court.

(2) Except as otherwise provided, no child in a matter in which the youth court has exclusive original jurisdiction shall be taken into custody by a law enforcement officer, the Department of Human Services, the Department of Child Protection Services, or any other person unless the judge or his designee has issued a custody order to take the child into custody.

(3) The judge or his designee may require a law enforcement officer, the Department of Human Services, the Department of Child Protection Services, or any suitable person to take a child into custody for a period not longer than forty-eight (48) hours, excluding Saturdays, Sundays, and statutory state holidays.

(a) Custody orders under this subsection may be issued if it appears that there is probable cause to believe that:

(i) The child is within the jurisdiction of the court;

(ii) Custody is necessary because of any of the following reasons: the child is in danger of a significant risk of harm, any person would be in danger of a significant risk of harm by the child, to ensure the child's attendance in court at such time as required, or a parent, guardian or custodian is not available to provide for the care and supervision of the child; and

(iii) There is no reasonable alternative to custody.

A finding of probable cause under this subsection (3)(a) shall not be based solely upon a positive drug test of a newborn or parent for marijuana or solely upon the status of a parent as a cardholder under the Mississippi Medical Cannabis Act; however, a finding of probable cause may be based upon an evidence-based finding of harm to the child or a parent's inability to provide for the care and supervision of the child due to the parent's use of marijuana. Probable cause for unlawful use of any controlled substance, except as otherwise provided in this subsection (3)(a) for marijuana, may be based: 1. upon a parent's positive drug test for unlawful use of a controlled substance only if the child is in danger of a significant risk of harm or the parent is unable to provide proper care or supervision of the child because of the unlawful use and there is no reasonable alternative to custody; and 2. upon a newborn's positive drug screen for a controlled substance that was used unlawfully only if the child is in danger of a significant risk of harm or the parent is unable to provide proper care or supervision of the child because of the unlawful use and there is no reasonable alternative to custody.

A child may not be considered "neglected" solely because the child's parent, guardian or custodian has failed to provide the child with food, clothing or shelter necessary to sustain the life or health of the child when the failure is caused primarily by financial inability, unless relief services have been offered and refused and the child is in imminent risk of harm.

(b) Custody orders under this subsection shall be written. In emergency cases, a judge or his designee may issue an oral custody order, but the order shall be reduced to writing within forty-eight (48) hours of its issuance.

(c) Each youth court judge shall develop and make available to law enforcement a list of designees who are available after hours, on weekends and on holidays.

(4) The judge or his designee may order, orally or in writing, the immediate release of any child in the custody of any person or agency. Except as otherwise provided in subsection (3) of this section, custody orders as provided by this chapter and authorizations of temporary custody may be written or oral, but, if oral, reduced to writing within forty-eight (48) hours, excluding Saturdays, Sundays and statutory state holidays. The written order shall:

(a) Specify the name and address of the child, or, if unknown, designate him or her by any name or description by which he or she can be identified with reasonable certainty;

(b) Specify the age of the child, or, if unknown, that he or she is believed to be of an age subject to the jurisdiction of the youth court;

(c) Except in cases where the child is alleged to be a delinquent child or a child in need of supervision, state that the effect of the continuation of the child's residing within his or her own home would be contrary to the welfare of the child, that the placement of the child in foster care is in the best interests of the child, and unless the reasonable efforts requirement is bypassed under Section 43-21-603(7)(c), also state that (i) reasonable efforts have been made to maintain the child within his or her own home, but that the circumstances warrant his removal and there is no reasonable alternative to custody; or (ii) the circumstances are of such an emergency nature that no reasonable efforts have been made to maintain the child within his own home, and that there is no reasonable alternative to custody. If the court makes a finding in accordance with (ii) of this paragraph, the court shall order that reasonable efforts be made toward the reunification of the child with his or her family;

(d) State that the child shall be brought immediately before the youth court or be taken to a place designated by the order to be held pending review of the order;

(e) State the date issued and the youth court by which the order is issued; and

(f) Be signed by the judge or his designee with the title of his office.

(5) The taking of a child into custody shall not be considered an arrest except for evidentiary purposes.

(6) (a) No child who has been accused or adjudicated of any offense that would not be a crime if committed by an adult shall be placed in an adult jail or lockup. An accused status offender shall not be held in secure detention longer than twenty-four (24) hours prior to and twenty-four (24) hours after an initial court appearance, excluding Saturdays, Sundays and statutory state holidays, except under the following circumstances: a status offender may be held in secure detention for violating a valid court order pursuant to the criteria as established by the federal Juvenile Justice and Delinquency Prevention Act of 2002, and any subsequent amendments thereto, and out-of-state runaways may be detained pending return to their home state.

(b) No accused or adjudicated juvenile offender, except for an accused or adjudicated juvenile offender in cases where jurisdiction is waived to the adult criminal court, shall be detained or placed into custody of any adult jail or lockup for a period in excess of six (6) hours.

(c) If any county violates the provisions of paragraph (a) or (b) of this subsection, the state agency authorized to allocate federal funds received pursuant to the Juvenile Justice and Delinquency Prevention Act of 1974, 88 Stat. 2750 (codified in scattered Sections of 5, 18, 42 USCS), shall withhold the county's share of such funds.

(d) Any county that does not have a facility in which to detain its juvenile offenders in compliance with the provisions of paragraphs (a) and (b) of this subsection may enter into a contractual agreement to detain or place into custody the juvenile offenders of that county with any county or municipality that does have such a facility, or with the State of Mississippi, or with any private entity that maintains a juvenile correctional facility.

(e) Notwithstanding the provisions of paragraphs (a), (b), (c) and (d) of this subsection, all counties shall be allowed a one-year grace period from March 27, 1993, to comply with the provisions of this subsection.

SECTION 3. Section 43-21-303, Mississippi Code of 1972, is amended as follows:

43-21-303. (1) No child in a matter in which the youth court has original exclusive jurisdiction shall be taken into custody by any person without a custody order except that:

(a) A law enforcement officer may take a child in custody if:

(i) Grounds exist for the arrest of an adult in identical circumstances; and

(ii) Such law enforcement officer has probable cause to believe that custody is necessary as defined in Section 43-21-301; and

(iii) Such law enforcement officer can find no reasonable alternative to custody; or

(b) A law enforcement officer or an agent of the Department of Child Protection Services or the Department of Human Services may take a child into immediate custody if:

(i) There is probable cause to believe that the child is in immediate danger of personal harm; however, probable cause shall not be based solely upon a positive drug test of a newborn or parent for marijuana or solely upon the status of a parent as a cardholder under the Mississippi Medical Cannabis Act, but a finding of probable cause may be based upon an evidence-based finding of harm to the child or a parent's inability to provide for the care and supervision of the child due to the parent's use of marijuana. Probable cause for unlawful use of any controlled substance, except as otherwise provided in this subparagraph (i) for marijuana, may be based: 1. upon a parent's positive drug test for unlawful use of a controlled substance only if the child is in danger of a significant risk of harm or the parent is unable to provide proper care or supervision of the child because of the unlawful use and there is no reasonable alternative to custody; and 2. upon a newborn's positive drug screen for a controlled substance that was used unlawfully only if the child is in danger of a significant risk of harm or the parent is unable to provide proper care or supervision of the child because of the unlawful use and there is no reasonable alternative to custody * * *.

A child may not be considered "neglected" solely because the child's parent, guardian or custodian has failed to provide the child with food, clothing or shelter necessary to sustain the life or health of the child when the failure is caused primarily by financial inability, unless relief services have been offered and refused and the child is in imminent risk of harm; and

(ii) There is probable cause to believe that immediate custody is necessary as set forth in Section 43-21-301(3); and

(iii) There is no reasonable alternative to custody; and

(c) Any other person may take a child into custody if grounds exist for the arrest of an adult in identical circumstances. Such other person shall immediately surrender custody of the child to the proper law enforcement officer who shall thereupon continue custody only as provided in subsection (1)(a) of this section.

(2) When it is necessary to take a child into custody, the least restrictive custody should be selected.

(3) Unless the child is immediately released, the person taking the child into custody shall immediately notify the judge or his designee. A person taking a child into custody shall also make continuing reasonable efforts to notify the child's parent, guardian or custodian and invite the parent, guardian or custodian to be present during any questioning.

(4) A child taken into custody shall not be held in custody for a period longer than reasonably necessary, but not to exceed twenty-four (24) hours, and shall be released to his parent, guardian or custodian unless the judge or his designee authorizes temporary custody.

SECTION 4. Section 93-15-103, Mississippi Code of 1972, is amended as follows:

93-15-103. For purposes of this chapter, unless a different meaning is plainly expressed by the context, the following definitions apply:

(a) "Abandonment" means any conduct by the parent, whether consisting of a single incident or actions over an extended period of time, that evinces a settled purpose to relinquish all parental claims and responsibilities to the child. Abandonment may be established by showing:

(i) For a child who is under three (3) years of age on the date that the petition for termination of parental rights was filed, that the parent has deliberately made no contact with the child for six (6) months;

(ii) For a child who is three (3) years of age or older on the date that the petition for termination of parental rights was filed, that the parent has deliberately made no contact with the child for at least one (1) year;

(iii) If the child is under six (6) years of age, that the parent has exposed the child in any highway, street, field, outhouse, or elsewhere with the intent to wholly abandon the child; or

(iv) If the parent gives possession of the child to an emergency medical services provider pursuant to Sections 43-15-201 et seq.

(b) "Child" means a person under eighteen (18) years of age.

(c) "Court" means the court having jurisdiction under the Mississippi Termination of Parental Rights Law.

(d) "Desertion" means:

(i) Any conduct by the parent over an extended period of time that demonstrates a willful neglect or refusal to provide for the support and maintenance of the child; or

(ii) That the parent has not demonstrated, within a reasonable period of time after the birth of the child, a full commitment to the responsibilities of parenthood.

(e) "Home" means any charitable or religious corporation or organization or the superintendent or head of the charitable or religious corporation or organization organized under the laws of the State of Mississippi, any public authority to which has been granted the power to provide care for or procure the adoption of children by any Mississippi statute, and any association or institution engaged in placing children for adoption on July 1, 1955.

(f) "Interested person" means any person related to the child by consanguinity or affinity, a custodian or legal guardian of the child, a guardian ad litem representing the child's best interests, or an attorney representing the child's preferences under Rule 13 of the Uniform Rules of Youth Court Practice.

(g) "Minor parent" means any parent under twenty-one (21) years of age.

(h) "Parent" means a natural or adoptive parent of the child.

(i) "Permanency outcome" means achieving a permanent or long-term custodial arrangement for the custody and care of the child that ends the supervision of the Department of Child Protection Services.

(j) "Qualified health professional" means a licensed or certified professional who is engaged in the delivery of health services and who meets all applicable federal or state requirements to provide professional services.

(k) "Qualified mental health professional" means a person with at least a master's degree in mental health or a related field and who has either a professional license or a Department of Mental Health credential as a mental health therapist.

(l) "Reunification" means the restoration of the parent's custodial rights in providing for the safety and welfare of the child which ends the supervision of the Department of Child Protection Services.

(m) "Compelling and extraordinary reasons" why termination of parental rights would not be in the child's best interests may include, but are not limited to, when:

(i) A child is being cared for by a relative and that relative, who is otherwise an appropriate, safe and loving placement for the child, is unwilling to participate in termination of parental rights proceedings;

(ii) Guardianship is available;

(iii) A natural parent is incarcerated but subject to be released within a reasonable time and could be given an opportunity to work a service plan toward possible reunification;

(iv) A natural parent is terminally ill and unable to care or provide for the child;

(v) The absence of the parent is due to the parent's admission or commitment to any institution or health facility or due to active service in state or federal armed forces;

(vi) A child twelve (12) years or older objects to the termination of parental rights;

(vii) The child is placed in a residential treatment facility and adoption is unlikely or undesirable or the child is not in an adoptive placement, or it is likely the child will age out of the Department of Child Protection Services' custody rather than be adopted;

(viii) Necessary for compliance with the Indian Child Welfare Act; and

(ix) The department has not provided services within the time frames indicated in the case plan and there is evidence that the family may achieve reunification within six (6) months or there is a finding that reasonable efforts were not made.

SECTION 5. Section 43-21-201, Mississippi Code of 1972, is amended as follows:

43-21-201. (1) (a) Each party shall have the right to be represented by counsel at all stages of the proceedings including, but not limited to, detention, shelter, adjudicatory and disposition hearings and parole or probation revocation proceedings.

(b) In delinquency matters the court shall appoint legal defense counsel who is not also a guardian ad litem for the same child. If the party is a child, the child shall be represented by counsel at all critical stages: detention, adjudicatory and disposition hearings; parole or probation revocation proceedings; and post-disposition matters. If indigent, the child shall have the right to have counsel appointed for him by the youth court.

(c) A child who is alleged to have been abused or neglected shall be deemed to be a party to the proceedings under this chapter. The child shall be represented by an attorney at all stages of any proceedings held pursuant to this chapter. The court shall appoint an attorney to any child who is unrepresented.

The guardian ad litem may serve a dual role as long as no conflict of interest is present. If a conflict of interest arises, the guardian ad litem shall inform the Youth Court of the conflict and the youth court shall retain the guardian ad litem to represent the best interest of the child and appoint an attorney to represent the child's preferences as required by Uniform Rule of Youth Court Practice 13(f).

(2) (a) When a party first appears before the youth court, the judge shall ascertain whether he is represented by counsel and, if not, inform him of his rights including his right to counsel. If the court determines that a parent or guardian who is a party in an abuse, neglect or termination of parental rights proceeding is indigent, the youth court judge * * * shall appoint counsel to represent the indigent custodial parent or guardian in the proceeding. The court may appoint counsel to represent a noncustodial parent if the court determines that the noncustodial parent is indigent and has demonstrated a significant custodial relationship with the child. All parents have the right to have appointed counsel in termination of parental rights hearings, and the court shall appoint counsel if the court makes a finding that the parent is indigent and counsel is requested by the parent. For purposes of this section, indigency must be determined pursuant to Section 25-32-9 and Rule 7.3 of the Mississippi Rules of Criminal Procedures.

(b) (i) The court shall order a financially able parent or custodian to pay all or part of reasonable attorney's fees and expenses for court-appointed representation after review by the court of an affidavit of financial means completed and verified by a parent or custodian and a determination by the court of an ability to pay.

(ii) All monies collected by the clerk under this paragraph must be retained by the clerk and deposited into a special fund to be known as the "Juvenile Court Representation Fund."

(iii) The court may direct that money from the fund be used in providing counsel for indigent parents or custodians at the trial level in dependency-neglect proceedings.

(iv) Upon a determination of indigency and a finding by the court that the fund does not have sufficient funds to pay reasonable attorney's fees and expenses incurred at the trial court level and that state funds have been exhausted, the court may order the county to pay the reasonable fees and expenses until the state provides funding for counsel.

(3) An attorney appointed to represent a child shall be required to complete annual juvenile justice training that is approved by the Mississippi Office of State Public Defender and the Mississippi Commission on Continuing Legal Education. An attorney appointed to represent a parent or guardian in an abuse, neglect or termination of parental rights proceeding shall be required to complete annual training that is approved by the Office of State Public Defender and the Mississippi Commission on Continuing Legal Education. The Mississippi Office of State Public Defender and the Mississippi Commission on Continuing Legal Education shall determine the amount of juvenile justice training and continuing education required to fulfill the requirements of this subsection. The State Public Defender shall maintain a roll of attorneys who have complied with the training requirements and shall enforce the provisions of this subsection. Should an attorney fail to complete the annual training requirement or fail to attend the required training within six (6) months of being appointed to a youth court case, the attorney shall be disqualified to serve and the youth court shall immediately terminate the representation and appoint another attorney. Attorneys appointed by a youth court to five (5) or fewer cases a year are exempt from the requirements of this subsection.

(4) Attorneys for all parties, including the child's attorney, shall owe the * * * duties of undivided loyalty, confidentiality and competent representation to the * * * party client pursuant to the Mississippi Rules of Professional Conduct.

(5) An attorney shall enter his appearance on behalf of a party in the proceeding by filing a written notice of appearance with the youth court, by filing a pleading, notice or motion signed by counsel or by appearing in open court and advising the youth court that he is representing a party. After counsel has entered his appearance, he shall be served with copies of all subsequent pleadings, motions and notices required to be served on the party he represents. An attorney who has entered his appearance shall not be permitted

to withdraw from the case until a timely appeal, if any, has been decided, except by leave of the court then exercising jurisdiction of the cause after notice of his intended withdrawal is served by him on the party he represents.

(6) Each designee appointed by a youth court judge shall be subject to the Code of Judicial Conduct and shall govern himself or herself accordingly.

(7) The Department of Child Protection Services shall be a necessary party at all stages of the proceedings involving a child for whom the department has custody, including, but not limited to, shelter, adjudicatory, disposition, permanency hearings and termination of parental rights.

SECTION 6. Section 93-15-107, Mississippi Code of 1972, is amended as follows:

93-15-107. (1) (a) Involuntary termination of parental rights proceedings are commenced upon the filing of a petition under this chapter. The petition may be filed by any interested person, or any agency, institution or person holding custody of the child. The simultaneous filing of a petition for adoption is not a prerequisite for filing a petition under this chapter.

(b) The proceeding shall be triable, either in term time or vacation, thirty (30) days after personal service of process to any necessary party or, for a necessary party whose address is unknown after diligent search, thirty (30) days after the date of the first publication of service of process by publication that complies with the Mississippi Rules of Civil Procedure.

(c) Necessary parties to a termination of parental rights action shall include the mother of the child, the legal father of the child, the putative father of the child when known, and any agency, institution or person holding custody of the child. If the child is twelve (12) years or older at the time of the hearing, a summons must be issued and served upon the minor child, together with a copy of the petition, not less than seven (7) days before the hearing. The minor child must be represented by an attorney throughout the proceedings. The court shall appoint an attorney for a minor child who is unrepresented so that the court has the benefit of knowing the child's stated interest. If the child is fourteen (14) years or older at the time of the hearing, the child's preferences regarding the termination of parental rights must be considered by the court. The absence of a necessary party who has been properly served does not preclude the court from conducting the hearing or rendering a final judgment.

(d) A guardian ad litem shall be appointed to protect the best interest of the child, except that the court, in its discretion, may waive this requirement when a parent executes a written voluntary release to terminate parental rights. The guardian ad litem fees shall be determined and assessed in the discretion of the court.

(e) The style of the case may not include the child's name when the child is not the party plaintiff or petitioner.

(2) Voluntary termination of parental rights by written voluntary release is governed by Section 93-15-111.

(3) In all cases involving termination of parental rights, a minor parent shall be served with process as an adult.

(4) The court may waive service of process if an adoptive child was born in a foreign country, put up for adoption in the birth country, and has been legally admitted into this country.

(5) The clerk shall docket cases seeking relief under this chapter as priority cases. The assigned judge shall be immediately notified when a case is filed in order to provide for expedited proceedings.

(6) (a) Once the petition for termination of parental rights is filed with the court of competent jurisdiction, the court shall hold a hearing on the petition within ninety (90) calendar days of the date the petition is filed absent extraordinary circumstances.

(b) For purposes of this subsection, the ninety (90) calendar-day time period commences when perfected service is made on the parents.

(c) For purposes of this subsection, extraordinary circumstances include:

(i) The Mississippi Supreme Court orders the suspension of in-person court proceedings; or

(ii) One (1) of the following has occurred:

1. The President of the United States has declared a national emergency; or

2. The Governor has declared a state of emergency or a statewide public health emergency; or

3. The best interests of the child are served and the court makes specific findings of such.

SECTION 7. Section 93-15-111, Mississippi Code of 1972, is amended as follows:

93-15-111. (1) The court * * * shall accept the parent's written voluntary release if it meets the following minimum requirements:

(a) Is signed under oath and dated at least seventy-two (72) hours after the birth of the child;

(b) States the parent's full name, the relationship of the parent to the child, and the parent's address;

(c) States the child's full name, date of birth, time of birth if known, and place of birth as indicated on the birth certificate;

(d) Identifies the governmental agency or home to which the child has been surrendered, if any;

(e) States the parent's consent to adoption of the child and waiver of service of process for any future adoption proceedings;

(f) Acknowledges that the termination of the parent's parental rights and that the subsequent adoption of the child may significantly affect, or even eliminate, the parent's right to inherit from the child under the laws of Descent and Distribution (Chapter 1, Title 91, Mississippi Code of 1972);

(g) Acknowledges that all provisions of the written voluntary release were entered into knowingly, intelligently, and voluntarily; and

(h) Acknowledges that the parent is entitled to consult an attorney regarding the parent's parental rights.

(2) The court's order accepting the parent's written voluntary release terminates all of the parent's parental rights to the child, including, but not limited to, the parental right to control or withhold consent to an adoption. * * * Further, the written voluntary release serves as a waiver of the parent's right to have a hearing on acceptance of the release.

SECTION 8. Section 43-21-151, Mississippi Code of 1972, is amended as follows:

43-21-151. (1) The youth court shall have exclusive original jurisdiction in all proceedings concerning a delinquent child, a child in need of supervision, a neglected child, an abused child or a dependent child except in the following circumstances:

(a) Any act attempted or committed by a child, which if committed by an adult would be punishable under state or federal law by life imprisonment or death, will be in the original jurisdiction of the circuit court;

(b) Any act attempted or committed by a child with the use of a deadly weapon, the carrying of which concealed is prohibited by Section 97-37-1, or a shotgun or a rifle, which would be a felony if committed by an adult, will be in the original jurisdiction of the circuit court; and

(c) When a charge of abuse or neglect of a child first arises in the course of a custody action between the parents of the child already pending in the chancery court and no notice of such abuse or neglect was provided prior to such chancery proceedings, the chancery court may proceed with the investigation, hearing and determination of such abuse or neglect charge as a part of its hearing and determination of the custody issue as between the parents, notwithstanding the other provisions of the Youth Court Law. The proceedings in chancery court on the abuse or neglect charge shall be confidential in the same manner as provided in youth court proceedings.

When a child is expelled from the public schools, the youth court shall be notified of the act of expulsion and the act or acts constituting the basis for expulsion.

(2) Jurisdiction of the child in the cause shall attach at the time of the offense or the allegations of abuse, neglect or exploitation, and shall continue thereafter for that offense or the allegations of abuse, neglect or exploitation until the child's twentieth birthday, unless sooner terminated by order of the youth court. The youth court shall not have jurisdiction over offenses committed by a child on or after his eighteenth birthday, nor have jurisdiction over allegations of abuse, neglect or exploitation committed against a child after the child's eighteenth birthday.

(3) No child who has not reached his thirteenth birthday shall be held criminally responsible or criminally prosecuted for a misdemeanor or felony; however, the parent, guardian or custodian of such child may be civilly liable for any criminal acts of such child. No child under the jurisdiction of the youth court shall be held criminally responsible or criminally prosecuted by any court for any act designated as a delinquent act, unless jurisdiction is transferred to another court under Section 43-21-157.

(4) The youth court shall also have jurisdiction of offenses committed by a child which have been transferred to the youth court by an order of a circuit court of this state having original jurisdiction of the offense, as provided by Section 43-21-159.

(5) The youth court shall regulate and approve the use of teen court as provided in Section 43-21-753.

(6) Nothing in this section shall prevent the circuit court from assuming jurisdiction over a youth who has committed an act of delinquency upon a youth court's ruling that a transfer is appropriate pursuant to Section 43-21-157.

SECTION 9. Section 93-17-3, Mississippi Code of 1972, is amended as follows:

93-17-3. (1) Except as otherwise provided in this section, a court of this state has jurisdiction over a proceeding for the adoption or readoption of a minor commenced under this chapter if:

(a) Immediately before commencement of the proceeding, the minor lived in this state with a parent, a guardian, a prospective adoptive parent or another person acting as parent, for at least six (6) consecutive months, excluding periods of temporary absence, or, in the case of a minor under six (6) months of age, lived in this state from soon after birth with any of those individuals and there is available in this state substantial evidence concerning the minor's present or future care;

(b) Immediately before commencement of the proceeding, the prospective adoptive parent lived in this state for at least six (6) consecutive months, excluding periods of temporary absence, and there is available in this state substantial evidence concerning the minor's present or future care;

(c) The agency that placed the minor for adoption is licensed in this state and it is in the best interest of the minor that a court of this state assume jurisdiction because:

(i) The minor and the minor's parents, or the minor and the prospective adoptive parent, have a significant connection with this state; and

(ii) There is available in this state substantial evidence concerning the minor's present or future care;

(d) The minor and the prospective adoptive parent or parents are physically present in this state and the minor has been abandoned or it is necessary in an emergency to protect the minor because the minor has been subjected to or threatened with mistreatment or abuse or is otherwise neglected, and the prospective adoptive parent or parents, if not residing in Mississippi, have completed and provided the court with a satisfactory Interstate Compact for Placement of Children (ICPC) home study and accompanying forms, unless the court determines that the home study is not necessary in the case of an adoption by a stepparent or a relative or in the case of an adoption in a foster-to-adopt placement;

(e) It appears that no other state would have jurisdiction under prerequisites substantially in accordance with paragraphs (a) through (d), or another state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum to hear a petition for adoption of the minor, and it is in the best interest of the minor that a court of this state assume jurisdiction; or

(f) The child has been adopted in a foreign country, the agency that placed the minor for adoption is licensed in this state, and it is in the best interest of the child to be readopted in a court of this state having jurisdiction.

(2) A court of this state may not exercise jurisdiction over a proceeding for adoption of a minor if, at the time the petition for adoption is filed, a proceeding concerning the custody or adoption of the minor is pending in a court of another state exercising jurisdiction substantially in conformity with the Uniform Child Custody Jurisdiction Act or this section unless the proceeding is stayed by the court of the other state.

(3) If a court of another state has issued a decree or order concerning the custody of a minor who may be the subject of a proceeding for adoption in this state, a court of this state may not exercise jurisdiction over a proceeding for adoption of the minor unless:

(a) The court of this state finds that the court of the state which issued the decree or order:

(i) Does not have continuing jurisdiction to modify the decree or order under jurisdictional prerequisites substantially in accordance with the Uniform Child Custody Jurisdiction Act or has declined to assume jurisdiction to modify the decree or order; or

(ii) Does not have jurisdiction over a proceeding for adoption substantially in conformity with subsection (1)(a) through (d) or has declined to assume jurisdiction over a proceeding for adoption; and

(b) The court of this state has jurisdiction over the proceeding.

(4) Any person may be adopted in accordance with the provisions of this chapter in term time or in vacation by an unmarried adult, by a married person whose spouse joins in the petition, by a married person whose spouse does not join in the petition because such spouse does not cohabit or reside with the petitioning spouse, and in any circumstances determined by the court that the adoption is in the best interest of the child. Only the consenting adult will be a legal parent of the child. The adoption shall be by sworn petition filed in the chancery court of the county in which the adopting petitioner or petitioners reside or in which the child to be adopted resides or was born, or was found when it was abandoned or deserted, or in which the home is located to which the child has been surrendered by a person authorized to so do. The petition shall be accompanied by a doctor's or nurse practitioner's certificate showing the physical and mental condition of the child to be adopted and a sworn statement of all property, if any, owned by the child. In addition, the petition shall be accompanied by affidavits of the petitioner or petitioners stating the amount of the service fees charged by any adoption agencies or adoption facilitators used by the petitioner or petitioners and any other expenses paid by the petitioner or petitioners in the adoption process as of the time of filing the petition. If the doctor's or nurse practitioner's certificate indicates any abnormal mental or physical condition or defect, the condition or defect shall not, in the discretion of the chancellor, bar the adoption of the child if the adopting parent or parents file an affidavit stating full and complete knowledge of the condition or defect and stating a desire to adopt the child, notwithstanding the condition or defect. The court shall have the power to change the name of the child as a part of the adoption proceedings. The word "child" in this section shall be construed to refer to the person to be adopted, though an adult.

(5) No person may be placed in the home of or adopted by the prospective adopting parties before a court-ordered or voluntary home study is satisfactorily completed by a licensed adoption agency, a licensed, experienced social worker approved by the chancery court, a court-appointed guardian ad litem that has knowledge or training in conducting home studies if so directed by the court, or by the Department of Child Protection Services on the prospective adoptive parties if required by Section 93-17-11.

(6) No person may be adopted by a person or persons who reside outside the State of Mississippi unless the provisions of the Interstate Compact for Placement of Children (Section 43-18-1 et seq.) have been complied with. In such cases Forms 100A, 100B (if applicable) and evidence of Interstate Compact for Placement of Children approval shall be added to the permanent adoption record file within one (1) month of the placement, and a minimum of two (2) post-placement reports conducted by a licensed child-placing agency shall be provided to the Mississippi Department of Child Protection Services Interstate Compact for Placement of Children office.

(7) No person may be adopted unless the provisions of the Indian Child Welfare Act (ICWA) have been complied with, if applicable. When applicable, proof of compliance shall be included in the court adoption file prior to finalization of the adoption. If not applicable, a written statement or paragraph in the petition for adoption shall be included in the adoption petition stating that the provisions of ICWA do not apply before finalization.

(8) The readoption of a child who has automatically acquired United States citizenship following an adoption in a foreign country and who possesses a Certificate of Citizenship in accordance with the Child Citizenship Act, CAA, Public Law 106-395, may be given full force and effect in a readoption proceeding conducted by a court of competent jurisdiction in this state by compliance with the Mississippi Registration of Foreign Adoptions Act, Article 9 of this chapter.

(9) For adult adoptees who consent to the adoption, a chancellor may waive any of the petition requirements and procedural requirements within subsections (4), (5), (6) and (7) of this section.

(10) The clerk shall docket cases seeking relief under this chapter as priority cases. The assigned judge shall be immediately notified when a case is filed in order to provide for expedited proceedings.

* * *

SECTION 10. Section 93-15-121, Mississippi Code of 1972, is amended as follows:

93-15-121. Any of the following, if established by clear and convincing evidence, may be grounds for termination of the parent's parental rights if reunification between the parent and child is not desirable toward obtaining a satisfactory permanency outcome:

(a) The parent has been medically diagnosed by a qualified mental health professional with a severe mental illness or deficiency that is unlikely to change in a reasonable period of time and which, based upon expert testimony or an established pattern of behavior, * * * prevents the parent, despite reasonable accommodations, from providing minimally acceptable care for the child;

(b) The parent has been medically diagnosed by a qualified health professional with an extreme physical incapacitation that is unlikely to change in a reasonable period of time and which, based upon expert testimony or an established pattern of behavior, prevents the parent, despite reasonable accommodations, from providing minimally acceptable care for the child;

(c) The parent is suffering from habitual alcoholism or other drug addiction and has failed to successfully complete alcohol or drug treatment;

(d) The parent is unwilling to provide reasonably necessary food, clothing, shelter, or medical care for the child; reasonably necessary medical care does not include recommended or optional vaccinations against childhood or any other disease;

(e) The parent has failed to exercise reasonable visitation or communication with the child;

(f) The parent's abusive or neglectful conduct has caused, at least in part, an extreme and deep-seated antipathy by the child toward the parent, or some other substantial erosion of the relationship between the parent and the child;

(g) The parent has committed an abusive act for which reasonable efforts to maintain the children in the home would not be required under Section 43-21-603, or a series of physically, mentally, or emotionally abusive incidents, against the child or another child, whether related by consanguinity or affinity or not, making future contacts between the parent and child undesirable; or

(h) (i) The parent has been convicted of any of the following offenses against any child:

1. Rape of a child under Section 97-3-65;

2. Sexual battery of a child under Section 97-3-95(c);

3. Touching a child for lustful purposes under Section 97-5-23;

4. Exploitation of a child under Sections 97-5-31 through 97-5-37;

5. Felonious abuse or battery of a child under Section 97-5-39(2);

6. Carnal knowledge of a step or adopted child or a child of a cohabitating partner under Section 97-5-41; or

7. Human trafficking of a child under Section 97-3-54.1; or

(ii) The parent has been convicted of:

1. Murder or voluntary manslaughter of another child of the parent;

2. Aiding, abetting, attempting, conspiring or soliciting to commit murder or voluntary manslaughter of the child or another child of the parent; or

3. A felony assault that results in the serious bodily injury to the child or another child of the parent.

SECTION 11. Section 25-7-9, Mississippi Code of 1972, is amended as follows:

[From and after January 1, 2024, and through December 31, 2027, this section shall read as follows:]

25-7-9. (1) The clerks of the chancery courts shall charge the following fees:

(a) For the act of certifying copies of filed documents, for each complete document.....$ 1.00

(b) (i) Recording each deed, will, lease, amendment, subordination, lien, release, cancellation, order, decree, oath, etc., per book and page listed where applicable, each deed of trust, or any other document, for the first five (5)

pages.....$ 25.00

(ii) Each additional page.....$ 1.00

(c) (i) Recording oil and gas leases, cancellations, etc., including indexing in general indices; for the first five (5) pages.....$ 25.00

(ii) Recording each oil and gas assignment, amendment of assignment, release, etc., first five (5)

pages.....$ 25.00

per additional assignee.....$ 18.00

(iii) Each additional page.....$ 1.00

(iv) Sectional index entries per section or subdivision lot.....$ 1.00

(v) Archive fee.....$ 1.00

(vi) Entering marginal notations, if requested on document or by cover letter, pertaining to the recording of any oil and gas document only per book and page $ 4.00

(d) (i) Furnishing copies of any papers of record or on file:

If performed by the clerk or his employee,

per page.....$ .50

If performed by any other person,

per page.....$ .25

(ii) Entering marginal notations on

documents of record.....$ 1.00

(e) For attending the board of supervisors' meeting, an annual sum not exceeding.....$ 2,500.00

(f) For other services as clerk of the board of supervisors an allowance shall be made to him (payable semiannually at the July and January meetings) out of the county treasury, an annual sum not exceeding.....$ 5,500.00

(g) For each day's attendance on the chancery court, to be approved by the chancellor:

For the first chancellor sitting only, clerk and two (2) deputies, each.....$ 85.00

For the second chancellor sitting, clerk only....$ 85.00

Provided that the fees herein prescribed shall be the total remuneration for the clerk and his deputies for attending chancery court.

(h) On order of the court, clerks and not more than two (2) deputies may be allowed five (5) extra days for each term of court for attendance upon the court to get up records.

(i) For public service not otherwise specifically provided for, the chancery court may by order allow the clerk to be paid by the county on the order of the board of supervisors, an annual sum not exceeding.....$ 5,000.00

(j) For each civil filing, to be deposited into the Civil Legal Assistance Fund.....$ 5.00

The chancery clerk shall itemize on the original document a detailed fee bill of all charges due or paid for filing, recording and abstracting same. No person shall be required to pay such fees until same have been so itemized, but those fees may be demanded before the document is recorded.

(2) The following fee shall be a total fee for all services performed by the clerk with respect to any civil case filed that includes, but is not limited to, divorce, alteration of birth or marriage certificate, removal of minority, guardianship or conservatorship, estate of

deceased, adoptions that do not involve the Mississippi Department of Child Protection Services, land dispute injunction, settlement of small claim, contempt, modification, partition suit, or commitment, which shall be payable upon filing and shall accrue to the chancery clerk at the time of filing. The clerk or his successor in office shall perform all duties set forth without additional compensation or

fee.....$ 85.00

(3) For every civil case filed:

(a) An additional fee to be deposited to the credit of the Comprehensive Electronic Court Systems Fund established in Section 9-21-14.....$ 10.00

(b) An additional fee to be deposited to the

credit of the Judicial System Operation Fund established in

Section 9-21-45.....$ 40.00

(4) Cost of process shall be borne by the issuing party. Additionally, should the attorney or person filing the pleadings desire the clerk to pay the cost to the sheriff for serving process on one (1) person or more, or to pay the cost of publication, the clerk shall demand the actual charges therefor, at the time of filing.

[From and after January 1, 2028, this section shall read as follows:]

25-7-9. (1) The clerks of the chancery courts shall charge the following fees:

(a) For the act of certifying copies of filed documents, for each complete document.....$ 1.00

(b) (i) Recording each deed, will, lease, amendment, subordination, lien, release, cancellation, order, decree, oath, etc., per book and page listed where applicable, each deed of trust, or any other document, for the first five (5)

pages.....$ 25.00

(ii) Each additional page.....$ 1.00

(c) (i) Recording oil and gas leases, cancellations, etc., including indexing in general indices; for the first five (5) pages.....$ 25.00

(ii) Recording each oil and gas assignment, amendment of assignment, release, etc., first five (5)

pages.....$ 25.00

per additional assignee.....$ 18.00

(iii) Each additional page.....$ 1.00

(iv) Sectional index entries per section or subdivision lot.....$ 1.00

(v) Archive fee.....$ 1.00

(vi) Entering marginal notations, if requested on document or by cover letter, pertaining to the recording of any oil and gas document only per book and page.....$ 4.00

(d) (i) Furnishing copies of any papers of record or on file:

If performed by the clerk or his employee,

per page.....$ .50

If performed by any other person,

per page.....$ .25

(ii) Entering marginal notations on

documents of record.....$ 1.00

(e) For attending the board of supervisors' meeting an annual sum not exceeding.....$ 5,000.00

(f) For other services as clerk of the board of supervisors an allowance shall be made to him (payable semiannually at the July and January meetings) out of the county treasury, an annual sum not exceeding.....$10,000.00

(g) For each day's attendance on the chancery court, to be approved by the chancellor:

For the first chancellor sitting only, clerk and two (2) deputies, each.....$ 85.00

For the second chancellor sitting, clerk only....$ 85.00

Provided that the fees herein prescribed shall be the total remuneration for the clerk and his deputies for attending chancery court.

(h) On order of the court, clerks and not more than two (2) deputies may be allowed five (5) extra days for each term of court for attendance upon the court to get up records.

(i) For public service not otherwise specifically provided for, the chancery court may by order allow the clerk to be paid by the county on the order of the board of supervisors, an annual sum not exceeding.....$ 5,000.00

(j) For each civil filing, to be deposited into the Civil Legal Assistance Fund.....$ 5.00

The chancery clerk shall itemize on the original document a detailed fee bill of all charges due or paid for filing, recording and abstracting same. No person shall be required to pay such fees until same have been so itemized, but those fees may be demanded before the document is recorded.

(2) The following fee shall be a total fee for all services performed by the clerk with respect to any civil case filed that includes, but is not limited to, divorce, alteration of birth or marriage certificate, removal of minority, guardianship or conservatorship, estate of deceased, adoptions that do not involve the Mississippi Department of Child Protection Services, land dispute injunction, settlement of small claim, contempt, modification, partition suit, or commitment, which shall be payable upon filing and shall accrue to the

chancery clerk at the time of filing. The clerk or his successor in office shall perform all duties set forth without additional compensation or

fee.....$ 85.00

(3) For every civil case filed:

(a) An additional fee to be deposited to the credit of the Comprehensive Electronic Court Systems Fund established in Section 9-21-14.....$ 10.00

(b) An additional fee to be deposited to the

credit of the Judicial System Operation Fund established in

Section 9-21-45.....$ 40.00

(4) Cost of process shall be borne by the issuing party. Additionally, should the attorney or person filing the pleadings desire the clerk to pay the cost to the sheriff for serving process on one (1) person or more, or to pay the cost of publication, the clerk shall demand the actual charges therefor, at the time of filing.

SECTION 12. Section 97-5-39, Mississippi Code of 1972, is amended as follows:

97-5-39. (1) (a) Except as otherwise provided in this section, any parent, guardian or other person who intentionally, knowingly or recklessly commits any act or omits the performance of any duty, which act or omission contributes to or tends to contribute to the neglect or delinquency of any child or which act or omission results in the abuse of any child, as defined in Section 43-21-105(m) of the Youth Court Law, or who knowingly aids any child in escaping or absenting himself from the guardianship or custody of any person, agency or institution, or knowingly harbors or conceals, or aids in harboring or concealing, any child who has absented himself without permission from the guardianship or custody of any person, agency or institution to which the child shall have been committed by the youth court shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not to exceed One Thousand Dollars ($1,000.00), or by imprisonment not to exceed one (1) year in jail, or by both such fine and imprisonment.

(b) For the purpose of this section, a child is a person who has not reached his eighteenth birthday. A child who has not reached his eighteenth birthday and is on active duty for a branch of the armed services, or who is married, is not considered a child for the purposes of this statute.

(c) If a child commits one (1) of the proscribed acts in subsection (2)(a), (b) or (c) of this section upon another child, then original jurisdiction of all such offenses shall be in youth court.

(d) If the * * * parent has failed to provide the child with food, clothing or shelter necessary to sustain the life or health of the child, excluding failure caused by financial inability unless relief services have been offered and refused and the child is in imminent risk of harm, or the parent is unwilling to provide reasonably necessary medical care, though that medical care does not include recommended or optional vaccinations against childhood or any other disease, the person may be sentenced to imprisonment in custody of the Department of Corrections for not more than five (5) years or to payment of a fine of not more than Five Thousand Dollars ($5,000.00), or both.

(e) A parent, legal guardian or other person who knowingly permits the continuing physical or sexual abuse of a child is guilty of neglect of a child and may be sentenced to imprisonment in the custody of the Department of Corrections for not more

than ten (10) years or to payment of a fine of not more than Ten Thousand Dollars ($10,000.00), or both.

(2) Any person shall be guilty of felonious child abuse in the following circumstances:

(a) Whether bodily harm results or not, if the person shall intentionally, knowingly or recklessly:

(i) Burn any child;

(ii) * * * Torture any child;

(iii) Strangle, choke, smother or in any way interfere with any child's breathing;

(iv) Poison a child;

(v) Starve a child of nourishments needed to sustain life or growth;

(vi) Use any type of deadly weapon upon any child;

(b) If some bodily harm to any child actually occurs, and if the person shall intentionally, knowingly or recklessly:

(i) Throw, kick, bite, or cut any child;

(ii) Strike a child under the age of fourteen (14) about the face or head with a closed fist;

(iii) Strike a child under the age of five (5) in the face or head;

(iv) Kick, bite, cut or strike a child's genitals; circumcision of a male child is not a violation under this subparagraph (iv);

(c) If serious bodily harm to any child actually occurs, and if the person shall intentionally, knowingly or recklessly:

(i) Strike any child on the face or head;

(ii) Disfigure or scar any child;

(iii) Whip, strike or otherwise abuse any child;

(d) Any person, upon conviction under paragraph (a) or (c) of this subsection, shall be sentenced by the court to imprisonment in the custody of the Department of Corrections for a term of not less than five (5) years and up to life, as determined by the court. Any person, upon conviction under paragraph (b) of this subsection shall be sentenced by the court to imprisonment in the custody of the Department of Corrections for a term of not less than two (2) years nor more than ten (10) years, as determined by the court. For any second or subsequent conviction under this subsection (2), the person shall be sentenced to imprisonment for life.

(e) For the purposes of this subsection (2), "bodily harm" means any bodily injury to a child and includes, but is not limited to, bruising, bleeding, lacerations, soft tissue swelling, and external or internal swelling of any body organ.

(f) For the purposes of this subsection (2), "serious bodily harm" means any serious bodily injury to a child and includes, but is not limited to, the fracture of a bone,

permanent disfigurement, permanent scarring, or any internal bleeding or internal trauma to any organ, any brain damage, any injury to the eye or ear of a child or other vital organ, and impairment of any bodily function.

(g) For purposes of this subsection (2), "torture" means any act, omission or intentional neglect committed by an individual upon a child within the person's custody or physical control, whereby unnecessary or unjustifiable physical or mental pain or suffering is caused or permitted, regardless of whether serious physical injury results. Child torture involves treatment that is intentionally cruel, inhumane and degrading, including, but not limited to: intentionally starving a child; forcing a child to sit in urine or feces; binding or restraining a child; repeatedly physically injuring a child; exposing the child to extreme temperatures without adequate clothing or shelter; locking a child in closets or other small spaces; and forcing a child into stress positions or exercise resulting in prolonged suffering.

(* * *h) Nothing contained in paragraph (c) of this subsection shall preclude a parent or guardian from disciplining a child of that parent or guardian, or shall preclude a person in loco parentis to a child from disciplining that child, if done in a reasonable manner, and reasonable corporal punishment or reasonable discipline as to that parent or guardian's child or child to whom a person stands in loco parentis shall be a defense to any violation charged under paragraph (c) of this subsection.

(* * *i) Reasonable discipline and reasonable corporal punishment shall not be a defense to acts described in paragraphs (a) and (b) of this subsection or if a child suffers serious bodily harm as a result of any act prohibited under paragraph (c) of this subsection.

(3) Nothing contained in this section shall prevent proceedings against the parent, guardian or other person under any statute of this state or any municipal ordinance defining any act as a crime or misdemeanor. Nothing in the provisions of this section shall preclude any person from having a right to trial by jury when charged with having violated the provisions of this section.

(4) (a) A parent, legal guardian or caretaker who endangers a child's person or health by knowingly causing or permitting the child to be present where any person is selling, manufacturing or possessing immediate precursors or chemical substances with intent to manufacture, sell or possess a controlled substance as prohibited under Section 41-29-139 or 41-29-313, is guilty of child endangerment and may be sentenced to imprisonment for not more than ten (10) years or to payment of a fine of not more than Ten Thousand Dollars ($10,000.00), or both.

(b) If the endangerment results in substantial harm to the child's physical, mental or emotional health, the person may be sentenced to imprisonment for not more than twenty (20) years or to payment of a fine of not more than Twenty Thousand Dollars ($20,000.00), or both.

(5) Nothing contained in this section shall prevent proceedings against the parent, guardian or other person under any statute of this state or any municipal ordinance defining any act as a crime or misdemeanor. Nothing in the provisions of this section shall preclude any person from having a right to trial by jury when charged with having violated the provisions of this section.

(6) After consultation with the Department of Child Protection Services, a regional mental health center or an appropriate professional person, a judge may suspend imposition or execution of a sentence provided in subsections (1) and (2) of this section and in lieu thereof require treatment over a specified period of time at any approved public or private treatment facility. A person may be eligible for treatment in lieu of criminal penalties no more than one (1) time.

(7) In any proceeding resulting from a report made pursuant to Section 43-21-353 of the Youth Court Law, the testimony of the physician making the report regarding the child's injuries or condition or cause thereof shall not be excluded on the ground that the physician's testimony violates the physician-patient privilege or similar privilege or rule against disclosure. The physician's report shall not be considered as evidence unless introduced as an exhibit to his testimony.

(8) Any criminal prosecution arising from a violation of this section shall be tried in the circuit, county, justice or municipal court having jurisdiction; provided, however, that nothing herein shall abridge or dilute the contempt powers of the youth court.

SECTION 13. The following shall be codified as Section 43-19-107, Mississippi Code of 1972:

43-19-107. Whenever the court has ordered a noncustodial parent to make periodic payments for the maintenance or support of a child, the court may establish minimum child visitation schedules if the court determines that visitation would be in the best interests of the child.

SECTION 14. Section 89-2-3, Mississippi Code of 1972, is amended as follows:

89-2-3. The term "outdoor recreational purposes" as used in this article shall include, but not necessarily be limited to, hunting, fishing, swimming, boating, camping, picnicking, hiking, cycling, pleasure driving, nature study, water skiing and visiting historical, archaeological, scenic or scientific sites.

SECTION 15. Section 89-2-25, Mississippi Code of 1972, is amended as follows:

89-2-25. Any landowner who gives permission to another person to hunt, fish, trap, camp, hike, cycle or sightsee upon land or premises shall not, by the sole act of giving such permission, be considered or construed to have:

(a) Extended any assurance that the premises are safe for such purposes;

(b) Caused the person to whom permission has been granted to be constituted the legal status of an invitee to whom a duty of care is owed; or

(c) Assumed responsibility or liability for any injury to such person or his property caused by any act of such person to whom permission has been granted, except as provided in Section 89-2-27.

SECTION 16. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 43-21-105, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITIONS OF VARIOUS TERMS USED UNDER THE YOUTH COURT LAW; TO AMEND SECTIONS 43-21-301 AND 43-21-303, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A CHILD MAY NOT BE CONSIDERED NEGLECTED WHEN THE FAILURE OF THE PARENT TO PROPERLY PROVIDE FOR THE CHILD IS PRIMARILY DUE TO FINANCIAL INABILITY; TO AMEND SECTION 93-15-103, MISSISSIPPI CODE OF 1972, TO DEFINE THE PHRASE "COMPELLING AND EXTRAORDINARY REASONS" AS USED UNDER THE MISSISSIPPI TERMINATION OF PARENTAL RIGHTS LAW; TO AMEND SECTION 43-21-201, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COURT TO APPOINT COUNSEL FOR AN INDIGENT CUSTODIAL PARENT IN YOUTH COURT PROCEEDINGS, AND TO REQUIRE A FINANCIALLY ABLE PARENT TO PAY FOR COURT-APPOINTED REPRESENTATION; TO REQUIRE

MONIES COLLECTED TO BE DEPOSITED INTO A SPECIAL FUND TO BE KNOWN AS THE "JUVENILE COURT REPRESENTATION FUND" TO HELP COVER THE COSTS OF COUNSEL IN INDIGENT CASES; TO AMEND SECTION 93-15-107, MISSISSIPPI CODE OF 1972, TO REQUIRE CHILDREN AGE 12 OR OLDER TO BE INCLUDED IN PROCEEDINGS FOR THE INVOLUNTARY TERMINATION OF PARENTAL RIGHTS; TO AMEND SECTION 93-15-111, MISSISSIPPI CODE OF 1972, TO REQUIRE A COURT TO ACCEPT A PARENT'S WRITTEN VOLUNTARY RELEASE TERMINATING PARENTAL RIGHTS IF CERTAIN REQUIREMENTS ARE MET; TO AMEND SECTION 43-21-151, MISSISSIPPI CODE OF 1972, TO INCLUDE CHARGES OF CHILD NEGLECT WITHIN THE JURISDICTION OF THE YOUTH COURT; TO AMEND SECTION 93-17-3, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT FOR HOLDING A HEARING ON THE TERMINATION OF PARENTAL RIGHTS WITHIN 120 DAYS FROM THE STATUTE GOVERNING ADOPTION PROCEEDINGS; TO AMEND SECTION 93-15-121, MISSISSIPPI CODE OF 1972, TO REVISE THE FACTORS TO BE CONSIDERED IN DETERMINING IF A PARENT'S MENTAL ILLNESS IS GROUNDS FOR TERMINATION OF PARENTAL RIGHTS; TO AMEND SECTION 25-7-9, MISSISSIPPI CODE OF 1972, TO REMOVE ADOPTIONS INVOLVING THE DEPARTMENT OF CHILD PROTECTION SERVICES FROM THE SERVICES FOR WHICH A CHANCERY CLERK IS PAID A FEE; TO AMEND SECTION 97-5-39, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "TORTURE" AS A TYPE OF FELONIOUS CHILD ABUSE; TO CREATE NEW SECTION 43-19-107, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A COURT TO ESTABLISH MINIMUM CHILD VISITATION SCHEDULES FOR CERTAIN NONCUSTODIAL PARENTS ORDERED TO PAY CHILD SUPPORT; TO AMEND SECTIONS 89-2-3 AND 89-2-25, MISSISSIPPI CODE OF 1972, TO ADD CYCLING TO THE ACTIVITIES EXEMPT FROM LIABILITY FOR RECREATIONAL LANDOWNERS; AND FOR RELATED PURPOSES.

Senator Wiggins called up the following House Amendment to **S. B. No. 2130** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 2:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this act, the term "authorized inspector" means an inspector who is approved by the insurer and who is a home inspector licensed under Section 73-60-1 et seq.

(2) An insurer shall not refuse to issue or refuse to renew a homeowner's policy insuring a residential structure with a roof that is less than fifteen (15) years old solely because of the age of the roof.

(3) For a roof that is at least fifteen (15) years old, an insurer shall allow a homeowner to have a roof inspection performed by an authorized inspector at the homeowner's expense before requiring the replacement of the roof of a residential structure as a condition of issuing or renewing a homeowner's insurance policy. The insurer shall not refuse to issue or refuse to renew a homeowner's insurance policy solely because of roof age if an inspection of the roof of the residential structure performed by an authorized inspector indicates that the roof has five (5) years or more of useful life remaining.

(4) For purposes of this section, a roof's age shall be calculated using the last date on which one hundred percent (100%) of the roof's surface area was built or replaced in accordance with the building code in effect at that time or the initial date of a partial roof replacement when subsequent partial roof builds or replacements were completed that resulted in one hundred percent (100%) of the roof's surface area being built or replaced.

(5) This act shall apply to homeowners' insurance policies issued or renewed on or after July 1, 2024.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO PROHIBIT AN INSURER FROM REFUSING TO ISSUE OR REFUSING TO RENEW A HOMEOWNER'S POLICY INSURING A RESIDENTIAL STRUCTURE WITH A ROOF THAT IS LESS THAN FIFTEEN YEARS OLD SOLELY BECAUSE OF THE AGE OF THE ROOF; TO PROVIDE THAT AN INSURER SHALL NOT REFUSE TO ISSUE OR REFUSE TO RENEW A HOMEOWNER'S INSURANCE POLICY SOLELY BECAUSE OF ROOF AGE IF AN INSPECTION OF THE ROOF OF THE RESIDENTIAL STRUCTURE PERFORMED BY AN AUTHORIZED INSPECTOR INDICATES THAT THE ROOF HAS FIVE YEARS OR MORE OF USEFUL LIFE REMAINING; TO PROVIDE CERTAIN PROCEDURES RELATED TO THE ACT; AND FOR RELATED PURPOSES.

Senator Wiggins called up the following House Amendment to **S. B. No. 2753** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 2:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 29-18-1, Mississippi Code of 1972:

29-18-1. This act shall be known and may be cited as "Securing Areas for Females Effectively and Responsibly Act" or the "SAFER Act."

SECTION 2. The following shall be codified as Section 29-18-3, Mississippi Code of 1972:

29-18-3. Legislative findings; intermediate scrutiny. (1) The Legislature finds that females and males should be provided areas, including restrooms, changing facilities and single-sex educational housing spaces, for their exclusive use, respective to their sex, in order to maintain privacy and safety.

(2) There are important governmental reasons to distinguish between the sexes with respect to spaces where biology, safety, and/or privacy are implicated. As such, policies and laws that distinguish between the sexes are subject to intermediate constitutional scrutiny, which forbids unfair discrimination against similarly situated males and females but allows the law to distinguish between the sexes where such distinctions are substantially related to important governmental objectives.

SECTION 3. The following shall be codified as Section 29-18-5, Mississippi Code of 1972:

29-18-5. Chapter definitions. For purposes of this act, the following terms shall have the meanings ascribed herein:

(a) "Changing facility" means a space designated for multiple individuals to dress or undress within the same space, including, but not limited to, a dressing room, locker room, changing room, or shower room. This term does not include a unisex changing facility.

(b) "Single-sex educational housing space" means a separate room or area located within a public building functioning as housing for student residents at an educational institution and designated for use or occupancy only for members of one (1) sex, but excludes common areas designated for use by members of both sexes.

(c) "Public building" means any building, facility or space owned, operated, rented or leased by, or rented or leased to any state agency, public university, public community or junior college and the institutions of higher learning.

(d) "Restroom" means a space designated for multiple individuals that includes toilets and/or urinals. This term does not include a unisex restroom.

(e) "Unisex changing facility" means a room intended for a single occupant or a family in which one or more persons may be in a state of undress, including, but not limited to, a dressing room, locker room, changing room, or shower room that is enclosed by floor-to-ceiling walls and accessed by a full door with a secure lock that prevents another individual from entering while the changing facility is in use.

(f) "Unisex restroom" means a room that includes a toilet or urinal and that is intended for a single occupant or a family, is enclosed by floor-to-ceiling walls, and is accessed by a full door with a secure lock that prevents another individual from entering while the room is in use.

SECTION 4. The following shall be codified as Section 29-18-7, Mississippi Code of 1972:

29-18-7. Protection of restroom privacy. Any public building that maintains a restroom shall, at a minimum, have:

(a) A restroom designated for exclusive use by females and a restroom designated for exclusive use by males; or

(b) A unisex restroom.

SECTION 5. The following shall be codified as Section 29-18-9, Mississippi Code of 1972:

29-18-9. Protection of changing room privacy. Any public building that maintains a changing facility must, at a minimum, have:

(a) A changing facility designated for exclusive use by females and a changing facility designated for exclusive use by males; or

(b) A unisex changing facility.

SECTION 6. The following shall be codified as Section 29-18-11, Mississippi Code of 1972:

29-18-11. Protection of single-sex educational housing space privacy. Any student required to reside in housing at an educational institution shall have the right to be housed in a single-sex educational housing space with persons of the same sex.

SECTION 7. The following shall be codified as Section 29-18-13, Mississippi Code of 1972:

29-18-13. Social fraternity and sorority single-sex housing facilities on public lands shall comply with state law. Social fraternities and sororities at educational institutions that have and operate single-sex housing facilities located on public land shall comply with the definitions contained within this act for purposes of maintaining such facilities as single sex only.

SECTION 8. The following shall be codified as Section 29-18-15, Mississippi Code of 1972:

29-18-15. Permissible purposes to enter sex-designated restrooms, changing facilities or single-sex educational housing spaces. For purposes of this act, a person may not enter a restroom, changing facility, or single-sex educational housing space, designated for the opposite sex, except under the following circumstances:

(a) To accompany a person of the opposite sex for the purpose of assisting or chaperoning a child under the age of twelve (12), a vulnerable person as defined in Section 43-47-5, or a person with a disability as defined in Section 43-6-203(b);

(b) For law enforcement, fire protection or response, or other public safety purposes;

(c) For governmental purposes, including employees or contractors of governmental entities acting within the scope of their employment or contract;

(d) For the purpose of rendering emergency medical assistance or to intervene in any other emergency situation where the health or safety of another person is at risk;

(e) For custodial, maintenance, or inspection purposes, provided that the restroom or changing facility is not in use;

(f) If the appropriate designated restroom or changing facility is out of order or under repair and the restroom or changing facility designated for the opposite sex contains no person of the opposite sex; or

(g) In single-sex educational housing spaces as authorized by educational institutions for moving, visiting, administrative, health, or other authorized purposes.

SECTION 9. The following shall be codified as Section 29-18-17, Mississippi Code of 1972:

29-18-17. Private enforcement. (1) A person may assert a violation of this act as a claim or defense in a judicial or administrative proceeding.

(2) Any person under eighteen (18) years of age may bring an action at any time to assert a violation of this act through a parent or next friend and may bring an action in their own name upon reaching the age of eighteen (18) years of age.

(3) No private cause of action against a state agency, public university, public community college or junior college, or the institutions of higher learning is authorized by this act.

SECTION 10. The following shall be codified as Section 29-18-19, Mississippi Code of 1972:

29-18-19. Attorney General enforcement. (1) The Attorney General shall bring an action to enforce compliance with this act.

(2) This act shall not be construed to deny, impair, or otherwise affect any right or authority of the Attorney General, the State of Mississippi, or any agency, officer, or employee of the state, acting under any law other than this act, to institute or intervene in any proceeding.

SECTION 11. The following shall be codified as Section 1-3-83, Mississippi Code of 1972:

1-3-83. Female, male, sex of natural persons. (1) "Female" means an individual who naturally has, had, will have, or would have, but for a developmental or genetic anomaly or historical accident, the reproductive system that at some point produces, transports, and utilizes eggs for fertilization.

(2) "Male" means an individual who naturally has, had, will have, or would have, but for a developmental or genetic anomaly or historical accident, the reproductive system that at some point produces, transports, and utilizes sperm for fertilization.

(3) "Sex," when used to classify a natural person, means the biological indication of male and female as observed or clinically verified at birth, without regard to an individual's "gender identity" or any other terms intended to convey a person's psychological, chosen, or subjective experience or sense of self.

(4) The following additional provisions apply to the use of "sex" and related terms:

(a) There are only two (2) sexes, and every individual is either male or female.

(b) "Sex" is objective and fixed.

(c) Persons with "DSD conditions" (sometimes referred to as "differences in sex development", "disorders of sex development", or "intersex conditions") are not members of a third sex.

(d) The foregoing definition of "sex," for purposes of state law, neither requires nor precludes the accommodation of persons with a congenital and physically verifiable diagnosis of "DSD condition" (sometimes referred to as "differences in sex development", "disorders of sex development", or "intersex conditions"); however, such accommodation may be required by federal law.

SECTION 12. Severability. Any provision of this act is held to be invalid or unenforceable by its terms, or as applied to any person or circumstance, shall be construed so as to give it the maximum effect permitted by law, unless such holding shall be one of utter invalidity or unenforceability, in which event such provision shall be deemed severable herefrom and shall not affect the remainder hereof or the application of such provision to other persons not similarly situated or to other, dissimilar circumstances.

SECTION 13. The following words and phrases shall have the meanings ascribed herein, unless the context indicates otherwise:

(a) "Child" means an individual under the age of eighteen (18).

(b) "Parent" means a biological parent of a child, an adoptive parent of a child, or an individual who has been granted exclusive right and authority over the welfare of a child under state law.

SECTION 14. (1) The state, any political subdivision of the state, or any other governmental entity shall not substantially burden the fundamental right of a parent to direct the upbringing, education, health care, and mental health of that parent's child without demonstrating that the burden is required by a compelling governmental interest of the highest order as applied to the parent and the child and is the least restrictive means of furthering that compelling governmental interest.

(2) Except as otherwise provided by law or court order, a person, private entity, government entity, or any employee or agent of any private or government entity must obtain the consent of a parent of a child before taking any of the following actions:

(a) Procuring, soliciting to perform, arranging for the performance of, providing a referral for, or performing surgical procedures upon a child;

(b) Procuring, soliciting to perform, arranging for the performance of, providing a referral for, or performing a physical or medical examination upon a child;

(c) Prescribing or dispensing any prescription drug or medication to a child; or

(d) Procuring, soliciting to perform, arranging for the performance of, providing a referral for, or performing a mental health evaluation in a clinical or nonclinical setting or mental health treatment on a child.

(3) This section shall not apply if:

(a) A parent of the child has given a blanket consent authorizing the person or entity to perform an activity listed in subsection (2)(a) of this act; or

(b) It has been reasonably determined by the person or entity that an emergency exists and either of the following conditions is true:

(i) It is necessary to perform an activity listed in subsection (2)(a) in order to prevent death or imminent, irreparable physical injury to the child, or

(ii) A parent of the child cannot be located or contacted after a reasonably diligent effort.

(c) The person or entity has reason to believe that a parent or both parents have perpetrated abuse against the child, or has failed to protect the child from abuse perpetrated by a third party.

(4) This section does not authorize or allow a parent to abuse or neglect a child as defined herein. This section does not apply to a parental action or decision that would end life. The provisions of this section do not apply to an abortion, which shall be governed by state law. This section does not prohibit a court from issuing an order that is otherwise permitted by law.

(5) Upon request of a parent, a physician and any other medical provider shall provide the parent with medical information or records of a child. Physicians and medical providers shall not withhold any medical information or records from parents of a child when a parent requests such from the physician or medical provider.

(6) A parent may bring suit for any violation of this Section and may raise this Section as a defense in any judicial or administrative proceeding without regard to whether

the proceeding is brought by or in the name of the government, any private person, or any other party.

(a) A parent who successfully asserts a claim or defense under this Act may recover declaratory relief, injunctive relief, compensatory damages, reasonable attorneys' fees and costs, and any other appropriate relief.

(b) A government entity shall indemnify its employees for any liability incurred by the employee and for any judgment entered against the employee for claims arising under this section; provided, however, that a government entity does not have to indemnify an employee if the employee was convicted of a criminal violation for the conduct from which the claim arises.

SECTION 15. This act shall take effect and be in force from and after July 1, 2025, and shall stand repealed on June 30, 2025.

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

AN ACT TO CREATE NEW SECTION 29-18-1, MISSISSIPPI CODE OF 1972, TO CREATE THE "SAFER ACT" TO REGULATE GOVERNMENTAL BUILDINGS; TO CREATE NEW SECTION 29-18-3, MISSISSIPPI CODE OF 1972, TO PROVIDE LEGISLATIVE FINDINGS FOR THE ACT; TO CREATE NEW SECTION 29-18-5, MISSISSIPPI CODE OF 1972, TO PROVIDE DEFINITIONS FOR THE ACT; TO CREATE NEW SECTION 29-18-7, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN PUBLIC BUILDINGS TO HAVE EXCLUSIVE MALE AND/OR FEMALE RESTROOMS OR UNISEX RESTROOMS AT A MINIMUM; TO CREATE NEW SECTION 29-18-9, MISSISSIPPI CODE OF 1972, TO REQUIRE CHANGING FACILITIES TO BE EXCLUSIVE MALE AND/OR FEMALE OR UNISEX AT A MINIMUM; TO CREATE NEW SECTION 29-18-11, MISSISSIPPI CODE OF 1972, TO REGULATE PUBLIC STUDENT HOUSING FOR SINGLE-SEX EDUCATIONAL HOUSING; TO CREATE NEW SECTION 29-18-13, MISSISSIPPI CODE OF 1972, TO REQUIRE SINGLE-SEX SOCIAL SORORITIES AND FRATERNITIES TO COMPLY WITH THE DEFINITIONS OF THIS ACT TO DESIGNATE HOUSING; TO CREATE NEW SECTION 29-18-15, MISSISSIPPI CODE OF 1972, TO REGULATE HOW PERSONS ENTER A SINGLE-SEX RESTROOM, CHANGING FACILITY OR EDUCATIONAL HOUSING SPACE; TO CREATE NEW SECTION 29-18-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ASSERTION OF A VIOLATION OF THIS ACT; TO CREATE NEW SECTION 29-18-19, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ATTORNEY GENERAL TO BRING ACTION REGARDING THE PROVISIONS OF THIS ACT; TO CREATE NEW SECTION 1-3-83, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS FEMALE, MALE AND SEX; TO CREATE "THE FAMILIES' RIGHTS AND RESPONSIBILITIES ACT"; TO PROVIDE THE DEFINITIONS FOR THE ACT; TO PROHIBIT THE STATE OR ANY OTHER GOVERNMENTAL ENTITY FROM SUBSTANTIALLY BURDENING A PARENT'S FUNDAMENTAL RIGHT TO DIRECT THE UPBRINGING OF HIS OR HER CHILD; TO PROVIDE EXCEPTIONS TO THE PROHIBITION; TO PROVIDE THAT THIS ACT DOES NOT GIVE A PARENT A RIGHT TO ABUSE HIS OR HER CHILD; AND FOR RELATED PURPOSES.

Senator Wiggins called up the following House Amendment to **S. B. No. 2764** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 63-21-28, Mississippi Code of 1972:

63-21-28. The Department of Revenue shall issue a certificate of title pursuant to a filed affidavit of ownership substantially similar to the affidavit provided in Section 63-21-30(22) for a manufactured home or a mobile home that is manufactured before July 1, 1999.

SECTION 2. Section 63-21-29, Mississippi Code of 1972, is amended as follows:

63-21-29. If the * * * Department of Revenue is not satisfied that there are no undisclosed security interests created before August 9, 1968, in a previously registered vehicle, or created before July 1, 1999, in a previously registered manufactured home or mobile home, the * * * department may, in addition to the commission's options under Section 63-21-27 * * *:

(a) Issue a distinctive certificate of title of the vehicle containing the legend "This vehicle, manufactured home or mobile home may be subject to an undisclosed lien" and any other information the * * * department prescribes; or

(b) Issue a distinctive certificate of title of the vehicle containing the legend "This certificate of title for this [manufactured home/mobile home] is issued pursuant to a filed affidavit of ownership and may be subject to an undisclosed lien" and any other information the department prescribes.

SECTION 3. Section 63-21-30, Mississippi Code of 1972, is amended as follows:

63-21-30. (1) If the legal owner of a manufactured home or mobile home and the real property to which the manufactured home or mobile home has become affixed, wishes to permanently retire the title to a manufactured home or mobile home to real property, then such owner may file or cause to be filed an affidavit of affixation duly sworn to and acknowledged before any officer or person authorized to administer an oath under the laws of this state in the official records of the chancery clerk of the county, or in the judicial district in counties having more than one (1) such district, in which the real property is located, which contains or is accompanied by:

(a) The names and addresses of the legal owner or owners of the manufactured home or mobile home and real property to which the manufactured home or mobile home has become affixed;

(b) The name of the manufacturer, the make, the model name, the model year, the dimensions, and the manufacturer's serial number or VIN of the manufactured home or mobile home, to the extent such data exists;

(c) The legal description and indexing instructions of the real property to which the manufactured home or mobile home is or shall be permanently affixed;

(d) A statement that the party executing the affidavit is the owner of the real property described therein;

(e) A statement that the manufactured home is to be taxed as an improvement to the real property;

(f) A statement that either:

(i) The manufactured home or mobile home is covered by a certificate of title that the owner shall surrender to the Department of Revenue;

(ii) The manufactured home or mobile home is covered by a manufacturer's statement or certificate of origin that the owner shall surrender to the Department of Revenue; or

(iii) The manufactured home or mobile home is not covered by a certificate of title and the owner of the manufactured home or mobile home, after diligent search and inquiry, is unable to produce the original manufacturer's certificate of origin for the manufactured home or mobile home, together with a bill of sale, paid tax receipts showing assessment in the name of the owner for a period of not less than ten (10) years, an installment contract reflecting the serial number or VIN of the manufactured home or mobile home, or other due proof of ownership acceptable to the Department of Revenue; or

(iv) If the manufactured home or mobile home is manufactured before July 1, 1999, an affidavit of ownership substantially similar to the affidavit provided in subsection (22) of this section;

(g) A statement whether or not the manufactured home or mobile home is subject to one or more security interests or liens and if the manufactured home or mobile home is subject to one or more security interests or liens, the name and address of each party holding a security interest in or lien on the manufactured home or mobile home, including each holder shown on any certificate of title issued by the Department of Revenue, if any, the original principal amount secured by each security interest or lien;

(h) A lien release as to each party holding a security interest in or lien on the manufactured home or mobile home;

(i) A statement that:

(i) All permits required by applicable governmental authorities have been obtained;

(ii) The homeowner intends that the mobile home or manufactured home be an immovable fixture and a permanent part of the real property; and

(iii) The wheels and axles have been removed;

(j) A statement that the manufactured home is permanently connected to a septic or sewer system and other utilities such as electricity, water and/or gas;

(k) A statement that all ad valorem taxes due and payable for the manufactured home or mobile home and land on which it is located have been paid, together with a paid receipt for the prior year confirming the same;

(l) If different than the owner, the name and address of a person authorized to file a certified copy of the affidavit of affixation with the tax collector after it has been duly recorded in the real property records;

(m) A statement authorizing the tax collector or other designated agent to submit the completed application to the Department of Revenue for retirement of the title to the manufactured home or mobile home to real property; and

(n) Due acknowledgement of the signature of each affiant as required by Section 89-3-1 et seq. or any successor statute.

(2) The chancery clerk, upon receipt of an affidavit of affixation meeting the requirements set forth in subsection (1) of this section and applicable fee to record the affidavit and provide a certified copy thereof, shall record the affidavit of affixation in the official records and shall provide a certified copy of the recorded affidavit to the owner or other party submitting the affidavit of affixation for recording. The chancery clerk shall forward a copy of the recorded affidavit of affixation to the county tax assessor in order to assist in locating and identifying the manufactured home or mobile home for property tax purposes.

(3) After completing the requirements in subsections (1) and (2) of this section, the owner of the manufactured home or mobile home, or lienholder as shown on the certificate of title pursuant to a power of attorney from the owner of the manufactured home or mobile home, if such lienholder is a designated agent, or the person authorized in the affidavit of affixation, shall file a certified copy of the recorded affidavit of affixation with the tax collector of the county where the manufactured home or mobile home is located for retirement of the home's title, accompanied by:

(a) A copy of the deed or other instrument of conveyance of legal ownership to the real property to which the manufactured home or mobile home has become affixed conveying a fee simple or other legal ownership interest in the subject real property; and

(b) One (1) of the following:

(i) The certificate of title to the manufactured home or mobile home duly endorsed or otherwise showing the release of any lienholders noted on the certificate of title;

(ii) The manufacturer's certificate of origin; * * *

(iii) If the manufactured home or mobile home is not covered by a certificate of title and the owner of the manufactured home or mobile home, after diligent search and inquiry, is unable to produce the original manufacturer's certificate of origin for the manufactured home or mobile home * * *; or

(iv) If the manufactured home or mobile home is manufactured before July 1, 1999, an affidavit of ownership substantially similar to the affidavit provided in subsection (22) of this section.

(4) Upon receipt of the affidavit of affixation and accompanying documents, the tax collector shall submit the completed application for the retirement of the title to the manufactured home or mobile home to the Department of Revenue.

(5) Upon receipt of an application containing the items required in subsections (3) and (4) of this section, the Department of Revenue shall retire the title and shall notify the applicant, the lender, and authorized representative, if any, in writing at the address shown in the affidavit that the title to the manufactured home or mobile home has been retired. If the affidavit of affixation indicates that the manufactured home or mobile home is currently covered by a certificate of origin or is not covered by a certificate of title and after diligent search and inquiry the owner is unable to produce the original manufacturer's certificate of origin, but otherwise provides a bill of sale, paid tax receipts showing assessment in the name of the owner for a period of not less than ten (10) years, an installment contract reflecting the serial number or VIN of the manufactured home or mobile home, or other due proof of ownership in a form acceptable to the Department of Revenue, or if the affidavit of affixation has an attached affidavit of ownership as provided for in subsection (3)(b)(iv) of this section then the Department of Revenue may issue a certificate of title for the purpose of effectuating the retirement of title.

(6) If the legal owner of the manufactured home or mobile home whose title has been retired under this section and the real property to which the manufactured home or

mobile home has become affixed, wishes to detach or sever the manufactured home or mobile home from the real property, then such owner may file or cause to be filed an affidavit of severance duly sworn to and acknowledged before any officer or person authorized to administer an oath under the laws of this state in the official records of the chancery clerk in the county, or in the judicial district in counties having more than one (1) such district, in which the real property is located, which contains or is accompanied by:

(a) The names and mailing addresses of the legal owners of the manufactured home or mobile home and real property to which the manufactured home or mobile home has become affixed;

(b) A description of the manufactured home or mobile home including the name of the manufacturer, the model year, make, width, length, and the serial number or VIN of the manufactured home or mobile home;

(c) The book and page number or instrument number, and date of recordation of the affidavit of affixation;

(d) A statement that the party executing the affidavit is the owner of the real property described in the affidavit of affixation;

(e) A statement that the manufactured home is no longer to be taxed as an improvement to the real property;

(f) A statement whether or not the manufactured home or mobile home and real property to which the home is affixed is subject to one or more security interests or liens and if the same is subject to one or more security interests or liens, the name and address of each party holding a security interest in or lien on the manufactured home or mobile home and the real property to which it is affixed, the original principal amount secured by each security interest or lien and a statement that the security interest or lien as to the manufactured home or mobile home shall be released;

(g) A lien release as to the manufactured home or mobile home or, if the lienholder desires to retain a security interest or lien in the manufactured home or mobile home after title is severed from the real property, a lienholder's statement of the names and addresses of any lienholders in the order of their priority and the dates of their mortgages, deeds of trust or other liens filed of record upon the real property;

(h) A statement that all ad valorem taxes due and payable for the land on which the manufactured home or mobile home is located have been paid, together with paid receipts for the prior year confirming the same and acknowledgement that taxes for the current year, which are assessed but not yet due and payable, will be based on the status of the manufactured home or mobile home and real property to which it is attached as of January 1 of the current year;

(i) If different than the owner, the name and address of a person authorized to file a certified copy of the affidavit of severance with the tax collector after it has been duly recorded in the real property records and the person has received the newly issued certificate of title from the Department of Revenue;

(j) A statement authorizing the tax collector or other designated agent to submit the completed application to the Department of Revenue for the issuance of a new certificate of title to the manufactured home or mobile home; and

(k) Due acknowledgement of the signature of each affiant as required by Section 89-3-1 et seq. or any successor statute.

(7) If a manufactured home or mobile home whose title has been retired pursuant to this section is destroyed completely or otherwise becomes uninhabitable, and the legal

owner of the manufactured home or mobile home, and the real property to which the manufactured home or mobile home was affixed, desires to document the destruction or uninhabitability thereof, then the owner of such destroyed or uninhabitable manufactured home or mobile home may file an affidavit of destruction duly sworn to and acknowledged before any officer or person authorized to administer an oath under the laws of this state in the official records of the chancery clerk in the county and applicable judicial district, if any, in which the real property is located, which contains or is accompanied by:

(a) The date and cause of destruction or uninhabitability of the manufactured home or mobile home;

(b) The names and mailing addresses of the legal owner of the manufactured home or mobile home and real property to which the manufactured home or mobile home has become affixed;

(c) A description of the manufactured home or mobile home including the name of the manufacturer, the model year, make, width, length and the serial number or VIN of the manufactured home;

(d) The book and page number or instrument number, and date of recordation of the affidavit of affixation;

(e) A statement that the party executing the affidavit is the owner of the real property described in the affidavit of affixation; and

(f) Due acknowledgement of the signature of each affiant as required by Section 89-3-1 et seq. or any successor statute.

(8) The chancery clerk, upon receipt of an affidavit of severance meeting the requirements set forth in subsection (6) of this section or an affidavit of destruction meeting the requirements set forth in subsection (7) of this section and applicable fee to record the affidavit and provide a certified copy thereof, shall record the affidavit of severance or destruction, as applicable, in the official records and provide a certified copy of the recorded affidavit to the owner or other party submitting the affidavit for recording and shall forward a copy of the affidavit to the county tax assessor in order to assist in (a) in the case of an affidavit of severance, locating and identifying the manufactured home or mobile home for property tax purposes; or (b) in the case of an affidavit of destruction, removing the manufactured home or mobile home from the tax roll.

(9) After completing the requirements in subsections (6) and (8) of this section, the owner of the manufactured home or mobile home, and the real property to which the manufactured home or mobile home has become affixed with a recorded and retired title, or the person authorized in the affidavit of severance, shall file a certified copy of the duly recorded affidavit of severance with the tax collector of the county where the manufactured home or mobile home is located for the issuance of a new certificate of title to the manufactured home or mobile home, accompanied by:

(a) An abstract of land title showing legal ownership of the manufactured home or mobile home and real property along with any unreleased mortgages, deeds of trust or other liens filed of record upon the real property;

(b) A lien release as to the manufactured home or mobile home or a lienholder's statement of the names and addresses of any lienholders in the order of their priority; and

(c) The required fee for the certificate of title for the manufactured home or mobile home.

(10) Upon receipt of the items required in subsection (9) of this section, the tax collector of the county where the manufactured home or mobile home is located shall, for any manufactured home or mobile home for which a certificate of title would be required under Section 63-21-9, submit the completed application to the Department of Revenue for the issuance of a new certificate of title to the legal owner of the real property identified in the affidavit of severance.

(11) Upon receipt of an application containing the items required in subsection (10) of this section, the Department of Revenue shall issue a new certificate of title in the name of the legal owner(s) of the real property to which the manufactured home or mobile home was attached and, if applicable, shall list the lienholders, if any, in the order of their priority as shown in the abstract of title. The new certificate of title shall be delivered to the applicant or authorized representative, if any, at the address shown in the affidavit.

(12) Upon completing the requirements in subsection (10) of this section, the conveyance of and the perfection of a security interest in a manufactured home or mobile home shall be governed by the provisions of Chapter 21, Title 63, Mississippi Code of 1972, or Chapter 9, Title 75, Mississippi Code of 1972, as applicable.

(13) A manufactured home or mobile home shall be deemed real property for all purposes and shall be governed by the laws applicable thereto, upon the occurrence of all of the following events:

(a) An affidavit of affixation conforming to subsection (1) of this section has been duly recorded; and

(b) An application for retirement of the title to a manufactured home or mobile home conforming to subsection (3) of this section has been filed with the Department of Revenue.

When an application for retirement is filed with the Department of Revenue within sixty (60) days of recording the related affidavit of affixation in the official records of the chancery clerk in the county, or in the judicial district in counties having more than one (1) such district, in which the real property is located and the application is thereafter accepted by the department, the requirements of this section shall be deemed satisfied as of the date the affidavit of affixation is recorded.

(14) A manufactured home or mobile home whose title has been retired pursuant to this section shall be conveyed by deed or other real property contract and shall only be transferred or otherwise contracted together with the real property to which it is affixed, unless and until the procedures described in this section for severance or destruction and issuance of a new title are followed. The legal description in any such conveyance instrument may include a recitation that the real property includes a manufactured home or mobile home permanently affixed to the real property but such a recitation is not required.

(15) If the title has been retired under this section, for purposes of perfecting, realizing, and foreclosure of security interests, a separate security interest in the manufactured home or mobile home shall not exist, and the manufactured home or mobile home shall only be secured as part of the real property to which it is attached through a mortgage or deed of trust and such lien shall automatically attach as of the date of recording and must be foreclosed in the same manner as a mortgage on real property.

(16) Upon written request, the Department of Revenue shall provide written acknowledgment of compliance with the provisions of this section. Such written acknowledgment may be filed in the official records of the chancery clerk in the county, or in the judicial district in counties having more than one (1) such district, in which the real property is located.

(17) This section applies to the sale or transfer of manufactured homes or mobile homes occurring on or after January 1, 2019, or to any person who voluntarily elects to retire the title to the manufactured home or mobile home pursuant to this section.

(18) Recordation of the affidavit of affixation pursuant to subsections (1) and (2) of this section shall be prima facie evidence that the manufactured home or mobile home has become affixed to the real property as an improvement to real property and shall satisfy the requirements of 11 USC Section 1322(b)(2), or any successor statute, to the extent the manufactured home or mobile home constitutes the owner's principal residence.

(19) The affidavit of affixation required pursuant to this section shall be in substantially the following form:

THIS INSTRUMENT PREPARED BY: INDEXING INSTRUCTIONS:

_____ _____

_____ _____

AFFIDAVIT OF AFFIXATION

(MANUFACTURED HOME OR MOBILE HOME)

STATE OF _____

COUNTY OF _____

Before me, the undersigned notary public in and for said county and state, appeared [type the name and address of each homeowner signing this affidavit], known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed below (each a "homeowner"), and who, being by me first duly sworn, did each by personal oath state as follows:

1. Homeowner(s) own(s) the manufactured home or mobile home ("home") described as follows:

_____

Manufacturer's Name Make Model Name Model Year

_____

Manufacturer's Serial No./VIN Length/Width New/Used

2. The home is or will be located at the following "property address":

_____

Street City County State Zip Code

3. The legal description of the real property where the home is or will be permanently affixed ("land") is:

[insert legal description]

4. The homeowner(s) executing below is/are all the legal owner(s) of the real property to which the home has become permanently affixed.

5. The home shall be assessed and taxed as an improvement to the land.

6. Check one:

[ ] The home is currently covered by a certificate of title and the homeowner shall surrender the original title to a designated agent on behalf of the Department of Revenue;

[ ] The home is currently covered by a manufacturer's certificate of origin and the homeowner shall submit the original certificate of origin to a designated agent on behalf of the Department of Revenue; or

[ ] The home is not covered by a certificate of title and the owner of the manufactured home, after diligent search and inquiry, is unable to produce the original manufacturer's certificate of origin for the home, and * * * an affidavit of ownership is attached hereto.

7. The home (check one):

[ ] Is not subject to any security interest or lien; or

[ ] Is subject to the following security interests or liens:

_____

Lienholder #1 Original Principal Amount Secured

_____

Address:

_____

Lienholder #2 Original Principal Amount Secured

_____

Address:

8. Other than those disclosed in this affidavit, the homeowner is not aware of (a) any other security interest or lien affecting the home; and (b) any other facts or information that could reasonably affect the validity of the title of the home or the existence or nonexistence of security interests or lien in it.

9. A release of personal property security interest or lien from each of the lienholders identified in paragraph 7 of this affidavit, if any, is attached hereto.

10. (a) All permits required by applicable governmental authorities have been obtained; (b) the wheels and axles have been removed; and (c) the home is or will be permanently connected to a septic or sewer system and other utilities such as electricity, water and/or gas.

11. The home is or shall become an immovable fixture and a permanent part of the real property.

12. All ad valorem taxes currently due and payable for the home and the land to which it is attached have been paid and a receipt for the prior year confirming the same are attached hereto.

13. The homeowner(s) hereby authorize(s) the following person(s) to file an application to retire title to the home with the tax collector of the county where the manufactured home or mobile home is located and to receive written acknowledgement from the Department of Revenue of retirement of title:

_____

Name of Authorized Representative_____

Mailing Address _____Phone Number _____

14. The homeowner(s) hereby authorize(s) the tax collector to submit the completed application on behalf of the homeowner(s) to the Department of Revenue to permanently retire title to the manufactured home or mobile home to herein described land. This affidavit is executed by homeowner(s) pursuant to applicable state law and shall be recorded in the official land records in the county, or in the judicial district in counties having more than one (1) such district, in which the home is located.

Further, affiant(s) sayeth naught.

_____

Signature of Homeowner #1:

_____

Printed Name Address City State Zip Code

_____

Signature of Homeowner #2 (If more than one (1) homeowner):

_____

Printed Name Address City State Zip Code

Sworn to and subscribed before me this the _____ day of _____, 20__.

_____

Notary Public

My Commission Expires: _____

(20) The affidavit of severance required pursuant to this section shall be in substantially the following form:

THIS INSTRUMENT PREPARED BY: INDEXING INSTRUCTIONS:

_____ _____

_____ _____

AFFIDAVIT OF SEVERANCE

(MANUFACTURED HOME OR MOBILE HOME)

STATE OF _____

COUNTY OF _____

Before me, the undersigned notary public in and for said county and state, appeared [type the name and address of each homeowner signing this affidavit], known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed below (each a "homeowner"), and who, being by me first duly sworn, did each by personal oath state as follows:

1. Homeowner(s) own(s) the manufactured home or mobile home ("home") described as follows:

_____

Manufacturer's Name Make Model Name Model Year

_____

Manufacturer's Serial No./VIN Length/Width New/Used

2. The title to the home was previously retired pursuant to that certain affidavit of affixation recorded on _____ in Book _____, Page _____ or as Instrument _____.

3. The homeowner(s) executing below is/are all the legal owner(s) of the real property to which the home has become permanently affixed.

4. Upon the recording hereof, the home shall no longer be assessed and taxed as an improvement to real property.

5. The home (check one):

[ ] Is not subject to any security interest or lien; or

[ ] Is subject to the following security interests or lien:

_____

Lienholder #1 Original Principal Amount Secured

_____

Address:

_____

Lienholder #2 Original Principal Amount Secured

_____

Address:

6. Other than those disclosed in this affidavit, the homeowner is not aware of (a) any other security interest or lien affecting the home; or (b) any other facts or information that could reasonably affect the validity of the title of the home or the existence or nonexistence of security interests or lien in it.

7. Check one:

[ ] A release of the real property security interest or lien from each of the lienholders identified in paragraph 6 of this affidavit, if any, is attached hereto; or

[ ] A statement from each of the lienholders identified in paragraph 6 of this affidavit is attached hereto authorizing the lienholder's security interest or lien to be recorded on the face of the certificate of title and, if more than one (1) lienholder, the order of priority of the same.

8. All ad valorem taxes due and payable for the land on which the home is located have been paid, and a paid receipt for the prior year confirming the same are attached hereto. Homeowner acknowledges that taxes for the current year, which are assessed but not yet due and payable, will be based on the status of the home and land to which it is attached as of January 1 of the current year.

9. The homeowner(s) hereby authorize(s) the following person(s) to file a certified copy of the affidavit of severance with the tax collector of the county where the manufactured home or mobile home is located and to receive the newly issued certificate of title from the Mississippi Department of Revenue:

_____

Name of Authorized Representative Mailing Address Phone Number

10. The homeowner(s) hereby authorize(s) the tax collector to submit the completed application on behalf of the homeowner(s) to the Department of Revenue to sever title to the manufactured home or mobile home from herein described land and issue a new certificate of title in the name of the homeowner(s).

This affidavit is executed by homeowner(s) pursuant to applicable state law and shall be recorded in the official land records in the county in which the home is located.

Further, affiant(s) sayeth naught.

_____

Signature of Homeowner #1:

_____

Printed Name Address City State Zip Code

_____

Signature of Homeowner #2 (If more than one (1) homeowner):

_____

Printed Name Address City State Zip Code

Sworn to and subscribed before me this the _____ day of _____, 20__.

_____

Notary Public

My Commission Expires: _____

(21) The affidavit of destruction required pursuant to this section shall be in substantially the following form:

THIS INSTRUMENT PREPARED BY:

_____

_____

INDEXING INSTRUCTIONS:

_____

_____

AFFIDAVIT OF DESTRUCTION

(MANUFACTURED HOME OR MOBILE HOME)

STATE OF _____

COUNTY OF _____

Before me, the undersigned notary public in and for said county and state, appeared [type the name(s) of each homeowner signing this affidavit], known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed below (each a "homeowner"), and who, being by me first duly sworn, did each by personal oath state as follows:

1. Homeowner(s) own(s) the manufactured home or mobile home ("home") described as follows:

_____

Manufacturer's Name Make Model Name Model Year

_____

Manufacturer's Serial No./VIN Length/Width New/Used

2. The title to the home was previously retired pursuant to that certain affidavit of affixation recorded on _____ in the official land records of _____ County, Mississippi, in Book _____, Page _____ or as Instrument _____.

3. The homeowner(s) executing below is/are all the legal owner(s) of the real property to which the home has become permanently affixed.

4. The home was destroyed or became uninhabitable on _____ (insert date) as a result of _____ (describe cause).

This affidavit is executed by homeowner(s) pursuant to applicable state law and shall be recorded in the official land records in the county, or in the judicial district in counties having more than one (1) such district, in which the home is located.

Further, affiant(s) sayeth naught.

_____

Signature of Homeowner #1

_____

Printed Name Address City State Zip Code

_____

Signature of Homeowner #2 (If more than one (1) homeowner)

_____

Printed Name Address City State Zip Code

Sworn to and subscribed before me this _____ day of _____, 20__.

_____

Notary Public

My Commission Expires: _____

(22) The affidavit of ownership required pursuant to this section shall be in substantially the following form:

THIS INSTRUMENT PREPARED BY: INDEXING INSTRUCTIONS:

_____ _____

_____ _____

AFFIDAVIT OF OWNERSHIP

(For Mobile Homes Manufactured before July 1, 1999)

STATE OF _____

COUNTY OF _____

BEFORE ME, the undersigned notary public in and for said county and stated, appeared [Name of Grantor(s)] who are known to me or have produced satisfactory evidence of their identity to be the person(s) whose name(s) is/are subscribed below, and how being first duly sworn, did each on personal oath state the following to wit:

1. That the legal names of the owners at the time of execution of this Affidavit of Ownership are:

_____

Name Street Address

_____

City, State, Zip Code Telephone Number

_____

Name Street Address

_____City,
State, Zip Code Telephone Number

[Attach Any Additional Owners as Exhibit A]

2. That [Name of Grantor(s)] received consideration in the amount of _____ dollars cash in hand, and other good and valuable consideration, the receipt and sufficiency of is hereby acknowledged, and sold to [Name of Owner(s)] the following manufactured home or mobile home:

_____

Manufacturer's Name Make Model

_____

Manufacturer's Serial No./VIN Length & Width Model Year

3. That the manufactured home or mobile home is located at the following property address:

_____

Street Address City State

_____

Zip Code County County Tax Parcel Number

4. That the manufactured or mobile home is not covered nor has ever been covered by a certificate of title.

5. That the legal description of the real property where the manufactured or mobile home is or will be permanently affixed is: (If manufactured or mobile home is personal property, indicate N/A.)

[insert legal description]

6. The manufactured or mobile home (check one):

[ ] Is not subject to any security interest or lien; or

[ ] Is subject to the following security interests or liens:

_____

Lienholder #1 Original Principal Amount Secured

_____

Address

_____

Lienholder #2 Original Principal Amount Secured

_____

Address

7. Other than those liens and encumbrances itemized in Number 6, Owner(s) is/are not aware of any other security interest, lien or encumbrance affecting the manufactured or mobile home.

8. The manufactured or mobile home (check one):

[ ] Is assessed as real property and a Certificate of Mobile Home is filed in the office of the chancery clerk it is recorded in Land Deed Book _____, Page _____; or

[ ] Is assessed as personal property. The mobile home account number is_____.

9. This manufactured home or mobile home was manufactured or assembled prior to July 1, 1999, and has never been titled pursuant to Section 63-21-9, as amended.

Further, affiant(s) sayeth naught.

WITNESS MY SIGNATURE, on this [day] day of [Month], [Year].

_____

[Grantor Name(s)]

_____

[Grantee Name(s)]

STATE OF _____

COUNTY OF _____

Personally appeared before me, the undersigned authority in and for the said county and state, on this [Day] day of [Month], [Year], within my jurisdiction, the within named [Grantor Name] who acknowledged that (he) (she) (they) executed the above and foregoing instrument.

So subscribed and sworn before me this the [Day] day of [Month], [Year].

_____

Notary Public

My Commission Expires: _____

SECTION 4. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO CREATE NEW SECTION 63-21-28, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF REVENUE TO ISSUE A CERTIFICATE OF TITLE PURSUANT TO A FILED AFFIDAVIT OF OWNERSHIP FOR A MANUFACTURED HOME OR A MOBILE HOME THAT IS MANUFACTURED BEFORE JULY 1, 1999; TO AMEND SECTION 63-21-29, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ISSUE A DISTINCTIVE CERTIFICATE OF TITLE FOR A MANUFACTURED HOME OR A MOBILE HOME MANUFACTURED BEFORE JULY 1, 1999; TO AMEND SECTION 63-21-30, MISSISSIPPI CODE OF 1972, TO ALLOW THE OWNER OF A MANUFACTURED HOME OR MOBILE HOME TO FILE AN AFFIDAVIT OF OWNERSHIP ATTACHED TO AN AFFIDAVIT OF AFFIXATION IN ORDER TO RETIRE THE CERTIFICATE OF TITLE; TO PROVIDE A STATUTORY FORM FOR THE AFFIDAVIT OF OWNERSHIP; AND FOR RELATED PURPOSES.

Senator Wiggins called up the following House Amendment to **S. B. No. 2771** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 9-7-1, Mississippi Code of 1972, is brought forward as follows:

9-7-1. A circuit judge shall be elected for and from each circuit court district and the listing of individual precincts shall be those precincts as they existed on October 1, 1990. He may hold court in any other district with the consent of the judge thereof, when in their opinion the public interest may require. The terms of all circuit judges hereafter elected shall begin on the first day of January 1931 and their terms of office shall continue for four (4) years. A circuit judge shall be a resident of the district in which he or she serves but shall not be required to be a resident of a subdistrict if the district is divided into subdistricts.

SECTION 2. Section 9-7-3, Mississippi Code of 1972, is brought forward as follows:

9-7-3. (1) The state is divided into an appropriate number of circuit court districts severally numbered and composed of the counties as set forth in the sections which follow. A court to be styled "The Circuit Court of the County of ____" shall be held in each county, and within each judicial district of a county having two (2) judicial districts, at least twice a year. Court shall be held in circuit court districts consisting of a single county on the same dates state agencies and political subdivisions are open for business excluding legal holidays. The dates upon which terms shall commence and the number of days for which the terms shall continue in circuit court districts consisting of more than one (1) county shall be set by order of the circuit court judge in accordance with the provisions of subsection (2) of this section. A matter in court may extend past a term if the interest of justice so requires.

(2) An order establishing the commencement and continuation of terms of court for each of the counties within a circuit court district consisting of more than one (1) county shall be entered annually and not later than October 1 of the year immediately preceding the calendar year for which the terms of court are to become effective. Notice of the dates upon which the terms of court shall commence and the number of days for which the terms shall continue in each of the counties within a circuit court district shall be posted in the office of the circuit clerk of each county within the district and mailed to the office of the Secretary of State for publication and distribution to all Mississippi Bar members. If an order is not timely entered, the terms of court for each of the counties within any circuit court district shall remain unchanged for the next calendar year. A certified copy of any order entered under the provisions of this subsection shall, immediately upon the entry thereof, be delivered to the clerk of the board of supervisors in each of the counties within the circuit court district.

(3) The number of judges in each circuit court district shall be determined by the Legislature based upon the following criteria:

(a) The population of the district;

(b) The number of cases filed in the district;

(c) The case load of each judge in the district;

(d) The geographic area of the district;

(e) An analysis of the needs of the district by the court personnel of the district; and

(f) Any other appropriate criteria.

(4) The Judicial College of the University of Mississippi Law Center and the Administrative Office of Courts shall determine the appropriate:

(a) Specific data to be collected as a basis for applying the above criteria;

(b) Method of collecting and maintaining the specified data; and

(c) Method of assimilating the specified data.

(5) In a district having more than one (1) office of circuit judge, there shall be no distinction whatsoever in the powers, duties and emoluments of those offices except that the judge who has been for the longest time continuously a judge of that court or, should no judge have served longer in office than the others, the judge who has been for the longest time a member of The Mississippi Bar, shall be the senior judge. The senior judge shall have the right to assign causes and dockets and to set terms in districts consisting of more than one (1) county. A circuit court judge shall have the right to assign criminal matters to county court as provided in Section 9-9-21.

SECTION 3. Section 9-7-5, Mississippi Code of 1972, is brought forward as follows:

9-7-5. The First Circuit Court District is composed of the following counties:

(a) Alcorn County;

(b) Itawamba County;

(c) Lee County;

(d) Monroe County;

(e) Pontotoc County;

(f) Prentiss County; and

(g) Tishomingo County.

SECTION 4. Section 9-7-7, Mississippi Code of 1972, is amended as follows:

9-7-7. (1) There shall be four (4) judges for the First Circuit Court District.

(2) The four (4) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One * * *", "Place Two * * *", "Place Three" and "Place Four." The judge to fill Place One must reside in Alcorn, Prentiss or Tishomingo County. The judges to fill Place Two and Place Three must reside in Itawamba, Lee, Monroe or Pontotoc County. The judge to fill Place Four may be a resident of any county in the district. Election of the four (4) offices of judge shall be by election to be held in every county within the First Circuit Court District.

SECTION 5. Section 9-7-9, Mississippi Code of 1972, is brought forward as follows:

9-7-9. The Second Circuit Court District is composed of the following counties:

(a) Hancock County;

(b) Harrison County; and

(c) Stone County.

SECTION 6. Section 9-7-11, Mississippi Code of 1972, is amended as follows:

9-7-11. (1) There shall be four (4) judges for the Second Circuit Court District.

(2) The four (4) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One * * *", "Place Two * * *", "Place Three" and "Place Four."

SECTION 7. Section 9-7-13, Mississippi Code of 1972, is brought forward as follows:

9-7-13. The Third Circuit Court District is composed of the following counties:

(a) Benton County;

(b) Calhoun County;

(c) Chickasaw County;

(d) Lafayette County;

(e) Marshall County;

(f) Tippah County; and

(g) Union County.

SECTION 8. Section 9-7-14, Mississippi Code of 1972, is amended as follows:

9-7-14. (1) There shall be three (3) judges for the Third Circuit Court District.

(2) The three (3) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One * * *", "Place Two" and "Place Three."

SECTION 9. Section 9-7-15, Mississippi Code of 1972, is brought forward as follows:

9-7-15. (1) The Fourth Circuit Court District shall be composed of the following counties:

(a) Leflore County;

(b) Sunflower County; and

(c) Washington County.

(2) The Fourth Circuit Court District shall be divided into four (4) subdistricts as follows:

(a) Subdistrict 4-1 shall consist of the following precincts in the following counties:

(i) Leflore County: Minter City, North Greenwood, Money, Northeast Greenwood, Schlater, West Greenwood, Mississippi Valley State University and Southeast Greenwood Precincts; and

(ii) Sunflower County: Ruleville, Rome, Sunflower Plantation, Drew, Doddsville, Boyer-Linn, Fairview-Hale and Ruleville North Precincts.

(b) Subdistrict 4-2 shall consist of the following precincts in the following counties:

(i) Sunflower County: Indianola 1, Sunflower, Indianola 3 North, Indianola 3 South and Indianola 3 Northeast Precincts; and

(ii) Washington County: Extension Building, Faith Lutheran Church, American Legion, Metcalfe City Hall, Elks Club, Leland Health Department Clinic, Leland Light and Water Plant and Greenville Industrial College Precincts.

(c) Subdistrict 4-3 shall consist of the following precincts in the following counties:

(i) Leflore County: East Greenwood Sub-A, East Greenwood Sub-B, Central Greenwood, North Itta Bena, South Itta Bena, Southwest Greenwood, Rising Sun, Sidon, Morgan City, Swiftown and South Greenwood Precincts;

(ii) Sunflower County: Moorhead, Inverness, Indianola 2 West and Indianola 2 East Precincts; and

(iii) Washington County: Arcola City Hall, Hollandale City Hall, Darlove Baptist Church and Mangelardi Bourbon Store Precincts.

(d) Subdistrict 4-4 shall consist of the following precincts in Washington County: St. James Episcopal Church, Swiftwater Baptist Church, Glen Allan Health Clinic, Italian Club, Ward's Recreation Center, Buster Brown Community Center, Avon Health Center, Kapco Company, Brent Center, William Percy Library and Grace Methodist Church Precincts.

(3) The local contributions required for the maintenance of the Fourth Circuit Court District shall be paid on a pro rata basis each by Leflore, Sunflower and Washington Counties.

SECTION 10. Section 9-7-17, Mississippi Code of 1972, is brought forward as follows:

9-7-17. There shall be four (4) circuit judges for the Fourth Circuit Court District. One (1) circuit judge shall be elected from each subdistrict.

SECTION 11. Section 9-7-19, Mississippi Code of 1972, is brought forward as follows:

9-7-19. The Fifth Circuit Court District is composed of the following counties:

(a) Attala County;

(b) Carroll County;

(c) Choctaw County;

(d) Grenada County;

(e) Montgomery County;

(f) Webster County; and

(g) Winston County.

SECTION 12. Section 9-7-20, Mississippi Code of 1972, is brought forward as follows:

9-7-20. (1) There shall be two (2) judges for the Fifth Circuit Court District.

(2) The two (2) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 13. Section 9-7-21, Mississippi Code of 1972, is brought forward as follows:

9-7-21. (1) The Sixth Circuit Court District is composed of the following counties:

(a) Adams County;

(b) Amite County;

(c) Franklin County; and

(d) Wilkinson County.

(2) The Sixth Circuit Court District shall be divided into two (2) subdistricts as follows:

(a) Subdistrict 6-1 shall consist of Wilkinson County and the following precincts in the following counties:

(i) Adams County: Airport, By-Pass Fire Station, Carpenter, Concord*, Courthouse*, Duncan Park*, Foster Mound, Maryland*, Northside School, Pine Ridge, Thompson and Washington*; and

(ii) Amite County: Ariel, Berwick, Crosby, East Centreville, East Gloster*, Gloster*, Homochitto, South Liberty* and Street.

(b) Subdistrict 6-2 shall consist of Franklin County and the following precincts in the following counties:

(i) Adams County: Beau Pre, Bellemont, Concord*, Convention Center, Courthouse*, Duncan Park*, Kingston, Liberty Park, Maryland*, Morgantown, Oakland, Palestine and Washington*; and

(ii) Amite County: Amite River, East Fork, East Gloster*, East Liberty, Gloster*, Liberty, New Zion, Oneil, Riceville, Smithdale, South Liberty*, Tangipahoa, Tickfaw, Walls and Zion Hills.

(3) There shall be two (2) judges for the Sixth Circuit Court District. The two (2) judgeships shall be separate and distinct. One (1) judge shall be elected from each subdistrict.

SECTION 14. Section 9-7-23, Mississippi Code of 1972, is brought forward as follows:

9-7-23. (1) The Seventh Circuit Court District shall be Hinds County.

(2) The Seventh Circuit Court District shall be divided into four (4) subdistricts in Hinds County as follows:

(a) Subdistrict 7-1 shall consist of the following precincts in Hinds County: 1, 2, 4, 5, 6, 8, 9, 10, 32, 33, 34, 35, 36, 44, 45, 46, 47, 72, 73, 74, 75, 76, 77, 78, 79, 92, 93, 96 and 97.

(b) Subdistrict 7-2 shall consist of the following precincts in Hinds County: 11, 12, 13, 14, 15, 16, 17, 23, 27, 28, 29, 30, 37, 38, 39, 40, 41, 42, 43, 80, 81, 82, 83, 84, 85, Brownsville, Cynthia, Pocahontas and Tinnin.

(c) Subdistrict 7-3 shall consist of the following precincts in Hinds County: 18, 19, 20, 21, 22, 24, 25, 26, 31, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 66, 67, 68, 69, 70, 71, 86, 89, and Jackson State.

(d) Subdistrict 7-4 shall consist of the following precincts in Hinds County: 87, 88, 90, 91, 94, 95, Bolton, Byram 1, Byram 2, Cayuga, Chapel Hill, Clinton 1, Clinton 2, Clinton 3, Clinton 4, Clinton 5, Clinton 6, Dry Grove, Edwards, Learned, Old Byram, Pinehaven, Raymond 1, Raymond 2, Spring Ridge, St. Thomas, Terry, Utica 1 and Utica 2.

SECTION 15. Section 9-7-25, Mississippi Code of 1972, is brought forward as follows:

9-7-25. (1) There shall be four (4) circuit judges for the Seventh Circuit Court District. One (1) judge shall be elected from each subdistrict.

(2) While there shall be no limitation whatsoever upon the powers and duties of the said judges other than as cast upon them by the Constitution and laws of this state, the court in the First Judicial District of Hinds County, in the discretion of the senior circuit judge, may be divided into civil and criminal divisions as a matter of convenience, by the entry of an order upon the minutes of the court.

SECTION 16. Section 9-7-27, Mississippi Code of 1972, is brought forward as follows:

9-7-27. (1) The Eighth Circuit Court District is composed of the following counties:

(a) Leake County;

(b) Neshoba County;

(c) Newton County; and

(d) Scott County.

(2) There shall be two (2) judges for the Eighth Circuit Court District.

(3) The two (2) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 17. Section 9-7-29, Mississippi Code of 1972, is brought forward as follows:

9-7-29. (1) The Ninth Circuit Court District is composed of the following counties:

(a) Issaquena County;

(b) Sharkey County; and

(c) Warren County.

(2) The Ninth Circuit Court District shall be divided into two (2) subdistricts as follows:

(a) Subdistrict 9-1 shall consist of Issaquena County, Sharkey County and the following precincts in Warren County: 3-61 Store*, American Legion Hall, Auditorium, Brunswick, Cedar Grove*, Kings*, Number 7 Fire Station*, St. Aloysius and Vicksburg Junior High School*.

(b) Subdistrict 9-2 shall consist of the following precincts in Warren County: 3-61 Store*, Beechwood, Bovina, Cedar Grove*, Culkin, Elks Lodge, Goodrum, Jett, Kings*, Moose Lodge, Number 7 Fire Station*, Oak Ridge, Plumbers Hall, Redwood, Tingleville, Vicksburg Junior High School*, YMCA and Yokena.

SECTION 18. Section 9-7-30, Mississippi Code of 1972, is brought forward as follows:

9-7-30. There shall be two (2) judges for the Ninth Circuit Court District. One (1) judge shall be elected from each subdistrict.

SECTION 19. Section 9-7-31, Mississippi Code of 1972, is brought forward as follows:

9-7-31. The Tenth Circuit Court District is composed of the following counties:

(a) Clarke County;

(b) Kemper County;

(c) Lauderdale County; and

(d) Wayne County.

SECTION 20. Section 9-7-32, Mississippi Code of 1972, is brought forward as follows:

9-7-32. (1) There shall be two (2) judges for the Tenth Circuit Court District.

(2) The two (2) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 21. Section 9-7-33, Mississippi Code of 1972, is brought forward as follows:

9-7-33. (1) The Eleventh Circuit Court District is composed of the following counties:

(a) Bolivar County;

(b) Coahoma County;

(c) Quitman County; and

(d) Tunica County.

(2) The Eleventh Circuit Court District shall be divided into three (3) subdistricts as follows:

(a) Subdistrict 11-1 shall consist of the following precincts from the following counties:

(i) Bolivar County: Benoit, Beulah, Boyle, Choctaw, Cleveland Courthouse, East Central Cleveland*, East Cleveland*, East Rosedale, Gunnison, Longshot, North Cleveland, Northwest Cleveland*, Pace, Scott, Shaw, Skene, South Cleveland*, Stringtown, West Central Cleveland, West Cleveland and West Rosedale; and

(ii) Coahoma County: Bobo, Clarksdale 2-4*, Clarksdale 5-4*, Farrell*, Rena Lara and Sherard*.

(b) Subdistrict 11-2 shall consist of the following precincts from the following counties:

(i) Bolivar County: Cleveland Eastgate, Duncan/Alligator, East Central Cleveland*, East Cleveland*, Merigold, Mound Bayou, Northwest Cleveland*, Renova, Shelby, South Cleveland* and Winstonville;

(ii) Coahoma County: Cagle Crossing, Clarksdale 1-4*, Clarksdale 3-3, Clarksdale 3-4, Clarksdale 4-2, Clarksdale 4-3, Dublin and Roundaway; and

(iii) Quitman County: Belen*, District 3 South*, Lambert, Northwest Marks, Southwest Marks and West Lambert.

(c) Subdistricts 11-3 shall consist of Tunica County and the following precincts in the following counties:

(i) Coahoma County: Clarksdale 1-4*, Clarksdale 2-4*, Clarksdale 5-4*, Coahoma, Farrell*, Friar's Point, Jonestown, Lula, Lyon and Sherard*; and

(ii) Quitman County: Belen*, Crenshaw, Crowder, Darling, District 3 North, District 3 South* and Sledge.

SECTION 22. Section 9-7-34, Mississippi Code of 1972, is brought forward as follows:

9-7-34. There shall be three (3) judges for the Eleventh Circuit Court District. One (1) judge shall be elected from each subdistrict.

SECTION 23. Section 9-7-35, Mississippi Code of 1972, is amended as follows:

9-7-35. (1) The Twelfth Circuit Court District is composed of the following counties:

(a) Forrest County; and

(b) Perry County.

(2) There shall be two (2) judges for the Twelfth Circuit Court District. The two (2) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two * * *".

SECTION 24. Section 9-7-37, Mississippi Code of 1972, is amended as follows:

9-7-37. (1) The Thirteenth Circuit Court District is composed of the following counties:

(a) Covington County;

(b) Jasper County;

(c) Simpson County; and

(d) Smith County.

(2) There shall be two (2) judges for the Thirteenth Circuit Court District. The two (2) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two * * *".

SECTION 25. Section 9-7-39, Mississippi Code of 1972, is amended as follows:

9-7-39. (1) The Fourteenth Circuit Court District is composed of the following counties:

(a) Lincoln County;

(b) Pike County; and

(c) Walthall County.

(2) (a) There shall be two (2) judges for the Fourteenth Circuit Court District.

(b) The two (2) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two * * *".

SECTION 26. Section 9-7-41, Mississippi Code of 1972, is brought forward as follows:

9-7-41. The Fifteenth Circuit Court District is composed of the following counties:

(a) Jefferson Davis County;

(b) Lamar County;

(c) Lawrence County;

(d) Marion County; and

(e) Pearl River County.

SECTION 27. Section 9-7-42, Mississippi Code of 1972, is amended as follows:

9-7-42. (1) There shall be three (3) judges for the Fifteenth Circuit Court District.

(2) The three (3) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One * * *", "Place Two * * *", and "Place Three * * *". The judge to fill Place One must be a resident of Jefferson Davis, Lamar, Lawrence or Marion County. The judge to fill Place Two may be a resident of any county in the district. The judge to fill Place Three must be a resident of Pearl River County.

SECTION 28. Section 9-7-43, Mississippi Code of 1972, is brought forward as follows:

9-7-43. The Sixteenth Circuit Court District is composed of the following counties:

(a) Clay County;

(b) Lowndes County;

(c) Noxubee County; and

(d) Oktibbeha County.

SECTION 29. Section 9-7-44, Mississippi Code of 1972, is amended as follows:

9-7-44. (1) There shall be three (3) judges for the Sixteenth Circuit Court District.

(2) The three (3) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One * * *", "Place Two" and "Place Three * * *". The judge to fill Place One must be a resident of Lowndes County. The judge to fill Place Two must be a resident of Oktibbeha County. The judge to fill Place Three must be a resident of either Clay or Noxubee County. Election of the three (3) offices of

judge shall be by election to be held in every county within the Sixteenth Circuit Court District.

SECTION 30. Section 9-7-45, Mississippi Code of 1972, is brought forward as follows:

[Until January 1, 2023, this section shall read as follows:]

9-7-45. The Seventeenth Circuit Court District shall be divided into two (2) subdistricts as follows:

(a) Subdistrict 17-1 shall be composed of DeSoto County; and

(b) Subdistrict 17-2 shall be composed of Panola County, Tallahatchie County, Tate County and Yalobusha County.

[From and after January 1, 2023, this section shall read as follows:]

9-7-45. The Seventeenth Circuit Court District shall be composed of the following counties:

(a) Panola County;

(b) Tallahatchie County;

(c) Tate County; and

(d) Yalobusha County.

SECTION 31. Section 9-7-46, Mississippi Code of 1972, is brought forward as follows:

9-7-46. (1) There shall be two (2) circuit judges for the Seventeenth Circuit Court District.

(2) For the purpose of appointment and election, the two (2) judgeships shall be separate and distinct, and be denominated as "Place One" and "Place Two."

SECTION 32. Section 9-7-47, Mississippi Code of 1972, is brought forward as follows:

9-7-47. The Eighteenth Circuit Court District shall be Jones County.

SECTION 33. Section 9-7-49, Mississippi Code of 1972, is brought forward as follows:

9-7-49. (1) The Nineteenth Circuit Court District is composed of the following counties:

(a) George County;

(b) Greene County; and

(c) Jackson County.

(2) The local contribution required for the maintenance of the Nineteenth Circuit Court District shall not exceed, as to George and Greene Counties, the amount of their present local contribution in their present respective circuit court districts, and any excess shall be paid by Jackson County.

SECTION 34. Section 9-7-51, Mississippi Code of 1972, is amended as follows:

9-7-51. (1) There shall be three (3) judges for the Nineteenth Circuit Court District. The three (3) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One * * *", "Place Two" and "Place Three."

(2) The senior judge of the Nineteenth Circuit Court District may divide the court of any county within the district into civil, criminal and appellate court divisions as a matter of convenience by the entry of an order upon the minutes of the court.

SECTION 35. Section 9-7-53, Mississippi Code of 1972, is brought forward as follows:

9-7-53. The Twentieth Circuit Court District is composed of the following counties:

(a) Madison County; and

(b) Rankin County.

SECTION 36. Section 9-7-54, Mississippi Code of 1972, is amended as follows:

9-7-54. (1) There shall be three (3) judges for the Twentieth Circuit Court District.

(2) The three (3) judgeships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One * * *", "Place Two", and "Place Three * * *". The judge to fill Place One must reside in Rankin County, the judge to fill Place Two must reside in Madison County, and the judge to fill Place Three may reside in either Madison or Rankin County.

SECTION 37. Section 9-7-55, Mississippi Code of 1972, is brought forward as follows:

9-7-55. The Twenty-first Circuit Court District is composed of the following counties:

(a) Holmes County;

(b) Humphreys County; and

(c) Yazoo County.

SECTION 38. Section 9-7-57, Mississippi Code of 1972, is brought forward as follows:

9-7-57. The Twenty-second Circuit Court District is composed of the following counties:

(a) Claiborne County;

(b) Copiah County; and

(c) Jefferson County.

SECTION 39. Section 9-7-63, Mississippi Code of 1972, is brought forward as follows:

9-7-63. The Twenty-third Circuit Court District shall be DeSoto County.

SECTION 40. Section 9-7-64, Mississippi Code of 1972, is amended as follows:

9-7-64. (1) There shall be * * * four (4) circuit judges for the Twenty-third Circuit Court District.

(2) For the purposes of appointment and election, the * * * four (4) judgeships shall be separate and distinct and denominated as "Place One" * * *, "Place Two * * *", "Place Three" and "Place Four".

SECTION 41. Section 9-5-1, Mississippi Code of 1972, is brought forward as follows:

9-5-1. A chancellor shall be elected for and from each of the chancery court districts as provided in this chapter and the listing of individual precincts shall be those precincts as they existed on October 1, 1990. He shall hold court in any other district with the consent of the chancellor thereof when in their opinion the public interest may be thereby promoted. The terms of all chancellors elected at the regular election for the year 1930 shall begin on the first day of January, 1931, and their terms of office shall continue for four (4) years. A chancellor shall be a resident of the district in which he serves but shall not be required to be a resident of a subdistrict if the district is divided into subdistricts.

SECTION 42. Section 9-5-3, Mississippi Code of 1972, is brought forward as follows:

9-5-3. (1) The state shall be divided into an appropriate number of chancery court districts, severally numbered and composed of the counties as set forth in the sections which follow. A court to be styled "The Chancery Court of the County of ____" shall be held in each county, and within each judicial district of a county having two (2) judicial districts, at least twice a year. Court shall be held in chancery court districts consisting of a single county on the same dates state agencies and political subdivisions are open for business excluding legal holidays. The dates upon which terms shall commence and the number of days for which terms shall continue in chancery court districts consisting of more than one (1) county shall be set by order of the chancellor in accordance with the

provisions of subsection (2) of this section. A matter in court may extend past a term if the interest of justice so requires.

(2) An order establishing the commencement and continuation of terms of court for each of the counties within a chancery court district consisting of more than one (1) county shall be entered annually and not later than October 1 of the year immediately preceding the calendar year for which the terms of court are to become effective. Notice of the dates upon which terms of court shall commence and the number of days for which the terms shall continue in each of the counties within a chancery court district shall be posted in the office of the chancery clerk of each county within the district and mailed to the office of the Secretary of State for publication and distribution to all Mississippi Bar members. If an order is not timely entered, the terms of court for each of the counties within the chancery court district shall remain unchanged for the next calendar year.

(3) The number of chancellorships for each chancery court district shall be determined by the Legislature based upon the following criteria:

(a) The population of the district;

(b) The number of cases filed in the district;

(c) The caseload of each chancellor in the district;

(d) The geographic area of the district;

(e) An analysis of the needs of the district by the court personnel of the district; and

(f) Any other appropriate criteria.

(4) The Judicial College of the University of Mississippi Law Center and the Administrative Office of Courts shall determine the appropriate:

(a) Specific data to be collected as a basis for applying the above criteria;

(b) Method of collecting and maintaining the specified data; and

(c) Method of assimilating the specified data.

(5) In a district having more than one (1) office of chancellor, there shall be no distinction whatsoever in the powers, duties and emoluments of those offices except that the chancellor who has been for the longest time continuously a chancellor of that court or, should no chancellor have served longer in office than the others, the chancellor who has been for the longest time a member of The Mississippi Bar shall be the senior chancellor. The senior chancellor shall have the right to assign causes and dockets and to set terms in districts consisting of more than one (1) county.

SECTION 43. Section 9-5-5, Mississippi Code of 1972, is brought forward as follows:

9-5-5. The First Chancery Court District is composed of the following counties:

(a) Alcorn County;

(b) Itawamba County;

(c) Lee County;

(d) Monroe County;

(e) Pontotoc County;

(f) Prentiss County;

(g) Tishomingo County; and

(h) Union County.

SECTION 44. Section 9-5-7, Mississippi Code of 1972, is amended as follows:

9-5-7. (1) There shall be four (4) chancellors for the First Chancery Court District.

(2) The four (4) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One * * *", "Place Two * * *", "Place Three" and "Place Four." The chancellor to fill Place One must be a resident of Alcorn, Prentiss or Tishomingo County. The chancellors to fill Place Two and Place Three must reside in Itawamba, Lee, Monroe, Pontotoc or Union County. The chancellor to fill Place Four may be a resident of any county in the district. Election of the four (4) offices of chancellor shall be by election to be held in every county within the First Chancery Court District.

SECTION 45. Section 9-5-9, Mississippi Code of 1972, is brought forward as follows:

9-5-9. The Second Chancery Court District is composed of the following counties:

(a) Jasper County;

(b) Newton County; and

(c) Scott County.

SECTION 46. Section 9-5-11, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-5-11. (1) The Third Chancery Court District is composed of the following counties:

(a) DeSoto County;

(b) Grenada County;

(c) Montgomery County;

(d) Panola County;

(e) Tate County; and

(f) Yalobusha County.

(2) The Third Chancery Court District shall be divided into two (2) subdistricts as follows:

(a) Subdistrict 3-1 shall consist of DeSoto County.

(b) Subdistrict 3-2 shall consist of Grenada County, Montgomery County, Panola County, Tate County and Yalobusha County.

[From and after January 1, 2027, this section shall read as follows:]

9-5-11. (1) The Third Chancery Court District is composed of the following counties:

(a) Grenada County;

(b) Montgomery County;

(c) Panola County;

(d) Tate County; and

(e) Yalobusha County.

(2) The Third Chancery Court District shall be divided into two (2) subdistricts as follows:

(a) Subdistrict 3-1 shall consist of Grenada County, Montgomery County and Yalobusha County.

(b) Subdistrict 3-2 shall consist of Panola County and Tate County.

SECTION 47. Section 9-5-13, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2027, this section shall read as follows:]

9-5-13. (1) There shall be three (3) chancellors for the Third Chancery Court District.

(2) (a) The chancellor of Subdistrict 3-1 shall be elected from DeSoto County. The two (2) chancellors of Subdistrict 3-2 shall be elected from Grenada County, Montgomery County, Panola County, Tate County and Yalobusha County.

(b) For purposes of appointment and election, the three (3) chancellorships shall be separate and distinct. The chancellorship in Subdistrict 3-1 shall be denominated only as "Place One * * *", and the chancellorships in Subdistrict 3-2 shall be denominated only as "Place Two" and "Place Three * * *".

[From and after January 1, 2027, this section shall read as follows:]

9-5-13. (1) There shall be * * * two (2) chancellors for the Third Chancery Court District.

(2) (a) The * * * one (1) chancellor of Subdistrict 3-1 shall be elected from * * * Grenada County, Montgomery County or Yalobusha County. The * * * one (1) chancellor of Subdistrict 3-2 shall be elected from * * * Panola County * * * or Tate County * * *.

(b) For purposes of appointment and election, the * * * two (2) chancellorships shall be separate and distinct and denominated as "Place One * * *" and "Place Two * * *" * * *. The * * * chancellorship in Subdistrict 3-1 shall be denominated only as "Place One" * * * and the * * * chancellorship in Subdistrict 3-2 shall be denominated only as "Place Two" * * *.

SECTION 48. Section 9-5-15, Mississippi Code of 1972, is brought forward as follows:

9-5-15. (1) The Fourth Chancery Court District is composed of the following counties:

(a) Amite County;

(b) Franklin County;

(c) Pike County; and

(d) Walthall County.

(2) There shall be two (2) chancellors for the Fourth Chancery Court District. The two (2) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 49. Section 9-5-17, Mississippi Code of 1972, is brought forward as follows:

9-5-17. (1) The Fifth Chancery Court District is composed of Hinds County.

(2) The Fifth Chancery Court District shall be divided into the following four (4) subdistricts:

(a) Subdistrict 5-1 shall consist of the following precincts in Hinds County: 1, 2, 4, 5, 6, 8, 9, 10, 32, 33, 34, 35, 36, 44, 45, 46, 47, 72, 73, 74, 75, 76, 77, 78, 79, 92, 93, 96 and 97.

(b) Subdistrict 5-2 shall consist of the following precincts in Hinds County: 11, 12, 13, 14, 15, 16, 17, 23, 27, 28, 29, 30, 37, 38, 39, 40, 41, 42, 43, 80, 81, 82, 83, 84, 85, Brownsville, Cynthia, Pocahontas and Tinnin.

(c) Subdistrict 5-3 shall consist of the following precincts in Hinds County: 18, 19, 20, 21, 22, 24, 25, 26, 31, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 66, 67, 68, 69, 70, 71, 86, 89 and Jackson State.

(d) Subdistrict 5-4 shall consist of the following precincts in Hinds County: 87, 88, 90, 91, 94, 95, Bolton, Byram 1, Byram 2, Cayuga, Chapel Hill, Clinton 1, Clinton 2, Clinton 3, Clinton 4, Clinton 5, Clinton 6, Dry Grove, Edwards, Learned, Old Byram, Pinehaven, Raymond 1, Raymond 2, Spring Ridge, St. Thomas, Terry, Utica 1 and Utica 2.

SECTION 50. Section 9-5-19, Mississippi Code of 1972, is brought forward as follows:

9-5-19. (1) There shall be four (4) chancellors for the Fifth Chancery Court District. One (1) chancellor shall be elected from each subdistrict.

(2) While there shall be no limitation whatsoever upon the powers and duties of the said chancellors other than as cast upon them by the Constitution and laws of this state, the court in the First Judicial District of Hinds County, in the discretion of the senior chancellor, may be divided into four (4) divisions as a matter of convenience by the entry of an order upon the minutes of the court.

SECTION 51. Section 9-5-21, Mississippi Code of 1972, is brought forward as follows:

9-5-21. The Sixth Chancery Court District is composed of the following counties:

(a) Attala County;

(b) Carroll County;

(c) Choctaw County;

(d) Kemper County;

(e) Neshoba County; and

(f) Winston County.

SECTION 52. Section 9-5-22, Mississippi Code of 1972, is brought forward as follows:

9-5-22. (1) There shall be two (2) chancellors for the Sixth Chancery Court District.

(2) The two (2) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 53. Section 9-5-23, Mississippi Code of 1972, is brought forward as follows:

9-5-23. (1) The Seventh Chancery Court District is composed of the following counties:

(a) Bolivar County;

(b) Coahoma County;

(c) Leflore County;

(d) Quitman County;

(e) Tallahatchie County; and

(f) Tunica County.

(2) The Seventh Chancery Court District shall be divided into two (2) subdistricts as follows:

(a) Subdistrict 7-1 shall consist of Bolivar County and Coahoma County;

(b) Subdistrict 7-2 shall consist of Leflore County, Quitman County, Tallahatchie County and Tunica County.

SECTION 54. Section 9-5-25, Mississippi Code of 1972, is amended as follows:

9-5-25. There shall be three (3) chancellors for the Seventh Chancery Court District. The three (3) chancellorships shall be separate and distinct. One (1) chancellor shall be elected from Subdistrict 7-1 and shall be denominated for purposes of appointment and election only as "Place One * * *", and two (2) chancellors shall be elected from Subdistrict 7-2 and shall be denominated for purposes of appointment and election only as "Place Two" and "Place Three * * *".

SECTION 55. Section 9-5-27, Mississippi Code of 1972, is brought forward as follows:

9-5-27. The Eighth Chancery Court District is composed of the following counties:

(a) Hancock County;

(b) Harrison County; and

(c) Stone County.

SECTION 56. Section 9-5-29, Mississippi Code of 1972, is amended as follows:

9-5-29. (1) There shall be four (4) chancellors for the Eighth Chancery Court District.

(2) The four (4) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One * * *", "Place Two * * *", "Place Three" and "Place Four."

(3) While there shall be no limitation whatsoever upon the powers and duties of the chancellors other than as cast upon them by the Constitution and laws of this state, the court in the Eighth Chancery Court District, in the discretion of the senior chancellor, may be divided into four (4) divisions as a matter of convenience by the entry of an order upon the minutes of the court.

SECTION 57. Section 9-5-31, Mississippi Code of 1972, is brought forward as follows:

9-5-31. (1) The Ninth Chancery Court District is composed of the following counties:

(a) Humphreys County;

(b) Issaquena County;

(c) Sharkey County;

(d) Sunflower County;

(e) Warren County; and

(f) Washington County.

(2) The Ninth Chancery Court District shall be divided into three (3) subdistricts as follows:

(a) Subdistrict 9-1 shall consist of the following precincts in the following counties:

(i) Sunflower County: Boyer-Linn, Drew, Fairview-Hale, Indianola 2 East*, Indianola 3 North*, Indianola 3 Northeast*, Indianola 3 South*, Rome, Ruleville, Ruleville North and Sunflower Plantation; and

(ii) Washington County: American Legion, Brent Center, Buster Brown Community Center, Darlove Baptist Church*, Elks Club, Extension Building, Grace Methodist Church*, Greenville Industrial College, Leland Health Department Clinic, Leland Rotary Club, Metcalf City Hall and Potter House Church.

(b) Subdistrict 9-2 shall consist of Humphreys County and the following precincts in the following counties:

(i) Sunflower County: Doddsville, Indianola 2 East*, Indianola 2 West, Indianola 3 North*, Indianola 3 Northeast*, Indianola 3 South*, Indianola Southeast, Inverness, Moorhead, Sunflower 3 and Sunflower 4; and

(ii) Washington County: Arcola City Hall, Christ Wesleyan Methodist Church, Darlove Baptist Church*, Glen Allan Health Clinic, Grace Methodist Church*, Hollandale City Hall, St. James Episcopal Church, Swiftwater Baptist Church, Tampa Drive and Ward's Recreation Center.

(c) Subdistrict 9-3 shall consist of Issaquena County, Sharkey County and Warren County.

SECTION 58. Section 9-5-33, Mississippi Code of 1972, is brought forward as follows:

9-5-33. There shall be three (3) chancellors for the Ninth Chancery Court District. One (1) chancellor shall be elected from each subdistrict.

SECTION 59. Section 9-5-35, Mississippi Code of 1972, is brought forward as follows:

9-5-35. The Tenth Chancery Court District is composed of the following counties:

(a) Forrest County;

(b) Lamar County;

(c) Marion County;

(d) Pearl River County; and

(e) Perry County.

SECTION 60. Section 9-5-36, Mississippi Code of 1972, is amended as follows:

9-5-36. (1) There shall be four (4) chancellors for the Tenth Chancery Court District.

(2) The four (4) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One * * *", "Place Two * * *", "Place Three" and "Place Four." The chancellor to fill Place One and Place Four may be a resident of any county in the district. The chancellor to fill Place Two must be a resident of Lamar, Marion, Pearl River or Perry County. The chancellor to fill Place Three must be a resident of Forrest County. Election of the four (4) offices of chancellor shall be by election to be held in every county within the Tenth Chancery Court District.

SECTION 61. Section 9-5-37, Mississippi Code of 1972, is brought forward as follows:

9-5-37. (1) The Eleventh Chancery Court District is composed of the following counties:

(a) Holmes County;

(b) Leake County;

(c) Madison County; and

(d) Yazoo County.

(2) The Eleventh Chancery Court District shall be divided into two (2) subdistricts as follows:

(a) Subdistrict 11-1 shall consist of Holmes County, Yazoo County and the following precincts in Madison County: Bible Church, Canton 4, Canton 5, Flora, Madison County Baptist Family Life Center, Magnolia Heights and Smith School;

(b) Subdistrict 11-2 shall consist of Leake County and the following precincts in Madison County: Bear Creek, Camden, Cameron, Canton 1, Canton 2, Canton 3, Canton 7, Cedar Grove, Cobblestone, Couparle, Gluckstadt, Highland Colony Baptist Church, Liberty, Lorman/Cavalier, Luther Branson School, Madison 1, Madison 2, Madison 3, Main Harbor, New Industrial Park, North Bay, Ratliff Ferry, Ridgeland 1, Ridgeland 3, Ridgeland 4, Ridgeland First Methodist Church, Ridgeland Tennis Center, Sharon, Sunnybrook, Tougaloo, Trace Harbor, Victory Baptist Church, Virlilia, Whisper Lake and Yandell Road.

SECTION 62. Section 9-5-38, Mississippi Code of 1972, is amended as follows:

9-5-38. There shall be three (3) chancellors for the Eleventh Chancery Court District. The three (3) chancellorships shall be separate and distinct. One (1) chancellor shall be elected from Subdistrict 11-1 and denominated for purposes of appointment and election only as "Place One * * *", one (1) chancellor shall be elected from Subdistrict 11-2 and denominated for purposes of appointment and election only as "Place Two * * *", and one (1) chancellor shall be elected at large from the entire Eleventh Chancery Court District and denominated for purposes of appointment and election only as "Place Three * * *".

SECTION 63. Section 9-5-39, Mississippi Code of 1972, is brought forward as follows:

9-5-39. The Twelfth Chancery Court District is composed of the following counties:

(a) Clarke County; and

(b) Lauderdale County.

SECTION 64. Section 9-5-40, Mississippi Code of 1972, is brought forward as follows:

9-5-40. (1) There shall be two (2) judges for the Twelfth Chancery Court District.

(2) The two (2) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 65. Section 9-5-41, Mississippi Code of 1972, is brought forward as follows:

9-5-41. (1) The Thirteenth Chancery Court District is composed of the following counties:

(a) Covington County;

(b) Jefferson Davis County;

(c) Lawrence County;

(d) Simpson County; and

(e) Smith County.

(2) There shall be two (2) chancellors for the Thirteenth Chancery Court District. The two (2) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 66. Section 9-5-43, Mississippi Code of 1972, is brought forward as follows:

9-5-43. (1) The Fourteenth Chancery Court District is composed of the following counties:

(a) Chickasaw County;

(b) Clay County;

(c) Lowndes County;

(d) Noxubee County;

(e) Oktibbeha County; and

(f) Webster County.

(2) The Fourteenth Chancery Court District shall be divided into three (3) subdistricts as follows:

(a) Subdistrict 14-1 shall consist of Chickasaw County, Webster County and the following precincts in Oktibbeha County: Bell Schoolhouse*, Bradley, Center Grove, Central Starkville*, Craig Springs, Double Springs, East Starkville*, Gillespie Street Center*, Maben, North Adaton, North Longview, North Starkville 2*, North Starkville 3, Northeast Starkville, Self Creek, South Adaton, South Longview, South Starkville*, Sturgis and West Starkville*.

(b) Subdistrict 14-2 shall consist of the following precincts in the following counties:

(i) Clay County: Cedar Bluff, Central West Point, East West Point, Siloam, South West Point and Vinton; and

(ii) Lowndes County: Air Base A, Air Base B, Air Base C, Air Base D, Air Base E, Brandon A, Brandon B, Brandon C, Brandon D, Caledonia, Columbus High School A, Columbus High School B, Columbus High School C, Columbus High School D, Dowdle Gas Training Center B, Fairgrounds C, Fairgrounds E, Fairgrounds F, Hunt C, Lee Middle School, Mitchell A, New Hope A, New Hope B, New Hope C, New Hope D, New Hope E, Rural Hill A, Rural Hill B, Rural Hill C, Sale A, Sale B, Sale C, Steens A, Steens B, Steens C, Trinity B, Union Academy B, Union Academy C and University A.

(c) Subdistrict 14-3 shall consist of Noxubee County and the following precincts in the following counties:

(i) Clay County: Cairo, Caradine, North West Point, Pheba, Pine Bluff, Tibbee, Union Star and West West Point;

(ii) Lowndes County: Artesia, Coleman A, Coleman B, Crawford A, Fairgrounds A, Fairgrounds B, Fairgrounds D, Fairgrounds G, Hunt A, Hunt B, Mitchell B, New Hope F, Plum Grove A, Plum Grove B, Plum Grove C, Propst Park Community Hut, Trinity A, Union Academy A, University B, West Lowndes A and West Lowndes B; and

(iii) Oktibbeha County: Bell Schoolhouse*, Central Starkville*, East Starkville*, Gillespie Street Center*, Hickory Grove, North Starkville 2*, Oktoc, Osborn, Sessums, South Starkville*, Southeast Oktibbeha and West Starkville*.

SECTION 67. Section 9-5-45, Mississippi Code of 1972, is brought forward as follows:

9-5-45. There shall be three (3) chancellors for the Fourteenth Chancery Court District. One (1) chancellor shall be elected from each subdistrict.

SECTION 68. Section 9-5-47, Mississippi Code of 1972, is brought forward as follows:

9-5-47. The Fifteenth Chancery Court District is composed of the following counties:

(a) Copiah County; and

(b) Lincoln County.

SECTION 69. Section 9-5-49, Mississippi Code of 1972, is brought forward as follows:

9-5-49. The Sixteenth Chancery Court District is composed of the following counties:

(a) George County;

(b) Greene County; and

(c) Jackson County.

SECTION 70. Section 9-5-50, Mississippi Code of 1972, is amended as follows:

9-5-50. (1) There shall be three (3) chancellors for the Sixteenth Chancery Court District.

(2) The three (3) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One * * *", "Place Two" and "Place Three."

SECTION 71. Section 9-5-51, Mississippi Code of 1972, is brought forward as follows:

9-5-51. (1) The Seventeenth Chancery Court District is composed of the following counties:

(a) Adams County;

(b) Claiborne County;

(c) Jefferson County; and

(d) Wilkinson County.

(2) The Seventeenth Chancery Court District shall be divided into two (2) subdistricts as follows:

(a) Subdistrict 17-1 shall consist of Claiborne County, Jefferson County, and the following precincts in Adams County: Airport Carpenter*, Convention Center*, Foster Mound, Maryland*, Northside School, Palestine, Pine Ridge, Thompson and Washington*.

(b) Subdistrict 17-2 shall consist of Wilkinson County and the following precincts in Adams County: Beau Pre, Bellemont, By-Pass Fire Station, Carpenter*, Concord, Convention Center*, Courthouse, Duncan Park, Kingston, Liberty Park, Maryland*, Morgantown, Oakland and Washington*.

(3) There shall be two (2) chancellors for the Seventeenth Chancery Court District. One (1) chancellor shall be elected from each subdistrict.

SECTION 72. Section 9-5-53, Mississippi Code of 1972, is brought forward as follows:

9-5-53. The Eighteenth Chancery Court District is composed of the following counties:

(a) Benton County;

(b) Calhoun County;

(c) Lafayette County;

(d) Marshall County; and

(e) Tippah County.

SECTION 73. Section 9-5-54, Mississippi Code of 1972, is brought forward as follows:

9-5-54. (1) There shall be two (2) chancellors for the Eighteenth Chancery Court District.

(2) The two (2) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One" and "Place Two."

SECTION 74. Section 9-5-55, Mississippi Code of 1972, is brought forward as follows:

9-5-55. The Nineteenth Chancery Court District is composed of the following counties:

(a) Jones County; and

(b) Wayne County.

SECTION 75. Section 9-5-57, Mississippi Code of 1972, is brought forward as follows:

9-5-57. The Twentieth Chancery Court District shall be Rankin County.

SECTION 76. The following shall be codified as Section 9-5-60, Mississippi Code of 1972:

9-5-60. The Twenty-first Chancery Court District shall be DeSoto County.

SECTION 77. The following shall be codified as Section 9-5-62, Mississippi Code of 1972:

9-5-62. (1) There shall be three (3) chancellors for the Twenty-first Chancery Court District.

(2) For purposes of appointment and election, the two (2) judgeships shall be separate and district and denominated as "Place One", "Place Two" and "Place Three".

SECTION 78. Section 9-5-58, Mississippi Code of 1972, is amended as follows:

9-5-58. There shall be three (3) chancellors for the Twentieth Chancery Court District. For purposes of appointment and election the three (3) chancellorships shall be separate and distinct and denominated for purposes of appointment and election only as "Place One * * *", "Place Two", and "Place Three * * *".

SECTION 79. Section 9-3-1, Mississippi Code of 1972, is brought forward as follows:

9-3-1. The state shall be divided into three (3) Supreme Court districts, as follows, to wit:

The counties of Bolivar, Claiborne, Copiah, Hinds, Holmes, Humphreys, Issaquena, Jefferson, Kemper, Lauderdale, Leake, Madison, Neshoba, Newton, Noxubee, Rankin, Scott, Sharkey, Sunflower, Warren, Washington and Yazoo shall constitute the First District.

The counties of Adams, Amite, Clarke, Covington, Forrest, Franklin, George, Greene, Hancock, Harrison, Jackson, Jasper, Jefferson Davis, Jones, Lamar, Lawrence, Lincoln, Marion, Pearl River, Perry, Pike, Simpson, Smith, Stone, Walthall, Wayne, and Wilkinson shall constitute the Second District.

The counties of Alcorn, Attala, Benton, Calhoun, Carroll, Chickasaw, Choctaw, Clay, Coahoma, DeSoto, Grenada, Itawamba, Lafayette, Lee, Leflore, Lowndes, Marshall, Monroe, Montgomery, Oktibbeha, Panola, Pontotoc, Prentiss, Quitman, Tallahatchie, Tate, Tippah, Tishomingo, Tunica, Union, Webster, Winston and Yalobusha, shall constitute the Third District.

SECTION 80. Section 23-15-993, Mississippi Code of 1972, is brought forward as follows:

23-15-993. For the purpose of all elections, each of the nine (9) judgeships of the Supreme Court shall be considered a separate office. The three (3) offices in each of the three (3) Supreme Court districts shall be designated Position Number 1, Position Number 2 and Position Number 3, and in qualifying for office as a candidate for any office of judge of the Supreme Court each candidate shall state the position number of the office to which he aspires and the regular election ballots shall so indicate. In Supreme Court District Number 1: Position Number 1 shall be that office for which the term ends in January 1966; Position Number 2 shall be that office for which the term ends in January 1965; and Position Number 3 shall be that office for which the term ends in January 1969. In District Number 2: Position Number 1 shall be that office for which the term ends in January 1972; Position Number 2 shall be that office for which the term ends in January 1969; and Position Number 3 shall be for that office for which the term ends in January 1973. In District Number 3: Position Number 1 shall be that office for which the term ends in January 1969; Position Number 2 shall be that office for which the term ends in January 1969; and Position Number 3 shall be that office for which the term ends in January 1965.

SECTION 81. Section 25-31-5, Mississippi Code of 1972, is brought forward as follows:

25-31-5. (1) The following number of full-time legal assistants are authorized in the following circuit court districts:

(a) First Circuit Court District..... ten (10) legal assistants.

(b) Second Circuit Court District..... eleven (11) legal assistants.

(c) Third Circuit Court District..... six (6) legal assistants.

(d) Fourth Circuit Court District.....six (6) legal assistants.

(e) Fifth Circuit Court District.....five (5) legal assistants.

(f) Sixth Circuit Court District..... three (3) legal assistants.

(g) Seventh Circuit Court District..... twelve (12) legal assistants. Effective July 1, 2023, through July 1, 2025, the Seventh Circuit Court District shall have fourteen (14) legal assistants.

(h) Eighth Circuit Court District.....three (3) legal assistants.

(i) Ninth Circuit Court District.....three (3) legal assistants.

(j) Tenth Circuit Court District..... five (5) legal assistants.

(k) Eleventh Circuit Court District.....five (5) legal assistants.

(l) Twelfth Circuit Court District.....five (5) legal assistants.

(m) Thirteenth Circuit Court District.....four (4) legal assistants.

(n) Fourteenth Circuit Court District..... six (6) legal assistants.

(o) Fifteenth Circuit Court District..... seven (7) legal assistants.

(p) Sixteenth Circuit Court District..... six (6) legal assistants.

(q) Seventeenth Circuit Court District..... four (4) legal assistants.

(r) Eighteenth Circuit Court District.....two (2) legal assistants.

(s) Nineteenth Circuit Court District..... seven (7) legal assistants.
(t) Twentieth Circuit Court District..... seven (7) legal assistants.
(u) Twenty-first Circuit Court District..... four (4) legal assistants.
(v) Twenty-second Circuit Court District..... three (3) legal assistants.
(w) Twenty-third Circuit Court District ..... five (5) legal assistants.

(2) In addition to any legal assistants authorized pursuant to subsection (1) of this section, the following number of full-time legal assistants are authorized (i) in the following circuit court districts if funds are appropriated by the Legislature to adequately fund the salaries, expenses and fringe benefits of such legal assistants, or (ii) in any of the following circuit court districts in which the board of supervisors of one or more of the counties in a circuit court district adopts a resolution to pay all of the salaries,

supplemental pay, expenses and fringe benefits of legal assistants authorized in such district pursuant to this subsection:

(a) First Circuit Court District.....two (2) legal assistants.
(b) Second Circuit Court District.....two (2) legal assistants.
(c) Third Circuit Court District.....two (2) legal assistants.
(d) Fourth Circuit Court District.....two (2) legal assistants.
(e) Fifth Circuit Court District.....two (2) legal assistants.
(f) Sixth Circuit Court District.....two (2) legal assistants.
(g) Seventh Circuit Court District.....two (2) legal assistants.
(h) Eighth Circuit Court District.....two (2) legal assistants.
(i) Ninth Circuit Court District.....two (2) legal assistants.
(j) Tenth Circuit Court District.....two (2) legal assistants.
(k) Eleventh Circuit Court District.....two (2) legal assistants.
(l) Twelfth Circuit Court District.....two (2) legal assistants.
(m) Thirteenth Circuit Court District.....two (2) legal assistants.
(n) Fourteenth Circuit Court District.....two (2) legal assistants.
(o) Fifteenth Circuit Court District.....two (2) legal assistants.
(p) Sixteenth Circuit Court District.....two (2) legal assistants.
(q) Seventeenth Circuit Court District.....two (2) legal assistants.
(r) Eighteenth Circuit Court District.....two (2) legal assistants.
(s) Nineteenth Circuit Court District.....two (2) legal assistants.
(t) Twentieth Circuit Court District.....two (2) legal assistants.
(u) Twenty-first Circuit Court District.....two (2) legal assistants.
(v) Twenty-second Circuit Court District.....two (2) legal assistants.
(w) Twenty-third Circuit Court District.....two (2) legal assistants.

(3) The board of supervisors of any county may pay all or a part of the salary, supplemental pay, expenses and fringe benefits of any district attorney or legal assistant authorized in the circuit court district to which such county belongs pursuant to this section.

(4) The district attorney of any circuit court district may employ additional legal assistants or criminal investigators, or both, without regard to any limitation on the number of legal assistants authorized in this section or criminal investigators authorized by other provisions of law to the extent that the district attorney's office receives funds from any source. Any source shall include, but is not limited to, office generated funds, funds from a county, a combination of counties, a municipality, a combination of municipalities, federal funds, private grants or foundations, or by means of an Interlocal Cooperative Agreement authorized by Section 17-13-1 which may be expended for those positions in an amount sufficient to pay all of the salary, supplemental pay, expenses and fringe benefits of the positions. Such funds may either be paid out of district attorney accounts, transferred by the district attorney to the Department of Finance and Administration or to one or more of the separate counties comprising the circuit court district, and the funds shall be disbursed to such employees in the same manner as state-funded criminal investigators and full-time legal assistants. The district attorney shall report to the board of supervisors of each county comprising the circuit court district the amount and source of the supplemental salary, expenses and fringe benefits, and the board in each county shall spread the same on its minutes. The district attorney shall also report such information to the Department of Finance and Administration which shall make such information available to the Legislative Budget Office.

(5) The district attorney shall be authorized to assign the duties of a legal assistant regardless of the source of funding for such legal assistants.

SECTION 82. Section 25-31-10, Mississippi Code of 1972, is brought forward as follows:

25-31-10. (1) Any district attorney may appoint a full-time criminal investigator.

(2) The district attorneys of the Fifth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Twentieth and Twenty-first Circuit Court Districts may appoint one (1) additional full-time criminal investigator for a total of two (2) full-time criminal investigators.

(3) The district attorneys of the First, Second, Third, Fourth, Nineteenth and Twenty-third Circuit Court Districts may appoint two (2) additional full-time criminal investigators for a total of three (3) full-time criminal investigators.

(4) The district attorney of the Seventh Circuit Court District may appoint one (1) additional full-time criminal investigator for a total of four (4) full-time criminal investigators.

(5) No district attorney or assistant district attorney shall accept any private employment, civil or criminal, in any matter investigated by such criminal investigators.

(6) The full and complete compensation for all public duties rendered by the criminal investigators shall be not more than Sixty-three Thousand Dollars ($63,000.00) per annum, to be determined at the discretion of the district attorney based upon the qualifications, education and experience of the criminal investigator, plus necessary travel and other expenses, to be paid in accordance with Section 25-31-8. However, the maximum salary under this subsection for a criminal investigator who has a law degree may be supplemented by the district attorney from other available funds, but not to exceed the maximum salary for a legal assistant to a district attorney.

(7) Any criminal investigator may be designated by the district attorney to attend the Law Enforcement Officers Training Program set forth in Section 45-6-1 et seq. The total expenses associated with attendance by criminal investigators at the Law Enforcement Officers Training Program shall be paid out of the funds of the appropriate district attorney.

(8) The district attorney shall be authorized to assign the duties of criminal investigators regardless of the source of funding for such criminal investigators.

SECTION 83. Section 99-36-7, Mississippi Code of 1972, is brought forward as follows:

99-36-7. (1) (a) In addition to the full-time legal assistants to the district attorney authorized by Section 25-31-5, the district attorney in each circuit court district in this state shall, subject to the approval of and upon the order of the senior circuit court judge of the district, employ one (1) person to serve at the will and pleasure of the district attorney as a "victim assistance coordinator" who shall not be considered to be a state employee.

(b) The District Attorney of the First Circuit Court District may appoint one (1) additional victim assistance coordinator, and the District Attorney of the Fourteenth Circuit Court District, upon the approval of the boards of supervisors, may appoint one (1) additional victim assistance coordinator, subject to the approval of and upon the order of the senior circuit court judge of the applicable district for a total of two (2) victim assistance coordinators per district.

(2) The duty of the victim assistance coordinator is to ensure that a victim, guardian of a victim, or close relative of a deceased victim is afforded the rights granted victims, guardians and relatives by Section 99-36-5. The victim assistance coordinator shall work closely with appropriate law enforcement agencies, prosecuting attorneys, the state and the judiciary in fulfilling that duty.

(3) The salary of the victim assistance coordinator shall not exceed the salary authorized for criminal investigators in Section 25-31-10, and shall be paid jointly by the counties comprising the circuit court district, with each county paying a pro rata share of the salary as determined by the senior circuit court judge.

(4) The board of supervisors of any county, with the approval of and upon the order of the senior circuit court judge of the district wherein such county lies, may, in addition to any victim assistance coordinator provided for in subsection (1) of this section, create the position of county victim assistance coordinator. The duty of the county victim assistance coordinator shall be to cooperate with local law enforcement agencies, the county attorney and the district attorney in assuring that a victim, guardian or close relative is afforded the rights granted by Section 99-36-5. Two (2) or more counties, by action of their respective boards of supervisors, with the approval of and upon the order of the senior circuit court judge of the district wherein such counties lie, may join in establishing and maintaining the position of victim assistance coordinator to serve these counties. Any municipality, by action of its governing authority, may participate in the establishment and maintenance of a county victim assistance coordinator's office located within the municipality.

(5) Any district attorney, county board of supervisors or governing authority of a municipality which has established or is participating in the maintenance of an office of victim assistance coordinator may apply through the Governor's Office of State and Federal Programs for a grant under the federal "Victims of Crimes Act of 1984" (Public Law 98-473) to be used in the continued operation of the victim assistance program.

SECTION 84. Candidates for new chancellorships and circuit judgeships created by this act shall run for those offices in a special election to be conducted in conjunction with the state-wide judicial elections held in November 2026. Candidates shall file his or her intent to be a candidate and otherwise qualify as provided by Section 23-15-977, and shall run for office and be elected as provided in Sections 23-15-974 through 23-15-985 (Nonpartisan Judicial Election Act). The judges elected shall begin to serve their four-year terms on January 1, 2027, and the terms of those offices shall thereafter be as provided for chancellors and circuit judges generally.

SECTION 85. Sections 75 and 76 of this act shall take effect and be in force from and after January 1, 2027, and the remainder of this act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO BRING FORWARD SECTIONS 9-7-1, 9-7-3, 9-7-5, 9-7-9, 9-7-13, 9-7-15, 9-7-17, 9-7-19, 9-7-20, 9-7-21, 9-7-23, 9-7-25, 9-7-27, 9-7-29, 9-7-30, 9-7-31, 9-7-32, 9-7-33, 9-7-34, 9-7-41, 9-7-43, 9-7-45, 9-7-46, 9-7-47, 9-7-49, 9-7-53, 9-7-55, 9-7-57 AND 9-7-63, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR CIRCUIT COURT JUDGES, DISTRICTS AND TERMS OF COURT FOR DISTRICTS ONE TO TWENTY-THREE, FOR PURPOSES OF AMENDMENT; TO AMEND SECTIONS 9-7-7, 9-7-11, 9-7-14, 9-7-35, 9-7-37, 9-7-39, 9-7-42, 9-7-44, 9-7-51, 9-7-54 AND 9-7-64, MISSISSIPPI CODE OF 1972, TO CLARIFY LANGUAGE IN PROVISIONS OF LAW FOR CIRCUIT COURT DISTRICTS; TO BRING FORWARD SECTIONS 9-5-1, 9-5-3, 9-5-5, 9-5-9, 9-5-15, 9-5-17, 9-5-19, 9-5-21, 9-5-22, 9-5-23, 9-5-27, 9-5-31, 9-5-33, 9-5-35, 9-5-37, 9-5-39, 9-5-40, 9-5-41, 9-5-43, 9-5-45, 9-5-47, 9-5-49, 9-5-51, 9-5-53, 9-5-54, 9-5-55 AND 9-5-57, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR CHANCERY COURT JUDGES, DISTRICTS AND TERMS OF COURT FOR DISTRICTS ONE TO TWENTY; TO AMEND SECTIONS 9-5-7, 9-5-11, 9-5-13, 9-5-25, 9-5-29, 9-5-36, 9-5-38, 9-5-50 AND 9-5-58, MISSISSIPPI CODE OF 1972, TO CLARIFY LANGUAGE IN PROVISIONS OF LAW FOR CHANCERY COURT DISTRICTS; to create new sections 9-5-60 and 9-5-62, which create the twenty-first chancery court district; TO BRING FORWARD SECTIONS 9-3-1 AND 23-15-993, MISSISSIPPI CODE OF 1972, WHICH PROVIDE THE BOUNDARIES AND DESIGNATED POSITIONS FOR THE SUPREME COURT; TO BRING FORWARD SECTION 25-31-5, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senator Blount called up the following House Amendment to **S. B. No. 2780** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 7-11-11, Mississippi Code of 1972, is amended as follows:

7-11-11. The Secretary of State shall have charge of the swamp and the overflowed lands and indemnity lands in lieu thereof, the internal improvement lands, the

lands forfeited to the state for nonpayment of taxes after the time allowed by law for redemption shall have expired, the Public Trust Tidelands, and of all other public lands belonging to or under the control of the state. The regulation, sale and disposition of all such lands shall be made through the Secretary of State's office.

The Secretary of State shall sign all conveyances and leases of any and all state-owned lands and shall record same in a book kept in his office for such purposes.

SECTION 2. Section 29-1-107, Mississippi Code of 1972, is amended as follows:

29-1-107. (1) The Secretary of State, with the approval of the Governor, shall, as far as practicable, rent or lease all lands belonging to the state, except as otherwise provided by * * * this section, for a period of not exceeding one (1) year, and account for the rents therefrom in the same manner as money received from the sale of state lands, provided that no state land shall be rented or leased to individuals, corporations, partnerships, or association of persons for hunting or fishing purposes. Property belonging to the state in municipalities, even though it may have been subdivided into lots, blocks, divisions, or otherwise escheated or was sold to the state by such description, may likewise be leased or rented by the Secretary of State under the terms provided above for other state lands, and the rents accounted for in the same manner. The state shall have all the liens, rights and remedies accorded to landlords in Sections 89-7-1 through 89-7-125; said leases and rental contracts shall automatically terminate on the date provided in said leases or contracts. A person possessing a gaming license under the Mississippi Gaming Control Act or who wishes to apply for a gaming license under the Mississippi Gaming Control Act and who further uses or wishes to use Public Trust Tidelands as part of its proposed gaming project shall be required to obtain a tidelands lease from the Secretary of State notwithstanding any statute, law or other provision providing other authority to municipalities and counties or any other political subdivision to use the Public Trust Tidelands and such lease may be conditioned upon the gaming licensee or license applicant obtaining such other necessary and required approvals.

(2) (a) The Secretary of State, with the approval of the Governor, may rent or lease surface lands, tidelands or submerged lands owned or controlled by the State of Mississippi lying in or adjacent to the Mississippi Sound or Gulf of Mexico or streams emptying therein, for a period not exceeding forty (40) years for rental payable to the state annually. However, the term of any lease of State Public Trust Tidelands to a person possessing a license under the Mississippi Gaming Control Act shall be governed by the provisions of subsection (4) of this section.

(b) The lessee under such agreement may construct such necessary items for marking channels, docking, wharfing, mooring or fleeting vessels which shall be in aid of navigation and not obstructions thereto.

(c) A lessee of record may be given the option to renew for an additional period not to exceed twenty-five (25) years; however, the term of a renewal for a lease of State Public Trust Tidelands to a person possessing a gaming license under the Mississippi Gaming Control Act shall be governed by the provisions of subsection (4) of this section. The holder of a lease of Public Trust Tidelands, at the expiration thereof, shall have a prior right, exclusive of all other persons, to re-lease as may be agreed upon between the holder of the lease and the Secretary of State.

(d) Leases shall provide for review and rent adjustments at each fifth anniversary tied either to the All Urban Consumer Price Index-All Items (CPI) or to an appraisal which deducts the value of any improvements by the lessee which substantially enhance the value of the land. In the case where the initial rental was based on the value set by the ad valorem tax rolls, then the rent review and adjustment clause shall be likewise based on the value set by such tax rolls. In the event that the lessor and lessee cannot agree on a rental amount, the lease may be cancelled at the option of the lessor. The lessee shall, within thirty (30) days after execution of a sublease or assignment, file

a copy thereof, including the total consideration therefor, with the Secretary of State. This paragraph shall not apply to a lease of State Public Trust Tidelands or submerged lands to a person possessing a gaming license under the Mississippi Gaming Control Act who operates a gaming establishment on such tidelands or submerged lands or to a person who has or will apply for a gaming license under the Mississippi Gaming Control Act and to use Public Trust Tidelands or submerged lands as part of its proposed gaming project.

(e) The Secretary of State shall not grant a lease for gaming purposes whether directly or indirectly on Public Trust Tidelands on which the sand beach was constructed or which are adjacent to the sand beach, as defined in Section 29-15-1.

(3) Provided, however, the current occupants of Public Trust Tidelands that were developed after the determinable mean high-water line nearest the effective date of the Coastal Wetlands Protection Law shall pay an annual rental based on the fair market value as determined by the assessed valuation of the property. The holder of a lease of Public Trust Tidelands, at the expiration thereof, shall have a prior right, exclusive of all other persons, to re-lease as may be agreed upon between the holder of the lease and the Secretary of State.

(4) (a) This section shall apply to any person possessing a license under the Mississippi Gaming Control Act or who wishes to apply for a gaming license under the Mississippi Gaming Control Act and who operates or proposes to operate a gaming establishment in any of the three (3) most southern counties of the state. Any gaming licensee or proposed gaming licensee shall be required to obtain a lease from the Secretary of State to use any State Public Trust Tidelands notwithstanding any statute, law or other provision providing other authority to municipalities and counties or any other political subdivision to use the Public Trust Tidelands. To locate onshore and qualify to pay the in-lieu tidelands assessment, a gaming operation must have or show that it would have been qualified in all respects to obtain prior to August 29, 2005, a lease of Public Trust Tidelands from the State of Mississippi through the Secretary of State for a gaming operation.

(b) The following shall apply to all leases of State Public Trust Tidelands executed by such a licensee:

(i) Every lease executed after August 29, 2005, shall be for a period of thirty (30) years for rental payable to the state annually.

(ii) By operation of this section, any lease executed before August 29, 2005, may, at the option of the lessee, either remain at the term stated in the original execution of the lease or be converted to a thirty-year term lease, beginning on such date after August 29, 2005, that the lessee either resumes or begins permanent gaming activities as approved by the Mississippi Gaming Commission, and the lessee shall be required to comply with all other provisions of the lease. Should the lessee choose to operate in a structure that is not on State Public Trust Tidelands and that is on property contiguous to State Public Trust Tidelands leased by the State of Mississippi to the lessee, the lessee shall be required to comply with all other provisions of the lease with the State of Mississippi and shall be exempt from the assessment provided for in paragraph (c) of this subsection. Easements for and rights-of-way for public streets and highways shall not be construed to interrupt the contiguous nature of a parcel of property. In the event that a lessee does not elect either to remain bound by the original term of the lease with the State of Mississippi or to convert the lease to a thirty-year term, the Secretary of State may lease the State Public Trust Tidelands that are the subject of the lease to any other person or entity.

(iii) Leases shall provide for review and rent adjustments at each annual anniversary tied to the All Urban Consumer Price Index-All Items (CPI). In the case of the renewal of a lease after the expiration of the original thirty-year term under this subsection, each renewal shall be for a term of thirty (30) years. The base rate to

which the CPI shall apply for purposes of executing the subsequent lease shall be negotiated by the lessee with the Secretary of State.

(c) (i) Except as otherwise provided in this paragraph, any person possessing a license under the Mississippi Gaming Control Act who does not lease for a gaming site Public Trust Tidelands from the State * * * of Mississippi by and through the Secretary of State or a state port, and who operates a gaming establishment in any of the three (3) most southern counties of the state, shall pay an annual in-lieu tidelands assessment to the Public Trust Tidelands Assessments Fund (hereinafter referred to as "fund") created in Section 29-15-10, in the amount and manner provided for in this paragraph.

For calendar year 2006, the annual in-lieu tidelands assessment paid by the licensee to the fund shall be:

1. Four Hundred Thousand Dollars ($400,000.00), if the capital investment in the part of the structure in which licensed gaming activities are conducted is Fifty Million Dollars ($50,000,000.00) or less.

2. Four Hundred Fifty Thousand Dollars ($450,000.00), if the capital investment in the part of the structure in which licensed gaming activities are conducted is equal to or more than Fifty Million Dollars ($50,000,000.00) but less than Sixty Million Dollars ($60,000,000.00).

3. Five Hundred Thousand Dollars ($500,000.00), if the capital investment in the part of the structure in which licensed gaming activities are conducted is equal to or more than Sixty Million Dollars ($60,000,000.00) but less than Seventy-five Million Dollars ($75,000,000.00).

4. Six Hundred Thousand Dollars ($600,000.00), if the capital investment in the part of the structure in which licensed gaming activities are conducted is equal to or more than Seventy-five Million Dollars ($75,000,000.00) but less than One Hundred Million Dollars ($100,000,000.00).

5. Seven Hundred Thousand Dollars ($700,000.00), if the capital investment in the part of the structure in which licensed gaming activities are conducted is equal to or more than One Hundred Million Dollars ($100,000,000.00) but less than One Hundred Twenty-five Million Dollars ($125,000,000.00).

6. Seven Hundred Fifty Thousand Dollars ($750,000.00), if the capital investment in the part of the structure in which licensed gaming activities are conducted is equal to or more than One Hundred Twenty-five Million Dollars ($125,000,000.00).

For each calendar year thereafter, the Secretary of State shall review and adjust the value of the capital investment and the annual in-lieu tidelands assessment due. Such review and adjustment shall be tied to the CPI.

(ii) This paragraph shall not apply to a gaming licensee if the licensee conducts gaming in a structure that is located on property that is leased from the Mississippi State Port at Gulfport or any political subdivision of the state, or to a licensee who conducts gaming in a structure that is located on property that is leased to the licensee jointly by the State of Mississippi and the City of Biloxi; however, with regard to property owned by a political subdivision of the state, this exception shall only apply to property owned by the political subdivision on August 29, 2005, if legal gaming could have been conducted on such property on that date.

(iii) This paragraph shall not apply to a gaming licensee if the licensee conducts gaming in a structure that is located on property that is not leased from the State

of Mississippi, and/or a political subdivision of the State of Mississippi and is not on State Public Trust Tidelands, and if a gaming licensee conducted gaming on that property before August 29, 2005, and shall not apply to a gaming licensee if the licensee or a former licensee conducted gaming on * * * contiguous property through a lease with the State Port at Gulfport before August 29, 2005.

SECTION 3. Section 29-15-1, Mississippi Code of 1972, is amended as follows:

29-15-1. (a) "Commission" means the Mississippi Advisory Commission on Marine Resources.

(b) "Local tidal datum" means the datum established for a specific tide station through the use of tidal observations made at that station.

(c) "Department" means the Mississippi Department of Marine Resources.

(d) "Fastlands" means tidelands and submerged lands waterward of the historic natural mean high-water line but artificially filled such that the area waterward of that line is above mean high water.

(* * *e) "Mean high water" means the arithmetic mean of all the high waters occurring in a particular nineteen-year tidal epoch period; or for a shorter period of time after corrections are applied to the short-term observations to reduce these values to the equivalent nineteen-year value.

(* * *f) "Mean high-water line" means the intersection of the tidal datum plane of mean high water with the shore.

(* * *g) "Mean high-water survey" means a survey of the intersection of the shoreline with the tidal datum plane of mean high water using local tidal datums and surveying methodologies approved by the commission. Methodologies shall include, but not be limited to, the "staking method," "the topographic method" and "tide coordinated aerial photography."

(* * *h) "National map accuracy standards" means a set of guidelines published by the Office of Management and Budget of the United States to which maps produced by the United States government adhere.

(i) "Public Trust Tidelands" means those surface lands, tidelands and submerged lands owned by the state and held in trust for the citizens of the State of Mississippi.

(j) "Sand beach" means all areas of an artificial or man-made sand beach constructed on Public Trust Tidelands waterward of the public trust boundary represented by the natural mean high-water line or toe of a structure referred to as a seawall, retaining wall, or bulkhead, or other similar structure used to prevent erosion of uplands or property landward of the structure.

(* * *k) "Submerged lands" means lands which remain covered by waters, where the tides ebb and flow, at ordinary low tides.

(l) "Surface lands" means the same as fastlands.

(* * *m) "Tidelands" means those lands which are daily covered and uncovered by water by the action of the tides, up to the mean high-water line * * *.

SECTION 4. The following shall be codified as Section 29-15-2, Mississippi Code of 1972:

29-15-2. Legislative public policy. (l) It is declared that the state-held tidelands subject to the public trust and the boundary between trust lands and other lands are shown on the Final Public Trust Tidelands Map and Public Trust Submerged Land Maps, Final December 1994, created and published pursuant to Section 29-15-7, as modified by any boundary agreements or court orders.

(2) Absent clear, specific and expressed legislative intent to sever fee simple title of a specific parcel of Public Trust Tidelands from the state in favor of a specific state agency or political subdivision, fee simple title remains in the state.

(3) Absent clear, specific and expressed legislative intent to grant management and administrative control and authority, including leasing authority, of a specific area of Public Trust Tidelands to a specific state agency or political subdivision, the Secretary of State is not divested of management and administrative control and authority, and leasing authority.

(4) All uses of Public Trust Tidelands for any gaming purpose or purpose related to a gaming operation shall require a Public Trust Tidelands lease from the state through the Secretary of State as Trustee of the Public Trust Tidelands and shall be subject to annual rent pursuant to Section 29-1-107.

(5) All previous or prior statutory provisions which affect the Public Trust Tidelands shall be construed and interpreted subject to and consistent with the provisions contained in this statute.

SECTION 5. Section 29-15-3, Mississippi Code of 1972, is amended as follows:

29-15-3. (1) It is declared to be the public policy of this state to favor the preservation of the natural state of the state's Public Trust Tidelands and their ecosystems and to prevent the despoliation and destruction of them, except where a specific alteration of specific Public Trust Tidelands would serve a higher public interest in compliance with the public purposes of the public trust in which such tidelands are held.

(2) It is hereby declared to be a higher public purpose of this state and the public tidelands trust to resolve the uncertainty and disputes which have arisen as to the location of the boundary between the state's Public Trust Tidelands and the upland property and to confirm the mean high-water boundary line as determined by the Mississippi Supreme Court, the laws of this state and this chapter.

(3) Absent clear and specific intent by the Legislature to sever fee-simple ownership or to grant management and administrative control and authority, to include, but not be limited to, leasing authority, of a specific area of Public Trust Tidelands to a specific state agency or political subdivision, then fee-simple title, management and administrative control and authority, and leasing authority to and of the Public Trust Tidelands is in the State of Mississippi.

(4) It is hereby declared that Public Trust Tidelands held by the state will be managed and administered by the Secretary of State as the Land Commissioner and Trustee of the Public Trust Tidelands.

SECTION 6. Section 29-15-5, Mississippi Code of 1972, is amended as follows:

29-15-5. (1) Tidelands and submerged lands are held by the state in trust for use of all the people, and are so held in their character as the beds and shores of the sea and its tidally affected arms and tributaries for the purposes defined by common law and statutory law. Littoral and riparian property owners have common-law and statutory rights under the Coastal Wetlands Protection Law which extend into the waters and beyond the low tide line, and the state's responsibilities as trustee extends to such owners as well as to the other members of the public.

(2) Residential property owners shall not be required to obtain a Public Trust Tidelands lease from the state for exercising their common-law and statutory littoral and riparian rights attached to residential property for personal noncommercial use.

(3) All existing and proposed uses of or projects on Public Trust Tidelands by any commercial activity shall require a Public Trust Tidelands lease from the state through the Secretary of State as Trustee of the Public Trust Tidelands and shall be subject to annual rent pursuant to Section 29-1-107.

(4) All existing or proposed public uses or projects of any federal, state or local governmental entity, including counties and municipalities, shall serve a higher public purpose of promoting the conservation, reclamation, preservation of the tidelands and submerged lands, public use for boating, boat launches, piers, small craft harbors, marinas, fishing, navigation, or commercial, recreational, resort, tourism, or residential development shall require a lease of State Public Trust Tidelands from the state from the Secretary of State but shall be exempt from any use, lease or rental fees.

The lease issued by the Secretary of State shall include lease terms that the existing or proposed public uses or projects of any federal, state or local governmental entity, including counties and municipalities are public uses or projects with the higher public purpose of promoting the conservation, reclamation, preservation of the tidelands and submerged lands, public use for boating, boat launches, piers, small craft harbor, marinas, fishing, navigation, or commercial, recreational, resort, tourism, or residential development.

The lease issued by the Secretary of State shall not include lease terms that restrict the existing or proposed public uses or projects of any federal, state or local governmental entity, including counties and municipalities provided such public uses or projects serve the higher public purpose of promoting the conservation, reclamation, preservation of the tidelands and submerged lands, public use for boating, boat launches, piers, small craft harbors, marinas, fishing, navigation, or commercial, recreational, resort, tourism, or residential development, and provided such use or project does not have any gaming component.

(5) Provided the use of the leased property serves the higher public purpose of promoting the conservation, reclamation, preservation of the tidelands and submerged lands, public use for boating, boat launches, piers, small craft harbors, marinas, fishing, navigation, or commercial, recreational, resort, tourism, or residential development, the federal, state or local governmental entity, including counties and municipalities, shall have exclusive control of the leased premises, and all revenues generated therefrom shall be used to maintain, repair, or improve the leased property, but no such use shall have any gaming component.

(6) The federal, state or local governmental entity, including counties and municipalities, shall not lease, sublease, rent, or provide access for any gaming purpose or purpose related to a gaming operation.

SECTION 7. Section 29-15-9, Mississippi Code of 1972, is amended as follows:

29-15-9. (1) There is created in the State Treasury a special fund to be known as the "Public Trust Tidelands Fund." The fund shall be administered by the Secretary of State as trustee.

(2) Any funds derived from lease rentals of tidelands and submerged lands, except those funds derived from mineral leases, or funds previously specifically designated to be applied to other agencies, shall be transferred to the special fund. * * * Subject to legislative authorization, funds derived from lease rentals * * * will be used to cover the administrative cost, including legal expenses, incurred by the Secretary of State in

administering the Public Trust Tidelands. Any remaining funds derived from lease rentals shall then be disbursed pro rata to the local taxing authorities for the replacement of lost ad valorem taxes, if any. Then, any remaining funds shall be disbursed to the * * * Department of Marine Resources for new and extra programs of tidelands management, such as conservation, reclamation, preservation, acquisition, education or the enhancement of public access to the Public Trust Tidelands or public improvement projects as they relate to those lands.

(3) Any funds that are appropriated as separate line items in an appropriation bill for tideland programs or projects authorized under this section for political subdivisions or other agencies shall be disbursed as provided in this subsection.

(a) The Department of Marine Resources shall make progress payments in installments based on the work completed and material used in the performance of a tidelands project only after receiving written verification from the political subdivision or agency. The political subdivision or agency shall submit verification of the work completed or materials in such detail and form that the department may require.

(b) The Department of Marine Resources shall make funds available for the purpose of using such funds as a match or leverage for federal or other funds that are available for the designated tidelands project.

SECTION 8. Section 29-15-10, Mississippi Code of 1972, is amended as follows:

29-15-10. (1) There is created in the State Treasury a special fund to be known as the "Public Trust Tidelands Assessments Fund." The purpose of the fund is to ensure that monies derived from the Public Trust Tidelands assessments shall be used for the benefit of preserving and protecting the tidelands and submerged lands found within the three (3) most southern counties of the state. One (1) specific purpose of the fund is to ensure that the annual payment made by the state for the purchase of Deer Island shall continue uninterrupted until the purchase transaction is completed. The fund shall be administered by the Secretary of State, as trustee. None of the funds that are in the special fund or that are required to be deposited into the special fund shall be transferred, diverted or in any other manner expended or used for any purpose other than those purposes specified in this section.

(2) (a) Any funds derived from assessments made pursuant to Section 29-1-107(4)(c) shall be deposited into the special fund.

(b) Funds paid pursuant to paragraph (a) of this subsection may be appropriated by the Legislature in an amount necessary to cover the administrative cost incurred by the Mississippi * * * Department of Marine Resources. Any remaining funds shall be disbursed * * * to the * * * Department of Marine Resources for new and extra programs of tidelands management, such as conservation, reclamation, preservation, acquisition, education or the enhancement of public access to the Public Trust Tidelands or public improvement projects as they relate to those lands.

(3) Any funds that are appropriated as separate line items in an appropriation bill for tideland programs or projects authorized under this section for political subdivisions or other agencies shall be disbursed as provided in this subsection.

(a) The Department of Marine Resources shall make progress payments in installments based on the work completed and material used in the performance of a tidelands project only after receiving written verification from the political subdivision or agency. The political subdivision or agency shall submit verification of the work completed or materials in such detail and form that the department may require.

(b) The Department of Marine Resources shall make funds available for the purpose of using such funds as a match or leverage for federal or other funds that are available for the designated tidelands project.

SECTION 9. Section 29-15-13, Mississippi Code of 1972, is amended as follows:

29-15-13. (1) All existing or proposed public uses or projects of any federal, state or local governmental entity * * *, including counties and municipalities, shall serve a higher public purpose of promoting the conservation, reclamation, preservation of the tidelands and submerged lands, public use for boating, boat launches, piers, small craft harbors, marinas, fishing, * * * navigation, or * * * commercial, recreational, resort, tourism or residential development shall require a lease from the Secretary of State but shall be exempt from any use, lease or rental fees.

(2) The federal, state or local governmental entity, including counties and municipalities, shall not lease, sublease, rent, or provide access for any gaming purpose or purpose related to a gaming operation.

SECTION 10. Section 59-7-405, Mississippi Code of 1972, is amended as follows:

59-7-405. (1) (a) The governing authorities of any municipality in which there is situated and located, in whole or in part, a port or harbor through which commerce flows, and having not less than eight (8) industries engaged in the seafood industry, which maintains a channel and/or harbor to a depth of not less than eight (8) feet, may engage in, either directly or through the commission hereinafter provided and designated, and such other agencies as hereafter may be provided by law, works of internal improvement, or promoting, developing, constructing, maintaining and operating harbors or seaports within the state and its jurisdiction, and either directly or through the commission hereinafter provided for, with the power and authority to acquire, purchase, install, rent, lease, mortgage and/or otherwise encumber, to construct, own, hold, maintain, equip, use, control and operate at seaports or harbors, wharves, piers, docks, warehouses, cold storage facilities, water and rail terminals, airplane landing fields and strips, and other structures and facilities, needful for the convenient use of the same in the aid of commerce and navigation, and including the dredging of channels and approaches to the facilities, and being authorized to fill in * * * bottomlands where incidental and necessary to the foregoing development. All uses of Public Trust Tidelands shall be through a lease with the state by and through the Secretary of State, subject to a lease as required by Section 59-15-1, provided the use of the Public Trust Tidelands is to construct, own, hold, maintain, equip, use, control and operate at seaports or harbors, wharves, piers, docks, warehouses, cold storage facilities, water and rail terminals, airplane landing fields and strips, and other structures and facilities, needful for the convenient use of the same in the aid of commerce navigation, and including the dredging of channels and approaches to the facilities, the municipal authority or commission shall have exclusive control of the leased premises, and all revenues generated therefrom shall be used to maintain, repair or improve the leased property.

(b) A municipality, which is operating a port through a port commission under this section, may dissolve the port commission as provided in Section 59-7-408 and directly operate and maintain the port as provided under this article.

(2) The municipal authorities or commission, in connection with the exercise of the foregoing works of improvement and development, may as an adjunct to any such work of improvement or development to erect or construct such bridges, causeways or structures as may be required for access to and from the harbors or facilities provided as aforesaid by the municipal authorities or the commission, and including any necessary bridge or causeway or combination of the same, connecting with any island or islands lying within three (3) leagues of the main shoreline of the Mississippi Sound or the Gulf of Mexico, and whether the same be within or without the limits of the municipality concerned.

(3) The municipal authorities or commission may procure, by gift, grant, purchase, or by the exercise of eminent domain, and for the public purposes and uses herein provided for, such land or interest therein as may be required for the purposes of this article, and regardless of whether the land be within or without the limits of the municipality involved. All uses of Public Trust Tidelands shall be through a lease with the state through the Secretary of State.

(4) The municipal authorities or commission, in the exercise of the powers granted hereunder, may provide any of the aforesaid facilities alone or in collaboration and in conjunction with any other public bodies, entities or commissions, as may now or hereafter be established by law.

(5) The municipal authorities or commission may provide, among other harbor facilities, small craft and pleasure craft harbors and facilities needed therefor, including park and recreational facilities as an adjunct thereto, and in order to develop and promote tourist and recreational trade in the port.

(6) The municipal authorities or commission have the power and authority to carry out the provisions of this article, to employ engineers, attorneys, and such employees as may be necessary in carrying out the provisions of this article, from time to time, and for the purpose of operating the facilities herein provided for, and may prescribe reasonable compensation in connection with such employment.

(7) The municipal authorities or commission shall not lease, sublease, rent, or provide access for any gaming purpose or purpose related to a gaming operation.

SECTION 11. Section 59-15-1, Mississippi Code of 1972, is amended as follows:

59-15-1. The authorities of any city in this state which has a population of ten thousand (10,000) or more, according to the last official government census, and the authorities of any municipality bordering on the Mississippi Sound or Gulf of Mexico are hereby given the authority to acquire by purchase, deed, donation, gift, grant, * * * lease, dedication, or otherwise, and if state-owned Public Trust Tidelands by lease subject to Sections 29-1-107(2) and 29-15-13, such land, harbor sites or water frontage for the purpose of establishing, developing, promoting, maintaining, and operating harbors for small water crafts and recreational parks connected therewith within its territorial limits, or both, and shall have the power to acquire, purchase, install, rent, lease, mortgage, incumber, construct, own, hold, maintain, equip, use, control and operate recreational parks and harbors for small water craft. Any such existing use of State Public Trust Tidelands shall require a Public Trust Tidelands lease from the State of Mississippi by and through the Secretary of State. Provided the use of the Public Trust Tidelands is to acquire, purchase, install, rent, lease, mortgage, incumber, construct, own, hold, maintain, equip, use, control and operate recreational parks and harbors for small water craft, the municipal authority hereunder shall have exclusive control of the leased premises, and all revenues generated therefrom shall be used to maintain, repair or improve the leased property. Any use of State Public Trust Tidelands for gaming as contemplated by Section 29-1-107(4) will require a direct lease of the Public Trust Tidelands from the State of Mississippi by and through the Secretary of State and such lease may be conditioned upon the gaming licensee obtaining such other necessary and required approvals.

SECTION 12. Section 75-76-67, Mississippi Code of 1972, is amended as follows:

75-76-67. (1) Any person who the commission determines is qualified to receive a license or be found suitable under the provisions of this chapter, having due consideration for the proper protection of the health, safety, morals, good order and general welfare of the inhabitants of the State of Mississippi and the declared policy of this state, may be issued a state gaming license or found suitable. The burden of proving his qualification to receive any license or be found suitable is on the applicant.

(2) An application to receive a license or be found suitable shall not be granted unless the commission is satisfied that the applicant is:

(a) A person of good character, honesty and integrity;

(b) A person whose prior activities, criminal record, if any, reputation, habits and associations do not pose a threat to the public interest of this state or to the effective regulation and control of gaming, or create or enhance the dangers of unsuitable, unfair or illegal practices, methods and activities in the conduct of gaming or the carrying on of the business and financial arrangements incidental thereto; and

(c) In all other respects qualified to be licensed or found suitable consistent with the declared laws of the state.

(3) No person shall be granted a license or found suitable under the provisions of this chapter who has been convicted of a felony in any court of this state, another state, or the United States; and no person shall be granted a license or found suitable hereunder who has been convicted of a crime in any court of another state or the United States which, if committed in this state, would be a felony; and no person shall be granted a license or found suitable under the provisions of this chapter who has been convicted of a misdemeanor in any court of this state or of another state, when such conviction was for gambling, sale of alcoholic beverages to minors, prostitution, or procuring or inducing individuals to engage in prostitution.

(4) A license to operate a gaming establishment shall not be granted unless the applicant has satisfied the commission that:

(a) He has adequate business probity, competence and experience, in gaming or generally; * * *

(b) The proposed financing of the entire operation is:

(i) Adequate for the nature of the proposed operation; and

(ii) From a suitable source. Any lender or other source of money or credit which the commission finds does not meet the standards set forth in subsection (2) may be deemed unsuitable * * *;

(c) All licenses issued and approved to proceed with development by the commission and operating prior to December 31, 2023, are exempt from the minimum requirements set forth in subparagraphs (i) through (vi) below. No site approval issued by the commission prior to December 31, 2023, with an expiration date or term shall be extended beyond such term. The proposed licensee must republish and reapply for site approval upon the expiration of any such approval. So long as a licensee issued approval to proceed with development after December 31, 2023, is not revoked, voided, vacated, or lapsed by order or act of the commission, a proposed project shall meet, at a minimum, the following:

(i) A parking facility in close proximity to the casino complex to accommodate a minimum of five hundred (500) cars;

(ii) A hotel with a minimum of three hundred (300) rooms;

(iii) A restaurant capable of seating at least two hundred (200) people;

(iv) A fine dining establishment capable of seating at least seventy-five (75) people;

(v) A casino floor of at least forty thousand (40,000) square feet; and

(vi) An amenity unique to the licensee's market in order to encourage economic development and promote tourism; and

(d) The commission shall not adopt any rule or regulation that would reduce the requirements in paragraph (c) of this subsection; however, the commission may exercise discretion with respect to such requirements as to proposed projects if located in a gaming market along the Mississippi River; but, in all other areas where a project is proposed to be located, these shall be deemed minimum requirements.

(5) An application to receive a license or be found suitable constitutes a request for a determination of the applicant's general character, integrity and ability to participate or engage in, or be associated with gaming. Any written or oral statement made in the course of an official proceeding of the commission or the executive director or any witness testifying under oath which is relevant to the purpose of the proceeding is absolutely privileged and does not impose liability for defamation or constitute a ground for recovery in any civil action.

(6) The commission may, in its discretion, grant a license to a corporation which has complied with the provisions of this chapter.

(7) The commission may, in its discretion, grant a license to a limited partnership which has complied with the provisions of this chapter.

(8) No limited partnership, except one whose sole limited partner is a publicly traded corporation which has registered with the commission, or business trust or organization or other association of a quasi-corporate character is eligible to receive or hold any license under this chapter unless all persons having any direct or indirect interest therein of any nature whatsoever, whether financial, administrative, policymaking or supervisory, are individually qualified to be licensed under the provisions of this chapter.

(9) The commission may, by regulation, limit the number of persons who may be financially interested and the nature of their interest in any corporation or other organization or association licensed under this chapter, and may establish such other qualifications of licenses as the commission, in its discretion, deems to be in the public interest and consistent with the declared policy of the state.

SECTION 13. Section 87-1-5, Mississippi Code of 1972, is amended as follows:

87-1-5. If any person, by playing at any game whatever, or by betting on the sides or hands of such as do play at any game, or by betting on any horse race or cockfight, or at any other sport or pastime, or by any wager whatever, shall lose any money, property, or other valuable thing, real or personal, and shall pay or deliver the same or any part thereof, the person so losing and paying or delivering the same, or his wife or children, may sue for and recover such money, property, or other valuable thing so lost and paid or delivered, or any part thereof, from the person knowingly receiving the same, with costs. However, this section shall not apply to betting, gaming or wagering:

(a) On a cruise vessel as defined in Section 27-109-1 whenever such vessel is in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay;

(b) In a structure located in whole or in part on shore in any of the three (3) most southern counties in the State of Mississippi in which the registered voters of the county have voted to allow such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79, if:

(i) The structure is owned, leased or controlled by a person possessing a gaming license, as defined in Section 75-76-5, to conduct legal gaming * * * at a location that was legal for dockside gaming prior to August 29, 2005;

(ii) The part of the structure in which licensed gaming activities are conducted is located entirely in an area which is located no more than eight hundred (800) feet from the mean high-water line (as defined in Section 29-15-1) of the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to the Mississippi Sound at Harrison County only, no farther north than the southern boundary of the right-of-way for U.S. Highway 90, whichever is greater; and in determining the distance to the mean high-water line, the following considerations apply:

1. Rights-of-way and easements for public streets and highways shall not be construed to interrupt the contiguous nature of a parcel of property, nor shall the footage contained within such easements and rights-of-way be considered in the calculation of the distances specified in subparagraph (ii) of this paragraph; and

2. An imaginary line drawn from any point along the mean high-water line referenced and utilized pursuant to subparagraph (ii) of this paragraph to any other point of reference must cross only property under the exclusive use and control of the gaming licensee or proposed licensee based on its ownership or lease thereof, except for rights-of-way and easements for public streets and highways; and

(iii) In the case of a structure that is located in whole or part on shore, the part of the structure in which licensed gaming activities are conducted shall * * * be located on:

1. Property entirely under the exclusive use and control of the proposed licensee based on its ownership or lease thereof that extends from the gaming floor to the mean high-water line and such land is capable of accommodating the minimum improvement requirements set forth in Section 75-76-67(4); and

2. The entire parcel(s) of land used to establish the necessary ownership and/or lease and control of the property to the mean high-water line must be immediately adjacent to waters at a location which would have qualified as a legal gaming site for docking a cruise vessel under paragraph (a) of this section prior to August 29, 2005;

(c) On a vessel as defined in Section 27-109-1 whenever such vessel is on the Mississippi River or navigable waters within any county bordering on the Mississippi River; or

(d) That is legal under the laws of the State of Mississippi.

SECTION 14. Section 97-33-1, Mississippi Code of 1972, is amended as follows:

97-33-1. Except as otherwise provided in Section 97-33-8, if any person shall encourage, promote or play at any game, play or amusement, other than a fight or fighting match between dogs, for money or other valuable thing, or shall wager or bet, promote or encourage the wagering or betting of any money or other valuable things, upon any game, play, amusement, cockfight, Indian ball play or duel, other than a fight or fighting match between dogs, or upon the result of any election, event or contingency whatever, upon conviction thereof, he shall be fined in a sum not more than Five Hundred Dollars ($500.00); and, unless such fine and costs be immediately paid, shall be imprisoned for any period not more than ninety (90) days. However, this section shall not apply to betting, gaming or wagering:

(a) On a cruise vessel as defined in Section 27-109-1 whenever such vessel is in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79;

(b) In a structure located, in whole or in part, on shore in any of the three (3) most southern counties in the State of Mississippi in which the registered voters of the county have voted to allow such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79, if:

(i) The structure is owned, leased or controlled by a person possessing a gaming license, as defined in Section 75-76-5, to conduct legal gaming * * * at a location that was legal for dockside gaming prior to August 29, 2005;

(ii) The part of the structure in which licensed gaming activities are conducted is located entirely in an area which is located no more than eight hundred (800) feet from the mean high-water line (as defined in Section 29-15-1) of the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to the Mississippi Sound at Harrison County only, no farther north than the southern boundary of the right-of-way for U.S. Highway 90, whichever is greater; and in determining the distance to the mean high-water line, the following considerations apply:

1. Rights-of-way and easements for public streets and highways shall not be construed to interrupt the contiguous nature of a parcel of property, nor shall the footage contained within such easements and rights-of-way be considered in the calculation of the distances specified in subparagraph (ii) of this paragraph; and

2. An imaginary line drawn from any point along the mean high-water line referenced and utilized pursuant to subparagraph (ii) of this paragraph to any other point of reference must cross only property under the exclusive use and control of the gaming licensee or proposed licensee based on its ownership or lease thereof, except for rights-of-way and easements for public streets and highways; and

(iii) In the case of a structure that is located in whole or part on shore, the part of the structure in which licensed gaming activities are conducted shall * * * be located on:

1. Property entirely under the exclusive use and control of the gaming licensee or proposed licensee based on its ownership or lease thereof that extends from the gaming floor to the mean high-water line and such land is capable of accommodating the minimum improvement requirements set forth in Section 75-76-67(4); and

2. The entire parcel(s) of land used to establish the necessary ownership and/or lease and control of the property to the mean high-water line must be immediately adjacent to waters at a location which would have qualified as a legal gaming site for docking a cruise vessel under paragraph (a) of this section prior to August 29, 2005;

(c) On a vessel as defined in Section 27-109-1 whenever such vessel is on the Mississippi River or navigable waters within any county bordering on the Mississippi River, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on vessels as provided in Section 19-3-79; or

(d) That is legal under the laws of the State of Mississippi.

SECTION 15. Section 97-33-7, Mississippi Code of 1972, is amended as follows:

97-33-7. (1) Except as otherwise provided in Section 97-33-8, it shall be unlawful for any person or persons, firm, copartnership or corporation to have in possession, own, control, display, or operate any cane rack, knife rack, artful dodger, punch board, roll down, merchandise wheel, slot machine, pinball machine, or similar device or devices. Provided, however, that this section shall not be so construed as to make unlawful the ownership, possession, control, display or operation of any antique coin machine as defined in Section 27-27-12, or any music machine or bona fide automatic vending machine where the purchaser receives exactly the same quantity of merchandise on each operation of said machine. Any slot machine other than an antique coin machine as defined in Section 27-27-12 which delivers, or is so constructed as that by operation thereof it will deliver to the operator thereof anything of value in varying quantities, in addition to the merchandise received, and any slot machine other than an antique coin machine as defined in Section 27-27-12 that is constructed in such manner as that slugs, tokens, coins or similar devices are, or may be, used and delivered to the operator thereof in addition to merchandise of any sort contained in such machine, is hereby declared to be a gambling device, and shall be deemed unlawful under the provisions of this section. Provided, however, that pinball machines which do not return to the operator or player thereof anything but free additional games or plays shall not be deemed to be gambling devices, and neither this section nor any other law shall be construed to prohibit same.

(2) No property right shall exist in any person, natural or artificial, or be vested in such person, in any or all of the devices described herein that are not exempted from the provisions of this section; and all such devices are hereby declared to be at all times subject to confiscation and destruction, and their possession shall be unlawful, except when in the possession of officers carrying out the provisions of this section. It shall be the duty of all law enforcing officers to seize and immediately destroy all such machines and devices.

(3) A first violation of the provisions of this section shall be deemed a misdemeanor, and the party offending shall, upon conviction, be fined in any sum not exceeding Five Hundred Dollars ($500.00), or imprisoned not exceeding three (3) months, or both, in the discretion of the court. In the event of a second conviction for a violation of any of the provisions of this section, the party offending shall be subject to a sentence of not less than six (6) months in the county jail, nor more than two (2) years in the State Penitentiary, in the discretion of the trial court.

(4) Notwithstanding any provision of this section to the contrary, it shall not be unlawful to operate any equipment or device described in subsection (1) of this section or any gaming, gambling or similar device or devices by whatever name called while:

(a) On a cruise vessel as defined in Section 27-109-1 whenever such vessel is in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79;

(b) In a structure located, in whole or in part, on shore in any of the three (3) most southern counties in the State of Mississippi in which the registered voters of the county have voted to allow such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79, if:

(i) The structure is owned, leased or controlled by a person possessing a gaming license, as defined in Section 75-76-5, to conduct legal gaming * * * at a location that was legal for dockside gaming prior to August 29, 2005;

(ii) The part of the structure in which licensed gaming activities are conducted is located entirely in an area which is located no more than eight hundred (800) feet from the mean high-water line (as defined in Section 29-15-1) of the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to the Mississippi Sound at Harrison County only, no farther north than the southern boundary of the right-of-way for U.S. Highway 90, whichever is greater; and in determining the distance to the mean high-water line, the following considerations apply:

1. Rights-of-way and easements for public streets and highways shall not be construed to interrupt the contiguous nature of a parcel of property, nor shall the footage contained within such easements and rights-of-way be considered in the calculation of the distances specified in subparagraph (ii) of this paragraph; and

2. An imaginary line drawn from any point along the mean high-water line referenced and utilized pursuant to subparagraph (ii) of this paragraph to any other point of reference must cross only property under the exclusive use and control of the gaming licensee or proposed licensee based on its ownership or lease thereof, except for rights-of-way and easements for public streets and highways; and

(iii) In the case of a structure that is located in whole or part on shore, the part of the structure in which licensed gaming activities are conducted shall * * * be located on:

1. Property entirely under the exclusive use and control of the gaming licensee or proposed licensee based on its ownership or lease thereof that extends from the gaming floor to the mean high-water line and such land is capable of accommodating the minimum improvement requirements set forth in Section 75-76-67(4); and

2. The entire parcel(s) of land used to establish the necessary ownership and/or lease and control of the property to the mean high-water line must be immediately adjacent to waters at a location which would have qualified as a legal gaming site for docking a cruise vessel under paragraph (a) of this subsection prior to August 29, 2005;

(c) On a vessel as defined in Section 27-109-1 whenever such vessel is on the Mississippi River or navigable waters within any county bordering on the Mississippi River, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on vessels as provided in Section 19-3-79; or

(d) That is legal under the laws of the State of Mississippi.

(5) Notwithstanding any provision of this section to the contrary, it shall not be unlawful (a) to own, possess, repair or control any gambling device, machine or equipment in a licensed gaming establishment or on the business premises appurtenant to any such licensed gaming establishment during any period of time in which such licensed gaming establishment is being constructed, repaired, maintained or operated in this state; (b) to install any gambling device, machine or equipment in any licensed gaming establishment; (c) to possess or control any gambling device, machine or equipment during the process of procuring or transporting such device, machine or equipment for installation on any such licensed gaming establishment; or (d) to store in a warehouse or other storage facility any gambling device, machine, equipment, or part thereof, regardless of whether the

county or municipality in which the warehouse or storage facility is located has approved gaming aboard cruise vessels or vessels, provided that such device, machine or equipment is operated only in a county or municipality that has approved gaming aboard cruise vessels or vessels. Any gambling device, machine or equipment that is owned, possessed, controlled, installed, procured, repaired, transported or stored in accordance with this subsection shall not be subject to confiscation, seizure or destruction, and any person, firm, partnership or corporation which owns, possesses, controls, installs, procures, repairs, transports or stores any gambling device, machine or equipment in accordance with this subsection shall not be subject to any prosecution or penalty under this section. Any person constructing or repairing such cruise vessels or vessels within a municipality shall comply with all municipal ordinances protecting the general health or safety of the residents of the municipality.

SECTION 16. Section 97-33-17, Mississippi Code of 1972, is amended as follows:

97-33-17. (1) All monies exhibited for the purpose of betting or alluring persons to bet at any game, and all monies staked or betted, shall be liable to seizure by any sheriff, constable, or police officer, together with all the appliances used or kept for use in gambling, or by any other person; and all the monies so seized shall be accounted for by the person making the seizure, and all appliances seized shall be destroyed; provided, however, this section shall not apply to betting, gaming or wagering on:

(a) A cruise vessel as defined in Section 27-109-1 whenever such vessel is in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79;

(b) In a structure located in whole or in part on shore in any of the three (3) most southern counties in the State of Mississippi in which the registered voters of the county have voted to allow such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79, if:

(i) The structure is owned, leased or controlled by a person possessing a gaming license, as defined in Section 75-76-5, to conduct legal gaming * * * at a location that was legal for dockside gaming prior to August 29, 2005;

(ii) The part of the structure in which licensed gaming activities are conducted is located entirely in an area which is located no more than eight hundred (800) feet from the mean high-water line (as defined in Section 29-15-1) of the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to the Mississippi Sound at Harrison County only, no farther north than the southern boundary of the right-of-way for U.S. Highway 90, whichever is greater; and in determining the distance to the mean high-water line, the following considerations apply:

1. Rights-of-way and easements for public streets and highways shall not be construed to interrupt the contiguous nature of a parcel of property, nor shall the footage contained within such easements and rights-of-way be counted in the calculation of the distances specified in subparagraph (ii) of this paragraph; and

2. An imaginary line drawn from any point along the mean high-water line referenced and utilized pursuant to subparagraph (ii) of this paragraph to any other point of reference must cross only property under the exclusive use and control of the gaming licensee or proposed licensee based on its ownership or lease thereof, except for rights-of-way and easements for public streets and highways; and

(iii) In the case of a structure that is located in whole or part on shore, the part of the structure in which licensed gaming activities are conducted shall * * * be located on:

1. Property entirely under the exclusive use and control of the gaming licensee or proposed licensee based on its ownership or lease thereof that extends from the gaming floor to the mean high-water line and such land is capable of accommodating the minimum improvement requirements set forth in Section 75-76-67(4); and

2. The entire parcel(s) of land used to establish the necessary ownership and/or lease and control of the property to the mean high-water line must be immediately adjacent to waters at a location which would have qualified as a legal gaming site for docking a cruise vessel under paragraph (a) of this subsection prior to August 29, 2005;

(c) A vessel as defined in Section 27-109-1 whenever such vessel is on the Mississippi River or navigable waters within any county bordering on the Mississippi River, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on vessels as provided in Section 19-3-79; or

(d) That is legal under the laws of the State of Mississippi.

(2) Nothing in this section shall apply to any gambling device, machine or equipment that is owned, possessed, controlled, installed, procured, repaired or transported in accordance with subsection (4) of Section 97-33-7.

SECTION 17. Section 97-33-25, Mississippi Code of 1972, is amended as follows:

97-33-25. If any person shall sell or buy, either directly or indirectly, any chance in what is commonly called pool, upon any event whatever, or shall in any manner engage in such business or pastime, he shall be fined not more than Five Hundred Dollars ($500.00) or shall be imprisoned in the county jail not more than ninety (90) days; provided, however, this section shall not apply to betting, gaming or wagering:

(a) On a cruise vessel as defined in Section 27-109-1 whenever such vessel is in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79;

(b) In a structure located in whole or in part on shore in any of the three (3) most southern counties in the State of Mississippi in which the registered voters of the county have voted to allow such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79, if:

(i) The structure is owned, leased or controlled by a person possessing a gaming license, as defined in Section 75-76-5, to conduct legal gaming * * * at a location that was legal for dockside gaming prior to August 29, 2005;

(ii) The part of the structure in which licensed gaming activities are conducted is located entirely in an area which is located no more than eight hundred (800) feet from the mean high-water line (as defined in Section 29-15-1) of the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to the Mississippi Sound at Harrison County only, no farther north than the southern boundary of the right-of-way for

U.S. Highway 90, whichever is greater; and in determining the distance to the mean high-water line, the following considerations apply:

1. Rights-of-way and easements for public streets and highways shall not be construed to interrupt the contiguous nature of a parcel of property, nor shall the footage contained within such easements and rights-of-way be considered in the calculation of the distances specified in subparagraph (ii) of this paragraph; and

2. An imaginary line drawn from any point along the mean high-water line referenced and utilized pursuant to subparagraph (ii) of this paragraph to any other point of reference must cross only property under the exclusive use and control of the gaming licensee or proposed licensee based on its ownership or lease thereof, except for rights-of-way and easements for public streets and highways; and

(iii) In the case of a structure that is located in whole or part on shore, the part of the structure in which licensed gaming activities are conducted shall * * * be located on:

1. Property entirely under the exclusive use and control of the gaming licensee or proposed licensee based on its ownership or lease thereof that extends from the gaming floor to the mean high-water line and such land is capable of accommodating the minimum improvement requirements set forth in Section 75-76-67(4); and

2. The entire parcel(s) of land used to establish the necessary ownership and/or lease and control of the property to the mean high-water line must be immediately adjacent to waters at a location which would have qualified as a legal gaming site for docking a cruise vessel under paragraph (a) of this section prior to August 29, 2005;

(c) On a vessel as defined in Section 27-109-1 whenever such vessel is on the Mississippi River or navigable waters within any county bordering on the Mississippi River, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on vessels as provided in Section 19-3-79; or

(d) That is legal under the laws of the State of Mississippi.

SECTION 18. Section 97-33-27, Mississippi Code of 1972, is amended as follows:

97-33-27. If any person shall bet on a horse race or a yacht race or on a shooting match, he shall be fined not more than Five Hundred Dollars ($500.00), and, unless the fine and costs be immediately paid, he shall be imprisoned in the county jail not more than ninety (90) days; provided, however, this section shall not apply to betting, gaming or wagering:

(a) On a cruise vessel as defined in Section 27-109-1 whenever such vessel is in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79;

(b) In a structure located in whole or in part on shore in any of the three (3) most southern counties in the State of Mississippi in which the registered voters of the county have voted to allow such betting, gaming or wagering on cruise vessels as provided in Section 19-3-79, if:

(i) The structure is owned, leased or controlled by a person possessing a gaming license, as defined in Section 75-76-5, to conduct legal gaming * * * at a location that was legal for dockside gaming prior to August 29, 2005;

(ii) The part of the structure in which licensed gaming activities are conducted is located entirely in an area which is located no more than eight hundred (800) feet from the mean high-water line (as defined in Section 29-15-1) of the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, including the Mississippi Sound, St. Louis Bay, Biloxi Bay and Pascagoula Bay, or, with regard to the Mississippi Sound at Harrison County only, no farther north than the southern boundary of the right-of-way for U.S. Highway 90, whichever is greater; and in determining the distance to the mean high-water line, the following considerations apply:

1. Rights-of-way and easements for public streets and highways shall not be construed to interrupt the contiguous nature of a parcel of property, nor shall the footage contained within such easements and rights-of-way be considered in the calculation of the distances specified in subparagraph (ii) of this paragraph; and

2. An imaginary line drawn from any point along the mean high-water line referenced and utilized pursuant to subparagraph (ii) of this paragraph to any other point of reference must cross only property under the exclusive use and control of the gaming licensee or proposed licensee based on its ownership or lease thereof, except for rights-of-way and easements for public streets and highways; and

(iii) In the case of a structure that is located in whole or part on shore, the part of the structure in which licensed gaming activities are conducted shall * * * be located on:

1. Property entirely under the exclusive use and control of the gaming licensee or proposed licensee based on its ownership or lease thereof that extends from the gaming floor to the mean high-water line and such land is capable of accommodating the minimum improvement requirements set forth in Section 75-76-67(4); and

2. The entire parcel(s) of land used to establish the necessary ownership and/or lease and control of the property to the mean high-water line must be immediately adjacent to waters at a location which would have qualified as a legal gaming site for docking a cruise vessel under paragraph (a) of this section prior to August 29, 2005;

(c) On a vessel as defined in Section 27-109-1 whenever such vessel is on the Mississippi River or navigable waters within any county bordering on the Mississippi River, and in which the registered voters of the county in which the port is located have not voted to prohibit such betting, gaming or wagering on vessels as provided in Section 19-3-79; or

(d) That is legal under the laws of the State of Mississippi.

SECTION 19. This act shall take effect and be in force from and after July 1, 2025 and shall stand repealed on June 30, 2025.

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

AN ACT TO DEFINE STATE JURISDICTION OVER PUBLIC TRUST TIDELANDS AND THE AUTHORITY OF THE SECRETARY OF STATE TO APPROVE LEASES LOCATED ON PUBLIC TRUST TIDELANDS; TO AMEND SECTIONS 7-11-11, 29-1-107,

29-15-1, 29-15-3, 29-15-5, 29-15-9, 29-15-10 AND 29-15-13, MISSISSIPPI CODE OF 1972, AND TO CODIFY SECTION 29-15-2, MISSISSIPPI CODE OF 1972, TO DECLARE LEGISLATIVE INTENT RELATIVE TO PUBLIC TRUST TIDELANDS, TO CLARIFY THE REQUIREMENT OF A SEPARATE LEASE FROM THE SECRETARY OF STATE TO RENT LAND ON PUBLIC TRUST TIDELANDS PROPERTY, TO CLARIFY THAT THE LEASE NEEDED TO MOVE ON SHORE IS ONE WITH THE STATE OR THE STATE PORT AT GULFPORT, TO REVISE DEFINITIONS, TO PROVIDE THAT STATE-HELD TIDELANDS SUBJECT TO PUBLIC TRUST ARE PRESCRIBED IN TIDELANDS MAPS AND BOUNDARY AGREEMENTS AND COURT ORDERS CONFIRMING THE MAPS, TO CONFIRM ALL AUTHORITY OVER TIDELANDS IN THE STATE UNLESS SPECIFICALLY SEVERED OR GIVEN TO A SPECIFIC STATE AGENCY OR POLITICAL SUBDIVISION, TO CONFIRM AUTHORITY, MANAGEMENT AND ADMINISTRATIVE CONTROL OVER TIDELANDS IN THE SECRETARY OF STATE, TO CLARIFY THAT ONLY SPECIFIC ACTION BY THE LEGISLATURE CAN DIVEST THE SECRETARY OF STATE OF SUCH MANAGEMENT AND CONTROL, TO PROVIDE THAT ALL USES OF PUBLIC TRUST TIDELANDS FOR ANY GAMING PURPOSES BY A PERSON POSSESSING OR APPLYING FOR A GAMING LICENSE SHALL REQUIRE A TIDELANDS LEASE FROM THE STATE THROUGH THE SECRETARY OF STATE AND BE SUBJECT TO ANNUAL RENT, TO FURTHER CLARIFY THAT THE SECRETARY OF STATE IS THE TRUSTEE OF THE PUBLIC TRUST TIDELANDS, TO FURTHER CLARIFY THAT A TIDELANDS LEASE WITH THE SECRETARY OF STATE IS REQUIRED FOR USE OF THE TIDELANDS AND THAT STATE AGENCIES AND POLITICAL SUBDIVISIONS EXERCISING LITTORAL OR RIPARIAN RIGHTS ALSO REQUIRE A TIDELANDS LEASE, TO PROVIDE THAT THESE SECTIONS CONTROL ALL OTHER STATUTES, TO CONFIRM STATE OWNERSHIP AND CONTROL OF TIDELANDS IN THE SECRETARY OF STATE UNLESS CLEAR TITLE OR CONTROL WAS DIVESTED, TO PROVIDE THAT ADMINISTRATIVE COSTS, LEGAL FEES AND LOST AD VALOREM TAXES SHALL BE PAID OUT OF THE PUBLIC TRUST TIDELANDS FUND, TO CLARIFY THE NEED FOR A TIDELANDS LEASE EVEN IF RENT EXEMPT, TO CLARIFY THAT THE USE OF TIDELANDS FOR MUNICIPAL HARBORS REQUIRES A TIDELANDS LEASE WITH THE SECRETARY OF STATE, AND IN CONFORMITY THERETO; TO AMEND SECTIONS 59-7-405 AND 59-15-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF THE USE OF THE PUBLIC TRUST TIDELANDS IS TO CONSTRUCT, OWN, HOLD, MAINTAIN, EQUIP, USE, CONTROL AND OPERATE AT SEAPORTS OR HARBORS, WHARVES, PIERS, DOCKS, WAREHOUSES, COLD STORAGE FACILITIES, WATER AND RAIL TERMINALS, AIRPLANE LANDING FIELDS AND STRIPS, AND OTHER STRUCTURES AND FACILITIES NEEDFUL FOR THE CONVENIENT USE OF THE SAME IN THE AID OF COMMERCE NAVIGATION AND LAND, INCLUDING THE DREDGING OF CHANNELS AND APPROACHES TO THE FACILITIES, THE LOCAL MUNICIPAL GOVERNING AUTHORITY SHALL HAVE EXCLUSIVE CONTROL OF THE LEASED PREMISES, AND ALL REVENUES GENERATED THEREFROM SHALL BE USED TO MAINTAIN, REPAIR OR IMPROVE THE LEASED PROPERTY, TO PROVIDE THAT THE LOCAL GOVERNING AUTHORITY SHALL NOT LEASE, SUBLEASE, RENT OR PROVIDE ACCESS FOR ANY GAMING PURPOSES UNDER THIS AUTHORITY AND TO PROVIDE THAT IF THE USE OF PUBLIC TRUST TIDELANDS IS TO ACQUIRE, PURCHASE, INSTALL, RENT, LEASE, MORTGAGE, INCUMBER, CONSTRUCT, OWN, HOLD, MAINTAIN, EQUIP, USE, CONTROL AND OPERATE RECREATIONAL PARKS AND HARBORS FOR SMALL WATER CRAFT, THE LOCAL MUNICIPAL GOVERNING AUTHORITY SHALL HAVE EXCLUSIVE CONTROL OF THE LEASED PREMISES AND ALL REVENUES GENERATED THEREFROM SHALL BE USED TO MAINTAIN, REPAIR OR IMPROVE THE LEASED PROPERTY; TO AMEND SECTIONS 75-76-67, 87-1-5, 97-33-1, 97-33-7, 97-33-17, 97-33-25 AND 97-33-27, MISSISSIPPI CODE OF 1972, TO DEFINE AND CLARIFY THE AUTHORITY OF THE MISSISSIPPI GAMING COMMISSION IN DETERMINING LEGAL GAMING SITES AND PRELIMINARY SITE APPROVAL AND TO CLARIFY AREAS AUTHORIZED FOR GAMING CASINO OPERATIONS AND THE AUTHORITY OF THE COMMISSION TO REGULATE MINIMUM SIZE, MINIMUM IMPROVEMENTS AND OTHER PROJECT REQUIREMENTS; AND FOR RELATED PURPOSES.

Senator Harkins moved that the rules be suspended to move to calendar item 41, **S. B. No. 2801**, and the motion prevailed.

Senator Harkins called up the following House Amendment to **S. B. No. 2801** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-19-56.549, Mississippi Code of 1972, is amended as follows:

27-19-56.549. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (4) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of any one (1) of the following:

(a) Mississippi Association of Nurse Practitioners;

(b) Seabee Historical Foundation;

(c) Saint Stanislaus College in Bay Saint Louis, Mississippi;

(d) Vancleave Live Oak Choctaw;

(e) Morton High School;

(f) Forest Municipal School District;

(g) Lake High School;

(h) Scott Central Attendance Center;

(i) Sebastopol Attendance Center;

(j) East Rankin Academy;

(k) Houston High School;

(l) Magnolia Heights School;

(m) Regents School of Oxford;

(n) The Garden Clubs of Mississippi, Inc.;

(o) Baptist Health Foundation, Inc.;

(p) Greene County Wildcats;

(q) Mississippi Disc Golf;

(r) Mississippi Road Builders Association;

(s) Clinton Public School District;

(t) Magnolia Speech School;

(u) Coahoma County Jr./Sr. High School;

(v) Clinton Community Nature Center;

(w) Most Worshipful King Hiram Grand Lodge & Electra Grand Chapter Order of Eastern Star A.F. & A.M., State of Mississippi;

(x) City of Olive Branch, Mississippi;

(y) Methodist Cursillo of Mississippi;

(z) Clarkdale High School in Lauderdale County, Mississippi.

(2) The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the respective beneficiary organization listed in subsection (1) of this section, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(3) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (4) of this section, less Two Dollars ($2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(4) * * * Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars ($30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(5) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars ($24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the appropriate beneficiary organization listed in subsection (1) of this section.

(b) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars ($2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(6) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(7) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars ($10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 29, 2024.

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

AN ACT TO AMEND SECTION 27-19-56.549, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF CLARKDALE HIGH SCHOOL IN LAUDERDALE COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

Senator Harkins moved that the rules be suspended to move to calendar item 42, **S. B. No. 2803**, and the motion prevailed.

Senator Harkins called up the following House Amendment to **S. B. No. 2803** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-5, Mississippi Code of 1972, is amended as follows:

67-1-5. For the purposes of this article and unless otherwise required by the context:

(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine, light spirit product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines and native spirits. The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

(b) "Alcohol" means the product of distillation of any fermented liquid, whatever the origin thereof, and includes synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

(c) "Distilled spirits" means any beverage containing more than six percent (6%) of alcohol by weight produced by distillation of fermented grain, starch, molasses or sugar, including dilutions and mixtures of these beverages.

(d) "Wine" or "vinous liquor" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits, honey or berries and made in accordance with the revenue laws of the United States.

(e) "Person" means and includes any individual, partnership, corporation, association or other legal entity whatsoever.

(f) "Manufacturer" means any person engaged in manufacturing, distilling, rectifying, blending or bottling any alcoholic beverage.

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

(h) "Retailer" means any person who sells, distributes, or offers for sale or distribution, any alcoholic beverage for use or consumption by the purchaser and not for resale.

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its organization to be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

(j) "Division" means the Alcoholic Beverage Control Division of the Department of Revenue.

(k) "Municipality" means any incorporated city or town of this state.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day. When used in this article, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

(i) A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, which has suitable seating facilities for guests, and which has suitable kitchen facilities connected therewith for cooking an assortment of foods and meals commonly ordered at various hours of the day; the service of such food as sandwiches and salads only shall not be deemed in compliance with this requirement. Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this article unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue; or

(ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking. In addition to the other requirements of this subparagraph, the business must also serve food to guests for compensation within the building and derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales to live entertainment in the building, and from the rental of all or part of the facilities of the business in the building to another party for a specific event or function.

(n) "Club" means an association or a corporation:

(i) Organized or created under the laws of this state for a period of five (5) years prior to July 1, 1966;

(ii) Organized not primarily for pecuniary profit but for the promotion of some common object other than the sale or consumption of alcoholic beverages;

(iii) Maintained by its members through the payment of annual dues;

(iv) Owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;

(v) The affairs and management of which are conducted by a board of directors, board of governors, executive committee, or similar governing body chosen by the members at a regular meeting held at some periodic interval; and

(vi) No member, officer, agent or employee of which is paid, or directly or indirectly receives, in the form of a salary or other compensation any profit from the distribution or sale of alcoholic beverages to the club or to members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

The department may, in its discretion, waive the five-year provision of this paragraph. In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this article, two (2) copies of a list of the names and residences of its members and similarly file, within ten (10) days after the election of any additional member, his name and address. Each club applying for a license shall also file with the department at the time of the application a copy of its articles of

association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2) miles of a convent or monastery that is located in a county traversed by Interstate 55 and U.S. Highway 98. A convent or monastery may waive such distance restrictions in favor of allowing approval by the department of an area as a qualified resort area. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(i) The department may approve an area or locality outside of the limits of an incorporated municipality that is in the process of being developed as a qualified resort area if such area or locality, when developed, can reasonably be expected to meet the requisites of the definition of the term "qualified resort area." In such a case, the status of qualified resort area shall not take effect until completion of the development.

(ii) The term includes any state park which is declared a resort area by the department; however, such declaration may only be initiated in a written request for resort area status made to the department by the Executive Director of the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this article, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.

(iii) The term includes:

1. The clubhouses associated with the state park golf courses at the Lefleur's Bluff State Park, the John Kyle State Park, the Percy Quin State Park and the Hugh White State Park;

2. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

3. Any facility located on property that is a game reserve with restricted access that consists of at least three thousand (3,000) contiguous acres with no public roads and that offers as a service hunts for a fee to overnight guests of the facility;

4. Any facility located on federal property surrounding a lake and designated as a recreational area by the United States Army Corps of Engineers that consists of at least one thousand five hundred (1,500) acres;

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted against coming out from under the dry law; however, any such facility may only be located in areas designated by the governing authorities of such municipality;

6. Any municipality with a population in excess of ten thousand (10,000) according to the latest federal decennial census that is located in a county that is bordered by the Pearl River and is not traversed by Interstate Highway 20, with a population in excess of forty-five thousand (45,000) according to the latest federal decennial census;

7. The West Pearl Restaurant Tax District as defined in Chapter 912, Local and Private Laws of 2007;

8. a. Land that is located in any county in which Mississippi Highway 43 and Mississippi Highway 25 intersect and:

A. Owned by the Pearl River Valley Water Supply District, and/or

B. Located within the Reservoir Community District, zoned commercial, east of Old Fannin Road, north of Regatta Drive, south of Spillway Road, west of Hugh Ward Boulevard and accessible by Old Fannin Road, Spillway Road, Spann Drive and/or Lake Vista Place, and/or

C. Located within the Reservoir Community District, zoned commercial, west of Old Fannin Road, south of Spillway Road and extending to the boundary of the corporate limits of the City of Flowood, Mississippi;

b. The board of supervisors of such county, with respect to B and C of item 8.a., may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

9. Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no public roads, that offers as a service hunts for a fee to overnight guests of the facility, and has accommodations for at least fifty (50) overnight guests;

10. Any facility that:

a. Consists of at least six thousand (6,000) square feet being heated and cooled along with an additional adjacent area that consists of at least two thousand two hundred (2,200) square feet regardless of whether heated and cooled,

b. For a fee is used to host events such as weddings, reunions and conventions,

c. Provides lodging accommodations regardless of whether part of the facility and/or located adjacent to or in close proximity to the facility, and

d. Is located on property that consists of at least thirty (30) contiguous acres;

11. Any facility and related property:

a. Located on property that consists of at least one hundred twenty-five (125) contiguous acres and consisting of an eighteen-hole golf course, and/or located in a facility that consists of at least eight thousand (8,000) square feet being heated and cooled,

b. Used for the purpose of providing meals and hosting events, and

c. Used for the purpose of teaching culinary arts courses and/or turf management and grounds keeping courses, and/or outdoor recreation and leadership courses;

12. Any facility and related property that:

a. Consist of at least eight thousand (8,000) square feet being heated and cooled,

b. For a fee is used to host events,

c. Is used for the purpose of culinary arts courses, and/or live entertainment courses and art performances, and/or outdoor recreation and leadership courses;

13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

14. The clubhouse and associated eighteen-hole golf course located in a municipality traversed by Interstate Highway 55 and U.S. Highway 51 that has voted to come out from under the dry law;

15. a. Land that is planned for mixed-use development and consists of at least two hundred (200) contiguous acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed, and also including a facility that consists of at least four thousand (4,000) square feet that is not part of such land but is located adjacent to or in close proximity thereto, and which land is located:

A. In a county that has voted to come out from under the dry law,

B. Outside the corporate limits of any municipality in such county and adjacent to or in close proximity to a golf course located in a municipality in such county, and

C. Within one (1) mile of a state institution of higher learning;

b. The board of supervisors of such county may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

16. Any facility with a capacity of five hundred (500) people or more, to be used as a venue for private events, on a tract of land in the Southwest Quarter of Section 33, Township 2 South, Range 7 East, of a county where U.S. Highway 45 and U.S. Highway 72 intersect and that has not voted to come out from under the dry law;

17. One hundred five (105) contiguous acres, more or less, located in Hinds County, Mississippi, and in the City of Jackson, Mississippi, whereon are constructed a variety of buildings, improvements, grounds or objects for the purpose of holding events thereon to promote agricultural and industrial development in Mississippi;

18. Land that is owned by a state institution of higher learning, and:

a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7, and

b. Adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9.

If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, 2020, then that qualified resort area shall be incorporated into the qualified resort area created by this item 18;

19. Any facility and related property:

a. Used as a flea market or similar venue during a weekend (Saturday and Sunday) immediately preceding the first Monday of a month and having an annual average of at least one thousand (1,000) visitors for each such weekend and five hundred (500) vendors for Saturday of each such weekend, and

b. Located in a county that has not voted to come out from under the dry law and outside of but in close proximity to a municipality located in such county and which municipality has voted to come out from under the dry law;

20. Blocks 1, 2 and 3 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

21. Any municipality with a population in excess of two thousand (2,000) according to the latest federal decennial census and in which is located a part of White's Creek Lake and in which U.S. Highway 82 intersects with Mississippi Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River;

22. A restaurant located on a two-acre tract adjacent to a five-hundred-fifty-acre lake in the northeast corner of a county traversed by U.S. Interstate 55 and U.S. Highway 84;

23. Any tracts of land in Oktibbeha County, situated north of Bailey Howell Drive, Lee Boulevard and Old Mayhew Road, east of George Perry Street and south of Mississippi Highway 182, and not located on the property of a state institution of higher learning; however, the board of supervisors of such county may by resolution or other order:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

24. A municipality in which Mississippi Highway 27 and Mississippi Highway 28 intersect;

25. A municipality through which run Mississippi Highway 35 and Interstate 20;

26. A municipality in which Mississippi Highway 16 and Mississippi Highway 35 intersect;

27. A municipality in which U.S. Highway 82 and Old Highway 61 intersect;

28. A municipality in which Mississippi Highway 8 meets Mississippi Highway 1;

29. A municipality in which U.S. Highway 82 and Mississippi Highway 1 intersect;

30. A municipality in which Mississippi Highway 50 meets Mississippi Highway 9;

31. An area bounded on the north by Pearl Street, on the east by West Street, on the south by Court Street and on the west by Farish Street, within a municipality bordered on the east by the Pearl River and through which run Interstate 20 and Interstate 55;

32. Any facility and related property that:

a. Is contracted for mixed-use development improvements consisting of office and residential space and a restaurant and lounge, partially occupying the renovated space of a four-story commercial building which previously served as a financial institution; and adjacent property to the west consisting of a single-story office building that was originally occupied by the Brotherhood of Carpenters and Joiners of American Local Number 569; and

b. Is situated on a tract of land consisting of approximately one and one-tenth (1.10) acres, and the adjacent property to the west consisting of approximately 0.5 acres, located in a municipality which is the seat of county government, situated south of Interstate 10, traversed by U.S. Highway 90, partially

bordered on one (1) side by the Pascagoula River and having its most southern boundary bordered by the Gulf of Mexico, with a population greater than twenty-two thousand (22,000) according to the 2010 federal decennial census; however, the governing authorities of such a municipality may by ordinance:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

C. Designate the areas within the facilities in which alcoholic beverages may be offered for sale;

33. Any facility with a maximum capacity of one hundred twenty (120) people that consists of at least three thousand (3,000) square feet being heated and cooled, has a commercial kitchen, has a pavilion that consists of at least nine thousand (9,000) square feet and is located on land more particularly described as follows:

All that part of the East Half of the Northwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi, that lies South of Mississippi State Highway 348 right-of-way and containing 19.48 acres, more or less.

ALSO,

The Northeast 38 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi.

ALSO,

The South 81 1/2 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi;

34. A municipality in which U.S. Highway 51 and Mississippi Highway 16 intersect;

35. A municipality in which Interstate 20 passes over Mississippi Highway 15;

36. Any municipality that is bordered in its northwestern boundary by the Pearl River, traversed by U.S. Highway 49 and Interstate 20, and is located in a county which has voted against coming out from under the dry law;

37. A municipality in which Mississippi Highway 28 and Mississippi Highway 29 North intersect;

38. An area bounded as follows within a municipality through which run Interstate 22 and Mississippi Highway 15: Beginning at a point at the intersection of Bankhead Street and Tallahatchie Trails; then running to a point at the intersection of Tallahatchie Trails and Interstate 22; then running to a point at the intersection of Interstate 22 and Carter Avenue; then running to a point at the intersection of Carter Avenue and Camp Avenue; then running to a point at the intersection of Camp Avenue and King Street; then running to a point at the intersection of King Street and E. Main Street; then running to a point at the intersection of E. Main Street and Camp Avenue; then running to a point at the intersection of Camp Avenue and Highland Street; then running to a point at the intersection of Highland Street and Adams Street; then running to a point at the intersection of Adams Street and Cleveland Street; then running

to a point at the intersection of Cleveland Street and N. Railroad Avenue; then running to a point at the intersection of N. Railroad Avenue and McGill Street; then running to a point at the intersection of McGill Street and Snyder Street; then running to a point at the intersection of Snyder Street and Bankhead Street; then running to a point at the intersection of Bankhead Street and Tallahatchie Trails and the point of the beginning;

39. A municipality through which run Mississippi Highway 43 and U.S. Highway 80;

40. The coliseum in a municipality in which U.S. Highway 72 passes over U.S. Highway 45;

41. A piece of property on the northeast corner of the T-intersection where Builders Square Drive meets Mississippi Highway 471;

42. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities located on Oaks Country Club Road less than one-half (1/2) mile to the east of Mississippi Highway 15;

43. Any facility located on land more particularly described as follows:

The East Half (E 1/2) of the Southwest Quarter (SW 1/4) of Section 15, Township 3 North, Range 2 East; a 4 acre parcel in the Southwest Corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), Section 15, Township 3 North, Range 2 East, running 210 feet east and west and 840 feet running north and south; the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 22, Township 3 North, Range 2 East, all in Rankin County, Mississippi;

44. Any facility located on land more particularly described as follows:

Beginning at a point 1915 feet west and 2171 feet north of southeast corner, Section 11, Township 24 North, Range 2 West, Second Judicial District, Tallahatchie County, Mississippi, which point is the southwest corner of J.C. Section Lot mentioned in deed recorded in Book 50, page 34, in the records of the Chancery Clerk's Office at Sumner, in said District of said County; thence South 80° West, 19 feet to the east boundary of United States Highway 49-E, thence East along the east boundary of said Highway 270 feet to point of beginning of Lot to be conveyed; thence southeast along the east boundary of said Highway 204 feet to a concrete post at the intersection of the east boundary of said Highway with the west boundary of gravel road from Sumner to Webb, known as Oil Mill Road, thence Northwest along west boundary of said Oil Mill Road 194 feet to center of driveway running southwest from said Oil Mill Road to U.S. Highway 49-E; thence South 66° West along center of said driveway 128 feet to point of beginning, being situated in Northwest Quarter of Southeast Quarter of Section 11, together with all improvements situated thereon;

45. Any facility that:

a. Consists of at least five thousand six hundred (5,600) square feet being heated and cooled along with a lakeside patio that consists of at least two thousand two hundred (2,200) square feet, regardless of whether such patio is part of the facility and/or located adjacent to or in close proximity to the facility;

b. Includes a caterer's kitchen and green room for entertainment preparation;

c. For a fee is used to host events; and

d. Is located adjacent to or in close proximity to an approximately nine (9) acre lake on property that consists of at least one hundred twenty (120) acres in a county traversed by Mississippi Highway 15 and U.S. Highway 278;

46. Any municipality with a population in excess of one thousand (1,000) according to the 2010 federal decennial census and which is located in a county that is traversed by U.S. Highways 84 and 98 and has not voted to come out from under the dry law;

47. The clubhouse and associated nine-hole golf course, tennis courts and related facilities and swimming pool and related facilities located on or near U.S. Highway 82 between Mississippi Highway 15 and Mississippi Highway 9;

48. The downtown square area bound by East Service Drive, Commerce Street, Second Street and Court Street and adjacent properties in a municipality through which run Interstate 55, U.S. Highway 51 and Mississippi Highway 306;

49. All parcels zoned for mixed-use development located west of Mississippi Highway 589, more than four hundred (400) feet north of Old Highway 24, east of Parkers Creek and Black Creek, and south of J M Burge Road;

50. Any facility used by a soccer club and located on Old Highway 11 between one-tenth (0.1) and two-tenths (0.2) of a mile from its intersection with Oak Grove Road, in a county in which U.S. Highway 98 and Mississippi Highway 589 intersect;

51. Any municipality in which U.S. Highway 49 and Mississippi Highway 469 intersect;

52. Any facility that is:

a. Owned by a Veterans of Foreign Wars (VFW) organization that is a nonprofit corporation and registered with the Mississippi Secretary of State;

b. Used by such organization for its headquarters and other organization related purposes; and

c. Located outside of a municipality in a county that has not voted to come out from under the dry law;

53. The following within a municipality in which U.S. Highway 49 and U.S. 61 Highway intersect and through which flows the Sunflower River:

a. An area bounded as follows: Starting at the southern point of the intersection of Sunflower Avenue and 1st Street and going south along said avenue on its eastern side to 8th Street, then going east along said street on its northern side to West Tallahatchie Street, then going north along said street on its western side to 4th Street/Martin Luther King Boulevard, then going east along said street/boulevard on its northern side to Desoto Avenue, then going north along said avenue on its western side to 1st Street, then going west along said street on its southern side to the point of beginning along the southern side of Court Street;

b. Lots located at or near the intersection of Madison Avenue, Walnut Street, and Riverside Avenue that are in a commercial zone; and

c. Any facility located on the west side of Sunflower Avenue to the Sunflower River between the southern side of 6th Street and the northern

side of 8th Street and which is operated as and/or was operated as a hotel or lodging facility, in consideration of payment, regardless of whether the facility meets the criteria for the definition of the term "hotel" in paragraph (l) of this section; and

d. Any facility located on the west side of Sunflower Avenue to the Sunflower River between the southern side of 3rd Street and the northern side of 4th Street/Martin Luther King Boulevard and which is operated as and/or was operated as a musical venue, in consideration of payment;

54. Any municipality in which Mississippi Highway 340 meets Mississippi Highway 15;

55. Any municipality in which Mississippi Highway 540 and Mississippi Highway 149 intersect;

56. Any municipality in which Mississippi Highway 15 and Mississippi Highway 345/Main Street intersect;

57. The property and structures thereon at the following locations within a municipality through which run U.S. Highway 45 and Mississippi Highway 145 and in which Mississippi Highway 370 and Mississippi Highway 145 intersect: 104 West Main Street, 106 West Main Street, 108 West Main Street, 110 West Main Street and 112 West Main Street;

58. Any municipality in which U.S. Highway 11 and Main Street intersect and which is located in a county having two (2) judicial districts;

59. Any municipality in which Interstate 22 passes over Mississippi Highway 9;

60. Any facility located on land more particularly described as follows:

A certain parcel of land being situated in the Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E, Rankin County, Mississippi, and being more particularly described as follows:

Commence at an existing 1/2" iron pin marking the Southwest corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13 seconds East along the East line of the Southeast 1/4 of the Northeast 1/4 for a distance of 33.18 feet to an existing 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds East for a distance of 2.08 feet to an existing 1/2" iron pin; run thence North 00 degrees 22 minutes 19 seconds East for a distance of 561.90 feet to an existing 1/2" iron pin; run thence North 00 degrees 16 minutes 18 seconds East for a distance of 76.42 feet to a set 1/2" iron pin marking the POINT OF BEGINNING of the parcel of land herein described; from said POINT OF BEGINNING, continue thence North 00 degrees 16 minutes 18 seconds East along an existing fence for a distance of 493.27 feet to an existing 1/2" iron pin; run thence North 03 degrees 08 minutes 15 seconds East for a distance of 170.22 feet to an existing 1/2" iron pin on the North line of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9; run thence North 89 degrees 46 minutes 45 seconds East along said North line of the Southeast 1/4 of the Northeast 1/4 of Section 9 for a distance of 1,305.51 feet to an existing 1/2" iron pin marking Northeast corner thereof; leaving said North line of the Southeast 1/4 of the Northeast 1/4 of Section 9, run thence South 00

degrees 08 minutes 35 seconds West along the East line of said Southeast 1/4 of the Northeast 1/4 of Section 9 for a distance of 663.19 feet to a set 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4 of Section 9, run thence South 89 degrees 46 minutes 45 seconds West for a distance of 1,315.51 feet to the POINT OF BEGINNING, containing 20.00 acres, more or less.

And Also: An easement for the purpose of ingress and egress being situated in the Southeast 1/4 of the Northeast 1/4 and in the Northeast 1/4 of the Southeast 1/4 of Section 9, T3N-R3E, Rankin County, Mississippi, and being more particularly described as follows:

Begin at an existing 1/2" iron pin marking the Southwest corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13 seconds East along the East line of the Southeast 1/4 of the Northeast 1/4 for a distance of 33.18 feet to an existing 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds East for a distance of 2.08 feet to an existing 1/2" iron pin; run thence North 00 degrees 22 minutes 19 seconds East for a distance of 561.90 feet to an existing 1/2" iron pin; run thence North 00 degrees 16 minutes 18 seconds East for a distance of 76.42 feet to a set 1/2" iron pin; run thence North 89 degrees 46 minutes 45 seconds East for a distance of 25.00 feet to a set 1/2" iron pin; run thence South 00 degrees 16 minutes 18 seconds West for a distance of 76.66 feet to a set 1/2" iron pin; run thence South 00 degrees 22 minutes 19 seconds West for a distance of 619.81 feet to a set 1/2" iron pin; run thence South 89 degrees 43 minutes 01 seconds West for a distance of 26.81 feet to a set 1/2" iron pin; run thence North 00 degrees 06 minutes 13 seconds East along the West line of the aforesaid Northeast 1/4 of the Southeast 1/4 of Section 9 for a distance of 25.00 feet to the POINT OF BEGINNING, containing 17,525.4 square feet, more or less.

61. Any municipality bordered on the east by the Pascagoula River and on the south by the Mississippi Sound;

62. The property and structures thereon located at parcel numbers 4969 198 000; 4969 200 000; 4969 201 000; 4969 206 000; 4969 207 000; 4969 208 000; 4969 218 000; 4969 199; 4969 204 000 and 4969 204 001, all in Block 4 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

63. Any municipality in which Mississippi Highway 12 meets Mississippi Highway 17;

64. Any municipality in which U.S. Highway 49 and Mississippi Highway 469 intersect;

65. The clubhouse and associated nine-hole golf course and related facilities located on or near the eastern corner of the point at which Golf Course Road meets Athens Road, in a county in which Mississippi Highway 13 and Mississippi Highway 28 intersect, with GPS coordinates of approximately 31.900370078041004, -89.7928067652611;

66. Any facility located at the south-to-southwest corner of the intersection of Madison Street and Bolton Brownsville Road, in a municipality in which Bolton Brownsville Road passes over Interstate 20, with GPS coordinates of approximately 32.349067271758955, -90.4596221146197;

67. Any facility located at the northwest corner of the intersection of Depot Street and Madison Street, in a municipality in which Bolton Brownsville Road passes over Interstate 20, with GPS coordinates of approximately 32.34903152971068, -90.46047660172901;

68. Any facility located on Hinds Boulevard approximately three-tenths (0.3) of a mile south of the point at which Hinds Boulevard diverges from Clinton Road, in a municipality whose northern boundary partially consists of Snake Creek Road, and whose southern boundary partially consists of Mississippi Highway 18, with GPS coordinates of approximately 32.26384517526713, -90.41586570183475;

69. Any facility located on Pleasant Grove Drive approximately one and three-tenths (1.3) miles southeast of its intersection with Harmony Drive, in a county through which run Interstate 55 and U.S. Highway 84, with GPS coordinates of approximately 31.512043770371907, -90.2506094382595;

70. Any facility located immediately north of the intersection of two roads, both named Mason Clark Drive, located between two-tenths (0.2) and three-tenths (0.3) of a mile southwest of Mississippi Highway 57/63, with GPS coordinates of approximately 31.135950529733048, -88.53068674585575;

71. Any facility located on Raj Road approximately three-tenths (0.3) of a mile south of Mississippi Highway 57/63, with GPS coordinates of approximately 31.139553708288418, -88.53411203512971; * * *

72. Any facility located on Raj Road approximately one-tenth (0.1) of a mile south of Mississippi Highway 57/63, with GPS coordinates of approximately 31.14184097577295, -88.53287700849411; and

73. An area of land in George County of approximately eight and five hundredths (8.05) acres, bordered on the east and northeast by Brushy Creek, on the northwest by Brushy Creek Road, on the west by Beaver Creek Road, and on the south by a property boundary running east and west.

The status of these municipalities, districts, clubhouses, facilities, golf courses and areas described in this paragraph (o)(iii) as qualified resort areas does not require any declaration of same by the department.

The governing authorities of a municipality described, in whole or in part, in item 6, 21, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39, 46, 48, 51, 53, 54, 55, 58, 59, 61, 63, 64, 66, 67 or 68 of this paragraph (o)(iii) may by ordinance, with respect to the qualified resort area described in the same item: specify the hours of operation of facilities offering alcoholic beverages for sale; specify the percentage of revenue that facilities offering alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and designate the areas in which facilities offering alcoholic beverages for sale may be located.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native

wines. The department shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon.

(q) "Native winery" means any place or establishment within the State of Mississippi where native wine is produced, in whole or in part, for sale.

(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19) adequately furnished and completely separate sleeping rooms with adequate facilities, that persons usually apply for and receive as overnight accommodations; however, such restriction on the minimum number of sleeping rooms shall not apply to establishments on the National Register of Historic Places. No place shall qualify as a bed and breakfast inn under this article unless on the date of the initial application for a license under this article more than fifty percent (50%) of the sleeping rooms are located in a structure formerly used as a residence.

(s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

(t) "Spa facility" means an establishment within a municipality or qualified resort area and owned by a hotel where, in consideration of payment, patrons receive from licensed professionals a variety of private personal care treatments such as massages, facials, waxes, exfoliation and hairstyling.

(u) "Art studio or gallery" means an establishment within a municipality or qualified resort area that is in the sole business of allowing patrons to view and/or purchase paintings and other creative artwork.

(v) "Cooking school" means an establishment within a municipality or qualified resort area and owned by a nationally recognized company that offers an established culinary education curriculum and program where, in consideration of payment, patrons are given scheduled professional group instruction on culinary techniques. For purposes of this paragraph, the definition of cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a community or junior college, college or university in this state, and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

(x) "Native spirit" shall mean any beverage, produced in Mississippi for sale, manufactured primarily by the distillation of fermented grain, starch, molasses or sugar produced in Mississippi, including dilutions and mixtures of these beverages. In order to be classified as "native spirit" under the provisions of this article, at least fifty-one percent (51%) of the finished product by volume shall have been obtained from distillation of fermented grain, starch, molasses or sugar grown and produced in Mississippi.

(y) "Native distillery" shall mean any place or establishment within this state where native spirit is produced in whole or in part for sale.

(z) "Warehouse operator" shall have the meaning ascribed in Section 67-1-201.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 29, 2024.

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

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; AND FOR RELATED PURPOSES.

Senator Harkins moved that the rules be suspended to move to calendar item 55, **S. B. No. 2853**, and the motion prevailed.

Senator Harkins called up the following House Amendment to **S. B. No. 2853** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) Except as otherwise indicated or required by the context, all words and phrases used in this article shall have the same meanings as are ascribed to them in Section 67-1-5.

(2) There is hereby created the Alcoholic Beverage Corporation. The powers and duties held by the department and its division with respect to the warehousing and distribution of alcoholic beverages shall be transferred to the corporation. All rules, regulations, standards, decisions and acts of the department regarding alcoholic beverage warehousing and distribution remain effective unless specifically revoked or superseded by an official action of the corporation or its board.

(3) The corporation shall be managed in a manner enabling the people of the state to benefit from its profits and to ensure the integrity of alcoholic beverage warehousing and distribution.

(4) The existence of the corporation, which shall be domiciled in the State of Mississippi, shall begin upon the appointment of all five (5) members of the board as provided in Section 67-1-21.

(5) The exclusive venue for any action or matter against the corporation is the county in which its corporate headquarters is located, and the circuit court for that county has exclusive jurisdiction thereof. For purposes of court costs, the corporation shall be a private corporation.

SECTION 2. (1) The affairs of the corporation shall be administered by the Alcoholic Beverage Corporation Board of Directors. The board shall be composed of five (5) members, three (3) appointed by the Governor and two (2) appointed by the Lieutenant Governor, all with the advice and consent of the Senate. The Commissioner of Revenue and the State Treasurer shall serve as ex officio, nonvoting members. Members appointed when the Senate is not in session shall serve only until the end of the next regular session, unless confirmed by the Senate.

(2) (a) Members of the board shall be residents of the State of Mississippi, and the Governor and the Lieutenant Governor shall take into account the goals of geographic, racial, gender and other categories of diversity when nominating board members. One (1) of the Governor's appointees shall be an owner of a store operated under a package retailer's permit pursuant to Section 67-1-51, and one (1) of the Lieutenant Governor's appointees shall be an operator of a beverage distribution warehouse, preferably in the beer or soft drink industry.

(b) Of the initial appointees, the members' terms shall be staggered as follows: one (1) term each to expire on December 31, 2025, December 31, 2026, December 31, 2027, December 31, 2028, and December 31, 2029. After the expiration of the initial terms, members of the board shall serve terms of four (4) years.

(c) Members may serve beyond the end of their respective terms until their successors have been appointed and qualified. No member shall serve more than two (2) consecutive four-year terms. Members may be removed by their respective appointing authority, either the Governor or the Lieutenant Governor, for neglect of duty, misfeasance or nonfeasance in office. The board shall annually elect a chairman from among its voting members.

(3) Appointed members of the board shall be entitled to per diem compensation pursuant to Section 25-3-69 paid by the corporation and shall be reimbursed by the corporation for necessary travel and other reasonable expenses incurred in the performance of their official duties. No appointed member of the board shall be considered a public officer.

(4) The board, upon the initial call of the Governor and the chairman thereafter, shall meet at least monthly for the first eighteen (18) months and at such other times as the chairman may determine. Three (3) voting members of the board shall constitute a quorum. The board shall also meet upon the call of three (3) or more of its voting members. The board shall keep accurate and complete records of all its meetings.

(5) All meetings of the board shall be subject to the Open Meetings Act in Title 25, Chapter 41, Mississippi Code of 1972.

SECTION 3. (1) The president of the corporation shall be appointed by the board, subject to the approval of the Governor. The Governor shall, within thirty (30) days after receiving the nomination of the president in writing, either approve or reject the nomination. Failure to take either action within the required time shall constitute approval by the Governor. If the Governor rejects the nomination, then the board shall submit a different nominee to the Governor.

(2) The president shall manage the daily affairs of the corporation and shall have such powers and duties as specified by this chapter, by the board and any rules or regulations it adopts. The president shall not be a member of the board. The president shall serve at the will and pleasure of the board.

(3) The president shall employ such personnel as he or she deems necessary to perform the duties and exercise the powers of the corporation. All personnel shall serve at the will and pleasure of the president, unless otherwise specified by the president.

(4) The board shall set the salary of the president.

(5) No employee shall be a member of the board.

SECTION 4. All records of the corporation shall be deemed public records and subject to public inspection as provided by Section 25-61-1 et seq., unless:

(a) The record relates to or was provided by a confidential source or informant and relates to the security of alcoholic beverage warehousing and distribution;

(b) The record involves a trade secret of the corporation or of an alcoholic beverage permittee;

(c) The disclosure of the record would endanger the security of the corporation or of an alcoholic beverage permittee; or

(d) The record is covered by another exemption under federal or state law.

SECTION 5. (1) The board shall provide the president with private-sector perspectives on the operation of a business, large marketing enterprise and the like. The board shall:

(a) Approve, disapprove, amend or modify the budget recommended by the president for the operation of the corporation;

(b) Approve, disapprove, amend or modify the terms of major procurements recommended by the president;

(c) Serve as a board of appeals for any denial, revocation or cancellation by the president of a contract with an alcoholic beverage vendor or retailer; and

(d) Adopt such administrative rules and regulations as may be necessary to carry out and implement its powers and duties, the operations of the corporation, the conduct of alcoholic beverage warehousing and distribution in general, and any other matters necessary or desirable for efficient and effective alcoholic beverage operations.

(2) Any policies adopted by authority of this section or any other section must be published and posted on the corporation's website thirty (30) days before becoming effective.

SECTION 6. (1) The corporation, its employees and board members shall provide for efficient and effective alcoholic beverage warehousing and distribution. In pursuing the objectives and purposes of this chapter, the corporation may:

(a) Sue and be sued in its corporate name;

(b) Adopt a corporate seal and a symbol;

(c) Hold patents, copyrights, trademarks and service marks, and enforce its rights with respect thereto;

(d) Register to do business in Mississippi and appoint agents upon which process may be served;

(e) Acquire real property and make improvements thereon;

(f) Make, solicit and request proposals and offers, and execute and effectuate any and all agreements or contracts

necessary for alcoholic beverage warehousing and distribution, and to carry out all other functions of the corporation under this chapter; and

(g) Adopt and amend such bylaws, rules and regulations, with the approval of the board, as it deems necessary to administer this chapter.

(2) The corporation shall:

(a) Carry out alcoholic beverage warehousing and distribution in accordance with the provisions of this chapter and the board's administrative rules and regulations;

(b) Submit quarterly and annual reports to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the State Treasurer, the State Auditor, the Joint Legislative Committee on Performance Evaluation and Expenditure Review, and the Commissioner of Revenue containing financial information and projections which include, but are not limited to, disclosure of gross revenues, expenses and net proceeds for the period;

(c) Adopt by administrative rules and regulations a system of continuous internal audits;

(d) Maintain records of all financial transactions of the corporation;

(e) Adopt by administrative rules and regulations a code of ethics for officers and employees of the corporation to carry out the standards of conduct established by this chapter; and

(f) Adopt by administrative rules and regulations guidelines for the disposal of property if the corporation is dissolved.

SECTION 7. (1) The president shall direct and supervise all administrative and technical activities in accordance with the provisions of this chapter and within the board's rules and regulations. The president shall:

(a) Supervise and administer the operation of the corporation;

(b) Employ and direct such personnel as may be necessary to carry out the purposes of this chapter and utilize such services, personnel or facilities of the corporation as he or she may deem necessary;

(c) Contract in accordance with the corporation's rules and regulations with alcoholic beverage vendors and retailers;

(d) Make available for inspection by the board or any board member, upon request, all books, records, files and other information and documents of his or her office, and advise the board and recommend such rules and regulations and other matters

deemed necessary and advisable to improve the operation and administration of the corporation;

(e) Enter into any contract pursuant to this chapter with any person for the performance of any of the functions as provided in this chapter or the board's rules and regulations;

(f) Attend board meetings or appoint a designee to attend on his or her behalf; and

(g) Not later than thirty (30) days before the beginning of the corporation's fiscal year, submit the proposed annual budget of the corporation and projected net proceeds to the board for review and approval. In addition, the proposed annual budget of the corporation shall include a personnel table reporting information for each full-time and part-time permanent position, as follows:

(i) The position title and the salary for each position in the existing operating budget for the current fiscal year, indicating whether each position is filled or vacant as of the reporting date; and

(ii) The position title and the salary recommended for each position for the next fiscal year.

(2) The president, with the board's approval, may amend or modify the budget at any time in any manner deemed necessary for the proper operation of the corporation.

(3) Following his or her approval by the Governor and during his or her entire employment by the board, the president shall reside in Mississippi.

(4) The president and the board shall conduct an ongoing examination of alcoholic beverage operations in other states and countries, including reviewing available literature on the subject of federal laws and regulations which may affect alcoholic beverage operations, and of the reaction of citizens of this state to existing or proposed features of alcoholic beverage operations, with a view toward implementing improvements that will tend to serve the purposes of this chapter.

(5) The president shall require bond from corporate employees with access to corporate funds in such an amount as provided in the board's rules and regulations.

(6) The president may:

(a) Require bond from other employees as he or she deems necessary;

(b) For good cause, suspend, revoke or refuse to renew any contract entered into in accordance with this chapter or the board's rules and regulations;

(c) Upon specific or general approval of the board, conduct hearings and administer oaths to persons for the purpose of assuring the integrity of alcoholic beverage warehousing and distribution, or to determine the qualifications or compliance by vendors and retailers;

(d) Upon specific or general approval of the board, enter into personal service contracts pursuant to the board's rules and regulations, and compensate such consultants and technical assistants as may be required to carry out its duties; and

(e) By agreement, secure information and services as he or she may deem necessary from any department, agency or unit of the federal, state or local government, and to the extent allowed by federal or state law, may compensate such department, agency or unit of government for its information and services.

(7) Agencies, departments or units of state government shall cooperate with the corporation to assure efficient and effective alcoholic beverage operations.

SECTION 8. The board may employ an attorney and/or may contract with outside counsel upon determination of the need for such counsel.

SECTION 9. (1) The corporation shall establish and maintain a personnel program, including administrative rules and regulations for its employees. The corporation may procure benefit programs or group insurance plans and shall provide or arrange for a retirement plan. Unless otherwise specified by the president, employees of the corporation shall serve at the will and pleasure of the president, who shall determine their compensation and benefits. The employees shall be subject to suspension, dismissal, reduction in pay, demotion, transfer or other personnel action at the discretion of the president and shall not be subject to civil service provisions. The compensation of officers at the division head level and above shall be determined by the board. Corporation employees shall not be considered state employees.

(2) No board member, officer or employee of the corporation or any spouse, sibling, ascendant or descendant of a board member, officer or employee shall have a financial interest in any vendor or retailer doing business or proposing to do business with the corporation.

(3) No board member, officer or employee of the corporation with decision-making authority shall participate in any decision involving a vendor or retailer in which the board member, officer or employee or any spouse, sibling, ascendant or descendant of such board member, officer or employee has a financial interest.

(4) No corporation officer or employee who leaves the employ of the corporation, nor any board member, may represent any vendor or retailer before the corporation for a period of one (1) year following termination of employment with the corporation or membership on the board.

SECTION 10. All division heads, officers and employees of the corporation shall be considered public servants as defined in Section 25-4-103. All division heads and officers of the corporation are subject to Section 25-4-25 and shall be required to file a Statement of Economic Interest with the Mississippi Ethics Commission.

SECTION 11. To ensure the integrity of alcoholic beverage operations, the corporation, through its board, shall:

(a) Compile and submit quarterly and annual reports and financial statements, in compliance with Section 67-1-114(2)(b);

(b) Contract with an independent auditor who is a certified public accountant or firm to conduct an annual financial audit of the corporation's books and records. The

cost of this annual financial audit shall be an operating expense of the corporation. Further:

(i) Such independent auditor shall have no financial interest in any vendor or retailer with whom the corporation is under contract;

(ii) All contracts for independent auditors shall be reviewed by and subject to the approval of the Department of Finance and Administration to ensure that the independent auditor is qualified to perform the audit;

(iii) The audit shall be completed within ninety (90) days after the close of the corporation's fiscal year; and

(iv) Contracts may be entered into for audit services for a period not to exceed five (5) years, and the same firm shall not receive two (2) consecutive audit contracts.

SECTION 12. For informational purposes only, the corporation shall submit to the Joint Legislative Budget Committee a copy of the corporation's annual operating budget for the upcoming fiscal year. The budget shall include an estimate of net proceeds during the succeeding fiscal year.

SECTION 13. Section 67-1-3, Mississippi Code of 1972, is amended as follows:

67-1-3. (1) The policy of this state is reannounced in favor of prohibition of the manufacture, sale, distribution, and transportation of alcoholic beverages; and the provisions against such manufacture, sale, distribution, and transportation of alcoholic beverages, as contained in Chapter 31 of Title 97, Mississippi Code of 1972, and elsewhere, are hereby redeclared the law of this state. The purpose and intent of this article is to vigorously enforce the prohibition laws throughout the state, except in those counties and municipalities voting themselves out from under the prohibition law in accordance with the provisions of this article, and, in those counties and municipalities, to require strict regulation and supervision of the manufacture, sale, distribution, and transportation of intoxicating liquor under a system of state licensing of manufacturers, wholesalers and retailers, which licenses shall be subject to revocation for violations of this article. However, from and after January 1, 2021, prohibition is renounced as to the possession of alcoholic beverages. It shall thereafter be lawful to possess alcoholic beverages throughout the state, unless otherwise prohibited in this article. Nothing herein shall be construed to make lawful the possession of alcoholic beverages with the intent to sell except as authorized under this article.

(2) All laws and parts of laws in conflict with this article are repealed only to the extent of such conflict; however, except as is provided in this article, all laws prohibiting the manufacture, sale, and distribution of alcoholic beverages, which are not in conflict with this article shall remain in full force and effect, and all such laws shall remain in full force and effect in counties and municipalities wherein the manufacture, sale, and distribution of alcoholic beverages has not been authorized as a result of an election held under Section 67-1-11 or * * * 67-1-14, * * * or as otherwise provided in this article.

(3) The Legislature recognizes that alcoholic beverage operations are unique activities for state government and that a corporate structure will best enable them to be managed in an entrepreneurial and business-like manner. It is the intent of the Legislature that the Mississippi Alcoholic Beverage Corporation shall be accountable to the Governor, the Legislature and the people of the state through a system of audits, reports and disclosures as required by this article.

SECTION 14. Section 67-1-5, Mississippi Code of 1972, is amended as follows:

67-1-5. For the purposes of this article and unless otherwise required by the context:

(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine, light spirit product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines and native spirits. The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

(b) "Alcohol" means the product of distillation of any fermented liquid, whatever the origin thereof, and includes synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

(c) "Distilled spirits" means any beverage containing more than six percent (6%) of alcohol by weight produced by distillation of fermented grain, starch, molasses or sugar, including dilutions and mixtures of these beverages.

(d) "Wine" or "vinous liquor" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits, honey or berries and made in accordance with the revenue laws of the United States.

(e) "Person" means and includes any individual, partnership, corporation, association or other legal entity whatsoever.

(f) "Manufacturer" means any person engaged in manufacturing, distilling, rectifying, blending or bottling any alcoholic beverage.

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

(h) "Retailer" means any person who sells, distributes, or offers for sale or distribution, any alcoholic beverage for use or consumption by the purchaser and not for resale.

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its organization to be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

(j) "Division" means the Alcoholic Beverage Control Division of the Department of Revenue.

(k) "Municipality" means any incorporated city or town of this state.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day. When used in this article, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

(i) A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, which has suitable seating facilities for guests, and which has suitable kitchen facilities connected therewith for cooking an assortment of foods and meals commonly ordered at various hours of the day; the service of such food as sandwiches and salads only shall not be deemed in compliance with this requirement. Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this article unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue; or

(ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking. In addition to the other requirements of this subparagraph, the business must also serve food to guests for compensation within the building and derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales to live entertainment in the building, and from the rental of all or part of the facilities of the business in the building to another party for a specific event or function.

(n) "Club" means an association or a corporation:

(i) Organized or created under the laws of this state for a period of five (5) years prior to July 1, 1966;

(ii) Organized not primarily for pecuniary profit but for the promotion of some common object other than the sale or consumption of alcoholic beverages;

(iii) Maintained by its members through the payment of annual dues;

(iv) Owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;

(v) The affairs and management of which are conducted by a board of directors, board of governors, executive committee, or similar governing body chosen by the members at a regular meeting held at some periodic interval; and

(vi) No member, officer, agent or employee of which is paid, or directly or indirectly receives, in the form of a salary or other compensation any profit from the distribution or sale of alcoholic beverages to the club or to members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

The department may, in its discretion, waive the five-year provision of this paragraph. In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this article, two (2) copies of a list of the names and residences of its members and similarly file, within ten (10) days after the election of any additional member, his name and address. Each club applying for a license shall also file with the department at the time of the application a copy of its articles of association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2) miles of a convent or monastery that is located in a county traversed by Interstate 55 and U.S. Highway 98. A convent or monastery may waive such distance restrictions in favor of allowing approval by the department of an area as a qualified resort area. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(i) The department may approve an area or locality outside of the limits of an incorporated municipality that is in the process of being developed as a qualified resort area if such area or locality, when developed, can reasonably be expected to meet the requisites of the definition of the term "qualified resort area." In such a case, the status of qualified resort area shall not take effect until completion of the development.

(ii) The term includes any state park which is declared a resort area by the department; however, such declaration may only be initiated in a written request for resort area status made to the department by the Executive Director of the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this article, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.

(iii) The term includes:

1. The clubhouses associated with the state park golf courses at the Lefleur's Bluff State Park, the John Kyle State Park, the Percy Quin State Park and the Hugh White State Park;

2. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

3. Any facility located on property that is a game reserve with restricted access that consists of at least three thousand (3,000) contiguous acres with no public roads and that offers as a service hunts for a fee to overnight guests of the facility;

4. Any facility located on federal property surrounding a lake and designated as a recreational area by the United States Army Corps of Engineers that consists of at least one thousand five hundred (1,500) acres;

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted against coming out from under the dry law; however, any such facility may only be located in areas designated by the governing authorities of such municipality;

6. Any municipality with a population in excess of ten thousand (10,000) according to the latest federal decennial census that is located in a county that is bordered by the Pearl River and is not traversed by Interstate Highway 20, with a population in excess of forty-five thousand (45,000) according to the latest federal decennial census;

7. The West Pearl Restaurant Tax District as defined in Chapter 912, Local and Private Laws of 2007;

8. a. Land that is located in any county in which Mississippi Highway 43 and Mississippi Highway 25 intersect and:

A. Owned by the Pearl River Valley Water Supply District, and/or

B. Located within the Reservoir Community District, zoned commercial, east of Old Fannin Road, north of Regatta Drive, south of Spillway Road, west of Hugh Ward Boulevard and accessible by Old Fannin Road, Spillway Road, Spann Drive and/or Lake Vista Place, and/or

C. Located within the Reservoir Community District, zoned commercial, west of Old Fannin Road, south of Spillway Road and extending to the boundary of the corporate limits of the City of Flowood, Mississippi;

b. The board of supervisors of such county, with respect to B and C of item 8.a., may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

9. Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no public roads, that offers as a service hunts for a fee to overnight guests of the facility, and has accommodations for at least fifty (50) overnight guests;

10. Any facility that:

a. Consists of at least six thousand (6,000) square feet being heated and cooled along with an additional adjacent area that consists of at least two thousand two hundred (2,200) square feet regardless of whether heated and cooled,

b. For a fee is used to host events such as weddings, reunions and conventions,

c. Provides lodging accommodations regardless of whether part of the facility and/or located adjacent to or in close proximity to the facility, and

d. Is located on property that consists of at least thirty (30) contiguous acres;

11. Any facility and related property:

a. Located on property that consists of at least one hundred twenty-five (125) contiguous acres and consisting of an eighteen-hole golf course, and/or located in a facility that consists of at least eight thousand (8,000) square feet being heated and cooled,

b. Used for the purpose of providing meals and hosting events, and

c. Used for the purpose of teaching culinary arts courses and/or turf management and grounds keeping courses, and/or outdoor recreation and leadership courses;

12. Any facility and related property that:

a. Consist of at least eight thousand (8,000) square feet being heated and cooled,

b. For a fee is used to host events,

c. Is used for the purpose of culinary arts courses, and/or live entertainment courses and art performances, and/or outdoor recreation and leadership courses;

13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

14. The clubhouse and associated eighteen-hole golf course located in a municipality traversed by Interstate Highway 55 and U.S. Highway 51 that has voted to come out from under the dry law;

15. a. Land that is planned for mixed-use development and consists of at least two hundred (200) contiguous acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed, and also including a facility that consists of at least four thousand (4,000) square feet that is not part of such land but is located adjacent to or in close proximity thereto, and which land is located:

A. In a county that has voted to come out from under the dry law,

B. Outside the corporate limits of any municipality in such county and adjacent to or in close proximity to a golf course located in a municipality in such county, and

C. Within one (1) mile of a state institution of higher learning;

b. The board of supervisors of such county may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

16. Any facility with a capacity of five hundred (500) people or more, to be used as a venue for private events, on a tract of land in the Southwest Quarter of Section 33, Township 2 South, Range 7 East, of a county where U.S. Highway 45 and U.S. Highway 72 intersect and that has not voted to come out from under the dry law;

17. One hundred five (105) contiguous acres, more or less, located in Hinds County, Mississippi, and in the City of Jackson, Mississippi, whereon are constructed a variety of buildings, improvements, grounds or objects for the purpose of holding events thereon to promote agricultural and industrial development in Mississippi;

18. Land that is owned by a state institution of higher learning, and:

a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7, and

b. Adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9.

If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, 2020, then that qualified resort area shall be incorporated into the qualified resort area created by this item 18;

19. Any facility and related property:

a. Used as a flea market or similar venue during a weekend (Saturday and Sunday) immediately preceding the first Monday of a month and having an annual average of at least one thousand (1,000) visitors for each such weekend and five hundred (500) vendors for Saturday of each such weekend, and

b. Located in a county that has not voted to come out from under the dry law and outside of but in close proximity to a municipality located in such county and which municipality has voted to come out from under the dry law;

20. Blocks 1, 2 and 3 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

21. Any municipality with a population in excess of two thousand (2,000) according to the latest federal decennial census and in which is located a part of White's Creek Lake and in which U.S. Highway 82 intersects with Mississippi Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River;

22. A restaurant located on a two-acre tract adjacent to a five-hundred-fifty-acre lake in the northeast corner of a county traversed by U.S. Interstate 55 and U.S. Highway 84;

23. Any tracts of land in Oktibbeha County, situated north of Bailey Howell Drive, Lee Boulevard and Old Mayhew Road, east of George Perry Street and south of Mississippi Highway 182, and not located on the property of a state institution of higher learning; however, the board of supervisors of such county may by resolution or other order:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

24. A municipality in which Mississippi Highway 27 and Mississippi Highway 28 intersect;

25. A municipality through which run Mississippi Highway 35 and Interstate 20;

26. A municipality in which Mississippi Highway 16 and Mississippi Highway 35 intersect;

27. A municipality in which U.S. Highway 82 and Old Highway 61 intersect;

28. A municipality in which Mississippi Highway 8 meets Mississippi Highway 1;

29. A municipality in which U.S. Highway 82 and Mississippi Highway 1 intersect;

30. A municipality in which Mississippi Highway 50 meets Mississippi Highway 9;

31. An area bounded on the north by Pearl Street, on the east by West Street, on the south by Court Street and on the west by Farish Street, within a municipality bordered on the east by the Pearl River and through which run Interstate 20 and Interstate 55;

32. Any facility and related property that:

a. Is contracted for mixed-use development improvements consisting of office and residential space and a restaurant and lounge, partially occupying the renovated space of a four-story commercial building which previously served as a financial institution; and adjacent property to the west consisting of a single-story office building that was originally occupied by the Brotherhood of Carpenters and Joiners of American Local Number 569; and

b. Is situated on a tract of land consisting of approximately one and one-tenth (1.10) acres, and the adjacent property to the west consisting of approximately 0.5 acres, located in a municipality which is the seat of county government, situated south of Interstate 10, traversed by U.S. Highway 90, partially bordered on one (1) side by the Pascagoula River and having its most southern boundary bordered by the Gulf of Mexico, with a population greater than twenty-two thousand (22,000) according to the 2010 federal decennial census; however, the governing authorities of such a municipality may by ordinance:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

C. Designate the areas within the facilities in which alcoholic beverages may be offered for sale;

33. Any facility with a maximum capacity of one hundred twenty (120) people that consists of at least three thousand (3,000) square feet being heated and cooled, has a commercial kitchen, has a pavilion that consists of at least nine thousand (9,000) square feet and is located on land more particularly described as follows:

All that part of the East Half of the Northwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi, that lies South of Mississippi State Highway 348 right-of-way and containing 19.48 acres, more or less.

ALSO,

The Northeast 38 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi.

ALSO,

The South 81 1/2 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi;

34. A municipality in which U.S. Highway 51 and Mississippi Highway 16 intersect;

35. A municipality in which Interstate 20 passes over Mississippi Highway 15;

36. Any municipality that is bordered in its northwestern boundary by the Pearl River, traversed by U.S. Highway 49 and Interstate 20, and is located in a county which has voted against coming out from under the dry law;

37. A municipality in which Mississippi Highway 28 and Mississippi Highway 29 North intersect;

38. An area bounded as follows within a municipality through which run Interstate 22 and Mississippi Highway 15: Beginning at a point at the intersection of Bankhead Street and Tallahatchie Trails; then running to a point at the intersection of Tallahatchie Trails and Interstate 22; then running to a point at the intersection of Interstate 22 and Carter Avenue; then running to a point at the intersection of Carter Avenue and Camp Avenue; then running to a point at the intersection of Camp Avenue and King Street; then running to a point at the intersection of King Street and E. Main Street; then running to a point at the intersection of E. Main Street and Camp

Avenue; then running to a point at the intersection of Camp Avenue and Highland Street; then running to a point at the intersection of Highland Street and Adams Street; then running to a point at the intersection of Adams Street and Cleveland Street; then running to a point at the intersection of Cleveland Street and N. Railroad Avenue; then running to a point at the intersection of N. Railroad Avenue and McGill Street; then running to a point at the intersection of McGill Street and Snyder Street; then running to a point at the intersection of Snyder Street and Bankhead Street; then running to a point at the intersection of Bankhead Street and Tallahatchie Trails and the point of the beginning;

39. A municipality through which run Mississippi Highway 43 and U.S. Highway 80;

40. The coliseum in a municipality in which U.S. Highway 72 passes over U.S. Highway 45;

41. A piece of property on the northeast corner of the T-intersection where Builders Square Drive meets Mississippi Highway 471;

42. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities located on Oaks Country Club Road less than one-half (1/2) mile to the east of Mississippi Highway 15;

43. Any facility located on land more particularly described as follows:

The East Half (E 1/2) of the Southwest Quarter (SW 1/4) of Section 15, Township 3 North, Range 2 East; a 4 acre parcel in the Southwest Corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), Section 15, Township 3 North, Range 2 East, running 210 feet east and west and 840 feet running north and south; the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 22, Township 3 North, Range 2 East, all in Rankin County, Mississippi;

44. Any facility located on land more particularly described as follows:

Beginning at a point 1915 feet west and 2171 feet north of southeast corner, Section 11, Township 24 North, Range 2 West, Second Judicial District, Tallahatchie County, Mississippi, which point is the southwest corner of J.C. Section Lot mentioned in deed recorded in Book 50, page 34, in the records of the Chancery Clerk's Office at Sumner, in said District of said County; thence South 80° West, 19 feet to the east boundary of United States Highway 49-E, thence East along the east boundary of said Highway 270 feet to point of beginning of Lot to be conveyed; thence southeast along the east boundary of said Highway 204 feet to a concrete post at the intersection of the east boundary of said Highway with the west boundary of gravel road from Sumner to Webb, known as Oil Mill Road, thence Northwest along west boundary of said Oil Mill Road 194 feet to center of driveway running southwest from said Oil Mill Road to U.S. Highway 49-E; thence South 66° West along center of said driveway 128 feet to point of beginning, being situated in Northwest Quarter of Southeast Quarter of Section 11, together with all improvements situated thereon;

45. Any facility that:

a. Consists of at least five thousand six hundred (5,600) square feet being heated and cooled along with a lakeside patio that consists of at least

two thousand two hundred (2,200) square feet, regardless of whether such patio is part of the facility and/or located adjacent to or in close proximity to the facility;

b. Includes a caterer's kitchen and green room for entertainment preparation;

c. For a fee is used to host events; and

d. Is located adjacent to or in close proximity to an approximately nine (9) acre lake on property that consists of at least one hundred twenty (120) acres in a county traversed by Mississippi Highway 15 and U.S. Highway 278;

46. Any municipality with a population in excess of one thousand (1,000) according to the 2010 federal decennial census and which is located in a county that is traversed by U.S. Highways 84 and 98 and has not voted to come out from under the dry law;

47. The clubhouse and associated nine-hole golf course, tennis courts and related facilities and swimming pool and related facilities located on or near U.S. Highway 82 between Mississippi Highway 15 and Mississippi Highway 9;

48. The downtown square area bound by East Service Drive, Commerce Street, Second Street and Court Street and adjacent properties in a municipality through which run Interstate 55, U.S. Highway 51 and Mississippi Highway 306;

49. All parcels zoned for mixed-use development located west of Mississippi Highway 589, more than four hundred (400) feet north of Old Highway 24, east of Parkers Creek and Black Creek, and south of J M Burge Road;

50. Any facility used by a soccer club and located on Old Highway 11 between one-tenth (0.1) and two-tenths (0.2) of a mile from its intersection with Oak Grove Road, in a county in which U.S. Highway 98 and Mississippi Highway 589 intersect;

51. Any municipality in which U.S. Highway 49 and Mississippi Highway 469 intersect;

52. Any facility that is:

a. Owned by a Veterans of Foreign Wars (VFW) organization that is a nonprofit corporation and registered with the Mississippi Secretary of State;

b. Used by such organization for its headquarters and other organization related purposes; and

c. Located outside of a municipality in a county that has not voted to come out from under the dry law;

53. The following within a municipality in which U.S. Highway 49 and U.S. 61 Highway intersect and through which flows the Sunflower River:

a. An area bounded as follows: Starting at the southern point of the intersection of Sunflower Avenue and 1st Street and going south along said avenue on its eastern side to 8th Street, then going east along said street on its northern side to West Tallahatchie Street, then going north along said street on its western side to 4th Street/Martin Luther King Boulevard, then going east along said street/boulevard on its northern side to Desoto Avenue, then going north along said avenue on its western side to 1st Street, then going west along said street on its southern side to the point of beginning along the southern side of Court Street;

b. Lots located at or near the intersection of Madison Avenue, Walnut Street, and Riverside Avenue that are in a commercial zone; and

c. Any facility located on the west side of Sunflower Avenue to the Sunflower River between the southern side of 6th Street and the northern side of 8th Street and which is operated as and/or was operated as a hotel or lodging facility, in consideration of payment, regardless of whether the facility meets the criteria for the definition of the term "hotel" in paragraph (l) of this section; and

d. Any facility located on the west side of Sunflower Avenue to the Sunflower River between the southern side of 3rd Street and the northern side of 4th Street/Martin Luther King Boulevard and which is operated as and/or was operated as a musical venue, in consideration of payment;

54. Any municipality in which Mississippi Highway 340 meets Mississippi Highway 15;

55. Any municipality in which Mississippi Highway 540 and Mississippi Highway 149 intersect;

56. Any municipality in which Mississippi Highway 15 and Mississippi Highway 345/Main Street intersect;

57. The property and structures thereon at the following locations within a municipality through which run U.S. Highway 45 and Mississippi Highway 145 and in which Mississippi Highway 370 and Mississippi Highway 145 intersect: 104 West Main Street, 106 West Main Street, 108 West Main Street, 110 West Main Street and 112 West Main Street;

58. Any municipality in which U.S. Highway 11 and Main Street intersect and which is located in a county having two (2) judicial districts;

59. Any municipality in which Interstate 22 passes over Mississippi Highway 9;

60. Any facility located on land more particularly described as follows:

A certain parcel of land being situated in the Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E, Rankin County, Mississippi, and being more particularly described as follows:

Commence at an existing 1/2" iron pin marking the Southwest corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13 seconds East along the East line of the Southeast 1/4 of the Northeast 1/4 for a distance of 33.18 feet to an existing 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds East for a distance of 2.08 feet to an existing 1/2" iron pin; run thence North 00 degrees 22 minutes 19 seconds East for a distance of 561.90 feet to an existing 1/2" iron pin; run thence North 00 degrees 16 minutes 18 seconds East for a distance of 76.42 feet to a set 1/2" iron pin marking the POINT OF BEGINNING of the parcel of land herein described; from said POINT OF BEGINNING, continue thence North 00 degrees 16 minutes 18 seconds East along an existing fence for a distance of 493.27 feet to an existing 1/2" iron pin; run thence North 03 degrees 08 minutes 15 seconds East for a distance of 170.22 feet to an existing 1/2" iron pin on the North line of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9; run thence North 89 degrees 46 minutes 45 seconds East along said North line of the Southeast 1/4 of the Northeast 1/4 of Section 9 for a distance of 1,305.51 feet to an existing 1/2" iron pin marking Northeast corner thereof; leaving said North line of the Southeast 1/4 of the Northeast 1/4 of Section 9, run thence South 00 degrees 08 minutes 35 seconds West along the East line of said Southeast 1/4 of the Northeast 1/4 of Section 9 for a distance of 663.19 feet to a set 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4 of Section 9, run thence South 89 degrees 46 minutes 45 seconds West for a distance of 1,315.51 feet to the POINT OF BEGINNING, containing 20.00 acres, more or less.

And Also: An easement for the purpose of ingress and egress being situated in the Southeast 1/4 of the Northeast 1/4 and in the Northeast 1/4 of the Southeast 1/4 of Section 9, T3N-R3E, Rankin County, Mississippi, and being more particularly described as follows:

Begin at an existing 1/2" iron pin marking the Southwest corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13 seconds East along the East line of the Southeast 1/4 of the Northeast 1/4 for a distance of 33.18 feet to an existing 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds East for a distance of 2.08 feet to an existing 1/2" iron pin; run thence North 00 degrees 22 minutes 19 seconds East for a distance of 561.90 feet to an existing 1/2" iron pin; run thence North 00 degrees 16 minutes 18 seconds East for a distance of 76.42 feet to a set 1/2" iron pin; run thence North 89 degrees 46 minutes 45 seconds East for a distance of 25.00 feet to a set 1/2" iron pin; run thence South 00 degrees 16 minutes 18 seconds West for a distance of 76.66 feet to a set 1/2" iron pin; run thence South 00 degrees 22 minutes 19 seconds West for a distance of 619.81 feet to a set 1/2" iron pin; run thence South 89 degrees 43 minutes 01 seconds West for a distance of 26.81 feet to a set 1/2" iron pin; run thence North 00 degrees 06 minutes 13 seconds East along the West line of the aforesaid Northeast 1/4 of the Southeast 1/4 of Section 9 for a distance of 25.00 feet to the POINT OF BEGINNING, containing 17,525.4 square feet, more or less.

61. Any municipality bordered on the east by the Pascagoula River and on the south by the Mississippi Sound;

62. The property and structures thereon located at parcel numbers 4969 198 000; 4969 200 000; 4969 201 000; 4969 206 000; 4969 207 000; 4969 208 000; 4969 218 000; 4969 199; 4969 204 000 and 4969 204 001, all in Block 4 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

63. Any municipality in which Mississippi Highway 12 meets Mississippi Highway 17;

64. Any municipality in which U.S. Highway 49 and Mississippi Highway 469 intersect;

65. The clubhouse and associated nine-hole golf course and related facilities located on or near the eastern corner of the point at which Golf Course Road meets Athens Road, in a county in which Mississippi Highway 13 and Mississippi Highway 28 intersect, with GPS coordinates of approximately 31.900370078041004, -89.7928067652611;

66. Any facility located at the south-to-southwest corner of the intersection of Madison Street and Bolton Brownsville Road, in a municipality in which Bolton Brownsville Road passes over Interstate 20, with GPS coordinates of approximately 32.349067271758955, -90.4596221146197;

67. Any facility located at the northwest corner of the intersection of Depot Street and Madison Street, in a municipality in which Bolton Brownsville Road passes over Interstate 20, with GPS coordinates of approximately 32.34903152971068, -90.46047660172901;

68. Any facility located on Hinds Boulevard approximately three-tenths (0.3) of a mile south of the point at which Hinds Boulevard diverges from Clinton Road, in a municipality whose northern boundary partially consists of Snake Creek Road, and whose southern boundary partially consists of Mississippi Highway 18, with GPS coordinates of approximately 32.26384517526713, -90.41586570183475;

69. Any facility located on Pleasant Grove Drive approximately one and three-tenths (1.3) miles southeast of its intersection with Harmony Drive, in a county through which run Interstate 55 and U.S. Highway 84, with GPS coordinates of approximately 31.512043770371907, -90.2506094382595;

70. Any facility located immediately north of the intersection of two roads, both named Mason Clark Drive, located between two-tenths (0.2) and three-tenths (0.3) of a mile southwest of Mississippi Highway 57/63, with GPS coordinates of approximately 31.135950529733048, -88.53068674585575;

71. Any facility located on Raj Road approximately three-tenths (0.3) of a mile south of Mississippi Highway 57/63, with GPS coordinates of approximately 31.139553708288418, -88.53411203512971; and

72. Any facility located on Raj Road approximately one-tenth (0.1) of a mile south of Mississippi Highway 57/63, with GPS coordinates of approximately 31.14184097577295, -88.53287700849411;

The status of these municipalities, districts, clubhouses, facilities, golf courses and areas described in this paragraph (o)(iii) as qualified resort areas does not require any declaration of same by the department.

The governing authorities of a municipality described, in whole or in part, in item 6, 21, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39, 46, 48, 51, 53, 54, 55, 58, 59, 61, 63, 64, 66, 67 or 68 of this paragraph (o)(iii) may by ordinance, with respect to the qualified resort area described in the same item: specify the hours of operation of facilities offering alcoholic beverages for sale; specify the percentage of revenue that facilities offering alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and designate the areas in which facilities offering alcoholic beverages for sale may be located.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The department shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon.

(q) "Native winery" means any place or establishment within the State of Mississippi where native wine is produced, in whole or in part, for sale.

(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19) adequately furnished and completely separate sleeping rooms with adequate facilities, that persons usually apply for and receive as overnight accommodations; however, such restriction on the minimum number of sleeping rooms shall not apply to establishments on the National Register of Historic Places. No place shall qualify as a bed and breakfast inn under this article unless on the date of the initial application for a license under this article more than fifty percent (50%) of the sleeping rooms are located in a structure formerly used as a residence.

(s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

(t) "Spa facility" means an establishment within a municipality or qualified resort area and owned by a hotel where, in consideration of payment, patrons receive from licensed professionals a variety of private personal care treatments such as massages, facials, waxes, exfoliation and hairstyling.

(u) "Art studio or gallery" means an establishment within a municipality or qualified resort area that is in the sole business of allowing patrons to view and/or purchase paintings and other creative artwork.

(v) "Cooking school" means an establishment within a municipality or qualified resort area and owned by a nationally recognized company that offers an established culinary education curriculum and program where, in consideration of payment, patrons are given scheduled professional group instruction on culinary techniques. For purposes of this paragraph, the definition of cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a community or junior college, college or university in this state, and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

(x) "Native spirit" shall mean any beverage, produced in Mississippi for sale, manufactured primarily by the distillation of fermented grain, starch, molasses or sugar produced in Mississippi, including dilutions and mixtures of these beverages. In order to be classified as "native spirit" under the provisions of this article, at least fifty-one percent (51%) of the finished product by volume shall have been obtained from distillation of fermented grain, starch, molasses or sugar grown and produced in Mississippi.

(y) "Native distillery" shall mean any place or establishment within this state where native spirit is produced in whole or in part for sale.

(z) "Warehouse operator" shall have the meaning ascribed in Section 67-1-201.

(aa) "Alcoholic beverage operations" means the warehousing and distribution of alcoholic beverages.

(ab) "Corporation" means the Mississippi Alcoholic Beverage Corporation.

(ac) "President" means the President of the Alcoholic Beverage Corporation, who shall serve as the corporation's chief executive officer.

SECTION 15. Section 67-1-9, Mississippi Code of 1972, is amended as follows:

67-1-9. (1) It shall be unlawful for any person to manufacture, distill, brew, sell, import into this state, export from the state, transport, distribute, warehouse, store, solicit, take order for, bottle, rectify, blend, treat, mix or process any alcoholic beverage except as authorized in this article. However, nothing contained herein shall prevent importers, wineries and distillers of alcoholic beverages from storing such alcoholic beverages in private bonded warehouses located within the State of Mississippi for the ultimate use and benefit of the * * * corporation as provided in Section 67-1-41. The * * * corporation is hereby authorized to promulgate rules and regulations for the establishment of such private bonded warehouses and for the control of alcoholic beverages stored in such warehouses. Additionally, nothing herein contained shall prevent any duly licensed practicing physician or dentist from possessing or using alcoholic liquor in the strict practice of his profession, or prevent any hospital or other institution caring for sick and diseased persons, from possessing and using alcoholic liquor for the treatment of bona fide patients of such hospital or other institution. Any drugstore employing a licensed pharmacist may possess and use alcoholic liquors in the combination of prescriptions of

duly licensed physicians. The possession and dispensation of wine by an authorized representative of any church for the purpose of conducting any bona fide rite or religious ceremony conducted by such church shall not be prohibited by this article.

(2) Any person, upon conviction of any provision of this section, shall be punished as follows:

(a) By a fine of not less than One Hundred Dollars ($100.00), nor more than Five Hundred Dollars ($500.00), or by imprisonment in the county jail not less than one (1) week nor more than three (3) months, or both, for the first conviction under this section.

(b) By a fine of not less than One Hundred Dollars ($100.00) nor more than Five Thousand Dollars ($5,000.00) or by imprisonment in the county jail not less than sixty (60) days, nor more than six (6) months, or both fine and imprisonment, for the second conviction for violating this section.

(c) By a fine of not less than One Hundred Dollars ($100.00) nor more than Five Thousand Dollars ($5,000.00) or by imprisonment in the State Penitentiary not less than one (1) year, nor more than five (5) years, or both fine and imprisonment, for conviction the third time under this section for the violation thereof after having been twice convicted of its violation.

(3) Nothing in this section shall make it unlawful to transport bottles or containers of alcoholic beverages that are legally purchased in this state if the bottles or containers are unopened and are being transported on state or federal highway.

SECTION 16. Section 67-1-13, Mississippi Code of 1972, is amended as follows:

67-1-13. (1) When this article has been made effective and operative in any county as a result of an election called and held as provided in Section 67-1-11, the same may be made ineffective and inapplicable therein by an election called and held upon a petition filed with the board of supervisors requesting same signed by at least twenty percent (20%) or fifteen hundred (1500), whichever number is the lesser, of the qualified electors of the county as is otherwise provided in Section 67-1-11, all of the provisions of which shall be fully applicable thereto. However, nothing herein shall authorize or permit the calling and holding of any election under this chapter in any county more often than once every two (2) years. If in such election, a majority of the qualified electors participating therein shall vote against the legalized sale of intoxicating liquor, then the prohibition laws of the State of Mississippi, except as otherwise provided under Sections 67-9-1 and 67-1-7(2), shall become applicable in said county.

(2) Notwithstanding an election reinstating the prohibition laws in a political subdivision, the holder of a native wine or native spirit producer's permit or a native wine or native spirit retailer's permit is allowed to continue to operate under such permits and to renew such permits. Possession of native wines or native spirits and personal property related to the activities of the native wine permit or native spirit permit holder which would otherwise be unlawful under prohibition shall be allowed subject to regulations of the * * * division.

SECTION 17. Section 67-1-17, Mississippi Code of 1972, is amended as follows:

67-1-17. (1) It shall be unlawful for any person to have or possess either alcoholic beverages or personal property intended for use in violating the provisions of this article, or regulations prescribed under this article, or Chapter 31 of Title 97, Mississippi Code of

1972. No property rights shall exist in any such personal property or alcoholic beverages. All such personal property and alcoholic beverages shall be considered contraband and shall be seized and forfeited to the State of Mississippi.

(2) The following are subject to forfeiture:

(a) All alcoholic beverages which have been manufactured, distilled, distributed, dispensed or acquired in violation of this article or Chapter 31 of Title 97, Mississippi Code of 1972;

(b) All raw materials, products and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing or exporting any alcoholic beverage in violation of this article or Chapter 31 of Title 97, Mississippi Code of 1972;

(c) All property which is used, or intended for use, as a container for property described in items (a) or (b) of this subsection;

(d) All conveyances, including aircraft, vehicles or vessels, which are used, or intended for use, to transport, or in any manner to facilitate the transportation, for the purpose of sale or receipt, possession or concealment, of property described in item (a) of this subsection which is in excess of six (6) gallons or of property described in item (b) of this subsection; however,

(i) No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this article or Chapter 31 of Title 97, Mississippi Code of 1972;

(ii) No conveyance is subject to forfeiture under this section by reason of any act or omission proved by the owner thereof to have been committed or omitted without his knowledge or consent; if the confiscating authority has reason to believe that the conveyance is a leased or rented conveyance, then the confiscating authority shall notify the owner of the conveyance within five (5) days of the confiscation; and

(iii) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if he neither had knowledge of nor consented to the act or omission;

(e) All money, deadly weapons, books, records and research products and materials, including formulas, microfilm, tapes and data which are used, or intended for use, in violation of this article or Chapter 31 of Title 97, Mississippi Code of 1972.

(3) Property subject to forfeiture may be seized by the * * * division and its agents, local law enforcement officers, Mississippi Highway Patrol officers and other law enforcement personnel charged by Section 67-1-91, with enforcing the provisions of this article upon process issued by any appropriate court having jurisdiction over the property. Seizure without process may be made if:

(a) The seizure is incident to an arrest or a search under a search warrant or an administrative inspection under Section 67-1-37(k);

(b) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding based upon this article or Chapter 31 of Article 97, Mississippi Code of 1972; or

(c) The * * * division * * * and other law enforcement personnel described in this subsection have probable cause to believe that the property was used or is intended to be used in violation of this article or Chapter 31 of Article 97, Mississippi Code of 1972.

(4) Alcoholic beverages and raw materials seized or detained under the authority of this article or Chapter 31 of Title 97, Mississippi Code of 1972, is deemed to be in the custody of the agent or agency so seizing the property and subject only to the orders and decrees of the court having jurisdiction over the property. When such property is seized it may be retained as evidence until final disposition of the cause in which such property is involved, and then the agent or agency so seizing the property shall physically transfer such alcoholic beverage or raw material to the Director of the * * * division * * * together with an appropriate inventory of the items seized. Alcoholic beverages and raw materials seized or detained under the authority of this section shall be disposed of in accordance with the provisions of Section 67-1-18.

(5) Any property other than alcoholic beverages and raw materials seized or detained pursuant to this article or Chapter 31 of Title 97, Mississippi Code of 1972, shall be deemed to be in the custody of the agent or agency so seizing the property and subject only to the orders and decrees of the court having jurisdiction over the property. When such property is seized it may be retained as evidence until the final disposition of the cause in which such property is involved. Property seized or detained other than alcoholic beverages or raw materials shall be disposed of in accordance with the provisions of Sections 67-1-93, 67-1-95 and 67-1-97.

SECTION 18. Section 67-1-18, Mississippi Code of 1972, is amended as follows:

67-1-18. (1) Any alcoholic beverage, light wine, beer, light spirit product or raw material seized under the authority of this article, Chapter 3 of Title 67, or Chapter 31 of Title 97, Mississippi Code of 1972, shall be submitted to the custody of the * * * department * * * for disposition.

(2) (a) Except as otherwise provided in this paragraph, the department shall not dispose of any alcoholic beverage, light wine, beer, light spirit product or raw material without first providing reasonable notice to all individuals having an interest in the property and an opportunity for them to appear and establish their right or claim to the property. If no hearing is requested by the passage of the appropriate deadline, the department shall require the alcoholic beverages, light wine, beer, light spirit products or raw materials to be sold for the benefit of the state or destroyed.

(b) The provisions of paragraph (a) of this subsection shall not apply in cases in which the owner or possessor of the alcoholic beverage, light wine, beer, light spirit product or raw material is convicted of selling or possessing alcoholic beverages, beer, light spirit products, light wine or raw materials in a manner or location prohibited by law, or convicted of a violation of Section 67-1-81(2) or 67-3-70. In such cases, the alcoholic beverage, light wine, beer, light spirit product or raw materials seized in connection with the violation may be disposed of in the manner prescribed by the department.

(3) (a) If the department orders the property, other than alcoholic beverages, sold, then the property shall be sold to the highest bidder, the bidder being any person, firm or

government agency. The offer for sale shall be made to not less than three (3) qualified prospective buyers, by mailing them an invitation to bid, which shall describe the property, terms of sale, method of delivery, manner of bidding and fixing a time of not more than fifteen (15) days from the date of invitation for opening of bids received by the department.

(b) All bids and payment shall be made in the manner as prescribed by the department. Bids, after opening, shall be subject to public inspection.

(4) If the department orders the sale of seized alcoholic beverages, it may place the alcoholic beverages in the state inventory to be sold to authorized retailers in the same manner as other alcoholic beverages in the state inventory are sold.

(5) Any appeal from a seizure and disposal made under this section shall be made pursuant to Section 67-1-72.

SECTION 19. Section 67-1-23, Mississippi Code of 1972, is amended as follows:

67-1-23. The commissioner * * * shall appoint a director of the division, and may appoint or employ such agents, inspectors, clerks and other employees for such division as may be necessary to carry out the provisions of this article or to perform the duties and exercise the powers conferred by this article upon the department. The commissioner * * * shall have the authority to employ, compensate, terminate, suspend with or without pay, promote, demote, transfer or reprimand the director, agents, inspectors, clerks and other employees of the division. The director and all permanent employees of the division shall devote their full time to the duties of their respective offices.

SECTION 20. Section 67-1-25, Mississippi Code of 1972, is amended as follows:

67-1-25. No person shall be appointed director, agent or inspector for the * * * department under this article who is not a citizen of the United States. No director, agent, inspector or other employee shall be appointed under this article who has been convicted of any violation of any federal or state law concerning the manufacture, sale or possession of alcoholic liquor prior or subsequent to July 1, 1966, or who has paid a fine or penalty in settlement of any prosecution against him for any violation of such laws or shall have forfeited his bond to appear in court to answer charges for any such violation, nor shall any person be so appointed who has been convicted of a felony in any state or federal court. No person appointed or employed by the * * * department under this article may, directly or indirectly, individually or as a member of a partnership or limited liability company, or as a shareholder of a corporation, have any interest whatsoever in the manufacture, sale or distribution of alcoholic liquor, or receive any compensation or profit therefrom, or have any interest whatsoever in the purchases or sales made by the persons authorized by this article to purchase or to sell alcoholic liquor.

This section shall not prevent any person appointed or employed by the * * * department from purchasing and keeping in his possession for the use of himself or members of his family or guests any alcoholic liquor which may be purchased or kept by any other person by virtue of this article.

SECTION 21. Section 67-1-27, Mississippi Code of 1972, is amended as follows:

67-1-27. Before entering into the duties of his office, the director, and such other agents, inspectors and employees appointed under the provisions of this article as the * * * department shall designate, shall give surety bond, with some company authorized to do business in the State of Mississippi and approved by the State Insurance

Commissioner, appearing thereon as surety, in a sum of not less than Five Thousand Dollars ($5,000.00), conditioned upon the faithful performance of their duties. The premiums for such bonds shall be paid out of funds appropriated for the support of the * * * department.

SECTION 22. Section 67-1-29, Mississippi Code of 1972, is amended as follows:

67-1-29. The director, secretary, agents, inspectors, clerks and employees of the * * * department appointed under this article shall receive such reasonable compensation as may be fixed by the * * * department. The director and all agents, inspectors, clerks, and other employees shall be reimbursed for all actual and necessary traveling and other expenses and disbursements incurred or made by them in the discharge of their official duties. Such compensation and expenses shall be paid from funds appropriated for the support of the * * * department.

SECTION 23. Section 67-1-33, Mississippi Code of 1972, is amended as follows:

67-1-33. (1) No member of the Board of Tax Appeals, the commissioner * * *, or person appointed or employed by the department under this article, and no board member or officer or employee of the corporation, including its warehouse operator, shall solicit, accept or receive any gift, gratuity, emolument or employment from any person subject to the provisions of this article, or from any officer, agent or employee thereof.

(2) No member of the Board of Tax Appeals, the commissioner * * *, or person appointed or employed by the department under this article, and no board member or officer or employee of the corporation, including its warehouse operator, shall solicit, request from or recommend, directly or indirectly, to any person subject to the provisions of this article, or to any officer, agent or employee thereof, the appointment of any person to any place or position.

(3) Every person subject to the provisions of this article, and every officer, agent or employee thereof, is hereby forbidden to offer to any member of the Board of Tax Appeals, to the commissioner * * * or to any person appointed or employed by the department under this article, or to any board member or officer or employee of the corporation, including its warehouse operator, any gift, gratuity, emolument or employment.

(4) If any member of the Board of Tax Appeals, the commissioner * * * or any person appointed or employed by the department under this article, or any board member or officer or employee of the corporation, including its warehouse operator, shall violate any of the provisions of this section, he shall be removed from the office or employment held by him.

(5) Every person violating the provisions of this section shall be guilty of a misdemeanor.

(6) For purposes of this provision, the terms "gift," "gratuity," "emolument" and "employment" do not include the payment of expenses associated with social occasions afforded public servants or any other benefit that does not come within the definition of "pecuniary benefit" as defined in Section 25-4-103.

SECTION 24. Section 67-1-35, Mississippi Code of 1972, is amended as follows:

67-1-35. The department may, for authentication of records, process and proceedings, adopt, keep and use a seal for the * * * division * * *, of which seal judicial notice shall be taken in all courts of this state. Any process, notice or other paper which the department may be authorized by law to issue under this article shall be deemed sufficient if signed by the director and authenticated by such seal. All acts, orders, proceedings, rules, regulations, entries, minutes, and other records of the department in connection with this article, and all reports and documents filed with it under this article, may be proved in any court of this state by a copy thereof certified to by the director with the seal of the division affixed.

SECTION 25. Section 67-1-37, Mississippi Code of 1972, is amended as follows:

67-1-37. The department * * *, under its duties and powers with respect to the * * * division * * *, shall have the following powers, functions and duties:

(a) To issue or refuse to issue any permit provided for by this article, or to extend the permit or remit in whole or any part of the permit monies when the permit cannot be used due to a natural disaster or act of God.

(b) To revoke, suspend or cancel, for violation of or noncompliance with the provisions of this article, or the law governing the production and sale of native wines or native spirits, or any lawful rules and regulations of the department issued hereunder, or for other sufficient cause, any permit issued by it under the provisions of this article. The department shall also be authorized to suspend the permit of any permit holder for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a permit for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a permit suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a permit suspended for that purpose, shall be governed by Section 93-11-157 or Section 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or Section 93-11-163 and any provision of this article, the provisions of Section 93-11-157 or Section 93-11-163, as the case may be, shall control.

(c) To prescribe forms of permits and applications for permits and of all reports which it deems necessary in administering this article.

(d) To fix standards, not in conflict with those prescribed by any law of this state or of the United States, to secure the use of proper ingredients and methods of manufacture of alcoholic beverages.

(e) To issue rules regulating the advertising of alcoholic beverages in the state in any class of media and permitting advertising of the retail price of alcoholic beverages.

(f) To issue reasonable rules and regulations, not inconsistent with the federal laws or regulations, requiring informative labeling of all alcoholic beverages offered for sale within this state and providing for the standards of fill and shapes of retail containers of alcoholic beverages; however, such containers shall not contain less than fifty (50) milliliters by liquid measure.

(g) Subject to the provisions of subsection (3) of Section 67-1-51, to issue rules and regulations governing the issuance of retail permits for premises located near or around schools, colleges, universities, churches and other public institutions, and specifying the distances therefrom within which no such permit shall be issued. The * * * division shall not issue a package retailer's or on-premises retailer's permit for the sale or

consumption of alcoholic beverages in or on the campus of any public school, community or junior college, college or university.

(h) To adopt and promulgate, repeal and amend, such rules, regulations, standards, requirements and orders, not inconsistent with this article or any law of this state or of the United States, as it deems necessary to control the manufacture, importation, transportation, distribution, delivery and sale of alcoholic liquor, whether intended for beverage or nonbeverage use in a manner not inconsistent with the provisions of this article or any other statute, including the native wine and native spirit laws.

(i) To call upon other administrative departments of the state, county and municipal governments, county and city police departments and upon prosecuting officers for such information and assistance as it may deem necessary in the performance of its duties.

(j) To prepare and submit to the Governor during the month of January of each year a detailed report of its official acts during the preceding fiscal year ending June 30, including such recommendations as it may see fit to make, and to transmit a like report to each member of the Legislature of this state upon the convening thereof at its next regular session.

(k) To inspect, or cause to be inspected, any premises where alcoholic liquors intended for sale are manufactured, stored, distributed or sold, and to examine or cause to be examined all books and records pertaining to the business conducted therein.

(l) To investigate the administration of laws in relation to alcoholic liquors in this and other states and any foreign countries, and to recommend from time to time to the Governor and through him to the Legislature of this state such amendments to this article, if any, as it may think desirable.

(m) To designate hours and days when alcoholic beverages may be sold in different localities in the state which permit such sale.

(n) To assign employees to posts of duty at locations where they will be most beneficial for the control of alcoholic beverages and to take any other action concerning persons employed under this article as authorized by law and taken in accordance with the rules, regulations and procedures of the State Personnel Board.

(o) To enforce the provisions made unlawful by Chapter 3, Title 67 and Section 97-5-49.

(p) To delegate its authority under this article to the * * * division, its director or any other officer or employee of the department that it deems appropriate.

(q) To prescribe and charge a fee to defray the costs of shipping alcoholic beverages, provided that such fee is determined in a manner provided by the department by rules and/or regulations adopted in accordance with the Mississippi Administrative Procedures Law.

SECTION 26. Section 67-1-41, Mississippi Code of 1972, is amended as follows:

67-1-41. (1) The * * * corporation is hereby created a wholesale distributor and seller of alcoholic beverages, not including malt liquors, within the State of Mississippi. It is granted the right to import and sell alcoholic beverages at wholesale within the state, and no person who is granted the right to sell, distribute or receive alcoholic beverages at retail shall purchase any alcoholic beverages from any source other than the * * * corporation, except as authorized in subsections (4), (9) and (12) of this section. The * * * corporation may establish warehouses, and the * * * corporation may purchase alcoholic beverages in such quantities and from such sources as it may deem desirable and sell the alcoholic beverages to authorized permittees within the state including, at the discretion of the * * * corporation, any retail distributors operating within any military post or qualified resort areas within the boundaries of the state, keeping a correct and accurate record of all such transactions and exercising such control over the distribution of alcoholic beverages as seem right and proper in keeping with the provisions or purposes of this article.

(2) No person for the purpose of sale shall manufacture, distill, brew, sell, possess, export, transport, distribute, warehouse, store, solicit, take orders for, bottle, rectify, blend, treat, mix or process any alcoholic beverage except in accordance with authority granted under this article, or as otherwise provided by law for native wines or native spirits.

(3) No alcoholic beverage intended for sale or resale shall be imported, shipped or brought into this state for delivery to any person other than as provided in this article, or as otherwise provided by law for native wines or native spirits.

(4) The * * * corporation may promulgate rules and regulations which authorize on-premises retailers to purchase limited amounts of alcoholic beverages from package retailers and for package retailers to purchase limited amounts of alcoholic beverages from other package retailers. The * * * corporation shall develop and provide forms to be completed by the on-premises retailers and the package retailers verifying the transaction. The completed forms shall be forwarded to the * * * corporation within a period of time prescribed by the * * * corporation.

(5) The * * * corporation may promulgate rules which authorize the holder of a package retailer's permit to permit individual retail purchasers of packages of alcoholic beverages to return, for exchange, credit or refund, limited amounts of original sealed and unopened packages of alcoholic beverages purchased by the individual from the package retailer.

(6) The department shall maintain all forms to be completed by applicants necessary for licensure by the department at all district offices of the department.

(7) The department may promulgate rules which authorize the manufacturer of an alcoholic beverage or wine to import, transport and furnish or give a sample of alcoholic beverages or wines to the holders of package retailer's permits, on-premises retailer's permits, native wine or native spirit retailer's permits and temporary retailer's permits who have not previously purchased the brand of that manufacturer from the * * * corporation. For each holder of the designated permits, the manufacturer may furnish not more than five hundred (500) milliliters of any brand of alcoholic beverage and not more than three (3) liters of any brand of wine.

(8) The department may promulgate rules disallowing open product sampling of alcoholic beverages or wines by the holders of package retailer's permits and permitting open product sampling of alcoholic beverages by the holders of on-premises retailer's permits. Permitted sample products shall be plainly identified "sample" and the actual sampling must occur in the presence of the manufacturer's representatives during the legal operating hours of on-premises retailers.

(9) The department may promulgate rules and regulations that authorize the holder of a research permit to import and purchase limited amounts of alcoholic beverages from importers, wineries and distillers of alcoholic beverages or from the * * * corporation. The department shall develop and provide forms to be completed by the research permittee verifying each transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department. The records and inventory of alcoholic beverages shall be open to inspection at any time by the director of the * * * division or any duly authorized agent.

(10) The * * * corporation may promulgate rules facilitating a retailer's on-site pickup of alcoholic beverages sold by the * * * corporation or as authorized by the * * * corporation, including, but not limited to, native wines and native spirits, so that those alcoholic beverages may be delivered to the retailer at the manufacturer's location instead of via shipment from the * * * corporation's warehouse.

(11) [Through June 30, 2026] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit or a festival wine permit.

(11) [From and after July 1, 2026] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit.

(12) (a) An individual resident of this state who is at least twenty-one (21) years of age may purchase wine from a winery and have the purchase shipped into this state so long as it is shipped to a package retailer permittee in Mississippi; however, the permittee shall pay to the * * * corporation all taxes, fees and surcharges on the wine that are imposed upon the sale of wine shipped by the * * * corporation or its warehouse operator. No credit shall be provided to the permittee for any taxes paid to another state as a result of the transaction. Package retailers may charge a service fee for receiving and handling shipments from wineries on behalf of the purchasers. The * * * corporation shall develop and provide forms to be completed by the package retailer permittees verifying the transaction. The completed forms shall be forwarded to the * * * corporation within a period of time prescribed by the * * * corporation.

(b) The purchaser of wine that is to be shipped to a package retailer's store shall be required to get the prior approval of the package retailer before any wine is shipped to the package retailer. A purchaser is limited to no more than ten (10) cases of wine per year to be shipped to a package retailer. A package retailer shall notify a purchaser of wine within two (2) days after receiving the shipment of wine. If the purchaser of the wine does not pick up or take the wine from the package retailer within thirty (30) days after being notified by the package retailer, the package retailer may sell the wine as part of his inventory.

(c) Shipments of wine into this state under this section shall be made by a duly licensed carrier. It shall be the duty of every common or contract carrier, and of every firm or corporation that shall bring, carry or transport wine from outside the state for delivery inside the state to package retailer permittees on behalf of consumers, to prepare and file with the * * * corporation, on a schedule as determined by the * * * corporation, of known wine shipments containing the name of the common or contract carrier, firm or * * * company making the report, the period of time covered by said report, the name and permit number of the winery, the name and permit number of the package retailer permittee receiving such wine, the weight of the package delivered to each package retailer permittee, a unique tracking number, and the date of delivery. Reports received by the * * * corporation shall be made available by the * * * corporation to the public via the Mississippi Public Records Act process in the same manner as other state alcohol filings.

Upon the * * * corporation's request, any records supporting the report shall be made available to the * * * corporation within a reasonable time after the * * * corporation makes a written request for such records. Any records containing information relating to such reports shall be kept and preserved for a period of two (2) years, unless their destruction sooner is authorized, in writing, by the * * * corporation, and shall be open and available to inspection by the * * * corporation upon the * * * corporation's written request. Reports shall also be made available to any law enforcement or regulatory body in the state in which the railroad company, express company, common or contract carrier making the report resides or does business.

Any common or contract carrier that willfully fails to make reports, as provided by this section or any of the rules and regulations of the * * * corporation for the administration and enforcement of this section, is subject to a notification of violation. In the case of a continuing failure to make reports, the common or contract carrier is subject to possible license suspension and revocation at the * * * corporation's discretion.

(d) A winery that ships wine under this section shall be deemed to have consented to the jurisdiction of the courts of this state, of the * * * corporation, of any * * * state agency regarding the enforcement of this section, and of any related law, rules or regulations.

(e) Any person who makes, participates in, transports, imports or receives a shipment in violation of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of One Thousand Dollars ($1,000.00) or imprisonment in the county jail for not more than six (6) months, or both. Each shipment shall constitute a separate offense.

(13) If any provision of this article, or its application to any person or circumstance, is determined by a court to be invalid or unconstitutional, the remaining provisions shall be construed in accordance with the intent of the Legislature to further limit rather than expand commerce in alcoholic beverages to protect the health, safety, and welfare of the state's residents, and to enhance strict regulatory control over taxation, distribution and sale of alcoholic beverages through the three-tier regulatory system imposed by this article upon all alcoholic beverages to curb relationships and practices calculated to stimulate sales and impair the state's policy favoring trade stability and the promotion of temperance.

SECTION 27. Section 67-1-43, Mississippi Code of 1972, is amended as follows:

67-1-43. Any authorized retail distributor who shall purchase or receive alcoholic beverages from any source except from the * * * corporation or its warehouse operator, unless authorized by rules and regulations of the * * * corporation promulgated under Section 67-1-41, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than Five Hundred Dollars ($500.00), nor more than Two Thousand Dollars ($2,000.00), to which may be added imprisonment in the county jail for not more than six (6) months. Any authorization of such person to sell intoxicating beverages may be revoked as provided by law.

SECTION 28. Section 67-1-45, Mississippi Code of 1972, is amended as follows:

67-1-45. No manufacturer, rectifier or distiller of alcoholic beverages shall sell or attempt to sell any such alcoholic beverages, except malt liquor, within the State of Mississippi, except to the * * * corporation, or as provided in Section 67-1-41, or pursuant to Section 67-1-51. A producer of native wine or native spirit may sell native wines or

native spirits, respectively, to the * * * corporation or to consumers at the location of the native winery or native distillery or its immediate vicinity.

Any violation of this section by any manufacturer, rectifier or distiller shall be punished by a fine of not less than Five Hundred Dollars ($500.00), and not more than Two Thousand Dollars ($2,000.00), to which may be added imprisonment in the county jail not to exceed six (6) months.

SECTION 29. Section 67-1-47, Mississippi Code of 1972, is amended as follows:

67-1-47. All distillers or distributors having contracts with the * * * corporation for the sale of alcoholic beverages to the * * * corporation, before making delivery of any merchandise to the * * * corporation, shall register with the Secretary of State giving their name, address, name of all local agents and any other pertinent information which may be required by the Secretary of State and appointing an agent for the service of process within the State of Mississippi.

SECTION 30. Section 67-1-49, Mississippi Code of 1972, is amended as follows:

67-1-49. All distillers or distributors having contracts with the * * * corporation for the sale of alcoholic beverages to said * * * corporation, shall, on or before February 1st of each year, file a statement, under oath, with the * * * corporation and with the Secretary of State, listing the names and addresses of each person, firm or corporation in Mississippi to whom or which said distiller or distributor shall have paid or agreed to pay any fee, retainer, salary, or remuneration, during the preceding year, together with a statement of the purpose for such payment. Failure to file such statement shall constitute grounds for the * * * corporation to suspend the right of the distiller or distributor to sell to said * * * corporation until such time as said statement shall be filed.

SECTION 31. Section 67-1-51, Mississippi Code of 1972, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this article in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this article.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

Class 4. Native spirit producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native spirits.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines, native spirits and edibles, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this article and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers, other beverages commonly used to mix with alcoholic beverages, and fruits and foods that have been submerged in alcohol and are commonly referred to as edibles. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines and native spirits, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one (1) bottle of wine to be removed from the licensed premises for every two (2) entrees ordered. In addition, an on-premises retailer's permittee at a permitted premises located on Jefferson Davis Avenue within one-half (1/2) mile north of U.S. Highway 90 may serve alcoholic beverages by the glass to a patron in a vehicle using a drive-through method of delivery if the permitted premises is located in a leisure and recreation district established under Section 67-1-101. Such a sale will be considered to be made on the permitted premises. An on-premises retailer's permit shall be issued only to qualified hotels, restaurants and clubs, small craft breweries, microbreweries, and to common carriers with adequate facilities for serving passengers. In resort areas, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to such establishments as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the

representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines and native spirits, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine and native spirit, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from the * * * corporation or, with approval of the * * * corporation, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3 * * * of Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the * * * division * * *. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and * * * division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from the * * * corporation or from importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines and native spirits, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This

determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines and native spirits, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages to consumers for on-premises consumption, or to consumers by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. However, when selling to consumers for on-premises consumption, a holder of a distillery retailer's permit may add other beverages, alcoholic or not, so long as the total volume of other beverage components containing alcohol does not exceed twenty percent (20%). Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the distillery retailer is located.

The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this article. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the * * * corporation's liquor distribution warehouse; however, if the

holder does not purchase the alcoholic beverages from the * * * corporation's liquor distribution warehouse, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by the * * * corporation or its warehouse operator. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the * * * corporation's liquor distribution warehouse. However, if the holder does not purchase the alcoholic beverages from the * * * corporation's liquor distribution warehouse, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by the * * * corporation. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2026.

(s) Charter vessel operator's permit. Subject to the provisions of this paragraph (s), a charter vessel operator's permit shall authorize the holder thereof and its employees to sell and serve alcoholic beverages to passengers of the permit holder during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder. The permit shall authorize the holder to only sell alcoholic beverages, including native wines, to passengers of the charter vessel operator during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder aboard the charter vessel operator for consumption during such tours and cruises on the premises of the charter vessel operator described in the permit. For the purposes of this paragraph (s), "charter vessel operator" means a common carrier that (i) is certified to carry at least forty-nine (49) passengers, (ii) operates only in the waters within the State of Mississippi, which lie south of Interstate 10 in the three (3) most southern counties in the State of Mississippi, and lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, extending not further than one (1) mile south of such counties, and (iii) provides vessel services for tours and cruises in such waters as provided in this paragraph(s).

(t) Native spirit retailer's permit. Except as otherwise provided in subsection (5) of this section, a native spirit retailer's permit shall be issued only to a holder of a Class 4 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native spirits to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native distillery. When selling to consumers for on-premises consumption, a holder of a native spirit retailer's permit may add to the native spirit alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage.

Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native spirit retailer is located.

(u) Delivery service permit. Any individual, limited liability company, corporation or partnership registered to do business in this state is eligible to obtain a delivery service permit. Subject to the provisions of Section 67-1-51.1, this permit authorizes the permittee, or its employee or an independent contractor acting on its behalf, to deliver alcoholic beverages, beer, light wine and light spirit product from a licensed retailer to a person in this state who is at least twenty-one (21) years of age for the individual's use and not for resale. This permit does not authorize the delivery of alcoholic beverages, beer, light wine or light spirit product to the premises of a location with a permit for the manufacture, distribution or retail sale of alcoholic beverages, beer, light wine or light spirit product. The holder of a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or of a beer, light wine and light spirit product permit under Section 67-3-19 is authorized to apply for a delivery service permit as a privilege separate from its existing retail permit.

(v) Food truck permit. A food truck permit shall authorize the holder of an on-premises retailer's permit to use a food truck to sell alcoholic beverages off its premises to guests who must consume the beverages in open containers. For the purposes of this paragraph (v), "food truck" means a fully encased food service establishment on a motor vehicle or on a trailer that a motor vehicle pulls to transport, and from which a vendor, standing within the frame of the establishment, prepares, cooks, sells and serves food for immediate human consumption. The term "food truck" does not include a food cart that is not motorized. Food trucks shall maintain such distance requirements from schools, churches, kindergartens and funeral homes as are required for on-premises retailer's permittees under this article, and all sales must be made within a valid leisure and recreation district established under Section 67-1-101. Food trucks cannot sell or serve alcoholic beverages unless also offering food prepared and cooked within the food truck, and permittees must maintain a twenty-five percent (25%) food sale revenue requirement based on the food sold from the food truck alone. The hours allowed for sale shall be the same as those for on-premises retailer's permittees in the location. This permit will not be required for the holder of a caterer's permit issued under this article to cater an event as allowed by law. Permittees must provide notice of not less than forty-eight (48) hours to the department of each location at which alcoholic beverages will be sold.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) (a) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this article within four hundred (400) feet of any church, school, kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

(b) A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(c) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National

Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(d) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a qualified resort area as defined in Section

67-1-5(o)(iii)32.

(e) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building formerly owned by a municipality and formerly leased by the municipality to a municipal school district and used by the municipal school district as a district bus shop facility.

(f) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building consisting of at least five thousand (5,000) square feet and located approximately six hundred (600) feet from the intersection of Mississippi Highway 15 and Mississippi Highway 4.

(g) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building located at or near the intersection of Ward and Tate Streets and adjacent properties in the City of Senatobia, Mississippi.

(h) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a theatre facility that features plays and other theatrical performances and productions and (i) is capable of seating more than seven hundred fifty (750) people, (ii) is owned by a municipality which has a population greater than ten thousand (10,000) according to the latest federal decennial census, (iii) was constructed prior to 1930, (iv) is on the National Register of Historic Places, and (v) is located in a historic district.

(i) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building located approximately one and six-tenths (1.6) miles north of the intersection of Mississippi Highway 15 and Mississippi Highway 4 on the west side of Mississippi Highway 15.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this article.

SECTION 32. Section 67-1-52, Mississippi Code of 1972, is amended as follows:

67-1-52. A package retailer's permit issued under Section 67-1-51(b) shall be authorized to offer tastings or samplings to be conducted at the package retailer's permitted place of business during which tastes or samples of alcoholic beverages or wine may be offered or served to consumers at no cost to the consumer. During a tasting or sampling authorized by this section, limited amounts of alcoholic beverages or wine may be consumed on the permitted place of business. A tasting or sampling shall not authorize the sale of alcoholic beverages or wine for consumption on the permitted place of business, but shall only authorize the limited consumption of alcoholic beverages or wine at the permitted place of business for the sole purpose of tasting or sampling various alcoholic beverages or wine. No one under twenty-one (21) years of age may participate in a tasting or sampling. No sample may be provided to a visibly intoxicated person. No food may be served or sold at a tasting or sampling. Each sample of wine served shall not exceed one and one-fourth (1-1/4) ounces and no more than a cumulative total of five (5) ounces of wine may be dispensed to any one (1) person during a tasting or sampling. Each sample of a distilled spirit served shall not exceed one-fourth (1/4) of an ounce and no more than a cumulative total of one (1) ounce of distilled spirits may be dispensed to any one (1) person during a tasting or sampling. All product tasted or sampled must be provided by the package retailer from its inventory. Such product cannot be sample product provided by a manufacturer and must have been purchased from the * * * corporation warehouse or from a licensed wholesaler. Employees of the package retailer may serve any product for tasting or sampling. In addition, a third party may serve any product for tasting or sampling and may open, touch and pour product as well as make a presentation and answer questions. The package retailer shall be responsible for all such actions by the third party. Tickets for a tasting or sampling shall not be sold in the permitted place of business or any other location.

SECTION 33. Section 67-1-53, Mississippi Code of 1972, is amended as follows:

67-1-53. (1) Application for permits shall be in such form and shall contain such information as shall be required by the regulations of the * * * department; however, no regulation of the * * * department shall require personal financial information from any officer of a corporation applying for an on-premises retailer's permit to sell alcoholic beverages unless such officer owns ten percent (10%) or more of the stock of such corporation.

(2) Every applicant for each type of permit authorized by Section 67-1-51 shall give notice of such application by publication for two (2) consecutive issues in a newspaper of general circulation published in the city or town in which applicant's place of business is located. However, in instances where no newspaper is published in the city or town, then the notice shall be published in a newspaper of general circulation published in the county where the applicant's business is located. If no newspaper is published in the county, the notice shall be published in a qualified newspaper which is published in the closest neighboring county and circulated in the county of applicant's residence. The notice shall be printed in ten-point black face type and shall set forth the type of permit to be applied for, the exact location of the place of business, the name of the owner or owners thereof, and if operating under an assumed name, the trade name together with the names of all owners, and if a corporation, the names and titles of all officers. The cost of such notice shall be borne by the applicant.

(3) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64 * * *.

SECTION 34. Section 67-1-55, Mississippi Code of 1972, is amended as follows:

67-1-55. No permit of any type shall be issued by the * * * department until the applicant has first filed with the * * * department a sworn statement disclosing all persons who are financially involved in the operation of the business for which the permit is sought. If an applicant is an individual, he will swear that he owns one hundred percent (100%) of the business for which he is seeking a permit. If the applicant is a partnership, all partners and their addresses shall be disclosed and the extent of their interest in the partnership shall be disclosed. If the applicant is a corporation, the total stock in the corporation shall be disclosed and each shareholder and his address and the amount of stock in the corporation owned by him shall be disclosed. If the applicant is a limited liability company, each member and their addresses shall be disclosed and the extent of their interest in the limited liability company shall be disclosed. If the applicant is a trust, the trustee and all beneficiaries and their addresses shall be disclosed. If the applicant is a combination of any of the above, all information required to be disclosed above shall be required.

All the disclosures shall be in writing and kept on file at the * * * department's office and shall be available to the public.

Every applicant must, when applying for a renewal of his permit, disclose any change in the ownership of the business or any change in the beneficiaries of the income from the business.

Any person who willfully fails to fully disclose the information required by this section, or who gives false information, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not to exceed Five Hundred Dollars ($500.00) or imprisoned for not more than one (1) year, or both, and the person or applicant shall never again be eligible for any permit pertaining to alcoholic beverages.

SECTION 35. Section 67-1-57, Mississippi Code of 1972, is amended as follows:

67-1-57. Before a permit is issued the department shall satisfy itself:

(a) That the applicant, if an individual, or if a partnership, each of the members of the partnership, or if a corporation, each of its principal officers and directors, or if a limited liability company, each member of the limited liability company, is of good moral character and, in addition, enjoys a reputation of being a peaceable, law-abiding citizen of the community in which he resides, and is generally fit for the trust to be reposed in him, is not less than twenty-one (21) years of age, and has not been convicted of a felony in any state or federal court.

(b) That, except in the case of an application for a solicitor's permit, the applicant is the true and actual owner of the business for which the permit is desired, and that he intends to carry on the business authorized for himself and not as the agent of any other person, and that he intends to superintend in person the management of the business or that he will designate a manager to manage the business for him. All managers must be approved by the department prior to completing any managerial tasks on behalf of the permittee and must possess all of the qualifications required of a permittee; however, a felony conviction, other than a crime of violence, does not automatically disqualify a person from being approved as a manager if the person was released from incarceration at least three (3) years prior to application for approval as a

manager. A felony conviction, other than a crime of violence, may be considered by the department in determining whether all other qualifications are met.

(c) That the applicant for a package retailer's permit, if an individual, is a resident of the State of Mississippi. If the applicant is a partnership, each member of the partnership must be a resident of the state. If the applicant is a limited liability company, each member of the limited liability company must be a resident of the state. If the applicant is a corporation, the designated manager of the corporation must be a resident of the state.

(d) That the place for which the permit is to be issued is an appropriate one considering the character of the premises and the surrounding neighborhood.

(e) That the place for which the permit is to be issued is within the corporate limits of an incorporated municipality or qualified resort area or club which comes within the provisions of this article.

(f) That the applicant is not indebted to the state for any taxes, fees or payment of penalties imposed by any law of the State of Mississippi or by any rule or regulation of the * * * department.

(g) That the applicant is not in the habit of using alcoholic beverages to excess and is not physically or mentally incapacitated, and that the applicant has the ability to read and write the English language.

(h) That the * * * department does not believe and has no reason to believe that the applicant will sell or knowingly permit any agent, servant or employee to unlawfully sell liquor in a dry area or in any other manner contrary to law.

(i) That the applicant is not residentially domiciled with any person whose permit or license has been cancelled for cause within the twelve (12) months next preceding the date of the present application for a permit.

(j) That the * * * department has not, in the exercise of its discretion which is reserved and preserved to it, refused to grant permits under the restrictions of this section, as well as under any other pertinent provision of this article.

(k) That there are not sufficient legal reasons to deny a permit on the ground that the premises for which the permit is sought has previously been operated, used or frequented for any purpose or in any manner that is lewd, immoral or offensive to public decency. In the granting or withholding of any permit to sell alcoholic beverages at retail, the * * * department in forming its conclusions may give consideration to any recommendations made in writing by the district or county attorney or county, circuit or chancery judge of the county, or the sheriff of the county, or the mayor or chief of police of an incorporated city or town wherein the applicant proposes to conduct his business and to any recommendations made by representatives of the * * * department.

(l) That the applicant and the applicant's key employees, as determined by the * * * department, do not have a disqualifying criminal record. In order to obtain a criminal record history check, the applicant shall submit to the * * * department a set of fingerprints from any local law enforcement agency for each person for whom the records check is required. The * * * department shall forward the fingerprints to the * * * Department of Public Safety. If no disqualifying record is identified at the state level, the Department of Public Safety shall forward the fingerprints to the Federal Bureau of

Investigation for a national criminal history record check. Costs for processing the set or sets of fingerprints shall be borne by the applicant. The * * * department shall not deny employment to an employee of the applicant prior to the identification of a disqualifying record or other disqualifying information.

SECTION 36. Section 67-1-61, Mississippi Code of 1972, is amended as follows:

67-1-61. All permits issued by the * * * department shall expire twelve months from date of issuance, and no permit shall be issued for a period longer than one year. Each permit shall state a class to which it belongs, the name of the permittee, the address of the premises for which granted, and the date of its expiration. All permits issued shall at all times be prominently displayed on the premises for which issued.

SECTION 37. Section 67-1-63, Mississippi Code of 1972, is amended as follows:

67-1-63. (1) Any permittee may renew his permit at the expiration thereof for an additional term of one (1) year, provided he is then qualified to receive a permit and the premises for which the renewal is sought are suitable for such purposes. The renewal privilege herein provided for shall not be construed as a vested right. No "on-premises" retailer's permit shall be renewed at the expiration thereof for any "hotel" or "restaurant" under this article unless the * * * department is satisfied that the holder thereof is continuing to meet the requirements of a hotel or restaurant, as defined in Section 67-1-5.

(2) When an application for the renewal of a permit has been denied by the department for a reason other than for being incomplete, for failure to pay any applicable license privilege taxes or fees required for renewal or for failure to post a bond, cash or securities as required by Section 27-71-21, the permittee shall be allowed to continue to operate under the permit for which renewal was denied until the last of the following dates:

(a) The date on which the permit expires;

(b) The date on which the time period for filing an appeal of the denial of the renewal to the Board of Tax Appeals expires;

(c) If the denial is timely appealed to the Board of Tax Appeals and this appeal is later withdrawn, the date on which the withdrawal of appeal occurs; or

(d) If the denial is timely appealed to the Board of Tax Appeals and an order is entered by the Board of Tax Appeals affirming the denial of the renewal, the date on which the permittee receives notice of the decision of the Board of Tax Appeals affirming the denial. Refusal to accept delivery of such notice or the posting of the final decision of the Board of Tax Appeals at the permitted place of business shall constitute receipt of notice by the permittee of this decision.

(3) If the denial of an application for renewal of a permit is appealed to the Board of Tax Appeals and the board reverses the denial of the application for renewal, the department shall renew and issue the permit from its last expiration date.

(4) The issuance and/or renewal of a permit based on the decision of the Board of Tax Appeals shall not bar or estop the department from appealing this decision of the Board of Tax Appeals to chancery court under Section 67-1-39. Any subsequent renewal of this permit while an appeal by the department from the decision of the Board of Tax Appeals is pending shall be subject to the final decision of the court on this appeal. If in such an appeal by the department, a court enters a final decision and/or order reversing

the decision of the board and affirming the denial of the application for a permit or the application for renewal of a permit, the permit, even if subsequently renewed, shall be deemed denied and not authorize the permittee to sell alcoholic beverages under that permit after the date on which the decision and/or order of the court affirming the denial of the permit becomes final and not subject to any further appeal.

SECTION 38. Section 67-1-65, Mississippi Code of 1972, is amended as follows:

67-1-65. In any county having heretofore voted, or which hereafter votes, to come out from under the prohibition law, in which there is not located an incorporated municipality within such county, the * * * department may issue package retailer's permits in such county.

SECTION 39. Section 67-1-67, Mississippi Code of 1972, is amended as follows:

67-1-67. No permit shall be transferred by the permittee to any other person or any other place except with the written consent of the * * * department upon a regular application therefor in writing and upon consideration thereof as provided in this article for an original application for a permit. The * * * department shall not approve the transfer of the permit of any person against whom there is pending in the courts or before the * * * department any charge of keeping a disorderly house, or of violating this article or the laws against gambling in this state or against whom there is pending any proceedings for the revocation, suspension or cancellation of the permit.

SECTION 40. Section 67-1-69, Mississippi Code of 1972, is amended as follows:

67-1-69. No person holding any permit issued under the provisions of this article shall engage in any business or activity authorized by such permit unless such person shall qualify so to do by complying with all statutes of the United States of America, and all regulations issued pursuant thereto, which are applicable or shall pertain to such business or activity, and shall continue to be so qualified at all times while engaging in such business or activity. As a prerequisite to the issuance of any permit under this article, the applicant shall first obtain the required federal occupational stamp for the type of business for which the permit has been approved by the * * * department.

SECTION 41. Section 67-1-72, Mississippi Code of 1972, is amended as follows:

67-1-72. (1) Except as otherwise provided in this article, any applicant or holder of a permit issued under this article which is aggrieved by an action of the department * * * to deny his application for a permit, to deny the renewal of his permit or to revoke or suspend his permit shall be allowed to appeal to the Board of Tax Appeals from this action. This appeal is to be filed by the aggrieved person with the Executive Director of the Board of Tax Appeals, with a copy being sent to the department * * *, within fifteen (15) days from the date that person received notice of the action of the department being aggrieved. If the person aggrieved fails to appeal within this fifteen-day period, the action of the department * * * shall take effect as set out in the notice. The department * * * retains the authority to change at any time the action aggrieved to in an appeal under this subsection. The applicant or holder of any permit issued under this article may waive his right to notice and opportunity to a hearing as provided by this subsection and agree to the action being taken by the department. The inability of the department * * * to issue or renew a permit due to an incomplete application or due to the failure of the applicant to pay the annual privilege taxes and fees provided by Section 27-71-5 and/or the failure of the applicant to post or deposit the bond, cash or securities as required by Section 27-71-21 shall not constitute a denial for purposes of this subsection.

(2) Any applicant for approval as a manager of an establishment operating under a permit issued under this article or who holds the designation of an approved manager of an establishment operating under a permit issued under this article and who is aggrieved by an action of the department * * * to deny his application for approval as a manager or to revoke or suspend his designation as an approved manager shall be allowed to appeal to the Board of Tax Appeals from this action. This appeal is to be filed by the aggrieved person with the Executive Director of the Board of Tax Appeals, with a copy being sent to the department * * *, within fifteen (15) days from the date that person received notice of the action of the department being aggrieved. If the person aggrieved fails to appeal within this fifteen-day period, the action of the department * * * shall take effect as set out in the notice. The department * * * retains the authority to change at any time the action aggrieved to in an appeal under this subsection. The applicant or holder of an approved manager designation may waive his right to notice and opportunity to a hearing as provided by this subsection and agree to the action being taken by the department. The inability of the department * * * to consider an application for approval of an applicant as a manager due to an incomplete application shall not constitute a denial of the application for purposes of this subsection.

(3) Any applicant for approval of an area or locality as a qualified resort area under this article who is aggrieved by the decision of the department * * * to deny the qualified resort area as requested and any county or municipality wherein the proposed qualified resort area is located may appeal to the Board of Tax Appeals from such decision. This appeal is to be filed by the aggrieved applicant or by the affected county or municipality with the Executive Director of the Board of Tax Appeals, with a copy being sent to the department * * *, within fifteen (15) days from the date that the person or entity filing the appeal received notice of the decision of the department * * * to deny the qualified resort area. If an appeal is not filed within this fifteen-day period, the decision of the department * * * shall become final. The department * * * retains the authority to change at any time the decision aggrieved to in an appeal under this subsection. The inability of the department * * * to consider an application for the approval of an area or locality as a qualified resort area due to an incomplete application shall not constitute a denial of that application for purposes of this subsection.

(4) Any person, including any county or municipality in which the qualified resort area is located, who is aggrieved by the decision of the department * * * to revoke the approval of an area or locality as a qualified resort area may appeal to the Board of Tax Appeals from such decision. This appeal is to be filed by the aggrieved person with the Executive Director of the Board of Tax Appeals, with a copy being sent to the department * * *, within fifteen (15) days from the date that the person or entity filing the appeal received notice of the decision of the department to revoke approval of the qualified resort area. At the discretion of the department * * *, in addition to any other notice to be provided under this subsection, the department may provide notice of its decision to revoke approval of the qualified resort area by publication in the same manner as provided by regulation when approval of a qualified resort area is sought. In regard to such publication, the fifteen-day period provided herein will begin on the date that notice is first published. If an appeal is not filed within this fifteen-day period, the decision of the department * * * shall become final. The department * * * retains the authority to change at any time the decision aggrieved to in an appeal under this subsection.

(5) Any person objecting to an application for the issuance or transfer of a permit, other than a temporary retailer's permit, issued under this article and who timely requests in writing a hearing on his objection shall be given a hearing before the Board of Tax Appeals unless the permit is denied by the department * * * and an appeal is not taken by the applicant to the Board of Tax Appeals from that denial or the applicant withdraws his application. Any written request for a hearing on an objection must be filed with the department * * * within fifteen (15) days from the first date of publication of the notice of such application under Section 67-1-53. If the department determines that the permit

should be denied, notice will be provided to the applicant as set out in subsection (1) of this section, and if the applicant timely requests a hearing on the denial as provided by this subsection (5), the department will advise the Executive Director of the Board of Tax Appeals and the applicant of the written request for a hearing on an objection to the permit. The hearing on the objection to the permit and the hearing on the appeal by the applicant from the denial of the department of the application shall be consolidated and heard by the Board of Tax Appeals at the same time. If the department determines that the permit should be issued, the department will advise the applicant and the Executive Director of the Board of Tax Appeals of the timely written request for a hearing on an objection to the application and a hearing will be set before the Board of Tax Appeals on this objection. If prior to the hearing, either the person requesting the hearing withdraws his request or the applicant withdraws his application, the hearing will be cancelled and the objection proceedings before the Board of Tax Appeals on the application will be dismissed as moot. In the case of such withdrawals, the Board of Tax Appeals is authorized to assess to either or both parties any costs incurred by it prior to such withdrawal. The department * * * retains authority to issue the permit to the applicant where the person objecting to the application withdraws his request for a hearing.

(6) Any person objecting to an application for approval by the department * * * of * * * an area or locality as a qualified resort area under this article and who timely requests in writing a hearing on his objection shall be given a hearing before the Board of Tax Appeals unless approval of the application is denied by the department * * * and an appeal is not taken by the applicant or the county or municipality in which the proposed qualified resort area is located to the Board of Tax Appeals from that denial or the applicant withdraws his application. Any written request for a hearing on an objection must be filed with the department * * * within fifteen (15) days from the first date of publication of the notice of such application as provided by regulation. If the department determines that the application for approval of the proposed area or locality as a qualified resort area should be denied, the department will proceed with denial of such application as set out in subsection (3) of this section, and if the applicant or the county or municipality in which the proposed qualified resort area is located timely requests a hearing on the denial as provided by subsection (3) of this section, the department will advise the Executive Director of the Board of Tax Appeals and the applicant of the written request for a hearing on an objection to the application. The hearing on the objection to approval of the proposed qualified resort area and the hearing on the appeal from the denial of the department of the application for such approval shall be consolidated and heard by the Board of Tax Appeals at the same time. If the department determines that the proposed qualified resort area should be approved, the department will advise the applicant and the Executive Director of the Board of Tax Appeals of the timely written request for a hearing on an objection to the application and a hearing will be set before the Board of Tax Appeals on this objection. If prior to the hearing, either the person requesting the hearing withdraws his request or the applicant withdraws his application, the hearing will be cancelled and the objection proceedings before the Board of Tax Appeals on the application will be dismissed as moot. In the case of such withdrawals, the Board of Tax Appeals is authorized to assess to either or both parties any costs incurred by it prior to such withdrawal. The department * * * retains authority to approve the proposed area or locality as a qualified resort area where the person objecting to the application withdraws his request for a hearing.

(7) Any person having an interest in any alcoholic beverages, light wine, beer, light spirit products or raw materials which the department * * * intends to dispose of under Section 67-1-18 shall be given reasonable notice of this proposed disposal, and upon such notice, this person may request a hearing before the Board of Tax Appeals to establish his right or claim to this property. This request for a hearing shall be filed with the Board of Tax Appeals, with a copy sent to the department * * *, within fifteen (15) days from the date of receipt of the notice provided above by the person filing the request. If a request is not received by the Board of Tax Appeals within this fifteen-day period, the department may order the property disposed of in accordance with Section 67-1-18.

(8) Upon receipt of a written request for hearing or appeal as set out above, the executive director shall schedule a hearing before the Board of Tax Appeals on this request or appeal. A notice of the hearing shall be mailed to all persons or entities having an interest in the matter being heard which shall always include the person or entity filing the request or appeal for which the hearing is being set, the applicant or holder of any permit, approved manager status or qualified resort area status in issue, any person who filed a written request for a hearing on an objection to any application in issue and the department * * *. This notice shall provide the date, time and location of the hearing. Mailing to the attorney representing a person or entity in the matter being heard shall be the same as mailing to the person or entity the attorney represents. Failure of the person or entity on whose request or appeal the matter was set for hearing to appear personally or through his designated representative at the hearing shall constitute an involuntary withdrawal of his request or appeal. Upon such withdrawal, the Board of Tax Appeals shall note on the record the failure of the person or entity to appear at the hearing and shall dismiss the request or appeal and remand the matter back to the department * * * for appropriate action.

(9) At any hearing before the Board of Tax Appeals on an appeal or hearing request as set out above, two (2) members of the Board of Tax Appeals shall constitute a quorum. At the hearing, the Board of Tax Appeals shall try the issues presented according to law and the facts and pursuant to any guidelines established by regulation. The rules of evidence shall be relaxed at the hearing and the hearing shall be recorded by a court reporter. After reaching a decision on the issues presented, the Board of Tax Appeals shall enter an order setting forth its findings and decision in the matter. A copy of the order of the Board of Tax Appeals shall be mailed to the person or entity filing the request or appeal which was heard, the applicant or holder of any permit, approved manager status or qualified resort area status in issue, any person who filed a written request for a hearing on an objection to any application in issue and the department * * * to notify them of the findings and decision of the Board of Tax Appeals.

SECTION 42. Section 67-1-75, Mississippi Code of 1972, is amended as follows:

67-1-75. If the holder of a package retailer's permit, or any employee thereof:

(a) Shall sell, offer for sale or permit to be sold in, on or about the premises covered by such permit any alcoholic beverages except in the original sealed and unopened packages; or

(b) Shall permit the drinking or consumption of any alcoholic beverages in, on or about the premises covered by such permit except as may be otherwise authorized by this article; or

(c) Shall sell, offer for sale or permit the sale in, on or about the premises of alcoholic beverages in any package or container containing less than fifty (50) milliliters by liquid measure; then such person or employee shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than One Thousand Dollars ($1,000.00) or by imprisonment in the county jail for a term of not more than one (1) year, or by both such fine and imprisonment, in the discretion of the court. In addition, in the case of the commission of any of such offenses by the holder of a permit, it shall be the duty of the * * * department forthwith to revoke the permit held by such person and conviction of the criminal offense shall not be a condition precedent to such revocation.

SECTION 43. Section 67-1-77, Mississippi Code of 1972, is amended as follows:

67-1-77. (1) It shall be unlawful for the holder of a manufacturer's or wholesaler's permit, or anyone connected with the business of such holder, or for any other distiller, wine manufacturer, rectifier, blender or bottler, to have any financial interest in any premises upon which any alcoholic beverage is sold at retail by any permittee, or in the business conducted by such permittee, except that:

(a) The holder of a manufacturer's or wholesaler's permit may contract for the service of a representative in the area of governmental affairs on a part-time basis with a holder of an on-premises permit.

(b) A distiller, wine manufacturer, rectifier, blender or bottler may have a financial interest in a premises upon which alcoholic beverages are sold at retail by a permittee, or in the business conducted by a permittee, if the permittee does not sell or serve any alcoholic beverages that are distilled, manufactured, rectified, blended or bottled by the distiller, wine manufacturer, rectifier, blender or bottler having the financial interest in the premises or in the business conducted by a permittee.

(c) [Through June 30, 2026] A distiller, wine manufacturer, rectifier, blender or bottler may have a financial interest in and possess a distillery retailer's permit and a wine festival permit.

(c) [From and after July 1, 2026] A distiller, wine manufacturer, rectifier, blender or bottler may have a financial interest in and possess a distillery retailer's permit.

(d) The holder of a manufacturer's permit which is located adjacent to the Mississippi Museum of Art and is bordered by Court Street, Farish Street, South Street and Town Creek may have a financial interest in a premises upon which alcoholic beverages are sold at retail.

(2) It shall also be unlawful for any such person, or anyone connected with his, its, or their business to lend any money or make any gift or offer any gratuity, to any retail permittee, except as authorized by regulations of the * * * department, to the holder of any retail permit issued under the provisions of this article. Except as above provided, no retail permittee shall accept, receive, or make use of any money or gift furnished by any such person, or become indebted to such person except for the purchase of alcoholic beverages.

(3) The * * * department shall not prohibit the furnishing of advertising specialties, printed materials, or other things having nominal value to a retail permittee. This section shall not be construed to prohibit the possession by any person of advertising specialties, printed materials, or other things having nominal value furnished by a retail permittee.

(4) Any person violating the provisions of this section shall, upon conviction, be punished by a fine of not more than Five Thousand Dollars ($5,000.00) or by imprisonment for not more than two (2) years, or by both such fine and imprisonment, in the discretion of the court.

SECTION 44. Section 67-1-83, Mississippi Code of 1972, is amended as follows:

67-1-83. (1) It shall be unlawful for any permittee orany employee or agent thereof to sell or furnish any alcoholic beverage to any person who is visibly intoxicated, or to any person who is known to habitually drink alcoholic beverages to excess, or to any person who is known to be an habitual user of narcotics or other habit-forming drugs. It shall also be unlawful for the holder of any package retailer's permit to sell any alcoholic beverages

except by delivery in person to the purchaser at the place of business of the permittee, unless the holder of a package retailer's permit also holds a delivery service permit or uses a delivery service permittee to effect delivery.

(2) It shall be unlawful for any permittee or any employee or agent thereof to sell or furnish any alcoholic beverage to any person to whom the department has, after investigation, decided to prohibit the sale of those beverages because of an appeal to the department so to do by the husband, wife, father, mother, brother, sister, child, or employer of the person. The interdiction in those cases shall last until removed by thedepartment, but no person shall be held to have violated this subsection unless he has been informed by the department, by registered letter, that it is forbidden to sell to that individual or unless that fact is otherwise known to the permittee or its employee or agent.

(3) It shall be unlawful for any holder of a package retailer's permit, or any employee or agent thereof, engaged solely in the business of package retail sales under this article to sell or furnish any alcoholic beverage before 10:00 a.m. and after 10:00 p.m. or to sell alcoholic beverages on Sunday and Christmas Day.

(4) Any person who violates any of the provisions of this section shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than Five Hundred Dollars ($500.00) or by imprisonment in the county jail for a term of not more than six (6) months, or by both that fine and imprisonment, in the discretion of the court. In addition to any other penalties prescribed by law, the * * * department may immediately revoke the permit of any permittee who violates the provisions of this section.

SECTION 45. Section 67-1-87, Mississippi Code of 1972, is amended as follows:

67-1-87. (1) Any person convicted of a violation of any of the provisions of this article for which no other penalty is specifically provided herein shall be guilty of a misdemeanor and shall be punished by a fine of not more than One Thousand Dollars ($1,000.00), or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

(2) Any person convicted of a violation of any rules or regulations promulgated by the * * * department or corporation under the authority of this article shall be subject to a civil penalty to be assessed by the * * * department or corporation, respectively, in an amount not to exceed One Thousand Dollars ($1,000.00) to be deposited into the State General Fund.

SECTION 46. Section 67-1-89, Mississippi Code of 1972, is amended as follows:

67-1-89. In addition to any other rights and remedies which it may have, the * * * department, in the name of the * * * commissioner, shall have the right to resort to and apply for injunctive relief, both temporary and permanent, in any court of competent jurisdiction to enforce compliance with the provisions of this article and to restrain and prevent violations and threatened violations thereof. The Attorney General, district attorneys and county attorneys of this state, shall aid and assist the * * * department in all such actions when requested by the * * * commissioner so to do.

SECTION 47. Section 67-1-91, Mississippi Code of 1972, is amended as follows:

67-1-91. (1) It is hereby made the duty of every police and peace officer and every district and county attorney and the * * * division of the * * * department to enforce the provisions of this article and to inform against and diligently prosecute persons whom they

have reasonable cause to believe to be offenders against the provisions thereof. Every such officer refusing or neglecting to do so shall be guilty of a misdemeanor, and the court, in addition to imposing the penalty therefor, shall adjudge forfeiture of his office.

(2) In any county or municipality where it is readily apparent that local law enforcement authorities in cooperation with the agents and inspectors provided by the * * * department cannot control the illegal sale of alcoholic beverages, the * * * department shall request such assistance as it may deem necessary from the Mississippi Highway Safety Patrol; and it shall be the duty of the Governor of the State of Mississippi to see that the laws of the state are properly enforced by use of the additional authority as herein provided.

(3) The officers, agents and representatives of the * * * department and the * * * division thereof are authorized and directed to strictly enforce the prohibition laws throughout the state, except in those counties and municipalities which have voted for the legalized sale of intoxicating liquor. The State Highway Patrol, sheriffs, police departments, constables, and all peace officers, and prosecuting attorneys, the Attorney General's office, district attorneys, county attorneys, city attorneys, and all others charged with upholding the law, as well as the citizenry of this state, are hereby urged and directed to uphold the dignity of the law, to foster public respect therefor and to strictly enforce the laws against intoxicating liquor in all cases while operating a motor vehicle on the streets and highways of this state, and to enforce the law and prosecute against the wrongful use of intoxicating liquor in any county or municipality by a permit holder or licensee or anyone else under such circumstances and conditions as would lead to a breakdown in public law or is violative of the public sense of common decency, as well as to enforce the law against gambling, organized crime, or social vice and corruption.

SECTION 48. Section 67-1-101, Mississippi Code of 1972, is amended as follows:

67-1-101. (1) For the purposes of this section, the following words shall have the following meanings ascribed in this section, unless the context clearly otherwise requires:

(a) "Municipality" means any incorporated city, town or village that has voted in favor of coming out from under the dry law or is in a county that has voted in favor of coming out from under the dry law.

(b) "Leisure and recreation district" means an area officially designated by ordinance or resolution of the governing authorities of a municipality or county as a leisure and recreation district.

(c) "County" means any county that has voted in favor of coming out from under the dry law.

(2) (a) Subject to the provisions of this section, the governing authorities of a municipality, by ordinance, may establish one or more leisure and recreation districts within the corporate boundaries of the municipality and designate the geographic area or areas to be included within a district. The governing authorities of a municipality, by ordinance, may modify the boundaries of a leisure and recreation district. In addition, the boundaries of a leisure and recreation district may extend from within the municipality into the unincorporated area of the county in which the municipality is located if the county consents to the extension and has voted in favor of coming out from under the dry law.

(b) Subject to the provisions of this section, the board of Supervisors of a county, by resolution, may establish one or more leisure and recreation districts within the

county that are outside the corporate limits of any municipality in the county and designate the geographic area or areas to be included within the districts.

(c) The designation or modification of the geographic area or areas as a leisure and recreation district shall include a detailed description of the area or areas within the district, boundaries of the district and a georeferenced map of the district. In addition to any other matters addressed in an ordinance or resolution establishing or modifying a leisure and recreation district, a municipality or county, as the case may be, must describe the manner in which the municipality or county, as the case may be, will provide for adequate law enforcement and other public safety measures and services within the district. Following the establishment and/or modification of a leisure and recreation district, the municipality or county, as the case may be, shall provide the department * * * with (i) a copy of any ordinance or resolution relating to the establishment or modification of the district, (ii) verification from the municipal police department and/or applicable sheriff's department indicating how such department will provide adequate law enforcement and other public safety measures and services within the district, and (iii) a list of persons or other entities that hold permits issued under Section 67-1-51(c), (e), (f), (g), (l), (n) or (o) and are located and/or doing business under such permits in the district at the time the district is established.

SECTION 49. Section 67-1-201, Mississippi Code of 1972, is amended as follows:

67-1-201. In addition to the definitions provided in Section 67-1-5, which apply to this article, the following terms as used in this article shall have the following meanings unless otherwise required by the context:

(a) "Commissioner" means the Commissioner of Revenue.

(b) "Construction contractor" means an entity contracting with the Department of Finance and Administration to design and construct a warehouse under this article.

(c) "Occasional improvements" means items of maintenance, repairs, upgrades or other improvements for the warehouse or its equipment that are not performed on a monthly basis.

(d) "Regular maintenance" means monthly overhead expenses, including, but not limited to, utilities, cleaning services and lawn care.

(e) "Shipping costs" means the cost to the * * * corporation per case of alcoholic beverages delivered from the warehouse to the permittee's premises.

(f) "State" means the State of Mississippi.

(g) "Warehouse" or "new warehouse" means a liquor distribution warehouse constructed under this article.

(h) "Warehouse operator" or "operator" means an entity contracting with the * * * corporation to perform warehouse and distribution operations.

(i) "Warehouse and distribution operations" or "operations" means services provided to or on behalf of the state for the management of the warehouse and the distribution of alcoholic beverages. "Warehouse and distribution operations" or

"operations" may include shipping; however, nothing herein shall preclude the * * * corporation from entering into separate contracts for operations and for shipping.

SECTION 50. Section 67-1-203, Mississippi Code of 1972, is amended as follows:

67-1-203. (1) The Department of Finance and Administration, using the monies available in the ABC Warehouse Construction Fund created in Section 67-1-211(1) and such other monies as the Legislature may make available, shall purchase land for and shall provide for the design and construction of a warehouse for the * * * corporation in the most expedient and cost-effective manner practicable as determined by the Executive Director of the Department of Finance and Administration.

(2) The Department of Finance and Administration shall select a suitable site for the warehouse within fifty (50) miles of the new state capitol building. In selecting a site, the Department of Finance and Administration shall consider the feasibility of selecting state-owned land by comparing the cost of preparing the state-owned land for construction to the cost of acquiring other land and preparing such other land for construction.

(3) The contract for design and construction shall provide that the operator shall be consulted so that the warehouse may, so far as possible, suit the preferences of the operator in furtherance of effective operations. The contract shall also provide that the design shall aim to fill demand for the next twenty-five (25) years.

(4) A contract for warehouse construction shall not be entered into unless the construction contractor has demonstrated:

(a) The qualifications, experience and management personnel necessary to carry out the terms of the contract;

(b) The ability to comply with applicable federal and state laws; and

(c) The ability to expedite the design and construction of facilities comparable to the warehouse.

SECTION 51. Section 67-1-205, Mississippi Code of 1972, is amended as follows:

67-1-205. (1) The * * * corporation shall assume the department's contract for warehouse and distribution operations as of July 1, 2024, and shall negotiate all such subsequent contracts. The shipping contract in effect on July 1, 2022, shall remain in effect until the expiration of its term.

(2) The * * * corporation shall pay regular maintenance expenses and shall reimburse the operator for services performed under the contract out of monies appropriated by the Legislature.

(3) The contract shall include the following terms:

(a) The * * * corporation shall pay the operator cost-plus on these operations at a set dollar amount per case of alcoholic beverages sold. Otherwise, the contract shall not alter the current cash flow of operations;

(b) The operator shall be allotted a monthly spending limit for occasional improvements. The state may, at any time, review the operator's spending. The operator shall obtain prior state approval for any spending over the monthly limit set in the contract. The contract shall allow the operator to pay out of pocket, in which case the state will reimburse the operator on a monthly basis out of monies in the ABC Warehouse Improvements Fund created in Section 67-1-211(2);

(c) Shipping costs, where the contract encompasses shipping, shall be based on a set dollar amount per case of alcoholic beverages shipped from the warehouse to the permittee's premises;

(d) The * * * corporation and the operator may provide for the operator's software to interface with the * * * corporation's system in a manner allowing for information sharing in furtherance of efficient operations while also protecting the security of the * * * corporation's system;

(e) The * * * corporation shall develop quality and efficiency criteria for determining whether to renew a contract for warehouse and distribution operations;

(f) The obligation of the * * * corporation to proceed under the contract is conditioned upon the appropriation of funds by the Legislature and the receipt of state or federal funds. If the funds anticipated for the continuing time fulfillment of the agreement are, at any time, not forthcoming or insufficient, either through the failure of the federal government to provide funds or of the State of Mississippi to appropriate funds, or the discontinuance or material alteration of the program under which funds were provided, or if funds are not otherwise available to the * * * corporation, the * * * corporation shall have the right, upon ten (10) working days' written notice to the operator, to terminate this agreement without damage, penalty, cost or other expenses to the * * * corporation of any kind whatsoever. The effective date of termination shall be as specified in the notice of termination;

(g) The state and the operator as parties to the contract and all terms of the contract shall be subject to and governed by the laws of the state at the time the contract is entered into, and any later amendments to such laws, through the duration of the contract; and

(h) The operator shall be required to comply with any duties, responsibilities, conditions or other provisions required by state law during the duration of the contract, regardless of whether such duties, responsibilities, conditions or other provisions were required by state law at the time the contract was entered into.

(4) The initial contract for operations shall terminate on the earlier of: (a) four (4) years from the date it commences; or (b) the last day of the use of the warehouse that is in service on July 1, 2022. The contract may be renewed for four (4) years, with another option to renew at the end of that four-year term. The * * * corporation shall issue requests for proposals before entering any subsequent contract. Requests for proposals shall be required whenever a contract is not renewed, but no less frequently than every twelve (12) years.

(5) The contract shall provide that all employees needed for operations shall be employees of the operator.

(6) A contract for warehouse and distribution operations shall not be entered into unless the operator has demonstrated:

(a) The qualifications, experience and management personnel necessary to carry out the terms of the contract; and

(b) The ability to comply with applicable federal and state laws.

(7) A contract for operations shall not be entered into unless the following requirements are met:

(a) In addition to fire and casualty insurance, the operator provides at least Ten Million Dollars ($10,000,000.00) of liability insurance. The liability insurance shall be issued by an insurance company with a rating of at least an A- according to AM Best standards. In determining the adequacy of such insurance, the Department of Finance and Administration shall determine whether:

(i) The insurance is adequate to protect the state from any and all actions by a third party against the operator or the state as a result of the contract;

(ii) The insurance is adequate to protect the state against any and all claims arising as a result of any occurrence during the term of the contract;

(iii) The insurance is adequate to assure the operator's ability to fulfill its contract with the state in all respects, and to assure that the operator is not limited in this ability because of financial liability which results from judgments; and

(iv) The insurance is adequate to satisfy such other requirements specified by the independent risk management/actuarial firm.

(b) The sovereign immunity of the state shall not apply to the operator. Neither the operator nor the operator's insurer may plead the defense of sovereign immunity in any action arising out of the performance of the contract.

(c) The operator shall post a performance bond to assure the operator's faithful performance of the specifications and conditions of the contract. The bond is required throughout the term of the contract. The terms and conditions must be approved by the * * * corporation and the Department of Finance and Administration, and such approval is a condition precedent to the contract taking effect.

(d) The operator shall defend any suit or claim brought against the state arising out of any act or omission in operations, and shall hold the state harmless from such claim or suit. The operator shall be solely responsible for the payment of any legal or other costs relative to any such claim or suit. The operator shall reimburse the state for any costs that it may incur as a result of such claim or suit immediately upon being submitted a statement therefor by the Attorney General.

Any suit brought or claim made arising out of any act or omission in operations shall be made or brought against the operator and not the state.

The Attorney General retains all rights and emoluments of his or her office which include direction and control over any litigation or claim involving the state.

SECTION 52. Section 67-1-207, Mississippi Code of 1972, is amended as follows:

67-1-207. A plan shall be developed and certified by the * * * president which demonstrates the method by which the state would resume control of the warehouse upon termination of the contract for operations. The plan shall be submitted for review and comment to the Governor, the Lieutenant Governor, the Speaker of the House, the Chairmen of the Senate Finance Committee and the House Ways and Means Committee, and the Joint Legislative Committee on Performance Evaluation and Expenditure Review.

SECTION 53. Section 67-1-211, Mississippi Code of 1972, is amended as follows:

67-1-211. (1) A special fund, to be designated the "ABC Warehouse Construction Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the State General Fund * * *. Monies in this special fund shall be used to assist the Department of Finance and Administration in paying the costs associated with land acquisition for, and the design, construction, furnishing and equipping of, a new warehouse for the * * * corporation. In addition, monies in this special fund shall be used to pay the costs of relocating inventory to the new warehouse from the warehouse that is in service on July 1, 2022. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

(2) A special fund, to be designated the "ABC Warehouse Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the State General Fund * * *. Monies in this special fund shall be used to assist the * * * corporation in paying the costs associated with occasional improvements. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 54. Section 67-3-3, Mississippi Code of 1972, is amended as follows:

67-3-3. When used in this chapter, unless the context indicates otherwise:

(a) "Commissioner" means the Commissioner of Revenue * * *, and his authorized agents and employees.

(b) "Person" means one or more persons, a company, a corporation, a partnership, a syndicate or an association.

(c) "Brewpub" shall have the meaning ascribed to such term in Section 27-71-301.

(d) "Beer" means a malt beverage as defined in the Federal Alcohol Administration Act and any rules and regulations adopted pursuant to such act of an alcoholic content of not more than eight percent (8%) by weight.

(e) "Light wine" means wine of an alcoholic content of not more than five percent (5%) by weight.

(f) "Small craft brewery" means a person having a permit under this chapter to manufacture or brew light wine, light spirit product or beer in this state and who

manufactures or brews not more than sixty thousand (60,000) barrels of light wine, light spirit product or beer at all breweries that such person or its affiliates, subsidiary or parent company owns or controls or with whom such person contracts with for the manufacture of light wine, light spirit product or beer. For purposes of this paragraph, contract-brewed beer manufactured by a person having a permit under this chapter to manufacture or brew light wine, light spirit product or beer shall be included in the sixty-thousand-barrel limitation.

(g) "Growler" means a sealed container that holds not more than one hundred twenty-eight (128) ounces of light wine, light spirit product or beer. A growler must have a label on it stating what it contains.

(h) "Manufacturer" shall have the meaning ascribed to such term in Section 27-71-301.

(i) "Contract-brewed beer" means beer brewed by a manufacturer who:

(i) Makes the beer pursuant to a written contract with another beer manufacturer, and neither entity has a controlling interest in the other entity;

(ii) Makes the beer in accordance with a recipe that is a trade secret of the beer manufacturer having its beer made under contract; and

(iii) Has no right to sell the beer to any other beer manufacturer, importer or wholesaler other than the beer manufacturer who contracted for the beer.

(j) "Light spirit product" means a beverage of an alcoholic content of not more than six percent (6%) by weight and containing one or more distilled spirits, as defined in Section 67-1-5.

(k) "Microbrewery" means a person having a permit under this chapter to manufacture or brew light wine, light spirit product or beer in this state and who manufactures or brews not more than three thousand (3,000) barrels of light wine, light spirit product or beer at its permitted location.

(l) "Corporation" means the Mississippi Alcoholic Beverage Corporation.

(m) "President" means the President of the Alcoholic Beverage Corporation, who shall serve as the corporation's chief executive officer.

SECTION 55. Section 67-3-17, Mississippi Code of 1972, is amended as follows:

67-3-17. (1) Any person desiring to engage in any business taxable under Sections 27-71-303 through 27-71-317, * * * either as a retailer, or as a wholesaler or distributor, or as a manufacturer, of light wines, light spirit products or beer, shall file with the commissioner an application for a permit allowing him to engage in such business. The application for a permit shall contain a statement showing the name of the business, and if a partnership, firm, association or limited liability company, the name of each partner or member, and if a corporation the names of two (2) principal officers, the post office address, and the nature of business in which engaged. In case any business is conducted at two (2) or more separate places, a separate permit for each place of business shall be required. The commissioner shall prescribe the form of the application and designate who is required to sign the application. The application shall be signed under penalty of perjury.

(2) The application shall include a statement that the applicant will not, except as otherwise authorized in this chapter, allow any alcoholic beverages as defined in Section 67-1-5, any beer having an alcoholic content of more than eight percent (8%) by weight, any spirit product having an alcoholic content of more than six percent (6%) by weight, or any wine having an alcoholic content of more than five percent (5%) by weight, to be kept, stored or secreted in or on the premises described in such permit or license, and that the applicant will not otherwise violate any law of this state, or knowingly allow any other person to violate any such law, while in or on such premises.

(3) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64 * * *.

SECTION 56. Section 67-3-19, Mississippi Code of 1972, is amended as follows:

67-3-19. Where application is made for a permit to engage in the business of a retailer of light wine, light spirit product or beer, the applicant shall show in his application that he possesses the following qualifications:

(a) Applicant must be a person at least twenty-one (21) years of age, of good moral character and a resident of the State of Mississippi.

(b) Applicant shall not have been convicted of a felony, or of pandering or of keeping or maintaining a house of prostitution, or have been convicted within two (2) years of the date of his application of any violation of the laws of this state or the laws of the United States relating to alcoholic liquor.

(c) Applicant shall not have had revoked, except for a violation of Section 67-3-52, within two (2) years next preceding his application, any license or permit issued to him pursuant to the laws of this state, or any other state, to sell alcoholic liquor of any kind.

(d) Applicant shall be the owner of the premises for which the permit is sought or the holder of an existing lease thereon.

(e) Applicant shall not be residentially domiciled with any person whose permit has been revoked for cause, except for a violation of Section 67-3-52, within two (2) years next preceding the date of the present application for a permit.

(f) The applicant has not had any license or permit to sell beer, light spirit product or light wine at retail revoked, within five (5) years next preceding his application, due to a violation of Section 67-3-52.

(g) Applicant shall not employ any person whose permit has been revoked when such person owned or operated the business on the premises for which a permit is sought or allow such person to have any financial interest in the business of the applicant, until such person is qualified to obtain a permit in his own name.

(h) The applicant is not indebted to the State of Mississippi for any taxes.

(i) If applicant is a partnership, all members of the partnership must be qualified to obtain a permit. Each member of the partnership must be a resident of the State of Mississippi.

(j) If applicant is a corporation, all officers and directors thereof, and any stockholder owning more than five percent (5%) of the stock of such corporation, and the person or persons who shall conduct and manage the licensed premises for the corporation shall possess all the qualifications required herein for any individual permittee. However, the requirements as to residence shall not apply to officers, directors and stockholders of such corporation.

Any misstatement or concealment of fact in an application shall be grounds for denial of the application or for revocation of the permit issued thereon.

The commissioner may refuse to issue a permit to an applicant for a place that is frequented by known criminals, prostitutes, or other law violators or troublemakers who disturb the peace and quietude of the community and frequently require the assistance of peace officers to apprehend such law violators or to restore order. The burden of proof of establishing the foregoing shall rest upon the commissioner.

SECTION 57. Section 67-3-22, Mississippi Code of 1972, is amended as follows:

67-3-22. (1) The production limits for a brewpub shall be based upon production as determined by the department * * * pursuant to Section 27-71-307 * * * and a brewpub shall not manufacture more than seventy-five thousand (75,000) gallons of light wine or beer per calendar year.

(2) Light wine or beer produced at a brewpub shall not be sold at a price less than it cost to manufacture such light wine or beer.

(3) A brewpub shall be required to offer for sale light wine or beer that is normally carried on the inventory of wholesalers or distributors of light wine or beer.

SECTION 58. Section 67-3-23, Mississippi Code of 1972, is amended as follows:

67-3-23. Upon receipt of an application for a permit to engage in any business taxable under * * * Sections 27-71-303 through 27-71-317 * * * and the oath required by Section 67-3-17, the commissioner shall issue to such applicant, without cost, a permit to engage in such business upon condition that the applicant shall obtain a license and pay the tax imposed under the provisions of law for the privilege of engaging, or continuing, in such business. Such permit shall be displayed at all times in some conspicuous place at the applicant's place of business. No permit shall be transferable.

SECTION 59. Section 67-3-28, Mississippi Code of 1972, is amended as follows:

67-3-28. (1) Any person desiring to engage in business as a brewpub shall file with the commissioner, along with the application required by Section 67-3-17, * * * a certificate issued by a licensed testing laboratory indicating that such laboratory has tested a sample of the applicant's beer, light spirit product or light wine, or a combination thereof, and that the alcohol content of such sample of beer does not exceed eight percent (8%) by weight, and the alcohol content of such sample of light spirit product does not exceed six percent (6%) by weight, and the alcoholic content of such sample of light wine does not exceed five percent (5%) by weight.

(2) Every brewpub shall be required to submit to random testing by the commissioner to determine whether any beer being manufactured, sold, kept, stored or

secreted by the license holder contains an alcohol content greater than eight percent (8%) by weight, and light spirit product being manufactured, sold, kept, stored or secreted by the license holder contains an alcoholic content greater than six percent (6%) by weight, and any light wine being manufactured, sold, kept, stored or secreted by the license holder contains an alcoholic content greater than five percent (5%) by weight. The commissioner shall establish and administer testing standards and procedures to be used in such random testing. The brewpub licensee shall be responsible for all costs incurred by the commissioner in conducting random testing under this section.

SECTION 60. Section 67-5-5, Mississippi Code of 1972, is amended as follows:

67-5-5. For purposes of this chapter, the following words and phrases shall have the definitions ascribed herein, unless the context otherwise requires:

(a) "Native wine" shall mean any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The * * * department shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon. In order to be classified as "native wine" under the provisions of this chapter, at least fifty-one percent (51%) of the finished product by volume shall have been obtained from fermentation of grapes, fruits, berries, honey or vegetables grown and produced in Mississippi.

(b) "Native winery" shall mean any place or establishment within this state where native wine is produced in whole or in part for sale.

(c) "Produce" shall mean to do or to perform any act or thing in the process of making native wine.

(d) "Person" shall mean one or more natural persons, or a corporation, partnership or association.

(e) "Producer" shall mean any person who owns, operates or conducts a native winery, but it does not mean the employees of such persons.

(f) "Consumer" shall mean any person who purchases native wine for the purpose of consuming it, giving it away, or distributing it in any way other than by sale, barter or exchange.

(g) "Commission" or "department" shall mean the Mississippi * * * Department of Revenue.

(h) * * * "Corporation" shall mean the Mississippi Alcoholic Beverage Corporation.

(i) "President" shall mean the President of the Alcoholic Beverage Corporation, who shall serve as the corporation's chief executive officer.

SECTION 61. Section 67-5-9, Mississippi Code of 1972, is amended as follows:

67-5-9. (1) Every native winery in the State of Mississippi shall apply for a permit as provided for in Section 67-1-51, * * * and shall be issued said initial and renewal permit by the * * * department upon meeting the qualifications and requirements presently set forth by law or regulation for permits authorized by said Section 67-1-51.

(2) Every native winery shall register with the Secretary of State, shall show the location and permit number of said winery, shall show the name and address of the producer owning, conducting or operating the winery, shall show the name and address of all local agents and such other pertinent information which may be required by the Secretary of State, and shall appoint an agent for service of process within the State of Mississippi.

SECTION 62. Section 67-5-11, Mississippi Code of 1972, is amended as follows:

67-5-11. (1) Within the State of Mississippi, every native winery is authorized to make sales to the * * * corporation or to consumers at the location of the native winery or its immediate vicinity. Every native winery is authorized to make sales to any producer, manufacturer, wholesaler, retailer or consumer located outside of the State of Mississippi who are authorized by law to purchase the same.

(2) With respect to native wines or distilled spirits sold by the * * * corporation to retailers under Section 67-1-41, the native winery or distillery retailer may hold those wines or spirits for onsite pickup instead of shipping them to the * * * corporation warehouse, at the option of the retailer and pursuant to any rules promulgated by the * * * corporation.

SECTION 63. Section 67-5-13, Mississippi Code of 1972, is amended as follows:

67-5-13. (1) Upon every producer holding a permit for the production of native wine, there is levied and imposed for each location for the privilege of engaging and continuing in this state in the production of native wine an annual privilege license tax in an amount equal to Ten Dollars ($10.00) for each ten thousand (10,000) gallons, or any part thereof, of native wine produced by the winery.

(2) There is levied and assessed an excise tax upon each case of native wine sold by a producer to any source to be collected from the producer in the amount provided for in Section 27-71-7. However, native wine produced in Mississippi for export and sale without this state and native wine produced in Mississippi and sold to the * * * corporation shall not be subject to the excise tax, nor shall the tax accrue or be collected on native wines dispensed, as free samples in quantities of not more than six (6) ounces, in the tasting room of a native winery.

(3) The privilege tax imposed by subsection (1) of this section shall be collected in the same manner as presently provided by law for the collection of other alcoholic beverages. The excise tax imposed by subsection (2) of this section shall be reported monthly by the producer to the * * * department and the corporation on all sales made in Mississippi to consumers at the location of the native winery or its immediate vicinity, along with a statement of gallonage produced during that month, and the producer shall remit the tax due and owing with each report. The producer shall also include in the report a statement of gallonage sold and exported for sale outside this state.

(4) The corporation shall remit all taxes levied by and collected under this section to the department in accordance with regulations promulgated by the department, and all such taxes shall be deposited in the State General Fund.

SECTION 64. Section 67-7-5, Mississippi Code of 1972, is amended as follows:

67-7-5. As used in this chapter, the following words or phrases, or the plural thereof, whenever they appear in this chapter, unless the context clearly requires otherwise, shall have the meaning ascribed to them in this section.

(a) "Agreement" means any agreement between a wholesaler and a supplier, whether oral or written, whereby a wholesaler is granted the right to purchase and sell a brand or brands of light wine, light spirit product or beer sold by a supplier.

(b) "Ancillary business" means a business owned by the wholesaler, by a substantial stockholder of a wholesaler, or by a substantial partner of a wholesaler, the primary business of which is directly related to the transporting, storing or marketing of the brand or brands of light wine, light spirit product or beer of a supplier with whom the wholesaler has an agreement; or a business owned by a wholesaler, a substantial stockholder of a wholesaler.

(c) "Commission" or "department" means the Mississippi Department of Revenue * * *.

(d) "Commissioner" means the Commissioner of Revenue * * *.

(e) "Designated member" means the spouse, child, grandchild, parent, brother or sister of a deceased individual who owned an interest, including a controlling interest, in a wholesaler, or any person who inherits under the deceased individual's will, or under the laws of intestate succession of this state; or any person who or entity which has otherwise, through a valid testamentary device by the deceased individual, succeeded the deceased individual in the wholesaler's business, or has succeeded to the deceased individual's ownership interest in the wholesaler pursuant to a written contract or instrument which has been previously approved by the supplier; "designated member" includes the appointed and qualified personal representative and the testamentary trustee of a deceased individual owning an ownership interest in a wholesaler, and it includes the person appointed by a court as the guardian or conservator of the property of an incapacitated individual owning an ownership interest in a wholesaler.

(f) "Establish" means to adjust or regulate, to provide for and uphold.

(g) "Good faith" means honesty in fact and observance of reasonable commercial standards of fair dealing in the trade, as defined in and interpreted under the Uniform Commercial Code.

(h) "Reasonable qualifications" means the standard of the reasonable criteria established and consistently used by the respective supplier for similarly situated wholesalers that entered into, continued or renewed an agreement with the supplier during a period of twenty-four (24) months before the proposed transfer of the wholesaler's business, or for similarly situated wholesalers who have changed managers or designated managers, under the agreement, during a period of twenty-four (24) months before the proposed change in the manager or successor manager of the wholesaler's business.

(i) "Retaliatory action" means the refusal to continue an agreement, or a material reduction in the quality of service or quantity of products available to a wholesaler under an agreement, which refusal or reduction is not made in good faith.

(j) "Sales territory" means a primary area of sales responsibility for the brand or brands of light wine, light spirit product or beer sold by a supplier as designated by an agreement.

(k) "Substantial stockholder or substantial partner" means a stockholder of or partner in the wholesaler who owns an interest of ten percent (10%) or more of the partnership or of the capital stock of a corporate wholesaler.

(l) "Successor" means a person who replaces a supplier with regard to the right to manufacture, sell, distribute or import a brand or brands of light wine, light spirit product or beer.

(m) "Supplier" means a manufacturer or importer of light wine, light spirit product or beer as regulated by the department under Sections 67-3-1 through 67-3-73.

(n) "Transfer of wholesaler's business" means the voluntary sale, assignment or other transfer of ten percent (10%) or more of control of the business or all or substantially all of the assets of the wholesaler, or ten percent (10%) or more of control of the capital stocks of the wholesaler, including without limitation the sale or other transfer of capital stock or assets by merger, consolidation or dissolution, or of the capital stock of the parent corporation, or of the capital stock or beneficial ownership of any other entity owning or controlling the wholesaler.

(o) "Wholesaler" means a wholesaler of light wine, light spirit product or beer as regulated by the department under Sections 67-3-1 through 67-3-73.

(p) "Similarly situated wholesalers" means wholesalers of a supplier that are of a generally comparable size and operate in markets in Mississippi and adjoining states with similar demographic characteristics, including population size, density, distribution and vital statistics, as well as reasonably similar economic and geographic conditions.

(q) "Light wine, light spirit product and/or beer" has the meaning ascribed to such terms in Section 67-3-3.

(r) "Corporation" means the Mississippi Alcoholic Beverage Corporation.

(s) "President" means the President of the Alcoholic Beverage Corporation, who shall serve as the corporation's chief executive officer.

SECTION 65. Section 67-7-11, Mississippi Code of 1972, is amended as follows:

67-7-11. (1) Except as otherwise provided for in this chapter, a supplier shall not amend or modify an agreement; cause a wholesaler to resign from an agreement; or cancel, terminate, fail to renew or refuse to continue under an agreement, unless the supplier has complied with all of the following:

(a) Has satisfied the applicable notice requirements of this section.

(b) Has acted in good faith.

(c) Has good cause for the amendment, modification, cancellation, termination, nonrenewal, discontinuance or forced resignation.

(2) In any action challenging such amendment, modification, termination, cancellation, nonrenewal or discontinuance, the supplier shall have the burden of proving that it has acted in good faith, that the notice requirements under this section have been complied with, and that there was good cause for the amendment, modification, termination, cancellation, nonrenewal or discontinuance.

(3) Except as otherwise provided in this section, and in addition to the time limits set forth in subsection (4)(d) of this section, the supplier shall furnish written notice of the amendment, modification, termination, cancellation, nonrenewal or discontinuance of an agreement to the wholesaler not less than thirty (30) days before the effective date of the amendment, modification, termination, cancellation, nonrenewal or discontinuance. The notice shall be by certified mail and shall contain all of the following:

(a) A statement of intention to amend, modify, terminate, cancel, nonrenew or discontinue the agreement.

(b) A statement of the reason for the amendment, modification, termination, cancellation, nonrenewal or discontinuance.

(c) The date on which the amendment, modification, termination, cancellation, nonrenewal or discontinuance takes effect.

(4) Good cause shall exist for the purposes of a termination, cancellation, nonrenewal or discontinuance under subsection (1)(c) of this section when all of the following occur:

(a) There is a failure by the wholesaler to comply with a provision of the agreement which is both reasonable and of material significance to the business relationship between the wholesaler and the supplier.

(b) The supplier first acquired knowledge of the failure described in * * * paragraph (a) not more than twenty-four (24) months before the date notification was given pursuant to subsection (3) of this section.

(c) The wholesaler was given notice by the supplier of failure to comply with this agreement.

(d) The wholesaler has been afforded thirty (30) days in which to submit a plan of corrective action to comply with the agreement and an additional ninety (90) days to cure such noncompliance in accordance with the plan.

(5) Notwithstanding subsections (1) and (3) of this section, a supplier may terminate, cancel, fail to renew or discontinue an agreement immediately upon written notice given in the manner and containing the information required by subsection (3)(a), (b) and (c) of this section if any of the following occur:

(a) Insolvency of the wholesaler, the filing of any petition by or against the wholesaler under any bankruptcy or receivership law or the assignment for the benefit of creditors or dissolution or liquidation of the wholesaler which materially affects the wholesaler's ability to remain in business.

(b) Revocation or suspension of the wholesaler's state or federal license by the appropriate regulatory agency whereby the wholesaler cannot service the wholesaler's sales territory for more than thirty-one (31) days.

(c) The wholesaler, or a partner or an individual who owns ten percent (10%) or more of the partnership or stock of a corporate wholesaler, has been convicted of a felony under the United States Code or the laws of any state which reasonably may adversely affect the good will or interest of the wholesaler or supplier. However, an existing stockholder or stockholders, or partner or partners, or a designated member or members, shall have, subject to the provisions of this chapter, the right to purchase the partnership interest or the stock of the offending partner or stockholder prior to the conviction of the offending partner or stockholder, and if the sale is completed prior to conviction the provisions of this * * * paragraph shall not apply.

(d) There was fraudulent conduct relating to a material matter on the part of the wholesaler in dealings with the supplier or its product, except that the supplier shall have the burden of proving fraudulent conduct relating to a material matter on the part of the wholesaler in any legal action challenging such termination.

(e) The wholesaler failed to confine to the designated sales territory its sales of a brand or brands to retailers except that this subsection does not apply if there is a dispute between two (2) or more wholesalers as to the boundaries of the assigned territory, and the boundaries cannot be determined by a reading of the description contained in the agreements between the supplier and the wholesalers.

(f) A wholesaler has failed to pay for light wine, light spirit product or beer ordered and delivered in accordance with established terms and the wholesaler fails to make full payment within five (5) business days after receipt of written notice of the delinquency and demand for immediate payment from the supplier.

(g) A wholesaler intentionally has made a transfer of wholesaler's business, other than a transfer to a designated member without prior written notice to the supplier.

(h) A wholesaler intentionally has made a transfer of wholesaler's business, other than a transfer to a designated member, although the wholesaler has prior to said transfer received from supplier a timely notice of disapproval of said transfer in accordance with this chapter.

(i) The wholesaler intentionally ceases to carry on business with respect to any of supplier's brand or brands previously serviced by wholesaler in its territory designated by the supplier, unless such cessation is due to force majeure or to labor dispute and the wholesaler has made good faith efforts to overcome such events. Provided, however, this shall affect only that brand or brands with respect to which the wholesaler ceased to carry on business.

(6) Notwithstanding subsections (1), (3) and (5) of this section, a supplier may terminate, cancel, not renew or discontinue an agreement upon not less than thirty (30) days prior written notice if the supplier discontinues production or discontinues distribution in this state of all the brands sold by the supplier to the wholesaler, except that nothing in this section shall prohibit a supplier from: (a) upon not less than thirty (30) days notice,

discontinuing the distribution of any particular brand or package of light wine, light spirit product or beer; or (b) conducting test marketing of a new brand of light wine, light spirit product or beer which is not currently being sold in this state, except that the supplier has notified the department and the corporation in writing of its plans to test market, which notice shall describe the market area in which the test shall be conducted; the name or names of the wholesaler or wholesalers who will be selling the light wine, light spirit product or beer; the name or names of the brand of light wine, light spirit product or beer being tested; and the period of time, not to exceed eighteen (18) months, during which the testing will take place.

SECTION 66. Section 67-11-3, Mississippi Code of 1972, is amended as follows:

67-11-3. For purposes of this chapter, the following words and phrases shall have the definitions ascribed herein, unless the context otherwise requires:

(a) "Native spirit" shall mean any beverage, produced in Mississippi for sale, manufactured primarily by the distillation of fermented grain, starch, molasses or sugar produced in Mississippi, including dilutions and mixtures of these beverages. In order to be classified as "native spirit" under the provisions of this chapter, at least fifty-one percent (51%) of the finished product by volume shall have been obtained from distillation of fermented grain, starch, molasses or sugar grown and produced in Mississippi.

(b) "Native distillery" shall mean any place or establishment within this state where native spirit is produced in whole or in part for sale.

(c) "Produce" shall mean to do or to perform any act or thing in the process of making native spirit.

(d) "Person" shall mean one or more natural persons, or a corporation, partnership or association.

(e) "Producer" shall mean any person who owns, operates or conducts a native distillery, but it does not mean the employees of such persons.

(f) "Consumer" shall mean any person who purchases native spirit for the purpose of consuming it, giving it away, or distributing it in any way other than by sale, barter or exchange.

(g) "Department" shall mean the Mississippi Department of Revenue.

(h) "Division" shall mean the Alcoholic Beverage Control Division of the department.

(i) "Corporation" means the Mississippi Alcoholic Beverage Corporation.

(j) "President" means the President of the Alcoholic Beverage Corporation, who shall serve as the corporation's chief executive officer.

SECTION 67. Section 67-11-9, Mississippi Code of 1972, is amended as follows:

67-11-9. (1) Within the State of Mississippi, every native distillery is authorized to make sales to the * * * corporation or to consumers at the location of the native distillery

or its immediate vicinity. Every native distillery is authorized to make sales to any producer, manufacturer, wholesaler, retailer or consumer located outside of the State of Mississippi who is authorized by law to purchase the same.

(2) With respect to native spirits sold by the * * * corporation to retailers under Section 67-1-41, the native distillery may hold those spirits for onsite pickup instead of shipping them to the * * * corporation warehouse, at the option of the retailer and pursuant to any rules promulgated by the * * * corporation.

SECTION 68. Section 67-11-11, Mississippi Code of 1972, is amended as follows:

67-11-11. (1) Upon every producer holding a permit for the production of native spirits, there is levied and imposed for each location for the privilege of engaging and continuing in this state in the production of native spirits an annual privilege license tax in an amount equal to Three Hundred Dollars ($300.00) for each one thousand (1,000) gallons, or any part thereof, of native spirits produced by the distillery.

(2) There is levied and assessed an excise tax upon each case of native spirit sold by a producer to any source to be collected from the producer in the amount provided for in Section 27-71-7. However, native spirit produced in Mississippi for export and sale without this state and native spirit produced in Mississippi and sold to the * * * corporation shall not be subject to the excise tax, nor shall the tax accrue or be collected on native spirits dispensed, as free samples in quantities of not more than two (2) ounces, in the tasting room of a native distillery.

(3) The privilege tax imposed by subsection (1) of this section shall be collected in the same manner as presently provided by law for the collection of other alcoholic beverages. The excise tax imposed by subsection (2) of this section shall be reported monthly by the producer to the department and the corporation on all sales made in Mississippi to consumers at the location of the native distillery in its immediate vicinity, along with a statement of gallonage produced during that month, and the producer shall remit the tax due and owing with each report. The producer shall also include in the report a statement of gallonage sold and exported for sale outside this state.

(4) The corporation shall remit all taxes levied by and collected under this section to the department in accordance with regulations promulgated by the department, and all such taxes shall be deposited in the State General Fund.

SECTION 69. Section 27-71-5, Mississippi Code of 1972, is amended as follows:

27-71-5. (1) Upon each person approved for a permit under the provisions of the Alcoholic Beverage Control Law and amendments thereto, there is levied and imposed for each location for the privilege of engaging and continuing in this state in the business authorized by such permit, an annual privilege license tax in the amount provided in the following schedule:

(a) Except as otherwise provided in this subsection (1), manufacturer's permit, Class 1, distiller's and/or

rectifier's:

(i) For a permittee with annual production of

five thousand (5,000) gallons or more $4,500.00

(ii) For a permittee with annual production under five thousand (5,000) gallons $2,800.00

(b) Manufacturer's permit, Class 2, wine manufacturer $1,800.00

(c) Manufacturer's permit, Class 3, native wine manufacturer per ten thousand (10,000) gallons or part thereof produced ..... $ 10.00

(d) Manufacturer's permit, Class 4, native spirit manufacturer per one thousand (1,000) gallons or part thereof produced ..... $ 300.00

(e) Native wine retailer's permit ..... $ 50.00

(f) Package retailer's permit, each ..... $ 900.00

(g) On-premises retailer's permit, except for clubs and common carriers, each ... $ 450.00

(h) On-premises retailer's permit for wine of more than five percent (5%) alcohol by weight, but not more than twenty-one percent (21%) alcohol by weight, each..... $ 225.00

(i) On-premises retailer's permit for clubs ..... $ 225.00

(j) On-premises retailer's permit for common carriers, per car, plane, or other vehicle ..... $ 120.00

(k) Solicitor's permit, regardless of any other provision of law, solicitor's permits shall be issued only in the discretion of the department ..... $ 100.00

(l) Filing fee for each application except for an employee identification card ..... $ 25.00

(m) Temporary permit, Class 1, each ..... $ 10.00

(n) Temporary permit, Class 2, each ..... $ 50.00

(o) (i) Caterer's permit ..... $ 600.00

(ii) Caterer's permit for holders of on-premises retailer's permit ..... $ 150.00

(p) Research permit ..... $ 100.00

(q) Temporary permit, Class 3 (wine only) ..... $ 10.00

(r) Special service permit ..... $ 225.00

(s) Merchant permit ..... $ 225.00

(t) Temporary alcoholic beverages charitable auction permit ..... $ 10.00

(u) Event venue retailer's permit ..... $ 225.00

(v) Temporary theatre permit, each ..... $ 10.00

(w) Charter ship operator's permit ..... $ 100.00

(x) Distillery retailer's permit ..... $ 450.00

(y) Festival wine permit ..... $ 10.00

(z) Charter vessel operator's permit ..... $ 100.00

(aa) Native spirit retailer's permit ..... $ 50.00

(bb) Delivery service permit ..... $ 500.00

(cc) Food truck permit.....$ 100.00

In addition to the filing fee imposed by paragraph (l) of this subsection, a fee to be determined by the department * * * may be charged to defray costs incurred to process applications. The additional fees shall be paid into the State Treasury to the credit of a special fund account, which is hereby created, and expenditures therefrom shall be made only to defray the costs incurred by the department * * * in processing alcoholic beverage applications. Any unencumbered balance remaining in the special fund account on June 30 of any fiscal year shall lapse into the State General Fund.

All privilege taxes imposed by this section shall be paid in advance of doing business. A new permittee whose privilege tax is determined by production volume will pay the tax for the first year in accordance with department regulations. The additional privilege tax imposed for an on-premises retailer's permit based upon purchases shall be due and payable on demand.

Paragraph (y) of this subsection shall stand repealed from and after July 1, 2026.

(2) (a) There is imposed and shall be collected from each permittee, except a common carrier, solicitor, a temporary permittee or a delivery service permittee, by the department, an additional license tax equal to the amounts imposed under subsection

(1) of this section for the privilege of doing business within any municipality or county in which the licensee is located.

(b) (i) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(g), (h), (i), (n) and (u) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Twenty-five Dollars ($225.00) on purchases exceeding Five Thousand Dollars ($5,000.00) and Two Hundred Twenty-five Dollars ($225.00) for each additional purchase of Five Thousand Dollars ($5,000.00), or fraction thereof.

(ii) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(o) and (s) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Fifty Dollars ($250.00) on purchases exceeding Five Thousand Dollars ($5,000.00) and Two Hundred Twenty-five Dollars ($225.00) for each additional purchase of Five Thousand Dollars ($5,000.00), or fraction thereof.

(iii) Any person who has paid the additional privilege license tax imposed by this paragraph, and whose permit is renewed, may add any unused fraction of Five Thousand Dollars ($5,000.00) purchases to the first Five Thousand Dollars ($5,000.00) purchases authorized by the renewal permit, and no additional license tax will be required until purchases exceed the sum of the two (2) figures.

(c) If the licensee is located within a municipality, the department shall pay the amount of additional license tax collected under this section to the municipality, and if outside a municipality the department shall pay the additional license tax to the county in which the licensee is located. Payments by the department to the respective local government subdivisions shall be made once each month for any collections during the preceding month.

(3) When an application for any permit, other than for renewal of a permit, has been rejected by the department, such decision shall be final. Appeal may be made in the manner provided by Section 67-1-39. Another application from an applicant who has been denied a permit shall not be reconsidered within a twelve-month period.

(4) The number of permits issued by the department shall not be restricted or limited on a population basis; however, the foregoing limitation shall not be construed to preclude the right of the department to refuse to issue a permit because of the undesirability of the proposed location.

(5) If any person shall engage or continue in any business which is taxable under this section without having paid the tax as provided in this section, the person shall be liable for the full amount of the tax plus a penalty thereon equal to the amount thereof, and, in addition, shall be punished by a fine of not more than One Thousand Dollars ($1,000.00), or by imprisonment in the county jail for a term of not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court.

(6) It shall be unlawful for any person to consume alcoholic beverages on the premises of any hotel restaurant, restaurant, club or the interior of any public place defined in Chapter 1, Title 67, Mississippi Code of 1972, when the owner or manager thereof displays in several conspicuous places inside the establishment and at the entrances of establishment a sign containing the following language: NO ALCOHOLIC BEVERAGES ALLOWED.

SECTION 70. Section 27-71-7, Mississippi Code of 1972, is amended as follows:

27-71-7. (1) There is hereby levied and assessed an excise tax upon each case of alcoholic beverages sold by the * * * corporation to be collected from each retail licensee at the time of sale in accordance with the following schedule:

(a) Distilled spirits ..... $2.50 per gallon

(b) Sparkling wine and champagne ..... $1.00 per gallon

(c) Other wines, including native wines ..... $ .35 per gallon

(2) (a) In addition to the tax levied by subsection (1) of this section, and in addition to any other markup collected, the * * * corporation shall collect a markup of three percent (3%) on all alcoholic beverages, as defined in Section 67-1-5, * * * which

are sold by the * * * corporation. The proceeds of the markup shall be collected by the * * * corporation from each purchaser at the time of purchase.

(b) Until June 30, 1987, the revenue derived from this three percent (3%) markup shall be deposited by the * * * corporation in the State Treasury to the credit of the "Alcoholism Treatment and Rehabilitation Fund," a special fund which is hereby created in the State Treasury, and shall be used by the Division of Alcohol and Drug Abuse of the State Department of Mental Health and public or private centers or organizations solely for funding of treatment and rehabilitation programs for alcoholics and alcohol abusers which are sponsored by the division or public or private centers or organizations in such amounts as the Legislature may appropriate to the division for use by the division or public or private centers or organizations for such programs. Any tax revenue in the fund which is not encumbered at the end of the fiscal year shall lapse to the State General Fund. It is the intent of the Legislature that the State Department of Mental Health shall continue to seek funds from other sources and shall use the funds appropriated for the purposes of this section and Section 27-71-29 to match all federal funds which may be available for alcoholism treatment and rehabilitation.

From and after July 1, 1987, the revenue derived from this three percent (3%) markup shall be deposited by the * * * corporation in the State Treasury to the credit of the "Mental Health Programs Fund," a special fund which is hereby created in the State Treasury and shall be used by the State Department of Mental Health for the service programs of * * * that department. Any revenue in the "Alcoholism Treatment and Rehabilitation Fund" which is not encumbered at the end of Fiscal Year 1987 shall be deposited to the credit of the "Mental Health Programs Fund."

SECTION 71. Section 27-71-9, Mississippi Code of 1972, is amended as follows:

27-71-9. The * * * department may promulgate regulations authorizing persons holding on-premises retailer's permits for common carriers, as provided herein, to file periodic reports and pay a tax based upon the value of alcoholic beverages sold while in this state, in lieu of purchasing all such alcoholic beverages from the * * * corporation. Such tax shall not be less than an amount equivalent to the gross profit plus all taxes that would have been derived from the sale of a like quantity of alcoholic beverages by the * * * corporation.

SECTION 72. Section 27-71-11, Mississippi Code of 1972, is amended as follows:

27-71-11. (1) The * * * corporation shall from time to time by resolution request the State Bond Commission to provide sufficient funds required to maintain an adequate alcoholic beverage inventory. Said funds shall be provided under the provisions of Chapter 557, Laws of 1966.

(2) The * * * corporation shall add to the cost of all alcoholic beverages a markup of twenty-seven and one-half percent (27-1/2%), inclusive of the three percent (3%) markup imposed by Section 27-71-7(2).

(3) In addition to other excise taxes and markups imposed in this section and in Section 27-71-7, the * * * corporation shall add to the cost of all alcoholic beverages shipped a charge of Twenty-five Cents (25¢) per case, to be deposited into the ABC Warehouse Improvements Fund created in Section 67-1-211(2). However, any unobligated amounts above Ten Million Dollars ($10,000,000.00) remaining in the ABC Warehouse Improvements Fund at the end of a fiscal year shall be transferred to the State General Fund.

(4) Notwithstanding the contract for warehouse and distribution operations under Section 67-1-205, the * * * corporation shall remain responsible for purchasing and selling alcoholic beverages. The * * * corporation shall sell alcoholic beverages at uniform prices throughout the state. Pricing for all alcoholic beverages shall be set by the addition of the markup and taxes to the price at which the beverages were purchased by the * * * corporation.

(5) A permittee's order shall qualify for shipping when it includes the minimum number of cases of alcoholic beverages as set by the * * * corporation. The * * * corporation shall place qualifying orders in a queue for shipment in the order in which the orders are made. An order of fewer than the minimum number of cases, and special orders, shall be added to the permittee's next qualified shipment. The * * * corporation

shall give sufficient notice of any change in the minimum number of cases for shipping and shall allow the opportunity for comment.

(6) The * * * corporation shall set a per-case shipping fee to be charged to permittees. The * * * corporation shall adjust the fee to match, as closely as possible, the shipping costs as defined in Section 67-1-201. The shipping fee charged under this subsection shall be deposited to the credit of the ABC Shipping Fund created in Section 27-71-29.

(7) The * * * corporation shall charge manufacturers a bailment fee of One Dollar ($1.00) per case of alcoholic beverages stored in the warehouse, to be deposited to the credit of the bond sinking fund created in Section 7(3) of Chapter 483, Laws of 2022.

SECTION 73. Section 27-71-13, Mississippi Code of 1972, is amended as follows:

27-71-13. The * * * corporation shall purchase directly from the manufacturer, except under the following conditions:

(a) Foreign brands which are not readily obtainable directly from the manufacturer.

(b) When the * * * corporation can conclusively prove that unusual or extraordinary circumstances exist and the required or desired brands can be purchased at substantially lower prices from wholesalers or brokerage firms.

In all instances involving purchases, other than directly from the manufacturer, the * * * corporation shall maintain full and complete records clearly reflecting the justification for such purchases. Said records shall include invoices, price lists, comparative prices, bills of lading and a certificate of justification signed by the * * * president, as to the conditions requiring the purchase or purchases. All such records shall be retained for a period of three (3) years.

SECTION 74. Section 27-71-15, Mississippi Code of 1972, is amended as follows:

27-71-15. Except as otherwise provided in Section 67-9-1 for the transportation of limited amounts of alcoholic beverages for the use of an alcohol processing permittee, if transportation requires passage through a county which has not authorized the sale of alcoholic beverages, such transportation shall be by a sealed vehicle. Such seal shall remain unbroken until the vehicle shall reach the place of business operated by the permittee. The operator of any vehicle transporting alcoholic beverages shall have in his possession an invoice issued by the * * * corporation at the time of the wholesale sale covering the merchandise transported by the vehicle. The * * * department is authorized to issue regulations controlling the transportation of alcoholic beverages.

When the restrictions imposed by this section and by the regulation of the * * * department have not been violated, the person transporting alcoholic beverages through a county wherein the sale of alcoholic beverages is prohibited shall not be guilty of unlawful possession and such merchandise shall be immune from seizure.

SECTION 75. Section 27-71-17, Mississippi Code of 1972, is amended as follows:

27-71-17. It shall be unlawful for any person to counterfeit or reuse any label prescribed by the * * * department and used to identify alcoholic beverages sold at wholesale by the * * * corporation and, upon conviction, the person shall be punished by a fine of not more than Five Thousand Dollars ($5,000.00), or by imprisonment in the State Penitentiary for not less than one (1) year, nor more than ten (10) years, or both.

SECTION 76. Section 27-71-29, Mississippi Code of 1972, is amended as follows:

27-71-29. (1) All taxes levied by this article shall be paid by the corporation to the department * * * in cash or by personal check, cashier's check, bank exchange, post office money order or express money order and shall be deposited by the department in the State Treasury on the same day collected, but no remittances other than cash shall be a final discharge of liability for the tax herein imposed and levied unless and until it has been paid in cash to the department.

All taxes levied under Section 27-71-7(1) and received by the department under this article shall be paid into the State General Fund, and the three percent (3%) levied under Section 27-71-7(2) and received by the department under this article shall be paid into the special fund in the State Treasury designated as the "Alcoholism Treatment and

Rehabilitation Fund" as required by law. Any funds derived from the sale of alcoholic beverages in excess of inventory requirements shall be paid not less often than annually into the State General Fund, except for a portion of the twenty-seven and one-half percent (27-1/2%) markup provided for in Section 27-71-11, as specified in subsection (2) of this section, and except for fees charged by the * * * corporation for the defraying of costs associated with shipping alcoholic beverages. The revenue derived from these fees shall be deposited by the department into a special fund, hereby created in the State Treasury, which is designated the "ABC Shipping Fund." The monies in this special fund shall be earmarked for use by the * * * corporation for any expenditure made to ship alcoholic beverages. Any net proceeds remaining in the special fund on August 1 of any fiscal year shall lapse into the State General Fund. "Net proceeds" in this section means the total of all fees collected by the * * * corporation to defray the costs of shipping less the actual costs of shipping.

(2) If the special bond sinking fund created in Section 7(3) of Chapter 483, Laws of 2022 has a balance below the minimum amount specified in the resolution providing for the issuance of the bonds, or below one and one-half (1-1/2) times the amount needed to pay the annual debt obligations related to the bonds issued under Section 7 of Chapter 483, Laws of 2022, whichever is the lesser amount, the Commissioner of Revenue shall transfer the deficit amount to the bond sinking fund from revenue derived from the twenty-seven and one-half percent (27-1/2%) markup provided for in Section 27-71-11.

SECTION 77. Section 27-71-301, Mississippi Code of 1972, is amended as follows:

27-71-301. When used in this article the words and terms hereafter mentioned shall have the following definitions:

(a) "State Auditor" means the State Auditor of Public Accounts of the State of Mississippi or any legally appointed deputy, clerk or agent.

(b) "Person" includes all natural persons or corporations, a partnership, an association, a joint venture, an estate, a trust, or any other group or combination acting as a unit and shall include the plural as well as the singular unless an intention to give another meaning thereto is disclosed in the context.

(c) "Consumer" means a person who comes into the possession of beer, light spirit product or light wine, the sale of which is authorized by Chapter 3 of Title 67, Mississippi Code of 1972, for the purpose of consuming it, giving it away or otherwise disposing of it in any manner except by sale, barter or exchange.

(d) "Retailer" means any person who comes into the possession of such light wines, light spirit products or beer for the purpose of selling it to the consumer, or giving it away, or exposing it where it may be taken or purchased or acquired in any other manner by the consumer. The term "retailer" shall include small craft breweries and microbreweries; however, the term "retailer" shall not include a person who offers and provides beer on the premises of a brewery for the purpose of tasting or sampling as authorized in Section 67-3-47.

(e) "Wholesaler" means any person who comes into possession of such light wine, light spirit product or beer for the purpose of selling, distributing, or giving it away to retailers or other wholesalers or dealers inside or outside of this state.

(f) "Commissioner" means the Commissioner of Revenue * * * or his duly appointed agents or employees.

(g) "Sale" includes the exchange of such light wines, light spirit products or beer for money, or giving away or distributing any such light wines, light spirit products or beer for anything of value; however, the term "sale" shall not include beer offered and provided on the premises of a brewery for the purpose of tasting or sampling as authorized in Section 67-3-47.

(h) "Light wines, light spirit products or beer" means beer, light spirit products and light wines legalized for sale by the provisions of Chapter 3 of Title 67, Mississippi Code of 1972.

(i) "Distributor" includes every person who receives either from within or from without this state, from a brewery, a winery or any other source, light wines, light spirit products or beer as defined in Chapter 3 of Title 67, Mississippi Code of 1972, for

the purpose of distributing or otherwise disposing of such light wines, light spirit products or beer to a wholesaler or retailer of such light wines, light spirit products or beer.

(j) "Brewpub" means the premises of any location in which light wine, light spirit product or beer is manufactured or brewed, for retail sale if the total amount of light wine, light spirit product or beer produced on the premises does not exceed the production limitation imposed in Section 67-3-22, and the light wine, light spirit product or beer is produced for consumption on the premises, although without prohibition on sales for off-premises consumption.

(k) "Hospitality cart" means a mobile cart from which alcoholic beverages and light wine, light spirit product and beer are sold on a golf course and for which a hospitality cart permit has been issued under Section 67-1-51.

(l) "Small craft brewery" shall have the meaning ascribed to such term in Section 67-3-3.

(m) "Manufacturer" means a person who brews beer at a brewery; however, the term does not include "brewpubs."

(n) "Microbrewery" shall have the meaning ascribed to such term in Section 67-3-3.

(o) "Corporation" means the Mississippi Alcoholic Beverage Corporation.

(p) "President" means the President of the Alcoholic Beverage Corporation, who shall serve as the corporation's chief executive officer.

SECTION 78. Section 67-1-7, Mississippi Code of 1972, is brought forward as follows:

67-1-7. (1) Except as otherwise provided in Section 67-9-1 for the transportation and possession of limited amounts of alcoholic beverages for the use of an alcohol processing permittee, and subject to all of the provisions and restrictions contained in this article, the manufacture, sale, distribution, and transportation of alcoholic beverages shall be lawful, subject to the restrictions hereinafter imposed, in those counties and municipalities of this state in which, at a local option election called and held for that purpose under the provisions of this article, a majority of the qualified electors voting in such election shall vote in favor thereof.

Beginning on April 16, 2021, except as otherwise provided in Section 67-1-51 for holders of a caterer's permit, the manufacture, sale and distribution of alcoholic beverages shall not be permissible or lawful in counties except in (a) incorporated municipalities located within such counties, (b) qualified resort areas within such counties approved as such by the department, or (c) clubs within such counties, whether within a municipality or not. However, any permits issued by the department between July 1, 2020, and April 15, 2021, for the manufacture, sale and distribution of alcoholic beverages, whether or not issued to permittees in such municipalities, qualified resort areas or clubs, shall be eligible for renewal on or after April 16, 2021.

The manufacture, sale, distribution and possession of native wines or native spirits shall be lawful in any location within any such county except those locations where the manufacture, sale or distribution is prohibited by law other than this section or by regulations of the department.

(2) Notwithstanding the foregoing, within any state park or any state park facility that has been declared a qualified resort area by the department, and within any qualified resort area as defined under Section 67-1-5(o)(iii), an on-premises retailer's permit may be issued for the qualified resort area, and the permittee may lawfully sell alcoholic beverages for consumption on his licensed premises regardless of whether or not the county or municipality in which the qualified resort area is located has voted in favor of coming out from under the dry law, and it shall be lawful to receive, store, sell, possess and consume alcoholic beverages on the licensed premises, and to sell, distribute and transport alcoholic beverages to the licensed premises. Moreover, the governing authorities of a municipality in which a qualified resort area defined under Section 67-1-5(o)(iii)5, 7, 21 or 46 is located, the Pearl River Valley Water Supply District Board which governs the qualified resort area defined under Section 67-1-5(o)(iii)8.a.A, the board of supervisors of the county in which the qualified resort area defined under Section 67-1-5(o)(iii)8.a.B and C is located, and the board of supervisors of the county in which the qualified resort area defined under Section 67-1-5(o)(iii)44 is located, may, by ordinance or resolution, provide that package retailer's permits may be issued in the

applicable qualified resort area, and that it shall be lawful to receive, store, sell, possess and distribute alcoholic beverages in accordance with such package retailer's permits.

SECTION 79. Section 67-1-39, Mississippi Code of 1972, is brought forward as follows:

67-1-39. Any appeal from an order of the Board of Tax Appeals regarding an action taken under this article shall be filed without supersedeas to the Chancery Court of the First Judicial District of Hinds County, Mississippi, if the appellant is the department, or to the county of the domicile of any other appellant. Any such appeal shall be based on the record made before the Board of Tax Appeals and shall be filed within thirty (30) days from the date of the order being appealed. There may be an appeal therefrom to the Supreme Court as in other cases provided, but it shall be without supersedeas on the order of the Board of Tax Appeals to them made and finally determined either by the chancery court or the Supreme Court. Actions taken by the department in suspending a permit when required by Section 93-11-157 or 93-11-163 are not actions resulting in an order from which an appeal may be taken under this section. Any appeal of a permit suspension that is required by Section 93-11-157 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section.

SECTION 80. Section 67-1-51.1, Mississippi Code of 1972, is brought forward as follows:

67-1-51.1. (1) The holder of a delivery service permit under Section 67-1-51:

(a) May contract with the holder of a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or the holder of a beer, light wine and light spirit product retail permit under Section 67-3-19 for the purpose of intrastate delivery of alcoholic beverages or beer, light wine and light spirit product, as authorized to be sold under the respective permits;

(b) May deliver alcoholic beverages or beer, light wine and light spirit product without a delivery contract, if the permittee holds a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or a beer, light wine and light spirit product retail permit under Section 67-3-19, respectively;

(c) May use its own employees or independent contractors who are at least twenty-one (21) years of age to deliver such alcoholic beverages, beer, light wine or light spirit product under this section, provided all delivery agents are trained and certified consistent with the training program submitted to the division as required by subsection (2)(d) of this section. If independent contractors are used, the delivery service permittee must enter into a contract with the retailer as required by subsection (2)(c) of this section;

(d) May facilitate orders by telephone, Internet or other electronic means for the sale and delivery of alcoholic beverages, beer, light wine or light spirit product under this section. The full amount of each order must be handled in a manner that gives the retail permittee control over the ultimate receipt of payment from the consumer. The retail permittee shall remain responsible for the proper remittance of all applicable taxes on the sale of the product;

(e) May deliver only sealed containers of alcoholic beverages, beer, light wine or light spirit product to an individual in Mississippi;

(f) Shall obtain from the customer a confirmation that he or she is at least twenty-one (21) years of age at the time the order is placed;

(g) Shall place a stamp, print or label on the outside of the sealed package to indicate that the sealed package contains alcoholic beverages, beer, light wine or light spirit product;

(h) Shall require the recipient, at the time of delivery, to provide valid photo identification verifying he or she is at least twenty-one (21) years of age and to sign for the delivery;

(i) Shall possess identification scanning software technology or a state-of-the-art alternative at the point of delivery to verify the recipient is at least twenty-one (21) years of age and to collect the recipient's name and date of birth. Records relating to this verification shall be maintained for at least ninety (90) days and shall be subject to review by the division;

(j) Shall return all alcoholic beverages, beer, light wine or light spirit product to the retailer if the recipient is under the age of twenty-one (21) years, appears intoxicated, fails to provide proof of identification, fails or refuses to sign for delivery, fails to complete the identification verification process or declines to accept delivery, or if any circumstances in the delivery environment indicate illegal conduct, overconsumption of alcohol, or an otherwise unsafe environment for the consumption of alcohol;

(k) May not deliver any alcoholic beverage, beer, light wine or light spirit product to any person located within a jurisdiction that is dry for that product, as provided by the division's wet-dry map;

(l) May not deliver any alcoholic beverage, beer, light wine or light spirit product in a jurisdiction during times prohibited for lawful sale in that jurisdiction;

(m) May not deliver any alcoholic beverage, beer, light wine or light spirit product more than thirty (30) miles from the retailer's licensed premises;

(n) Shall permit the division to perform an audit of the licensee's records upon request and with sufficient notification; and

(o) Shall be deemed to have consented to the jurisdiction of the division or any law enforcement agency and the Mississippi courts concerning enforcement of this section and any related laws or rules.

(2) In order to receive a delivery service permit, an applicant shall:

(a) File an application with the division;

(b) Pay the privilege license tax of Five Hundred Dollars ($500.00) as provided in Section 27-71-5;

(c) Provide to the division a sample contract that the applicant intends to enter into with a retailer for the delivery of alcoholic beverages, beer, light wine or light spirit product, unless the applicant is the retailer;

(d) Submit to the division an outline of an internal or external training and certification program for delivery service personnel that addresses topics such as identifying underage persons, intoxicated persons, and fake or altered identification;

(e) Provide an attestation that the applicant is at least twenty-one (21) years of age and has not been convicted of a felony in any state or federal courts;

(f) Shall provide proof of a general liability insurance policy in an amount not less than One Million Dollars ($1,000,000.00) per occurrence; and

(g) Shall be properly registered to conduct business in Mississippi.

(3) Nothing in this section shall be construed to require a technology services company to obtain a delivery service permit if the company does not employ or contract with delivery agents but merely provides software or a digital network application that connects consumers and licensed retailers for the delivery of alcoholic beverages from the licensed retailer. However, the act of connecting consumers to licensed retailers shall serve to grant jurisdiction to the State of Mississippi.

(4) The division may enforce the requirements of this section by the same administrative proceedings that apply to other alcoholic beverage licenses or permits, including, without limitation, any disciplinary action applicable to the package retailer's permittee, on-premises retailer's permittee, retail permittee for beer, light wine or light spirit product, or delivery service permittee resulting from any unlawful sale to a minor.

(5) The division may enforce the requirements of this section against the package retailer's permittee, on-premises retailer's permittee, retail permittee for beer, light wine or light spirit product, or delivery service permittee, and any employee or independent contractor of such permittee. If a package retailer permittee, an on-premises retailer's permittee, or a retail permittee for beer, light wine or light spirit product is also a delivery permittee, a violation of alcohol law by its employee or independent contractor during delivery will subject both the retailer permit and the delivery service permit to disciplinary action for the violation. Delivery to a minor shall be treated as furnishing to a minor and shall result in any applicable disciplinary action.

(6) Nothing in this section shall be construed to limit or otherwise diminish the ability of the division to enforce the provisions of Chapters 1 and 3, Title 67, Mississippi Code of 1972, with respect to the liability of any package retailer's permittee, on-premises retailer's permittee, retail permittee for beer, light wine or light spirit product, or delivery service permittee engaging in delivery activity authorized by this section.

(7) Nothing in this section shall be construed to authorize the direct shipment of alcoholic beverages, light wine, beer or light spirit product from any manufacturer or distributor holding a permit under this article, or under Title 67, Chapter 3, Mississippi Code of 1972, to consumers in this state.

SECTION 81. Section 67-1-71, Mississippi Code of 1972, is brought forward as follows:

67-1-71. The department may revoke or suspend any permit issued by it for a violation by the permittee of any of the provisions of this article or of the regulations promulgated under it by the department.

Permits must be revoked or suspended for the following causes:

(a) Conviction of the permittee for the violation of any of the provisions of this article;

(b) Willful failure or refusal by any permittee to comply with any of the provisions of this article or of any rule or regulation adopted pursuant thereto;

(c) The making of any materially false statement in any application for a permit;

(d) Conviction of one or more of the clerks, agents or employees of the permittee, of any violation of this article upon the premises covered by such permit within a period of time as designated by the rules or regulations of the department;

(e) The possession on the premises of any retail permittee of any alcoholic beverages upon which the tax has not been paid;

(f) The willful failure of any permittee to keep the records or make the reports required by this article, or to allow an inspection of such records by any duly authorized person;

(g) The suspension or revocation of a permit issued to the permittee by the federal government, or conviction of violating any federal law relating to alcoholic beverages;

(h) The failure to furnish any bond required by Section 27-71-21 within fifteen (15) days after notice from the department; and

(i) The conducting of any form of illegal gambling on the premises of any permittee or on any premises connected therewith or the presence on any such premises of any gambling device with the knowledge of the permittee.

The provisions of paragraph (i) of this section shall not apply to gambling or the presence of any gambling devices, with knowledge of the permittee, on board a cruise vessel in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, or on any vessel as defined in Section 27-109-1 whenever such vessel is on the Mississippi River or navigable waters within any county bordering on the Mississippi River. The department may, in its discretion, issue on-premises retailer's permits to a common carrier of the nature described in this paragraph.

The provisions of paragraph (i) of this section shall not apply to the operation of any game or lottery authorized by Chapter 115, Title 27.

No permit shall be suspended or revoked until after the permittee has been provided reasonable notice of the charges against him for which suspension or revocation is sought and the opportunity to a hearing before the Board of Tax Appeals to contest such charges and the suspension or revocation proposed. Opportunity to a hearing is provided without an actual hearing if the permittee, after receiving reasonable notice, including notice of his right to a hearing, fails to timely request a hearing. The permittee may also at any time waive his rights to reasonable notice and/or to the opportunity to a hearing by agreeing to a suspension or revocation offered by the department. Notwithstanding the requirement above that a permit may not be suspended without notice and opportunity to a hearing, sales of alcoholic beverages by a permittee under a permit for which the bond under Section 27-71-21 has been cancelled shall be suspended from and after issuance of the notice provided in paragraph (h) above and shall continue to be suspended until the bond is reinstated, a new bond is posted or sufficient cash or securities as provided under Section 27-71-21 are deposited with the State Treasurer for this permit.

In addition to the causes specified in this section and other provisions of this article, the department shall be authorized to suspend the permit of any permit holder for

being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a permit for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a permit suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a permit suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this article, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 82. Section 67-1-73, Mississippi Code of 1972, is brought forward as follows:

67-1-73. Every manufacturer, including native wine or native spirit producers, within or without the state, and every other shipper of alcoholic beverages who sells any alcoholic beverage, including native wine or native spirit, within the state, shall, at the time of making such sale, file with the department a copy of the invoice of such sale showing in detail the kind of alcoholic beverage sold, the quantities of each, the size of the container and the weight of the contents, the alcoholic content, and the name and address of the person to whom sold.

Every person transporting alcoholic beverages, including native wine or native spirit, within this state to a point within this state, whether such transportation originates within or without this state, shall, within five (5) days after delivery of such shipment, furnish the department a copy of the bill of lading or receipt, showing the name or consignor or consignee, date, place received, destination, and quantity of alcoholic beverages delivered. Upon failure to comply with the provisions of this section, such person shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in the sum of Fifty Dollars ($50.00) for each offense.

SECTION 83. Section 67-1-81, Mississippi Code of 1972, is brought forward as follows:

67-1-81. (1) (a) Any permittee or other person who shall sell, furnish, dispose of, give, or cause to be sold, furnished, disposed of, or given, any alcoholic beverage to any person under the age of twenty-one (21) years shall be guilty of a misdemeanor and shall be punished by a fine of not less than Five Hundred Dollars ($500.00) nor more than One Thousand Dollars ($1,000.00) for a first offense. For a second or subsequent offense, such permittee or other person shall be punished by a fine of not less than One Thousand Dollars ($1,000.00) nor more than Two Thousand Dollars ($2,000.00), or by imprisonment for not more than one (1) year, or by both such fine and imprisonment in the discretion of the court.

(b) (i) If a permittee, or any employee of a permittee, violates paragraph (a) of this subsection (1), then, in addition to any other penalty provided for by law, the commissioner may impose the following penalties against the permittee on whose premises the alcoholic beverages were sold, given or furnished:

1. For the first offense on the licensed premises, suspension of the permit for not more than one (1) week.

2. For a second offense occurring on the licensed premises within a twelve-month period, suspension of the permit for not more than two (2) weeks.

3. For a third offense occurring on the licensed premises within a twelve-month period, suspension of the permit for not more than three (3) weeks or revocation of the permit.

4. For a fourth or subsequent offense occurring on the licensed premises within a twelve-month period, revocation of the permit.

A violation of paragraph (a) of this subsection (1) shall be sufficient to impose the administrative penalties authorized under this paragraph (b), and any expunction of conviction shall have no effect on any administrative penalty imposed against a permittee under this paragraph (b).

(2) Any person under the age of twenty-one (21) years who purchases, receives, or has in his or her possession in any public place, any alcoholic beverages, shall be guilty of a misdemeanor and shall be punished by a fine of not less than Two Hundred Dollars ($200.00) nor more than Five Hundred Dollars ($500.00). Provided, that clearing or busing tables that have glasses or other containers that contain or did contain alcoholic beverages, or stocking, bagging or otherwise handling purchases of

alcoholic beverages shall not be deemed possession of alcoholic beverages for the purposes of this section. Provided further, that a person who is at least eighteen (18) years of age but under the age of twenty-one (21) years who waits on tables by taking orders for or delivering orders of alcoholic beverages shall not be deemed to unlawfully possess or furnish alcoholic beverages if in the scope of his employment by the holder of an on-premises retailer's permit. This exception shall not authorize a person under the age of twenty-one (21) to tend bar or act in the capacity of bartender. Any person under the age of twenty-one (21) who knowingly makes a false statement to the effect that he or she is twenty-one (21) years old or older or presents any document that indicates he or she is twenty-one (21) years of age or older for the purpose of purchasing alcoholic beverages from any person engaged in the sale of alcoholic beverages shall be guilty of a misdemeanor and shall be punished by a fine of not less than Two Hundred Dollars ($200.00) nor more than Five Hundred Dollars ($500.00), and a sentence to not more than thirty (30) days' community service.

(3) The term "community service" as used in this section shall mean work, projects or services for the benefit of the community assigned, supervised and recorded by appropriate public officials.

(4) If a person under the age of twenty-one (21) years is convicted or enters a plea of guilty of purchasing, receiving or having in his or her possession in any public place any alcoholic beverages in violation of subsection (2) of this section, the trial judge, in lieu of the penalties otherwise provided under subsection (2) of this section, shall suspend the minor's driver's license by taking and keeping it in the custody of the court for a period of time not to exceed ninety (90) days. The judge so ordering the suspension shall enter upon his docket "DEFENDANT'S DRIVER'S LICENSE SUSPENDED FOR ____ DAYS IN LIEU OF CONVICTION" and such action by the trial judge shall not constitute a conviction. During the period that the minor's driver's license is suspended, the trial judge shall suspend the imposition of any fines or penalties that may be imposed under subsection (2) of this section and may place the minor on probation subject to such conditions as the judge deems appropriate. If the minor violates any of the conditions of probation, then the trial judge shall return the driver's license to the minor and impose the fines, penalties or both, that he would have otherwise imposed, and such action shall constitute a conviction.

SECTION 84. Section 67-3-15, Mississippi Code of 1972, is brought forward as follows:

67-3-15. (1) Any person who shall brew or manufacture or sell any beer, light spirit product or light wine without first having secured a permit and/or license from the commissioner authorizing the brewing or manufacture or sale of such liquor, shall be guilty of a misdemeanor and, upon conviction thereof, be punished by a fine of not more than One Thousand Dollars ($1,000.00) or imprisonment in the county jail for not more than one (1) year, or both, in the discretion of the court. Any person so convicted may not apply for any permit or license issued by the commissioner until five (5) years have elapsed from the date of such conviction.

(2) This section shall not apply to beer authorized to be made pursuant to Section 67-3-11.

(3) Any light wine, light spirit product or beer found in possession of, or sold by, a person in violation of this section shall be seized and disposed of in the manner provided for in Section 67-1-18.

SECTION 85. Section 67-3-25, Mississippi Code of 1972, is brought forward as follows:

67-3-25. (1) Any permit issued authorizing the sale or delivery of light wines, light spirit products and/or beer for consumption shall be construed to authorize the sale or delivery of light wines, light spirit products and/or beer by the bottle, by the glass or by draught, and in or from the original package.

(2) The commissioner is authorized to establish, in his discretion, dates for the expiration of permits issued under this chapter.

(3) Except as otherwise provided in this section, permits shall be issued for twelve (12) months and shall be renewed annually on the first day of the month in which the permit expires. The commissioner may issue temporary permits for less than a full

year. All permits shall show the effective date and expiration date of the permit, the business location, individual or business name and mailing address of the permittee.

SECTION 86. Section 67-3-27, Mississippi Code of 1972, is brought forward as follows:

67-3-27. Before any person shall engage in the business of manufacturer, wholesaler, distributor or retailer of light wines, light spirit products or beer, he shall apply to the commissioner for a license to engage in such business, and shall pay to the commissioner the specific tax imposed by Section 27-71-303, for the privilege of engaging in such business. The commissioner upon receipt of such tax shall issue to such person a privilege license to engage in or continue in such business for a period of time not to exceed one (1) year. No such license shall be issued to the applicant unless such applicant shall have obtained from the commissioner a permit as required in Section 67-3-17. A brewpub shall obtain all necessary federal licenses and permits prior to obtaining any license under this chapter.

All privilege licenses issued under the provisions of this section shall be renewed annually on or before the first day of the month in which the current license expires.

SECTION 87. Section 67-3-29, Mississippi Code of 1972, is brought forward as follows:

67-3-29. (1) The commissioner, or a hearing officer or the board of review, as designated by the commissioner, after a show cause hearing, shall revoke or suspend any permit granted by authority of this chapter to any person who shall violate any of the provisions of this chapter or the revenue laws of this state relating to engaging in transporting, storing, selling, distributing, possessing, receiving or manufacturing of wines or beers, or any person who shall hereafter be convicted of the unlawful sale of intoxicating liquor, or any person who shall allow or permit any form of illegal gambling or immorality on the premises described in such permit. The commissioner shall not revoke or suspend a permit of a retailer for the sale of light wine, light spirit product or beer to a person under the age of twenty-one (21) years until there has been a conviction of the permit holder or an employee of the permit holder for such violation.

(2) If any person exercising any privilege taxable under the provisions of Chapter 71 of Title 27, Mississippi Code of 1972, shall willfully neglect or refuse to comply with the provisions of such chapter, or any rules or regulations promulgated by the commissioner under authority of such chapter, or the provisions of this chapter, including maintaining the qualifications of an applicant under Section 67-3-19, during the permit period, the commissioner shall be authorized to revoke or suspend the permit theretofore issued to the person. Any person whose permit shall have been revoked by the commissioner shall be thereafter prohibited from exercising any privilege under the provisions of Chapter 71 of Title 27, Mississippi Code of 1972, for a period of two (2) years from the date of the revocation. The commissioner may, however, for good cause shown, grant a new permit upon such conditions as the commissioner may prescribe. Any person whose permit shall have been suspended by the commissioner shall be prohibited from exercising any privilege under the provisions of Chapter 71 of Title 27, Mississippi Code of 1972, during the period of the suspension. Failure of the person to comply with the terms of the suspension shall be cause for revocation of his permit, in addition to the other penalties provided by law.

(3) In addition to the reasons specified in this section and other provisions of this chapter, the commissioner shall be authorized to suspend the permit of any permit holder for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a permit for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a permit suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a permit suspended for that purpose, shall be governed by Section 93-11-157 or Section 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or Section 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 88. Section 67-3-31, Mississippi Code of 1972, is brought forward as follows:

67-3-31. Proceedings for the revocation or suspension of any permit authorizing the sale of beer or wine at retail for a violation of any of the provisions of Section 67-3-53 may be brought in the circuit or county court of the county in which the licensed premises are located. Such proceedings shall be entitled in the name of the state and against the permittee and shall be instituted by filing a complaint with the clerk of the court. The complaint may be filed by the county prosecuting attorney of the county upon his own initiative or, then by the district attorney of the district in which the county is located, and it shall be mandatory upon the county prosecuting attorney, or district attorney, as the case may be, to file a complaint when requested to do so by a peace officer or any person as provided in this section. Any peace officer within his jurisdiction or any enforcement officer of the Alcoholic Beverage Control Division within the Department of Revenue who learns that a retail permittee within his jurisdiction has violated any of the provisions of such section shall file with the county prosecuting attorney of the county in which the licensed premises are located, or, then with the district attorney of the district in which such county is located, an affidavit specifying in detail the facts alleged to constitute such violation, and requesting that a complaint be filed against the permittee for the revocation or suspension of his permit. A like affidavit may be filed with the county prosecuting attorney, or district attorney, as the case may be, by any person who resides, and has for at least one (1) year prior thereto resided within the county in which the licensed premises are located requesting that a complaint be filed for the revocation or suspension of the permittee's permit. Promptly upon receiving any such affidavit the county prosecuting attorney, or district attorney, shall prepare a proper complaint, which shall be signed and sworn to by the person or persons filing the affidavit with him, and the county prosecuting attorney or district attorney shall file the complaint with the clerk of the circuit or county court.

SECTION 89. Section 67-3-33, Mississippi Code of 1972, is brought forward as follows:

67-3-33. Upon filing a complaint with the clerk of the court, the county prosecuting attorney or district attorney filing the same shall promptly move the court to set the complaint for hearing. The court shall set the complaint for hearing at an early date in term time or in vacation and such proceedings shall have precedence for trial over all civil actions. Upon a date for trial being set by the court, the county prosecuting attorney or district attorney shall serve or cause to be served upon the permittee in accordance with the Mississippi Rules of Civil Procedure a notice of the filing of said complaint, together with a copy of said complaint, and shall set forth in said notice the time and place of the hearing thereon. Said notice shall be served upon the permittee at least ten (10) days prior to the date set for hearing if personal service be made. If service be made by mail, such notice shall be deposited in the United States mail not less than twelve (12) days prior to the date set for hearing. A copy of said complaint and notice of hearing thereon shall also be mailed to the commissioner by the county prosecuting attorney or district attorney.

SECTION 90. Section 67-3-35, Mississippi Code of 1972, is brought forward as follows:

67-3-35. The complaint shall be heard by the court without a jury. If the court shall find upon the hearing that the offense or offenses charged in the complaint have been established by the evidence, the court shall order the revocation or suspension of the permit. If the court finds that the permittee has not previously violated the law in the operation of his licensed business, and that no permit or license held by him has previously been suspended or revoked, and if it appears to the satisfaction of the court that there is reasonable ground to expect that the permittee will not again commit the offense or offenses charged in the complaint and that to revoke the permit would be unduly severe, then the court may suspend the permit for such period of time as the court deems proper. However, if the permittee has previously had his permit suspended or revoked, it shall be mandatory upon the court upon a finding of guilty to revoke the said permit. The judgment of the court revoking or suspending such permit shall not be superseded or stayed during the pendency of an appeal therefrom. A certified copy of the final order or decree of the court shall be forwarded by the clerk of the court to the commissioner.

After the filing of a complaint with the clerk of the court for the revocation or suspension of a permit, the court in which the complaint is filed shall retain jurisdiction to hear and determine such complaint and to enter judgment revoking or suspending such permit. For the purpose of such hearing and as to the effect of the judgment of the court entered pursuant thereto, the permit shall be in full force and effect even though the permittee, after filing of such complaint, may have surrendered his permit, or such permit may have expired, or the rights of the permittee thereunder may have otherwise terminated. It is the purpose of this section to preclude the permittee from avoiding the effect of a judgment of revocation by a court by reason of conditions arising subsequent to the filing of a complaint.

SECTION 91. Section 67-3-37, Mississippi Code of 1972, is brought forward as follows:

67-3-37. It shall be the duty of the county prosecuting attorney or the district attorney, as the case may be, to file complaints as provided in Section 67-3-31 and to prosecute diligently and without delay all complaints filed by him.

It shall be the duty of all peace officers, within their jurisdiction, and all enforcement officers of the Alcoholic Beverage Control Division of the Department of Revenue to enforce the provisions of Section 67-3-53 and they shall frequently visit all licensed premises within their jurisdiction to determine whether such permittees are complying with the laws. They shall promptly investigate all complaints made to them by any citizen relative to any alleged violations of such section within their jurisdiction. When any peace officer or enforcement officer of the Alcoholic Beverage Control Division has knowledge of a violation of such section committed by a permittee within his jurisdiction, it shall be his duty forthwith to file an affidavit with the county prosecuting attorney or district attorney requesting that a complaint be filed for the revocation or suspension of the permit of the permittee.

SECTION 92. Section 67-3-39, Mississippi Code of 1972, is brought forward as follows:

67-3-39. The jurisdiction conferred upon the circuit and county courts to hear and determine complaints for the revocation or suspension of permits shall not be exclusive and any authority conferred on the commissioner to revoke or suspend licenses shall remain in full force and effect, and the commissioner shall have authority to revoke or suspend permits for a violation of Section 67-3-53 in the manner provided in subsection (2) of Section 67-3-29 for the revocation of permits. However, when a complaint is filed with the court any proceedings which may then be pending before the commissioner against the same permittee on the same charges shall abate and no proceedings for the revocation or suspension of a permit for a violation of the provisions of Section 67-3-53 shall be filed with the commissioner when proceedings are pending before the court against the permittee on the same charges. The revocation or suspension of a permittee's state permit by the court or by the commissioner shall automatically revoke or suspend any municipal license or permit held by such person. The revocation or suspension of a permittee's permit shall be in addition to and not in lieu of or limitation of any other penalty imposed by law.

SECTION 93. Section 67-3-49, Mississippi Code of 1972, is brought forward as follows:

67-3-49. (1) Except as otherwise provided in this section, it shall be unlawful for any brewer or manufacturer or distributor or wholesale dealer of or in light wines, light spirit products and/or beer to manufacture or knowingly bring upon his premises or keep thereon any light spirit product of an alcoholic content of more than six percent (6%) by weight, any beer of an alcoholic content of more than eight percent (8%) by weight. Any person that shall add to or mix with any beer, light spirit product or light wine any alcoholic or other liquid, or any alcohol cube or cubes, or any other ingredient or ingredients that will increase or tend to increase the alcoholic content of such liquor, or any person that shall knowingly offer for sale any liquor so treated, shall be guilty of a misdemeanor and punished as hereinafter provided in this chapter. The commissioner shall take any action he considers necessary to ensure that light wine, light spirit product and/or beer manufactured at a brewpub complies with the provisions of this section.

(2) A brewer or manufacturer of light wine, light spirit product or beer may manufacture and keep upon his premises beer of an alcoholic content of more than eight percent (8%) by weight if the beer is manufactured for legal sale in another state.

SECTION 94. Section 67-3-52, Mississippi Code of 1972, is brought forward as follows:

67-3-52. It shall be unlawful for any person holding a permit authorizing the sale of beer, light spirit product or light wine at retail to obtain such beer, light spirit product or light wine from any source outside of the State of Mississippi. Any person who violates the provisions of this section, upon conviction thereof, shall be punished by a fine of not more than One Thousand Dollars ($1,000.00) or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court. Any person convicted of violating this section, or any rules or regulations promulgated by the commissioner with regard to the unlawful acts described in this section, shall forfeit his permit. Any person whose permit has been forfeited pursuant to this section shall not be eligible for a permit issued by the commissioner for a period of five (5) years after the date of such forfeiture. In addition, no permit shall be issued for the same location, for which an offender has forfeited a permit pursuant to this section, to a spouse, offspring or sibling of the offender when to do so would circumvent the purposes of this section. The commissioner may assess a retailer who violates this section the amount of excise taxes due on the unlawfully imported beer, light spirit product or light wine, together with a penalty in the amount of four (4) times the state excise taxes due or One Hundred Dollars ($100.00) per case, whichever is greater.

SECTION 95. Section 67-3-59, Mississippi Code of 1972, is brought forward as follows:

67-3-59. (1) Except as provided in this subsection, sales by wholesalers, distributors or manufacturers to persons who do not hold valid permits are unlawful; and any wholesaler, distributor or manufacturer making such sales, or who sells any beer, light spirit product or light wine on which the tax provided by law has not been paid, shall, in addition to any other fines, penalties and forfeitures, be subject to a penalty of Twenty-five Dollars ($25.00) for each sale. If all other applicable taxes are paid, this penalty will not apply to the following: sales to employees of the wholesaler; sales to nonprofit charitable and civic organizations for special fund-raising events provided that the beer, light spirit product or light wine is not resold; sales to affiliated member associations.

(2) The commissioner may assess the penalty by giving notice by mail, demanding payment within thirty (30) days from date of delivery of the notice.

The proceeds of all penalties shall be deposited by the commissioner with the other monies collected by him and shall be disposed of as provided by law.

SECTION 96. Section 67-3-61, Mississippi Code of 1972, is brought forward as follows:

67-3-61. Every railroad company, express company, aeroplane company, motor transportation company, steamboat company, or other transportation company, or any person that shall transport into, from place to place within, or out of this state any light wines, light spirit products or beer, whether brewed or manufactured within this state or outside of this state, when requested by the commissioner, shall furnish him with a duplicate of the bill of lading covering the receipt for such liquor, showing the name of the brewer or manufacturer or distributor, and the name and address of the consignor and of the consignee, and the date when and place where received, and the destination and the quantity of such liquor received from the manufacturer or brewer or other consignor for shipment from any point within or without this state to any point within this state.

Any such company or person so transporting any such liquor that shall fail to comply with the requirements of this section, shall forfeit and pay to the State of Mississippi the sum of One Hundred Dollars ($100.00) for each such failure, to be recovered in any court of competent jurisdiction. The commissioner is hereby authorized and empowered to sue in his own name, on the relation and for the use of the State of Mississippi, for such recovery.

SECTION 97. Section 67-3-63, Mississippi Code of 1972, is brought forward as follows:

67-3-63. The commissioner shall cause a record to be kept of the names and places of business of all persons engaged in the brewing of beer, of all persons engaged in the manufacture of light wines or light spirit products, and of all persons engaged in the sale of light wines, light spirit products and/or beer, whether at retail or otherwise. He shall also cause a record to be kept of all beer, light spirit products and light wines (and of the amount thereof) brewed or manufactured by each brewery or winery, and of all such liquors (and of the amount thereof) sold by each brewery or winery, with the names and business addresses of the purchasers, and of all such liquors (and of the amount thereof) sold by every dealer other than a brewer or manufacturer, and in the case of sales by dealers other than retail dealers, of the names and business addresses of the purchasers.

The commissioner shall cause a record to be kept of all expenses incurred in the collection of such data.

SECTION 98. Section 67-3-69, Mississippi Code of 1972, is brought forward as follows:

67-3-69. (1) Except as to Sections 67-3-17, 67-3-23, 67-3-27, 67-3-55 and 67-3-57, any violation of any provision of this chapter or of any rule or regulation of the commissioner, shall be a misdemeanor and, where the punishment therefor is not elsewhere prescribed in this section, shall be punished by a fine of not more than Five Hundred Dollars ($500.00) or imprisonment for not more than six (6) months, or both, in the discretion of the court. If any person so convicted shall be the holder of any permit or license issued by the commissioner under authority of this chapter, the permit or license shall from and after the date of such conviction be void and the holder thereof shall not thereafter, for a period of one (1) year from the date of such conviction, be entitled to any permit or license for any purpose authorized by this chapter. Upon conviction of the holder of any permit or license, the appropriate law enforcement officer shall seize the permit or license and transmit it to the commissioner.

(2) (a) Any person who shall violate any provision of Section 67-3-17, 67-3-23, 67-3-27 or 67-3-55 shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than Five Hundred Dollars ($500.00) or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court.

(b) Any person who shall violate any provision of Section 67-3-57 shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than One Thousand Dollars ($1,000.00) or by imprisonment in the county jail for not more than one (1) year, or by both, in the discretion of the court. Any person convicted of violating any provision of the sections referred to in this subsection shall forfeit his permit, and shall not thereafter be permitted to engage in any business taxable under the provisions of Sections 27-71-301 through 27-71-347.

(3) If the holder of a permit, or the employee of the holder of a permit, shall be convicted of selling any beer, light spirit product or wine to anyone who is visibly intoxicated from the licensed premises or to any person under the age of twenty-one (21) years from the licensed premises in violation of Section 67-3-53(b), then, in addition to any other penalty provided for by law, the commissioner may impose the following penalties against the holder of a permit:

(a) For the first offense on the licensed premises, by a fine of not less than Five Hundred Dollars ($500.00) nor more than One Thousand Dollars ($1,000.00) and/or suspension of the permit for not more than three (3) months.

(b) For a second offense occurring on the licensed premises within twelve (12) months of the first offense, by a fine of not less than Five Hundred Dollars ($500.00) nor more than Two Thousand Dollars ($2,000.00) and/or suspension of the permit for not more than six (6) months.

(c) For a third offense occurring on the licensed premises within twelve (12) months of the first, by a fine of not less than Two Thousand Dollars ($2,000.00) nor more than Five Thousand Dollars ($5,000.00) and/or suspension or revocation of the permit to sell beer, light spirit product or light wine.

(d) For a fourth or subsequent offense occurring on the licensed premises within twelve (12) months of the first, by a fine of not less than Two Thousand Dollars

($2,000.00) nor more than Five Thousand Dollars ($5,000.00) and/or suspension or revocation of the permit to sell beer, light spirit product or light wine.

(4) A person who sells any beer, light spirit product or wine to a person under the age of twenty-one (21) years shall not be guilty of a violation of Section 67-3-53(b) if the person under the age of twenty-one (21) years represents himself to be twenty-one (21) years of age or older by displaying an apparently valid Mississippi driver's license containing a physical description consistent with his appearance or by displaying some other apparently valid identification card or document containing a picture and physical description consistent with his appearance for the purpose of inducing the person to sell beer, light spirit product or wine to him.

(5) If a small craft brewery is convicted of violating the provisions of Section 67-3-48, then, in addition to any other provision provided for by law, the small craft brewery shall be punished as follows:

(a) For the first offense, the small craft brewery may be fined in an amount not to exceed Five Hundred Dollars ($500.00).

(b) For a second offense occurring within twelve (12) months of the first offense, the small craft brewery may be fined an amount not to exceed One Thousand Dollars ($1,000.00).

(c) For a third or subsequent offense occurring within twelve (12) months of the first offense, the small craft brewery may be fined an amount not to exceed Five Thousand Dollars ($5,000.00) and the permit to operate as a manufacturer shall be suspended for thirty (30) days.

SECTION 99. Section 67-3-74, Mississippi Code of 1972, is brought forward as follows:

67-3-74. (1) In addition to peace officers within their jurisdiction, all enforcement officers of the Alcoholic Beverage Control Division of the Department of Revenue are authorized to enforce the provisions made unlawful by this chapter and Section 97-5-49; however, the provisions prohibiting the sale of light wine, light spirit product or beer to persons under the age of twenty-one (21) years shall be enforced by the division as provided for in this section.

(2) (a) The Alcoholic Beverage Control Division shall investigate violations of the laws prohibiting the sale of light wine, light spirit product or beer to persons under the age of twenty-one (21) years upon receipt of a complaint or information from a person stating that they have knowledge of such violation.

(b) Upon receipt of such complaint or information, the Alcoholic Beverage Control Division shall notify the permit holder of the complaint by certified mail to the primary business office of such permit holder or by hand delivery of the complaint or information to the primary business office of such holder, except in cases where the complaint or information is received from any law enforcement officer.

(c) If an enforcement officer of the Alcoholic Beverage Control Division enters the business of the holder of the permit to investigate a complaint and discovers a violation, the agent shall notify the person that committed the violation and the holder of the permit:

(i) Within ten (10) days after such violation, Sundays and holidays excluded, if the business sells light wine, light spirit product or beer for on-premises consumption; and

(ii) Within seventy-two (72) hours after such violation, Sundays and holidays excluded, if the business does not sell light wine, light spirit product or beer for on-premises consumption.

SECTION 100. Section 67-9-1, Mississippi Code of 1972, is brought forward as follows:

67-9-1. Notwithstanding the provisions of any section of Title 27 or 67, Mississippi Code of 1972, it shall be lawful for any person holding an alcohol processing permit to transport and possess alcoholic beverages, light wine, light spirit product and beer, in any part of the state, for his or her use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient, in amounts as limited by the Alcoholic Beverage Control Division of the Department of Revenue. The authority to transport and possess alcoholic beverages, light wine, light spirit product and beer under this section exists regardless of whether (a) the county or municipality in

which the transportation or possession takes place has voted for or against coming out from under the dry law, or (b) the transportation, storage, sale, distribution, receipt or manufacture of light wine, light spirit product and beer otherwise is prohibited.

The provisions of this section shall not be construed as amending, repealing or otherwise affecting any statute or any lawfully adopted ordinance, rule or regulation that prohibits or restricts the location at which, or the premises upon which, alcoholic beverages, light wine, light spirit product or beer may be sold or consumed.

SECTION 101. Section 67-11-7, Mississippi Code of 1972, is brought forward as follows:

67-11-7. (1) Every native distillery in the State of Mississippi shall apply for a permit as provided for in Section 67-1-51 and shall be issued said initial and renewal permit by the department upon meeting the qualifications and requirements set forth by law or regulation for permits authorized by Section 67-1-51.

(2) Every native distillery shall register with the Secretary of State, shall show the location and permit number of the distillery, shall show the name and address of the producer owning, conducting or operating the distillery, shall show the name and address of all local agents and such other pertinent information which may be required by the Secretary of State, and shall appoint an agent for service of process within the State of Mississippi.

SECTION 102. Section 27-71-307, Mississippi Code of 1972, is brought forward as follows:

27-71-307. (1) (a) In addition to the specific tax imposed in Section 27-71-303, there is hereby imposed, levied, assessed and shall be collected, as hereinafter provided, an excise or privilege tax upon each person engaged or continuing in the business of wholesaler or distributor of light wines, light spirit products or beer equivalent to Forty-two and Sixty-eight One-hundredths Cents (42.68¢) per gallon upon all light wines, light spirit products and beer acquired for sale or distribution in this state. The excise or privilege tax is also imposed at the same rate upon each gallon of light wine, light spirit product or beer manufactured by brewpubs, each of which shall accurately and reliably measure the quantity of light wine, light spirit product and beer produced by using a measuring device such as a meter or gauge glass or any other suitable method approved by the commissioner. The excise or privilege tax is also imposed at the same rate upon each gallon of light wine, light spirit product or beer provided by a small craft brewery or microbrewery for sale as authorized under Section 67-3-48 and upon each gallon of light wine, light spirit product or beer provided for tasting or sampling under Section 67-3-47. The tax is hereby imposed as an additional tax for the privilege of engaging or continuing in business.

(b) The excise tax imposed in this section shall be paid to the Department of Revenue monthly on or before the fifteenth day of the month following the month in which the beer, light spirit product or light wine was manufactured or received in this state. Monthly report forms shall be furnished by the commissioner to the wholesalers, distributors, brewpubs, microbreweries and small craft breweries.

(c) Provided that persons operating a railroad dining car, club car or other car in interstate commerce upon which light wines, light spirit products or beer may be sold and who are licensed under the provisions of Section 67-3-27 and any other law relating to the sale of such beverages shall keep such records of the sales of such light wines, light spirit products and beer in this state as the commissioner shall prescribe and shall submit monthly reports of such sales to the commissioner within fifteen (15) days after the end of each month on a form prescribed therefor by the commissioner, and shall pay the tax due under the provisions of this section at the time such reports are filed.

No official crowns, lids, labels or stamps with the word "MISSISSIPPI" or "MS" imprinted thereon or any other evidence of tax payment is required by this section, or may be required under rule or regulation promulgated by the commissioner, to be affixed on or to any part of a beer, light wine, light spirit product or malt cooler bottle, can or other light wine, light spirit product or malt cooler container. For purposes of this section, malt cooler products shall be defined as a flavored malt beverage made from a base of malt beverage and flavored with fruit juices, aromatics and essences of other flavoring in quantities and proportions such that the resulting product possesses a

character and flavor distinctive from the base malt beverage and distinguishable from other malt beverages.

(2) A licensed wholesaler or distributor of beer, light spirit product or light wine may not import beer, light spirit product or light wine from any source other than a brewer or importer authorized by the commissioner to sell such beer, light spirit product or light wine in Mississippi. Any person who violates the provisions of this subsection, upon conviction thereof, shall be punished by a fine of not more than One Thousand Dollars ($1,000.00) or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court and shall be subject to license forfeiture following an appropriate hearing before the Department of Revenue.

(3) The wholesaler, distributor, microbrewery or small craft brewery shall be allowed credit for tax paid on beer, light spirit product or light wine which is no longer marketable and which is destroyed by same when such destruction is witnessed by an agent of the commissioner and when the amount of the excise tax exceeds One Hundred Dollars ($100.00). No other loss will be allowed.

A brewpub shall be allowed credit for light wine, light spirit product or beer which has passed through the meter, gauge glass or other approved measuring device and which has been soured or damaged. The brewpub shall record the removal of sour or damaged light wine, light spirit product or beer and may take credit after the destruction is witnessed by an agent of the commissioner and when the amount of excise tax exceeds Twenty-five Dollars ($25.00). No other loss shall be allowed.

(4) All manufacturers, brewers and importers of beer, light spirit product or light wine shall file monthly reports as prescribed by the commissioner listing sales to each wholesaler or distributor by date, invoice number, quantity and container size, and any other information deemed necessary.

(5) All small craft breweries and microbreweries shall file monthly reports as prescribed by the commissioner regarding the sale of light wine, light spirit product or beer authorized under Section 67-3-48.

(6) Manufacturers who offer and provide limited amounts of beer for tasting or sampling under Section 67-3-47 shall file monthly reports as prescribed by the commissioner regarding the beer provided for such tasting or sampling.

(7) All administrative provisions of the Mississippi Sales Tax Law, including those which fix damages, penalties and interest for nonpayment of taxes and for noncompliance with the provisions of such chapter, and all other requirements and duties imposed upon taxpayers, shall apply to all persons liable for taxes under the provisions of this chapter, and the commissioner shall exercise all the power and authority and perform all the duties with respect to taxpayers under this chapter as are provided in the sales tax law except where there is conflict, then the provisions of this chapter shall control.

SECTION 103. Section 27-71-315, Mississippi Code of 1972, is brought forward as follows:

27-71-315. Except as otherwise provided in Section 67-9-1 for the transportation of limited amounts of alcoholic beverages for the use of an alcohol processing permittee, it shall be unlawful for any person to transport from any point outside of this state to any point within this state, any light wines, light spirit products or beer except for delivery to a licensed wholesaler or distributor in this state; and except by common carrier. The commissioner may, however, upon application of a licensed wholesaler or distributor in this state, and under rules and regulations duly promulgated by him, issue a permit for the transportation by a licensed wholesaler or distributor of light wines, light spirit products and beer in trucks owned by such licensee, from without the state to the place of business of such licensee within the state, for distribution by said licensee. Such permit shall be granted for a specified period, not to exceed one (1) year.

Any person engaged in transporting any light wines, light spirit products or beer from any point outside of this state to any point within this state, shall have in his possession during the entire time he is engaged in transporting such light wines, light spirit products or beer, an invoice, bill of sale, or bill of lading, showing the true name and address of the consignor, and also the true name and address of the licensed wholesaler or distributor to whom such light wines, light spirit products or beer is to be delivered, and

the quantity of such light wines, light spirit products or beer, unless such common carrier maintains a permanent office within this state where complete records of all light wines, light spirit products or beer transported from without this state to points within this state are kept, and open to inspection by the commissioner or his duly authorized agent, at all reasonable times.

It is hereby made the duty of all common carriers, and licensed wholesalers and distributors, transporting light wines, light spirit products or beer from without the State of Mississippi into the State of Mississippi, to furnish the commissioner on or before the fifteenth day of each month, a report showing the amount of beer transported within the state during the preceding month, the consignor, the consignee, and the quantity of light wines, light spirit products or beer so transported.

SECTION 104. Section 27-71-335, Mississippi Code of 1972, is brought forward as follows:

27-71-335. Any light wines, light spirit products or beer found at any point within this state which has been in the possession of any wholesaler or distributor for a period of more than forty-eight (48) hours and any light wines, light spirit products or beer transported into this state from a point outside this state, or from point-to-point within this state in violation of the provisions of this article, or any light wines, light spirit products or beer held or possessed by any person within this state on which the legal and proper tax has not been paid when due, whether such person be a wholesaler, retailer or distributor, or individual, and whether the light wines, light spirit products or beer be for sale or storage or individual use, except light wines, light spirit products or beer in possession of a licensed wholesaler or distributor for a period of time less than forty-eight (48) hours after receipt of the light wines, light spirit products or beer within this state, and light wines, light spirit products or beer held in storage by licensed manufacturers or producers, are hereby declared to be contraband goods, and there is hereby imposed and assessed, as tax and penalty, to be collected by the commissioner, an amount equal to the amount of the excise tax otherwise imposed under the Mississippi Wine and Beer Tax Law, plus a penalty of one hundred percent (100%) of the amount of the tax; or, at the option of the commissioner, the light wines, light spirit products or beer may be seized by the commissioner or his agents or any sheriff, or other lawful officer, and shall be dealt with in the same manner as provided for in Section 67-1-18 for alcoholic beverages.

SECTION 105. Section 27-71-505, Mississippi Code of 1972, is brought forward as follows:

27-71-505. The commissioner may revoke any or all permits issued by him to sell beer or wine manufactured by any person who shall fail or refuse to furnish the information required by Section 27-71-501 of this article, and he may revoke the permit of any person who shall fail or refuse to furnish the information required by Section 27-71-503 of this article, and said revocation may apply to any or all brands of such beverages, if the manufacturer or holder of the permit shall fail or refuse to comply with the rules and regulations promulgated by him.

SECTION 106. Section 67-1-209, Mississippi Code of 1972, which requires the Department of Revenue to have a contract compliance officer to monitor the contract for warehouse and distribution operations and assure operator compliance with its performance work statement, is repealed.

SECTION 107. Sections 1 through 12 of this act shall be codified as a new article in Title 67, Chapter 1, Mississippi Code of 1972.

SECTION 108. This act shall take effect and be in force from and after July 1, 2025, and shall stand repealed on June 30, 2025.

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

AN ACT TO CREATE THE ALCOHOLIC BEVERAGE CORPORATION AND TRANSFER TO IT THE POWERS AND DUTIES OF THE DEPARTMENT OF REVENUE WITH RESPECT TO ALCOHOLIC BEVERAGE WAREHOUSING AND DISTRIBUTION; TO PROVIDE FOR THE ESTABLISHMENT OF THE CORPORATION'S BOARD OF DIRECTORS; TO PROVIDE THAT BOARD MEETINGS SHALL BE SUBJECT TO THE OPEN MEETINGS ACT; TO PROVIDE FOR THE

APPOINTMENT OF THE CORPORATION'S PRESIDENT BY THE BOARD, SUBJECT TO THE APPROVAL OF THE GOVERNOR; TO PROVIDE THAT THE CORPORATION'S RECORDS SHALL BE SUBJECT TO THE PUBLIC RECORDS ACT, WITH CERTAIN EXCEPTIONS; TO DESCRIBE THE BOARD'S POWERS AND DUTIES; TO DESCRIBE THE PRESIDENT'S POWERS AND DUTIES; TO DESCRIBE THE CORPORATION'S POWERS AND DUTIES; TO AUTHORIZE THE BOARD TO HIRE AN ATTORNEY OR CONTRACT WITH OUTSIDE COUNSEL; TO PROVIDE THAT THE CORPORATION SHALL ESTABLISH AND MAINTAIN A PERSONNEL PROGRAM, INCLUDING ADMINISTRATIVE RULES AND REGULATIONS FOR ITS EMPLOYEES, MAY PROCURE BENEFIT PROGRAMS OR GROUP INSURANCE PLANS, AND SHALL PROVIDE OR ARRANGE FOR A RETIREMENT PLAN; TO PROVIDE CERTAIN CONDITIONS AND STANDARDS OF EMPLOYMENT FOR CORPORATION OFFICERS AND EMPLOYEES AND OF SERVICE FOR BOARD MEMBERS; TO PROVIDE THAT ALL DIVISION HEADS, OFFICERS AND EMPLOYEES OF THE CORPORATION SHALL BE CONSIDERED PUBLIC SERVANTS, AND ALL DIVISION HEADS AND OFFICERS SHALL BE REQUIRED TO FILE A STATEMENT OF ECONOMIC INTEREST WITH THE MISSISSIPPI ETHICS COMMISSION; TO PROVIDE REPORTING AND AUDITING REQUIREMENTS FOR THE CORPORATION; TO PROVIDE THAT THE CORPORATION SHALL SUBMIT TO THE JOINT LEGISLATIVE BUDGET COMMITTEE A COPY OF THE CORPORATION'S ANNUAL OPERATING BUDGET FOR THE UPCOMING FISCAL YEAR; TO AMEND SECTIONS 67-1-3, 67-1-5, 67-1-9, 67-1-13, 67-1-17, 67-1-18, 67-1-23, 67-1-25, 67-1-27, 67-1-29, 67-1-33, 67-1-35, 67-1-37, 67-1-41, 67-1-43, 67-1-45, 67-1-47, 67-1-49, 67-1-51, 67-1-52, 67-1-53, 67-1-55, 67-1-57, 67-1-61, 67-1-63, 67-1-65, 67-1-67, 67-1-69, 67-1-72, 67-1-75, 67-1-77, 67-1-83, 67-1-87, 67-1-89, 67-1-91, 67-1-101, 67-1-201, 67-1-203, 67-1-205, 67-1-207, 67-1-211, 67-3-3, 67-3-17, 67-3-19, 67-3-22, 67-3-23, 67-3-28, 67-5-5, 67-5-9, 67-5-11, 67-5-13, 67-7-5, 67-7-11, 67-11-3, 67-11-9, 67-11-11, 27-71-5, 27-71-7, 27-71-9, 27-71-11, 27-71-13, 27-71-15, 27-71-17, 27-71-29 AND 27-71-301, MISSISSIPPI CODE OF 1972, TO CONFORM; TO BRING FORWARD SECTIONS 67-1-7, 67-1-39, 67-1-51.1, 67-1-71, 67-1-73, 67-1-81, 67-3-15, 67-3-25, 67-3-27, 67-3-29, 67-3-31, 67-3-33, 67-3-35, 67-3-37, 67-3-39, 67-3-49, 67-3-52, 67-3-59, 67-3-61, 67-3-63, 67-3-69, 67-3-74, 67-9-1, 67-11-7, 27-71-307, 27-71-315, 27-71-335 AND 27-71-505, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO REPEAL SECTION 67-1-209, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE DEPARTMENT OF REVENUE TO HAVE A CONTRACT COMPLIANCE OFFICER TO MONITOR THE CONTRACT FOR WAREHOUSE AND DISTRIBUTION OPERATIONS AND ASSURE OPERATOR COMPLIANCE WITH ITS PERFORMANCE WORK STATEMENT; AND FOR RELATED PURPOSES.

Senator Boyd moved that the rules be suspended to move to calendar item 48, **S. B. No. 2728**, and the motion prevailed.

Senator Boyd called up the following House Amendment to **S. B. No. 2728** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Board of Trustees of State Institutions of Higher Learning, acting on behalf of any state institution of higher learning under its management and control, is authorized to enter into a long-term lease of all or any portion of real property

under its control and possession for the purpose of developing academic buildings, housing, dining halls, parking facilities, and/or other spaces (including retail developments) for the benefit of the institution. The property shall be leased for a period not to exceed forty (40) years, with the option for two (2) ten-year lease extensions.

(2) The lease and any amendments to the lease of all or any portion of the real property authorized for lease under subsection (1) of this section shall be subject to the approval of the Board of Trustees of State Institutions of Higher Learning. The approved lease and any amendments to the lease shall not be cancelled by successor boards based on the binding successor doctrine.

SECTION 2. (1) The Board of Trustees of State Institutions of Higher Learning, acting on behalf of any state institution of higher learning under its management and control, is authorized to enter into a long-term sublease of all or any portion of the real property described in Section 1 of this act which is under its control and possession for a period not to exceed a term of forty (40) years, with the option for two (2) ten-year lease extensions.

(2) The sublease and any amendments to the sublease of all or any portion of the real property described in Section 1 of this act shall be subject to the approval of the Board of Trustees of State Institutions of Higher Learning. The approved sublease and any amendments to the sublease shall not be cancelled by successor boards based on the binding successor doctrine.

SECTION 3. If all or any portion of the property described in Section 1 of this act is leased, the state institution of higher learning for which the property is leased, with the approval of the Board of Trustees of State Institutions of Higher Learning, is authorized to negotiate all aspects of any lease or sublease and any terms and ancillary agreements pertaining to any lease or sublease as may be reasonably necessary to effectuate the intent and purposes of this section and to ensure a fair and equitable return to the state.

SECTION 4. (1) All proceeds derived or received from the agreements and leases entered into under this section shall be deposited into a special fund and expended only for the use and benefit of the state institution of higher learning for which the property is leased.

(2) At the end of the lease term provided in this act, the property leased under the authority provided herein shall revert to the state institution of higher learning for which the property is leased.

(3) The State of Mississippi shall retain all mineral rights to the real property leased under Section 1 of this act.

(4) The Department of Finance and Administration is authorized to correct any discrepancies in the property described in Section 1 of this act.

SECTION 5. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, ACTING ON BEHALF OF ANY STATE INSTITUTION OF HIGHER LEARNING UNDER ITS MANAGEMENT AND CONTROL TO ENTER INTO A LONG-TERM LEASE OF ALL OR ANY PORTION OF REAL PROPERTY UNDER ITS CONTROL AND POSSESSION FOR THE PURPOSE OF DEVELOPING ACADEMIC BUILDINGS, HOUSING, DINING HALLS, PARKING FACILITIES, AND/OR OTHER SPACES, INCLUDING RETAIL DEVELOPMENTS, FOR THE BENEFIT OF THE

INSTITUTION; TO PROVIDE THAT ANY SUCH PROPERTY SHALL BE LEASED FOR A PERIOD NOT TO EXCEED 30 YEARS; TO SET CERTAIN OTHER LEASE TERMS AND TO REQUIRE ANY LEASE TO BE SUBJECT TO THE APPROVAL OF I.H.L.; TO AUTHORIZE THE STATE INSTITUTION OF HIGHER LEARNING FOR WHICH THE PROPERTY IS LEASED TO NEGOTIATE ALL ASPECTS OF ANY LEASE WITH THE APPROVAL OF I.H.L.; TO PROVIDE THAT ALL PROCEEDS DERIVED FROM ANY SUCH LEASE SHALL BE DEPOSITED INTO A SPECIAL FUND ONLY FOR THE USE OF THE INSTITUTION; TO REQUIRE ANY PROPERTY LEASED UNDER THIS ACT TO REVERT BACK TO THE INSTITUTION AT THE END OF THE LEASE; AND FOR RELATED PURPOSES.

Senator Boyd moved that the rules be suspended to move to calendar item 49, **S. B. No. 2729**, and the motion prevailed.

Senator Boyd called up the following House Amendment to **S. B. No. 2729** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-144-1, Mississippi Code of 1972, is amended as follows:

37-144-1. There is established the Mississippi Rural Physicians Scholarship Program for the purpose of identifying and recruiting qualified university and college students * * * for medical or osteopathic school matriculation. The program shall consist of three (3) distinct phases through which participants will progress, including:

(a) Undergraduate premedical education;

(b) Medical or osteopathic school and residency; and

(c) Post-residency entry into medical practice in a rural or underserved area of the State of Mississippi.

SECTION 2. Section 37-144-5, Mississippi Code of 1972, is amended as follows:

37-144-5. The Mississippi Rural Physicians Scholarship Commission shall have the following powers and duties:

(a) Developing the administrative policy for the commission and the Mississippi Rural Physicians Scholarship Program;

(b) Promulgating rules and regulations, with the advice and consent of the University of Mississippi Medical Center, pertaining to the implementation and operation of the Rural Physicians Scholarship Program;

(c) Developing and implementing strategies and activities for the identification and recruitment of students and for marketing the program and for the implementation of the program. In developing these strategies, the board shall seek the input of various organizations and entities, including the Mississippi State Medical Association, the

Mississippi Academy of Family Physicians, the Mississippi Chapters of the American College of Physicians, the American Academy of Pediatrics, the American College of OB-GYN, Mississippi Psychiatric Association, the Mississippi Medical and Surgical Association, the Mississippi Osteopathic Medicine Association and the American Psychiatric Association;

(d) Establishing a budget, with the advice and consent of the University of Mississippi Medical Center, to support the activities of the program and periodically reviewing and if appropriate, revising, the scholarship and other stipends offered through the program;

(e) Advising the University of Mississippi Medical Center regarding hiring an executive director and support staff necessary for the commission's work. The commission shall nominate at least two (2) individuals to serve as executive director;

(f) Reviewing participants progress in the program and mentoring students and physicians participating in the program;

(g) Developing and participating in programs that provide initial practice support in collaboration with other interested professional organizations;

(h) The commission shall have the authority through use of generally applicable definitions, to designate an area of the state as underserved or rural. The method by which these designations shall be made shall be contained in rules and regulations promulgated by the commission.

(i) The commission shall produce an annual report to the Legislature showing certain information relating to the program for the previous fiscal year, including the following:

(i) Budget, including funds provided in addition to Legislative appropriations;

(ii) Number of participants enrolled in medical or osteopathic school along with their matriculation status;

(iii) The status of, to include location of practice, participants who have entered a medicine or other generalist residency program;

(iv) The number and cause of participants who breached their obligation(s) to the program; and

(v) The status of, to include location of practice, participants who have entered into the practice of medicine in a rural or medically underserved area in Mississippi.

SECTION 3. Section 37-144-7, Mississippi Code of 1972, is amended as follows:

37-144-7. (1) The commission shall develop and implement policies and procedures designed to recruit, identify and enroll undergraduate students who demonstrate necessary interest, commitment, aptitude and academic achievement to pursue careers as family physicians, child psychiatrists or other generalist physicians in rural or medically underserved areas of Mississippi, and to develop and implement the programs designed to foster successful entry of participants into medical school, completion of medical school, enrollment into and completion of family medicine or other generalist residency, and establishment and maintenance of a career in family medicine, child psychiatry or other generalist specialty in a rural or underserved area of Mississippi.

(2) The commission shall have the authority through use of generally applicable definitions to designate an area of the state as underserved or rural.

(3) The commission, in conjunction with the University of Mississippi Medical Center, shall have the authority to provide students selected for scholarship funding with faculty mentors and other programs designed to enhance the students' likelihood of admission to the medical school. The commission and the University of Mississippi Medical Center will develop coursework that will provide scholarship students with the skills necessary for sustained and successful medical practice in rural Mississippi.

(4) Each applicant for admission to the program must submit an application to the commission that conforms to requirements established by the commission.

(5) In selecting participants for the program, the board may only accept an applicant if his or her academic record and other characteristics, if given consideration by the University of Mississippi School of Medicine Admissions Committee, would be considered credible and competitive.

(6) An applicant for the program may be admitted only upon a majority vote of the members of the commission.

(7) Not less than fifteen (15) students will be admitted to the Mississippi Rural Physicians Scholarship Program each year, provided that there are fifteen (15) or more qualified applicants for the program.

(8) Upon the funding of * * * sixty-two (62) or more rural physicians scholarships by the Legislature and recognizing the importance of balancing the needs of comprehensive primary care along with a critical shortage of psychiatrists in Mississippi, the commission may grant an exception for fourth-year medical or osteopathic school (M4) students who demonstrate a desire to practice psychiatry in rural Mississippi and who use a practice model and enter the practice of medicine in a rural or underserved area in Mississippi, as defined by the commission, beginning for the M4 Class of * * * 2023.

SECTION 4. Section 37-144-11, Mississippi Code of 1972, is brought forward as follows:

37-144-11. (1) Students in the program may apply to any medical or osteopathic school that is accredited by the Liaison Committee on Medical Education (LCME) or the American Osteopathic Association (AOA).

(2) Students in the program seeking admission to the University of Mississippi School of Medicine shall be eligible for a special admissions process pursuant to criteria established by the School of Medicine Admissions Committee which will include special consideration of the attributes of participation in the program.

(3) In carrying out the admissions process developed for the Mississippi Rural Physicians Scholarship Program participants under this section, the goal is for the program to work with the School of Medicine to enhance the capability of participants to successfully enter and complete medical school, train in family medicine or other generalist primary care specialty and enter practice in rural or underserved areas in Mississippi. To the extent feasible, the early admissions process should be completed before November 1 of the year preceding a student's admission to medical school.

SECTION 5. Section 37-144-13, Mississippi Code of 1972, is amended as follows:

37-144-13. (1) Subject to the availability of funding, students in the program who successfully matriculate to medical or osteopathic school are eligible for ongoing financial support in accordance with policies and requirements of the commission and in accordance with the applicable laws and regulations. The number of students to be supported at the University of Mississippi School of Medicine and at other schools will be established by policy prescribed by the commission.

(2) Subject to the availability of funding, students enrolled at * * * a medical or osteopathic school in Mississippi may receive tuition support, funding to assist with the cost of books and a living stipend, as prescribed by policy of the commission and in accordance with applicable regulations. Preferences for ongoing funding must be given to those students admitted to the University of Mississippi School of Medicine.

(3) For each year that a student in medical or osteopathic school receives financial assistance, the student is obligated for one (1) year of practice as a primary care physician in a rural or underserved area in Mississippi. Breach of the agreement at any stage of training shall invoke the repayment of all financial assistance provided to the student through the Mississippi Rural Physicians Scholarship Program, including assistance provided during undergraduate school, as well as in medical or osteopathic school, along with other penalties that may be prescribed in policy by the commission.

SECTION 6. Section 37-144-17, Mississippi Code of 1972, is amended as follows:

37-144-17. (1) Upon completion of residency, a participant in the Mississippi Rural Physicians Scholarship Program must proceed to enter the practice of medicine in a rural or underserved area in Mississippi, as defined by the commission and consistent with generally acceptable designations. If an area experiences significant changes in its medical or general community which are not reflected by health professional shortage area (HPSA) or medically underserved area (MUA) rural designation, the commission may receive testimony and, in its discretion, may qualify the area as an underserved or rural area to allow the program participant to fulfill his or her practice obligation.

(2) Upon entering the practice of medicine, a participant in the program must serve in a health professional shortage area (HPSA), medically underserved area (MUA), or rural area otherwise approved for practice under subsection (1) of this section for a number of years which corresponds to the number of years, not to exceed five (5), for which the participant received funding through the program. A participant who completes residency * * * who fails to enter the practice of medicine as required under this section shall be deemed in breach of contract and shall be liable for the immediate repayment of all financial assistance provided to the participant through the Mississippi Rural Physicians Scholarship Program, including assistance provided during undergraduate school, as well as in medical or osteopathic school, along with other penalties that may be prescribed in policy by the board. Any participant who fails to complete the period of practice for which he or she is obligated to provide services in a health professional shortage area (HPSA) or a medically underserved area (MUA) in exchange for financial assistance received through the Mississippi Rural Physicians Scholarship Program shall be liable for the repayment of all financial assistance provided to the participant through the program, along with other penalties that may be prescribed by the commission, an amount which shall be reduced on a pro rata basis for actual years of practice by the physician in the area designated by the commission.

SECTION 7. Section 37-146-1, Mississippi Code of 1972, is amended as follows:

37-146-1. There is established the Mississippi Rural Dentists Scholarship Program for the purpose of identifying and recruiting qualified university and college students * * * for dental school matriculation. The program shall consist of three (3) distinct phases through which participants will progress, including:

(a) Undergraduate pre-dental education;

(b) Dental school and residency; and

(c) Initial entry into dental practice in a rural or underserved area of the State of Mississippi.

SECTION 8. Section 37-146-5, Mississippi Code of 1972, is amended as follows:

37-146-5. The Mississippi Rural Dentists Scholarship Commission shall have the following powers and duties:

(a) Developing the administrative policy for the commission and the Mississippi Rural Dentists Scholarship Program;

(b) Promulgating rules and regulations, with the advice and consent of the University of Mississippi Medical Center, pertaining to the implementation and operation of the Rural Dentists Scholarship Program;

(c) Developing and implementing strategies and activities for the identification and recruitment of students and for marketing the program and for the implementation of the program. In developing these strategies, the board shall seek the input of various organizations and entities;

(d) Establishing a budget, with the advice and consent of the University of Mississippi Medical Center, to support the activities of the program and periodically reviewing and if appropriate, revising, the scholarship and other stipends offered through the program;

(e) Advising the University of Mississippi Medical Center regarding hiring appropriate staff necessary to work in conjunction with the Executive Director of the Mississippi Rural Physicians Scholarship Program;

(f) Reviewing participants' progress in the program and mentoring students and dentists participating in the program;

(g) The commission shall have the authority through use of generally applicable definitions, to designate an area of the state as underserved or rural. The method by which these designations shall be made shall be contained in rules and regulations promulgated by the commission.

(h) The commission shall produce an annual report to the Legislature showing certain information relating to the program for the previous fiscal year, including the following:

(i) Budget, including funds provided in addition to Legislative appropriations;

(ii) The number of participants enrolled in dental school along with their matriculation status;

(iii) The status of, to include location or practice, participants who have entered a dental residency program;

(iv) The number and cause of participants who breached their obligation(s) to the program; and

(v) The status of, to include location of practice, participants who have entered into the practice of dentistry in a rural or medically underserved area in Mississippi.

SECTION 9. Section 37-146-7, Mississippi Code of 1972, is brought forward as follows:

37-146-7. (1) The commission shall develop and implement policies and procedures designed to recruit, identify and enroll undergraduate students who

demonstrate necessary interest, commitment, aptitude and academic achievement to pursue careers as dentists in rural or dentally underserved areas of Mississippi, and to develop and implement the programs designed to foster successful entry of participants into dental school, completion of dental school, and establishment and maintenance of a career in dentistry in a rural or underserved area of Mississippi.

(2) The commission shall have the authority through use of generally applicable definitions, to designate an area of the state as underserved or rural.

(3) The commission, in conjunction with the University of Mississippi Medical Center, shall have the authority to provide students selected for scholarship funding with faculty mentors and other programs designed to enhance the students' likelihood of admission to the dental school. The commission and the University of Mississippi Medical Center will develop coursework that will help provide scholarship students with the skills necessary for sustained and successful dental practice in rural Mississippi.

(4) Each applicant for admission to the program must submit an application to the commission that conforms to requirements established by the commission.

(5) In selecting participants for the program, the board may only accept an applicant if his or her academic record and other characteristics, if given consideration by the University of Mississippi School of Dentistry Admissions Committee, would be considered credible and competitive.

(6) An applicant for the program may be admitted only upon a majority vote of the members of the commission.

(7) Up to three (3) students will be admitted to the Mississippi Rural Dentists Scholarship Program each year.

SECTION 10. Section 37-146-11, Mississippi Code of 1972, is amended as follows:

37-146-11. (1) Students in the program may apply to the * * * University of Mississippi School of Dentistry.

(2) Students in the program seeking admission to the University of Mississippi School of Dentistry shall be eligible for the admissions process pursuant to criteria established by the School of Dentistry Admissions Committee which will include consideration of the attributes of participation in the program.

(3) In carrying out the admissions process developed for the Mississippi Rural Dentists Scholarship Program participants under this section, the goal is for the program to work with the School of Dentistry to enhance the capability of participants to successfully enter and complete dental school and enter practice in rural or underserved areas in Mississippi. To the extent feasible, the early admissions process should be completed before December 1 of the year preceding a student's admission to dental school.

SECTION 11. Section 37-146-13, Mississippi Code of 1972, is brought forward as follows:

37-146-13. (1) Subject to the availability of funding, students in the program who successfully matriculate to dental school are eligible for ongoing financial support in accordance with policies and requirements of the commission and in accordance with the applicable laws and regulations. The number of students to be supported at the University of Mississippi School of Dentistry and at other schools will be established by policy prescribed by the commission.

(2) Subject to the availability of funding, students enrolled at the University of Mississippi School of Dentistry may receive tuition support, funding to assist with the cost of books and a living stipend, as prescribed by policy of the commission and in accordance with applicable regulations. Preferences for ongoing funding must be given to those students admitted to the University of Mississippi School of Dentistry.

(3) For each year that a student in dental school receives financial assistance, the student is obligated for one (1) year of practice as a dentist in a rural or underserved area in Mississippi. Breach of the agreement at any stage of training shall invoke the repayment of all financial assistance provided to the student through the Mississippi Rural Dentists Scholarship Program along with other penalties that may be prescribed in policy by the commission.

SECTION 12. Section 37-146-17, Mississippi Code of 1972, is brought forward as follows:

37-146-17. (1) Upon completion of dental school and/or a dental residency program approved by the commission, a participant in the Mississippi Rural Dentists Scholarship Program must proceed to enter the full-time practice of dentistry in a rural or underserved area in Mississippi, as defined by the commission and consistent with generally acceptable designations. If an area experiences significant changes in its dental or general community which are not reflected by dental health professional shortage area (HPSA), the commission may receive testimony and, in its discretion, may qualify the area as a dentally underserved or rural area to allow the program participant to fulfill his or her practice obligation.

(2) Upon entering the practice of dentistry, a participant in the program must serve in a dental health professional shortage area (HPSA) or rural area otherwise approved for practice under subsection (1) of this section for a number of years which corresponds to the number of years, not to exceed five (5), for which the participant received funding through the program. Any participant who fails to complete the period of practice for which he or she is obligated to provide services in a dental health professional shortage area (HPSA) or rural area in exchange for financial assistance received through the Mississippi Rural Dentists Scholarship Program shall be liable for the repayment of all financial assistance provided to the participant through the program, along with other penalties that may be prescribed by the commission, an amount which shall be reduced on a pro rata basis for actual years of practice by the dentist in the area designated by the commission.

SECTION 13. Section 37-144-3, Mississippi Code of 1972, is amended as follows:

37-144-3. (1) The Mississippi Rural Physicians Scholarship Program shall be administered by a commission to be known as the "Mississippi Rural Physicians Scholarship Commission." The commission shall be directed by a board composed of the following members:

(a) Two (2) generalist physicians appointed by and from the membership of the Mississippi State Medical Association, the term of which shall be three (3) years and may be reappointed for one (1) additional term;

(b) One (1) generalist physician appointed by and from the membership of each of the following organizations, the term of which shall be three (3) years and may be reappointed for one (1) additional term:

(i) Mississippi Academy of Family Physicians;

(ii) Mississippi Chapter, American College of Physicians;

(iii) Mississippi Chapter, American Academy of Pediatrics;

(iv) Mississippi Chapter, American College of OB-GYN;

(v) Mississippi Psychiatric Association;

(* * *vi) Mississippi Medical and Surgical Association;

(* * *vii) Mississippi Osteopathic Association;

(c) Two (2) designees of the Dean of the University of Mississippi School of Medicine whose terms are at the discretion of the dean, at least one (1) of whom is a member of the University of Mississippi School of Medicine Admissions Committee;

(d) Two (2) medical students, one (1) of whom shall be selected yearly through a process developed by the Dean of the School of Medicine in consultation with the Chairs of the Departments of Family Medicine, Internal Medicine, OB-GYN and Pediatrics, and one (1) of whom shall be nominated for a one-year term by the Mississippi Chapter of the Student National Medical Association and approved by the Dean of the University of Mississippi School of Medicine;

(e) A member of the Board of Trustees of State Institutions of Higher Learning;

(f) The Chair of the Department of Family Medicine at the University of Mississippi School of Medicine; and

(g) A licensed psychiatrist appointed by the Mississippi Chapter of the American Psychiatric Association.

(2) The premedical advisors from the accredited four-year colleges and universities in the state and the directors or designees of the primary care generalist training programs in the State of Mississippi shall comprise an advisory committee to the commission to assist the commission in its administration of the Mississippi Rural Physicians Scholarship Program.

(3) Vacancies on the commission must be filled in a manner consistent with the original appointments.

(4) All appointments to the commission must be made no later than September 1, * * * 2024. After the members are appointed, the Chair of the Department of Family Medicine shall set a date for the organizational meeting that is mutually acceptable to the majority of the commission members. The organizational meeting shall be for the purposes of organizing the commission and establishing rules for transacting its business. A majority of the members of the commission shall constitute a quorum at all commission meetings. An affirmative vote of a majority of the members present and voting shall be required in the adoption of rules, reports and in any other actions taken by the commission. At the organizational meeting, the commission shall elect a chair and vice chair from the members appointed according to paragraphs (a) through (d) of subsection (1). The chair shall serve for a term of two (2) years, upon the expiration of which the vice chair shall assume the office of chair.

(5) After the organizational meeting, the commission shall hold no less than two (2) meetings annually.

(6) The commission may form an executive committee for the purpose of transacting business that must be conducted before the next regularly scheduled meeting of the commission. All actions taken by the executive committee must be ratified by the commission at its next regularly scheduled meeting.

(7) Members of the commission shall serve without compensation but may be reimbursed, subject to the availability of funding, for mileage and actual and necessary expenses incurred in attending meetings of the commission.

(8) Funding for the establishment and continued operation of the program and commission shall be appropriated out of any money in the General Fund not already appropriated to the University of Mississippi Medical Center.

SECTION 14. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 37-144-1, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS RELATED TO THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP PROGRAM TO ALLOW STUDENTS FROM ALL AREAS OF THE STATE; TO AMEND SECTION 37-144-3, MISSISSIPPI CODE OF 1972, TO ADD A BOARD-CERTIFIED CHILD PSYCHIATRIST AS A MEMBER OF THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP COMMISSION; TO AMEND SECTION 37-144-5, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP COMMISSION TO PRODUCE AN ANNUAL REPORT TO THE LEGISLATURE PROVIDING CERTAIN STATISTICS; TO INCLUDE THE MISSISSIPPI PSYCHIATRIC ASSOCIATION AMONG THE ORGANIZATIONS FROM WHICH THE COMMISSION SHALL SEEK INPUT REGARDING THE IMPLEMENTATION OF THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP PROGRAM; TO AMEND SECTION 37-144-7, MISSISSIPPI CODE OF 1972, TO INCLUDE CHILD PSYCHIATRY STUDENTS IN THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP RESIDENCY PROGRAM; TO AMEND SECTIONS 37-144-13 AND 37-144-17, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN TECHNICAL CONFORMING REVISIONS THERETO; TO BRING FORWARD SECTIONS 37-144-7 AND 37-144-11, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 37-146-1, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS RELATED TO THE MISSISSIPPI RURAL DENTISTS SCHOLARSHIP PROGRAM TO ALLOW STUDENTS FROM ALL AREAS OF THE STATE; TO AMEND SECTION 37-146-5, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI RURAL DENTISTS SCHOLARSHIP COMMISSION TO PRODUCE ANNUAL REPORTS TO THE LEGISLATURE PROVIDING VARIOUS STATISTICS; TO AMEND SECTION 37-146-11, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN TECHNICAL REVISIONS THERETO; TO BRING FORWARD SECTIONS 37-146-7, 37-146-13 AND 37-146-17, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senator Sparks moved that the rules be suspended to move to calendar item 34, **S. B. No. 2570**, and the motion prevailed.

Senator Sparks called up the following House Amendment to **S. B. No. 2570** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 438 by striking "2025" and inserting in lieu therof "2027".

AMEND further on line 834 by striking "2025" and inserting in lieu therof "2027".

AMEND title to conform.

_____

Senator Sparks moved that the rules be suspended to move to calendar item 40, **S. B. No. 2717**, and the motion prevailed.

Senator Sparks called up the following House Amendment to **S. B. No. 2717** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-26, Mississippi Code of 1972, is amended as follows:

47-5-26. (1) The commissioner shall employ the following personnel:

(a) A Deputy Commissioner for Administration and Finance, who shall supervise and implement all fiscal policies and programs within the department, supervise and implement all hiring and personnel matters within the department, supervise the department's personnel director, supervise and implement all purchasing within the department and supervise and implement all data processing activities within the department, and who shall serve as the Chief Executive Officer of the Division of Administration and Finance. He shall possess either:

(i) A master's degree from an accredited four-year college or university in public or business administration, accounting, economics or a directly related field, and four (4) years of experience in work related to the above-described duties, one (1) year of which must have included line or functional supervision; or

(ii) A bachelor's degree from an accredited four-year college or university in public or business administration, accounting, economics or a directly related field, and six (6) years of experience in work related to the above-described duties, one (1) year of which must have included line or functional supervision. Certification by the State of Mississippi as a certified public accountant may be substituted for one (1) year of the required experience.

(b) A Deputy Commissioner for Community Corrections, who shall initiate and administer programs, including, but not limited to, supervision of probationers, parolees and suspensioners, counseling, community-based treatment, interstate compact administration and enforcement, prevention programs, halfway houses and group homes, technical violation centers, restitution centers, presentence investigations, and work and educational releases, and shall serve as the Chief Executive Officer of the Division of Community Services. The Deputy Commissioner for Community Corrections is charged with full and complete cooperation with the State Parole Board and shall make monthly reports to the Chairman of the Parole Board in the form and type required by the chairman, in his discretion, for the proper performance of the probation and parole functions. After a plea or verdict of guilty to a felony is entered against a person and before he is sentenced, the Deputy Commissioner for Community Corrections shall procure from any available source and shall file in the presentence records any information regarding any criminal history of the person such as fingerprints, dates of arrests, complaints, civil and criminal charges, investigative reports of arresting and prosecuting agencies, reports of

the National Crime Information Center, the nature and character of each offense, noting all particular circumstances thereof and any similar data about the person. The Deputy Commissioner for Community Corrections shall keep an accurate and complete duplicate record of this file and shall furnish the duplicate to the department. This file shall be placed in and shall constitute a part of the inmate's master file. The Deputy Commissioner for Community Corrections shall furnish this file to the State Parole Board when the file is needed in the course of its official duties. He shall possess either: (i) a master's degree in counseling, corrections psychology, guidance, social work, criminal justice or some related field and at least four (4) years' full-time experience in such field, including at least one (1) year of supervisory experience; or (ii) a bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years' full-time work in corrections, one (1) year of which shall have been at the supervisory level.

(c) A Deputy Commissioner for Institutions, who shall administer institutions, reception and diagnostic centers, prerelease centers and other facilities and programs provided therein, and shall serve as the Chief Executive Officer of the Division of Institutions. He shall possess either: (i) a master's degree in counseling, criminal justice, psychology, guidance, social work, business or some related field, and at least four (4) years' full-time experience in corrections, including at least one (1) year of correctional management experience; or (ii) a bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years' full-time work in corrections, four (4) years of which shall have been at the correctional management level.

(d) A Deputy Commissioner for Programs, Education and Reentry, who shall initiate and administer programs, including but not limited to, education services, religious services, moral rehabilitation, alcohol and drug rehabilitation, and court reentry. The Deputy Commissioner for Programs, Education and Reentry may coordinate with any educational institution to develop a program for moral rehabilitation with an emphasis on promoting effective programs for release. The Deputy Commissioner for Programs, Education and Reentry shall focus on reentry programs aimed at reducing recidivism. The programs shall incorporate a moral component focused on providing offenders with an opportunity to make positive changes while incarcerated that will enable them to be productive members of society upon their release. Such deputy commissioner shall possess either:

(i) A master's degree in counseling, corrections, psychology, guidance, social work, criminal justice or some related field and at least four (4) years' full-time experience in such field, including at least one (1) year of supervisory experience; or

(ii) A bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years full-time work in corrections, one (1) year of which shall have been at the supervisory level.

* * *

Out of the deputy commissioners employed under this subsection (1), as set out in paragraphs (a) through (e), the commissioner shall designate one (1) of the commissioners as an executive deputy commissioner who shall have the duties prescribed under Section 47-5-8.

(2) The commissioner shall employ an administrative assistant for parole matters who shall be selected by the State Parole Board who shall be an employee of the department assigned to the State Parole Board and who shall be located at the office of the State Parole Board, and who shall work under the guidance, supervision and direction of the board.

(3) The administrative assistant for parole matters shall receive an annual salary to be established by the Legislature. The salaries of department employees not

established by the Legislature shall receive an annual salary established by the State Personnel Board.

(4) The commissioner shall employ a superintendent for the Parchman facility, Central Mississippi Correctional Facility and South Mississippi Correctional Institution of the Department of Corrections. The Superintendent of the Mississippi State Penitentiary shall reside on the grounds of the Parchman facility. Each superintendent shall appoint an officer in charge when he is absent.

Each superintendent shall develop and implement a plan for the prevention and control of an inmate riot and shall file a report with the Chairman of the Senate Corrections Committee and the Chairman of the House Penitentiary Committee on the first day of each regular session of the Legislature regarding the status of the plan.

In order that the grievances and complaints of inmates, employees and visitors at each facility may be heard in a timely and orderly manner, each superintendent shall appoint or designate an employee at the facility to hear grievances and complaints and to report grievances and complaints to the superintendent. Each superintendent shall institute procedures as are necessary to provide confidentiality to those who file grievances and complaints.

(5) For a one-year period beginning July 1, 2016, any person authorized for employment under this section shall not be subject to the rules, regulations and procedures of the State Personnel Board, except as otherwise provided under Section 25-9-127(5).

SECTION 2. Section 47-5-541, Mississippi Code of 1972, is amended as follows:

47-5-541. (1) The corporation shall be governed by a board of directors. The terms of the board of directors in place before July 1, 2022, shall expire June 30, 2022. From and after July 1, 2022, the board of directors of the nonprofit corporation shall be composed of the following five (5) members:

(a) The Commissioner of the Department of Corrections or his or her designee;

(b) One (1) representative of the faith-based community, appointed by the Commissioner of the Department of Corrections with the advice and consent of the Senate;

(c) One (1) representative of the business community, appointed by the Commissioner of the Department of Corrections with the advice and consent of the Senate;

(d) The Executive Director of * * * the Office of Workforce Development or his or her designee; and

(e) The Executive Director of the Mississippi Community College Board or his or her designee.

For the initial appointments, the representative of the faith-based community shall serve for a term of one (1) year; the representative of the business community shall serve for a term of two (2) years; the Executive Director of the * * * Office of Workforce Development or his or her designee shall serve for a term of three (3) years and the Executive Director of the Mississippi Community College Board shall serve for a term of four (4) years. All succeeding terms shall be for four (4) years from the expiration date of the previous term. The term of the Commissioner of Corrections shall run concurrent with his or her term or terms as commissioner. Initial appointments shall be made within thirty (30) days after July 1, 2022. Any vacancy on the board prior to the expiration of a term

for any reason, including resignation, removal, disqualification, death or disability shall be filled in the manner prescribed in paragraphs (a) through (e) of this subsection for the balance of the unexpired term. The officers of the corporation shall consist of a chairman, vice chairman and a secretary-treasurer. The officers shall be selected by the members of the board. However, the Commissioner of Corrections shall not be eligible to serve as an officer of the corporation.

(2) (a) The board of directors shall select and employ a chief executive officer of the corporation as the Deputy Commissioner for Workforce Development who shall serve at the pleasure of the board. The board shall set the compensation of the * * * Deputy Commissioner for Workforce Development. The * * * Deputy Commissioner for Workforce Development shall be responsible for the general business and entire operations of the corporation, and shall be responsible for operating the corporation in compliance with the bylaws of the corporation and in compliance with any provision of law. The board shall be authorized and empowered to do only those acts provided by law and by the bylaws of the corporation. Except as otherwise specifically provided by law, such board shall have the authority to establish prison industries, to cease the operation of any industry which it deems unsuitable or unprofitable, to enter into any lease or contract for the corporation and it shall have the full authority to establish prices for any industry good.

(b) The Deputy Commissioner for Workforce Development shall work in collaboration with the Executive Director of the Office of Workforce Development to implement workforce development programs within the corrections system which align with the strategic plan for an integrated workforce development system for the state, as described in Section 37-153-7.

(c) The Deputy Commissioner for Workforce Development shall be a person with extensive experience in development of economic, human and physical resources, with an emphasis in the corrections or reentry environments preferred. The Deputy Commissioner for Workforce Development shall have at least a bachelor's degree from a state-accredited institution and no less than eight (8) years of professional experience related to workforce development.

(d) With the assistance of the Office of Workforce Development, the Deputy Commissioner for Workforce Development shall:

(i) Inventory and measure the effectiveness of current workforce development programs in the state corrections system, with the goal of eliminating any programs which do not result in desired outcomes, including, but not limited to, an increase in employment in reentering offenders, a better environment within correctional facilities in the state, or a reduction in recidivism;

(ii) Partner with educational institutions to provide additional opportunities in workforce development programs for offenders leading to high-wage, high-skill jobs upon reentry;

(iii) Provide information, as appropriate, to offenders on workforce development programs available within the corrections system;

(iv) Work with industry to identify barriers which inhibit offender reentry and employment and evaluate the responsiveness of the corrections system and other support entities to the needs of industry;

(v) Develop short-term and long-term goals for the state related to workforce development and reentry offender employment within the corrections system; and

(vi) Perform a comprehensive review of workforce development in the corrections system, including the amount expended on programs supported by state or federal money and their outcomes.

(3) No member of the board of directors shall vote on any matter that comes before the board that could result in pecuniary benefit for himself or for any entity in which such member has an interest.

(4) In addition to the board of directors, an advisory board may be set up for the benefit of each industry which is established pursuant to the provisions of Sections 47-5-531 through 47-5-575. Such boards shall be advisory only, and may be set up in the discretion of the board of directors of the corporation.

(5) Each member of the board of directors of the corporation shall receive per diem as provided in Section 25-3-69 for each day or fraction thereof spent in actual discharge of his official duties and shall be reimbursed for mileage and actual expenses incurred in the performance of his official duties in accordance with the requirements of Section 25-3-41, Mississippi Code of 1972.

(6) The board of directors shall make and publish policies, rules and regulations governing all business functions, including but not limited to accounting, marketing, purchasing and personnel, not inconsistent with the terms of Sections 47-5-531 through 47-5-575, as may be necessary for the efficient administration and operation of the corporation.

(7) The chief executive officer of the corporation shall:

(a) Employ all necessary employees of the corporation and dismiss them as is necessary;

(b) Administer the daily operations of the corporation, including establishing education, training and workforce development programs in collaboration with the Office of Workforce Development and other relevant state and federal agencies;

(c) Upon approval of the board of directors, execute any contracts on behalf of the corporation; and

(d) Take any further actions which are necessary and proper toward the achievement of the corporation purposes.

(8) A member of the board of directors of the corporation shall not be liable for any civil damages for any personal injury or property damage caused to a person as a result of any acts or omissions committed in good faith in the exercise of their duties as members of the board of directors of the corporation, except where a member of the board engages in acts or omissions which are intentional, willful, wanton, reckless or grossly negligent.

SECTION 3. Section 47-5-577, Mississippi Code of 1972, is amended as follows:

47-5-577. Sections 47-5-531 through 47-5-575, which create the Mississippi Prison Industries Act of 1990, shall stand repealed from and after July 1, * * * 2027.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 29, 2024.

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

AN ACT TO AMEND SECTION 47-5-26, MISSISSIPPI CODE OF 1972, TO REMOVE PROVISIONS REQUIRING THAT THERE BE A DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT WHO SHALL SERVE AS THE CHIEF EXECUTIVE OFFICER OF PRISON INDUSTRIES AND DIRECTOR OF PRISON AGRICULTURAL ENTERPRISES; TO AMEND SECTION 47-5-541, MISSISSIPPI CODE OF 1972, TO REPLACE THE EXECUTIVE DIRECTOR OF ACCELERATEMS WITH THE EXECUTIVE DIRECTOR OF THE OFFICE OF WORKFORCE DEVELOPMENT, TO REQUIRE THAT THERE BE A DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT WHO SHALL WORK IN COLLABORATION WITH THE EXECUTIVE DIRECTOR OF THE OFFICE OF WORKFORCE DEVELOPMENT TO IMPLEMENT WORKFORCE DEVELOPMENT PROGRAMS WITHIN THE CORRECTIONS SYSTEM, AND TO DESCRIBE THE DUTIES OF THE DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT; TO AMEND SECTION 47-5-577, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL FROM 2024 TO 2027; AND FOR RELATED PURPOSES.

Senator Harkins moved that the rules be suspended to move to calendar item 30, **S. B. No. 2470**, and the motion prevailed.

Senator Harkins called up the following House Amendment to **S. B. No. 2470** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

AMEND on line 178 by striking "Saturday" and inserting in lieu thereof "Sunday"

AMEND further on line 377 by striking "July 1, 2024" and inserting in lieu thereof "its passage"

AMEND title to conform.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2470** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Turner-Ford, Whaley, Wiggins, Younger. Total--47.

Nays--None.

Absent and those not voting--Johnson, Parks, Tate, Thompson, Williams. Total--5.

Senator Harkins moved that the rules be suspended to move to calendar item 28, **S. B. No. 2226**, and the motion prevailed.

Senator Harkins called up the following House Amendment to **S. B. No. 2226** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-117-15, Mississippi Code of 1972, is amended as follows:

27-117-15. * * * [Deleted]

SECTION 2. Section 27-117-5, Mississippi Code of 1972, is amended as follows:

27-117-5. Duties of the Executive Director of the Department of Finance and Administration. (1) * * * Before December 31, 2019, the Executive Director of the Department of Finance and Administration shall develop or contract to develop, using credible information available to the public, a list of companies determined to engage in a boycott of Israel, as described in this section. When completed, the list must be posted on the website of the Department of Finance and Administration.

(* * *2) The executive director shall update the list by July 1 of every year.

(* * *3) Before a company is included on the finalized initial list or updated list, the executive director must do all of the following:

(* * *a) Provide ninety (90) days' written notice of the executive director's intent to include the company on the list. The notice must inform the company that inclusion on the list will make the company ineligible for investment by the State or Public Employees Retirement System. The notice also must specify that the company, if it ceases its boycott of Israel, may be removed from the list.

(* * *b) The executive director shall provide a company with an opportunity to comment in writing that it is not engaged in a boycott of Israel. If the company demonstrates to the executive director that the company is not engaged in a boycott of Israel, the company shall not be included on the list.

(* * *4) The executive director shall make every effort to avoid including a company on the list erroneously.

SECTION 3. Section 27-117-1, Mississippi Code of 1972, is brought forward as follows:

27-117-1. Short title. This chapter shall be known and may be cited as the "Israel Support Act of 2019."

SECTION 4. Section 27-117-3, Mississippi Code of 1972, is brought forward as follows:

27-117-3. Definitions. As used in this chapter, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Boycott Israel" or "boycott of Israel" means refusing to deal, terminating business activities, or taking other actions to limit commercial relations with Israel, or persons or entities doing business in Israel or in Israeli-controlled territories, in a discriminatory manner. A statement by a company that it is participating in a boycott of Israel, or that it has initiated a boycott in response to a request for a boycott of Israel or in compliance with, or in furtherance of, calls for a boycott of Israel, may be considered by the public fund to be evidence that a company is participating in a boycott of Israel. The term does not include restrictive trade practices or boycotts fostered or imposed by foreign countries against Israel.

(b) "Company" means an organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company, or other entity or business association, including all wholly owned subsidiaries, majority-owned subsidiaries, and parent companies, that exists for the purpose of making profit.

(c) "Expense" means all explicit costs associated with divesting of investments, including, but not limited to, trading costs, brokerage commissions, and any realized losses, and all implicit costs, including, but not limited to, lost opportunity costs resulting from the prohibition from making certain investments.

(d) "Investment" means a commitment or contribution of funds or property, whatever the source, a loan or other extension of credit, and the entry into or renewal of a contract for goods or services. The term "investment" does not include indirect beneficial ownership through index funds, commingled funds, limited partnerships, derivative instruments or the like.

(e) "Public fund" means the Public Employees' Retirement System and the Treasurer's office.

(f) "Scrutinized companies" means companies that boycott Israel or engage in a boycott of Israel.

SECTION 5. Section 27-117-7, Mississippi Code of 1972, is brought forward as follows:

27-117-7. Limitation on the Public Employees' Retirement System and State Treasury Investments. (1) The Public Employees' Retirement System and the State Treasurer may not invest funds with a company that is identified on a list created pursuant to Section 27-117-5 as a company engaging in a boycott of Israel.

(2) Any existing investments in violation of this chapter as of July 1, 2020, must be divested when prudent to do so but not later than one hundred twenty (120) days after the posting is made on the website of the Department of Finance and Administration.

SECTION 6. Section 27-117-9, Mississippi Code of 1972, is brought forward as follows:

27-117-9. Exception to investment prohibition.

Notwithstanding the provisions of Section 27-117-7, an investment may be made in a company engaged in a boycott of Israel, on a case by case basis, if:

(a) The investment was made before December 31, 2019, and the company has adopted, publicized and is implementing a formal plan to cease the boycott of Israel and to refrain from engaging in any new boycott of Israel; or

(b) The investor makes a determination that the investments are necessary in order to perform its functions.

SECTION 7. Section 27-117-11, Mississippi Code of 1972, is brought forward as follows:

27-117-11. Limitation of chapter due to fiduciary obligations. Nothing in this chapter shall be construed to require the Public Employees' Retirement System of Mississippi or the State Treasurer or their agents to take any action as described in this chapter unless it is determined, in good faith, that: the action described in this chapter is consistent with the fiduciary responsibilities of the Public Employees' Retirement System

of Mississippi or the State Treasurer or their agents; and there are appropriated funds of the state to absorb the expenses necessary to implement this chapter.

SECTION 8. Section 27-117-13, Mississippi Code of 1972, is brought forward as follows:

27-117-13. Indemnification of employees and officials for compliance with this chapter. Present, future and former board members, officers, employees and agents of the Public Employees' Retirement System and the Department of Finance and Administration, as well as present, future and former State Treasurers, officers and employees of the State Treasurer and agents retained by the State Treasurer, must be indemnified from the State General Fund and held harmless by the state from all claims, demands, suits, actions, damages, judgments, costs, charges and expenses, including court costs and attorney's fees, and against all liability, losses and damages of any nature whatsoever that these present, future or former board members, officers, employees, agents or contract investment managers shall or may at any time sustain by reason of any decision to restrict, reduce or eliminate investments pursuant to this chapter.

SECTION 9. Section 27-105-33, Mississippi Code of 1972, is amended as follows:

27-105-33. It shall be the duty of the State Treasurer and the Executive Director of the Department of Finance and Administration on or about the tenth day of each month, and in their discretion at any other time, to analyze carefully the amount of cash in the General Fund of the state and in all special funds credited to any special purpose designated by the State Legislature or held to meet the budgets or appropriations for maintenance, improvements and services of the several institutions, boards, departments, commissions, agencies, persons or entities of the state, and to determine in their opinion when the cash in such funds is in excess of the amount required to meet the current needs and demands of no more than seven (7) business days on such funds and report their findings to the Governor. It shall be the duty of the State Treasurer to provide a cash flow model for forecasting revenues and expenditures on a bimonthly basis and providing technical assistance for its operation. The Department of Finance and Administration shall use the cash flow model furnished by the State Treasurer, in analyzing the amount of funds on deposit and available for investment.

The State Treasurer is hereby authorized, empowered and directed to invest all such excess general and special funds of the state in the following manner:

(a) Funds shall be allocated equally among all qualified state depositories which do not have demand accounts in excess of One Hundred Fifty Thousand Dollars ($150,000.00) until each qualified depository willing to accept the same shall have on deposit or in security repurchase agreements or in other securities authorized in paragraph (d) of this section at interest the sum of Three Hundred Thousand Dollars ($300,000.00). For the purposes of this subsection, no branch bank or branch office shall be counted as a separate depository.

(b) The balance, if any, of such excess general and special funds shall be offered to qualified depositories of the state on a pro rata basis as provided in Section 27-105-9. For the purposes of this subsection, the pro rata share of each depository shall be reduced by the amount of the average daily collected earning balance of demand deposits maintained by the State Treasurer pursuant to Section 27-105-9 during the preceding calendar year, and such reduction shall be allocated pro rata among other eligible depositories.

(c) Funds offered pursuant to paragraphs (a) and (b) above shall be invested for periods of up to one (1) year, and shall bear interest at an interest rate no less than that numerically equal to the bond equivalent yield on direct obligations of the United States Treasury of comparable maturity, as determined by the State Treasurer. In

determining such rate, the State Treasurer shall consider the Legislature's desire to distribute funds equitably throughout the state to the maximum extent possible.

(d) To the extent that the State Treasurer shall find that general and special funds cannot be invested pursuant to paragraphs (a), (b) and (c) of this section for the stated maturity up to one (1) year, the Treasurer may invest such funds, together with any other funds required for current operation, as determined pursuant to this section, in the following:

(i) Time certificates of deposit or interest-bearing accounts with qualified state depositories. For those funds determined under prudent judgment of the State Treasurer to be made available for investment in time certificates of deposit, the rate of interest paid by the depositories shall be determined by rules and regulations adopted and promulgated by the State Treasurer which may include competitive bids. At the time of investment, the interest rate on such certificates of deposit under the provisions of this subparagraph shall be a rate not less than the bond equivalent yield on direct obligations of the United States Treasury with a similar length of maturity.

(ii) Direct United States Treasury obligations, the principal and interest of which are fully guaranteed by the government of the United States.

(iii) United States government agency, United States government instrumentality or United States government-sponsored enterprise obligations, the principal and interest of which are fully guaranteed by the government of the United States, such as the Government National Mortgage Association; or United States governmental agency, United States government instrumentality or United States government-sponsored enterprise obligations, the principal and interest of which are guaranteed by any United States government agency, United States government instrumentality or United States government-sponsored enterprise contained in a list promulgated by the State Treasurer.

(iv) Direct security repurchase agreements and reverse direct security repurchase agreements of any federal book entry of only those securities enumerated in subparagraphs (ii) and (iii) above. "Direct security repurchase agreement" means an agreement under which the state buys, holds for a specified time, and then sells back those securities and obligations enumerated in subparagraphs (ii) and (iii) above. "Reverse direct securities repurchase agreement" means an agreement under which the state sells and after a specified time buys back any of the securities and obligations enumerated in subparagraphs (ii) and (iii) above. A qualified state depository shall be given preference for such agreements when possible.

(v) Bonds issued, assumed or guaranteed by the Country of Israel, provided that:

1. Investments in such instruments shall be denominated in United States currency;

2. Such bonds must be of investment grade as rated by at least one (1) nationally recognized statistical rating agency; and

3. The amount of funds invested in such bonds at any time shall not exceed * * * Fifty Million Dollars ($50,000,000.00).

(vi) Corporate bonds and taxable municipal bonds; or corporate short-term obligations of corporations or of wholly owned subsidiaries of corporations, whose short-term obligations are rated A-1 or better by Standard and Poor's, rated P-1 or better by Moody's Investment Service, F-1 or better by Fitch Ratings, Ltd., or the equivalent of these ratings if assigned by another United States Securities and Exchange Commission designated Nationally Recognized Statistical Rating Organization.

(e) For the purposes of this section, direct obligations issued by the United States of America shall be deemed to include securities of, or other interests in, any open-end or closed-end management type investment company or investment trust registered under the provisions of 15 USCS Section 80(a)-1 et seq., provided that the portfolio of such investment company or investment trust is limited to direct obligations issued by the United States of America, United States government agencies, United States government instrumentalities or United States government-sponsored enterprises, and to repurchase agreements fully collateralized by direct obligations of the United States of America, United States government agencies, United States government instrumentalities or United States government-sponsored enterprises, and the investment company or investment trust takes delivery of such collateral for the repurchase agreement, either directly or through an authorized custodian. The State Treasurer and the Executive Director of the Department of Finance and Administration shall review and approve the investment companies and investment trusts in which funds invested under paragraph (d) of this section may be invested. The total dollar amount of funds invested in all open-end and closed-end management type investment companies and investment trusts at any one time shall not exceed twenty percent (20%) of the total dollar amount of funds invested under paragraph (d) of this section.

(f) Investments authorized by subparagraphs (ii) and (iii) of paragraph (d) shall mature on such date or dates as determined by the State Treasurer in the exercise of prudent judgment to generate a favorable return to the state and will allow the monies to be available for use at such time as the monies will be needed for state purposes. However, the maturity of securities purchased as enumerated in subparagraphs (ii) and (iii) shall not exceed ten (10) years from date of purchase. Special funds shall be considered those funds created constitutionally, statutorily or administratively which are not considered general funds. All funds invested for a period of thirty (30) days or longer under paragraph (d) shall bear a rate at least equal to the current established rate under paragraph (c) of this section.

(g) Any interest-bearing deposits or certificates of deposit shall not exceed at any time the amount insured by the Federal Deposit Insurance Corporation in any one (1) banking institution, the Federal Savings and Loan Insurance Corporation in any one (1) savings and loan association, or other deposit insurance corporation approved by the State Treasurer, unless the uninsured portion is collateralized by the pledge of securities in the manner provided by Section 27-105-5.

(h) Unless otherwise provided, income from investments authorized by the provisions of this subsection shall be credited to the State General Fund.

(i) Not more than Five Hundred Thousand Dollars ($500,000.00) of funds may be invested with foreign financial institutions, and the State Treasurer may enter into price contracts for the purchase or exchange of foreign currency or other arrangements for currency exchange in an amount not to exceed Five Hundred Thousand Dollars ($500,000.00) upon specific direction of the Department of Economic and Community Development. The State Treasurer shall promulgate all rules and regulations for applications, qualifications and any other necessary matters for foreign financial institutions.

Any liquidating agent of a depository in liquidation, voluntary or involuntary, shall redeem from the state any bonds and securities which have been pledged to secure state funds and such redemption shall be at the par value or market value thereof, whichever is greater; otherwise, The liquidating agent or receiver may pay off the state in full for its deposits and retrieve the pledged securities without regard to par or market value.

The State Treasurer and the Executive Director of the Department of Finance and Administration shall make monthly reports to the Legislative Budget Office containing a full and complete statement of all funds invested by virtue of the provisions of this section

and the revenues derived therefrom and the expenses incurred therewith, together with all such other information as may seem to each of them as being pertinent to inform fully the Mississippi Legislature with reference thereto.

The State Treasurer shall not deposit any funds on demand deposit with any authorized depository, unless such depository has contracted for interest-bearing accounts or time certificates of deposit.

Notwithstanding the foregoing, any financial institution not meeting the prescribed ratio requirement set forth in Section 27-105-5 whose accounts are insured by the Federal Deposit Insurance Corporation, or any successor to that insurance corporation, may receive state funds in an amount not exceeding the amount which is insured by such insurance corporations and may qualify as a state depository to the extent of such insurance for this purpose only. The paid-in and earned capital funds of such financial institution shall not be included in the computations specified in Section 27-105-9(a) and (b).

SECTION 10. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 27-117-15, MISSISSIPPI CODE OF 1972, TO REMOVE THE REPEAL DATE OF THE ISRAEL SUPPORT ACT OF 2019; TO AMEND SECTION 27-117-5, MISSISSIPPI CODE OF 1972, TO MAKE TECHNICAL CORRECTIONS TO NUMBERING; TO BRING FORWARD SECTIONS 27-117-1, 27-117-3, 27-117-7, 27-117-9, 27-117-11 AND 27-117-13, MISSISSIPPI CODE OF 1972, TO WHICH CONSTITUTE THE ISRAEL SUPPORT ACT OF 2019, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 27-105-33, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF FUNDS THE STATE TREASURER MAY INVEST IN BONDS ISSUED, ASSUMED OR GUARANTEED BY THE COUNTRY OF ISRAEL UNDER CERTAIN CIRCUMSTANCES; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2226** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackwell, Boyd, Branning, Bryan, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horhn, Jackson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Polk, Rhodes, Robinson, Seymour, Simmons S. (13th), Sparks, Suber, Whaley, Wiggins, Younger. Total--36.

Nays--Blackmon, Brumfield, Butler, Frazier, Jordan, Norwood, Simmons D. T. (12th), Thomas, Turner-Ford. Total--9.

Absent and those not voting--Johnson, Parks, Tate, Thompson, Williams. Total--5.

Voting Present--Blount, Hickman. Total--2.

Senator Harkins moved that the rules be suspended to move to calendar item 37, **S. B. No. 2567**, and the motion prevailed.

Senator Harkins called up the following House Amendment to **S. B. No. 2567** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-51, Mississippi Code of 1972, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this article in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this article.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

Class 4. Native spirit producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native spirits.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines, native spirits and edibles, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this article and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers, other beverages commonly used to mix with alcoholic beverages, and fruits and foods that have been submerged in alcohol and are commonly referred to as edibles. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines and native spirits, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit

holder may sell one (1) bottle of wine to be removed from the licensed premises for every two (2) entrees ordered. In addition, an on-premises retailer's permittee at a permitted premises located on Jefferson Davis Avenue within one-half (1/2) mile north of U.S. Highway 90 may serve alcoholic beverages by the glass to a patron in a vehicle using a drive-through method of delivery if the permitted premises is located in a leisure and recreation district established under Section 67-1-101. Such a sale will be considered to be made on the permitted premises. An on-premises retailer's permit shall be issued only to qualified hotels, restaurants and clubs, small craft breweries, microbreweries, and to common carriers with adequate facilities for serving passengers. In resort areas, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to such establishments as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines and native spirits, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine and native spirit, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a

statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from the department or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of

alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from the department or from importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines and native spirits, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines and native spirits, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers,

except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages to consumers for on-premises consumption, or to consumers by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. However, when selling to consumers for on-premises consumption, a holder of a distillery retailer's permit may add other beverages, alcoholic or not, so long as the total volume of other beverage components containing alcohol does not exceed twenty percent (20%). Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the distillery retailer is located.

The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this article. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse; however, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by the department or its warehouse operator. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse. However, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2026.

(s) Charter vessel operator's permit. Subject to the provisions of this paragraph (s), a charter vessel operator's permit shall authorize the holder thereof and its employees to sell and serve alcoholic beverages to passengers of the permit holder during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder. The permit shall authorize the holder to only sell alcoholic beverages, including native wines, to passengers of the charter vessel operator during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder aboard the charter vessel operator for consumption during such tours and cruises on the premises of the charter vessel operator described in the permit. For the purposes of this paragraph (s), "charter vessel operator" means a common carrier that (i) is certified to carry at least forty-nine (49) passengers, (ii) operates only in the waters within the State of Mississippi, which lie south of Interstate 10 in the three (3) most southern counties in the State of Mississippi, and lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, extending not further than one (1) mile south of such counties, and (iii) provides vessel services for tours and cruises in such waters as provided in this paragraph(s).

(t) Native spirit retailer's permit. Except as otherwise provided in subsection (5) of this section, a native spirit retailer's permit shall be issued only to a holder of a Class 4 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native spirits to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native distillery. When selling to consumers for on-premises consumption, a holder of a native spirit retailer's permit may add to the native spirit alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native spirit retailer is located.

(u) Delivery service permit. Any individual, limited liability company, corporation or partnership registered to do business in this state is eligible to obtain a delivery service permit. Subject to the provisions of Section 67-1-51.1, this permit authorizes the permittee, or its employee or an independent contractor acting on its behalf, to deliver alcoholic beverages, beer, light wine and light spirit product from a licensed retailer to a person in this state who is at least twenty-one (21) years of age for the individual's use and not for resale. This permit does not authorize the delivery of alcoholic beverages, beer, light wine or light spirit product to the premises of a location with a permit for the manufacture, distribution or retail sale of alcoholic beverages, beer, light wine or light spirit product. The holder of a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or of a beer, light wine and light spirit product permit under Section 67-3-19 is authorized to apply for a delivery service permit as a privilege separate from its existing retail permit.

(v) Food truck permit. A food truck permit shall authorize the holder of an on-premises retailer's permit to use a food truck to sell alcoholic beverages off its premises to guests who must consume the beverages in open containers. For the purposes of this paragraph (v), "food truck" means a fully encased food service establishment on a motor vehicle or on a trailer that a motor vehicle pulls to transport, and from which a vendor, standing within the frame of the establishment, prepares, cooks, sells and serves food for immediate human consumption. The term "food truck" does not include a food cart that is not motorized. Food trucks shall maintain such distance requirements from schools, churches, kindergartens and funeral homes as are required for on-premises retailer's permittees under this article, and all sales must be made within a valid leisure and recreation district established under Section 67-1-101. Food trucks cannot sell or serve alcoholic beverages unless also offering food prepared and cooked within the food truck, and permittees must maintain a twenty-five percent (25%) food sale revenue requirement

based on the food sold from the food truck alone. The hours allowed for sale shall be the same as those for on-premises retailer's permittees in the location. This permit will not be required for the holder of a caterer's permit issued under this article to cater an event as allowed by law. Permittees must provide notice of not less than forty-eight (48) hours to the department of each location at which alcoholic beverages will be sold.

(w) On-premises tobacco permit. An on-premises tobacco permit shall authorize the permittee to sell alcoholic beverages for consumption on the licensed premises. In addition to all other requirements to obtain an alcoholic beverage permit, the permittee must obtain and maintain a tobacco permit issued by the State of Mississippi, and have a capital investment of not less than Five Hundred Thousand Dollars ($500,000.00) in the premises for which the permit is issued. In addition to alcoholic beverages, the permittee is authorized to sell only cigars, cheroots, tobacco pipes, pipe tobacco, and/or stogies. Additionally, seventy-five percent (75%) of the permittee's annual gross revenue must be derived from the sale of cigars, cheroots, tobacco pipes, pipe tobacco, and/or stogies. No food sales shall be required, but food may be sold on the premises. The issuance of this permit does not remove any obligation a permittee may have to follow local ordinances or actions prohibiting the use of tobacco products.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) (a) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this article within four hundred (400) feet of any church, school, kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

(b) A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(c) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(d) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a qualified resort area as defined in Section

67-1-5(o)(iii)32.

(e) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building formerly owned by a municipality and formerly leased by the municipality to a municipal school district and used by the municipal school district as a district bus shop facility.

(f) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building consisting of at least five thousand (5,000) square feet and located approximately six hundred (600) feet from the intersection of Mississippi Highway 15 and Mississippi Highway 4.

(g) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building located at or near the intersection of Ward and Tate Streets and adjacent properties in the City of Senatobia, Mississippi.

(h) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a theatre facility that features plays and other theatrical performances and productions and (i) is capable of seating more than seven hundred fifty (750) people, (ii) is owned by a municipality which has a population greater than ten thousand (10,000) according to the latest federal decennial census, (iii) was constructed prior to 1930, (iv) is on the National Register of Historic Places, and (v) is located in a historic district.

(i) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building located approximately one and six-tenths (1.6) miles north of the intersection of Mississippi Highway 15 and Mississippi Highway 4 on the west side of Mississippi Highway 15.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this article.

SECTION 2. Section 27-71-5, Mississippi Code of 1972, is amended as follows:

27-71-5. (1) Upon each person approved for a permit under the provisions of the Alcoholic Beverage Control Law and amendments thereto, there is levied and imposed for each location for the privilege of engaging and continuing in this state in the business authorized by such permit, an annual privilege license tax in the amount provided in the following schedule:

(a) Except as otherwise provided in this subsection (1), manufacturer's permit, Class 1, distiller's and/or

rectifier's:

(i) For a permittee with annual production of

five thousand (5,000) gallons or more $4,500.00

(ii) For a permittee with annual production under five thousand (5,000) gallons $2,800.00

(b) Manufacturer's permit, Class 2, wine manufacturer $1,800.00

(c) Manufacturer's permit, Class 3, native wine manufacturer per ten thousand (10,000) gallons or part thereof produced ..... $ 10.00

(d) Manufacturer's permit, Class 4, native spirit manufacturer per one thousand (1,000) gallons or part thereof produced ..... $ 300.00

(e) Native wine retailer's permit ..... $ 50.00

(f) Package retailer's permit, each ..... $ 900.00

(g) On-premises retailer's permit, except for clubs and common carriers, each ... $ 450.00

(h) On-premises retailer's permit for wine of more than five percent (5%) alcohol by weight, but not more than twenty-one percent (21%) alcohol by weight, each..... $ 225.00

(i) On-premises retailer's permit for clubs ..... $ 225.00

(j) On-premises retailer's permit for common carriers, per car, plane, or other vehicle ..... $ 120.00

(k) Solicitor's permit, regardless of any other provision of law, solicitor's permits shall be issued only in the discretion of the department ..... $ 100.00

(l) Filing fee for each application except for an employee identification card ..... $ 25.00

(m) Temporary permit, Class 1, each ..... $ 10.00

(n) Temporary permit, Class 2, each ..... $ 50.00

(o) (i) Caterer's permit ..... $ 600.00

(ii) Caterer's permit for holders of on-premises retailer's permit ..... $ 150.00

(p) Research permit ..... $ 100.00

(q) Temporary permit, Class 3 (wine only) ..... $ 10.00

(r) Special service permit ..... $ 225.00

(s) Merchant permit ..... $ 225.00

(t) Temporary alcoholic beverages charitable auction permit ..... $ 10.00

(u) Event venue retailer's permit ..... $ 225.00

(v) Temporary theatre permit, each ..... $ 10.00

(w) Charter ship operator's permit ..... $ 100.00

(x) Distillery retailer's permit ..... $ 450.00

(y) Festival wine permit ..... $ 10.00

(z) Charter vessel operator's permit ..... $ 100.00

(aa) Native spirit retailer's permit ..... $ 50.00

(* * *ab) Delivery service permit ..... $ 500.00

(* * *ac) Food truck permit ..... $ 100.00

(ad) On-premises tobacco permit ..... $ 450.00

In addition to the filing fee imposed by paragraph (l) of this subsection, a fee to be determined by the Department of Revenue may be charged to defray costs incurred to process applications. The additional fees shall be paid into the State Treasury to the credit of a special fund account, which is hereby created, and expenditures therefrom shall be made only to defray the costs incurred by the Department of Revenue in processing alcoholic beverage applications. Any unencumbered balance remaining in the special fund account on June 30 of any fiscal year shall lapse into the State General Fund.

All privilege taxes imposed by this section shall be paid in advance of doing business. A new permittee whose privilege tax is determined by production volume will pay the tax for the first year in accordance with department regulations. The additional privilege tax imposed for an on-premises retailer's permit based upon purchases shall be due and payable on demand.

Paragraph (y) of this subsection shall stand repealed from and after July 1, 2026.

(2) (a) There is imposed and shall be collected from each permittee, except a common carrier, solicitor, a temporary permittee or a delivery service permittee, by the department, an additional license tax equal to the amounts imposed under subsection (1) of this section for the privilege of doing business within any municipality or county in which the licensee is located.

(b) (i) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(g), (h), (i), (n) and (u) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Twenty-five Dollars ($225.00) on purchases exceeding Five Thousand Dollars ($5,000.00) and Two Hundred Twenty-five Dollars ($225.00) for each additional purchase of Five Thousand Dollars ($5,000.00), or fraction thereof.

(ii) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(o) and (s) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Fifty Dollars ($250.00) on purchases exceeding Five Thousand Dollars ($5,000.00) and Two Hundred Twenty-five Dollars ($225.00) for each additional purchase of Five Thousand Dollars ($5,000.00), or fraction thereof.

(iii) Any person who has paid the additional privilege license tax imposed by this paragraph, and whose permit is renewed, may add any unused fraction of Five Thousand Dollars ($5,000.00) purchases to the first Five Thousand Dollars ($5,000.00) purchases authorized by the renewal permit, and no additional license tax will be required until purchases exceed the sum of the two (2) figures.

(c) If the licensee is located within a municipality, the department shall pay the amount of additional license tax collected under this section to the municipality, and if outside a municipality the department shall pay the additional license tax to the county in which the licensee is located. Payments by the department to the respective local government subdivisions shall be made once each month for any collections during the preceding month.

(3) When an application for any permit, other than for renewal of a permit, has been rejected by the department, such decision shall be final. Appeal may be made in the manner provided by Section 67-1-39. Another application from an applicant who has been denied a permit shall not be reconsidered within a twelve-month period.

(4) The number of permits issued by the department shall not be restricted or limited on a population basis; however, the foregoing limitation shall not be construed to preclude the right of the department to refuse to issue a permit because of the undesirability of the proposed location.

(5) If any person shall engage or continue in any business which is taxable under this section without having paid the tax as provided in this section, the person shall be liable for the full amount of the tax plus a penalty thereon equal to the amount thereof, and, in addition, shall be punished by a fine of not more than One Thousand Dollars ($1,000.00), or by imprisonment in the county jail for a term of not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court.

(6) It shall be unlawful for any person to consume alcoholic beverages on the premises of any hotel restaurant, restaurant, club or the interior of any public place defined in Chapter 1, Title 67, Mississippi Code of 1972, when the owner or manager thereof displays in several conspicuous places inside the establishment and at the entrances of establishment a sign containing the following language: NO ALCOHOLIC BEVERAGES ALLOWED.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ISSUE AN ON-PREMISES TOBACCO PERMIT TO ALLOW PERMITTEES TO SELL ALCOHOLIC BEVERAGES ON LICENSED PREMISES WHERE CIGARS, CHEROOTS, TOBACCO PIPES, PIPE TOBACCO, AND/OR STOGIES ARE SOLD; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO IMPOSE AN ANNUAL PRIVILEGE LICENSE TAX OF $450.00 FOR THE PERMIT; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2567** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Whaley, Wiggins, Younger. Total--45.

Nays--None.

Absent and those not voting--Johnson, Parks, Tate, Thompson, Williams. Total--5.

Voting Present--Hill, Turner-Ford. Total--2.

_____

Senator DeBar moved that the rules be suspended to move to calendar item 69, **S. B. No. 2682**, and the motion prevailed.

Senator DeBar called up the following House Amendment to **S. B. No. 2682** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-159-1, Mississippi Code of 1972, is reenacted as follows:

37-159-1. Sections 37-159-1 through 37-159-19 shall be known and may be cited as the "Mississippi Critical Teacher Shortage Act of 1998."

SECTION 2. Section 37-159-5, Mississippi Code of 1972, is reenacted as follows:

37-159-5. The State Board of Education shall prescribe rules and regulations which, subject to available appropriations, allow for reimbursement to the state licensed teachers, from both in state and out of state, who enter into a contract for employment in a school district situated within a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, for the expense of moving when the employment necessitates the relocation of the teacher to a different geographical area than that in which the teacher resides before entering into such contract. In order to be eligible for the reimbursement, the teacher must apply to the local district and the district must obtain the prior approval from the department for reimbursement before the relocation occurs. If the reimbursement is approved, the department shall provide funds to the school district to reimburse the teacher an amount not to exceed One Thousand Dollars ($1,000.00) for the documented actual expenses

incurred in the course of relocating, including the expense of any professional moving company or persons employed to assist with the move, rented moving vehicles or equipment, mileage in the amount authorized for state employees under Section 25-3-41 if the teacher used his personal vehicle or vehicles for the move, meals and such other expenses associated with the relocation in accordance with the department's established rules and regulations. No teacher may be reimbursed for moving expenses under this section on more than one (1) occasion.

Nothing in this section shall be construed to require the actual residence to which the teacher relocates to be within the boundaries of the school district which has executed a contract for employment with the teacher or within the boundaries of the area designated by the State Board of Education as the critical teacher shortage area in order for the teacher to be eligible for reimbursement for his moving expenses. However, teachers must relocate within the boundaries of the State of Mississippi.

SECTION 3. Section 37-159-7, Mississippi Code of 1972, is reenacted as follows:

37-159-7. The school board of any school district situated within a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, in its discretion, may reimburse persons who interview for employment as a licensed teacher with the district for the mileage and other actual expenses incurred in the course of travel to and from the interview by such persons at the rate authorized for county and municipal employees under Section 25-3-41. Any reimbursement by a school board under this section shall be paid from funds other than adequate education program funds.

SECTION 4. Section 37-159-9, Mississippi Code of 1972, is reenacted as follows:

37-159-9. (1) There is established the University Assisted Teacher Recruitment and Retention Grant Program within the State Department of Education. The purposes of the program shall be to attract additional qualified teachers to those geographical areas of the state where there exists a critical shortage of teachers and to retain the qualified teachers already serving as licensed teachers in geographical critical teacher shortage areas by making available scholarships to persons working towards a Master of Education degree or an Educational Specialist degree at an institution of higher learning whose teacher education program is approved by the State Board of Education.

(2) Any institution of higher learning in the State of Mississippi which offers a Master of Education degree or an Educational Specialist degree may apply to the department for participation in the program. As part of the program, participating institutions shall collaborate with the Mississippi Teacher Center to identify, recruit and place teacher education graduates, from both within the state and out of state, in school districts situated within those areas of the state where there exists a critical shortage of teachers, as designated by the State Board of Education.

(3) The State Department of Education shall provide funds to participating institutions of higher learning for the purpose of awarding scholarships to qualified persons pursuing a Master of Education degree or an Educational Specialist degree at such institutions while rendering service to the state as a licensed teacher in a school district in a geographical area of the state where there exists a critical shortage of teachers, as approved by the State Board of Education. The financial scholarship shall be applied to the total cost for tuition, books, materials and fees at the institution in which the student is enrolled, not to exceed an amount equal to the highest total cost of tuition, books, materials and fees assessed by a state institution of higher learning during that school year. Teachers who relocate within Mississippi from out of state in order to participate in the program shall be classified as residents of the state for tuition purposes.

(4) Students awarded financial scholarships under the University Assisted Teacher Recruitment and Retention Grant Program may receive such awards for a maximum of

four (4) school years; however, the maximum number of awards which may be made shall not exceed the length of time required to complete the number of academic hours necessary to obtain a Master of Education degree or an Educational Specialist degree. Financial scholarships under the program shall not be based upon an applicant's eligibility for financial aid.

(5) Persons relocating to a geographical area of the state where there exists a critical shortage of teachers, as approved by the State Board of Education, to participate in the University Assisted Teacher Recruitment and Retention Grant Program shall be eligible for reimbursement for their moving expenses to the critical teacher shortage area from the State Board of Education. The State Board of Education shall promulgate rules and regulations necessary for the administration of the relocation expense reimbursement component of the University Assisted Teacher Recruitment and Retention Grant Program.

(6) Subject to the availability of funds, the State Board of Education may provide for professional development and support services as may be necessary for the retention of teachers participating in the program in those geographical areas of the state where there exists a critical shortage of teachers.

(7) Any person participating in the program who fails to complete a program of study that will enable that person to obtain a Master of Education degree or Educational Specialist degree shall become liable immediately to the State Board of Education for the sum of all awards made to that person under the program, plus interest accruing at the current Stafford Loan rate at the time the person abrogates his participation in the program.

(8) As a condition for participation in the program, a teacher shall agree to employment as a licensed teacher in a school district located in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, for a period of not less than three (3) years, which shall include those years of service rendered while obtaining the Master of Education degree or Educational Specialist degree. However, for any person who obtained a Baccalaureate degree in education with a financial scholarship under the Critical Needs Teacher Scholarship Program and who entered the University Assisted Teacher Recruitment and Retention Grant Program before rendering service as a teacher, the period of employment for the purposes of this subsection shall be two (2) years, in addition to the employment commitment required under the Critical Needs Teacher Scholarship Program. Service rendered by a participant as a licensed teacher in a school district in a geographical critical teacher shortage area before that teacher becomes a participant in the program may not be considered to fulfill the employment commitment required under this subsection. Any person failing to comply with this employment commitment in any required school year shall immediately be in breach of contract and become liable immediately to the State Department of Education for the sum of all scholarships awarded and relocation expenses granted to that person, less one-third (1/3) of the amount of that sum for each year that service was rendered, or for those persons whose required period of employment is two (2) years, less one-half (1/2) of the amount of that sum for each year that service was rendered, plus interest accruing at the current Stafford Loan rate at the time the breach occurs, except in the case of a deferral for cause by the State Board of Education when there is no employment position immediately available upon the teacher's obtaining of the Master of Education degree or Educational Specialist degree. After the period of such deferral, the person shall begin or resume the required teaching duties or shall become liable to the board under this subsection. If a claim for repayment under this subsection is placed in the hands of an attorney for collection after default, then the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(9) All funds received by the State Department of Education from the repayment of scholarship awards and relocation expenses by program participants shall be deposited in the Mississippi Critical Teacher Shortage Fund.

(10) The State Board of Education shall promulgate rules and regulations necessary for the proper administration of the University Assisted Teacher Recruitment and Retention Grant Program.

SECTION 5. Section 37-159-11, Mississippi Code of 1972, is reenacted as follows:

37-159-11. (1) There is established the Mississippi Employer-Assisted Housing Teacher Program, which shall be a special home loan program for eligible licensed teachers who render service to the state in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education. The home loan program shall be administered by the State Department of Education. The department may contract with one or more public or private entities to provide assistance in implementing and administering the program. The State Board of Education shall adopt rules and regulations regarding the implementation and administration of the program.

(2) Participation in the loan program shall be available to any licensed teacher who renders service in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education. Any person who receives a loan under the program shall be required to purchase a house and reside in a county in which the school district for which the teacher is rendering service, or any portion of the school district, is located. The maximum amount of a loan that may be made under the program to any person shall be Six Thousand Dollars ($6,000.00).

(3) Any loan made under the program to a person who actually renders service as a teacher in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, shall be converted to an interest-free grant on the basis of one (1) year's service for one-third (1/3) of the amount of the loan. Any person who does not render three (3) years' service as a teacher in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, shall be liable to the State Department of Education for one-third (1/3) of the amount of the loan for each year that he does not render such service, plus interest accruing at the current Stafford Loan rate at the time the person discontinues his service. If a claim for repayment under this subsection is placed in the hands of an attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(4) All funds received by the State Department of Education as repayment of loans by program participants shall be deposited in the Mississippi Critical Teacher Shortage Fund.

SECTION 6. Section 37-159-13, Mississippi Code of 1972, is reenacted as follows:

37-159-13. (1) There is established a pilot program to provide for the construction of rental housing units for teachers in the West Tallahatchie School District, which pilot program shall be administered by the State Department of Education. The department may contract with one or more public or private entities to provide assistance in implementing and administering the program. The State Board of Education shall adopt rules and regulations regarding the implementation and administration of the program.

(2) The West Tallahatchie School District shall receive proposals from developers for the construction of the rental housing units, and submit its recommendation to the State Department of Education about which developer should construct the units. The department shall make the final determination about the developer that will construct the units.

(3) After selection of the developer, the department shall loan the developer not more than Two Hundred Thousand Dollars ($200,000.00) for construction of the units. The interest rate on the loan shall be equal to one percent (1%) below the discount rate at the Federal Reserve Bank in the Federal Reserve district in which the school district is

located, and the loan shall be repaid in not more than fifteen (15) years, as determined by the department. All funds received by the department as repayment of the principal and interest of the loan shall be deposited in the Mississippi Critical Teacher Shortage Fund. If a claim against the developer for repayment is placed in the hands of an attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(4) The developer shall operate the rental housing units. For a period of ten (10) years or until such time as the loan to the developer is repaid, whichever is longer, the priority for residence in the units shall be given first to teachers employed by the school district, then to other licensed school district employees, and then to any other school district employees.

SECTION 7. Section 37-159-17, Mississippi Code of 1972, is reenacted as follows:

37-159-17. There is established in the State Treasury a special fund to be designated the "Mississippi Critical Teacher Shortage Fund," into which shall be deposited those funds appropriated by the Legislature, and any other funds that may be made available, for the purpose of implementing the programs established under Sections 37-159-5, 37-9-77, 37-3-91 and 37-159-9 through 37-159-13. Money in the fund at the end of a fiscal year shall not lapse into the General Fund, and interest earned on any amounts deposited into the fund shall be credited to the special fund.

SECTION 8. Section 37-159-19, Mississippi Code of 1972, is amended as follows:

37-159-19. Sections 37-159-1 through 37-159-17 shall stand repealed on July 1, * * * 2027.

SECTION 9. Section 37-106-36, Mississippi Code of 1972, is amended as follows:

37-106-36. (1) There is established the "William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program."

(2) Subject to the availability of funds, an eligible applicant for an initial award must have:

(a) Graduated from a baccalaureate degree-granting institution of higher learning which is regionally accredited by the Southern Association of Colleges and Schools (SACS) or a comparable accreditation body;

(b) Signed a contract as a full-time first-year teacher in a public school district in Mississippi;

(c) Obtained a standard five-year license. Persons with emergency licenses shall not be eligible applicants; and

(d) Outstanding qualifying undergraduate educational loans, which may include the principal, interest and related expenses such as the required interest premium on the unpaid balances of government and commercial loans obtained by the recipient for undergraduate educational expense.

(3) Persons who have received funds from other forgivable loan programs established for teachers under Mississippi law, or who are presently in default or delinquent on any federal, state, local or commercial qualifying educational loan, shall not be eligible for this program.

(4) Initial recipients shall be selected on a first-come, first-served basis of all eligible applicants, which shall be limited to only one hundred fifty (150) individuals receiving scholarship funds subject to the availability of funds. In the second and

subsequent years of an applicant's continued eligibility, priority consideration shall first be given to renewal applicants. In any given year only one hundred fifty (150) new applicants shall be eligible to receive funds under the program. The State Financial Aid Board shall develop rules for ensuring that expenses of the program in a fiscal year do not exceed funding for the program in that fiscal year. For that purpose, and any other provision of this section to the contrary notwithstanding, the State Financial Aid Board may limit the acceptance of applications and may limit the number of awards.

(5) Among first-time, first-year teacher recipients, priority consideration shall be given to persons who are teaching in a public school district designated as a geographical critical teacher shortage area by the State Board of Education.

(6) Awards for recipients who have signed a contract to teach in a public school district that is not designated as a geographical critical teacher shortage area shall be as follows:

(a) One Thousand Five Hundred Dollars ($1,500.00) for the first year of teaching;

(b) Two Thousand Five Hundred Dollars ($2,500.00) for the second year of teaching; and

(c) Three Thousand Five Hundred Dollars ($3,500.00) for the third year of teaching.

(7) Awards for recipients who have signed a contract to teach in a public school district that is designated as a geographical critical teacher shortage area shall be as follows:

(a) Four Thousand Dollars ($4,000.00) for the first year of teaching;

(b) Five Thousand Dollars ($5,000.00) for the second year of teaching, provided the recipient continues to teach in the same public school district or another public school district designated a geographical shortage area by the State Board of Education; and

(c) Six Thousand Dollars ($6,000.00) for the third year of teaching, provided the recipient continues to teach in the same public school district or another public school district designated a geographical shortage area by the State Board of Education.

(8) A first-year recipient who moves to another public school district shall be eligible to receive an award based on the amount allowed under the program in the new district where the teacher is employed.

(9) Awards shall be granted on a year-to-year basis, and recipients shall have no obligation to seek a future award.

(10) Awards shall be paid annually, after the expiration of the one-year teaching contract for which the award was granted, to the recipient's lender or loan service provider, and shall be applied to the outstanding balance. Monies paid on the recipient's behalf toward qualifying undergraduate educational loans prior to receiving payment of the award shall not be eligible for repayment through the program.

(11) During the teaching year for which the award is granted, a recipient must at all times keep the State Financial Aid Board informed of any changes to the recipient's current contact information and employment status.

(12) Recipients who fail to maintain a standard license or fail to fulfill the one-year teaching contract on which the award was based shall forfeit any right to the award.

(13) The State Financial Aid Board, in collaboration with the State Board of Education, shall track recipients of an award under this program through their fifth teaching year, unless the recipient shall leave teaching in a public school district at an earlier date. Data collected shall include recipients' undergraduate institution, school district, subject area/grade level in teaching and any other pertinent information necessary to determine the efficacy of the program in retaining teachers in their first three (3) years of teaching.

(14) The State Financial Aid Board shall promulgate regulations necessary for the proper administration of this section, including rules for ensuring that expenses of the program in a fiscal year do not exceed funding for the program in that fiscal year.

(15) There is established in the State Treasury a special fund to be designated the "William F. Winter and Jack Reed, Sr., Loan Repayment Program Fund," into which shall be deposited those funds appropriated by the Legislature, and any other funds that may be made available, for the purpose of implementing the loan repayment program established herein. Money in the fund at the end of the fiscal year shall not lapse into the General Fund, and interest earned on any amounts deposited into the fund shall be credited to the special fund.

(16) This section shall stand repealed on July 1, * * * 2028.

SECTION 10. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO REENACT SECTIONS 37-159-1, 37-159-5, 37-159-7, 37-159-9, 37-159-11, 37-159-13 AND 37-159-17, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998 AND INCLUDE THE UNIVERSITY ASSISTED TEACHER RECRUITMENT AND RETENTION GRANT PROGRAM, THE MISSISSIPPI EMPLOYER-ASSISTED HOUSING TEACHER PROGRAM, AND A PILOT PROGRAM TO PROVIDE FOR THE CONSTRUCTION OF RENTAL HOUSING FOR TEACHERS IN THE WEST TALLAHATCHIE SCHOOL DISTRICT; TO AMEND SECTION 37-159-19, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998; TO AMEND SECTION 37-106-36, MISSISSIPPI CODE OF 1972, TO REVISE THE WILLIAM F. WINTER AND JACK REED, SR., TEACHER LOAN REPAYMENT PROGRAM; TO PROVIDE THAT THE STATE FINANCIAL AID BOARD SHALL DEVELOP RULES FOR ENSURING THAT EXPENSES OF THE PROGRAM IN A FISCAL YEAR DO NOT EXCEED FUNDING FOR THE PROGRAM IN THAT FISCAL YEAR; TO PROVIDE THAT THE STATE FINANCIAL AID BOARD MAY LIMIT THE ACCEPTANCE OF APPLICATIONS AND MAY LIMIT THE NUMBER OF AWARDS; TO EXTEND THE DATE OF THE REPEALER ON THE TEACHER LOAN REPAYMENT PROGRAM; AND FOR RELATED PURPOSES.

Senator DeBar moved that the rules be suspended to move to calendar item 70, **S. B. No. 2695**, and the motion prevailed.

Senator DeBar called up the following House Amendment to **S. B. No. 2695** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 219 by striking:

", and shall stand repealed on June 30, 2024".

_____

Senator Harkins moved that the rules be suspended to move to calendar item 66, **S. B. No. 2457**, and the motion prevailed.

Senator Harkins called up the following House Amendment to **S. B. No. 2457** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-5, Mississippi Code of 1972, is amended as follows:

67-1-5. For the purposes of this article and unless otherwise required by the context:

(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine, light spirit product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines and native spirits. The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

(b) "Alcohol" means the product of distillation of any fermented liquid, whatever the origin thereof, and includes synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

(c) "Distilled spirits" means any beverage containing more than six percent (6%) of alcohol by weight produced by distillation of fermented grain, starch, molasses or sugar, including dilutions and mixtures of these beverages.

(d) "Wine" or "vinous liquor" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits, honey or berries and made in accordance with the revenue laws of the United States.

(e) "Person" means and includes any individual, partnership, corporation, association or other legal entity whatsoever.

(f) "Manufacturer" means any person engaged in manufacturing, distilling, rectifying, blending or bottling any alcoholic beverage.

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

(h) "Retailer" means any person who sells, distributes, or offers for sale or distribution, any alcoholic beverage for use or consumption by the purchaser and not for resale.

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its organization to be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

(j) "Division" means the Alcoholic Beverage Control Division of the Department of Revenue.

(k) "Municipality" means any incorporated city or town of this state.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day. When used in this article, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

(i) A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, which has suitable seating facilities for guests, and which has suitable kitchen facilities connected therewith for cooking an assortment of foods and meals commonly ordered at various hours of the day; the service of such food as sandwiches and salads only shall not be deemed in compliance with this requirement. Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this article unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue; or

(ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking. In addition to the other requirements of this subparagraph, the business must also serve food to guests for compensation within the building and derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales to live entertainment in the building, and from the rental of all or part of the facilities of the business in the building to another party for a specific event or function.

(n) "Club" means an association or a corporation:

(i) Organized or created under the laws of this state for a period of five (5) years prior to July 1, 1966;

(ii) Organized not primarily for pecuniary profit but for the promotion of some common object other than the sale or consumption of alcoholic beverages;

(iii) Maintained by its members through the payment of annual dues;

(iv) Owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;

(v) The affairs and management of which are conducted by a board of directors, board of governors, executive committee, or similar governing body chosen by the members at a regular meeting held at some periodic interval; and

(vi) No member, officer, agent or employee of which is paid, or directly or indirectly receives, in the form of a salary or other compensation any profit from the distribution or sale of alcoholic beverages to the club or to members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

The department may, in its discretion, waive the five-year provision of this paragraph. In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this article, two (2) copies of a list of the names and residences of its members and similarly file, within ten (10) days after the election of any additional member, his name and address. Each club applying for a license shall also file with the department at the time of the application a copy of its articles of association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2) miles of a convent or monastery that is located in a county traversed by Interstate 55 and U.S. Highway 98. A convent or monastery may waive such distance restrictions in favor of allowing approval by the department of an area as a qualified resort area. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(i) The department may approve an area or locality outside of the limits of an incorporated municipality that is in the process of being developed as a qualified resort area if such area or locality, when developed, can reasonably be expected to meet the requisites of the definition of the term "qualified resort area." In such a case, the status of qualified resort area shall not take effect until completion of the development.

(ii) The term includes any state park which is declared a resort area by the department; however, such declaration may only be initiated in a written request for resort area status made to the department by the Executive Director of the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this article, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.

(iii) The term includes:

1. The clubhouses associated with the state park golf courses at the Lefleur's Bluff State Park, the John Kyle State Park, the Percy Quin State Park and the Hugh White State Park;

2. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

3. Any facility located on property that is a game reserve with restricted access that consists of at least three thousand (3,000) contiguous acres with no public roads and that offers as a service hunts for a fee to overnight guests of the facility;

4. Any facility located on federal property surrounding a lake and designated as a recreational area by the United States Army Corps of Engineers that consists of at least one thousand five hundred (1,500) acres;

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted against coming out from under the dry law; however, any such facility may only be located in areas designated by the governing authorities of such municipality;

6. Any municipality with a population in excess of ten thousand (10,000) according to the latest federal decennial census that is located in a county that is bordered by the Pearl River and is not traversed by Interstate Highway 20, with a population in excess of forty-five thousand (45,000) according to the latest federal decennial census;

7. The West Pearl Restaurant Tax District as defined in Chapter 912, Local and Private Laws of 2007;

8. a. Land that is located in any county in which Mississippi Highway 43 and Mississippi Highway 25 intersect and:

A. Owned by the Pearl River Valley Water Supply District, and/or

B. Located within the Reservoir Community District, zoned commercial, east of Old Fannin Road, north of Regatta Drive, south of Spillway Road, west of Hugh Ward Boulevard and accessible by Old Fannin Road, Spillway Road, Spann Drive and/or Lake Vista Place, and/or

C. Located within the Reservoir Community District, zoned commercial, west of Old Fannin Road, south of Spillway Road and extending to the boundary of the corporate limits of the City of Flowood, Mississippi;

b. The board of supervisors of such county, with respect to B and C of item 8.a., may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

9. Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no public roads, that offers as a service hunts for a fee to overnight guests of the facility, and has accommodations for at least fifty (50) overnight guests;

10. Any facility that:

a. Consists of at least six thousand (6,000) square feet being heated and cooled along with an additional adjacent area that consists of at least two thousand two hundred (2,200) square feet regardless of whether heated and cooled,

b. For a fee is used to host events such as weddings, reunions and conventions,

c. Provides lodging accommodations regardless of whether part of the facility and/or located adjacent to or in close proximity to the facility, and

d. Is located on property that consists of at least thirty (30) contiguous acres;

11. Any facility and related property:

a. Located on property that consists of at least one hundred twenty-five (125) contiguous acres and consisting of an eighteen-hole golf course, and/or located in a facility that consists of at least eight thousand (8,000) square feet being heated and cooled,

b. Used for the purpose of providing meals and hosting events, and

c. Used for the purpose of teaching culinary arts courses and/or turf management and grounds keeping courses, and/or outdoor recreation and leadership courses;

12. Any facility and related property that:

a. Consist of at least eight thousand (8,000) square feet being heated and cooled,

b. For a fee is used to host events,

c. Is used for the purpose of culinary arts courses, and/or live entertainment courses and art performances, and/or outdoor recreation and leadership courses;

13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality

in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

14. The clubhouse and associated eighteen-hole golf course located in a municipality traversed by Interstate Highway 55 and U.S. Highway 51 that has voted to come out from under the dry law;

15. a. Land that is planned for mixed-use development and consists of at least two hundred (200) contiguous acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed, and also including a facility that consists of at least four thousand (4,000) square feet that is not part of such land but is located adjacent to or in close proximity thereto, and which land is located:

A. In a county that has voted to come out from under the dry law,

B. Outside the corporate limits of any municipality in such county and adjacent to or in close proximity to a golf course located in a municipality in such county, and

C. Within one (1) mile of a state institution of higher learning;

b. The board of supervisors of such county may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

16. Any facility with a capacity of five hundred (500) people or more, to be used as a venue for private events, on a tract of land in the Southwest Quarter of Section 33, Township 2 South, Range 7 East, of a county where U.S. Highway 45 and U.S. Highway 72 intersect and that has not voted to come out from under the dry law;

17. One hundred five (105) contiguous acres, more or less, located in Hinds County, Mississippi, and in the City of Jackson, Mississippi, whereon are constructed a variety of buildings, improvements, grounds or objects for the purpose of holding events thereon to promote agricultural and industrial development in Mississippi;

18. Land that is owned by a state institution of higher learning, land that is owned by an entity that is bound by an affiliation agreement with a state institution of higher learning, or land that is owned by one or more other entities so long as such other entities are solely owned, either directly or through additional entities, by an institution of higher learning and/or one or more entities bound by affiliation agreements with such institution, and:

a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7 * * *; and

b. A. Located adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9 * * *; or

B. Located in an area bounded on the north by College View Drive, on the east by Mississippi Highway 12 East, on the south by Mississippi Highway 12 East, on the west by Mill Street, on the north by Russell Street, then on the west by Colonel Muldrow Avenue, on the north by University Drive, on the west by Adkerson Way within a municipality through which run Mississippi Highway 25, Mississippi Highway 12 and U.S. Highway 82.

If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, 2020, then that qualified resort area shall be incorporated into the qualified resort area created by this item 18;

19. Any facility and related property:

a. Used as a flea market or similar venue during a weekend (Saturday and Sunday) immediately preceding the first Monday of a month and having an annual average of at least one thousand (1,000) visitors for each such weekend and five hundred (500) vendors for Saturday of each such weekend, and

b. Located in a county that has not voted to come out from under the dry law and outside of but in close proximity to a municipality located in such county and which municipality has voted to come out from under the dry law;

20. Blocks 1, 2 and 3 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

21. Any municipality with a population in excess of two thousand (2,000) according to the latest federal decennial census and in which is located a part of White's Creek Lake and in which U.S. Highway 82 intersects with Mississippi Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River;

22. A restaurant located on a two-acre tract adjacent to a five-hundred-fifty-acre lake in the northeast corner of a county traversed by U.S. Interstate 55 and U.S. Highway 84;

23. Any tracts of land in Oktibbeha County, situated north of Bailey Howell Drive, Lee Boulevard and Old Mayhew Road, east of George Perry Street and south of Mississippi Highway 182, and not located on the property of a state institution of higher learning; however, the board of supervisors of such county may by resolution or other order:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

24. A municipality in which Mississippi Highway 27 and Mississippi Highway 28 intersect;

25. A municipality through which run Mississippi Highway 35 and Interstate 20;

26. A municipality in which Mississippi Highway 16 and Mississippi Highway 35 intersect;

27. A municipality in which U.S. Highway 82 and Old Highway 61 intersect;

28. A municipality in which Mississippi Highway 8 meets Mississippi Highway 1;

29. A municipality in which U.S. Highway 82 and Mississippi Highway 1 intersect;

30. A municipality in which Mississippi Highway 50 meets Mississippi Highway 9;

31. An area bounded on the north by Pearl Street, on the east by West Street, on the south by Court Street and on the west by Farish Street, within a municipality bordered on the east by the Pearl River and through which run Interstate 20 and Interstate 55;

32. Any facility and related property that:

a. Is contracted for mixed-use development improvements consisting of office and residential space and a restaurant and lounge, partially occupying the renovated space of a four-story commercial building which previously served as a financial institution; and adjacent property to the west consisting of a single-story office building that was originally occupied by the Brotherhood of Carpenters and Joiners of American Local Number 569; and

b. Is situated on a tract of land consisting of approximately one and one-tenth (1.10) acres, and the adjacent property to the west consisting of approximately 0.5 acres, located in a municipality which is the seat of county government, situated south of Interstate 10, traversed by U.S. Highway 90, partially bordered on one (1) side by the Pascagoula River and having its most southern boundary bordered by the Gulf of Mexico, with a population greater than twenty-two thousand (22,000) according to the 2010 federal decennial census; however, the governing authorities of such a municipality may by ordinance:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

C. Designate the areas within the facilities in which alcoholic beverages may be offered for sale;

33. Any facility with a maximum capacity of one hundred twenty (120) people that consists of at least three thousand (3,000) square feet being

heated and cooled, has a commercial kitchen, has a pavilion that consists of at least nine thousand (9,000) square feet and is located on land more particularly described as follows:

All that part of the East Half of the Northwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi, that lies South of Mississippi State Highway 348 right-of-way and containing 19.48 acres, more or less.

ALSO,

The Northeast 38 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi.

ALSO,

The South 81 1/2 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi;

34. A municipality in which U.S. Highway 51 and Mississippi Highway 16 intersect;

35. A municipality in which Interstate 20 passes over Mississippi Highway 15;

36. Any municipality that is bordered in its northwestern boundary by the Pearl River, traversed by U.S. Highway 49 and Interstate 20, and is located in a county which has voted against coming out from under the dry law;

37. A municipality in which Mississippi Highway 28 and Mississippi Highway 29 North intersect;

38. An area bounded as follows within a municipality through which run Interstate 22 and Mississippi Highway 15: Beginning at a point at the intersection of Bankhead Street and Tallahatchie Trails; then running to a point at the intersection of Tallahatchie Trails and Interstate 22; then running to a point at the intersection of Interstate 22 and Carter Avenue; then running to a point at the intersection of Carter Avenue and Camp Avenue; then running to a point at the intersection of Camp Avenue and King Street; then running to a point at the intersection of King Street and E. Main Street; then running to a point at the intersection of E. Main Street and Camp Avenue; then running to a point at the intersection of Camp Avenue and Highland Street; then running to a point at the intersection of Highland Street and Adams Street; then running to a point at the intersection of Adams Street and Cleveland Street; then running to a point at the intersection of Cleveland Street and N. Railroad Avenue; then running to a point at the intersection of N. Railroad Avenue and McGill Street; then running to a point at the intersection of McGill Street and Snyder Street; then running to a point at the intersection of Snyder Street and Bankhead Street; then running to a point at the intersection of Bankhead Street and Tallahatchie Trails and the point of the beginning;

39. A municipality through which run Mississippi Highway 43 and U.S. Highway 80;

40. The coliseum in a municipality in which U.S. Highway 72 passes over U.S. Highway 45;

41. A piece of property on the northeast corner of the T-intersection where Builders Square Drive meets Mississippi Highway 471;

42. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities located on Oaks Country Club Road less than one-half (1/2) mile to the east of Mississippi Highway 15;

43. Any facility located on land more particularly described as follows:

The East Half (E 1/2) of the Southwest Quarter (SW 1/4) of Section 15, Township 3 North, Range 2 East; a 4 acre parcel in the Southwest Corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), Section 15, Township 3 North, Range 2 East, running 210 feet east and west and 840 feet running north and south; the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 22, Township 3 North, Range 2 East, all in Rankin County, Mississippi;

44. Any facility located on land more particularly described as follows:

Beginning at a point 1915 feet west and 2171 feet north of southeast corner, Section 11, Township 24 North, Range 2 West, Second Judicial District, Tallahatchie County, Mississippi, which point is the southwest corner of J.C. Section Lot mentioned in deed recorded in Book 50, page 34, in the records of the Chancery Clerk's Office at Sumner, in said District of said County; thence South 80° West, 19 feet to the east boundary of United States Highway 49-E, thence East along the east boundary of said Highway 270 feet to point of beginning of Lot to be conveyed; thence southeast along the east boundary of said Highway 204 feet to a concrete post at the intersection of the east boundary of said Highway with the west boundary of gravel road from Sumner to Webb, known as Oil Mill Road, thence Northwest along west boundary of said Oil Mill Road 194 feet to center of driveway running southwest from said Oil Mill Road to U.S. Highway 49-E; thence South 66° West along center of said driveway 128 feet to point of beginning, being situated in Northwest Quarter of Southeast Quarter of Section 11, together with all improvements situated thereon;

45. Any facility that:

a. Consists of at least five thousand six hundred (5,600) square feet being heated and cooled along with a lakeside patio that consists of at least two thousand two hundred (2,200) square feet, regardless of whether such patio is part of the facility and/or located adjacent to or in close proximity to the facility;

b. Includes a caterer's kitchen and green room for entertainment preparation;

c. For a fee is used to host events; and

d. Is located adjacent to or in close proximity to an approximately nine (9) acre lake on property that consists of at least one hundred twenty (120) acres in a county traversed by Mississippi Highway 15 and U.S. Highway 278;

46. Any municipality with a population in excess of one thousand (1,000) according to the 2010 federal decennial census and which is located in a county that is traversed by U.S. Highways 84 and 98 and has not voted to come out from under the dry law;

47. The clubhouse and associated nine-hole golf course, tennis courts and related facilities and swimming pool and related facilities located on or near U.S. Highway 82 between Mississippi Highway 15 and Mississippi Highway 9;

48. The downtown square area bound by East Service Drive, Commerce Street, Second Street and Court Street and adjacent properties in a

municipality through which run Interstate 55, U.S. Highway 51 and Mississippi Highway 306;

49. All parcels zoned for mixed-use development located west of Mississippi Highway 589, more than four hundred (400) feet north of Old Highway 24, east of Parkers Creek and Black Creek, and south of J M Burge Road;

50. Any facility used by a soccer club and located on Old Highway 11 between one-tenth (0.1) and two-tenths (0.2) of a mile from its intersection with Oak Grove Road, in a county in which U.S. Highway 98 and Mississippi Highway 589 intersect;

51. Any municipality in which U.S. Highway 49 and Mississippi Highway 469 intersect;

52. Any facility that is:

a. Owned by a Veterans of Foreign Wars (VFW) organization that is a nonprofit corporation and registered with the Mississippi Secretary of State;

b. Used by such organization for its headquarters and other organization related purposes; and

c. Located outside of a municipality in a county that has not voted to come out from under the dry law;

53. The following within a municipality in which U.S. Highway 49 and U.S. 61 Highway intersect and through which flows the Sunflower River:

a. An area bounded as follows: Starting at the southern point of the intersection of Sunflower Avenue and 1st Street and going south along said avenue on its eastern side to 8th Street, then going east along said street on its northern side to West Tallahatchie Street, then going north along said street on its western side to 4th Street/Martin Luther King Boulevard, then going east along said street/boulevard on its northern side to Desoto Avenue, then going north along said avenue on its western side to 1st Street, then going west along said street on its southern side to the point of beginning along the southern side of Court Street;

b. Lots located at or near the intersection of Madison Avenue, Walnut Street, and Riverside Avenue that are in a commercial zone; and

c. Any facility located on the west side of Sunflower Avenue to the Sunflower River between the southern side of 6th Street and the northern side of 8th Street and which is operated as and/or was operated as a hotel or lodging facility, in consideration of payment, regardless of whether the facility meets the criteria for the definition of the term "hotel" in paragraph (l) of this section; and

d. Any facility located on the west side of Sunflower Avenue to the Sunflower River between the southern side of 3rd Street and the northern side of 4th Street/Martin Luther King Boulevard and which is operated as and/or was operated as a musical venue, in consideration of payment;

54. Any municipality in which Mississippi Highway 340 meets Mississippi Highway 15;

55. Any municipality in which Mississippi Highway 540 and Mississippi Highway 149 intersect;

56. Any municipality in which Mississippi Highway 15 and Mississippi Highway 345/Main Street intersect;

57. The property and structures thereon at the following locations within a municipality through which run U.S. Highway 45 and Mississippi Highway 145 and in which Mississippi Highway 370 and Mississippi Highway 145 intersect: 104 West Main Street, 106 West Main Street, 108 West Main Street, 110 West Main Street and 112 West Main Street;

58. Any municipality in which U.S. Highway 11 and Main Street intersect and which is located in a county having two (2) judicial districts;

59. Any municipality in which Interstate 22 passes over Mississippi Highway 9;

60. Any facility located on land more particularly described as follows:

A certain parcel of land being situated in the Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E, Rankin County, Mississippi, and being more particularly described as follows:

> Commence at an existing 1/2" iron pin marking the Southwest corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13 seconds East along the East line of the Southeast 1/4 of the Northeast 1/4 for a distance of 33.18 feet to an existing 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds East for a distance of 2.08 feet to an existing 1/2" iron pin; run thence North 00 degrees 22 minutes 19 seconds East for a distance of 561.90 feet to an existing 1/2" iron pin; run thence North 00 degrees 16 minutes 18 seconds East for a distance of 76.42 feet to a set 1/2" iron pin marking the POINT OF BEGINNING of the parcel of land herein described; from said POINT OF BEGINNING, continue thence North 00 degrees 16 minutes 18 seconds East along an existing fence for a distance of 493.27 feet to an existing 1/2" iron pin; run thence North 03 degrees 08 minutes 15 seconds East for a distance of 170.22 feet to an existing 1/2" iron pin on the North line of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9; run thence North 89 degrees 46 minutes 45 seconds East along said North line of the Southeast 1/4 of the Northeast 1/4 of Section 9 for a distance of 1,305.51 feet to an existing 1/2" iron pin marking Northeast corner thereof; leaving said North line of the Southeast 1/4 of the Northeast 1/4 of Section 9, run thence South 00 degrees 08 minutes 35 seconds West along the East line of said Southeast 1/4 of the Northeast 1/4 of Section 9 for a distance of 663.19 feet to a set 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4 of Section 9, run thence South 89 degrees 46 minutes 45 seconds West for a distance of 1,315.51 feet to the POINT OF BEGINNING, containing 20.00 acres, more or less.

And Also: An easement for the purpose of ingress and egress being situated in the Southeast 1/4 of the Northeast 1/4 and in the Northeast 1/4 of the Southeast 1/4 of Section 9, T3N-R3E, Rankin County, Mississippi, and being more particularly described as follows:

> Begin at an existing 1/2" iron pin marking the Southwest corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13 seconds East along the East line of the Southeast 1/4 of the Northeast 1/4 for

a distance of 33.18 feet to an existing 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds East for a distance of 2.08 feet to an existing 1/2" iron pin; run thence North 00 degrees 22 minutes 19 seconds East for a distance of 561.90 feet to an existing 1/2" iron pin; run thence North 00 degrees 16 minutes 18 seconds East for a distance of 76.42 feet to a set 1/2" iron pin; run thence North 89 degrees 46 minutes 45 seconds East for a distance of 25.00 feet to a set 1/2" iron pin; run thence South 00 degrees 16 minutes 18 seconds West for a distance of 76.66 feet to a set 1/2" iron pin; run thence South 00 degrees 22 minutes 19 seconds West for a distance of 619.81 feet to a set 1/2" iron pin; run thence South 89 degrees 43 minutes 01 seconds West for a distance of 26.81 feet to a set 1/2" iron pin; run thence North 00 degrees 06 minutes 13 seconds East along the West line of the aforesaid Northeast 1/4 of the Southeast 1/4 of Section 9 for a distance of 25.00 feet to the POINT OF BEGINNING, containing 17,525.4 square feet, more or less.

61. Any municipality bordered on the east by the Pascagoula River and on the south by the Mississippi Sound;

62. The property and structures thereon located at parcel numbers 4969 198 000; 4969 200 000; 4969 201 000; 4969 206 000; 4969 207 000; 4969 208 000; 4969 218 000; 4969 199; 4969 204 000 and 4969 204 001, all in Block 4 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

63. Any municipality in which Mississippi Highway 12 meets Mississippi Highway 17;

64. Any municipality in which U.S. Highway 49 and Mississippi Highway 469 intersect;

65. The clubhouse and associated nine-hole golf course and related facilities located on or near the eastern corner of the point at which Golf Course Road meets Athens Road, in a county in which Mississippi Highway 13 and Mississippi Highway 28 intersect, with GPS coordinates of approximately 31.900370078041004, -89.7928067652611;

66. Any facility located at the south-to-southwest corner of the intersection of Madison Street and Bolton Brownsville Road, in a municipality in which Bolton Brownsville Road passes over Interstate 20, with GPS coordinates of approximately 32.349067271758955, -90.4596221146197;

67. Any facility located at the northwest corner of the intersection of Depot Street and Madison Street, in a municipality in which Bolton Brownsville Road passes over Interstate 20, with GPS coordinates of approximately 32.34903152971068, -90.46047660172901;

68. Any facility located on Hinds Boulevard approximately three-tenths (0.3) of a mile south of the point at which Hinds Boulevard diverges from Clinton Road, in a municipality whose northern boundary partially consists of Snake Creek

Road, and whose southern boundary partially consists of Mississippi Highway 18, with GPS coordinates of approximately 32.26384517526713, -90.41586570183475;

69. Any facility located on Pleasant Grove Drive approximately one and three-tenths (1.3) miles southeast of its intersection with Harmony Drive, in a county through which run Interstate 55 and U.S. Highway 84, with GPS coordinates of approximately 31.512043770371907, -90.2506094382595;

70. Any facility located immediately north of the intersection of two roads, both named Mason Clark Drive, located between two-tenths (0.2) and three-tenths (0.3) of a mile southwest of Mississippi Highway 57/63, with GPS coordinates of approximately 31.135950529733048, -88.53068674585575;

71. Any facility located on Raj Road approximately three-tenths (0.3) of a mile south of Mississippi Highway 57/63, with GPS coordinates of approximately 31.139553708288418, -88.53411203512971; and

72. Any facility located on Raj Road approximately one-tenth (0.1) of a mile south of Mississippi Highway 57/63, with GPS coordinates of approximately 31.14184097577295, -88.53287700849411;

The status of these municipalities, districts, clubhouses, facilities, golf courses and areas described in this paragraph (o)(iii) as qualified resort areas does not require any declaration of same by the department.

The governing authorities of a municipality described, in whole or in part, in item 6, 21, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39, 46, 48, 51, 53, 54, 55, 58, 59, 61, 63, 64, 66, 67 or 68 of this paragraph (o)(iii) may by ordinance, with respect to the qualified resort area described in the same item: specify the hours of operation of facilities offering alcoholic beverages for sale; specify the percentage of revenue that facilities offering alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and designate the areas in which facilities offering alcoholic beverages for sale may be located.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The department shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon.

(q) "Native winery" means any place or establishment within the State of Mississippi where native wine is produced, in whole or in part, for sale.

(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19) adequately furnished and completely separate sleeping rooms with adequate facilities, that persons usually apply for and receive as overnight accommodations; however, such restriction on the minimum number of sleeping rooms shall not apply to establishments on the National Register of Historic Places. No place shall qualify as a bed and breakfast inn under this article unless on the date of the initial application for a license under this article more than fifty percent (50%) of the sleeping rooms are located in a structure formerly used as a residence.

(s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

(t) "Spa facility" means an establishment within a municipality or qualified resort area and owned by a hotel where, in consideration of payment, patrons receive from licensed professionals a variety of private personal care treatments such as massages, facials, waxes, exfoliation and hairstyling.

(u) "Art studio or gallery" means an establishment within a municipality or qualified resort area that is in the sole business of allowing patrons to view and/or purchase paintings and other creative artwork.

(v) "Cooking school" means an establishment within a municipality or qualified resort area and owned by a nationally recognized company that offers an established culinary education curriculum and program where, in consideration of payment, patrons are given scheduled professional group instruction on culinary techniques. For purposes of this paragraph, the definition of cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a community or junior college, college or university in this state, and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

(x) "Native spirit" shall mean any beverage, produced in Mississippi for sale, manufactured primarily by the distillation of fermented grain, starch, molasses or sugar produced in Mississippi, including dilutions and mixtures of these beverages. In order to be classified as "native spirit" under the provisions of this article, at least fifty-one percent (51%) of the finished product by volume shall have been obtained from distillation of fermented grain, starch, molasses or sugar grown and produced in Mississippi.

(y) "Native distillery" shall mean any place or establishment within this state where native spirit is produced in whole or in part for sale.

(z) "Warehouse operator" shall have the meaning ascribed in Section 67-1-201.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2457** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Turner-Ford, Whaley, Wiggins, Younger. Total--45.

Nays--Chism, Frazier. Total--2.

Absent and those not voting--Johnson, Parks, Tate, Thompson, Williams. Total--5.

Senator Kirby moved that the rules be suspended to move to the Rules Calendar, and the motion prevailed.

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 545, S. C. R. No. 546, S. R. No. 73, S. R. No. 74, S. R. No. 75, S. R. No. 76, S. R. No. 77, S. R. No. 78, S. R. No. 79, S. R. No. 80, S. R. No. 81, S. R. No. 82, S. R. No. 83, S. R. No. 84, S. R. No. 85, H. C. R. No. 42, H. C. R. No. 43, H. C. R. No. 45, H. C. R. No. 46 and H. C. R. No. 50 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

S. C. R. No. 545: Recognize Jessica Banahan NcNeel as MDE "2024 Mississippi Parent of the Year."

S. C. R. No. 546: Designate April 11, 2024, as "Reman Day" in Mississippi.

S. R. No. 73: Commend Northwest Rankin "Lady Cougars" Soccer Team for 2024 MHSAA Class 7A Championship.

S. R. No. 74: Commend Aaron Cleveland as Instructor of the Year at Jackson County Campus of MGCCC.

S. R. No. 75: Commend Sandra Peterson as Instructor of the Year at the Harrison County Campus of MGCCC.

S. R. No. 76: Commend Leslie Lyons as Instructor of the Year for Health Science Centers at MGCCC.

S. R. No. 77: Commend Katherine Jellum as Instructor of the Year at Perkinston Campus of MGCCC.

S. R. No. 78: Commend Florence High School "Eagles" Boys Soccer Team upon winning 2024 MHSAA Class 5A Boys Soccer State Championship.

S. R. No. 79: Commend Florence High School Lady Eagles Soccer Team upon winning MHSAA Class 5A State Soccer Championship.

S. R. No. 80: Commend extensive judicial career and service of Mississippi Court of Appeals Judge Jim Greenlee on occasion of his retirement.

S. R. No. 81: Commend Canton High School "Tigers" Boys Basketball Team for MHSAA Class 5A State Championship.

S. R. No. 82: Commend Northwest Community College Women's Soccer Team on winning NCJAA Region 23 Championship.

S. R. No. 83: Recognize Charlie Frugé of Oxford, Mississippi, as student nominee to the State Board of Education.

S. R. No. 84: Remember educational legacy of Dr. Leslie Lee Daniels, first African-American Principal and Superintendent in McComb, MS.

S. R. No. 85: Mourn the passing and commend public service of former Mound Bayou Mayor Earl S. Lucas.

H. C. R. No. 42: Hilda Moore Turner; commend her life upon her passing.

H. C. R. No. 43: Bobby Rush; commend and congratulate on winning his 3rd Grammy.

H. C. R. No. 45: George County High School; commend upon winning first ever MHSAA Class 5A Fast Pitch Softball State Championship.

H. C. R. No. 46: John D. Roberts; commend upon receiving Legion of Honor for valiant and heroic service during World War II.

H. C. R. No. 50: Clinton High School Attachè Show Choir; commend upon winning 100th Grand Champion title.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 545, S. C. R. No. 546, S. R. No. 73, S. R. No. 74, S. R. No. 75, S. R. No. 76, S. R. No. 77, S. R. No. 78, S. R. No. 79, S. R. No. 80, S. R. No. 81, S. R. No. 82, S. R. No. 83, S. R. No. 84, S. R. No. 85, H. C. R. No. 42, H. C. R. No. 43, H. C. R. No. 45, H. C. R. No. 46 and H. C. R. No. 50. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Turner-Ford, Whaley, Wiggins, Younger. Total--47.

Nays--None.

Absent and those not voting--Johnson, Parks, Tate, Thompson, Williams. Total--5.

Unanimous consent was granted to add Senators England and Hopson as co-authors of **S. C. R. No. 545**.

Unanimous consent was granted to add Senator Seymour as co-author of **S. R. No. 74**.

Unanimous consent was granted to add Senator Seymour as co-author of **S. R. No. 75**.

Unanimous consent was granted to add Senator Seymour as co-author of **S. R. No. 76**.

Unanimous consent was granted to add Senator Seymour as co-author of **S. R. No. 77**.

Unanimous consent was granted to add Senator Hopson as co-author of **S. R. No. 80**.

_____

Unanimous consent was granted to add Senator Hopson as co-author of **S. R. No. 83**.

_____

Unanimous consent was granted to add Senator Frazier as co-author of **S. R. No. 84**.

_____

Unanimous consent was granted to add Senator Frazier as co-author of **S. R. No. 85**.

_____

Senator England moved that the rules be suspended to move to calendar item 35, **S. B. No. 2648**, and the motion prevailed.

Senator England called up the following House Amendment to **S. B. No. 2648** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-15-17, Mississippi Code of 1972, is amended as follows:

49-15-17. (1) (a) All monies received or obtained by the department under the provisions of this chapter shall be paid over by the department to the State Treasurer and shall be deposited into the fund known as the "Seafood Fund." All revenues collected through the department, to include, but not limited to, commercial saltwater licenses and taxes, permits, fines and penalties, and confiscated catches, shall be deposited into the department operating account (Seafood Fund) and expended for the operation of the department, as authorized by the Legislature.

(b) There is established a special account to be known as the "Artificial Reef Program Account" within the Seafood Fund. Any funds received from any public or private source for the purpose of promoting, constructing, monitoring or maintaining artificial reefs in the marine waters of the state or in federal waters adjacent to the marine waters of the state shall be credited to the account. Any unexpended funds remaining in the account at the end of the fiscal year shall not lapse into the Seafood Fund, but shall remain in the account. The department may expend any funds in the account, subject to appropriation by the Legislature, to accomplish the purpose of the account.

(c) There is established a special account to be known as the "Coastal Preserve Account" within the Seafood Fund. Any funds received from any public or private source for the purpose of management, improvement and acquisition of coastal preserves in the state and money required to be deposited pursuant to Sections 27-19-56.10 and 27-19-56.27, shall be credited to the account. Any unexpended funds remaining in the account at the end of the fiscal year shall not lapse into the Seafood Fund, but shall remain in the account. The department may expend any funds in the account, subject to

appropriation by the Legislature, for the management, improvement and acquisition of coastal preserves.

(d) There is established a special account to be known as the "Mississippi Seafood Marketing Program Account" within the Seafood Fund. Monies required to be deposited into the account under Section 27-19-56.27 and any funds received from any public or private source for the purpose of promoting the Mississippi seafood industry must be credited to the account. Any unexpended funds remaining in the account at the end of the fiscal year do not lapse into the Seafood Fund, but remain in the account. The department may expend any funds in the account, subject to appropriation by the Legislature, to accomplish the purposes of this account, including, but not limited to, providing funds for cobia stock enhancement programs.

(e) There is established a special account to be known as the "Oyster Production Preserve Account" within the Seafood Fund. Monies required to be deposited from oyster leasing and licensing payments under Section * * * 49-15-27, sack fees, * * * and any funds received from any public or private source for the purpose of oyster production and propagation in this state, which includes plantings of oysters and cultch materials, shall be credited to the account. Any unexpended funds remaining in the account at the end of the fiscal year shall not lapse into the Seafood Fund, but shall remain in the account. The department may expend any funds in the account, subject to specific appropriation by the Legislature, for the management, improvement and acquisition of permittable property for oyster production and propagation in the state, which includes plantings of oysters and cultch materials. The Department of Marine Resources shall develop an annual report to the Legislature which describes the annual expenditures from this fund for the purpose of furthering oyster production and propagation in this state to be included in the department's annual budget request to the Legislative Budget Office and to be transmitted to the Chairmen of the Senate and House Committees on Ports and Marine Resources.

(2) The fund shall be treated as a special trust fund and interest earned on the principal shall be credited to the fund.

(3) The department shall keep accurate reports of monies handled as a part of the permanent records of the department, and the State Treasurer shall furnish the department such forms as may be needed, and the department shall account for such forms in reports to the Treasurer.

SECTION 2. Section 49-15-27, Mississippi Code of 1972, is amended as follows:

49-15-27. The department is hereby granted full and complete authority to lease the bottoms within its jurisdiction upon the following terms and conditions:

(1) All areas within the department's jurisdiction, not designated state-owned reefs by this chapter, including natural reefs and all areas not within the boundaries of riparian property owners may be leased by the department.

(2) All individual lessees shall be residents of the State of Mississippi, or if a firm or corporation, such firm or corporation shall be organized under the laws of the State of Mississippi and owned by a resident of the State of Mississippi.

(3) No individual, corporation, partnership or association may lease less than one (1) acre nor more than two thousand five hundred (2,500) acres total; however, in the case of an individual there shall be counted towards such limitation any lands leased by a corporation, partnership or association in which such individual owns ten percent (10%) or less interest and, in the case of a corporation, partnership or association, there shall be counted toward such limitation any lands leased by an individual stockholder, partner or associate thereof who owns ten percent (10%) or less interest in such corporation, partnership or association.

(4) Individuals, firms or corporations desiring to lease bottoms shall make application to the department in writing, describing the area to be leased. Applications must include a plat showing the proposed lease area and description of cultch material type and amount to be deployed on the leased area.

(5) (a) Any person who qualifies and who desires to lease a part of the bottom or bed of any of the waters of this state as provided in this section shall present to the department a written application, and pay an application fee in the amount of Fifty Dollars ($50.00). This application shall contain the name and address of the applicant and a reasonably definite description of the location and amount of land covered by water desired by the applicant. The department has the authority to establish a system to determine qualifications of applicants. Upon receipt of the application, the department shall * * * determine the qualifications of the applicant. Applicants will be prioritized based upon their demonstrated level of experience in oyster cultivation and their financial stability. The department shall then order an examination to determine whether the water bottoms applied for are leasable * * *. If the applicant is found to be qualified and the area is found to be leasable, the department shall * * * determine the acreage upon which the rent shall be fixed and enter into a lease with the applicant * * *, who shall pay the prorated annual rent in advance for the remainder of the calendar year. If the applicant is not eligible for a lease, the department shall issue a written notice declining the application with specific reasons for same * * *. The department has the authority to lease an area to an applicant that has no experience in oyster cultivation as long as the applicant can demonstrate their financial stability and the area applied for has not been requested by another applicant with demonstrated experience. The department has the authority to reconfigure the lease areas from that requested by the applicant in the manner that promotes maximum utilization of the state's resources. In the event the area requested by the applicant has to be reconfigured, the applicant has the right to refuse the reconfigured area and withdraw their application and receive a refund of their application fee.

* * *

(* * *b) The department shall require that the bottoms of water areas to be leased be as definable as possible, taking into consideration such factors as the shape of the body of water, permitted areas, and the condition of the bottom as to hardness or softness which would render it desirable or undesirable for the purpose of oyster cultivation.

* * *

(* * *c) A lease applicant may withdraw a lease application and receive a full refund from the department of all application fees, by submitting a written request for withdrawal to the department within ninety (90) days after the department * * * received the application.

(6) Such leases shall be for an initial term of fifteen (15) years, with the lessee having the right of first renewal of the lease for an additional fifteen (15) years, and continue to renew at fifteen-year intervals, at the same ground rental rate so long as lessee actively cultivates and gathers oysters, and complies with the provisions of this chapter. No lease may be transferred without approval by the department of the transfer.

(7) The terms of every lease issued hereunder shall ensure the maximum cultivation and propagation of oysters. Throughout the term of every lease issued hereunder, each lessee shall add cultch and make other necessary efforts to ensure the maximum cultivation and propagation of oysters. The department shall promulgate regulations to set forth guidelines for lessees to follow to ensure the maximum cultivation and propagation of oysters under the lease. The lessee shall submit a written report with supporting documentation to the department of efforts to cultivate and propagate oysters

for the previous year. If the department finds a lessee is not making efforts to cultivate and propagate oysters, and the lessee fails to take remedial steps to address same, such lease shall be subject to termination as provided for hereunder.

(8) The department shall fix a ground rental rate at Three Dollars ($3.00) per acre per year. The annual rental payments shall be due by December 31 for the next calendar year.

(9) Any lessee who pays the rent on or after the first day of January shall pay the rent due plus an additional ten percent (10%) penalty. The failure of the lessee to pay the rent punctually on or before the first of each March, ipso facto and without demand or putting in default, terminates and cancels the lease and forfeits to the department all the works, improvements, betterments, and oysters on the leased water bottom. The department may at once enter on the water bottom and take possession thereof. Such water bottom shall then be open for lease in accordance with subsections (5) through (8) of this section. Ten (10) days thereafter the department shall enter the termination, cancellation, and forfeiture on its books and give public notice thereof by publication in one (1) local paper in the county where the formerly leased water bottoms are located. On or before the first day of each February, the department shall issue a written notice of delinquency by certified mail to each lessee who has not yet paid the rent. The department shall also publish notice of such delinquency on its website.

(10) The department shall keep an accurate chart of the areas within its jurisdiction and shall mark on such chart those areas which are under lease. All leases shall be marked by appropriate poles, stakes or buoys of such material as will not injure watercraft, at the expense of the leaseholder. The department shall keep an accurate book, designated "Mississippi Oyster Farms" which shall contain copies of all leases. The department shall maintain a map of designated state-owned, leased areas, and areas available for lease on the department's website. If any lease be cancelled or expire, such fact shall be noted on the face of such lease. Lessees shall be "oyster farmers" for the purposes of any grants, aid, subsidies or other assistance from the federal government or other governmental or private agencies.

(11) All funds derived from leasing shall be paid into the Seafood Fund under Section 49-15-17, for use by the department to further oyster production in this state, which includes plantings of oysters and cultch materials.

(12) All leases made by the department under the authority of this section shall be subject to the paramount right of the state and any of its political subdivisions authorized by law, to promote and develop ports, harbors, channels, industrial or recreational projects, and all such leases shall contain a provision that in the event such authorized public body shall require the area so leased or any part thereof for such public purposes, that the lease shall be terminated on reasonable notice fixed by the department in such lease. On the termination of any lease, the lessees shall have the right to remove any oysters within the leased area within such time as may be fixed by the department and in accordance with such reasonable rules and regulations as the department may adopt.

Any person convicted of taking oysters from leased land or from waters that are not of a safe sanitary quality without a permit as provided in Section 49-15-37 shall, on the first offense, forfeit all equipment used, exclusive of any boat or boats; and be fined not to exceed Two Thousand Dollars ($2,000.00) or sentenced not to exceed one (1) year in the county jail, or both. Subsequent convictions shall be punishable by forfeiture of all equipment, including any boat or boats; and a fine not to exceed Five Thousand Dollars ($5,000.00) or not to exceed two (2) years in prison, or both such fine and imprisonment.

The department is enjoined to cooperate with the Jackson County Port Authority, the Harrison County Development Commission, the municipal port commission and other port and harbor agencies, so that oyster beds shall not be planted in close proximity to navigable channels. The department or lessee shall have no right of action as against

any such public body for damages accruing to any natural reef or leased reef by any necessary improvement of such channel in the interest of shipping, commerce, navigation or other purpose authorized by law.

(13) A lessee has the exclusive use of the water bottoms leased and all oysters and cultch grown or placed thereon. However, this exclusive right is subordinate to the rights and responsibilities of the state, any political subdivision of the state, the United States, or any agency or agent thereof, to take action in furtherance of coastal protection, conservation or restoration.

(14) In order to protect the health and safety of the residents of the State of Mississippi, the terms and conditions relating to the leasing of bottoms provided in this section shall be fully applicable to any lease executed by the Mississippi Department of Marine Resources prior to April 17, 2023, and the department shall revise any lease issued prior to April 17, 2023, as necessary in order to comply with the provisions of this section.

SECTION 3. Section 49-15-37, Mississippi Code of 1972, is amended as follows:

49-15-37. The department may employ boats, crews and laborers to cultivate the state-owned reefs of the state, and dredge the oysters in the Mississippi Sound from places where they are too thick, and spread them on reefs where they are too thin, and carry shells from the factories and spread them in places where the oyster beds can be improved and enlarged. The department may open state-owned reefs to the public for harvest. The department may purchase other materials as may be equally suitable for the propagation of oysters. The department in cultivating the reefs, transplanting and spreading oysters and shells and other suitable materials, may expend any funds available for that purpose, as provided by Section 49-15-17(1)(e). In taking seed oysters, care shall be used to not injure or destroy the merchantable oysters on the reefs from which they are taken. The seed oysters shall be tonged from the "conner" or seed reefs, unless it is practicable and safe to dredge those oysters. The department may establish new bedding grounds at those places within the boundaries of the state as it may determine, on advice of the director, or on advice of technical governmental experts, or competent aquatic biologists. On existing state-owned reefs in which oysters exist and in waters not of a safe sanitary quality as determined by the department, the department shall prohibit any person, firm or corporation from taking oysters from those areas. The department shall from time to time remove the oysters from the areas and relay or replant them in an approved area for a period of time under Section 49-15-36 before they may be harvested. Any funds received from the sale of the oysters shall be used in a like manner as those funds received under Section * * * 49-15-17(1)(e).

The department may issue permits to persons to remove oysters by dredging or otherwise from water bottoms which are not of a safe sanitary quality for oysters for human consumption. These areas may be designated as seed grounds, and permits to persons shall be issued only for the purpose of transplanting oysters to privately leased Mississippi territorial waters. The department may permit the transplanting of these seed oysters by a duly authorized public agency.

The department may, upon determining the water bottom from which oysters are to be removed is not of a safe, sanitary quality for oyster production for human consumption and has been unsafe for a period of at least one (1) year immediately preceding certification, and upon complying with the following requirements, permit the dredging of oysters from restricted public areas and relaying the oysters to private leased grounds in the State of Mississippi:

(a) Permittee must hold valid lease of oyster bedding grounds in the State of Mississippi;

(b) Permittee must be bonded in compliance with the permit system established by the department;

(c) Permittee must fulfill all permit requirements as established by the department;

(d) Permittee shall not move oysters from one restricted area to another restricted area;

(e) Permittee shall move oysters only to an area leased by the department; and

(f) Permittee shall not move oysters from the restricted area without the presence of an employee of the department at all times, from the dredging of the oysters from the restricted areas to their deposit on private leased grounds or to an onshore, molluscan depuration facility.

Harvesting of oysters shall be permitted only during daylight hours and with the most efficient gear possible consistent with conservation requirements of not damaging the reefs. This shall include permission to use two (2) dredges per boat on restricted areas and on private leased grounds.

Any person obtaining a permit to remove oysters from seed grounds shall post a penal bond of One Hundred Dollars ($100.00) per leased acre with the department to be forfeited upon any violation of this section. The bond may be approved by the director of the department if the director finds the bond to be secured by sufficient property or sureties.

The department shall regulate the amount and time of taking of oysters from seed areas and shall supervise the removal, planting and harvesting of oysters from the areas. The time set for the taking of oysters from restricted seed areas for relaying or replanting and the time set for the taking of oysters from private leased grounds shall be separated by not less than a period of time determined under Section 49-15-36 during which neither activity may be allowed.

SECTION 4. Section 49-15-38, Mississippi Code of 1972, is amended as follows:

49-15-38. (1) (a) Unless otherwise permitted by the department, no oysters shall be taken from state-owned reefs unless culled, and all oysters less than three (3) inches from end to end, and all dead shells, shall be replaced, scattered and broadcast immediately on the reefs from which they are taken. It is unlawful for any captain or person in charge of any vessel, or any canner, packer, commission man, dealer or other person to purchase, sell or to have in that person's possession or under that person's control any oysters off the state-owned reefs or private bedding grounds not culled according to this section, or any oysters under the legal size. A ten percent (10%) tolerance shall be allowed in relation to any culling.

(b) The department may authorize the culling of oysters of a lesser measure. That authorization shall be in response to special circumstances or extreme natural conditions affecting the habitat, including, but not limited to, flooding. The department may establish checkpoints in any area within its jurisdiction to conduct inspections, collect fees and issue tags in the enforcement of this chapter and regulations adopted by the commission.

(2) The department shall acquire and replant shells, seed oysters and other materials, when funding is available, for the purpose of growing oysters.

(3) Any person, firm or corporation failing or refusing to pay the shell retention fee required under Section 49-15-46 to the department when called for by the department, is

guilty of a misdemeanor and, upon conviction, shall be fined not more than One Hundred Dollars ($100.00) for each * * * sack of shells for which they fail or refuse to tender the shell retention fee. In addition to the fine, the violator shall pay the reasonable value of the oyster shells and shall be ineligible to be licensed for any activity set forth in this chapter for a period of two (2) years from the date of conviction.

(4) The planting of oyster shells as provided under this chapter shall be under the direction and supervision of the executive director of the department.

SECTION 5. Section 49-15-46, Mississippi Code of 1972, is amended as follows:

49-15-46. (1) Each vessel used to catch, take, carry or transport oysters from the reefs of the State of Mississippi, or engaged in transporting any oysters in any of the waters within the territorial jurisdiction of the State of Mississippi, for commercial use, shall annually, before beginning operations, be licensed by the department and pay the following license fee:

(a) Fifty Dollars ($50.00) on each in-state vessel or boat used for tonging oysters or gathering oysters by hand;

(b) One Hundred Dollars ($100.00) on each in-state vessel or boat used for dredging oysters;

(c) One Hundred Dollars ($100.00) on each out-of-state vessel or boat used for tonging oysters or gathering oysters by hand, or the license fee charged by the out-of-state licensing entity to Mississippi vessels or boats for tonging or gathering oysters, whichever is greater; or

(d) Two Hundred Dollars ($200.00) on each out-of-state vessel or boat used for dredging oysters, or the license fee charged by the out-of-state licensing entity to Mississippi vessels or boats for dredging oysters, whichever is greater.

(2) Each molluscan shellfish aquaculture operation shall annually, before beginning operations, be licensed by the department and pay the following license fee:

(a) Fifty Dollars ($50.00) on each resident molluscan shellfish aquaculture operation; or

(b) One Hundred Dollars ($100.00) on each nonresident molluscan shellfish aquaculture operation.

(3) The department may authorize the transfer of a vessel license to a different vessel provided that the owner of both vessels is the same titled owner.

(4) All oysters harvested in the State of Mississippi shall be tagged. Tags shall be issued by the department and shall bear the catcher's name, the date and origin of the catch, the shell stock dealer's name and permit number. The department shall number all tags issued and shall maintain a record of those tags. The department, in its discretion, may adopt any regulations regarding the tagging of oysters and other shellfish.

(5) Each person catching or taking oysters from the waters of the State of Mississippi for personal use shall obtain a permit from the department and pay an annual recreational oyster permit fee of Ten Dollars ($10.00). Oysters caught under a recreational permit shall not be offered for sale. The limits on the allowable catch of oysters for recreational purposes shall be three (3) sacks per week. The department shall issue tags of a distinguishing color to designate recreationally harvested oysters, which shall be tagged on the same day of harvest in the manner prescribed in subsection (4) of this section for commercially harvested oysters or by regulation of the department.

(6) The department shall assess and collect a shell retention fee for the shells taken from waters within the territorial jurisdiction of the State of Mississippi as follows:

(a) Commercial and recreational harvesters - Fifteen Cents (15¢) per sack paid to the department on the day of harvest;

(b) Initial oyster processor, dealer or factory first purchasing the oysters - Fifteen Cents (15¢) per sack paid to the department no later than the tenth day of the month following the purchase, on forms submitted by the department;

(c) Commercial harvesters transporting their catch out of the state - Fifty Cents (50¢) per sack paid to the department on the day of harvest, in addition to the fees paid in paragraph (a) of this subsection; and

(d) Commercial harvesters not selling their oysters to a Mississippi dealer - Fifteen Cents (15¢) per sack paid to the department on the day of harvest, in addition to fees paid in paragraph (a) of this subsection.

Funds received from the shell retention fee shall be paid into * * * the Oyster Production Preserve Account within the Seafood Fund pursuant to Section 49-15-17(1)(e) for use by the department to further oyster production in this state, which includes plantings of oysters and/or cultch materials.

(7) During open seasons, oysters may be taken only by hands, tongs and dredges.

(8) Vessels licensed under Section 49-15-46 may keep in whole, for personal consumption up to thirty-six (36) blue crabs (portunidae family), per day. This exemption for personal consumption does not apply to fish or crabs that are otherwise illegal to possess or catch.

SECTION 6. Section 49-15-47, Mississippi Code of 1972, is amended as follows:

49-15-47. (1) It is unlawful for any person, firm or corporation to discharge solid or human waste from any vessel while the vessel is used to harvest or transport oysters in the marine waters of the state.

(2) Each vessel used to harvest or transport oysters is required to have an approved functional marine sanitation device (MSD), portable toilet or other sewage disposal receptacle designed to contain human sewage. The approved marine sanitation device (MSD), portable toilet or other sewage disposal receptacle shall:

(a) Be used only for the purpose intended.

(b) Be secured while on board and located to prevent contamination of shell stock by spillage or leakage.

(c) Be emptied only into an approved sewage disposal system.

(d) Be cleaned before being returned to the vessel.

(e) Not be cleaned with equipment used for washing or processing food.

(3) The use of other receptacles for sewage disposal may be approved by the department if the receptacles are:

(a) Constructed of impervious, cleanable materials and have tight-fitting lids; and

(b) Meet the requirements listed in subsection (2).

(4) * * * Any person, firm or corporation violating the provisions of this chapter, shall, on conviction, be fined not less than Five Thousand Dollars ($5,000.00), and the license of the convicted party shall be revoked for one (1) year. For conviction of a second offense, the fine shall be not less than Ten Thousand Dollars ($10,000.00), and the license of the convicted party shall be revoked for two (2) years. For a conviction of a third offense, the fine shall be not less than One Hundred Thousand Dollars ($100,000.00), and the license of the convicted party shall be permanently revoked.

(5) Upon issuance of a citation for a violation of this section, the vessel shall be removed from the oyster reef and any oysters on board the vessel shall be confiscated and disposed of by the department. The vessel shall not be permitted to harvest from any state-owned or private reefs until the vessel is properly equipped as determined by an inspection by the department.

SECTION 7. Section 27-19-56.27, Mississippi Code of 1972, which provides for a special license tag for supporters of the Mississippi seafood industry, is repealed.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTIONS 49-15-17, 49-15-27, 49-15-37, 49-15-38, 49-15-46 AND 49-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE TECHNICAL REVISIONS TO THE POWERS AND DUTIES OF THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES RELATING TO OYSTER CULTIVATION LEASES, THE SEAFOOD FUND, THE OYSTER PRODUCTION PRESERVE ACCOUNT AND THE COASTAL PRESERVE ACCOUNT; TO AUTHORIZE THE DEPARTMENT OF MARINE RESOURCES TO RECONFIGURE OYSTER LEASE AREAS AND TO REVISE PERMITTED AREAS AND TO PROVIDE PROTEST PROCEDURES BY OYSTER LEASE APPLICANTS; TO PRESCRIBE CRIMINAL PENALTIES FOR ANY PERSON VIOLATING THE PROVISIONS OF THE OYSTER BOTTOM LEASE PROGRAM; TO REPEAL SECTION 27-19-56.27, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES A SPECIAL LICENSE TAG FOR SUPPORTERS OF THE MISSISSIPPI SEAFOOD INDUSTRY; AND FOR RELATED PURPOSES.

Senator Harkins moved that the rules be suspended to move to calendar item 36, **S. B. No. 2493**, and the motion prevailed.

Senator Harkins called up the following House Amendment to **S. B. No. 2493** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 1, Chapter 480, Laws of 2021, as amended by Section 32, Chapter 549, Laws of 2023, is amended as follows:

Section 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University		$ 5,675,000.00
	Phase I of repair and renovation of and upgrades and improvements to campus dormitories	$ 5,675,000.00
Delta State University		$ 10,800,000.00
	Renovation and expansion of and upgrades, improvements and additions to the Robert E. Smith School of Nursing	

Building and related

facilities.....$ 7,800,000.00

Repair, renovation

and upgrading of

campus buildings

and facilities.....$ 3,000,000.00

Jackson State University ..... $ 6,500,000.00

Phase III of repair,

renovation and

upgrading of campus

buildings, facilities,

and infrastructure.....$ 6,000,000.00

Preplanning for

construction, furnishing

and equipping of a new

dining facility and

related facilities.....$ 500,000.00

Mississippi State University ..... $ 15,000,000.00

Phase I of construction,

furnishing and equipping

of a new building and

related facilities to

house the College of

Architecture, Art

and Design.....$ 15,000,000.00

Mississippi State University/Division of

Agriculture, Forestry and Veterinary

Medicine.....$ * * * 1,600,000.00

Repair and renovation of

and upgrades and

improvements to Dorman Hall

and related facilities.....$ * * * 1,600,000.00

Mississippi University for Women .....$ 2,750,000.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....$ 2,750,000.00

Mississippi Valley State University.....$ 500,000.00

Preplanning for repair,

renovation, furnishing

and equipping of the

Charles Lackey

Recreation Center.....$ 500,000.00

University of Mississippi.....$ 12,000,000.00

Construction, furnishing

and equipping of a new

mechanical and power

plant building and related

facilities.....$ 12,000,000.00

University of Mississippi Medical Center ..... $ 8,000,000.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....$ 8,000,000.00

University of Southern Mississippi ..... $ 10,750,000.00

Repair and renovation

of Hickman Hall and

related facilities.....$ 10,000,000.00

Preplanning and

construction, furnishing

and equipping of a new

science research facility...$ 750,000.00

University of Southern Mississippi/Gulf

Coast Campuses .....$ * * * 1,500,000.00

Renovation and expansion

of and upgrades,

improvements and additions

to Hardy Hall to house the

Executive Education Center

and related facilities

on the Gulf Park

Campus.....$ * * * 500,000.00

Repair, renovation
life safety, and
ADA code upgrades,
furnishing and equipping
of campus buildings
and facilities
at the Gulf Coast
Research Laboratory,
Halstead Campus.....$ 1,000,000.00
IHL Education and Research Center ..... $ 600,000.00
Planning, repair, renovation,
life safety and ADA code
upgrades of buildings,
facilities and infrastructure,
including the Paul B. Johnson
Tower, Edsel E. Thrash
Universities Center and
the Mississippi Public
Broadcasting Building.....$ 600,000.00
TOTAL ..... $ * * * 75,675,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the

Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed * * * Seventy-five Million Six Hundred Seventy-five Thousand Dollars ($75,675,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for

payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special funds created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 2. There is created in the State Treasury a special fund designated as the "2024 IHL Capital Projects Fund." The fund shall be maintained by the State Treasurer as a separate and special fund, apart from the State General Fund.

Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the special fund. Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control, to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine	Repair and renovation of and upgrades and improvements to Dorman Hall and related facilities	$ 6,400,000.00
University of Southern Mississippi/Gulf Park Campus	Renovation and expansion of and upgrades, improvements and additions to Hardy Hall to house the Executive Education Center and related facilities on the Gulf Park Campus	$ 4,300,000.00

SECTION 3. Upon the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the sum of Ten Million Seven Hundred Thousand Dollars ($10,700,000.00) from the Capital Expense Fund to the 2024 IHL Capital Projects Fund created in Section 2 of this act.

SECTION 4. Section 2, Chapter 480, Laws of 2021, is amended as follows:

Section 2. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Community and Junior Colleges Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund may not be used or expended for any purpose except as authorized under this act.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of acquisition of real property, construction of new facilities, equipping and furnishing facilities, including furniture and technology equipment and infrastructure, and addition to or renovation of existing facilities for community and junior college campuses as recommended by the Mississippi Community College Board. The amount to be expended at each community and junior college is as follows:

Coahoma		$ 1,601,497.00
Copiah-Lincoln		1,914,389.00
East Central	* * *	1,030,000.00

East Mississippi ..... * * * 0.00
Hinds 3,858,858.00
Holmes..... 2,670,171.00
Itawamba ..... * * * 1,532.00
Jones 2,354,904.00
Meridian 1,932,245.00
Mississippi Delta 1,801,892.00
Mississippi Gulf Coast..... 3,410,539.00
Northeast Mississippi..... * * * 0.00
Northwest Mississippi 2,937,492.00
Pearl River 2,456,481.00
Southwest Mississippi..... * * * 0.00
GRAND TOTAL ..... * * * $25,970,000.00

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the community college or junior college for which any such monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed * * * Twenty-five Million Nine Hundred Seventy Thousand Dollars ($25,970,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special funds created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or

without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 5. There is created in the State Treasury a special fund designated as the "2024 Community Colleges Capital Projects Fund." The fund shall be maintained by the State Treasurer as a separate and special fund, apart from the State General Fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the special fund. Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of acquisition of real property, construction of new facilities, equipping and furnishing facilities, including furniture and technology equipment and infrastructure, and addition to or renovation of existing facilities for community and junior college campuses as recommended by the Mississippi Community College Board. The amount to be expended at each community and junior college is as follows:

East Central	758,372.00
East Mississippi	2,070,016.00
Itawamba	2,434,814.00
Northeast Mississippi	2,052,257.00
Southwest Mississippi	1,714,541.00
GRAND TOTAL	$9,030,000.00

SECTION 6. Upon the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the sum of Nine Million Thirty Thousand Dollars ($9,030,000.00) from the Capital Expense Fund to the 2024 Community Colleges Capital Projects Fund created in Section 5 of this act.

SECTION 7. Section 57-75-15, Mississippi Code of 1972, is amended as follows:

[Through June 30, 2025, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the power and is hereby authorized and directed, upon receipt of a declaration from the authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars ($67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed Seventy-seven Million Dollars ($77,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to expend any remaining proceeds of bonds issued under the authority of this act prior to January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars ($10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars ($351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars ($12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section 57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight Million Five Hundred Thousand Dollars ($38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Five Million Dollars ($5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Four Million Five Hundred Thousand Dollars ($4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars ($5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Five Million Dollars ($5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xii) shall not exceed Thirty-three Million Dollars ($33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars ($2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Three Million Dollars ($3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Twenty-four Million Dollars ($24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Dollars ($2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Five Hundred Thousand Dollars ($500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvi) shall not exceed Ten Million Dollars ($10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars ($3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars ($96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars ($15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars ($23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred Thousand Dollars ($293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars ($30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars ($48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars ($88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars ($13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars ($25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) [Deleted]

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars ($50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not exceed * * * Seventy Million Dollars ($70,000,000.00). No bonds shall be issued under this paragraph after July 1, 2026.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars ($263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed * * * Six Million Dollars ($6,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(dd) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxxi) shall not exceed Two Hundred Forty-six Million Seven Hundred Ninety-eight Thousand Five Hundred Fifty Dollars ($246,798,550.00); however, the total amount of bonds that may be issued under the authority of this section for projects defined in Section 57-75-5(f)(xxxi) shall be reduced by the amount of any other funds authorized by the Legislature during the 2022 First Extraordinary Session specifically for such projects. No bonds shall be issued under this paragraph after July 1, 2040.

(ee) Bonds issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxii) shall not exceed Four Hundred Eighty-two Million Dollars ($482,000,000.00); however, the total amount of bonds that may be issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxii) shall be reduced by the amount of any other funds authorized by the Legislature specifically for such project. No bonds shall be issued under this paragraph after July 1, 2040.

(ff) Bonds issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxiii) shall not exceed Two Hundred Sixty Million Dollars ($260,000,000.00); however, the total amount of bonds that may be issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxiii) shall be reduced by the amount of any other funds authorized by the Legislature specifically for such project. No bonds shall be issued under this paragraph after July 1, 2040.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

(i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project area, including costs of design and engineering, all costs incurred to provide land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;

(ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;

(iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list of expenses it incurred in regard to such projects to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;

(v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;

(vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(vii) Providing for the payment of interest on the bonds;

(viii) Providing debt service reserves;

(ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;

(x) For purposes authorized in paragraphs (b) and (c) of this subsection (4);

(xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);

(xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);

(xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);

(xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;

(xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);

(xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);

(xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing grants and loans as authorized in Section 57-75-11(tt);

(xxiii) Providing grants as authorized in Section 57-75-11(ww) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate; and

(xxiv) Providing loans, grants and other funds as authorized in Section 57-75-11(xx), (yy), (zz) and (aaa) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to a project for which funding is provided from

the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph (b)(i) shall not exceed Three Hundred Thousand Dollars ($300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars ($100,000.00) in the aggregate. Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided for the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars ($25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars ($25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.

(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable before maturity at such time or times and upon such terms, with or without premium; bear such registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so published in one or more newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide

for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the fund, and the Department of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund unless the State Bond Commission, at the request of the authority, shall

determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans, there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans, grants and other funds authorized in Section 57-75-11(jj), (vv), (xx), (zz) and (aaa) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund. However:

(i) Monies paid to the state from a county in which a project as defined in Section 57-75-5(f)(xxxii) is located and which is paid pursuant to any agreement under Section 57-75-37(6)(c)(iii) shall, after being received from the county and properly accounted for, be deposited into the State General Fund; and

(ii) Monies paid to the state from a county and/or municipality in which a project as defined in Section 57-75-5(f)(xxxiii) is located and which is paid pursuant to any agreement under Section 57-75-37(7)(c)(iii) shall, after being received from the county and/or municipality and properly accounted for, be deposited into the State General Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars ($500,000.00) at any one time.

[From and after July 1, 2025, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the power and is hereby authorized and directed, upon receipt of a declaration from the authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars ($67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed Seventy-seven Million Dollars ($77,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to expend any remaining proceeds of bonds issued under the authority of this act prior to January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars ($10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars ($351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars ($12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section 57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight Million Five Hundred Thousand Dollars ($38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Five Million Dollars ($5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Four Million Five Hundred Thousand Dollars ($4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars ($5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Five Million Dollars ($5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xii) shall not exceed Thirty-three Million Dollars ($33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars ($2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Three Million Dollars ($3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Twenty-four Million Dollars ($24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Dollars ($2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Five Hundred Thousand Dollars ($500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvi) shall not exceed Ten Million Dollars ($10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars ($3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars ($96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2016.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars ($15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars ($23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred Thousand Dollars ($293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars ($30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars ($48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars ($88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars ($13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars ($25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) [Deleted]

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars ($50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not exceed * * * Seventy Million Dollars ($70,000,000.00). No bonds shall be issued under this paragraph after July 1, 2026.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars ($263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed * * * Six Million Dollars ($6,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(dd) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxxi) shall not exceed Two Hundred Forty-six Million Seven Hundred Ninety-eight Thousand Five Hundred Fifty Dollars ($246,798,550.00); however, the total amount of bonds that may be issued under the authority of this section for projects defined in Section 57-75-5(f)(xxxi) shall be reduced by the amount of any other funds authorized by the Legislature during the 2022 First Extraordinary Session specifically for such projects. No bonds shall be issued under this paragraph after July 1, 2040.

(ee) Bonds issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxii) shall not exceed Four Hundred Eight-two Million Dollars ($482,000,000.00); however, the total amount of bonds that may be issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxii) shall be reduced by the amount of any other funds authorized by the Legislature specifically for such project. No bonds shall be issued under this paragraph after July 1, 2040.

(ff) Bonds issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxiii) shall not exceed Two Hundred Sixty Million Dollars ($260,000,000.00); however, the total amount of bonds that may be issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxiii) shall be reduced by the amount of any other funds authorized by the Legislature specifically for such project. No bonds shall be issued under this paragraph after July 1, 2040.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

(i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project area, including costs of design and engineering, all costs incurred to provide land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;

(ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;

(iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list of expenses it incurred in regard to such projects to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;

(v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;

(vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(vii) Providing for the payment of interest on the bonds;

(viii) Providing debt service reserves;

(ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;

(x) For purposes authorized in paragraphs (b) and (c) of this subsection (4);

(xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);

(xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);

(xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);

(xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;

(xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);

(xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);

(xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing loans as authorized in Section 57-75-11(tt);

(xxiii) Providing grants as authorized in Section 57-75-11(ww) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate; and

(xxiv) Providing loans, grants and other funds as authorized in Section 57-75-11(xx), (yy), (zz) and (aaa) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to a project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph (b)(i) shall not exceed Three Hundred Thousand Dollars ($300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars ($100,000.00) in the aggregate.

Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided for the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars ($25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars ($25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.

(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable before maturity at such time or times and upon such terms, with or without premium; bear such registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, advertise for and accept bids, issue and sell the bonds on sealed bids at public sale, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale for such price as it may determine to be for the best interest of the State of Mississippi, but no such sale shall be made at a price less than par plus accrued interest to date of delivery of the bonds to the purchaser. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually; provided that the first interest payment may be for any period of not more than one (1) year.

Notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so published in one or more newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the fund, and the Department of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund unless the State Bond Commission, at the request of the authority, shall determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans, there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans, grants and other funds authorized in Section 57-75-11(jj), (vv), (xx), (zz) and (aaa) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund. However:

(i) Monies paid to the state from a county in which a project as defined in Section 57-75-5(f)(xxxii) is located and which is paid pursuant to any agreement under Section 57-75-37(6)(c)(iii) shall, after being received from the county and properly accounted for, be deposited into the State General Fund; and

(ii) Monies paid to the state from a county and/or municipality in which a project as defined in Section 57-75-5(f)(xxxiii) is located and which is paid pursuant to any agreement under Section 57-75-37(7)(c)(iii) shall, after being received from the county and/or municipality and properly accounted for, be deposited into the State General Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars ($500,000.00) at any one time.

SECTION 8. Section 57-71-25, Mississippi Code of 1972, is amended as follows:

57-71-25. (1) The seller is authorized to borrow, on the credit of the state, upon receipt of a resolution from the company requesting the same, money not exceeding the aggregate sum of * * * Ninety Million Dollars ($90,000,000.00), outstanding at any one time, not including money borrowed to refund outstanding bonds, notes or replacement notes, as may be necessary to carry out the purposes of this act. The rate of interest on any such bonds or notes which are not subject to taxation shall not exceed the rates set forth in Section 75-17-101, Mississippi Code of 1972, for general obligation bonds.

(2) As evidence of indebtedness authorized in this act, general or limited obligation bonds of the state shall be issued from time to time to provide monies necessary to carry out the purposes of this act for such total amount, in such form, in such denominations, payable in such currencies (either domestic or foreign or both), and subject to such terms and conditions of issue, redemption and maturity, rate of interest and time of payment of interest as the seller directs, except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from date thereof and extending not more than twenty (20) years from date thereof.

(3) All bonds and notes issued under authority of this act shall be signed by the chairman of the seller, or by his facsimile signature, and the official seal of the seller shall be affixed thereto, attested by the secretary of the seller.

(4) All bonds and notes issued under authority of this act may be general or limited obligations of the state, and the full faith and credit of the State of Mississippi as to general obligation bonds, or the revenue derived from projects assisted as to limited obligation bonds, are hereby pledged for the payment of the principal of and the interest on such bonds and notes.

(5) Such bonds and notes and the income therefrom shall be exempt from all taxation in the State of Mississippi.

(6) The bonds may be issued as coupon bonds or registered as to both principal and interest as the seller may determine. If interest coupons are attached, they shall contain the facsimile signature of the chairman and the secretary of the seller.

(7) As to bonds issued hereunder and designated as taxable bonds by the seller, any immunity of the state to taxation by the United States government of interest on bonds or notes issued by the state is hereby waived.

SECTION 9. Chapter 460, Laws of 2006, as amended by Chapter 463, Laws of 2007, as amended by Section 10, Chapter 511, Laws of 2010 is amended as follows:

Section 1. As used in Sections 1 through 19 of this act, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(d) "Department" means the Mississippi Department of Marine Resources.

Section 2. (1) (a) A special fund, to be designated as the "Department of Marine Resources Equipment and Facilities Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such special fund.

(b) Monies deposited into the fund shall be disbursed, in the discretion of the department, to provide funds to purchase real property and pay the cost of administration and personnel expenses, necessary equipment and repairs, renovation and construction of facilities necessary for the improvement of the marine resources of the state; however, operational expenses authorized to be paid under this act shall not exceed three percent (3%) of the total amount of bonds issued under this act.

(c) Before any real estate may be purchased with the proceeds of bonds authorized to be issued pursuant to this act, the fair market value of the real estate shall be determined by the averaging of at least two (2) appraisals by Mississippi Certified General Appraisers. The proceeds of bonds issued pursuant to this act may be utilized to pay the cost of the appraisals.

(2) Amounts deposited into such special fund shall be disbursed to pay the costs described in subsection (1) of this section. If any monies in such special fund are not used within five (5) years after the date the proceeds of the bonds authorized under this act are deposited into the special fund, then the department shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in subsection (1) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this act, in accordance with the proceedings authorizing the issuance of the bonds and as directed by the commission.

(3) The department is expressly authorized and empowered to receive and expend any other source funds in connection with the expenditure of funds provided for in this section.

(4) The expenditure of monies deposited into the special fund shall be under the direction of the department, and those funds shall be paid by the State Treasurer upon warrants issued by the Department of Finance and Administration, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Marine Resources or his designee.

Section 3. For the purpose of providing for the payment of the principal of and the interest upon bonds issued under the provisions of this act, there is hereby created in the State Treasury the "Department of Marine Resources Equipment and Facilities Bond Sinking Fund." The sinking fund shall consist of the money required to be deposited into such fund pursuant to Section 18 of this act and such other amounts as shall be paid into such fund by appropriation or other authorization by the Legislature. Funds required in excess of the amounts available in the Department of Marine Resources Equipment and Facilities Bond Sinking Fund to pay the principal of and the

interest upon bonds issued under the provisions of this act shall be appropriated from the State General Fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

Section 4. (1) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in Section 2 of this act. Upon the issuance of a certificate by the executive director of the department, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the executive director shall deliver a certified copy of his certificate or certificates to the commission. Upon receipt of the certificate, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this act shall not exceed * * * Twenty Million Seven Hundred Twenty Thousand Dollars ($20,720,000.00).

(2) Any investment earnings on amounts deposited into the special fund created in Section 2 of this act shall be used to pay debt service on bonds issued under this act, in accordance with the proceedings authorizing issuance of the bonds.

Section 5. The principal of and interest on the bonds authorized under this act shall be payable in the manner provided in this section. The bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

Section 6. The bonds authorized by this act shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to the bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of the bonds, or who may not have been in office on the date that the bonds may bear, the signatures of such officers upon the bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing the bonds had remained in office until their delivery to the purchaser, or had been in office on the date the bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

Section 7. All bonds and interest coupons issued under the provisions of this act have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this act, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

Section 8. The commission shall act as the issuing agent for the bonds authorized under this act, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in the issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this act from the proceeds derived from the sale of the bonds. The commission shall sell the bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best

interest of the State of Mississippi. All interest accruing on the bonds so issued shall be payable semiannually or annually.

If the bonds are sold by sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this act, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

Section 9. The bonds issued under the provisions of this act are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds available in the Department of Marine Resources Equipment and Facilities Sinking Fund and any funds appropriated by the Legislature are insufficient to pay the principal of and the interest on the bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All the bonds shall contain recitals on their faces substantially covering the provisions of this section.

Section 10. Upon the issuance and sale of bonds under the provisions of this act, the commission shall transfer the proceeds of any such sale or sales to the special fund created in Section 2 of this act. The proceeds of the bonds shall be disbursed solely upon the order of the executive director of the department under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

Section 11. The bonds authorized under this act may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this act. Any resolution providing for the issuance of bonds under the provisions of this act shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

Section 12. The bonds authorized under the authority of this act may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

Section 13. Any holder of bonds issued under the provisions of this act or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this act, or under such resolution, and may enforce and compel performance of all duties required by this act to be performed, in order to provide for the payment of bonds and interest thereon.

Section 14. All bonds issued under the provisions of this act shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

Section 15. Bonds issued under the provisions of this act and income therefrom shall be exempt from all taxation in the State of Mississippi.

Section 16. The proceeds of the bonds issued under this act shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

Section 17. The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this act; and the State Treasurer shall forward the necessary amount to the designated place

or places of payment of the bonds in ample time to discharge the bonds, or the interest thereon, on the due dates thereof.

Section 18. From the funds it receives under Section 29-15-9, Mississippi Code of 1972, the Commission on Marine Resources shall deposit the amount of funds necessary to annually pay the principal of and interest on bonds issued pursuant to this act into the Department of Marine Resources Equipment and Facilities Bond Sinking Fund created in Section 3 of this act. Any funds received by the Commission on Marine Resources under Section 29-15-9, and used by the Commission on Marine Resources for any purpose related to the cost of necessary equipment and repairs, renovation and construction of facilities necessary for the improvement of the marine resources of the state, other than for deposit into the Department of Marine Resources Equipment and Facilities Bond Sinking Fund created in Section 3 of this act, shall be subject to legislative appropriation.

Section 19. This act shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this act shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 10. Section 2, Chapter 522, Laws of 2011, is amended as follows:

Section 2. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2011 Mississippi Civil Rights Museum and Museum of Mississippi History Construction Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund may not be used or expended for any purpose except as authorized under this section.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of the following projects:

Preplanning, to include contracting with consultants with expertise in planning a civil rights museum and in artifact acquisition and of exhibit planning; the acquisition, storage and relocating of artifacts; exhibit design through construction documents, exhibit fabrication and exhibit installation; and designing, preplanning the construction of, and the construction, furnishing and equipping of the Mississippi Civil Rights Museum on state-owned property adjacent to the new Museum of Mississippi History located in the City of Jackson, Mississippi..... $ 20,000,000.00

Acquisition, storing and relocating of artifacts; exhibit design through construction, documents, exhibit fabrication and exhibit installation; and designing and preplanning the construction of the new Museum of

Mississippi History on state-owned property located in the City of Jackson, Mississippi; and the construction, furnishing and equipping of Phase I of such museum; and designing, preplanning the construction of, and the construction of a parking garage and related facilities to serve the Mississippi Civil Rights Museum or the new Museum of Mississippi History.....$ * * * 17,996,623.00

TOTAL .....$ * * * 37,996,623.00

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any monies allocated for a project described in paragraph (a) of this subsection that are in excess of that needed to complete the project may be used for other projects described in paragraph (a) of this subsection. In addition, any monies allocated for a project described in paragraph (a) of this subsection may be used for facilities that will be jointly used by each museum described in paragraph (a) of this subsection.

(3) (a) (i) Subject to the provisions of this subsection, the commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed * * * Thirty-seven Million Nine Hundred Ninety-six Thousand Six Hundred Twenty-three Dollars ($37,996,623.00).

(ii) Planning for the construction of both museums described in subsection (2) of this section to include the parking garage, must be completed and cost estimates must be completed for the finished museums, less exhibit furnishings/displays, prior to any bonds being issued under this section to provide funds for the construction of either museum.

(iii) No bonds may be issued under this section for the purpose of providing funds to pay any costs associated with artifacts or exhibits for either of the museums described in subsection (2) of this section until the commission is provided proof that funds from private, local and/or federal sources have been irrevocably

dedicated for such purposes in an amount equal to the amount of bonds to be issued to provide funds for such purposes.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, and attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds, and for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bond shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State

Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 11. Chapter 464, Laws of 1999, as amended by Chapter 386, Laws of 2000, as amended by Section 2, Chapter 553, Laws of 2010, as amended by Section 44, Chapter 472, Laws of 2015, is amended as follows:

Section 1. As used in this act, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

Section 2. (1) (a) A special fund, to be designated as the "1999 Department of Wildlife, Fisheries and Parks Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state and investment earnings on amounts in the fund shall be deposited into such fund.

(b) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishing and/or equipping facilities and purchasing real property for public facilities for the Department of Wildlife, Fisheries and Parks for the following projects:

(i) Critical dam repairs to lakes in, and renovation and repair of existing facilities and equipping facilities at the following parks and fishing lakes:

Bolivar	$ 500,000.00
Neshoba	450,000.00
Tom Bailey	275,000.00
Roosevelt	150,000.00
Trace	800,000.00
Legion	100,000.00
Percy Quinn	100,000.00
Walthall County	700,000.00
Tombigbee	100,000.00
Perry County	100,000.00
TOTAL	$ 3,275,000.00

(ii) Repairs, renovation and construction at the following state fish hatcheries:

Turcotte	$ 200,000.00
Meridian	250,000.00
Lyman	1,000,000.00
North Mississippi	1,000,000.00
TOTAL	$ 2,450,000.00

(iii) Construction of new headquarters buildings, and renovation and repair of existing headquarters buildings as considered necessary and appropriate by the Department of Wildlife, Fisheries and Parks at the following wildlife management areas:

Tuscumbia, Yockanookany, Choctaw, Chickasaw, Calhoun, Grenada, Chickasawhay, Sunflower	$ 1,550,000.00

(iv) Construction of new, and renovation and repair of equipment sheds as considered necessary and appropriate by the Department of Wildlife, Fisheries and Parks at the following wildlife management areas:

Black Prairie, Trim Cane, Malmaison, Caney Creek, Tallahala, Bienville, Chickasawhay, Sandy Creek, Caston Creek, Little Biloxi, Old River, Upper and Lower Pascagoula, Wolf River	$ 150,000.00

(v) Construction of new facilities and storage sheds, and renovation and repair of existing facilities and storage sheds at the following state lakes:

Lamar Bruce, Simpson County, Bogue Homa,

Kemper County, Jeff Davis, Bill Waller, Mary Crawford, Oktibbeha County, Tippah County, Monroe County ..... $ 875,000.00

(vi) Construction of lakes (including, but not limited to, construction of dams, drainage structures and spillways related to such lakes), and construction of facilities, buildings, day use areas, campsites, infrastructure, utilities, roads, boat ramps and parking for such lakes in the following counties:

Copiah County ..... $ 3,250,000.00
George County..... $ 500,000.00
TOTAL ..... $ 3,750,000.00

(vii) Repair, renovation, reconstruction or resurfacing of a certain public road in Yalobusha County beginning at Mississippi Highway 32 and extending northerly to the entrance of George Payne Cossar State Park $ 200,000.00

(viii) Repair, renovation and restoration of Lakeland Park in Wayne County..... $ 100,000.00

(ix) Repair, renovation, reconstruction and resurfacing of certain public roads in Panola County beginning at the intersection of John Harmon Road and Mississippi Highway 315 and extending northerly along John Harmon Road and thence easterly along State Park Road to John Kyle State Park. Any state aid road funds or other funds that may be available for such road projects may be used to match any of the funds authorized under this subparagraph (ix). However, if no state aid road funds or other funds are available to match the funds made available under this subparagraph (ix), then the funds authorized under this subparagraph (ix) may be used for the road project along State Park Road, and any remaining funds may be used on the John Harmon Road project ..... $ 500,000.00

(x) Paving a walking/bicycle path at Percy Quinn State Park ..... $ 25,000.00

(xi) Repair and renovation of manager and assistant manager residences at Percy Quinn State Park ..... $ 50,000.00

GRAND TOTAL ..... $ * * * 12,906,373.00

(c) If a project described in paragraph (b) of this subsection is completed without utilizing the full amount of the funds allocated for such project, the Department of Wildlife, Fisheries and Parks may utilize such excess funds as necessary to complete any of the other projects described in paragraph (b) of this section.

(2) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in subsection (1) of this section. Promptly after the commission has certified, by resolution duly adopted, that the projects described in subsection (1) shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this act, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(4) The Department of Finance and Administration is authorized to pay for the purchase of real estate, construction, repair, renovation, furnishing and equipping of facilities.

Section 3. (1) (a) A special fund, to be designated as the "Pat Harrison Waterway District Lake Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(b) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to:

(i) Assist the Pat Harrison Waterway District in paying the costs associated with construction of a lake in George County, Mississippi, (including, but not limited to, construction of dams, drainage structures and spillways related to such lake), and construction of facilities, buildings, day use areas, campsites, infrastructure, utilities, roads, boat ramps and parking for such lake; and

(ii) Assist the Pat Harrison Waterway District in paying expenses incurred by the district for administrative, management, legal, accounting, engineering and other costs associated with the implementation of this section. Funds provided to the Pat Harrison Waterway District under this subparagraph (ii) shall not exceed three percent (3%) of the amount of bond proceeds deposited into the special fund.

(2) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in subsection (1) of this section. Promptly after the commission has certified, by resolution duly adopted, that the projects described in subsection (1) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this act, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

Section 4. (1) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in Sections 2 and 3 of this act. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for the sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this act shall not exceed * * * Fifteen Million Nine Hundred Six Thousand Three Hundred Seventy-three Dollars ($15,906,373.00).

(2) The proceeds of the bonds issued pursuant to this act shall be deposited into the following special funds in not more than the following amounts:

(a) The 1999 Department of Wildlife, Fisheries and Parks Improvements Fund created pursuant to Section 2 of this act.....$ * * * 12,906,373.00.

(b) The Pat Harrison Waterway District Lake Improvements Fund created pursuant to Section 3 of this act $ 3,000,000.00.

(3) Any investment earnings on amounts deposited into the special funds created in Sections 2 and 3 of this act shall be used to pay debt service on bonds issued under this act, in accordance with the proceedings authorizing issuance of such bonds.

Section 5. The principal of and interest on the bonds authorized under this act shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

Section 6. The bonds authorized by this act shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

Section 7. All bonds and interest coupons issued under the provisions of this act have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this act, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

Section 8. The commission shall act as the issuing agent for the bonds authorized under this act, prescribe the form of the bonds, determine the appropriate method for the sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this act from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bond shall be published at least one (1) time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, to be selected by the commission.

The commission, when issuing any bonds under the authority of this act, may provide that bonds, at the option of the State of Mississippi, may be called in for

payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

Section 9. The bonds issued under the provisions of this act are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

Section 10. Upon the issuance and sale of bonds under the provisions of this act, the commission shall transfer the proceeds of any such sale or sales to the special funds created in Sections 2 and 3 of this act in the amounts provided for in Section 4(2) of this act. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

Section 11. The bonds authorized under this act may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this act. Any resolution providing for the issuance of bonds under the provisions of this act shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

Section 12. The bonds authorized under the authority of this act may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

Section 13. Any holder of bonds issued under the provisions of this act or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this act, or under such resolution, and may enforce and compel performance of all duties required by this act to be performed, in order to provide for the payment of bonds and interest thereon.

Section 14. All bonds issued under the provisions of this act shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

Section 15. Bonds issued under the provisions of this act and income therefrom shall be exempt from all taxation in the State of Mississippi.

Section 16. The proceeds of the bonds issued under this act shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

Section 17. The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this act; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

Section 18. This act shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this act shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 12. Section 3, Chapter 580, Laws of 2007, amended by Section 11, Chapter 431, Laws of 2011, which authorizes the issuance of state general obligation bonds in the amount of $4,000,000.00 for the Grand Gulf Access Road Construction

Fund, to be expended under the direction of the Mississippi Transportation Commission, is repealed.

SECTION 13. Section 10, Chapter 567, Laws of 2013, as amended by Section 1, Chapter 437, Laws of 2020, as amended by Section 1, Chapter 372, Laws of 2022, is amended as follows:

Section 10. (1) As used in this act:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of the stated initial value of the bond, plus the interest accrued on the bond from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "Commission" means the State Bond Commission.

(c) "County" means Hinds County, Mississippi.

(d) "State" means the State of Mississippi.

(2) (a) (i) There is created in the State Treasury a special fund to be known as the "Hinds County Development Project Loan Fund." The fund shall be maintained by the State Treasurer as a special fund, separate and apart from the State General Fund. Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the special fund shall be deposited to the credit of the special fund. Monies in the special fund may not be used or expended for any purpose except as provided in this subsection.

(ii) Money deposited into the special fund shall be disbursed, in the discretion of the Mississippi Development Authority, to provide loans to the county to be utilized by the county:

1. To assist in the construction of a hotel in the county with at least two hundred (200) guest rooms, an associated parking garage and related improvements; and

2. To assist in the development and construction of infrastructure improvements, including a structured parking facility, and other improvements associated with an entertainment development project.

(b) The county may apply to the Mississippi Development Authority for a loan under this section. The proceeds of the loan shall be utilized by the county for the purposes provided for in paragraph (a)(ii) of this subsection.

(c) (i) The Mississippi Development Authority may require county participation or funding from other sources.

(ii) The rate of interest on loans made under this section shall be at the true interest cost on the most recent issue of twenty-year state general obligation bonds occurring prior to the date such loan is made.

(d) If the county receives a loan under this section, the county shall pledge for repayment of the loan any part of the homestead exemption annual tax loss reimbursement to which it may be entitled under Section 27-33-77, and any revenue generated for the county by a project funded by a loan made pursuant to this act. The loan agreement shall provide for (i) monthly payments, (ii) semiannual payments, or (iii) other periodic payments, as set forth in the loan agreement. The loan agreement shall provide for the repayment of all funds received within not more than twenty (20) years from the date of issuance.

(e) Loan payments of the county shall be deposited into the bond sinking fund created in subsection (4) of this section.

(f) If the loan payments of the county appear to be in arrears, the State Auditor, upon request of the Mississippi Development Authority, shall audit the receipts and expenditures of the county, and if he finds that the county is in arrears in such payments, he shall immediately notify the Executive Director of the Department of Finance and Administration who shall withhold all future payments to the county of homestead exemption reimbursements under Section 27-33-77 until such time as the county is again current in its loan payments as certified by the Mississippi Development Authority.

(g) Evidences of indebtedness which are issued pursuant to this act shall not be deemed indebtedness of the county within the meaning specified in Section 19-9-5.

(3) In administering the provisions of this act, the Mississippi Development Authority shall have the following powers and duties:

(a) To supervise the use of all funds made available under this act;

(b) To review and certify that the funds that are made available under this act are utilized as authorized under this act;

(c) To requisition money in the Hinds County Development Project Loan Fund and distribute it in accordance with the provisions of this act;

(d) To maintain an accurate record of all funds made available to the county under this act; and

(e) To adopt and promulgate such rules and regulations as may be necessary or desirable for the purpose of implementing the provisions of this act.

(4) (a) For the purposes of providing for the payment of the principal of and interest on bonds issued under this section, there is created in the State Treasury a special fund to be known as the "Hinds County Development Project Loan Fund Bond Sinking Fund." The bond sinking fund shall consist of monies deposited into the fund by the county for repayment of loans issued under this act, and such other amounts as may be paid into the bond sinking fund by appropriation or other authorization by the Legislature. Unexpended amounts remaining in the bond sinking fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the bond sinking fund shall be deposited into the bond sinking fund.

(b) At any time when the funds required to pay the principal of and interest on the bonds issued under this act are more than the amounts available in the bond sinking fund, the Legislature shall appropriate the balance of the amount necessary to pay the principal of and interest on the bonds issued under this act from the State General Fund.

(c) The total amount of all payments deposited into the bond sinking fund until the maturity date of the bonds authorized under this act shall be in an amount sufficient to retire the bonds.

(5) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Mississippi Development Authority declaring the necessity for the issuance of any part or all of the bonds authorized by this section, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of the resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The total amount of bonds issued under this act shall not exceed * * * Forty-two Million One Hundred Thousand Dollars ($42,100,000.00) of such bonds may be issued during any fiscal year.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of the bonds.

(6) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. The bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as determined by resolution of the commission.

(7) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to the bonds may be executed by the facsimile signatures of those officers. Whenever any such bonds have been signed by the officials designated to sign the bonds who were in office at the time of the signing but who may have ceased to be those officers before the sale and delivery of the bonds, or who may not have been in office on the date that the bonds may bear, the signatures of those officers upon the bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing the bonds had remained in office until their delivery to the purchaser, or had been in office on the date the bonds may bear. However, notwithstanding anything in this act to the contrary, the bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(8) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(9) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in the issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of the bonds. The commission may sell the bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on the bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(10) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof, the full faith and credit of the State of Mississippi is irrevocably pledged. The principal of and the interest on the bonds shall be payable primarily from the bond sinking fund created in subsection (4) of this section in the manner provided in that subsection. If the funds available in the bond sinking fund and any funds appropriated by the Legislature for those purposes are insufficient to pay the principal of and the interest on the bonds as they become due, then the amount of the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All those bonds shall contain recitals on their faces substantially covering the provisions of this section.

(11) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of the bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(12) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things that are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such

resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(13) The bonds authorized under this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by those statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(14) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining to those bonds may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under the resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest on the bonds.

(15) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and the bonds shall be legal securities that may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(16) Bonds issued under the provisions of this section and income from the bonds shall be exempt from all taxation in the State of Mississippi.

(17) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(18) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the department is authorized and directed to issue those warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of those bonds in ample time to discharge the bonds, or the interest on the bonds, on the due dates thereof.

(19) This section shall be deemed to be full and complete authority for the exercise of the powers granted in this section, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 14. (1) As used in this section the following words and phrases shall have the meaning ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of the stated initial value of the bond, plus the interest accrued on the bond from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "Commission" means the State Bond Commission.

(c) "County" means Hinds County, Mississippi.

(d) "State" means the State of Mississippi.

(2) (a) (i) There is created in the State Treasury a special fund to be known as the "Hinds County Courthouse Loan Fund." The fund shall be maintained by the State Treasurer as a special fund, separate and apart from the State General Fund. Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the special fund shall be deposited to the credit of the special fund. Monies in the special fund may not be used or expended for any purpose except as provided in this subsection.

(ii) Money deposited into the special fund shall be disbursed, in the discretion of the Department of Finance and Administration, to provide loans to the county to be utilized by the county for the purposes of paying costs associated with the repair and renovation of and upgrades and improvements to the Hinds County Courthouse located in the City of Jackson, Mississippi.

(b) The county may apply to the Department of Finance and Administration for a loan under this subsection. The proceeds of the loan shall be utilized by the county for the purposes provided for in paragraph (a)(ii) of this subsection.

(c) (i) The Department of Finance and Administration shall require county participation or funding from other sources as provided in this subsection.

(ii) The county must provide proof that funds from the county, private sources and/or other sources have been irrevocably dedicated in an amount of not less than the amount of any loan requested by the county under this subsection, and the amount of a loan to the county cannot exceed the amount of such irrevocably dedicated funds.

(iii) The rate of interest on loans made under this subsection shall be at the true interest cost on the most recent issue of twenty-year state general obligation bonds occurring prior to the date such loan is made.

(d) If the county receives a loan under this subsection, the county shall pledge for repayment of the loan any part of the homestead exemption annual tax loss reimbursement to which it may be entitled under Section 27-33-77, Mississippi Code of 1972. The loan agreement shall provide for (i) monthly payments, (ii) semiannual payments, or (iii) other periodic payments, as set forth in the loan agreement. The loan agreement shall provide for the repayment of all funds received within not more than twenty (20) years from the date of issuance.

(e) Loan payments of the county shall be deposited into the bond sinking fund created in subsection (3) of this section.

(f) If the loan payments of the county appear to be in arrears, the State Auditor, upon request of the Department of Finance and Administration, shall audit the receipts and expenditures of the county, and if he finds that the county is in arrears in such payments, he shall immediately notify the Executive Director of the Department of Finance and Administration who shall withhold all future payments to the county of homestead exemption reimbursements under Section 27-33-77 until such time as the county is again current in its loan payments as certified by the Department of Finance and Administration.

(g) Evidences of indebtedness which are issued pursuant to this subsection shall not be deemed indebtedness of the county within the meaning specified in Section 19-9-5.

(h) In administering the provisions of this subsection, the Department of Finance and Administration shall have the following powers and duties:

(i) To supervise the use of all funds made available under this subsection;

(ii) To review and certify that the funds that are made available under this subsection are utilized as authorized under this subsection;

(iii) To requisition money in the Hinds County Courthouse Loan Fund and distribute it in accordance with the provisions of this subsection;

(iv) To maintain an accurate record of all funds made available to the county under this subsection; and

(v) To adopt and promulgate such rules and regulations as may be necessary or desirable for the purpose of implementing the provisions of this subsection.

(3) (a) For the purposes of providing for the payment of the principal of and interest on bonds issued under this section, there is created in the State Treasury a special fund to be known as the "Hinds County Courthouse Loan Fund Bond Sinking Fund." The bond sinking fund shall consist of monies deposited into the fund by the county for repayment of loans issued under this section, and such other amounts as may be paid into the bond sinking fund by appropriation or other authorization by the Legislature. Unexpended amounts remaining in the bond sinking fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the bond sinking fund shall be deposited into the bond sinking fund.

(b) At any time when the funds required to pay the principal of and interest on the bonds issued under this section are more than the amounts available in the bond sinking fund, the Legislature shall appropriate the balance of the amount necessary to

pay the principal of and interest on the bonds issued under this section from the State General Fund.

(c) The total amount of all payments deposited into the bond sinking fund until the maturity date of the bonds authorized under this section shall be in an amount sufficient to retire the bonds.

(4) (a) The Department of Finance and Administration, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of the resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The total amount of bonds issued under this section shall not exceed Ten Million Dollars ($10,000,000.00).

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of the bonds.

(5) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. The bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as determined by resolution of the commission.

(6) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to the bonds may be executed by the facsimile signatures of those officers. Whenever any such bonds have been signed by the officials designated to sign the bonds who were in office at the time of the signing but who may have ceased to be those officers before the sale and delivery of the bonds, or who may not have been in office on the date that the bonds may bear, the signatures of those officers upon the bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing the bonds had remained in office until their delivery to the purchaser, or had been in office on the date the bonds may bear. However, notwithstanding anything in this section to the contrary, the bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(7) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(8) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in the issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of the bonds. The commission may sell the bonds on sealed bids at public sale or may negotiate the sale

of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on the bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(9) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof, the full faith and credit of the State of Mississippi is irrevocably pledged. The principal of and the interest on the bonds shall be payable primarily from the bond sinking fund created in subsection (3) of this section in the manner provided in that subsection. If the funds available in the bond sinking fund and any funds appropriated by the Legislature for those purposes are insufficient to pay the principal of and the interest on the bonds as they become due, then the amount of the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

(10) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of the bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(11) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things that are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(12) The bonds authorized under this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(13) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under the resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest on the bonds.

(14) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities that may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(15) Bonds issued under the provisions of this section and income from the bonds shall be exempt from all taxation in the State of Mississippi.

(16) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(17) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the

department is authorized and directed to issue those warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of those bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(18) This section shall be deemed to be full and complete authority for the exercise of the powers granted in this section, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 15. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, AS AMENDED BY SECTION 32, CHAPTER 549, LAWS OF 2023, TO REDUCE BY $6,400,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING MISSISSIPPI STATE UNIVERSITY'S DIVISION OF AGRICULTURE, FORESTRY AND VETERINARY MEDICINE IN PAYING THE COSTS OF REPAIR AND RENOVATION OF, AND UPGRADES AND IMPROVEMENTS TO DORMAN HALL AND RELATED FACILITIES; TO REDUCE BY $4,300,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING THE UNIVERSITY OF SOUTHERN MISSISSIPPI IN PAYING THE COSTS OF RENOVATION AND EXPANSION OF AND UPGRADES, IMPROVEMENTS AND ADDITIONS TO HARDY HALL TO HOUSE THE EXECUTIVE EDUCATION CENTER AND RELATED FACILITIES AT THE GULF PARK CAMPUS; TO CREATE THE 2024 IHL CAPITAL PROJECTS FUND IN THE STATE TREASURY TO ASSIST IN PAYING THE COSTS OF IHL PROJECTS FOR WHICH BONDING AUTHORITY IS REDUCED IN THIS ACT, IN THE AMOUNT OF THE REDUCTION FOR EACH PROJECT; TO TRANSFER $10,700,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2024 IHL CAPITAL PROJECTS FUND; TO AMEND SECTION 2, CHAPTER 480, LAWS OF 2021, TO REDUCE BY $758,372.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR EAST CENTRAL COMMUNITY COLLEGE; TO REMOVE THE $2,070,016.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR EAST MISSISSIPPI COMMUNITY COLLEGE; TO REDUCE BY $2,434,814.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ITAWAMBA COMMUNITY COLLEGE; TO REMOVE THE $2,052,257.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR NORTHEAST MISSISSIPPI COMMUNITY COLLEGE; TO REMOVE THE $1,714,541.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR SOUTHWEST MISSISSIPPI COMMUNITY COLLEGE; TO CREATE THE 2024 COMMUNITY COLLEGES CAPITAL PROJECTS FUND IN THE STATE TREASURY TO ASSIST IN PAYING THE COSTS OF COMMUNITY COLLEGE CAPITAL PROJECTS FOR WHICH BONDING AUTHORITY IS REDUCED IN THIS ACT IN THE AMOUNT OF THE REDUCTION FOR EACH COMMUNITY COLLEGE; TO TRANSFER $9,030,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2024 COMMUNITY COLLEGES CAPITAL PROJECTS FUND; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO REDUCE BY $60,000,000.00 AND $5,000,000.00 THE AMOUNTS OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR PROJECTS DEFINED IN SUBPARAGRAPHS (XXVIII) AND (XXX), RESPECTIVELY, OF SECTION 57-75-5(F); TO REMOVE THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR PROJECTS DEFINED IN SUBPARAGRAPH (XXVI) OF SECTION 57-75-5(F); TO AMEND SECTION 57-75-25, MISSISSIPPI CODE OF 1972, TO REDUCE BY $50,000,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED UNDER THE MISSISSIPPI SMALL ENTERPRISE DEVELOPMENT FINANCE ACT; TO AMEND SECTION 4, CHAPTER 460, LAWS OF 2006, AS LAST AMENDED BY SECTION 10, CHAPTER 511, LAWS OF 2010, TO

REDUCE BY $9,280,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE DEPARTMENT OF MARINE RESOURCES EQUIPMENT AND FACILITIES FUND; TO AMEND SECTION 2, CHAPTER 522, LAWS OF 2011, TO REDUCE BY $3,377.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE 2011 MISSISSIPPI CIVIL RIGHTS MUSEUM AND MUSEUM OF MISSISSIPPI HISTORY CONSTRUCTION FUND; TO AMEND CHAPTER 464, LAWS OF 1999, AS LAST AMENDED BY SECTION 44, CHAPTER 472, LAWS OF 2015, TO REDUCE BY $18,627.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE 1999 DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS IMPROVEMENTS FUND; TO REPEAL SECTION 3, CHAPTER 580, LAWS OF 2007, AS AMENDED BY SECTION 11, CHAPTER 431, LAWS OF 2011, WHICH AUTHORIZES THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF $4,000,000.00 FOR THE GRAND GULF ACCESS ROAD CONSTRUCTION FUND, TO BE EXPENDED UNDER THE DIRECTION OF THE MISSISSIPPI TRANSPORTATION COMMISSION; TO AMEND SECTION 10, CHAPTER 567, LAWS OF 2013, AS LAST AMENDED BY SECTION 1, CHAPTER 372, LAWS OF 2022, TO DECREASE THE AMOUNT OF STATE GENERAL BONDS AUTHORIZED TO BE ISSUED FOR THE HINDS COUNTY DEVELOPMENT PROJECT LOAN FUND; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO MAKE LOANS TO HINDS COUNTY, MISSISSIPPI, TO ASSIST IN PAYING COSTS ASSOCIATED WITH REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO THE HINDS COUNTY COURTHOUSE IN THE CITY OF JACKSON, MISSISSIPPI; TO PROVIDE THE DEPARTMENT OF FINANCE AND ADMINISTRATION WITH CERTAIN POWERS AND DUTIES REGARDING ANY SUCH LOAN; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE LOANS AUTHORIZED BY THIS ACT; AND FOR RELATED PURPOSES.

Senator Polk moved that the Senate stand in recess until 11:00 AM, at which time the Senate would then adjourn until 4:00 PM, Monday, April 15, 2024.

The motion prevailed, and at 9:55 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 653: AN ACT TO AMEND SECTION 25-3-41, MISSISSIPPI CODE OF 1972, TO EXTEND THE EXPIRATION DATE OF THE MORATORIUM ON THE APPLICATION OF THE TRIP OPTIMIZER TYPE SYSTEM TO STATE AGENCIES; AND FOR RELATED PURPOSES.

H. B. No. 697: AN ACT TO CREATE THE MISSISSIPPI AVIATION SAFETY ACT; TO DEFINE TERMINOLOGY; TO PROVIDE THAT BEGINNING JULY 1, 2024, THE OWNING ENTITY OF ALL EXISTING OR NEWLY CONSTRUCTED COVERED TOWERS AND STRUCTURES THAT HAVE HEIGHT MEASUREMENTS OF MORE THAN 50 FEET BUT LESS THAN 200 FEET SHALL CAUSE SUCH TOWER OR STRUCTURE TO BE CLEARLY MARKED CONSISTENT WITH APPLICABLE GUIDANCE IN THE FAA ADVISORY CIRCULAR (AC 70/7460 IL) TO REQUIRE THE OWNING ENTITY OF A NEWLY CONSTRUCTED STRUCTURE, BEFORE THE COMPLETION OF CONSTRUCTION OF THE STRUCTURE TO DISCLOSE THE HEIGHT, THE PRECISE LOCATION OF LATITUDINAL AND LONGITUDINAL COORDINATES OF THE COVERED TOWER OR STRUCTURE AND THE TYPE OF

OBSTRUCTION MARKING OR LIGHTING TO THE APPROPRIATE ENTITY BY ELECTRONIC COMMUNICATION WITH THE APPROPRIATE ENTITIES; TO REQUIRE THE APPROPRIATE ENTITIES KEEP THEIR DATABASES CURRENT TO PROTECT ANY PROPRIETARY INFORMATION CONTAINED THEREIN; AND FOR RELATED PURPOSES.

H. B. No. 845: AN ACT TO AMEND SECTION 79-11-507, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT A CHARITABLE ORGANIZATION'S ANNUAL FINANCIAL STATEMENT FILED WITH THE SECRETARY OF STATE MUST BE ACCOMPANIED BY FORMS REQUIRED TO BE FILED WITH THE INTERNAL REVENUE SERVICE FOR THE ORGANIZATION'S MOST RECENT FISCAL YEAR END; AND FOR RELATED PURPOSES.

H. B. No. 939: AN ACT TO AMEND SECTION 37-147-7, MISSISSIPPI CODE OF 1972, TO REVISE AND CLARIFY THE COMPOSITION OF THE MISSISSIPPI UNIVERSITY RESEARCH AUTHORITY; AND FOR RELATED PURPOSES.

H. B. No. 1021: AN ACT TO AMEND SECTIONS 75-67-309 AND 75-67-315, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF BANKING AND CONSUMER FINANCE TO ESTABLISH BY RULE, REGULATION OR ORDER, A PROCESS TO ALLOW CERTAIN PURCHASED AND/OR PLEDGED GOODS TO BE STORED OFF PREMISES, AT A SECURE, NONRESIDENTIAL LOCATION; AND FOR RELATED PURPOSES.

H. B. No. 1194: AN ACT TO AMEND SECTION 37-15-6, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE DEPARTMENT OF EDUCATION TO REPORT AGGREGATE DATA CONCERNING PUBLIC SCHOOL EXPULSIONS WHICH DOES NOT DISCLOSE STUDENTS' PERSONALLY IDENTIFIABLE INFORMATION; AND FOR RELATED PURPOSES.

H. B. No. 1230: AN ACT TO AMEND SECTION 37-7-104.3, MISSISSIPPI CODE OF 1972, TO EXTEND THE BONDING AUTHORITY OF THE SCHOOL BOARD FOR THE STARKVILLE-OKTIBBEHA CONSOLIDATED SCHOOL DISTRICT UNTIL JULY 1, 2027; AND FOR RELATED PURPOSES.

H. B. No. 1286: AN ACT TO PROVIDE THAT A CORPORATION OR OTHER LEGAL ENTITY MAY REGISTER MOTOR VEHICLES IN A RENTAL FLEET ON AN ANNUAL BASIS SO THAT THE REGISTRATION OF ALL MOTOR VEHICLES IN THE FLEET EXPIRES IN THE ANNIVERSARY MONTH ESTABLISHED BY THE COMMISSIONER OF REVENUE; TO PROVIDE FOR THE ISSUANCE OF SPECIAL LICENSE TAGS AND REGISTRATION CARDS FOR RENTAL FLEET MOTOR VEHICLES UPON APPLICATION OF THE CORPORATION OR OTHER LEGAL ENTITY OPERATING A FLEET; TO PROVIDE A FEE TO BE PAID TO THE DEPARTMENT OF REVENUE UPON THE FILING OF AN APPLICATION; TO PROVIDE THAT A RENTAL FLEET REGISTRATION CARD MUST BE CARRIED IN ALL MOTOR VEHICLES IN A RENTAL FLEET; TO PROVIDE FOR THE REGISTRATION OF MOTOR VEHICLES ADDED TO A RENTAL FLEET DURING A REGISTRATION YEAR; TO PROVIDE FOR THE REMOVAL OF A MOTOR VEHICLE FROM A RENTAL FLEET; TO PROVIDE THAT IF A MOTOR VEHICLE REGISTERED IN A FLEET IS REMOVED FROM THE FLEET, THE RENTAL FLEET LICENSE TAG REMOVED FROM THE MOTOR VEHICLE MAY BE TRANSFERRED TO AND USED ON ANOTHER MOTOR VEHICLE THAT IS ADDED TO THE FLEET TO REPLACE THE REMOVED MOTOR VEHICLE UNDER CERTAIN CONDITIONS; TO AMEND SECTIONS 27-19-3, 27-19-31, 27-19-43 AND 27-19-63, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "RENTAL FLEET" UNDER THE MOTOR VEHICLE PRIVILEGE TAX LAWS; TO PROVIDE THAT RENTAL FLEET MOTOR VEHICLES SHALL NOT BE ISSUED TAG DECALS NOTING THE MONTH AND YEAR OF EXPIRATION; TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PRORATE THE REGISTRATION YEAR OF MOTOR VEHICLES IN RENTAL FLEETS SO THAT THE REGISTRATION OF SUCH MOTOR VEHICLES WILL COINCIDE WITH THE ANNIVERSARY MONTH FOR RENTAL FLEETS; TO PROVIDE THAT THE OWNER OF MOTOR VEHICLES IN A RENTAL FLEET MAY MAKE APPLICATION FOR LICENSE TAGS FOR SUCH MOTOR VEHICLES WITH THE DEPARTMENT OF REVENUE OR THE LOCAL TAX COLLECTOR; TO PROVIDE THAT THE ANNIVERSARY MONTH FOR THE PRIVILEGE LICENSE TAX FOR MOTOR VEHICLES THAT ARE IN A RENTAL FLEET SHALL BE ESTABLISHED BY THE COMMISSIONER OF REVENUE; TO BRING

FORWARD SECTIONS 27-19-5, 27-19-11, 27-19-15 AND 27-19-17, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE MOTOR VEHICLE PRIVILEGE TAX LAWS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1304: AN ACT TO AMEND SECTION 69-1-23, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COMMISSIONER OF AGRICULTURE AND COMMERCE TO ADOPT RULES AND REGULATIONS TO PROVIDE FOR THE GRADING, BY AN OFFICIAL INSPECTOR, OF ANY GRAIN SUBMITTED FOR SALE AT ANY ELEVATOR OR GRAIN DEALER BY A GRAIN PRODUCER; TO REQUIRE THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE TO ADOPT RULES GOVERNING THE STANDARDS FOR SAMPLING AND GRADING GRAIN THAT ARE CONSISTENT WITH THE STANDARDS FOR SAMPLING AND GRADING GRAIN DEVELOPED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE; TO REQUIRE THE DEPARTMENT TO CERTIFY GRAIN DEALERS AND COURSES OF INSTRUCTION IN SAMPLING AND GRADING GRAIN; TO PROVIDE FOR THE ISSUANCE OF CERTIFICATE FOR INDIVIDUALS CONDUCTING COURSES IN SAMPLING AND GRADING GRAIN; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1341: AN ACT TO AMEND SECTION 37-15-29, MISSISSIPPI CODE OF 1972, TO CLARIFY THE SCHOOL ENROLLMENT CHOICES OF CHILDREN WHOSE PARENTS ARE ACTIVE MEMBERS OF THE UNITED STATES ARMED FORCES OR CIVILIAN MILITARY PERSONNEL; TO ALLOW THE CHILDREN OF ACTIVE MEMBERS OF THE UNITED STATES ARMED FORCES TO ATTEND THE SCHOOL DISTRICT OR SCHOOL OF THEIR CHOICE WHETHER OR NOT THE PARENT OR LEGAL GUARDIAN RESIDE ON A MILITARY BASE; TO ALLOW THE CHILDREN OF MILITARY CIVILIAN PERSONNEL WHO RESIDE ON A MILITARY BASE TO ATTEND THE SCHOOL DISTRICT OR SCHOOL OF THEIR CHOICE; TO REMOVE THE LIMITATION ON PROHIBITED DISTANCE OF TRANSPORTING SUCH STUDENTS BY EXCLUDING THE DISTRICT FROM PROVIDING TRANSPORTATION TO SUCH STUDENTS; TO LIMIT STUDENTS TO ONE TRANSFER PER ACADEMIC YEAR; TO PROVIDE THAT ONCE A CHILD HAS TRANSFERRED AND ENROLLED IN ANOTHER SCHOOL DISTRICT, HIS OR HER PARENT IS NOT REQUIRED TO REAPPLY FOR CONTINUED ADMISSION IN THE SCHOOL DISTRICT OR SCHOOL OF LAST ATTENDANCE; AND FOR RELATED PURPOSES.

H. B. No. 1568: AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION, WITH THE APPROVAL OF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, ACTING ON BEHALF OF JACKSON STATE UNIVERSITY, TO EXPAND THE LEGAL PHYSICAL BOUNDARIES OF THE FLAGSHIP CAMPUS OF JACKSON STATE UNIVERSITY, LOCATED AT 1400 JOHN R. LYNCH STREET IN JACKSON, HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1617: AN ACT TO CREATE NEW SECTION 57-31-35, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ACQUISITION AND DEVELOPMENT BY AN INDUSTRIAL DEVELOPMENT AUTHORITY CREATED PURSUANT TO SECTION 57-31-1 ET SEQ., OR BY AN ECONOMIC DEVELOPMENT DISTRICT, CREATED PURSUANT TO SECTION 19-5-99, OF AT LEAST 800 OR MORE CONTIGUOUS ACRES AS A MEGASITE TO ATTRACT SIGNIFICANT INDUSTRIAL DEVELOPMENT PROJECTS; TO PROVIDE FOR THE FINANCING AND DEVELOPMENT OF SUCH A MEGASITE PROJECT; TO AMEND SECTIONS 19-9-1, 19-9-5 AND 43-37-3, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

H. B. No. 1669: AN ACT TO AMEND SECTION 37-21-3, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFICATION FOR AN ASSISTANT TEACHER TO INCLUDE A HIGH SCHOOL DIPLOMA/GED AND A CHILD DEVELOPMENT ASSOCIATE CREDENTIAL, A MONTESSORI CERTIFICATION OR AN EQUIVALENT CERTIFICATION; AND FOR RELATED PURPOSES.

H. B. No. 1675: AN ACT TO AMEND SECTION 89-12-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM FARM CREDIT SYSTEM COOPERATIVE ASSOCIATIONS UNDER THE PROVISIONS OF THE UNIFORM DISPOSITION OF UNCLAIMED PROPERTY ACT; TO AMEND SECTION 89-12-11, MISSISSIPPI CODE OF 1972, TO EXEMPT FARM CREDIT SYSTEM COOPERATIVE ASSOCIATIONS FROM THE REQUIREMENTS TO DISPOSE OF STOCK OR OTHER INTANGIBLE OWNERSHIP INTERESTS, DIVIDENDS, DISTRIBUTIONS OR PROPERTY PRESUMED TO BE ABANDONED BY AN OWNER AFTER THE SPECIFIED FIVE-YEAR PERIOD IN THE MANNER PRESCRIBED BY LAW; TO ALLOW FARM CREDIT SYSTEM COOPERATIVE ASSOCIATIONS TO RETAIN THE UNCLAIMED FUNDS WHICH SHALL BE USED FOR THE BENEFIT OF THE GENERAL MEMBERSHIP OF THE ASSOCIATION; AND FOR RELATED PURPOSES.

H. B. No. 1685: AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO INCLUDE SEVEN SUBSTANCES AS SCHEDULE I CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE NO LEGITIMATE MEDICAL USE AND HAVE A HIGH POTENCY WITH GREAT POTENTIAL TO CAUSE HARM; TO AMEND SECTION 41-29-119, MISSISSIPPI CODE OF 1972, TO INCLUDE DARIDOREXANT AND ZURANOLONE AS SCHEDULE IV CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE A CURRENTLY ACCEPTED MEDICAL USE AND A LOW POTENTIAL FOR ABUSE THAT MAY LEAD TO LIMITED PHYSICAL DEPENDENCE OR PSYCHOLOGICAL DEPENDENCE RELATIVE TO THE DRUGS OR OTHER SUBSTANCES IN SCHEDULE III; TO REMOVE FENFLURAMINE AS A SCHEDULE IV CONTROLLED SUBSTANCE; TO AMEND SECTION 41-29-121, MISSISSIPPI CODE OF 1972, TO INCLUDE GANAXOLONE AS A SCHEDULE V CONTROLLED SUBSTANCE; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2311: AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO REVISE THE CAP FOR AN ANNUAL SUPPLEMENT PAYABLE BY THE BOARD OF SUPERVISORS OF ANY COUNTY TO ITS SHERIFF; AND FOR RELATED PURPOSES.

S. B. No. 2349: AN ACT TO REQUIRE SCHOOL BOARDS AND CHARTER SCHOOLS TO SUPPORT, ADOPT AND IMPLEMENT A CARDIAC EMERGENCY RESPONSE PLAN THAT ADDRESSES THE APPROPRIATE USE OF SCHOOL PERSONNEL TO RESPOND TO INCIDENTS INVOLVING AN INDIVIDUAL EXPERIENCING SUDDEN CARDIAC ARREST OR A LIFE-THREATENING EMERGENCY WHILE ON SCHOOL GROUNDS OR AT AN ATHLETIC EVENT; TO REQUIRE SCHOOLS TO WORK DIRECTLY WITH LOCAL EMERGENCY SERVICE PROVIDERS; TO ENSURE SCHOOLS TRAIN STAFF IN FIRST-AID, CPR AND AED USE; TO AMEND SECTION 73-25-37, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SCHOOL DISTRICTS, SCHOOL DISTRICT EMPLOYEES OR AGENTS ACTING IN GOOD FAITH WHO PROVIDE ASSISTANCE OR SERVICES UNDER THIS ACT SHALL BE IMMUNE FROM CIVIL PROSECUTION; TO AMEND SECTION 41-60-33, MISSISSIPPI CODE OF 1972, TO EXEMPT SCHOOL DISTRICT PERSONNEL FROM CERTAIN PREREQUISITES THAT A MISSISSIPPI LICENSED PHYSICIAN MUST

EXERCISE MEDICAL CONTROL AUTHORITY OVER THE PERSON USING AN AED; AND FOR RELATED PURPOSES.

S. B. No. 2417: AN ACT TO AMEND SECTION 37-97-101, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ACT MAY BE CITED AS THE "MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION AND PUBLICITY RIGHTS ACT"; TO AMEND SECTION 37-97-103, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "COMPENSATION", "INTERCOLLEGIATE ATHLETICS PROGRAM", "PUBLICITY RIGHTS", "STUDENT-ATHLETE", AND "THIRD PARTY"; TO AMEND SECTION 37-97-105, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CERTAIN ACTIONS TAKEN BY A POSTSECONDARY EDUCATIONAL INSTITUTION OR AN OFFICER OR EMPLOYEE THEREOF RELATED TO STUDENT-ATHLETES AND THEIR PUBLICITY RIGHTS; TO AUTHORIZE A THIRD PARTY TO COMPENSATE A STUDENT-ATHLETE FOR THE USE OF THE STUDENT-ATHLETE'S PUBLICITY RIGHTS; TO AUTHORIZE SUCH INSTITUTION TO REQUIRE STUDENT-ATHLETES TO DISCLOSE PUBLICITY RIGHTS AGREEMENTS; TO AMEND SECTION 37-97-107, MISSISSIPPI CODE OF 1972, TO DELETE VARIOUS PROVISIONS THEREOF; TO PROVIDE THAT A POSTSECONDARY EDUCATIONAL INSTITUTION MAY IMPOSE REASONABLE LIMITATIONS ON THE DATES AND TIME THAT A STUDENT-ATHLETE MAY PARTICIPATE IN PUBLICITY RIGHTS ACTIVITIES; TO PROVIDE THAT NOTHING IN THIS CHAPTER SHALL RESTRICT A POSTSECONDARY EDUCATIONAL INSTITUTION FROM EXERCISING ITS SOLE DISCRETION TO CONTROL THE AUTHORIZED USE OF ITS MARKS OR LOGOS OR TO DETERMINE A STUDENT-ATHLETE'S APPAREL, GEAR OR OTHER WEARABLES WHILE PARTICIPATING IN AN INTERCOLLEGIATE ATHLETICS PROGRAM ACTIVITY; TO PROHIBIT A STUDENT-ATHLETE FROM USING REGISTERED OR LICENSED LOGOS OR MARKS UNLESS THE INSTITUTION HAS PROVIDED WRITTEN PERMISSION TO DO SO; TO PROVIDE THAT NO STUDENT-ATHLETE WHO IS ENROLLED IN A POSTSECONDARY EDUCATIONAL INSTITUTION SHALL ENTER INTO A PUBLICITY RIGHTS AGREEMENT OR RECEIVE COMPENSATION FROM A THIRD PARTY FOR THE ENDORSEMENT OR PROMOTION OF BRANDS, PRODUCTS, OR SERVICES INVOLVING GAMBLING, SPORTS BETTING, CONTROLLED SUBSTANCES, MARIJUANA, TOBACCO, ALTERNATIVE OR ELECTRONIC NICOTINE PRODUCT OR DELIVERY SYSTEM, ALCOHOL, ADULT ENTERTAINMENT OR ANY OTHER BRAND, TO PROVIDE THAT NOTHING IN THIS CHAPTER SHALL BE CONSTRUED TO QUALIFY A STUDENT-ATHLETE AS AN EMPLOYEE OF A POSTSECONDARY EDUCATIONAL INSTITUTION; TO AMEND SECTION 37-97-109, MISSISSIPPI CODE OF 1972, TO SET CERTAIN PROHIBITIONS AGAINST ACTIONS TAKEN BY A NATIONAL ASSOCIATION, A CONFERENCE OR ANY OTHER GROUP OR ORGANIZATION WITH AUTHORITY OVER THE SPORT THAT PROMOTES OR REGULATES COLLEGIATE ATHLETICS AT A POSTSECONDARY EDUCATIONAL INSTITUTION; TO PROVIDE THAT A PERSON OR ENTITY, REGARDLESS OF RESIDENCE, SHALL NOT GIVE OR PROMISE COMPENSATION FOR THE USE OF PUBLICITY RIGHTS OF A STUDENT-ATHLETE WHO IS CURRENTLY ENROLLED IN OR HAS SIGNED A NATIONAL LETTER OF INTENT OR OTHER WRITTEN AGREEMENT TO ENROLL IN A POSTSECONDARY EDUCATIONAL INSTITUTION WITHIN THE STATE OF MISSISSIPPI WITH THE PURPOSE OF RECRUITING OR INDUCING THE STUDENT-ATHLETE TO ENROLL AT ANOTHER POSTSECONDARY EDUCATIONAL INSTITUTION; TO AMEND SECTION 73-42-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN AGENCY CONTRACT SHALL NOT PROVIDE FOR ATHLETE AGENT COMPENSATION THAT EXCEEDS 20% OF THE AGENCY CONTRACT; TO REVISE THE DEFINITION OF "AGENCY CONTRACT", "ENDORSEMENT CONTRACT" AND "STUDENT-ATHLETE" AND TO DEFINE "INTERCOLLEGIATE ATHLETICS PROGRAM"; TO AMEND SECTIONS 73-42-5, 73-42-11, 73-42-13, 73-42-19, 73-42-21, 73-42-31, 73-42-34 AND 93-19-17, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; TO BRING FORWARD SECTIONS 73-42-1, 73-42-7, 73-42-9, 73-42-15, 73-42-17, 73-42-23, 73-42-25, 73-42-27, 73-42-29, 73-42-33, 73-42-35, 73-42-37 AND 73-42-39, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

S. B. No. 2681: AN ACT TO AMEND SECTION 37-173-1, MISSISSIPPI CODE OF 1972, TO EXPAND THE DYSLEXIA THERAPY SCHOLARSHIP FOR STUDENTS WITH DYSLEXIA PROGRAM BY MAKING CERTIFIED ACADEMIC LANGUAGE THERAPISTS (CALT) ELIGIBLE TO BE EMPLOYED BY SCHOOL DISTRICTS TO PROVIDE DYSLEXIA SERVICES; TO REQUIRE THE DEPARTMENT OF EDUCATION TO ISSUE LICENSES TO INDIVIDUALS THROUGH RECIPROCITY IF THE INDIVIDUAL MEETS CERTAIN REQUIREMENTS; AND FOR RELATED PURPOSES.

S. B. No. 2776: AN ACT TO AMEND SECTION 11-27-81, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO EXERCISE THE RIGHT TO IMMEDIATE POSSESSION OF EASEMENTS OR RIGHTS-OF-WAY FOR PUBLIC HIGHWAYS AND ROADS, AND FOR WATER UTILITIES, SEWER UTILITIES, DRAINAGE UTILITIES AND OTHER PUBLIC UTILITY PURPOSES IN CONNECTION WITH A PROJECT DEFINED IN SECTION 57-75-5(f)(xxxiii); AND FOR RELATED PURPOSES.

S. B. No. 2862: AN ACT TO AMEND SECTION 45-14-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE BOARD OF HEALTH MAY COLLECT LICENSING AND ADMINISTRATION FEES FOR CERTAIN RADIOLOGICAL HEALTH SERVICES IN CONGRUENCE WITH FEDERAL REGULATION; TO AUTHORIZE THE STATE BOARD OF HEALTH OR THE STATE DEPARTMENT OF HEALTH TO INCREASE THE AMOUNT OF ANY FEE CHARGED BY THE BOARD OR THE DEPARTMENT FOR PROVIDING RADIATION HEALTH SERVICES, INCLUDING THE ISSUANCE AND RENEWAL OF LICENSES AND REGISTRATIONS, NOT MORE THAN TWO TIMES DURING THE PERIOD OF JULY 1, 2024, THROUGH JUNE 30, 2028, WITH THE PERCENTAGE OF EACH INCREASE BEING NOT MORE THAN TWENTY-FIVE PERCENT OF THE AMOUNT OF THE FEE IN EFFECT AT THE TIME OF THE INCREASE; AND FOR RELATED PURPOSES.

S. B. No. 3032: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF VETERINARY EXAMINERS FOR FISCAL YEAR 2025.

David Jordan, Chairman

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1948: City of Olive Branch; authorize expenditure of funds to establish industrial, technological or educational park or parks within. Local and Private.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 310: AN ACT TO AMEND SECTION 63-21-69, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF DAYS BY WHICH THE NEW OWNER OF THE VEHICLE HAS TO MAKE APPLICATION FOR ISSUANCE OF THE PRIVILEGE LICENSE TAG FROM SEVEN TO THIRTY WORKING DAYS; TO AMEND SECTION 27-19-63, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

H. B. No. 974: AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION, ACTING ON BEHALF OF THE STATE BOARD OF MENTAL HEALTH TO SELL AND CONVEY, TO THE CITY OF WATER VALLEY, CERTAIN REAL PROPERTY LOCATED WITHIN CITY OF WATER VALLEY, YALOBUSHA COUNTY, MISSISSIPPI, WHICH IS THE SITE OF THE FORMER WATER VALLEY HIGH SCHOOL; AND FOR RELATED PURPOSES.

H. B. No. 1102: AN ACT TO AMEND SECTION 43-19-48, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO SEND NOTICE IN OTHER APPROVED TYPES OF COMMUNICATION AS ALLOWED BY THE FINANCIAL INSTITUTION RATHER THAN NOTICE REQUIRED BY CERTIFIED MAIL; TO REVISE THE DEFINITION OF THE TERM "ACCOUNT" TO CONFORM TO THE DEFINITION IN SECTION 85-13-1(F); AND FOR RELATED PURPOSES.

H. B. No. 1105: AN ACT TO AMEND SECTION 79-29-109, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROHIBITION ON USING THE WORDS "PARTNERSHIP" AND "LIMITED PARTNERSHIP" WHEN PROVIDING A NAME FOR A LIMITED LIABILITY COMPANY AS SET FORTH IN ITS CERTIFICATE OF FORMATION; AND FOR RELATED PURPOSES.

H. B. No. 1207: AN ACT TO NAME THE ALCORN STATE UNIVERSITY EXTENSION AND RESEARCH COMPLEX, LOCATED IN LORMAN, JEFFERSON COUNTY, MISSISSIPPI, THE "DR. JESSE HARNESS, SR., EXTENSION AND RESEARCH CENTER"; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION IN CONJUNCTION WITH THE DEPARTMENT OF PUBLIC SAFETY TO ERECT THE PROPER LETTERING OR SIGNAGE ON THE OUTDOOR FACADE OF THE BUILDING DISPLAYING THE OFFICIAL NAME AS THE "DR. JESSE HARNESS, SR., EXTENSION AND RESEARCH CENTER"; AND FOR RELATED PURPOSES.

H. B. No. 1279: AN ACT TO AMEND SECTION 49-15-64.1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN WATERS THAT ARE PROTECTIVE AND STAGING AREAS FOR YOUNG SHRIMP SHALL BE PERMANENTLY CLOSED TO COMMERCIAL AND RECREATIONAL SHRIMP TRAWLING ACTIVITIES; AND FOR RELATED PURPOSES.

H. B. No. 1288: AN ACT TO AMEND SECTIONS 65-3-71.359, 65-3-71.360 AND 65-3-71.361, MISSISSIPPI CODE OF 1972, TO CLARIFY THE TITLES OF CERTAIN MEMBERS OF THE UNITED STATES ARMED FORCES FOR WHOM CERTAIN SEGMENTS OF ROADWAY IN THE STATE WERE DESIGNATED AS MEMORIAL HIGHWAYS; AND FOR RELATED PURPOSES.

H. B. No. 1410: AN ACT TO REQUIRE ANY INSURER, SUBCONTRACTOR, THIRD PARTY ADMINISTRATOR OR OTHER PAYOR THAT ADMINISTERS A HEALTH BENEFIT POLICY ISSUED IN ANOTHER STATE THAT COVERS A PERSON IN THIS STATE TO REIMBURSE PROVIDERS AT THE REIMBURSEMENT RATE AS PROVIDED IN THE STATE OF ISSUANCE, IF THAT REIMBURSEMENT RATE IS HIGHER THAN THE REIMBURSEMENT RATE IN THIS STATE AND IF THE PREMIUM FOR SUCH POLICY WAS BASED ON CERTAIN BENEFITS AND PROVIDER NETWORK REIMBURSEMENTS IN THE ISSUING STATE; TO PROVIDE THAT IF A BENEFIT IS PROVIDED IN THE ISSUING STATE, THAT BENEFIT MUST BE PROVIDED TO COVERED PERSONS IN THIS STATE; TO EXEMPT ERISA AND SELF-FUNDED PLANS FROM THESE PROVISIONS; AND FOR RELATED PURPOSES.

H. B. No. 1439: AN ACT TO AMEND SECTION 49-15-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT RIPARIAN RIGHTS FOR THE HANCOCK COUNTY SHORELINE FROM BAYOU CADDY TO THE MISSISSIPPI-LOUISIANA STATE BOUNDARY SHALL NOT INCLUDE STATE-OWNED LAND WHICH SHALL NOT EXTEND FURTHER THAN 300 YARDS FROM THE AVERAGE LOW WATERMARK; AND FOR RELATED PURPOSES.

H. B. No. 1519: AN ACT TO AUTHORIZE ANY TOWN IN THE STATE OF MISSISSIPPI WITH A SHORT-LINE RAILROAD PARTIALLY WITHIN ITS CORPORATE LIMITS TO CARRY-OUT AND IMPLEMENT, BY AND THROUGH ITS GOVERNING BODY, THE ACQUISITION, RESTORATION, CONSTRUCTION, OWNERSHIP, OVERSIGHT, OPERATION AND DISPOSITION OF SUCH SHORT-LINE RAILROAD; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1143: AN ACT TO PROHIBIT HEALTH BENEFIT PLANS FROM REQUIRING STEP THERAPY OR FAIL-FIRST PROTOCOLS BEFORE THE PLAN PROVIDES COVERAGE OF CERTAIN PRESCRIPTION DRUGS TO TREAT ADVANCED, METASTATIC CANCER AND ASSOCIATED CONDITIONS; TO AMEND SECTION 83-9-36, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

H. B. No. 1638: AN ACT TO PROVIDE PROCEDURES FOR THE MISSISSIPPI DEPARTMENT OF REVENUE TO SET OFF A TAXPAYER'S DEBT OWED TO THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES AGAINST THE TAXPAYER'S INCOME TAX REFUND; TO PROVIDE A PROCEDURE FOR THE TAXPAYER TO REQUEST A HEARING BEFORE THE DEPARTMENT OF HUMAN SERVICES TO CONTEST THE SETOFF, AND FOR THE TAXPAYER TO APPEAL THE DETERMINATION OF THE DEPARTMENT OF HUMAN SERVICES TO THE CIRCUIT COURT; TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROVIDE TO THE DEPARTMENT OF HUMAN SERVICES ALL INFORMATION NECESSARY TO ACCOMPLISH AND EFFECTUATE THE INTENT OF THIS ACT; TO PROVIDE FOR THE CONTINUED CONFIDENTIALITY OF SUCH INFORMATION; TO AMEND SECTION 27-7-83, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

H. B. No. 1697: AN ACT TO AUTHORIZE MUNICIPALITIES, COUNTIES, STATE AGENCIES, BOARDS OR COMMISSIONS, AND PUBLIC UNIVERSITIES AND COLLEGES TO ADOPT POLICIES UNDER WHICH THEY ARE AUTHORIZED TO PAY, FOR UP TO 60 DAYS, THE FULL REGULAR COMPENSATION OF ANY LAW ENFORCEMENT OFFICER, FIREFIGHTER OR EMERGENCY MEDICAL TECHNICIAN WHO PROTECTS THE PUBLIC INTEREST OF THE MUNICIPALITY OR COUNTY AND WHO IS KILLED IN THE LINE OF DUTY; AND FOR RELATED PURPOSES.

H. B. No. 1813: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUCTIONEERS COMMISSION FOR THE FISCAL YEAR 2025.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. B. No. 2244: AN ACT TO CREATE NEW SECTION 37-99-3, MISSISSIPPI CODE OF 1972, TO REQUIRE THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND THE BOARDS OF TRUSTEES OF THE COMMUNITY AND JUNIOR COLLEGES TO ADOPT POLICIES REQUIRING EACH PUBLIC INSTITUTION OF HIGHER LEARNING, COMMUNITY OR JUNIOR COLLEGE TO PROVIDE FREE TRANSCRIPTS TO FOSTER CARE CHILDREN AND CHILDREN PLACED IN THE LEGAL CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES; TO CREATE NEW SECTION 55-3-87, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOSTER CARE CHILDREN AND CHILDREN WHO WERE PREVIOUSLY PLACED IN THE LEGAL CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES AND THEIR FAMILY, INCLUDING THEIR BIOLOGICAL PARENTS AND SIBLINGS, THEIR FOSTER PARENTS AND SIBLINGS, THEIR ADOPTED PARENTS AND SIBLINGS, THEIR GUARDIANS OR ANY OTHER MEMBER OF THEIR DIRECT HOUSEHOLD, AS APPLICABLE, SHALL BE ALLOWED FREE ADMISSION TO ANY STATE PARK IN THIS STATE; TO PROVIDE THAT FOSTER CARE CHILDREN AND CHILDREN WHO WERE PREVIOUSLY PLACED IN THE LEGAL CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES AND THEIR FAMILY, INCLUDING THEIR BIOLOGICAL

PARENTS AND SIBLINGS, THEIR FOSTER PARENTS AND SIBLINGS, THEIR ADOPTED PARENTS AND SIBLINGS, THEIR GUARDIANS OR ANY OTHER MEMBER OF THEIR DIRECT HOUSEHOLD, AS APPLICABLE, SHALL BE ALLOWED FREE ADMISSION TO ANY PUBLICLY FUNDED MUSEUM IN THIS STATE; AND FOR RELATED PURPOSES.

David Jordan, Chairman

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2170: Appropriation; additional to Department of Health.
Senators Hopson, Blackwell, Polk.

S. B. No. 2285: Department of Public Safety; bring forward code sections related to officer salaries.
Senators Hopson, Wiggins, Polk.

S. B. No. 2468: Budget; bring forward code sections related to and provide for transfers.
Senators Hopson, Polk, Harkins.

S. B. No. 2487: The Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund; bring forward provision related to.
Senators Hopson, DeLano, Wiggins.

S. B. No. 2825: Appropriations; revise certain FY2024 appropriations, fund authority and transfers.
Senators Hopson, Polk, DeBar.

S. B. No. 2846: Appropriations; make technical revisions to certain transfers and provisions related to local projects.
Senators Hopson, Polk, Harkins.

S. B. No. 2848: ARPA programs; revise and bring forward related provisions and provide for determination of unobligated funds by Nov. 1.
Senators Hopson, Polk, DeBar.

S. B. No. 3006: Appropriation; IHL - General support.
Senators Hopson, Parks, DeBar.

S. B. No. 3007: Appropriation; IHL - Subsidiary programs.
Senators Hopson, Parks, Butler.

S. B. No. 3008: Appropriation; IHL - Alcorn State - Agricultural programs.
Senators Hopson, Parks, Butler.

S. B. No. 3009: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.
Senators Hopson, Parks, DeLano.

S. B. No. 3010: Appropriation; IHL - Mississippi State University - Cooperative Extension Service.
Senators Hopson, Parks, DeLano.

S. B. No. 3011: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

Senators Hopson, Parks, Butler.

S. B. No. 3012: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.
Senators Hopson, Parks, DeBar.

S. B. No. 3013: Appropriation; IHL - Student Financial Aid.
Senators Hopson, Parks, DeBar.

S. B. No. 3014: Appropriation; IHL - University of Mississippi Medical Center.
Senators Hopson, Parks, DeBar.

S. B. No. 3015: Appropriation; Community and Junior Colleges Board - Administrative expenses.
Senators Hopson, Frazier, Robinson.

S. B. No. 3016: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.
Senators Hopson, Frazier, Parker.

S. B. No. 3017: Appropriation; Employment Security, Department of.
Senators Hopson, Frazier, Parker.

S. B. No. 3018: Appropriation; Ethics Commission.
Senators Hopson, Wiggins, Norwood.

S. B. No. 3019: Appropriation; Judicial Performance Commission.
Senators Hopson, Wiggins, Norwood.

S. B. No. 3020: Appropriation; Public Safety, Department of.
Senators Hopson, Wiggins, Norwood.

S. B. No. 3021: Appropriation; Mental Health, Department of.
Senators Hopson, Hill, Butler.

S. B. No. 3022: Appropriation; Transportation, Department of - State Aid Road Construction, Office of.
Senators Hopson, Branning, Williams.

S. B. No. 3023: Appropriation; Tennessee-Tombigbee Waterway Development Authority.
Senators Hopson, Branning, Williams.

S. B. No. 3024: Appropriation; Architecture, Board of.
Senators Hopson, Norwood, Tate.

S. B. No. 3025: Appropriation; Funeral Services Board.
Senators Hopson, Norwood, Tate.

S. B. No. 3026: Appropriation; Geologists, Board of Registered Professional.
Senators Hopson, Norwood, Hill.

S. B. No. 3028: Appropriation; Motor Vehicle Commission.
Senators Hopson, Norwood, Hill.

S. B. No. 3029: Appropriation; Counselors, Board of Examiners for Licensed Professional.
Senators Hopson, Norwood, Hickman.

S. B. No. 3030: Appropriation; Accountancy, Board of Public.
Senators Hopson, Norwood, Williams.

S. B. No. 3031: Appropriation; Contractors, Board of.
Senators Hopson, Norwood, Hill.

S. B. No. 3034: Appropriation; Dental Examiners, Board of.
Senators Hopson, Parker, Butler.

S. B. No. 3035: Appropriation; Pharmacy, Board of.
Senators Hopson, Parker, Butler.

S. B. No. 3036: Appropriation; Agriculture and Commerce, Department of.
Senators Hopson, DeLano, Barnett.

S. B. No. 3037: Appropriation; Fair and Coliseum Commission - Livestock shows.
Senators Hopson, DeLano, McCaughn.

S. B. No. 3038: Appropriation; Animal Health, Board of.
Senators Hopson, DeLano, McLendon.

S. B. No. 3040: Appropriation; Emergency Management Agency.
Senators Hopson, DeLano, McLendon.

S. B. No. 3041: Appropriation; Gaming Commission.
Senators Hopson, Williams, Michel.

S. B. No. 3042: Appropriation; Information Technology Services, Department of.
Senators Hopson, Williams, Michel.

S. B. No. 3043: Appropriation; Personnel Board.
Senators Hopson, Williams, Seymour.

S. B. No. 3044: Appropriation; Military Department.
Senators Hopson, Williams, Tate.

S. B. No. 3045: Appropriation; Veterans Affairs Board.
Senators Hopson, Williams, Tate.

S. B. No. 3046: Appropriation; Audit, Department of.
Senators Hopson, Michel, Hickman.

S. B. No. 3047: Appropriation; Revenue, Department of.
Senators Hopson, Michel, Wiggins.

S. B. No. 3048: Appropriation; Secretary of State.
Senators Hopson, Michel, McCaughn.

S. B. No. 3049: Appropriation; Tax Appeals Board.
Senators Hopson, Michel, Robinson.

S. B. No. 3050: Appropriation; Workers' Compensation Commission.
Senators Hopson, Michel, Robinson.

S. B. No. 3051: Appropriation; Treasurer's Office.
Senators Hopson, Michel, Turner-Ford.

S. B. No. 3052: Appropriation; Debt Service-Gen. Obli.
Senators Hopson, Michel, Turner-Ford.

S. B. No. 3053: Appropriation; Banking and Consumer Finance, Department of.
Senators Hopson, Polk, Simmons (13th).

S. B. No. 3054: Appropriation; Finance and Administration, Department of.
Senators Hopson, Polk, Blackwell.

S. B. No. 3055: Appropriation; Governor's Office and Mansion.
Senators Hopson, Polk, Simmons (13th).

S. B. No. 3056: Appropriation; Development Authority, Mississippi.
Senators Hopson, Polk, Blackwell.

S. B. No. 3057: Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.
Senators Hopson, Polk, Wiggins.

S. B. No. 3058: Coronavirus State Fiscal Recovery Fund; FY2025 reappropriate to certain agencies.
Senators Hopson, Polk, Blackwell.

S. B. No. 3059: Appropriations; additional for various state agencies for FY2024 and FY2025.
Senators Hopson, DeBar, Polk.

S. B. No. 3162: Appropriation; additional to DMH-Children & Youth PRTF, ARPA funds.
Senators Hopson, Polk, Frazier.

S. B. No. 3163: Appropriation; additional to DFA-Administration, ARPA funds.
Senators Hopson, Polk, Frazier.

S. B. No. 3164: Appropriation; additional to DFA-Bureau of Buildings, ARPA funds.
Senators Hopson, Polk, Butler.

S. B. No. 3165: Appropriation; additional to MDOT-Surface Transportation Projects, ARPA funds.
Senators Hopson, Polk, Parks.

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2022: Juvenile offenders; provide alternative sentencing and parole options.
Senators Fillingane, Sparks, Wiggins.

S. B. No. 2130: Homeowners' insurance; prohibit insurer from refusing to issue or to renew policy solely based on roof's age.
Senators Wiggins, McCaughn, Johnson.

S. B. No. 2144: Runoff elections; amend to lengthen the timing requirement.
Senators England, Fillingane, Tate.

S. B. No. 2175: Receiving stolen property; revise the crime of.
Senators Fillingane, England, McCaughn.

S. B. No. 2196: Mississippi Terroristic Threats Law; provide enhanced penalty for threat against airport.
Senators Fillingane, Thompson, Berry.

S. B. No. 2232: Newton Municipal School District; require election of board of trustees by population of the school district.
Senators DeBar, McCaughn, Polk.

S. B. No. 2424: Absentee ballots; voters can cure ballots declared defective due to signature issues.
Senators England, Tate, Parker.

S. B. No. 2441: Alternative nicotine products; prohibit distribution or sale of certain products.
Senators Fillingane, Hill, Hickman.

S. B. No. 2445: Correctional system programs; extend repealers.
Senators Barnett, Chassaniol, Sparks.

S. B. No. 2448: "Mississippi Earned Parole Eligibility Act"; extend repealer and authorize parole for certain juvenile homicide offenders.
Senators Barnett, Chassaniol, Sparks.

S. B. No. 2570: Office of Workforce Development; extend exemption from PPRB provisions on rental/leasing of real property for agency business.
Senators Sparks, Robinson, Suber.

S. B. No. 2577: Digitizations; create a criminal penalty for the wrongful dissemination of.
Senators England, Fillingane, Parker.

S. B. No. 2652: Wild turkey stamps; require for wild turkey hunters 16 years of age or older.
Senators Whaley, Suber, Younger.

S. B. No. 2682: MS Critical Teacher Shortage Act of 1998; extend repealer on.
Senators DeBar, Blount, Parker.

S. B. No. 2689: State subject area tests and accountability standards; replace with college prep test and revise provisions.
Senators DeBar, Hopson, Norwood.

S. B. No. 2695: Driver's education; revise certain provisions related thereto.
Senators DeBar, Robinson, McMahan.

S. B. No. 2699: Purchasing law; raise expenditure triggering requirements for competitive bids.
Senators Simmons (12th), Hopson, Polk.

S. B. No. 2700: State offenders serving sentences in county jails; repeal repealer.
Senators Barnett, Barrett, Sparks.

S. B. No. 2717: Mississippi Prison Industries Corporation; clarify conflicts in laws concerning leadership.
Senators Sparks, Suber, Brumfield.

S. B. No. 2728: University of Mississippi; authorize to enter long-term lease with approval of I.H.L.

Senators Boyd, DeLano, Sparks.

S. B. No. 2729: Rural Physicians Scholarship Program and Rural Dentists Scholarship Program; revise certain provisions of.
Senators Boyd, Williams, Hopson.

S. B. No. 2753: SAFER Act; enact.
Senators Wiggins, Hopson, Harkins.

S. B. No. 2764: Manufactured homes; create affidavit of ownership.
Senators Wiggins, Thompson, Barnett.

S. B. No. 2771: Judicial redistricting; bring forward code sections related to.
Senators Wiggins, McCaughn, DeBar.

S. B. No. 2780: Authority of Secretary of State to approve leases located on Public Trust Tidelands; clarify.
Senators Blount, Thompson, Younger.

S. B. No. 2792: Foster care and adoption; revise provisions related to per recommendations of task force.
Senators Wiggins, Boyd, Turner-Ford.

S. B. No. 2823: Medicaid; revise various technical provisions related thereto, including reimbursement levels and facility eligibility.
Senators Blackwell, Boyd, Wiggins.

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 292: DUI suspension; clarify how the 120 days are counted.
Senators Fillingane, Sparks, Hickman.

H. B. No. 438: Shoplifting; revise penalties for crime of.
Senators Fillingane, Sparks, McLendon.

H. B. No. 770: MS Office of Workforce Development; extend exemption from Public Procurement Review Board rental agreement requirements.
Senators Sparks, Berry, Suber.

H. B. No. 1253: Post-conviction collateral relief; require certain petitioners to obtain Supreme Court permission before filing in trial court.
Senators Fillingane, Sparks, Simmons (12th).

H. B. No. 1350: Telephone solicitors; prohibit from making any solicitation regarding Medicare Advantage Plans.
Senators Carter, Horhn, McMahan.

H. B. No. 1567: Workforce development fund; bring forward code section on.
Senators Sparks, Suber, Johnson.

H. B. No. 1725: Medicaid; seek federal waiver for plan to allow Medicaid coverage for persons described in the federal Affordable Care Act.
Senators Blackwell, Boyd, Wiggins.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:00 AM

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR FRIDAY, APRIL 12, 2024

S. R. No. 86: Rules
A RESOLUTION RECOGNIZING CHERYL W. TURNER AS NATIONAL FIRST VICE PRESIDENT OF DELTA SIGMA THETA SORORITY AND COMMENDING HER CONSIDERABLE CIVIC CONTRIBUTIONS.
By Senator(s) Turner-Ford

S. R. No. 87: Rules
A RESOLUTION EXPRESSING THE BEST WISHES OF THE MISSISSIPPI SENATE TO MOTHER LORENE GEE COCKROFT OF CARTHAGE, MISSISSIPPI, ON THE OCCASION OF HER 100TH BIRTHDAY CELEBRATION.
By Senator(s) Blackmon

S. R. No. 88: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE DANCE TEAM AND COACH PATRICE CHRISTIAN FOR WINNING THE 2024 OPEN HIP-HOP NATIONAL CHAMPIONSHIP.
By Senator(s) Whaley, Blackwell, Parker, McLendon, Boyd, Suber

S. R. No. 89: Rules
A RESOLUTION COMMENDING THE DISTINGUISHED CAREER AND DEDICATED SERVICE OF MR. LAWRENCE "BUD" YOUNG TO NORTHWEST MISSISSIPPI COMMUNITY COLLEGE UPON THE OCCASION OF HIS RETIREMENT.
By Senator(s) Whaley, Blackwell, Parker, McLendon, Boyd, Suber

S. R. No. 90: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE "RANGERS" CHEER TEAM FOR WINNING THE 2024 UCA AND UDA COLLEGE CHEERLEADING NATIONAL CHAMPIONSHIP, OPEN ALL-GIRL DIVISION.
By Senator(s) Whaley, Blackwell, Parker, McLendon, Boyd, Suber

S. R. No. 91: Rules
A RESOLUTION EXPRESSING THE SENSE OF THE MISSISSIPPI SENATE THAT FORMER PRESIDENT DONALD J. TRUMP IS BEING UNFAIRLY TARGETED AND THAT HE IS INNOCENT OF THE ACCUSATIONS THAT HE ENGAGED IN INSURRECTION OR REBELLION AGAINST THE UNITED STATES.
By Senator(s) Chism

ONE-HUNDRED AND FIFTH DAY, MONDAY, APRIL 15, 2024

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Absent--Carter, Hill. Total--2.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Carter.

The invocation was delivered by Malcolm May, Minister, Church of Christ, Hazlehurst, MS.

Senator Simmons D. T. (12th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 1471: BEAM; prohibit from accepting gifts or other benefits from any broadband service provider, vendor, or contractor.

Representatives Powell,Lancaster,Steverson

H. B. No. 1705: Budget process; bring forward certain sections relating to and provide for transfers of funds.

Representatives Read,Cockerham,Mangold

H. B. No. 1707: 2023 Local Improvements Projects Fund; clarify and correct names and purposes of certain projects funded from.

Representatives Read,Cockerham,Mangold

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 1471: BEAM; prohibit from accepting gifts or other benefits from any broadband service provider, vendor, or contractor.
Senators Carter, Williams, McMahan.

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2174: Motor vehicle theft; revise penalty for.
Senators Fillingane, Hill, Barrett.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2283: Public Service Commission; extend date of repeal on.

Representatives Powell,Lancaster,Boyd (37th)

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 418: Continuing education training for police officers; extend to require for public colleges and universities and PRVWSD officers.

Representatives Scoggin,Holloway (76th),Sanders

H. B. No. 1126: "Walker Montgomery Protecting Children Online Act"; establish to protect minors from harmful content.

Representatives Ford (73rd),Mansell,Horan

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2635: AN ACT TO PROVIDE FOR THE REGULATION OF NONCONSENSUAL TOWING AND CHARGES FOR COMMERCIAL MOTOR VEHICLES; TO CREATE THE COMMERCIAL VEHICLE TOWING ADVISORY COMMITTEE; TO ESTABLISH REGULATIONS FOR TOWING AND RECOVERY SERVICE PROVIDERS; TO ESTABLISH A RESOLUTION PROCESS FOR COMMERCIAL MOTOR VEHICLE OWNERS WHO DISPUTE THE AMOUNT OF TOWING AND RECOVERY FEES AND CHARGES; TO REQUIRE THE COMMERCIAL VEHICLE TOWING ADVISORY COMMITTEE TO PROVIDE TOWING RATES BASED ON CERTAIN STANDARDS; TO PROVIDE FOR DISCIPLINARY ACTION AGAINST TOWING AND RECOVERY SERVICE PROVIDERS FOR VIOLATIONS; TO REQUIRE TOWING AND RECOVERY SERVICES THAT HAVE PERFORMED A NONCONSENSUAL TOW TO STORE THE VEHICLE IN MISSISSIPPI AND ALLOW THE VEHICLE OWNER REASONABLE ACCESS TO THE COMMERCIAL VEHICLE TO COLLECT PERSONAL PROPERTY; TO PROVIDE HOW A POLICE OFFICER MAY UTILIZE A TOW LIST; TO PROVIDE THAT MEMBERS OF THE COMMITTEE MAY NOT RECEIVE A BENEFIT FOR PLACING TOWING AND RECOVERY COMPANIES ON THE TOW LIST; TO PROVIDE PROCEDURES FOR WHAT A TOWING AND RECOVERY SERVICE MUST DO BEFORE PERFORMING A NONCONSENSUAL TOW; TO REQUIRE PRIVATE PROPERTY OWNERS TO DISPLAY SIGNAGE WARNING VEHICLE OPERATORS OF THE POTENTIAL OF BEING TOWED; TO PROHIBIT THE USE OF VEHICLE IMMOBILIZATION DEVICES, EXCEPT WHEN DIRECTED BY LAW ENFORCEMENT; AND FOR RELATED PURPOSES.

S. B. No. 2649: AN ACT TO AMEND SECTION 49-2-13, MISSISSIPPI CODE OF 1972, TO ALLOW THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO ENTER INTO CONTRACTS FOR THE PURPOSE OF OBTAINING ASSISTANCE WITH THE REVIEW, EVALUATION, AND PROCESSING OF PERMIT AND CERTIFICATION APPLICATIONS; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO GRANT THE DEPARTMENT OF ENVIRONMENTAL QUALITY AN EXCEPTION TO PROCUREMENT REVIEW PROCESSES FOR SUCH CONTRACTS; AND FOR RELATED PURPOSES.

S. B. No. 2762: AN ACT TO ESTABLISH A MAXIMUM AMOUNT OF RETAINAGE AND ESTABLISH THE TIMING FOR RELEASE OF RETAINAGE WITH RESPECT TO THE PERFORMANCE OF CERTAIN CONTRACTS AND TO PROVIDE FOR THE PAYMENT OF INTEREST FOR IMPROPERLY HELD RETAINAGE; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THIS ACT; TO PROVIDE TYPES OF CONTRACTS TO WHICH THE PROVISIONS OF THIS ACT DO NOT APPLY; TO AMEND SECTIONS 31-5-15 AND 31-5-33, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "RETAINAGE" FOR PURPOSES OF CERTAIN PUBLIC WORKS CONTRACTS; AND FOR RELATED PURPOSES.

S. B. No. 3027: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF MASSAGE THERAPY, FOR FISCAL YEAR 2025.

S. B. No. 3033: AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI STATE BOARD OF CHIROPRACTIC EXAMINERS FOR FISCAL YEAR 2025.

David Jordan, Chairman

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 1681: Memorial Highways; designate segment MS Hwy 513 in Clarke County as "Lance Corporal Mac Hamburg, MSMC, Memorial Highway."

Senators Branning, Parks, Younger.

MESSAGE FROM THE GOVERNOR
April 15, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2159: Marriage and family therapists; revise certain requirements for licensure. (April 15, 2024, 1:00 PM)

S. B. No. 2246: Preschool reporting requirements; revise technical provisions related thereto. (April 15, 2024, 1:02 PM)

S. B. No. 2262: Child support; revise provision related to in order to mirror current DHS practice and federal requirements. (April 15, 2024, 1:04 PM)

S. B. No. 2308: Mississippi Public Records Act; extend date of repeal on. (April 15, 2024, 1:06 PM)

S. B. No. 2310: County authorization to assess emergency telecommunications service charge; extend date of repeal on. (April 15, 2024, 1:06 PM)

S. B. No. 2339: High school graduation requirements; allow sign language to be counted as a foreign language. (April 15, 2024, 1:07 PM)

S. B. No. 2382: Pawnbrokers; allow to pass credit or debit card processing charges to customers. (April 15, 2024, 1:08 PM)

S. B. No. 2509: Motor Carrier Regulatory Law; extend repeal on voluntary inspection program. (April 15, 2024, 1:10 PM)

S. B. No. 2514: State Veterans Affairs Board; revise composition of. (April 15, 2024, 1:12 PM)

S. B. No. 2519: Mississippi Foreign Land Ownership Act; create. (April 15, 2024, 1:20 PM)

S. B. No. 2532: Bonds; clarify municipalities and counties may issue serial and single term. (April 15, 2024, 1:21 PM)

S. B. No. 2545: Auditing threshold; define monetary donations. (April 15, 2024, 1:23 PM)

S. B. No. 2576: Voter ID; clarify what constitutes a valid voter ID. (April 15, 2024, 1:25 PM)

S. B. No. 2603: Excavation; revise procedures and required white lining in certain stances. (April 15, 2024, 1:29 PM)

S. B. No. 2643: Highways; dedicate a section of Highway 8 to William Forrest Winter. (April 15, 2024, 1:30 PM)

S. B. No. 2644: Harvest permit license tag; increase weight category for. (April 15, 2024, 1:32 PM)

S. B. No. 2740: Insurance; authorize counties, municipalities, school districts and other political subdivisions to pool risk. (April 15, 2024, 1:40 PM)

S. B. No. 2830: Mississippi Flexible Tax Incentive Act; revise definition and annual report due date, and correct agency reference. (April 15, 2024, 2:00 PM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

S. B. No. 3215: Lafayette County; authorize to provide funding to Oxford-Lafayette County Economic Development Foundation. Title Sufficient. Do Pass.

PARKS, Chairman

REPORT OF COMMITTEE ON FINANCE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 1855: Sales tax; exempt sales, leases or other retail transfers of certain fixed-wing aircraft. Title Sufficient. Do Pass.

H. B. No. 1354: Alcoholic Beverage Control Division warehouse; increase amount of revenue bonds authorized for and bailment fee authorized for paying debt service on bonds. Title Sufficient. Do Pass As Amended.

H. B. No. 1378: Homestead exemption; increase for honorably discharged veterans 90 years of age or older. Title Sufficient. Do Pass.

H. B. No. 1764: Sales tax; revise rate regarding certain oil, gas and other mineral resources services, equipment and materials. Title Sufficient. Do Pass As Amended.

H. B. No. 1942: Income tax and insurance premium tax; authorize a credit for certain investments in qualified community development entities. Title Sufficient. Do Pass As Amended.

H. B. No. 1943: Tobacco; define "heated tobacco product" under tobacco tax law and provide for rate of excise tax. Title Sufficient. Do Pass As Amended.

H. B. No. 1988: Children's Promise Act; increase amount of tax credits that may be allocated under, bring forward various tax credit sections of law. Title Sufficient. Do Pass As Amended.

H. B. No. 1710: Income tax; authorize a tax credit for certain employers that sponsor skills training for employees. Title Sufficient. Do Pass As Amended.

HARKINS, Chairman

Senator Johnson called up the following House Amendment to **S. B. No. 2486** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 31-7-417, Mississippi Code of 1972, is amended as follows:

31-7-417. * * * Submitted proposals or qualifications shall be opened at the time designated for opening in the request for proposals or request for qualifications. Proposals or qualifications and modifications shall be date-stamped or time and date-stamped upon receipt and held in a secure place until the established due date. Electronic proposals or qualifications received will be stored in an electronic lockbox until the time designated for the opening of the proposal or qualification.

* * *

SECTION 2. Section 25-61-5, Mississippi Code of 1972, is amended as follows:

25-61-5. (1) (a) Except as otherwise provided by Sections 25-61-9, 25-61-11, 25-61-11.2 and 37-153-7, all public records are hereby declared to be public property, and any person shall have the right to inspect, copy or mechanically reproduce or obtain a reproduction of any public record of a public body in accordance with reasonable written procedures adopted by the public body concerning the cost, time, place and method of access, and public notice of the procedures shall be given by the public body, or, if a public body has not adopted written procedures, the right to inspect, copy or mechanically reproduce or obtain a reproduction of a public record of the public body shall be provided within one (1) working day after a written request for a public record is made. No public body shall adopt procedures which will authorize the public body to produce or deny production of a public record later than seven (7) working days from the date of the receipt of the request for the production of the record.

(b) If a public body is unable to produce a public record by the seventh working day after the request is made, the public body must provide a written explanation to the person making the request stating that the record requested will be produced and specifying with particularity why the records cannot be produced within the seven-day period. Unless there is mutual agreement of the parties, * * * in no event shall the date for the public body's production of the requested records be any later than fourteen (14) working days from the receipt by the public body of the original request. * * *

(2) If any public record contains material which is not exempted under this chapter, the public agency shall redact the exempted material and make the nonexempted material available for examination. Such public agency shall be entitled to charge a reasonable fee for the redaction of any exempted material, not to exceed the agency's actual cost.

(3) Denial by a public body of a request for access to or copies of public records under this chapter shall be in writing and shall contain a statement of the specific exemption relied upon by the public body for the denial. Each public body shall maintain a file of all denials of requests for public records. Public bodies shall be required to preserve such denials on file for not less than three (3) years from the date such denials

are made. This file shall be made available for inspection or copying, or both, during regular office hours to any person upon written request.

(4) Where any public body is preparing or conducting a competitive procurement, the time limitations contained in this section shall be tolled until the public body determines it will not issue the procurement, cancels the procurement or issues a notice naming its intended awardee. Record production under this chapter shall not delay any aspect of the procurement process unless the public body conducting the procurement specifically determines that it is in the best interest of the state to toll the procurement process until such time as the record production is complete.

(* * *5) This section shall stand repealed on July 1, * * * 2027.

SECTION 3. Section 25-61-9, Mississippi Code of 1972, is brought forward as follows:

25-61-9. (1) (a) Records furnished to public bodies by third parties which contain trade secrets or confidential commercial or financial information shall not be subject to inspection, examination, copying or reproduction under this chapter until notice to third parties has been given, but the records shall be released no later than twenty-one (21) days from the date the third parties are given notice by the public body unless the third parties have filed in chancery court a petition seeking a protective order on or before the expiration of the twenty-one-day time period. Any party seeking the protective order shall give notice to the party requesting the information in accordance with the Mississippi Rules of Civil Procedure.

(b) If a court determines that a person or entity has made duplicative requests for public records that are the subject of a protective order under paragraph (a) of this subsection, the court shall order the requesting person or entity to reimburse the third party's costs and attorney's fees for seeking additional protective orders for the same or substantially similar requests for public records.

(2) If any public record which is held to be exempt from disclosure pursuant to this chapter contains material which is not exempt pursuant to this chapter, the public body shall separate the exempt material and make the nonexempt material available for examination or copying, or both, as provided for in this chapter.

(3) Trade secrets and confidential commercial and financial information of a proprietary nature developed by a college, university or public hospital under contract with a firm, business, partnership, association, corporation, individual or other like entity shall not be subject to inspection, examination, copying or reproduction under this chapter.

(4) Misappropriation of a trade secret shall be governed by the provisions of the Mississippi Uniform Trade Secrets Act, Sections 75-26-1 through 75-26-19.

(5) A waste minimization plan and any updates developed by generators and facility operators under the Mississippi Comprehensive Multimedia Waste Minimization Act of 1990 shall be retained at the facility and shall not be subject to inspection, examination, copying or reproduction under this chapter.

(6) Data processing software obtained by an agency under a licensing agreement that prohibits its disclosure and which software is a trade secret, as defined in Section 75-26-3, and data processing software produced by a public body which is sensitive must not be subject to inspection, copying or reproduction under this chapter.

As used in this subsection, "sensitive" means only those portions of data processing software, including the specifications and documentation, used to:

(a) Collect, process, store, and retrieve information which is exempt under this chapter.

(b) Control and direct access authorizations and security measures for automated systems.

(c) Collect, process, store, and retrieve information, disclosure of which would require a significant intrusion into the business of the public body.

(7) For all procurement contracts awarded by state agencies, the provisions of the contract which contain the commodities purchased or the personal or professional services provided, the unit prices contained within the procurement contracts, the overall price to be paid, and the term of the contract shall not be deemed to be a trade secret or confidential commercial or financial information under this section, and shall be available for examination, copying or reproduction as provided for in this chapter. Any party seeking a protective order for a procurement contract awarded by state agencies shall give notice to and provide the reasons for the protective order to the party requesting the information in accordance with the Mississippi Rules of Civil Procedure. The notice and reasons for the protective order must be posted on the Mississippi procurement portal for a minimum of seven (7) days before filing the petition seeking the protective order in chancery court. Any party seeking a protective order in violation of this subsection may be barred by a state agency from submitting bids, proposals or qualifications for procurement for a period not to exceed five (5) years.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AMEND SECTION 31-7-417, MISSISSIPPI CODE OF 1972, TO SIMPLIFY THE RECEIPT AND REGISTRATION PROCESS FOR PROPOSALS AND REQUESTS FOR QUALIFICATIONS; TO AMEND SECTION 25-61-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHERE ANY PUBLIC BODY IS PREPARING OR CONDUCTING A COMPETITIVE PROCUREMENT, THE TIME LIMITATIONS FOR PRODUCTION SHALL BE TOLLED UNTIL THE PUBLIC BODY DETERMINES IT WILL NOT ISSUE THE PROCUREMENT, CANCELS THE PROCUREMENT OR ISSUES A NOTICE NAMING ITS INTENDED AWARDEE; TO BRING FORWARD SECTION 25-61-9, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senator Bryan called up the following House Amendment to **S. B. No. 2873** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-41-3, Mississippi Code of 1972, is amended as follows:

41-41-3. (1) For the purpose of this section, the terms health-care institution or health-care provider, unemancipated minor and surrogate shall have the meanings as defined in Section 41-41-203.

(* * *2) Except as provided by subsection (3) of this section, it is * * * recognized and established that * * * a health-care institution or health-care provider may provide health care that is not prohibited by law * * * for an unemancipated minor only after first obtaining the consent of a parent with joint or separate legal custody of the minor, a guardian of the minor, or the minor's surrogate. If a parent with joint or separate legal custody of the minor, a guardian of the minor, or the minor's surrogate has not consented or denied consent within seven (7) days after the first attempt by the health-care provider or health-care institution to contact the parent, guardian or surrogate at the last known telephone number or their telephone number provided by the minor or the minor's custodian, or if there is no known telephone number, twenty-one (21) days after mailing a request for consent to the parent's, guardian's or surrogate's last known address or their address provided by the minor or minor's custodian, which attempts shall be evidenced by verified documentation, then any one (1) of the following persons who are reasonably available, in descending order of priority, is authorized and empowered to consent on behalf of the minor:

(a) The minor's custodian;

(b) The minor's adult brother or sister; or

(c) The minor's grandparent.

* * *

(3) The consent required by subsection (2) of this section shall not be required:

(a) In any circumstance regarding a person with mental illness as governed by Sections 41-21-61 through 41-21-109;

(b) In an emergency as provided for in Section 41-41-7;

(c) When a judicial consent is obtained pursuant to Section 41-41-9;

(d) In relation to minors age sixteen (16) years or older donating to a blood bank as provided for in Section 41-41-15;

(e) In relation to physicians or hospitals authorizations to test for or diagnose infectious disease as provided for in Section 41-41-16;

(f) In relation to any minor in the custody of the Department of Child Protection Services (CPS) to which CPS consents;

(g) In relation to any inmate lacking the capacity to make health care decisions as provided for in Section 47-5-180;

(h) In relation to the baby drop-off law, Section 43-15-201 et seq.; or

(i) When an athlete is evaluated and treated by an athletic trainer as defined in Section 73-55-3.

(* * *4) Any female, regardless of age or marital status, is empowered to give consent for herself in connection with pregnancy or childbirth.

(5) The provisions of this section do not affect other statutes of this state governing treatment for mental illness of an individual involuntarily committed to a mental health care institution.

SECTION 2. (1) A parent, guardian or surrogate of an unemancipated minor may bring suit for any violation of Section 1 of this act and may raise Section 1 of this act as a defense in any judicial or administrative proceeding without regard to whether the proceeding is brought by or in the name of the state government, any private person, or any other party.

(2) An action under this section may be brought, and relief may be granted, without regard to whether the person bringing the action has sought or exhausted available administrative remedies.

(3) Any person who successfully asserts a claim or defense under this section may recover declaratory relief, injunctive relief, nominal damages, compensatory damages reasonable attorneys' fees and costs, and any other appropriate relief.

(4) Sovereign, governmental and qualified immunities to suit and from liability are waived and abolished to the extent of liability created by this section.

SECTION 3. Section 41-41-17, Mississippi Code of 1972, is amended as follows:

41-41-17. * * * Any adult, as defined in Section 41-41-203(a), * * * or emancipated minor, as defined in Section 41-41-203(e), * * * may consent to participate as a subject in research if that research is conducted in accordance with federal law (Title 45 CFR Part 46: Protection of Human Subjects).

* * *

SECTION 4. Section 41-42-7, Mississippi Code of 1972, is amended as follows:

41-42-7. Contraceptive supplies and information may not be furnished by physicians to any minor * * * except in compliance with the provisions of Section 41-41-3.

SECTION 5. Section 41-41-13, Mississippi Code of 1972, which provides that a physician or nurse practitioner may treat minors for venereal disease without parental consent, and Section 41-41-14, Mississippi Code of 1972, which provides that a physician or psychologist may treat certain minors for mental or emotional problems caused or related to alcohol or drugs without parental consent, are repealed.

SECTION 6. Section 41-9-69, Mississippi Code of 1972, is brought forward as follows:

41-9-69. (1) Hospital records shall be retained, preserved and properly stored by hospitals for such periods of reasonable duration as may be prescribed in rules and regulations adopted by the licensing agency. Such rules and regulations may provide for different periods of such retention for the various constituent parts of any hospital records, and such rules and regulations may require that an abstract be made of pertinent data from any hospital records that may be retired as provided herein. Such rules and regulations may also provide for different periods of such retention for the various injuries, diseases, infirmities or conditions primarily causing or associated with the hospitalization. However, complete hospital records shall be retained for a period after discharge of the patient of at least (a) seven (7) years in cases of patients discharged at death, except as may be otherwise hereinafter provided; (b) ten (10) years in cases of adult patients of sound mind at the time of discharge, except as may be otherwise hereinafter provided; (c) for the period of minority or other known disability of the patient plus seven (7) additional years, but not to exceed twenty-eight (28) years, in cases of patients under disability of minority or otherwise; or (d) for the period of minority or other known disability

of any survivors hereinafter mentioned plus seven (7) additional years, but not to exceed twenty-eight (28) years, in all cases where the patient was discharged at death, or is known by the hospital to have died within thirty (30) days after discharge, and the hospital knows or has reason to believe that such patient or former patient left one or more survivors under disability of minority or otherwise who are or are claimed to be entitled to damages for wrongful death of the patient under Section 11-7-13, or laws amendatory thereof. Upon the expiration of the applicable period of retention, any hospital may retire the hospital record.

(2) X-ray film and any other graphic data may be retired four (4) years after the date of exposure of the X-ray film or creation of the graphic data if the written and signed findings of a radiologist who has read such X-ray film or other professional who has interpreted such graphic data are retained for the same period as other hospital records under the preceding subsection. However, before X-ray film or graphic data is retired, the signature of the patient or his representative consenting to the retirement of X-rays or graphic data shall be on file, or the hospital, by certified letter, return receipt requested, shall advise the patient or his representative of its intent to retire the X-ray film or graphic data. The letter shall be mailed to the last known address of the patient or the patient's representative as reflected in the hospital's records. The patient or his representative shall have sixty (60) days from the date of the hospital's letter to request in writing that the X-ray film or graphic data be maintained by the hospital for the same period as hospital records under the preceding subsection. If such request is received by the hospital within sixty (60) days from the date of its letter, the hospital shall abide by such request. Otherwise, the hospital may retire such X-ray film or graphic data as it chooses.

SECTION 7. Section 73-9-13, Mississippi Code of 1972, is brought forward as follows:

73-9-13. The State Board of Dental Examiners shall each year elect from their number a president, vice president and secretary-treasurer to serve for the coming year and until their successors are qualified. Only dentist members of the board may hold the offices of president and vice president. The board shall have a seal with appropriate wording to be kept at the offices of the board. The secretary and the executive director of the board shall be required to make bond in such sum and with such surety as the board may determine. It shall be the duty of the executive director to keep a complete record of the acts and proceedings of the board and to preserve all papers, documents and correspondence received by the board relating to its duties and office.

The board shall have the following powers and duties:

(a) To carry out the purposes and provisions of the state laws pertaining to dentistry and dental hygiene, and the practice thereof and matters related thereto, particularly Sections 73-9-1 through 73-9-117, together with all amendments and additions thereto.

(b) To regulate the practice of dentistry and dental hygiene and to promulgate reasonable regulations as are necessary or convenient for the protection of the public; however, the board shall not adopt any rule or regulation or impose any requirement regarding the licensing of dentists that conflicts with the prohibitions in Section 73-49-3.

(c) To make rules and regulations by which clinical facilities within institutions, schools, colleges, universities and other agencies may be recognized and approved for the practice of dentistry or of dental hygiene by unlicensed persons therein, as a precondition to their being excepted from the dental practice act and authorized in accordance with Section 73-9-3(g) and (h).

(d) To provide for the enforcement of and to enforce the laws of the State of Mississippi and the rules and regulations of the State Board of Dental Examiners.

(e) To compile at least once each calendar year and to maintain an adequate list of prospective dentist and dental hygienist appointees for approval by the Governor as provided for elsewhere by law.

(f) To issue licenses and permits to applicants when found to be qualified.

(g) To provide for reregistration of all licenses and permits duly issued by the board.

(h) To maintain an up-to-date list of all licensees and permit holders in the state, together with their addresses.

(i) To examine applicants for the practice of dentistry or dental hygiene at least annually.

(j) To issue licenses or duplicates and reregistration/renewal certificates, and to collect and account for fees for same.

(k) To maintain an office adequately staffed insofar as funds are available for the purposes of carrying out the powers and duties of the board.

(l) To provide by appropriate rules and regulations, within the provisions of the state laws, for revoking or suspending licenses and permits and a system of fines for lesser penalties.

(m) To prosecute, investigate or initiate prosecution for violations of the laws of the state pertaining to practice of dentistry or dental hygiene, or matters affecting the rights and duties, or related thereto.

(n) To provide by rules for the conduct of as much board business as practicable by mail, which, when so done, shall be and have the same force and effect as if done in a regular meeting duly organized.

(o) To adopt rules and regulations providing for the reasonable regulation of advertising by dentists and dental hygienists.

(p) To employ, in its discretion, a duly licensed attorney to represent the board in individual cases.

(q) To employ, in its discretion, technical and professional personnel to conduct dental office sedation site visits, administer and monitor state board examinations and carry out the powers and duties of the board.

SECTION 8. Section 73-43-11, Mississippi Code of 1972, is brought forward as follows:

73-43-11. The State Board of Medical Licensure shall have the following powers and responsibilities:

(a) Setting policies and professional standards regarding the medical practice of physicians, osteopaths, podiatrists and physician assistants practicing with physician supervision;

(b) Considering applications for licensure;

(c) Conducting examinations for licensure;

(d) Investigating alleged violations of the medical practice act;

(e) Conducting hearings on disciplinary matters involving violations of state and federal law, probation, suspension and revocation of licenses;

(f) Considering petitions for termination of probationary and suspension periods, and restoration of revoked licenses;

(g) To promulgate and publish reasonable rules and regulations necessary to enable it to discharge its functions and to enforce the provisions of law regulating the practice of medicine; however, the board shall not adopt any rule or regulation or impose any requirement regarding the licensing of physicians or osteopaths that conflicts with the prohibitions in Section 73-49-3;

(h) To enter into contracts with any other state or federal agency, or with any private person, organization or group capable of contracting, if it finds such action to be in the public interest and in the furtherance of its responsibilities;

(i) Perform the duties prescribed by Sections 73-26-1 through 73-26-5; and

(j) Perform the duties prescribed by the Interstate Medical Licensure Compact, Section 73-25-101.

SECTION 9. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 41-41-3, MISSISSIPPI CODE OF 1972, TO PROHIBIT A HEALTH-CARE INSTITUTION OR HEALTH-CARE PROVIDER FROM PROVIDING HEALTH CARE FOR AN UNEMANCIPATED MINOR WITHOUT FIRST OBTAINING THE CONSENT OF THE MINOR'S PARENT, GUARDIAN OR SURROGATE; TO PROVIDE FOR CERTAIN EXCEPTIONS TO THE REQUIREMENT OF OBTAINING PARENTAL CONSENT; TO AUTHORIZE A PARENT, GUARDIAN OR SURROGATE OF AN UNEMANCIPATED MINOR TO BRING SUIT FOR ANY VIOLATION OF THIS ACT; TO AMEND SECTIONS 41-41-17 AND 41-42-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO REPEAL SECTION 41-41-13, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT A PHYSICIAN OR NURSE PRACTITIONER MAY TREAT MINORS FOR VENEREAL DISEASE WITHOUT PARENTAL CONSENT, AND SECTION 41-41-14, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT A PHYSICIAN OR PSYCHOLOGIST MAY TREAT CERTAIN MINORS FOR MENTAL OR EMOTIONAL PROBLEMS CAUSED OR RELATED TO ALCOHOL OR DRUGS WITHOUT PARENTAL CONSENT; TO BRING FORWARD SECTIONS 41-9-69, 73-9-13 AND 73-43-11, MISSISSIPPI CODE OF 1972, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senator Bryan called up the following House Amendment to **S. B. No. 2886** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Definitions. For purpose of this chapter only, the following terms shall have the meanings ascribed herein:

(a) "ENDS product" means any noncombustible product that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, to produce vapor from nicotine in a solution. Such definition includes a consumable nicotine liquid solution suitable for use in an ENDS product, whether sold with the product or separately; but does not include any product regulated as a drug or device under Chapter V of the Federal Food, Drug, and Cosmetic Act (21 USC Section 351 et seq.).

(b) "Timely filed premarket tobacco product application" means an application pursuant to 21 USC Section 387j for an ENDS product containing nicotine derived from tobacco marketed in the United States as of August 8, 2016, that was submitted to the United States Food and Drug Administration on or before September 9, 2020, and accepted for filing.

(c) "FDA" means United States Food and Drug Administration.

(d) "Department" means the Mississippi Department of Revenue.

SECTION 2. ENDS product directory. (1) By August 1, 2024, and annually thereafter, every manufacturer of an ENDS product that is sold for retail sale in Mississippi, whether directly or through an importer, wholesaler, distributor, retailer or similar intermediary or intermediaries, shall execute and deliver to the Mississippi Department of Revenue a certification, under penalty of perjury on a form and in a manner prescribed by the Department of Revenue, that the manufacturer is compliant with this chapter and that, for each ENDS product sold in Mississippi:

(a) The manufacturer has received a marketing granted order for the ENDS product from the FDA pursuant to 21 USC Section 387j; or

(b) The manufacturer submitted a timely filed premarket tobacco product application for the ENDS product to the FDA pursuant to 21 USC Section 387j, and the application either remains under review by the FDA or has received a denial order that has been and remains stayed by the FDA or court order, rescinded by the FDA, or vacated by a court.

(2) The certification form shall separately list each brand name, category (e.g., e-liquid, power unit, device, e-liquid cartridge, e-liquid pod, disposable), product name, and flavor for each ENDS product that is sold in Mississippi.

(3) Each annual certification form shall be accompanied by:

(a) A copy of the following:

(i) The marketing granted order issued by the FDA pursuant to 21 USC Section 387j;

(ii) The acceptance letter issued by the FDA pursuant to 21 USC Section 387j for a timely filed premarket tobacco product application; or

(iii) A document issued by the FDA or by a court confirming that the premarket tobacco product application has received a denial order that has been and remains stayed by FDA or court order, rescinded by FDA, or vacated by a court; and

(b) A payment of One Thousand Dollars ($1,000.00) for each ENDS product each time a manufacturer submits an annual certification form for that ENDS product.

(4) The information submitted by the manufacturer pursuant to subsection (3)(a) of this section shall be considered confidential commercial or financial information for purposes of the Mississippi Public Records Act of 1983. The manufacturer may redact certain confidential commercial or financial information provided under subsection (3)(a) of this section. The department shall not disclose such information except as required or authorized by law.

(5) A manufacturer required to submit a certification form pursuant to this section shall notify the department within thirty (30) calendar days of any material change to the certification form, including the issuance or denial of a marketing authorization or other order by the FDA pursuant to 21 USC Section 387j, or any other order or action by the FDA or any court that affects the ability of the ENDS product to be introduced or delivered into interstate commerce for commercial distribution in the United States.

(6) Starting October 1, 2024, the department shall maintain and make publicly available on the department's official website a directory that lists all ENDS product manufacturers, brand names, categories (e.g., e-liquid, e-liquid cartridge, e-liquid pod, disposable), product names, flavors for which certification forms have been submitted and approved by the department and shall update the directory at least monthly to ensure accuracy. The department shall establish a process to provide licensed retailers, distributors, and wholesalers notice of the initial publication of the directory and changes made to the directory in the prior month.

(7) Neither a manufacturer nor its ENDS products shall be included or retained in the directory if the department determines that any of the following apply:

(a) The manufacturer failed to provide a complete and accurate certification as required by subsection (1) of this section;

(b) The manufacturer submitted a certification that does not comply with the requirements of subsections (2) and (3) of this section;

(c) The manufacturer failed to include with its certification the payment required by subsection (3)(b) of this section;

(d) The manufacturer sold products in Mississippi required to be certified under this act during a period when either the manufacturer or the product had not been certified and listed on the directory; or

(e) The information provided by the manufacturer in its certification is determined by the department to contain false information or contains material misrepresentations or omissions.

(8) The department shall provide manufacturers notice and an opportunity to cure deficiencies before removing manufacturers or products from the directory.

(a) The department may not remove the manufacturer or its products from the directory until at least thirty (30) business days after the manufacturer has been given notice of an intended action setting forth the reasons therefor. Notice shall be sufficient and be deemed immediately received by a manufacturer if the notice is sent either electronically or by facsimile to an electronic mail address or facsimile number, as the case may be, provided by the manufacturer in its most recent certification filed under subsections (2) and (3) of this section.

(b) The ENDS product manufacturer shall have fifteen (15) business days from the date of service of the notice of the department's intended action to cure the deficiencies or otherwise establish that the ENDS product manufacturer or its products should be included in the directory.

(c) Retailers shall have 30 days following the removal of a manufacturer or its products from the directory to sell such products that were in the retailer's inventory as of the date of removal.

(d) After thirty (30) calendar days following removal from the directory, the ENDS product of a manufacturer identified in the notice of removal and intended for sale in Mississippi are subject to seizure, forfeiture, and destruction, and may not be purchased or sold for retail sale in the Mississippi. The cost of such seizure, forfeiture, and destruction shall be borne by the person from whom the products are confiscated, except that no products may be seized from a consumer who has made a bona fide purchase of such product. The department may store and dispose of the seized products as appropriate, in accordance with federal, state and local laws pertaining to storage and disposal of such products.

(9) (a) Except as provided in paragraphs (b) and (c) of this subsection, beginning October 1, 2024, or on the date that the department first makes the directory available for public inspection on its official website, whichever is later, ENDS products not included in the directory, may not be sold for retail sale in Mississippi, either directly or through an importer, distributor, wholesaler, retailer, or similar intermediary or intermediaries.

(b) Each retailer shall have ninety (90) days from the date that the department first makes the directory available for inspection on its public website to sell products that were in its inventory and not included in the directory or remove those products from inventory.

(c) Each distributor or wholesaler shall have ninety (90) days from the date that the department first makes the directory available for inspection on its public website to remove those products intended for sale in the state from its inventory.

(d) After ninety (90) calendar days following publication of the directory, ENDS products not listed in the directory and intended for retail sale in Mississippi are subject to seizure, forfeiture, and destruction, and may not be purchased or sold for retail sale in Mississippi except as provided in subsection (8) of this section. The cost of such seizure, forfeiture and destruction shall be borne by the person from whom the products are confiscated, except that no products may be seized from a consumer who has made a bona fide purchase of such product. The department may store and dispose of the seized products as appropriate, in accordance with federal, state, and local laws pertaining to storage and disposal of such products.

(10) The following penalties shall apply to violations of this section:

(a) A retailer, distributor, wholesaler, or importer who sells or offers for sale an ENDS product for retail sale in Mississippi that is not included in the directory shall be subject to a civil penalty of up to Five Hundred Dollars ($500.00) for each individual ENDS product offered for sale in violation of this section until the offending product is removed from the market or until the offending product is properly listed on the directory.

(i) For a second violation of this type within a twelve-month period, the civil penalty shall be at least Seven Hundred Fifty Dollars ($750.00) but not more than One Thousand Dollars ($1,000.00) per product.

(ii) For a third violation of this type within a twelve-month period, the civil penalty shall be at least One Thousand Dollars ($1,000.00) but not more than One Thousand Five Hundred Dollars ($1,500.00) per product.

(b) A manufacturer whose ENDS products are not listed in the directory and who causes the products that are not listed to be sold for retail sale in Mississippi, whether directly or through an importer, distributor, wholesaler, retailer, or similar intermediary or

intermediaries, is subject to a civil penalty of Ten Thousand Dollars ($10,000.00) for each individual ENDS product offered for sale in violation of this section until the offending product is removed from the market or until the offending product is properly listed on the directory. In addition, any manufacturer that falsely represents any information required by a certification form shall be guilty of a misdemeanor for each false representation.

(11) In an action to enforce this act, the state shall be entitled to recover costs, including the costs of investigation, expert witness fees and reasonable attorney fees. A repeated violation of this section shall constitute a deceptive trade practice under Section 75-24-5.

(12) Agent for service of process.

(a) A manufacturer not registered to do business in the state shall, as a condition precedent to having its name or its products listed and retained in the directory, appoint and continually engage without interruption a registered agent in Mississippi for service of process on whom all process and any action or proceeding arising out of the enforcement of this section may be served. The manufacturer shall provide to the division the name, address, and telephone number of its agent for service of process and shall provide any other information relating to its agent as may be requested by the division.

(b) A manufacturer located outside of the United States shall, as an additional condition precedent to having its products listed or retained in the directory, cause each of its importers of any of its products to be sold in Mississippi to appoint, and continually engage without interruption, the services of an agent in the state in accordance with the provisions of this section. All obligations of a manufacturer imposed by this section with respect to appointment of its agent shall also apply to the importers with respect to appointment of their agents.

(c) A manufacturer shall provide written notice to the division thirty (30) calendar days prior to the termination of the authority of an agent appointed pursuant to paragraphs (a) and (b) of this subsection. No less than five (5) calendar days prior to the termination of an existing agent appointment, a manufacturer shall provide to the division the name, address and telephone number of its newly appointed agent for service of process and shall provide any other information relating to the new appointment as may be requested by the division. In the event an agent terminates an agency appointment, the manufacturer shall notify the division of the termination within five (5) calendar days and shall include proof to the satisfaction of the division of the appointment of a new agent.

(13) Each retailer, distributor and wholesaler that sells or distributes electronic nicotine delivery systems or nicotine liquids in this state shall be subject to at least two (2) unannounced compliance checks annually for purposes of enforcing this section. Unannounced follow-up compliance checks of all noncompliant retailers, distributors, and wholesalers shall be conducted within thirty (30) days after any violation of this act. The division shall publish the results of all compliance checks at least annually and shall make the results available to the public on request.

(14) The department may promulgate rules necessary to effect the purposes of this section.

(15) All fees and penalties collected by the department pursuant to this section shall be used for administration and enforcement of this section.

(16) Starting January 31, 2025, and annually thereafter, the department shall provide a report to the Legislature regarding the status of the directory, manufacturers and products included in the directory, revenue and expenditures related to administration of this section, and enforcement activities undertaken pursuant to this section.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO PROVIDE DEFINITIONS RELATED TO NICOTINE VAPOR NONCOMBUSTIBLE PRODUCTS OR "ENDS PRODUCT" AND THEIR ASSOCIATED USES; TO REQUIRE MANUFACTURERS OF ENDS PRODUCTS TO PROVIDE THE DEPARTMENT OF REVENUE WITH A CERTIFICATION THAT THE MANUFACTURER IS COMPLIANT WITH CERTAIN FEDERAL RESTRICTIONS AND PROVISIONS OF THE ACT; TO REQUIRE MANUFACTURERS TO PAY A FEE FOR EACH PRODUCT FOR EACH ANNUAL CERTIFICATION; TO REQUIRE SUCH CERTIFICATION TO LIST ALL BRAND NAMES, CATEGORIES, CARTRIDGE TYPE, AND FLAVORS OF EACH ENDS PRODUCT SOLD IN THE STATE; TO PROVIDE THAT THE INFORMATION PROVIDED IN THE CERTIFICATION SHALL BE CONSIDERED CONFIDENTIAL COMMERCIAL OR FINANCIAL INFORMATION; TO REQUIRE THE MANUFACTURER TO PROVIDE CERTAIN NOTICES; TO REQUIRE THE DEPARTMENT OF REVENUE TO MAINTAIN A PUBLICLY AVAILABLE LIST OF ALL ENDS PRODUCT MANUFACTURERS AND THEIR RESPECTIVE PRODUCTS; TO ESTABLISH CERTAIN VIOLATIONS AND FINES RELATED TO THE ACT; TO SET THE PROCEDURE BY WHICH A MANUFACTURER MAY BE FINED; TO SET CERTAIN TIMELINES RELATIVE TO THE ACT; TO REQUIRE SUCH MANUFACTURERS TO HAVE AN AGENT FOR SERVICE OF PROCESS; TO PROVIDE THAT THE DEPARTMENT OF REVENUE MAY PROMULGATE RULES NECESSARY TO THE ACT; TO PROVIDE THAT ALL FEES AND PENALTIES COLLECTED BY THE DEPARTMENT OF REVENUE MAY BE USED FOR ADMINISTRATION AND ENFORCEMENT OF THE ACT; TO PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL PROVIDE A REPORT TO THE LEGISLATURE STARTING JANUARY 31, 2025, AND ANNUALLY THEREAFTER; AND FOR RELATED PURPOSES.

Senator Bryan called up the following House Amendments to **S. B. No. 2858** and moved that the Senate do concur in the Amendments:

AMENDMENT NO. 1:

AMEND on line 47 by deleting "subdivision." and inserting "paragraph; or";

and by inserting the following after line 47:

"(vi) An individual who has documentation from his or her physician that the individual has been diagnosed with the human immunodeficiency virus (HIV)."

AMEND FURTHER on line 51 by inserting the following after the word "profile": ", or long-acting injectable antiretroviral drugs for the treatment of patients with HIV"

AMENDMENT NO. 2:

AMEND by inserting the following after line 210 and renumbering the succeeding section:

"SECTION 10. As used in this section, the following terms shall be defined as provided in this subsection:

(a) "Cost-sharing requirements" means a deductible, coinsurance, copayment or similar out-of-pocket expense.

(b) "Diagnostic breast examinations" means a medically necessary and appropriate (in accordance with National Comprehensive Cancer Network Guidelines) examination of the breast, including, but not limited to, such an examination using contrast-enhanced mammography, diagnostic mammography, breast magnetic resonance imaging, or breast ultrasound, that is:

(i) Used to evaluate an abnormality seen or suspected from a screening examination for breast cancer; or

(ii) Used to evaluate an abnormality detected by another means of examination.

(c) "Supplemental breast examinations" means a medically necessary and appropriate (in accordance with National Comprehensive Cancer Network Guidelines) examination of the breast, including, but not limited to, such an examination using contrast-enhanced mammography, diagnostic mammography, breast magnetic resonance imaging, or breast ultrasound, that is:

(i) Used to screen for breast cancer when there is no abnormality seen or suspected; and

(ii) Based on personal or family medical history or additional factors that may increase the individual's risk of breast cancer.

(2) If a group health plan, or a health insurance issuer offering group or individual health insurance coverage, provides benefits with respect to screening, diagnostic breast examinations and supplemental breast examinations furnished to an individual enrolled under such plan, such plan shall not impose any cost-sharing requirements for those services.

(3) If under federal law, application of subsection (2) of this section would result in health savings account ineligibility under Section 223 of the federal Internal Revenue Code, this requirement shall apply only for health savings account-qualified high deductible health plans with respect to the deductible of such a plan after the enrollee has satisfied the minimum deductible under Section 223, except for with respect to items or services that are preventive care pursuant to Section 223(c)(2)(C) of the federal Internal Revenue Code, in which case the requirements of subsection (2) shall apply regardless of whether the minimum deductible under Section 223 has been satisfied.

SECTION 11. Section 83-9-108, Mississippi Code of 1972, is amended as follows:

83-9-108. (1) Every insurer shall offer in each group or individual policy, contract or certificate of health insurance issued or renewed for persons who are residents of this state, coverage for annual screenings by low-dose mammography for all women thirty-five (35) years of age or older for the presence of occult breast cancer within the provisions of the policy, contract or certificate. This coverage shall be offered on an optional basis, and each primary insured must accept or reject such coverage in writing and accept responsibility for premium payment.

(2) Such benefits shall be at least as favorable as for other radiological examinations and subject to the same dollar limits, deductibles and coinsurance factors. For purposes of this section, "low-dose mammography" means the X-ray examination of the breast using equipment dedicated specifically for mammography, including the X-ray tube, filter, compression device, screens, films and cassettes with a radiation exposure which is diagnostically valuable and in keeping with the recommended "Average Patient

Exposure Guides" as published by the Conference of Radiation Control Program Directors, Inc.

(3) Except for cancer policies, nothing in this section shall apply to accident-only, specified disease, hospital indemnity, Medicare supplement, long-term care or limited benefit health insurance policies.

(4) The provisions of Section 10 of this act shall be applicable to the coverage for mammography screenings provided by insurers under the provisions of this section."

AMEND FURTHER the title on line 22 by inserting the following language after the semicolon: "TO PROHIBIT GROUP HEALTH PLANS AND HEALTH INSURANCE ISSUERS THAT PROVIDE BENEFITS WITH RESPECT TO SCREENING, DIAGNOSTIC BREAST EXAMINATIONS AND SUPPLEMENTAL BREAST EXAMINATIONS FURNISHED TO INDIVIDUALS ENROLLED UNDER SUCH PLANS FROM IMPOSING ANY COST-SHARING REQUIREMENTS FOR THOSE SERVICES; TO AMEND SECTION 83-9-108, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS;"

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendments to **S. B. No. 2858** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Nays--None.
Absent and those not voting--Carter, Hill. Total--2.

_____

Senator Bryan called up the following House Amendment to **S. B. No. 2727** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 2:

AMEND on line 87 by deleting the word "and"; on line 90 by deleting the period and inserting a semicolon; and by inserting the following after line 90:

"(r) One (1) member of the Mississippi Youth Council, selected by the members of the council;

(s) One (1) family advocacy representative to be appointed by the Executive Director of the Mississippi Coalition for Citizens with Disabilities; and

(t) The Chairmen of the Public Health Committees of the Mississippi Senate and the Mississippi House of Representatives, or their designees from their respective committee membership."

AMEND FURTHER on line 116 by deleting the word "and"; and by inserting the following after line 116 and re-lettering the succeeding paragraph:

"(g) Explore the effect of a multi-tiered wellness program that is conducive to growth, achievement, cultivating resilience, motivation and culturally sensitive personal development; and"

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2727** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Carter, Hill. Total--2.

Senator Fillingane moved that the rules be suspended to move to calendar item 20, **S. B. No. 2179**, and the motion prevailed.

Senator Fillingane called up the following House Amendment to **S. B. No. 2179** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-3-51, Mississippi Code of 1972, is amended as follows:

45-3-51. Each * * * person employed as a law enforcement officer or agent by the Department of Public Safety who retires under the Highway Safety Patrol Retirement System or the Public Employees' Retirement System, for superannuation or for reason of disability, or a beneficiary of such * * * law enforcement officer or agent who is killed in the line of duty, shall be allowed to retain, as his personal property, one (1) sidearm which was issued under authority of Section 45-3-19 or 41-29-159. Likewise, a beneficiary of any law enforcement officer killed in the line of duty shall be allowed to retain the officer's sidearm.

SECTION 2. Section 45-9-131, Mississippi Code of 1972, is amended as follows:

45-9-131. (1) Upon approval of the governing authority of the municipality or county, a member of any municipal or county law enforcement agency who retires under any state retirement system may be allowed to purchase, as his or her personal property, one (1) sidearm which was issued to the law enforcement officer by the law enforcement agency from which he or she retired or by whom he or she was employed at the time of death.

(2) * * * Except as otherwise provided in subsection (5), upon approval of the director of a state agency, board or commission, a law enforcement officer employed by a state agency, board or commission who retires under any state retirement system may be allowed to purchase, as his or her personal property, one (1) sidearm which was issued to the law enforcement officer by a state agency, board or commission.

(3) * * * Except as otherwise provided in subsection (5), the next of kin of a law enforcement officer who is killed in the line of duty is authorized to purchase the sidearm that was issued to the officer. The amount to be paid for any firearm purchased under the

authority of this subsection shall be an agreed upon price as determined by the appropriate governmental authority who employed the officer.

(4) The amount to be paid for any firearm purchased under the authority of this section, except for any firearm purchased under subsection (3) of this section, shall be the fair market value of the firearm as determined by the appropriate governmental authority who employed the officer.

(5) This section does not apply to a law enforcement officer employed by the Department of Public Safety or a beneficiary of a law enforcement officer employed by the Department of Public Safety, who, pursuant to Section 45-3-51, may retain one (1) sidearm upon the officer's retirement or death in the line of duty.

SECTION 3. Section 77-7-345, Mississippi Code of 1972, is amended as follows:

77-7-345. (1) When not otherwise specifically provided, the Commissioner of Public Safety is authorized to make and promulgate reasonable rules and regulations to provide a voluntary program for inspection of commercial motor vehicles.

(2) For the purposes of this section, "commercial motor vehicle" has the meaning ascribed in Section 63-1-203.

(3) The regulations, if promulgated, will:

(a) Create a voluntary program for inspection of any combination of truck, truck tractor, trailer, semi-trailer or pole trailer, including each segment of a combined vehicle, that is used upon the highways or streets as a commercial motor vehicle for compliance with all applicable federal and state motor carrier safety regulations;

(b) Require that inspectors have access to the vehicle maintenance log;

(c) Prescribe a method of documentation to be displayed on the vehicle that is readily visible to an observer in the form of a decal or sticker, and require that the form of documentation prescribed must be kept on the vehicle;

(d) Require that inspection occur on an annual basis for participation in the program;

(e) Provide that inspection is not mandatory;

(f) Impose a reasonable inspection fee, which shall be deposited to the credit of the operating fund of the Commercial Transportation Enforcement Division of the Mississippi Department of Public Safety; and

(g) Specify that officers of the Commercial Transportation Enforcement Division will retain all responsibility and authority to monitor and enforce violations under Section 77-7-335.

* * *

SECTION 4. Section 97-3-54.7, Mississippi Code of 1972, is amended as follows:

97-3-54.7. (1) In addition to any other civil or criminal penalties provided by law, any property used in the commission of a violation of this act shall be forfeited as provided herein.

(a) The following property shall be subject to forfeiture if used or intended for use as an instrumentality in or used in furtherance of a violation of this act:

(i) Conveyances, including aircraft, vehicles or vessels;

(ii) Books, records, telecommunication equipment, or computers;

(iii) Money or weapons;

(iv) Everything of value furnished, or intended to be furnished, in exchange for an act in violation and all proceeds traceable to the exchange;

(v) Negotiable instruments and securities;

(vi) Any property, real or personal, directly or indirectly acquired or received in a violation or as an inducement to violate;

(vii) Any property traceable to proceeds from a violation; and

(viii) Any real property, including any right, title and interest in the whole of or any part of any lot or tract of land used in furtherance of a violation of this act.

(b) (i) No property used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the property is a consenting party or privy to a violation of this act;

(ii) No property is subject to forfeiture under this section by reason of any act or omission proved by the owner thereof to have been committed or omitted without his knowledge or consent; if the confiscating authority has reason to believe that the property is a leased or rented property, then the confiscating authority shall notify the owner of the property within five (5) days of the confiscation or within five (5) days of forming reason to believe that the property is a leased or rented property;

(iii) Forfeiture of a property encumbered by a bona fide security interest is subject to the interest of the secured party if he neither had knowledge of nor consented to the act or omission.

(2) No property shall be forfeited under the provisions of this section, to the extent of the interest of an owner, by reason of any act or omission established by him to have been committed or omitted without his knowledge or consent.

(3) Seizure without process may be made if the seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant.

(4) (a) When any property is seized under this section, proceedings shall be instituted within a reasonable period of time from the date of seizure or the subject property shall be immediately returned to the party from whom seized.

(b) A petition for forfeiture shall be filed by the Attorney General, the Department of Public Safety or a district attorney in the name of the State of Mississippi, the county, or the municipality, and may be filed in the county in which the seizure is made, the county in which the criminal prosecution is brought, or the county in which the owner of the seized property is found. Forfeiture proceedings may be brought in the circuit court or the county court if a county court exists in the county and the value of the seized property is within the jurisdictional limits of the county court as set forth in Section 9-9-21. A copy of the petition shall be served upon the following persons by service of process in the same manner as in civil cases:

(i) The owner of the property, if address is known;

(ii) Any secured party who has registered his lien or filed a financing statement as provided by law, if the identity of the secured party can be ascertained by the entity filing the petition by making a good faith effort to ascertain the identity of the secured party;

(iii) Any other bona fide lienholder or secured party or other person holding an interest in the property in the nature of a security interest of whom the seizing law enforcement agency has actual knowledge; and

(iv) Any person in possession of property subject to forfeiture at the time that it was seized.

(5) If the property is a motor vehicle susceptible of titling under the Mississippi Motor Vehicle Title Law and if there is any reasonable cause to believe that the vehicle has been titled, inquiry of the Department of Revenue shall be made as to what the records of the Department of Revenue show as to who is the record owner of the vehicle and who, if anyone, holds any lien or security interest that affects the vehicle.

(6) If the property is a motor vehicle and is not titled in the State of Mississippi, then an attempt shall be made to ascertain the name and address of the person in whose name the vehicle is licensed, and if the vehicle is licensed in a state which has in effect a certificate of title law, inquiry of the appropriate agency of that state shall be made as to what the records of the agency show as to who is the record owner of the vehicle and who, if anyone, holds any lien, security interest or other instrument in the nature of a security device that affects the vehicle.

(7) If the property is of a nature that a financing statement is required by the laws of this state to be filed to perfect a security interest affecting the property and if there is any reasonable cause to believe that a financing statement covering the security interest has been filed under the laws of this state, inquiry of the appropriate office designated in Section 75-9-501, shall be made as to what the records show as to who is the record owner of the property and who, if anyone, has filed a financing statement affecting the property.

(8) If the property is an aircraft or part thereof and if there is any reasonable cause to believe that an instrument in the nature of a security device affects the property, inquiry of the Mississippi Department of Transportation shall be made as to what the records of the Federal Aviation Administration show as to who is the record owner of the property and who, if anyone, holds an instrument in the nature of a security device which affects the property.

(9) If the answer to an inquiry states that the record owner of the property is any person other than the person who was in possession of it when it was seized, or states that any person holds any lien, encumbrance, security interest, other interest in the nature of a security interest, mortgage or deed of trust that affects the property, the record owner and also any lienholder, secured party, other person who holds an interest in the property in the nature of a security interest, or holder of an encumbrance, mortgage or deed of trust that affects the property is to be named in the petition of forfeiture and is to be served with process in the same manner as in civil cases.

(10) If the owner of the property cannot be found and served with a copy of the petition of forfeiture, or if no person was in possession of the property subject to forfeiture at the time that it was seized and the owner of the property is unknown, there shall be filed with the clerk of the court in which the proceeding is pending an affidavit to such effect, whereupon the clerk of the court shall publish notice of the hearing addressed to "the Unknown Owner of _____," filling in the blank space with a reasonably detailed description of the property subject to forfeiture. Service by publication shall contain the other requisites prescribed in Section 11-33-41, and shall be served as provided in Section 11-33-37, for publication of notice for attachments at law.

(11) No proceedings instituted pursuant to the provisions of this section shall proceed to hearing unless the judge conducting the hearing is satisfied that this section has been complied with. Any answer received from an inquiry required by this section shall be introduced into evidence at the hearing.

(12) (a) An owner of a property that has been seized shall file an answer within thirty (30) days after the completion of service of process. If an answer is not filed, the court shall hear evidence that the property is subject to forfeiture and forfeit the property to the seizing law enforcement agency. If an answer is filed, a time for hearing on forfeiture shall be set within thirty (30) days of filing the answer or at the succeeding term of court if court would not be in session within thirty (30) days after filing the answer. The court may postpone the forfeiture hearing to a date past the time any criminal action is pending against the owner upon request of any party.

(b) If the owner of the property has filed an answer denying that the property is subject to forfeiture, then the burden is on the petitioner to prove that the property is subject to forfeiture. However, if an answer has not been filed by the owner of the property, the petition for forfeiture may be introduced into evidence and is prima facie evidence that the property is subject to forfeiture. The burden of proof placed upon the petitioner in regard to property forfeited under the provisions of this chapter shall be by a preponderance of the evidence.

(c) At the hearing any claimant of any right, title or interest in the property may prove his lien, encumbrance, security interest, other interest in the nature of a security interest, mortgage or deed of trust to be bona fide and created without knowledge or consent that the property was to be used so as to cause the property to be subject to forfeiture.

(d) If it is found that the property is subject to forfeiture, then the judge shall forfeit the property. However, if proof at the hearing discloses that the interest of any bona fide lienholder, secured party, other person holding an interest in the property in the nature of a security interest, or any holder of a bona fide encumbrance, mortgage or deed of trust is greater than or equal to the present value of the property, the court shall order the property released to him. If the interest is less than the present value of the property and if the proof shows that the property is subject to forfeiture, the court shall order the property forfeited.

(13) Unless otherwise provided herein, all personal property which is forfeited under this section shall be liquidated and, after deduction of court costs and the expense of liquidation, the proceeds shall be divided as follows:

(a) If only one (1) law enforcement agency participates in the underlying criminal case out of which the forfeiture arises, fifty percent (50%) of the proceeds shall be forwarded to the State Treasurer and deposited in the Victims of Human Trafficking and Commercial Sexual Exploitation Fund, and fifty percent (50%) shall be deposited and credited to the budget of the participating law enforcement agency.

(b) If more than one (1) law enforcement agency participates in the underlying criminal case out of which the forfeiture arises, fifty percent (50%) of the proceeds shall be forwarded to the State Treasurer and deposited in the Victims of Human Trafficking and Commercial Sexual Exploitation Fund, twenty-five percent (25%) of the proceeds shall be deposited and credited to the budget of the law enforcement agency whose officers initiated the criminal case and twenty-five percent (25%) shall be divided equitably between or among the other participating law enforcement agencies, and shall be deposited and credited to the budgets of the participating law enforcement agencies. In the event that the other participating law enforcement agencies cannot agree on the division of their twenty-five percent (25%), a petition shall be filed by any one of them in

the court in which the civil forfeiture case is brought and the court shall make an equitable division.

(14) All money forfeited under this section shall be divided, deposited and credited in the same manner as provided in subsection (13).

(15) All real estate forfeited under the provisions of this section shall be sold to the highest and best bidder at a public auction for cash, the auction to be conducted by the chief law enforcement officer of the initiating law enforcement agency, or his designee, at such place, on such notice and in accordance with the same procedure, as far as practicable, as is required in the case of sales of land under execution at law. The proceeds of the sale shall first be applied to the cost and expense in administering and conducting the sale, then to the satisfaction of all mortgages, deeds of trust, liens and encumbrances of record on the property. The remaining proceeds shall be divided, forwarded and deposited in the same manner as provided in subsection (13).

(16) (a) Any state, county or municipal law enforcement agency may maintain, repair, use and operate for official purposes all property described in subsection (1)(a)(i) of this section that has been forfeited to the agency if it is free from any interest of a bona fide lienholder, secured party or other party who holds an interest in the property in the nature of a security interest. The state, county or municipal law enforcement agency may purchase the interest of a bona fide lienholder, secured party or other party who holds an interest so that the property can be released for its use. If the property is a motor vehicle susceptible of titling under the Mississippi Motor Vehicle Title Law, the law enforcement agency shall be deemed to be the purchaser, and the certificate of title shall be issued to it as required by subsection (9) of this section.

(b) (i) If a vehicle is forfeited to or transferred to a sheriff's department, then the sheriff may transfer the vehicle to the county for official or governmental use as the board of supervisors may direct.

(ii) If a vehicle is forfeited to or transferred to a police department, then the police chief may transfer the vehicle to the municipality for official or governmental use as the governing authority of the municipality may direct.

(c) If a motor vehicle forfeited to a state, county or municipal law enforcement agency becomes obsolete or is no longer needed for official or governmental purposes, it may be disposed of in accordance with Section 19-7-5 or in the manner provided by law for disposing of municipal property.

(17) The forfeiture procedure set forth in this section is the sole remedy of any claimant, and no court shall have jurisdiction to interfere therewith by replevin, injunction, supersedeas or in any other manner.

SECTION 5. (1) There is established the State Medical Examiner Task Force as a successor entity to the State Medical Examiner Advisory Council created under Section 41-61-55(3). The task force is comprised of the following nine (9) members:

(a) The State Health Officer or the officer's designee;

(b) The Dean of the University of Mississippi Medical Center School of Medicine or the dean's designee;

(c) The Commissioner of Public Safety;

(d) The Attorney General or the Attorney General's designee;

(e) The President of the Mississippi Coroners and Medical Examiners Association or the president's designee;

(f) The President of the Mississippi Prosecutors Association or the president's designee;

(g) The President of the Mississippi Public Defenders Association or the president's designee;

(h) The President of the Mississippi Association of Chiefs of Police or the president's designee; and

(i) The President of the Mississippi Sheriffs' Association or the president's designee.

Each member of the task force serves at the pleasure of the head of the member's agency or appointing authority.

(2) The members of the task force shall elect a member annually to serve as chair. A member may not serve as chair more than two (2) consecutive years. The chair shall call meetings of the task force and shall cause written notice of the meetings to be furnished to members of the task force at least thirty (30) days before the date of a meeting.

(3) Members of the task force must serve without compensation.

(4) The task force shall meet at least once annually.

(5) The first meeting of the task force must be held before September 30, 2024. Notice of the time and place of the first meeting must be provided to each member of the task force no less than sixty (60) days before the scheduled meeting.

(6) Before December 31 of each year, the task force shall prepare and submit an annual report containing recommendations and advice to the Legislature. The report must include, but need not be limited to, the following:

(a) Identification of needs and means to improve the investigation of deaths affecting the public interest while using best practices;

(b) Identification of state medical examiner resources; and

(c) Recommendations to enhance the efficiency of the Mississippi State Medical Examiner's Office.

SECTION 6. Section 41-61-55, Mississippi Code of 1972, is amended as follows:

41-61-55. (1) There is hereby created the position of State Medical Examiner, under the supervision of the Commissioner of Public Safety and within the Office of Forensic Laboratories. The State Medical Examiner shall be appointed by the Commissioner of Public Safety subject to review by the dean of the University of Mississippi Medical Center School of Medicine and the State Health Officer. The State Medical Examiner may be discharged only for good cause by the Commissioner of Public Safety.

(2) The State Medical Examiner must obtain a license to practice medicine in Mississippi and be certified in forensic pathology by the American Board of Pathology. The State Medical Examiner may also be designated as the Chief Medical Examiner.

* * *

SECTION 7. Section 45-1-3, Mississippi Code of 1972, is amended as follows:

45-1-3. (1) When not otherwise specifically provided, the commissioner is authorized to make and promulgate reasonable rules and regulations to be coordinated, and carry out the general provisions of the Highway Safety Patrol and Driver's License Law of 1938.

(2) The commissioner shall have the authority to administer oaths.

(3) Notwithstanding any other provision of law, with written approval from the Executive Director of the Department of Finance and Administration, the commissioner may enter into a lease or sublease agreement for space in the Department of Public Safety headquarters building with a third party for the purpose of providing services and assistance to the department and its employees. Any funds generated from a lease or sublease under this subsection must be deposited into a special fund that is managed by the department for general public safety purposes and to offset any costs of the department in operating and maintaining that space. Unexpended funds remaining in the special fund may not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund must be deposited into the special fund.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed June 30, 2024.

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

AN ACT TO AMEND SECTION 45-3-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A LAW ENFORCEMENT OFFICER RETIRING FROM THE DEPARTMENT OF PUBLIC SAFETY AND BENEFICIARIES OF AN OFFICER KILLED IN THE LINE OF DUTY TO RETAIN A SIDEARM ISSUED TO THAT OFFICER; TO AMEND SECTION 45-9-131, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO AMEND SECTION 77-7-345, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE STATUTE AUTHORIZING THE COMMISSIONER OF PUBLIC SAFETY TO ESTABLISH A VOLUNTARY PROGRAM FOR THE INSPECTION OF COMMERCIAL MOTOR VEHICLES; TO AMEND SECTION 97-3-54.7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO SEIZE PROPERTY USED IN THE COMMISSION OF VIOLATIONS OF THE HUMAN TRAFFICKING ACT; TO CREATE THE STATE MEDICAL EXAMINER TASK FORCE TO REPLACE THE STATE MEDICAL EXAMINER ADVISORY COUNCIL; TO AMEND SECTION 41-61-55, MISSISSIPPI CODE OF 1972, TO DELETE PROVISIONS RELATING TO THE STATE MEDICAL EXAMINER ADVISORY COUNCIL; TO AMEND SECTION 45-1-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF PUBLIC SAFETY, WITH THE APPROVAL OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION, TO LEASE SPACE IN THE DEPARTMENT'S HEADQUARTERS TO A THIRD PARTY; TO REQUIRE FUNDS GENERATED FROM A LEASE TO BE DEPOSITED INTO A SPECIAL FUND FOR PUBLIC SAFETY PURPOSES; AND FOR RELATED PURPOSES.

Senator Fillingane moved that the rules be suspended to move to calendar item 22, **S. B. No. 2180**, and the motion prevailed.

Senator Fillingane called up the following House Amendment to **S. B. No. 2180** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-1-19, Mississippi Code of 1972, is amended as follows:

45-1-19. (1) The Department of Public Safety, through the Office of Capitol Police, shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi on the properties, from curb to curb, including adjoining streets, sidewalks and leased parking lots within the Capitol Complex, set forth in Section 29-5-2, the Governor's mansion, the Supreme Court Building, the Mississippi Department of Transportation Building and the Public Employees' Retirement System Building, and any property purchased, constructed or otherwise acquired by the State of Mississippi for conducting state business and not specifically under the supervision and care by any other state entity, but which is reasonably assumed the Department of Public Safety would be responsible for such. The Department of Public Safety shall, through any person or persons appointed by the commissioner, make arrests for any violation of any law of the State of Mississippi on the grounds of or within those properties. The Department of Public Safety shall, in addition, enforce the provisions of this section and Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95, and prescribe such rules and regulations as are necessary therefor. The powers and duties related to the administration of Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95 shall remain with the Department of Finance and Administration.

(2) Subject to the approval of the Board of Trustees of State Institutions of Higher Learning, the Board of Trustees and the Department of Public Safety shall be authorized to enter into a contract for the Department of Public Safety to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi on the property of the Board of Trustees located at the corner of Ridgewood Road and Lakeland Drive in the City of Jackson.

(3) The Department of Public Safety and the Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Department of Agriculture located at 121 North Jefferson Street and the new Farmers Market Building located at the corner of High and Jefferson Streets in the City of Jackson, Hinds County, Mississippi. It is the intent of the Legislature that the Department of Public Safety will not post any security personnel at such buildings, but will provide regular vehicle patrols and responses to security system alarms.

(4) The Department of Public Safety and the Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Department of Agriculture known as the "Mississippi State Fairgrounds Complex" and any and all of its outlying buildings and property. The Department of Public Safety and the Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to supply the security personnel to the Department of Agriculture with jurisdiction to enforce all laws of the State of Mississippi on this property and any and all buildings on this property. The Department of Public Safety is authorized to charge the Department of Agriculture a fee for security services provided for special events at the Mississippi State Fairgrounds Complex. The fee charged will be commensurate with the cost associated with the Department of Public Safety providing those services.

(5) The Department of Public Safety and the Department of Revenue are authorized to enter into a contract for the Department of Public Safety to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi at the Alcoholic Beverage Control facility and the Department of Revenue main office.

(6) (a) The Department of Public Safety shall have primary jurisdiction relative to any other state or municipal law enforcement agency to enforce all laws of the State of Mississippi within the boundaries of the Capitol Complex Improvement District created in Section 29-5-203; such enforcement shall be its primary function. The Department of Public Safety may, through any person or persons appointed by the Department of Public Safety, make arrests for any violation of any law of the State of Mississippi * * *. The Department of Public Safety may also make arrests for any violations of the City of Jackson's * * * ordinances * * * which * * * occur within the boundaries of the district and within the boundaries of the City of Jackson and which are necessary to protect the health, safety and welfare of the public. The Department of Public Safety may choose to present cases to either the District Attorney or the prosecuting attorneys designated by the Attorney General for prosecution of any violation of law that accrues or occurs, in whole or in part, within the boundaries established by Section 29-5-203. The jurisdiction of the Department of Public Safety granted under this subsection (6) shall be concurrent with the jurisdiction of the City of Jackson, Mississippi, and that of Hinds County, Mississippi within the boundaries of the Capitol Complex Improvement District created in Section 29-5-203. At any time and/or during any event necessitating the coordination of and/or utilization at multiple jurisdictions, as determined by the Chief of Capitol Police or the Commissioner of the Department of Public Safety shall be the lead agency when the event occurs on property as defined herein that is owned or leased by the state as provided in subsection (1) of this section. The jurisdiction and authority of the Department of Public Safety under this subsection (6) shall be in addition to any other jurisdiction and authority provided to the department under this section or any other law.

(b) The Department of Public Safety shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi within the boundaries of the City of Jackson, Mississippi. The Department of Public Safety may, through any person or persons appointed by the Department of Public Safety, make arrests for any violation of any law of the State of Mississippi which occurs within the boundaries of the City of Jackson. The jurisdiction of the Department of Public Safety granted under this paragraph (b) shall not be primary and shall be concurrent with the jurisdiction of the City of Jackson, Mississippi, and that of Hinds County, Mississippi.

* * *

(* * *c) The Chief of the Capitol Police and/or the Commissioner of the Department of Public Safety, the Chief of the Jackson Police Department, and the Sheriff of Hinds County shall hold a regular meeting within the boundaries of the Capitol Complex Improvement District to address the concerns of the public. Each meeting shall be called by the Chief of the Capitol Police; and the first meeting shall be called by October 15, 2023.

(7) The Department of Public Safety is authorized to enter into a contract with any county for the county to take custody of the misdemeanor offenders arrested under the authority granted under this section.

(8) All accrued personal leave earned pursuant to Section 25-3-93, accrued major medical leave earned pursuant to Section 25-3-95, accrued state compensatory leave earned pursuant to Section 25-3-92, and compensatory leave earned pursuant to the Fair Labor Standards Act (FLSA) shall transfer from the Department of Finance and Administration to the Department of Public Safety for all employees transferred under this section.

SECTION 2. Section 9-12-1, Mississippi Code of 1972, is amended as follows:

9-12-1. (1) (a) From and after January 1, 2024, there shall be created one (1) inferior court as authorized by Article 6, Section 172 of the Mississippi Constitution of 1890, to be located within the boundaries established in Section 29-5-203 for the Capitol

Complex Improvement District, hereinafter referred to as "CCID". The CCID inferior court shall have jurisdiction to hear and determine all preliminary matters and criminal matters authorized by law for municipal courts that accrue or occur, in whole or in part, within the boundaries of the Capitol Complex Improvement District; and shall have the same jurisdiction as municipal courts to hear and determine all cases charging violations of the motor vehicle and traffic laws of this state, and violations of the City of Jackson's * * * ordinances or municipal code * * * that accrue or occur, in whole or in part, within the boundaries of the Capitol Complex Improvement District and which are necessary to protect the health, safety and welfare of the public.

(b) Any person convicted in the CCID inferior court may be placed in the custody of the Mississippi Department of Corrections, Central Mississippi facility.

(2) The Chief Justice of the Mississippi Supreme Court shall appoint the CCID inferior court judge authorized by this section. The judge shall possess all qualifications required by law for municipal court judges. Such judge shall be a qualified elector of this state, and shall have such other qualifications as provided by law for municipal judges.

(3) The Administrative Office of Courts shall provide compensation for the CCID inferior court judge and the support staff of the judge. Such compensation shall not be in an amount less than the compensation paid to municipal court judges and their support staff in the City of Jackson.

(4) All fines, penalties, fees and costs imposed and collected by the CCID inferior court shall be deposited with the City of Jackson municipal treasurer or equivalent officer.

(5) This section shall stand repealed on July 1, 2027.

SECTION 3. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 45-1-19, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT TO ENFORCE ANY CITY ORDINANCE NECESSARY TO PROTECT THE HEALTH, SAFETY AND WELFARE OF THE PUBLIC; TO DELETE THE PROVISION OF LAW THAT REQUIRES PRIOR WRITTEN APPROVAL FROM THE CHIEF OF THE CAPITOL POLICE OR THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC SAFETY FOR EVENTS WHICH WILL TAKE PLACE ON ANY STREET OR SIDEWALK IMMEDIATELY ADJACENT TO ANY BUILDING OR PROPERTY OWNED OR OCCUPIED BY ANY OFFICIAL, AGENCY, BOARD, COMMISSION, OFFICE OR OTHER ENTITY OF THE STATE OF MISSISSIPPI, OR WHICH CAN REASONABLY BE EXPECTED TO BLOCK, IMPEDE OR OTHERWISE HINDER INGRESS THERETO AND/OR EGRESS THEREFROM; TO AMEND SECTION 9-12-1, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

Senator Branning called up the following House Amendment to **S. B. No. 2634** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The segment of U.S. Highway 278 (Noah Curtis Street) located in Shannon, Lee County, Mississippi, extending for a distance of approximately one (1) mile in the westerly direction from the eastern entrance of Shannon Primary School to a point immediately west of the on-ramp interchange with U.S. Highway 45, is designated and shall be known as the "Johnny R. Patterson Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 2. (1) The segment of Mississippi Highway 446 located in Bolivar County, Mississippi, extending for a distance of approximately one (1) mile in the easterly direction from its point of intersection with Shaw-Skene Road to its point of intersection with Gilbert Road, is designated and shall be known as the "H.M. "Mack" Grimmett Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 3. (1) The segment of Mississippi Highway 28 located in Soso, Jones County, Mississippi, extending for a distance of approximately one (1) mile in the northwesterly direction beginning at its intersection with Margay Road to a point of termination at its intersection with Mississippi Highway 29, is designated and shall be known as the "Paul Holifield Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 278 (NOAH CURTIS STREET) LOCATED IN THE TOWN OF SHANNON, LEE COUNTY, MISSISSIPPI, AS THE "JOHNNY R. PATTERSON MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 446 LOCATED IN BOLIVAR COUNTY, MISSISSIPPI, AS THE "H.M. "MACK" GRIMMETT MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 28 LOCATED IN THE SOSO, JONES COUNTY, MISSISSIPPI, AS THE "PAUL HOLIFIELD MEMORIAL HIGHWAY; AND FOR RELATED PURPOSES.

Senator Parks moved that the rules be suspended to move to calendar item 5, **S. B. No. 3216**, and the motion prevailed.

Senator Parks called up the following entitled bill:

S. B. No. 3216: Town of Walnut; authorize to levy tax on restaurants, hotels, and motels and to issue bonds for parks and recreation.

YEAS AND NAYS On S. B. No. 3216. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Carter, Hill. Total--2.

Senator Hopson moved that the rules be suspended to move to calendar item 27, **S. B. No. 3039**, and the motion prevailed.

Senator Hopson called up the following House Amendment to **S. B. No. 3039** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 405,456,382.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Corrections which is collected by or otherwise becomes available for the purpose of defraying the expenses of the department, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 27,115,310.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, not more than the amounts set forth below shall be expended:

CENTRAL OFFICE

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	$ 28,241,103.00
Special Funds	5,630,767.00
Total	$ 33,871,870.00

AUTHORIZED HEADCOUNT:

Permanent:	184
Time-Limited:	8

FARMING OPERATIONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	$ 0.00
Special Funds	2,581,638.00
Total	$ 2,581,638.00

AUTHORIZED HEADCOUNT:

Permanent:	4

Time-Limited: 0

PAROLE BOARD

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	$ 772,905.00
Special Funds	0.00
Total	$ 772,905.00

AUTHORIZED HEADCOUNT:

Permanent: 8
Time-Limited: 0

PRIVATE PRISONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	$ 67,382,634.00
Special Funds	0.00
Total	$ 67,382,634.00

AUTHORIZED HEADCOUNT:

Permanent: 0
Time-Limited: 0

MEDICAL SERVICES

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	$ 97,510,519.00
Special Funds	375,447.00
Total	$ 97,885,966.00

AUTHORIZED HEADCOUNT:

Permanent: 1
Time-Limited: 2

REGIONAL FACILITIES

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	$ 48,234,109.00
Special Funds	0.00
Total	$ 48,234,109.00

AUTHORIZED HEADCOUNT:

Permanent: 0
Time-Limited: 0

COMMUNITY CORRECTIONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	$ 25,350,993.00
Special Funds	12,974,773.00
Total	$ 38,325,766.00

AUTHORIZED HEADCOUNT:

Permanent: 513
Time-Limited: 83

LOCAL CONFINEMENT

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	$ 10,064,537.00
Special Funds	0.00
Total	$ 10,064,537.00

AUTHORIZED HEADCOUNT:

Permanent: 0
Time-Limited: 0

CENTRAL MISSISSIPPI CORRECTIONAL

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:
General Funds ..... $ 34,473,223.00
Special Funds 1,577,890.00
Total..... $ 36,051,113.00

AUTHORIZED HEADCOUNT:
Permanent: 622
Time-Limited: 5

PARCHMAN

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:
General Funds ..... $ 38,531,759.00
Special Funds 2,477,526.00
Total..... $ 41,009,285.00

AUTHORIZED HEADCOUNT:
Permanent: 628
Time-Limited: 9

SOUTH MISSISSIPPI CORRECTIONAL

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:
General Funds ..... $ 26,164,722.00
Special Funds 1,497,269.00
Total..... $ 27,661,991.00

AUTHORIZED HEADCOUNT:
Permanent: 495
Time-Limited: 4

Marshall County Correctional

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:
General Funds ..... $ 11,563,145.00
Special Funds 0.00
Total..... $ 11,563,145.00

AUTHORIZED HEADCOUNT:
Permanent: 153
Time-Limited: 0

Walnut Grove Correctional

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:
General Funds ..... $ 11,324,396.00
Special Funds 0.00
Total..... $ 11,324,396.00

AUTHORIZED HEADCOUNT:
Permanent: 170
Time-Limited: 0

Delta Correctional

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:
General Funds ..... $ 5,842,337.00
Special Funds 0.00
Total..... $ 5,842,337.00

AUTHORIZED HEADCOUNT:

Permanent: 122

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. In accordance with applicable laws, if an agency determines that its personal services amount is insufficient, the agency must contact the State Personnel Board. Any adjustment to the personal services amount must be approved by the State Personnel Director and the State Fiscal Officer after consultation with the Legislative Budget Office. Any adjustment shall be reported to the Legislative Budget Office and the House and Senate Appropriations Chairmen. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may not be utilized for active Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees. If the State Personnel Board determines that an agency has used provided vacancy funds for any of the mechanisms previously listed, the State Personnel Board shall not process any additional salary actions for the agency in the current fiscal year, except for new hires determined by the State Personnel Board to be essential for the agency. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's projected cost for Fiscal Year 2025 exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 4. The Commissioner of the Mississippi Department of Corrections is hereby authorized to transfer spending authority between and within budgets, both positions and funds, in an amount not to exceed twenty-five percent (25%) of the authorized budgets in the aggregate. It is further the intention of the Legislature that the Department of Corrections shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer. The department shall provide a report of all transfers made under this section to the Chairmen of Senate and House Appropriations and Corrections Committees and the Legislative Budget Office by December 15 of each fiscal year which shall contain the required information from the previous and current fiscal years.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the

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

Performance Measures	FY2025 Target
General Administration	
Support as a Percent of Total Budget	10.00
Number of state prisoners per 100,000 population (includes only inmates sentenced to more than a year)	656
Average annual incarceration cost per inmate	53.26
Percentage of offenders returning to incarceration with 3 years of release	34.60
Farming Operations	
Annual Income from Farm Sales	1,354,805.00
Parole Board	
Number of inmates paroled	4,000
Private Prisons	
Number of ABE program slots available	397
Number of VOC-ED program slots available	147
Number of A&D program slots available	148
Medical Services	
Number of total inmate days in a hospital	5,247
Regional Facilities	
Number of ABE program slots available	495
Number of VOC-ED program slots available	700
Number of A&D program slots available	445
Probation/parole	
Recidivism rate within 12 months of release to field supervision	10.50
Recidivism rate within 36 months of release to field supervision	17.00
Community Work Centers	
Recidivism rate within 12 months of release	10.30
Recidivism rate within 36 months of release	20.00
Restitution Centers	
Recidivism rate within 12 months	10.30
Recidivism rate within 36 months	17.00
Local Confinement	
Number of days offenders held in county jails	381,425
Institutional Security	
Number of assaults on inmates per 100 inmates	3.60
Number of assaults on officers per 100 officers	3.80
Youthful Offender School	
Recidivism rate within 12 months of release	21.00
Recidivism rate within 36 months of release	45.00
Evidenced Based Intervention	
Recidivism rate for inmates who complete the ABE program	29.70
Recidivism rate for inmates who complete a vocational program	12.60
Recidivism rate for inmates who complete the A&D program	31.30
Percent of offenders possessing GED certificate or high school diploma at time of release	59.60
Percent of offenders obtaining	

marketable job skills during incarceration	5.80

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 6. Of the funds appropriated in Sections 1 and 2 of this act, none shall be expended for personnel housing under the jurisdiction of the Department of Corrections unless the department shall collect a reasonable rent, after a finding of fact as to what is a reasonable rent, and/or the cost of utilities furnished to said housing. The Department of Corrections shall not pay for the installation or monthly service of any telephone installed in a staff residence under its jurisdiction.

It is further the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane and cable services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 7. Of the funds appropriated in Sections 1 and 2 of this act, and authorized for expenditure in Section 3 of this act, payment may be authorized for court-ordered attorney fees and any accrued interest subject to the approval of the Office of the Attorney General.

SECTION 8. None of the money herein appropriated shall be paid to any person who by the provision of Section 47-5-47, Mississippi Code of 1972, as amended, is prohibited from being an employee of the Mississippi Department of Corrections. The State Department of Finance and Administration shall at least annually make a report to the Joint Legislative Committee on Performance Evaluation and Expenditure Review and to the Attorney General stating the name of any person prohibited under the provisions of Section 47-5-47, Mississippi Code of 1972, as amended, from being an employee of the Mississippi Department of Corrections who has during the preceding year received any money herein appropriated. In the event that any such person prohibited as hereinabove provided from receiving funds herein appropriated should receive any of said funds, the Attorney General shall immediately commence action to recover the monies so paid to said person and to enjoin the further employment of said person at the Mississippi Department of Corrections.

SECTION 9. It is the intent of the Legislature that all prisoners at Parchman shall work a minimum of eight (8) hours per day, excluding prisoners with a physical disability or those incarcerated in maximum security.

SECTION 10. It is the intention of the Legislature that the per diem rates paid to regional facilities shall not exceed Thirty-two Dollars and Seventy-one Cents ($32.71) per inmate. All regional facilities shall continue to receive the annual three percent (3%) increase in the per diem rate as authorized in Section 47-5-933, Mississippi Code of 1972; however, in no event shall any regional facility's per diem rate exceed Thirty-two Dollars and Seventy-one Cents ($32.71) per inmate.

SECTION 11. The department or its contracted medical provider will pay to a provider of a medical service for any and all incarcerated persons from a correctional or detention facility an amount based upon negotiated fees as agreed to by the medical care service providers and the department and/or its contracted medical provider. In the absence of a negotiated discounted fee schedule, medical care service providers will be paid by the department or its contracted medical service provider an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate. This limitation applies to all medical care services, durable and nondurable goods, prescription drugs and medications provided to any and all incarcerated persons outside of the correctional or detention facility. None of the monies appropriated herein may be used to pay for cosmetic medical procedures for any prisoner. Cosmetic medical procedure means any medical procedure performed in order to change an individual's appearance without significantly serving to prevent or treat illness or disease or to promote proper functioning of the body.

SECTION 12. It is the intention of the Legislature that the Mississippi Department of Corrections shall provide a report on all funds clawed back due to a company or individual not meeting the contractual obligations to the department. This report shall contain the name of the entity, the reason why the funds were clawed back, the amount of funds clawed back, and how the department utilized the funds received. As used in this section, the term funds clawed back shall include direct receipt of funds from an entity not meeting their contractual obligation and the reduction of funds owed by the department to an entity due to the entity not meeting their contractual obligation. The report shall be provided to the Chairmen of Senate and House Appropriations and Corrections Committees and the Legislative Budget Office by December 15 of each fiscal year and shall contain the required information from the previous and current fiscal years.

SECTION 13. It is the intention of the Legislature that the Commissioner of the Mississippi Department of Corrections shall have the authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Corrections. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Department of Corrections shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer. The department shall provide a report of all transfers made under this section to the Chairmen of Senate and House Appropriations and Corrections Committees and the Legislative Budget Office by December 15 of each fiscal year which shall contain the required information from the previous and current fiscal years.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. It is the intention of the Legislature that all funds held by the Inmate Welfare Fund, as created in Section 47-5-158, Mississippi Code of 1972, be placed in a treasury fund. Of the amounts appropriated in Section 2, an amount not exceeding Seven Million Dollars ($7,000,000.00) shall be available for expenditure in the Inmate Welfare Fund. Of these funds, Five Hundred Thousand Dollars ($500,000.00) shall be used to provide for transitional housing and post release reentry programs.

SECTION 16. It is the intention of the Legislature that all funds held by the Inmate Incentive to Work Program Fund, as created in Section 47-5-371, Mississippi Code of 1972, be placed in a treasury fund. Of the amounts appropriated in Section 2, an amount not exceeding One Million Dollars ($1,000,000.00) shall be available for expenditure in the Inmate Incentive to Work Program Fund. The following funds shall be utilized to pay inmates who are participants in the Inmate Incentive to Work Program.

SECTION 17. It is the intention of the Legislature that the Mississippi Department of Corrections shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 18. It is the intention of the Legislature for the Mississippi Department of Corrections to manage funds budgeted and allocated. In so doing, the commissioner of the department shall have the authority to amend, extend and/or renew the term of any lease agreement or any inmate housing agreement in connection with a correctional facility. Notwithstanding any statutory limits to the contrary, such amendment, extension and/or renewal may be for a length of time up to and including ten (10) years as is necessary for the continued operations of such facilities and implementation of the department's duties and responsibilities in accordance with Title 47 of the Mississippi Code of 1972, as amended.

SECTION 19. With the funds herein appropriated, it is the intent of the Legislature that upon vouchers submitted by the board of supervisors of any county housing offenders in county jails pending a probation or parole revocation hearing, the department shall pay the reimbursement costs as provided for in Section 47-5-901, Mississippi Code of 1972, as amended by House Bill No. 585, 2014 Regular Session.

SECTION 20. With the funds herein appropriated, it is the intent of the Legislature, that for Fiscal Year 2025, the Department of Corrections shall reimburse municipalities, up to Twenty Dollars ($20.00) a day, for the cost incurred of housing inmates in any jail facility based on time served for the conviction of larceny, shoplifting, or related convictions where the value of the property taken is Five Hundred Dollars ($500.00) or more but is equal to or less than One Thousand Dollars ($1,000.00). A copy of the court abstract of record and the jail docket shall be provided to show the total number of days an individual was incarcerated in said jail facility. The reimbursement shall be payable back to the municipality upon receipt of required documentation and an invoice. Total reimbursements resulting from this section shall not exceed One Hundred Twenty-five Thousand Dollars ($125,000.00).

SECTION 21. Of the funds appropriated under the provisions of Section 2, funds may be expended to defray the costs of clothing for sworn nonuniform law enforcement officers in an amount not to exceed One Thousand Dollars ($1,000.00) annually per officer.

SECTION 22. Of the funds appropriated in Section 1, it is the intention of the Legislature that Five Hundred Ten Thousand Two Hundred Sixty-one Dollars ($510,261.00) shall be allocated to Victim's Notification Programs supported by General Fund court assessments.

SECTION 23. With the funds appropriated herein, the Department of Corrections is authorized to make payments for expenses incurred during prior fiscal years for an amount not to exceed One Million Two Hundred Sixty-seven Thousand Four Dollars and Twenty-three Cents ($1,267,004.23). For any medical expenses authorized to be paid within this section, the amount paid shall not be greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate for these services.

SECTION 24. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 25. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed from and after June 29, 2024.

Senator England moved that the rules be suspended to move to calendar item 13, **S. B. No. 2425**, and the motion prevailed.

Senator England called up the following House Amendment to **S. B. No. 2425** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-907, Mississippi Code of 1972, is amended as follows:

23-15-907. (1) For purposes of this section, the following words shall have the meanings as defined herein unless the context clearly indicates otherwise:

(a) "Caregiver" means an individual who provides medical, health care assistance or other assistance to the person to whom the ballot was mailed in a residence, hospital, long term care facility, nursing home, hospice facility, assisted living center, assisted living facility, assisted living home, residential care institution, adult day health care facility, adult foster care home or other similar facility or institution.

(b) "Family member" means an individual who is related by blood, marriage, adoption or legal guardianship to the person to whom the ballot was mailed.

(c) "Household member" means an individual who resides at the same residence as the person to whom the ballot was mailed.

(* * *2) A person shall not knowingly collect and transmit a ballot that was mailed to another person, except as follows:

(a) An election official while engaged in official duties as authorized by law.

(b) An employee of the United States Postal Service while engaged in official duties as authorized by law.

(c) Any other individual who is allowed by federal law to collect and transmit United States mail while engaged in official duties as authorized by law.

(d) A family member, household member, or caregiver of the person to whom the ballot was mailed.

(e) A common carrier that transports goods from one place to another for a fee. No parcel shall contain more than a single ballot.

(* * *3) Any violation of this section shall be subject to the penalties of Section 97-13-37.

(4) Any voter who requires assistance to vote by reason of blindness, disability, or inability to read or write may be given assistance by a person of the voter's choice, other than the voter's employer or agent of that employer or officer or agent of the voter's union, or a candidate whose name is on the ballot, or by a spouse, parent, sibling or child of a candidate whose name is on the ballot, or by a poll watcher who is observing the polling place on election day; however, a candidate for public office or the spouse, parent or child of a candidate may provide assistance upon request of any voter who is related within the first degree.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 23-15-907, MISSISSIPPI CODE OF 1972, TO DEFINE "CAREGIVER", "FAMILY MEMBER" AND "HOUSEHOLD MEMBER" FOR THE PURPOSES OF THE BALLOT HARVESTING LAW; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2425** by the following vote:

Yeas--Barrett, Berry, Blackwell, Boyd, Branning, Bryan, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour,

Simmons S. (13th), Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--36.

Nays--Barnett, Blackmon, Blount, Brumfield, Butler, Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Thomas, Turner-Ford. Total--14.

Absent and those not voting--Carter, Hill. Total--2.

Senator Polk moved that the rules be suspended for the consideration en bloc of S. N. No. 9, S. N. No. 46, S. N. No. 74, S. N. No. 10, S. N. No. 18, S. N. No. 45 and S. N. No. 60 and the motion prevailed.

Senator Polk called up the following entitled nominations:

S. N. No. 9: Michael C. Rozier, Jr., Hattiesburg, Mississippi, State Board of Contractors, five year term effective July 1, 2023 and ending June 30, 2028, representing the Building Contractor, vice John Laws.

S. N. No. 46: Joe Clifton Tew, Meridian, Mississippi, State Board of Funeral Service as the Funeral Service Licensed representative from the 1st Supreme Court District, four year term beginning December 22, 2023 and ending June 30, 2027, vice Keith T. Dean.

S. N. No. 74: James Robert (Jim) Stroo, Hattiesburg, Mississippi, Mississippi Real Estate Commission, remainder of a four year term beginning upon Senate Confirmation and ending June 30, 2026, representing the Fourth Congressional District, vice Ken Austin.

S. N. No. 10: Madison H. (Hamp) Smith, Tupelo, Mississippi, State Board of Contractors, five year term effective July 1, 2023 and ending June 30, 2028, representing the Electrical Contractor.

S. N. No. 18: Maxwell Mitchell (Max) Wells, Canton, Mississippi, State Board of Funeral Service as the At-Large member, four year term effective June 19, 2023 and ending March 13, 2027.

S. N. No. 45: Nicholas L. (Nick) Mallard, Brookhaven, Mississippi, State Board of Funeral Service as the Funeral Service Licensed representative from the 2nd Supreme Court District, four year term effective December 22, 2023 and ending June 30, 2027.

S. N. No. 60: Norman A. Cannady, Ridgeland, Mississippi, Mississippi Real Estate Appraisal Board, four year term effective January 2, 2024 and ending December 31, 2026, representing the 3rd Congressional District as district existed on July 1, 2004.

YEAS AND NAYS on consideration en bloc of S. N. No. 9, S. N. No. 46, S. N. No. 74, S. N. No. 10, S. N. No. 18, S. N. No. 45 and S. N. No. 60. On motion of Senator McMahan, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Carter, Hill. Total--2.

Senator Branning called up the following entitled nomination:

S. N. No. 55: Larry Wayne Clark, Amory, Mississippi, Mississippi Motor Vehicle Commission to represent the state at large as chairman, term effective January 9, 2024 and runs concurrent with the Governor's second term in office.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 55 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Carter, Hill. Total--2.

Senator Branning called up the following entitled nomination:

S. N. No. 56: Gary Mack Grubbs, Hattiesburg, Mississippi, Mississippi Motor Vehicle Commission to represent the state at large as vice chairman, term effective January 9, 2024 and runs concurrent with the Governor's second term in office.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 56 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Carter, Hill. Total--2.

Senator Williams and the entire Mississippi State Senate moved that when the Senate adjourns, it adjourn in memory of The Honorable Gary Dale Jackson of French Camp, MS.

Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Robert Lee Everett of Brandon, MS.

Senator Jackson moved that when the Senate adjourns, it adjourn in memory of Marvin Williams of Lambert, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Floyd Mobley, Jr. and Sandra Vaughn Mobley of Madison, MS.

_____

Senator Tate moved that when the Senate adjourns, it adjourn in memory of George Alexander "Sonny" Evans, Jr. and Clyde Dean Rose of Meridian, MS.

_____

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Ernest Bernard Cox of Vancleave, MS.

_____

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, April 16, 2024.

The motion prevailed, and at 4:32 PM, the Senate stood in recess.

_____

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2022: Juvenile offenders; provide alternative sentencing and parole options.

Representatives Horan,Owen,Hall

S. B. No. 2174: Motor vehicle theft; revise penalty for.

Representatives Horan,McKnight,Newman

S. B. No. 2175: Receiving stolen property; revise the crime of.

Representatives Horan,Eure,Burch

S. B. No. 2196: Mississippi Terroristic Threats Law; provide enhanced penalty for threat against airport.

Representatives Horan,McKnight,Nelson

S. B. No. 2771: Judicial redistricting; bring forward code sections related to.

Representatives Horan,Hood,Owen

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 1776: Appropriation; Archives and History, Department of.

Representatives Bounds,Read,Cockerham

H. B. No. 1777: Appropriation; Engineers and Land Surveyors, Board of Registration for Professional.

Representatives Bounds,Read,Boyd (19th)

H. B. No. 1778: Appropriation; Environmental Quality, Department of.

Representatives Bounds,Read,Mims

H. B. No. 1780: Appropriation; Forestry Commission.

Representatives Bounds,Read,Pigott

H. B. No. 1781: Appropriation; Grand Gulf Military Monument Commission.

Representatives Bounds,Read,Cockerham

H. B. No. 1782: Appropriation; Port Authority, State.

Representatives Bounds,Read,Bennett

H. B. No. 1783: Appropriation; Marine Resources, Department of.

Representatives Bounds,Read,Anderson (122nd)

H. B. No. 1784: Appropriation; Oil and Gas Board.

Representatives Bounds,Read,Hale

H. B. No. 1785: Appropriation; Pat Harrison Waterway District.

Representatives Bounds,Read,Young

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 1786: Appropriation; Pearl River Valley Water Supply District.

Representatives Bounds,Read,Mangold

H. B. No. 1787: Appropriation; Public Service Commission.

Representatives Bounds,Read,Mims

H. B. No. 1788: Appropriation; Public Utilities Staff.

Representatives Bounds,Read,Mims

H. B. No. 1789: Appropriation; Soil and Water Conservation Commission.

Representatives Bounds,Read,Mangold

H. B. No. 1790: Appropriation; Tombigbee River Valley Water Management District.

Representatives Bounds,Read,Arnold

H. B. No. 1791: Appropriation; Wildlife, Fisheries and Parks, Department of.

Representatives Bounds,Read,Oliver

H. B. No. 1792: Appropriation; Yellow Creek State Inland Port Authority.

Representatives Bounds,Read,Arnold

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2648: Mississippi Department of Marine Resources; authorize oyster lease reconfiguration and make technical amendments.
Senators Thompson, England, Brumfield.

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 1776: Appropriation; Archives and History, Department of.
Senators Hopson, McCaughn, DeLano.

H. B. No. 1777: Appropriation; Engineers and Land Surveyors, Board of Registration for Professional.
Senators Hopson, Turner-Ford, Seymour.

H. B. No. 1778: Appropriation; Environmental Quality, Department of.
Senators Hopson, McCaughn, Thompson.

H. B. No. 1780: Appropriation; Forestry Commission.
Senators Hopson, McCaughn, Thompson.

H. B. No. 1781: Appropriation; Grand Gulf Military Monument Commission.
Senators Hopson, McCaughn, DeLano.

H. B. No. 1782: Appropriation; Port Authority, State.
Senators Hopson, Branning, Thompson.

H. B. No. 1783: Appropriation; Marine Resources, Department of.
Senators Hopson, McCaughn, Thompson.

H. B. No. 1784: Appropriation; Oil and Gas Board.
Senators Hopson, McCaughn, Tate.

H. B. No. 1785: Appropriation; Pat Harrison Waterway District.
Senators Hopson, Branning, Thompson.

H. B. No. 1786: Appropriation; Pearl River Valley Water Supply District.
Senators Hopson, Branning, Jackson.

H. B. No. 1787: Appropriation; Public Service Commission.
Senators Hopson, Parker, Blackwell.

H. B. No. 1788: Appropriation; Public Utilities Staff.
Senators Hopson, Parker, Blackwell.

H. B. No. 1789: Appropriation; Soil and Water Conservation Commission.
Senators Hopson, McCaughn, Tate.

H. B. No. 1790: Appropriation; Tombigbee River Valley Water Management District.
Senators Hopson, Branning, Jackson.

H. B. No. 1791: Appropriation; Wildlife, Fisheries and Parks, Department of.
Senators Hopson, DeLano, Barnett.

H. B. No. 1792: Appropriation; Yellow Creek State Inland Port Authority.
Senators Hopson, Branning, Jackson.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 1271: Real estate; revise liability for certain provisions.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 3053: Appropriation; Banking and Consumer Finance, Department of.

Representatives Mims,Read,Faulkner

S. B. No. 3055: Appropriation; Governor's Office and Mansion.

Representatives Mims,Read,Rushing

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 1793: Appropriation; Barber Examiners, Board of.

Representatives Deweese,Read,Currie

H. B. No. 1794: Appropriation: Child Protection Services, Department of.

Representatives Deweese,Read,Creekmore IV

H. B. No. 1795: Appropriation; Cosmetology, Board of.

Representatives Deweese,Read,Currie

H. B. No. 1796: Appropriation; Health, Department of.

Representatives Deweese,Read,Creekmore IV

H. B. No. 1797: Appropriation; Human Services, Department of.

Representatives Deweese,Read,Creekmore IV

H. B. No. 1798: Appropriation; Fire Academy.

Representatives Deweese,Read,Turner

H. B. No. 1799: Appropriation; Insurance, Department of.

Representatives Deweese,Read,Turner

H. B. No. 1800: Appropriation; Medicaid, Division of.

Representatives Deweese,Read,McGee

H. B. No. 1801: Appropriation; Medical Licensure, Board of.

Representatives Deweese,Read,Creekmore IV

H. B. No. 1802: Appropriation; Nursing Home Administrators, Board of.

Representatives Deweese,Read,Currie

H. B. No. 1803: Appropriation; Nursing, Board of.

Representatives Deweese,Read,Currie

H. B. No. 1804: Appropriation; Optometry, Board of.

Representatives Deweese,Read,Creekmore IV

H. B. No. 1805: Appropriation; Physical Therapy Board.

Representatives Deweese,Read,Currie

H. B. No. 1806: Appropriation; Psychology, Board of.

Representatives Deweese,Read,Creekmore IV

H. B. No. 1807: Appropriation; Real Estate Appraiser Licensing and Certification Board.

Representatives Deweese,Read,Creekmore IV

H. B. No. 1808: Appropriation: Real Estate Commission and Appraiser Licensing and Certification Board.

Representatives Deweese,Read,Creekmore IV

H. B. No. 1809: Appropriation; Rehabilitation Services, Department of.

Representatives Deweese,Read,Creekmore IV

H. B. No. 1810: Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for.

Representatives Deweese,Read,Currie

H. B. No. 1811: Appropriation; Athletic Commission.

Representatives Mims,Read,McKnight

H. B. No. 1812: Appropriation; Attorney General.

Representatives Mims,Read,Cockerham

H. B. No. 1814: Appropriation; Capital Post-Conviction Counsel, Office of.

Representatives Mims,Read,Cockerham

H. B. No. 1815: Appropriation; District attorneys and staff.

Representatives Mims,Read,Cockerham

H. B. No. 1817: Appropriation; Legislative expenses.

Representatives Mims,Read,Barton

H. B. No. 1818: Appropriation; Public Employees' Retirement System.

Representatives Mims,Read,Rushing

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 1819: Appropriation; State Public Defender, Office of.

Representatives Mims,Read,Cockerham

H. B. No. 1820: Appropriation; Supreme Court, Court of Appeals and trial judges services.

Representatives Mims,Read,Cockerham

H. B. No. 1821: Appropriation; Veterans' Home Purchase Board.

Representatives Mims,Read,Faulkner

H. B. No. 1822: Appropriation; Arts Commission.

Representatives Oliver,Read,Massengill

H. B. No. 1823: Appropriation; Education, Department of.

Representatives Oliver,Read,Roberson

H. B. No. 1824: Appropriation; Educational Television, Authority for.

Representatives Oliver,Read,Massengill

H. B. No. 1825: Appropriation; Library Commission.

Representatives Oliver,Read,Massengill

H. B. No. 1826: Appropriation; Transportation, Department of.

Representatives Oliver,Read,Massengill

H. B. No. 1830: Appropriation; additional appropriation FY24.

Representatives Read,Cockerham,Mangold

H. B. No. 1949: Appropriation; Finance and Administration, Department of, for eligible ARPA administration and reporting expenses.

Representatives Read,Oliver,Cockerham

H. B. No. 1950: Appropriation; Finance and Admin, Dept. of, Bureau of Building, Ground, and Real Property Management for eligible ARPA capital projects.

Representatives Read,Oliver,Cockerham

H. B. No. 1951: Appropriation; Health, Department of, for funding the ARPA Rural Water Associations Infrastructure Grant Program.

Representatives Read,Oliver,Cockerham

H. B. No. 1952: Appropriation; Public Safety, Department of, for purchases of ARPA eligible equipment.

Representatives Read,Oliver,Cockerham

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2298: Bonds; raise maximum fee paid to state's bond attorney from $500.00 to $750.00 for validation and issuance of.
Senators Harkins, Johnson, Suber.

S. B. No. 2493: Bonds; repeal authorization for unissued bonds, and replace with cash funds.
Senators Harkins, Johnson, Hopson.

S. B. No. 2801: Distinctive motor vehicle license tag; authorize for supporters of Clarkdale High School in Lauderdale County.
Senators Harkins, Chassaniol, Brumfield.

S. B. No. 2803: Local Option Alcoholic Beverage Control Law; revise definition of "qualified resort area."
Senators Harkins, Whaley, Horhn.

S. B. No. 2853: Mississippi Alcoholic Beverage Corporation; create.
Senators Harkins, Johnson, Younger.

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2179: Department of Public Safety; revise certain provisions related to.
Senators Fillingane, Sparks, Hopson.

S. B. No. 2180: Department of Public Safety; remove prior written approval for certain events and authorize enforcement of municipal code.
Senators Fillingane, Sparks, England.

S. B. No. 2486: Proposals and requests for qualifications; simplify the receipt and registration process.
Senators Johnson, Sparks, Blount.

S. B. No. 2634: Memorial highways; designate segment in Shannon, Lee County, as the "Johnny R. Patterson Memorial Highway."
Senators Branning, Bryan, Younger.

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 1126: "Walker Montgomery Protecting Children Online Act"; establish to protect minors from harmful content.
Senators Fillingane, DeBar, Williams.

H. B. No. 1793: Appropriation; Barber Examiners, Board of.
Senators Hopson, Turner-Ford, Barnett.

H. B. No. 1794: Appropriation: Child Protection Services, Department of.
Senators Hopson, Blackwell, Norwood.

H. B. No. 1795: Appropriation; Cosmetology, Board of.
Senators Hopson, Turner-Ford, Barnett.

H. B. No. 1796: Appropriation; Health, Department of.
Senators Hopson, Hill, Polk.

H. B. No. 1797: Appropriation; Human Services, Department of.
Senators Hopson, Blackwell, Simmons (13th).

H. B. No. 1798: Appropriation; Fire Academy.
Senators Hopson, Parker, Butler.

H. B. No. 1799: Appropriation; Insurance, Department of.
Senators Hopson, Parker, Michel.

H. B. No. 1800: Appropriation; Medicaid, Division of.
Senators Hopson, Blackwell, Wiggins.

H. B. No. 1801: Appropriation; Medical Licensure, Board of.
Senators Hopson, Parker, McLendon.

H. B. No. 1802: Appropriation; Nursing Home Administrators, Board of.
Senators Hopson, Parker, McLendon.

H. B. No. 1803: Appropriation; Nursing, Board of.
Senators Hopson, Parker, Butler.

H. B. No. 1804: Appropriation; Optometry, Board of.
Senators Hopson, Turner-Ford, Jackson.

H. B. No. 1805: Appropriation; Physical Therapy Board.
Senators Hopson, Parker, McLendon.

H. B. No. 1806: Appropriation; Psychology, Board of.
Senators Hopson, Parker, McLendon.

H. B. No. 1807: Appropriation; Real Estate Appraiser Licensing and Certification Board.
Senators Hopson, Michel, Hickman.

H. B. No. 1808: Appropriation: Real Estate Commission and Appraiser Licensing and Certification Board.
Senators Hopson, Michel, Hickman.

H. B. No. 1809: Appropriation; Rehabilitation Services, Department of.
Senators Hopson, Blackwell, Simmons (13th).

H. B. No. 1810: Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for.
Senators Hopson, Turner-Ford, Seymour.

H. B. No. 1811: Appropriation; Athletic Commission.
Senators Hopson, Turner-Ford, Barnett.

H. B. No. 1812: Appropriation; Attorney General.
Senators Hopson, Wiggins, DeBar.

H. B. No. 1814: Appropriation; Capital Post-Conviction Counsel, Office of.

Senators Hopson, Wiggins, Hickman.

H. B. No. 1815: Appropriation; District attorneys and staff.
Senators Hopson, Wiggins, Hickman.

H. B. No. 1817: Appropriation; Legislative expenses.
Senators Hopson, Michel, DeBar.

H. B. No. 1818: Appropriation; Public Employees' Retirement System.
Senators Hopson, Parker, McLendon.

H. B. No. 1819: Appropriation; State Public Defender, Office of.
Senators Hopson, Wiggins, Hickman.

H. B. No. 1820: Appropriation; Supreme Court, Court of Appeals and trial judges services.
Senators Hopson, Wiggins, Hickman.

H. B. No. 1821: Appropriation; Veterans' Home Purchase Board.
Senators Hopson, Turner-Ford, Barnett.

H. B. No. 1822: Appropriation; Arts Commission.
Senators Hopson, McCaughn, DeLano.

H. B. No. 1823: Appropriation; Education, Department of.
Senators Hopson, DeBar, Blackwell.

H. B. No. 1824: Appropriation; Educational Television, Authority for.
Senators Hopson, DeBar, Robinson.

H. B. No. 1825: Appropriation; Library Commission.
Senators Hopson, DeBar, Robinson.

H. B. No. 1826: Appropriation; Transportation, Department of.
Senators Hopson, Branning, Thompson.

H. B. No. 1830: Appropriation; additional appropriation FY24.
Senators Hopson, DeBar, Polk.

H. B. No. 1949: Appropriation; Finance and Administration, Department of, for eligible ARPA administration and reporting expenses.
Senators Hopson, Polk, Frazier.

H. B. No. 1950: Appropriation; Finance and Admin, Dept. of, Bureau of Building, Ground, and Real Property Management for eligible ARPA capital projects.
Senators Hopson, Polk, Butler.

H. B. No. 1951: Appropriation; Health, Department of, for funding the ARPA Rural Water Associations Infrastructure Grant Program.
Senators Hopson, Polk, DeBar.

H. B. No. 1952: Appropriation; Public Safety, Department of, for purchases of ARPA eligible equipment.
Senators Hopson, Polk, Frazier.

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 1705: Budget process; bring forward certain sections relating to and provide for transfers of funds.
Senators Hopson, Polk, Harkins.

H. B. No. 1707: 2023 Local Improvements Projects Fund; clarify and correct names and purposes of certain projects funded from.
Senators Hopson, Polk, Harkins.

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 776: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.
Senators Harkins, Johnson, England.

H. B. No. 893: Distinctive motor vehicle license tag; authorize issuance to supporters of the Navy Seabee Foundation.
Senators Harkins, McLendon, Rhodes.

H. B. No. 1003: Homestead exemption; revise time within which certain homeowners may apply for.
Senators Harkins, Sparks, Simmons (12th).

H. B. No. 1190: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.
Senators Harkins, Johnson, England.

H. B. No. 1473: Bonds; repeal authorization for certain unissued bonds and replace certain unissued bonds with cash.
Senators Harkins, Sparks, Boyd.

H. B. No. 1620: Use tax; revise certain provisions regarding funds distributed to municipalities and counties for infrastructure assistance.
Senators Harkins, Branning, McMahan.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of The Honorable Gary Dale Jackson, Robert Lee Everett, Marvin Williams, Floyd Mobley, Jr., Sandra Vaughn Mobley, George Alexander "Sonny" Evans, Jr., Clyde Dean Rose and Ernest Bernard Cox.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR MONDAY, APRIL 15, 2024

S. R. No. 92: Rules
A RESOLUTION COMMENDING AND CONGRATULATING FAMILY HEALTH CENTER IN LAUREL, MISSISSIPPI, AND CEO DR. RASHAD N. ALI, FOR RECEIVING THE 2023 "COMMUNITY HEALTH QUALITY RECOGNITION" AWARD BY THE HEALTH RESOURCES AND SERVICES ADMINISTRATION (HRSA).
By Senator(s) Barnett

S. R. No. 93: Rules

A RESOLUTION HONORING THE MEMORY AND LEGACIES OF LEGENDARY MISSISSIPPI BLUES MUSICIAN RILEY B. "B.B." KING AND MISSISSIPPI CIVIL RIGHTS PIONEER MEDGAR WILEY EVERS ON WHAT WOULD HAVE BEEN THEIR 100TH BIRTHDAY CELEBRATIONS.

By Senator(s) Horhn

S. R. No. 94: Rules

A RESOLUTION RECOGNIZING HONORABLE BECKY PRUETT DENHAM, ASSISTANT DISTRICT ATTORNEY FOR THE 12TH MISSISSIPPI CIRCUIT COURT DISTRICT, AS FORMER MISS MISSISSIPPI 2001 AND COMMENDING HER CHILD ADVOCACY AND CIVIC CONTRIBUTIONS.

By Senator(s) Johnson

ONE-HUNDRED AND SIXTH DAY, TUESDAY, APRIL 16, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Absent--Carter, Parks. Total--2.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Carter.

The invocation was delivered by Pastor W. R. Clark, Sr., Mt. Sinai Missionary Baptist Church, Meridian, MS.

Senator Hickman led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON GAMING

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 47: Francis Clark (Franc) Lee, Flowood, Mississippi, Mississippi Gaming Commission, four year term effective October 1, 2024 and ending September 30, 2028. Do Advise and Consent.

S. N. No. 68: Michael Joseph (Mike) McGrevey, Decatur, Mississippi, Mississippi Lottery Corporation Board of Directors, five year term effective January 1, 2024 and ending December 31, 2028. Do Advise and Consent.

S. N. No. 79: Jeremy Andra Felder, Hattiesburg, Mississippi, Gaming Commission, remainder of a four year term effective February 14, 2024 and ending September 30, 2027, vice Thomas Gresham. Do Advise and Consent.

BLOUNT, Chairman

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 504: Rural Fire truck Acquisition Assistance Program; authorize an additional round for counties and municipalities.

Representatives Read,Deweese,Cockerham

H. B. No. 1618: PERS; define "instrumentality" for purpose of PERS laws and include health care collaboratives in the definition.

Representatives Deweese,Read,Creekmore IV

H. B. No. 1706: Programs funded with ARPA funds; revise certain provisions and bring forward sections of.

Representatives Read,Oliver,Cockerham

Andrew Ketchings, Clerk of the House of Representatives

President Hosemann yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

President Pro Tempore Kirby yielded the gavel to President Hosemann, who presided over the Senate.

Senator Hopson called up the following entitled bill:

H. B. No. 1916: Appropriation; Health Department for grants to hospitals ineligible for grants from Hospital Sustainability Grant Program.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the Department of Health for the purpose of funding disbursements to Mississippi hospitals, for the period beginning July 1, 2023, and ending June 30, 2024.....
$ 38,000,000.00.

SECTION 2. As a condition of receiving and expending the funds appropriated to the department under this act, the department shall:

(a) Determine the amount of funds each hospital under the program established in Section 41-9-371 would have been eligible to receive if the funds appropriated to the program by Chapter 47, General Laws of 2023, had not been subject to any restrictions other than those imposed by Section 41-9-371;

(b) Determine the amount of funds each hospital actually received or will receive pursuant to a beneficiary agreement executed by April 1, 2024, under the program in Section 41-9-371;

(c) Determine the difference between the amount of funds in paragraphs (a) and (b) of this section; and

(d) Disburse the difference calculated in paragraph (c) of this section to any hospital where the difference is a positive balance.

SECTION 3. As a condition of receiving and expending the funds appropriated to the department under this act, the department shall not disburse funds to a hospital pursuant to Section 41-9-371 that did not have a beneficiary agreement executed by April 1, 2024.

SECTION 4. None of the funds appropriated by this act shall be used to pay employee premium payments.

SECTION 5. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Capital Expense Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after its passage, and shall stand repealed on the day before its passage.

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

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS TO THE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING DISBURSEMENTS TO MISSISSIPPI HOSPITALS FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1916 was adopted.

YEAS AND NAYS On H. B. No. 1916. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson,

Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Carter, Parks. Total--2.

Senator Harkins called up the following entitled bill:

H. B. No. 1983: Bonds; authorize issuance for various purposes.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The provisions of this section shall apply to every section of this act that relates to the issuance of bonds unless otherwise provided in this act.

(2) As used in this act, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "State" means the State of Mississippi.

(b) "Commission" means the State Bond Commission.

(3) The principal of and interest on the bonds authorized under this act shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this act shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this act have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this act, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this act, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this act from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this act, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this act are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this act, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (1) of the applicable section of this act. The proceeds of such bonds shall be disbursed from the special fund under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this act may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this act. Any resolution providing for the issuance of bonds under the provisions of this act shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this act may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this act or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this

act, or under such resolution, and may enforce and compel performance of all duties required by this act to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this act shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this act and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this act shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this act; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof. As used in this section, the "accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (a) the stated initial value of such bond, plus (b) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(16) This act shall be deemed to be full and complete authority for the exercise of the powers granted in this act that relate to the issuance of bonds, but this act shall not be deemed to repeal or to be in derogation of any existing law of this state that relates to the issuance of bonds.

SECTION 2. (1) (a) (i) A special fund, to be designated as the "2024 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	ALLOCATED
Alcorn State University		$ 11,885,000.00

Repair, renovation,
and expansion of
and upgrades and
improvements to the
David L. Whitney Complex
and Wellness Center.....$ 9,385,000.00

Repair, renovation,
and upgrading of
campus buildings
and facilities.....$ 2,500,000.00

Delta State University ..... $ 5,540,000.00

Repair and replacement of
roofs for various
campus academic
buildings.....$ 4,540,000.00

Repair, renovation,
and upgrading of
campus buildings
and facilities.....$ 1,000,000.00

Jackson State University ..... $ 18,089,500.00

Repair, renovation,
and upgrading of
campus buildings
and facilities and

development of

alternative water

resources and

infrastructure for

critical campus

facilities.....$ 6,000,000.00

Repair and renovation of

and upgrades and

improvements

to McAllister

Hall.....$ 12,089,500.00

Mississippi State University ..... $ 15,000,000.00

Repair, renovation, construction,

acquisition of property,

furnishing and equipping

of buildings and related

facilities to house

the College of

Architecture, Art

and Design.....$ 15,000,000.00

Mississippi State University/Division of

Agriculture, Forestry and Veterinary Medicine..... $ 11,552,500.00

Repair and renovation

of and upgrades and

improvements to

the Bost Extension

Center.....$ 11,552,500.00

Mississippi University for Women ..... $ 3,460,000.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....$ 3,160,000.00

Preplanning for repair

and renovation of

and upgrades and

improvements to

Painter Hall.....$ 300,000.00

Mississippi Valley State University..... $ 10,000,000.00

Construction, furnishing

and equipping of

a new residence

hall and related

facilities.....$ 10,000,000.00

University of Mississippi..... $ 18,700,000.00

Construction, furnishing

and equipping of a new

mechanical and power

plant building and related

facilities to serve the

northwest quadrant of

the campus.....$ 9,500,000.00

Repair, renovation,

furnishing, equipping and

expansion of and additions

to the Data Center Building

and related facilities.....$ 9,200,000.00

University of Mississippi Medical Center ..... $ 8,000,000.00

Repair, renovation,
and upgrading of
campus buildings
and facilities.....$ 8,000,000.00

University of Southern Mississippi ..... $ 13,000,000.00

Construction, furnishing
and equipping of a new
science research building
and related facilities.....$ 12,000,000.00

Repair, renovation,
and upgrading of
campus buildings
and facilities.....$ 1,000,000.00

University of Southern Mississippi/Gulf Coast Campuses ..... $ 1,248,500.00

Repair, renovation,
and upgrading of
campus buildings
and facilities at
the Gulf Coast
Research Laboratory,
Halstead Campus and
Cedar Point Campus.....$ 567,500.00

Repair, renovation,
and upgrading of
campus buildings
and facilities at
the Gulf Park
Campus.....$ 681,900.00

IHL Education and Research Center ..... $ 8,700,000.00

Repair, renovation,
and upgrading of
campus buildings
and facilities, and
campus drainage
improvements and
parking lot paving.....$ 8,700,000.00

TOTAL..... $ 125,175,500.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such

special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning. In addition, any amounts allocated to an institution of higher learning for the projects at such institution of higher learning that are described in paragraph (a) of this subsection shall be reduced by the amount of any other funds authorized by the Legislature during the 2024 Regular Session specifically for such purposes.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (1) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission is authorized to proceed under the provisions of Section 1(6) of this act. The total amount of bonds issued under this section shall not exceed One Hundred Twenty-five Million One Hundred Seventy-five Thousand Five Hundred Dollars ($125,175,500.00); however, the total amount of bonds that may be issued under this section shall be reduced by the amount of any other funds authorized by the Legislature during the 2024 Regular Session specifically for the purposes described in subsection (1) of this section. No bonds shall be issued under this section after July 1, 2028.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (1) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The provisions of Section 1 of this act shall apply to the issuance of bonds authorized under this section.

SECTION 3. (1) (a) (i) A special fund, to be designated as the "2024 Community and Junior Colleges Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund. Monies in the fund may not be used or expended for any purpose except as authorized under this section.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of acquisition of real property, construction of new facilities, equipping and furnishing facilities, including furniture and technology equipment and infrastructure, and addition to or renovation of existing facilities for community and junior college campuses as recommended by the Mississippi Community College Board. The amount to be expended at each community and junior college is as follows:

Coahoma	$ 1,677,350.00
Copiah-Lincoln	1,938,610.00
East Central	1,780,615.00
East Mississippi	2,042,200.00
Hinds	3,467,285.00
Holmes	2,647,240.00
Itawamba	2,515,320.00
Jones	2,370,150.00
Meridian	1,885,475.00
Mississippi Delta	1,717,590.00
Mississippi Gulf Coast	3,375,320.00
Northeast Mississippi	2,060,785.00
Northwest Mississippi	3,064,905.00
Pearl River	2,740,545.00
Southwest Mississippi	1,716,610.00
GRAND TOTAL	$ 35,000,000.00

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the community college or junior college for which any such monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (1) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission is authorized to proceed under the provisions

of Section 1(6) of this act. The total amount of bonds issued under this section shall not exceed Thirty-five Million Dollars ($35,000,000.00); however, the total amount of bonds that may be issued under this section shall be reduced by the amount of any other funds authorized by the Legislature during the 2024 Regular Session specifically for the purposes described in subsection (1) of this section. No bonds shall be issued under this section after July 1, 2028.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (1) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The provisions of Section 1 of this act shall apply to the issuance of bonds authorized under this section.

SECTION 4. (1) (a) (i) A special fund, to be designated as the "2024 State Agencies Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

STATE AGENCIES..... $ 140,000,000.00
Department of Corrections..... $ 35,000,000.00
Planning, repair and renovation of and code and security upgrades and improvements to Area I at South Mississippi Correctional Institution.....$ 11,000,000.00
Planning, repair and renovation of and improvements to roads and parking areas at Mississippi State Penitentiary.....$ 8,000,000.00
Planning, repair and renovation of and code and security upgrades and improvements to Area R&C at Central Mississippi Correctional Facility.....$ 7,000,000.00
Planning, repair and renovation of and improvements to storm drainage systems at Marshall County Correctional Facility.....$ 2,000,000.00
Planning, repair and renovation of and code and ADA upgrades and improvements to facilities, grounds and infrastructure under the care and control of the department statewide...$ 7,000,000.00
Department of Finance and Administration ..... $ 36,400,000.00
Planning, repair, renovation, improvements, furnishing and equipping of Capitol Facilities buildings to optimize

space.....$ 8,000,000.00
Planning, repair, renovation, improvements, furnishing and equipping of the former Wright & Ferguson Building.....$ 6,000,000.00
Planning, abatement, and demolition of buildings and infrastructure at the First Christian Church and Woodrow Wilson Department of Public Safety Headquarters sites in Jackson.....$ 5,000,000.00
Planning, repair, and restoration of the Mississippi State Capitol and Grounds.....$ 3,000,000.00
Planning, repair and renovation of and code and security upgrades and improvements to facilities, grounds and infrastructure under the care and control of the department.....$ 3,000,000.00
Planning, repair, renovation, replacements and improvements of mechanical systems including controls serving Capitol Facilities buildings.....$ 3,000,000.00
Planning, repair, renovation, replacements and improvements of elevators serving Capitol Facilities buildings.....$ 3,000,000.00
Planning and construction of non-potable water supply for the Winter Central Mechanical Plant.....$ 2,600,000.00
Planning, repair, renovation, replacements, installation, and improvements to fire alarm, access control, and camera systems at Capitol Facilities buildings and grounds.....$ 1,800,000.00
Planning, repair, renovation, replacement, upgrades, and installation of generators serving Capitol Facilities buildings.....$ 1,000,000.00

Department of Mental Health.....$ 20,000,000.00
Planning, repair, renovation, improvements, furnishing and equipping of Crisis Stabilization Units under the

care and control of the department statewide.....$ 3,000,000.00
Planning and demolition of D Building at East Mississippi State Hospital.....$ 600,000.00
Planning, repair, and restoration of windows at the Mississippi State Hospital.....$ 3,000,000.00
Furnishing and equipping of Forensics Unit at the Mississippi State Hospital.....$ 1,200,000.00
Planning, repair, replacement and improvements to site drainage at Mississippi State Hospital.....$ 1,100,000.00
Planning, structural repairs, and restoration of porches and landings at campus buildings at Mississippi State Hospital.....$ 300,000.00
Planning and replacement of roofs at buildings at Boswell Regional Center.....$ 250,000.00
Planning and replacement of roofs at buildings at Ellisville State School.....$ 2,200,000.00
Planning, repair, and improvements to plumbing systems at the Prentiss Group Home under the care and control of Ellisville State School.....$ 250,000.00
Planning, repair, upgrades, and improvements to mechanical systems at Hudspeth Regional Center.....$ 500,000.00
Planning and installation of new generators at Nutrition Services and Group Homes under the care and control of North Mississippi Regional Center.....$ 3,900,000.00
Planning and replacement of roofs at buildings at North Mississippi Regional Center.....$ 1,000,000.00
Planning repair, and replacement of roofs at buildings at South

Mississippi Regional Center.....$ 1,400,000.00
Planning and replacement of generator at North Mississippi State Hospital.....$ 500,000.00
Planning and replacement of camera system at South Mississippi State Hospital.....$ 200,000.00
Planning, repair, renovation, furnishing and equipping of dormitory facilities at Mississippi Adolescent Center.....$ 500,000.00
Planning, repair, renovation, improvements, furnishing, and equipping of dormitory kitchen at Specialized Treatment Facility.....$ 100,000.00

Department of Public Safety ..... $ 13,750,000.00
Planning, construction, furnishing and equipping of new range training facility at the MLEOTA campus.....$ 6,500,000.00
Planning, renovation, furnishing and equipping of a building to serve as a new Fairgrounds Area Substation in Jackson.....$ 5,000,000.00
Planning, renovation, and expansion of cafeteria and associated parking at the MLEOTA campus.....$ 2,000,000.00
Preplanning of the construction of a new dormitory at the MLEOTA campus.....$ 250,000.00

Mississippi Fairgrounds ..... $ 7,000,000.00
Planning and construction, furnishing and equipping of campus security improvements.....$ 7,000,000.00

State Fire Academy ..... $ 200,000.00
Planning, repair, and renovation of, additions to, and furnishing and equipping of Administration Building.....$ 200,000.00

Mississippi Veterans Affairs ..... $ 8,250,000.00
Planning, repair, renovation, replacements and improvements of mechanical systems including controls serving Nursing Homes.....$ 8,250,000.00

Mississippi Department of Health ..... $ 15,000,000.00
Planning, repair, and

renovation to building
envelope at Thompson Lab.....$ 7,000,000.00
Planning, repair, and
renovation, furnishing
and equipping of the
North Wing of the
Underwood Building.....$ 8,000,000.00
Mississippi Schools for the Deaf and the Blind..... $ 200,000.00
Preplanning of repair and
renovation of
Dorm C.....$ 200,000.00
Mississippi School of the Arts ..... $ 200,000.00
Preplanning of repair and
renovation of Cooper
Hall.....$ 200,000.00
Mississippi Department of Wildlife,
Fisheries, and Parks ..... $ 4,000,000.00
Planning, repair,
renovation, improvements,
and furnishing and equipping
of State Parks.....$ 4,000,000.00
TOTAL ..... $ 140,000,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the agency for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an agency that are in excess of that needed to complete the projects at such agency that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the agency. In addition, any amounts allocated to an agency for the projects at such agency that are described in paragraph (a) of this subsection shall be reduced by the amount of any other funds

authorized by the Legislature during the 2024 Regular Session specifically for such purposes.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (1) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission is authorized to proceed under the provisions of Section 1(6) of this act. The total amount of bonds issued under this section shall not exceed One Hundred Forty Million Dollars ($140,000,000.00); however, the total amount of bonds that may be issued under this section shall be reduced by the amount of any other funds authorized by the Legislature during the 2024 Regular Session specifically for the purposes described in subsection (1) of this section. No bonds shall be issued under this section after July 1, 2028.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (1) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The provisions of Section 1 of this act shall apply to the issuance of bonds authorized under this section.

SECTION 5. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Commission on Environmental Quality, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the Water Pollution Control Revolving Fund established in Section 49-17-85, Mississippi Code of 1972. Upon the adoption of a resolution by the Commission on Environmental Quality declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Commission on Environmental Quality shall deliver a certified copy of its resolution or resolutions to the commission; however, the Commission on Environmental Quality shall declare the necessity for the issuance of bonds only in the amount necessary to match projected federal funds available through the following federal fiscal year from the annual Clean Water State Revolving Fund (CWSRF) appropriations and from the supplemental Infrastructure Investment and Jobs Act (IIJA) appropriations. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Million Five Hundred Forty-one Thousand Dollars ($5,541,000.00); however, not more than One Million Two Hundred Eighty-four Thousand Dollars ($1,284,000.00) of such bonds may be issued to match the annual CWSRF appropriations and not more than Four Million Two Hundred Fifty-seven Thousand Dollars ($4,257,000.00) of such bonds may be issued to match the supplemental IIJA appropriations.

(b) The proceeds of bonds issued pursuant to this subsection shall be deposited into the Water Pollution Control Revolving Fund created pursuant to Section 49-17-85, Mississippi Code of 1972.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this section. Such bonds shall bear such date or

dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. Interest and investment earnings on money in the Water Pollution Control Revolving Fund shall be utilized to pay the principal and interest on such bonds as they become due. If the interest and investment earnings of the fund and any funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Water Pollution Control Revolving Fund created in Section 49-17-85, Mississippi Code of 1972. After the transfer of the proceeds of any such sale or sales to the Water Pollution Control

Revolving Fund, any investment earnings or interest earned on the proceeds of such bonds shall be deposited to the credit of the Water Pollution Control Revolving Fund and shall be used only for the purposes provided in Section 49-17-85, Mississippi Code of 1972. The proceeds of such bonds shall be disbursed solely upon the order of the Commission on Environmental Quality under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 6. Section 49-17-85, Mississippi Code of 1972, is amended as follows:

49-17-85. (1) There is established in the State Treasury a fund to be known as the "Water Pollution Control Revolving Fund," which shall be administered by the commission acting through the department. The revolving fund may receive bond proceeds and funds appropriated or otherwise made available by the Legislature in any manner and funds from any other source, public or private. The revolving fund shall be maintained in perpetuity for the purposes established in this section.

(2) There is established in the State Treasury a fund to be known as the "Water Pollution Control Hardship Grants Fund," which shall be administered by the commission acting through the department. The grants fund shall be maintained in perpetuity for the purposes established in this section. Any interest earned on monies in the grants fund shall be credited to that fund.

(3) The commission shall promulgate regulations for the administration of the revolving fund program, the hardship grants program and for related programs authorized under this section. The regulations shall be in accordance with the federal Water Quality Act of 1987, as amended, and regulations and guidance issued under that act. The commission may enter into capitalization grant agreements with the United States Environmental Protection Agency and may accept capitalization grant awards made under Title VI of the Water Quality Act of 1987, as amended.

(4) The commission shall establish a loan program which shall commence after October 1, 1988, to assist political subdivisions in the construction of water pollution control projects. Loans from the revolving fund may be made to political subdivisions as set forth in a loan agreement in amounts not exceeding one hundred percent (100%) of eligible project costs as established by the commission. Notwithstanding loan amount limitations set forth in Section 49-17-61, the commission may require local participation or funding from other sources, or otherwise limit the percentage of costs covered by loans from the revolving fund. The commission may establish a maximum amount for any loan in order to provide for broad and equitable participation in the program.

(5) The commission shall establish a hardship grants program for rural communities, which shall commence after July 1, 1997, to assist severely economically disadvantaged small rural political subdivisions in the construction of water pollution control projects. The commission may receive and administer state or federal funds, or both, appropriated for the operation of this grants program and may take all actions necessary to implement the program in accordance with the federal hardship grants program. The hardship grants program shall operate in conjunction with the revolving loan program administered under this section.

(6) The commission shall act for the state in all matters and with respect to all determinations under Title VI of the federal Water Quality Act of 1987, as amended, and the federal Omnibus Appropriations and Recision Act of 1996.

(7) Except as otherwise provided in this section, the revolving fund may be used only:

(a) To make loans on the condition that:

(i) The loans are made at or below market interest rates, at terms not to exceed the maximum time allowed by federal law after project completion; the interest rate and term may vary from time to time and from loan to loan at the discretion of the commission;

(ii) Periodic principal and interest payments will commence when required by the commission but not later than one (1) year after project completion and all loans will be fully amortized when required by the commission but not later than the maximum time allowed by federal law after project completion;

(iii) The recipient of a loan will establish a dedicated source of revenue for repayment of loans;

(b) To buy or refinance the debt obligation of political subdivisions at or below market rates, where the debt obligations were incurred after March 7, 1985, and where the projects were constructed in compliance with applicable federal and state regulations;

(c) To guarantee, or purchase insurance for, obligations of political subdivisions where the action would improve credit market access or reduce interest rates;

(d) To provide loan guarantees for similar revolving funds established by municipalities or intermunicipal agencies;

(e) To earn interest on fund accounts;

(f) To establish nonpoint source pollution control management programs;

(g) To establish estuary conservation and management programs;

(h) For the reasonable costs of administering the revolving fund and conducting activities under this act, subject to the limitations established in Section 603(d)(7) of Title VI of the federal Clean Water Act, as amended, and subject to annual appropriation by the Legislature;

(i) In connection with the issuance, sale and purchase of bonds under Section 31-25-1 et seq., related to the funding of projects, to provide security or a pledge of revenues for the repayment of the bonds; and

(j) To pay the principal and interest on bonds issued pursuant to Section 11 of Chapter 580, Laws of 2007, Section 1 of Chapter 492, Laws of 2008, Section 47 of Chapter 557, Laws of 2009, Section 45 of Chapter 533, Laws of 2010, Section 3 of Chapter 480, Laws of 2011, Section 36 of Chapter 569, Laws of 2013, Section 9 of Chapter 452, Laws of 2018, Section 1 of Chapter 415, Laws of 2019, Section 16 of Chapter 492, Laws of 2020, * * * Section 137 of Chapter 480, Laws of 2021, and Section 5 of this act, as they become due; however, only interest and investment earnings on money in the fund may be utilized for this purpose.

(8) The hardship grants program shall be used only to provide hardship grants consistent with the federal hardship grants program for rural communities, regulations and guidance issued by the United States Environmental Protection Agency, subsections (3) and (5) of this section and regulations promulgated and guidance issued by the commission under this section.

(9) The commission shall establish by regulation a system of priorities and a priority list of projects eligible for funding with loans from the revolving fund.

(10) The commission may provide a loan from the revolving fund only with respect to a project if that project is on the priority list established by the commission.

(11) The revolving fund shall be credited with all payments of principal and interest derived from the fund uses described in subsection (7) of this section. However, notwithstanding any other provision of law to the contrary, all or any portion of payments of principal and interest derived from the fund uses described in subsection (7) of this section may be designated or pledged for repayment of a loan as provided in Section 31-25-28 in connection with a loan from the Mississippi Development Bank.

(12) The commission may establish and collect fees to defray the reasonable costs of administering the revolving fund if it determines that the administrative costs will exceed the limitations established in Section 603(d)(7) of Title VI of the federal Clean Water Act, as amended. The administration fees may be included in loan amounts to political subdivisions for the purpose of facilitating payment to the commission. The fees may not exceed five percent (5%) of the loan amount.

(13) Except as otherwise provided in this section, the commission may, on a case-by-case basis and to the extent allowed by federal law, renegotiate the payment of principal and interest on loans made under this section to the six (6) most southern counties of the state covered by the Presidential Declaration of Major Disaster for the State of Mississippi (FEMA-1604-DR) dated August 29, 2005, and to political subdivisions located in such counties; however, the interest on the loans shall not be forgiven for a period of more than twenty-four (24) months and the maturity of the loans shall not be extended for a period of more than forty-eight (48) months.

(14) The commission may, on a case-by-case basis and to the extent allowed by federal law, renegotiate the payment of principal and interest on loans made under this section to Hancock County as a result of coverage under the Presidential Declaration of Major Disaster for the State of Mississippi (FEMA-1604-DR) dated August 29, 2005, and to political subdivisions located in Hancock County.

SECTION 7. Section 18, Chapter 492, Laws of 2020, is amended as follows:

Section 18. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Commission on Environmental Quality, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the grant program authorized in Section 19 of this act. Upon the adoption of a resolution by the Commission on Environmental Quality, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Commission on Environmental Quality shall deliver a certified copy of its resolution or resolutions to the commission.

Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed * * * Three Million Dollars ($3,000,000.00). No bonds authorized under this section shall be issued after July 1, * * * 2028.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Dam Safety Fund created pursuant to Section * * * 19 of this act. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for

payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Dam Safety Fund created in Section * * * 19 of this act. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Environmental Quality under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 8. Sections 6 through 20, Chapter 521, Laws of 1995, as amended by Section 17, Chapter 503, Laws of 2003, as amended by Section 2, Chapter 477, Laws of 2004, as amended by Section 2, Chapter 456, Laws of 2006, as amended by Section

3, Chapter 492, Laws of 2008, as amended by Section 47, Chapter 533, Laws of 2010, as amended by Section 13, Chapter 480, Laws of 2011, as amended by Section 35, Chapter 569, Laws of 2013, as amended by Section 8, Chapter 452, Laws of 2018, as amended by Section 12, Chapter 454, Laws of 2019, as amended by Section 25, Chapter 492, Laws of 2020, are amended as follows:

Section 6. The board created in Section 41-3-16, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred by the board in constructing new water systems or repairing existing water systems described in Section 41-3-16. Upon the adoption of a resolution by the board declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the board shall deliver a certified copy of its resolution or resolutions to the State Bond Commission. Upon receipt of such resolution, the State Bond Commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for the sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the tax exempt or taxable bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The amount of bonds issued under Sections 6 through 20 of this act shall not exceed * * * Forty-four Million Five Hundred Thirteen Thousand Six Hundred Dollars ($44,513,600.00), the proceeds of which shall be deposited in the revolving fund and Five Million Dollars ($5,000,000.00), the proceeds of which shall be deposited in the emergency fund.

Section 7. The principal of and interest on the bonds authorized under Section 6 of this act shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the State Bond Commission.

Section 8. The bonds authorized by Section 6 of this act shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be affixed thereto, attested by the Secretary of the State Bond Commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

Section 9. All bonds and interest coupons issued under the provisions of Sections 6 through 20 of this act have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by Sections 6 through 20 of this act, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

Section 10. The State Bond Commission shall act as the issuing agent for the bonds authorized under Sections 6 through 20 of this act, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under Sections 6 through 20 of this act from the

proceeds derived from the sale of the bonds. The State Bond Commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, to be selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of Sections 6 through 20 of this act, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

Section 11. The bonds issued under the provisions of Sections 6 through 20 of this act are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

Section 12. The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under Sections 6 through 20 of this act; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest on the bonds, on their due dates.

Section 13. Upon the issuance and sale of bonds under the provisions of Sections 6 through 20 of this act, the State Bond Commission shall transfer the proceeds of any sale or sales of bonds to the revolving fund and the emergency fund in the amounts specified in Section 6 of this act. After such transfer, all investment earnings or interest earned on the proceeds of such bonds shall be deposited to the credit of the revolving fund and the emergency fund, and shall be used only for the purposes established in Section 41-3-16. The proceeds of such bonds shall be disbursed solely upon the order of the board created in Section 1 of this act under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

Section 14. The bonds authorized under Sections 6 through 20 of this act may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by Sections 6 through 20 of this act. Any resolution providing for the issuance of bonds under the provisions of Sections 6 through 20 of this act shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

Section 15. The bonds authorized under the authority of Sections 6 through 20 of this act may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

Section 16. Any holder of bonds issued under the provisions of Sections 6 through 20 of this act or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce all rights granted under Sections 6 through 20 of this act, or under such resolution, and may enforce and compel performance of all duties required by Sections 6 through 20 of

this act to be performed, in order to provide for the payment of bonds and interest thereon.

Section 17. All bonds issued under the provisions of Sections 6 through 20 of this act shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

Section 18. Bonds issued under the provisions of Sections 6 through 20 of this act and income therefrom shall be exempt from all taxation in the State of Mississippi.

Section 19. The proceeds of the bonds issued under the provisions of Sections 6 through 20 of this act shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

Section 20. Sections 6 through 20 of this act shall be deemed to be full and complete authority for the exercise of the powers granted, but Sections 6 through 20 of this act shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 9. Section 1, Chapter 492, Laws of 2020, as amended by Section 4, Chapter 480, Laws of 2021, is amended as follows:

Section 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2020 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University		$ 3,650,000.00
	Campus safety and security project, including open space development, sprinkler systems for dormitories, security camera installation, card access systems, street lighting, and emergency kiosks	$ 3,650,000.00
Alcorn State University/Division of Agriculture		$ 2,635,000.00
	Phase II of repair, renovation, furnishing, equipping and expansion of and additions to the Child Development Learning Center	$ 2,635,000.00

Delta State University ..... $ 3,000,000.00
Repair, renovation, and upgrading of campus buildings and facilities.....$ 3,000,000.00
Jackson State University ..... $ 5,260,000.00
Phase III of repair, renovation, and upgrading of campus buildings, facilities, and infrastructure.....$ 5,260,000.00
Mississippi State University ..... $ 10,000,000.00
Phase III of construction, furnishing and equipping of a new building and related facilities to house the Kinesiology Department.....$ 10,000,000.00
Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine..... $ 7,935,000.00
Phase II of repair and renovation, replacement and/or demolition of Ballew Hall and related facilities.....$ 7,535,000.00
Pre-planning for repair and renovation of Dorman Hall and related facilities.....$ 400,000.00
Mississippi University for Women ..... $ 13,000,000.00
Phase II of construction, furnishing and equipping of a new building and related facilities to house the Culinary Arts Program.....$ 13,000,000.00
Mississippi Valley State University ..... $ 13,435,000.00
Phase II of Student Union improvements and planning, repair, renovation, life safety and ADA code upgrades, furnishing and equipping and expansion of and additions to campus buildings, facilities, and infrastructure.....$ 13,435,000.00
University of Mississippi..... $ 13,530,000.00
Phase II of repair, renovation, furnishing, equipping and expansion of and additions to the Data Center Building and related facilities.....$ 13,530,000.00
University of Mississippi Medical Center ..... $ 5,680,000.00
Replacement of HVAC systems, boilers and related equipment, infrastructure and controls....$ 5,680,000.00
University of Southern Mississippi ..... $ 6,500,000.00
Phase II of repair and renovation of the Kinesiology Building and related facilities.....$ 6,000,000.00

Pre-planning for repair and renovation of Hickman Hall and related facilities; and design, construction, furnishing and equipping of the Science Research Facility with a central mechanical plant and related infrastructure and facilities on the Hattiesburg Campus.....$ 500,000.00

University of Southern Mississippi/Gulf Coast Campuses ..... $ 700,000.00

Pre-planning for design of Executive Education and Conference Center and related facilities on the Gulf Park campus.....$ 200,000.00

Planning, repair, renovation, life safety, and ADA code upgrades, furnishing and equipping of campus buildings and facilities at the Gulf Coast Research Laboratory, Halstead Campus.....$ 500,000.00

IHL Education and Research Center ..... $ 1,400,000.00

Planning, repair, renovation, life safety and ADA code upgrades of buildings, facilities and infrastructure, including the Paul B. Johnson Tower, Edsel E. Thrash Universities Center and the Mississippi Public Broadcasting Building.....$ 1,400,000.00

TOTAL ..... $ 86,725,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project.

Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Eighty-six Million Seven Hundred Twenty-five Thousand Dollars ($86,725,000.00). No bonds shall be issued under this section after July 1, 2024.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the

commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special funds created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 10. Section 1, Chapter 480, Laws of 2021, as amended by Section 1, Chapter 328, Laws of 2022, as amended by Section 32, Chapter 549, Laws of 2023, is amended as follows:

Section 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University		$ 5,675,000.00
	Phase I of repair and renovation of and upgrades and improvements to campus dormitories	$ 5,675,000.00
Delta State University		$ 10,800,000.00
	Renovation and expansion of and upgrades, improvements and additions to the Robert E. Smith School of Nursing Building and related facilities	$ 7,800,000.00
	Repair, renovation and upgrading of campus buildings and facilities	$ 3,000,000.00

Jackson State University ..... $ 6,500,000.00
Phase III of repair, renovation and upgrading of campus buildings, facilities, and infrastructure.....$ 6,000,000.00
Preplanning for construction, furnishing and equipping of a new dining facility and related facilities.....$ 500,000.00
Mississippi State University ..... $ 15,000,000.00
Repair, renovation, construction, acquisition of property, furnishing and equipping of related facilities to house the College of Architecture, Art and Design.....$ 15,000,000.00
Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine ..... $ 8,000,000.00
Repair and renovation of and upgrades and improvements to Dorman Hall and related facilities.....$ 8,000,000.00
Mississippi University for Women ..... $ 2,750,000.00
Repair, renovation, and upgrading of campus buildings and facilities.....$ 2,750,000.00
Mississippi Valley State University..... $ 500,000.00
Preplanning for repair, renovation, furnishing and equipping of the Charles Lackey Recreation Center.....$ 500,000.00
University of Mississippi..... $ 12,000,000.00
Construction, furnishing and equipping of a new mechanical and power plant building and related facilities.....$ 12,000,000.00
University of Mississippi Medical Center ..... $ 8,000,000.00
Repair, renovation, and upgrading of campus buildings and facilities.....$ 8,000,000.00
University of Southern Mississippi ..... $ 10,750,000.00
* * * Design, construction, furnishing and equipping of the Science Research Facility with a central mechanical plant and related infrastructure and facilities on the Hattiesburg Campus.....$ 10,000,000.00
Preplanning and construction, furnishing and equipping of a new science research facility...$ 750,000.00

University of Southern Mississippi/Gulf Coast Campuses ..... $ 5,800,000.00
Renovation and expansion of and upgrades, improvements and additions to, Hardy Hall to house the Executive Education Center and related facilities on the Gulf Park Campus.....$ 4,800,000.00
Repair, renovation life safety, and ADA code upgrades, furnishing and equipping of campus buildings and facilities at the Gulf Coast Research Laboratory, Halstead Campus.....$ 1,000,000.00
IHL Education and Research Center ..... $ 600,000.00
Planning, repair, renovation, life safety and ADA code upgrades of buildings, facilities and infrastructure, including the Paul B. Johnson Tower, Edsel E. Thrash Universities Center and the Mississippi Public Broadcasting Building.....$ 600,000.00
TOTAL ..... $ 86,375,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants

issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Eighty-six Million Three Hundred Seventy-five Thousand Dollars ($86,375,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section

from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special funds created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of,

premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 11. Sections 9 and 10 of this act shall take effect and be in force from and after its passage. The remainder of this act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PURPOSE OF MAKING CAPITAL IMPROVEMENTS FOR STATE INSTITUTIONS OF HIGHER LEARNING, COMMUNITY AND JUNIOR COLLEGES AND STATE AGENCIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE MATCHING FUNDS FOR FEDERAL FUNDS FOR THE WATER POLLUTION CONTROL REVOLVING FUND; TO AMEND SECTION 49-17-85, MISSISSIPPI CODE OF 1972, TO AUTHORIZE INTEREST AND INVESTMENT EARNINGS ON MONEY IN THE WATER POLLUTION CONTROL REVOLVING FUND TO BE UTILIZED TO PAY DEBT SERVICE ON THE BONDS AUTHORIZED TO BE ISSUED BY THIS ACT; TO AMEND SECTION 18, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AMOUNT OF STATE GENERAL OBLIGATION BONDS THAT MAY BE ISSUED TO PROVIDE FUNDS FOR THE "MISSISSIPPI DAM SAFETY FUND" AND TO EXTEND THE TIME WITHIN SUCH BONDS MAY BE ISSUED; TO AMEND SECTIONS 6 THROUGH 20, CHAPTER 521, LAWS OF 1995, AS LAST AMENDED BY SECTION 25, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE LOCAL GOVERNMENTS AND RURAL WATER SYSTEMS IMPROVEMENTS REVOLVING LOAN FUND; TO AMEND SECTION 1, CHAPTER 492, LAWS OF 2020, AS AMENDED BY SECTION 4, CHAPTER 480, LAWS OF 2021, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED FOR THE STATE INSTITUTIONS OF HIGHER LEARNING FOR A CAPITAL PROJECT AT THE UNIVERSITY OF SOUTHERN MISSISSIPPI MAY BE USED; TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, AS AMENDED BY SECTION 1, CHAPTER 328, LAWS OF 2022, AND BY SECTION 32, CHAPTER 549, LAWS OF 2023, FOR THE SAME PURPOSE; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1983 was adopted.

YEAS AND NAYS On H. B. No. 1983. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Carter, Parks. Total--2.

Senator Harkins called up the following entitled bill:

H. B. No. 1984: Ad valorem tax; authorize a tax credit for certain refines of oil, gas and petroleum products.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) A person, firm, or corporation operating a refinery for the refining of oil, gas or petroleum products and owning oil, gas or petroleum products, whether produced within or without the state, which (a) are located at such a refinery prior to being refined, (b) are in the process of being refined at such refinery, or (c) have been refined at such refinery and are stored at such refinery, and which are subject to ad valorem taxes levied or hereafter levied by any county, municipality, levee district, school district or any other taxing authority of the state or a political subdivision thereof shall be allowed a tax credit for the amount of all ad valorem taxes payable by the person, firm or corporation that are attributable to such oil, gas or petroleum products. The tax credit may be applied against other ad valorem taxes payable on other taxable refinery property of such person, firm or corporation by the same county, municipality, levee district, school district or any other taxing authority of the state or a political subdivision thereof. However, the amount of credit that may be utilized during a taxable year cannot exceed the ad valorem tax liability of the person, firm or corporation on such other property for the taxable year. The tax credit provided by this section shall also extend to ad valorem taxes payable that are attributable to such oil, gas and petroleum products owned by any corporation controlled by or under common control with, or controlling such refiner; however, the tax credit shall not extend to those finished petroleum products no longer at the refinery incident to regular, normal and customary marketing operations held in temporary storage at marketing bulk plants outside refinery property, including storage facilities from which a finished product is marketed in the state and from which a finished product is shipped out of the state for marketing, or at retail service stations.

(2) The administration of the tax credit provided by this section will be performed by the tax assessor and/or tax collector of the county in which each refinery is located, and may include a credit applied by the tax assessor against the assessed value of other taxable property, or a credit applied by the tax collector against taxes on other taxable property which have been determined but not yet billed.

(3) Any amount of ad valorem taxes applied and used as a tax credit under Section 27-7-22.5, Mississippi Code of 1972, may not be applied and used as a tax credit under this section.

SECTION 2. Section 27-7-22.5, Mississippi Code of 1972, is amended as follows:

27-7-22.5. (1) (a) For any manufacturer, distributor, wholesale or retail merchant who pays to a county, municipality, school district, levee district or any other taxing authority of the state or a political subdivision thereof, ad valorem taxes imposed on commodities, raw materials, works-in-process, products, goods, wares and merchandise held for resale, a credit against the income taxes imposed under this chapter shall be allowed for the portion of the ad valorem taxes so paid in the amounts prescribed in subsection (2).

(b) (i) For any person, firm or corporation who pays to a county, municipality, school district, levee district or any other taxing authority of the state or a political subdivision thereof, ad valorem taxes imposed on rental equipment, a credit against the income taxes imposed under this chapter shall be allowed for the portion of the ad valorem taxes so paid in the amounts prescribed in subsection (2).

(ii) As used in this paragraph, "rental equipment" means any rental equipment or other rental items which are held for short-term rental to the public:

1. Under rental agreements with no specific term;

2. Under at-will or open-ended agreements; or

3. Under rental agreements with terms ordinarily of less than three hundred sixty-five (365) days; and

4. Is not subject to privilege taxes imposed in Chapter 19, Title 27, Mississippi Code of 1972.

(c) The tax credit allowed by this section may not be claimed by a taxpayer that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(2) The tax credit allowed by this section shall not exceed the amounts set forth in paragraphs (a) through (g) of this subsection; and may be claimed for each location where such commodities, raw material, works-in-process, products, goods, wares, merchandise and/or rental equipment are found and upon which the ad valorem taxes have been paid. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credit was earned.

(a) For the 1994 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Two Thousand Dollars ($2,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(b) For the 1995 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Three Thousand Dollars ($3,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(c) For the 1996 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Four Thousand Dollars ($4,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(d) For the 1997 taxable year and each taxable year thereafter through taxable year 2013, the tax credit for each location of the taxpayer shall not exceed the lesser of Five Thousand Dollars ($5,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(e) For the 2014 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Ten Thousand Dollars ($10,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(f) For the 2015 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Fifteen Thousand Dollars ($15,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(g) For the 2016 taxable year and each taxable year thereafter, the tax credit of the taxpayer shall be the lesser of the amount of the ad valorem taxes described in subsection (1) paid or the amount of income taxes due the State of Mississippi that are attributable to such location.

(3) Any amount of ad valorem taxes paid by a taxpayer that is applied toward the tax credit allowed in this section may not be used as a deduction by the taxpayer for state income tax purposes. In the case of a taxpayer that is a partnership, limited liability

company or S corporation, the credit may be applied only to the tax attributable to partnership, limited liability company or S corporation income derived from the taxpayer.

(4) Any amount of ad valorem taxes applied and used as a tax credit under Section 1 of this act may not be applied and used as a tax credit under this section.

SECTION 3. Section 27-31-19, Mississippi Code of 1972, is amended as follows:

27-31-19. There shall be exempt from all ad valorem taxes now levied or hereafter levied by the State of Mississippi, or any county, municipality, levee district, school, or any other taxing district within the state, all oil, gas, and petroleum products, whether produced within or without the state, which oil, gas or petroleum products are owned by a person, firm, or corporation operating a refinery for the refining of oil, gas or petroleum products in the state, and either (1) are in transit to or situated at * * * an in-state refinery for refining thereat; (2) are in the process of being refined at such a refinery; or (3) have been refined at such refinery and are still owned by or in the hands of the refiner. Such exemption shall also extend to such oil, gas and petroleum products owned by any corporation controlled by, under common control with, or controlling such a refiner; provided, however, that the exemption afforded by this section shall not extend to those finished petroleum products incident to regular, normal, and customary marketing operations held in temporary storage at marketing bulk plants outside refinery property, including storage facilities from which a finished product is marketed in the state and from which a finished product is shipped out of the state for marketing, or at retail service stations.

SECTION 4. This act shall take effect and be in force from and after January 1, 2024.

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

AN ACT TO AUTHORIZE AN AD VALOREM TAX CREDIT FOR A PERSON, FIRM OR CORPORATION OPERATING A REFINERY AND OWNING OIL, GAS OR PETROLEUM PRODUCTS LOCATED AT SUCH REFINERY PRIOR TO BEING REFINED IN THE PROCESS OF BEING REFINED AT SUCH REFINERY, OR HAVING BEEN REFINED, AT SUCH REFINERY AND STORED AT SUCH REFINERY; TO PROVIDE THAT THE TAX CREDIT SHALL BE FOR THE AMOUNT OF ALL AD VALOREM TAXES PAYABLE THAT ARE ATTRIBUTABLE TO SUCH OIL, GAS OR PETROLEUM PRODUCTS AND SHALL BE APPLIED AGAINST OTHER AD VALOREM TAXES PAYABLE ON OTHER TAXABLE REFINERY PROPERTY OF THE PERSON, FIRM OR CORPORATION OPERATING THE REFINERY; TO PROVIDE THAT AD VALOREM TAXES APPLIED AND USED AS AN INCOME TAX CREDIT UNDER SECTION 27-7-22.5 MAY NOT BE APPLIED AND USED AS A CREDIT UNDER THIS ACT; TO AMEND SECTION 27-7-22.5, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR ANY MANUFACTURER, DISTRIBUTOR, WHOLESALE OR RETAIL MERCHANT WHO PAYS AD VALOREM TAXES IMPOSED ON COMMODITIES, RAW MATERIALS, WORKS-IN-PROCESS, PRODUCTS, GOODS, WARES AND MERCHANDISE HELD FOR RESALE, TO PROVIDE THAT AD VALOREM TAXES APPLIED AND USED AS A CREDIT UNDER THIS ACT MAY NOT BE APPLIED AND USED AS AN INCOME TAX CREDIT UNDER SUCH SECTION; TO AMEND SECTION 27-31-19, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN AD VALOREM TAX EXEMPTION FOR OIL, GAS AND PETROLEUM PRODUCTS OWNED BY A PERSON, FIRM OR CORPORATION OPERATING A REFINERY IN THE STATE, WHICH ARE IN TRANSIT TO OR SITUATED AT SUCH REFINERY FOR REFINING THEREAT, ARE IN THE PROCESS OF BEING REFINED AT SUCH REFINERY, OR HAVE BEEN REFINED AT SUCH REFINERY AND ARE STILL OWNED BY OR IN THE HANDS OF THE REFINER, TO CLARIFY THAT THE EXEMPTION DOES NOT EXTEND TO FINISHED PETROLEUM PRODUCTS IN TEMPORARY STORAGE OUTSIDE THE REFINERY PROPERTY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1984 was adopted.

YEAS AND NAYS On H. B. No. 1984. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Carter, Parks. Total--2.

Senator Harkins called up the following entitled bill:

H. B. No. 1855: Sales tax; exempt sales, leases or other retail transfers of certain fixed-wing aircraft.

YEAS AND NAYS On H. B. No. 1855. On motion of Senator Chassaniol, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Carter, Parks. Total--2.

Senator Harkins called up the following entitled bill:

H. B. No. 1354: Alcoholic Beverage Control Division warehouse; increase amount of revenue bonds authorized for and bailment fee authorized for paying debt service on bonds.

Senator Johnson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 7, Chapter 483, Laws of 2022, is amended as follows:

Section 7. Revenue bonds. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest

accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) Monies deposited into the ABC Warehouse Construction Fund created in Section 6(1) of this act shall be disbursed, in the discretion of the Department of Finance and Administration, to assist in paying the costs associated with land acquisition for, and the design, construction, furnishing and equipping of, a new warehouse for the Department of Revenue's Alcoholic Beverage Control Division.

(b) Amounts deposited into the ABC Warehouse Construction Fund created in Section 6(1) of this act shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) For the purpose of providing for the payment of the principal of and interest upon bonds issued under this section, there is created a special bond sinking fund in the State Treasury. The special bond sinking fund shall consist of such amounts as may be paid into such fund under this act, by appropriation or by other authorization by the Legislature. Except as otherwise provided in this section, monies in the special bond sinking fund shall be used to pay the debt service requirements of the bonds issued under this section. If the special bond sinking fund has a balance below the minimum amount specified in the resolution providing for the issuance of the bonds, or below one and one-half (1-1/2) times the amount needed to pay the annual debt obligations related to the bonds issued under this section, whichever is the lesser amount, the Commissioner of Revenue shall transfer the deficit amount to the bond sinking fund from revenue derived from the twenty-seven and one-half percent (27-1/2%) markup provided for in Section 27-71-11. Unexpended amounts remaining in the special bond sinking fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the special bond sinking fund shall be deposited into such sinking fund. If the special bond sinking fund has a balance in excess of the amount needed to pay the debt service and meet the obligations related to the bonds issued under this section, as determined in the resolution providing for the issuance of the bonds, the excess monies shall be transferred to the State General Fund.

(4) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of revenue bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the revenue bonds authorized by this subsection, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed * * * Ninety-five Million Dollars ($95,000,000.00).

(b) Any investment earnings on amounts deposited into the ABC Warehouse Construction Fund created in Section 6(1) of this act shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(5) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(6) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds have been signed by the officials designated to sign the bonds who were in office at the time of such signing, but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(7) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(8) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(9) The bonds issued under the provisions of this section shall be revenue bonds of the state, the principal of and interest on which shall be payable solely from and shall

be secured by the special bond sinking fund created in subsection (3) of this section. The bonds shall never constitute an indebtedness of the state within the meaning of any state constitutional provision or statutory limitation, and shall never constitute or give rise to a pecuniary liability of the state, or a charge against its general credit or taxing powers, and such fact shall be plainly stated on the face of each such bond. The bonds shall not be considered when computing any limitation of indebtedness of the state. All bonds issued under the authority of this section and all interest coupons applicable thereto shall be construed to be negotiable instruments, despite the fact that they are payable solely from a specified source.

(10) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the ABC Warehouse Construction Fund created in Section 6(1) of this act. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(11) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(12) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(13) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(14) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(15) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(16) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(17) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants. The Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section. The State Treasurer shall forward the necessary amount to the designated place

or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(18) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 2. Section 27-71-11, Mississippi Code of 1972, is amended as follows:

27-71-11. (1) The department shall from time to time by resolution request the State Bond Commission to provide sufficient funds required to maintain an adequate alcoholic beverage inventory. Said funds shall be provided under the provisions of Chapter 557, Laws of 1966.

(2) The department shall add to the cost of all alcoholic beverages a markup of twenty-seven and one-half percent (27-1/2%), inclusive of the three percent (3%) markup imposed by Section 27-71-7(2).

(3) In addition to other excise taxes and markups imposed in this section and in Section 27-71-7, the department shall add to the cost of all alcoholic beverages shipped a charge of Twenty-five Cents (25¢) per case, to be deposited into the ABC Warehouse Improvements Fund created in Section 67-1-211(2). However, any unobligated amounts above Ten Million Dollars ($10,000,000.00) remaining in the ABC Warehouse Improvements Fund at the end of a fiscal year shall be transferred to the State General Fund.

(4) Notwithstanding the contract for warehouse and distribution operations under Section 67-1-205, the department shall remain responsible for purchasing and selling alcoholic beverages. The department shall sell alcoholic beverages at uniform prices throughout the state. Pricing for all alcoholic beverages shall be set by the addition of the markup and taxes to the price at which the beverages were purchased by the department.

(5) A permittee's order shall qualify for shipping when it includes the minimum number of cases of alcoholic beverages as set by the department. The department shall place qualifying orders in a queue for shipment in the order in which the orders are made. An order of fewer than the minimum number of cases, and special orders, shall be added to the permittee's next qualified shipment. The department shall give sufficient notice of any change in the minimum number of cases for shipping and shall allow the opportunity for comment.

(6) The department shall set a per-case shipping fee to be charged to permittees. The department shall adjust the fee to match, as closely as possible, the shipping costs as defined in Section 67-1-201. The shipping fee charged under this subsection shall be deposited to the credit of the ABC Shipping Fund created in Section 27-71-29.

(7) The department shall charge manufacturers a bailment fee of * * * One Dollar and Twenty-five Cents ($1.25) per case of alcoholic beverages stored in the warehouse, to be deposited to the credit of the bond sinking fund created in Section 7(3) of Chapter 483, Laws of 2022.

SECTION 3. Section 67-1-203, Mississippi Code of 1972, is amended as follows:

67-1-203. Warehouse construction. (1) The Department of Finance and Administration, using the monies available in the ABC Warehouse Construction Fund created in Section 67-1-211(1) and such other monies as the Legislature may make available, shall purchase land for and shall provide for the design and construction of a warehouse for the division in the most expedient and cost-effective manner practicable as determined by the Executive Director of the Department of Finance and Administration.

(2) The Department of Finance and Administration shall select a suitable site for the warehouse within * * * seventy (70) miles of the new state capitol building. In selecting a site, the Department of Finance and Administration shall consider the feasibility of selecting state-owned land by comparing the cost of preparing the state-owned land for construction to the cost of acquiring other land and preparing such other land for construction.

(3) The contract for design and construction shall provide that the operator shall be consulted so that the warehouse may, so far as possible, suit the preferences of the operator in furtherance of effective operations. The contract shall also provide that the design shall aim to fill demand for the next twenty-five (25) years.

(4) A contract for warehouse construction shall not be entered into unless the construction contractor has demonstrated:

(a) The qualifications, experience and management personnel necessary to carry out the terms of the contract;

(b) The ability to comply with applicable federal and state laws; and

(c) The ability to expedite the design and construction of facilities comparable to the warehouse.

(5) A contract for warehouse construction shall be entered into not later than November 30, 2024.

SECTION 4. Section 67-1-205, Mississippi Code of 1972, is brought forward as follows:

67-1-205. Warehouse and distribution operations. (1) The department shall contract for warehouse and distribution operations. The shipping contract in effect on July 1, 2022, shall remain in effect until the expiration of its term.

(2) The department shall pay regular maintenance expenses and shall reimburse the operator for services performed under the contract out of monies appropriated by the Legislature.

(3) The contract shall include the following terms:

(a) The department shall pay the operator cost-plus on these operations at a set dollar amount per case of alcoholic beverages sold. Otherwise, the contract shall not alter the current cash flow of operations;

(b) The operator shall be allotted a monthly spending limit for occasional improvements. The state may, at any time, review the operator's spending. The operator shall obtain prior state approval for any spending over the monthly limit set in the contract. The contract shall allow the operator to pay out of pocket, in which case the state will reimburse the operator on a monthly basis out of monies in the ABC Warehouse Improvements Fund created in Section 67-1-211(2);

(c) Shipping costs, where the contract encompasses shipping, shall be based on a set dollar amount per case of alcoholic beverages shipped from the warehouse to the permittee's premises;

(d) The department and the operator may provide for the operator's software to interface with the department's TAP system in a manner allowing for information sharing in furtherance of efficient operations while also protecting the security of the TAP system;

(e) The department shall develop quality and efficiency criteria for determining whether to renew a contract for warehouse and distribution operations;

(f) The obligation of the department to proceed under the contract is conditioned upon the appropriation of funds by the Legislature and the receipt of state or federal funds. If the funds anticipated for the continuing time fulfillment of the agreement are, at any time, not forthcoming or insufficient, either through the failure of the federal government to provide funds or of the State of Mississippi to appropriate funds, or the discontinuance or material alteration of the program under which funds were provided, or if funds are not otherwise available to the department, the department shall have the right, upon ten (10) working days' written notice to the operator, to terminate this agreement without damage, penalty, cost or other expenses to the department of any kind whatsoever. The effective date of termination shall be as specified in the notice of termination;

(g) The state and the operator as parties to the contract and all terms of the contract shall be subject to and governed by the laws of the state at the time the contract is entered into, and any later amendments to such laws, through the duration of the contract; and

(h) The operator shall be required to comply with any duties, responsibilities, conditions or other provisions required by state law during the duration of the contract, regardless of whether such duties, responsibilities, conditions or other provisions were required by state law at the time the contract was entered into.

(4) The initial contract for operations shall terminate on the earlier of: (a) four (4) years from the date it commences; or (b) the last day of the use of the warehouse that is in service on July 1, 2022. The contract may be renewed for four (4) years, with another option to renew at the end of that four-year term. The department shall issue requests for proposals before entering any subsequent contract. Requests for proposals shall be required whenever a contract is not renewed, but no less frequently than every twelve (12) years.

(5) The contract shall provide that all employees needed for operations shall be employees of the operator.

(6) A contract for warehouse and distribution operations shall not be entered into unless the operator has demonstrated:

(a) The qualifications, experience and management personnel necessary to carry out the terms of the contract; and

(b) The ability to comply with applicable federal and state laws.

(7) A contract for operations shall not be entered into unless the following requirements are met:

(a) In addition to fire and casualty insurance, the operator provides at least Ten Million Dollars ($10,000,000.00) of liability insurance. The liability insurance shall be issued by an insurance company with a rating of at least an A- according to AM Best standards. In determining the adequacy of such insurance, the Department of Finance and Administration shall determine whether:

(i) The insurance is adequate to protect the state from any and all actions by a third party against the operator or the state as a result of the contract;

(ii) The insurance is adequate to protect the state against any and all claims arising as a result of any occurrence during the term of the contract;

(iii) The insurance is adequate to assure the operator's ability to fulfill its contract with the state in all respects, and to assure that the operator is not limited in this ability because of financial liability which results from judgments; and

(iv) The insurance is adequate to satisfy such other requirements specified by the independent risk management/actuarial firm.

(b) The sovereign immunity of the state shall not apply to the operator. Neither the operator nor the operator's insurer may plead the defense of sovereign immunity in any action arising out of the performance of the contract.

(c) The operator shall post a performance bond to assure the operator's faithful performance of the specifications and conditions of the contract. The bond is required throughout the term of the contract. The terms and conditions must be approved by the department and the Department of Finance and Administration, and such approval is a condition precedent to the contract taking effect.

(d) The operator shall defend any suit or claim brought against the state arising out of any act or omission in operations, and shall hold the state harmless from such claim or suit. The operator shall be solely responsible for the payment of any legal or other costs relative to any such claim or suit. The operator shall reimburse the state for any costs that it may incur as a result of such claim or suit immediately upon being submitted a statement therefor by the Attorney General.

Any suit brought or claim made arising out of any act or omission in operations shall be made or brought against the operator and not the state.

The Attorney General retains all rights and emoluments of his or her office which include direction and control over any litigation or claim involving the state.

SECTION 5. This act shall take effect and be in force from and after its passage, and shall stand repealed the day before its passage.

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

AN ACT TO AMEND SECTION 7, CHAPTER 483, LAWS OF 2022, TO INCREASE THE AMOUNT OF STATE REVENUE BONDS THAT MAY BE ISSUED TO PROVIDE FUNDS FOR THE ABC WAREHOUSE CONSTRUCTION FUND TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH LAND ACQUISITION FOR, AND THE DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW WAREHOUSE FOR THE DEPARTMENT OF REVENUE'S ALCOHOLIC BEVERAGE CONTROL DIVISION; TO AMEND SECTION 27-71-11, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF THE BAILMENT FEE CHARGED BY THE DEPARTMENT OF REVENUE ON CASES OF STORED ALCOHOLIC BEVERAGES FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PAYMENT OF THE DEBT SERVICE ON SUCH BONDS; TO AMEND SECTION 67-1-203, TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL SELECT A SUITABLE SITE, WITHIN 70 MILES OF THE NEW STATE CAPITOL BUILDING, FOR THE CONSTRUCTION OF A NEW WAREHOUSE FOR THE DEPARTMENT OF REVENUE'S ALCOHOLIC BEVERAGE CONTROL DIVISION, AND THAT A CONTRACT FOR WAREHOUSE CONSTRUCTION SHALL BE ENTERED INTO NOT LATER THAN NOVEMBER 30, 2024; TO BRING FORWARD SECTION 67-1-205, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1354 was adopted.

YEAS AND NAYS On H. B. No. 1354. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Chassaniol, DeBar, DeLano, Fillingane, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--Branning, Chism, England, Frazier, Hill, Ladner, Norwood, Parker, Seymour, Tate. Total--10.

Absent and those not voting--Carter, Parks. Total--2.

Senator Harkins called up the following entitled bill:

H. B. No. 1378: Homestead exemption; increase for honorably discharged veterans 90 years of age or older.

YEAS AND NAYS On H. B. No. 1378. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Carter, Parks. Total--2.

Senator Harkins called up the following entitled bill:

H. B. No. 1764: Sales tax; revise rate regarding certain oil, gas and other mineral resources services, equipment and materials.

Senator Johnson offered the following COMMITTEE AMENDMENT NO. 1.

AMEND on line 393 by striking ", and shall stand repealed on June 30, 2024"

Committee Amendment No. 1 to H. B. No. 1764 was adopted.

YEAS AND NAYS On H. B. No. 1764. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Carter, Parks. Total--2.

Senator Harkins called up the following entitled bill:

H. B. No. 1942: Income tax and insurance premium tax; authorize a credit for certain investments in qualified community development entities.

Senator Johnson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this section, the following words and phrases shall have the meanings as defined in this subsection unless the context clearly requires otherwise:

(a) "Applicable percentage" means seven percent (7%) for each of the first through seventh credit allowance dates for purposes of the taxes imposed by Section 27-7-5 or the taxes imposed by Sections 27-15-103, 27-15-109 and 27-15-123.

(b) "CDFI fund" means the Community Development Financial Institutions fund of the United States Department of the Treasury.

(c) "Credit allowance date" means, with respect to any qualified equity investment: (i) the later of: 1. the date on which the qualified equity investment is initially made; or 2. the date upon which the MDA issues a tax credit certificate under subsection (4) of this section; and (ii) each of the subsequent six (6) anniversary dates of the applicable date from subparagraph (i) of this paragraph.

(d) "MDA" means the Mississippi Development Authority.

(e) "Mississippi qualified community development entity" means a qualified community development entity that is or whose controlling entity is headquartered in the State of Mississippi.

(f) "Principal business operations" means the physical location where at least sixty percent (60%) of a qualified active low-income community business' employees work. An entity that has agreed to relocate employees or a Mississippi business that has agreed to hire employees using the proceeds of a qualified low-income community investment to establish principal business operations in Mississippi is deemed to have principal business operations in Mississippi if the entity satisfies the requirements of this paragraph within one hundred eighty (180) days of receiving the qualified low-income community investment or another date as agreed by the business and the MDA.

(g) "Purchase price" means the amount paid to the qualified community development entity for a qualified equity investment.

(h) "Qualified active low-income community business" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended, provided such entity has its principal business operations within the state's geographical boundary. An entity is deemed a qualified active low-income community business for the duration of a qualified low-income community investment if the qualified community development entity reasonably expects, at the time it makes the qualified low-income community investment, that the entity will continue to satisfy the requirements for being a qualified active low-income community business throughout the entire period

of the qualified low-income community investment. A business that otherwise satisfies this definition but for being located in a low-income community, as defined in Section 45D of the Internal Revenue Code of 1986, as amended, and 26 CFR 1.45D-1, shall satisfy this definition if the business is located in a recovery zone.

(i) "Qualified community development entity" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended, provided that:

(i) The entity, or an affiliate thereof, has previously entered into an allocation agreement with the CDFI fund with respect to credits authorized by Section 45D of the Internal Revenue Code of 1986, as amended;

(ii) Such allocation agreement includes the State of Mississippi within the service area set forth in the allocation agreement; and

(iii) Except for Mississippi qualified community development entities, the entity, together with affiliates:

1. Has made qualified low-income community investments under Section 57-105-1 et seq. of at least Thirty Million Dollars ($30,000,000.00) in Mississippi qualified active low-income community businesses;

2. Has made at least One Hundred Million Dollars ($100,000,000) of investments in businesses located in Mississippi; or

3. Has received at least four (4) original tax credit certificates from the MDA.

(j) "Qualified equity investment" means an equity investment in a qualified community development entity, if the equity investment:

(i) Is acquired after the effective date of this act at its original issuance solely in exchange for cash, and if not so acquired, was a qualified equity investment in the hands of a prior holder;

(ii) Has at least eighty-five percent (85%) of its cash purchase price used by the qualified community development entity to make qualified low-income community investments in qualified active low-income community businesses that have their principal business operations in the State of Mississippi; and

(iii) Is:

1. Designated by the qualified community development entity as a qualified equity investment under this section; and

2. At least fifty percent (50%) designated by the qualified community development entity as a qualified equity investment under Section 45D of the Internal Revenue Code of 1986, as amended.

(k) "Qualified low-income community investment" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided, however, that the maximum amount of qualified low-income community investments issued for a single qualified active low-income community business, on an aggregate basis with all of its affiliates, that may be included for purposes of complying with subsection (4)(d)(iii) of this section shall not exceed Ten Million Dollars ($10,000,000.00), in the aggregate, whether issued by one (1) or several qualified community development entities and exclusive of repaid or redeemed qualified low-income community investments in such business.

(l) "Recovery zone" means any county for which the Federal Emergency Management Agency of the United States Department of Homeland Security has made a determination that the county is eligible for both individual and public assistance under the declaration of major disaster for the State of Mississippi for the duration of the declaration. Follow-on investments in a qualified active low-income community business that was qualified by its location in a recovery zone at the time of the initial investment shall be considered qualified low-income community investments even if made after the end of the declaration, subject to the other provisions of this section.

(2) A person or entity that holds a qualified equity investment on the credit allowance date shall be entitled to a credit applicable against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123 during the taxable year that includes the credit allowance date. The amount of the credit shall be equal to the applicable percentage for such taxable year of the purchase price paid to the qualified community development entity for the qualified equity investment. The amount of the credit that may be utilized in any one (1) tax year shall be limited to an amount not greater than the total tax liability of the claimant for the taxes imposed by the above-referenced sections. The credit shall not be refundable or transferable. Any unused portion of the credit may be carried forward for seven (7) taxable years beyond the credit allowance date on which the credit was earned. The maximum aggregate amount of qualified equity investments that may be allocated by the MDA under this section may not exceed an amount that would result in taxpayers claiming in any one (1) state fiscal year credits in excess of Twenty-one Million Dollars ($21,000,000.00), exclusive of the fiscal year cap on credits set forth in Section 57-105-1, and exclusive of credits that might be carried forward from previous taxable years; however, a maximum of Eighteen Million Dollars ($18,000,000.00) with respect to such allocations may be allocated as credits for taxes imposed by Sections 27-15-103, 27-15-109 and 27-15-123. Any person or entity claiming a credit under this section against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123 shall not be required to pay any additional tax under Section 27-15-123 as a result of claiming such credit. The MDA shall allocate credits within this limit as provided for in subsection (4) of this section.

(3) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among its partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document. Such allocation shall be made each taxable year of such pass-through entity which contains a credit allowance date. An allocation or pass-through of a credit is not considered a sale for the purposes of this section or any other state law.

(4) (a) For three (3) consecutive fiscal years beginning July 1, 2024, qualified community development entities shall apply to the MDA for an award of credits and related qualified equity investment authority on a form provided by the MDA that includes:

(i) The name, address, and tax identification number of the applicant, and evidence of the applicant's certification as a qualified community development entity by the CDFI fund;

(ii) A copy of the allocation agreement executed by the applicant or its controlling entity, and the CDFI fund;

(iii) A certificate executed by an executive officer of the applicant attesting that the allocation agreement remains in effect and has not been revoked or canceled by the CDFI fund;

(iv) A description of the proposed amount, structure, and purchaser of the equity investment;

(v) The amount of qualified equity investment authority sought which collectively may not exceed the applicant or its controlling entity's available qualified equity investment authority under Section 45D of the Internal Revenue Code of 1986, as amended multiplied by two (2);

(vi) Evidence of the applicant or its controlling entity's available qualified equity investment authority under Section 45D of the Internal Revenue Code of 1986, as amended;

(vii) A nonrefundable application fee of One Thousand Dollars ($1,000.00);

(viii) Except for Mississippi qualified community development entities, evidence that the applicant, on a collective basis with its affiliates, satisfies at least one (1) of the requirements of subsection (1)(i)(iii) of this section for the definition of qualified community development entity; and

(ix) Other information as required by the MDA pursuant to paragraph (c) of this subsection.

(b) The MDA shall set a date to accept applications not less than thirty (30) days but not more than forty-five (45) days after the CDFI fund announces allocation awards under a notice of funding availability that was published in the Federal Register. In the event that the CDFI fund is unable to publish a notice of funding of allocation awards because of a lack of award authority under Section 45D of the Internal Revenue Code of 1986, as amended, with respect to the fiscal year beginning July 1, 2026, the MDA shall set a date for accepting applications and waive the requirement that a qualified community development entity designate at least fifty percent (50%) of qualified equity investment authority awarded as a qualified equity investment under Section 45D of the Internal Revenue Code of 1986, as amended, provided that the MDA shall give a preference in the award of tax credits to qualified community development entities that apply with remaining allocation under Section 45D of the Internal Revenue Code of 1986, as amended.

(c) The MDA shall award credits and the related qualified equity investment authority, subject to the limitations set forth in subsection (2) of this section, fifty percent (50%) to applicants that agree to utilize qualified equity investment authority for loan funds. The MDA may require additional information in the application to delineate between types of applications. Within forty-five (45) days with respect to a loan fund application and ninety (90) days for all other applications, the MDA shall grant or deny the application in full or in part. If the MDA denies any part of the application, the MDA shall inform the applicant of the grounds for the denial. If the applicant provides the information required by the MDA or otherwise completes its application within fifteen (15) days of the notice of denial, the application is deemed complete as of the original date of submission. If the applicant fails to provide the requested information or complete its application within the fifteen-day period, the applicant must submit a new application. If requests for either allocation are not fully subscribed, the MDA shall reallocate such remaining allocation to the other allocation pool. Once the MDA has allocated credits to a qualified community development entity, the corresponding qualified equity investment must be issued and, if applicable, fifty percent (50%) of such qualified equity investment must be designated under Section 45D of the Internal Revenue Code of 1986, as amended, not later than one hundred twenty (120) days from the date of such allocation. If the qualified equity investment is not issued and, if applicable, such designation under Section 45D of the Internal Revenue Code of 1986, as amended, is not made within such time period, the allocation shall be cancelled and returned to the MDA for reallocation. If the actual dollar amount of qualified equity investment is lower than the amount awarded by the MDA, the MDA shall adjust the tax credit allowed under this section and reissue awards to other applicants that did not receive the awards requested pro rata. Qualified community

development entities shall provide the MDA evidence of qualified equity investments and designation under Section 45D of the Internal Revenue Code of 1986, as amended, if applicable, within one hundred thirty (130) days from the date of an allocation. An applicant certified an award under this paragraph may transfer all or a portion of its certified qualified equity investment authority to any affiliated qualified community development entity by sending written notice to the MDA endorsing the certificate. If there are credits for loan funds or nonloan funds available in any application round after MDA's initial award of credits, the MDA shall set a date to accept applications without reserving credits by type of applicant. If there are still remaining credits after this additional application round, the MDA shall set a date to accept applications from applicants that otherwise meet the requirements of this section except for subsection (1)(i)(iii) of this section. The MDA and such applicants shall otherwise comply with all other requirements of this section. Applicants that do meet the requirement of subsection (1)(i)(iii) of this section are eligible to apply under such additional application round.

(d) The Department of Revenue may recapture credits under this section if:

(i) Any amount of the federal tax credit available with respect to a qualified equity investment that is eligible for a credit under this section is recaptured under Section 45D of the Internal Revenue Code of 1986, as amended;

(ii) The qualified community development entity redeems a qualified equity investment prior to the seventh anniversary of the issuance of the qualified equity investment; or

(iii) The qualified community development entity fails to invest at least eighty-five percent (85%) of the cash purchase price of the qualified equity investment in qualified low-income community investments within twelve (12) months of the issuance of the qualified equity investment and maintain that level of investment until the seventh anniversary of the initial credit allowance date for the qualified equity investment.

A qualified community development entity shall notify the Department of Revenue of any of the events set forth in this paragraph (d) within five (5) days of actual knowledge of such event.

(e) For purposes of paragraph (d)(iii) of this subsection, an investment is considered maintained by a qualified community development entity even if the investment has been sold or repaid, provided that the qualified community development entity reinvests an amount equal to the capital returned to or recovered by the qualified community development entity from the original investment, exclusive of any profits realized, in another qualified low-income community investment in this state within twelve (12) months after the receipt of that capital. Periodic loan repayments received by a qualified community development entity from a qualified active low-income community business within a calendar year must be treated as maintained in qualified low-income community investments if a qualified community development entity reinvests the repayments in qualified low-income community investments by the end of the following calendar year.

(f) A qualified community development entity is not required to reinvest capital returned from qualified low-income community investments after the sixth anniversary of the issuance of the qualified equity investment, the proceeds of which were used to make the qualified low-income community investment, and the qualified low-income community investment is considered held by the qualified community development entity through the seventh anniversary of the qualified equity investment's issuance.

(g) The MDA shall provide notice to the qualified community development entity and the Department of Revenue of any proposed recapture of credits pursuant to this subsection. The notice must specify the conditions under which the deficiency

resulting in the proposed recapture occurred and state that the credits will be recaptured within ninety (90) days unless the qualified community development entity complies with the conditions identified in the notice. If the entity does not comply with the conditions identified in the notice within the ninety-day period, the Department of Revenue shall provide the entity from whom the credit is to be recaptured with a final order of recapture. Any credit for which a final recapture order has been issued must be recaptured by the Department of Revenue from the entity that claimed the credit on a tax return. The qualified equity investment authority of the recaptured credits must be returned to the MDA and must first be awarded pro rata to applicants that have received awards of qualified equity investment authority and complied with this subsection. If credits are recaptured under this section, any remaining credit is forfeited.

(h) The MDA shall not make awards of credits and related qualified equity investment authority after July 1, 2027.

(5) Each qualified community development entity that receives qualified equity investments to make qualified low-income community investments in Mississippi must annually report to the MDA the North American Industry Classification System Code, the county, the dollars invested, the number of jobs assisted and the number of jobs assisted with wages over one hundred percent (100%) of the federal poverty level for a family of four (4) of each qualified low-income community investment.

(6) The MDA shall file an annual report on all qualified low-income community investments with the Governor, the Clerk of the House of Representatives, the Secretary of the Senate and the Secretary of State describing the North American Industry Classification System Code, the county, the dollars invested, the number of jobs assisted and the number of jobs assisted with wages over one hundred percent (100%) of the federal poverty level for a family of four (4) of each qualified low-income community investment. The annual report will be posted on the MDA internet website.

(7) (a) The purpose of this subsection is to authorize the creation and establishment of public benefit corporations for financing arrangements regarding public property and facilities.

(b) As used in this subsection:

(i) "New Markets Tax Credit transaction" means any financing transaction which utilizes either this section or Section 45D of the Internal Revenue Code of 1986, as amended.

(ii) "Public benefit corporation" means a nonprofit corporation formed or designated by a public entity to carry out the purposes of this subsection.

(iii) "Public entity or public entities" includes utility districts, regional solid waste authorities, regional utility authorities, community hospitals, regional airport authorities, municipal airport authorities, community and junior colleges, educational building corporations established by or on behalf of the state institutions of higher learning, school districts, planning and development districts, county economic development districts, urban renewal agencies, any other regional or local economic development authority, agency or governmental entity, and any other regional or local industrial development authority, agency or governmental entity.

(iv) "Public property or facilities" means any property or facilities owned or leased by a public entity or public benefit corporation.

(c) Notwithstanding any other provision of law to the contrary, public entities are authorized pursuant to this subsection to create one or more public benefit corporations or designate an existing corporation as a public benefit corporation for the purpose of entering into financing agreements and engaging in New Markets Tax Credit

transactions, which shall include, without limitation, arrangements to plan, acquire, renovate, construct, lease, sublease, manage, operate and/or improve new or existing public property or facilities located within the boundaries or service area of the public entity. Any financing arrangement authorized under this subsection shall further any purpose of the public entity and may include a term of up to fifty (50) years.

(d) Notwithstanding any other provision of law to the contrary and in order to facilitate the acquisition, renovation, construction, leasing, subleasing, management, operating and/or improvement of new or existing public property or facilities to further any purpose of a public entity, public entities are authorized to enter into financing arrangements in order to transfer public property or facilities to and/or from public benefit corporations, including, without limitation, sales, sale-leasebacks, leases and lease-leasebacks, provided such transfer is related to any New Markets Tax Credit transaction furthering any purpose of the public entity. Any such transfer under this paragraph (d) and the public property or facilities transferred in connection therewith shall be exempted from any limitation or requirements with respect to leasing, acquiring, and/or constructing public property or facilities.

(e) With respect to a New Markets Tax Credit transaction, public entities and public benefit corporations are authorized to enter into financing arrangements with any governmental, nonprofit or for-profit entity in order to leverage funds not otherwise available to public entities for the acquisition, construction and/or renovation of properties transferred to such public benefit corporations. The use of any funds loaned by or contributed by a public benefit corporation or borrowed by or otherwise made available to a public benefit corporation in such financing arrangement shall be dedicated solely to (i) the development of new properties or facilities and/or the renovation of existing properties or facilities or operation of properties or facilities, and/or (ii) the payment of costs and expenditures related to any such financing arrangements, including, but not limited to, funding any reserves required in connection therewith, the repayment of any indebtedness incurred in connection therewith, and the payment of fees and expenses incurred in connection with the closing, administration, accounting and/or compliance with respect to the New Markets Tax Credit transaction.

(f) A public benefit corporation created pursuant to this subsection shall not be a political subdivision of the state but shall be a nonprofit corporation organized and governed under the provisions of the laws of this state and shall be a special purpose corporation established to facilitate New Markets Tax Credit transactions consistent with the requirements of this section.

(g) Neither this subsection nor anything herein contained is or shall be construed as a restriction or limitation upon any powers which the public entity or public benefit corporation might otherwise have under any laws of this state, and this subsection is cumulative to any such powers. This subsection does and shall be construed to provide a complete additional and alternative method for doing the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws.

(8) The MDA shall promulgate rules and regulations to implement the provisions of this section.

SECTION 2. Section 27-15-129, Mississippi Code of 1972, is amended as follows:

27-15-129. (1) The amount of premium tax payable pursuant to Sections 27-15-103, 27-15-109, 27-15-119 and 83-31-45, Mississippi Code of 1972, shall be reduced from the amount otherwise fixed in such sections if the payer files a sworn statement with the required annual report showing as of the beginning of the reporting period that at least the following amounts of the total admitted assets of the payer were invested and maintained in qualifying Mississippi investments as hereinafter defined in subsection (2) of this section over the period covered by such report:

Percentage of Total Admitted Assets in Qualifying Mississippi Investments	Percentage of Premium Tax Payable
1%	99%
2%	98%
3%	97%
4%	96%
5%	95%
6%	94%
7%	93%
8%	92%
9%	91%
10%	80%
15%	70%
20%	60%
25%	50%

(2) For the purpose of this section, "a qualifying Mississippi investment" is hereby defined as follows:

(a) Certificates of deposit issued by any bank or savings and loan association domiciled in this state;

(b) Bonds of this state or bonds of municipal, school, road or levee districts, or other political subdivisions of this state;

(c) Loans evidenced by notes and secured by deeds of trust on property located in this state;

(d) Real property located in this state;

(e) Policy loans to residents of Mississippi, or other loans to residents of this state, or to corporations domiciled in this state;

(f) Common or preferred stock, bonds and other evidences of indebtedness of corporations domiciled in this state; and

(g) Cash on deposit in any bank or savings and loan association domiciled in this state.

"A qualifying Mississippi investment" shall not include any investment for which a credit is allocated under Section 57-105-1 * * *, Section 57-115-1 et seq., and/or Section 1 of this act.

(3) If the credits, or any part thereof, authorized by the preceding provisions of this section shall be held by a court of final jurisdiction to be unconstitutional and void for any reason or to make the annual premium taxes levied by Sections 27-15-103, 27-15-109, 27-15-119 and 83-31-45, Mississippi Code of 1972, unlawfully discriminatory or otherwise invalid under the Fourteenth Amendment or the Commerce Clause of the Constitution of the United States or under any state or other federal constitutional provisions, it is hereby expressly declared that such fact shall in no way affect the validity of the annual premium taxes levied thereby, and that such provisions would have been enacted even though the Legislature had known this credit section would be held invalid.

(4) This section shall apply to taxes accruing and investments existing from and after July 1, 1985.

SECTION 3. Section 31-7-13, Mississippi Code of 1972, is amended as follows:

31-7-13. All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided.

(a) Bidding procedure for purchases not over $5,000.00. Purchases which do not involve an expenditure of more than Five Thousand Dollars ($5,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. However, nothing contained in this paragraph (a) shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of Five Thousand Dollars ($5,000.00) or less.

(b) Bidding procedure for purchases over $5,000.00 but not over $75,000.00. Purchases which involve an expenditure of more than Five Thousand Dollars ($5,000.00) but not more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder without publishing or posting advertisement for bids, provided at least two (2) competitive written bids have been obtained. Any state agency or community or junior college purchasing commodities or procuring construction pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, to accept the lowest competitive written bid under Seventy-five Thousand Dollars ($75,000.00). Any governing authority purchasing commodities pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, with regard to governing authorities other than counties, or its purchase clerk, or his designee, with regard to counties, to accept the lowest and best competitive written bid. Such authorization shall be made in writing by the governing authority and shall be maintained on file in the primary office of the agency and recorded in the official minutes of the governing authority, as appropriate. The purchasing agent or the purchase clerk, or his designee, as the case may be, and not the governing authority, shall be liable for any penalties and/or damages as may be imposed by law for any act or omission of the purchasing agent or purchase clerk, or his designee, constituting a violation of law in accepting any bid without approval by the governing authority. The term "competitive written bid" shall mean a bid submitted on a bid form furnished by the buying agency or governing authority and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor. "Competitive" shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. Any bid item for construction in excess of Five Thousand Dollars ($5,000.00) shall be broken down by components to provide detail of component description and pricing. These details shall be submitted with the written bids and become part of the bid evaluation criteria. Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities.

(c) Bidding procedure for purchases over $75,000.00.

(i) Publication requirement.

1. Purchases which involve an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder after advertising for competitive bids once each week for two (2) consecutive weeks in a regular newspaper published in the county or municipality in which such agency or governing authority is located. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars ($25,000.00) shall be bid. All references to American Recovery and Reinvestment Act projects in this section shall not apply to programs identified in Division B of the American Recovery and Reinvestment Act.

2. Reverse auctions shall be the primary method for receiving bids during the bidding process. If a purchasing entity determines that a reverse auction is not in the best interest of the state, then that determination must be approved by the Public Procurement Review Board. The purchasing entity shall submit a detailed explanation of why a reverse auction would not be in the best interest of the state and present an alternative process to be approved by the Public Procurement Review Board. If the Public Procurement Review Board authorizes the purchasing entity to solicit bids with a method other than reverse auction, then the purchasing entity may designate the other methods by which the bids will be received, including, but not limited to, bids sealed in an envelope, bids received electronically in a secure system, or bids received by any other method that promotes open competition and has been approved by the Office of Purchasing and Travel. However, reverse auction shall not be used for any public contract for design, construction, improvement, repair or remodeling of any public facilities, including the purchase of materials, supplies, equipment or goods for same and including buildings, roads and bridges. The Public Procurement Review Board must approve any contract entered into by alternative process. The provisions of this item 2 shall not apply to the individual state institutions of higher learning. The provisions of this item 2 requiring reverse auction as the primary method of receiving bids shall not apply to term contract purchases as provided in paragraph (n) of this section; however, a purchasing entity may, in its discretion, utilize reverse auction for such purchases. The provisions of this item 2 shall not apply to individual public schools, including public charter schools and public school districts, only when purchasing copyrighted educational supplemental materials and software as a service product. For such purchases, a local school board may authorize a purchasing entity in its jurisdiction to use a Request for Qualifications which promotes open competition and meets the requirements of the Office of Purchasing and Travel.

3. The date as published for the bid opening shall not be less than seven (7) working days after the last published notice; however, if the purchase involves a construction project in which the estimated cost is in excess of Seventy-five Thousand Dollars ($75,000.00), such bids shall not be opened in less than fifteen (15) working days after the last notice is published and the notice for the purchase of such construction shall be published once each week for two (2) consecutive weeks. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars ($25,000.00) shall be bid. For any projects in excess of Twenty-five Thousand Dollars ($25,000.00) under the American Recovery and Reinvestment Act, publication shall be made one (1) time and the bid opening for construction projects shall not be less than ten (10) working days after the date of the published notice. The notice of intention to let contracts or purchase equipment shall state the time and place at which bids shall be received, list the contracts to be made or types of equipment or supplies to be purchased, and, if all plans and/or specifications are not published, refer to the plans and/or specifications on file. If there is no newspaper published in the county or municipality, then such notice shall be given by posting same at the courthouse, or for municipalities at the city hall, and at two (2) other public places in the county or municipality, and also by publication once each week for two (2) consecutive weeks in

some newspaper having a general circulation in the county or municipality in the above-provided manner. On the same date that the notice is submitted to the newspaper for publication, the agency or governing authority involved shall mail written notice to, or provide electronic notification to the main office of the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority that contains the same information as that in the published notice. Submissions received by the Mississippi Procurement Technical Assistance Program for projects funded by the American Recovery and Reinvestment Act shall be displayed on a separate and unique Internet web page accessible to the public and maintained by the Mississippi Development Authority for the Mississippi Procurement Technical Assistance Program. Those American Recovery and Reinvestment Act related submissions shall be publicly posted within twenty-four (24) hours of receipt by the Mississippi Development Authority and the bid opening shall not occur until the submission has been posted for ten (10) consecutive days. The Department of Finance and Administration shall maintain information regarding contracts and other expenditures from the American Recovery and Reinvestment Act, on a unique Internet web page accessible to the public. The Department of Finance and Administration shall promulgate rules regarding format, content and deadlines, unless otherwise specified by law, of the posting of award notices, contract execution and subsequent amendments, links to the contract documents, expenditures against the awarded contracts and general expenditures of funds from the American Recovery and Reinvestment Act. Within one (1) working day of the contract award, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration, notice of the award, including the award recipient, the contract amount, and a brief summary of the contract in accordance with rules promulgated by the department. Within one (1) working day of the contract execution, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration a summary of the executed contract and make a copy of the appropriately redacted contract documents available for linking to the designated web page in accordance with the rules promulgated by the department. The information provided by the agency or governing authority shall be posted to the web page for the duration of the American Recovery and Reinvestment Act funding or until the project is completed, whichever is longer.

(ii) Bidding process amendment procedure. If all plans and/or specifications are published in the notification, then the plans and/or specifications may not be amended. If all plans and/or specifications are not published in the notification, then amendments to the plans/specifications, bid opening date, bid opening time and place may be made, provided that the agency or governing authority maintains a list of all prospective bidders who are known to have received a copy of the bid documents and all such prospective bidders are sent copies of all amendments. This notification of amendments may be made via mail, facsimile, electronic mail or other generally accepted method of information distribution. No addendum to bid specifications may be issued within two (2) working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum.

(iii) Filing requirement. In all cases involving governing authorities, before the notice shall be published or posted, the plans or specifications for the construction or equipment being sought shall be filed with the clerk of the board of the governing authority. In addition to these requirements, a bid file shall be established which shall indicate those vendors to whom such solicitations and specifications were issued, and such file shall also contain such information as is pertinent to the bid.

(iv) Specification restrictions.

1. Specifications pertinent to such bidding shall be written so as not to exclude comparable equipment of domestic manufacture. However, if valid justification is presented, the Department of Finance and Administration or the board of a governing authority may approve a request for specific equipment necessary to perform

a specific job. Further, such justification, when placed on the minutes of the board of a governing authority, may serve as authority for that governing authority to write specifications to require a specific item of equipment needed to perform a specific job. In addition to these requirements, from and after July 1, 1990, vendors of relocatable classrooms and the specifications for the purchase of such relocatable classrooms published by local school boards shall meet all pertinent regulations of the State Board of Education, including prior approval of such bid by the State Department of Education.

2. Specifications for construction projects may include an allowance for commodities, equipment, furniture, construction materials or systems in which prospective bidders are instructed to include in their bids specified amounts for such items so long as the allowance items are acquired by the vendor in a commercially reasonable manner and approved by the agency/governing authority. Such acquisitions shall not be made to circumvent the public purchasing laws.

(v) Electronic bids. Agencies and governing authorities shall provide a secure electronic interactive system for the submittal of bids requiring competitive bidding that shall be an additional bidding option for those bidders who choose to submit their bids electronically. The Department of Finance and Administration shall provide, by regulation, the standards that agencies must follow when receiving electronic bids. Agencies and governing authorities shall make the appropriate provisions necessary to accept electronic bids from those bidders who choose to submit their bids electronically for all purchases requiring competitive bidding under this section. Any special condition or requirement for the electronic bid submission shall be specified in the advertisement for bids required by this section. Agencies or governing authorities that are currently without available high speed Internet access shall be exempt from the requirement of this subparagraph (v) until such time that high speed Internet access becomes available. Any county having a population of less than twenty thousand (20,000) shall be exempt from the provisions of this subparagraph (v). Any municipality having a population of less than ten thousand (10,000) shall be exempt from the provisions of this subparagraph (v). The provisions of this subparagraph (v) shall not require any bidder to submit bids electronically. When construction bids are submitted electronically, the requirement for including a certificate of responsibility, or a statement that the bid enclosed does not exceed Fifty Thousand Dollars ($50,000.00), on the exterior of the bid envelope as indicated in Section 31-3-21(1) and (2) shall be deemed in compliance with by including same as an attachment with the electronic bid submittal.

(d) Lowest and best bid decision procedure.

(i) Decision procedure. Purchases may be made from the lowest and best bidder. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(ii) Decision procedure for Certified Purchasing Offices. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), Certified Purchasing Offices may also use the following procedure: Purchases may be made from the bidder offering the best value. In determining the best value bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions, documented previous experience, training costs and other relevant provisions, including, but not limited to, a bidder having a local office and inventory located within the jurisdiction of the governing authority, may be included in the best value

calculation. This provision shall authorize Certified Purchasing Offices to utilize a Request For Proposals (RFP) process when purchasing commodities. All best value procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. No agency or governing authority shall accept a bid based on items or criteria not included in the specifications.

(iii) Decision procedure for Mississippi Landmarks. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), where purchase involves renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History under the authority of Sections 39-7-7 and 39-7-11, the agency or governing authority may use the following procedure: Purchases may be made from the lowest and best prequalified bidder. Prequalification of bidders shall be determined not less than fifteen (15) working days before the first published notice of bid opening. Prequalification criteria shall be limited to bidder's knowledge and experience in historical restoration, preservation and renovation. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid and prequalification procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(iv) Construction project negotiations authority. If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.

(e) Lease-purchase authorization. For the purposes of this section, the term "equipment" shall mean equipment, furniture and, if applicable, associated software and other applicable direct costs associated with the acquisition. Any lease-purchase of equipment which an agency is not required to lease-purchase under the master lease-purchase program pursuant to Section 31-7-10 and any lease-purchase of equipment which a governing authority elects to lease-purchase may be acquired by a lease-purchase agreement under this paragraph (e). Lease-purchase financing may also be obtained from the vendor or from a third-party source after having solicited and obtained at least two (2) written competitive bids, as defined in paragraph (b) of this section, for such financing without advertising for such bids. Solicitation for the bids for financing may occur before or after acceptance of bids for the purchase of such equipment or, where no such bids for purchase are required, at any time before the purchase thereof. No such lease-purchase agreement shall be for an annual rate of interest which is greater than the overall maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101, and the term of such lease-purchase agreement shall not exceed the useful life of equipment covered thereby as determined according to the upper limit of the asset depreciation range (ADR) guidelines for the Class Life Asset Depreciation Range System established by the Internal Revenue Service pursuant to the United States Internal Revenue Code and regulations thereunder as in effect on December 31, 1980, or comparable depreciation guidelines with respect to any equipment not covered by ADR guidelines. Any lease-purchase agreement entered into pursuant to this paragraph (e) may contain any of the terms and conditions which a master lease-purchase agreement may contain under the provisions of Section 31-7-10(5), and shall contain an annual allocation dependency clause substantially similar to that set forth in Section 31-7-10(8). Each agency or governing authority entering into a lease-purchase transaction pursuant to this paragraph (e) shall maintain with respect to each such

lease-purchase transaction the same information as required to be maintained by the Department of Finance and Administration pursuant to Section 31-7-10(13). However, nothing contained in this section shall be construed to permit agencies to acquire items of equipment with a total acquisition cost in the aggregate of less than Ten Thousand Dollars ($10,000.00) by a single lease-purchase transaction. All equipment, and the purchase thereof by any lessor, acquired by lease-purchase under this paragraph and all lease-purchase payments with respect thereto shall be exempt from all Mississippi sales, use and ad valorem taxes. Interest paid on any lease-purchase agreement under this section shall be exempt from State of Mississippi income taxation.

(f) Alternate bid authorization. When necessary to ensure ready availability of commodities for public works and the timely completion of public projects, no more than two (2) alternate bids may be accepted by a governing authority for commodities. No purchases may be made through use of such alternate bids procedure unless the lowest and best bidder cannot deliver the commodities contained in his bid. In that event, purchases of such commodities may be made from one (1) of the bidders whose bid was accepted as an alternate.

(g) Construction contract change authorization. In the event a determination is made by an agency or governing authority after a construction contract is let that changes or modifications to the original contract are necessary or would better serve the purpose of the agency or the governing authority, such agency or governing authority may, in its discretion, order such changes pertaining to the construction that are necessary under the circumstances without the necessity of further public bids; provided that such change shall be made in a commercially reasonable manner and shall not be made to circumvent the public purchasing statutes. In addition to any other authorized person, the architect or engineer hired by an agency or governing authority with respect to any public construction contract shall have the authority, when granted by an agency or governing authority, to authorize changes or modifications to the original contract without the necessity of prior approval of the agency or governing authority when any such change or modification is less than one percent (1%) of the total contract amount. The agency or governing authority may limit the number, manner or frequency of such emergency changes or modifications.

(h) Petroleum purchase alternative. In addition to other methods of purchasing authorized in this chapter, when any agency or governing authority shall have a need for gas, diesel fuel, oils and/or other petroleum products in excess of the amount set forth in paragraph (a) of this section, such agency or governing authority may purchase the commodity after having solicited and obtained at least two (2) competitive written bids, as defined in paragraph (b) of this section. If two (2) competitive written bids are not obtained, the entity shall comply with the procedures set forth in paragraph (c) of this section. In the event any agency or governing authority shall have advertised for bids for the purchase of gas, diesel fuel, oils and other petroleum products and coal and no acceptable bids can be obtained, such agency or governing authority is authorized and directed to enter into any negotiations necessary to secure the lowest and best contract available for the purchase of such commodities.

(i) Road construction petroleum products price adjustment clause authorization. Any agency or governing authority authorized to enter into contracts for the construction, maintenance, surfacing or repair of highways, roads or streets, may include in its bid proposal and contract documents a price adjustment clause with relation to the cost to the contractor, including taxes, based upon an industry-wide cost index, of petroleum products including asphalt used in the performance or execution of the contract or in the production or manufacture of materials for use in such performance. Such industry-wide index shall be established and published monthly by the Mississippi Department of Transportation with a copy thereof to be mailed, upon request, to the clerks of the governing authority of each municipality and the clerks of each board of supervisors throughout the state. The price adjustment clause shall be based on the cost of such petroleum products only and shall not include any additional profit or overhead as part of

the adjustment. The bid proposals or document contract shall contain the basis and methods of adjusting unit prices for the change in the cost of such petroleum products.

(j) State agency emergency purchase procedure. If the governing board or the executive head, or his designees, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the head of such agency, or his designees, shall file with the Department of Finance and Administration (i) a statement explaining the conditions and circumstances of the emergency, which shall include a detailed description of the events leading up to the situation and the negative impact to the entity if the purchase is made following the statutory requirements set forth in paragraph (a), (b) or (c) of this section, and (ii) a certified copy of the appropriate minutes of the board of such agency requesting the emergency purchase, if applicable. Upon receipt of the statement and applicable board certification, the State Fiscal Officer, or his designees, may, in writing, authorize the purchase or repair without having to comply with competitive bidding requirements.

If the governing board or the executive head, or his designees, of any agency determines that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would threaten the health or safety of any person, or the preservation or protection of property, then the provisions in this section for competitive bidding shall not apply, and any officer or agent of the agency having general or specific authority for making the purchase or repair contract shall approve the bill presented for payment, and he shall certify in writing from whom the purchase was made, or with whom the repair contract was made.

Total purchases made under this paragraph (j) shall only be for the purpose of meeting needs created by the emergency situation. Following the emergency purchase, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be filed with the Department of Finance and Administration. Any contract awarded pursuant to this paragraph (j) shall not exceed a term of one (1) year.

Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (j).

(k) Governing authority emergency purchase procedure. If the governing authority, or the governing authority acting through its designee, shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions herein for competitive bidding shall not apply and any officer or agent of such governing authority having general or special authority therefor in making such purchase or repair shall approve the bill presented therefor, and he shall certify in writing thereon from whom such purchase was made, or with whom such a repair contract was made. At the board meeting next following the emergency purchase or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased, the price thereof and the nature of the emergency shall be presented to the board and shall be placed on the minutes of the board of such governing authority. Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (k).

(l) Hospital purchase, lease-purchase and lease authorization.

(i) The commissioners or board of trustees of any public hospital may contract with such lowest and best bidder for the purchase or lease-purchase of any commodity under a contract of purchase or lease-purchase agreement whose obligatory payment terms do not exceed five (5) years.

(ii) In addition to the authority granted in subparagraph (i) of this paragraph (l), the commissioners or board of trustees is authorized to enter into contracts for the lease of equipment or services, or both, which it considers necessary for the proper care of patients if, in its opinion, it is not financially feasible to purchase the necessary equipment or services. Any such contract for the lease of equipment or services executed by the commissioners or board shall not exceed a maximum of five (5) years' duration and shall include a cancellation clause based on unavailability of funds. If such cancellation clause is exercised, there shall be no further liability on the part of the lessee. Any such contract for the lease of equipment or services executed on behalf of the commissioners or board that complies with the provisions of this subparagraph (ii) shall be excepted from the bid requirements set forth in this section.

(m) Exceptions from bidding requirements. Excepted from bid requirements are:

(i) Purchasing agreements approved by department. Purchasing agreements, contracts and maximum price regulations executed or approved by the Department of Finance and Administration.

(ii) Outside equipment repairs. Repairs to equipment, when such repairs are made by repair facilities in the private sector; however, engines, transmissions, rear axles and/or other such components shall not be included in this exemption when replaced as a complete unit instead of being repaired and the need for such total component replacement is known before disassembly of the component; however, invoices identifying the equipment, specific repairs made, parts identified by number and name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required for the payment for such repairs.

(iii) In-house equipment repairs. Purchases of parts for repairs to equipment, when such repairs are made by personnel of the agency or governing authority; however, entire assemblies, such as engines or transmissions, shall not be included in this exemption when the entire assembly is being replaced instead of being repaired.

(iv) Raw gravel or dirt. Raw unprocessed deposits of gravel or fill dirt which are to be removed and transported by the purchaser.

(v) Governmental equipment auctions. Motor vehicles or other equipment purchased from a federal agency or authority, another governing authority or state agency of the State of Mississippi, or any governing authority or state agency of another state at a public auction held for the purpose of disposing of such vehicles or other equipment. Any purchase by a governing authority under the exemption authorized by this subparagraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(vi) Intergovernmental sales and transfers. Purchases, sales, transfers or trades by governing authorities or state agencies when such purchases, sales, transfers or trades are made by a private treaty agreement or through means of negotiation, from any federal agency or authority, another governing authority or state agency of the State of Mississippi, or any state agency or governing authority of another state. Nothing in this section shall permit such purchases through public auction except as provided for in subparagraph (v) of this paragraph (m). It is the intent of this section to allow governmental entities to dispose of and/or purchase commodities from other

governmental entities at a price that is agreed to by both parties. This shall allow for purchases and/or sales at prices which may be determined to be below the market value if the selling entity determines that the sale at below market value is in the best interest of the taxpayers of the state. Governing authorities shall place the terms of the agreement and any justification on the minutes, and state agencies shall obtain approval from the Department of Finance and Administration, prior to releasing or taking possession of the commodities.

(vii) Perishable supplies or food. Perishable supplies or food purchased for use in connection with hospitals, the school lunch programs, homemaking programs and for the feeding of county or municipal prisoners.

(viii) Single-source items. Noncompetitive items available from one (1) source only. In connection with the purchase of noncompetitive items only available from one (1) source, a certification of the conditions and circumstances requiring the purchase shall be filed by the agency with the Department of Finance and Administration and by the governing authority with the board of the governing authority. Upon receipt of that certification the Department of Finance and Administration or the board of the governing authority, as the case may be, may, in writing, authorize the purchase, which authority shall be noted on the minutes of the body at the next regular meeting thereafter. In those situations, a governing authority is not required to obtain the approval of the Department of Finance and Administration. Following the purchase, the executive head of the state agency, or his designees, shall file with the Department of Finance and Administration, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the source from whom it was purchased.

(ix) Waste disposal facility construction contracts. Construction of incinerators and other facilities for disposal of solid wastes in which products either generated therein, such as steam, or recovered therefrom, such as materials for recycling, are to be sold or otherwise disposed of; however, in constructing such facilities, a governing authority or agency shall publicly issue requests for proposals, advertised for in the same manner as provided herein for seeking bids for public construction projects, concerning the design, construction, ownership, operation and/or maintenance of such facilities, wherein such requests for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, environmental compatibility, legal responsibilities and such other matters as are determined by the governing authority or agency to be appropriate for inclusion; and after responses to the request for proposals have been duly received, the governing authority or agency may select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter contracts with one or more of the persons or firms submitting proposals.

(x) Hospital group purchase contracts. Supplies, commodities and equipment purchased by hospitals through group purchase programs pursuant to Section 31-7-38.

(xi) Information technology products. Purchases of information technology products made by governing authorities under the provisions of purchase schedules, or contracts executed or approved by the Mississippi Department of Information Technology Services and designated for use by governing authorities.

(xii) Energy efficiency services and equipment. Energy efficiency services and equipment acquired by school districts, community and junior colleges, institutions of higher learning and state agencies or other applicable governmental entities on a shared-savings, lease or lease-purchase basis pursuant to Section 31-7-14.

(xiii) Municipal electrical utility system fuel. Purchases of coal and/or natural gas by municipally owned electric power generating systems that have the capacity to use both coal and natural gas for the generation of electric power.

(xiv) Library books and other reference materials. Purchases by libraries or for libraries of books and periodicals; processed film, videocassette tapes, filmstrips and slides; recorded audiotapes, cassettes and diskettes; and any such items as would be used for teaching, research or other information distribution; however, equipment such as projectors, recorders, audio or video equipment, and monitor televisions are not exempt under this subparagraph.

(xv) Unmarked vehicles. Purchases of unmarked vehicles when such purchases are made in accordance with purchasing regulations adopted by the Department of Finance and Administration pursuant to Section 31-7-9(2).

(xvi) Election ballots. Purchases of ballots printed pursuant to Section 23-15-351.

(xvii) Multichannel interactive video systems. From and after July 1, 1990, contracts by Mississippi Authority for Educational Television with any private educational institution or private nonprofit organization whose purposes are educational in regard to the construction, purchase, lease or lease-purchase of facilities and equipment and the employment of personnel for providing multichannel interactive video systems (ITSF) in the school districts of this state.

(xviii) Purchases of prison industry products by the Department of Corrections, regional correctional facilities or privately owned prisons. Purchases made by the Mississippi Department of Corrections, regional correctional facilities or privately owned prisons involving any item that is manufactured, processed, grown or produced from the state's prison industries.

(xix) Undercover operations equipment. Purchases of surveillance equipment or any other high-tech equipment to be used by law enforcement agents in undercover operations, provided that any such purchase shall be in compliance with regulations established by the Department of Finance and Administration.

(xx) Junior college books for rent. Purchases by community or junior colleges of textbooks which are obtained for the purpose of renting such books to students as part of a book service system.

(xxi) Certain school district purchases. Purchases of commodities made by school districts from vendors with which any levying authority of the school district, as defined in Section 37-57-1, has contracted through competitive bidding procedures for purchases of the same commodities.

(xxii) Garbage, solid waste and sewage contracts. Contracts for garbage collection or disposal, contracts for solid waste collection or disposal and contracts for sewage collection or disposal.

(xxiii) Municipal water tank maintenance contracts. Professional maintenance program contracts for the repair or maintenance of municipal water tanks, which provide professional services needed to maintain municipal water storage tanks for a fixed annual fee for a duration of two (2) or more years.

(xxiv) Purchases of Mississippi Industries for the Blind products or services. Purchases made by state agencies or governing authorities involving any item that is manufactured, processed or produced by, or any services provided by, the Mississippi Industries for the Blind.

(xxv) Purchases of state-adopted textbooks. Purchases of state-adopted textbooks by public school districts.

(xxvi) Certain purchases under the Mississippi Major Economic Impact Act. Contracts entered into pursuant to the provisions of Section 57-75-9(2), (3) and (4).

(xxvii) Used heavy or specialized machinery or equipment for installation of soil and water conservation practices purchased at auction. Used heavy or specialized machinery or equipment used for the installation and implementation of soil and water conservation practices or measures purchased subject to the restrictions provided in Sections 69-27-331 through 69-27-341. Any purchase by the State Soil and Water Conservation Commission under the exemption authorized by this subparagraph shall require advance authorization spread upon the minutes of the commission to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(xxviii) Hospital lease of equipment or services. Leases by hospitals of equipment or services if the leases are in compliance with paragraph (l)(ii).

(xxix) Purchases made pursuant to qualified cooperative purchasing agreements. Purchases made by certified purchasing offices of state agencies or governing authorities under cooperative purchasing agreements previously approved by the Office of Purchasing and Travel and established by or for any municipality, county, parish or state government or the federal government, provided that the notification to potential contractors includes a clause that sets forth the availability of the cooperative purchasing agreement to other governmental entities. Such purchases shall only be made if the use of the cooperative purchasing agreements is determined to be in the best interest of the governmental entity.

(xxx) School yearbooks. Purchases of school yearbooks by state agencies or governing authorities; however, state agencies and governing authorities shall use for these purchases the RFP process as set forth in the Mississippi Procurement Manual adopted by the Office of Purchasing and Travel.

(xxxi) Design-build method of contracting and certain other contracts. Contracts entered into under the provisions of Section 31-7-13.1, 37-101-44 or 65-1-85.

(xxxii) Toll roads and bridge construction projects. Contracts entered into under the provisions of Section 65-43-1 or 65-43-3.

(xxxiii) Certain purchases under Section 57-1-221. Contracts entered into pursuant to the provisions of Section 57-1-221.

(xxxiv) Certain transfers made pursuant to the provisions of Section 57-105-1(7). Transfers of public property or facilities under Section 57-105-1(7) and construction related to such public property or facilities.

(xxxv) Certain purchases or transfers entered into with local electrical power associations. Contracts or agreements entered into under the provisions of Section 55-3-33.

(xxxvi) Certain purchases by an academic medical center or health sciences school. Purchases by an academic medical center or health sciences school, as defined in Section 37-115-50, of commodities that are used for clinical purposes and 1. intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease, and 2. medical devices, biological, drugs and radiation-emitting devices as defined by the United States Food and Drug Administration.

(xxxvii) Certain purchases made under the Alyce G. Clarke Mississippi Lottery Law. Contracts made by the Mississippi Lottery Corporation pursuant to the Alyce G. Clarke Mississippi Lottery Law.

(xxxviii) Certain purchases made by the Department of Health and the Department of Revenue. Purchases made by the Department of Health and the Department of Revenue solely for the purpose of fulfilling their respective responsibilities under the Mississippi Medical Cannabis Act. This subparagraph shall stand repealed on June 30, 2026.

(xxxvix) Certain transfers made pursuant to the provisions of Section 1(7) of this act. Transfers of public property or facilities under Section 1(7) of this act and construction related to such public property or facilities.

(n) Term contract authorization. All contracts for the purchase of:

(i) All contracts for the purchase of commodities, equipment and public construction (including, but not limited to, repair and maintenance), may be let for periods of not more than sixty (60) months in advance, subject to applicable statutory provisions prohibiting the letting of contracts during specified periods near the end of terms of office. Term contracts for a period exceeding twenty-four (24) months shall also be subject to ratification or cancellation by governing authority boards taking office subsequent to the governing authority board entering the contract.

(ii) Bid proposals and contracts may include price adjustment clauses with relation to the cost to the contractor based upon a nationally published industry-wide or nationally published and recognized cost index. The cost index used in a price adjustment clause shall be determined by the Department of Finance and Administration for the state agencies and by the governing board for governing authorities. The bid proposal and contract documents utilizing a price adjustment clause shall contain the basis and method of adjusting unit prices for the change in the cost of such commodities, equipment and public construction.

(o) Purchase law violation prohibition and vendor penalty. No contract or purchase as herein authorized shall be made for the purpose of circumventing the provisions of this section requiring competitive bids, nor shall it be lawful for any person or concern to submit individual invoices for amounts within those authorized for a contract or purchase where the actual value of the contract or commodity purchased exceeds the authorized amount and the invoices therefor are split so as to appear to be authorized as purchases for which competitive bids are not required. Submission of such invoices shall constitute a misdemeanor punishable by a fine of not less than Five Hundred Dollars ($500.00) nor more than One Thousand Dollars ($1,000.00), or by imprisonment for thirty (30) days in the county jail, or both such fine and imprisonment. In addition, the claim or claims submitted shall be forfeited.

(p) Electrical utility petroleum-based equipment purchase procedure. When in response to a proper advertisement therefor, no bid firm as to price is submitted to an electric utility for power transformers, distribution transformers, power breakers, reclosers or other articles containing a petroleum product, the electric utility may accept the lowest and best bid therefor although the price is not firm.

(q) Fuel management system bidding procedure. Any governing authority or agency of the state shall, before contracting for the services and products of a fuel management or fuel access system, enter into negotiations with not fewer than two (2) sellers of fuel management or fuel access systems for competitive written bids to provide the services and products for the systems. In the event that the governing authority or agency cannot locate two (2) sellers of such systems or cannot obtain bids from two (2) sellers of such systems, it shall show proof that it made a diligent, good-faith effort to locate and negotiate with two (2) sellers of such systems. Such proof shall include, but not be limited to, publications of a request for proposals and letters soliciting negotiations and bids. For purposes of this paragraph (q), a fuel management or fuel access system is an automated system of acquiring fuel for vehicles as well as management reports

detailing fuel use by vehicles and drivers, and the term "competitive written bid" shall have the meaning as defined in paragraph (b) of this section. Governing authorities and agencies shall be exempt from this process when contracting for the services and products of fuel management or fuel access systems under the terms of a state contract established by the Office of Purchasing and Travel.

(r) Solid waste contract proposal procedure. Before entering into any contract for garbage collection or disposal, contract for solid waste collection or disposal or contract for sewage collection or disposal, which involves an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), a governing authority or agency shall issue publicly a request for proposals concerning the specifications for such services which shall be advertised for in the same manner as provided in this section for seeking bids for purchases which involve an expenditure of more than the amount provided in paragraph (c) of this section. Any request for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, legal responsibilities and other relevant factors as are determined by the governing authority or agency to be appropriate for inclusion; all factors determined relevant by the governing authority or agency or required by this paragraph (r) shall be duly included in the advertisement to elicit proposals. After responses to the request for proposals have been duly received, the governing authority or agency shall select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter into contracts with one or more of the persons or firms submitting proposals. If the governing authority or agency deems none of the proposals to be qualified or otherwise acceptable, the request for proposals process may be reinitiated. Notwithstanding any other provisions of this paragraph, where a county with at least thirty-five thousand (35,000) nor more than forty thousand (40,000) population, according to the 1990 federal decennial census, owns or operates a solid waste landfill, the governing authorities of any other county or municipality may contract with the governing authorities of the county owning or operating the landfill, pursuant to a resolution duly adopted and spread upon the minutes of each governing authority involved, for garbage or solid waste collection or disposal services through contract negotiations.

(s) Minority set-aside authorization. Notwithstanding any provision of this section to the contrary, any agency or governing authority, by order placed on its minutes, may, in its discretion, set aside not more than twenty percent (20%) of its anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the Department of Finance and Administration and shall be subject to bid requirements under this section. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder. For the purposes of this paragraph, the term "minority business" means a business which is owned by a majority of persons who are United States citizens or permanent resident aliens (as defined by the Immigration and Naturalization Service) of the United States, and who are Asian, Black, Hispanic or Native American, according to the following definitions:

(i) "Asian" means persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(ii) "Black" means persons having origins in any black racial group of Africa.

(iii) "Hispanic" means persons of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.

(iv) "Native American" means persons having origins in any of the original people of North America, including American Indians, Eskimos and Aleuts.

(t) Construction punch list restriction. The architect, engineer or other representative designated by the agency or governing authority that is contracting for public construction or renovation may prepare and submit to the contractor only one (1) preliminary punch list of items that do not meet the contract requirements at the time of substantial completion and one (1) final list immediately before final completion and final payment.

(u) Procurement of construction services by state institutions of higher learning. Contracts for privately financed construction of auxiliary facilities on the campus of a state institution of higher learning may be awarded by the Board of Trustees of State Institutions of Higher Learning to the lowest and best bidder, where sealed bids are solicited, or to the offeror whose proposal is determined to represent the best value to the citizens of the State of Mississippi, where requests for proposals are solicited.

(v) Insurability of bidders for public construction or other public contracts. In any solicitation for bids to perform public construction or other public contracts to which this section applies, including, but not limited to, contracts for repair and maintenance, for which the contract will require insurance coverage in an amount of not less than One Million Dollars ($1,000,000.00), bidders shall be permitted to either submit proof of current insurance coverage in the specified amount or demonstrate ability to obtain the required coverage amount of insurance if the contract is awarded to the bidder. Proof of insurance coverage shall be submitted within five (5) business days from bid acceptance.

(w) Purchase authorization clarification. Nothing in this section shall be construed as authorizing any purchase not authorized by law.

(x) Mississippi Regional Pre-Need Disaster Clean Up Act. (i) The Department of Finance and Administration shall enter into nine (9) contracts for the pre-need purchase of labor, services, work, materials, equipment, supplies or other personal property for disaster-related solid waste collection, disposal or monitoring. One (1) contract shall be entered into for each of the nine (9) Mississippi Emergency Management Association districts:

1. Coahoma, DeSoto, Grenada, Panola, Quitman, Tallahatchie, Tate, Tunica and Yalobusha Counties;

2. Alcorn, Benton, Itawamba, Lafayette, Lee, Marshall, Pontotoc, Prentiss, Tippah, Tishomingo and Union Counties;

3. Attala, Bolivar, Carroll, Holmes, Humphreys, Leflore, Montgomery, Sunflower and Washington Counties;

4. Calhoun, Chickasaw, Choctaw, Clay, Lowndes, Monroe, Noxubee, Oktibbeha, Webster and Winston Counties;

5. Claiborne, Copiah, Hinds, Issaquena, Madison, Rankin, Sharkey, Simpson, Warren and Yazoo Counties;

6. Clarke, Jasper, Kemper, Lauderdale, Leake, Neshoba, Newton, Scott, and Smith Counties and the Mississippi Band of Choctaw Indians;

7. Adams, Amite, Franklin, Jefferson, Lawrence, Lincoln, Pike, Walthall and Wilkinson Counties;

8. Covington, Forrest, Greene, Jefferson Davis, Jones, Lamar, Marion, Perry and Wayne Counties; and

9. George, Hancock, Harrison, Jackson, Pearl River and Stone Counties.

Any such contract shall set forth the manner of awarding such a contract, the method of payment, and any other matter deemed necessary to carry out the purposes of the agreement. Such contract may be entered into only for a term of one (1) year, with an option for an additional one-year extension after the conclusion of the first year of the contract, and only after having solicited bids or proposals, as appropriate, which shall be publicly advertised by posting on a web page maintained by the Department of Finance and Administration through submission of such advertisement to the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority. The bid opening shall not occur until after the submission has been posted for at least ten (10) consecutive days. The state's share of expenditures for solid waste collection, disposal or monitoring under any contract shall be appropriated and paid in the manner set forth in the contract and in the same manner as for other solid waste collection, disposal, or monitoring expenses of the state. Any contract entered into under this paragraph shall not be subject to the provisions of Section 17-13-11.

(ii) Any board of supervisors of any county or any governing authority of any municipality may opt in to the benefits and services provided under the appropriate and relevant contract established in subparagraph (i) of this paragraph at the time of a disaster event in that county or municipality. At the time of opt in, the county or municipality shall assume responsibility for payment in full to the contractor for the disaster-related solid waste collection, disposal or monitoring services provided. Nothing in this subparagraph (ii) shall be construed as requiring a county or municipality to opt in to any such contract established in subparagraph (i) of this paragraph.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO PROVIDE FOR AN INCOME TAX AND INSURANCE PREMIUM TAX CREDIT FOR TAXPAYERS THAT PAY A QUALIFIED COMMUNITY DEVELOPMENT ENTITY FOR QUALIFIED EQUITY INVESTMENTS; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THE TAX CREDIT; TO PROVIDE THAT THE AMOUNT OF THE CREDIT SHALL BE EQUAL TO A CERTAIN PERCENTAGE OF THE ADJUSTED PURCHASE PRICE PAID TO THE QUALIFIED COMMUNITY DEVELOPMENT ENTITY FOR THE QUALIFIED EQUITY INVESTMENT; TO PROVIDE THAT THE MAXIMUM AGGREGATE AMOUNT OF THE CREDITS THAT MAY BE ALLOCATED TO ALL TAXPAYERS IN ANY ONE STATE FISCAL YEAR SHALL NOT EXCEED $21,000,000.00 AND THAT THE CREDITS SHALL BE ALLOCATED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO PROVIDE FOR THE RECAPTURE OF ALL OR A PORTION OF THE CREDIT UNDER CERTAIN CIRCUMSTANCES; TO DEFINE THE TERMS "NEW MARKETS TAX CREDIT TRANSACTION," "PUBLIC BENEFIT CORPORATION," "PUBLIC ENTITY OR PUBLIC ENTITIES" AND "PUBLIC PROPERTY OR FACILITIES"; TO AUTHORIZE PUBLIC ENTITIES TO CREATE PUBLIC BENEFIT CORPORATIONS FOR THE PURPOSE OF ENTERING INTO FINANCING AGREEMENTS AND ENGAGING IN NEW MARKETS TAX CREDIT TRANSACTIONS; TO AUTHORIZE PUBLIC ENTITIES TO ENTER INTO FINANCING ARRANGEMENTS IN ORDER TO TRANSFER PUBLIC PROPERTY OR FACILITIES TO OR FROM PUBLIC BENEFIT CORPORATIONS; TO AUTHORIZE PUBLIC ENTITIES AND PUBLIC BENEFIT CORPORATIONS, WITH RESPECT TO NEW MARKETS TAX CREDIT TRANSACTIONS, TO ENTER INTO FINANCING ARRANGEMENTS WITH GOVERNMENTAL, NONPROFIT OR FOR PROFIT ENTITIES IN ORDER TO LEVERAGE FUNDS NOT OTHERWISE AVAILABLE TO PUBLIC ENTITIES FOR THE ACQUISITION, CONSTRUCTION OR RENOVATION OF PROPERTIES TRANSFERRED TO A PUBLIC BENEFIT CORPORATION; TO AMEND SECTION 27-15-129, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE INVESTMENTS

THAT MAY REDUCE A TAXPAYER'S INSURANCE PREMIUM TAX LIABILITY UNDER SUCH SECTION SHALL NOT INCLUDE ANY INVESTMENT FOR WHICH A TAX CREDIT IS ALLOCATED UNDER THIS ACT; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1942 was adopted.

YEAS AND NAYS On H. B. No. 1942. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.
Nays--Chism. Total--1.
Absent and those not voting--Carter, Parks. Total--2.
Voting Present--Hill. Total--1.

_____

Senator Harkins called up the following entitled bill:

H. B. No. 1943: Tobacco; define "heated tobacco product" under tobacco tax law and provide for rate of excise tax.

Senator Sparks offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-69-3, Mississippi Code of 1972, is amended as follows:

27-69-3. When used in this chapter:

(a) "State" means the State of Mississippi as geographically defined, and any and all waters under the jurisdiction of the State of Mississippi.

(b) "State Auditor" means the Auditor of Public Accounts of the State of Mississippi, or his legally appointed deputy, clerk or agent.

(c) "Commissioner" means the Commissioner of Revenue of the Department of Revenue, and his authorized agents and employees.

(d) "Person" means any individual, company, corporation, partnership, association, joint venture, estate, trust, or any other group, or combination acting as a unit, and the plural as well as the singular, unless the intention to give a more limited meaning is disclosed by the context.

(e) "Consumer" means a person who comes into possession of tobacco for the purpose of consuming it, giving it away, or disposing of it in any way by sale, barter or exchange.

(f) "Tobacco" means any cigarettes, cigars, cheroots, stogies, smoking tobacco (including granulated, plug cut, crimp cut, ready rubbed, and other kinds and forms of tobacco, or substitutes therefor, prepared in such manner as to be suitable for smoking in a pipe or cigarette) and including plug and twist chewing tobacco and snuff, when such "tobacco" is manufactured and prepared for sale or personal consumption. All words used herein shall be given the meaning as defined in the regulations of the Treasury Department of the United States of America. The term "tobacco" also includes heated tobacco products.

(g) "First sale" means and includes the first sale, or distribution of such tobacco in intrastate commerce, or the first use or consumption of such tobacco within this state.

(h) "Drop shipment" means and includes any delivery of tobacco received by any person within this state, when payment for such tobacco is made to the shipper, or seller by or through a person other than a consignee.

(i) "Distributor" includes every person, except retailers as defined herein, in the state who manufactures or produces tobacco or who ships, transports, or imports into this state, or in any manner acquires or possesses tobacco, and makes a first sale of the same in the state.

(j) "Wholesaler" includes dealers, whose principal business is that of a wholesale dealer or jobber, who is known to the retail trade as such, and whose place of business is located in Mississippi or in a state which affords reciprocity to wholesalers domiciled in Mississippi, who shall sell any taxable tobacco to retail dealers only for the purpose of resale.

(k) "Retailer" includes every person, other than a wholesale dealer, as defined above, whose principal business is that of selling merchandise at retail, who shall sell, or offer for sale tobacco to the consumer. The sale of tobacco in quantity lots by retailers to other retailers, transient vendors, or other persons, shall not be construed as wholesale and shall not qualify such retailer for a permit as a wholesaler.

(l) "Dealer" includes every person, firm, corporation or association of persons, except retailers as defined herein, who manufacture tobacco for distribution, for sale, for use or for consumption in the State of Mississippi.

The word "dealer" is further defined to mean any person, firm, corporation or association of persons, except retailers as defined herein, who imports tobacco from any state or foreign country for distribution, sale, use, or consumption in the State of Mississippi.

(m) "Distributing agent" includes every person in the state who acts as an agent of any person outside the State of Mississippi, by receiving tobacco in interstate commerce, and storing such tobacco in this state subject to distribution, or delivery upon order from the person outside the state to distributors, wholesalers, retailers and dealers.

(n) "Transient vendor" means and includes every person commonly and generally termed "peddlers" and every person acting for himself, or as an agent, employee, salesman, or in any capacity for another, whether as owner, bailee, or other custodian of tobacco, and going from person to person, dealer to dealer, house to house, or place to place, and selling or offering for sale at retail or wholesale tobacco, and every person who does not keep a regular place of business open at all times in regular hours, and every person who goes from person to person, dealer to dealer, house to house, or place to place, and sells or offers for sale tobacco which he carries with him, and who delivers the same at the time of, or immediately after the sale, or without returning to the

place of business operations (a permanent place of business within the state) between the taking of the order and the delivery of the tobacco, or

All persons who go from person to person, house to house, place to place, or dealer to dealer, soliciting orders by exhibiting samples, or taking orders, and thereafter making delivery of tobacco, or filling the order without carrying or sending the order to the permanent place of business, and thereafter making delivery of the tobacco pursuant to the terms of the order, or

All persons who go from person to person, place to place, house to house, or dealer to dealer, carrying samples and selling tobacco from samples, and afterwards making delivery without taking and sending an order therefor to a permanent place of business for the filling of the order, and delivery of the tobacco, or the exchange of tobacco having become damaged or unsalable, or the purchase by tobacco of advertising space, or

All persons who have in their possession, or under their control, any tobacco offered, or to be offered for sale or to be delivered, unless the sale or delivery thereof is to be made in pursuance of a bona fide order for the tobacco, to be sold or delivered, the order to be evidenced by an invoice or memorandum.

(o) "Contraband tobacco" means all tobacco found in the possession of any person whose permit to engage in dealing in tobacco has been revoked by the commissioner; and any cigarettes found in the possession of any person to which the proper tax stamps have not been affixed; and any cigarettes improperly stamped when found in the possession of any person; and all other tobacco upon which the excise tax has not been paid.

(p) "Sale" means an exchange for money or goods, giving away, or distributing any tobacco as defined in this chapter.

(q) "Forty-eight (48) hours" and "seventy-two (72) hours" means two (2) calendar days and three (3) calendar days, respectively, excluding Sundays and legal holidays.

(r) "Stamp" or "stamping," or the import of such word, when used in this chapter, means any manner of stamp or impression permitted by the commissioner that carries out the purposes of the chapter in clearly indicating upon the packages of cigarettes taxed the due payment of the tax and clearly identifying, by serial number or otherwise, the permittee who affixed the stamp to the particular package.

(s) "Manufacturer's list price" means the full sales price at which tobacco is sold or offered for sale by a manufacturer to the wholesaler or distributor in this state without any deduction for freight, trade discount, cash discounts, special discounts or deals, cash rebates, or any other reduction from the regular selling price. In the event freight charges on shipments to wholesalers or distributors are not paid by the manufacturer, then such freight charges required to be paid by the wholesalers and distributors shall be added to the amount paid to the manufacturer in order to determine "manufacturer's list price." In the case of a wholesaler or distributor whose place of business is located outside this state, the "manufacturer's list price" for tobacco sold in this state by such wholesaler or distributor shall in all cases be considered to be the same as that of a wholesaler or distributor located within this state.

(t) "Heated tobacco products" means a product containing tobacco that produces an inhalable aerosol by (i) heating the tobacco without combustion of the tobacco or (ii) heat generated from a combustion source that only or primarily heats rather than burns the tobacco.

SECTION 2. Section 27-69-13, Mississippi Code of 1972, is amended as follows:

27-69-13. There is hereby imposed, levied and assessed, to be collected and paid as hereinafter provided in this chapter, an excise tax on each person or dealer in cigarettes, cigars, stogies, snuff, chewing tobacco, and smoking tobacco, or substitutes therefor, upon the sale, use, consumption, handling or distribution in the State of Mississippi, as follows:

(a) On cigarettes, the rate of tax shall be Three and Four-tenths Cents (3.4¢) on each cigarette sold with a maximum length of one hundred twenty (120) millimeters; any cigarette in excess of this length shall be taxed as if it were two (2) or more cigarettes. Provided, however, if the federal tax rate on cigarettes in effect on June 1, 1985, is reduced, then the rate as provided herein shall be increased by the amount of the federal tax reduction. Such tax increase shall take effect on the first day of the month following the effective date of such reduction in the federal tax rate. Heated tobacco products shall not be taxed as cigarettes under this paragraph (a); however, this exclusion shall not affect heated tobacco products for any purposes related to Section 27-70-1 et seq.

(b) On cigars, cheroots, stogies, snuff, chewing and smoking tobacco and all other tobacco products except cigarettes and heated tobacco products, the rate of tax shall be fifteen percent (15%) of the manufacturer's list price.

(c) On heated tobacco products, the rate of tax shall be two and eight-tenth cents (2.8¢) on each disposable heated tobacco unit or stick sold to be used for consumption by insertion into a heated tobacco product heating system device.

No stamp evidencing the tax herein levied on cigarettes shall be of a denomination of less than One Cent (1¢), and whenever the tax computed at the rates herein prescribed on cigarettes shall be a specified amount, plus a fractional part of One Cent (1¢), the package shall be stamped for the next full cent; however, the additional face value of stamps purchased to comply with taxes imposed by this section after June 1, 1985, shall be subject to a four percent (4%) discount or compensation to dealers for their services rather than the eight percent (8%) discount or compensation allowed by Section 27-69-31.

Every wholesaler shall purchase stamps as provided in this chapter, and affix the same to all packages of cigarettes handled by him as herein provided.

The above tax is levied upon the sale, use, gift, possession or consumption of tobacco within the State of Mississippi, and the impact of the tax levied by this chapter is hereby declared to be on the vendee, user, consumer or possessor of tobacco in this state; and when said tax is paid by any other person, such payment shall be considered as an advance payment and shall thereafter be added to the price of the tobacco and recovered from the ultimate consumer or user.

SECTION 3. Section 27-69-27, Mississippi Code of 1972, is amended as follows:

27-69-27. The payment of the tax imposed by this chapter shall be evidenced by affixing stamps to each individual package of cigarettes usually sold to consumers, as distinguished from cartons or larger units which are composed of a number of individual packages.

Except as otherwise provided in this paragraph, the stamp shall be affixed within seventy-two (72) hours after the receipt of the cigarettes by the wholesaler, and within forty-eight (48) hours after receipt of the cigarettes by the retailer; provided, that in the case a dealer conducts a wholesale and retail business at one (1) place of business, stamps shall be affixed within forty-eight (48) hours after receipt of the cigarettes. However, the provisions of this paragraph shall not apply to tobacco at the point it is purchased at a sale under Section 27-69-56. The stamp must be so securely affixed as to require the continued application of water or of steam to remove it, or so that it cannot be otherwise removed without destruction or mutilation.

The excise tax imposed on cigars, smoking tobacco, chewing tobacco, snuff and all other tobacco products except cigarettes and heated tobacco products shall be computed by the application of the excise tax rate to the manufacturer's list price on all purchases of such tobacco. The excise tax shall be due and payable on or before the fifteenth day of the month next succeeding the month in which the tax accrues. The tax shall be filed with the commissioner on forms prescribed by the commissioner.

Provided, however, manufacturers or other wholesale distributors of tobacco, which are subject to the excise taxes imposed by Section 27-69-13 of this chapter for the privilege of selling or using such tobaccos within this state, who maintain "terminals" or warehouses in which such tobaccos are stored, and who sell only to licensed wholesale dealers within the state who are qualified to purchase and affix the stamps required, may maintain such "spot stocks," intended only for such sales, without affixing the stamps or filing returns and paying the tax.

Any person desiring to maintain such "terminal" or warehouse, shall make application to the commissioner and obtain a permit to maintain such stocks without affixing stamps thereto, for sale exclusively to out-of-state purchasers, or licensed wholesale dealers within this state, and the commissioner is hereby authorized to grant such permit upon the execution and filing with the commissioner, by the applicant, a bond with surety companies, authorized to do business in Mississippi, as surety thereon, and conditioned for the strict compliance by the applicant, with the following conditions under which said privilege may be granted.

The person maintaining such stock of untaxed tobacco shall supply to the commissioner monthly, or at such times as the commissioner may require, complete invoices of all tobaccos received, and shall also supply correct invoices of all tobaccos removed from such "terminal" or warehouse, said invoices to contain the correct name and address of all persons to whom such tobacco shall be delivered or consigned, whether within or without the State of Mississippi.

The penalty of such bond shall be determined by the commissioner, in an amount sufficient to protect the State of Mississippi from any loss of revenue which might occur by reason of the failure of principal to strictly adhere to the requirement that no tobacco would be sold from such stock within the State of Mississippi, except to licensed wholesale dealers.

SECTION 4. Nothing in this act shall affect or defeat any claim, assessment, appeal, suit, right or cause of action for taxes due or accrued under the tobacco tax laws before the date on which this act becomes effective, whether such claims, assessments, appeals, suits or actions have been begun before the date on which this act becomes effective or are begun thereafter; and the provisions of the tobacco tax laws are expressly continued in full force, effect and operation for the purpose of the assessment, collection and enrollment of liens for any taxes due or accrued and the execution of any warrant under such laws before the date on which this act becomes effective, and for the imposition of any penalties, forfeitures or claims for failure to comply with such laws.

SECTION 5. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 29, 2024.

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

AN ACT TO AMEND SECTION 27-69-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "HEATED TOBACCO PRODUCT" UNDER THE TOBACCO TAX LAW; TO AMEND SECTION 27-69-13, MISSISSIPPI CODE OF 1972, TO LEVY AN EXCISE TAX ON HEATED TOBACCO PRODUCTS UNDER THE TOBACCO TAX LAW;

TO AMEND SECTION 27-69-27, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1943 was adopted.

YEAS AND NAYS On H. B. No. 1943. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Chassaniol, Chism, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--45.

Nays--Horhn, Jordan. Total--2.

Absent and those not voting--Carter, Parks. Total--2.

Voting Present--Branning, DeBar, Frazier. Total--3.

Senator Harkins called up the following entitled bill:

H. B. No. 1988: Children's Promise Act; increase amount of tax credits that may be allocated under, bring forward various tax credit sections of law.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-22.41, Mississippi Code of 1972, is brought forward as follows:

27-7-22.41. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is:

(i) Licensed by or under contract with the Mississippi Department of Child Protection Services and provides services for:

1. The prevention and diversion of children from custody with the Department of Child Protection Services,

2. The safety, care and well-being of children in custody with the Department of Child Protection Services, or

3. The express purpose of creating permanency for children through adoption; or

(ii) Certified by the department as an educational services charitable organization that is accredited by a regional accrediting organization and provides services to:

1. Children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model, or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services,

2. Children who have a chronic illness or physical, intellectual, developmental or emotional disability, or

3. Children eligible for free or reduced price meals programs under Section 37-11-7, or selected for participation in the Promise Neighborhoods Program sponsored by the U.S. Department of Education.

(2) (a) The tax credit authorized in this section shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this section, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. From and after January 1, 2022, for a taxpayer that is not operating as a corporation, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(b) A contribution to an eligible charitable organization for which a credit is claimed under this section does not qualify for and shall not be included in any credit that may be claimed under Section 27-7-22.39.

(c) A contribution for which a credit is claimed under this section may not be used as a deduction by the taxpayer for state income tax purposes.

(3) Taxpayers taking a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(4) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. An eligible charitable organization must also provide the department with written documented proof of its license and/or written contract with the Mississippi Department of Child Protection Services. The organization shall also notify the department of any changes that may affect eligibility under this section.

(5) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(b) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(c) A statement that the funds generated from the tax credit shall be used for educational resources, staff and expenditures and/or other purposes described in this section.

(d) Any other information that the department requires to administer this section.

(6) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(7) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(8) (a) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(b) A taxpayer who applied for a tax credit under this section during calendar year 2020, but who was unable to be awarded the credit due to the limit on the aggregate amount of credits authorized for calendar year 2020, shall be given priority for tax credits authorized to be allocated to taxpayers under this section by Section 27-7-22.39.

(c) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(9) The aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Five Million Dollars ($5,000,000.00), and not more than fifty percent (50%) of tax credits allocated during a calendar year may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. However, for calendar year 2021, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Ten Million Dollars ($10,000,000.00), for calendar year 2022, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Sixteen Million Dollars ($16,000,000.00), and for calendar year 2023, and for each calendar year thereafter, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Eighteen Million Dollars ($18,000,000.00). For calendar year 2021, and for each calendar year thereafter, fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section and fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. For calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section, no more than twenty-five percent (25%) of such credits may be allocated for contributions to a single eligible charitable organization. Except as otherwise provided in this section, for calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, no more than four and one-half percent (4-1/2%) of such credits may be allocated for contributions to a single eligible charitable organization.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO BRING FORWARD SECTION 27-7-22.41, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1988 was adopted.

YEAS AND NAYS On H. B. No. 1988. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Berry, Blackwell, Boyd, Branning, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Johnson, Kirby, McCaughn, McLendon, Michel, Parker, Polk, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--30.

Nays--Barnett, Blackmon, Blount, Brumfield, Bryan, Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--15.

Absent and those not voting--Carter, Parks. Total--2.

Voting Present--Barrett, Hopson, Ladner, McMahan, Rhodes. Total--5.

Senator Harkins called up the following entitled bill:

H. B. No. 1710: Income tax; authorize a tax credit for certain employers that sponsor skills training for employees.

Senator England offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this section, the following words and phrases shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Skills training" means any employer-sponsored training by an appropriate community/junior college or training approved by such community/junior college that enhances skills that improve job performance. If the employer provides preemployment training, the portion of the preemployment training that involves skills training shall be eligible for the credit.

(b) "Employer-sponsored training" means training provided by the appropriate community/junior college in the district within which the employer is located or training approved by such community/junior college.

(c) "Employer" means those permanent business enterprises as defined and set out in Section 57-73-21.

(2) A fifty percent (50%) income tax credit shall be granted to any employer sponsoring skills training. The fifty percent (50%) credit shall be granted to employers that participate in employer-sponsored training programs through any community/junior college in the district within which the employer is located or training approved by such community/junior college. The credit is applied to qualified training expenses, which are expenses related to instructors, instructional materials and equipment, and the construction and maintenance of facilities by such employer designated for training purposes which are attributable to training provided through such community/junior college or training approved by such community/junior college. The credit allowed under this section shall only be used by the actual employer qualifying for the credit. The credit shall not exceed fifty percent (50%) of the taxpayer's income tax liability in a tax year and may be carried forward for five (5) successive years if the amount allowable as a credit exceeds the income tax liability in a tax year; however, thereafter, if the amount allowable as a credit exceeds the tax liability, the amount of excess credit shall not be refundable or carried forward to any other taxable year. The credit authorized under this section shall not exceed Two Thousand Five Hundred Dollars ($2,500.00) per employee during any one (1) year. The maximum aggregate amount of tax credits that may be claimed by all taxpayers claiming a credit under this section in a taxable year shall not exceed One Million Dollars ($1,000,000.00). Nothing in this section shall be interpreted in any manner as to prevent the continuing operation of state-supported university programs.

(3) Employer-sponsored training shall include an evaluation by the local community or junior college that serves the employer to ensure that the training provided is job related and conforms to the definition of "skills training" in subsection (1)(a) of this section.

(4) Employers shall be certified as eligible for the tax credit by the local community or junior college that serves the employer and the department.

(5) The tax credits provided for in this section shall be in addition to all other tax credits heretofore granted by the laws of the state.

(6) A community/junior college may commit to provide employer-sponsored skills training programs for an employer for a multiple number of years, not to exceed five (5) years.

(7) The Mississippi Community College Board shall make a report to the Legislature by January 30 of each year summarizing the number of participants, the junior or community college through which the training was offered, and the type of training offered.

(8) This section shall stand repealed from and after December 31, 2027.

SECTION 2. Section 1 of this act shall be codified as a new section in Title 27, Chapter 7, Mississippi Code of 1972.

SECTION 3. This act shall take effect and be in force from and after January 1, 2024, and shall stand repealed on December 31, 2023.

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

AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR EMPLOYERS WHO SPONSOR SKILLS TRAINING FOR EMPLOYEES; TO PROVIDE FOR THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT THE TAX CREDIT WILL BE GRANTED TO EMPLOYERS THAT PARTICIPATE IN EMPLOYER-SPONSORED TRAINING PROGRAMS THROUGH ANY COMMUNITY COLLEGE OR JUNIOR COLLEGE IN THE DISTRICT WITHIN WHICH THE EMPLOYER IS LOCATED OR TRAINING APPROVED BY THE COMMUNITY COLLEGE OR JUNIOR COLLEGE; TO PROVIDE THAT A COMMUNITY COLLEGE OR JUNIOR COLLEGE MAY COMMIT TO PROVIDE EMPLOYER-SPONSORED SKILLS TRAINING PROGRAMS FOR AN EMPLOYER FOR A MULTIPLE NUMBER OF YEARS, NOT TO EXCEED FIVE YEARS; TO PROVIDE THAT THE MISSISSIPPI COMMUNITY COLLEGE BOARD SHALL MAKE A REPORT TO THE LEGISLATURE BY JANUARY 30 OF EACH YEAR SUMMARIZING THE NUMBER OF PARTICIPANTS, THE JUNIOR OR COMMUNITY COLLEGE THROUGH WHICH THE TRAINING WAS OFFERED, AND THE TYPE TRAINING OFFERED; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1710 was adopted.

YEAS AND NAYS On H. B. No. 1710. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Carter, Parks. Total--2.

_____

Senator Chassaniol called up the following House Amendment to **S. B. No. 2696** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-78-1, Mississippi Code of 1972, is brought forward as follows:

57-78-1. This act shall be known and may be cited as the "Mississippi Main Street Revitalization Grant Program Act."

SECTION 2. Section 57-78-3, Mississippi Code of 1972, is amended as follows:

57-78-3. The Mississippi Main Street Revitalization Grant Program Act will authorize the Legislature, as well as the * * * Department of Finance and Administration through appropriations by the Legislature, to make grants available to * * * eligible recipients for projects leading to the revitalization of Mississippi's downtowns or communities.

SECTION 3. Section 57-78-5, Mississippi Code of 1972, is amended as follows:

57-78-5. (1) For the purposes of this section:

(a) "Eligible recipient" means a:

(i) Main Street Designated Community, or local Main Street program that has achieved and maintained Designated Community Status by the Mississippi Main Street Association (MMSA), that is a good-standing member of the MMSA, has obtained Section 501(c)(3) tax-exempt status or Section 501(c)(6) tax-exempt status from the Internal Revenue Service * * *;

(ii) Main Street * * * Network Community * * *;

(iii) Main Street Associate Community; or

(iv) Cities located in Mississippi that otherwise meet the requirements of this act.

* * *

(* * *b) "Matching funds" means cash funds that are either in the applicant's possession or proposed by a match partner and clearly identified in a support letter and are reserved for the proposed project. * * *

(* * *c) " * * *Administrator" means the Mississippi Main Street Association.

(2) The * * * administrator shall accept applications from eligible recipients, prioritize their applications and submit a list of suggested recipients to the Legislature no later than December of each year. Applicants who did not receive an award the prior year shall receive priority for a grant the following year. * * * The Legislature shall review the submitted list and determine the projects for which to award grants to eligible recipients through the * * * Department of Finance and Administration. The * * * administrator will consider projects in relation to the following criteria:

(a) The demonstration of local financial need;

(b) Projects that demonstrate high local impact;

(c) Projects that produce a high level of public benefit;

(d) Projects that demonstrate best practices in

preservation;

(e) Projects that will have local administration and implementation capacity;

(f) The distribution of geographic size and location of the project;

(g) Projects that will be completed on time; and

(h) * * * Projects that are according to the Main Street Approach and Guiding Principles or a comparable community plan.

(3) The * * * Department of Finance and Administration shall provide grant funds to the * * * eligible recipients under this section on a reimbursement basis, not to exceed Five Hundred Thousand Dollars ($500,000.00) per community each year, and grantees shall not receive compensation for their required twenty percent (20%) of local match funds, which must cover at least twenty percent (20%) of the total project cost. * * * Municipalities with a population of over ten thousand (10,000) are required to possess local matching funds to cover at least twenty percent (20%) of the total project cost. Municipalities with a population of less than ten thousand (10,000), shall be required to have a local cash match of ten percent (10%) for the first One Hundred Thousand Dollars ($100,000.00) requested, then will be required to have a local cash match of twenty percent (20%) for any amount over One Hundred Thousand Dollars ($100,000.00).

(4) Eligible costs for the expenditure of grant funds include the acquisition of land and any improvements thereon, preservation of historic downtown structures and sites, and initiatives that will produce a revitalization to the economy of the historic downtown areas.

(5) Grants may be awarded for prospective purchases or for acquisitions of which the applicant has closed. In the latter

case, the applicant shall demonstrate:

(a) The closing occurred no more than twelve (12) months prior to the date of application for the grant; and

(b) The subject purchase was made to help preserve and revitalize the location and economy of a historic downtown community.

(6) * * * Any eligible recipient that is awarded a grant pursuant to this section for a project involving a historic property must comply with all applicable laws relating to the property as well as applicable regulations of the Mississippi Department of Archives and History or other department or agency relating to such property.

(7) Grantees must adhere to Mississippi state procedures and guidelines relating to the implementation and financing of the approved project. Grantees must also submit any and all audit and financial statements as required by the State of Mississippi.

(8) Nothing in this section shall preclude the subsequent transfer or assignment by a state agency or other owner or holder of any property interest acquired pursuant to this section to the State of Mississippi, the county, city, town or municipality in which the

land is located, for the purpose of further preserving, improving or maintaining the downtown property. The * * * Department of Finance and Administration shall facilitate transfers and assignments of any such interests held by the department.

(9) There is created in the State Treasury a special fund to be known as the "Mississippi Main Street Revitalization Grant Program Fund," which shall consist of funds made available by the Legislature in any manner, funds received as grants, endowments or gifts from the federal government, its agencies and instrumentalities, and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the * * * Department of Finance and Administration, upon appropriation by the Legislature, for the purposes provided in this section.

(10) The * * * Department of Finance and Administration shall administer the fund and establish guidelines for the expenditure of grant funds and reports relating to the expenditure of grant funds. The department * * * shall provide the administrator with no more than two percent (2%) of the amount of funds deposited into the Mississippi Main Street Revitalization Grant Fund for administrative expenses in carrying out its duties under this section.

(11) To carry out this act, the * * * Department of Finance and Administration may enter into cooperative agreements with entities in the public and private sectors, including:

(a) Colleges and universities;

(b) Historical societies;

(c) State and local agencies; and

(d) Nonprofit organizations.

(12) To develop cooperative land-use strategies and conduct activities that facilitate the conservation of the historic, cultural, natural and scenic resources, the * * * Department of Finance and Administration may require that recipients seek and secure technical assistance from the * * * administrator, to the extent that a recipient of technical assistance is engaged in the protection, interpretation or commemoration of historically significant property in the area in and around the historic downtown site. The * * * administrator will provide administrative support to * * * eligible recipients to ensure proper grant administration and project implementation.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTIONS 57-78-3 AND 57-78-5, MISSISSIPPI CODE OF 1972, TO TRANSFER THE ADMINISTRATION OF THE MISSISSIPPI MAIN STREET REVITALIZATION GRANT PROGRAM FROM THE MISSISSIPPI DEVELOPMENT AUTHORITY TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO REVISE THE DEFINITION OF CERTAIN TERMS FOR PURPOSES OF THE PROGRAM; TO EXPAND GRANT PROGRAM ELIGIBILITY; TO ALLOW APPLICANTS WHO DID NOT RECEIVE A GRANT THE PRIOR YEAR TO TAKE PRIORITY FOR GRANTS GRANTED THE FOLLOWING YEAR; TO AMEND THE EASEMENT REQUIREMENTS FOR GRANTEES; AND FOR RELATED PURPOSES.

Senator Parker moved that the rules be suspended for the consideration en bloc of S. N. No. 28, S. N. No. 29, S. N. No. 34, S. N. No. 50, S. N. No. 71, S. N. No. 75, S. N. No. 76 and S. N. No. 77 and the motion prevailed.

Senator Parker called up the following entitled nominations:

S. N. No. 28: Stephanie P. Cummins, Brandon, Mississippi, MS State Personnel Board as an At-Large member, five year term effective July 1, 2023 and ending June 30, 2028.

S. N. No. 29: Scott Roach Shoemaker, Jackson, Mississippi, MS State Personnel Board, five year term effective July 1, 2023 and ending June 30, 2028, representing the 1st Supreme Court District.

S. N. No. 34: Norman R. McLeod, Brandon, Mississippi, Public Procurement Review Board, four year term beginning July 1, 2023 and ending June 30, 2027.

S. N. No. 50: James Keith Van Camp, Brandon, Mississippi, Information Technology Services Authority, five year term beginning January 17, 2024 and ending June 30, 2028.

S. N. No. 71: Alwyn Hall Luckey, Ocean Springs, Mississippi, Mississippi State Personnel Board as the 2nd Supreme Court District representative, five year term beginning July 1, 2024 and ending June 30, 2029.

S. N. No. 75: Rev. Reginald Maurice Buckley, Jackson, Mississippi, Mississippi Department of Archives and History Board of Trustees, unexpired term ending January 2028, vice Kimberly Campbell.

S. N. No. 76: Dr. Mark Everett Keenum, Starkville, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2024 and ending January 1, 2030.

S. N. No. 77: Dr. Lucius M. (Luke) Lampton, Magnolia, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2024 and ending January 1, 2030.

YEAS AND NAYS on consideration en bloc of S. N. No. 28, S. N. No. 29, S. N. No. 34, S. N. No. 50, S. N. No. 71, S. N. No. 75, S. N. No. 76 and S. N. No. 77. On motion of Senator Parker, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Carter, Parks. Total--2.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Sandra Kay Lalley and Clarence "Gerald" Bosarge of Vancleave, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Bob Hinds of Ocean Springs, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Bobbie Gean Lott of Saucier Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Hazel Marie Roberts Aucoin of Biloxi, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Brian Kelly Lemasters of Perkinston Community, MS.

Senators Michel and Harkins moved that when the Senate adjourns, it adjourn in memory of James Michael Ingram of Madison, MS.

Senator Horhn moved that when the Senate adjourns, it adjourn in memory of Mr. L. C. Tucker of Jackson, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, April 17, 2024.

The motion prevailed, and at 11:25 AM, the Senate stood in recess.

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 504: Rural Fire truck Acquisition Assistance Program; authorize an additional round for counties and municipalities.
Senators Hopson, Thompson, McLendon.

H. B. No. 1706: Programs funded with ARPA funds; revise certain provisions and bring forward sections of.
Senators Hopson, Polk, DeBar.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 1090: Paraphernalia; revise definition under the Uniform Controlled Substances Law.

Representatives Hobgood-Wilkes,Bell (65th),Burch

H. B. No. 1163: Community and junior colleges; authorize to contract or enter into interlocal agreements with local governing authorities for first responders services.

Representatives Scoggin,Boyd (19th),Calvert

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 1406: Absentee voting; revise various provisions of.

Representatives Sanford,Tullos,James-Jones

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2648: Mississippi Department of Marine Resources; authorize oyster lease reconfiguration and make technical amendments.

Representatives Anderson (122nd),McKnight,Fondren

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 297: Mississippi Department of Information Technology Services; bring forward code sections related to.

Representatives Zuber,Shanks,Ford (73rd)

H. B. No. 1161: Alcoholic beverages; authorize municipalities in dry counties vote to come out from under the dry law.

Representatives Zuber,Johnson,Yates

H. B. No. 1357: Department of Agriculture; revise authority to spend certain funds.

Representatives Zuber,Hood,Ford (54th)

H. B. No. 1487: Capitol Complex Improvement District; revise boundaries of.

Representatives Zuber,Yates,Lancaster

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2857: Medical cannabis act; set additional provisions related to background checks, department investigations, fees and appeals.
Senators Bryan, Blackwell, Johnson.

S. B. No. 2873: Medical records retention requirements; provide for.
Senators Bryan, Parker, Wiggins.

S. B. No. 2886: Nicotine vapor device directory; require manufacturers to provide certification, set penalties and other provisions.
Senators Bryan, Parker, Harkins.

S. B. No. 3039: Appropriation; Corrections, Department of.
Senators Hopson, DeLano, McCaughn.

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 315: Mississippi Code; modernize terminology by replacing "mentally retarded" with "intellectual disability".
Senators Bryan, Parker, Parks.

H. B. No. 764: State Department of Health and State Board of Health; extend repealer on.
Senators Bryan, Blount, DeBar.

H. B. No. 848: CON; remove chemical dependency services and facilities and psychiatric residential treatment facilities from CON law.
Senators Bryan, Blount, Hopson.

H. B. No. 1640: Mental Health; revise procedures for screening, evaluation and commitments for those with issues of.
Senators Bryan, Fillingane, Hickman.

H. B. No. 1357: Department of Agriculture; revise authority to spend certain funds.
Senators Hopson, DeLano, Blackwell.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 652: State Port Authority and other ports; delete repealer on authority to use design-build method of contracting.

Representatives Guice,Ford (54th),Fondren

H. B. No. 765: MS Critical Teacher Shortage Act; extend repealer on.

Representatives Roberson,McCarty,Owen

H. B. No. 1192: Virtual public schools; authorize operation by certain educational providers or locally sponsored virtual public schools.

Representatives Roberson,Owen,Harness

H. B. No. 1229: Equal Opportunity for Students with Special Needs Act; extend repealer on educational scholarship accounts (ESA).

Representatives Roberson,McCarty,Holloway (76th)

H. B. No. 1379: "Students Safe at School Act"; create to provide procedures for active shooter drills and simulations.

Representatives Roberson,McCarty,Harness

H. B. No. 1450: Interstate Teacher Mobility Compact; authorize entrance for purpose of facilitating mobility of teachers married to service members.

Representatives Roberson,Owen,Holloway (76th)

H. B. No. 1683: MS Charter School Act of 2013; bring forward for purposes of possible amendments.

Representatives Roberson,Owen,McLean

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 1315: MS Youth Court Information Delivery System (MYCIDS); require audit of.

Representatives Hood,Yates,Stepp

H. B. No. 1316: Public purchasing; require competitive bidding for web-based application for MYCIDS.

Representatives Hood,Yates,Stepp

H. B. No. 1542: Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at the time of death.

Representatives Hood,Yates,McLean

H. B. No. 1607: Mississippi Women's Bill of Rights; create.

Representatives Hood,Yates,McLean

H. B. No. 1624: Court-Appointed Special Advocate (CASA) Program; create state associate and standardize operations of local programs.

Representatives Hood,Yates,Fondren

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2130: Homeowners' insurance; prohibit insurer from refusing to issue or to renew policy solely based on roof's age.

Representatives Hood,Yates,Waldo

S. B. No. 2180: Department of Public Safety; remove prior written approval for certain events and authorize enforcement of municipal code.

Representatives Hood,Yates,Fondren

S. B. No. 2753: SAFER Act; enact.

Representatives Hood,Yates,Hurst

S. B. No. 2764: Manufactured homes; create affidavit of ownership.

Representatives Hood,Yates,Waldo

S. B. No. 2792: Foster care and adoption; revise provisions related to per recommendations of task force.

Representatives Hood,Yates,Fondren

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 1478: Alternative nicotine products; prohibit sale or distribution of if prohibited under federal law or FDA rule or regulation.
Senators Bryan, Blackwell, Johnson.

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Owen as a conferee, the Speaker has named a new conferee on the following:

H. B. No. 1190: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

Representatives Zuber and Johnson remain as conferees and the Speaker has named Representative Powell to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Harness as a conferee, the Speaker has named a new conferee on the following:

H. B. No. 1379: "Students Safe at School Act"; create to provide procedures for active shooter drills and simulations.

Representatives Roberson and McCarty remain as conferees and the Speaker has named Representative Grady to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. C. R. No. 533: Recognize legislative members of Kappa Alpha Psi and designate March 12, 2024, as "Kappa Day at the State Kapitol."

S. C. R. No. 541: Encourage further economic ties between Mississippi and Taiwan.

S. C. R. No. 542: Extend condolences of the Legislature on the passing of Elbert Riley Hilliard, Director Emeritus of the MDAH.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. C. R. No. 8: A CONCURRENT RESOLUTION CONGRATULATING THE NEW ALBANY HIGH SCHOOL GIRLS "LADY BULLDOGS" GOLF TEAM FOR WINNING THE 2023-2024 MISSISSIPPI HIGH SCHOOL ATHLETIC ASSOCIATION (MHSAA) 4A GIRLS' STATE CHAMPIONSHIP AND EARNING THE STATUS AS "BACK-TO-BACK" CHAMPIONS.

H. C. R. No. 53: A CONCURRENT RESOLUTION RECOGNIZING THE WEEK OF MAY 5-11, 2024, AS "TARDIVE DYSKINESIA AWARENESS WEEK" THROUGHOUT THE STATE OF MISSISSIPPI AND ENCOURAGING ANYONE EXPERIENCING UNCONTROLLABLE, ABNORMAL AND REPETITIVE MOVEMENTS TO CONSULT THEIR HEALTHCARE PROVIDER REGARDING THEIR SYMPTOMS.

H. C. R. No. 59: A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING SWETMAN SECURITY SERVICE UPON THE OCCASION OF ITS 50TH ANNIVERSARY.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 1206: Open Season; revise dates for fur-bearing animals and hunting opossums, racoons and bobcats with dogs and guns.

H. B. No. 1779: Appropriation; Foresters, Board of Registration for.

H. B. No. 1816: Appropriation, Reappropriation, DFA - Bureau of Building - FY 2024.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 295: Arrest warrants; authorize electronic applications, signatures and records for.

Representatives Horan,Owen,Grady

H. B. No. 346: "Seizure Safe Schools Act"; establish.

Representatives Creekmore IV,Felsher,Ford (73rd)

H. B. No. 691: Mississippi Board on Law Enforcement Officer Standards and Training; revise composition of and provide with investigative authority.

Representatives Horan,Shanks,Grady

H. B. No. 722: Judicial districts; revise.

Representatives Horan,Hood,Owen

H. B. No. 755: Parole; extend repealer on statute prescribing conditions for eligibility.

Representatives Currie,Horan,Rushing

H. B. No. 756: Prison Industry Enhancement Program; extend repealer on.

Representatives Currie,Horan,Rushing

H. B. No. 757: State offenders; extend repealer on authority to house in county jails when space is unavailable.

Representatives Currie,Horan,Rushing

H. B. No. 758: Pilot Work Initiative at Central MS Correctional Facility; extend repealer on.

Representatives Currie,Horan,Rushing

H. B. No. 759: Mississippi Prison Industries Act of 1990; extend repealer on.

Representatives Currie,Horan,Rushing

H. B. No. 763: Pilot Work Release Program; extend repealer on authority of sheriff to establish for certain offenders in certain counties.

Representatives Horan,Newman,Thompson

H. B. No. 774: MS Mobile Sports Wagering Act; create to legalize "online race book" and "online sports pool" betting.

Representatives Eure,McKnight,Zuber

H. B. No. 783: Child custody; require presumption of joint custody and equal parenting time.

Representatives Horan,McCarty,Aguirre

H. B. No. 844: State Parole Board; require to solicit recommendations from and provide notification to certain individuals before parole hearing.

Representatives Currie,Horan,Rushing

H. B. No. 903: Machine gun; provide crime for conversion to.

Representatives Horan,Felsher,Grady

H. B. No. 1004: Sex offender registry; revise definitions for provisions of law that regulate.

Representatives Horan,Owen,McLean

H. B. No. 1025: Department of Corrections; eliminate executive deputy commissioner from.

Representatives Currie,Horan,Rushing

H. B. No. 1088: Circuit courts; authorize jurisdiction for persons with criminal charges who may need civil commitment procedures.

Representatives Horan,Owen,Burch

H. B. No. 1135: Election day disputes; require list of judges selected to hear to be provided to certain officials.

Representatives Sanford,Tullos,Wallace

H. B. No. 1137: Opioid antagonists; authorize community organization to receive and administer.

Representatives Creekmore IV,Waldo,Nelson

H. B. No. 1208: Hunting and fishing on lands of others; revise provisions relating to and provide penalties for.

Representatives Horan,Grady,Calvert

H. B. No. 1298: Mississippi Wild Turkey Stamp; establish.

Representatives Kinkade,Carpenter,Tubb

H. B. No. 1323: Statute of limitations; increase for sexual battery of a vulnerable person.

Representatives Horan,Lamar,Hurst

H. B. No. 1441: Felony; increase penalties for commission of with use of semi-automatic firearm.

Representatives Horan,Owen,Eure

H. B. No. 1478: Alternative nicotine products; prohibit sale or distribution of if prohibited under federal law or FDA rule or regulation.

Representatives Horan,Grady,Yancey

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 418: Continuing education training for police officers; extend to require for public colleges and universities and PRVWSD officers.

Senators Boyd, DeLano, McCaughn.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2728: University of Mississippi; authorize to enter long-term lease with approval of I.H.L.

Representatives Scoggin,Deweese,Bounds

S. B. No. 2729: Rural Physicians Scholarship Program and Rural Dentists Scholarship Program; revise certain provisions of.

Representatives Scoggin,Holloway (76th),Calvert

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 331: Counties and municipalities; authorize to choose not to be subject to requirement for permitting as a condition to construction.

Representatives Byrd,Smith,Rushing

H. B. No. 819: Insurance; remove filing fee on auto cancellation or nonrenewal appeals and exempt life line applicants from prelicensing requirements.

Representatives Turner,Ford (54th),Arnold

H. B. No. 1265: Pharmacists; authorize reimbursement for under certain insurance policies, plans, or contracts.

Representatives Turner,Hobgood-Wilkes,Yancey

H. B. No. 1408: Residential roofing contractors; revise requirements under Insurance Benefits Roofing Repair Consumer Protection Act.

Representatives Turner,Arnold,Boyd (37th)

H. B. No. 1489: Ambulance services; provide for payment for treatment in place and provide for minimum reimbursement rate in health insurance policies.

Representatives Turner,Arnold,Carpenter

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Bob Hinds, Bobbie Gean Lott, Hazel Marie Roberts Aucoin, Sandra Kay Lalley, Clarence "Gerald" Bosarge, Brian Kelly Lemasters, James Michael Ingram and Mr. L. C. Tucker.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, APRIL 16, 2024

S. R. No. 95: Rules
A RESOLUTION REMEMBERING THE LEGACY OF WWII, D-DAY+3 NORMANDY VETERAN KT ROBBINS OF OLIVE BRANCH, MISSISSIPPI, AND THANKING HIM FOR HIS SERVICE.
By Senator(s) Tate, Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons (12th), Simmons (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger

---

ONE-HUNDRED AND SEVENTH DAY, WEDNESDAY, APRIL 17, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Absent--Parks. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Rev. Jim Genesee, Executive Pastor, Madison Methodist Church, Madison, MS.

Senator Williams led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2144: Runoff elections; amend to lengthen the timing requirement.

Representatives Sanford,Tullos,Wallace

S. B. No. 2170: Appropriation; additional to Department of Health.

Representatives Mims,Read,Oliver

S. B. No. 2179: Department of Public Safety; revise certain provisions related to.

Representatives Ford (54th),Porter,Calvert

S. B. No. 2285: Department of Public Safety; bring forward code sections related to officer salaries.

Representatives Read,Deweese,Cockerham

S. B. No. 2424: Absentee ballots; voters can cure ballots declared defective due to signature issues.

Representatives Sanford,Tullos,Newman

S. B. No. 2445: Correctional system programs; extend repealers.

Representatives Currie,Horan,Rushing

S. B. No. 2448: "Mississippi Earned Parole Eligibility Act"; extend repealer and authorize parole for certain juvenile homicide offenders.

Representatives Currie,Horan,Rushing

S. B. No. 2468: Budget; bring forward code sections related to and provide for transfers.

Representatives Read,Cockerham,Mangold

S. B. No. 2486: Proposals and requests for qualifications; simplify the receipt and registration process.

Representatives Ford (54th),Porter,Mansell

S. B. No. 2487: The Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund; bring forward provision related to.

Representatives Read,Deweese,Cockerham

S. B. No. 2577: Digitizations; create a criminal penalty for the wrongful dissemination of.

Representatives Sanford,Ford (73rd),Butler-Washington

S. B. No. 2699: Purchasing law; raise expenditure triggering requirements for competitive bids.

Representatives Ford (54th),Porter,Crudup

S. B. No. 2700: State offenders serving sentences in county jails; repeal repealer.

Representatives Currie,Horan,Rushing

S. B. No. 2780: Authority of Secretary of State to approve leases located on Public Trust Tidelands; clarify.

Representatives Eure,McKnight,Anderson (122nd)

S. B. No. 2823: Medicaid; revise various technical provisions related thereto, including reimbursement levels and facility eligibility.

Representatives McGee,Mansell,Hood

S. B. No. 2825: Appropriations; revise certain FY2024 appropriations, fund authority and transfers.

Representatives Read,Cockerham,Mangold

S. B. No. 2846: Appropriations; make technical revisions to certain transfers and provisions related to local projects.

Representatives Read,Cockerham,Mangold

S. B. No. 2848: ARPA programs; revise and bring forward related provisions and provide for determination of unobligated funds by Nov. 1.

Representatives Read,Oliver,Cockerham

S. B. No. 3006: Appropriation; IHL - General support.

Representatives Oliver,Read,Scoggin

S. B. No. 3007: Appropriation; IHL - Subsidiary programs.

Representatives Oliver,Read,Scoggin

S. B. No. 3008: Appropriation; IHL - Alcorn State - Agricultural programs.

Representatives Oliver,Read,Scoggin

S. B. No. 3009: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

Representatives Oliver,Read,Scoggin

S. B. No. 3010: Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

Representatives Oliver,Read,Scoggin

S. B. No. 3011: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

Representatives Oliver,Read,Scoggin

S. B. No. 3012: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

Representatives Oliver,Read,Scoggin

S. B. No. 3013: Appropriation; IHL - Student Financial Aid.

Representatives Oliver,Read,Scoggin

S. B. No. 3014: Appropriation; IHL - University of Mississippi Medical Center.

Representatives Oliver,Read,Creekmore IV

S. B. No. 3015: Appropriation; Community and Junior Colleges Board - Administrative expenses.

Representatives Oliver,Read,Scoggin

S. B. No. 3016: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

Representatives Oliver,Read,Scoggin

S. B. No. 3017: Appropriation; Employment Security, Department of.

Representatives Oliver,Read,Massengill

S. B. No. 3018: Appropriation; Ethics Commission.

Representatives Mims,Read,Barton

S. B. No. 3019: Appropriation; Judicial Performance Commission.

Representatives Mims,Read,Cockerham

S. B. No. 3020: Appropriation; Public Safety, Department of.

Representatives Deweese,Read,Cockerham

S. B. No. 3021: Appropriation; Mental Health, Department of.

Representatives Deweese,Read,Creekmore IV

S. B. No. 3022: Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

Representatives Oliver,Read,Massengill

S. B. No. 3023: Appropriation; Tennessee-Tombigbee Waterway Development Authority.

Representatives Bounds,Read,Clark

S. B. No. 3024: Appropriation; Architecture, Board of.

Representatives Mims,Read,Rushing

S. B. No. 3025: Appropriation; Funeral Services Board.

Representatives Mims,Read,Watson

S. B. No. 3026: Appropriation; Geologists, Board of Registered Professional.

Representatives Bounds,Read,Hale

S. B. No. 3028: Appropriation; Motor Vehicle Commission.

Representatives Mims,Read,Watson

S. B. No. 3029: Appropriation; Counselors, Board of Examiners for Licensed Professional.

Representatives Deweese,Read,Currie

S. B. No. 3030: Appropriation; Accountancy, Board of Public.

Representatives Mims,Read,Rushing

S. B. No. 3031: Appropriation; Contractors, Board of.

Representatives Mims,Read,Rushing

S. B. No. 3034: Appropriation; Dental Examiners, Board of.

Representatives Deweese,Read,Creekmore IV

S. B. No. 3035: Appropriation; Pharmacy, Board of.

Representatives Deweese,Read,McGee

S. B. No. 3036: Appropriation; Agriculture and Commerce, Department of.

Representatives Bounds,Read,Pigott

S. B. No. 3037: Appropriation; Fair and Coliseum Commission - Livestock shows.

Representatives Bounds,Read,Pigott

S. B. No. 3038: Appropriation; Animal Health, Board of.

Representatives Bounds,Read,Pigott

S. B. No. 3040: Appropriation; Emergency Management Agency.

Representatives Deweese,Read,Turner

S. B. No. 3041: Appropriation; Gaming Commission.

Representatives Bounds,Read,Eure

S. B. No. 3042: Appropriation; Information Technology Services, Department of.

Representatives Mims,Read,Rushing

S. B. No. 3043: Appropriation; Personnel Board.

Representatives Mims,Read,McKnight

S. B. No. 3044: Appropriation; Military Department.

Representatives Deweese,Read,Turner

S. B. No. 3045: Appropriation; Veterans Affairs Board.

Representatives Deweese,Read,Turner

S. B. No. 3046: Appropriation; Audit, Department of.

Representatives Mims,Read,Rushing

S. B. No. 3047: Appropriation; Revenue, Department of.

Representatives Mims,Read,Faulkner

S. B. No. 3048: Appropriation; Secretary of State.

Representatives Mims,Read,McKnight

S. B. No. 3049: Appropriation; Tax Appeals Board.

Representatives Mims,Read,Rushing

S. B. No. 3050: Appropriation; Workers' Compensation Commission.

Representatives Mims,Read,McKnight

S. B. No. 3051: Appropriation; Treasurer's Office.

Representatives Mims,Read,Rushing

S. B. No. 3052: Appropriation; Debt Service-Gen. Obli.

Representatives Mims,Read,McKnight

S. B. No. 3054: Appropriation; Finance and Administration, Department of.

Representatives Mims,Read,Rushing

S. B. No. 3056: Appropriation; Development Authority, Mississippi.

Representatives Oliver,Read,Massengill

S. B. No. 3057: Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.

Representatives Mims,Read,Barton

S. B. No. 3058: Coronavirus State Fiscal Recovery Fund; FY2025 reappropriate to certain agencies.

Representatives Read,Oliver,Cockerham

S. B. No. 3059: Appropriations; additional for various state agencies for FY2024 and FY2025.

Representatives Read,Cockerham,Mangold

S. B. No. 3162: Appropriation; additional to DMH-Children & Youth PRTF, ARPA funds.

Representatives Read,Oliver,Cockerham

S. B. No. 3163: Appropriation; additional to DFA-Administration, ARPA funds.

Representatives Read,Oliver,Cockerham

S. B. No. 3164: Appropriation; additional to DFA-Bureau of Buildings, ARPA funds.

Representatives Read,Oliver,Cockerham

S. B. No. 3165: Appropriation; additional to MDOT-Surface Transportation Projects, ARPA funds.

Representatives Read,Oliver,Cockerham

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 819: Insurance; remove filing fee on auto cancellation or nonrenewal appeals and exempt life line applicants from prelicensing requirements.

Representatives Turner,Ford (54th),Arnold

H. B. No. 1265: Pharmacists; authorize reimbursement for under certain insurance policies, plans, or contracts.

Representatives Turner,Hobgood-Wilkes,Yancey

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2634: Memorial highways; designate segment in Shannon, Lee County, as the "Johnny R. Patterson Memorial Highway."

Representatives Massengill,Tubb,Arnold

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Oliver as a conferee, the Speaker has named a new conferee on the following:

S. B. No. 3014: Appropriation; IHL - University of Mississippi Medical Center.

Representatives Read and Creekmore IV remain as conferees and the Speaker has named Representative Deweese to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Bounds as a conferee, the Speaker has named a new conferee on the following:

S. B. No. 2728: University of Mississippi; authorize to enter long-term lease with approval of I.H.L.

Representatives Scoggin and Deweese remain as conferees and the Speaker has named Representative Hawkins to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 3039: Appropriation; Corrections, Department of.

Representatives Read,Deweese,Currie

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2441: Alternative nicotine products; prohibit distribution or sale of certain products.

Representatives Yancey,Calvert,Mansell

S. B. No. 2682: MS Critical Teacher Shortage Act of 1998; extend repealer on.

Representatives Roberson,McCarty,Owen

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 1123: MDOT; authorize the transfer and conveyance of certain real property to Greene County Board of Supervisors.

Representatives Massengill,Burch,Hawkins

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. R. No. 86: Recognize Cheryl W. Turner as National First Vice President of Delta Sigma Theta Sorority and commend her considerable civic contributions. Title Sufficient. Do Be Adopted.

S. R. No. 87: Extend best wishes to Mother Lorene Gee Cockroft on her 100th Birthday. Title Sufficient. Do Be Adopted.

S. R. No. 88: Commend Northwest Mississippi Community College Dance Team for winning the 2024 Open Hip-Hop National Championship. Title Sufficient. Do Be Adopted.

S. R. No. 89: Commend Lawrence "Bud" Young from Northwest Mississippi Community College upon the occasion of his retirement. Title Sufficient. Do Be Adopted.

S. R. No. 90: Commend Northwest MS CC Cheer Team for winning 2024 UCA/UDA College Cheerleading National Championship, Open All-Girl. Title Sufficient. Do Be Adopted.

S. R. No. 92: Commend Family Health Center in Laurel for "Community Health Quality Recognition" Award by the HRSA. Title Sufficient. Do Be Adopted.

S. R. No. 93: Honor memory/legacies of MS Blues Musician "BB" King and Civil Rights Pioneer Medgar Evers on their 100th birthday celebrations. Title Sufficient. Do Be Adopted.

S. R. No. 94: Recognize Becky Pruett Denham as former Miss Mississippi 2001 and commend child advocacy contributions. Title Sufficient. Do Be Adopted.

S. R. No. 95: Remember the legacy of WWII, D-Day +3 Normandy Veteran KT Robbins of Olive Branch, MS and thanking him for his service. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

_____

Senator Parker called up the following House Amendment to **S. B. No. 2917** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 29-5-201, Mississippi Code of 1972, is amended as follows:

29-5-201. As used in Sections 29-5-201 through 29-5-217:

(a) "District" means the Capitol Complex Improvement District.

(b) "Improvement projects" means the following types of projects in the public areas of the district:

(i) Street reconstruction, resurfacing and other repairs to roadways, curbs and gutters;

(ii) Bridge construction, reconstruction and repair;

(iii) Reconstructing and repairing of surface water drainage systems including street drains, ditches, culverts and other components of the system;

(iv) Installing and replacing street lighting;

(v) Installing and replacing traffic signals;

(vi) Installation of new water and sewer lines and rehabilitation of existing water and sewer lines serving the district, including those portions extending beyond the district boundary required to perform the work;

(vii) Reconstruction and repair of parks and public rights-of-way;

(viii) Reconstruction and repair of sidewalks along public streets;

(ix) Planting and replacing landscaping materials, trees, and site amenities within public parks and rights-of-way;

(x) Relocation underground of power and communication lines serving the district, including those portions extending beyond the district boundary required to perform the work; * * *

(xi) Infrastructure, public safety, and other improvements as determined necessary by the Executive Director of the Department of Finance and Administration * * *; and

(xii) Demolition and removal of state-owned structures, property and debris designated by the Capitol Complex Improvement District Advisory Committee as slum or blight, which constitute a nuisance to public health, safety and welfare.

Before the Capitol Complex Improvement District Advisory Committee may designate any state-owned structure, property or debris as slum or blight, which constitute a nuisance to public health, safety or welfare, under paragraph (xii), the committee must provide notice to the Department of Finance and Administration of its intent to make such a designation and the department shall have fifteen (15) days from receipt of such notice to object to the designation. If the Department of Finance and Administration objects to the proposed designation, then the state-owned structure, property or debris may not be designated as blight or slum, which constitute a nuisance to public health, safety or welfare, except as agreed to by the Department of Finance and Administration and the Capitol Complex Improvement District Advisory Committee.

SECTION 2. (1) As used in this section, the following words and phrases shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Department" means the Department of Finance and Administration.

(b) "Developer" means any person, firm, corporation, partnership or other entity who constructs, repairs, renovates, operates and/or maintains and/or procures the construction, repair, renovation, operation and/or maintenance of property such as buildings and other facilities.

(c) "District" means the Capitol Complex Improvement District created in Section 29-5-203, Mississippi Code of 1972.

(2) (a) The department shall establish a program to provide grants to assist developers in paying costs associated with acquisition and development of tax-forfeited property within the district that has been struck off to the state for the nonpayment of ad valorem taxes, and to place such developed property into use, which will increase the value of the property and promote economic development and the public interest within the district.

(b) An entity desiring assistance under the grant program established under this section must submit an application to the department. The application must contain a development plan that provides:

(i) A description of:

1. The property to be acquired and developed as well as documentation from the Office of the Secretary of State verifying that the property is tax-forfeited property that has been struck off to the state for the nonpayment of ad valorem taxes, and

2. The type of work the applicant will perform as part of development of the property and the purpose or purposes for which the property will be placed into use after development;

(ii) The costs required for the applicant to acquire the property and the costs associated with the development of the property for which the applicant is requesting assistance;

(iii) The amount of grant funds requested; and

(iv) Any other information requested by the department.

(c) The department shall review such application and determine whether the applicant is eligible to participate in the grant program. If the department approves the applicant for participation in the grant program, it shall issue a certificate of participation to the applicant designating the applicant as a developer under the program. The department may provide grant funds to the applicant in an amount as determined by the department; however, the amount of a grant cannot exceed twenty percent (20%) of the aggregate costs for the acquisition and development of the property for which the grant is provided. Eligible costs for which grant proceeds may be used include, but are not limited to, costs associated with construction, repairs, renovations, operation and/or maintenance and/or procuring the construction, repair, renovation, operation and/or maintenance of property such as buildings and other facilities.

(3) In addition to any other authority granted under this section or any other provision of law, the department may contract with a nonprofit corporation for the purpose of assisting the department in carrying out the provisions of this section.

(4) There is created in the State Treasury a special fund, to be designated as the "Capitol Complex Improvement District Tax-Forfeited Property Fund", which shall consist of funds made available by the Legislature in any manner. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund. Monies in the fund shall be disbursed, upon appropriation by the Legislature, in the discretion of the Department of Finance and Administration, to provide grants for the purposes described in this section.

(5) The department shall have all powers necessary to implement and administer the program established under this section, and the department shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

SECTION 3. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi

to provide funds for the grant program authorized in Section 2 of this act. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Six Million Dollars ($6,000,000.00); however, not more than Two Million Dollars ($2,000,000.00) of such bonds may be issued during any fiscal year.

(b) Any investment earnings on amounts deposited into the special fund created in Section 2 of this act shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, to be selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in Section 2 of this act. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 29-5-201, MISSISSIPPI CODE OF 1972, TO AMEND THE DEFINITION OF "IMPROVEMENT PROJECTS" TO ALLOW FOR THE DEMOLITION OF SLUM AND BLIGHTED STATE-OWNED PROPERTIES LOCATED WITHIN THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL ESTABLISH A PROGRAM TO PROVIDE GRANTS TO ASSIST DEVELOPERS IN PAYING COSTS ASSOCIATED WITH ACQUISITION AND DEVELOPMENT OF TAX-FORFEITED PROPERTY WITHIN THE CAPITOL COMPLEX IMPROVEMENT DISTRICT THAT HAS BEEN STRUCK OFF TO THE STATE FOR THE NONPAYMENT OF AD VALOREM TAXES, AND TO PLACE SUCH PROPERTY INTO USE AFTER DEVELOPMENT, WHICH WILL INCREASE THE VALUE OF THE PROPERTY AND PROMOTE ECONOMIC DEVELOPMENT AND THE PUBLIC INTEREST WITHIN THE DISTRICT; TO PROVIDE AN APPLICATION PROCESS FOR ENTITIES WHO DESIRE TO PARTICIPATE IN THE GRANT PROGRAM; TO CREATE THE "CAPITOL COMPLEX IMPROVEMENT DISTRICT TAX-FORFEITED PROPERTY FUND" AS A SPECIAL FUND IN THE STATE TREASURY AND TO PROVIDE THAT MONIES IN THE SPECIAL FUND SHALL BE EXPENDED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION, UPON APPROPRIATION BY THE LEGISLATURE, TO PROVIDE GRANTS AUTHORIZED UNDER THIS ACT; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CONTRACT WITH A NONPROFIT CORPORATION FOR THE PURPOSE OF ASSISTING THE DEPARTMENT IN CARRYING OUT THE PROVISIONS OF THIS ACT; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PURPOSE OF PROVIDING FUNDS FOR THE "CAPITOL COMPLEX IMPROVEMENT DISTRICT TAX-FORFEITED PROPERTY FUND"; AND FOR RELATED PURPOSES.

Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 10:39 AM, the Senate stood in recess.

The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

MESSAGE FROM THE LT. GOVERNOR
April 16, 2024

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

Bradley Dees (Brad) Mayo, Oxford, Mississippi, Mississippi State Oil and Gas Board, term effective immediately and ending March 31, 2028.

Delbert Hosemann
LT. GOVERNOR

_____

The executive nomination in the foregoing message was referred to committee as follows:

Bradley Dees (Brad) Mayo, Mississippi State Oil and Gas Board, term effective immediately and ending March 31, 2028, Energy.

_____

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. B. No. 2142: AN ACT TO DESIGNATE THE AMERICAN QUARTER HORSE AS THE "OFFICIAL STATE HORSE OF THE STATE OF MISSISSIPPI"; TO DESIGNATE THE KEMP'S RIDLEY SEA TURTLE AS THE "OFFICIAL SEA TURTLE OF THE STATE OF MISSISSIPPI"; AND FOR RELATED PURPOSES.

David Jordan, Chairman

_____

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2226: AN ACT TO AMEND SECTION 27-117-15, MISSISSIPPI CODE OF 1972, TO REMOVE THE REPEAL DATE OF THE ISRAEL SUPPORT ACT OF 2019; TO AMEND SECTION 27-117-5, MISSISSIPPI CODE OF 1972, TO MAKE TECHNICAL CORRECTIONS TO NUMBERING; TO BRING FORWARD SECTIONS 27-117-1, 27-117-3, 27-117-7, 27-117-9, 27-117-11 AND 27-117-13, MISSISSIPPI CODE OF 1972, TO WHICH CONSTITUTE THE ISRAEL SUPPORT ACT OF 2019, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 27-105-33, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF FUNDS THE STATE TREASURER MAY INVEST IN BONDS ISSUED, ASSUMED OR GUARANTEED BY THE COUNTRY OF ISRAEL UNDER CERTAIN CIRCUMSTANCES; AND FOR RELATED PURPOSES.

S. B. No. 2457: AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; AND FOR RELATED PURPOSES.

S. B. No. 2470: AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO MOVE THE BACK-TO-SCHOOL SALES TAX HOLIDAY FROM THE LAST FRIDAY IN JULY TO THE SECOND FRIDAY IN JULY, AND TO EXTEND IT BY ONE DAY; AND FOR RELATED PURPOSES.

S. B. No. 2530: AN ACT TO CREATE THE PEER-TO-PEER CAR SHARING PROGRAM ACT; TO AUTHORIZE VEHICLE OWNERS AND DRIVERS TO USE A BUSINESS PLATFORM FOR THE SHARING OF VEHICLES FOR FINANCIAL CONSIDERATION; TO PROVIDE FOR DEFINITIONS RELATED TO THE ACT; TO PROVIDE THAT A PEER-TO-PEER CAR SHARING PROGRAM SHALL ASSUME LIABILITY OF A SHARED VEHICLE OWNER FOR CERTAIN INJURIES OR DAMAGE WITH CERTAIN EXCEPTIONS; TO REQUIRE CERTAIN NOTIFICATIONS TO SHARED VEHICLE OWNERS ABOUT THE USE OF THEIR VEHICLE; TO PROVIDE THAT AN AUTHORIZED MOTOR VEHICLE LIABILITY INSURER MAY EXCLUDE CERTAIN COVERAGE IN SHARED VEHICLE OWNERS' INSURANCE POLICIES; TO REQUIRE A PEER-TO-PEER CAR SHARING PROGRAM TO COLLECT AND VERIFY RECORDS PERTAINING TO THE USE OF A SHARED VEHICLE; TO EXEMPT A PEER-TO-PEER CAR SHARING PROGRAM AND A SHARED VEHICLE OWNER FROM VICARIOUS LIABILITY; TO PROVIDE THAT AN AUTHORIZED MOTOR VEHICLE LIABILITY INSURER MAY HAVE CERTAIN INDEMNITY RIGHTS; TO PROVIDE THAT A PEER-TO-PEER CAR SHARING PROGRAM SHALL HAVE AN INSURABLE INTEREST IN A SHARED VEHICLE DURING THE CAR SHARING PERIOD; TO REQUIRE A CAR SHARING PROGRAM AGREEMENT TO HAVE CERTAIN CONSUMER PROTECTION DISCLOSURES; TO REQUIRE A PEER-TO-PEER CAR SHARING PROGRAM TO VERIFY DRIVER'S LICENSES; TO PROVIDE FOR SPECIFIC PROCEDURES REQUIRED OF PEER-TO-PEER CAR SHARING PROGRAMS IN REGARDS TO AUTOMOBILE SAFETY RECALLS; TO PROVIDE THAT THE COMMISSIONER OF INSURANCE SHALL HAVE THE AUTHORITY TO PROMULGATE RULES AND REGULATIONS THAT ARE NECESSARY TO ADMINISTER AND ENFORCE THE PROVISIONS OF THIS ACT PROVIDED THAT SUCH RULES AND REGULATIONS ARE NOT INCONSISTENT WITH THE PROVISIONS OF THIS ACT; TO AMEND SECTIONS 27-19-40, 63-1-67, 77-8-1, 75-24-8 AND 27-17-35, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

S. B. No. 2567: AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ISSUE AN ON-PREMISES TOBACCO PERMIT TO ALLOW PERMITTEES TO SELL ALCOHOLIC BEVERAGES ON LICENSED PREMISES WHERE CIGARS, CHEROOTS, TOBACCO PIPES, PIPE TOBACCO, AND/OR STOGIES ARE SOLD; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO IMPOSE AN ANNUAL PRIVILEGE LICENSE TAX OF $450.00 FOR THE PERMIT; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1206: AN ACT TO AMEND SECTION 49-7-31.4, MISSISSIPPI CODE OF 1972, TO REVISE DATES ON OPEN SEASON FOR FUR-BEARING ANIMALS AND HUNTING OPOSSUMS, RACOONS AND BOBCATS WITH DOGS AND GUNS; TO AMEND SECTION 49-7-31.1, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 526, 2024 REGULAR SESSION, TO CLARIFY THE CIRCUMSTANCES UNDER WHICH HUNTERS MUST WEAR SOLID UNBROKEN FLUORESCENT ORANGE OR SOLID UNBROKEN FLUORESCENT PINK; AND FOR RELATED PURPOSES.

H. B. No. 1779: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR FORESTERS FOR THE FISCAL YEAR 2025.

H. B. No. 1816: AN ACT MAKING A REAPPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO REAUTHORIZE THE

EXPENDITURE OF CAPITAL EXPENSES AND SPECIAL FUNDS PREVIOUSLY APPROPRIATED FOR CONSTRUCTION AND/OR REPAIR AND RENOVATION PROJECTS AT VARIOUS STATE AGENCIES AND INSTITUTIONS, FOR FISCAL YEAR 2025.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 1271: AN ACT TO AMEND SECTION 73-35-21, MISSISSIPPI CODE OF 1972, TO REVISE THE APPLICATION OF PROPERTY CONDITION DISCLOSURE STATEMENT LIABILITY REGARDING SECTIONS 89-1-501 THROUGH 89-1-523; TO AMEND SECTION 89-1-503, MISSISSIPPI CODE OF 1972, TO REVISE PROPERTY CONDITION DISCLOSURE STATEMENT LIABILITY REGARDING SECTIONS 89-1-501 THROUGH 89-1-523; TO REPEAL SECTION 89-1-519, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT NO PERSON OR ENTITY SHALL BE DEEMED THE AGENT OF THE TRANSFEROR OR TRANSFEREE FOR PURPOSES OF THE DISCLOSURE REQUIREMENTS OF SECTIONS 89-1-501 THROUGH 89-1-523; TO AMEND SECTION 89-1-523, MISSISSIPPI CODE OF 1972, TO REVISE THE ABILITY TO DISCIPLINE A REAL ESTATE LICENSEE FOR FAILURE TO COMPLY WITH PROPERTY CONDITION DISCLOSURE STATEMENTS AS REQUIRED IN SECTIONS 89-1-501 THROUGH 89-1-523; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. C. R. No. 42: A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE LIFE AND LEGACY OF MRS. HILDA MOORE TURNER.

H. C. R. No. 43: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING ACCLAIMED MISSISSIPPI ARTIST BOBBY RUSH FOR WINNING HIS THIRD GRAMMY FOR BEST TRADITIONAL BLUES ALBUM AT THE 66TH GRAMMY AWARDS FOR HIS ALBUM ENTITLED "ALL MY LOVE FOR YOU."

H. C. R. No. 45: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE GEORGE COUNTY HIGH SCHOOL LADY REBELS FAST PITCH SOFTBALL TEAM AND HEAD COACH KASEY MCCANN UPON WINNING THEIR FIRST EVER MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 5A FAST PITCH SOFTBALL STATE CHAMPIONSHIP.

H. C. R. No. 46: A CONCURRENT RESOLUTION HONORING AND COMMENDING MR. JOHN D. ROBERTS UPON RECEIVING THE LEGION OF HONOR FOR HIS VALIANT AND HEROIC SERVICE DURING WORLD WAR II.

H. C. R. No. 50: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE CLINTON HIGH SCHOOL ATTACHÉ SHOW CHOIR FOR WINNING ITS 100TH GRAND CHAMPION TITLE.

David Jordan, Chairman

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 120: Memorial highways; designate segment in Shannon, Lee County as the "Johnny R. Patterson Memorial Highway."

H. B. No. 313: Board of Cosmetology and Barbering; create to regulate cosmetology and barber professions.

H. B. No. 1035: Justice court judges; include in the "Nonpartisan Judicial Election Act".

H. B. No. 1577: Bidding terms for public depositories for counties and municipalities; make compatible.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 3099: Income tax; authorize a credit for certain employers that sponsor skills training for employees.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2990: Taxation of oilfield services; restructure.

S. B. No. 3070: Income tax and insurance premium tax; authorize a credit for certain investments in qualified community development entities.

S. B. No. 3105: Tobacco excise tax; provide rate for heated tobacco products.

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 295: Arrest warrants; authorize electronic applications, signatures and records for.
Senators Fillingane, Sparks, Simmons (12th).

H. B. No. 346: "Seizure Safe Schools Act"; establish.
Senators DeBar, Boyd, Simmons (13th).

H. B. No. 652: State Port Authority and other ports; delete repealer on authority to use design-build method of contracting.
Senators Thompson, Sparks, Ladner.

H. B. No. 691: Mississippi Board on Law Enforcement Officer Standards and Training; revise composition of and provide with investigative authority.
Senators Fillingane, Sparks, Wiggins.

H. B. No. 756: Prison Industry Enhancement Program; extend repealer on.
Senators Johnson, Sparks, Parker.

H. B. No. 759: Mississippi Prison Industries Act of 1990; extend repealer on.
Senators Johnson, Sparks, Parker.

H. B. No. 765: MS Critical Teacher Shortage Act; extend repealer on.
Senators DeBar, Blount, Parker.

H. B. No. 903: Machine gun; provide crime for conversion to.
Senators Fillingane, Sparks, DeLano.

H. B. No. 1004: Sex offender registry; revise definitions for provisions of law that regulate.
Senators Fillingane, Sparks, Thomas.

H. B. No. 1025: Department of Corrections; eliminate executive deputy commissioner from.
Senators Johnson, Sparks, Barnett.

H. B. No. 1090: Paraphernalia; revise definition under the Uniform Controlled Substances Law.
Senators Turner-Ford, Boyd, Sparks.

H. B. No. 1163: Community and junior colleges; authorize to contract or enter into interlocal agreements with local governing authorities for first responders services.
Senators Boyd, DeLano, Butler.

H. B. No. 1192: Virtual public schools; authorize operation by certain educational providers or locally sponsored virtual public schools.
Senators DeBar, Parker, Hopson.

H. B. No. 1208: Hunting and fishing on lands of others; revise provisions relating to and provide penalties for.
Senators Whaley, Suber, England.

H. B. No. 1229: Equal Opportunity for Students with Special Needs Act; extend repealer on educational scholarship accounts (ESA).
Senators DeBar, Parker, Robinson.

H. B. No. 1298: Mississippi Wild Turkey Stamp; establish.
Senators Whaley, Suber, Younger.

H. B. No. 1323: Statute of limitations; increase for sexual battery of a vulnerable person.
Senators Fillingane, Sparks, McCaughn.

H. B. No. 1379: "Students Safe at School Act"; create to provide procedures for active shooter drills and simulations.
Senators DeBar, Blount, Polk.

H. B. No. 1441: Felony; increase penalties for commission of with use of semi-automatic firearm.
Senators Fillingane, Sparks, Hill.

H. B. No. 1450: Interstate Teacher Mobility Compact; authorize entrance for purpose of facilitating mobility of teachers married to service members.
Senators DeBar, DeLano, McMahan.

H. B. No. 1487: Capitol Complex Improvement District; revise boundaries of.
Senators Parker, Williams, Michel.

H. B. No. 1683: MS Charter School Act of 2013; bring forward for purposes of possible amendments.
Senators DeBar, Parker, Polk.

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 297: Mississippi Department of Information Technology Services; bring forward code sections related to.
Senators Williams, DeLano, Parker.

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2696: Mississippi Main Street Grant Program; amend administration of and qualifications for.
Senators Chassaniol, Williams, McCaughn.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2232: Newton Municipal School District; require election of board of trustees by population of the school district.

Representatives Roberson,McLean,Gibbs (72nd)

S. B. No. 2570: Office of Workforce Development; extend exemption from PPRB provisions on rental/leasing of real property for agency business.

Representatives Bell (21st),Anthony,Haney

S. B. No. 2652: Wild turkey stamps; require for wild turkey hunters 16 years of age or older.

Representatives Kinkade,Tubb,Carpenter

S. B. No. 2689: State subject area tests and accountability standards; replace with college prep test and revise provisions.

Representatives Roberson,McCarty,Owen

S. B. No. 2695: Driver's education; revise certain provisions related thereto.

Representatives Roberson,Fondren,Hurst

S. B. No. 2717: Mississippi Prison Industries Corporation; clarify conflicts in laws concerning leadership.

Representatives Bell (21st),Anthony,Haney

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Rushing as a conferee, the Speaker has named a new conferee on the following:

S. B. No. 2445: Correctional system programs; extend repealers.

Representatives Currie and Horan remain as conferees and the Speaker has named Representative Faulkner to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

Senator Harkins moved that the rules be suspended to move to calendar item 5, **S. B. No. 2476**, and the motion prevailed.

Senator Harkins called up the following House Amendment to **S. B. No. 2476** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-22.39, Mississippi Code of 1972, is amended as follows:

27-7-22.39. (1) As used in this section:

(a) "Low-income residents" means persons whose household income is less than one hundred fifty percent (150%) of the federal poverty level.

(b) "Qualifying charitable organization" means a charitable organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code or is a designated community action agency that receives community services block grant program monies pursuant to 42 USC 9901. The organization must spend at least fifty percent (50%) of its budget on services to residents of this state who receive temporary assistance for needy families benefits or low-income residents of this state and their households or to children who have a chronic illness or physical, intellectual, developmental or emotional disability who are residents of this state. A charitable

organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements of this paragraph except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi may be a qualifying charitable organization if it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and it certifies to the department that one hundred percent (100%) of the voluntary cash contributions from the taxpayer will be spent on services to qualified individuals in Mississippi. Taxpayers choosing to make donations through an umbrella charitable organization that collects donations on behalf of member charities shall designate that the donation be directed to a member charitable organization that would qualify under this section on a stand-alone basis. Qualifying charitable organization does not include any entity that provides, pays for or provides coverage of abortions or that financially supports any other entity that provides, pays for or provides coverage of abortions.

(c) "Qualifying foster care charitable organization" means a qualifying charitable organization that each operating year provides services to at least one hundred (100) qualified individuals in this state and spends at least fifty percent (50%) of its budget on services to qualified individuals in this state. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements of this paragraph except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi may be a qualifying foster care charitable organization if it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and it certifies to the department that one hundred percent (100%) of the voluntary cash contributions from the taxpayer will be spent on services to qualified individuals in Mississippi. For the purposes of this paragraph, "qualified individual" means a child in a foster care placement program established by the Department of Child Protection Services, a child placed under the Safe Families for Children model, or a child at significant risk of entering a foster care placement program established by the Department of Child Protection Services.

(d) "Services" means:

(i) Cash assistance, medical care, child care, food, clothing, shelter, and job-placement services or any other assistance that is reasonably necessary to meet immediate basic needs and that is provided and used in this state;

(ii) Job-training or education services or funding for parents, foster parents or guardians; or

(iii) Job-training or education services or funding provided as part of a foster care independent living program.

(2) (a) Except as provided in subsections (3) and (4) of this section, a credit is allowed against the taxes imposed by this chapter for voluntary cash contributions by the taxpayer during the taxable year to a qualifying charitable organization, other than a qualifying foster care charitable organization, not to exceed:

(i) Through calendar year 2022, the lesser of Four Hundred Dollars ($400.00) or the amount of the contribution in any taxable year for a single individual or a head of household; and for calendar year 2023 and each calendar year thereafter, the lesser of One Thousand Two Hundred Dollars ($1,200.00) or the amount of the contribution in any taxable year for a single individual or a head of household.

(ii) Through calendar year 2022, the lesser of Eight Hundred Dollars ($800.00) or the amount of the contribution in any taxable year for a married couple filing a joint return; and for calendar year 2023 and each calendar year thereafter, the lesser of Two Thousand Four Hundred Dollars ($2,400.00) or the amount of the contribution in any taxable year for a married couple filing a joint return.

(b) From and after January 1, 2023, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the individual taxpayer during the taxable year to a qualifying charitable organization, other than a qualifying foster care charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this paragraph but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(3) (a) A separate credit is allowed against the taxes imposed by this chapter for voluntary cash contributions during the taxable year to a qualifying foster care charitable organization. A contribution to a qualifying foster care charitable organization does not qualify for, and shall not be included in, any credit amount under subsection (2) of this section. If the voluntary cash contribution by the taxpayer is to a qualifying foster care charitable organization, the credit shall not exceed:

(i) Through calendar year 2022, the lesser of Five Hundred Dollars ($500.00) or the amount of the contribution in any taxable year for a single individual or a head of household; and for calendar year 2023 and each calendar year thereafter, the lesser of One Thousand Five Hundred Dollars ($1,500.00) or the amount of the contribution in any taxable year for a single individual or a head of household.

(ii) Through calendar year 2022, the lesser of One Thousand Dollars ($1,000.00) or the amount of the contribution in any taxable year for a married couple filing a joint return; and for calendar year 2023 and each calendar year thereafter, the lesser of Three Thousand Dollars ($3,000.00) or the amount of the contribution in any taxable year for a married couple filing a joint return.

(b) From and after January 1, 2023, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the individual taxpayer during the taxable year to a qualifying foster care charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this paragraph but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(4) Subsections (2) and (3) of this section provide separate credits against taxes imposed by this chapter depending on the recipients of the contributions. A taxpayer, including a married couple filing a joint return, in the same taxable year, may either or both:

(a) Contribute to a qualifying charitable organization, other than a qualifying foster care charitable organization, and claim a credit under subsection (2) of this section.

(b) Contribute to a qualifying foster care charitable organization and claim a credit under subsection (3) of this section.

(5) A husband and wife who file separate returns for a taxable year in which they could have filed a joint return may each claim only one-half (1/2) of the tax credit that would have been allowed for a joint return.

(6) Except as otherwise provided in subsections (2) and (3) of this section, if the allowable tax credit exceeds the taxes otherwise due under this chapter on the claimant's income, or if there are no taxes due under this chapter, the taxpayer may carry forward the amount of the claim not used to offset the taxes under this chapter for not more than five (5) consecutive taxable years' income tax liability.

(7) The credit allowed by this section is in lieu of a deduction pursuant to Section 170 of the Internal Revenue Code and taken for state tax purposes.

(8) Taxpayers taking a credit authorized by this section shall provide the name of the qualifying charitable organization and the amount of the contribution to the department on forms provided by the department.

(9) A qualifying charitable organization shall provide the department with a written certification that it meets all criteria to be considered a qualifying charitable organization. The organization shall also notify the department of any changes that may affect the qualifications under this section.

(10) The charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code or verification that the organization is a designated community action agency that receives community services block grant program monies pursuant to 42 USC 9901.

(b) Financial data indicating the organization's budget for the organization's prior operating year and the amount of that budget spent on services to residents of this state who either:

(i) Receive temporary assistance for needy families benefits;

(ii) Are low-income residents of this state;

(iii) Are children who have a chronic illness or physical, intellectual, developmental or emotional disability; or

(iv) Are children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services.

(c) A statement that the organization plans to continue spending at least fifty percent (50%) of its budget on services to residents of this state who receive temporary assistance for needy families benefits, who are low-income residents of this state, who are children who have a chronic illness or physical, intellectual, developmental or emotional disability or who are children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements for a qualifying charitable organization or qualifying foster care charitable organization except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi shall submit a statement that it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and that one hundred percent (100%) of the voluntary cash contributions it receives from Mississippi taxpayers will be spent on services to qualified individuals in Mississippi.

(d) In the case of a foster care charitable organization, a statement that each operating year it provides services to at least one hundred (100) qualified individuals in this state.

(e) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions.

(f) Any other information that the department requires to administer this section.

(11) The department shall review each written certification and determine whether the organization meets all the criteria to be considered a qualifying charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of the qualifying charitable organizations.

(12) The aggregate amount of tax credits that may be awarded under this section in any calendar year shall not exceed Three Million Dollars ($3,000,000.00). However, for calendar year 2021, and for each calendar year thereafter, the aggregate amount of tax credits that may be awarded under this section in any calendar year shall not exceed One Million Dollars ($1,000,000.00). In addition, any tax credits not awarded under this section before June 1, 2020, may be allocated during calendar year 2020 under Section 27-7-22.41 for contributions by taxpayers to eligible charitable organizations described in Section 27-7-22.41(1)(b)(ii) as provided under such section, notwithstanding any limitation on the percentage of tax credits that may be allocated for such contributions.

(13) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

* * *

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 27-7-22.39, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES SEPARATE INCOME TAX CREDITS FOR VOLUNTARY CASH CONTRIBUTIONS TO QUALIFYING CHARITABLE ORGANIZATIONS AND QUALIFYING FOSTER CARE CHARITABLE ORGANIZATIONS, TO DELETE THE REPEALER ON THAT SECTION OF LAW; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2476** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

Senator Harkins moved that the rules be suspended to move to calendar item 6, **S. B. No. 2492**, and the motion prevailed.

Senator Harkins called up the following House Amendment to **S. B. No. 2492** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-67-35, Mississippi Code of 1972, is amended as follows:

27-67-35. (1) (a) There is hereby created a special fund in the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of monies deposited therein under Section 27-67-31(e) and monies from any other source designated for deposit into such fund. Monies in the fund shall be expended by the department to provide funds to assist municipalities in this state in paying costs associated with:

(i) Repair, maintenance and/or reconstruction of roads, streets and bridges in municipalities * * *;

(ii) Repair, maintenance and/or other improvements to water infrastructure and sewer infrastructure, including storm water and drainage improvements * * *; and/or

(iii) As a pledge to pay all or a portion of debt service on debt issued by a municipality for the purposes provided in this subsection (1)(a).

These monies shall not be used for salaries, benefits or any form of compensation for employees, or for contract employees, administrative costs, debt service except as provided in this subsection (1)(a), personal property or equipment * * *, except for personal property or equipment to be used for the purposes allowed in subparagraphs (i) and (ii) of this subsection (1)(a), or for the construction or maintenance of public buildings or other structures that are not integral to the system of roads and bridges. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

(b) (i) Subject to the provisions of this paragraph (b) and Section 65-21-31, funds provided to municipalities under this subsection (1) shall be allocated and distributed to municipalities as follows:

1. Three Million Dollars ($3,000,000.00) shall be allocated to all municipalities in equal shares, and

2. The remainder of the funds allocated as follows:

a. One-half (1/2) shall be allocated to municipalities based on the proportion that the population of a municipality according to the most recent federal decennial census bears to the total population of all municipalities in the state according to the most recent federal decennial census, and

b. One-half (1/2) shall be allocated to municipalities based on the proportion that the amount of sales tax revenue distributed to a municipality during the preceding fiscal year under Section 27-65-75(1)(a) bears to the total amount of sales tax revenue distributed to all municipalities during the preceding fiscal year under Section 27-65-75(1)(a). The department shall distribute funds under this subsection (1) on a semiannual basis with distributions being made in the months of January and July.

(ii) In order to be eligible to receive the full amount of funds allocated for distribution to a municipality during a year under this subsection (1), the municipality must have expended an amount not less than the amount of base expenditures during the previous municipal fiscal year for the purposes described in paragraph (a) of this subsection (1). If a municipality fails to expend such required amount, then the amount of funds allocated for distribution to the municipality shall be reduced by the percentage by which the municipality failed to expend the amount of base expenditures. For the purposes of this subsection (1), "base expenditures" means the average annual expenditures made by a municipality for purposes described in paragraph (a) of this subsection (1) for the two-year period beginning October 1, 2020, and ending September 30, 2022. Expenditure of grant proceeds, loan proceeds, or the proceeds of bonds issued by a municipality for the purposes described in paragraph (a) of this subsection (1) shall not be considered when calculating the base period. Expenditures by a municipality for purposes described in paragraph (a) of this subsection (1) and for which the municipality may not use monies received from the department under this subsection (1), may be considered when calculating the amount of funds expected by the municipality during the previous municipal fiscal year, provided the expenditures are related to the purposes described in (i), (ii) and/or (iii) in paragraph (a) of this subsection (1). Beginning July 1, 2023, and each succeeding July 1 thereafter, the amount of the base expenditures shall be adjusted and compounded annually by increasing or decreasing such amount by a percentage amount that is equal to the lesser of one-half percent (0.5%) or to the United States inflation rate for the previous calendar year ending on December 31 as certified by the department and provided to the municipalities thereby within thirty (30) days of such certification. The United States inflation rate for a calendar year shall be the Consumer Price Index for the calendar year for urban consumers as calculated by the Bureau of Labor Statistics of the United States Department of Labor.

(c) The department and the Office of the State Auditor shall have all powers necessary to ensure the proper implementation of this subsection (1).

(2) (a) There is hereby created a special fund in the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of monies deposited therein under Section 27-67-31(f) and monies from any other source designated for deposit into such fund. Monies in the fund shall be expended by the department to provide funds to assist counties in this state in paying costs associated with (i) the repair, maintenance and/or reconstruction of roads, streets and bridges in counties, and/or (ii) as a pledge to pay all or a portion of debt service on debt issued by a county for the purposes provided in this subsection (2)(a). These monies shall not be used for salaries, benefits or any form of compensation for employees, or for contract employees, administrative costs, debt service except as provided in this subsection (2)(a), personal property or equipment * * * except for personal property or equipment to be used for the purposes

allowed in subparagraph (i) of this subsection (2)(a), or for the construction or maintenance of public buildings or other structures that are not integral to the system of roads and bridges. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

(b) (i) Subject to the provisions of this paragraph (b) and Section 65-21-31, funds provided to counties under this subsection (2) shall be allocated and distributed to counties in the following proportions:

1. One-third (1/3) shall be allocated to all counties in equal shares,

2. One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state, and

3. One-third (1/3) shall be allocated to counties based on the proportion that the rural population of a county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

The department shall distribute funds under this subsection (2) on a semiannual basis with distributions being made in the months of January and July. Rural road miles and rural road population in the counties shall be determined in the same manner as they are determined for the purposes of the distribution formula in Section 65-9-3.

(ii) From and after July 1, 2020, of the funds allocated for distribution to a county during a year under this subsection (2), the maximum amount of such funds that may be distributed to the county during that year shall not exceed the amount of county funds expended by the county during the previous county fiscal year for purposes described in paragraph (a) of this subsection (2). Expenditure of the proceeds of bonds issued by a county to pay costs associated with the repair, maintenance and/or reconstruction of roads, streets and bridges shall not be considered when determining the amount of county funds expended by the county during the previous county fiscal year. Expenditures by a county for purposes described in paragraph (a) of this subsection (2) and for which the county may not use monies received from the department under this subsection (2), may be considered when calculating the amount of county funds expended by the county during the previous county fiscal year, provided the expenditures are related to purposes described in (i) and/or (ii) in paragraph (a) of this subsection (2).

(c) The department and the Office of the State Auditor shall have all powers necessary to ensure the proper implementation of this subsection (2).

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 27-67-35, MISSISSIPPI CODE OF 1972, TO ALLOW MUNICIPALITIES TO USE MONIES FROM USE TAX REVENUE FOR PERSONAL PROPERTY OR EQUIPMENT TO BE USED FOR THE REPAIR, MAINTENANCE AND/OR RECONSTRUCTION OF ROADS, STREETS AND BRIDGES, OR TO BE USED FOR THE REPAIR, MAINTENANCE AND/OR OTHER IMPROVEMENTS TO WATER INFRASTRUCTURE AND SEWER INFRASTRUCTURE, INCLUDING STORM WATER AND DRAINAGE IMPROVEMENTS; TO ALLOW COUNTIES TO USE MONIES FROM USE TAX REVENUE FOR PERSONAL PROPERTY OR EQUIPMENT TO BE USED FOR THE REPAIR, MAINTENANCE AND/OR RECONSTRUCTION OF ROADS, STREETS AND BRIDGES; TO REVISE THE

TYPES OF EXPENDITURES THAT MAY BE CONSIDERED WHEN CALCULATING EXPENDITURES MADE BY A MUNICIPALITY OR COUNTY FOR ROAD AND BRIDGE IMPROVEMENTS AND, FOR MUNICIPALITIES, WATER AND SEWER INFRASTRUCTURE IMPROVEMENTS, DURING THE PREVIOUS FISCAL YEAR FOR THE PURPOSE OF ALLOCATING USE TAX REVENUE TO THE MUNICIPALITY OR COUNTY; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2492** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

_____

Senator Harkins moved that the rules be suspended to move to calendar item 13, **S. B. No. 2466**, and the motion prevailed.

Senator Harkins called up the following House Amendment to **S. B. No. 2466** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-81, Mississippi Code of 1972, is amended as follows:

67-1-81. (1) (a) Any permittee or other person who shall sell, furnish, dispose of, give, or cause to be sold, furnished, disposed of, or given, any alcoholic beverage to any person under the age of twenty-one (21) years shall be guilty of a misdemeanor and shall be punished by a fine of not less than Five Hundred Dollars ($500.00) nor more than One Thousand Dollars ($1,000.00) for a first offense. For a second or subsequent offense, such permittee or other person shall be punished by a fine of not less than One Thousand Dollars ($1,000.00) nor more than Two Thousand Dollars ($2,000.00), or by imprisonment for not more than one (1) year, or by both such fine and imprisonment in the discretion of the court.

(b) (i) If a permittee, or any employee of a permittee, violates paragraph (a) of this subsection (1), then, in addition to any other penalty provided for by law, the commissioner may impose the following penalties against the permittee on whose premises the alcoholic beverages were sold, given or furnished:

1. For the first offense on the licensed premises, suspension of the permit for not more than one (1) week.

2. For a second offense occurring on the licensed premises within a twelve-month period, suspension of the permit for not more than two (2) weeks. The commissioner also may require that the permittee have and use an independent,

third-party age-verification app on the licensed premises for the purpose of determining whether a person to whom alcoholic beverages are sold, furnished, given or caused to be sold on the licensed premises is twenty-one (21) years of age or older. The app used must have at least an eighty-five percent (85%) accuracy rating according to national standards. In the case of a permittee using such an age-verification app, it shall be a defense to an alleged violation of paragraph (a) of this subsection (1) if the permittee used the age-verification app prior to selling, furnishing, giving, or causing to be sold, furnished or given, any alcoholic beverages to a person and the app incorrectly indicated the person to be twenty-one (21) years of age or older.

3. For a third offense occurring on the licensed premises within a twelve-month period, suspension of the permit for not more than three (3) weeks or revocation of the permit.

4. For a fourth or subsequent offense occurring on the licensed premises within a twelve-month period, revocation of the permit.

A violation of paragraph (a) of this subsection (1) shall be sufficient to impose the administrative penalties and any other requirement authorized under this paragraph (b), and any expunction of conviction shall have no effect on any administrative penalty or other requirement imposed against a permittee under this paragraph (b).

(2) Any person under the age of twenty-one (21) years who purchases, receives, or has in his or her possession in any public place, any alcoholic beverages, shall be guilty of a misdemeanor and shall be punished by a fine of not less than Two Hundred Dollars ($200.00) nor more than Five Hundred Dollars ($500.00). Provided, that clearing or busing tables that have glasses or other containers that contain or did contain alcoholic beverages, or stocking, bagging or otherwise handling purchases of alcoholic beverages shall not be deemed possession of alcoholic beverages for the purposes of this section. Provided further, that a person who is at least eighteen (18) years of age but under the age of twenty-one (21) years who waits on tables by taking orders for or delivering orders of alcoholic beverages shall not be deemed to unlawfully possess or furnish alcoholic beverages if in the scope of his employment by the holder of an on-premises retailer's permit. This exception shall not authorize a person under the age of twenty-one (21) to tend bar or act in the capacity of bartender. Any person under the age of twenty-one (21) who knowingly makes a false statement to the effect that he or she is twenty-one (21) years old or older or presents any document that indicates he or she is twenty-one (21) years of age or older for the purpose of purchasing alcoholic beverages from any person engaged in the sale of alcoholic beverages shall be guilty of a misdemeanor and shall be punished by a fine of not less than Two Hundred Dollars ($200.00) nor more than Five Hundred Dollars ($500.00), and a sentence to not more than thirty (30) days' community service.

(3) The term "community service" as used in this section shall mean work, projects or services for the benefit of the community assigned, supervised and recorded by appropriate public officials.

(4) If a person under the age of twenty-one (21) years is convicted or enters a plea of guilty of purchasing, receiving or having in his or her possession in any public place any alcoholic beverages in violation of subsection (2) of this section, the trial judge, in lieu of the penalties otherwise provided under subsection (2) of this section, shall suspend the minor's driver's license by taking and keeping it in the custody of the court for a period of time not to exceed ninety (90) days. The judge so ordering the suspension shall enter upon his docket "DEFENDANT'S DRIVER'S LICENSE SUSPENDED FOR ____ DAYS IN LIEU OF CONVICTION" and such action by the trial judge shall not constitute a conviction. During the period that the minor's driver's license is suspended, the trial judge shall suspend the imposition of any fines or penalties that may be imposed under subsection (2) of this section and may place the minor on probation subject to such conditions as the judge deems appropriate. If the minor violates any of the conditions of

probation, then the trial judge shall return the driver's license to the minor and impose the fines, penalties or both, that he would have otherwise imposed, and such action shall constitute a conviction.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 67-1-81, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, IN ADDITION TO OTHER PENALTIES AUTHORIZED AGAINST A PERMITTEE UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW FOR THE UNLAWFUL SALE, FURNISHING, GIVING OR CAUSING TO BE SOLD OF ALCOHOLIC BEVERAGES TO PERSONS UNDER THE AGE OF 21, THAT FOR A SECOND OFFENSE OCCURRING WITHIN A TWELVE-MONTH PERIOD, THE COMMISSIONER OF REVENUE MAY REQUIRE THAT THE PERMITTEE HAVE AND USE AN INDEPENDENT, THIRD-PARTY AGE-VERIFICATION APP ON THE LICENSED PREMISES FOR THE PURPOSE OF DETERMINING WHETHER A PERSON TO WHOM ALCOHOLIC BEVERAGES ARE SOLD, FURNISHED, GIVEN OR CAUSED TO BE SOLD IS 21 YEARS OF AGE OR OLDER; AND FOR RELATED PURPOSES.

Senator DeBar moved that the rules be suspended to move to calendar item 249, **S. N. No. 82**, and the motion prevailed.

Senator DeBar called up the following entitled nomination:

S. N. No. 82: Michael Anthony (Mike) Pruitt, Hattiesburg, Mississippi, Mississippi State Board of Education, term effective immediately and will expire June 30, 2031.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 82 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

Senator Butler moved that when the Senate adjourns, it adjourn in memory of Patricia Brown McConnico of Port Gibson, MS.

Senators Johnson, McCaughn and Polk moved that when the Senate adjourns, it adjourn in memory of Ruth Holt McMullan of Newton, MS.

Senator Barnett moved that when the Senate adjourns, it adjourn in memory of Mary Edmonson of Laurel, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, April 18, 2024.

The motion prevailed, and at 2:16 PM, the Senate stood in recess.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2425: AN ACT TO AMEND SECTION 23-15-907, MISSISSIPPI CODE OF 1972, TO DEFINE "CAREGIVER," "FAMILY MEMBER" AND "HOUSEHOLD MEMBER" FOR THE PURPOSES OF THE BALLOT HARVESTING LAW; AND FOR RELATED PURPOSES.

S. B. No. 2727: AN ACT TO ESTABLISH THE MISSISSIPPI K-12 AND POSTSECONDARY MENTAL HEALTH TASK FORCE DRAWING ON AVAILABLE DATA TO DETERMINE CHALLENGES IN MISSISSIPPI AS IT RELATES TO THE MENTAL HEALTH OF STUDENTS RANGING FROM K-12 THROUGH THE COMMUNITY COLLEGE AND UNIVERSITY SYSTEMS, ASSESS THE PUBLIC AND PRIVATE RESOURCES CURRENTLY AVAILABLE TO YOUTH SUFFERING FROM DEPRESSION, TRAUMA AND SUICIDAL IDEATION, AND DETERMINE WHERE GAPS EXIST IN SERVICE DELIVERY AND TREATMENT; TO PROVIDE FOR THE MEMBERSHIP OF THE TASK FORCE; TO REQUIRE THE TASK FORCE TO REVIEW AND MAKE RECOMMENDATIONS TO THE LEGISLATURE REGARDING AVAILABLE RESOURCES AND GAPS IN RESOURCES TO ADDRESS THIS CRISIS; TO PROVIDE FOR THE GOALS AND RESPONSIBILITIES OF THE TASK FORCE; TO REQUIRE THE TASK FORCE TO DEVELOP AND REPORT ITS FINDINGS AND RECOMMENDATIONS FOR PROPOSED LEGISLATION TO THE LEGISLATURE ON OR BEFORE OCTOBER 1, 2024; TO RECONSTITUTE THE EARLY INTERVENTION TASK FORCE WITH A GOAL TO COLLABORATE WITH THE STATE AGENCY COORDINATING PART C OF IDEA TO DESIGN A NEW SERVICE DELIVERY MODEL AND MAKE CHANGES TO THE EARLY INTERVENTION PROGRAM; TO SET THE TASK FORCE'S DUTIES; TO REQUIRE THE TASK FORCE TO PREPARE A FINAL REPORT TO THE LEGISLATURE; TO REQUIRE THE STATE AGENCY COORDINATING PART C OF IDEA TO PREPARE AND DELIVER A REPORT THAT PROVIDES FOR POSSIBLE SOLUTIONS; TO DISSOLVE THE TASK FORCE UPON PRESENTATION OF THE REPORT; AND FOR RELATED PURPOSES.

S. B. No. 2858: AN ACT TO PROVIDE THAT A MANUFACTURER MAY MAKE AN INDIVIDUALIZED INVESTIGATIVE TREATMENT, AND AN ELIGIBLE PATIENT WHO HAS A LIFE-THREATENING OR SEVERELY DEBILITATING ILLNESS MAY RECEIVE SUCH TREATMENT IF THE PATIENT HAS GIVEN WRITTEN, INFORMED CONSENT; TO PROVIDE THAT A HEALTH PLAN, THIRD PARTY ADMINISTRATOR, OR GOVERNMENTAL AGENCY MAY PROVIDE COVERAGE FOR THE COST OF AN INDIVIDUALIZED INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE, OR THE COST OF SERVICES RELATED TO THE USE OF AN INDIVIDUALIZED INVESTIGATIONAL DRUG, OR BIOLOGICAL PRODUCT; TO PROHIBIT A LICENSING BOARD OR DISCIPLINARY SUBCOMMITTEE FROM REVOKING, FAILING TO RENEW, SUSPENDING, OR TAKING ANY ACTION AGAINST A HEALTH CARE PROVIDER'S LICENSE BASED SOLELY ON THE HEALTH CARE PROVIDER'S RECOMMENDATIONS TO AN ELIGIBLE PATIENT REGARDING ACCESS TO OR TREATMENT WITH AN INDIVIDUALIZED INVESTIGATIONAL DRUG; TO SET CERTAIN PROVISIONS RELATED TO CIVIL CAUSES OF ACTION AND LIABILITY RELATED TO THE ACT; TO PROHIBIT AN OFFICIAL, EMPLOYEE, OR AGENT OF THIS STATE FROM BLOCKING OR ATTEMPTING TO BLOCK AN ELIGIBLE PATIENT'S ACCESS TO AN INDIVIDUALIZED INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR

DEVICE; TO PROVIDE FOR THE SEVERABILITY OF THE ACT; TO BRING FORWARD SECTION 41-41-3, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO PROHIBIT GROUP HEALTH PLANS AND HEALTH INSURANCE ISSUERS THAT PROVIDE BENEFITS WITH RESPECT TO SCREENING, DIAGNOSTIC BREAST EXAMINATIONS AND SUPPLEMENTAL BREAST EXAMINATIONS FURNISHED TO INDIVIDUALS ENROLLED UNDER SUCH PLANS FROM IMPOSING ANY COST-SHARING REQUIREMENTS FOR THOSE SERVICES; TO AMEND SECTION 83-9-108, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

S. B. No. 3099: AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR EMPLOYERS WHO SPONSOR SKILLS TRAINING FOR EMPLOYEES; TO PROVIDE FOR THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT THE TAX CREDIT WILL BE GRANTED TO EMPLOYERS THAT PARTICIPATE IN EMPLOYER-SPONSORED TRAINING PROGRAMS THROUGH ANY COMMUNITY COLLEGE OR JUNIOR COLLEGE IN THE DISTRICT WITHIN WHICH THE EMPLOYER IS LOCATED OR TRAINING APPROVED BY THE COMMUNITY COLLEGE OR JUNIOR COLLEGE; TO PROVIDE THAT A COMMUNITY COLLEGE OR JUNIOR COLLEGE MAY COMMIT TO PROVIDE EMPLOYER-SPONSORED SKILLS TRAINING PROGRAMS FOR AN EMPLOYER FOR A MULTIPLE NUMBER OF YEARS, NOT TO EXCEED FIVE YEARS; TO PROVIDE THAT THE MISSISSIPPI COMMUNITY COLLEGE BOARD SHALL MAKE A REPORT TO THE LEGISLATURE BY JANUARY 30 OF EACH YEAR SUMMARIZING THE NUMBER OF PARTICIPANTS, THE JUNIOR OR COMMUNITY COLLEGE THROUGH WHICH THE TRAINING WAS OFFERED, AND THE TYPE TRAINING OFFERED; AND FOR RELATED PURPOSES.

S. C. R. No. 533: A CONCURRENT RESOLUTION RECOGNIZING AND SALUTING THE LEGISLATIVE MEMBERS OF KAPPA ALPHA PSI FRATERNITY, INC., AND DESIGNATING MARCH 12, 2024, AS "KAPPA DAY AT THE STATE KAPITOL" AND CONGRATULATING FORMER SENATOR KENNY WAYNE JONES AS THE POLITICAL ACTION CHAIRMAN OF THE MIGHTY SOUTHWESTERN PROVINCE.

S. C. R. No. 541: A CONCURRENT RESOLUTION ENCOURAGING FURTHER ECONOMIC TIES AND FRIENDSHIP BETWEEN THE STATE OF MISSISSIPPI AND THE REPUBLIC OF CHINA (TAIWAN).

S. C. R. No. 542: A CONCURRENT RESOLUTION EXTENDING THE SINCEREST CONDOLENCES OF THE LEGISLATURE ON THE PASSING OF RESPECTED HISTORIC PRESERVATIONIST ELBERT RILEY HILLIARD, DIRECTOR EMERITUS OF THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY, AND HONORING HIS PUBLIC SERVICE.

David Jordan, Chairman

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2298: Bonds; raise maximum fee paid to state's bond attorney from $500.00 to $750.00 for validation and issuance of.

Representatives Lamar,Steverson,Horan

S. B. No. 2493: Bonds; repeal authorization for unissued bonds, and replace with cash funds.

Representatives Lamar,Steverson,Bell (21st)

S. B. No. 2801: Distinctive motor vehicle license tag; authorize for supporters of Clarkdale High School in Lauderdale County.

Representatives Lamar,Steverson,Zuber

S. B. No. 2803: Local Option Alcoholic Beverage Control Law; revise definition of "qualified resort area."

Representatives Lamar,Steverson,Zuber

S. B. No. 2857: Medical cannabis act; set additional provisions related to background checks, department investigations, fees and appeals.

Representatives Yancey,Calvert,Hawkins

S. B. No. 2873: Medical records retention requirements; provide for.

Representatives Yancey,Calvert,McMillan

S. B. No. 2886: Nicotine vapor device directory; require manufacturers to provide certification, set penalties and other provisions.

Representatives Yancey,Calvert,Mansell

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Gibbs (72nd) as a conferee, the Speaker has named a new conferee on the following:

S. B. No. 2232: Newton Municipal School District; require election of board of trustees by population of the school district.

Representatives Roberson and McLean remain as conferees and the Speaker has named Representative McCarty to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Holloway (76th) as a conferee, the Speaker has named a new conferee on the following:

H. B. No. 1229: Equal Opportunity for Students with Special Needs Act; extend repealer on educational scholarship accounts (ESA).

Representatives Roberson and McCarty remain as conferees and the Speaker has named Representative Owen to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 1417: Health care industry zone; expand radius for location of certain facilities for certification by MDA as.

Representatives Lamar,Steverson,Zuber

H. B. No. 1589: Motor vehicles; revise certain provisions regarding discharge of liens and scrapping.

Representatives Lamar,Steverson,Bell (21st)

H. B. No. 1647: Commissioner of Insurance; authorize to implement a state insurance exchange, authorize income tax deductions and insurance premium tax credit.

Representatives Lamar,Steverson,Zuber

H. B. No. 1660: Cigarettes and vape products; require Commissioner of Revenue to establish separate directories to regulate sales of.

Representatives Lamar,Steverson,Yancey

H. B. No. 1665: Capitol Complex Improvement District; authorize incentive for development of property in.

Representatives Lamar,Steverson,Barnett

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE GOVERNOR
April 17, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2454: Mississippi Gulf Coast Region Utility Act; set to repeal on July 1, 2024. (April 17, 2024, 9:48 AM)

S. B. No. 2556: Early Learning Collaborative Act; require the Department of Education to provide certain data on educational effects. (April 17, 2024, 11:48 AM)

S. B. No. 2572: State Workforce Investment Board; amend to allow for proxy participation in meetings to meet quorum. (April 17, 2024, 1:15 PM)

S. B. No. 2707: Business Improvement District Act; technical amendments. (April 17, 2024, 1:30 PM)

S. B. No. 2788: Mississippi Real Estate Commission; remove Home Inspector Board. (April 17, 2024, 1:40 PM)

S. B. No. 2851: Nonprofit agricultural membership organization; authorize to issue health insurance and exempt from insurance regulation. (April 17, 2024, 9:45 AM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2917: Capitol Complex Improvement District; define authority.
Senators Parker, Williams, Suber.

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 722: Judicial districts; revise.
Senators Wiggins, McCaughn, DeBar.

H. B. No. 774: MS Mobile Sports Wagering Act; create to legalize "online race book" and "online sports pool" betting.
Senators Blount, Thompson, Younger.

H. B. No. 783: Child custody; require presumption of joint custody and equal parenting time.
Senators Wiggins, Hopson, Hickman.

H. B. No. 819: Insurance; remove filing fee on auto cancellation or nonrenewal appeals and exempt life line applicants from prelicensing requirements.
Senators Michel, Johnson, Suber.

H. B. No. 1088: Circuit courts; authorize jurisdiction for persons with criminal charges who may need civil commitment procedures.
Senators Wiggins, Barrett, Simmons (12th).

H. B. No. 1137: Opioid antagonists; authorize community organization to receive and administer.
Senators Wiggins, Boyd, Barrett.

H. B. No. 1265: Pharmacists; authorize reimbursement for under certain insurance policies, plans, or contracts.
Senators Michel, Sparks, Whaley.

H. B. No. 1315: MS Youth Court Information Delivery System (MYCIDS); require audit of.
Senators Wiggins, Hickman, England.

H. B. No. 1316: Public purchasing; require competitive bidding for web-based application for MYCIDS.
Senators Wiggins, Barrett, Blackmon.

H. B. No. 1408: Residential roofing contractors; revise requirements under Insurance Benefits Roofing Repair Consumer Protection Act.
Senators Polk, Whaley, Branning.

H. B. No. 1489: Ambulance services; provide for payment for treatment in place and provide for minimum reimbursement rate in health insurance policies.
Senators Michel, McLendon, Whaley.

H. B. No. 1542: Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at the time of death.
Senators Wiggins, McCaughn, Fillingane.

H. B. No. 1607: Mississippi Women's Bill of Rights; create.
Senators Wiggins, Boyd, Turner-Ford.

H. B. No. 1624: Court-Appointed Special Advocate (CASA) Program; create state associate and standardize operations of local programs.
Senators Wiggins, Simmons (12th), Thompson.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Patricia Brown McConnico, Ruth Holt McMullan and Mary Edmonson.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR WEDNESDAY, APRIL 17, 2024

S. B. No. 3230: Local and Private
AN ACT TO AMEND CHAPTER 916, LOCAL AND PRIVATE LAWS OF 2016, AS AMENDED BY CHAPTER 935, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE REPEAL DATE FROM JULY 1, 2024, TO JULY 1, 2028, ON THE PROVISION OF LAW AUTHORIZING THE BOARDS OF SUPERVISORS OF ALCORN, BENTON, PRENTISS, TIPPAH AND TISHOMINGO COUNTIES TO CONTRIBUTE TO NORTHEAST MISSISSIPPI COMMUNITY SERVICES, INC., IN AN AMOUNT DETERMINED BY EACH INDIVIDUAL BOARD NOT TO EXCEED $150,000.00, TO BE USED AS MATCHING FUNDS FROM THE STATE OR FEDERAL GOVERNMENT; TO EXTEND THE SAME AUTHORITY TO THE BOARD OF SUPERVISORS OF MARSHALL COUNTY; AND FOR RELATED PURPOSES.
By Senator(s) Parks, Whaley, Chism, Sparks

S. R. No. 96: Rules
A RESOLUTION CELEBRATING THE 50TH ANNIVERSARY OF MISSISSIPPI ECONOMIC COUNCIL, LEADERSHIP MISSISSIPPI.
By Senator(s) Robinson

S. R. No. 97: Rules
A RESOLUTION COMMENDING AND CONGRATULATING ALEXEI OROHOVSKY OF HATTIESBURG, MISSISSIPPI, FOR WINNING A GOLD MEDAL IN THE 12TH "USA INTERNATIONAL BALLET COMPETITION" HELD IN JACKSON.
By Senator(s) Johnson

S. R. No. 98: Rules

A RESOLUTION CELEBRATING THE 75TH ANNIVERSARY OF THE MISSISSIPPI ECONOMIC COUNCIL (MEC).
By Senator(s) Robinson

ONE-HUNDRED AND EIGHTH DAY, THURSDAY, APRIL 18, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Absent--McMahan. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Pastor Paul D. Landrew, Senior Pastor, Loving Word Fellowship, Houston, TX.

The invocation was delivered by Jonathan Vazquez, First Assistant General Superintendent of the Assemblies of the Lord Jesus Christ and Pastor, Bethlehem Church, Potts Camp, MS.

Senator Simmons S. (13th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:
The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 11: Col. William R. (Bill) Allen, Jr. USAR (Ret.), Tupelo, Mississippi, Crime Stoppers Advisory Council, two year term effective July 1, 2023 and ending June 30, 2025, vice Christopher Freeze. Do Advise and Consent.

S. N. No. 59: Lance Emfinger, Lamar County Sheriff's Office, Mississippi, Polygraph Examiners Board, six year term effective June 2, 2023 and ending June 1, 2029, representing an Active Polygraph Examiner, vice Leonard B. Schaefer, III. Do Advise and Consent.

S. N. No. 72: Derrick Vaneil (Bo) Lewis, Brandon, Mississippi, Polygraph Examiners Board as the supervisor of the polygraph section of the Department of Public Safety, six year term effective March 1, 2023 and ending February 6, 2029, vice Ricky E. Dean. Do Advise and Consent.

FILLINGANE, Chairman

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2689: State subject area tests and accountability standards; replace with college prep test and revise provisions.
Senators DeBar, Parker, Norwood.

Senator Parks called up the following entitled bill:

H. B. No. 1744: City of Lucedale; authorize election for tax on hotels/motels to fund parks and recreational capital improvement projects.

Senator Parks offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. As used in this act:

(a) "City" means the City of Lucedale, Mississippi.

(b) "Governing authorities" means the Mayor and Board of Aldermen of the City of Lucedale, Mississippi.

(c) "Hotel" or "motel" means any establishment engaged in the business of furnishing or providing rooms intended or designed for dwelling, lodging or sleeping purposes to transient guests, where the establishment consists of six (6) or more guest rooms. The term "hotel" or "motel" does not include any hospital, convalescent or nursing home or sanitarium, or any hotel-like facility operated by or in connection with a hospital or medical clinic providing rooms exclusively for patients and their families.

SECTION 2. (1) For the purpose of providing funds for parks and recreational capital improvements projects, the governing authorities are authorized, in their discretion, to levy assess and collect from every person or entity operating a hotel or motel, in addition to all other taxes currently being levied, a tax not to exceed three (3%) of the gross proceeds of sales of room rentals for each such hotel or motel. The tax shall be imposed upon every person, firm or corporation operating a motel or hotel in the

city, at a rate not to exceed three percent (3%) of the gross proceeds of room rentals for each such hotel or motel.

(2) Persons or entities liable for the tax shall add the amount of the tax to the sales price and shall collect the amount of the tax due by them from the person receiving the services at the time of payment.

(3) The tax shall be collected by and paid to the Department of Revenue on a form prescribed by the Department of Revenue in the manner that state sales taxes are computed, collected and paid; and full enforcement provisions and all other provisions of Title 27, Chapter 65, Mississippi Code of 1972, shall apply as necessary to the implementation and administration of this act.

(4) The proceeds of the tax, less three percent (3%) thereof which shall be retained by the Department of Revenue to defray the cost of collection, shall be paid to the city on or before the fifteenth day of the month following the month in which collected.

(5) The proceeds of the tax shall not be considered by the city as general fund revenues but shall be dedicated to and expended solely for the purposes specified in this section.

SECTION 3. Before any tax authorized under this act may be imposed, the governing authorities shall adopt a resolution declaring their intention to levy the tax, setting forth the amount of the tax to be imposed, the date upon which the tax shall become effective and calling for an election to be held on the question. Notice of such intention and the election shall be published once each week for at least three (3) consecutive weeks in a newspaper published or having a general circulation in the city, with the first publication of the notice to be made not less than twenty-one (21) days before the date fixed in the resolution for the election and the last publication to be made not more than seven (7) days before the election. At the election, all qualified electors of the city may vote, and the ballots used in the election shall have printed thereon a brief statement of the amount and purposes of the proposed tax levy and the words "FOR THE TAX" and on a separate line, "AGAINST THE TAX" and the voters shall vote by placing a cross (X) or check (□) opposite their choice on the proposition. When the results of the election shall have been canvassed and certified, the city may levy the tax if sixty percent (60%) of the qualified electors who vote in the election vote in favor of the tax. At least thirty (30) days before the effective date of the tax provided in this section, the governing authorities shall furnish to the Department of Revenue a certified copy of the resolution evidencing the tax.

SECTION 4. Accounting for receipts and expenditures of the funds herein described shall be made separately from the accounting of receipts and expenditures of the general fund and any other funds of the city. The records reflecting the receipts and expenditures of the funds prescribed in this act shall be audited annually by an independent certified public accountant, and the accountant shall make a written report of his audit to the governing authorities. The audit shall be made and completed as soon as practicable after the close of the fiscal year, and expenses of the audit shall be paid from the funds derived in accordance with this act.

SECTION 5. Chapter 982, Local and Private Laws of 2007, is amended as follows:

Section 1. As used in this act, the following words shall have the meanings ascribed to them in this section unless otherwise clearly indicated by the context in which they are used:

(a) "Hotel" or "motel" means any establishment engaged in the business of furnishing or providing rooms intended or designed for lodging or sleeping purposes

for transient guests, which establishment consists of five (5) or more guest rooms and does not encompass any hospital, convalescent or nursing home, or sanitarium, or any hotel-like facility operated by or in connection with a hospital or medical clinic providing rooms exclusively for patients and their families.

(b) "Board" means the Board of Supervisors of George County, Mississippi.

(c) "County" means George County, Mississippi.

Section 2. (1) For the purpose of providing funds to promote economic development in the county, the board, in its discretion, may levy, assess and collect from every person, firm and corporation operating a hotel or motel in the county, a tax which shall be in addition to all other taxes and assessments imposed by the county, as provided in this act.

(2) The tax shall be an amount not to exceed two percent (2%) of the gross proceeds derived from hotel and motel room rentals in the county, excluding charges for telephone, laundry and similar services. The tax shall not be levied upon or collected from gross proceeds of nontaxable rooms, room rentals for day meetings that do not serve as overnight sleeping accommodations or room rentals to residential guests of a hotel or motel.

(3) Persons liable for the tax imposed pursuant to this act shall add the amount of tax to the gross proceeds from room rentals and shall collect, insofar as practicable, the amount of the tax due by him from the person receiving the services at the time of payment for the services.

(4) The tax shall be collected by and paid to the State Tax Commission on a form prescribed by the State Tax Commission, in the same manner that state sales taxes are computed, collected and paid; and the full enforcement provisions and all other provisions of Chapter 65, Title 27, Mississippi Code of 1972, shall apply as necessary to the implementation and administration of this act.

(5) The proceeds of the tax, less three percent (3%) to be retained by the State Tax Commission to defray the costs of collection, shall be paid to the county on or before the fifteenth day of the month following the month in which they were collected.

(6) The proceeds of the tax shall not be considered by the county as general fund revenues but shall be placed into a special fund and may be expended solely for the purpose of promoting economic development in the county.

Section 3. Before any tax authorized under this act may be imposed, the board shall adopt a resolution declaring its intention to levy the tax, setting forth the amount of the tax to be imposed, the date upon which the tax shall become effective and calling for an election to be held on the question. The date of the election shall be fixed in the resolution. Notice of such intention shall be published once each week for at least three (3) consecutive weeks in a newspaper published or having a general circulation in the county, with the first publication of the notice to be made not less than twenty-one (21) days before the date fixed in the resolution for the election and the last publication to be made not more than seven (7) days before the election. At the election, all qualified electors of the county may vote, and the ballots used in the election shall have printed thereon a brief statement of the amount and purposes of the proposed tax levy and the words "FOR THE TAX" and, on a separate line, "AGAINST THE TAX" and the voters

When the results of the election shall have been canvassed and certified, the county may levy the tax if sixty percent (60%) of the qualified electors who vote in the election vote in favor of the tax. At least thirty (30) days before the effective date of the tax

provided in this section, the board shall furnish to the State Tax Commission a certified copy of the resolution evidencing the tax.

Section 4. Before the expenditure of the proceeds of the tax authorized by this act, a budget reflecting the anticipated receipts and expenditures shall be approved by the board. The first budget of receipts and expenditures shall cover the period beginning with the effective date of the tax and ending with the end of the county's fiscal year, and thereafter, the budget shall be on the same fiscal basis as the budget of the county.

Section 5. Accounting for receipts and expenditures of the funds derived from the proceeds of the tax authorized by this act shall be made separately from the accounting of receipts and expenditures of the general fund and any other funds of the county. The records reflecting the receipts and expenditures of these funds shall be audited annually by an independent certified public accountant and the audit shall be included in the General Purpose Statement of the county. The audit shall be made and completed as soon as practicable after the close of the county's fiscal year, and copies of the report of the audit shall be filed with the clerk for the board. The expenses of this audit may be paid from the funds derived pursuant to Section 2 of this act.

Section 6. This act shall be liberally construed for the purposes prescribed herein, the power granted by this act shall be deemed to be full and complete authority for the imposition and collection of the tax and the expenditure of the proceeds thereof and shall be construed as additional, cumulative and supplemental to any power granted to the county by any general or local and private act of the Legislature.

Section 7. The Board of Supervisors of George County, Mississippi, shall submit this act, immediately upon approval by the Governor, or upon approval by the Legislature subsequent to a veto, to the Attorney General of the United States or to the United States District Court for the District of Columbia in accordance with the provisions of the Voting Rights Act of 1965, as amended and extended.

Section 8. This act shall take effect and be in force from and after the date it is effectuated under Section 5 of the Voting Rights Act of 1965, as amended and extended.

Section 9. This act shall stand repealed on the effective date of House Bill No. 1744, 2024 Regular Session.

SECTION 6. This act shall be repealed from and after July 1, 2028.

SECTION 7. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF LUCEDALE, MISSISSIPPI, TO LEVY A TAX THAT SHALL NOT EXCEED 3% UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS; TO PROVIDE THAT SUCH TAX SHALL BE USED FOR THE PURPOSE OF GENERATING REVENUE FOR PARKS AND RECREATIONAL CAPITAL IMPROVEMENT PROJECTS; TO REQUIRE THAT AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; TO AMEND CHAPTER 982, LOCAL AND PRIVATE LAWS OF 2007, WHICH AUTHORIZES THE BOARD OF SUPERVISORS OF GEORGE COUNTY, MISSISSIPPI, TO IMPOSE A TAX OF UP TO 2% TO BE LEVIED ON THE GROSS PROCEEDS DERIVED FROM HOTEL AND MOTEL ROOM RENTALS WITHIN THE COUNTY, AND TO EXPEND THE PROCEEDS OF THE TAX TO PROMOTE ECONOMIC DEVELOPMENT, TO REPEAL THE CHAPTER; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1744 failed.

YEAS AND NAYS On H. B. No. 1744. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--McMahan. Total--1.

Senator Parks called up the following entitled bill:

S. B. No. 3215: Lafayette County; authorize to provide funding to Oxford-Lafayette County Economic Development Foundation.

YEAS AND NAYS On S. B. No. 3215. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--McMahan. Total--1.

Senator Simmons D. T. (12th) called up the following House Amendment to **S. B. No. 2697** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-31-1, Mississippi Code of 1972, is amended as follows:

27-31-1. The following shall be exempt from taxation:

(a) All cemeteries used exclusively for burial purposes.

(b) All property, real or personal, belonging to the State of Mississippi or any of its political subdivisions, except property of a municipality not being used for a proper municipal purpose and located outside the county or counties in which such

municipality is located. A proper municipal purpose within the meaning of this section shall be any authorized governmental or corporate function of a municipality.

(c) All property, real or personal, owned by units of the Mississippi National Guard, or title to which is vested in trustees for the benefit of any unit of the Mississippi National Guard; provided such property is used exclusively for such unit, or for public purposes, and not for profit.

(d) All property, real or personal, belonging to any religious society, or ecclesiastical body, or any congregation thereof, or to any charitable society, or to any historical or patriotic association or society, or to any garden or pilgrimage club or association and used exclusively for such society or association and not for profit; not exceeding, however, the amount of land which such association or society may own as provided in Section 79-11-33. All property, real or personal, belonging to any foundation organized as a nonprofit corporation that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and that receives, invests and administers private support for a state-supported institution of higher learning, a public community college or junior college located in the State of Mississippi or a nonprofit private university or college located in the State of Mississippi, as the case may be. For the sole purpose of applying the preceding sentence, all property, real or personal, belonging to an entity that is wholly owned by and controlled by such a foundation shall be treated as belonging to the foundation, provided such property is not leased or otherwise used to generate revenue that is not used exclusively to benefit an institution described above. All property, real or personal, belonging to any rural waterworks system or rural sewage disposal system incorporated under the provisions of Section 79-11-1. All property, real or personal, belonging to any college or institution for the education of youths, used directly and exclusively for such purposes, provided that no such college or institution for the education of youths shall have exempt from taxation more than six hundred forty (640) acres of land; provided, however, this exemption shall not apply to commercial schools and colleges or trade institutions or schools where the profits of same inure to individuals, associations or corporations. All property, real or personal, belonging to an individual, institution or corporation and used for the operation of a grammar school, junior high school, high school or military school. All property, real or personal, owned and occupied by a fraternal and benevolent organization, when used by such organization, and from which no rentals or other profits accrue to the organization, but any part rented or from which revenue is received shall be taxed.

(e) All property, real or personal, held and occupied by trustees of public schools, and school lands of the respective townships for the use of public schools, and all property kept in storage for the convenience and benefit of the State of Mississippi in warehouses owned or leased by the State of Mississippi, wherein said property is to be sold by the Alcoholic Beverage Control Division of the Department of Revenue of the State of Mississippi.

(f) All property, real or personal, whether belonging to religious or charitable or benevolent organizations, which is used for hospital purposes, and nurses' homes where a part thereof, and which maintain one or more charity wards that are for charity patients, and where all the income from said hospitals and nurses' homes is used entirely for the purposes thereof and no part of the same for profit. All property, real or personal, belonging to a federally qualified health center where all the income from such center is used entirely for the purposes thereof and no part of the same for profit.

(g) The wearing apparel of every person; and also jewelry and watches kept by the owner for personal use to the extent of One Hundred Dollars ($100.00) in value for each owner.

(h) Provisions on hand for family consumption.

(i) All farm products grown in this state for a period of two (2) years after they are harvested, when in the possession of or the title to which is in the producer, except the tax of one-fifth of one percent (1/5 of 1%) per pound on lint cotton now levied by the Board of Commissioners of the Mississippi Levee District; and lint cotton for five (5) years, and cottonseed, soybeans, oats, rice and wheat for one (1) year regardless of ownership.

(j) All guns and pistols kept by the owner for private use.

(k) All poultry in the hands of the producer.

(l) Household furniture, including all articles kept in the home by the owner for his own personal or family use; but this shall not apply to hotels, rooming houses or rented or leased apartments.

(m) All cattle and oxen.

(n) All sheep, goats and hogs.

(o) All horses, mules and asses.

(p) Farming tools, implements and machinery, when used exclusively in the cultivation or harvesting of crops or timber.

(q) All property of agricultural and mechanical associations and fairs used for promoting their objects, and where no part of the proceeds is used for profit.

(r) The libraries of all persons.

(s) All pictures and works of art, not kept for or offered for sale as merchandise.

(t) The tools of any mechanic necessary for carrying on his trade.

(u) All state, county, municipal, levee, drainage and all school bonds or other governmental obligations, and all bonds and/or evidences of debts issued by any church or church organization in this state, and all notes and evidences of indebtedness which bear a rate of interest not greater than the maximum rate per annum applicable under the law; and all money loaned at a rate of interest not exceeding the maximum rate per annum applicable under the law; and all stock in or bonds of foreign corporations or associations shall be exempt from all ad valorem taxes.

(v) All lands and other property situated or located between the Mississippi River and the levee shall be exempt from the payment of any and all road taxes levied or assessed under any road laws of this state.

(w) Any and all money on deposit in either national banks, state banks or trust companies, on open account, savings account or time deposit.

(x) All wagons, carts, drays, carriages and other horse-drawn vehicles, kept for the use of the owner.

(y) (i) Boats, seines and fishing equipment used in fishing and shrimping operations and in the taking or catching of oysters.

(ii) All towboats, tugboats and barges documented under the laws of the United States, except watercraft of every kind and character used in connection with gaming operations.

(z) (i) All materials used in the construction and/or conversion of vessels in this state;

(ii) Vessels while under construction and/or conversion;

(iii) Vessels while in the possession of the manufacturer, builder or converter, for a period of twelve (12) months after completion of construction and/or conversion; however, the twelve-month limitation shall not apply to:

1. Vessels used for the exploration for, or production of, oil, gas and other minerals offshore outside the boundaries of this state; or

2. Vessels that were used for the exploration for, or production of, oil, gas and other minerals that are converted to a new service for use outside the boundaries of this state;

(iv) 1. In order for a vessel described in subparagraph (iii) of this paragraph (z) to be exempt for a period of more than twelve (12) months, the vessel must:

a. Be operating or operable, generating or capable of generating its own power or connected to some other power source, and not removed from the service or use for which manufactured or to which converted; and

b. The manufacturer, builder, converter or other entity possessing the vessel must be in compliance with any lease or other agreement with any applicable port authority or other entity regarding the vessel and in compliance with all applicable tax laws of this state and applicable federal tax laws.

2. A vessel exempt from taxation under subparagraph (iii) of this paragraph (z) may not be exempt for a period of more than three (3) years unless the board of supervisors of the county and/or governing authorities of the municipality, as the case may be, in which the vessel would otherwise be taxable adopts a resolution or ordinance authorizing the extension of the exemption and setting a maximum period for the exemption.

(v) As used in this paragraph (z), the term "vessel" includes ships, offshore drilling equipment, dry docks, boats and barges, except watercraft of every kind and character used in connection with gaming operations.

(aa) Sixty-six and two-thirds percent (66-2/3%) of nuclear fuel and reprocessed, recycled or residual nuclear fuel by-products, fissionable or otherwise, used or to be used in generation of electricity by persons defined as public utilities in Section 77-3-3.

(bb) All growing nursery stock.

(cc) A semitrailer used in interstate commerce.

(dd) All property, real or personal, used exclusively for the housing of and provision of services to elderly persons, disabled persons, mentally impaired persons or as a nursing home, which is owned, operated and managed by a not-for-profit corporation, qualified under Section 501(c)(3) of the Internal Revenue Code, whose membership or governing body is appointed or confirmed by a religious society or ecclesiastical body or any congregation thereof.

(ee) All vessels while in the hands of bona fide dealers as merchandise and which are not being operated upon the waters of this state shall be exempt from ad

valorem taxes. As used in this paragraph, the terms "vessel" and "waters of this state" shall have the meaning ascribed to such terms in Section 59-21-3.

(ff) All property, real or personal, owned by a nonprofit organization that: (i) is qualified as tax exempt under Section 501(c)(4) of the Internal Revenue Code of 1986, as amended; (ii) assists in the implementation of the national contingency plan or area contingency plan, and which is created in response to the requirements of Title IV, Subtitle B of the Oil Pollution Act of 1990, Public Law 101-380; (iii) engages primarily in programs to contain, clean up and otherwise mitigate spills of oil or other substances occurring in the United States coastal or tidal waters; and (iv) is used for the purposes of the organization.

(gg) If a municipality changes its boundaries so as to include within the boundaries of such municipality the project site of any project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxviii) or Section 57-75-5(f)(xxix), all real and personal property located on the project site within the boundaries of such municipality that is owned by a business enterprise operating such project, shall be exempt from ad valorem taxation for a period of time not to exceed thirty (30) years upon receiving approval for such exemption by the Mississippi Major Economic Impact Authority. The provisions of this paragraph shall not be construed to authorize a breach of any agreement entered into pursuant to Section 21-1-59.

(hh) All leases, lease contracts or lease agreements (including, but not limited to, subleases, sublease contracts and sublease agreements), and leaseholds or leasehold interests (including, but not limited to, subleaseholds and subleasehold interests), of or with respect to any and all property (real, personal or mixed) constituting all or any part of a facility for the manufacture, production, generation, transmission and/or distribution of electricity, and any real property related thereto, shall be exempt from ad valorem taxation during the period as the United States is both the title owner of the property and a sublessee of or with respect to the property; however, the exemption authorized by this paragraph (hh) shall not apply to any entity to whom the United States sub-subleases its interest in the property nor to any entity to whom the United States assigns its sublease interest in the property. As used in this paragraph, the term "United States" includes an agency or instrumentality of the United States of America. This paragraph (hh) shall apply to all assessments for ad valorem taxation for the 2003 calendar year and each calendar year thereafter.

(ii) All property, real, personal or mixed, including fixtures and leaseholds, used by Mississippi nonprofit entities qualified, on or before January 1, 2005, under Section 501(c)(3) of the Internal Revenue Code to provide support and operate technology incubators for research and development start-up companies, telecommunication startup companies and/or other technology startup companies, utilizing technology spun-off from research and development activities of the public colleges and universities of this state, State of Mississippi governmental research or development activities resulting therefrom located within the State of Mississippi.

(jj) All property, real, personal or mixed, including fixtures and leaseholds, of start-up companies (as described in paragraph (ii) of this section) for the period of time, not to exceed five (5) years, that the startup company remains a tenant of a technology incubator (as described in paragraph (ii) of this section).

(kk) All leases, lease contracts or lease agreements (including, but not limited to, subleases, sublease contracts and sublease agreements), and leaseholds or leasehold interests, of or with respect to any and all property (real, personal or mixed) constituting all or any part of an auxiliary facility, and any real property related thereto, constructed or renovated pursuant to Section 37-101-41, Mississippi Code of 1972.

(ll) Equipment brought into the state temporarily for use during a disaster response period as provided in Sections 27-113-1 through 27-113-9 and subsequently

removed from the state on or before the end of the disaster response period as defined in Section 27-113-5.

(mm) For any lease or contractual arrangement to which the Department of Finance and Administration and a nonprofit corporation are a party to as provided in Section 39-25-1(5), the nonprofit corporation shall, along with the possessory and leasehold interests and/or real and personal property of the corporation, be exempt from all ad valorem taxation, including, but not limited to, school, city and county ad valorem taxes, for the term or period of time stated in the lease or contractual arrangement.

(nn) All property, real or personal, that is owned, operated and managed by a not-for-profit corporation qualified under Section 501(c)(3) of the Internal Revenue Code, and used to provide, free of charge, (i) a practice facility for a public school district swim team, and (ii) a facility for another not-for-profit organization as defined under Section 501(c)(3) of the Internal Revenue Code to conduct water safety and lifeguard training programs. This section shall not apply to real or personal property owned by a country club, tennis club with a pool, or any club requiring stock ownership for membership.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 27-31-1, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS REGARDING THE LEASING OR OTHER USE OF PROPERTY BELONGING TO AN ENTITY THAT IS WHOLLY OWNED BY AND CONTROLLED BY AN EDUCATION FOUNDATION AND WHETHER THE PROPERTY WILL BE TREATED AS BELONGING TO THE FOUNDATION; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2697** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--McMahan. Total--1.

_____

Senator Harkins called up the following House Amendment to **S. B. No. 2990** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-65-17, Mississippi Code of 1972, is amended as follows:

27-65-17. (1) (a) Except as otherwise provided in this section, upon every person engaging or continuing within this state in the business of selling any tangible personal property whatsoever there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross proceeds of the retail sales of the business.

(b) Retail sales of farm tractors and parts and labor used to maintain and/or repair such tractors shall be taxed at the rate of one and one-half percent (1-1/2%) when made to farmers for agricultural purposes.

(c) (i) Retail sales of farm implements sold to farmers and used directly in the production of poultry, ratite, domesticated fish as defined in Section 69-7-501, livestock, livestock products, agricultural crops or ornamental plant crops or used for other agricultural purposes, and parts and labor used to maintain and/or repair such implements, shall be taxed at the rate of one and one-half percent (1-1/2%) when used on the farm.

(ii) The one and one-half percent (1-1/2%) rate shall also apply to all equipment used in logging, pulpwood operations or tree farming, and parts and labor used to maintain and/or repair such equipment, which is either:

1. Self-propelled, or

2. Mounted so that it is permanently attached to other equipment which is self-propelled or attached to other equipment drawn by a vehicle which is self-propelled.

In order to be eligible for the rate of tax provided for in this subparagraph (ii), such sales must be made to a professional logger. For the purposes of this subparagraph (ii), a "professional logger" is a person, corporation, limited liability company or other entity, or an agent thereof, who possesses a professional logger's permit issued by the Department of Revenue and who presents the permit to the seller at the time of purchase. The department shall establish an application process for a professional logger's permit to be issued, which shall include a requirement that the applicant submit a copy of documentation verifying that the applicant is certified according to Sustainable Forestry Initiative guidelines. Upon a determination that an applicant is a professional logger, the department shall issue the applicant a numbered professional logger's permit.

(d) Except as otherwise provided in subsection (3) of this section, retail sales of aircraft, automobiles, trucks, truck-tractors, semitrailers and manufactured or mobile homes shall be taxed at the rate of three percent (3%).

(e) Sales of manufacturing machinery or manufacturing machine parts when made to a manufacturer or custom processor for plant use only when the machinery and machine parts will be used exclusively and directly within this state in manufacturing a commodity for sale, rental or in processing for a fee shall be taxed at the rate of one and one-half percent (1-1/2%).

(f) Sales of machinery and machine parts when made to a technology intensive enterprise for plant use only when the machinery and machine parts will be used exclusively and directly within this state for industrial purposes, including, but not limited to, manufacturing or research and development activities, shall be taxed at the rate of one and one-half percent (1-1/2%). In order to be considered a technology intensive enterprise for purposes of this paragraph:

(i) The enterprise shall meet minimum criteria established by the Mississippi Development Authority;

(ii) The enterprise shall employ at least ten (10) persons in full-time jobs;

(iii) At least ten percent (10%) of the workforce in the facility operated by the enterprise shall be scientists, engineers or computer specialists;

(iv) The enterprise shall manufacture plastics, chemicals, automobiles, aircraft, computers or electronics; or shall be a research and development facility, a computer design or related facility, or a software publishing facility or other technology intensive facility or enterprise as determined by the Mississippi Development Authority;

(v) The average wage of all workers employed by the enterprise at the facility shall be at least one hundred fifty percent (150%) of the state average annual wage; and

(vi) The enterprise must provide a basic health care plan to all employees at the facility.

A medical cannabis establishment, as defined in the Mississippi Medical Cannabis Act, shall not be considered to be a technology intensive enterprise for the purposes of this paragraph (f).

(g) Sales of materials for use in track and track structures to a railroad whose rates are fixed by the Interstate Commerce Commission or the Mississippi Public Service Commission shall be taxed at the rate of three percent (3%).

(h) Sales of tangible personal property to electric power associations for use in the ordinary and necessary operation of their generating or distribution systems shall be taxed at the rate of one percent (1%).

(i) Wholesale sales of food and drink for human consumption to full-service vending machine operators to be sold through vending machines located apart from and not connected with other taxable businesses shall be taxed at the rate of eight percent (8%).

(j) Sales of equipment used or designed for the purpose of assisting disabled persons, such as wheelchair equipment and lifts, that is mounted or attached to or installed on a private carrier of passengers or light carrier of property, as defined in Section 27-51-101, at the time when the private carrier of passengers or light carrier of property is sold shall be taxed at the same rate as the sale of such vehicles under this section.

(k) Sales of the factory-built components of modular homes, panelized homes and precut homes, and panel constructed homes consisting of structural insulated panels, shall be taxed at the rate of three percent (3%).

(l) Sales of materials used in the repair, renovation, addition to, expansion and/or improvement of buildings and related facilities used by a dairy producer shall be taxed at the rate of three and one-half percent (3-1/2%). For the purposes of this paragraph (l), "dairy producer" means any person engaged in the production of milk for commercial use.

(m) Sales of equipment and materials used in connection with geophysical surveying, exploring, developing, drilling, redrilling, completing, working over, producing, distributing or testing of oil, gas and other mineral resources shall be taxed at the rate of four percent (4%). Operators that rebill sales of equipment and materials to nonoperating working interest owners on behalf of the joint account through joint interest

billing (JIB), where the sales tax has been paid or accrued by the operator, shall not be charged sales tax on the JIB as services income.

(2) From and after January 1, 1995, retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101, shall be taxed an additional two percent (2%).

(3) A manufacturer selling at retail in this state shall be required to make returns of the gross proceeds of such sales and pay the tax imposed in this section.

SECTION 2. Section 27-65-23, Mississippi Code of 1972, is amended as follows:

27-65-23. Upon every person engaging or continuing in any of the following businesses or activities there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross income of the business, except as otherwise provided:

Air-conditioning installation or repairs;

Automobile, motorcycle, boat or any other vehicle repairing or servicing;

Billiards, pool or domino parlors;

Bowling or tenpin alleys;

Burglar and fire alarm systems or services;

Car washing — automatic, self-service, or manual;

Computer software services actually performed within this state;

Cotton compresses or cotton warehouses;

Custom creosoting or treating, custom planing, custom sawing;

Custom meat processing;

Electricians, electrical work, wiring, all repairs or installation of electrical equipment;

Elevator or escalator installing, repairing or servicing;

Film developing or photo finishing;

Foundries, machine or general repairing;

Furniture repairing or upholstering;

Grading, excavating, ditching, dredging or landscaping;

Hotels (as defined in Section 41-49-3), motels, tourist courts or camps, trailer parks;

Insulating services or repairs;

Jewelry or watch repairing;

Laundering, cleaning, pressing or dyeing;

Marina services;

Mattress renovating;

Office and business machine repairing;

Parking garages and lots;

Plumbing or pipe fitting;

Public storage warehouses (There shall be no tax levied on gross income of a public storage warehouse derived from the temporary storage of tangible personal property in this state pending shipping or mailing of the property to another state.);

Refrigerating equipment repairs;

Radio or television installing, repairing, or servicing;

Renting or leasing personal property used within this state;

Services performed in connection with geophysical surveying, exploring, developing, drilling, producing, distributing, or testing of * * * water * * * resources not related to the development of oil, gas or other mineral resources;

Shoe repairing;

Storage lockers;

Telephone answering or paging services;

Termite or pest control services;

Tin and sheet metal shops;

TV cable systems, subscription TV services, and other similar activities;

Vulcanizing, repairing or recapping of tires or tubes;

Welding; and

Woodworking or wood-turning shops.

Income from services taxed herein performed for electric power associations in the ordinary and necessary operation of their generating or distribution systems shall be taxed at the rate of one percent (1%).

Income from services taxed herein performed on materials for use in track or track structures to a railroad whose rates are fixed by the Interstate Commerce Commission or the Mississippi Public Service Commission shall be taxed at the rate of three percent (3%).

Income from services performed in connection with geophysical surveying, exploring, developing, drilling, redrilling, completing, working over, producing, distributing or testing of oil, gas and other mineral resources, including overhead services, shall be taxed at the rate of four percent (4%). Operators that rebill services to nonoperating working interest owners on behalf of the joint account through joint interest billing (JIB), where the sales tax has been paid or accrued by the operator, shall not be charged sales tax on the JIB as services income.

Income from renting or leasing tangible personal property used within this state shall be taxed at the same rates as sales of the same property.

Persons doing business in this state who rent transportation equipment with a situs within or without the state to common, contract or private commercial carriers are taxed on that part of the income derived from use within this state. If specific accounting is impracticable, a formula may be used with approval of the commissioner.

A lessor may deduct from the tax computed on the rental income from tangible personal property a credit for sales or use tax paid to this state at the time of purchase of the specific personal property being leased or rented until such credit has been exhausted.

Charges for custom processing and repairing services may be excluded from gross taxable income when the property on which the service was performed is delivered to the customer in another state either by common carrier or in the seller's equipment.

When a taxpayer performs services covered by this section, which are performed both in intrastate and interstate commerce, the taxpayer may utilize any reasonable formulae of apportionment which will apportion to this state, for taxation, that portion of the services which are performed within the State of Mississippi.

SECTION 3. Section 27-65-21, Mississippi Code of 1972, is amended as follows:

27-65-21. (1) (a) (i) Upon every person engaging or continuing in this state in the business of contracting or performing a contract or engaging in any of the activities, or similar activities, listed below for a price, commission, fee or wage, there is hereby levied, assessed and shall be collected a tax equal to three and one-half percent (3-1/2%) of the total contract price or compensation received, including all charges related to the contract such as finance charges and late charges, from constructing, building, erecting, repairing, grading, excavating, drilling, exploring, testing or adding to any building, highway, street, sidewalk, bridge, culvert, sewer, irrigation or water system, drainage or dredging system, levee or levee system or any part thereof, railway, reservoir, dam, power plant, electrical system, air-conditioning system, heating system, transmission line, pipeline, tower, dock, storage tank, wharf, excavation, grading, water well, any other improvement or structure or any part thereof when the compensation received exceeds Ten Thousand Dollars ($10,000.00). Such activities shall not include constructing, repairing or adding to property which retains its identity as personal property. The tax imposed in this section is levied upon the prime contractor and shall be paid by him.

(ii) Amounts included in the contract price or compensation received representing the sale of manufacturing or processing machinery for a manufacturer or custom processor shall be taxed at the rate of one and one-half percent (1-1/2%) in lieu of the three and one-half percent (3-1/2%).

(b) The following shall be excluded from the tax levied by this section:

(i) The contract price or compensation received for constructing, building, erecting, repairing or adding to any building, electrical system, air-conditioning system, heating system or any other improvement or structure which is used for or primarily in connection with a residence or dwelling place for human beings. Such residences shall include homes, mobile homes, summer cottages, fishing and hunting camp buildings and similar buildings, but shall not include apartment buildings, condominiums, hotels, motels, hospitals, nursing or retirement homes, tourist cottages or other commercial establishments.

(ii) The portion of the total contract price attributable to design or engineering services if:

1. The total contract price for the project exceeds the sum of One Hundred Million Dollars ($100,000,000.00); or

2. The engineering services are performed by a professional engineer as defined in Section 73-13-3, who is the general or prime contractor.

(iii) The contract price or compensation received to restore, repair or replace a utility distribution or transmission system that has been damaged due to ice storm, hurricane, flood, tornado, wind, earthquake or other natural disaster if such restoration, repair or replacement is performed by the entity providing the service at its cost.

(iv) The contract price or compensation received for constructing, building, erecting, repairing or adding to any building, facility or structure located at any refinery as defined in Section 27-65-24.

(c) Sales of materials and services for use in the activities hereby excluded from taxes imposed by this section, except services used in activities excluded pursuant to paragraph (b)(iii) of this subsection, shall be subject to taxes imposed by other sections in this chapter.

* * *

(* * *2) When the work to be performed under any contract is sublet by the prime contractor to different persons, or in separate contracts to the same persons, each such subcontractor performing any part of said work shall be liable for the amount of the tax which accrues on account of the work performed by such person when the tax heretofore imposed has not been paid upon the whole contract by the prime contractor.

When a person engaged in any business on which a tax is levied in Section 27-65-23, also qualifies as a contractor, and contracts with the owner of any project to perform any services in excess of Ten Thousand Dollars ($10,000.00) herein taxed, such person shall pay the tax imposed by this section in lieu of the tax imposed by Section 27-65-23.

Any person entering into any contract over Seventy-five Thousand Dollars ($75,000.00) as defined in this section shall, before beginning the performance of such contract or contracts, either pay the contractors' tax in advance, together with any use taxes due under Section 27-67-5, or execute and file with the commissioner a good and valid bond in a surety company authorized to do business in this state, or with sufficient sureties to be approved by the commissioner conditioned that all taxes which may accrue to the State of Mississippi under this chapter, or under Section 27-67-5 and Section 27-7-5, will be paid when due. Such bonds shall be either (a) "job bonds" which guarantee payment when due of the aforesaid taxes resulting from performance of a specified job or activity regardless of date of completion; or (b) "blanket bonds" which guarantee payment when due of the aforesaid taxes resulting from performance of all jobs or activities taxable under this section begun during the period specified therein, regardless of date of completion. The payments of the taxes due or the execution and filing of a surety bond shall be a condition precedent to the commencing work on any contract taxed hereunder. Provided, that when any bond is filed in lieu of the prepayment of the tax under this section, that the tax shall be payable monthly on the amount received during the previous month, and any use taxes due shall be payable on or before the twentieth day of the month following the month in which the property is brought into Mississippi.

Any person failing either to execute any bond herein provided, or to pay the taxes in advance, before beginning the performance of any contract shall be denied the right to perform such contract until he complies with such requirements, and the commissioner is hereby authorized to proceed either under Section 27-65-59, under Section 27-65-61 or by injunction to prevent any activity in the performance of such contract until either a satisfactory bond is executed and filed, or all taxes are paid in advance, and a temporary injunction enjoining the execution of such contract shall be granted without notice by any judge or chancellor now authorized by law to grant injunctions.

Any person liable for a tax under this section may apply for and obtain a material purchase certificate from the commissioner which may entitle the holder to purchase materials and services that are to become a component part of the structure to be erected or repaired with no tax due. Provided, that the contractor applying for the contractor's material purchase certificate shall furnish the Department of Revenue a list of all work sublet to others, indicating the amount of work to be performed, and the names and addresses of each subcontractor.

SECTION 4. Section 19-5-9, Mississippi Code of 1972, is amended as follows:

19-5-9. (1) The construction codes published by a nationally recognized code group which sets minimum standards and has the proper provisions to maintain up-to-date amendments are adopted as minimum standard guides for building, plumbing, electrical, gas, sanitary, and other related codes in Mississippi. Any county within the State of Mississippi, in the discretion of the board of supervisors, may adopt building codes, plumbing codes, electrical codes, sanitary codes, or other related codes dealing with general public health, safety or welfare, or a combination of the same, within but not exceeding the provisions of the construction codes published by nationally recognized code groups, by order or resolution in the manner prescribed in this section, but those codes so adopted shall apply only to the unincorporated areas of the county. However, those codes shall not apply to the erection, maintenance, repair or extension of farm buildings or farm structures, except as may be required under the terms of the "Flood Disaster Protection Act of 1973," and shall apply to a master planned community as defined in Section 19-5-10 only to the extent allowed in Section 19-5-10. The provisions of this section shall not be construed to authorize the adoption of any code which applies to the installation, repair or maintenance of electric wires, pipelines, apparatus, equipment or devices by or for a utility rendering public utility services, required by it to be utilized in the rendition of its duly authorized service to the public. Before any such code shall be adopted, it shall be either printed or typewritten and shall be presented in pamphlet form to the board of supervisors at a regular meeting. The order or resolution adopting the code shall not set out the code in full, but shall merely identify the same. The vote or passage of the order or resolution shall be the same as on any other order or resolution. After its adoption, the code or codes shall be certified to by the president and clerk of the board of supervisors and shall be filed as a permanent record in the office of the clerk who shall not be required to transcribe and record the same in the minute book as other orders and resolutions.

(2) If the board of supervisors of any county adopts or has adopted construction codes which do not have proper provisions to maintain up-to-date amendments, specifications in such codes for cements used in portland cement concrete shall be superseded by nationally recognized specifications referenced in any code adopted by the Mississippi Building Code Council.

(3) All provisions of this section shall apply to amendments and revisions of the codes mentioned in this section. The provisions of this section shall be in addition and supplemental to any existing laws authorizing the adoption, amendment or revision of county orders, resolutions or codes.

(4) Any code adopted under the provisions of this section shall not be in operation or force until sixty (60) days have elapsed from the adoption of same; however, any code adopted for the immediate preservation of the public health, safety and general welfare may be effective from and after its adoption by a unanimous vote of the members of the board. Within five (5) days after the adoption or passage of an order or resolution adopting that code or codes the clerk of the board of supervisors shall publish in a legal newspaper published in the county the full text of the order or resolution adopting and approving the code, and the publication shall be inserted at least three (3) times, and shall be completed within thirty (30) days after the passage of the order or resolution.

(5) Any person or persons objecting to the code or codes may object in writing to the provisions of the code or codes within sixty (60) days after the passage of the order or resolution approving same, and if the board of supervisors adjudicates that ten percent (10%) or more of the qualified electors residing in the affected unincorporated areas of the county have objected in writing to the code or codes, then in such event the code shall be inoperative and not in effect unless adopted for the immediate preservation of the public health, safety and general welfare until approved by a special election called by the board of supervisors as other special elections are called and conducted by the election commissioners of the county as other special elections are conducted, the special election to be participated in by all the qualified electors of the county residing in the unincorporated areas of the county. If the voters approve the code or codes in the special election it shall be in force and in operation thereafter until amended or modified as provided in this section. If the majority of the qualified electors voting in the special election vote against the code or codes, then, in such event, the code or codes shall be void and of no force and effect, and no other code or codes dealing with that subject shall be adopted under the provisions of this section until at least two (2) years thereafter.

(6) After any such code shall take effect the board of supervisors is authorized to employ such directors and other personnel as the board, in its discretion, deems necessary and to expend general county funds or any other funds available to the board to fulfill the purposes of this section.

(7) For the purpose of promoting health, safety, morals or the general welfare of the community, the governing authority of any municipality, and, with respect to the unincorporated part of any county, the governing authority of any county, in its discretion, is empowered to regulate the height, number of stories and size of building and other structures, the percentage of lot that may be occupied, the size of the yards, courts and other open spaces, the density or population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes, but no permits shall be required except as may be required under the terms of the "Flood Disaster Protection Act of 1973" for the erection, maintenance, repair or extension of farm buildings or farm structures outside the corporate limits of municipalities.

(8) The authority granted in this section is cumulative and supplemental to any other authority granted by law.

(9) Notwithstanding any provision of this section to the contrary, any code adopted by a county before or after April 12, 2001, is subject to the provisions of Section 41-26-14(10).

(10) Notwithstanding any provision of this section to the contrary, the Boards of Supervisors of Jackson, Harrison, Hancock, Stone and Pearl River Counties shall enforce the requirements imposed under Section 17-2-1 as provided in such section.

(11) Regardless of whether a county adopts or has adopted codes, as set forth in this section, each and every county in this state shall require permitting as a condition to construction within the unincorporated areas of the county, and such permits shall

contain, on their face, in conspicuous print, (a) the contractor's material purchase certificate number to the extent furnished by the Department of Revenue pursuant to Section 27-65-21(* * *2) or the contractor's Taxpayer Identification Number as furnished by the Internal Revenue Service, and either a copy of such material purchase certificate furnished by the Department of Revenue pursuant to Section 27-65-21(* * *2), or a copy of the contractor's W-9, as the case may be, shall be required to be provided to the county as part of the prime contractor's application for such permit, prior to the issuance of such permit, and (b) the contractor's license or certificate of responsibility number as required by either Section 31-3-14 et seq., 51-5-1 et seq. or 73-59-1 et seq.

SECTION 5. Section 21-19-25, Mississippi Code of 1972, is amended as follows:

21-19-25. (1) Any municipality within the State of Mississippi may, in the discretion of its governing authority, adopt building codes, plumbing codes, electrical codes, gas codes, sanitary codes, or any other codes dealing with general public health, safety or welfare, or a combination of the same, by ordinance, in the manner prescribed in this section. Before any such code shall be adopted, it shall be either printed or typewritten, and it shall be presented in pamphlet form to the governing authority of the municipality at a regular meeting. The ordinance adopting the code shall not set out the code in full, but shall merely identify the same. The vote on passage of the ordinance shall be the same as on any other ordinances. After its adoption, the code shall be certified to by the mayor and clerk of the municipality, and shall be filed as a permanent record in the office of the clerk, who shall not be required to transcribe and record the same in the ordinance book as other ordinances. It shall not be necessary that the ordinance adopting the code or the code itself be published in full, but notice of the adoption of the code shall be given by publication in some newspaper of the municipality for one (1) time, or if there be no such newspaper, by posting at three (3) or more public places within the corporate limits, a notice in substantially the following form:

Notice is given that the city (or town or village) of _____, on the (give date of ordinance adopting code), adopted (state type of code and other information serving to identify the same) code.

(2) If the governing authority of any municipality adopts or has adopted construction codes which do not have proper provisions to maintain up-to-date amendments, specifications in such codes for cements used in portland cement concrete shall be superseded by nationally recognized specifications referenced in any code adopted by the Mississippi Building Code Council.

(3) All the provisions of this section shall apply to amendments and revisions of the code mentioned in this section. Any code adopted in accordance with this section shall not be in force for one (1) month after its passage, unless the municipal authorities in the ordinance authorize to the contrary. The provisions of this section shall be in addition and supplemental to any existing laws authorizing the adoption, amendment or revision of municipal ordinances or codes.

(4) Notwithstanding any provision of this section to the contrary, any code adopted by a municipality before or after April 12, 2001, is subject to the provisions of Section 41-26-14(10).

(5) Notwithstanding any provision of this section to the contrary, the governing authorities of each municipality in Jackson, Harrison, Hancock, Stone and Pearl River Counties shall enforce the requirements imposed under Section 17-2-1 as provided in such section.

(6) Regardless of whether the governing authority of any municipality adopts or has adopted construction codes, as set forth in this section, each and every governing authority of any municipality shall require permitting as a condition to construction within the municipality's jurisdiction, and any and all such permits shall contain on their faces,

in conspicuous print, (a) the contractor's material purchase certificate number to the extent one is furnished by the Department of Revenue pursuant to Section 27-65-21(* * *2) or the contractor's Taxpayer Identification Number as furnished by the Internal Revenue Service, and either a copy of such material purchase certificate furnished by the Department of Revenue pursuant to Section 27-65-21(* * *2), or a copy of the contractor's W-9, as the case may be, shall be required to be provided to the governing authority of such municipality as part of the contractor's application for such permit, prior to the issuance of such permit, and (b) the contractor's license or certificate of responsibility number as required by either Section 31-3-14 et seq., 51-5-1 et seq. or 73-59-1 et seq.

(7) The provisions of this section shall apply to all municipalities of this state, whether operating under the code charter, a special charter, commission form, or other form of government.

SECTION 6. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 29, 2024.

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

AN ACT TO AMEND SECTIONS 27-65-17 AND 27-65-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SALES OF EQUIPMENT AND MATERIALS USED IN CONNECTION WITH GEOPHYSICAL SURVEYING, EXPLORING, DEVELOPING, DRILLING, REDRILLING, COMPLETING, WORKING OVER, PRODUCING, DISTRIBUTING OR TESTING OF OIL, GAS AND OTHER MINERAL RESOURCES SHALL BE TAXED AT 4%; TO PROVIDE THAT OPERATORS THAT REBILL SALES OF EQUIPMENT AND MATERIALS TO NONOPERATING WORKING INTEREST OWNERS ON BEHALF OF THE JOINT ACCOUNT THROUGH JOINT INTEREST BILLING (JIB), WHERE THE SALES TAX HAS BEEN PAID OR ACCRUED BY THE OPERATOR, SHALL NOT BE CHARGED SALES TAX ON THE JIB AS SERVICES INCOME; TO ELIMINATE THE 7% TAX ON THE GROSS INCOME OF BUSINESSES PERFORMING SERVICES IN CONNECTION WITH GEOPHYSICAL SURVEYING, EXPLORING, DEVELOPING, DRILLING, PRODUCING, DISTRIBUTING, OR TESTING OF OIL, GAS AND OTHER MINERAL RESOURCES; TO AMEND SECTION 27-65-21, MISSISSIPPI CODE OF 1972, TO ELIMINATE THE 3.5% CONTRACTOR'S TAX ON OIL AND GAS WELL CONTRACTS; TO AMEND SECTIONS 19-5-9 AND 21-19-25, MISSISSIPPI CODE OF 1972, TO CONFORM TO A CHANGE IN SUBSECTION DESIGNATION; AND FOR RELATED PURPOSES.

Senator Harkins called up the following House Amendment to **S. B. No. 3070** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this section, the following words and phrases shall have the meanings as defined in this subsection unless the context clearly requires otherwise:

(a) "Applicable percentage" means sixteen percent (16%) for each of the first through third credit allowance dates for purposes of the taxes imposed by Section 27-7-5 or the taxes imposed by Sections 27-15-103, 27-15-109 and 27-15-123.

(b) "CDFI fund" means the Community Development Financial Institutions fund of the United States Department of the Treasury.

(c) "Credit allowance date" means, with respect to any qualified equity investment: (i) the date on which the qualified equity investment is initially made; and (ii) each of the subsequent two (2) anniversary dates of the date the qualified equity investment was initially made.

(d) "MDA" means the Mississippi Development Authority.

(e) "Mississippi qualified community development entity" means a qualified community development entity that is or whose controlling entity is headquartered in the State of Mississippi.

(f) "Principal business operations" means the physical location where at least sixty percent (60%) of a qualified active low-income community business' employees work. An entity that has agreed to relocate employees or a Mississippi business that has agreed to hire employees using the proceeds of a qualified low-income community investment to establish principal business operations in Mississippi is deemed to have principal business operations in Mississippi if the entity satisfies the requirements of this paragraph within one hundred eighty (180) days of receiving the qualified low-income community investment or another date as agreed by the business and the MDA.

(g) "Purchase price" means the amount paid to the qualified community development entity for a qualified equity investment.

(h) "Qualified active low-income community business" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended, provided such entity has its principal business operations within the state's geographical boundary. An entity is deemed a qualified active low-income community business for the duration of a qualified low-income community investment if the qualified community development entity reasonably expects, at the time it makes the qualified low-income community investment, that the entity will continue to satisfy the requirements for being a qualified active low-income community business throughout the entire period of the qualified low-income community investment.

(i) "Qualified community development entity" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended, provided that:

(i) The entity, or an affiliate thereof, has previously entered into an allocation agreement with the CDFI fund with respect to credits authorized by Section 45D of the Internal Revenue Code of 1986, as amended;

(ii) Such allocation agreement includes the State of Mississippi within the service area set forth in the allocation agreement; and

(iii) Except for Mississippi qualified community development entities, the entity, together with affiliates:

1. Has made qualified low-income community investments under Section 57-105-1 et seq. of at least Thirty Million Dollars ($30,000,000.00) in Mississippi qualified active low-income community businesses;

2. Has made at least One Hundred Million Dollars ($100,000,000) of investments in businesses located in Mississippi; or

3. Has received at least four (4) original tax credit certificates from the MDA.

(j) "Qualified equity investment" means an equity investment in a qualified community development entity, if the equity investment:

(i) Is acquired after the effective date of this act at its original issuance solely in exchange for cash, and if not so acquired, was a qualified equity investment in the hands of a prior holder;

(ii) Has at least eighty-five percent (85%) of its cash purchase price used by the qualified community development entity to make qualified low-income community investments in qualified active low-income community businesses that have their principal business operations in the State of Mississippi; and

(iii) Is:

1. Designated by the qualified community development entity as a qualified equity investment under this section; and

2. Is at least fifty percent (50%) designated by the qualified community development entity as a qualified equity investment under Section 45D of the Internal Revenue Code of 1986, as amended.

(k) "Qualified low-income community investment" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided, however, that the maximum amount of qualified low-income community investments issued for a single qualified active low-income community business, on an aggregate basis with all of its affiliates, that may be included for purposes of complying with subsection (4)(d)(iii) of this section shall not exceed Ten Million Dollars ($10,000,000.00), in the aggregate, whether issued by one (1) or several qualified community development entities and exclusive of repaid or redeemed qualified low-income community investments in such business.

(2) A person or entity that holds a qualified equity investment on the credit allowance date shall be entitled to a credit applicable against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123 during the taxable year that includes the credit allowance date. The amount of the credit shall be equal to the applicable percentage for such taxable year of the purchase price paid to the qualified community development entity for the qualified equity investment. The amount of the credit that may be utilized in any one (1) tax year shall be limited to an amount not greater than the total tax liability of the claimant for the taxes imposed by the above-referenced sections. The credit shall not be refundable or transferable. Any unused portion of the credit may be carried forward for seven (7) taxable years beyond the credit allowance date on which the credit was earned. The maximum aggregate amount of qualified equity investments that may be allocated by the MDA may not exceed an amount that would result in taxpayers claiming in any one (1) state fiscal year credits in excess of Twenty Million Dollars ($20,000,000.00), exclusive of credits that might be carried forward from previous taxable years; however, a maximum of Eighteen Million Dollars ($18,000,000.00) with respect to such allocations may be allocated as credits for taxes imposed by Sections 27-15-103, 27-15-109 and 27-15-123. Any person or entity claiming a credit under this section against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123 shall not be required to pay any additional tax under Section 27-15-123 as a result of claiming such credit. The MDA shall allocate credits within this limit as provided for in subsection (4) of this section.

(3) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among its partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document. Such allocation shall be made each taxable year of such pass-through entity which contains a credit allowance date. An allocation or pass-through of a credit is not considered a sale for the purposes of this section or any other state law.

(4) (a) For three (3) consecutive fiscal years beginning July 1, 2024, qualified community development entities shall apply to the MDA for an award of credits and related qualified equity investment authority on a form provided by the MDA that includes:

(i) The name, address, and tax identification number of the applicant, and evidence of the applicant's certification as a qualified community development entity by the CDFI fund;

(ii) A copy of the allocation agreement executed by the applicant or its controlling entity, and the CDFI fund;

(iii) A certificate executed by an executive officer of the applicant attesting that the allocation agreement remains in effect and has not been revoked or canceled by the CDFI fund;

(iv) A description of the proposed amount, structure, and purchaser of the equity investment;

(v) The amount of qualified equity investment authority sought which collectively may not exceed the applicant or its controlling entity's available qualified equity investment authority under Section 45D of the Internal Revenue Code of 1986, as amended multiplied by two (2);

(vi) Evidence of the applicant or its controlling entity's available qualified equity investment authority under Section 45D of the Internal Revenue Code of 1986, as amended;

(vii) A nonrefundable application fee of One Thousand Dollars ($1,000.00);

(viii) Except for Mississippi qualified community development entities, evidence that the applicant, on a collective basis with its affiliates, satisfies at least one (1) of the requirements of subsection (1)(i)(iii) of this section for the definition of qualified community development entity; and

(ix) Other information as required by the MDA pursuant to paragraph (c) of this subsection.

(b) The MDA shall set a date to accept applications not less than thirty (30) days but not more than forty-five (45) days after the CDFI fund announces allocation awards under a notice of funding availability that was published in the Federal Register. In the event that the CDFI fund is unable to publish a notice of funding of allocation awards because of a lack of award authority under Section 45D of the Internal Revenue Code of 1986, as amended, with respect to the fiscal year beginning July 1, 2026, the MDA shall set a date for accepting applications and waive the requirement that a qualified community development entity designate at least fifty percent (50%) of qualified equity investment authority awarded as a qualified equity investment under Section 45D of the Internal Revenue Code of 1986, as amended, provided that the MDA shall give a preference in the award of tax credits to qualified community development

entities that apply with remaining allocation under Section 45D of the Internal Revenue Code of 1986, as amended.

(c) The MDA shall award credits and the related qualified equity investment authority, subject to the limitations set forth in subsection (2) of this section, fifty percent (50%) to applicants that agree to utilize qualified equity investment authority for loan funds. The MDA may require additional information in the application to delineate between types of applications. Within forty-five (45) days with respect to a loan fund application and ninety (90) days for all other applications, the MDA shall grant or deny the application in full or in part. If the MDA denies any part of the application, the MDA shall inform the applicant of the grounds for the denial. If the applicant provides the information required by the MDA or otherwise completes its application within fifteen (15) days of the notice of denial, the application is deemed complete as of the original date of submission. If the applicant fails to provide the requested information or complete its application within the fifteen-day period, the applicant must submit a new application. If requests for either allocation are not fully subscribed, the MDA shall reallocate such remaining allocation to the other allocation pool. Once the MDA has allocated credits to a qualified community development entity, the corresponding qualified equity investment must be issued and, if applicable, fifty percent (50%) of such qualified equity investment must be designated under Section 45D of the Internal Revenue Code of 1986, as amended, not later than one hundred twenty (120) days from the date of such allocation. If the qualified equity investment is not issued and, if applicable, such designation under Section 45D of the Internal Revenue Code of 1986, as amended, is not made within such time period, the allocation shall be cancelled and returned to the MDA for reallocation. If the actual dollar amount of qualified equity investment is lower than the amount awarded by the MDA, the MDA shall adjust the tax credit allowed under this section and reissue awards to other applicants that did not receive the awards requested pro rata. Qualified community development entities shall provide the MDA evidence of qualified equity investments and designation under Section 45D of the Internal Revenue Code of 1986, as amended, if applicable, within one hundred thirty (130) days from the date of an allocation. An applicant certified an award under this paragraph may transfer all or a portion of its certified qualified equity investment authority to any affiliated qualified community development entity by sending written notice to the MDA endorsing the certificate.

(d) The Department of Revenue may recapture credits under this section if:

(i) Any amount of the federal tax credit available with respect to a qualified equity investment that is eligible for a credit under this section is recaptured under Section 45D of the Internal Revenue Code of 1986, as amended;

(ii) The qualified community development entity redeems a qualified equity investment prior to the seventh anniversary of the issuance of the qualified equity investment; or

(iii) The qualified community development entity fails to invest at least eighty-five percent (85%) of the cash purchase price of the qualified equity investment in qualified low-income community investments within twelve (12) months of the issuance of the qualified equity investment and maintain that level of investment until the seventh anniversary of the initial credit allowance date for the qualified equity investment.

A qualified community development entity shall notify the Department of Revenue of any of the events set forth in this paragraph (d) within five (5) days of actual knowledge of such event.

(e) For purposes of paragraph (d)(iii) of this subsection, an investment is considered maintained by a qualified community development entity even if the

investment has been sold or repaid, provided that the qualified community development entity reinvests an amount equal to the capital returned to or recovered by the qualified community development entity from the original investment, exclusive of any profits realized, in another qualified low-income community investment in this state within twelve (12) months after the receipt of that capital. Periodic loan repayments received by a qualified community development entity from a qualified active low-income community business within a calendar year must be treated as maintained in qualified low-income community investments if a qualified community development entity reinvests the repayments in qualified low-income community investments by the end of the following calendar year.

(f) A qualified community development entity is not required to reinvest capital returned from qualified low-income community investments after the sixth anniversary of the issuance of the qualified equity investment, the proceeds of which were used to make the qualified low-income community investment, and the qualified low-income community investment is considered held by the qualified community development entity through the seventh anniversary of the qualified equity investment's issuance.

(g) The MDA shall provide notice to the qualified community development entity and the Department of Revenue of any proposed recapture of credits pursuant to this subsection. The notice must specify the conditions under which the deficiency resulting in the proposed recapture occurred and state that the credits will be recaptured within ninety (90) days unless the qualified community development entity complies with the conditions identified in the notice. If the entity does not comply with the conditions identified in the notice within the ninety-day period, the Department of Revenue shall provide the entity from whom the credit is to be recaptured with a final order of recapture. Any credit for which a final recapture order has been issued must be recaptured by the Department of Revenue from the entity who claimed the credit on a tax return. The qualified equity investment authority of the recaptured credits must be returned to the MDA and must first be awarded pro rata to applicants that have received awards of qualified equity investment authority and complied with this subsection. If credits are recaptured under this section, any remaining credit is forfeited.

(h) The MDA shall not make awards of credits and related qualified equity investment authority after July 1, 2027.

(5) Each qualified community development entity that receives qualified equity investments to make qualified low-income community investments in Mississippi must annually report to the MDA the North American Industry Classification System Code, the county, the dollars invested, the number of jobs assisted and the number of jobs assisted with wages over one hundred percent (100%) of the federal poverty level for a family of four (4) of each qualified low-income community investment.

(6) The MDA shall file an annual report on all qualified low-income community investments with the Governor, the Clerk of the House of Representatives, the Secretary of the Senate and the Secretary of State describing the North American Industry Classification System Code, the county, the dollars invested, the number of jobs assisted and the number of jobs assisted with wages over one hundred percent (100%) of the federal poverty level for a family of four (4) of each qualified low-income community investment. The annual report will be posted on the MDA Internet website.

(7) (a) The purpose of this subsection is to authorize the creation and establishment of public benefit corporations for financing arrangements regarding public property and facilities.

(b) As used in this subsection:

(i) "New Markets Tax Credit transaction" means any financing transaction which utilizes either this section or Section 45D of the Internal Revenue Code of 1986, as amended.

(ii) "Public benefit corporation" means a nonprofit corporation formed or designated by a public entity to carry out the purposes of this subsection.

(iii) "Public entity or public entities" includes utility districts, regional solid waste authorities, regional utility authorities, community hospitals, regional airport authorities, municipal airport authorities, community and junior colleges, educational building corporations established by or on behalf of the state institutions of higher learning, school districts, planning and development districts, county economic development districts, urban renewal agencies, any other regional or local economic development authority, agency or governmental entity, and any other regional or local industrial development authority, agency or governmental entity.

(iv) "Public property or facilities" means any property or facilities owned or leased by a public entity or public benefit corporation.

(c) Notwithstanding any other provision of law to the contrary, public entities are authorized pursuant to this subsection to create one or more public benefit corporations or designate an existing corporation as a public benefit corporation for the purpose of entering into financing agreements and engaging in New Markets Tax Credit transactions, which shall include, without limitation, arrangements to plan, acquire, renovate, construct, lease, sublease, manage, operate and/or improve new or existing public property or facilities located within the boundaries or service area of the public entity. Any financing arrangement authorized under this subsection shall further any purpose of the public entity and may include a term of up to fifty (50) years.

(d) Notwithstanding any other provision of law to the contrary and in order to facilitate the acquisition, renovation, construction, leasing, subleasing, management, operating and/or improvement of new or existing public property or facilities to further any purpose of a public entity, public entities are authorized to enter into financing arrangements in order to transfer public property or facilities to and/or from public benefit corporations, including, without limitation, sales, sale-leasebacks, leases and lease-leasebacks, provided such transfer is related to any New Markets Tax Credit transaction furthering any purpose of the public entity. Any such transfer under this paragraph (d) and the public property or facilities transferred in connection therewith shall be exempted from any limitation or requirements with respect to leasing, acquiring, and/or constructing public property or facilities.

(e) With respect to a New Markets Tax Credit transaction, public entities and public benefit corporations are authorized to enter into financing arrangements with any governmental, nonprofit or for-profit entity in order to leverage funds not otherwise available to public entities for the acquisition, construction and/or renovation of properties transferred to such public benefit corporations. The use of any funds loaned by or contributed by a public benefit corporation or borrowed by or otherwise made available to a public benefit corporation in such financing arrangement shall be dedicated solely to (i) the development of new properties or facilities and/or the renovation of existing properties or facilities or operation of properties or facilities, and/or (ii) the payment of costs and expenditures related to any such financing arrangements, including, but not limited to, funding any reserves required in connection therewith, the repayment of any indebtedness incurred in connection therewith, and the payment of fees and expenses incurred in connection with the closing, administration, accounting and/or compliance with respect to the New Markets Tax Credit transaction.

(f) A public benefit corporation created pursuant to this subsection shall not be a political subdivision of the state but shall be a nonprofit corporation organized and governed under the provisions of the laws of this state and shall be a special

purpose corporation established to facilitate New Markets Tax Credit transactions consistent with the requirements of this section.

(g) Neither this subsection nor anything herein contained is or shall be construed as a restriction or limitation upon any powers which the public entity or public benefit corporation might otherwise have under any laws of this state, and this subsection is cumulative to any such powers. This subsection does and shall be construed to provide a complete additional and alternative method for the doing of the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws.

(8) The MDA shall promulgate rules and regulations to implement the provisions of this section.

SECTION 2. Section 27-15-129, Mississippi Code of 1972, is amended as follows:

27-15-129. (1) The amount of premium tax payable pursuant to Sections 27-15-103, 27-15-109, 27-15-119 and 83-31-45, Mississippi Code of 1972, shall be reduced from the amount otherwise fixed in such sections if the payer files a sworn statement with the required annual report showing as of the beginning of the reporting period that at least the following amounts of the total admitted assets of the payer were invested and maintained in qualifying Mississippi investments as hereinafter defined in subsection (2) of this section over the period covered by such report:

Percentage of Total Admitted Assets in Qualifying Mississippi Investments	Percentage of Premium Tax Payable
1%	99%
2%	98%
3%	97%
4%	96%
5%	95%
6%	94%
7%	93%
8%	92%
9%	91%
10%	80%
15%	70%
20%	60%
25%	50%

(2) For the purpose of this section, "a qualifying Mississippi investment" is hereby defined as follows:

(a) Certificates of deposit issued by any bank or savings and loan association domiciled in this state;

(b) Bonds of this state or bonds of municipal, school, road or levee districts, or other political subdivisions of this state;

(c) Loans evidenced by notes and secured by deeds of trust on property located in this state;

(d) Real property located in this state;

(e) Policy loans to residents of Mississippi, or other loans to residents of this state, or to corporations domiciled in this state;

(f) Common or preferred stock, bonds and other evidences of indebtedness of corporations domiciled in this state; and

(g) Cash on deposit in any bank or savings and loan association domiciled in this state.

"A qualifying Mississippi investment" shall not include any investment for which a credit is allocated under Section 57-105-1 * * *, Section 57-115-1 et seq., and/or Section 1 of this act.

(3) If the credits, or any part thereof, authorized by the preceding provisions of this section shall be held by a court of final jurisdiction to be unconstitutional and void for any reason or to make the annual premium taxes levied by Sections 27-15-103, 27-15-109, 27-15-119 and 83-31-45, Mississippi Code of 1972, unlawfully discriminatory or otherwise invalid under the Fourteenth Amendment or the Commerce Clause of the Constitution of the United States or under any state or other federal constitutional provisions, it is hereby expressly declared that such fact shall in no way affect the validity of the annual premium taxes levied thereby, and that such provisions would have been enacted even though the Legislature had known this credit section would be held invalid.

(4) This section shall apply to taxes accruing and investments existing from and after July 1, 1985.

SECTION 3. Section 31-7-13, Mississippi Code of 1972, is amended as follows:

31-7-13. All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided.

(a) Bidding procedure for purchases not over $5,000.00. Purchases which do not involve an expenditure of more than Five Thousand Dollars ($5,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. However, nothing contained in this paragraph (a) shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of Five Thousand Dollars ($5,000.00) or less.

(b) Bidding procedure for purchases over $5,000.00 but not over $75,000.00. Purchases which involve an expenditure of more than Five Thousand Dollars ($5,000.00) but not more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder without publishing or posting advertisement for bids, provided at least two (2)

competitive written bids have been obtained. Any state agency or community or junior college purchasing commodities or procuring construction pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, to accept the lowest competitive written bid under Seventy-five Thousand Dollars ($75,000.00). Any governing authority purchasing commodities pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, with regard to governing authorities other than counties, or its purchase clerk, or his designee, with regard to counties, to accept the lowest and best competitive written bid. Such authorization shall be made in writing by the governing authority and shall be maintained on file in the primary office of the agency and recorded in the official minutes of the governing authority, as appropriate. The purchasing agent or the purchase clerk, or his designee, as the case may be, and not the governing authority, shall be liable for any penalties and/or damages as may be imposed by law for any act or omission of the purchasing agent or purchase clerk, or his designee, constituting a violation of law in accepting any bid without approval by the governing authority. The term "competitive written bid" shall mean a bid submitted on a bid form furnished by the buying agency or governing authority and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor. "Competitive" shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. Any bid item for construction in excess of Five Thousand Dollars ($5,000.00) shall be broken down by components to provide detail of component description and pricing. These details shall be submitted with the written bids and become part of the bid evaluation criteria. Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities.

(c) Bidding procedure for purchases over $75,000.00.

(i) Publication requirement.

1. Purchases which involve an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder after advertising for competitive bids once each week for two (2) consecutive weeks in a regular newspaper published in the county or municipality in which such agency or governing authority is located. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars ($25,000.00) shall be bid. All references to American Recovery and Reinvestment Act projects in this section shall not apply to programs identified in Division B of the American Recovery and Reinvestment Act.

2. Reverse auctions shall be the primary method for receiving bids during the bidding process. If a purchasing entity determines that a reverse auction is not in the best interest of the state, then that determination must be approved by the Public Procurement Review Board. The purchasing entity shall submit a detailed explanation of why a reverse auction would not be in the best interest of the state and present an alternative process to be approved by the Public Procurement Review Board. If the Public Procurement Review Board authorizes the purchasing entity to solicit bids with a method other than reverse auction, then the purchasing entity may designate the other methods by which the bids will be received, including, but not limited to, bids sealed in an envelope, bids received electronically in a secure system, or bids received by any other method that promotes open competition and has been approved by the Office of Purchasing and Travel. However, reverse auction shall not be used for any public contract for design, construction, improvement, repair or remodeling of any public facilities, including the purchase of materials, supplies, equipment or goods for same and including buildings, roads and bridges. The Public Procurement Review Board must approve any contract entered into by alternative process. The provisions of this item 2 shall not apply to the individual state institutions of higher learning. The

provisions of this item 2 requiring reverse auction as the primary method of receiving bids shall not apply to term contract purchases as provided in paragraph (n) of this section; however, a purchasing entity may, in its discretion, utilize reverse auction for such purchases. The provisions of this item 2 shall not apply to individual public schools, including public charter schools and public school districts, only when purchasing copyrighted educational supplemental materials and software as a service product. For such purchases, a local school board may authorize a purchasing entity in its jurisdiction to use a Request for Qualifications which promotes open competition and meets the requirements of the Office of Purchasing and Travel.

3. The date as published for the bid opening shall not be less than seven (7) working days after the last published notice; however, if the purchase involves a construction project in which the estimated cost is in excess of Seventy-five Thousand Dollars ($75,000.00), such bids shall not be opened in less than fifteen (15) working days after the last notice is published and the notice for the purchase of such construction shall be published once each week for two (2) consecutive weeks. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars ($25,000.00) shall be bid. For any projects in excess of Twenty-five Thousand Dollars ($25,000.00) under the American Recovery and Reinvestment Act, publication shall be made one (1) time and the bid opening for construction projects shall not be less than ten (10) working days after the date of the published notice. The notice of intention to let contracts or purchase equipment shall state the time and place at which bids shall be received, list the contracts to be made or types of equipment or supplies to be purchased, and, if all plans and/or specifications are not published, refer to the plans and/or specifications on file. If there is no newspaper published in the county or municipality, then such notice shall be given by posting same at the courthouse, or for municipalities at the city hall, and at two (2) other public places in the county or municipality, and also by publication once each week for two (2) consecutive weeks in some newspaper having a general circulation in the county or municipality in the above-provided manner. On the same date that the notice is submitted to the newspaper for publication, the agency or governing authority involved shall mail written notice to, or provide electronic notification to the main office of the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority that contains the same information as that in the published notice. Submissions received by the Mississippi Procurement Technical Assistance Program for projects funded by the American Recovery and Reinvestment Act shall be displayed on a separate and unique Internet web page accessible to the public and maintained by the Mississippi Development Authority for the Mississippi Procurement Technical Assistance Program. Those American Recovery and Reinvestment Act related submissions shall be publicly posted within twenty-four (24) hours of receipt by the Mississippi Development Authority and the bid opening shall not occur until the submission has been posted for ten (10) consecutive days. The Department of Finance and Administration shall maintain information regarding contracts and other expenditures from the American Recovery and Reinvestment Act, on a unique Internet web page accessible to the public. The Department of Finance and Administration shall promulgate rules regarding format, content and deadlines, unless otherwise specified by law, of the posting of award notices, contract execution and subsequent amendments, links to the contract documents, expenditures against the awarded contracts and general expenditures of funds from the American Recovery and Reinvestment Act. Within one (1) working day of the contract award, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration, notice of the award, including the award recipient, the contract amount, and a brief summary of the contract in accordance with rules promulgated by the department. Within one (1) working day of the contract execution, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration a summary of the executed contract and make a copy of the appropriately redacted contract documents available for linking to the designated web page in accordance with the rules promulgated by the department. The information provided by the agency or governing authority shall be posted to the

web page for the duration of the American Recovery and Reinvestment Act funding or until the project is completed, whichever is longer.

(ii) Bidding process amendment procedure. If all plans and/or specifications are published in the notification, then the plans and/or specifications may not be amended. If all plans and/or specifications are not published in the notification, then amendments to the plans/specifications, bid opening date, bid opening time and place may be made, provided that the agency or governing authority maintains a list of all prospective bidders who are known to have received a copy of the bid documents and all such prospective bidders are sent copies of all amendments. This notification of amendments may be made via mail, facsimile, electronic mail or other generally accepted method of information distribution. No addendum to bid specifications may be issued within two (2) working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum.

(iii) Filing requirement. In all cases involving governing authorities, before the notice shall be published or posted, the plans or specifications for the construction or equipment being sought shall be filed with the clerk of the board of the governing authority. In addition to these requirements, a bid file shall be established which shall indicate those vendors to whom such solicitations and specifications were issued, and such file shall also contain such information as is pertinent to the bid.

(iv) Specification restrictions.

1. Specifications pertinent to such bidding shall be written so as not to exclude comparable equipment of domestic manufacture. However, if valid justification is presented, the Department of Finance and Administration or the board of a governing authority may approve a request for specific equipment necessary to perform a specific job. Further, such justification, when placed on the minutes of the board of a governing authority, may serve as authority for that governing authority to write specifications to require a specific item of equipment needed to perform a specific job. In addition to these requirements, from and after July 1, 1990, vendors of relocatable classrooms and the specifications for the purchase of such relocatable classrooms published by local school boards shall meet all pertinent regulations of the State Board of Education, including prior approval of such bid by the State Department of Education.

2. Specifications for construction projects may include an allowance for commodities, equipment, furniture, construction materials or systems in which prospective bidders are instructed to include in their bids specified amounts for such items so long as the allowance items are acquired by the vendor in a commercially reasonable manner and approved by the agency/governing authority. Such acquisitions shall not be made to circumvent the public purchasing laws.

(v) Electronic bids. Agencies and governing authorities shall provide a secure electronic interactive system for the submittal of bids requiring competitive bidding that shall be an additional bidding option for those bidders who choose to submit their bids electronically. The Department of Finance and Administration shall provide, by regulation, the standards that agencies must follow when receiving electronic bids. Agencies and governing authorities shall make the appropriate provisions necessary to accept electronic bids from those bidders who choose to submit their bids electronically for all purchases requiring competitive bidding under this section. Any special condition or requirement for the electronic bid submission shall be specified in the advertisement for bids required by this section. Agencies or governing authorities that are currently without available high speed Internet access shall be exempt from the requirement of this subparagraph (v) until such time that high speed Internet access becomes available. Any county having a population of less than twenty thousand (20,000) shall be exempt from the provisions of this

subparagraph (v). Any municipality having a population of less than ten thousand (10,000) shall be exempt from the provisions of this subparagraph (v). The provisions of this subparagraph (v) shall not require any bidder to submit bids electronically. When construction bids are submitted electronically, the requirement for including a certificate of responsibility, or a statement that the bid enclosed does not exceed Fifty Thousand Dollars ($50,000.00), on the exterior of the bid envelope as indicated in Section 31-3-21(1) and (2) shall be deemed in compliance with by including same as an attachment with the electronic bid submittal.

(d) Lowest and best bid decision procedure.

(i) Decision procedure. Purchases may be made from the lowest and best bidder. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(ii) Decision procedure for Certified Purchasing Offices. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), Certified Purchasing Offices may also use the following procedure: Purchases may be made from the bidder offering the best value. In determining the best value bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions, documented previous experience, training costs and other relevant provisions, including, but not limited to, a bidder having a local office and inventory located within the jurisdiction of the governing authority, may be included in the best value calculation. This provision shall authorize Certified Purchasing Offices to utilize a Request For Proposals (RFP) process when purchasing commodities. All best value procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. No agency or governing authority shall accept a bid based on items or criteria not included in the specifications.

(iii) Decision procedure for Mississippi Landmarks. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), where purchase involves renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History under the authority of Sections 39-7-7 and 39-7-11, the agency or governing authority may use the following procedure: Purchases may be made from the lowest and best prequalified bidder. Prequalification of bidders shall be determined not less than fifteen (15) working days before the first published notice of bid opening. Prequalification criteria shall be limited to bidder's knowledge and experience in historical restoration, preservation and renovation. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid and prequalification procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(iv) Construction project negotiations authority. If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.

(e) Lease-purchase authorization. For the purposes of this section, the term "equipment" shall mean equipment, furniture and, if applicable, associated software and other applicable direct costs associated with the acquisition. Any lease-purchase of equipment which an agency is not required to lease-purchase under the master lease-purchase program pursuant to Section 31-7-10 and any lease-purchase of equipment which a governing authority elects to lease-purchase may be acquired by a lease-purchase agreement under this paragraph (e). Lease-purchase financing may also be obtained from the vendor or from a third-party source after having solicited and obtained at least two (2) written competitive bids, as defined in paragraph (b) of this section, for such financing without advertising for such bids. Solicitation for the bids for financing may occur before or after acceptance of bids for the purchase of such equipment or, where no such bids for purchase are required, at any time before the purchase thereof. No such lease-purchase agreement shall be for an annual rate of interest which is greater than the overall maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101, and the term of such lease-purchase agreement shall not exceed the useful life of equipment covered thereby as determined according to the upper limit of the asset depreciation range (ADR) guidelines for the Class Life Asset Depreciation Range System established by the Internal Revenue Service pursuant to the United States Internal Revenue Code and regulations thereunder as in effect on December 31, 1980, or comparable depreciation guidelines with respect to any equipment not covered by ADR guidelines. Any lease-purchase agreement entered into pursuant to this paragraph (e) may contain any of the terms and conditions which a master lease-purchase agreement may contain under the provisions of Section 31-7-10(5), and shall contain an annual allocation dependency clause substantially similar to that set forth in Section 31-7-10(8). Each agency or governing authority entering into a lease-purchase transaction pursuant to this paragraph (e) shall maintain with respect to each such lease-purchase transaction the same information as required to be maintained by the Department of Finance and Administration pursuant to Section 31-7-10(13). However, nothing contained in this section shall be construed to permit agencies to acquire items of equipment with a total acquisition cost in the aggregate of less than Ten Thousand Dollars ($10,000.00) by a single lease-purchase transaction. All equipment, and the purchase thereof by any lessor, acquired by lease-purchase under this paragraph and all lease-purchase payments with respect thereto shall be exempt from all Mississippi sales, use and ad valorem taxes. Interest paid on any lease-purchase agreement under this section shall be exempt from State of Mississippi income taxation.

(f) Alternate bid authorization. When necessary to ensure ready availability of commodities for public works and the timely completion of public projects, no more than two (2) alternate bids may be accepted by a governing authority for commodities. No purchases may be made through use of such alternate bids procedure unless the lowest and best bidder cannot deliver the commodities contained in his bid. In that event, purchases of such commodities may be made from one (1) of the bidders whose bid was accepted as an alternate.

(g) Construction contract change authorization. In the event a determination is made by an agency or governing authority after a construction contract is let that changes or modifications to the original contract are necessary or would better serve the purpose of the agency or the governing authority, such agency or governing authority may, in its discretion, order such changes pertaining to the construction that are necessary under the circumstances without the necessity of further public bids; provided that such change shall be made in a commercially reasonable manner and shall not be made to circumvent the public purchasing statutes. In addition to any other

authorized person, the architect or engineer hired by an agency or governing authority with respect to any public construction contract shall have the authority, when granted by an agency or governing authority, to authorize changes or modifications to the original contract without the necessity of prior approval of the agency or governing authority when any such change or modification is less than one percent (1%) of the total contract amount. The agency or governing authority may limit the number, manner or frequency of such emergency changes or modifications.

(h) Petroleum purchase alternative. In addition to other methods of purchasing authorized in this chapter, when any agency or governing authority shall have a need for gas, diesel fuel, oils and/or other petroleum products in excess of the amount set forth in paragraph (a) of this section, such agency or governing authority may purchase the commodity after having solicited and obtained at least two (2) competitive written bids, as defined in paragraph (b) of this section. If two (2) competitive written bids are not obtained, the entity shall comply with the procedures set forth in paragraph (c) of this section. In the event any agency or governing authority shall have advertised for bids for the purchase of gas, diesel fuel, oils and other petroleum products and coal and no acceptable bids can be obtained, such agency or governing authority is authorized and directed to enter into any negotiations necessary to secure the lowest and best contract available for the purchase of such commodities.

(i) Road construction petroleum products price adjustment clause authorization. Any agency or governing authority authorized to enter into contracts for the construction, maintenance, surfacing or repair of highways, roads or streets, may include in its bid proposal and contract documents a price adjustment clause with relation to the cost to the contractor, including taxes, based upon an industry-wide cost index, of petroleum products including asphalt used in the performance or execution of the contract or in the production or manufacture of materials for use in such performance. Such industry-wide index shall be established and published monthly by the Mississippi Department of Transportation with a copy thereof to be mailed, upon request, to the clerks of the governing authority of each municipality and the clerks of each board of supervisors throughout the state. The price adjustment clause shall be based on the cost of such petroleum products only and shall not include any additional profit or overhead as part of the adjustment. The bid proposals or document contract shall contain the basis and methods of adjusting unit prices for the change in the cost of such petroleum products.

(j) State agency emergency purchase procedure. If the governing board or the executive head, or his designees, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the head of such agency, or his designees, shall file with the Department of Finance and Administration (i) a statement explaining the conditions and circumstances of the emergency, which shall include a detailed description of the events leading up to the situation and the negative impact to the entity if the purchase is made following the statutory requirements set forth in paragraph (a), (b) or (c) of this section, and (ii) a certified copy of the appropriate minutes of the board of such agency requesting the emergency purchase, if applicable. Upon receipt of the statement and applicable board certification, the State Fiscal Officer, or his designees, may, in writing, authorize the purchase or repair without having to comply with competitive bidding requirements.

If the governing board or the executive head, or his designees, of any agency determines that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would threaten the health or safety of any person, or the preservation or protection of property, then the provisions in this section for competitive bidding shall not apply, and any officer or agent of the agency having general or specific authority for making the purchase or repair contract shall approve the bill presented for payment, and he shall

certify in writing from whom the purchase was made, or with whom the repair contract was made.

Total purchases made under this paragraph (j) shall only be for the purpose of meeting needs created by the emergency situation. Following the emergency purchase, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be filed with the Department of Finance and Administration. Any contract awarded pursuant to this paragraph (j) shall not exceed a term of one (1) year.

Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (j).

(k) Governing authority emergency purchase procedure. If the governing authority, or the governing authority acting through its designee, shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions herein for competitive bidding shall not apply and any officer or agent of such governing authority having general or special authority therefor in making such purchase or repair shall approve the bill presented therefor, and he shall certify in writing thereon from whom such purchase was made, or with whom such a repair contract was made. At the board meeting next following the emergency purchase or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased, the price thereof and the nature of the emergency shall be presented to the board and shall be placed on the minutes of the board of such governing authority. Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (k).

(l) Hospital purchase, lease-purchase and lease authorization.

(i) The commissioners or board of trustees of any public hospital may contract with such lowest and best bidder for the purchase or lease-purchase of any commodity under a contract of purchase or lease-purchase agreement whose obligatory payment terms do not exceed five (5) years.

(ii) In addition to the authority granted in subparagraph (i) of this paragraph (l), the commissioners or board of trustees is authorized to enter into contracts for the lease of equipment or services, or both, which it considers necessary for the proper care of patients if, in its opinion, it is not financially feasible to purchase the necessary equipment or services. Any such contract for the lease of equipment or services executed by the commissioners or board shall not exceed a maximum of five (5) years' duration and shall include a cancellation clause based on unavailability of funds. If such cancellation clause is exercised, there shall be no further liability on the part of the lessee. Any such contract for the lease of equipment or services executed on behalf of the commissioners or board that complies with the provisions of this subparagraph (ii) shall be excepted from the bid requirements set forth in this section.

(m) Exceptions from bidding requirements. Excepted from bid requirements are:

(i) Purchasing agreements approved by department. Purchasing agreements, contracts and maximum price regulations executed or approved by the Department of Finance and Administration.

(ii) Outside equipment repairs. Repairs to equipment, when such repairs are made by repair facilities in the private sector; however, engines, transmissions, rear axles and/or other such components shall not be included in this exemption when replaced as a complete unit instead of being repaired and the need for such total component replacement is known before disassembly of the component; however, invoices identifying the equipment, specific repairs made, parts identified by number and name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required for the payment for such repairs.

(iii) In-house equipment repairs. Purchases of parts for repairs to equipment, when such repairs are made by personnel of the agency or governing authority; however, entire assemblies, such as engines or transmissions, shall not be included in this exemption when the entire assembly is being replaced instead of being repaired.

(iv) Raw gravel or dirt. Raw unprocessed deposits of gravel or fill dirt which are to be removed and transported by the purchaser.

(v) Governmental equipment auctions. Motor vehicles or other equipment purchased from a federal agency or authority, another governing authority or state agency of the State of Mississippi, or any governing authority or state agency of another state at a public auction held for the purpose of disposing of such vehicles or other equipment. Any purchase by a governing authority under the exemption authorized by this subparagraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(vi) Intergovernmental sales and transfers. Purchases, sales, transfers or trades by governing authorities or state agencies when such purchases, sales, transfers or trades are made by a private treaty agreement or through means of negotiation, from any federal agency or authority, another governing authority or state agency of the State of Mississippi, or any state agency or governing authority of another state. Nothing in this section shall permit such purchases through public auction except as provided for in subparagraph (v) of this paragraph (m). It is the intent of this section to allow governmental entities to dispose of and/or purchase commodities from other governmental entities at a price that is agreed to by both parties. This shall allow for purchases and/or sales at prices which may be determined to be below the market value if the selling entity determines that the sale at below market value is in the best interest of the taxpayers of the state. Governing authorities shall place the terms of the agreement and any justification on the minutes, and state agencies shall obtain approval from the Department of Finance and Administration, prior to releasing or taking possession of the commodities.

(vii) Perishable supplies or food. Perishable supplies or food purchased for use in connection with hospitals, the school lunch programs, homemaking programs and for the feeding of county or municipal prisoners.

(viii) Single-source items. Noncompetitive items available from one (1) source only. In connection with the purchase of noncompetitive items only available from one (1) source, a certification of the conditions and circumstances requiring the purchase shall be filed by the agency with the Department of Finance and Administration and by the governing authority with the board of the governing authority. Upon receipt of that certification the Department of Finance and Administration or the board of the governing authority, as the case may be, may, in writing, authorize the purchase, which authority shall be noted on the minutes of the body at the next regular meeting thereafter. In those situations, a governing authority is not required to obtain the approval of the Department of Finance and Administration. Following the purchase, the executive head of the state agency, or his designees, shall file with the Department of Finance and Administration, documentation of the purchase, including a description of

the commodity purchased, the purchase price thereof and the source from whom it was purchased.

(ix) Waste disposal facility construction contracts. Construction of incinerators and other facilities for disposal of solid wastes in which products either generated therein, such as steam, or recovered therefrom, such as materials for recycling, are to be sold or otherwise disposed of; however, in constructing such facilities, a governing authority or agency shall publicly issue requests for proposals, advertised for in the same manner as provided herein for seeking bids for public construction projects, concerning the design, construction, ownership, operation and/or maintenance of such facilities, wherein such requests for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, environmental compatibility, legal responsibilities and such other matters as are determined by the governing authority or agency to be appropriate for inclusion; and after responses to the request for proposals have been duly received, the governing authority or agency may select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter contracts with one or more of the persons or firms submitting proposals.

(x) Hospital group purchase contracts. Supplies, commodities and equipment purchased by hospitals through group purchase programs pursuant to Section 31-7-38.

(xi) Information technology products. Purchases of information technology products made by governing authorities under the provisions of purchase schedules, or contracts executed or approved by the Mississippi Department of Information Technology Services and designated for use by governing authorities.

(xii) Energy efficiency services and equipment. Energy efficiency services and equipment acquired by school districts, community and junior colleges, institutions of higher learning and state agencies or other applicable governmental entities on a shared-savings, lease or lease-purchase basis pursuant to Section 31-7-14.

(xiii) Municipal electrical utility system fuel. Purchases of coal and/or natural gas by municipally owned electric power generating systems that have the capacity to use both coal and natural gas for the generation of electric power.

(xiv) Library books and other reference materials. Purchases by libraries or for libraries of books and periodicals; processed film, videocassette tapes, filmstrips and slides; recorded audiotapes, cassettes and diskettes; and any such items as would be used for teaching, research or other information distribution; however, equipment such as projectors, recorders, audio or video equipment, and monitor televisions are not exempt under this subparagraph.

(xv) Unmarked vehicles. Purchases of unmarked vehicles when such purchases are made in accordance with purchasing regulations adopted by the Department of Finance and Administration pursuant to Section 31-7-9(2).

(xvi) Election ballots. Purchases of ballots printed pursuant to Section 23-15-351.

(xvii) Multichannel interactive video systems. From and after July 1, 1990, contracts by Mississippi Authority for Educational Television with any private educational institution or private nonprofit organization whose purposes are educational in regard to the construction, purchase, lease or lease-purchase of facilities and equipment and the employment of personnel for providing multichannel interactive video systems (ITSF) in the school districts of this state.

(xviii) Purchases of prison industry products by the Department of Corrections, regional correctional facilities or privately owned prisons. Purchases made by the Mississippi Department of Corrections, regional correctional facilities or privately owned prisons involving any item that is manufactured, processed, grown or produced from the state's prison industries.

(xix) Undercover operations equipment. Purchases of surveillance equipment or any other high-tech equipment to be used by law enforcement agents in undercover operations, provided that any such purchase shall be in compliance with regulations established by the Department of Finance and Administration.

(xx) Junior college books for rent. Purchases by community or junior colleges of textbooks which are obtained for the purpose of renting such books to students as part of a book service system.

(xxi) Certain school district purchases. Purchases of commodities made by school districts from vendors with which any levying authority of the school district, as defined in Section 37-57-1, has contracted through competitive bidding procedures for purchases of the same commodities.

(xxii) Garbage, solid waste and sewage contracts. Contracts for garbage collection or disposal, contracts for solid waste collection or disposal and contracts for sewage collection or disposal.

(xxiii) Municipal water tank maintenance contracts. Professional maintenance program contracts for the repair or maintenance of municipal water tanks, which provide professional services needed to maintain municipal water storage tanks for a fixed annual fee for a duration of two (2) or more years.

(xxiv) Purchases of Mississippi Industries for the Blind products or services. Purchases made by state agencies or governing authorities involving any item that is manufactured, processed or produced by, or any services provided by, the Mississippi Industries for the Blind.

(xxv) Purchases of state-adopted textbooks. Purchases of state-adopted textbooks by public school districts.

(xxvi) Certain purchases under the Mississippi Major Economic Impact Act. Contracts entered into pursuant to the provisions of Section 57-75-9(2), (3) and (4).

(xxvii) Used heavy or specialized machinery or equipment for installation of soil and water conservation practices purchased at auction. Used heavy or specialized machinery or equipment used for the installation and implementation of soil and water conservation practices or measures purchased subject to the restrictions provided in Sections 69-27-331 through 69-27-341. Any purchase by the State Soil and Water Conservation Commission under the exemption authorized by this subparagraph shall require advance authorization spread upon the minutes of the commission to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(xxviii) Hospital lease of equipment or services. Leases by hospitals of equipment or services if the leases are in compliance with paragraph (l)(ii).

(xxix) Purchases made pursuant to qualified cooperative purchasing agreements. Purchases made by certified purchasing offices of state agencies or governing authorities under cooperative purchasing agreements previously approved by the Office of Purchasing and Travel and established by or for any

municipality, county, parish or state government or the federal government, provided that the notification to potential contractors includes a clause that sets forth the availability of the cooperative purchasing agreement to other governmental entities. Such purchases shall only be made if the use of the cooperative purchasing agreements is determined to be in the best interest of the governmental entity.

(xxx) School yearbooks. Purchases of school yearbooks by state agencies or governing authorities; however, state agencies and governing authorities shall use for these purchases the RFP process as set forth in the Mississippi Procurement Manual adopted by the Office of Purchasing and Travel.

(xxxi) Design-build method of contracting and certain other contracts. Contracts entered into under the provisions of Section 31-7-13.1, 37-101-44 or 65-1-85.

(xxxii) Toll roads and bridge construction projects. Contracts entered into under the provisions of Section 65-43-1 or 65-43-3.

(xxxiii) Certain purchases under Section 57-1-221. Contracts entered into pursuant to the provisions of Section 57-1-221.

(xxxiv) Certain transfers made pursuant to the provisions of Section 57-105-1(7). Transfers of public property or facilities under Section 57-105-1(7) and construction related to such public property or facilities.

(xxxv) Certain purchases or transfers entered into with local electrical power associations. Contracts or agreements entered into under the provisions of Section 55-3-33.

(xxxvi) Certain purchases by an academic medical center or health sciences school. Purchases by an academic medical center or health sciences school, as defined in Section 37-115-50, of commodities that are used for clinical purposes and 1. intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease, and 2. medical devices, biological, drugs and radiation-emitting devices as defined by the United States Food and Drug Administration.

(xxxvii) Certain purchases made under the Alyce G. Clarke Mississippi Lottery Law. Contracts made by the Mississippi Lottery Corporation pursuant to the Alyce G. Clarke Mississippi Lottery Law.

(xxxviii) Certain purchases made by the Department of Health and the Department of Revenue. Purchases made by the Department of Health and the Department of Revenue solely for the purpose of fulfilling their respective responsibilities under the Mississippi Medical Cannabis Act. This subparagraph shall stand repealed on June 30, 2026.

(xxxvix) Certain transfers made pursuant to the provisions of Section 1(7) of this act. Transfers of public property or facilities under Section 1(7) of this act and construction related to such public property or facilities.

(n) Term contract authorization. All contracts for the purchase of:

(i) All contracts for the purchase of commodities, equipment and public construction (including, but not limited to, repair and maintenance), may be let for periods of not more than sixty (60) months in advance, subject to applicable statutory provisions prohibiting the letting of contracts during specified periods near the end of terms of office. Term contracts for a period exceeding twenty-four (24) months shall also

be subject to ratification or cancellation by governing authority boards taking office subsequent to the governing authority board entering the contract.

(ii) Bid proposals and contracts may include price adjustment clauses with relation to the cost to the contractor based upon a nationally published industry-wide or nationally published and recognized cost index. The cost index used in a price adjustment clause shall be determined by the Department of Finance and Administration for the state agencies and by the governing board for governing authorities. The bid proposal and contract documents utilizing a price adjustment clause shall contain the basis and method of adjusting unit prices for the change in the cost of such commodities, equipment and public construction.

(o) Purchase law violation prohibition and vendor penalty. No contract or purchase as herein authorized shall be made for the purpose of circumventing the provisions of this section requiring competitive bids, nor shall it be lawful for any person or concern to submit individual invoices for amounts within those authorized for a contract or purchase where the actual value of the contract or commodity purchased exceeds the authorized amount and the invoices therefor are split so as to appear to be authorized as purchases for which competitive bids are not required. Submission of such invoices shall constitute a misdemeanor punishable by a fine of not less than Five Hundred Dollars ($500.00) nor more than One Thousand Dollars ($1,000.00), or by imprisonment for thirty (30) days in the county jail, or both such fine and imprisonment. In addition, the claim or claims submitted shall be forfeited.

(p) Electrical utility petroleum-based equipment purchase procedure. When in response to a proper advertisement therefor, no bid firm as to price is submitted to an electric utility for power transformers, distribution transformers, power breakers, reclosers or other articles containing a petroleum product, the electric utility may accept the lowest and best bid therefor although the price is not firm.

(q) Fuel management system bidding procedure. Any governing authority or agency of the state shall, before contracting for the services and products of a fuel management or fuel access system, enter into negotiations with not fewer than two (2) sellers of fuel management or fuel access systems for competitive written bids to provide the services and products for the systems. In the event that the governing authority or agency cannot locate two (2) sellers of such systems or cannot obtain bids from two (2) sellers of such systems, it shall show proof that it made a diligent, good-faith effort to locate and negotiate with two (2) sellers of such systems. Such proof shall include, but not be limited to, publications of a request for proposals and letters soliciting negotiations and bids. For purposes of this paragraph (q), a fuel management or fuel access system is an automated system of acquiring fuel for vehicles as well as management reports detailing fuel use by vehicles and drivers, and the term "competitive written bid" shall have the meaning as defined in paragraph (b) of this section. Governing authorities and agencies shall be exempt from this process when contracting for the services and products of fuel management or fuel access systems under the terms of a state contract established by the Office of Purchasing and Travel.

(r) Solid waste contract proposal procedure. Before entering into any contract for garbage collection or disposal, contract for solid waste collection or disposal or contract for sewage collection or disposal, which involves an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), a governing authority or agency shall issue publicly a request for proposals concerning the specifications for such services which shall be advertised for in the same manner as provided in this section for seeking bids for purchases which involve an expenditure of more than the amount provided in paragraph (c) of this section. Any request for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, legal responsibilities and other relevant factors as are determined by the governing authority or agency to be appropriate for inclusion; all factors determined relevant by the governing authority or agency or required by this paragraph (r) shall be duly included in the advertisement to

elicit proposals. After responses to the request for proposals have been duly received, the governing authority or agency shall select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter into contracts with one or more of the persons or firms submitting proposals. If the governing authority or agency deems none of the proposals to be qualified or otherwise acceptable, the request for proposals process may be reinitiated. Notwithstanding any other provisions of this paragraph, where a county with at least thirty-five thousand (35,000) nor more than forty thousand (40,000) population, according to the 1990 federal decennial census, owns or operates a solid waste landfill, the governing authorities of any other county or municipality may contract with the governing authorities of the county owning or operating the landfill, pursuant to a resolution duly adopted and spread upon the minutes of each governing authority involved, for garbage or solid waste collection or disposal services through contract negotiations.

(s) Minority set-aside authorization. Notwithstanding any provision of this section to the contrary, any agency or governing authority, by order placed on its minutes, may, in its discretion, set aside not more than twenty percent (20%) of its anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the Department of Finance and Administration and shall be subject to bid requirements under this section. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder. For the purposes of this paragraph, the term "minority business" means a business which is owned by a majority of persons who are United States citizens or permanent resident aliens (as defined by the Immigration and Naturalization Service) of the United States, and who are Asian, Black, Hispanic or Native American, according to the following definitions:

(i) "Asian" means persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(ii) "Black" means persons having origins in any black racial group of Africa.

(iii) "Hispanic" means persons of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.

(iv) "Native American" means persons having origins in any of the original people of North America, including American Indians, Eskimos and Aleuts.

(t) Construction punch list restriction. The architect, engineer or other representative designated by the agency or governing authority that is contracting for public construction or renovation may prepare and submit to the contractor only one (1) preliminary punch list of items that do not meet the contract requirements at the time of substantial completion and one (1) final list immediately before final completion and final payment.

(u) Procurement of construction services by state institutions of higher learning. Contracts for privately financed construction of auxiliary facilities on the campus of a state institution of higher learning may be awarded by the Board of Trustees of State Institutions of Higher Learning to the lowest and best bidder, where sealed bids are solicited, or to the offeror whose proposal is determined to represent the best value to the citizens of the State of Mississippi, where requests for proposals are solicited.

(v) Insurability of bidders for public construction or other public contracts. In any solicitation for bids to perform public construction or other public contracts to

which this section applies, including, but not limited to, contracts for repair and maintenance, for which the contract will require insurance coverage in an amount of not less than One Million Dollars ($1,000,000.00), bidders shall be permitted to either submit proof of current insurance coverage in the specified amount or demonstrate ability to obtain the required coverage amount of insurance if the contract is awarded to the bidder. Proof of insurance coverage shall be submitted within five (5) business days from bid acceptance.

(w) Purchase authorization clarification. Nothing in this section shall be construed as authorizing any purchase not authorized by law.

(x) Mississippi Regional Pre-Need Disaster Clean Up Act. (i) The Department of Finance and Administration shall enter into nine (9) contracts for the pre-need purchase of labor, services, work, materials, equipment, supplies or other personal property for disaster-related solid waste collection, disposal or monitoring. One (1) contract shall be entered into for each of the nine (9) Mississippi Emergency Management Association districts:

1. Coahoma, DeSoto, Grenada, Panola, Quitman, Tallahatchie, Tate, Tunica and Yalobusha Counties;

2. Alcorn, Benton, Itawamba, Lafayette, Lee, Marshall, Pontotoc, Prentiss, Tippah, Tishomingo and Union Counties;

3. Attala, Bolivar, Carroll, Holmes, Humphreys, Leflore, Montgomery, Sunflower and Washington Counties;

4. Calhoun, Chickasaw, Choctaw, Clay, Lowndes, Monroe, Noxubee, Oktibbeha, Webster and Winston Counties;

5. Claiborne, Copiah, Hinds, Issaquena, Madison, Rankin, Sharkey, Simpson, Warren and Yazoo Counties;

6. Clarke, Jasper, Kemper, Lauderdale, Leake, Neshoba, Newton, Scott, and Smith Counties and the Mississippi Band of Choctaw Indians;

7. Adams, Amite, Franklin, Jefferson, Lawrence, Lincoln, Pike, Walthall and Wilkinson Counties;

8. Covington, Forrest, Greene, Jefferson Davis, Jones, Lamar, Marion, Perry and Wayne Counties; and

9. George, Hancock, Harrison, Jackson, Pearl River and Stone Counties.

Any such contract shall set forth the manner of awarding such a contract, the method of payment, and any other matter deemed necessary to carry out the purposes of the agreement. Such contract may be entered into only for a term of one (1) year, with an option for an additional one-year extension after the conclusion of the first year of the contract, and only after having solicited bids or proposals, as appropriate, which shall be publicly advertised by posting on a web page maintained by the Department of Finance and Administration through submission of such advertisement to the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority. The bid opening shall not occur until after the submission has been posted for at least ten (10) consecutive days. The state's share of expenditures for solid waste collection, disposal or monitoring under any contract shall be appropriated and paid in the manner set forth in the contract and in the same manner as for other solid waste collection, disposal, or monitoring expenses of the state. Any contract entered into under this paragraph shall not be subject to the provisions of Section 17-13-11.

(ii) Any board of supervisors of any county or any governing authority of any municipality may opt in to the benefits and services provided under the appropriate and relevant contract established in subparagraph (i) of this paragraph at the time of a disaster event in that county or municipality. At the time of opt in, the county or municipality shall assume responsibility for payment in full to the contractor for the disaster-related solid waste collection, disposal or monitoring services provided. Nothing in this subparagraph (ii) shall be construed as requiring a county or municipality to opt in to any such contract established in subparagraph (i) of this paragraph.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT TO PROVIDE FOR AN INCOME TAX AND INSURANCE PREMIUM TAX CREDIT FOR TAXPAYERS THAT PAY A QUALIFIED COMMUNITY DEVELOPMENT ENTITY FOR QUALIFIED EQUITY INVESTMENTS; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THE TAX CREDIT; TO PROVIDE THAT THE AMOUNT OF THE CREDIT SHALL BE EQUAL TO A CERTAIN PERCENTAGE OF THE ADJUSTED PURCHASE PRICE PAID TO THE QUALIFIED COMMUNITY DEVELOPMENT ENTITY FOR THE QUALIFIED EQUITY INVESTMENT; TO PROVIDE THAT THE MAXIMUM AGGREGATE AMOUNT OF THE CREDITS THAT MAY BE ALLOCATED TO ALL TAXPAYERS IN ANY ONE STATE FISCAL YEAR SHALL NOT EXCEED $20,000,000.00 AND THAT THE CREDITS SHALL BE ALLOCATED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO PROVIDE FOR THE RECAPTURE OF ALL OR A PORTION OF THE CREDIT UNDER CERTAIN CIRCUMSTANCES; TO DEFINE THE TERMS "NEW MARKETS TAX CREDIT TRANSACTION," "PUBLIC BENEFIT CORPORATION," "PUBLIC ENTITY OR PUBLIC ENTITIES" AND "PUBLIC PROPERTY OR FACILITIES"; TO AUTHORIZE PUBLIC ENTITIES TO CREATE PUBLIC BENEFIT CORPORATIONS FOR THE PURPOSE OF ENTERING INTO FINANCING AGREEMENTS AND ENGAGING IN NEW MARKETS TAX CREDIT TRANSACTIONS; TO AUTHORIZE PUBLIC ENTITIES TO ENTER INTO FINANCING ARRANGEMENTS IN ORDER TO TRANSFER PUBLIC PROPERTY OR FACILITIES TO OR FROM PUBLIC BENEFIT CORPORATIONS; TO AUTHORIZE PUBLIC ENTITIES AND PUBLIC BENEFIT CORPORATIONS, WITH RESPECT TO NEW MARKETS TAX CREDIT TRANSACTIONS, TO ENTER INTO FINANCING ARRANGEMENTS WITH GOVERNMENTAL, NONPROFIT OR FOR PROFIT ENTITIES IN ORDER TO LEVERAGE FUNDS NOT OTHERWISE AVAILABLE TO PUBLIC ENTITIES FOR THE ACQUISITION, CONSTRUCTION OR RENOVATION OF PROPERTIES TRANSFERRED TO A PUBLIC BENEFIT CORPORATION; TO AMEND SECTION 27-15-129, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE INVESTMENTS THAT MAY REDUCE A TAXPAYER'S INSURANCE PREMIUM TAX LIABILITY UNDER SUCH SECTION SHALL NOT INCLUDE ANY INVESTMENT FOR WHICH A TAX CREDIT IS ALLOCATED UNDER THIS ACT; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

_____

Senator Carter offered the following report of the Conference Committee on **H. B. No. 1471** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1471: BEAM; prohibit from accepting gifts or other benefits from any broadband service provider, vendor, or contractor.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 77-19-7, Mississippi Code of 1972, is amended as follows:

77-19-7. (1) The Office of Broadband Expansion and Accessibility of Mississippi (BEAM) shall serve as the state broadband office to review applications and make determinations and awards for projects to provide broadband access in unserved or underserved areas using the BEAM Fund created pursuant to this chapter.

(2) It shall be the duty and responsibility of BEAM to:

(a) Coordinate all broadband expansion and accessibility efforts on behalf of the state to ensure an effective and efficient use of broadband grant funds;

(b) Develop the plan and application for federal grant programs and for sub-grantees to receive funds from said federal grants;

(c) Develop rules and procedures, if necessary and in accordance with the Administrative Procedures Act, to implement a competitive statewide broadband grant program;

(d) Coordinate all information provided by broadband service providers, including all broadband mapping efforts for the state. All information provided by a broadband service provider pursuant to this chapter shall be presumed to be confidential, proprietary, and subject to exemption from disclosure under state and federal law and shall not be subject to disclosure except in the form of a map where information that could be used to determine provider-specific information about the network of the broadband service providers is not disclosed. Such provider-specific information shall not be released to any person without written permission of the submitting broadband service provider. In no instance shall a broadband service provider be required to provide any data beyond that which it is required to provide to the Federal Communications Commission pursuant to 47 USC Section 641 et seq.; * * *

(e) Apply for and receive federal grants or funds, including, but not limited to, Coronavirus Capital Projects Fund established by Section 604 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, and the Broadband Equity, Access and Deployment Program established by the Infrastructure

Investment and Jobs Act of 2021, and all other federal broadband grant programs and any state support grant programs * * *;and

(f) Grant final determinations of awards for projects to provide broadband access in unserved or underserved areas, as provided in subsection (1) of this section, no later than sixty (60) days after publishing a preliminary determination of an award on BEAM's website pursuant to this chapter, or thirty (30) days after this law goes into effect, whichever is later, unless BEAM determines that a proposed project includes an area where broadband services currently are deployed, or where construction of a network to deploy broadband service is underway by a provider other than the applicant, or where construction is scheduled to be completed within one (1) year after the date of application.

(3) To effectuate the purposes of this chapter, any department, division, board, bureau, committee, institution or agency of the state, or any political subdivision thereof, shall, at the request of the Director of BEAM, provide the assistance, information and data needed to enable BEAM to carry out its duties.

(4) An officer or employee of BEAM shall not accept or receive any gratuity, gift, gift in-kind, money, emolument, or any other pecuniary benefit, either directly or indirectly, from any broadband service provider, vendor, contractor, subcontractor, nonprofit organization or association that does business with or contracts with BEAM, or any designee, employee, agent, officer, or representative of such broadband service provider, vendor, contractor, subcontractor, nonprofit organization or association. For purposes of this section, the term "emolument" includes salary, donations, contributions, loans, stock tips, vacations and trips.

(* * *5) There is created within the State Treasury the "Broadband Expansion and Accessibility of Mississippi (BEAM) Fund" for the purposes of the expansion and accessibility of broadband in unserved and underserved areas. The fund shall consist of all monies designated, accepted or appropriated by the State of Mississippi for broadband deployment; all monies received from the federal government awarded to or allocated by the state for broadband deployment; and donations, gifts and monies received from any other source, including transfers from other funds or accounts. Disbursements from the fund shall be made by the Department of Finance and Administration upon appropriation by the Legislature in accordance with the provisions of this chapter. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. Monies in the fund shall be invested by the State Treasurer in the same manner as monies in the State General Fund and interest earned on the investment of these monies shall be credited to the fund.

SECTION 2. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 77-19-7, MISSISSIPPI CODE OF 1972, TO PROHIBIT ANY OFFICER OR EMPLOYEE OF THE OFFICE OF BROADBAND EXPANSION AND ACCESSIBILITY OF MISSISSIPPI FROM ACCEPTING OR RECEIVING, EITHER DIRECTLY OR INDIRECTLY, ANY GRATUITY, GIFT, GIFT IN-KIND, MONEY, EMOLUMENT, OR ANY OTHER PECUNIARY BENEFIT FROM ANY BROADBAND SERVICE PROVIDER, VENDOR, CONTRACTOR, OR SUBCONTRACTOR THAT DOES BUSINESS WITH OR CONTRACTS WITH THE OFFICE; TO PROVIDE CERTAIN REQUIREMENTS FOR FINAL DETERMINATIONS OF AWARDS FOR PROJECTS TO PROVIDE BROADBAND ACCESS IN UNSERVED OR UNDERSERVED AREAS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Brent Powell	Joel R. Carter, Jr.
Jonathan Ray Lancaster	Bart Williams
Jody Steverson	Chad McMahan

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1471** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--McMahan. Total--1.

Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 10:46 AM, the Senate stood in recess.

The Senate resumed business at 11:53 AM, pursuant to recess, with President Hosemann presiding.

Senator Butler moved that when the Senate adjourns, it adjourn in memory of Dr. Willie Fred Jackson of Hazlehurst, MS.

Senator Butler moved that when the Senate adjourns, it adjourn in memory of Dr. Ivory Lyles of Forest, MS.

Senator Hopson moved that when the Senate adjourns, it adjourn in memory of Lucinda Williams of Vicksburg, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Lindsay S. Lovitt of Saucier Community, MS.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 1916: Appropriation; Health Department for grants to hospitals ineligible for grants from Hospital Sustainability Grant Program.

Representatives Mims,Read,Oliver

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 1086: Land partitions; revise provision that regulate.

Representatives Hood,Yates,Sanford

H. B. No. 1676: Mississippi Intoxicating Hemp Regulation Act and Mississippi Medical Cannabis Act; revise certain provisions of.

Representatives Creekmore IV,Yancey,Aguirre

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 1916: Appropriation; Health Department for grants to hospitals ineligible for grants from Hospital Sustainability Grant Program.
Senators Hopson, Blackwell, Polk.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 349: Squatted vehicles; prohibit modifications to motor vehicle which raise front fender a certain height above the rear fender.

H. B. No. 634: Sidearm of retired or deceased law enforcement officer; provide that the employing agency shall determine the amount.

H. B. No. 1068: County medical examiners; require to enter information electronically.

H. B. No. 1092: Automobile airbags and supplemental restraint systems; establish standards for installation of.

H. B. No. 1196: Sextortion; create crime of.

H. B. No. 1344: Nonprofit Corporations; require annual report to be filed with Secretary of State.

H. B. No. 1696: Failing schools; revise processes relating to being placed into a District of Transformation and abolishing the MS Achievement School District.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1880: AN ACT TO AMEND CHAPTER 936, LOCAL AND PRIVATE LAWS OF 2020, ON THE PROVISION OF THAT AUTHORIZES THE BOARD OF SUPERVISORS OF GRENADA COUNTY, MISSISSIPPI, TO ESTABLISH GREATER GRENADA PARTNERSHIP, WHICH IS AN ECONOMIC AND INDUSTRIAL DEVELOPMENT, BY EXPANDING THE AUTHORITY OF THE PARTNERSHIP TO INCLUDE CERTAIN COMMERCIAL AND COMMUNITY DEVELOPMENT FOR THE COUNTY AND FOR MUNICIPALITIES LOCATED WITHIN THE COUNTY OR WITHIN THE SURROUNDING AREA OF THE COUNTY; TO EXPAND WHO THE PARTNERSHIP MAY APPLY FOR AND ACCEPT CERTAIN GRANTS AND LOANS BY INCLUDING OTHER ENTITIES, INCLUDING ANY CONTRACTING COUNTY; AND FOR RELATED PURPOSES.

H. B. No. 4091: AN ACT TO AMEND CHAPTER 991, LOCAL AND PRIVATE LAWS OF 1997, AS LAST AMENDED BY CHAPTER 945, LOCAL AND PRIVATE LAWS OF 2021, TO EXTEND THE DATE OF REPEAL TO OCTOBER 1, 2028, ON THE LAW THAT ESTABLISHES THE LAUDERDALE COUNTY TOURISM COMMISSION AND AUTHORIZES THE BOARD OF SUPERVISORS OF LAUDERDALE COUNTY, MISSISSIPPI, TO LEVY A 2.5% TAX ON THE GROSS PROCEEDS FROM ROOM RENTALS OF HOTELS AND MOTELS IN THE COUNTY FOR THE PURPOSE OF PROMOTING TOURISM; TO AUTHORIZE THE BOARD OF SUPERVISORS OF LAUDERDALE COUNTY, MISSISSIPPI, TO LEVY AN ADDITIONAL TAX OF $5.00 ON EACH OVERNIGHT ROOM RENTAL IN HOTELS OR MOTELS IN THE COUNTY FOR THE PURPOSE OF CONSTRUCTING A CENTRAL SPORTSPLEX IN THE COUNTY; TO PROVIDE THAT THE LEVY OF THE ADDITIONAL TAX MAY BE IMPOSED ONLY IF APPROVED AT AN ELECTION BY 60% OF THOSE VOTING; AND FOR RELATED PURPOSES.

H. B. No. 4115: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF DURANT, MISSISSIPPI, TO LEVY A 3% TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM AND PARKS AND RECREATION WITHIN THE CITY; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

H. B. No. 4119: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF MORTON, MISSISSIPPI, TO LEVY A SPECIAL TAX OF NOT MORE THAN 3% UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND 2% UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE, CONSTRUCT, FINANCE, OPERATE, EQUIP, LEASE, AND MAINTAIN EXISTING AND NEW PARKS AND RECREATION FACILITIES AND EQUIPMENT WITHIN THE CITY; TO PROVIDE FOR AN ELECTION ON WHETHER SUCH SPECIAL TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

H. B. No. 4120: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF EUPORA, MISSISSIPPI, TO CONVEY BACK TO PLYMOUTH TUBE COMPANY CERTAIN REAL PROPERTY; AND FOR RELATED PURPOSES.

H. B. No. 4122: AN ACT TO AUTHORIZE THE HATTIESBURG CONVENTION COMMISSION TO UTILIZE THE DESIGN-BUILD METHOD CONSTRUCTION CONTRACTING; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 2001: City of Houston; extend repeal date for tax on restaurants, hotels and motels for tourism and parks and recreation.

S. B. No. 2084: DeSoto County; authorize the contribution of funds for membership to the Chamber of Commerce.

S. B. No. 2138: DeSoto County Regional Utility Authority; increase borrowing/bonding authority from $40 Million to $80 Million.

S. B. No. 2984: Jackson County & City of Pascagoula; extend repealer on LaPointe-Krebs Foundation, & authorize increased contribution.

S. B. No. 3060: City of Pearl & Rankin County; authorize annual contributions to Trustmark Park not to exceed $1,500,000.00 in the aggregate.

S. B. No. 3062: Marshall County; authorize contributions to various organizations.

S. B. No. 3081: City of Florence; extend repealer on bar and restaurant tax.

S. B. No. 3082: Lowndes County; increase amount that may be contributed annually to the United Way.

S. B. No. 3100: Leake County; authorize lease between county economic development authority and East Central CC for workforce training center.

S. B. No. 3101: Sunflower County; increase authority to contribute funds to the Fannie Lou Hamer Cancer Foundation.

S. B. No. 3102: Hancock County Port and Harbor Commission; authorize to contribute to Pearl River Community College County Tuition Assistance Program.

S. B. No. 3103: Lauderdale County; extend authorization of assessments on misdemeanor convictions and nonadjudications.

S. B. No. 3158: City of Winona; extend repealer on authority to levy tax on restaurants.

S. B. No. 3218: Hinds County; authorize to enter 30-year lease and finance 30-year certificates of participation for public safety facility.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2510: Neshoba County; authorize board to donate funds to support Philadelphia Transit.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Friday, April 19, 2024.

The motion prevailed, and at 11:55 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

S. B. No. 3230: Alcorn, Benton, Marshall, Prentiss, Tippah, Tishomingo Counties; extend authority to contribute to NE MS Comm. Servs. Title Sufficient. Do Pass.

PARKS, Chairman

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2853: Mississippi Alcoholic Beverage Corporation; create.

Representatives Zuber,Powell,Lamar

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1880: Grenada County; expand certain authority concerning Greater Grenada Partnership. Local and Private.

H. B. No. 4091: Lauderdale County; extend repeal date on Tourism Commission and hotel/motel tax, and authorize room occupancy tax. Local and Private; Finance.

H. B. No. 4115: City of Durant; authorize a tax on restaurants to promote tourism, parks and recreation. Local and Private; Finance.

H. B. No. 4119: City of Morton; authorize tax on hotels, motels and restaurants to fund tourism, parks and recreation in. Local and Private; Finance.

H. B. No. 4120: City of Eupora; authorize conveyance of certain real property located in City of Eupora Industrial Park back to a certain entity. Local and Private.

H. B. No. 4122: Hattiesburg Convention Commission; authorize to use design-build method of construction contracting. Local and Private.

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 331: Counties and municipalities; authorize to choose not to be subject to requirement for permitting as a condition to construction.
Senators Simmons (12th), Suber, Hill.

H. B. No. 1123: MDOT; authorize the transfer and conveyance of certain real property to Greene County Board of Supervisors.
Senators Suber, Butler, Johnson.

MESSAGE FROM THE GOVERNOR
April 18, 2024

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

William David (Bill) Sones, Sr., Brookhaven, Mississippi, Mississippi Business Finance Corporation as an individual involved in banking or small business, six year term effective April 1, 2024 and ending March 31, 2030.

Tate Reeves
GOVERNOR

The executive nomination in the foregoing message was referred to committee as follows:

William David (Bill) Sones, Sr., Mississippi Business Finance Corporation as an individual involved in banking or small business, six year term effective April 1, 2024 and ending March 31, 2030, Finance.

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 1161: Alcoholic beverages; authorize municipalities in dry counties vote to come out from under the dry law.
Senators Harkins, Carter, Suber.

H. B. No. 1417: Health care industry zone; expand radius for location of certain facilities for certification by MDA as.
Senators Harkins, Kirby, Polk.

H. B. No. 1589: Motor vehicles; revise certain provisions regarding discharge of liens and scrapping.
Senators Harkins, Horhn, Kirby.

H. B. No. 1618: PERS; define "instrumentality" for purpose of PERS laws and include health care collaboratives in the definition.
Senators Harkins, Johnson, Parker.

H. B. No. 1647: Commissioner of Insurance; authorize to implement a state insurance exchange, authorize income tax deductions and insurance premium tax credit.
Senators Harkins, Michel, Polk.

H. B. No. 1665: Capitol Complex Improvement District; authorize incentive for development of property in.
Senators Harkins, Parker, Horhn.

H. B. No. 1660: Cigarettes and vape products; require Commissioner of Revenue to establish separate directories to regulate sales of.
Senators Bryan, Parker, Harkins.

H. B. No. 1676: Mississippi Intoxicating Hemp Regulation Act and Mississippi Medical Cannabis Act; revise certain provisions of.
Senators Bryan, Blackwell, Johnson.

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 755: Parole; extend repealer on statute prescribing conditions for eligibility.
Senators Barnett, Chassaniol, Jackson.

H. B. No. 757: State offenders; extend repealer on authority to house in county jails when space is unavailable.
Senators Barnett, Brumfield, Hill.

H. B. No. 758: Pilot Work Initiative at Central MS Correctional Facility; extend repealer on.
Senators Barnett, Thomas, Kirby.

H. B. No. 763: Pilot Work Release Program; extend repealer on authority of sheriff to establish for certain offenders in certain counties.
Senators Barnett, Brumfield, Sparks.

H. B. No. 844: State Parole Board; require to solicit recommendations from and provide notification to certain individuals before parole hearing.
Senators Barnett, Sparks, Barrett.

H. B. No. 1135: Election day disputes; require list of judges selected to hear to be provided to certain officials.
Senators England, Fillingane, Chassaniol.

H. B. No. 1406: Absentee voting; revise various provisions of.
Senators England, Chassaniol, Blount.

H. B. No. 1086: Land partitions; revise provision that regulate.
Senators Wiggins, McCaughn, Blackmon.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2696: Mississippi Main Street Grant Program; amend administration of and qualifications for.

Representatives Lamar,Steverson,Barnett

S. B. No. 2917: Capitol Complex Improvement District; define authority.

Representatives Lamar,Steverson,Horan

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2663: City of Carthage; extend repeal date on hotel, motel and restaurant tax.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE GOVERNOR

April 18, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2417: Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents Act; revise provisions of. (April 18, 2024, 2:35 PM)

S. B. No. 2543: Consumer Alternative Installment Loan Act; create a cap adjustment based on the loan amount. (April 18, 2024, 2:15 PM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Dr. Willie Fred Jackson, Dr. Ivory Lyles, Lucinda Williams and Lindsay S. Lovitt.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, APRIL 18, 2024

S. R. No. 99: Rules
A RESOLUTION EXTENDING THE SINCEREST SYMPATHY OF THE MISSISSIPPI LEGISLATURE TO THE SURVIVING FAMILY OF FORMER MISSISSIPPI SENATOR GARY JACKSON ON HIS PASSING AND COMMENDING HIS SERVICE TO HIS COMMUNITY AND HIS STATE.
By Senator(s) Williams

S. R. No. 100: Rules
A RESOLUTION CONGRATULATING THE CITY OF STARKVILLE, MISSISSIPPI, UPON ITS DESIGNATION AS THE "BEST SMALL TOWN IN THE SOUTH" BY USA TODAY.
By Senator(s) Williams

S. R. No. 101: Rules
A RESOLUTION RECOGNIZING THE 90TH ANNIVERSARY CELEBRATION AND FOURTH-GENERATION LEGACY OF F.E.B. DISTRIBUTING AND CAPITAL CITY BEVERAGES COMPANY.
By Senator(s) DeLano

S. R. No. 102: Rules
A RESOLUTION EXTENDING THE SINCEREST SYMPATHY OF THE MISSISSIPPI SENATE TO THE SURVIVING FAMILY OF FORMER MISSISSIPPI REPRESENTATIVE, VIETNAM VETERAN AND RESPECTED LOBBYIST HONORABLE ROBERT LEE (BOB) EVERETT, III, AND COMMENDING HIS SERVICE TO HIS COMMUNITY AND HIS STATE.
By Senator(s) Kirby, Bryan

ONE-HUNDRED AND NINTH DAY, FRIDAY, APRIL 19, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--McMahan. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Senator Norwood.

Senator Blackmon led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2925: Bolivar County; authorize contributions to Bolivar County Community Action Agency and Fannie Lou Hamer Breast Cancer Foundation.

Andrew Ketchings, Clerk of the House of Representatives

Senator Harkins called up the following House Amendment to **S. B. No. 2405** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. As used in Sections 1 through 12 of this act, the following words shall have the meanings as defined in this section unless the context otherwise requires:

(a) "Department" means the Department of Revenue.

(b) "Direct shipper" means the holder of a direct shipper's permit issued by the department under Sections 1 through 12 of this act.

(c) "Common carrier" means a person that holds itself out to the general public as engaged in the business of transporting goods for a fee and is engaged in the business of transporting and delivering alcoholic beverages from a direct shipper's permittee directly to consumers in this state who are twenty-one (21) years of age or older.

(d) "Fulfillment provider" means a person who acts on behalf of a holder of a direct shipper's permit to ship wine to a consumer and arranges for transport by an eligible common carrier to the consumer.

(e) "Wine fulfillment provider permit" means a permit issued by the department that authorizes a fulfillment provider to ship wine to a consumer on behalf of a holder of a direct shipper's permit.

(f) "Wine" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits or berries, made in accordance with the revenue laws of the United States, and containing more than five percent (5%) of alcohol by weight.

In addition, the definitions in Section 67-1-5 shall be applicable to the terms used in Sections 1 through 12 of this act unless the context otherwise requires.

SECTION 2. A person must hold a permit as a direct shipper issued by the department before the person may engage in selling and shipping wine directly to a resident in this state. A direct shipper may sell and ship wine directly to residents in this state without being required to transact the sale and shipment through the Alcoholic Beverage Control Division of the department. A direct shipper may sell and ship wine to an address in the state regardless of whether the address is in an area in which the sale of alcoholic beverages is otherwise authorized or otherwise prohibited by law.

SECTION 3. To qualify for a direct shipper's permit, an applicant shall be a holder of a Class 2 manufacturer's permit issued in accordance with Section 67-1-51, or a person licensed or permitted outside of this state to engage in the activity of manufacturing wine in any other state.

SECTION 4. (1) An applicant for a direct shipper's permit shall:

(a) Submit to the department a completed application on a form provided by the department, containing all information that is required by the department;

(b) Provide to the department a copy of the applicant's current license or permit to engage in the activity of manufacturing wine in this or any other state; and

(c) Pay to the department the tax prescribed in Section 27-71-5.

(2) After a person complies with the provisions of subsection (1) of this section, the department may conduct any investigation as it considers necessary regarding the

issuance of a permit, and the department shall issue a permit to the applicant if the requirements of Sections 1 through 12 of this act are met.

SECTION 5. (1) A direct shipper shall:

(a) Ensure that all containers of wine sold and shipped directly to a resident in this state are conspicuously labeled with the words "CONTAINS ALCOHOL: SIGNATURE OF PERSON AGE 21 YEARS OR OLDER REQUIRED FOR DELIVERY";

(b) Report to the department on an quarterly basis in a manner prescribed by the department all of the following information for each wine shipment into the state pursuant to Sections 1 through 12 of this act:

(i) The name and address of the Mississippi resident who placed the order;

(ii) For each completed shipment, evidence of signature by an individual age twenty-one (21) years or older;

(iii) The name and license number of the common or permit carrier engaged in the shipment;

(iv) For each shipment by a holder of a wine fulfillment provider permit on behalf of the direct shipper, the name and license number of the wine fulfillment provider permittee engaged in the shipment;

(v) The date of shipment;

(vi) The carrier tracking number; and

(vii) The quantity of wine in the shipment;

(c) Maintain for at least three (3) years all records that allow the department to ascertain the truthfulness of the information filed under Sections 1 through 12 of this act;

(d) Allow the department to perform an audit of the direct shipper's records upon request; and

(e) Be deemed to have consented to the jurisdiction of the department or any other state agency and the state courts concerning enforcement of Sections 1 through 12 of this act and any related laws, rules or regulations.

Information reported to the department under paragraph (b) of this subsection shall not be subject to disclosure under the Mississippi Public Records Act of 1983.

(2) A direct shipper shall not:

(a) Sell or ship any light wine, light spirit products or beer that is regulated under Section 67-3-1 et seq. or any alcoholic beverage other than wine;

(b) Sell or ship wine that is contracted through Mississippi distributors, brokers, and solicitors within the state. Wines which are very limited in quantity and are commonly referred to by the broker as highly allocated items noted as "Allocated Item - See Broker" on the TAP Alcoholic Beverage Control Division of the Department of Revenue website are eligible for sale at a package retailer and also through direct shipment by a direct shipper;

(c) Sell or ship more than fifteen hundred (1,500) nine-liter cases, or thirteen thousand five hundred (13,500) liters, in total of wine in a calendar year to Mississippi consumers;

(d) Sell or ship any wine to any residential household address in Mississippi that has already received a total of nine (9) nine-liter cases of wine in the calendar year. Prior to shipping any wine, the direct shipper shall validate that the consumer has not received their total case limit of wine for the calendar year and is therefore eligible to receive a shipment of wine;

(e) Sell or ship wine to any nonresidential address, including lockers or post office boxes;

(f) Sell or ship wine to any address or property of a public or private elementary, secondary, or post-secondary educational school, including any dormitory, housing, or common space located on the campus of any elementary, secondary, or post-secondary educational school.

SECTION 6. A direct shipper may annually renew his or her permit, if the direct shipper:

(a) Is otherwise entitled to receive a permit;

(b) Provides to the department a copy of his or her current license or permit to engage in the activity of manufacturing wine in this or any other state; and

(c) Pays to the department a privilege license tax as prescribed in Section 27-71-5.

SECTION 7. (1) To purchase and receive a direct shipment of wine from a direct shipper, a resident of this state must be at least twenty-one (21) years of age, and a person who is at least twenty-one (21) years of age must sign for any wine shipped from a direct shipper.

(2) A shipment of wine may be ordered or purchased from a direct shipper through a computer network.

(3) A person who receives a direct shipment of wine from a direct shipper shall use the wine for personal consumption only and may not resell it.

(4) A resident of this state shall not order, purchase, or receive more than a total of nine (9) nine-liter cases of wine in a calendar year to their residential household address. A holder of a direct shipper's permit shall not ship any wine to any household in this state that has already received direct shipments of nine (9) nine-liter cases of wine in the calendar year.

(5) A resident of this state who causes shipment of more than the allowable total of nine (9) nine-liter cases of wine in a calendar year to their residential household address, is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding One Thousand Dollars ($1,000.00) or imprisonment in the county jail for not more than six (6) months, or both. Each sale or shipment in violation of this section and Sections 1 through 12 of this act shall constitute a separate offense.

SECTION 8. (1) Any person who makes, participates in, transports, imports or receives a sale or shipment of wine in violation of Sections 1 through 12 of this act is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding One Thousand Dollars ($1,000.00) or imprisonment in the county jail for not more than six (6) months, or both. Each sale or shipment in violation of Sections 1 through 12 of this act shall constitute a separate offense.

(2) If any holder of a direct shipper's permit violates any provision of Sections 1 through 12 of this act, the department shall suspend or revoke the permit and impose civil penalties as authorized under Section 67-1-1 et seq.

SECTION 9. (1) Any person who is not a common or permit carrier and who does not hold a direct shipper, wholesaler, retailer, manufacturer, or importer permit issued by the department and who is not owned or controlled by a common or permit carrier or a direct shipper, wholesaler, retailer, manufacturer, or importer permittee of the department may obtain a wine fulfillment provider permit from the department as provided in this section. A holder of a wine fulfillment provider permit, subject to compliance with all terms and provisions of Sections 1 through 12 of this act, may contract with a common or permit carrier for the shipment of unopened containers of wine on behalf of the holder of a direct shipper's permit directly to a Mississippi resident who is at least twenty-one (21) years of age, for personal use by the individual and not for resale.

(2) A person shall obtain a separate wine fulfillment provider permit for each physical premises that is to be used as a wine fulfillment provider before shipping wine to any Mississippi resident from that premises, and shall pay an annual license fee of Five Hundred Dollars ($500.00), plus an additional One Hundred Dollars ($100.00) for each additional premises from which shipments to Mississippi residents will be made.

(3) The holder of a wine fulfillment provider permit may only provide logistics services of warehousing, packaging, order fulfillment, and shipment of wine for a direct shipper permittee for which the wine fulfillment provider permittee is the bailee of the wine. Wine held in bailment by a wine fulfillment provider permittee shall remain the property of the direct shipper permittee until loaded on conveyance for direct shipment to a Mississippi resident.

(4) A wine fulfillment provider permittee shall not ship wine into or within the state from, or on behalf of, any of the following:

(a) An unlicensed direct shipper of wine, either in-state or out-of-state;

(b) A retailer licensed by the department;

(c) An out-of-state retailer; or

(d) A person that does not hold a direct shipper's permit in the State of Mississippi.

(5) A wine fulfillment provider permit applicant shall provide all of the following information to the department as part of its application:

(a) The precise location or locations at which the permittee will engage in logistics services for wine to be shipped into the state; and

(b) Any other information required by the department.

(6) A wine fulfillment provider permittee shall do all of the following:

(a) Annually renew its wine fulfillment provider permit in a manner as established by rule of the department and pay any initial and annual license fees;

(b) Enter into a contract with a direct wine shipper permittee designating the wine fulfillment provider permittee as the agent of the direct wine shipper permittee for purposes of Sections 1 through 12 of this act. A wine fulfillment provider permittee may not avoid liability under this section by subcontracting with a third party to perform its obligations pursuant to this section;

(c) Maintain a compliance program documenting that all wine shipped by each direct shipper permittee through the wine fulfillment provider permittee satisfies the requirements set forth in Sections 1 through 12 of this act and any other requirements set forth by the department;

(d) Make all commercially reasonable efforts to verify the validity of each direct shipper permit prior to making any shipment on behalf of the direct shipper permittee;

(e) Ensure all containers of wine shipped by the wine fulfillment provider permittee to a Mississippi resident are conspicuously labeled with the following words: "CONTAINS ALCOHOL: SIGNATURE OF PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY";

(f) Report to the department on an quarterly basis in a manner prescribed by the department all of the following information for each wine shipment into the state pursuant to this section:

(i) The name, address, and license number of the direct shipper permittee and the point of origin of shipment from which the wine fulfillment provider permittee received the wine, if different from the address of the direct shipper permittee;

(ii) The name and address of the Mississippi resident who placed the order;

(iii) For each completed shipment, evidence of signature by an individual age twenty-one (21) years or older;

(iv) The name and license number of the common or permit carrier engaged in the shipment;

(v) The date of shipment;

(vi) The carrier tracking number; and

(vii) The quantity of wine in the shipment; and

(g) Maintain for a minimum of three (3) years from the date of receipt from a direct shipper permittee or the date of shipment to a Mississippi resident, as applicable, and permit the department and any of its designees to inspect, verify, or perform an audit of all of the information listed in paragraph (f) of this subsection;

(h) Upon violation of Sections 1 through 12 of this act or a rule of the department, be subject to a civil penalty imposed by the department by administrative proceedings that apply to alcoholic beverage licenses, as follows:

(i) For the first violation, a civil penalty not to exceed Five Hundred Dollars ($500.00);

(ii) For a second violation, a civil penalty not to exceed Three Thousand Dollars ($3,000.00);

(iii) For a third or any subsequent violation, a civil penalty not to exceed Six Thousand Dollars ($6,000.00); and

(i) Be deemed to have consented to the jurisdiction of the department and the other state agencies and the state courts concerning enforcement of Sections 1 through 12 of this act.

(7) Any fines or fees received by the department under this section shall be used by the department in order to perform its regulatory duties.

SECTION 10. (1) Shipments of wine into this state under Sections 1 through 12 of this act shall be made by a duly licensed carrier. A common carrier shall not deliver a shipment of wine to a consumer unless the carrier has verified the validity of the direct shipper's permit and fulfillment provider's permit prior to accepting shipment. A carrier may consider a direct shipper's permit to be valid for the remainder of the stated permit period unless notified otherwise by the department. Any failure to verify the validity of a direct shipper's permit may result in the suspension of the common carrier's license to operate in the state or the imposition of any other penalty as follows: (i) for the first violation, a civil penalty not to exceed Five Hundred Dollars ($500.00); (ii) for a second violation, a civil penalty not to exceed Three Thousand Dollars ($3,000.00); (iii) for a third or any subsequent violation, a civil penalty not to exceed Six Thousand Dollars ($6,000.00).

(2) It shall be the duty of every common or contract carrier, and of every firm or corporation that shall bring, carry or transport wine from outside the state for delivery inside the state to consumers to prepare and file reports with the department, on a schedule as determined by the department, of known wine shipments. Such reports shall contain: (a) the name of the common or contract carrier, firm or corporation making the report; (b) the period of time covered by said report; (c) the name and business address of the person who directed the common carrier to make the shipment; (d) the name and permit number of the direct shipper; (e) the name and address of each consignee receiving such wine; (f) the weight of the shipment delivered to each consignee; (g) the common carrier's unique tracking number for the package; and (h) the date of delivery. Reports received by the department shall be made available by the department to the public via the Mississippi Public Records Act process in the same manner as other state alcohol filings.

(3) Upon the department's request, any records supporting the report shall be made available to the department within a reasonable time after the department makes a written request for such records. Any records containing information relating to such reports, including the signatures of the individual who physically received the shipment, shall be kept and preserved for a period of three (3) years, unless their destruction sooner is authorized, in writing, by the department, and shall be open and available to inspection by the department upon the department's written request. Reports shall also be made available to any law enforcement or regulatory body in the state in which the railroad company, express company, common or contract carrier making the report resides or does business.

(4) Any common or contract carrier that willfully fails to make reports, as provided by this section or any of the rules and regulations of the department for the administration and enforcement of this section, is subject to a notification of violation. In the case of a continuing failure to make reports, the common or contract carrier is subject to possible license suspension and revocation at the department's discretion.

SECTION 11. The department may adopt any rules or regulations as necessary to carry out Sections 1 through 12 of this act. All of the enforcement provisions of Section 67-1-1 et seq., that are not in conflict with Sections 1 through 12 of this act may be used by the department to enforce the provisions of Sections 1 through 12 of this act.

SECTION 12. If any provision of this act, or its application to any person or circumstance, is determined by a court to be invalid or unconstitutional, the remaining provisions shall be construed in accordance with the intent of the Legislature to further limit rather than expand commerce in alcoholic beverages to protect the health, safety, and welfare of the state's residents, and to enhance strict regulatory control over taxation, distribution and sale of alcoholic beverages through the three-tier regulatory system

imposed by this article upon all alcoholic beverages to curb relationships and practices calculated to stimulate sales and impair the state's policy favoring trade stability and the promotion of temperance.

SECTION 13. Section 27-71-5, Mississippi Code of 1972, is amended as follows:

27-71-5. (1) Upon each person approved for a permit under the provisions of the Alcoholic Beverage Control Law and amendments thereto, there is levied and imposed for each location for the privilege of engaging and continuing in this state in the business authorized by such permit, an annual privilege license tax in the amount provided in the following schedule:

(a) Except as otherwise provided in this subsection (1), manufacturer's permit, Class 1, distiller's and/or

rectifier's:

(i) For a permittee with annual production of

five thousand (5,000) gallons or more $4,500.00

(ii) For a permittee with annual production under five thousand (5,000) gallons.....$2,800.00

(b) Manufacturer's permit, Class 2, wine

manufacturer..... $1,800.00

(c) Manufacturer's permit, Class 3, native wine

manufacturer per ten thousand (10,000) gallons or part thereof produced ..... $ 10.00

(d) Manufacturer's permit, Class 4, native spirit

manufacturer per one thousand (1,000) gallons or part thereof produced ..... $ 300.00

(e) Native wine retailer's permit ..... $ 50.00

(f) Package retailer's permit, each ..... $ 900.00

(g) On-premises retailer's permit, except for clubs and common carriers, each ... $ 450.00

(h) On-premises retailer's permit for wine of more than five percent (5%) alcohol by weight, but not more than twenty-one percent (21%) alcohol by weight, each$ 225.00

(i) On-premises retailer's permit for clubs..... $ 225.00

(j) On-premises retailer's permit for common carriers, per car, plane, or other vehicle..... $ 120.00

(k) Solicitor's permit, regardless of any other provision of law, solicitor's permits shall be issued only in the discretion of the department ..... $ 100.00

(l) Filing fee for each application except for an employee identification card ..... $ 25.00

(m) Temporary permit, Class 1, each..... $ 10.00

(n) Temporary permit, Class 2, each ..... $ 50.00

(o) (i) Caterer's permit ..... $ 600.00

(ii) Caterer's permit for holders of on-premises retailer's permit ..... $ 150.00

(p) Research permit ..... $ 100.00

(q) Temporary permit, Class 3 (wine only) ..... $ 10.00

(r) Special service permit ..... $ 225.00

(s) Merchant permit ..... $ 225.00

(t) Temporary alcoholic beverages charitable auction permit ..... $ 10.00

(u) Event venue retailer's permit ..... $ 225.00

(v) Temporary theatre permit, each ..... $ 10.00

(w) Charter ship operator's permit ..... $ 100.00

(x) Distillery retailer's permit ..... $ 450.00

(y) Festival wine permit ..... $ 10.00

(z) Charter vessel operator's permit ..... $ 100.00

(aa) Native spirit retailer's permit ..... $ 50.00

(bb) Delivery service permit ..... $ 500.00

(cc) Food truck permit ..... $ 100.00

(dd) Direct shipper's permit ..... $ 100.00

(ee) Wine fulfillment provider permit ..... $ 500.00

In addition to the filing fee imposed by paragraph (l) of this subsection, a fee to be determined by the Department of Revenue may be charged to defray costs incurred to process applications. The additional fees shall be paid into the State Treasury to the credit of a special fund account, which is hereby created, and expenditures therefrom shall be made only to defray the costs incurred by the Department of Revenue in processing alcoholic beverage applications. Any unencumbered balance remaining in the special fund account on June 30 of any fiscal year shall lapse into the State General Fund.

All privilege taxes imposed by this section shall be paid in advance of doing business. A new permittee whose privilege tax is determined by production volume will pay the tax for the first year in accordance with department regulations. The additional privilege tax imposed for an on-premises retailer's permit based upon purchases shall be due and payable on demand.

Paragraph (y) of this subsection shall stand repealed from and after July 1, 2026.

(2) (a) There is imposed and shall be collected from each permittee, except a common carrier, solicitor, a temporary permittee, holder of a direct shipper's permit or a delivery service permittee, by the department, an additional license tax equal to the amounts imposed under subsection (1) of this section for the privilege of doing business within any municipality or county in which the licensee is located.

(b) (i) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(g), (h), (i), (n) and (u) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Twenty-five Dollars ($225.00) on purchases exceeding Five Thousand Dollars ($5,000.00) and Two Hundred Twenty-five Dollars ($225.00) for each additional purchase of Five Thousand Dollars ($5,000.00), or fraction thereof.

(ii) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(o) and (s) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Fifty Dollars ($250.00) on purchases exceeding Five Thousand Dollars ($5,000.00) and Two Hundred Twenty-five Dollars ($225.00) for each additional purchase of Five Thousand Dollars ($5,000.00), or fraction thereof.

(iii) Any person who has paid the additional privilege license tax imposed by this paragraph, and whose permit is renewed, may add any unused fraction of Five Thousand Dollars ($5,000.00) purchases to the first Five Thousand Dollars ($5,000.00) purchases authorized by the renewal permit, and no additional license tax will be required until purchases exceed the sum of the two (2) figures.

(c) If the licensee is located within a municipality, the department shall pay the amount of additional license tax collected under this section to the municipality, and if outside a municipality the department shall pay the additional license tax to the county in which the licensee is located. Payments by the department to the respective local government subdivisions shall be made once each month for any collections during the preceding month.

(3) When an application for any permit, other than for renewal of a permit, has been rejected by the department, such decision shall be final. Appeal may be made in the manner provided by Section 67-1-39. Another application from an applicant who has been denied a permit shall not be reconsidered within a twelve-month period.

(4) The number of permits issued by the department shall not be restricted or limited on a population basis; however, the foregoing limitation shall not be construed to preclude the right of the department to refuse to issue a permit because of the undesirability of the proposed location.

(5) If any person shall engage or continue in any business which is taxable under this section without having paid the tax as provided in this section, the person shall be liable for the full amount of the tax plus a penalty thereon equal to the amount thereof, and, in addition, shall be punished by a fine of not more than One Thousand Dollars ($1,000.00), or by imprisonment in the county jail for a term of not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court.

(6) It shall be unlawful for any person to consume alcoholic beverages on the premises of any hotel restaurant, restaurant, club or the interior of any public place defined in Chapter 1, Title 67, Mississippi Code of 1972, when the owner or manager thereof displays in several conspicuous places inside the establishment and at the entrances of establishment a sign containing the following language: NO ALCOHOLIC BEVERAGES ALLOWED.

SECTION 14. Section 27-71-7, Mississippi Code of 1972, is amended as follows:

27-71-7. (1) There is hereby levied and assessed an excise tax upon each case of alcoholic beverages sold by the department to be collected from each retail licensee at the time of sale in accordance with the following schedule:

(a) Distilled spirits.....$2.50 per gallon

(b) Sparkling wine and champagne.....$1.00 per gallon

(c) Other wines, including native wines...$ .35 per gallon

(2) (a) In addition to the tax levied by subsection (1) of this section, and in addition to any other markup collected, the Alcoholic Beverage Control Division shall collect a markup of three percent (3%) on all alcoholic beverages, as defined in Section 67-1-5, Mississippi Code of 1972, which are sold by the division. The proceeds of the markup shall be collected by the division from each purchaser at the time of purchase.

(b) Until June 30, 1987, the revenue derived from this three percent (3%) markup shall be deposited by the division in the State Treasury to the credit of the "Alcoholism Treatment and Rehabilitation Fund," a special fund which is hereby created in the State Treasury, and shall be used by the Division of Alcohol and Drug Abuse of the State Department of Mental Health and public or private centers or organizations solely for funding of treatment and rehabilitation programs for alcoholics and alcohol abusers which are sponsored by the division or public or private centers or organizations in such amounts as the Legislature may appropriate to the division for use by the division or public or private centers or organizations for such programs. Any tax revenue in the fund which is not encumbered at the end of the fiscal year shall lapse to the General Fund. It is the intent of the Legislature that the State Department of Mental Health shall continue to seek funds from other sources and shall use the funds appropriated for the purposes of this section and Section 27-71-29 to match all federal funds which may be available for alcoholism treatment and rehabilitation.

From and after July 1, 1987, the revenue derived from this three percent (3%) markup shall be deposited by the division in the State Treasury to the credit of the "Mental Health Programs Fund," a special fund which is hereby created in the State Treasury and shall be used by the State Department of Mental Health for the service programs of the department. Any revenue in the "Alcoholism Treatment and Rehabilitation Fund" which is not encumbered at the end of Fiscal Year 1987 shall be deposited to the credit of the "Mental Health Programs Fund."

(3) There is levied and assessed upon the holder of a direct shipper's permit, a tax in the amount of eighteen percent (18%) of the sales price of each sale and shipment of wine made to a resident in this state. The holder of a direct shipper's permit shall file a monthly report with the department along with a copy of the invoice for each sale and shipment of wine and remit any taxes due; however, no report shall be required for months in which no sales or shipments were made into this state. The report, together with copies of the invoices and the payment of all taxes, shall be filed with the department not later than the twentieth day of the month following the month in which the shipment was made. Permittees who fail to timely file and pay taxes as required by this subsection shall pay a late fee in the amount of Five Hundred Dollars ($500.00), and the department shall suspend the direct shipper's permit until all outstanding taxes are paid in full, for a first offense. Upon a second offense, the department shall revoke the direct shipper's permit.

SECTION 15. Section 27-71-15, Mississippi Code of 1972, is amended as follows:

27-71-15. Except as otherwise provided in Section 67-9-1 for the transportation of limited amounts of alcoholic beverages for the use of an alcohol processing permittee, and in Sections 1 through 12 of this act for the sale and shipment of wine by the holder of a direct shipper's permit, if transportation requires passage through a county which has not authorized the sale of alcoholic beverages, such transportation shall be by a sealed

vehicle. Such seal shall remain unbroken until the vehicle shall reach the place of business operated by the permittee. The operator of any vehicle transporting alcoholic beverages shall have in his possession an invoice issued by the * * * department at the time of the wholesale sale covering the merchandise transported by the vehicle. The * * * department is authorized to issue regulations controlling the transportation of alcoholic beverages.

When the restrictions imposed by this section and by the regulation of the * * * department have not been violated, the person transporting alcoholic beverages through a county wherein the sale of alcoholic beverages is prohibited shall not be guilty of unlawful possession and such merchandise shall be immune from seizure.

SECTION 16. Section 27-71-29, Mississippi Code of 1972, is amended as follows:

27-71-29. (1) All taxes levied by this article shall be paid to the Department of Revenue in cash or by personal check, cashier's check, bank exchange, post office money order or express money order and shall be deposited by the department in the State Treasury on the same day collected, but no remittances other than cash shall be a final discharge of liability for the tax herein imposed and levied unless and until it has been paid in cash to the department.

All taxes levied under Section 27-71-7(1) and received by the department under this article shall be paid into the General Fund, and the three percent (3%) levied under Section 27-71-7(2) and received by the department under this article shall be paid into the special fund in the State Treasury designated as the "Alcoholism Treatment and Rehabilitation Fund" as required by law. Any funds derived from the sale of alcoholic beverages in excess of inventory requirements shall be paid not less often than annually into the General Fund, except for a portion of the twenty-seven and one-half percent (27-1/2%) markup provided for in Section 27-71-11, as specified in subsection (2) of this section, and except for fees charged by the department for the defraying of costs associated with shipping alcoholic beverages. The revenue derived from these fees shall be deposited by the department into a special fund, hereby created in the State Treasury, which is designated the "ABC Shipping Fund." The monies in this special fund shall be earmarked for use by the department for any expenditure made to ship alcoholic beverages. Any net proceeds remaining in the special fund on August 1 of any fiscal year shall lapse into the General Fund. "Net proceeds" in this section means the total of all fees collected by the department to defray the costs of shipping less the actual costs of shipping.

(2) If the special bond sinking fund created in Section 7(3) of Chapter 483, Laws of 2022 has a balance below the minimum amount specified in the resolution providing for the issuance of the bonds, or below one and one-half (1-1/2) times the amount needed to pay the annual debt obligations related to the bonds issued under Section 7 of Chapter 483, Laws of 2022, whichever is the lesser amount, the Commissioner of Revenue shall transfer the deficit amount to the bond sinking fund from revenue derived from the twenty-seven and one-half percent (27-1/2%) markup provided for in Section 27-71-11.

(3) All taxes levied under Section 27-71-7(3) and received by the department under this article shall be paid into the General Fund, except for an amount equivalent to the three percent (3%) levied under Section 27-71-7(2), which shall be paid into the special fund in the State Treasury designated as the "Mental Health Programs Fund" as required by law.

SECTION 17. Section 67-1-41, Mississippi Code of 1972, is amended as follows:

67-1-41. (1) The department is hereby created a wholesale distributor and seller of alcoholic beverages, not including malt liquors, within the State of Mississippi. It is granted the right to import and sell alcoholic beverages at wholesale within the state, and no person who is granted the right to sell, distribute or receive alcoholic beverages at retail

shall purchase any alcoholic beverages from any source other than the department, except as authorized in subsections (4), (9) and (12) of this section and Sections 1 through 12 of this act. The department may establish warehouses, and the department may purchase alcoholic beverages in such quantities and from such sources as it may deem desirable and sell the alcoholic beverages to authorized permittees within the state including, at the discretion of the department, any retail distributors operating within any military post or qualified resort areas within the boundaries of the state, keeping a correct and accurate record of all such transactions and exercising such control over the distribution of alcoholic beverages as seem right and proper in keeping with the provisions or purposes of this article.

(2) No person for the purpose of sale shall manufacture, distill, brew, sell, possess, export, transport, distribute, warehouse, store, solicit, take orders for, bottle, rectify, blend, treat, mix or process any alcoholic beverage except in accordance with authority granted under this article, or as otherwise provided by law for native wines or native spirits.

(3) No alcoholic beverage intended for sale or resale shall be imported, shipped or brought into this state for delivery to any person other than as provided in this article, or as otherwise provided by law for native wines or native spirits.

(4) The department may promulgate rules and regulations which authorize on-premises retailers to purchase limited amounts of alcoholic beverages from package retailers and for package retailers to purchase limited amounts of alcoholic beverages from other package retailers. The department shall develop and provide forms to be completed by the on-premises retailers and the package retailers verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(5) The department may promulgate rules which authorize the holder of a package retailer's permit to permit individual retail purchasers of packages of alcoholic beverages to return, for exchange, credit or refund, limited amounts of original sealed and unopened packages of alcoholic beverages purchased by the individual from the package retailer.

(6) The department shall maintain all forms to be completed by applicants necessary for licensure by the department at all district offices of the department.

(7) The department may promulgate rules which authorize the manufacturer of an alcoholic beverage or wine to import, transport and furnish or give a sample of alcoholic beverages or wines to the holders of package retailer's permits, on-premises retailer's permits, native wine or native spirit retailer's permits and temporary retailer's permits who have not previously purchased the brand of that manufacturer from the department. For each holder of the designated permits, the manufacturer may furnish not more than five hundred (500) milliliters of any brand of alcoholic beverage and not more than three (3) liters of any brand of wine.

(8) The department may promulgate rules disallowing open product sampling of alcoholic beverages or wines by the holders of package retailer's permits and permitting open product sampling of alcoholic beverages by the holders of on-premises retailer's permits. Permitted sample products shall be plainly identified "sample" and the actual sampling must occur in the presence of the manufacturer's representatives during the legal operating hours of on-premises retailers.

(9) The department may promulgate rules and regulations that authorize the holder of a research permit to import and purchase limited amounts of alcoholic beverages from importers, wineries and distillers of alcoholic beverages or from the department. The department shall develop and provide forms to be completed by the research permittee verifying each transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department. The records and inventory of

alcoholic beverages shall be open to inspection at any time by the Director of the Alcoholic Beverage Control Division or any duly authorized agent.

(10) The department may promulgate rules facilitating a retailer's on-site pickup of alcoholic beverages sold by the department or as authorized by the department, including, but not limited to, native wines and native spirits, so that those alcoholic beverages may be delivered to the retailer at the manufacturer's location instead of via shipment from the department's warehouse.

(11) [Through June 30, 2026] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit or a festival wine permit.

(11) [From and after July 1, 2026] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit.

(12) (a) An individual resident of this state who is at least twenty-one (21) years of age may purchase wine from a winery and have the purchase shipped into this state so long as it is shipped to a package retailer permittee in Mississippi; however, the permittee shall pay to the department all taxes, fees and surcharges on the wine that are imposed upon the sale of wine shipped by the department or its warehouse operator. No credit shall be provided to the permittee for any taxes paid to another state as a result of the transaction. Package retailers may charge a service fee for receiving and handling shipments from wineries on behalf of the purchasers. The department shall develop and provide forms to be completed by the package retailer permittees verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(b) The purchaser of wine that is to be shipped to a package retailer's store shall be required to get the prior approval of the package retailer before any wine is shipped to the package retailer. A purchaser is limited to no more than ten (10) cases of wine per year to be shipped to a package retailer. A package retailer shall notify a purchaser of wine within two (2) days after receiving the shipment of wine. If the purchaser of the wine does not pick up or take the wine from the package retailer within thirty (30) days after being notified by the package retailer, the package retailer may sell the wine as part of his inventory.

(c) Shipments of wine into this state under this section shall be made by a duly licensed carrier. It shall be the duty of every common or contract carrier, and of every firm or corporation that shall bring, carry or transport wine from outside the state for delivery inside the state to package retailer permittees on behalf of consumers, to prepare and file with the department, on a schedule as determined by the department, of known wine shipments containing the name of the common or contract carrier, firm or corporation making the report, the period of time covered by said report, the name and permit number of the winery, the name and permit number of the package retailer permittee receiving such wine, the weight of the package delivered to each package retailer permittee, a unique tracking number, and the date of delivery. Reports received by the department shall be made available by the department to the public via the Mississippi Public Records Act process in the same manner as other state alcohol filings.

Upon the department's request, any records supporting the report shall be made available to the department within a reasonable time after the department makes a written request for such records. Any records containing information relating to such reports shall be kept and preserved for a period of two (2) years, unless their destruction sooner is authorized, in writing, by the department, and shall be open and available to inspection by the department upon the department's written request. Reports shall also be made available to any law enforcement or regulatory body in the state in which the railroad company, express company, common or contract carrier making the report resides or does business.

Any common or contract carrier that willfully fails to make reports, as provided by this section or any of the rules and regulations of the department for the administration and enforcement of this section, is subject to a notification of violation. In the case of a continuing failure to make reports, the common or contract carrier is subject to possible license suspension and revocation at the department's discretion.

(d) A winery that ships wine under this section shall be deemed to have consented to the jurisdiction of the courts of this state, of the department, of any other state agency regarding the enforcement of this section, and of any related law, rules or regulations.

(e) Any person who makes, participates in, transports, imports or receives a shipment in violation of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of One Thousand Dollars ($1,000.00) or imprisonment in the county jail for not more than six (6) months, or both. Each shipment shall constitute a separate offense.

(13) If any provision of this article, or its application to any person or circumstance, is determined by a court to be invalid or unconstitutional, the remaining provisions shall be construed in accordance with the intent of the Legislature to further limit rather than expand commerce in alcoholic beverages to protect the health, safety, and welfare of the state's residents, and to enhance strict regulatory control over taxation, distribution and sale of alcoholic beverages through the three-tier regulatory system imposed by this article upon all alcoholic beverages to curb relationships and practices calculated to stimulate sales and impair the state's policy favoring trade stability and the promotion of temperance.

SECTION 18. Section 67-1-45, Mississippi Code of 1972, is amended as follows:

67-1-45. No manufacturer, rectifier or distiller of alcoholic beverages shall sell or attempt to sell any such alcoholic beverages, except malt liquor, within the State of Mississippi, except to the department, or as provided in Section 67-1-41, or pursuant to Section 67-1-51. A producer of native wine or native spirit may sell native wines or native spirits, respectively, to the department or to consumers at the location of the native winery or native distillery or its immediate vicinity. The holder of a direct shipper's permit may sell wines directly to residents in this state as authorized by Sections 1 through 12 of this act.

Any violation of this section by any manufacturer, rectifier or distiller shall be punished by a fine of not less than Five Hundred Dollars ($500.00), and not more than Two Thousand Dollars ($2,000.00), to which may be added imprisonment in the county jail not to exceed six (6) months.

SECTION 19. Section 67-1-51, Mississippi Code of 1972, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this article in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this article.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

Class 4. Native spirit producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native spirits.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines, native spirits and edibles, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this article and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers, other beverages commonly used to mix with alcoholic beverages, and fruits and foods that have been submerged in alcohol and are commonly referred to as edibles. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines and native spirits, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one (1) bottle of wine to be removed from the licensed premises for every two (2) entrees ordered. In addition, an on-premises retailer's permittee at a permitted premises located on Jefferson Davis Avenue within one-half (1/2) mile north of U.S. Highway 90 may serve alcoholic beverages by the glass to a patron in a vehicle using a drive-through method of delivery if the permitted premises is located in a leisure and recreation district established under Section 67-1-101. Such a sale will be considered to be made on the permitted premises. An on-premises retailer's permit shall be issued only to qualified hotels, restaurants and clubs, small craft breweries, microbreweries, and to common carriers with adequate facilities for serving passengers. In resort areas, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to such establishments as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines and native spirits, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine and native spirit, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from the department or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never

again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of

alcoholic beverages from the department or from importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines and native spirits, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This

determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines and native spirits, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages to consumers for on-premises consumption, or to consumers by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. However, when selling to consumers for on-premises consumption, a holder of a distillery retailer's permit may add other beverages, alcoholic or not, so long as the total volume of other beverage components containing alcohol does not exceed twenty percent (20%). Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the distillery retailer is located.

The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this article. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse; however, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder shall pay to the department all taxes, fees and surcharges on the

alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by the department or its warehouse operator. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse. However, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2026.

(s) Charter vessel operator's permit. Subject to the provisions of this paragraph (s), a charter vessel operator's permit shall authorize the holder thereof and its employees to sell and serve alcoholic beverages to passengers of the permit holder during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder. The permit shall authorize the holder to only sell alcoholic beverages, including native wines, to passengers of the charter vessel operator during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder aboard the charter vessel operator for consumption during such tours and cruises on the premises of the charter vessel operator described in the permit. For the purposes of this paragraph (s), "charter vessel operator" means a common carrier that (i) is certified to carry at least forty-nine (49) passengers, (ii) operates only in the waters within the State of Mississippi, which lie south of Interstate 10 in the three (3) most southern counties in the State of Mississippi, and lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, extending not further than one (1) mile south of such counties, and (iii) provides vessel services for tours and cruises in such waters as provided in this paragraph(s).

(t) Native spirit retailer's permit. Except as otherwise provided in subsection (5) of this section, a native spirit retailer's permit shall be issued only to a holder of a Class 4 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native spirits to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native distillery. When selling to consumers for on-premises consumption, a holder of a native spirit retailer's permit may add to the native spirit alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native spirit retailer is located.

(u) Delivery service permit. Any individual, limited liability company, corporation or partnership registered to do business in this state is eligible to obtain a

delivery service permit. Subject to the provisions of Section 67-1-51.1, this permit authorizes the permittee, or its employee or an independent contractor acting on its behalf, to deliver alcoholic beverages, beer, light wine and light spirit product from a licensed retailer to a person in this state who is at least twenty-one (21) years of age for the individual's use and not for resale. This permit does not authorize the delivery of alcoholic beverages, beer, light wine or light spirit product to the premises of a location with a permit for the manufacture, distribution or retail sale of alcoholic beverages, beer, light wine or light spirit product. The holder of a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or of a beer, light wine and light spirit product permit under Section 67-3-19 is authorized to apply for a delivery service permit as a privilege separate from its existing retail permit.

(v) Food truck permit. A food truck permit shall authorize the holder of an on-premises retailer's permit to use a food truck to sell alcoholic beverages off its premises to guests who must consume the beverages in open containers. For the purposes of this paragraph (v), "food truck" means a fully encased food service establishment on a motor vehicle or on a trailer that a motor vehicle pulls to transport, and from which a vendor, standing within the frame of the establishment, prepares, cooks, sells and serves food for immediate human consumption. The term "food truck" does not include a food cart that is not motorized. Food trucks shall maintain such distance requirements from schools, churches, kindergartens and funeral homes as are required for on-premises retailer's permittees under this article, and all sales must be made within a valid leisure and recreation district established under Section 67-1-101. Food trucks cannot sell or serve alcoholic beverages unless also offering food prepared and cooked within the food truck, and permittees must maintain a twenty-five percent (25%) food sale revenue requirement based on the food sold from the food truck alone. The hours allowed for sale shall be the same as those for on-premises retailer's permittees in the location. This permit will not be required for the holder of a caterer's permit issued under this article to cater an event as allowed by law. Permittees must provide notice of not less than forty-eight (48) hours to the department of each location at which alcoholic beverages will be sold.

(w) Direct shipper's permit. A direct shipper's permit shall authorize the holder to sell and ship wine directly to residents in this state in accordance with the provisions of Sections 1 through 12 of this act, without being required to transact the sale and shipment of those wines through the Alcoholic Beverage Control Division of the department.

(x) Wine Fulfillment Provider Permit. A wine fulfillment provider permit shall authorize the holder to only provide logistics services of warehousing, packaging, order fulfillment, and shipment of wine for a direct shipper permittee for which the wine fulfillment provider permittee is the bailee of the wine under Sections 1 through 12 of this act. Wine held in bailment by a wine fulfillment provider permittee shall remain the property of the direct shipper permittee until loaded on conveyance for direct shipment to a Mississippi resident.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) (a) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this article within four hundred (400) feet of any church, school, kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

(b) A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing

body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(c) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(d) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a qualified resort area as defined in Section

67-1-5(o)(iii)32.

(e) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building formerly owned by a municipality and formerly leased by the municipality to a municipal school district and used by the municipal school district as a district bus shop facility.

(f) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building consisting of at least five thousand (5,000) square feet and located approximately six hundred (600) feet from the intersection of Mississippi Highway 15 and Mississippi Highway 4.

(g) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building located at or near the intersection of Ward and Tate Streets and adjacent properties in the City of Senatobia, Mississippi.

(h) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a theatre facility that features plays and other theatrical performances and productions and (i) is capable of seating more than seven hundred fifty (750) people, (ii) is owned by a municipality which has a population greater than ten thousand (10,000) according to the latest federal decennial census, (iii) was constructed prior to 1930, (iv) is on the National Register of Historic Places, and (v) is located in a historic district.

(i) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building located approximately one and six-tenths (1.6) miles north of the intersection of Mississippi Highway 15 and Mississippi Highway 4 on the west side of Mississippi Highway 15.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under

Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this article.

SECTION 20. Section 67-1-53, Mississippi Code of 1972, is amended as follows:

67-1-53. (1) Application for permits shall be in such form and shall contain such information as shall be required by the regulations of the * * * department; however, no regulation of the * * * department shall require personal financial information from any officer of a corporation applying for an on-premises retailer's permit to sell alcoholic beverages unless such officer owns ten percent (10%) or more of the stock of such corporation.

(2) Every applicant for each type of permit authorized by Section 67-1-51 shall give notice of such application by publication for two (2) consecutive issues in a newspaper of general circulation published in the city or town in which applicant's place of business is located. However, in instances where no newspaper is published in the city or town, then the notice shall be published in a newspaper of general circulation published in the county where the applicant's business is located. If no newspaper is published in the county, the notice shall be published in a qualified newspaper which is published in the closest neighboring county and circulated in the county of applicant's residence. The notice shall be printed in ten-point black face type and shall set forth the type of permit to be applied for, the exact location of the place of business, the name of the owner or owners thereof, and if operating under an assumed name, the trade name together with the names of all owners, and if a corporation, the names and titles of all officers. The cost of such notice shall be borne by the applicant. The provisions of this subsection (2) shall not apply to applicants for a direct shipper's permit under Sections 1 through 12 of this act.

(3) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 21. Section 67-1-55, Mississippi Code of 1972, is amended as follows:

67-1-55. No permit of any type shall be issued by the * * * department until the applicant has first filed with the * * * department a sworn statement disclosing all persons who are financially involved in the operation of the business for which the permit is sought. If an applicant is an individual, he will swear that he owns one hundred percent (100%) of the business for which he is seeking a permit. If the applicant is a partnership, all partners and their addresses shall be disclosed and the extent of their interest in the partnership shall be disclosed. If the applicant is a corporation, the total stock in the corporation shall be disclosed and each shareholder and his address and the amount of stock in the corporation owned by him shall be disclosed. If the applicant is a limited liability company, each member and their addresses shall be disclosed and the extent of their interest in the limited liability company shall be disclosed. If the applicant is a trust, the trustee and all beneficiaries and their addresses shall be disclosed. If the applicant is a combination of any of the above, all information required to be disclosed above shall be required.

All the disclosures shall be in writing and kept on file at the * * * department and shall be available to the public.

Every applicant must, when applying for a renewal of his permit, disclose any change in the ownership of the business or any change in the beneficiaries of the income from the business.

Any person who willfully fails to fully disclose the information required by this section, or who gives false information, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not to exceed Five Hundred Dollars ($500.00) or imprisoned for not more than one (1) year, or both, and the person or applicant shall never again be eligible for any permit pertaining to alcoholic beverages.

The provisions of this section shall not apply to applicants for a direct shipper's permit under Sections 1 through 12 of this act.

SECTION 22. Section 67-1-57, Mississippi Code of 1972, is amended as follows:

67-1-57. Before a permit is issued the department shall satisfy itself:

(a) That the applicant, if an individual, or if a partnership, each of the members of the partnership, or if a corporation, each of its principal officers and directors, or if a limited liability company, each member of the limited liability company, is of good moral character and, in addition, enjoys a reputation of being a peaceable, law-abiding citizen of the community in which he resides, and is generally fit for the trust to be reposed in him, is not less than twenty-one (21) years of age, and has not been convicted of a felony in any state or federal court.

(b) That, except in the case of an application for a solicitor's permit, the applicant is the true and actual owner of the business for which the permit is desired, and that he intends to carry on the business authorized for himself and not as the agent of any other person, and that he intends to superintend in person the management of the business or that he will designate a manager to manage the business for him. Except for managers employed by the holder of a direct shipper's permit, all managers must be approved by the department prior to completing any managerial tasks on behalf of the permittee and must possess all of the qualifications required of a permittee; however, a felony conviction, other than a crime of violence, does not automatically disqualify a person from being approved as a manager if the person was released from incarceration at least three (3) years prior to application for approval as a manager. A felony conviction, other than a crime of violence, may be considered by the department in determining whether all other qualifications are met.

(c) That the applicant for a package retailer's permit, if an individual, is a resident of the State of Mississippi. If the applicant is a partnership, each member of the partnership must be a resident of the state. If the applicant is a limited liability company, each member of the limited liability company must be a resident of the state. If the applicant is a corporation, the designated manager of the corporation must be a resident of the state.

(d) That the place for which the permit is to be issued is an appropriate one considering the character of the premises and the surrounding neighborhood.

(e) That the place for which the permit is to be issued is within the corporate limits of an incorporated municipality or qualified resort area or club which comes within the provisions of this article.

(f) That the applicant is not indebted to the state for any taxes, fees or payment of penalties imposed by any law of the State of Mississippi or by any rule or regulation of the * * * department.

(g) That the applicant is not in the habit of using alcoholic beverages to excess and is not physically or mentally incapacitated, and that the applicant has the ability to read and write the English language.

(h) That the * * * department does not believe and has no reason to believe that the applicant will sell or knowingly permit any agent, servant or employee to unlawfully sell liquor in a dry area or in any other manner contrary to law.

(i) That the applicant is not residentially domiciled with any person whose permit or license has been cancelled for cause within the twelve (12) months next preceding the date of the present application for a permit.

(j) That the * * * department has not, in the exercise of its discretion which is reserved and preserved to it, refused to grant permits under the restrictions of this section, as well as under any other pertinent provision of this article.

(k) That there are not sufficient legal reasons to deny a permit on the ground that the premises for which the permit is sought has previously been operated, used or frequented for any purpose or in any manner that is lewd, immoral or offensive to public decency. In the granting or withholding of any permit to sell alcoholic beverages at retail, the * * * department in forming its conclusions may give consideration to any recommendations made in writing by the district or county attorney or county, circuit or chancery judge of the county, or the sheriff of the county, or the mayor or chief of police of an incorporated city or town wherein the applicant proposes to conduct his business and to any recommendations made by representatives of the * * * department.

(l) That the applicant and the applicant's key employees, as determined by the * * * department, do not have a disqualifying criminal record. In order to obtain a criminal record history check, the applicant shall submit to the commission a set of fingerprints from any local law enforcement agency for each person for whom the records check is required. The * * * department shall forward the fingerprints to the Mississippi Department of Public Safety. If no disqualifying record is identified at the state level, the Department of Public Safety shall forward the fingerprints to the Federal Bureau of Investigation for a national criminal history record check. Costs for processing the set or sets of fingerprints shall be borne by the applicant. The department may waive the fingerprint requirement in the case of an applicant for a direct shipper's permit. The * * * department shall not deny employment to an employee of the applicant prior to the identification of a disqualifying record or other disqualifying information.

SECTION 23. Section 67-1-73, Mississippi Code of 1972, is amended as follows:

67-1-73. (1) Except as otherwise provided in subsection (3) of this section, every manufacturer, including native wine or native spirit producers, within or without the state, and every other shipper of alcoholic beverages who sells any alcoholic beverage, including native wine or native spirit, within the state, shall, at the time of making such sale, file with the department a copy of the invoice of such sale showing in detail the kind of alcoholic beverage sold, the quantities of each, the size of the container and the weight of the contents, the alcoholic content, and the name and address of the person to whom sold.

(2) Except as otherwise provided in subsection (3) of this section, every person transporting alcoholic beverages, including native wine or native spirit, within this state to a point within this state, whether such transportation originates within or without this state, shall, within five (5) days after delivery of such shipment, furnish the department a copy of the bill of lading or receipt, showing the name or consignor or consignee, date, place received, destination, and quantity of alcoholic beverages delivered. Upon failure to comply with the provisions of this section, such person shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in the sum of Fifty Dollars ($50.00) for each offense.

(3) Information regarding the sales, shipment, delivery and transportation of wine in this state by the holder of a direct shipper's permit under Sections 1 through 12 of this act shall be in such form and content as prescribed by the department.

SECTION 24. Section 97-31-47, Mississippi Code of 1972, is amended as follows:

97-31-47. It shall be unlawful for any transportation company, or any agent, employee, or officer of such company, or any other person, or corporation to transport into or deliver in this state in any manner or by any means any spirituous, vinous, malt, or other intoxicating liquors or drinks, or for any such person, company, or corporation to transport any spirituous, malt, vinous, or intoxicating liquors or drinks from one place within this state to another place within the state, or from one (1) point within this state to any point without the state, except in cases where this chapter * * *, Section 67-9-1, or Sections 1 through 12 of this act authorizes the transportation.

SECTION 25. Section 97-31-49, Mississippi Code of 1972, is amended as follows:

97-31-49. Except as otherwise provided in Sections 1 through 12 of this act, it shall be unlawful for any person, firm or corporation in this state, in person, by letter, circular, or other printed or written matter, or in any other manner, to solicit or take order in this state for any liquors, bitters or drinks prohibited by the laws of this state to be sold, bartered, or otherwise disposed of. The inhibition of this section shall apply to such liquors, bitters and drinks, whether the parties intend that the same shall be shipped into this state from outside of the state, or from one (1) point in this state to another point in this state. If such order be in writing, parol evidence thereof is admissible without producing or accounting for the absence of the original; and the taking or soliciting of such orders is within the inhibition of this section, although the orders are subject to approval by some other person, and no part of the price is paid, nor any part of the goods is delivered when the order is taken.

SECTION 26. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AUTHORIZE A PERSON WHO IS THE HOLDER OF A CLASS 2 MANUFACTURER'S PERMIT UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW, OR WHO IS LICENSED OR PERMITTED OUTSIDE OF THE STATE TO ENGAGE IN THE ACTIVITY OF MANUFACTURING WINE TO SELL AND SHIP WINE DIRECTLY TO RESIDENTS IN THIS STATE, IF THE PERSON OBTAINS A DIRECT SHIPPER'S PERMIT FROM THE DEPARTMENT OF REVENUE; TO PROVIDE FOR THE ISSUANCE OF DIRECT SHIPPER'S PERMITS AND THE ISSUANCE OF WINE FULFILLMENT PROVIDER PERMITS; TO REQUIRE THE HOLDER OF A DIRECT SHIPPER'S PERMIT TO KEEP CERTAIN RECORDS; TO REQUIRE THE HOLDER OF A WINE FULFILLMENT PROVIDER PERMIT TO KEEP CERTAIN RECORDS; TO PROHIBIT THE HOLDER OF A DIRECT SHIPPER'S PERMIT FROM SELLING OR SHIPPING LIGHT WINE, LIGHT SPIRIT PRODUCTS OR BEER OR ANY ALCOHOLIC BEVERAGE OTHER THAN WINE; TO LIMIT THE AMOUNT OF WINE THAT A HOLDER OF A DIRECT SHIPPER'S PERMIT MAY SELL OR SHIP TO AN INDIVIDUAL EACH YEAR; TO PROVIDE FOR THE ANNUAL RENEWAL OF DIRECT SHIPPER'S PERMITS; TO PROVIDE THAT PERSONS PURCHASING OR RECEIVING A DIRECT SHIPMENT OF WINE FROM A DIRECT SHIPPER MUST BE AT LEAST TWENTY-ONE YEARS OF AGE; TO PROVIDE THAT PERSONS RECEIVING A DIRECT SHIPMENT OF WINE FROM A DIRECT SHIPPER SHALL USE THE WINE FOR PERSONAL USE ONLY AND MAY NOT RESELL IT; TO IMPOSE CERTAIN REQUIREMENTS RELATING THE SHIPMENT OF WINE INTO THIS STATE; TO AUTHORIZE THE COMMISSIONER OF REVENUE TO ADOPT ANY RULES OR REGULATIONS AS NECESSARY TO CARRY OUT THIS ACT; TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS ACT; TO AMEND SECTIONS 27-71-5, 27-71-7, 27-71-15 AND 27-71-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THE PRIVILEGE TAX REQUIRED FOR THE ISSUANCE OF A DIRECT SHIPPER'S PERMIT AND FOR THE PRIVILEGE TAX REQUIRED FOR THE ISSUANCE

OF A WINE FULFILLMENT PROVIDER PERMIT; TO LEVY A TAX UPON THE SALES AND SHIPMENTS OF WINE MADE BY A DIRECT SHIPPER; TO REQUIRE A CERTAIN AMOUNT OF THE TAXES LEVIED TO BE DEPOSITED INTO THE MENTAL HEALTH PROGRAMS FUND; TO AMEND SECTIONS 67-1-41, 67-1-45, 67-1-51, 67-1-53, 67-1-55, 67-1-57, 67-1-73, 97-31-47 AND 97-31-49, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

_____

Senator Harkins called up the following House Amendment to **S. B. No. 3105** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-69-3, Mississippi Code of 1972, is amended as follows:

27-69-3. When used in this chapter:

(a) "State" means the State of Mississippi as geographically defined, and any and all waters under the jurisdiction of the State of Mississippi.

(b) "State Auditor" means the Auditor of Public Accounts of the State of Mississippi, or his legally appointed deputy, clerk or agent.

(c) "Commissioner" means the Commissioner of Revenue of the Department of Revenue, and his authorized agents and employees.

(d) "Person" means any individual, company, corporation, partnership, association, joint venture, estate, trust, or any other group, or combination acting as a unit, and the plural as well as the singular, unless the intention to give a more limited meaning is disclosed by the context.

(e) "Consumer" means a person who comes into possession of tobacco for the purpose of consuming it, giving it away, or disposing of it in any way by sale, barter or exchange.

(f) "Tobacco" means any cigarettes, cigars, cheroots, stogies, smoking tobacco (including granulated, plug cut, crimp cut, ready rubbed, and other kinds and forms of tobacco, or substitutes therefor, prepared in such manner as to be suitable for smoking in a pipe or cigarette) and including plug and twist chewing tobacco and snuff, when such "tobacco" is manufactured and prepared for sale or personal consumption. All words used herein shall be given the meaning as defined in the regulations of the Treasury Department of the United States of America. The term "tobacco" also includes heated tobacco products.

(g) "First sale" means and includes the first sale, or distribution of such tobacco in intrastate commerce, or the first use or consumption of such tobacco within this state.

(h) "Drop shipment" means and includes any delivery of tobacco received by any person within this state, when payment for such tobacco is made to the shipper, or seller by or through a person other than a consignee.

(i) "Distributor" includes every person, except retailers as defined herein, in the state who manufactures or produces tobacco or who ships, transports, or imports into this state, or in any manner acquires or possesses tobacco, and makes a first sale of the same in the state.

(j) "Wholesaler" includes dealers, whose principal business is that of a wholesale dealer or jobber, who is known to the retail trade as such, and whose place of business is located in Mississippi or in a state which affords reciprocity to wholesalers domiciled in Mississippi, who shall sell any taxable tobacco to retail dealers only for the purpose of resale.

(k) "Retailer" includes every person, other than a wholesale dealer, as defined above, whose principal business is that of selling merchandise at retail, who shall sell, or offer for sale tobacco to the consumer. The sale of tobacco in quantity lots by retailers to other retailers, transient vendors, or other persons, shall not be construed as wholesale and shall not qualify such retailer for a permit as a wholesaler.

(l) "Dealer" includes every person, firm, corporation or association of persons, except retailers as defined herein, who manufacture tobacco for distribution, for sale, for use or for consumption in the State of Mississippi.

The word "dealer" is further defined to mean any person, firm, corporation or association of persons, except retailers as defined herein, who imports tobacco from any state or foreign country for distribution, sale, use, or consumption in the State of Mississippi.

(m) "Distributing agent" includes every person in the state who acts as an agent of any person outside the State of Mississippi, by receiving tobacco in interstate commerce, and storing such tobacco in this state subject to distribution, or delivery upon order from the person outside the state to distributors, wholesalers, retailers and dealers.

(n) "Transient vendor" means and includes every person commonly and generally termed "peddlers" and every person acting for himself, or as an agent, employee, salesman, or in any capacity for another, whether as owner, bailee, or other custodian of tobacco, and going from person to person, dealer to dealer, house to house, or place to place, and selling or offering for sale at retail or wholesale tobacco, and every person who does not keep a regular place of business open at all times in regular hours, and every person who goes from person to person, dealer to dealer, house to house, or place to place, and sells or offers for sale tobacco which he carries with him, and who delivers the same at the time of, or immediately after the sale, or without returning to the place of business operations (a permanent place of business within the state) between the taking of the order and the delivery of the tobacco, or

All persons who go from person to person, house to house, place to place, or dealer to dealer, soliciting orders by exhibiting samples, or taking orders, and thereafter making delivery of tobacco, or filling the order without carrying or sending the order to the permanent place of business, and thereafter making delivery of the tobacco pursuant to the terms of the order, or

All persons who go from person to person, place to place, house to house, or dealer to dealer, carrying samples and selling tobacco from samples, and afterwards making delivery without taking and sending an order therefor to a permanent place of business for the filling of the order, and delivery of the tobacco, or the exchange of tobacco having become damaged or unsalable, or the purchase by tobacco of advertising space, or

All persons who have in their possession, or under their control, any tobacco offered, or to be offered for sale or to be delivered, unless the sale or delivery thereof is

to be made in pursuance of a bona fide order for the tobacco, to be sold or delivered, the order to be evidenced by an invoice or memorandum.

(o) "Contraband tobacco" means all tobacco found in the possession of any person whose permit to engage in dealing in tobacco has been revoked by the commissioner; and any cigarettes found in the possession of any person to which the proper tax stamps have not been affixed; and any cigarettes improperly stamped when found in the possession of any person; and all other tobacco upon which the excise tax has not been paid.

(p) "Sale" means an exchange for money or goods, giving away, or distributing any tobacco as defined in this chapter.

(q) "Forty-eight (48) hours" and "seventy-two (72) hours" means two (2) calendar days and three (3) calendar days, respectively, excluding Sundays and legal holidays.

(r) "Stamp" or "stamping," or the import of such word, when used in this chapter, means any manner of stamp or impression permitted by the commissioner that carries out the purposes of the chapter in clearly indicating upon the packages of cigarettes taxed the due payment of the tax and clearly identifying, by serial number or otherwise, the permittee who affixed the stamp to the particular package.

(s) "Manufacturer's list price" means the full sales price at which tobacco is sold or offered for sale by a manufacturer to the wholesaler or distributor in this state without any deduction for freight, trade discount, cash discounts, special discounts or deals, cash rebates, or any other reduction from the regular selling price. In the event freight charges on shipments to wholesalers or distributors are not paid by the manufacturer, then such freight charges required to be paid by the wholesalers and distributors shall be added to the amount paid to the manufacturer in order to determine "manufacturer's list price." In the case of a wholesaler or distributor whose place of business is located outside this state, the "manufacturer's list price" for tobacco sold in this state by such wholesaler or distributor shall in all cases be considered to be the same as that of a wholesaler or distributor located within this state.

(t) "Heated tobacco products" means a product containing tobacco that produces an inhalable aerosol by (i) heating the tobacco without combustion of the tobacco or (ii) heat generated from a combustion source that only or primarily heats rather than burns the tobacco.

SECTION 2. Section 27-69-13, Mississippi Code of 1972, is amended as follows:

27-69-13. There is hereby imposed, levied and assessed, to be collected and paid as hereinafter provided in this chapter, an excise tax on each person or dealer in cigarettes, cigars, stogies, snuff, chewing tobacco, and smoking tobacco, or substitutes therefor, upon the sale, use, consumption, handling or distribution in the State of Mississippi, as follows:

(a) On cigarettes, the rate of tax shall be Three and Four-tenths Cents (3.4¢) on each cigarette sold with a maximum length of one hundred twenty (120) millimeters; any cigarette in excess of this length shall be taxed as if it were two (2) or more cigarettes. Provided, however, if the federal tax rate on cigarettes in effect on June 1, 1985, is reduced, then the rate as provided herein shall be increased by the amount of the federal tax reduction. Such tax increase shall take effect on the first day of the month following the effective date of such reduction in the federal tax rate. Heated tobacco products shall not be taxed as cigarettes under this paragraph (a); however, this exclusion shall not affect heated tobacco products for any purposes related to Section 27-70-1 et seq.

(b) On cigars, cheroots, stogies, snuff, chewing and smoking tobacco and all other tobacco products except cigarettes and heated tobacco products, the rate of tax shall be fifteen percent (15%) of the manufacturer's list price.

(c) On heated tobacco products, the rate of tax shall be one and twenty-five one-hundredths cents (1.25¢) on each disposable heated tobacco unit or stick sold to be used for consumption by insertion into a heated tobacco product heating system device.

No stamp evidencing the tax herein levied on cigarettes shall be of a denomination of less than One Cent (1¢), and whenever the tax computed at the rates herein prescribed on cigarettes shall be a specified amount, plus a fractional part of One Cent (1¢), the package shall be stamped for the next full cent; however, the additional face value of stamps purchased to comply with taxes imposed by this section after June 1, 1985, shall be subject to a four percent (4%) discount or compensation to dealers for their services rather than the eight percent (8%) discount or compensation allowed by Section 27-69-31.

Every wholesaler shall purchase stamps as provided in this chapter, and affix the same to all packages of cigarettes handled by him as herein provided.

The above tax is levied upon the sale, use, gift, possession or consumption of tobacco within the State of Mississippi, and the impact of the tax levied by this chapter is hereby declared to be on the vendee, user, consumer or possessor of tobacco in this state; and when said tax is paid by any other person, such payment shall be considered as an advance payment and shall thereafter be added to the price of the tobacco and recovered from the ultimate consumer or user.

SECTION 3. Section 27-69-27, Mississippi Code of 1972, is amended as follows:

27-69-27. The payment of the tax imposed by this chapter shall be evidenced by affixing stamps to each individual package of cigarettes usually sold to consumers, as distinguished from cartons or larger units which are composed of a number of individual packages.

Except as otherwise provided in this paragraph, the stamp shall be affixed within seventy-two (72) hours after the receipt of the cigarettes by the wholesaler, and within forty-eight (48) hours after receipt of the cigarettes by the retailer; provided, that in the case a dealer conducts a wholesale and retail business at one (1) place of business, stamps shall be affixed within forty-eight (48) hours after receipt of the cigarettes. However, the provisions of this paragraph shall not apply to tobacco at the point it is purchased at a sale under Section 27-69-56. The stamp must be so securely affixed as to require the continued application of water or of steam to remove it, or so that it cannot be otherwise removed without destruction or mutilation.

The excise tax imposed on cigars, smoking tobacco, chewing tobacco, snuff and all other tobacco products except cigarettes and heated tobacco products shall be computed by the application of the excise tax rate to the manufacturer's list price on all purchases of such tobacco. The excise tax shall be due and payable on or before the fifteenth day of the month next succeeding the month in which the tax accrues. The tax shall be filed with the commissioner on forms prescribed by the commissioner.

Provided, however, manufacturers or other wholesale distributors of tobacco, which are subject to the excise taxes imposed by Section 27-69-13 of this chapter for the privilege of selling or using such tobaccos within this state, who maintain "terminals" or warehouses in which such tobaccos are stored, and who sell only to licensed wholesale dealers within the state who are qualified to purchase and affix the stamps required, may maintain such "spot stocks," intended only for such sales, without affixing the stamps or filing returns and paying the tax.

Any person desiring to maintain such "terminal" or warehouse, shall make application to the commissioner and obtain a permit to maintain such stocks without affixing stamps thereto, for sale exclusively to out-of-state purchasers, or licensed wholesale dealers within this state, and the commissioner is hereby authorized to grant such permit upon the execution and filing with the commissioner, by the applicant, a bond with surety companies, authorized to do business in Mississippi, as surety thereon, and conditioned for the strict compliance by the applicant, with the following conditions under which said privilege may be granted.

The person maintaining such stock of untaxed tobacco shall supply to the commissioner monthly, or at such times as the commissioner may require, complete invoices of all tobaccos received, and shall also supply correct invoices of all tobaccos removed from such "terminal" or warehouse, said invoices to contain the correct name and address of all persons to whom such tobacco shall be delivered or consigned, whether within or without the State of Mississippi.

The penalty of such bond shall be determined by the commissioner, in an amount sufficient to protect the State of Mississippi from any loss of revenue which might occur by reason of the failure of principal to strictly adhere to the requirement that no tobacco would be sold from such stock within the State of Mississippi, except to licensed wholesale dealers.

SECTION 4. Nothing in this act shall affect or defeat any claim, assessment, appeal, suit, right or cause of action for taxes due or accrued under the tobacco tax laws before the date on which this act becomes effective, whether such claims, assessments, appeals, suits or actions have been begun before the date on which this act becomes effective or are begun thereafter; and the provisions of the tobacco tax laws are expressly continued in full force, effect and operation for the purpose of the assessment, collection and enrollment of liens for any taxes due or accrued and the execution of any warrant under such laws before the date on which this act becomes effective, and for the imposition of any penalties, forfeitures or claims for failure to comply with such laws.

SECTION 5. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 27-69-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "HEATED TOBACCO PRODUCT" UNDER THE TOBACCO TAX LAW; TO AMEND SECTION 27-69-13, MISSISSIPPI CODE OF 1972, TO LEVY AN EXCISE TAX ON HEATED TOBACCO PRODUCTS UNDER THE TOBACCO TAX LAW; TO AMEND SECTION 27-69-27, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 3105** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Branning, Chism, Horhn, Seymour. Total--4.

Absent and those not voting--McMahan. Total--1.

Senator Michel offered the following report of the Conference Committee on **H. B. No. 819** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 819: Insurance; remove filing fee on auto cancellation or nonrenewal appeals and exempt life line applicants from prelicensing requirements.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 83-11-17, Mississippi Code of 1972, is amended as follows:

83-11-17. A named insured who wishes to contest the reason or reasons for a cancellation of a policy which has been in effect for sixty (60) days or more or failure by insurer to give proper notice of nonrenewal as provided hereunder shall, not less than seven (7) working days from the date of receipt of notice of cancellation or receipt of notice of nonrenewal, mail or deliver to the Commissioner of Insurance a written request for a hearing, which request shall state clearly the basis for the appeal * * *.

A cancellation or nonrenewal which is subject to the provisions of this article shall be deemed effective unless the Commissioner of Insurance determines otherwise in accordance with the provisions of this article.

SECTION 2. Section 83-11-19, Mississippi Code of 1972, is amended as follows:

83-11-19. Within two (2) working days after receipt of a timely request for a hearing, the commissioner or his officially appointed designee shall call a hearing upon at least seven (7) days' notice to the parties. Each insurer licensed to do in this state the kind of business which is subject to this article shall maintain on file with the commissioner the name and address of the person authorized to receive notices pursuant to this article on behalf of the insurer.

The commissioner or his designated representative who conducted the hearing shall, at the conclusion thereof or not later than two (2) days thereafter, issue his written findings to the parties. If he finds for the named insured, he shall * * * either order the insurer to rescind its notice of cancellation or, if the date cancellation is to be effective has

elapsed, order the policy reinstated or renewed. Such order shall operate retroactively only to cover a period not to exceed twenty (20) days from the date cancellation otherwise would have been effective, and prospectively from the date on which the order was issued; provided, however, that no policy shall be reinstated or renewed while the named insured is in arrears in payment of premiums on such policy. If the commissioner or his representative finds for the insurer, his written order shall so state * * *. Reinstatement of a policy under this section shall not operate in any way to extend the expiration, termination, or anniversary date provided in the policy. Renewal of a policy shall be for a term of one (1) year from the expiration date of the prior policy, and otherwise shall contain the same coverage, terms, and contractual provisions contained in said prior policy.

SECTION 3. Section 83-17-251, Mississippi Code of 1972, is amended as follows:

83-17-251. (1) Every individual seeking to be licensed as an insurance producer in the State of Mississippi, as a condition of issuance of an original license, must furnish the Commissioner of Insurance certification on a form prescribed by the commissioner that he or she has completed an approved prelicensing course of study for the line of insurance requested.

(2) The prelicensing course of study hours shall consist of twenty (20) hours of approved prelicensing education courses per line of authority. The Commissioner of Insurance shall determine the content requirements for each prelicensing course of study. The prelicensing educational requirements of this section shall not apply to:

(a) An individual that is exempt from taking the written examination as provided in Section 83-17-39(1) and Section 83-17-67.

(b) An individual who has received a bachelor's degree with major coursework in insurance from an accredited institution of higher learning.

(c) An individual holding a current and valid CEBS, CHFC, CIC, CFP, CLU, FLMI, LUTCF designation is exempt for the life line of authority.

(d) An individual holding a current and valid RHU, CEBS, REBC, HIA designation is exempt for the accident and health or sickness line of authority.

(e) An individual holding a current and valid AAI, ARM, CIC, CPCU designation is exempt for the property and casualty lines of authority.

(f) Limited lines insurance producer and limited lines credit insurance producer as defined in Section 83-17-53.

(g) An individual that is seeking licensure for the variable life and variable annuity products line of authority only.

(h) An individual that is seeking licensure for the life line of authority only.

(3) Every individual seeking renewal of an insurance producer license, which has been in effect for a term of eighteen (18) months or less shall satisfactorily complete twelve (12) hours of study in approved continuing education courses. Every individual seeking renewal of an insurance producer license, which has been in effect for a term of more than eighteen (18) months shall satisfactorily complete twenty-four (24) hours of study in approved continuing education courses, of which three (3) hours shall have a course concentration in ethics.

(4) The continuing educational requirements of this section shall not apply to:

(a) Any individual that is exempt from taking the written examination as provided in Section 83-17-39(1)(b), (c), (e) and (g);

(b) Any limited lines producer or limited lines credit insurance producer;

(c) A person not a resident of this state who meets the continuing educational requirement in the state in which such person resides and Mississippi has a reciprocal agreement with that state;

(d) Nonactive agents as defined in Section 83-17-1; or

(e) Any individual who is sixty-five (65) years of age or older and who has been licensed as an insurance producer for a continuous period of twenty-five (25) years or more as of April 17, 2023, as evidenced by submission of an affidavit, under oath, on a form prescribed by the commissioner, signed by the licensee attesting to satisfaction of the age, licensing and experience requirements of this paragraph (e).

SECTION 4. Section 83-17-523, Mississippi Code of 1972, is amended as follows:

83-17-523. (1) Public adjusters shall ensure that all contracts for their services are in writing, signed by the insured and the public adjuster who solicited the contract, and a copy of the contract shall be provided to the insured upon execution. All such contracts shall be subject to the following provisions:

(a) No public adjuster shall charge, agree to, or accept as compensation any payment, commission, fee or other thing of value equal to more than ten percent (10%) of any insurance settlement or the proceeds of any claim investigated.

(b) No public adjuster shall require, demand or accept any fee, retainer, compensation, deposit or other thing of value, prior to partial or full settlement of a claim.

(c) Any costs to be reimbursed to a public adjuster out of the proceeds of a settlement shall be specified by kind and estimated amounts.

(d) A public adjuster's contract with the insured shall be revocable or cancelable by the insured without cause and without penalty or obligation for at least five (5) business days after the contract is executed by the insured. Nothing in this provision shall be construed to prevent an insured from pursuing any civil legal remedy to revoke or cancel the contract after the expiration of such cancellation period.

(e) No public adjuster may require that an insured authorize an insurer to issue a check only in the name of the public adjuster.

(f) No public adjuster shall be entitled to any payment, commission, fee or other thing of value of any insurance settlement or agreed settlement that was made between the insured and the insurance company before the public adjuster and the insured entered into a contract for services.

(g) If an insurance company extends a written settlement offer to the insured before the insured enters into a contract with a public adjuster for services, then a public adjuster may only be entitled to an amount that is no more than ten percent (10%) of the settlement amount that is in excess of the amount that was offered in writing to the insured prior to entering into the contract with the public adjuster.

(2) Public adjusters shall adhere to the following ethical requirements:

(a) No public adjuster shall undertake the adjustment of any claim for which the public adjuster is not currently competent and knowledgeable as to the terms and conditions of the insurance coverage, or which otherwise exceeds the public adjuster's current expertise.

(b) No public adjuster shall, as a public adjuster, represent any person or entity whose claim the public adjuster has previously adjusted while acting as an independent adjuster representing any insurer, either directly or through an independent adjusting firm retained by the insurer.

(c) A public adjuster shall not knowingly make any oral or written material misrepresentations or statements to any insured or potential insured which are false and intended to injure any person engaged in the business of insurance.

(d) No public adjuster shall knowingly enter into a contract to adjust a residential property claim subsequent to a declaration of total loss by an insurer, unless the services to be provided by the public adjuster can reasonably be expected to result in the insured obtaining an insurance settlement, net of the public adjuster's compensation, in excess of the amount the insured would have obtained without the services of the public adjuster.

(e) A public adjuster shall advise each insured that the insured has the right to retain an attorney at law of his choice throughout the public adjuster's investigation and adjustment of the claim.

(f) If the claim is not settled by the public adjuster, the public adjuster shall advise the insured that the insured has the right to retain an attorney at law of his choice.

(g) No public adjuster shall contract for, agree to, or receive anything of value from any attorney at law or other person acting in concert with any attorney at law (i) for referring claims to the attorney, or (ii) in connection with any claim for which the public adjuster has performed or intends to perform services.

(h) No public adjuster shall split any attorney's fee with any attorney at law.

(i) A public adjuster shall not testify as an expert witness in any judicial or administrative proceeding while maintaining a pecuniary interest in the outcome of the proceeding, as otherwise permitted by Section 83-17-523(1)(a); provided, however, that a public adjuster may testify as an expert witness if pursuant to the terms of his contract his compensation is converted to a specified hourly rate, which rate (i) is subject to such limitations as may be prescribed by the commissioner, and (ii) is not subject to any contingencies. In the event of a conversion of the public adjuster's contract to an hourly rate agreement, the prior fee arrangement shall be inadmissible at trial.

(j) A public adjuster shall not participate, directly or indirectly, in the reconstruction, repair or restoration of damaged property that is the subject of a claim adjusted by the adjuster.

(k) A public adjuster shall not engage in any activities that may be reasonably construed as a conflict of interest, including, directly or indirectly, soliciting or accepting any remuneration of any kind or nature.

(l) A public adjuster shall not have a financial interest in any salvage, repair or any other business entity that obtains business in connection with any claim that the public adjuster has a contract to adjust.

SECTION 5. The Comprehensive Health Insurance Risk Pool Association shall have the authority to develop and fund an online portal that shall be available to all Mississippians to assist consumers in selection of a health plan. This program shall have the capacity to aggregate information regarding providers, drug coverage and pricing that would allow consumers to make informed decisions in selecting a health plan.

SECTION 6. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTIONS 83-11-17 AND 83-11-19, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT OF A FIFTEEN DOLLAR FILING FEE IN AUTOMOBILE CANCELLATION OR NONRENEWAL APPEALS; TO AMEND SECTION 83-17-251, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM PRELICENSING REQUIREMENTS INDIVIDUALS SEEKING LICENSURE IN THE LIFE LINE OF AUTHORITY ONLY; TO AMEND SECTION 83-17-523, MISSISSIPPI CODE OF 1972, TO CLARIFY THE COMPENSATION OF A PUBLIC ADJUSTER; TO PROVIDE THAT A PUBLIC ADJUSTER SHALL NOT PARTICIPATE IN THE RECONSTRUCTION, REPAIR OR RESTORATION OF DAMAGED PROPERTY THAT IS THE SUBJECT OF A CLAIM ADJUSTED BY THE ADJUSTER; TO PROVIDE THAT A PUBLIC ADJUSTER SHALL NOT ENGAGE IN ANY ACTIVITIES THAT MAY BE REASONABLY CONSTRUED AS A CONFLICT OF INTEREST; TO PROVIDE THAT A PUBLIC ADJUSTER SHALL NOT HAVE A FINANCIAL INTEREST IN ANY SALVAGE, REPAIR OR ANY OTHER BUSINESS ENTITY THAT OBTAINS BUSINESS IN CONNECTION WITH ANY CLAIM THAT THE PUBLIC ADJUSTER HAS A CONTRACT TO ADJUST; TO PROVIDE THAT NO PUBLIC ADJUSTER SHALL BE ENTITLED TO ANY PAYMENT, COMMISSION, FEE OR OTHER THING OF VALUE OF ANY INSURANCE SETTLEMENT OR AGREED SETTLEMENT THAT WAS MADE BETWEEN THE INSURED AND THE INSURANCE COMPANY BEFORE THE PUBLIC ADJUSTER AND THE INSURED ENTERED INTO A CONTRACT FOR SERVICE; TO PROVIDE THAT IF AN INSURANCE COMPANY EXTENDS A WRITTEN SETTLEMENT OFFER TO THE INSURED BEFORE THE INSURED ENTERS INTO A CONTRACT WITH A PUBLIC ADJUSTER FOR SERVICES, THEN A PUBLIC ADJUSTER MAY ONLY BE ENTITLED TO AN AMOUNT THAT IS NO MORE THAN 10% OF THE SETTLEMENT AMOUNT THAT IS IN EXCESS OF THE AMOUNT THAT WAS OFFERED IN WRITING TO THE INSURED PRIOR TO ENTERING INTO THE CONTRACT WITH A PUBLIC ADJUSTER; TO AUTHORIZE THE COMPREHENSIVE HEALTH INSURANCE RISK POOL ASSOCIATION TO ESTABLISH AN ONLINE PORTAL TO ASSIST MISSISSIPPIANS IN SELECTING A HEALTH PLAN; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Jerry R. Turner	J. Walter Michel
Kevin Ford	Chris Johnson
William Tracy Arnold	Benjamin Suber

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 819** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--McMahan. Total--1.

Senator Carter offered the following report of the Conference Committee on **H. B. No. 1350** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1350: Telephone solicitors; prohibit from making any solicitation regarding Medicare Advantage Plans.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 77-3-707, Mississippi Code of 1972, is amended as follows:

77-3-707. (1) Except as otherwise provided * * * under Sections 77-3-709 * * *, 77-3-711, or subsection (4) of this section, a telephone solicitor may not make or cause to be made any telephone solicitation to any consumer in this state unless the telephone solicitor has obtained the "no-calls" database directly from the Federal Trade Commission or other federal agency.

(2) Except as otherwise provided pursuant to Section 77-3-709 or 77-3-711, a telephone solicitor may not make or cause to be made any telephone solicitation to any consumer in this state who has given notice to the federal government, or given notice to the Public Service Commission prior to July 1, 2023, of his or her objection to receiving telephone solicitations.

(3) Each local exchange company and each competing local exchange carrier shall provide written notification on a semiannual basis to each of its consumers of the opportunity to provide notification to the Federal Trade Commission, or other entity as designed by federal law, that the consumer objects to receiving telephone solicitations. The notification must be disseminated at the option of the carrier, by television, radio or newspaper advertisements, written correspondence, bill inserts or messages, a publication in the consumer information pages of the local telephone directory, or any other method not expressly prohibited by the Attorney General.

(4) A telephone solicitor shall not make, or cause to be made, any telephone solicitation to any person in this state regarding any Medicare Advantage Plan. However,

if a person has first initiated a call with a company or an entity regarding a Medicare Advantage Plan, a telephone solicitor is not prohibited from then making, or causing to be made, a telephone solicitation regarding a Medicare Advantage Plan. This subsection (4) of this section shall not apply to the extent it is preempted under 42 USC Section 1395w-26(b)(3).

SECTION 2. Section 77-3-709, Mississippi Code of 1972, is amended as follows:

77-3-709. Except as otherwise provided in Section 77-3-707 (4), the Attorney General, in his or her discretion, may allow telephone solicitors to make telephone solicitations without requiring them to purchase the "no-calls" database, and regardless of whether a telephone solicitation may be made to a consumer who has given notice of his objection to receiving such solicitations, provided that it adopts a written policy incorporating the following criteria:

(a) The telephone solicitor must demonstrate to the Attorney General that its proposed telephone solicitation is reasonably related to an established business relationship as defined in Section 77-3-705(h), or is being made in response to an invitation or notice from a consumer which clearly signifies that he is open to a contact being initiated;

(b) The telephone solicitation is to be made by a person or entity for the purpose of soliciting a contribution or donation to a bona fide nonprofit corporation, regardless of whether consumer goods or services will be provided to the consumer in return for the contribution or donation; or

(c) The consumer will not be telephoned for a telephone solicitation as defined in Section 77-3-705(d), but he will be telephoned for a bona fide religious or charitable purpose, including an invitation to attend an event or a request for a contribution or donation.

In all cases, the telephone solicitor must demonstrate that it will not use an automated dialing system or a method that will block or otherwise circumvent the consumer's use of a caller identification service.

In making its determination of whether to allow a telephone solicitation to be made under the policy which will include the limitations set forth in this section, the Attorney General shall exercise due care in investigating previous conduct of the telephone solicitor seeking such authority. The Attorney General may deny any telephone solicitor the privilege of making telephone solicitations under this section, notwithstanding that any of the criteria set forth in this section have been met.

SECTION 3. Section 77-3-711, Mississippi Code of 1972, is amended as follows:

77-3-711. Except as otherwise provided in Section 77-3-707(4), the provisions of this article shall not apply to:

(a) A person soliciting:

(i) Who does not make the major sales presentation during the telephone solicitation;

(ii) Without the intent to complete or obtain provisional acceptance of a sale, a charitable contribution, or the payment of some other item of value, pecuniary or otherwise, during the telephone solicitation; or

(iii) Without the intent to complete, and who does not complete, the sales presentation during the telephone solicitation, but who completes the sales

presentation at a later face-to-face meeting between the person soliciting and the prospective purchaser or consumer.

(b) A person who is a licensee under Chapter 35, Title 73, Mississippi Code of 1972, who is a resident of the State of Mississippi, and whose telephone solicitation is for the sole purpose of selling, exchanging, purchasing, renting, listing for sale or rent or leasing real estate in connection with his real estate license and not in conjunction with any other offer.

(c) A motor vehicle dealer as that term is defined in Section 63-17-55, who is a resident of the State of Mississippi and who maintains a current motor vehicle dealer's license issued by the Mississippi Motor Vehicle Commission, whose telephone solicitation is for the sole purpose of selling, offering to sell, soliciting or advertising the sale of motor vehicles in connection with his motor vehicle dealer's license and not in conjunction with any other offer.

(d) An agent, as that term is defined in Section 83-17-1, whose telephone solicitation is for the sole purpose of soliciting, consulting, advising, or adjusting in the business of insurance; however, this exemption is not applicable to a person calling on behalf of any issuer, as that term is defined in Section 83-9-101, whose telephone solicitation is for the sole purpose of making a sales presentation or otherwise soliciting the purchase of a Medicare supplement policy or certificate. This paragraph (d) shall not apply to the extent it is preempted under 42 USC Section 1395w-26(b)(3).

(e) A broker-dealer, agent, or investment advisor registered under Chapter 71, Title 75, Mississippi Code of 1972, whose telephone solicitation is for the sole purpose of effecting or attempting to effect the purchase or sale of securities or has the purpose of providing or seeking to provide investment or financial advice.

(f) A person calling on behalf of a charitable organization which is registered under Chapter 11, Title 79, Mississippi Code of 1972, whose telephone solicitation is for the sole purpose of soliciting for the charitable organization and who receives no compensation for his activities on behalf of the organization.

(g) A person calling on behalf of a newspaper of general circulation, whose telephone solicitation is for the sole purpose of soliciting a subscription to the newspaper from, or soliciting the purchase of advertising by, the consumer.

(h) A person calling on behalf of any supervised financial institution or parent, subsidiary or affiliate thereof. As used in this section, "supervised financial institution" means any commercial bank, trust company, savings and loan association, mutual savings bank, credit union, industrial loan company, small loan company, consumer finance lender, commercial finance lender or insurer, provided that the institution has a physical office located in the State of Mississippi and is subject to supervision by an official or agency of the State of Mississippi or of the United States.

(i) A person calling on behalf of a funeral establishment licensed under Section 73-11-41, cemetery or monument dealer, if the sole purpose of the telephone solicitation relates to services provided by the funeral or death related establishments in the course of its ordinary business.

(j) Any telephone solicitor who solicits a consumer with whom he has an established business relationship.

SECTION 4. Section 77-3-723, Mississippi Code of 1972, is amended as follows:

77-3-723. (1) Any person or entity who makes an authorized telephone solicitation to a consumer in this state shall announce clearly, at the beginning of each call, his or her name, the company he or she represents and the purpose of the call. Such calls may

only be made between the hours of 8:00 a.m. and 8:00 p.m. Central Standard Time. No telephone solicitations may be made on a Sunday. For purposes of this provision, an "authorized telephone solicitation" means a solicitation that is made: (a) to a consumer who is not listed on the most current "no-calls" database; (b) by a telephone solicitor who has been authorized to make such solicitations under the provisions of Section 77-3-709; (c) by a telephone solicitor that is not prohibited from making, or causing to be made, such solicitations under Section 77-3-707 (4); or (* * *d) by a telephone solicitor who is exempt from this article under the provisions of Section 77-3-711.

(2) A person or entity who makes a telephone solicitation to a consumer in this state may not utilize knowingly any method that blocks or otherwise circumvents the consumer's use of a caller identification service, nor may the person or entity use an automated dialing system or any like system that uses a recorded voice message to communicate with the consumer unless the person or entity has an established business relationship with the consumer and uses the recorded voice message to inform the consumer about a new product or service.

SECTION 5. Section 77-3-603, Mississippi Code of 1972, is brought forward as follows:

77-3-603. Any telephone solicitor who makes an unsolicited telephonic sales call to a residential telephone number shall:

(a) Make calls between the hours of 8:00 a.m. and 9:00 p.m., Central Standard Time, Monday through Friday, and between the hours of 8:00 a.m. and 9:00 p.m. on Saturdays (no calls shall be made on Sundays);

(b) Identify himself or herself by his or her true first and last names and the business on whose behalf he or she is soliciting immediately upon making contact by telephone with the person who is the object of the telephone solicitation; and

(c) Discontinue the call immediately if at any time during the conversation the person being solicited expresses disinterest in continuing the call or sales presentation.

SECTION 6. Section 79-11-524, Mississippi Code of 1972, is brought forward as follows:

79-11-524. Any fund-raising counsel, professional fund-raiser, professional solicitor or employee of any of these who makes a telephone solicitation subject to the provisions of this chapter to a residential telephone number shall make calls only between the hours of 9:00 a.m. and 9:00 p.m., Monday through Saturday. No calls shall be made on Sundays.

SECTION 7. Section 83-9-110, Mississippi Code of 1972, is amended as follows:

83-9-110. (1) Every issuer of Medicare supplement insurance policies or certificates in this state shall provide a copy of any Medicare supplement advertisement intended for use in this state, whether through written, radio or television medium, to the commissioner for review and approval.

(2) An issuer may not make or cause to be made a telephone solicitation, as that term is defined in Section 77-3-705, for the purpose of advertising the sale or soliciting the purchase of a Medicare supplement policy or certificate. This subsection (2) shall not apply to the extent it is preempted under 42 USC Section 1395w-26(b)(3).

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 77-3-707, MISSISSIPPI CODE OF 1972, TO PROHIBIT TELEPHONE SOLICITORS FROM MAKING ANY TELEPHONE SOLICITATION TO ANY PERSON IN THE STATE OF MISSISSIPPI REGARDING ANY MEDICARE ADVANTAGE PLAN; TO PROVIDE THAT IF A PERSON HAS FIRST INITIATED A CALL WITH AN ENTITY REGARDING A MEDICARE ADVANTAGE PLAN, A TELEPHONE SOLICITOR IS NOT PROHIBITED FROM THEN MAKING A TELEPHONE SOLICITATION REGARDING A MEDICARE ADVANTAGE PLAN; TO AMEND SECTIONS 77-3-709 AND 77-3-723, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI TELEPHONE SOLICITATION ACT, TO CONFORM TO THE PRECEDING PROVISIONS; TO BRING FORWARD SECTIONS 77-3-603 AND 79-11-524, MISSISSIPPI CODE OF 1972, WHICH RELATE TO UNSOLICITED RESIDENTIAL TELEPHONIC SALES CALLS AND REGULATION OF CHARITABLE SOLICITATIONS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 77-3-711, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO EXCLUDE ISSUERS OF MEDICARE SUPPLEMENTS FROM THE EXEMPTION FOR CALLS RELATING TO INSURANCE FROM THE REQUIREMENTS OF THE TELEPHONE SOLICITATION ACT; TO AMEND SECTION 83-9-110, MISSISSIPPI CODE OF 1972, TO PROHIBIT ISSUERS OF MEDICARE SUPPLEMENTS FROM MAKING TELEPHONE SOLICITATIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Brent Powell	Joel R. Carter, Jr.
Jonathan Ray Lancaster	John Horhn
Joey Hood	Chad McMahan

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1350** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--McMahan. Total--1.

Senator Michel offered the following report of the Conference Committee on **H. B. No. 1489** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1489: Ambulance services; provide for payment for treatment in place and provide for minimum reimbursement rate in health insurance policies.

We, therefore, respectfully submit the following report and recommendation:

1. That the House concur in Senate Amendment No. 1.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Jerry R. Turner	J. Walter Michel
William Tracy Arnold	Michael McLendon
Lester Carpenter	Neil S. Whaley

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1489** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McLendon, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--McMahan. Total--1.

Voting Present--McCaughn. Total--1.

Senator Fillingane offered the following report of the Conference Committee on **S. B. No. 2196** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2196: Mississippi Terroristic Threats Law; provide enhanced penalty for threat against airport.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Joey Fillingane	Kevin Horan
Mike Thompson	Jay McKnight
Andy Berry	Fabian Nelson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2196** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--McMahan. Total--1.

Senator Carter offered the following report of the Conference Committee on **S. B. No. 2283** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2283: Public Service Commission; extend date of repeal on.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 77-1-51, Mississippi Code of 1972, is amended as follows:

77-1-51. * * * This chapter shall stand repealed as of December 31, * * * 2028.

SECTION 2. Section 77-1-55, Mississippi Code of 1972, is amended as follows:

77-1-55. (1) The Public Service Commission, with the aid and the assistance of the Public Utilities Staff, shall have the power to monitor, investigate, and seek relief in any appropriate federal forum from all existing or proposed interstate rates, charges, allocations and classifications, and all rules and practices in relation thereto promulgated and prescribed by or for any public utility as defined in Section 77-3-3(d)(i).

(2) The Public Service Commission, with the aid and the assistance of the Public Utilities Staff, may seek relief from any proposed or final decision, order, regulation, rule or law that has an impact on any existing or proposed interstate rate, charge, allocation or classification.

(3) For the purpose of this section, the Public Service Commission and the Executive Director of the Public Utilities Staff may each enter into professional services contracts with one or more attorneys or consultants from a competent, qualified and independent firm as may be required by the commission or the executive director. Costs associated with the professional service contracts shall not exceed One Million Five Hundred Thousand Dollars ($1,500,000.00) for each agency with respect to each rate regulated affected utility in any twelve-month period. The consultants or counsel shall submit periodically, but no less frequently than once each calendar quarter, to the executive director or the commission, as applicable, for approval of payment, itemized bills detailing the work performed. The executive director or the chairman of the commission, as applicable, shall requisition the applicable public utility to make the requisite payments to such consultants. The commission shall allow the utility to recover both the total costs the utility incurred under this section and the carrying charges for those costs through a rate rider established to recover the costs incurred and carrying charges incurred. Such rider shall include a true-up provision to ensure actual recovery of costs paid or otherwise incurred by the utility.

* * *

SECTION 3. This act shall take effect and be in force from and after June 30, 2024.

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

AN ACT TO AMEND SECTIONS 77-1-51 AND 77-1-55, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISIONS OF LAW CREATING THE PUBLIC SERVICE COMMISSION AND PRESCRIBING ITS POWERS AND

DUTIES; TO SPECIFY THE APPLICATION OF THE REPEALER CONTAINED IN SECTION 77-1-51 TO THE ENTIRE PUBLIC SERVICE COMMISSION CHAPTER; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Joel R. Carter, Jr.	Brent Powell
Bart Williams	Jonathan Ray Lancaster
Josh Harkins	Andy Boyd

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2283** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--McMahan. Total--1.

Senator Fillingane moved that the rules be suspended for the consideration en bloc of S. N. No. 11, S. N. No. 59 and S. N. No. 72 and the motion prevailed.

Senator Fillingane called up the following entitled nominations:

S. N. No. 11: Col. William R. (Bill) Allen, Jr. USAR (Ret.), Tupelo, Mississippi, Crime Stoppers Advisory Council, two year term effective July 1, 2023 and ending June 30, 2025, vice Christopher Freeze.

S. N. No. 59: Lance Emfinger, Lamar County Sheriff's Office, Mississippi, Polygraph Examiners Board, six year term effective June 2, 2023 and ending June 1, 2029, representing an Active Polygraph Examiner, vice Leonard B. Schaefer, III.

S. N. No. 72: Derrick Vaneil (Bo) Lewis, Brandon, Mississippi, Polygraph Examiners Board as the supervisor of the polygraph section of the Department of Public Safety, six year term effective March 1, 2023 and ending February 6, 2029, vice Ricky E. Dean.

YEAS AND NAYS on consideration en bloc of S. N. No. 11, S. N. No. 59 and S. N. No. 72. On motion of Senator Fillingane, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner,

McCaughn, McLendon, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--McMahan. Total--1.

Senator Rhodes moved that when the Senate adjourns, it adjourn in memory of Prentiss Calhoun of Puckett, MS.

Senators Jordan and Barnett moved that when the Senate adjourns, it adjourn in memory of Archie L. Cooley, Jr. of Laurel, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Ronald Wayne Hoskins of Biloxi, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Beth Ann Grissom Beard of Columbus, MS.

Senator Polk moved that the Senate stand in recess until 11:00 AM, at which time the Senate would then adjourn until 3:00 PM, Monday, April 22, 2024.

The motion prevailed, and at 10:33 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON CORRECTIONS

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 88: Philip Edward Moran, Kiln, Mississippi, Parole Board, this appointment is effective January 1, 2024, to serve a term at the will and pleasure of the Governor, vice Anthony Layne Smith. Do Advise and Consent.

BARNETT, Chairman

REPORT OF COMMITTEE ON EDUCATION

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 96: James Matthew (Matt) Mayo, Flowood, Mississippi, State Board of Education, remainder of a nine year term effective March 26, 2024 and ending June 30, 2025, representing the First Supreme Court District, vice Dr. Angela S. Bass. Do Advise and Consent.

S. N. No. 105: Billye Jean Stroud, New Albany, Mississippi, State Board of Education to represent the Third Supreme Court District, remainder of a nine year term beginning upon Senate confirmation and ending June 30, 2030, vice Karen J. Morgan Elam. Do Advise and Consent.

S. N. No. 106: Richard Cullen (Ric) Sawyer, Ocean Springs, Mississippi, Educational Television Authority (MS Public Broadcasting BD) as the Teacher or Principal of an Elementary School representative, four year term effective July 10, 2023 and ending June 30, 2027. Do Advise and Consent.

DEBAR, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2001: AN ACT TO AMEND CHAPTER 917, LOCAL AND PRIVATE LAWS OF 2015, AS LAST AMENDED BY CHAPTER 909, LOCAL AND PRIVATE LAWS OF 2020, WHICH AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF HOUSTON, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS, TO EXTEND UNTIL DECEMBER 31, 2028, THE REPEAL DATE ON THIS ACT; AND FOR RELATED PURPOSES.

S. B. No. 3062: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF MARSHALL COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO ICS HEAD START, NORTHEAST MISSISSIPPI COMMUNITY SERVICES, INC., AND ABANDONED TO ADORED ANIMAL SHELTER; AND FOR RELATED PURPOSES.

S. B. No. 3100: AN ACT TO AUTHORIZE THE BOARD OF DIRECTORS OF THE LEAKE COUNTY ECONOMIC DEVELOPMENT DISTRICT TO ENTER INTO A LONG-TERM LEASE AGREEMENT FOR PROPERTY OWNED BY THE LEAKE COUNTY ECONOMIC DEVELOPMENT DISTRICT TO EAST CENTRAL COMMUNITY COLLEGE FOR THE CONSTRUCTION OF A WORKFORCE TRAINING CENTER IN LEAKE COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

S. B. No. 3102: AN ACT TO AUTHORIZE THE HANCOCK COUNTY PORT AND HARBOR COMMISSION TO CONTRIBUTE TO THE PEARL RIVER COMMUNITY COLLEGE COUNTY TUITION ASSISTANCE PROGRAM FOR HANCOCK COUNTY STUDENTS; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2084: AN ACT TO AUTHORIZE THE DESOTO COUNTY REGIONAL UTILITY AUTHORITY OF DESOTO COUNTY, MISSISSIPPI, TO CONTRIBUTE THE FUNDS REQUIRED FOR MEMBERSHIP TO THE CHAMBER OF COMMERCE AND/OR ECONOMIC DEVELOPMENT ORGANIZATIONS LOCATED IN THE STATE; AND FOR RELATED PURPOSES.

S. B. No. 2476: AN ACT TO AMEND SECTION 27-7-22.39, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES SEPARATE INCOME TAX CREDITS FOR VOLUNTARY CASH CONTRIBUTIONS TO QUALIFYING CHARITABLE ORGANIZATIONS AND

QUALIFYING FOSTER CARE CHARITABLE ORGANIZATIONS, TO DELETE THE REPEALER ON THAT SECTION OF LAW; AND FOR RELATED PURPOSES.

S. B. No. 2492: AN ACT TO AMEND SECTION 27-67-35, MISSISSIPPI CODE OF 1972, TO ALLOW MUNICIPALITIES TO USE MONIES FROM USE TAX REVENUE FOR PERSONAL PROPERTY OR EQUIPMENT TO BE USED FOR THE REPAIR, MAINTENANCE AND/OR RECONSTRUCTION OF ROADS, STREETS AND BRIDGES, OR TO BE USED FOR THE REPAIR, MAINTENANCE AND/OR OTHER IMPROVEMENTS TO WATER INFRASTRUCTURE AND SEWER INFRASTRUCTURE, INCLUDING STORM WATER AND DRAINAGE IMPROVEMENTS; TO ALLOW COUNTIES TO USE MONIES FROM USE TAX REVENUE FOR PERSONAL PROPERTY OR EQUIPMENT TO BE USED FOR THE REPAIR, MAINTENANCE AND/OR RECONSTRUCTION OF ROADS, STREETS AND BRIDGES; TO REVISE THE TYPES OF EXPENDITURES THAT MAY BE CONSIDERED WHEN CALCULATING EXPENDITURES MADE BY A MUNICIPALITY OR COUNTY FOR ROAD AND BRIDGE IMPROVEMENTS AND, FOR MUNICIPALITIES, WATER AND SEWER INFRASTRUCTURE IMPROVEMENTS, DURING THE PREVIOUS FISCAL YEAR FOR THE PURPOSE OF ALLOCATING USE TAX REVENUE TO THE MUNICIPALITY OR COUNTY; AND FOR RELATED PURPOSES.

S. B. No. 2984: AN ACT TO AMEND CHAPTER 904, LOCAL AND PRIVATE LAWS OF 2011, AS LAST AMENDED BY CHAPTER 908, LOCAL AND PRIVATE LAWS OF 2021, TO EXTEND THE REPEALER FROM JULY 1, 2025, TO JULY 1, 2028, ON THE PROVISION OF LAW AUTHORIZING THE BOARD OF SUPERVISORS OF JACKSON COUNTY, MISSISSIPPI, AND THE GOVERNING AUTHORITIES OF THE CITY OF PASCAGOULA, MISSISSIPPI, TO JOIN TOGETHER TO CREATE THE LAPOINTE-KREBS FOUNDATION, INC., FOR THE PRESERVATION, MAINTENANCE, UPKEEP AND OPERATION OF THE LAPOINTE-KREBS HOUSE; TO INCREASE THE AMOUNT THE JACKSON COUNTY BOARD OF SUPERVISORS MAY CONTRIBUTE ANNUALLY TO THE LAPOINTE-KREBS FOUNDATION, INC., FROM $50,000.00 TO $75,000.00; AND FOR RELATED PURPOSES.

S. B. No. 3060: AN ACT TO AMEND CHAPTER 951, LOCAL AND PRIVATE LAWS OF 2023, TO AUTHORIZE THE BOARD OF SUPERVISORS OF RANKIN COUNTY, MISSISSIPPI, AND THE GOVERNING AUTHORITIES OF THE CITY OF PEARL, MISSISSIPPI, TO CONTRIBUTE AN AMOUNT NOT TO EXCEED $1,500,000.00 IN THE AGGREGATE ANNUALLY TO TRUSTMARK PARK; TO AMEND CHAPTER 952, LOCAL AND PRIVATE LAWS OF 2023, WHICH AUTHORIZES THE CITY OF PEARL TO CONTRIBUTE AN AMOUNT NOT TO EXCEED $750,000.00 TO TRUSTMARK PARK, TO CHANGE THE DATE OF THE CHAPTER'S REPEAL TO THE EFFECTIVE DATE OF THIS ACT; AND FOR RELATED PURPOSES.

S. B. No. 3081: AN ACT TO AMEND CHAPTER 939, LOCAL AND PRIVATE LAWS OF 1998, AS LAST AMENDED BY CHAPTER 901, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE REPEAL DATE FROM DECEMBER 31, 2024, TO DECEMBER 31, 2028, ON THE LAW THAT AUTHORIZES THE CITY OF FLORENCE TO IMPOSE A TAX UPON THE GROSS PROCEEDS OF THE SALES OF BARS AND RESTAURANTS; AND FOR RELATED PURPOSES.

S. B. No. 3082: AN ACT TO AMEND CHAPTER 918, LOCAL AND PRIVATE LAWS OF 2017, AS LAST AMENDED BY CHAPTER 905, LOCAL AND PRIVATE LAWS OF 2021, TO EXTEND THE REPEAL DATE, FROM JULY 1, 2025, TO JULY 1, 2028, ON THE PROVISION OF LAW AUTHORIZING CONTRIBUTIONS BY THE BOARD OF SUPERVISORS OF LOWNDES COUNTY, MISSISSIPPI, TO THE UNITED WAY OF LOWNDES COUNTY; TO INCREASE THE MAXIMUM ANNUAL AMOUNT OF SUCH CONTRIBUTIONS FROM $130,000.00 to $150,000.00 FOR THE DURATION OF THE AUTHORIZED PERIOD; AND FOR RELATED PURPOSES.

S. B. No. 3103: AN ACT TO AMEND CHAPTER LAW 925, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE DATE OF REPEAL TO JULY 1, 2028, ON THE LAW THAT AUTHORIZES THE BOARD OF SUPERVISORS OF LAUDERDALE COUNTY, MISSISSIPPI, TO LEVY AN ASSESSMENT, IN ADDITION TO ANY OTHER ASSESSMENTS AND COURT COSTS, FOR MISDEMEANOR CONVICTIONS AND/OR NONADJUDICATIONS OBTAINED IN ITS JUSTICE COURT, TO BE USED TO FUND THE CONSTRUCTION, OPERATION, FURNISHING, TECHNOLOGY, MAINTENANCE

AND RELATED NEEDS OF A NEW COUNTY OFFICE BUILDING TO BE KNOWN AS THE "LAUDERDALE COUNTY GOVERNMENT COMPLEX"; TO REMOVE CIVIL CASES FROM THE ASSESSMENT AUTHORIZATION; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2138: AN ACT TO AMEND CHAPTER 1039, LOCAL AND PRIVATE LAWS OF 1999, AS LAST AMENDED BY CHAPTER 948, LOCAL AND PRIVATE LAWS OF 2016, TO INCREASE FROM $40,000,000.00 TO $80,000,000.00 THE AUTHORITY OF THE DESOTO COUNTY REGIONAL UTILITY AUTHORITY TO BORROW MONEY AND ISSUE REVENUE BONDS; AND FOR RELATED PURPOSES.

S. B. No. 3158: AN ACT TO AMEND CHAPTER 952, LOCAL AND PRIVATE LAWS OF 2016, AS AMENDED BY CHAPTER 907, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE REPEAL DATE FROM JULY 1, 2024, TO JULY 1, 2028, ON THE LAW THAT AUTHORIZES THE CITY OF WINONA TO IMPOSE A TAX UPON THE GROSS PROCEEDS OF THE SALES OF RESTAURANTS; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 120: AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY U.S. HIGHWAY 278 LOCATED IN THE TOWN OF SHANNON, LEE COUNTY, MISSISSIPPI, AS THE "JOHNNY R. PATTERSON MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 25 LOCATED IN TISHOMINGO COUNTY, MISSISSIPPI, AS THE "DR. KELLY S. SEGARS, SR. AND MARTHA SEGARS MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 313: AN ACT TO AMEND SECTIONS 73-7-1, 73-7-2, 73-7-3, 73-7-7, 73-7-9, 73-7-11, 73-7-12, 73-7-13, 73-7-14, 73-7-15, 73-7-16, 73-7-17, 73-7-18, 73-7-19, 73-7-21, 73-7-23, 73-7-25, 73-7-27, 73-7-29, 73-7-31, 73-7-33, 73-7-35, 73-7-37 AND 73-7-71, MISSISSIPPI CODE OF 1972, TO MERGE THE STATE BOARD OF COSMETOLOGY AND THE STATE BOARD OF BARBERING INTO THE STATE BOARD OF COSMETOLOGY AND BARBERING; TO PROVIDE FOR THE MEMBERSHIP OF THE BOARD; TO PROVIDE FOR THE APPOINTMENT OF THE EXECUTIVE DIRECTOR; TO REVISE THE LICENSING REQUIREMENTS OF BARBERS AND COSMETOLOGISTS; TO REQUIRE CERTAIN CONTINUING EDUCATION; TO SET CERTAIN PROHIBITIONS; TO PROVIDE THAT THE BOARD MAY CHARGE LICENSE FEES; TO SET THE BARBERING AND COSMETOLOGY SCHOOL REQUIREMENTS; TO SET CERTAIN VIOLATIONS, PENALTIES AND FINES; TO MAKE TECHNICAL AMENDMENTS TO CONFORM; TO BRING FORWARD SECTION 73-7-5, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO CREATE NEW SECTION 73-7-13.1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR BARBER LICENSING REQUIREMENTS; TO REPEAL SECTIONS 73-7-63, MISSISSIPPI CODE OF 1972, WHICH PROVIDES A REPEALER ON THE STATE BOARD OF COSMETOLOGY; TO REPEAL SECTION 73-5-1, MISSISSIPPI CODE OF 1972, WHICH CREATES THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-3, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES THE STAFFING AND

COMPENSATION OF THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-5, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES A SPECIAL FUND FOR DEPOSITS AND AUDITS; TO REPEAL SECTION 73-5-7, MISSISSIPPI CODE OF 1972, WHICH GIVES THE STATE BOARD OF BARBER EXAMINERS THE AUTHORITY TO CREATE AND ENFORCE RULES AND REGULATIONS; TO REPEAL SECTION 73-5-8, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES CERTIFICATE QUALIFICATIONS FOR BARBER INSTRUCTORS; TO REPEAL SECTION 73-5-9, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES THE REQUIREMENT FOR BARBERS TO BE REGISTERED WITH AND LICENSED BY THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-11, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR BARBERING SCHOOL ELIGIBILITY; TO REPEAL SECTION 73-5-12, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES COSMETOLOGY, BARBER EXAMINATION AND ELIGIBILITY; TO REPEAL SECTION 73-5-15, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBES THE PROCEDURE FOR APPLICATIONS FOR BARBER EXAMINATIONS; TO REPEAL SECTION 73-5-17, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES CERTAIN REQUIREMENTS FOR THE ADMINISTRATION OF BARBER EXAMINATIONS; TO REPEAL SECTION 73-5-19, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE ISSUANCE OF CERTIFICATES OF REGISTRATION AS A BARBER; TO REPEAL SECTION 73-5-21, MISSISSIPPI CODE OF 1972, WHICH CREATES THE LICENSE PROCEDURES FOR PERSONS HAVING PRACTICED BARBERING IN ANOTHER STATE OR COUNTRY OR IN MILITARY SERVICE FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-23, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES CONSPICUOUS DISPLAY OF REGISTRATION CERTIFICATES AND THE PENALTY FOR VIOLATIONS; TO REPEAL SECTION 73-5-25, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES CERTIFICATE OR LICENSE DENIAL, SUSPENSION OR REVOCATION; TO REPEAL SECTION 73-5-27, MISSISSIPPI CODE OF 1972, WHICH CREATES THE HEARING PROCEDURES FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-29, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES FEES FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-31, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES APPLICATION FOR NONRESIDENT LICENSE FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-33, MISSISSIPPI CODE OF 1972, WHICH CREATES LICENSURE PROCEDURES AND FEES FOR BARBERSHOPS, AND THE ENFORCEMENT OF LICENSURE REQUIREMENTS FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-35, MISSISSIPPI CODE OF 1972, WHICH CREATES LICENSURE PROCEDURES AND FEES FOR BARBER SCHOOLS FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-37, MISSISSIPPI CODE OF 1972, WHICH SETS AN ANNUAL CYCLE FOR BARBER LICENSE RENEWAL FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-39, MISSISSIPPI CODE OF 1972, WHICH DEFINES WHAT CONSTITUTES THE PRACTICE OF BARBERING; TO REPEAL SECTION 73-5-41, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES EXEMPTIONS FROM LICENSING REQUIREMENTS FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-43, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES OFFENSES AND PENALTIES FOR THE STATE BOARD OF BARBER EXAMINERS; AND FOR RELATED PURPOSES.

H. B. No. 634: AN ACT TO AMEND SECTION 45-9-131, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE GOVERNMENTAL AGENCY OF CERTAIN LAW ENFORCEMENT OFFICERS TO DETERMINE THE AMOUNT TO BE PAID FOR A SIDEARM OF RETIRED LAW ENFORCEMENT OFFICERS; AND FOR RELATED PURPOSES.

H. B. No. 1035: AN ACT TO AMEND SECTION 23-15-975, MISSISSIPPI CODE OF 1972, TO INCLUDE JUSTICE COURT JUDGES IN THE "NONPARTISAN JUDICIAL ELECTION ACT"; TO AMEND SECTION 23-15-197, MISSISSIPPI CODE OF 1972, TO PROVIDE THE TIME FOR HOLDING AN ELECTION FOR THE OFFICE OF JUSTICE COURT JUDGE; TO AMEND SECTION 23-15-977, MISSISSIPPI CODE OF 1972, TO PROVIDE THE QUALIFYING FEE FOR ELECTION TO THE OFFICE OF JUSTICE COURT JUDGE; TO AMEND SECTIONS 9-11-2, 23-15-193, 23-15-297, 23-15-359, 23-

15-973 AND 23-15-1021, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 23-15-833, 23-15-849 AND 23-15-981, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1068: AN ACT TO AMEND SECTION 41-61-59, MISSISSIPPI CODE OF 1972, TO ADD THE DEATH OF ANY PERSON UNDER THE AGE OF EIGHTEEN TO THE LIST OF DEATHS CATEGORIZED AS "AFFECTING PUBLIC INTEREST"; TO AMEND SECTION 41-61-63, MISSISSIPPI CODE OF 1972, TO REQUIRE COUNTY MEDICAL EXAMINERS TO ENTER ELECTRONICALLY THE INFORMATION FOR ALL DEATHS, AND ALL ASSOCIATED TOXICOLOGY REPORTS, THAT OCCUR IN THE EXAMINER'S COUNTY IN A MANNER PRESCRIBED BY THE STATE MEDICAL EXAMINER; TO AMEND SECTION 13-1-23, MISSISSIPPI CODE OF 1972, TO CREATE AN EVIDENTIARY PRESUMPTION OF DEATH TO BE KNOWN AS THE "ZEB HUGHES LAW" WHENEVER UNCONTRADICTED SWORN TESTIMONY AND EVIDENCE SUPPORT A DETERMINATION OF THE DEATH OF A MISSING PERSON WHO HAS UNDERGONE A CATASTROPHIC EVENT THAT EXPOSED THE PERSON TO IMMINENT PERIL; TO CREATE NEW SECTION 41-57-8, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE REGISTRAR OF VITAL STATISTICS TO PREPARE A DEATH CERTIFICATE FOR A MISSING PERSON LEGALLY PRESUMED TO BE DEAD UPON RECEIPT OF A PROPER COURT ORDER; AND FOR RELATED PURPOSES.

H. B. No. 1092: AN ACT TO AMEND SECTION 63-7-62, MISSISSIPPI CODE OF 1972, TO ESTABLISH STANDARDS REGARDING THE INSTALLATION OF AUTOMOBILE AIRBAGS AND SUPPLEMENTAL RESTRAINT SYSTEMS; AND FOR RELATED PURPOSES.

H. B. No. 1196: AN ACT TO ENACT WALKER'S LAW TO CREATE THE OFFENSE OF SEXUAL EXTORTION; TO DEFINE TERMS; TO CREATE THE OFFENSE OF SEXUAL EXTORTION AND AGGRAVATED SEXUAL EXTORTION; TO CREATE THE OFFENSE OF MISDEMEANOR SEXUAL EXTORTION WHEN THE OFFENDER IS A MINOR; TO PROVIDE CRIMINAL PENALTIES FOR THE OFFENSES; TO DEFINE PROPER CRIMINAL VENUE FOR THE PROSECUTION OF OFFENSES CREATED UNDER THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1344: AN ACT TO REQUIRE DOMESTIC AND FOREIGN NONPROFIT CORPORATIONS TO FILE AN ANNUAL REPORT WITH THE SECRETARY OF STATE PROVIDING CERTAIN SPECIFIED INFORMATION, INCLUDING WHETHER THE CORPORATION HAS RECEIVED PUBLIC FUNDS FROM A GOVERNMENTAL ENTITY; TO AMEND SECTIONS 79-11-107 THROUGH 79-11-387, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTION 79-11-391, WHICH REQUIRES NONPROFIT CORPORATIONS TO FILE A STATUS REPORT UPON REQUEST OF THE SECRETARY OF STATE, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1378: AN ACT TO AMEND SECTION 27-33-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A QUALIFIED HOMEOWNER WHO IS AN HONORABLY DISCHARGED AMERICAN VETERAN AND HAS REACHED 90 YEARS OF AGE ON OR BEFORE JANUARY 1 OF THE YEAR FOR WHICH HOMESTEAD EXEMPTION IS CLAIMED, SHALL BE ALLOWED AN EXEMPTION FROM ALL AD VALOREM TAXES ON THE ASSESSED VALUE OF THE HOMESTEAD PROPERTY; AND FOR RELATED PURPOSES.

H. B. No. 1577: AN ACT TO AMEND SECTIONS 27-105-305 AND 27-105-353, MISSISSIPPI CODE OF 1972, TO PROVIDE NECESSARY UPDATES AND TO

HARMONIZE BIDDING TERMS FOR PUBLIC DEPOSITS BETWEEN COUNTIES AND MUNICIPALITIES; TO REPEAL SECTION 27-105-363, MISSISSIPPI CODE OF 1972, WHICH ALLOWS FOR COUNTIES AND MUNICIPALITIES TO FOLLOW AN IDENTICAL PROCESS FOR SELECTING PUBLIC DEPOSITORIES; AND FOR RELATED PURPOSES.

H. B. No. 1855: AN ACT TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES, LEASES OR OTHER RETAIL TRANSFERS OF FIXED-WING AIRCRAFT TO, OR TO BE USED BY, CERTIFIED COMMON CARRIERS IN THE TRANSPORT OF PERSONS OR PROPERTY IN INTERSTATE, INTRASTATE OR FOREIGN COMMERCE, AND ENGINES, ACCESSORIES AND SPARE PARTS FOR SUCH FIXED-WING AIRCRAFT; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. C. R. No. 8: New Albany High School "Lady Bulldogs" Golf Team; commend for winning the 2023-2024 4A Girls State Championship and being "back-to-back" champions. Rules.

H. C. R. No. 53: Tardive Dyskinesia Awareness Week; recognize the week May 5-11, 2024, as. Rules.

H. C. R. No. 59: Swetman Security Service; commend upon 50th anniversary. Rules.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:00 AM in memory of Prentiss Calhoun, Archie L. Cooley, Jr., Ronald Wayne Hoskins and Beth Ann Grissom Beard.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR FRIDAY, APRIL 19, 2024

S. R. No. 103: Rules

A RESOLUTION COMMENDING AND CONGRATULATING KRILESHA BOYD OF NORTHEAST ELEMENTARY SCHOOL IN MERIDIAN, MISSISSIPPI, FOR BEING NAMED AN "EXTRAORDINARY EDUCATOR FOR 2024" BY CURRICULUM ASSOCIATES.

By Senator(s) Hickman

S. R. No. 104: Rules

A RESOLUTION EXTENDING THE SINCEREST SYMPATHY OF THE MISSISSIPPI SENATE TO THE SURVIVING FAMILY OF OXFORD MUNICIPAL JUDGE AND FORMER PROSECUTING ATTORNEY PHILIP HALBERT "HAL" NEILSON AND COMMENDING HIS SERVICE TO HIS COMMUNITY AND HIS STATE.

By Senator(s) Boyd, Suber, Whaley, Sparks

S. R. No. 105: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE REGENTS SCHOOL OF OXFORD "LADY LYONS" VOLLEYBALL TEAM AND COACH KACIE

HENGLER FOR WINNING THE DIVISION 3A MAIS STATE CHAMPIONSHIP, MARKING THEIR THIRD-CONSECUTIVE STATE CHAMPIONSHIP.
By Senator(s) Boyd, Whaley, Suber

S. R. No. 106: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE REGENTS SCHOOL OF OXFORD "LYONS" BOYS CROSS COUNTRY TEAM AND COACH BRANDON BECKETT FOR WINNING THE DIVISION 3A MAIS STATE CHAMPIONSHIP, WHICH IS THE TEAM'S FIFTH STATE CHAMPIONSHIP.
By Senator(s) Boyd, Whaley, Suber

S. R. No. 107: Rules
A RESOLUTION EXTENDING THE SINCEREST SYMPATHY OF THE MISSISSIPPI SENATE TO THE SURVIVING FAMILY OF LAFAYETTE COUNTY JUSTICE COURT JUDGE JOHNNY WAYNE "JUDGE" MCLARTY, THE SECOND LONGEST ELECTED JUSTICE COURT JUDGE IN THE STATE OF MISSISSIPPI, AND COMMENDING HIS SERVICE TO HIS COMMUNITY AND HIS STATE.
By Senator(s) Boyd, Suber, Whaley, Sparks

S. R. No. 108: Rules
A RESOLUTION COMMENDING AND CONGRATULATING SIOBHAN COCHRAN OF TRENT LOTT ACADEMY IN PASCAGOULA, MISSISSIPPI, FOR BEING NAMED AN "EXTRAORDINARY EDUCATOR FOR 2024" BY CURRICULUM ASSOCIATES.
By Senator(s) Wiggins

S. R. No. 109: Rules
A RESOLUTION CELEBRATING THE LIFE AND LEGACY OF FORMER LAFAYETTE COUNTY CHANCERY CLERK SHERRY WALL AND COMMENDING HER SERVICE TO HER COMMUNITY AND STATE.
By Senator(s) Boyd

S. R. No. 110: Rules
A RESOLUTION COMMENDING THE JUDICIAL AND PUBLIC SERVICE CAREER OF CLAIBORNE COUNTY JUSTICE COURT JUDGE MARY C. CURRY ON THE OCCASION OF HER RETIREMENT FROM THE BENCH.
By Senator(s) Butler

S. R. No. 111: Rules
A RESOLUTION COMMENDING AND CONGRATULATING ANDREA SCHIPKE OF LAUREL MAGNET SCHOOL OF THE ARTS IN LAUREL, MISSISSIPPI, FOR BEING NAMED AN "EXTRAORDINARY EDUCATOR FOR 2024" BY CURRICULUM ASSOCIATES.
By Senator(s) Barnett

S. R. No. 112: Rules
A RESOLUTION COMMENDING AND CONGRATULATING CASEY WATTS OF LAUREL MAGNET SCHOOL OF ARTS IN LAUREL, MISSISSIPPI, FOR BEING NAMED AN "EXTRAORDINARY EDUCATOR FOR 2024" BY CURRICULUM ASSOCIATES.
By Senator(s) Barnett

S. R. No. 113: Rules
A RESOLUTION RECOGNIZING KAYLEE BROOKE MCCOLLUM OF AMORY, MISSISSIPPI, FOR REPRESENTING THE USA AT THE 2024 MISS UNIVERSE PAGEANT IN MEXICO.
By Senator(s) Barrett, Bryan

S. R. No. 114: Rules

A RESOLUTION COMMENDING AND CONGRATULATING MISS MISSISSIPPI TEEN USA 2024 ADDIE CARVER OF BROOKHAVEN, MISSISSIPPI.
By Senator(s) Barrett, Berry

ONE-HUNDRED AND TWELFTH DAY, MONDAY, APRIL 22, 2024

The Senate met at 3:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Very Reverend Adam Urbaniak, Vicar General of the Catholic Diocese of Biloxi, MS and Pastor, Our Lady of Victories Catholic Church, Pascagoula, MS.

Senator Wiggins led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

MESSAGE FROM THE GOVERNOR
April 20, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2125: State employees; authorize the state to offer health savings accounts to. (April 19, 2024, 8:00 AM)

S. B. No. 2244: Foster care children; allow free access to museums and state parks, allow free transcripts from colleges and junior colleges. (April 19, 2024, 8:05 AM)

S. B. No. 2311: Sheriffs; revise cap on annual salary supplement. (April 19, 2024, 8:10 AM)

S. B. No. 2349: Cardiac emergency response plans; require schools to implement and provide procedures and certain immunity related thereto. (April 19, 2024, 8:12 AM)

S. B. No. 2635: Nonconsensual towing; regulate towing and charges for commercial vehicles. (April 19, 2024, 8:20 AM)

S. B. No. 2645: Mississippi Department of Transportation; design-build requirement revisions. (April 19, 2024, 8:30 AM)

S. B. No. 2649: Department of Environmental Quality; provide additional powers to Executive Director. (April 19, 2024, 8:35 AM)

S. B. No. 2762: Retainage; further define and outline the process related to. (April 19, 2024, 8:50 AM)

S. B. No. 2776: Immediate possession; authorize for certain public agencies for roads & public utilities for an economic development project. (April 19, 2024, 9:00 AM)

S. B. No. 2862: Radiological health services; authorize Board of Health to collect fees in congruence with certain federal regulation. (April 19, 2024, 8:51 AM)

S. B. No. 3027: Appropriation; Massage Therapy, Board of. (April 19, 2024, 8:52 AM)

S. B. No. 3032: Appropriation; Veterinary Examiners, Board of. (April 19, 2024, 8:53 AM)

S. B. No. 3033: Appropriation; Chiropractic Examiners, Board of. (April 19, 2024, 8:54 AM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

_____

TO THE MISSISSIPPI STATE SENATE

MESSAGE FROM THE GOVERNOR

April 20, 2024

I am directed by the Governor to advise you that the following Senate Bill was purposely left **unsigned** and will become a part of the laws of Mississippi, without the approval signature of the Governor.

S.B. No. 2681: Certified Academic Language Therapists; allow to help instruct students with dyslexia in schools.

Respectfully submitted,

Ginny Zirulnik, Legislative Aide

_____

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. C. R. No. 60: A CONCURRENT RESOLUTION ACKNOWLEDGING MISSISSIPPI AS THE HOME AND BIRTHPLACE OF THE SOUTHERN SOUL MUSIC GENRE.

H. C. R. No. 61: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING TARIK ROBINSON-O'HAGAN FOR WINNING THE NATIONAL TITLE IN SHOT PUT AT THE NCAA DIVISION I INDOOR TRACK AND FIELD CHAMPIONSHIPS AS WELL AS FOR HIS NUMEROUS OTHER SUCCESSES.

H. C. R. No. 62: A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING JALANI DAVIS FOR WINNING THE 2024 NCAA INDOOR TRACK AND FIELD CHAMPIONSHIPS, WOMEN'S WEIGHT THROW.

H. C. R. No. 63: A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING THE NESHOBA CENTRAL HIGH SCHOOL "LADY ROCKETS" GIRLS BASKETBALL TEAM FOR WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION (MHSAA) CLASS 6A GIRLS BASKETBALL STATE CHAMPIONSHIP.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 1984: Ad valorem tax; authorize a tax credit for certain refines of oil, gas and petroleum products.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 89: Anthony Lynn (Tony) Jones, Olive Branch, Mississippi, Mississippi Real Estate Commission, four year term beginning January 31, 2024 and ending June 30, 2027, representing the At-Large member, vice Gwendolyn James. Do Advise and Consent.

S. N. No. 92: Rhoshunda G. Kelly, Madison, Mississippi, Commissioner of the Mississippi Department of Banking and Consumer Finance, four year term effective July 1, 2024 and ending June 30, 2028. Do Advise and Consent.

POLK, Chairman

Senator Parks called up the following entitled bill:

S. B. No. 3230: Alcorn, Benton, Marshall, Prentiss, Tippah, Tishomingo Counties; extend authority to contribute to NE MS Comm. Servs.

YEAS AND NAYS On S. B. No. 3230. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 3:15 PM, the Senate stood in recess.

The Senate resumed business at 4:15 PM, pursuant to recess, with President Hosemann presiding.

Senators Harkins and Parker moved that when the Senate adjourns, it adjourn in memory of Bradley Fountain of Meridian, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Rosemary Hoard of Pascagoula, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Wendy Cabrina Bosarge of St. Martin Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Betty Jo Windham of Latimer Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Jon Timothy Evans, Sr. of Biloxi, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Leslie F. Montgomery of Saucier Community, MS.

Senator Fillingane moved that when the Senate adjourns, it adjourn in memory of Bertie Dixon Regan of Sumrall, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Danny Todd of Kemper County, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Patty Embrey Henson and Norma Hairald McCormick of Winona, MS.

Senator Polk moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Tuesday, April 23, 2024.

The motion prevailed, and at 4:17 PM, the Senate stood in recess.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 1354: Alcoholic Beverage Control Division warehouse; increase amount of revenue bonds authorized for and bailment fee authorized for paying debt service on bonds.

Representatives Lamar,Steverson,Zuber

H. B. No. 1710: Income tax; authorize a tax credit for certain employers that sponsor skills training for employees.

Representatives Lamar,Steverson,Bell (21st)

H. B. No. 1764: Sales tax; revise rate regarding certain oil, gas and other mineral resources services, equipment and materials.

Representatives Lamar,Steverson,Powell

H. B. No. 1942: Income tax and insurance premium tax; authorize a credit for certain investments in qualified community development entities.

Representatives Lamar,Steverson,Bell (21st)

H. B. No. 1983: Bonds; authorize issuance for various purposes.

Representatives Lamar,Steverson,Bell (21st)

H. B. No. 1988: Children's Promise Act; increase amount of tax credits that may be allocated under, bring forward various tax credit sections of law.

Representatives Lamar,Steverson,Barnett

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. C. R. No. 60: Southern Soul music genre; acknowledge Mississippi as the home and birthplace of. Rules.

H. C. R. No. 61: Tarik Robinson-O'Hagan; commend upon winning NCAA Division I national title in shot put. Rules.

H. C. R. No. 62: Jalani Davis; recognize and commend for winning the 2024 NCAA Indoor Track and Field Championships, Women's Weight Throw. Rules.

H. C. R. No. 63: Neshoba Central High School "Lady Rockets" Girls Basketball Team; commend for winning MHSAA Class 6A State Championship. Rules.

REPORT OF COMMITTEE ON ENERGY

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 70: Richard Lewis (Lew) Yoder, Jr., Laurel, Mississippi, State Oil and Gas Board, six year term effective May 8, 2024 and ending May 7, 2030, representing the Second Supreme Court District. Do Advise and Consent.

S. N. No. 78: Jennifer C. Knight, Madison, Mississippi, Commercial Mobile Radio Service Board, four year term effective July 1, 2023 and ending June 30, 2027, representing the Central Public Service Commission District. Do Advise and Consent.

S. N. No. 93: Mark Alan Rigney, Madison, Mississippi, Commercial Mobile Radio Service Board as a wireless provider representative, remainder of a four year term effective March 26, 2024 and ending June 30, 2024. Do Advise and Consent.

S. N. No. 94: Mark Alan Rigney, Madison, Mississippi, Commercial Mobile Radio Service Board as a wireless provider representative, four year term effective July 1, 2024 and ending June 30, 2028. Do Advise and Consent.

S. N. No. 104: James Harrell (Jim) Herring, Sr., Canton, Mississippi, State Oil and Gas Board, four year term beginning May 7, 2024 and ending May 6, 2028. Do Advise and Consent.

S. N. No. 110: Bradley Dees (Brad) Mayo, Oxford, Mississippi, Mississippi State Oil and Gas Board, term effective immediately and ending March 31, 2028. Do Advise and Consent.

CARTER, Chairman

REPORT OF COMMITTEE ON FINANCE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 36: Derek Royce Arrington, Hattiesburg, Mississippi, State Bond Attorney, term effective January 9, 2024 and runs concurrent with the Governor's second term of office. Do Advise and Consent.

S. N. No. 53: Carolyn Q. Boteler, Florence, Mississippi, Mississippi Business Finance Corporation as an individual associated with small business, six year term effective April 1, 2024 and ending March 31, 2030. Do Advise and Consent.

S. N. No. 54: Brian A. Pugh, Starkville, Mississippi, Mississippi Home Corporation, six year term effective April 24, 2024 and ending April 23, 2030, representing the 3rd Supreme Court District. Do Advise and Consent.

S. N. No. 86: Anthony Lynn (Tony) Jones, Olive Branch, Mississippi, Mississippi Home Corporation, six year term effective May 24, 2024 and ending May 23, 2030, representing the 3rd Supreme Court District. Do Advise and Consent.

S. N. No. 87: Lisa Renee (Renee) Rice, Madison, Mississippi, Mississippi Hospital Equipment and Facilities Authority as a banker with experience in commercial lending, four year term effective March 12, 2024 and ending January 10, 2028. Do Advise and Consent.

S. N. No. 102: David A. Jackson, Ridgeland, Mississippi, Mississippi Hospital Equipment and Facilities Authority as the representative of the First Supreme Court District, four year term effective July 1, 2024 and ending June 30, 2028. Do Advise and Consent.

S. N. No. 108: Kristopher Daniel (Kris) Sanders, Holly Springs, Mississippi, Mississippi Hospital Equipment and Facilities Authority as the representative of the Third Supreme Court District, four year term effective July 1, 2024 and ending June 30, 2028. Do Advise and Consent.

HARKINS, Chairman

REPORT OF COMMITTEES ON
LOCAL AND PRIVATE AND FINANCE

Mr. President: The above-named committees, having had under consideration the following, favorably report same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

S. B. No. 3219: Town of Vaiden; authorize tax on restaurants, hotels and motels for tourism and parks & recreation. Title Sufficient. Do Pass.

S. B. No. 3221: City of Ridgeland; authorize to levy tax on restaurants, hotels, and motels to promote tourism, parks and recreation. Title Sufficient. Do Pass.

PARKS, Chairman
HARKINS, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2697: AN ACT TO AMEND SECTION 27-31-1, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS REGARDING THE LEASING OR OTHER USE OF PROPERTY BELONGING TO AN ENTITY THAT IS WHOLLY OWNED BY AND CONTROLLED BY AN EDUCATION FOUNDATION AND WHETHER THE PROPERTY WILL BE TREATED AS BELONGING TO THE FOUNDATION; AND FOR RELATED PURPOSES.

S. B. No. 3101: AN ACT TO AMEND CHAPTER 912, LOCAL AND PRIVATE LAWS OF 2022, TO INCREASE THE AMOUNT OF FUNDS THE BOARD OF SUPERVISORS OF SUNFLOWER COUNTY, MISSISSIPPI, IS AUTHORIZED TO CONTRIBUTE ANNUALLY TO THE FANNIE LOU HAMER CANCER FOUNDATION; AND FOR RELATED PURPOSES.

S. B. No. 3218: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HINDS COUNTY, MISSISSIPPI, TO ENTER INTO A BINDING LEASE AGREEMENT, LEASE-PURCHASE AGREEMENT OR GROUND LEASE, FOR A TERM NOT TO EXCEED 30 YEARS, FOR PURPOSES OF ACQUIRING, MAINTAINING, CONSTRUCTING OR EQUIPPING A PUBLIC BUILDING OR BUILDINGS AND RELATED FACILITIES FOR USE AS A LAW ENFORCEMENT AND PUBLIC SAFETY FACILITY OR DETENTION CENTER, INCLUDING, BUT NOT LIMITED TO, MAKING ASSOCIATED INFRASTRUCTURE IMPROVEMENTS AND ACCESS ROAD IMPROVEMENTS; TO PROVIDE THAT CERTIFICATES OF PARTICIPATION ISSUED BY THE COUNTY IN FURTHERANCE OF CONSTRUCTING THE LAW ENFORCEMENT AND PUBLIC SAFETY FACILITY OR DETENTION CENTER MAY BE FINANCED FOR A TERM OF UP TO 30 YEARS; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 349: AN ACT TO CREATE SECTION 63-7-105, MISSISSIPPI CODE OF 1972, TO PLACE RESTRICTIONS ON VEHICLE MODIFICATIONS THAT RESULT IN THE MOTOR VEHICLES' FRONT FENDERS BEING RAISED FOUR OR MORE INCHES GREATER THAN THE HEIGHT OF THE REAR FENDERS, TO PROVIDE AN EXEMPTION FROM THE NEW SUSPENSION MODIFICATION RULE, TO PROVIDE FOR THE MANNER OF MEASURING THE HEIGHT OF THE FENDERS, TO DEFINE RELEVANT TERMS, AND TO PROVIDE PENALTIES FOR VIOLATIONS; TO CREATE SECTION 63-7-107, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT FINES COLLECTED DUE TO VIOLATIONS OF THE PROVISIONS OF SECTION 63-7-105 BE DEPOSITED INTO THE STATE GENERAL FUND AND UTILIZED IN THEIR ENTIRETY TO AID IN FUNDING SECONDARY SCHOOL DRIVER EDUCATION PROGRAMS; AND FOR RELATED PURPOSES.

H. B. No. 1696: AN ACT TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THE PROCEDURE BY WHICH THE STATE BOARD OF EDUCATION MAY PLACE A FAILING SCHOOL OR SCHOOL DISTRICT INTO A DISTRICT OF TRANSFORMATION; TO ESTABLISH RELEVANT CRITERIA FOR SCHOOLS OR SCHOOL DISTRICTS TO BE PLACED INTO SUCH DISTRICTS; TO DELETE CERTAIN PROVISIONS RELATED TO MISSISSIPPI RECOVERY SCHOOL DISTRICTS, SCHOOL BOARDS OF FAILING SCHOOLS AND ELECTIONS OF MEMBERS OF FAILING SCHOOL BOARDS; TO PROVIDE THAT DISTRICTS THAT ARE PLACED INTO DISTRICT TRANSFORMATION SHALL BE ELIGIBLE TO RETURN TO LOCAL CONTROL WHEN THE DISTRICT HAS ATTAINED A "C" RATING OR HIGHER FOR THREE CONSECUTIVE YEARS; TO CREATE NEW SECTION 37-17-6.1,

MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS RELATED TO THE MISSISSIPPI ACHIEVEMENT SCHOOL DISTRICT WHICH INCLUDES THE YAZOO CITY MUNICIPAL SCHOOL DISTRICT AND THE HUMPHREYS COUNTY SCHOOL DISTRICT; TO PROVIDE CERTAIN TIMELINES ON THE TRANSITION OF SUCH DISTRICTS INTO DISTRICTS OF TRANSFORMATION; TO PROVIDE THAT THE BOARD OF EDUCATION SHALL HAVE THE AUTHORITY TO DETERMINE WHEN SUCH DISTRICT IS READY TO BE RECONSTITUTED, REORGANIZED AND RETURNED TO LOCAL CONTROL; TO DELETE CERTAIN OUTDATED LANGUAGE; TO AMEND SECTION 37-17-13, MISSISSIPPI CODE OF 1972, TO DELETE THE DATE OF REPEAL ON THE SECTION; TO DELETE CERTAIN PROVISIONS RELATED TO FAILING SCHOOLS; TO CONFORM TO THE PROVISIONS OF THE ACT; TO REPEAL SECTION 37-17-17, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE MISSISSIPPI ACHIEVEMENT SCHOOL DISTRICT, ON JULY 1, 2025; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

H. B. No. 1880: Grenada County; expand certain authority concerning Greater Grenada Partnership. Title Sufficient. Do Pass.

H. B. No. 4120: City of Eupora; authorize conveyance of certain real property located in City of Eupora Industrial Park back to a certain entity. Title Sufficient. Do Pass.

H. B. No. 4122: Hattiesburg Convention Commission; authorize to use design-build method of construction contracting. Title Sufficient. Do Pass.

PARKS, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2015: Suffrage; restore suffrage to Vedo Kyles. Title Sufficient. Do Pass.

S. B. No. 3083: Suffrage; restore to Larry Sills. Title Sufficient. Do Pass.

S. B. No. 3222: Suffrage; restore suffrage to Robert Maxwell. Title Sufficient. Do Pass.

S. B. No. 3223: Suffrage; restore suffrage to Dewitt Cooperwood. Title Sufficient. Do Pass.

S. B. No. 3228: Suffrage; restore Kenneth Edward Barnes. Title Sufficient. Do Pass.

FILLINGANE, Chairman

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. R. No. 96: Celebrating the 50th Anniversary of Mississippi Economic Council, Leadership Mississippi. Title Sufficient. Do Be Adopted.

S. R. No. 97: Commend Alexei Orohovsky of Hattiesburg for winning Gold Medal at USA International Ballet Competition. Title Sufficient. Do Be Adopted.

S. R. No. 98: Celebrating the 75th Anniversary of the Mississippi Economic Council (MEC). Title Sufficient. Do Be Adopted.

S. R. No. 100: Congratulate Starkville for being named "Best Small Town in the South" by USA Today. Title Sufficient. Do Be Adopted.

S. R. No. 101: Recognize 90th Anniversary Celebration of Capitol City Beverages. Title Sufficient. Do Be Adopted.

S. R. No. 103: Commend Krilesha Boyd for being named a "2024 Extraordinary Educator." Title Sufficient. Do Be Adopted.

S. R. No. 104: Extend sincerest sympathy of Mississippi Senate to surviving family of Oxford Municipal Judge Philip Halbert "Hal" Neilson. Title Sufficient. Do Be Adopted.

S. R. No. 105: Commend Regents School of Oxford "Lady Lyons" Volleyball Team for third-consecutive Division 3A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 106: Commend Regents School of Oxford "Lyons" Boys Cross Country Team for fifth Division 3A MAIS State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 107: Extend sincerest sympathy of Mississippi Senate to surviving family of Lafayette County Justice Court Judge Johnny McLarty. Title Sufficient. Do Be Adopted.

S. R. No. 108: Commend Siobhan Chochran of Trent Lott Academy for "Extraordinary Educator for 2024." Title Sufficient. Do Be Adopted.

S. R. No. 109: Celebrating the life and legacy of former Lafayette County Chancery Clerk Sherry Wall. Title Sufficient. Do Be Adopted.

S. R. No. 110: Commend judicial and public service career of Claiborne County Justice Court Judge Mary C. Curry. Title Sufficient. Do Be Adopted.

S. R. No. 111: Commend Andrea Schipke of Laurel Magnet School of Arts for "Extraordinary Educator for 2024." Title Sufficient. Do Be Adopted.

S. R. No. 112: Commend Casey Watts of Laurel Magnet School for "2024 Extraordinary Educator." Title Sufficient. Do Be Adopted.

S. R. No. 113: Recognize Kaylee Brooke McCollum of Amory, Mississippi, for representing the USA at the 2024 Miss Universe Pageant in Mexico. Title Sufficient. Do Be Adopted.

S. R. No. 114: Commend Miss Mississippi Teen USA 2024 Addie Carver of Brookhaven, Mississippi. Title Sufficient. Do Be Adopted.

H. C. R. No. 8: New Albany High School "Lady Bulldogs" Golf Team; commend for winning the 2023-2024 4A Girls State Championship and being "back-to-back" champions. Title Sufficient. Do Be Adopted.

H. C. R. No. 53: Tardive Dyskinesia Awareness Week; recognize the week May 5-11, 2024, as. Title Sufficient. Do Be Adopted.

H. C. R. No. 59: Swetman Security Service; commend upon 50th anniversary. Title Sufficient. Do Be Adopted.

S. R. No. 99: Extend sincerest sympathy of the Mississippi Legislature to surviving family of former State Senator Gary Jackson. Title Sufficient. Do Be Adopted.

S. R. No. 102: Extend sincerest sympathy of the Mississippi Senate to the surviving family of former Representative Bob Everett. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:45 PM in memory of Rosemary Hoard, Wendy Cabrina Bosarge, Betty Jo Windham, Jon Timothy Evans, Sr., Leslie F. Montgomery, Bertie Dixon Regan, Danny Todd, Patty Embrey Henson, Norma Hairald McCormick and Bradley Fountain.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR MONDAY, APRIL 22, 2024

ONE-HUNDRED AND THIRTEENTH DAY, TUESDAY, APRIL 23, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Bro. Vincent Anderson, Pastor, Pittsboro First Baptist Church, Pittsboro, MS.

Senator Suber led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. R. No. 86, S. R. No. 87, S. R. No. 88, S. R. No. 89, S. R. No. 90, S. R. No. 92, S. R. No. 93, S. R. No. 94, S. R. No. 95, S. R. No. 96, S. R. No. 97, S. R. No. 98, S. R. No. 100, S. R. No. 101, S. R. No. 103, S. R. No. 104, S. R. No. 105, S. R. No. 106, S. R. No. 107, S. R. No. 108, S. R. No. 109, S. R. No. 110, S. R. No. 111, S. R. No. 112, S. R. No. 113, S. R. No. 114, H. C. R. No. 8, H. C. R. No. 53 and H. C. R. No. 59 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

S. R. No. 86: Recognize Cheryl W. Turner as National First Vice President of Delta Sigma Theta Sorority and commend her considerable civic contributions.

S. R. No. 87: Extend best wishes to Mother Lorene Gee Cockroft on her 100th Birthday.

S. R. No. 88: Commend Northwest Mississippi Community College Dance Team for winning the 2024 Open Hip-Hop National Championship.

S. R. No. 89: Commend Lawrence "Bud" Young from Northwest Mississippi Community College upon the occasion of his retirement.

S. R. No. 90: Commend Northwest MS CC Cheer Team for winning 2024 UCA/UDA College Cheerleading National Championship, Open All-Girl.

S. R. No. 92: Commend Family Health Center in Laurel for "Community Health Quality Recognition" Award by the HRSA.

S. R. No. 93: Honor memory/legacies of MS Blues Musician "BB" King and Civil Rights Pioneer Medgar Evers on their 100th birthday celebrations.

S. R. No. 94: Recognize Becky Pruett Denham as former Miss Mississippi 2001 and commend child advocacy contributions.

S. R. No. 95: Remember the legacy of WWII, D-Day +3 Normandy Veteran KT Robbins of Olive Branch, MS and thanking him for his service.

S. R. No. 96: Celebrating the 50th Anniversary of Mississippi Economic Council, Leadership Mississippi.

S. R. No. 97: Commend Alexei Orohovsky of Hattiesburg for winning Gold Medal at USA International Ballet Competition.

S. R. No. 98: Celebrating the 75th Anniversary of the Mississippi Economic Council (MEC).

S. R. No. 100: Congratulate Starkville for being named "Best Small Town in the South" by USA Today.

S. R. No. 101: Recognize 90th Anniversary Celebration of Capitol City Beverages.

S. R. No. 103: Commend Krilesha Boyd for being named a "2024 Extraordinary Educator."

S. R. No. 104: Extend sincerest sympathy of Mississippi Senate to surviving family of Oxford Municipal Judge Philip Halbert "Hal" Neilson.

S. R. No. 105: Commend Regents School of Oxford "Lady Lyons" Volleyball Team for third-consecutive Division 3A State Championship.

S. R. No. 106: Commend Regents School of Oxford "Lyons" Boys Cross Country Team for fifth Division 3A MAIS State Championship.

S. R. No. 107: Extend sincerest sympathy of Mississippi Senate to surviving family of Lafayette County Justice Court Judge Johnny McLarty.

S. R. No. 108: Commend Siobhan Chochran of Trent Lott Academy for "Extraordinary Educator for 2024."

S. R. No. 109: Celebrating the life and legacy of former Lafayette County Chancery Clerk Sherry Wall.

S. R. No. 110: Commend judicial and public service career of Claiborne County Justice Court Judge Mary C. Curry.

S. R. No. 111: Commend Andrea Schipke of Laurel Magnet School of Arts for "Extraordinary Educator for 2024."

S. R. No. 112: Commend Casey Watts of Laurel Magnet School for "2024 Extraordinary Educator."

S. R. No. 113: Recognize Kaylee Brooke McCollum of Amory, Mississippi, for representing the USA at the 2024 Miss Universe Pageant in Mexico.

S. R. No. 114: Commend Miss Mississippi Teen USA 2024 Addie Carver of Brookhaven, Mississippi.

H. C. R. No. 8: New Albany High School "Lady Bulldogs" Golf Team; commend for winning the 2023-2024 4A Girls State Championship and being "back-to-back" champions.

H. C. R. No. 53: Tardive Dyskinesia Awareness Week; recognize the week May 5-11, 2024, as.

H. C. R. No. 59: Swetman Security Service; commend upon 50th anniversary.

YEAS AND NAYS on consideration en bloc of S. R. No. 86, S. R. No. 87, S. R. No. 88, S. R. No. 89, S. R. No. 90, S. R. No. 92, S. R. No. 93, S. R. No. 94, S. R. No. 95, S. R. No. 96, S. R. No. 97, S. R. No. 98, S. R. No. 100, S. R. No. 101, S. R. No. 103, S. R. No. 104, S. R. No. 105, S. R. No. 106, S. R. No. 107, S. R. No. 108, S. R. No. 109, S. R. No. 110, S. R. No. 111, S. R. No. 112, S. R. No. 113, S. R. No. 114,

H. C. R. No. 8, H. C. R. No. 53 and H. C. R. No. 59. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senator Frazier as co-author of **S. R. No. 86**.

Unanimous consent was granted to add Senator Frazier as co-author of **S. R. No. 87**.

Unanimous consent was granted to add Senators Parker and Suber as co-authors of **S. R. No. 88**.

Unanimous consent was granted to add Senator Suber as co-author of **S. R. No. 89**.

Unanimous consent was granted to add Senators Parker and Suber as co-authors of **S. R. No. 90**.

Unanimous consent was granted to add Senators Blount, England and Frazier as co-authors of **S. R. No. 93**.

Unanimous consent was granted to add Senators DeLano, England, McCaughn and Suber as co-authors of **S. R. No. 94**.

Unanimous consent was granted to add Senators England, Frazier, McCaughn, Parker, Seymour and Suber as co-authors of **S. R. No. 95**.

Unanimous consent was granted to add Senators Branning, Frazier, Michel, Parker and Sparks as co-authors of **S. R. No. 96**.

Unanimous consent was granted to add Senators DeBar and McCaughn as co-authors of **S. R. No. 97**.

Unanimous consent was granted to add Senators Branning, Frazier, Michel, Parker and Sparks as co-authors of **S. R. No. 98**.

Unanimous consent was granted to add Senator Turner-Ford as co-author of **S. R. No. 100**.

Unanimous consent was granted to add Senators Horhn and Michel as co-authors of **S. R. No. 101**.

Unanimous consent was granted to add Senator Branning as co-author of **S. R. No. 103**.

Unanimous consent was granted to add Senators Branning, Hopson, McCaughn, Michel, Sparks and Suber as co-authors of **S. R. No. 104**.

Unanimous consent was granted to add Senators Branning, McCaughn, Sparks and Suber as co-authors of **S. R. No. 107**.

Unanimous consent was granted to add Senator Branning as co-author of **S. R. No. 108**.

Unanimous consent was granted to add Senator Suber as co-author of **S. R. No. 109**.

Unanimous consent was granted to add Senator Branning as co-author of **S. R. No. 110**.

Unanimous consent was granted to add Senator Robinson as co-author of **S. R. No. 112**.

Unanimous consent was granted to add Senators McCaughn and Seymour as co-authors of **S. R. No. 113**.

Unanimous consent was granted to add Senators McCaughn and Seymour as co-authors of **S. R. No. 114**.

Senator Kirby called up the following entitled resolution:

S. R. No. 99: Extend sincerest sympathy of the Mississippi Legislature to surviving family of former State Senator Gary Jackson.

YEAS AND NAYS On S. R. No. 99. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Unanimous consent was granted to add Senators Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins and Younger as co-authors of **S. R. No. 99**.

Senator Kirby called up the following entitled resolution:

S. R. No. 102: Extend sincerest sympathy of the Mississippi Senate to the surviving family of former Representative Bob Everett.

YEAS AND NAYS On S. R. No. 102. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Unanimous consent was granted to add Senators Blount, Branning, DeBar, Frazier, Hopson, McCaughn, Michel, Parker and Suber as co-authors of **S. R. No. 102**.

On motion of Senator Kirby, and with unanimous consent of the Senate, the Secretary was directed to release immediately S. R. No. 86, S. R. No. 87, S. R. No. 88, S. R. No. 89, S. R. No. 90, S. R. No. 92, S. R. No. 93, S. R. No. 94, S. R. No. 95, S. R. No. 96, S. R. No. 97, S. R. No. 98, S. R. No. 100, S. R. No. 101, S. R. No. 103, S. R. No. 104, S. R. No. 105, S. R. No. 106, S. R. No. 107, S. R. No. 108, S. R. No. 109, S. R. No. 110, S. R. No. 111, S. R. No. 112, S. R. No. 113, S. R. No. 114, S. R. No. 99 and S. R. No. 102.

On motion of Senator Kirby, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. C. R. No. 8, H. C. R. No. 53 and H. C. R. No. 59.

Senator Parks called up the following entitled bill:

S. B. No. 3219: Town of Vaiden; authorize tax on restaurants, hotels and motels for tourism and parks & recreation.

YEAS AND NAYS On S. B. No. 3219. On motion of Senator Chassaniol, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

S. B. No. 3221: City of Ridgeland; authorize to levy tax on restaurants, hotels, and motels to promote tourism, parks and recreation.

YEAS AND NAYS On S. B. No. 3221. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

H. B. No. 4120: City of Eupora; authorize conveyance of certain real property located in City of Eupora Industrial Park back to a certain entity.

YEAS AND NAYS On H. B. No. 4120. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.
Absent and those not voting----None.

Senator Parks called up the following entitled bill:

H. B. No. 4122: Hattiesburg Convention Commission; authorize to use design-build method of construction contracting.

Senator Seymour offered the following AMENDMENT NO. 1.

AMEND on line 10 by striking "31-17-13.1" and inserting in lieu thereof "31-7-13.1"

Amendment No. 1 to H. B. No. 4122 was adopted.

YEAS AND NAYS On H. B. No. 4122. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

On motion of Senator Parks, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 3219, S. B. No. 3221 and H. B. No. 4122.

Senator Barnett offered the following report of the Conference Committee on **H. B. No. 757** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 757: State offenders; extend repealer on authority to house in county jails when space is unavailable.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Becky Currie	Juan Barnett
Kevin Horan	Gary Brumfield
Randy Rushing	Angela Burks Hill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 757** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

_____

Senator Barnett offered the following report of the Conference Committee on **H. B. No. 844** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 844: State Parole Board; require to solicit recommendations from and provide notification to certain individuals before parole hearing.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-7-17, Mississippi Code of 1972, is amended as follows:

47-7-17. (1) Within one (1) year after his admission and at such intervals thereafter as it may determine, the board shall secure and consider all pertinent information regarding each offender, except any under sentence of death or otherwise ineligible for parole, including the circumstances of his offense, his previous social history, his previous criminal record, including any records of law enforcement agencies or of a youth court regarding that offender's juvenile criminal history, his conduct, employment and attitude while in the custody of the department, the case plan created to prepare the offender for parole, and the reports of such physical and mental examinations as have been made. The board shall furnish at least three (3) months' written notice to each such offender of the date on which he is eligible for parole.

(2) Except as provided in Section 47-7-18, the board shall require a parole-eligible offender to have a hearing as required in this chapter before the board and to be interviewed. The hearing shall be held no later than thirty (30) days prior to the month of eligibility. No application for parole of a person convicted of a capital offense shall be considered by the board unless and until notice of the filing of such application shall have been published at least once a week for two (2) weeks in a newspaper published in or having general circulation in the county in which the crime was committed. The board shall, within thirty (30) days prior to the scheduled hearing, also give notice of the filing of the application for parole to the victim of the offense for which the prisoner is incarcerated and being considered for parole or, in case the offense be homicide, a designee of the immediate family of the victim, provided the victim or designated family member has furnished in writing a current address to the board for such purpose. The victim or designated family member shall be provided an opportunity to be heard by the board before the board makes a decision regarding release on parole. The board shall consider whether any restitution ordered has been paid in full. Parole release shall, at the hearing, be ordered only for the best interest of society, not as an award of clemency; it shall not be considered to be a reduction of sentence or pardon. An offender shall be placed on parole only when arrangements have been made for his proper employment or for his maintenance and care, and when the board believes that he is able and willing to fulfill the obligations of a law-abiding citizen. When the board determines that the offender will need transitional housing upon release in order to improve the likelihood of the offender becoming a law-abiding citizen, the board may parole the offender with the condition that the inmate spends no more than six (6) months in a transitional reentry center. At least fifteen (15) days prior to the release of an offender on parole, the director of records of the department shall give the written notice which is required pursuant to Section 47-5-177. Every offender while on parole shall remain in the legal custody of the department from which he was released and shall be amenable to the orders of the board. Upon determination by the board that an offender is eligible for release by parole, notice shall also be given within at least fifteen (15) days before release, by the board to the victim of the offense or the victim's family member, as indicated above, regarding the date when the offender's release shall occur, provided a current address of the victim or the victim's family member has been furnished in writing to the board for such purpose.

(3) For any hearing where an offender has been convicted of a crime of violence, as set out under Section 97-3-2 or any offense set out under Section 47-7-3(1)(a) through (g), the board shall, within thirty (30) days prior to the scheduled hearing, solicit the written or oral recommendations of the Attorney General, the attorney who prosecuted the case, the judge who presided over the case, the chief of police of the municipality where the offender was convicted and the sheriff of the county where the offender was convicted.

(4) The board shall, within thirty (30) days prior to the scheduled hearing, also give written or electronic notice of the filing of the application for parole to the attorney who prosecuted the case, the judge who presided over the case, the chief of police of the municipality where the offender was convicted and the sheriff of the county where the offender was convicted.

(5) If the attorney who prosecuted the case or the judge who presided over the case is not living or serving, solicitation for recommendations under subsection (3) and

notice under subsection (4) shall be given to the district attorney and one of the judges of the court in which the offender was convicted.

(* * *6) Failure to provide notice to the victim or the victim's family member of the filing of the application for parole or of any decision made by the board regarding parole shall not

constitute grounds for vacating an otherwise lawful parole determination nor shall it create any right or liability, civilly or criminally, against the board or any member thereof.

(* * *7) A letter of protest against granting an offender parole shall not be treated as the conclusive and only reason for not granting parole.

(* * *8) The board may adopt such other rules not inconsistent with law as it may deem proper or necessary with respect to the eligibility of offenders for parole, the conduct of parole hearings, or conditions to be imposed upon parolees, including a condition that the parolee submit, as provided in Section 47-5-601 to any type of breath, saliva or urine chemical analysis test, the purpose of which is to detect the possible presence of alcohol or a substance prohibited or controlled by any law of the State of Mississippi or the United States. The board shall have the authority to adopt rules related to the placement of certain offenders on unsupervised parole and for the operation of transitional reentry centers. However, in no case shall an offender be placed on unsupervised parole before he has served a minimum of fifty percent (50%) of the period of supervised parole.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 47-7-17, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI STATE PAROLE BOARD TO SOLICIT RECOMMENDATIONS FROM CERTAIN INDIVIDUALS BEFORE A PAROLE HEARING WHENEVER SUCH HEARING IS FOR ANY OFFENDER WHO HAS BEEN CONVICTED OF CERTAIN CRIMES OF VIOLENCE; TO REQUIRE THE MISSISSIPPI STATE PAROLE BOARD TO NOTIFY CERTAIN INDIVIDUALS WITHIN A SET PERIOD OF TIME BEFORE A PAROLE HEARING; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Becky Currie	Juan Barnett
Kevin Horan	Daniel H. Sparks
Randy Rushing	Jason Barrett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 844** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.
Absent and those not voting----None.

Senator Barnett offered the following report of the Conference Committee on **S. B. No. 2448** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2448: "Mississippi Earned Parole Eligibility Act"; extend repealer and authorize parole for certain juvenile homicide offenders.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 1 of Chapter 479, Laws of 2021, is brought forward as follows:

Section 1. This act shall be known and may be cited as the "Mississippi Earned Parole Eligibility Act."

SECTION 2. Section 47-7-3, Mississippi Code of 1972, is amended as follows:

47-7-3. (1) Every prisoner who has been convicted of any offense against the State of Mississippi, and is confined in the execution of a judgment of such conviction in the Mississippi Department of Corrections for a definite term or terms of one (1) year or over, or for the term of his or her natural life, whose record of conduct shows that such prisoner has observed the rules of the department, and who has served the minimum required time for parole eligibility, may be released on parole as set forth herein:

(a) Habitual offenders. Except as provided by Sections 99-19-81 through 99-19-87, no person sentenced as a confirmed and habitual criminal shall be eligible for parole;

(b) Sex offenders. Any person who has been sentenced for a sex offense as defined in Section 45-33-23(h) shall not be released on parole except for a person under the age of nineteen (19) who has been convicted under Section 97-3-67;

(c) Capital offenders. No person sentenced for the following offenses shall be eligible for parole:

(i) Capital murder committed on or after July 1, 1994, as defined in Section 97-3-19(2);

(ii) Any offense to which an offender is sentenced to life imprisonment under the provisions of Section 99-19-101; or

(iii) Any offense to which an offender is sentenced to life imprisonment without eligibility for parole under the provisions of Section 99-19-101, whose crime was committed on or after July 1, 1994;

(d) Murder. No person sentenced for murder in the first degree, whose crime was committed on or after June 30, 1995, or murder in the second degree, as defined in Section 97-3-19, shall be eligible for parole;

(e) Human trafficking. No person sentenced for human trafficking, as defined in Section 97-3-54.1, whose crime was committed on or after July 1, 2014, shall be eligible for parole;

(f) Drug trafficking. No person sentenced for trafficking and aggravated trafficking, as defined in Section 41-29-139(f) through (g), shall be eligible for parole;

(g) Offenses specifically prohibiting parole release. No person shall be eligible for parole who is convicted of any offense that specifically prohibits parole release;

(h) (i) Offenders eligible for parole consideration for offenses committed after June 30, 1995. Except as provided in paragraphs (a) through (g) of this subsection, offenders may be considered eligible for parole release as follows:

1. Nonviolent crimes. All persons sentenced for a nonviolent offense shall be eligible for parole only after they have served twenty-five percent (25%) or ten (10) years, whichever is less, of the sentence or sentences imposed by the trial court. For purposes of this paragraph, "nonviolent crime" means a felony not designated as a crime of violence in Section 97-3-2.

2. Violent crimes. A person who is sentenced for a violent offense as defined in Section 97-3-2, except robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, and carjacking as defined in Section 97-3-117, shall be eligible for parole only after having served fifty percent (50%) or twenty (20) years, whichever is less, of the sentence or sentences imposed by the trial court. Those persons sentenced for robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, and carjacking as defined in Section 97-3-117, shall be eligible for parole only after having served sixty percent (60%) or twenty-five (25) years, whichever is less, of the sentence or sentences imposed by the trial court.

3. Nonviolent and nonhabitual drug offenses. A person who has been sentenced to a drug offense pursuant to Section 41-29-139(a) through (d), whose crime was committed after June 30, 1995, shall be eligible for parole only after he has served twenty-five percent (25%) or ten (10) years, whichever is less, of the sentence or sentences imposed.

(ii) Parole hearing required. All persons eligible for parole under subparagraph (i) of this paragraph (h) who are serving a sentence or sentences for a crime of violence, as defined in Section 97-3-2, shall be required to have a parole hearing before the Parole Board pursuant to Section 47-7-17, prior to parole release.

(iii) Geriatric parole. Notwithstanding the provisions in subparagraph (i) of this paragraph (h), a person serving a sentence who has reached the age of sixty

(60) or older and who has served no less than ten (10) years of the sentence or sentences imposed by the trial court shall be eligible for parole. Any person eligible for parole under this subparagraph (iii) shall be required to have a parole hearing before the board prior to parole release. No inmate shall be eligible for parole under this subparagraph (iii) of this paragraph (h) if:

1. The inmate is sentenced as a habitual offender under Sections 99-19-81 through 99-19-87;

2. The inmate is sentenced for a crime of violence under Section 97-3-2;

3. The inmate is sentenced for an offense that specifically prohibits parole release;

4. The inmate is sentenced for trafficking in controlled substances under Section 41-29-139(f);

5. The inmate is sentenced for a sex crime; or

6. The inmate has not served one-fourth (1/4) of the sentence imposed by the court.

(iv) Parole consideration as authorized by the trial court. Notwithstanding the provisions of paragraph (a) of this subsection, any offender who has not committed a crime of violence under Section 97-3-2 and has served twenty-five percent (25%) or more of his sentence may be paroled by the State Parole Board if, after the sentencing judge or if the sentencing judge is retired, disabled or incapacitated, the senior circuit judge authorizes the offender to be eligible for parole consideration; or if the senior circuit judge must be recused, another circuit judge of the same district or a senior status judge may hear and decide the matter. A petition for parole eligibility consideration pursuant to this subparagraph (iv) shall be filed in the original criminal cause or causes, and the offender shall serve an executed copy of the petition on the District Attorney. The court may, in its discretion, require the District Attorney to respond to the petition.

(2) The State Parole Board shall, by rules and regulations, establish a method of determining a tentative parole hearing date for each eligible offender taken into the custody of the Department of Corrections. The tentative parole hearing date shall be determined within ninety (90) days after the department has assumed custody of the offender. Except as provided in Section 47-7-18, the parole hearing date shall occur when the offender is within thirty (30) days of the month of his parole eligibility date. Any parole eligibility date shall not be earlier than as required in this section.

(3) Notwithstanding any other provision of law, an inmate shall not be eligible to receive earned time, good time or any other administrative reduction of time which shall reduce the time necessary to be served for parole eligibility as provided in subsection (1) of this section.

(4) Any inmate within forty-eight (48) months of his parole eligibility date and who meets the criteria established by the classification board shall receive priority for placement in any educational development and job-training programs that are part of his or her parole case plan. Any inmate refusing to participate in an educational development or job-training program, including, but not limited to, programs required as part of the case plan, shall be in jeopardy of noncompliance with the case plan and may be denied parole.

(5) In addition to other requirements, if an offender is convicted of a drug or driving under the influence felony, the offender must complete a drug and alcohol rehabilitation program prior to parole, or the offender shall be required to complete a postrelease drug and alcohol program as a condition of parole.

(6) Except as provided in subsection (1)(a) through (h) of this section, all other persons shall be eligible for parole after serving twenty-five percent (25%) of the sentence or sentences imposed by the trial court, or, if sentenced to thirty (30) years or more, after serving ten (10) years of the sentence or sentences imposed by the trial court.

(7) The Corrections and Criminal Justice Oversight Task Force established in Section 47-5-6 shall develop and submit recommendations to the Governor and to the Legislature annually on or before December 1st concerning issues relating to juvenile and habitual offender parole reform and to review and monitor the implementation of Chapter 479, Laws of 2021.

(8) The amendments contained in Chapter 479, Laws of 2021, shall apply retroactively from and after July 1, 1995.

(9) Notwithstanding provisions to the contrary in this section, a person who was sentenced before July 1, 2021, may be considered for parole if the person's sentence would have been parole eligible before July 1, 2021.

(10) This section shall stand repealed on July 1, * * * 2027.

SECTION 3. Section 47-7-5, Mississippi Code of 1972, is amended as follows:

47-7-5. (1) The State Parole Board, created under former Section 47-7-5, is hereby created, continued and reconstituted and shall be composed of five (5) members. The Governor shall appoint the members with the advice and consent of the Senate. All terms shall be at the will and pleasure of the Governor. Any vacancy shall be filled by the Governor, with the advice and consent of the Senate. The Governor shall appoint a chairman of the board.

(2) Any person who is appointed to serve on the board shall possess at least a bachelor's degree or a high school diploma and four (4) years' work experience. Each member shall devote his full time to the duties of his office and shall not engage in any other business or profession or hold any other public office. A member shall receive compensation or per diem in addition to his or her salary. Each member shall keep such hours and workdays as required of full-time state employees under Section 25-1-98. Individuals shall be appointed to serve on the board without reference to their political affiliations. Each board member, including the chairman, may be reimbursed for actual and necessary expenses as authorized by Section 25-3-41. Each member of the board shall complete annual training developed based on guidance from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association. Each first-time appointee of the board shall, within sixty (60) days of appointment, or as soon as practical, complete training for first-time Parole Board members developed in consideration of information from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association.

(3) The board shall have exclusive responsibility for the granting of parole as provided by Sections 47-7-3 and 47-7-17 and shall have exclusive authority for revocation of the same. The board shall have exclusive responsibility for investigating clemency recommendations upon request of the Governor.

(4) The board, its members and staff, shall be immune from civil liability for any official acts taken in good faith and in exercise of the board's legitimate governmental authority.

(5) The budget of the board shall be funded through a separate line item within the general appropriation bill for the support and maintenance of the department. Employees of the department which are employed by or assigned to the board shall work under the

guidance and supervision of the board. There shall be an executive secretary to the board who shall be responsible for all administrative and general accounting duties related to the board. The executive secretary shall keep and preserve all records and papers pertaining to the board.

(6) The board shall have no authority or responsibility for supervision of offenders granted a release for any reason, including, but not limited to, probation, parole or executive clemency or other offenders requiring the same through interstate compact agreements. The supervision shall be provided exclusively by the staff of the Division of Community Corrections of the department.

(7) (a) The Parole Board is authorized to select and place offenders in an electronic monitoring program under the conditions and criteria imposed by the Parole Board. The conditions, restrictions and requirements of Section 47-7-17 and Sections 47-5-1001 through 47-5-1015 shall apply to the Parole Board and any offender placed in an electronic monitoring program by the Parole Board.

(b) Any offender placed in an electronic monitoring program under this subsection shall pay the program fee provided in Section 47-5-1013. The program fees shall be deposited in the special fund created in Section 47-5-1007.

(c) The department shall have absolute immunity from liability for any injury resulting from a determination by the Parole Board that an offender be placed in an electronic monitoring program.

(8) (a) The Parole Board shall maintain a central registry of paroled inmates. The Parole Board shall place the following information on the registry: name, address, photograph, crime for which paroled, the date of the end of parole or flat-time date and other information deemed necessary. The Parole Board shall immediately remove information on a parolee at the end of his parole or flat-time date.

(b) When a person is placed on parole, the Parole Board shall inform the parolee of the duty to report to the parole officer any change in address ten (10) days before changing address.

(c) The Parole Board shall utilize an Internet website or other electronic means to release or publish the information.

(d) Records maintained on the registry shall be open to law enforcement agencies and the public and shall be available no later than July 1, 2003.

(9) An affirmative vote of at least four (4) members of the Parole Board shall be required to grant parole to an inmate convicted of capital murder or a sex crime.

(10) This section shall stand repealed on July 1, * * * 2027.

SECTION 4. Section 47-7-3.1, Mississippi Code of 1972, is brought forward as follows:

47-7-3.1. (1) In consultation with the Parole Board, the department shall develop a case plan for all parole-eligible inmates to guide an inmate's rehabilitation while in the department's custody and to reduce the likelihood of recidivism after release.

(2) The case plan shall include, but not be limited to:

(a) Programming and treatment requirements based on the results of a risk and needs assessment;

(b) Any programming or treatment requirements contained in the sentencing order; and

(c) General behavior requirements in accordance with the rules and policies of the department.

(3) With respect to parole-eligible inmates admitted to the department's custody on or after July 1, 2021, the department shall complete the case plan within ninety (90) days of admission. With respect to parole-eligible inmates admitted to the department's custody before July 1, 2021, the department shall complete the case plan by January 1, 2022.

(4) The department shall provide the inmate with a written copy of the case plan and the inmate's caseworker shall explain the conditions set forth in the case plan.

(a) Within ninety (90) days of admission, the caseworker shall notify the inmate of their parole eligibility date as calculated in accordance with Section 47-7-3(3);

(b) At the time a parole-eligible inmate receives the case plan, the department shall send the case plan to the Parole Board for approval.

(5) With respect to parole-eligible inmates admitted to the department's custody after July 1, 2021, the department shall ensure that the case plan is achievable prior to the inmate's parole eligibility date. With respect to parole-eligible inmates admitted to the department's custody before July 1, 2021, the department shall, to the extent possible, ensure that the case plan is achievable prior to the inmate's parole eligibility date or next parole hearing date, or date of release, whichever is sooner.

(6) The caseworker shall meet with the inmate every eight (8) weeks from the date the offender received the case plan to review the inmate's case plan progress.

(7) Every four (4) months the department shall electronically submit a progress report on each parole-eligible inmate's case plan to the Parole Board. The board may meet to review an inmate's case plan and may provide written input to the caseworker on the inmate's progress toward completion of the case plan.

(8) The Parole Board shall provide semiannually to the Oversight Task Force the number of parole hearings held, the number of prisoners released to parole without a hearing and the number of parolees released after a hearing.

(9) If the Department of Corrections fails to adequately provide opportunity and access for the completion of such case plans, the Department of Corrections shall, to the extent possible, contract with regional jail facilities that offer educational development and job-training programs to facilitate the fulfillment of the case plans of parole-eligible inmates.

SECTION 5. Section 47-7-3.2, Mississippi Code of 1972, is brought forward as follows:

47-7-3.2. (1) Notwithstanding Section 47-5-138, 47-5-139, 47-5-138.1 or 47-5-142, no person convicted of a criminal offense on or after July 1, 2014, shall be released by the department until he or she has served no less than the percentage of the sentence or sentences imposed by the court as set forth below:

(a) Twenty-five percent (25%) or ten (10) years, whichever is less, for a nonviolent crime;

(b) Fifty percent (50%) or twenty (20) years, whichever is less, for a crime of violence pursuant to Section 97-3-2, except for robbery with a deadly weapon as

defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, or carjacking as defined in Section 97-3-117;

(c) Sixty percent (60%) or twenty-five (25) years, whichever is less, for robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, or carjacking as defined in Section 97-3-117.

(2) This section shall not apply to:

(a) Offenders sentenced to life imprisonment;

(b) Offenders convicted as habitual offenders pursuant to Sections 99-19-81 through 99-19-87;

(c) Offenders serving a sentence for a sex offense; or

(d) Offenders serving a sentence for trafficking pursuant to Section 41-29-139(f).

SECTION 6. Section 47-7-15, Mississippi Code of 1972, is brought forward as follows:

47-7-15. The board shall adopt an official seal of which the courts shall take judicial notice. Decisions of the board shall be made by majority vote, except as provided in Section 47-7-5(9).

The board shall keep a record of its acts and shall notify each institution of its decisions relating to the persons who are or have been confined therein. At the close of each fiscal year the board shall submit to the Governor and to the Legislature a report with statistical and other data of its work.

SECTION 7. Section 47-7-17, Mississippi Code of 1972, is brought forward as follows:

47-7-17. (1) Within one (1) year after his admission and at such intervals thereafter as it may determine, the board shall secure and consider all pertinent information regarding each offender, except any under sentence of death or otherwise ineligible for parole, including the circumstances of his offense, his previous social history, his previous criminal record, including any records of law enforcement agencies or of a youth court regarding that offender's juvenile criminal history, his conduct, employment and attitude while in the custody of the department, the case plan created to prepare the offender for parole, and the reports of such physical and mental examinations as have been made. The board shall furnish at least three (3) months' written notice to each such offender of the date on which he is eligible for parole.

(2) Except as provided in Section 47-7-18, the board shall require a parole-eligible offender to have a hearing as required in this chapter before the board and to be interviewed. The hearing shall be held no later than thirty (30) days prior to the month of eligibility. No application for parole of a person convicted of a capital offense shall be considered by the board unless and until notice of the filing of such application shall have been published at least once a week for two (2) weeks in a newspaper published in or having general circulation in the county in which the crime was committed. The board shall, within thirty (30) days prior to the scheduled hearing, also give notice of the filing of the application for parole to the victim of the offense for which the prisoner is incarcerated and being considered for parole or, in case the offense be homicide, a designee of the immediate family of the victim, provided the victim or designated family member has furnished in writing a current address to the board for such purpose. The victim or designated family member shall be provided an opportunity to be heard by the board before the board makes a decision regarding release on parole. The board shall consider

whether any restitution ordered has been paid in full. Parole release shall, at the hearing, be ordered only for the best interest of society, not as an award of clemency; it shall not be considered to be a reduction of sentence or pardon. An offender shall be placed on parole only when arrangements have been made for his proper employment or for his maintenance and care, and when the board believes that he is able and willing to fulfill the obligations of a law-abiding citizen. When the board determines that the offender will need transitional housing upon release in order to improve the likelihood of the offender becoming a law-abiding citizen, the board may parole the offender with the condition that the inmate spends no more than six (6) months in a transitional reentry center. At least fifteen (15) days prior to the release of an offender on parole, the director of records of the department shall give the written notice which is required pursuant to Section 47-5-177. Every offender while on parole shall remain in the legal custody of the department from which he was released and shall be amenable to the orders of the board. Upon determination by the board that an offender is eligible for release by parole, notice shall also be given within at least fifteen (15) days before release, by the board to the victim of the offense or the victim's family member, as indicated above, regarding the date when the offender's release shall occur, provided a current address of the victim or the victim's family member has been furnished in writing to the board for such purpose.

(3) Failure to provide notice to the victim or the victim's family member of the filing of the application for parole or of any decision made by the board regarding parole shall not

constitute grounds for vacating an otherwise lawful parole determination nor shall it create any right or liability, civilly or criminally, against the board or any member thereof.

(4) A letter of protest against granting an offender parole shall not be treated as the conclusive and only reason for not granting parole.

(5) The board may adopt such other rules not inconsistent with law as it may deem proper or necessary with respect to the eligibility of offenders for parole, the conduct of parole hearings, or conditions to be imposed upon parolees, including a condition that the parolee submit, as provided in Section 47-5-601 to any type of breath, saliva or urine chemical analysis test, the purpose of which is to detect the possible presence of alcohol or a substance prohibited or controlled by any law of the State of Mississippi or the United States. The board shall have the authority to adopt rules related to the placement of certain offenders on unsupervised parole and for the operation of transitional reentry centers. However, in no case shall an offender be placed on unsupervised parole before he has served a minimum of fifty percent (50%) of the period of supervised parole.

SECTION 8. Section 47-7-18, Mississippi Code of 1972, is brought forward as follows:

47-7-18 (1) No inmate convicted of a sex offense as defined by Section 45-33-23(h), a crime of violence as defined by Section 97-3-2, or both, nor an inmate who is eligible for geriatric parole shall be released on parole without a hearing before the Parole Board as required by Section 47-7-17. All other inmates eligible for parole pursuant to Section 47-7-3 shall be released from incarceration to parole supervision on the inmate's parole eligibility date, without a hearing before the board, if:

(a) The inmate has met the requirements of the parole case plan established pursuant to Section 47-7-3.1;

(b) A victim of the offense has not requested the board conduct a hearing;

(c) The inmate has not received a serious or major violation report within the past six (6) months;

(d) The inmate has agreed to the conditions of supervision; and

(e) The inmate has a discharge plan approved by the board.

(2) At least thirty (30) days prior to an inmate's parole eligibility date, the department shall notify the board in writing of the inmate's compliance or noncompliance with the case plan. If an inmate fails to meet a requirement of the case plan, prior to the parole eligibility date, he or she shall have a hearing before the board to determine if completion of the case plan can occur while in the community.

(3) Any inmate for whom there is insufficient information for the department to determine compliance with the case plan shall have a hearing with the board.

(4) A hearing shall be held with the board if requested by the victim following notification of the inmate's parole release date pursuant to Section 47-7-17.

(5) A hearing shall be held by the board if a law enforcement official from the community to which the inmate will return contacts the board or the department and requests a hearing to consider information relevant to public safety risks posed by the inmate if paroled at the initial parole eligibility date. The law enforcement official shall submit an explanation documenting these concerns for the board to consider.

(6) If a parole hearing is held, the board may determine the inmate has sufficiently complied with the case plan or that the incomplete case plan is not the fault of the inmate and that granting parole is not incompatible with public safety, the board may then parole the inmate with appropriate conditions. If the board determines that the inmate has sufficiently complied with the case plan but the discharge plan indicates that the inmate does not have appropriate housing immediately upon release, the board may parole the inmate to a transitional reentry center with the condition that the inmate spends no more than six (6) months in the center. If the board determines that the inmate has not substantively complied with the requirement(s) of the case plan it may deny parole. If the board denies parole, the board may schedule a subsequent parole hearing and, if a new date is scheduled, the board shall identify the corrective action the inmate will need to take in order to be granted parole. Any inmate not released at the time of the inmate's initial parole date shall have a parole hearing at least every year.

SECTION 9. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO EXTEND THE AUTOMATIC REPEALER ON THE MISSISSIPPI EARNED PAROLE ELIGIBILITY ACT OF 2021; TO BRING FORWARD SECTION 1 OF CHAPTER 479, LAWS OF 2021; TO AMEND SECTIONS 47-7-3, 47-7-5 AND BRING FORWARD SECTIONS 47-7-3.1, 47-7-3.2, 47-7-15, 47-7-17 AND 47-7-18, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Juan Barnett	Becky Currie
Lydia Graves Chassaniol	Kevin Horan
Daniel H. Sparks	Randy Rushing

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2448** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McMahan, Michel, Norwood, Polk, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Wiggins, Younger. Total--40.

Nays--Blackwell, Chism, Hill, McLendon, Parker, Parks, Seymour, Tate, Whaley, Williams. Total--10.

Absent and those not voting----None.

Voting Present--Branning, Rhodes. Total--2.

Senator Parks moved that the rules be suspended to move to calendar item 49, **S. B. No. 2510**, and the motion prevailed.

Senator Parks called up the following House Amendment to **S. B. No. 2510** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Chapter 932, Local and Private Laws of 2023, is amended as follows:

Section 1. (1) The Board of Supervisors of Neshoba County, Mississippi, in its discretion, is authorized to contribute an amount not to exceed * * * Ten Thousand Dollars ($10,000.00) annually, out of any available funds of the county, to Philadelphia Transit, which is a nonprofit organization that provides transportation for the general public, elderly and disabled citizens within the county. The funds shall be used to support the operational cost of the Philadelphia Transit.

(2) This section shall be repealed from and after July

1, 2027.

SECTION 2. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND CHAPTER 932, LOCAL AND PRIVATE LAWS OF 2023, TO INCREASE FROM $5,000.00 TO $10,000.00 THE ANNUAL CONTRIBUTION THAT THE BOARD OF SUPERVISORS OF NESHOBA COUNTY, MISSISSIPPI, IS AUTHORIZED TO CONTRIBUTE TO PHILADELPHIA TRANSIT; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2510** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane,

Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Senator Parks moved that the rules be suspended to move to calendar item 50, **S. B. No. 2663**, and the motion prevailed.

Senator Parks called up the following House Amendment to **S. B. No. 2663** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

AMEND the title on line 3 by striking "2024" and inserting in lieu thereof "2028".

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2663** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Chism. Total--1.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Senator Parks moved that the rules be suspended to move to calendar item 51, **S. B. No. 2925**, and the motion prevailed.

Senator Parks called up the following House Amendment to **S. B. No. 2925** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

AMEND on line 11 by striking the term "Breast"

AMEND further the title on line 3 by striking the term "BREAST"

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2925** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator DeLano moved that the rules be suspended to move to calendar item 300, **S. N. No. 15**, and the motion prevailed.

Senator DeLano called up the following entitled nomination:

S. N. No. 15: Jack H. Winstead, Brandon, Mississippi, MS Commission on Environmental Quality as the representative of the 3rd Congressional District as it existed in 1978, seven year term effective July 1, 2023 and ending June 30, 2030.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 15 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator England moved that when the Senate adjourns, it adjourn in memory of Melba Aileen Walker of Pascagoula, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Robert E. "Bobby" Payne, Jr. of Meridian, MS.

Senator Polk moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Wednesday, April 24, 2024.

The motion prevailed, and at 10:59 AM, the Senate stood in recess.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 1350: Telephone solicitors; prohibit from making any solicitation regarding Medicare Advantage Plans.

H. B. No. 1471: BEAM; prohibit from accepting gifts or other benefits from any broadband service provider, vendor, or contractor.

S. B. No. 2283: Public Service Commission; extend date of repeal on.

Adopted: 04/22/24

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1744: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF LUCEDALE, MISSISSIPPI, TO LEVY A TAX THAT SHALL NOT EXCEED THREE PERCENT UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS; TO PROVIDE THAT SUCH TAX SHALL BE USED FOR THE PURPOSE OF GENERATING REVENUE FOR PARKS AND RECREATIONAL CAPITAL IMPROVEMENT PROJECTS; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

H. B. No. 1984: AN ACT TO AUTHORIZE AN AD VALOREM TAX CREDIT FOR A PERSON, FIRM OR CORPORATION OPERATING A REFINERY AND OWNING OIL, GAS OR PETROLEUM PRODUCTS LOCATED AT SUCH REFINERY PRIOR TO BEING REFINED IN THE PROCESS OF BEING REFINED AT SUCH REFINERY, OR HAVING BEEN REFINED, AT SUCH REFINERY AND STORED AT SUCH REFINERY; TO PROVIDE THAT THE TAX CREDIT SHALL BE FOR THE AMOUNT OF ALL AD VALOREM TAXES PAYABLE THAT ARE ATTRIBUTABLE TO SUCH OIL, GAS OR PETROLEUM PRODUCTS AND SHALL BE APPLIED AGAINST OTHER AD VALOREM TAXES PAYABLE ON OTHER TAXABLE REFINERY PROPERTY OF THE PERSON, FIRM OR CORPORATION OPERATING THE REFINERY; TO PROVIDE THAT AD VALOREM TAXES APPLIED AND USED AS AN INCOME TAX CREDIT UNDER SECTION 27-7-22.5 MAY NOT BE APPLIED AND USED AS A CREDIT UNDER THIS ACT; TO AMEND SECTION 27-7-22.5, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR ANY MANUFACTURER, DISTRIBUTOR, WHOLESALE OR RETAIL MERCHANT WHO PAYS AD VALOREM TAXES IMPOSED ON COMMODITIES, RAW MATERIALS, WORKS-IN-PROCESS, PRODUCTS, GOODS, WARES AND MERCHANDISE HELD FOR RESALE, TO PROVIDE THAT AD VALOREM TAXES APPLIED AND USED AS A CREDIT UNDER THIS ACT MAY NOT BE APPLIED AND USED AS AN INCOME TAX CREDIT UNDER SUCH SECTION; TO AMEND SECTION 27-31-19, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN AD VALOREM TAX EXEMPTION FOR OIL, GAS AND PETROLEUM PRODUCTS OWNED BY A PERSON, FIRM OR CORPORATION OPERATING A REFINERY IN THE STATE, WHICH ARE IN TRANSIT TO OR SITUATED AT SUCH REFINERY FOR REFINING THEREAT, ARE IN THE PROCESS OF BEING REFINED AT SUCH REFINERY, OR HAVE BEEN REFINED AT SUCH REFINERY AND ARE STILL OWNED BY OR IN THE HANDS OF THE REFINER, TO CLARIFY THAT THE EXEMPTION DOES NOT EXTEND TO FINISHED PETROLEUM PRODUCTS IN TEMPORARY STORAGE OUTSIDE THE REFINERY PROPERTY; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON FINANCE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 24: William V. (Bill) Cork, -, Mississippi, Executive Director at the Mississippi Development Authority, term is effective December 14, 2023, and the appointee shall serve at the pleasure of the Governor. Do Advise and Consent.

S. N. No. 85: William David (Bill) Sones, Sr., Brookhaven, Mississippi, Mississippi Business Finance Corporation, six year term effective April 1, 2024 and ending March 31, 2030. Do Advise and Consent.

S. N. No. 97: Dr. William J. (Bill) Ashley, Madison, Mississippi, Executive Director of the Mississippi Department of Employment Security, term effective April 1, 2024 and runs concurrent with Governor's second term in office. Do Advise and Consent.

HARKINS, Chairman

REPORT OF COMMITTEES ON
LOCAL AND PRIVATE AND FINANCE

Mr. President: The above-named committees, having had under consideration the following, favorably report same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

H. B. No. 4115: City of Durant; authorize a tax on restaurants to promote tourism, parks and recreation. Title Sufficient. Do Pass.

PARKS, Chairman
HARKINS, Chairman

REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

H. B. No. 1646: City of West Point; extend repealer on authority to levy tax on hotels, motels and restaurants for tourism and parks and recreation. Title Sufficient. Do Pass.

H. B. No. 1716: Jackson County; authorize contributions to various organizations. Title Sufficient. Do Pass.

H. B. No. 1720: City of Pontotoc; extend repealer on authority to levy tax on hotels, motels and restaurants. Title Sufficient. Do Pass.

H. B. No. 1743: Humphreys County; authorize a contribution to the Fannie Lou Hamer Cancer Foundation. Title Sufficient. Do Pass.

H. B. No. 1752: City of Fulton; extend date of repeal on hotel/motel tourism tax. Title Sufficient. Do Pass.

H. B. No. 1758: Jefferson Davis County; increase portion of oil and gas severance tax that may be utilized for garbage collection and disposal. Title Sufficient. Do Pass.

H. B. No. 1931: Greene County; extend repeal date on assessments in justice court. Title Sufficient. Do Pass.

H. B. No. 1948: City of Olive Branch; authorize expenditure of funds to establish industrial, technological or educational park or parks within. Title Sufficient. Do Pass.

H. B. No. 1968: Humphreys County; authorize contributions to Belzoni, Louise and Isola for parks and recreation. Title Sufficient. Do Pass.

H. B. No. 4090: Adams County; authorize to enter into a certain lease purchase agreement for a jail facility. Title Sufficient. Do Pass.

PARKS, Chairman

REPORT OF COMMITTEE ON AGRICULTURE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 103: Stephen Kenneth (Stephen) King, DVM, Tupelo, Mississippi, Mississippi Board of Veterinary Medicine, five year term effective April 23, 2024 and ending April 22, 2029, representing the Third Supreme Court District, vice Dr. Stuart G. Denman. Do Advise and Consent.

S. N. No. 109: David C. Newell, Jr., DVM, Meridian, Mississippi, State Board of Veterinary Medicine, five year term effective April 27, 2023 and ending April 22, 2028. Do Advise and Consent.

YOUNGER, Chairman

REPORT OF COMMITTEE ON UNIVERSITIES AND COLLEGES

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 98: Donald (Don) Clark, Jr., Canton, Mississippi, Board of Trustees of the Institutions of Higher Learning, nine year term effective May 9, 2024 and ending May 8, 2033, representing the First Supreme Court District, vice Chip Morgan. Do Advise and Consent.

S. N. No. 99: Jerry L. Griffith, Gulfport, Mississippi, Board of Trustees of the Institutions of Higher Learning, nine year term effective May 9, 2024 and ending May 8, 2033, representing the Second Supreme Court District, vice Tom Duff. Do Advise and Consent.

S. N. No. 100: James Hinkle (Jimmy) Heidelberg, Pascagoula, Mississippi, Board of Trustees of the Institutions of Higher Learning, nine year term effective May 9, 2024 and ending May 8, 2033, representing the Second Supreme Court District, vice Dr. Alfred McNair. Do Advise and Consent.

S. N. No. 101: Charles Richards (Charlie) Stephenson, West Point, Mississippi, Board of Trustees of the Institutions of Higher Learning, nine year term effective May 9,

2024 and ending May 8, 2033, representing the Third Supreme Court District, vice Dr. J. Walt Starr. Do Advise and Consent.

BOYD, Chairman

REPORT OF COMMITTEE ON FORESTRY

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 107: Clinton Crawford (Clint) Rounsaville, Brookhaven, Mississippi, Board of Registration for Foresters as the representative from the Southwest Forestry Commission District, five year term effective July 1, 2023 and ending June 30, 2028. Do Advise and Consent.

MCCAUGHN, Chairman

REPORT OF COMMITTEE ON PORTS AND MARINE RESOURCES

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 80: Jason M. Osborne, Waveland, Mississippi, MS Advisory Commission on Marine Resources, remainder of a four year term effective July 1, 2023 and ending June 30, 2026. Do Advise and Consent.

THOMPSON, Chairman

MESSAGE FROM THE GOVERNOR
April 23, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2142: Designate American Quarter Horse as the Official State Horse and Kemp's Ridley sea turtle as Official Sea Turtle of Mississippi. (April 22, 2024, 10:40 AM)

S. B. No. 2226: Israel Support Act of 2019; extend repealer on. (April 22, 2024, 10:45 AM)

S. B. No. 2425: Ballot harvesting; define terms. (April 22, 2024, 10:46 AM)

S. B. No. 2457: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. (April 22, 2024, 10:41 AM)

S. B. No. 2470: Sales tax; move the back-to-school sales tax holiday to the second Friday in July. (April 22, 2024, 10:42 AM)

S. B. No. 2530: Peer-to-Peer Car Sharing Program Act; create. (April 22, 2024, 10:46 AM)

S. B. No. 2567: On-premises tobacco permit; authorize Department of Revenue to issue. (April 22, 2024, 10:48 AM)

S. B. No. 2727: Mississippi K-12 and Postsecondary Mental Health Task Force; create and provide membership and duties. (April 22, 2024, 10:49 AM)

S. B. No. 2858: Health benefit plans; set provisions related to diagnostic breast exams and individualized investigational drugs. (April 22, 2024, 10:53 AM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

MESSAGE FROM THE GOVERNOR
April 23, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 3099: Income tax; authorize a credit for certain employers that sponsor skills training for employees. (April 23, 2024, 2:05 PM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 4: Dr. Barry Tripp Henderson, Oxford, Mississippi, Board of Chiropractic Examiners as the representative of the 1st Congressional District, five year term effective April 21, 2023 and ending April 20, 2028. Do Advise and Consent.

S. N. No. 5: Dr. Felicia F. King, Jackson, Mississippi, State BD of Chiropractic Examiners as an Individual engaged in the Practice of Chiropractic, remainder of five year term effective July 1, 2023 and ending April 20, 2024, vice Michael R. Patterson, D.C.. Do Advise and Consent.

S. N. No. 6: Dr. Felicia F. King, Jackson, Mississippi, State BD of Chiropractic Examiners as an Individual engaged in the Practice of Chiropractic, five year term effective April 21, 2024 and ending April 20, 2029, representing the 2nd Congressional District. Do Advise and Consent.

S. N. No. 19: Dr. Frederick Barnett (Rick) Carlton, Jr., Oxford, Mississippi, State Board of Health as a Licensed Physician, remainder of six year term effective July 13, 2023 and ending June 30, 2027, vice Dr. John Edward Hill. Do Advise and Consent.

S. N. No. 32: Laine Allyson Murret, Hattiesburg, Mississippi, MS State Board of Physical Therapists, four year term effective May 26, 2023 and ending June 30, 2026, representing the 4th Congressional District, vice Douglas Roll. Do Advise and Consent.

S. N. No. 33: Cheryl Brooks Ware, PT, Belden, Mississippi, MS State Board of Physical Therapists, four year term effective July 1, 2023 and ending June 30, 2027, representing the 1st Congressional District, vice Shannon Singletary. Do Advise and Consent.

S. N. No. 35: Veronica Haynes Knowles, LCSW, Louisville, Mississippi, BD of Examiners for Social Workers and Marriage and Family Therapists, four year term effective July 1, 2023 and ending June 30, 2027, representing a Licensed Social Worker. Do Advise and Consent.

S. N. No. 42: Carrie K. Coggins, LMSW, Tupelo, Mississippi, MS State Board of Examiners for Social Workers and Marriage and Family Therapists, remainder of a four year term ending June 30, 2024. Do Advise and Consent.

S. N. No. 43: Robert L. (Bobby) Scott, Southaven, Mississippi, MS State Board of Examiners for Social Workers and Marriage and Family Therapists, four year term beginning July 1, 2023 and ending June 30, 2027. Do Advise and Consent.

S. N. No. 58: Virginia Jones (Jenny) Bryan, PTA, Oxford, Mississippi, MS State Board of Physical Therapists as the representative of physical therapy assistants, four year term effective July 1, 2023 and ending June 30, 2027. Do Advise and Consent.

S. N. No. 64: Lee Bertha Cole, Jackson, Mississippi, Board of Directors of MS Industries for the Blind, four year term effective July 1, 2023 and ending June 30, 2027, representing a legally blind individual. Do Advise and Consent.

S. N. No. 65: Billy Vaughn (Bill) Mayfield, Brandon, Mississippi, Board of Directors of MS Industries for the Blind, four year term effective July 1, 2024 and ending June 30, 2028, representing an educator with expertise in rehabilitation or the field of blindness. Do Advise and Consent.

S. N. No. 66: Sandra K. Smith Hall, Hazlehurst, Mississippi, Board of Directors of MS Industries for the Blind, four year term beginning July 1, 2023 and ending June 30, 2027. Do Advise and Consent.

S. N. No. 69: Anthony Chester White, Brandon, Mississippi, Mississippi State Board of Massage Therapy as the consumer at large, four year term effective July 1, 2023 and ending June 30, 2027. Do Advise and Consent.

S. N. No. 90: Kenya Gatlin-Gray, LCSW, Meridian, Mississippi, BD of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, remainder of a four year term beginning upon Senate Confirmation and ending June 30, 2026. Do Advise and Consent.

BRYAN, Chairman

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Steverson as a conferee, the Speaker has named a new conferee on the following:

H. B. No. 1354: Alcoholic Beverage Control Division warehouse; increase amount of revenue bonds authorized for and bailment fee authorized for paying debt service on bonds.

Representatives Lamar and Zuber remain as conferees and the Speaker has named Representative Johnson to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 4125: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF UNION COUNTY, MISSISSIPPI, TO LEVY AN ASSESSMENT, IN ADDITION TO ANY OTHER ASSESSMENTS AND COURT COSTS, FOR CIVIL CASES FILED AND MISDEMEANOR CONVICTIONS AND/OR NONADJUDICATIONS OBTAINED IN ITS JUSTICE COURT, TO BE PLACED IN A SPECIAL COUNTY FUND DESIGNATED THE "UNION COUNTY CAPITAL IMPROVEMENTS FUND" AND USED TO FUND CAPITAL IMPROVEMENTS; AND FOR RELATED PURPOSES.

H. B. No. 4126: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF UNION COUNTY, MISSISSIPPI, TO LEVY AN ASSESSMENT IN AN AMOUNT NOT TO EXCEED $15.00 FOR EACH CIVIL CASE FILED AND EACH CONVICTION OBTAINED IN THE COUNTY'S JUSTICE COURT; TO PROVIDE THAT THE ASSESSMENTS SHALL BE IN ADDITION TO ANY OTHER ASSESSMENTS AND COURT COSTS; TO REQUIRE SUCH ASSESSMENTS BE PLACED IN A SPECIAL COUNTY FUND DESIGNATED AS THE "UNION COUNTY LAW ENFORCEMENT CENTER MAINTENANCE FUND"; TO PROVIDE THAT SUCH FUND SHALL BE EXPENDED ON THE MAINTENANCE OF THE CENTER; AND FOR RELATED PURPOSES.

H. B. No. 4127: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF GAUTIER, MISSISSIPPI, TO ENTER INTO A CONTRACT WITH THE MISSISSIPPI SONGWRITERS' FESTIVAL, INC., D/B/A MISSISSIPPI SONGWRITERS' ALLIANCE FOR THE MANAGEMENT AND OPERATION OF THE MISSISSIPPI SONGWRITERS PERFORMING ARTS CENTER AND RECORDING STUDIO AND TO PROVIDE THE MISSISSIPPI SONGWRITERS' FESTIVAL, INC., D/B/A MISSISSIPPI SONGWRITERS ALLIANCE WITH ANNUAL FUNDING UP TO TWO HUNDRED FIFTY THOUSAND DOLLARS FOR EDUCATIONAL PROGRAMMING AND OPERATIONAL COSTS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 4125: Union County; authorize assessments on misdemeanor convictions and nonadjudications for capital improvements. Local and Private; Finance.

H. B. No. 4126: Union County; authorize assessments on civil cases filed and convictions obtained in justice court to maintain law enforcement center. Local and Private; Finance.

H. B. No. 4127: City of Gautier; authorize to contract with and make contributions to the Mississippi Songwriters Alliance. Local and Private.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:30 PM in memory of Robert E. "Bobby" Payne, Jr. and Melba Aileen Walker.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, APRIL 23, 2024

S. C. R. No. 547: Rules
A CONCURRENT RESOLUTION EXTENDING THE HEARTFELT CONDOLENCES OF THE LEGISLATURE ON THE PASSING OF FORMER MERIDIAN MAYOR CHERYL "CHERI" MERRITT BARRY, THE CITY'S FIRST FEMALE MAYOR, AND COMMENDING HER CONTRIBUTIONS TO PUBLIC EDUCATION AND HER COMMUNITY.
By Senator(s) Tate, McCaughn, Hickman, Hopson

S. R. No. 115: Rules
A RESOLUTION MOURNING THE LOSS AND COMMENDING THE LIFE AND PUBLIC LEGAL SERVICE OF FORMER STATE SENATOR, LAUDERDALE COUNTY PROSECUTOR AND DISTRICT ATTORNEY, MISSISSIPPI WORKERS' COMPENSATION COMMISSION CHAIRMAN AND WORLD WAR II VETERAN, JOE CLAY HAMILTON, OF MERIDIAN, MISSISSIPPI, AND EXTENDING THE DEEPEST SYMPATHY OF THE MISSISSIPPI SENATE TO HIS FAMILY AND FRIENDS ON HIS PASSING.
By Senator(s) Tate

ONE-HUNDRED AND FOURTEENTH DAY, WEDNESDAY, APRIL 24, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Senator Hopson.

Senator Hill led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Harkins moved that the rules be suspended for the consideration en bloc of S. N. No. 36, S. N. No. 53, S. N. No. 54, S. N. No. 86, S. N. No. 87, S. N. No. 102 and S. N. No. 108 and the motion prevailed.

Senator Harkins called up the following entitled nominations:

S. N. No. 36: Derek Royce Arrington, Hattiesburg, Mississippi, State Bond Attorney, term effective January 9, 2024 and runs concurrent with the Governor's second term of office.

S. N. No. 53: Carolyn Q. Boteler, Florence, Mississippi, Mississippi Business Finance Corporation as an individual associated with small business, six year term effective April 1, 2024 and ending March 31, 2030.

S. N. No. 54: Brian A. Pugh, Starkville, Mississippi, Mississippi Home Corporation, six year term effective April 24, 2024 and ending April 23, 2030, representing the 3rd Supreme Court District.

S. N. No. 86: Anthony Lynn (Tony) Jones, Olive Branch, Mississippi, Mississippi Home Corporation, six year term effective May 24, 2024 and ending May 23, 2030, representing the 3rd Supreme Court District.

S. N. No. 87: Lisa Renee (Renee) Rice, Madison, Mississippi, Mississippi Hospital Equipment and Facilities Authority as a banker with experience in commercial lending, four year term effective March 12, 2024 and ending January 10, 2028.

S. N. No. 102: David A. Jackson, Ridgeland, Mississippi, Mississippi Hospital Equipment and Facilities Authority as the representative of the First Supreme Court District, four year term effective July 1, 2024 and ending June 30, 2028.

S. N. No. 108: Kristopher Daniel (Kris) Sanders, Holly Springs, Mississippi, Mississippi Hospital Equipment and Facilities Authority as the representative of the Third Supreme Court District, four year term effective July 1, 2024 and ending June 30, 2028.

YEAS AND NAYS on consideration en bloc of S. N. No. 36, S. N. No. 53, S. N. No. 54, S. N. No. 86, S. N. No. 87, S. N. No. 102 and S. N. No. 108. On motion of Senator Harkins, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled nomination:

S. N. No. 24: William V. (Bill) Cork,-, Mississippi, Executive Director at the Mississippi Development Authority, term is effective December 14, 2023, and the appointee shall serve at the pleasure of the Governor.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 24 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled nomination:

S. N. No. 85: William David (Bill) Sones, Sr., Brookhaven, Mississippi, Mississippi Business Finance Corporation, six year term effective April 1, 2024 and ending March 31, 2030.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 85 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

H. B. No. 4115: City of Durant; authorize a tax on restaurants to promote tourism, parks and recreation.

YEAS AND NAYS On H. B. No. 4115. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

H. B. No. 1646: City of West Point; extend repealer on authority to levy tax on hotels, motels and restaurants for tourism and parks and recreation.

YEAS AND NAYS On H. B. No. 1646. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

H. B. No. 1716: Jackson County; authorize contributions to various organizations.

YEAS AND NAYS On H. B. No. 1716. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Senator Parks called up the following entitled bill:

H. B. No. 1720: City of Pontotoc; extend repealer on authority to levy tax on hotels, motels and restaurants.

YEAS AND NAYS On H. B. No. 1720. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Chism. Total--1.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Senator Parks called up the following entitled bill:

H. B. No. 1743: Humphreys County; authorize a contribution to the Fannie Lou Hamer Cancer Foundation.

YEAS AND NAYS On H. B. No. 1743. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--Chism, Hill. Total--2.

Senator Parks called up the following entitled bill:

H. B. No. 1752: City of Fulton; extend date of repeal on hotel/motel tourism tax.

YEAS AND NAYS On H. B. No. 1752. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Chism. Total--1.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Senator Parks called up the following entitled bill:

H. B. No. 1758: Jefferson Davis County; increase portion of oil and gas severance tax that may be utilized for garbage collection and disposal.

YEAS AND NAYS On H. B. No. 1758. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Chism. Total--1.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

H. B. No. 1931: Greene County; extend repeal date on assessments in justice court.

YEAS AND NAYS On H. B. No. 1931. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

H. B. No. 1948: City of Olive Branch; authorize expenditure of funds to establish industrial, technological or educational park or parks within.

YEAS AND NAYS On H. B. No. 1948. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Chism. Total--1.

Senator Parks called up the following entitled bill:

H. B. No. 1968: Humphreys County; authorize contributions to Belzoni, Louise and Isola for parks and recreation.

YEAS AND NAYS On H. B. No. 1968. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

H. B. No. 4090: Adams County; authorize to enter into a certain lease purchase agreement for a jail facility.

YEAS AND NAYS On H. B. No. 4090. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 903** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 903: Machine gun; provide crime for conversion to.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following section shall be codified as Section 97-37-39, Mississippi Code of 1972:

97-37-39. (1) (a) Any person who manufactures, possesses, or uses a machine gun conversion device and who is not otherwise authorized by federal law to manufacture, possess or use a machine gun conversion device shall be guilty of a felony.

(b) For purposes of this section, the following terms shall have the meanings described herein:

(i) "Machine gun conversion" means a device that is designed, made and intended to convert a semiautomatic firearm into a machine gun. The term "machine gun conversion" does not include any semi-automatic firearm or any device designed only to aid the operator of a semi-automatic firearm to discharge the firearm more accurately or to pull the trigger more quickly as long as the operator must still function the trigger of the firearm for each shot fired.

(ii) Machine gun means any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one (1) shot without manual reloading, by a single function of the trigger.

(2) Any person convicted of a first offense in violation of this act shall be guilty of a felony, and shall be sentenced to imprisonment for a term of not more than ten (10) years, fined not more than Ten Thousand Dollars ($10,000.00), or both.

(3) A person convicted of a second or subsequent offense shall be charged with a felony under this act and shall be sentenced to imprisonment for a term of not more than fifteen (15) years, fined not more than Twenty Thousand Dollars ($20,000.00), or both.

(4) This section shall be known as the "Jeremy Todd Malone Law."

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO CREATE NEW SECTION 97-37-39, MISSISSIPPI CODE OF 1972, TO CRIMINALIZE THE MANUFACTURE, POSSESSION AND USE OF MACHINE GUN CONVERSION DEVICES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Kevin Horan	Joey Fillingane
Kevin Felsher	Daniel H. Sparks
Zachary Grady	Scott DeLano

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 903** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Chism, Hill. Total--2.

Absent and those not voting----None.

_____

Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 1126** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1126: "Walker Montgomery Protecting Children Online Act"; establish to protect minors from harmful content.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Walker Montgomery Protecting Children Online Act."

SECTION 2. For purposes of this act, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Digital service" means a website, an application, a program, or software that collects or processes personal identifying information with Internet connectivity.

(b) "Digital service provider" means a person who:

(i) Owns or operates a digital service;

(ii) Determines the purpose of collecting and processing the personal identifying information of users of the digital service; and

(iii) Determines the means used to collect and process the personal identifying information of users of the digital service.

(c) "Harmful material" means material that is harmful to minors as defined by Section 11-77-3(d).

(d) "Known minor" means a child who is younger than eighteen (18) years of age who has not had the disabilities of minority removed for general purposes, and who the digital service provider knows to be a minor.

(e) "Personal identifying information" means any information, including sensitive information, that is linked or reasonably linkable to an identified or identifiable individual. The term includes pseudonymous information when the information is used by a controller or processor in conjunction with additional information that reasonably links the information to an identified or identifiable individual. The term does not include deidentified information or publicly available information.

SECTION 3. (1) This act applies only to a digital service provider who provides a digital service that:

(a) Connects users in a manner that allows users to socially interact with other users on the digital service;

(b) Allows a user to create a public, semi-public or private profile for purposes of signing into and using the digital service; and

(c) Allows a user to create or post content that can be viewed by other users of the digital service, including sharing content on:

(i) A message board;

(ii) A chat room; or

(iii) A landing page, video channel or main feed that presents to a user content created and posted by other users.

(2) This act does not apply to:

(a) A digital service provider who processes or maintains user data in connection with the employment, promotion, reassignment or retention of the user as an employee or independent contractor, to the extent that the user's data is processed or maintained for that purpose;

(b) A digital service provider's provision of a digital service that facilitates e-mail or direct messaging services, if the digital service facilitates only those services;

(c) A digital service provider's provision of a digital service that:

(i) Primarily functions to provide a user with access to news, sports, commerce, online video games or content primarily generated or selected by the digital service provider; and

(ii) Allows chat, comment or other interactive functionality that is incidental to the digital service; or

(d) A digital service provider's provision of a digital service that primarily functions to provide a user with access to career development opportunities, including:

(i) Professional networking;

(ii) Job skills;

(iii) Learning certifications;

(iv) Job posting; and

(v) Application services.

(3) The Internet service provider, Internet service provider's affiliate or subsidiary, search engine or cloud service provider is not considered to be a digital service provider or to offer a digital service if the Internet service provider or provider's affiliate or subsidiary, search engine or cloud service provider solely provides access or connection, including through transmission, download, intermediate storage, access software or other service, to an Internet website or to other information or content:

(a) On the Internet; or

(b) On a facility, system or network not under the control of the Internet service provider, provider's affiliate or subsidiary, search engine or cloud service provider.

SECTION 4. (1) A digital service provider may not enter into an agreement with a person to create an account with a digital service unless the person has registered the person's age with the digital service provider. A digital service provider shall make commercially reasonable efforts to verify the age of the person creating an account with a level of certainty appropriate to the risks that arise from the information management practices of the digital service provider.

(2) A digital service provider shall not permit an account holder who is a known minor to be an account holder unless the known minor has the express consent from a parent or guardian. Acceptable methods of obtaining express consent of a parent or guardian include any of the following:

(a) Providing a form for the minor's parent or guardian to sign and return to the digital service provider by common carrier, facsimile, or electronic scan;

(b) Providing a toll-free telephone number for the known minor's parent or guardian to call to consent;

(c) Coordinating a call with a known minor's parent or guardian over video conferencing technology;

(d) Collecting information related to the government-issued identification of the known minor's parent or guardian and deleting that information after confirming the identity of the known minor's parent or guardian;

(e) Allowing the known minor's parent or guardian to provide consent by responding to an email and taking additional steps to verify the identity of the known minor's parent or guardian; or

(f) Any other commercially reasonable method of obtaining consent in light of available technology.

SECTION 5. (1) A digital service provider that enters into an agreement with a known minor for access to a digital service shall:

(a) Limit collection of the known minor's personal identifying information to information reasonably necessary to provide the digital service; and

(b) Limit use of the known minor's personal identifying information to the purpose for which the information was collected.

(2) A digital service provider that enters into an agreement with a known minor for access to a digital service may not:

(a) Use the digital service to collect the known minor's precise geolocation data;

(b) Use the digital service to display targeted advertising involving harmful material to the known minor; or

(c) Share, disclose or sell the known minor's personal identifying information unless required to:

(i) Comply with a civil, criminal or regulatory inquiry, investigation, subpoena or summons by a governmental entity;

(ii) Comply with a law enforcement investigation;

(iii) Detect, block or prevent the distribution of unlawful, obscene or other harmful material to a known minor;

(iv) Block or filter spam;

(v) Prevent criminal activity; or

(vi) Protect the security of a digital service.

SECTION 6. (1) In relation to a known minor's use of a digital service, a digital service provider shall make commercially reasonable efforts to develop and implement a strategy to prevent or mitigate the known minor's exposure to harmful material and other content that promotes or facilitates the following harms to minors:

(a) Consistent with evidence-informed medical information, the following: self-harm, eating disorders, substance use disorders, and suicidal behaviors;

(b) Patterns of use that indicate or encourage substance abuse or use of illegal drugs;

(c) Stalking, physical violence, online bullying, or harassment;

(d) Grooming, trafficking, child pornography, or other sexual exploitation or abuse;

(e) Incitement of violence; or

(f) Any other illegal activity.

(2) Nothing in subsection (1) shall be construed to require a digital service provider to prevent or preclude:

(a) Any minor from deliberately and independently searching for, or specifically requesting, content; or

(b) The digital service provider or individuals on the digital service from providing resources for the prevention or mitigation of the harms described in subsection (1), including evidence-informed information and clinical resources.

SECTION 7. (1) Except as provided by subsection (2) of this section, this act may not be construed as providing a basis for, or being subject to, a private right of action for a violation of this act.

(2) If a digital service provider violates this act, the parent or guardian of a known minor affected by that violation may bring a cause of action seeking:

(a) A declaratory judgment under Rule 57 of Mississippi Rules of Civil Procedure; or

(b) An injunction against the digital service provider.

(3) A court may not certify an action brought under this section as a class action.

SECTION 8. Section 75-24-5, Mississippi Code of 1972, is amended as follows:

75-24-5. (1) Unfair methods of competition affecting commerce and unfair or deceptive trade practices in or affecting commerce are prohibited. Action may be brought under Section 75-24-5(1) only under the provisions of Section 75-24-9.

(2) Without limiting the scope of subsection (1) of this section, the following unfair methods of competition and unfair or deceptive trade practices or acts in the conduct of any trade or commerce are hereby prohibited:

(a) Passing off goods or services as those of another;

(b) Misrepresentation of the source, sponsorship, approval, or certification of goods or services;

(c) Misrepresentation of affiliation, connection, or association with, or certification by another;

(d) Misrepresentation of designations of geographic origin in connection with goods or services;

(e) Representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation, or connection that he does not have;

(f) Representing that goods are original or new if they are reconditioned, reclaimed, used, or secondhand;

(g) Representing that goods or services are of a particular standard, quality, or grade, or that goods are of a particular style or model, if they are of another;

(h) Disparaging the goods, services, or business of another by false or misleading representation of fact;

(i) Advertising goods or services with intent not to sell them as advertised;

(j) Advertising goods or services with intent not to supply reasonably expectable public demand, unless the advertisement discloses a limitation of quantity;

(k) Misrepresentations of fact concerning the reasons for, existence of, or amounts of price reductions;

(l) Advertising by or on behalf of any licensed or regulated health care professional which does not specifically describe the license or qualifications of the licensed or regulated health care professional;

(m) Charging an increased premium for reinstating a motor vehicle insurance policy that was cancelled or suspended by the insured solely for the reason that he was transferred out of this state while serving in the United States Armed Forces or on active duty in the National Guard or United States Armed Forces Reserve. It is also an unfair practice for an insurer to charge an increased premium for a new motor vehicle insurance policy if the applicant for coverage or his covered dependents were previously insured with a different insurer and canceled that policy solely for the reason that he was transferred out of this state while serving in the United States Armed Forces or on active duty in the National Guard or United States Armed Forces Reserve. For purposes of determining premiums, an insurer shall consider such persons as having maintained continuous coverage. The provisions of this paragraph (m) shall apply only to such instances when the insured does not drive the vehicle during the period of cancellation or suspension of his policy;

(n) Violating the provisions of Section 75-24-8; * * *

(o) Violating the provisions of Section 73-3-38 * * *;

(p) Violating any of the provisions of Sections 1 through 6 of House Bill No. 728, 2024 Regular Session, as approved by the Governor; and

(q) Violating any of the provisions of Sections 1 through 7 of this act.

SECTION 9. Section 97-5-31, Mississippi Code of 1972, is amended as follows:

97-5-31. As used in Sections 97-5-33 through 97-5-37, the following words and phrases shall have the meanings given to them in this section:

(a) "Child" means any individual who has not attained the age of eighteen (18) years and is an identifiable child.

(b) "Sexually explicit conduct" means actual, morphed or simulated:

(i) Oral genital contact, oral anal contact, or sexual intercourse as defined in Section 97-3-65, whether between persons of the same or opposite sex;

(ii) Bestiality;

(iii) Masturbation;

(iv) Sadistic or masochistic abuse;

(v) Lascivious exhibition of the genitals or pubic area of any person; or

(vi) Fondling or other erotic touching of the genitals, pubic area, buttocks, anus or breast.

(c) "Producing" means producing, directing, manufacturing, issuing, publishing, morphing or advertising.

(d) "Visual depiction" includes, without limitation, developed or undeveloped film and video tape or other visual unaltered, altered or morphed reproductions by computer and technology.

(e) "Computer" has the meaning given in Title 18, United States Code, Section 1030.

(f) "Morphed image" means any visual depiction or representation, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, simulated or other means, of sexually explicit conduct, where such visual depiction or representation has been created, adapted, or modified to appear an identifiable minor is engaging in sexual conduct or sexually explicit activity to appearing in a state of sexually explicit nudity.

(* * *g) "Simulated" means any depicting of the genitals or rectal areas that gives the appearance of sexual conduct or incipient sexual conduct.

(h) "Identifiable child" means a child who was a minor at the time the image was created, adapted, or modified or whose image as a child was used in the creating, adapting or modifying of the image; and is recognizable as an actual child by the child's face, likeness, or other distinguishing characteristic, such as a unique birthmark or other recognizable feature. The provisions of this paragraph (h) shall not be construed to require proof of the actual identity of the identifiable child.

SECTION 10. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO CREATE THE "WALKER MONTGOMERY PROTECTING CHILDREN ONLINE ACT" FOR THE PURPOSE OF PROTECTING MINOR CHILDREN FROM ONLINE HARMFUL MATERIAL AND ACCESS TO SUCH MATERIAL; TO REQUIRE DIGITAL SERVICE USERS TO REGISTER THEIR AGE; TO LIMIT THE COLLECTION AND USE OF MINOR USERS' PERSONAL IDENTIFYING INFORMATION; TO REQUIRE DIGITAL SERVICES PROVIDERS TO DEVELOP AND IMPLEMENT A STRATEGY TO PREVENT OR MITIGATE CERTAIN HARMS TO MINORS; TO AMEND SECTION 75-24-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A VIOLATION OF THIS ACT IS AN UNFAIR AND DECEPTIVE TRADE PRACTICE THAT IS ENFORCEABLE BY THE OFFICE OF THE ATTORNEY GENERAL; TO AMEND SECTION 97-5-31, MISSISSIPPI CODE OF 1972, TO INCLUDE MORPHED IMAGES OF DEPICTING MINOR CHILDREN IN EXPLICIT NATURE IN THE CRIME OF CHILD EXPLOITATION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Jill Ford	Joey Fillingane
Clay Mansell	Dennis DeBar, Jr.
Kevin Horan	Bart Williams

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1126** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane,

Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Turner-Ford. Total--1.

Senator Branning offered the following report of the Conference Committee on **H. B. No. 1681** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1681: Memorial Highways; designate segment MS Hwy 513 in Clarke County as "Lance Corporal Mac Hamburg, MSMC, Memorial Highway."

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The segment of Mississippi Highway 513 South located in Stonewall, Clarke County, Mississippi, beginning at its intersection with Church Street, and running northwesterly for a distance of approximately one (1) mile, more or less, to the Chickasawhay River in Enterprise, Clarke County, Mississippi, is designated and shall be known as the "Lance Corporal Mac Hamburg, USMC, Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of the highway described in subsection (1) of this section.

SECTION 2. (1) The segment of Mississippi Highway 15 South located in Walnut, Tippah County, Mississippi, beginning at the entrance of the Walnut Fire Department, and running southerly for a distance of one (1) mile, more or less, to the bridge located thereon which crosses Hurricane Creek, due north of Souls Harbor Apostolic Church, is designated and shall be known as the "Maj. Gen. Alben "Al" Norris Hopkins, Sr., Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of the highway described in subsection (1) of this section.

SECTION 3. (1) The segment of U.S. Highway 72 South located in Slayden, Marshall County, Mississippi, extending for a total distance of approximately one (1) mile, consisting of a distance of one-half (1/2) mile in the easterly direction of U.S. Highway 72 and a distance of one-half (1/2) mile in the westerly direction of U.S. Highway 72, with the central point of beginning in both the easterly and westerly directions being the entrance of the H.W. Byers School, is designated and shall be known as the "Eddie Dixon Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of the highway described in subsection (1) of this section.

SECTION 4. (1) The segment of Mississippi Highway 311 South located in Holly Springs, Marshall County, Mississippi, beginning at its intersection with MS Highway 7, and running northerly for a distance of one (1) mile, more or less, to its intersection with Landfill Road, is designated and shall be known as the "Charles W. and Juanita Thomas Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of the highway described in subsection (1) of this section.

SECTION 5. (1) The segment of Mississippi Highway 30 located in Prentiss County, Mississippi, extending for a total distance of approximately one (1) mile, consisting of a distance of one-half (1/2) mile in the easterly direction of Mississippi Highway 30 and a distance of one-half (1/2) mile in the westerly direction of Mississippi Highway 30 from Prentiss County, Mississippi, with the central point of beginning in both the easterly and westerly directions being the location of the home of Mr. J.P. Davis, shall be known as the "J.P. Davis Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 6. (1) The segment of Mississippi Highway 9 located in Webster County, Mississippi, extending from North Lake Circle in Euphora, Mississippi, in a northern direction for approximately one (1) mile to Dump Road in Euphora, Mississippi, is designated and shall be known as the "CW2 William H. "Bill" Seaborn, Jr. Memorial Highway" in memory of the late CW2 William H. "Bill" Seaborn, Jr., who was the recipient of four (4) military medals and who valiantly sacrificed his life in the Vietnam War.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 7. (1) The segment of Highway 39 that starts at North Hill Street located in the City of Meridian, Lauderdale County, Mississippi, and extends in a southward direction for one (1) mile is designated and shall be known as the "Cheri M. Barry Memorial Highway" in memory of the late former Meridian Mayor, Cheryl "Cheri" M. Barry, who was a diligent public servant, humanitarian and trailblazer.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 8. (1) The section of Mississippi Highway 15 located in Pontotoc County, Mississippi, beginning at the intersection of Mississippi Highway 15 and Mississippi Highway 278 in Pontotoc, Mississippi, and extending approximately one (1) mile south, is designated and shall be known as the "Judge Fred Wicker Memorial Highway" in memory of the late former World War II Army Veteran, Mississippi State Senator and Circuit Court Judge, Thomas Frederick Wicker.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 9. (1) The section of Mississippi Highway 7 located in Lafayette County, Mississippi, beginning at the intersection of Mississippi Highway 7 North and County Road 299 in Oxford, Mississippi, and extending north for approximately one (1) mile to County Road 1018 in Oxford, Mississippi, shall be known as the "Johnny Morgan Memorial Highway" in memory of the late State Senator and President of the Lafayette County Board of Supervisors, Johnny Morgan.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 10. (1) The section of Mississippi Highway 57 located in Greene County, Mississippi, that begins at Canaan Land United Pentecostal Church in Leakesville, Mississippi, and extends approximately one (1) mile east to the Big Creek Bridge in Hillman, Mississippi, shall be known as the "Purple Heart Highway" in honor of Rawleigh X.L. Bradley, who was injured during the Korean Conflict and was subsequently awarded the Purple Heart.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 11. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 513 SOUTH IN STONEWALL, CLARKE COUNTY, MISSISSIPPI, AS THE "LANCE CORPORAL MAC HAMBURG, USMC, MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 15 SOUTH LOCATED IN WALNUT, TIPPAH COUNTY, MISSISSIPPI, AS THE "MAJ. GEN. ALBEN "AL" NORRIS HOPKINS, SR., MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 72 SOUTH LOCATED IN SLAYDEN, MARSHALL COUNTY, MISSISSIPPI, AS THE "EDDIE DIXON MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 311 SOUTH LOCATED IN HOLLY SPRINGS, MARSHALL COUNTY, MISSISSIPPI, AS THE "CHARLES W. AND JUANITA THOMAS MEMORIAL HIGHWAY"; TO DESIGNATE A PORTION OF MISSISSIPPI HIGHWAY 30 LOCATED IN PRENTISS COUNTY, MISSISSIPPI, AS THE "J.P. DAVIS MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 9 IN WEBSTER COUNTY, MISSISSIPPI, AS THE "CW2 WILLIAM H. "BILL" SEABORN, JR. MEMORIAL HIGHWAY" IN MEMORY OF THE LATE CW2 WILLIAM H. SEABORN, JR., WHO VALIANTLY SACRIFICED HIS LIFE IN THE VIETNAM WAR; TO DESIGNATE A SEGMENT OF HIGHWAY 39 IN MERIDIAN, LAUDERDALE COUNTY, MISSISSIPPI, AS THE "CHERI M. BARRY MEMORIAL HIGHWAY" IN MEMORY OF THE LATE MAYOR OF MERIDIAN, CHERYL "CHERI" M. BARRY; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 15 IN PONTOTOC COUNTY, MISSISSIPPI, AS THE "JUDGE FRED WICKER MEMORIAL HIGHWAY" IN

MEMORY OF THE LATE FORMER WORLD WAR II ARMY VETERAN, MISSISSIPPI STATE SENATOR AND CIRCUIT COURT JUDGE, THOMAS FREDERICK WICKER; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 7 IN LAFAYETTE COUNTY, MISSISSIPPI, AS THE "JOHNNY MORGAN MEMORIAL HIGHWAY" IN MEMORY OF THE LATE STATE SENATOR AND PRESIDENT OF THE LAFAYETTE COUNTY BOARD OF SUPERVISORS, JOHNNY MORGAN; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 57 IN GREENE COUNTY, MISSISSIPPI, AS THE PURPLE HEART HIGHWAY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Steve Massengill	Jenifer B. Branning
Joseph Tubb	Rita Potts Parks
William Tracy Arnold	Chuck Younger

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1681** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Branning offered the following report of the Conference Committee on **S. B. No. 2060** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2060: Memorial bridge; dedicate the Little Biloxi Bridge to World War II Infantryman Willie Edward King.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate concur in House Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Jenifer B. Branning	Steve Massengill
Scott DeLano	William Tracy Arnold
Philman Ladner	Joseph Tubb

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2060** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Barnett offered the following report of the Conference Committee on **S. B. No. 2445** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2445: Correctional system programs; extend repealers.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-473, Mississippi Code of 1972, is amended as follows:

47-5-473. (1) The Sheriffs of Rankin County, Harrison County * * *, Lee County and Hinds County are authorized to establish a Pilot Work Release Program. No person sentenced for a crime listed in Section 97-3-2 shall be eligible for participation in the program established under this section. During the pilot phase of the program, there shall be a limit of twenty-five (25) people in the program at a time.

(2) The sheriff shall collect and maintain data which shall be shared semiannually with the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) and the Corrections and Criminal Justice Oversight Task Force in sortable electronic format. The first report shall be made before January 15, 2022, and in six-month intervals thereafter. The data shall include:

(a) Total number of participants at the beginning of each month by race, gender, and offenses charged;

(b) Total number of participants at the end of each month by race, gender, and offenses charged;

(c) Total number of participants who began the program in each month by race, gender, and offenses charged;

(d) Total number of participants who successfully completed the program in each month by race, gender, and offenses charged;

(e) Total number of participants who left the program in each month and reason for leaving by race, gender, and offenses charged;

(f) Total number of participants who were arrested for a new criminal offense while in the program in each month by race, gender, and offenses charged;

(g) Total number of participants who were convicted of a new crime while in the program in each month by race, gender, and offenses charged;

(h) Total number of participants who completed the program and were convicted of a new crime within three (3) years of completing the program;

(i) Total amount earned by participants and how the earnings were distributed in each month;

(j) Results of any initial risk and needs assessments conducted on each participant by race, gender, and offenses charged; and

(k) Any other data or information as requested by the task force.

(3) Any person who has been sentenced to confinement in jail or who has been sentenced for a felony conviction but is confined in a jail may request assignment to the work release program established under this section. Admission to the program shall be in the discretion of the sheriff. The sheriff may further authorize the offender to participate in educational or other rehabilitative programs designed to supplement his work release employment or to prepare the person for successful reentry. No offender shall be eligible for this program if he or she has more than one (1) year remaining on his or her sentence.

(4) The sheriff shall adopt and publish rules and regulations prior to accepting inmates. These rules and regulations shall at a minimum include all requirements for work release programs established pursuant to Sections 47-5-451 through 47-5-471. Participating employers shall pay no less than the prevailing wage for the position and shall under no circumstance pay less than the federal minimum wage.

(5) Any offender assigned to such a program by the sheriff who, without proper authority or just cause, leaves the area to which he has been assigned to work or attend educational or other rehabilitative programs, or leaves the vehicle or route of travel involved in his or her going to or returning from such place, will be guilty of escape as provided in Section 97-9-49. An offender who is found guilty under this section shall be ineligible for further participation in a work release program during his or her current term of confinement.

(6) (a) The offender shall maintain an account through a local financial institution and shall provide a copy of a check stub to the sheriff.

(b) The offender * * * shall be required:

(i) To pay * * * twenty-five percent (25%) of his or her wages after mandatory deductions for the following purposes:

(* * *1.) To pay support of dependents or to the Mississippi Department of Human Services on behalf of dependents as may be ordered by a judge of competent jurisdiction; and

(* * *2.) To pay any fines, restitution, or costs as ordered by the court to include any fines and fees associated with obtaining a valid driver's license upon release.

(ii) To pay fifteen percent (15%) of the offender's wages to the sheriff's department for administrative expenses to include transportation costs.

(iii) To save fifty percent (50%) of the offender's wages in the account required under paragraph (a) of this subsection. Monies under this subparagraph shall be made available to the offender upon parole or release.

(* * *c) The * * * offender shall have access to the remaining ten percent (10%) of the monies in his or her account to purchase incidental expenses.

(d) Any monies remaining under paragraph (a) of this subsection after all mandatory deductions are paid, shall be deposited in the inmate's account established under this subsection. Any monies remaining upon release in paragraph (c) of this subsection shall be released to the inmate.

(* * *7) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) shall conduct a review of the work release program established under this section and beginning in 2024 produce * * * an annual report due December 1 each year to the Legislature on * * * the effectiveness * * * of the program. The PEER Committee shall seek the assistance of the Corrections and Criminal Justice Task Force and may seek assistance from any other criminal justice experts it deems necessary during its review.

(* * *8) This section shall stand repealed on July 1, * * * 2027.

SECTION 2. Section 47-5-577, Mississippi Code of 1972, is amended as follows:

47-5-577. Sections 47-5-531 through 47-5-575, which create the Mississippi Prison Industries Act of 1990, shall stand repealed from and after July 1, * * * 2027.

SECTION 3. Section 47-5-579, Mississippi Code of 1972, is amended as follows:

47-5-579. (1) (a) The corporation * * * shall operate a * * * work initiative at the Central Mississippi Correctional Facility, South Mississippi Correctional Institution,

Mississippi State Penitentiary and the Mississippi Correctional Institute for Women, and is authorized, in its discretion, to create a work initiative at any other correctional facility listed in Section 47-5-539(d). * * * In lieu of a work initiative created by the corporation, the warden or superintendent or sheriff at any regional and private facility listed in Section 47-5-539 is authorized to create a work initiative at their respective facility consistent with the provisions and requirements of this section. Each initiative shall be limited to no more than twenty-five (25) inmates in the * * * state, regional or private facility at any given time.

(b) The department, with regard to a work initiative in an MDOC facility, shall:

(i) Have the ultimate authority for oversight of the administration of the initiative;

(ii) Delegate the administration of the initiative to the corporation; and

(iii) Oversee the selection of inmates for admission to the initiative.

(c) The sheriff, with regard to a work initiative at a regional facility, shall:

(i) Have the ultimate authority for oversight of the administration of the initiative;

(ii) Oversee the selection of inmates for admission to the initiative; and

(iii) Work with the Department and the corporation to establish guidelines for the initiative and develop a report thereon.

(2) (a) An inmate is eligible for participation in the initiative if the inmate has:

(i) No more than two (2) years remaining on the inmate's sentence;

(ii) Not been convicted under Section 97-9-49 within the last five (5) years; and

(iii) Not been sentenced for a sex offense as defined in Section 45-33-23(h).

(b) Any inmate that meets the eligibility requirements of paragraph (a) may request assignment to * * * a work initiative established under this section.

(3) (a) The commissioner, in the case of MDOC facilities, or the warden, superintendent, sheriff or similar leader in the case of regional and private facilities, shall select inmates for admission to the program.

(b) An inmate currently participating in vocational training or a soft skills training program * * * at a facility authorized to operate a work initiative shall have priority in admission to the program.

(4) (a) The chief executive officer, in the case of MDOC facilities, or the warden, superintendent, sheriff or similar leader in the case of regional and private facilities, may authorize the inmate to participate in educational or other rehabilitative programs designed to supplement his work initiative employment or to prepare the person for successful reentry.

(b) Before accepting any participants to the program, the corporation, in consultation with the department, shall adopt and publish rules and regulations to effectuate this section no later than six (6) months after the effective date of this section.

These rules and regulations shall include all protection requirements for work release programs established pursuant to Sections 47-5-451 through 47-5-471.

(5) Participating employers shall pay no less than the prevailing wage for the position and shall under no circumstance pay less than the federal minimum wage.

(* * *6) Any inmate assigned to the initiative who, without proper authority or just cause, leaves the area to which he has been assigned to work or attend educational or other rehabilitative programs, or leaves the vehicle or route of travel involved in his or her going to or returning from such place, will be guilty of escape as provided in Section 97-9-49. An offender who is convicted under Section 97-9-49 shall be ineligible for further participation in the work initiative during his or her current term of confinement.

(* * *7) (a) The inmate shall maintain an account through a local financial institution and shall provide a copy of a check stub to the chief executive officer, the warden, the superintendent or the sheriff at a regional facility, as the case may be.

(b) The inmate shall be required:

(i) To pay twenty-five percent (25%) of the inmate's wages after mandatory deductions for the following purposes:

1. To pay support of dependents or to the Mississippi Department of Human Services on behalf of dependents as may be ordered by a judge of competent jurisdiction; and

2. To pay any fines, restitution, or costs as ordered by the court to include any fines and fees associated with obtaining a valid driver's license upon release.

(ii) To pay * * * fifteen percent (15%) of the inmate's wages to the corporation for administrative expenses to include transportation costs to be remitted to the state, regional or private facility where the inmate is housed. In the case of state facilities, the administrative expense reimbursement shall be paid to the corporation; in the case of regional facilities, the administrative expense reimbursement shall be paid to the sheriff's department; in the case of private facilities the administrative expense reimbursement shall be paid to the contractor overseeing the facility.

(iii) To save fifty percent (50%) of the inmate's wages in the account required under paragraph (a) of this subsection. Monies under this * * * subparagraph shall be made available to the inmate upon parole or release.

(c) The inmate shall have access to the remaining * * * ten percent (10%) of the monies in the inmate's account to purchase incidental expenses.

(d) Any monies remaining under paragraph (a) of this subsection after all mandatory deductions are paid, shall be deposited in the inmate's account established under this subsection. Any monies remaining upon release in paragraph (c) of this subsection shall be released to the inmate.

(* * *8) The chief executive officer of the corporation shall collect and maintain data which shall be shared semiannually with the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) and the Corrections and Criminal Justice Oversight Task Force in sortable electronic format. The first report shall be made on January 15, 2023, and in six-month intervals thereafter unless PEER establishes a different schedule. The data shall include:

* * *

(* * *a) Total number of participants at the end of each month by race, gender, and offenses charged;

(* * *b) Total number of participants who began the program in each month by race, gender, and offenses charged;

(* * *c) Total number of participants who successfully completed the program in each month by race, gender, and offenses charged;

(* * *d) Total number of participants who left the program in each month and reason for leaving by race, gender, and offenses charged;

(* * *e) Total number of participants who were arrested for a new criminal offense while in the program in each month by race, gender and offenses charged;

(* * *f) Total number of participants who were convicted of a new crime while in the program in each month by race, gender and offenses charged;

(* * *g) Total number of participants who completed the program and were convicted of a new crime within three (3) years of completing the program;

(* * *h) Total amount earned by participants and how the earnings were distributed in each month;

(* * *i) Results of any initial risk and needs assessments conducted on each participant by race, gender, and offenses charged;

(* * *j) * * * List of participating employers;

(* * *k) * * * List of jobs acquired by participants;

(* * *l) * * * List of the hourly wage paid to each participant;

(* * *m) * * * Accounting of the manner and use of the ten percent (10%) of the wages paid to the corporation by the inmate for administrative expenses;

(* * *n) Total costs associated with program operations;

(* * *o) * * * List of participating financial institutions;

(* * *p) The number of accounts opened by participants at financial institutions;

(* * *q) The average hourly wage earned in the program; and

(* * *r) Any other data or information as requested by the task force.

(* * *9) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) shall conduct a review of the initiative * * *, including any expansion of the initiative authorized under this section and produce * * * an annual report to the Legislature on their effectiveness by January 1, * * * of each year. The PEER Committee shall seek the assistance of the Corrections and Criminal Justice Task Force and may seek assistance from any other criminal justice experts it deems necessary during its review.

* * *

SECTION 4. Section 47-5-531, Mississippi Code of 1972, is brought forward as follows:

47-5-531. Sections 47-5-531 through 47-5-575 shall be known as the "Mississippi Prison Industries Act of 1990."

SECTION 5. Section 47-5-533, Mississippi Code of 1972, is brought forward as follows:

47-5-533. (1) It is the finding of the Legislature that prison industry programs of the State Department of Corrections are uniquely different from other programs operated or conducted by other departments in that it is essential to the state that the prison industry programs provide inmates with useful activities that can lead to meaningful employment after release in order to assist in reducing the return of inmates to the system.

(2) It is further the finding of the Legislature that the mission of a prison industry program is:

(a) To reduce the cost of state government by operating prison industries primarily with inmate labor, which industries do not seek to unreasonably compete with private enterprise;

(b) To serve the rehabilitative goals of the state by duplicating as nearly as possible, the operating activities of a free-enterprise type of profit-making enterprise; and

(c) To serve the security goals of the state by reducing the idleness of inmates and by providing an incentive for good behavior while in prison.

SECTION 6. Section 47-5-535, Mississippi Code of 1972, is brought forward as follows:

47-5-535. (1) Except as otherwise specifically provided by law, it is the intent of the Legislature that a nonprofit corporation be organized and formed, within sixty (60) days from April 4, 1990, to lease and manage the prison industry programs of the Mississippi Correctional Industries. The corporation created and established shall be a body politic and corporate, may acquire and hold real and personal property, may receive, hold and dispense monies appropriated to it by the Legislature of the State of Mississippi received from the federal government, received from the sale of products, goods, and services which it produces, and received from any other sources whatsoever.

(2) Except as otherwise specifically provided by law, it is the further intent of the Legislature that the nonprofit corporation shall create any additional prison industry program as it deems fit, and any such program shall be created in compliance with the provisions of Sections 47-5-531 through 47-5-575.

(3) Except as otherwise specifically provided by law, it is the further intent of the Legislature that such nonprofit corporation shall have exclusive rights to operate any prison industry program and when such corporation is lawfully formed, no other public or private entity shall be allowed to carry out the provisions of Sections 47-5-531 through 47-5-575.

(4) It is the further intent of the Legislature, that the nonprofit corporation which is required to be organized and formed under Sections 47-5-531 through 47-5-575 shall locate and operate prison industries at any state correctional facility with the approval of the Commissioner of Corrections. It is the intent of the Legislature that the nonprofit corporation locate and operate such industries in an orderly and expeditious manner. Such corporation may locate and operate prison industries at other prison satellites, at community work centers in the state, at any private correctional facility which houses state inmates and at any regional correctional facility as authorized under Section 47-5-931. No industrial prison program shall be located at a site other than state prison facilities approved by the commissioner.

SECTION 7. Section 47-5-537, Mississippi Code of 1972, is brought forward as follows:

47-5-537. The Secretary of State, or his designee, shall assist the Department of Corrections and the Department of Finance and Administration in the formation of the nonprofit corporation, and within sixty (60) days after the formation of the corporation, the corporation shall apply for exemption from federal tax under the provisions of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended. Any program of the Division of Vocational Rehabilitation of the State Department of Human Services shall not be classified as prison industries under the provisions Sections 47-5-531 through 47-5-575.

SECTION 8. Section 47-5-539, Mississippi Code of 1972, is amended as follows:

47-5-539. For the purposes of Sections 47-5-531 through 47-5-575, the following terms shall have the following meaning unless the context shall provide otherwise:

(a) "Chief executive officer" means the chief executive officer of the corporation established under this chapter.

(b) "Corporation" means the private nonprofit corporation which is required to be organized and formed to carry out the provisions of Sections 47-5-531 through 47-5-575 regarding prison industries.

(c) "Department" means the State Department of Corrections.

(d) "Inmate" means any person under the jurisdiction of the Mississippi Department of Corrections who is incarcerated within any of the following state, regional or private correctional * * * facilities:

(i) Central Mississippi Correctional Facility;

(ii) Marshall County Correctional Facility;

(iii) Mississippi State Penitentiary;

(iv) Delta Correctional Facility;

(v) Mississippi Correctional Institute for Women;

(vi) South Mississippi Correctional Institution;

(vii) Walnut Grove Correctional Facility;

(viii) Alcorn County Regional Correctional Facility;

(ix) Carroll/Montgomery County Regional Correctional Facility;

(x) George/Greene County Correctional Facility;

(xi) Bolivar County Correctional Facility;

(xii) Chickasaw County Regional Correctional Facility;

(xiii) Holmes/Humphreys County Correctional Facility;

(xiv) Issaquena County Correctional Facility;

(xv) Kemper/Neshoba County Regional Correctional Facility;

(xvi) Jefferson/Franklin County Correctional Facility;

(xvii) Leake County Correctional Facility;

(xviii) Marion/Walthall County Correctional Facility;

(xix) Washington County Regional Correctional Facility;

(xx) Yazoo Regional Correctional Facility;

(xxi) Stone County Correctional Facility;

(xxii) Winston/Choctaw County Correctional Facility;

(xxiii) East Mississippi Correctional Facility; and

(xxiv) Wilkinson County Correctional Facility.

(e) "Prison industry program" means any program which is considered to be a part of any prison industry in this state.

(f) "Prison agricultural enterprises" means all agricultural endeavors as defined in Section 47-5-353.

(g) "Work initiative" or "initiative" means the program authorized in Section 47-5-579.

SECTION 9. Section 47-5-541, Mississippi Code of 1972, is brought forward and amended as follows:

47-5-541. (1) The corporation shall be governed by a board of directors. The terms of the board of directors in place before July 1, 2022, shall expire June 30, 2022. From and after July 1, 2022, the board of directors of the nonprofit corporation shall be composed of the following five (5) members:

(a) The Commissioner of the Department of Corrections or his or her designee;

(b) One (1) representative of the faith-based community, appointed by the Commissioner of the Department of Corrections with the advice and consent of the Senate;

(c) One (1) representative of the business community, appointed by the Commissioner of the Department of Corrections with the advice and consent of the Senate;

(d) The Executive Director of * * * State Office of Workforce Development or his or her designee; and

(e) The Executive Director of the Mississippi Community College Board or his or her designee.

For the initial appointments, the representative of the faith-based community shall serve for a term of one (1) year; the representative of the business community shall serve for a term of two (2) years; the Executive Director of the * * * State Office of Workforce Development or his or her designee shall serve for a term of three (3) years and the Executive Director of the Mississippi Community College Board shall serve for a term of four (4) years. All succeeding terms shall be for four (4) years from the expiration date of

the previous term. The term of the Commissioner of Corrections shall run concurrent with his or her term or terms as commissioner. Initial appointments shall be made within thirty (30) days after July 1, 2022. Any vacancy on the board prior to the expiration of a term for any reason, including resignation, removal, disqualification, death or disability shall be filled in the manner prescribed in paragraphs (a) through (e) of this subsection for the balance of the unexpired term. The officers of the corporation shall consist of a chairman, vice chairman and a secretary-treasurer. The officers shall be selected by the members of the board. However, the Commissioner of Corrections shall not be eligible to serve as an officer of the corporation.

(2) The board of directors shall select and employ a chief executive officer of the corporation who shall serve at the pleasure of the board. The board shall set the compensation of the chief executive officer. The chief executive officer shall be responsible for the general business and entire operations of the corporation, and shall be responsible for operating the corporation in compliance with the bylaws of the corporation and in compliance with any provision of law. The board shall be authorized and empowered to do only those acts provided by law and by the bylaws of the corporation. Except as otherwise specifically provided by law, such board shall have the authority to establish prison industries, to cease the operation of any industry which it deems unsuitable or unprofitable, to enter into any lease or contract for the corporation and it shall have the full authority to establish prices for any industry good.

(3) No member of the board of directors shall vote on any matter that comes before the board that could result in pecuniary benefit for himself or for any entity in which such member has an interest.

(4) In addition to the board of directors, an advisory board may be set up for the benefit of each industry which is established pursuant to the provisions of Sections 47-5-531 through 47-5-575. Such boards shall be advisory only, and may be set up in the discretion of the board of directors of the corporation.

(5) Each member of the board of directors of the corporation shall receive per diem as provided in Section 25-3-69 for each day or fraction thereof spent in actual discharge of his official duties and shall be reimbursed for mileage and actual expenses incurred in the performance of his official duties in accordance with the requirements of Section 25-3-41, Mississippi Code of 1972.

(6) The board of directors shall make and publish policies, rules and regulations governing all business functions, including but not limited to accounting, marketing, purchasing and personnel, not inconsistent with the terms of Sections 47-5-531 through 47-5-575, as may be necessary for the efficient administration and operation of the corporation.

(7) The chief executive officer of the corporation shall:

(a) Employ all necessary employees of the corporation and dismiss them as is necessary;

(b) Administer the daily operations of the corporation, including establishing education, training and workforce development programs in collaboration with the State Office of Workforce Development and other relevant state and federal agencies;

(c) Upon approval of the board of directors, execute any contracts on behalf of the corporation; and

(d) Take any further actions which are necessary and proper toward the achievement of the corporation purposes.

(8) A member of the board of directors of the corporation shall not be liable for any civil damages for any personal injury or property damage caused to a person as a result of any acts or omissions committed in good faith in the exercise of their duties as members of the board of directors of the corporation, except where a member of the board engages in acts or omissions which are intentional, willful, wanton, reckless or grossly negligent.

SECTION 10. Section 47-5-543, Mississippi Code of 1972, is brought forward as follows:

47-5-543. (1) Within sixty (60) days after the formation of the corporation pursuant to the provisions of Section 47-5-535, the State Department of Corrections shall lease to the corporation all existing prison industries including the buildings, land, furnishings, equipment and other chattel used in the operation of such industries. Such lease shall be agreed upon by the State Department of Corrections, State Department of Finance and Administration and the corporation. The initial term of such lease shall not exceed six (6) years, provided that such lease may be renewed for additional successive terms of years not to exceed six (6) years in any one (1) renewal. No sublease to the corporation shall be in excess of that amount for which the department is obligated to pay under any lease agreement with any other state agency. Any receivable and remaining funds shall be transferred to the corporation after the payment of any existing liabilities. No operating loss of any type shall be transferred to the corporation. The State Department of Corrections shall continue to manage and operate the prison industries until such industries are leased to the corporation. When leasing any prison industry program to the corporation, the corporation shall exercise a reasonable effort to employ any personnel of the State Department of Corrections who are currently involved in any prison industry program being leased to the corporation. Before the leasing of the prison industries, buildings, lands and other items mentioned herein to the corporation, the State Auditor of Public Accounts shall perform a comprehensive audit of all the items and things mentioned herein which are to be leased by the department to the corporation. The corporation may expand, eliminate, suspend or alter any of its industries as it sees fit.

(2) Any lands, buildings, equipment, furnishings, livestock, supplies and vehicles used in the department's farming operations which were leased or transferred to the nonprofit corporation under subsection (1) shall be transferred to the department. Any personnel in the department's farming operations employed by the nonprofit corporation who desire to be reassigned to the department and who are under state service may be reassigned to the department.

(3) The department is not required to lease land, buildings, equipment, furnishings or other chattel used in its prison agricultural enterprises.

SECTION 11. Section 47-5-545, Mississippi Code of 1972, is brought forward as follows:

47-5-545. Except as otherwise specifically provided by law, after the commissioning and implementation of a marketing feasibility study for any proposed new prison industry, the corporation may establish such prison industry. Before any new industry is established, the corporation shall hold a hearing to determine the impact such industry may have on the private sector market. The corporation shall provide adequate and advance notice regarding the nature, time, date and place of such hearing. After the hearing which is required under this section, the corporation may commence negotiations with the State Department of Corrections, with the Secretary of State, or his designee, serving as a mediator, regarding the leasing of land and other chattels for the purpose of establishing any new industry.

SECTION 12. Section 47-5-547, Mississippi Code of 1972, is brought forward as follows:

47-5-547. Except as otherwise specifically provided by law, any training program or auxiliary program associated with any existing prison industry shall be transferred to the corporation. The corporation is empowered and authorized to establish in participation with any community or junior college or state institution of higher learning, any training or auxiliary program for existing prison industries or for any industries which the corporation might create. Such community or junior college or state institution of higher learning shall provide assistance in business planning, marketing and analysis of existing or projected industries. These industrial services shall be contracted with any appropriate community or junior college or state institution of higher learning when these industries are developed at other correction sites.

SECTION 13. Section 47-5-549, Mississippi Code of 1972, is brought forward as follows:

47-5-549. Any service or item manufactured, processed, grown or produced by the corporation from its prison industries may be furnished or sold to any legislative, executive or judicial branch of the state, any political subdivision or any governing authority of the state, any other state, any school, college or university of the state, any foreign government, any agency of the federal government or to any private entity. The corporation shall make reasonable efforts to purchase raw materials from in-state vendors. The prices for industry-made products shall be established by the board of directors of the corporation or its designee.

SECTION 14. Section 47-5-551, Mississippi Code of 1972, is brought forward as follows:

47-5-551. In the event the corporation is dissolved or its lease of any prison industry program expires or is otherwise terminated, all property relating to such prison industry program which ceases to function because of such termination or dissolution, including all funds, buildings, land, furnishings, equipment and other chattels subsequently purchased or otherwise acquired by the corporation in connection with its continued operation of that program, automatically reverts to full ownership by the department.

SECTION 15. Section 47-5-553, Mississippi Code of 1972, is brought forward as follows:

47-5-553. Before any prison industry may commence operations, the chief executive officer of the corporation must communicate with the Commissioner of Corrections regarding the proper security for the facility. If at anytime the Commissioner of Corrections recognizes a need for improvement in the security at any facility, then he or she shall communicate to the corporation regarding what improvements are needed for the facility to be properly secured. The corporation shall furnish its own security within the parameters of any prison industry work area.

SECTION 16. Section 47-5-555, Mississippi Code of 1972, is brought forward as follows:

47-5-555. The department shall, subject to the necessary security requirements and the needs of the corporation, provide to the corporation sufficient inmate labor for the various prison industry programs. The department may adopt rules and regulations as may be necessary to govern the use of inmates by the corporation. The corporation shall establish policies and procedures, subject to the approval of the department, relating to the use of inmates in the prison industry programs.

SECTION 17. Section 47-5-557, Mississippi Code of 1972, is brought forward as follows:

47-5-557. Any inmate who performs work for the corporation, except those inmates employed by the corporation in the Prison Industry Enhancement Program under Section 47-5-1251, shall not be deemed an agent, employee or involuntary servant of the corporation while performing such work or while going to and from work or other specified areas.

SECTION 18. Section 47-5-559, Mississippi Code of 1972, is brought forward as follows:

47-5-559. The corporation shall submit to the Governor and the Legislature, on or before January 1 of each year, a report on the status of the correctional work programs, including, but not limited to, the programs and funds which have been transferred to the corporation, the programs and funds to be taken over within the next year and the proposed use of the profits from such programs, a breakdown of the amount of noninmate labor used, work subcontracted to other vendors, use of consultants, finished goods purchased for resale, and the number of inmates working in the correctional work programs at the time of the report. In addition, the corporation shall submit to the department, the Governor and the Legislature an annual independently audited financial statement and such other information as may be requested by the Legislature together with recommendations from the corporation relating to provisions for reasonable tax incentives to private enterprises that employ inmates, parolees or former inmates who have participated in correctional work programs. The department shall include, as a portion of its annual report, a report on post-release job placement and the rate of subsequent contact with the correctional system for those inmates who have participated in the correctional work programs operated by the corporation and by the department. Beginning January 1, 1991, the State Auditor shall conduct an annual financial audit of the corporation in conjunction with an independent audit conducted by the corporation's auditors. The State Auditor and the legislative PEER committee shall also conduct a biennial performance audit of the corporation for the period beginning January 1, 1991, through January 1, 1993, and thereafter upon the joint request of the Senate Corrections Committee, House * * * Corrections Committee, Senate Finance Committee, and House Ways and Means Committee.

SECTION 19. Section 47-5-561, Mississippi Code of 1972, is brought forward as follows:

47-5-561. (1) In addition to its other powers, the corporation shall have the power to request, through the department, an appropriation of general revenue funds for the purposes of operation of, addition to or renovation of facilities or correctional work programs at the various correctional institutions; however, upon receipt of such appropriation, the rental paid by the corporation for the operation of or such new remodeled or renovated facilities or the operation of a correctional work program shall be sufficient to amortize its cost over a period of five (5) years.

(2) The corporation shall maintain those prison industries funds in excess of that amount necessary for sustaining quarterly or monthly operations of the corporation in an interest-bearing account best serving the proper management of corporation funds and earning the maximum amount of interest allowed by law. The corporation shall cause monies from the interest-bearing account to be deposited quarterly or monthly into the corporation's checking account in order to pay the legal debts of the corporation, approved for payment by the corporation.

SECTION 20. Section 47-5-563, Mississippi Code of 1972, is brought forward as follows:

47-5-563. (1) The department may adopt such rules as may be necessary to govern the use of inmates by the corporation; however, such rules shall be related only to the need for security, inmate projections, and efficient operation of each institution.

(2) The corporation, with the input of the department, shall establish policies and procedures subject to the approval of the department's legal counsel relating to the use of inmates in the correctional work programs.

(3) All such policies and procedures adopted by the department and the corporation shall be placed on file in the Office of the Secretary of State.

SECTION 21. Section 47-5-565, Mississippi Code of 1972, is brought forward as follows:

47-5-565. To carry out the provisions of Sections 47-5-531 through 47-5-575, the provisions of Sections 47-5-301 et seq., and 47-5-501 et seq., Mississippi Code of 1972, the corporation shall authorize the transfer and expending of monies from the Prison Industries Fund.

SECTION 22. Section 47-5-567, Mississippi Code of 1972, is brought forward as follows:

47-5-567. Except as otherwise specifically provided by law, no inmate shall be eligible for unemployment compensation or workmen's compensation whether employed by the corporation or by any other private enterprise operating on the grounds of a correctional institution or elsewhere where such employment shall be a part of a correctional work program or work release program of either the corporation or the department.

SECTION 23. Section 47-5-569, Mississippi Code of 1972, is brought forward as follows:

47-5-569. (1) Except as otherwise specifically provided by law, if the department leases a single correctional work program at any correctional institution to the corporation, the corporation shall lease all such correctional work programs at that institution. Any rent paid by the corporation to the department shall be deposited in a correctional programs trust fund for enhancement of education and training, post-release job placement, and other correctional purposes related to the purposes of Sections 47-5-531 through 47-5-575.

(2) All leases of department-owned land for the funding or operations of the corporation shall be subject to the approval of the corporation, the Mississippi Department of Corrections and the Public Procurement Review Board.

(3) This section shall not apply to any program within the prison agricultural enterprises operated by the department.

SECTION 24. Section 47-5-571, Mississippi Code of 1972, is brought forward as follows:

47-5-571. Except as otherwise specifically provided by law, no goods, wares, services or merchandise manufactured, mined or offered in whole or in part by prisoners shall be sold or offered by any person or other authority except by the corporation, as authorized by Sections 47-5-531 through 47-5-575.

SECTION 25. Section 47-5-573, Mississippi Code of 1972, is brought forward as follows:

47-5-573. (1) In adopting or modifying master plans for correctional work programs, and in the administration of the Department of Corrections, it shall be the objective of the department to develop a logical sequence of vocational training, employment by correctional work programs, and post-release job placement for inmates participating in correctional work programs.

(2) The Department of Corrections shall establish guidelines for the development of correctional work programs.

(3) The needs of the corporation shall be considered by the department when assigning and transferring prisoners to correctional institutions. The following criteria shall be used when assigning and transferring inmates:

(a) Skills of the inmate relevant to the corporation's industries;

(b) Security classification of the inmate relevant to the type of corporation's industry;

(c) Duration of availability of the inmate for employment by the corporation;

(d) Establishment of a concept of potentially rehabilitative inmate.

SECTION 26. Section 47-5-575, Mississippi Code of 1972, is brought forward as follows:

47-5-575. Any records or reports which relate to the financial aspect or operations of the corporation, with the exception of any trade secrets, shall be considered as public records and shall be subject to the provisions of the Mississippi Public Records Act of 1983.

SECTION 27. Section 47-5-1251, Mississippi Code of 1972, is amended as follows:

47-5-1251. (1) There is created the "Prison Industry Enhancement Program," through which the Department of Corrections may contract with the nonprofit corporation organized and formed under the "Mississippi Prison Industries Act of 1990" to employ offenders within the custody of the department or prison industries.

(2) Except as provided in Section 47-5-579, which is the provision authorizing a work initiative, the offenders must be under the supervision of the department at all times while working. The offenders shall be paid, by the entity or entities, wages at a rate which is not less than that paid for similar work in the locality in which the work is performed. The wages may be subject to deductions which shall not, in the aggregate, exceed eighty percent (80%) of gross wages. The deductions shall be limited to the following:

(a) To pay federal, state and local taxes;

(b) To pay reasonable charges for room and board as determined by regulations issued by the Commissioner of Corrections;

(c) To support the offender's family pursuant to state statute, court order or agreement by the offender; and

(d) To pay contributions equaling not less than five percent (5%) but not more than twenty percent (20%) of the offender's gross wages into the Crime Victims' Compensation Fund as created in Section 99-41-29.

(3) Notwithstanding any other provision of the law to the contrary, the offenders shall not be qualified to receive any payments for unemployment compensation while incarcerated. However, the offenders shall not solely by their status as offenders be deprived of the right to participate in benefits made available by the federal or state government to other individuals on the basis of their employment, such as workers' compensation.

(4) Offenders who participate in the employment must do so voluntarily and must agree in advance to the specific deductions made from gross wages pursuant to this section and to all other financial arrangements or benefits resulting from participation in the employment.

(5) The Department of Corrections shall develop rules and regulations to meet the criteria established by the Bureau of Justice Assistance under the Prison Industry Enhancement Certification Program.

(6) This section shall stand repealed on July 1, * * * 2027.

SECTION 28. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 47-5-473, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE MISSISSIPPI CORRECTIONAL FACILITY PILOT WORK RELEASE PROGRAM AND INCLUDE HINDS COUNTY; TO AMEND SECTION 47-5-577, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE MISSISSIPPI PRISON INDUSTRIES ACT OF 1990 FROM JULY 1, 2024, TO JULY 1, 2027, AND TO TRANSFER THE REPEALER IN SECTION 47-5-579 TO SECTION 47-5-577; TO AMEND SECTIONS 47-5-579 AND 47-5-539, MISSISSIPPI CODE OF 1972, TO REVISE THE ADMINISTRATIVE PERCENTAGES AND THE INMATE SAVINGS PERCENTAGES UNDER THE MDOC WORK RELEASE PROGRAM AND TO EXPAND THE PILOT WORK INITIATIVE TO ANY STATE, REGIONAL OR PRIVATE CORRECTIONAL FACILITY, UNDER CERTAIN CONDITIONS; TO BRING FORWARD SECTIONS 47-5-531, 47-5-533, 47-5-535, 47-5-537, 47-5-541, 47-5-543, 47-5-545, 47-5-547, 47-5-549, 47-5-551, 47-5-553, 47-5-555, 47-5-557, 47-5-559, 47-5-561, 47-5-563, 47-5-565, 47-5-567, 47-5-569, 47-5-571, 47-5-573 AND 47-5-575, MISSISSIPPI CODE OF 1972; TO AMEND SECTION 47-5-1251, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Juan Barnett	Becky Currie
Lydia Graves Chassaniol	Kevin Horan
Daniel H. Sparks	John G. Faulkner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2445** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

S. B. No. 2015: Suffrage; restore suffrage to Vedo Kyles.

YEAS AND NAYS On S. B. No. 2015. On motion of Senator Thomas, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it failed to pass, title standing as stated, by the following vote, a two-thirds vote being required:

Yeas--Barnett, Blackmon, Blount, Brumfield, Bryan, Butler, Chassaniol, DeLano, England, Fillingane, Frazier, Hickman, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, Norwood, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Turner-Ford, Younger. Total--26.

Nays--Barrett, Blackwell, Chism, DeBar, Hill, McLendon, Michel, Parker, Parks, Rhodes, Robinson, Seymour, Tate, Whaley, Wiggins, Williams. Total--16.

Absent and those not voting----None.

Voting Present--Berry, Boyd, Branning, Carter, Harkins, Hopson, Ladner, McMahan, Polk, Suber. Total--10.

Senator Johnson moved that the rules be suspended to move to calendar item 26, **S. B. No. 2799**, and the motion prevailed.

Senator Johnson called up the following House Amendment to **S. B. No. 2799** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 7-1-35, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2028, this section shall read as follows:]

7-1-35. (1) The Governor shall fill by appointment, with the advice and consent of the Senate, all offices subject to such appointment when the term of the incumbent will expire within nine (9) months after the meeting of the Legislature, and also vacancies in such offices occurring from any cause during the session of the Senate or during the vacation of that body. All such appointments to offices made in vacation shall be reported to the Senate within ten (10) days after the commencement of the session of that body for its advice and consent to the appointment, and the vacancy shall not be filled if caused by the Senate's refusal to confirm any appointment or nomination, or if it * * * does not occur during the last five (5) days of the session, by the appointment of the Governor in the vacation of the Senate, without its concurrence. Any appointment in vacation to which the Senate shall refuse to consent shall be thereby annulled from that date, but the acts of the appointee prior thereto shall not be affected thereby.

(2) The Secretary of State shall be the records repository for all appointments to boards, commissions, executive directors and agency directors. Appointing authorities shall notify the Secretary of State prior to submitting the appointment to the Senate. The Secretary of State shall send a list of the required appointments to boards, commissions, executive directors and agency directors whose terms are expiring or have been vacated prior to the next legislative session to the appointing authorities by December 15

preceding the legislative session. The Secretary of State shall also compile and issue a report to the Governor, Lieutenant Governor and Speaker of the House annually, detailing the number of official meetings each board and commission has held in the previous years.

[From and after January 1, 2028, this section shall read as follows:]

7-1-35. (1) Unless otherwise provided by law, all appointments to agencies, boards, commissions, director and executive director positions in the executive branch of Mississippi government shall be made with the advice and consent of the Senate for terms of office of four (4) years commencing on the day of appointment, and continuing until December 31 of the final year of the term of office as provided in the applicable statute, unless another term of office is prescribed by the Mississippi Constitution of 1890.

(2) All appointments to agencies, boards, commissions, director or executive director positions whose term is expiring shall serve until his or her successor is appointed and qualified, but in no event shall he or she serve past the July 1 occurring after the end of his term, unless he shall be reappointed by the Governor or other appointing authority.

(3) To allow geographic representation, all appointments to boards and commissions shall be made from Mississippi Supreme Court Districts as they exist at the time of the appointment, as specifically provided in the code section which establishes the board or commission.

(4) All appointments to boards and commissions shall be made in a staggered fashion where a majority of the membership of the board or commission shall be appointed at the beginning of the four-year cycle for elected officials and the remainder of the membership of the board or commission shall be appointed at the beginning of the third year of the four-year cycle for elected officials. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute.

(5) The Secretary of State shall be the records repository for all appointments to boards, commissions, executive directors and agency directors. Appointing authorities shall notify the Secretary of State prior to submitting the appointment to the Senate. The Secretary of State shall send a list of the required appointments to boards, commissions, executive directors and agency directors whose terms are expiring or have been vacated prior to the next legislative session to the appointing authorities by December 15 preceding the legislative session. The Secretary of State shall also compile and issue a report to the Governor, Lieutenant Governor and Speaker of the House annually, detailing the number of official meetings each board and commission has held in the previous years.

(6) Unless otherwise provided by statute, every appointment to an agency, board, commission, executive director or director position required by statute shall be made by July 1 of the first year of the appointing authorities' term or July 1 of the third year in the appointing authorities' term, as the case may be. In the event an appointment is not made on or before July 1 as required herein, the appointment shall be made by the next elected official in the following order: Governor, Lieutenant Governor, Secretary of State. The elected officials in this order shall have one hundred twenty (120) days to make appointments or else the appointment shall fall to the next elected official in this order. In the event an appointment is not made on or before July 1 as required, by an appointing authority other than the three (3) named above, the appointment shall be made by the next official in the following order: Governor, Lieutenant Governor, Secretary of State.

(7) If, for any cause, a vacancy occurs in the office of an appointed agency, board, or commission member, executive director or director position, the appointing authority shall make an appointment to fill the vacancy for the unexpired term within one hundred twenty (120) days of the date the vacancy occurs. If the appointment is not made within one hundred twenty (120) days as required herein, the appointment shall be in the manner prescribed in subsection (6) of this section.

(8) Interim appointments shall be allowed to serve for no more than nine (9) months. No interim appointee may serve consecutive interim terms. If an appointment occurs in vacation of the legislative session, it shall be considered an interim appointment until confirmed by the Senate.

(9) An appointed agency, board or commission member may be removed by the Governor or other appointing authority for chronic absenteeism, which shall consist of more than three (3) unexcused absences in any one (1) year, and such person shall not be reappointed until their original term has expired. This provision is not applicable to meetings where a designee has attended in place of the agency, board or commission member if the attendance by a designee is authorized by law.

(10) All appointments to an agency, board, commission or director position made in vacation of the legislative session shall be reported to the Senate within ten (10) days after the commencement of the next regular session of that body for its advice and consent to the appointment. Any vacancy to an agency, board, commission, executive director or director position shall not be filled if caused by the Senate's refusal to confirm or the Senate's inaction on the nomination, unless the vacancy occurs during the last five (5) days of the session. Any appointment in vacation of the Senate to which the Senate shall refuse to consent or takes no action shall be thereby annulled from the date of sine die adjournment, but the acts of the appointee prior thereto shall not be affected thereby.

(11) All appointment procedures, term of office provisions, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in this Section 7-1-35 shall be fully applicable to the appointment of agency directors by the Governor or by the respective board or commission.

SECTION 2. Section 43-28-7, Mississippi Code of 1972, is amended as follows:

43-28-7. (1) * * * The Mississippi ABLE Board of Directors * * *, created by former Section 43-28-7, is continued and reconstituted. The ABLE Board of Directors shall consist of nine (9) members as follows:

(a) The State Treasurer, or his or her designee;

(b) The Executive Director of the Department of Rehabilitation Services, or his or her designee;

(c) The Executive Director of the Department of Mental Health, or his or her designee;

(d) Three (3) members of the public who, by reason of his or her education and experience relating to disabilities or financial planning, is qualified to serve, to be appointed by the Governor one (1) of whom shall be appointed from each Supreme Court District;

(e) The Executive Director, or his or her designee, of an advocacy organization for citizens of all ages with cognitive, intellectual and developmental disabilities and their families, to be appointed by the Governor;

(f) The Executive Director, or his or her designee, of an advocacy organization for citizens of all ages with cross disabilities and their families, to be appointed by the Governor; and

(g) The Executive Director, or his or her designee, of an advocacy organization for citizens with mental health disabilities, to be appointed by the Governor.

(2) * * * Effective January 1, 2028, the six (6) appointed members shall be appointed by the Governor * * *, with the advice and consent of the Senate, for a term of office of four (4) years, provided that four (4) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi ABLE Board of Directors.

* * *

(* * *3) Members of the board of directors shall serve without compensation, but shall be reimbursed for each day's official duties of the board at the same per diem as established by Section 25-3-69, and actual travel and lodging expenses as established by Section 25-3-41.

(* * *4) The board of directors shall annually elect one (1) member to serve as chairman of the board and one (1) member to serve as vice chairman. The vice chairman shall act as chairman in the absence of, or upon the disability of the chairman, or in the event of a vacancy of the office of chairman.

(* * *5) A majority of the currently serving members of the board shall constitute a quorum for the purposes of conducting business and exercising its official powers and duties. Any action taken by the board shall be upon the vote of a majority of the members present.

SECTION 3. Section 73-33-3, Mississippi Code of 1972, is amended as follows:

73-33-3. (1) There shall be a board of public accountancy, consisting of seven (7) members, who are qualified electors of this state; their duties, powers and qualifications are herein prescribed by this chapter. The members of the Mississippi State Board of Public Accountancy shall be appointed from holders of certificates issued under and by virtue of this chapter.

(2) Effective January 1, 2028, the * * * Mississippi State Board of Public Accountancy * * *, created by former Section 73-33-3, is continued and reconstituted as follows:

The Governor shall appoint * * * two (2) members from * * * each Mississippi Supreme Court District and one (1) from the state at large. The members shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, commencing on the day of appointment or on July 1 of the year in which the Governor is inaugurated, whichever comes first, provided that four (4) such members shall be appointed in 2028 to a term ending December 31, 2031, and three (3) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments

made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi State Board of Public Accountancy.

* * *

(3) Each member of the board shall take the oath prescribed by Section 268 of the Mississippi Constitution. The board shall elect from among its membership, to serve one (1) year terms, a chairman who shall preside over meetings and a vice chairman who shall preside in the absence of the chairman or when the chairman shall be excused. A majority of the membership of the board shall constitute a quorum for the transaction of any business. Any board member who shall not attend three (3) consecutive regular meetings of the board for reasons other than illness of said member shall be subject to removal by a majority vote of the board members.

(4) The board shall hold regular meetings and special meetings as may be necessary for the purposes of conducting such business as may be required. The board shall adopt rules and regulations governing times and places for meetings, and governing the manner of conducting its business. All meetings of the board shall be open to the public.

SECTION 4. Section 73-33-5, Mississippi Code of 1972, is amended as follows:

73-33-5. The Mississippi State Board of Public Accountancy is hereby authorized with the following powers and duties:

(a) To adopt a seal;

(b) To govern its proceedings;

(c) To set the fees and to regulate the time, manner and place of conducting examinations to be held under this chapter. To be admitted to the examination, a candidate must have completed a baccalaureate degree of at least one hundred twenty (120) collegiate-level semester hours of education or its equivalent at a college or university acceptable to the board. The education program shall include an accounting concentration or the equivalent as determined by the board to be appropriate in its rules and regulations. The examination shall cover branches of knowledge pertaining to accountancy as the board may deem proper. A total of one hundred fifty (150) collegiate-level semester hours of education shall be required before the board shall accept an application for a certified public accountant license under this chapter;

(d) To initiate investigations of certified public accountant and certified public accountant firm practices;

(e) To notify applicants who have failed an examination of such failure and in what branch or branches deficiency was found;

(f) To adopt and enforce such rules and regulations concerning certified public accountant examinee and licensee qualifications and practices and certified public accountant firm permits and practices as the board considers necessary to maintain the highest standard of proficiency in the profession of certified public accounting and for the protection of the public interest. The standards of practice by certified public accountants

and certified public accountant firms shall include generally accepted auditing and accounting standards as recognized by the Mississippi State Board of Public Accountancy;

(g) To issue certified public accountant licenses under the signature and the official seal of the board as provided in this chapter; and to issue permits to practice public accounting to certified public accountant firms pursuant to such rules and regulations as may be promulgated by the board;

(h) To employ personnel;

(i) To appoint an executive director for a term of four (4) years subject to the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972;

(* * *j) To contract for services and rent; and

(* * *k) To adopt and enforce all such rules and regulations as shall be necessary for the administration of this chapter; provided, however, no adoption or modification of any rules or regulations of the board shall become effective unless any final action of the board approving such adoption or modification shall occur at a time and place which is open to the public and for which notice by mail or electronic mail of such time and place and the rules and regulations proposed to be adopted or modified has been given at least thirty (30) days prior thereto to every person who is licensed and registered with the board.

Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 5. Section 49-15-301, Mississippi Code of 1972, is amended as follows:

49-15-301. (1) The Mississippi Advisory Commission on Marine Resources is hereby established and full power is vested in the advisory commission to advise the Executive Director of the Department of Marine Resources on all matters pertaining to all saltwater aquatic life and marine resources. The advisory commission shall advise the Executive Director of the Department of Marine Resources on the administration of the Coastal Wetlands Protection Law and the Public Trust Tidelands Act. Notwithstanding any other provision of law to the contrary, the commission shall only be an advisory commission to the Department of Marine Resources and shall not have independent authority to take official action on behalf of the Mississippi Department of Marine Resources and its actions are purely advisory in nature. Whenever the terms "Mississippi Commission on Marine Resources," "Commission on Marine Resources" and "commission" when referring to the Mississippi Commission on Marine Resources appear in any state law, they shall mean the "Mississippi Advisory Commission on Marine Resources."

(2) The reconstituted Mississippi Advisory Commission on Marine Resources shall consist of five (5) members to be appointed as follows:

(a) The Governor shall appoint five (5) members who shall be residents of Jackson, Harrison and Hancock Counties with the advice and consent of the Senate. The Governor shall appoint at least one (1) member from each county but not more than two (2) members from any one (1) county. The members designated in subparagraphs (i), (ii) and (iv) must be a resident of the county where the business he is appointed to represent is located.

(b) The advisory commission shall be composed as follows:

(i) One (1) member shall be a commercial seafood processor.

(ii) One (1) member shall be a commercial fisherman.

(iii) One (1) member shall be a recreational sports fisherman.

(iv) One (1) member shall be a charter boat operator.

(v) One (1) member shall be a member of an incorporated nonprofit environmental organization.

(c) * * * The Mississippi Advisory Commission on Marine Resources, created by former Section 49-15-301, is continued and reconstituted as follows: Effective January 1, 2028, the members designated in paragraph (b) of this subsection shall be appointed by the Governor, with the advice and consent of the Senate, provided that three (3) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Advisory Commission on Marine Resources.

* * *

(3) Each member shall have a demonstrated history of involvement in the matter of jurisdiction for which he is appointed to represent and his employment and activities must not conflict with the matter of jurisdiction represented. A member shall not have a record of conviction of violation of fish and game or seafood laws or regulations within the five (5) years preceding his appointment or a record of any felony conviction. After July 1, * * * 2028, if a member is convicted of a violation of the seafood laws during his term, his office shall be deemed vacant and the Governor shall fill the vacancy as provided in * * * Section 7-1-35.

(4) The advisory commission shall elect a chairman who shall preside at all meetings of the commission, and the advisory commission shall also elect a vice chairman who shall serve in the absence or inability of the chairman.

(5) Each member shall be paid actual and necessary expenses incurred in attending meetings of the advisory commission and in performing his duties away from his domicile under assignment by the advisory commission. In addition, members shall receive the per diem authorized in Section 25-3-69.

(6) The advisory commission shall adopt rules and regulations governing times and places of meetings.

(7) The advisory commission shall not take any action without the approval of the Department of Marine Resources, and such action shall be included in the minutes of the advisory commission. A majority of the members shall constitute a quorum of the advisory commission.

(8) The advisory commission shall advise the Department of Marine Resources on how to devise a plan to make licenses available in each coastal county.

(9) (a) There is hereby created a Marine Resources Technical Advisory Council composed of the Executive Director of the Gulf Coast Research Lab, or his designee; the Executive Director of the Department of Environmental Quality, or his designee; and the Executive Director of the Department of Wildlife, Fisheries and Parks, or his designee.

(b) The council shall give technical assistance to the department.

(10) For purposes of this section the following definitions apply:

(a) "Charter boat operator" means an individual who operates a vessel for hire, guiding sports fishermen for a fee and is duly licensed to engage in such activity in the State of Mississippi.

(b) "Commercial fisherman" means a fisherman who sells, barters or exchanges any or all of his catch or who is paid for attempting to catch marine species, and is duly licensed to engage in commercial fishing.

(c) "Commercial seafood processor" means an individual who engages in the business of purchasing seafood products and preparing them for resale and who is duly licensed to engage in such commercial activity in the State of Mississippi.

(d) "Incorporated environmental nonprofit organization" means an organization duly incorporated in any state as a nonprofit organization and whose stated goals and purposes are the conservation of natural resources.

(e) "Recreational sports fisherman" means an individual who catches or harvests marine species only for recreation or personal consumption and not for sale. The individual must possess a saltwater sports fishing license, be a member of an incorporated nonprofit sports fishing organization and not possess a commercial fishing or seafood processor license.

SECTION 6. Section 49-15-305, Mississippi Code of 1972, is amended as follows:

49-15-305. (1) Effective July 1, 2028, the Governor shall appoint the Executive Director of the Department of Marine Resources for a term of four (4) years, with the advice and consent of the Senate, * * * and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The executive director shall be knowledgeable and experienced in marine resources management.

(2) The executive director of the department shall have the following powers and duties:

(a) To supervise and direct all administrative, inspection and technical activities and personnel of the department;

(b) To employ qualified professional personnel in the subject matter or fields, and any other technical and clerical staff as may be required for the operation of the department;

(c) To coordinate all studies in the State of Mississippi concerned with the supply, development, use and conservation of marine resources;

(d) To prepare and deliver to the Legislature and the Governor on or before January 1 of each year, and at any other times as may be required by the Legislature or Governor, a full report of the work of the department, including a detailed statement of expenditures of the department and any recommendations the department may have;

(e) To enter into cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State

of Mississippi, or any person, corporation or association in connection with studies and investigations pertaining to marine resources, provided the agreements do not have a financial cost in excess of the amounts appropriated for the purposes by the Legislature; and

(f) To carry out all regulations and rules adopted by the department and enforce all licenses and permits issued by the department.

SECTION 7. Section 69-15-2, Mississippi Code of 1972, is amended as follows:

69-15-2. (1) The Mississippi Board of Animal Health is to be composed of the Commissioner of Agriculture and Commerce, the Dean of the College of Veterinary Medicine and the heads of the Animal and Dairy Science and Poultry Science Departments at Mississippi State University of Agriculture and Applied Science, and one (1) person appointed by the President of Alcorn State University from its land grant staff as five (5) ex officio members with full voting rights, and ten (10) other members of the board to be appointed by the Governor as hereinafter provided. The board shall select annually a chairman and vice chairman from any members of the board.

(2) The Governor, with the advice and consent of the Senate, shall appoint eleven (11) other members from the following groups or associations from a written list of recommendations from such groups or associations:

One (1) licensed and practicing veterinarian who holds a Doctor of Veterinary Medicine Degree, from a written list of three (3) recommendations submitted by the Mississippi State Veterinary Medical Association;

One (1) general farmer from a written list of three (3) recommendations submitted by the Mississippi Farm Bureau Federation;

One (1) poultry breeder and producer from a written list of three (3) recommendations submitted by the Mississippi Poultry Association;

One (1) small ruminant breeder and producer from a written list of three (3) recommendations, one (1) recommendation submitted by each of the following: the Mississippi Sheep Producers' Association, the Mississippi Club Goat Association, and the Mississippi Goat Association. If an association fails to timely submit its recommendation, the Governor may appoint the member from the list of recommendations submitted by the other associations;

One (1) beef cattle breeder and producer from a written list of three (3) recommendations submitted by the Mississippi Cattlemen's Association;

One (1) swine breeder and producer from a written list of three (3) recommendations submitted by the Mississippi Pork Producers' Association;

One (1) dairy breeder and producer from a written list of three (3) recommendations submitted by the American Dairy Association of Mississippi;

One (1) horse breeder and producer from a written list of four (4) recommendations, one (1) recommendation submitted by each of the following: the Mississippi Quarter Horse Association, Tennessee Walking Horse Association, Mississippi Cutting Horse Association and Mississippi State Equine Association. If an association fails to timely submit its recommendation, the Governor may appoint the member from the list of recommendations submitted by the other associations;

One (1) catfish breeder and producer from a written list of three (3) recommendations submitted by the Mississippi Catfish Association; and

One (1) member of the Mississippi Livestock Auction Association from a written list of three (3) recommendations submitted by the Mississippi Livestock Auction Association.

All members shall take and subscribe to the general oath of office as provided in Section 268, Mississippi Constitution of 1890, and file the same with the Commissioner of Agriculture and Commerce.

(3) * * * The Mississippi Board of Animal Health, created by former Section 69-15-2, is continued and reconstituted as follows: Effective January 1, 2028, the board members shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that six (6) such members shall be appointed in 2028 to a term ending December 31, 2031, and five (5) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Board of Animal Health, and to the position of State Veterinarian.

(4) (a) "Commissioner" means the Commissioner of Agriculture and Commerce.

(b) "Department" means the Department of Agriculture and Commerce.

(5) On or before July 1, * * * 2028, the board shall appoint, with the advice and consent of the Senate, from a written list of not less than three (3) licensed veterinarians submitted by the commissioner, the State Veterinarian, to serve for a term of four (4) years.

(6) There is created an advisory council to advise the Board of Animal Health on matters concerning the board. The council shall be composed of the Chairman of the Senate Agriculture Committee, the Chairman of the House Agriculture Committee, and one (1) appointee of the Lieutenant Governor and one (1) appointee of the Speaker of the House of Representatives. The members of the advisory council shall serve in an advisory capacity only. For attending meetings of the council, such legislators shall receive per diem and expenses which shall be paid from the contingent expense funds of their respective houses in the same amounts provided for committee meetings when the Legislature is not in session; however, no per diem or expenses for attending meetings of the council shall be paid while the Legislature is in session. No per diem and expenses shall be paid except for attending meetings of the council without prior approval of the proper committee in their respective houses.

SECTION 8. Section 73-1-5, Mississippi Code of 1972, is amended as follows:

73-1-5. The State Board of Architecture is composed of five (5) members who are licensed architects residing in this state and who have been engaged in the practice of architecture not less than seven (7) years. It is the duty of the board to carry out the purposes of this chapter as herein provided.

* * *

The State Board of Architecture, created by former Section 73-1-5, is continued and reconstituted as follows: Effective January 1, 2028, the board members shall be appointed by the Governor, with the advice and consent of the Senate, one (1) from each Mississippi Supreme Court District and two (2) from the state at large for a term of office of four (4) years, provided that three (3) such members shall be appointed in 2028 to a

term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Board of Architecture, and to the position of executive director.

SECTION 9. Section 73-1-11, Mississippi Code of 1972, is amended as follows:

73-1-11. The board is hereby authorized to pay from registration and other fees provided for herein the expenses of said board and the office thereof, the examinations held by said board, the bond premium of the treasurer, the pay of clerks or assistants hired by the board in the performance of its duties, attorney's fees for services rendered in connection with the affairs of the board, and fees and necessary expenses incident to cooperation with national boards and like boards of other states, and in no case shall any of such fees or expenses be paid by the state of Mississippi or be charged against said state.

The board is authorized to appoint an executive director for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

The members of the board shall be entitled to receive a per diem in such amount as shall be set by resolution of the board but not to exceed the amount provided for in Section 25-3-69, and shall be entitled to be reimbursed for their traveling expenses and hotel expenses incurred in the pursuance of their duties. The secretary and treasurer of said board shall receive such annual compensation as shall, by resolution adopted by the board, be provided by the board, subject to the approval of the state personnel board.

SECTION 10. Section 39-11-1, Mississippi Code of 1972, is amended as follows:

39-11-1. (1) There is hereby created and established a state commission to be known as the Mississippi Arts Commission, to consist of fifteen (15) members broadly representative of all fields of the performing, visual, literary arts, and the business community, and who are to be appointed by the Governor from among citizens of the state who have demonstrated a vital interest in the performing, visual, or literary arts. These members shall also be representative of the different geographical areas of the state, with not more than five (5) members to be appointed from any Mississippi Supreme Court District.

(2) The Mississippi Arts Commission, created by former Section 39-11-1, is continued and reconstituted as follows: Effective January 1, 2028, each member shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that eight (8) such members shall be appointed in 2028 to a term ending December 31, 2031, and seven (7) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment

provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Arts Commission, and to the position of executive director.

SECTION 11. Section 39-11-5, Mississippi Code of 1972, is amended as follows:

39-11-5. The chairman shall employ, with the approval of the commission, an executive director as administrative officer, who shall serve a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-5, Mississippi Code of 1972. The executive director shall employ other officers, experts and employees as may be needed and shall fix their compensation within the amounts made available for such purposes. Employment of staff members is subject to the approval of the commission. The commission may also, at its discretion, form advisory panels from qualified persons within the state to obtain their advice and counsel on matters pertaining to the arts. Members of these panels shall serve at the will and pleasure of the commission and will receive no compensation.

SECTION 12. Section 75-75-103, Mississippi Code of 1972, is amended as follows:

75-75-103. There is hereby created the Mississippi Athletic Commission, hereinafter referred to as the commission. The commission shall consist of three (3) members, each of whom shall be a qualified voter and at least thirty (30) years of age. The membership of the commission shall consist of a chairman of the commission and two (2) associate commissioners, appointed by the Governor, with the advice and consent of the Senate, to be appointed from each of the three (3) Mississippi Supreme Court Districts. * * * The Mississippi Athletic Commission, created by former Section 75-75-103, is continued and reconstituted as follows: Effective January 1, 2028, the commissioners shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that two (2) such members shall be appointed in 2028 to a term ending December 31, 2031, and one (1) such member shall be appointed to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-5, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Athletic Commission.

SECTION 13. Section 73-4-7, Mississippi Code of 1972, is amended as follows:

73-4-7. (1) The Mississippi Auctioneer Commission is created, and it shall have the authority to make such rules and regulations as are reasonable and necessary for the orderly regulation of the auctioneering profession and the protection of the public, which rules and regulations are not inconsistent with the Mississippi Constitution of 1890 and state laws. The commission shall have the following powers:

(a) The power to set reasonable license fees, to collect and hold such fees and to disburse such fees in any manner not inconsistent with this chapter.

(b) The power to make such rules and regulations as will promote the orderly functioning of the auction profession and ensure the protection of the public.

(c) The power to hire and retain such staff and support personnel as are necessary to conduct business and assure compliance with this chapter.

(d) The power to conduct investigations, hold hearings, subpoena witnesses, make findings of fact and otherwise enforce the disciplinary provisions contained in this chapter.

(2) The Mississippi Auctioneer Commission shall consist of five (5) members, one (1) from each * * * Mississippi Supreme Court District and two (2) from the state at large, who shall be appointed by the Governor, with the advice and consent of the Senate. All appointees shall possess the following minimum qualifications:

(a) An appointee shall be a citizen of Mississippi.

(b) An appointee shall have been engaged as an auctioneer for a period of not less than five (5) years immediately preceding his appointment.

(c) An appointee shall be of good reputation, trustworthy and knowledgeable in the auction profession.

An individual may not act as a member of the commission while holding another elected or appointed office in either the state or federal government or while owning a school or other facility to train individuals to be auctioneers.

(3) * * * The Mississippi Auctioneer Commission, created by former Section 73-4-7, is continued and reconstituted as follows: Effective January 1, 2028, each commissioner shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Auctioneer Commission, and to the position of executive director.

(4) Each member of the commission shall receive a per diem as provided by Section 25-3-69 per meeting and shall be reimbursed for ordinary and necessary expenses incurred in the performance of official duties as provided in Section 25-3-41.

SECTION 14. Section 73-4-11, Mississippi Code of 1972, is amended as follows:

73-4-11. (1) At the meeting to be held each January, the commission shall elect from its membership a chairman and a vice chairman. Each officer shall serve a term of one (1) year and shall not vacate office until a successor is elected.

(2) The chairman shall preside at all meetings of the commission.

(3) The vice chairman shall act as presiding officer in the absence of the chairman and shall perform such other duties as the chairman may direct.

(4) The commission shall appoint an executive director who shall not be a member of the commission, to a term of four (4) years, with the advice and consent of the Senate, consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

(5) The executive director shall:

(a) Notify all members of meetings;

(b) Keep a record of all meetings of the commission, votes taken by the commission and other proceedings, transactions, communications, official acts and records of the commission; and

(c) Perform such other duties as the chairman directs.

SECTION 15. Section 37-169-3, Mississippi Code of 1972, is amended as follows:

37-169-3. (1) Members of the Mississippi Autism Advisory Committee shall be composed of the following:

(a) Five (5) persons who are the parents of children with autism or ASD, with one (1) such person to be appointed by the Governor, two (2) to be appointed by the Lieutenant Governor, and two (2) to be appointed by the Speaker of the House;

(b) One (1) person who is a member of the governing body of a school district, to be appointed by the State Superintendent of Public Education;

(c) The State Superintendent of Public Education or the Associate Superintendent of the Office of Special Education;

(d) One (1) person who is the director of special education services in a school district, to be appointed by the State Superintendent of Public Education;

(e) Two (2) members of the Mississippi Special Education Advisory Committee, to be selected by the committee;

(f) Two (2) educators or behavioral specialists who work directly with students with ASD, to be appointed by the State Superintendent of Public Education;

(g) Two (2) Mississippi licensed psychologists who perform evaluation or consultation with Mississippi schools, to be appointed by the Mississippi Association of Psychology in the Schools;

(h) The project director of the Mississippi Parent Training and Information Center;

(i) Two (2) persons who are representatives of autism advocacy groups or professionals who work with the advocacy groups and provide services to individuals with autism or ASD, to be appointed by the Executive Director of the Department of Mental Health;

(j) One (1) person who is a representative of the State Department of Mental Health, to be appointed by the executive director of the department;

(k) One (1) person who is a representative of a private mental health facility who provides services to youth with ASD, to be appointed by the Executive Director of the State Department of Mental Health;

(l) One (1) person who is a representative of the University of Mississippi Medical Center and who provides medical or other services to individuals with autism or ASD, to be appointed by the Vice Chancellor of the University of Mississippi Medical Center;

(m) Two (2) persons who are working in private industry whose business has the potential to employ individuals with autism, to be appointed by the Governor;

(n) One (1) person who is a Transition Specialist, to be appointed by the State Superintendent of Public Education;

(o) One (1) representative of the T.K. Martin Center, to be appointed by the Director of the T.K. Martin Center;

(p) One (1) representative of the Mississippi Department of Rehabilitation Services;

(q) Two (2) persons who are licensed therapists, to be appointed by the President of the Mississippi Speech Language and Hearing Association;

(r) One (1) person who is a representative of the Mississippi Department of Insurance, to be appointed by the commissioner; and

(s) One (1) person who is a representative of the Mississippi Department of Human Services, to be appointed by the director of the department.

(2) The Mississippi Autism Advisory Committee, created by former Section 37-169-3, is continued and reconstituted as follows: Effective January 1, 2028, each member appointed by the Governor or an official in the executive branch of government or a private sector association shall be appointed, with the advice and consent of the Senate, for a term of office of four (4) years, provided that a majority of the membership of the committee as designated by the Secretary of State shall be appointed in 2028 to a term ending December 31, 2031, and the remainder of the committee as designated by the Secretary of State shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Autism Advisory Committee.

SECTION 16. Section 73-75-7, Mississippi Code of 1972, is amended as follows:

73-75-7. (1) The Mississippi Autism Board shall consist of five (5) members, three (3) to be appointed by the Governor, with the advice and consent of the Senate, one (1) from each of the three (3) Mississippi Supreme Court Districts and two (2) to be appointed by the Lieutenant Governor, with the advice and consent of the Senate, from the state at large. The Governor shall appoint one (1) licensed psychologist practicing in the area of applied behavior analysis, one (1) licensed behavior analyst, and one (1) public member who is not licensed in behavior analysis and who is the family member of a recipient of applied behavior analysis services. The Lieutenant Governor shall appoint two (2) licensed behavior analysts.

(2) * * * The Mississippi Autism Board, created by former Section 73-75-7, is continued and reconstituted as follows: Effective January 1, 2028, each board member shall be appointed, with the advice and consent of the Senate, for a term of office of four (4) years, provided that two (2) of the Governor's appointments, as designated by the Secretary of State, shall be appointed in 2028 to a term ending December 31, 2031, and one (1) of the Governor's appointments, as designated by the Secretary of State, shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning

of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointment to the Mississippi Autism Board.

* * *

(* * *3) Each board member shall serve without compensation, but shall receive actual traveling and incidental expenses necessarily incurred while engaged in the discharge of official duties.

SECTION 17. Section 81-1-61, Mississippi Code of 1972, is amended as follows:

81-1-61. The management, control and direction of the department shall be vested in the Commissioner of Banking and Consumer Finance, who shall be directly responsible for the proper functioning of the department. The commissioner shall be a banker who possesses not less than ten (10) consecutive years of active banking experience of which five (5) years' experience were performed in a major policy-making function as an executive officer, or shall be a person who possesses fifteen (15) years of active experience as a state or federal financial institutions examiner. The commissioner shall have been active in such major policy-making function or actively employed by the state or federal financial institutions regulatory authority within the previous five (5) years of his appointment. Effective July 1, 2028, the commissioner shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, commencing on the day of appointment or on July 1 of the year in which the Governor is inaugurated, whichever comes first. The commissioner shall serve until his successor is appointed and qualified, but in no event shall he serve past the July 1 occurring after the end of the term of the Governor who appointed him, unless he shall be reappointed by the new Governor. If, for any cause, a vacancy occurs in the office of the commissioner, the Governor shall make the appointment for the unexpired term.

The commissioner shall be of good moral character, thoroughly understanding the theory and practice of banking, and must be a qualified elector of the State of Mississippi. The commissioner shall not be an officer, director or employee of any banking corporation during his entire term as commissioner, effective from the time of his appointment.

The commissioner may be removed by the Governor for good cause, but only after notice and a hearing.

All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the position of commissioner.

SECTION 18. Section 81-3-12, Mississippi Code of 1972, is amended as follows:

81-3-12. (1) There is created the State Board of Banking Review, which shall be composed of five (5) members appointed by the Governor as provided in this section, one (1) of whom shall be from the First Supreme Court District, one (1) of whom shall be from the Second Supreme Court District, one (1) of whom shall be from the Third Supreme Court District, and two (2) of whom shall be from the state at large. The members appointed from the state at large shall be designated as representatives of the banks and shall be active executive officers or directors of state chartered banks with actual practical experience of at least five (5) years therein. The members appointed from each Supreme Court District shall be persons knowledgeable in economic affairs and of recognized ability in a trade or business, with at least three (3) years' actual experience therein, but shall not presently be officers or directors in any banking corporation, shall not have been officers or directors in any banking corporation for the past five (5) years immediately prior

to their appointment to the board, shall not become officers or directors of any banking corporation while serving on the board, and shall not be the beneficial owner, directly or indirectly, of five percent (5%) or more of the capital stock in any banking corporation; such persons shall be designated representatives of borrowers and depositors. Each member shall be eligible for reappointment at the discretion of the Governor. The board shall elect from its number a chairman and a vice chairman. Each member of the board shall be a citizen of the United States, a resident of the State of Mississippi and a qualified elector therein, of integrity and sound and nonpartisan judgment. Each member shall qualify by taking the oath of office and shall hold office until his successor is appointed and qualified.

(2) * * * The State Board of Banking Review, created by former Section 81-3-12, is continued and reconstituted as follows: Effective January 1, 2028, the members of the board shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Board of Banking Review.

(3) The members of the board shall serve without compensation except that members shall be paid their actual and necessary expenses in connection with the performance of their duties as members of the board, including mileage, as authorized in Section 25-3-41, plus a per diem as is authorized by law while engaged in the performance of such duties. Such expenses, mileage and per diem allowance shall be paid out of the maintenance fund of the Department of Banking and Consumer Finance.

(4) If an application for authority to establish a bank, branch bank or branch office be filed with the commissioner for consideration from any municipality or county of which the member of the board who is a representative of the banks is a resident, or if such application is filed from any county in which the member's bank has a branch bank or branch office, such member shall be ineligible to serve in consideration and determination of such application, and the commissioner shall certify such fact to the Governor who shall thereupon appoint another banker from the same geographical location as the member who is ineligible to serve on the board in the place and stead of such member during consideration of such application.

(5) In addition to its other duties and powers, the board may adopt reasonable rules or regulations, consistent with applicable provisions of law, concerning the conduct of board meetings and hearings and all formal and informal board procedures relating to such meetings and hearings. The board shall have authority, with respect to its hearings or meetings, to determine the order and form in which evidence may be presented and to impose reasonable time limitations on presentation of evidence.

SECTION 19. Section 73-5-1, Mississippi Code of 1972, is amended as follows:

73-5-1. The State Board of Barber Examiners is continued and reconstituted as follows: The Board of Barber Examiners shall consist of five (5) members, to be appointed by the Governor, with the advice and consent of the Senate, one (1) member to be appointed from each of the Mississippi Supreme Court Districts * * * and two (2) from the state at large. Each member shall be a practical barber and a qualified elector of this

state. He shall have been engaged in the practice of barbering in the State of Mississippi for at least five (5) years immediately before the time of his appointment and shall be a person of good moral character. * * * From and after July 1, 2002, no member of the board who is connected in any way with any barbering school shall participate in the administration of examinations of barber applicants. From and after July 1, 2004, no member of the board shall be connected in any way with any school in which barbering is taught.

* * *

Effective January 1, 2028, the members of the Board of Barber Examiners shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Board of Barber Examiners, and to the position of executive director.

SECTION 20. Section 73-5-3, Mississippi Code of 1972, is amended as follows:

73-5-3. The board shall elect a president and secretary and shall adopt and use a common seal for the authentication of its records and orders. The secretary shall keep a record of all proceedings and acts of the board and an accurate account of all funds received and disbursed, which shall be considered as public records.

The secretary shall execute and file with the Secretary of State a bond in the sum of Ten Thousand Dollars ($10,000.00) conditioned according to law, the bond to be made in a surety company authorized to do business in this state and approved by the Governor. The premium for the bond shall be paid out of the funds in the board's special fund in the State Treasury.

A majority of the board shall constitute a quorum, and it is authorized to perform the requirements of this chapter at any regular or special meeting called for that purpose.

Each member of the board shall receive per diem in accordance with Section 25-3-69 when actually attending to the work of the board or any of its committees, and shall be reimbursed for traveling expenses in accordance with Section 25-3-41 in carrying out the provisions of this chapter. The board shall employ an executive director with compensation to be established by the State Personnel Board, and the executive director shall devote his or her full time to oversee all day-to-day operations of the board. The executive director shall be appointed to a term of four (4) years, with the advice and consent of the Senate, consistent with the provisions of Section 7-1-35., The board may employ four (4) inspectors, one (1) to be appointed from each of the four (4) congressional districts, to make periodic inspections of all barbershops throughout the state and one (1) chief inspector to be appointed from the state at large to supervise inspections and investigations statewide. The board shall employ the necessary personnel to carry out the provisions of this chapter, and maintain and pay the expenses of an office to be located in the City of Jackson. All per diem, salaries and expenses shall be paid exclusively from the funds in the board's special fund, and salaries and expenses of personnel may be disbursed monthly.

The board shall require such of its employees as it may consider necessary to make bond and file same with the Secretary of State in such sums as it may consider necessary to protect the interests of the barbers of the State of Mississippi and require the faithful performance of their duties.

SECTION 21. Section 43-3-103, Mississippi Code of 1972, is amended as follows:

43-3-103. (1) From and after July 1, 1997, the MIB shall be governed by a board of directors hereby created, to consist of four (4) persons appointed by the Governor, and three (3) by the Lieutenant Governor, with the advice and consent of the Senate, each of whom shall be a qualified elector of the State of Mississippi. The members of the board of directors appointed by the Governor shall include the following:

(a) One (1) legally blind individual;

(b) One (1) educator with expertise in rehabilitation or the field of blindness;

(c) One (1) individual with at least five (5) years' actual experience in finance or a related field;

(d) One (1) individual with at least five (5) years' actual experience in manufacturing or a related field.

The members of the board of directors appointed by the Lieutenant Governor shall include the following:

(a) One (1) legally blind individual;

(b) One (1) individual with at least five (5) years' actual experience in marketing or a related field; and

(c) One (1) individual who is a licensed practicing attorney.

* * *

The MIB Board of Directors, created by former Section 43-3-103, is continued and reconstituted as follows: Effective January 1, 2028, the board of directors shall be appointed by the Governor and Lieutenant Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that two (2) appointments by the Governor and two (2) appointments by the Lieutenant Governor as designated by the Secretary of State shall be appointed in 2028 to terms ending December 31, 2031, and the remainder of the board of directors as designated by the Secretary of State shall be appointed in 2030 to terms ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the MIB Board of Directors, and to the position of executive director.

(2) The board of directors shall organize by selecting annually from its members a chairman and a vice chairman, and may do all things necessary and convenient for carrying into effect the provisions of this chapter. Each member of the board shall receive a per diem as provided in Section 25-3-69, Mississippi Code of 1972, plus travel and

reasonable and necessary expenses incidental to the attendance at each meeting as provided in Section 25-3-41, including mileage.

(3) The Lieutenant Governor may designate the Chairman of the Senate Committee on Public Health and Welfare and another member of the Senate and the Speaker of the House of Representatives may designate the Chairman of the House Committee on Public Health and Human Services and another member of the House to attend any meeting of the Board of Directors of the MIB. The appointing authorities may designate alternate members from their respective houses to serve when the regular designees are unable to attend such meetings of the board. Such legislative designees shall have no jurisdiction or vote on any matter within the jurisdiction of the board. For attending meetings of the board, such legislators shall receive per diem and expenses which shall be paid from the contingent expense funds of their respective houses in the same amounts as provided for committee meetings when the Legislature is not in session; however, no per diem and expenses for attending meetings of the board will be paid while the Legislature is in session. No per diem and expenses will be paid except for attending meetings of the board without prior approval of the proper committee in their respective houses.

(4) It shall be the duty of the Board of Directors of MIB to:

(a) Appoint and employ an executive director to a term of office of four (4) years, with the advice and consent of the Senate, consistent with the provisions of Section 7-1-35, Mississippi Code of 1972, who shall be the executive and administrative head of MIB and who shall serve at the pleasure of the board of directors. The Board of Directors of MIB shall set the compensation of the executive director.

(b) Make and publish policies, rules and regulations, not inconsistent with the terms of this chapter, as may be necessary for the efficient administration and operation of MIB.

(c) Adopt and publish rules and regulations, in its discretion, to establish a policy of sick leave with pay and personal leave with pay for MIB employees and to require that MIB offices be opened and staffed on legal holidays as determined necessary by the board of directors.

(5) There is created a revolving fund in the State Treasury, which shall be used by the Mississippi Industries for the Blind for the purpose of taking advantage of contractual opportunities that would not be available to MIB without those funds and for the purpose of meeting the obligations of those types of contracts. The fund shall consist of monies that are specifically made available by the Legislature for the purpose of the fund. MIB shall not be authorized to expend any monies in the fund until it has received the prior written approval of the Executive Director of the Department of Finance and Administration and the State Treasurer. MIB shall repay to the fund all monies that it expends from the fund, which monies then may be used by MIB for future contractual opportunities and obligations. Monies in the fund at the end of a fiscal year shall not lapse into the State General Fund, and all interest earned on monies in the fund shall be credited to the fund.

SECTION 22. Section 39-27-1, Mississippi Code of 1972, is amended as follows:

39-27-1. (1) There is created the Mississippi Blues Commission, hereinafter referred to as the "commission." The commission may accept and expend grants and private donations from any source, including federal, state, public and private entities, to assist it to carry out its functions.

(2) For purposes of this chapter, the term "blues" shall mean African-American roots music and the culture that created it.

(3) The powers, functions and duties of the commission shall include, but shall not be limited to, the following:

(a) To study, deliberate and report to the Governor and the Legislature on the best method or plan to market and foster an appreciation of the blues, to include tourism, academic study and blues archives, blues historical preservation, blues cultural education and the support of performing artists. The marketing plan shall be designed to attract tourists, conferences, music performances, filmmakers and others for the purpose of economic development of all geographic areas of the state, through the promotion of the blues and the heritage and culture that produced the blues, and to analyze the tourism potential of the blues for Mississippi.

(b) To make an inventory of blues "assets" that make up the blues and blues culture that could be developed into a program for domestic and international tourism, and opportunities for investment.

(c) To establish a statewide Mississippi "Blues Trail" infrastructure to offer to tourists and targeted groups a structured tour of Mississippi blues historical sites and performance venues.

(d) To coordinate with the Division of Tourism of the Mississippi Development Authority, the Department of Archives and History, the Mississippi Department of Transportation, the Mississippi Educational Television Authority, the State Institutions of Higher Learning, the Center for the Study of Southern Culture at the University of Mississippi, the University Center for Economic Development at Mississippi Valley State University, the Delta Center for Culture and Learning at Delta State University, the Delta Blues Museum, the Delta Music Institute, the Mississippi Arts Commission and similar organizations in the sharing of resources and information in order to ensure a comprehensive approach to marketing the blues and blues culture in Mississippi.

(e) To make recommendations regarding the establishment of, and budgeting for, a permanent Mississippi Office of the Blues as an agency of state government with an executive director and appropriate staff to carry out the marketing plan developed by the commission. To the extent practical, any office shall be located at an existing public or private location which is appropriate to the blues or blues culture in Mississippi, with minimal cost to the state.

(f) To coordinate the blues marketing plan with any existing state historic preservation programs, in order to:

(i) Identify and preserve blues historic properties or sites;

(ii) Determine the eligibility of those properties or sites for listing on the National Register;

(iii) Prepare nominations of those properties or sites for inclusion on the National Register;

(iv) Maintain blues historical and archaeological data bases; and

(v) Evaluate those properties and sites for eligibility for state and federal preservation incentives.

(g) To raise and expend grant funds to provide assistance to any blues musicians in need.

(h) To appoint and employ an executive director to a term of four (4) years, with the advice and consent of the Senate, consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

(4) The commission shall be composed of the following members:

(a) The Director of the Division of Tourism of the Mississippi Development Authority;

(b) The Executive Director of the Mississippi Department of Archives and History, or his designee;

(c) The Executive Director of the Mississippi Arts Commission, or his designee;

(d) The Executive Director of the Mississippi Educational Television Authority, or his designee;

(e) The Director of the Center for the Study of Southern Culture at the University of Mississippi;

(f) Until April 10, 2008, the Director of the University Center for Economic Development at Mississippi Valley State University, and after April 10, 2008, a person designated by the President of Mississippi Valley State University;

(g) The Director of the Delta Center for Culture and Learning at Delta State University;

(h) The President of the B.B. King Museum and Delta Interpretive Center;

(i) The State Director of the USDA Rural Development Agency;

(j) Two (2) members of the Mississippi Senate designated by the Lieutenant Governor, who shall serve on a nonvoting basis;

(k) Two (2) members of the Mississippi House of Representatives designated by the Speaker of the House, who shall serve on a nonvoting basis;

(l) Two (2) members appointed by the Governor, who shall have experience in cultural affairs or tourism development in the Mississippi Delta; and

(m) Four (4) members appointed by the Governor from the state at large, who shall have demonstrated a commitment to the understanding and promotion of the blues.

(5) The Mississippi Blues Commission, created by former Section 39-27-1, is continued and reconstituted as follows: Effective January 1, 2028, the commission members appointed by the Governor shall be appointed, with the advice and consent of the Senate, for a term of office of four (4) years, provided that four (4) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to gubernatorial appointments to the Mississippi Blues Commission.

(* * *6) The Governor shall designate one (1) commission member to serve as chairman for a term concurrent with that of the Governor. The commission shall meet upon the call of the chairman not later than August 1, 2004, and shall organize for business by adopting internal organizational procedures necessary for efficient operation of the commission, including officers, quorum requirements and policies for any commission staff. Each member of the commission shall designate necessary staff of his or her respective agency, department, university or business entity, as the case may be, to provide administrative support to assist the commission in performing its duties and responsibilities. The commission shall meet and conduct business at least quarterly each year. Meetings of the commission shall be open to the public and opportunity for public comment shall be made available.

(* * *7) Members of the commission shall receive no compensation for their services.

(* * *8) The commission shall submit a report, including any proposed legislation, to the Governor and to the Legislature before the convening of the 2009 Regular Session. The report shall include a comprehensive state plan for marketing the blues as specifically provided above.

(* * *9) All departments, boards, agencies, officers and institutions of the state, and all subdivisions thereof, shall cooperate with the commission in carrying out its purposes under this chapter.

(* * *10) Any funds or donations received by the commission shall be deposited into a special fund which is created in the State Treasury. The fund shall be maintained by the State Treasurer as a special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the special fund.

Monies in the fund shall be expended by the Department of Finance and Administration after receipt of requisitions submitted by the appropriate person designated by the commission. Monies in the special fund may be used by the commission in carrying out its responsibilities under this chapter.

SECTION 23. Section 31-13-1, Mississippi Code of 1972, is amended as follows:

31-13-1. The Governor, with the advice and consent of the Senate, shall appoint a qualified and practicing attorney at law, to be known as the State Bond Attorney, who shall possess the same qualifications for office as the Attorney General, * * * and whose duties shall be those hereinafter specified. Effective July 1, 2028, the State Bond Attorney shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, commencing on the day of appointment or on July 1 of the year in which the Governor is inaugurated, whichever comes first. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the position of State Bond Attorney.

SECTION 24. Section 57-10-167, Mississippi Code of 1972, is amended as follows:

57-10-167. There is hereby established the Certified Development Company of Mississippi, a public corporation, which shall be an incorporated certified development company pursuant to Section 503 of the Small Business Investment Act of 1958, as amended.

The Certified Development Company of Mississippi, Inc., hereinafter referred to as the "committee" unless the context clearly indicates otherwise, shall be composed of twenty-five (25) members as follows:

(a) The State Treasurer; the Executive Director of the University Research Center or his designee; the Executive Director of the Mississippi Development Authority; the Executive Director of the Small Business Development Center; six (6) persons associated with small business to be appointed by the Governor * * *; three (3) persons associated with small business to be appointed by the Lieutenant Governor * * *; five (5) persons involved in banking or small business to be appointed by the Governor * * *; and two (2) persons involved in banking or small business to be appointed by the Lieutenant Governor * * *.

(b) * * * The Central Development Company of Mississippi, created by former Section 57-10-167, is continued and reconstituted as follows: Effective January 1, 2028, the members shall be appointed by the Governor and Lieutenant Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that of the appointees of the Governor, six (6) shall be appointed in 2028 to a term ending December 31, 2031, and five (5) shall be appointed in 2030 to a term ending December 31, 2033, and of the appointees of the Lieutenant Governor, three (3) shall be appointed in 2028 to a term ending December 31, 2031, and two (2) shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments by the Governor and Lieutenant Governor to the Central Development Company of Mississippi committee. Members serving by reason of their ex officio designation shall continue to serve as long as they occupy the position which entitles them to membership.

Members who are officers or employees of the state shall receive no compensation for their services, and other committee members shall receive a per diem as provided in Section 25-3-69, Mississippi Code of 1972. All members shall receive reimbursement for actual traveling and subsistence expenses incurred in the performance of their duties under this article, such reimbursement to be as provided in Section 25-3-41, Mississippi Code of 1972.

The Certified Development Company of Mississippi, Inc., shall have an executive director who shall be appointed by the board of directors.

The Certified Development Company of Mississippi, Inc., shall elect from among its membership a nine-member board of directors, a majority of whom shall be a quorum, a president and vice president and may appoint a secretary and a treasurer.

From and after July 1, 1989, the Certified Development Company of Mississippi, Inc., shall be known as the Mississippi Business Finance Corporation, and wherever the term "Certified Development Company of Mississippi, Inc.," appears in the laws of this state it shall mean the Mississippi Business Finance Corporation.

SECTION 25. Section 29-5-213, Mississippi Code of 1972, is amended as follows:

29-5-213. (1) Effective January 1, 2028, the Capitol Complex Improvement District Project Advisory Committee shall be continued and reconstituted as follows: There is

created the Capitol Complex Improvement District Project Advisory Committee composed of the following nine (9) members:

(a) The Mayor of the City of Jackson or his or her designee;

(b) One (1) member appointed by the City Council of the City of Jackson with an initial term of one (1) year and subsequent regular terms of four (4) years;

(c) Two (2) members appointed by the Governor, with the advice and consent of the Senate, one (1) for an initial term of two (2) years and one (1) for an initial term of four (4) years, both with subsequent regular terms of four (4) years;

(d) One (1) member appointed by the Lieutenant Governor, with the advice and consent of the Senate, for an initial term of four (4) years and subsequent regular terms of four (4) years;

(e) One (1) member appointed by the Speaker of the House of Representatives, with the advice and consent of the Senate, for an initial term of two (2) years and subsequent regular terms of four (4) years;

(f) One (1) member appointed by the President of Jackson State University, with the advice and consent of the Senate;

(g) One (1) member appointed by the Vice Chancellor for Health Affairs of University of Mississippi Medical Center, with the advice and consent of the Senate; and

(h) The Director of the City of Jackson Department of Public Works or his or her designee.

All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Capitol Complex Improvement District Project Advisory Committee.

The member appointed under paragraph (b) of this subsection (1) shall be a resident of the City of Jackson in Hinds County.

(2) Members appointed to the committee shall not also serve as members of the commission established by the City of Jackson pursuant to Section 27-65-241. Appointed members shall serve without compensation at the will and pleasure of the appointing authority.

(3) The committee shall elect a chairman and such other officers as it considers necessary from among its members.

(4) A majority of the members of the committee shall constitute a quorum for the conduct of meetings and all actions of the committee shall be by a majority vote.

(5) The committee shall consult with the Department of Finance and Administration and advise the department in the development of comprehensive plans for improvement projects in the city and any changes to such plans.

(6) The committee shall meet, subject to call by the Executive Director of the Department of Finance and Administration, at least quarterly to conduct business.

SECTION 26. Section 37-28-7, Mississippi Code of 1972, is amended as follows:

37-28-7. (1) There is created the Mississippi Charter School Authorizer Board as a state agency with exclusive chartering jurisdiction in the State of Mississippi. Unless

otherwise authorized by law, no other governmental agency or entity may assume any charter authorizing function or duty in any form.

(2) (a) The mission of the Mississippi Charter School Authorizer Board is to authorize high-quality charter schools, particularly schools designed to expand opportunities for underserved students, consistent with the purposes of this chapter. Subject to the restrictions and conditions prescribed in this subsection, the Mississippi Charter School Authorizer Board may authorize charter schools within the geographical boundaries of any school district.

(b) The Mississippi Charter School Authorizer Board may approve a maximum of fifteen (15) qualified charter applications during a fiscal year.

(c) In any school district designated as an "A," "B" or "C" school district by the State Board of Education under the accreditation rating system at the time of application, the Mississippi Charter School Authorizer Board may authorize charter schools only if a majority of the members of the local school board votes at a public meeting to endorse the application or to initiate the application on its own initiative.

(3) The Mississippi Charter School Authorizer Board shall consist of seven (7) members, to be appointed as follows:

(a) Three (3) members appointed by the Governor, with one (1) member being from each of the Mississippi Supreme Court Districts.

(b) Three (3) members appointed by the Lieutenant Governor, with one (1) member being from each of the Mississippi Supreme Court Districts.

(c) One (1) member appointed by the State Superintendent of Public Education.

All appointments must be made with the advice and consent of the Senate. In making the appointments, the appointing authority shall ensure diversity among members of the Mississippi Charter School Authorizer Board.

(4) Members appointed to the Mississippi Charter School Authorizer Board collectively must possess strong experience and expertise in public and nonprofit governance, management and finance, public school leadership, assessment, curriculum and instruction, and public education law. Each member of the Mississippi Charter School Authorizer Board must have demonstrated an understanding of and commitment to charter schooling as a strategy for strengthening public education.

(5) * * * The Mississippi Charter School Authorizer Board, created by former Section 37-28-7, is continued and reconstituted as follows: Effective January 1, 2028, the Mississippi Charter School Authorizer Board members shall be appointed by the prescribed appointing authority, with the advice and consent of the Senate, for a term of office of four (4) years, provided that four (4) such members shall be appointed in 2028 to a term ending December 31, 2031, and three (3) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Charter School Authorizer Board, and to the position of executive director.

(6) The Mississippi Charter School Authorizer Board shall meet as soon as practical after September 1, 2013, upon the call of the Governor, and shall organize for business by selecting a chairman and adopting bylaws. Subsequent meetings shall be called by the chairman.

* * *

(* * *7) No member of the Mississippi Charter School Authorizer Board or employee, agent or representative of the board may serve simultaneously as an employee, trustee, agent, representative, vendor or contractor of a charter school authorized by the board.

(* * *8) The Mississippi Charter School Authorizer Board shall appoint an individual to serve as the Executive Director of the Mississippi Charter School Authorizer Board, with the advice and consent of the Senate, for a term of four (4) years consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The executive director shall possess the qualifications established by the board which are based on national best practices, and shall possess an understanding of state and federal education law. The executive director, who shall serve at the will and pleasure of the board, shall devote his full time to the proper administration of the board and the duties assigned to him by the board and shall be paid a salary established by the board, subject to the approval of the State Personnel Board. Subject to the availability of funding, the executive director may employ such administrative staff as may be necessary to assist the director and board in carrying out the duties and directives of the Mississippi Charter School Authorizer Board.

(* * *9) The Mississippi Charter School Authorizer Board is authorized to obtain suitable office space for administrative purposes. In acquiring a facility or office space, the authorizer board shall adhere to all policies and procedures required by the Department of Finance and Administration and the Public Procurement Review Board.

SECTION 27. Section 73-6-3, Mississippi Code of 1972, is amended as follows:

73-6-3. There is hereby created a State Board of Chiropractic Examiners. This board shall consist of six (6) members; one (1) of whom shall be the executive officer of the State Board of Health, or his designee, and one (1) from each * * * Mississippi Supreme Court District as presently constituted and two (2) from the state at large, to be appointed by the Governor with the advice and consent of the Senate. Each member except the executive officer of the State Board of Health shall be a qualified elector of the State of Mississippi having been continuously engaged in the practice of chiropractic in Mississippi for at least five (5) years prior to appointment. No member shall be a stockholder in or member of the faculty or board of trustees of any school of chiropractic. * * * The State Board of Chiropractic Examiners, created by former Section 73-6-3, is continued and reconstituted as follows: Effective January 1, 2028, the State Board of Chiropractic Examiners shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions, and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Board of Chiropractic Examiners, and to the position of executive secretary.

SECTION 28. Section 73-6-5, Mississippi Code of 1972, is amended as follows:

73-6-5. (1) The State Board of Chiropractic Examiners shall select by election from its membership a chairman and vice chairman who shall hold their respective offices for a period of one (1) year. A majority of the members of the board may select an executive secretary for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972; and may hire such other employees, including an attorney, needed to implement the provisions of this chapter. The board shall hold regular meetings for examination beginning on the second week of January and July of each year; and may hold additional meetings at such times and places as it deems necessary, but not to exceed twelve (12) times during its initial calendar year and at least four (4) times during any subsequent calendar year but may hold meetings at such times and places as it deems necessary. The July meeting shall be held in the Jackson Metropolitan area. A majority of the board shall constitute a quorum, and the concurrence of a majority of the members of the board shall be required to grant or revoke a license. The board shall make such rules and regulations as is necessary to carry out the provisions of this chapter; however, the board shall not adopt any rule or regulation or impose any requirement regarding the licensing of chiropractors that conflicts with the prohibitions in Section 73-49-3. A copy of these rules and regulations as well as all changes thereto shall, upon passage, be sent to all practitioners licensed under this chapter.

(2) The State Board of Chiropractic Examiners shall be authorized to certify to the State Department of Health those chiropractic assistants who are exempt from registration under Section 41-58-3(7)(d) as having completed continuing education requirements and charge a fee of not more than Fifty Dollars ($50.00) annually to each individual whom the board certifies, as required under Section 41-58-5(4)and (6). The board shall be authorized to establish educational qualifications and continuing education requirements for chiropractic assistants that participate in direct patient care. This section does not prohibit a chiropractic assistant from rendering ancillary services or procedures used in chiropractic practice, other than the adjustments or manipulative techniques, if those services are rendered under the supervision and control of a licensed chiropractor as long as the chiropractic assistant has successfully completed a training program recognized by the board. "Supervision and control" may not be construed as requiring the personal presence of the supervising and controlling chiropractor at the place where those services are rendered, unless physical presence is necessary to provide patient care of the same quality as provided by the chiropractor. This section does not prohibit a chiropractor from delegating to a chiropractic assistant certain activities relating to patient care and treatment when those activities are under supervision or direct order of the chiropractor. The chiropractor delegating those activities to an employee, to a program graduate, or to a participant in an approved training program is legally liable for those activities performed by such a chiropractic assistant and that chiropractic assistant is considered to be the chiropractor's agent. The board shall charge a fee not to exceed Fifty Dollars ($50.00) annually for this certification and annual renewal. Likewise, a late fee of One Hundred Dollars ($100.00) shall be charged on all chiropractic assistants and chiropractic radiological technologists not renewing on or before July 1 of each year. Chiropractic radiological technologists are not exempt from these continuing education requirements.

SECTION 29. Section 39-5-91, Mississippi Code of 1972, is amended as follows:

39-5-91. (1) There is hereby created a Mississippi Civil War Battlefield Commission consisting of the following fifteen (15) members:

(a) Nine (9) members appointed by the Governor with three (3) serving for an initial term concluding on March 1, 1998, three (3) serving for an initial term concluding on March 1, 2000, and three (3) serving for an initial term concluding on March 1, 2002;

(b) One (1) member appointed by the Lieutenant Governor for an initial term concluding on March 1, 2002;

(c) One (1) member appointed by the Speaker of the Mississippi House of Representatives for an initial term concluding on March 1, 2002;

(d) One (1) member appointed by the Jackson Civil War Roundtable for an initial term concluding on March 1, 2002; and

(e) Three (3) members appointed by the Board of Trustees of the Department of Archives and History for an initial term concluding on March 1, 2002.

* * *

The Mississippi Civil War Battlefield Commission, created by former Section 39-5-91, is continued and reconstituted as follows: Effective January 1, 2028, the members of the Civil War Battlefield Commission shall be appointed by the prescribed appointing authority, with the advice and consent of the Senate, for a term of office of four (4) years, provided that eight (8) of such members designated by the Secretary of State shall be appointed in 2028 to a term ending December 31, 2031, and seven (7) of such members designated by the Secretary of State shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Civil War Battlefield Commission.

(2) The commission shall elect from its membership a chairman who shall preside over meetings and a vice chairman who shall preside in the absence of the chairman or when the chairman shall be excused.

(3) The commission shall adopt rules and regulations governing times and places for meetings. A majority of members of the commission shall constitute a quorum for the transaction of any business. The commission shall meet at least quarterly. The commission may form subcommittees to address specific issues concerning preservation and enhancement of Civil War sites and structures. The commission may adopt other procedures necessary to ensure the orderly transaction of business.

(4) The members of the commission shall receive no compensation for their services.

(5) Principal staff support for the commission shall be provided by the Department of Archives and History. Other agencies shall assist when requested by the commission.

(6) The commission shall have the following duties:

(a) Identify and prioritize for protecting Mississippi's Civil War sites and structures;

(b) Identify, analyze and enhance preservation opportunities for Mississippi's Civil War sites and structures;

(c) Review existing local, state and federal plans, programs and policies related to Mississippi's Civil War sites and structures;

(d) Develop relationships with federal and local officials and private conservation organizations which facilitate protection and enhancement of Civil War sites and structures;

(e) Coordinate Mississippi's participation with the federal government and private foundations to secure support and financial resources for the protection and enhancement of Civil War sites and structures;

(f) Advise state agencies on matters relating to Civil War sites and structures; and

(g) Perform any other such duties or actions in an effort to advance Civil War history in Mississippi.

(7) The commission shall submit to the Governor an annual report by December 1 of each year which shall include recommendations for any legislative, administrative or other changes the commission deems necessary to further Civil War history in Mississippi.

(8) State agencies shall consider the impact of their actions on Civil War sites and structures as identified by the commission whenever permitting, planning, funding or undertaking any construction projects.

SECTION 30. Section 37-155-7, Mississippi Code of 1972, is amended as follows:

37-155-7. (1) The board of directors shall consist of thirteen (13) members as follows:

(a) Nine (9) voting members as follows: the State Treasurer; the Commissioner of Higher Education, or his designee; the Executive Director of the Community and Junior College Board, or his designee; the Department of Finance and Administration Executive Director, or his designee; and one (1) member from each * * * Mississippi Supreme Court District and two (2) from the state at large to be appointed by the Governor with the advice and consent of the Senate. * * * The MPACT Board of Directors, created by former Section 37-155-7, is continued and reconstituted as follows: Effective January 1, 2028, the appointed MPACT Board members shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the MPACT Board of Directors. Ex officio members of the board may be represented at official meetings by their deputy, or other designee, and such designees shall have full voting privileges and shall be included in the determination of a quorum for conducting board business.

(b) Two (2) nonvoting, advisory members of the board shall be appointed by each of the following officers: the Lieutenant Governor and the Speaker of the House of Representatives.

* * *

(* * *2) Each member appointed shall possess knowledge, skill and experience in business or financial matters commensurate with the duties and responsibilities of the trust fund.

(* * *3) Members of the board of directors shall serve without compensation, but shall be reimbursed for each day's official duties of the board at the same per diem as established by Section 25-3-69 and actual travel and lodging expenses as established by Section 25-3-41.

(* * *4) The board of directors shall annually elect one (1) member to serve as chairman of the board and one (1) member to serve as vice chairman. The vice chairman shall act as chairman in the absence of or upon the disability of the chairman or in the event of a vacancy of the office of chairman.

(* * *5) A majority of the currently serving members of the board shall constitute a quorum for the purposes of conducting business and exercising its official powers and duties. Any action taken by the board shall be upon the vote of a majority of the members present.

SECTION 31. Section 65-1-46, Mississippi Code of 1972, is amended as follows:

65-1-46. (1) There is created an Appeals Board of the Mississippi Transportation Commission. If any person feels aggrieved by a penalty for excess weight assessed against him by an agent or employee of the Mississippi Department of Transportation pursuant to Section 27-19-89, he may apply to the appeals board. Beginning July 1, 2021, the Appeals Board shall be administratively located within the Commercial Transportation Enforcement Division of the Mississippi Department of Public Safety and shall receive appeals with respect to penalties for excess weight assessed by agents or employees of the Commercial Transportation Enforcement Division.

(2) The members serving on the appeals board on April 7, 1995, shall continue to serve until July 1, 1995. On July 1, 1995, the appeals board shall be reconstituted to be composed of five (5) qualified people. The initial appointments to the reconstituted board shall be made no later than June 30, 1995, for terms to begin July 1, 1995, as follows: One (1) member shall be appointed by the Governor for a term ending on June 30, 1996, one (1) member shall be appointed by the Lieutenant Governor for a term ending on June 30, 1997, one (1) member shall be appointed by the Attorney General for a term ending on June 30, 1998, one (1) member shall be appointed by the * * * Commissioner of Revenue for a term ending on June 30, 1999, and one (1) member shall be appointed by the Executive Director of the Mississippi Department of Transportation for a term ending on June 30, 2000. After the expiration of the initial terms of the members of the reconstituted board, all subsequent appointments shall be made for terms of four (4) years from the expiration date of the previous term. Any member serving on the appeals board before July 1, 1995, may be reappointed to the reconstituted appeals board. Appointments to the board shall be with the advice and consent of the Senate; however, the advice and consent of the Senate shall not be required for the appointment of a person to the reconstituted appeals board for a term beginning on July 1, 1995, if such person was serving as a member of the appeals board on June 30, 1995, and such person received the advice and consent of the Senate for that appointment. The term of the member appointed by the Executive Director of the Mississippi Department of Transportation shall end on June 30, 2021, and the vacancy shall be filled by a member appointed by the Commissioner of Public Safety for a term ending on June 30, 2024, after which the position shall be for a four-year term.

(3) The Appeals Board of the Mississippi Transportation Commission, created by former Section 65-1-46, is continued and reconstituted as follows: Effective January 1, 2028, the Appeals Board of the Mississippi Transportation Commission shall consist of five (5) members, one (1) appointed by each of the following: the Governor from the Central Supreme Court District, the Lieutenant Governor from the state at large, the

Attorney General from the state at large, the Executive Director of the Department of Revenue from the Southern Supreme Court District, and the Commissioner of Public Safety from the Northern Supreme Court District. Said members shall be appointed by the appointing authority, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) members designated by the Secretary of State shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members designated by the Secretary of State shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Appeals Board of the Mississippi Transportation Commission.

(* * *4) There shall be a chairman and vice chairman of the board who shall be elected by and from the membership of the board. Any member who fails to attend three (3) consecutive regular meetings of the board shall be subject to removal by a majority vote of the board. A majority of the members of the board shall constitute a quorum. The chairman, or a majority of the members of the board, may call meetings as may be required for the proper discharge of the board's duties. Members of the board, except a member who is an officer or employee of the Mississippi Department of Transportation or, beginning July 1, 2021, is an officer or employee of the Department of Public Safety, shall receive per diem in the amount authorized by Section 25-3-69, for each day spent in the actual discharge of their duties and shall be reimbursed for mileage and actual expenses incurred in the performance of their duties in accordance with the provisions of Section 25-3-41.

Application shall be made by petition in writing, within thirty (30) days after assessment of the penalty, for a hearing and a review of the amount of the assessment. At the hearing the appeals board shall try the issues presented according to the law and the facts and within guidelines set by the Transportation Commission or, beginning July 1, 2021, by the Department of Public Safety. Upon due consideration of all the facts relating to the assessment of the penalty, the appeals board, except as otherwise provided under this section or under Section 27-19-89, may require payment of the full amount of the assessment, may reduce the amount of the assessment or may dismiss imposition of the penalty entirely. The appeals board shall dismiss in its entirety the imposition of any penalty imposed against the holder of a harvest permit if the permittee proves to the appeals board, by clear and convincing evidence, that the average load transported by the permittee during the permittee's last five (5) haul days immediately preceding the day upon which the penalty appealed from was assessed did not exceed eighty thousand (80,000) pounds. The appeals board shall reduce the penalty assessed against the holder of a harvest permit to a maximum of Two Cents (2¢) per pound of overweight if the permittee proves to the appeals board, by clear and convincing evidence, that the average load transported by the permittee during the permittee's last five (5) haul days immediately preceding the day upon which the penalty appealed from was assessed exceeded seventy-nine thousand nine hundred ninety-nine (79,999) pounds but did not exceed a gross vehicle weight tolerance of ten percent (10%), not to exceed eighty-eight thousand (88,000) pounds. The board shall make such orders in the matter as appear to it just and lawful and shall furnish copies thereof to the petitioner. If the appeals board orders the payment of the penalty, the petitioner shall pay the penalty, damages and interest, if any, within ten (10) days after the order is issued unless there is an application for appeal from the decision of the board as provided in the succeeding paragraph. Interest shall accrue on the penalty at the rate of one percent (1%) per month, or part of a month, beginning immediately after the expiration of the ten-day period.

If any person feels aggrieved by the decision of the appeals board, he may appeal the decision to the Chancery Court of the First Judicial District of Hinds County.

SECTION 32. Section 19-5-333, Mississippi Code of 1972, is amended as follows:

19-5-333. (1) There is created a Commercial Mobile Radio Service (CMRS) Board, consisting of eight (8) members to be appointed by the Governor with the advice and consent of the Senate. The members of the board shall be appointed as follows:

(a) One (1) member from the Northern Public Service Commission District selected from two (2) nominees submitted to the Governor by the Mississippi 911 Coordinators Association;

(b) One (1) member from the Central Public Service Commission District selected from two (2) nominees submitted to the Governor by the Mississippi Chapter of the Association of Public Safety Communication Officers;

(c) One (1) member from the Southern Public Service Commission District selected from two (2) nominees submitted to the Governor by the National Emergency Numbering Association;

(d) Two (2) members who are wireless provider representatives;

(e) One (1) member who is a consumer representing the state at large with no affiliation to the three (3) trade associations or the wireless providers;

(f) One (1) member who is a member of the Mississippi Law Enforcement Officers Association selected from two (2) nominees submitted to the Governor by the association; and

(g) One (1) member who is a member of the Mississippi Association of Supervisors selected from two (2) nominees submitted to the Governor by the association.

* * *

The CMRS Board, created by former Section 19-5-333, is continued and reconstituted as follows: Effective January 1, 2028, the Governor shall make the prescribed appointments, with the advice and consent of the Senate, for a term of office of four (4) years, provided that five (5) such members shall be appointed in 2028 to a term ending December 31, 2031, and three (3) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the CMRS Board.

(2) The board shall have the following powers and duties:

(a) To collect and distribute a CMRS emergency telephone service charge on each CMRS customer whose place of primary use is within the state. The rate of such CMRS service charge shall be One Dollar ($1.00) per month per CMRS connection. In the case of prepaid wireless service, the rate and methodology for collecting and remitting the 911 charge is governed by Section 19-5-343. The CMRS service charge shall have

uniform application and shall be imposed throughout the state. The board is authorized to receive all revenues derived from the CMRS service charge levied on CMRS connections in the state and collected pursuant to Section 19-5-335.

(b) To establish and maintain the CMRS Fund as an insured, interest-bearing account into which the board shall deposit all revenues derived from the CMRS service charge levied on CMRS connections in the state and collected pursuant to Section 19-5-335. The revenues which are deposited into the CMRS Fund shall not be monies or property of the state and shall not be subject to appropriation by the Legislature. Interest derived from the CMRS Fund shall be divided equally to pay reasonable costs incurred by providers in compliance with the requirements of Sections 19-5-331 through 19-5-341 and to compensate those persons, parties or firms employed by the CMRS Board as contemplated in paragraph (d) of this subsection. The interest income is not subject to the two percent (2%) cap on administrative spending established in Section 19-5-335(3).

(c) To establish a distribution formula by which the board will make disbursements of the CMRS service charge in the following amounts and in the following manner:

(i) Out of the funds collected by the board, thirty percent (30%) shall be deposited into the CMRS Fund, and shall be used to defray the administrative expenses of the board in accordance with Section 19-5-335(3) and to pay the actual costs incurred by such CMRS providers in complying with the wireless E911 service requirements established by the FCC Order and any rules and regulations which are or may be adopted by the FCC pursuant to the FCC Order, including, but not limited to, costs and expenses incurred for designing, upgrading, purchasing, leasing, programming, installing, testing or maintaining all necessary data, hardware and software required in order to provide such service as well as the incremental costs of operating such service. Sworn invoices must be presented to the board in connection with any request for payment and approved by a majority vote of the board prior to any such disbursement, which approval shall not be withheld or delayed unreasonably. In no event shall any invoice for payment be approved for the payment of costs that are not related to compliance with the wireless E911 service requirements established by the FCC Order and any rules and regulations which are or may be adopted by the FCC pursuant to the FCC Order, and any rules and regulations which may be adopted by the FCC with respect to implementation of wireless E911 services.

(ii) The remainder of all funds collected by the board, which shall not be less than seventy percent (70%) of the total funds collected by the board, shall be distributed by the board monthly based on the number of CMRS connections in each ECD for use in providing wireless E911 service, including capital improvements, and in their normal operations. For purposes of distributing the funds to each ECD, every CMRS provider shall identify to the CMRS Board the ECD to which funds should be remitted based on zip code plus four (4) designation, as required by the federal Uniform Sourcing Act.

An ECD board that has within its jurisdiction zip code designations that do not adhere to county lines shall assist CMRS providers in determining the appropriate county to which funds should be distributed.

(d) To contract for the services of accountants, attorneys, consultants, engineers and any other persons, firms or parties the board deems necessary to effectuate the purposes of Sections 19-5-331 through 19-5-341.

(e) To obtain from an independent, third-party auditor retained by the board annual reports to the board no later than sixty (60) days after the close of each fiscal year, which shall provide an accounting for all CMRS service charges deposited into the CMRS Fund during the preceding fiscal year and all disbursements to ECDs during the preceding

fiscal year. The board shall provide a copy of the annual reports to the Chairmen of the Public Utilities Committees of the House of Representatives and Senate.

(f) To retain an independent, third-party accountant who shall audit CMRS providers at the discretion of the CMRS Board to verify the accuracy of each CMRS providers' service charge collection. The information obtained by the audits shall be used solely for the purpose of verifying that CMRS providers accurately are collecting and remitting the CMRS service charge and may be used for any legal action initiated by the board against CMRS providers.

(g) To levy interest charges at the legal rate of interest established in Section 75-17-1 on any amount due and outstanding from any CMRS provider who fails to remit service charges in accordance with Section 19-5-335(1).

(h) To promulgate such rules and regulations as may be necessary to effect the provisions of Sections 19-5-331 through 19-5-341.

(i) To make the determinations and disbursements as provided by Section 19-5-333(2)(c).

(j) To maintain a registration database of all CMRS providers and to impose an administrative fine on any provider that fails to comply with the registration requirements in Section 19-5-335.

(3) The CMRS service charge provided in subsection (2)(a) of this section and the service charge provided in Section 19-5-357 to fund the training of public safety telecommunicators shall be the only charges assessed to CMRS customers relating to emergency telephone services.

(4) The board shall serve without compensation; however, members of the board shall be entitled to be reimbursed for actual expenses and travel costs associated with their service in an amount not to exceed the reimbursement authorized for state officers and employees in Section 25-3-41, Mississippi Code of 1972.

(5) It is the Legislature's intent to ensure that the State of Mississippi shall be Phase I compliant by July 1, 2005. For purposes of this subsection, Phase I compliant means the mandate by the FCC that requires any carrier when responding to a PSAP to define and deliver data related to the cell site location and the caller's call-back number.

SECTION 33. Section 37-4-3, Mississippi Code of 1972, is amended as follows:

37-4-3. (1) From and after July 1, 1986, there shall be a Mississippi Community College Board which shall receive and distribute funds appropriated by the Legislature for the use of the public community and junior colleges and funds from federal and other sources that are transmitted through the state governmental organization for use by said colleges. This board shall provide general coordination of the public community and junior colleges, assemble reports and such other duties as may be prescribed by law.

(2) The board shall consist of ten (10) members of which none shall be an elected official. Until January 1, 2028, the Governor shall appoint two (2) members from the First Mississippi Congressional District, one (1) who shall serve an initial term of two (2) years and one (1) who shall serve an initial term of five (5) years; two (2) members from the Second Mississippi Congressional District, one (1) who shall serve an initial term of five (5) years and one (1) who shall serve an initial term of three (3) years; and two (2) members from the Third Mississippi Congressional District, one (1) who shall serve an initial term of four (4) years and one (1) who shall serve an initial term of two (2) years; two (2) members from the Fourth Mississippi Congressional District, one (1) who shall serve an initial term of three (3) years and one (1) who shall serve an initial term of four (4) years; and two (2) members from the Fifth Mississippi Congressional District, one (1)

who shall serve an initial term of five (5) years and one (1) who shall serve an initial term of two (2) years. All subsequent appointments shall be for a term of six (6) years and continue until their successors are appointed and qualify. An appointment to fill a vacancy which arises for reasons other than by expiration of a term of office shall be for the unexpired term only. All members shall be appointed with the advice and consent of the Senate.

The Mississippi Community College Board, created by former Section 37-4-3, is continued and reconstituted as follows: Effective January 1, 2028, the Governor shall appoint three (3) members from each Mississippi Supreme Court District and one (1) from the state at large. The members shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that six (6) members shall be appointed in 2028 to a term ending December 31, 2031, and four (4) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Community College Board, and to the position of executive director.

(3) There shall be a chairman and vice chairman of the board, elected by and from the membership of the board; and the chairman shall be the presiding officer of the board. The board shall adopt rules and regulations governing times and places for meetings and governing the manner of conducting its business.

(4) The members of the board shall receive no annual salary, but shall receive per diem compensation as authorized by Section 25-3-69, Mississippi Code of 1972, for each day devoted to the discharge of official board duties and shall be entitled to reimbursement for all actual and necessary expenses incurred in the discharge of their duties, including mileage as authorized by Section 25-3-41, Mississippi Code of 1972.

(5) Effective July 1, 2028, the board shall name a director for the state system of public junior and community colleges, with the advice and consent of the Senate, who shall serve * * * for a term of four (4) years consistent with the provisions of Section 7-1-35. Such director shall be the chief executive officer of the board, give direction to the board staff, carry out the policies set forth by the board, and work with the presidents of the several community and junior colleges to assist them in carrying out the mandates of the several boards of trustees and in functioning within the state system and policies established by the Mississippi Community College Board. The Mississippi Community College Board shall set the salary of the director of the board. The Legislature shall provide adequate funds for the Mississippi Community College Board, its activities and its staff.

(6) The powers and duties of the Mississippi Community College Board shall be:

(a) To authorize disbursements of state-appropriated funds to community and junior colleges through orders in the minutes of the board.

(b) To make studies of the needs of the state as they relate to the mission of the community and junior colleges.

(c) To approve new, changes to and deletions of vocational and technical programs to the various colleges.

(d) To require community and junior colleges to supply such information as the board may request and compile, publish and make available such reports based thereon as the board may deem advisable.

(e) To approve proposed new attendance centers (campus locations) as the local boards of trustees should determine to be in the best interest of the district. Provided, however, that no new community/junior college branch campus shall be approved without an authorizing act of the Legislature.

(f) To serve as the state approving agency for federal funds for proposed contracts to borrow money for the purpose of acquiring land, erecting, repairing, etc., dormitories, dwellings or apartments for students and/or faculty, such loans to be paid from revenue produced by such facilities as requested by local boards of trustees.

(g) To approve applications from community and junior colleges for state funds for vocational-technical education facilities.

(h) To approve any university branch campus offering lower undergraduate level courses for credit.

(i) To appoint members to the Post-Secondary Educational Assistance Board.

(j) To appoint members to the Authority for Educational Television.

(k) To contract with other boards, commissions, governmental entities, foundations, corporations or individuals for programs, services, grants and awards when such are needed for the operation and development of the state public community and junior college system.

(l) To fix standards for community and junior colleges to qualify for appropriations, and qualifications for community and junior college teachers.

(m) To have sign-off approval on the State Plan for Vocational Education which is developed in cooperation with appropriate units of the State Department of Education.

(n) To approve or disapprove of any proposed inclusion within municipal corporate limits of state-owned buildings and grounds of any community college or junior college and to approve or disapprove of land use development, zoning requirements, building codes and delivery of governmental services applicable to state-owned buildings and grounds of any community college or junior college. Any agreement by a local board of trustees of a community college or junior college to annexation of state-owned property or other conditions described in this paragraph shall be void unless approved by the board and by the board of supervisors of the county in which the state-owned property is located.

SECTION 34. Section 31-3-3, Mississippi Code of 1972, is amended as follows:

31-3-3. There is hereby created the State Board of Contractors of the State of Mississippi, which shall consist of ten (10) members who shall be appointed by the Governor. All appointments to the board shall be made with the advice and consent of the Senate. Two (2) road contractors; two (2) building contractors; two (2) residential builders as defined in Section 73-59-1; one (1) plumbing or heating and air-conditioning contractor; one (1) electrical contractor; and one (1) water and sewer contractor shall compose the board. The Governor shall appoint one (1) additional member who shall be a roofing contractor and whose term of office shall be five (5) years. Each member shall be an actual resident of the State of Mississippi and must have been actually engaged in the contracting business for a period of not less than ten (10) years before appointment.

The initial terms of the two (2) residential builders shall be for two (2) and four (4) years, respectively.

* * * The State Board of Contractors, created by former Section 31-3-3, is continued and reconstituted as follows: Effective January 1, 2028, the Governor shall appoint ten (10) members, three (3) from each Mississippi Supreme Court District and one (1) from the state at large, so as to maintain on the board two (2) building contractors; two (2) road contractors; two (2) residential builders; one (1) plumbing or heating and air-conditioning contractor; one (1) electrical contractor; and one (1) water and sewer contractor; and one (1) roofing contractor. * * * Each board member shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that six (6) members shall be appointed in 2028 to a term ending December 31, 2031, and four (4) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Board of Contractors, and to the position of executive director.

SECTION 35. Section 31-3-11, Mississippi Code of 1972, is amended as follows:

31-3-11. The board shall elect and fix the salary of an executive director * * * for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The board shall require the executive director to file bond in such amount as the board may deem necessary, and shall specify the duties of such employee. The premium on any such bond shall be paid from the funds provided by this chapter.

SECTION 36. Section 69-44-3, Mississippi Code of 1972, is amended as follows:

69-44-3. (1) The Mississippi Corn Promotion Board is hereby * * * continued and reconstituted, to be composed of twelve (12) members to be appointed by the Governor * * *, four (4) to be appointed from each Mississippi Supreme Court District. All of the twelve (12) members of the board shall be producers of corn in the State of Mississippi. * * * The Mississippi Farm Bureau Federation, Inc., the Mississippi Feed and Grains Association, the Mississippi Corn Growers Association and the Delta Council shall each submit the names of six (6) corn producers to the Governor, and he shall appoint three (3) members from the nominees of each organization to serve on the board * * *. * * * Effective January 1, 2028, each board member shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that seven (7) members shall be appointed in 2028 to a term ending December 31, 2031, and five (5) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Corn Promotion Board.

(2) The members of the board shall meet and organize immediately after their appointment, and shall elect a chairman, vice chairman and secretary-treasurer from the membership of the board, whose duties shall be those customarily exercised by such officers or specifically designated by the board. The chairman, vice chairman and secretary-treasurer shall be bonded in an amount not less than Twenty Thousand Dollars ($20,000.00). The cost of the bonds shall be paid from the funds received under this chapter. The bond shall be a security for any illegal act of such member of the board and recovery thereon may be had by the state for any injury by the illegal act of the member. The board may establish rules and regulations for its own government and the administration of the affairs of the board.

SECTION 37. Section 47-5-8, Mississippi Code of 1972, is amended as follows:

47-5-8. (1) There is created the Mississippi Department of Corrections, which shall be under the policy direction of the Governor. The chief administrative officer of the department shall be the Commissioner of Corrections. Effective July 1, 2028, the commissioner shall be appointed by the Governor, with the advice and consent of the Senate, for a four-year term of office in the manner provided in Section 47-5-24. All appointment procedures specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the position of Commissioner of Corrections.

(2) (a) There shall be an Executive Deputy Commissioner who shall be directly responsible to the Commissioner of Corrections within the department who shall serve as the Commissioner of Corrections in the absence of the commissioner and shall assume any and all duties that the Commissioner of Corrections assigns, including, but not limited to, supervising all other deputy commissioners. The salary of the Executive Deputy Commissioner shall not exceed the salary of the Commissioner of Corrections.

(b) There shall be a Division of Administration and Finance within the department, which shall have as its chief administrative officer a Deputy Commissioner for Administration and Finance who shall be appointed by the commissioner, and shall be directly responsible to the commissioner.

(c) There shall be a Division of Community Corrections within the department, which shall have as its chief administrative officer a Deputy Commissioner for Community Corrections, who shall be appointed by the commissioner, and shall be directly responsible to the commissioner. The Probation and Parole Board shall continue to exercise the authority as provided by law, but after July 1, 1976, the Division of Community Corrections shall serve as the administrative agency for the Probation and Parole Board.

(d) There shall be a Division of Workforce Development within the department, which shall have as its chief administrative officer a Deputy Commissioner for Workforce Development, who shall be appointed by the commissioner, and shall be directly responsible to the commissioner.

(3) The department shall succeed to the exclusive control of all records, books, papers, equipment and supplies, and all lands, buildings and other real and personal property now or hereafter belonging to or assigned to the use and benefit or under the control of the Mississippi State Penitentiary and the Mississippi Probation and Parole Board, except the records of parole process and revocation and legal matters related thereto, and shall have the exercise and control of the use, distribution and disbursement of all funds, appropriations and taxes now or hereafter in possession, levied, collected or received or appropriated for the use, benefit, support and maintenance of these two (2) agencies except as otherwise provided by law, and the department shall have general supervision of all the affairs of the two (2) agencies herein named except as otherwise provided by law, and the care and conduct of all buildings and grounds, business methods and arrangements of accounts and records, the organization of the administrative plans

of each institution, and all other matters incident to the proper functioning of the two (2) agencies.

(4) The commissioner may lease the lands for oil, gas, mineral exploration and other purposes, and contract with other state agencies for the proper management of lands under such leases or for the provision of other services, and the proceeds thereof shall be paid into the General Fund of the state.

SECTION 38. Section 73-7-1, Mississippi Code of 1972, is amended as follows:

73-7-1. Effective January 1, 2028, there is hereby continued and reconstituted a State Board of Cosmetology, composed of five (5) members to be appointed by the Governor, with the advice and consent of the Senate, and whose term of office shall be four (4) years from the date of appointment except as otherwise provided herein. However, no more than two (2) members shall be appointed from each Supreme Court District. Provided, however, that three (3) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Board of Cosmetology, and to the position of executive director.

There shall be a president of the board and such other officers as deemed necessary by the board elected by and from its membership, provided that the member elected as president shall have at least one (1) year of experience on the board. Any member appointed by the Governor and confirmed by the Senate for a term to begin on or after July 1, 1997, who was designated by the Governor to serve as president of the board, shall be fully qualified to serve on the board for a full term of office, but shall not serve as president of the board unless elected by the membership of the board as provided under this paragraph.

To be eligible for appointment as a member of the State Board of Cosmetology, the person applying shall have been a citizen of this state for a minimum of five (5) years immediately prior to appointment. Such person shall be at least thirty (30) years of age, possess a high school education or its equivalent, and shall have been a licensed cosmetologist with not less than ten (10) years' active practice in cosmetology. No member of the board shall be connected in any way with any school wherein cosmetology is taught, nor shall any two (2) members of the board be graduates of the same school of cosmetology.

However, in the event of vacancy by death or resignation of any member of the board, the Governor shall, within thirty (30) days, appoint a person possessing all qualifications required to serve the remainder of the term. Any member who shall not attend two (2) consecutive meetings of the board for reasons other than illness of such member shall be subject to removal by the Governor. The president of the board shall notify the Governor in writing when any such member has failed to attend two (2) consecutive regular meetings.

The salaries of all paid employees of the board shall be paid out of funds in the board's special fund in the State Treasury. Each member of the board, excepting the inspectors provided for herein, shall receive per diem as authorized by Section 25-3-69,

and shall be reimbursed for such other expenses at the same rate and under the same conditions as other state employees as provided for in Section 25-3-41.

The board shall give reasonable public notice of all board meetings not less than ten (10) days prior to such meetings.

SECTION 39. Section 73-7-3, Mississippi Code of 1972, is amended as follows:

73-7-3. The board shall be authorized to employ such clerical and stenographic assistance, bookkeepers, investigators and other agents as they may deem necessary to carry out the provisions of this chapter, and to fix their tenure of employment and compensation therefor. The board shall appoint and employ an executive director for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The members of the board shall file a bond with the Secretary of State in the sum of not less than Five Thousand Dollars ($5,000.00) payable to the State of Mississippi for the faithful performance of their duties. The bond shall be made by a surety company authorized to do business in this state, the premium of the bond to be paid out of any money in the board's special fund in the State Treasury.

The office of the board shall be located in the greater metropolitan area of the City of Jackson, Mississippi, and in the event office space cannot be obtained in any state-owned building, the board is authorized to rent suitable office space and to pay therefor out of funds in the board's special fund. The board shall employ inspectors as needed, not to exceed seven (7), who shall be full-time employees and whose salaries and duties shall be fixed by the board.

The salaries of all paid employees of the board shall be paid out of the funds in the board's special fund. The inspectors shall, in addition to their salaries, be reimbursed for such expenses as are allowed other state employees under the provisions of Section 25-3-41. In addition to the paying of office rent, the board is authorized to purchase necessary office furniture and equipment, stationery, books, certificates and any other equipment necessary for the proper administration of this chapter.

SECTION 40. Section 73-30-5, Mississippi Code of 1972, is amended as follows:

73-30-5. (1) There is hereby established the Mississippi State Board of Examiners for Licensed Professional Counselors which shall consist of five (5) members. * * * From and after January 1, * * * 2028, the board shall be continued and reconstituted to consist of five (5) members, one (1) member from each of the * * * three (3) Mississippi Supreme Court Districts, * * * and * * * two (2) members to be selected from the state at large, who shall be appointed by the Governor for a term of office of four (4) years, with the advice and consent of the Senate, provided that three (3) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi State Board of Examiners for Licensed Professional Counselors, and to the position of executive director. A list shall be provided to the Governor by the Mississippi Counseling Association from which the Governor may choose board members. * * *

(2) * * * Of the five (5) licensed counselors, three (3) of whom * * * shall be primarily engaged as licensed counselors in private or institutional practice and two (2) who are primarily engaged in teaching, training or research in counseling at the corporate or university level. All members shall be qualified electors of the State of Mississippi.

* * *

(* * *3) There shall be appointed to the board no more than one (1) person who is employed by, or receives compensation from, any one (1) institution, organization or partnership at the time of appointment.

(* * *4) Board members shall be reimbursed for necessary and ordinary expenses and mileage incurred while performing their duties as members of the board, at the rate authorized for public employees, from fees collected for license and privilege to practice applications and renewals.

SECTION 41. Section 73-30-7, Mississippi Code of 1972, is amended as follows:

73-30-7. (1) The members of the board shall take an oath to perform faithfully the duties of their office. The oath shall be administered by a person qualified by law to administer oaths. Upon taking the oath as board members, the initial members shall be deemed licensed counselors for all purposes under this article. Within thirty (30) days after taking the oath of office, the first board appointed under this article shall meet for an organizational meeting on call by the Governor. At such meeting and at an organizational meeting in January every odd-numbered year thereafter, the board shall elect from its members a chair, vice chair and secretary-treasurer to serve for terms of two (2) years.

(2) The board shall adopt rules and regulations in compliance with the Mississippi Administrative Procedures Law, using the standards of the American Counseling Association as a guide, not inconsistent with this article, for the conduct of its business and the carrying out of its duties. The board shall appoint and employ an executive director who shall serve for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

(3) After a person has applied for licensure, no member of the board may supervise such applicant for a fee, nor shall any member vote on any applicant previously supervised by that member.

(4) The board shall hold at least two (2) regular meetings each year, and additional meetings may be held upon the call of the chair of the board or at the written request of any four (4) members of the board.

(5) The board-approved examination for licensure shall be administered at least once a year. Examinations may be written, oral, situational, or any combination thereof, and shall deal with theoretical and applied fields in counseling. In written examinations, the examinee's name shall not be disclosed to any person grading the examination until that grading is complete.

(6) The board shall be empowered to make reasonable rules and regulations regarding its operation and to receive and disburse revenues derived from application, licensing, privilege to practice, examination and renewal fees. All monies received by the board shall be deposited in a special account in the State Treasury to be designated "Board of Examiners for Licensed Professional Counselors Account." This account shall fund all activities of the board.

(7) Upon the filing of a complaint by any citizen of this state with the board against a licensed professional counselor, provisional licensed professional counselor or person who holds the privilege to practice or upon the board's own motion, the board may:

(a) Compel the attendance of witnesses;

(b) Request the production of books, documents and other papers;

(c) Administer oaths to witnesses; and

(d) Hear testimony and receive evidence concerning all matters within its jurisdiction.

(8) The members of the board are hereby individually exempt from any civil liability as a result of any action taken by the board.

SECTION 42. Section 45-39-3, Mississippi Code of 1972, is amended as follows:

45-39-3. There is hereby created within the Department of Public Safety the Crime Stoppers Advisory Council. The council shall be composed of five (5) persons appointed by the Governor, with the advice and consent of the Senate, one (1) from each Mississippi Supreme Court District and two (2) from the state at large. At least three (3) of the foregoing appointees shall be persons who have participated in a local crime stoppers program. * * * The Crime Stoppers Advisory Council, created by former Section 45-39-3, is continued and reconstituted as follows: Effective January 1, 2028, each member shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Crime Stoppers Advisory Council. At the first meeting of the council, which shall be called by the Governor, and at the first meeting after the beginning of each new state fiscal year, the council shall elect from among its members a chairman and such other officers as the council deems necessary. Each member of the council shall receive per diem in the amount established in Section 25-3-69, Mississippi Code of 1972, for each day or portion thereof spent discharging his duties under this chapter and shall receive mileage and expenses as provided in Section 25-3-41, Mississippi Code of 1972.

Expenses of the council shall be paid by the Department of Public Safety out of the State Crime Stoppers Fund, created in Section 45-39-5(4).

SECTION 43. Section 73-9-7, Mississippi Code of 1972, is amended as follows:

73-9-7. (1) The duties of the Mississippi State Board of Dental Examiners, or "the board," shall be to carry out the purposes and provisions of the laws pertaining to the practice of dentistry and dental hygiene. Effective January 1, 2028, the Mississippi State Board of Dental Examiners is continued and * * * reconstituted as follows: The board shall consist of seven (7) licensed and actively practicing dentists and one (1) licensed and actively practicing dental hygienist, each a graduate of an accredited college of dentistry or dental hygiene, as appropriate, and practicing within the State of Mississippi for a period of five (5) or more years next preceding his or her appointment. No dentist or dental hygienist shall be eligible for appointment who can be construed to be in violation of current state ethics laws and regulations.

(2) The State Board of Dental Examiners, created under former Section 73-9-7, is continued and reconstituted as follows: The members of the board appointed and serving * * * on January 1, 2028, shall * * * stand for reappointment by the Governor, with the advice and consent of the Senate, for a term of four (4) years.

(3) The Governor shall appoint one (1) dentist member of the board from the state at large for a term of four (4) years. * * * The Governor shall appoint * * * six (6) members from a list of names to be submitted from districts as set out in this subsection. All appointments to the board shall be made with the advice and consent of the Senate.

The board shall poll all licensed dentists in the state by dental district as follows:

Dental District One: Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Pontotoc, Prentiss, Tippah, Tishomingo, Union, Webster;

Dental District Two: Bolivar, Carroll, Coahoma, DeSoto, Grenada, Holmes, Humphreys, Issaquena, Leflore, Montgomery, Panola, Quitman, Sharkey, Sunflower, Tallahatchie, Tate, Tunica, Washington, Yalobusha, Yazoo;

Dental District Three: Attala, Clarke, Covington, Forrest, Jasper, Jones, Kemper, Lamar, Lauderdale, Leake, Neshoba, Newton, Noxubee, Perry, Scott, Smith, Wayne, Winston;

Dental District Four: Hinds, Madison, Rankin, Warren;

Dental District Five: George, Greene, Hancock, Harrison, Jackson, Pearl River, Stone;

Dental District Six: Adams, Amite, Claiborne, Copiah, Franklin, Jefferson Davis, Jefferson, Lawrence, Lincoln, Marion, Pike, Simpson, Walthall, Wilkinson;

and request the submission from each such dental district of three (3) nominations for appointment as members of the board from the six (6) districts. * * * On January 1, 2028, and every four (4) years thereafter, the board shall list all nominations by district according to the number of votes each received. The top three (3) names from each district shall then be considered as a list of names to be submitted to the Governor * * * for the six (6) positions appointed from districts * * *. * * * On January 1, 2028, and every four (4) years thereafter, the board shall take like polls of all licensed dentists practicing in each dental district, and shall prepare new lists therefrom to be submitted to the Governor, which shall be used in the appointment of the six (6) members appointed from districts.

It is the purpose of this section that no more than one (1) appointee of the six (6) members appointed from districts shall serve from any district at any one time. The names on the lists shall be given priority in accordance with the votes for each nominee. In case of a tie, the persons receiving tie votes shall have their names placed on the list even though it results in more than three (3) names on the list from that district.

(4) The one (1) dental hygienist member shall be appointed by the Governor from the state at large from a list of six (6) dental hygienists, each of whom being the dental hygienist receiving the highest number of votes in his or her individual district from a poll conducted and compiled by the board. The poll shall consist of a blank ballot with three (3) spaces for nomination provided to all licensed dental hygienists in the state. * * * On January 1, 2028, and every four (4) years thereafter, the board shall take like polls of all licensed dental hygienists practicing in the state, and shall prepare a new list of six (6) dental hygienists, the list to consist of the dental hygienists receiving the highest number of votes in each district, to be submitted to the Governor, which shall be used in the appointment of the dental hygienist member from the state at large. In case of a tie, the persons receiving tie votes shall have their names placed on the list even though it results

in more than six (6) names on the list. The board shall poll all licensed dental hygienists in the state by dental district as that enumerated in subsection (3) of this section.

(5) * * * The members of the State Board of Dental Examiners shall be selected in the manner prescribed in this section for a term of office of four (4) years, provided that four (4) of such members shall be selected in 2028 to a term ending December 31, 2031, and two (2) such members shall be selected in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All vacancy provisions, and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be applicable to selections for the State Board of Dental Examiners, and to the position of executive director.

(6) A vote for an individual dentist or dental hygienist in all polls may be counted only once for each ballot no matter how many times the name is listed on the ballot.

(7) The Secretary of State shall, at his discretion, at any time there is sufficient cause, investigate the method and procedure of taking those polls and establishing those lists, and the board shall make available to him all records involved therein; and if the Secretary of State should find cause therefor he may, upon specifying the cause, declare the list invalid, whereupon the board shall follow the procedure set out above to establish a new list. If a vacancy exists and no list is available, the * * * Governor is to follow the above-described procedure in establishing a new list for the appropriate * * * appointment.

SECTION 44. Section 73-9-13, Mississippi Code of 1972, is amended as follows:

73-9-13. The State Board of Dental Examiners shall each year elect from their number a president, vice president and secretary-treasurer to serve for the coming year and until their successors are qualified. Only dentist members of the board may hold the offices of president and vice president. The board shall have a seal with appropriate wording to be kept at the offices of the board. The secretary and the executive director of the board shall be required to make bond in such sum and with such surety as the board may determine. The board shall appoint and employ an executive director who shall serve for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. It shall be the duty of the executive director to keep a complete record of the acts and proceedings of the board and to preserve all papers, documents and correspondence received by the board relating to its duties and office.

The board shall have the following powers and duties:

(a) To carry out the purposes and provisions of the state laws pertaining to dentistry and dental hygiene, and the practice thereof and matters related thereto, particularly Sections 73-9-1 through 73-9-117, together with all amendments and additions thereto.

(b) To regulate the practice of dentistry and dental hygiene and to promulgate reasonable regulations as are necessary or convenient for the protection of the public; however, the board shall not adopt any rule or regulation or impose any requirement regarding the licensing of dentists that conflicts with the prohibitions in Section 73-49-3.

(c) To make rules and regulations by which clinical facilities within institutions, schools, colleges, universities and other agencies may be recognized and

approved for the practice of dentistry or of dental hygiene by unlicensed persons therein, as a precondition to their being excepted from the dental practice act and authorized in accordance with Section 73-9-3(g) and (h).

(d) To provide for the enforcement of and to enforce the laws of the State of Mississippi and the rules and regulations of the State Board of Dental Examiners.

(e) To compile at least once each calendar year and to maintain an adequate list of prospective dentist and dental hygienist appointees for approval by the Governor as provided for elsewhere by law.

(f) To issue licenses and permits to applicants when found to be qualified.

(g) To provide for reregistration of all licenses and permits duly issued by the board.

(h) To maintain an up-to-date list of all licensees and permit holders in the state, together with their addresses.

(i) To examine applicants for the practice of dentistry or dental hygiene at least annually.

(j) To issue licenses or duplicates and reregistration/renewal certificates, and to collect and account for fees for same.

(k) To maintain an office adequately staffed insofar as funds are available for the purposes of carrying out the powers and duties of the board.

(l) To provide by appropriate rules and regulations, within the provisions of the state laws, for revoking or suspending licenses and permits and a system of fines for lesser penalties.

(m) To prosecute, investigate or initiate prosecution for violations of the laws of the state pertaining to practice of dentistry or dental hygiene, or matters affecting the rights and duties, or related thereto.

(n) To provide by rules for the conduct of as much board business as practicable by mail, which, when so done, shall be and have the same force and effect as if done in a regular meeting duly organized.

(o) To adopt rules and regulations providing for the reasonable regulation of advertising by dentists and dental hygienists.

(p) To employ, in its discretion, a duly licensed attorney to represent the board in individual cases.

(q) To employ, in its discretion, technical and professional personnel to conduct dental office sedation site visits, administer and monitor state board examinations and carry out the powers and duties of the board.

SECTION 45. Section 43-26-1, Mississippi Code of 1972, is amended as follows:

43-26-1. (1) There is created a Mississippi Department of Child Protection Services.

(2) Effective July 1, 2028, the Chief Administrative Officer of the Department of Child Protection Services shall be the Commissioner of Child Protection Services who shall be appointed by the Governor for a term of four (4) years, with the advice and consent of the Senate. The commissioner shall possess the following qualifications:

(a) A bachelor's degree from an accredited institution of higher learning and ten (10) years' experience in management, public administration, finance or accounting; or

(b) A master's or doctoral degree from an accredited institution of higher learning and five (5) years' experience in management, public administration, finance, law or accounting.

All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the position of commissioner.

(3) The Department of Child Protection Services shall provide the services authorized by law to every individual determined to be eligible therefor, and in carrying out the purposes of the department, the commissioner is authorized:

(a) To formulate the policy of the department regarding child welfare services within the jurisdiction of the department;

(b) To adopt, modify, repeal and promulgate, after due notice and hearing, and where not otherwise prohibited by federal or state law, to make exceptions to and grant exemptions and variances from, and to enforce rules and regulations implementing or effectuating the powers and duties of the department under any and all statutes within the department's jurisdiction;

(c) To apply for, receive and expend any federal or state funds or contributions, gifts, devises, bequests or funds from any other source;

(d) To enter into and execute contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the programs of the department; and

(e) To discharge such other duties, responsibilities, and powers as are necessary to implement the programs of the department.

(4) The commissioner shall establish the organizational structure of the Department of Child Protection Services, which shall include the creation of any units necessary to implement the duties assigned to the department and consistent with specific requirements of law.

(5) The commissioner shall appoint heads of offices, bureaus, and divisions, as defined in Section 7-17-11, who shall serve at the pleasure of the commissioner. The salary and compensation of such office, bureau and division heads shall be subject to the rules and regulations adopted and promulgated by the State Personnel Board. The commissioner shall have the authority to organize offices as deemed appropriate to carry out the responsibilities of the department.

(6) The Department of Child Protection Services shall be responsible for the development, execution, and provision of services in the following areas:

(a) Protective services for children;

(b) Foster care;

(c) Adoption services;

(d) Special services;

(e) Interstate compact;

(f) Licensure;

(g) Prevention services; and

(h) Such other services as may be designated. Services enumerated under Section 43-15-13 et seq., for the foster care program shall be provided by qualified staff with appropriate case loads.

(7) The Department of Child Protection Services shall have the following powers and duties:

(a) To provide basic services and assistance statewide to needy and disadvantaged individuals and families;

(b) To promote integration of the many services and programs within its jurisdiction at the client level thus improving the efficiency and effectiveness of service delivery and providing easier access to clients;

(c) To employ personnel and expend funds appropriated to the department to carry out the duties and responsibilities assigned to the department by law;

(d) To fingerprint and conduct a background investigation on every employee, contractor, subcontractor and volunteer:

(i) Who has direct access to clients of the department who are children or vulnerable adults;

(ii) Who is in a position of fiduciary responsibility;

(iii) Who is in a position with access to Federal Tax Information (FTI); or

(iv) Who is otherwise required by federal law or regulations to undergo a background investigation.

Every such employee, contractor, subcontractor and volunteer shall provide a valid current social security number and/or driver's license number, which shall be furnished to conduct the background investigation for determination as to good moral character and to ensure that no person placed in any position referenced in this paragraph (d) has a felony conviction that would prevent employment or access to Federal Tax Information according to department policy. If no disqualifying record is identified at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a fingerprint-based national criminal history record check. The department shall be the recipient of the results of any background investigation and/or criminal history record check performed in accordance with this paragraph;

(e) To establish and maintain programs not inconsistent with the terms of this chapter and the rules, regulations and policies of the Department of Child Protection Services, and publish the rules and regulations of the department pertaining to such programs;

(f) To provide all other child welfare programs and services previously provided by the Department of Human Services or a division thereof; and

(g) Make such reports in such form and containing such information as the federal government may, from time to time, require, and comply with such provisions as

the federal government may, from time to time, find necessary to assure the correctness and verification of such reports.

(8) The Mississippi Department of Child Protection Services shall submit a copy of the federal Annual Progress and Services Report (APSR) to the Chair of the Senate Public Health and Welfare Committee, the Chair of the Senate Appropriations Committee, the Chair of the House Public Health and Human Services Committee, the Chair of the House Appropriations Committee, the Lieutenant Governor, the Speaker of the House of Representatives, and the Governor by December 1 of each year.

(9) (a) The Commissioner of Child Protection Services shall hire a Coordinator of Services for Victims of Human Trafficking and Commercial Sexual Exploitation within the Department of Child Protection Services whose duties shall include, but not be limited to, the following:

(i) To form specialized human trafficking and commercial sexual exploitation assessment teams to respond on an as-needed basis to act as an emergency, separate and specialized response and assessment team to rapidly respond to the needs of children who are victims of human trafficking and commercial sexual exploitation;

(ii) To identify victims of human trafficking and commercial sexual exploitation;

(iii) To monitor, record and distribute federal human trafficking funds received by the Department of Child Protection Services;

(iv) To employ staff to investigate allegations of human trafficking and commercial sexual exploitation; and

(v) To develop and coordinate services within the Department of Child Protection Services and with outside service providers for victims of human trafficking and commercial sexual exploitation.

(b) The Commissioner of Child Protection Services shall develop standard operating procedures for the investigation, custody and services provided to alleged victims of human trafficking and commercial sexual exploitation.

(c) The Commissioner shall require two (2) hours of training regarding the subject of identifying, assessing, and providing comprehensive services to a child who has experienced or is alleged to have experienced commercial sexual exploitation or human trafficking. The training must be incorporated into the pre-service training requirements of all Mississippi Department of Child Protection Services family specialists, adoption specialists, licensure specialists, direct supervisors of family protection specialists, direct supervisors of adoption specialists, and direct supervisors of licensure specialists.

(10) This section shall stand repealed on July 1, 2028.

SECTION 46. Section 57-1-5, Mississippi Code of 1972, is amended as follows:

57-1-5. (1) Effective July 1, 2028, the Governor shall, with the advice and consent of the Senate, appoint an executive director who shall serve for a term of four (4) years, and who:

(a) Shall have at least a bachelor's degree, and

(b) Shall be an experienced administrator and have at least five (5) years' experience in at least one (1) of the following areas:

(i) Industrial development, or

(ii) Economic development.

All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the position of executive director.

(2) The executive director shall be the executive officer of the department in the execution of any and all provisions of this chapter, and his salary shall be fixed by the Governor.

(3) The executive director shall have the following powers and duties:

(a) To formulate the policy of the department regarding the economic and tourist development of the state.

(b) To use and expend any funds from state, federal or private sources coming into the department for the purposes herein provided. State funds appropriated for the department shall be expended in accordance with the regulations governing the expenditures of other state funds.

(c) To implement the duties assigned to the department and consistent with specific requirements of law, including, but not limited to:

(i) Support services to include legal, finance, data processing, personnel, communications and advertising, purchasing and accounting;

(ii) Research and planning;

(iii) Outreach, agency liaison and community development;

(iv) Tourism, business travel, and film;

(v) Programs and assistance for existing state business and industry;

(vi) Recruiting new business and industry into the state;

(vii) Fostering and promoting of entrepreneurship and the creation of new business in the state;

(viii) Programs aimed at competing effectively in the international economy by increasing exports of state products and services and by promoting, developing and creating the conditions and programs that will bring about significant increases in investment in the state from other countries;

(ix) Programs relating to the development of ports;

(x) Such other areas as are within the jurisdiction and authority of the department and will foster and promote the economic development of this state;

(xi) The positions of associate directors, deputy directors and bureau directors shall not be state service positions.

SECTION 47. Section 43-13-107, Mississippi Code of 1972, is amended as follows:

43-13-107. (1) The Division of Medicaid is created in the Office of the Governor and established to administer this article and perform such other duties as are prescribed by law.

(2) (a) The Governor shall appoint a full-time executive director, with the advice and consent of the Senate, who shall be either (i) a physician with administrative experience in a medical care or health program, or (ii) a person holding a graduate degree in medical care administration, public health, hospital administration, or the equivalent, or (iii) a person holding a bachelor's degree with at least three (3) years' experience in management-level administration of, or policy development for, Medicaid programs. Provided, however, no one who has been a member of the Mississippi Legislature during the previous three (3) years may be executive director. The executive director shall be the official secretary and legal custodian of the records of the division; shall be the agent of the division for the purpose of receiving all service of process, summons and notices directed to the division; shall perform such other duties as the Governor may prescribe from time to time; and shall perform all other duties that are now or may be imposed upon him or her by law.

(b) The executive director shall serve * * * for a term of four (4) years. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the position of executive director.

(c) The executive director shall, before entering upon the discharge of the duties of the office, take and subscribe to the oath of office prescribed by the Mississippi Constitution and shall file the same in the Office of the Secretary of State, and shall execute a bond in some surety company authorized to do business in the state in the penal sum of One Hundred Thousand Dollars ($100,000.00), conditioned for the faithful and impartial discharge of the duties of the office. The premium on the bond shall be paid as provided by law out of funds appropriated to the Division of Medicaid for contractual services.

(d) The executive director, with the approval of the Governor and subject to the rules and regulations of the State Personnel Board, shall employ such professional, administrative, stenographic, secretarial, clerical and technical assistance as may be necessary to perform the duties required in administering this article and fix the compensation for those persons, all in accordance with a state merit system meeting federal requirements. When the salary of the executive director is not set by law, that salary shall be set by the State Personnel Board. No employees of the Division of Medicaid shall be considered to be staff members of the immediate Office of the Governor; however, Section 25-9-107(c)(xv) shall apply to the executive director and other administrative heads of the division.

(3) (a) There is established a Medical Care Advisory Committee, which shall be the committee that is required by federal regulation to advise the Division of Medicaid about health and medical care services.

(b) The advisory committee shall consist of not less than eleven (11) members, as follows:

(i) The Governor shall appoint five (5) members, one (1) from each * * * Mississippi Supreme Court District and * * * two (2) from the state at large;

(ii) The Lieutenant Governor shall appoint three (3) members, one (1) from each Supreme Court district;

(iii) The Speaker of the House of Representatives shall appoint three (3) members, one (1) from each Supreme Court district.

All members appointed under this paragraph shall either be health care providers or consumers of health care services. One (1) member appointed by each of the appointing authorities shall be a board-certified physician.

Effective July 1, 2028, all members appointed under this paragraph shall be appointed, with the advice and consent of the Senate, to a four-year term of office. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Medical Care Advisory Committee.

(c) The respective Chairmen of the House Medicaid Committee, the House Public Health and Human Services Committee, the House Appropriations Committee, the Senate Medicaid Committee, the Senate Public Health and Welfare Committee and the Senate Appropriations Committee, or their designees, one (1) member of the State Senate appointed by the Lieutenant Governor and one (1) member of the House of Representatives appointed by the Speaker of the House, shall serve as ex officio nonvoting members of the advisory committee.

(d) In addition to the committee members required by paragraph (b), the advisory committee shall consist of such other members as are necessary to meet the requirements of the federal regulation applicable to the advisory committee, who shall be appointed as provided in the federal regulation.

(e) The chairmanship of the advisory committee shall be elected by the voting members of the committee annually and shall not serve more than two (2) consecutive years as chairman.

(f) The members of the advisory committee specified in paragraph (b) shall serve for terms that are concurrent with the terms of members of the Legislature, and any member appointed under paragraph (b) may be reappointed to the advisory committee. The members of the advisory committee specified in paragraph (b) shall serve without compensation, but shall receive reimbursement to defray actual expenses incurred in the performance of committee business as authorized by law. Legislators shall receive per diem and expenses, which may be paid from the contingent expense funds of their respective houses in the same amounts as provided for committee meetings when the Legislature is not in session.

(g) The advisory committee shall meet not less than quarterly, and advisory committee members shall be furnished written notice of the meetings at least ten (10) days before the date of the meeting.

(h) The executive director shall submit to the advisory committee all amendments, modifications and changes to the state plan for the operation of the Medicaid program, for review by the advisory committee before the amendments, modifications or changes may be implemented by the division.

(i) The advisory committee, among its duties and responsibilities, shall:

(i) Advise the division with respect to amendments, modifications and changes to the state plan for the operation of the Medicaid program;

(ii) Advise the division with respect to issues concerning receipt and disbursement of funds and eligibility for Medicaid;

(iii) Advise the division with respect to determining the quantity, quality and extent of medical care provided under this article;

(iv) Communicate the views of the medical care professions to the division and communicate the views of the division to the medical care professions;

(v) Gather information on reasons that medical care providers do not participate in the Medicaid program and changes that could be made in the program to encourage more providers to participate in the Medicaid program, and advise the division with respect to encouraging physicians and other medical care providers to participate in the Medicaid program;

(vi) Provide a written report on or before November 30 of each year to the Governor, Lieutenant Governor and Speaker of the House of Representatives.

(4) (a) There is established a Drug Use Review Board, which shall be the board that is required by federal law to:

(i) Review and initiate retrospective drug use, review including ongoing periodic examination of claims data and other records in order to identify patterns of fraud, abuse, gross overuse, or inappropriate or medically unnecessary care, among physicians, pharmacists and individuals receiving Medicaid benefits or associated with specific drugs or groups of drugs.

(ii) Review and initiate ongoing interventions for physicians and pharmacists, targeted toward therapy problems or individuals identified in the course of retrospective drug use reviews.

(iii) On an ongoing basis, assess data on drug use against explicit predetermined standards using the compendia and literature set forth in federal law and regulations.

(b) Effective July 1, 2028, the board shall consist of not less than twelve (12) members appointed by the Governor, or his designee, to a four-year term of office, subject to the advice and consent of the Senate. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Dry Use Review Board.

(c) The board shall meet at least quarterly, and board members shall be furnished written notice of the meetings at least ten (10) days before the date of the meeting.

(d) The board meetings shall be open to the public, members of the press, legislators and consumers. Additionally, all documents provided to board members shall be available to members of the Legislature in the same manner, and shall be made available to others for a reasonable fee for copying. However, patient confidentiality and provider confidentiality shall be protected by blinding patient names and provider names with numerical or other anonymous identifiers. The board meetings shall be subject to the Open Meetings Act (Sections 25-41-1 through 25-41-17). Board meetings conducted in violation of this section shall be deemed unlawful.

(5) (a) Effective July 1, 2028, there is established a Pharmacy and Therapeutics Committee, which shall be appointed by the Governor, or his designee, to a four-year term of office, subject to the advice and consent of the Senate. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Pharmacy and Therapeutics Committee.

(b) The committee shall meet as often as needed to fulfill its responsibilities and obligations as set forth in this section, and committee members shall be furnished written notice of the meetings at least ten (10) days before the date of the meeting.

(c) The committee meetings shall be open to the public, members of the press, legislators and consumers. Additionally, all documents provided to committee members shall be available to members of the Legislature in the same manner, and shall be made available to others for a reasonable fee for copying. However, patient confidentiality and provider confidentiality shall be protected by blinding patient names and provider names with numerical or other anonymous identifiers. The committee meetings shall be subject to the Open Meetings Act (Sections 25-41-1 through 25-41-17). Committee meetings conducted in violation of this section shall be deemed unlawful.

(d) After a thirty-day public notice, the executive director, or his or her designee, shall present the division's recommendation regarding prior approval for a therapeutic class of drugs to the committee. However, in circumstances where the division deems it necessary for the health and safety of Medicaid beneficiaries, the division may present to the committee its recommendations regarding a particular drug without a thirty-day public notice. In making that presentation, the division shall state to the committee the circumstances that precipitate the need for the committee to review the status of a particular drug without a thirty-day public notice. The committee may determine whether or not to review the particular drug under the circumstances stated by the division without a thirty-day public notice. If the committee determines to review the status of the particular drug, it shall make its recommendations to the division, after which the division shall file those recommendations for a thirty-day public comment under Section 25-43-7(1).

(e) Upon reviewing the information and recommendations, the committee shall forward a written recommendation approved by a majority of the committee to the executive director, or his or her designee. The decisions of the committee regarding any limitations to be imposed on any drug or its use for a specified indication shall be based on sound clinical evidence found in labeling, drug compendia, and peer-reviewed clinical literature pertaining to use of the drug in the relevant population.

(f) Upon reviewing and considering all recommendations including recommendations of the committee, comments, and data, the executive director shall make a final determination whether to require prior approval of a therapeutic class of drugs, or modify existing prior approval requirements for a therapeutic class of drugs.

(g) At least thirty (30) days before the executive director implements new or amended prior authorization decisions, written notice of the executive director's decision shall be provided to all prescribing Medicaid providers, all Medicaid enrolled pharmacies, and any other party who has requested the notification. However, notice given under Section 25-43-7(1) will substitute for and meet the requirement for notice under this subsection.

(h) Members of the committee shall dispose of matters before the committee in an unbiased and professional manner. If a matter being considered by the committee presents a real or apparent conflict of interest for any member of the committee, that member shall disclose the conflict in writing to the committee chair and recuse himself or herself from any discussions and/or actions on the matter.

SECTION 48. Section 37-1-1, Mississippi Code of 1972, is amended as follows:

37-1-1. From and after July 1, 1984, there shall be a state board of education which shall manage and invest school funds according to law, formulate policies according to law for implementation by the State Department of Education and perform such other duties as may be prescribed by law. The board shall consist of nine (9) members of whom none shall be an elected official. The Governor shall appoint one (1) member who shall be a resident of the Third Supreme Court District and who shall serve an initial term of one (1) year, one (1) member who shall be a resident of the First Supreme Court District and who shall serve an initial term of five (5) years, one (1) member who shall be a resident of the Second Supreme Court District and who shall serve an initial term of nine

(9) years, one (1) member who shall be employed on an active and full-time basis as a school administrator and who shall serve an initial term of three (3) years, and one (1) member who shall be employed on an active and full-time basis as a schoolteacher and who shall serve an initial term of seven (7) years. The Lieutenant Governor shall appoint two (2) members from the state at large, one (1) of whom shall serve an initial term of four (4) years and one (1) of whom shall serve an initial term of eight (8) years. The Speaker of the House of Representatives shall appoint two (2) members from the state at large, one (1) of whom shall serve an initial term of two (2) years and one (1) of whom shall serve an initial term of six (6) years. The initial terms of appointees shall begin on July 1, 1984, and all subsequent appointments shall begin on the first day of July for a term of nine (9) years and continue until their successors are appointed and qualify; however, to ensure an orderly process of transition, the initial appointments shall be made not later than March 1, 1984. An appointment to fill a vacancy which arises for reasons other than by expiration of a term of office shall be for the unexpired term only. All members shall be appointed with the advice and consent of the Senate, and no member shall be actively engaged in the educational profession except as stated above.

All appointments shall be forwarded to the Secretary of State who will keep a repository of all current appointments to the State Board of Education, pending appointments and those positions lacking appointments, in the commission registry.

The first official meeting of the original board members shall be called by the Governor as soon after July 1, 1984, as practical. The board shall elect a chairman from its membership at the first meeting of the original board members and every year thereafter. A majority of the membership of the board shall constitute a quorum for the transaction of any business. The board shall meet regularly once a month at such time as shall be designated by an order entered upon the minutes thereof. Special meetings of the board shall be held upon call of the chairman or upon the call of a majority of the members thereof. The State Superintendent of Public Education shall be the secretary of the board. The board shall hold its sessions at the seat of government, or at such location in the State of Mississippi as shall be designated by an order entered upon the minutes thereof.

Members of the board shall be reimbursed for expenses in the manner and amount specified in Section 25-3-41 and shall be entitled to receive per diem compensation as authorized in Section 25-3-69.

SECTION 49. Section 37-63-3, Mississippi Code of 1972, is amended as follows:

37-63-3. The Authority for Educational Television shall consist of the State Superintendent of Public Education, or his designee, and six (6) members appointed, with the advice and consent of the Senate. The Governor shall appoint four (4) members, one (1) of whom shall be actively engaged as a teacher or principal in a secondary school system in the State of Mississippi and one (1) of whom shall be actively engaged as a teacher or principal in an elementary school system in the State of Mississippi. Beginning July 1, 1994, the appointee actively engaged as a teacher or principal in a secondary school shall be appointed for an initial term of three (3) years. The member actively engaged as a teacher or principal in an elementary school shall be appointed for an initial term of four (4) years. The remaining two (2) gubernatorial appointees shall serve until July 1, 1996. Beginning July 1, 1996, the Governor shall appoint two (2) members for initial terms of three (3) and four (4) years, with the Governor specifically designating which member shall be appointed for three (3) years and which shall be appointed for four (4) years. The Mississippi Community College Board shall appoint one (1) member, and the Board of Trustees of State Institutions of Higher Learning shall appoint one (1) member. After the expiration of the initial terms, all members shall serve for terms of four (4) years. An appointment to fill a vacancy among the gubernatorial appointees, other than by expiration of a term of office, shall be made by the Governor for the balance of the unexpired term.

The Mississippi Authority for Educational Television, created by former Section 37-63-3, is continued and reconstituted as follows: Effective January 1, 2028, each member shall be appointed by the prescribed appointing authority, with the advice and consent of the Senate, for a term of office of four (4) years, provided that four (4) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Authority for Educational Television, and to the position of executive director.

SECTION 50. Section 37-63-7, Mississippi Code of 1972, is amended as follows:

37-63-7. The authority for educational television shall employ an executive director who shall be the administrative officer of the authority and shall perform such duties as are required of him by law and such other duties as may be assigned him by the authority and who shall receive such compensation as may be fixed by the authority. The executive director shall serve for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. In addition, the executive director shall be entitled to remuneration for his necessary traveling expenses consistent with general law.

The authority shall have the power and authority to employ such technical, professional and clerical personnel as may be necessary for the administration of this chapter and for the performance of such other duties as may be imposed upon the authority by law, and to define the duties and fix the compensation of such employees.

SECTION 51. Section 69-7-253, Mississippi Code of 1972, is amended as follows:

69-7-253. There is hereby continued the Mississippi Egg Marketing Board with domicile at the capital city of the state. The board shall be composed of five (5) members: one (1) member shall be the Commissioner of Agriculture and Commerce as ex officio member. One (1) member shall be an egg producer as defined in this article. Three (3) members shall be employed by or associated with egg industry related businesses, or disciplines which include poultry support, marketing, promotion, home economist, extension poultry science agencies and the Mississippi Department of Agriculture and Commerce. No more than one (1) industry-related business or discipline member shall be employed by, associated with or have a financial interest in the same company or subsidiary.

The Governor shall appoint the members from a list provided by the board based upon a poll of its members. * * *

* * *

The Mississippi Egg Marketing Board, created by former Section 69-7-253, is continued and reconstituted as follows: Effective January 1, 2028, the members shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that two (2) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission

is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Egg Marketing Board.

SECTION 52. Section 73-69-21, Mississippi Code of 1972, is amended as follows:

73-69-21. (1) The Electronic Protection Licensing Advisory Board is hereby created within the Department of Insurance. The board shall be composed of seven (7) members, as follows:

(a) Three (3) members shall be appointed by the Governor, one (1) member from each State Supreme Court District. Each member shall possess a valid Class A or Class B license and may be appointed from a list submitted by the Mississippi Alarm Association. Each of these appointments initially will have staggered terms. One (1) appointment will serve for two (2) years, one (1) appointment will serve for three (3) years, and the last appointment will serve for four (4) years. After the initial appointment terms, each appointee will serve for four (4) years.

(b) One (1) member shall be appointed by the State Fire Marshal from a list of nominees submitted to the State Fire Marshal by the Mississippi Alarm Association as a representative from the Alarm Manufacturing Industry. This appointment will serve for four (4) years.

(c) Two (2) members shall be appointed by the Governor at his discretion, one (1) of which shall be a law enforcement officer and one (1) shall be from the private sector. Each of these appointments will serve for four (4) years, concurrent with the term of the Governor.

(d) One (1) member shall be an employee of the Office of the State Fire Marshal designated by the State Fire Marshal. Such member shall serve as the chairman of the advisory board.

(2) (a) * * * The Electronic Protection Licensing Advisory Board, created by former Section 73-69-21, is continued and reconstituted as follows: Effective January 1, 2028, the members of the board appointed by the Governor or other appointing authority shall be appointed, with the advice and consent of the Senate, for a term of office of four (4) years, provided that four (4) such members shall be appointed in 2028 to a term ending December 31, 2031, and three (3) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Electronic Protection Licensing Advisory Board.

(b) The member designated by the State Fire Marshal shall serve a term concurrent with the term of the State Fire Marshal making such designation.

* * *

(3) The board shall meet at every quarter, or upon the call of the chairman or upon the written request of any three (3) members of the board. Notice of any such meeting shall be given to board members and the public at least fourteen (14) days in advance.

(4) Four (4) members of the board shall constitute a quorum for the transaction of business. The board may take action by majority vote of its members present and voting.

(5) Each appointed member of the board shall be reimbursed for travel and related expenses incurred, not to exceed those expenses authorized for reimbursement by the Department of Insurance, for each day that the member engages in board business.

(6) No member of the board shall be liable to civil action for any act performed in good faith in the execution of his duties as a board member.

SECTION 53. Section 33-15-7, Mississippi Code of 1972, is amended as follows:

33-15-7. (a) Effective July 1, 2028, there is hereby created within the executive branch of the state government a department called the Mississippi Emergency Management Agency with a director of emergency management who shall be appointed by the Governor, with the advice and consent of the Senate; he shall hold office * * * for a four-year term of office and shall be compensated as determined by any appropriation that may be made by the Legislature for such purposes. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the position of director.

(b) The director, with the approval of the Governor, may employ such technical, clerical, stenographic and other personnel, to be compensated as provided in any appropriation that may be made for such purpose, and may make such expenditures within the appropriation therefor, or from other funds made available to him for purposes of emergency management, as may be necessary to carry out the purposes of this article.

(c) The director and other personnel of the emergency management agency shall be provided with appropriate office space, furniture, equipment, supplies, stationery and printing in the same manner as provided for other state agencies.

(d) The director, subject to the direction and control of the Governor, shall be the executive head of the emergency management agency and shall be responsible to the Governor for carrying out the program for emergency management of this state. He shall coordinate the activities of all organizations for emergency management within the state, and shall maintain liaison with and cooperate with emergency management agencies and organizations of other states and of the federal government, and shall have such additional authority, duties, and responsibilities authorized by this article as may be prescribed by the Governor.

SECTION 54. Section 41-59-7, Mississippi Code of 1972, is amended as follows:

41-59-7. (1) There is created an Emergency Medical Services Advisory Council to consist of the following members who shall be appointed by the Governor:

(a) One (1) licensed physician to be appointed from a list of nominees presented by the Mississippi Trauma Committee, American College of Surgeons;

(b) One (1) licensed physician to be appointed from a list of nominees who are actively engaged in rendering emergency medical services presented by the Mississippi State Medical Association;

(c) One (1) registered nurse whose employer renders emergency medical services, to be appointed from a list of nominees presented by the Mississippi Nurses Association;

(d) Two (2) hospital administrators who are employees of hospitals which provide emergency medical services, to be appointed from a list of nominees presented by the Mississippi Hospital Association;

(e) Two (2) operators of ambulance services;

(f) Three (3) officials of county or municipal government;

(g) One (1) licensed physician to be appointed from a list of nominees presented by the Mississippi Chapter of the American College of Emergency Physicians;

(h) One (1) representative from each designated trauma care region, to be appointed from a list of nominees submitted by each region;

(i) One (1) registered nurse to be appointed from a list of nominees submitted by the Mississippi Emergency Nurses Association;

(j) One (1) EMT-Paramedic whose employer renders emergency medical services in a designated trauma care region;

(k) One (1) representative from the Mississippi Department of Rehabilitation Services;

(l) One (1) member who shall be a person who has been a recipient of trauma care in Mississippi or who has an immediate family member who has been a recipient of trauma care in Mississippi;

(m) One (1) licensed neurosurgeon to be appointed from a list of nominees presented by the Mississippi State Medical Association;

(n) One (1) licensed physician with certification or experience in trauma care to be appointed from a list of nominees presented by the Mississippi Medical and Surgical Association;

(o) One (1) representative from the Mississippi Firefighters Memorial Burn Association, to be appointed by the association's governing body; and

(p) One (1) representative from the Mississippians for Emergency Medical Services, to be appointed by the association's governing body.

* * * The EMT Advisory Council, created by former Section 41-59-7, is continued and reconstituted as follows: Effective January 1, 2028, the members shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that eleven (11) of the members shall be appointed in 2028 for a term ending December 31, 2031, nine (9) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully

applicable to appointments to the EMT Advisory Council. The executive officer or his designated representative shall serve as ex officio chairman of the advisory council. * * *

The advisory council shall meet at the call of the chairman at least annually. For attendance at such meetings, the members of the advisory council shall be reimbursed for their actual and necessary expenses including food, lodging and mileage as authorized by law, and they shall be paid per diem compensation authorized under Section 25-3-69.

The advisory council shall advise and make recommendations to the board regarding rules and regulations promulgated pursuant to this chapter.

(2) There is created a committee of the Emergency Medical Services Advisory Council to be named the Mississippi Trauma Advisory Committee (hereinafter "MTAC"). This committee shall act as the advisory body for trauma care system development and provide technical support to the department in all areas of trauma care system design, trauma standards, data collection and evaluation, continuous quality improvement, trauma care system funding, and evaluation of the trauma care system and trauma care programs. The membership of the Mississippi Trauma Advisory Committee shall be comprised of Emergency Medical Services Advisory Council members appointed by the chairman.

SECTION 55. Section 71-5-107, Mississippi Code of 1972, is amended as follows:

71-5-107. The department shall administer this chapter through a full-time salaried executive director, to be appointed by the Governor, with the advice and consent of the Senate, to a four-year term of office. * * * All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the position of executive director. All appointments to the office of executive director shall be forwarded to the Secretary of State who shall keep a repository of all current and pending appointments. The executive director shall be responsible for the administration of this chapter under authority delegated to him by the Governor.

SECTION 56. Section 73-13-5, Mississippi Code of 1972, is amended as follows:

73-13-5. A Board of Licensure for Professional Engineers and Surveyors is hereby created whose duty it shall be to administer the provisions of Sections 73-13-1 through 73-13-105. The board shall consist of six (6) licensed professional engineers, who shall be appointed by the Governor from eighteen (18) nominees recommended by the Mississippi Engineering Society, and shall have the qualifications required by Section 73-13-7, and three (3) licensed professional surveyors who are not licensed professional engineers, who shall be appointed by the Governor from nine (9) nominees recommended by the Mississippi Association of Professional Surveyors and who shall have the qualifications required by Section 73-13-77. The members of the board shall be appointed from the above nominees. The board so appointed shall have two (2) engineer members from each of the three (3) state Supreme Court districts, designated by district, Post 1 and Post 2, and shall serve for four (4) years, or until their successors are duly appointed and qualified.

The members recommended by the Mississippi Association of Professional Surveyors shall be appointed from each of the three (3) state Supreme Court districts and serve for four (4) years, or until their successors are duly appointed and qualified. Each member of the board shall receive a certificate of appointment from the Governor, and before beginning his term of office he shall file with the Secretary of State the constitutional oath of office. On the expiration of the term of any member, the Governor shall in the manner herein provided appoint for a term of four (4) years a licensed professional engineer having the qualifications required by Section 73-13-7, or a licensed professional surveyor having the qualifications required by Section 73-13-77 to take the place of the member of the board whose term is about to expire. Each member shall hold office until

the expiration of the term for which such member is appointed or until a successor shall have been duly appointed and shall have qualified.

The initial members of the reconstituted board shall serve terms of office as follows:

(a) The term of the engineer member presently serving at large, which term was set to expire on April 8, 2004, shall expire on July 1, 2004; and from and after July 1, 2004, this appointment shall be designated as Post 1.

(b) The term of the engineer member presently serving at large, which term was set to expire on April 8, 2004, shall expire on July 1, 2005; and from and after July 1, 2004, this appointment shall be designated as Post 2.

(c) An appointment of an engineer member serving at large shall be made on July 1, 2004, and shall expire on July 1, 2006; and from and after July 1, 2004, this appointment shall be designated as Post 3.

(d) The term of the engineer member presently serving from the First Supreme Court District, which term was set to expire on April 8, 2006, shall expire on July 1, 2007; and from and after July 1, 2004, this appointment shall be designated as Post 4.

(e) The term of the engineer member presently serving from the Second Supreme Court District, which term was set to expire on April 8, 2006, shall expire on July 1, 2008; and from and after July 1, 2004, this appointment shall be designated as Post 5.

(f) The term of the engineer member presently serving from the Third Supreme Court District, which term was set to expire on April 8, 2006, shall expire on July 1, 2009; and from and after July 1, 2004, this appointment shall be designated as Post 6.

(g) The term of the surveyor member presently serving at large, which term was set to expire on April 8, 2007, shall expire on July 1, 2004; subsequent appointments shall be made from the First Supreme Court District; from and after July 1, 2004, this appointment shall be designated as Post 7.

(h) An appointment of a surveyor member shall be made from the Second Supreme Court District; the appointment shall be made on July 1, 2004, and shall expire on July 1, 2005; from and after July 1, 2004, this appointment shall be designated as Post 8.

(i) The term of the surveyor member presently serving at large, which term was set to expire on April 8, 2006, shall expire on July 1, 2006; subsequent appointments shall be made from the Third Supreme Court District; from and after July 1, 2004, this appointment shall be designated as Post 9.

At the expiration of a term, members of the board shall be appointed in the manner prescribed in this section for terms of four (4) years from the expiration date of the previous terms. Any vacancy on the board prior to the expiration of a term for any reason, including resignation, removal, disqualification, death or disability, shall be filled by appointment of the Governor in the manner prescribed in this section for the balance of the unexpired term. The Mississippi Engineering Society and/or the Mississippi Association of Professional Surveyors shall submit a list of nominees no more than ninety (90) days after a vacancy occurs, and the Governor shall fill such vacancies within ninety (90) days after each such vacancy occurs.

The Board of Licensure for Professional Engineers and Surveyors, created by former Section 73-13-5, is continued and reconstituted as follows: Effective January 1, 2028, the members of the board shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that five (5) members shall be appointed in 2028 to a term ending December 31, 2031, and four (4) members

shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Board of Licensure for Professional Engineers and Surveyors, and to the position of executive director.

It shall not be considered the duty of the State of Mississippi to provide office space and office equipment for the board herein created.

No member of the board shall, during the term of his office or thereafter, be required to defend any action for damages in any of the courts of this state where it is shown that said damage followed or resulted from any of the official acts of said board in the performance of its powers, duties or authority as set forth in this chapter. Any such action filed shall upon motion be dismissed, at the cost of the plaintiff, with prejudice.

SECTION 57. Section 73-13-15, Mississippi Code of 1972, is amended as follows:

73-13-15. The board shall have the power to adopt and amend all regulations and rules of procedure, not inconsistent with the Constitution and laws of this state, which may be reasonably necessary for the proper performance of its duties and the regulations of the proceedings before it. The board shall adopt and have an official seal. It shall not be required to post bond on appeals. The board shall have the further power and authority to:

(a) Establish standards of conduct and ethics;

(b) Institute proceedings in its own name;

(c) Promulgate rules restricting competitive bidding;

(d) Promulgate rules limiting or restricting advertising;

(e) Promulgate rules requiring a demonstration of continuing education;

(f) Adopt and promulgate reasonable bylaws and rules and regulations necessary or appropriate for the proper fulfillment of its duties under state laws pertaining thereto;

(g) Provide for the enforcement of and to enforce the laws of the State of Mississippi and, in particular, the provisions of this chapter, and the bylaws, rules and regulations of the board;

(h) Provide by appropriate rules and regulations, within the provisions of this chapter, a system for taking the disciplinary actions provided for in Section 73-13-37, including the imposition of fines as provided therein;

(i) Investigate, prosecute or initiate prosecution for violation of the laws of this state pertaining to the practices of engineering and surveying, or matters affecting the rights and duties or otherwise related thereto;

(j) Adopt rules setting forth qualifications and standards of practice for firms; * * *

(k) Provide by appropriate rules and regulations, within the provisions of this chapter, a system for the annual and/or biennial renewal of certificates of licensure * * *; and

(l) Appoint and employ an executive director, with the advice and consent of the Senate, to a term of four (4) years, consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

In carrying into effect the provisions of Sections 73-13-1 through 73-13-105, the board, under the hand of its president or secretary and the seal of the board may subpoena witnesses and compel their attendance, and also may require the production of books, papers, documents, etc., in any case involving the disciplinary actions provided for in Section 73-13-37 or 73-13-89 or practicing or offering to practice without licensure. Any member of the board may administer oaths or affirmations to witnesses appearing before the board. If any person shall refuse to obey any subpoena so issued, or shall refuse to testify or produce any books, papers or documents, the board may present its petition to such authority as may have jurisdiction, setting forth the facts, and thereupon such authority shall, in a proper case, issue its subpoena to such person, requiring his attendance before such authority and there to testify or to produce such books, papers, and documents, as may be deemed necessary and pertinent by the board. Any person failing or refusing to obey the subpoena or order of the said authority may be proceeded against in the same manner as for refusal to obey any other subpoena or order of the authority.

SECTION 58. Section 49-2-4, Mississippi Code of 1972, is amended as follows:

49-2-4. (1) There is hereby created the Mississippi Department of Environmental Quality whose offices shall be located in Jackson, Mississippi.

(2) The department shall be headed by an executive director who shall be appointed by * * * the Governor to a term of four (4) years, with the advice and consent of the Senate, consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The appointment of the executive director shall be made with the advice and consent of the Senate. The executive director may assign to the appropriate bureaus such powers and duties as deemed appropriate to carry out the department's lawful functions. The executive director shall have the following minimum qualifications:

(a) A master's degree in a field related to natural resources, and at least six (6) years' full-time experience in natural resources, including at least three (3) years of management experience; or

(b) A bachelor's degree in a field related to natural resources or administration and at least eight (8) years of full-time work in the field of natural resources, including four (4) years of management experience.

The executive director shall be the chief administrative officer of the department.

SECTION 59. Section 49-2-5, Mississippi Code of 1972, is amended as follows:

49-2-5. (1) There is hereby created the Mississippi Commission on Environmental Quality, to be composed of seven (7) persons appointed by the Governor, with the advice and consent of the Senate, for a term of * * * four (4) years. * * * Two (2) persons shall be appointed from each * * * Mississippi Supreme Court District, and * * * one (1) member shall be appointed from the state at large. * * * The Mississippi Commission on Environmental Quality, created by former Section 49-2-5, is continued and reconstituted as follows: Effective January 1, 2028, each member shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that four (4) members shall be appointed in 2028 to as term ending December 31, 2031, and three (3) members shall be appointed in 2030 to a term ending December 31, 2033.

Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Commission on Environmental Quality.

(2) The commission shall elect from its membership a chairman who shall preside over meetings and a vice chairman who shall preside in the absence of the chairman or when the chairman shall be excused.

(3) The commission shall adopt rules and regulations governing times and places for meetings, and governing the manner of conducting its business. Each member of the commission shall take the oath prescribed by Section 268 of the Constitution and shall enter into bond in the amount of Thirty Thousand Dollars ($30,000.00) to be approved by the Secretary of State, conditioned according to law and payable to the State of Mississippi before assuming the duties of office. * * *

(4) The members of the commission shall receive no annual salary, but shall receive per diem compensation as authorized by law for each day devoted to the discharge of official duties, and shall be entitled to reimbursement for all actual and necessary expenses incurred in the discharge of their duties, including mileage as authorized by law.

The commission shall be composed of persons with extensive knowledge of or practical experience in at least one (1) of the matters of jurisdiction of the commission.

(5) The commission is authorized and empowered to use and expend any funds received by it from any source for the purposes of this chapter. Such funds shall be expended in accordance with the statutes governing the expenditure of state funds.

(6) At least a majority of the members of the commission shall represent the public interest and shall not derive any significant portion of their income from persons subject to permits under the federal Clean Air Act or enforcement order under the federal Clean Air Act. In the event of any potential conflict of interest by a member of the commission, such member shall disclose the potential conflict to the other members of the commission and shall recuse himself or herself from participating in or voting on any matter related to such conflict of interest.

SECTION 60. Section 25-4-5, Mississippi Code of 1972, is amended as follows:

25-4-5. (1) There is hereby created the Mississippi Ethics Commission which shall be composed of eight (8) members, each of whom shall be a qualified elector of the State of Mississippi, of good moral character and integrity.

(2) Two (2) members of the commission shall be appointed by each of the following officers in strict accordance with the above standards: the Governor, the Lieutenant Governor, the Speaker of the House of Representatives and the Chief Justice of the Mississippi Supreme Court. Not more than one (1) person appointed by each appointing authority shall be an elected official.

(3) * * * The Mississippi Ethics Commission, created by former Section 25-4-5, is continued and reconstituted as follows: Effective January 1, 2028, the members of the Mississippi Ethics Commission shall be appointed by the prescribed appointing authority, with the advice and consent of the Senate, for a term of office of four (4) years, provided

that five (5) members shall be appointed in 2028 to a term ending December 31, 2031, and three (3) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Ethics Commission.

* * *

(* * *4) Any member of the commission who is indicted for any felony may be suspended by the commission from service on the commission. A commission member who is convicted of a misdemeanor involving moral turpitude or convicted of any felony shall be ineligible to serve and the member's position on the commission shall be vacant and subject to reappointment as for other vacancies.

SECTION 61. Section 69-5-1, Mississippi Code of 1972, is amended as follows:

69-5-1. (1) The Mississippi Fair Commission is hereby abolished, and all of the powers, duties, property, contractual rights and obligations and unexpended funds of that commission shall be transferred to the Department of Agriculture and Commerce on July 1, 2020. Wherever the term "Mississippi Fair Commission" appears in any law or regulation, the same shall mean the Department of Agriculture and Commerce. The transfer of personnel shall be commensurate with the number and classification of positions allocated to the commission.

(2) In order to promote agricultural and industrial development in Mississippi and to encourage the farmers to grow better livestock and agricultural products, there is hereby created an advisory council to be hereafter known as the "Mississippi Fair Advisory Council." The department shall receive input and guidance from the advisory council, which shall be composed of the following: The Commissioner of Agriculture and Commerce, chairman, the Director of the Mississippi State University Extension Service, President of the Mississippi Livestock Association, the Director of Mississippi Vocational Education, the Director of the Mississippi Development Authority, the Mayor of the City of Jackson, Mississippi, the Dean and Director of Alcorn State University School of Agriculture and Applied Sciences, and an appointee of the Governor to a four-year term of office, with the advice and consent of the Senate, all to serve without salary compensation. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments by the Governor to the Fair Advisory Council.

SECTION 62. Section 27-104-101, Mississippi Code of 1972, is amended as follows:

27-104-101. (1) There is hereby created the Mississippi Department of Finance and Administration, whose offices shall be located in Jackson, Mississippi.

(2) The department shall be headed by an executive director, who shall be appointed by * * * the Governor to a four-year term of office. The appointment of the executive director shall be made with the advice and consent of the Senate. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the position of executive director. All such

appointments shall be forwarded to the Secretary of State who will keep a repository of all current and pending appointments in the commission register. The executive director may assign to deputy directors such powers and duties as deemed appropriate to carry out the department's lawful functions.

(3) The executive director of the department shall appoint officers, who shall serve at the pleasure of the executive director. The executive director shall have the authority to organize the department as deemed appropriate to carry out the responsibilities of the department. The organization charts of the department shall be presented annually with the budget request of the Governor for review by the Legislature.

SECTION 63. Section 73-36-9, Mississippi Code of 1972, is amended as follows:

73-36-9. There is hereby created the State Board of Registration for Foresters of the State of Mississippi for the purposes of safeguarding forests by regulating the practice of forestry and requiring that persons practicing or offering to practice forestry to be registered. The board shall be composed of seven (7) members appointed by the Governor with the advice and consent of the Senate. One (1) member shall be appointed from each of the six (6) Forestry Commission districts as constituted on January 1, 1999, and one (1) member shall be appointed at large. The State Forester of Mississippi shall serve as an ex officio member of the board. Each of the members shall be a forester within the meaning of this chapter with at least three (3) years' experience in such field, and a resident and citizen of the State of Mississippi at the time of his appointment. * * * The State Board of Registration for Foresters, created by former Section 73-36-9, is continued and reconstituted as follows: Effective January 1, 2028, the members of the State Board of Registration for Foresters shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that four (4) of the members shall be appointed in 2028 to a term ending December 31, 2031, and three (3) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Board of Registration for Foresters.

SECTION 64. Section 49-19-1, Mississippi Code of 1972, is amended as follows:

49-19-1. (1) There shall be a State Forestry Commission composed of * * * nine (9) members, who shall be qualified electors of the state. The Dean of the School of Forest Resources at Mississippi State University shall be an ex officio member of the commission, with full voting authority. The Governor shall appoint eight (8) members, with the advice and consent of the Senate * * *. The Governor shall appoint * * * two (2) members from each * * * Mississippi Supreme Court District as constituted at the time the appointments are made and shall appoint the remainder of the members from the state at large. * * * An appointed member from a * * * Supreme Court District must be a certified tree farmer who owns eighty (80) or more acres of forest land or a person who derives a major portion of his or her personal income from forest-related business, industry or other related activities. Members of the commission from the state at large may or may not possess the same qualifications as members appointed from the * * * Supreme Court Districts.

(2) The members of the commission shall receive no annual salary but each member of the commission shall receive a per diem plus expenses and mileage as authorized by law for each day devoted to the discharge of official duties. No member of

the commission shall receive total per diem in excess of twenty-four (24) days' compensation per annum.

(3) * * * The State Forestry Commission, created by former Section 49-19-1, is continued and reconstituted as follows: Effective January 1, 2028, the members of the commission shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that five (5) members shall be appointed in 2028 to a term ending December 31, 2031, and three (3) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Forestry Commission, and to the position of executive director.

(4) The commission shall elect from its membership a chair, who shall preside over meetings, and a vice chair, who shall preside in the absence of the chair or when the chair is excused.

(5) The commission shall adopt rules and regulations governing times and places for meetings, and governing the manner of conducting its business. Each member of the commission shall take the oath prescribed by Section 268 of the Mississippi Constitution of 1890 and shall enter into a bond in the amount of Thirty Thousand Dollars ($30,000.00) to be approved by the Secretary of State, conditioned according to law and payable to the State of Mississippi before assuming the duties of office.

(6) Any appointment made to the commission contrary to this section shall be void, and it is unlawful for the State Fiscal Officer to pay any per diem or authorize the expenses of the appointee.

SECTION 65. Section 49-19-3, Mississippi Code of 1972, is amended as follows:

49-19-3. The duties and powers of the commission shall be:

(a) To appoint a State Forester, who, effective January 1, 2028, shall serve * * * for a term of four (4) years, subject to the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972, and who is qualified to perform the duties as set forth herein; and to pay him such salary as is provided by the Legislature, and allow him such office expenses incidental to the performance of his official duties as the commission, in its discretion, may deem necessary; and to charge him with the immediate direction and control, subject to the supervision and approval of the commission, of all matters relating to forestry as authorized herein. Any person appointed by the commission as State Forester shall have received a bachelor's degree in forestry from an accredited school or college of forestry and shall be licensed and registered under the provisions of the Mississippi Foresters Registration Law (Section 73-36-1 et seq.) and in addition shall have had at least five (5) years' administrative experience in a forestry-related field.

(b) To take such action and provide and maintain such organized means as may seem necessary and expedient to prevent, control and extinguish forest fires, including the enforcement of any and all laws pertaining to the protection of forests and woodland.

(c) To encourage forest and tree planting for the production of a wood crop, for the protection of water supply, for windbreak and shade, or for any other beneficial purposes contributing to the general welfare, public hygiene and comfort of the people.

(d) To cause to be made such technical investigations and studies concerning forest conditions, the propagation, care and protection of forest and shade trees, the care and management of forests, their growth, yield and the products and by-products thereof, and any other competent subject, including forest taxation, bearing on the timber supply and needs of the state, which the commission, in its discretion, may deem proper.

(e) To assist and cooperate with any federal or state department or institution, county, town, corporation or individual, under such terms as in the judgment of the commission will best serve the public interest, in the preparation and execution of plans for the protection, management, replacement, or extension of the forest, woodland and roadside or other ornamental tree growth in the state.

(f) To encourage public interest in forestry by means of correspondence, the public press, periodicals, the publication of bulletins and leaflets for general distribution, the delivery of lectures in the schools and other suitable means, and to cooperate to the fullest extent with the extension department services of the state colleges in promoting reforestation. It shall be the duty of the State Forester to cooperate with private timber owners in laying plans for the protection, management and replacement of forests and in aiding them to form protection associations. It shall be his duty to examine all timbered lands belonging to the state and its institutions and report to the commission upon their timber conditions and actual value, and also whether some of these lands may not be held as state forests. He shall be responsible for the protection and management of lands donated, purchased or belonging to the state or state institutions, and all other lands reserved by the state as state forests.

(g) To control the expenditure of any and all funds appropriated or otherwise made available for the several purposes set forth herein under suitable regulations and restrictions by the commission and to specifically authorize any officer or employee of the commission to incur necessary and stipulated expenses in connection with the work in which such person may be engaged.

(h) To submit annually to the Legislature a report of the expenditures, proceedings and results achieved, together with such other matters including recommendations concerning legislation as are germane to the aims and purposes of this chapter.

(i) To create, establish and organize the State of Mississippi into forestry districts for the most effective and efficient administration of the commission.

(j) [Repealed]

SECTION 66. Section 73-11-43, Mississippi Code of 1972, is amended as follows:

73-11-43. There is created the State Board of Funeral Service which shall consist of seven (7) members, one (1) funeral service licensee and one (1) funeral director licensee to be appointed from each Mississippi Supreme Court district. Three (3) members shall have been licensed for the practice of funeral service under this chapter for five (5) consecutive years and/or have had at least five (5) consecutive years' experience as a funeral director and embalmer in this state immediately preceding his appointment. Three (3) members shall have been licensed for the practice of funeral directing under this chapter for five (5) consecutive years and/or have had at least five (5) consecutive years' experience as a funeral director immediately preceding his appointment. One (1) member shall be a public member and be appointed from the public at large. The members of the board shall be appointed by the Governor with the advice

and consent of the Senate. All appointments shall be for terms of four (4) years from the expiration date of the previous term, provided that effective January 1, 2028, four (4) members shall be appointed in 2028 to a term ending December 31, 2031, and three (3) members shall be appointed in 2030 to a term ending December 31, 2033. * * * Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Board of Funeral Service, and to the position of administrator. No board member shall serve more than two (2) consecutive full terms. * * * Appointments for vacancies in office, except those from the public at large, may be made from a joint list of four (4) qualified persons, two (2) each submitted by the Mississippi Funeral Directors Association and the Mississippi Funeral Directors and Morticians Association. Nothing in this chapter or any other statute shall preclude the members of the State Embalming Board from serving as members of the State Board of Funeral Service.

SECTION 67. Section 73-11-49, Mississippi Code of 1972, is amended as follows:

73-11-49. (1) The board is authorized to select from its own membership a chairman, vice chairman and secretary-treasurer. Election of officers shall be held at the first regularly scheduled meeting of the fiscal year.

(2) All members of the board shall be reimbursed for their necessary traveling expenses and mileage incident to their attendance upon the business of the board, as provided in Section 25-3-41, and shall receive a per diem as provided in Section 25-3-69 for every day actually spent upon the business of the board, not to exceed twenty (20) days per year unless authorized by a majority vote of the board.

(3) All monies received by the board shall be paid into a special fund in the State Treasury to the credit of the board and shall be used by the board for paying the traveling and necessary expenses and per diem of the members of the board while on board business, and for paying other expenses necessary for the operation of the board in carrying out and involving the provisions of this chapter.

(4) The board shall employ an administrator of the board, who shall have complete supervision and be held responsible for the direction of the office of the board, shall have supervision over field inspections and enforcement of the provisions of this chapter, shall have such other duties as may be assigned by the board, shall be responsible and answerable to the board. The administrator shall be appointed and employed for a term of four (4) years, subject to the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The board may employ such other clerical assistants and employees as may be necessary to carry out the provisions of this chapter, and the terms and conditions of such employment shall be determined by the board in accordance with applicable state law and rules and regulations of the State Personnel Board.

(5) Except as otherwise authorized in Section 7-5-39, the board, when it shall deem necessary, shall be represented by an assistant attorney general duly appointed by the Attorney General of this state, and may also request and receive the assistance of other state agencies and county and district attorneys, all of whom are authorized to provide the assistance requested.

(6) The board shall have subpoena power in enforcing the provisions of this chapter.

(7) The board shall adopt and promulgate rules and regulations consistent with law concerning, but not limited to, trainees, apprentices and preceptors, practitioners of funeral service, funeral directors, embalmers and funeral establishments and branches. These rules and regulations shall not become effective unless promulgated and adopted in accordance with the provisions of the Mississippi Administrative Procedures Law (Section 25-43-1.101 et seq.).

(8) The board may designate the administrator to perform inspections under this chapter, may employ an individual to perform such inspections or may contract with any other individual or entity to perform such inspections. Any individual or entity that performs such inspections shall have the right of entry into any place in which the business or practice of funeral service and/or funeral directing is carried on or advertised as being carried on, for the purpose of inspection, for the investigation of complaints coming before the board and for such other matters as the board may direct.

(9) The board shall not adopt any rule or regulation requiring dead bodies to be embalmed except as required by rule or otherwise by the State Department of Health.

SECTION 68. Section 75-76-9, Mississippi Code of 1972, is amended as follows:

75-76-9. (1) * * * The Mississippi Gaming Commission, created by former Sections 75-76-7 and 75-76-9, is continued and reconstituted as follows: Effective January 1, 2028, the three (3) members of the Mississippi Gaming Commission shall be appointed by the Governor, one (1) from each Mississippi Supreme Court District, with the advice and consent of the Senate, for a term of office of four (4) years, provided that two (2) members shall be appointed in 2028 to a term ending December 31, 2031, and one (1) member shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Gaming Commission, and to the position of executive director.

* * *

(* * *2) Appointments to the commission and designation of the chairman shall be made by the Governor with the advice and consent of the Senate. Prior to the nomination, the PEER Committee shall conduct an inquiry into the nominee's background, with particular regard to the nominee's financial stability, integrity and responsibility and his reputation for good character, honesty and integrity.

(* * *3) The member designated by the Governor to serve as chairman shall serve in such capacity throughout such member's entire term and until his successor shall have been duly appointed and qualified. No such member, however, shall serve in such capacity for more than ten (10) years.

* * *

(* * *4) Members of the commission shall not have any direct or indirect interest in an undertaking that puts their personal interest in conflict with that of the commission and shall be governed by the provisions of Section 109 of the Mississippi Constitution and Section 25-4-105. In addition, members of the commission shall not receive anything of

value from, or on behalf of, any person holding or applying for a gaming license under this chapter.

* * *

(* * *5) Each member of the commission is entitled to per diem as provided by Section 25-3-69.

SECTION 69. Section 75-76-15, Mississippi Code of 1972, is amended as follows:

75-76-15. (1) [Repealed]

(2) From and after October 1, 1993, the position of Executive Director of the Mississippi Gaming Commission is hereby created.

(3) The Gaming Commission shall appoint the executive director, with the advice and consent of the Senate, and the executive director shall serve * * * for a term of four (4) years consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.. The director appointed by the State Tax Commission pursuant to subsection (1) of this section who is serving on September 30, 1993, shall serve as the Executive Director of the Mississippi Gaming Commission until the executive director appointed by the Gaming Commission pursuant to this section is confirmed by the Senate.

(4) No member of the Legislature, no person holding any elective office, nor any officer or official of any political party is eligible for the appointment of executive director.

(5) The executive director must have at least five (5) years of responsible administrative experience in public or business administration or possess broad management skills.

(6) The executive director shall devote his entire time and attention to his duties under this chapter and the business of the commission and shall not pursue any other business or occupation or hold any other office of profit.

(7) The executive director shall not be pecuniarily interested in any business or organization holding a gaming license under this chapter or doing business with any person or organization licensed under this chapter and shall be governed by the provisions of Section 25-4-105. In addition, the executive director shall not receive anything of value from, or on behalf of, any person holding or applying for a gaming license under this chapter.

(8) The executive director is entitled to an annual salary in the amount specified by the commission, subject to the approval of the State Personnel Board, within the limits of legislative appropriations or authorizations.

SECTION 70. Section 73-63-9, Mississippi Code of 1972, is amended as follows:

73-63-9. (1) There is created the Board of Registered Professional Geologists to administer this chapter. The board shall consist of five (5) registered professional geologists appointed by the Governor from nominees recommended by the committee created in subsection (3) of this section, but geologists initially appointed to the board shall be qualified for registration under this chapter and shall register within the first year of their term. Three (3) appointments shall be made from Mississippi Supreme Court Districts and two (2) from the state at large. The Governor shall require adequate disclosure of potential conflicts of interest by appointees to the board. The board shall, to the extent practicable, consist of one (1) member appointed from the governmental sector, one (1) member appointed from academia, one (1) member appointed from the geotechnical/environmental industrial sector, one (1) member appointed from the mining/mineral extraction industrial sector, and one (1) member appointed at large. * * *

The Board of Registered Professional Geologists, created by former Section 73-63-9, is continued and reconstituted as follows: Effective January 1, 2028, members of the board shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Board of Professional Registered Geologists, and to the position of executive director.

(2) Each member of the board shall be a citizen of the United States, a resident of this state for at least five (5) years immediately preceding that person's appointment, and at least thirty (30) years of age.

(3) * * * Except as provided in paragraph (b) of this subsection, the board annually shall appoint a nominating committee. No board member shall participate on the nominating committee during the year in which that member's term expires. The nominating committee shall compile a list of the nominees and submit that list to the registered professional geologists on the roster. Each geologist shall have one (1) vote and shall submit that vote in writing within fifteen (15) days following the mailing of the list of nominees. The executive director, or the president in the absence of an executive director, shall calculate the results and recommend to the Governor the three (3) nominees from the sector in which the vacancy occurs receiving the largest number of votes.

* * *

SECTION 71. Section 73-63-19, Mississippi Code of 1972, is amended as follows:

73-63-19. (1) If the board employs an executive director, the executive director shall serve for a term of four (4) years, subject to the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972, and shall have the following powers and duties:

(a) To administer the policies of the board within the authority granted by the board;

(b) To supervise and direct all administrative, technical and investigative activities of the board;

(c) To organize the administrative units of the board in accordance with a plan adopted by the board and to alter that organizational plan and reassign responsibilities with approval of the board as deemed necessary to carry out the policies of the board;

(d) To recommend to the board appropriate studies and investigations and to carry out the approved recommendations;

(e) To issue, modify or revoke any orders under authority granted by the board;

(f) To enter into contracts, grants and cooperative agreements as approved by the board with any federal or state agency, any public or private institution or any other person to carry out this chapter;

(g) To receive, administer and account for any funds received by the board;

(h) To prepare and deliver to the Legislature and the Governor before January 1 of each year, and at any other times as may be required by the board, Legislature or Governor, a full report of the work of the board, including a detailed statement of revenues and expenditures of the board and any recommendations the board may have; and

(i) To discharge other powers, duties and responsibilities as directed or delegated by the board.

(2) The executive director shall give a surety bond satisfactory to the board, conditioned upon the faithful performance of the executive director's duties. The premium on the bond shall be regarded as a proper and necessary expense of the board.

(3) If the board does not employ an executive director, the president of the board shall have the powers and duties provided in subsection (1) of this section.

SECTION 72. Section 55-15-21, Mississippi Code of 1972, is amended as follows:

55-15-21. There is hereby created and established the Grand Gulf Military Monument Commission, to be composed of five (5) members, all to be resident citizens of Claiborne County, Mississippi. * * * The Grand Gulf Military Monument Commission, created by former Section 55-15-21, is continued and reconstituted as follows: Effective January 1, 2028, the commissioners shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Grand Gulf Military Monument Commission.

SECTION 73. Section 59-7-407, Mississippi Code of 1972, is amended as follows:

59-7-407. A port commission created under this article shall consist of six (6) members who shall be qualified electors of the municipality operating under this article, and shall be appointed as follows: two (2) shall be appointed by the Governor, with the advice and consent of the Senate; two (2) shall be appointed by the governing authorities of the municipality, with the advice and consent of the Senate; and two (2) shall be appointed by the board of supervisors of the county, with the advice and consent of the Senate. The commission shall have jurisdiction over the port, terminals, harbors and passes leading thereto, and all vessels, boats and wharves, common carriers and public utilities using the port. Commissioners shall be paid the uniform per diem compensation authorized in Section 25-3-69 for the discharge of official duties at meetings called in accordance with Section 59-7-409.

* * * Any port commission, created by former Section 59-7-407, is continued and reconstituted as follows: Effective January 1, 2028, the members of the port authorities

shall be appointed by the Governor or appropriate local official, with the advice and consent of the Senate, for a term of office of four (4) years, provided that four (4) members shall be appointed by the Governor and the other local officials in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed by the Governor and the other local officials in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to a port commission under this section.

The commission shall, upon appointment, organize as provided in Section 59-7-409.

A port commission created under this article may be dissolved by the governing authorities of the municipality as provided under Section 59-7-408.

SECTION 74. Section 59-5-21, Mississippi Code of 1972, is amended as follows:

59-5-21. Any port or harbor, or any part thereof, and all facilities, structures, lands or other improvements, acquired by or conveyed to the state, shall be operated by the board acting through a state port authority for such port or harbor, except as may be otherwise provided in this chapter. Such state port authority shall be an agency of the state and shall be vested, in addition to the rights, powers and duties conferred hereunder, with the same jurisdiction and the same rights, powers and duties vested by law in the port commission or port authority or other authorized port or harbor agency having jurisdiction of such port or harbor under statutes in effect on the date of the conveyance of such port or harbor, or any part thereof, to the state. Such state port authority shall consist of five (5) qualified electors of the city or county in which such port or harbor is located. * * * One (1) member thereof * * * shall be appointed by the governing authorities of the municipality in which such port or harbor is located or adjacent to * * *, one (1) member thereof * * * shall be appointed by the board of supervisors of the county in which such port or harbor is located * * *, and three (3) members thereof * * * shall be appointed by the Governor * * *. Any State Port Authority, created by former Section 59-5-21, is continued and reconstituted as follows: Effective January 1, 2028, the members of the State Port Authority shall be appointed by the Governor or prescribed local official, with the advice and consent of the Senate, for a term of office of four (4) years, provided that two (2) members shall be appointed by the Governor in 2028 to a term ending December 31, 2031, and one (1) such member shall be appointed by the Governor in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Port Authority. The members of the state port authority shall organize in the same manner authorized by law for the port commission or port authority formerly having jurisdiction over such port or harbor, or any part thereof. Members of the state port authority shall be entitled to compensation pursuant to Section 25-3-69 and travel expenses pursuant to Section 25-3-41. In its operation of such port or harbor, or any part thereof, such state port authority shall not be responsible to the city or

county, or other authorized port or harbor agency, in which such port or harbor, or any part thereof, may be located, but shall be responsible solely to the board, and the board shall have the same rights and duties and the same relationship toward such state port authority as is vested by law in the county, city or other authorized port or harbor agency in its relation to the port commission or port authority formerly having jurisdiction of such port or harbor, or part thereof. Before entering upon the duties of the office, each of said members shall take and subscribe to the oath of office required by Section 268 of the Constitution of the State of Mississippi, and shall file same with the Secretary of State, and shall give bond in the sum of Ten Thousand Dollars ($10,000.00), with a surety company or companies, authorized to do business in this state, conditioned according to law, and to be delivered to and approved by the Treasurer of the State of Mississippi; the premiums on said bonds shall be paid from port funds.

SECTION 75. Section 59-11-3, Mississippi Code of 1972, is amended as follows:

59-11-3. (1) Any county port and harbor commission created pursuant to Section 59-11-1 shall be appointed as follows: three (3) members shall be appointed by the Governor, one (1) from each of the three (3) municipalities of the county, which appointments shall be made from those persons recommended and nominated by the governing authorities of the municipalities, and shall be qualified electors of the county; and five (5) members shall be appointed by the board of supervisors of such county, each supervisor to recommend the appointment of one (1) member thereof. * * * Any port and harbor commission, created by former Section 59-11-3, is continued and reconstituted as follows: Effective January 1, 2028, the members of the port and harbor commission shall be appointed by the Governor or prescribed local official, with the advice and consent of the Senate, for a term of office of four (4) years, provided that of the eleven (11) members, six (6) such members shall be appointed in 2028 to a term ending December 31, 2031, and five (5) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the port and harbor commission.

(2) Each member of the county port and harbor commission shall receive per diem compensation in an amount up to Eighty-four Dollars ($84.00) for each day engaged in attendance of meetings of the county port and harbor commission or when engaged in other duties of the county port and harbor commission, and shall be reimbursed for mileage and actual travel expenses at the rate authorized for county employees under Section 25-3-41.

SECTION 76. Section 61-3-7, Mississippi Code of 1972, is amended as follows:

61-3-7. (1) Two (2) or more municipalities or two (2) or more municipalities and any state-supported institution of higher learning or a public community or junior college, by resolution of each, may create a public body, corporate and politic, to be known as a regional airport authority which shall be authorized to exercise its functions upon the issuance by the Secretary of State of a certificate of incorporation. The governing body of each municipality, the institution of higher learning or the public community or junior college, pursuant to its resolution, shall * * * nominate one (1) person as a commissioner of the authority who shall be appointed by the Governor, with the advice and consent of the Senate, to a term of four (4) years. However, if the regional airport authority consists of an even number of participants, which include two (2) or more municipalities or two (2) or more municipalities and a state institution of higher learning or a public community or

junior college, an additional commissioner shall be appointed by the Governor, with the advice and consent of the Senate, to a term of four (4) years. Such additional commissioner shall be a resident of a county other than the counties of the participating municipalities but contiguous to at least one (1) of such counties. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments by the Governor to the position of commissioner.

(2) A regional airport authority may be increased from time to time to serve one or more additional municipalities if each additional municipality and each of the municipalities and the institution of higher learning or the public community or junior college then included in the regional authority and the commissioners of the regional authority, respectively, adopt a resolution consenting thereto. If a municipal airport authority for any municipality seeking to be included in the regional authority is then in existence, the commissioners of the municipal authority shall consent to the inclusion of the municipality, institution of higher learning or the public community or junior college in the regional authority, and if the municipal authority has any bonds outstanding, unless the holders of fifty-one percent (51%) or more in amount of the bonds consent, in writing, to the inclusion of the municipality in the regional authority, no such inclusion shall be effected. Upon the inclusion of any municipality, institution of higher learning or the public community or junior college in the regional authority, all rights, contracts, obligations and property, real and personal, of the municipal authority shall be in the name of and vest in the regional authority.

(3) A regional airport authority may be decreased if each of the municipalities and the institution of higher learning or the public community or junior college then included in the regional authority and the commissioners of the regional authority consent to the decrease and make provision for the retention or disposition of its assets and liabilities. However, if the regional authority has any bonds outstanding, no decrease shall be effected unless seventy-five percent (75%) or more of the holders of the bonds consent thereto in writing.

(4) If a municipality so elects, it may share its commissioner position with another municipality that is not then a participant in the regional authority. In order to do so, the initiating and participating municipalities, and the joining municipality, all other municipalities participating at that time, and the commissioners of the regional authority, must adopt resolutions consenting to the sharing of the position. The initiating municipality and the joining municipality must reach an agreement to jointly determine the method for the appointment of their joint commissioner. Upon the adoption of the resolutions of authorization and the execution of the agreement between the participating and joining municipalities, the joint commissioner shall have the same powers, authority, duties and obligations otherwise vested in commissioners of the regional authority.

(5) A municipality, institution of higher learning or public community or junior college shall not adopt any resolution authorized by this section without a public hearing thereon. Notice thereof shall be given at least ten (10) days before the hearing in a newspaper published in the municipality, in the institution of higher learning or in the public community or junior college, or if there is no newspaper published therein, then in a newspaper having general circulation in the municipality, in the institution of higher learning or in the public community or junior college.

(6) At the expiration of the term of all commissioners serving as of January 1, 1978, the airport authority shall effect staggered terms by the drawing of lots and reporting thereon to appointing authorities. The commissioners shall be designated to serve for terms of one (1) year, two (2) years, three (3) years, four (4) years and so forth depending upon the number of participating appointing authorities. Thereafter, each commissioner shall be appointed for a term of five (5) years except that vacancies occurring otherwise than by expiration of terms shall be filled for the unexpired term in the same manner as the original appointment. All appointment procedures, vacancy provisions, interim

appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Regional Airport Authority.

SECTION 77. Section 25-15-303, Mississippi Code of 1972, is amended as follows:

25-15-303. (1) There is created the State and School Employees Health Insurance Management Board, which shall administer the State and School Employees Life and Health Insurance Plan provided for under Section 25-15-3 et seq. The State and School Employees Health Insurance Management Board, hereafter referred to as the "board," shall also be responsible for administering all procedures for selecting third-party administrators provided for in Section 25-15-301.

(2) The board shall consist of the following:

(a) The Chairman of the Workers' Compensation Commission or his or her designee;

(b) The State Personnel Director, or his or her designee;

(c) The Commissioner of Insurance, or his or her designee;

(d) The Commissioner of Higher Education, or his or her designee;

(e) The State Superintendent of Public Education, or his or her designee;

(f) The Executive Director of the Department of Finance and Administration, or his or her designee;

(g) The Executive Director of the Mississippi Community College Board, or his or her designee;

(h) The Executive Director of the Public Employees' Retirement System, or his or her designee;

(i) Two (2) appointees of the Governor, with the advice and consent of the Senate, whose terms shall be concurrent with that of the Governor, one (1) of whom shall have experience in providing actuarial advice to companies that provide health insurance to large groups and one (1) of whom shall have experience in the day-to-day management and administration of a large self-funded health insurance group;

(j) The Chairman of the Senate Insurance Committee, or his or her designee;

(k) The Chairman of the House of Representatives Insurance Committee, or his or her designee;

(l) The Chairman of the Senate Appropriations Committee, or his or her designee; and

(m) The Chairman of the House of Representatives Appropriations Committee, or his or her designee.

The legislators, or their designees, shall serve as ex officio, nonvoting members of the board.

The Executive Director of the Department of Finance and Administration shall be the chairman of the board.

(3) All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State and School Employees Health Insurance Management Board.

(* * *4) The board shall meet at least monthly and maintain minutes of the meetings. A quorum shall consist of a majority of the authorized voting membership of the board. The board shall have the sole authority to promulgate rules and regulations governing the operations of the insurance plans and shall be vested with all legal authority necessary and proper to perform this function including, but not limited to:

(a) Defining the scope and coverages provided by the insurance plan;

(b) Seeking proposals for services or insurance through competitive processes where required by law and selecting service providers or insurers under procedures provided for by law; and

(c) Developing and adopting strategic plans and budgets for the insurance plan.

The department shall employ a State Insurance Administrator, who shall be responsible for the day-to-day management and administration of the insurance plan. The Department of Finance and Administration shall provide to the board on a full-time basis personnel and technical support necessary and sufficient to effectively and efficiently carry out the requirements of this section.

(* * *5) Members of the board shall not receive any compensation or per diem, but may receive travel reimbursement provided for under Section 25-3-41 except that the legislators shall receive per diem and expenses, which shall be paid from the contingent expense funds of their respective houses in the same amounts as provided for committee meetings when the Legislature is not in session; however, no per diem and expenses for attending meetings of the board shall be paid while the Legislature is in session.

SECTION 78. Section 41-3-1.1, Mississippi Code of 1972, is amended as follows:

41-3-1.1. (1) The State Board of Health is continued and reconstituted as follows:

There is created the State Board of Health which, from and after March 30, 2007, shall consist of eleven (11) members appointed with the advice and consent of the Senate, as follows:

(a) Five (5) members of the board shall be currently licensed physicians of good professional standing who have had at least seven (7) years' experience in the practice of medicine in this state. Three (3) members shall be appointed by the Governor, one (1) member shall be appointed by the Lieutenant Governor, and one (1) member shall be appointed by the Attorney General, in the manner provided in paragraph (d) of this subsection (1).

(b) Six (6) members of the board shall be individuals who have a background in public health or an interest in public health who are not currently or formerly licensed physicians. Four (4) of those members shall be appointed by the Governor, one (1) of those members shall be appointed by the Lieutenant Governor, and one (1) of those members shall be appointed by the Attorney General, in the manner provided in paragraph (d) of this subsection (1).

(c) The Governor, Lieutenant Governor and Attorney General shall give due regard to geographic distribution, race and gender in making their appointments to the board. It is the intent of the Legislature that the membership of the board reflect the

population of the State of Mississippi. Of the Governor's appointments, * * * two (2) members of the board shall be appointed from each of the three (3) Supreme Court Districts as constituted * * * at the time of appointment, and one (1) from the state at large. * * *

(d) * * * All appointments to the board shall be made by the prescribed appointing authority, with the advice and consent of the Senate.

(2) * * * The State Board of Health, created by former Section 41-3-1.1, is continued and reconstituted as follows: Effective January 1, 2028, the members of the State Board of Health shall be appointed by the Governor, Lieutenant Governor or Attorney General as prescribed in this section, with the advice and consent of the Senate, for a term of office of four (4) years, provided that of the Governor's appointments, four (4) members shall be appointed in 2028 to a term ending December 31, 2031, and three (3) shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Board of Health, and to the position of executive officer.

(3) The Lieutenant Governor may designate one (1) Senator and the Speaker of the House of Representatives may designate one (1) Representative to attend any meeting of the State Board of Health. The appointing authorities may designate alternate members from their respective houses to serve when the regular designees are unable to attend the meetings of the board. Those legislative designees shall have no jurisdiction or vote on any matter within the jurisdiction of the board. For attending meetings of the board, the legislators shall receive per diem and expenses, which shall be paid from the contingent expense funds of their respective houses in the same amounts as provided for committee meetings when the Legislature is not in session; however, no per diem and expenses for attending meetings of the board will be paid while the Legislature is in session. No per diem and expenses will be paid except for attending meetings of the board without prior approval of the proper committee in their respective houses.

(4) (a) All members of the State Board of Health shall file with the Mississippi Ethics Commission, before the first day of May each year, the statement of economic interest as required by Sections 25-4-25 through 25-4-29.

(b) No member of the board shall participate in any action by the board or department if that action could have any monetary effect on any business with which that member is associated, as defined in Section 25-4-103.

(c) When any matter in which a member may not participate comes before the board or department, that member must fully recuse himself or herself from the entire matter. The member shall avoid debating, discussing or taking action on the subject matter during official meetings or deliberations by leaving the meeting room before the matter comes before the board and by returning only after the discussion, vote or other action is completed. The member shall not discuss the matter with other members, department staff or any other person. Any minutes or other record of the meeting shall accurately reflect the recusal. If a member is uncertain whether recusal is required, the member shall follow the determination of the Mississippi Ethics Commission. The commission may delegate that determination to its executive director.

(d) Upon a determination by the board or by any court of competent jurisdiction that a member of the board has violated the provisions of this subsection (4) regarding recusal, the member shall be removed from office. Any member of the board who violates the provisions of this section regarding recusal also shall be subject to the penalties set forth in Sections 25-4-109 through 25-4-117. After removal from office, the member shall not be eligible for appointment to any agency, board or commission of the state for a period of two (2) years. Nothing in this section shall be construed to limit the restrictions codified in Section 25-4-105.

SECTION 79. Section 41-3-5.1, Mississippi Code of 1972, is amended as follows:

41-3-5.1. The State Department of Health shall be headed by an executive officer who shall be appointed by the State Board of Health to a term of four (4) years, subject to the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.. The executive officer shall be either a physician who has earned a graduate degree in public health or health care administration, or a physician who in the opinion of the board is fitted and equipped to execute the duties incumbent upon him or her by law. The executive officer shall not engage in the private practice of medicine. The term of office of the executive officer shall be six (6) years, and the executive officer may be removed for cause by majority vote of the members of the board. The executive officer shall be subject to such rules and regulations as may be prescribed by the State Board of Health. The executive officer shall be the State Health Officer with such authority and responsibility as is prescribed by law.

SECTION 80. Section 43-33-704, Mississippi Code of 1972, is amended as follows:

43-33-704. (1) There is created by this article the Mississippi Home Corporation, which shall be a continuation of the corporate existence of the Mississippi Housing Finance Corporation and (a) all property, rights and powers of the Mississippi Housing Finance Corporation are vested in, and shall be exercised by, the corporation, subject, however, to all pledges, covenants, agreements, undertakings and trusts made or created by the Mississippi Housing Finance Corporation; (b) all references to the Mississippi Housing Finance Corporation in any other law or regulation shall be deemed to refer to and apply to the corporation; and (c) all regulations of the Mississippi Housing Finance Corporation shall continue to be in effect as the regulations of the corporation until amended, supplemented or rescinded by the corporation in accordance with law.

(2) The corporation is created with power to: raise funds from private investors in order to make such private funds available to finance the acquisition, construction, rehabilitation and improvement of residential and rental housing for persons of low or moderate income within the state; provide financing to qualified sponsors or individuals for a wide range of loans including, but not limited to, housing development, mortgage, rehabilitation or energy conservation loans; make loans to private lenders to finance any of these loans; purchase any of these loans from private lenders; refinance, insure or guarantee any of these loans; provide for temporary or partial financing for any of these purposes; develop, operate and administer housing programs which further its stated goals of improving the availability, affordability and quality of low- and moderate-income housing in the state; and make grants or loans to private nonprofit developers, local governments or private persons in furtherance of these goals * * *.

* * *

(* * *3) (a) From and after the effective date of May 23, 2000, the corporation shall be composed of nine (9) members. The Governor, with the advice and consent of the Senate, shall appoint six (6) members of the corporation, who shall be residents of the state. The Governor shall appoint two (2) members from each Supreme Court District. The Lieutenant Governor, with the advice and consent of the Senate, shall appoint three (3) members of the corporation, who shall be residents of the state. The Lieutenant

Governor shall appoint one (1) member from each Supreme Court District. * * * In the appointment process, the Governor and Lieutenant Governor will attempt to see that all portions of society and its diversity are represented in the membership of the corporation. In the appointment process, the Governor and Lieutenant Governor will attempt to see that persons with substantial housing and financial experience are represented in the membership of the corporation.

(b) The Mississippi Home Corporation, created by former Section 43-33-704, is continued and reconstituted as follows: Effective January 1, 2028, the members of the corporation shall be appointed by the appropriate appointing authority, with the advice and consent of the Senate, for a term of office of four (4) years, provided that four (4) members appointed by the Governor and two (2) members appointed by the Lieutenant Governor shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members appointed by the Governor and one (1) member appointed by the Lieutenant Governor shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Board of Health, and to the position of executive director.

(5) * * * Any member of the corporation shall be eligible for reappointment. Any member of the corporation may be removed by the appointing authority for misfeasance, malfeasance or willful neglect of duty after reasonable notice and a public hearing, unless the same are expressly waived in writing. Each member of the corporation shall before entering upon his duty take an oath of office to administer the duties of his office faithfully and impartially, and a record of such oath shall be filed in the office of the Secretary of State. The corporation shall annually elect from its membership a chairman who shall be eligible for reelection. The corporation shall annually elect from its membership a vice chairman who shall be eligible for reelection. The corporation shall also elect or appoint, and prescribe the duties of, such other officers (who need not be members) as the corporation deems necessary or advisable, and the corporation shall fix the compensation of such officers. The corporation may delegate to one or more of its members, officers, employees or agents such powers and duties as it may deem proper, not inconsistent with this article or other provisions of law.

(6) In accomplishing its purposes, the corporation is acting in all respects for the benefit of the people of the state and the performance of essential public functions and is serving a vital public purpose in approving and otherwise promoting their health, welfare and prosperity, and the enactment of the provisions hereinafter set forth is for a valid public purpose and is hereby so declared to be such as a matter of express legislative determination.

SECTION 81. Section 43-33-707, Mississippi Code of 1972, is amended as follows:

43-33-707. (1) The corporation shall appoint, and prescribe the duties of, such officers (who need not be directors) as the corporation deems necessary or advisable, including an executive director and a secretary (who may be the same person), and the corporation shall fix the compensation of such officers. The executive director shall be appointed to a term of office of four (4) years, with the advice and consent of the Senate, and * * * consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The executive director shall administer, manage and direct the affairs and business of the corporation, subject to the policies, control and direction of the directors of the corporation.

The secretary of the corporation shall keep a record of the proceedings of the corporation and shall be custodian of all books, documents and papers filed with the corporation, the minute book or journal of the corporation, and its official seal. He shall have authority to cause copies to be made of all minutes and other records and documents of the corporation and to give certificates under the official seal of the corporation to the effect that the copies are true copies, and all persons dealing with the corporation may rely upon the certificates. The treasurer shall be the custodian of the assets of the corporation, except for those assets required by contracts with bondholders to be in the custody of the trustee. The directors of the corporation shall set the investment policy for assets, and the executive director shall be responsible for making investments in accordance with such policy. The treasurer may delegate all or a portion of his duties and responsibilities to the executive director.

(2) The corporation shall have the authority, in its discretion, to employ counsel on an annual basis at an annual salary at an amount it deems proper. Such counsel may, in addition to an annual salary, be paid additional compensation when employed by the corporation in the matter of litigation and the issuance of bonds and the drafting of orders and resolutions in connection therewith.

SECTION 82. Section 41-73-7, Mississippi Code of 1972, is amended as follows:

41-73-7. (1) There is hereby created, with such duties and powers as are set forth in this act, a body politic and corporate, not a state agency, but an independent instrumentality exercising essential public functions, to be known as the Mississippi Hospital Equipment and Facilities Authority.

(2) The authority shall be governed by seven (7) members who shall be appointed by the Governor with the advice and consent of the Senate.

(3) The members shall at all times include the following:

(a) One (1) resident of each of the three (3) Supreme Court districts in the state;

(b) One (1) certified public accountant experienced in hospital finance;

(c) One (1) possessing not less than ten (10) years' experience in hospital management and finance;

(d) One (1) banker with experience in commercial lending or one (1) investment banker with experience in municipal finance;

(e) One (1) chosen at large.

(4) All members shall be residents of the state.

(5) The Mississippi Hospital Equipment and Facilities Authority, created by former Section 41-73-7, is continued and reconstituted as follows: Effective January 1, 2028, the members of the authority shall be appointed by the Governor or prescribed local official, with the advice and consent of the Senate, for a term of office of four (4) years, provided that four (4) members shall be appointed in 2028 to a term ending December 31, 2031, and three (3) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures,

vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the authority and the position of executive director.

SECTION 83. Section 43-1-2, Mississippi Code of 1972, is amended as follows:

43-1-2. (1) There is created the Mississippi Department of Human Services, whose offices shall be located in Jackson, Mississippi, and which shall be under the policy direction of the Governor.

(2) The chief administrative officer of the department shall be the Executive Director of Human Services. The Governor shall appoint the Executive Director of Human Services to a term of office of four (4) years, with the advice and consent of the Senate, * * * and consistent with the provisions of Section 7-1-35. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the position of commissioner. The Executive Director of Human Services shall possess the following qualifications:

(a) A bachelor's degree from an accredited institution of higher learning and ten (10) years' experience in management, public administration, finance or accounting; or

(b) A master's or doctoral degree from an accredited institution of higher learning and five (5) years' experience in management, public administration, finance or accounting.

Those qualifications shall be certified by the State Personnel Board.

(3) There shall be a Joint Oversight Committee of the Department of Human Services composed of the respective Chairmen of the Senate Public Health and Welfare Committee, the Senate Appropriations Committee, the House Public Health and Human Services Committee and the House Appropriations Committee, three (3) members of the Senate appointed by the Lieutenant Governor to serve at the will and pleasure of the Lieutenant Governor, and three (3) members of the House of Representatives appointed by the Speaker of the House to serve at the will and pleasure of the Speaker. The chairmanship of the committee shall alternate for twelve-month periods between the Senate members and the House members, on May 1 of each year, with the Chairman of the Senate Public Health and Welfare Committee serving as chairman beginning in even-numbered years, and the Chairman of the House Public Health and Human Services Committee serving as chairman beginning in odd-numbered years. The committee shall meet once each quarter, or upon the call of the chairman at such times as he deems necessary or advisable, and may make recommendations to the Legislature pertaining to any matter within the jurisdiction of the Mississippi Department of Human Services. The appointing authorities may designate an alternate member from their respective houses to serve when the regular designee is unable to attend such meetings of the oversight committee. For attending meetings of the oversight committee, such legislators shall receive per diem and expenses which shall be paid from the contingent expense funds of their respective houses in the same amounts as provided for committee meetings when the Legislature is not in session; however, no per diem and expenses for attending meetings of the committee will be paid while the Legislature is in session. No per diem and expenses will be paid except for attending meetings of the oversight committee without prior approval of the proper committee in their respective houses.

(4) The Department of Human Services shall provide the services authorized by law to every individual determined to be eligible therefor, and in carrying out the purposes of the department, the executive director is authorized:

(a) To formulate the policy of the department regarding human services within the jurisdiction of the department;

(b) To adopt, modify, repeal and promulgate, after due notice and hearing, and where not otherwise prohibited by federal or state law, to make exceptions to and grant exemptions and variances from, and to enforce rules and regulations implementing or effectuating the powers and duties of the department under any and all statutes within the department's jurisdiction, all of which shall be binding upon the county departments of human services;

(c) To apply for, receive and expend any federal or state funds or contributions, gifts, devises, bequests or funds from any other source;

(d) Except as limited by Section 43-1-3, to enter into and execute contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the programs of the department; and

(e) To discharge such other duties, responsibilities and powers as are necessary to implement the programs of the department.

(5) The executive director shall establish the organizational structure of the Mississippi Department of Human Services which shall include the creation of any units necessary to implement the duties assigned to the department and consistent with specific requirements of law, including, but not limited to:

(a) Division of Youth Services;

(b) Office of Economic Programs;

(c) Office of Child Support Enforcement; or

(d) Office of Field Operations to administer any state or county level programs under the purview of the Mississippi Department of Human Services, with the exception of programs that fall under paragraph (a) of this subsection.

(6) The Executive Director of Human Services shall appoint heads of offices, bureaus and divisions, as defined in Section 7-17-11, who shall serve at the pleasure of the executive director. The salary and compensation of such office, bureau and division heads shall be subject to the rules and regulations adopted and promulgated by the State Personnel Board as created under Section 25-9-101 et seq. The executive director shall have the authority to organize offices as deemed appropriate to carry out the responsibilities of the department. The organization charts of the department shall be presented annually with the budget request of the Governor for review by the Legislature.

(7) This section shall stand repealed on July 1, 2026.

SECTION 84. Section 25-53-7, Mississippi Code of 1972, is amended as follows:

25-53-7. (1) The membership of the MDITS Authority shall be composed of five (5) members to be appointed by the Governor with the advice and consent of the Senate. * * * Each member of the authority shall have a minimum of four (4) years' experience in an information technology-related executive position or prior service as a member of the authority. The MDITS Authority, created by former Section 25-53-7, is continued and reconstituted as follows: Effective January 1, 2028, members of the MDITS Authority shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed in

2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the MDITS Authority.

(2) Each member of the authority shall be required to furnish a surety bond in the minimum amount of Fifty Thousand Dollars ($50,000.00) to be approved by the Secretary of State, conditioned according to law and payable to the State of Mississippi, before entering upon his duties. The premiums on such bonds shall be paid from any funds available to the authority for such purpose.

(3) No member of the authority, nor its executive director, shall, during his term as such member or director, have any substantial beneficial interest in any corporation or other organization engaged in the information technology business either as manufacturer, supplier, lessor, or otherwise. All members and the executive director shall fully disclose in writing any such beneficial interest, and such disclosure shall be entered on the minutes of the authority.

(4) The Lieutenant Governor may designate one (1) Senator and the Speaker of the House of Representatives may designate one (1) Representative to attend any meeting of the authority. The appointing authorities may designate an alternate member from their respective houses to serve when the regular designee is unable to attend such meetings of the authority. Such legislative designees shall have no jurisdiction or vote on any matter within the jurisdiction of the authority. For attending meetings of the authority, such legislators shall receive per diem and expenses which shall be paid from the contingent expense funds of their respective houses in the same amounts as provided for committee meetings when the Legislature is not in session; however, no per diem and expenses for attending meetings of the authority will be paid while the Legislature is in session. No per diem and expenses will be paid except for attending meetings of the authority without prior approval of the proper committee in their respective houses.

SECTION 85. Section 25-53-19, Mississippi Code of 1972, is amended as follows:

25-53-19. The authority shall select an executive director, with the advice and consent of the Senate, who shall be the administrative officer of the authority and shall perform such duties as are required of him by law and such other duties as may be assigned him by the authority, and who shall receive such compensation as may be fixed by the authority, subject to the approval of the state personnel board. The executive director shall serve for a term of four (4) years, consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. In addition, he shall be entitled to remuneration for his necessary traveling expenses consistent with general law.

The executive director shall be a graduate of an accredited university with a degree in engineering, business administration, electronic communications, information technology or a related field, with at least ten (10) years' experience in information technology, electronic communications, or a related field, of which at least five (5) years shall be in a responsible high level management position with a demonstrated record of management expertise demonstrated through knowledge in the application of information technology and electronic communications. The qualifications for the executive director prescribed herein shall not apply to the executive director serving on June 30, 1984.

The executive director shall have no vote in the decisions of said authority, but shall offer such professional or technical advice and assistance to the authority as may be

required of him. Said executive director, in order to qualify for his position, shall be required to make a good and sufficient bond in some surety company qualified and doing business in the State of Mississippi, in the minimum penal sum of Fifty Thousand Dollars ($50,000.00) conditioned upon the faithful performance of his duties as required by law and the directives of the authority. The premium on said bond shall be paid from any funds available to the authority for such purpose. Said executive director may be removed at any time upon a majority vote of the membership of said authority.

The executive director, with the approval of the authority, shall employ such technical, professional, and clerical help as may be authorized by the authority; and the authority, upon the recommendation of the executive director, shall define the duties and fix the compensation of such employees.

SECTION 86. Section 73-73-23, Mississippi Code of 1972, is amended as follows:

73-73-23. (1) IDAC shall be comprised of five (5) members, each being a Mississippi Certified Interior Designer residing in this state who has been engaged in interior design not less than seven (7) years. It is the duty of IDAC to carry out the purposes of this chapter as herein provided.

(2) The Governor shall appoint the members of IDAC, with the advice and consent of the Senate, from a list of names supplied by MCID, or its successor. * * * Each new appointee must be a Mississippi Certified Interior Designer. * * *

(3) * * * The Interior Design Advisory Committee (IDAC), created by former Section 73-73-23, is continued and reconstituted as follows: Effective January 1, 2028, members of the IDAC shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the IDAC.

(4) At the first meeting of every calendar year, IDAC shall elect from among its members a chairman and a secretary to hold office for one (1) year.

(5) The executive director of the board shall keep a true and correct record of all proceedings of IDAC.

SECTION 87. Section 45-4-3, Mississippi Code of 1972, is amended as follows:

45-4-3. (1) There is hereby created the Board on Jail Officer Standards and Training, which shall consist of nine (9) members.

(2) The members shall be appointed as follows:

(a) Two (2) members to be appointed by the Mississippi Association of Supervisors.

(b) Three (3) members to be appointed by the Mississippi Association of Sheriffs.

(c) One (1) member to be appointed by the Mississippi Community College Board.

(d) One (1) member to be appointed by the Governor.

(e) One (1) member to be appointed by the Mississippi Association of Chiefs of Police.

(f) One (1) member to be appointed by the Mississippi Municipal League.

* * *

The Board on Jail Officer Standards and Training, created by former Section 45-4-3, is continued and reconstituted as follows: Effective January 1, 2028, members of the board shall be appointed by the prescribed appointing authority, with the advice and consent of the Senate, for a term of office of four (4) years. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Board on Jail Officer Standards and Training.

(3) Members of the board shall serve without compensation, but shall be entitled to receive reimbursement for any actual and reasonable expenses incurred as a necessary incident to such service, including mileage, as provided in Section 25-3-41, Mississippi Code of 1972.

(4) There shall be a chairman and a vice chairman of the board, elected by and from the membership of the board. The board shall adopt rules and regulations governing times and places for meetings and governing the manner of conducting its business, but the board shall meet at least every three (3) months. Any member who is absent for three (3) consecutive regular meetings of the board may be removed by a majority vote of the board.

(5) The Governor shall call an organizational meeting of the board not later than thirty (30) days after July 1, 1999.

(6) The board shall report annually to the Governor and the Legislature on its activities, and may make such other reports as it deems desirable.

SECTION 88. Section 69-46-3, Mississippi Code of 1972, is amended as follows:

69-46-3. (1) There is created the Mississippi Land, Water and Timber Resources Board, hereinafter referred to as "the board," for the purpose of assisting Mississippi agricultural industry in the development, marketing and distribution of agricultural products.

(2) The board shall be composed of the following members:

(a) The Chairman of the Senate Agriculture Committee, or a member of the Senate Agriculture Committee designated by the chairman, as a nonvoting member;

(b) The Chairman of the House of Representatives Agriculture Committee or a member of the House of Representatives Agriculture Committee designated by the chairman, as a nonvoting member;

(c) The Chairman of the Senate Forestry Committee, or a member of the Senate Forestry Committee designated by the chairman, as a nonvoting member;

(d) The Executive Director of the Mississippi Development Authority, or his designee;

(e) The Commissioner of the Mississippi Department of Agriculture and Commerce, or his designee;

(f) The President of the Mississippi Farm Bureau Federation, or his designee;

(g) The Director of the Cooperative Extension Service at Mississippi State University, or his designee;

(h) The Executive Director of the Agribusiness and Natural Resource Development Center at Alcorn State University, or his designee;

(i) The Director of the Agricultural Finance Division of the Mississippi Development Authority, or his designee;

(j) The Director of the Agriculture Marketing Division of the Mississippi Department of Agriculture and Commerce, or his designee;

(k) The Executive Director of the Mississippi Forestry Commission, or his designee; and

(l) Three (3) individuals appointed by the Governor, with the advice and consent of the Senate, who are active producers of Mississippi land, water or timber commodities. The Governor shall appoint one (1) such person from each Supreme Court district. Effective January 1, 2028, the three (3) members appointed by the Governor shall be appointed for a term of office of four (4) years, provided that two (2) members shall be appointed in 2028 to a term ending December 31, 2031, and one (1) member shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the board.

(3) The Executive Director of the Mississippi Development Authority and the Commissioner of the Mississippi Department of Agriculture and Commerce shall serve as cochairmen of the board.

(4) The board shall meet at least once each calendar quarter at the call of the cochairmen. A majority of the members of the board shall constitute a quorum at all meetings. An affirmative vote of a majority of the members present and voting is required in the adoption of any actions taken by the board. All members must be notified, in writing, of all regular and special meetings of the board, which notices must be mailed at least ten (10) days before the dates of the meetings. All meetings shall take place at the State Capitol in Jackson, Mississippi, or at a location to be determined by the cochairmen. The board shall provide a copy of the minutes of each of its meetings to the Chairman of the Senate Agriculture Committee and the Chairman of the House of Representatives Agriculture Committee.

(5) Members of the board shall not receive compensation. However, each member may be paid travel expenses and meals and lodging expenses as provided in Section 25-3-41, for such expenses incurred in furtherance of their duties. Travel expenses and meals and lodging expenses and other necessary expenses incurred by the board shall be paid out of funds appropriated to the Mississippi Development Authority.

(6) In carrying out the provisions of the Mississippi Land, Water and Timber Resources Act, the board may utilize the services, facilities and personnel of all departments, agencies, offices and institutions of the state, and all such departments, agencies, offices and institutions shall cooperate with the board in carrying out the provisions of such act.

SECTION 89. Section 73-2-13, Mississippi Code of 1972, is amended as follows:

73-2-13. There shall be an advisory committee to the board to consist of five (5) members appointed by the Governor from a list of names supplied by Mississippi Chapter of the American Society of Landscape Architects, giving the names of no fewer than three (3) times the number of persons to be appointed, one (1) to be appointed from each Mississippi Supreme Court District and two (2) from the state at large. Each member of the initially appointed committee shall be qualified as described by Section 73-2-7. Appointments shall be licensed landscape architects only * * *. The Landscape Architect Advisory Board, created by former Section 73-2-13, is continued and reconstituted as follows: Effective January 1, 2028, members shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Landscape Architect Advisory Board.

The committee shall review, approve or disapprove, and make recommendations on all applications for landscape architect's license. At the direction of the board, the committee shall also review and investigate any charges brought against any landscape architect as provided for in Section 73-2-16 and make findings of fact and recommendations to the board concerning any disciplinary action which the committee deems necessary and proper pursuant to Section 73-2-16.

Each member of the committee shall be entitled to receive a per diem in such amounts as shall be set by the board, but not to exceed the amount provided for in Section 25-3-69, and shall be reimbursed for expenses that are incurred in the actual performance of his duties under the provisions of Section 25-3-41.

Before entering upon the discharge of his duties, each member of the committee shall take and subscribe to the oath of office and file it with the Secretary of State. The committee shall elect at the first meeting of every calendar year from among its members, a chairman and a secretary to hold office for one (1) year.

SECTION 90. Section 45-6-5, Mississippi Code of 1972, is amended as follows:

45-6-5. (1) There is hereby created the Board on Law Enforcement Officer Standards and Training, which shall consist of thirteen (13) members.

(2) (a) The Governor shall appoint six (6) members of the board, two (2) from each Mississippi Supreme Court District, from the following specified categories:

(i) Two (2) members, each of whom is a chief of police of a municipality in this state, with one (1) of the appointees being appointed from a

municipality having a population of less than five thousand (5,000) according to the latest federal decennial census.

(ii) One (1) member who is a sheriff in this state.

(iii) One (1) member who is a district attorney in this state.

(iv) One (1) member who is a representative of higher education and who has a degree in one (1) of the following areas of study: corrections, criminal justice or public administration.

(v) One (1) member who is a nonsupervisory rank-and-file law enforcement officer.

(b) * * * The Board on Law Enforcement Officer Standards, created by former Section 45-6-5, is continued and reconstituted as follows: Effective January 1, 2028, the members shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that four (4) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Board on Law Enforcement Officer Standards and Training.

* * *

(3) The remaining seven (7) members of the board shall be the following:

(a) The Attorney General, or his designee.

(b) The Director of the Mississippi Highway Safety Patrol, or his designee.

(c) The President of the Mississippi Municipal Association, or his designee who is a member of the association.

(d) The President of the Mississippi Association of Supervisors, or his designee who is a member of the association.

(e) The President of the Mississippi Constable Association, or his designee who is a member of the association.

(f) The President of the Mississippi Campus Law Enforcement Officers Association, or his designee who is a member of the association.

(g) The President of the Mississippi Sheriffs' Association, or his designee who is a member of the association.

The Attorney General, the Director of the Mississippi Highway Safety Patrol and the respective presidents of the foregoing associations, or their designees, shall serve only for their respective terms of office.

(4) Members of the board shall serve without compensation, but shall be entitled to receive reimbursement for any actual and reasonable expenses incurred as a necessary incident to such service, including mileage, as provided in Section 25-3-41.

(5) There shall be a chairman and a vice chairman of the board, elected by and from the membership of the board. The board shall adopt rules and regulations governing times and places for meetings and governing the manner of conducting its business, but the board shall meet at least every three (3) months.

(6) The Governor shall call an organizational meeting of the board not later than thirty (30) days after April 7, 1981.

(7) If a person appointed to the board no longer occupies the status qualifying that person's appointment, that position on the board shall be immediately vacated and filled ex officio or by appointment of the Governor as otherwise provided in this section.

(8) The board shall report annually to the Governor and the Legislature on its activities, and may make such other reports as it deems desirable.

(9) The training officers of all police academies in the state whose curricula are approved by the board shall be advisors to the board. They shall be entitled to all privileges of the board members, including travel expenses and subsistence, but shall not be eligible to vote at board meetings.

SECTION 91. Section 39-3-101, Mississippi Code of 1972, is amended as follows:

39-3-101. There is hereby created a Board of Commissioners of the Mississippi Library Commission to be composed of five members appointed by the Governor * * *, with the advice and consent of the Senate, one (1) appointed from each Mississippi Supreme Court District and two (2) from the state at large. Two (2) members shall be appointed by the Governor from a list of not less than six (6) names submitted by the Mississippi Library Association, one (1) of whom shall be a librarian who is a graduate of a library school accredited by the American Library Association and actively engaged in full time library work at the time of the appointment and one (1) of whom shall be, at time of the appointment, a member of a legally organized board of trustees of a Mississippi free public library; and one (1) member shall be the president of the Mississippi Federation of Women's Clubs, or a member of said federation recommended by her; and which federation member shall, when appointed, serve a full term as herein provided for members to serve under a staggered term basis, and the successor to the federation member shall be the president of the federation then serving, or a member of the federation recommended by her, when the term of the federation member shall expire; and after the appointment of a federation member to the board, and when her term as a member thereof shall expire, each succeeding member of the federation who becomes a member of the board shall serve a full term under the provisions of this article. * * * The Board of Commissioners of the Mississippi Library Commission, created by former Section 39-3-101, is continued and reconstituted as follows: Effective January 1, 2028, each commissioner shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the board.

SECTION 92. Section 27-115-9, Mississippi Code of 1972, is amended as follows:

27-115-9. (1) The affairs of the corporation shall be administered by the Mississippi Lottery Corporation Board of Directors. The board shall be composed of five (5) members appointed by the Governor, with the advice and consent of the Senate, one (1) appointed from each Mississippi Supreme Court District and two (2) from the state at large. The Commissioner of Revenue and the State Treasurer shall serve as ex officio, nonvoting members. * * *

(2) (a) Members of the board shall be residents of the State of Mississippi, and the Governor shall take into account the goals of geographic, racial, gender and other categories of diversity when nominating board members.

(b) * * * The Mississippi Lottery Corporation Board of Directors, created by former Section 27-115-9, is continued and reconstituted as follows: Effective January 1, 2028, members of the board shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Lottery Corporation Board of Directors. The board is authorized to appoint an executive director for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

(c) * * * The board shall annually elect a chairman from among its voting members.

(3) Appointed members of the board shall be entitled to per diem compensation pursuant to Section 25-3-69 paid by the corporation and shall be reimbursed by the corporation for necessary travel and other reasonable expenses incurred in the performance of their official duties. No appointed member of the board shall be considered a public officer.

(4) The board, upon the initial call of the Governor and the chairman thereafter, shall meet at least monthly for the first eighteen (18) months and at such other times as the chairman may determine. Three (3) voting members of the board shall constitute a quorum. The board shall also meet upon call of three (3) or more of the voting members of the board. The board shall keep accurate and complete records of all its meetings.

(5) All meetings of the board shall be subject to the Open Meetings Act in Section 25-41-1 et seq.

SECTION 93. Section 27-115-11, Mississippi Code of 1972, is amended as follows:

27-115-11. (1) The president of the corporation shall be appointed by the board subject to the * * * advice and consent of the Senate. * * * The president shall serve for a term of four (4) years, consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The president shall manage the daily affairs of the corporation and shall have such powers and duties as specified by this chapter, by the board, and any rules or regulations adopted by the board. The president shall not be a member of the board. * * *

(2) The president shall employ such personnel as he or she deems necessary. All personnel shall serve at the will and pleasure of the president, unless otherwise specified by the president.

(3) The board shall set the salary of the president.

(4) No employee shall be a member of the board.

SECTION 94. Section 73-67-9, Mississippi Code of 1972, is amended as follows:

73-67-9. (1) There is created the State Board of Massage Therapy.

(2) The board shall consist of five (5) members appointed by the Governor, with the advice and consent of the Senate, one (1) from each Mississippi Supreme Court District and two (2) from the state at large. At least three (3) members shall be appointed from a list submitted by state representatives of one or more nationally recognized professional massage therapy association(s), all of whom must be residents of Mississippi and must have engaged in the practice of massage therapy within the state for at least three (3) years, one (1) member shall be a licensed health professional in a health field other than massage therapy and one (1) member shall be a consumer at large who is not associated with or financially interested in the practice or business of massage therapy. No member of the board may be an owner or partner of a massage therapy school. * * * The State Board of Massage Therapy, created by former Section 73-62-9, is continued and reconstituted as follows: Effective January 1, 2028, each board member shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Board of Message Therapy.

(3) * * * No person shall be appointed for more than two (2) consecutive terms. By approval of the majority of the board, the service of a member may be extended at the completion of a four-year term until a new member is appointed or the current member is reappointed. The board shall elect one (1) of the appointed massage therapists as the chairman of the board.

(4) A majority of the board may appoint an executive director * * * for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The majority of the board may also appoint other such individuals, including an attorney, as may be necessary to implement the provisions of this chapter. The board may hold additional meetings at such times and places as it deems necessary. A majority of the board shall constitute a quorum and a majority of the board shall be required to grant or revoke a license.

SECTION 95. Section 73-43-3, Mississippi Code of 1972, is amended as follows:

73-43-3. (1) The state board of medical licensure shall consist of nine (9) physicians, with three (3) appointed from each Mississippi Supreme Court District. Each of the physicians shall have graduated from a medical school which has been accredited by the liaison committee on medical education as sponsored by the American Medical

Association and the Association of American Medical Colleges or from an osteopathic medical school which has been accredited by the Bureau of Professional Education of the American Osteopathic Association, and have at least six (6) years' experience in the practice of medicine. No more than two (2) members of the board shall be a member of the faculty of the University of Mississippi School of Medicine. No more than four (4) members of the board shall be from the same Mississippi Supreme Court district.

(2) Three (3) physicians shall be nominated to the Governor for each appointive position by the Mississippi State Medical Association; and said nominations shall give due regard to geographic distribution, race and sex. The Governor shall appoint from said nominations the members of the board with the advice and consent of the Senate. * * * The State Board of Medical Licensure, created by former Section 73-43-3, is continued and reconstituted as follows: Effective January 1, 2028, the members shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that five (5) members shall be appointed in 2028 to a term ending December 31, 2031, and four (4) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Board of Medical Licensure. The board is authorized to appoint an executive director for a term of four (4) years with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

SECTION 96. Section 41-4-3, Mississippi Code of 1972, is amended as follows:

41-4-3. (1) There is created a State Board of Mental Health, referred to in this chapter as "board," consisting of nine (9) members, to be appointed by the Governor, with the advice and consent of the Senate, each of whom shall be a qualified elector. * * * Three (3) members shall be appointed from each * * * Mississippi Supreme Court District as presently constituted * * *. One (1) * * * appointee shall be a licensed medical doctor who is a psychiatrist, one (1) * * * shall hold a Ph.D. degree and be a licensed clinical psychologist, one (1) * * * shall be a licensed medical doctor, and one (1) of whom shall be a social worker with experience in the mental health field.

* * *

The State Board of Mental Health, created by former Section 41-4-3, is continued and reconstituted as follows: Effective January 1, 2028, each member shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that five (5) members shall be appointed in 2028 to a term ending December 31, 2031, and four (4) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Board of Mental Health.

The board shall elect a chairman whose term of office shall be one (1) year and until his successor shall be elected.

(2) Each board member shall be entitled to a per diem as is authorized by law and all actual and necessary expenses, including mileage as provided by law, incurred in the discharge of official duties.

(3) The board shall hold regular meetings quarterly and such special meetings deemed necessary, except that no action shall be taken unless there is present a quorum of at least five (5) members.

(4) No board member may be appointed for more than two (2) consecutive terms. * * *

SECTION 97. Section 41-4-7, Mississippi Code of 1972, is amended as follows:

41-4-7. The State Board of Mental Health shall have the following powers and duties:

(a) To appoint, with the advice and consent of the Senate, a full-time Executive Director of the Department of Mental Health, who shall be employed by the board and shall serve as executive secretary to the board. The executive director shall serve for a term of four (4) years, consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The first director shall be a duly licensed physician with special interest and competence in psychiatry, and shall possess a minimum of three (3) years' experience in clinical and administrative psychiatry. Subsequent directors shall possess at least a master's degree or its equivalent, and shall possess at least ten (10) years' administrative experience in the field of mental health. The salary of the executive director shall be determined by the board;

(b) To appoint a Medical Director for the Department of Mental Health. The medical director shall provide clinical oversight in the implementation of evidence-based and best practices; provide clinical leadership in the integration of mental health, intellectual disability and addiction services with community partners in the public and private sectors; and provide oversight regarding standards of care. The medical director shall serve at the will and pleasure of the board, and will undergo an annual review of job performance and future service to the department;

(c) To establish and implement its state strategic plan;

(d) To develop a strategic plan for the development of services for persons with mental illness, persons with developmental disabilities and other clients of the public mental health system. Such strategic planning program shall require that the board, acting through the Strategic Planning and Best Practices Committee, perform the following functions respecting the delivery of services:

(i) Establish measures for determining the efficiency and effectiveness of the services specified in Section 41-4-1(2);

(ii) Conducting studies of community-based care in other jurisdictions to determine which services offered in these jurisdictions have the potential to provide the citizens of Mississippi with more effective and efficient community-based care;

(iii) Evaluating the efficiency and effectiveness of the services specified in Section 41-4-1(2);

(iv) Recommending to the Legislature by January 1, 2014, any necessary additions, deletions or other changes necessary to the services specified in Section 41-4-1(2);

(v) Implementing by July 1, 2012, a system of performance measures for the services specified in Section 41-4-1(2);

(vi) Recommending to the Legislature any changes that the department believes are necessary to the current laws addressing civil commitment;

(vii) Conducting any other activities necessary to the evaluation and study of the services specified in Section 41-4-1(2);

(viii) Assisting in conducting all necessary strategic planning for the delivery of all other services of the department. Such planning shall be conducted so as to produce a single strategic plan for the services delivered by the public mental health system and shall establish appropriate mission statements, goals, objectives and performance indicators for all programs and services of the public mental health system. For services other than those specified in Section 41-4-1(2), the committee shall recommend to the State Board of Mental Health a strategic plan that the board may adopt or modify;

(e) To set up state plans for the purpose of controlling and treating any and all forms of mental and emotional illness, alcoholism, drug misuse and developmental disabilities;

(f) [Repealed]

(g) To enter into contracts with any other state or federal agency, or with any private person, organization or group capable of contracting, if it finds such action to be in the public interest;

(h) To collect reasonable fees for its services; however, if it is determined that a person receiving services is unable to pay the total fee, the department shall collect no more than the amount such person is able to pay;

(i) To certify, coordinate and establish minimum standards and establish minimum required services, as specified in Section 41-4-1(2), for regional mental health and intellectual disability commissions and other community service providers for community or regional programs and services in adult mental health, children and youth mental health, intellectual disabilities, alcoholism, drug misuse, developmental disabilities, compulsive gambling, addictive disorders and related programs throughout the state. Such regional mental health and intellectual disability commissions and other community service providers shall, on or before July 1 of each year, submit an annual operational plan to the State Department of Mental Health for approval or disapproval based on the minimum standards and minimum required services established by the department for certification and itemize the services specified in Section 41-4-1(2), including financial statements. As part of the annual operation plan required by this paragraph (i) submitted by any regional community mental health center or by any other reasonable certification deemed acceptable by the department, the community mental health center shall state those services specified in Section 41-4-1(2) that it will provide and also those services that it will not provide. If the department finds deficiencies in the plan of any regional commission or community service provider based on the minimum standards and minimum required services established for certification, the department shall give the regional commission or community service provider a six-month probationary period to bring its standards and services up to the established minimum standards and minimum required services. The regional commission or community service provider shall develop a sustainability business plan within thirty (30) days of being placed on probation, which shall be signed by all commissioners and shall include policies to address one or more of the following: the deficiencies in programmatic services, clinical service staff expectations, timely and appropriate billing, processes to obtain credentialing for staff, monthly reporting processes, third-party financial reporting and any other required

documentation as determined by the department. After the six-month probationary period, if the department determines that the regional commission or community service provider still does not meet the minimum standards and minimum required services established for certification, the department may remove the certification of the commission or provider and from and after July 1, 2011, the commission or provider shall be ineligible for state funds from Medicaid reimbursement or other funding sources for those services. However, the department shall not mandate a standard or service, or decertify a regional commission or community service provider for not meeting a standard or service, if the standard or service does not have funding appropriated by the Legislature or have a state, federal or local funding source identified by the department. No county shall be required to levy millage to provide a mandated standard or service above the minimum rate required by Section 41-19-39. After the six-month probationary period, the department may identify an appropriate community service provider to provide any core services in that county that are not provided by a community mental health center. However, the department shall not offer reimbursement or other accommodations to a community service provider of core services that were not offered to the decertified community mental health center for the same or similar services. The State Board of Mental Health shall promulgate rules and regulations necessary to implement the provisions of this paragraph (i), in accordance with the Administrative Procedures Law (Section 25-43-1.101 et seq.);

(j) To establish and promulgate reasonable minimum standards for the construction and operation of state and all Department of Mental Health certified facilities, including reasonable minimum standards for the admission, diagnosis, care, treatment, transfer of patients and their records, and also including reasonable minimum standards for providing day care, outpatient care, emergency care, inpatient care and follow-up care, when such care is provided for persons with mental or emotional illness, an intellectual disability, alcoholism, drug misuse and developmental disabilities;

(k) To implement best practices for all services specified in Section 41-4-1(2), and to establish and implement all other services delivered by the Department of Mental Health. To carry out this responsibility, the board shall require the department to establish a division responsible for developing best practices based on a comprehensive analysis of the mental health environment to determine what the best practices for each service are. In developing best practices, the board shall consider the cost and benefits associated with each practice with a goal of implementing only those practices that are cost-effective practices for service delivery. Such best practices shall be utilized by the board in establishing performance standards and evaluations of the community mental health centers' services required by paragraph (d) of this section;

(l) To assist community or regional programs consistent with the purposes of this chapter by making grants and contracts from available funds;

(m) To establish and collect reasonable fees for necessary inspection services incidental to certification or compliance;

(n) To accept gifts, trusts, bequests, grants, endowments or transfers of property of any kind;

(o) To receive monies coming to it by way of fees for services or by appropriations;

(p) To serve as the single state agency in receiving and administering any and all funds available from any source for the purpose of service delivery, training, research and education in regard to all forms of mental illness, intellectual disabilities, alcoholism, drug misuse and developmental disabilities, unless such funds are specifically designated to a particular agency or institution by the federal government, the Mississippi Legislature or any other grantor;

(q) To establish mental health holding centers for the purpose of providing short-term emergency mental health treatment, places for holding persons awaiting commitment proceedings or awaiting placement in a state mental health facility following commitment, and for diverting placement in a state mental health facility. These mental health holding facilities shall be readily accessible, available statewide, and be in compliance with emergency services' minimum standards. They shall be comprehensive and available to triage and make appropriate clinical disposition, including the capability to access inpatient services or less restrictive alternatives, as needed, as determined by medical staff. Such facility shall have medical, nursing and behavioral services available on a twenty-four-hour-a-day basis. The board may provide for all or part of the costs of establishing and operating the holding centers in each district from such funds as may be appropriated to the board for such use, and may participate in any plan or agreement with any public or private entity under which the entity will provide all or part of the costs of establishing and operating a holding center in any district;

(r) To certify/license case managers, mental health therapists, intellectual disability therapists, mental health/intellectual disability program administrators, addiction counselors and others as deemed appropriate by the board. Persons already professionally licensed by another state board or agency are not required to be certified/licensed under this section by the Department of Mental Health. The department shall not use professional titles in its certification/licensure process for which there is an independent licensing procedure. Such certification/licensure shall be valid only in the state mental health system, in programs funded and/or certified by the Department of Mental Health, and/or in programs certified/licensed by the State Department of Health that are operated by the state mental health system serving persons with mental illness, an intellectual disability, a developmental disability or addictions, and shall not be transferable;

(s) To develop formal mental health worker qualifications for regional mental health and intellectual disability commissions and other community service providers. The State Personnel Board shall develop and promulgate a recommended salary scale and career ladder for all regional mental health/intellectual disability center therapists and case managers who work directly with clients. The State Personnel Board shall also develop and promulgate a career ladder for all direct care workers employed by the State Department of Mental Health;

(t) The employees of the department shall be governed by personnel merit system rules and regulations, the same as other employees in state services;

(u) To establish such rules and regulations as may be necessary in carrying out the provisions of this chapter, including the establishment of a formal grievance procedure to investigate and attempt to resolve consumer complaints;

(v) To grant easements for roads, utilities and any other purpose it finds to be in the public interest;

(w) To survey statutory designations, building markers and the names given to mental health/intellectual disability facilities and proceedings in order to recommend deletion of obsolete and offensive terminology relative to the mental health/intellectual disability system. Based upon a recommendation of the executive director, the board shall have the authority to name/rename any facility operated under the auspices of the Department of Mental Health for the sole purpose of deleting such terminology;

(x) To ensure an effective case management system directed at persons who have been discharged from state and private psychiatric hospitals to ensure their continued well-being in the community;

(y) To develop formal service delivery standards designed to measure the quality of services delivered to community clients, as well as the timeliness of services to

community clients provided by regional mental health/intellectual disability commissions and other community services providers;

(z) To establish regional state offices to provide mental health crisis intervention centers and services available throughout the state to be utilized on a case-by-case emergency basis. The regional services director, other staff and delivery systems shall meet the minimum standards of the Department of Mental Health;

(aa) To require performance contracts with community mental health/intellectual disability service providers to contain performance indicators to measure successful outcomes, including diversion of persons from inpatient psychiatric hospitals, rapid/timely response to emergency cases, client satisfaction with services and other relevant performance measures;

(bb) To enter into interagency agreements with other state agencies, school districts and other local entities as determined necessary by the department to ensure that local mental health service entities are fulfilling their responsibilities to the overall state plan for behavioral services;

(cc) To establish and maintain a toll-free grievance reporting telephone system for the receipt and referral for investigation of all complaints by clients of state and community mental health/intellectual disability facilities;

(dd) To establish a peer review/quality assurance evaluation system that assures that appropriate assessment, diagnosis and treatment is provided according to established professional criteria and guidelines;

(ee) To develop and implement state plans for the purpose of assisting with the care and treatment of persons with Alzheimer's disease and other dementia. This plan shall include education and training of service providers, caregivers in the home setting and others who deal with persons with Alzheimer's disease and other dementia, and development of adult day care, family respite care and counseling programs to assist families who maintain persons with Alzheimer's disease and other dementia in the home setting. No agency shall be required to provide any services under this section until such time as sufficient funds have been appropriated or otherwise made available by the Legislature specifically for the purposes of the treatment of persons with Alzheimer's and other dementia;

(ff) Working with the advice and consent of the administration of Ellisville State School, to enter into negotiations with the Economic Development Authority of Jones County for the purpose of negotiating the possible exchange, lease or sale of lands owned by Ellisville State School to the Economic Development Authority of Jones County. It is the intent of the Mississippi Legislature that such negotiations shall ensure that the financial interest of the persons with an intellectual disability served by Ellisville State School will be held paramount in the course of these negotiations. The Legislature also recognizes the importance of economic development to the citizens of the State of Mississippi and Jones County, and encourages fairness to the Economic Development Authority of Jones County. Any negotiations proposed which would result in the recommendation for exchange, lease or sale of lands owned by Ellisville State School must have the approval of the State Board of Mental Health. The State Board of Mental Health may and has the final authority as to whether or not these negotiations result in the exchange, lease or sale of the properties it currently holds in trust for persons with an intellectual disability served at Ellisville State School.

If the State Board of Mental Health authorizes the sale of lands owned by Ellisville State School, as provided for under this paragraph (ff), the monies derived from the sale shall be placed into a special fund that is created in the State Treasury to be known as the "Ellisville State School Client's Trust Fund." The principal of the trust fund shall remain inviolate and shall never be expended. Any interest earned on the principal may be

expended solely for the benefits of clients served at Ellisville State School. The State Treasurer shall invest the monies of the trust fund in any of the investments authorized for the Mississippi Prepaid Affordable College Tuition Program under Section 37-155-9, and those investments shall be subject to the limitations prescribed by Section 37-155-9. Unexpended amounts remaining in the trust fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the trust fund shall be deposited to the credit of the trust fund. The administration of Ellisville State School may use any interest earned on the principal of the trust fund, upon appropriation by the Legislature, as needed for services or facilities by the clients of Ellisville State School. Ellisville State School shall make known to the Legislature, through the Legislative Budget Committee and the respective Appropriations Committees of the House and Senate, its proposed use of interest earned on the principal of the trust fund for any fiscal year in which it proposes to make expenditures thereof. The State Treasurer shall provide Ellisville State School with an annual report on the Ellisville State School Client's Trust Fund to indicate the total monies in the trust fund, interest earned during the year, expenses paid from the trust fund and such other related information.

Nothing in this section shall be construed as applying to or affecting mental health/intellectual disability services provided by hospitals as defined in Section 41-9-3(a), and/or their subsidiaries and divisions, which hospitals, subsidiaries and divisions are licensed and regulated by the Mississippi State Department of Health unless such hospitals, subsidiaries or divisions voluntarily request certification by the Mississippi State Department of Mental Health.

All new programs authorized under this section shall be subject to the availability of funds appropriated therefor by the Legislature;

(gg) Working with the advice and consent of the administration of Boswell Regional Center, to enter into negotiations with the Economic Development Authority of Simpson County for the purpose of negotiating the possible exchange, lease or sale of lands owned by Boswell Regional Center to the Economic Development Authority of Simpson County. It is the intent of the Mississippi Legislature that such negotiations shall ensure that the financial interest of the persons with an intellectual disability served by Boswell Regional Center will be held paramount in the course of these negotiations. The Legislature also recognizes the importance of economic development to the citizens of the State of Mississippi and Simpson County, and encourages fairness to the Economic Development Authority of Simpson County. Any negotiations proposed which would result in the recommendation for exchange, lease or sale of lands owned by Boswell Regional Center must have the approval of the State Board of Mental Health. The State Board of Mental Health may and has the final authority as to whether or not these negotiations result in the exchange, lease or sale of the properties it currently holds in trust for persons with an intellectual disability served at Boswell Regional Center. In any such exchange, lease or sale of such lands owned by Boswell Regional Center, title to all minerals, oil and gas on such lands shall be reserved, together with the right of ingress and egress to remove same, whether such provisions be included in the terms of any such exchange, lease or sale or not.

If the State Board of Mental Health authorizes the sale of lands owned by Boswell Regional Center, as provided for under this paragraph (gg), the monies derived from the sale shall be placed into a special fund that is created in the State Treasury to be known as the "Boswell Regional Center Client's Trust Fund." The principal of the trust fund shall remain inviolate and shall never be expended. Any earnings on the principal may be expended solely for the benefits of clients served at Boswell Regional Center. The State Treasurer shall invest the monies of the trust fund in any of the investments authorized for the Mississippi Prepaid Affordable College Tuition Program under Section 37-155-9, and those investments shall be subject to the limitations prescribed by Section 37-155-9. Unexpended amounts remaining in the trust fund at the end of a fiscal year shall not lapse into the State General Fund, and any earnings on amounts in the trust fund shall be deposited to the credit of the trust fund. The administration of Boswell Regional Center

may use any earnings on the principal of the trust fund, upon appropriation by the Legislature, as needed for services or facilities by the clients of Boswell Regional Center. Boswell Regional Center shall make known to the Legislature, through the Legislative Budget Committee and the respective Appropriations Committees of the House and Senate, its proposed use of the earnings on the principal of the trust fund for any fiscal year in which it proposes to make expenditures thereof. The State Treasurer shall provide Boswell Regional Center with an annual report on the Boswell Regional Center Client's Trust Fund to indicate the total monies in the trust fund, interest and other income earned during the year, expenses paid from the trust fund and such other related information.

Nothing in this section shall be construed as applying to or affecting mental health/intellectual disability services provided by hospitals as defined in Section 41-9-3(a), and/or their subsidiaries and divisions, which hospitals, subsidiaries and divisions are licensed and regulated by the Mississippi State Department of Health unless such hospitals, subsidiaries or divisions voluntarily request certification by the Mississippi State Department of Mental Health.

All new programs authorized under this section shall be subject to the availability of funds appropriated therefor by the Legislature;

(hh) Notwithstanding any other section of the code, the Board of Mental Health shall be authorized to fingerprint and perform a criminal history record check on every employee or volunteer. Every employee and volunteer shall provide a valid current social security number and/or driver's license number which shall be furnished to conduct the criminal history record check. If no disqualifying record is identified at the state level, fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check;

(ii) The Department of Mental Health shall have the authority for the development of a consumer friendly single point of intake and referral system within its service areas for persons with mental illness, an intellectual disability, developmental disabilities or alcohol or substance abuse who need assistance identifying or accessing appropriate services. The department will develop and implement a comprehensive evaluation procedure ensuring that, where appropriate, the affected person or their parent or legal guardian will be involved in the assessment and planning process. The department, as the point of intake and as service provider, shall have the authority to determine the appropriate institutional, hospital or community care setting for persons who have been diagnosed with mental illness, an intellectual disability, developmental disabilities and/or alcohol or substance abuse, and may provide for the least restrictive placement if the treating professional believes such a setting is appropriate, if the person affected or their parent or legal guardian wants such services, and if the department can do so with a reasonable modification of the program without creating a fundamental alteration of the program. The least restrictive setting could be an institution, hospital or community setting, based upon the needs of the affected person or their parent or legal guardian;

(jj) To have the sole power and discretion to enter into, sign, execute and deliver long-term or multiyear leases of real and personal property owned by the Department of Mental Health to and from other state and federal agencies and private entities deemed to be in the public's best interest. Any monies derived from such leases shall be deposited into the funds of the Department of Mental Health for its exclusive use. Leases to private entities shall be approved by the Department of Finance and Administration and all leases shall be filed with the Secretary of State;

(kk) To certify and establish minimum standards and minimum required services for county facilities used for housing, feeding and providing medical treatment for any person who has been involuntarily ordered admitted to a treatment center by a court of competent jurisdiction. The minimum standard for the initial assessment of those persons being housed in county facilities is for the assessment to be performed by a

physician, preferably a psychiatrist, or by a nurse practitioner, preferably a psychiatric nurse practitioner. If the department finds deficiencies in any such county facility or its provider based on the minimum standards and minimum required services established for certification, the department shall give the county or its provider a six-month probationary period to bring its standards and services up to the established minimum standards and minimum required services. After the six-month probationary period, if the department determines that the county or its provider still does not meet the minimum standards and minimum required services, the department may remove the certification of the county or provider and require the county to contract with another county having a certified facility to hold those persons for that period of time pending transportation and admission to a state treatment facility. Any cost incurred by a county receiving an involuntarily committed person from a county with a decertified holding facility shall be reimbursed by the home county to the receiving county; and

(ll) To provide orientation training to all new commissioners of regional commissions and annual training for all commissioners with continuing education regarding the Mississippi mental health system and services as developed by the State Department of Mental Health. Training shall be provided at the expense of the department except for travel expenses which shall be paid by the regional commission.

SECTION 98. Section 63-17-57, Mississippi Code of 1972, is amended as follows:

63-17-57. There is hereby created the Mississippi Motor Vehicle Commission to be composed of eight (8) members, one (1) of whom shall be appointed by the Attorney General from the state at large * * * and one (1) of whom shall be appointed by the Secretary of State from the state at large * * *, and six (6) licensees who shall be appointed by the Governor, * * * two (2) from each Supreme Court District. All appointments * * * shall be made with the advice and consent of the Senate.

The Mississippi Motor Vehicle Commission, created by former Section 63-17-57, is continued and reconstituted as follows: Effective January 1, 2028, each commissioner shall be appointed by the appointing authority, with the advice and consent of the Senate, for a term of office of four (4) years, provided that four (4) commissioners shall be appointed in 2028 to a term ending December 31, 2031, and two (2) commissioners shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Motor Vehicle Commission.

SECTION 99. Section 63-17-67, Mississippi Code of 1972, is amended as follows:

63-17-67. The commission, with the advice and consent of the Senate, shall employ a qualified person to serve as executive director thereof, to serve * * * for a term of four (4) years, consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The commission shall fix his salary, subject to the approval of the State Personnel Board, and shall define and prescribe his duties. The executive director shall be in charge of the commission's office and shall devote full time to the duties thereof. His duties shall include, but not be limited to, the collection of all fees and charges under the provisions of the Mississippi Motor Vehicle Commission Law, keeping a record of all proceedings of the commission and an accurate account of all monies received and disbursed by the commission, all of which records shall be considered as public records. The commission

may employ such clerical and professional help and incur such expenses as may be reasonably necessary for the proper discharge of its duties.

The commission shall maintain its office and transact its business, except as otherwise provided, at Jackson, Mississippi, and the Department of Finance and Administration shall approve suitable quarters and the remuneration therefor.

SECTION 100. Section 73-17-7, Mississippi Code of 1972, is amended as follows:

73-17-7. (1) There is hereby created the Mississippi State Board of Nursing Home Administrators. This board shall consist of seven (7) persons, two (2) appointed from each Mississippi Supreme Court District and one (1) from the state at large, in addition to the State Health Officer, or his designee, who shall be an ex officio member without voting privilege, to be appointed by the Governor with the advice and consent of the Senate, each of whom shall be a qualified elector of the State of Mississippi; the members of said board shall be selected from a list of names submitted to the Governor as provided for hereinafter. * * * The members of this board shall include the following:

(a) One (1) educator with expertise in the field of health care and associated at the time of his appointment with an institution of higher learning within the State of Mississippi.

(b) A registered nurse.

(c) A licensed and practicing medical doctor or physician.

(d) Three (3) licensed and practicing nursing home administrators, no more than one (1) of whom shall be from the same Supreme Court district, who shall have had at least five (5) years' actual experience as a nursing home administrator.

(e) A hospital administrator.

Only the board members who are nursing home administrators may have a direct financial interest in any nursing home.

The Mississippi Nurses Association may submit a list of nominees for the appointment of the registered nurse member; the Mississippi State Medical Association may submit a list of nominees for the appointment of the medical doctor or physician member; the Mississippi Health Care Association and the Mississippi Health Facilities Association may submit lists of nominees for the appointment of the nursing home administrator members; and the Mississippi State Hospital Association may submit a list of nominees for the appointment of the hospital administrator member. Any such list of nominees shall be submitted at least thirty (30) days before the expiration of the term for each position.

* * *

The State Board of Nursing Home Administrators, created by former Section 73-17-7, is continued and reconstituted as follows: Effective January 1, 2028, appointed members shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that four (4) members shall be appointed in 2028 to a term ending December 31, 2031, and three (3) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the

specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Board of Nursing Home Administrators. The board is authorized to appoint an executive director for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

(2) The board shall organize by selecting annually from its members a chairman and a vice chairman, and may do all things necessary and convenient for carrying into effect the provisions of this chapter and may from time to time promulgate rules and regulations. Each member of the board shall receive a per diem as provided in Section 25-3-69, plus travel and reasonable necessary expenses incidental to the attendance at each meeting as provided in Section 25-3-41. Any member who shall not attend two (2) consecutive meetings of the board shall be subject to removal by the Governor. The chairman of the board shall notify the Governor in writing when any such member has failed to attend two (2) consecutive regular meetings.

(3) The board shall adopt a seal.

(4) The board is hereby authorized to acquire office space and to employ such personnel as shall be necessary in the performance of its duties, including a secretary-treasurer, who shall be bonded in an amount to be fixed by the board, but in no event less than the amount of Five Thousand Dollars ($5,000.00).

(5) All fees and any other monies received by the board shall be deposited in a special fund that is created in the State Treasury. The monies in the special fund shall be subject to all provisions of the state budget laws that are applicable to special fund agencies. Any interest earned on this special fund shall be credited by the State Treasurer to the fund and shall not be paid into the State General Fund.

SECTION 101. Section 73-15-9, Mississippi Code of 1972, is amended as follows:

73-15-9. (1) There is hereby created a board to be known as the Mississippi Board of Nursing, composed of thirteen (13) members, two (2) of whom shall be nurse educators; three (3) of whom shall be registered nurses in clinical practice, two (2) to have as basic nursing preparation an associate degree or diploma and one (1) to have as basic nursing preparation a baccalaureate degree; one (1) of whom shall be a registered nurse at large; one (1) of whom shall be a registered nurse practitioner; four (4) of whom shall be licensed practical nurses; one (1) of whom shall be a licensed physician who shall always be a member of the State Board of Medical Licensure; and one (1) of whom shall represent consumers of health services. There shall be * * * four (4) board members from each * * * Mississippi Supreme Court District in the state and one (1) from the state at large; provided, however, that the physician member, the consumer representative member and one (1) registered nurse member shall be at large always.

(2) Members of the Mississippi Board of Nursing, excepting the member of the State Board of Medical Licensure, shall be appointed by the Governor, with the advice and consent of the Senate, from lists of nominees submitted by any Mississippi registered nurse organization and/or association chartered by the State of Mississippi whose board of directors is elected by the membership and whose membership includes registered nurses statewide, for the nomination of registered nurses, and by the Mississippi Federation of Licensed Practical Nurses and the Mississippi Licensed Practical Nurses' Association for the nomination of a licensed practical nurse. Nominations submitted by any such registered nurse organization or association to fill vacancies on the board shall be made and voted on by registered nurses only. Each list of nominees shall contain a minimum of three (3) names for each vacancy to be filled. The list of names shall be submitted at least thirty (30) days before the expiration of the term for each position. If such list is not submitted, the Governor is authorized to make an appointment from the group affected and without nominations. * * *

* * *

The Mississippi Board of Nursing, created by former Section 73-15-9, is continued and reconstituted as follows: Effective January 1, 2028, each member shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that seven (7) members shall be appointed in 2028 to a term ending December 31, 2031, and six (6) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Board of Nursing. The board is authorized to appoint an executive director for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

SECTION 102. Section 73-15-17, Mississippi Code of 1972, is amended as follows:

73-15-17. The Mississippi Board of Nursing is authorized and empowered to:

(a) Adopt and from time to time revise such rules and regulations consistent with the law as shall be necessary to govern its proceedings and carry into effect the provisions of this article; however, the board shall not adopt any rule or regulation or impose any requirement regarding the licensing or certification of advanced practice registered nurses that conflicts with the prohibitions in Section 73-49-3.

(b) Require the secretary to keep records of all meetings of the board and keep a record of all proceedings, and to prepare a register of registered nurses and a register of licensed practical nurses, all nurses appearing thereon to be duly licensed under this article, and which registers shall be open for public inspection at all reasonable times.

(c) Issue subpoenas, require attendance of witnesses, and administer oaths of persons giving testimony.

(d) Cause the prosecution of all persons violating the provisions of this article, and incur such necessary expenses therefor.

(e) Conduct hearings upon charges calling for discipline of a licensee or revocation of a license or of the privilege to practice.

(f) Present a true and full report to the Governor and the Legislature, together with a statement of receipts and disbursements on or before February 1 of each year.

(g) Maintain an office in the greater Jackson area for the administration of this article.

(h) File an annual list of all certificates of registration issued by the board with the Secretary of State's office for both registered nurses and licensed practical nurses.

(i) File an annual list of all certificates of registration issued by the board to registered nurses, including addresses of the persons with the Mississippi Nurses' Association; and file a similar list of all certificates of registration issued to licensed practical nurses, including addresses of the persons, with the Mississippi Federation of Licensed Practical Nurses and the Mississippi Licensed Practical Nurses Association.

(j) Adopt a seal which shall be in the form of a circle with the image of an eagle in the center, and around the margin the words "Mississippi Board of Nursing," and under the image of the eagle the word "Official." The seal shall be affixed to certificates and warrants issued by the board, and to all records sent up on appeal from its decisions.

(k) Schedule dates and locations for state board examinations for examining qualified applicants for licensure.

(l) Examine, license and renew licenses of duly qualified applicants.

(m) Appoint, with the advice and consent of the Senate, and employ, a qualified person who shall not be a member of the board to serve as executive director, define the duties, fix the compensation, and delegate to him or her those activities that will expedite the functions of the board. The executive director shall serve for a term of four (4) years that is consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The executive director shall meet all the qualifications for board members, and shall in addition:

(i) Have had at least a master's degree in nursing, eight (8) years' experience as a registered nurse, five (5) of which shall be in teaching or in administration, or a combination thereof; and

(ii) Have been actively engaged in nursing for at least five (5) years immediately preceding appointment.

(n) Employ, discharge, define duties, and fix compensation of such other persons as may be necessary to carry out the provisions of this article.

(o) Secure the services of research consultants as deemed necessary who shall receive a per diem, travel and other necessary expenses incurred while engaged by the board.

(p) Enter into contracts with any other state or federal agency or with any private person, organization or group capable of contracting, if it finds such action to be in the public interest and in the furtherance of its responsibilities.

(q) Upon reasonable suspicion that a holder of a license issued under this article has violated any statutory ground for denial of licensure as set forth in Section 73-15-29 or is guilty of any offense specified in Section 73-15-33, require the license holder to undergo a fingerprint-based criminal history records check of the Mississippi central criminal database and the Federal Bureau of Investigation criminal history database, in the same manner as required for applicants for licensure under Sections 73-15-19(1) and 73-15-21(1).

(r) Perform the duties prescribed by the Nurse Licensure Compact in Section 73-15-201.

SECTION 103. Section 53-1-5, Mississippi Code of 1972, is amended as follows:

53-1-5. (1) There is hereby created and established a board to be known as the State Oil and Gas Board composed of five (5) members. One (1) member shall be appointed by the Lieutenant Governor * * * from the state at large; one (1) member shall be appointed by the Attorney General of the State of Mississippi * * * from the state at

large; and three (3) members shall be appointed by the Governor, one (1) from each of the Supreme Court districts * * *.

* * *

* * * (2) All members shall be confirmed by the Senate. * * *

(3) The State Oil and Gas Board, created by former Section 53-1-5, is continued and reconstituted as follows: Effective January 1, 2028, the members of the State Oil and Gas Board shall be appointed by the appointing authority, with the advice and consent of the Senate, for a term of office of four (4) years, provided that of the three (3) appointments by the Governor two (2) shall be appointed in 2028 to a term ending December 31, 2031, and one (1) shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Oil and Gas Board.

(4) The board shall elect from its number a chairman and a vice chairman. Each member of the board shall be a citizen of the United States, and a resident of the State of Mississippi, and a qualified elector therein, of integrity and sound and nonpartisan judgment. Each member shall qualify by taking the oath of office and shall hold office until his successor is appointed and qualified. The board shall establish its principal office at Jackson, Mississippi, at which the records of the board shall be kept.

Each member of the board shall receive as compensation for his services an annual salary of Seven Thousand Two Hundred Dollars ($7,200.00), except the chairman of the board who shall receive as compensation for his services an annual salary of Nine Thousand Six Hundred Dollars ($9,600.00). The receipt of said compensation shall not entitle members of the board to receive or be eligible for any state employee group insurance or retirement benefits.

(* * *5) The board shall meet and hold hearings at such times and places as may be found by the board, or a majority thereof, to be necessary to carry out its duties. A majority of the board shall constitute a quorum, and three (3) affirmative votes shall be necessary for adoption or promulgation of any rule, regulation or order. * * *

(* * *6) Where a question which has been presented or has arisen to be acted upon by the board directly affects the interest of a member or members of the board, such member or members shall recuse himself or themselves from acting upon such question.

(* * *7) The board shall adopt an official seal, and may sue and be sued.

(8) The board is authorized to appoint an executive director for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

SECTION 104. Section 73-19-7, Mississippi Code of 1972, is amended as follows:

73-19-7. The Governor, with the advice and consent of the Senate, shall appoint a State Board of Optometry, consisting of five (5) persons, citizens of Mississippi, each of whom shall be a nonmedical man or woman actually engaged in the practice of optometry for five (5) years next preceding his appointment. * * * The appointments to the board

shall be made with one (1) member to be appointed from each of the * * * Mississippi Supreme Court Districts as existing * * * at the time of appointment, and two (2) from the state at large.

The State Board of Optometry, created by former Section 73-19-7, is continued and reconstituted as follows: Effective January 1, 2028, each board member shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Board of Optometry.

No person so appointed shall be a stockholder in or a member of the faculty or of the board of trustees of any school of optometry, or serve to exceed two (2) five-year terms.

Vacancies on said board shall be filled by appointment by the Governor, with the advice and consent of the Senate, from a list of names submitted by the Mississippi Optometric Association consisting of three (3) of its members, or by appointment of any qualified member of the association.

SECTION 105. Section 73-19-9, Mississippi Code of 1972, is amended as follows:

73-19-9. The State Board of Optometry shall organize by the election from its members a president and a secretary, who shall hold their respective offices for one (1) year.

It shall hold regular meetings for examination, beginning on the second week of January and July of each year, and additional meetings at such times and places as the board shall determine, said additional meetings not to exceed ten (10) meeting days annually, but the July meeting shall be held in the City of Jackson.

A majority of the board shall constitute a quorum, but a less number may adjourn from time to time.

The board shall make such rules and regulations as may be necessary to carry out the provisions of this chapter; however, the board shall not adopt any rule or regulation or impose any requirement regarding the licensing of optometrists that conflicts with the prohibitions in Section 73-49-3.

The board is authorized to appoint an executive director for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

SECTION 106. Section 47-7-5, Mississippi Code of 1972, is amended as follows:

47-7-5. (1) Effective January 1, 2028, the State Parole Board, created under former Section 47-7-5, is hereby created, continued and reconstituted and shall be composed of five (5) members, one (1) appointed from each Mississippi Supreme Court District and two (2) from the state-at-large. The Governor shall appoint the members to four-year terms of office, with the advice and consent of the Senate, provided that three

(3) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed in 2030 to a term ending December 31, 2033. * * * Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Parole Board. Any vacancy shall be filled by the Governor, with the advice and consent of the Senate. The Governor shall appoint a chairman of the board.

(2) Any person who is appointed to serve on the board shall possess at least a bachelor's degree or a high school diploma and four (4) years' work experience. Each member shall devote his full time to the duties of his office and shall not engage in any other business or profession or hold any other public office. A member shall receive compensation or per diem in addition to his or her salary. Each member shall keep such hours and workdays as required of full-time state employees under Section 25-1-98. Individuals shall be appointed to serve on the board without reference to their political affiliations. Each board member, including the chairman, may be reimbursed for actual and necessary expenses as authorized by Section 25-3-41. Each member of the board shall complete annual training developed based on guidance from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association. Each first-time appointee of the board shall, within sixty (60) days of appointment, or as soon as practical, complete training for first-time Parole Board members developed in consideration of information from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association.

(3) The board shall have exclusive responsibility for the granting of parole as provided by Sections 47-7-3 and 47-7-17 and shall have exclusive authority for revocation of the same. The board shall have exclusive responsibility for investigating clemency recommendations upon request of the Governor.

(4) The board, its members and staff, shall be immune from civil liability for any official acts taken in good faith and in exercise of the board's legitimate governmental authority.

(5) The budget of the board shall be funded through a separate line item within the general appropriation bill for the support and maintenance of the department. Employees of the department which are employed by or assigned to the board shall work under the guidance and supervision of the board. There shall be an executive secretary to the board who shall be responsible for all administrative and general accounting duties related to the board. The executive secretary shall keep and preserve all records and papers pertaining to the board.

(6) The board shall have no authority or responsibility for supervision of offenders granted a release for any reason, including, but not limited to, probation, parole or executive clemency or other offenders requiring the same through interstate compact agreements. The supervision shall be provided exclusively by the staff of the Division of Community Corrections of the department.

(7) (a) The Parole Board is authorized to select and place offenders in an electronic monitoring program under the conditions and criteria imposed by the Parole Board. The conditions, restrictions and requirements of Section 47-7-17 and Sections

47-5-1001 through 47-5-1015 shall apply to the Parole Board and any offender placed in an electronic monitoring program by the Parole Board.

(b) Any offender placed in an electronic monitoring program under this subsection shall pay the program fee provided in Section 47-5-1013. The program fees shall be deposited in the special fund created in Section 47-5-1007.

(c) The department shall have absolute immunity from liability for any injury resulting from a determination by the Parole Board that an offender be placed in an electronic monitoring program.

(8) (a) The Parole Board shall maintain a central registry of paroled inmates. The Parole Board shall place the following information on the registry: name, address, photograph, crime for which paroled, the date of the end of parole or flat-time date and other information deemed necessary. The Parole Board shall immediately remove information on a parolee at the end of his parole or flat-time date.

(b) When a person is placed on parole, the Parole Board shall inform the parolee of the duty to report to the parole officer any change in address ten (10) days before changing address.

(c) The Parole Board shall utilize an Internet website or other electronic means to release or publish the information.

(d) Records maintained on the registry shall be open to law enforcement agencies and the public and shall be available no later than July 1, 2003.

(9) An affirmative vote of at least four (4) members of the Parole Board shall be required to grant parole to an inmate convicted of capital murder or a sex crime.

(10) This section shall stand repealed on July 1, 2025.

SECTION 107. Section 51-15-1, Mississippi Code of 1972, is amended as follows:

51-15-1. There is hereby created the Pat Harrison Waterway Commission composed of Clarke, Covington, Forrest, George, Greene, Jackson, Jasper, Jones, Lamar, Lauderdale, Newton, Perry, Smith, Stone, and Wayne Counties in the State of Mississippi, to be governed by a board consisting of one (1) member from each such county and three (3) members from the state at large, all to be appointed by the Governor, with the advice and consent of the Senate, to serve for a term of four (4) years or until their successors are appointed and qualified. Effective January 1, 2028, the eighteen (18) appointed members shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that ten (10) members shall be appointed in 2028 to a term ending December 31, 2031, and nine (9) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Pat Harrison Waterway Commission. The Governor shall designate in his appointment the chairman and vice chairman thereof. They shall serve without pay except for their actual traveling expenses and other necessary expenses incurred in the performance of their official duties, to be reimbursed as in the case of state employees under the provisions of general law. Upon appointment, said members shall meet and organize at Hattiesburg, Mississippi, and set

a regular time and place for the meetings of the commission, secure offices and all necessary equipment, and obtain such engineering, professional, clerical, and other assistance as may be necessary in order to accomplish the purposes of this article. An executive director may be appointed by the board to a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972, if this is deemed advisable, and salaries of all personnel may be paid out of funds provided under the terms of this article in an amount agreeable to the commission.

SECTION 108. Section 69-48-3, Mississippi Code of 1972, is amended as follows:

69-48-3. (1) The Mississippi Peanut Promotion Board is hereby created, to be composed of six (6) members to be appointed by the Governor * * *, with the advice and consent of the Senate, with two (2) appointed from each Mississippi Supreme Court District. All of the six (6) members of the board shall be producers of peanuts in the State of Mississippi. * * * The Mississippi Farm Bureau Federation, Inc., and the Mississippi Peanut Growers Association shall each submit the names of six (6) peanut producers to the Governor, and he shall appoint three (3) members from the nominees of each organization to serve on the board * * *. * * * The Mississippi Peanut Promotion Board, created by former Section 69-48-3, is continued and reconstituted as follows: Effective January 1, 2028, members of the board shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that four (4) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Peanut Promotion Board.

(2) The members of the board shall meet and organize immediately after their appointment, and shall elect a chairman, vice chairman and secretary-treasurer from the membership of the board, whose duties shall be those customarily exercised by such officers or specifically designated by the board. The chairman, vice chairman and secretary-treasurer shall be bonded in an amount not less than Twenty Thousand Dollars ($20,000.00). The cost of the bonds shall be paid from the funds received under this chapter. The bond shall be a security for any illegal act of such member of the board and recovery thereon may be had by the state for any injury by the illegal act of the member. The board may establish rules and regulations for its own government and the administration of the affairs of the board.

SECTION 109. Section 51-9-1, Mississippi Code of 1972, is amended as follows:

51-9-1. There is created the Pearl River Industrial Commission, composed of Hinds, Leake, Madison, Neshoba, Rankin and such other counties in the state through which or bordering which the Pearl River runs. The Governor, with the advice and consent of the Senate, shall appoint one (1) member to the commission from each county from a list of three (3) names to be submitted by the board of supervisors in each participating county. Effective January 1, 2028, the five (5) appointed members shall be appointed for a term of office of four (4) years, provided that three (3) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the

board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Pearl River Industrial Commission. The three (3) names submitted by the board of supervisors of Madison County and the board of supervisors of Rankin County shall be the names of persons who reside on and are holders of residential leases from the Pearl River Valley Water Supply District that are located in Madison County and Rankin County, respectively, or who reside in established subdivisions in Madison County and Rankin County, respectively, in which some of the residential property of the subdivision is leased from the Pearl River Valley Water Supply District. In his appointment the Governor shall designate the chairman and vice chairman of the commission. * * * The board of supervisors in any county through which or by which the Pearl River runs, other than those counties named above, may bring that county in as a member of the commission by resolution presented to the Governor; and the board of supervisors in such county may, in its discretion, call an election before taking such action, the election to be held as nearly as possible in the same manner other elections are held in the county.

The member appointed from Madison County who is serving on July 1, 2012, shall continue to serve until January 1, 2013, after which date the Governor shall appoint a member from Madison County who meets the residency requirements of this section. The person appointed under the provisions of this paragraph shall serve for the remainder of the unexpired term.

SECTION 110. Section 25-9-109, Mississippi Code of 1972, is amended as follows:

25-9-109. There is hereby created a board of five (5) members to be known as the State Personnel Board to be appointed by the Governor as hereinafter provided, with the advice and consent of the Senate, one (1) to be appointed from each Mississippi Supreme Court District and two (2) from the state at large.

* * *

The State Personnel Board, created by former Section 25-9-109, is continued and reconstituted as follows: Effective January 1, 2028, board members shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Personnel Board.

All appointees shall have at least a bachelor's degree in public administration, personnel management or in a management-related field of study or, in the alternative, shall have a bachelor's degree in any field and ten (10) years of experience in a position the duties of which specifically required the appointee to carry out personnel management responsibilities in an organization and were the exclusive responsibilities of his position. An appointee with a graduate degree in public administration, personnel management or

in a management-related field of study shall also be qualified to serve on the board. In the alternative, an appointee with a graduate degree in any field shall be qualified if he has five (5) years of experience in a position the duties of which specifically required him to carry out personnel management responsibilities in an organization and were the exclusive responsibilities of his position.

SECTION 111. Section 25-9-119, Mississippi Code of 1972, is amended as follows:

25-9-119. (1) There is created the position of the State Personnel Director who shall be selected by the State Personnel Board, with the advice and consent of the Senate, to a four-year term of office, consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The director shall have at least a Juris Doctor degree from an accredited law school or a master's degree in business administration, personnel management or the equivalent and shall have not less than five (5) years' experience therein. His salary shall be in accordance with the Mississippi Compensation Plan. * * *

(2) The duties and responsibilities of the director shall be:

(a) To serve as executive secretary to the board, to attend meetings as directed by the board and to provide such professional, technical and other supportive assistance as may be required by the board in the performance of its duties;

(b) Consistent with board policy, to administer the operations of the State Personnel System and to otherwise act in the capacity of Chief Executive Officer to the State Personnel Board;

(c) To submit for board approval proposed rules and regulations which shall require a uniform system of personnel administration within all agencies included in this chapter. Such rules and regulations, when approved by the board, shall be binding upon the state departments, agencies and institutions covered by this chapter and shall include provisions for the establishment and maintenance of classification and compensation plans, the conduct of examinations, employee recruiting, employee selection, the certification of eligible persons, appointments, promotions, transfers, demotions, separations, reinstatement, appeals, reports of performance, payroll certification, employee training, vacation and sick leave, compensatory leave, administrative leave, standardized recordkeeping forms and procedures for leave earned, accrued and used, and all other phases of personnel administration. Such rules and regulations shall not be applicable to the emergency hiring of employees by the Public Employees' Retirement System pursuant to Section 25-11-15(7). Copies of the rules and regulations, or modifications thereto, as are approved by the State Personnel Board, shall be provided to the Chairmen of the Accountability, Efficiency and Transparency Committee of the Senate and the Fees and Salaries of Public Officers Committee of the House of Representatives, the Lieutenant Governor and the Governor at least sixty (60) days before their effective date. The respective parties may submit comments to the board regarding such rules and regulations before their effective date;

(i) Compensation plans and modifications thereto promulgated under rules and regulations shall become effective as adopted, upon appropriation therefor by the State Legislature;

(ii) The director and the board shall provide for:

1. Cost-of-living adjustments;

2. Salary increases for outstanding performance based upon documented employee productivity and exceptional performance in assigned duties; and

3. Plans to compensate employees for suggestions which result in improved management in technical or administrative procedures and result in

documented cost savings for the state. In certifying promotions, the director shall ensure that an employee's anniversary date remains the same regardless of the date of his promotion;

(d) To submit to the board any proposed legislation as may be necessary to bring existing statutes relating to the administration of public employees into uniformity;

(e) To administer the rules and regulations and all other operational aspects of the State Personnel System and to assure compliance therewith in all the departments, agencies and institutions covered by the State Personnel System;

(f) To appoint and prescribe the duties of the State Personnel System staff, all positions of which shall be included in the state service;

(g) To prepare an annual budget for the board covering all the costs of operating the State Personnel System, including the State Personnel Board, and the costs of administering such federal laws relating to personnel administration as the board may direct, including the Intergovernmental Personnel Act of 1970;

(h) To assist state agencies, departments and institutions in complying with all applicable state and federal statutes and regulations concerning discrimination in employment, personnel administration and related matters;

(i) To recommend procedures for the establishment and abolishment of employment positions within those departments, agencies and institutions not excluded from this chapter; and

(j) To cooperate with appointing authorities in the administration of this chapter in order to promote public service and establish conditions of service which will attract and retain employees of character and capacity and to increase efficiency and economy in governmental departments by the improvement of methods of personnel administration with full recognition of the requirements and needs of management.

(3) From and after July 1, 2016, the State Personnel Board shall not charge another state agency a fee, assessment, or other charge for services or resources received by that agency from the State Personnel Board.

(4) From and after July 1, 2016, the expenses of this agency shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law.

SECTION 112. Section 73-21-75, Mississippi Code of 1972, is amended as follows:

73-21-75. (1) The State Board of Pharmacy created by former Section 73-21-9 is continued and reconstituted as follows: The board shall consist of seven (7) appointed members. At least * * * two (2) appointments shall be made from each * * * Mississippi Supreme Court District. Each appointed member of the board shall be appointed by the Governor, with the advice and consent of the Senate, from a list of five (5) names submitted by the Mississippi Pharmacists Association, with input from the Magnolia Pharmaceutical Society, the Mississippi Independent Pharmacies Association (MIPA), Mississippi Society of Health-System Pharmacists (MSHP) and Mississippi College of Clinical Pharmacy (MCCP) and other pharmacist associations or societies. Of the members appointed, one (1) shall, at the time of appointment, have had five (5) years' experience as a pharmacist at a facility holding an institutional permit, and one (1) shall, at the time of appointment, have had five (5) years' experience as a pharmacist at a facility holding a retail permit. Any person appointed to the board shall be limited to two (2) full terms of office during any fifteen-year period * * *.

(2) * * * The State Board of Pharmacy, created by former Section 73-21-75, is continued and reconstituted as follows: Effective January 1, 2028, members of the board shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that four (4) members shall be appointed in 2028 to a term ending December 31, 2031, and three (3) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Board of Pharmacy.

(3) * * * The Mississippi Pharmacists Association, with input from the Magnolia Pharmaceutical Society, the Mississippi Independent Pharmacies Association (MIPA), Mississippi Society of Health-System Pharmacists (MSHP) and Mississippi College of Clinical Pharmacy (MCCP) and other pharmacist associations or societies, shall submit a list of nominees no more than thirty (30) days after a vacancy occurs, and the Governor shall fill such vacancies within ninety (90) days after each such vacancy occurs. If an election is required to narrow the number of potential candidates for nominations to the board, the Mississippi Pharmacists Association shall provide a ballot to each pharmacist holding a valid Mississippi license.

(4) To be qualified to be a member of the board, a person shall:

(a) Be an adult citizen of Mississippi for a period of at least five (5) years preceding his appointment to the board;

(b) Be a pharmacist licensed and in good standing to practice pharmacy in the State of Mississippi; and

(c) Have actively engaged in the practice of pharmacy in Mississippi for a period of at least five (5) years.

* * *

SECTION 113. Section 73-21-79, Mississippi Code of 1972, is amended as follows:

73-21-79. (1) The board shall employ an executive director of the board. The executive director shall be a citizen of Mississippi and a pharmacist licensed and in good standing to practice pharmacy in the State of Mississippi, who has had five (5) years' experience as a pharmacist.

(2) The executive director shall receive a salary to be set by the board, subject to the approval of the State Personnel Board, and shall be entitled to necessary expenses incurred in the performance of his official duties. He shall devote full time to the duties of his office and shall not be engaged in any other business that will interfere with the duties of his office.

(3) The duties and responsibilities of the executive director shall be defined by rules and regulations prescribed by the board.

(4) The board may, in its discretion, employ persons in addition to the executive director in such other positions or capacities as it deems necessary to the proper conduct of board business. Any pharmacist-investigator employed by the board may have other

part-time employment, provided that he shall not accept any employment that would cause a conflict of interest in his pharmacist-investigator duties. The board may employ legal counsel to assist in the conduct of its business.

(5) The board is authorized to appoint an executive director for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

SECTION 114. Section 73-23-41, Mississippi Code of 1972, is amended as follows:

73-23-41. (1) There is established a State Board of Physical Therapy that shall consist of seven (7) members appointed by the Governor, with the advice and consent of the Senate. Four (4) members shall be physical therapists, one (1) member shall be a physical therapist assistant, and one (1) member shall be a physician, each of whom possesses unrestricted licenses to practice in his or her profession. The Governor shall also appoint one (1) member who shall be a consumer at large who is not associated with or financially interested in any health care profession and who has an interest in consumer rights. Each of the four (4) members who are physical therapists shall be appointed from a list of * * * two (2) persons from each of the * * * Mississippi * * * Supreme Court Districts, as such districts currently exist, submitted by the Mississippi Physical Therapy Association, all of whom must be residents of Mississippi and must have engaged in the practice of physical therapy within the state for at least four (4) years. * * * The State Board of Physical Therapy, created by former Section 73-23-41, is continued and reconstituted as follows: Effective January 1, 2028, each board member shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that four (4) members shall be appointed in 2028 to a term ending December 31, 2031, and three (3) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Board of Physical Therapy. No person shall be appointed for more than two (2) consecutive four-year terms. However, any board member initially appointed for less than a full four-year term is eligible to serve for two (2) additional consecutive four-year terms.

(2) The board shall annually elect a chairman, secretary and treasurer. The board shall provide for the timely orientation and training of new professional and public appointees to the board regarding board licensing and disciplinary procedures, this chapter and board rules, regulations, policies and procedures. A member may be removed by the board only for due cause. Failure to attend at least half of the board meetings in a fiscal year shall constitute cause. The board shall meet at least once each quarter, and those meetings shall be held in compliance with the Open Meetings Law (Section 25-41-1 et seq.). A majority of board members shall constitute a quorum for the transaction of business. The board shall keep an official record of its meetings. * * * Members of the board shall receive the per diem authorized under Section 25-3-69 for each day spent actually discharging their official duties, and shall receive reimbursement for mileage and necessary travel expenses incurred as provided in Section 25-3-41. A board member who acts within the scope of board duties, without malice and in the reasonable belief that the member's action is warranted by law is immune from civil liability.

SECTION 115. Section 73-23-43, Mississippi Code of 1972, is amended as follows:

73-23-43. (1) The board shall have the following general powers and duties:

(a) To examine and determine the qualifications and fitness of applicants for licenses to practice as physical therapists and licenses to act as physical therapist assistants in this state and prepare or approve and conduct all examinations of applicants for licensure;

(b) To issue, renew, deny, suspend or revoke licenses to practice as physical therapists and licenses to act as physical therapist assistants in this state or otherwise discipline licensed physical therapists and physical therapist assistants;

(c) To investigate alleged or suspected violations of the provisions of this chapter or other laws of this state pertaining to physical therapy and any rules and regulations adopted by the board;

(d) To establish reasonable fees for application for examination, certificates of licensure and renewal, and other services provided by the board;

(e) To adopt, amend or repeal any rules or regulations necessary to carry out the purposes of this chapter and the duties and responsibilities of the board, in accordance with Section 25-43-1.101 et seq. Such rules, when lawfully adopted, shall have the effect of law;

(f) To hire appropriate support personnel to carry out the provisions of this chapter;

(g) To adopt a code of ethics for physical therapists and physical therapist assistants licensed under this chapter which may be the current code of ethics of the American Physical Therapy Association;

(h) To regulate the practice of physical therapy by interpreting and enforcing this chapter;

(i) To provide for the examination of physical therapists and physical therapist assistants;

(j) To establish mechanisms for assessing the continuing professional competence of physical therapists and physical therapist assistants to practice physical therapy;

(k) To set criteria for continuing education;

(l) To establish and collect fees for sustaining the necessary operation and expenses of the board;

(m) To publish, at least annually, final disciplinary action against a licensee;

(n) To report final disciplinary action taken against a licensee to other state or federal regulatory agencies and to a national disciplinary database recognized by the board or as required by law;

(o) To share documents, materials, or other information, including confidential and privileged documents, materials, or information, received or maintained by the board with other state or federal agencies, and with a national disciplinary database recognized by the board or as required by law provided that the recipient agrees to

maintain the confidentiality and privileged status of the document, material or other information;

(p) To participate in or conduct performance audits;

(q) To, through its employees and/or representatives, enter and make inspections of any place where physical therapy is practiced and inspect and/or copy any record pertaining to clients or the practice of physical therapy under this chapter;

(r) To issue subpoenas for the attendance and testimony of witnesses and the production of papers, records or other documentary evidence. Any member of the board may administer oaths or affirmations to witnesses appearing before the board. If any subpoenaed person fails or refuses to attend any proceeding before the board, refuses to testify, refuses to produce any books and papers the production of which is called for by a subpoena, or otherwise fails to comply with any subpoena issued pursuant to this subsection, the attendance of such witness, the giving of his or her testimony, the production of the books and papers or other compliance with the subpoena shall be enforced by any court of competent jurisdiction of this state in the manner provided for the enforcement of attendance and testimony of witnesses in civil cases in the courts of this state.

(s) To conduct a criminal history records check on licensees whose licensure is subject to investigation by the board and on applicants for licensure. In order to determine the applicant's or licensee's suitability for licensing, the applicant or licensee shall be fingerprinted. The board shall submit the fingerprints to the Department of Public Safety for a check of the state criminal records and forward to the Federal Bureau of Investigation for a check of the national criminal records. The Department of Public Safety shall disseminate the results of the state check and the national check to the board for a suitability determination. The board shall be authorized to charge and collect from the applicant or licensee, in addition to all other applicable fees and costs, such amount as may be incurred by the board in requesting and obtaining state and national criminal history records information on the applicant or licensee.

Any and all state or national criminal history records information obtained by the board that is not already a matter of public record shall be deemed nonpublic and confidential information restricted to the exclusive use of the board, its members, officers, investigators, agents and attorneys in evaluating the applicant's eligibility or disqualification for licensure, and shall be exempt from the Mississippi Public Records Act of 1983. Except when introduced into evidence in a hearing before the board to determine licensure, no such information or records related thereto shall, except with the written consent of the applicant or by order of a court of competent jurisdiction, be released or otherwise disclosed by the board to any other person or agency; and

(t) Perform the duties prescribed by the Physical Therapy Licensure Compact provided for in Section 73-23-101. The State Board of Physical Therapy shall be the physical therapy licensing board.

The powers and duties enumerated above are granted for the purpose of enabling the board to safeguard the public health, safety and welfare against unqualified or incompetent practitioners of physical therapy and persons acting as physical therapist assistants, and are to be liberally construed to accomplish this objective.

(2) The board shall maintain a register listing the name of every physical therapist and physical therapist assistant licensed to practice in this state, his last known place of business and last known place of residence, and the date and number of his license. The board shall, at least once a year, compile a list of physical therapists and physical therapist assistants licensed to practice in this state and such a list shall be available to any person upon application to the board and the payment of such charges as may be fixed by it.

(3) The board is authorized to appoint an executive director for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

SECTION 116. Section 73-29-7, Mississippi Code of 1972, is amended as follows:

73-29-7. (1) There is hereby established a Polygraph Examiners Board consisting of three (3) members who shall be citizens of the United States and residents of the state for at least two (2) years prior to appointment and at the time of appointment are active polygraph examiners. No two (2) board members may be employed by the same person or agency. At least one (1) member must be a qualified examiner of a governmental law enforcement agency, and shall be the supervisor of the polygraph section of the Department of Public Safety, and at least one (1) member must be a qualified polygraph examiner in the commercial field. The members shall be appointed by the Governor of the State of Mississippi, with the advice and consent of the Senate * * *, one (1) from each Mississippi Supreme Court District. * * * The Polygraph Examiners Board, created by former Section 73-29-7, is continued and reconstituted as follows: Effective January 1, 2028, each board member shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that two (2) members shall be appointed in 2028 to a term ending December 31, 2031, and one (1) member shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1--35, Mississippi Code of 1972, shall be fully applicable to appointments to the Polygraph Examiners Board.

(2) The board shall elect a chairman, vice chairman and secretary from among its members.

(3) The vote of a majority of the board members is sufficient for passage of any business or proposal which comes before the board.

(4) The members of the board shall receive Twenty-two Dollars and Fifty Cents ($22.50) per diem for each day spent in the actual discharge of their duties.

(5) The Department of Public Safety is hereby authorized to provide the board with an appropriate office and such administrative and clerical services as may be necessary to carry out the board's responsibilities, including investigative and testing services, budgetary support and such other services and support deemed appropriate by the Commissioner of Public Safety.

SECTION 117. Section 37-106-9, Mississippi Code of 1972, is amended as follows:

37-106-9. (1) There is hereby created the Postsecondary Education Financial Assistance Board which shall consist of the following nine (9) members and two (2) nonvoting advisory members: two (2) people to be appointed by the Board of Trustees of State Institutions of Higher Learning, one (1) from its membership to serve for an initial period of four (4) years and one (1) institutional representative to serve for an initial period of three (3) years; two (2) people to be appointed by the Mississippi Community College Board, one (1) from its membership to serve for an initial period of three (3) years and one (1) institutional representative to serve for an initial period of two (2) years; two (2) people to be appointed by the Governor, one (1) to serve for an initial period of two (2) years and one (1) to serve for an initial period of one (1) year; two (2) people to be appointed by the

Executive Director of the Mississippi Association of Independent Colleges and Universities, one (1) association representative to serve for an initial period of two (2) years and one (1) institutional representative to serve for an initial period of one (1) year; and one (1) person to be appointed by the Lieutenant Governor for an initial period of (4) years. All subsequent appointments shall be for a period of four (4) years. Vacancies shall be filled for the length of the unexpired term only. The Postsecondary Education Financial Assistance Board, created by former Section 37-106-9, is continued and reconstituted as follows: Effective January 1, 2028, each board member shall be appointed by the Governor or prescribed appointing authority, with the advice and consent of the Senate, for a term of office of four (4) years, provided that five (5) members shall be appointed in 2028 to a term ending December 31, 2031, and four (4) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Postsecondary Education Financial Assistance Board. The board shall elect from its membership a chairman. Additionally, the Chairmen of the House and Senate Universities and Colleges Committees shall serve as nonvoting advisory members.

(2) The agency shall designate one (1) member of its staff to serve as director, to administer the provisions of this financial assistance program. The director shall serve a term of four (4) years subject to the advice and consent of the Senate and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The director shall be assigned by the agency sufficient staff, professional and clerical, funds and quarters to administer this program.

(3) The director:

(a) Subject to the review of the board, shall have the power of final approval of any application submitted;

(b) Subject to the approval of the board, shall have authority to promulgate the necessary rules and regulations for effective administration of this chapter, including the method of making application for assistance authorized by this chapter.

SECTION 118. Section 73-31-5, Mississippi Code of 1972, is amended as follows:

73-31-5. (1) There is created a Mississippi Board of Psychology consisting of seven (7) members who are citizens of the United States and residing in the State of Mississippi appointed by the Governor, with the advice and consent of the Senate, two (2) from each Mississippi Supreme Court District and one (1) from the state at large. One (1) member of the board shall be a person who is not a psychologist or a mental health professional but who has expressed a continuing interest in the field of psychology. Each board member shall otherwise be licensed under this chapter. The composition of the board shall at all times include psychologists engaged in the professional practice of psychology and psychologists who are faculty at institutions of higher learning that grant doctoral degrees or staff or faculty of an American Psychological Association accredited doctoral level internship or postdoctoral fellowship.

(2) * * * The State Board of Psychology, created by former Section 73-31-5, is continued and reconstituted as follows: Effective January 1, 2028, each board member shall be appointed by the Governor or prescribed appointing authority, with the advice and consent of the Senate, for a term of office of four (4) years, provided that four (4) members

to be designated by the appointing authority shall be appointed in 2028 to a term ending December 31, 2031, and three (3) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Board of Psychology. All appointments of psychologist members of the board shall be made from a list containing the names of at least three (3) eligible nominees for each vacancy submitted by the Mississippi Psychological Association. * * *

* * *

(* * *3) Each board member shall serve without compensation, but shall receive actual traveling and incidental expenses necessarily incurred while engaged in the discharge of official duties.

SECTION 119. Section 73-31-7, Mississippi Code of 1972, is amended as follows:

73-31-7. (1) The board shall annually elect officers from its membership. The board shall meet at any other times as it deems necessary or advisable, or as deemed necessary and advisable by the chairman or a majority of its members or the Governor. Reasonable notice of all meetings shall be given in the manner prescribed by the board. A majority of the board shall constitute a quorum at any meeting or hearing. Any meeting at which the chairman is not present shall be chaired by his designee.

(2) The board is authorized and empowered to:

(a) Adopt and, from time to time, revise any rules and regulations not inconsistent with, and as may be necessary to carry into effect the provisions of this chapter.

(b) Within the funds available, employ and/or contract with a stenographer and other personnel, and contract for services, as are necessary for the proper performance of its work under this chapter.

(c) Adopt a seal, and the executive secretary or board administrator shall have the care and custody thereof.

(d) Examine, license, and renew the license of duly qualified applicants.

(e) Conduct hearings upon complaints concerning the disciplining or licensing of applicants and psychologists.

(f) Deny, approve, withhold, revoke, suspend and/or otherwise discipline applicants and licensed psychologists.

(g) Issue an educational letter to a licensee in order to assist that individual in his or her practice as a psychologist. Such a letter will not be considered to be disciplinary action.

(h) Cause the prosecution and enjoinder of all persons violating this chapter, and incur necessary expenses therefor.

(i) Charge a fee of not more than Seven Hundred Dollars ($700.00) to a qualified psychologist as determined by the board who is applying for certification by the board to conduct examinations in civil commitment proceedings.

(j) Purchase general liability insurance coverage, including errors and omissions insurance, to cover the official actions of the board members and contract personnel and suits against them in their individual capacity. That coverage shall be in an amount determined by the board to be adequate, and the costs of the insurance shall be paid out of any funds available to the board.

(k) As additional responsibilities, effective July 1, 2018, the board shall administer and support the function of the Mississippi Autism Board under Sections 73-75-1 through 73-75-25, relating to the licensure of licensed behavior analysts and licensed assistant behavior analysts.

(3) Within thirty (30) days after the close of each fiscal year ending June 30, the board shall submit an official report, reviewed and signed by all board members, to the Governor concerning the work of the board during the preceding fiscal year. The report shall include the names of all psychologists to whom licenses have been granted; any cases heard and decisions rendered in relation to the work of the board; the names, remuneration and duties of any employees of the board; and an account of all monies received and expended by the board.

(4) The board is authorized to appoint an executive director for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

SECTION 120. Section 25-11-15, Mississippi Code of 1972, is amended as follows:

25-11-15. (1) Board of trustees: The general administration and responsibility for the proper operation of the Public Employees' Retirement System and the federal-state agreement and for making effective the provisions of Articles 1 and 3 are vested in a board of trustees.

(2) The board shall consist of ten (10) trustees, as follows:

(a) The State Treasurer;

(b) One (1) member who shall be appointed by the Governor, with the advice and consent of the Senate, for a term of four (4) years, who shall be a member of the system;

(c) Two (2) members of the system having at least ten (10) years of creditable service who are state employees who are not employees of the state institutions of higher learning, who shall be elected by members of the system who are employees of state agencies and by members of the Mississippi Highway Safety Patrol Retirement System, but not by employees of the state institutions of higher learning;

(d) Two (2) members of the system having at least ten (10) years of creditable service who do not hold office in the legislative or judicial departments of municipal or county government, one (1) of whom shall be an employee of a municipality, instrumentality or juristic entity thereof, who shall be elected by members of the system who are employees of the municipalities, instrumentalities or juristic entities thereof and by members of the municipal systems and the firemen's and policemen's disability and relief funds administered by the board of trustees, and one (1) of whom shall be an employee of a county, instrumentality or juristic entity thereof, who shall be elected by members of the system who are employees of the counties, instrumentalities or juristic entities thereof;

(e) One (1) member of the system having at least ten (10) years of creditable service who is an employee of a state institution of higher learning, who shall be elected by members of the system who are employees of the state institutions of higher learning as included in Section 37-101-1. Any member of the board on July 1, 1984, who is an employee of an institution of higher learning shall serve as the member trustee representing the institutions of higher learning until the end of the term for which he or she was elected;

(f) Two (2) retired members who are receiving a retirement allowance from the system, who shall be elected by the retired members or beneficiaries receiving a retirement allowance from the system and by the retired members or beneficiaries of the municipal systems, the firemen's and policemen's disability and relief funds and the Mississippi Highway Safety Patrol Retirement System administered by the board of trustees, to serve for a term of six (6) years under rules and regulations adopted by the board to govern that election; however, any retired member of the board in office on April 19, 1993, shall serve as a retired trustee until the end of the term for which he or she was elected;

(g) One (1) member of the system having at least ten (10) years of creditable service who is an employee of any public school district or junior college or community college district that participates in the system, who shall be elected by the members of the system who are employees of any public school district or junior college or community college district; however, any member of the board on June 30, 1989, who is a certified classroom teacher shall serve as the member representing a classroom teacher until the end of the term for which the member was appointed;

(h) In the first election to be held for trustees one (1) member shall be elected for a term of two (2) years, and one (1) member for a term of four (4) years, and one (1) member for a term of six (6) years. Thereafter, their successors shall be elected for terms of six (6) years. All elections shall be held in accordance with rules and regulations adopted by the board to govern those elections and the board shall be the sole judge of all questions arising incident to or connected with the elections.

(i) Any person eligible to vote for the election of a member of the board of trustees and who meets the qualifications for the office may seek election to the office and serve if elected. For purposes of determining eligibility to seek office as a member of the board of trustees, the required creditable service in "the system" shall include each system administered by the board of trustees in which the person is a member.

The members described above and serving on the board on June 30, 1989, shall continue to serve on the board until the expiration of their terms.

(3) If a vacancy occurs in the office of a trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled. However, if the unexpired term is six (6) months or less, an election shall be held to fill the office vacated for the next succeeding full term of office, and the person so elected to fill the next full term shall be appointed by the board to fill the remainder of the unexpired term. Whenever any member who is elected to a position to represent a class of members ceases to be a member of that class, that board member is no longer eligible for membership on the board. The position shall be declared vacant, and the unexpired term shall be filled in the same manner as the office was previously filled.

(4) Each trustee shall, within ten (10) days after his or her appointment or election, take an oath of office as provided by law and, in addition, shall take an oath that he or she will diligently and honestly administer the affairs of the board, and that he or she will not knowingly violate or willingly permit to be violated any of the provisions of law applicable to Articles 1 and 3. The oath shall be signed by the member making it, certified by the officer before whom it is taken, and immediately filed in the office of the Secretary of State.

(5) Each trustee shall be entitled to one (1) vote. Six (6) members shall constitute a quorum at any meeting of the board, and a majority of those present shall be necessary for a decision.

(6) Subject to the limitations of Articles 1 and 3, the board shall establish rules and regulations for the administration of the system created by those articles and for the transaction of its business, and to give force and effect to the provisions of those articles wherever necessary to carry out the intent and purposes of the Legislature. The cited articles are remedial law and shall be liberally construed to accomplish their purposes.

(7) Notwithstanding any other law to the contrary, in the event of a natural disaster or other occurrence that results in the failure of the retirement system's computer system or a significant disruption of the normal activities of the retirement system, the executive director of the board, or his or her deputy, shall be authorized to contract with another entity, governmental or private, during the period of the failure or disruption, for services, commodities, work space and supplies as necessary to carry out the administration of all systems and programs administered by the board. The board shall be authorized to pay the reasonable cost of those services, commodities, work space and supplies. At the meeting of the board next following the execution of a contract authorized under this subsection, documentation of the contract, including a description of the services, commodities, work space or supplies, the price thereof and the nature of the disaster or occurrence, shall be presented to the board and placed on the minutes of the board. Because of their emergency nature, purchases made under this subsection shall not be required to comply with the provisions of Section 31-7-13 or any other law governing public purchases.

(8) The computer equipment and software owned by the Public Employees' Retirement System are assets of the Trust Fund by virtue of the Constitution, Section 272-A and acquisition and operation thereof shall be under the jurisdiction of the Public Employees' Retirement System.

(9) The board shall elect a chairman and shall by a majority vote of all of its members appoint a secretary whose title shall be executive director, who shall serve * * * for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The executive director shall not be a member of the board of trustees, * * * be entitled to membership in the system, and * * * act as secretary of the board. The board of trustees shall employ such actuarial, clerical and other employees as are required to transact the business of the system, and shall fix the compensation of all employees, subject to the rules and regulations of the State Personnel Board.

(10) Each member of the board shall receive as compensation for his or her services Three Hundred Dollars ($300.00) per month. All members of the board shall be reimbursed for their necessary traveling expenses, which shall be paid in accordance with the requirements of Section 25-3-41 or other applicable statutes with respect to traveling expenses of state officials and employees on official business. All members of the board shall be entitled to be members of the system and shall be entitled to creditable service for all time served as a member of the board, except for the retired members, who shall not be entitled to be a member of the system and who shall be eligible to receive the retirement allowance and compensation for services from the system while serving as a member of the board. Members of the board who are employed in state service (as defined in Section 25-11-103) shall not be required to take annual leave from their state service employment while performing his or her official duties as a member of the board.

(11) All expenses of the board incurred in the administration of Articles 1 and 3 shall be paid from such funds as may be appropriated by the Legislature for that purpose or from administrative fees collected from political subdivisions or juristic entities of the state. Each political subdivision of the state and each instrumentality of the state or of a

political subdivision or subdivisions that submit a plan for approval by the board as provided in Section 25-11-11 shall reimburse the board, for coverage into the administrative expense fund, its pro rata share of the total expense of administering Articles 1 and 3 as provided by regulations of the board.

(12) The Lieutenant Governor may designate two (2) Senators and the Speaker of the House of Representatives may designate two (2) Representatives to attend any meeting of the Board of Trustees of the Public Employees' Retirement System. The appointing authorities may designate alternate members from their respective houses to serve when the regular designees are unable to attend the meetings of the board. The legislative designees shall have no jurisdiction or vote on any matter within the jurisdiction of the board. For attending meetings of the board, the legislators shall receive per diem and expenses, which shall be paid from the contingent expense funds of their respective houses in the same amounts as provided for committee meetings when the Legislature is not in session; however, no per diem and expenses for attending meetings of the board will be paid while the Legislature is in session. No per diem and expenses will be paid except for attending meetings of the board without prior approval of the proper committee in their respective houses.

SECTION 121. Section 27-104-7, Mississippi Code of 1972, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) The Public Procurement Review Board, created by former Section 27-104-7, is continued and reconstituted as follows: Effective January 1, 2028, all members appointed to the board by the Governor or Lieutenant Governor shall be

appointed, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) members as designated by the Governor or Lieutenant Governor shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members as designated by the Governor or Lieutenant Governor shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Public Procurement Review Board.

(* * *d) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars ($1,000,000.00) in the source's business, whichever is smaller. No member shall be an officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(* * *e) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(* * *f) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:

(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board. The information shall be provided sufficiently in advance of the time the space is needed to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

(i) Black: having origins in any of the black racial groups of Africa;

(ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;

(iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;

(iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or

(v) Female;

(e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;

(f) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, promulgate rules and regulations governing the solicitation and selection of contractual services personnel, including personal and professional services contracts for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of:

1. Any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c);

2. Any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services;

3. Any personal service contracts entered into by the individual state institutions of higher learning;

4. Any personal service contracts entered into by the Mississippi Department of Transportation;

5. Any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department of Human Services determines would be useful in establishing and operating the Department of Child Protection Services;

6. Any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019;

7. Any contracts for entertainers and/or performers at the Mississippi State Fairgrounds entered into by the Mississippi Fair Commission;

8. Any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services;

9. Any contract entered into by the Department of Public Safety for service on specialized equipment and/or software required for the operation of such specialized equipment for use by the Office of Forensics Laboratories;

10. Any personal or professional service contract entered into by the Mississippi Department of Health or the Department of Revenue solely in connection with their respective responsibilities under the Mississippi Medical Cannabis Act from February 2, 2022, through June 30, 2026;

11. Any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, or utility rate expert services;

12. Any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022;

13. Any personal or professional services contract entered into by the State Department of Health in carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program through June 30, 2026; and

14. And any personal or professional services contract entered into by the Mississippi Department of Environmental Quality in carrying out its responsibilities under the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022, through June 30, 2026.

Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may propose shall be submitted to the Chairs of the Accountability, Efficiency and

Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act.

(ii) From and after July 1, 2024, the Public Procurement Review Board shall promulgate rules and regulations that require the Department of Finance and Administration to conduct personal and professional services solicitations as provided in subparagraph (i) of this paragraph for those services in excess of Seventy-five Thousand Dollars ($75,000.00) for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority, with assistance to be provided from these entities. Any powers that have been conferred upon agencies in order to comply with the provisions of this section for personal and professional services solicitations shall be conferred upon the Department of Finance and Administration to conduct personal and professional services solicitations for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority for those services in excess of Seventy-five Thousand Dollars ($75,000.00). The Department of Finance and Administration shall make any submissions that are required to be made by other agencies to the Public Procurement Review Board for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority.

The provisions of this subparagraph (ii) shall stand repealed on June 30, 2027;

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars ($75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection (2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the procurements are made from other governmental entities, the private sector need not be solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed,

contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;

(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;

2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;

3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;

4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and

5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (o) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published

the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423 * * *;

(q) To appoint and employ an executive director to a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review or approval, the Public Procurement Review Board shall clearly set out the reasons for its action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1) source. A memorandum shall accompany the request form and address the following four (4) points:

(a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;

(b) Explanation of why this vendor is the only practicably available source from which to obtain this service;

(c) Explanation of why the price is considered reasonable; and

(d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise, the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts. Nothing in this section shall impair or limit the authority of the State Treasurer to enter into any personal or professional services contracts involving the management of trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

(9) Through December 31, 2024, the provisions of this section related to rental agreements or leasing of real property for the purpose of conducting agency business shall not apply to the Office of Workforce Development created in Section 37-153-7.

SECTION 122. Section 45-1-2, Mississippi Code of 1972, is amended as follows:

45-1-2. (1) The Executive Director of the Department of Public Safety shall be the Commissioner of Public Safety.

(2) The Commissioner of Public Safety shall establish the organizational structure of the Department of Public Safety, which shall include the creation of any units necessary to implement the duties assigned to the department and consistent with specific requirements of law including, but not limited to:

(a) Office of Public Safety Planning;

(b) Office of Mississippi Highway Safety Patrol;

(c) Office of Mississippi Bureau of Investigation (to be directed by a Lieutenant Colonel of the Mississippi Highway Safety Patrol);

(d) Office of Forensic Laboratories, which includes the Mississippi Forensics Laboratory and the Office of the State Medical Examiner;

(e) Office of Law Enforcement Officers' Training Academy;

(f) Office of Support Services;

(g) Office of Narcotics, which shall be known as the Bureau of Narcotics;

(h) Office of Homeland Security;

(i) Office of Capitol Police;

(j) Office of Driver Service Bureau; and

(k) Office of Commercial Transportation Enforcement Division.

(3) The department shall be headed by a commissioner, who shall be appointed by * * * the Governor to a term of four (4) years. The appointment of the commissioner shall be made with the advice and consent of the Senate. The commissioner shall have, at a minimum, a bachelor's degree from an accredited college or university. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Commissioner of Public Safety.

(4) Notwithstanding any provision of law to the contrary, the commissioner shall appoint heads of offices, who shall serve at the pleasure of the commissioner. The commissioner shall have the authority to organize the offices established by subsection (2) of this section as deemed appropriate to carry out the responsibilities of the department. The commissioner may assign to the appropriate offices such powers and duties as deemed appropriate to carry out the department's lawful functions. The organization charts of the department shall be presented annually with the budget request of the Governor for review by the Legislature.

(5) The commissioner shall appoint, from within the Department of Public Safety, a statewide safety training officer who shall serve at the pleasure of the commissioner and whose duty it shall be to perform public training for both law enforcement and private persons throughout the state concerning proper emergency response to the mentally ill, terroristic threats or acts, domestic conflict, other conflict resolution, and such other matters as the commissioner may direct.

(6) The commissioner, after consultation with the Mississippi Association of Chiefs of Police and the Mississippi Sheriffs' Association, shall be responsible for establishing guidelines for response to active shooter situations and any related jurisdictional issues.

(7) The commissioner shall establish within the department the Mississippi Office of Homeland Security for the purpose of seeing that the laws are faithfully executed and for the purpose of investigating cyber-related crimes and suppressing crimes of violence and acts of intimidation and terror. The commissioner is hereby authorized to employ within the Office of Homeland Security a director, investigators and other qualified personnel as he may deem necessary to make investigation of cyber-related crimes, crimes of violence and acts of terrorism or intimidation, to aid in the arrest and prosecution of persons charged with such cyber-related crimes, crimes of violence, acts of terrorism or intimidation, or threats of violence and to perform other duties as necessary to accomplish these purposes. Investigators and other law enforcement personnel employed by the commissioner shall have full power to investigate, apprehend, and arrest persons committing cyber-related crimes, acts of violence, intimidation, or terrorism anywhere in the state, and shall be vested with the power of police officers in the

performance of such duties as provided herein. Such investigators and other personnel shall perform their duties under the direction of the commissioner, or his designee. The commissioner shall be authorized to offer and pay suitable rewards to other persons for aiding in such investigation and in the apprehension and conviction of persons charged with cyber-related crimes, acts of violence, or threats of violence, or intimidation, or acts of terrorism.

(8) The commissioner shall establish within the Office of Homeland Security a Mississippi Analysis and Information Center (MSAIC Fusion Center) which shall be the highest priority for the allocation of available federal resources for statewide information sharing, including the deployment of personnel and connectivity with federal data systems. Subject to appropriation therefor, the Mississippi Fusion Center shall employ three (3) regional analysts dedicated to analyzing and resolving potential threats identified by the agency's statewide social media intelligence platform and the dissemination of school safety information.

SECTION 123. Section 51-35-317, Mississippi Code of 1972, is amended as follows:

51-35-317. All powers of the district shall be exercised by a board of directors, to be composed of the following:

(a) In the event the proposed flood and drainage control district lies wholly within the limits of one (1) municipality, the governing authorities of said municipality shall appoint three (3) directors and the board of supervisors of the county in which said municipality lies shall appoint two (2) directors.

(b) In the event the proposed flood and drainage control district is comprised of lands lying partly in a municipality and partly outside the limits of a municipality but wholly in one (1) county, the governing authorities of said municipality shall appoint three (3) directors and the board of supervisors of the county in which said municipality lies shall appoint two (2) directors. However, should the assessed valuation of land and property and improvements in said district outside the municipality, according to the last preceding tax assessment roll for county and state taxes, exceed said assessment for the land and property and improvements of the district lying within the municipality, the board of supervisors of the county in which said district lies shall appoint three (3) directors and said municipality shall appoint two (2) directors.

(c) In the event the proposed flood and drainage control district is comprised of lands lying, in whole or in part, in one or more municipalities which are in existence at the time of the creation of such district, and in one or more counties and not falling within the description of paragraph (a) or (b) above, each such municipality shall appoint one (1) director and the board of supervisors of each county in which part of the lands of the proposed district lie shall appoint one (1) director. If a district is enlarged under Section 51-35-315(w), each municipality within the enlarged district with a population above one hundred thousand (100,000), according to the most recent decennial census, shall have two (2) additional directors, who shall be the emergency manager for such municipality and the emergency manager for the county in which such municipality is located. However, in the event that selection of directors in said manner results in an even number of directors, the Governor of the State of Mississippi shall appoint one (1) additional director so that there shall be an odd number of directors.

(d) Each director shall take and subscribe to the oath of office required by Section 268 of the Constitution of the State of Mississippi, before a chancery clerk, that he will faithfully discharge the duties of the office, which oath shall be filed with the said clerk and by him preserved.

(e) Each director shall receive a fee not to exceed such amount as set forth in Section 25-3-69 for attending each meeting of the board and for each day actually spent

in attending to the necessary business of the district and shall receive reimbursement for actual expenses thus incurred upon the express authorization of the board.

(f) The board of directors shall annually elect from its number a president and a vice president of the district and such other officers as in the judgment of the board are necessary. The president shall be the chief executive officer of the district and the presiding officer of the board, and shall have the same right to vote as any other director. The vice president shall perform all the duties and exercise all powers conferred by this article upon the president when the president is absent or fails or declines to act, except the president's right to vote. The board shall also appoint a secretary and a treasurer who may or may not be members of the board, and it may combine these offices. The treasurer shall give a bond in the sum of not less than Fifty Thousand Dollars ($50,000.00), as set by the board of directors, and each director shall give a bond in the sum of not less than Ten Thousand Dollars ($10,000.00), and the premiums on said bonds shall be an expense of the district. The condition of each such bond shall be that the treasurer or director will faithfully perform all duties of the office and account for all money which shall come into his custody as treasurer or director of the district.

(g) In the event a county or municipality entitled to appoint a director or directors to the district shall not do so within twenty (20) days from the date of the order of the chancery court creating the district, the chancery court or the chancellor in vacation shall forthwith exercise the right of said county or municipality in appointing a director or directors.

(h) Each director shall hold office for a period of four (4) years from the date of his appointment. However, in order to * * * ensure continuity of experience among the members of the board of directors in any district created after March 26, 1981, one (1) member of the initial board of directors shall hold office for only one (1) year, one (1) member shall hold office for only two (2) years, and one (1) member shall hold office for only three (3) years, and, at the initial meeting of the board of directors, they shall determine by lot which of their members shall serve for only one (1), two (2), or three (3) years.

(i) The Urban Flood Control Board, created by former Section 51-35-317, is continued and reconstituted as follows: Effective January 1, 2028, the members designated in paragraphs (a), (b) and (c) of this section shall be appointed by the Governor, with the advise and consent of the Senate, to a term of four (4) years; provided that two (2) such members shall be appointed in 2028 to a term ending December 31, 2031, and one (1) such member shall be appointed in 2030 to a term ending December 31, 2033. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Urban Flood Control Board.

(* * *j) No person shall be disqualified from serving as a member of the board of directors by virtue of his having previously served as a director, by virtue of his holding any other office, political or otherwise, or by virtue of his not residing in or owning lands in said district.

SECTION 124. Section 73-34-7, Mississippi Code of 1972, is amended as follows:

73-34-7. (1) (a) There is hereby established a board to be known as the Mississippi Real Estate Appraisal Board, which shall consist of five (5) members.

(b) The five (5) members shall be appointed by the Governor, with the advice and consent of the Senate, one (1) from each * * * Supreme Court District as such district existed * * * at the time of appointment, and * * * two (2) from the state at large. The provisions of this paragraph (b) shall not affect persons who are members of the board as of January 1, 2023. Such member(s) shall serve out their respective terms, upon the expiration of which the provisions of this paragraph (b) shall take effect. Nothing

provided herein shall be construed as prohibiting the reappointment of any member of the board.

(c) The Mississippi Real Estate Appraisal Board, created by former Section 73-34-7, is continued and reconstituted as follows: Effective January 1, 2028, the members designated in paragraphs (a) and (b) of this subsection shall be appointed by the Governor, with the advise and consent of the Senate, provided that three (3) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Real Estate Appraisal Board.

(* * *d) At least two (2) members shall be certified general real estate appraisers and at least two (2) members shall be certified residential real estate appraisers. Not more than two (2) positions on the board shall be filled with appointees who hold membership in the same professional appraisal organization. Each member shall serve for a term of four (4) years. Upon the expiration of a member's term, such member shall continue to serve until the appointment and qualification of a successor. No person shall be appointed as a member of the board for more than three (3) consecutive terms. The Governor may remove an appointed member for cause.

(2) The board shall meet not less than twice a calendar year. Written notice shall be given to each member of the time and place of each meeting of the board at least ten (10) days prior to the scheduled date of the meeting.

(3) A quorum of the board shall be three (3) voting members, and at least one (1) present member must be a licensed certified general real estate appraiser or a certified residential real estate appraiser. Appointed members of the board are entitled to mileage and actual expenses as authorized by Section 25-3-41 and per diem as provided by Section 25-3-69.

(4) The board shall elect a chairman and such other officers as it deems necessary. Such officers shall serve as such for terms established by the board.

SECTION 125. Section 73-34-9, Mississippi Code of 1972, is amended as follows:

73-34-9. (1) The board shall have the following powers and duties:

(a) To receive applications for licensure as a real estate appraiser and applications for registration as an appraisal management company under this chapter; to establish appropriate administrative procedures for the processing of those applications; to approve or disapprove applications for licensing or registration under this chapter; to issue licenses to qualified applicants under the provisions of this chapter; and to maintain a registry of the names and addresses of individuals who are currently licensed under this chapter.

(b) To administer licensing examinations in the places and at the times as may be required to carry out its responsibilities under this chapter.

(c) To collect all licensing fees required or permitted by this chapter.

(d) To take appropriate action upon a decision and the related findings of fact made by the board if, after an administrative hearing, the board (i) determines that a licensed appraiser or a licensed state certified real estate appraiser under this chapter has violated the standards of appraisal practice or ethical rules established under Section 73-34-37, or has committed one or more of the acts that are prohibited by Section 73-34-35, and (ii) recommends that the license of the appraiser be suspended or revoked, that renewal be denied, or that some other disciplinary action be taken.

(e) To solicit bids and enter into contracts.

(f) To promote research and conduct studies relating to the profession of real estate appraising and sponsor real estate appraisal educational activities.

(g) To adopt rules and regulations for the administration of this chapter that are not inconsistent with the provisions of this chapter or the Constitution and laws of Mississippi or of the United States.

(h) To employ an administrator or director who shall keep a record of all proceedings, transactions, communications and official acts of the board and perform any other duties as the board may require.

(i) To employ an appropriate staff to investigate allegations that licensed appraisers or licensed state certified real estate appraisers under this chapter failed to comply with the terms or provisions of this chapter.

(j) To employ any other professional, clerical and technical assistance as may be necessary to properly administer the work of this chapter.

(k) To be responsible for matters relating to real estate appraisal standards, real estate appraiser qualifications, testing standards and appraisal management companies and enforce the same through its disciplinary functions.

(l) To hold meetings; to hold public hearings and administrative hearings; and to prepare examination specifications for licensed appraisers and licensed state certified appraisers.

(m) To enable the board to carry out its responsibilities under this chapter with respect to licensing and registering, the board shall have:

(i) The power to compel the attendance of witnesses;

(ii) The power to require a licensed appraiser or an applicant for licensure to produce books, appraisal documents, records and other papers;

(iii) The power to administer oaths; and

(iv) The power to take testimony and receive evidence concerning all matters within its jurisdiction.

These powers may be exercised directly by the board in such manner as the board shall determine.

(n) To establish appropriate administrative procedures for disciplinary proceedings conducted under the provisions of this chapter.

(o) To keep a record of its proceedings and issue an annual report of its activities.

(p) To further define by rule or regulation, and with respect to each of the categories of licensed appraiser, the type of educational experience, appraisal experience and equivalent experience that will meet the statutory requirements of this chapter and of the Appraiser Qualifications Board.

(q) To approve or disapprove applications for licensing or registration under this chapter.

(r) To suspend or revoke licenses or registrations under the disciplinary proceedings provided for in this chapter.

(s) To present an annual budget to the Mississippi Legislature for approval.

(t) To implement all requirements directed by the Appraiser Qualifications Board, Appraisal Subcommittee of the Federal Financial Institutions Examination Council or their designated agent.

(u) To make rules and regulations providing for an inactive license or registration status and for the reactivation thereof.

(v) To make rules and regulations necessary to implement its powers and duties under this chapter.

(w) To do all other things necessary to carry out the provisions of this chapter.

(x) To adopt rules consistent with the provisions of this chapter which may be reasonably necessary to implement, administer, and enforce the provisions of this chapter.

(y) To provide for at least one (1) member of the board to represent the appraisal management company industry.

(z) To establish the standard for measuring residential properties up to four (4) family buildings as promulgated by the American National Standards Institute or as provided in the American Measurement Standard Manual. The board shall require appraisals required to use those standards to indicate on the appraisal or separately appended document which standard was used.

(aa) To conduct surveys as necessary.

(bb) The board is authorized to appoint and employ an executive director for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

(2) The members of the board shall be immune from any civil action or criminal prosecution for initiating or assisting in any lawful investigation of the actions of, or participating in any disciplinary proceeding concerning, an appraiser licensed under this chapter, provided that the action is taken without malicious intent and in the reasonable belief that the action was taken in accordance with the powers and duties vested in the members of the board under this chapter.

SECTION 126. Section 73-35-5, Mississippi Code of 1972, is amended as follows:

73-35-5. (1) There is hereby created the Mississippi Real Estate Commission. The commission shall consist of five (5) persons, to be appointed by the Governor with the advice and consent of the Senate. Each appointee shall have been a resident and citizen of this state for at least six (6) years prior to his appointment, and his vocation for at least five (5) years shall have been that of a real estate broker. One (1) member shall

be appointed for the term of one (1) year; two (2) members for terms of two (2) years; two (2) members for terms of four (4) years; thereafter, the term of the members of said commission shall be for four (4) years and until their successors are appointed and qualify. There shall be * * * one (1) commissioner from each * * * Supreme Court District, as such districts are constituted * * * at the time of appointment, and two (2) from the state at large. The commissioners appointed from each of the * * * Supreme Court Districts shall be bona fide residents of the district from which each is appointed, and the commissioners appointed from the state at large shall be bona fide residents of the State of Mississippi. * * * Members to fill vacancies shall be appointed by the Governor for the unexpired term. The Governor may remove any commissioner for cause. The State of Mississippi shall not be required to furnish office space for such commissioners. The provisions of this section shall not affect persons who are members of the Real Estate Commission as of January 1, 2002. Such members shall serve out their respective terms, upon the expiration of which the provisions of this section shall take effect. Nothing provided herein shall be construed as prohibiting the reappointment of any member of the said commission.

(2) The Mississippi Real Estate Commission, created by former Section 73-35-5, is continued and reconstituted as follows: Effective January 1, 2028, the members designated in subsection (1) of this section shall be appointed by the Governor, with the advise and consent of the Senate, provided that three (3) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Real Estate Commission.

(* * *3) The commission shall organize by selecting from its members a chairman, and may do all things necessary and convenient for carrying into effect the provisions of this chapter, and may from time to time promulgate rules and regulations. Each member of the commission shall receive per diem as authorized in Section 25-3-69, Mississippi Code of 1972, and his actual and necessary expenses incurred in the performance of duties pertaining to his office as authorized in Section 25-3-41, Mississippi Code of 1972.

(* * *4) The commission shall adopt a seal by which it shall authenticate its proceedings. Copies of all records and papers in the office of the commission, duly certified and authenticated by the seal of said commission, shall be received in evidence in all courts equally and with like effect as the original. All records kept in the office of the commission under the authority of this chapter shall be open to public inspection except pending investigative files.

(5) The board is authorized to appoint an executive director for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

SECTION 127. Section 37-33-155, Mississippi Code of 1972, is amended as follows:

37-33-155. (1) There is created the State Board of Rehabilitation Services, which shall consist of two (2) appointed members and the following five (5) officials: the Executive Officer of the State Department of Health; the Executive Director of the State Department of Mental Health; the State Superintendent of Public Education, or his

designee; the Director of the Division of Vocational and Technical Education of the State Department of Education; and the Executive Director of the Department of Human Services.

Of the two (2) appointed members, one (1) shall be either an individual who is a client of vocational rehabilitation services or a parent of an individual who is a client of vocational rehabilitation services, and the other shall be either an individual who is visually impaired or a parent of an individual who is visually impaired. The appointed members shall be appointed by the Governor from the state at large, with one (1) appointed for a term to expire on July 1, 1994, and the other appointed for a term to expire on July 1, 1996. Upon the expiration of the initial terms, the members shall be appointed for terms of five (5) years from the expiration date of the previous term. All original and subsequent appointments shall be with the advice and consent of the Senate. An appointment to fill a vacancy, other than by expiration of a term of office, shall be made for the balance of the unexpired term. No board appointee shall be an employee or elected official of the State of Mississippi or a political subdivision thereof, or an employee of the former State Department of Rehabilitation Services before July 1, 1989, or an employee of the Division of Rehabilitation Services of the Department of Human Services or any subordinate administrative unit of the division before July 1, 1991, or an employee of the State Department of Rehabilitation Services after June 30, 1991.

The State Board of Rehabilitation Services, created by former Section 37-33-155, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members designated in this subsection shall be appointed by the Governor, with the advise and consent of the Senate, provided that one (1) such member shall be appointed in 2028 to a term ending December 31, 2031, and one (1) such member shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Board of Rehabilitation Services.

(2) The board shall elect a chairperson from its membership at the first meeting of the original board members and every two (2) years thereafter on July 15 of the year. A majority of the membership of the board shall constitute a quorum for the transaction of any business, and the board shall meet at least quarterly and hold other meetings as are necessary for the purpose of conducting required business. All meetings of the board shall be called by the chairperson, except the first meeting of the original board members, which shall be called by the Governor.

(3) The appointed members of the board shall be compensated at a per diem rate as authorized by Section 25-3-69, plus actual and necessary expenses as authorized by Section 25-3-41. Members of the board appointed before July 1, 1991, shall be paid compensation and expenses under this subsection from funds available to the Division of Rehabilitation Services of the Department of Human Services.

SECTION 128. Section 37-33-159, Mississippi Code of 1972, is amended as follows:

37-33-159. The State Board of Rehabilitation Services shall appoint, with the advice and consent of the Senate, an Executive Director of the State Department of Rehabilitation Services, in accordance with standards established by the State Personnel Board and on the basis of his education, training, experience and demonstrated ability.

The executive director shall serve a term of four (4) years, consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The executive director shall serve as secretary and executive officer of the board, and he shall serve at the will and pleasure of the board. The salary of the executive director shall be set by the board, subject to the approval of the State Personnel Board, and shall be provided for out of any funds made available for such purpose by the Legislature, the federal government or other gifts or grants. The executive director shall be responsible to the board for the proper administration of the programs of rehabilitation provided under this chapter in conformity with the policies adopted by the board and shall be responsible for appointing directors of offices and any necessary supervisors, assistants and employees. The salary and compensation of such employees shall be subject to the rules and regulations adopted and promulgated by the State Personnel Board as created under Section 25-9-101 et seq.

SECTION 129. Section 25-58-21, Mississippi Code of 1972, is amended as follows:

25-58-21. (1) There is established the Mississippi Coordinating Council for Remote Sensing and Geographic Information Systems, hereinafter referred to as the "council." The council shall set and assure enforcement of policies and standards to make it easier for remote sensing and geographic information system users around the state to share information and to facilitate cost-sharing arrangements to reduce the costs of acquiring remote sensing and geographic information system data. The council shall not oversee or regulate the activities of higher education entities where it relates to the fields of teaching or research; however, the council shall be informed of these activities for the purpose of coordinating these higher education activities with other public remote sensing and GIS initiatives to achieve the maximum benefit for the State of Mississippi and its taxpayers. The council's responsibilities include, but are not limited to:

(a) Coordination of remote sensing and geographic information system activities within Mississippi;

(b) Establishing policies and standards to guide Mississippi Department of Information Technology Services (MDITS) in the review and approval of state and local government procurement of both hardware and software development relating to remote sensing and geographic information systems;

(c) Oversight of MDITS' implementation of these responsibilities;

(d) Preparing a plan, with proposed state funding priorities, for Mississippi's remote sensing and geographic information system activities, including development, operation and maintenance of the Mississippi Digital Earth Model;

(e) Oversight of the Mississippi Department of Environmental Quality's development and maintenance of the Mississippi Digital Earth Model, including establishing policies and standards for the procurement of remote sensing and geographic information system data by state and local governmental entities and establishing the order in which the seven (7) core data layers shall be developed;

(f) Designating Mississippi's official representative to the National States Geographic Information Council and to any other national or regional remote sensing or geographical information system organizations on which Mississippi has an official seat;

(g) Establishing and designating the members of an advisory committee made up of policy level officials from major state, local, regional and federal agencies, including, but not limited to, the National Association of Space Administration, the Mississippi Institute for Forestry Inventory, the Mississippi Department of Wildlife, Fisheries and Parks, the Mississippi Public Utilities Staff, the Department of Marine Resources, the county E911 coordinator, the State Health Officer, the Commissioner of Agriculture and Commerce, the * * * Department of Revenue, the Council of Consulting

Engineers and the Mississippi Band of Choctaw Indians, as well as members of the private sector;

(h) Creating a staff level technical users committee, in which any public or private sector entity in Mississippi interested in remote sensing and geographic information may be allowed to participate;

(i) Coordinating with the * * * Department of Revenue to assure that state and local governmental entities do not have to comply with two (2) sets of requirements imposed by different organizations.

(2) The Mississippi Coordinating Council for Remote Sensing and Geographic Information Systems will be composed of the following members:

(a) The Executive Director of the Mississippi Department of Environmental Quality;

(b) The Executive Director of the Mississippi Department of Information Technology Services;

(c) The Executive Director of the Mississippi Department of Transportation;

(d) The Executive Director of the Mississippi Emergency Management Agency;

(e) The Executive Director of the Mississippi Development Authority;

(f) The Secretary of State;

(g) The Executive Director of the Mississippi Forestry Commission;

(h) The Director of the Mississippi State Board of Registered Professional Geologists;

(i) A representative from the Institutions of Higher Learning, appointed by the Commissioner of the Institutions of Higher Learning;

(j) One (1) mayor, serving a municipality, appointed by the Executive Director of the Mississippi Municipal League;

(k) The Executive Director of the Mississippi Municipal League or his designee who will serve as the member;

(l) One (1) county supervisor appointed by the Executive Director of the Mississippi Association of Supervisors;

(m) The Executive Director of the Mississippi Association of Supervisors or his designee who will serve as the member;

(n) A member of the Tax Assessors/Collectors Association or the executive director of the association, to be appointed by the president of that association;

(o) A representative of the Planning and Development Districts, appointed by the Governor;

(p) A Senator, as a nonvoting member, appointed by the Lieutenant Governor;

(q) A Representative, as a nonvoting member, appointed by the Speaker of the House;

(r) A county surveyor who is a member of the Mississippi Association of Professional Surveyors, appointed by the president of the association; and

The members listed in paragraphs (a) through (g) may appoint a designee, but the designee must be the head of an office, bureau, division or branch within the member's agency.

The members of the council shall serve for a term concurrent with their service as an elected or appointed official or concurrent with the term of the appointing official.

The Mississippi Coordinating Council for Remote Sensing and Geographic Information Systems, created by former Section 25-58-21, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the council designated in paragraphs (a) through (r) of this subsection shall be appointed by the Governor, with the advise and consent of the Senate, provided that four (4) such members shall be appointed in 2028 to a term ending December 31, 2031, and four (4) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Coordinating Council for Remote Sensing and Geographic Information Systems.

The Executive Director of the Department of Environmental Quality shall serve as council chair and the Executive Director of Information Technology Services as vice chair for the first two (2) years. After the first two (2) years, the council shall elect from its members a chair and vice chair, for terms to be specified by the council.

With regard to the designee chosen by the Executive Director of the Mississippi Municipal League or the Executive Director of the Mississippi Association of Supervisors, the designee shall become a permanent member of the council for a term concurrent with the term of the appointing executive director.

(3) At the direction of the chairman of the council and contingent upon the availability of sufficient funds, each member may receive reimbursement for reasonable expenses, including travel expenses in accordance with rates established pursuant to Section 25-3-41, incurred in attending meetings of the council. Any member of the council who is also a state employee may not receive per diem compensation for attending meetings of the * * * council, but may be reimbursed in accordance with Section 25-3-41 for mileage and actual expenses incurred in the performance of the duties, if authorized by vote, at a meeting of the council, which action must be recorded in the official minutes of the meeting. Legislative members of the council will be paid from the contingent expense funds of their respective houses in the same amounts as provided for committee meetings when the Legislature is not in session.

(4) The council may accept money from any source, public or private, to be expended in implementing the duties under this section.

(5) The council may utilize staff employed by the agencies affected by this section and any other assistance made available to it.

SECTION 130. Section 73-59-21, Mississippi Code of 1972, is amended as follows:

73-59-21. (1) There is hereby created the Standing Committee on Residential Builders and Remodelers which shall be subordinate to the State Board of Contractors as set forth in Section 31-3-3. The standing committee shall be composed of the two (2) residential builders who serve as members of the State Board of Contractors and three (3) additional residential builders as defined in Section 73-59-1 to be appointed by the Governor. The terms of the ex officio members shall be concurrent with their terms as members of the State Board of Contractors. The initial terms of the three (3) additional residential builders on the Standing Committee on Residential Builders and Remodelers shall be one (1), three (3) and five (5) years, respectively, beginning July 1, 2000. Upon the expiration of the initial term of any member not serving ex officio, his or her successor shall be appointed for a term of five (5) years.

(2) The Governor shall appoint one (1) of the two (2) ex officio members as Chairman of the Standing Committee on Residential Builders and Remodelers. The Executive Director of the State Board of Contractors as set forth in Section 31-3-11 shall serve as secretary of the standing committee. The standing committee shall meet no less than once per quarter of each year at a date and time to be set by its chairman upon at least five (5) business days' notice by regular mail. The members of the standing committee shall be entitled to receive a per diem as provided in Section 31-3-9.

(3) The Standing Committee on Residential Builders and Remodelers, created by former Section 73-59-21, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the council designated in subsections (1) and (2) of this section shall be appointed by the Governor, with the advise and consent of the Senate, provided that three (3) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Standing Committee on Residential Builders and Remodelers.

(4) Three (3) members of the Standing Committee on Residential Builders and Remodelers shall constitute a quorum and a majority vote of those present and voting at any meeting shall be necessary to transact business.

(* * *5) The Standing Committee on Residential Builders and Remodelers shall have the power to make recommendations to the State Board of Contractors pertaining to all duties set forth in Sections 73-59-11 and 73-59-13. The standing committee shall have only the power to make recommendations to the State Board of Contractors and the State Board of Contractors shall have the power and authority to accept or reject any recommendation made by the standing committee. Hearings regarding residential builders and remodelers shall be exclusively under the jurisdiction of the Standing Committee on Residential Builders and Remodelers.

SECTION 131. Section 27-3-1, Mississippi Code of 1972, is amended as follows:

27-3-1. (1) There is hereby created a Department of Revenue, the head of which shall be the Commissioner of Revenue, who shall be appointed by the Governor, with the advice and consent of the Senate. Each term of office of the Commissioner of Revenue

shall be for six (6) years, or until his successor shall be appointed and qualified. The Governor shall include in his appointment, the expiration date of the appointment. Vacancies shall be filled by the Governor for the unexpired portion of the term in which the vacancy occurs.

(2) Effective July 1, 2028, the Commissioner of Revenue shall be appointed by the Governor, with the advise and consent of the Senate, to a term of four (4) years. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointment of the commissioner.

(3) The Commissioner of Revenue shall be a qualified elector, shall have at least a bachelor's degree from an accredited college or university, and shall possess a special knowledge of taxation and revenue as pertaining to the State of Mississippi. The Commissioner of Revenue shall be full-time and shall not be actively engaged in any other business or occupation.

(* * *4) The Commissioner of Revenue shall, before entering upon the discharge of the duties of his office, take and subscribe to the oath of office prescribed by the Constitution, shall file the oath in the Office of the Secretary of State, and shall execute a bond in some surety company authorized to do business in the state, to be approved by the Governor, and filed in the Office of the Secretary of State in the penal sum of Two Hundred Fifty Thousand Dollars ($250,000.00), conditioned for the faithful and impartial discharge of the duties of his office. The premium on the bond shall be paid as provided by law out of funds appropriated to the Department of Revenue.

(* * *5) The Commissioner of Revenue is not subject to removal from office other than by impeachment or by removal from office as provided for under Section 25-5-1, except that in addition to impeachment and removal, the Commissioner of Revenue may also be removed from office for a criminal conviction for violating the Internal Revenue Code.

SECTION 132. Section 69-10-2, Mississippi Code of 1972, is amended as follows:

69-10-2. (1) The Mississippi Rice Promotion Board is created, to be composed of twelve (12) members to be appointed by the Governor to serve terms of four (4) years, as hereinafter provided. All of the twelve (12) members of the board shall be producers of rice in the State of Mississippi. Within ten (10) days following March 9, 1995, the Mississippi Farm Bureau Federation, Inc., the Mississippi Rice Council for Market Development and the Delta Council shall each submit the names of six (6) rice producers to the Governor, and he shall appoint four (4) members from the nominees of each organization to serve on the board on rotating four-year terms. The original board shall be appointed with members of each of the aforenamed organizations appointed as follows: one (1) for one (1) year, one (1) for two (2) years, one (1) for three (3) years and one (1) for four (4) years. Each year thereafter, not less than thirty (30) days before the expiration of the terms of expiring board members, the aforenamed organizations shall submit the names of four (4) nominees to the Governor and succeeding boards shall be appointed by the Governor in the same manner, giving equal representation to each organization. Vacancies which occur shall be filled in the same manner as the original appointments were made.

(2) The Mississippi Rice Promotion Board, created by former Section 69-10-2, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the council designated in subsection (1) of this section shall be appointed by the Governor, with the advise and consent of the Senate, provided that six (6) such members shall be appointed in 2028 to a term ending December 31, 2031, and six (6) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires

next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Rice Promotion Board.

(* * *3) The members of the board shall meet and organize immediately after their appointment, and shall elect a chairman, vice chairman and secretary-treasurer from the membership of the board, whose duties shall be those customarily exercised by such officers or specifically designated by the board. The chairman, vice chairman and secretary-treasurer shall be bonded in an amount not less than Twenty Thousand Dollars ($20,000.00). The cost of the bonds shall be paid from the funds received under the provisions of Section 69-10-1 et seq. Such bond shall be a security for any illegal act of such member of the board and recovery thereon may be had by the state for any injury by such illegal act of such member. The board may establish rules and regulations for its own government and the administration of the affairs of the board.

SECTION 133. Section 55-5-53, Mississippi Code of 1972, is amended as follows:

55-5-53. (1) The commission shall be composed of ten (10) members, of whom two (2) shall be residents of DeSoto, Tunica and Coahoma Counties; two (2) shall be residents of Bolivar and Washington Counties; two (2) shall be residents of Sharkey, Issaquena and Warren Counties; two (2) shall be residents of Claiborne and Jefferson Counties; and two (2) shall be residents of Adams and Wilkinson Counties. On the original commission, two (2) members shall be appointed for terms of one (1), two (2), three (3), four (4) and five (5) years, each. All successor members shall be appointed for terms of five (5) years, except for members appointed to fill an unexpired term. Immediately upon making any appointment to the commission, the Governor shall notify the Mississippi River Parkway Commission, referred to as the National Commission in Sections 55-5-51 through 55-5-63, giving the names and addresses of the member or members appointed.

(2) The Mississippi River Parkway Commission, created by former Section 55-5-53, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the council designated in subsection (1) of this section shall be appointed by the Governor to four-year terms, with the advise and consent of the Senate, provided that five (5) such members shall be appointed in 2028 to a term ending December 31, 2031, and five (5) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi River Parkway Commission.

SECTION 134. Section 49-17-45, Mississippi Code of 1972, is amended as follows:

49-17-45. (1) The Mississippi Commission on Environmental Quality, acting through the Department of Environmental Quality, shall establish and administer, in accordance with the federal Clean Air Act, the Mississippi Small Business Stationary Source Technical and Environmental Compliance Assistance Program (PROGRAM).

(2) There is created the Mississippi Small Business Compliance Advisory Panel. The Mississippi Small Business Compliance Advisory Panel shall consist of the following members, the term of each to be concurrent with the term of the appointing official of that member:

(a) One (1) member representing the Air Pollution Control Program of the Department of Environmental Quality;

(b) Two (2) members who are not owners or representatives of owners of a small business, appointed by the Governor;

(c) Two (2) members who each shall be the owner or representatives of an owner of a small business, appointed by the Speaker of the House of Representatives; and

(d) Two (2) members who each shall be the owner or representatives of an owner of a small business, appointed by the Lieutenant Governor.

(3) The Mississippi Small Business Compliance Advisory Panel, created by former Section 49-17-45, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the panel designated in subsection (1) of this section shall be appointed by the Governor to a term of office of four (4) years, with the advise and consent of the Senate, provided that four (4) such members shall be appointed in 2028 to a term ending December 31, 2031, and three (3) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Small Business Compliance Advisory Panel.

(4) The panel shall elect one (1) member to serve as chairman. The panel shall meet at the call of the chairman at Jackson, Mississippi, or such other places within the state designated by the panel; however, the panel shall not meet more than four (4) times during a calendar year.

(* * *5) Members of the Mississippi Small Business Compliance Advisory Panel shall serve without salary, but each shall be entitled to receive per diem as provided in Section 25-3-69 and his actual travel and hotel expenses incurred while in the performance of his duties as a member of the committee in accordance with Section 25-3-41. Per diem and expenses shall be paid on an itemized statement approved by the State Fiscal Officer from fees collected under Section 49-17-30.

(* * *6) The Mississippi Small Business Compliance Advisory Panel shall:

(a) Render advisory opinions concerning:

(i) The effectiveness of the Small Business Stationary Source Technical and Environmental Compliance Assistance Program;

(ii) Difficulties encountered; and

(iii) Degree and severity of enforcement;

(b) Make periodic reports to the Administrator of the United States Environmental Protection Agency concerning the compliance of the State Small Business Stationary Source Technical and Environmental Compliance Assistance Program with the requirements of the federal Paperwork Reduction Act, the federal Regulatory Flexibility Act, and the federal Equal Access to Justice Act;

(c) Review information for small business stationary sources to * * * ensure such information is understandable by the layperson; and

(d) Have the Small Business Stationary Source Technical and Environmental Compliance Assistance Program serve as the secretariat for the development and dissemination of such reports and advisory opinions.

SECTION 135. Section 25-43-4.103, Mississippi Code of 1972, is amended as follows:

25-43-4.103. (1) There is established a Small Business Regulatory Review Committee.

(2) The duties of the committee shall be to:

(a) Provide agencies with input regarding proposed permanent rules which may have an economic impact upon small business and for which a notice of intended action is published by the Secretary of State on or after July 1, 2012;

(b) Review any rule promulgated by a state agency for which notice has been given by the agency to the committee that the proposed rule has or may have an economic effect upon small business and make recommendations to the agency and or the Legislature regarding the need for a rule or legislation;

(c) Petition an agency to amend, revise * * * or revoke an existing regulation based on an economic impact on small business; and

(d) Advise and assist agencies in complying with the provisions of and performing any and all acts and duties set forth and authorized in the Mississippi Small Business Regulatory Flexibility Act.

(3) The committee is assigned to the Mississippi Development Authority for administrative purposes only. The department shall act as a coordinator for the committee, and shall not be required to provide legal counsel for the committee.

(4) The committee shall consist of twelve (12) members, appointed as follows:

(a) Four (4) members to be appointed by the Governor, one (1) of whom shall be the Executive Director of the Mississippi Development Authority, or his designee;

(b) Four (4) members to be appointed by the Lieutenant Governor, two (2) of whom may be State Senators who own small businesses; and

(c) Four (4) members to be appointed by the Speaker of the House of Representatives, two (2) of whom may be State Representatives who own small businesses.

Any legislative member appointed to the committee shall serve as an ex officio, nonvoting member.

(5) The appointing authorities shall appoint members of the committee for which no qualifications are specified under subsection (4) from:

(a) Lists of nominees, which may include small business owners, association representatives and small business regulatory advisors who have legal or accounting experience, submitted by the following business organizations:

(i) National Federation of Independent Business;

(ii) Mississippi Manufacturers Association;

(iii) Mississippi Retail Association;

(iv) Mississippi Petroleum Marketers and Convenience Stores Association;

(v) Mississippi Minority Contractors Association;

(vi) Mississippi Economic Council;

(vii) Mississippi Farm Bureau Federation; and

(viii) Any local chamber of commerce; and/or

(b) Small business owners or operators not affiliated with or nominated by the business organizations listed in paragraph (a) of this subsection.

(6) Appointments to the committee shall be representative of a variety of small businesses in this state. Except as otherwise provided in this section, appointed members shall be either current or former owners or principal officers of a small business.

(7) The initial appointments to the committee shall be made within sixty (60) days from July 1, 2012. The Mississippi Development Authority shall provide the name and address of each appointee to the Governor, Lieutenant Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives and the Secretary of State.

(8) (a) Members initially appointed to the committee shall serve for terms ending December 31, 2014. Thereafter, appointed members shall serve two-year terms that expire on December 31 of the second year.

(b) The Governor shall appoint the initial chair of the committee from the appointed members for a term ending December 31, 2014. Subsequent chairs of the committee shall be elected by the committee from the appointed members for two-year terms that expire on December 31 of the second year.

(9) The Small Business Regulatory Review Committee, created by former Section 25-43-4.103, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the committee designated in subsection (4) of this section shall be appointed by the Governor for a term of four (4) years, with the advise and consent of the Senate, provided that six (6) such members shall be appointed in 2028 to a term ending December 31, 2031, and six (6) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Small Business Regulatory Review Committee.

(10) Members of the committee shall not receive any compensation.

(* * *11) The committee shall meet as determined by the chair of the committee.

(* * *12) A majority of the voting members of the committee shall constitute a quorum to do business. The concurrence of a majority of the members of the committee present and voting shall be necessary to make any action of the committee valid.

SECTION 136. Section 73-53-8, Mississippi Code of 1972, is amended as follows:

73-53-8. (1) There is created the Board of Examiners for Social Workers and Marriage and Family Therapists to license and regulate social workers and marriage and family therapists. The board shall be composed of ten (10) members, six (6) of which shall be social workers and four (4) of which shall be marriage and family therapists.

(2) Of the social worker members of the board, two (2) must be licensed social workers, and four (4) must be licensed master social workers or licensed certified social workers or a combination thereof. The marriage and family therapist members of the board must be licensed marriage and family therapists. For at least two (2) years immediately preceding his or her appointment, each marriage and family therapist appointee must have been actively engaged as a marriage and family therapist in rendering professional services in marriage and family therapy, or in the education and training of master's, doctoral or post-doctoral students of marriage and family therapy, or in marriage and family therapy research, and during the two (2) years preceding his or her appointment, must have spent the majority of the time devoted to that activity in this state. The initial marriage and family therapist appointees shall be deemed to be and shall become licensed practicing marriage and family therapists immediately upon their appointment and qualification as members of the board. All subsequent marriage and family therapist appointees to the board must be licensed marriage and family therapists before their appointment.

(3) The Governor shall appoint six (6) members of the board, four (4) of which shall be social workers and two (2) of which shall be marriage and family therapists, and the Lieutenant Governor shall appoint four (4) members of the board, two (2) of which shall be social workers and two (2) of which shall be marriage and family therapists. Social worker members of the board shall be appointed from nominations submitted by the Mississippi Chapter of the National Association of Social Workers, and marriage and family therapist members of the board shall be appointed from nominations submitted by the Mississippi Association for Marriage and Family Therapy. All appointments shall be made with the advice and consent of the Senate.

(4) The initial appointments to the board shall be made as follows: The Governor shall appoint one (1) social worker member for a term that expires on June 30, 1999, one (1) social worker member for a term that expires on June 30, 2001, two (2) social worker members for terms that expire on June 30, 2002, one (1) marriage and family therapist member for a term that expires on June 30, 1998, and one (1) marriage and family therapist member for a term that expires on June 30, 2000. The Lieutenant Governor shall appoint one (1) social worker member for a term that expires on June 30, 1998, one (1) social worker member for a term that expires on June 30, 2000, one (1) marriage and family therapist member for a term that expires on June 30, 1999, and one (1) marriage and family therapist member of the board for a term that expires on June 30, 2001. After the expiration of the initial terms, all subsequent appointments shall be made by the original appointing authorities for terms of four (4) years from the expiration date of the previous term. Upon the expiration of his or her term of office, a board member shall continue to serve until his or her successor has been appointed and has qualified. No person may be appointed more than once to fill an unexpired term or more than two (2) consecutive full terms.

(5) Any vacancy on the board before the expiration of a term shall be filled by appointment of the original appointing authority for the remainder of the unexpired term. Appointments to fill vacancies shall be made from nominations submitted by the appropriate organization as specified in subsection (2) of this section for the position being filled.

(6) The Board of Examiners for Social Workers and Marriage and Family Therapists, created by former Section 73-53-8, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the board designated in subsections (1) through (4) of this section shall be appointed by the Governor for a term of office of four (4) years, with the advise and consent of the Senate, provided that five (5) such members shall be appointed in 2028 to a term ending December 31, 2031, and five (5) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Board of Examiners for Social Workers and Marriage and Family Therapists.

(7) The appointing authorities shall give due regard to geographic distribution, race and sex in making all appointments to the board.

(* * *8) The board shall select one (1) of its members to serve as chairman during the term of his or her appointment to the board. No person may serve as chairman for more than four (4) years. The board may remove any member of the board or the chairman from his or her position as chairman for (a) malfeasance in office, or (b) conviction of a felony or a crime of moral turpitude while in office, or (c) failure to attend three (3) consecutive board meetings. However, no member may be removed until after a public hearing of the charges against him or her, and at least thirty (30) days' prior written notice to the accused member of the charges against him or her and of the date fixed for such hearing. No board member shall participate in any matter before the board in which he has a pecuniary interest, personal bias or other similar conflict of interest.

(* * *9) Board members shall receive no compensation for their services, but shall be reimbursed for their actual and necessary expenses incurred in the performance of official board business as provided in Section 25-3-41.

(* * *10) Four (4) social worker members and three (3) marriage and family therapist members of the board shall constitute a quorum of the board. In making its decisions and taking actions affecting the members of one (1) of the professions regulated by the board, the board shall consider the recommendations of the board members who are members of that profession. If the board is unable to have a quorum present at a regularly scheduled meeting location, the board may allow other members to participate in the meeting by telephone or other electronic means. In the case of an administrative hearing, when recusals from the process are necessary, a quorum may consist of a simple majority of six (6) members.

(* * *11) The principal office of the board shall be in the City of Jackson, but the board may act and exercise all of its powers at any other place. The board shall adopt an official seal, which shall be judicially noticed and which shall be affixed to all licenses issued by the board.

(* * *12) The board is authorized to appoint an executive director for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The board is authorized to employ, subject to the approval of the State Personnel Board, an executive director and such attorneys, experts and other employees as it may, from time to time, find necessary for the proper performance of its duties and for which the necessary funds are available, and to set the salary of the executive director, subject to the approval of the State Personnel Board.

(* * *13) The board, by a majority vote, from time to time, may make such provisions as it deems appropriate to authorize the performance by any board member or members, employee or other agent of the board of any function given the board in this chapter or Sections 73-54-1 through 73-54-39.

SECTION 137. Section 69-9-3, Mississippi Code of 1972, is amended as follows:

69-9-3. (1) The Mississippi Soybean Promotion Board is hereby created, to be composed of twelve (12) members to be appointed by the Governor to serve terms of three (3) years, as hereinafter provided. All of the twelve (12) members of the board shall be producers of soybeans in the State of Mississippi. Within ten (10) days following June 1, 1970, each of the following organizations, namely, Mississippi Farm Bureau Federation, Inc., Mississippi Feed and Grain Association, Mississippi Soybean Association and Delta Council shall submit the names of six (6) soybean producers to the Governor, and he shall appoint three (3) members from the nominees of each organization to serve on the board on rotating three-year terms. The original board shall be appointed with members of each of the aforenamed organizations appointed as follows: one (1) for one (1) year, one (1) for two (2) years, and one (1) for three (3) years. Each year thereafter, not less than thirty (30) days prior to the expiration of the terms of expiring board members, the aforenamed organizations shall submit the names of three (3) nominees to the Governor and succeeding boards shall be appointed by the Governor in the same manner, giving equal representation to each organization. Vacancies which occur shall be filled in the same manner as the original appointments were made.

(2) The Mississippi Soybean Promotion Board created by former Section 69-9-3, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the board designated in subsection (1) of this section shall be appointed by the Governor to a term of office of four (4) years, with the advise and consent of the Senate, provided that six (6) such members shall be appointed in 2028 to a term ending December 31, 2031, and six (6) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Soybean Promotion Board.

(* * *3) The members of the board shall meet and organize immediately after their appointment, and shall elect a chairman, vice chairman and secretary-treasurer from the membership of the board, whose duties shall be those customarily exercised by such officers or specifically designated by the board. The chairman, vice chairman and secretary-treasurer shall be bonded in an amount not less than Twenty Thousand Dollars ($20,000.00). The cost of said bonds shall be paid from the funds received under the provisions of this chapter. Such bond shall be a security for any illegal act of such member of the board and recovery thereon may be had by the state for any injury by such illegal act of such member. The board may establish rules and regulations for its own government and the administration of the affairs of the board.

SECTION 138. Section 65-9-9, Mississippi Code of 1972, is amended as follows:

65-9-9. The State Aid Engineer shall be appointed by the Governor for a term of two (2) years, subject to removal pursuant to Section 25-9-101 et seq. by the Governor at any time; provided, however, upon the expiration of the term of the State Aid Engineer serving on July 1, 1985, the State Aid Engineer shall be appointed by the Governor for a term of four (4) years. The State Aid Engineer shall be a registered engineer with at least eight (8) years' experience as a county road or highway engineer and a thorough knowledge of rural road problems. He shall be paid a salary equal to that paid assistant chief engineers of the Mississippi Department of Transportation as established by the department's personnel and merit system, plus travel expenses actually incurred by him in the discharge of his duties; and he shall, each month, make a detailed report to the Governor of such expenses. He shall be authorized to employ assistant state aid engineers, together with such other engineers, employees, and other assistants as may be necessary to carry out the terms of this chapter, all of whom may be removed at any time by the State Aid Engineer. The compensation of all such engineers, employees, and assistants shall be comparable to the salaries of like employees of the Mississippi Department of Transportation.

Effective July 1, 2028, the State Aid Engineer designated in this section shall be appointed by the Governor to a term of office of four (4) years, with the advise and consent of the Senate. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments of the State Aid Engineer.

The State Aid Engineer, before entering upon the discharge of his duties, shall give bond in the sum of Twenty-five Thousand Dollars ($25,000.00) in some surety company authorized to do business in this state, which bond shall be conditioned for the faithful performance of his duties; and likewise each assistant state aid engineer shall give bond in the sum of Ten Thousand Dollars ($10,000.00) conditioned for the faithful performance of his duties. The State Aid Engineer is hereby authorized to require other assistants who are charged with responsible duties to likewise give bond in amounts not to exceed Ten Thousand Dollars ($10,000.00) each, conditioned for the faithful performance of their duties.

The salaries of the State Aid Engineer and his assistants and of all other employees of the Office of State Aid Road Construction, and all other expenses incurred by the Office of State Aid Road Construction in carrying out the provisions of this chapter, including the premiums of bonds of the State Aid Engineer, assistant state aid engineers, and other assistants, shall be paid from the State Aid Road Fund in the State Treasury prior to allocation to the several counties, by requisition drawn by the State Aid Engineer directed to the Department of Finance and Administration, which will issue its warrant to the State Treasurer in the sum and for the purpose stated in the requisition. The State Aid Engineer shall, each month, make a detailed report to the Governor of all expenditures so made.

SECTION 139. Section 27-4-1, Mississippi Code of 1972, is amended as follows:

27-4-1. (1) The Board of Tax Appeals is established as an independent agency which shall not in any way be subject to the supervision or control of the Department of Revenue.

(2) The Board of Tax Appeals shall consist of three (3) members: a chairman and two (2) associate members. Except as provided in subsection (5) of this section, the chairman and associate members shall be appointed by the Governor with the advice and consent of the Senate. Each member of the board shall be a qualified elector, shall have at least a bachelor's degree from an accredited college or university, and shall possess a special knowledge of taxation and revenue in the State of Mississippi. The members of

the Board of Tax Appeals, while holding office, shall not engage in any other occupation or business interfering with or inconsistent with their official duties on the board.

(3) The initial term of the Chairman of the Board of Tax Appeals shall begin on July 1, 2010, and expire on June 30, 2016. The initial term of one (1) associate member of the board shall expire June 30, 2012. The initial term of the other associate member shall expire June 30, 2014. Upon the expiration of the initial terms, the term of office of each member shall be for six (6) years, or until his successor is appointed and qualified. The Governor shall include in his appointment of the chairman and associate members the expiration date of each appointment. Vacancies shall be filled by the Governor for the unexpired portion of the term in which the vacancy occurs.

(4) The Board of Tax Appeals, created by former Section 27-4-1, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the board designated in subsections (2) and (3) of this section shall be appointed by the Governor to a term of office of four (4) years, with the advise and consent of the Senate, provided that two (2) such members shall be appointed in 2028 to a term ending December 31, 2031, and one (1) such member shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Board of Tax Appeals.

(* * *5) No person appointed by the Governor to the Board of Tax Appeals shall be eligible to take office unless his name shall have been submitted to the Mississippi Senate for its advice and consent at least thirty (30) days prior to the scheduled adjournment of the regular session of the Legislature being held in the calendar year in which the term of the office of the incumbent shall expire; however, if for any reason an appointment is not given the advice and consent of the Mississippi Senate prior to the adjournment of such regular session, the Governor may submit another appointment at any time to the Mississippi Senate for its advice and consent at a regular or extraordinary session of the Legislature. The foregoing prohibition shall not apply when a vacancy shall occur by death or resignation of the incumbent.

(* * *6) On July 1, 2010, the Associate Commissioner of the State Tax Commission whose appointment as associate commissioner has an expiration date of June 30, 2012, shall fill the position of the associate member of the Board of Tax Appeals whose term expires on June 30, 2012. On July 1, 2010, the Associate Commissioner of the State Tax Commission whose appointment as associate commissioner has an expiration date of June 30, 2014, shall fill the position of the associate member of the Board of Tax Appeals whose term expires on June 30, 2014. This change of positions from an Associate Commissioner of the State Tax Commission to an associate member of the Board of Tax Appeals shall be treated as a continuation of the same appointment without the need for an additional appointment by the Governor or the advice and consent of the Senate.

(* * *7) Each member of the Board of Tax Appeals shall, before entering upon the discharge of the duties of his office, take and subscribe to the oath of office prescribed by the Constitution and shall file the oath in the Office of the Secretary of State, and each member, including the chairman, shall execute a bond in some surety company authorized to do business in the state, to be approved by the Governor, and filed in the Office of the Secretary of State in the penal sum of Fifty Thousand Dollars ($50,000.00), conditioned for the faithful and impartial discharge of the duties of his office. The premium on the

bonds shall be paid as provided by law out of funds appropriated to the Board of Tax Appeals.

(* * *8) The members of the Board of Tax Appeals are * * * subject to removal from office * * * by impeachment or by removal from office as provided for under Section 25-5-1, * * * or the provisions in Section 7-1-35 and a member of the Board of Tax Appeals may also be removed from office for a criminal conviction for violating the Internal Revenue Code.

(* * *9) It is the duty of the Department of Finance and Administration to provide suitable and adequate quarters and equipment for the Board of Tax Appeals, for the executive director and employees of the board and for filing their records, books and papers.

(* * *10) The members of the Board of Tax Appeals shall receive an annual salary fixed by the State Personnel Board. The actual traveling expenses of the board members, the executive director of the board and the employees of the board incurred in the performance of their official duties shall be allowed, and such salaries and expenses shall be payable out of funds appropriated for the expenses of the Board of Tax Appeals.

SECTION 140. Section 51-27-1, Mississippi Code of 1972, is amended as follows:

51-27-1. (1) The Governor, on behalf of this state, is hereby authorized to execute a Compact in substantially the following form with the State of Alabama; and the Legislature hereby signifies in advance its approval and ratification of such Compact, which Compact is as follows:

TOMBIGBEE-TENNESSEE WATERWAY DEVELOPMENT COMPACT

Article I. The purpose of this Compact is to promote the development of a navigable waterway connecting the Tennessee and Tombigbee Rivers by way of the east fork of the Tombigbee River and Mackeys and Yellow Creeks so as to provide a nine-foot navigable channel from the junction of the Tombigbee and Warrior Rivers at Demopolis in the State of Alabama to the junction of Yellow Creek with the Tennessee River at Pickwick Pool in the State of Mississippi, and to establish a joint interstate authority to assist in these efforts.

Article II. This Compact shall become effective immediately as to the states ratifying it whenever the States of Alabama and Mississippi have ratified it and Congress has given consent thereto. Any state not mentioned in this article which is contiguous with any member state may become a party to this Compact, subject to approval by the Legislature of each of the member states.

Article III. The states which are parties to this Compact (hereinafter referred to as "party states") do hereby establish and create a joint agency which shall be known as the Tennessee-Tombigbee Waterway Development Authority (hereinafter referred to as the "authority"). The membership of such authority shall consist of the Governor of each party state and five (5) other citizens of each party state, to be appointed by the Governor thereof. Each appointive member of the authority shall be a citizen of that state who is interested in the promotion and development of waterways and water transportation. The appointive members of the authority shall serve for terms of four (4) years each. Vacancies on the authority shall be filled by appointment by the Governor for the unexpired portion of the term. The members of the authority shall not be compensated, but each shall be entitled to actual expenses incurred in attending meetings, or incurred otherwise in the performance of his duties as a member of the authority. The members of the authority shall hold regular quarterly meetings and such special meetings as its business may require. They shall choose annually a chairman and vice chairman from among their members, and the chairmanship shall rotate each year among the party states in order of their acceptance of this Compact. The secretary of the authority (hereinafter provided for)

shall notify each member in writing of all meetings of the authority in such a manner and under such rules and regulations as the authority may prescribe. The authority shall adopt rules and regulations for the transaction of its business; and the secretary shall keep a record of all its business and shall furnish a copy thereof to each member of the authority. It shall be the duty of the authority, in general, to promote, encourage * * * and coordinate the efforts of the party states to secure the development of the Tennessee-Tombigbee Waterway. Toward this end, the authority shall have power to hold hearings; to conduct studies and surveys of all problems, benefits * * * and other matters associated with the development of the Tennessee-Tombigbee Waterway, and to make reports thereon; to acquire, by gift or otherwise, and hold and dispose of such money and property as may be provided for the proper performance of their function; to cooperate with other public or private groups, whether local, state, regional * * * or national, having an interest in waterways development; to formulate and execute plans and policies for emphasizing the purpose of this Compact before the Congress of the United States and other appropriate officers and agencies of the United States; and to exercise such other powers as may be appropriate to enable it to accomplish its functions and duties in connection with the development of the Tennessee-Tombigbee Waterway and to carry out the purposes of this Compact.

The Tennessee-Tombigbee Waterway Development Authority, created by former Section 51-27-1, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the board designated from Mississippi shall be appointed by the Governor to terms of office of four (4) years, with the advise and consent of the Senate, provided that one-half (1/2) of such members shall be appointed in 2028 to a term ending December 31, 2031, and one-half (1/2) of such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Tennessee-Tombigbee Waterway Development Authority.

Article IV. The authority shall appoint a secretary, who shall be a person familiar with the nature, procedures, and significance of inland waterways development and the informational, educational, and publicity methods of stimulating general interest in such developments, and who shall be the compact administrator. His term of office shall be at the pleasure of the authority and he shall receive such compensation as the authority shall prescribe. He shall maintain custody of the authority's books, records, and papers, which he shall keep at the office of the authority, and he shall perform all functions and duties, and exercise all powers and authorities, that may be delegated to him by the authority.

Article V. Each party state agrees that, when authorized by its legislature, it will from time to time make available and pay over to the authority such funds as may be required for the establishment and operation of the authority. The contribution of each party state shall be in the proportion that its population bears to the total population of the states which are parties hereto, as shown by the most recent official report of the United States Bureau of the Census, or upon such other basis as may be agreed upon.

Article VI. Nothing in this Compact shall be construed so as to conflict with any existing statute, or to limit the powers of any party state, or to repeal or prevent legislation, or to authorize or permit curtailment or diminution of any other waterway project, or to affect any existing or future cooperative arrangement or relationship between any federal agency and a party state.

Article VII. This Compact shall continue in force and remain binding upon each party state until the Legislature or Governor of each or either state takes action to withdraw therefrom; provided that such withdrawal shall not become effective until six (6) months after the date of the action taken by the Legislature or Governor. Notice of such action shall be given to the other party state or states by the Secretary of State of the party state which takes such action.

(2) There is hereby granted to the Governor, to the members of the authority for Mississippi, and to the Compact administrator all the powers provided for in said Compact and in this section. All officers of the State of Mississippi are hereby authorized and directed to do all things falling within their respective jurisdictions which are necessary or incidental to carrying out the purpose of said Compact.

SECTION 141. Section 41-113-9, Mississippi Code of 1972, is amended as follows:

41-113-9. (1) There is created the Mississippi Tobacco Control Advisory Council, which shall consist of thirteen (13) members. The thirteen (13) members of the advisory council shall consist of the following:

(a) Four (4) members appointed by the Governor, with one (1) member from a list of three (3) physicians recommended by the Mississippi State Medical Association, one (1) member from a list of three (3) individuals recommended by the Mississippi Chapter of the American Heart Association, and two (2) individuals who are not affiliated with the tobacco industry who possess knowledge, skill * * * and prior experience in scientifically proven smoking prevention, reduction and cessation programs, health care services or preventive health measures;

(b) Two (2) members appointed by the Lieutenant Governor, with one (1) member from a list of three (3) nurses recommended by the Mississippi Nurses' Association, and one (1) member from a list of three (3) individuals recommended by the Mississippi Chapter of the American Lung Association;

(c) Two (2) members approved by the Speaker of the House of Representatives, with one (1) member from a list of three (3) social workers recommended by the Mississippi Chapter of the National Association of Social Workers (NASW), and one (1) member from a list of three (3) individuals recommended by the Mississippi Chapter of the American Cancer Society;

(d) The Attorney General, or his or her designee;

(e) The State Superintendent of Public Education, or his or her designee;

(f) The Vice-Chancellor of Health Affairs of the University of Mississippi Medical Center, or his or her designee;

(g) The Dean of the College of Health at the University of Southern Mississippi, or his or her designee; and

(h) The Administrator of the School of Health Sciences of the College of Public Service at Jackson State University, or his or her designee.

(2) The Lieutenant Governor shall appoint one (1) member of the Senate and the Speaker of the House shall appoint one (1) Representative to attend meetings of the Tobacco Control Advisory Council.

(3) For those members that are required to be appointed from lists of individuals recommended by certain nominating groups, if none of the recommended names are acceptable to the appointing official, then the nominating group shall submit another list

of three (3) different individuals until an acceptable individual is submitted to the appointing official.

(4) The members who are state officials or university officials shall serve as members for as long as they hold the designated office or university position. The appointed members shall serve for terms that are concurrent with the terms of the appointing officials, or until their successors are appointed and qualified.

(5) Any vacancy in an appointed member position shall be filled within thirty (30) days of the vacancy by the original appointing official, and the individual appointed to fill the vacancy shall meet the same qualifications as required for the former member.

(6) The initial appointments to the advisory council shall be made not later than forty-five (45) days after March 30, 2007, and the first meeting of the advisory council shall be held within sixty (60) days after March 30, 2007, at a time, date and location specified by the State Board of Health.

(7) The Mississippi Tobacco Control Advisory Council, created by former Section 41-113-9, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the council designated in subsections (1) and (2) of this section shall be appointed by the Governor to terms of office of four (4) years, with the advise and consent of the Senate, provided that seven (7) such members shall be appointed in 2028 to a term ending December 31, 2031, and six (6) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Tobacco Control Advisory Council.

(8) The advisory council shall annually elect a chairman from among its members. The advisory council shall meet at least quarterly. A quorum for meetings of the advisory council shall be a majority of the voting members of the advisory council. The members of the advisory council shall receive the per diem compensation provided under Section 25-3-69 plus expense reimbursement as provided under Section 25-3-41 for attending meetings and necessary business of the advisory council.

(* * *9) The Mississippi Tobacco Advisory Council shall advise and make recommendations to the State Board of Health regarding rules and regulations promulgated pursuant to this program.

SECTION 142. Section 51-13-105, Mississippi Code of 1972, is amended as follows:

51-13-105. All powers of the district shall be exercised by a board of directors, to be composed of the following:

(a) Each member of the Tombigbee Valley Authority as created by virtue of Sections 51-13-1 through 51-13-9, whose county becomes a part of the Tombigbee River Valley Water Management District shall be a member of the Board of Directors of the Tombigbee River Valley Water Management District, and each state-at-large member of the Tombigbee Valley Authority shall become a member of the Board of Directors of the Tombigbee River Valley Water Management District when one or more entire counties become members of the Tombigbee River Valley Water Management District. Such

directors shall serve on this board during their term of office on the Tombigbee Valley Authority. In addition, the board of supervisors of each county within the Tombigbee River Basin which elects to become a member of the district shall appoint one (1) board member to serve for a term of four (4) years or until his successor is named. The Governor shall appoint one (1) member from each county added to the Tombigbee River Valley Water Management District which county is not now a member of the Tombigbee Valley Authority, and such member shall serve for a four-year term or until his successor is appointed.

(b) The Department of Environmental Quality, the Department of Wildlife, Fisheries and Parks, the Forestry Commission, and the State Board of Health of the State of Mississippi shall each appoint one (1) director from that department to serve on the Board of Directors of the Tombigbee River Valley Water Management District, to serve at the pleasure of the entity appointing him but not to exceed four-year terms.

(c) The Board of Directors of the Tombigbee River Valley Water Management District, created by former Section 51-13-105, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the board designated in subsections (1) and (2) of this section shall be appointed by the Governor to a term of office of four (4) years, with the advise and consent of the Senate, provided that two (2) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Board of Directors of the Tombigbee River Valley Water Management District.

(* * *d) Each director shall take and subscribe to the general oath of office required by Section 268 of the Constitution of the State of Mississippi before a chancery clerk that he will faithfully discharge the duties of the office, which oath shall be filed with the said clerk and by him preserved.

(* * *e) Each director shall receive compensation at a per diem rate as provided in Section 25-3-69 for each day or fraction thereof spent in actual discharge of his official duties and shall be reimbursed for mileage and actual expenses incurred in the performance of his official duties in accordance with the requirements of Section 25-3-41.

(* * *f) The board of directors shall annually elect from its number a president and a vice president of the district and such other officers as in the judgment of the board are necessary. The president shall be the chief executive officer of the district and the presiding officer of the board, and shall have the same right to vote as any other director. The vice president shall perform all duties and exercise all powers conferred by this article upon the president when the president is absent or fails or declines to act, except the president's right to vote. The board shall also appoint a secretary and a treasurer who may or may not be members of the board, and it may combine those offices. The treasurer shall give bond in the sum of not less than Fifty Thousand Dollars ($50,000.00) as set by the board of directors, and each director shall give bond in the sum of not less than Ten Thousand Dollars ($10,000.00) with sureties qualified to do business in this state, and the premiums on said bonds shall be an expense of the district. The condition of each such bond shall be that the treasurer or director will faithfully perform all duties of his office and account for all money or other assets which shall come into his custody as treasurer or director of the district.

SECTION 143. Section 11-46-18, Mississippi Code of 1972, is amended as follows:

11-46-18. (1) There is created a board which shall be known as the Mississippi Tort Claims Board. The board shall consist of seven (7) members as follows:

(a) The Governor, subject to the advice and consent of the Senate, shall appoint one (1) member * * * to a term of office of four (4) years, who shall serve as chairman of the board.

(b) The Director of the Department of Environmental Quality or a designee.

(c) The Commissioner of Insurance or a designee.

(d) The Director of the Department of Finance and Administration or a designee shall be a member of the board, shall serve as the executive director to the board, and shall be authorized to conduct the administrative affairs of the board.

(e) The Attorney General or a designee.

(f) The Commissioner of Public Safety or a designee.

(g) The State Treasurer or a designee.

(2) All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to any appointments to the Mississippi Tort Claims Board.

(3) The member of the board appointed by the Governor shall receive per diem as provided by Section 25-3-69 and reimbursement of travel expenses as provided in Section 25-3-41 for expenses incurred in carrying out his duties as a member of the Mississippi Tort Claims Board.

(* * *4) The board, by majority vote, shall determine the place and time of its meetings and shall spread the same on its minutes. A majority of the members shall constitute a quorum, and final action of the board shall require the affirmative vote of a majority of those present and voting. The board shall elect a vice chairman who shall preside in the absence or incapacity of the chairman and such other officers as it deems necessary and as established by its rules of order. Extraordinary meetings may be held upon call of the chairman or upon petition of any four (4) members of the board should the chairman refuse to call a meeting. The initial meeting of the board shall convene upon call of the chairman.

(* * *5) The Lieutenant Governor may designate one (1) Senator and the Speaker of the House of Representatives may designate one (1) Representative to attend any meeting of the Tort Claims Board. The appointing authorities may designate alternate members from their respective houses to serve when the regular designees are unable to attend such meetings of the board. Such legislative designees shall have no jurisdiction or vote on any matter within the jurisdiction of the board. For attending meetings of the board, such legislators shall receive per diem and expenses which shall be paid from the contingent expense funds of their respective houses in the same amounts as provided for committee meetings when the Legislature is not in session; however, no per diem and expenses for attending meetings of the board will be paid while the Legislature is in session. No per diem and expenses will be paid, except for attending meetings of the board, without prior approval of the proper committee in their respective houses.

(* * *6) If a member of the board appoints a designee to attend meetings of the board on the member's behalf, the member must inform the chairman of the board in writing of the name and contact information of the designee.

(* * *7) The designee of any member of the board is authorized to take all action which the person making the designation is authorized to do under this chapter.

SECTION 144. Section 77-13-29, Mississippi Code of 1972, is amended as follows:

77-13-29. (1) There is created an Underground Facilities Damage Prevention Board for the purpose of enforcing this chapter.

(2) It is the intent of the Legislature that the board and its enforcement activities not be funded by appropriations from the state budget.

(3) The Pipeline Safety Division will provide administrative, investigative and legal support for the board as deemed necessary and approved by the board. The Pipeline Safety Division shall charge to the board the expenses associated with the administration, investigative and legal duties requested by the board.

(4) The board shall be composed of sixteen (16) members and all board appointments shall be made on or before July 31, 2016, as follows:

(a) The President of Mississippi 811, Inc., or his designee;

(b) One (1) representative of the telecommunications industry, appointed by the Governor;

(c) One (1) representative of the excavation, utility and/or site construction industry, appointed by the Lieutenant Governor;

(d) One (1) representative of the electric power industry investor-owned utilities, appointed by the Governor;

(e) One (1) representative of the Electric Power Associations of Mississippi, appointed by the Lieutenant Governor;

(f) The Executive Director of the Mississippi Department of Transportation, or his designee;

(g) One (1) representative of the cable industry appointed by the Governor;

(h) One (1) representative of the Pipeline Safety Division, serving as an ex officio, nonvoting member;

(i) One (1) representative of the natural gas or liquid transmission industry, appointed by the Lieutenant Governor;

(j) One (1) representative of the natural gas or liquid distribution industry, appointed by the Lieutenant Governor;

(k) The Executive Director of the Mississippi Association of Professional Surveyors, Inc., or his designee;

(l) The Executive Director of the Mississippi Association of Supervisors, or his designee;

(m) The Executive Director of the Mississippi Municipal League, or his designee;

(n) The Executive Director of the Mississippi Homebuilders Association, or his designee;

(o) The Chief Executive Officer of the Mississippi Rural Water Association, or his designee; and

(p) The Executive Director of the American Council of Engineering Companies of Mississippi, or his designee.

(5) The initial term of the appointed members provided in paragraphs (b) and (c) of subsection (4) shall end December 31, 2017; the initial term of the appointed members provided in paragraphs (d) and (e) of subsection (4) shall end December 31, 2019; and the initial term of the representatives provided in paragraphs (g), (i) and (j) of subsection (4) shall end December 31, 2021. After the expiration of the initial terms, all appointed members shall serve a term of five (5) years.

(6) The Underground Facilities Damage Prevention Board, created by former Section 77-13-29, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the board designated in subsection (5)(b) through (e), (g), and (i) through (j) of this section, shall be appointed by the Governor to a term of four (4) years, with the advise and consent of the Senate, provided that four (4) such members shall be appointed in 2028 to a term ending December 31, 2031, and three (3) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Underground Facilities Damage Prevention Board.

(* * *7) The Governor shall appoint the initial chairman of the board, and the initial board shall elect other officers as the board deems necessary. The board shall meet and elect a chairman and other officers every two (2) years thereafter. The staff of Mississippi 811, Inc., shall serve as staff support for the board.

(* * *8) The board shall meet no less than three (3) times each year, with a date and time to be set by its chairman upon at least five (5) business days' notice provided by United States mail, electronic mail or personal delivery to every board member.

(* * *9) Eight (8) members of the board shall constitute a quorum and a majority vote of those present and voting at any meeting shall be necessary to transact business.

(* * *10) The members of the board shall be immune, individually and jointly, from civil liability for any act or omission done or made in the performance of their duties while serving as members of the board, but only in the absence of willful misconduct.

(* * *11) The members of the board shall serve without compensation.

(* * *12) The board shall elect from its membership an executive committee, which shall have the exclusive authority for levying civil penalties and taking action as described in Section 77-13-27. The executive committee shall be composed of the following five (5) members of the board:

(a) One (1) member appointed from subsection (4)(c) of this section;

(b) One (1) member from a state agency or local government;

(c) One (1) member appointed from subsection (4)(b), (d), (e), (g) or (o) of this section;

(d) One (1) member appointed from subsection (4)(i) or (j) of this section; and

(e) One (1) member chosen at large from the board from any paragraph of subsection (4) of this section.

(* * *13) A member serving on the executive committee shall be limited to two (2) consecutive one-year terms. No executive committee member may participate in a vote on any matter in which his employer is the alleged violator or has incurred damage to its facilities as a result of the alleged violation.

(* * *14) The board and the executive committee may hold meetings and vote by telephone, television, or other electronic means.

SECTION 145. Section 49-17-422, Mississippi Code of 1972, is amended as follows:

49-17-422. (1) An Underground Storage Tank (UST) Advisory Council is created to consult with the commission on all matters relating to the UST program, to conduct an independent study of the development and administration costs of the program and to conduct an annual review of administering such program. The costs to be included in the study for the program shall be those costs as provided in Section 49-17-421. The council shall include in the study the type and quantity of underground storage tanks in the state that are covered by the program. After completing a study of the needs and costs of the program, the council shall recommend an equitable fee system for the program that is based on the type and quantity of underground storage tanks. The annual review for the program shall determine if the fee system is collecting sufficient funds to meet program needs and include any recommendation by the council regarding changes to the fee system. Each annual review report shall be due January 1 of each year to the commission and the executive director of the department.

(2) The UST Advisory Council shall be comprised of the following five (5) members:

(a) The President of the Mississippi Petroleum Marketers and Convenience Store Association (MPMCSA) or his or her designee;

(b) A member of the MPMCSA appointed by the Board of Directors of the MPMCSA for a term of four (4) years;

(c) A representative appointed by the President of the Mississippi Engineering Society, experienced in the assessment and remediation of petroleum contamination, for a term of four (4) years;

(d) A representative appointed by the Governor, of any company doing business in Mississippi in the installation, closure and/or testing of underground storage tanks; and

(e) A representative appointed by the Lieutenant Governor, of any company doing business in Mississippi in the installation, closure and/or testing of underground storage tanks.

The council members who are appointed by the Governor and Lieutenant Governor shall have terms that are concurrent with the term of the appointing official.

(3) Original appointments to the UST Advisory Council must be made no later than January 1, 2019, and vacancies on the council shall be filled by appointment in the same manner as the original appointments. The council shall convene within sixty (60) days following the date of the appointment of the members, and must select from their membership a chairperson to preside over meetings and a vice chairperson to preside in the absence of the chairperson or when the chairperson is excused. The council shall adopt procedures governing the manner of conducting its business. A majority of the members constitutes a quorum to do business.

(4) The Underground Storage Tank (UST) Advisory Council, created by former Section 7-1-501, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the council designated in subsection (2)(d) and (e) of this section, shall be appointed by the Governor to terms of office of four (4) years, with the advise and consent of the Senate, provided that one (1) such member shall be appointed in 2028 to a term ending December 31, 2031, and one (1) such member shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Underground Storage Tank (UST) Advisory Council.

(5) Members of the UST Advisory Council shall serve without salary, but shall be entitled to receive a reimbursement of their actual travel and expenses, as provided in Section 25-3-41, that are incurred while performing in the scope of their duties as council members. These expenses are to be paid on an itemized statement that is approved by the State Fiscal Officer from fees collected under Section 49-17-421.

(* * *6) The executive director of the department shall provide technical, clerical and other support services, including service by contract, as the council requires in the performance of its functions.

SECTION 146. Section 7-1-501, Mississippi Code of 1972, is amended as follows:

7-1-501. The Governor shall appoint as commissioners to the National Conference of Commissioners on Uniform State Laws three (3) members, in good standing, of The Mississippi Bar. In addition to the Governor's appointees, the commission on uniform state laws shall consist of the following appointed commissioners, all of whom shall be members, in good standing, of The Mississippi Bar: a member of the Senate appointed by the Lieutenant Governor; a member of the House of Representatives appointed by the Speaker of the House; any member of the bar who has been elected a life member of the conference; and the Directors of the Mississippi Law Research Institute, and the Senate and House Legislative Services Offices.

The Commission on Uniform State Laws, created by former Section 7-1-501, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the commission designated in this section, shall be appointed by the Governor to terms of office of four (4) years, with the advise and consent of the Senate, provided that two (2) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle

shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Commission on Uniform State Laws.

The commissioners so appointed shall confer and act with the commissioners of other states and territories in the formulation of uniform laws on all subjects. The commissioners shall prepare a report on their recommendations to be submitted to the Legislature for its consideration for adoption.

SECTION 147. Section 7-1-503, Mississippi Code of 1972, is amended as follows:

7-1-503. Two (2) associate members of the National Conference of Commissioners on Uniform State Laws, all of whom shall be members, in good standing, of The Mississippi Bar, shall be appointed, with the advice and consent of the Senate, to act in accordance with the constitution and bylaws of the conference as follows:

(a) The Lieutenant Governor shall appoint one (1) associate member from the staff of the Senate; and

(b) The Speaker of the House of Representatives shall appoint one (1) associate member from the staff of the House.

SECTION 148. Section 35-1-1, Mississippi Code of 1972, is amended as follows:

35-1-1. (1) (a) There is hereby created a State Veterans Affairs Board, which may also be referred to as the "Mississippi Veterans Affairs," to consist of seven (7) members, to be appointed by the Governor, one (1) from each congressional district as they existed on January 1, 1952, of the State of Mississippi. One (1) shall be appointed for one (1) year, another for two (2) years, another for three (3) years, another for four (4) years, another for five (5) years, another for six (6) years, and another for seven (7) years, thus staggered. At the end of such term for each of said seven (7) members, a successor shall be appointed for a term of seven (7) years, thus providing for seven (7) members, one (1) of whom shall be appointed each year. In the event of death, resignation or removal of a member of the board, such person appointed to fill the vacancy shall be a legal resident of the congressional district in which the vacancy shall occur, and shall serve for the remainder of the term to which such member was appointed. Members of the board shall be veterans of any war or police action in which the Armed Forces of the United States have been, are, or shall be committed for action, who have been honorably discharged or honorably released.

(b) From and after May 14, 1992, terms of all members then serving on the State Veterans Affairs Board shall terminate, and the board shall be reconstituted as follows: The board shall consist of seven (7) members. All members shall be appointed by the Governor, with the advice and consent of the Senate. One (1) member shall be appointed from each congressional district as such districts existed on March 1, 1992, and two (2) members shall be appointed from the state at large. Of the initial congressional district appointees to the board, one (1) shall serve for a term of one (1) year, one (1) for a term of two (2) years, one (1) for a term of three (3) years, one (1) for a term of four (4) years and one (1) for a term of five (5) years. Of the initial at-large appointees, one (1) (who shall be that person appointed in January 1992 from the First Congressional District under the provisions of paragraph (a) of this subsection) shall serve for a term of three (3) years and one (1) (who shall be that person appointed in January 1992 from the Seventh Congressional District under the provisions of paragraph (a) of

this subsection) shall serve for a term of five (5) years. All appointees after the initial appointees shall serve for terms of five (5) years each. In the event of death, resignation or removal of a member of the board, the vacancy shall be filled by appointment of the Governor, with the advice and consent of the Senate, from the congressional district in which the vacancy occurs, for the length of the unexpired term only. Members of the board shall be honorably discharged or released veterans of any war or police action in which the Armed Forces of the United States have been, are, or shall be committed for action. No state/department commander of any federally recognized veterans organization, no national officer of any federally recognized veterans organization and no member of the Mississippi Council of Veterans Organizations shall be eligible for appointment to the board until the expiration of a period of three (3) years after the termination of their service in such disqualifying positions.

The Mississippi State Veterans Affairs Board, created by former Section 35-1-1, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the board designated in this section, shall be appointed by the Governor to terms of office of four (4) years, with the advise and consent of the Senate, provided that four (4) such members shall be appointed in 2028 to a term ending December 31, 2031, and three (3) such members shall be appointed in 2030 to a term ending December 31, 2033. At least one (1) appointed member shall be from each Supreme Court District as they exist at the time of appointment. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Council of Veterans Organizations.

(2) Members of the board shall annually elect as chairman one of their * * * members and another member as vice chairman. Members of the board shall hold regular monthly meetings and such other meetings as may be called by the chairman or the vice chairman in his absence.

(3) Beginning July 1, 2019, any reference in this code to the State Veterans Affairs Board shall also mean the Mississippi Veterans Affairs.

SECTION 149. Section 35-1-3, Mississippi Code of 1972, is amended as follows:

35-1-3. The State Veterans Affairs Board shall appoint, * * * with the advice and consent of the Senate, an executive director, (who shall also serve as Executive Secretary of the State Veterans Affairs Board), a deputy director, individuals to manage each of the agency's major functional areas and individuals to manage each of the state veterans homes. The executive director shall serve for a term of four (4) years, consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The executive director and deputy director shall be a currently serving member or honorably discharged or honorably released veteran of any active or reserve component branch of the Armed Forces of the United States. The board may establish additional minimum qualifications for agency positions.

SECTION 150. Section 35-7-7, Mississippi Code of 1972, is amended as follows:

35-7-7. The administration of the provisions hereof is vested in a Veterans' Home Purchase Board consisting of six (6) members who shall be appointed, or reappointed, by the Governor, with the advice and consent of the Senate. Members appointed to the board shall be veterans of either World War II, the Korean Conflict, the Southeast Asia

Conflict, the Persian Gulf Conflict or have served in active duty for at least one hundred eighty (180) days during a time of war or a conflict in which a campaign ribbon or medal was issued and shall possess a background in business, banking, real estate or the legal profession which enables them to carry out the duties of the board. No state/department commander of any federally recognized veterans organization, no national officer of any federally recognized veterans organization and no member of the Mississippi Council of Veterans Organizations shall be eligible for appointment to the board until the expiration of a period of three (3) years after the termination of his service in such disqualifying positions. Appointments shall be staggered, with each Governor appointing or reappointing two (2) members in the first year of his administration * * *, one (1) member in the second year, two (2) members in the third year, and one (1) member in the fourth year. Appointments for terms that expire in 1988 shall be made as follows: one (1) shall be made for a term ending on July 1, 1989; one (1) shall be made for a term ending on July 1, 1991; and two (2) shall be made for a term ending on July 1, 1992. Persons appointed to succeed the two (2) members whose terms expired in 1986, or any such member holding over after 1986 because no successor was appointed, shall serve until July 1, 1990. After the expiration of the foregoing terms, all appointments shall be for a term of four (4) years from the expiration date of the previous term. From and after July 1, 1988, one (1) appointee shall be selected from each of the five (5) congressional districts of this state as such districts are composed on May 1, 1987, and one (1) appointee shall be selected from the state at large. Any vacancy occurring during a term shall be filled by appointment of a member for the unexpired portion of the term.

The Veterans' Home Purchase Board, created by former Section 35-7-7, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the board designated in this section, shall be appointed by the Governor to terms of office of four (4) years, with the advise and consent of the Senate, provided that three (3) such members shall be appointed in 2028 to a term ending December 31, 2031, and three (3) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. At least one (1) appointed member shall be from each Supreme Court District as they exist at the time of appointment. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Veterans' Home Purchase Board.

The board is hereby authorized and empowered to make and promulgate such reasonable rules and regulations under this chapter as it shall deem to be necessary or advisable and to enforce the same. The board shall have authority to render the final decision on the purchase application process, approval of purchases, funding of purchase commitments, servicing loans and default, property security, management, resale, release from security, and all other matters relating to the purchases and loans made under this law. The board shall likewise, by an order spread on its minutes, elect a chairman and vice chairman to serve for one-year terms, and all such officers are eligible to succeed themselves in such offices. The chairman may appoint a three-member loan committee from the membership of the board and shall specify the conditions, responsibilities and authority of such committee.

Each member of the board and his successor shall be reimbursed all of his actual and necessary traveling and other expenses incurred in the attendance of the meetings of the board or in the performance of other duties in connection with the business of the board as provided for state officers and employees in Section 25-3-41, and shall be allowed a per diem as provided in Section 25-3-69 for such attendance; provided that the

number of days per diem shall not exceed sixty-six (66) days for the chairman and fifty (50) days for other members of the board during any one (1) fiscal year. The above limitation of days per year shall not apply to board members appointed on a full-time basis to the loan committee.

The board is authorized to appoint an executive director for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The director, or other executive officer employed by the board, shall execute a surety bond in the sum of One Hundred Thousand Dollars ($100,000.00), conditioned upon the faithful performance of his duties and upon his accounting for all monies coming into his hands; and each employee handling funds shall execute a like bond in the sum of Fifteen Thousand Dollars ($15,000.00), and the premiums thereon shall be paid from the funds provided for administering this chapter.

The board may designate one (1) of its employees as the acting director or executive officer by a vote of the majority of the members of the board, officially recorded in the minutes of a regular or special meeting, and such acting director shall be vested with all the authority conferred upon the director by the provisions of this chapter * * *. The acting director, when so designated, will be required to furnish surety bond in the same amount and under the same conditions as the director. The purpose of this provision is to designate an executive officer during any temporary illness, absence or incapacity of the regularly designated director.

The board may designate one (1) of its employees by a vote of the majority of the members of the board, officially recorded in the minutes of a regular or special meeting, to be authorized to sign a Deed of Conveyance or other closing documents necessary as to not delay the closing or settlement of a home purchase during the absence or unavailability of the director.

The board may select and employ such expert, technical and clerical assistance as in its judgment may be necessary in the proper administration of said board and fix the salaries of such employees.

The board is empowered to employ auditors and accountants to examine the books, accounts and records of the board if it so desires, and the board is also authorized to employ legal counsel if it deems such a course necessary in the proper administration of its affairs.

SECTION 151. Section 73-39-55, Mississippi Code of 1972, is amended as follows:

73-39-55. (1) A Board of Veterinary Medicine shall be appointed by the Governor and shall consist of five (5) licensed veterinarians, with at least one (1) member from each of the Supreme Court districts of the state and not more than two (2) members from the same Supreme Court district. All members of the Board of Veterinary Medicine shall be veterinarians who have practiced in this state for a period of not less than five (5) years and shall be graduates of a school of veterinary medicine recognized by the American Veterinary Medical Association. Appointments shall be for a five-year term or to fill an unexpired term. The Governor shall fill all vacancies on the board as they shall occur by appointment from a list of three (3) eligible veterinarians submitted by the Mississippi Veterinary Medical Association for each vacancy. If the vacancy to be filled is caused by expiration of the term, death, resignation or inability to serve as a board member whose residence is in a Supreme Court district having two (2) members on the board, the Mississippi Veterinary Medical Association shall submit six (6) names: three (3) from the Supreme Court district in which the former board member resided and three (3) from the Supreme Court district which had only one (1) member on the board, and the Governor shall fill the vacancy by appointment of one (1) of the six (6) nominees. All appointments shall be with the advice and consent of the Senate.

Members of the board serving on the predecessor board under Section 73-39-5 on July 1, 2005, may continue as members of the board until the expiration of the term for which they were appointed. Vacancies due to death, resignation or removal shall be filled for the remainder of the unexpired term in the same manner as regular appointments.

(a) A licensed veterinarian shall be qualified to serve as a member of the board if he has been licensed to practice veterinary medicine in this state for the five (5) years immediately preceding the time of his appointment.

(b) Each member of the board shall be paid in accordance with Section 25-3-69 for each day or substantial portion thereof if he is engaged in the work of the board, in addition to such reimbursement for travel and other expenses as is allowed under Section 25-3-41.

The Board of Veterinary Medicine, created by former Section 73-39-55, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the board designated in this section, shall be appointed by the Governor to terms of office of four (4) years, with the advise and consent of the Senate, provided that three (3) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Board of Veterinary Medicine.

(2) The board shall meet at least once each year at the time and place fixed by rule of the board. Other necessary meetings may be called by the board by giving notice as may be required by rule. Except as may otherwise be provided, a majority of the board constitutes a quorum. Meetings shall be open and public except that the board may meet in closed session to prepare, approve, administer or grade examinations or to deliberate the qualification of an applicant for license or the disposition of a proceeding to discipline a licensed veterinarian in accordance with Section 25-41-7.

(3) The board annually shall elect officers from its membership as may be prescribed by rule. Officers of the board serve for terms of one (1) year and until a successor is elected, without limitation on the number of terms an officer may serve. The duties of officers shall be prescribed by rule.

(4) The board is authorized to appoint an executive director for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

SECTION 152. Section 43-55-5, Mississippi Code of 1972, is amended as follows:

43-55-5. (1) Members of the Commission for Volunteer Service shall be appointed by the Governor. The commission shall consist of no fewer than fifteen (15) and no more than twenty-five (25) members.

(2) The commission members shall include as voting members, except as otherwise indicated, at least one (1) of each of the following:

(a) An individual with expertise in the educational, training, and developmental needs of youth, particularly disadvantaged youth.

(b) An individual with experience in promoting service and volunteerism among older adults.

(c) A representative of a community-based agency.

(d) The superintendent of the State Department of Education, or his or her designee.

(e) A representative of local government.

(f) A representative of local labor organizations.

(g) A representative of business.

(h) An individual between the ages of sixteen (16) and twenty-five (25) who is a participant or supervisor in a program as defined in Section 101 of Title I, 42 USCS 12511.

(i) A representative of a national service program described in Section 122(a) of Title I, 42 USCS 12572.

(j) The employee of the corporation designated under Section 195 of Title I, 42 USCS 12651f, as the representative of the corporation in this state, as a nonvoting member.

(3) In addition to the members described in subsection (2), the commission may include as voting members any of the following:

(a) Local educators.

(b) Experts in the delivery of human, educational, environmental, or public safety services to communities and persons.

(c) Representative of Native American tribes.

(d) Out-of-school youth or other at-risk youth.

(e) Representatives of entities that receive assistance under the Domestic Volunteer Service Act of 1973, Public Law 93-113, 87 Stat. 394.

(f) A member of the Board of Trustees of State Institutions of Higher Learning.

(4) Not more than twenty-five percent (25%) of the voting commission members shall be officers or employees of this state. The Governor may appoint additional officers or employees of state agencies operating community service, youth service, education, social service, senior service, and job training programs, as nonvoting, ex officio members of the commission.

(5) The Governor shall ensure, to the maximum extent possible, that the commission membership is diverse with respect to race, ethnicity, age, gender * * * and disability characteristics.

(6) Except as provided in this subsection, members of the commission shall serve for staggered three-year terms expiring on October 1. The members constituting the Mississippi Commission for Volunteer Service under Executive Order No. 1994-742 on March 28, 1996, shall serve on the commission for the remainder of the terms for which they were appointed. Of the additional members, the Governor shall appoint one-third

(1/3) of the initial members for a term of one (1) year; one-third (1/3) for a term of two (2) years; and one-third (1/3) for a term of three (3) years. Following expiration of these initial terms, all appointments shall be for three-year renewable terms. Members of the commission may not serve more than two (2) consecutive terms.

(7) A vacancy on the commission shall be filled in the same manner as the original appointments, and any member so appointed shall serve during the remainder of the term for which the vacancy occurred. The vacancy shall not affect the power of the remaining commission members to execute the duties of the commission.

(8) The Commission for Volunteer Service, created by former Section 43-55-5, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the commission designated in this section, shall be appointed by the Governor to terms of office of four (4) years, with the advise and consent of the Senate, provided that at least eight (8) such members shall be appointed in 2028 to a term ending December 31, 2031, and seven (7) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Commission for Volunteer Service.

SECTION 153. Section 35-3-24, Mississippi Code of 1972, is amended as follows:

35-3-24. There is hereby created a War Veterans Memorial Commission, which is hereby charged with the duty of carrying out the provisions as hereinafter set forth, and it shall be referred to in the succeeding sections hereof as the "commission." The commission shall consist of seven (7) commissioners, one (1) member each from the American Legion, the Veterans of Foreign Wars, Disabled American Veterans, American Ex-Prisoners of War, Veterans of World War I, Sons of Confederate Veterans, and the Mississippi National Guard. The commissioners shall be appointed by the Governor on the recommendation of the state executive governing body of each respective organization entitled to a member of the commission. The initial terms of the members shall be as follows, to be designated by the Governor at the time of appointment: (a) two (2) members shall be appointed for terms of two (2) years each; (b) two (2) members for terms of four (4) years each; (c) two (2) members for terms of six (6) years each; and (d) the member from the American Ex-Prisoners of War for a term of four (4) years. Thereafter, each term shall be for six (6) years or until a successor in office has been appointed and qualified. In the event of any vacancy on the commission, the Governor shall, within thirty (30) days, designate a successor in the same manner as the original appointment was made. No member of either branch of the Legislature nor any state officer or employee shall serve on the commission.

The War Veterans Memorial Commission, created by former Section 35-3-24, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the commission designated in this section, shall be appointed by the Governor to terms of office of four (4) years, with the advise and consent of the Senate, provided that four (4) such members shall be appointed in 2028 to a term ending December 31, 2031, and three (3) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of

their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the War Veterans Memorial Commission.

SECTION 154. Section 59-7-125, Mississippi Code of 1972, is amended as follows:

59-7-125. (1) All improvements constructed by the board of supervisors under the provisions of this article shall be operated and maintained by a port commission composed of five (5) residents of such county who shall be qualified electors therein. Such commission shall have jurisdiction over the port, terminals, harbors and passes leading thereto, and all vessels, boats and wharves, common carriers, and public utilities therein, using the same, within their respective counties. Such port commission shall be appointed as follows: one (1) member shall be appointed by the Governor, two (2) shall be appointed by the board of supervisors of the county, and two (2) shall be appointed by the governing body of the municipality which is the county seat of such county in such cases where the county seat of such county is * * * situated on or adjacent to such port facilities, otherwise, four (4) members shall be appointed by the board of supervisors. A county and a municipality may by joint resolution dissolve a port commission created under this section which is governed by a commission with two (2) commissioners appointed by each. The joint resolution must provide that the municipality relinquishes its duties and obligations related to the port, and that the county assumes all duties and obligations related to the port. Any commission so dissolved shall be reconstituted to consist of five (5) members, one (1) member appointed from each supervisor district. The board of supervisors shall provide for staggered terms in its order providing for the appointment of the reconstituted port commission. Before entering upon the duties of the office, each of such commissioners shall take and subscribe to the oath of office required by Section 268 of the Constitution of the State of Mississippi, and shall give bond, to be approved by the board of supervisors, in the sum of Five Thousand Dollars ($5,000.00), conditioned upon the faithful performance of their duties. Such bond shall be made payable to the county and in case of breach thereof, suit may be brought on the relation of the county for the benefit of such port commission. Such commissioners shall hold office for a term of four (4) years from the date of their appointment and qualification and until their successor or successors shall be appointed and qualified as set out herein. Three (3) members of the Port Commission shall be necessary to constitute a quorum for the conducting of business.

(2) The Port Commission, created by former Section 59-7-125, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the commission designated in this section, shall be appointed by the Governor to terms of office of four (4) years, with the advise and consent of the Senate, provided that three (3) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Port Commission.

(* * *3) The members of the board of supervisors shall be ex officio members of the Port Commission, but no bond shall be required of them in such capacity; provided, however, the members of the board of supervisors shall be nonvoting members of the

Port Commission and shall not be included or counted for the determination of a quorum for conducting of business by the Port Commission unless and until the board of supervisors of a particular county, by order entered on its minutes, expressly provides that the members of the board of supervisors shall be voting members of the Port Commission and the number of members required for a quorum to conduct business of the Port Commission, but in no event shall the number required for a quorum to conduct business of the Port Commission be less than three (3).

(* * *4) All actions heretofore taken by the various Port Commissions at which at least three (3) members were present and which would otherwise have been legal actions except for the absence of a legal quorum being present and voting are hereby ratified, confirmed and approved.

(5) The commission is authorized to appoint an executive director for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

SECTION 155. Section 49-4-4, Mississippi Code of 1972, is amended as follows:

49-4-4. (1) There is hereby created the Mississippi Commission on Wildlife, Fisheries and Parks, to be composed of five (5) persons appointed by the Governor, with the advice and consent of the Senate, for a term of five (5) years. One (1) person shall be appointed from each congressional district. The initial terms of the members shall be one (1), two (2), three (3), four (4) and five (5) years, respectively. Thereafter, all terms shall be for five (5) years. An appointment to fill a vacancy which arises for reasons other than by expiration of a term of office shall be made from the respective congressional district for the unexpired term only.

The Mississippi Commission on Wildlife, Fisheries and Parks, created by former Section 49-4-4, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the commission designated in this section, shall be appointed by the Governor to terms of office of four (4) years, with the advise and consent of the Senate, provided that three (3) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. At least one (1) appointed member shall be from each Supreme Court District as they exist at the time of appointment. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Commission on Wildlife, Fisheries and Parks.

(2) The commission shall elect from its membership a chairman who shall preside over meetings and a vice chairman who shall preside in the absence of the chairman or when the chairman shall be excused.

(3) The commission shall adopt rules and regulations governing times and places for meetings and governing the manner of conducting its business. Each member of the commission shall take the oath prescribed by Section 268 of the Mississippi Constitution, and shall enter into bond in the amount of Thirty Thousand Dollars ($30,000.00) to be approved by the Secretary of State, conditioned according to law, and payable to the State of Mississippi before assuming the duties of office. Any member who shall not attend three (3) consecutive regular meetings of the commission shall be subject to removal by a majority vote of the commission members.

(4) The members of the commission shall receive no annual salary but shall receive per diem compensation as authorized by law for each day devoted to the discharge of official duties and shall be entitled to reimbursement for all actual and necessary expenses incurred in the discharge of their duties, including mileage as authorized by law.

The commission shall be composed of persons with a demonstrated history of involvement in at least one (1) of the matters of jurisdiction of the commission and whose employment and activities are not in conflict. All of the commissioners shall be an active outdoorsman holding a resident hunting or fishing license in at least five (5) of the ten (10) years preceding appointment. A member shall not have a record of conviction of violation of fish or game laws and regulations within five (5) years preceding appointment or a record of any felony conviction.

(5) The commission shall have the power to adopt, amend and repeal such regulations and rules as may be necessary for the operation of the department.

(6) The commission shall have the power and authority to issue all licenses and permits under the jurisdiction of the department.

(7) In the furtherance of its duties and responsibilities, the commission may conduct hearings, gather testimony and perform other functions required to carry out its powers and duties as prescribed by statute.

(8) The commission shall have all power for conserving, managing and developing wildlife and fishery resources except for saltwater aquatic life and marine resources under the jurisdiction of the Mississippi Commission on Marine Resources.

SECTION 156. Section 49-4-6, Mississippi Code of 1972, is amended as follows:

49-4-6. (1) There is hereby created the Mississippi Department of Wildlife, Fisheries and Parks, whose principal office shall be located in Jackson, Mississippi.

(2) The department shall be headed by an executive director who shall be appointed by the Governor. The commission shall submit to the Governor three (3) qualified nominees for the position of executive director. The Governor shall appoint the executive director from the list of qualified nominees submitted with the advice and consent of the Senate. The executive director shall serve for a term of four (4) years, consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The executive director may assign those powers and duties as deemed appropriate to carry out the department's lawful functions. Upon recommendation by the Governor to the commission, the executive director may be removed from office only by both a majority vote of the membership of the commission and the Governor's approval of the removal. To remove the executive director the commission must determine on sound evidence that there is good cause for removal such as willful dereliction in carrying out the duties of executive director, obvious malfeasance in his actions as executive director or conviction of any criminal act. After the determination is made by the commission that the executive director should be removed from office, the commission shall notify the Governor of its determination and the Governor must approve that determination before the executive director is actually removed from office.

(3) The executive director shall appoint heads, who will serve at the pleasure of the executive director.

(4) The executive director shall have the authority to organize the department as deemed appropriate to carry out the responsibilities of the department. The organizational charts of the department shall be presented annually with the budget request of the Governor for review by the Legislature.

(5) The executive director shall develop and implement a merit promotion system for all sworn law enforcement officers. Promotion to higher rank shall be based on an individual's merit and length of service. The executive director shall implement the merit promotion system before July 1, 1995.

SECTION 157. Section 83-34-7, Mississippi Code of 1972, is amended as follows:

83-34-7. (1) The Board of Directors of the Mississippi Insurance Underwriting Association as presently constituted shall serve as the temporary board of directors of the association. Such temporary board of directors shall prepare and submit a plan of operation in accordance with Section 83-34-13 and shall serve until the permanent board of directors shall take office in accordance with the plan of operation. The permanent board shall consist of five (5) representatives of the members to be appointed by the temporary board of directors subject to the approval of the commissioner and three (3) agents from the coast area to be appointed by the commissioner. The terms of the members of the board of directors in place before March 22, 2007, shall expire on March 22, 2007, and such persons shall cease to serve on the board and shall relinquish all power and control of the association.

(2) (a) From and after March 22, 2007, the board of directors of the association shall consist of the following:

(i) The State Treasurer;

(ii) Five (5) of the assessable insurer companies, three (3) to be appointed by the commissioner, one (1) to be appointed by the Governor, and one (1) to be appointed by the Lieutenant Governor; each such assessable insurer appointed shall designate a representative knowledgeable in the matters of the association and authorize such representative to act and vote on its behalf;

(iii) Three (3) agents with no less than ten (10) years' experience in the property and casualty industry, two (2) of whom are residents in the coast area, and one (1) of whom is not a resident of the coast area; one (1) such coast area agent to be appointed by the Governor, one (1) such coast area agent to be appointed by the Lieutenant Governor, and the noncoast area agent to be appointed by the commissioner; and

(iv) Two (2) business leaders who have been residents of the coast area for no less than ten (10) years and who have no less than ten (10) years' experience in management of a business, one (1) to be appointed by the Governor, and one (1) to be appointed by the Lieutenant Governor.

(b) Except for the State Treasurer, the board members shall serve three-year terms with each term beginning on January 1, and the initial terms shall be staggered in the following manner:

(i) The initial term for three (3) of the assessable insurers shall begin on March 22, 2007, and expire on December 31, 2010, thereafter to be appointed for three-year terms;

(ii) The initial term for one (1) of the assessable insurers shall begin on March 22, 2007, and expire on December 31, 2009, thereafter to be appointed for three-year terms;

(iii) The initial term for one (1) of the assessable insurers shall begin on March 22, 2007, and expire on December 31, 2008, thereafter to be appointed for three-year terms;

(iv) The initial term for one (1) of the agents shall begin on March 22, 2007, and expire on December 31, 2010, thereafter to be appointed for three-year terms;

(v) The initial term for one (1) of the agents shall begin on March 22, 2007, and expire on December 31, 2009, thereafter to be appointed for three-year terms;

(vi) The initial term for one (1) of the agents shall begin on March 22, 2007, and expire on December 31, 2008, thereafter to be appointed for three-year terms;

(vii) The initial term for one (1) of the business leaders shall begin on March 22, 2007, and expire on December 31, 2010, thereafter to be appointed for three-year terms;

(viii) The initial term for one (1) of the business leaders shall begin on March 22, 2007, and expire on December 31, 2008, thereafter to be appointed for three-year terms.

(3) On or before March 22, 2007, the appropriate public official shall make such appointments and request such resignations from the existing board as are appropriate to comply with this section.

(4) The Board of Directors of the Mississippi Insurance Underwriting Association, created by former Section 83-34-7, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the board designated in this section, shall be appointed by the Governor to terms of office of four (4) years, with the advise and consent of the Senate, provided that five (5) such members shall be appointed in 2028 to a term ending December 31, 2031, and five (5) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Board of Directors of the Mississippi Insurance Underwriting Association.

(5) The board shall be staffed by as many employees as it deems necessary.

(* * *6) The board of directors has the power to act and make binding decisions on behalf of the association on all issues.

SECTION 158. Section 43-59-3, Mississippi Code of 1972, is amended as follows:

43-59-3. (1) There is created the Mississippi Commission on the Status of Women. The commission shall be nonpartisan, and shall be composed of thirteen (13) members to be appointed, with the advice and consent of the Senate, as follows:

(a) Four (4) members shall be appointed by the Governor, including a current or former food stamps recipient and a single parent;

(b) Three (3) members shall be appointed by the Lieutenant Governor, including a current or former college educator with expertise in women's issues;

(c) Three (3) members shall be appointed by the Speaker of the House of Representatives, including a health care professional knowledgeable in women's health issues; and

(d) Three (3) members shall be appointed by the Attorney General, including a law professor or lawyer with expertise in women's issues.

(2) The members of the commission shall be women and men of recognized ability and achievement who are representative of the ethnic, geographic, socioeconomic and cultural diversity of the population of this state, and who have a proven record of efforts to improve the status of women. The initial term of office of one (1) member appointed by the Governor shall expire on June 30, 2002. The initial terms of office of the remaining members shall be fixed by the appointing authorities so that the term of office of one (1) member appointed by each appointing authority expires on June 30, 2003, the term of office of one (1) member appointed by each expires on June 30, 2004, and the terms of office of the remaining three (3) members expires on June 30, 2005. After the expiration of the initial terms, the terms of office of all members shall be four (4) years each, from the expiration date of the previous term. A member may not serve for more than two (2) consecutive terms. All vacancies shall be filled by the appointing authority for the unexpired term.

(3) The Mississippi Commission on the Status of Women, created by former Section 43-59-3, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the commission designated in subsections (1) and (2) of this section, shall be appointed by the Governor to terms of office of four (4) years, with the advise and consent of the Senate, provided that seven (7) such members shall be appointed in 2028 to a term ending December 31, 2031, and six (6) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Commission on the Status of Women.

(4) The commission shall organize by electing a chair, vice chair and secretary from among its members for terms of two (2) years each. Any member is eligible for successive elections to office.

(* * *5) A majority of the members of the commission shall constitute a quorum for transacting business.

(* * *6) Members of the commission may be reimbursed for expenses as provided in Section 25-3-41, and may receive per diem as provided in Section 25-3-69.

(* * *7) The * * * Governor shall notify the individuals after * * * he has made * * * his appointments. The Governor then shall designate a place and time for the initial organizational meeting of the commission, which meeting must be before October 1, 2001.

SECTION 159. Section 71-3-85, Mississippi Code of 1972, is amended as follows:

71-3-85. (1) There is hereby created a commission to be known as the * * * Workers' Compensation Commission, consisting of three (3) members, who shall devote their entire time to the duties of the office. The Governor shall appoint the members of the commission, by and with the consent of the Mississippi State Senate, one (1) for a term of two (2) years, one (1) for a term of four (4) years, and one (1) for a term of six (6) years. Upon the expiration of each term as above set forth, the Governor shall appoint a

successor for a term of six (6) years, and thereafter the term of office of each commissioner shall be for six (6) years. One (1) member shall be a person who by reason of his previous vocation or affiliation can be classed as a representative of employers, and one (1) member shall be a person who by reason of his previous vocation or affiliation can be classed as a representative of employees. One (1) member shall be an attorney-at-law of recognized ability with at least five (5) years' active practice in Mississippi prior to his appointment. The Governor shall designate the chairman of the commission, whose term of chairman shall run concurrently with his appointment as a commissioner.

The Workers' Compensation Commission, created by former Section 71-3-85, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the commission designated in this section, shall be appointed by the Governor to terms of office of four (4) years, with the advise and consent of the Senate, provided that two (2) such members shall be appointed in 2028 to a term ending December 31, 2031, and one (1) such member shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Workers' Compensation Commission.

The chairman shall be the administrative head of the commission and shall have the final authority in all matters relating to assignment of cases for hearing and trial and the administrative work of the commission and its employees, except in the promulgation of rules and regulations wherein the commission shall act as a body, and in the trial and determination of cases as otherwise provided.

Upon the expiration of the term of a commissioner, he shall continue to serve until his successor has been appointed. Because cumulative experience is conspicuously essential to the proper administration of a * * * Workers' Compensation Law, it is declared to be in the public interest to continue * * * Workers' Compensation Commissioners in office as long as efficiency is demonstrated. A commissioner may be removed for cause prior to the expiration of his term, but shall be furnished a written copy of the charges against him and shall be accorded a public hearing.

Each member of the commission and each administrative law judge shall receive an annual salary fixed by the Legislature.

(2) A vacancy in the commission, if there remain two (2) members of it, shall not impair the authority of such two (2) members to act. In case of illness or continued absence for other reasons, the same authority of such two (2) members shall apply.

(3) The commission shall have the powers and duties necessary for effecting the purposes of this chapter, including the powers of a court of record for compelling the attendance of witnesses, examining them under oath, and compelling the production of books, papers, documents and objects relevant to the determination of a claim for compensation, and the power to adopt rules and regulations and make or approve the forms relating to notices of injuries, payment of claims and other purposes. The authority of the commission and its duly authorized representatives to investigate and determine claims for compensation shall include the right to enter the premises where an injury occurred, to ascertain its causes and circumstances.

(4) The office of the commission shall be situated in the City of Jackson, but hearings may be held at such places as it may deem most convenient for the proper and

speedy performance of its duties. The commission is authorized, if it deems it necessary for the convenient and efficient dispatch of business, to lease office space and facilities in other than publicly owned buildings.

(5) The commission shall adopt detailed rules and regulations for implementing the purposes of this chapter at hearings attended by the main parties interested. Such rules, upon adoption, shall be published and be at all reasonable times made available to the public and, if not inconsistent with law, shall be binding upon those participating in the responsibilities and benefits of the * * * Workers' Compensation Law.

(6) The commission shall adopt or approve the forms required for administering the chapter, such notices of injury, application for benefits, receipts for compensation and all other forms needed to assure the orderly and prompt operation of the law, and may require the exclusive use of any or all such approved forms.

SECTION 160. Section 37-153-7, Mississippi Code of 1972, is amended as follows:

37-153-7. (1) There is created the Mississippi Office of Workforce Development and the Mississippi State Workforce Investment Board, which shall serve as the advisory board for the office. The Mississippi State Workforce Investment Board shall be composed of thirty-one (31) voting members, of which a majority shall be representatives of business and industry in accordance with the federal Workforce Innovation and Opportunity Act, or any successive acts.

(2) The members of the State Workforce Investment Board shall include:

(a) The Governor, or his designee;

(b) Nineteen (19) members, appointed by the Governor, of whom:

(i) A majority shall be representatives of businesses in the state, who:

1. Are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority, and who, in addition, may be members of a local board described in Section 3122(b)(2)(A)(i) of the federal Workforce Innovation and Opportunity Act. At least two (2) of the members appointed under this item 1. shall be small business owners, chief executives or operating officers of businesses with less than fifty (50) employees;

2. Represent businesses, including small businesses, or organizations representing businesses, which provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in high-demand industry sectors or occupations in the state; and

3. Are appointed from among individuals nominated by state business organizations and business trade associations;

(ii) Not less than twenty percent (20%) shall consist of representatives of the workforce within the state, which:

1. Includes labor organization representatives who have been nominated by state labor federations;

2. Includes a labor organization member or training director from an apprenticeship program in the state, which shall be a joint labor-management apprenticeship program if such a program exists in the state;

3. May include representatives of community-based organizations, including organizations serving veterans or providing or supporting competitive, integrated employment for individuals with disabilities, who have demonstrated experience and expertise in addressing employment, training or education needs of individuals with barriers to employment; and

4. May include representatives of organizations, including organizations serving out-of-school youth, who have demonstrated experience or expertise in addressing the employment, training or education needs of eligible youth;

(iii) The balance shall include government representatives, including the lead state officials with primary responsibility for core programs, and chief elected officials (collectively representing both cities and counties, where appropriate);

(c) Two (2) representatives of businesses in the state appointed by the Lieutenant Governor;

(d) Two (2) representatives of businesses in the state appointed by the Governor from a list of three (3) recommendations from the Speaker of the House; and

(e) The following state officials:

(i) The Executive Director of the Mississippi Department of Employment Security;

(ii) The Executive Director of the Department of Rehabilitation Services;

(iii) The State Superintendent of Public Education;

(iv) The Executive Director of the Mississippi Development Authority;

(v) The Executive Director of the Mississippi Community College Board;

(vi) The President of the Community College Association; and

(vii) The Commissioner of the Institutions of Higher Learning.

(f) One (1) senator, appointed by the Lieutenant Governor, and one (1) representative, appointed by the Speaker of the House, shall serve on the state board in a nonvoting capacity.

(g) The Governor may appoint additional members if required by the federal Workforce Innovation and Opportunity Act, or any successive acts.

(h) Members of the board shall serve a term of four (4) years, and shall not serve more than three (3) consecutive terms.

(i) The membership of the board shall reflect the diversity of the State of Mississippi.

(j) The Governor shall designate the Chairman of the Mississippi State Workforce Investment Board from among the business and industry voting members of the board, and a quorum of the board shall consist of a majority of the voting members of the board.

(k) The voting members of the board who are not state employees shall be entitled to reimbursement of their reasonable expenses in the manner and amount

specified in Section 25-3-41 and shall be entitled to receive per diem compensation as authorized in Section 25-3-69.

(3) Members of the state board may be recalled by their appointing authority for cause, including a felony conviction, fraudulent or dishonest acts or gross abuse of discretion, failure to meet board member qualifications, or chronic failure to attend board meetings.

(4) The Mississippi Workforce Development Board, created by former Section 37-153-7, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the board designated in subsection (3)(b), (c) and (d) of this section, shall be appointed by the Governor to terms of four (4) years, with the advise and consent of the Senate, provided that twelve (12) such members shall be appointed in 2028 to a term ending December 31, 2031, and eleven (11) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Workforce Development Board.

(5) The Mississippi Department of Employment Security shall establish limits on administrative costs for each portion of Mississippi's workforce development system consistent with the federal Workforce Investment Act or any future federal workforce legislation.

(* * *6) The Mississippi State Workforce Investment Board shall have the following duties. These duties are intended to be consistent with the scope of duties provided in the federal Workforce Innovation and Opportunity Act, amendments and successor legislation to this act, and other relevant federal law:

(a) Through the office, develop and submit to the Governor, Lieutenant Governor and Speaker of the House a strategic plan for an integrated state workforce development system that aligns resources and structures the system to more effectively and efficiently meet the demands of Mississippi's employers and job seekers. This plan will comply with the federal Workforce Investment Act of 1998, as amended, the federal Workforce Innovation and Opportunity Act of 2014 and amendments and successor legislation to these acts;

(b) Assist the Governor, Lieutenant Governor and Speaker of the House in the development and continuous improvement of the statewide workforce investment system that shall include:

(i) Development of linkages in order to assure coordination and nonduplication among programs and activities; and

(ii) Review local workforce development plans that reflect the use of funds from the federal Workforce Investment Act, Workforce Innovation and Opportunity Act, the Wagner-Peyser Act and the amendment or successor legislation to the acts, and the Mississippi Comprehensive Workforce Training and Education Consolidation Act;

(c) Recommend to the office the designation of local workforce investment areas as required in Section 116 of the federal Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014. There shall be four (4) workforce

investment areas that are generally aligned with the planning and development district structure in Mississippi. Planning and development districts will serve as the fiscal agents to manage Workforce Investment Act funds, oversee and support the local workforce investment boards aligned with the area and the local programs and activities as delivered by the one-stop employment and training system. The planning and development districts will perform this function through the provisions of the county cooperative service districts created under Sections 19-3-101 through 19-3-115; however, planning and development districts currently performing this function under the Interlocal Cooperation Act of 1974, Sections 17-13-1 through 17-13-17, may continue to do so;

(d) Assist the Governor in the development of an allocation formula for the distribution of funds for adult employment and training activities and youth activities to local workforce investment areas;

(e) Recommend comprehensive, results-oriented measures that shall be applied to all of Mississippi's workforce development system programs;

(f) Assist the Governor in the establishment and management of a one-stop employment and training system conforming to the requirements of the federal Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014, as amended, recommending policy for implementing the Governor's approved plan for employment and training activities and services within the state. In developing this one-stop career operating system, the Mississippi State Workforce Investment Board, in conjunction with local workforce investment boards, shall:

(i) Design broad guidelines for the delivery of workforce development programs;

(ii) Identify all existing delivery agencies and other resources;

(iii) Define appropriate roles of the various agencies to include an analysis of service providers' strengths and weaknesses;

(iv) Determine the best way to utilize the various agencies to deliver services to recipients; and

(v) Develop a financial plan to support the delivery system that shall, at a minimum, include an accountability system;

(g) To provide authority, in accordance with any executive order of the Governor, for developing the necessary collaboration among state agencies at the highest level for accomplishing the purposes of this article;

(h) To monitor the effectiveness of the workforce development centers and WIN job centers;

(i) To advise the Governor, public schools, community/junior colleges and institutions of higher learning on effective school-to-work transition policies and programs that link students moving from high school to higher education and students moving between community colleges and four-year institutions in pursuit of academic and technical skills training;

(j) To work with industry to identify barriers that inhibit the delivery of quality workforce education and the responsiveness of educational institutions to the needs of industry;

(k) To provide periodic assessments on effectiveness and results of the overall Mississippi comprehensive workforce development system and district councils;

(l) Develop broad statewide development goals, including a goal to raise the state's labor force participation rate;

(m) Perform a comprehensive review of Mississippi's workforce development efforts, including the amount spent and effectiveness of programs supported by state or federal money; and

(n) To assist the Governor in carrying out any other responsibility required by the federal Workforce Investment Act of 1998, as amended and the Workforce Innovation and Opportunity Act, successor legislation and amendments.

(* * *7) The Mississippi State Workforce Investment Board shall coordinate all training programs and funds within its purview, consistent with the federal Workforce Investment Act, Workforce Innovation and Opportunity Act, amendments and successor legislation to these acts, and other relevant federal law.

Each state agency director responsible for workforce training activities shall advise the Mississippi Office of Workforce Development and the State Workforce Investment Board of appropriate federal and state requirements. Each state agency, department and institution shall report any monies received for workforce training activities or career and technical education and a detailed itemization of how those monies were spent to the state board. The board shall compile the data and provide a report of the monies and expenditures to the Chairs of the House and Senate Appropriations Committee, the Chair of the House Workforce Development Committee and the Chair of the Senate Economic and Workforce Development Committee by October 1 of each year. Each such state agency director shall remain responsible for the actions of his agency; however, each state agency and director shall work cooperatively to fulfill the state's goals.

(* * *8) The State Workforce Investment Board shall establish an executive committee, which shall consist of the following State Workforce Investment Board members:

(a) The Chair of the State Workforce Investment Board;

(b) Two (2) business representatives currently serving on the state board selected by the Governor;

(c) The two (2) business representatives currently serving on the state board appointed by the Lieutenant Governor;

(d) The two (2) business representatives currently serving on the state board appointed by the Governor from a list of three (3) recommendations from the Speaker of the House;

(e) The two (2) legislators, who shall serve in a nonvoting capacity, one (1) of whom shall be appointed by the Lieutenant Governor from the membership of the Mississippi Senate and one (1) of whom shall be appointed by the Speaker of the House of Representatives from the membership of the Mississippi House of Representatives.

(* * *9) Effective July 1, 2028, the executive committee shall select an Executive Director of the Office of Workforce Development to a term of four (4) years, with the advice and consent of * * * the Senate. The executive committee shall seek input from economic development organizations across the state when selecting the executive director. The executive director shall:

(a) Be a person with extensive experience in development of economic, human and physical resources, and promotion of industrial and commercial development. The executive director shall have a bachelor's degree from a state-accredited institution

and no less than eight (8) years of professional experience related to workforce or economic development;

(b) Perform the functions necessary for the daily operation and administration of the office, with oversight from the executive committee and the State Workforce Investment Board, to fulfill the duties of the state board as described in Chapter 476, Laws of 2020;

(c) Hire staff needed for the performance of his or her duties under Chapter 476, Laws of 2020. The executive director, with approval from the executive committee, shall set the compensation of any hired employees from any funds made available for that purpose;

(d) Enter any part of the Mississippi Community College Board, individual community and junior colleges, or other workforce training facilities operated by the state or its subdivisions;

* * *

(* * *e) Promulgate rules and regulations, subject to oversight by the executive committee, not inconsistent with this article, as may be necessary to enforce the provisions in Chapter 476, Laws of 2020; and

(* * *f) Perform any other actions he or she, in consultation with the executive committee, deems necessary to fulfill the duties under Chapter 476, Laws of 2020.

(* * *10) The Office of Workforce Development and Mississippi Community College Board shall collaborate in the administration and oversight of the Mississippi Workforce Enhancement Training Fund and Mississippi Works Fund, as described in Section 71-5-353. The executive director shall maintain complete and exclusive operational control of the office's functions.

(* * *11) The office shall file an annual and a quarterly report with the Governor, Secretary of State, President of the Senate, Speaker of the House, Chairman of the House Workforce Development Committee and Chairman of the Senate Economic and Workforce Development Committee. The annual report shall be filed not later than October 1 of each year regarding all funds approved by the office to be expended on workforce training during the prior calendar year. The quarterly and annual reports shall include:

(a) Information on the performance of the Mississippi Workforce Enhancement Training Fund and the Mississippi Works Fund, in terms of adding value to the local and state economy, the contribution to future growth of the state economy, and movement toward state goals, including increasing the labor force participation rate;

(b) With respect to specific workforce training projects:

(i) The location of the training;

(ii) The amount allocated to the project;

(iii) The purpose of the project;

(iv) The specific business entity that is the beneficiary of the project;

(v) The number of employees intended to be trained and actually trained, if applicable, in the course of the project; and

(vi) The types of funds used for the project;

(c) With respect to the grants that have been awarded under the Mississippi K-12 Workforce Development Grant Program created in Section 37-153-221:

(i) The entity that was awarded the grant;

(ii) The amount allocated to the grant;

(iii) The purpose of the grant; * * *

(iv) How the grant has been used since it was awarded; and

(d) With respect to the office's authority to select tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office:

(i) The policies that the office has adopted or amended on the process for the selection of tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office;

(ii) The eligible entities that the office determined may provide services, such as companies, nonprofit organizations, or other similar groups;

(iii) Any tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office, that have been selected by the office; and

(iv) What entity received the benefit of the tools and resources that were selected.

(e) All information concerning a proposed project which is provided to the executive director shall be kept confidential. Except as provided in subsections (13) and (14), such confidentiality shall not limit disclosure under the Mississippi Public Records Act of 1983 of records describing the nature, quantity, cost or other pertinent information related to the activities of, or services performed using, the Mississippi Workforce Enhancement Training Fund or the Mississippi Works Fund.

(* * *12) In addition to other powers and duties provided in this section, the Office of Workforce Development shall also have the following powers and duties:

(a) Direct access to accounting and banking statements for all funds under its direction to ensure accurate and efficient management of funds and to improve internal control;

(b) The ability to enter into nondisclosure agreements to effectively support economic development activities and the proprietary nature of customized training for existing and new industry;

(c) To adopt and promulgate such rules and regulations as may be necessary or desirable for the purpose of implementing the Mississippi K-12 Workforce Development Grant Program created in Section 37-153-221;

(d) To receive contributions, donations, gifts, bequests of money, other forms of financial assistance and property, equipment, materials or manpower from persons, foundations, trust funds, corporations, organizations and other sources, public or private, made to the office, and may expend or use the same in accordance with the conditions prescribed by the donor, provided that no such condition is contrary to any provision of law;

(e) To contract with state agencies, governing authorities or economic and workforce development entities for shared programmatic efforts and support service or joint employment of personnel in order to further the office's purposes;

(f) To determine, subject to appropriation, the need for and, if desired, the selection of tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office, through processes established in policies adopted by the office that are deemed to be practical, feasible and in the public interest. These processes shall outline eligible entities that may provide such services, such as companies, nonprofit organizations, or other similar groups and shall ensure the office determines metrics for success, including deliverables as required by the office;

(g) To implement the career coaching program provided for in Section 37-73-3;

(h) To provide career coaches with access to technology to develop customized career pathways and connect students with post-secondary and employment opportunities matching their skills and interests; and

(i) To implement and oversee programs providing support to community and junior colleges for training needs that may arise when new businesses locate in Mississippi, to include providing support to existing industries that may lose employees as a result of the new business.

Through December 31, 2024, the provisions of Section 27-104-7 related to rental agreements or leasing of real property for the purpose of conducting agency business shall not apply to the office.

(* * *13) Nothing in Chapter 476, Laws of 2020 [Senate Bill No. 2564] shall void or otherwise interrupt any contract, lease, grant or other agreement previously entered into by the State Workforce Investment Board, Mississippi Community College Board, individual community or junior colleges, or other entities.

(* * *14) Any records of the office which contain client information from the Mississippi Development Authority or local economic development entities concerning development projects shall be exempt from the provisions of the Mississippi Public Records Act of 1983 for a period of two (2) years after receipt of the information by the office. Confidential client information as described in this section shall not include the information which must be disclosed by the certified applicant related to a qualified economic development project in the annual report described in Section 57-1-759.

(* * *15) Confidential client information in public records held by the office shall be exempt from the provisions of the Mississippi Public Records Act of 1983 during any period of review and negotiation on a project proposal facilitated by the Mississippi Development Authority or local economic development entities and for a period of thirty (30) days after approval, disapproval or abandonment of the proposal not to exceed one (1) year.

SECTION 161. Section 59-17-23, Mississippi Code of 1972, is amended as follows:

59-17-23. Any port or harbor, or any part thereof, and all facilities, structures, lands or other improvements, leased by, acquired by or conveyed to the state shall be operated by the board acting through a State Inland Port Authority for such port or harbor, except as may be otherwise provided in this chapter. Such port authority shall be vested, in addition to the rights, powers and duties conferred hereunder, with the same jurisdiction, and the same rights, powers, and duties vested by law, in other port authorities within the state. Any conflict with other laws shall be governed by this chapter.

The State Inland Port Authority shall consist of one (1) member from the county in which the port is located and one (1) member from each county that is contiguous to the county in which the port is located to be appointed for a period of four (4) years by the respective board of supervisors of each of those counties, provided each county has levied the two (2) mills required in Sections 59-17-19 and 59-17-21 and the Governor shall appoint one (1) member from each participating county outlined above of which two (2) mills has been levied, plus one (1) additional member from any one (1) of the participating counties outlined above of which two (2) mills has been levied. The initial terms by the Governor's appointees shall be staggered, one (1) member appointed for two (2) years and others by adding one (1) additional year; no term shall exceed five (5) years. The number of years to be served on regular terms shall be the same number as the number of Governor's appointees.

In the event the contracting agency is any master water management district, the board shall consist of the following: one (1) member from the county in which the port is located and one (1) member from each county that is contiguous to the county in which the port is located to be appointed by the respective boards of supervisors for a period of four (4) years, and the Governor shall appoint one (1) member from each of the counties outlined above, plus one (1) additional member from any one (1) of the counties outlined above. The Governor's five (5) appointees' initial terms shall be for one (1), two (2), three (3), four (4) and five (5) years respectively, but all succeeding appointments shall be for terms of five (5) years.

The Inland Port Authority, created by former Section 59-17-23, is continued and reconstituted as follows: Effective January 1, 2028, the appointed members of the authority designated in this section, shall be appointed by the Governor to a term of four (4) years, with the advise and consent of the Senate, provided that one-half (1/2) of such members shall be appointed in 2028 to a term ending December 31, 2031, and one-half (1/2) of such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Inland Port Authority.

SECTION 162. Section 77-19-5, Mississippi Code of 1972, is amended as follows:

77-19-5. There is created an Office of Broadband Expansion and Accessibility of Mississippi (BEAM) within the Department of Finance and Administration for the purpose of making determinations and awards from applications for projects to provide broadband service in unserved or underserved areas using the Broadband Expansion and Accessibility of Mississippi (BEAM) Fund created pursuant to Section 77-19-7. The Executive Director of the Department of Finance and Administration shall hire a Director of BEAM to administer the office.

Effective January 1, 2028, the BEAM executive director designated in this section, shall be appointed by the Governor, with the advice and consent of the Senate. The executive director shall serve for a term of four (4) years. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to the appointed BEAM executive director.

SECTION 163. This act shall take effect and be in force from and after July 1, 2024, and shall stand repealed on June 30, 2024.

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

AN ACT RELATING TO APPOINTMENTS TO STATE BOARDS AND COMMISSIONS AND AGENCY DIRECTOR POSITIONS BY PUBLIC OFFICIALS WHICH REQUIRE SENATE CONFIRMATION; TO AMEND SECTION 7-1-35, MISSISSIPPI CODE OF 1972, TO REVISE AND STANDARDIZE TERMS OF OFFICE, PROCEDURES FOR FILLING VACANCIES AND THE RESPONSIBILITIES OF THE SECRETARY OF STATE REGARDING SAID APPOINTMENTS; TO AMEND SECTIONS 43-28-7, 73-33-3, 73-33-5, 49-15-301, 49-15-305, 69-15-2, 73-1-5, 73-1-11, 39-11-1, 39-11-5, 75-75-103, 73-4-7, 73-4-11, 37-169-3, 73-75-7, 81-1-61, 81-3-12, 73-5-1, 73-5-3, 43-3-103, 39-27-1, 31-13-1, 57-10-167, 29-5-213, 37-28-7, 73-6-3, 73-6-5, 39-5-91, 37-155-7, 65-1-46, 19-5-333, 37-4-3, 31-3-3, 31-3-11, 69-44-3, 47-5-8, 73-7-1, 73-7-3, 73-30-5, 73-30-7, 45-39-3, 73-9-7, 73-9-13, 43-26-1, 57-1-5, 43-13-107, 37-1-1, 37-63-3, 37-63-7, 69-7-253, 73-69-21, 33-15-7, 41-59-7, 71-5-107, 73-13-5, 73-13-15, 49-2-4, 49-2-5, 25-4-5, 69-5-1, 27-104-101, 73-36-9, 49-19-1, 49-19-3, 73-11-43, 73-11-49, 75-76-9, 75-76-15, 73-63-9, 73-63-19, 55-15-21, 59-7-407, 59-5-21, 59-11-3, 61-3-7, 25-15-303, 41-3-1.1, 41-3-5.1, 43-33-704, 43-33-707, 41-73-7, 43-1-2, 25-53-7, 25-53-19, 73-73-23, 45-4-3, 69-46-3, 73-2-13, 45-6-5, 39-3-101, 27-115-9, 27-115-11, 73-67-9, 73-43-3, 41-4-3, 41-4-7, 63-17-57, 63-17-67, 73-17-7, 73-15-9, 73-15-17, 53-1-5, 73-19-7, 73-19-9, 47-7-5, 51-15-1, 69-48-3, 51-9-1, 25-9-109, 25-9-119, 73-21-75, 73-21-79, 73-23-41, 73-23-43, 73-29-7, 37-106-9, 73-31-5, 73-31-7, 25-11-15, 27-104-7, 45-1-2, 51-35-317, 73-34-7, 73-34-9, 73-35-5, 37-33-155, 37-33-159, 25-58-21, 73-59-21, 27-3-1, 69-10-2, 55-5-53, 49-17-45, 25-43-4.103, 73-53-8, 69-9-3, 65-9-9, 27-4-1, 51-27-1, 41-113-9, 51-13-105, 11-46-18, 77-13-29, 49-17-422, 7-1-501, 7-1-503, 35-1-1, 35-1-3, 35-7-7, 73-39-55, 43-55-5, 35-3-24, 59-7-125, 49-4-4, 49-4-6, 83-34-7, 43-59-3, 71-3-85, 37-153-7, 59-17-23 AND 77-19-5, MISSISSIPPI CODE OF 1972, TO REVISE THE PROCEDURES AND TERMS OF OFFICE FOR THE APPOINTMENTS OF MEMBERS TO CERTAIN STATE BOARDS, AGENCIES, AND OTHER GOVERNMENT ENTITIES AND AUTHORITIES WHICH REQUIRE SENATE CONFIRMATION; AND FOR RELATED PURPOSES.

Senator Carter moved that the rules be suspended to move to calendar items 283 - 285, and the motion prevailed.

Senator Carter moved that the rules be suspended for the consideration en bloc of S. N. No. 78, S. N. No. 93 and S. N. No. 94 and the motion prevailed.

Senator Carter called up the following entitled nominations:

S. N. No. 78: Jennifer C. Knight, Madison, Mississippi, Commercial Mobile Radio Service Board, four year term effective July 1, 2023 and ending June 30, 2027, representing the Central Public Service Commission District.

S. N. No. 93: Mark Alan Rigney, Madison, Mississippi, Commercial Mobile Radio Service Board as a wireless provider representative, remainder of a four year term effective March 26, 2024 and ending June 30, 2024.

S. N. No. 94: Mark Alan Rigney, Madison, Mississippi, Commercial Mobile Radio Service Board as a wireless provider representative, four year term effective July 1, 2024 and ending June 30, 2028.

YEAS AND NAYS on consideration en bloc of S. N. No. 78, S. N. No. 93 and S. N. No. 94. On motion of Senator Carter, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Barnett moved that the rules be suspended to move to calendar item 276, **S. N. No. 88**, and the motion prevailed.

Senator Barnett called up the following entitled nomination:

S. N. No. 88: Philip Edward Moran, Kiln, Mississippi, Parole Board, this appointment is effective January 1, 2024, to serve a term at the will and pleasure of the Governor, vice Anthony Layne Smith.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 88 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Branning, Brumfield, Bryan, Carter, Chassaniol, Chism, DeBar, England, Fillingane, Harkins, Hill, Hopson, Horhn, Johnson, Jordan, Kirby, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons S. (13th), Suber, Tate, Thomas, Turner-Ford, Whaley, Williams, Younger. Total--38.

Nays--None.

Absent and those not voting--Blount, Boyd, Butler, Frazier, Hickman, Jackson, Norwood, Simmons D. T. (12th). Total--8.

Voting Present--DeLano, Ladner, McCaughn, Sparks, Thompson, Wiggins. Total--6.

Senator Fillingane moved that the rules be suspended to move to calendar item 289, **S. B. No. 3083**, and the motion prevailed.

Senator Fillingane called up the following entitled bill:

S. B. No. 3083: Suffrage; restore to Larry Sills.

YEAS AND NAYS On S. B. No. 3083. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Seymour. Total--1.

Absent and those not voting----None.

Senator Fillingane moved that the rules be suspended to move to calendar item 290, **S. B. No. 3222**, and the motion prevailed.

Senator Fillingane called up the following entitled bill:

S. B. No. 3222: Suffrage; restore suffrage to Robert Maxwell.

YEAS AND NAYS On S. B. No. 3222. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--Seymour. Total--1.
Absent and those not voting----None.

Senator Fillingane moved that the rules be suspended to move to calendar item 291, **S. B. No. 3223**, and the motion prevailed.

Senator Fillingane called up the following entitled bill:

S. B. No. 3223: Suffrage; restore suffrage to Dewitt Cooperwood.

YEAS AND NAYS On S. B. No. 3223. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Suber, Tate, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Younger. Total--49.
Nays--Seymour, Sparks, Whaley. Total--3.
Absent and those not voting----None.

Senator Fillingane moved that the rules be suspended to move to calendar item 292, **S. B. No. 3228**, and the motion prevailed.

Senator Fillingane called up the following entitled bill:

S. B. No. 3228: Suffrage; restore Kenneth Edward Barnes.

YEAS AND NAYS On S. B. No. 3228. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Seymour. Total--1.

Absent and those not voting----None.

Senator Thomas entered a motion to reconsider the vote whereby **S. B. No. 2015** failed to pass the Senate.

S. B. No. 2015: Suffrage; restore suffrage to Vedo Kyles.

Senator Butler moved that when the Senate adjourns, it adjourn in memory of Dr. Dorothy Boyd Stokes Gentry of Utica, MS.

Senator Hopson moved that when the Senate adjourns, it adjourn in memory of Ondrea Flaggs and Inez Horger Ehrgott of Vicksburg, MS.

Senator Blount moved that when the Senate adjourns, it adjourn in memory of Mrs. Gene Hopkins Golden Parkerson of Madison, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Linda Ruffin of Vancleave, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Karsyn Likens of St. Martin, MS.

Senators England and Seymour moved that when the Senate adjourns, it adjourn in memory of Miguel Anthony Lawrence, III of St. Martin, MS.

Senators England and Wiggins moved that when the Senate adjourns, it adjourn in memory of Bettie Sue Clement Grantham of Pascagoula, MS.

Senator Horhn moved that when the Senate adjourns, it adjourn in memory of Joe T. Dockins of Jackson, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Charlotte Ann Campbell Fields of Columbus, MS.

Senator Parks moved that when the Senate adjourns, it adjourn in memory of Sammy Miles, Roy Raines, Jr., Sandra Coleman, Luke Doehner, Jason Roach and Mark Wilbanks of Corinth, MS.

Senator Parks moved that when the Senate adjourns, it adjourn in memory of Fred Haley of Counce, TN.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Robert Dale Cook, Mary Ruth Hardin, Brenda Mae Smithey Kizer and Dorothy Lee Miller of New Albany, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Dianne Pickett of Myrtle, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Geneva Maples of Oxford, MS.

Senator Polk moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Thursday, April 25, 2024.

The motion prevailed, and at 12:11 PM, the Senate stood in recess.

REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

H. B. No. 1723: Pike County; authorize to construct or acquire county jail anywhere in county and authorize certain lease-purchase arrangement. Title Sufficient. Do Pass.

H. B. No. 4127: City of Gautier; authorize to contract with and make contributions to the Mississippi Songwriters Alliance. Title Sufficient. Do Pass.

PARKS, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 1350: AN ACT TO AMEND SECTION 77-3-707, MISSISSIPPI CODE OF 1972, TO PROHIBIT TELEPHONE SOLICITORS FROM MAKING ANY TELEPHONE SOLICITATION TO ANY PERSON IN THE STATE OF MISSISSIPPI REGARDING ANY

MEDICARE ADVANTAGE PLAN; TO PROVIDE THAT IF A PERSON HAS FIRST INITIATED A CALL WITH AN ENTITY REGARDING A MEDICARE ADVANTAGE PLAN, A TELEPHONE SOLICITOR IS NOT PROHIBITED FROM THEN MAKING A TELEPHONE SOLICITATION REGARDING A MEDICARE ADVANTAGE PLAN; TO AMEND SECTIONS 77-3-709 AND 77-3-723, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI TELEPHONE SOLICITATION ACT, TO CONFORM TO THE PRECEDING PROVISIONS; TO BRING FORWARD SECTIONS 77-3-603 AND 79-11-524, MISSISSIPPI CODE OF 1972, WHICH RELATE TO UNSOLICITED RESIDENTIAL TELEPHONIC SALES CALLS AND REGULATION OF CHARITABLE SOLICITATIONS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 77-3-711, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO EXCLUDE ISSUERS OF MEDICARE SUPPLEMENTS FROM THE EXEMPTION FOR CALLS RELATING TO INSURANCE FROM THE REQUIREMENTS OF THE TELEPHONE SOLICITATION ACT; TO AMEND SECTION 83-9-110, MISSISSIPPI CODE OF 1972, TO PROHIBIT ISSUERS OF MEDICARE SUPPLEMENTS FROM MAKING TELEPHONE SOLICITATIONS; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. C. R. No. 8: A CONCURRENT RESOLUTION CONGRATULATING THE NEW ALBANY HIGH SCHOOL GIRLS "LADY BULLDOGS" GOLF TEAM FOR WINNING THE 2023-2024 MISSISSIPPI HIGH SCHOOL ATHLETIC ASSOCIATION (MHSAA) 4A GIRLS' STATE CHAMPIONSHIP AND EARNING THE STATUS AS "BACK-TO-BACK" CHAMPIONS.

H. C. R. No. 53: A CONCURRENT RESOLUTION RECOGNIZING THE WEEK OF MAY 5-11, 2024, AS "TARDIVE DYSKINESIA AWARENESS WEEK" THROUGHOUT THE STATE OF MISSISSIPPI AND ENCOURAGING ANYONE EXPERIENCING UNCONTROLLABLE, ABNORMAL AND REPETITIVE MOVEMENTS TO CONSULT THEIR HEALTHCARE PROVIDER REGARDING THEIR SYMPTOMS.

H. C. R. No. 59: A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING SWETMAN SECURITY SERVICE UPON THE OCCASION OF ITS 50TH ANNIVERSARY.

David Jordan, Chairman

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2799: Public official appointments; revise terms of office and appointment procedures on certain state boards, districts and agencies.

Senators Johnson, Sparks, Norwood.

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2405: Alcoholic beverages; revise certain provisions regarding locations for sale of.

Senators Harkins, Carter, England.

S. B. No. 2466: Alcoholic beverages; revise certain provisions relating to sales to persons under the age of 21.
Senators Harkins, Fillingane, Berry.

S. B. No. 2990: Taxation of oilfield services; restructure.
Senators Harkins, Carter, Horhn.

S. B. No. 3070: Income tax and insurance premium tax; authorize a credit for certain investments in qualified community development entities.
Senators Harkins, Johnson, Simmons (12th).

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 1354: Alcoholic Beverage Control Division warehouse; increase amount of revenue bonds authorized for and bailment fee authorized for paying debt service on bonds.
Senators Harkins, Johnson, Kirby.

H. B. No. 1710: Income tax; authorize a tax credit for certain employers that sponsor skills training for employees.
Senators Harkins, England, Polk.

H. B. No. 1764: Sales tax; revise rate regarding certain oil, gas and other mineral resources services, equipment and materials.
Senators Harkins, Carter, Brumfield.

H. B. No. 1942: Income tax and insurance premium tax; authorize a credit for certain investments in qualified community development entities.
Senators Harkins, Johnson, Polk.

H. B. No. 1983: Bonds; authorize issuance for various purposes.
Senators Harkins, Johnson, Kirby.

H. B. No. 1988: Children's Promise Act; increase amount of tax credits that may be allocated under, bring forward various tax credit sections of law.
Senators Harkins, Sparks, Rhodes.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2283: AN ACT TO AMEND SECTIONS 77-1-51 AND 77-1-55, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISIONS OF LAW CREATING THE PUBLIC SERVICE COMMISSION AND PRESCRIBING ITS POWERS AND DUTIES; TO SPECIFY THE APPLICATION OF THE REPEALER CONTAINED IN SECTION 77-1-51 TO THE ENTIRE PUBLIC SERVICE COMMISSION CHAPTER; AND FOR RELATED PURPOSES.

S. B. No. 3105: AN ACT TO AMEND SECTION 27-69-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "HEATED TOBACCO PRODUCT" UNDER THE TOBACCO TAX LAW; TO AMEND SECTION 27-69-13, MISSISSIPPI CODE OF 1972, TO LEVY AN EXCISE TAX ON HEATED TOBACCO PRODUCTS UNDER THE

TOBACCO TAX LAW; TO AMEND SECTION 27-69-27, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

David Jordan, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:58 PM in memory of Dr. Dorothy Boyd Stokes Gentry, Ondrea Flaggs, Roy Raines, Jr., Sandra Coleman, Luke Doehner, Jason Roach, Mark Wilbanks, Fred Haley, Sammy Miles, Robert Dale Cook, Mary Ruth Hardin, Brenda Mae Smithey Kizer, Inez Horger Ehrgott, Dorothy Lee Miller, Dianne Pickett, Geneva Maples, Mrs. Gene Hopkins Golden Parkerson, Linda Ruffin, Karsyn Likens, Miguel Anthony Lawrence, III, Bettie Sue Clement Grantham, Joe T. Dockins and Charlotte Ann Campbell Fields.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR WEDNESDAY, APRIL 24, 2024

S. R. No. 116: Rules
A RESOLUTION COMMENDING AND CONGRATULATING FORMER JACKSON STATE UNIVERSITY STAR RUNNING BACK LEWIS TILLMAN UPON HIS INDUCTION INTO THE MISSISSIPPI SPORTS HALL OF FAME.
By Senator(s) Norwood, Frazier, Barrett, Thomas, Blount, Simmons (12th), Horhn

S. R. No. 117: Rules
A RESOLUTION EXTENDING THE SINCEREST CONDOLENCES OF THE MISSISSIPPI SENATE TO THE SURVIVING FAMILY OF FORMER JACKSON STATE FOOTBALL STAR AND MISSISSIPPI VALLEY STATE FOOTBALL COACH ARCHIE "THE GUNSLINGER" COOLEY.
By Senator(s) Jordan, Norwood, Butler, Blackmon, Jackson, Thomas, Blount, Brumfield, Frazier, Simmons (13th), Turner-Ford, Chassaniol, Horhn

S. R. No. 118: Rules
A RESOLUTION COMMENDING AND CONGRATULATING JOHN W. "JOHNNY" LANG OF JACKSON, MISSISSIPPI, UPON HIS INDUCTION INTO THE MISSISSIPPI GOLF ASSOCIATION HALL OF FAME.
By Senator(s) Michel, McCaughn, Robinson

ONE-HUNDRED AND FIFTEENTH DAY, THURSDAY, APRIL 25, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Branning. Total--1.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Branning.

The invocation was delivered by Reverend Nance Hixon, Pastor, Eastlawn United Methodist Church, Pascagoula, MS.

Senator Wiggins led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. C. R. No. 547: Extend the condolences of the Legislature on the passing of the first female Mayor of Meridian Cheryl "Cheri" Merritt Barry. Title Sufficient. Do Be Adopted.

S. R. No. 115: Mourn the loss and commend the life and public service of former Senator and District Attorney Joe Clay Hamilton of Meridian. Title Sufficient. Do Be Adopted.

S. R. No. 116: Congratulate former JSU star running back Lewis Tillman upon his induction into the Mississippi Sports Hall of Fame. Title Sufficient. Do Be Adopted.

S. R. No. 117: Mourn the passing of Jackson State Football Star and Mississippi Valley State Football Coach Archie "The Gunslinger" Cooley. Title Sufficient. Do Be Adopted.

S. R. No. 118: Commend Johnny Lang upon his induction into the Mississippi Golf Association Hall of Fame. Title Sufficient. Do Be Adopted.

H. C. R. No. 60: Southern Soul music genre; acknowledge Mississippi as the home and birthplace of. Title Sufficient. Do Be Adopted.

H. C. R. No. 61: Tarik Robinson-O'Hagan; commend upon winning NCAA Division I national title in shot put. Title Sufficient. Do Be Adopted.

H. C. R. No. 62: Jalani Davis; recognize and commend for winning the 2024 NCAA Indoor Track and Field Championships, Women's Weight Throw. Title Sufficient. Do Be Adopted.

H. C. R. No. 63: Neshoba Central High School "Lady Rockets" Girls Basketball Team; commend for winning MHSAA Class 6A State Championship. Title Sufficient. Do Be Adopted.

S. C. R. No. 548: Suspend rules for introduction; revisions to PERS and public education funding. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

Senator Harkins called up the following entitled nomination:

S. N. No. 97: Dr. William J. (Bill) Ashley, Madison, Mississippi, Executive Director of the Mississippi Department of Employment Security, term effective April 1, 2024 and runs concurrent with Governor's second term in office.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 97 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Branning. Total--1.

Senator Parks called up the following entitled bill:

H. B. No. 1723: Pike County; authorize to construct or acquire county jail anywhere in county and authorize certain lease-purchase arrangement.

YEAS AND NAYS On H. B. No. 1723. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Branning. Total--1.

Senator Parks called up the following entitled bill:

H. B. No. 4127: City of Gautier; authorize to contract with and make contributions to the Mississippi Songwriters Alliance.

YEAS AND NAYS On H. B. No. 4127. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Branning. Total--1.

Senator Williams moved that the Conference Committee Report on **H. B. No. 297** be recommitted for further conference and the motion prevailed.

H. B. No. 297: Mississippi Department of Information Technology Services; bring forward code sections related to.

Senator England offered the following report of the Conference Committee on **H. B. No. 1135** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1135: Election day disputes; require list of judges selected to hear to be provided to certain officials.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-913, Mississippi Code of 1972, is amended as follows:

23-15-913. (1) The judges listed and selected to hear election disputes, as provided in Section 23-15-951, shall be available on election day to immediately hear and resolve any election day disputes. The name of any judge selected to hear election day disputes shall be provided to the Secretary of State by the Chief Justice of the Mississippi Supreme Court at the time the appointment is made, unless the Secretary of State is a party to the election day dispute to which that special circuit judge is appointed.

(2) The rules for filing pleadings shall be relaxed to carry out the purposes of this section. The judges selected shall perform no other judicial duties on election day. If an election day dispute occurs, the circuit clerk shall only docket the dispute to the judge designated by the Supreme Court to hear the case in that county. All election day disputes arising in one county shall go to the same judge in that county unless the judge is absent

or unavailable. When such election day dispute is filed, the circuit clerk shall immediately notify by phone, email or personally, the Chief Justice of the Supreme Court, or in his or her absence or disability, some other Justice of the Supreme Court, who shall forthwith notify the assigned special judge from the list of judges who were preselected to hear election day disputes, to proceed to the county in which the dispute has been filed to hear and determine the complaint. The circuit clerk shall cause a copy of such petition to be served upon the contestee, which shall serve as notice to such contestee. In the list provided, the Supreme Court shall * * * specify which judges shall be available to hear disputes in * * * each county in which the disputes occur, but no judge shall hear disputes in the district or county in which he or she was elected nor shall any judge hear any dispute in which any potential conflict may arise. Each judge shall be fair and impartial and shall be assigned on that basis.

(3) The listed and selected judges provided by the Chief Justice of the Mississippi Supreme Court shall have sole jurisdiction to hear election day disputes. Election disputes can only be filed in a circuit court with proper jurisdiction and heard by one (1) of the judges selected by the Chief Justice of the Mississippi Supreme Court.

SECTION 2. Section 23-15-951, Mississippi Code of 1972, is amended as follows:

23-15-951. Except as otherwise provided by Section 23-15-955 or 23-15-961, a person desiring to contest the election of another person returned as elected to any office within any county, may, within twenty (20) days after the election, file a petition in the office of the clerk of the circuit court of the county, setting forth the grounds upon which the election is contested. When such a petition is filed, the circuit clerk shall immediately notify, by registered letter, telegraph, telephone, or personally the Chief Justice of the Supreme Court or in his or her absence, or disability, some other Justice of the Supreme Court, who shall forthwith designate and notify a circuit judge or chancellor of a district other than that which embraces the district, subdistrict, county or any of the counties, involved in the contest or complaint, to proceed to the county in which the contest or complaint has been filed to hear and determine the contest or complaint. The circuit clerk shall also cause a copy of such petition to be served upon the contestee, which shall serve as notice to such contestee.

The Supreme Court shall compile a list of judges throughout the state to hear such disputes before an election. The name of any judge selected to hear election day disputes shall be provided to the Secretary of State by the Chief Justice of the Supreme Court at the time the appointment is made, unless the Secretary of State is a party to the election day dispute to which the special circuit judge is appointed. It shall be the official duty of the designated circuit judge or chancellor to proceed to discharge the duty of hearing the contest at the earliest possible date. The date of the contest shall be fixed by the judge or chancellor, and the judge or chancellor shall provide reasonable notice to the contestant and the contestee of the date and time fixed for the contest. The judge or chancellor shall cause the contestant and contestee to be served in a reasonable manner. When the contestee is served, such contestee shall promptly file his or her answer, and cross-complaint, if the contestee has a cross-complaint.

The court shall, at the first term, cause an issue to be made up and tried by a jury, and the verdict of the jury shall find the person having the greatest number of legal votes at the election. If the jury shall find against the person returned elected, the clerk shall issue a certificate thereof; and the person in whose favor the jury shall find shall be commissioned by the Governor, and shall qualify and enter upon the duties of his or her office. Each party shall be allowed ten (10) peremptory challenges, and new trials shall be granted and costs awarded as in other cases. In case the election of district attorney or other state district election be contested, the petition may be filed in any county of the district or in any county of an adjoining district within twenty (20) days after the election, and like proceedings shall be had thereon as in the case of county officers, and the person found to be entitled to the office shall qualify as required by law and enter upon the duties of his or her office.

A person desiring to contest the election of another person returned as elected to any seat in the Mississippi Legislature shall comply with the provisions of Section 23-15-955. A person desiring to contest the qualifications of a candidate for nomination in a political party primary election shall comply with the provisions of Section 23-15-961.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 23-15-913, MISSISSIPPI CODE OF 1972, TO SPECIFY WHICH JUDGES HAVE JURISDICTION TO HEAR ELECTION DISPUTES ON ELECTION DAY; TO AMEND SECTION 23-15-951, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT ELECTION DAY DISPUTES BE HEARD BY JUDGES WHO HAVE BEEN SELECTED BY THE CHIEF JUSTICE OF THE SUPREME COURT TO HEAR SAID DISPUTES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Noah Sanford	Jeremy England
Mark Tullos	Joey Fillingane
Price Wallace	Lydia Graves Chassaniol

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1135** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Branning. Total--1.

Senator Johnson moved that the rules be suspended to move to calendar item 225, **S. B. No. 2486**, and the motion prevailed.

Senator Johnson offered the following report of the Conference Committee on **S. B. No. 2486** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2486: Proposals and requests for qualifications; simplify the receipt and registration process.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 31-7-417, Mississippi Code of 1972, is amended as follows:

31-7-417. * * * Submitted proposals or qualifications shall be opened at the time designated for opening in the request for proposals or request for qualifications. Proposals or qualifications and modifications shall be date-stamped or time and date-stamped upon receipt and held in a secure place until the established due date. Electronic proposals or qualifications received will be stored in an electronic lockbox until the time designated for the opening of the proposal or qualification.

* * *

SECTION 2. Section 25-61-5, Mississippi Code of 1972, as amended by Senate Bill 2308 of the 2024 Legislative Session, is amended as follows:

25-61-5. (1) (a) Except as otherwise provided by Sections 25-61-9, 25-61-11, 25-61-11.2 and 37-153-7, all public records are hereby declared to be public property, and any person shall have the right to inspect, copy or mechanically reproduce or obtain a reproduction of any public record of a public body in accordance with reasonable written procedures adopted by the public body concerning the cost, time, place and method of access, and public notice of the procedures shall be given by the public body, or, if a public body has not adopted written procedures, the right to inspect, copy or mechanically reproduce or obtain a reproduction of a public record of the public body shall be provided within one (1) working day after a written request for a public record is made. No public body shall adopt procedures which will authorize the public body to produce or deny production of a public record later than seven (7) working days from the date of the receipt of the request for the production of the record.

(b) If a public body is unable to produce a public record by the seventh working day after the request is made, the public body must provide a written explanation to the person making the request stating that the record requested will be produced and specifying with particularity why the records cannot be produced within the seven-day period. Unless there is mutual agreement of the parties, * * * in no event shall the date for the public body's production of the requested records be any later than fourteen (14) working days from the receipt by the public body of the original request. * * *

(2) If any public record contains material which is not exempted under this chapter, the public agency shall redact the exempted material and make the nonexempted material available for examination. Such public agency shall be entitled to charge a reasonable fee for the redaction of any exempted material, not to exceed the agency's actual cost.

(3) Denial by a public body of a request for access to or copies of public records under this chapter shall be in writing and shall contain a statement of the specific exemption relied upon by the public body for the denial. Each public body shall maintain a file of all denials of requests for public records. Public bodies shall be required to preserve such denials on file for not less than three (3) years from the date such denials are made. This file shall be made available for inspection or copying, or both, during regular office hours to any person upon written request.

(4) Where any public body is preparing or conducting a competitive procurement, the time limitations contained in this section shall be tolled until the public body determines it will not issue the procurement, cancels the procurement or issues a notice naming its intended awardee.

(5) This section shall stand repealed on July 1, 2028.

SECTION 3. Section 25-61-9, Mississippi Code of 1972, is brought forward as follows:

25-61-9. (1) (a) Records furnished to public bodies by third parties which contain trade secrets or confidential commercial or financial information shall not be subject to inspection, examination, copying or reproduction under this chapter until notice to third parties has been given, but the records shall be released no later than twenty-one (21) days from the date the third parties are given notice by the public body unless the third parties have filed in chancery court a petition seeking a protective order on or before the expiration of the twenty-one-day time period. Any party seeking the protective order shall give notice to the party requesting the information in accordance with the Mississippi Rules of Civil Procedure.

(b) If a court determines that a person or entity has made duplicative requests for public records that are the subject of a protective order under paragraph (a) of this subsection, the court shall order the requesting person or entity to reimburse the third party's costs and attorney's fees for seeking additional protective orders for the same or substantially similar requests for public records.

(2) If any public record which is held to be exempt from disclosure pursuant to this chapter contains material which is not exempt pursuant to this chapter, the public body shall separate the exempt material and make the nonexempt material available for examination or copying, or both, as provided for in this chapter.

(3) Trade secrets and confidential commercial and financial information of a proprietary nature developed by a college, university or public hospital under contract with a firm, business, partnership, association, corporation, individual or other like entity shall not be subject to inspection, examination, copying or reproduction under this chapter.

(4) Misappropriation of a trade secret shall be governed by the provisions of the Mississippi Uniform Trade Secrets Act, Sections 75-26-1 through 75-26-19.

(5) A waste minimization plan and any updates developed by generators and facility operators under the Mississippi Comprehensive Multimedia Waste Minimization Act of 1990 shall be retained at the facility and shall not be subject to inspection, examination, copying or reproduction under this chapter.

(6) Data processing software obtained by an agency under a licensing agreement that prohibits its disclosure and which software is a trade secret, as defined in Section 75-26-3, and data processing software produced by a public body which is sensitive must not be subject to inspection, copying or reproduction under this chapter.

As used in this subsection, "sensitive" means only those portions of data processing software, including the specifications and documentation, used to:

(a) Collect, process, store, and retrieve information which is exempt under this chapter.

(b) Control and direct access authorizations and security measures for automated systems.

(c) Collect, process, store, and retrieve information, disclosure of which would require a significant intrusion into the business of the public body.

(7) For all procurement contracts awarded by state agencies, the provisions of the contract which contain the commodities purchased or the personal or professional services provided, the unit prices contained within the procurement contracts, the overall price to be paid, and the term of the contract shall not be deemed to be a trade secret or confidential commercial or financial information under this section, and shall be available for examination, copying or reproduction as provided for in this chapter. Any party seeking a protective order for a procurement contract awarded by state agencies shall give notice to and provide the reasons for the protective order to the party requesting the information in accordance with the Mississippi Rules of Civil Procedure. The notice and reasons for the protective order must be posted on the Mississippi procurement portal for a minimum of seven (7) days before filing the petition seeking the protective order in chancery court. Any party seeking a protective order in violation of this subsection may be barred by a state agency from submitting bids, proposals or qualifications for procurement for a period not to exceed five (5) years.

SECTION 4. Section 31-7-13, Mississippi Code of 1972, is amended as follows:

31-7-13. All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided.

(a) Bidding procedure for purchases not over $5,000.00. Purchases which do not involve an expenditure of more than Five Thousand Dollars ($5,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. However, nothing contained in this paragraph (a) shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of Five Thousand Dollars ($5,000.00) or less.

(b) Bidding procedure for purchases over $5,000.00 but not over $75,000.00. Purchases which involve an expenditure of more than Five Thousand Dollars ($5,000.00) but not more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder without publishing or posting advertisement for bids, provided at least two (2) competitive written bids have been obtained. Any state agency or community or junior college purchasing commodities or procuring construction pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, to accept the lowest competitive written bid under Seventy-five Thousand Dollars ($75,000.00). Any governing authority purchasing commodities pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, with regard to governing authorities other than counties, or its purchase clerk, or his designee, with regard to counties, to accept the lowest and best competitive written bid. Such authorization shall be made in writing by the governing authority and shall be maintained on file in the primary office of the agency and recorded in the official minutes of the governing authority, as appropriate. The purchasing agent or the purchase clerk, or his designee, as the case may be, and not the governing authority, shall be liable for any penalties and/or damages as may be imposed by law for any act or omission of the purchasing agent or purchase clerk, or his designee, constituting a violation of law in accepting any bid without approval by the governing authority. The term "competitive written bid" shall mean a bid submitted on a bid form furnished by the buying agency or governing authority and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor. "Competitive" shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. Any bid item for construction in excess of Five Thousand Dollars ($5,000.00) shall be broken down by components to provide detail of component description and pricing. These details shall be submitted with

the written bids and become part of the bid evaluation criteria. Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities.

(c) Bidding procedure for purchases over $75,000.00.

(i) Publication requirement.

1. Purchases which involve an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder after advertising for competitive bids once each week for two (2) consecutive weeks in a regular newspaper published in the county or municipality in which such agency or governing authority is located. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars ($25,000.00) shall be bid. All references to American Recovery and Reinvestment Act projects in this section shall not apply to programs identified in Division B of the American Recovery and Reinvestment Act.

2. Reverse auctions shall be the primary method for receiving bids during the bidding process. If a purchasing entity determines that a reverse auction is not in the best interest of the state, then that determination must be approved by the Public Procurement Review Board. The purchasing entity shall submit a detailed explanation of why a reverse auction would not be in the best interest of the state and present an alternative process to be approved by the Public Procurement Review Board. If the Public Procurement Review Board authorizes the purchasing entity to solicit bids with a method other than reverse auction, then the purchasing entity may designate the other methods by which the bids will be received, including, but not limited to, bids sealed in an envelope, bids received electronically in a secure system, or bids received by any other method that promotes open competition and has been approved by the Office of Purchasing and Travel. However, reverse auction shall not be used for any public contract for design, construction, improvement, repair or remodeling of any public facilities, including the purchase of materials, supplies, equipment or goods for same and including buildings, roads and bridges. The Public Procurement Review Board must approve any contract entered into by alternative process. The provisions of this item 2 shall not apply to the individual state institutions of higher learning. The provisions of this item 2 requiring reverse auction as the primary method of receiving bids shall not apply to term contract purchases as provided in paragraph (n) of this section; however, a purchasing entity may, in its discretion, utilize reverse auction for such purchases. The provisions of this item 2 shall not apply to individual public schools, including public charter schools and public school districts, only when purchasing copyrighted educational supplemental materials and software as a service product. For such purchases, a local school board may authorize a purchasing entity in its jurisdiction to use a Request for Qualifications which promotes open competition and meets the requirements of the Office of Purchasing and Travel.

3. The date as published for the bid opening shall not be less than seven (7) working days after the last published notice; however, if the purchase involves a construction project in which the estimated cost is in excess of Seventy-five Thousand Dollars ($75,000.00), such bids shall not be opened in less than fifteen (15) working days after the last notice is published and the notice for the purchase of such construction shall be published once each week for two (2) consecutive weeks. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars ($25,000.00) shall be bid. For any projects in excess of Twenty-five Thousand Dollars ($25,000.00) under the American Recovery and Reinvestment Act, publication shall be made one (1) time and the bid opening for construction projects shall not be less than ten (10) working days after the date of the published notice. The notice of intention to let contracts or purchase equipment shall state the time and place at which bids shall be received, list the contracts to be made or types of equipment or supplies to be

purchased, and, if all plans and/or specifications are not published, refer to the plans and/or specifications on file. If there is no newspaper published in the county or municipality, then such notice shall be given by posting same at the courthouse, or for municipalities at the city hall, and at two (2) other public places in the county or municipality, and also by publication once each week for two (2) consecutive weeks in some newspaper having a general circulation in the county or municipality in the above-provided manner. On the same date that the notice is submitted to the newspaper for publication, the agency or governing authority involved shall mail written notice to, or provide electronic notification to the main office of the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority that contains the same information as that in the published notice. Submissions received by the Mississippi Procurement Technical Assistance Program for projects funded by the American Recovery and Reinvestment Act shall be displayed on a separate and unique Internet web page accessible to the public and maintained by the Mississippi Development Authority for the Mississippi Procurement Technical Assistance Program. Those American Recovery and Reinvestment Act related submissions shall be publicly posted within twenty-four (24) hours of receipt by the Mississippi Development Authority and the bid opening shall not occur until the submission has been posted for ten (10) consecutive days. The Department of Finance and Administration shall maintain information regarding contracts and other expenditures from the American Recovery and Reinvestment Act, on a unique Internet web page accessible to the public. The Department of Finance and Administration shall promulgate rules regarding format, content and deadlines, unless otherwise specified by law, of the posting of award notices, contract execution and subsequent amendments, links to the contract documents, expenditures against the awarded contracts and general expenditures of funds from the American Recovery and Reinvestment Act. Within one (1) working day of the contract award, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration, notice of the award, including the award recipient, the contract amount, and a brief summary of the contract in accordance with rules promulgated by the department. Within one (1) working day of the contract execution, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration a summary of the executed contract and make a copy of the appropriately redacted contract documents available for linking to the designated web page in accordance with the rules promulgated by the department. The information provided by the agency or governing authority shall be posted to the web page for the duration of the American Recovery and Reinvestment Act funding or until the project is completed, whichever is longer.

(ii) Bidding process amendment procedure. If all plans and/or specifications are published in the notification, then the plans and/or specifications may not be amended. If all plans and/or specifications are not published in the notification, then amendments to the plans/specifications, bid opening date, bid opening time and place may be made, provided that the agency or governing authority maintains a list of all prospective bidders who are known to have received a copy of the bid documents and all such prospective bidders are sent copies of all amendments. This notification of amendments may be made via mail, facsimile, electronic mail or other generally accepted method of information distribution. No addendum to bid specifications may be issued within two (2) working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum.

(iii) Filing requirement. In all cases involving governing authorities, before the notice shall be published or posted, the plans or specifications for the construction or equipment being sought shall be filed with the clerk of the board of the governing authority. In addition to these requirements, a bid file shall be established which shall indicate those vendors to whom such solicitations and specifications were issued, and such file shall also contain such information as is pertinent to the bid.

(iv) Specification restrictions.

1. Specifications pertinent to such bidding shall be written so as not to exclude comparable equipment of domestic manufacture. However, if valid justification is presented, the Department of Finance and Administration or the board of a governing authority may approve a request for specific equipment necessary to perform a specific job. Further, such justification, when placed on the minutes of the board of a governing authority, may serve as authority for that governing authority to write specifications to require a specific item of equipment needed to perform a specific job. In addition to these requirements, from and after July 1, 1990, vendors of relocatable classrooms and the specifications for the purchase of such relocatable classrooms published by local school boards shall meet all pertinent regulations of the State Board of Education, including prior approval of such bid by the State Department of Education.

2. Specifications for construction projects may include an allowance for commodities, equipment, furniture, construction materials or systems in which prospective bidders are instructed to include in their bids specified amounts for such items so long as the allowance items are acquired by the vendor in a commercially reasonable manner and approved by the agency/governing authority. Such acquisitions shall not be made to circumvent the public purchasing laws.

(v) Electronic bids. Agencies and governing authorities shall provide a secure electronic interactive system for the submittal of bids requiring competitive bidding that shall be an additional bidding option for those bidders who choose to submit their bids electronically. The Department of Finance and Administration shall provide, by regulation, the standards that agencies must follow when receiving electronic bids. Agencies and governing authorities shall make the appropriate provisions necessary to accept electronic bids from those bidders who choose to submit their bids electronically for all purchases requiring competitive bidding under this section. Any special condition or requirement for the electronic bid submission shall be specified in the advertisement for bids required by this section. Agencies or governing authorities that are currently without available high speed Internet access shall be exempt from the requirement of this subparagraph (v) until such time that high speed Internet access becomes available. Any county having a population of less than twenty thousand (20,000) shall be exempt from the provisions of this subparagraph (v). Any municipality having a population of less than ten thousand (10,000) shall be exempt from the provisions of this subparagraph (v). The provisions of this subparagraph (v) shall not require any bidder to submit bids electronically. When construction bids are submitted electronically, the requirement for including a certificate of responsibility, or a statement that the bid enclosed does not exceed Fifty Thousand Dollars ($50,000.00), on the exterior of the bid envelope as indicated in Section 31-3-21(1) and (2) shall be deemed in compliance with by including same as an attachment with the electronic bid submittal.

(d) Lowest and best bid decision procedure.

(i) Decision procedure. Purchases may be made from the lowest and best bidder. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(ii) Decision procedure for Certified Purchasing Offices. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), Certified Purchasing Offices may also use the following procedure: Purchases may be made from

the bidder offering the best value. In determining the best value bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions, documented previous experience, training costs and other relevant provisions, including, but not limited to, a bidder having a local office and inventory located within the jurisdiction of the governing authority, may be included in the best value calculation. This provision shall authorize Certified Purchasing Offices to utilize a Request For Proposals (RFP) process when purchasing commodities. All best value procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. No agency or governing authority shall accept a bid based on items or criteria not included in the specifications.

(iii) Decision procedure for Mississippi Landmarks. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), where purchase involves renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History under the authority of Sections 39-7-7 and 39-7-11, the agency or governing authority may use the following procedure: Purchases may be made from the lowest and best prequalified bidder. Prequalification of bidders shall be determined not less than fifteen (15) working days before the first published notice of bid opening. Prequalification criteria shall be limited to bidder's knowledge and experience in historical restoration, preservation and renovation. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid and prequalification procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(iv) Construction project negotiations authority. If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.

(e) Lease-purchase authorization. For the purposes of this section, the term "equipment" shall mean equipment, furniture and, if applicable, associated software and other applicable direct costs associated with the acquisition. Any lease-purchase of equipment which an agency is not required to lease-purchase under the master lease-purchase program pursuant to Section 31-7-10 and any lease-purchase of equipment which a governing authority elects to lease-purchase may be acquired by a lease-purchase agreement under this paragraph (e). Lease-purchase financing may also be obtained from the vendor or from a third-party source after having solicited and obtained at least two (2) written competitive bids, as defined in paragraph (b) of this section, for such financing without advertising for such bids. Solicitation for the bids for financing may occur before or after acceptance of bids for the purchase of such equipment or, where no such bids for purchase are required, at any time before the purchase thereof. No such lease-purchase agreement shall be for an annual rate of interest which is greater than the overall maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101, and the term of such lease-purchase agreement shall not exceed the useful life of equipment covered thereby as determined according to the upper limit of the asset depreciation range (ADR) guidelines for the Class Life Asset Depreciation Range System established by the Internal Revenue Service pursuant to the United States Internal Revenue Code and regulations thereunder as in effect on December 31, 1980, or comparable depreciation guidelines with respect to any equipment not covered by ADR guidelines. Any lease-purchase agreement entered into pursuant to

this paragraph (e) may contain any of the terms and conditions which a master lease-purchase agreement may contain under the provisions of Section 31-7-10(5), and shall contain an annual allocation dependency clause substantially similar to that set forth in Section 31-7-10(8). Each agency or governing authority entering into a lease-purchase transaction pursuant to this paragraph (e) shall maintain with respect to each such lease-purchase transaction the same information as required to be maintained by the Department of Finance and Administration pursuant to Section 31-7-10(13). However, nothing contained in this section shall be construed to permit agencies to acquire items of equipment with a total acquisition cost in the aggregate of less than Ten Thousand Dollars ($10,000.00) by a single lease-purchase transaction. All equipment, and the purchase thereof by any lessor, acquired by lease-purchase under this paragraph and all lease-purchase payments with respect thereto shall be exempt from all Mississippi sales, use and ad valorem taxes. Interest paid on any lease-purchase agreement under this section shall be exempt from State of Mississippi income taxation.

(f) Alternate bid authorization. When necessary to ensure ready availability of commodities for public works and the timely completion of public projects, no more than two (2) alternate bids may be accepted by a governing authority for commodities. No purchases may be made through use of such alternate bids procedure unless the lowest and best bidder cannot deliver the commodities contained in his bid. In that event, purchases of such commodities may be made from one (1) of the bidders whose bid was accepted as an alternate.

(g) Construction contract change authorization. In the event a determination is made by an agency or governing authority after a construction contract is let that changes or modifications to the original contract are necessary or would better serve the purpose of the agency or the governing authority, such agency or governing authority may, in its discretion, order such changes pertaining to the construction that are necessary under the circumstances without the necessity of further public bids; provided that such change shall be made in a commercially reasonable manner and shall not be made to circumvent the public purchasing statutes. In addition to any other authorized person, the architect or engineer hired by an agency or governing authority with respect to any public construction contract shall have the authority, when granted by an agency or governing authority, to authorize changes or modifications to the original contract without the necessity of prior approval of the agency or governing authority when any such change or modification is less than one percent (1%) of the total contract amount. The agency or governing authority may limit the number, manner or frequency of such emergency changes or modifications.

(h) Petroleum purchase alternative. In addition to other methods of purchasing authorized in this chapter, when any agency or governing authority shall have a need for gas, diesel fuel, oils and/or other petroleum products in excess of the amount set forth in paragraph (a) of this section, such agency or governing authority may purchase the commodity after having solicited and obtained at least two (2) competitive written bids, as defined in paragraph (b) of this section. If two (2) competitive written bids are not obtained, the entity shall comply with the procedures set forth in paragraph (c) of this section. In the event any agency or governing authority shall have advertised for bids for the purchase of gas, diesel fuel, oils and other petroleum products and coal and no acceptable bids can be obtained, such agency or governing authority is authorized and directed to enter into any negotiations necessary to secure the lowest and best contract available for the purchase of such commodities.

(i) Road construction petroleum products price adjustment clause authorization. Any agency or governing authority authorized to enter into contracts for the construction, maintenance, surfacing or repair of highways, roads or streets, may include in its bid proposal and contract documents a price adjustment clause with relation to the cost to the contractor, including taxes, based upon an industry-wide cost index, of petroleum products including asphalt used in the performance or execution of the contract or in the production or manufacture of materials for use in such performance. Such

industry-wide index shall be established and published monthly by the Mississippi Department of Transportation with a copy thereof to be mailed, upon request, to the clerks of the governing authority of each municipality and the clerks of each board of supervisors throughout the state. The price adjustment clause shall be based on the cost of such petroleum products only and shall not include any additional profit or overhead as part of the adjustment. The bid proposals or document contract shall contain the basis and methods of adjusting unit prices for the change in the cost of such petroleum products.

(j) State agency emergency purchase procedure. If the governing board or the executive head, or his designees, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the head of such agency, or his designees, shall file with the Department of Finance and Administration (i) a statement explaining the conditions and circumstances of the emergency, which shall include a detailed description of the events leading up to the situation and the negative impact to the entity if the purchase is made following the statutory requirements set forth in paragraph (a), (b) or (c) of this section, and (ii) a certified copy of the appropriate minutes of the board of such agency requesting the emergency purchase, if applicable. Upon receipt of the statement and applicable board certification, the State Fiscal Officer, or his designees, may, in writing, authorize the purchase or repair without having to comply with competitive bidding requirements.

If the governing board or the executive head, or his designees, of any agency determines that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would threaten the health or safety of any person, or the preservation or protection of property, then the provisions in this section for competitive bidding shall not apply, and any officer or agent of the agency having general or specific authority for making the purchase or repair contract shall approve the bill presented for payment, and he shall certify in writing from whom the purchase was made, or with whom the repair contract was made.

Total purchases made under this paragraph (j) shall only be for the purpose of meeting needs created by the emergency situation. Following the emergency purchase, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be filed with the Department of Finance and Administration. Any contract awarded pursuant to this paragraph (j) shall not exceed a term of one (1) year.

Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (j).

(k) Governing authority emergency purchase procedure. If the governing authority, or the governing authority acting through its designee, shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions herein for competitive bidding shall not apply and any officer or agent of such governing authority having general or special authority therefor in making such purchase or repair shall approve the bill presented therefor, and he shall certify in writing thereon from whom such purchase was made, or with whom such a repair contract was made. At the board meeting next following the emergency purchase or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased, the price thereof and the nature of the emergency shall be presented to the board and shall be placed on the minutes of the board of such governing authority. Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school

districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (k).

(l) Hospital purchase, lease-purchase and lease authorization.

(i) The commissioners or board of trustees of any public hospital may contract with such lowest and best bidder for the purchase or lease-purchase of any commodity under a contract of purchase or lease-purchase agreement whose obligatory payment terms do not exceed five (5) years.

(ii) In addition to the authority granted in subparagraph (i) of this paragraph (l), the commissioners or board of trustees is authorized to enter into contracts for the lease of equipment or services, or both, which it considers necessary for the proper care of patients if, in its opinion, it is not financially feasible to purchase the necessary equipment or services. Any such contract for the lease of equipment or services executed by the commissioners or board shall not exceed a maximum of five (5) years' duration and shall include a cancellation clause based on unavailability of funds. If such cancellation clause is exercised, there shall be no further liability on the part of the lessee. Any such contract for the lease of equipment or services executed on behalf of the commissioners or board that complies with the provisions of this subparagraph (ii) shall be excepted from the bid requirements set forth in this section.

(m) Exceptions from bidding requirements. Excepted from bid requirements are:

(i) Purchasing agreements approved by department. Purchasing agreements, contracts and maximum price regulations executed or approved by the Department of Finance and Administration.

(ii) Outside equipment repairs. Repairs to equipment, when such repairs are made by repair facilities in the private sector; however, engines, transmissions, rear axles and/or other such components shall not be included in this exemption when replaced as a complete unit instead of being repaired and the need for such total component replacement is known before disassembly of the component; however, invoices identifying the equipment, specific repairs made, parts identified by number and name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required for the payment for such repairs.

(iii) In-house equipment repairs. Purchases of parts for repairs to equipment, when such repairs are made by personnel of the agency or governing authority; however, entire assemblies, such as engines or transmissions, shall not be included in this exemption when the entire assembly is being replaced instead of being repaired.

(iv) Raw gravel or dirt. Raw unprocessed deposits of gravel or fill dirt which are to be removed and transported by the purchaser.

(v) Governmental equipment auctions. Motor vehicles or other equipment purchased from a federal agency or authority, another governing authority or state agency of the State of Mississippi, or any governing authority or state agency of another state at a public auction held for the purpose of disposing of such vehicles or other equipment. Any purchase by a governing authority under the exemption authorized by this subparagraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(vi) Intergovernmental sales and transfers. Purchases, sales, transfers or trades by governing authorities or state agencies when such purchases, sales, transfers or trades are made by a private treaty agreement or through means of

negotiation, from any federal agency or authority, another governing authority or state agency of the State of Mississippi, or any state agency or governing authority of another state. Nothing in this section shall permit such purchases through public auction except as provided for in subparagraph (v) of this paragraph (m). It is the intent of this section to allow governmental entities to dispose of and/or purchase commodities from other governmental entities at a price that is agreed to by both parties. This shall allow for purchases and/or sales at prices which may be determined to be below the market value if the selling entity determines that the sale at below market value is in the best interest of the taxpayers of the state. Governing authorities shall place the terms of the agreement and any justification on the minutes, and state agencies shall obtain approval from the Department of Finance and Administration, prior to releasing or taking possession of the commodities.

(vii) Perishable supplies or food. Perishable supplies or food purchased for use in connection with hospitals, the school lunch programs, homemaking programs and for the feeding of county or municipal prisoners.

(viii) Single-source items. Noncompetitive items available from one (1) source only. In connection with the purchase of noncompetitive items only available from one (1) source, a certification of the conditions and circumstances requiring the purchase shall be filed by the agency with the Department of Finance and Administration and by the governing authority with the board of the governing authority. Upon receipt of that certification the Department of Finance and Administration or the board of the governing authority, as the case may be, may, in writing, authorize the purchase, which authority shall be noted on the minutes of the body at the next regular meeting thereafter. In those situations, a governing authority is not required to obtain the approval of the Department of Finance and Administration. Following the purchase, the executive head of the state agency, or his designees, shall file with the Department of Finance and Administration, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the source from whom it was purchased.

(ix) Waste disposal facility construction contracts. Construction of incinerators and other facilities for disposal of solid wastes in which products either generated therein, such as steam, or recovered therefrom, such as materials for recycling, are to be sold or otherwise disposed of; however, in constructing such facilities, a governing authority or agency shall publicly issue requests for proposals, advertised for in the same manner as provided herein for seeking bids for public construction projects, concerning the design, construction, ownership, operation and/or maintenance of such facilities, wherein such requests for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, environmental compatibility, legal responsibilities and such other matters as are determined by the governing authority or agency to be appropriate for inclusion; and after responses to the request for proposals have been duly received, the governing authority or agency may select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter contracts with one or more of the persons or firms submitting proposals.

(x) Hospital group purchase contracts. Supplies, commodities and equipment purchased by hospitals through group purchase programs pursuant to Section 31-7-38.

(xi) Information technology products. Purchases of information technology products made by governing authorities under the provisions of purchase schedules, or contracts executed or approved by the Mississippi Department of Information Technology Services and designated for use by governing authorities.

(xii) Energy efficiency services and equipment. Energy efficiency services and equipment acquired by school districts, community and junior colleges,

institutions of higher learning and state agencies or other applicable governmental entities on a shared-savings, lease or lease-purchase basis pursuant to Section 31-7-14.

(xiii) Municipal electrical utility system fuel. Purchases of coal and/or natural gas by municipally owned electric power generating systems that have the capacity to use both coal and natural gas for the generation of electric power.

(xiv) Library books and other reference materials. Purchases by libraries or for libraries of books and periodicals; processed film, videocassette tapes, filmstrips and slides; recorded audiotapes, cassettes and diskettes; and any such items as would be used for teaching, research or other information distribution; however, equipment such as projectors, recorders, audio or video equipment, and monitor televisions are not exempt under this subparagraph.

(xv) Unmarked vehicles. Purchases of unmarked vehicles when such purchases are made in accordance with purchasing regulations adopted by the Department of Finance and Administration pursuant to Section 31-7-9(2).

(xvi) Election ballots. Purchases of ballots printed pursuant to Section 23-15-351.

(xvii) Multichannel interactive video systems. From and after July 1, 1990, contracts by Mississippi Authority for Educational Television with any private educational institution or private nonprofit organization whose purposes are educational in regard to the construction, purchase, lease or lease-purchase of facilities and equipment and the employment of personnel for providing multichannel interactive video systems (ITSF) in the school districts of this state.

(xviii) Purchases of prison industry products by the Department of Corrections, regional correctional facilities or privately owned prisons. Purchases made by the Mississippi Department of Corrections, regional correctional facilities or privately owned prisons involving any item that is manufactured, processed, grown or produced from the state's prison industries.

(xix) Undercover operations equipment. Purchases of surveillance equipment or any other high-tech equipment to be used by law enforcement agents in undercover operations, provided that any such purchase shall be in compliance with regulations established by the Department of Finance and Administration.

(xx) Junior college books for rent. Purchases by community or junior colleges of textbooks which are obtained for the purpose of renting such books to students as part of a book service system.

(xxi) Certain school district purchases. Purchases of commodities made by school districts from vendors with which any levying authority of the school district, as defined in Section 37-57-1, has contracted through competitive bidding procedures for purchases of the same commodities.

(xxii) Garbage, solid waste and sewage contracts. Contracts for garbage collection or disposal, contracts for solid waste collection or disposal and contracts for sewage collection or disposal.

(xxiii) Municipal water tank maintenance contracts. Professional maintenance program contracts for the repair or maintenance of municipal water tanks, which provide professional services needed to maintain municipal water storage tanks for a fixed annual fee for a duration of two (2) or more years.

(xxiv) Purchases of Mississippi Industries for the Blind products or services. Purchases made by state agencies or governing authorities involving any item

that is manufactured, processed or produced by, or any services provided by, the Mississippi Industries for the Blind.

(xxv) Purchases of state-adopted textbooks. Purchases of state-adopted textbooks by public school districts.

(xxvi) Certain purchases under the Mississippi Major Economic Impact Act. Contracts entered into pursuant to the provisions of Section 57-75-9(2), (3) and (4).

(xxvii) Used heavy or specialized machinery or equipment for installation of soil and water conservation practices purchased at auction. Used heavy or specialized machinery or equipment used for the installation and implementation of soil and water conservation practices or measures purchased subject to the restrictions provided in Sections 69-27-331 through 69-27-341. Any purchase by the State Soil and Water Conservation Commission under the exemption authorized by this subparagraph shall require advance authorization spread upon the minutes of the commission to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(xxviii) Hospital lease of equipment or services. Leases by hospitals of equipment or services if the leases are in compliance with paragraph (l)(ii).

(xxix) Purchases made pursuant to qualified cooperative purchasing agreements. Purchases made by certified purchasing offices of state agencies or governing authorities under cooperative purchasing agreements previously approved by the Office of Purchasing and Travel and established by or for any municipality, county, parish or state government or the federal government, provided that the notification to potential contractors includes a clause that sets forth the availability of the cooperative purchasing agreement to other governmental entities. Such purchases shall only be made if the use of the cooperative purchasing agreements is determined to be in the best interest of the governmental entity.

(xxx) School yearbooks. Purchases of school yearbooks by state agencies or governing authorities; however, state agencies and governing authorities shall use for these purchases the RFP process as set forth in the Mississippi Procurement Manual adopted by the Office of Purchasing and Travel.

(xxxi) Design-build method of contracting and certain other contracts. Contracts entered into under the provisions of Section 31-7-13.1, 37-101-44 or 65-1-85.

(xxxii) Toll roads and bridge construction projects. Contracts entered into under the provisions of Section 65-43-1 or 65-43-3.

(xxxiii) Certain purchases under Section 57-1-221. Contracts entered into pursuant to the provisions of Section 57-1-221.

(xxxiv) Certain transfers made pursuant to the provisions of Section 57-105-1(7). Transfers of public property or facilities under Section 57-105-1(7) and construction related to such public property or facilities.

(xxxv) Certain purchases or transfers entered into with local electrical power associations. Contracts or agreements entered into under the provisions of Section 55-3-33.

(xxxvi) Certain purchases by an academic medical center or health sciences school. Purchases by an academic medical center or health sciences school, as defined in Section 37-115-50, of commodities that are used for clinical purposes and 1. intended for use in the diagnosis of disease or other conditions or in the cure, mitigation,

treatment or prevention of disease, and 2. medical devices, biological, drugs and radiation-emitting devices as defined by the United States Food and Drug Administration.

(xxxvii) Certain purchases made under the Alyce G. Clarke Mississippi Lottery Law. Contracts made by the Mississippi Lottery Corporation pursuant to the Alyce G. Clarke Mississippi Lottery Law.

(xxxviii) Certain purchases made by the Department of Health and the Department of Revenue. Purchases made by the Department of Health and the Department of Revenue solely for the purpose of fulfilling their respective responsibilities under the Mississippi Medical Cannabis Act. This subparagraph shall stand repealed on June 30, 2026.

(xxxix) Purchases made by state agencies related to museum exhibits. Purchases made by an agency related to the fabrication, construction, installation or refurbishing of museum exhibits. An agency making a purchase under this exemption in excess of the bid threshold set forth in 31-7-13(c) shall publicly advertise a Request for Qualifications or Request for Proposals in which price as an evaluation factor is at least twenty percent (20%) out of the one hundred percent (100%) total weight, but shall be otherwise exempt. Any contract arising from a purchase using this exemption must be approved by the Public Procurement Review Board prior to execution by the agency. The agency shall submit a written report on December 1 of each year to the Chairs of the Senate and House Appropriations Committees, the Chairs of the Senate and House Accountability, Efficiency and Transparency Committees and the Chair of the Public Procurement Review Board, identifying all purchases made by the agency using this exemption in which the cost of the option selected by the agency was more than twenty-five percent (25%) higher than the lowest cost option available.

(n) Term contract authorization. All contracts for the purchase of:

(i) All contracts for the purchase of commodities, equipment and public construction (including, but not limited to, repair and maintenance), may be let for periods of not more than sixty (60) months in advance, subject to applicable statutory provisions prohibiting the letting of contracts during specified periods near the end of terms of office. Term contracts for a period exceeding twenty-four (24) months shall also be subject to ratification or cancellation by governing authority boards taking office subsequent to the governing authority board entering the contract.

(ii) Bid proposals and contracts may include price adjustment clauses with relation to the cost to the contractor based upon a nationally published industry-wide or nationally published and recognized cost index. The cost index used in a price adjustment clause shall be determined by the Department of Finance and Administration for the state agencies and by the governing board for governing authorities. The bid proposal and contract documents utilizing a price adjustment clause shall contain the basis and method of adjusting unit prices for the change in the cost of such commodities, equipment and public construction.

(o) Purchase law violation prohibition and vendor penalty. No contract or purchase as herein authorized shall be made for the purpose of circumventing the provisions of this section requiring competitive bids, nor shall it be lawful for any person or concern to submit individual invoices for amounts within those authorized for a contract or purchase where the actual value of the contract or commodity purchased exceeds the authorized amount and the invoices therefor are split so as to appear to be authorized as purchases for which competitive bids are not required. Submission of such invoices shall constitute a misdemeanor punishable by a fine of not less than Five Hundred Dollars ($500.00) nor more than One Thousand Dollars ($1,000.00), or by imprisonment for thirty (30) days in the county jail, or both such fine and imprisonment. In addition, the claim or claims submitted shall be forfeited.

(p) Electrical utility petroleum-based equipment purchase procedure. When in response to a proper advertisement therefor, no bid firm as to price is submitted to an electric utility for power transformers, distribution transformers, power breakers, reclosers or other articles containing a petroleum product, the electric utility may accept the lowest and best bid therefor although the price is not firm.

(q) Fuel management system bidding procedure. Any governing authority or agency of the state shall, before contracting for the services and products of a fuel management or fuel access system, enter into negotiations with not fewer than two (2) sellers of fuel management or fuel access systems for competitive written bids to provide the services and products for the systems. In the event that the governing authority or agency cannot locate two (2) sellers of such systems or cannot obtain bids from two (2) sellers of such systems, it shall show proof that it made a diligent, good-faith effort to locate and negotiate with two (2) sellers of such systems. Such proof shall include, but not be limited to, publications of a request for proposals and letters soliciting negotiations and bids. For purposes of this paragraph (q), a fuel management or fuel access system is an automated system of acquiring fuel for vehicles as well as management reports detailing fuel use by vehicles and drivers, and the term "competitive written bid" shall have the meaning as defined in paragraph (b) of this section. Governing authorities and agencies shall be exempt from this process when contracting for the services and products of fuel management or fuel access systems under the terms of a state contract established by the Office of Purchasing and Travel.

(r) Solid waste contract proposal procedure. Before entering into any contract for garbage collection or disposal, contract for solid waste collection or disposal or contract for sewage collection or disposal, which involves an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), a governing authority or agency shall issue publicly a request for proposals concerning the specifications for such services which shall be advertised for in the same manner as provided in this section for seeking bids for purchases which involve an expenditure of more than the amount provided in paragraph (c) of this section. Any request for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, legal responsibilities and other relevant factors as are determined by the governing authority or agency to be appropriate for inclusion; all factors determined relevant by the governing authority or agency or required by this paragraph (r) shall be duly included in the advertisement to elicit proposals. After responses to the request for proposals have been duly received, the governing authority or agency shall select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter into contracts with one or more of the persons or firms submitting proposals. If the governing authority or agency deems none of the proposals to be qualified or otherwise acceptable, the request for proposals process may be reinitiated. Notwithstanding any other provisions of this paragraph, where a county with at least thirty-five thousand (35,000) nor more than forty thousand (40,000) population, according to the 1990 federal decennial census, owns or operates a solid waste landfill, the governing authorities of any other county or municipality may contract with the governing authorities of the county owning or operating the landfill, pursuant to a resolution duly adopted and spread upon the minutes of each governing authority involved, for garbage or solid waste collection or disposal services through contract negotiations.

(s) Minority set-aside authorization. Notwithstanding any provision of this section to the contrary, any agency or governing authority, by order placed on its minutes, may, in its discretion, set aside not more than twenty percent (20%) of its anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the Department of Finance and Administration and shall be subject to bid requirements under this section. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder. For the purposes of this paragraph, the term "minority business" means a business which is owned by a majority

of persons who are United States citizens or permanent resident aliens (as defined by the Immigration and Naturalization Service) of the United States, and who are Asian, Black, Hispanic or Native American, according to the following definitions:

(i) "Asian" means persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(ii) "Black" means persons having origins in any black racial group of Africa.

(iii) "Hispanic" means persons of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.

(iv) "Native American" means persons having origins in any of the original people of North America, including American Indians, Eskimos and Aleuts.

(t) Construction punch list restriction. The architect, engineer or other representative designated by the agency or governing authority that is contracting for public construction or renovation may prepare and submit to the contractor only one (1) preliminary punch list of items that do not meet the contract requirements at the time of substantial completion and one (1) final list immediately before final completion and final payment.

(u) Procurement of construction services by state institutions of higher learning. Contracts for privately financed construction of auxiliary facilities on the campus of a state institution of higher learning may be awarded by the Board of Trustees of State Institutions of Higher Learning to the lowest and best bidder, where sealed bids are solicited, or to the offeror whose proposal is determined to represent the best value to the citizens of the State of Mississippi, where requests for proposals are solicited.

(v) Insurability of bidders for public construction or other public contracts. In any solicitation for bids to perform public construction or other public contracts to which this section applies, including, but not limited to, contracts for repair and maintenance, for which the contract will require insurance coverage in an amount of not less than One Million Dollars ($1,000,000.00), bidders shall be permitted to either submit proof of current insurance coverage in the specified amount or demonstrate ability to obtain the required coverage amount of insurance if the contract is awarded to the bidder. Proof of insurance coverage shall be submitted within five (5) business days from bid acceptance.

(w) Purchase authorization clarification. Nothing in this section shall be construed as authorizing any purchase not authorized by law.

(x) Mississippi Regional Pre-Need Disaster Clean Up Act. (i) The Department of Finance and Administration shall enter into nine (9) contracts for the pre-need purchase of labor, services, work, materials, equipment, supplies or other personal property for disaster-related solid waste collection, disposal or monitoring. One (1) contract shall be entered into for each of the nine (9) Mississippi Emergency Management Association districts:

1. Coahoma, DeSoto, Grenada, Panola, Quitman, Tallahatchie, Tate, Tunica and Yalobusha Counties;

2. Alcorn, Benton, Itawamba, Lafayette, Lee, Marshall, Pontotoc, Prentiss, Tippah, Tishomingo and Union Counties;

3. Attala, Bolivar, Carroll, Holmes, Humphreys, Leflore, Montgomery, Sunflower and Washington Counties;

4. Calhoun, Chickasaw, Choctaw, Clay, Lowndes, Monroe, Noxubee, Oktibbeha, Webster and Winston Counties;

5. Claiborne, Copiah, Hinds, Issaquena, Madison, Rankin, Sharkey, Simpson, Warren and Yazoo Counties;

6. Clarke, Jasper, Kemper, Lauderdale, Leake, Neshoba, Newton, Scott, and Smith Counties and the Mississippi Band of Choctaw Indians;

7. Adams, Amite, Franklin, Jefferson, Lawrence, Lincoln, Pike, Walthall and Wilkinson Counties;

8. Covington, Forrest, Greene, Jefferson Davis, Jones, Lamar, Marion, Perry and Wayne Counties; and

9. George, Hancock, Harrison, Jackson, Pearl River and Stone Counties.

Any such contract shall set forth the manner of awarding such a contract, the method of payment, and any other matter deemed necessary to carry out the purposes of the agreement. Such contract may be entered into only for a term of one (1) year, with an option for an additional one-year extension after the conclusion of the first year of the contract, and only after having solicited bids or proposals, as appropriate, which shall be publicly advertised by posting on a web page maintained by the Department of Finance and Administration through submission of such advertisement to the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority. The bid opening shall not occur until after the submission has been posted for at least ten (10) consecutive days. The state's share of expenditures for solid waste collection, disposal or monitoring under any contract shall be appropriated and paid in the manner set forth in the contract and in the same manner as for other solid waste collection, disposal, or monitoring expenses of the state. Any contract entered into under this paragraph shall not be subject to the provisions of Section 17-13-11.

(ii) Any board of supervisors of any county or any governing authority of any municipality may opt in to the benefits and services provided under the appropriate and relevant contract established in subparagraph (i) of this paragraph at the time of a disaster event in that county or municipality. At the time of opt in, the county or municipality shall assume responsibility for payment in full to the contractor for the disaster-related solid waste collection, disposal or monitoring services provided. Nothing in this subparagraph (ii) shall be construed as requiring a county or municipality to opt in to any such contract established in subparagraph (i) of this paragraph.

SECTION 5. Section 27-104-7, Mississippi Code of 1972, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars ($1,000,000.00) in the source's business, whichever is smaller. No member shall be an officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(d) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(e) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:

(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board. The information shall be provided sufficiently in advance of the time the space is needed to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

(i) Black: having origins in any of the black racial groups of Africa;

(ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;

(iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;

(iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or

(v) Female;

(e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;

(f) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, promulgate rules and regulations governing the solicitation and selection of contractual

services personnel, including personal and professional services contracts for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of:

1. Any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c);

2. Any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services;

3. Any personal service contracts entered into by the individual state institutions of higher learning;

4. Any personal service contracts entered into by the Mississippi Department of Transportation;

5. Any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department of Human Services determines would be useful in establishing and operating the Department of Child Protection Services;

6. Any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019;

7. Any contracts for entertainers and/or performers at the Mississippi State Fairgrounds entered into by the Mississippi Fair Commission;

8. Any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services;

9. Any contract entered into by the Department of Public Safety for service on specialized equipment and/or software required for the operation of such specialized equipment for use by the Office of Forensics Laboratories;

10. Any personal or professional service contract entered into by the Mississippi Department of Health or the Department of Revenue solely in connection with their respective responsibilities under the Mississippi Medical Cannabis Act from February 2, 2022, through June 30, 2026;

11. Any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, or utility rate expert services;

12. Any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022;

13. Any personal or professional services contract entered into by the State Department of Health in carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program through June 30, 2026; * * *

14. And any personal or professional services contract entered into by the Mississippi Department of Environmental Quality in carrying out its responsibilities under the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022, through June 30, 2026 * * *; and

15. Any personal or professional services contract entered into by an agency for the design, operation or maintenance of museum exhibits. An agency making a purchase under this exemption shall publicly advertise a Request for Qualifications but shall be otherwise exempt. Any contracts arising from the use of this exemption must be approved by the Public Procurement Review Board prior to execution by the agency.

Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may propose shall be submitted to the Chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act.

(ii) From and after July 1, 2024, the Public Procurement Review Board shall promulgate rules and regulations that require the Department of Finance and Administration to conduct personal and professional services solicitations as provided in subparagraph (i) of this paragraph for those services in excess of Seventy-five Thousand Dollars ($75,000.00) for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority, with assistance to be provided from these entities. Any powers that have been conferred upon agencies in order to comply with the provisions of this section for personal and professional services solicitations shall be conferred upon the Department of Finance and Administration to conduct personal and professional services solicitations for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority for those services in excess of Seventy-five Thousand Dollars ($75,000.00). The Department of Finance and Administration shall make any submissions that are required to be made by other agencies to the Public Procurement Review Board for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority.

The provisions of this subparagraph (ii) shall stand repealed on June 30, 2027;

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars ($75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection (2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the

procurements are made from other governmental entities, the private sector need not be solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed, contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;

(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;

2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;

3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;

4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and

5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (o) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review or approval, the Public Procurement Review Board shall clearly set out the reasons for its action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1)

source. A memorandum shall accompany the request form and address the following four (4) points:

(a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;

(b) Explanation of why this vendor is the only practicably available source from which to obtain this service;

(c) Explanation of why the price is considered reasonable; and

(d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise, the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts. Nothing in this section shall impair or limit the authority of the State Treasurer to enter into any personal or professional services contracts involving the management of trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

(9) Through December 31, 2024, the provisions of this section related to rental agreements or leasing of real property for the purpose of conducting agency business shall not apply to the Office of Workforce Development created in Section 37-153-7.

SECTION 6. Section 31-7-401, Mississippi Code of 1972, is amended as follows:

31-7-401. Except as otherwise provided by law, the provisions of Sections 31-7-401 through 31-7-423 shall apply to every procurement of commodities, supplies, equipment, construction, technology, personal and professional services other than those in Section 27-104-7(2)(f) and (8), state agency employee benefits, supplemental insurance and cafeteria plans, that are solicited by any state agency by a request for proposals or request for qualifications, except any personal or professional services contract entered into by an agency for the design, operation or maintenance of museum exhibits, purchases made by an agency related to the fabrication, construction, installation

or refurbishing of museum exhibits. The following provisions are intended to ensure that the best practices for soliciting requests for proposals or requests for qualifications are implemented. Any agency that is required to receive approval by the Public Procurement Review Board before entering into a personal or professional services contract as provided in subsection (2)(g) of Section 27-104-7 shall implement the best practices specified in Sections 31-7-401 through 31-7-423. The Public Procurement Review Board shall promulgate any necessary rules and regulations to administer the provisions of Sections 31-7-401 through 31-7-423.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 31-7-417, MISSISSIPPI CODE OF 1972, TO SIMPLIFY THE RECEIPT AND REGISTRATION PROCESS FOR PROPOSALS AND REQUESTS FOR QUALIFICATIONS; TO AMEND SECTION 25-61-5, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL 2308 OF THE 2024 LEGISLATIVE SESSION, TO PROVIDE THAT WHERE ANY PUBLIC BODY IS PREPARING OR CONDUCTING A COMPETITIVE PROCUREMENT, THE TIME LIMITATIONS FOR PRODUCTION SHALL BE TOLLED UNTIL THE PUBLIC BODY DETERMINES IT WILL NOT ISSUE THE PROCUREMENT, CANCELS THE PROCUREMENT OR ISSUES A NOTICE NAMING ITS INTENDED AWARDEE; TO BRING FORWARD SECTION 25-61-9, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO ALLOW PURCHASES MADE BY STATE AGENCIES RELATED TO MUSEUM EXHIBITS TO QUALIFY FOR A FABRICATION OF EXHIBITS EXEMPTION WHEN CERTAIN LISTED PROCEDURES ARE FOLLOWED; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO ALLOW ANY PERSON OR PROFESSIONAL SERVICE CONTRACTS ENTERED INTO BY AN AGENCY FOR THE DESIGN, OPERATION OR MAINTENANCE OF MUSEUM EXHIBITS TO QUALIFY FOR AN EXHIBIT DESIGN EXEMPTION WHEN CERTAIN LISTED PROCEDURES ARE FOLLOWED; TO AMEND 31-7-401, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Chris Johnson	Kevin Ford
Daniel H. Sparks	Daryl Porter
David Blount	Clay Mansell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2486** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Branning. Total--1.

Senator DeBar moved that the rules be suspended for the consideration en bloc of calendar items 254-256, S. N. No. 96, S. N. No. 105 and S. N. No. 106 and the motion prevailed.

Senator DeBar called up the following entitled nominations:

S. N. No. 96: James Matthew (Matt) Mayo, Flowood, Mississippi, State Board of Education, remainder of a nine year term effective March 26, 2024 and ending June 30, 2025, representing the First Supreme Court District, vice Dr. Angela S. Bass.

S. N. No. 105: Billye Jean Stroud, New Albany, Mississippi, State Board of Education to represent the Third Supreme Court District, remainder of a nine year term beginning upon Senate confirmation and ending June 30, 2030, vice Karen J. Morgan Elam.

S. N. No. 106: Richard Cullen (Ric) Sawyer, Ocean Springs, Mississippi, Educational Television Authority (MS Public Broadcasting BD) as the Teacher or Principal of an Elementary School representative, four year term effective July 10, 2023 and ending June 30, 2027.

YEAS AND NAYS on consideration en bloc of S. N. No. 96, S. N. No. 105 and S. N. No. 106. On motion of Senator DeBar, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Branning. Total--1.

Senator Carter moved that the rules be suspended for the consideration en bloc of calendar items 259-261, S. N. No. 70, S. N. No. 104 and S. N. No. 110 and the motion prevailed.

Senator Carter called up the following entitled nominations:

S. N. No. 70: Richard Lewis (Lew) Yoder, Jr., Laurel, Mississippi, State Oil and Gas Board, six year term effective May 8, 2024 and ending May 7, 2030, representing the Second Supreme Court District.

S. N. No. 104: James Harrell (Jim) Herring, Sr., Canton, Mississippi, State Oil and Gas Board, four year term beginning May 7, 2024 and ending May 6, 2028.

S. N. No. 110: Bradley Dees (Brad) Mayo, Oxford, Mississippi, Mississippi State Oil and Gas Board, term effective immediately and ending March 31, 2028.

YEAS AND NAYS on consideration en bloc of S. N. No. 70, S. N. No. 104 and S. N. No. 110. On motion of Senator Carter, the rules were suspended, foregoing

numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Branning. Total--1.

Senator Whaley moved that the rules be suspended to move to calendar item 194, **H. B. No. 1298**, and the motion prevailed.

Senator Whaley moved that the Conference Committee Report on **H. B. No. 1298** be recommitted for further conference and the motion prevailed.

H. B. No. 1298: Mississippi Wild Turkey Stamp; establish.

Senator McCaughn moved that the rules be suspended to move to calendar item 268, **S. N. No. 107**, and the motion prevailed.

Senator McCaughn called up the following entitled nomination:

S. N. No. 107: Clinton Crawford (Clint) Rounsaville, Brookhaven, Mississippi, Board of Registration for Foresters as the representative from the Southwest Forestry Commission District, five year term effective July 1, 2023 and ending June 30, 2028.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 107 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Branning. Total--1.

Senator Blount moved that the rules be suspended to move to calendar item 252, **S. N. No. 68**, and the motion prevailed.

Senator Blount called up the following entitled nomination:

S. N. No. 68: Michael Joseph (Mike) McGrevey, Decatur, Mississippi, Mississippi Lottery Corporation Board of Directors, five year term effective January 1, 2024 and ending December 31, 2028.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 68 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Branning. Total--1.

Senator Younger moved that the rules be suspended for the consideration en bloc of calendar items 262 and 263, S. N. No. 103 and S. N. No. 109 and the motion prevailed.

Senator Younger called up the following entitled nominations:

S. N. No. 103: Stephen Kenneth (Stephen) King, DVM, Tupelo, Mississippi, Mississippi Board of Veterinary Medicine, five year term effective April 23, 2024 and ending April 22, 2029, representing the Third Supreme Court District, vice Dr. Stuart G. Denman.

S. N. No. 109: David C. Newell, Jr., DVM, Meridian, Mississippi, State Board of Veterinary Medicine, five year term effective April 27, 2023 and ending April 22, 2028.

YEAS AND NAYS on consideration en bloc of S. N. No. 103 and S. N. No. 109. On motion of Senator Younger, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Branning. Total--1.

Senator DeBar entered a motion to reconsider the vote whereby the Conference Report on **H. B. No. 1681** was adopted by the Senate.

H. B. No. 1681: Memorial Highways; designate segment MS Hwy 513 in Clarke County as "Lance Corporal Mac Hamburg, MSMC, Memorial Highway."

Senator Blackwell moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 10:54 AM, the Senate stood in recess.

The Senate resumed business at 11:09 AM, pursuant to recess, with President Hosemann presiding.

Senator Kirby moved that the rules be suspended for the immediate consideration of **S. C. R. No. 548**, and the motion prevailed.

Senator Harkins called up the following entitled resolution:

S. C. R. No. 548: Suspend rules for introduction; revisions to PERS and public education funding.

YEAS AND NAYS On S. C. R. No. 548. On motion of Senator Harkins, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Nays--Chism. Total--1.
Absent and those not voting--Branning. Total--1.

On motion of Senator Harkins, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. C. R. No. 548.

Senator Harkins moved that the rules be suspended to move to calendar item 8, **S. B. No. 2903**, and the motion prevailed.

Senator Harkins called up the following House Amendment to **S. B. No. 2903** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

AMEND by inserting the following language after line 90 and renumbering the succeeding section accordingly:

SECTION 3. Section 25-11-123, Mississippi Code of 1972, is amended as follows:

25-11-123. All of the assets of the system shall be credited according to the purpose for which they are held to one (1) of four (4) reserves; namely, the annuity savings account, the annuity reserve, the employer's accumulation account, and the expense account.

(a) Annuity savings account. In the annuity savings account shall be accumulated the contributions made by members to provide for their annuities, including interest thereon which shall be posted monthly. Credits to and charges against the annuity savings account shall be made as follows:

(1) Beginning July 1, 2010, the employer shall cause to be deducted from the salary of each member on each and every payroll of the employer for each and every payroll period nine percent (9%) of earned compensation as defined in Section 25-11-103. Future contributions shall be fixed biennially by the board on the basis of the liabilities of the retirement system for the various allowances and benefits as shown by actuarial valuation; however, any member earning at a rate less than Sixteen Dollars and

Sixty-seven Cents ($16.67) per month, or Two Hundred Dollars ($200.00) per year, shall contribute not less than One Dollar ($1.00) per month, or Twelve Dollars ($12.00) per year.

(2) The deductions provided in paragraph (1) of this subsection shall be made notwithstanding that the minimum compensation provided by law for any member is reduced by the deduction. Every member shall be deemed to consent and agree to the deductions made and provided for in paragraph (1) of this subsection and shall receipt for his full salary or compensation, and payment of salary or compensation less the deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by the person during the period covered by the payment, except as to the benefits provided under Articles 1 and 3. The board shall provide by rules for the methods of collection of contributions from members and the employer. The board shall have full authority to require the production of evidence necessary to verify the correctness of amounts contributed.

(b) Annuity reserve. The annuity reserve shall be the account representing the actuarial value of all annuities in force, and to it shall be charged all annuities and all benefits in lieu of annuities, payable as provided in this article. If a beneficiary retired on account of disability is restored to active service with a compensation not less than his average final compensation at the time of his last retirement, the remainder of his contributions shall be transferred from the annuity reserve to the annuity savings account and credited to his individual account therein, and the balance of his annuity reserve shall be transferred to the employer's accumulation account.

(c) Employer's accumulation account. The employer's accumulation account shall represent the accumulation of all reserves for the payment of all retirement allowances and other benefits payable from contributions made by the employer, and against this account shall be charged all retirement allowances and other benefits on account of members. Credits to and charges against the employer's accumulation account shall be made as follows:

(1) On account of each member there shall be paid monthly into the employer's accumulation account by the employers for the preceding fiscal year an amount equal to a certain percentage of the total earned compensation, as defined in Section 25-11-103, of each member. * * * From and after the effective date of this act, the increase in the employer's contribution rate scheduled to take effect on July 1, 2024, is rescinded and shall not take effect.

(2) For the public good, any recommendation by the board to adjust the employer contributions shall be accompanied by at least two (2) assessments from actuaries who are independent from each other and the retirement plan. The actuaries shall analyze the economic impact of any such recommendation to the system and state, including, but not limited to, information showing the fiscal impact to every agency and arm of the state, including, but not limited to, state agencies, cities, counties and school districts. The actuarial assessments, with any such recommendation to adjust the employer contributions, shall be submitted to the Lieutenant Governor, Speaker of the House, Chairman of the Senate Appropriations Committee and Chairman of the House Appropriations Committee.

(3) The board shall have the authority to make recommendations regarding additional funding sources for the retirement plan, including employer contribution increases, based on the assets and liabilities of the retirement plan, and the analyses required by paragraph (2) of this subsection (c). The Legislature shall have the sole authority to implement any such recommendations.

(4) This section shall not be construed to provide authority to reduce or eliminate any earned benefits to be provided by the state to persons drawing a retirement allowance or to members of the system as of the effective date of this act.

(* * *5) On the basis of regular interest and of such mortality and other tables as are adopted by the board of trustees, the actuary engaged by the board to make each valuation required by this article during the period over which the accrued liability contribution is payable, immediately after making that valuation, shall determine the uniform and constant percentage of the earnable compensation of each member which, if contributed by the employer on the basis of compensation of the member throughout his entire period of membership service, would be sufficient to provide for the payment of any retirement allowance payable on his account for that service. The percentage rate so determined shall be known as the "normal contribution rate." After the accrued liability contribution has ceased to be payable, the normal contribution rate shall be the percentage rate of the salary of all members obtained by deducting from the total liabilities on account of membership service the amount in the employer's accumulation account, and dividing the remainder by one percent (1%) of the present value of the prospective future salaries of all members as computed on the basis of the mortality and service tables adopted by the board of trustees and regular interest. The normal rate of contributions shall be determined by the actuary after each valuation.

(* * *6) The total amount payable in each year to the employer's accumulation account shall not be less than the sum of the percentage rate known as the "normal contribution rate" and the "accrued liability contribution rate" of the total compensation earnable by all members during the preceding year, provided that the payment by the employer shall be sufficient, when combined with the amounts in the account, to provide the allowances and other benefits chargeable to this account during the year then current.

(* * *7) The accrued liability contribution shall be discontinued as soon as the accumulated balance in the employer's accumulation account shall equal the present value, computed on the basis of the normal contribution rate then in force, or the prospective normal contributions to be received on account of all persons who are at that time members.

(* * *8) All allowances and benefits in lieu thereof, with the exception of those payable on account of members who receive no prior service credit, payable from contributions of the employer, shall be paid from the employer's accumulation account.

(* * *9) Upon the retirement of a member, an amount equal to his retirement allowance shall be transferred from the employer's accumulation account to the annuity reserve.

(* * *10) The employer's accumulation account shall be credited with any assets authorized by law to be credited to the account.

(d) Expense account. The expense account shall be the account to which the expenses of the administration of the system shall be charged, exclusive of amounts payable as retirement allowances and as other benefits provided herein. The Legislature shall make annual appropriations in amounts sufficient to administer the system, which shall be credited to this account. There shall be transferred to the State Treasury from this account, not less than once per month, an amount sufficient for payment of the estimated expenses of the system for the succeeding thirty (30) days. Any interest earned on the expense account shall accrue to the benefit of the system. However, notwithstanding the provisions of Sections 25-11-15(10) and 25-11-105(f)(v)5, all expenses of the administration of the system shall be paid from the interest earnings, provided the interest earnings are in excess of the actuarial interest assumption as determined by the board, and provided the present cost of the administrative expense fee of two percent (2%) of the contributions reported by the political subdivisions and instrumentalities shall be reduced to one percent (1%) from and after July 1, 1983, through June 30, 1984, and shall be eliminated thereafter.

(e) Collection of contributions. The employer shall cause to be deducted on each and every payroll of a member for each and every payroll period, beginning subsequent to January 31, 1953, the contributions payable by the member as provided in Articles 1 and 3.

The employer shall make deductions from salaries of employees as provided in Articles 1 and 3 and shall transmit monthly, or at such time as the board of trustees designates, the amount specified to be deducted to the Executive Director of the Public Employees' Retirement System. The executive director, after making a record of all those receipts, shall deposit such amounts as provided by law.

(f) (1) Upon the basis of each actuarial valuation provided herein, the board of trustees shall biennially determine the normal contribution rate and the accrued liability contribution rate as provided in this section. The sum of these two (2) rates shall be known as the "employer's contribution rate." The percentage rate of those contributions shall be fixed biennially by the board on the basis of the liabilities of the retirement system for the various allowances and benefits as shown by actuarial valuation.

(2) The amount payable by the employer on account of normal and accrued liability contributions shall be determined by applying the employer's contribution rate to the amount of compensation earned by employees who are members of the system. Monthly, or at such time as the board of trustees designates, each department or agency shall compute the amount of the employer's contribution payable, with respect to the salaries of its employees who are members of the system, and shall cause that amount to be paid to the board of trustees from the personal service allotment of the amount appropriated for the operation of the department or agency, or from funds otherwise available to the agency, for the payment of salaries to its employees.

(3) Except as otherwise provided in Section 25-11-106:

(i) Constables shall pay employer and employee contributions on their net fee income as well as the employee contributions on all direct treasury or county payroll income.

(ii) The county shall be responsible for the employer contribution on all direct treasury or county payroll income of constables.

(4) Except as otherwise provided in Section 25-11-106.1, chancery and circuit clerks shall be responsible for both the employer and employee share of contributions on the proportionate share of net income attributable to fees, as well as the employee share of net income attributable to direct treasury or county payroll income, and the employing county shall be responsible for the employer contributions on the net income attributable to direct treasury or county payroll income.

(5) Once each year, under procedures established by the system, each employer shall submit to the Public Employees' Retirement System a copy of their report to Social Security of all employees' earnings.

(6) The board shall provide by rules for the methods of collection of contributions of employers and members. The amounts determined due by an agency to the various funds as specified in Articles 1 and 3 are made obligations of the agency to the board and shall be paid as provided herein. Failure to deduct those contributions shall not relieve the employee and employer from liability thereof. Delinquent employee contributions and any accrued interest shall be the obligation of the employee and delinquent employer contributions and any accrued interest shall be the obligation of the employer. The employer may, in its discretion, elect to pay any or all of the interest on delinquent employee contributions. From and after July 1, 1996, under rules and regulations established by the board, all employers are authorized and shall transfer all

funds due to the Public Employees' Retirement System electronically and shall transmit any wage or other reports by computerized reporting systems.

AMEND further the title online 14 by inserting the following language after the semicolon:

TO AMEND SECTIONS 25-11-123, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE INCREASE IN THE EMPLOYER'S CONTRIBUTION RATE THAT IS SCHEDULED TO TAKE EFFECT ON JULY 1, 2024, IS RESCINDED AND SHALL NOT TAKE EFFECT; TO REQUIRE THAT ANY RECOMMENDATION BY THE BOARD TO ADJUST EMPLOYER CONTRIBUTIONS BE ACCOMPANIED BY AT LEAST TWO INDEPENDENT ACTUARIAL ASSESSMENTS; TO ALLOW THE BOARD TO MAKE RECOMMENDATIONS REGARDING ADDITIONAL FUNDING SOURCES FOR THE RETIREMENT PLAN, INCLUDING EMPLOYER CONTRIBUTION INCREASES, BASED ON THE PLAN'S ASSETS AND LIABILITIES, AND THE REQUIRED ACTUARIAL ASSESSMENTS; TO RESERVE TO THE LEGISLATURE THE AUTHORITY TO IMPLEMENT SUCH RECOMMENDATIONS; TO SPECIFY THAT THE SECTION SHALL NOT BE CONSTRUED TO PROVIDE AUTHORITY TO REDUCE OR ELIMINATE ANY EARNED BENEFITS PROVIDED BY THE STATE TO CURRENT RETIREES OR CURRENT MEMBERS OF THE RETIREMENT SYSTEM;

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2903** by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Branning. Total--1.

Senator Blount entered a motion to reconsider the vote whereby the Senate concurred in the House Amendment to **S. B. No. 2903**.

Senator Blackwell entered a motion to reconsider the vote whereby **H. B. No. 1720** passed the Senate.

H. B. No. 1720: City of Pontotoc; extend repealer on authority to levy tax on hotels, motels and restaurants.

Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Gussie Gregory of Jackson, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Terry Herman Watts of Wiggins, MS.

Senator Polk moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Friday, April 26, 2024.

The motion prevailed, and at 11:17 AM, the Senate stood in recess.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 297: Mississippi Department of Information Technology Services; bring forward code sections related to.

H. B. No. 1681: Memorial Highways; designate segment MS Hwy 513 in Clarke County as "Lance Corporal Mac Hamburg, MSMC, Memorial Highway."

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 1988: Children's Promise Act; increase amount of tax credits that may be allocated under, bring forward various tax credit sections of law.
Senators Harkins, Sparks, Berry.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 4120: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF EUPORA, MISSISSIPPI, TO CONVEY BACK TO PLYMOUTH TUBE COMPANY CERTAIN REAL PROPERTY; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 20: Gene B. (Benny) Hubbard, Jr., Oxford, Mississippi, State Board of Health as an individual with an interest in public health, six year term effective July 1, 2023 and ending June 30, 2029, vice Tim Timbs. Do Advise and Consent.

S. N. No. 95: Stephen W. Joe, DMD, Olive Branch, Mississippi, MS State Board of Dental Examiners to represent the Second Dental District, six year term effective March 26, 2024 and ending June 30, 2029, vice Dr. Robert Smith, Jr.. Do Advise and Consent.

S. N. No. 12: Wade Coleman Bishop, DMD, Gulfport, Mississippi, MS State Board of Dental Examiners to represent Dental District Five, remainder of six year term effective August 17, 2023 and ending June 30, 2027, vice Jeff Michael Zimmerman, DDS. Do Advise and Consent.

S. N. No. 13: John Ballew Carlton, DMD, Natchez, Mississippi, MS State Board of Dental Examiners to represent Dental District Six, six year term beginning March 10, 2023 and ending June 30, 2028, vice Dr. Tobie Moore. Do Advise and Consent.

BRYAN, Chairman

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 819: Insurance; remove filing fee on auto cancellation or nonrenewal appeals and exempt life line applicants from prelicensing requirements.

H. B. No. 1126: "Walker Montgomery Protecting Children Online Act"; establish to protect minors from harmful content.

H. B. No. 1135: Election day disputes; require list of judges selected to hear to be provided to certain officials.

H. B. No. 1489: Ambulance services; provide for payment for treatment in place and provide for minimum reimbursement rate in health insurance policies.

S. B. No. 2577: Digitizations; create a criminal penalty for the wrongful dissemination of.

Adopted: 04/24/24

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2510: AN ACT TO AMEND CHAPTER 932, LOCAL AND PRIVATE LAWS OF 2023, TO INCREASE FROM $5,000.00 TO $10,000.00 THE ANNUAL CONTRIBUTION THAT THE BOARD OF SUPERVISORS OF NESHOBA COUNTY, MISSISSIPPI, IS AUTHORIZED TO CONTRIBUTE TO PHILADELPHIA TRANSIT; AND FOR RELATED PURPOSES.

S. B. No. 2663: AN ACT TO AMEND CHAPTER 936, LOCAL AND PRIVATE LAWS OF 2016, AS AMENDED BY CHAPTER 911, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND UNTIL JULY 1, 2028, THE REPEAL DATE ON THE LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF CARTHAGE,

MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS FOR RECREATION AND TOURISM FACILITIES; AND FOR RELATED PURPOSES.

S. B. No. 2925: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF BOLIVAR COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE BOLIVAR COUNTY COMMUNITY ACTION AGENCY, INC., AND THE FANNIE LOU HAMER CANCER FOUNDATION; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1646: AN ACT TO AMEND CHAPTER 957, LOCAL AND PRIVATE LAWS OF 2012, AS LAST AMENDED BY CHAPTER 904, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2024, TO JULY 1, 2028, ON THE PROVISION OF LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF WEST POINT, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS; AND FOR RELATED PURPOSES.

H. B. No. 1716: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF JACKSON COUNTY, MISSISSIPPI, TO MAKE CONTRIBUTIONS TO HOME OF GRACE, THE MARY C. O'KEEFE CULTURAL CENTER OF ARTS AND EDUCATION, PASCAGOULA RIVER AUDUBON CENTER, UNITED WAY FOR JACKSON AND GEORGE COUNTIES AND LIGHTHOUSE ACADEMY OF DYSLEXIA; AND FOR RELATED PURPOSES.

H. B. No. 1743: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HUMPHREYS COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE FANNIE LOU HAMER CANCER FOUNDATION; AND FOR RELATED PURPOSES.

H. B. No. 1752: AN ACT TO AMEND CHAPTER 939, LOCAL AND PRIVATE LAWS OF 2010, AS LAST AMENDED BY CHAPTER 902, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2024, TO JULY 1, 2028, ON THE LAW THAT AUTHORIZES THE CITY OF FULTON, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF ROOM RENTALS FOR HOTELS OR MOTELS WITHIN THE CITY; AND FOR RELATED PURPOSES.

H. B. No. 1758: AN ACT TO AMEND CHAPTER 912, LOCAL AND PRIVATE LAWS OF 2012, TO INCREASE FROM $200,000.00 TO $350,000.00 THE PORTION OF THE OIL AND GAS SEVERANCE TAX REVENUE THAT THE BOARD OF SUPERVISORS OF JEFFERSON DAVIS COUNTY, MISSISSIPPI, MAY EXPEND TO ASSIST IN DEFRAYING THE COST OF GARBAGE COLLECTION AND DISPOSAL; AND FOR RELATED PURPOSES.

H. B. No. 1931: AN ACT TO AMEND SECTION 1, CHAPTER 940, LOCAL AND PRIVATE LAWS OF 2009, AS LAST AMENDED BY CHAPTER 903, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2024, TO JULY 1, 2028, ON THE PROVISION OF LAW THAT AUTHORIZES THE BOARD OF SUPERVISORS OF GREENE COUNTY, MISSISSIPPI, TO ASSESS A CERTAIN FEE FOR ANY CIVIL CASE FILED AND ANY MISDEMEANOR CONVICTION OBTAINED IN THE JUSTICE COURT OF THE COUNTY TO FUND CERTAIN MAINTENANCE AND CONSTRUCTION NEEDS OF THE GREENE COUNTY JUSTICE COURT COMPLEX; AND FOR RELATED PURPOSES.

H. B. No. 1948: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF OLIVE BRANCH, MISSISSIPPI, TO ACQUIRE, BUY, SELL, LEASE,

CONVEY OR OTHERWISE DISPOSE OF SITES WITHIN INDUSTRIAL, TECHNOLOGY, OR EDUCATIONAL PARKS; TO FINANCE OR OTHERWISE PROVIDE OR RECEIVE FUNDING FOR CERTAIN PROJECTS AND FACILITIES THAT PROMOTE MUNICIPAL, COMMUNITY, TECHNOLOGICAL, INDUSTRIAL OR EDUCATIONAL DEVELOPMENT WITHIN THE CITY OF OLIVE BRANCH, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1968: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HUMPHREYS COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE CITY OF BELZONI, MISSISSIPPI, AND TO THE TOWNS OF ISOLA AND LOUISE, MISSISSIPPI, TO PROVIDE PARK AND RECREATIONAL FACILITIES AND ACTIVITIES TO SUCH MUNICIPALITIES, WHICH WILL BENEFIT THE RESIDENTS OF THE COUNTY; AND FOR RELATED PURPOSES.

H. B. No. 4090: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF ADAMS COUNTY, MISSISSIPPI, TO ENTER INTO A LEASE-PURCHASE AGREEMENT FOR A TERM NOT TO EXCEED THIRTY YEARS FOR THE LEASE PURCHASE OF A JAIL FACILITY WITHIN THE COUNTY; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 4115: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF DURANT, MISSISSIPPI, TO LEVY A 3% TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM AND PARKS AND RECREATION WITHIN THE CITY; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

David Jordan, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Gussie Gregory and Terry Herman Watts.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, APRIL 25, 2024

S. C. R. No. 548: Rules

A CONCURRENT RESOLUTION SUSPENDING THE DEADLINES AND OTHER PROVISIONS IMPOSED BY JOINT RULE NO. 40 FOR THE PURPOSE OF THE DRAFTING, INTRODUCTION, CONSIDERATION AND PASSAGE OF A BILL ENTITLED "AN ACT TO AMEND SECTION 25-11-123, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE INCREASE IN THE EMPLOYER'S CONTRIBUTION RATE THAT IS SCHEDULED TO TAKE EFFECT ON JULY 1, 2024, IS RESCINDED AND SHALL NOT TAKE EFFECT; TO PROVIDE FOR A 1/2% INCREASE IN THE EMPLOYER'S CONTRIBUTION RATE ON JULY 1 OF EACH YEAR FROM 2024 THROUGH 2028; TO REQUIRE THAT ANY RECOMMENDATION BY THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO ADJUST EMPLOYER CONTRIBUTIONS BE ACCOMPANIED BY AT LEAST TWO INDEPENDENT ACTUARIAL ASSESSMENTS; TO ALLOW THE BOARD TO MAKE RECOMMENDATIONS REGARDING ADDITIONAL FUNDING SOURCES FOR THE

RETIREMENT PLAN, INCLUDING EMPLOYER CONTRIBUTION INCREASES, BASED ON THE PLAN'S ASSETS AND LIABILITIES, AND THE REQUIRED ACTUARIAL ASSESSMENTS; TO RESERVE TO THE LEGISLATURE THE AUTHORITY TO IMPLEMENT SUCH RECOMMENDATIONS; TO EXPRESS THE INTENT OF THE LEGISLATURE THAT, IN THE 2025 REGULAR SESSION, A LAW BE ENACTED TO CREATE A NEW TIER FOR FUTURE MEMBERS OF THE SYSTEM, IN FURTHERANCE OF THE SYSTEM'S CONTINUED FINANCIAL STABILITY AND SUSTAINABILITY; TO SPECIFY THAT THE SECTION SHALL NOT BE CONSTRUED TO PROVIDE AUTHORITY TO REDUCE OR ELIMINATE ANY EARNED BENEFITS PROVIDED BY THE STATE TO CURRENT RETIREES OR CURRENT MEMBERS OF THE RETIREMENT SYSTEM; AND FOR RELATED PURPOSES," AND OF A BILL ENTITLED "AN ACT RELATING TO THE FUNDING OF PUBLIC EDUCATION IN THE STATE OF MISSISSIPPI; TO CREATE NEW SECTION 37-151-201, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN TERMS, INCLUDING 'NET ENROLLMENT,' 'TOTAL FUNDING FORMULA' AND 'WEIGHT'; TO CREATE NEW SECTION 37-151-203, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT EFFECTIVE FISCAL YEAR 2026 AND EVERY YEAR THEREAFTER, THE STATE BOARD OF EDUCATION SHALL PROVIDE A PROPOSED BASE-STUDENT COST SUFFICIENT TO PROVIDE CERTAIN COST COMPONENTS OF EDUCATING PUPILS IN SCHOOL DISTRICTS; TO PROVIDE THAT THE INSTRUCTIONAL COST SHALL BE CALCULATED BY DIVIDING THE AVERAGE TEACHER SALARY BY THE STUDENT-TO-TEACHER RATIO; TO PROVIDE THE FORMULA FOR ADMINISTRATIVE COST, ANCILLARY PERSONNEL AND EXPENSES, AND OPERATION AND MAINTENANCE OF PLANT; TO CREATE NEW SECTION 37-151-205, MISSISSIPPI CODE OF 1972, TO ESTABLISH VARIOUS WEIGHTS TO BE APPLIED TO THE BASE AMOUNT FOR STUDENTS WHO ARE LOW-INCOME STUDENTS, ENGLISH LANGUAGE LEARNERS, ELIGIBLE FOR SPECIAL EDUCATION SERVICES, GIFTED, ENROLLED IN CAREER AND TECHNICAL EDUCATION, AND RESIDING IN SPARSELY POPULATED SCHOOL DISTRICTS; TO CREATE NEW SECTION 37-151-207, MISSISSIPPI CODE OF 1972, TO REQUIRE STUDENT ENROLLMENT AND ATTENDANCE FIGURES TO BE DETERMINED ON THE BASIS OF NET ENROLLMENT; TO CREATE NEW SECTION 37-151-209, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT A SCHOOL DISTRICT OR CHARTER SCHOOL HAS AUTONOMY, SUBJECT TO REGULATORY AND STATUTORY RESTRICTIONS, IN THE SPENDING OF ALL FUNDS ALLOCATED TO THAT SCHOOL DISTRICT OR CHARTER SCHOOL; TO CREATE NEW SECTION 37-151-211, MISSISSIPPI CODE OF 1972, TO REQUIRE TAX ASSESSORS TO FILE CERTAIN REPORTS WITH THE STATE DEPARTMENT OF EDUCATION AND TO REQUIRE THE DEPARTMENT TO CALCULATE THE DISTRICT'S REQUIRED MINIMUM MILLAGE AND THE CONTRIBUTION TO THE COST OF THE TOTAL FUNDING FORMULA REQUIRED OF EACH SCHOOL DISTRICT AND CHARTER SCHOOL; TO CREATE NEW SECTION 37-151-213, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE'S SHARE IN SUPPORT OF THE FUNDING FORMULA FOR A SCHOOL DISTRICT OR CHARTER SCHOOL FOR FISCAL YEARS 2025, 2026, AND 2027 MAY NOT BE LESS THAN AN AMOUNT EQUAL TO THE SUM OF ALL STATE FUNDS RECEIVED BY THAT SCHOOL DISTRICT OR CHARTER SCHOOL FOR FISCAL YEAR 2024; TO AMEND SECTIONS 37-57-1, 37-57-104, 37-57-105 AND 37-57-107, MISSISSIPPI CODE OF 1972, WHICH RELATE TO SCHOOL DISTRICT TAXATION, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT A PORTION OF EDUCATION ENHANCEMENT FUNDS BE DISTRIBUTED TO SCHOOL DISTRICTS TO FUND CAPITAL IMPROVEMENTS PROJECTS; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIRED DEPOSIT OF SALES TAX REVENUE INTO THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND; TO AMEND SECTIONS 1-3-26, 7-7-211, 19-9-157, 19-9-171, 25-4-29, 27-25-706, 27-33-3, 27-39-317, 29-3-47, 29-3-49, 29-3-113, 29-3-137, 31-7-9, 31-7-10, 37-1-3, 37-3-11, 37-3-83, 37-7-208, 37-7-301, 37-7-302, 37-7-303, 37-7-307, 37-7-319, 37-7-333, 37-7-339, 37-7-419, 37-9-17, 37-9-18, 37-9-23, 37-9-25, 37-9-33, 37-9-35, 37-9-37, 37-9-77, 37-11-11, 37-13-63, 37-13-64, 37-13-69, 37-15-38, 37-16-3, 37-19-7, 37-21-6, 37-21-7, 37-22-5, 37-23-1, 37-23-15, 37-23-69, 37-23-109, 37-23-179, 37-27-55, 37-27-57, 37-28-5, 37-28-53,

37-28-55, 37-29-1, 37-29-272, 37-29-303, 37-31-13, 37-31-75, 37-35-3, 37-37-3, 37-41-7, 37-45-49, 37-47-9, 37-47-24, 37-47-25, 37-47-33, 37-61-3, 37-61-5, 37-61-7, 37-61-19, 37-61-29, 37-61-35, 37-61-37, 37-68-7, 37-131-7, 37-131-9, 37-131-11, 37-151-9, 37-151-81, 37-151-85, 37-151-87, 37-151-89, 37-151-91, 37-151-93, 37-151-95, 37-151-97, 37-151-99, 37-151-101, 37-151-103, 37-151-105, 37-151-107, 37-173-9, 37-173-13, 37-175-13, 37-179-3, 37-181-7, 41-79-5, 43-17-5, 65-26-9, AND 27-104-351, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2689, 2024 REGULAR SESSION, AND HOUSE BILL NO. 1696, 2024 REGULAR SESSION, TO CONFORM AND TO REVISE CERTAIN PROVISIONS RELATED TO THE STATE'S PERMANENT PERFORMANCE-BASED ACCREDITATION SYSTEMS; TO PROVIDE THE PROCEDURE BY WHICH THE STATE BOARD OF EDUCATION MAY PLACE A FAILING SCHOOL OR SCHOOL DISTRICT INTO A DISTRICT OF TRANSFORMATION; TO ESTABLISH RELEVANT CRITERIA FOR SCHOOLS OR SCHOOL DISTRICTS TO BE PLACED INTO SUCH DISTRICTS; TO DELETE CERTAIN PROVISIONS RELATED TO MISSISSIPPI RECOVERY SCHOOL DISTRICTS, SCHOOL BOARDS OF FAILING SCHOOLS AND ELECTIONS OF MEMBERS OF FAILING SCHOOL BOARDS; TO PROVIDE THAT DISTRICTS THAT ARE PLACED INTO DISTRICT TRANSFORMATION SHALL BE ELIGIBLE TO RETURN TO LOCAL CONTROL WHEN THE DISTRICT HAS ATTAINED A "C" RATING OR HIGHER FOR THREE CONSECUTIVE YEARS; TO REPEAL SECTIONS 37-13-153, MISSISSIPPI CODE OF 1972, WHICH REQUIRED STATE FUNDING FOR HOME ECONOMICS TEACHERS TO BE INCLUDED AS A LINE ITEM IN THE EDUCATION APPROPRIATIONS BILLS FOR CERTAIN PRIOR FISCAL YEARS; TO REPEAL SECTIONS 37-151-1, 37-151-5, 37-151-6, 37-151-7, 37-151-7.1, 37-151-8, 37-151-10, 37-151-77, 37-151-79 AND 37-151-83, MISSISSIPPI CODE OF 1972, WHICH DEFINE CERTAIN TERMS AND PRESCRIBE THE FORMULA AND CERTAIN REQUIREMENTS UNDER THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM (MAEP); TO REPEAL SECTION 37-152-1, MISSISSIPPI CODE OF 1972, WHICH CREATES THE COMMISSION ON RESTRUCTURING THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM (MAEP); TO REPEAL SECTIONS 27-65-75(5), 37-47-7 AND 37-47-24, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND AND ITS FUNDING MECHANISM; TO REPEAL SECTIONS 37-109-1, 37-109-3, 37-109-5, 37-109-7, 37-109-9 AND 37-109-11, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE MISSISSIPPI DUAL ENROLLMENT/DUAL CREDIT SCHOLARSHIP PROGRAM ACT OF 2023; AND FOR RELATED PURPOSES."
By Senator(s) Harkins

ONE-HUNDRED AND SIXTEENTH DAY, FRIDAY, APRIL 26, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Rocky Shack, Discipleship Pastor, Christ United Methodist Church, Jackson, MS.

Senator Michel led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Kirby called up the following entitled resolution:

S. C. R. No. 547: Extend the condolences of the Legislature on the passing of the first female Mayor of Meridian Cheryl "Cheri" Merritt Barry.

YEAS AND NAYS On S. C. R. No. 547. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Frazier, Hopson and McCaughn as co-authors of **S. C. R. No. 547**.

Senator Kirby called up the following entitled resolution:

S. R. No. 115: Mourn the loss and commend the life and public service of former Senator and District Attorney Joe Clay Hamilton of Meridian.

YEAS AND NAYS On S. R. No. 115. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Frazier, Hickman, Horhn, McCaughn and Michel as co-authors of **S. R. No. 115**.

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. R. No. 116, S. R. No. 117, S. R. No. 118, H. C. R. No. 60, H. C. R. No. 61, H. C. R. No. 62 and H. C. R. No. 63 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

S. R. No. 116: Congratulate former JSU star running back Lewis Tillman upon his induction into the Mississippi Sports Hall of Fame.

S. R. No. 117: Mourn the passing of Jackson State Football Star and Mississippi Valley State Football Coach Archie "The Gunslinger" Cooley.

S. R. No. 118: Commend Johnny Lang upon his induction into the Mississippi Golf Association Hall of Fame.

H. C. R. No. 60: Southern Soul music genre; acknowledge Mississippi as the home and birthplace of.

H. C. R. No. 61: Tarik Robinson-O'Hagan; commend upon winning NCAA Division I national title in shot put.

H. C. R. No. 62: Jalani Davis; recognize and commend for winning the 2024 NCAA Indoor Track and Field Championships, Women's Weight Throw.

H. C. R. No. 63: Neshoba Central High School "Lady Rockets" Girls Basketball Team; commend for winning MHSAA Class 6A State Championship.

YEAS AND NAYS on consideration en bloc of S. R. No. 116, S. R. No. 117, S. R. No. 118, H. C. R. No. 60, H. C. R. No. 61, H. C. R. No. 62 and H. C. R. No. 63. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senator Horhn as co-author of **S. R. No. 117**.

Unanimous consent was granted to add Senator McCaughn as co-author of **S. R. No. 118**.

Senator Parks called up the following entitled bill:

H. B. No. 1880: Grenada County; expand certain authority concerning Greater Grenada Partnership.

YEAS AND NAYS On H. B. No. 1880. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

On motion of Senator Kirby, and with unanimous consent of the Senate, the Secretary was directed to release immediately all Rules Resolutions.

Senator Branning called up the motion to reconsider the vote whereby the Conference Report on **H. B. No. 1681** was adopted by the Senate and moved that it be reconsidered:

H. B. No. 1681: Memorial Highways; designate segment MS Hwy 513 in Clarke County as "Lance Corporal Mac Hamburg, MSMC, Memorial Highway.".

The foregoing motion prevailed.

Senator Branning moved that the Conference Committee Report on **H. B. No. 1681** be recommitted for further conference and the motion prevailed.

Senator Williams offered the following report of the Conference Committee on **H. B. No. 297** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 297: Mississippi Department of Information Technology Services; bring forward code sections related to.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 31-7-13, Mississippi Code of 1972, is amended as follows:

31-7-13. All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided.

(a) Bidding procedure for purchases not over $5,000.00. Purchases which do not involve an expenditure of more than Five Thousand Dollars ($5,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. However, nothing contained in this paragraph (a) shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of Five Thousand Dollars ($5,000.00) or less.

(b) Bidding procedure for purchases over $5,000.00 but not over $75,000.00. Purchases which involve an expenditure of more than Five Thousand Dollars ($5,000.00) but not more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder without publishing or posting advertisement for bids, provided at least two (2) competitive written bids have been obtained. Any state agency or community or junior college purchasing commodities or procuring construction pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, to accept the lowest competitive written bid under Seventy-five Thousand Dollars ($75,000.00). Any governing authority purchasing commodities pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, with regard to governing authorities other than counties, or its purchase clerk, or his designee, with regard to counties, to accept the lowest and best competitive written bid. Such authorization shall be made in writing by the governing authority and shall be maintained on file in the primary office of the agency and recorded in the official minutes of the governing authority, as appropriate. The purchasing agent or the purchase clerk, or his designee, as the case may be, and not the governing authority, shall be liable for any penalties and/or damages as may be imposed by law for any act or omission of the purchasing agent or purchase clerk, or his designee, constituting a violation of law in accepting any bid without approval by the governing authority. The term "competitive written bid" shall mean a bid submitted on a bid form furnished by the buying agency or governing authority and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor. "Competitive" shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. Any bid item for construction in excess of Five Thousand Dollars ($5,000.00) shall be broken down by components to provide detail of component description and pricing. These details shall be submitted with the written bids and become part of the bid evaluation criteria. Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities.

(c) Bidding procedure for purchases over $75,000.00.

(i) Publication requirement.

1. Purchases which involve an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder after advertising for competitive bids once each week for two (2) consecutive weeks in a regular newspaper published in the county or municipality in which such agency or governing authority is located. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars ($25,000.00) shall be bid. All references to American Recovery and Reinvestment Act projects in this section shall not apply to programs identified in Division B of the American Recovery and Reinvestment Act.

2. Reverse auctions shall be the primary method for receiving bids during the bidding process. If a purchasing entity determines that a reverse auction is not in the best interest of the state, then that determination must be approved by the Public Procurement Review Board. The purchasing entity shall submit a detailed explanation of why a reverse auction would not be in the best interest of the state and present an alternative process to be approved by the Public Procurement Review Board. If the Public Procurement Review Board authorizes the purchasing entity to solicit bids with a method other than reverse auction, then the purchasing entity may designate the other methods by which the bids will be received, including, but not limited to, bids sealed in an envelope, bids received electronically in a secure system, or bids received by any other method that promotes open competition and has been approved by the Office of Purchasing and Travel. However, reverse auction shall not be used for any public contract for design, construction, improvement, repair or remodeling of any public facilities, including the purchase of materials, supplies, equipment or goods for same and including buildings, roads and bridges. The Public Procurement Review Board must approve any contract entered into by alternative process. The provisions of this item 2 shall not apply to the individual state institutions of higher learning. The provisions of this item 2 requiring reverse auction as the primary method of receiving bids shall not apply to term contract purchases as provided in paragraph (n) of this section; however, a purchasing entity may, in its discretion, utilize reverse auction for such purchases. The provisions of this item 2 shall not apply to individual public schools, including public charter schools and public school districts, only when purchasing copyrighted educational supplemental materials and software as a service product. For such purchases, a local school board may authorize a purchasing entity in its jurisdiction to use a Request for Qualifications which promotes open competition and meets the requirements of the Office of Purchasing and Travel.

3. The date as published for the bid opening shall not be less than seven (7) working days after the last published notice; however, if the purchase involves a construction project in which the estimated cost is in excess of Seventy-five Thousand Dollars ($75,000.00), such bids shall not be opened in less than fifteen (15) working days after the last notice is published and the notice for the purchase of such construction shall be published once each week for two (2) consecutive weeks. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars ($25,000.00) shall be bid. For any projects in excess of Twenty-five Thousand Dollars ($25,000.00) under the American Recovery and Reinvestment Act, publication shall be made one (1) time and the bid opening for construction projects shall not be less than ten (10) working days after the date of the published notice. The notice of intention to let contracts or purchase equipment shall state the time and place at which bids shall be received, list the contracts to be made or types of equipment or supplies to be purchased, and, if all plans and/or specifications are not published, refer to the plans and/or specifications on file. If there is no newspaper published in the county or municipality, then such notice shall be given by posting same at the courthouse, or for municipalities at the city hall, and at two (2) other public places in the county or municipality, and also by publication once each week for two (2) consecutive weeks in some newspaper having a general circulation in the county or municipality in the above-provided manner. On the same date that the notice is submitted to the newspaper for publication, the agency or governing authority involved shall mail written notice to, or

provide electronic notification to the main office of the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority that contains the same information as that in the published notice. Submissions received by the Mississippi Procurement Technical Assistance Program for projects funded by the American Recovery and Reinvestment Act shall be displayed on a separate and unique internet web page accessible to the public and maintained by the Mississippi Development Authority for the Mississippi Procurement Technical Assistance Program. Those American Recovery and Reinvestment Act related submissions shall be publicly posted within twenty-four (24) hours of receipt by the Mississippi Development Authority and the bid opening shall not occur until the submission has been posted for ten (10) consecutive days. The Department of Finance and Administration shall maintain information regarding contracts and other expenditures from the American Recovery and Reinvestment Act, on a unique internet web page accessible to the public. The Department of Finance and Administration shall promulgate rules regarding format, content and deadlines, unless otherwise specified by law, of the posting of award notices, contract execution and subsequent amendments, links to the contract documents, expenditures against the awarded contracts and general expenditures of funds from the American Recovery and Reinvestment Act. Within one (1) working day of the contract award, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration, notice of the award, including the award recipient, the contract amount, and a brief summary of the contract in accordance with rules promulgated by the department. Within one (1) working day of the contract execution, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration a summary of the executed contract and make a copy of the appropriately redacted contract documents available for linking to the designated web page in accordance with the rules promulgated by the department. The information provided by the agency or governing authority shall be posted to the web page for the duration of the American Recovery and Reinvestment Act funding or until the project is completed, whichever is longer.

(ii) Bidding process amendment procedure. If all plans and/or specifications are published in the notification, then the plans and/or specifications may not be amended. If all plans and/or specifications are not published in the notification, then amendments to the plans/specifications, bid opening date, bid opening time and place may be made, provided that the agency or governing authority maintains a list of all prospective bidders who are known to have received a copy of the bid documents and all such prospective bidders are sent copies of all amendments. This notification of amendments may be made via mail, facsimile, electronic mail or other generally accepted method of information distribution. No addendum to bid specifications may be issued within two (2) working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum.

(iii) Filing requirement. In all cases involving governing authorities, before the notice shall be published or posted, the plans or specifications for the construction or equipment being sought shall be filed with the clerk of the board of the governing authority. In addition to these requirements, a bid file shall be established which shall indicate those vendors to whom such solicitations and specifications were issued, and such file shall also contain such information as is pertinent to the bid.

(iv) Specification restrictions.

1. Specifications pertinent to such bidding shall be written so as not to exclude comparable equipment of domestic manufacture. However, if valid justification is presented, the Department of Finance and Administration or the board of a governing authority may approve a request for specific equipment necessary to perform a specific job. Further, such justification, when placed on the minutes of the board of a governing authority, may serve as authority for that governing authority to write specifications to require a specific item of equipment needed to perform a specific job. In

addition to these requirements, from and after July 1, 1990, vendors of relocatable classrooms and the specifications for the purchase of such relocatable classrooms published by local school boards shall meet all pertinent regulations of the State Board of Education, including prior approval of such bid by the State Department of Education.

2. Specifications for construction projects may include an allowance for commodities, equipment, furniture, construction materials or systems in which prospective bidders are instructed to include in their bids specified amounts for such items so long as the allowance items are acquired by the vendor in a commercially reasonable manner and approved by the agency/governing authority. Such acquisitions shall not be made to circumvent the public purchasing laws.

(v) Electronic bids. Agencies and governing authorities shall provide a secure electronic interactive system for the submittal of bids requiring competitive bidding that shall be an additional bidding option for those bidders who choose to submit their bids electronically. The Department of Finance and Administration shall provide, by regulation, the standards that agencies must follow when receiving electronic bids. Agencies and governing authorities shall make the appropriate provisions necessary to accept electronic bids from those bidders who choose to submit their bids electronically for all purchases requiring competitive bidding under this section. Any special condition or requirement for the electronic bid submission shall be specified in the advertisement for bids required by this section. Agencies or governing authorities that are currently without available high-speed internet access shall be exempt from the requirement of this subparagraph (v) until such time that high-speed internet access becomes available. Any county having a population of less than twenty thousand (20,000) shall be exempt from the provisions of this subparagraph (v). Any municipality having a population of less than ten thousand (10,000) shall be exempt from the provisions of this subparagraph (v). The provisions of this subparagraph (v) shall not require any bidder to submit bids electronically. When construction bids are submitted electronically, the requirement for including a certificate of responsibility, or a statement that the bid enclosed does not exceed Fifty Thousand Dollars ($50,000.00), on the exterior of the bid envelope as indicated in Section 31-3-21(1) and (2) shall be deemed in compliance with by including same as an attachment with the electronic bid submittal.

(d) Lowest and best bid decision procedure.

(i) Decision procedure. Purchases may be made from the lowest and best bidder. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(ii) Decision procedure for Certified Purchasing Offices. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), Certified Purchasing Offices may also use the following procedure: Purchases may be made from the bidder offering the best value. In determining the best value bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions, documented previous experience, training costs and other relevant provisions, including, but not limited to, a bidder having a local office and inventory located within the jurisdiction of the governing authority, may be included in the best value calculation. This provision shall authorize Certified Purchasing Offices to utilize a Request For Proposals (RFP) process when purchasing commodities. All best value procedures for state agencies must be in compliance with regulations established by the Department

of Finance and Administration. No agency or governing authority shall accept a bid based on items or criteria not included in the specifications.

(iii) Decision procedure for Mississippi Landmarks. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), where purchase involves renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History under the authority of Sections 39-7-7 and 39-7-11, the agency or governing authority may use the following procedure: Purchases may be made from the lowest and best prequalified bidder. Prequalification of bidders shall be determined not less than fifteen (15) working days before the first published notice of bid opening. Prequalification criteria shall be limited to bidder's knowledge and experience in historical restoration, preservation and renovation. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid and prequalification procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(iv) Construction project negotiations authority. If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.

(e) Lease-purchase authorization. For the purposes of this section, the term "equipment" shall mean equipment, furniture and, if applicable, associated software and other applicable direct costs associated with the acquisition. Any lease-purchase of equipment which an agency is not required to lease-purchase under the master lease-purchase program pursuant to Section 31-7-10 and any lease-purchase of equipment which a governing authority elects to lease-purchase may be acquired by a lease-purchase agreement under this paragraph (e). Lease-purchase financing may also be obtained from the vendor or from a third-party source after having solicited and obtained at least two (2) written competitive bids, as defined in paragraph (b) of this section, for such financing without advertising for such bids. Solicitation for the bids for financing may occur before or after acceptance of bids for the purchase of such equipment or, where no such bids for purchase are required, at any time before the purchase thereof. No such lease-purchase agreement shall be for an annual rate of interest which is greater than the overall maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101, and the term of such lease-purchase agreement shall not exceed the useful life of equipment covered thereby as determined according to the upper limit of the asset depreciation range (ADR) guidelines for the Class Life Asset Depreciation Range System established by the Internal Revenue Service pursuant to the United States Internal Revenue Code and regulations thereunder as in effect on December 31, 1980, or comparable depreciation guidelines with respect to any equipment not covered by ADR guidelines. Any lease-purchase agreement entered into pursuant to this paragraph (e) may contain any of the terms and conditions which a master lease-purchase agreement may contain under the provisions of Section 31-7-10(5), and shall contain an annual allocation dependency clause substantially similar to that set forth in Section 31-7-10(8). Each agency or governing authority entering into a lease-purchase transaction pursuant to this paragraph (e) shall maintain with respect to each such lease-purchase transaction the same information as required to be maintained by the Department of Finance and Administration pursuant to Section 31-7-10(13). However, nothing contained in this section shall be construed to permit agencies to acquire items of

equipment with a total acquisition cost in the aggregate of less than Ten Thousand Dollars ($10,000.00) by a single lease-purchase transaction. All equipment, and the purchase thereof by any lessor, acquired by lease-purchase under this paragraph and all lease-purchase payments with respect thereto shall be exempt from all Mississippi sales, use and ad valorem taxes. Interest paid on any lease-purchase agreement under this section shall be exempt from State of Mississippi income taxation.

(f) Alternate bid authorization. When necessary to ensure ready availability of commodities for public works and the timely completion of public projects, no more than two (2) alternate bids may be accepted by a governing authority for commodities. No purchases may be made through use of such alternate bids procedure unless the lowest and best bidder cannot deliver the commodities contained in his bid. In that event, purchases of such commodities may be made from one (1) of the bidders whose bid was accepted as an alternate.

(g) Construction contract change authorization. In the event a determination is made by an agency or governing authority after a construction contract is let that changes or modifications to the original contract are necessary or would better serve the purpose of the agency or the governing authority, such agency or governing authority may, in its discretion, order such changes pertaining to the construction that are necessary under the circumstances without the necessity of further public bids; provided that such change shall be made in a commercially reasonable manner and shall not be made to circumvent the public purchasing statutes. In addition to any other authorized person, the architect or engineer hired by an agency or governing authority with respect to any public construction contract shall have the authority, when granted by an agency or governing authority, to authorize changes or modifications to the original contract without the necessity of prior approval of the agency or governing authority when any such change or modification is less than one percent (1%) of the total contract amount. The agency or governing authority may limit the number, manner or frequency of such emergency changes or modifications.

(h) Petroleum purchase alternative. In addition to other methods of purchasing authorized in this chapter, when any agency or governing authority shall have a need for gas, diesel fuel, oils and/or other petroleum products in excess of the amount set forth in paragraph (a) of this section, such agency or governing authority may purchase the commodity after having solicited and obtained at least two (2) competitive written bids, as defined in paragraph (b) of this section. If two (2) competitive written bids are not obtained, the entity shall comply with the procedures set forth in paragraph (c) of this section. In the event any agency or governing authority shall have advertised for bids for the purchase of gas, diesel fuel, oils and other petroleum products and coal and no acceptable bids can be obtained, such agency or governing authority is authorized and directed to enter into any negotiations necessary to secure the lowest and best contract available for the purchase of such commodities.

(i) Road construction petroleum products price adjustment clause authorization. Any agency or governing authority authorized to enter into contracts for the construction, maintenance, surfacing or repair of highways, roads or streets, may include in its bid proposal and contract documents a price adjustment clause with relation to the cost to the contractor, including taxes, based upon an industry-wide cost index, of petroleum products including asphalt used in the performance or execution of the contract or in the production or manufacture of materials for use in such performance. Such industry-wide index shall be established and published monthly by the Mississippi Department of Transportation with a copy thereof to be mailed, upon request, to the clerks of the governing authority of each municipality and the clerks of each board of supervisors throughout the state. The price adjustment clause shall be based on the cost of such petroleum products only and shall not include any additional profit or overhead as part of the adjustment. The bid proposals or document contract shall contain the basis and methods of adjusting unit prices for the change in the cost of such petroleum products.

(j) State agency emergency purchase procedure. If the governing board or the executive head, or his designees, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the head of such agency, or his designees, shall file with the Department of Finance and Administration (i) a statement explaining the conditions and circumstances of the emergency, which shall include a detailed description of the events leading up to the situation and the negative impact to the entity if the purchase is made following the statutory requirements set forth in paragraph (a), (b) or (c) of this section, and (ii) a certified copy of the appropriate minutes of the board of such agency requesting the emergency purchase, if applicable. Upon receipt of the statement and applicable board certification, the State Fiscal Officer, or his designees, may, in writing, authorize the purchase or repair without having to comply with competitive bidding requirements.

If the governing board or the executive head, or his designees, of any agency determines that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would threaten the health or safety of any person, or the preservation or protection of property, then the provisions in this section for competitive bidding shall not apply, and any officer or agent of the agency having general or specific authority for making the purchase or repair contract shall approve the bill presented for payment, and he shall certify in writing from whom the purchase was made, or with whom the repair contract was made.

Total purchases made under this paragraph (j) shall only be for the purpose of meeting needs created by the emergency situation. Following the emergency purchase, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be filed with the Department of Finance and Administration. Any contract awarded pursuant to this paragraph (j) shall not exceed a term of one (1) year.

Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (j).

(k) Governing authority emergency purchase procedure. If the governing authority, or the governing authority acting through its designee, shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions herein for competitive bidding shall not apply and any officer or agent of such governing authority having general or special authority therefor in making such purchase or repair shall approve the bill presented therefor, and he shall certify in writing thereon from whom such purchase was made, or with whom such a repair contract was made. At the board meeting next following the emergency purchase or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased, the price thereof and the nature of the emergency shall be presented to the board and shall be placed on the minutes of the board of such governing authority. Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (k).

(l) Hospital purchase, lease-purchase and lease authorization.

(i) The commissioners or board of trustees of any public hospital may contract with such lowest and best bidder for the purchase or lease-purchase of any

commodity under a contract of purchase or lease-purchase agreement whose obligatory payment terms do not exceed five (5) years.

(ii) In addition to the authority granted in subparagraph (i) of this paragraph (l), the commissioners or board of trustees is authorized to enter into contracts for the lease of equipment or services, or both, which it considers necessary for the proper care of patients if, in its opinion, it is not financially feasible to purchase the necessary equipment or services. Any such contract for the lease of equipment or services executed by the commissioners or board shall not exceed a maximum of five (5) years' duration and shall include a cancellation clause based on unavailability of funds. If such cancellation clause is exercised, there shall be no further liability on the part of the lessee. Any such contract for the lease of equipment or services executed on behalf of the commissioners or board that complies with the provisions of this subparagraph (ii) shall be excepted from the bid requirements set forth in this section.

(m) Exceptions from bidding requirements. Excepted from bid requirements are:

(i) Purchasing agreements approved by department. Purchasing agreements, contracts and maximum price regulations executed or approved by the Department of Finance and Administration.

(ii) Outside equipment repairs. Repairs to equipment, when such repairs are made by repair facilities in the private sector; however, engines, transmissions, rear axles and/or other such components shall not be included in this exemption when replaced as a complete unit instead of being repaired and the need for such total component replacement is known before disassembly of the component; however, invoices identifying the equipment, specific repairs made, parts identified by number and name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required for the payment for such repairs.

(iii) In-house equipment repairs. Purchases of parts for repairs to equipment, when such repairs are made by personnel of the agency or governing authority; however, entire assemblies, such as engines or transmissions, shall not be included in this exemption when the entire assembly is being replaced instead of being repaired.

(iv) Raw gravel or dirt. Raw unprocessed deposits of gravel or fill dirt which are to be removed and transported by the purchaser.

(v) Governmental equipment auctions. Motor vehicles or other equipment purchased from a federal agency or authority, another governing authority or state agency of the State of Mississippi, or any governing authority or state agency of another state at a public auction held for the purpose of disposing of such vehicles or other equipment. Any purchase by a governing authority under the exemption authorized by this subparagraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(vi) Intergovernmental sales and transfers. Purchases, sales, transfers or trades by governing authorities or state agencies when such purchases, sales, transfers or trades are made by a private treaty agreement or through means of negotiation, from any federal agency or authority, another governing authority or state agency of the State of Mississippi, or any state agency or governing authority of another state. Nothing in this section shall permit such purchases through public auction except as provided for in subparagraph (v) of this paragraph (m). It is the intent of this section to allow governmental entities to dispose of and/or purchase commodities from other governmental entities at a price that is agreed to by both parties. This shall allow for purchases and/or sales at prices which may be determined to be below the market value

if the selling entity determines that the sale at below market value is in the best interest of the taxpayers of the state. Governing authorities shall place the terms of the agreement and any justification on the minutes, and state agencies shall obtain approval from the Department of Finance and Administration, prior to releasing or taking possession of the commodities.

(vii) Perishable supplies or food. Perishable supplies or food purchased for use in connection with hospitals, the school lunch programs, homemaking programs and for the feeding of county or municipal prisoners.

(viii) Single-source items. Noncompetitive items available from one (1) source only. In connection with the purchase of noncompetitive items only available from one (1) source, a certification of the conditions and circumstances requiring the purchase shall be filed by the agency with the Department of Finance and Administration and by the governing authority with the board of the governing authority. Upon receipt of that certification the Department of Finance and Administration or the board of the governing authority, as the case may be, may, in writing, authorize the purchase, which authority shall be noted on the minutes of the body at the next regular meeting thereafter. In those situations, a governing authority is not required to obtain the approval of the Department of Finance and Administration. Following the purchase, the executive head of the state agency, or his designees, shall file with the Department of Finance and Administration, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the source from whom it was purchased.

(ix) Waste disposal facility construction contracts. Construction of incinerators and other facilities for disposal of solid wastes in which products either generated therein, such as steam, or recovered therefrom, such as materials for recycling, are to be sold or otherwise disposed of; however, in constructing such facilities, a governing authority or agency shall publicly issue requests for proposals, advertised for in the same manner as provided herein for seeking bids for public construction projects, concerning the design, construction, ownership, operation and/or maintenance of such facilities, wherein such requests for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, environmental compatibility, legal responsibilities and such other matters as are determined by the governing authority or agency to be appropriate for inclusion; and after responses to the request for proposals have been duly received, the governing authority or agency may select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter contracts with one or more of the persons or firms submitting proposals.

(x) Hospital group purchase contracts. Supplies, commodities and equipment purchased by hospitals through group purchase programs pursuant to Section 31-7-38.

(xi) Information technology products. Purchases of information technology products made by governing authorities under the provisions of purchase schedules, or contracts executed or approved by the Mississippi Department of Information Technology Services and designated for use by governing authorities.

(xii) Energy efficiency services and equipment. Energy efficiency services and equipment acquired by school districts, community and junior colleges, institutions of higher learning and state agencies or other applicable governmental entities on a shared-savings, lease or lease-purchase basis pursuant to Section 31-7-14.

(xiii) Municipal electrical utility system fuel. Purchases of coal and/or natural gas by municipally owned electric power generating systems that have the capacity to use both coal and natural gas for the generation of electric power.

(xiv) Library books and other reference materials. Purchases by libraries or for libraries of books and periodicals; processed film, videocassette tapes, filmstrips and slides; recorded audiotapes, cassettes and diskettes; and any such items as would be used for teaching, research or other information distribution; however, equipment such as projectors, recorders, audio or video equipment, and monitor televisions are not exempt under this subparagraph.

(xv) Unmarked vehicles. Purchases of unmarked vehicles when such purchases are made in accordance with purchasing regulations adopted by the Department of Finance and Administration pursuant to Section 31-7-9(2).

(xvi) Election ballots. Purchases of ballots printed pursuant to Section 23-15-351.

(xvii) Multichannel interactive video systems. From and after July 1, 1990, contracts by Mississippi Authority for Educational Television with any private educational institution or private nonprofit organization whose purposes are educational in regard to the construction, purchase, lease or lease-purchase of facilities and equipment and the employment of personnel for providing multichannel interactive video systems (ITSF) in the school districts of this state.

(xviii) Purchases of prison industry products by the Department of Corrections, regional correctional facilities or privately owned prisons. Purchases made by the Mississippi Department of Corrections, regional correctional facilities or privately owned prisons involving any item that is manufactured, processed, grown or produced from the state's prison industries.

(xix) Undercover operations equipment. Purchases of surveillance equipment or any other high-tech equipment to be used by law enforcement agents in undercover operations, provided that any such purchase shall be in compliance with regulations established by the Department of Finance and Administration.

(xx) Junior college books for rent. Purchases by community or junior colleges of textbooks which are obtained for the purpose of renting such books to students as part of a book service system.

(xxi) Certain school district purchases. Purchases of commodities made by school districts from vendors with which any levying authority of the school district, as defined in Section 37-57-1, has contracted through competitive bidding procedures for purchases of the same commodities.

(xxii) Garbage, solid waste and sewage contracts. Contracts for garbage collection or disposal, contracts for solid waste collection or disposal and contracts for sewage collection or disposal.

(xxiii) Municipal water tank maintenance contracts. Professional maintenance program contracts for the repair or maintenance of municipal water tanks, which provide professional services needed to maintain municipal water storage tanks for a fixed annual fee for a duration of two (2) or more years.

(xxiv) Purchases of Mississippi Industries for the Blind products or services. Purchases made by state agencies or governing authorities involving any item that is manufactured, processed or produced by, or any services provided by, the Mississippi Industries for the Blind.

(xxv) Purchases of state-adopted textbooks. Purchases of state-adopted textbooks by public school districts.

(xxvi) Certain purchases under the Mississippi Major Economic Impact Act. Contracts entered into pursuant to the provisions of Section 57-75-9(2), (3) and (4).

(xxvii) Used heavy or specialized machinery or equipment for installation of soil and water conservation practices purchased at auction. Used heavy or specialized machinery or equipment used for the installation and implementation of soil and water conservation practices or measures purchased subject to the restrictions provided in Sections 69-27-331 through 69-27-341. Any purchase by the State Soil and Water Conservation Commission under the exemption authorized by this subparagraph shall require advance authorization spread upon the minutes of the commission to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(xxviii) Hospital lease of equipment or services. Leases by hospitals of equipment or services if the leases are in compliance with paragraph (l)(ii).

(xxix) Purchases made pursuant to qualified cooperative purchasing agreements. Purchases made by certified purchasing offices of state agencies or governing authorities under cooperative purchasing agreements previously approved by the Office of Purchasing and Travel and established by or for any municipality, county, parish or state government or the federal government, provided that the notification to potential contractors includes a clause that sets forth the availability of the cooperative purchasing agreement to other governmental entities. Such purchases shall only be made if the use of the cooperative purchasing agreements is determined to be in the best interest of the governmental entity.

(xxx) School yearbooks. Purchases of school yearbooks by state agencies or governing authorities; however, state agencies and governing authorities shall use for these purchases the RFP process as set forth in the Mississippi Procurement Manual adopted by the Office of Purchasing and Travel.

(xxxi) Design-build method of contracting and certain other contracts. Contracts entered into under the provisions of Section 31-7-13.1, 37-101-44 or 65-1-85.

(xxxii) Toll roads and bridge construction projects. Contracts entered into under the provisions of Section 65-43-1 or 65-43-3.

(xxxiii) Certain purchases under Section 57-1-221. Contracts entered into pursuant to the provisions of Section 57-1-221.

(xxxiv) Certain transfers made pursuant to the provisions of Section 57-105-1(7). Transfers of public property or facilities under Section 57-105-1(7) and construction related to such public property or facilities.

(xxxv) Certain purchases or transfers entered into with local electrical power associations. Contracts or agreements entered into under the provisions of Section 55-3-33.

(xxxvi) Certain purchases by an academic medical center or health sciences school. Purchases by an academic medical center or health sciences school, as defined in Section 37-115-50, of commodities that are used for clinical purposes and 1. intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease, and 2. medical devices, biological, drugs and radiation-emitting devices as defined by the United States Food and Drug Administration.

(xxxvii) Certain purchases made under the Alyce G. Clarke Mississippi Lottery Law. Contracts made by the Mississippi Lottery Corporation pursuant to the Alyce G. Clarke Mississippi Lottery Law.

(xxxviii) Certain purchases made by the Department of Health and the Department of Revenue. Purchases made by the Department of Health and the Department of Revenue solely for the purpose of fulfilling their respective responsibilities under the Mississippi Medical Cannabis Act. This subparagraph shall stand repealed on June 30, 2026.

(n) Term contract authorization. All contracts for the purchase of:

(i) All contracts for the purchase of commodities, equipment and public construction (including, but not limited to, repair and maintenance), may be let for periods of not more than sixty (60) months in advance, subject to applicable statutory provisions prohibiting the letting of contracts during specified periods near the end of terms of office. Term contracts for a period exceeding twenty-four (24) months shall also be subject to ratification or cancellation by governing authority boards taking office subsequent to the governing authority board entering the contract.

(ii) Bid proposals and contracts may include price adjustment clauses with relation to the cost to the contractor based upon a nationally published industry-wide or nationally published and recognized cost index. The cost index used in a price adjustment clause shall be determined by the Department of Finance and Administration for the state agencies and by the governing board for governing authorities. The bid proposal and contract documents utilizing a price adjustment clause shall contain the basis and method of adjusting unit prices for the change in the cost of such commodities, equipment and public construction.

(o) Purchase law violation prohibition and vendor penalty. No contract or purchase as herein authorized shall be made for the purpose of circumventing the provisions of this section requiring competitive bids, nor shall it be lawful for any person or concern to submit individual invoices for amounts within those authorized for a contract or purchase where the actual value of the contract or commodity purchased exceeds the authorized amount and the invoices therefor are split so as to appear to be authorized as purchases for which competitive bids are not required. Submission of such invoices shall constitute a misdemeanor punishable by a fine of not less than Five Hundred Dollars ($500.00) nor more than One Thousand Dollars ($1,000.00), or by imprisonment for thirty (30) days in the county jail, or both such fine and imprisonment. In addition, the claim or claims submitted shall be forfeited.

(p) Electrical utility petroleum-based equipment purchase procedure. When in response to a proper advertisement therefor, no bid firm as to price is submitted to an electric utility for power transformers, distribution transformers, power breakers, reclosers or other articles containing a petroleum product, the electric utility may accept the lowest and best bid therefor although the price is not firm.

(q) Fuel management system bidding procedure. Any governing authority or agency of the state shall, before contracting for the services and products of a fuel management or fuel access system, enter into negotiations with not fewer than two (2) sellers of fuel management or fuel access systems for competitive written bids to provide the services and products for the systems. In the event that the governing authority or agency cannot locate two (2) sellers of such systems or cannot obtain bids from two (2) sellers of such systems, it shall show proof that it made a diligent, good-faith effort to locate and negotiate with two (2) sellers of such systems. Such proof shall include, but not be limited to, publications of a request for proposals and letters soliciting negotiations and bids. For purposes of this paragraph (q), a fuel management or fuel access system is an automated system of acquiring fuel for vehicles as well as management reports detailing fuel use by vehicles and drivers, and the term "competitive written bid" shall have the meaning as defined in paragraph (b) of this section. Governing authorities and agencies shall be exempt from this process when contracting for the services and

products of fuel management or fuel access systems under the terms of a state contract established by the Office of Purchasing and Travel.

(r) Solid waste contract proposal procedure. Before entering into any contract for garbage collection or disposal, contract for solid waste collection or disposal or contract for sewage collection or disposal, which involves an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), a governing authority or agency shall issue publicly a request for proposals concerning the specifications for such services which shall be advertised for in the same manner as provided in this section for seeking bids for purchases which involve an expenditure of more than the amount provided in paragraph (c) of this section. Any request for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, legal responsibilities and other relevant factors as are determined by the governing authority or agency to be appropriate for inclusion; all factors determined relevant by the governing authority or agency or required by this paragraph (r) shall be duly included in the advertisement to elicit proposals. After responses to the request for proposals have been duly received, the governing authority or agency shall select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter into contracts with one or more of the persons or firms submitting proposals. If the governing authority or agency deems none of the proposals to be qualified or otherwise acceptable, the request for proposals process may be reinitiated. Notwithstanding any other provisions of this paragraph, where a county with at least thirty-five thousand (35,000) nor more than forty thousand (40,000) population, according to the 1990 federal decennial census, owns or operates a solid waste landfill, the governing authorities of any other county or municipality may contract with the governing authorities of the county owning or operating the landfill, pursuant to a resolution duly adopted and spread upon the minutes of each governing authority involved, for garbage or solid waste collection or disposal services through contract negotiations.

(s) Minority set-aside authorization. Notwithstanding any provision of this section to the contrary, any agency or governing authority, by order placed on its minutes, may, in its discretion, set aside not more than twenty percent (20%) of its anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the Department of Finance and Administration and shall be subject to bid requirements under this section. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder. For the purposes of this paragraph, the term "minority business" means a business which is owned by a majority of persons who are United States citizens or permanent resident aliens (as defined by the Immigration and Naturalization Service) of the United States, and who are Asian, Black, Hispanic or Native American, according to the following definitions:

(i) "Asian" means persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(ii) "Black" means persons having origins in any black racial group of Africa.

(iii) "Hispanic" means persons of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.

(iv) "Native American" means persons having origins in any of the original people of North America, including American Indians, Eskimos and Aleuts.

(t) Construction punch list restriction. The architect, engineer or other representative designated by the agency or governing authority that is contracting for public construction or renovation may prepare and submit to the contractor only one (1) preliminary punch list of items that do not meet the contract requirements at the time of

substantial completion and one (1) final list immediately before final completion and final payment.

(u) Procurement of construction services by state institutions of higher learning. Contracts for privately financed construction of auxiliary facilities on the campus of a state institution of higher learning may be awarded by the Board of Trustees of State Institutions of Higher Learning to the lowest and best bidder, where sealed bids are solicited, or to the offeror whose proposal is determined to represent the best value to the citizens of the State of Mississippi, where requests for proposals are solicited.

(v) Insurability of bidders for public construction or other public contracts. In any solicitation for bids to perform public construction or other public contracts to which this section applies, including, but not limited to, contracts for repair and maintenance, for which the contract will require insurance coverage in an amount of not less than One Million Dollars ($1,000,000.00), bidders shall be permitted to either submit proof of current insurance coverage in the specified amount or demonstrate ability to obtain the required coverage amount of insurance if the contract is awarded to the bidder. Proof of insurance coverage shall be submitted within five (5) business days from bid acceptance.

(w) Purchase authorization clarification. Nothing in this section shall be construed as authorizing any purchase not authorized by law.

(x) Mississippi Regional Pre-Need Disaster Clean Up Act. (i) * * * The Department of Finance and Administration shall develop and implement a process that creates a preferred vendor list for both disaster debris removal and monitoring.

(ii) Any board of supervisors of any county or any governing authority of any municipality may opt in to the benefits and services provided under the appropriate and relevant contract established in subparagraph (i) of this paragraph at the time of a disaster event in that county or municipality. At the time of opt in, the county or municipality shall assume responsibility for payment in full to the contractor for the disaster-related solid waste collection, disposal or monitoring services provided. Nothing in this subparagraph (ii) shall be construed as requiring a county or municipality to opt in to any such contract established in subparagraph (i) of this paragraph.

SECTION 2. Section 31-7-67, Mississippi Code of 1972, is amended as follows:

31-7-67. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "sUAS" means a small unmanned aircraft system, also called a drone, including the unmanned aircraft itself and any additional support equipment, control stations, data links, telemetry, communications and navigation equipment or any other equipment necessary to operate the unmanned aircraft.

(b) "Domestic manufacturer" means a manufacturing company incorporated and headquartered in the United States of America and whose majority ownership is comprised of American citizens and which manufactures drones at a facility in the United States of America. If such company is owned by another entity, that entity must also be an American company.

(c) "Domestic sUAS company" means a company which provides maintenance, repair, and other technical services for small unmanned aircraft systems, including drones, which is incorporated, headquartered and primarily provides such services in the United States of America.

(d) "Collision avoidance system" means a system of hardware or software designed to mitigate collision risk for drones.

(2) Beginning January 1, 2025, all small unmanned aircraft systems and drones purchased by the State of Mississippi or any agency or political subdivision thereof shall be purchased exclusively from a domestic manufacturer and shall possess collision avoidance systems. All maintenance, repair and other technical services on drones owned by the State of Mississippi or any agency or political subdivision thereof shall be performed by a domestic sUAS company. All infrastructure inspection services requiring the use of sUAS and contracted for on behalf of the State shall be performed using domestically manufactured sUAS.

(3) In public procurement under Title 31, Chapter 7, domestic manufacturers operating within the State of Mississippi shall be granted a ten percent (10%) bid preference over non-Mississippi manufacturers and domestic sUAS companies shall be granted a ten percent (10%) bid preference over non-Mississippi companies. Additionally, all agencies and public entities may solicit a minimum of one (1) bid from a Mississippi-based small unmanned aircraft system manufacturer.

(4) Except as provided in subsection (6), an agency may not purchase or operate a small unmanned aircraft system manufactured in the People's Republic of China. For purposes of this section, the term "manufactured" includes a small unmanned aircraft system that is assembled in a country other than the People's Republic of China but which is comprised of more than a negligible amount of parts, software, components or raw materials originating in the People's Republic of China.

(5) The provisions of this section shall not apply to a state institution of higher learning with a federally designated research center when such institution is conducting research regarding sUAS and related matters.

(6) The provisions of this section shall not apply to small unmanned aircraft systems manufactured in the People's Republic of China and purchased prior to January 1, 2025.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEVELOP AND IMPLEMENT A PROCESS THAT CREATES A PREFERRED VENDOR LIST FOR DISASTER DEBRIS REMOVAL AND MONITORING; TO AMEND SECTION 31-7-67, MISSISSIPPI CODE OF 1972, TO STIPULATE THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO SMALL UNMANNED AIRCRAFT SYSTEMS MANUFACTURED IN THE PEOPLE'S REPUBLIC OF CHINA AND PURCHASED PRIOR TO JANUARY 1, 2025; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Henry Zuber III	Bart Williams
Fred Shanks	Scott DeLano
Jill Ford	David Parker

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 297** (version 2) was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan offered the following report of the Conference Committee on **H. B. No. 315** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 315: Mississippi Code; modernize terminology by replacing "mentally retarded" with "intellectual disability".

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

AMEND by striking Section 8 in its entirety and renumbering the subsequent sections accordingly.

FURTHER, AMEND on line 2161 by striking "July 1, 2024" and inserting "its passage" in lieu thereof.

FURTHER, AMEND the title to conform by striking "AND 43-18-1" and inserting "AND" after "41-7-191" on line 2.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Sam Creekmore IV	Hob Bryan
Lee Yancey	David Parker
Andrew Stepp	Rita Potts Parks

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 315** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

_____

Senator Thompson offered the following report of the Conference Committee on **H. B. No. 652** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 652: State Port Authority and other ports; delete repealer on authority to use design-build method of contracting.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 59-5-37, Mississippi Code of 1972, is amended as follows:

59-5-37. (1) The board or State Port Authority, in the performance of its duties, may employ such personnel and make all contracts and purchases incidental to or necessary for the advancement, promotion, development, establishment, insurance, maintenance, repair, improvement and operation of any ports, harbors, rivers, channels and waterways including, if required for its protection, retirement benefits, workers' compensation insurance and other employee benefits for the benefit of any employees of the board or State Port Authority. The board or State Port Authority may establish a trade development and promotion account to pay all direct and necessary expenses for the promotion and development of the state port. The authority is granted the power to sue and be sued in its own name.

(2) (a) The board or State Port Authority may, in its discretion, make such contracts or purchases according to the state purchasing laws. Contracts let for any port, harbor, river, channel or waterway improvements shall be advertised as required by law for the letting of public contracts, and such contracts shall be awarded to the lowest and best bidder who shall make bond as shall be required by the board or State Port Authority conditioned for the faithful prosecution and completion of work according to such contracts, such bond to be furnished by a corporate surety company qualified to do business in this state. However, the board may negotiate and enter into contracts with responsible lessees for the construction of facilities by lessees, such as those referred to in Section 59-5-11, and the acquisition thereof by the board upon such terms and conditions and for such amount as may be approved by the board.

(b) The State Port Authority shall be considered to be a "governing authority" under the state public purchasing laws as that term is defined in Section 31-7-1 and used in Sections 31-7-1 through 31-7-73, and shall not be subject to the jurisdiction of the Department of Finance and Administration, the Public Procurement Review Board or the Bureau of Building, Grounds and Real Property Management under the provisions of Sections 27-104-7, 29-5-2 and 31-11-3.

(3) (a) The board or State Port Authority, in its discretion, may use the design-build method of contracting for the renovation, repair and/or making of other improvements to not more than one (1) freezer and related equipment and/or facilities at the State Port at Gulfport, Mississippi. Notwithstanding any other provision of law to the contrary, any port or port commission may use the design-build method of contracting for the renovation, repair and/or making of other improvements to equipment and/or facilities at the port. For the purposes of this subsection (3), the term "design-build method of contracting" means a contract that combines the design and construction phases of a project into a single contract and the contractor is required to satisfactorily perform, at a minimum, both the design and construction of the project.

(b) This subsection (3) shall stand repealed from and after July 1, * * * 2027.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 59-5-37, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE PROVISION OF LAW WHICH AUTHORIZES THE STATE PORT AUTHORITY AND OTHER PORTS AND PORT COMMISSIONS TO USE THE DESIGN-BUILD METHOD OF CONTRACTING FOR CERTAIN PROJECTS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Jeffrey S. Guice	Mike Thompson
Kevin Ford	Daniel H. Sparks
Jimmy Fondren	Philman Ladner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 652** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Sparks offered the following report of the Conference Committee on **H. B. No. 770** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 770: MS Office of Workforce Development; extend exemption from Public Procurement Review Board rental agreement requirements.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-153-7, Mississippi Code of 1972, is amended as follows:

37-153-7. (1) There is created the Mississippi Office of Workforce Development and the Mississippi State Workforce Investment Board, which shall serve as the advisory board for the office. The Mississippi State Workforce Investment Board shall be composed of thirty-one (31) voting members, of which a majority shall be representatives of business and industry in accordance with the federal Workforce Innovation and Opportunity Act, or any successive acts.

(2) The members of the State Workforce Investment Board shall include:

(a) The Governor, or his designee;

(b) Nineteen (19) members, appointed by the Governor, of whom:

(i) A majority shall be representatives of businesses in the state, who:

1. Are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority, and who, in addition, may be members of a local board described in Section 3122(b)(2)(A)(i) of the federal Workforce Innovation and Opportunity Act. At least two (2) of the members appointed under this item 1. shall be small business owners, chief executives or operating officers of businesses with less than fifty (50) employees;

2. Represent businesses, including small businesses, or organizations representing businesses, which provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in high-demand industry sectors or occupations in the state; and

3. Are appointed from among individuals nominated by state business organizations and business trade associations;

(ii) Not less than twenty percent (20%) shall consist of representatives of the workforce within the state, which:

1. Includes labor organization representatives who have been nominated by state labor federations;

2. Includes a labor organization member or training director from an apprenticeship program in the state, which shall be a joint labor-management apprenticeship program if such a program exists in the state;

3. May include representatives of community-based organizations, including organizations serving veterans or providing or supporting competitive, integrated employment for individuals with disabilities, who have demonstrated experience and expertise in addressing employment, training or education needs of individuals with barriers to employment; and

4. May include representatives of organizations, including organizations serving out-of-school youth, who have demonstrated experience or expertise in addressing the employment, training or education needs of eligible youth;

(iii) The balance shall include government representatives, including the lead state officials with primary responsibility for core programs, and chief elected officials (collectively representing both cities and counties, where appropriate);

(c) Two (2) representatives of businesses in the state appointed by the Lieutenant Governor;

(d) Two (2) representatives of businesses in the state appointed by the Governor from a list of three (3) recommendations from the Speaker of the House; and

(e) The following state officials:

(i) The Executive Director of the Mississippi Department of Employment Security;

(ii) The Executive Director of the Department of Rehabilitation Services;

(iii) The State Superintendent of Public Education;

(iv) The Executive Director of the Mississippi Development Authority;

(v) The Executive Director of the Mississippi Community College Board;

(vi) The President of the Community College Association; and

(vii) The Commissioner of * * * Higher * * * Education.

(f) One (1) senator, appointed by the Lieutenant Governor, and one (1) representative, appointed by the Speaker of the House, shall serve on the state board in a nonvoting capacity.

(g) The Governor may appoint additional members if required by the federal Workforce Innovation and Opportunity Act, or any successive acts.

(h) Members of the board shall serve a term of four (4) years, and shall not serve more than three (3) consecutive terms.

(i) The membership of the board shall reflect the diversity of the State of Mississippi.

(j) The Governor shall designate the Chairman of the Mississippi State Workforce Investment Board from among the business and industry voting members of the board, and a quorum of the board shall consist of a majority of the voting members of the board.

(k) The voting members of the board who are not state employees shall be entitled to reimbursement of their reasonable expenses in the manner and amount specified in Section 25-3-41 and shall be entitled to receive per diem compensation as authorized in Section 25-3-69.

(3) Members of the state board may be recalled by their appointing authority for cause, including a felony conviction, fraudulent or dishonest acts or gross abuse of discretion, failure to meet board member qualifications, or chronic failure to attend board meetings.

(4) The Mississippi Department of Employment Security shall establish limits on administrative costs for each portion of Mississippi's workforce development system consistent with the federal Workforce Investment Act or any future federal workforce legislation.

(5) The Mississippi State Workforce Investment Board shall have the following duties * * *, which are intended to be consistent with the scope of duties provided in the

federal Workforce Innovation and Opportunity Act, amendments and successor legislation to this act, and other relevant federal law:

(a) Through the office, develop and submit to the Governor, Lieutenant Governor and Speaker of the House a strategic plan for an integrated state workforce development system that aligns resources and structures the system to more effectively and efficiently meet the demands of Mississippi's employers and job seekers. This plan will comply with the federal Workforce Investment Act of 1998, as amended, the federal Workforce Innovation and Opportunity Act of 2014 and amendments and successor legislation to these acts;

(b) Assist the Governor, Lieutenant Governor and Speaker of the House in the development and continuous improvement of the statewide workforce investment system that shall include:

(i) Development of linkages in order to assure coordination and nonduplication among programs and activities; and

(ii) Review local workforce development plans that reflect the use of funds from the federal Workforce Investment Act, Workforce Innovation and Opportunity Act, the Wagner-Peyser Act and the amendment or successor legislation to the acts, and the Mississippi Comprehensive Workforce Training and Education Consolidation Act;

(c) Recommend to the office the designation of local workforce investment areas as required in Section 116 of the federal Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014. There shall be four (4) workforce investment areas that are generally aligned with the planning and development district structure in Mississippi. Planning and development districts will serve as the fiscal agents to manage Workforce Investment Act funds, oversee and support the local workforce investment boards aligned with the area and the local programs and activities as delivered by the one-stop employment and training system. The planning and development districts will perform this function through the provisions of the county cooperative service districts created under Sections 19-3-101 through 19-3-115; however, planning and development districts currently performing this function under the Interlocal Cooperation Act of 1974, Sections 17-13-1 through 17-13-17, may continue to do so;

(d) Assist the Governor in the development of an allocation formula for the distribution of funds for adult employment and training activities and youth activities to local workforce investment areas;

(e) Recommend comprehensive, results-oriented measures that shall be applied to all of Mississippi's workforce development system programs;

(f) Assist the Governor in the establishment and management of a one-stop employment and training system conforming to the requirements of the federal Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014, as amended, recommending policy for implementing the Governor's approved plan for employment and training activities and services within the state. In developing this one-stop career operating system, the Mississippi State Workforce Investment Board, in conjunction with local workforce investment boards, shall:

(i) Design broad guidelines for the delivery of workforce development programs;

(ii) Identify all existing delivery agencies and other resources;

(iii) Define appropriate roles of the various agencies to include an analysis of service providers' strengths and weaknesses;

(iv) Determine the best way to utilize the various agencies to deliver services to recipients; and

(v) Develop a financial plan to support the delivery system that shall, at a minimum, include an accountability system;

(g) To provide authority, in accordance with any executive order of the Governor, for developing the necessary collaboration among state agencies at the highest level for accomplishing the purposes of this article;

(h) To monitor the effectiveness of the workforce development centers and WIN job centers;

(i) To advise the Governor, public schools, community * * * and junior colleges and institutions of higher learning on effective school-to-work transition policies and programs that link students moving from high school to higher education and students moving between community colleges and four-year institutions in pursuit of academic and technical skills training;

(j) To work with industry to identify barriers that inhibit the delivery of quality workforce education and the responsiveness of educational institutions to the needs of industry;

(k) To provide periodic assessments on effectiveness and results of the overall Mississippi comprehensive workforce development system and district councils;

(l) Develop broad statewide development goals, including a goal to raise the state's labor force participation rate;

(m) Perform a comprehensive review of Mississippi's workforce development efforts, including the amount spent and effectiveness of programs supported by state or federal money; and

(n) To assist the Governor in carrying out any other responsibility required by the federal Workforce Investment Act of 1998, as amended and the Workforce Innovation and Opportunity Act, successor legislation and amendments.

(6) The Mississippi State Workforce Investment Board shall coordinate all training programs and funds within its purview, consistent with the federal Workforce Investment Act, Workforce Innovation and Opportunity Act, amendments and successor legislation to these acts, and other relevant federal law.

Each state agency director responsible for workforce training activities shall advise the Mississippi Office of Workforce Development and the State Workforce Investment Board of appropriate federal and state requirements. Each state agency, department and institution shall report any monies received for workforce training activities or career and technical education and a detailed itemization of how those monies were spent to the state board. The board shall compile the data and provide a report of the monies and expenditures to the Chairs of the House and Senate Appropriations Committee, the Chair of the House Workforce Development Committee and the Chair of the Senate Economic and Workforce Development Committee by October 1 of each year. Each such state agency director shall remain responsible for the actions of his agency; however, each state agency and director shall work cooperatively to fulfill the state's goals.

(7) The State Workforce Investment Board shall establish an executive committee, which shall consist of the following State Workforce Investment Board members:

(a) The Chair of the State Workforce Investment Board;

(b) Two (2) business representatives currently serving on the state board selected by the Governor;

(c) The two (2) business representatives currently serving on the state board appointed by the Lieutenant Governor;

(d) The two (2) business representatives currently serving on the state board appointed by the Governor from a list of three (3) recommendations from the Speaker of the House;

(e) The two (2) legislators, who shall serve in a nonvoting capacity, one (1) of whom shall be appointed by the Lieutenant Governor from the membership of the Mississippi Senate and one (1) of whom shall be appointed by the Speaker of the House of Representatives from the membership of the Mississippi House of Representatives.

(8) The executive committee shall select an executive director of the Office of Workforce Development, with the advice and consent of a majority of the State Workforce Investment Board. The executive committee shall seek input from economic development organizations across the state when selecting the executive director. The executive director shall:

(a) Be a person with extensive experience in development of economic, human and physical resources, and promotion of industrial and commercial development. The executive director shall have a bachelor's degree from a state-accredited institution and no less than eight (8) years of professional experience related to workforce or economic development;

(b) Perform the functions necessary for the daily operation and administration of the office, with oversight from the executive committee and the State Workforce Investment Board, to fulfill the duties of the state board as described in Chapter 476, Laws of 2020;

(c) Hire staff needed for the performance of his or her duties under Chapter 476, Laws of 2020. The executive director, with approval from the executive committee, shall set the compensation of any hired employees from any funds made available for that purpose;

(d) Enter any part of the Mississippi Community College Board, individual community and junior colleges, or other workforce training facilities operated by the state or its subdivisions;

(e) Serve at the will and pleasure of the executive committee;

(f) Promulgate rules and regulations, subject to oversight by the executive committee, not inconsistent with this article, as may be necessary to enforce the provisions in Chapter 476, Laws of 2020; and

(g) Perform any other actions he or she, in consultation with the executive committee, deems necessary to fulfill the duties under Chapter 476, Laws of 2020.

(9) The Office of Workforce Development and Mississippi Community College Board shall collaborate in the administration and oversight of the Mississippi Workforce Enhancement Training Fund and Mississippi Works Fund, as described in Section 71-5-353. The executive director shall maintain complete and exclusive operational control of the office's functions.

(10) The office shall file an annual and a quarterly report with the Governor, Secretary of State, President of the Senate, Speaker of the House, Chairman of the House Workforce Development Committee and Chairman of the Senate Economic and

Workforce Development Committee. The annual report shall be filed not later than October 1 of each year regarding all funds approved by the office to be expended on workforce training during the prior calendar year. The quarterly and annual reports shall include:

(a) Information on the performance of the Mississippi Workforce Enhancement Training Fund and the Mississippi Works Fund, in terms of adding value to the local and state economy, the contribution to future growth of the state economy, and movement toward state goals, including increasing the labor force participation rate;

(b) With respect to specific workforce training projects:

(i) The location of the training;

(ii) The amount allocated to the project;

(iii) The purpose of the project;

(iv) The specific business entity that is the beneficiary of the project;

(v) The number of employees intended to be trained and actually trained, if applicable, in the course of the project; and

(vi) The types of funds used for the project;

(c) With respect to the grants that have been awarded under the Mississippi K-12 Workforce Development Grant Program created in Section 37-153-221:

(i) The entity that was awarded the grant;

(ii) The amount allocated to the grant;

(iii) The purpose of the grant; * * *

(iv) How the grant has been used since it was awarded; and

(d) With respect to the office's authority to select tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office:

(i) The policies that the office has adopted or amended on the process for the selection of tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office;

(ii) The eligible entities that the office determined may provide services, such as companies, nonprofit organizations, or other similar groups;

(iii) Any tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office, that have been selected by the office; and

(iv) What entity received the benefit of the tools and resources that were selected.

(e) All information concerning a proposed project which is provided to the executive director shall be kept confidential. Except as provided in subsections (13) and (14), such confidentiality shall not limit disclosure under the Mississippi Public Records Act of 1983 of records describing the nature, quantity, cost or other pertinent information

related to the activities of, or services performed using, the Mississippi Workforce Enhancement Training Fund or the Mississippi Works Fund.

(11) In addition to other powers and duties provided in this section, the Office of Workforce Development shall also have the following powers and duties:

(a) Direct access to accounting and banking statements for all funds under its direction to ensure accurate and efficient management of funds and to improve internal control;

(b) The ability to enter into nondisclosure agreements to effectively support economic development activities and the proprietary nature of customized training for existing and new industry;

(c) To adopt and promulgate such rules and regulations as may be necessary or desirable for the purpose of implementing the Mississippi K-12 Workforce Development Grant Program created in Section 37-153-221;

(d) To receive contributions, donations, gifts, bequests of money, other forms of financial assistance and property, equipment, materials or manpower from persons, foundations, trust funds, corporations, organizations and other sources, public or private, made to the office, and may expend or use the same in accordance with the conditions prescribed by the donor, provided that no such condition is contrary to any provision of law;

(e) To contract with state agencies, governing authorities or economic and workforce development entities for shared programmatic efforts and support service or joint employment of personnel in order to further the office's purposes;

(f) To determine, subject to appropriation, the need for and, if desired, the selection of tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office, through processes established in policies adopted by the office that are deemed to be practical, feasible and in the public interest. These processes shall outline eligible entities that may provide such services, such as companies, nonprofit organizations, or other similar groups and shall ensure the office determines metrics for success, including deliverables as required by the office;

(g) To implement the career coaching program provided for in Section 37-73-3;

(h) To provide career coaches with access to technology to develop customized career pathways and connect students with post-secondary and employment opportunities matching their skills and interests; and

(i) To implement and oversee programs providing support to community and junior colleges for training needs that may arise when new businesses locate in Mississippi, to include providing support to existing industries that may lose employees as a result of the new business.

Through December 31, * * * 2026, the provisions of Section 27-104-7 related to rental agreements or leasing of real property for the purpose of conducting agency business shall not apply to the office.

(12) Nothing in Chapter 476, Laws of 2020 [Senate Bill No. 2564] shall void or otherwise interrupt any contract, lease, grant or other agreement previously entered into by the State Workforce Investment Board, Mississippi Community College Board, individual community or junior colleges, or other entities.

(13) Any records of the office which contain client information from the Mississippi Development Authority or local economic development entities concerning development projects shall be exempt from the provisions of the Mississippi Public Records Act of 1983 for a period of two (2) years after receipt of the information by the office. Confidential client information as described in this section shall not include the information which must be disclosed by the certified applicant related to a qualified economic development project in the annual report described in Section 57-1-759.

(14) Confidential client information in public records held by the office shall be exempt from the provisions of the Mississippi Public Records Act of 1983 during any period of review and negotiation on a project proposal facilitated by the Mississippi Development Authority or local economic development entities and for a period of thirty (30) days after approval, disapproval or abandonment of the proposal not to exceed one (1) year.

SECTION 2. Section 27-104-7, Mississippi Code of 1972, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be

appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars ($1,000,000.00) in the source's business, whichever is smaller. No member shall be an officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(d) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(e) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:

(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board. The information shall be provided sufficiently in advance of the time the space is needed to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements.

Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

(i) Black: having origins in any of the black racial groups of Africa;

(ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;

(iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;

(iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or

(v) Female;

(e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;

(f) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, promulgate rules and regulations governing the solicitation and selection of contractual services personnel, including personal and professional services contracts for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of:

1. Any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c);

2. Any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services;

3. Any personal service contracts entered into by the individual state institutions of higher learning;

4. Any personal service contracts entered into by the Mississippi Department of Transportation;

5. Any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department of Human Services determines would be useful in establishing and operating the Department of Child Protection Services;

6. Any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019;

7. Any contracts for entertainers and/or performers at the Mississippi State Fairgrounds entered into by the Mississippi Fair Commission;

8. Any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services;

9. Any contract entered into by the Department of Public Safety for service on specialized equipment and/or software required for the operation of such specialized equipment for use by the Office of Forensics Laboratories;

10. Any personal or professional service contract entered into by the Mississippi Department of Health or the Department of Revenue solely in connection with their respective responsibilities under the Mississippi Medical Cannabis Act from February 2, 2022, through June 30, 2026;

11. Any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, or utility rate expert services;

12. Any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022;

13. Any personal or professional services contract entered into by the State Department of Health in carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program through June 30, 2026; and

14. And any personal or professional services contract entered into by the Mississippi Department of Environmental Quality in carrying out its responsibilities under the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022, through June 30, 2026.

Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may propose shall be submitted to the Chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act.

(ii) From and after July 1, 2024, the Public Procurement Review Board shall promulgate rules and regulations that require the Department of Finance and Administration to conduct personal and professional services solicitations as provided in subparagraph (i) of this paragraph for those services in excess of Seventy-five Thousand Dollars ($75,000.00) for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority, with assistance to be provided from these entities. Any powers that have been conferred upon agencies in order to comply with the provisions of this section for personal and professional services solicitations shall be conferred upon the Department of Finance and Administration to conduct personal and professional services solicitations for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority for those services in excess of Seventy-five Thousand Dollars ($75,000.00). The Department of Finance and Administration shall make any submissions that are required to be made by other agencies to the Public Procurement Review Board for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority.

The provisions of this subparagraph (ii) shall stand repealed on June 30, 2027;

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars ($75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection (2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the procurements are made from other governmental entities, the private sector need not be solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed, contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;

(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;

2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;

3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;

4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and

5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (o) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the

Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review or approval, the Public Procurement Review Board shall clearly set out the reasons for its action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1) source. A memorandum shall accompany the request form and address the following four (4) points:

(a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;

(b) Explanation of why this vendor is the only practicably available source from which to obtain this service;

(c) Explanation of why the price is considered reasonable; and

(d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise, the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts. Nothing in this section shall impair or limit the authority of the State Treasurer to enter into any personal or professional services contracts involving the management of trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

(9) Through December 31, * * * 2026, the provisions of this section related to rental agreements or leasing of real property for the purpose of conducting agency business shall not apply to the Office of Workforce Development created in Section 37-153-7.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTIONS 37-153-7 AND 27-104-7, MISSISSIPPI CODE OF 1972, TO EXTEND THE EXPIRATION DATE ON THE EXEMPTION FOR THE OFFICE OF WORKFORCE DEVELOPMENT FROM THE REQUIREMENTS OF THE PUBLIC PROCUREMENT REVIEW BOARD WHICH RELATE TO RENTAL AGREEMENTS AND THE LEASING OF REAL PROPERTY FOR PURPOSES OF CONDUCTING AGENCY BUSINESS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Donnie Bell	Daniel H. Sparks
Dana McLean	Andy Berry
Beth Luther Waldo	Benjamin Suber

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 770** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill, Polk. Total--2.

Senator Suber offered the following report of the Conference Committee on **H. B. No. 1123** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1123: MDOT; authorize the transfer and conveyance of certain real property to Greene County Board of Supervisors.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Mississippi Transportation Commission, acting on behalf of the Mississippi Department of Transportation, is authorized to transfer and convey to the Board of Supervisors of Greene County, a certain parcel of land situated in Greene County, where the Chickasawhay River Bridge was once located, for the purpose of declaring the tract of land surplus property and restoring it to the local tax rolls, as it is better suited for private ownership. The property is more particularly described as follows:

That portion of Old Highway 63 in Section 12, Township 2 North, Range 6 West more particularly described as being

200 feet in total width (100 feet left of centerline and

100 feet right of centerline) beginning at station

number 60+30 depicted in the plans of MDOT Project

BR-1132-(3)A. Said parcel being 2,130 feet in total

length and consisting of approximately 9.78 acres.

(2) (a) Of the property described in subsection (1) of this section, it is hereby understood and agreed by the Board of Supervisors of Greene County, as the grantee herein named, that all existing utilities located on, under or above the property herein described, shall remain at the discretion of the utility owners, and that the grantee, its assigns or successor boards in the title will not require the relocation of these utilities except by agreement with the utility owner.

(b) This conveyance is subject to the provisions that no junkyards, as defined in 23 USCS Section 136, shall be hereafter established or maintained on or above-described lands, and no signs, billboards, outdoor advertising structures or advertisement of any kind, as provided for in 23 USCS Section 131, shall be hereafter erected, displayed, placed or maintained upon or within the above-described land, except

that signs may be erected and maintained to advertise the sale, hire or lease of the property, or principal activities conducted on the land upon which the signs are located.

(3) The State of Mississippi shall retain all mineral rights to the real property transferred under this section.

(4) The Mississippi Department of Transportation is authorized to correct any discrepancies in the legal description of the property provided in this section.

SECTION 2. (1) The State Transportation Commission, acting on behalf of the Mississippi Department of Transportation is authorized to sell, in exchange for fair market value, to the City of Marks, Mississippi, its interest in certain real property and any improvements thereon located in Marks, Mississippi, known as the "Marks Community Park," and being more particularly described as follows:

The Southwest Quadrant of the intersection of State Highways Numbers 3 and 6, in the City of Marks, Mississippi, Quitman County.

(2) (a) Of the property described in subsection (1) of this section, it is hereby understood and agreed by the City of Marks, Mississippi, as the grantee herein named, that all existing utilities located on, under or above the property herein described, shall remain at the discretion of the utility owners, and that the grantee, its assigns or successors in the title will not require the relocation of these utilities except by agreement with the utility owner.

(b) This conveyance is subject to the provisions that no junkyards, as defined in 23 USCS Section 136, shall be hereafter established or maintained on the above-described lands, and no signs, billboards, outdoor advertising structures or advertisement of any kind, as provided for in 23 USCS Section 131, shall be hereafter erected, displayed, placed or maintained upon or within the above-described land, except that signs may be erected and maintained to advertise the sale, hire or lease of the property, or principal activities conducted on the land upon which the signs are located.

(3) The State of Mississippi shall retain all mineral rights to the real property transferred under this section.

(4) The Mississippi Department of Transportation is authorized to correct any discrepancies in the legal description of the property provided in this section.

(5) Any expenses incurred in conducting a survey of the property shall be paid for by the City of Marks, Mississippi.

SECTION 3. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION, ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, TO TRANSFER AND CONVEY TO THE BOARD OF SUPERVISORS OF GREENE COUNTY, MISSISSIPPI, A CERTAIN PARCEL OF LAND SITUATED IN GREENE COUNTY, MISSISSIPPI, WHICH IS ADJACENT TO THE OLD HIGHWAY 63 CHICKASAWHAY RIVER BRIDGE; TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION, ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, TO SELL TO THE CITY OF MARKS, MISSISSIPPI, FOR FAIR MARKET VALUE, ITS INTEREST IN A CERTAIN PARCEL OF LAND SITUATED IN MARKS, MISSISSIPPI, WHICH IS THE SOUTHWEST QUADRANT

OF THE INTERSECTION OF STATE HIGHWAYS 3 AND 6; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Steve Massengill	Benjamin Suber
Elliot Burch	Albert Butler
Josh Hawkins	Chris Johnson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1123** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

_____

Senator Parker offered the following report of the Conference Committee on **H. B. No. 1487** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1487: Capitol Complex Improvement District; revise boundaries of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 29-5-203, Mississippi Code of 1972, is amended as follows:

[Through June 30, 2025, this section shall read as follows:]

29-5-203. There is created the Capitol Complex Improvement District to be composed of the following described area in the City of Jackson, Mississippi, that surrounds the State Capitol Building:

CAPITOL COMPLEX PROPOSED BOUNDARIES

Beginning at a point on the west bank of the Pearl River determined by extending the south curb line of High Street east until it meets the bank of the Pearl River;

Then north along the west bank of the Pearl River until it reaches a point on such bank determined by extending the north curb line of Northside Drive until it meets the bank of the Pearl River;

Then west along the north curb line of Northside Drive until it reaches the west track of the Illinois Central Railroad line;

Then south along the west track of the Illinois Central Railroad line to the north curb line of Mitchell Avenue which becomes Stonewall Street;

Then west along the north curb line of Mitchell Street and then Stonewall Street until it reaches the west curb line of Livingston Road;

Then south along the west curb line of Livingston Road until it reaches the south curb line of Woodrow Wilson Drive;

Then east along the south curb line of Woodrow Wilson Drive to the west curb line of Bailey Avenue (which becomes Gallatin Street);

Then south along the west curb line of Bailey Avenue and then Gallatin Street until it reaches the north curb line of West Monument Street;

Then west along the north curb line of West Monument Street until it intersects with West Capitol Street and becomes Rose Street;

Then south along the west curb line of Rose Street until it intersects with the north curb line of Robinson Road;

Then west on the north curb line of Robinson Road until it intersects with the west curb line of Prentiss Street;

Then south along the west curb line of Prentiss Street until it intersects with the north curb line of John R. Lynch Street on the west side of Jackson State University;

Then west on the north curb line of John R. Lynch Street until it reaches the west curb line of Ellis Avenue;

Then south along the west curb line of Ellis Avenue until it reaches the south curb line of Raymond Road;

Then east along the south curb line of Raymond Road until it reaches the north edge of Interstate 20 westbound;

Then east along the north edge of Interstate 20 until it overlaps with Interstate 55 and continues along such edge of Interstate 55/20 to the western edge of where it becomes Interstate 55;

Then north along the western edge of I-55 until it reaches the south curb line of High Street;

Then east along the south curb line of High Street and extending such line to the Pearl River and the point of the beginning.

* * *

[From and after July 1, 2025, this section shall read as follows:]

29-5-203. There is created the Capitol Complex Improvement District to be composed of the following described area in the City of Jackson, Mississippi, that surrounds the State Capitol Building:

CAPITOL COMPLEX * * * BOUNDARIES

Beginning at a point on the west bank of the Pearl River determined by extending the south curb line of High Street east until it meets the bank of the Pearl River;

Then north along the west bank of the Pearl River until it reaches a point on such bank determined by extending the north curb line of * * * Westbrook Road until it meets the bank of the Pearl River;

Then west along the north curb line of Westbrook Road until it reaches the west curb line of Old Canton Road;

Then south along the west curb line of Old Canton Road, and continuing west along the north curb line of Old Canton Road, and continuing west along the north curb line of Canton Mart Road until it reaches the west curb line of Interstate 55 South Frontage Road;

Then south along the west curb line of Interstate 55 South Frontage Road until it intersects with the north curb line of Northside Drive;

Then west along the north curb line of Northside Drive until it reaches the west track of the Illinois Central Railroad line;

Then south along the west track of the Illinois Central Railroad line to the north curb line of Mitchell Avenue which becomes Stonewall Street;

Then west along the north curb line of Mitchell Street and then Stonewall Street until it reaches the west curb line of Livingston Road;

Then south along the west curb line of Livingston Road until it reaches the south curb line of Woodrow Wilson Drive;

Then east along the south curb line of Woodrow Wilson Drive to the west curb line of Bailey Avenue (which becomes Gallatin Street);

Then south along the west curb line of Bailey Avenue and then Gallatin Street until it reaches the north curb line of West Monument Street;

Then west along the north curb line of West Monument Street until it intersects with West Capitol Street and becomes Rose Street;

Then south along the west curb line of Rose Street until it intersects with the north curb line of Robinson Road;

Then west on the north curb line of Robinson Road until it intersects with the west curb line of Prentiss Street;

Then south along the west curb line of Prentiss Street until it intersects with the north curb line of John R. Lynch Street on the west side of Jackson State University;

Then west on the north curb line of John R. Lynch Street until it reaches the west curb line of Ellis Avenue;

Then south along the west curb line of Ellis Avenue until it reaches the south curb line of Raymond Road;

Then east along the south curb line of Raymond Road until it reaches the north edge of Interstate 20 westbound;

Then east along the north edge of Interstate 20 until it overlaps with Interstate 55 and continues along such edge of Interstate 55/20 to the western edge of where it becomes Interstate 55;

Then north along the western edge of I-55 until it reaches the south curb line of High Street;

Then east along the south curb line of High Street and extending such line to the Pearl River and the point of the beginning.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 29-5-203, MISSISSIPPI CODE OF 1972, TO REVISE THE BOUNDARIES OF THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Henry Zuber III	David Parker
Shanda Yates	Bart Williams
Jonathan Ray Lancaster	J. Walter Michel

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1487** was adopted:

Yeas--Barnett, Barrett, Berry, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--None.

Absent and those not voting----None.

Voting Present--Blackmon, Horhn, Simmons S. (13th), Turner-Ford. Total--4.

Senator Fillingane offered the following report of the Conference Committee on **S. B. No. 2174** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2174: Motor vehicle theft; revise penalty for.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-17-42, Mississippi Code of 1972, is amended as follows:

97-17-42. (1) Any person who shall, willfully and without authority, take possession of or take away a motor vehicle of any value belonging to another, with intent to either permanently or temporarily convert it or to permanently or temporarily deprive the owner of possession or ownership, and any person who knowingly shall aid and abet in the taking possession or taking away of the motor vehicle, shall be guilty of * * * a felony and shall be * * * fined not more than Ten Thousand Dollars ($10,000.00) or imprisoned in the custody of the Department of Corrections for a term not to exceed fifteen (15) years, or both.

(2) Any person convicted under this section who causes damage to any motor vehicle shall be ordered by the court to pay restitution to the owner or owners of the motor vehicle or vehicles damaged in the amount of damages caused to the vehicle and reasonable repair costs.

(3) This section shall not apply to the enforcement of a security interest in a motor vehicle.

(4) Any person who shall be convicted for a second or subsequent offense under this section shall be fined not more than Twenty Thousand Dollars ($20,000.00) or imprisoned in the * * * custody of the Department of Corrections for a term * * * of not less than five (5) years but not to exceed twenty (20) years, or both.

(5) Notwithstanding the penalties authorized in subsections (1) and (4) of this section, the penalty for a person convicted of an offense under this section where the motor vehicle was in the possession of a commercial entity in the business of buying, selling, leasing, renting, storing or transporting motor vehicles shall be instead a fine of not more than Twenty Thousand Dollars ($20,000.00) or imprisonment in the custody of the Department of Corrections for a term of not less than ten (10) years but not to exceed thirty (30) years, or both.

(6) As used in this section, "motor vehicle" includes every self-propelled device in, upon or by which any person or property is or may be transported or drawn upon a highway and shall also include any and all other land-based, self-propelled devices which are not designed for use upon a highway, including, but not limited to, farm machinery, construction equipment, all-terrain vehicles and off-road vehicles.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 97-17-42, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CRIME OF MOTOR VEHICLE THEFT SHALL BE A FELONY; TO REVISE THE PENALTIES FOR THE COMMISSION OF MOTOR VEHICLE THEFT; TO PROVIDE AN ALTERNATE PENALTY FOR A PERSON CONVICTED UNDER THIS SECTION WHERE THE MOTOR VEHICLE WAS IN THE POSSESSION OF A COMMERCIAL ENTITY IN THE BUSINESS OF BUYING, SELLING, LEASING, RENTING, STORING OR TRANSPORTING MOTOR VEHICLES; TO DEFINE THE TERM "MOTOR VEHICLE"; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Joey Fillingane	Kevin Horan
Angela Burks Hill	Jay McKnight
Jason Barrett	Gene Newman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2174** was adopted:

Yeas--Barnett, Barrett, Berry, Blackwell, Boyd, Branning, Bryan, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--38.

Nays--Brumfield, Frazier, Jackson, Simmons D. T. (12th). Total--4.

Absent and those not voting----None.

Voting Present--Blackmon, Blount, Butler, Horhn, Jordan, Simmons S. (13th), Thomas, Turner-Ford. Total--8.

Senator Suber, who would have voted yea on S. B. No. 2174, announced a pair with Senator Hickman, who would have voted nay.

Senator Fillingane offered the following report of the Conference Committee on **S. B. No. 2179** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2179: Department of Public Safety; revise certain provisions related to.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-1-3, Mississippi Code of 1972, is amended as follows:

45-1-3. (1) When not otherwise specifically provided, the commissioner is authorized to make and promulgate reasonable rules and regulations to be coordinated, and carry out the general provisions of the Highway Safety Patrol and Driver's License Law of 1938.

(2) The commissioner shall have the authority to administer oaths.

(3) Notwithstanding any other provision of law, with written approval from the Executive Director of the Department of Finance and Administration, the commissioner may enter into a lease or sublease agreement for space in the Department of Public Safety headquarters building with a third party for the purpose of providing services and assistance to the department and its employees. The proceeds received from the lease under this subsection shall be paid to the State Treasurer for deposit into the General Fund.

SECTION 2. Section 45-3-51, Mississippi Code of 1972, is amended as follows:

45-3-51. * * * Each person employed as a law enforcement officer or agent by the Mississippi Department of Public Safety who retires under the Highway Safety Patrol Retirement System or the Public Employees' Retirement System, for superannuation or for reason of disability or a beneficiary of such * * * law enforcement officer or agent, who is killed in the line of duty shall be allowed to retain, as his personal property, one (1) sidearm which was issued under authority of Section 45-3-19 or 41-29-159. Likewise, a beneficiary of any law enforcement officer killed in the line of duty shall be allowed to retain the officer's sidearm.

SECTION 3. Section 45-9-131, Mississippi Code of 1972, as amended by House Bill No. 634, 2024 Regular Session is amended as follows:

45-9-131. (1) Upon approval of the governing authority of the municipality or county, a member of any municipal or county law enforcement agency who retires under any state retirement system or leaves such employment after being employed for ten (10) continuous years of service may be allowed to purchase, as his or her personal property, one (1) sidearm which was issued to the law enforcement officer by the law enforcement agency from which he or she retired or by whom he or she was employed at the time of death. The governing authority of the municipality or county that employed the member of the law enforcement agency shall determine an agreed upon price to be paid for the sidearm.

(2) Except as otherwise provided in subsection (4) of this section, upon approval of the director of a state agency, board or commission, a law enforcement officer employed by a state agency, board or commission who retires under any state retirement system may be allowed to purchase, as his or her personal property, one (1) sidearm which was issued to the law enforcement officer by a state agency, board or commission. The state agency, board or commission that employed the law enforcement officer shall determine an agreed upon price to be paid for the sidearm.

(3) Except as otherwise provided in subsection (4) of this section and subject to the satisfactory completion of any required background checks, the next of kin of a law enforcement officer who is killed in the line of duty is authorized to purchase the sidearm that was issued to the officer. The amount to be paid for any * * * sidearm purchased under the authority of this subsection shall be an agreed upon price as determined by the appropriate governmental authority who employed the officer.

(4) * * * This section does not apply to a law enforcement officer employed by the Department of Public Safety or a beneficiary of a law enforcement officer employed by the Department of Public Safety, who, pursuant to Section 45-3-51, may retain one (1) sidearm upon the officer's retirement or death in the line of duty.

SECTION 4. (1) There is established the State Medical Examiner Task Force as a successor entity to the State Medical Examiner Advisory Council created under Section 41-61-55(3). The task force is comprised of the following nine (9) members:

(a) The State Health Officer or the officer's designee;

(b) The Dean of the University of Mississippi Medical Center School of Medicine or the dean's designee;

(c) The Commissioner of Public Safety;

(d) The Attorney General or the Attorney General's designee;

(e) The President of the Mississippi Coroners and Medical Examiners Association or the president's designee;

(f) The President of the Mississippi Prosecutors Association or the president's designee;

(g) The President of the Mississippi Public Defenders Association or the president's designee;

(h) The President of the Mississippi Association of Chiefs of Police or the president's designee; and

(i) The President of the Mississippi Sheriffs' Association or the president's designee.

Each member of the task force serves at the pleasure of the head of the member's agency or appointing authority.

(2) The members of the task force shall elect a member annually to serve as chair. A member may not serve as chair more than two (2) consecutive years. The chair shall call meetings of the task force and shall cause written notice of the meetings to be furnished to members of the task force at least thirty (30) days before the date of a meeting.

(3) Members of the task force must serve without compensation.

(4) The task force shall meet at least once annually.

(5) The first meeting of the task force must be held before September 30, 2024. Notice of the time and place of the first meeting must be provided to each member of the task force no less than sixty (60) days before the scheduled meeting.

(6) Before December 31 of each year, the task force shall prepare and submit an annual report containing recommendations and advice to the Legislature. The report must include, but need not be limited to, the following:

(a) Identification of needs and means to improve the investigation of deaths affecting the public interest while using best practices;

(b) Identification of state medical examiner resources; and

(c) Recommendations to enhance the efficiency of the Mississippi State Medical Examiner's Office.

SECTION 5. Section 41-61-55, Mississippi Code of 1972, is amended as follows:

41-61-55. (1) There is hereby created the position of State Medical Examiner, under the supervision of the Commissioner of Public Safety and within the Office of Forensic Laboratories. The State Medical Examiner shall be appointed by the Commissioner of Public Safety subject to review by the dean of the University of Mississippi Medical Center School of Medicine and the State Health Officer. The State Medical Examiner may be discharged only for good cause by the Commissioner of Public Safety.

(2) The State Medical Examiner must obtain a license to practice medicine in Mississippi and be certified in forensic pathology by the American Board of Pathology. The State Medical Examiner may also be designated as the Chief Medical Examiner.

* * *

SECTION 6. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 45-1-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF PUBLIC SAFETY TO ENTER INTO A LEASE OR SUBLEASE AGREEMENT FOR SPACE IN THE DEPARTMENT OF PUBLIC SAFETY HEADQUARTERS BUILDING WITH A THIRD PARTY FOR THE PURPOSE OF PROVIDING SERVICES AND ASSISTANCE TO THE DEPARTMENT AND ITS EMPLOYEES; TO AMEND SECTION 45-3-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LAW ENFORCEMENT OFFICERS OF THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY TO RETAIN A SIDEARM UPON RETIREMENT; TO AUTHORIZE A BENEFICIARY OF A LAW ENFORCEMENT OFFICER OF THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY TO RETAIN THE SIDEARM OF SUCH OFFICER OR AGENT; TO AMEND SECTION 45-9-131, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE NO. 634, 2024 REGULAR SESSION, TO CONFORM; TO CREATE THE STATE MEDICAL EXAMINER TASK FORCE TO REPLACE THE STATE MEDICAL EXAMINER ADVISORY COUNCIL; TO AMEND SECTION 41-61-55, MISSISSIPPI CODE OF 1972, TO DELETE PROVISIONS RELATING TO THE STATE MEDICAL EXAMINER ADVISORY COUNCIL; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Joey Fillingane	Kevin Ford
Daniel H. Sparks	Daryl Porter
Briggs Hopson	Billy Adam Calvert

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2179** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator England offered the following report of the Conference Committee on **S. B. No. 2424** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2424: Absentee ballots; voters can cure ballots declared defective due to signature issues.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-639, Mississippi Code of 1972, is amended as follows:

23-15-639. (1) The examination and counting of all absentee ballots shall be conducted as follows:

(a) At the opening of the regular balloting and at the opening of the polls, the resolution board established under Section 23-15-523 and trained in the process of canvassing absentee ballots shall first take the envelopes containing the absentee ballots of such electors from the secure location at the circuit clerk's office, and the name, address and precinct inscribed on each envelope shall be announced by the election managers.

(b) The signature on the application shall then be compared with the signature on the back of the envelope. If it corresponds and the affidavit, if one is required, is sufficient and the resolution board finds that the applicant is a registered and qualified voter or otherwise qualified to vote, the envelope shall then be opened and the ballot removed from the envelope, without its being unfolded, or permitted to be unfolded or examined.

(c) When a voter's absentee ballot is rejected because the signatures on the application and the envelope do not correspond, the registrar shall notify the voter within one (1) business day of the voter's absentee ballot having been tentatively rejected because the signature on the application does not correspond with the signature on the envelope. The notice shall inform the voter about the process of curing the deficiency and that if the voter does not cure the signatures by 12:00 p.m. on the fifth business day after the election, then the voter's ballot shall be rejected. Notice to the voter shall be made using the contact information that the voter provided on his or her absentee ballot application. The absentee cure form shall be transmitted to the voter via email or facsimile; however, if neither are available, then the form shall be transmitted by first-class mail to the voter. The form of the notice and the absentee cure form shall be provided for in rules and regulations prescribed by the Secretary of State.

(* * *d) Having observed and found the ballot to be regular as far as can be observed from its official endorsement, the resolution board shall deposit it in the ballot box with the other ballots before counting any ballots and enter the voter's name in the receipt book provided for that purpose. All absentee ballots received prior to 7:00 p.m. the day before the election shall be counted in the registrar's office by the resolution board when the polls close and then added to the votes cast in each precinct. All absentee ballots received after 7:00 p.m. the day before the election but not later than the fifth business day after the election shall be processed by the resolution board.

(2) The resolution board shall also take such action as may be prescribed by the Secretary of State to ensure compliance with the identification requirements of Section 23-15-563.

(3) The resolution board shall process the absentee ballots using the procedure provided in subsection (1) of this section.

SECTION 2. Section 23-15-641, Mississippi Code of 1972, is amended as follows:

23-15-641. (1) For all absentee votes received by mail, if an affidavit or the certificate of the officer before whom the affidavit is taken is required and such affidavit or certificate is found to be insufficient, or if it is found that the signatures do not correspond and the voter has not cured his or her ballot as provided in Section 23-15-639, or that the applicant is not a duly qualified elector in the precinct, or otherwise qualified to vote, or that the ballot envelope is open or has been opened and resealed, or the voter is not eligible to vote absentee, the previously cast vote shall not be allowed. Without opening the voter's envelope the resolution board shall mark across its face "REJECTED", with the reason therefor.

(2) For all absentee votes received by mail, if the ballot envelope contains more than one (1) ballot of any kind, the ballot shall not be counted but shall be marked "REJECTED", with the reason therefor, and the registrar shall promptly notify the voter of such rejection. The voter's envelopes and affidavits, and the voter's envelope with its contents unopened, when such vote is rejected, shall be retained and preserved in the same manner as other ballots at the election. Such votes may be challenged in the same manner and for the same reasons that any other vote cast in such election may be challenged.

(3) If an affidavit is required and the officials find that the affidavit is insufficient, or if the officials find that the absentee voter is otherwise disqualified to vote, the envelope shall not be opened and a commissioner or executive committee member shall write across the face of the envelope "REJECTED" giving the reason therefor, and the registrar shall promptly notify the voter of such rejection.

(4) The ballots marked "REJECTED" shall be placed in a separate envelope in the secure ballot transfer case and delivered to the officials in charge of conducting the election at the central tabulation point of the county.

(5) All electors voting absentee shall be provided with written information to inform the person how to ascertain whether his or her ballot was counted and, if rejected, the reason therefor.

SECTION 3. Section 23-15-627, Mississippi Code of 1972, is amended as follows:

23-15-627. Any elector described in Section 23-15-713 may request an absentee ballot application and vote in person at the office of the registrar in the county in which he or she resides. The registrar shall be responsible for furnishing an absentee ballot application form to any elector authorized to receive an absentee ballot. Except as otherwise provided in Section 23-15-625, absentee ballot applications shall be furnished to a person only upon the oral or written request of the elector who seeks to vote by absentee ballot; however, the parent, child, spouse, sibling, legal guardian, those empowered with a power of attorney for that elector's affairs or agent of the elector, who is designated in writing and witnessed by a resident of this state who shall write his or her physical address on such designation, may orally request an absentee ballot application on behalf of the elector. The written designation shall be valid for one (1) year after the date of the designation. An absentee ballot application must have the seal of the circuit or municipal clerk affixed to it and be initialed by the registrar or his or her deputy in order to be used to obtain an absentee ballot. A reproduction of an absentee ballot application shall not be valid unless it is a reproduction provided by the office of the registrar of the jurisdiction in which the election is being held and which contains the seal and initials required by this section. Such application shall be substantially in the following form:

"OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

I, _____, duly qualified and registered in the ___ Precinct of the County of _____, and State of Mississippi, coming within the purview of the definition 'ABSENT ELECTOR' will be absent from the county of my residence on election day, or unable to vote in person because (check appropriate reason):

( ) (PRESIDENTIAL APPLICANT ONLY:) I am currently a resident of Mississippi or have moved therefrom within thirty (30) days of the coming presidential election.

( ) I am an enlisted or commissioned member, male or female, of any component of the United States Armed Forces and am a citizen of Mississippi, or spouse or dependent of such member.

( ) I am a member of the Merchant Marine or the American Red Cross and am a citizen of Mississippi or spouse or dependent of such member.

( ) I am a disabled war veteran who is a patient in any hospital and am a citizen of Mississippi or spouse or dependent of such veteran.

( ) I am a civilian attached to and serving outside of the United States with any branch of the Armed Forces or with the Merchant Marine or American Red Cross, and am a citizen of Mississippi or spouse or dependent of such civilian.

( ) I am a citizen of Mississippi temporarily residing outside the territorial limits of the United States and the District of Columbia.

( ) I am a student, teacher or administrator at a college, university, junior or community college, high, junior high, elementary or grade school, whose studies or employment at such institution necessitates my absence from the county of my voting residence or spouse or dependent of such student, teacher or administrator who maintains a common domicile outside the county of my voting residence with such student, teacher or administrator.

( ) I will be outside the county on election day.

( ) I have a temporary or permanent physical disability * * *.

( ) I am sixty-five (65) years of age or older.

( ) I am the parent, spouse or dependent of a person with a temporary or permanent physical disability who is hospitalized outside his or her county of residence or more than fifty (50) miles away from his or her residence, and I will be with such person on election day.

( ) I am a member of the congressional delegation, or spouse or dependent of a member of the congressional delegation.

( ) I am required to be at work on election day during the times which the polls will be open.

I hereby make application for an official ballot, or ballots, to be voted by me at the election to be held in _____, on _____.

Mail 'Absent Elector's Ballot' to me at the following address _____.

( ) I wish to receive an absentee ballot for the runoff election _____.

Notify me of problem with my "Absent Elector's Ballot" at the following:

Phone number: _____

Email address: _____

Mailing address: _____

I realize that I can be fined up to Five Thousand Dollars ($5,000.00) and sentenced up to five (5) years in the Penitentiary for making a false statement in this application and for selling my vote and violating the Mississippi Absentee Voter Law. (This sentence is to be in bold print.)

If you are temporarily or permanently disabled, you are not required to have this application notarized or signed by an official authorized to administer oaths for absentee balloting. You are required to sign this application in the proper place and have a person

eighteen (18) years of age or older witness your signature and sign this application in the proper place.

DO NOT SIGN WITHOUT READING. (This sentence is to be in bold print.)

IN WITNESS WHEREOF I have hereunto set my hand and seal this the ____ day of _____, 2___.

_____

(Signature of absent elector)

SWORN TO AND SUBSCRIBED before me this the ____ day of _____, 2___.

_____

(Official authorized to administer oaths

for absentee balloting.)

TO BE SIGNED BY WITNESS FOR VOTERS TEMPORARILY OR PERMANENTLY DISABLED:

I HEREBY CERTIFY that this application for an absent elector's ballot was signed by the above-named elector in my presence and that I am at least eighteen (18) years of age, this the _____ day of _____, 2___.

_____

(Signature of witness)

CERTIFICATE OF DELIVERY

I hereby certify that _____ (print name of voter) has requested that I, _____ (print name of person delivering application), deliver to the voter this absentee ballot application.

_____

(Signature of person delivering application)

_____

(Address of person delivering application)"

SECTION 4. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 23-15-639, MISSISSIPPI CODE OF 1972, TO ALLOW ABSENTEE BALLOT VOTERS TO CURE BALLOTS DECLARED DEFECTIVE DUE TO SIGNATURE ISSUES; TO AMEND SECTIONS 23-15-641 AND 23-15-627, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Jeremy England	Noah Sanford
Jeff Tate	Mark Tullos
David Parker	Gene Newman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2424** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Turner-Ford. Total--1.

Absent and those not voting----None.

Senator England offered the following report of the Conference Committee on **S. B. No. 2577** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2577: Digitizations; create a criminal penalty for the wrongful dissemination of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) For the purposes of this section:

(a) "Candidate" means an individual who seeks a nomination or election to a federal, statewide, state district, legislative, judicial, county, county district or municipal office.

(b) "Digitization" means to alter an image or audio in a realistic manner utilizing an image or audio of a person, other than the person depicted, computer-generated images or audio, commonly called deepfakes. "Digitization" also includes the creation of an image or audio through the use of software, machine learning artificial intelligence or any other computer-generated or technological means. This includes any digital representation of speech or conduct that:

(i) A reasonable person would believe depicts the speech and/or conduct of an individual who did not engage in the speech and/or conduct as presented; and

(ii) The production of which was substantially dependent on technical means, rather than the ability of another individual to physically or verbally impersonate an individual.

(c) "Depicted individual" means an individual in a digitization who appears to be engaging in speech and/or conduct.

(d) "Disseminates" means transmitting a digitization to another person through social media, electronic mail, electronic messaging, video-sharing services or any other physical or electronic method.

(2) A person who disseminates a digitization or enters into a contract or other agreement to disseminate a digitization is guilty of a crime and may be sentenced as provided in subsection (3) of this section, if the person knows or has actual knowledge that the item being disseminated is a digitization and the dissemination:

(a) Takes place within ninety (90) days of an election;

(b) Is disseminated without the consent of the depicted individual; and

(c) Is disseminated with the intent to injure the candidate, influence the results of an election or deter any person from voting.

(3) A person convicted under this section may be sentenced as follows:

(a) If the person commits the violation with the intent to incite or cause violence, cause bodily harm or to deter any person from voting, or has been previously convicted under this section within the last five (5) years, he or she may be sentenced to imprisonment for not more than five (5) years or to a payment of a fine not more than Ten Thousand Dollars ($10,000.00), or both; or

(b) In other cases, to imprisonment for not more than one (1) year or to a payment of a fine not more than Five Thousand Dollars ($5,000.00), or both.

(4) A cause of action for injunctive relief may be maintained against any person who is reasonably believed to be about to violate or who is in the process of violating this section. A cause of action may be brought by:

(a) The Attorney General;

(b) A district attorney if the depicted individual is a resident within their district, or if the impact of the digitization could or has impacted their district;

(c) The depicted individual;

(d) A candidate for nomination or election to a public office who is injured or likely to be injured by the dissemination of the digitization; or

(e) A political party whose nominee is on the ballot, and would be injured or is likely to be injured by the dissemination of the digitization.

As part of the injunctive relief, the court may order that any disseminated digitization be removed from any social media, electronic mail, electronic messaging, video-sharing services, or any other physical or electronic method the digitization was disseminated through.

(5) Clear and prominent language displayed throughout the digitization that informs the viewer that the depicted individual did not engage in the depicted speech and/or conduct shall be a defense to prosecution.

(6) This section does not apply to:

(a) A provider of an interactive computer service, as defined in 47 USC Section 153.

(b) A radio or television broadcasting station, including a cable or satellite television operator, programmer or producer that broadcasts any digitization prohibited by subsection (2) of this section as part of a bona fide newscast, news interview, news documentary, or on-the-spot coverage or a bona fide news event.

(c) A radio or television broadcasting station, including a cable or satellite television operator, programmer, producer, or internet website or online platform when the station or online platform is paid to broadcast any digitization prohibited by this section.

(d) An internet website or service provider, or a regularly published newspaper, magazine, or other periodical of general circulation, including an internet or electronic publication, that routinely carries news and commentary of general interest and that publishes any digitization prohibited by subsection (2) of this section, if the publication clearly states that the election communication, including materially deceptive media, does not accurately represent a ballot issue or candidate.

(e) Content that constitutes satire or parody.

(f) A person who disseminates or receives a digitization to determine if it is a digitization for the purpose of detecting, preventing, responding to, or protecting against security incidents, identify theft, fraud, harassment, malicious or deceptive activities or any illegal activity, preserve the integrity or security of systems or investigate, report, or prosecute those reasonable for any such action.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO CREATE A NEW SECTION IN TITLE 97, CHAPTER 13, MISSISSIPPI CODE OF 1972, TO CREATE CRIMINAL PENALTIES FOR THE WRONGFUL DISSEMINATION OF DIGITIZATIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Jeremy England	Noah Sanford
Joey Fillingane	Jill Ford
David Parker	Tamarra Butler-Washington

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2577** was adopted:

Yeas--Barrett, Berry, Blackwell, Boyd, Branning, Bryan, Carter, Chassaniol, Chism, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Thompson, Whaley, Wiggins, Williams, Younger. Total--35.

Nays--Barnett, Blackmon, Blount, Brumfield, Butler, Frazier, Horhn, Jackson, Jordan, Norwood, Simmons S. (13th), Thomas, Turner-Ford. Total--13.

Absent and those not voting----None.

Senator Simmons D. T. (12th), who would have voted nay on S. B. No. 2577, announced a pair with Senator DeBar, who would have voted yea.

Senator Tate, who would have voted yea on S. B. No. 2577, announced a pair with Senator Hickman, who would have voted nay.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

S. B. No. 2196: Mississippi Terroristic Threats Law; provide enhanced penalty for threat against airport.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. C. R. No. 548: Suspend rules for introduction; revisions to PERS and public education funding.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 11:21 AM, the Senate stood in recess.

The Senate resumed business at 11:49 AM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 3231: PERS; revise employer contribution rate increase, and redefine responsibilities of board and Legislature. Title Sufficient. Do Pass.

PARKER, Chairman

Senator Parker moved that the rules be suspended for the immediate consideration of **S. B. No. 3231**, and the motion prevailed.

Senator Parker called up the following entitled bill:

S. B. No. 3231: PERS; revise employer contribution rate increase, and redefine responsibilities of board and Legislature.

YEAS AND NAYS On S. B. No. 3231. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Berry, Blackwell, Boyd, Carter, Chassaniol, Chism, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--34.

Nays--Barnett, Blackmon, Blount, Brumfield, Bryan, Butler, Frazier, Horhn, Jackson, Jordan, Norwood, Simmons S. (13th), Thomas, Turner-Ford. Total--14.

Absent and those not voting----None.

Voting Present--Barrett, Branning. Total--2.

Senator Simmons D. T. (12th), who would have voted nay on S. B. No. 3231, announced a pair with Senator DeBar, who would have voted yea.

On motion of Senator Parker, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 3231.

Senator Tate entered a motion to reconsider the vote whereby the Conference Report on **H. B. No. 1123** was adopted by the Senate.

H. B. No. 1123: MDOT; authorize the transfer and conveyance of certain real property to Greene County Board of Supervisors.

Senator England entered a motion to reconsider the vote whereby the Conference Report on **S. B. No. 2424** was adopted by the Senate.

S. B. No. 2424: Absentee ballots; voters can cure ballots declared defective due to signature issues.

Senators Bryan, Williams and Younger moved that when the Senate adjourns, it adjourn in memory of Robert (Bob) V. Forbus of Amory, MS.

Senators Barnett and Robinson moved that when the Senate adjourns, it adjourn in memory of Leonard Kye Busby, IV of Laurel, MS.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Albert Summers of Agricola, MS.

Senator Horhn moved that when the Senate adjourns, it adjourn in memory of Paul Beadle Middleton of Broad Run, VA.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Alan Creig Sherrer of Tupelo, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Joseph Grantland Green of Gulfport, MS.

MESSAGE FROM THE GOVERNOR
April 26, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2001: City of Houston; extend repeal date for tax on restaurants, hotels and motels for tourism and parks and recreation. (April 25, 2024, 10:00 AM)

S. B. No. 2084: DeSoto County; authorize the contribution of funds for membership to the Chamber of Commerce. (April 25, 2024, 10:01 AM)

S. B. No. 2138: DeSoto County Regional Utility Authority; increase borrowing/bonding authority from $40 Million to $80 Million. (April 25, 2024, 10:02 AM)

S. B. No. 2476: Tax credits for qualified charitable and qualified foster care charitable organizations; delete repealer on. (April 25, 2024, 10:03 AM)

S. B. No. 2492: Use tax; revise certain provisions regarding funds distributed to municipalities and counties for infrastructure purposes. (April 25, 2024, 10:04 AM)

S. B. No. 2984: Jackson County & City of Pascagoula; extend repealer on LaPointe-Krebs Foundation, & authorize increased contribution. (April 25, 2024, 10:06 AM)

S. B. No. 3062: Marshall County; authorize contributions to various organizations. (April 25, 2024, 10:07 AM)

S. B. No. 3081: City of Florence; extend repealer on bar and restaurant tax. (April 25, 2024, 10:08 AM)

S. B. No. 3082: Lowndes County; increase amount that may be contributed annually to the United Way. (April 25, 2024, 10:10 AM)

S. B. No. 3100: Leake County; authorize lease between county economic development authority and East Central CC for workforce training center. (April 25, 2024, 10:14 AM)

S. B. No. 3102: Hancock County Port and Harbor Commission; authorize to contribute to Pearl River Community College County Tuition Assistance Program. (April 25, 2024, 10:15 AM)

S. B. No. 3103: Lauderdale County; extend authorization of assessments on misdemeanor convictions and nonadjudications. (April 25, 2024, 10:20 AM)

S. B. No. 3158: City of Winona; extend repealer on authority to levy tax on restaurants. (April 25, 2024, 10:18 AM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

MESSAGE FROM THE GOVERNOR
April 26, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 3060: City of Pearl & Rankin County; authorize annual contributions to Trustmark Park not to exceed $1,500,000.00 in the aggregate. (April 26, 2024, 9:38 AM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 819: AN ACT TO AMEND SECTIONS 83-11-17 AND 83-11-19, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT OF A FIFTEEN

DOLLAR FILING FEE IN AUTOMOBILE CANCELLATION OR NONRENEWAL APPEALS; TO AMEND SECTION 83-17-251, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM PRELICENSING REQUIREMENTS INDIVIDUALS SEEKING LICENSURE IN THE LIFE LINE OF AUTHORITY ONLY; TO AMEND SECTION 83-17-523, MISSISSIPPI CODE OF 1972, TO CLARIFY THE COMPENSATION OF A PUBLIC ADJUSTER; TO PROVIDE THAT A PUBLIC ADJUSTER SHALL NOT PARTICIPATE IN THE RECONSTRUCTION, REPAIR OR RESTORATION OF DAMAGED PROPERTY THAT IS THE SUBJECT OF A CLAIM ADJUSTED BY THE ADJUSTER; TO PROVIDE THAT A PUBLIC ADJUSTER SHALL NOT ENGAGE IN ANY ACTIVITIES THAT MAY BE REASONABLY CONSTRUED AS A CONFLICT OF INTEREST; TO PROVIDE THAT A PUBLIC ADJUSTER SHALL NOT HAVE A FINANCIAL INTEREST IN ANY SALVAGE, REPAIR OR ANY OTHER BUSINESS ENTITY THAT OBTAINS BUSINESS IN CONNECTION WITH ANY CLAIM THAT THE PUBLIC ADJUSTER HAS A CONTRACT TO ADJUST; TO PROVIDE THAT NO PUBLIC ADJUSTER SHALL BE ENTITLED TO ANY PAYMENT, COMMISSION, FEE OR OTHER THING OF VALUE OF ANY INSURANCE SETTLEMENT OR AGREED SETTLEMENT THAT WAS MADE BETWEEN THE INSURED AND THE INSURANCE COMPANY BEFORE THE PUBLIC ADJUSTER AND THE INSURED ENTERED INTO A CONTRACT FOR SERVICE; TO PROVIDE THAT IF AN INSURANCE COMPANY EXTENDS A WRITTEN SETTLEMENT OFFER TO THE INSURED BEFORE THE INSURED ENTERS INTO A CONTRACT WITH A PUBLIC ADJUSTER FOR SERVICES, THEN A PUBLIC ADJUSTER MAY ONLY BE ENTITLED TO AN AMOUNT THAT IS NO MORE THAN 10% OF THE SETTLEMENT AMOUNT THAT IS IN EXCESS OF THE AMOUNT THAT WAS OFFERED IN WRITING TO THE INSURED PRIOR TO ENTERING INTO THE CONTRACT WITH A PUBLIC ADJUSTER; TO AUTHORIZE THE COMPREHENSIVE HEALTH INSURANCE RISK POOL ASSOCIATION TO ESTABLISH AN ONLINE PORTAL TO ASSIST MISSISSIPPIANS IN SELECTING A HEALTH PLAN; AND FOR RELATED PURPOSES.

H. B. No. 1489: AN ACT TO BE KNOWN AS THE MISSISSIPPI TRIAGE, TREAT AND TRANSPORT TO ALTERNATIVE DESTINATION ACT; TO PROVIDE THAT HEALTH BENEFIT PLANS SHALL PROVIDE COVERAGE FOR AN AMBULANCE SERVICE TO TREAT OR ASSESS AN ENROLLEE IN PLACE, OR TRIAGE OR TRIAGE AND TRANSPORT AN ENROLLEE TO AN ALTERATIVE DESTINATION, OR AN ENCOUNTER BETWEEN AN AMBULANCE SERVICE AND ENROLLEE THAT RESULTS WITHOUT TRANSPORT OF THE ENROLLEE UNDER THE PLAN; TO PROVIDE THAT THE COVERAGE REQUIRED UNDER THIS SECTION IS SUBJECT TO THE INITIATION OF AMBULANCE SERVICE TREATMENT AS A RESULT OF A 911 CALL THAT IS DOCUMENTED IN THE RECORDS OF THE AMBULANCE SERVICE AND SUBJECT TO DEDUCTIBLES OR CO-PAYMENT REQUIREMENTS OF THE PLAN, AND DOES NOT DIMINISH OR LIMIT BENEFITS OTHERWISE ALLOWABLE UNDER THE PLAN; TO PROVIDE THAT THE REIMBURSEMENT RATE FOR AN AMBULANCE SERVICE PROVIDER WHOSE OPERATORS ASSESS, TRIAGE, TREAT OR TRANSPORT AN ENROLLEE TO AN ALTERNATIVE DESTINATION SHALL BE NOT LESS THAN THE MINIMUM ALLOWABLE REIMBURSEMENT FOR ADVANCED LIFE SUPPORT RATE WITH MILEAGE TO THE SCENE; TO PROVIDE THAT THE MINIMUM ALLOWABLE REIMBURSEMENT RATE UNDER ANY POLICY OF ACCIDENT AND SICKNESS INSURANCE TO AN OUT-OF-NETWORK AMBULANCE SERVICE PROVIDER SHALL BE RATES CONTRACTED BETWEEN AN AMBULANCE SERVICE PROVIDER AND A COUNTY, MUNICIPALITY OR SPECIAL PURPOSE DISTRICT OR AUTHORITY, OR OTHERWISE APPROVED OR ESTABLISHED BY ORDINANCE OR REGULATION ENACTED BY ANY SUCH COUNTY, MUNICIPALITY OR SPECIAL PURPOSE DISTRICT OR AUTHORITY; TO PROVIDE THAT IN THE ABSENCE OF SUCH RATES, THE MINIMUM ALLOWABLE REIMBURSEMENT RATE SHALL BE THE GREATER OF THREE HUNDRED TWENTY-FIVE PERCENT OF THE REIMBURSEMENT ALLOWED BY MEDICARE FOR SERVICES ORIGINATING IN RURAL AREAS OR THE AMBULANCE SERVICE PROVIDER'S BILLED CHARGES; TO PROVIDE A DATE OF REPEAL ON SUCH PROVISIONS; AND FOR RELATED PURPOSES.

David Jordan, Chairman

Senator Polk moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 9:00 AM, Saturday, April 27, 2024.

The motion prevailed, and at 1:18 PM, the Senate stood in recess.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2405: Alcoholic beverages; revise certain provisions regarding locations for sale of.

Representatives Zuber,Johnson,Yates

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1126: AN ACT TO CREATE THE "WALKER MONTGOMERY PROTECTING CHILDREN ONLINE ACT" FOR THE PURPOSE OF PROTECTING MINOR CHILDREN FROM ONLINE HARMFUL MATERIAL AND ACCESS TO SUCH MATERIAL; TO REQUIRE DIGITAL SERVICE USERS TO REGISTER THEIR AGE; TO LIMIT THE COLLECTION AND USE OF MINOR USERS' PERSONAL IDENTIFYING INFORMATION; TO REQUIRE DIGITAL SERVICES PROVIDERS TO DEVELOP AND IMPLEMENT A STRATEGY TO PREVENT OR MITIGATE CERTAIN HARMS TO MINORS; TO AMEND SECTION 75-24-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A VIOLATION OF THIS ACT IS AN UNFAIR AND DECEPTIVE TRADE PRACTICE THAT IS ENFORCEABLE BY THE OFFICE OF THE ATTORNEY GENERAL; TO AMEND SECTION 97-5-31, MISSISSIPPI CODE OF 1972, TO INCLUDE MORPHED IMAGES OF DEPICTING MINOR CHILDREN IN EXPLICIT NATURE IN THE CRIME OF CHILD EXPLOITATION; AND FOR RELATED PURPOSES.

H. B. No. 1471: AN ACT TO AMEND SECTION 77-19-7, MISSISSIPPI CODE OF 1972, TO PROHIBIT ANY OFFICER OR EMPLOYEE OF THE OFFICE OF BROADBAND EXPANSION AND ACCESSIBILITY OF MISSISSIPPI FROM ACCEPTING OR RECEIVING, EITHER DIRECTLY OR INDIRECTLY, ANY GRATUITY, GIFT, GIFT IN-KIND, MONEY, EMOLUMENT, OR ANY OTHER PECUNIARY BENEFIT FROM ANY BROADBAND SERVICE PROVIDER, VENDOR, CONTRACTOR, OR SUBCONTRACTOR THAT DOES BUSINESS WITH OR CONTRACTS WITH THE OFFICE; TO PROVIDE CERTAIN REQUIREMENTS FOR FINAL DETERMINATIONS OF AWARDS FOR PROJECTS TO PROVIDE BROADBAND ACCESS IN UNSERVED OR UNDERSERVED AREAS; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. C. R. No. 548: A CONCURRENT RESOLUTION SUSPENDING THE DEADLINES AND OTHER PROVISIONS IMPOSED BY JOINT RULE NO. 40 FOR THE PURPOSE OF THE DRAFTING, INTRODUCTION, CONSIDERATION AND PASSAGE OF A BILL ENTITLED "AN ACT TO AMEND SECTION 25-11-123, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE INCREASE IN THE EMPLOYER'S CONTRIBUTION RATE THAT IS SCHEDULED TO TAKE EFFECT ON JULY 1, 2024, IS RESCINDED AND SHALL NOT TAKE EFFECT; TO PROVIDE FOR A 1/2% INCREASE IN THE EMPLOYER'S CONTRIBUTION RATE ON JULY 1 OF EACH YEAR FROM 2024 THROUGH 2028; TO REQUIRE THAT ANY RECOMMENDATION BY THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO ADJUST EMPLOYER CONTRIBUTIONS BE ACCOMPANIED BY AT LEAST TWO INDEPENDENT ACTUARIAL ASSESSMENTS; TO ALLOW THE BOARD TO MAKE RECOMMENDATIONS REGARDING ADDITIONAL FUNDING SOURCES FOR THE RETIREMENT PLAN, INCLUDING EMPLOYER CONTRIBUTION INCREASES, BASED ON THE PLAN'S ASSETS AND LIABILITIES, AND THE REQUIRED ACTUARIAL ASSESSMENTS; TO RESERVE TO THE LEGISLATURE THE AUTHORITY TO IMPLEMENT SUCH RECOMMENDATIONS; TO EXPRESS THE INTENT OF THE LEGISLATURE THAT, IN THE 2025 REGULAR SESSION, A LAW BE ENACTED TO CREATE A NEW TIER FOR FUTURE MEMBERS OF THE SYSTEM, IN FURTHERANCE OF THE SYSTEM'S CONTINUED FINANCIAL STABILITY AND SUSTAINABILITY; TO SPECIFY THAT THE SECTION SHALL NOT BE CONSTRUED TO PROVIDE AUTHORITY TO REDUCE OR ELIMINATE ANY EARNED BENEFITS PROVIDED BY THE STATE TO CURRENT RETIREES OR CURRENT MEMBERS OF THE RETIREMENT SYSTEM; AND FOR RELATED PURPOSES," AND OF A BILL ENTITLED "AN ACT RELATING TO THE FUNDING OF PUBLIC EDUCATION IN THE STATE OF MISSISSIPPI; TO CREATE NEW SECTION 37-151-201, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN TERMS, INCLUDING 'NET ENROLLMENT,' 'TOTAL FUNDING FORMULA' AND 'WEIGHT'; TO CREATE NEW SECTION 37-151-203, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT EFFECTIVE FISCAL YEAR 2026 AND EVERY YEAR THEREAFTER, THE STATE BOARD OF EDUCATION SHALL PROVIDE A PROPOSED BASE-STUDENT COST SUFFICIENT TO PROVIDE CERTAIN COST COMPONENTS OF EDUCATING PUPILS IN SCHOOL DISTRICTS; TO PROVIDE THAT THE INSTRUCTIONAL COST SHALL BE CALCULATED BY DIVIDING THE AVERAGE TEACHER SALARY BY THE STUDENT-TO-TEACHER RATIO; TO PROVIDE THE FORMULA FOR ADMINISTRATIVE COST, ANCILLARY PERSONNEL AND EXPENSES, AND OPERATION AND MAINTENANCE OF PLANT; TO CREATE NEW SECTION 37-151-205, MISSISSIPPI CODE OF 1972, TO ESTABLISH VARIOUS WEIGHTS TO BE APPLIED TO THE BASE AMOUNT FOR STUDENTS WHO ARE LOW-INCOME STUDENTS, ENGLISH LANGUAGE LEARNERS, ELIGIBLE FOR SPECIAL EDUCATION SERVICES, GIFTED, ENROLLED IN CAREER AND TECHNICAL EDUCATION, AND RESIDING IN SPARSELY POPULATED SCHOOL DISTRICTS; TO CREATE NEW SECTION 37-151-207, MISSISSIPPI CODE OF 1972, TO REQUIRE STUDENT ENROLLMENT AND ATTENDANCE FIGURES TO BE DETERMINED ON THE BASIS OF NET ENROLLMENT; TO CREATE NEW SECTION 37-151-209, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT A SCHOOL DISTRICT OR CHARTER SCHOOL HAS AUTONOMY, SUBJECT TO REGULATORY AND STATUTORY RESTRICTIONS, IN THE SPENDING OF ALL FUNDS ALLOCATED TO THAT SCHOOL DISTRICT OR CHARTER SCHOOL; TO CREATE NEW SECTION 37-151-211, MISSISSIPPI CODE OF 1972, TO REQUIRE TAX ASSESSORS TO FILE CERTAIN REPORTS WITH THE STATE DEPARTMENT OF EDUCATION AND TO REQUIRE THE DEPARTMENT TO CALCULATE THE DISTRICT'S REQUIRED MINIMUM MILLAGE AND THE CONTRIBUTION TO THE COST OF THE TOTAL FUNDING FORMULA REQUIRED OF EACH SCHOOL DISTRICT AND CHARTER SCHOOL; TO CREATE NEW SECTION 37-151-213, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE

STATE'S SHARE IN SUPPORT OF THE FUNDING FORMULA FOR A SCHOOL DISTRICT OR CHARTER SCHOOL FOR FISCAL YEARS 2025, 2026, AND 2027 MAY NOT BE LESS THAN AN AMOUNT EQUAL TO THE SUM OF ALL STATE FUNDS RECEIVED BY THAT SCHOOL DISTRICT OR CHARTER SCHOOL FOR FISCAL YEAR 2024; TO AMEND SECTIONS 37-57-1, 37-57-104, 37-57-105 AND 37-57-107, MISSISSIPPI CODE OF 1972, WHICH RELATE TO SCHOOL DISTRICT TAXATION, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT A PORTION OF EDUCATION ENHANCEMENT FUNDS BE DISTRIBUTED TO SCHOOL DISTRICTS TO FUND CAPITAL IMPROVEMENTS PROJECTS; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIRED DEPOSIT OF SALES TAX REVENUE INTO THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND; TO AMEND SECTIONS 1-3-26, 7-7-211, 19-9-157, 19-9-171, 25-4-29, 27-25-706, 27-33-3, 27-39-317, 29-3-47, 29-3-49, 29-3-113, 29-3-137, 31-7-9, 31-7-10, 37-1-3, 37-3-11, 37-3-83, 37-7-208, 37-7-301, 37-7-302, 37-7-303, 37-7-307, 37-7-319, 37-7-333, 37-7-339, 37-7-419, 37-9-17, 37-9-18, 37-9-23, 37-9-25, 37-9-33, 37-9-35, 37-9-37, 37-9-77, 37-11-11, 37-13-63, 37-13-64, 37-13-69, 37-15-38, 37-16-3, 37-19-7, 37-21-6, 37-21-7, 37-22-5, 37-23-1, 37-23-15, 37-23-69, 37-23-109, 37-23-179, 37-27-55, 37-27-57, 37-28-5, 37-28-53, 37-28-55, 37-29-1, 37-29-272, 37-29-303, 37-31-13, 37-31-75, 37-35-3, 37-37-3, 37-41-7, 37-45-49, 37-47-9, 37-47-24, 37-47-25, 37-47-33, 37-61-3, 37-61-5, 37-61-7, 37-61-19, 37-61-29, 37-61-35, 37-61-37, 37-68-7, 37-131-7, 37-131-9, 37-131-11, 37-151-9, 37-151-81, 37-151-85, 37-151-87, 37-151-89, 37-151-91, 37-151-93, 37-151-95, 37-151-97, 37-151-99, 37-151-101, 37-151-103, 37-151-105, 37-151-107, 37-173-9, 37-173-13, 37-175-13, 37-179-3, 37-181-7, 41-79-5, 43-17-5, 65-26-9, AND 27-104-351, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2689, 2024 REGULAR SESSION, AND HOUSE BILL NO. 1696, 2024 REGULAR SESSION, TO CONFORM AND TO REVISE CERTAIN PROVISIONS RELATED TO THE STATE'S PERMANENT PERFORMANCE-BASED ACCREDITATION SYSTEMS; TO PROVIDE THE PROCEDURE BY WHICH THE STATE BOARD OF EDUCATION MAY PLACE A FAILING SCHOOL OR SCHOOL DISTRICT INTO A DISTRICT OF TRANSFORMATION; TO ESTABLISH RELEVANT CRITERIA FOR SCHOOLS OR SCHOOL DISTRICTS TO BE PLACED INTO SUCH DISTRICTS; TO DELETE CERTAIN PROVISIONS RELATED TO MISSISSIPPI RECOVERY SCHOOL DISTRICTS, SCHOOL BOARDS OF FAILING SCHOOLS AND ELECTIONS OF MEMBERS OF FAILING SCHOOL BOARDS; TO PROVIDE THAT DISTRICTS THAT ARE PLACED INTO DISTRICT TRANSFORMATION SHALL BE ELIGIBLE TO RETURN TO LOCAL CONTROL WHEN THE DISTRICT HAS ATTAINED A "C" RATING OR HIGHER FOR THREE CONSECUTIVE YEARS; TO REPEAL SECTIONS 37-13-153, MISSISSIPPI CODE OF 1972, WHICH REQUIRED STATE FUNDING FOR HOME ECONOMICS TEACHERS TO BE INCLUDED AS A LINE ITEM IN THE EDUCATION APPROPRIATIONS BILLS FOR CERTAIN PRIOR FISCAL YEARS; TO REPEAL SECTIONS 37-151-1, 37-151-5, 37-151-6, 37-151-7, 37-151-7.1, 37-151-8, 37-151-10, 37-151-77, 37-151-79 AND 37-151-83, MISSISSIPPI CODE OF 1972, WHICH DEFINE CERTAIN TERMS AND PRESCRIBE THE FORMULA AND CERTAIN REQUIREMENTS UNDER THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM (MAEP); TO REPEAL SECTION 37-152-1, MISSISSIPPI CODE OF 1972, WHICH CREATES THE COMMISSION ON RESTRUCTURING THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM (MAEP); TO REPEAL SECTIONS 27-65-75(5), 37-47-7 AND 37-47-24, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND AND ITS FUNDING MECHANISM; TO REPEAL SECTIONS 37-109-1, 37-109-3, 37-109-5, 37-109-7, 37-109-9 AND 37-109-11, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE MISSISSIPPI DUAL ENROLLMENT/DUAL CREDIT SCHOLARSHIP PROGRAM ACT OF 2023; AND FOR RELATED PURPOSES."

David Jordan, Chairman

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 4130: AN ACT TO CREATE THE "MISSISSIPPI STUDENT FUNDING FORMULA" FOR THE PURPOSE OF FUNDING OF PUBLIC EDUCATION IN THE STATE OF MISSISSIPPI; TO CREATE NEW SECTION 37-151-201, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN TERMS, INCLUDING "NET ENROLLMENT," "TOTAL FUNDING FORMULA" AND "WEIGHT"; TO CREATE NEW SECTION 37-151-203, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT EFFECTIVE FISCAL YEAR 2026 AND EVERY YEAR THEREAFTER, THE STATE BOARD OF EDUCATION SHALL PROVIDE A PROPOSED BASE-STUDENT COST ADEQUATE TO PROVIDE CERTAIN COST COMPONENTS OF EDUCATING PUPILS IN SCHOOL DISTRICTS; TO PROVIDE THAT THE INSTRUCTIONAL COST SHALL BE CALCULATED BY DIVIDING THE AVERAGE TEACHER SALARY BY THE STUDENT-TO-TEACHER RATIO; TO PROVIDE THE FORMULA FOR ADMINISTRATIVE COST, ANCILLARY PERSONNEL AND EXPENSES, AND OPERATION AND MAINTENANCE OF PLANT; TO CREATE NEW SECTION 37-151-205, MISSISSIPPI CODE OF 1972, TO ESTABLISH VARIOUS WEIGHTS TO BE APPLIED TO THE BASE AMOUNT FOR STUDENTS WHO ARE LOW-INCOME STUDENTS, ENGLISH LANGUAGE LEARNERS, ELIGIBLE FOR SPECIAL EDUCATION SERVICES, GIFTED, ENROLLED IN CAREER AND TECHNICAL EDUCATION, AND RESIDING IN SPARSELY POPULATED SCHOOL DISTRICTS; TO CREATE NEW SECTION 37-151-207, MISSISSIPPI CODE OF 1972, TO REQUIRE STUDENT ENROLLMENT AND ATTENDANCE FIGURES TO BE DETERMINED ON THE BASIS OF NET ENROLLMENT; TO CREATE NEW SECTION 37-151-209, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT A SCHOOL DISTRICT OR CHARTER SCHOOL HAS AUTONOMY, SUBJECT TO REGULATORY AND STATUTORY RESTRICTIONS, IN THE SPENDING OF ALL FUNDS ALLOCATED TO THAT SCHOOL DISTRICT OR CHARTER SCHOOL; TO CREATE NEW SECTION 37-151-211, MISSISSIPPI CODE OF 1972, TO REQUIRE TAX ASSESSORS TO FILE CERTAIN REPORTS WITH THE STATE DEPARTMENT OF EDUCATION AND TO REQUIRE THE DEPARTMENT TO CALCULATE THE DISTRICT'S REQUIRED MINIMUM MILLAGE AND THE CONTRIBUTION TO THE COST OF THE TOTAL FUNDING FORMULA REQUIRED OF EACH SCHOOL DISTRICT AND CHARTER SCHOOL; TO CREATE NEW SECTION 37-151-213, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE'S SHARE IN SUPPORT OF THE FUNDING FORMULA FOR A SCHOOL DISTRICT OR CHARTER SCHOOL FOR FISCAL YEARS 2025, 2026, AND 2027 MAY NOT BE LESS THAN AN AMOUNT EQUAL TO THE SUM OF ALL STATE FUNDS RECEIVED BY THAT SCHOOL DISTRICT OR CHARTER SCHOOL FOR FISCAL YEAR 2024; TO AMEND SECTIONS 37-57-1, 37-57-104, 37-57-105 AND 37-57-107, MISSISSIPPI CODE OF 1972, WHICH RELATE TO SCHOOL DISTRICT TAXATION, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT A PORTION OF EDUCATION ENHANCEMENT FUNDS BE DISTRIBUTED TO SCHOOL DISTRICTS TO FUND CAPITAL IMPROVEMENTS PROJECTS; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIRED DEPOSIT OF SALES TAX REVENUE INTO THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND; TO AMEND SECTIONS 1-3-26, 7-7-211, 19-9-157, 19-9-171, 25-4-29, 27-25-706, 27-33-3, 27-39-317, 29-3-47, 29-3-49, 29-3-113, 29-3-137, 31-7-9, 31-7-10, 37-1-3, 37-3-11, 37-3-83, 37-7-208, 37-7-301, 37-7-302, 37-7-303, 37-7-307, 37-7-319, 37-7-333, 37-7-339, 37-7-419, 37-9-17, 37-9-18, 37-9-23, 37-9-25, 37-9-33, 37-9-35, 37-9-37, 37-9-77, 37-11-11, 37-13-63, 37-13-64, 37-13-69, 37-15-38, 37-16-3, 37-19-7, 37-21-6, 37-21-7, 37-22-5, 37-23-1, 37-23-15, 37-23-69, 37-23-109, 37-23-179, 37-27-55, 37-27-57, 37-28-5, 37-28-53, 37-28-55, 37-29-1, 37-29-272, 37-29-303, 37-31-13, 37-31-75, 37-35-3, 37-37-3, 37-41-7, 37-45-49, 37-47-9, 37-47-24, 37-47-25, 37-47-33, 37-61-3, 37-61-5, 37-61-7, 37-61-

19, 37-61-29, 37-61-35, 37-61-37, 37-68-7, 37-131-7, 37-131-9, 37-131-11, 37-151-9, 37-151-81, 37-151-85, 37-151-87, 37-151-89, 37-151-91, 37-151-93, 37-151-95, 37-151-97, 37-151-99, 37-151-101, 37-151-103, 37-151-105, 37-151-107, 37-173-9, 37-173-13, 37-175-13, 37-179-3, 37-181-7, 41-79-5, 43-17-5, 65-26-9 AND 27-104-351, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2689, 2024 REGULAR SESSION, AND HOUSE BILL NO. 1696, 2024 REGULAR SESSION, TO CONFORM AND TO REVISE CERTAIN PROVISIONS RELATED TO THE STATE'S PERMANENT PERFORMANCE-BASED ACCREDITATION SYSTEMS; TO PROVIDE THE PROCEDURE BY WHICH THE STATE BOARD OF EDUCATION MAY PLACE A FAILING SCHOOL OR SCHOOL DISTRICT INTO A DISTRICT OF TRANSFORMATION; TO ESTABLISH RELEVANT CRITERIA FOR SCHOOLS OR SCHOOL DISTRICTS TO BE PLACED INTO SUCH DISTRICTS; TO DELETE CERTAIN PROVISIONS RELATED TO MISSISSIPPI RECOVERY SCHOOL DISTRICTS, SCHOOL BOARDS OF FAILING SCHOOLS AND ELECTIONS OF MEMBERS OF FAILING SCHOOL BOARDS; TO PROVIDE THAT DISTRICTS THAT ARE PLACED INTO DISTRICT TRANSFORMATION SHALL BE ELIGIBLE TO RETURN TO LOCAL CONTROL WHEN THE DISTRICT HAS ATTAINED A "C" RATING OR HIGHER FOR THREE CONSECUTIVE YEARS; TO REPEAL SECTIONS 37-13-153, MISSISSIPPI CODE OF 1972, WHICH REQUIRED STATE FUNDING FOR HOME ECONOMICS TEACHERS TO BE INCLUDED AS A LINE ITEM IN THE EDUCATION APPROPRIATIONS BILLS FOR CERTAIN PRIOR FISCAL YEARS; TO REPEAL SECTIONS 37-151-1, 37-151-5, 37-151-6, 37-151-7, 37-151-7.1, 37-151-8, 37-151-10, 37-151-77, 37-151-79 AND 37-151-83, MISSISSIPPI CODE OF 1972, WHICH DEFINE CERTAIN TERMS AND PRESCRIBE THE FORMULA AND CERTAIN REQUIREMENTS UNDER THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM (MAEP); TO REPEAL SECTION 37-152-1, MISSISSIPPI CODE OF 1972, WHICH CREATES THE COMMISSION ON RESTRUCTURING THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM (MAEP); TO REPEAL SECTIONS 37-109-1, 37-109-3, 37-109-5, 37-109-7, 37-109-9 AND 37-109-11, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE MISSISSIPPI DUAL ENROLLMENT/DUAL CREDIT SCHOLARSHIP PROGRAM ACT OF 2023; TO REPEAL SECTIONS 27-65-75(5), 37-47-7 AND 37-47-24, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND AND ITS FUNDING MECHANISM; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 4130: "Mississippi Student Funding Formula"; create to provide funding mechanism for public schools. Education.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2466: Alcoholic beverages; revise certain provisions relating to sales to persons under the age of 21.

Representatives Lamar,Steverson,Powell

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 3070: Income tax and insurance premium tax; authorize a credit for certain investments in qualified community development entities.

Representatives Lamar,Steverson,Powell

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

S. B. No. 2060: Memorial bridge; dedicate the Little Biloxi Bridge to World War II Infantryman Willie Edward King.

S. B. No. 2144: Runoff elections; amend to lengthen the timing requirement.

S. B. No. 2408: Identification cards and driver's licenses; require to have 988 Crisis Lifeline information.

S. B. No. 2445: Correctional system programs; extend repealers.

S. B. No. 2448: "Mississippi Earned Parole Eligibility Act"; extend repealer and authorize parole for certain juvenile homicide offenders.

S. B. No. 2486: Proposals and requests for qualifications; simplify the receipt and registration process.

S. B. No. 2634: Memorial highways; designate segment in Shannon, Lee County, as the "Johnny R. Patterson Memorial Highway."

Adopted: 04/25/24

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 652: State Port Authority and other ports; delete repealer on authority to use design-build method of contracting.

H. B. No. 757: State offenders; extend repealer on authority to house in county jails when space is unavailable.

H. B. No. 844: State Parole Board; require to solicit recommendations from and provide notification to certain individuals before parole hearing.

H. B. No. 903: Machine gun; provide crime for conversion to.

H. B. No. 1090: Paraphernalia; revise definition under the Uniform Controlled Substances Law.

H. B. No. 1123: MDOT; authorize the transfer and conveyance of certain real property to Greene County Board of Supervisors.

H. B. No. 1163: Community and junior colleges; authorize to contract or enter into interlocal agreements with local governing authorities for first responders services.

H. B. No. 1298: Mississippi Wild Turkey Stamp; establish.

H. B. No. 1408: Residential roofing contractors; revise requirements under Insurance Benefits Roofing Repair Consumer Protection Act.

Adopted: 04/25/24

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:06 PM in memory of Robert (Bob) V. Forbus, Leonard Kye Busby, IV, Albert Summers, Paul Beadle Middleton, Alan Creig Sherrer and Joseph Grantland Green.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR FRIDAY, APRIL 26, 2024

S. B. No. 3231: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-11-123, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE INCREASE IN THE EMPLOYER'S CONTRIBUTION RATE THAT IS SCHEDULED TO TAKE EFFECT ON JULY 1, 2024, IS RESCINDED AND SHALL NOT TAKE EFFECT; TO PROVIDE FOR A 1/2% INCREASE IN THE EMPLOYER'S CONTRIBUTION RATE ON JULY 1 OF EACH YEAR FROM 2024 THROUGH 2028; TO REQUIRE THAT ANY RECOMMENDATION BY THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO ADJUST EMPLOYER CONTRIBUTIONS BE ACCOMPANIED BY AT LEAST TWO INDEPENDENT ACTUARIAL ASSESSMENTS; TO ALLOW THE BOARD TO MAKE RECOMMENDATIONS REGARDING ADDITIONAL FUNDING SOURCES FOR THE RETIREMENT PLAN, INCLUDING EMPLOYER CONTRIBUTION INCREASES, BASED ON THE PLAN'S ASSETS AND LIABILITIES, AND THE REQUIRED ACTUARIAL ASSESSMENTS; TO RESERVE TO THE LEGISLATURE THE AUTHORITY TO IMPLEMENT SUCH RECOMMENDATIONS; TO EXPRESS THE INTENT OF THE LEGISLATURE THAT, IN THE 2025 REGULAR SESSION, A LAW BE ENACTED TO

CREATE A NEW TIER FOR FUTURE MEMBERS OF THE SYSTEM, IN FURTHERANCE OF THE SYSTEM'S CONTINUED FINANCIAL STABILITY AND SUSTAINABILITY; TO SPECIFY THAT THE SECTION SHALL NOT BE CONSTRUED TO PROVIDE AUTHORITY TO REDUCE OR ELIMINATE ANY EARNED BENEFITS PROVIDED BY THE STATE TO CURRENT RETIREES OR CURRENT MEMBERS OF THE RETIREMENT SYSTEM; AND FOR RELATED PURPOSES.
By Senator(s) Parker

S. R. No. 119: Rules
A RESOLUTION RECOGNIZING THE 50TH ANNIVERSARY OF THE BOY SCOUTS' OF AMERICA, TROOP 416 IN BRANDON, MISSISSIPPI, AND COMMENDING THE RICH SCOUTING TRADITION IN THE STRONG RIVER DISTRICT OF THE ANDREW JACKSON COUNCIL.
By Senator(s) McCaughn, Michel

S. R. No. 120: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE HERNANDO HIGH SCHOOL "MARCHING TIGERS" BAND AND DIRECTORS LEN KILLOUGH AND DJ FITZGERALD FOR CONSECUTIVE MHSAA 7A MARCHING CHAMPIONSHIPS.
By Senator(s) McLendon

S. R. No. 121: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE HERNANDO HIGH SCHOOL "TIGERS" BOYS SOCCER TEAM AND HEAD COACH MARK HOGAN FOR WINNING THE 2024 MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION (MHSAA) CLASS 7A BOYS SOCCER CHAMPIONSHIP.
By Senator(s) McLendon

S. R. No. 122: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE LAKE CORMORANT HIGH SCHOOL "GATORS" BOYS POWERLIFTING TEAM FOR WINNING THE MHSAA CLASS 6A BOYS POWERLIFTING CHAMPIONSHIP.
By Senator(s) McLendon

S. R. No. 123: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE LAKE CORMORANT HIGH SCHOOL "LADY GATORS" GIRLS POWERLIFTING TEAM FOR WINNING THE 2024 CLASS 6A GIRLS POWERLIFTING CHAMPIONSHIP.
By Senator(s) McLendon

S. R. No. 124: Rules
A RESOLUTION COMMENDING AND CONGRATULATING VIKING RANGE CORPORATION AND PRESIDENT KEVIN BROWN FOR RECEIVING THE PRESTIGIOUS 2024 "BEST OF KBIS STYLE STATEMENT SILVER AWARD" AT THE 60TH ANNUAL KITCHEN AND BATH INDUSTRY SHOW IN LAS VEGAS.
By Senator(s) Chassaniol

S. R. No. 125: Rules
A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO MR. WILTON NEAL OF CARROLTON AS MISSISSIPPI'S LONGEST-SERVING TAX ASSESSOR/COLLECTOR AND COMMENDING HIS PUBLIC SERVICE.
By Senator(s) Chassaniol

S. R. No. 126: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE LAFAYETTE HIGH SCHOOL "COMMODORES" TENNIS TEAM AND COACH DEBBIE SWINDOLL FOR WINNING THEIR FOURTH CONSECUTIVE MHSAA CLASS 5A STATE TENNIS CHAMPIONSHIP.
By Senator(s) Boyd

ONE-HUNDRED AND SEVENTEENTH DAY, SATURDAY, APRIL 27, 2024

The Senate met at 9:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Butler. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Senator Boyd.

Senator Branning led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 9:13 AM, the Senate stood in recess.

The Senate resumed business at 10:55 AM, pursuant to recess, with President Hosemann presiding.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2799: Public official appointments; revise terms of office and appointment procedures on certain state boards, districts and agencies.

Representatives Zuber,Johnson,Massengill

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1681: Memorial Highways; designate segment MS Hwy 513 in Clarke County as "Lance Corporal Mac Hamburg, MSMC, Memorial Highway."

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON EDUCATION

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

H. B. No. 4130: "Mississippi Student Funding Formula"; create to provide funding mechanism for public schools. Title Sufficient. Do Pass.

DEBAR, Chairman

Senator DeBar moved that the rules be suspended for the immediate consideration of **H. B. No. 4130**, and the motion prevailed.

Senator DeBar called up the following entitled bill:

H. B. No. 4130: "Mississippi Student Funding Formula"; create to provide funding mechanism for public schools.

YEAS AND NAYS On H. B. No. 4130. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Bryan, Chism, Hill. Total--3.

Absent and those not voting--Butler. Total--1.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 4053: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO OMAR EUGENE MAGEE OF COVINGTON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4055: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO ELAINE GOUDY OF COVINGTON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4056: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO AGNES STANDIFER OF LEE COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4057: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MATTIE HARDIMAN OF DESOTO COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4078: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO CHANTY WILLIAMS OF COAHOMA COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4079: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO FELISHA TURNER OF DESOTO COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4080: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO EVON WILLIAMS OF HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4083: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO KELVIN WINDING OF HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess until the last Conference Report is filed or until 8:00 PM, at which time the Senate would then adjourn until 2:00 PM, Sunday, April 28, 2024.

The motion prevailed, and at 12:06 PM, the Senate stood in recess.

REPORT OF COMMITTEES ON
LOCAL AND PRIVATE AND FINANCE

Mr. President: The above-named committees, having had under consideration the following, favorably report same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

H. B. No. 4125: Union County; authorize assessments on misdemeanor convictions and nonadjudications for capital improvements. Title Sufficient. Do Pass.

H. B. No. 4126: Union County; authorize assessments on civil cases filed and convictions obtained in justice court to maintain law enforcement center. Title Sufficient. Do Pass.

PARKS, Chairman
HARKINS, Chairman

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 4053: Suffrage; restore to Omar Eugene Magee of Covington County. Judiciary, Division B.

H. B. No. 4055: Suffrage; restore to Elaine Goudy of Covington County. Judiciary, Division B.

H. B. No. 4056: Suffrage; restore to Agnes Standifer of Lee County. Judiciary, Division B.

H. B. No. 4057: Suffrage; restore to Mattie Hardiman of DeSoto County. Judiciary, Division B.

H. B. No. 4078: Suffrage; restore to Chanty Williams of Coahoma County. Judiciary, Division B.

H. B. No. 4079: Suffrage; restore to Felisha Turner of DeSoto County. Judiciary, Division B.

H. B. No. 4080: Suffrage; restore to Evon Williams of Hinds County. Judiciary, Division B.

H. B. No. 4083: Suffrage; restore to Kelvin Winding of Hinds County. Judiciary, Division B.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 4122: Hattiesburg Convention Commission; authorize to use design-build method of construction contracting.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

S. B. No. 2179: Department of Public Safety; revise certain provisions related to.

S. B. No. 2696: Mississippi Main Street Grant Program; amend administration of and qualifications for.

S. B. No. 2729: Rural Physicians Scholarship Program and Rural Dentists Scholarship Program; revise certain provisions of.

Adopted: 04/26/24

Andrew Ketchings, Clerk of the House of Representatives

_____

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 4085: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO QUINTIN PURNELL OF GRENADA COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4086: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO JOSEPH GREER OF HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4087: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO RONDALE HUGHES OF HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4088: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO JOSE WILLIAMS OF HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4089: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO WALTER LEWIS OF HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4095: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO JOSEPH ARMSTRONG OF SUNFLOWER COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4098: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO JENNIFER MILES OF WINSTON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4099: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO DUSTIN DARELL MILLS OF RANKIN COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4100: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO CLOVIS DALE MCGHEE OF LEE COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4101: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO TONY LAVELL SMITH OF NOXUBEE COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4102: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO JOSEPH EARL GREER OF HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4103: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MARY SMITH BRANDON OF LOWNDES COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4104: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO LAWRENCE DANIELS OF LOWNDES COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4108: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO CHESTER ALLEN BUTLER OF TIPPAH COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4111: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO LEON COLEMAN OF JACKSON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4116: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO LAMAR SAMPSON OF HUMPHREYS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4118: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO IVORY MOORE OF WASHINGTON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4124: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO TONY QUALLS OF HUMPHREYS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 757: AN ACT TO REENACT SECTIONS 47-5-901 THROUGH 47-5-909, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE AND ESTABLISH CONDITIONS FOR THE HOUSING OF STATE OFFENDERS IN COUNTY JAILS WHENEVER THE COMMISSIONER OF CORRECTIONS DETERMINES THAT PHYSICAL SPACE IS NOT AVAILABLE IN THE STATE CORRECTIONAL INSTITUTIONS; TO AMEND SECTION 47-5-911, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE REENACTED CODE SECTIONS; AND FOR RELATED PURPOSES.

H. B. No. 844: AN ACT TO AMEND SECTION 47-7-17, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI STATE PAROLE BOARD TO SOLICIT RECOMMENDATIONS FROM CERTAIN INDIVIDUALS BEFORE A PAROLE HEARING WHENEVER SUCH HEARING IS FOR ANY OFFENDER WHO HAS BEEN CONVICTED OF CERTAIN CRIMES OF VIOLENCE; TO REQUIRE THE MISSISSIPPI STATE PAROLE BOARD TO NOTIFY CERTAIN INDIVIDUALS WITHIN A SET PERIOD OF TIME BEFORE A PAROLE HEARING; AND FOR RELATED PURPOSES.

H. B. No. 903: AN ACT TO CREATE NEW SECTION 97-37-39, MISSISSIPPI CODE OF 1972, TO CRIMINALIZE THE MANUFACTURE, POSSESSION AND USE OF MACHINE GUN CONVERSION DEVICES; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1135: AN ACT TO AMEND SECTION 23-15-913, MISSISSIPPI CODE OF 1972, TO SPECIFY WHICH JUDGES HAVE JURISDICTION TO HEAR ELECTION DISPUTES ON ELECTION DAY; TO AMEND SECTION 23-15-951, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT ELECTION DAY DISPUTES BE HEARD BY JUDGES

WHO HAVE BEEN SELECTED BY THE CHIEF JUSTICE OF THE SUPREME COURT TO HEAR SAID DISPUTES; AND FOR RELATED PURPOSES.

H. B. No. 1723: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF PIKE COUNTY, MISSISSIPPI, TO CONSTRUCT OR ACQUIRE A COUNTY JAIL ANYWHERE WITHIN THE COUNTY; TO ENTER INTO A LEASE AGREEMENT OR LEASE-PURCHASE ARRANGEMENT FOR A TERM NOT TO EXCEED THIRTY YEARS FOR THE PURPOSE OF PROVIDING FUNDS TO ACQUIRE, MAINTAIN, CONSTRUCT OR EQUIP A PUBLIC BUILDING OR BUILDINGS AND RELATED FACILITIES FOR USE AS A LAW ENFORCEMENT AND PUBLIC SAFETY FACILITY AND/OR COUNTY JAIL FACILITY; AND FOR RELATED PURPOSES.

H. B. No. 4127: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF GAUTIER, MISSISSIPPI, TO ENTER INTO A CONTRACT WITH THE MISSISSIPPI SONGWRITERS' FESTIVAL, INC., D/B/A MISSISSIPPI SONGWRITERS' ALLIANCE FOR THE MANAGEMENT AND OPERATION OF THE MISSISSIPPI SONGWRITERS PERFORMING ARTS CENTER AND RECORDING STUDIO AND TO PROVIDE THE MISSISSIPPI SONGWRITERS' FESTIVAL, INC., D/B/A MISSISSIPPI SONGWRITERS ALLIANCE WITH ANNUAL FUNDING UP TO TWO HUNDRED FIFTY THOUSAND DOLLARS FOR EDUCATIONAL PROGRAMMING AND OPERATIONAL COSTS; AND FOR RELATED PURPOSES.

David Jordan, Chairman

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 4123: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO SCOTTY ADAM MCMAHAN OF COVINGTON COUNTY, MISSISSIPPI; TO RESTORE THE RIGHT OF SUFFRAGE TO MICHAEL GRAY OF PRENTISS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1880: AN ACT TO AMEND CHAPTER 936, LOCAL AND PRIVATE LAWS OF 2020, ON THE PROVISION OF THAT AUTHORIZES THE BOARD OF SUPERVISORS OF GRENADA COUNTY, MISSISSIPPI, TO ESTABLISH GREATER GRENADA PARTNERSHIP, WHICH IS AN ECONOMIC AND INDUSTRIAL DEVELOPMENT, BY EXPANDING THE AUTHORITY OF THE PARTNERSHIP TO INCLUDE CERTAIN COMMERCIAL AND COMMUNITY DEVELOPMENT FOR THE COUNTY AND FOR MUNICIPALITIES LOCATED WITHIN THE COUNTY OR WITHIN THE SURROUNDING AREA OF THE COUNTY; TO EXPAND WHO THE PARTNERSHIP MAY APPLY FOR AND ACCEPT CERTAIN GRANTS AND LOANS BY INCLUDING OTHER ENTITIES, INCLUDING ANY CONTRACTING COUNTY; AND FOR RELATED PURPOSES.

H. B. No. 4122: AN ACT TO AUTHORIZE THE HATTIESBURG CONVENTION COMMISSION TO UTILIZE THE DESIGN-BUILD METHOD CONSTRUCTION CONTRACTING; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. C. R. No. 60: A CONCURRENT RESOLUTION ACKNOWLEDGING MISSISSIPPI AS THE HOME AND BIRTHPLACE OF THE SOUTHERN SOUL MUSIC GENRE.

H. C. R. No. 61: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING TARIK ROBINSON-O'HAGAN FOR WINNING THE NATIONAL TITLE IN SHOT PUT AT THE NCAA DIVISION I INDOOR TRACK AND FIELD CHAMPIONSHIPS AS WELL AS FOR HIS NUMEROUS OTHER SUCCESSES.

H. C. R. No. 62: A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING JALANI DAVIS FOR WINNING THE 2024 NCAA INDOOR TRACK AND FIELD CHAMPIONSHIPS, WOMEN'S WEIGHT THROW.

H. C. R. No. 63: A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING THE NESHOBA CENTRAL HIGH SCHOOL "LADY ROCKETS" GIRLS BASKETBALL TEAM FOR WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION (MHSAA) CLASS 6A GIRLS BASKETBALL STATE CHAMPIONSHIP.

David Jordan, Chairman

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 4085: Suffrage; restore to Quintin Purnell of Grenada County. Judiciary, Division B.

H. B. No. 4086: Suffrage; restore to Joseph Greer of Hinds County. Judiciary, Division B.

H. B. No. 4087: Suffrage; restore to Rondale Hughes of Hinds County. Judiciary, Division B.

H. B. No. 4088: Suffrage; restore to Jose Williams of Hinds County. Judiciary, Division B.

H. B. No. 4089: Suffrage; restore to Walter Lewis of Hinds County. Judiciary, Division B.

H. B. No. 4095: Suffrage; restore to Joseph Armstrong of Sunflower County. Judiciary, Division B.

H. B. No. 4098: Suffrage; restore to Jennifer Miles of Winston County. Judiciary, Division B.

H. B. No. 4099: Suffrage; restore to Dustin Darell Mills of Rankin County. Judiciary, Division B.

H. B. No. 4100: Suffrage; restore to Clovis Dale McGhee of Lee County. Judiciary, Division B.

H. B. No. 4101: Suffrage; restore to Tony Lavell Smith of Noxubee County. Judiciary, Division B.

H. B. No. 4102: Suffrage; restore to Joseph Earl Greer of Hinds County. Judiciary, Division B.

H. B. No. 4103: Suffrage; restore to Mary Smith Brandon of Lowndes County. Judiciary, Division B.

H. B. No. 4104: Suffrage; restore to Lawrence Daniels of Lowndes County. Judiciary, Division B.

H. B. No. 4108: Suffrage; restore to Chester Allen Butler of Tippah County. Judiciary, Division B.

H. B. No. 4111: Suffrage; restore to Leon Coleman of Jackson County. Judiciary, Division B.

H. B. No. 4116: Suffrage; restore to Lamar Sampson of Humphreys County. Judiciary, Division B.

H. B. No. 4118: Suffrage; restore to Ivory Moore of Washington County. Judiciary, Division B.

H. B. No. 4123: Suffrage; restore to Scotty Adam McMahan of Covington County. Judiciary, Division B.

H. B. No. 4124: Suffrage; restore to Tony Qualls of Humphreys County. Judiciary, Division B.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 8:00 PM

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR SATURDAY, APRIL 27, 2024

ONE-HUNDRED AND EIGHTEENTH DAY, SUNDAY, APRIL 28, 2024

The Senate met at 2:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes,

Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Chase Ellis, Senior Page.

Senator Tate led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1830: Appropriation; additional appropriation FY24.

S. B. No. 3058: Coronavirus State Fiscal Recovery Fund; FY2025 reappropriate to certain agencies.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 764: State Department of Health and State Board of Health; extend repealer on.

H. B. No. 1088: Circuit courts; authorize jurisdiction for persons with criminal charges who may need civil commitment procedures.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 1949: Appropriation; Finance and Administration, Department of, for eligible ARPA administration and reporting expenses.

H. B. No. 1951: Appropriation; Health, Department of, for funding the ARPA Rural Water Associations Infrastructure Grant Program.

H. B. No. 1952: Appropriation; Public Safety, Department of, for purchases of ARPA eligible equipment.

S. B. No. 2170: Appropriation; additional to Department of Health.

S. B. No. 3059: Appropriations; additional for various state agencies for FY2024 and FY2025.

S. B. No. 3163: Appropriation; additional to DFA-Administration, ARPA funds.

S. B. No. 3164: Appropriation; additional to DFA-Bureau of Buildings, ARPA funds.

S. B. No. 3165: Appropriation; additional to MDOT-Surface Transportation Projects, ARPA funds.

Adopted: 04/28/24

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 2:08 PM, the Senate stood in recess.

The Senate resumed business at 3:07 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2060: AN ACT TO DESIGNATE THE LITTLE BILOXI BRIDGE ON HIGHWAY 49 IN HARRISON COUNTY, MISSISSIPPI, AS THE "WILLIE E. KING MEMORIAL BRIDGE" IN MEMORY OF THE LATE WORLD WAR II INFANTRYMAN WILLIE EDWARD KING; AND FOR RELATED PURPOSES.

S. B. No. 2179: AN ACT TO AMEND SECTION 45-1-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF PUBLIC SAFETY TO ENTER INTO A LEASE OR SUBLEASE AGREEMENT FOR SPACE IN THE DEPARTMENT OF PUBLIC SAFETY HEADQUARTERS BUILDING WITH A THIRD PARTY FOR THE PURPOSE OF PROVIDING SERVICES AND ASSISTANCE TO THE DEPARTMENT AND ITS EMPLOYEES; TO AMEND SECTION 45-3-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LAW ENFORCEMENT OFFICERS OF THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY TO RETAIN A SIDEARM UPON RETIREMENT; TO AUTHORIZE A

BENEFICIARY OF A LAW ENFORCEMENT OFFICER OF THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY TO RETAIN THE SIDEARM OF SUCH OFFICER OR AGENT; TO AMEND SECTION 45-9-131, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 634, 2024 REGULAR SESSION, TO CONFORM; TO CREATE THE STATE MEDICAL EXAMINER TASK FORCE TO REPLACE THE STATE MEDICAL EXAMINER ADVISORY COUNCIL; TO AMEND SECTION 41-61-55, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISIONS RELATING TO THE STATE MEDICAL EXAMINER ADVISORY COUNCIL; AND FOR RELATED PURPOSES.

S. B. No. 2445: AN ACT TO AMEND SECTION 47-5-473, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE MISSISSIPPI CORRECTIONAL FACILITY PILOT WORK RELEASE PROGRAM AND INCLUDE HINDS COUNTY; TO AMEND SECTION 47-5-577, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE MISSISSIPPI PRISON INDUSTRIES ACT OF 1990 FROM JULY 1, 2024, TO JULY 1, 2027, AND TO TRANSFER THE REPEALER IN SECTION 47-5-579 TO SECTION 47-5-577; TO AMEND SECTIONS 47-5-579 AND 47-5-539, MISSISSIPPI CODE OF 1972, TO REVISE THE ADMINISTRATIVE PERCENTAGES AND THE INMATE SAVINGS PERCENTAGES UNDER THE MDOC WORK RELEASE PROGRAM AND TO EXPAND THE PILOT WORK INITIATIVE TO ANY STATE, REGIONAL OR PRIVATE CORRECTIONAL FACILITY, UNDER CERTAIN CONDITIONS; TO BRING FORWARD SECTIONS 47-5-531, 47-5-533, 47-5-535, 47-5-537, 47-5-543, 47-5-545, 47-5-547, 47-5-549, 47-5-551, 47-5-553, 47-5-555, 47-5-557, 47-5-561, 47-5-563, 47-5-565, 47-5-567, 47-5-569, 47-5-571, 47-5-573 AND 47-5-575, MISSISSIPPI CODE OF 1972; TO AMEND SECTIONS 47-5-541, 47-5-559 AND 47-5-1251, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

S. B. No. 2448: AN ACT TO EXTEND THE AUTOMATIC REPEALER ON THE MISSISSIPPI EARNED PAROLE ELIGIBILITY ACT OF 2021; TO BRING FORWARD SECTION 1 OF CHAPTER 479, LAWS OF 2021; TO AMEND SECTIONS 47-7-3, 47-7-5 AND BRING FORWARD SECTIONS 47-7-3.1, 47-7-3.2, 47-7-15, 47-7-17 AND 47-7-18, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

S. B. No. 2486: AN ACT TO AMEND SECTION 31-7-417, MISSISSIPPI CODE OF 1972, TO SIMPLIFY THE RECEIPT AND REGISTRATION PROCESS FOR PROPOSALS AND REQUESTS FOR QUALIFICATIONS; TO AMEND SECTION 25-61-5, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2308, 2024 REGULAR SESSION, TO PROVIDE THAT WHERE ANY PUBLIC BODY IS PREPARING OR CONDUCTING A COMPETITIVE PROCUREMENT, THE TIME LIMITATIONS FOR PRODUCTION SHALL BE TOLLED UNTIL THE PUBLIC BODY DETERMINES IT WILL NOT ISSUE THE PROCUREMENT, CANCELS THE PROCUREMENT OR ISSUES A NOTICE NAMING ITS INTENDED AWARDEE; TO BRING FORWARD SECTION 25-61-9, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO ALLOW PURCHASES MADE BY STATE AGENCIES RELATED TO MUSEUM EXHIBITS TO QUALIFY FOR A FABRICATION OF EXHIBITS EXEMPTION WHEN CERTAIN LISTED PROCEDURES ARE FOLLOWED; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO ALLOW ANY PERSON OR PROFESSIONAL SERVICE CONTRACTS ENTERED INTO BY AN AGENCY FOR THE DESIGN, OPERATION OR MAINTENANCE OF MUSEUM EXHIBITS TO QUALIFY FOR AN EXHIBIT DESIGN EXEMPTION WHEN CERTAIN LISTED PROCEDURES ARE FOLLOWED; TO AMEND 31-7-401, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

S. B. No. 2577: AN ACT TO CREATE A NEW SECTION IN TITLE 97, CHAPTER 13, MISSISSIPPI CODE OF 1972, TO CREATE CRIMINAL PENALTIES FOR THE WRONGFUL DISSEMINATION OF DIGITIZATIONS; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 652: AN ACT TO AMEND SECTION 59-5-37, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE PROVISION OF LAW WHICH AUTHORIZES THE STATE PORT AUTHORITY AND OTHER PORTS AND PORT COMMISSIONS TO USE THE DESIGN-BUILD METHOD OF CONTRACTING FOR CERTAIN PROJECTS; AND FOR RELATED PURPOSES.

David Jordan, Chairman

Senator Parks called up the motion to reconsider the vote whereby **H. B. No. 1720** passed the Senate and moved that the motion to reconsider be tabled:

H. B. No. 1720: City of Pontotoc; extend repealer on authority to levy tax on hotels, motels and restaurants.

The foregoing motion prevailed.

Senator Harkins moved that the Conference Committee Report on **H. B. No. 1354** be recommitted for further conference and the motion prevailed.

H. B. No. 1354: Alcoholic Beverage Control Division warehouse; increase amount of revenue bonds authorized for and bailment fee authorized for paying debt service on bonds.

Senator Harkins moved that the Conference Committee Report on **H. B. No. 1473** be recommitted for further conference and the motion prevailed.

H. B. No. 1473: Bonds; repeal authorization for certain unissued bonds and replace certain unissued bonds with cash.

Senator Harkins moved that the Conference Committee Report on **H. B. No. 1983** be recommitted for further conference and the motion prevailed.

H. B. No. 1983: Bonds; authorize issuance for various purposes.

Senator Harkins moved that the Conference Committee Report on **H. B. No. 1988** be recommitted for further conference and the motion prevailed.

H. B. No. 1988: Children's Promise Act; increase amount of tax credits that may be allocated under, bring forward various tax credit sections of law.

Senator Harkins moved that the Conference Committee Report on **S. B. No. 2493** be recommitted for further conference and the motion prevailed.

S. B. No. 2493: Bonds; repeal authorization for unissued bonds, and replace with cash funds.

Senator Harkins moved that the Conference Committee Report on **S. B. No. 3070** be recommitted for further conference and the motion prevailed.

S. B. No. 3070: Income tax and insurance premium tax; authorize a credit for certain investments in qualified community development entities.

Senator Polk moved that the rules be suspended to move to calendar item 7, **H. B. No. 1830**, and the motion prevailed.

Senator Polk moved that the Conference Committee Report on **H. B. No. 1830** be recommitted for further conference and the motion prevailed.

H. B. No. 1830: Appropriation; additional appropriation FY24.

Senator Polk moved that the rules be suspended to move to calendar item 12, **S. B. No. 3058**, and the motion prevailed.

Senator Polk moved that the Conference Committee Report on **S. B. No. 3058** be recommitted for further conference and the motion prevailed.

S. B. No. 3058: Coronavirus State Fiscal Recovery Fund; FY2025 reappropriate to certain agencies.

Senator Bryan moved that the Conference Committee Report on **H. B. No. 764** be recommitted for further conference and the motion prevailed.

H. B. No. 764: State Department of Health and State Board of Health; extend repealer on.

Senator Branning moved that the Conference Committee Report on **H. B. No. 1681** (version 2) be recommitted for further conference and the motion prevailed.

H. B. No. 1681: Memorial Highways; designate segment MS Hwy 513 in Clarke County as "Lance Corporal Mac Hamburg, MSMC, Memorial Highway."

Senator Wiggins moved that the rules be suspended for the consideration en bloc of calendar item 73, H. B. No. 1088 and calendar item 92, H. B. No. 1542 and the motion prevailed.

Senator Wiggins moved that the Conference Committee Report on **H. B. No. 1088** and the Conference Committee Report on **H. B. No. 1542** be recommitted for further conference and the motion prevailed.

H. B. No. 1088: Circuit courts; authorize jurisdiction for persons with criminal charges who may need civil commitment procedures.

H. B. No. 1542: Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at the time of death.

Senator Blount called up the following entitled nomination:

S. N. No. 47: Francis Clark (Franc) Lee, Flowood, Mississippi, Mississippi Gaming Commission, four year term effective October 1, 2024 and ending September 30, 2028.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 47 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Blount called up the following entitled nomination:

S. N. No. 79: Jeremy Andra Felder, Hattiesburg, Mississippi, Gaming Commission, remainder of a four year term effective February 14, 2024 and ending September 30, 2027, vice Thomas Gresham.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 79 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Polk called up the following entitled nomination:

S. N. No. 89: Anthony Lynn (Tony) Jones, Olive Branch, Mississippi, Mississippi Real Estate Commission, four year term beginning January 31, 2024 and ending June 30, 2027, representing the At-Large member, vice Gwendolyn James.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 89 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.
Absent and those not voting----None.

Senator Polk called up the following entitled nomination:

S. N. No. 92: Rhoshunda G. Kelly, Madison, Mississippi, Commissioner of the Mississippi Department of Banking and Consumer Finance, four year term effective July 1, 2024 and ending June 30, 2028.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 92 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Boyd moved that the rules be suspended for the consideration en bloc of S. N. No. 98, S. N. No. 99, S. N. No. 100 and S. N. No. 101 and the motion prevailed.

Senator Boyd called up the following entitled nominations:

S. N. No. 98: Donald (Don) Clark, Jr., Canton, Mississippi, Board of Trustees of the Institutions of Higher Learning, nine year term effective May 9, 2024 and ending May 8, 2033, representing the First Supreme Court District, vice Chip Morgan.

S. N. No. 99: Jerry L. Griffith, Gulfport, Mississippi, Board of Trustees of the Institutions of Higher Learning, nine year term effective May 9, 2024 and ending May 8, 2033, representing the Second Supreme Court District, vice Tom Duff.

S. N. No. 100: James Hinkle (Jimmy) Heidelberg, Pascagoula, Mississippi, Board of Trustees of the Institutions of Higher Learning, nine year term effective May 9, 2024 and ending May 8, 2033, representing the Second Supreme Court District, vice Dr. Alfred McNair.

S. N. No. 101: Charles Richards (Charlie) Stephenson, West Point, Mississippi, Board of Trustees of the Institutions of Higher Learning, nine year term effective May 9, 2024 and ending May 8, 2033, representing the Third Supreme Court District, vice Dr. J. Walt Starr.

YEAS AND NAYS on consideration en bloc of S. N. No. 98, S. N. No. 99, S. N. No. 100 and S. N. No. 101. On motion of Senator Boyd, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.

Absent and those not voting----None.

Senator Thompson called up the following entitled nomination:

S. N. No. 80: Jason M. Osborne, Waveland, Mississippi, MS Advisory Commission on Marine Resources, remainder of a four year term effective July 1, 2023 and ending June 30, 2026.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 80 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk moved that the Senate stand in recess until 4:00 PM.

The motion prevailed, and at 3:27 PM, the Senate stood in recess.

The Senate resumed business at 4:00 PM, pursuant to recess, with President Hosemann presiding.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 691: Mississippi Board on Law Enforcement Officer Standards and Training; revise composition of and provide with investigative authority.

H. B. No. 770: MS Office of Workforce Development; extend exemption from Public Procurement Review Board rental agreement requirements.

H. B. No. 1567: Workforce development fund; bring forward code section on.

S. B. No. 2174: Motor vehicle theft; revise penalty for.

S. B. No. 2717: Mississippi Prison Industries Corporation; clarify conflicts in laws concerning leadership.

Adopted: 04/27/24

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 3231: PERS; revise employer contribution rate increase, and redefine responsibilities of board and Legislature.

Andrew Ketchings, Clerk of the House of Representatives

Senator Hopson moved that the rules be suspended to move to calendar item 8, **H. B. No. 1949**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1949** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1949: Appropriation; Finance and Administration, Department of, for eligible ARPA administration and reporting expenses.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money to the credit of the Coronavirus State Fiscal Recovery Lost Revenue Fund, and allocated in a manner as determined by the Treasurer's Office, to the Administrative Office of Courts for the purpose of defraying the cost of eligible expeditions under the American Rescue Plan Act for the period beginning from and after the passage of this act and ending June 30, 2025..... $ 600,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the Administrative Office of Courts.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time-to-time, by the United States Department of the Treasury and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the

United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Lost Revenue Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Lost Revenue Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time-to-time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Lost Revenue Fund established by ARPA and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Lost Revenue Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after its passage.

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

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE ADMINISTRATIVE OFFICE OF COURTS FOR THE PURPOSE OF DEFRAYING THE COST OF ELIGIBLE EXPENDITURES UNDER THE AMERICAN RESCUE PLAN ACT (ARPA) FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	Briggs Hopson
Karl Oliver	John A. Polk
Angela Cockerham	Hillman Terome Frazier

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1949** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 9, **H. B. No. 1951**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1951** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1951: Appropriation; Health, Department of, for funding the ARPA Rural Water Associations Infrastructure Grant Program.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health for the purpose of funding the ARPA Rural Water Associations Infrastructure Grant Program established in Section 41-3-16.1, Mississippi Code of 1972, for the period beginning upon the passage of this act and ending June 30, 2025

$ 30,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the State Department of Health.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time-to-time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time-to-time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. As a condition of receiving the funds appropriated herein, the State Department of Health shall award these funds to eligible entities that have not previously received funding in prior rounds.

SECTION 5. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not

otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after its passage.

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

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	Briggs Hopson
Karl Oliver	John A. Polk
Angela Cockerham	Dennis DeBar, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1951** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 10, **H. B. No. 1952**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1952** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1952: Appropriation; Public Safety, Department of, for purchases of ARPA eligible equipment.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money to the credit of the Coronavirus State Fiscal Recovery Lost Revenue Fund, and allocated in a manner as determined by the Treasurer's Office, to the Mississippi Department of Public Safety for the purpose of purchasing eligible equipment for law enforcement officers employed by and through the Mississippi Department of Public Safety for the period beginning from and after the passage of this act and ending June 30, 2025 ..... $ 3,500,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the Mississippi Department of Public Safety.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure

sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time-to-time, by the United States Department of the Treasury and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Lost Revenue Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Lost Revenue Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time-to-time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Lost Revenue Fund established by ARPA and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Lost Revenue Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after its passage.

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

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF PURCHASING ELIGIBLE EQUIPMENT FOR LAW ENFORCEMENT OFFICERS EMPLOYED BY AND THROUGH THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	Briggs Hopson
Karl Oliver	John A. Polk
Angela Cockerham	Hillman Terome Frazier

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1952** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

_____

Senator Hopson moved that the rules be suspended to move to calendar item 11, **S. B. No. 2170**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2170** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2170: Appropriation; additional to Department of Health.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the General Fund not otherwise appropriated, to the Department of Health for the purpose of funding disbursements to Mississippi hospitals, for the period beginning upon passage and ending June 30, 2025.....

$ 20,435,629.00.

SECTION 2. As a condition of receiving and expending the funds appropriated to the department under this act, the department shall:

(a) Determine the amount of funds each hospital under the program established in Section 41-9-371 would have been eligible to receive if the funds appropriated to the program by Chapter 47, General Laws of 2023, had not been subject to any restrictions other than those imposed by Section 41-9-371;

(b) Determine the amount of funds each hospital actually received or will receive pursuant to a beneficiary agreement executed by April 25, 2024, under the program in Section 41-9-371;

(c) Determine the difference between the amount of funds in paragraphs (a) and (b) of this section; and

(d) Disburse the difference calculated in paragraph (c) of this section to any hospital where the difference is a positive balance.

SECTION 3. As a condition of receiving and expending the funds appropriated to the department under this act, the department shall not disburse funds to a hospital pursuant to Section 41-9-371 that did not have a beneficiary agreement executed by April 25, 2024.

SECTION 4. None of the funds appropriated by this act shall be used to pay employee premium payments.

SECTION 5. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Capital Expense Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after its passage.

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

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF GENERAL FUNDS TO THE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING DISBURSEMENTS TO MISSISSIPPI HOSPITALS FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
Kevin Blackwell	John Read
John A. Polk	Karl Oliver

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2170** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 13, **S. B. No. 3059**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3059** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3059: Appropriations; additional for various state agencies for FY2024 and FY2025.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Dental Examiners and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi State Board of Dental Examiners for the period beginning upon passage, and ending June 30, 2025 ..... $ 320,000.00.

This additional appropriation is for the purpose of defraying the costs of relocating the agency, facility inspections, and replacing the agency's database system.

SECTION 2. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Development Authority and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Development Authority for the period beginning July 1, 2023, and ending June 30, 2024.

$ 5,000,000.00.

This additional appropriation is for the purpose of defraying the cost of the Forestry Facility Grant Program established in Section 57-1-781, Mississippi Code of 1972.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State

Treasury to the credit of the Wireless Communication Commission and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Wireless Communication Commission for the period beginning upon passage, and ending June 30, 2025

$ 3,900,000.00.

This additional appropriation is for the purpose of defraying the cost associated with adding new statewide communication towers.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury, to the credit of the State Board of Cosmetology, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the State Board of Cosmetology for the period beginning July 1, 2023, and ending June 30, 2024 .....

$ 57,000.00.

This additional appropriation is for the purpose of defraying agency operational expenditures.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury, to the credit of the Governor's Office-Division of Medicaid, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Governor's Office-Division of Medicaid for the period beginning July 1, 2023, and ending June 30, 2024

$ 855,218,476.00.

This additional appropriation is for the purpose of defraying mandated Medicaid medical services.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury, to the credit of the State Forestry Commission, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the State Forestry Commission for the period beginning July 1, 2023, and ending June 30, 2024. ..... $ 719,405.00.

This additional appropriation is for the purpose of defraying expenses related to the emergency response to wildfires.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of paying for certain outside legal assistance, expert witness fees, court fees, judgments and settlement agreements incurred by the Office of the Attorney General for the period beginning upon passage, and ending June 30, 2025

$ 665,094.00.

(a) Anthony Fox v. State of Mississippi, Circuit Court of Hinds County, Mississippi, Cause No. 24-188..... $ 57,562.00

(b) Mississippi State Conference of the National Conference for the Advancement of Colored People, et al. v. State Board of Election Commissioners, et al. No. 3:22-cv-734 (S.D. Miss) .....

$ 607,532.00

SECTION 8. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the General Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Office of the Secretary of State for the period upon passage, and ending

June 30, 2025 ..... $ 3,977,000.00.

This additional appropriation is for the purpose of defraying the expenses of software system updates and upgrades.

SECTION 9. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Mississippi Department of Education for the period beginning July 1, 2023, and ending June 30, 2024 ..... $ 2,515,260.00.

This additional appropriation is provided for the purpose of defraying the costs of the Educable Child program.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Mississippi State Department of Health for the period beginning upon passage, and ending June 30, 2025 ..... $ 2,772,010.00.

This additional appropriation is provided for defraying the costs of legal expenses associated with the City of Jackson's water litigation.

SECTION 11. This act shall take effect and be in force from and after its passage.

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

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS AND SPECIAL FUNDS FOR FISCAL YEARS 2024 AND 2025 TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS; THE MISSISSIPPI DEVELOPMENT AUTHORITY; THE WIRELESS COMMUNICATION COMMISSION; THE STATE BOARD OF COSMETOLOGY; THE GOVERNOR'S OFFICE-DIVISION OF MEDICAID; THE STATE FORESTRY COMMISSION; THE OFFICE OF THE ATTORNEY GENERAL; THE SECRETARY OF STATE; THE MISSISSIPPI DEPARTMENT OF EDUCATION; THE MISSISSIPPI STATE DEPARTMENT OF HEALTH; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	John Read
Dennis DeBar, Jr.	Angela Cockerham
John A. Polk	Vince Mangold

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3059** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 14, **S. B. No. 3163**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3163** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3163: Appropriation; additional to DFA-Administration, ARPA funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money not otherwise appropriated to the credit of the Coronavirus State Fiscal Recovery Fund, and allocated in a manner as determined by the Treasurer's Office, to the Department of Finance and Administration for the purpose of defraying administrative and reporting expenses for the period beginning on passage, and ending June 30, 2025 ..... $ 15,000,000.00.

This additional appropriation is for the purpose of defraying eligible administration and reporting expenses related to the Coronavirus State Fiscal Recovery Funds incurred on or after March 3, 2021, through the final expenditure date as determined by the U.S. Treasury.

SECTION 2. None of the funds appropriated under this act shall be used to pay employee premium payments.

SECTION 3. (1) As used in this section and Section 4 of this act, the term "department" means the Department of Finance and Administration.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

SECTION 4. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA; and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 5. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after its passage.

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

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR ADMINISTRATION AND REPORTING EXPENSES ALLOWABLE UNDER THE AMERICAN RESCUE PLAN ACT FOR THE PERIOD BEGINNING ON PASSAGE AND ENDING ON JUNE 30, 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	John Read
John A. Polk	Karl Oliver
Hillman Terome Frazier	Angela Cockerham

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3163** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senator Branning as co-author of **S. B. No. 3163**.

Senator Hopson moved that the rules be suspended to move to calendar item 15, **S. B. No. 3164**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3164** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3164: Appropriation; additional to DFA-Bureau of Buildings, ARPA funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money not otherwise appropriated to the credit of the Coronavirus State Fiscal Recovery Fund, and allocated in a manner as determined by the Treasurer's Office, to the Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management for the purposes described in this section, for the period beginning on passage, and ending June 30, 2025 .....

$ 56,500,000.00.

This additional appropriation under this section is for the purpose of completing capital projects at any state-owned buildings or grounds that are allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

SECTION 2. "Capital projects" for the purpose of this act shall mean the following:

(a) Eligible projects under the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF), lead remediation, and stormwater infrastructure;

(b) Prevention, mitigation, or other services in congregate living facilities and other key settings;

(c) Ventilation system installation and improvements;

(d) Capital investments in public facilities to implement COVID-19 mitigation tactics;

(e) Improvements to state parks due to increased use;

(f) Any other eligible project through ARPA guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury, excluding broadband infrastructure.

SECTION 3. It is the intention of the Legislature that the Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management prioritize necessary investment in drinking water, wastewater, and stormwater infrastructure when determining projects unless the entity operates a congregate living facility or the purpose is expressly stated in this act.

SECTION 4. None of the funds appropriated under this act shall be used to pay employee premium payments.

SECTION 5. (1) As used in this section and Section 6 of this act, the term "department" means the Department of Finance and Administration Bureau of Building, Grounds and Real Property Management.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

SECTION 6. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA; and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 7. The department shall submit to the Joint Legislative Budget Committee by October 1 of each year an annual report. The reports shall contain a

listing of the projects intended to be funded through this appropriation, the amount of funds allocated toward each project, the amount of funds expended on each project, and the status of each project.

SECTION 8. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after its passage.

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

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION BUREAU OF BUILDING, GROUNDS, AND REAL PROPERTY MANAGEMENT FOR ALLOWABLE CAPITAL PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT FOR THE PERIOD BEGINNING ON PASSAGE AND ENDING ON JUNE 30, 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	John Read
John A. Polk	Karl Oliver
Albert Butler	Angela Cockerham

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3164** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 16, **S. B. No. 3165**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3165** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3165: Appropriation; additional to MDOT-Surface Transportation Projects, ARPA funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money not otherwise appropriated to the credit of the Coronavirus State Fiscal Recovery Lost Revenue Fund, and allocated in a manner as determined by the Treasurer's Office, to the Mississippi Department of Transportation for the purpose of

expenditures for allowable Surface Transportation projects included in the Maintenance Program of the MDOT Three-Year Plan for the period beginning upon the passage of this act and ending June 30, 2025 .....
$ 50,000,000.00.

SECTION 2. It is the intention of the Legislature that the funds provided in Section 1 of this act shall be provided for shovel-ready projects that will be under contract and obligated before November 1, 2024.

SECTION 3. (1) As used in this section and Section 4 of this act, the term "department" means the Mississippi Department of Transportation.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 4. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021 (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 5. None of the funds appropriated by this act shall be used to pay employee premium payments.

SECTION 6. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Lost Revenue Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after its passage.

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

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND TO THE

MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF PROVIDING FUNDING FOR ALLOWABLE SURFACE TRANSPORTATION PROJECTS INCLUDED IN THE MAINTENANCE PROGRAM OF THE MDOT THREE-YEAR PLAN, FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	John Read
John A. Polk	Karl Oliver
Rita Potts Parks	Angela Cockerham

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3165** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Branning and Parker as co-authors of **S. B. No. 3165**.

Senator Polk moved that the rules be suspended to move to calendar item 42, **H. B. No. 1357**, and the motion prevailed.

Senator Polk moved that the Conference Committee Report on **H. B. No. 1357** be recommitted for further conference and the motion prevailed.

H. B. No. 1357: Department of Agriculture; revise authority to spend certain funds.

Senator England moved that when the Senate adjourns, it adjourn in memory of James Elwood Lennep of Moss Point, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Ina Herrington and Miles Herrington of Meridian, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Richard Earl Miller of Moss Point, MS.

Senator Polk moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Monday, April 29, 2024.

The motion prevailed, and at 4:41 PM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 6:30 PM in memory of James Elwood Lennep, Ina Herrington, Miles Herrington and Richard Earl Miller.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR SUNDAY, APRIL 28, 2024

ONE-HUNDRED AND NINETEENTH DAY, MONDAY, APRIL 29, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by State Senator Page Walley, Savanna, TN.

Senator Whaley led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 776** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 776: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-7, Mississippi Code of 1972, is amended as follows:

67-1-7. (1) Except as otherwise provided in Section 67-9-1 for the transportation and possession of limited amounts of alcoholic beverages for the use of an alcohol processing permittee, and subject to all of the provisions and restrictions contained in this article, the manufacture, sale, distribution, and transportation of alcoholic beverages shall be lawful, subject to the restrictions hereinafter imposed, in those counties and municipalities of this state in which, at a local option election called and held for that purpose under the provisions of this article, a majority of the qualified electors voting in such election shall vote in favor thereof.

Beginning on April 16, 2021, except as otherwise provided in Section 67-1-51 for holders of a caterer's permit, the manufacture, sale and distribution of alcoholic beverages shall not be permissible or lawful in counties except in (a) incorporated municipalities located within such counties, (b) qualified resort areas within such counties approved as such by the department, or (c) clubs within such counties, whether within a municipality or not. However, any permits issued by the department between July 1, 2020, and April 15, 2021, for the manufacture, sale and distribution of alcoholic beverages, whether or not issued to permittees in such municipalities, qualified resort areas or clubs, shall be eligible for renewal on or after April 16, 2021.

The manufacture, sale, distribution and possession of native wines or native spirits shall be lawful in any location within any such county except those locations where the manufacture, sale or distribution is prohibited by law other than this section or by regulations of the department. However, notwithstanding this provision, municipalities that have voted in favor of coming out from under the dry law may enforce such proper rules and regulations for fixing zones and territories to promote public health, morals, and safety, as they may by ordinance provide. The board of supervisors of any county that has voted in favor of coming out from under the dry law may make such rules and regulations as to territory outside of municipalities as are herein provided for municipalities.

Notwithstanding the provisions of any other law, municipalities may enforce such proper location of package retailer stores within the municipality by application of a properly adopted zoning ordinance.

(2) Notwithstanding the foregoing, within any state park or any state park facility that has been declared a qualified resort area by the department, and within any qualified resort area as defined under Section 67-1-5(o)(iii), an on-premises retailer's permit may be issued for the qualified resort area, and the permittee may lawfully sell alcoholic beverages for consumption on his licensed premises regardless of whether or not the county or municipality in which the qualified resort area is located has voted in favor of coming out from under the dry law, and it shall be lawful to receive, store, sell, possess and consume alcoholic beverages on the licensed premises, and to sell, distribute and transport alcoholic beverages to the licensed premises. Moreover, the governing authorities of a municipality in which a qualified resort area defined under Section 67-1-5(o)(iii)5, 7, 21 or 46 is located, the Pearl River Valley Water Supply District Board which governs the qualified resort area defined under Section 67-1-5(o)(iii)8.a.A, the board of supervisors of the county in which the qualified resort area defined under Section 67-1-5(o)(iii)8.a.B and C is located, and the board of supervisors of the county in which the qualified resort area defined under Section 67-1-5(o)(iii)44 is located, may, by ordinance or resolution, provide that package retailer's permits may be issued in the applicable qualified resort area, and that it shall be lawful to receive, store, sell, possess and distribute alcoholic beverages in accordance with such package retailer's permits.

SECTION 2. Section 67-1-37, Mississippi Code of 1972, as amended by House Bill No. 1525, 2024 Regular Session, is amended as follows:

67-1-37. The Department of Revenue, under its duties and powers with respect to the Alcoholic Beverage Control Division therein, shall have the following powers, functions and duties:

(a) To issue or refuse to issue any permit provided for by this article, or to extend the permit or remit in whole or any part of the permit monies when the permit cannot be used due to a natural disaster or act of God.

(b) To revoke, suspend or cancel, for violation of or noncompliance with the provisions of this article, or the law governing the production and sale of native wines or native spirits, or any lawful rules and regulations of the department issued hereunder, or for other sufficient cause, any permit issued by it under the provisions of this article. The department shall also be authorized to suspend the permit of any permit holder for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a permit for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a permit suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a permit suspended for that purpose, shall be governed by Section 93-11-157 or Section 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or Section 93-11-163 and any provision of this article, the provisions of Section 93-11-157 or Section 93-11-163, as the case may be, shall control.

(c) To prescribe forms of permits and applications for permits and of all reports which it deems necessary in administering this article.

(d) To fix standards, not in conflict with those prescribed by any law of this state or of the United States, to secure the use of proper ingredients and methods of manufacture of alcoholic beverages.

(e) To issue rules regulating the advertising of alcoholic beverages in the state in any class of media and permitting advertising of the retail price of alcoholic beverages.

(f) To issue reasonable rules and regulations, not inconsistent with the federal laws or regulations, requiring informative labeling of all alcoholic beverages offered for sale within this state and providing for the standards of fill and shapes of retail

containers of alcoholic beverages; however, such containers shall not contain less than fifty (50) milliliters by liquid measure.

(g) Subject to the provisions of subsection (3) of Section 67-1-51, to issue rules and regulations governing the issuance of retail permits for premises located near or around schools, colleges, universities, churches and other public institutions, and specifying the distances therefrom within which no such permit shall be issued. The Alcoholic Beverage Control Division shall not issue a package retailer's or on-premises retailer's permit for the sale or consumption of alcoholic beverages in or on the campus of any public school. The Alcoholic Beverage Control Division shall not issue a package retailer's permit for the sale of alcoholic beverages in or on the campus of any community or junior college, college or university.

(h) To adopt and promulgate, repeal and amend, such rules, regulations, standards, requirements and orders, not inconsistent with this article or any law of this state or of the United States, as it deems necessary to control the manufacture, importation, transportation, distribution, delivery and sale of alcoholic liquor, whether intended for beverage or nonbeverage use in a manner not inconsistent with the provisions of this article or any other statute, including the native wine and native spirit laws.

(i) To call upon other administrative departments of the state, county and municipal governments, county and city police departments and upon prosecuting officers for such information and assistance as it may deem necessary in the performance of its duties.

(j) To prepare and submit to the Governor during the month of January of each year a detailed report of its official acts during the preceding fiscal year ending June 30, including such recommendations as it may see fit to make, and to transmit a like report to each member of the Legislature of this state upon the convening thereof at its next regular session.

(k) To inspect, or cause to be inspected, any premises where alcoholic liquors intended for sale are manufactured, stored, distributed or sold, and to examine or cause to be examined all books and records pertaining to the business conducted therein.

(l) To investigate the administration of laws in relation to alcoholic liquors in this and other states and any foreign countries, and to recommend from time to time to the Governor and through him to the Legislature of this state such amendments to this article, if any, as it may think desirable.

(m) To designate hours and days when alcoholic beverages may be sold in different localities in the state which permit such sale.

(n) To assign employees to posts of duty at locations where they will be most beneficial for the control of alcoholic beverages and to take any other action concerning persons employed under this article as authorized by law and taken in accordance with the rules, regulations and procedures of the State Personnel Board.

(o) To enforce the provisions made unlawful by Chapter 3, Title 67 and Section 97-5-49.

(p) To delegate its authority under this article to the Alcoholic Beverage Control Division, its director or any other officer or employee of the department that it deems appropriate.

(q) To prescribe and charge a fee to defray the costs of shipping alcoholic beverages, provided that such fee is determined in a manner provided by the department

by rules and/or regulations adopted in accordance with the Mississippi Administrative Procedures Law.

The Alcoholic Beverage Control Division shall not issue any permit which would conflict with any zoning ordinance legally adopted by the governing authorities of any municipality or rule or regulation of any board of supervisors of any county as set forth in Section 67-1-7(1).

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 67-1-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MUNICIPALITIES THAT HAVE VOTED IN FAVOR OF COMING OUT FROM UNDER THE DRY LAW MAY ENFORCE SUCH PROPER RULES AND REGULATIONS FOR FIXING ZONES AND TERRITORIES TO PROMOTE PUBLIC HEALTH, MORALS, AND SAFETY, AS THEY MAY BY ORDINANCE PROVIDE; TO PROVIDE THAT THE BOARD OF SUPERVISORS OF ANY COUNTY THAT HAS VOTED IN FAVOR OF COMING OUT FROM UNDER THE DRY LAW MAY MAKE SIMILAR RULES AND REGULATIONS AS TO TERRITORY OUTSIDE OF MUNICIPALITIES; TO PROVIDE THAT MUNICIPALITIES MAY ENFORCE SUCH PROPER LOCATION OF PACKAGE RETAILER STORES WITHIN THE MUNICIPALITY BY APPLICATION OF A PROPERLY ADOPTED ZONING ORDINANCE; TO AMEND SECTION 67-1-37, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ALCOHOLIC BEVERAGE CONTROL DIVISION OF THE DEPARTMENT OF REVENUE SHALL NOT ISSUE ANY PERMIT WHICH WOULD CONFLICT WITH ANY ZONING ORDINANCE LEGALLY ADOPTED BY THE GOVERNING AUTHORITIES OF ANY MUNICIPALITY OR RULE OR REGULATION OF ANY BOARD OF SUPERVISORS OF ANY COUNTY AS SET FORTH IN SECTION 67-1-7; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Thomas "Trey" Lamar, III	Josh Harkins
Henry Zuber III	Chris Johnson
Brent Powell	Jeremy England

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 776** was adopted:

Yeas--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Chism. Total--1.

Absent and those not voting----None.

Voting Present--Branning, Parker. Total--2.

Senator Barrett, who would have voted yea on H. B. No. 776, announced a pair with Senator Tate, who would have voted nay.

Senator Bryan offered the following report of the Conference Committee on **H. B. No. 764** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 764: State Department of Health and State Board of Health; extend repealer on.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-3-1.1, Mississippi Code of 1972, is reenacted and amended as follows:

41-3-1.1. (1) The State Board of Health * * * shall consist of eleven (11) members appointed by the Governor for a term of six (6) years, with the advice and consent of the Senate, as follows:

(a) Five (5) members of the board shall be currently licensed physicians of good professional standing who have had at least seven (7) years' experience in the practice of medicine in this state. * * *

(b) Six (6) members of the board shall be individuals who have a background in public health or an interest in public health who are not currently or formerly licensed physicians. * * *

(c) The Governor * * * shall give due regard to geographic distribution, race and gender in making their appointments to the board. It is the intent of the Legislature that the membership of the board reflect the population of the State of Mississippi. * * * The terms of three (3) of the eleven (11) members of the board expired on June 30, 2023, and their successors have been named and await Senate confirmation. The terms of four (4) members will expire on June 30, 2025, and the terms of the other four (4) members will expire on June 30, 2027. For all appointments made from and after June 1, 2024, the Governor shall ensure that the board will always have two (2) members from each of the state's congressional districts, as they exist at the time of the appointment. In submitting

the appointments for confirmation, the Governor shall include a statement that he or she has ascertained the current domicile of each of the board members, and that the appointments comply with the geographical requirements of this section. No member shall be required to resign from the board because he or she changed his or her domicile.

(2) * * * Vacancies in office shall be filled by * * * the Governor, subject to the advice and consent of the Senate at the next regular session of the Legislature. An appointment to fill a vacancy other than by expiration of a term of office shall be for the balance of the unexpired term and thereafter until his or her successor is duly appointed.

(3) The Lieutenant Governor may designate one (1) Senator and the Speaker of the House of Representatives may designate one (1) Representative to attend any meeting of the State Board of Health. The appointing authorities may designate alternate members from their respective houses to serve when the regular designees are unable to attend the meetings of the board. Those legislative designees shall have no jurisdiction or vote on any matter within the jurisdiction of the board. For attending meetings of the board, the legislators shall receive per diem and expenses, which shall be paid from the contingent expense funds of their respective houses in the same amounts as provided for committee meetings when the Legislature is not in session; however, no per diem and expenses for attending meetings of the board will be paid while the Legislature is in session. No per diem and expenses will be paid except for attending meetings of the board without prior approval of the proper committee in their respective houses.

(4) (a) All members of the State Board of Health shall file with the Mississippi Ethics Commission, before the first day of May each year, the statement of economic interest as required by Sections 25-4-25 through 25-4-29.

(b) No member of the board shall participate in any action by the board or department if that action could have any monetary effect on any business with which that member is associated, as defined in Section 25-4-103.

(c) When any matter in which a member may not participate comes before the board or department, that member must fully recuse himself or herself from the entire matter. The member shall avoid debating, discussing or taking action on the subject matter during official meetings or deliberations by leaving the meeting room before the matter comes before the board and by returning only after the discussion, vote or other action is completed. The member shall not discuss the matter with other members, department staff or any other person. Any minutes or other record of the meeting shall accurately reflect the recusal. If a member is uncertain whether recusal is required, the member shall follow the determination of the Mississippi Ethics Commission. The commission may delegate that determination to its executive director.

(d) Upon a determination by the board or by any court of competent jurisdiction that a member of the board has violated the provisions of this subsection (4) regarding recusal, the member shall be removed from office. Any member of the board who violates the provisions of this section regarding recusal also shall be subject to the penalties set forth in Sections 25-4-109 through 25-4-117. After removal from office, the member shall not be eligible for appointment to any agency, board or commission of the state for a period of two (2) years. Nothing in this section shall be construed to limit the restrictions codified in Section 25-4-105.

SECTION 2. Section 41-3-3, Mississippi Code of 1972, is reenacted as follows:

41-3-3. Each person appointed as a member of the State Board of Health shall immediately take the oath prescribed by Section 268 of the Constitution and file a certificate thereof in the Office of the Secretary of State. Thereupon a commission shall be issued to him under the terms as specified in Section 41-3-1.

SECTION 3. Section 41-3-4, Mississippi Code of 1972, is reenacted as follows:

41-3-4. (1) There shall be a Chairman and Vice Chairman of the State Board of Health elected by and from its membership at the first meeting of the board; and the chairman shall be the presiding officer of the board. The chairman shall always be a physician member of the board. The board shall adopt rules and regulations governing times and places for meetings, and governing the manner of conducting its business. The board shall meet not less frequently than once each quarter, and at such other times as determined to be necessary. The term of office of any member who does not attend three (3) consecutive regular meetings of the board shall be automatically terminated, and the position shall be considered as vacant, except in cases of the serious illness of a board member or of his or her immediate family member. All meetings of the board shall be called by the chairman or by a majority of the members of the board, except the first meeting of the initial members of the reconstituted board, which shall be called by the Governor.

(2) The members of the board shall receive no annual salary but shall receive per diem compensation as is authorized by law for each day devoted to the discharge of official board duties and shall be entitled to reimbursement for all actual and necessary expenses incurred in the discharge of their duties, including mileage as authorized by Section 25-3-41.

SECTION 4. Section 41-3-5.1, Mississippi Code of 1972, is reenacted as follows:

41-3-5.1. The State Department of Health shall be headed by an executive officer who shall be appointed by the State Board of Health. The executive officer shall be either a physician who has earned a graduate degree in public health or health care administration, or a physician who in the opinion of the board is fitted and equipped to execute the duties incumbent upon him or her by law. The executive officer shall not engage in the private practice of medicine. The term of office of the executive officer shall be six (6) years, and the executive officer may be removed for cause by majority vote of the members of the board. The executive officer shall be subject to such rules and regulations as may be prescribed by the State Board of Health. The executive officer shall be the State Health Officer with such authority and responsibility as is prescribed by law.

SECTION 5. Section 41-3-6, Mississippi Code of 1972, is reenacted as follows:

41-3-6. It shall be the duty of the State Board of Health to review the statutes of the State of Mississippi affecting public health and submit at least thirty (30) days prior to each regular session of the Legislature any proposed legislation as may be necessary to enhance the effective and efficient delivery of public health services and to bring existing statutes into compliance with modern technology and terminology. The board shall formulate a plan for consolidating and reorganizing existing state agencies having responsibilities in the field of public health to eliminate any needless duplication in services which may be found to exist. In carrying out the provisions of this section, the State Board of Health shall cooperate with and may utilize the services, facilities and personnel of any department or agency of the state, any private citizen task force and the committees on public health of both houses of the Legislature. The State Board of Health is authorized to apply for and expend funds made available to it by grant from any source in order to perform its responsibilities under this section.

SECTION 6. Section 41-3-15, Mississippi Code of 1972, is reenacted and amended as follows:

41-3-15. (1) (a) There shall be a State Department of Health.

(b) The State Board of Health shall have the following powers and duties:

(i) To formulate the policy of the State Department of Health regarding public health matters within the jurisdiction of the department;

(ii) To adopt, modify, repeal and promulgate, after due notice and hearing, and enforce rules and regulations implementing or effectuating the powers and duties of the department under any and all statutes within the department's jurisdiction, and as the board may deem necessary;

(iii) To apply for, receive, accept and expend any federal or state funds or contributions, gifts, trusts, devises, bequests, grants, endowments or funds from any other source or transfers of property of any kind;

(iv) To enter into, and to authorize the executive officer to execute contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the provisions of this chapter, if it finds those actions to be in the public interest and the contracts or agreements do not have a financial cost that exceeds the amounts appropriated for those purposes by the Legislature;

(v) To appoint, upon recommendation of the Executive Officer of the State Department of Health, a Director of Internal Audit who shall be either a Certified Public Accountant or Certified Internal Auditor, and whose employment shall be continued at the discretion of the board, and who shall report directly to the board, or its designee; and

(vi) To discharge such other duties, responsibilities and powers as are necessary to implement the provisions of this chapter.

(c) The Executive Officer of the State Department of Health shall have the following powers and duties:

(i) To administer the policies of the State Board of Health within the authority granted by the board;

(ii) To supervise and direct all administrative and technical activities of the department, except that the department's internal auditor shall be subject to the sole supervision and direction of the board;

(iii) To organize the administrative units of the department in accordance with the plan adopted by the board and, with board approval, alter the organizational plan and reassign responsibilities as he or she may deem necessary to carry out the policies of the board;

(iv) To coordinate the activities of the various offices of the department;

(v) To employ, subject to regulations of the State Personnel Board, qualified professional personnel in the subject matter or fields of each office, and such other technical and clerical staff as may be required for the operation of the department. The executive officer shall be the appointing authority for the department, and shall have the power to delegate the authority to appoint or dismiss employees to appropriate subordinates, subject to the rules and regulations of the State Personnel Board;

(vi) To recommend to the board such studies and investigations as he or she may deem appropriate, and to carry out the approved recommendations in conjunction with the various offices;

(vii) To prepare and deliver to the Legislature and the Governor on or before January 1 of each year, and at such other times as may be required by the Legislature or Governor, a full report of the work of the department and the offices thereof,

including a detailed statement of expenditures of the department and any recommendations the board may have;

(viii) To prepare and deliver to the Chairmen of the Public Health and Welfare/Human Services Committees of the Senate and House on or before January 1 of each year, a plan for monitoring infant mortality in Mississippi and a full report of the work of the department on reducing Mississippi's infant mortality and morbidity rates and improving the status of maternal and infant health; and

(ix) To enter into contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the provisions of this chapter, if he or she finds those actions to be in the public interest and the contracts or agreements do not have a financial cost that exceeds the amounts appropriated for those purposes by the Legislature. Each contract or agreement entered into by the executive officer shall be submitted to the board before its next meeting.

(2) The State Board of Health shall have the authority to establish an Office of Rural Health within the department. The duties and responsibilities of this office shall include the following:

(a) To collect and evaluate data on rural health conditions and needs;

(b) To engage in policy analysis, policy development and economic impact studies with regard to rural health issues;

(c) To develop and implement plans and provide technical assistance to enable community health systems to respond to various changes in their circumstances;

(d) To plan and assist in professional recruitment and retention of medical professionals and assistants; and

(e) To establish information clearinghouses to improve access to and sharing of rural health care information.

(3) The State Board of Health shall have general supervision of the health interests of the people of the state and to exercise the rights, powers and duties of those acts which it is authorized by law to enforce.

(4) The State Board of Health shall have authority:

(a) To make investigations and inquiries with respect to the causes of disease and death, and to investigate the effect of environment, including conditions of employment and other conditions that may affect health, and to make such other investigations as it may deem necessary for the preservation and improvement of health.

(b) To make such sanitary investigations as it may, from time to time, deem necessary for the protection and improvement of health and to investigate nuisance questions that affect the security of life and health within the state.

(c) To direct and control sanitary and quarantine measures for dealing with all diseases within the state possible to suppress same and prevent their spread.

(d) To obtain, collect and preserve such information relative to mortality, morbidity, disease and health as may be useful in the discharge of its duties or may contribute to the prevention of disease or the promotion of health in this state.

(e) To charge and collect reasonable fees for health services, including immunizations, inspections and related activities, and the board shall charge fees for those services; however, if it is determined that a person receiving services is unable to pay the total fee, the board shall collect any amount that the person is able to pay. Any increase in the fees charged by the board under this paragraph shall be in accordance with the provisions of Section 41-3-65.

(f) (i) To establish standards for, issue permits and exercise control over, any cafes, restaurants, food or drink stands, sandwich manufacturing establishments, and all other establishments, other than churches, church-related and private schools, and other nonprofit or charitable organizations, where food or drink is regularly prepared, handled and served for pay; and

(ii) To require that a permit be obtained from the Department of Health before those persons begin operation. If any such person fails to obtain the permit required in this subparagraph (ii), the State Board of Health, after due notice and opportunity for a hearing, may impose a monetary penalty not to exceed One Thousand Dollars ($1,000.00) for each violation. However, the department is not authorized to impose a monetary penalty against any person whose gross annual prepared food sales are less than Five Thousand Dollars ($5,000.00). Money collected by the board under this subparagraph (ii) shall be deposited to the credit of the State General Fund of the State Treasury.

(g) To promulgate rules and regulations and exercise control over the production and sale of milk pursuant to the provisions of Sections 75-31-41 through 75-31-49.

(h) On presentation of proper authority, to enter into and inspect any public place or building where the State Health Officer or his representative deems it necessary and proper to enter for the discovery and suppression of disease and for the enforcement of any health or sanitary laws and regulations in the state.

(i) To conduct investigations, inquiries and hearings, and to issue subpoenas for the attendance of witnesses and the production of books and records at any hearing when authorized and required by statute to be conducted by the State Health Officer or the State Board of Health.

(j) To promulgate rules and regulations, and to collect data and information, on (i) the delivery of services through the practice of telemedicine; and (ii) the use of electronic records for the delivery of telemedicine services.

(k) To enforce and regulate domestic and imported fish as authorized under Section 69-7-601 et seq.

(5) (a) The State Board of Health shall have the authority, in its discretion, to establish programs to promote the public health, to be administered by the State Department of Health. Specifically, those programs may include, but shall not be limited to, programs in the following areas:

(i) Maternal and child health;

(ii) Family planning;

(iii) Pediatric services;

(iv) Services to crippled and disabled children;

(v) Control of communicable and noncommunicable disease;

(vi) Chronic disease;

(vii) Accidental deaths and injuries;

(viii) Child care licensure;

(ix) Radiological health;

(x) Dental health;

(xi) Milk sanitation;

(xii) Occupational safety and health;

(xiii) Food, vector control and general sanitation;

(xiv) Protection of drinking water;

(xv) Sanitation in food handling establishments open to the public;

(xvi) Registration of births and deaths and other vital events;

(xvii) Such public health programs and services as may be assigned to the State Board of Health by the Legislature or by executive order; and

(xviii) Regulation of domestic and imported fish for human consumption.

(b) * * * [Deleted]

(c) The State Department of Health may undertake such technical programs and activities as may be required for the support and operation of those programs, including maintaining physical, chemical, bacteriological and radiological laboratories, and may make such diagnostic tests for diseases and tests for the evaluation of health hazards as may be deemed necessary for the protection of the people of the state.

(6) (a) The State Board of Health shall administer the local governments and rural water systems improvements loan program in accordance with the provisions of Section 41-3-16.

(b) The State Board of Health shall have authority:

(i) To enter into capitalization grant agreements with the United States Environmental Protection Agency, or any successor agency thereto;

(ii) To accept capitalization grant awards made under the federal Safe Drinking Water Act, as amended;

(iii) To provide annual reports and audits to the United States Environmental Protection Agency, as may be required by federal capitalization grant agreements; and

(iv) To establish and collect fees to defray the reasonable costs of administering the revolving fund or emergency fund if the State Board of Health determines that those costs will exceed the limitations established in the federal Safe Drinking Water Act, as amended. The administration fees may be included in loan amounts to loan recipients for the purpose of facilitating payment to the board; however, those fees may not exceed five percent (5%) of the loan amount.

(7) * * * [Deleted]

(8) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized to issue a license to an existing home health agency for the transfer of a county from that agency to another existing home health agency, and to charge a fee for reviewing and making a determination on the application for such transfer not to exceed one-half (1/2) of the authorized fee assessed for the original application for the home health agency, with the revenue to be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(9) * * * [Deleted]

(10) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized to extend and renew any certificate of need that has expired, and to charge a fee for reviewing and making a determination on the application for such action not to exceed one-half (1/2) of the authorized fee assessed for the original application for the certificate of need, with the revenue to be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(11) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized and empowered, to revoke, immediately, the license and require closure of any institution for the aged or infirm, including any other remedy less than closure to protect the health and safety of the residents of said institution or the health and safety of the general public.

(12) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized and empowered, to require the temporary detainment of individuals for disease control purposes based upon violation of any order of the State Health Officer, as provided in Section 41-23-5. For the purpose of enforcing such orders of the State Health Officer, persons employed by the department as investigators shall have general arrest powers. All law enforcement officers are authorized and directed to assist in the enforcement of such orders of the State Health Officer.

(13) Additionally, the State Board of Health and the State Health Officer each are authorized and directed to study the status of health care, in its broadest sense, throughout the state. The study should include challenges such as access to care; the cost of care; indigent care; providing health care to the incarcerated; the availability of health care workers, paraprofessionals, and professionals; the effects of unhealthy lifestyle choices; the consequences of health care facilities locating in affluent and urban areas to the detriment of less affluent areas, small towns, and rural areas; and negative trends which may cause ill effects if they continue. The study shall also include opportunities to improve health care, such as greater coordination among state agencies, local governments, and other entities which provide various types of health care; methods of increasing the health care workforce; and methods to increase the location of health care facilities in distressed areas, rural areas, and small towns. All state agencies, the Legislative Budget Office and the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) are directed to assist the department in developing this study. This provision does not by itself grant any additional power to the State Board of Health or the State Health Officer to require any entity to operate differently. It does, however, empower and direct them to obtain information and make recommendations, and it does require all entities to cooperate with the board and health officer as they seek information.

SECTION 7. Section 41-3-16, Mississippi Code of 1972, is reenacted as follows:

41-3-16. (1) (a) There is established a local governments and rural water systems improvements revolving loan and grant program to be administered by the State Department of Health, referred to in this section as "department," for the purpose of assisting counties, incorporated municipalities, districts or other water organizations that have been granted tax-exempt status under either federal or state law, in making improvements to their water systems, including construction of new water systems or expansion or repair of existing water systems. Loan and grant proceeds may be used by the recipient for planning, professional services, acquisition of interests in land, acquisition of personal property, construction, construction-related services, maintenance, and any other reasonable use which the board, in its discretion, may allow. For purposes of this section, "water systems" has the same meaning as the term "public water system" under Section 41-26-3.

(b) (i) There is created a board to be known as the "Local Governments and Rural Water Systems Improvements Board," referred to in this section as "board," to be composed of the following nine (9) members: the State Health Officer, or his designee, who shall serve as chairman of the board; the Executive Director of the Mississippi Development Authority, or his designee; the Executive Director of the Department of Environmental Quality, or his designee; the Executive Director of the Department of Finance and Administration, or his designee; the Executive Director of the Mississippi Association of Supervisors, or his designee; the Executive Director of the Mississippi Municipal League, or his designee; the Executive Director of the American Council of Engineering Companies of Mississippi, or his designee; the State Director of the United States Department of Agriculture, Rural Development, or his designee; and a manager of a rural water system.

The Governor shall appoint a manager of a rural water system from a list of candidates provided by the Executive Director of the Mississippi Rural Water Association. The Executive Director of the Mississippi Rural Water Association shall provide the Governor a list of candidates which shall contain a minimum of three (3) candidates for each appointment.

(ii) Nonappointed members of the board may designate another representative of their agency or association to serve as an alternate.

(iii) The gubernatorial appointee shall serve a term concurrent with the term of the Governor and until a successor is appointed and qualified. No member, officer or employee of the Board of Directors of the Mississippi Rural Water Association shall be eligible for appointment.

(c) The department, if requested by the board, shall furnish the board with facilities and staff as needed to administer this section. The department may contract, upon approval by the board, for those facilities and staff needed to administer this section, including routine management, as it deems necessary. The board may advertise for or solicit proposals from public or private sources, or both, for administration of this section or any services required for administration of this section or any portion thereof. It is the intent of the Legislature that the board endeavor to ensure that the costs of administration of this section are as low as possible in order to provide the water consumers of Mississippi safe drinking water at affordable prices.

(d) Members of the board may not receive any salary, compensation or per diem for the performance of their duties under this section.

(2) (a) There is created a special fund in the State Treasury to be designated as the "Local Governments and Rural Water Systems Improvements Revolving Loan Fund," referred to in this section as "revolving fund," which fund shall consist of those monies as provided in Sections 6 and 13 of Chapter 521, Laws of 1995. The revolving fund may receive appropriations, bond proceeds, grants, gifts, donations or funds from any source, public or private. Except as otherwise provided in this section, the revolving fund shall be

credited with all repayments of principal and interest derived from loans made from the revolving fund. Except as otherwise provided in this section, the monies in the revolving fund may be expended only in amounts appropriated by the Legislature, and the different amounts specifically provided for the loan program and the grant program shall be so designated. Except as otherwise provided in this section, monies in the fund may only be expended for the grant program from the amount designated for such program. The revolving fund shall be maintained in perpetuity for the purposes established in this section and Sections 6 through 20 of Chapter 521, Laws of 1995. Unexpended amounts remaining in the revolving fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the revolving fund shall be deposited to the credit of the fund. Monies in the revolving fund may not be used or expended for any purpose except as authorized under this section and Sections 6 through 20 of Chapter 521, Laws of 1995. Any monies in the fund may be used to match any federal funds that are available for the same or related purposes for which funds are used and expended under this section and Sections 6 through 20 of Chapter 521, Laws of 1995. Any federal funds shall be used and expended only in accordance with federal laws, rules and regulations governing the expenditure of those funds. No person shall use any monies from the revolving fund for the acquisition of real property or any interest in real property unless that property is integral to the project funded under this section and the purchase is made from a willing seller. No county, incorporated municipality or district shall acquire any real property or any interest in any real property for a project funded through the revolving fund by condemnation. The board's application of Sections 43-37-1 through 43-37-13 shall be no more stringent or extensive in scope, coverage and effect than federal property acquisition laws and regulations.

(b) There is created a special fund in the State Treasury to be designated as the "Local Governments and Rural Water Systems Emergency Loan Fund," hereinafter referred to as "emergency fund," which fund shall consist of those monies as provided in Sections 6 and 13 of Chapter 521, Laws of 1995. The emergency fund may receive appropriations, bond proceeds, grants, gifts, donations or funds from any source, public or private. Except as otherwise provided in this section, the emergency fund shall be credited with all repayments of principal and interest derived from loans made from the emergency fund. Except as otherwise provided in this section, the monies in the emergency fund may be expended only in amounts appropriated by the Legislature. The emergency fund shall be maintained in perpetuity for the purposes established in this section and Section 6 of Chapter 521, Laws of 1995. Unexpended amounts remaining in the emergency fund at the end of a fiscal year shall not lapse into the State General Fund. Any interest earned on amounts in the emergency fund shall be deposited to the credit of the fund. Monies in the emergency fund may not be used or expended for any purpose except as authorized under this section and Section 6 of Chapter 521, Laws of 1995.

(c) The board created in subsection (1) shall establish loan and grant programs by which loans and grants may be made available to counties, incorporated municipalities, districts or other water organizations that have been granted tax-exempt status under either federal or state law, to assist those counties, incorporated municipalities, districts or water organizations in making water systems improvements, including the construction of new water systems or expansion or repair of existing water systems. Any entity eligible under this section may receive either a loan or a grant, or both. No grant awarded under the program established in this section may be made using funds from the loan program. Grants may be awarded only when the Legislature specifically appropriates funds for that particular purpose. The interest rate on those loans may vary from time to time and from loan to loan, and will be at or below market interest rates as determined by the board. The board shall act as quickly as is practicable and prudent in deciding on any loan request that it receives. Loans from the revolving fund or emergency fund may be made to counties, incorporated municipalities, districts or other water organizations that have been granted tax-exempt status under either federal or state law, as set forth in a loan agreement in amounts not to exceed one hundred percent (100%) of eligible project costs as established by the board. The board may require county, municipal, district or other water organization participation or funding from other

sources, or otherwise limit the percentage of costs covered by loans from the revolving fund or the emergency fund. The board may establish a maximum amount for any loan from the revolving fund or emergency fund in order to provide for broad and equitable participation in the programs.

(d) A county that receives a loan from the revolving fund or the emergency fund shall pledge for repayment of the loan any part of the homestead exemption annual tax loss reimbursement to which it may be entitled under Section 27-33-77, as may be required to meet the repayment schedule contained in the loan agreement. An incorporated municipality that receives a loan from the revolving fund or the emergency fund shall pledge for repayment of the loan any part of the sales tax revenue distribution to which it may be entitled under Section 27-65-75, as may be required to meet the repayment schedule contained in the loan agreement. All recipients of such loans shall establish a dedicated source of revenue for repayment of the loan. Before any county or incorporated municipality shall receive any loan, it shall have executed with the Department of Revenue and the board a loan agreement evidencing that loan. The loan agreement shall not be construed to prohibit any recipient from prepaying any part or all of the funds received. The repayment schedule in each loan agreement shall provide for (i) monthly payments, (ii) semiannual payments, or (iii) other periodic payments, the annual total of which shall not exceed the annual total for any other year of the loan by more than fifteen percent (15%). Except as otherwise provided in subsection (4) of this section, the loan agreement shall provide for the repayment of all funds received from the revolving fund within not more than fifteen (15) years or a term as otherwise allowed by the federal Safe Drinking Water Act, and all funds received from the emergency fund within not more than five (5) years from the date of project completion, and any repayment shall commence not later than one (1) year after project completion. The Department of Revenue shall withhold semiannually from counties and monthly from incorporated municipalities from the amount to be remitted to the county or municipality, a sum equal to the next repayment as provided in the loan agreement.

(e) Any county, incorporated municipality, district or other water organization desiring to construct a project approved by the board which receives a loan from the state for that purpose but which is not eligible to pledge for repayment under the provisions of paragraph (d) of this subsection shall repay that loan by making payments each month to the State Treasurer through the Department of Finance and Administration for and on behalf of the board according to Section 7-7-15, to be credited to either the revolving fund or the emergency fund, whichever is appropriate, in lieu of pledging homestead exemption annual tax loss reimbursement or sales tax revenue distribution.

Loan repayments shall be according to a repayment schedule contained in each loan agreement as provided in paragraph (d) of this subsection.

(f) Any district created pursuant to Sections 19-5-151 through 19-5-207 that receives a loan from the revolving fund or the emergency fund shall pledge for repayment of the loan any part of the revenues received by that district pursuant to Sections 19-5-151 through 19-5-207, as may be required to meet the repayment schedule contained in the loan agreement.

(g) The State Auditor, upon request of the board, shall audit the receipts and expenditures of a county, an incorporated municipality, district or other water organization whose loan repayments appear to be in arrears, and if the Auditor finds that the county, incorporated municipality, district or other water organization is in arrears in those repayments, the Auditor shall immediately notify the chairman of the board who may take any action as may be necessary to enforce the terms of the loan agreement, including liquidation and enforcement of the security given for repayment of the loan, and the Executive Director of the Department of Finance and Administration who shall withhold all future payments to the county of homestead exemption annual tax loss reimbursements under Section 27-33-77 and all sums allocated to the county or the incorporated

municipality under Section 27-65-75 until such time as the county or the incorporated municipality is again current in its loan repayments as certified by the board.

(h) Except as otherwise provided in this section, all monies deposited in the revolving fund or the emergency fund, including loan repayments and interest earned on those repayments, shall be used only for providing loans or other financial assistance to water systems as the board deems appropriate. In addition, any amounts in the revolving fund or the emergency fund may be used to defray the reasonable costs of administering the revolving fund or the emergency fund and conducting activities under this section and Sections 6 through 20 of Chapter 521, Laws of 1995, subject to any limitations established in the federal Safe Drinking Water Act, as amended and subject to annual appropriation by the Legislature. The department is authorized, upon approval by the board, to use amounts available to it from the revolving fund or the emergency fund to contract for those facilities and staff needed to administer and provide routine management for the funds and loan program. However, notwithstanding any other provision of law to the contrary, all or any portion of repayments of principal and interest derived from the fund uses described in this section may be designated or pledged for repayment of a loan as provided for in Section 31-25-28 in connection with a loan from the Mississippi Development Bank.

(3) In administering this section and Sections 6 through 20 of Chapter 521, Laws of 1995, the board created in subsection (1) of this section shall have the following powers and duties:

(a) To supervise the use of all funds made available under this section and Sections 6 through 20 of Chapter 521, Laws of 1995, for local governments and rural water systems improvements;

(b) To promulgate rules and regulations, to make variances and exceptions thereto, and to establish procedures in accordance with this section and Sections 6 through 20 of Chapter 521, Laws of 1995, for the implementation of the local governments and rural water systems improvements revolving loan program;

(c) To require, at the board's discretion, any loan or grant recipient to impose a per connection fee or surcharge or amended water rate schedule or tariff on each customer or any class of customers, benefiting from an improvement financed by a loan or grant made under this section, for repayment of any loan funds provided under this section and Sections 6 through 20 of Chapter 521, Laws of 1995. The board may require any loan or grant recipient to undergo a water system viability analysis and may require a loan or grant recipient to implement any result of the viability analysis. If the loan recipient fails to implement any result of a viability analysis as required by the board, the board may impose a monetary penalty or increase the interest rate on the loan, or both. If the grant recipient fails to implement any result of a viability analysis as required by the board, the board may impose a monetary penalty on the grant;

(d) To review and certify all projects for which funds are authorized to be made available under this section and Sections 6 through 20 of Chapter 521, Laws of 1995, for local governments and rural water systems improvements;

(e) To requisition monies in the Local Governments and Rural Water Systems Improvements Revolving Loan Fund and the Local Governments and Rural Water Systems Emergency Loan Fund and distribute those monies on a project-by-project basis in accordance with this section;

(f) To ensure that the funds made available under this section and Sections 6 through 20 of Chapter 521, Laws of 1995, to a county, an incorporated municipality, a district or a water organization that has been granted tax-exempt status under either federal or state law provide for a distribution of projects and funds among the entities under a priority system established by the board;

(g) To maintain in accordance with generally accepted government accounting standards an accurate record of all monies in the revolving fund and the emergency fund made available to counties, incorporated municipalities, districts or other water organizations under this section and Sections 6 through 20 of Chapter 521, Laws of 1995, and the costs for each project;

(h) To establish policies, procedures and requirements concerning viability and financial capability to repay loans that may be used in approving loans available under this section, including a requirement that all loan recipients have a rate structure which will be sufficient to cover the costs of operation, maintenance, major equipment replacement and repayment of any loans made under this section; and

(i) To file annually with the Legislature a report detailing how monies in the Local Governments and Rural Water Systems Improvements Revolving Loan Fund and the Local Governments and Rural Water Systems Emergency Loan Fund were spent during the preceding fiscal year in each county, incorporated municipality, district or other water organization, the number of projects approved and constructed, and the cost of each project.

For efficient and effective administration of the loan program, revolving fund and emergency fund, the board may authorize the department or the State Health Officer to carry out any or all of the powers and duties enumerated above.

(4) The board may, on a case-by-case basis and to the extent allowed by federal law, renegotiate the payment of principal and interest on loans made under this section to the six (6) most southern counties of the state covered by the Presidential Declaration of Major Disaster for the State of Mississippi (FEMA-1604-DR) dated August 29, 2005, and to incorporated municipalities, districts or other water organizations located in such counties; however, the interest on the loans shall not be forgiven for a period of more than twenty-four (24) months and the maturity of the loans shall not be extended for a period of more than forty-eight (48) months.

SECTION 8. Section 41-3-17, Mississippi Code of 1972, is reenacted as follows:

41-3-17. The State Board of Health is authorized to make and publish all reasonable rules and regulations necessary to enable it to discharge its duties and powers and to carry out the purposes and objectives of its creation. It is further authorized to make reasonable sanitary rules and regulations, to be enforced in the several counties by the county health officer under the supervision and control of the State Board of Health. The State Board of Health shall not make or enforce any rule or regulation that prohibits consumers from providing their own containers for the purpose of purchasing or accepting water from any vending machine or device which filters or treats water that has already been tested and determined to meet or exceed the minimum health protection standards prescribed for drinking water under the Mississippi Safe Drinking Water Law, if that vending machine or device meets or exceeds United States Environmental Protection Agency or national automatic merchandising standards.

SECTION 9. Section 41-3-18, Mississippi Code of 1972, is reenacted as follows:

41-3-18. (1) The board shall assess fees in the following amounts and for the following purposes:

(a) Food establishment annual permit fee, based on the assessment factors of the establishment as follows:

Assessment Category 1..... $ 30.00

Assessment Category 2..... 100.00

Assessment Category 3..... 150.00

Assessment Category 4..... 200.00

(b) Private water supply approval fee.....$ 10.00

The board may develop such reasonable standards, rules and regulations to clearly define each assessment category. Assessment categories shall be based upon the factors to the public health implications of the category and type of food preparation being utilized by the food establishment, utilizing the model Food Code of 1995, or as may be amended by the federal Food and Drug Administration.

Any increase in the fees charged by the board under this subsection shall be in accordance with the provisions of Section 41-3-65.

(2) The fee authorized under subsection (1)(a) of this section shall not be assessed for:

(a) Food establishments operated by public schools, public junior and community colleges, or state agencies or institutions, including, without limitation, the state institutions of higher learning and the State Penitentiary; and

(b) Persons who make infrequent casual sales of honey and who pack or sell less than five hundred (500) gallons of honey per year, and those persons shall not be inspected by the State Department of Health unless requested by the producer.

(3) The fee authorized under subsection (1)(b) of this section shall not be assessed for private water supplies used by foster homes licensed by the Department of Child Protection Services.

SECTION 10. Section 41-3-19, Mississippi Code of 1972, is reenacted as follows:

41-3-19. It is the duty of the State Board of Health to make a report, in writing, to the Governor, on or before the first day of December next preceding each session, not an extraordinary session of the Legislature, upon the sanitary condition, prospect, and needs of the state, setting forth the action of said board, of its officers and agents, the names thereof, and all its expenditures since the last preceding report, and such other matters as it may deem proper for the promotion of health or the prevention of disease. The report shall be laid before the Legislature by the Governor at its ensuing term.

SECTION 11. Section 41-3-20, Mississippi Code of 1972, is amended as follows:

41-3-20. Sections 41-3-1.1, 41-3-3, 41-3-4, 41-3-5.1, 41-3-6, 41-3-15, 41-3-16, 41-3-17, 41-3-18 and 41-3-19, which create the State Board of Health, establish the position of Executive Officer of the State Department of Health and establish the State Department of Health and prescribe its powers and duties, shall stand repealed on July 1, * * * 2029.

SECTION 12. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND REENACTED SECTION 41-3-1.1, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS RELATED TO THE MEMBERSHIP OF THE STATE BOARD OF HEALTH; TO PROVIDE THAT FROM AND AFTER JUNE 1, 2024, THE GOVERNOR SHALL ENSURE THAT THE BOARD WILL ALWAYS HAVE TWO

MEMBERS FROM EACH OF THE STATE'S CONGRESSIONAL DISTRICTS; TO REENACT SECTIONS 41-3-3, 41-3-4, 41-3-5.1, 41-3-6, 41-3-16, 41-3-17, 41-3-18 AND 41-3-19, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF HEALTH, ESTABLISH THE POSITION OF EXECUTIVE OFFICER OF THE STATE DEPARTMENT OF HEALTH, AND ESTABLISH AND PRESCRIBE THE POWERS AND DUTIES OF THE STATE DEPARTMENT OF HEALTH; TO AMEND REENACTED SECTION 41-3-15, MISSISSIPPI CODE OF 1972, TO DELETE VARIOUS OUTDATED PROVISIONS AND TO AUTHORIZE THE STATE DEPARTMENT OF HEALTH TO DEVELOP A STUDY OF THE STATUS OF HEALTH CARE IN MISSISSIPPI; TO AMEND SECTION 41-3-20, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE REENACTED STATUTES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Sam Creekmore IV	Hob Bryan
Kevin Felsher	David Blount
Dana McLean	Dennis DeBar, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 764** (version 2) was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Senator Wiggins moved that the Conference Committee Report on **H. B. No. 1086** be recommitted for further conference and the motion prevailed.

H. B. No. 1086: Land partitions; revise provision that regulate.

Senator Wiggins offered the following report of the Conference Committee on **H. B. No. 1088** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1088: Circuit courts; authorize jurisdiction for persons with criminal charges who may need civil commitment procedures.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-21-63, Mississippi Code of 1972, is amended as follows:

41-21-63. (1) No person, other than persons charged with crime, shall be committed to a public treatment facility except under the provisions of Sections 41-21-61 through 41-21-107 or 43-21-611 or 43-21-315. However, nothing herein shall be construed to repeal, alter or otherwise affect the provisions of Section 35-5-31 or to affect or prevent the commitment of persons to the Veterans Administration or other agency of the United States under the provisions of and in the manner specified in those sections.

(2) (a) The chancery court, or the chancellor in vacation, shall have jurisdiction under Sections 41-21-61 through 41-21-107 except over persons with unresolved felony charges unless paragraph (b) of this subsection applies.

(b) If a circuit court with jurisdiction over unresolved felony charges enters an order concluding that * * * a person is incompetent to stand trial and is not restorable to competency in the foreseeable future, the * * * circuit court shall retain jurisdiction and shall proceed with civil commitment procedures in the same manner as described in Sections 41-21-61 through 41-21-107. The order of the circuit court finding that the person is incompetent to stand trial and is not restorable to competency in the foreseeable future shall be in lieu of the affidavit for commitment provided for in Section 41-21-65. * * * Additionally, if the finding of the circuit court is based on the report and/or testimony of a physician or psychologist that has examined the person, the provisions of Section 41-21-67 for psychiatric examinations shall not apply.

(3) The circuit court shall also have jurisdiction under Sections 99-13-7, 99-13-9 and 99-13-11.

(4) Before the release of a person referred for civil commitment under this section and committed under Sections 41-21-61 through 41-21-107, the Department of Mental Health must notify the district attorney of the county where the offense was committed. The district attorney must notify the crime victim or a family member who has requested notification under Section 99-43-35 and the sheriffs of both the county where the offense was committed and the county of the committed person's destination.

SECTION 2. Section 99-13-9, Mississippi Code of 1972, is amended as follows:

99-13-9. When any person is indicted for an offense and acquitted on the ground of having an intellectual disability, the jury rendering the verdict shall state in the verdict that ground and whether the accused constitutes a danger to life or property and to the peace and safety of the community. If the jury certifies that the person with an intellectual

disability is dangerous to the peace and safety of the community or to himself or herself, the circuit court shall * * * proceed with the person according to the law provided in the case of persons with an intellectual disability, the person with an intellectual disability himself being remanded to custody to await the further action of the * * * circuit court.

SECTION 3. Section 41-21-65, Mississippi Code of 1972, is amended as follows:

41-21-65. (1) It is the intention of the Legislature that the filing of an affidavit under this section be a simple, inexpensive, uniform, and streamlined process for the purpose of facilitating and expediting the care of individuals in need of treatment.

(2) The Uniform Civil Commitment Affidavit developed by the Department of Mental Health under this section must be provided by the clerk of the chancery court to any party or affiant seeking a civil commitment under this section, and must be utilized in all counties to commence civil commitment proceedings under this section. The affidavit must be made available to the public on the website of the Mississippi Department of Mental Health.

(3) The Department of Mental Health, in consultation with the Mississippi Chancery Clerks Association, the Mississippi Conference of Chancery Court Judges and the Mississippi Association of Community Mental Health Centers, must develop a written guide setting out the steps in the commitment process no later than January 1, 2020. The guide shall be designated as the "Uniform Civil Commitment Guide" and must include, but not be limited to, the following:

(a) Steps in the civil commitment process from affidavit to commitment, written in easily understandable layman's terms;

(b) A schedule of fees and assessments that will be charged to commence a commitment proceeding under this section;

(c) Eligibility requirements and instructions for filing a pauper's affidavit; and

(d) A statement on the front cover of the guide advising that persons wishing to pursue a civil commitment under this section are not required to retain an attorney for any portion of the commitment process.

(4) Immediately upon availability, but no later than January 1, 2020, the Uniform Civil Commitment Guide must be provided by the clerk of the chancery court to any party or affiant seeking a civil commitment under this section and also must be made available to the public on the website of the Mississippi Department of Mental Health.

(5) If any person is alleged to be in need of treatment, any relative of the person, or any interested person, may make affidavit of that fact and shall file the Uniform Civil Commitment Affidavit with the clerk of the chancery court of the county in which the person alleged to be in need of treatment resides, but the chancellor or duly appointed special master may, in his or her discretion, hear the matter in the county in which the person may be found or the circuit judge may hear such matter as provided in Section 41-21-63. The affidavit shall set forth the name and address of the proposed patient's nearest relatives and whether the proposed patient resides or has visitation rights with any minor children, if known, and the reasons for the affidavit. The affidavit must contain factual descriptions of the proposed patient's recent behavior, including a description of the behavior, where it occurred, and over what period of time it occurred, if known. Each factual allegation may be supported by observations of witnesses named in the affidavit. The Department of Mental Health, in consultation with the Mississippi Chancery Clerks' Association, shall develop a simple, one-page affidavit form for the use of affiants as provided in this section. The affidavit also must state whether the affiant has consulted with a Community Mental Health Center or a physician to determine whether the alleged acts by the proposed respondent warrant civil commitment in lieu of other less-restrictive treatment options. No

chancery clerk shall require an affiant to retain an attorney for the filing of an affidavit under this section.

(6) The chancery clerk may charge a total filing fee for all services equal to the amount set out in Section 25-7-9(o), and the appropriate state and county assessments as required by law which include, but are not limited to, assessments for the Judicial Operation Fund (Section 25-7-9(3)(b)); the Electronic Court System Fund (Section 25-7-9(3)(a)); the Civil Legal Assistance Fund (Section 25-7-9(1)(k)); the Court Education and Training Fund (Section 37-26-3); State Court Constituent's Fund (Section 37-26-9(4)); and reasonable court reporter's fee. Costs incidental to the court proceedings as set forth in Section 41-21-79 may not be included in the assessments permitted by this subsection. The total of the fees and assessments permitted by this subsection may not exceed One Hundred Fifty Dollars ($150.00).

(7) The prohibition against charging the affiant other fees, expenses, or costs shall not preclude the imposition of monetary criminal penalties under Section 41-21-107 or any other criminal statute, or the imposition by the chancellor of monetary penalties for contempt if the affiant is found to have filed an intentionally false affidavit or filed the affidavit in bad faith for a malicious purpose.

(8) Nothing in this section shall be construed so as to conflict with Section 41-21-63.

(9) The Department of Mental Health shall provide annual training to chancery and circuit court clerks to inform them about statutory procedures for civil commitments.

SECTION 4. Section 41-21-67, Mississippi Code of 1972, is amended as follows:

41-21-67. (1) Whenever the affidavit provided for in Section 41-21-65 is filed with the chancery clerk, the clerk, upon direction of the chancellor of the court, shall issue a writ directed to the sheriff of the proper county to take into custody the person alleged to be in need of treatment and to take the person for pre-evaluation screening and treatment by the appropriate community mental health center established under Section 41-19-31. Except as otherwise provided in Section 41-21-63, the community mental health center will be designated as the first point of entry for pre-evaluation screening and treatment. If the community mental health center is unavailable, any reputable licensed physician, psychologist, nurse practitioner or physician assistant, as allowed in the discretion of the court, may conduct the pre-evaluation screening and examination as set forth in Section 41-21-69. The order may provide where the person shall be held before being taken for pre-evaluation screening and treatment. However, when the affidavit fails to set forth factual allegations and witnesses sufficient to support the need for treatment, the chancellor shall refuse to direct issuance of the writ. Reapplication may be made to the chancellor. If a pauper's affidavit is filed by an affiant who is a guardian or conservator of a person in need of treatment, the court shall determine if either the affiant or the person in need of treatment is a pauper and if * * * the affiant or the person in need of treatment is determined to be a pauper, the county of the residence of the respondent shall bear the costs of commitment, unless funds for those purposes are made available by the state.

In any county in which a Crisis Intervention Team has been established under the provisions of Sections 41-21-131 through 41-21-143, the clerk, upon the direction of the chancellor, may require that the person be referred to the Crisis Intervention Team for appropriate psychiatric or other medical services before the issuance of the writ.

(2) Upon issuance of the writ, the chancellor shall immediately appoint and summon two (2) reputable, licensed physicians or one (1) reputable, licensed physician and either one (1) psychologist, nurse practitioner or physician assistant to conduct a physical and mental examination of the person at a place to be designated by the clerk or chancellor and to report their findings to the clerk or chancellor. However, any nurse practitioner or physician assistant conducting the examination shall be independent from,

and not under the supervision of, the other physician conducting the examination. A nurse practitioner or psychiatric nurse practitioner conducting an examination under this chapter must be functioning within a collaborative or consultative relationship with a physician as required under Section 73-15-20(3). In all counties in which there is a county health officer, the county health officer, if available, may be one (1) of the physicians so appointed. If a licensed physician is not available to conduct the physical and mental examination within forty-eight (48) hours of the issuance of the writ, the court, in its discretion and upon good cause shown, may permit the examination to be conducted by the following: (a) two (2) nurse practitioners, one (1) of whom must be a psychiatric nurse practitioner; or (b) one (1) psychiatric nurse practitioner and one (1) psychologist or physician assistant. Neither of the physicians nor the psychologist, nurse practitioner or physician assistant selected shall be related to that person in any way, nor have any direct or indirect interest in the estate of that person nor shall any full-time staff of residential treatment facilities operated directly by the State Department of Mental Health serve as examiner.

(3) The clerk shall ascertain whether the respondent is represented by an attorney, and if it is determined that the respondent does not have an attorney, the clerk shall immediately notify the chancellor of that fact. If the chancellor determines that the respondent for any reason does not have the services of an attorney, the chancellor shall immediately appoint an attorney for the respondent at the time the examiners are appointed.

(4) If the chancellor determines that there is probable cause to believe that the respondent is mentally ill and that there is no reasonable alternative to detention, the chancellor may order that the respondent be retained as an emergency patient at any licensed medical facility for evaluation by a physician, nurse practitioner or physician assistant and that a peace officer transport the respondent to the specified facility. If the community mental health center serving the county has partnered with Crisis Intervention Teams under the provisions of Sections 41-21-131 through 41-21-143, the order may specify that the licensed medical facility be a designated single point of entry within the county or within an adjacent county served by the community mental health center. If the person evaluating the respondent finds that the respondent is mentally ill and in need of treatment, the chancellor may order that the respondent be retained at the licensed medical facility or any other available suitable location as the court may so designate pending an admission hearing. If necessary, the chancellor may order a peace officer or other person to transport the respondent to that facility or suitable location. Any respondent so retained may be given such treatment as is indicated by standard medical practice. However, the respondent shall not be held in a hospital operated directly by the State Department of Mental Health, and shall not be held in jail unless the court finds that there is no reasonable alternative.

(5) (a) Whenever a licensed psychologist, nurse practitioner or physician assistant who is certified to complete examinations for the purpose of commitment or a licensed physician has reason to believe that a person poses an immediate substantial likelihood of physical harm to himself or others or is gravely disabled and unable to care for himself by virtue of mental illness, as defined in Section 41-21-61(e), then the physician, psychologist, nurse practitioner or physician assistant may hold the person or may admit the person to and treat the person in a licensed medical facility, without a civil order or warrant for a period not to exceed seventy-two (72) hours. However, if the seventy-two-hour period begins or ends when the chancery clerk's office is closed, or within three (3) hours of closing, and the chancery clerk's office will be continuously closed for a time that exceeds seventy-two (72) hours, then the seventy-two-hour period is extended until the end of the next business day that the chancery clerk's office is open. The person may be held and treated as an emergency patient at any licensed medical facility, available regional mental health facility, or crisis intervention center. The physician or psychologist, nurse practitioner or physician assistant who holds the person shall certify in writing the reasons for the need for holding.

If a person is being held and treated in a licensed medical facility, and that person decides to continue treatment by voluntarily signing consent for admission and treatment, the seventy-two-hour hold may be discontinued without filing an affidavit for commitment. Any respondent so held may be given such treatment as indicated by standard medical practice. Persons acting in good faith in connection with the detention and reporting of a person believed to be mentally ill shall incur no liability, civil or criminal, for those acts.

(b) Whenever an individual is held for purposes of receiving treatment as prescribed under paragraph (a) of this subsection, and it is communicated to the mental health professional holding the individual that the individual resides or has visitation rights with a minor child, and if the individual is considered to be a danger to the minor child, the mental health professional shall notify the Department of Child Protection Services prior to discharge if the threat of harm continues to exist, as is required under Section 43-21-353.

This paragraph (b) shall be known and may be cited as the "Andrew Lloyd Law."

SECTION 5. Section 41-21-71, Mississippi Code of 1972, is amended as follows:

41-21-71. If, as a result of the examination, the appointed examiners certify that the person is not in need of treatment, the chancellor * * *, clerk or circuit judge as applicable shall dismiss the affidavit without the need for a further hearing. * * * Except as otherwise provided in Section 41-21-63, the chancellor or chancery clerk finds, based upon the appointed examiners' certificates and any other relevant evidence, that the respondent is in need of treatment and the certificates are filed with the chancery clerk within forty-eight (48) hours after the order for examination, or extension of that time as provided in Section 41-21-69, the clerk shall immediately set the matter for a hearing. The hearing shall be set within seven (7) days of the filing of the certificates unless an extension is requested by the respondent's attorney. In no event shall the hearing be more than ten (10) days after the filing of the certificates.

SECTION 6. Section 41-21-73, Mississippi Code of 1972, is amended as follows:

41-21-73. (1) Except as otherwise provided in Section 41-21-63, the hearing shall be conducted before the chancellor. However, the hearing may be held at the location where the respondent is being held. Within a reasonable period of time before the hearing, notice of same shall be provided the respondent and his attorney, which shall include: (a) notice of the date, time and place of the hearing; (b) a clear statement of the purpose of the hearing; (c) the possible consequences or outcome of the hearing; (d) the facts that have been alleged in support of the need for commitment; (e) the names, addresses and telephone numbers of the examiner(s); and (f) other witnesses expected to testify.

(2) The respondent must be present at the hearing unless the chancellor determines that the respondent is unable to attend and makes that determination and the reasons therefor part of the record. At the time of the hearing, the respondent shall not be so under the influence or suffering from the effects of drugs, medication or other treatment so as to be hampered in participating in the proceedings. The court, at the time of the hearing, shall be presented a record of all drugs, medication or other treatment that the respondent has received pending the hearing, unless the court determines that such a record would be impractical and documents the reasons for that determination.

(3) The respondent shall have the right to offer evidence, to be confronted with the witnesses against him and to cross-examine them and shall have the privilege against self-incrimination. The rules of evidence applicable in other judicial proceedings in this state shall be followed.

(4) If the court finds by clear and convincing evidence that the proposed patient is a person with mental illness or a person with an intellectual disability and, if after careful

consideration of reasonable alternative dispositions, including, but not limited to, dismissal of the proceedings, the court finds that there is no suitable alternative to judicial commitment, the court shall commit the patient for treatment in the least restrictive treatment facility that can meet the patient's treatment needs. Treatment before admission to a state-operated facility shall be located as closely as possible to the patient's county of residence and the county of residence shall be responsible for that cost. Admissions to state-operated facilities shall be in compliance with the catchment areas established by the State Department of Mental Health. A nonresident of the state may be committed for treatment or confinement in the county where the person was found.

Alternatives to commitment to inpatient care may include, but shall not be limited to: voluntary or court-ordered outpatient commitment for treatment with specific reference to a treatment regimen, day treatment in a hospital, night treatment in a hospital, placement in the custody of a friend or relative, or the provision of home health services.

For persons committed as having mental illness or having an intellectual disability, the initial commitment shall not exceed three (3) months.

(5) No person shall be committed to a treatment facility whose primary problems are the physical disabilities associated with old age or birth defects of infancy.

(6) The court shall state the findings of fact and conclusions of law that constitute the basis for the order of commitment. The findings shall include a listing of less restrictive alternatives considered by the court and the reasons that each was found not suitable.

(7) A stenographic transcription shall be recorded by a stenographer or electronic recording device and retained by the court.

(8) Notwithstanding any other provision of law to the contrary, neither the State Board of Mental Health or its members, nor the State Department of Mental Health or its related facilities, nor any employee of the State Department of Mental Health or its related facilities, unless related to the respondent by blood or marriage, shall be assigned or adjudicated custody, guardianship, or conservatorship of the respondent.

(9) The county where a person in need of treatment is found is authorized to charge the county of the person's residence for the costs incurred while the person is confined in the county where such person was found.

SECTION 7. Section 41-21-83, Mississippi Code of 1972, is amended as follows:

41-21-83. Except as otherwise provided in Section 41-21-63, if a hearing is requested as provided in Section 41-21-74, 41-21-81 or 41-21-99, the court shall not make a determination of the need for continued commitment unless a hearing is held and the court finds by clear and convincing evidence that (a) the person continues to have mental illness or have an intellectual disability; and (b) involuntary commitment is necessary for the protection of the patient or others; and (c) there is no alternative to involuntary commitment. Hearings held under this section shall be held in the chancery court of the county where the facility is located; however, if the patient is confined at the Mississippi State Hospital at Whitfield, Mississippi, the hearing shall be conducted by the Chancery Court of the First Judicial District of Hinds County, Mississippi.

The hearing shall be held within fourteen (14) days after receipt by the court of the request for a hearing. The court may continue the hearing for good cause shown. The clerk shall ascertain whether the patient is represented by counsel, and, if the patient is not represented, shall notify the chancellor who shall appoint counsel for him if the chancellor determines that the patient for any reason does not have the services of an attorney; however, the patient may waive the appointment of counsel subject to the approval of the court. Notice of the time and place of the hearing shall be served at least seventy-two (72) hours before the time of the hearing upon the patient, his attorney, the

director, and the person requesting the hearing, if other than the patient, and any witnesses requested by the patient or his attorney, or any witnesses the court may deem necessary or desirable.

The patient must be present at the hearing unless the chancellor determines that the patient is unable to attend and makes that determination and the reasons therefor part of the record.

The court shall put its findings and the reasons supporting its findings in writing and shall have copies delivered to the patient, his attorney, and the director of the treatment facility. An appeal from the final commitment order by either party may be had on the terms prescribed for appeals in civil cases; however, such appeal shall be without supersedeas. The record on appeal shall include the transcript of the commitment hearing.

SECTION 8. Section 47-7-47, Mississippi Code of 1972, is amended as follows:

47-7-47. (1) The judge of any circuit court may place an offender on a program of earned probation, in an intensive supervision program or any intervention court authorized by law after a period of confinement as set out herein and the judge may seek the advice of the commissioner and shall direct that the defendant be under the supervision of the department.

(2) (a) Any circuit court or county court may, upon its own motion, acting upon the advice and consent of the commissioner not earlier than thirty (30) days nor later than * * * three (3) years after the defendant has been delivered to the custody of the department, * * * incarcerated by order of the court or otherwise sentenced, modify, alter or suspend the further execution of the sentence and place the defendant on earned probation, in an intensive supervision program or any intervention court authorized by law except when a death sentence or life imprisonment is the maximum penalty which may be imposed or if the defendant has been confined two (2) or more times for the conviction of a felony on a previous occasion in any court or courts of the United States and of any state or territories thereof or has been convicted of a felony involving the use of a deadly weapon.

(b) The authority granted in this subsection shall be exercised by the judge who imposed sentence on the defendant, or his successor.

(c) The time limit imposed by paragraph (a) of this subsection is not applicable to those defendants sentenced to the custody of the department prior to April 14, 1977. Persons who are convicted of crimes that carry mandatory sentences shall not be eligible for earned probation.

(3) When any circuit or county court places an offender on earned probation, the court shall give notice to the Mississippi Department of Corrections within fifteen (15) days of the court's decision to place the offender on earned probation. Notice shall be delivered to the central office of the Mississippi Department of Corrections and to the regional office of the department which will be providing supervision to the offender on earned probation.

(4) If the court places any person on probation or earned probation, the court may order the person, as a condition of probation, to a period of confinement and treatment at a private or public agency or institution, either within or without the state, which treats emotional, mental or drug-related problems. Any person who, as a condition of probation, is confined for treatment at an out-of-state facility shall be supervised pursuant to Section 47-7-71, and any person confined at a private agency shall not be confined at public expense. Time served in any such agency or institution may be counted as time required to meet the criteria of subsection (2)(a).

(5) If the court places any person on probation or earned probation, the court may order the person to make appropriate restitution to any victim of his crime or to society through the performance of reasonable work for the benefit of the community.

(6) If the court places any person on probation or earned probation, the court may order the person, as a condition of probation, to submit, as provided in Section 47-5-601, to any type of breath, saliva or urine chemical analysis test, the purpose of which is to detect the possible presence of alcohol or a substance prohibited or controlled by any law of the State of Mississippi or the United States.

SECTION 9. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 41-21-63, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A CIRCUIT COURT TO RETAIN JURISDICTION AND PROCEED WITH CIVIL COMMITMENT IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 99-13-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE CIRCUIT COURT TO PROCEED WITH COMMITMENT PROCEDURES FOR ANY PERSONS WITH AN INTELLECTUAL DISABILITY AND HAVE UNRESOLVED FELONY CHARGES; TO AMEND SECTIONS 41-21-65, 41-21-67, 41-21-71, 41-21-73 AND 41-21-83, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE CIRCUIT COURT TO PROCEED WITH COMMITMENT PROCEDURES; TO AMEND SECTION 47-7-47, MISSISSIPPI CODE OF 1972, TO REVISE THE JURISDICTIONAL TIME PERIOD FOR A COURT'S AUTHORITY TO REVISE A DEFENDANT'S SENTENCE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Kevin Horan	Brice Wiggins
Jansen Owen	Jason Barrett
Elliot Burch	Derrick T. Simmons

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1088** (version 2) was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Bryan, Chism, Hill. Total--3.

Absent and those not voting----None.

Senator England offered the following report of the Conference Committee on **H. B. No. 1406** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1406: Absentee voting; revise various provisions of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. For the purpose of this article, for all absentee ballots that are cast in person at the office of the registrar, the absentee ballot application and the required elector certificates shall be printed on the same absentee ballot envelope, with the application being printed on the front side of the envelope and the elector's certificates printed on the back side of the envelope. Such envelope shall not be smaller than eight and one-half (8-1/2) inches by eleven (11) inches. Once a voter has completed the application, he or she shall proceed to cast his or her absentee ballot and then place the ballot in the absentee ballot envelope as otherwise provided by law. After the ballot is sealed in the envelope, the elector shall complete the elector's certificate. A signature mismatch shall not be grounds for rejecting an absentee ballot that was cast in person in the registrar's office.

SECTION 2. Section 23-15-633, Mississippi Code of 1972, is amended as follows:

23-15-633. (1) On any envelope where the elector's signature and the signature of the attesting witness are required, the signature lines and the signatures shall be in the boxes across the flap of the envelope to * * * ensure the integrity of the ballot and the following shall be printed on the flap on the back of the envelope in bold print and in a distinguishing color: "YOUR VOTE WILL BE REJECTED AND NOT COUNTED IF THIS ENVELOPE IS NOT SIGNED BY YOU AND AN ATTESTING WITNESS IN THE BOXES ACROSS THE FLAP OF THIS ENVELOPE * * *."

(2) For in-person absentee ballot envelopes, the form of the envelope shall comply with the provisions of Section 1 of this act.

SECTION 3. Section 23-15-635, Mississippi Code of 1972, is amended as follows:

23-15-635. (1) The form of the elector's certificate, attesting witness certification and certificate of the person providing voter assistance on the back of the envelope used by absentee voters who receive their ballot by mail and who are not absent voters as defined in Section 23-15-673, shall be as follows:

"ELECTOR'S CERTIFICATE

STATE OF _____

COUNTY OF _____

I, _____, under penalty of perjury do solemnly swear that this envelope contains the ballot marked by me indicating my choice of the candidates or propositions to be submitted at the election to be held on the ___ day of _____, 2____, and I hereby authorize the registrar to place this envelope in the ballot box on my behalf, and I further authorize the * * * resolution board to open this envelope and place my ballot among the other ballots cast before such ballots are counted, and record my name on the poll list as if I were present in person and voted.

I further swear that I marked the enclosed ballot in secret.

Penalties for vote fraud are up to five (5) years in prison and a fine of up to Five Thousand Dollars ($5,000.00). (Miss. Code. Ann. Section 23-15-753.) Penalties for voter intimidation are up to one (1) year in jail and a fine of up to One Thousand Dollars ($1,000.00). (Miss. Code. Ann. Section 97-13-37.)

_____

(Signature of voter)

CERTIFICATE OF ATTESTING WITNESS

Under penalty of perjury I affirm that the above named voter personally appeared before me, on this the ___ day of _____, 2____, and is known by me to be the person named, and who, after being duly sworn or having affirmed, subscribed the foregoing oath or affirmation. That the voter exhibited to me his or her blank ballot; that the ballot was not marked or voted before the voter exhibited the ballot to me; that the voter was not solicited or advised by me to vote for any candidate, question or issue, and that the voter, after marking his or her ballot, placed it in the envelope, closed and sealed the envelope in my presence, and signed and swore or affirmed the above certificate.

_____ _____

(Attesting witness) (Address)

_____ _____

(Official title) (City and State)

CERTIFICATE OF PERSON PROVIDING VOTER ASSISTANCE

(To be completed only if the voter has received assistance in marking the enclosed ballot.) I, under penalty of perjury, hereby certify that the above-named voter declared to me that he or she is blind, temporarily or permanently physically disabled, or cannot read or write, and that the voter requested that I assist the voter in marking the enclosed absentee ballot. I hereby certify that the ballot preferences on the enclosed ballot are those communicated by the voter to me, and that I have marked the enclosed ballot in accordance with the voter's instructions.

Penalties for vote fraud are up to five (5) years in prison and a fine of up to Five Thousand Dollars ($5,000.00). (Miss. Code. Ann. Section 23-15-753.) Penalties for voter intimidation are up to one (1) year in jail and a fine of up to One Thousand Dollars ($1,000.00). (Miss. Code. Ann. Section 97-13-37.)

_____

Signature of person providing assistance

_____

Printed name of person providing assistance

_____

Address of person providing assistance

_____

Date and time assistance provided

_____

Family relationship to voter (if any)"

(2) The envelope shall have printed on the flap on the back of the envelope in bold print and in a distinguishing color, the following: "YOUR VOTE WILL BE REJECTED AND NOT COUNTED IF THIS ENVELOPE IS NOT SIGNED BY YOU AND AN ATTESTING WITNESS IN THE BOXES ACROSS THE FLAP OF THIS ENVELOPE * * *."

SECTION 4. Section 23-15-639, Mississippi Code of 1972, is amended as follows:

23-15-639. (1) The examination and counting of all absentee ballots shall be conducted as follows:

(a) At the opening of the regular balloting and at the opening of the polls, the resolution board established under Section 23-15-523 and trained in the process of canvassing absentee ballots shall first take the envelopes containing the absentee ballots of such electors from the secure location at the * * * registrar's office, and the name, address and precinct inscribed on each envelope shall be announced by the * * * resolution board.

(b) (i) For absentee ballots that were received by mail, the signature on the application shall then be compared with the signature in the box on the back of the envelope. If it corresponds and the affidavit, if one is required, is sufficient and the resolution board finds that the applicant is a registered and qualified voter or otherwise qualified to vote, the envelope shall then be opened and the ballot removed from the envelope, without its being unfolded, or permitted to be unfolded or examined.

(ii) For absentee ballots that were cast in person in the registrar's office, the resolution board shall confirm that the voter completed the application on the front of the envelope and signed the elector's certificate in the box on the back of the envelope. If it is signed and the resolution board finds that the applicant is a registered and qualified voter or otherwise qualified to vote, the envelope shall be opened and the absentee ballot removed from the envelope, without its being unfolded, or permitted to be unfolded or examined.

(c) When a voter's absentee ballot is rejected because the signatures on the application and in the box on the envelope do not correspond, the registrar shall notify the voter within one (1) business day of the election that the voter's absentee ballot has been tentatively rejected because the signature on the application does not correspond with the signature in the box on the envelope. The notice shall inform the voter about the process of curing the deficiency and that if the voter does not cure the signatures by 12:00 p.m. on the fifth business day after the election, then the voter's ballot shall be rejected. Notice to the voter shall be made using the contact information that the voter provided on his or her absentee ballot application. The absentee cure form shall be transmitted to the

voter via email or facsimile; however, if neither are available, then the form shall be transmitted by first-class mail to the voter. The form of the notice and the absentee cure form shall be provided for in rules and regulations prescribed by the Secretary of State.

(* * *d) Having observed and found the ballot to be regular as far as can be observed from its official endorsement, the resolution board shall deposit it in the ballot box with the other ballots before counting any ballots and enter the voter's name in the receipt book provided for that purpose. All absentee ballots received prior to 7:00 p.m. the day * * * of the election shall be counted in the registrar's office by the resolution board when the polls close and then added to the votes cast in each precinct. * * *

(2) The resolution board shall also take such action as may be prescribed by the Secretary of State to ensure compliance with the identification requirements of Section 23-15-563.

(3) The resolution board shall process the absentee ballots using the procedure provided in subsection (1) of this section.

SECTION 5. Section 23-15-641, Mississippi Code of 1972, is amended as follows:

23-15-641. (1) For all absentee votes received by mail, if an affidavit or the certificate of the officer before whom the affidavit is taken is required and such affidavit or certificate is found to be insufficient, or if it is found that the signatures do not correspond and the voter has not cured his or her ballot as provided in Section 23-15-639, or that the applicant is not a duly qualified elector in the precinct, or otherwise qualified to vote, or that the ballot envelope is open or has been opened and resealed, * * * the previously cast vote shall not be allowed. Without opening the voter's envelope the resolution board shall mark across its face "REJECTED", with the reason therefor.

(2) For all absentee votes received by mail, if the ballot envelope contains more than one (1) ballot of any kind, the ballot shall not be counted but shall be marked "REJECTED", with the reason therefor, and the registrar shall promptly notify the voter of such rejection. The voter's envelopes and affidavits, and the voter's envelope with its contents unopened, when such vote is rejected, shall be retained and preserved in the same manner as other ballots at the election. Such votes may be challenged in the same manner and for the same reasons that any other vote cast in such election may be challenged.

(3) If an affidavit is required and the officials find that the affidavit is insufficient, or if the officials find that the absentee voter is otherwise disqualified to vote, the envelope shall not be opened and * * * the resolution board shall write across the face of the envelope "REJECTED" giving the reason therefor, and the registrar shall promptly notify the voter of such rejection.

(4) The ballots marked "REJECTED" shall be placed in a separate envelope in the secure ballot transfer case and delivered to the officials in charge of conducting the election at the central tabulation point of the county.

(5) All electors voting absentee shall be provided with written information to inform the person how to ascertain whether his or her ballot was counted and, if rejected, the reason therefor.

(6) A signature mismatch shall not be grounds for rejecting an absentee ballot that was cast in the registrar's office.

SECTION 6. Section 23-15-715, Mississippi Code of 1972, is amended as follows:

23-15-715. Any elector desiring an absentee ballot as provided in this subarticle may secure same if:

(a) Not more than forty-five (45) days nor later than 12:00 noon, * * * on the Saturday immediately preceding elections held on Tuesday, the Thursday immediately preceding elections held on Saturday, or the second day immediately preceding the date of elections held on other days, he or she shall appear in person before the registrar of the county in which he resides, or for municipal elections he shall appear in person before the city clerk of the municipality in which he or she resides and, when the elector so appears, he or she shall execute and file an application as provided in Section 23-15-627 and vote by absentee ballot * * *. If the absentee ballot has not been printed by forty-five (45) days preceding the election, the elector may appear and file an application anytime before the election. Then the absentee ballot shall be mailed by the * * * registrar to the elector as soon as the ballot has been printed.

(b) Within forty-five (45) days next prior to any election, any elector who cannot comply with paragraph (a) of this section by reason of temporarily residing outside the county, or any person who has a temporary or permanent physical disability, persons who are sixty-five (65) years of age or older, any person who is incarcerated in prison or jail in the county where the person is registered to vote and has not been convicted of a disenfranchising crime, or any person who is the parent, spouse or dependent of a temporarily or permanently physically disabled person who is hospitalized outside of his or her county of residence or more than fifty (50) miles away from his or her residence and such parent, spouse or dependent will be with such person on election day, may make application for an absentee ballot by mailing the appropriate application to the registrar. Only persons temporarily residing out of the county of their residence, persons having a temporary or permanent physical disability, persons who are sixty-five (65) years of age or older, any person who is incarcerated in prison or jail in the county where the person is registered to vote and has not been convicted of a disenfranchising crime, or any person who is the parent, spouse or dependent of a temporarily or permanently physically disabled person who is hospitalized outside of his or her county of residence or more than fifty (50) miles away from his or her residence, and such parent, spouse or dependent will be with such person on election day, may obtain absentee ballots by mail under the provisions of this subsection and as provided by Section 23-15-713. Applications of persons temporarily residing outside the county shall be sworn to and subscribed before an official who is authorized to administer oaths or other official authorized to witness absentee balloting as provided in this chapter, said application to be accompanied by such verifying affidavits as required by this chapter. The applications of persons having a temporary or permanent physical disability shall not be required to be accompanied by an affidavit but shall be witnessed and signed by a person eighteen (18) years of age or older. The registrar shall send to such absent voter a proper absentee voter ballot within twenty-four (24) hours, or as soon thereafter as the ballots are available, containing the names of all candidates who qualify or the proposition to be voted on in such election, and with such ballot there shall be sent an official envelope containing upon it in printed form the recitals and data hereinafter required.

(c) Except when the voter has requested a runoff ballot on the initial absentee ballot application, upon request for a runoff ballot pursuant to Section 23-15-719, the registrar shall mail together the absentee ballot application and the absentee ballot to the absent voter for the runoff election.

SECTION 7. Section 23-15-719, Mississippi Code of 1972, is amended as follows:

23-15-719. (1) Except where the registrar has already mailed a ballot with an application, upon receipt of a properly completed application form by an elector qualified to vote absentee as provided in this article, the registrar shall mail the absent voter an absentee ballot within one (1) business day, or as soon as the absentee ballot is prepared and available, containing the names of all the candidates and propositions, if any, to be voted on in the election. The registrar shall include with the absentee ballot an official envelope that complies with the provisions of * * * Section 23-15-635, as well as information to comply with Section 23-15-641(3) related to the status of the elector's ballot.

(2) When an absentee voter appears before the registrar to vote, the registrar shall identify the applicant by requiring him or her to present identification as required by Section 23-15-563, and shall then deliver the * * * ballot to the applicant in the registrar's office. * * * After the applicant has properly marked the ballot and properly folded it, he or she shall deposit it in the envelope furnished to him or her by the registrar.

After the absentee voter has sealed the envelope, he or she shall ensure the absentee application on the front of the envelope is complete and shall subscribe and swear to an affidavit * * *. The affidavit shall be in the following form, which shall be printed on the back of the envelope containing the applicant's ballot:

"STATE OF MISSISSIPPI

COUNTY OF _____

I, _____, do solemnly swear that this envelope contains the ballot marked by me indicating my choice of the candidates or propositions to be submitted at the election to be held on the ___ day of _____, 2___, and I hereby authorize the registrar to place this envelope in the ballot box on my behalf, and I further authorize the * * * resolution board to open this envelope and place my ballot among the other ballots cast before such ballots are counted, and record my name on the poll list as if I were present in person and voted.

I further swear that I marked the enclosed ballot in secret.

_____

(Signature of voter)

SWORN TO AND SUBSCRIBED before me, _____, this the ___ day of _____, 2___.

(Registrar) _____

(Registrar)"

After the completion of the requirements of this section, the elector shall deliver the envelope containing the ballot to the registrar.

(* * *3) If the voter has received assistance in marking his or her ballot, the person providing the assistance shall complete the following form which shall be printed on the back of the envelope containing the applicant's ballot:

"CERTIFICATE OF PERSON PROVIDING VOTER ASSISTANCE

(To be completed only if the voter has received assistance in marking the enclosed ballot.) I hereby certify that the above-named voter declared to me that he or she is blind, temporarily or permanently physically disabled, or cannot read or write, and that the voter requested that I assist the voter in marking the enclosed absentee ballot. I hereby certify that the ballot preferences on the enclosed ballot are those communicated by the voter to me, and that I have marked the enclosed ballot in accordance with the voter's instructions.

_____

Signature of person providing assistance

_____

Printed name of person providing assistance

_____

Address of person providing assistance

_____

Date and time assistance provided

_____

Family relationship to voter (if any)"

(* * *4) The envelope used pursuant to this section shall not contain the form prescribed by Section 23-15-635 and shall have printed on the flap on the back of the envelope in bold print and in a distinguishing color, the following: "YOUR VOTE WILL BE REJECTED AND NOT COUNTED IF THIS ENVELOPE IS NOT SIGNED BY YOU AND AN ATTESTING WITNESS IN THE BOXES ACROSS THE FLAP OF THIS ENVELOPE * * *."

(5) The registrar shall not personally hand deliver ballots to voters, except to those who personally appear in the registrar's office to absentee vote.

SECTION 8. Section 23-15-625, Mississippi Code of 1972, is amended as follows:

23-15-625. (1) The registrar shall be responsible for providing applications for absentee voting as provided in this section. At least sixty (60) days before any election in which absentee voting is provided for by law, the registrar shall provide a sufficient number of applications. In the event a special election is called and set at a date which makes it impractical or impossible to prepare applications for absent elector's ballot sixty (60) days before the election, the registrar shall provide applications as soon as practicable after the election is called. The registrar shall fill in the date of the particular election on the application for which the application will be used. For voters appearing in person to cast an absentee vote, the application and elector certificate shall be printed on the absentee ballot envelope as provided in Section 1 of this act.

(2) The registrar shall be authorized to disburse applications for absentee ballots to any qualified elector within the county where he or she serves. Any person who presents to the registrar an oral or written request for an absentee ballot application for a voter entitled to vote absentee by mail, other than the elector who seeks to vote by absentee ballot, shall, in the presence of the registrar, sign the application and print on the application his or her name and address and the name of the elector for whom the application is being requested in the place provided for on the application for that purpose. However, if for any reason such person is unable to write the information required, then the registrar shall write the information on a printed form which has been prescribed by the Secretary of State. The form shall provide a place for such person to place his or her mark after the form has been filled out by the registrar.

(3) It shall be unlawful for any person to solicit absentee ballot applications or absentee ballots for persons staying in any skilled nursing facility as defined in Section 41-7-173 unless the person soliciting the absentee ballot applications or absentee ballots is:

(a) A family member of the person staying in the skilled nursing facility; or

(b) A person designated by the person for whom the absentee ballot application or absentee ballot is sought, the registrar or the deputy registrar.

As used in this subsection, "family member" means a spouse, parent, grandparent, sibling, adult child, grandchild or legal guardian.

(4) The registrar in the county wherein a voter is qualified to vote upon receiving by mail the envelope containing the absentee ballots shall keep an accurate list of all persons preparing such ballots. The list shall be kept in a conspicuous place accessible to the public near the entrance to the registrar's office. The registrar shall also furnish to each precinct manager a list of the names of all persons in each respective precinct voting absentee by mail and in person to be posted in a conspicuous place at the polling place for public notice. The application on file with the registrar and the envelopes containing the ballots that voters mailed to the registrar shall be kept by the registrar in his or her office in a secure location. At the time such boxes are delivered to the election commissioners or managers, the registrar shall also turn over a list of all such persons who have voted and whose mailed ballots are in the registrar's office.

(5) The registrar shall also be authorized to mail one (1) application to any qualified elector of the county, who is eligible to vote by absentee ballot, for use in a particular election.

(6) The registrar shall process all applications for absentee ballots by using the Statewide Election Management System. The registrar shall account for all absentee ballots delivered to and received by mail as well as those who voted absentee in person from qualified voters by processing such ballots using the Statewide Election Management System.

SECTION 9. Section 23-15-627, Mississippi Code of 1972, is amended as follows:

23-15-627. (1) Any elector described in Section 23-15-713 may request an absentee ballot application and vote in person at the office of the registrar in the county in which he or she resides. The registrar shall be responsible for furnishing an absentee ballot application form to any elector authorized to receive an absentee ballot. Such form shall be printed on the absentee ballot envelope as provided in Section 1 of this act. Except as otherwise provided in Section 23-15-625, absentee ballot applications shall be furnished to a person only upon the oral or written request of the elector who seeks to vote by absentee ballot; however, the parent, child, spouse, sibling, legal guardian, those empowered with a power of attorney for that elector's affairs or agent of the elector, who is designated in writing and witnessed by a resident of this state who shall write his or her physical address on such designation, may orally request an absentee ballot application on behalf of the elector. The written designation shall be valid for one (1) year after the date of the designation. An absentee ballot application must have the seal of the circuit or municipal clerk affixed to it and be initialed by the registrar or his or her deputy in order to be used to obtain an absentee ballot. A reproduction of an absentee ballot application shall not be valid unless it is a reproduction provided by the office of the registrar of the jurisdiction in which the election is being held and which contains the seal and initials required by this section.

(2) Such application shall be substantially in the following form for applications mailed to absentee electors:

"OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

I, _____, duly qualified and registered in the ___ Precinct of the County of _____, and State of Mississippi, coming within the purview of the definition 'ABSENT ELECTOR' will be absent from the county of my residence on election day, or unable to vote in person because (check appropriate reason):

( ) (PRESIDENTIAL APPLICANT ONLY:) I am currently a resident of Mississippi or have moved therefrom within thirty (30) days of the coming presidential election.

( ) I am an enlisted or commissioned member, male or female, of any component of the United States Armed Forces and am a citizen of Mississippi, or spouse or dependent of such member.

( ) I am a member of the Merchant Marine or the American Red Cross and am a citizen of Mississippi or spouse or dependent of such member.

( ) I am a disabled war veteran who is a patient in any hospital and am a citizen of Mississippi or spouse or dependent of such veteran.

( ) I am a civilian attached to and serving outside of the United States with any branch of the Armed Forces or with the Merchant Marine or American Red Cross, and am a citizen of Mississippi or spouse or dependent of such civilian.

( ) I am a citizen of Mississippi temporarily residing outside the territorial limits of the United States and the District of Columbia.

( ) I am a student, teacher or administrator at a college, university, junior or community college, high, junior high, elementary or grade school, whose studies or employment at such institution necessitates my absence from the county of my voting residence or spouse or dependent of such student, teacher or administrator who maintains a common domicile outside the county of my voting residence with such student, teacher or administrator.

( ) I will be outside the county on election day.

( ) I have a temporary or permanent physical disability * * *.

( ) I am sixty-five (65) years of age or older.

( ) I am the parent, spouse or dependent of a person with a temporary or permanent physical disability who is hospitalized outside his or her county of residence or more than fifty (50) miles away from his or her residence, and I will be with such person on election day.

( ) I am a member of the congressional delegation, or spouse or dependent of a member of the congressional delegation.

( ) I am required to be at work on election day during the times * * * when the polls will be open or I am required to be on-call on election day during the times when the polls will be open.

( ) I am incarcerated in prison or jail in the county where I am registered to vote and have not been convicted of a disenfranchising crime.

I hereby make application for an official ballot, or ballots, to be voted by me at the election to be held in _____, on _____.

Mail 'Absent Elector's Ballot' to me at the following address _____.

( ) I wish to receive an absentee ballot for the runoff election _____.

Notify me of a problem with my "Absent Elector's Ballot" at the following:

Phone number: _____

Email address: _____

Mailing address: _____

I realize that I can be fined up to Five Thousand Dollars ($5,000.00) and sentenced up to five (5) years in the Penitentiary for making a false statement in this application and for selling my vote and violating the Mississippi Absentee Voter Law. (This sentence is to be in bold print.)

If you are temporarily or permanently disabled, you are not required to have this application notarized or signed by an official authorized to administer oaths for absentee balloting. You are required to sign this application in the proper place and have a person eighteen (18) years of age or older witness your signature and sign this application in the proper place.

DO NOT SIGN WITHOUT READING. (This sentence is to be in bold print.)

IN WITNESS WHEREOF I have hereunto set my hand and seal this the ____ day of _____, 2___.

_____

(Signature of absent elector)

SWORN TO AND SUBSCRIBED before me this the ____ day of _____, 2___.

_____

(Official authorized to administer oaths

for absentee balloting.)

TO BE SIGNED BY WITNESS FOR VOTERS TEMPORARILY OR PERMANENTLY DISABLED:

I HEREBY CERTIFY that this application for an absent elector's ballot was signed by the above-named elector in my presence and that I am at least eighteen (18) years of age, this the _____ day of _____, 2___.

_____

(Signature of witness)

CERTIFICATE OF DELIVERY

I hereby certify that _____ (print name of voter) has requested that I, _____ (print name of person delivering application), deliver to the voter this absentee ballot application.

_____

(Signature of person delivering application)

_____

(Address of person delivering application)"

(3) The application printed on the front of the absentee ballot envelope for absentee voters appearing before the registrar shall be substantially in the following form:

"OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

I, _____, duly qualified and registered in the ___ Precinct of the County of _____, and State of Mississippi, coming within the purview of the definition 'ABSENT ELECTOR' will be absent from the county of my residence on election day, or unable to vote in person because (check appropriate reason):

( ) (PRESIDENTIAL APPLICANT ONLY:) I am currently a resident of Mississippi or have moved therefrom within thirty (30) days of the coming presidential election.

( ) I am an enlisted or commissioned member, male or female, of any component of the United States Armed Forces and am a citizen of Mississippi, or spouse or dependent of such member.

( ) I am a member of the Merchant Marine or the American Red Cross and am a citizen of Mississippi or spouse or dependent of such member.

( ) I am a disabled war veteran who is a patient in any hospital and am a citizen of Mississippi or spouse or dependent of such veteran.

( ) I am a civilian attached to and serving outside of the United States with any branch of the Armed Forces or with the Merchant Marine or American Red Cross, and am a citizen of Mississippi or spouse or dependent of such civilian.

( ) I am a citizen of Mississippi temporarily residing outside the territorial limits of the United States and the District of Columbia.

( ) I am a student, teacher or administrator at a college, university, junior or community college, high, junior high, elementary or grade school, whose studies or employment at such institution necessitates my absence from the county of my voting residence or spouse or dependent of such student, teacher or administrator who maintains a common domicile outside the county of my voting residence with such student, teacher or administrator.

( ) I will be outside the county on election day.

( ) I have a temporary or permanent physical disability.

( ) I am sixty-five (65) years of age or older.

( ) I am the parent, spouse or dependent of a person with a temporary or permanent physical disability who is hospitalized outside his or her county of residence or more than fifty (50) miles away from his or her residence, and I will be with such person on election day.

( ) I am a member of the congressional delegation, or spouse or dependent of a member of the congressional delegation.

( ) I am required to be at work on election day during the times when the polls will be open or I am required to be on-call on election day during the times when the polls will be open.

( ) I am incarcerated in prison or jail in the county where I am registered to vote and have not been convicted of a disenfranchising crime.

I hereby make application for an official ballot, or ballots, to be voted by me at the election to be held in _____, on _____.

Notify me of a problem with my "Absent Elector's Ballot" at the following:

Phone number: _____

Email address: _____

Mailing address: _____

I realize that I can be fined up to Five Thousand Dollars ($5,000.00) and sentenced up to five (5) years in the Penitentiary for making a false statement in this application and for selling my vote and violating the Mississippi Absentee Voter Law. (This sentence is to be in bold print.)

SECTION 10. Section 23-15-631, Mississippi Code of 1972, is amended as follows:

23-15-631. (1) The registrar shall enclose with each ballot mailed to an absent elector separate printed instructions furnished by the registrar containing the following:

(a) All absentee voters, excepting those with temporary or permanent physical disabilities or those who are sixty-five (65) years of age or older, who mark their ballots in the county of the residence shall use the registrar of that county as the witness. The absentee voter shall come to the office of the registrar and neither the registrar nor his or her deputy shall be required to go out of the registrar's office to serve as an attesting witness.

(b) Upon receipt of the enclosed ballot, you will not mark the ballot except in view or sight of the attesting witness. In the sight or view of the attesting witness, mark the ballot according to instructions.

(c) After marking the ballot, fill out and sign the "ELECTOR'S CERTIFICATE" in the box on the back of the envelope so that the signature is across the flap of the envelope to ensure the integrity of the ballot. All absent electors shall have the attesting witness sign the "ATTESTING WITNESS CERTIFICATE" in the box across the flap on the back of the envelope. Place the necessary postage on the envelope and deposit it in the post office or some government receptacle provided for the deposit of mail so that the absent elector's ballot will be * * * received no later than 7:00 p.m. on the day of the election. The ballot may only be transmitted by the United States Postal Service or other common carriers, including, but not limited to, United Parcel Service or FedEx Corporation.

Any notary public, United States postmaster, assistant United States postmaster, United States postal supervisor, clerk in charge of a contract postal station, or other officer having authority to administer an oath or take an acknowledgment may be an attesting witness; provided, however, that in the case of an absent elector who is temporarily or permanently physically disabled, the attesting witness may be any person eighteen (18) years of age or older and such person is not required to have the authority to administer an oath. If a postmaster, assistant postmaster, postal supervisor, or clerk in charge of a contract postal station acts as an attesting witness, his or her signature in a box on the elector's certificate must be authenticated by the cancellation stamp of their respective post offices. If an officer having authority to administer an oath or take an * * * acknowledgment acts as attesting witness, his or her signature in a box on the elector's certificate, together with his or her title and address, but no seal, shall be required. Any affidavits made by an absent elector who is in the Armed Forces may be executed before a commissioned officer, warrant officer, or noncommissioned officer not lower in grade than sergeant rating or any person authorized to administer oaths.

(d) When the application accompanies the ballot it shall not be returned in the same envelope as the ballot but shall be returned in a separate pre-addressed envelope provided by the registrar.

(e) A candidate for public office, or the spouse, parent or child of a candidate for public office, may not be an attesting witness for any absentee ballot upon which the candidate's name appears, unless the voter is related within the first degree to the candidate or the spouse, parent or child of the candidate.

(f) Any voter casting an absentee ballot who declares that he or she requires assistance to vote by reason of blindness, temporary or permanent physical disability or inability to read or write, shall be entitled to receive assistance in the marking of his or her absentee ballot and in completing the affidavit on the absentee ballot envelope. The voter may be given assistance by anyone of the voter's choice other than a candidate whose name appears on the absentee ballot being marked, the spouse, parent or child of a candidate whose name appears on the absentee ballot being marked or the voter's employer, an agent of that employer or a union representative; however, a candidate whose name is on the ballot or the spouse, parent or child of such candidate may provide assistance upon request to any voter who is related within the first degree. In order to ensure the integrity of the ballot, any person who provides assistance to an absentee voter shall be required to sign and complete the "Certificate of Person Providing Voter Assistance" on the absentee ballot envelope.

(2) The foregoing instructions required to be provided by the registrar to the elector shall also constitute the substantive law pertaining to the handling of absentee ballots by the elector and registrar.

(3) The Secretary of State shall prepare instructions on how absent voters may comply with the identification requirements of Section 23-15-563.

SECTION 11. Section 23-15-713, Mississippi Code of 1972, is amended as follows:

23-15-713. For the purpose of this subarticle, any duly qualified elector may vote as provided in this subarticle if the elector falls within at least one (1) of the following categories:

(a) Any qualified elector who is a bona fide student, teacher or administrator at any college, university, junior college, high, junior high, or elementary grade school whose studies or employment at such institution necessitates his or her absence from the county of his or her voting residence on the date of any primary, general or special election, or the spouse and dependents of that student, teacher or administrator if such spouse or dependent(s) maintain a common domicile, outside of the county of his or her voting residence, with such student, teacher or administrator.

(b) Any qualified elector who is required to be away from his or her place of residence on any election day due to his or her employment as an employee of a member of the Mississippi congressional delegation and the spouse and dependents of such person if he or she shall be residing with such absentee voter away from the county of the spouse's voting residence.

(c) Any qualified elector who is away from his or her county of residence on election day for any reason.

(d) Any person who has a temporary or permanent physical disability and who, because of such disability, is unable to vote in person without substantial hardship to himself, herself or others, or whose attendance at the voting place could reasonably cause danger to himself, herself or others. * * *

(e) The parent, spouse or dependent of a person with a temporary or permanent physical disability who is hospitalized outside of his or her county of residence or more than fifty (50) miles distant from his or her residence, if the parent, spouse or dependent will be with such person on election day. * * *

(f) Any person who is sixty-five (65) years of age or older.

(g) Any member of the Mississippi congressional delegation absent from Mississippi on election day, and the spouse and dependents of such member of the congressional delegation.

(h) Any qualified elector who will be unable to vote in person because he or she is required to be at work on election day during the times * * * when the polls will be open or I am required to be on-call on election day during the times when the polls will be open.

(i) I am incarcerated in prison or jail in the county where I am registered to vote and have not been convicted of a disenfranchising crime.

SECTION 12. Section 23-15-637, Mississippi Code of 1972, is amended as follows:

23-15-637. (1) (a) Absentee ballots and applications received by mail, * * * or common carrier, such as United Parcel Service or FedEx Corporation, must be * * * received by the registrar * * * not later than 7:00 p.m. the day of the election; any received after such time shall be handled as provided in Section 23-15-647 and shall not be counted.

(b) All ballots cast by the absent elector appearing in person in the office of the registrar shall be cast with an absentee paper ballot and deposited into a sealed ballot box by the voter, not later than 12:00 noon * * * on the Saturday immediately preceding elections held on Tuesday, the Thursday immediately preceding elections held on Saturday, or the second day immediately preceding the date of elections held on other days. At the close of business each day at the office of the registrar, the ballot box used shall be sealed and not unsealed until the beginning of the next business day, and the seal number shall be recorded with the number of ballots cast which shall be stored in a secure location in the registrar's office.

(2) The registrar shall deposit all absentee ballots which have been timely cast and received by mail in a secured and sealed box in a designated location in the registrar's office upon receipt. The registrar shall not send any absentee ballots to the precinct polling locations.

(3) The Secretary of State shall promulgate rules and regulations necessary to ensure that when a qualified elector who is qualified to vote absentee votes by absentee ballot, either by mail or in person with a regular paper ballot, that person's absentee vote is final and he or she may not vote at the polling place on election day. Notwithstanding any other provisions of law to the contrary, the Secretary of State shall promulgate rules and regulations necessary to ensure that absentee ballots shall remain in the registrar's office for counting and not be taken to the precincts on election day.

SECTION 13. Section 23-15-651, Mississippi Code of 1972, is amended as follows:

23-15-651. The results of the vote by absentee balloting shall be announced simultaneously with the vote cast on election day * * *.

SECTION 14. Section 23-15-721, Mississippi Code of 1972, is amended as follows:

23-15-721. (1) Absentee ballots requested under the provisions of Section 23-15-715 for electors temporarily residing outside the county of residence shall be mailed to the elector's address outside of the county in which he or she is registered, and such

electors shall appear before any official authorized to administer oaths or other official authorized to witness absentee balloting as provided in this article. The elector shall exhibit to such official his or her absentee ballot unmarked and thereupon proceed in secret to fill in the ballot. After the elector has properly marked the ballot and properly folded it, he or she shall deposit it in the envelope furnished to him or her. After the elector has sealed the envelope he or she shall deliver it to the official before whom he or she is appearing and shall subscribe and swear to the elector's certificate provided for in Section 23-15-635, which affidavit shall be printed on the back of the envelope as provided for in Section 23-15-635 containing the elector's ballot.

(2) Electors who are temporarily or permanently physically disabled shall sign the elector's certificate and the certificate of attesting witness shall be signed by any person eighteen (18) years of age or older.

(3) After the completion of the requirements of this section, the elector shall mail the envelope containing the ballot to the registrar in the county wherein the elector is qualified to vote. * * * Absentee ballots must be received by the registrar not later than 7:00 p.m. on the day of the election.

SECTION 15. Section 23-15-697, Mississippi Code of 1972, is amended as follows:

23-15-697. When the absentee ballot has been voted and the envelope sealed, signed and certified to as provided above, the absentee voter shall mail the envelope containing the ballot to the registrar.

Hand-delivery of ballots to a voter or from a voter shall be prohibited, and the use of drop boxes or other mechanisms to submit a completed absentee ballot other than by mail or common carrier, shall be prohibited.

SECTION 16. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO PROVIDE THAT FOR ALL ABSENTEE BALLOTS THAT ARE CAST IN PERSON AT THE OFFICE OF THE REGISTRAR, THE ABSENTEE BALLOT APPLICATION AND ELECTOR CERTIFICATES SHALL BE PRINTED ON THE ABSENTEE BALLOT ENVELOPE; TO PROVIDE THAT A SIGNATURE MISMATCH SHALL NOT BE GROUNDS FOR REJECTING AN ABSENTEE BALLOT THAT WAS CAST IN PERSON IN THE REGISTRAR'S OFFICE; TO AMEND SECTIONS 23-15-633 AND 23-15-635, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-639, MISSISSIPPI CODE OF 1972, TO PROVIDE A PROCESS FOR ABSENTEE VOTERS TO CURE THEIR MAILED ABSENTEE BALLOT IF THE SIGNATURE ON THE APPLICATION DOES NOT MATCH THE SIGNATURE ON THE ENVELOPE; TO AMEND SECTIONS 23-15-641, 23-15-715, 23-15-719 AND 23-15-631, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO AMEND SECTION 23-15-627, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN METHODS OF NOTIFICATION TO BE ASKED ON THE ABSENTEE BALLOT APPLICATION; TO PROVIDE FOR PEOPLE WHO WORK ON-CALL AND THOSE WHO ARE INCARCERATED FOR A NONDISENFRANCHISING CRIME TO RECEIVE AN ABSENTEE BALLOT; TO AMEND SECTIONS 23-15-625 AND 23-15-713, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-637, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTIONS 23-15-651 AND 23-15-721, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-697, MISSISSIPPI CODE OF 1972, TO PROHIBIT RETURNING MAIL-IN BALLOTS USING ANY METHOD OTHER THAN BY MAIL OR COMMON CARRIER; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Noah Sanford	Jeremy England
Mark Tullos	Lydia Graves Chassaniol
	David Blount

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1406** was adopted:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McMahan, Michel, Norwood, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Wiggins, Younger. Total--35.

Nays--Barrett, Berry, Branning, Carter, Chism, Hill, McLendon, Parker, Parks, Polk, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Williams. Total--17.

Absent and those not voting----None.

Senator England offered the following report of the Conference Committee on **S. B. No. 2144** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2144: Runoff elections; amend to lengthen the timing requirement.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-191, Mississippi Code of 1972, is amended as follows:

23-15-191. The first primary shall be held on the first Tuesday after the first Monday of August preceding any regular or general election; and the second primary shall be held * * * four (4) weeks thereafter. The candidate * * * who receives a majority of the votes cast in the election shall be the party nominee. If no candidate receives a majority vote at the election, then the two (2) candidates who receive the highest number of votes shall have their names placed on the ballot for the second primary election to be held * * * four (4) weeks later. The candidate who receives the most votes in the second primary

election shall be the party nominee. However, if no candidate receives a majority vote at the first primary, and there is a tie in the election of those receiving the next highest vote, then those candidates receiving the next highest vote and the candidate receiving the highest vote shall have their names placed on the ballot for the second primary election to be held * * * four (4) weeks later, and whoever receives the most votes cast in the second primary election shall be the party nominee.

SECTION 2. Section 23-15-193, Mississippi Code of 1972, is amended as follows:

23-15-193. (1) At the election in 2023, and every four (4) years thereafter, there shall be elected a Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, State Treasurer, Attorney General, three (3) public service commissioners, three (3) Mississippi Transportation Commissioners, Commissioner of Insurance, Commissioner of Agriculture and Commerce, Senators and members of the House of Representatives in the Legislature, district attorneys for the several districts, clerks of the circuit and chancery courts of the several counties, as well as sheriffs, coroners, assessors, surveyors and members of the boards of supervisors, justice court judges and constables, and all other officers to be elected by the people at the general state election. All such officers shall hold their offices for a term of four (4) years, and until their successors are elected and qualified. The state officers shall be elected in the manner prescribed in Section 140 of the Constitution.

(2) The state officers * * * who receive a majority of votes cast for the office at the general election shall be elected. If no candidate receives a majority number of votes cast at the election, then the two (2) candidates who receive the highest number of votes cast shall have their names placed on the ballot for the runoff election to be held * * * four (4) weeks later. The candidate who receives a majority of the votes cast in the runoff election shall be elected. However, if no candidate receives a majority vote cast at the election, and there is a tie in the election of those receiving the next highest vote, then those candidates receiving the next highest vote and the candidate receiving the highest number of votes cast shall have their names placed on the ballot for the runoff election to be held * * * four (4) weeks later, and whoever receives the majority of votes cast in the runoff election shall be elected. If it appears that two (2) or more candidates for state office have an equal number of votes after the runoff election, the interested candidates shall appear before the Chief Justice of the Mississippi Supreme Court within two (2) days after the canvass and the tie shall be determined by a toss of a coin or by lot fairly and publicly drawn, and a certificate of election shall be given accordingly.

SECTION 3. Section 23-15-213, Mississippi Code of 1972, is amended as follows:

[Until December 31, 2027, this section shall read as follows:

23-15-213. (1) There shall be elected five (5) election commissioners for each county whose terms of office shall commence on the first Monday of January following their election and who shall serve for a term of four (4) years. Each of the commissioners shall be required to attend a training seminar provided by the Secretary of State and satisfactorily complete a skills assessment, and before acting, shall take and subscribe the oath of office prescribed by the Constitution. The oath shall be filed in the office of the clerk of the chancery court. Upon filing the oath of office, the election commissioner may be provided access to the Statewide Elections Management System for the purpose of performing his or her duties. Such skills assessment shall only be required once every four (4) years. While engaged in their duties, the commissioners shall be conservators of the peace in the county, with all the duties and powers of such.

(2) (a) At the general election in 2024 and every four (4) years thereafter, the qualified electors of the board of supervisors' Districts One, Three and Five shall elect in their district one (1) election commissioner.

(b) At the general election in * * * 2027, the qualified electors of the board of supervisors' Districts Two and Four shall elect in their district one (1) election commissioner who shall serve for a term of three (3) years.

(c) No more than one (1) commissioner shall be a resident of and reside in each supervisor's district of the county; it being the purpose of this section that the county board of election commissioners shall consist of one (1) person from each supervisor's district of the county and that each commissioner be elected from the supervisor's district in which he or she resides.

(3) Candidates for county election commissioner shall qualify by filing with the clerk of the board of supervisors of their respective counties a petition personally signed by not less than fifty (50) qualified electors of the supervisor's district in which they reside, requesting that they be a candidate, by 5:00 p.m. not later than February 1 of the year in which the election occurs and unless the petition is filed within the required time, their names shall not be placed upon the ballot. * * *

(4) The names of candidates for the office of election commissioner which appear on the ballot at the general election shall be grouped together on a separate portion of the ballot and clearly identified as nonpartisan. The names of all candidates for the office of election commissioner shall be listed in alphabetical order on any ballot, and no reference to political party affiliation shall appear on any ballot with respect to the nonpartisan office of election commissioner or the candidate for the nonpartisan office of election commissioner.

(* * *5) The petition shall have attached thereto a certificate of the county registrar showing the number of qualified electors on each petition, which shall be furnished by the registrar on request. The board shall determine the sufficiency of the petition, and if the petition contains the required number of signatures and is filed within the time required, the president of the board shall verify that the candidate is a resident of the supervisor's district in which he or she seeks election and that the candidate is otherwise qualified as provided by law, and shall certify that the candidate is qualified to the chair or secretary of the county election commission and the names of the candidates shall be placed upon the ballot for the ensuing election. No county election commissioner shall serve or be considered as elected until he or she has received a majority of the votes cast for the position or post for which he or she is a candidate. If a majority vote is not received in the first election, then the two (2) candidates receiving the most votes for each position or post shall be placed upon the ballot for a second election to be held * * * four (4) weeks later in accordance with appropriate procedures followed in other elections involving runoff candidates.

(* * *6) In the first meeting in January of each year, the county election commissioners shall organize by electing a chair and a secretary, who shall serve a one-year term. The county election commissioners shall provide the names of the chair and secretary to the Secretary of State and provide notice of any change in officers which may occur during the year.

(* * *7) It shall be the duty of the chair to have the official ballot printed and distributed at each general or special election.

[From and after January 1, 2028, this section shall read as follows:]

23-15-213. (1) There shall be elected five (5) election commissioners for each county whose terms of office shall commence on the first Monday of January following their election and who shall serve for a term of four (4) years. Each of the commissioners shall be required to attend a training seminar provided by the Secretary of State and satisfactorily complete a skills assessment, and before acting, shall take and subscribe the oath of office prescribed by the Constitution. The oath shall be filed in the office of the clerk of the chancery court. Upon filing the oath of office, the election commissioner may

be provided access to the Statewide Elections Management System for the purpose of performing his or her duties. Such skills assessment shall only be required once every four (4) years. While engaged in their duties, the commissioners shall be conservators of the peace in the county, with all the duties and powers of such.

(2) (a) At the general election in 2028 and every four (4) years thereafter, the qualified electors of the board of supervisors' Districts One, Three and Five shall elect in their district one (1) election commissioner.

(b) At the general election in 2030 and every four (4) years thereafter, the qualified electors of the board of supervisors' Districts Two and Four shall elect in their district one (1) election commissioner.

(c) No more than one (1) commissioner shall be a resident of and reside in each supervisor's district of the county; it being the purpose of this section that the county board of election commissioners shall consist of one (1) person from each supervisor's district of the county and that each commissioner be elected from the supervisor's district in which he or she resides.

(3) Candidates for county election commissioner shall qualify by filing with the clerk of the board of supervisors of their respective counties a petition personally signed by not less than fifty (50) qualified electors of the supervisor's district in which they reside, requesting that they be a candidate, by 5:00 p.m. not later than February 1 of the year in which the election occurs and unless the petition is filed within the required time, their names shall not be placed upon the ballot.

(4) The names of candidates for the office of election commissioner who appear on the ballot at the general election shall be grouped together on a separate portion of the ballot and clearly identified as nonpartisan. The names of all candidates for the office of election commissioner shall be listed in alphabetical order on any ballot, and no reference to political party affiliation shall appear on any ballot with respect to the nonpartisan office of election commissioner or the candidate for the nonpartisan office of election commissioner.

(5) The petition shall have attached thereto a certificate of the county registrar showing the number of qualified electors on each petition, which shall be furnished by the registrar on request. The board shall determine the sufficiency of the petition, and if the petition contains the required number of signatures and is filed within the time required, the president of the board shall verify that the candidate is a resident of the supervisor's district in which he or she seeks election and that the candidate is otherwise qualified as provided by law, and shall certify that the candidate is qualified to the chair or secretary of the county election commission and the names of the candidates shall be placed upon the ballot for the ensuing election. No county election commissioner shall serve or be considered as elected until he or she has received a majority of the votes cast for the position or post for which he or she is a candidate. If a majority vote is not received in the first election, then the two (2) candidates receiving the most votes for each position or post shall be placed upon the ballot for a second election to be held four (4) weeks later in accordance with appropriate procedures followed in other elections involving runoff candidates.

(6) In the first meeting in January of each year, the county election commissioners shall organize by electing a chair and a secretary, who shall serve a one-year term. The county election commissioners shall provide the names of the chair and secretary to the Secretary of State and provide notice of any change in officers which may occur during the year.

(7) It shall be the duty of the chair to have the official ballot printed and distributed at each general or special election.

SECTION 4. Section 23-15-833, Mississippi Code of 1972, is amended as follows:

23-15-833. Except as otherwise provided by law, the first Tuesday after the first Monday in November of each year shall be designated the regular special election day, and on that day an election shall be held to fill any vacancy in county, county district, and district attorney elective offices, and any vacancy in the office of circuit judge or chancellor.

All special elections, or elections to fill vacancies, shall in all respects be held, conducted and returned in the same manner as general elections, except that where no candidate receives a majority of the votes cast in the election, a runoff election shall be held * * * four (4) weeks after the election. The two (2) candidates who receive the highest popular votes for the office shall have their names submitted as the candidates to the runoff and the candidate who leads in the runoff election shall be elected to the office. When there is a tie in the first election of those receiving the next highest vote, these two (2) and the one receiving the highest vote, none having received a majority, shall go into the runoff election and whoever leads in the runoff election shall be entitled to the office.

In those years when the regular special election day shall occur on the same day as the general election, the names of candidates in any special election and the general election shall be placed on the same ballot, but shall be clearly distinguished as general election candidates or special election candidates. At any time a special election is held on the same day as a party primary election, the names of the candidates in the special election may be placed on the same ballot, but shall be clearly distinguished as special election candidates or primary election candidates.

SECTION 5. Section 23-15-981, Mississippi Code of 1972, is amended as follows:

23-15-981. If two (2) or more candidates qualify for judicial office, the names of those candidates shall be placed on the general election ballot. If any candidate for such an office receives a majority of the votes cast for such office in the general election, he shall be declared elected. If no candidate for such office receives a majority of the votes cast for such office in the general election, the names of the two (2) candidates receiving the highest number of votes for such office shall be placed on the ballot for a second election to be held * * * four (4) weeks later in accordance with appropriate procedures followed in other elections involving runoff candidates.

SECTION 6. Section 23-15-1031, Mississippi Code of 1972, is amended as follows:

23-15-1031. Except as provided by Section 23-15-1081, the first primary election for Congressmen shall be held on the first Tuesday in June of the years in which congressmen are elected, and a second primary, if necessary, shall be held * * * four (4) weeks thereafter. Each year in which a presidential election is held, the congressional primary shall be held as provided in Section 23-15-1081. The election shall be held in all districts of the state on the same day. Candidates for United States Senator shall be nominated at the congressional primary next preceding the general election at which a senator is to be elected and in the same manner that congressmen are nominated. The chair and secretary of the state executive committee shall certify the vote for United States Senator to the Secretary of State in the same manner that county executive committees certify the returns of counties in general state and county primary elections.

SECTION 7. Section 23-15-1083, Mississippi Code of 1972, is amended as follows:

23-15-1083. Beginning in 1988, as an alternative to the congressional primary election date set forth in Section 23-15-1031, when a political party elects to conduct a presidential preference primary, the first primary election for congressmen, and senators, if senators are to be elected, shall be held on the second Tuesday in March, and the

second primary, when one is necessary, shall be held * * * four (4) weeks thereafter, and the election shall be held in all districts of the state on the same day.

SECTION 8. Section 37-5-9, Mississippi Code of 1972, is amended as follows:

37-5-9. The name of any qualified elector who is a candidate for the county board of education shall be placed on the ballot used in the general elections by the county election commissioners, provided that the candidate files with the county election commissioners, not more than ninety (90) days and not less than sixty (60) days prior to the date of such general election, a petition of nomination signed by not less than fifty (50) qualified electors of the county residing within each supervisors district. Where there are less than one hundred (100) qualified electors in said supervisors district, it shall only be required that said petition of nomination be signed by at least twenty percent (20%) of the qualified electors of such supervisors district. The candidate in each supervisors district who receives the majority of votes cast in the district shall be declared elected. If no candidate receives a majority of the votes cast at the election, a runoff shall be held between the two (2) candidates receiving the highest number of votes in the first election. The runoff election, in the event that such is necessary, shall be held * * * four (4) weeks after the first election.

When any member of the county board of education is to be elected from the county at large under the provisions of this chapter, then the petition required by the preceding paragraph hereof shall be signed by the required number of qualified electors residing in any part of the county outside of the territory embraced within a municipal separate school district or special municipal separate school district. The candidate who receives the majority of votes cast in the election shall be declared elected. If no candidate receives a majority of the votes cast at the election, a runoff shall be held between the two (2) candidates receiving the highest number of votes in the first election. The runoff election, in the event that such is necessary, shall be held * * * four (4) weeks after the first election.

In no case shall any qualified elector residing within a municipal separate school district or special municipal separate school district be eligible to sign a petition of nomination for any candidate for the county board of education under any of the provisions of this section.

SECTION 9. Section 37-7-215, Mississippi Code of 1972, is amended as follows:

37-7-215. All such elections shall be held on the first Tuesday after the first Monday in November of each year and in the same manner as general state and county elections are held and conducted. In the event a runoff is necessary the runoff shall be held * * * four (4) weeks thereafter.

SECTION 10. Section 37-7-217, Mississippi Code of 1972, is amended as follows:

37-7-217. (1) The county election commissioners shall indicate on the ballot which of the persons whose names appear thereon are candidates for a full term, and which of such persons, if any, are candidates for an unexpired term or terms.

(2) The qualified electors of each school district operating under Section 37-7-215 shall vote on the date specified in that section and at the special trustee election districts.

(3) A person elected shall assume the duties of his office for the full term on the first day of January if the election is for the full term. A person elected to an unexpired term shall assume office immediately.

(4) The county election commissioners shall forthwith certify the results of the election to the superintendent of the municipal separate or special municipal separate school district, as the case may be, which certificate shall be delivered to such superintendent within five (5) days following the first election.

(5) If a person does not receive a majority of the votes cast at the election, a runoff shall be held between the two (2) persons receiving the highest number of votes at the first election. In the event a runoff is necessary, the runoff shall be held four (4) weeks thereafter.

SECTION 11. Section 37-7-227, Mississippi Code of 1972, is amended as follows:

37-7-227. (1) The county election commissioners shall indicate on the ballot which of the persons whose names appear thereon are candidates for a full term, and which of such persons, if any, are candidates for an unexpired term or terms. The candidate who receives a majority of the votes cast, either for a full term or for an unexpired term or terms, as indicated on the ballot, shall be declared elected, and the person or persons elected to a full term shall assume the duties of his office on the first day of January of the year following such election. The person or persons elected to an unexpired term(s) shall assume office immediately. If no candidate receives a majority of the votes cast at the election, a runoff shall be held in the same manner * * * four (4) weeks after the election between the two (2) candidates receiving the highest number of votes upon the first ballot.

(2) Notwithstanding any other provision of law, if an election for school board trustees occurs on a Tuesday, during a general election, any runoff for such election shall occur * * * four (4) weeks after the election.

SECTION 12. Section 37-7-711, Mississippi Code of 1972, is amended as follows:

37-7-711. In all such special municipal separate school districts which may be so organized, reorganized or reconstituted to embrace the entire county in which the majority of the inhabitants of the county reside outside the corporate limits of the municipality, the name of any qualified elector who is a candidate for the board of trustees of such special municipal separate school district, whether such person be a candidate for an unexpired term or for a full term, shall be placed on the ballot used in the elections, provided that the candidate files with the county election commissioners, not more than ninety (90) days and not less than sixty (60) days prior to the date of such general election, a petition of nomination signed by not less than fifty (50) qualified electors of the county. Where there are less than one hundred (100) qualified electors in said area represented by the trustee, it shall only be required that said petition of nomination be signed by at least twenty percent (20%) of the qualified electors in said area. However, in any such special municipal separate school district which embraces the entire county and which borders the Mississippi River and in which Interstate Highway 20 and United States Highway 61 intersect and having a population in excess of forty-seven thousand (47,000) according to the 1990 federal decennial census, the candidate shall be required to file a petition of nomination with the county election commissioners not less than sixty (60) days prior to the date of such general election, in addition to the other requirements prescribed herein.

The candidate in each election who receives the majority of votes cast in the election shall be declared to have been elected. If no candidate receives a majority of the votes cast at the election, a runoff shall be held between the two (2) candidates receiving the highest number of votes in the first election. The runoff election, in the event that such is necessary, shall be held * * * four (4) weeks after the first election.

SECTION 13. (1) Ranked choice voting, also known as instant runoff voting, is prohibited in statewide, county, local, municipal and school district elections in the State of Mississippi.

(2) Any voting method that allows electors to rank candidates for an office in order of preference and has ballots cast that will be tabulated in multiple rounds following the elimination of a candidate until a single candidate attains a majority shall not be used in determining the election or nomination of any candidate for elective office in this state, including elective offices for any county, municipality, school district, state or federal office.

(3) Any existing or future ordinance or policy enacted or adopted by a county, municipality, school district, or any other local governmental entity that conflicts with this section is void on and after July 1, 2024.

(4) This section shall not apply to electors who are entitled to vote absentee ballot under the federal Uniformed and Overseas Citizens Absentee Voting Act, 52 USC Section 20301 et seq., as amended.

SECTION 14. This act shall take effect and be in force from and after January 1, 2025.

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

AN ACT TO AMEND SECTIONS 23-15-191, 23-15-193, 23-15-833, 23-15-981, 23-15-1031, 23-15-1083, 37-5-9, 37-7-215, 37-7-217, 37-7-227 AND 37-7-711, MISSISSIPPI CODE OF 1972, TO REVISE THE TIME FOR HOLDING RUNOFF ELECTIONS TO FOUR WEEKS AFTER THE FIRST ELECTION INSTEAD OF THREE WEEKS; TO AMEND SECTION 23-15-213, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE NAMES OF CANDIDATES FOR THE OFFICE OF ELECTION COMMISSIONER SHALL BE LISTED AS NONPARTISAN ON A BALLOT; TO REVISE THE STAGGERED TERMS OF ELECTION COMMISSIONERS IN DISTRICTS TWO AND FOUR; TO PROVIDE THAT THOSE ELECTION COMMISSIONERS FROM DISTRICTS TWO AND FOUR ELECTED IN THE 2027 ELECTION SHALL BE ELECTED FOR A THREE-YEAR TERM; TO PROVIDE THAT THOSE ELECTION COMMISSIONERS FROM DISTRICTS TWO AND FOUR ELECTED IN THE 2030 ELECTION SHALL SERVE A FOUR-YEAR TERM AND EVERY FOUR YEARS THEREAFTER; TO CREATE A NEW SECTION IN TITLE 23, CHAPTER 15, ARTICLE 27, MISSISSIPPI CODE OF 1972, TO PROHIBIT RANKED CHOICE VOTING IN STATEWIDE, COUNTY, LOCAL, MUNICIPAL OR SCHOOL DISTRICT ELECTIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Jeremy England	Noah Sanford
Joey Fillingane	Mark Tullos
Jeff Tate	Price Wallace

POINT OF ORDER

A point of order was raised by Senator Hill that code sections, 023-0015-0193 and 023-0015-0213 were not in the bill.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order not well-taken.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2144** failed to be adopted:

Yeas--Chassaniol, England, Fillingane, Robinson, Tate, Thompson. Total--6.

Nays--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chism, DeBar, DeLano, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Absent and those not voting----None.

Senator Fillingane offered the following report of the Conference Committee on **S. B. No. 2180** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2180: Department of Public Safety; remove prior written approval for certain events and authorize enforcement of municipal code.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-1-19, Mississippi Code of 1972, is amended as follows:

45-1-19. (1) The Department of Public Safety, through the Office of Capitol Police, shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi on the properties, from curb to curb, including adjoining streets, sidewalks and leased parking lots within the Capitol Complex, set forth in Section 29-5-2, the Governor's mansion, the Supreme Court Building, the Mississippi Department of Transportation Building and the Public Employees' Retirement System Building, and any property purchased, constructed or otherwise acquired by the State of Mississippi for conducting state business and not specifically under the supervision and care by any other state entity, but which is reasonably assumed the Department of Public Safety would be responsible for such. The Department of Public Safety shall, through any person or persons appointed by the commissioner, make arrests for any violation of any law of the State of Mississippi on the grounds of or within those properties. The Department of Public Safety shall, in addition,

enforce the provisions of this section and Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95, and prescribe such rules and regulations as are necessary therefor. The powers and duties related to the administration of Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95 shall remain with the Department of Finance and Administration.

(2) Subject to the approval of the Board of Trustees of State Institutions of Higher Learning, the Board of Trustees and the Department of Public Safety shall be authorized to enter into a contract for the Department of Public Safety to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi on the property of the Board of Trustees located at the corner of Ridgewood Road and Lakeland Drive in the City of Jackson.

(3) The Department of Public Safety and the Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Department of Agriculture located at 121 North Jefferson Street and the new Farmers Market Building located at the corner of High and Jefferson Streets in the City of Jackson, Hinds County, Mississippi. It is the intent of the Legislature that the Department of Public Safety will not post any security personnel at such buildings, but will provide regular vehicle patrols and responses to security system alarms.

(4) The Department of Public Safety and the Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Department of Agriculture known as the "Mississippi State Fairgrounds Complex" and any and all of its outlying buildings and property. The Department of Public Safety and the Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to supply the security personnel to the Department of Agriculture with jurisdiction to enforce all laws of the State of Mississippi on this property and any and all buildings on this property. The Department of Public Safety is authorized to charge the Department of Agriculture a fee for security services provided for special events at the Mississippi State Fairgrounds Complex. The fee charged will be commensurate with the cost associated with the Department of Public Safety providing those services.

(5) The Department of Public Safety and the Department of Revenue are authorized to enter into a contract for the Department of Public Safety to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi at the Alcoholic Beverage Control facility and the Department of Revenue main office.

(6) (a) The Department of Public Safety shall have primary jurisdiction relative to any other state or municipal law enforcement agency to enforce all laws of the State of Mississippi within the boundaries of the Capitol Complex Improvement District created in Section 29-5-203; such enforcement shall be its primary function. The Department of Public Safety may, through any person or persons appointed by the Department of Public Safety, make arrests for any violation of any law of the State of Mississippi * * *. The Department of Public Safety may also make arrests for any violations of the City of Jackson's * * * ordinances * * * which * * * occur within the boundaries of the district and within the boundaries of the City of Jackson. The Department of Public Safety may choose to present cases to either the District Attorney or the prosecuting attorneys designated by the Attorney General for prosecution of any violation of law that accrues or occurs, in whole or in part, within the boundaries established by Section 29-5-203. The jurisdiction of the Department of Public Safety granted under this subsection (6) shall be concurrent with the jurisdiction of the City of Jackson, Mississippi, and that of Hinds County, Mississippi within the boundaries of the Capitol Complex Improvement District created in Section 29-5-203. At any time and/or during any event necessitating the coordination of and/or utilization at multiple jurisdictions, as determined by the Chief of Capitol Police or the Commissioner of the Department of Public Safety shall be the lead agency when the event occurs on property as defined herein that is owned or leased by

the state as provided in subsection (1) of this section. The jurisdiction and authority of the Department of Public Safety under this subsection (6) shall be in addition to any other jurisdiction and authority provided to the department under this section or any other law.

(b) The Department of Public Safety shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi within the boundaries of the City of Jackson, Mississippi. The Department of Public Safety may, through any person or persons appointed by the Department of Public Safety, make arrests for any violation of any law of the State of Mississippi which occurs within the boundaries of the City of Jackson. The jurisdiction of the Department of Public Safety granted under this paragraph (b) shall not be primary and shall be concurrent with the jurisdiction of the City of Jackson, Mississippi, and that of Hinds County, Mississippi.

* * *

(* * *c) The Chief of the Capitol Police and/or the Commissioner of the Department of Public Safety, the Chief of the Jackson Police Department, and the Sheriff of Hinds County shall hold a regular meeting within the boundaries of the Capitol Complex Improvement District to address the concerns of the public. Each meeting shall be called by the Chief of the Capitol Police; and the first meeting shall be called by October 15, 2023.

(7) The Department of Public Safety is authorized to enter into a contract with any county for the county to take custody of the misdemeanor offenders arrested under the authority granted under this section.

(8) All accrued personal leave earned pursuant to Section 25-3-93, accrued major medical leave earned pursuant to Section 25-3-95, accrued state compensatory leave earned pursuant to Section 25-3-92, and compensatory leave earned pursuant to the Fair Labor Standards Act (FLSA) shall transfer from the Department of Finance and Administration to the Department of Public Safety for all employees transferred under this section.

SECTION 2. Section 9-12-1, Mississippi Code of 1972, is amended as follows:

9-12-1. (1) (a) From and after January 1, 2024, there shall be created one (1) inferior court as authorized by Article 6, Section 172 of the Mississippi Constitution of 1890, to be located within the boundaries established in Section 29-5-203 for the Capitol Complex Improvement District, hereinafter referred to as "CCID". The CCID inferior court shall have jurisdiction to hear and determine all preliminary matters and criminal matters authorized by law for municipal courts that accrue or occur, in whole or in part, within the boundaries of the Capitol Complex Improvement District; and shall have the same jurisdiction as municipal courts to hear and determine all cases charging violations of the motor vehicle and traffic laws of this state, and violations of the City of Jackson's * * * ordinances or municipal code * * * that accrue or occur, in whole or in part, within the boundaries of the Capitol Complex Improvement District.

(b) Any person convicted in the CCID inferior court may be placed in the custody of the Mississippi Department of Corrections, Central Mississippi facility.

(2) The Chief Justice of the Mississippi Supreme Court * * * may appoint * * * two (2) full-time CCID inferior court * * * judges. In addition, the Chief Justice may appoint one (1) part-time judge for the CCID inferior court, who shall serve for such time specified by the Chief Justice. * * * Each judge shall possess all qualifications required by law for municipal court judges. * * * Each judge shall be a qualified elector of this state, and shall have such other qualifications as provided by law for municipal judges.

(3) The Administrative Office of Courts shall provide compensation for * * * all CCID inferior court judges and the support staff of the judges. * * * The compensation of

each full-time judge shall * * * be in an amount not to exceed Ten Thousand Dollars ($10,000.00) less than the compensation paid to * * * county court judges * * *. The compensation of the part-time judge shall be paid at an hourly rate and for such times specified by the Chief Justice.

(4) All fines, penalties, fees and costs imposed and collected by the CCID inferior court shall be deposited with the City of Jackson municipal treasurer or equivalent officer.

(5) This section shall stand repealed on July 1, 2027.

SECTION 3. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 45-1-19, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT TO ENFORCE ANY CITY ORDINANCE; TO DELETE THE PROVISION OF LAW THAT REQUIRES PRIOR WRITTEN APPROVAL FROM THE CHIEF OF THE CAPITOL POLICE OR THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC SAFETY FOR EVENTS WHICH WILL TAKE PLACE ON ANY STREET OR SIDEWALK IMMEDIATELY ADJACENT TO ANY BUILDING OR PROPERTY OWNED OR OCCUPIED BY ANY OFFICIAL, AGENCY, BOARD, COMMISSION, OFFICE OR OTHER ENTITY OF THE STATE OF MISSISSIPPI, OR WHICH CAN REASONABLY BE EXPECTED TO BLOCK, IMPEDE OR OTHERWISE HINDER INGRESS THERETO AND/OR EGRESS THEREFROM; TO AMEND SECTION 9-12-1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE COMPENSATION OF CCID INFERIOR COURT JUDGES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Joey Fillingane	Joey Hood
Daniel H. Sparks	Shanda Yates
Jeremy England	Jimmy Fondren

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2180** was adopted:

Yeas--Barrett, Berry, Blackwell, Boyd, Branning, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--36.

Nays--Barnett, Blackmon, Blount, Brumfield, Bryan, Butler, Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--16.

Absent and those not voting----None.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1542: Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at the time of death.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1208: Hunting and fishing on lands of others; revise provisions relating to and provide penalties for.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1354: Alcoholic Beverage Control Division warehouse; increase amount of revenue bonds authorized for and bailment fee authorized for paying debt service on bonds.

H. B. No. 1473: Bonds; repeal authorization for certain unissued bonds and replace certain unissued bonds with cash.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1983: Bonds; authorize issuance for various purposes.

H. B. No. 1988: Children's Promise Act; increase amount of tax credits that may be allocated under, bring forward various tax credit sections of law.

S. B. No. 2493: Bonds; repeal authorization for unissued bonds, and replace with cash funds.

S. B. No. 3070: Income tax and insurance premium tax; authorize a credit for certain investments in qualified community development entities.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1357: Department of Agriculture; revise authority to spend certain funds.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 11:59 AM, the Senate stood in recess.

The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

MESSAGE FROM THE GOVERNOR
April 29, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2697: Property exemption; revise provisions regarding property belonging to certain foundations. (April 25, 2024, 11:08 AM)

S. B. No. 3101: Sunflower County; increase authority to contribute funds to the Fannie Lou Hamer Cancer Foundation. (April 25, 2024, 11:10 AM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

MESSAGE FROM THE GOVERNOR
April 29, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 3218: Hinds County; authorize to enter 30-year lease and finance 30-year certificates of participation for public safety facility. (April 29, 2024, 9:40 AM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

Senator England entered a motion to reconsider the vote whereby the Conference Report failed on **S. B. No. 2144**.

S. B. No. 2144: Runoff elections; amend to lengthen the timing requirement.

Senator Hopson moved that the rules be suspended to move to calendar item 7, **S. B. No. 3058**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3058** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3058: Coronavirus State Fiscal Recovery Fund; FY2025 reappropriate to certain agencies.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Office of Workforce Development, with the Department of Employment Security serving as the fiscal agent, as authorized in House Bill No. 1517, 2022 Regular Session, Senate Bill No. 3052, 2023 Regular Session, and Senate Bill No. 3113, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 61,692,892.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 2. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Environmental Quality, as authorized in Senate Bill No. 3056, 2022 Regular Session, House Bill No. 1716, 2023 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of administering the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program established in Section 49-2-131, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 440,194,638.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 3. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration, as authorized in House Bill No. 1518, 2022 Regular Session, House Bill No. 1719, 2023 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of providing funds to destination marketing organizations to assist in paying costs of certain marketing activities and providing funds to Mississippi Main Street Association, as provided in Section 57-123-3, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 2,007,857.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 4. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Mississippi Association of Independent Colleges and Universities (MAICU) Grant Program Fund not otherwise appropriated, to the Department of Finance and Administration, as authorized in Senate Bill No. 3064, 2022 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of funding the MAICU Grant Program established in Section 37-185-31, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 8,322,496.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 5. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management, as authorized in Senate Bill No. 3062, 2022 Regular Session, and Senate Bill No. 3118, 2023 Regular Session, for the purpose of completing capital projects at state-owned buildings or grounds that are allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 245,903,075.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 6. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health, as authorized in House Bill No. 271, 2023 Regular Session, for the purpose of funding the Mississippi Hospital Sustainability Grant Program established in Section 41-9-371, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .... $ 30,126,947.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 7. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health, as authorized in House Bill No. 1614, 2022 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of operational expenditures needed to respond to the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 $ 2,455,593.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 8. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health, as authorized in Senate Bill No. 3060, 2022 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of funding the COVID-19 Hospital Expanded Capacity Program established in Section 41-14-31, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 8,724,417.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 9. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health, as authorized in Senate Bill No. 3060, 2022 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of funding the COVID-19 Mississippi Local Provider Innovation Grant Program established in Section 41-139-1, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 20,494,394.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 10. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health, as authorized in House Bill No. 1538, 2022 Regular Session, House Bill No. 1715, 2023 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of funding the ARPA Rural Water Associations Infrastructure Grant Program established under Section 41-3-16.1, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 352,719,368.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 11. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Child Protection Services, as authorized in House Bill No. 1611, 2022 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of defraying eligible operational expenses as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.... $ 48,538,956.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 12. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Lost Revenue Fund not otherwise appropriated, to the University of Mississippi Medical Center, as authorized in Senate Bill No. 3010, 2022 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of constructing a new nursing school at the University of Mississippi Medical Center as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 51,184,151.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 13. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Lost Revenue Fund not otherwise appropriated, to the University of Mississippi Medical Center, as authorized in House Bill No. 1722, 2023 Regular Session, for the purpose of repair and renovation at and acquisition of equipment for the facility used for the adolescent psychiatric program, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 5,691,235.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 14. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Mental Health, as authorized in Senate Bill No. 2865, 2022 Regular Session, and Senate Bill No 3052, 2023 Regular Session, for the purpose of assisting with behavioral and mental health needs exacerbated by the

Coronavirus Disease 2019 (COVID-19) pandemic, responding to other public health impacts, and other operational expenses as allowed under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....$ 51,159,452.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 15. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated to the Mississippi National Guard as authorized in Senate Bill No. 3019, 2022 Regular Session, Senate Bill No. 2961, 2023 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 12,227,209.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 16. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Public Safety, as authorized in Senate Bill No. 3014, 2022 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of completing capital projects at state-owned buildings or grounds, crime prevention due to the increase in crime, and operational expenditures, including the additional purpose of backlogs at the Forensic Laboratory, necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 13,364,487.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 17. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the District Attorney's and staff, as authorized in House Bill No. 1625, 2022 Regular Session, Senate Bill No. 2961, 2023 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of funding additional salaries and office expenses of temporary legal assistants and support personnel as authorized by Section 25-31-5(2)(g), Mississippi Code of 1972, necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 659,800.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 18. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Office of the State Public Defender, as authorized in House Bill No. 1627, 2022 Regular Session, Senate Bill No. 2961, 2023 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of funding additional salaries and office expenses for public defenders assigned to special temporary courts that supplement those authorized under Section 9-7-25, Mississippi Code of 1972, necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2024, and ending

June 30, 2025 ..... $ 442,059.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 19. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Mississippi Postsecondary Education Financial Assistance Board, as authorized in House Bill No. 1521, 2022 Regular Session, as amended by Senate Bill 2373, 2023 Regular Session, and Senate Bill No. 3052, 2023 Regular Session, for the purpose of providing funding for the Skilled Nursing Home and Hospital Nurses Retention Loan Repayment Program, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 6,000,000.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 20. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated to the Department of Finance and Administration, as authorized in Senate Bill No. 3064, 2022 Regular Session, for the purpose of funding the Independent Schools Infrastructure Grant Program established in Senate Bill No. 2780, 2022 Regular Session, and Senate Bill 3052, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 10,000,000.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 21. None of the funds reappropriated in this act shall be used to pay employee premium payments.

SECTION 22. (1) As used in this section, the term "agency" shall mean the entities in which funds were reappropriated in Sections 1 through 21 of this act.

(2) The agency shall not disburse any funds provided under this section to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the agency's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the agency shall ensure that all funds provided under this section are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(3) As a condition of receiving and expending the funds provided to the agency under this section, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds provided to the agency under this section complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(4) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the agency or recipient has expended or otherwise used any of the funds provided to the agency under this section for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund

established by the ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the agency or recipient, then the agency or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 23. The money appropriated by this act shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 24. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING A REAPPROPRIATION TO CERTAIN AGENCIES TO REAUTHORIZE THE EXPENDITURE OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS PREVIOUSLY APPROPRIATED FOR CERTAIN PROJECTS FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	John Read
John A. Polk	Karl Oliver
Kevin Blackwell	Angela Cockerham

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3058** (version 2) was adopted:

Yeas--Barnett, Berry, Blackwell, Boyd, Branning, Bryan, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--37.

Nays--Blackmon, Brumfield, Butler, Hickman, Jackson, Jordan, McLendon, Simmons D. T. (12th), Simmons S. (13th). Total--9.

Absent and those not voting----None.

Voting Present--Barrett, Blount, Chism, Frazier, Horhn, Thomas. Total--6.

Senator Harkins moved that the rules be suspended to move to calendar item 21, **H. B. No. 1764**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1764** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1764: Sales tax; revise rate regarding certain oil, gas and other mineral resources services, equipment and materials.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-65-17, Mississippi Code of 1972, is amended as follows:

27-65-17. (1) (a) Except as otherwise provided in this section, upon every person engaging or continuing within this state in the business of selling any tangible personal property whatsoever there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross proceeds of the retail sales of the business.

(b) Retail sales of farm tractors and parts and labor used to maintain and/or repair such tractors shall be taxed at the rate of one and one-half percent (1-1/2%) when made to farmers for agricultural purposes.

(c) (i) Retail sales of farm implements sold to farmers and used directly in the production of poultry, ratite, domesticated fish as defined in Section 69-7-501, livestock, livestock products, agricultural crops or ornamental plant crops or used for other agricultural purposes, and parts and labor used to maintain and/or repair such implements, shall be taxed at the rate of one and one-half percent (1-1/2%) when used on the farm.

(ii) The one and one-half percent (1-1/2%) rate shall also apply to all equipment used in logging, pulpwood operations or tree farming, and parts and labor used to maintain and/or repair such equipment, which is either:

1. Self-propelled, or

2. Mounted so that it is permanently attached to other equipment which is self-propelled or attached to other equipment drawn by a vehicle which is self-propelled.

In order to be eligible for the rate of tax provided for in this subparagraph (ii), such sales must be made to a professional logger. For the purposes of this subparagraph (ii), a "professional logger" is a person, corporation, limited liability company or other entity, or an agent thereof, who possesses a professional logger's permit issued by the Department of Revenue and who presents the permit to the seller at the time of purchase. The department shall establish an application process for a professional logger's permit to be issued, which shall include a requirement that the applicant submit a copy of documentation verifying that the applicant is certified according to Sustainable Forestry Initiative guidelines. Upon a determination that an applicant is a professional logger, the department shall issue the applicant a numbered professional logger's permit.

(d) Except as otherwise provided in subsection (3) of this section, retail sales of aircraft, automobiles, trucks, truck-tractors, semitrailers and manufactured or mobile homes shall be taxed at the rate of three percent (3%).

(e) Sales of manufacturing machinery or manufacturing machine parts when made to a manufacturer or custom processor for plant use only when the machinery and machine parts will be used exclusively and directly within this state in manufacturing a commodity for sale, rental or in processing for a fee shall be taxed at the rate of one and one-half percent (1-1/2%).

(f) Sales of machinery and machine parts when made to a technology intensive enterprise for plant use only when the machinery and machine parts will be used exclusively and directly within this state for industrial purposes, including, but not limited to, manufacturing or research and development activities, shall be taxed at the rate of one

and one-half percent (1-1/2%). In order to be considered a technology intensive enterprise for purposes of this paragraph:

(i) The enterprise shall meet minimum criteria established by the Mississippi Development Authority;

(ii) The enterprise shall employ at least ten (10) persons in full-time jobs;

(iii) At least ten percent (10%) of the workforce in the facility operated by the enterprise shall be scientists, engineers or computer specialists;

(iv) The enterprise shall manufacture plastics, chemicals, automobiles, aircraft, computers or electronics; or shall be a research and development facility, a computer design or related facility, or a software publishing facility or other technology intensive facility or enterprise as determined by the Mississippi Development Authority;

(v) The average wage of all workers employed by the enterprise at the facility shall be at least one hundred fifty percent (150%) of the state average annual wage; and

(vi) The enterprise must provide a basic health care plan to all employees at the facility.

A medical cannabis establishment, as defined in the Mississippi Medical Cannabis Act, shall not be considered to be a technology intensive enterprise for the purposes of this paragraph (f).

(g) Sales of materials for use in track and track structures to a railroad whose rates are fixed by the Interstate Commerce Commission or the Mississippi Public Service Commission shall be taxed at the rate of three percent (3%).

(h) Sales of tangible personal property to electric power associations for use in the ordinary and necessary operation of their generating or distribution systems shall be taxed at the rate of one percent (1%).

(i) Wholesale sales of food and drink for human consumption to full-service vending machine operators to be sold through vending machines located apart from and not connected with other taxable businesses shall be taxed at the rate of eight percent (8%).

(j) Sales of equipment used or designed for the purpose of assisting disabled persons, such as wheelchair equipment and lifts, that is mounted or attached to or installed on a private carrier of passengers or light carrier of property, as defined in Section 27-51-101, at the time when the private carrier of passengers or light carrier of property is sold shall be taxed at the same rate as the sale of such vehicles under this section.

(k) Sales of the factory-built components of modular homes, panelized homes and precut homes, and panel constructed homes consisting of structural insulated panels, shall be taxed at the rate of three percent (3%).

(l) Sales of materials used in the repair, renovation, addition to, expansion and/or improvement of buildings and related facilities used by a dairy producer shall be taxed at the rate of three and one-half percent (3-1/2%). For the purposes of this paragraph (l), "dairy producer" means any person engaged in the production of milk for commercial use.

(m) Sales of equipment and materials used in connection with geophysical surveying, exploring, developing, drilling, redrilling, completing, working over, producing, distributing, or testing of oil, gas and other mineral resources shall be taxed at the rate of four and one-half percent (4-1/2%). Operators that rebill sales of equipment and materials to nonoperating working interest owners on behalf of a joint account through the joint interest billing (JIB), where the sales tax has been paid or accrued by the operator shall not be charged a sales tax on the JIB as services income.

(2) From and after January 1, 1995, retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101, shall be taxed an additional two percent (2%).

(3) A manufacturer selling at retail in this state shall be required to make returns of the gross proceeds of such sales and pay the tax imposed in this section.

SECTION 2. Section 27-65-21, Mississippi Code of 1972, is amended as follows:

27-65-21. (1) (a) (i) Upon every person engaging or continuing in this state in the business of contracting or performing a contract or engaging in any of the activities, or similar activities, listed below for a price, commission, fee or wage, there is hereby levied, assessed and shall be collected a tax equal to three and one-half percent (3-1/2%) of the total contract price or compensation received, including all charges related to the contract such as finance charges and late charges, from constructing, building, erecting, repairing, grading, excavating, drilling, exploring, testing or adding to any building, highway, street, sidewalk, bridge, culvert, sewer, irrigation or water system, drainage or dredging system, levee or levee system or any part thereof, railway, reservoir, dam, power plant, electrical system, air-conditioning system, heating system, transmission line, pipeline, tower, dock, storage tank, wharf, excavation, grading, water well, any other improvement or structure or any part thereof when the compensation received exceeds Ten Thousand Dollars ($10,000.00). Such activities shall not include constructing, repairing or adding to property which retains its identity as personal property. The tax imposed in this section is levied upon the prime contractor and shall be paid by him.

(ii) Amounts included in the contract price or compensation received representing the sale of manufacturing or processing machinery for a manufacturer or custom processor shall be taxed at the rate of one and one-half percent (1-1/2%) in lieu of the three and one-half percent (3-1/2%).

(b) The following shall be excluded from the tax levied by this section:

(i) The contract price or compensation received for constructing, building, erecting, repairing or adding to any building, electrical system, air-conditioning system, heating system or any other improvement or structure which is used for or primarily in connection with a residence or dwelling place for human beings. Such residences shall include homes, mobile homes, summer cottages, fishing and hunting camp buildings and similar buildings, but shall not include apartment buildings, condominiums, hotels, motels, hospitals, nursing or retirement homes, tourist cottages or other commercial establishments.

(ii) The portion of the total contract price attributable to design or engineering services if:

1. The total contract price for the project exceeds the sum of One Hundred Million Dollars ($100,000,000.00); or

2. The engineering services are performed by a professional engineer as defined in Section 73-13-3, who is the general or prime contractor.

(iii) The contract price or compensation received to restore, repair or replace a utility distribution or transmission system that has been damaged due to ice storm, hurricane, flood, tornado, wind, earthquake or other natural disaster if such restoration, repair or replacement is performed by the entity providing the service at its cost.

(iv) The contract price or compensation received for constructing, building, erecting, repairing or adding to any building, facility or structure located at any refinery as defined in Section 27-65-24.

(c) Sales of materials and services for use in the activities hereby excluded from taxes imposed by this section, except services used in activities excluded pursuant to paragraph (b)(iii) of this subsection, shall be subject to taxes imposed by other sections in this chapter.

(2) * * * [Deleted]

(3) When the work to be performed under any contract is sublet by the prime contractor to different persons, or in separate contracts to the same persons, each such subcontractor performing any part of said work shall be liable for the amount of the tax which accrues on account of the work performed by such person when the tax heretofore imposed has not been paid upon the whole contract by the prime contractor.

When a person engaged in any business on which a tax is levied in Section 27-65-23, also qualifies as a contractor, and contracts with the owner of any project to perform any services in excess of Ten Thousand Dollars ($10,000.00) herein taxed, such person shall pay the tax imposed by this section in lieu of the tax imposed by Section 27-65-23.

Any person entering into any contract over Seventy-five Thousand Dollars ($75,000.00) as defined in this section shall, before beginning the performance of such contract or contracts, either pay the contractors' tax in advance, together with any use taxes due under Section 27-67-5, or execute and file with the commissioner a good and valid bond in a surety company authorized to do business in this state, or with sufficient sureties to be approved by the commissioner conditioned that all taxes which may accrue to the State of Mississippi under this chapter, or under Section 27-67-5 and Section 27-7-5, will be paid when due. Such bonds shall be either (a) "job bonds" which guarantee payment when due of the aforesaid taxes resulting from performance of a specified job or activity regardless of date of completion; or (b) "blanket bonds" which guarantee payment when due of the aforesaid taxes resulting from performance of all jobs or activities taxable under this section begun during the period specified therein, regardless of date of completion. The payments of the taxes due or the execution and filing of a surety bond shall be a condition precedent to the commencing work on any contract taxed hereunder. Provided, that when any bond is filed in lieu of the prepayment of the tax under this section, that the tax shall be payable monthly on the amount received during the previous month, and any use taxes due shall be payable on or before the twentieth day of the month following the month in which the property is brought into Mississippi.

Any person failing either to execute any bond herein provided, or to pay the taxes in advance, before beginning the performance of any contract shall be denied the right to perform such contract until he complies with such requirements, and the commissioner is hereby authorized to proceed either under Section 27-65-59, under Section 27-65-61 or by injunction to prevent any activity in the performance of such contract until either a satisfactory bond is executed and filed, or all taxes are paid in advance, and a temporary injunction enjoining the execution of such contract shall be granted without notice by any judge or chancellor now authorized by law to grant injunctions.

Any person liable for a tax under this section may apply for and obtain a material purchase certificate from the commissioner which may entitle the holder to purchase

materials and services that are to become a component part of the structure to be erected or repaired with no tax due. Provided, that the contractor applying for the contractor's material purchase certificate shall furnish the Department of Revenue a list of all work sublet to others, indicating the amount of work to be performed, and the names and addresses of each subcontractor.

SECTION 3. Section 27-65-23, Mississippi Code of 1972, is amended as follows:

27-65-23. Upon every person engaging or continuing in any of the following businesses or activities there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross income of the business, except as otherwise provided:

Air-conditioning installation or repairs;

Automobile, motorcycle, boat or any other vehicle repairing or servicing;

Billiards, pool or domino parlors;

Bowling or tenpin alleys;

Burglar and fire alarm systems or services;

Car washing — automatic, self-service, or manual;

Computer software services actually performed within this state;

Cotton compresses or cotton warehouses;

Custom creosoting or treating, custom planing, custom sawing;

Custom meat processing;

Electricians, electrical work, wiring, all repairs or installation of electrical equipment;

Elevator or escalator installing, repairing or servicing;

Film developing or photo finishing;

Foundries, machine or general repairing;

Furniture repairing or upholstering;

Grading, excavating, ditching, dredging or landscaping;

Hotels (as defined in Section 41-49-3), motels, tourist courts or camps, trailer parks;

Insulating services or repairs;

Jewelry or watch repairing;

Laundering, cleaning, pressing or dyeing;

Marina services;

Mattress renovating;

Office and business machine repairing;

Parking garages and lots;

Plumbing or pipe fitting;

Public storage warehouses (There shall be no tax levied on gross income of a public storage warehouse derived from the temporary storage of tangible personal property in this state pending shipping or mailing of the property to another state.);

Refrigerating equipment repairs;

Radio or television installing, repairing, or servicing;

Renting or leasing personal property used within this state;

Services performed in connection with geophysical surveying, exploring, developing, drilling, producing, distributing, or testing of * * * water * * * resources not related to development of oil, gas and other mineral resources;

Shoe repairing;

Storage lockers;

Telephone answering or paging services;

Termite or pest control services;

Tin and sheet metal shops;

TV cable systems, subscription TV services, and other similar activities;

Vulcanizing, repairing or recapping of tires or tubes;

Welding; and

Woodworking or wood-turning shops.

Income from services taxed herein performed for electric power associations in the ordinary and necessary operation of their generating or distribution systems shall be taxed at the rate of one percent (1%).

Income from services taxed herein performed on materials for use in track or track structures to a railroad whose rates are fixed by the Interstate Commerce Commission or the Mississippi Public Service Commission shall be taxed at the rate of three percent (3%).

Income from services performed in connection with geophysical surveying, exploring, developing, drilling, redrilling, completing, working over, producing, distributing, or testing of oil, gas and other mineral resources, including overhead services shall be taxed at the rate of four and one-half percent (4-1/2%). Operators that rebill services to nonoperating working interest owners on behalf of the joint account through the joint interest billing (JIB), where the sales tax has been paid or accrued by the operator shall not be charged a sales tax on the JIB as services income.

Income from renting or leasing tangible personal property used within this state shall be taxed at the same rates as sales of the same property.

Persons doing business in this state who rent transportation equipment with a situs within or without the state to common, contract or private commercial carriers are taxed

on that part of the income derived from use within this state. If specific accounting is impracticable, a formula may be used with approval of the commissioner.

A lessor may deduct from the tax computed on the rental income from tangible personal property a credit for sales or use tax paid to this state at the time of purchase of the specific personal property being leased or rented until such credit has been exhausted.

Charges for custom processing and repairing services may be excluded from gross taxable income when the property on which the service was performed is delivered to the customer in another state either by common carrier or in the seller's equipment.

When a taxpayer performs services covered by this section, which are performed both in intrastate and interstate commerce, the taxpayer may utilize any reasonable formulae of apportionment which will apportion to this state, for taxation, that portion of the services which are performed within the State of Mississippi.

SECTION 4. Nothing in this act shall affect or defeat any claim, assessment, appeal, suit, right or cause of action for taxes due or accrued under the sales tax laws before the date on which this act becomes effective, whether such claims, assessments, appeals, suits or actions have been begun before the date on which this act becomes effective or are begun thereafter; and the provisions of the sales tax laws are expressly continued in full force, effect and operation for the purpose of the assessment, collection and enrollment of liens for any taxes due or accrued and the execution of any warrant under such laws before the date on which this act becomes effective, and for the imposition of any penalties, forfeitures or claims for failure to comply with such laws.

SECTION 5. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SALES OF EQUIPMENT AND MATERIALS USED IN CONNECTION WITH GEOPHYSICAL SURVEYING, EXPLORING, DEVELOPING, DRILLING, REDRILLING, COMPLETING, WORKING OVER, PRODUCING, DISTRIBUTING, OR TESTING OF OIL, GAS AND OTHER MINERAL RESOURCES SHALL BE TAXED AT THE RATE OF FOUR AND ONE-HALF PERCENT, AND THAT OPERATORS THAT REBILL SALES OF EQUIPMENT AND MATERIALS TO NONOPERATING WORKING INTEREST OWNERS ON BEHALF OF A JOINT ACCOUNT THROUGH THE JOINT INTEREST BILLING (JIB), WHERE THE SALES TAX HAS BEEN PAID OR ACCRUED BY THE OPERATOR SHALL NOT BE CHARGED A SALES TAX ON THE JIB AS SERVICES INCOME; TO AMEND SECTION 27-65-21, MISSISSIPPI CODE OF 1972, TO REMOVE FROM THE CONTRACTOR'S TAX CONTRACTS EXCEEDING $10,000.00 FOR THE REDRILLING, OR WORKING OVER, OR OF DRILLING OR COMPLETING AN OIL WELL OR A GAS WELL; TO AMEND SECTION 27-65-23, MISSISSIPPI CODE OF 1972, TO REVISE THE SALES TAX IMPOSED ON VARIOUS SERVICES TO PROVIDE FOR A TAX RATE OF FOUR AND ONE-HALF PERCENT ON INCOME FROM SERVICES PERFORMED IN CONNECTION WITH GEOPHYSICAL SURVEYING, EXPLORING, DEVELOPING, DRILLING, REDRILLING, COMPLETING, WORKING OVER, PRODUCING, DISTRIBUTING, OR TESTING OF OIL, GAS AND OTHER MINERAL RESOURCES, INCLUDING OVERHEAD SERVICES, AND THAT OPERATORS THAT REBILL SALES OF EQUIPMENT AND MATERIALS TO NONOPERATING WORKING INTEREST OWNERS ON BEHALF OF A JOINT ACCOUNT THROUGH THE JOINT INTEREST BILLING (JIB), WHERE THE SALES TAX HAS BEEN PAID OR ACCRUED BY THE OPERATOR SHALL NOT BE CHARGED A SALES TAX ON THE JIB AS SERVICES INCOME; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Thomas "Trey" Lamar, III	Josh Harkins
Jody Steverson	Joel R. Carter, Jr.
Brent Powell	Gary Brumfield

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1764** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Branning offered the following report of the Conference Committee on **S. B. No. 2634** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2634: Memorial highways; designate segment in Shannon, Lee County, as the "Johnny R. Patterson Memorial Highway."

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The segment of Mississippi Highway 446 located in Bolivar County, Mississippi, extending for a distance of approximately one (1) mile in the easterly direction from its point of intersection with Shaw-Skene Road to its point of intersection with Gilbert Road, is designated and shall be known as the "H.M. "Mack" Grimmett Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 2. (1) The segment of Mississippi Highway 28 located in Soso, Jones County, Mississippi, extending for a distance of approximately one (1) mile in the northwesterly direction beginning at its intersection with Margay Road to a point of termination at its intersection with Mississippi Highway 29, is designated and shall be known as the "Paul Holifield Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 446 LOCATED IN BOLIVAR COUNTY, MISSISSIPPI, AS THE "H.M. "MACK" GRIMMETT MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 28 LOCATED IN THE SOSO, JONES COUNTY, MISSISSIPPI, AS THE "PAUL HOLIFIELD MEMORIAL HIGHWAY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Jenifer B. Branning	Steve Massengill
Hob Bryan	Joseph Tubb
Chuck Younger	William Tracy Arnold

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2634** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Chassaniol offered the following report of the Conference Committee on **S. B. No. 2696** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2696: Mississippi Main Street Grant Program; amend administration of and qualifications for.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-78-1, Mississippi Code of 1972, is brought forward as follows:

57-78-1. This chapter shall be known and may be cited as the "Mississippi Main Street Revitalization Grant Program Act."

SECTION 2. Section 57-78-3, Mississippi Code of 1972, is amended as follows:

57-78-3. The Mississippi Main Street Revitalization Grant Program Act will authorize the Legislature, as well as the Mississippi Development Authority through appropriations by the Legislature, to make grants available to * * * eligible recipients for projects leading to the revitalization of Mississippi's downtowns or communities.

SECTION 3. Section 57-78-5, Mississippi Code of 1972, is amended as follows:

57-78-5. (1) For the purposes of this section:

(a) "Eligible recipient" means a:

(i) Main Street Designated Community, or local Main Street program that has achieved and maintained Designated Community Status by the Mississippi Main Street Association (MMSA), that is a good-standing member of the MMSA, has obtained Section 501(c)(3) tax-exempt status or Section 501(c)(6) tax-exempt status from the Internal Revenue Service * * *;

(ii) Main Street * * * Network Community * * *;

(iii) Main Street Associate Community;

(iv) Cities located in Mississippi that otherwise meet the requirements of this act; or

(v) Business improvement districts that otherwise meet the requirements of this act.

* * *

(* * *b) "Matching funds" means cash funds that are either in the applicant's possession or proposed by a match partner and clearly identified in a support letter and are reserved for the proposed project. No state funds may be included in determining the amount of the match.

(* * *c) " * * *Administrator" means the Mississippi Main Street Association.

(2) The * * * administrator shall accept applications from eligible recipients, prioritize their applications and submit a list of suggested recipients to the Legislature no later than December of each year. Applicants who did not receive a grant the prior year shall receive priority for a grant the following year. * * * The Legislature shall review the submitted list and determine the projects for which to award grants to eligible recipients through the Mississippi Development Authority * * *. The * * * administrator will consider projects in relation to the following criteria:

(a) The demonstration of local financial need;

(b) Projects that demonstrate high local impact;

(c) Projects that produce a high level of public benefit;

(d) Projects that demonstrate best practices in preservation;

(e) Projects that will have local administration and implementation capacity;

(f) The distribution of geographic size and location of the project;

(g) Projects that will be completed on time; and

(h) * * * Projects that are according to the Main Street Approach and Guiding Principles or a comparable community plan.

(3) The Mississippi Development Authority shall provide grant funds to the * * * eligible recipients under this section on a reimbursement basis, not to exceed Five Hundred Thousand Dollars ($500,000.00) per community each year, and grantees shall not receive compensation for their required twenty percent (20%) of local match funds, which must cover at least twenty percent (20%) of the total project cost. * * * Municipalities, or eligible recipients within a municipality, with a population of over ten thousand (10,000) are required to possess local matching funds to cover at least twenty percent (20%) of the total project cost. Municipalities, or eligible recipients within a municipality, with a population of less than ten thousand (10,000), shall be required to have a local cash match of ten percent (10%) for the first One Hundred Thousand Dollars ($100,000.00) requested, then will be required to have a local cash match of twenty percent (20%) for any amount over One Hundred Thousand Dollars ($100,000.00).

(4) Eligible costs for the expenditure of grant funds include the acquisition of land and any improvements thereon, preservation of historic downtown structures and sites, and initiatives that will produce a revitalization to the economy of the historic downtown areas.

(5) Grants may be awarded for prospective purchases or for acquisitions of which the applicant has closed. In the latter case, the applicant shall demonstrate:

(a) The closing occurred no more than twelve (12) months prior to the date of application for the grant; and

(b) The subject purchase was made to help preserve and revitalize the location and economy of a historic downtown community.

(6) * * * Any eligible recipient that is awarded a grant pursuant to this section for a project involving a historic property must comply with all applicable laws relating to the property, as well as applicable regulations of the Mississippi Department of Archives and History, or other department or agency relating to such property.

(7) Grantees must adhere to Mississippi state procedures and guidelines relating to the implementation and financing of the approved project. Grantees must also submit any and all audit and financial statements as required by the State of Mississippi.

(8) Nothing in this section shall preclude the subsequent transfer or assignment by a state agency or other owner or holder of any property interest acquired pursuant to this section to the State of Mississippi, the county, city, town or municipality in which the land is located, for the purpose of further preserving, improving or maintaining the downtown property. The Mississippi Development Authority shall facilitate transfers and assignments of any such interests held by the department.

(9) There is created in the State Treasury a special fund to be known as the "Mississippi Main Street Revitalization Grant Program Fund," which shall consist of funds made available by the Legislature in any manner, funds received as grants, endowments or gifts from the federal government, its agencies and instrumentalities, and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Mississippi Development Authority, upon appropriation by the Legislature, for the purposes provided in this section.

(10) The Mississippi Development Authority shall administer the fund and establish guidelines for the expenditure of grant funds and reports relating to the expenditure of grant funds. The department * * * shall provide the administrator with no more than two percent (2%) of the amount of funds deposited into the Mississippi Main Street Revitalization Grant Fund for administrative expenses in carrying out its duties under this section.

(11) To carry out this act, the Mississippi Development Authority may enter into cooperative agreements with entities in the public and private sectors, including:

(a) Colleges and universities;

(b) Historical societies;

(c) State and local agencies; and

(d) Nonprofit organizations.

(12) To develop cooperative land-use strategies and conduct activities that facilitate the conservation of the historic, cultural, natural and scenic resources, the Mississippi Development Authority may require that recipients seek and secure technical assistance from the * * * administrator, to the extent that a recipient of technical assistance is engaged in the protection, interpretation or commemoration of historically significant property in the area in and around the historic downtown site. The * * * administrator will provide administrative support to * * * eligible recipients to ensure proper grant administration and project implementation.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTIONS 57-78-3 AND 57-78-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF CERTAIN TERMS FOR PURPOSES OF THE PROGRAM; TO EXPAND GRANT PROGRAM ELIGIBILITY; TO ALLOW APPLICANTS WHO DID NOT RECEIVE A GRANT THE PRIOR YEAR TO TAKE PRIORITY FOR GRANTS GRANTED THE FOLLOWING YEAR; TO AMEND THE EASEMENT REQUIREMENTS FOR GRANTEES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Lydia Graves Chassaniol	John Thomas "Trey" Lamar, III
Bart Williams	Jody Steverson
Tyler McCaughn	Shane Barnett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2696** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--Seymour, Simmons D. T. (12th). Total--2.

Senator Sparks offered the following report of the Conference Committee on **S. B. No. 2717** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2717: Mississippi Prison Industries Corporation; clarify conflicts in laws concerning leadership.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-26, Mississippi Code of 1972, is amended as follows:

47-5-26. (1) The commissioner shall employ the following personnel:

(a) A Deputy Commissioner for Administration and Finance, who shall supervise and implement all fiscal policies and programs within the department, supervise and implement all hiring and personnel matters within the department, supervise the department's personnel director, supervise and implement all purchasing within the department and supervise and implement all data processing activities within the department, and who shall serve as the Chief Executive Officer of the Division of Administration and Finance. He shall possess either:

(i) A master's degree from an accredited four-year college or university in public or business administration, accounting, economics or a directly related field, and four (4) years of experience in work related to the above-described duties, one (1) year of which must have included line or functional supervision; or

(ii) A bachelor's degree from an accredited four-year college or university in public or business administration, accounting, economics or a directly related field, and six (6) years of experience in work related to the above-described duties, one (1) year of which must have included line or functional supervision. Certification by the State of Mississippi as a certified public accountant may be substituted for one (1) year of the required experience.

(b) A Deputy Commissioner for Community Corrections, who shall initiate and administer programs, including, but not limited to, supervision of probationers, parolees and suspensioners, counseling, community-based treatment, interstate compact administration and enforcement, prevention programs, halfway houses and group homes, technical violation centers, restitution centers, presentence investigations, and work and educational releases, and shall serve as the Chief Executive Officer of the Division of Community Services. The Deputy Commissioner for Community Corrections is charged with full and complete cooperation with the State Parole Board and shall make monthly reports to the Chairman of the Parole Board in the form and type required by the chairman, in his discretion, for the proper performance of the probation and parole functions. After a plea or verdict of guilty to a felony is entered against a person and before he is sentenced, the Deputy Commissioner for Community Corrections shall procure from any available source and shall file in the presentence records any information regarding any criminal history of the person such as fingerprints, dates of arrests, complaints, civil and criminal charges, investigative reports of arresting and prosecuting agencies, reports of the National Crime Information Center, the nature and character of each offense, noting all particular circumstances thereof and any similar data about the person. The Deputy Commissioner for Community Corrections shall keep an accurate and complete duplicate record of this file and shall furnish the duplicate to the department. This file shall be placed in and shall constitute a part of the inmate's master file. The Deputy Commissioner for Community Corrections shall furnish this file to the State Parole Board when the file is needed in the course of its official duties. He shall possess either: (i) a master's degree in counseling, corrections psychology, guidance, social work, criminal justice or some related field and at least four (4) years' full-time experience in such field, including at least one (1) year of supervisory experience; or (ii) a bachelor's degree in a field described in

subparagraph (i) of this paragraph and at least six (6) years' full-time work in corrections, one (1) year of which shall have been at the supervisory level.

(c) A Deputy Commissioner for Institutions, who shall administer institutions, reception and diagnostic centers, prerelease centers and other facilities and programs provided therein, and shall serve as the Chief Executive Officer of the Division of Institutions. He shall possess either: (i) a master's degree in counseling, criminal justice, psychology, guidance, social work, business or some related field, and at least four (4) years' full-time experience in corrections, including at least one (1) year of correctional management experience; or (ii) a bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years' full-time work in corrections, four (4) years of which shall have been at the correctional management level.

(d) A Deputy Commissioner for Programs, Education and Reentry, who shall initiate and administer programs, including but not limited to, education services, religious services, moral rehabilitation, alcohol and drug rehabilitation, and court reentry. The Deputy Commissioner for Programs, Education and Reentry may coordinate with any educational institution to develop a program for moral rehabilitation with an emphasis on promoting effective programs for release. The Deputy Commissioner for Programs, Education and Reentry shall focus on reentry programs aimed at reducing recidivism. The programs shall incorporate a moral component focused on providing offenders with an opportunity to make positive changes while incarcerated that will enable them to be productive members of society upon their release. Such deputy commissioner shall possess either:

(i) A master's degree in counseling, corrections, psychology, guidance, social work, criminal justice or some related field and at least four (4) years' full-time experience in such field, including at least one (1) year of supervisory experience; or

(ii) A bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years full-time work in corrections, one (1) year of which shall have been at the supervisory level.

* * *

(2) The commissioner shall employ an administrative assistant for parole matters who shall be selected by the State Parole Board who shall be an employee of the department assigned to the State Parole Board and who shall be located at the office of the State Parole Board, and who shall work under the guidance, supervision and direction of the board.

(3) The administrative assistant for parole matters shall receive an annual salary to be established by the Legislature. The salaries of department employees not established by the Legislature shall receive an annual salary established by the State Personnel Board.

(4) The commissioner shall employ a superintendent for the Parchman facility, Central Mississippi Correctional Facility and South Mississippi Correctional Institution of the Department of Corrections. The Superintendent of the Mississippi State Penitentiary shall reside on the grounds of the Parchman facility. Each superintendent shall appoint an officer in charge when he is absent.

Each superintendent shall develop and implement a plan for the prevention and control of an inmate riot and shall file a report with the Chairman of the Senate Corrections Committee and the Chairman of the House Penitentiary Committee on the first day of each regular session of the Legislature regarding the status of the plan.

In order that the grievances and complaints of inmates, employees and visitors at each facility may be heard in a timely and orderly manner, each superintendent shall appoint or designate an employee at the facility to hear grievances and complaints and to report grievances and complaints to the superintendent. Each superintendent shall institute procedures as are necessary to provide confidentiality to those who file grievances and complaints.

(5) For a one-year period beginning July 1, 2016, any person authorized for employment under this section shall not be subject to the rules, regulations and procedures of the State Personnel Board, except as otherwise provided under Section 25-9-127(5).

SECTION 2. Section 47-5-541, Mississippi Code of 1972, is amended as follows:

47-5-541. (1) The corporation shall be governed by a board of directors. The terms of the board of directors in place before July 1, 2022, shall expire June 30, 2022. From and after July 1, 2022, the board of directors of the nonprofit corporation shall be composed of the following five (5) members:

(a) The Commissioner of the Department of Corrections or his or her designee;

(b) One (1) representative of the faith-based community who is a resident of the State of Mississippi, appointed by the * * * Governor with the advice and consent of the Senate;

(c) One (1) representative of the business community who is a resident of the State of Mississippi, appointed by the * * * Lieutenant Governor with the advice and consent of the Senate;

(d) The Executive Director of * * * the Office of Workforce Development or his or her designee; and

(e) The Executive Director of the Mississippi Community College Board or his or her designee.

For the initial appointments, the representative of the faith-based community shall serve for a term of one (1) year; the representative of the business community shall serve for a term of two (2) years; the Executive Director of the * * * Office of Workforce Development or his or her designee shall serve for a term of three (3) years and the Executive Director of the Mississippi Community College Board shall serve for a term of four (4) years. All succeeding terms shall be for four (4) years from the expiration date of the previous term. The term of the Commissioner of Corrections shall run concurrent with his or her term or terms as commissioner. Initial appointments shall be made within thirty (30) days after July 1, 2022. Any vacancy on the board prior to the expiration of a term for any reason, including resignation, removal, disqualification, death or disability shall be filled in the manner prescribed in paragraphs (a) through (e) of this subsection for the balance of the unexpired term. The officers of the corporation shall consist of a chairman, vice chairman and a secretary-treasurer. The officers shall be selected by the members of the board. However, the Commissioner of Corrections shall not be eligible to serve as an officer of the corporation.

(2) (a) The board of directors shall select and employ a chief executive officer of the corporation who shall serve at the pleasure of the board. The board shall set the compensation of the chief executive officer. The chief executive officer shall be responsible for the general business and entire operations of the corporation, and shall be responsible for operating the corporation in compliance with the bylaws of the corporation and in compliance with any provision of law. The board shall be authorized and empowered to do only those acts provided by law and by the bylaws of the

corporation. Except as otherwise specifically provided by law, such board shall have the authority to establish prison industries, to cease the operation of any industry which it deems unsuitable or unprofitable, to enter into any lease or contract for the corporation and it shall have the full authority to establish prices for any industry good.

(b) The chief executive officer of the corporation shall work in collaboration with the Executive Director of the Office of Workforce Development to implement workforce development programs within the corrections system which align with the strategic plan for an integrated workforce development system for the state, as described in Section 37-153-7.

(c) The chief executive officer of the corporation shall be a person with extensive experience in development of economic, human and physical resources, with an emphasis in the corrections or reentry environments preferred. The chief executive officer of the corporation shall have at least a bachelor's degree from a state-accredited institution and no less than eight (8) years of professional experience related to workforce development.

(d) With the assistance of the Office of Workforce Development, the chief executive officer of the corporation shall:

(i) Inventory and measure the effectiveness of current workforce development programs in the state corrections system, with the goal of eliminating any programs which do not result in desired outcomes, including, but not limited to, an increase in employment in reentering offenders, a better environment within correctional facilities in the state, or a reduction in recidivism;

(ii) Partner with educational institutions to provide additional opportunities in workforce development programs for offenders leading to high-wage, high-skill jobs upon reentry;

(iii) Provide information, as appropriate, to offenders on workforce development programs available within the corrections system;

(iv) Work with industry to identify barriers which inhibit offender reentry and employment and evaluate the responsiveness of the corrections system and other support entities to the needs of industry;

(v) Develop short-term and long-term goals for the state related to workforce development and reentry offender employment within the corrections system; and

(vi) Perform a comprehensive review of workforce development in the corrections system, including the amount expended on programs supported by state or federal money and their outcomes.

(3) No member of the board of directors shall vote on any matter that comes before the board that could result in pecuniary benefit for himself or for any entity in which such member has an interest.

(4) In addition to the board of directors, an advisory board may be set up for the benefit of each industry which is established pursuant to the provisions of Sections 47-5-531 through 47-5-575. Such boards shall be advisory only, and may be set up in the discretion of the board of directors of the corporation.

(5) Each member of the board of directors of the corporation shall receive per diem as provided in Section 25-3-69 for each day or fraction thereof spent in actual discharge of his official duties and shall be reimbursed for mileage and actual expenses incurred in

the performance of his official duties in accordance with the requirements of Section 25-3-41, Mississippi Code of 1972.

(6) The board of directors shall make and publish policies, rules and regulations governing all business functions, including but not limited to accounting, marketing, purchasing and personnel, not inconsistent with the terms of Sections 47-5-531 through 47-5-575, as may be necessary for the efficient administration and operation of the corporation.

(7) The chief executive officer of the corporation shall:

(a) Employ all necessary employees of the corporation and dismiss them as is necessary;

(b) Administer the daily operations of the corporation, including establishing education, training and workforce development programs in collaboration with the Office of Workforce Development and other relevant state and federal agencies;

(c) Upon approval of the board of directors, execute any contracts on behalf of the corporation; and

(d) Take any further actions which are necessary and proper toward the achievement of the corporation purposes.

(8) A member of the board of directors of the corporation shall not be liable for any civil damages for any personal injury or property damage caused to a person as a result of any acts or omissions committed in good faith in the exercise of their duties as members of the board of directors of the corporation, except where a member of the board engages in acts or omissions which are intentional, willful, wanton, reckless or grossly negligent.

SECTION 3. Section 47-5-577, Mississippi Code of 1972, is amended as follows:

47-5-577. Sections 47-5-531 through 47-5-575, which create the Mississippi Prison Industries Act of 1990, shall stand repealed from and after July 1, * * * 2027.

SECTION 4. This act shall take effect and be in force from and after passage.

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

AN ACT TO AMEND SECTION 47-5-26, MISSISSIPPI CODE OF 1972, TO REMOVE PROVISIONS REQUIRING THAT THERE BE A DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT WHO SHALL SERVE AS THE CHIEF EXECUTIVE OFFICER OF PRISON INDUSTRIES AND DIRECTOR OF PRISON AGRICULTURAL ENTERPRISES; TO AMEND SECTION 47-5-541, MISSISSIPPI CODE OF 1972, TO REPLACE THE EXECUTIVE DIRECTOR OF ACCELERATEMS WITH THE EXECUTIVE DIRECTOR OF THE OFFICE OF WORKFORCE DEVELOPMENT, TO REQUIRE THE CHIEF EXECUTIVE OFFICER OF THE CORPORATION TO IMPLEMENT WORKFORCE DEVELOPMENT PROGRAMS WITHIN THE CORRECTIONS SYSTEM, AND TO DESCRIBE THE DUTIES OF THE CHIEF EXECUTIVE OFFICER OF THE CORPORATION; TO AMEND SECTION 47-5-577, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL FROM 2024 TO 2027; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Daniel H. Sparks	Donnie Bell
Benjamin Suber	Otis Anthony
Gary Brumfield	Greg Haney

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2717** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Sparks moved that the rules be suspended to move to calendar item 84, **H. B. No. 1567**, and the motion prevailed.

Senator Sparks offered the following report of the Conference Committee on **H. B. No. 1567** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1567: Workforce development fund; bring forward code section on.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-73-3, Mississippi Code of 1972, is amended as follows:

37-73-3. (1) Subject to appropriation by the Legislature, the Office of Workforce Development shall * * * implement a career coaching program to support middle schools and high schools as students are exposed, prepared and connected to career avenues within and beyond the classroom setting. Through strong partnerships with economic and business leaders, paired with viable relationships with school districts, the career coaches shall target the alignment of students' strengths with intentional academic and work-based learning in pursuit of meaningful professional employment.

(2) Subject to appropriation by the Legislature, the Office of Workforce Development, working through the Department of Employment Security as fiscal agent, shall establish rules and regulations to operate the career coaching program, which may include granting funds to eligible recipients such as state agencies, regional workforce entities and other nonprofits, to hire coaches. The Office of Workforce Development shall establish criteria for coaches and shall work with partner organizations to identify candidates and measure outcomes.

SECTION 2. Section 37-153-209, Mississippi Code of 1972, is amended as follows:

37-153-209. (1) There is established the Mississippi Allied Health College and Career Navigator Grant Program, which shall be directed by the office for the purpose of hiring professionals, or navigators, to provide individual assistance and guidance to students to assist them in many areas, from maneuvering challenges while enrolled in college programs and understanding the job market to working through course challenges, and to help retain and graduate nursing and allied health students, at community and junior colleges. * * * The Office of Workforce Development shall promulgate rules and regulations on the eligibility requirements to be a navigator. The grant program shall be funded from monies appropriated by the Legislature for that purpose.

(2) The office shall prescribe the terms and conditions of the grant program. To be eligible to receive a grant from the office under the grant program, a community college shall provide the following information:

(a) The number of nursing or allied health students who will be served by the program;

(b) A plan to provide data on participation and outcomes of the program, including a plan to report outcomes to the office throughout the funding commitment; and

(c) Any other information that the office determines is necessary.

SECTION 3. The following shall be codified as Section 37-153-223:

37-153-223. (1) There is established the Individual Training Account Workforce Reinforcement Assistance (ITA-WRAP) Program, which shall be directed by the Office of Workforce Development for the purpose of providing education and training to citizens seeking employment in high-wage, high-demand industries with documented workforce shortages prioritized by the office. This program shall be subject to the availability of funds appropriated by the Legislature.

(2) As used in this section, the following words and phrases shall have the meanings as defined herein unless the context clearly indicates otherwise:

(a) "Recipient" means a community college, institution of higher learning, local workforce development area or other eligible recipient of grant funding under this section.

(b) "Trainee" means an individual receiving training or other services through programs under this section with the goal of becoming employed in a high-wage, high-demand industry.

(c) "High-wage, high-demand industry" means those industries paying above Mississippi's median annual income and prioritized by the office and the four (4) local workforce areas.

(d) "Eligible expenses" means a cost incurred by a recipient, pursuant to this section, to include trainee support, including tuition or registration expenses and supportive services such as childcare or transportation assistance.

(3) The Department of Employment Security shall serve as fiscal agent in administering the funds.

(4) Subject to appropriation by the Legislature, allocations to recipients shall be awarded by the office through an application process, which shall require the applicant to provide:

(a) A detailed explanation of the program the applicant intends to use awarded funds to create or expand, including:

(i) A description of the high-wage, high-demand field or workforce shortage area the program is intended to address;

(ii) The number of trainees who will be served by the program and how each will be tracked for reporting; and

(iii) The average wage rate for trainees receiving employment before and after completing the program;

(b) A proposed budget on how awarded funds will be expended, including a plan to consistently report expenditures to the office throughout the funding commitment;

(c) A plan to provide data on participation and outcomes of the program, including a plan to report outcomes to the office throughout the funding commitment; and

(d) Other relevant information as determined appropriate by the office.

(5) The office shall:

(a) Inform each recipient of its portion of the funds appropriated to the grant program; and

(b) Develop regulations and procedures to govern the administration of the grant program.

(7) The office may use a minimal amount of funds allocated for this section for the administration of the grant program, to be approved by the State Workforce Investment Board Executive Committee.

SECTION 4. (1) Within the limits of the funds available to the Mississippi Department of Rehabilitation Services for such purpose, the Executive Director may grant a paid internship to students pursuing junior or senior undergraduate-level year coursework toward a bachelor's degree in a program that qualifies the individual to qualify

to become a rehabilitation specialist or a benefit program specialist within the Mississippi Department of Rehabilitation Services. Those applicants deemed qualified shall receive funds that may be used to pay for tuition, books and related fees to pursue their degree. It is the intent of the Legislature that the paid internship program (hereinafter referred to as the "program") shall be used as an incentive for students to develop job-related skills and to encourage careers as rehabilitation specialists or benefits programs specialists at the Mississippi Department of Rehabilitation Services.

(2) In order to be eligible for the program, an applicant must:

(a) Attend any college or school approved and designated by the Mississippi Department of Rehabilitation Services.

(b) Have successfully obtained a minimum of fifty-eight (58) semester hours toward a bachelor's degree in an eligible field as determined by the Mississippi Department of Rehabilitation Services from a Mississippi institution of higher learning. Applicants must have achieved a minimum Grade Point Average (GPA) on these semester hours of 3.0 on a 4.0 scale. If accepted into the internship program, participants shall maintain a minimum cumulative GPA of 3.0 on a 4.0 scale in all coursework counted toward a bachelor's degree in an eligible field as determined by the Mississippi Department of Rehabilitation Services.

(c) Work at least a total of three hundred (300) hours each summer at a Mississippi Department of Rehabilitation Services' (MDRS) offices that is mutually agreed upon between MDRS and the respective intern.

(d) Agree to work as a rehabilitation specialist or a benefit program specialist at the Mississippi Department of Rehabilitation Services upon graduation for a period of time equivalent to one (1) year for each semester the Mississippi Department of Rehabilitation Services remits payment for tuition, books and/or related fees towards a bachelors degree in an eligible field as determined by the Mississippi Department of Rehabilitation Services.

(3) (a) Before being placed into the program, each applicant shall enter into a contract with the Mississippi Department of Rehabilitation Services, which shall be deemed a contract with the State of Mississippi, agreeing to the terms and conditions upon which the internship shall be granted to him or her. The contract shall include such terms and provisions necessary to carry out the full purpose and intent of this section. The form of such contract shall be prepared and approved by the Attorney General of this state, and shall be signed by the Executive Director of the Mississippi Department of Rehabilitation Services and the participant.

(b) Upon entry into the program, participants will become employees of the Mississippi Department of Rehabilitation Services during their time in the program and shall be eligible for benefits such as medical insurance paid by the agency for the participant; however, in accordance with Section 25-11-105II.(b), those participants shall not become members of the Public Employees' Retirement System while participating in the program. Participants shall not accrue personal or major medical leave while they are in the program.

(c) The Mississippi Department of Rehabilitation Services shall have the authority to cancel any contract made between it and any program participant upon such cause being deemed sufficient by the Executive Director of the Mississippi Department of Rehabilitation Services.

(d) The Mississippi Department of Rehabilitation Services is vested with full and complete authority and power to sue in its own name any participant for any damages due the state on any such uncompleted contract, which suit shall be filed and handled by the Attorney General of the state. The Mississippi Department of Rehabilitation Services

may contract with a collection agency or banking institution, subject to approval by the Attorney General, for collection of any damages due the state from any participant. The State of Mississippi, the Mississippi Department of Rehabilitation Services and its employees are immune from any suit brought in law or equity for actions taken by the collection agency or banking institution incidental to or arising from their performance under the contract. The Mississippi Department of Rehabilitation Services, collection agency and banking institution may negotiate for the payment of a sum that is less than full payment in order to satisfy any damages the participant owes the state, subject to approval by the Executive Director of the Mississippi Department of Rehabilitation Services.

(4) (a) Any recipient who is accepted into the program by the Mississippi Department of Rehabilitation Services and who fails to complete undergraduate level coursework toward an approved degree, or withdraws from school at any time before completing his or her education, shall be liable to repay the Mississippi Department of Rehabilitation Services for all monies received during the time the recipient was in the program, at the rate of pay received by the employee while in the program, including benefits paid by the agency for the participant, and monies received for tuition, books and related fees used to pursue their degree with interest accruing at ten percent (10%) per annum from the date the recipient failed or withdrew from school. The recipient also shall not be liable for repayment for any money earned during the required summer hours. This money shall be considered earned by the recipient at the federal minimum wage rate.

(b) All paid internship compensation received by the recipient while in school shall be considered earned conditioned upon the fulfillment of the terms and obligations of the paid internship contract and this section. However, no recipient of the paid internship shall accrue personal or major medical leave while the recipient is pursuing junior or senior undergraduate-level year coursework toward a bachelor's degree in a program that qualifies the individual to qualify to become a rehabilitation specialist or a benefit program specialist within the Mississippi Department of Rehabilitation Services. The recipient shall not be liable for liquidated damages.

(c) If the recipient does not work as a rehabilitation specialist or a benefit program specialist at the Mississippi Department of Rehabilitation Services for the period required under subsection (2)(d) of this section, the recipient shall be liable for repayment on demand of the remaining portion of the compensation that the recipient was paid while in the program which has not been unconditionally earned, with interest accruing at ten percent (10%) per annum from the recipient's date of graduation or the date that the recipient last worked at the Mississippi Department of Rehabilitation Services, whichever is the later date.

SECTION 5. Sections 5 through 9 of this act shall be known and cited as the "Paramedics Recruitment and Retention Scholarship Program Act."

SECTION 6. (1) The Legislature finds the following:

(a) The public health crisis related to COVID-19 resulted in a general disruption in the Mississippi economy and workforce, particularly in the healthcare industry.

(b) COVID-19 and the closing of or reduction in services at rural hospitals created an unprecedented demand on emergency medical response providers.

(c) Consequently, the number of paramedics decreased in the State of Mississippi by approximately nineteen percent (19%).

(d) The lack of paramedics directly impacts all Mississippians ability to rely on quality emergency care.

(2) Therefore, the intent of the Legislature is:

(a) To provide funding to the Office of Workforce Development to establish a scholarship program for the purposes outlined herein.

(b) To provide funding for grants to cover the full cost of tuition, fees, books and any required uniforms for qualified applicants to attend an accredited paramedic program.

(c) To provide funding for grants to reimburse the cost of a qualified applicant's fee for the successful completion of the National Registry Paramedic cognitive and psychomotor examinations.

(d) To gauge the effectiveness of this program by gathering data related to the participation and employment outcomes in order to replicate successful efforts in future

workforce development programs.

SECTION 7. (1) There is established the Paramedics Recruitment and Retention Scholarship Program ("the program"). The scholarship program shall be used by the Office of Workforce Development, with the Mississippi Department of Employment Security acting as the fiscal agent, for the purpose of providing funding for grants to cover the full cost of tuition, fees, books and any required uniforms for qualified applicants to attend an accredited paramedic program and to reimburse the cost of a qualified applicant's fee for the successful completion of the National Registry Paramedic cognitive and psychomotor examinations. The scholarship program shall be funded from monies appropriated by the Legislature for that purpose.

(2) For the purposes of Sections 5 through 9 of this act, a "paramedic" means a certified healthcare professional who specializes in providing emergency medical treatment to people who are injured or ill, typically in a setting outside of a hospital.

(3) The Office of Workforce Development shall prescribe the terms and conditions of grants awarded under the program. To qualify for a grant under this program, an applicant must:

(a) Be a certified Emergency Medical Technician (EMT);

(b) Have the necessary requisites for an accredited paramedic program;

(c) Commit to locate in the State of Mississippi for a minimum of three (3) years; and

(d) Meet any other conditions for receipt as prescribed by the Office of Workforce Development.

(4) The Office of Workforce Development may use a maximum of five percent (5%) of funds appropriated for the program for the administration of the program.

SECTION 8. The office shall enter into a grant contract agreement with each recipient of a grant under the program that incorporates the following obligations and conditions:

(a) The recipient of a grant shall commit to serving as a paramedic for three (3) continuous years in the State of Mississippi;

(b) If any recipient of a grant under the program does not engage in serving as a paramedic in accordance with the terms of Sections 5 through 9 of this act, the

recipient shall be obligated to repay the grant amounts received, together with interest thereon at the maximum rate allowed by Mississippi law or the federal discount rate plus five percent (5%) per year, whichever is less, the interest to accrue from the date that each payment of funds was received by the recipient;

(c) No interest shall accrue and there shall be no obligation to repay the principal sums accrued during any one (1) period of time that the recipient involuntarily serves on active duty in the United States Armed Forces; and

(d) Repayment of the principal with interest shall be due and payable in full immediately on the occurrence of either of the following events:

(i) Failure to remain in the State of Mississippi for three (3) continuous years for any reason other than temporary personal illness; or

(ii) Failure to serve as a paramedic on a regularly sustained basis as provided in the eligibility requirements of Section 7.

SECTION 9. (1) The Office of Workforce Development shall submit an annual report on the grant program to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the Chair of the House Workforce Development Committee and the Chair of the Senate Economic and Workforce Development Committee. The report shall contain a detailed explanation of how the funds appropriated for the program were awarded and how many paramedics have participated in the grant program and their employment outcomes.

(2) The Office of Workforce Development is authorized to enter into a memorandum of agreement with any public or nonpublic school which provides secondary education to students enrolled therein, for the purpose of allowing students who are at least seventeen (17) years of age to be eligible for enrollment in any accredited paramedic training program without any cost to the students, through dual-credit or dual-enrollment class offerings through an accredited entity authorized by the office to provide such trainings for purposes of the program. However, such students shall not be eligible to take any examination for certification as a paramedic until the time that he or she attains the age of eighteen (18), at which time he or she would be allowed to take the certification examination to become a certified Emergency Medical Technician (EMT).

SECTION 10. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 37-73-3, MISSISSIPPI CODE OF 1972, TO MODIFY THE DIRECTIVE OF THE OFFICE OF WORKFORCE DEVELOPMENT FROM PILOTING A CAREER COACHING PROGRAM IN MIDDLE SCHOOLS AND HIGH SCHOOLS, TO IMPLEMENTING SUCH PROGRAM FOR THE LONG TERM; TO AMEND SECTION 37-153-209, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFICATION OF THE MISSISSIPPI ALLIED HEALTH COLLEGE AND CAREER NAVIGATOR TO PROVIDE THAT THE OFFICE OF WORKFORCE DEVELOPMENT SHALL PROMULGATE RULES AND REGULATIONS ON THE ELIGIBILITY REQUIREMENTS OF THE NAVIGATORS; TO CREATE NEW SECTION 37-153-223, MISSISSIPPI CODE OF 1972, TO CREATE THE INDIVIDUAL TRAINING ACCOUNT WORKFORCE REINFORCEMENT ASSISTANCE (ITA-WRAP) PROGRAM, WHICH SHALL BE DIRECTED BY THE OFFICE OF WORKFORCE DEVELOPMENT FOR THE PURPOSE OF PROVIDING EDUCATION AND TRAINING TO CITIZENS SEEKING EMPLOYMENT IN HIGH-WAGE, HIGH-DEMAND INDUSTRIES WITH DOCUMENTED WORKFORCE SHORTAGES PRIORITIZED BY THE OFFICE; TO PROVIDE FOR DEFINITIONS; TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT SECURITY

SHALL SERVE AS FISCAL AGENT IN ADMINISTERING THE FUNDS; TO CREATE A NEW SECTION OF LAW TO AUTHORIZE THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES TO GRANT A PAID INTERNSHIP TO STUDENTS PURSUING JUNIOR OR SENIOR UNDERGRADUATE-LEVEL YEAR COURSEWORK TOWARD A BACHELOR'S DEGREE IN A PROGRAM THAT QUALIFIES THE INDIVIDUAL TO BECOME A REHABILITATION SPECIALIST OR A BENEFIT PROGRAM SPECIALIST WITHIN THE MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES; TO PROVIDE THAT THE FUNDS MAY BE USED FOR TUITION, BOOKS AND RELATED FEES; TO PROVIDE THE REQUIREMENTS TO BE ELIGIBLE AND REMAIN ELIGIBLE FOR THE INTERNSHIP; TO PROVIDE THE TERMS OF THE INTERNSHIP; TO CREATE THE PARAMEDICS RECRUITMENT AND RETENTION SCHOLARSHIP PROGRAM; TO PROVIDE THAT THE PROGRAM SHALL BE USED BY THE OFFICE OF WORKFORCE DEVELOPMENT, WITH THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY ACTING AS THE FISCAL AGENT, FOR THE PURPOSE OF PROVIDING FUNDING FOR GRANTS TO COVER THE FULL COST OF TUITION, FEES, BOOKS AND ANY REQUIRED UNIFORMS FOR QUALIFIED APPLICANTS TO ATTEND AN ACCREDITED PARAMEDIC PROGRAM AND TO REIMBURSE THE COST OF A QUALIFIED APPLICANT'S FEE FOR THE SUCCESSFUL COMPLETION OF THE NATIONAL REGISTRY PARAMEDIC COGNITIVE AND PSYCHOMOTOR EXAMINATIONS; TO PROVIDE HOW AN APPLICANT MAY QUALIFY FOR A GRANT; TO PROVIDE THAT THE RECIPIENT OF A GRANT SHALL COMMIT TO SERVING AS A PARAMEDIC FOR THREE CONTINUOUS YEARS IN THE STATE; TO PROVIDE THE REPORTING REQUIREMENTS; TO AUTHORIZE THE OFFICE OF WORKFORCE DEVELOPMENT TO ENTER INTO MOAS WITH LOCAL SCHOOL DISTRICTS FOR THE PURPOSE OF ALLOWING CERTAIN HIGH SCHOOL STUDENTS TO ENROLL IN ACCREDITED PARAMEDIC TRAINING PROGRAMS THROUGH DUAL-CREDIT OR DUAL-ENROLLMENT; TO PROVIDE THAT SUCH STUDENT CANNOT TAKE THE CERTIFICATION EXAM UNTIL HE OR SHE ATTAINS 18 YEARS OF AGE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Donnie Bell	Daniel H. Sparks
Steve Lott	Benjamin Suber
Jonathan McMillan	Chris Johnson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1567** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins offered the following report of the Conference Committee on **S. B. No. 2764** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2764: Manufactured homes; create affidavit of ownership.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Brice Wiggins	Joey Hood
Mike Thompson	Shanda Yates
Juan Barnett	Beth Luther Waldo

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2764** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

_____

Senator Wiggins offered the following report of the Conference Committee on **S. B. No. 2792** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2792: Foster care and adoption; revise provisions related to per recommendations of task force.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-7-9, Mississippi Code of 1972, is amended as follows:

[From and after January 1, 2024, and through December 31, 2027, this section shall read as follows:]

25-7-9. (1) The clerks of the chancery courts shall charge the following fees:

(a) For the act of certifying copies of filed documents, for each complete document ..... $ 1.00

(b) (i) Recording each deed, will, lease, amendment, subordination, lien, release, cancellation, order, decree, oath, etc., per book and page listed where applicable, each deed of trust, or any other document, for the first five (5) pages $ 25.00

(ii) Each additional page ..... $ 1.00

(c) (i) Recording oil and gas leases, cancellations, etc., including indexing in general indices; for the first five (5) pages ..... $ 25.00

(ii) Recording each oil and gas assignment, amendment of assignment, release, etc., first five (5) pages $ 25.00 per additional assignee ..... $ 18.00

(iii) Each additional page ..... $ 1.00

(iv) Sectional index entries per section or subdivision lot .... $ 1.00

(v) Archive fee ..... $ 1.00

(vi) Entering marginal notations, if requested on document or by cover letter, pertaining to the recording of any oil and gas document only per book and page $ 4.00

(d) (i) Furnishing copies of any papers of record or on file:

If performed by the clerk or his employee, per page ..... $ .50

If performed by any other person, per page ..... $ .25

(ii) Entering marginal notations on documents of record ..... $ 1.00

(e) For attending the board of supervisors' meeting, an annual sum not exceeding ..... $ 2,500.00

(f) For other services as clerk of the board of supervisors an allowance shall be made to him (payable semiannually at the July and January meetings) out of the county treasury, an annual sum not exceeding ..... $ 5,500.00

(g) For each day's attendance on the chancery court, to be approved by the chancellor:

For the first chancellor sitting only, clerk and two (2) deputies, each ..... $ 85.00

For the second chancellor sitting, clerk only ..... $ 85.00

Provided that the fees herein prescribed shall be the total remuneration for the clerk and his deputies for attending chancery court.

(h) On order of the court, clerks and not more than two (2) deputies may be allowed five (5) extra days for each term of court for attendance upon the court to get up records.

(i) For public service not otherwise specifically provided for, the chancery court may by order allow the clerk to be paid by the county on the order of the board of supervisors, an annual sum not exceeding ..... $ 5,000.00

(j) For each civil filing, to be deposited into the Civil Legal Assistance Fund $ 5.00

The chancery clerk shall itemize on the original document a detailed fee bill of all charges due or paid for filing, recording and abstracting same. No person shall be required to pay such fees until same have been so itemized, but those fees may be demanded before the document is recorded.

(2) The following fee shall be a total fee for all services performed by the clerk with respect to any civil case filed that includes, but is not limited to, divorce, alteration of birth or marriage certificate, removal of minority, guardianship or conservatorship, estate of deceased, adoption that does not involve the Department of Child Protection Services, land dispute injunction, settlement of small claim, contempt, modification, partition suit, or commitment, which shall be payable upon filing and shall accrue to the chancery clerk at the time of filing. The clerk or his successor in office shall perform all duties set forth without additional compensation or fee ..... $ 85.00

(3) For every civil case filed:

(a) An additional fee to be deposited to the credit of the Comprehensive Electronic Court Systems Fund established in Section 9-21-14 ..... $ 10.00

(b) An additional fee to be deposited to the credit of the Judicial System Operation Fund established in Section 9-21-45 ..... $ 40.00

(4) Cost of process shall be borne by the issuing party. Additionally, should the attorney or person filing the pleadings desire the clerk to pay the cost to the sheriff for serving process on one (1) person or more, or to pay the cost of publication, the clerk shall demand the actual charges therefor, at the time of filing.

(5) For each civil case filed including an adoption involving the Department of Child Protection Services, the filing shall be exempt from any fee under this section.

[From and after January 1, 2028, this section shall read as follows:]

25-7-9. (1) The clerks of the chancery courts shall charge the following fees:

(a) For the act of certifying copies of filed documents, for each complete document ..... $ 1.00

(b) (i) Recording each deed, will, lease, amendment, subordination, lien, release, cancellation, order, decree, oath, etc., per book and page listed where applicable, each deed of trust, or any other document, for the first five (5) pages $ 25.00

(ii) Each additional page ..... $ 1.00

(c) (i) Recording oil and gas leases, cancellations, etc., including indexing in general indices; for the first five (5) pages ..... $ 25.00

(ii) Recording each oil and gas assignment, amendment of assignment, release, etc., first five (5) pages $ 25.00 per additional assignee ..... $ 18.00

(iii) Each additional page ..... $ 1.00

(iv) Sectional index entries per section or subdivision lot .... $ 1.00

(v) Archive fee ..... $ 1.00

(vi) Entering marginal notations, if requested on document or by cover letter, pertaining to the recording of any oil and gas document only per book and page $ 4.00

(d) (i) Furnishing copies of any papers of record or on file:

If performed by the clerk or his employee, per page ..... $ .50

If performed by any other person, per page ..... $ .25

(ii) Entering marginal notations on documents of record ..... $ 1.00

(e) For attending the board of supervisors' meeting an annual sum not exceeding ..... $ 5,000.00

(f) For other services as clerk of the board of supervisors an allowance shall be made to him (payable semiannually at the July and January meetings) out of the county treasury, an annual sum not exceeding $10,000.00

(g) For each day's attendance on the chancery court, to be approved by the chancellor:

For the first chancellor sitting only, clerk and two (2) deputies, each ..... $ 85.00

For the second chancellor sitting, clerk only ..... $ 85.00

Provided that the fees herein prescribed shall be the total remuneration for the clerk and his deputies for attending chancery court.

(h) On order of the court, clerks and not more than two (2) deputies may be allowed five (5) extra days for each term of court for attendance upon the court to get up records.

(i) For public service not otherwise specifically provided for, the chancery court may by order allow the clerk to be paid by the county on the order of the board of supervisors, an annual sum not exceeding ..... $ 5,000.00

(j) For each civil filing, to be deposited into the Civil Legal Assistance Fund $ 5.00

The chancery clerk shall itemize on the original document a detailed fee bill of all charges due or paid for filing, recording and abstracting same. No person shall be required to pay such fees until same have been so itemized, but those fees may be demanded before the document is recorded.

(2) The following fee shall be a total fee for all services performed by the clerk with respect to any civil case filed that includes, but is not limited to, divorce, alteration of birth or marriage certificate, removal of minority, guardianship or conservatorship, estate of deceased, adoption that does not involve the Department of Child Protection Services, land dispute injunction, settlement of small claim, contempt, modification, partition suit, or commitment, which shall be payable upon filing and shall accrue to the chancery clerk at the time of filing. The clerk or his successor in office shall perform all duties set forth without additional compensation or fee ..... $ 85.00

(3) For every civil case filed:

(a) An additional fee to be deposited to the credit of the Comprehensive Electronic Court Systems Fund established in Section 9-21-14 ..... $ 10.00

(b) An additional fee to be deposited to the credit of the Judicial System Operation Fund established in Section 9-21-45 ..... $ 40.00

(4) Cost of process shall be borne by the issuing party. Additionally, should the attorney or person filing the pleadings desire the clerk to pay the cost to the sheriff for serving process on one (1) person or more, or to pay the cost of publication, the clerk shall demand the actual charges therefor, at the time of filing.

(5) For each civil case filed including an adoption involving the Department of Child Protection Services, the filing shall be exempt from any fee under this section.

SECTION 2. Section 93-15-107, Mississippi Code of 1972, is amended as follows:

93-15-107. (1) (a) Involuntary termination of parental rights proceedings are commenced upon the filing of a petition under this chapter. The petition may be filed by any interested person, or any agency, institution or person holding custody of the child. The simultaneous filing of a petition for adoption is not a prerequisite for filing a petition under this chapter.

(b) The proceeding shall be triable, either in term time or vacation, thirty (30) days after personal service of process to any necessary party or, for a necessary party whose address is unknown after diligent search, thirty (30) days after the date of the first publication of service of process by publication that complies with the Mississippi Rules of Civil Procedure.

(c) Necessary parties to a termination of parental rights action shall include the mother of the child, the legal father of the child, the putative father of the child when known, and any agency, institution or person holding custody of the child. If the child is twelve (12) years or older at the time of the hearing, a summons must be issued and served upon the minor child, together with a copy of the petition, not less than seven (7) days before the hearing. The minor child shall be represented by counsel throughout the proceedings. The court shall appoint an attorney for any minor child who is unrepresented, so the court has the benefit of knowing the child's stated interest. If the child is fourteen (14) years or older at the time of the hearing, the child's

preferences, if any, regarding the termination of parental rights shall be considered by the court. The absence of a necessary party who has been properly served does not preclude the court from conducting the hearing or rendering a final judgment.

(d) A guardian ad litem shall be appointed to protect the best interest of the child, except that the court, in its discretion, may waive this requirement when a parent executes a written voluntary release to terminate parental rights. The guardian ad litem fees shall be determined and assessed in the discretion of the court.

(e) The style of the case shall not include the child's name when the child is not the party plaintiff or petitioner.

(2) Voluntary termination of parental rights by written voluntary release is governed by Section 93-15-111.

(3) In all cases involving termination of parental rights, a minor parent shall be served with process as an adult.

(4) The court may waive service of process if an adoptive child was born in a foreign country, put up for adoption in the birth country, and has been legally admitted into this country.

(5) The clerk shall docket cases seeking relief under this chapter as priority cases. The assigned judge shall be immediately notified when a case is filed in order to provide for expedited proceedings.

(6) (a) Once the petition for termination of parental rights is filed with the court of competent jurisdiction, the court shall hold a hearing on the petition within ninety (90) calendar days of the date the petition is filed absent extraordinary circumstances.

(b) For purposes of this subsection, the ninety-calendar-day time period will commence when perfected service is made on the parents.

(c) For purposes of this subsection, extraordinary circumstances include:

(i) The Mississippi Supreme Court orders the suspension of in-person court proceedings; or

(ii) One (1) of the following has occurred:

1. The President of the United States has declared a national emergency; or

2. The Governor has declared a state of emergency or a statewide public health emergency; or

(iii) If the best interest of the child is served and the chancellor makes specific findings of such.

SECTION 3. Section 93-15-111, Mississippi Code of 1972, is amended as follows:

93-15-111. (1) The court * * * shall accept the parent's written voluntary release if it meets the following minimum requirements:

(a) Is signed under oath and dated at least seventy-two (72) hours after the birth of the child;

(b) States the parent's full name, the relationship of the parent to the child, and the parent's address;

(c) States the child's full name, date of birth, time of birth if known, and place of birth as indicated on the birth certificate;

(d) Identifies the governmental agency or home to which the child has been surrendered, if any;

(e) States the parent's consent to adoption of the child and waiver of service of process for any future adoption proceedings;

(f) Acknowledges that the termination of the parent's parental rights and that the subsequent adoption of the child may significantly affect, or even eliminate, the parent's right to inherit from the child under the laws of Descent and Distribution (Chapter 1, Title 91, Mississippi Code of 1972);

(g) Acknowledges that all provisions of the written voluntary release were entered into knowingly, intelligently, and voluntarily; and

(h) Acknowledges that the parent is entitled to consult an attorney regarding the parent's parental rights.

(2) The court's order accepting the parent's written voluntary release terminates all of the parent's parental rights to the child, including, but not limited to, the parental right to control or withhold consent to an adoption. * * * The written voluntary release

shall serve as a waiver of the parent's right to have a hearing on acceptance of the release.

SECTION 4. Section 43-21-201, Mississippi Code of 1972, is amended as follows:

43-21-201. (1) (a) Each party shall have the right to be represented by counsel at all stages of the proceedings including, but not limited to, detention, shelter, adjudicatory and disposition hearings and parole or probation revocation proceedings.

(b) In delinquency matters the court shall appoint legal defense counsel who is not also a guardian ad litem for the same child. If the party is a child, the child shall be represented by counsel at all critical stages: detention, adjudicatory and disposition hearings; parole or probation revocation proceedings; and post-disposition matters. If indigent, the child shall have the right to have counsel appointed for him by the youth court.

(c) A child who is alleged to have been abused or neglected shall be deemed to be a party to the proceedings under this chapter. The child shall be represented by an attorney at all stages of any proceedings held pursuant to this chapter. The court shall appoint an attorney to any child who is unrepresented.

The guardian ad litem may serve a dual role as long as no conflict of interest is present. If a conflict of interest arises, the guardian ad litem shall inform the youth court of the conflict, and the youth court shall retain the guardian ad litem to represent the best interest of the child and appoint an attorney to represent the child's preferences as required by Uniform Rule of Youth Court Practice 13(f).

(2) (a) When a party first appears before the youth court, the judge shall ascertain whether he is represented by counsel and, if not, inform him of his rights including his right to counsel. If the court determines that a custodial parent or guardian who is a party in an abuse, neglect or termination of parental rights proceeding is indigent, the youth court judge * * * shall appoint counsel to represent the indigent parent or guardian in the proceeding. The court may appoint counsel to represent a noncustodial parent if the court determines that the noncustodial parent is indigent and has demonstrated a significant custodial relationship with the child. All parents have the right to be appointed counsel in termination of parental rights hearings, and the court shall appoint counsel if the court makes a finding that the parent is indigent and counsel is requested by the parent. For purposes of this section, indigency shall be determined pursuant to Section 25-32-9 and Rule 7.3 of the Mississippi Rules of Criminal Procedure.

(b) (i) The court shall order a financially able parent or custodian to pay all or part of reasonable attorney's fees and expenses for court-appointed representation after review by the court of an affidavit of financial means completed and verified by a parent or custodian and a determination by the court of an ability to pay.

(ii) All monies collected by the clerk under this paragraph must be retained by the clerk and deposited into a special fund to be known as the "Juvenile Court Representation Fund."

(iii) The Administrative Office of Courts may direct that money from the fund be used in providing counsel for indigent parents or custodians at the trial level in dependency-neglect proceedings.

(iv) Upon a determination of indigency and a finding by the court that the fund does not have sufficient funds to pay reasonable attorney's fees and expenses incurred at the trial court level and that state funds have been exhausted, the court may order the county to pay the reasonable fees and expenses until the state provides funding for counsel.

(v) A special fund, to be designated as the "Juvenile Court Representation Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies in the fund shall be disbursed by the Administrative Office of Courts as provided in this section. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(3) An attorney appointed to represent a child shall be required to complete annual juvenile justice training that is approved by the Mississippi Office of State Public Defender and the Mississippi Commission on Continuing Legal Education. An attorney appointed to represent a parent or guardian in an abuse, neglect or termination of parental rights proceeding shall be required to complete annual training that is approved by the Office of State Public Defender and the Mississippi Commission on Continuing Legal Education. The Mississippi Office of State Public Defender and the Mississippi Commission on Continuing Legal Education shall determine the amount of juvenile justice training and continuing education required to fulfill the requirements of this subsection. The State Public Defender shall maintain a roll of attorneys who have complied with the training requirements and shall enforce the provisions of this subsection. Should an attorney fail to complete the annual training requirement or fail to attend the required training within six (6) months of being appointed to a youth court case, the attorney shall be disqualified to serve, and the youth court shall immediately terminate the representation and appoint another attorney. Attorneys appointed by a youth court to five (5) or fewer cases a year are exempt from the requirements of this subsection.

(4) Attorney's for all parties, including the child's attorney, shall owe the * * * duties of undivided loyalty, confidentiality and competent representation to the * * * party client pursuant to the Mississippi Rules of Professional Conduct.

(5) An attorney shall enter his appearance on behalf of a party in the proceeding by filing a written notice of appearance with the youth court, by filing a pleading, notice or motion signed by counsel or by appearing in open court and advising the youth court that he is representing a party. After counsel has entered his appearance, he shall be served with copies of all subsequent pleadings, motions and notices required to be served on the party he represents. An attorney who has entered his appearance shall not be permitted to withdraw from the case until a timely appeal, if any, has been decided, except by leave of the court then exercising jurisdiction of the cause after notice of his intended withdrawal is served by him on the party he represents.

(6) Each designee appointed by a youth court judge shall be subject to the Code of Judicial Conduct and shall govern himself or herself accordingly.

(7) The Department of Child Protection Services shall be a necessary party at all stages of the proceedings involving a child for whom the department has custody, including, but not limited to, detention, shelter, adjudicatory, disposition, permanency * * *, termination of parental rights and adoption hearings.

(8) The Department of Child Protection Services shall have the right to hire agency counsel to represent the department and be represented by counsel from the Attorney General's Office at all stages of the proceedings involving a child for whom the department has custody of or may be awarded custody of, including, but not limited to, detention shelter, adjudicatory disposition, permanency, termination of parental rights and adoption hearings.

SECTION 5. Section 43-21-105, Mississippi Code of 1972, is amended as follows:

43-21-105. The following words and phrases, for purposes of this chapter, shall have the meanings ascribed herein unless the context clearly otherwise requires:

(a) "Youth court" means the Youth Court Division.

(b) "Judge" means the judge of the Youth Court Division.

(c) "Designee" means any person that the judge appoints to perform a duty which this chapter requires to be done by the judge or his designee. The judge may not appoint a person who is involved in law enforcement or who is an employee of the Mississippi Department of Human Services or the Mississippi Department of Child Protection Services to be his designee.

(d) "Child" and "youth" are synonymous, and each means a person who has not reached his eighteenth birthday. A child who has not reached his eighteenth birthday and is on active duty for a branch of the armed services or is married is not considered a "child" or "youth" for the purposes of this chapter.

(e) "Parent" means the father or mother to whom the child has been born, or the father or mother by whom the child has been legally adopted.

(f) "Guardian" means a court-appointed guardian of the person of a child.

(g) "Custodian" means any person having the present care or custody of a child whether such person be a parent or otherwise.

(h) "Legal custodian" means a court-appointed custodian of the child.

(i) "Delinquent child" means a child who has reached his tenth birthday and who has committed a delinquent act.

(j) "Delinquent act" is any act, which if committed by an adult, is designated as a crime under state or federal law, or municipal or county ordinance other than offenses punishable by life imprisonment or death. A delinquent act includes escape from lawful detention and violations of the Uniform Controlled Substances Law and violent behavior.

(k) "Child in need of supervision" means a child who has reached his seventh birthday and is in need of treatment or rehabilitation because the child:

(i) Is habitually disobedient of reasonable and lawful commands of his parent, guardian or custodian and is ungovernable; or

(ii) While being required to attend school, willfully and habitually violates the rules thereof or willfully and habitually absents himself therefrom; or

(iii) Runs away from home without good cause; or

(iv) Has committed a delinquent act or acts.

(l) "Neglected child" means a child:

(i) Whose parent, guardian or custodian or any person responsible for his care or support, neglects or refuses, when able so to do, to provide for him proper and necessary care or support, or education as required by law, or medical, surgical, or other care necessary for his well-being; however, a parent who withholds medical treatment from any child who in good faith is under treatment by spiritual means alone through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof shall not, for that reason alone, be considered to be neglectful under any provision of this chapter; or

(ii) Who is otherwise without proper care, custody, supervision or support; or

(iii) Who, for any reason, lacks the special care made necessary for him by reason of his mental condition, whether the mental condition is having mental illness or having an intellectual disability; or

(iv) Who * * * is not provided by the child's parent, guardian or custodian, with food, clothing, or shelter necessary to sustain the life or health of the child, excluding such failure caused primarily by financial inability unless relief services have been offered and refused and the child is in imminent risk of harm.

(m) "Abused child" means a child whose parent, guardian or custodian or any person responsible for his care or support, whether legally obligated to do so or not, has caused or allowed to be caused, upon the child, sexual abuse, sexual exploitation, commercial sexual exploitation, emotional abuse, mental injury, nonaccidental physical injury or other maltreatment. However, physical discipline, including spanking, performed on a child by a parent, guardian or custodian in a reasonable manner shall not be deemed abuse under this section. "Abused child" also means a child who is or has been trafficked within the meaning of the Mississippi Human Trafficking Act by any person, without regard to the relationship of the person to the child.

(n) "Sexual abuse" means obscene or pornographic photographing, filming or depiction of children for commercial purposes, or the rape, molestation, incest, prostitution or other such forms of sexual exploitation of children under circumstances which indicate that the child's health or welfare is harmed or threatened.

(o) "A child in need of special care" means a child with any mental or physical illness that cannot be treated with the dispositional alternatives ordinarily available to the youth court.

(p) A "dependent child" means any child who is not a child in need of supervision, a delinquent child, an abused child or a neglected child, and which child has been voluntarily placed in the custody of the Department of Child Protection Services by his parent, guardian or custodian.

(q) "Custody" means the physical possession of the child by any person.

(r) "Legal custody" means the legal status created by a court order which gives the legal custodian the responsibilities of physical possession of the child and the

duty to provide him with food, shelter, education and reasonable medical care, all subject to residual rights and responsibilities of the parent or guardian of the person.

(s) "Detention" means the care of children in physically restrictive facilities.

(t) "Shelter" means care of children in physically nonrestrictive facilities.

(u) "Records involving children" means any of the following from which the child can be identified:

(i) All youth court records as defined in Section 43-21-251;

(ii) All forensic interviews conducted by a child advocacy center in abuse and neglect investigations;

(iii) All law enforcement records as defined in Section 43-21-255;

(iv) All agency records as defined in Section 43-21-257; and

(v) All other documents maintained by any representative of the state, county, municipality or other public agency insofar as they relate to the apprehension, custody, adjudication or disposition of a child who is the subject of a youth court cause.

(v) "Any person responsible for care or support" means the person who is providing for the child at a given time. This term shall include, but is not limited to, stepparents, foster parents, relatives, nonlicensed babysitters or other similar persons responsible for a child and staff of residential care facilities and group homes that are licensed by the Department of Human Services or the Department of Child Protection Services.

(w) The singular includes the plural, the plural the singular and the masculine the feminine when consistent with the intent of this chapter.

(x) "Out-of-home" setting means the temporary supervision or care of children by the staff of licensed day care centers, the staff of public, private and state schools, the staff of juvenile detention facilities, the staff of unlicensed residential care facilities and group homes and the staff of, or individuals representing, churches, civic or social organizations.

(y) "Durable legal custody" means the legal status created by a court order which gives the durable legal custodian the responsibilities of physical possession of the child and the duty to provide him with care, nurture, welfare, food, shelter, education and reasonable medical care. All these duties as enumerated are subject to the residual rights and responsibilities of the natural parent(s) or guardian(s) of the child or children.

(z) "Status offense" means conduct subject to adjudication by the youth court that would not be a crime if committed by an adult.

(aa) "Financially able" means a parent or child who is ineligible for a court-appointed attorney.

(bb) "Assessment" means an individualized examination of a child to determine the child's psychosocial needs and problems, including the type and extent of any mental health, substance abuse or co-occurring mental health and substance abuse disorders and recommendations for treatment. The term includes, but is not limited to, a drug and alcohol, psychological or psychiatric evaluation, records review, clinical interview or the administration of a formal test and instrument.

(cc) "Screening" means a process, with or without the administration of a formal instrument, that is designed to identify a child who is at increased risk of having mental health, substance abuse or co-occurring mental health and substance abuse disorders that warrant immediate attention, intervention or more comprehensive assessment.

(dd) "Durable legal relative guardianship" means the legal status created by a youth court order that conveys the physical and legal custody of a child or children by durable legal guardianship to a relative or fictive kin who is licensed as a foster or resource parent.

(ee) "Relative" means a person related to the child by affinity or consanguinity within the third degree.

(ff) "Fictive kin" means a person not related to the child legally or biologically but who is considered a relative due to a significant, familial-like and ongoing relationship with the child and family.

(gg) "Reasonable efforts" means the exercise of reasonable care and due diligence by the Department of Human Services, the Department of Child Protection Services, or any other appropriate entity or person to use * * * services * * * appropriate to the child's background, accessible, and available to meet the individualized needs of the child and child's family to prevent removal and reunify the family as soon as safely possible consistent with the best interests of the child. Reasonable efforts must be made in collaboration with the family and must address the individualized needs of the family that brought the child to the attention of the Department of Child Protection Services and must not consist of required services that are not related to the family's needs.

(hh) "Commercial sexual exploitation" means any sexual act or crime of a sexual nature, which is committed against a child for financial or economic gain, to obtain a thing of value for quid pro quo exchange of property or for any other purpose.

SECTION 6. Section 43-21-151, Mississippi Code of 1972, is amended as follows:

43-21-151. (1) The youth court shall have exclusive original jurisdiction in all proceedings concerning a delinquent child, a child in need of supervision, a neglected child, an abused child or a dependent child except in the following circumstances:

(a) Any act attempted or committed by a child, which if committed by an adult would be punishable under state or federal law by life imprisonment or death, will be in the original jurisdiction of the circuit court;

(b) Any act attempted or committed by a child with the use of a deadly weapon, the carrying of which concealed is prohibited by Section 97-37-1, or a shotgun or a rifle, which would be a felony if committed by an adult, will be in the original jurisdiction of the circuit court; and

(c) When a charge of abuse or neglect of a child first arises in the course of a custody action between the parents of the child already pending in the chancery court and no notice of such abuse was provided prior to such chancery proceedings, the chancery court may proceed with the investigation, hearing and determination of such abuse or neglect charge as a part of its hearing and determination of the custody issue as between the parents, notwithstanding the other provisions of the Youth Court Law. The proceedings in chancery court on the abuse or neglect charge shall be confidential in the same manner as provided in youth court proceedings.

When a child is expelled from the public schools, the youth court shall be notified of the act of expulsion and the act or acts constituting the basis for expulsion.

(2) Jurisdiction of the child in the cause shall attach at the time of the offense, or at the time of the allegation of abuse, neglect or exploitation, and shall continue thereafter for that offense or the allegations of abuse, neglect or exploitation until the child's twentieth birthday, unless sooner terminated by order of the youth court. The youth court shall not have jurisdiction over offenses committed by a child on or after his eighteenth birthday, nor have jurisdiction of abuse, neglect, or exploitation committed against a child after their eighteenth birthday.

(3) No child who has not reached his thirteenth birthday shall be held criminally responsible or criminally prosecuted for a misdemeanor or felony; however, the parent, guardian or custodian of such child may be civilly liable for any criminal acts of such child. No child under the jurisdiction of the youth court shall be held criminally responsible or criminally prosecuted by any court for any act designated as a delinquent act, unless jurisdiction is transferred to another court under Section 43-21-157.

(4) The youth court shall also have jurisdiction of offenses committed by a child which have been transferred to the youth court by an order of a circuit court of this state having original jurisdiction of the offense, as provided by Section 43-21-159.

(5) The youth court shall regulate and approve the use of teen court as provided in Section 43-21-753.

(6) Nothing in this section shall prevent the circuit court from assuming jurisdiction over a youth who has committed an act of delinquency upon a youth court's ruling that a transfer is appropriate pursuant to Section 43-21-157.

SECTION 7. The following shall be codified as a new section within Title 93, Chapter 15, Mississippi Code of 1972:

93-15-__. Compelling and extraordinary reasons why termination of parental rights would not be in the child's best interests may include, but are not limited to:

(a) When a child is being cared for by a relative and that relative, who is otherwise an appropriate, safe and loving placement for the child, is unwilling to participate in termination of parental rights proceedings;

(b) Guardianship is available;

(c) When the natural parent(s) are incarcerated but subject to be released within a reasonable time and could be given an opportunity to work a service plan toward possible reunification;

(d) When a natural parent is terminally ill and unable to care or provide for the child;

(e) The absence of the parent is due to the parent's admission or commitment to any institution or health facility or due to active service in State or Federal armed forces;

(f) A child twelve (12) years or older objects to the termination of parental rights;

(g) The child is placed in a residential treatment facility and adoption is unlikely or undesirable or the child is not in an adoptive placement or it is likely the child will age out of the Department of Child Protection Services' custody rather than be adopted;

(h) For compliance with the Indian Child Welfare Act;

(i) The Mississippi Department of Child Protection Services has not provided services within the timeframes indicated in the case plan and there is evidence that the family may achieve reunification within six (6) months or there is a finding that reasonable efforts were not made.

SECTION 8. Section 43-21-613, Mississippi Code of 1972, is amended as follows:

43-21-613. (1) If the youth court finds, after a hearing which complies with the sections governing adjudicatory hearings, that the terms of a delinquency or child in need of supervision disposition order, probation or parole have been violated, the youth court may, in its discretion, revoke the original disposition and make any disposition which it could have originally ordered. The hearing shall be initiated by the filing of a petition that complies with the sections governing petitions in this chapter and that includes a statement of the youth court's original disposition order, probation or parole, the alleged violation of that order, probation or parole, and the facts which show the violation of that order, probation or parole. Summons shall be served in the same manner as summons for an adjudicatory hearing.

(2) On motion of a child or a child's parent, guardian or custodian, the youth court may, in its discretion, conduct an informal hearing to review the disposition order. If the youth court finds a material change of circumstances relating to the disposition of the child, the youth court may modify the disposition order to any appropriate disposition of equal or greater precedence which the youth court could have originally ordered.

(3) (a) All disposition orders for supervision, probation or placement of a child with an individual or an agency shall be reviewed by the youth court judge or referee at least annually to determine if continued placement, probation or supervision is in the best interest of the child or the public. For children who have been adjudicated abused or neglected, except for those children for which a different timeframe is provided under Section 43-21-603(7), the youth court shall conduct a permanency hearing within * * * one hundred twenty (120) days or every sixty (60) days for children under three (3) years of age after the earlier of:

(i) An adjudication that the child has been abused or neglected; or

(ii) The date of the child's removal from the allegedly abusive or neglectful custodian/parent. Notice of such hearing shall be given in accordance with the provisions of Section 43-21-505(5). In conducting the hearing, the judge or referee shall require a written report and may require information or statements from the child's youth court counselor, parent, guardian or custodian, which includes, but is not limited to, an evaluation of the child's progress and recommendations for further supervision or treatment. The judge or referee shall, at the permanency hearing determine the future status of the child, including, but not limited to, whether the child should be returned to

the parent(s) or placed with suitable relatives, placed for adoption, placed for the purpose of establishing durable legal custody or should, because of the child's special needs or circumstances, be continued in foster care on a permanent or long-term basis. If the child is in an out-of-state placement, the hearing shall determine whether the out-of-state placement continues to be appropriate and in the best interest of the child. At the permanency hearing the judge or referee shall determine, and the youth court order shall recite that reasonable efforts were made by the Department of Child Protection Services to finalize the child's permanency plan that was in effect on the date of the permanency hearing. The judge or referee may find that reasonable efforts to maintain the child within his home shall not be required in accordance with Section 43-21-603(7)(c), and that the youth court shall continue to conduct permanency hearings for a child who has been adjudicated abused or neglected, at least annually thereafter, for as long as the child remains in the custody of the Mississippi Department of Child Protection Services.

(b) The court may find that the filing of a termination of parental rights petition is not in the child's best interest if:

(i) The child is being cared for by a relative; and/or

(ii) The Department of Child Protection Services has documented compelling and extraordinary reasons why termination of parental rights would not be in the best interests of the child.

(c) The provisions of this subsection shall also apply to review of cases involving a dependent child; however, such reviews shall take place not less frequently than once each one hundred eighty (180) days, or upon the request of the child's attorney, a parent's attorney, or a parent as deemed appropriate by the youth court in protecting the best interests of the child. A dependent child shall be ordered by the youth court judge or referee to be returned to the custody and home of the child's parent, guardian or custodian unless the judge or referee, upon such review, makes a written finding that the return of the child to the home would be contrary to the child's best interests.

(d) Reviews are not to be conducted unless explicitly ordered by the youth court concerning those cases in which the court has granted durable legal custody. In such cases, the Department of Child Protection Services shall be released from any oversight or monitoring responsibilities, and relieved of physical and legal custody and supervision of the child.

(4) The provisions of this section do not apply to proceedings concerning durable legal relative guardianship.

SECTION 9. Section 93-15-121, Mississippi Code of 1972, is amended as follows:

93-15-121. Any of the following, if established by clear and convincing evidence, may be grounds for termination of the parent's parental rights if reunification between the parent and child is not desirable toward obtaining a satisfactory permanency outcome:

(a) The parent has been medically diagnosed by a qualified mental health professional with a severe mental illness or deficiency that is unlikely to change in a reasonable period of time and which, based upon expert testimony or an established pattern of behavior, * * * prevents the parent, despite reasonable accommodations, from providing minimally acceptable care for the child;

(b) The parent has been medically diagnosed by a qualified health professional with an extreme physical incapacitation that is unlikely to change in a reasonable period of time and which, based upon expert testimony or an established pattern of behavior, prevents the parent, despite reasonable accommodations, from providing minimally acceptable care for the child;

(c) The parent is suffering from habitual alcoholism or other drug addiction and has failed to successfully complete alcohol or drug treatment;

(d) The parent is unwilling to provide reasonably necessary food, clothing, shelter, or medical care for the child; reasonably necessary medical care does not include recommended or optional vaccinations against childhood or any other disease;

(e) The parent has failed to exercise reasonable visitation or communication with the child;

(f) The parent's abusive or neglectful conduct has caused, at least in part, an extreme and deep-seated antipathy by the child toward the parent, or some other substantial erosion of the relationship between the parent and the child;

(g) The parent has committed an abusive act for which reasonable efforts to maintain the children in the home would not be required under Section 43-21-603, or a series of physically, mentally, or emotionally abusive incidents, against the child or another child, whether related by consanguinity or affinity or not, making future contacts between the parent and child undesirable; or

(h) (i) The parent has been convicted of any of the following offenses against any child:

1. Rape of a child under Section 97-3-65;
2. Sexual battery of a child under Section 97-3-95(c);
3. Touching a child for lustful purposes under Section 97-5-23;
4. Exploitation of a child under Sections 97-5-31 through 97-5-37;
5. Felonious abuse or battery of a child under Section 97-5-39(2);
6. Carnal knowledge of a step or adopted child or a child of a cohabitating partner under Section 97-5-41; or
7. Human trafficking of a child under Section 97-3-54.1; or

(ii) The parent has been convicted of:

1. Murder or voluntary manslaughter of another child of the parent;
2. Aiding, abetting, attempting, conspiring or soliciting to commit murder or voluntary manslaughter of the child or another child of the parent; or
3. A felony assault that results in the serious bodily injury to the child or another child of the parent.

SECTION 10. Section 97-5-39, Mississippi Code of 1972, is amended as follows:

97-5-39. (1) (a) Except as otherwise provided in this section, any parent, guardian or other person who intentionally, knowingly or recklessly commits any act or omits the performance of any duty, which act or omission contributes to or tends to contribute to the neglect or delinquency of any child or which act or omission results in the abuse of any child, as defined in Section 43-21-105(m) of the Youth Court Law, or who knowingly aids any child in escaping or absenting himself from the guardianship or custody of any person, agency or institution, or knowingly harbors or conceals, or aids in harboring or concealing, any child who has absented himself without permission from the guardianship or custody of any person, agency or institution to which the child shall have been committed by the youth court shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not to exceed One Thousand Dollars ($1,000.00), or by imprisonment not to exceed one (1) year in jail, or by both such fine and imprisonment.

(b) For the purpose of this section, a child is a person who has not reached his eighteenth birthday. A child who has not reached his eighteenth birthday and is on active duty for a branch of the armed services, or who is married, is not considered a child for the purposes of this statute.

(c) If a child commits one (1) of the proscribed acts in subsection (2)(a), (b) or (c) of this section upon another child, then original jurisdiction of all such offenses shall be in youth court.

(d) If the * * * parent has failed to provide the child with food, clothing, or shelter necessary to sustain the life or health of the child, excluding failure caused by financial inability unless relief services have been offered and refused and the child is in imminent risk of harm, or the parent is unwilling to provide reasonably necessary medical care, though that medical care does not include recommended or optional vaccinations against childhood or any other disease, the person may be sentenced to imprisonment in custody of the Department of Corrections for not more than five (5) years or to payment of a fine of not more than Five Thousand Dollars ($5,000.00), or both.

(e) A parent, legal guardian or other person who knowingly permits the continuing physical or sexual abuse of a child is guilty of neglect of a child and may be sentenced to imprisonment in the custody of the Department of Corrections for not more than ten (10) years or to payment of a fine of not more than Ten Thousand Dollars ($10,000.00), or both.

(2) Any person shall be guilty of felonious child abuse in the following circumstances:

(a) Whether bodily harm results or not, if the person shall intentionally, knowingly or recklessly:

(i) Burn any child;

(ii) * * * Torture any child;

(iii) Strangle, choke, smother or in any way interfere with any child's breathing;

(iv) Poison a child;

(v) Starve a child of nourishments needed to sustain life or growth;

(vi) Use any type of deadly weapon upon any child;

(b) If some bodily harm to any child actually occurs, and if the person shall intentionally, knowingly or recklessly:

(i) Throw, kick, bite, or cut any child;

(ii) Strike a child under the age of fourteen (14) about the face or head with a closed fist;

(iii) Strike a child under the age of five (5) in the face or head;

(iv) Kick, bite, cut or strike a child's genitals; circumcision of a male child is not a violation under this subparagraph (iv);

(c) If serious bodily harm to any child actually occurs, and if the person shall intentionally, knowingly or recklessly:

(i) Strike any child on the face or head;

(ii) Disfigure or scar any child;

(iii) Whip, strike or otherwise abuse any child;

(d) Any person, upon conviction under paragraph (a) or (c) of this subsection, shall be sentenced by the court to imprisonment in the custody of the Department of Corrections for a term of not less than five (5) years and up to life, as determined by the court. Any person, upon conviction under paragraph (b) of this subsection shall be sentenced by the court to imprisonment in the custody of the Department of Corrections for a term of not less than two (2) years nor more than ten (10) years, as determined by the court. For any second or subsequent conviction under this subsection (2), the person shall be sentenced to imprisonment for life.

(e) For the purposes of this subsection (2), "bodily harm" means any bodily injury to a child and includes, but is not limited to, bruising, bleeding, lacerations, soft tissue swelling, and external or internal swelling of any body organ.

(f) For the purposes of this subsection (2), "serious bodily harm" means any serious bodily injury to a child and includes, but is not limited to, the fracture of a bone, permanent disfigurement, permanent scarring, or any internal bleeding or internal trauma to any organ, any brain damage, any injury to the eye or ear of a child or other vital organ, and impairment of any bodily function.

(g) For purposes of this subsection (2), "torture" means any act, omission, or intentional neglect committed by an individual upon a child within his custody or physical control, whereby unnecessary or unjustifiable physical or mental pain or suffering is caused or permitted, regardless of whether serious physical injury results. Child torture involves treatment that is intentionally cruel, inhumane, and degrading, including, but not limited to: intentionally starving a child; forcing a child to sit in urine or feces; binding or restraining a child; repeatedly physically injuring a child; exposing the child to extreme temperatures without adequate clothing or shelter; locking a child in closets or other small spaces; and forcing a child into stress positions or exercise resulting in prolonged suffering.

(* * *h) Nothing contained in paragraph (c) of this subsection shall preclude a parent or guardian from disciplining a child of that parent or guardian, or shall preclude a person in loco parentis to a child from disciplining that child, if done in a reasonable manner, and reasonable corporal punishment or reasonable discipline as to

that parent or guardian's child or child to whom a person stands in loco parentis shall be a defense to any violation charged under paragraph (c) of this subsection.

(* * *i) Reasonable discipline and reasonable corporal punishment shall not be a defense to acts described in paragraphs (a) and (b) of this subsection or if a child suffers serious bodily harm as a result of any act prohibited under paragraph (c) of this subsection.

(3) Nothing contained in this section shall prevent proceedings against the parent, guardian or other person under any statute of this state or any municipal ordinance defining any act as a crime or misdemeanor. Nothing in the provisions of this section shall preclude any person from having a right to trial by jury when charged with having violated the provisions of this section.

(4) (a) A parent, legal guardian or caretaker who endangers a child's person or health by knowingly causing or permitting the child to be present where any person is selling, manufacturing or possessing immediate precursors or chemical substances with intent to manufacture, sell or possess a controlled substance as prohibited under Section 41-29-139 or 41-29-313, is guilty of child endangerment and may be sentenced to imprisonment for not more than ten (10) years or to payment of a fine of not more than Ten Thousand Dollars ($10,000.00), or both.

(b) If the endangerment results in substantial harm to the child's physical, mental or emotional health, the person may be sentenced to imprisonment for not more than twenty (20) years or to payment of a fine of not more than Twenty Thousand Dollars ($20,000.00), or both.

(5) Nothing contained in this section shall prevent proceedings against the parent, guardian or other person under any statute of this state or any municipal ordinance defining any act as a crime or misdemeanor. Nothing in the provisions of this section shall preclude any person from having a right to trial by jury when charged with having violated the provisions of this section.

(6) After consultation with the Department of Child Protection Services, a regional mental health center or an appropriate professional person, a judge may suspend imposition or execution of a sentence provided in subsections (1) and (2) of this section and in lieu thereof require treatment over a specified period of time at any approved public or private treatment facility. A person may be eligible for treatment in lieu of criminal penalties no more than one (1) time.

(7) In any proceeding resulting from a report made pursuant to Section 43-21-353 of the Youth Court Law, the testimony of the physician making the report regarding the child's injuries or condition or cause thereof shall not be excluded on the ground that the physician's testimony violates the physician-patient privilege or similar privilege or rule against disclosure. The physician's report shall not be considered as evidence unless introduced as an exhibit to his testimony.

(8) Any criminal prosecution arising from a violation of this section shall be tried in the circuit, county, justice or municipal court having jurisdiction; provided, however, that nothing herein shall abridge or dilute the contempt powers of the youth court.

SECTION 11. Section 43-21-651, Mississippi Code of 1972, is amended as follows:

43-21-651. (1) (a) The court to which appeals may be taken from final orders or decrees of the youth court shall be the Supreme Court of Mississippi pursuant to the Rules of Appellate Procedure. Final Orders in youth court include orders that grant durable legal custody or durable legal relative guardianship, transfer jurisdiction over the minor child to another court, such as for an adoption, or otherwise terminate the jurisdiction of the youth court over the minor child. All factual findings, legal determinations, and adjudication of issues by the youth court prior to the time the final order is entered are preserved for appellate review and any common law to the contrary is expressly abrogated. Any matters adjudicated by the youth court through interim orders such as adjudication/disposition orders, or permanency review orders, may be only appealed through the interlocutory appeal process provided by the Rules of Appellate Procedure.

(b) The rule of construction that statutes in derogation of the common law are to be strictly construed shall have no application to this subsection.

(* * *2) In any case wherein an appeal is desired, written notice of intention to appeal shall be filed with the youth court clerk within the time, and costs in the youth court and the filing fee in the Supreme Court shall be paid, as is otherwise required for appeals to the Supreme Court. If the appellant shall make affidavit that he is unable to pay such costs and filing fee, he shall have an appeal without prepayment of court costs and filing fee. Only the initials of the child shall appear on the record on appeal.

(* * *3) The pendency of an appeal shall not suspend the order or decree of the youth court regarding a child, nor shall it discharge the child from the custody of that court or of the person, institution or agency to whose care such child shall have been committed, unless the youth court or Supreme Court shall so order. If appellant desires to appeal with supersedeas, the matter first shall be presented to the youth court. If refused, the youth court shall forthwith issue a written order stating the reasons for the denial, which order shall be subject to review by the Supreme Court. If the Supreme Court does not dismiss the proceedings and discharge the child, it shall affirm or modify or reverse the order of the youth court and remand the child to the jurisdiction of the youth court for placement and supervision in accordance with its order, and thereafter the child shall be and remain under the jurisdiction of the youth court in the same manner as if the youth court had made the order without an appeal having been taken.

(* * *4) Appeals from the youth court shall be preference cases in the Supreme Court.

SECTION 12. Section 43-21-351, Mississippi Code of 1972, is amended as follows:

43-21-351. (1) Any person or agency having knowledge that a child residing or being within the county is within the jurisdiction of the youth court may make a written report to the intake unit alleging facts sufficient to establish the jurisdiction of the youth court. The report shall bear a permanent number that will be assigned by the court in accordance with the standards established by the Administrative Office of Courts pursuant to Section 9-21-9(d), and shall be preserved until destroyed on order of the court.

(2) There shall be in each youth court of the state an intake officer who shall be responsible for the accurate and timely entering of all intake and case information into the Mississippi Youth Court Information Delivery System (MYCIDS) for the Department of Human Services - Division of Youth Services, truancy matters, and the Department of Child Protection Services. It shall be the responsibility of the youth court judge or referee of each county to ensure that the intake officer is carrying out the responsibility of this section.

(3) Each intake officer shall receive, at a minimum, six (6) hours of annual training on MYCIDS provided by the Mississippi Judicial College. The required training under this subsection shall be in addition to technical training provided by the Mississippi Supreme Court MYCIDS Information Technology Department.

(4) The Mississippi Judicial College, in conjunction with the Administrative Office of Courts, shall develop training materials on MYCIDS:

(a) To ensure the accurate and timely entrance of all intake and case information throughout the state by intake officers;

(b) To ensure that youth court judges are equipped to oversee the functions of each intake officer.

SECTION 13. Section 43-21-801, Mississippi Code of 1972, is amended as follows:

43-21-801. (1) There is established the Youth Court Support Program. The purpose of the program shall be to ensure that all youth courts have sufficient support funds to carry on the business of the youth court. The Administrative Office of Courts shall establish a formula consistent with this section for providing state support payable from the Youth Court Support Fund for the support of the youth courts.

(a) (i) Each regular youth court referee is eligible for youth court support funds so long as the senior chancellor does not elect to employ a youth court administrator as set forth in paragraph (b); a municipal youth court judge is also eligible. The Administrative Office of Courts shall direct any funds to the appropriate county or municipality. The funds shall be utilized to compensate an intake officer who shall be responsible for ensuring that all intake and case information for the Department of

Human Services - Division of Youth Services, truancy matters, and the Department of Child Protection Services is entered into the Mississippi Youth Court Information Delivery System (MYCIDS) in an accurate and timely manner. If the court already has an intake officer responsible for entering all cases of the Department of Human Services - Division of Youth Services, truancy matters, and the Department of Child Protection Services into MYCIDS, the regular youth court referee or municipal court judge may certify to the Administrative Office of Courts that such a person is already on staff. In such a case, each regular youth court referee or municipal youth court judge shall have the sole individual discretion to appropriate those funds as expense monies to assist in hiring secretarial staff and acquiring materials and equipment incidental to carrying on the business of the court within the private practice of law of the referee or judge, or may direct the use of those funds through the county or municipal budget for court support supplies or services. The regular youth court referee and municipal youth court judge shall be accountable for assuring through private, county or municipal employees the proper preparation and filing of all necessary tracking and other documentation attendant to the administration of the youth court.

(ii) Title to all tangible property, excepting stamps, stationery and minor expendable office supplies, procured with funds authorized by this section, shall be and forever remain in the county or municipality to be used by the judge or referee during the term of his office and thereafter by his successors.

(b) (i) When permitted by the Administrative Office of Courts and as funds are available, the senior chancellor for Chancery Districts One, Two, Three, Four, Six, Seven, Nine, Ten, Thirteen, Fourteen, Fifteen and Eighteen may appoint a youth court administrator for the district whose responsibility will be to perform all reporting, tracking and other duties of a court administrator for all youth courts in the district that are under the chancery court system. Any chancery district listed in this paragraph in which a chancellor appoints a referee or special master to hear any youth court matter is ineligible for funding under this paragraph (b). The Administrative Office of Courts may allocate to an eligible chancery district a sum not to exceed Thirty Thousand Dollars ($30,000.00) per year for the salary, fringe benefits and equipment of the youth court administrator, and an additional sum not to exceed One Thousand Nine Hundred Dollars ($1,900.00) for the administrator's travel expenses.

(ii) The appointment of a youth court administrator shall be evidenced by the entry of an order on the minutes of the court. The person appointed shall serve at the will and pleasure of the senior chancellor but shall be an employee of the Administrative Office of Courts.

(iii) The Administrative Office of Courts must approve the position, job description and salary before the position can be filled. The Administrative Office of Courts shall not approve any plan that does not first require the expenditure of the funds from the Youth Court Support Fund before expenditure of county funds is authorized for that purpose.

(iv) Title to any tangible property procured with funds authorized under this paragraph shall be and forever remain in the State of Mississippi.

(c) (i) Each county court is eligible for youth court support funds. The funds shall be utilized to provide compensation to an intake officer who shall be responsible for ensuring that all intake and case information for the Department of Human Services - Division of Youth Services, truancy matters, and the Department of Child Protection Services is entered into the Mississippi Youth Court Information Delivery System (MYCIDS) in an accurate and timely manner. If the county court already has an intake officer or other staff person responsible for entering all cases of the Department of Human Services - Division of Youth Services, truancy matters and the Department of Child Protection Services into MYCIDS, the senior county court judge may certify that such a person is already on staff. In such a case, the senior county court judge shall have discretion to direct the expenditure of those funds in hiring other support staff to carry on the business of the court.

(ii) For the purposes of this paragraph, "support staff" means court administrators, law clerks, legal research assistants, secretaries, resource administrators or case managers appointed by a youth court judge, or any combination thereof, but shall not mean school attendance officers.

(iii) The appointment of support staff shall be evidenced by the entry of an order on the minutes of the court. The support staff so appointed shall serve at the will and pleasure of the senior county court judge but shall be an employee of the county.

(iv) The Administrative Office of Courts must approve the positions, job descriptions and salaries before the positions may be filled. The Administrative Office of Courts shall not approve any plan that does not first require the expenditure of funds from the Youth Court Support Fund before expenditure of county funds is authorized for that purpose.

(v) The Administrative Office of Courts may approve expenditure from the fund for additional equipment for support staff appointed pursuant to this paragraph if the additional expenditure falls within the formula. Title to any tangible property procured with funds authorized under this paragraph shall be and forever remain in the county to be used by the youth court and support staff.

(2) (a) (i) The formula developed by the Administrative Office of Courts for providing youth court support funds shall be devised so as to distribute appropriated funds proportional to caseload and other appropriate factors as set forth in regulations promulgated by the Administrative Office of Courts. The formula will determine a reasonable maximum amount per judge or referee per annum that will not be exceeded in allocating funds under this section.

(ii) The formula shall be reviewed by the Administrative Office of Courts every two (2) years to ensure that the youth court support funds provided herein are proportional to each youth court's caseload and other specified factors.

(iii) The Administrative Office of Courts shall have wide latitude in the first two-year cycle to implement a formula designed to maximize caseload data collection.

(b) Application to receive funds under this section shall be submitted in accordance with procedures established by the Administrative Office of Courts.

(c) Approval of the use of any of the youth court support funds distributed under this section shall be made by the Administrative Office of Courts in accordance with procedures established by the Administrative Office of Courts.

(3) (a) There is created in the State Treasury a special fund to be designated as the "Youth Court Support Fund," which shall consist of funds appropriated or otherwise made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be distributed to the youth courts by the Administrative Office of Courts for the purposes described in this section.

(b) (i) During the regular legislative session held in calendar year 2007, the Legislature may appropriate an amount not to exceed Two Million Five Hundred Thousand Dollars ($2,500,000.00) to the Youth Court Support Fund.

(ii) During each regular legislative session subsequent to the 2007 Regular Session, the Legislature shall appropriate Two Million Five Hundred Thousand Dollars ($2,500,000.00) to the Youth Court Support Fund.

(c) No youth court judge or youth court referee shall be eligible to receive funding from the Youth Court Support Fund who has not received annual continuing education in the field of juvenile justice in an amount to conform with the requirements of the Rules and Regulations for Mandatory Continuing Judicial Education promulgated by the Supreme Court or received at least one (1) hour of annual continuing education concerning oversight of youth court intake officers and MYCIDS. The Administrative Office of Courts shall maintain records of all referees and youth court judges regarding such training and shall not disburse funds to any county or municipality for the budget of a youth court judge or referee who is not in compliance with the judicial training requirements.

(4) Any recipient of funds from the Youth Court Support Fund shall not be eligible for continuing disbursement of funds if the recipient is not in compliance with the terms, conditions and reporting requirements set forth in the procedures promulgated by the Administrative Office of Courts.

SECTION 14. Section 43-21-301, Mississippi Code of 1972, is amended as follows:

43-21-301. (1) No court other than the youth court shall issue an arrest warrant or custody order for a child in a matter in which the youth court has exclusive original jurisdiction but shall refer the matter to the youth court.

(2) Except as otherwise provided, no child in a matter in which the youth court has exclusive original jurisdiction shall be taken into custody by a law enforcement officer, the Department of Human Services, the Department of Child Protection Services, or any other person unless the judge or his designee has issued a custody order to take the child into custody.

(3) The judge or his designee may require a law enforcement officer, the Department of Human Services, the Department of Child Protection Services, or any suitable person to take a child into custody for a period not longer than forty-eight (48) hours, excluding Saturdays, Sundays, and statutory state holidays.

(a) Custody orders under this subsection may be issued if it appears that there is probable cause to believe that:

(i) The child is within the jurisdiction of the court;

(ii) Custody is necessary because of any of the following reasons: the child is in danger of a significant risk of harm, any person would be in danger of a significant risk of harm by the child, to ensure the child's attendance in court at such time as required, or a parent, guardian or custodian is not available to provide for the care and supervision of the child; and

(iii) There is no reasonable alternative to custody.

A finding of probable cause under this subsection (3)(a) shall not be based solely upon a positive drug test of a newborn or parent for marijuana or solely upon the status of a parent as a cardholder under the Mississippi Medical Cannabis Act; however, a finding of probable cause may be based upon an evidence-based finding of harm to the child or a parent's inability to provide for the care and supervision of the child due to the parent's use of marijuana. Probable cause for unlawful use of any controlled substance, except as otherwise provided in this subsection (3)(a) for marijuana, may be based: 1. upon a parent's positive drug test for unlawful use of a controlled substance only if the child is in danger of a significant risk of harm or the parent is unable to provide proper care or supervision of the child because of the unlawful use and there is no reasonable alternative to custody; and 2. upon a newborn's positive drug screen for a controlled substance that was used unlawfully only if the child is in danger of a significant risk of harm or the parent is unable to provide proper care or supervision of the child because of the unlawful use and there is no reasonable alternative to custody.

A child shall not be considered "neglected" solely because the child's parent, guardian or custodian has failed to provide the child with food, clothing, or shelter necessary to sustain the life or health of the child when the failure is caused primarily by financial inability, unless relief services had been offered and refused and the child is in imminent risk of harm.

(b) Custody orders under this subsection shall be written. In emergency cases, a judge or his designee may issue an oral custody order, but the order shall be reduced to writing within forty-eight (48) hours of its issuance.

(c) Each youth court judge shall develop and make available to law enforcement a list of designees who are available after hours, on weekends and on holidays.

(4) The judge or his designee may order, orally or in writing, the immediate release of any child in the custody of any person or agency. Except as otherwise provided in subsection (3) of this section, custody orders as provided by this chapter and authorizations of temporary custody may be written or oral, but, if oral, reduced to writing within forty-eight (48) hours, excluding Saturdays, Sundays and statutory state holidays. The written order shall:

(a) Specify the name and address of the child, or, if unknown, designate him or her by any name or description by which he or she can be identified with reasonable certainty;

(b) Specify the age of the child, or, if unknown, that he or she is believed to be of an age subject to the jurisdiction of the youth court;

(c) Except in cases where the child is alleged to be a delinquent child or a child in need of supervision, state that the effect of the continuation of the child's residing within his or her own home would be contrary to the welfare of the child, that the placement of the child in foster care is in the best interests of the child, and unless the reasonable efforts requirement is bypassed under Section 43-21-603(7)(c), also state that (i) reasonable efforts have been made to maintain the child within his or her own home, but that the circumstances warrant his removal and there is no reasonable alternative to custody; or (ii) the circumstances are of such an emergency nature that no reasonable efforts have been made to maintain the child within his own home, and that there is no reasonable alternative to custody. If the court makes a finding in accordance with (ii) of this paragraph, the court shall order that reasonable efforts be made toward the reunification of the child with his or her family;

(d) State that the child shall be brought immediately before the youth court or be taken to a place designated by the order to be held pending review of the order;

(e) State the date issued and the youth court by which the order is issued; and

(f) Be signed by the judge or his designee with the title of his office.

(5) The taking of a child into custody shall not be considered an arrest except for evidentiary purposes.

(6) (a) No child who has been accused or adjudicated of any offense that would not be a crime if committed by an adult shall be placed in an adult jail or lockup. An accused status offender shall not be held in secure detention longer than twenty-four (24) hours prior to and twenty-four (24) hours after an initial court appearance, excluding Saturdays, Sundays and statutory state holidays, except under the following circumstances: a status offender may be held in secure detention for violating a valid court order pursuant to the criteria as established by the federal Juvenile Justice and Delinquency Prevention Act of 2002, and any subsequent amendments thereto, and out-of-state runaways may be detained pending return to their home state.

(b) No accused or adjudicated juvenile offender, except for an accused or adjudicated juvenile offender in cases where jurisdiction is waived to the adult criminal court, shall be detained or placed into custody of any adult jail or lockup for a period in excess of six (6) hours.

(c) If any county violates the provisions of paragraph (a) or (b) of this subsection, the state agency authorized to allocate federal funds received pursuant to the Juvenile Justice and Delinquency Prevention Act of 1974, 88 Stat. 2750 (codified in scattered Sections of 5, 18, 42 USCS), shall withhold the county's share of such funds.

(d) Any county that does not have a facility in which to detain its juvenile offenders in compliance with the provisions of paragraphs (a) and (b) of this subsection may enter into a contractual agreement to detain or place into custody the juvenile offenders of that county with any county or municipality that does have such a facility, or with the State of Mississippi, or with any private entity that maintains a juvenile correctional facility.

(e) Notwithstanding the provisions of paragraphs (a), (b), (c) and (d) of this subsection, all counties shall be allowed a one-year grace period from March 27, 1993, to comply with the provisions of this subsection.

SECTION 15. Section 43-21-303, Mississippi Code of 1972, is amended as follows:

43-21-303. (1) No child in a matter in which the youth court has original exclusive jurisdiction shall be taken into custody by any person without a custody order except that:

(a) A law enforcement officer may take a child in custody if:

(i) Grounds exist for the arrest of an adult in identical circumstances; and

(ii) Such law enforcement officer has probable cause to believe that custody is necessary as defined in Section 43-21-301; and

(iii) Such law enforcement officer can find no reasonable alternative to custody; or

(b) A law enforcement officer or an agent of the Department of Child Protection Services or the Department of Human Services may take a child into immediate custody if:

(i) There is probable cause to believe that the child is in immediate danger of personal harm; however, probable cause shall not be based solely upon a positive drug test of a newborn or parent for marijuana or solely upon the status of a parent as a cardholder under the Mississippi Medical Cannabis Act, but a finding of probable cause may be based upon an evidence-based finding of harm to the child or a parent's inability to provide for the care and supervision of the child due to the parent's use of marijuana. Probable cause for unlawful use of any controlled substance, except as otherwise provided in this subparagraph (i) for marijuana, may be based: 1. upon a parent's positive drug test for unlawful use of a controlled substance only if the child is in danger of a significant risk of harm or the parent is unable to provide proper care or supervision of the child because of the unlawful use and there is no reasonable alternative to custody; and 2. upon a newborn's positive drug screen for a controlled substance that was used unlawfully only if the child is in danger of a significant risk of harm or the parent is unable to provide proper care or supervision of the child because of the unlawful use and there is no reasonable alternative to custody.

A child shall not be considered "neglected" solely because the child's parent, guardian or custodian has failed to provide the child with food, clothing, or shelter necessary to sustain the life or health of the child when the failure is caused primarily by financial inability, unless relief services had been offered and refused and the child is in imminent risk of harm; and

(ii) There is probable cause to believe that immediate custody is necessary as set forth in Section 43-21-301(3); and

(iii) There is no reasonable alternative to custody; and

(c) Any other person may take a child into custody if grounds exist for the arrest of an adult in identical circumstances. Such other person shall immediately surrender custody of the child to the proper law enforcement officer who shall thereupon continue custody only as provided in * * * paragraph (a) of this subsection.

(2) When it is necessary to take a child into custody, the least restrictive custody should be selected.

(3) Unless the child is immediately released, the person taking the child into custody shall immediately notify the judge or his designee. A person taking a child into custody shall also make continuing reasonable efforts to notify the child's parent, guardian or custodian and invite the parent, guardian or custodian to be present during any questioning.

(4) A child taken into custody shall not be held in custody for a period longer than reasonably necessary, but not to exceed twenty-four (24) hours, and shall be released to his parent, guardian or custodian unless the judge or his designee authorizes temporary custody.

SECTION 16. Section 93-17-3, Mississippi Code of 1972, is amended as follows:

93-17-3. (1) Except as otherwise provided in this section, a court of this state has jurisdiction over a proceeding for the adoption or readoption of a minor commenced under this chapter if:

(a) Immediately before commencement of the proceeding, the minor lived in this state with a parent, a guardian, a prospective adoptive parent or another person acting as parent, for at least six (6) consecutive months, excluding periods of temporary absence, or, in the case of a minor under six (6) months of age, lived in this state from soon after birth with any of those individuals and there is available in this state substantial evidence concerning the minor's present or future care;

(b) Immediately before commencement of the proceeding, the prospective adoptive parent lived in this state for at least six (6) consecutive months, excluding periods of temporary absence, and there is available in this state substantial evidence concerning the minor's present or future care;

(c) The agency that placed the minor for adoption is licensed in this state and it is in the best interest of the minor that a court of this state assume jurisdiction because:

(i) The minor and the minor's parents, or the minor and the prospective adoptive parent, have a significant connection with this state; and

(ii) There is available in this state substantial evidence concerning the minor's present or future care;

(d) The minor and the prospective adoptive parent or parents are physically present in this state and the minor has been abandoned or it is necessary in an emergency to protect the minor because the minor has been subjected to or threatened with mistreatment or abuse or is otherwise neglected, and the prospective adoptive parent or parents, if not residing in Mississippi, have completed and provided the court with a satisfactory Interstate Compact for Placement of Children (ICPC) home study and accompanying forms, unless the court determines that the home study is not necessary in the case of an adoption by a stepparent or a relative or in the case of an adoption in a foster-to-adopt placement;

(e) It appears that no other state would have jurisdiction under prerequisites substantially in accordance with paragraphs (a) through (d), or another state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum to hear a petition for adoption of the minor, and it is in the best interest of the minor that a court of this state assume jurisdiction; or

(f) The child has been adopted in a foreign country, the agency that placed the minor for adoption is licensed in this state, and it is in the best interest of the child to be readopted in a court of this state having jurisdiction.

(2) A court of this state may not exercise jurisdiction over a proceeding for adoption of a minor if, at the time the petition for adoption is filed, a proceeding concerning the custody or adoption of the minor is pending in a court of another state exercising jurisdiction substantially in conformity with the Uniform Child Custody Jurisdiction Act or this section unless the proceeding is stayed by the court of the other state.

(3) If a court of another state has issued a decree or order concerning the custody of a minor who may be the subject of a proceeding for adoption in this state, a court of this state may not exercise jurisdiction over a proceeding for adoption of the minor unless:

(a) The court of this state finds that the court of the state which issued the decree or order:

(i) Does not have continuing jurisdiction to modify the decree or order under jurisdictional prerequisites substantially in accordance with the Uniform Child Custody Jurisdiction Act or has declined to assume jurisdiction to modify the decree or order; or

(ii) Does not have jurisdiction over a proceeding for adoption substantially in conformity with subsection (1)(a) through (d) or has declined to assume jurisdiction over a proceeding for adoption; and

(b) The court of this state has jurisdiction over the proceeding.

(4) Any person may be adopted in accordance with the provisions of this chapter in term time or in vacation by an unmarried adult, by a married person whose spouse joins in the petition, by a married person whose spouse does not join in the petition because such spouse does not cohabit or reside with the petitioning spouse, and in any circumstances determined by the court that the adoption is in the best interest of the child. Only the consenting adult will be a legal parent of the child. The adoption shall be by sworn petition filed in the chancery court of the county in which the adopting petitioner or petitioners reside or in which the child to be adopted resides or was born, or was found when it was abandoned or deserted, or in which the home is located to which the child has been surrendered by a person authorized to so do. The petition shall be accompanied by a doctor's or nurse practitioner's certificate showing the physical and mental condition of the child to be adopted and a sworn statement of all property, if any, owned by the child. In addition, the petition shall be accompanied by affidavits of the petitioner or petitioners stating the amount of the service fees charged by any adoption agencies or adoption facilitators used by the petitioner or petitioners and any other expenses paid by the petitioner or petitioners in the adoption process as of the time of filing the petition. If the doctor's or nurse practitioner's certificate indicates any abnormal mental or physical condition or defect, the condition or defect shall not, in the discretion

of the chancellor, bar the adoption of the child if the adopting parent or parents file an affidavit stating full and complete knowledge of the condition or defect and stating a desire to adopt the child, notwithstanding the condition or defect. The court shall have the power to change the name of the child as a part of the adoption proceedings. The word "child" in this section shall be construed to refer to the person to be adopted, though an adult.

(5) No person may be placed in the home of or adopted by the prospective adopting parties before a court-ordered or voluntary home study is satisfactorily completed by a licensed adoption agency, a licensed, experienced social worker approved by the chancery court, a court-appointed guardian ad litem that has knowledge or training in conducting home studies if so directed by the court, or by the Department of Child Protection Services on the prospective adoptive parties if required by Section 93-17-11.

(6) No person may be adopted by a person or persons who reside outside the State of Mississippi unless the provisions of the Interstate Compact for Placement of Children (Section 43-18-1 et seq.) have been complied with. In such cases Forms 100A, 100B (if applicable) and evidence of Interstate Compact for Placement of Children approval shall be added to the permanent adoption record file within one (1) month of the placement, and a minimum of two (2) post-placement reports conducted by a licensed child-placing agency shall be provided to the Mississippi Department of Child Protection Services Interstate Compact for Placement of Children office.

(7) No person may be adopted unless the provisions of the Indian Child Welfare Act (ICWA) have been complied with, if applicable. When applicable, proof of compliance shall be included in the court adoption file prior to finalization of the adoption. If not applicable, a written statement or paragraph in the petition for adoption shall be included in the adoption petition stating that the provisions of ICWA do not apply before finalization.

(8) The readoption of a child who has automatically acquired United States citizenship following an adoption in a foreign country and who possesses a Certificate of Citizenship in accordance with the Child Citizenship Act, CAA, Public Law 106-395, may be given full force and effect in a readoption proceeding conducted by a court of competent jurisdiction in this state by compliance with the Mississippi Registration of Foreign Adoptions Act, Article 9 of this chapter.

(9) For adult adoptees who consent to the adoption, a chancellor may waive any of the petition requirements and procedural requirements within subsections (4), (5), (6) and (7) of this section.

(10) The clerk shall docket cases seeking relief under this chapter as priority cases. The assigned judge shall be immediately notified when a case is filed in order to provide for expedited proceedings.

* * *

SECTION 17. Section 89-2-3, Mississippi Code of 1972, is amended as follows:

89-2-3. The term "outdoor recreational purposes" as used in this article shall include, but not necessarily be limited to, hunting, fishing, swimming, boating, camping, picnicking, hiking, cycling, pleasure driving, nature study, water skiing and visiting historical, archaeological, scenic or scientific sites.

SECTION 18. Section 89-2-25, Mississippi Code of 1972, is amended as follows:

89-2-25. Any landowner who gives permission to another person to hunt, fish, trap, camp, hike, cycle or sightsee upon land or premises shall not, by the sole act of giving such permission, be considered or construed to have:

(a) Extended any assurance that the premises are safe for such purposes;

(b) Caused the person to whom permission has been granted to be constituted the legal status of an invitee to whom a duty of care is owed; or

(c) Assumed responsibility or liability for any injury to such person or his property caused by any act of such person to whom permission has been granted, except as provided in Section 89-2-27.

SECTION 19. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 25-7-9, MISSISSIPPI CODE OF 1972, TO WAIVE THE ADOPTION FILING FEE FOR CASES INVOLVING THE DEPARTMENT OF CHILD PROTECTION SERVICES; TO AMEND SECTION 93-15-107, MISSISSIPPI CODE OF 1972, TO REQUIRE SUMMONS TO BE ISSUED AND SERVED ON A CHILD WHO IS 12 YEARS OR OLDER IN AN INVOLUNTARY TERMINATION OF PARENTAL RIGHTS PROCEEDING; TO PROVIDE THAT THE MINOR CHILD SHALL BE REPRESENTED BY COUNSEL THROUGHOUT THE PROCEEDINGS; TO REQUIRE THE COURT TO CONSIDER THE CHILD'S PREFERENCES, IF ANY, IF THE CHILD IS 14 YEARS OR OLDER AT THE TIME OF THE HEARING; TO PROVIDE THAT THE STYLE OF THE CASE SHALL NOT INCLUDE THE CHILD'S NAME; TO REQUIRE A COURT TO HOLD A HEARING ON THE PETITION WITHIN A CERTAIN PERIOD OF DAYS; TO AUTHORIZE THE COURT TO CONTINUE THE HEARING UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 93-15-111, MISSISSIPPI CODE OF 1972, TO REQUIRE A COURT TO ACCEPT A PARENT'S WRITTEN VOLUNTARY RELEASE TERMINATING PARENTAL RIGHTS IF CERTAIN REQUIREMENTS ARE MET; TO AMEND SECTION 43-21-201, MISSISSIPPI CODE OF 1972, TO REQUIRE A YOUTH COURT JUDGE TO APPOINT COUNSEL FOR AN INDIGENT CUSTODIAL PARENT OR GUARDIAN WHO IS A PARTY IN AN ABUSE, NEGLECT OR TERMINATION OF PARENTAL RIGHTS PROCEEDING; TO AUTHORIZE A YOUTH COURT JUDGE TO APPOINT COUNSEL FOR AN INDIGENT NONCUSTODIAL PARENT IF THE YOUTH COURT JUDGE DETERMINES THAT THE PARENT HAS DEMONSTRATED A SIGNIFICANT CUSTODIAL RELATIONSHIP WITH THE CHILD; TO CLARIFY THE DUTY OF AN ATTORNEY UNDER THE SECTION; TO REQUIRE A FINANCIALLY ABLE PARENT TO PAY FOR COURT-APPOINTED REPRESENTATION OR SOME PORTION THEREOF; TO REQUIRE MONIES COLLECTED TO BE DEPOSITED INTO A SPECIAL FUND TO BE KNOWN AS THE "JUVENILE COURT REPRESENTATION FUND"; TO PROVIDE THAT MONIES IN THE FUND MAY BE USED BY THE COURT TO COVER THE COSTS OF COUNSEL IN INDIGENT CASES; TO PROVIDE THAT THE DEPARTMENT OF CHILD PROTECTION SERVICES SHALL HAVE THE RIGHT TO HIRE AGENCY COUNSEL TO REPRESENT THE DEPARTMENT AND BE REPRESENTED BY COUNSEL FROM THE ATTORNEY GENERAL'S OFFICE AT ALL STAGES OF THE PROCEEDINGS INVOLVING A CHILD FOR WHOM THE DEPARTMENT HAS CUSTODY OF OR MAY BE AWARDED CUSTODY OF; TO AMEND SECTION 43-21-105, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "NEGLECTED CHILD" AND "REASONABLE EFFORTS"; TO AMEND SECTION 43-21-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT JURISDICTION OF THE YOUTH COURT SHALL ATTACH AT THE TIME OF THE OFFENSE, OR AT THE TIME OF THE ALLEGATION OF ABUSE, NEGLECT OR EXPLOITATION; TO CREATE A NEW SECTION WITHIN TITLE 93, CHAPTER 15, MISSISSIPPI CODE OF 1972, TO PROVIDE A NONCOMPREHENSIVE LIST OF REASONS THAT WOULD CONSTITUTE COMPELLING AND EXTRAORDINARY REASONS WHY TERMINATION OF PARENTAL RIGHTS WOULD NOT BE IN THE CHILD'S BEST INTERESTS; TO AMEND SECTION 43-21-613, MISSISSIPPI CODE OF 1972, TO REVISE THE TIMELINE FOR AND FREQUENCY OF PERMANENCY HEARINGS; TO AMEND SECTION 93-15-121, MISSISSIPPI CODE OF 1972, TO CLARIFY A GROUND FOR THE TERMINATION OF A PARENT'S PARENTAL RIGHTS; TO AMEND SECTION 97-5-39, MISSISSIPPI CODE OF 1972, TO CONFORM THE SECTION TO THE REVISED DEFINITION OF "NEGLECTED CHILD"; TO DEFINE "TORTURE" FOR THE PURPOSES OF FELONY CHILD ABUSE; TO AMEND SECTION 43-21-651, MISSISSIPPI CODE OF 1972, TO CLARIFY THE RIGHT OF APPEAL FROM YOUTH COURT; TO AMEND SECTION 43-21-351, MISSISSIPPI CODE OF 1972, TO REQUIRE YOUTH COURT INTAKE OFFICERS TO RECEIVE TRAINING ON MYCIDS; TO REQUIRE THE MISSISSIPPI JUDICIAL COLLEGE, IN CONJUNCTION WITH THE ADMINISTRATIVE OFFICE OF COURTS, TO DEVELOP TRAINING MATERIALS ON MYCIDS; TO AMEND SECTION 43-21-801, MISSISSIPPI CODE OF 1972, TO REQUIRE YOUTH COURT JUDGES TO RECEIVE AT LEAST 1 HOUR OF ANNUAL CONTINUING EDUCATION CONCERNING OVERSIGHT OF YOUTH COURT INTAKE OFFICERS AND MYCIDS; TO AMEND SECTIONS

43-21-301, 43-21-303 AND 93-17-3, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTIONS 89-2-3 AND 89-2-25, MISSISSIPPI CODE OF 1972, TO ADD CYCLING TO THE ACTIVITIES EXEMPT FROM LIABILITY FOR RECREATIONAL LANDOWNERS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Brice Wiggins	Joey Hood
Nicole Boyd	Shanda Yates
Angela Turner-Ford	Jimmy Fondren

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2792** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting----None.

Voting Present--Chism, Hill, Seymour. Total--3.

Senator Wiggins moved that the rules be suspended to move to calendar item 74, **H. B. No. 1315**, and the motion prevailed.

On request of Senator Wiggins, unanimous consent was granted to make the following correction in **H. B. No. 1315**:

TO: Clerk of the House of Representatives
Secretary of the Senate

RE: Filed 2024 Conference Report - Unanimous Consent Request

DATE: April 29, 2024

It is requested that unanimous consent be granted to make the following clerical corrections:

HB 1315: Judiciary A.

Amend Line 89 by deleting "July" and inserting "August" in lieu thereof.

Joey Hood, Chairman	Brice Wiggins, Chairman
House Judiciary A Committee	Senate Judiciary A Committee

Senator Wiggins offered the following report of the Conference Committee on **H. B. No. 1315** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1315: MS Youth Court Information Delivery System (MYCIDS); require audit of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 9-21-9, Mississippi Code of 1972, is amended as follows:

9-21-9. (1) The Administrative Director of Courts shall have the following duties and authority with respect to all courts in addition to any other duties and responsibilities as may be properly assigned by the Supreme Court and/or by law:

(a) To require the filing of reports, the collection and compilation of statistical data and other information on the judicial and financial operation of the courts and on the operation of other offices directly related to and serving the courts;

(b) To determine the state of the dockets and evaluate the practices and procedures of the courts and make recommendations concerning the number of judges and other personnel required for the efficient administration of justice;

(c) To prescribe uniform administrative and business methods, systems, forms and records to be used in the offices of the clerks of courts;

(d) To devise, promulgate and require the use of a uniform youth court case tracking system, including a youth court case filing form for filing with each individual youth court matter, to be utilized by the Administrative Office of Courts and the youth courts in order that the number of youthful offenders, abused, neglected, truant and dependent children, as well as children in need of special care and children in need of supervision, may be tracked with specificity through the youth court and adult justice systems; in support of the uniform case docketing system, the director shall require that all youth courts utilize the Mississippi Youth Court Information Delivery System (MYCIDS);

(e) To develop, promulgate and require the use of a statewide docket numbering system to be utilized by the youth courts, which youth court docket numbers shall standardize and unify the numbering system by which youth court docket numbers are assigned, such that each docket number would, among other things, identify the county and year in which a particular youth court action was commenced;

(f) To develop, promulgate and require the use of uniform youth court orders and forms in all youth courts and youth court proceedings;

(g) To prepare and submit budget recommendations for state appropriations necessary for the maintenance and operation of the judicial system and to authorize expenditures from funds appropriated for these purposes as permitted or authorized by law;

(h) To develop and implement personnel policies for nonjudicial personnel employed by the courts;

(i) To investigate, make recommendations concerning and assist in the securing of adequate physical accommodations for the judicial system;

(j) To procure, distribute, exchange, transfer and assign such equipment, books, forms and supplies as are acquired with state funds or grant funds or otherwise for the judicial system;

(k) To make recommendations for the improvement of the operations of the judicial system;

(l) To prepare and submit an annual report on the work of the judicial system to the Supreme Court;

(m) To take necessary steps in the collection of unpaid court costs, fines and forfeitures;

(n) To perform such additional administrative duties relating to the improvement of the administration of justice as may be assigned by the Supreme Court; and

(o) To promulgate standards, rules and regulations for computer and/or electronic filing and storage of all court records and court-related records maintained throughout the state in courts and in offices of circuit and chancery clerks.

(p) To utilize the provisions of law that regulate public purchasing in Sections 31-7-1 et seq., to contract with a provider to effectuate the requirements of paragraph (d) for the Mississippi Youth Court Information Delivery System (MYCIDS).

(2) (a) The Administrative Director of Courts shall conduct an audit of the Mississippi Youth Court Information Delivery System (MYCIDS), by July 1, 2024, to review: the services provided by the system, any contractors or employees used to administer the system, the process used to design or administer the system, guidelines used to create the system and the primary functions of the system and whether the system can be accessed by users of the Mississippi Electronic Court System or merged with the Mississippi Electronic Court System.

(b) The Administrative Director of Courts shall provide a report to the Judiciary A Committees of the Mississippi House of Representatives and the Senate by September 1, 2024, that includes:

(i) A copy of the audit;

(ii) Recommendations that resolve any deficiencies in the system or improve the system;

(iii) Recommendations that outline the creation of a new system which is to be in operation by July 1, 2026.

(iv) A list of the companies or agencies that have submitted bids to resolve deficiencies, make improvements or create a new system.

SECTION 2. Section 9-17-1, Mississippi Code of 1972, is amended as follows:

9-17-1. (1) * * * If a circuit or chancery district contains more than one (1) judge or chancellor, the judges or chancellors may * * * establish jointly the office of court administrator * * * for that judicial district with an order entered on the minutes of each * * * court in * * * that judicial district.

The establishment of the office of court administrator shall be accomplished by vote of a majority of the participating judges * * * or chancellors in the * * * district, and such court administrator shall be appointed by vote of a majority of the judges or chancellors and may be removed by a majority vote of the judges or chancellors. In case of a tie vote, the senior judge or senior chancellor shall cast two (2) votes.

(2) As an alternative to subsection (1), in a circuit or chancery district containing more than one (1) judge or chancellor, a judge or chancellor independently may establish the office of court administrator for that judge's or chancellor's office with an order entered on the minutes of each court in that judicial district appointing the court administrator to serve at the will and pleasure of the hiring judge or chancellor.

(3) In a county court where there is more than one (1) county judge, the county judges may establish jointly the office of court administrator for that county court with an order entered on the minutes of that court.

The establishment of the office of court administrator shall be accomplished by vote of a majority of the county judges in the county, and the court administrator shall be appointed by a vote of a majority of the county judges and may be removed by a majority vote of the county judges. In the case of a tie vote, the senior county judge shall cast two (2) votes.

(4) In a county court with one (1) county judge, the office of court administrator shall be established with an order entered on the minutes of that court. The appointment of the court administrator shall be accomplished with an order entered on the minutes of the court stating that the court administrator serves at the will and pleasure of the county judge.

(5) Before a court administrator appointed under this section may be hired, the Administrative Office of Courts will evaluate the chosen applicant to determine if the applicant meets the minimum requirements of the position of court administrator.

(6) The court administrators shall be provided office space in the same manner as such is afforded the circuit judges * * *, chancellors and county judges.

(* * *7) The annual salary of * * * the court administrator appointed pursuant to * * * subsection (1) shall be set by vote of the circuit judges * * * or chancellors of * * * the district and shall be submitted to the Administrative Office of Courts for approval pursuant to Section 9-1-36. The salary shall be paid in twelve (12) installments on the last working day of the month by the Administrative Office of Courts after it has been authorized by the participating judges and chancellors and an order has been duly placed on the minutes of each participating court.

Any county within a judicial district having a court administrator shall transfer to the Administrative Office of Courts one-twelfth (1/12) of its pro rata cost of authorized compensation, as defined in Section 9-1-36, for the court administrator by the twentieth day of each month for the compensation that is to be paid on the last day of that month. The board of supervisors may transfer the pro rata cost of the county from the funds of that county pursuant to Section 9-17-5(2)(b).

(* * *8) The annual salary of each court administrator appointed pursuant to subsection (2) shall be set by the appointing circuit judge or chancellor and shall be submitted to the Administrative Office of Courts for approval pursuant to Section 9-1-36. The salary shall be paid in twelve (12) installments on the last working day of the month by the Administrative Office of Courts after it has been authorized by the appointing judge or chancellor and an order has been duly placed on the minutes of the participating court. Any county within a judicial district that has a court administrator shall transfer to the Administrative Office of Courts one-twelfth (1/12) of its pro rata cost of authorized compensation, as defined in Section 9-1-36, for the court administrator by the twentieth

day of each month for the compensation that is to be paid on the last day of that month. The board of supervisors may transfer the pro rata cost of the county from the funds of that county pursuant to Section 9-17-5(2)(b).

(9) The annual salary of the court administrator appointed to subsection (3) shall be set by a vote of the county judges of the county and shall be paid by the county's board of supervisors.

(10) The annual salary of the court administrator appointed pursuant to subsection (4) shall be set by the county judge of the county and shall be paid by that county's board of supervisors.

(11) For all travel required in the performance of official duties, the court administrator shall be paid mileage by the county in which the duties were performed at the same rate as provided for state employees in Section 25-3-41, Mississippi Code of 1972. The court administrator shall file a certificate of mileage expense incurred during that term with the board of supervisors of each participating county and payment of such expense shall be paid proportionately out of the court administration fund established pursuant to Section 9-17-5.

SECTION 3. Section 9-1-36, Mississippi Code of 1972, is amended as follows:

9-1-36. (1) Each circuit judge and chancellor shall receive an office operating allowance for the expenses of operating the office of the judge, including retaining a law clerk, legal research, stenographic help, stationery, stamps, furniture, office equipment, telephone, office rent and other items and expenditures necessary and incident to maintaining the office of judge which may include expenses to travel out of state once per state fiscal year for continuing legal education classes and or seminars if approved by the Chief Justice. The allowance shall be paid only to the extent of actual expenses incurred by the judge as itemized and certified by the judge to the Supreme Court in the amounts set forth in this subsection; however, the judge may expend sums in excess thereof from the compensation otherwise provided for his office.

From and after July 1, 2023, the office operating allowance under this subsection shall be Fifteen Thousand Dollars ($15,000.00) per annum.

(2) In addition to the amounts provided for in subsection (1), there is created a separate office allowance fund for the purpose of providing support staff to judges. This fund shall be managed by the Administrative Office of Courts.

(3) Each judge who desires to employ support staff * * * must have each candidate approved by the Administrative Office of Courts * * * before the positions may be filled. The Administrative Office of Courts shall not approve any * * * hire which does not first require the expenditure of the funds in the support staff fund for compensation of any of the support staff before expenditure is authorized of county funds for that purpose. Upon approval by the Administrative Office of Courts, the judge or judges may appoint the employees to the position or positions, and each employee so appointed will work at the will and pleasure of the judge or judges who appointed him but will be employees of the Administrative Office of Courts. Upon approval by the Administrative Office of Courts, the appointment of any support staff shall be evidenced by the entry of an order on the minutes of the court. When support staff is appointed jointly by two (2) or more judges, the order setting forth any appointment shall be entered on the minutes of each participating court.

(4) * * * Support staff shall receive compensation pursuant to personnel policies established by the Administrative Office of Courts * * *. Each judge shall be allotted the amount of One Hundred Thirty Thousand Dollars * * * ($130,000.00) per fiscal year * * * for * * * all support staff * * * approved * * * by the Administrative Office of Courts.

The Administrative Office of Courts may approve expenditures from the fund for additional equipment for support staff appointed pursuant to this section in any year in which the allocation per judge is sufficient to meet the equipment expense after provision for the compensation of the support staff.

(* * *5) For the purposes of this section, the following terms have the meaning ascribed in this subsection unless the context clearly requires otherwise:

(a) "Judges" means circuit judges and chancellors, or any combination thereof.

(b) "Support staff" means court administrators, law clerks, legal research assistants or secretaries, or any combination thereof, but shall not mean school attendance officers.

(c) "Compensation" means the gross salary plus all amounts paid for benefits or otherwise as a result of employment or as required by employment; however, only salary earned for services rendered shall be reported and credited for Public Employees' Retirement System purposes. Amounts paid for benefits or otherwise, including reimbursement for travel expenses, shall not be reported or credited for retirement purposes.

(d) "Law clerk" means a clerk hired to assist a judge or judges who has a law degree or who is a full-time law student who is making satisfactory progress at an accredited law school.

(* * *6) Title to all tangible property, excepting stamps, stationery and minor expendable office supplies, procured with funds authorized by this section, shall be and forever remain in the State of Mississippi to be used by the circuit judge or chancellor during the term of his office and thereafter by his successors.

(* * *7) Any circuit judge or chancellor who did not have a primary office provided by the county on March 1, 1988, shall be allowed an additional Seven Thousand Dollars ($7,000.00) per annum to defray the actual expenses incurred by the judge or chancellor in maintaining an office; however, any circuit judge or chancellor who had a primary office provided by the county on March 1, 1988, and who vacated the office space after that date for a legitimate reason, as determined by the Department of Finance and Administration, shall be allowed the additional office expense allowance provided under this subsection. The county in which a circuit judge or chancellor sits is authorized to provide funds from any available source to assist in defraying the actual expenses to maintain an office.

(* * *8) The Supreme Court, through the Administrative Office of Courts, shall submit to the Department of Finance and Administration the itemized and certified expenses for office operating allowances that are directed to the court pursuant to this section.

(* * *9) The Supreme Court, through the Administrative Office of Courts, shall have the power to adopt rules and regulations regarding the administration of the office operating allowance authorized pursuant to this section.

SECTION 4. Section 43-21-261, Mississippi Code of 1972, is amended as follows:

43-21-261. (1) Except as otherwise provided in this section, records involving children shall not be disclosed, other than to necessary staff or officials of the youth court, a guardian ad litem appointed to a child by the court, or a Court-Appointed Special Advocate (CASA) volunteer who may be assigned in an abuse and neglect case, except pursuant to an order of the youth court specifying the person or persons to whom the records may be disclosed, the extent of the records which may be disclosed and the

purpose of the disclosure. Such court orders for disclosure shall be limited to those instances in which the youth court concludes, in its discretion, that disclosure is required for the best interests of the child, the public safety, the functioning of the youth court, or to identify a person who knowingly made a false allegation of child abuse or neglect, and then only to the following persons:

(a) The judge of another youth court or member of another youth court staff;

(b) The court of the parties in a child custody or adoption cause in another court;

(c) A judge of any other court or members of another court staff, including the chancery court that ordered a forensic interview;

(d) Representatives of a public or private agency providing supervision or having custody of the child under order of the youth court;

(e) Any person engaged in a bona fide research purpose, provided that no information identifying the subject of the records shall be made available to the researcher unless it is absolutely essential to the research purpose and the judge gives prior written approval, and the child, through his or her representative, gives permission to release the information;

(f) The Mississippi Department of Employment Security, or its duly authorized representatives, for the purpose of a child's enrollment into the Job Corps Training Program as authorized by Title IV of the Comprehensive Employment Training Act of 1973 (29 USCS Section 923 et seq.). However, no records, reports, investigations or information derived therefrom pertaining to child abuse or neglect shall be disclosed;

(g) Any person pursuant to a finding by a judge of the youth court of compelling circumstances affecting the health, safety or well-being of a child and that such disclosure is in the best interests of the child or an adult who was formerly the subject of a youth court delinquency proceeding;

(h) A person who was the subject of a knowingly made false allegation of child abuse or neglect which has resulted in a conviction of a perpetrator in accordance with Section 97-35-47 or which allegation was referred by the Department of Child Protection Services to a prosecutor or law enforcement official in accordance with the provisions of Section 43-21-353(4).

Law enforcement agencies may disclose information to the public concerning the taking of a child into custody for the commission of a delinquent act without the necessity of an order from the youth court. The information released shall not identify the child or his address unless the information involves a child convicted as an adult.

(2) Any records involving children which are disclosed under an order of the youth court or pursuant to the terms of this section and the contents thereof shall be kept confidential by the person or agency to whom the record is disclosed unless otherwise provided in the order. Any further disclosure of any records involving children shall be made only under an order of the youth court as provided in this section.

(3) Upon request, the parent, guardian or custodian of the child who is the subject of a youth court cause or any attorney for such parent, guardian or custodian, shall have the right to inspect any record, report or investigation relevant to a matter to be heard by a youth court, except that the identity of the reporter shall not be released, nor the name of any other person where the person or agency making the information available finds that disclosure of the information would be likely to endanger the life or safety of such person. The attorney for the parent, guardian or custodian of the child, upon request, shall be provided a copy of any record, report or investigation relevant to a matter to be

heard by a youth court, but the identity of the reporter must be redacted and the name of any other person must also be redacted if the person or agency making the information available finds that disclosure of the information would be likely to endanger the life, safety or well-being of the person. A record provided to the attorney under this section must remain in the attorney's control and the attorney may not provide copies or access to another person or entity without prior consent of a court with appropriate jurisdiction.

(4) Upon request, the child who is the subject of a youth court cause shall have the right to have his counsel inspect and copy any record, report or investigation which is filed with the youth court or which is to be considered by the youth court at a hearing.

(5) (a) The youth court prosecutor or prosecutors, the county attorney, the district attorney, the youth court defender or defenders, or any attorney representing a child shall have the right to inspect and copy any law enforcement record involving children.

(b) The Department of Child Protection Services shall disclose to a county prosecuting attorney or district attorney any and all records resulting from an investigation into suspected child abuse or neglect when the case has been referred by the Department of Child Protection Services to the county prosecuting attorney or district attorney for criminal prosecution.

(c) Agency records made confidential under the provisions of this section may be disclosed to a court of competent jurisdiction.

(d) Records involving children shall be disclosed to the Division of Victim Compensation of the Office of the Attorney General upon the division's request without order of the youth court for purposes of determination of eligibility for victim compensation benefits.

(6) Information concerning an investigation into a report of child abuse or child neglect may be disclosed by the Department of Child Protection Services without order of the youth court to any attorney, physician, dentist, intern, resident, nurse, psychologist, social worker, family protection worker, family protection specialist, child caregiver, minister, law enforcement officer, or a public or private school employee making that report pursuant to Section 43-21-353(1) if the reporter has a continuing professional relationship with the child and a need for such information in order to protect or treat the child.

(7) Information concerning an investigation into a report of child abuse or child neglect may be disclosed without further order of the youth court to any interagency child abuse task force established in any county or municipality by order of the youth court of that county or municipality.

(8) Names and addresses of juveniles twice adjudicated as delinquent for an act which would be a felony if committed by an adult or for the unlawful possession of a firearm shall not be held confidential and shall be made available to the public.

(9) Names and addresses of juveniles adjudicated as delinquent for murder, manslaughter, burglary, arson, armed robbery, aggravated assault, any sex offense as defined in Section 45-33-23, for any violation of Section 41-29-139(a)(1) or for any violation of Section 63-11-30, shall not be held confidential and shall be made available to the public.

(10) The judges of the circuit and county courts, and presentence investigators for the circuit courts, as provided in Section 47-7-9, shall have the right to inspect any youth court records of a person convicted of a crime for sentencing purposes only.

(11) The victim of an offense committed by a child who is the subject of a youth court cause shall have the right to be informed of the child's disposition by the youth court.

(12) A classification hearing officer of the State Department of Corrections, as provided in Section 47-5-103, shall have the right to inspect any youth court records, excluding abuse and neglect records, of any offender in the custody of the department who as a child or minor was a juvenile offender or was the subject of a youth court cause of action, and the State Parole Board, as provided in Section 47-7-17, shall have the right to inspect such records when the offender becomes eligible for parole.

(13) The youth court shall notify the Department of Public Safety of the name, and any other identifying information such department may require, of any child who is adjudicated delinquent as a result of a violation of the Uniform Controlled Substances Law.

(14) The Administrative Office of Courts shall have the right to inspect any youth court records in order that the number of youthful offenders, abused, neglected, truant and dependent children, as well as children in need of special care and children in need of supervision, may be tracked with specificity through the youth court and adult justice system, and to utilize tracking forms for such purpose.

(15) Upon a request by a youth court, the Administrative Office of Courts shall disclose all information at its disposal concerning any previous youth court intakes alleging that a child was a delinquent child, child in need of supervision, child in need of special care, truant child, abused child or neglected child, as well as any previous youth court adjudications for the same and all dispositional information concerning a child who at the time of such request comes under the jurisdiction of the youth court making such request.

(16) The Administrative Office of Courts may, in its discretion, disclose to the Department of Public Safety any or all of the information involving children contained in the office's youth court data management system known as Mississippi Youth Court Information Delivery System or "MYCIDS."

(17) The youth courts of the state shall disclose to the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) any youth court records in order that the number of youthful offenders, abused, neglected, truant and dependent children, as well as children in need of special care and children in need of supervision, may be tracked with specificity through the youth court and adult justice system, and to utilize tracking forms for such purpose. The disclosure prescribed in this subsection shall not require a court order and shall be made in sortable, electronic format where possible. The PEER Committee may seek the assistance of the Administrative Office of Courts in seeking this information. The PEER Committee shall not disclose the identities of any youth who have been adjudicated in the youth courts of the state and shall only use the disclosed information for the purpose of monitoring the effectiveness and efficiency of programs established to assist adjudicated youth, and to ascertain the incidence of adjudicated youth who become adult offenders.

(18) In every case where an abuse or neglect allegation has been made, the confidentiality provisions of this section shall not apply to prohibit access to a child's records by any state regulatory agency, any state or local prosecutorial agency or law enforcement agency; however, no identifying information concerning the child in question may be released to the public by such agency except as otherwise provided herein.

(19) In every case of child abuse or neglect, if a child's physical condition is medically labeled as medically "serious" or "critical" or a child dies, the confidentiality provisions of this section shall not apply. In such cases, the following information may be released by the Mississippi Department of Child Protection Services: the cause of the circumstances regarding the fatality or medically serious or critical physical condition; the age and gender of the child; information describing any previous reports of child abuse or neglect investigations that are pertinent to the child abuse or neglect that led to the fatality or medically serious or critical physical condition; the result of any such investigations; and the services provided by and actions of the state on behalf of the child that are

pertinent to the child abuse or neglect that led to the fatality or medically serious or critical physical condition.

(20) Any member of a foster care review board designated by the Department of Child Protection Services shall have the right to inspect youth court records relating to the abuse, neglect or child in need of supervision cases assigned to such member for review.

(21) Information concerning an investigation into a report of child abuse or child neglect may be disclosed without further order of the youth court in any administrative or due process hearing held, pursuant to Section 43-21-257, by the Department of Child Protection Services for individuals whose names will be placed on the central registry as substantiated perpetrators.

(22) The Department of Child Protection Services may disclose records involving children to the following:

(a) A foster home, residential child-caring agency or child-placing agency to the extent necessary to provide such care and services to a child;

(b) An individual, agency or organization that provides services to a child or the child's family in furtherance of the child's permanency plan to the extent necessary in providing those services;

(c) Health and mental health care providers of a child to the extent necessary for the provider to properly treat and care for the child;

(d) An educational institution or educational services provider where the child is enrolled or where enrollment is anticipated to the extent necessary for the school to provide appropriate services to the child;

(e) Any state agency or board that administers student financial assistance programs. However, any records request under this paragraph shall be initiated by the agency or board for the purpose determining the child's eligibility for student financial assistance, and any disclosure shall be limited to the verification of the child's age during the period of time in which the child was in the department's legal custody; and

(f) Any other state agency if the disclosure is necessary to the department in fulfilling its statutory responsibilities in protecting the best interests of the child.

(23) Nothing in this section or chapter shall require youth court approval for disclosure of records involving children as defined in Section 43-21-105(u), if the disclosure is made in a criminal matter by a municipal or county prosecutor, a district attorney or statewide prosecutor, pursuant to the Mississippi Rules of Criminal Procedure and the records are disclosed under a protective order issued by the Circuit Court presiding over the criminal matter which incorporates the penalties stated in Section 43-21-267.

(24) The provisions of this section shall stand repealed on July 1, 2026.

SECTION 5. Section 43-21-351, Mississippi Code of 1972, is amended as follows:

43-21-351. (1) Any person or agency having knowledge that a child residing or being within the county is within the jurisdiction of the youth court may make a written report to the intake unit alleging facts sufficient to establish the jurisdiction of the youth court. The report shall bear a permanent number that will be assigned by the court in accordance with the standards established by the Administrative Office of Courts pursuant to Section 9-21-9(d), and shall be preserved until destroyed on order of the court.

(2) There shall be in each youth court of the state an intake officer who shall be responsible for the accurate and timely entering of all intake and case information into the Mississippi Youth Court Information Delivery System (MYCIDS) for the Department of Human Services - Division of Youth Services, truancy matters, and the Department of Child Protection Services. It shall be the responsibility of the youth court judge or referee of each county to ensure that the intake officer is carrying out the responsibility of this section.

(3) The provisions of this section shall stand repealed on July 1, 2026.

SECTION 6. Section 43-21-801, Mississippi Code of 1972, is amended as follows:

43-21-801. (1) There is established the Youth Court Support Program. The purpose of the program shall be to ensure that all youth courts have sufficient support funds to carry on the business of the youth court. The Administrative Office of Courts shall establish a formula consistent with this section for providing state support payable from the Youth Court Support Fund for the support of the youth courts.

(a) (i) Each regular youth court referee is eligible for youth court support funds so long as the senior chancellor does not elect to employ a youth court administrator as set forth in paragraph (b); a municipal youth court judge is also eligible. The Administrative Office of Courts shall direct any funds to the appropriate county or municipality. The funds shall be utilized to compensate an intake officer who shall be responsible for ensuring that all intake and case information for the Department of Human Services - Division of Youth Services, truancy matters, and the Department of Child Protection Services is entered into the Mississippi Youth Court Information Delivery System (MYCIDS) in an accurate and timely manner. If the court already has an intake officer responsible for entering all cases of the Department of Human Services - Division of Youth Services, truancy matters, and the Department of Child Protection Services into MYCIDS, the regular youth court referee or municipal court judge may certify to the Administrative Office of Courts that such a person is already on staff. In such a case, each regular youth court referee or municipal youth court judge shall have the sole individual discretion to appropriate those funds as expense monies to assist in hiring secretarial staff and acquiring materials and equipment incidental to carrying on the business of the court within the private practice of law of the referee or judge, or may direct the use of those funds through the county or municipal budget for court support supplies or services. The regular youth court referee and municipal youth court judge shall be accountable for assuring through private, county or municipal employees the proper preparation and filing of all necessary tracking and other documentation attendant to the administration of the youth court.

(ii) Title to all tangible property, excepting stamps, stationery and minor expendable office supplies, procured with funds authorized by this section, shall be and forever remain in the county or municipality to be used by the judge or referee during the term of his office and thereafter by his successors.

(b) (i) When permitted by the Administrative Office of Courts and as funds are available, the senior chancellor for Chancery Districts One, Two, Three, Four, Six, Seven, Nine, Ten, Thirteen, Fourteen, Fifteen and Eighteen may appoint a youth court administrator for the district whose responsibility will be to perform all reporting, tracking and other duties of a court administrator for all youth courts in the district that are under the chancery court system. Any chancery district listed in this paragraph in which a chancellor appoints a referee or special master to hear any youth court matter is ineligible for funding under this paragraph (b). The Administrative Office of Courts may allocate to an eligible chancery district a sum not to exceed Thirty Thousand Dollars ($30,000.00) per year for the salary, fringe benefits and equipment of the youth court administrator, and an additional sum not to exceed One Thousand Nine Hundred Dollars ($1,900.00) for the administrator's travel expenses.

(ii) The appointment of a youth court administrator shall be evidenced by the entry of an order on the minutes of the court. The person appointed shall serve at the will and pleasure of the senior chancellor but shall be an employee of the Administrative Office of Courts.

(iii) The Administrative Office of Courts must approve the position, job description and salary before the position can be filled. The Administrative Office of Courts shall not approve any plan that does not first require the expenditure of the funds from the Youth Court Support Fund before expenditure of county funds is authorized for that purpose.

(iv) Title to any tangible property procured with funds authorized under this paragraph shall be and forever remain in the State of Mississippi.

(c) (i) Each county court is eligible for youth court support funds. The funds shall be utilized to provide compensation to an intake officer who shall be responsible for ensuring that all intake and case information for the Department of Human Services - Division of Youth Services, truancy matters, and the Department of Child Protection Services is entered into the Mississippi Youth Court Information Delivery System (MYCIDS) in an accurate and timely manner. If the county court already has an intake officer or other staff person responsible for entering all cases of the Department of Human Services - Division of Youth Services, truancy matters and the Department of Child Protection Services into MYCIDS, the senior county court judge may certify that such a person is already on staff. In such a case, the senior county court judge shall have discretion to direct the expenditure of those funds in hiring other support staff to carry on the business of the court.

(ii) For the purposes of this paragraph, "support staff" means court administrators, law clerks, legal research assistants, secretaries, resource administrators or case managers appointed by a youth court judge, or any combination thereof, but shall not mean school attendance officers.

(iii) The appointment of support staff shall be evidenced by the entry of an order on the minutes of the court. The support staff so appointed shall serve at the will and pleasure of the senior county court judge but shall be an employee of the county.

(iv) The Administrative Office of Courts must approve the positions, job descriptions and salaries before the positions may be filled. The Administrative Office of Courts shall not approve any plan that does not first require the expenditure of funds from the Youth Court Support Fund before expenditure of county funds is authorized for that purpose.

(v) The Administrative Office of Courts may approve expenditure from the fund for additional equipment for support staff appointed pursuant to this paragraph if the additional expenditure falls within the formula. Title to any tangible property procured with funds authorized under this paragraph shall be and forever remain in the county to be used by the youth court and support staff.

(2) (a) (i) The formula developed by the Administrative Office of Courts for providing youth court support funds shall be devised so as to distribute appropriated funds proportional to caseload and other appropriate factors as set forth in regulations promulgated by the Administrative Office of Courts. The formula will determine a reasonable maximum amount per judge or referee per annum that will not be exceeded in allocating funds under this section.

(ii) The formula shall be reviewed by the Administrative Office of Courts every two (2) years to ensure that the youth court support funds provided herein are proportional to each youth court's caseload and other specified factors.

(iii) The Administrative Office of Courts shall have wide latitude in the first two-year cycle to implement a formula designed to maximize caseload data collection.

(b) Application to receive funds under this section shall be submitted in accordance with procedures established by the Administrative Office of Courts.

(c) Approval of the use of any of the youth court support funds distributed under this section shall be made by the Administrative Office of Courts in accordance with procedures established by the Administrative Office of Courts.

(3) (a) There is created in the State Treasury a special fund to be designated as the "Youth Court Support Fund," which shall consist of funds appropriated or otherwise made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be distributed to the youth courts by the Administrative Office of Courts for the purposes described in this section.

(b) (i) During the regular legislative session held in calendar year 2007, the Legislature may appropriate an amount not to exceed Two Million Five Hundred Thousand Dollars ($2,500,000.00) to the Youth Court Support Fund.

(ii) During each regular legislative session subsequent to the 2007 Regular Session, the Legislature shall appropriate Two Million Five Hundred Thousand Dollars ($2,500,000.00) to the Youth Court Support Fund.

(c) No youth court judge or youth court referee shall be eligible to receive funding from the Youth Court Support Fund who has not received annual continuing education in the field of juvenile justice in an amount to conform with the requirements of the Rules and Regulations for Mandatory Continuing Judicial Education promulgated by the Supreme Court. The Administrative Office of Courts shall maintain records of all referees and youth court judges regarding such training and shall not disburse funds to any county or municipality for the budget of a youth court judge or referee who is not in compliance with the judicial training requirements.

(4) Any recipient of funds from the Youth Court Support Fund shall not be eligible for continuing disbursement of funds if the recipient is not in compliance with the terms, conditions and reporting requirements set forth in the procedures promulgated by the Administrative Office of Courts.

(5) The provisions of this section shall stand repealed on July 1, 2026.

SECTION 7. Section 45-33-61, Mississippi Code of 1972, is amended as follows:

45-33-61. (1) A person convicted of a sex offense shall not access the Administrative Office of Courts' youth court data management system known as the Mississippi Youth Court Information Delivery System or "MYCIDS."

(2) This section applies to all registered sex offenders without regard to the date of conviction for a registrable offense.

(3) The provisions of this section shall stand repealed on July 1, 2026.

SECTION 8. Section 93-31-3, Mississippi Code of 1972, is amended as follows:

93-31-3. (1) (a) A parent or legal custodian of a child, by means of a properly executed power of attorney as provided in Section 93-31-5, may delegate to another

willing person or persons as attorney-in-fact any of the powers regarding the care and custody of the child other than the following:

(i) The power to consent to marriage or adoption of the child;

(ii) The performance or inducement of an abortion on or for the child; or

(iii) The termination of parental rights to the child.

(b) A delegation of powers under this section does not:

(i) Change or modify any parental or legal rights, obligations, or authority established by an existing court order;

(ii) Deprive any custodial or noncustodial parent or legal guardian of any parental or legal rights, obligations, or authority regarding the custody, visitation, or support of the child; or

(iii) Affect a court's ability to determine the best interests of a child.

(c) If both parents are living and neither parent's parental rights have been terminated, both parents must execute the power of attorney. If a noncustodial parent is absent or unknown, the custodial parent must complete the affidavit contemplated under Section 93-31-5 and attach it to the power of attorney.

(d) A power of attorney under this chapter must be facilitated by either a child welfare agency that is licensed to place children for adoption and that is operating under the Safe Families for Children model or another charitable organization that is operating under the Safe Families for Children model. A full criminal history and child abuse and neglect background check must be conducted on any person who is not a grandparent, aunt, uncle, or sibling of the child if the person is:

(i) Designated or proposed to be designated as the attorney-in-fact; or

(ii) Is a person over the age of fifteen (15) who resides in the home of the designated attorney-in-fact.

(2) A power of attorney executed under this chapter shall not be used for the sole purposes of enrolling a child in a school to participate in the academic or interscholastic athletic programs provided by that school or for any other unlawful purposes, except as may be permitted by the federal Every Student Succeeds Act (Public Law 114-95).

(3) The parent or legal custodian of the child has the authority to revoke or withdraw the power of attorney authorized by this section at any time. Upon the termination, expiration, or revocation of the power of attorney, the child must be returned to the custody of the parent or legal custodian.

(4) Until the authority expires or is revoked or withdrawn by the parent or legal custodian, the attorney-in-fact shall exercise parental or legal authority on a continuous basis without compensation for the duration of the power of attorney.

(5) The execution of a power of attorney by a parent or legal custodian does not, in the absence of other evidence, constitute abandonment, desertion, abuse, neglect, or any evidence of unfitness as a parent unless the parent or legal custodian fails to take custody of the child or execute a new power of attorney after the one-year time limit, or after a longer time period as allowed for a serving parent, has elapsed. Nothing in this subsection prevents the Department of Child Protection Services or law enforcement from

investigating allegations of abuse, abandonment, desertion, neglect or other mistreatment of a child.

(6) When the custody of a child is transferred by a power of attorney under this chapter, the child is not considered to have been placed in foster care and the attorney-in-fact will not be subject to any of the requirements or licensing regulations for foster care or other regulations relating to out-of-home care for children and will not be subject to any statutes or regulations dealing with the licensing or regulation of foster care homes.

(7) (a) "Serving parent" means a parent who is a member of the Armed Forces of the United States, including any reserve component thereof, or the National Oceanic and Atmospheric Administration Commissioned Officer Corps or the Public Health Service of the United States Department of Health and Human Services detailed by proper authority for duty with the Armed Forces of the United States, or who is required to enter or serve in the active military service of the United States under a call or order of the President of the United States or to serve on state active duty.

(b) A serving parent may delegate the powers designated in subsection (1) of this section for longer than one (1) year if on active-duty service or if scheduled to be on active-duty service. The term of delegation, however, may not exceed the term of active-duty service plus thirty (30) days.

(8) (a) A power of attorney under this chapter must be filed in the youth court of the county where the minor child or children reside at the time the form is completed, and the clerk of the youth court will not impose or collect a filing fee. The filing is informational only, and no judicial intervention shall result at the time of filing.

(b) The power of attorney must be entered into the Mississippi Youth Court Information Delivery System (MYCIDS) under Section 43-21-351, and must be administratively reviewed by the youth court judge or referee, or a person designated by the youth court judge or referee, to ensure the safety of the child or children who are the subjects of the power of attorney one (1) year after the date of execution.

(9) The provisions of this section shall stand repealed on July 1, 2026.

SECTION 9. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 9-21-9, MISSISSIPPI CODE OF 1972, TO REQUIRE THE ADMINISTRATIVE DIRECTOR OF COURTS TO AUDIT THE MISSISSIPPI YOUTH COURT INFORMATION SYSTEM (MYCIDS); TO AMEND SECTION 9-17-1, MISSISSIPPI CODE OF 1972, TO REVISE THE MANNER IN WHICH THE CIRCUIT JUDGES, CHANCELLORS AND COUNTY COURT JUDGES MAY ESTABLISH THE OFFICE OF COURT ADMINISTRATOR; TO REQUIRE THE ADMINISTRATIVE OFFICE OF COURTS TO DETERMINE IF A PROSPECTIVE COURT ADMINISTRATOR MEETS THE MINIMUM REQUIREMENTS BEFORE THE PERSON IS HIRED; TO AMEND SECTION 9-1-36, MISSISSIPPI CODE OF 1972, TO REQUIRE CIRCUIT JUDGES AND CHANCELLORS DESIRING TO EMPLOY SUPPORT STAFF TO HAVE CANDIDATES APPROVED BY THE ADMINISTRATIVE OFFICE OF COURTS BEFORE FILLING POSITIONS; TO AMEND SECTIONS 43-21-261, 43-21-351, 43-21-801, 45-33-61 AND 93-31-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SUCH SECTIONS SHALL STAND REPEALED ON JULY 1, 2026; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Joey Hood	Brice Wiggins
Shanda Yates	Rod Hickman
Andrew Stepp	Jeremy England

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1315** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

_____

Senator Bryan offered the following report of the Conference Committee on **S. B. No. 2857** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2857: Medical cannabis act; set additional provisions related to background checks, department investigations, fees and appeals.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-137-39, Mississippi Code of 1972, is amended as follows:

41-137-39. (1) (a) * * * The MDOH shall obtain criminal records background checks on all persons applying to become a licensee, an agent, or representative as defined herein, of a medical cannabis establishment. This shall include performing criminal records background checks on all potential employees, current employees, or representatives/agents of the MDOH Medical Cannabis Program. The required criminal history background includes information provided by the Federal Bureau of Investigation.

(b) * * * For the purposes of this section, an applicant is any person who registers with or applies for an initial medical cannabis work permit, or a renewal of a medical cannabis work permit. Such a person or applicant may also be defined as an agent, an employee, a representative, etc. as further defined and sometimes used interchangeably as referenced in this section.

(c) * * * For purposes of this section, an agent is a person who acts for or on behalf of, or who represents a medical cannabis establishment while in the course of business or employment with the Mississippi Medical Cannabis Program and may also be referred to as an agent, a representative, or vice versa.

(d) * * * Representative means a principal officer, owner of ten percent (10%) or greater economic interest in a medical cannabis establishment with direct or indirect interest, officer, director, manager, employee, agent, volunteer, or other type representative of a registered medical cannabis licensee establishment.

(e) * * * Principal officer means a person(s) who has ultimate responsibility for implementing the decisions of a cannabis testing facility or other such medical cannabis establishment and includes, but is not necessarily limited to, the Chief Executive Officer (CEO), Chief Administrative Office (CAO), Chief Financial Officer, (CFO), as applicable. Elected or appointed, the board as a whole creates agency policies and oversees the agency's managerial positions.

(f) Board member means an individual on a medical cannabis establishment's company or agency board which serves as an organization's governing body.

(g) Principal owner means the primary owner of a medical cannabis establishment, but often may be the sole owner.

(h) Any and every person/applicant seeking to become an owner or principal owner, principal officer, or officer, board member, director, manager, agent/representative, employee, care giver, or volunteer of a medical cannabis establishment shall apply for, or authorize the MDOH to obtain state and national criminal background checks to be conducted by the Mississippi Justice Information Center of the Department of Public Safety and the Federal Bureau of Investigation.

(i) Such criminal background checks shall conform to the applicable federal standards and shall include the taking of fingerprints.

(j) Once the Mississippi Justice Information Center of the Department of Public Safety completes a state level criminal history background checks, they will forward the fingerprints to the Federal Bureau of Investigation for a national criminal history background check.

(k) The person seeking to become an agent/representative of a medical cannabis establishment shall authorize the release of such criminal background checks to the MDOH and shall be responsible for the payment of any fee that the Mississippi Justice Information Center of the Department of Public Safety or the MDOH charges to process fingerprint-based state and national criminal background checks. The Department of Public Safety and the MDOH each may charge and retain a fee not to exceed Sixty Dollars ($60.00) for each applicant.

(l) The Mississippi Justice Information Center of the Department of Public Safety shall forward to the MDOH all information obtained concerning the applicant. MDOH will not disseminate the information and will only use such information as required to fulfill the purposes of this act.

(2) A medical cannabis establishment may not employ any person who:

(a) Was convicted of a disqualifying felony offense; or

(b) Is under twenty-one (21) years of age.

(3) The operating documents of a medical cannabis establishment must include procedures for the oversight of the medical cannabis establishment and procedures to ensure accurate record keeping and adequate security measures.

(4) A medical cannabis establishment shall implement appropriate security measures designed to deter and prevent the theft of medical cannabis and unauthorized entrance into areas containing medical cannabis.

(5) All cultivation, harvesting, processing and packaging of medical cannabis must take place in an enclosed, locked and secure facility with a physical address provided to the MDOH during the licensing and registration process. The facility shall be equipped with locks or other security devices that permit access only by agents of the medical cannabis establishment, emergency personnel or adults who are twenty-one (21) years of age and older and who are accompanied by medical cannabis establishment agents.

(6) No medical cannabis establishment other than a cannabis processing facility or cannabis research facility may produce cannabis concentrates, cannabis extractions, or other cannabis products.

(7) A medical cannabis establishment may not share office space with or refer patients to a practitioner.

(8) Medical cannabis establishments are subject to inspection by the MDOR and MDOH during business hours.

(9) Before medical cannabis may be dispensed to a cardholder, a dispensary agent must:

(a) Require that the individual present a registry identification card;

(b) Make a diligent effort to verify that the registry identification card presented to the dispensary is valid;

(c) Make a diligent effort to verify that the person presenting the registry identification card is the person identified on the registry identification card presented to the dispensary agent; and

(d) Not believe that the amount of medical cannabis dispensed would cause the person to possess more than the allowable amount of medical cannabis.

(10) A medical cannabis establishment shall not sell more than the allowable amount of medical cannabis to a cardholder. * * * A resident cardholder shall not obtain more than a total of twenty-four (24) MMCEUs of allowable medical cannabis in thirty (30) days from a dispensary or a combination of dispensaries.

The possession limit for resident cardholders of the allowable amount of medical cannabis shall be a total of twenty-eight (28) MMCEUs. There shall not be a possession

limit on nonconsumable medical cannabis, including, but not limited to, suppositories, ointments, soaps, and lotions or other topical agents.

(11) For purposes of this chapter, total THC is defined as THCA multiplied by .877 plus THC Delta 9 and all other psychoactive forms or isomers of THC added together. A medical cannabis establishment shall not sell cannabis flower or trim that has a potency of greater than thirty percent (30%) total THC. A medical cannabis dispensary shall not sell cannabis tinctures, oils or concentrates that have a potency of greater than sixty percent (60%) total THC. Cannabis products that have a potency of over thirty percent (30%) total THC shall be clearly labeled as "extremely potent." Edible cannabis products, including food or drink products, that have been combined with usable cannabis or cannabis products shall be physically demarked and labeled with a clear determination of how much total THC is in a single-serving size and how much THC is in the entire package.

A medical cannabis product shall contain a notice of harm regarding the use of cannabis products. Edible cannabis products shall be homogenized to ensure uniform disbursement of cannabinoids throughout the product. All molded edible cannabis products shall be presented in the form of geometric shapes and shall not be molded to contain any images or characters designed or likely to appeal to minors, such as cartoons, toys, animals or children.

(12) A dispensary may not dispense more than the allowable amount of cannabis to a registered qualifying patient or a nonresident cardholder, directly or via a registered designated caregiver. Dispensaries shall ensure compliance with this limitation by maintaining internal, confidential records that include records specifying how much medical cannabis is being dispensed to the registered qualifying patient or nonresident cardholder and whether it was dispensed directly to a registered qualifying patient, nonresident cardholder or to the registered designated caregiver.

(13) A nonresident cardholder shall not obtain more than a total of six (6) MMCEUs of allowable medical cannabis in a week from a dispensary or a combination of dispensaries. A nonresident cardholder shall not obtain more than a total of twelve (12) MMCEUs of allowable cannabis from a dispensary or a combination of dispensaries in a fifteen-day period.

(14) A nonresident may apply to receive a nonresident registry identification card up to thirty (30) days before arriving in Mississippi. A nonresident registry identification card shall be valid for fifteen (15) days. After the expiration of the card, a nonresident may apply for a renewal of the card and may be granted another card which shall be valid for another fifteen-day period. A nonresident registry identification card shall only be valid, at a maximum, for two (2) separate periods of fifteen (15) days in a three-hundred-sixty-five-day period. An applicant may indicate on his or her application the specific time period that he or she wishes for the card to be valid. The possession limit of the allowable amount of medical cannabis for nonresident cardholders shall be fourteen (14) MMCEUs.

(15) A medical cannabis dispensary agent or employee shall not issue a written certification. Employees and agents of a medical cannabis dispensary shall complete at least eight (8) hours of continuing education in medical cannabis as regulated by the MDOR in order to be certified to work at a medical cannabis dispensary. After the first year of employment, these employees shall complete five (5) hours of continuing education in medical cannabis annually to maintain this certification.

(16) Notwithstanding any other provision to the contrary, a patient with a debilitating medical condition who is between eighteen (18) years to twenty-five (25) years of age is not eligible for a medical cannabis registry identification card unless two (2) practitioners from separate medical practices have diagnosed the patient as having a

debilitating medical condition after an in-person consultation. One (1) of these practitioners must be a physician or doctor of osteopathic medicine.

If one (1) of the recommending practitioners is not the patient's primary care practitioner, the recommending practitioner shall review the records of a diagnosing practitioner. The requirement that the two (2) practitioners be from separate medical practices does not apply if the patient is homebound or if the patient had a registry identification card before the age of eighteen (18).

(17) Except as otherwise provided in this section, a medical cannabis establishment shall not allow an individual who is younger than twenty-one (21) years old to enter the premises of the establishment unless the individual possesses a registry identification card and is accompanied by his or her legal guardian.

(18) A medical cannabis establishment shall only purchase, grow, cultivate, and use cannabis that is grown and cultivated in this state. Any medical cannabis that is grown and cultivated in this state shall not be transported outside of this state.

(19) Employees of all medical cannabis establishments shall apply for a work permit with the MDOH and MDOR, as applicable, before beginning employment with any establishment. The licensing agency for the respective medical cannabis establishment may issue work permits to these individuals. These licensing agencies shall maintain a work registry of all applicants and work permits issued. The fee for a work permit shall be Twenty-five Dollars ($25.00) and the permit shall be valid for five (5) years. Work permits shall be the property of the employee and shall not be transferable to other employees.

(20) For purposes of this subsection, "plant growth regulator cannabis" shall mean a cannabis plant whose growth and structure has been modified using plant growth hormones. A cannabis cultivation facility shall not cultivate and a cannabis dispensary shall not sell, transfer or provide for consumption plant growth regulator cannabis.

(21) A medical cannabis dispensary shall only make sales to cardholders inside the dispensary. A medical cannabis dispensary shall not sell or otherwise convey medical cannabis to a cardholder through the means of a drive-through, curbside delivery or other delivery outside the premises of the dispensary. Any topical cannabis product that is purchased by a dispensary from a licensed processor, and that is not ingested by the liver, may be sold to a cardholder or any person over the age of twenty-one (21) years old who is not a cardholder. Such products shall be placed in an area of the dispensary that does not require access with a registry identification card.

(22) Any and all contracts or agreements entered into by the MDOH and MDOR for information technology software, hardware, and/or services for the purpose of implementing and/or operating under the Mississippi Medical Cannabis Act shall include language reasonably limiting the ability of the vendor to escalate the ongoing cost of such software, hardware, and/or services during the term of the contract, including any amendments and/or extensions.

(23) The MDOR and MDOH shall not share the name, address or personal data of a registry identification cardholder to any federal government entity.

SECTION 2. Section 41-137-47, Mississippi Code of 1972, is amended as follows:

41-137-47. (1) * * * The licensing agency is authorized to investigate, either on the basis of complaints filed with it or on its own initiative through compliance visits, reviews or audits, instances of suspected violations of any nature, including, but not limited to:

(a) Performing the duties and requirements set forth for licensees within the relevant statute and regulations;

(b) The providing of false information on an application or renewal for a license, incident to a hearing, or otherwise;

(c) The conviction of a licensee of a felony;

(d) The misappropriation of funds; and

(e) The inversion or diversion of medical cannabis or medical cannabis products, or of any other matter reflecting unfavorably upon the holder of a license under the act.

(2) On the basis of information developed during such an investigation, the licensing agency may exercise any number of compliance actions including:

(a) To revoke, suspend or refuse to renew any license issued by the licensing agency;

(b) Deny an application for a license; or

(c) Reprimand, fine and/or take any other actions in relation to a license, as the licensing agency may deem proper under the circumstances.

(3) The licensing agency may deny the application of any applicant who fails to meet the qualifications for obtaining such license under this chapter or any rules and regulations under this chapter.

(4) Whenever the results of such an investigation are filed, the licensee may request an administrative hearing on the matter. If a licensee or applicant wishes to appeal the licensing agency's decision, the licensee or applicant shall file its administrative appeal within twenty (20) days of receipt of the initial notice.

If such a hearing is requested, the licensing agency shall set a day for a hearing and shall notify the licensee that on the day fixed for hearing he or she may appear so that an administrative hearing may take place. The licensing agency shall then conduct a hearing on the record pursuant to the licensing agency's rules and regulations governing such hearings, at which time the burden shall be on the licensee or applicant to prove that the agency's decision was:

(a) Unsupported by substantial evidence;

(b) Arbitrary or capricious;

(c) Beyond the power of the administrative agency to make; or

(d) Violated some statutory or constitutional right of the aggrieved party.

If the licensee or applicant fails to appeal the initial notice within the prescribed time, the decision becomes final and cannot be further appealed.

(5) In cases where violations of this chapter have been substantiated, the licensing agency may assess a monetary penalty or recoupment of costs for those reasonable costs that are expended by the licensing agency in the investigation and conduct of a proceeding for the compliance issue that is the subject matter of the hearing, including, but not limited to, the costs of process service, court reporters, expert witnesses and investigations. The licensing agency shall determine the amount of investigative fees and costs owed by a licensee based on an itemized accounting after the investigation has been officially completed and a final determination or action has been determined. Upon final determination or action, the licensing agency shall give to the licensee an itemized

accounting of the investigative fees and costs incurred. The licensing agency may recommend denial of, or refusal to take final action to approve the renewal of a licensee unless all investigative fees and costs have been paid in full by the licensee.

(* * *6) The licensing agency shall provide its initial notice of suspension, revocation, fine or other sanction by personal delivery or mailing by certified mail, signature required, to the medical cannabis establishment at the address on the registration certificate. A suspension shall not be for a longer period than six (6) months. The licensing agency shall provide its initial notice of denial by personal delivery, mailing by certified mail, signature required, or by electronic mail to the applicant at the physical or electronic address listed in its application.

(* * *7) A medical cannabis establishment may continue to possess and cultivate cannabis as otherwise authorized to do so under its license during a suspension, but it may not dispense, transfer or sell cannabis.

(* * *8) The MDOH shall immediately revoke the registry identification card of any cardholder who sells or otherwise transfers medical cannabis to a person or other entity, and the cardholder shall be disqualified from further participation in the medical cannabis program under this chapter.

(* * *9) Except as otherwise provided in subsection (* * *8) of this section, the MDOH may revoke the registry identification card of any cardholder who knowingly commits a violation of this chapter.

(* * *10) The hearing decision of the agency on a denial, revocation, suspension or fine is a final decision of the applicable agency subject to judicial review in accordance with Section 41-137-59.

(* * *11) No license issued by the MDOH or MDOR shall be transferred by the license holder to any other person or entity except with the written consent of the applicable licensing agency.

(* * *12) Any ongoing investigation by a licensing agency under this section shall be considered confidential and exempt from disclosure under the Mississippi Public Records Act of 1983, Sections 25-61-1 through 25-61-17.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 41-137-39, MISSISSIPPI CODE OF 1972, TO PROVIDE ADDITIONAL AUTHORIZATIONS AND REQUIREMENTS RELATED TO PERFORMING BACKGROUND CHECKS AS PART OF THE MEDICAL CANNABIS ACT; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO OBTAIN CRIMINAL RECORDS BACKGROUND CHECKS FROM THE MISSISSIPPI JUSTICE INFORMATION CENTER OF THE DEPARTMENT OF PUBLIC SAFETY AND THE F.B.I.; TO AUTHORIZE THE DEPARTMENT TO RECOUP ANY FEE ASSOCIATED WITH THE BACKGROUND CHECK; TO DELETE THE PROVISION OF LAW THAT PROHIBITS A RESIDENT CARDHOLDER FROM OBTAINING MORE THAN A TOTAL OF SIX MMCEUS OF ALLOWABLE MEDICAL CANNABIS IN A WEEK FROM A DISPENSARY OR A COMBINATION OF DISPENSARIES; TO PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY AND THE DEPARTMENT OF HEALTH EACH MAY CHARGE AND RETAIN A FEE FOR EACH APPLICANT; TO AMEND SECTION 41-137-47, MISSISSIPPI CODE OF 1972, TO PROVIDE ADDITIONAL MEASURES RELATED TO INVESTIGATION PROCEDURES BY LICENSING AGENCIES UNDER THE MEDICAL CANNABIS ACT; TO SET CERTAIN ADMINISTRATIVE HEARING PROCEDURES; TO

AUTHORIZE THE LICENSING AGENCY TO RECOUP ANY FEE ASSOCIATED WITH THE INVESTIGATION OR HEARING PROCESS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Hob Bryan	Lee Yancey
Kevin Blackwell	Billy Adam Calvert
Chris Johnson	Josh Hawkins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2857** was adopted:

Yeas--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Barrett, Chism, Hill. Total--3.

Absent and those not voting----None.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

S. B. No. 3058: Coronavirus State Fiscal Recovery Fund; FY2025 reappropriate to certain agencies.

Adopted: 04/29/24

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

S. B. No. 2144: Runoff elections; amend to lengthen the timing requirement.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. C. R. No. 64: A CONCURRENT RESOLUTION TO EXTEND THE 2024 REGULAR SESSION OF THE LEGISLATURE; TO SUSPEND THE DEADLINES FOR THE PURPOSE OF PERMITTING THE FURTHER CONSIDERATION, FILING AND ADOPTION OF CONFERENCE REPORTS ON APPROPRIATION BILLS AND REVENUE BILLS THAT WERE IN CONFERENCE ON APRIL 27, 2024; TO PROVIDE THAT THE HOUSE AND SENATE EACH SHALL RECONVENE ON MAY 14, 2024, UNLESS THE SPEAKER AND LIEUTENANT GOVERNOR JOINTLY DETERMINE THAT IT IS NOT NECESSARY TO RECONVENE; AND TO SET THE DATE OF SINE DIE ADJOURNMENT OF THE 2024 REGULAR SESSION OF THE LEGISLATURE ON TUESDAY, MAY 14, 2024.

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. C. R. No. 64: Legislature; extend 2024 Regular Session, suspend deadline for certain bills, and set date of sine and die adjournment. Rules.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 1720: AN ACT TO AMEND CHAPTER 1016, LOCAL AND PRIVATE LAWS OF 2004, AS LAST AMENDED BY CHAPTER 908, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2024, TO JULY 1, 2028, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF PONTOTOC TO LEVY A TAX UPON THE GROSS SALES OF HOTELS, MOTELS AND RESTAURANTS FOR THE PROMOTION OF TOURISM AND PARKS AND RECREATION; AND FOR RELATED PURPOSES.

David Jordan, Chairman

Senator Polk moved that the Senate stand in recess until 3:30 PM.

The motion prevailed, and at 2:59 PM, the Senate stood in recess.

The Senate resumed business at 3:30 PM, pursuant to recess, with President Hosemann presiding.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. C. R. No. 543: Commend Phi Theta Kappa's All-Mississippi Academic Team.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

S. B. No. 2857: Medical cannabis act; set additional provisions related to background checks, department investigations, fees and appeals.

Adopted: 04/28/24

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. B. No. 3231: AN ACT TO AMEND SECTION 25-11-123, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE INCREASE IN THE EMPLOYER'S CONTRIBUTION RATE THAT IS SCHEDULED TO TAKE EFFECT ON JULY 1, 2024, IS RESCINDED AND SHALL NOT TAKE EFFECT; TO PROVIDE FOR A 1/2% INCREASE IN THE EMPLOYER'S CONTRIBUTION RATE ON JULY 1 OF EACH YEAR FROM 2024 THROUGH 2028; TO REQUIRE THAT ANY RECOMMENDATION BY THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO ADJUST EMPLOYER CONTRIBUTIONS BE ACCOMPANIED BY AT LEAST TWO INDEPENDENT ACTUARIAL ASSESSMENTS; TO ALLOW THE BOARD TO MAKE RECOMMENDATIONS REGARDING ADDITIONAL FUNDING SOURCES FOR THE RETIREMENT PLAN, INCLUDING EMPLOYER CONTRIBUTION INCREASES, BASED ON THE PLAN'S ASSETS AND LIABILITIES, AND THE REQUIRED ACTUARIAL ASSESSMENTS; TO RESERVE TO THE LEGISLATURE THE AUTHORITY TO IMPLEMENT SUCH RECOMMENDATIONS; TO EXPRESS THE INTENT OF THE LEGISLATURE THAT, IN THE 2025 REGULAR SESSION, A LAW BE ENACTED TO CREATE A NEW TIER FOR FUTURE MEMBERS OF THE SYSTEM, IN FURTHERANCE OF THE SYSTEM'S CONTINUED FINANCIAL STABILITY AND SUSTAINABILITY; TO SPECIFY THAT THE SECTION SHALL NOT BE CONSTRUED TO PROVIDE AUTHORITY TO REDUCE OR ELIMINATE ANY EARNED BENEFITS PROVIDED BY THE STATE TO CURRENT RETIREES OR CURRENT MEMBERS OF THE RETIREMENT SYSTEM; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 770: AN ACT TO AMEND SECTIONS 37-153-7 AND 27-104-7, MISSISSIPPI CODE OF 1972, TO EXTEND THE EXPIRATION DATE ON THE

EXEMPTION FOR THE OFFICE OF WORKFORCE DEVELOPMENT FROM THE REQUIREMENTS OF THE PUBLIC PROCUREMENT REVIEW BOARD WHICH RELATE TO RENTAL AGREEMENTS AND THE LEASING OF REAL PROPERTY FOR PURPOSES OF CONDUCTING AGENCY BUSINESS; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 57: Alveno Nelson Castilla, Madison, Mississippi, Mississippi Board of Nursing as the Consumer representative, four year term beginning January 17, 2024 and ending June 30, 2027, vice Jan Collins. Do Advise and Consent.

S. N. No. 25: Shaterrica Janel Moody, Gulfport, Mississippi, MS Board of Nursing as a Registered Nurse in Clinical Practice, four year term effective August 1, 2023 and ending June 30, 2027, vice Laura K. Moore. Do Advise and Consent.

S. N. No. 26: Dr. Mary Westfaul Stewart, Hattiesburg, Mississippi, MS Board of Nursing as a Nurse Educator, four year term effective July 1, 2023 and ending June 30, 2027. Do Advise and Consent.

S. N. No. 27: Dr. Anna Taylor Middleton, Kosciusko, Mississippi, MS State Board of Optometry, five year term effective July 1, 2023 and ending June 30, 2028, representing the 2nd Congressional District as it existed on January 1, 1980, vice Susanne S. Cunningham. Do Advise and Consent.

S. N. No. 30: Michael Gene (Mike) Gilbow, Indianola, Mississippi, Board of Pharmacy, five year term effective July 1, 2023 and ending June 30, 2028, representing Pharmacist Retail At-Large, vice Guy Phillips. Do Advise and Consent.

S. N. No. 31: David Charles Hudson, Kosciusko, Mississippi, Board of Pharmacy, five year term effective July 1, 2023 and ending June 30, 2028, representing the 2nd Congressional District as it existed on July 1, 2001, vice Todd Barrett. Do Advise and Consent.

S. N. No. 48: Dr. John Daniel Davis, IV, Flowood, Mississippi, State Board of Health as a Licensed Physician, six year term effective July 1, 2023 and ending June 30, 2029. Do Advise and Consent.

S. N. No. 49: Elizabeth E. (Beth) Edmiston, PT, Ocean Springs, Mississippi, State Board of Health as an individual with an interest in public health, six year term effective July 1, 2023 and ending June 30, 2029. Do Advise and Consent.

S. N. No. 52: Stewart Rutledge, Oxford, Mississippi, Board of Mental Health, seven year term effective July 1, 2024 and ending June 30, 2031, representing the 1st Congressional District. Do Advise and Consent.

BRYAN, Chairman

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. R. No. 119: Recognize 50th Anniversary of Scout Troop 416 in Brandon, MS. Title Sufficient. Do Be Adopted.

S. R. No. 120: Congratulate the Hernando High School "Marching Tigers" band for winning the 2023 Class 6A Marching Band Championship. Title Sufficient. Do Be Adopted.

S. R. No. 121: Commend Hernando High School "Tigers" Boys Soccer Team for winning 2024 MHSAA Class 7A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 122: Commend Lake Cormorant High School "Gators" Boys Powerlifting Team for 6A Championship. Title Sufficient. Do Be Adopted.

S. R. No. 123: Commend Lake Cormorant High School "Lady Gators" Powerlifting Team for winning 6A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 124: Congratulate Viking Range for receiving the 2024 "Best of KBIS Style Statement Silver Award" in Las Vegas. Title Sufficient. Do Be Adopted.

S. R. No. 125: Commend Wilton Neal of Carrolton as Mississippi's longest-serving Tax Assessor/Collector. Title Sufficient. Do Be Adopted.

S. R. No. 126: Commend Lafayette High School "Commodores" Tennis Team for winning fourth consecutive 5A State Championship. Title Sufficient. Do Be Adopted.

H. C. R. No. 64: Legislature; extend 2024 Regular Session, suspend deadline for certain bills, and set date of sine and die adjournment. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

Senator Whaley moved that the rules be suspended to move to calendar item 69, **H. B. No. 1208**, and the motion prevailed.

Senator Whaley moved that the Conference Committee Report on **H. B. No. 1208** be recommitted for further conference and the motion prevailed.

H. B. No. 1208: Hunting and fishing on lands of others; revise provisions relating to and provide penalties for.

Senator Fillingane moved that the rules be suspended to move to calendar item 44, **H. B. No. 295**, and the motion prevailed.

Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 295** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 295: Arrest warrants; authorize electronic applications, signatures and records for.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) An application for a felony warrant or signature utilized by the judicial branch of state government other than an application for a no-knock warrant shall not be denied legal effect or enforceability solely because it is in electronic form. An application, signature or record in electronic form shall have the full effect of law.

(2) If a provision of law requires the application for a felony warrant to be in writing, an electronic version of the written record shall satisfy such provision of law.

(3) If a provision of law requires a signature, an electronic signature satisfies such provision of law.

(4) An application used to attach a digital signature to a felony warrant or affidavit must have security procedures in place that ensure the authenticity of the digital signature. The application must also be able to keep an electronic record of the warrant or affidavit, including the time and date of when the signature was attached. The application must also include encryption measures to ensure secure access of the application.

(5) Unless otherwise agreed to by a sender of a warrant application and the judge, an electronic record is received when:

(a) The record enters an information-processing system that the local court rules have designated and approved for the purpose of receiving electronic applications for warrants and from which the recipient is able to retrieve the electronic record; and

(b) It is in a form capable of being processed by the system, and in a form that satisfies the provisions of the Mississippi Public Records Act of 1983.

(6) In an instance where an affidavit is submitted to a judge electronically, the electronic signature of the affiant shall satisfy the constitutional requirement that the testimony of the affiant be made under oath, provided that such signature is made under penalty of perjury and in compliance with subsection (4) of this section. If the requirements of subsection (4) of this section are met, it shall not be necessary for the oath to be made orally for the affidavit to have legal effect.

(7) An application for a felony warrant or signature made pursuant to this section shall contain a statement that the application is being made for a felony criminal investigation.

(8) Before an electronic felony warrant shall be issued pursuant to this section, the applicant shall be required to meet with a judge. The meeting required by this subsection may be through the use of video or teleconference devices.

(9) This section shall not authorize the issuance of no-knock warrants by the use of electronic warrant applications or electronic signatures for the applications.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AUTHORIZE THE USE OF ELECTRONIC WARRANT APPLICATIONS, ELECTRONIC SIGNATURES FOR THE APPLICATIONS AND ELECTRONIC VERSIONS OF WRITTEN RECORDS OF THE WARRANTS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Kevin Horan	Joey Fillingane
Jansen Owen	Daniel H. Sparks
Zachary Grady	Derrick T. Simmons

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 295** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Norwood. Total--1.

Absent and those not voting----None.

Voting Present--Brumfield. Total--1.

Senator Fillingane moved that the rules be suspended to move to calendar item 48, **H. B. No. 438**, and the motion prevailed.

Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 438** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 438: Shoplifting; revise penalties for crime of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-23-93, Mississippi Code of 1972, is amended as follows:

97-23-93. (1) Any person who shall willfully and unlawfully take possession of any merchandise owned or held by and offered or displayed for sale by any merchant, store or other mercantile establishment with the intention and purpose of converting such merchandise to his own use without paying the merchant's stated price therefor shall be guilty of the crime of shoplifting and, upon conviction, shall be punished as is provided in this section.

(2) The requisite intention to convert merchandise without paying the merchant's stated price for the merchandise is presumed, and shall be prima facie evidence thereof, when such person, alone or in concert with another person, willfully:

(a) Conceals the unpurchased merchandise;

(b) Removes or causes the removal of unpurchased merchandise from a store or other mercantile establishment;

(c) Alters, transfers or removes any price-marking, any other marking which aids in determining value affixed to the unpurchased merchandise, or any tag or device used in electronic surveillance of unpurchased merchandise;

(d) Transfers the unpurchased merchandise from one (1) container to another; or

(e) Causes the cash register or other sales recording device to reflect less than the merchant's stated price for the unpurchased merchandise.

(3) Evidence of stated price or ownership of merchandise may include, but is not limited to:

(a) The actual merchandise or the container which held the merchandise alleged to have been shoplifted; or

(b) The content of the price tag or marking from such merchandise; or

(c) Properly identified photographs of such merchandise.

(4) Any merchant or his agent or employee may testify at a trial as to the stated price or ownership of merchandise.

(5) A person convicted of shoplifting merchandise for which the total price of all items shoplifted in violation of this section is less than or equal to One Thousand Dollars ($1,000.00) shall be punished as follows:

(a) Upon a first shoplifting conviction the defendant shall be guilty of a misdemeanor and fined not more than One Thousand Dollars ($1,000.00), or punished by imprisonment in the county jail not to exceed six (6) months, or * * * both * * *.

(b) Upon a second shoplifting conviction the defendant shall be guilty of a misdemeanor and fined not more than Two Thousand Five Hundred Dollars ($2,500.00) or punished by imprisonment in the county jail for a term not less than forty-eight (48) hours, not to exceed six (6) months, or by both * * *.

(6) Upon a third or subsequent shoplifting conviction where the total price of all shoplifted merchandise is not less than Five Hundred Dollars ($500.00) or greater than One Thousand Dollars ($1,000.00), the defendant shall be guilty of a felony and fined not more than Three Thousand Dollars ($3,000.00), or imprisoned for a term not to exceed three (3) years, or by both such fine and imprisonment.

(7) A person convicted of shoplifting merchandise for which the total price of all items shoplifted in violation of this section exceeds One Thousand Dollars ($1,000.00) shall be guilty of a felony and, upon conviction, punished as provided in Section 97-17-41 for the offense of grand larceny.

(8) In determining the number of prior shoplifting convictions for purposes of imposing punishment under this section, the court shall disregard all such convictions occurring more than seven (7) years prior to the shoplifting offense in question.

(9) For the purpose of determining the gravity of the offense under subsection (7) of this section, the prosecutor may aggregate the total price of merchandise shoplifted from the same or separate mercantile establishments within the same legal jurisdiction over a period of thirty (30) or fewer days.

(10) A person convicted of shoplifting merchandise, acting in concert with, aiding, abetting, or encouraging one or more persons to commit such crime, regardless of whether such others are prosecuted for such crime, for which the total price of all items shoplifted in violation of this section exceeds One Thousand Dollars ($1,000.00), shall be guilty of a felony and, upon conviction, punished as provided in Section 97-17-41 for the offense of grand larceny.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 97-23-93, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT A COURT FINDS SUBSTANTIAL AND COMPELLING REASONS WHY AN OFFENDER CANNOT BE SAFELY AND EFFECTIVELY SUPERVISED IN THE COMMUNITY, IS NOT AMENABLE TO COMMUNITY BASED TREATMENT, OR POSES A SIGNIFICANT RISK TO PUBLIC SAFETY BEFORE IMPOSING A TERM OF IMPRISONMENT; TO PROVIDE THAT A PERSON CONVICTED OF SHOPLIFTING MERCHANDISE, ACTING IN CONCERT WITH, AIDING, ABETTING, OR ENCOURAGING ONE OR MORE PERSONS TO COMMIT SUCH CRIME, REGARDLESS OF WHETHER SUCH OTHERS ARE PROSECUTED FOR SUCH CRIME, FOR WHICH THE TOTAL PRICE OF ALL ITEMS

SHOPLIFTED IN VIOLATION OF THIS SECTION EXCEEDS $1,000.00 SHALL BE GUILTY OF A FELONY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Kevin Horan	Joey Fillingane
Gene Newman	Daniel H. Sparks
	Michael McLendon

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 438** was adopted:

Yeas--Barrett, Berry, Blackwell, Boyd, Branning, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, Ladner, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--34.

Nays--Barnett, Blackmon, Blount, Brumfield, Bryan, Butler, Frazier, Hickman, Jackson, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--14.

Absent and those not voting----None.

Senator Suber, who would have voted yea on H. B. No. 438, announced a pair with Senator Horhn, who would have voted nay.

Senator McCaughn, who would have voted yea on H. B. No. 438, announced a pair with Senator Jordan, who would have voted nay.

Senator Fillingane moved that the rules be suspended to move to calendar item 49, **H. B. No. 691**, and the motion prevailed.

Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 691** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 691: Mississippi Board on Law Enforcement Officer Standards and Training; revise composition of and provide with investigative authority.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-6-5, Mississippi Code of 1972, is amended as follows:

45-6-5. (1) There is hereby created the Board on Law Enforcement Officer Standards and Training, which shall consist of thirteen (13) members.

(2) (a) The Governor shall appoint six (6) members of the board from the following specified categories:

(i) Two (2) members, each of whom is a chief of police of a municipality in this state, with one (1) of the appointees being appointed from a municipality having a population of less than five thousand (5,000) according to the latest federal decennial census * * *;

(ii) * * * Two (2) members, each of whom is a sheriff of a county in this state, with one (1) of the appointees being appointed from a county having a population of less than twenty thousand (20,000) according to the latest federal decennial census;

(iii) One (1) member who is a district attorney in this state * * *; and

(iv) One (1) member who is a * * * current director of a Mississippi law enforcement officers' training academy. This member shall not serve successive terms on the board.

* * *

(b) The initial appointments to the board shall be made by the Governor no later than twenty (20) days after April 7, 1981, as follows: the chief of police and the representative of higher education each shall be appointed for a term of two (2) years; and the sheriff and the district attorney each shall be appointed for a term of three (3) years. Upon the expiration of the terms of the initial appointees to the board, each subsequent appointment shall be made for a term of three (3) years, beginning on the date of the expiration of the previous term. A vacancy in any appointed position on the board prior to the expiration of a term shall be filled by appointment of the Governor only for the balance of the unexpired term. Appointments shall be made within sixty (60) days of the occurrence of the vacancy.

(c) Any member appointed under this subsection who fails to attend three (3) consecutive meetings of the board shall be subject to removal by the Governor. The president of the board shall notify the Governor in writing when a member has failed to attend three (3) consecutive regular meetings.

(3) The remaining seven (7) members of the board shall be the following:

(a) The Attorney General, or * * * a deputy Attorney General as a designee * * *;

(b) The Director of the Mississippi Highway Safety Patrol, or his designee * * *;

(c) The President of the Mississippi * * * Association of Chiefs of Police, or his designee * * *;

(d) The * * * Commissioner of the Mississippi * * * Department of Public Safety or his designee;

(e) The President of the Mississippi Constable Association, or his designee who is a member of the association * * *;

(f) The President of the Mississippi Campus Law Enforcement Officers Association, or his designee who is a member of the association * * *; and

(g) The President of the Mississippi Sheriffs' Association, or his designee who is a member of the association.

The Attorney General, the Director of the Mississippi Highway Safety Patrol and the respective presidents of the foregoing associations, or their designees, shall serve only for their respective terms of office.

(4) Members of the board shall serve without compensation, but shall be entitled to receive reimbursement for any actual and reasonable expenses incurred as a necessary incident to such service, including mileage, as provided in Section 25-3-41.

(5) There shall be a chairman and a vice chairman of the board, elected by and from the membership of the board. The board shall adopt rules and regulations governing times and places for meetings and governing the manner of conducting its business, but the board shall meet at least every three (3) months.

* * *

(* * *6) If a person appointed to the board no longer occupies the status qualifying that person's appointment, that position on the board shall be immediately vacated and filled ex officio or by appointment of the Governor as otherwise provided in this section.

(* * *7) The board shall report annually to the Governor and the Legislature on its activities, and may make such other reports as it deems desirable.

(* * *8) Except as otherwise provided in this chapter, the training officers of all police academies in the state whose curricula are approved by the board shall be advisors to the board. They shall be entitled to all privileges of the board members, including travel expenses and subsistence, but shall not be eligible to vote at board meetings.

SECTION 2. Section 45-6-7, Mississippi Code of 1972, is amended as follows:

45-6-7. In addition to the powers conferred upon the board elsewhere in this chapter, the board shall have power to:

(a) Promulgate rules and regulations for the administration of this chapter, including the authority to require the submission of reports and information by law enforcement agencies of the state and its political subdivisions.

(b) Establish minimum educational and training standards for admission to employment or appointment as a law enforcement officer or a part-time law enforcement officer: (i) in a permanent position; and (ii) in a probationary status. The minimum educational and training standards for any law enforcement officer assigned to field or investigative duties shall include at least two (2) hours of training related to handling

complaints of human trafficking and commercial sexual exploitation of children as defined in Section 43-21-105, communicating with such victims, and requiring the officer to contact the Department of Child Protection Services when human trafficking or commercial sexual exploitation is suspected.

(c) Certify persons as being qualified under the provisions of this chapter to be law enforcement officers or part-time law enforcement officers.

(d) Revoke certification for cause and in the manner provided in this chapter. The board is authorized to conduct investigations and subpoena documents regarding revocations. The board shall maintain a current list of all persons certified under this chapter who have been placed on probation, suspended, subjected to revocation of certification, or any combination of these. The board may establish a hearing panel for the purpose of providing a hearing to any law enforcement officer for whom the board believes there is a basis for reprimand, suspension, cancellation of, or recalling the certification of a law enforcement officer. The hearing panel shall provide its written findings and recommendations to the board.

(e) Establish minimum curriculum requirements for basic and advanced courses and programs for schools operated by or for the state or any political subdivision thereof for the specific purpose of training police and other law enforcement officers, both full- and part-time, which shall include a minimum of two (2) hours of training in a course or courses related to the identification of and support for victims of human trafficking and commercial sexual exploitation.

(f) Consult and cooperate with counties, municipalities, state agencies, other governmental agencies, and with universities, colleges, community and junior colleges and other institutions concerning the development of training schools, programs or courses of instruction for personnel defined in this chapter.

(g) Make recommendations concerning any matter within its purview pursuant to this chapter.

(h) Make such inspection and evaluation as may be necessary to determine if governmental units are complying with the provisions of this chapter.

(i) Approve law enforcement officer training schools for operation by or for the state or any political subdivision thereof for the specific purpose of training personnel defined in this chapter.

(j) Upon the request of agencies employing personnel defined in this chapter, conduct surveys or aid municipalities and counties to conduct surveys through qualified public or private agencies and assist in the implementation of any recommendations resulting from such surveys.

(k) Upon request of agencies within the purview of this chapter, conduct general and specific management surveys and studies of the operations of the requesting agencies at no cost to those agencies. The role of the board under this subsection shall be that of management consultant.

(l) Adopt and amend regulations consistent with law, for its internal management and control of board programs.

(m) Enter into contracts or do such things as may be necessary and incidental to the administration of this chapter.

(n) Establish jointly with the State Board of Education the minimum level of basic law enforcement training required of persons employed by school districts as school

security guards, or school resource officers or in other positions that have the powers of a peace officer.

SECTION 3. Section 45-6-19, Mississippi Code of 1972, is amended as follows:

45-6-19. (1) The chief of police of any state agency, county, municipality, public two-year or four-year college or university and any extension thereof in the State of Mississippi, and the Pearl River Valley Water Supply District, is required to annually complete twenty (20) hours of executive level continuing education courses which are approved by the Mississippi Board on Law Enforcement * * * Officer Standards and Training. Any new chief of police having never previously served in that capacity, is required to complete forty (40) hours of executive level continuing education courses for his first year of service. Such education courses may be provided by an accredited law enforcement academy or by the Mississippi Association of Chiefs of Police.

(2) Any * * * law enforcement officer of any state agency, county, municipality, public two-year or four-year college or university and any extension thereof in the State of Mississippi, and the Pearl River Valley Water Supply District, is required to annually complete a specified number of hours, as stated in this subsection, of continuing education courses which are approved by the Mississippi Board on Law Enforcement * * * Officer Standards and Training. The following number of hours of continuing education courses is required for * * * law enforcement officers specified in this subsection based upon the number of years following July 1, 2004:

0-2 years after July 1, 2004 .....8 hours of annual training

3-4 years after July 1, 2004 .....16 hours of annual training

5 or more years after July 1, 2004..24 hours of annual training

Such education courses may be provided by an accredited law enforcement academy or by the Mississippi Association of Chiefs of Police.

(3) The Mississippi Board on Law Enforcement * * * Officer Standards and Training shall reimburse each state agency, county, municipality, public two-year or four-year college or university and any extension thereof or the Pearl River Valley Water Supply District for the expense incurred for chiefs of police and state agency, county, municipal * * *, public two-year or four-year college or university and any extension thereof and the Pearl River Valley Water Supply District law enforcement officers in attendance at approved training programs as required by this section.

(4) Any chief of police or state agency, county, municipal * * *, public two-year or four-year college or university and any extension thereof and the Pearl River Valley Water Supply District law enforcement officer who fails to comply with the provisions of this section shall be subject to having his certification as a chief of police or state agency, county, municipal * * *, public two-year or four-year college or university and any extension thereof and the Pearl River Valley Water Supply District law enforcement officer revoked by the Mississippi Board on Law Enforcement * * * Officer Standards and Training, in accordance with Section 45-6-11.

(5) The Mississippi Board on Law Enforcement * * * Officer Standards and Training is authorized to institute and promulgate all rules necessary for considering the revocation of any municipal chief of police or state agency, county, municipal * * *, public two-year or four-year college or university and any extension thereof and the Pearl River Valley Water Supply District law enforcement officer who does not comply with the provisions of this section, and may grant, for sufficient cause shown, an extension of time in which compliance with the provisions of this section may be made.

(6) Any chief of police or state agency, county, municipal * * *, public two-year or four-year college or university and any extension thereof and the Pearl River Valley Water Supply District law enforcement officer who is aggrieved by any order or ruling made under the provisions of this section has the same rights and procedure of appeal as from any other order or ruling of the Mississippi Board on Law Enforcement Officers Standards and Training.

SECTION 4. Section 45-1-101, Mississippi Code of 1972, is amended as follows:

45-1-101. (1) This section may be referred to as the "HR218 Qualification Law."

(2) Any retired law enforcement officer who resides in this state and for whom the law enforcement agency from which the officer retired does not participate in the necessary certification for the retired officer to be certified according to the Law Enforcement Officers Safety Act of 2004 * * * or who does not reside in convenient proximity to the law enforcement agency from which the officer retired, may obtain the necessary certification from the Mississippi Association of Chiefs of Police.

SECTION 5. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 45-6-5, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPOSITION OF THE BOARD ON LAW ENFORCEMENT OFFICER STANDARDS AND TRAINING FROM THIRTEEN TO NINE; TO AMEND SECTION 45-6-7, MISSISSIPPI CODE OF 1972, TO REVISE THE BOARD'S POWERS AND DUTIES TO INCLUDE INVESTIGATIVE AUTHORITY; TO AMEND SECTION 45-6-19, MISSISSIPPI CODE OF 1972, TO REQUIRE CONTINUING EDUCATION TRAINING FOR ALL STATE AGENCY, COUNTY AND MUNICIPAL LAW ENFORCEMENT OFFICERS AS WELL AS THE CHIEF OF POLICE AND POLICE OFFICERS EMPLOYED BY ANY PUBLIC TWO-YEAR OR FOUR-YEAR COLLEGE OR UNIVERSITY AND ANY EXTENSION THEREOF IN THE STATE OF MISSISSIPPI, AND THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT; TO AMEND SECTION 45-1-101, MISSISSIPPI CODE OF 1972, TO CLARIFY REFERENCE TO RETIRED LAW ENFORCEMENT OFFICERS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Kevin Horan	Joey Fillingane
Fred Shanks	Daniel H. Sparks
Zachary Grady	Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 691** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson,

Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--McMahan. Total--1.

Senator Kirby moved that the rules be suspended for the immediate consideration of **H. C. R. No. 64**, and the motion prevailed.

Senator Kirby called up the following entitled resolution:

H. C. R. No. 64: Legislature; extend 2024 Regular Session, suspend deadline for certain bills, and set date of sine and die adjournment.

YEAS AND NAYS On H. C. R. No. 64. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hopson, Jackson, Johnson, Kirby, Ladner, McCaughn, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Younger. Total--42.

Nays--Chassaniol, Chism, Hill, McLendon, Robinson, Seymour, Whaley. Total--7.

Absent and those not voting--Jordan. Total--1.

Senator Fillingane, who would have voted nay on H. C. R. No. 64, announced a pair with Senator Horhn, who would have voted yea.

On motion of Senator Kirby, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. C. R. No. 64.

Senator England moved that when the Senate adjourns, it adjourn in memory of Christina Mae Lenco Freeman of Ocean Springs, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Harry McArthur, Jr. of Hattiesburg, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Sharon Marie Sauerwein of Cleveland, MS.

Senator Horhn moved that when the Senate adjourns, it adjourn in memory of Alice Mae Horn of Jackson, MS.

Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Coach Willie Griffin of Jackson, MS.

Senator Williams moved that when the Senate adjourns, it adjourn in memory of Maria Hayes Sherman of Starkville, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Tammy Lea McLeod of Moss Point, MS.

Senator Polk moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Tuesday, April 30, 2024.

The motion prevailed, and at 4:34 PM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 9:30 PM in memory of Christina Mae Lenco Freeman, Harry McArthur, Jr., Sharon Marie Sauerwein, Alice Mae Horn, Coach Willie Griffin, Maria Hayes Sherman and Tammy Lea McLeod.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR MONDAY, APRIL 29, 2024

S. R. No. 127: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE EAST CENTRAL HIGH SCHOOL "LADY HORNETS" GOLF TEAM FROM HURLEY, MISSISSIPPI, AND HEAD COACH KRISTI WALKER FOR WINNING THE TEAM'S FIRST-EVER STATE 5A CHAMPIONSHIP.
By Senator(s) Seymour, England

ONE-HUNDRED AND TWENTIETH DAY, TUESDAY, APRIL 30, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Senator Brumfield.

Senator Jackson led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Suber called up the motion to reconsider the vote whereby the Conference Report on **H. B. No. 1123** was adopted by the Senate and moved that the motion to reconsider be tabled:

H. B. No. 1123: MDOT; authorize the transfer and conveyance of certain real property to Greene County Board of Supervisors.

The foregoing motion prevailed.

Senator England called up the motion to reconsider the vote whereby the Conference Report failed on **S. B. No. 2144** and moved that it be reconsidered:

S. B. No. 2144: Runoff elections; amend to lengthen the timing requirement.

The foregoing motion prevailed.

Senator England moved that the Conference Committee Report on **S. B. No. 2144** be recommitted for further conference and the motion prevailed.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3012** be recommitted for further conference and the motion prevailed.

S. B. No. 3012: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3048** be recommitted for further conference and the motion prevailed.

S. B. No. 3048: Appropriation; Secretary of State.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1003** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1003: Homestead exemption; revise time within which certain homeowners may apply for.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Thomas "Trey" Lamar, III	Josh Harkins
Lester Carpenter	Daniel H. Sparks
Karl Gibbs	Derrick T. Simmons

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1003** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1161** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1161: Alcoholic beverages; authorize municipalities in dry counties vote to come out from under the dry law.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Henry Zuber III	Josh Harkins
Robert L. Johnson III	Joel R. Carter, Jr.
Shanda Yates	Benjamin Suber

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1161** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--42.

Nays--Branning, Chism, Frazier, Hill, Norwood, Parker, Sparks. Total--7.

Absent and those not voting----None.

Voting Present--Brumfield. Total--1.

Senator Suber, who would have voted yea on H. B. No. 1161, announced a pair with Senator Tate, who would have voted nay.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1589** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1589: Motor vehicles; revise certain provisions regarding discharge of liens and scrapping.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 63-21-16, Mississippi Code of 1972, is amended as follows:

63-21-16. (1) All designated agents appointed by the department * * * under Section 63-21-13 * * * may electronically transmit to the department * * * information entered by them on applications for a certificate of title given in connection with the sale or transfer of a motor vehicle, manufactured home or mobile home or a loan for which the owner's motor vehicle, manufactured home or mobile home is pledged to that institution as collateral for the loan. The format and the data required to be transmitted shall be established by the department * * *. Transmission of data shall meet minimum criteria and edits established by the department * * * equal to any edit presently existing in the statewide title registration system, or as may be established, to which the county tax collectors shall also conform. All data transmitted must successfully pass edits established by the department * * *, including lienholder name, mailing address and lienholder account number assigned to a lienholder by the department * * * to identify the lienholder, for the purpose of causing the data to appear in the certificate of title for which the application is made.

(2) It shall be the responsibility of the designated agent to verify all data before it is electronically transmitted. It shall also be the responsibility of the designated agent to ensure that the required certification of designated agent and the certification of statement of facts that are contained on the application for certificate of title appear above the signatures of both the owner and the authorized representative of the designated agent. Data which cannot be transmitted because of error shall be corrected by the designated agent when the statewide title registration system indicates that the data is erroneous or is not valid for the purposes of titling the motor vehicle, manufactured home or mobile home or for transfer of the data.

(3) When an institution has agreed to loan money for the purchase of a motor vehicle, manufactured home or mobile home, the institution shall complete an application for certificate of title or require the borrower to provide to the institution the copy of the application for certificate of title contained in the application packet which is designated "Lienholder's Copy" according to provisions of the Motor Vehicle and Manufactured Housing Title Law, which the owner will receive from the county tax collector or any designated agent upon completion of the application for title and registration process.

(4) An application for certificate of title originating from a designated agent shall be entered on the statewide title registration system by the originating lending institution when the transaction is for the purpose of perfecting the institution's interest in a vehicle, manufactured home or mobile home currently owned or purchased by the applicant, in connection with application for certificate of title or the purchase of a license tag or both.

(5) When an institution in this state adds a second lien on a certificate of title in possession of a first lienholder institution in this state, the second lienholder institution seeking to be shown on the certificate of title shall:

(a) Prepare the application for certificate of title in accordance with the requirements of Sections 63-21-15 and 63-21-45(1)(c);

(b) Obtain all required signatures; and

(c) Forward the completed application for certificate of title to the first lienholder together with any necessary remittance advice, a check for the title fee payable to the department * * * and a cover letter to the first lienholder requesting that the first lienholder attach the certificate of title to the required documents sent by the second lienholder and then forward the application, certificate of title and required documents to the department * * *.

(6) Upon receipt of the application for certificate of title from the second lienholder institution to record the second lien, the first lienholder institution shall compare the data contained in the application for certificate of title to the information contained in the original certificate of title. If the first lienholder institution is satisfied as to the ownership, accuracy and order of priority of liens as shown in the application, it shall enter the data contained on the application for certificate of title prepared by the second lienholder on the statewide title registration system, including the designated agent number of the second lienholder. After entering the data from the application for certificate of title, the first lienholder institution shall immediately forward the application for certificate of title with the certificate of title attached to the application, the remittance advice and the second lienholder's check for the title fee to the department * * * within three (3) working days.

(7) In an assignment of lien pursuant to Section 63-21-47, the assignee shall receive the notice of assignment along with the current title attached and with the assignors interest open. The assignee lienholder shall prepare an application for certificate of title according to the notice of assignment, showing the assignee institution as the lienholder, and then shall electronically transmit the data to the department * * *. The completed application shall be forwarded to the department * * * within three (3) working days.

(8) The department * * *, upon receipt of applications for certificate of title, shall verify the data by accessing it on the statewide title registration system by the title application control number appearing on the application for title. After receiving verification that is satisfactory to the department * * * that the data necessary for the issuance of a new certificate of title exists, the department * * * shall issue a new certificate of title that records the interests of all the parties named in the application for certificate of title.

(9) Designated agents shall be connected to the statewide title registration system for the purpose of electronic transfer of applications for certificate of title data in the order of priority established by the department * * *.

(10) If a participating designated agent fails to comply with the provisions of this section or the rules adopted by the department * * * to implement this section, the department * * * may impose a penalty of Twenty-five Dollars ($25.00) for each instance of noncompliance. Any penalty imposed under this section not paid within thirty (30) days after a notice is given shall be subject to collection from the bond of the designated agent that is required to be provided under the provisions of Section 63-21-13(3). The penalty provided shall also be assessable, due and collectible from any licensed motor vehicle dealer or manufactured home or mobile home dealer for failure to accept an application for certificate of title for each and every vehicle, manufactured home or mobile home he sells to a consumer. These penalties shall be cumulative, supplemental and in addition to the penalties provided by any other law.

(11) This section shall apply to all designated agents appointed by the department * * * under Section 63-21-13, that choose to electronically transmit information on applications for certificates of title to the department * * *. This section shall not apply to other designated agents.

(12) Notwithstanding the foregoing, the department * * * shall not issue a certificate of title to a manufactured home or mobile home with respect to which title has been retired to real property under Section 63-21-30 unless with respect to the same manufactured

home or mobile home title has been severed from real property pursuant to Section 63-21-30.

(13) Notwithstanding any requirement in this chapter that a lien on a motor vehicle or manufactured home shall be noted on the face of the certificate of title, if there are one or more liens or encumbrances on the motor vehicle or manufactured home, the department * * * may electronically transmit the lien to the first lienholder and notify the first lienholder of any additional liens. Subsequent lien satisfactions may be electronically transmitted to the department * * * and shall include the name and address of the person satisfying the lien. When electronic transmission of liens and lien satisfactions is used, a certificate of title need not be issued until the last lien is satisfied and a clear certificate of title is issued to the owner of the motor vehicle or manufactured home. When a motor vehicle is subject to an electronic lien, the certificate of title for the motor vehicle shall be considered to be physically held by the lienholder for purposes of compliance with state or federal odometer disclosure requirements. A duly certified copy of the department * * *'s electronic record of the lien shall be admissible in any civil, criminal, or administrative proceeding in this state as evidence of the existence of the lien.

(14) Any lienholder with a federal Employer Identification Number (EIN) must electronically transmit the satisfaction and release and discharge of a lien on a motor vehicle to the department not later than fourteen (14) days after the date of satisfaction of the lien. The failure of any such lienholder to comply with the requirements of this subsection shall be a violation of this chapter. Any such lienholder who knowingly and willfully fails to transmit the satisfaction and release and discharge of a lien on a motor vehicle within fourteen (14) days after the date of the satisfaction of the lien shall be in violation of this section, and subject to a civil penalty of up to Two Hundred Fifty Dollars ($250.00) per violation, which shall be in addition to any other penalty provided in this chapter. In addition, the lienholder shall be liable for any attorney's fees, legal fees and/or other fees and costs incurred by a person in any action necessary to discharge and/or release a lien or otherwise affecting a lien for which the lienholder failed to transmit the required information.

(15) Notwithstanding any other provision of this chapter to the contrary, if a lien on a motor vehicle is older than eight (8) years from the date the lien was placed on the motor vehicle, the lien shall be recorded by the department in the automated statewide motor vehicle registration system as having been satisfied and released and discharged, unless annually recertified by the lienholder by utilizing the format and transmitting the data required by the department.

SECTION 2. Section 63-21-18, Mississippi Code of 1972, is amended as follows:

63-21-18. The Mississippi Department of Information Technology Services shall provide equipment for the operation and maintenance of the automated statewide motor vehicle, manufactured housing and mobile home registration system by the * * * department.

The automated statewide motor vehicle, manufactured housing and mobile home registration system shall provide for computer terminals and printers, as authorized by the * * * Department of Information Technology Services, to be located in the quantity necessary in each county seat tax collector's office and any other office in which more than fifty percent (50%) of the motor vehicle registrations in the county are made.

All county tax collectors shall participate in such system as it applies to Chapter 19, Title 27; Chapter 51, Title 27; Chapter 21, Title 63; Mississippi Code of 1972, in accordance with rules and regulations promulgated by the * * * department. Such rules and regulations shall provide that counties which have an existing computer system designed to produce registration data may elect to use such existing system to communicate title/registration data to the * * * department through the computer furnished by the state as hereinabove provided in this section. If the * * * department finds and

determines that a county has failed to successfully establish or update title/registration data into the statewide vehicle, manufactured housing and mobile home title/registration system, either through use of equipment supplied by the * * * department or through the interfacing between the network system and county computer equipment, the * * * department shall thereafter cause to be withheld the county's homestead exemption reimbursement monies, except for school districts and municipalities, until such time as the county has complied with this provision. Such monies as are withheld from a county for failure to comply with this provision shall be placed into a special escrow account to be established in the State Treasury. Once the county achieves compliance by successfully establishing or updating title/registration data into the statewide vehicle, manufactured housing and mobile home title/registration system, then the * * * department shall cause to be released to the county all funds held in escrow on the county's behalf during the period of noncompliance. All interest earned shall accrue to the benefit of the county on any funds placed in an escrow account. Any cost involved in interfacing between existing county computer systems and the state-provided computer shall be paid by the county.

The computer terminals and printers placed in each county tax collector's office may be utilized to provide additional computer functions as authorized by the * * * Department of Information Technology Services.

The State Fiscal Officer shall issue his warrants to the State Treasurer for the expenditures for the implementation and maintenance of the system upon requisitions signed by the * * * Commissioner of Revenue, as authorized by the Legislature.

It is the intent of the Legislature that the operation of the statewide motor vehicle, manufactured housing and mobile home title registration system shall be the responsibility of the * * * department.

The * * * department shall provide for the transfer of motor vehicle, manufactured housing and mobile home title and lien registration information to the * * * department by electronic means from banks and other lending institutions as provided in Section 63-21-18. The * * * Department of Information Technology Services shall cooperate with the * * * department in implementing the provisions of Section 63-21-18, and shall provide the * * * department with whatever assistance the * * * department needs to carry out the provisions of Section 63-21-18.

A used motor vehicle parts dealer or scrap metal processor must utilize the department's automated statewide motor vehicle registration system for the purpose of complying with the requirements of Section 63-21-39(1)(a).

SECTION 3. Section 63-21-39, Mississippi Code of 1972, is amended as follows:

63-21-39. (1) (a) An owner who scraps, dismantles or destroys a vehicle and a person who purchases a vehicle as scrap or to be dismantled or destroyed shall indicate same on the back of the certificate of title and shall immediately cause the certificate of title and any other documents required by the department * * * to be mailed or delivered to the department * * * for cancellation. A certificate of title of the vehicle shall not again be issued except upon application containing the information the department * * * requires, accompanied by a certificate of inspection in the form and content specified in Section 63-21-15(5) and proof of payment of a fee as provided in subsection (2) of this section. Before a used motor vehicle parts dealer or scrap metal processor may purchase or receive a motor vehicle from the owner or authorized agent of the owner of the motor vehicle for the purpose of scrapping, dismantling or destroying the motor vehicle, the used motor vehicle parts dealer or scrap metal processor must verify under Section 63-21-18 the absence of any lien on the motor vehicle. If a lien exists on the motor vehicle, the used motor vehicle parts dealer or scrap metal processor may not purchase or receive the motor vehicle for the purpose of scrapping, dismantling or destroying the vehicle, and

may not purchase or receive the motor vehicle for such purposes during any time for which a lien exists on the motor vehicle.

(b) Notwithstanding any other provision of this chapter to the contrary, if the owner or authorized agent of the owner has not obtained a title in his or her name for the vehicle to be transferred, has lost the title for the vehicle to be transferred, or has returned the title to the department * * * in accordance with paragraph (a) of this subsection, he or she may sign a statement swearing that, in addition to the foregoing conditions, the vehicle is at least ten (10) model years old. The statement described in this paragraph may be used only to transfer such a vehicle to a licensed used motor vehicle parts dealer or scrap metal processor. The department shall promulgate a form for the statement which shall include, but not be limited to:

(i) A statement that the vehicle shall never be titled again; it must be dismantled or scrapped;

(ii) A description of the vehicle including the year, make, model and vehicle identification number;

(iii) The name, address, and driver's license number, nondriver identification card number or tribal identification card number of the owner;

(iv) A certification that the owner:

1. Never obtained a title to the vehicle in his or her name; or

2. Was issued a title for the vehicle, but the title was lost or stolen;

(v) A certification that the vehicle:

1. Is at least ten (10) model years old; and

2. Is not subject to any security interest or lien;

(vi) An acknowledgment that the owner and buyer of the vehicle realizes this form will be filed with the department and that:

1. It is a misdemeanor, punishable by a fine of not more than One Thousand Dollars ($1,000.00) or imprisonment for not more than six (6) months, or both, for conviction of a first offense of knowingly falsifying any information on this statement; and

2. It is a felony, punishable by a fine of not less than One Thousand Dollars ($1,000.00) nor more than Five Thousand Dollars ($5,000.00) or imprisonment for not less than one (1) year nor more than five (5) years, or both, for conviction of a second or subsequent offense of knowingly falsifying any information on this statement;

(vii) The owner's signature and the date of the transaction;

(viii) The name and address of the business acquiring the vehicle;

(ix) The National Motor Vehicle Title Information System identification number; and

(x) The business agent's signature and date along with a printed name and title if the agent is signing on behalf of a corporation.

(c) Until such time as the department makes available an Internet-based system, the used motor vehicle parts dealer or scrap metal processor shall mail or otherwise deliver the statement required under paragraph (b) of this subsection (1) to the department * * * within three (3) business days of the completion of the transaction, requesting that the department cancel the Mississippi certificate of title and registration. Once the department develops an Internet-based system, the used motor vehicle parts dealer or scrap metal processor shall utilize such system and within two (2) business days electronically submit the information contained in the statement using that system.

(d) Within two (2) business days of each day's close of business, the used motor vehicle parts dealer or scrap metal processor who purchases or receives motor vehicles for scrap or for parts shall deliver in a format approved by the department, by electronic means once developed and made available by the department, a list of all such vehicles purchased that day for scrap or for parts. That list shall contain the following information:

(i) The name, address and contact information for the reporting entity;

(ii) The vehicle identification numbers of such vehicles;

(iii) The dates such vehicles were obtained;

(iv) The names of the individuals or entities from whom the vehicles were obtained, for use by law enforcement personnel and appropriate governmental agencies only;

(v) A statement of whether the vehicles were, or will be, crushed or disposed of, or offered for sale or other purposes;

(vi) A statement of whether the vehicle is intended for export out of the United States; and

(vii) The National Motor Vehicle Title Information System identification number of the business acquiring the vehicle.

In addition, the used motor vehicle parts dealer or scrap metal processor must certify compliance with the requirements of Section 63-21-39(1)(a).

(e) (i) For purposes of this subsection, the term "motor vehicle" shall not include a vehicle which has been crushed or flattened by mechanical means such that it is no longer the motor vehicle as described by the certificate of title, or such that the vehicle identification number is no longer visible or accessible.

(ii) In cases in which crushed or flattened vehicles are purchased or received, the purchasing or receiving used motor vehicle parts dealer or scrap metal processor shall verify that the seller has reported the vehicles in accordance with this subsection. Such verification may be in the form of a certification from the seller or a contract between the seller and the purchasing or receiving used motor vehicle parts dealer or scrap metal processor attesting to the seller's compliance with the reporting requirements of this subsection. Such verification must clearly identify the seller by a government issued photograph identification card or employer identification number, and the verification and copy of the identification card or number shall be maintained by the purchasing or receiving used motor vehicle parts dealer or scrap metal processor for a period of not less than two (2) years.

(f) The information obtained by the department in accordance with paragraph (d) of this subsection (1) shall be reported to the National Motor Vehicle Title Information System, in a format that will satisfy the requirement for reporting this

information, in accordance with rules adopted by the United States Department of Justice in 28 CFR 25.56.

(g) Until such time as the department develops and makes available the internet-based system described in paragraph (d) of this subsection, the used motor vehicle parts dealer or scrap metal processor who purchases or receives motor vehicles for scrap or for parts shall deliver the information required by paragraph (d) to the National Motor Vehicle Title Information System through any data consolidator approved by such system, within forty-eight (48) hours of the day the vehicle was purchased or acquired by such used motor vehicle parts dealer or scrap metal processor which shall satisfy the requirements of paragraph (d).

(h) The information obtained by the department in accordance with paragraph (d) of this subsection (1) shall be made available only to law enforcement agencies and for purposes of canceling certificates of title. The information shall otherwise be considered to be confidential business information of the respective reporting entities.

(i) All records required under the provisions of this subsection shall be maintained for a period of two (2) years by the reporting entity and shall include a scanned or photocopied copy of the seller's or seller's representative's driver's license or state-issued identification card or other valid form of identification.

(j) A person who knowingly and willfully violates this subsection (1), or any person who knowingly and willfully falsifies or assists another person in falsifying the statement or information required under paragraph (b) or (d) of this subsection, or any person who knowingly and willfully sells a vehicle upon which there is an unsatisfied lien or security interest, or who purchases a vehicle without complying with either paragraph (a) or (b) of this subsection and who knowingly and willfully destroys or dismantles a vehicle upon which he knows that there is an unsatisfied lien or security interest shall:

(i) Be guilty of a misdemeanor, punishable by a fine not more than One Thousand Dollars ($1,000.00) or imprisonment for not more than six (6) months, or both, for conviction of a first offense; or

(ii) Upon conviction of a second or subsequent offense, a felony, punishable by imprisonment for not less than one (1) year nor more than five (5) years or a fine of not less than One Thousand Dollars ($1,000.00) nor more than Five Thousand Dollars ($5,000.00), or both.

In addition, the court may order each person convicted to pay restitution to any party suffering monetary loss in the amount of such loss. No part of any sentence imposed by the court shall be suspended unless such restitution has been paid in full.

(k) A person who knowingly and willfully fails to deliver the title as required under paragraph (a) of this subsection, or the statement required under paragraph (b) of this subsection to the department * * * within seventy-two (72) hours of the completion of the transaction, or who, until such time as the department develops and makes available the Internet-based system described in paragraph (d), fails to deliver the information required by paragraph (d) to the National Motor Vehicle Title Information System through any data consolidator approved by such system, within two (2) business days of the day the vehicle was purchased or acquired by such used motor vehicle parts dealer or scrap metal processor shall be in violation of this section, and subject to a civil penalty of up to One Thousand Dollars ($1,000.00) per violation. Actions to impose this penalty may be brought by any local or state law enforcement agency, district attorney, or by the Attorney General, in any court of competent jurisdiction. One-half (1/2) of the monies generated from such civil penalties shall be deposited in a special fund created in the State Treasury for use by the * * * department's Title Bureau, and one-half (1/2) of the monies generated from such civil penalties shall be deposited in the general fund of the municipality if the

suit was brought in a municipal court, or in the general fund of the county if the suit was brought in the court of a county.

(2) For the purpose of requesting a branded title on a vehicle with a salvage certificate of title, every owner of a vehicle that has been issued a salvage certificate of title in this state or any other state which has been restored in this state to its operating condition which existed prior to the event which caused the salvage certificate of title to be issued shall make application to the department * * *, accompanied by a certificate of inspection issued by the Department of Public Safety in the form and content specified in Section 63-21-15(5) and the payment of a fee of Seventy-five Dollars ($75.00) for each motor vehicle for which a certificate of inspection is issued. In addition, the Department of Public Safety may charge such a person a fee in the amount of Twenty-five Dollars ($25.00) for performing any vehicle identification number verification required by federal law or regulation for the vehicle for which the person is applying for a title. All such monies shall be collected by the Department of Public Safety and paid to the State Treasurer for deposit in a special fund that is hereby created in the State Treasury to be known as the "Salvage Certificate of Title Fund." Monies in the special fund may be expended by the Department of Public Safety, upon appropriation by the Legislature. The department * * * shall establish by regulation the minimum requirements by which a vehicle which has been issued a salvage certificate of title may be issued a branded title.

(3) Before a branded title may be issued for a vehicle for which a salvage certificate of title has been issued, the applicant shall submit, by hand delivery or mail, such documents and information to the Department of Public Safety as the department may require for the purpose of determining if the vehicle complies with the requirements of this section and all applicable regulations promulgated by the Commissioner of Public Safety and the department * * *. The Department of Public Safety also may require that an applicant bring a vehicle for which application for a branded title is being made to a Highway Patrol facility for a visual inspection whenever the department deems that a visual inspection is necessary or advisable. Nothing in this section shall be construed to prohibit inspectors of the Mississippi Highway Patrol from conducting on-site inspections and investigations of motor vehicle rebuilders or motor vehicle repair businesses to determine if such businesses are in compliance with all applicable laws relating to the motor vehicle title laws of this state and regulations promulgated by the Commissioner of Public Safety and the department * * *.

SECTION 4. This act shall take effect and be in force from and after January 1, 2025.

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

AN ACT TO AMEND SECTION 63-21-16, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY LIENHOLDER WITH A FEDERAL EMPLOYER IDENTIFICATION NUMBER (EIN) MUST ELECTRONICALLY TRANSMIT THE SATISFACTION AND RELEASE AND DISCHARGE OF A LIEN ON A MOTOR VEHICLE TO THE DEPARTMENT OF REVENUE NOT LATER THAN 14 DAYS AFTER THE DATE OF SATISFACTION OF THE LIEN; TO AMEND SECTIONS 63-21-18 AND 63-21-39, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, BEFORE A USED MOTOR VEHICLE PARTS DEALER OR SCRAP METAL PROCESSOR MAY PURCHASE OR RECEIVE A MOTOR VEHICLE FROM THE OWNER OR AUTHORIZED AGENT OF THE OWNER OF THE MOTOR VEHICLE FOR THE PURPOSE OF SCRAPPING, DISMANTLING OR DESTROYING THE MOTOR VEHICLE, THE USED MOTOR VEHICLE PARTS DEALER OR SCRAP METAL PROCESSOR MUST VERIFY THE ABSENCE OF ANY LIEN ON THE MOTOR VEHICLE; TO PROVIDE THAT IF A LIEN EXISTS ON THE MOTOR VEHICLE, THE USED MOTOR VEHICLE PARTS DEALER OR SCRAP METAL PROCESSOR MAY NOT PURCHASE OR RECEIVE THE MOTOR VEHICLE FOR THE PURPOSE OF SCRAPPING, DISMANTLING OR DESTROYING THE VEHICLE, AND IS

PROHIBITED FROM PURCHASING OR RECEIVING THE MOTOR VEHICLE FOR SUCH PURPOSES DURING ANY TIME FOR WHICH A LIEN EXISTS ON THE MOTOR VEHICLE; TO PROVIDE THAT A USED MOTOR VEHICLE PARTS DEALER OR SCRAP METAL PROCESSOR MUST UTILIZE THE DEPARTMENT OF REVENUE'S AUTOMATED STATEWIDE MOTOR VEHICLE REGISTRATION SYSTEM FOR THE PURPOSE OF COMPLYING WITH SUCH REQUIREMENTS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Thomas "Trey" Lamar, III	Josh Harkins
Jody Steverson	John Horhn
Donnie Bell	Dean Kirby

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1589** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins moved that the Conference Committee Report on **H. B. No. 1618** be recommitted for further conference and the motion prevailed.

H. B. No. 1618: PERS; define "instrumentality" for purpose of PERS laws and include health care collaboratives in the definition.

Senator Harkins moved that the Conference Committee Report on **H. B. No. 1647** be recommitted for further conference and the motion prevailed.

H. B. No. 1647: Commissioner of Insurance; authorize to implement a state insurance exchange, authorize income tax deductions and insurance premium tax credit.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2298** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2298: Bonds; raise maximum fee paid to state's bond attorney from $500.00 to $750.00 for validation and issuance of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 31-13-11, Mississippi Code of 1972, is amended as follows:

31-13-11. The court costs in all such cases shall be paid by the county, municipality, or district proposing to issue said bonds or other written obligations, and in addition to such costs it shall also pay to the bond attorney a fee of not more than one-tenth of one percent (1/10 of 1%), provided said fee shall not be less than * * * Five Hundred Dollars ($500.00) nor more than * * * One Thousand Dollars ($1,000.00), of the amount of the bonds or other obligations issued or proposed to be issued. The payment of this fee shall be full compensation for all legal services rendered in connection with the issuance of said bonds, except that when the state's bond attorney attends a hearing of objection to the validation of said bonds, his actual and necessary expenses and a reasonable rate of compensation for attending the said hearing, as required by this chapter, shall be taxed as a part of the costs of the validation proceedings, upon approval by the clerk or chancellor of an itemized account of such expenses and time expended. If objection is filed to the validation of said bonds, then in that event the taxation of court costs, including expenses and a reasonable rate of compensation for the bond attorney, shall be discretionary with the chancellor, as in other cases in the chancery court, against the issuing board or district, or the objector or objectors, or apportioned as the chancellor may deem proper.

SECTION 2. Section 31-13-1, Mississippi Code of 1972, is amended as follows:

31-13-1. (1) The Governor, with the advice and consent of the Senate, shall appoint a qualified and practicing attorney at law, to be known as the State Bond Attorney, who shall possess the same qualifications for office as the Attorney General, who shall serve a term of office concurrent with that of the Governor or until his successor is appointed and qualified, and whose duties shall be those hereinafter specified.

(2) When the State Bond Attorney has a conflict of interest under the Mississippi Rules of Professional Conduct that is not consentable due to his or her participation in a validation of a bond, the State Bond Attorney shall immediately notify the Governor, Lieutenant Governor and the Attorney General of the conflict of interest in writing. Upon receipt of such notification, the Governor shall appoint a qualified and practicing attorney-at-law as the State Bond Attorney Pro Tempore, who shall possess the same qualifications for office as the Attorney General, who shall serve a term of office, the duration of which shall be for the sole and limited purpose of reviewing the proposed bond issue validation that is the subject of the conflict of interest and acting upon the same.

Upon issuance of the Opinion of the State Bond Attorney Pro Tempore and the conclusion of participation in any validation proceeding or contest, the powers vested in the State Bond Attorney Pro Tempore shall be vacated.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 31-13-11, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM AND MAXIMUM FEE PAID TO THE STATE'S BOND ATTORNEY FOR THE VALIDATION AND ISSUANCE OF BONDS ISSUED OR PROPOSED TO BE ISSUED BY A COUNTY, MUNICIPALITY, OR OTHER DISTRICT OR SUBDIVISION OF THE STATE; TO AMEND SECTION 31-13-1, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE BOND ATTORNEY, WHEN A CONFLICT OF INTEREST ARISES, TO NOTIFY THE GOVERNOR, LIEUTENANT GOVERNOR AND ATTORNEY GENERAL OF THE CONFLICT OF INTEREST; TO AUTHORIZE THE GOVERNOR TO APPOINT A STATE BOND ATTORNEY PRO TEMPORE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Josh Harkins	John Thomas "Trey" Lamar, III
Chris Johnson	Jody Steverson
Benjamin Suber	Kevin Horan

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2298** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--Chism, Hill. Total--2.

Senator Hopson moved that the rules be suspended for the consideration en bloc of H. B. No. 1705, H. B. No. 1706, H. B. No. 1707, S. B. No. 2285, S. B. No. 2468, S. B. No. 2487, S. B. No. 2825, S. B. No. 2846 and S. B. No. 2848 and the motion prevailed.

Senator Hopson moved that the Conference Committee Report on H. B. No. 1705, H. B. No. 1706, H. B. No. 1707, S. B. No. 2285, S. B. No. 2468, S. B. No. 2487, S. B. No. 2825, S. B. No. 2846 and S. B. No. 2848 be recommitted for further conference and the motion prevailed.

H. B. No. 1705: Budget process; bring forward certain sections relating to and provide for transfers of funds.

H. B. No. 1706: Programs funded with ARPA funds; revise certain provisions and bring forward sections of.

H. B. No. 1707: 2023 Local Improvements Projects Fund; clarify and correct names and purposes of certain projects funded from.

S. B. No. 2285: Department of Public Safety; bring forward code sections related to officer salaries.

S. B. No. 2468: Budget; bring forward code sections related to and provide for transfers.

S. B. No. 2487: The Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund; bring forward provision related to.

S. B. No. 2825: Appropriations; revise certain FY2024 appropriations, fund authority and transfers.

S. B. No. 2846: Appropriations; make technical revisions to certain transfers and provisions related to local projects.

S. B. No. 2848: ARPA programs; revise and bring forward related provisions and provide for determination of unobligated funds by Nov. 1.

Senator DeBar offered the following report of the Conference Committee on **H. B. No. 346** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 346: "Seizure Safe Schools Act"; establish.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. As used in this act, the term "seizure action plan" means a written, individualized health plan designed to acknowledge and prepare for the health care needs of a student or employee diagnosed with a seizure disorder.

SECTION 2. (1) (a) Beginning on July 1, 2025, the local school board of each public school district shall have at least one (1) school employee at each school who has met the training requirements necessary to administer or assist with the self-administration of a seizure rescue medication or medication prescribed to treat

seizure disorder symptoms as approved by the United States Food and Drug Administration and any successor agency.

(b) A local school district shall be permitted to use any adequate and appropriate training program or guidelines for training of school personnel in the seizure disorder care tasks covered under this section.

(2) (a) Before administering a seizure rescue medication or medication prescribed to treat seizure disorder symptoms, the student's parent, guardian or responsible adult shall:

(i) Provide the school with a written authorization to administer the medication at school;

(ii) Provide a written statement from the person's health care practitioner, which shall contain the following information:

1. Full name;

2. The name and purpose of the medication;

3. The prescribed dosage;

4. The route of administration;

5. The frequency that the medication may be administered; and

6. The circumstances under which the medication may be administered;

(iii) Provide the prescribed medication to the school in its unopened, sealed package with the label affixed by the dispensing pharmacy intact.

(b) In addition to the statements required in paragraph (a) of this subsection, the parent or guardian, or adult shall collaborate with school personnel to create a seizure action plan.

(3) The statements and seizure action plan required in subsection (2) of this section shall be kept on file in the office of the school nurse or school administrator.

(4) The permission for the administration of any of the medications authorized under subsection (1)(a) of this section shall be effective for the school year in which it is granted and shall be renewed each following school year upon fulfilling the requirements of subsections (2) through (3) of this section.

(5) The requirements of this section shall apply only to schools that have an adult employee or enrolled student who has a seizure disorder, a seizure rescue medication or medication prescribed to treat seizure disorder symptoms approved by the United States Food and Drug Administration and any successor agency prescribed by the student's health care provider.

SECTION 3. A school district, school district employee or agent acting in good faith and in substantial compliance with the student's individual health plan and the instructions of the student's licensed health care professional, that provides assistance or services under this act shall be immune from criminal prosecution and shall not be liable in any criminal action for civil damages in his or her individual, marital, governmental, corporate or other capacities as a result of the services provided under this act to students with epilepsy or seizure disorders.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO PROVIDE THAT BEGINNING ON JULY 1, 2025, EACH PUBLIC SCHOOL BOARD SHALL HAVE AT LEAST ONE EMPLOYEE OR VENDOR AT EACH SCHOOL WHO HAS MET THE TRAINING REQUIREMENTS NECESSARY TO ADMINISTER SEIZURE RESCUE MEDICATION FOR PERSONS EXPERIENCING SEIZURE DISORDER SYMPTOMS; TO REQUIRE TRAINING FOR SUCH PERSON TO BE CONSISTENT WITH GUIDELINES DEVELOPED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION AND ANY SUCCESSOR AGENCY; TO REQUIRE THE PARENTS, LEGAL GUARDIANS OR OTHER RESPONSIBLE ADULT OF CHILDREN WHO EXPERIENCE SEIZURE DISORDER SYMPTOMS TO PROVIDE WRITTEN AUTHORIZATION TO THE SCHOOL FOR THE ADMINISTRATION OF NECESSARY MEDICATION, ALONG WITH A WRITTEN STATEMENT FROM THE CHILD'S MEDICAL PROVIDER; TO REQUIRE THE WRITTEN STATEMENT AND THE CHILD'S SEIZURE ACTION PLAN TO BE KEPT ON FILE BY THE SCHOOL NURSE OR SCHOOL ADMINISTRATOR; TO EXEMPT SCHOOL EMPLOYEES ACTING IN GOOD FAITH AND IN SUBSTANTIAL COMPLIANCE WITH A STUDENT'S INDIVIDUAL HEALTH PLAN TO RENDER ASSISTANCE TO A CHILD EXPERIENCING A SEIZURE EPISODE FROM CIVIL AND CRIMINAL LIABILITY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Sam Creekmore IV	Dennis DeBar, Jr.
Kevin Felsher	Nicole Boyd
Jill Ford	Sarita Simmons

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 346** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Rhodes, Robinson, Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Chism, Simmons D. T. (12th), Turner-Ford. Total--3.

Absent and those not voting----None.

Voting Present--Hill, Hopson, Polk. Total--3.

Senator DeBar offered the following report of the Conference Committee on **H. B. No. 765** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 765: MS Critical Teacher Shortage Act; extend repealer on.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-159-1, Mississippi Code of 1972, is reenacted as follows:

37-159-1. Sections 37-159-1 through 37-159-19 shall be known and may be cited as the "Mississippi Critical Teacher Shortage Act of 1998."

SECTION 2. Section 37-159-5, Mississippi Code of 1972, is reenacted as follows:

37-159-5. The State Board of Education shall prescribe rules and regulations which, subject to available appropriations, allow for reimbursement to the state licensed teachers, from both in state and out of state, who enter into a contract for employment in a school district situated within a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, for the expense of moving when the employment necessitates the relocation of the teacher to a different geographical area than that in which the teacher resides before entering into such contract. In order to be eligible for the reimbursement, the teacher must apply to the local district and the district must obtain the prior approval from the department for reimbursement before the relocation occurs. If the reimbursement is approved, the department shall provide funds to the school district to reimburse the teacher an amount not to exceed One Thousand Dollars ($1,000.00) for the documented actual expenses incurred in the course of relocating, including the expense of any professional moving company or persons employed to assist with the move, rented moving vehicles or equipment, mileage in the amount authorized for state employees under Section 25-3-41 if the teacher used his personal vehicle or vehicles for the move, meals and such other expenses associated with the relocation in accordance with the department's established rules and regulations. No teacher may be reimbursed for moving expenses under this section on more than one (1) occasion.

Nothing in this section shall be construed to require the actual residence to which the teacher relocates to be within the boundaries of the school district which has executed a contract for employment with the teacher or within the boundaries of the area designated by the State Board of Education as the critical teacher shortage area in order for the teacher to be eligible for reimbursement for his moving expenses. However, teachers must relocate within the boundaries of the State of Mississippi.

SECTION 3. Section 37-159-7, Mississippi Code of 1972, is reenacted as follows:

37-159-7. The school board of any school district situated within a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, in its discretion, may reimburse persons who interview for employment as a licensed teacher with the district for the mileage and other actual expenses incurred in the course of travel to and from the interview by such persons at the rate authorized for county and municipal employees under Section 25-3-41. Any reimbursement by a school board under this section shall be paid from funds other than adequate education program funds.

SECTION 4. Section 37-159-9, Mississippi Code of 1972, is reenacted as follows:

37-159-9. (1) There is established the University Assisted Teacher Recruitment and Retention Grant Program within the State Department of Education. The purposes of the program shall be to attract additional qualified teachers to those geographical areas of the state where there exists a critical shortage of teachers and to retain the qualified teachers already serving as licensed teachers in geographical critical teacher shortage areas by making available scholarships to persons working towards a Master of Education degree or an Educational Specialist degree at an institution of higher learning whose teacher education program is approved by the State Board of Education.

(2) Any institution of higher learning in the State of Mississippi which offers a Master of Education degree or an Educational Specialist degree may apply to the department for participation in the program. As part of the program, participating institutions shall collaborate with the Mississippi Teacher Center to identify, recruit and place teacher education graduates, from both within the state and out of state, in school districts situated within those areas of the state where there exists a critical shortage of teachers, as designated by the State Board of Education.

(3) The State Department of Education shall provide funds to participating institutions of higher learning for the purpose of awarding scholarships to qualified persons pursuing a Master of Education degree or an Educational Specialist degree at such institutions while rendering service to the state as a licensed teacher in a school district in a geographical area of the state where there exists a critical shortage of teachers, as approved by the State Board of Education. The financial scholarship shall be applied to the total cost for tuition, books, materials and fees at the institution in which the student is enrolled, not to exceed an amount equal to the highest total cost of tuition, books, materials and fees assessed by a state institution of higher learning during that school year. Teachers who relocate within Mississippi from out of state in order to participate in the program shall be classified as residents of the state for tuition purposes.

(4) Students awarded financial scholarships under the University Assisted Teacher Recruitment and Retention Grant Program may receive such awards for a maximum of four (4) school years; however, the maximum number of awards which may be made shall not exceed the length of time required to complete the number of academic hours necessary to obtain a Master of Education degree or an Educational Specialist degree. Financial scholarships under the program shall not be based upon an applicant's eligibility for financial aid.

(5) Persons relocating to a geographical area of the state where there exists a critical shortage of teachers, as approved by the State Board of Education, to participate in the University Assisted Teacher Recruitment and Retention Grant Program shall be eligible for reimbursement for their moving expenses to the critical teacher shortage area from the State Board of Education. The State Board of Education shall promulgate rules and regulations necessary for the administration of the relocation expense reimbursement component of the University Assisted Teacher Recruitment and Retention Grant Program.

(6) Subject to the availability of funds, the State Board of Education may provide for professional development and support services as may be necessary for the retention

of teachers participating in the program in those geographical areas of the state where there exists a critical shortage of teachers.

(7) Any person participating in the program who fails to complete a program of study that will enable that person to obtain a Master of Education degree or Educational Specialist degree shall become liable immediately to the State Board of Education for the sum of all awards made to that person under the program, plus interest accruing at the current Stafford Loan rate at the time the person abrogates his participation in the program.

(8) As a condition for participation in the program, a teacher shall agree to employment as a licensed teacher in a school district located in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, for a period of not less than three (3) years, which shall include those years of service rendered while obtaining the Master of Education degree or Educational Specialist degree. However, for any person who obtained a Baccalaureate degree in education with a financial scholarship under the Critical Needs Teacher Scholarship Program and who entered the University Assisted Teacher Recruitment and Retention Grant Program before rendering service as a teacher, the period of employment for the purposes of this subsection shall be two (2) years, in addition to the employment commitment required under the Critical Needs Teacher Scholarship Program. Service rendered by a participant as a licensed teacher in a school district in a geographical critical teacher shortage area before that teacher becomes a participant in the program may not be considered to fulfill the employment commitment required under this subsection. Any person failing to comply with this employment commitment in any required school year shall immediately be in breach of contract and become liable immediately to the State Department of Education for the sum of all scholarships awarded and relocation expenses granted to that person, less one-third (1/3) of the amount of that sum for each year that service was rendered, or for those persons whose required period of employment is two (2) years, less one-half (1/2) of the amount of that sum for each year that service was rendered, plus interest accruing at the current Stafford Loan rate at the time the breach occurs, except in the case of a deferral for cause by the State Board of Education when there is no employment position immediately available upon the teacher's obtaining of the Master of Education degree or Educational Specialist degree. After the period of such deferral, the person shall begin or resume the required teaching duties or shall become liable to the board under this subsection. If a claim for repayment under this subsection is placed in the hands of an attorney for collection after default, then the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(9) All funds received by the State Department of Education from the repayment of scholarship awards and relocation expenses by program participants shall be deposited in the Mississippi Critical Teacher Shortage Fund.

(10) The State Board of Education shall promulgate rules and regulations necessary for the proper administration of the University Assisted Teacher Recruitment and Retention Grant Program.

SECTION 5. Section 37-159-11, Mississippi Code of 1972, is reenacted as follows:

37-159-11. (1) There is established the Mississippi Employer-Assisted Housing Teacher Program, which shall be a special home loan program for eligible licensed teachers who render service to the state in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education. The home loan program shall be administered by the State Department of Education. The department may contract with one or more public or private entities to provide assistance in implementing and administering the program. The State Board of Education shall adopt rules and regulations regarding the implementation and administration of the program.

(2) Participation in the loan program shall be available to any licensed teacher who renders service in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education. Any person who receives a loan under the program shall be required to purchase a house and reside in a county in which the school district for which the teacher is rendering service, or any portion of the school district, is located. The maximum amount of a loan that may be made under the program to any person shall be Six Thousand Dollars ($6,000.00).

(3) Any loan made under the program to a person who actually renders service as a teacher in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, shall be converted to an interest-free grant on the basis of one (1) year's service for one-third (1/3) of the amount of the loan. Any person who does not render three (3) years' service as a teacher in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, shall be liable to the State Department of Education for one-third (1/3) of the amount of the loan for each year that he does not render such service, plus interest accruing at the current Stafford Loan rate at the time the person discontinues his service. If a claim for repayment under this subsection is placed in the hands of an attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(4) All funds received by the State Department of Education as repayment of loans by program participants shall be deposited in the Mississippi Critical Teacher Shortage Fund.

SECTION 6. Section 37-159-13, Mississippi Code of 1972, is reenacted as follows:

37-159-13. (1) There is established a pilot program to provide for the construction of rental housing units for teachers in the West Tallahatchie School District, which pilot program shall be administered by the State Department of Education. The department may contract with one or more public or private entities to provide assistance in implementing and administering the program. The State Board of Education shall adopt rules and regulations regarding the implementation and administration of the program.

(2) The West Tallahatchie School District shall receive proposals from developers for the construction of the rental housing units, and submit its recommendation to the State Department of Education about which developer should construct the units. The department shall make the final determination about the developer that will construct the units.

(3) After selection of the developer, the department shall loan the developer not more than Two Hundred Thousand Dollars ($200,000.00) for construction of the units. The interest rate on the loan shall be equal to one percent (1%) below the discount rate at the Federal Reserve Bank in the Federal Reserve district in which the school district is located, and the loan shall be repaid in not more than fifteen (15) years, as determined by the department. All funds received by the department as repayment of the principal and interest of the loan shall be deposited in the Mississippi Critical Teacher Shortage Fund. If a claim against the developer for repayment is placed in the hands of an attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(4) The developer shall operate the rental housing units. For a period of ten (10) years or until such time as the loan to the developer is repaid, whichever is longer, the priority for residence in the units shall be given first to teachers employed by the school district, then to other licensed school district employees, and then to any other school district employees.

SECTION 7. Section 37-159-17, Mississippi Code of 1972, is reenacted as follows:

37-159-17. There is established in the State Treasury a special fund to be designated the "Mississippi Critical Teacher Shortage Fund," into which shall be deposited those funds appropriated by the Legislature, and any other funds that may be made available, for the purpose of implementing the programs established under Sections 37-159-5, 37-9-77, 37-3-91 and 37-159-9 through 37-159-13. Money in the fund at the end of a fiscal year shall not lapse into the General Fund, and interest earned on any amounts deposited into the fund shall be credited to the special fund.

SECTION 8. Section 37-159-19, Mississippi Code of 1972, is amended as follows:

37-159-19. Sections 37-159-1 through 37-159-17 shall stand repealed on July 1, * * * 2027.

SECTION 9. Section 37-106-36, Mississippi Code of 1972, is amended as follows:

37-106-36. (1) There is established the "William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program."

(2) Subject to the availability of funds, an eligible applicant for an initial award must have:

(a) Graduated from a baccalaureate degree-granting institution of higher learning which is regionally accredited by the Southern Association of Colleges and Schools (SACS) or a comparable accreditation body;

(b) Signed a contract as a full-time * * * teacher in a public school district in Mississippi;

(c) Obtained a standard five-year license or a nontraditional five-year alternate route license. Persons with provisional emergency licenses shall not be eligible applicants; and

(d) Outstanding qualifying undergraduate or graduate educational loans, which may include the principal, interest and related expenses such as the required interest premium on the unpaid balances of government and commercial loans obtained by the recipient for undergraduate educational expense.

(3) Persons who have received funds from other forgivable loan programs established for teachers under Mississippi law, or who are presently in default or delinquent on any federal, state, local or commercial qualifying educational loan, shall not be eligible for this program.

(4) Provided that initial recipients remain eligible under the provisions of subsection (2) of this section, they may retain eligibility for two (2) additional awards, subject to the availability of funds.

(* * *5) Initial recipients shall be selected on a first-come, first-served basis of all eligible applicants, * * * subject to the availability of funds. In the second and * * * third years of an applicant's continued eligibility, priority consideration shall first be given to renewal applicants. * * * The State Financial Aid Board shall develop rules for ensuring that expenses of the program in a fiscal year do not exceed funding for the program in that fiscal year. For that purpose, and any other provision of this section to the contrary notwithstanding, the State Financial Aid Board may limit the acceptance of applications and may limit the number of awards.

(* * *6) Among * * * teacher recipients, priority consideration shall be given to persons who are teaching in a public school district designated as a geographical critical teacher shortage area by the State Board of Education.

(* * *7) Awards for recipients who have signed a contract to teach in a public school district that is not designated as a geographical critical teacher shortage area shall be as follows:

(a) One Thousand Five Hundred Dollars ($1,500.00) for the * * * initial award;

(b) Two Thousand Five Hundred Dollars ($2,500.00) for the second * * * award; and

(c) Three Thousand Five Hundred Dollars ($3,500.00) for the third * * * award.

(* * *8) Awards for recipients who have signed a contract to teach in a public school district that is designated as a geographical critical teacher shortage area shall be as follows:

(a) Four Thousand Dollars ($4,000.00) for the * * * initial award;

(b) Five Thousand Dollars ($5,000.00) for the second * * * award, provided the recipient continues to teach in the same public school district or another public school district designated a geographical shortage area by the State Board of Education; and

(c) Six Thousand Dollars ($6,000.00) for the third * * * award, provided the recipient continues to teach in the same public school district or another public school district designated a geographical shortage area by the State Board of Education.

(* * *9) * * * An initial recipient who moves to another public school district shall be eligible to receive an award based on the amount allowed under the program in the new district where the teacher is employed.

(* * *10) Awards shall be granted on a year-to-year basis, and recipients shall have no obligation to seek a future award.

(* * *11) Awards shall be paid annually, after the expiration of the one-year teaching contract for which the award was granted, to the recipient's lender or loan service provider, and shall be applied to the outstanding balance. Monies paid on the recipient's behalf toward qualifying undergraduate or graduate educational loans prior to receiving payment of the award shall not be eligible for repayment through the program.

(* * *12) During the teaching year for which the award is granted, a recipient must at all times keep the State Financial Aid Board informed of any changes to the recipient's current contact information and employment status.

(* * *13) Recipients who fail to maintain a standard or nontraditional license or fail to fulfill the one-year teaching contract on which the award was based shall forfeit any right to the award.

(* * *14) The State Financial Aid Board, in collaboration with the State Board of Education, shall track recipients of an award under this program through * * * the fourth year after receiving their initial award, unless the recipient shall leave teaching in a public school district at an earlier date. Data collected shall include recipients' undergraduate or graduate institution, school district, subject area/grade level in teaching and any other pertinent information necessary to determine the efficacy of the program in retaining teachers * * *.

(* * *15) The State Financial Aid Board shall promulgate regulations necessary for the proper administration of this section, including rules for ensuring that expenses of the program in a fiscal year do not exceed funding for the program in that fiscal year.

(* * *16) There is established in the State Treasury a special fund to be designated the "William F. Winter and Jack Reed, Sr., Loan Repayment Program Fund," into which shall be deposited those funds appropriated by the Legislature, and any other funds that may be made available, for the purpose of implementing the loan repayment program established herein. Money in the fund at the end of the fiscal year shall not lapse into the General Fund, and interest earned on any amounts deposited into the fund shall be credited to the special fund.

(* * *17) This section shall stand repealed on July 1, * * * 2028.

SECTION 10. The following shall be codified as Section

25-11-126, Mississippi Code of 1972:

25-11-126. (1) Any person who has at least thirty (30) years of creditable service, who was employed as a public school teacher at the time of his or her retirement, has been retired at least ninety (90) days and is receiving a retirement allowance, and holds a standard teaching license in Mississippi, may be employed as a teacher in a public school district after retirement, and choose to continue receiving the retirement allowance under this article during his or her employment as a teacher after retirement in addition to receiving the salary authorized under this section, along with the local contribution of the school district in which the retiree is employed, at the discretion of the school district. Any teacher who has retired with at least twenty-five (25) years of creditable service as of July 1, 2024, may also participate in this program if the teacher otherwise qualifies under this act.

(2) A retired teacher may only be hired to teach in a school district designated by the Department of Education as having critical shortages and/or critical subject-area shortages, and shall hold the related standard teaching license and/or endorsements to teach in the subject area. The base compensation authorized for returning retired teachers under Section 37-19-7 shall not be graduated annually in the same manner as teachers who are employed by a school district under traditional employment guidelines, but shall remain static for the entirety of his or her eligible teaching period as a retired teacher.

(3) (a) A retired teacher may be employed as a teacher, continue receiving his or her retirement allowance and be a contributing member of the system without accruing additional retirement benefits for a total of five (5) years, which may be performed consecutively or intermittently. This method is designed specifically to provide funding for the system to actuarially offset any pension liability created by this act. Each school district hiring retired teachers under the authority of this section, shall make a direct payment to PERS, which shall serve as pension liability participation assessment. The pension liability participation assessment and the retired teacher's salary for returning to work shall be determined as follows:

(i) A school district shall rely on the salary schedule in Section 37-19-7 in considering the salary for a retired teacher; provided, however, that the school district may allocate up to one hundred and twenty-five percent (125%) of the amount provided under the salary schedule comparable to the teacher's years of service and license type as salary and assessment under the program.

(ii) After determining the retired teacher's compensation, the school district may pay no more than fifty percent (50%) of the retired teacher's compensation as salary to the retired teacher; and

(iii) The remaining fifty percent (50%) of the

retired teacher's compensation as salary shall be paid by the school district to PERS as a pension liability participation assessment.

(b) If a retired teacher, reemployed under the authority of this section, works in a school district for any portion of a scholastic year less than a full contractual term of traditional teachers, the time worked by the retired teacher shall constitute one (1) of the five (5) years of post retirement teaching eligibility. A retired teacher, under the authority of this section, shall be entitled to work in any applicable school district and shall not be obligated to remain in any one (1) school district for the entirety of his or her post retirement teaching eligibility, but shall be cumulative in nature so as not to exceed five (5) years. The salary authorized under Section 37-19-7 for retired teachers shall be prorated for any period worked by the retired teacher that is less than one (1) full academic year.

(c) The State Department of Education shall transfer to the system the Mississippi Adequate Education Program funds of local school districts that on or after July 1, 2024, hire retired members as teachers under this section and other funds that otherwise would have been payable to the districts if the districts had not taken advantage of this section. The crediting of assets and financing shall follow the provisions of Section

25-11-123.

(d) Local educational agencies shall transfer to the system Mississippi Adequate Education Program funds of local school districts that on or after July 1, 2024, hire retired members as teachers under this section and other funds that otherwise would have been payable to the districts if the districts had not taken advantage of this section. The crediting of assets and financing must follow the provisions of Section

25-11-123.

(4) Under the authority of this section, school districts may employ retired teachers based on criteria established by the department of education for critical teacher shortage areas and critical subject-matter areas. A school district that is not within a critical teacher shortage area may employ teachers for critical subject-matter areas.

(5) A person may be hired under this section subject to the following conditions:

(a) The retired member holds any teacher's professional license or certificate as may be required in Section 37-3-2, and holds the related standard teaching license and/or endorsements to teach in the applicable subject area;

(b) The superintendent of the employing school district certifies in writing to the State Department of Education that the retired member has the requisite experience, training and expertise for the position to be filled;

(c) The superintendent of the school district certifies or the principal of the school certifies that there was no preexisting arrangement for the person to be hired;

(d) The person had a satisfactory performance review for the most recent period before retirement; and

(e) The person is hired to teach in a critical subject-matter area or in a critical teacher shortage area.

(6) The State Superintendent of Public Education shall report the persons who are employed under this section to the Executive Director of the Public Employees' Retirement System.

(7) The department of education shall promulgate regulations that prescribe a salary schedule that reflects the provisions of this act. Each school district shall create a policy, approved by the local school board, related to the hiring of retired teachers and including, but not limited to, the hiring of full- and part-time retired teacher employees under this section and Section 25-11-127.

(8) Any retired teacher who returns to work in accordance with this section shall not be eligible to return to work under the provisions of Section 25-11-127.

SECTION 11. Section 37-19-7, Mississippi Code of 1972, is amended as follows:

37-19-7. (1) The allowance in the Mississippi Adequate Education Program for teachers' salaries in each public school district shall be determined and paid in accordance with the scale for teachers' salaries as provided in this subsection. For teachers holding the following types of licenses or the equivalent as determined by the State Board of Education, and the following number of years of teaching experience, the scale shall be as follows:

2022-2023 AND SUBSEQUENT SCHOOL YEARS MINIMUM SALARY SCHEDULE

Exp.	AAAA	AAA	AA	A
0	45,500.00	44,000.00	43,000.00	41,500.00
1	46,100.00	44,550.00	43,525.00	41,900.00
2	46,700.00	45,100.00	44,050.00	42,300.00
3	47,300.00	45,650.00	44,575.00	42,700.00
4	47,900.00	46,200.00	45,100.00	43,100.00
5	49,250.00	47,500.00	46,350.00	44,300.00
6	49,850.00	48,050.00	46,875.00	44,700.00
7	50,450.00	48,600.00	47,400.00	45,100.00
8	51,050.00	49,150.00	47,925.00	45,500.00
9	51,650.00	49,700.00	48,450.00	45,900.00
10	53,000.00	51,000.00	49,700.00	47,100.00
11	53,600.00	51,550.00	50,225.00	47,500.00
12	54,200.00	52,100.00	50,750.00	47,900.00
13	54,800.00	52,650.00	51,275.00	48,300.00
14	55,400.00	53,200.00	51,800.00	48,700.00
15	56,750.00	54,500.00	53,050.00	49,900.00
16	57,350.00	55,050.00	53,575.00	50,300.00
17	57,950.00	55,600.00	54,100.00	50,700.00
18	58,550.00	56,150.00	54,625.00	51,100.00

19	59,150.00	56,700.00	55,150.00	51,500.00
20	60,500.00	58,000.00	56,400.00	52,700.00
21	61,100.00	58,550.00	56,925.00	53,100.00
22	61,700.00	59,100.00	57,450.00	53,500.00
23	62,300.00	59,650.00	57,975.00	53,900.00
24	62,900.00	60,200.00	58,500.00	54,300.00
25	65,400.00	62,700.00	61,000.00	56,800.00
26	66,000.00	63,250.00	61,525.00	57,200.00
27	66,600.00	63,800.00	62,050.00	57,600.00
28	67,200.00	64,350.00	62,575.00	58,000.00
29	67,800.00	64,900.00	63,100.00	58,400.00
30	68,400.00	65,450.00	63,625.00	58,800.00
31	69,000.00	66,000.00	64,150.00	59,200.00
32	69,600.00	66,550.00	64,675.00	59,600.00
33	70,200.00	67,100.00	65,200.00	60,000.00
34	70,800.00	67,650.00	65,725.00	60,400.00
35 & above	71,400.00	68,200.00	66,250.00	60,800.00

2024-2025 AND SUBSEQUENT SCHOOL YEARS MINIMUM SALARY SCHEDULE

The school district, with assistance from the Department of Education, shall consider the teacher's years of service and license type and determine the corresponding salary for the retired teacher. After determining the retired teacher's corresponding salary, the school district may allocate up to one hundred twenty-five percent (125%) of the amount provided under the salary schedule for such teacher, as applicable, as salary and assessment under the program.

After determining the retired teacher's salary, the school district may pay no more than fifty percent (50%) of the retired teacher's compensation as salary to the retired teacher. The remaining fifty percent (50%) of the retired teacher's compensation as salary shall be paid by the school district to PERS as a pension liability participation assessment.

It is the intent of the Legislature that any state funds made available for salaries of licensed personnel in excess of the funds paid for such salaries for the 1986-1987 school year shall be paid to licensed personnel pursuant to a personnel appraisal and compensation system implemented by the State Board of Education. The State Board of Education shall have the authority to adopt and amend rules and regulations as are necessary to establish, administer and maintain the system.

All teachers employed on a full-time basis shall be paid a minimum salary in accordance with the above scale. However, no school district shall receive any funds under this section for any school year during which the local supplement paid to any individual teacher shall have been reduced to a sum less than that paid to that individual teacher for performing the same duties from local supplement during the immediately preceding school year. The amount actually spent for the purposes of group health and/or life insurance shall be considered as a part of the aggregate amount of local supplement but shall not be considered a part of the amount of individual local supplement.

The level of professional training of each teacher to be used in establishing the salary allotment for the teachers for each year shall be determined by the type of valid teacher's license issued to those teachers on or before October 1 of the current school year. However, school districts are authorized, in their discretion, to negotiate the salary levels applicable to licensed employees who are receiving retirement benefits from the retirement system of another state, and the annual experience increment provided above in Section 37-19-7 shall not be applicable to any such retired certificated employee.

(2) (a) The following employees shall receive an annual salary supplement in the amount of Six Thousand Dollars ($6,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

(i) Any licensed teacher or retired teacher employed by a school district under the authority of Section 25-11-126 who has met the requirements and acquired a Master Teacher certificate from the National Board for Professional Teaching Standards and who is employed by a local school board or the State Board of Education as a teacher and not as an administrator. Such teacher shall submit documentation to the State Department of Education that the certificate was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the teacher shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(ii) A licensed nurse who has met the requirements and acquired a certificate from the National Board for Certification of School Nurses, Inc., and who is employed by a local school board or the State Board of Education as a school nurse and not as an administrator. The licensed school nurse shall submit documentation to the State Department of Education that the certificate was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school nurse shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(iii) Any licensed school counselor who has met the requirements and acquired a National Certified School Counselor (NCSC) endorsement from the National Board of Certified Counselors and who is employed by a local school board or the State Board of Education as a counselor and not as an administrator. Such licensed school counselor shall submit documentation to the State Department of Education that the endorsement was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school counselor shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. However, any school counselor who started the National Board for Professional Teaching Standards process for school counselors between June 1, 2003, and June 30, 2004, and completes the requirements and acquires the Master Teacher certificate shall be entitled to the master teacher supplement, and those counselors who complete the process shall be entitled to a one-time reimbursement for the actual cost of the process as outlined in paragraph (b) of this subsection.

(iv) Any licensed speech-language pathologist and audiologist who has met the requirements and acquired a Certificate of Clinical Competence from the American Speech-Language-Hearing Association and any certified academic language therapist (CALT) who has met the certification requirements of the Academic Language Therapy Association and who is employed by a local school board. The licensed speech-language pathologist and audiologist and certified academic language therapist shall submit documentation to the State Department of Education that the certificate or endorsement was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed speech-language pathologist and audiologist and certified academic language therapist shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(v) Any licensed athletic trainer who has met the requirements and acquired Board Certification for the Athletic Trainer from the Board of Certification, Inc., and who is employed by a local school board or the State Board of Education as an athletic trainer and not as an administrator. The licensed athletic trainer shall submit documentation to the State Department of Education that the certificate was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed athletic trainer shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(b) An employee shall be reimbursed for the actual cost of completing each component of acquiring the certificate or endorsement, excluding any costs incurred for postgraduate courses, not to exceed Five Hundred Dollars ($500.00) for each component, not to exceed four (4) components, for a teacher, school counselor or speech-language pathologist and audiologist, regardless of whether or not the process resulted in the award of the certificate or endorsement. A local school district or any private individual or entity may pay the cost of completing the process of acquiring the certificate or endorsement for any employee of the school district described under paragraph (a), and the State Department of Education shall reimburse the school district for such cost, regardless of whether or not the process resulted in the award of the certificate or endorsement. If a private individual or entity has paid the cost of completing the process of acquiring the certificate or endorsement for an employee, the local school district may agree to directly reimburse the individual or entity for such cost on behalf of the employee.

(c) All salary supplements, fringe benefits and process reimbursement authorized under this subsection shall be paid directly by the State Department of Education to the local school district and shall be in addition to its adequate education program allotments and not a part thereof in accordance with regulations promulgated by the State Board of Education. Local school districts shall not reduce the local supplement paid to any employee receiving such salary supplement, and the employee shall receive any local supplement to which employees with similar training and experience otherwise are entitled. However, an educational employee shall receive the salary supplement in the amount of Six Thousand Dollars ($6,000.00) for only one (1) of the qualifying certifications authorized under paragraph (a) of this subsection. No school district shall provide more than one (1) annual salary supplement under the provisions of this subsection to any one (1) individual employee holding multiple qualifying national certifications.

(d) If an employee for whom such cost has been paid, in full or in part, by a local school district or private individual or entity fails to complete the certification or endorsement process, the employee shall be liable to the school district or individual or entity for all amounts paid by the school district or individual or entity on behalf of that employee toward his or her certificate or endorsement.

(3) The following employees shall receive an annual salary supplement in the amount of Four Thousand Dollars ($4,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

Effective July 1, 2016, if funds are available for that purpose, any licensed teacher or retired teacher employed by a local school district under the authority of Section 25-11-126 who has met the requirements and acquired a Master Teacher Certificate from the National Board for Professional Teaching Standards and who is employed in a public school district located in one (1) of the following counties: Claiborne, Adams, Jefferson, Wilkinson, Amite, Bolivar, Coahoma, Leflore, Quitman, Sharkey, Issaquena, Sunflower, Washington, Holmes, Yazoo and Tallahatchie. The salary supplement awarded under the provisions of this subsection (3) shall be in addition to the salary supplement awarded under the provisions of subsection (2) of this section.

Teachers who meet the qualifications for a salary supplement under this subsection (3) who are assigned for less than one (1) full year or less than full time for the school year shall receive the salary supplement in a prorated manner, with the portion of the teacher's assignment to the critical geographic area to be determined as of June 15th of the school year.

(4) (a) This section shall be known and may be cited as the "Mississippi Performance-Based Pay (MPBP)" plan. In addition to the minimum base pay described in this section, only after full funding of MAEP and if funds are available for that purpose, the State of Mississippi may provide monies from state funds to school districts for the purposes of rewarding licensed teachers, administrators and nonlicensed personnel at individual schools showing improvement in student test scores. The MPBP plan shall be developed by the State Department of Education based on the following criteria:

(i) It is the express intent of this legislation that the MPBP plan shall utilize only existing standards of accreditation and assessment as established by the State Board of Education.

(ii) To ensure that all of Mississippi's teachers, administrators and nonlicensed personnel at all schools have equal access to the monies set aside in this section, the MPBP program shall be designed to calculate each school's performance as determined by the school's increase in scores from the prior school year. The MPBP program shall be based on a standardized scores rating where all levels of schools can be judged in a statistically fair and reasonable way upon implementation. At the end of each year, after all student achievement scores have been standardized, the State Department of Education shall implement the MPBP plan.

(iii) To ensure all teachers cooperate in the spirit of teamwork, individual schools shall submit a plan to the local school district to be approved before the beginning of each school year beginning July 1, 2008. The plan shall include, but not be limited to, how all teachers, regardless of subject area, and administrators will be responsible for improving student achievement for their individual school.

(b) The State Board of Education shall develop the processes and procedures for designating schools eligible to participate in the MPBP. State assessment results, growth in student achievement at individual schools and other measures deemed appropriate in designating successful student achievement shall be used in establishing MPBP criteria.

(5) (a) If funds are available for that purpose, each school in Mississippi shall have mentor teachers, as defined by Sections 37-9-201 through 37-9-213, who shall receive additional base compensation provided for by the State Legislature in the amount of One Thousand Dollars ($1,000.00) per each beginning teacher that is being mentored. The additional state compensation shall be limited to those mentor teachers that provide mentoring services to beginning teachers. For the purposes of such funding, a beginning

teacher shall be defined as any teacher in any school in Mississippi that has less than one (1) year of classroom experience teaching in a public school. For the purposes of such funding, no full-time academic teacher shall mentor more than two (2) beginning teachers.

(b) To be eligible for this state funding, the individual school must have a classroom management program approved by the local school board.

(6) Effective with the 2014-2015 school year, the school districts participating in the Pilot Performance-Based Compensation System pursuant to Section 37-19-9 may award additional teacher and administrator pay based thereon.

SECTION 12. Section 25-11-123, Mississippi Code of 1972, is amended as follows:

25-11-123. All of the assets of the system shall be credited according to the purpose for which they are held to one (1) of four (4) reserves; namely, the annuity savings account, the annuity reserve, the employer's accumulation account, and the expense account.

(a) Annuity savings account. In the annuity savings account shall be accumulated the contributions made by members to provide for their annuities, including interest thereon which shall be posted monthly. Credits to and charges against the annuity savings account shall be made as follows:

(1) Beginning July 1, 2010, except as otherwise provided in Section 25-11-126, the employer shall cause to be deducted from the salary of each member on each and every payroll of the employer for each and every payroll period nine percent (9%) of earned compensation as defined in Section 25-11-103. Future contributions shall be fixed biennially by the board on the basis of the liabilities of the retirement system for the various allowances and benefits as shown by actuarial valuation; however, any member earning at a rate less than Sixteen Dollars and Sixty-seven Cents ($16.67) per month, or Two Hundred Dollars ($200.00) per year, shall contribute not less than One Dollar ($1.00) per month, or Twelve Dollars ($12.00) per year.

(2) The deductions provided in paragraph (1) of this subsection shall be made notwithstanding that the minimum compensation provided by law for any member is reduced by the deduction. Every member shall be deemed to consent and agree to the deductions made and provided for in paragraph (1) of this subsection and shall receipt for his full salary or compensation, and payment of salary or compensation less the deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by the person during the period covered by the payment, except as to the benefits provided under Articles 1 and 3. The board shall provide by rules for the methods of collection of contributions from members and the employer. The board shall have full authority to require the production of evidence necessary to verify the correctness of amounts contributed.

(b) Annuity reserve. The annuity reserve shall be the account representing the actuarial value of all annuities in force, and to it shall be charged all annuities and all benefits in lieu of annuities, payable as provided in this article. If a beneficiary retired on account of disability is restored to active service with a compensation not less than his average final compensation at the time of his last retirement, the remainder of his contributions shall be transferred from the annuity reserve to the annuity savings account and credited to his individual account therein, and the balance of his annuity reserve shall be transferred to the employer's accumulation account.

(c) Employer's accumulation account. The employer's accumulation account shall represent the accumulation of all reserves for the payment of all retirement allowances and other benefits payable from contributions made by the employer, and against this account shall be charged all retirement allowances and other benefits on

account of members. Credits to and charges against the employer's accumulation account shall be made as follows:

(1) On account of each member there shall be paid monthly into the employer's accumulation account by the employers for the preceding fiscal year an amount equal to a certain percentage of the total earned compensation, as defined in Section 25-11-103, of each member. The percentage rate of those contributions shall be fixed biennially by the board on the basis of the liabilities of the retirement system for the various allowances and benefits as shown by actuarial valuation. Beginning January 1, 1990, the rate shall be fixed at nine and three-fourths percent (9-3/4%). The board shall reduce the employer's contribution rate by one percent (1%) from and after July 1 of the year following the year in which the board determines and the board's actuary certifies that the employer's contribution rate can be reduced by that amount without causing the unfunded accrued actuarial liability amortization period for the retirement system to exceed twenty (20) years. Political subdivisions joining Article 3 of the Public Employees' Retirement System after July 1, 1968, may adjust the employer's contributions by agreement with the Board of Trustees of the Public Employees' Retirement System to provide service credits for any period before execution of the agreement based upon an actuarial determination of employer's contribution rates.

(2) On the basis of regular interest and of such mortality and other tables as are adopted by the board of trustees, the actuary engaged by the board to make each valuation required by this article during the period over which the accrued liability contribution is payable, immediately after making that valuation, shall determine the uniform and constant percentage of the earnable compensation of each member which, if contributed by the employer on the basis of compensation of the member throughout his entire period of membership service, would be sufficient to provide for the payment of any retirement allowance payable on his account for that service. The percentage rate so determined shall be known as the "normal contribution rate." After the accrued liability contribution has ceased to be payable, the normal contribution rate shall be the percentage rate of the salary of all members obtained by deducting from the total liabilities on account of membership service the amount in the employer's accumulation account, and dividing the remainder by one percent (1%) of the present value of the prospective future salaries of all members as computed on the basis of the mortality and service tables adopted by the board of trustees and regular interest. The normal rate of contributions shall be determined by the actuary after each valuation.

(3) The total amount payable in each year to the employer's accumulation account shall not be less than the sum of the percentage rate known as the "normal contribution rate" and the "accrued liability contribution rate" of the total compensation earnable by all members during the preceding year, provided that the payment by the employer shall be sufficient, when combined with the amounts in the account, to provide the allowances and other benefits chargeable to this account during the year then current.

(4) The accrued liability contribution shall be discontinued as soon as the accumulated balance in the employer's accumulation account shall equal the present value, computed on the basis of the normal contribution rate then in force, or the prospective normal contributions to be received on account of all persons who are at that time members.

(5) All allowances and benefits in lieu thereof, with the exception of those payable on account of members who receive no prior service credit, payable from contributions of the employer, shall be paid from the employer's accumulation account.

(6) Upon the retirement of a member, an amount equal to his retirement allowance shall be transferred from the employer's accumulation account to the annuity reserve.

(7) The employer's accumulation account shall be credited with any assets authorized by law to be credited to the account.

(d) Expense account. The expense account shall be the account to which the expenses of the administration of the system shall be charged, exclusive of amounts payable as retirement allowances and as other benefits provided herein. The Legislature shall make annual appropriations in amounts sufficient to administer the system, which shall be credited to this account. There shall be transferred to the State Treasury from this account, not less than once per month, an amount sufficient for payment of the estimated expenses of the system for the succeeding thirty (30) days. Any interest earned on the expense account shall accrue to the benefit of the system. However, notwithstanding the provisions of Sections 25-11-15(10) and 25-11-105(f)(v)5, all expenses of the administration of the system shall be paid from the interest earnings, provided the interest earnings are in excess of the actuarial interest assumption as determined by the board, and provided the present cost of the administrative expense fee of two percent (2%) of the contributions reported by the political subdivisions and instrumentalities shall be reduced to one percent (1%) from and after July 1, 1983, through June 30, 1984, and shall be eliminated thereafter.

(e) Collection of contributions. The employer shall cause to be deducted on each and every payroll of a member for each and every payroll period, beginning subsequent to January 31, 1953, the contributions payable by the member as provided in Articles 1 and 3.

The employer shall make deductions from salaries of employees as provided in Articles 1 and 3 and shall transmit monthly, or at such time as the board of trustees designates, the amount specified to be deducted to the Executive Director of the Public Employees' Retirement System. The executive director, after making a record of all those receipts, shall deposit such amounts as provided by law.

(f) (1) Upon the basis of each actuarial valuation provided herein, the board of trustees shall biennially determine the normal contribution rate and the accrued liability contribution rate as provided in this section. The sum of these two (2) rates shall be known as the "employer's contribution rate." Beginning on earned compensation effective January 1, 1990, the rate computed as provided in this section shall be nine and three-fourths percent (9-3/4%). The board shall reduce the employer's contribution rate by one percent (1%) from and after July 1 of the year following the year in which the board determines and the board's actuary certifies that the employer's contribution rate can be reduced by that amount without causing the unfunded accrued actuarial liability amortization period for the retirement system to exceed twenty (20) years. The percentage rate of those contributions shall be fixed biennially by the board on the basis of the liabilities of the retirement system for the various allowances and benefits as shown by actuarial valuation.

(2) The amount payable by the employer on account of normal and accrued liability contributions shall be determined by applying the employer's contribution rate to the amount of compensation earned by employees who are members of the system. Monthly, or at such time as the board of trustees designates, each department or agency shall compute the amount of the employer's contribution payable, with respect to the salaries of its employees who are members of the system, and shall cause that amount to be paid to the board of trustees from the personal service allotment of the amount appropriated for the operation of the department or agency, or from funds otherwise available to the agency, for the payment of salaries to its employees.

(3) Except as otherwise provided in Section 25-11-106:

(i) Constables shall pay employer and employee contributions on their net fee income as well as the employee contributions on all direct treasury or county payroll income.

(ii) The county shall be responsible for the employer contribution on all direct treasury or county payroll income of constables.

(4) Except as otherwise provided in Section 25-11-106.1, chancery and circuit clerks shall be responsible for both the employer and employee share of contributions on the proportionate share of net income attributable to fees, as well as the employee share of net income attributable to direct treasury or county payroll income, and the employing county shall be responsible for the employer contributions on the net income attributable to direct treasury or county payroll income.

(5) Once each year, under procedures established by the system, each employer shall submit to the Public Employees' Retirement System a copy of their report to Social Security of all employees' earnings.

(6) The board shall provide by rules for the methods of collection of contributions of employers and members. The amounts determined due by an agency to the various funds as specified in Articles 1 and 3 are made obligations of the agency to the board and shall be paid as provided herein. Failure to deduct those contributions shall not relieve the employee and employer from liability thereof. Delinquent employee contributions and any accrued interest shall be the obligation of the employee and delinquent employer contributions and any accrued interest shall be the obligation of the employer. The employer may, in its discretion, elect to pay any or all of the interest on delinquent employee contributions. From and after July 1, 1996, under rules and regulations established by the board, all employers are authorized and shall transfer all funds due to the Public Employees' Retirement System electronically and shall transmit any wage or other reports by computerized reporting systems.

SECTION 13. Section 25-11-127, Mississippi Code of 1972, is amended as follows:

25-11-127. (1) (a) No person who is being paid a retirement allowance or a pension after retirement under this article shall be employed or paid for any service by the State of Mississippi, including services as an employee, contract worker, contractual employee or independent contractor, until the retired person has been retired for not less than ninety (90) consecutive days from his or her effective date of retirement. After the person has been retired for not less than ninety (90) consecutive days from his or her effective date of retirement or such later date as established by the board, he or she may be reemployed while being paid a retirement allowance under the terms and conditions provided in this section or in Section 25-11-126.

(b) No retiree of this retirement system who is reemployed or is reelected to office after retirement shall continue to draw retirement benefits while so reemployed, except as provided in this section or in Section 25-11-126.

(c) No person employed or elected under the exceptions provided for in this section shall become a member under Article 3 of the retirement system.

(2) Except as otherwise provided in Section 25-11-126, any person who has been retired under the provisions of Article 3 and who is later reemployed in service covered by this article shall cease to receive benefits under this article and shall again become a contributing member of the retirement system. When the person retires again, if the reemployment exceeds six (6) months, the person shall have his or her benefit recomputed, including service after again becoming a member, provided that the total retirement allowance paid to the retired member in his or her previous retirement shall be deducted from the member's retirement reserve and taken into consideration in recalculating the retirement allowance under a new option selected.

(3) The board shall have the right to prescribe rules and regulations for carrying out the provisions of this section.

(4) The provisions of this section shall not be construed to prohibit any retiree, regardless of age, from being employed and drawing a retirement allowance either:

(a) For a period of time not to exceed one-half (1/2) of the normal working days for the position in any fiscal year during which the retiree will receive no more than one-half (1/2) of the salary in effect for the position at the time of employment, or

(b) For a period of time in any fiscal year sufficient in length to permit a retiree to earn not in excess of twenty-five percent (25%) of retiree's average compensation.

To determine the normal working days for a position under paragraph (a) of this subsection, the employer shall determine the required number of working days for the position on a full-time basis and the equivalent number of hours representing the full-time position. The retiree then may work up to one-half (1/2) of the required number of working days or up to one-half (1/2) of the equivalent number of hours and receive up to one-half (1/2) of the salary for the position. In the case of employment with multiple employers, the limitation shall equal one-half (1/2) of the number of days or hours for a single full-time position.

Notice shall be given in writing to the executive director, setting forth the facts upon which the employment is being made, and the notice shall be given within five (5) days from the date of employment and also from the date of termination of the employment.

(5) Except as otherwise provided in subsection (6) of this section, the employer of any person who is receiving a retirement allowance and who is employed in service covered by subsection (4) of this section as an employee or a contractual employee shall pay to the board the full amount of the employer's contribution on the amount of compensation received by the retiree for his or her employment in accordance with regulations prescribed by the board. The retiree shall not receive any additional creditable service in the retirement system as a result of the payment of the employer's contribution. This subsection does not apply to persons who are receiving a retirement allowance and who contract with an employer to provide services as a true independent contractor, as defined by the board through regulation.

(6) (a) A member may retire and continue in municipal or county elective office provided that the member has reached the age and/or service requirement that will not result in a prohibited in-service distribution as defined by the Internal Revenue Service, or a retiree may be elected to a municipal or county office, provided that the person:

(i) Files annually, in writing, in the office of the employer and the office of the executive director of the system before the person takes office or as soon as possible after retirement, a waiver of all salary or compensation and elects to receive in lieu of that salary or compensation a retirement allowance as provided in this section, in which event no salary or compensation shall thereafter be due or payable for those services; however, any such officer or employee may receive, in addition to the retirement allowance, office expense allowance, mileage or travel expense authorized by any statute of the State of Mississippi; or

(ii) Elects to receive compensation for that elective office in an amount not to exceed twenty-five percent (25%) of the retiree's average compensation. In order to receive compensation as allowed in this subparagraph, the retiree shall file annually, in writing, in the office of the employer and the office of the executive director of the system, an election to receive, in addition to a retirement allowance, compensation as allowed in this subparagraph.

(b) The municipality or county in which the retired person holds elective office shall pay to the board the amount of the employer's contributions on the full amount of the regular compensation for the elective office that the retired person holds.

(c) As used in this subsection, the term "compensation" does not include office expense allowance, mileage or travel expense authorized by a statute of the State of Mississippi.

(7) Any retired teacher who returns to work in accordance with this section shall not be eligible to return to work under the provisions of Section 25-11-126.

SECTION 14. Section 37-41-27, Mississippi Code of 1972, is amended as follows:

37-41-27. (1) The local school boards, subject to rules and regulations promulgated by the State Board of Education, may permit the use of publicly owned school buses for the transportation of participating students, teachers, coaches and sponsors in connection with athletic events, events of boys' and girls' clubs, events of Future Farmers of America or 4-H Clubs and special events in connection with the schools which the boards may consider a part of the educational program. The local school boards, subject to rules and regulations promulgated by the State Board of Education, may permit the use of publicly owned school buses for the transportation of citizens for grand jury and other jury functions upon order of the court or as considered necessary by the school board during natural or man-made emergencies, hurricanes, tornadoes, floods and other acts of God. The local school boards, subject to rules and regulations promulgated by the State Board of Education, may permit the use of publicly owned school buses for the transportation of citizens attending an air show or historic commemorative event held on a military base or military park located in the school district; provided that such determination shall be made upon the minutes of the school board and shall include an agreement with the military base or military park that it will indemnify and hold the school district harmless in any action regarding such transportation.

(2) (a) Local school boards may regularly permit the use of motor vehicles other than school buses when the transportation is for trips to and from school sites or * * * for school-related functions and activities; however, motor vehicles other than school buses may not be used for customary transportation between a student's residence and such sites.

(b) When the transportation of students is provided, as authorized in this subsection, in a vehicle other than a school bus that is owned, operated, rented, contracted, or leased by a school district or charter school, the following provisions shall apply:

(i) The vehicle must be a passenger car or multipurpose passenger vehicle or truck, as defined in 49 CFR Part 571, designed to transport fewer than * * * sixteen (16) students and which does not require a commercial driver's license with passenger endorsement. Students must be transported in designated seating positions and must use the occupant crash protection system provided by the manufacturer unless the student's physical condition prohibits such use.

(ii) An authorized vehicle may not be driven by a student on a public right-of-way. An authorized vehicle may be driven by a student on school or private property as part of the student's educational curriculum if no other student is in the vehicle.

(iii) The driver of an authorized vehicle transporting students must maintain a valid driver's license and must comply with the requirements of the school district's locally adopted safe driver plan, which includes review of driving records for disqualifying violations.

(iv) The local school board must adopt a policy that addresses procedures and liability for trips under this paragraph, including a provision that school buses are to be used whenever practical and specifying consequences for violation of the policy.

SECTION 15. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO REENACT SECTIONS 37-159-1, 37-159-5, 37-159-7, 37-159-9, 37-159-11, 37-159-13 AND 37-159-17, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998 AND INCLUDE THE UNIVERSITY ASSISTED TEACHER RECRUITMENT AND RETENTION GRANT PROGRAM, THE MISSISSIPPI EMPLOYER-ASSISTED HOUSING TEACHER PROGRAM, AND A PILOT PROGRAM TO PROVIDE FOR THE CONSTRUCTION OF RENTAL HOUSING FOR TEACHERS IN THE WEST TALLAHATCHIE SCHOOL DISTRICT; TO AMEND SECTION 37-159-19, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998; TO AMEND SECTION 37-106-36, MISSISSIPPI CODE OF 1972, TO REVISE THE AWARD CRITERIA OF THE WILLIAM F. WINTER AND JACK REED, SR., TEACHER LOAN REPAYMENT PROGRAM; TO PROVIDE THAT THE STATE FINANCIAL AID BOARD SHALL DEVELOP RULES FOR ENSURING THAT EXPENSES OF THE PROGRAM IN A FISCAL YEAR DO NOT EXCEED FUNDING FOR THE PROGRAM IN THAT FISCAL YEAR; TO PROVIDE THAT THE STATE FINANCIAL AID BOARD MAY LIMIT THE ACCEPTANCE OF APPLICATIONS AND MAY LIMIT THE NUMBER OF AWARDS; TO CREATE NEW SECTION 25-11-126, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS WHO HAVE AT LEAST 30 YEARS OF CREDITABLE SERVICE IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM, WHO WERE EMPLOYED AS PUBLIC SCHOOL TEACHERS AT THE TIME OF THEIR RETIREMENT AND WHO HAVE BEEN RETIRED AT LEAST 90 DAYS AND RECEIVING A RETIREMENT ALLOWANCE, MAY BE EMPLOYED AS TEACHERS IN CERTAIN PUBLIC SCHOOL DISTRICTS AFTER THEIR RETIREMENT AND RECEIVE A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM DURING THEIR EMPLOYMENT AS TEACHERS IN ADDITION TO A SET SALARY; TO PROVIDE THAT SUCH RETIRED TEACHERS SHALL BE ELIGIBLE TO RETURN TO TEACHING AND CONTINUE TO RECEIVE A RETIREMENT BENEFIT FOR A TOTAL OF FIVE YEARS; TO STIPULATE THE AMOUNT TO BE PAID BY SCHOOL DISTRICTS, WHICH AVAIL THEMSELVES OF REEMPLOYING RETIRED TEACHERS TO PERS; TO PROVIDE THAT ANY TIME WORKED BY A RETIRED TEACHER IN A SCHOOL DISTRICT THAT IS LESS THAN A FULL CONTRACTUAL TERM OF TRADITIONAL TEACHERS SHALL CONSTITUTE ONE OF THE FIVE YEARS OF POST-RETIREMENT TEACHING ELIGIBILITY AND THE SALARY AUTHORIZED FOR SUCH INDIVIDUAL SHALL BE PRORATED FOR ANY TIME WORKED LESS THAN A FULL ACADEMIC YEAR; TO PROVIDE THAT A RETIRED TEACHER SHALL NOT BE RESTRICTED TO TEACHING IN ONE SCHOOL DISTRICT FOR HIS OR HER PERIOD OF POST-RETIREMENT TEACHING ELIGIBILITY; TO PROVIDE THAT SCHOOL DISTRICTS MAY EMPLOY RETIRED TEACHERS BASED ON CERTAIN CRITICAL TEACHER SHORTAGE CRITERIA DEVELOPED BY THE DEPARTMENT OF EDUCATION; TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MINIMUM SALARY FOR RETIRED TEACHERS RETURNING TO THE CLASSROOM; TO ALLOW RETIRED TEACHERS WHO HAD RECEIVED NATIONAL BOARD CERTIFICATION PRIOR TO RETIREMENT TO CONTINUE RECEIVING THE ANNUAL SUPPLEMENT FOR SUCH CERTIFICATION; TO AMEND SECTIONS 25-11-123 AND 25-11-127, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTION 37-41-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE SCHOOL BOARDS TO ALLOW MOTOR VEHICLES OTHER THAN

SCHOOL BUSES TO BE USED TO TRANSPORT SMALL GROUPS OF STUDENTS FOR SCHOOL-RELATED ACTIVITIES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Rob Roberson	Dennis DeBar, Jr.
Kent McCarty	David Blount
Jansen Owen	David Parker

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 765** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane moved that the rules be suspended to move to calendar item 147, **H. B. No. 292**, and the motion prevailed.

Senator Fillingane moved that the Conference Committee Report on **H. B. No. 292** be recommitted for further conference and the motion prevailed.

H. B. No. 292: DUI suspension; clarify how the 120 days are counted.

Senator Whaley offered the following report of the Conference Committee on **H. B. No. 1208** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1208: Hunting and fishing on lands of others; revise provisions relating to and provide penalties for.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-7-79, Mississippi Code of 1972, is amended as follows:

49-7-79. (1) It shall be unlawful for any person to knowingly enter the lands of another without the permission of, or without being accompanied by, the landowner or the lessee of the land, or the agent of such landowner or lessee, to hunt, fish, shoot, or trap * * * on the lands or leases of another * * *.

(2) Any person convicted of violating subsection (1) of this section shall be guilty of a misdemeanor, and upon conviction, shall be punished for the first offense by a fine of not less than Five Hundred Dollars ($500.00), nor more than One Thousand Dollars ($1,000.00). Upon conviction of any person for a second or subsequent offense, with the offenses being committed within five (5) years of the last offense, such person shall be punished by a fine of not less than One Thousand Dollars ($1,000.00), nor more than One Thousand Five Hundred Dollars ($1,500.00).

(3) Any person convicted of a second or subsequent offense under subsection (1) of this section, the offenses being committed within a five (5) year period, shall also forfeit all hunting, trapping, and fishing privileges for a period of one (1) year. Such person shall pay a reinstatement fee of Five Hundred Dollars ($500.00) to have his or her privileges restored.

(4) Any animal, bird, fish, or parts thereof, that have been unlawfully taken or possessed in violation of subsection (1) of this section shall be seized by a law enforcement officer and disposed of by the department, or under its direction.

(5) In addition to any fine or penalty assessed due to a violation of this section, a person convicted of violating subsection (1) of this section shall also pay restitution to the landowner of not less than One Hundred Dollars ($100.00), nor more than Two Hundred Fifty Dollars ($250.00), for each animal, bird, fish, or parts thereof, taken or possessed in violation of this section. The total amount of restitution authorized by this paragraph shall be paid to the landowner; and shall not exceed an aggregate total of One Thousand Five Hundred Dollars ($1,500.00) regardless of the number of animals unlawfully taken or possessed in violation of this section.

SECTION 2. Section 97-17-85, Mississippi Code of 1972, is amended as follows:

97-17-85. Except as otherwise provided in Sections 73-13-103 and 49-7-79, if any person shall go upon the enclosed land of another without his consent, after having been notified by such person or his agent not to do so, either personally or by published or posted notice, or shall remain on such land after a request by such person or his agent to depart, he shall, upon conviction, be fined not more than Fifty Dollars ($50.00) for such offense. The provisions of this section shall apply to land not enclosed where the stock law is in force.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 49-7-79, MISSISSIPPI CODE OF 1972, TO REVISE THE LAW PROHIBITING HUNTING ON LANDS OF OTHERS; TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS ACT; TO AMEND SECTION 97-17-85, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Kevin Horan	Neil S. Whaley
Zachary Grady	Benjamin Suber
Billy Adam Calvert	Jeremy England

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1208** (version 2) was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Boyd, Branning, Bryan, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--39.

Nays--Blount, Brumfield, Butler, Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--12.

Absent and those not voting----None.

Voting Present--Turner-Ford. Total--1.

Senator Johnson moved that the rules be suspended to move to calendar item 118, **H. B. No. 1190**, and the motion prevailed.

Senator Johnson moved that the Conference Committee Report on **H. B. No. 1190** be recommitted for further conference and the motion prevailed.

H. B. No. 1190: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

Senator Fillingane moved that the rules be suspended to move to calendar item 158, **H. B. No. 1253**, and the motion prevailed.

Senator Fillingane moved that the Conference Committee Report on **H. B. No. 1253** be recommitted for further conference and the motion prevailed.

H. B. No. 1253: Post-conviction collateral relief; require certain petitioners to obtain Supreme Court permission before filing in trial court.

Senator Polk offered the following report of the Conference Committee on **H. B. No. 1408** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1408: Residential roofing contractors; revise requirements under Insurance Benefits Roofing Repair Consumer Protection Act.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 75-24-305, Mississippi Code of 1972, is amended as follows:

75-24-305. As used in Sections 75-24-301 through 75-24-311:

(a) "Emergency services" means services performed with the express permission of the insured and that are immediately necessary for:

(i) The preservation of the residential real estate; or

(ii) The health of the insured, owner or possessor.

"Emergency services" does not include inspection of the residential roof system or an estimation of the repair costs.

(b) "Insured" means an insured whose name appears on the face of the property and casualty insurance policy that provides coverage for the residential roof system to be repaired.

(c) "Residential roofing contractor" means a person or entity contracting or offering to contract with an insured, owner or possessor of a residential roof system to repair or replace a roof system on residential real estate, or any portion thereof, where all or part of the cost is expected to be paid as a benefit of a property and casualty insurance policy.

(d) "Residential" means a new or existing dwelling constructed for habitation by one (1) to four (4) families, including a detached garage.

(e) "Insurance benefits residential roof system repair contract" means a written contract with an insured to repair a roof system, or any part thereof, on residential real estate, or provide goods and services in connection with such repair, that is to be paid in whole, or in part, under a property and casualty insurance policy.

(f) "Roof system" means roof coverings, roof sheathing, roof weatherproofing, roof framing, roof ventilation system, and insulation.

SECTION 2. Section 75-24-307, Mississippi Code of 1972, is amended as follows:

75-24-307. (1) Before signing an insurance benefits residential roof system repair contract with an insured, a residential roofing contractor shall furnish to the insured:

(a) The following statement in at least * * * 12-point boldface type that is attached to the contract:

"You may cancel this insurance benefits residential roof system repair contract at any time within three (3) business days after you have received written notice from your insurance company that all or any part of your claim, or all or part of the services and

goods to be provided by this contract, is not a covered loss under your insurance policy. A notice of cancellation form is provided to you with this contract. To cancel this contract under these circumstances, sign and date, and then mail or deliver the attached Notice of Cancellation, or another similar written notice of cancellation, to the contractor within three (3) business days after you have received such written notice from your insurance company. If you cancel, any payments made under this residential roofing system repair contract, except for emergency services and repairs subsequently approved for payment by the insurance company and already performed by the contractor, will be returned to you within ten (10) business days following receipt by the contractor of your cancellation notice."; and

(b) Duplicate copies of a completed form captioned "NOTICE OF CANCELLATION" that is attached to the contract, is easily detachable, and contains the following in at least * * * 12-point boldface type:

"NOTICE OF CANCELLATION

(Name and address of contractor - to be entered by contractor)

(Date of contract - to be entered by contractor)

(Address of residential real estate to be repaired - to be entered by contractor)

I have been notified by my insurance company that all or any part of my claim, or the services and goods to be provided in the residential roofing system repair contract, is not a covered loss under the insurance policy.

I HEREBY CANCEL THIS TRANSACTION

Please return my prior payments within ten (10) days.

_____ _____

INSURED'S SIGNATURE DATE"

(2) (a) In circumstances in which payment may be made from the proceeds of a property and casualty insurance policy, a residential roofing contractor shall not require any payment from an insured until the three-day cancellation period has expired.

(b) Prior to a contract being executed for repairs made by a residential roofing contractor that are separate or additional to those repairs covered under the policy of insurance, the residential roofing contractor shall include a statement identifying those aspects of the repair or replacement which are separate from or additional to the repair or replacement of the damage to the roof system caused by a covered peril and explaining that payment of those excess or additional items are the insured's responsibility. This subsection does not limit an insured from communicating with the insurer about the estimated replacement cost of the repairs or replacement of the damaged roof system.

(3) Until the claim has been filed by the insured, a residential roofing contractor shall not represent or negotiate, or offer or advertise to represent or negotiate, on behalf of an owner or possessor of residential real estate on any insurance claim in connection with the repair or replacement of a roof system. This subsection does not prohibit an insured from including the residential roofing contractor in the insured's communications with the insurer about the damages to the roof system or the estimated replacement cost of the repairs or replacement of the damaged roof system at any point in the process. This subsection does not apply to a public adjuster licensed under Sections 83-17-501 through 83-17-527.

(4) (a) A residential roofing contractor shall not contract for, agree to, or receive anything of value from an attorney or other person acting in concert with an attorney for referring claims to the attorney or in connection with any claim for which the residential roofing contractor has performed or intends to perform services. A residential roofing contractor may not create a business relationship between an insured and an attorney or obligate an insured to hire a specified attorney.

(b) A residential roofing contractor shall not advertise or otherwise promise or offer to pay, or pay, or rebate all or any portion of an insured's insurance deductible as an inducement to enter into the residential roofing contract.

(5) A post-loss assignment by a named insured of rights or benefits to a residential roofing contractor under a property and casualty insurance policy insuring residential real estate shall authorize a residential roofing contractor only to be named as a co-payee for the payment of benefits under a property and casualty insurance policy covering residential real estate. The assignment shall include all of the following:

(a) An itemized description of the work to be performed;

(b) An itemized description of the materials, labor and fees for the work to be performed;

(c) A total itemized amount to be paid for the work to be performed;

(d) A statement that the residential roofing contractor has made no assurances that the claimed loss will be covered fully by an insurance contract; and

(e) The following notice in capitalized fourteen-point type:

"You are agreeing to give up certain rights you have under your insurance policy. Please read and understand this document before signing. The itemized description of the work to be done shown in this assignment form has not been agreed to by the insurer. The insurer has the right to pay only for the cost to repair or replace damaged property caused by a covered peril."

(6) A copy of the executed assignment shall be provided to the insurer of the residential real estate no later than five (5) business days after the execution date of the assignment.

(7) The assignment shall not impair the interest of a mortgagee listed on the declarations page of the property and casualty insurance policy that is the subject of the assignment.

(8) An assignment shall not prevent or inhibit an insurer from communication with the named insured or mortgagee listed on the declarations page of the property and casualty insurance policy that is the subject of the assignment.

(9) A residential roofing contractor shall comply with all

applicable building codes when replacing, repairing, constructing or reconstructing a roof system.

(10) Pursuant to the terms of the insured's contract, nothing in this section shall be construed to prohibit a residential roofing contractor from:

(a) Providing an insured an estimate for repair, replacement, construction or reconstruction of the insured's property and any such estimate may be submitted to the insured's insurance company;

(b) Conferring with an insurance company's representative about damage to an insured's property; or

(c) Discussing repair or replacement options with an insurance company's representative or the insured about options for the repair or replacement of the damage.

SECTION 3. Section 75-24-311, Mississippi Code of 1972, is amended as follows:

75-24-311. (1) Any residential roofing contractor in violation of Sections 75-24-301 through 75-24-311 shall be subject to the civil and criminal penalties and remedies under Sections 75-24-19, 75-24-20 and 75-24-23, and may be liable under a private right of action of the consumer.

(2) A violation of Sections 75-24-301 through 75-24-311 by a residential roofing contractor is an unfair and deceptive act or practice as defined by the Mississippi Consumer Protection Law, Section 75-24-1 et seq.

(3) Sections 75-24-301 through 75-24-311 do not prohibit an insured that is harmed by a deceptive trade practice from commencing a civil action against a residential roofing contractor.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO AMEND SECTION 75-24-305, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "ROOF SYSTEM" UNDER THE INSURANCE BENEFITS ROOFING REPAIR CONSUMER PROTECTION ACT; TO AMEND SECTION 75-24-307, MISSISSIPPI CODE OF 1972, TO PROHIBIT A RESIDENTIAL ROOFING CONTRACTOR FROM REQUIRING PAYMENT UNTIL THE EXPIRATION OF THE CANCELLATION PERIOD; TO PROHIBIT A RESIDENTIAL ROOFING CONTRACTOR FROM REPRESENTING A PROPERTY OWNER ON INSURANCE CLAIMS AND FROM RECEIVING PAYMENT FROM AN ATTORNEY FOR CLAIM REFERRALS; TO PRESCRIBE CERTAIN REQUIREMENTS FOR A POST-LOSS ASSIGNMENT BY AN INSURED TO A RESIDENTIAL ROOFING CONTRACTOR; TO AMEND SECTION 75-24-311, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Jerry R. Turner	John A. Polk
William Tracy Arnold	Neil S. Whaley
Andy Boyd	Jenifer B. Branning

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1408** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn,

McLendon, Michel, Norwood, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Chism, England, Hill. Total--3.

Absent and those not voting----None.

Voting Present--McMahan, Parker, Seymour. Total--3.

Senator DeBar offered the following report of the Conference Committee on **H. B. No. 1450** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1450: Interstate Teacher Mobility Compact; authorize entrance for purpose of facilitating mobility of teachers married to service members.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The Governor is authorized and directed to execute the Interstate Teacher Mobility Compact on behalf of this state with any other state or states legally joining therein in the form substantially as follows:

ARTICLE I

PURPOSE

The purpose of this compact is to facilitate the mobility of teachers across the member states with the goal of supporting teachers through a new pathway to licensure. Through this compact, the member states seek to establish a collective regulatory framework which expedites and enhances the ability of teachers from a variety of backgrounds to move across state lines. This compact is intended to achieve the following objectives, as applied in the State of Mississippi, and shall be interpreted according to Mississippi law. The member states hereby ratify the same intentions by subscribing hereto:

A. Create a streamlined pathway to licensure mobility for teachers;

B. Support the relocation of eligible military spouses;

C. Facilitate and enhance the exchange of licensure information between the member states;

D. Enhance the power of state and district-level education officials to hire qualified, competent teachers by removing barriers to the employment of out-of-state teachers;

E. Support the retention of teachers in the profession by removing barriers to relicensure in a new state; and

F. Maintain state sovereignty in the regulation of the teaching profession.

ARTICLE II

DEFINITIONS

As used in this compact, and except as otherwise provided, the following definitions shall govern the terms herein:

A. "Active military member" means any person with full-time duty status in the Armed Forces of the United States, including members of the National Guard and Reserve.

B. "Adverse action" means any limitation or restriction imposed by a member state's licensing authority, such as revocation, suspension, reprimand, probation or limitation on the licensee's ability to work as a teacher.

C. "Bylaws" means those bylaws established by the Commission.

D. "Career and technical education license" means a current, valid authorization issued by a member state's licensing authority allowing an individual to serve as a teacher in P-12 public educational settings in a specific career and technical education area.

E. "Charter member states" means a member state that has enacted legislation to adopt this compact where such legislation predates the initial meeting of the Commission after the effective date of the compact.

F. "Commission" means the interstate administrative body which membership consists of delegates of all states that have enacted this compact, and which is known as the Interstate Teacher Mobility Compact Commission.

G. "Commissioner" means the delegate of a member state.

H. "Eligible license" means a license to engage in the teaching profession which requires at least a bachelor's degree and the completion of a state-approved program for teacher licensure.

I. "Eligible military spouse" means the spouse of any individual in full-time duty status in the active Armed Forces of the United States, including members of the National Guard and Reserve moving as a result of a military mission or military career progression requirements or are on their terminal move as a result of separation or retirement (to include surviving spouses of deceased military members).

J. "Executive committee" means a group of Commissioners elected or appointed to act on behalf of, and within the powers granted to them by, the Commission as provided for herein.

K. "Licensing authority" means an official, agency, board, or other entity of a state that is responsible for the licensing and regulation of teachers authorized to teach in P-12 public educational settings.

L. "Member state" means any state that has adopted this compact, including all agencies and officials of such a state.

M. "Receiving state" means any state where a teacher has applied for licensure under this compact.

N. "Rule" means any regulation promulgated by the Commission under this compact, which shall have the force of law in each member state. As applied in the State of Mississippi, such rules shall only be binding and have the force of law if consistent with Mississippi law.

O. "State" means a state, territory, or possession of the United States, and the District of Columbia.

P. "State practice laws" means a member state's laws, rules, and regulations that govern the teaching profession, define the scope of such profession, and create the methods and grounds for imposing discipline.

Q. "State specific requirements" means a requirement for licensure covered in coursework or examination that includes content of unique interest to the state.

R. "Teacher" means an individual who currently holds an authorization from a member state that forms the basis for employment in the P-12 public schools of the state to provide instruction in a specific subject area, grade level or student population.

S. "Unencumbered license" means a current, valid authorization issued by a member state's licensing authority allowing an individual to serve as a teacher in P-12 public educational settings. An unencumbered license is not a restricted, probationary, provisional, substitute or temporary credential.

ARTICLE III

LICENSURE UNDER THE COMPACT

A. Licensure under this compact pertains only to the initial grant of a license by the receiving state. Nothing herein applies to any subsequent or ongoing compliance requirements that a receiving state might require for teachers.

B. Each member state shall, in accordance with rules of the commission, define, compile and update, as necessary, a list of eligible licenses and career and technical education licenses that the member state is willing to consider for equivalency under this compact and provide the list to the commission. The list shall include those licenses that a receiving state is willing to grant teachers from other member states, pending a determination of equivalency by the receiving state's licensing authority.

C. Upon the receipt of an application for licensure by a teacher holding an unencumbered license, the receiving state shall determine which of the receiving state's eligible licenses the teacher is qualified to hold and shall grant such a license or licenses to the applicant. Such a determination shall be made in the sole discretion of the receiving state's licensing authority and may include a determination that the applicant is not eligible for any of the receiving state's licenses. For all teachers who hold an unencumbered license, the receiving state shall grant one or more unencumbered licenses that, in the receiving state's sole discretion, are equivalent to the license held by the teacher in any other member state.

D. For active duty military members and eligible military spouses who hold a license that is not unencumbered, the receiving state shall grant an equivalent license or licenses that, in the receiving state's sole discretion, is equivalent to the license or licenses held by the teacher in any other member state, except where the receiving state does not have an equivalent license.

E. For a teacher holding an unencumbered career and technical education license, the receiving state shall grant an unencumbered license equivalent to the career and technical education license held by the applying teacher and issued by another member state, as determined by the receiving state in its sole discretion, except where a career and technical education teacher does not hold a bachelor's degree and the receiving state requires a bachelor's degree for licenses to teach career and technical education. A receiving state may require career and technical education teachers to meet state industry recognized requirements, if required by law in the receiving state.

ARTICLE IV

LICENSURE NOT UNDER THE COMPACT

A. Except as provided in Article III, nothing in this compact shall be construed to limit or inhibit the power of a member state to regulate licensure or endorsements overseen by the member state's licensing authority.

B. When a teacher is required to renew a license received pursuant to this compact, the state granting such a license may require the teacher to complete state-specific requirements as a condition of licensure renewal or advancement in that state.

C. For purposes of determining compensation, a receiving state may require additional information from teachers receiving a license under the provisions of this compact.

D. Nothing in this compact shall be construed to limit the power of a member state to control and maintain ownership of its information pertaining to teachers or limit the application of a member state's laws or regulations governing the ownership, use or dissemination of information pertaining to teachers.

E. Nothing in this compact shall be construed to invalidate or alter any existing agreement or other cooperative arrangement which a member state may already be a party to or limit the ability of a member state to participate in any future agreement or other cooperative arrangement to:

1. Award teaching licenses or other benefits based on additional professional credentials, including, but not limited to, National Board Certification;

2. Participate in the exchange of names of teachers whose license has been subject to an adverse action by a member state; or

3. Participate in any agreement or cooperative arrangement with a nonmember state.

ARTICLE V

TEACHER QUALIFICATIONS AND REQUIREMENTS

FOR LICENSURE UNDER THE COMPACT

A. Except as provided for active military members or eligible military spouses under Article III.D, a teacher may only be eligible to receive a license under this compact where that teacher holds an unencumbered license in a member state.

B. A teacher eligible to receive a license under this compact shall, unless otherwise provided herein:

1. As the compact is applied in Mississippi, upon their application to receive a license under this compact and receipt of an employment offer by a school district, undergo a criminal background check in the receiving state in accordance with the laws and regulations of the receiving state; and

2. Provide the receiving state with information in addition to the information required for licensure for the purposes of determining compensation, if applicable.

ARTICLE VI

DISCIPLINE AND ADVERSE ACTIONS

A. Nothing in this compact shall be deemed or construed to limit the authority of a member state to investigate or impose disciplinary measures on teachers according to the state practice laws thereof.

B. Member states shall be authorized to receive, and shall provide, files and information regarding the investigation and discipline, if any, of teachers in other member states upon request. Any member state receiving such information or files shall protect and maintain the security and confidentiality thereof, in at least the same manner that it maintains its own investigatory or disciplinary files and information. Prior to disclosing any disciplinary or investigatory information received from another member state, the disclosing state shall communicate its intention and purpose for such disclosure to the member state which originally provided that information.

ARTICLE VII

ESTABLISHMENT OF THE INTERSTATE TEACHER MOBILITY

COMPACT COMMISSION

A. The interstate compact member states hereby create and establish a joint public agency known as the Interstate Teacher Mobility Compact Commission:

1. The Commission is a joint interstate governmental agency comprised of states that have enacted the Interstate Teacher Mobility Compact; and

2. Nothing in this compact shall be construed to be a waiver of sovereign immunity.

B. Membership, Voting, and Meetings

1. Each member state shall have and be limited to one (1) delegate to the Commission, who shall be given the title of Commissioner.

2. The Commissioner shall be the primary administrative officer of the state licensing authority or their designee.

3. Any Commissioner may be removed or suspended from office as provided by the law of the state from which the Commissioner is appointed.

4. The member state shall fill any vacancy occurring in the Commission within ninety (90) days.

5. Each Commissioner shall be entitled to one (1) vote about the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the Commission. A Commissioner shall vote in

person or by such other means as provided in the bylaws. The bylaws may provide for Commissioners' participation in meetings by telephone or other means of communication.

6. The Commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

7. The Commission shall establish, by rule, a term of office for Commissioners.

C. The Commission shall have the following powers and duties:

1. Establish a Code of Ethics for the Commission;

2. Establish the fiscal year of the Commission;

3. Establish bylaws for the Commission;

4. Maintain its financial records in accordance with the bylaws of the Commission;

5. Meet and take such actions as are consistent with the provisions of this interstate compact, the bylaws and rules of the Commission;

6. Promulgate uniform rules to implement and administer this interstate compact. The rules shall have the force and effect of law and shall be binding in all member states, except that in Mississippi, the rules shall only be binding if consistent with Mississippi law. In the event the Commission exercises its rulemaking authority in a manner that is beyond the scope of the purposes of the compact, or the powers granted hereunder, then such an action by the Commission shall be invalid and have no force and effect of law;

7. Bring and prosecute legal proceedings or actions in the name of the Commission, provided that the standing of any member state licensing authority to sue or be sued under applicable law shall not be affected;

8. Purchase and maintain insurance and bonds;

9. Borrow, accept or contract for services of personnel, including, but not limited to, employees of a member state, or an associated nongovernmental organization that is open to membership by all states;

10. Hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and establish the Commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

11. Lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold, improve, or use, any property, real, personal or mixed, provided that at all times the Commission shall avoid any appearance of impropriety;

12. Sell, convey, mortgage, pledge, lease, exchange, abandon or otherwise dispose of any property real, personal or mixed;

13. Establish a budget and make expenditures;

14. Borrow money;

15. Appoint committees, including standing committees composed of members and such other interested persons as may be designated in this interstate compact, rules or bylaws;

16. Provide and receive information from, and cooperate with, law enforcement agencies;

17. Establish and elect an Executive Committee;

18. Establish and develop a charter for an Executive Information Governance Committee to advise on facilitating exchange of information, use of information, data privacy and technical support needs, and provide reports as needed;

19. Perform such other functions as may be necessary or appropriate to achieve the purposes of this interstate compact consistent with the state regulation of teacher licensure; and

20. Determine whether a state's adopted language is materially different from the model compact language such that the state would not qualify for participation in the compact.

D. The Executive Committee of the Interstate Teacher Mobility Compact Commission

1. The Executive Committee shall have the power to act on behalf of the Commission according to the terms of this interstate compact;

2. The Executive Committee shall be composed of eight (8) voting members:

a. The Commission chair, vice chair and treasurer; and

b. Five (5) members who are elected by the Commission from the current membership:

i. Four (4) voting members representing geographic regions in accordance with commission rules; and

ii. One (1) at-large voting member in accordance with commission rules;

3. The Commission may add or remove members of the Executive Committee as provided in commission rules;

4. The Executive Committee shall meet at least once annually;

5. The Executive Committee shall have the following duties and responsibilities:

a. Recommend to the entire Commission changes to the rules or bylaws, changes to the compact legislation, fees paid by interstate compact member states such as annual dues, and any compact fee charged by the member states on behalf of the Commission. As applied in Mississippi, implementation of any recommendation or rules or bylaws related to annual dues shall be subject to appropriation by the Legislature;

b. Ensure Commission administration services are appropriately provided, contractual or otherwise;

c. Prepare and recommend the budget;

d. Maintain financial records on behalf of the Commission;

e. Monitor compliance of member states and provide reports to the Commission; and

f. Perform other duties as provided in rules or bylaws.

6. Meetings of the Commission

a. All meetings shall be open to the public, and public notice of meetings shall be given in accordance with Commission bylaws;

b. The Commission or the Executive Committee or other committees of the Commission may convene in a closed, nonpublic meeting if the Commission or Executive Committee or other committees of the Commission must discuss:

i. Noncompliance of a member state with its obligations under the compact;

ii. The employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the Commission's internal personnel practices and procedures;

iii. Current, threatened, or reasonably anticipated litigation;

iv. Negotiation of contracts for the purchase, lease or sale of goods, services or real estate;

v. Accusing any person of a crime or formally censuring any person;

vi. Disclosure of trade secrets or commercial or financial information that is privileged or confidential;

vii. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

viii. Disclosure of investigative records compiled for law enforcement purposes;

ix. Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the Commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact;

x. Matters specifically exempted from disclosure by federal or member state statute; and

xi. Others matters as set forth by Commission bylaws and rules;

c. If a meeting, or portion of a meeting, is closed pursuant to this provision, the Commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision; and

d. The Commission shall keep minutes of Commission meetings and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the Commission or order of a court of competent jurisdiction.

7. Financing of the Commission

a. The Commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization and ongoing activities;

b. The Commission may accept all appropriate donations and grants of money, equipment, supplies, materials and services, and receive, utilize and dispose of the same, provided that at all times the Commission shall avoid any appearance of impropriety or conflict of interest;

c. The Commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the Commission, in accordance with the commission rules, but the requirement to pay the assessment in Mississippi, shall be subject to appropriation by the Legislature;

d. The Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Commission pledge the credit of any of the member states, except by and with the authority of the member state; and

e. The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to accounting procedures established under Commission bylaws. All receipts and disbursements of funds of the Commission shall be reviewed annually in accordance with Commission bylaws, and a report of the review shall be included in and become part of the annual report of the Commission.

8. Qualified Immunity, Defense and Indemnification

a. The members, officers, executive director, employees and representatives of the Commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided that nothing in this paragraph shall be construed to protect any such person from suit or liability for any damage, loss, injury or liability caused by the intentional or willful or wanton misconduct of that person.

b. The Commission shall defend any member, officer, executive director, employee or representative of the Commission in any civil action seeking to impose liability arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error or omission did not result from that person's intentional or willful or wanton misconduct.

c. The Commission shall indemnify and hold harmless any member, officer, executive director, employee or representative of the Commission for the

amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities, provided that the actual or alleged act, error or omission did not result from the intentional or willful or wanton misconduct of that person.

ARTICLE VIII

RULEMAKING

A. The Commission shall exercise its rulemaking powers pursuant to the criteria set forth in this interstate compact and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment, provided that as applied in the State of Mississippi, the rules shall only be binding if consistent with Mississippi law.

B. The Commission shall promulgate reasonable rules to achieve the intent and purpose of this interstate compact. In the event the Commission exercises its rulemaking authority in a manner that is beyond purpose and intent of this interstate compact, or the powers granted hereunder, then such an action by the Commission shall be invalid and have no force and effect of law in the member states.

C. If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within four (4) years of the date of adoption of the rule, then such rule shall have no further force and effect in any member state.

D. Rules or amendments to the rules shall be adopted or ratified at a regular or special meeting of the Commission in accordance with commission rules and bylaws.

E. Upon determination that an emergency exists, the Commission may consider and adopt an emergency rule with forty-eight (48) hours' notice, with opportunity to comment, provided that the usual rulemaking procedures shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

1. Meet an imminent threat to public health, safety, or welfare;

2. Prevent a loss of Commission or member state funds;

3. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or

4. Protect public health and safety.

F. As applied in the State of Mississippi, if a rule or amendment promulgated by the Commission conflicts with Mississippi law, Mississippi law shall control and the rule or amendment promulgated by the Commission shall have no effect.

ARTICLE IX

FACILITATING INFORMATION EXCHANGE

A. The Commission shall provide for facilitating the exchange of information to administer and implement the provisions of this compact in accordance with the rules of the Commission, consistent with generally accepted data protection principles and federal and state law.

B. Nothing in this compact shall be deemed or construed to alter, limit or inhibit the power of a member state to control and maintain ownership of its licensee information or alter, limit or inhibit the laws or regulations governing licensee information in the member state.

ARTICLE X

OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT

A. Oversight

1. The executive and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent, provided that as applied in the State of Mississippi, the compact shall only be binding if consistent with Mississippi law. The provisions of this compact shall have standing as statutory law, provided that as applied in the State of Mississippi, the compact shall only be binding if consistent with Mississippi law.

2. Venue is proper and judicial proceedings by or against the Commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the Commission is located. The Commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. Nothing herein shall affect or limit the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct or any such similar matter.

3. All courts and all administrative agencies shall take judicial notice of the compact, the rules of the Commission, and any information provided to a member state pursuant thereto in any judicial or quasi-judicial proceeding in a member state pertaining to the subject matter of this compact, or which may affect the powers, responsibilities or actions of the Commission.

4. The Commission shall be entitled to receive service of process in any proceeding regarding the enforcement or interpretation of the compact and shall have standing to intervene in such a proceeding for all purposes. Failure to provide the Commission service of process shall render a judgment or order void as to the Commission, this compact or promulgated rules.

B. Default, Technical Assistance and Termination

1. If the Commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the Commission shall:

a. Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default or any other action to be taken by the Commission; and

b. Provide remedial training and specific technical assistance regarding the default.

2. If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the Commissioners of the member states, and all rights, privileges and benefits conferred on that state by this compact may be terminated on the effective date of termination.

3. Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the Commission to the Governor, the majority and minority leaders of the defaulting state's Legislature, the state licensing authority and each of the member states.

4. A state that has been terminated is responsible for all assessments, obligations and liabilities incurred through the effective date of termination.

5. The Commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the Commission and the defaulting state.

6. The defaulting state may appeal the action of the Commission by petitioning the United States District Court for the District of Columbia or the federal district where the Commission has its principal offices.

C. Dispute Resolution

1. Upon request by a member state, the Commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

2. The Commission shall promulgate a rule providing for nonbinding alternative dispute resolution for disputes as appropriate.

D. Enforcement

1. The Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

2. By majority vote, the Commission may initiate legal action in a court of competent jurisdiction to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include injunctive relief.

ARTICLE XI

EFFECTUATION, WITHDRAWAL, AND AMENDMENT

A. The compact shall come into effect on the date on which the compact statute is enacted into law in the tenth member state.

1. On or after the effective date of the compact, the Commission shall convene and review the enactment of each of the charter member states to determine if the statute enacted by each such charter member state is materially different from

the model compact statute.

2. A charter member state whose enactment is found to be materially different from the model compact statute shall be entitled to the default process set forth in Article X.

3. Member states enacting the compact subsequent to the charter member states shall be subject to the process set forth in Article VII.C.20 to determine if their enactments are materially different from the model compact statute and whether they qualify for participation in the compact.

B. If any member state is later found to be in default, or is terminated or withdraws from the compact, the Commission shall remain in existence and the compact shall remain in effect even if the number of member states should be less than ten (10).

C. Any state that joins the compact after the Commission's initial adoption of the rules and bylaws shall be subject to the rules and bylaws as they exist on the date on which the compact becomes law in that state, provided that as applied in the State of Mississippi, the compact shall only be binding if consistent with Mississippi law. Any rule that has been previously adopted by the Commission shall have the full force and effect of law on the day the compact becomes law in that state, provided that as applied in the State of Mississippi, the compact shall only be binding if consistent with Mississippi law, as the rules and bylaws may be amended as provided in this compact.

D. Any member state may withdraw from this compact by enacting a statute repealing the same. A member state's withdrawal shall not take effect until six (6) months after enactment of the repealing statute.

E. This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any other member state until it is enacted into the laws of all member states.

ARTICLE XII

CONSTRUCTION AND SEVERABILITY

The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any member state or a state seeking membership in the compact, contrary to Mississippi law, or of the United States or the applicability thereof to any other government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any member state, or as applicable in the State of Mississippi, with Mississippi law, the compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

ARTICLE XIII

CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS

A. Nothing herein shall prevent or inhibit the enforcement of Mississippi law that is not inconsistent with the compact.

B. Any laws, statutes, regulations or other legal requirements in a member state in conflict with the compact are superseded to the extent of the conflict, provided that as applied in the State of Mississippi, the compact shall only be binding if consistent with Mississippi law.

C. All permissible agreements between the Commission and the member states are binding in accordance with their terms, provided that as applied in the State of Mississippi, the agreements shall only be binding if consistent with Mississippi law.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT ENTERING THE STATE OF MISSISSIPPI INTO THE INTERSTATE TEACHER MOBILITY COMPACT FOR THE PURPOSE OF FACILITATING THE MOBILITY OF TEACHERS ACROSS MEMBER STATES TO THE COMPACT; TO ESTABLISH A COLLECTIVE REGULATORY FRAMEWORK THAT EXPEDITES AND ENHANCES THE ABILITY OF TEACHERS TO MOVE ACROSS STATE LINES; TO SET OUT THE AGREEMENT OF THE CONTRACTING STATES AND THE PURPOSE OF THE COMPACT; TO PROVIDE FOR THE MEMBERSHIP OF THE EDUCATION COMMISSION OF THE STATES AND PRESCRIBE THE POWERS AND DUTIES PERTAINING THERETO; TO ESTABLISH THE COMMITTEES OF THE COMMISSION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Rob Roberson	Dennis DeBar, Jr.
Jansen Owen	Scott DeLano
Gregory Holloway, Sr.	Chad McMahan

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1450** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins offered the following report of the Conference Committee on **H. B. No. 1624** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1624: Court-Appointed Special Advocate (CASA) Program; create state associate and standardize operations of local programs.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. As used in this act, the following words and phrases have the meanings ascribed in this section unless the context clearly requires otherwise:

(a) "Association" means the state Court-Appointed Special Advocate Association established under Section 8 of this act.

(b) "Court" means youth court or, if there is no youth court in the county where the CASA program is located, then chancery court.

(c) "Court-appointed special advocate case" or "CASA case" means a child or group of siblings who are within the jurisdiction of the court as a result of abuse, neglect or dependency proceedings and for whom the court has appointed and the program director has assigned a CASA volunteer.

(d) "Court-appointed special advocate program" or "CASA program" means a program by which trained community volunteers are provided to the court for appointment to represent the best interests of children who have come into the court system as a result of dependency, abuse or neglect.

(e) "Court-appointed special advocate volunteer" or "CASA volunteer" means a person who completes training through, and is supervised by, a CASA program and appointed by a judge to represent the best interests of dependent, abused or neglected children in court.

(f) "Local board" means the local board of directors appointed or selected pursuant to Section 2 of this act to govern a local CASA program.

(g) "Program director" means the director of each local CASA program selected under Section 2 of this act.

(h) "State board" means the state board of directors elected under Section 8 of this act.

(i) "State director" means the director of the state association provided for in Section 10 of this act.

SECTION 2. (1) For the purpose of providing an independent, efficient and thorough representation for children who enter the court system as a result of dependency, abuse or neglect, there may be established a court-appointed special advocate program by the judge of the youth court or, if none, the senior chancellor in the county in which the program is established.

(2) A local CASA program must be governed by a local board of directors. For new CASA programs, the initial board must be appointed by the judge of the youth court or, if none, the senior chancellor. Thereafter, members must be selected by the existing board members. Each board must include at least seven (7) members. Each board member must have a demonstrated interest in child welfare issues and commitment to the purpose and role of the court-appointed special advocate volunteers. Employees of the Mississippi Department of Child Protection Services are not eligible to serve as officers on the board. As far as practicable, members must be representative of the racial and ethnic composition of the area served by the CASA program. The following are the powers and duties of the board:

(a) Determine major personnel, organization, fiscal, and program policies including, but not limited to, the following:

(i) Measures to be taken to safeguard the CASA program's information relating to children, their families and the CASA volunteers;

(ii) The procedures for the recruitment, screening, training and supervision of CASA volunteers; and

(iii) The procedure for and circumstances warranting dismissal of a CASA volunteer from the CASA program;

(b) Determine overall plans and priorities for the CASA program, including provisions for evaluating progress against performance;

(c) Approve the program budget;

(d) Enforce compliance with all conditions of all grants contracts;

(e) Determine rules and procedures for the governing board;

(f) Select the officers and the executive committee, if any, of the governing board;

(g) Meet at least four (4) times each year;

(h) Submit an annual report to the association in the uniform manner required, which must include, but need not be limited to, the following information:

(i) Number of CASA volunteers in the program;

(ii) Number of program staff;

(iii) Number of children served;

(iv) Number of volunteers receiving initial training;

(v) Number of and topics for in-service training;

(vi) The type of source of the funds received and the amount received from each type of source during the previous fiscal year;

(vii) The expenditures during the previous year; and

(viii) Other information as deemed appropriate.

(3) Local CASA programs shall comply with the National CASA Association and Mississippi CASA Association Standards for Programs. Local programs shall ensure that CASA volunteers are supervised adequately by providing at least one (1) supervisory staff person for every thirty (30) CASA volunteers who have been appointed by the court and assigned by the program director. Each local CASA program must be managed by a qualified director whose service may be voluntary or who may be paid a salary. The program director's duties include:

(a) Administration of the CASA program, as directed by the local and state boards;

(b) Recruitment, screening, training and supervision of CASA volunteers and other program staff;

(c) Facilitation of the performance of the court-appointed special advocates' duties; and

(d) Ensuring that the security measures established by the local and state boards for safeguarding the information relating to children, their families and the CASA volunteers are maintained.

(4) As far as practicable, CASA volunteers must be representative of the socioeconomic, racial and ethnic composition of the area served.

(5) CASA volunteers may be removed by the court for nonparticipation or other cause or by the program director pursuant to subsection (2) of this section.

(6) Employees of the Mississippi Department of Child Protection Services may not become volunteers or employees of the court appointed special advocate program.

(7) All written court-appointed special advocate reports submitted pursuant to Section 7 of this act must become part of the court records of the child.

(8) Each CASA volunteer, program director and other program staff must take an oath, administered by a judge of the court, to keep confidential all information related to the appointed case except in conferring with or reports to the court, parties to the case, the Mississippi Department of Child Protection Services, others designated by the court, and as provided by law.

(9) CASA volunteers must be appointed by the presiding judge to represent the best interest of the child, subject to judicial discretion, and only after confirmation from the program director that the CASA volunteer has been screened properly and trained.

SECTION 3. (1) Secretarial and support services for each CASA program must be provided by the association. The Administrative Office of Courts also may provide secretarial and support services.

(2) CASA programs may receive private funds and local, state and federal government funding to ensure total or partial funding of program activities.

SECTION 4. (1) A CASA volunteer must meet the following minimum requirements:

(a) Be at least twenty-one (21) years of age;

(b) Be of good moral character;

(c) Complete a written application providing the names of at least three (3) references;

(d) Submit to a personal interview with program staff;

(e) Submit to a criminal records background check; and

(f) Submit to child and vulnerable person abuse registries checks.

(2) If found acceptable, the applicant shall obtain a minimum of thirty (30) hours of initial training and take an oath of confidentiality administered by a youth court judge or, if none, a chancellor in the chancery court district.

(3) Initial and in-service training of volunteers must be provided by the program director or staff following standards adopted pursuant to Section 9 of this act.

SECTION 5. (1) The clerk of court shall:

(a) Notify and provide a copy of all dependency, abuse and neglect petitions to the program director, as soon as the court makes a referral to the program director for assignment of a CASA volunteer to the case;

(b) Provide a copy of all court orders issued pursuant to this section; and

(c) Notify the program director of all scheduled court hearings for cases to which a CASA volunteer has been assigned.

(2) Upon appointment by the court to represent a child, the CASA volunteer will have access to information and records as previously set out in Mississippi Code of 1972, Section 43-21-121.

SECTION 6. (1) CASA volunteers who have a conflict of interest in a case may not be appointed to the case.

(2) The CASA volunteer shall:

(a) Attend all court hearings, except that the CASA volunteer may be excused by the court or the program director if emergency circumstances arise;

(b) Submit no less than one (1) written report and recommendation to the judge every six (6) months for consideration in determining the best interest of the child at the dispositional hearing, dispositional review hearings, and other hearings as requested by the court for as long as the case is assigned to the

CASA volunteer;

(c) Monitor the case by visiting the child as often as necessary to observe whether the child's essential needs are being met and whether court orders actually are being carried out;

(d) Participate in any medical treatment planning conferences and educational reviews involving the child to assess whether reasonable efforts are being made to provide services to the child and family and determine the appropriateness and progress of the child's permanent plan;

(e) Advocate a prompt, thorough review of the case if the child's circumstances warrant the attention of the court;

(f) Interview parties involved in the case, including interviewing and observing the child;

(g) Maintain complete written records about the case;

(h) Report any incidents of child or adult abuse or neglect to the appropriate authorities and to the program director;

(i) Remain actively involved in the case until dismissed from the case by the program director or judge with competent jurisdiction or when an adoption proceeding is finalized;

(j) Return all case-related materials including, but not limited to, written notes, court reports and agency documents to the program director upon the request of the program director.

SECTION 7. (1) A state Court-Appointed Special Advocate Association is established. All CASA volunteers, local board members, program directors and staff are

eligible for membership in the association. Other categories of membership may be created by the association.

(2) The association shall meet annually to elect a board of directors to manage the business of the association. The board shall elect a president, vice president, secretary and treasurer annually. The board shall meet at least four (4) times each year, and meetings may be held more frequently when called by the president of the board or by a majority of the board members.

SECTION 8. The association shall:

(a) Adopt and approve state standards for all CASA volunteers, program directors and other staff, including, but not limited to, guidelines for training;

(b) Adopt and approve the uniform annual data reporting procedures for local programs pursuant to subsection (2)(h) of Section 2; and

(c) Evaluate and make recommendations before January 1 of each year to the Supreme Court, Governor, Judiciary Committees of the House of Representatives and Senate, and the Administrative Offices of Courts addressing:

(i) Laws of the state affecting the welfare of children and families; and

(ii) The effectiveness or ineffectiveness, including reasons, of local CASA volunteers advocating for permanent placement for the children in the state.

SECTION 9. (1) If the state board employs a full-time staff person to serve as the director of the association, then the state director must be a person who, by a combination of education, professional qualification, training and experience is qualified to perform the duties of this position. The state director must be of good moral character with at least two (2) years of experience working in a position managing a human services program and who has received a:

(a) Master's degree in social work, sociology, psychology, guidance and counseling, education, criminal justice or other human services field; or

(b) Baccalaureate degree in social work, sociology, psychology, guidance and counseling, education, criminal justice or other human service field with, in addition to the work experience required in this subsection, at least two (2) additional years of experience working in the human services field.

(2) The duties of the state director are as follows:

(a) To manage the state court-appointed special advocate office, including staff;

(b) To coordinate the activities of the association;

(c) To monitor the policies and practices of local CASA programs for compliance with state laws, National CASA Association Standards for Programs, and reporting requirements established by the state association; to assist local CASA programs in efforts to achieve compliance; and to report to the state association the status of compliance by local CASA programs;

(d) Upon request of local CASA programs, to provide technical assistance to local CASA programs;

(e) To provide technical assistance and support to judges of the youth courts, chancery court judges and others in the development of new local CASA programs;

(f) To coordinate a statewide public awareness campaign for generating interest in developing new CASA programs, recruiting volunteers and informing the public of the issues concerning child abuse and neglect; and

(g) Other duties as directed by the association.

SECTION 10. (1) Secretarial and support services for the state board may be provided by the Administrative Office of Courts.

(2) The association may receive private funds and local, state and federal government funds to financially assist existing local CASA programs, assist local efforts to start a CASA program, and support other activities deemed appropriate by the association.

SECTION 11. Each CASA program shall forward annually to the association data collected pursuant to Sections 2 and 8 of this act.

SECTION 12. Section 43-21-121, Mississippi Code of 1972, is brought forward as follows:

43-21-121. (1) The youth court shall appoint a guardian ad litem for the child:

(a) When a child has no parent, guardian or custodian;

(b) When the youth court cannot acquire personal jurisdiction over a parent, a guardian or a custodian;

(c) When the parent is a minor or a person of unsound mind;

(d) When the parent is indifferent to the interest of the child or if the interests of the child and the parent, considered in the context of the cause, appear to conflict;

(e) In every case involving an abused or neglected child which results in a judicial proceeding; or

(f) In any other instance where the youth court finds appointment of a guardian ad litem to be in the best interest of the child.

(2) The guardian ad litem shall be appointed by the court when custody is ordered or at the first judicial hearing regarding the case, whichever occurs first.

(3) In addition to all other duties required by law, a guardian ad litem shall have the duty to protect the interest of a child for whom he has been appointed guardian ad litem. The guardian ad litem shall investigate, make recommendations to the court or enter reports as necessary to hold paramount the child's best interest. The guardian ad litem is not an adversary party and the court shall ensure that guardians ad litem perform their duties properly and in the best interest of their wards. The guardian ad litem shall be a competent person who has no adverse interest to the minor. The court shall ensure that the guardian ad litem is adequately instructed on the proper performance of his duties.

(4) The court, including a county court serving as a youth court, may appoint either a suitable attorney or a suitable layman as guardian ad litem. In cases where the court appoints a layman as guardian ad litem, the court shall also appoint an attorney to represent the child. From and after January 1, 1999, in order to be eligible for an appointment as a guardian ad litem, such attorney or layperson must have received child

protection and juvenile justice training provided by or approved by the Mississippi Judicial College within the year immediately preceding such appointment. The Mississippi Judicial College shall determine the amount of child protection and juvenile justice training which shall be satisfactory to fulfill the requirements of this section. The Administrative Office of Courts shall maintain a roll of all attorneys and laymen eligible to be appointed as a guardian ad litem under this section and shall enforce the provisions of this subsection.

(5) Upon appointment of a guardian ad litem, the youth court shall continue any pending proceedings for a reasonable time to allow the guardian ad litem to familiarize himself with the matter, consult with counsel and prepare his participation in the cause. The youth court shall issue an order of assignment that grants the guardian ad litem authority to review all relevant documents concerning the minor child and to interview all parties and witnesses involved in proceedings concerning the minor child for whom the guardian ad litem is appointed.

(6) Upon order of the youth court, the guardian ad litem shall be paid a reasonable fee as determined by the youth court judge or referee out of the county general fund as provided under Section 43-21-123. To be eligible for such fee, the guardian ad litem shall submit an accounting of the time spent in performance of his duties to the court.

(7) (a) The court, in its sound discretion, may appoint a volunteer trained layperson to assist children subject to the provisions of this section in addition to the appointment of a guardian ad litem. If the court utilizes his or her discretion as prescribed under this subsection, a volunteer Court-Appointed Special Advocate (CASA) shall be appointed from a program that supervises the volunteer and meets all state and national CASA standards to advocate for the best interests of children in abuse and neglect proceedings. To accomplish the assignment of a CASA volunteer, the court shall issue an order of assignment that shall grant the CASA volunteer the authority, equal to that of the guardian ad litem, to review all relevant documents and to interview all parties and witnesses involved in the proceeding in which he or she is appointed. Except as otherwise ordered by the court, the assignment of a CASA volunteer for a child shall include subsequent proceedings through permanent placement of the child.

(b) Before assigning a CASA volunteer as prescribed under this subsection, the youth court judge shall determine if the volunteer has sufficient qualifications, training and ability to serve as a CASA volunteer, including his or her ability to represent and advocate for the best interests of children assigned to him or her. No volunteer shall be assigned until a comprehensive criminal background check has been conducted.

All CASA volunteers shall:

(i) Be sworn in by a judge of the court;

(ii) Swear or affirm to abide by all laws, regulations, and orders of the court;

(iii) Swear or affirm to advocate what he or she perceives to be in the best interests of the child for whom he or she is assigned in all matters pending before the court;

(iv) Provide independent, factual information to the court regarding the children and cases to which they are assigned;

(v) Advocate on behalf of the children involved in the cases to which they are assigned what they perceive to be in the best interests of the children; and

(vi) Monitor proceedings in cases to which they have been assigned and advise and assist the court in its determination of the best interests of the children involved.

(c) Regarding any case to which a CASA volunteer has been assigned, the CASA volunteer:

(i) Shall be notified by the court of all court proceedings and hearings of any kind pertaining to the child;

(ii) Shall be notified by the Department of Child Protection Services of all administrative review hearings;

(iii) Shall be entitled to attend all court proceedings and hearings of any kind pertaining to the child;

(iv) May be called as a witness in the proceedings by any party or by the court and may request of the court the opportunity to appear as a witness; and

(v) Shall be given access to all portions of the court record relating to proceedings pertaining to the child and the child's family.

(d) Upon application to the court and notice to all parties, the court shall grant the CASA volunteer access to other information, including the department records as provided in Section 43-21-261, relating to the child and the child's family and to other matters involved in the proceeding in which he or she is appointed. All records and information requested or reviewed by the CASA volunteer in the course of his or her assignment shall be deemed confidential and shall not be disclosed by him except pursuant to court order. All records and information shall only be disclosed as directed by court order and shall be disclosed as directed by court order and shall be subject to whatever protective order the court deems appropriate.

SECTION 13. Section 43-21-261, Mississippi Code of 1972, is amended as follows:

43-21-261. (1) Except as otherwise provided in this section, records involving children shall not be disclosed, other than to necessary staff or officials of the youth court, a guardian ad litem appointed to a child by the court, or a Court-Appointed Special Advocate (CASA) volunteer who may be assigned in * * * a dependency, abuse * * * or neglect case, except pursuant to an order of the youth court specifying the person or persons to whom the records may be disclosed, the extent of the records which may be disclosed and the purpose of the disclosure. Such court orders for disclosure shall be limited to those instances in which the youth court concludes, in its discretion, that disclosure is required for the best interests of the child, the public safety, the functioning of the youth court, or to identify a person who knowingly made a false allegation of child abuse or neglect, and then only to the following persons:

(a) The judge of another youth court or member of another youth court staff;

(b) The court of the parties in a child custody or adoption cause in another court;

(c) A judge of any other court or members of another court staff, including the chancery court that ordered a forensic interview;

(d) Representatives of a public or private agency providing supervision or having custody of the child under order of the youth court;

(e) Any person engaged in a bona fide research purpose, provided that no information identifying the subject of the records shall be made available to the researcher unless it is absolutely essential to the research purpose and the judge gives prior written

approval, and the child, through his or her representative, gives permission to release the information;

(f) The Mississippi Department of Employment Security, or its duly authorized representatives, for the purpose of a child's enrollment into the Job Corps Training Program as authorized by Title IV of the Comprehensive Employment Training Act of 1973 (29 USCS Section 923 et seq.). However, no records, reports, investigations or information derived therefrom pertaining to child abuse or neglect shall be disclosed;

(g) Any person pursuant to a finding by a judge of the youth court of compelling circumstances affecting the health, safety or well-being of a child and that such disclosure is in the best interests of the child or an adult who was formerly the subject of a youth court delinquency proceeding;

(h) A person who was the subject of a knowingly made false allegation of child abuse or neglect which has resulted in a conviction of a perpetrator in accordance with Section 97-35-47 or which allegation was referred by the Department of Child Protection Services to a prosecutor or law enforcement official in accordance with the provisions of Section 43-21-353(4).

Law enforcement agencies may disclose information to the public concerning the taking of a child into custody for the commission of a delinquent act without the necessity of an order from the youth court. The information released shall not identify the child or his address unless the information involves a child convicted as an adult.

(2) Any records involving children which are disclosed under an order of the youth court or pursuant to the terms of this section and the contents thereof shall be kept confidential by the person or agency to whom the record is disclosed unless otherwise provided in the order. Any further disclosure of any records involving children shall be made only under an order of the youth court as provided in this section.

(3) Upon request, the parent, guardian or custodian of the child who is the subject of a youth court cause or any attorney for such parent, guardian or custodian, shall have the right to inspect any record, report or investigation relevant to a matter to be heard by a youth court, except that the identity of the reporter shall not be released, nor the name of any other person where the person or agency making the information available finds that disclosure of the information would be likely to endanger the life or safety of such person. The attorney for the parent, guardian or custodian of the child, upon request, shall be provided a copy of any record, report or investigation relevant to a matter to be heard by a youth court, but the identity of the reporter must be redacted and the name of any other person must also be redacted if the person or agency making the information available finds that disclosure of the information would be likely to endanger the life, safety or well-being of the person. A record provided to the attorney under this section must remain in the attorney's control and the attorney may not provide copies or access to another person or entity without prior consent of a court with appropriate jurisdiction.

(4) Upon request, the child who is the subject of a youth court cause shall have the right to have his counsel inspect and copy any record, report or investigation which is filed with the youth court or which is to be considered by the youth court at a hearing.

(5) (a) The youth court prosecutor or prosecutors, the county attorney, the district attorney, the youth court defender or defenders, or any attorney representing a child shall have the right to inspect and copy any law enforcement record involving children.

(b) The Department of Child Protection Services shall disclose to a county prosecuting attorney or district attorney any and all records resulting from an investigation into suspected child abuse or neglect when the case has been referred by the Department of Child Protection Services to the county prosecuting attorney or district attorney for criminal prosecution.

(c) Agency records made confidential under the provisions of this section may be disclosed to a court of competent jurisdiction.

(d) Records involving children shall be disclosed to the Division of Victim Compensation of the Office of the Attorney General upon the division's request without order of the youth court for purposes of determination of eligibility for victim compensation benefits.

(6) Information concerning an investigation into a report of child abuse or child neglect may be disclosed by the Department of Child Protection Services without order of the youth court to any attorney, physician, dentist, intern, resident, nurse, psychologist, social worker, family protection worker, family protection specialist, child caregiver, minister, law enforcement officer, or a public or private school employee making that report pursuant to Section 43-21-353(1) if the reporter has a continuing professional relationship with the child and a need for such information in order to protect or treat the child.

(7) Information concerning an investigation into a report of child abuse or child neglect may be disclosed without further order of the youth court to any interagency child abuse task force established in any county or municipality by order of the youth court of that county or municipality.

(8) Names and addresses of juveniles twice adjudicated as delinquent for an act which would be a felony if committed by an adult or for the unlawful possession of a firearm shall not be held confidential and shall be made available to the public.

(9) Names and addresses of juveniles adjudicated as delinquent for murder, manslaughter, burglary, arson, armed robbery, aggravated assault, any sex offense as defined in Section 45-33-23, for any violation of Section 41-29-139(a)(1) or for any violation of Section 63-11-30, shall not be held confidential and shall be made available to the public.

(10) The judges of the circuit and county courts, and presentence investigators for the circuit courts, as provided in Section 47-7-9, shall have the right to inspect any youth court records of a person convicted of a crime for sentencing purposes only.

(11) The victim of an offense committed by a child who is the subject of a youth court cause shall have the right to be informed of the child's disposition by the youth court.

(12) A classification hearing officer of the State Department of Corrections, as provided in Section 47-5-103, shall have the right to inspect any youth court records, excluding abuse and neglect records, of any offender in the custody of the department who as a child or minor was a juvenile offender or was the subject of a youth court cause of action, and the State Parole Board, as provided in Section 47-7-17, shall have the right to inspect such records when the offender becomes eligible for parole.

(13) The youth court shall notify the Department of Public Safety of the name, and any other identifying information such department may require, of any child who is adjudicated delinquent as a result of a violation of the Uniform Controlled Substances Law.

(14) The Administrative Office of Courts shall have the right to inspect any youth court records in order that the number of youthful offenders, abused, neglected, truant and dependent children, as well as children in need of special care and children in need of supervision, may be tracked with specificity through the youth court and adult justice system, and to utilize tracking forms for such purpose.

(15) Upon a request by a youth court, the Administrative Office of Courts shall disclose all information at its disposal concerning any previous youth court intakes alleging

that a child was a delinquent child, child in need of supervision, child in need of special care, truant child, abused child or neglected child, as well as any previous youth court adjudications for the same and all dispositional information concerning a child who at the time of such request comes under the jurisdiction of the youth court making such request.

(16) The Administrative Office of Courts may, in its discretion, disclose to the Department of Public Safety any or all of the information involving children contained in the office's youth court data management system known as Mississippi Youth Court Information Delivery System or "MYCIDS."

(17) The youth courts of the state shall disclose to the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) any youth court records in order that the number of youthful offenders, abused, neglected, truant and dependent children, as well as children in need of special care and children in need of supervision, may be tracked with specificity through the youth court and adult justice system, and to utilize tracking forms for such purpose. The disclosure prescribed in this subsection shall not require a court order and shall be made in sortable, electronic format where possible. The PEER Committee may seek the assistance of the Administrative Office of Courts in seeking this information. The PEER Committee shall not disclose the identities of any youth who have been adjudicated in the youth courts of the state and shall only use the disclosed information for the purpose of monitoring the effectiveness and efficiency of programs established to assist adjudicated youth, and to ascertain the incidence of adjudicated youth who become adult offenders.

(18) In every case where an abuse or neglect allegation has been made, the confidentiality provisions of this section shall not apply to prohibit access to a child's records by any state regulatory agency, any state or local prosecutorial agency or law enforcement agency; however, no identifying information concerning the child in question may be released to the public by such agency except as otherwise provided herein.

(19) In every case of child abuse or neglect, if a child's physical condition is medically labeled as medically "serious" or "critical" or a child dies, the confidentiality provisions of this section shall not apply. In such cases, the following information may be released by the Mississippi Department of Child Protection Services: the cause of the circumstances regarding the fatality or medically serious or critical physical condition; the age and gender of the child; information describing any previous reports of child abuse or neglect investigations that are pertinent to the child abuse or neglect that led to the fatality or medically serious or critical physical condition; the result of any such investigations; and the services provided by and actions of the state on behalf of the child that are pertinent to the child abuse or neglect that led to the fatality or medically serious or critical physical condition.

(20) Any member of a foster care review board designated by the Department of Child Protection Services shall have the right to inspect youth court records relating to the abuse, neglect or child in need of supervision cases assigned to such member for review.

(21) Information concerning an investigation into a report of child abuse or child neglect may be disclosed without further order of the youth court in any administrative or due process hearing held, pursuant to Section 43-21-257, by the Department of Child Protection Services for individuals whose names will be placed on the central registry as substantiated perpetrators.

(22) The Department of Child Protection Services may disclose records involving children to the following:

(a) A foster home, residential child-caring agency or child-placing agency to the extent necessary to provide such care and services to a child;

(b) An individual, agency or organization that provides services to a child or the child's family in furtherance of the child's permanency plan to the extent necessary in providing those services;

(c) Health and mental health care providers of a child to the extent necessary for the provider to properly treat and care for the child;

(d) An educational institution or educational services provider where the child is enrolled or where enrollment is anticipated to the extent necessary for the school to provide appropriate services to the child;

(e) Any state agency or board that administers student financial assistance programs. However, any records request under this paragraph shall be initiated by the agency or board for the purpose determining the child's eligibility for student financial assistance, and any disclosure shall be limited to the verification of the child's age during the period of time in which the child was in the department's legal custody; and

(f) Any other state agency if the disclosure is necessary to the department in fulfilling its statutory responsibilities in protecting the best interests of the child.

(23) Nothing in this section or chapter shall require youth court approval for disclosure of records involving children as defined in Section 43-21-105(u), if the disclosure is made in a criminal matter by a municipal or county prosecutor, a district attorney or statewide prosecutor, pursuant to the Mississippi Rules of Criminal Procedure and the records are disclosed under a protective order issued by the Circuit Court presiding over the criminal matter which incorporates the penalties stated in Section 43-21-267.

SECTION 14. Section 37-26-11, Mississippi Code of 1972, is amended as follows:

37-26-11. (1) There is created in the State Treasury a special fund to be known as the Children's Advocacy Centers Fund, which shall be administered by the Office of the Attorney General. The purpose of the fund shall be for training forensic interviewers in child abuse and child sexual abuse cases, training law enforcement officers and prosecutors about child abuse cases, expanding the number of Children's Advocacy Centers of Mississippi to underserved areas, and other related purposes. Monies in the fund shall be expended by the Attorney General, upon appropriation by the Legislature. The fund shall be a continuing fund, not subject to fiscal-year limitations, and shall consist of:

(a) Monies appropriated by the Legislature for the purposes of funding the Children's Advocacy Centers of Mississippi;

(b) The interest accruing to the fund;

(c) Monies received under the provisions of Section 99-19-73;

(d) Monies received from the federal government;

(e) Donations; and

(f) Monies received from such other sources as may be provided by law.

(2) There is created in the State Treasury a special fund to be known as the Mississippi Foster Care Fund, which shall be administered by the * * * Administrative Office of Courts. The purpose of the fund shall be for supporting the services directly provided to foster families and foster children by programs, persons or entities pursuant to contracts and grants that comply with Mississippi law, and for other related purposes. Monies in the fund shall be expended by the * * * office, upon appropriation by the

Legislature, only for the purposes stated in this subsection, and only in such amounts as then exist in the fund. The fund shall be a continuing fund, not subject to fiscal-year limitations, and shall consist of:

(a) Monies appropriated by the Legislature for the purposes of funding the Mississippi Foster Care Fund;

(b) The interest accruing to the fund;

(c) Monies received under the provisions of Section 99-19-73 for the Mississippi Foster Care Fund, ninety percent (90%) of which shall be used directly for supporting the services directly provided to foster families and foster children by programs, persons or entities pursuant to contracts and grants that comply with Mississippi law, and no more than ten percent (10%) of which shall be used for administrative purposes;

(d) Monies received from the federal government;

(e) Donations; and

(f) Monies received from such other sources as may be provided by law.

(3) From and after July 1, 2016, the expenses of the Children's Advocacy Centers Fund Program shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law and as determined by the State Fiscal Officer.

(4) From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

SECTION 15. Sections 1 through 11 of this act shall stand repealed on July 1, 2027.

SECTION 16. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT TO ESTABLISH STATE STANDARDS AND OPERATING PROCEDURES FOR LOCAL COURT-APPOINTED SPECIAL ADVOCATE (CASA) PROGRAMS; TO DEFINE CERTAIN TERMS; TO AUTHORIZE A YOUTH COURT JUDGE TO ESTABLISH A LOCAL CASA PROGRAM GOVERNED BY A LOCAL BOARD OF DIRECTORS AND TO PRESCRIBE THE BOARD'S POWERS; TO REQUIRE THE STATE CASA ASSOCIATION TO PROVIDE SUPPORT SERVICES TO LOCAL CASA PROGRAMS; TO ESTABLISH MINIMUM REQUIREMENTS FOR LOCAL CASA VOLUNTEERS; TO REQUIRE THE CLERK OF COURT TO PERFORM CERTAIN DUTIES IN RELATION TO CASA VOLUNTEERS APPOINTED TO A COURT CASE; TO PRESCRIBE THE DUTIES OF A CASA VOLUNTEER ASSIGNED TO A CASE; TO CREATE A STATE COURT-APPOINTED SPECIAL ADVOCATE (CASA) ASSOCIATION; TO PRESCRIBE THE STATE ASSOCIATION'S DUTIES; TO AUTHORIZE THE BOARD OF DIRECTORS OF THE ASSOCIATION TO EMPLOY A DIRECTOR AND TO ESTABLISH QUALIFICATIONS FOR THE DIRECTOR; TO AUTHORIZE THE ADMINISTRATIVE OFFICE OF COURTS TO PROVIDE SECRETARIAL AND SUPPORT SERVICES TO THE ASSOCIATION; TO REQUIRE LOCAL CASA PROGRAMS TO SUBMIT SPECIFIED DATA TO THE ASSOCIATION; TO BRING FORWARD SECTION 43-21-121 AND TO AMEND SECTION 43-21-261, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 37-26-11, MISSISSIPPI CODE OF

1972, TO PROVIDE THAT THE ADMINISTRATIVE OFFICE OF COURTS SHALL ADMINISTER THE MISSISSIPPI FOSTER CARE FUND AND PRESCRIBE THE PURPOSES FOR WHICH MONIES IN THE FUND MAY BE EXPENDED, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Joey Hood	Brice Wiggins
Shanda Yates	Derrick T. Simmons
Jimmy Fondren	Mike Thompson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1624** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins moved that the rules be suspended to move to calendar item 154, **H. B. No. 1137**, and the motion prevailed.

Senator Wiggins offered the following report of the Conference Committee on **H. B. No. 1137** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1137: Opioid antagonists; authorize community organization to receive and administer.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-29-319, Mississippi Code of 1972, is amended as follows:

41-29-319. (1) This section shall be known as the "Emergency Response and Overdose Prevention Act."

(2) As used in this section, the following terms shall be defined as provided in this subsection:

(a) "Administer" means the direct application of a drug to the body of an individual by injection, inhalation, ingestion or any other means.

(b) "Community organization" means an organization aimed at making desired improvements to a community's social health, well-being, and overall functioning. "Community organization" may include organizations that participate in social work, and that are related to the organized development of community social welfare through coordination of public and private agencies. Community organizations may exist in geographically, culturally, spiritually, and digitally bounded communities.

(* * *c) "Distribute" means to deliver an opioid antagonist drug or opioid antagonist device by means other than by administering.

(* * *d) "Education employee" means an employee of any school district, public charter school, private school, public or private university, community college or junior college.

(e) "High-risk opioid overdose touchpoint" means a health care entity, public health program, criminal justice system or hospitality industry that may interact with individuals that are considered high risk of experiencing or witnessing an opioid overdose, or deliver harm-reduction services, or engage in treatment of substance use disorders.

(* * *f) "Possess" means to have physical control or custody of an opioid antagonist.

(* * *g) "Practitioner" means a physician licensed to practice medicine in this state or any licensed health care provider who is authorized to prescribe an opioid antagonist.

(* * *h) "Opioid antagonist" means any drug that binds to opioid receptors and blocks or inhibits the effects of opioids acting on those receptors and that is approved by the federal Food and Drug Administration for the treatment of an opioid-related overdose.

(* * *i) "Opioid-related overdose" means an acute condition, including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, mania or death, resulting from the consumption or use of an opioid or another substance with which an opioid was combined or that a layperson would reasonably believe to be resulting from the consumption or use of an opioid or another substance with which an opioid was combined for which medical assistance is required.

(* * *j) "Emergency medical technician" means an individual who possesses a valid emergency medical technician's certificate issued under Section 41-59-33.

(* * *k) "Storage" means possession of an opioid antagonist with the intent to distribute or administer the opioid antagonist.

(3) (a) A practitioner acting in good faith and in compliance with the standard of care applicable to that practitioner may directly, or by standing order, prescribe an opioid antagonist to a person at risk of experiencing an opioid-related overdose, or to a registered pain management clinic, community organization, family member, friend or

other person in a position to assist such person at risk of experiencing an opioid-related overdose.

(b) A practitioner acting in good faith and in compliance with the standard of care applicable to that practitioner may issue a standing order to one or more individual pharmacies that authorizes the pharmacy to dispense an opioid antagonist to a person at risk of experiencing an opioid-related overdose or to a community organization, family member, friend or other person in a position to assist such person at risk of experiencing an opioid-related overdose, without the person to whom the opioid antagonist is dispensed needing to have an individual prescription.

(4) A pharmacist acting in good faith and in compliance with the standard of care applicable to pharmacists may dispense opioid antagonists under a prescription or a standing order issued in accordance with subsection (3) of this section. However, before a pharmacist may dispense an opioid antagonist under the authority of subsection (3)(b) of this section, the pharmacist must complete a training program approved by the State Board of Pharmacy on opioid antagonists.

(5) (a) A person acting in good faith and with reasonable care to another person whom he or she believes to be experiencing an opioid-related overdose may administer an opioid antagonist that was prescribed or authorized by a standing order in accordance with subsection (3) of this section.

(b) A person acting in good faith and with reasonable care to another person whom he or she believes to be experiencing an opioid-related overdose may administer an opioid antagonist that was distributed by an education employee, community organization or high-risk opioid overdose touchpoint. Failure of an education employee, community organization or high-risk opioid overdose touchpoint, or a member or personnel of such organization, to act shall not expose such organization, member, or personnel to any criminal or civil liability.

(6) Emergency medical technicians, firefighters and law enforcement officers acting in good faith shall be authorized and permitted to administer an opioid antagonist as clinically indicated. Failure of an emergency medical technician, firefighter or law enforcement officer to act shall not expose such person to any criminal or civil liability.

(7) (a) An education employee, community organization or high-risk opioid overdose touchpoint may store or distribute an opioid antagonist.

(b) An education employee, community organization or high-risk opioid overdose touchpoint may administer an opioid antagonist to another person if the education employee, community organization or high-risk opioid overdose touchpoint:

(i) In good faith, believes the other person is experiencing a drug overdose; and

(ii) Acts with reasonable care in administering the opioid antagonist to the other person.

(c) The Department of Health may distribute an opioid antagonist to any education employee, community organization or high-risk opioid overdose touchpoint upon a request made in writing by the education employee, community organization or high-risk opioid overdose touchpoint.

(d) A person may store an opioid antagonist that is distributed by an education employee, community organization or high-risk opioid overdose touchpoint.

(e) Failure of an education employee, community organization, high-risk opioid overdose touchpoint or a member or personnel of such organization, to act shall not expose such organization, member, or personnel to any criminal or civil liability.

* * *

(* * *8) The following individuals are immune from any civil or criminal liability or professional licensing sanctions for the following actions authorized by this section:

(a) Any practitioner who prescribes or issues a standing order for an opioid antagonist in accordance with subsection (3) of this section;

(b) Any practitioner or pharmacist acting in good faith and in compliance with the standard of care applicable to that practitioner or pharmacist who dispenses an opioid antagonist under a prescription or standing order issued in accordance with subsection (3) of this section;

(c) (i) Any person other than a practitioner who administers an opioid antagonist in accordance with subsection (5) of this section; and

(ii) Any person other than a practitioner who stores an opioid antagonist distributed by an education employee, community organization or high-risk opioid overdose touchpoint;

(d) Any emergency medical technician, firefighters and law enforcement officers who administers an opioid antagonist in accordance with subsection (6) of this section.

(e) Any education employee, community organization or high-risk opioid overdose touchpoint who stores, distributes or administers an opioid antagonist under subsection (7) of this section.

SECTION 2. This act shall take effect and be in force from and after its passage.

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

AN ACT TO AMEND SECTION 41-29-319, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "COMMUNITY ORGANIZATION" AND "HIGH-RISK OPIOID OVERDOSE TOUCHPOINT" FOR THE PURPOSE OF THE EMERGENCY RESPONSE AND OVERDOSE PREVENTION ACT; TO AUTHORIZE A PRACTITIONER ACTING IN GOOD FAITH TO DIRECTLY, OR BY STANDING ORDER, PRESCRIBE AN OPIOID ANTAGONIST TO A COMMUNITY ORGANIZATION; TO AUTHORIZE A PERSON ACTING IN GOOD FAITH AND WITH REASONABLE CARE TO ADMINISTER AN OPIOID ANTAGONIST THAT WAS DISTRIBUTED BY A COMMUNITY ORGANIZATION OR HIGH-RISK OPIOID OVERDOSE TOUCHPOINT TO ANOTHER PERSON WHOM HE OR SHE BELIEVES TO BE EXPERIENCING AN OPIOID-RELATED OVERDOSE; TO AUTHORIZE A COMMUNITY ORGANIZATION OR HIGH-RISK OPIOID OVERDOSE TOUCHPOINT TO STORE AND DISTRIBUTE AN OPIOID ANTAGONIST; TO AUTHORIZE A MEMBER OF A COMMUNITY ORGANIZATION OR HIGH-RISK OPIOID OVERDOSE TOUCHPOINT TO ADMINISTER AN OPIOID ANTAGONIST TO ANOTHER PERSON; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO DISTRIBUTE AN OPIOID ANTAGONIST TO ANY MEMBER OF A COMMUNITY ORGANIZATION OR HIGH-RISK OPIOID OVERDOSE TOUCHPOINT UPON A REQUEST MADE IN WRITING BY THE COMMUNITY ORGANIZATION OR HIGH-RISK OPIOID OVERDOSE TOUCHPOINT; TO AUTHORIZE A PERSON TO STORE AN OPIOID ANTAGONIST THAT IS DISTRIBUTED BY A COMMUNITY ORGANIZATION OR HIGH-RISK OPIOID OVERDOSE TOUCHPOINT; TO PROVIDE CERTAIN CRIMINAL AND CIVIL LIABILITY

PROTECTION TO A COMMUNITY ORGANIZATION OR HIGH-RISK OPIOID OVERDOSE TOUCHPOINT AND MEMBERS AND PERSONNEL OF SUCH ORGANIZATION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Sam Creekmore IV	Brice Wiggins
Beth Luther Waldo	Nicole Boyd
Fabian Nelson	Jason Barrett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1137** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting----None.

Voting Present--Chism, Hill, Turner-Ford. Total--3.

Senator DeBar moved that the rules be suspended to move to calendar item 157, **H. B. No. 1229**, and the motion prevailed.

Senator DeBar moved that the Conference Committee Report on **H. B. No. 1229** be recommitted for further conference and the motion prevailed.

H. B. No. 1229: Equal Opportunity for Students with Special Needs Act; extend repealer on educational scholarship accounts (ESA).

Senator Polk moved that the rules be suspended to move to calendar item 80, **S. B. No. 3020**, and the motion prevailed.

Senator Polk moved that the Conference Committee Report on **S. B. No. 3020** be recommitted for further conference and the motion prevailed.

S. B. No. 3020: Appropriation; Public Safety, Department of.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1647: Commissioner of Insurance; authorize to implement a state insurance exchange, authorize income tax deductions and insurance premium tax credit.

H. B. No. 1660: Cigarettes and vape products; require Commissioner of Revenue to establish separate directories to regulate sales of.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1025: Department of Corrections; eliminate executive deputy commissioner from.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

S. B. No. 2823: Medicaid; revise various technical provisions related thereto, including reimbursement levels and facility eligibility.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

S. B. No. 2648: Mississippi Department of Marine Resources; authorize oyster lease reconfiguration and make technical amendments.

Adopted: 04/30/24

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess until 3:00 PM.

The motion prevailed, and at 11:40 AM, the Senate stood in recess.

The Senate resumed business at 3:00 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. C. R. No. 64: A CONCURRENT RESOLUTION TO EXTEND THE 2024 REGULAR SESSION OF THE LEGISLATURE; TO SUSPEND THE DEADLINES FOR THE PURPOSE OF PERMITTING THE FURTHER CONSIDERATION, FILING AND ADOPTION OF CONFERENCE REPORTS ON APPROPRIATION BILLS AND REVENUE BILLS THAT WERE IN CONFERENCE ON APRIL 27, 2024; TO PROVIDE THAT THE HOUSE AND SENATE EACH SHALL RECONVENE ON MAY 14, 2024, UNLESS THE SPEAKER AND LIEUTENANT GOVERNOR JOINTLY DETERMINE THAT IT IS NOT NECESSARY TO RECONVENE; AND TO SET THE DATE OF SINE DIE ADJOURNMENT OF THE 2024 REGULAR SESSION OF THE LEGISLATURE ON TUESDAY, MAY 14, 2024.

David Jordan, Chairman

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

S. B. No. 2130: Homeowners' insurance; prohibit insurer from refusing to issue or to renew policy solely based on roof's age.

S. B. No. 2285: Department of Public Safety; bring forward code sections related to officer salaries.

S. B. No. 2468: Budget; bring forward code sections related to and provide for transfers.

S. B. No. 2487: The Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund; bring forward provision related to.

S. B. No. 2825: Appropriations; revise certain FY2024 appropriations, fund authority and transfers.

S. B. No. 2846: Appropriations; make technical revisions to certain transfers and provisions related to local projects.

S. B. No. 2848: ARPA programs; revise and bring forward related provisions and provide for determination of unobligated funds by Nov. 1.

S. B. No. 3012: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

S. B. No. 3020: Appropriation; Public Safety, Department of.

S. B. No. 3048: Appropriation; Secretary of State.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1229: Equal Opportunity for Students with Special Needs Act; extend repealer on educational scholarship accounts (ESA).

H. B. No. 1705: Budget process; bring forward certain sections relating to and provide for transfers of funds.

H. B. No. 1706: Programs funded with ARPA funds; revise certain provisions and bring forward sections of.

H. B. No. 1707: 2023 Local Improvements Projects Fund; clarify and correct names and purposes of certain projects funded from.

H. B. No. 1791: Appropriation; Wildlife, Fisheries and Parks, Department of.

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 292: DUI suspension; clarify how the 120 days are counted.

H. B. No. 1253: Post-conviction collateral relief; require certain petitioners to obtain Supreme Court permission before filing in trial court.

H. B. No. 1441: Felony; increase penalties for commission of with use of semi-automatic firearm.

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1190: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1676: Mississippi Intoxicating Hemp Regulation Act and Mississippi Medical Cannabis Act; revise certain provisions of.

Andrew Ketchings, Clerk of the House of Representatives

Senator Johnson moved that the rules be suspended to move to calendar item 151, **H. B. No. 1025**, and the motion prevailed.

Senator Johnson moved that the Conference Committee Report on **H. B. No. 1025** be recommitted for further conference and the motion prevailed.

H. B. No. 1025: Department of Corrections; eliminate executive deputy commissioner from.

On request of Senator Kirby, unanimous consent was granted to make the following correction in **H. C. R. No. 64**:

Unanimous Consent of the House and Senate is requested to make the following change to House Concurrent Resolution No. 64, 2024 Regular Session:

AMEND on line 33 by striking "12:00 midnight" and inserting in lieu thereof "11:59 p.m."

Senator Kirby moved that the rules be suspended to move to the Rules Calendar, and the motion prevailed.

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. R. No. 119, S. R. No. 120, S. R. No. 121, S. R. No. 122, S. R. No. 123, S. R. No. 124, S. R. No. 125 and S. R. No. 126 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

S. R. No. 119: Recognize 50th Anniversary of Scout Troop 416 in Brandon, MS.

S. R. No. 120: Congratulate the Hernando High School "Marching Tigers" band for winning the 2023 Class 6A Marching Band Championship.

S. R. No. 121: Commend Hernando High School "Tigers" Boys Soccer Team for winning 2024 MHSAA Class 7A State Championship.

S. R. No. 122: Commend Lake Cormorant High School "Gators" Boys Powerlifting Team for 6A Championship.

S. R. No. 123: Commend Lake Cormorant High School "Lady Gators" Powerlifting Team for winning 6A State Championship.

S. R. No. 124: Congratulate Viking Range for receiving the 2024 "Best of KBIS Style Statement Silver Award" in Las Vegas.

S. R. No. 125: Commend Wilton Neal of Carrolton as Mississippi's longest-serving Tax Assessor/Collector.

S. R. No. 126: Commend Lafayette High School "Commodores" Tennis Team for winning fourth consecutive 5A State Championship.

YEAS AND NAYS on consideration en bloc of S. R. No. 119, S. R. No. 120, S. R. No. 121, S. R. No. 122, S. R. No. 123, S. R. No. 124, S. R. No. 125 and S. R. No. 126. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senator Suber as co-author of **S. R. No. 126**.

Senator Hopson moved that the rules be suspended to move to calendar item 16, **H. B. No. 1777**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1777** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1777: Appropriation; Engineers and Land Surveyors, Board of Registration for Professional.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Registration for Professional Engineers and Land Surveyors, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 1,077,245.00.

SECTION 2. Of the funds approved for expenditure under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 5

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility

to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the State Board of Registration for Professional Engineers and Land Surveyors shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. Of the funds provided herein, Four Hundred Thousand Dollars ($400,000.00) shall be provided in grants for ABET-accredited engineering programs and Board-approved surveying programs of any college or university in the State of Mississippi, after application to and subject to approval by the Board. The Board will develop guidelines for application, award, and disbursement of these grants. The Board will issue a written report to the Governor, Lieutenant Governor, and the chairs of the House and Senate Appropriations Committees as to how the grants were awarded not later than August 1, 2025.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
C. Scott Bounds	Briggs Hopson
John Read	Angela Turner-Ford
Randy P. Boyd	

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1777** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 20. **H. B. No. 1782**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1782** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1782: Appropriation; Port Authority, State.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Mississippi State Port Authority at Gulfport, for the purpose of defraying the expenses of the authority for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 68,428,304.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 39

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

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

SECTION 3. It is the intention of the Legislature that the Mississippi State Port Authority at Gulfport shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. Of the funds appropriated herein, One Hundred Thirty-five Thousand Dollars ($135,000.00) is provided for the purpose of funding overtime, callback or standby pay.

SECTION 6. It is the intention of the Legislature that the Mississippi State Port Authority at Gulfport shall only expend funds on activities directly related to the operation of the state port.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money appropriated under the provisions of Section 1 shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
C. Scott Bounds	Briggs Hopson
John Read	Jenifer B. Branning
Richard Bennett	Mike Thompson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1782** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 22, **H. B. No. 1784**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1784** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1784: Appropriation; Oil and Gas Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Oil and Gas Board which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 4,987,969.00.

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

AUTHORIZED HEADCOUNT:

Permanent:	Full Time.....	35
Time-Limited:	Full Time.....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the State Oil and Gas Board shall maintain complete accounting and personnel records related to the expenditure of

all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. The State Oil and Gas Board shall have the authority to receive, budget and expend funds from any source not to exceed Two Hundred Thousand Dollars ($200,000.00) for the Comprehensive Data Management Program in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 5. Of the funds appropriated under the provisions of Section 1, One Million Five Hundred Thousand Dollars ($1,500,000.00), or so much thereof as may necessary, shall be derived out of any money in the State Treasury to the credit of the Emergency Plugging Fund, as created in Section 53-1-77, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to plug, remediate, and restore well project sites that are outside the scope of the Federal Orphan Well Plugging Program.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE OIL AND GAS BOARD FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
C. Scott Bounds	Briggs Hopson
John Read	Tyler McCaughn
Jeff Hale	Jeff Tate

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1784** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 23, **H. B. No. 1785**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1785** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1785: Appropriation; Pat Harrison Waterway District.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Pat Harrison Waterway District, for the purpose of defraying the expenses of the district for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 8,055,463.00.

SECTION 2. Of the funds approved for expenditure under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 55

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Pat Harrison Waterway District shall maintain complete accounting and personnel records related to the

expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The funds herein approved for expenditure, except and less an amount approved by the State Fiscal Officer which shall be sufficient to cover disbursements for current operations, shall be deposited at interest with any official depository of the state at a rate of interest numerically not less than one percent (1%) below the bank discount rate on United States Treasury bills of comparable maturity as determined by the State Treasurer.

SECTION 6. Of the funds appropriated in Section 1, Seven Hundred Thousand Dollars ($700,000.00) is authorized to be expended to defray the cost of park facilities repairs only. These repairs are to include bath houses and cabins and to exclude any Flint Creek Horse Trail repairs.

SECTION 7. Of the funds appropriated in Section 1, Four Hundred Eighty Thousand Dollars ($480,000.00) is authorized to be expended to defray the cost of dam repairs.

SECTION 8. The Pat Harrison Waterway District shall provide a report on completed park facilities repairs. This report shall be provided to the Legislature by December 1, 2024, and shall include photos of stated repairs. The Pat Harrison Waterway District shall provide the Joint Legislative Budget Committee a copy of this report with the subsequent fiscal year's budget submission.

SECTION 9. The Pat Harrison Waterway District shall provide an annual five-year plan containing a prioritized list detailing the purposes, goals and projected costs of projects which it intends to implement or is in the process of implementing. This report shall be provided to the Legislature on or before July 15 of each year as required in Section 51-15-119(2). The Pat Harrison Waterway District shall provide the Joint Legislative Budget Committee a copy of this report with the current year's budget submission.

SECTION 10. The Pat Harrison Waterway District shall provide an annual audit of the district operations. This report shall be provided to the Legislature as required in Section 51-15-119(3). The Pat Harrison Waterway District shall provide the Joint Legislative Budget Committee a copy of this report with the current year's budget submission.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PAT HARRISON WATERWAY DISTRICT FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
C. Scott Bounds	Briggs Hopson
John Read	Jenifer B. Branning
Charles Young, Jr.	Mike Thompson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1785** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 24, **H. B. No. 1786**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1786** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1786: Appropriation; Pearl River Valley Water Supply District.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any special source funds which are received by or otherwise become available to the Pearl River Valley Water Supply District, for the purpose of defraying the expenses of the district for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 25,191,367.00.

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

AUTHORIZED HEADCOUNT:

Permanent:	109
Time-Limited:	1

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no

employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Pearl River Valley Water Supply District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The funds herein approved for expenditure, except and less an amount approved by the State Fiscal Officer which shall be sufficient to cover disbursements for current operations, shall be deposited at interest with any official depository of the state at a rate of interest numerically not less than one percent (1%) below the bank discount rate on United States Treasury bills of comparable maturity as determined by the State Treasurer.

SECTION 6. None of the funds appropriated for expenditure under this act may be expended by Pearl River Valley Water Supply District until the district agrees to comply with the following condition: the District shall waive traffic control fees for any vehicle displaying a "REZ" tag.

SECTION 7. None of the funds appropriated for expenditure under this act may be expended by Pearl River Valley Water Supply District until the district agrees to comply with the following conditions: (1) If any local governmental or nonprofit entity wins the bid for the ESPN Bass Masters Classic or the FLW Major Open, these events shall be exempt from the district's lottery system for host events at the reservoir and given priority of any and all date options available. (2) If any local governmental or nonprofit entity wins the bid for such events, the district shall waive the daily launch fees or any other special event fees for the ESPN Bass Masters Classic or the FLW Major Open. (3) The Catch A Dream Foundation Bass Classic shall be held on the first Sunday in May unless any local governmental or nonprofit entity wins the bid for the ESPN Bass Masters Classic or the FLW Major Open on that date. The Catch A Dream Foundation Bass Classic shall be exempt from the district's lottery system for host

events at the reservoir and given priority for the first Sunday in May. The district shall waive the daily launch fees or any other special event fees for the Classic.

SECTION 8. Of the funds appropriated herein, Two Hundred Thousand Dollars ($200,000.00) is provided for the purpose of funding overtime, callback or standby pay.

SECTION 9. Of the funds appropriated under the provisions of Section 1, One Million Seven Hundred Fifty Thousand Dollars ($1,750,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office.

These funds are provided for dredging and other related activities to remove sediments and debris from the bottom of the Ross Barnett Reservoir.

SECTION 10. Funds are provided herein out of the Ross Barnett Reservoir Dredging Fund for dredging and other related activities to remove sediments and debris from the bottom of the Ross Barnett Reservoir.

SECTION 11. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund, not otherwise appropriated for Pearl River Valley Water Supply District for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1631, 2023 Regular Session, for the purpose of defraying the expenses of Pearl River Valley Water Supply District for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 1,352,364.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 12. Of the funds appropriated under the provisions of Section 1 of this act, Four Million Dollars ($4,000,000.00) is provided for the construction of a new office building.

SECTION 13. The funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 14. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law or in accordance with the provisions of a valid trust indenture.

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

SECTION 16. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
C. Scott Bounds	Briggs Hopson
John Read	Jenifer B. Branning
Vince Mangold	Reginald Jackson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1786** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 28, **H. B. No. 1790**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1790** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1790: Appropriation; Tombigbee River Valley Water Management District.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Tombigbee River Valley Water Management District, for the purpose of paying bond maturities, accrued interest, maintenance expenses, project development costs, and any other authorized expenses of the water management district, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 9,078,819.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 17

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be

processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Tombigbee River Valley Water Management District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. All monies in possession of the district in excess of necessary operating funds shall be deposited with a bank or banks selected by the board of directors of the district. These funds shall be deposited in such bank or banks and in such manner that interest earned shall be at least equal to interest earnings on state funds deposited by the State Treasury.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
C. Scott Bounds	Briggs Hopson
John Read	Jenifer B. Branning
William Tracy Arnold	Reginald Jackson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1790** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 29, **H. B. No. 1791**, and the motion prevailed.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1791** be recommitted for further conference and the motion prevailed.

H. B. No. 1791: Appropriation; Wildlife, Fisheries and Parks, Department of.

Senator Hopson moved that the rules be suspended to move to calendar item 30, **H. B. No. 1792**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1792** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1792: Appropriation; Yellow Creek State Inland Port Authority.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Yellow Creek State Inland Port Authority, for the purpose of defraying the expenses of the Authority for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 28,692,399.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 17

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

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

SECTION 3. It is the intention of the Legislature that the Yellow Creek State Inland Port Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of

detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. Of the funds appropriated under the provisions of Section 1 of this act, Fifteen Million Dollars ($15,000,000.00) is provided for capital projects.

SECTION 6. Of the funds appropriated herein, Fifty Thousand Dollars ($50,000.00) is provided for the purpose of funding overtime, callback or standby pay.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE YELLOW CREEK STATE INLAND PORT AUTHORITY FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
C. Scott Bounds	Briggs Hopson
John Read	Jenifer B. Branning
William Tracy Arnold	Reginald Jackson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1792** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 33, **H. B. No. 1795**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1795** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1795: Appropriation; Cosmetology, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Board of Cosmetology and Barbering, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 1,454,080.00.

SECTION 2. Of the funds approved for expenditure under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 17

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. The State Board of Cosmetology and Barbering shall not be authorized to expend any funds appropriated by this act after October 1, 2019, unless the board has adopted and implemented each of the following policies, which shall be conditions upon the receipt and expenditure of those funds:

(a) A policy that the board will not issue any licenses for the practice of wigology and will issue licenses and certifications only as provided under the cosmetology or barbering licensure law; and

(b) A policy that allows any person who holds a wig specialist license issued by the board before July 1, 2014, to continue his or her practice as it existed before July 1, 2014, and allows any person who holds a wig salon license issued by the board before July 1, 2014, to continue operating a wig salon under the statutory

requirements as they existed before July 1, 2014, and provides that any such person will be eligible to receive a certificate of registration issued by the board.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

.....FY2025

Performance Measures Target

Examination & Licensure

Number of Barber Examinations 425

Average Cost per Barber & Instructor License 55.00

Number of Cosmetology Examinations 1,500

Cost Per Cosmetology Licensing Examination 290.00

Number of School Permits 75

Cost Per School License 100.00

.....Number of Working Days Between .....

Examination & Distribution of Results 1

..... Percentage of Candidates that Passed the .....

Exam 85.00

Average Number of Workdays to Issue License 14

Average Number of Workdays to Issue Permit 3

Regulation

Number of Inspections Conducted (Annually) 2,879

..... Number of Formal Complaints Received .....

(Annually) 11

Number of Disciplinary Actions Taken 10

.....Average Number of Days to Resolve Valid .....

Complaints 30

..... Percentage of Documented Complaints .....

Resolved Within Six Months 95.00

..... Percentage of Deficiencies Noted During .....

Inspections are Addressed Within the .....

Allotted Timeframe 90.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 5. It is the intention of this legislation to provide the funds for the board to meet when necessary, but under no circumstances shall it meet more than sixty-two (62) days a year.

SECTION 6. It is the intention of the Legislature that the State Board of Cosmetology and Barbering shall maintain complete accounting and personnel records

related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 7. It is the intention of the Legislature that until the board members of the State Board of Cosmetology and Barbering are appointed and executive director is hired:

(1) A Twenty-five percent (25%) share of the funds appropriated in Section 1 of this act is provided for the expenses associated with the former State Board of Barbering; and

(2) A Seventy-five percent (75%) share of the funds appropriated in Section 1 of this act is provided for the expenses associated with the former State Board of Cosmetology.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF COSMETOLOGY FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Clay Deweese	Briggs Hopson
John Read	Angela Turner-Ford
Becky Currie	Juan Barnett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1795** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

President Hosemann yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

Senator Hopson moved that the rules be suspended to move to calendar item 39, **H. B. No. 1801**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1801** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1801: Appropriation; Medical Licensure, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Board of Medical Licensure, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 4,435,126.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 30
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Licensure	
Percent of Licensees who Renew Online	100.00
Percent of Individual License Renewals Issued within Seven Business Days	100.00
Investigative	
Recidivism Rate for Those Receiving Disciplinary Actions	4.00
Number of Documented Complaints Received	400
Percent of Documented Complaints Resolved within Seven Business Days	15.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 4. It is the intention of the Legislature that the State Board of Medical Licensure shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds provided under the provisions of this act, and as approved by the Mississippi State Board of Medical Licensure (the Board), at the direction of the Board the Executive Director may negotiate and enter into a grant agreement to provide funding in an amount not to exceed Six Hundred Thousand Dollars ($600,000.00) for the Mississippi Physician Health Program.

SECTION 7. Of the funds provided under the provisions of this act, an amount not to exceed One Hundred Thirty Thousand Dollars ($130,000.00) may be allocated to the Mississippi Board of Pharmacy to defray the expense of the Mississippi Prescription Monitoring Program.

SECTION 8. Of the funds appropriated in Section 1, Twenty Thousand Dollars ($20,000.00) is provided for computer repairs, replacement, and upgrades.

SECTION 9. Of the funds appropriated in Section 1, Sixty-nine Thousand Dollars ($69,000.00) is provided for the purchase and installation of a new audio system.

SECTION 10. It is the intention of the Legislature that the funds are appropriated here in accordance with a signed Memorandum of Understanding with the Mississippi Department of Health to assist with the implementation of the Medical Cannabis Act for registering and monitoring compliance with the rules and regulations of the Act.

SECTION 11. It is the intention of the Legislature that, for Fiscal Year 2025, the board shall be allowed to recover all costs from a holder of a license who has been

found by the board in violation of statute after notice and a hearing as provided by law. The expenses must be direct costs associated with the investigation and conduct of a proceeding for licensure revocation, suspension or restriction.

SECTION 12. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF MEDICAL LICENSURE FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Clay Deweese	Briggs Hopson
John Read	David Parker
Sam Creekmore IV	Michael McLendon

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1801** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 40, **H. B. No. 1802**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1802** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1802: Appropriation; Nursing Home Administrators, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State

Board of Nursing Home Administrators for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 208,007.00.

SECTION 2. With the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Nursing Home Administrators shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that the Mississippi State Board of Nursing Home Administrators deposit all revenue generated into a special fund in the State Treasury to the credit of the Mississippi State Board of Nursing Home Administrators and that all interest earned or deposited to the fund shall remain in the fund and not be paid into the State General Fund of Mississippi.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF NURSING HOME ADMINISTRATORS FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Clay Deweese	Briggs Hopson
John Read	David Parker
Becky Currie	Michael McLendon

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1802** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 41, **H. B. No. 1803**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1803** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1803: Appropriation; Nursing, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of

the Mississippi Board of Nursing, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025... $ 5,586,080.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 40

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. Of the funds provided for herein, One Million Five Hundred Sixty Thousand Dollars ($1,560,000.00) shall be provided for the Office of Nursing Workforce (ONW). In accordance with Section 73-15-18(1), Mississippi Code of 1972, the Mississippi Board of Nursing is designated as the state agency responsible for the administration and supervision of the Nursing Workforce Program as an educational curriculum. The mission of the Office of Nursing Workforce is to carry out the scope of service and leadership tasks required of the profession by promoting a strong educational infrastructure between nursing practice and nursing education.

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

SECTION 5. As a condition of receiving the funds appropriated in this act, the Mississippi Board of Nursing shall develop a plan to revise the nursing licensure laws to provide eligibility for licensure to those who have completed the Air Force 4N Training Program or possess a practical nursing degree from the Community College of the Air Force, alongside individuals who completed the Army's practical nurse program and Navy Corpsman course, and present the plan to the Legislature not later than the first day of the 2025 Regular Session for consideration by the Legislature. The purpose of

authorizing such licensure eligibility is to acknowledge the value of military training in nursing, expedite licensure procedures for those persons, and efficiently integrate qualified military-trained individuals into the nursing workforce which will help in addressing the state's healthcare needs effectively and economically.

SECTION 6. It is the intention of the Legislature that the funds are appropriated here in accordance with a signed Memorandum of Understanding with the Mississippi Department of Health to assist with the implementation of the Medical Cannabis Act for registering and monitoring compliance with the rules and regulations of the Act.

SECTION 7. It is the intention of the Legislature that the Mississippi Board of Nursing shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF NURSING FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Clay Deweese	Briggs Hopson
John Read	David Parker
Becky Currie	Albert Butler

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1803** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 42, **H. B. No. 1804**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1804** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1804: Appropriation; Optometry, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Board of Optometry, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 257,659.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 1
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the State Board of Optometry shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF OPTOMETRY FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Clay Deweese	Briggs Hopson
John Read	Angela Turner-Ford
Sam Creekmore IV	Reginald Jackson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1804** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 43, **H. B. No. 1805**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1805** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1805: Appropriation; Physical Therapy Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Physical Therapy, for the purpose of defraying the expenses of the Mississippi State Board of Physical Therapy for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 353,517.00.

SECTION 2. With the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 3
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Physical Therapy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026

shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Clay Deweese	Briggs Hopson
John Read	David Parker
Becky Currie	Michael McLendon

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1805** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 44, **H. B. No. 1806**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1806** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1806: Appropriation; Psychology, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Psychology, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 161,982.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 1

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Psychology shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. Of the funds appropriated in Section 1, Twenty-six Thousand Dollars ($26,000.00) is provided for the administrative support of the Mississippi Autism Board as prescribed by Section 73-75-11, Mississippi Code of 1972.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PSYCHOLOGY FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Clay Deweese	Briggs Hopson
John Read	David Parker
Sam Creekmore IV	Michael McLendon

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1806** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 45, **H. B. No. 1807**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1807** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1807: Appropriation; Real Estate Appraiser Licensing and Certification Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Real Estate Appraisal License Fund, for the purpose of defraying the expenses of the Mississippi Real

Estate Appraiser Licensing and Certification Board for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 793,207.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized for the Mississippi Real Estate Appraiser Licensing and Certification Board:

AUTHORIZED HEADCOUNT:
Permanent: 5
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. Of the funds appropriated in Section 1, Two Hundred Fifty-nine Thousand Dollars ($259,000.00) is provided for the Home Inspector Board as created in SB 2788, Regular Session 2024.

SECTION 4. It is the intention of the Legislature that the Mississippi Real Estate Appraiser Licensing and Certification Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD FOR FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Clay Deweese	Briggs Hopson
John Read	J. Walter Michel
Sam Creekmore IV	Rod Hickman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1807** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 46, **H. B. No. 1808**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1808** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1808: Appropriation: Real Estate Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Real Estate License Fund, for the purpose of defraying the expenses of the Mississippi Real Estate Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 1,816,725.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized for the Mississippi Real Estate Commission:

AUTHORIZED HEADCOUNT:

Permanent: 16

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Mississippi Real Estate Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set

forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI REAL ESTATE COMMISSION FOR FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Clay Deweese	Briggs Hopson
John Read	J. Walter Michel
Sam Creekmore IV	Rod Hickman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1808** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Blackwell. Total--1.

Senator Hopson moved that the rules be suspended to move to calendar item 48, **H. B. No. 1810**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1810** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1810: Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Board of Examiners for Social Workers and Marriage and Family Therapists for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 272,876.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 3

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Board of Examiners for Social Workers and Marriage and Family Therapists shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. Of the funds appropriated under the provisions of Section 1, Five Thousand Five Hundred Dollars ($5,500.00) is provided for the upgrade and maintenance of the Board's Licensing and Regulatory System (LARS) to a CLOUD based system.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set

forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Clay Deweese	Briggs Hopson
John Read	Angela Turner-Ford
Becky Currie	

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1810** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 49, **H. B. No. 1811**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1811** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1811: Appropriation; Athletic Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Athletic Commission Fund, for the purpose of defraying the expenses of the Mississippi Athletic Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 168,026.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 1
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed

Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Mississippi Athletic Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. With the funds appropriated herein, the Chairman of the Commission shall be the ex officio recorder of permits and licenses and for his service as such shall receive an annual salary equal to Forty-three Thousand Sixty Dollars ($43,060.00).

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ATHLETIC COMMISSION FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Sam C. Mims, V	Briggs Hopson
John Read	Angela Turner-Ford
Jay McKnight	Juan Barnett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1811** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 57, **H. B. No. 1821**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1821** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1821: Appropriation; Veterans' Home Purchase Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Veterans' Home Purchase Board's revolving fund, for the purpose of defraying the expenses of the Veterans' Home Purchase Board and making new home loans as authorized by law for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 84,682,355.00.

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

AUTHORIZED HEADCOUNT:

Permanent: 19

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may

consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Veterans' Home Purchase Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The Veterans' Home Purchase Board is hereby authorized to escalate, budget and expend funds from any source, not to exceed Ten Million Dollars ($10,000,000.00), for the purpose of making new home loans as authorized by law, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE VETERANS' HOME PURCHASE BOARD AND MAKING NEW HOME LOANS AS AUTHORIZED BY LAW FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Sam C. Mims, V	Briggs Hopson
John Read	Angela Turner-Ford
John G. Faulkner	Juan Barnett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1821** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 82, **S. B. No. 3022**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3022** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3022: Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Office of State Aid Road Construction Fund, for the purpose of defraying the expenses of the Office of State Aid Road Construction of the Mississippi Department of Transportation for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 220,345,746.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 54

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility

to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that an amount not to exceed Five Hundred Thousand Dollars ($500,000.00) is authorized to be expended from funds received from the Mississippi Development Authority as reimbursements for actual expenses incurred by the Office of State Aid Road Construction for administering and providing engineering services to political subdivisions as authorized under Section 65-4-15, Mississippi Code of 1972. Any such funds shall be deposited into the Office of State Aid Roads Administrative Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025.

SECTION 4. Of the funds appropriated in Section 1, it is the intention of the Legislature that an amount not to exceed Forty Million Dollars ($40,000,000.00) is authorized to be expended for the purpose of replacement of structurally deficient bridges on the Local System Bridge Program (LSBP).

SECTION 5. It is the intention of the Legislature that the Office of State Aid Road Construction shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Administrative	
Percent of Administrative Costs as Compared to Construction Costs	4.00
Maintain Level of Administrative Costs as Compared to Construction Costs at 5% or Under	5.00
Number of Projects Let to Contract	75

Percent of Personnel Devoted to Construction Programs	81.00
Federal Percent of Total Project Fund Obligations	20.00
Construction	
Percent Increase in Total Miles Paved	1.00
Percent of Total State Aid Funds Available Programmed or Obligated to Projects	75.00
Number of State Aid Projects Let to Contract	75
Number of Federal Projects Let to Contract	5
Number of State Aid Projects Completed	30
Number of Federal Projects Completed	20
Average Time from Initiation to Completion of a Fed Project (Days)	450
Number of Bridges Replaced or Repaired	85
Number of Structurally Deficient Bridges on the State Aid System	1,050
Average Cost of a State Aid/Federal Bridge Project	1,550,000.00
Local System Bridge	
Percent Change in Deficient LSBP Bridges	3.00
Average Number of Active LSBP Projects Per County	1
Percent of LSBP Funds Available Programmed or Obligated to Projects	85.00
Number of LSBP Projects Let to Contract	40
Number of LSBP Projects Completed	70
Number of LSBP Bridges Replaced or Repaired	40
Number of Eligible Deficient LSBP Bridges	1,050
Average Time From Initiation to Completion of a LSBP Project (Days)	450
Percent of Counties Utilizing All of Their Available LSBP Funds	30.00
Percent of Bridges Eligible for LSBP Funds	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 7. With the funds appropriated in this act, the Office of State Aid Road Construction shall notify members of the Mississippi Senate and House of Representatives upon the award of projects within their respective districts and at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature." The signage shall further state the four-year legislative term in which the project was funded.

SECTION 8. It is the intention of the Legislature to authorize the State Aid Engineer to utilize funds available to the Office of State Aid Road Construction, from any source herein appropriated or made available by the counties or any other source, to pay for costs necessary to comply with the National Bridge Inspection Standards and the Federal Highway Administration's requirements for bridge inspections and/or special studies necessary to comply with federal laws. The State Aid Engineer shall follow the same procedures as have heretofore been established by Sections 65-9-9, 65-9-15 and 65-9-17, Mississippi Code of 1972, for payment of such costs. The Office of State Aid Road Construction may accept, budget and expend these funds subject to and in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal or state funds.

SECTION 9. It is the intention of the Legislature that in the letting of contracts for which the Office of State Aid Road Construction administers and provides engineering services to political subdivisions under the Economic Development Highway Act, bids may be made from the lowest and best bidder after advertising for competitive sealed bids once in a newspaper published or having a circulation in the county or municipality where the contract will be performed, and the date published for the bid opening may be not less than seven (7) working days after the advertisement is published.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. Of the funds appropriated in Section 1, Fifty Thousand Dollars ($50,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Project Poppy Fund, as created in Senate Bill 2001, 1st Extraordinary Session of 2024, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for expediting services needed for Project Poppy.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE OFFICE OF STATE AID ROAD CONSTRUCTION OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Karl Oliver
Jenifer B. Branning	John Read
Bart Williams	Steve Massengill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3022** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 84, **S. B. No. 3024**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3024** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3024: Appropriation; Architecture, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Architecture and Landscape Architecture Advisory Committee, for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 362,783.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Board of Architecture shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE STATE BOARD OF ARCHITECTURE AND LANDSCAPE ARCHITECTURE ADVISORY COMMITTEE FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
Sollie B. Norwood	John Read
Jeff Tate	Randy Rushing

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3024** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 85, **S. B. No. 3025**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3025** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3025: Appropriation; Funeral Services Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Funeral Services for the purpose of defraying the expenses of said board for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 329,091.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Funeral Services Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE STATE BOARD OF FUNERAL SERVICES FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
Sollie B. Norwood	John Read
Jeff Tate	Percy W. Watson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3025** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 86, **S. B. No. 3026**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3026** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3026: Appropriation; Geologists, Board of Registered Professional.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Board of Registered Professional Geologists for the purpose of defraying the expenses of the board, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 143,189.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 1

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Mississippi Board of Registered Professional Geologists shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that

no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF REGISTERED PROFESSIONAL GEOLOGISTS FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	C. Scott Bounds
Sollie B. Norwood	John Read
Angela Burks Hill	Jeff Hale

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3026** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 87, **S. B. No. 3028**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3028** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3028: Appropriation; Motor Vehicle Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Motor Vehicle Commission, as provided by Section 63-17-51 et seq., Mississippi Code of 1972, for the purpose of defraying the expenses of said commission, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.... $ 376,531.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 3
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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

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

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

SECTION 3. It is the intention of the Legislature that the Mississippi Motor Vehicle Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

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

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI MOTOR VEHICLE COMMISSION FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
Sollie B. Norwood	John Read
Angela Burks Hill	

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3028** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 88, **S. B. No. 3029**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3029** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3029: Appropriation; Counselors, Board of Examiners for Licensed Professional.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Examiners for Licensed Professional Counselors, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 377,775.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2

Time-Limited: 0

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

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Examiners for Licensed Professional Counselors shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. Of the funds appropriated in Section 1, One Hundred Thousand Dollars ($100,000.00) is allocated for expenses related to updating the Licensing Management System.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF EXAMINERS FOR LICENSED PROFESSIONAL COUNSELORS FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Clay Deweese
Sollie B. Norwood	John Read
Rod Hickman	Becky Currie

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3029** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 89, **S. B. No. 3030**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3030** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3030: Appropriation; Accountancy, Board of Public.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Public Accountancy, for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 750,674.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 5
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. Of the funds appropriated in Section 1, Forty-two Thousand Dollars ($42,000.00) shall only be expended for investigation, testimony, and administrative hearings related to matters under the jurisdiction of the board.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
Sollie B. Norwood	John Read
Bart Williams	Randy Rushing

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3030** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 90, **S. B. No. 3031**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3031** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3031: Appropriation; Contractors, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Public Contractors, for the purpose of defraying the expenses of said board, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 4,310,050.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNTS:

Permanent: 18

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Mississippi Board of Public Contractors shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. Of the funds appropriated in this act, it is the intention of the Legislature that the State Board of Contractors may expend funds not to exceed Two Million Three Hundred Thousand Dollars ($2,300,000.00) for the purpose of defraying the cost of (1) enforcement as set forth in Section 31-3-21, Mississippi Code of 1972, (2)

enlisting of any private collection firm(s) to locate and collect any uncollected fines, and (3) administrative costs associated with collections. Any funds spent for this purpose shall be subject to a performance audit if requested by the Appropriations Chairmen in either the House or Senate.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC CONTRACTORS FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
Sollie B. Norwood	John Read
Angela Burks Hill	Randy Rushing

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3031** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 91, **S. B. No. 3034**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3034** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3034: Appropriation; Dental Examiners, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Dental Examiners, for the support of said board for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 1,202,005.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 8

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Mississippi Board of Dental Examiners shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. Of the funds provided under the provisions of this act, an amount not to exceed Twenty-seven Thousand Dollars ($27,000.00) shall be allocated to the Mississippi Board of Pharmacy to defray the expenses of the Mississippi Prescription Monitoring Program.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO THE MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Clay Deweese
David Parker	John Read
Albert Butler	Sam Creekmore IV

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3034** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 92, **S. B. No. 3035**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3035** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3035: Appropriation; Pharmacy, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Pharmacy, for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 3,943,666.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent: 20

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Licensure	
Percent of Licenses Issued within Ten Business Days	100.00
Percent of Renewals Issued within Two Business Days	100.00
Compliance	
Number of Written Complaints Received	80
Percent of Written Complaints Resolved within Six Months	100.00

Number of Investigations Conducted Due to the Diversion of Prescription Drugs, Impaired	20
Number of Investigations Conducted Due to the Pharmacists and Pharmacy Technicians	30
Recidivism Rate for Those Receiving Disciplinary Actions (% Avg of Three Years)	20.00
Prescription Monitoring Prg	
Percent of In-State Physicians Registered to PMP	100.00
Percent of Licensed APRNs Registered to PMP	100.00
Percent of Pharmacists Registered to PMP	100.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the Board of Pharmacy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. In accordance with the Pharmacy Benefit Prompt Pay Act, Sections 73-21-151 through 73-21-163, Mississippi Code of 1972, the Mississippi Board of Pharmacy may escalate the appropriate funds not to exceed Five Hundred Thousand Dollars ($500,000.00) of its budget during the fiscal year for the purposes of conducting compliance examinations and regulatory oversight as authorized by the act.

SECTION 8. In accordance with Section 73-21-127(h), Mississippi Code of 1972, the Mississippi Board of Pharmacy may accept and expend funds from any other state agency to defray the expenses of the Prescription Monitoring Program.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHARMACY FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Clay Deweese
David Parker	John Read
Albert Butler	Missy McGee

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3035** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 108, **S. B. No. 3051**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3051** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3051: Appropriation; Treasurer's Office.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Treasurer's office which are collected by or otherwise become available, to defray the expenses of the Office of the State Treasurer for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 6,658,958.00.

SECTION 2. Of the funds appropriated in Section 1 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 37

Time-Limited: 0

With the funds herein appropriated, it shall be the agency’s responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency’s Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency’s personal services appropriation, which the State Personnel Board shall publish. The agency’s personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature’s intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Education Improvement Trust Fund No. 3219 for the purpose of investing funds for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 150,000.00.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Prepaid Affordable College Tuition Trust Fund for the purpose of paying all amounts due for prepaid tuition contracts of the Mississippi Prepaid Affordable College Tuition Program, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 35,000,000.00.

It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend an amount not to exceed One Million Dollars ($1,000,000.00) from any funds authorized for the Mississippi Prepaid Affordable College Tuition Program, for paying amounts due for prepaid tuition contracts of the Mississippi Prepaid Affordable College Tuition Program. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 5. No part of the funds appropriated herein shall be used in the payment of attorney's fees, nor shall any of said funds be used either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of the civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; provided that when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 6. It is the intention of the Legislature that the Office of the State Treasurer shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. Of the funds appropriated to the State Treasury under the provisions of Section 1 of this act, the following amounts shall be available for expenditure in the following program budgets:

(a) Mississippi Prepaid Affordable College Tuition program ..... $ 1,854,655.00.

(b) Mississippi Affordable College Savings program..... $ 177,860.00.

(c) Treasury Office - Support programs..... $ 4,626,443.00.

Further, no funds to the credit of the Mississippi Prepaid Affordable College Tuition Administrative Fund shall be expended for purposes related to any program other than the Mississippi Prepaid Affordable College Tuition program.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE TREASURER'S OFFICE FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
J. Walter Michel	John Read
Angela Turner-Ford	Randy Rushing

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3051** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 110, **S. B. No. 3053**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3053** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3053: Appropriation; Banking and Consumer Finance, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Department of Banking and Consumer Finance, for the support of the State Department of Banking and Consumer Finance, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 12,799,648.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 86

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Department of Banking and Consumer Finance shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE SUPPORT OF THE STATE DEPARTMENT OF BANKING AND CONSUMER FINANCE FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
John A. Polk	John Read
Sarita Simmons	John G. Faulkner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3053** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan offered the following report of the Conference Committee on **H. B. No. 1640** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1640: Mental Health; revise procedures for screening, evaluation and commitments for those with issues of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-19-33, Mississippi Code of 1972, is amended as follows:

41-19-33. (1) Each region so designated or established under Section 41-19-31 shall establish a regional commission to be composed of members appointed by the boards of supervisors of the various counties in the region. Each regional commission shall employ or contract with an accountant for the purpose of managing the finances of the commission. The accountant shall provide an annual audit to the commission in addition to his or her other duties. It shall be the duty of such regional commission to administer mental health/intellectual disability programs certified and required by the State Board of Mental Health and as specified in Section 41-4-1(2). In addition, once designated and established as provided hereinabove, a regional commission shall have the following authority and shall pursue and promote the following general purposes:

(a) To establish, own, lease, acquire, construct, build, operate and maintain mental illness, mental health, intellectual disability, alcoholism and general rehabilitative facilities and services designed to serve the needs of the people of the region so designated, provided that the services supplied by the regional commissions shall include those services determined by the Department of Mental Health to be necessary and may include, in addition to the above, services for persons with developmental and learning disabilities; for persons suffering from narcotic addiction and problems of drug abuse and drug dependence; and for the aging as designated and certified by the Department of Mental Health. Such regional mental health and intellectual disability commissions and other community service providers shall, on or before July 1 of each year, submit an annual operational plan to the Department of Mental Health for approval or disapproval based on the minimum standards and minimum required services established by the department for certification and itemize the services as specified in Section 41-4-1(2), including financial statements. As part of the annual operation plan required by Section 41-4-7(h) submitted by any regional community mental health center or by any other reasonable certification deemed acceptable by the department, the community mental health center shall state those services specified in Section 41-4-1(2) that it will provide and also those services that it will not provide. If the department finds deficiencies in the plan of any regional commission or community service provider based on the minimum standards and minimum required services established for certification, the department shall give the regional commission or community service provider a six-month probationary period to bring its standards and services up to the established minimum standards and minimum required services. The regional commission or community service provider shall develop a sustainability business plan within thirty (30) days of being placed on probation, which shall be signed by all commissioners and shall include policies to address one or more of the following: the deficiencies in programmatic services, clinical service staff expectations, timely and appropriate billing, processes to obtain credentialing for staff, monthly reporting processes, third-party financial reporting and any other required documentation as determined by the department. After the six-month probationary period, if the department determines that the regional commission or community service provider still does not meet the minimum standards and minimum required services established for certification, the department may remove the certification of the commission or provider, and from and after July 1, 2011, the commission or provider shall be ineligible for state funds from Medicaid reimbursement or other funding sources for those services. After the six-month probationary period, the Department of Mental Health may identify an appropriate community service provider to provide any core services in that county that are not provided by a community mental health center. However, the department shall not offer reimbursement or other accommodations to a community service provider of core services that were not offered to the decertified community mental health center for the same or similar services.

(b) To provide facilities and services for the prevention of mental illness, mental disorders, developmental and learning disabilities, alcoholism, narcotic addiction, drug abuse, drug dependence and other related handicaps or problems (including the problems of the aging) among the people of the region so designated, and for the rehabilitation of persons suffering from such illnesses, disorders, handicaps or problems as designated and certified by the Department of Mental Health.

(c) To promote increased understanding of the problems of mental illness, intellectual disabilities, alcoholism, developmental and learning disabilities, narcotic addiction, drug abuse and drug dependence and other related problems (including the problems of the aging) by the people of the region, and also to promote increased understanding of the purposes and methods of the rehabilitation of persons suffering from such illnesses, disorders, handicaps or problems as designated and certified by the Department of Mental Health.

(d) To enter into contracts and to make such other arrangements as may be necessary, from time to time, with the United States government, the government of the State of Mississippi and such other agencies or governmental bodies as may be approved by and acceptable to the regional commission for the purpose of establishing, funding, constructing, operating and maintaining facilities and services for the care, treatment and rehabilitation of persons suffering from mental illness, an intellectual disability, alcoholism, developmental and learning disabilities, narcotic addiction, drug abuse, drug dependence and other illnesses, disorders, handicaps and problems (including the problems of the aging) as designated and certified by the Department of Mental Health.

(e) To enter into contracts and make such other arrangements as may be necessary with any and all private businesses, corporations, partnerships, proprietorships or other private agencies, whether organized for profit or otherwise, as may be approved by and acceptable to the regional commission for the purpose of establishing, funding, constructing, operating and maintaining facilities and services for the care, treatment and rehabilitation of persons suffering from mental illness, an intellectual disability, alcoholism, developmental and learning disabilities, narcotic addiction, drug abuse, drug dependence and other illnesses, disorders, handicaps and problems (including the problems of the aging) relating to minimum services established by the Department of Mental Health.

(f) To promote the general mental health of the people of the region.

(g) To pay the administrative costs of the operation of the regional commissions, including per diem for the members of the commission and its employees, attorney's fees, if and when such are required in the opinion of the commission, and such other expenses of the commission as may be necessary. The Department of Mental Health standards and audit rules shall determine what administrative cost figures shall consist of for the purposes of this paragraph. Each regional commission shall submit a cost report annually to the Department of Mental Health in accordance with guidelines promulgated by the department.

(h) To employ and compensate any personnel that may be necessary to effectively carry out the programs and services established under the provisions of the aforesaid act, provided such person meets the standards established by the Department of Mental Health.

(i) To acquire whatever hazard, casualty or workers' compensation insurance that may be necessary for any property, real or personal, owned, leased or rented by the commissions, or any employees or personnel hired by the commissions.

(j) To acquire professional liability insurance on all employees as may be deemed necessary and proper by the commission, and to pay, out of the funds of the commission, all premiums due and payable on account thereof.

(k) To provide and finance within their own facilities, or through agreements or contracts with other local, state or federal agencies or institutions, nonprofit corporations, or political subdivisions or representatives thereof, programs and services for persons with mental illness, including treatment for alcoholics, and promulgating and administering of programs to combat drug abuse and programs for services for persons with an intellectual disability.

(l) To borrow money from private lending institutions in order to promote any of the foregoing purposes. A commission may pledge collateral, including real estate, to secure the repayment of money borrowed under the authority of this paragraph. Any such borrowing undertaken by a commission shall be on terms and conditions that are prudent in the sound judgment of the members of the commission, and the interest on any such loan shall not exceed the amount specified in Section 75-17-105. Any money borrowed, debts incurred or other obligations undertaken by a commission, regardless of whether borrowed, incurred or undertaken before or after March 15, 1995, shall be valid, binding and enforceable if it or they are borrowed, incurred or undertaken for any purpose specified in this section and otherwise conform to the requirements of this paragraph.

(m) To acquire, own and dispose of real and personal property. Any real and personal property paid for with state and/or county appropriated funds must have the written approval of the Department of Mental Health and/or the county board of supervisors, depending on the original source of funding, before being disposed of under this paragraph.

(n) To enter into managed care contracts and make such other arrangements as may be deemed necessary or appropriate by the regional commission in order to participate in any managed care program. Any such contract or arrangement affecting more than one (1) region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.

(o) To provide facilities and services on a discounted or capitated basis. Any such action when affecting more than one (1) region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.

(p) To enter into contracts, agreements or other arrangements with any person, payor, provider or other entity, under which the regional commission assumes financial risk for the provision or delivery of any services, when deemed to be necessary or appropriate by the regional commission. Any action under this paragraph affecting more than one (1) region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.

(q) To provide direct or indirect funding, grants, financial support and assistance for any health maintenance organization, preferred provider organization or other managed care entity or contractor, where such organization, entity or contractor is operated on a nonprofit basis. Any action under this paragraph affecting more than one (1) region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.

(r) To form, establish, operate, and/or be a member of or participant in, either individually or with one or more other regional commissions, any managed care entity as defined in Section 83-41-403(c). Any action under this paragraph affecting more than one (1) region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.

(s) To meet at least annually with the board of supervisors of each county in its region for the purpose of presenting its total annual budget and total mental health/intellectual disability services system. The commission shall submit an annual

report on the adult mental health services, children mental health services and intellectual disability services required by the State Board of Mental Health.

(t) To provide alternative living arrangements for persons with serious mental illness, including, but not limited to, group homes for persons with chronic mental illness.

(u) To make purchases and enter into contracts for purchasing in compliance with the public purchasing law, Sections 31-7-12 and 31-7-13, with compliance with the public purchasing law subject to audit by the State Department of Audit.

(v) To ensure that all available funds are used for the benefit of persons with mental illness, persons with an intellectual disability, substance abusers and persons with developmental disabilities with maximum efficiency and minimum administrative cost. At any time a regional commission, and/or other related organization whatever it may be, accumulates surplus funds in excess of one-half (1/2) of its annual operating budget, the entity must submit a plan to the Department of Mental Health stating the capital improvements or other projects that require such surplus accumulation. If the required plan is not submitted within forty-five (45) days of the end of the applicable fiscal year, the Department of Mental Health shall withhold all state appropriated funds from such regional commission until such time as the capital improvement plan is submitted. If the submitted capital improvement plan is not accepted by the department, the surplus funds shall be expended by the regional commission in the local mental health region on group homes for persons with mental illness, persons with an intellectual disability, substance abusers, children or other mental health/intellectual disability services approved by the Department of Mental Health.

(w) Notwithstanding any other provision of law, to fingerprint and perform a criminal history record check on every employee or volunteer. Every employee or volunteer shall provide a valid current social security number and/or driver's license number that will be furnished to conduct the criminal history record check. If no disqualifying record is identified at the state level, fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check.

(x) Notwithstanding any other provisions of law, each regional commission shall have the authority to create and operate a primary care health clinic to treat (i) its patients; and (ii) its patients' family members related within the third degree; and (iii) its patients' household members or caregivers, subject to the following requirements:

(i) The regional commission may employ and compensate any personnel necessary and must satisfy applicable state and federal laws and regulations regarding the administration and operation of a primary care health clinic.

(ii) A Mississippi licensed physician must be employed or under agreement with the regional commission to provide medical direction and/or to carry out the physician responsibilities as described under applicable state and/or federal law and regulations.

(iii) The physician providing medical direction for the primary care clinic shall not be certified solely in psychiatry.

(iv) A sliding fee scale may be used by the regional commission when no other payer source is identified.

(v) The regional commission must ensure services will be available and accessible promptly and in a manner that preserves human dignity and assures continuity of care.

(vi) The regional commission must provide a semiannual report to the Chairmen of the Public Health Committees in both the House of Representatives and Senate. At a minimum, for each reporting period, these reports shall describe the number of patients provided primary care services, the types of services provided, and the payer source for the patients. Except for patient information and any other information that may be exempt from disclosure under the Health Information Portability and Accountability Act (HIPAA) and the Mississippi Public Records Act, the reports shall be considered public records.

(vii) The regional commission must employ or contract with a core clinical staff that is multidisciplinary and culturally and linguistically competent.

(viii) The regional commission must ensure that its physician as described in subparagraph (ii) of this paragraph (x) has admitting privileges at one or more local hospitals or has an agreement with a physician who has admitting privileges at one or more local hospitals to ensure continuity of care.

(ix) The regional commission must provide an independent financial audit report to the State Department of Mental Health and, except for patient information and any other information that may be exempt from disclosure under HIPAA and the Mississippi Public Records Act, the audit report shall be considered a public record.

For the purposes of this paragraph (x), the term "caregiver" means an individual who has the principal and primary responsibility for caring for a child or dependent adult, especially in the home setting.

(y) In general to take any action which will promote, either directly or indirectly, any and all of the foregoing purposes.

(z) All regional commissioners shall receive new orientation training and annual training with continuing education regarding the Mississippi mental health system and services as developed by the State Department of Mental Health. Training shall be provided at the expense of the department except for travel expenses which shall be paid by the regional commission.

(aa) To establish a community mental health center to provide mental health services in its region.

(2) The types of services established by the State Department of Mental Health that must be provided by the regional mental health/intellectual disability centers for certification by the department, and the minimum levels and standards for those services established by the department, shall be provided by the regional mental health/intellectual disability centers to children when such services are appropriate for children, in the determination of the department.

(3) Each regional commission shall compile quarterly financial statements and status reports from each individual community health center. The compiled reports shall be submitted to the coordinator quarterly. The reports shall contain a:

(a) Balance sheet;

(b) Statement of operations;

(c) Statement of cash flows; and

(d) Description of the status of individual community health center's actions taken to increase access to and availability of community mental health services.

(4) (a) The community mental health center shall submit a written quarterly report to the board of supervisors of each county in its region. The report shall include the following information for the prior quarter:

(i) The number of occupancy percentages reported by the crisis stabilization unit in the region;

(ii) The number of individuals held in jail after the commitment process has been initiated and the number of individuals the community mental health center provided treatment to while they were in jail, as required by Section 41-21-67;

(iii) The number of pre-affidavit screenings conducted;

(iv) The number of individuals diverted to a lesser restrictive alternative from commitment;

(v) The number of crisis stabilization unit denials and the reason for denial;

(vi) Summary report of Medicaid claims, including denials; and

(vii) Cash balance as of the date of the end of the quarter.

(b) The community mental health center shall provide the Department of Mental Health, local sheriffs and chancery court judges with a copy of the community mental health center's report each quarter.

SECTION 2. Section 41-21-65, Mississippi Code of 1972, as amended by House Bill No. 1088, 2024 Regular Session, is amended as follows:

41-21-65. (1) It is the intention of the Legislature that the filing of an affidavit under this section be a simple, inexpensive, uniform, and streamlined process for the purpose of facilitating and expediting the care of individuals in need of treatment.

(2) The Uniform Civil Commitment Affidavit developed by the Department of Mental Health under this section must be provided by the clerk of the chancery court to any party or affiant seeking a civil commitment under this section, and must be utilized in all counties to commence civil commitment proceedings under this section. The affidavit must be made available to the public on the website of the Mississippi Department of Mental Health.

(3) The Department of Mental Health, in consultation with the Mississippi Chancery Clerks Association, the Mississippi Conference of Chancery Court Judges and the Mississippi Association of Community Mental Health Centers, must develop a written guide setting out the steps in the commitment process no later than January 1, 2020. The guide shall be designated as the "Uniform Civil Commitment Guide" and must include, but not be limited to, the following:

(a) Steps in the civil commitment process from affidavit to commitment, written in easily understandable layman's terms;

(b) A schedule of fees and assessments that will be charged to commence a commitment proceeding under this section;

(c) Eligibility requirements and instructions for filing a pauper's affidavit; and

(d) A statement on the front cover of the guide advising that persons wishing to pursue a civil commitment under this section are not required to retain an attorney for any portion of the commitment process.

(4) Immediately upon availability, but no later than January 1, 2020, the Uniform Civil Commitment Guide must be provided by the clerk of the chancery court to any party or affiant seeking a civil commitment under this section and also must be made available to the public on the website of the Mississippi Department of Mental Health.

(5) If any person is alleged to be in need of treatment, any relative of the person, or any interested person, may make affidavit of that fact and shall file the Uniform Civil Commitment Affidavit with the clerk of the chancery court of the county in which the person alleged to be in need of treatment resides, but the chancellor or duly appointed special master may, in his or her discretion, hear the matter in the county in which the person may be found or the circuit judge may hear such matter as provided in Section 41-21-63. Prior to filing an affidavit for commitment of an individual, the relative or interested person shall be connected with the community mental health center for a pre-affidavit screening as set forth in Section 41-21-67. The pre-affidavit screening is mandatory and must be completed before any affidavit for commitment is filed, except as otherwise provided in Section 41-21-67(2). The affidavit shall set forth the name and address of the proposed patient's nearest relatives and whether the proposed patient resides or has visitation rights with any minor children, if known, and the reasons for the affidavit. The affidavit must contain factual descriptions of the proposed patient's recent behavior, including a description of the behavior, where it occurred, and over what period of time it occurred, if known. The affidavit shall state specifically that a less restrictive alternative treatment was considered and specify why treatment less restrictive than involuntary commitment is not appropriate. Each factual allegation may be supported by observations of witnesses and the pre-affidavit screener named in the affidavit. The Department of Mental Health, in consultation with the Mississippi Chancery Clerks' Association, shall develop a simple, one-page affidavit form for the use of affiants as provided in this section. The affidavit also must state whether the affiant has * * * received notice of the pre-affidavit screening from a community mental health center * * * determining whether the alleged acts by the proposed respondent warrant civil commitment in lieu of other less-restrictive treatment options. No chancery clerk shall require an affiant to retain an attorney for the filing of an affidavit under this section.

(6) The chancery clerk may charge a total filing fee for all services equal to the amount set out in Section 25-7-9(o), and the appropriate state and county assessments as required by law which include, but are not limited to, assessments for the Judicial Operation Fund (Section 25-7-9(3)(b)); the Electronic Court System Fund (Section 25-7-9(3)(a)); the Civil Legal Assistance Fund (Section 25-7-9(1)(k)); the Court Education and Training Fund (Section 37-26-3); State Court Constituent's Fund (Section 37-26-9(4)); and reasonable court reporter's fee. Costs incidental to the court proceedings as set forth in Section 41-21-79 may not be included in the assessments permitted by this subsection. The total of the fees and assessments permitted by this subsection may not exceed One Hundred Fifty Dollars ($150.00).

(7) The prohibition against charging the affiant other fees, expenses, or costs shall not preclude the imposition of monetary criminal penalties under Section 41-21-107 or any other criminal statute, or the imposition by the chancellor of monetary penalties for contempt if the affiant is found to have filed an intentionally false affidavit or filed the affidavit in bad faith for a malicious purpose.

(8) Nothing in this section shall be construed so as to conflict with Section 41-21-63.

(9) The Department of Mental Health shall provide annual training to chancery and circuit court clerks to inform them about statutory procedures for civil commitments.

SECTION 3. Section 41-21-67, Mississippi Code of 1972, as amended by House Bill No. 1088, 2024 Regular Session, is amended as follows:

41-21-67. (1) (a) Prior to filing an affidavit for commitment of an individual, the relative or interested person shall be connected with the community mental health center in the county of financial responsibility or the county where the proposed patient is present for conduct of preliminary investigation to determine the need to file an affidavit for involuntary commitment. If the community mental health center is unavailable, any reputable licensed physician, psychologist, nurse practitioner or physician assistant, as allowed in the discretion of the court, may conduct the pre-affidavit screening and examination as set forth in Section 41-21-69. The pre-affidavit screening shall be completed within twenty-four (24) hours of the community mental health center being notified. The community mental health center shall provide the pre-affidavit screening report to the chancery clerk for the county in which the petition is to be filed upon completion. The community mental health center shall appoint a screener to conduct an investigation. The prospective petitioner may not be the pre-affidavit screener. The investigation must include:

(i) An interview with the proposed patient and other individuals who appear to have knowledge of the condition of the proposed patient, if practicable. In-person interviews with the proposed patient are preferred. If the proposed patient is not interviewed, specific reasons must be documented;

(ii) Identification and investigation of specific alleged conduct that is the basis for application;

(iii) Identification, exploration, and listing of the specific reasons for rejecting or recommending alternatives to involuntary commitment; and

(iv) In the case of a commitment based on mental illness, information relevant to treatment.

(b) In conducting the investigation required by this subsection, the screener shall have access to all relevant medical records of proposed patients currently in treatment facilities, state-operated treatment programs, or community-based treatment programs. Data collected pursuant to this paragraph shall be considered private data on individuals. The pre-affidavit screening report is not admissible as evidence in court except by agreement of counsel or as permitted by the rules of court and is not admissible in any court proceedings unrelated to the commitment proceedings.

(c) When the pre-affidavit screener recommends commitment, a written report shall be sent to the chancery clerk for the county in which the petition is to be filed. The statement of facts contained in the written report must meet the requirements of Section 41-21-65(5), specifically certifying that a less restrictive alternative treatment was considered and specifying why treatment less restrictive than involuntary commitment is not appropriate.

(d) The pre-affidavit screener shall refuse to support the filing of an affidavit if the investigation does not disclose evidence sufficient to support commitment. Notice of the pre-affidavit screener's decision shall be provided to the prospective petitioner and the court. If a commitment is not recommended, the pre-affidavit screener shall provide the prospective petitioner with connection to other alternative services and resources available and offered, if appropriate.

(e) If the interested person wishes to proceed with a petition contrary to the recommendation of the pre-affidavit screener, application may be made directly to the chancellor, who shall determine whether or not to proceed with the petition. Notice of the chancellor's determination shall be provided to the interested party.

(* * *2) * * * After a pre-affidavit screener has attempted to complete an in-person screening, if a person is actively violent or refuses to participate in the pre-affidavit screening and the screening cannot be completed, then upon recommendation of the

community mental health center, the affidavit may be filed and a writ issued for a sheriff to intervene. The pre-affidavit screener shall document why the pre-affidavit screening could not be completed. After completing the pre-affidavit screening required by subsection (1) of this section, receiving the written report from the pre-affidavit screener, and upon filing of an affidavit of commitment, the clerk, upon direction of the chancellor of the court, shall issue a writ directed to the sheriff of the proper county to take into custody the person alleged to be in need of treatment and to take the person for * * * physical and mental examination and treatment by the appropriate community mental health center established under Section 41-19-31. Except as otherwise provided in Section 41-21-63, the community mental health center will be designated as the first point of entry for * * * pre-affidavit screening and treatment. * * * The * * * writ may provide where the person shall be held before being taken for * * * examination and treatment, which shall include any licensed medical facility or crisis stabilization unit. * * * Reapplication may be made to the chancellor. If a pauper's affidavit is filed by an affiant who is a guardian or conservator of a person in need of treatment, the court shall determine if either the affiant or the person in need of treatment is a pauper and if * * * the affiant or the person in need of treatment is determined to be a pauper, the county of the residence of the respondent shall bear the costs of commitment, unless funds for those purposes are made available by the state.

* * *

(* * *3) (a) Upon * * * receiving the pre-affidavit screening and filing of an affidavit of commitment, the chancellor shall immediately appoint and summon two (2) reputable, licensed physicians or one (1) reputable, licensed physician and either one (1) psychologist, nurse practitioner or physician assistant to conduct a physical and mental examination of the person at a place to be designated by the clerk or chancellor and to report their findings to the clerk or chancellor. However, if the pre-affidavit screening recommends against commitment, the chancellor may refuse to appoint two (2) physicians to conduct a physical and mental examination. However, any nurse practitioner or physician assistant conducting the examination shall be independent from, and not under the supervision of, the other physician conducting the examination. A nurse practitioner or psychiatric nurse practitioner conducting an examination under this chapter must be functioning within a collaborative or consultative relationship with a physician as required under Section 73-15-20(3). In all counties in which there is a county health officer, the county health officer, if available, may be one (1) of the physicians so appointed. If a licensed physician is not available to conduct the physical and mental examination within forty-eight (48) hours of the * * * pre-affidavit screening, the court, in its discretion and upon good cause shown, may permit the examination to be conducted by the following: (a) two (2) nurse practitioners, one (1) of whom must be a psychiatric nurse practitioner; or (b) one (1) psychiatric nurse practitioner and one (1) psychologist or physician assistant. Neither of the physicians nor the psychologist, nurse practitioner or physician assistant selected shall be related to that person in any way, nor have any direct or indirect interest in the estate of that person nor shall any full-time staff of residential treatment facilities operated directly by the State Department of Mental Health serve as examiner.

(b) Any health care practitioner who conducts a physical and mental examination of a person as provided under paragraph (a) of this subsection may sign the certificate required for establishing a guardianship or conservatorship for the person and take care of other related requirements as otherwise provided by law, at the time of conducting the physical and mental examinations.

(* * *4) The clerk shall ascertain whether the respondent is represented by an attorney, and if it is determined that the respondent does not have an attorney, the clerk shall immediately notify the chancellor of that fact. If the chancellor determines that the respondent for any reason does not have the services of an attorney, the chancellor shall immediately appoint an attorney for the respondent at the time the examiners are appointed.

(* * *5) (a) If the chancellor determines that there is probable cause to believe that the respondent * * * has a mental illness and that there is no reasonable alternative to detention, the chancellor may order that the respondent be retained as an emergency patient at any licensed medical facility, crisis stabilization unit, or any other available suitable location for evaluation by a physician, nurse practitioner or physician assistant and that a peace officer transport the respondent to the specified facility, unit or location. If the community mental health center serving the county has partnered with Crisis Intervention Teams under the provisions of Sections 41-21-131 through 41-21-143, the order may specify that the licensed medical facility be a designated single point of entry within the county or within an adjacent county served by the community mental health center. If the person evaluating the respondent finds that the respondent * * * has a mental illness and in need of treatment, the chancellor may order that the respondent be retained at the licensed medical facility, crisis stabilization unit, or any other available suitable location as the court may so designate pending an admission hearing. If necessary, the chancellor may order a peace officer or other person to transport the respondent to that facility, or unit or suitable location. Any respondent so retained may be given such treatment as is indicated by standard medical practice. However, the respondent shall not be held in a hospital operated directly by the State Department of Mental Health * * *.

(b) A jail or other detention center may not be used for custody unless the community mental health center has explored and exhausted the availability of other appropriate facilities, such as the crisis stabilization unit, the local hospital and any Department of Mental Health certified location; the chancellor specifically authorizes it; and the respondent is actively violent. The county of residence of any such person shall pay the cost of such interim treatment. The community mental health center shall provide documentation of the person's violent behavior and that no other appropriate facilities are available to the chancellor. Under these circumstances, no person may remain in a jail for longer than twenty-four (24) hours unless the community mental health center requests an additional twenty-four (24) hours from the chancellor. The community mental health center shall provide treatment during this timeframe pending placement at an appropriate facility.

For the purposes of this subsection (5), "actively violent" means that the behavior presents an immediate and serious danger to the safety of the individual or another, the individual has inflicted or attempted to inflict serious bodily harm on another, or has acted in such a way as to create a substantial risk of serious bodily harm to another, or has engaged in extreme destruction of property; and that there is a reasonable probability that this conduct will be repeated.

The provisions of this paragraph (b) shall not be construed to include jails that are designated as holding facilities under the requirement provided by Section 41-21-77.

(* * *6) (a) Whenever a licensed psychologist, nurse practitioner or physician assistant who is certified to complete examinations for the purpose of commitment or a licensed physician has reason to believe that a person poses an immediate substantial likelihood of physical harm to himself or others or is gravely disabled and unable to care for himself by virtue of mental illness, as defined in Section 41-21-61(e), then the physician, psychologist, nurse practitioner or physician assistant may hold the person or may admit the person to and treat the person in a licensed medical facility, without a civil order or warrant for a period not to exceed seventy-two (72) hours. However, if the seventy-two-hour period begins or ends when the chancery clerk's office is closed, or within three (3) hours of closing, and the chancery clerk's office will be continuously closed for a time that exceeds seventy-two (72) hours, then the seventy-two-hour period is extended until the end of the next business day that the chancery clerk's office is open. The person may be held and treated as an emergency patient at any licensed medical facility, available regional mental health facility, or crisis * * * stabilization unit. The

physician or psychologist, nurse practitioner or physician assistant who holds the person shall certify in writing the reasons for the need for holding.

If a person is being held and treated in a licensed medical facility, and that person decides to continue treatment by voluntarily signing consent for admission and treatment, the seventy-two-hour hold may be discontinued without filing an affidavit for commitment. Any respondent so held may be given such treatment as indicated by standard medical practice. Persons acting in good faith in connection with the detention and reporting of a person believed to * * * have a mental illness shall incur no liability, civil or criminal, for those acts.

(b) Whenever an individual is held for purposes of receiving treatment as prescribed under paragraph (a) of this subsection, and it is communicated to the mental health professional holding the individual that the individual resides or has visitation rights with a minor child, and if the individual is considered to be a danger to the minor child, the mental health professional shall notify the Department of Child Protection Services prior to discharge if the threat of harm continues to exist, as is required under Section 43-21-353.

This paragraph (b) shall be known and may be cited as the "Andrew Lloyd Law."

SECTION 4. Section 41-21-140, Mississippi Code of 1972, is amended as follows:

41-21-140. A law enforcement officer shall transport the * * * person who is in crisis to the appropriate health care facility in the county or outside of the county at the request of the crisis intervention team or mobile crisis response team.

SECTION 5. Section 41-19-43, Mississippi Code of 1972, is amended as follows:

41-19-43. Whenever it is necessary to commit and transport any eligible patient to a regional mental health or intellectual disability facility for treatment or care, the chancery clerk and sheriff shall be entitled to expenses as provided for by the laws of Mississippi for commitment and transportation to state mental institutions and transportation in the county or outside of the county to a community mental health center or other appropriate facility.

SECTION 6. Section 41-21-71, Mississippi Code of 1972, as amended by House Bill No. 1088, 2024 Regular Session, is amended as follows:

41-21-71. If, as a result of the examination, the appointed examiners certify that the person is not in need of treatment, the chancellor * * *, clerk or circuit judge as applicable shall dismiss the affidavit without the need for a further hearing. Except as otherwise provided in Section 41-21-63, if the chancellor or chancery clerk finds, based upon the appointed examiners' certificates and any other relevant evidence, that the respondent is in need of treatment and the certificates are filed with the chancery clerk within forty-eight (48) hours after the order for examination, or extension of that time as provided in Section 41-21-69, the clerk shall immediately set the matter for a hearing. The hearing shall be set within * * * three (3) days of the filing of the certificates unless an extension is requested by the respondent's attorney. In no event shall the hearing be more than * * * five (5) days after the filing of the certificates, unless the court orders to extend the hearing date, which shall not exceed five (5) additional days.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 41-19-33, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF REGIONAL MENTAL HEALTH FACILITIES; TO AMEND SECTION 41-21-65, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1088, 2024 REGULAR SESSION, TO REQUIRE COMPLETION OF A PRE-AFFIDAVIT SCREENING BEFORE ANY AFFIDAVIT FOR COMMITMENT IS FILED; TO AMEND SECTION 41-21-67, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1088, 2024 REGULAR SESSION, TO REQUIRE COMMUNITY MENTAL HEALTH CENTERS TO CONDUCT A PRELIMINARY INVESTIGATION BEFORE AN AFFIDAVIT FOR COMMITMENT IS FILED; TO AMEND SECTIONS 41-21-140 AND 41-19-43, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO AMEND SECTION 41-21-71, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1088, 2024 REGULAR SESSION, TO REVISE HEARING DATES HELD AFTER EXAMINERS' CERTIFICATES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Sam Creekmore IV	Hob Bryan
Kevin Felsher	Joey Fillingane
Joey Hood	Rod Hickman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1640** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins moved that the Conference Committee Report on **S. B. No. 2130** be recommitted for further conference and the motion prevailed.

S. B. No. 2130: Homeowners' insurance; prohibit insurer from refusing to issue or to renew policy solely based on roof's age.

Senator DeBar offered the following report of the Conference Committee on **S. B. No. 2232** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2232: Newton Municipal School District; require election of board of trustees by population of the school district.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-7-203, Mississippi Code of 1972, is amended as follows:

37-7-203. (1) Except as otherwise provided in subsections (3) * * *, (4) and (5) of this section, the boards of trustees of all municipal separate school districts created under this chapter, either with or without added territory, shall consist of five (5) members, each to be chosen for a term of five (5) years, but so chosen that the term of office of one (1) member shall expire each year. In the event the added territory of a municipal separate school district furnishes fifteen percent (15%) or more of the pupils enrolled in the schools of such district, then at least one (1) member of the board of trustees of such school district shall be a resident of the added territory outside the corporate limits. In the event the added territory of a municipal separate school district furnishes thirty percent (30%) or more of the pupils enrolled in the schools of such district, then not more than two (2) members of the board of trustees of such school district shall be residents of the added territory outside the corporate limits. In the event the added territory of a municipal separate school district in a county in which Mississippi Highways 8 and 15 intersect furnishes thirty percent (30%) or more of the pupils enrolled in the schools of such district, then the five (5) members of the board of trustees of such school district shall be elected at large from such school district for a term of five (5) years each except that the two (2) elected trustees presently serving on such board shall continue to serve for their respective terms of office. The three (3) appointed trustees presently serving on such board shall continue to serve until their successors are elected in March of 1975 in the manner provided for in Section 37-7-215. At such election, one (1) trustee shall be elected for a term of two (2) years, one (1) for a term of three (3) years and one (1) for a term of five (5) years. Subsequent terms for each successor trustee shall be for five (5) years. In the event one (1) of two (2) municipal separate school districts located in any county with two (2) judicial districts, District 1 being comprised of Supervisors Districts 1, 2, 4 and 5, and District 2 being comprised of Supervisors District 3, with added territory embraces three (3) full supervisors districts of a county, one (1) trustee shall be elected from each of the three (3) supervisors districts outside the corporate limits of the municipality. In the further event that the territory of a municipal separate school district located in any county with two (2) judicial districts, District 1 being comprised of Supervisors Districts 1, 2, 4 and 5, and District 2 being comprised of Supervisors District 3, with added territory embraces four (4) full supervisors districts in the county, and in any county in which a municipal separate school district embraces the entire county in which Highways 14 and 15 intersect, one (1) trustee shall be elected from each supervisors district.

Except as otherwise provided herein, the trustees of such a municipal separate school district shall be elected by a majority of the governing authorities of the municipality at the first meeting of the governing authorities held in the month of February of each year, and the term of office of the member so elected shall commence on the first Saturday of March following. In the case of a member of the board of trustees who is required to come from the added territory outside the corporate limits as is above provided, such member of the board of trustees shall be elected by the qualified electors of the school district residing in such added territory outside the corporate limits at the same time and in the same manner as is otherwise provided in this article for the election of trustees of school districts other than municipal separate school districts.

In the event that a portion of a county school district is reconstituted, in the manner provided by law, into a municipal separate school district with added territory and in the event that the trustees to be elected from the added territory are requested to be elected from separate election districts within the added territory, instead of elected at large, by the Attorney General of the United States as a result of and pursuant to preclearance under Section 5 of the Voting Rights Act of 1965, as amended and extended, and in the event the added territory of a municipal separate school district of a municipality furnishes thirty percent (30%) or more of the pupils enrolled in the schools of such district, then two (2) members of the board of trustees shall be residents of the added territory outside the corporate limits of such municipality and shall be elected from special trustee election districts by the qualified electors thereof as herein provided. The board of trustees of the school district shall apportion the added territory into two (2) special trustee election districts as nearly as possible according to population and other factors heretofore pronounced by the courts. The board of trustees of the school district shall thereafter publish the same in a newspaper of general circulation within that school district for at least two (2) consecutive weeks; and after having given notice of publication and recording the same upon the minutes of the board of trustees of the school district, the new district lines shall thereafter be effective. Any person elected from the new trustee election districts constituted herein shall be elected in the manner provided for in Section 37-7-215 for a term of five (5) years. Any vacancy in the office of a trustee elected from such trustee election district, whether occasioned by redistricting or by other cause, shall be filled by appointment of the governing authorities of the municipality, provided that the person so appointed shall serve only until the next general election following his appointment, at which time a person shall be elected for the remainder of the unexpired term in the manner provided in Section 37-7-215.

In any county organizing a countywide municipal separate school district after January 1, 1965, the trustees thereof to be elected from outside the municipality, such trustees shall be elected by the board of supervisors of such county, and the superintendent of such school district shall have authority to pay out and distribute the funds of the district. In the event a municipal separate school district should occupy territory in a county other than that in which the municipality is located and fifteen percent (15%) or more of the pupils enrolled in the schools of such district shall come from the territory of the district in the county other than that in which the municipality is located, the territory of such county in which the municipality is not located shall be entitled to one (1) member on the board of trustees of such school district. The trustee shall be a resident of the territory of that part of the district lying in the county in which the municipality is not located and shall be elected by the qualified electors of the territory of such county at the same time and in the same manner as is provided for the election of trustees of school districts other than municipal separate school districts having territory in two (2) or more counties.

All vacancies shall be filled for the unexpired terms by appointment of the governing authorities of the municipality; except that in the case of the trustees coming from the added territory outside the corporate limits, the person so appointed shall serve only until the next general election following his appointment, at which time a person shall be elected for the remainder of the unexpired term in the manner otherwise provided herein.

No person who is a member of such governing body, or who is an employee of the municipality, or who is a member of the county board of education, or who is a trustee of any public, private or sectarian school or college located in the county, inclusive of the municipal separate school district, or who is a teacher in or a trustee of the school district, shall be eligible for appointment to the board of trustees.

(2) In counties of less than fifteen thousand (15,000) people having a municipal separate school district with added territory which embraces all the territory of a county, one or more trustees of the school district shall be nominated from each supervisors district upon petition of fifty (50) qualified electors of that supervisors district, or twenty percent (20%) of the qualified electors of such district, whichever number shall be smaller.

One (1) trustee must be elected from each supervisors district of the county. In such counties embraced entirely by a municipal separate school district, there shall be no county board of education after the formation of such district, and the county superintendent of education shall act as superintendent of schools of the district and shall be appointed by the board of trustees of that district, and the provisions of subsection (1) of this section and the first paragraph of Section 37-7-211 shall not apply to such districts.

(3) In municipalities designated as having a mayor-council form of government under Chapter 8, Title 21, Mississippi Code of 1972, and having a population in excess of one hundred thousand (100,000) according to the 2000 federal decennial census, the boards of trustees of the municipal separate school district located in the municipality may, if authorized by ordinance of the municipal governing authority, consist of seven (7) members residing in each of the seven (7) wards in the municipality, to be appointed by the mayor and confirmed by the city council as follows: (a) each board member shall reside in the ward from which he is appointed; (b) members serving on March 31, 2010, shall continue to serve until a new term commences and new members shall be selected from wards not currently represented on the board; (c) one (1) of the two (2) additional appointments shall serve a term of five (5) years and one (1) for a term of four (4) years, with all subsequent appointments for a five-year term; and (d) each new appointment shall be made by the mayor and confirmed by the city council of the municipality at the first meeting of the governing authorities held in the month of June following March 31, 2010, and thereafter each year, and the term of office of each member so selected shall commence on the first Saturday of July following.

(4) (a) Beginning in 2017, in any municipal separate school district that is traversed by the Escatawpa River and in which Interstate Highway 10 and Mississippi Highway 63 intersect, the board of trustees of the municipal separate school district shall consist of five (5) members, each to be elected for a term of four (4) years in the manner provided in this subsection. Within forty-five (45) days after July 1, 2017, the municipal governing authority shall apportion the municipal separate school district, including any added territory outside the corporate limits, into five (5) special trustee election districts as nearly equal as possible according to population, incumbency and other factors pronounced by the courts before August 8, 2017. The municipal governing authority shall place upon its minutes the boundaries determined for the new five (5) trustee election districts and shall publish the same in a newspaper of general circulation within the school district for at least three (3) consecutive weeks. After having given notice of publication and recording the same upon the minutes of the municipal governing authority, the new district lines shall be effective.

(b) On the first Tuesday after the first Monday in November 2017, and every four (4) years thereafter, an election shall be held in the municipal separate school district for local school board members from trustee election districts 1, 3 and 5 in the same manner and at the same time as the general municipal election is held and conducted, for the purpose of electing the board of trustees of the municipal separate school district. All members of the board of trustees elected pursuant to this paragraph (b) shall take office on the first Monday of January immediately following the date of their election. However, in order to provide for an orderly transition, the term of each member of the board of trustees serving on July 1, 2017, which otherwise would expire after the first Monday in July 2018, shall expire on the first Monday of January 2018. If no individual qualifies for the elective office of school district trustee, the trustee for that specific trustee district shall be filled by appointment of the municipal governing authority; however, the person so appointed to fill the vacancy may serve only until the first Monday in January 2019, at which time the trustee elected pursuant to this subsection shall take office for the remainder of the unexpired initial term.

From and after January 1, 2018, any vacancy on the board of trustees shall be filled by appointment by the remaining members of the board of trustees within sixty (60) days after the vacancy occurs. The appointee must be selected from the qualified electors of the trustee election district in which the vacancy occurs. The appointee shall serve until

the first Monday of January succeeding the next general municipal election, at which election a member from that trustee election district shall be elected for a full term.

(c) On the first Tuesday after the first Monday in November 2018, and every four (4) years thereafter, an election shall be held in the municipal separate school district for local school board members from trustee election districts 2 and 4 in the same manner and at the same time as the Congressional mid-term election is held and conducted, for the purpose of electing the board of trustees of the municipal separate school district. All members of the board of trustees elected pursuant to this paragraph (c) shall take office on the first Monday of January immediately following the date of their election. However, in order to provide for an orderly transition, the term of each member of the board of trustees serving on July 1, 2018, which otherwise would expire after the first Monday in July 2018, shall expire on the first Monday of January 2019. If no individual qualifies for the elective office of school district trustee, the trustee for that specific trustee district shall be filled by appointment of the municipal governing authority; however, the person so appointed to fill the vacancy may serve only until the first Monday in January 2020, at which time the trustee elected pursuant to this subsection shall take office for the remainder of the unexpired initial term.

From and after July 1, 2020, any vacancy on the board of trustees shall be filled by appointment by the remaining members of the board of trustees within sixty (60) days after the vacancy occurs. The appointee must be selected from the qualified electors of the trustee election district in which the vacancy occurs. The appointee shall serve until the first Monday of July succeeding the next general municipal election, at which election a member from that trustee election district shall be elected for a full term.

(5) (a) Beginning in 2024, in any municipal separate school district in which Interstate Highway 20 and Mississippi Highway 15 intersect, the board of trustees of the municipal separate school district shall consist of five (5) members, each to be elected for a term of four (4) years in the manner provided in this subsection. Within forty-five (45) days after July 1, 2024, the municipal governing authority shall apportion the municipal separate school district, including any added territory outside the corporate limits, into five (5) special trustee election districts as nearly equal as possible according to population, incumbency and other factors pronounced by the courts before January 1, 2024. The municipal governing authority shall place upon its minutes the boundaries determined for the new five (5) trustee election districts and shall publish the same in a newspaper of general circulation within the school district for at least three (3) consecutive weeks. After having given notice of publication and recording the same upon the minutes of the municipal governing authority, the new district lines shall be effective. Candidates for such positions shall file the intent to be a candidate not later than 5:00 p.m. on September 1, 2024, and shall qualify as otherwise provided by law.

(b) On the first Tuesday after the first Monday in November 2024, an election shall be held in the municipal separate school district for local school board members in the same manner and at the same time as the presidential election is held and conducted, for the purpose of electing the board of trustees of the municipal separate school district. All members of the board of trustees elected pursuant to this paragraph (b) shall take office on the first Monday of January immediately following the date of their election, and may serve until the first Monday in January 2028, at which time the trustee elected pursuant to paragraph (c) of this subsection shall take office. If no individual qualifies for the elective office of school district trustee, the trustee for that specific trustee district shall be filled by appointment of the municipal governing authority; however, the person so appointed to fill the vacancy may serve only until the first Monday in January 2028, at which time the trustee elected pursuant to paragraph (c) of this subsection shall take office.

From and after January 1, 2028, any vacancy on the board of trustees shall be filled by appointment by the remaining members of the board of trustees within sixty (60) days after the vacancy occurs. The appointee must be selected from the qualified electors

of the trustee election district in which the vacancy occurs. The appointee shall serve until the first Monday of January succeeding the next general election, at which election a member from that trustee election district shall be elected for the remainder of the unexpired term.

(c) On the first Tuesday after the first Monday in November 2027, and every four (4) years thereafter, an election shall be held in the municipal separate school district for local school board members in the same manner and at the same time as the general elections are held and conducted in accordance with Section 23-15-193, for the purpose of electing the board of trustees of the municipal separate school district. All members of the board of trustees elected pursuant to this paragraph (c) shall take office on the first Monday of January immediately following the date of their election.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-7-203, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE ELECTION OF SCHOOL BOARD MEMBERS IN THE NEWTON MUNICIPAL SCHOOL DISTRICT BEGINNING WITH THE NOVEMBER 2024 ELECTION; TO SET CERTAIN PROCEDURES FOR THE APPOINTMENT OF MEMBERS FOR VACANCIES IN OFFICE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Dennis DeBar, Jr.	Rob Roberson
Tyler McCaughn	Dana McLean
John A. Polk	Kent McCarty

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2232** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Turner-Ford. Total--1.

Senator Boyd offered the following report of the Conference Committee on **S. B. No. 2408** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2408: Identification cards and driver's licenses; require to have 988 Crisis Lifeline information.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-101-15, Mississippi Code of 1972, is amended as follows:

37-101-15. (a) The Board of Trustees of State Institutions of Higher Learning shall succeed to and continue to exercise control of all records, books, papers, equipment, and supplies, and all lands, buildings, and other real and personal property belonging to or assigned to the use and benefit of the board of trustees formerly supervising and controlling the institutions of higher learning named in Section 37-101-1. The board shall have and exercise control of the use, distribution and disbursement of all funds, appropriations and taxes, now and hereafter in possession, levied and collected, received, or appropriated for the use, benefit, support, and maintenance or capital outlay expenditures of the institutions of higher learning, including the authorization of employees to sign vouchers for the disbursement of funds for the various institutions, except where otherwise specifically provided by law.

(b) The board shall have general supervision of the affairs of all the institutions of higher learning, including the departments and the schools thereof. The board shall have the power in its discretion to determine who shall be privileged to enter, to remain in, or to graduate therefrom. The board shall have general supervision of the conduct of libraries and laboratories, the care of dormitories, buildings, and grounds; the business methods and arrangement of accounts and records; the organization of the administrative plan of each institution; and all other matters incident to the proper functioning of the institutions. The board shall have the authority to establish minimum standards of achievement as a prerequisite for entrance into any of the institutions under its jurisdiction, which standards need not be uniform between the various institutions and which may be based upon such criteria as the board may establish.

(c) The board shall exercise all the powers and prerogatives conferred upon it under the laws establishing and providing for the operation of the several institutions herein specified. The board shall adopt such bylaws and regulations from time to time as it deems expedient for the proper supervision and control of the several institutions of higher learning, insofar as such bylaws and regulations are not repugnant to the Constitution and laws, and not inconsistent with the object for which these institutions were established. The board shall have power and authority to prescribe rules and regulations for policing the campuses and all buildings of the respective institutions, to authorize the arrest of all persons violating on any campus any criminal law of the state, and to have such law violators turned over to the civil authorities.

(d) For all institutions specified herein, the board shall provide a uniform system of recording and of accounting approved by the State Department of Audit. The board shall annually prepare, or cause to be prepared, a budget for each institution of higher learning for the succeeding year which must be prepared and in readiness for at least thirty (30) days before the convening of the regular session of the Legislature. All relationships and negotiations between the State Legislature and its various committees and the institutions

named herein shall be carried on through the board of trustees. No official, employee or agent representing any of the separate institutions shall appear before the Legislature or any committee thereof except upon the written order of the board or upon the request of the Legislature or a committee thereof.

(e) For all institutions specified herein, the board shall prepare an annual report to the Legislature setting forth the disbursements of all monies appropriated to the respective institutions. Each report to the Legislature shall show how the money appropriated to the several institutions has been expended, beginning and ending with the fiscal years of the institutions, showing the name of each teacher, officer, and employee, and the salary paid each, and an itemized statement of each and every item of receipts and expenditures. Each report must be balanced, and must begin with the former balance. If any property belonging to the state or the institution is used for profit, the reports shall show the expense incurred in managing the property and the amount received therefrom. The reports shall also show a summary of the gross receipts and gross disbursements for each year and shall show the money on hand at the beginning of the fiscal period of the institution next preceding each session of the Legislature and the necessary amount of expense to be incurred from said date to January 1 following. The board shall keep the annual expenditures of each institution herein mentioned within the income derived from legislative appropriations and other sources, but in case of emergency arising from acts of providence, epidemics, fire or storm with the written approval of the Governor and by written consent of a majority of the senators and of the representatives it may exceed the income. The board shall require a surety bond in a surety company authorized to do business in this state of every employee who is the custodian of funds belonging to one or more of the institutions mentioned herein, which bond shall be in a sum to be fixed by the board in an amount that will properly safeguard the said funds, the premium for which shall be paid out of the funds appropriated for said institutions.

(f) The board shall have the power and authority to elect the heads of the various institutions of higher learning and to contract with all deans, professors, and other members of the teaching staff, and all administrative employees of said institutions for a term not exceeding four (4) years. The board shall have the power and authority to terminate any such contract at any time for malfeasance, inefficiency, or contumacious conduct, but never for political reasons. It shall be the policy of the board to permit the executive head of each institution to nominate for election by the board all subordinate employees of the institution over which he presides. It shall be the policy of the board to elect all officials for a definite tenure of service and to reelect during the period of satisfactory service. The board shall have the power to make any adjustments it thinks necessary between the various departments and schools of any institution or between the different institutions.

(g) The board shall keep complete minutes and records of all proceedings which shall be open for inspection by any citizen of the state.

(h) The board shall have the power to enter into an energy performance contract, energy services contract, on a shared-savings, lease or lease-purchase basis, for energy efficiency services and/or equipment as prescribed in Section 31-7-14.

(i) The Board of Trustees of State Institutions of Higher Learning, for and on behalf of Jackson State University, is hereby authorized to convey by donation or otherwise easements across portions of certain real estate located in the City of Jackson, Hinds County, Mississippi, for right-of-way required for the Metro Parkway Project.

(j) In connection with any international contract between the board or one (1) of the state's institutions of higher learning and any party outside of the United States, the board or institution that is the party to the international contract is hereby authorized and empowered to include in the contract a provision for the resolution by arbitration of any controversy between the parties to the contract relating to such contract or the failure or refusal to perform any part of the contract. Such provision shall be valid, enforceable and

irrevocable without regard to the justiciable character of the controversy. Provided, however, that in the event either party to such contract initiates litigation against the other with respect to the contract, the arbitration provision shall be deemed waived unless asserted as a defense on or before the responding party is required to answer such litigation.

(k) The Board of Trustees of State Institutions of Higher Learning ("board"), on behalf of any institution under its jurisdiction, shall purchase and maintain business property insurance and business personal property insurance on all university-owned buildings and/or contents as required by federal law and regulations of the Federal Emergency Management Agency (FEMA) as is necessary for receiving public assistance or reimbursement for repair, reconstruction, replacement or other damage to those buildings and/or contents caused by the Hurricane Katrina Disaster of 2005 or subsequent disasters. The board is authorized to expend funds from any available source for the purpose of obtaining and maintaining that property insurance. The board is authorized to enter into agreements with the Department of Finance and Administration, local school districts, community/junior college districts, community hospitals and/or other state agencies to pool their liabilities to participate in a group business property and/or business personal property insurance program, subject to uniform rules and regulations as may be adopted by the Department of Finance and Administration.

(l) The Board of Trustees of State Institutions of Higher Learning, or its designee, may approve the payment or reimbursement of reasonable travel expenses incurred by candidates for open positions at the board's executive office or at any of the state institutions of higher learning, when the job candidate has incurred expenses in traveling to a job interview at the request of the board, the Commissioner of Higher Education or a state institution of higher learning administrator.

(m) (i) The Board of Trustees of State Institutions of Higher Learning is authorized to administer and approve contracts for the construction and maintenance of buildings and other facilities of the state institutions of higher learning, including related contracts for architectural and engineering services, which are paid for with self-generated funds.

(ii) Additionally, the board is authorized to oversee, administer and approve contracts for the construction and maintenance of buildings and other facilities of the state institutions of higher learning, including related contracts for architectural and engineering services, which are funded in whole or in part by general obligation bonds of the State of Mississippi at institutions designated annually by the board as being capable to procure and administer all such contracts. Prior to the disbursement of funds, an agreement for each project between the institution and the Department of Finance and Administration shall be executed. The approval and execution of the agreement shall not be withheld by either party unless the withholding party provides a written, detailed explanation of the basis for withholding to the other party. The agreement shall stipulate the responsibilities of each party, applicable procurement regulations, documentation and reporting requirements, conditions prior to, and schedule of, disbursement of general obligation bond funds to the institution and provisions concerning handling any remaining general obligation bonds at the completion of the project. Such agreement shall not include provisions that constitute additional qualifications or criteria that act to invalidate the designation of an institution as capable of procuring and administering such project. Inclusion of any such provisions may be appealed to the Public Procurement Review Board. This paragraph (ii) shall stand repealed from and after July 1, 2025.

(n) The Board of Trustees of State Institutions of Higher Learning ("board") shall require all on-campus faculty and staff employed by, and all students attending, any of the state institutions of higher learning identified in Section 37-101-1 to be issued an identification badge in physical or electronic format. Any identification card issued or renewed pursuant to this section, whether physical or in an electronic format, shall include the words "Crisis Lifeline - Dial or Text 988, or chat 988lifeline.org" or like language for formatting purposes.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-101-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING SHALL REQUIRE ALL ON-CAMPUS FACULTY, STAFF AND STUDENTS ATTENDING ANY STATE INSTITUTION TO BE ISSUED AN IDENTIFICATION BADGE, WHICH INCLUDES 988 CRISIS LIFELINE CONTACT INFORMATION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Nicole Boyd	Donnie Scoggin
Scott DeLano	Lance Varner
Daniel H. Sparks	Gregory Holloway, Sr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2408** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Whaley offered the following report of the Conference Committee on **S. B. No. 2652** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2652: Wild turkey stamps; require for wild turkey hunters 16 years of age or older.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed herein unless the context clearly indicates otherwise:

(a) "Wild turkey" means the game bird Meleagris gallopavo.

(b) "Stamp" means the state wild turkey stamp, either in its physical or electronic form, furnished by the commission. A stamp is a specialized permit required for hunting wild turkeys, with proceeds directly dispersed into the conservation, management, protection or scientific research of wild turkeys.

(c) "Harvest tag" means the electronic tool used to serve as an inventory of the annual bag limit allotted to individual wild turkey hunters. Harvest tags are invalidated upon the harvest of a wild turkey.

(d) "Nongovernmental entity" means a nonprofit organization primarily concerned with the protection and conservation of land and natural resources, as evidenced by its organizational documents.

(2) It shall be unlawful for any person sixteen (16) years of age or older to hunt or take wild turkeys during any open wild turkey season in the State of Mississippi without first having procured a stamp. The electronic stamp on file with the commission shall serve as proof of procurement.

(3) The fee to resident hunters for each stamp shall be Ten Dollars ($10.00). The fee to nonresident hunters for each stamp shall be One Hundred Dollars ($100.00). The holder of a resident or nonresident lifetime sportsman license shall be exempt from paying the fee. Each stamp shall be valid through the final day of the spring wild turkey season following its purchase. After its expiration, another stamp must be procured in order to hunt or take wild turkeys in a future open wild turkey season.

(4) The commission may make the procurement of harvest tags dependent upon the purchase of a stamp.

(5) The commission shall determine the form of the stamp. The commission shall furnish physical stamps to bonded agents for issuance or sale in the same manner as other types of licenses or shall cause the electronic stamp to accrue to the purchaser's benefit when purchased from an automated point-of-sale source.

(6) Any person violating any of the provisions of this section shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than Twenty-five Dollars ($25.00) nor more than One Hundred Dollars ($100.00) as prescribed in Section 49-7-101.

(7) All revenue from the proceeds of stamps shall be deposited into the Fisheries and Wildlife Fund created in Section 49-5-21 and shall be used and expended only for the following objectives:

(a) Paying administrative or processing costs associated with an electronic harvest tag program, or any other program governing or regulating the harvest of wild turkeys;

(b) Restoring, enhancing or protecting wild turkey populations or their habitats on public or private lands in Mississippi as prescribed by the department;

(c) Funding scientific research, as conducted by qualified professionals, into the ecology or management of wild turkeys, their habitats or their predators; and

(d) Increasing access to publicly available turkey hunting opportunities.

(8) Proceeds from stamps may be used as matching funds or fiscal leverage to secure grants or other financial awards which are deemed to align with the objectives in subsection (7) of this section. No such proceeds shall be expended for administrative salaries.

(9) The commission may enter into agreements with other state, federal or nongovernmental entities to execute the objectives in subsection (7) of this section.

SECTION 2. Section 1 of this act shall be codified as a new section in Title 49, Chapter 7, Mississippi Code of 1972.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REQUIRE ALL PERSONS 16 YEARS OF AGE OR OLDER TO PROCURE A WILD TURKEY STAMP BEFORE HUNTING WILD TURKEYS IN THE STATE OF MISSISSIPPI; TO ESTABLISH THE FEE FOR RESIDENT AND NONRESIDENT HUNTERS, AND TO EXEMPT HOLDERS OF A LIFETIME SPORTSMAN LICENSE FROM THE FEE; TO PROVIDE FOR THE FURNISHING OF THE STAMP; TO SET PENALTIES FOR VIOLATIONS; TO PROVIDE THAT ALL REVENUE FROM THE PROCEEDS OF STAMPS SHALL BE DEPOSITED INTO THE FISHERIES AND WILDLIFE FUND, AND TO PROVIDE THE OBJECTIVES FOR WHICH SUCH REVENUE MAY BE USED AND EXPENDED; TO AUTHORIZE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO ENTER INTO AGREEMENTS WITH OTHER STATE, FEDERAL OR NONGOVERNMENTAL ENTITIES TO EXECUTE SUCH OBJECTIVES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Neil S. Whaley	Bill Kinkade
Benjamin Suber	Joseph Tubb
Chuck Younger	Lester Carpenter

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2652** was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Chassaniol, Chism, DeLano, Fillingane, Harkins, Hickman, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--43.

Nays--Barnett, DeBar, England, Seymour. Total--4.

Absent and those not voting----None.

Voting Present--Brumfield, Butler, Frazier, Hill, Horhn. Total--5.

Senator DeBar offered the following report of the Conference Committee on **S. B. No. 2695** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2695: Driver's education; revise certain provisions related thereto.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-25-3, Mississippi Code of 1972, is amended as follows:

37-25-3. * * * Beginning with the 2026-2027 school year, the school board of any school district maintaining a secondary school which includes any of the grades nine (9) through twelve (12) inclusive, * * * shall establish and maintain driver education and training programs for pupils enrolled in the day secondary schools in that district.

* * *

SECTION 2. Section 37-25-5, Mississippi Code of 1972, is amended as follows:

37-25-5. On or before July 1, 2025, the State Superintendent of Public Education and the Commissioner of Public Safety shall jointly prepare and recommend to the State Board of Education, and the board shall adopt rules and regulations governing the establishment, conduct and scope of driver education and training programs in secondary schools of this state, subject to the requirements and exceptions set forth in this chapter. Said program shall be established and maintained only in accordance with such rules and regulations. Said program shall include both classroom instruction and behind-the-wheel instruction. The State Driver Education and Training Program in secondary schools of this state shall include a program of study for distracted driving, alcohol, drug and safety education as it pertains to driver and highway safety and shall also include instruction relating to organ and tissue donation and organ and tissue donation procedures, and shall include instruction on the litter laws of the state and the responsibilities of the driver and all passengers to dispose of litter in the proper container. The state driver education and training program in secondary schools of this state shall also include a program of study, developed by the Department of Public Safety under Section 37-25-29, on how persons should properly respond when stopped by law enforcement officers.

The State Superintendent of Public Education shall prepare an administrative budget from funds made available under this chapter which budget shall be approved by the State Board of Education. It shall be the responsibility of the State Superintendent of Public Education to administer this program in accordance with rules and regulations established by the State Board of Education and to appoint the necessary supervisors of safety education and the necessary clerical personnel.

On or before July 1, 2025, the State Superintendent of Education and the Commissioner of Public Safety shall jointly prepare an estimated budget and fiscal report of the additional expenses and costs related to the implementation of mandatory drivers education programs and present the same to the Legislature.

SECTION 3. Section 37-25-7, Mississippi Code of 1972, is amended as follows:

37-25-7. * * * Any student receiving instruction under this chapter shall be:

(a) Fourteen (14) years of age or above;

(b) A regularly enrolled student in the ninth, tenth, eleventh or twelfth grade; and

(c) A full-time student in the respective secondary school.

Any driver education student * * * shall not be required to possess a learner's permit or driver's license while the student is under the direct supervision of a driver education instructor and is actually enrolled in an approved course of driver education * * *.

SECTION 4. The following shall be codified as Section 37-25-8, Mississippi Code of 1972:

37-25-8. Upon satisfactory completion of the State Driver Education and Training Program, a driver's education student shall be issued a Certificate of Completion. A copy of said certificate shall be delivered by the school to the Driver Service Bureau of the Department of Public Safety.

SECTION 5. The following shall be codified as Section 37-25-14, Mississippi Code of 1972:

37-25-14. The Department of Public Safety shall report to the Department of Education annual statistics regarding crash and fatality data for the State of Mississippi and nationally, including, but not limited to, statistics involving teenage drivers.

SECTION 6. Section 63-1-9, Mississippi Code of 1972, is amended as follows:

63-1-9. (1) No driver's license or learner's permit shall be issued pursuant to this article:

(a) To any person under the age of eighteen (18) years except as provided in this article.

(b) To any person whose license to operate a motor vehicle on the highways of Mississippi has been previously revoked or suspended by this state or any other state or territory of the United States or the District of Columbia, if the revocation or suspension period has not expired.

(c) To any person who is an habitual drunkard or who is addicted to the use of other narcotic drugs.

(d) To any person who would not be able by reason of physical or mental disability to operate a motor vehicle on the highways with safety. However, persons who have one (1) arm or leg, or have arms or legs deformed, and are driving a car provided with mechanical devices whereby the person is able to drive in a safe manner over the highways, if otherwise qualified, shall receive an operator's license the same as other persons. Moreover, deafness shall not be a bar to obtaining a license.

(e) To any person as an operator who has previously been adjudged to be afflicted with and suffering from any mental disability and who has not at time of application been restored to mental competency.

(f) To any * * * person under the age of eighteen (18) years who does not at the time of application present a diploma or other certificate of high school graduation or a general educational development certificate issued to the person in this state or any other state; or on whose behalf documentation has not been received by the Department of Public Safety from that person or a school official verifying that the person:

(i) Is enrolled and making satisfactory progress in a course leading to a general educational development certificate;

(ii) Is enrolled in school in this state or any other state;

(iii) Is enrolled in a "nonpublic school," as such term is defined in Section 37-13-91(2)(i); or

(iv) Is unable to attend any school program due to circumstances deemed acceptable as set out in Section 63-1-10.

(g) To any person under the age of eighteen (18) years who has been convicted under Section 63-11-30.

(h) Beginning on July 1, 2027, to any person who has not previously obtained a driver's license unless that person has successfully completed a Driver Education and Training Program certified by the State Board of Education or the Department of Public Safety; provided, however, a person under the age of eighteen (18) shall be able to receive a learner's permit as otherwise provided in this article.

(2) All permits and licenses issued * * * to an individual under the age of eighteen (18) shall be issued as follows:

(a) A learner's permit may be issued to any person who is at least fifteen (15) years of age who otherwise meets the requirements of this article.

(b) A driver's license may be issued to any person who is at least sixteen (16) years of age who otherwise meets the requirements of this article and who has held a learner's permit for at least one (1) year without any conviction under Section 63-11-30 or of a moving violation. Any conviction under Section 63-11-30 or of a moving violation shall restart the one-year requirement for the holding of a learner's permit before an applicant can qualify for a driver's license.

(c) An applicant for a driver's license who was unable to make timely application * * * for a learner's permit * * * may have the period in which he or she was eligible but unable to apply due to a hardship credited toward the one-year requirement for the holding of a learner's permit. The Department of Public Safety shall set forth the criteria for which a hardship exception may be granted, at the discretion of the department, to any individual who has completed a Driver Education and Training Program certified by the Board of Education or the Department of Public Safety.

(* * *d) An applicant for a Mississippi driver's license who, at the time of application, is at least sixteen (16) years of age and who has held a valid motor vehicle driver's license issued by another state for at least six (6) months shall not be required to hold a learner's permit before being issued a driver's license.

(e) In addition to the restrictions set forth in Section 63-1-21(3), the commissioner may establish rules, regulations and restrictions for the operation of a motor

vehicle during the first twelve (12) months that an individual under the age of eighteen (18) possesses a license.

(f) Beginning July 1, 2026, the Department of Public Safety shall establish a Driver Education and Training Program to be taught throughout the state and made available for home school students and adults who have not otherwise taken a driver's education course. Upon completion of the course, each participant shall be issued a Certificate of Completion and a record of the certificate shall be delivered to the Mississippi Driver Service Bureau.

(3) The commissioner shall ensure that the learner's permit and driver's license issued under this article are clear, distinct and easily distinguishable from one another.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-25-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SCHOOL BOARD OF ANY SCHOOL DISTRICT MAINTAINING A SECONDARY SCHOOL SHALL ESTABLISH AND MAINTAIN DRIVER EDUCATION AND TRAINING PROGRAMS FOR PUPILS ENROLLED IN THE SECONDARY SCHOOLS IN THAT DISTRICT; TO AMEND SECTION 37-25-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE SUPERINTENDENT OF EDUCATION AND THE COMMISSIONER OF PUBLIC SAFETY SHALL JOINTLY PREPARE AND RECOMMEND TO THE STATE BOARD OF EDUCATION, THE SCOPE OF DRIVER EDUCATION AND TRAINING PROGRAMS IN SECONDARY SCHOOLS; TO PROVIDE THAT ON OR BEFORE JULY 1, 2025, THE STATE SUPERINTENDENT OF EDUCATION AND THE COMMISSIONER OF PUBLIC SAFETY SHALL JOINTLY PREPARE AN ESTIMATED BUDGET AND FISCAL REPORT OF THE ADDITIONAL EXPENSES AND COSTS RELATED TO THE IMPLEMENTATION OF MANDATORY DRIVERS EDUCATION PROGRAMS AND PRESENT THE SAME TO THE LEGISLATURE; TO AMEND SECTION 37-25-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A DRIVER'S EDUCATION STUDENT SHALL NOT BE REQUIRED TO POSSESS A LEARNER'S PERMIT OR DRIVER'S LICENSE WHILE THE STUDENT IS UNDER THE DIRECT SUPERVISION OR AN INSTRUCTOR; TO DELETE CERTAIN FEES THAT THE DEPARTMENT OF PUBLIC SAFETY COULD CHARGE FOR A LEARNER'S PERMIT; TO CREATE NEW SECTION 37-25-8, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT UPON SATISFACTORY COMPLETION OF A DRIVER'S EDUCATION AND TRAINING PROGRAM, A DRIVER'S EDUCATION STUDENT SHALL BE ISSUED A CERTIFICATE OF COMPLETION AND COPY OF SAID CERTIFICATE SHALL BE DELIVERED TO THE DRIVER SERVICE BUREAU OF THE DEPARTMENT OF PUBLIC SAFETY; TO CREATE NEW SECTION 37-25-14, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY SHALL REPORT TO THE DEPARTMENT OF EDUCATION ANNUAL STATISTICS REGARDING CRASH AND FATALITY DATA FOR THE STATE OF MISSISSIPPI AND NATIONALLY, INCLUDING, BUT NOT LIMITED TO, STATISTICS INVOLVING TEENAGE DRIVERS; TO AMEND SECTION 63-1-9, MISSISSIPPI CODE OF 1972, TO PROVIDE CERTAIN PROVISIONS RELATED TO DRIVER'S LICENSE TRAINING PROGRAMS; TO PROVIDE THAT THE COMMISSIONER MAY ESTABLISH RULES, REGULATIONS AND RESTRICTIONS FOR THE OPERATION OF A MOTOR VEHICLE DURING THE FIRST 12 MONTHS THAT AN INDIVIDUAL UNDER THE AGE OF 18 POSSESSES A LICENSE; TO PROVIDE THAT BEGINNING JULY 1, 2026, THE DEPARTMENT OF PUBLIC SAFETY SHALL ESTABLISH A DRIVER'S EDUCATION PROGRAM TO BE TAUGHT THROUGHOUT THE STATE AND MADE AVAILABLE FOR HOME SCHOOL STUDENTS AND ADULTS WHO HAVE NOT OTHERWISE TAKEN A DRIVER'S EDUCATION COURSE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Dennis DeBar, Jr.	Rob Roberson
Robin Robinson	Jimmy Fondren
Chad McMahan	Celeste Hurst

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2695** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Boyd offered the following report of the Conference Committee on **S. B. No. 2729** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2729: Rural Physicians Scholarship Program and Rural Dentists Scholarship Program; revise certain provisions of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-144-1, Mississippi Code of 1972, is amended as follows:

37-144-1. There is established the Mississippi Rural Physicians Scholarship Program for the purpose of identifying and recruiting qualified university and college students * * * for medical or osteopathic school matriculation. The program shall consist of three (3) distinct phases through which participants will progress, including:

(a) Undergraduate premedical education;

(b) Medical or osteopathic school and residency; and

(c) Post-residency entry into medical practice in a rural or underserved area of the State of Mississippi.

SECTION 2. Section 37-144-5, Mississippi Code of 1972, is amended as follows:

37-144-5. The Mississippi Rural Physicians Scholarship Commission shall have the following powers and duties:

(a) Developing the administrative policy for the commission and the Mississippi Rural Physicians Scholarship Program;

(b) Promulgating rules and regulations, with the advice and consent of the University of Mississippi Medical Center, pertaining to the implementation and operation of the Rural Physicians Scholarship Program;

(c) Developing and implementing strategies and activities for the identification and recruitment of students and for marketing the program and for the implementation of the program. In developing these strategies, the board shall seek the input of various organizations and entities, including the Mississippi State Medical Association, the Mississippi Academy of Family Physicians, the Mississippi Chapters of the American College of Physicians, the American Academy of Pediatrics, the American College of OB-GYN, Mississippi Psychiatric Association, the Mississippi Medical and Surgical Association, the Mississippi Osteopathic Medicine Association and the American Psychiatric Association;

(d) Establishing a budget, with the advice and consent of the University of Mississippi Medical Center, to support the activities of the program and periodically reviewing and if appropriate, revising, the scholarship and other stipends offered through the program;

(e) Advising the University of Mississippi Medical Center regarding hiring an executive director and support staff necessary for the commission's work. The commission shall nominate at least two (2) individuals to serve as executive director;

(f) Reviewing participants progress in the program and mentoring students and physicians participating in the program;

(g) Developing and participating in programs that provide initial practice support in collaboration with other interested professional organizations;

(h) The commission shall have the authority through use of generally applicable definitions, to designate an area of the state as underserved or rural. The method by which these designations shall be made shall be contained in rules and regulations promulgated by the commission.

(i) The commission shall produce an annual report to the Legislature showing certain information relating to the program for the previous fiscal year, including the following:

(i) Budget, including funds provided in addition to Legislative appropriations;

(ii) Number of participants enrolled in medical or osteopathic school along with their matriculation status;

(iii) The status of, to include location of practice, participants who have entered a medicine or other generalist residency program;

(iv) The number and cause of participants who breached their obligation(s) to the program; and

(v) The status of, to include location of practice, participants who have entered into the practice of medicine in a rural or medically underserved area in Mississippi.

SECTION 3. Section 37-144-7, Mississippi Code of 1972, is amended as follows:

37-144-7. (1) The commission shall develop and implement policies and procedures designed to recruit, identify and enroll undergraduate students who demonstrate necessary interest, commitment, aptitude and academic achievement to pursue careers as family physicians, psychiatrist, child psychiatrists or other generalist physicians in rural or medically underserved areas of Mississippi, and to develop and implement the programs designed to foster successful entry of participants into medical school, completion of medical school, enrollment into and completion of family medicine or other generalist residency, and establishment and maintenance of a career in family medicine, psychiatrist, child psychiatry or other generalist specialty in a rural or underserved area of Mississippi.

(2) The commission shall have the authority through use of generally applicable definitions to designate an area of the state as underserved or rural.

(3) The commission, in conjunction with the University of Mississippi Medical Center, shall have the authority to provide students selected for scholarship funding with faculty mentors and other programs designed to enhance the students' likelihood of admission to the medical school. The commission and the University of Mississippi Medical Center will develop coursework that will provide scholarship students with the skills necessary for sustained and successful medical practice in rural Mississippi.

(4) Each applicant for admission to the program must submit an application to the commission that conforms to requirements established by the commission.

(5) In selecting participants for the program, the board may only accept an applicant if his or her academic record and other characteristics, if given consideration by the University of Mississippi School of Medicine Admissions Committee, would be considered credible and competitive.

(6) An applicant for the program may be admitted only upon a majority vote of the members of the commission.

(7) Not less than fifteen (15) students will be admitted to the Mississippi Rural Physicians Scholarship Program each year, provided that there are fifteen (15) or more qualified applicants for the program.

(8) Upon the funding of sixty-one (61) or more rural physicians scholarships by the Legislature and recognizing the importance of balancing the needs of comprehensive primary care along with a critical shortage of psychiatrists in Mississippi, the commission may grant an exception for fourth-year medical or osteopathic school (M4) students who demonstrate a desire to practice psychiatry in rural Mississippi and who use a practice model and enter the practice of medicine in a rural or underserved area in Mississippi, as defined by the commission, beginning for the M4 Class of 2020.

SECTION 4. Section 37-144-13, Mississippi Code of 1972, is amended as follows:

37-144-13. (1) Subject to the availability of funding, students in the program who successfully matriculate to medical or osteopathic school are eligible for ongoing financial support in accordance with policies and requirements of the commission and in

accordance with the applicable laws and regulations. The number of students to be supported at the University of Mississippi School of Medicine and at other schools will be established by policy prescribed by the commission.

(2) Subject to the availability of funding, students enrolled at * * * a medical or osteopathic school in Mississippi may receive tuition support, funding to assist with the cost of books and a living stipend, as prescribed by policy of the commission and in accordance with applicable regulations. Preferences for ongoing funding must be given to those students admitted to the University of Mississippi School of Medicine.

(3) For each year that a student in medical or osteopathic school receives financial assistance, the student is obligated for one (1) year of practice as a primary care physician in a rural or underserved area in Mississippi. Breach of the agreement at any stage of training shall invoke the repayment of all financial assistance provided to the student through the Mississippi Rural Physicians Scholarship Program, including assistance provided during undergraduate school, as well as in medical or osteopathic school, along with other penalties that may be prescribed in policy by the commission.

SECTION 5. Section 37-144-17, Mississippi Code of 1972, is amended as follows:

37-144-17. (1) Upon completion of residency, a participant in the Mississippi Rural Physicians Scholarship Program must proceed to enter the practice of medicine in a rural or underserved area in Mississippi, as defined by the commission and consistent with generally acceptable designations. If an area experiences significant changes in its medical or general community which are not reflected by health professional shortage area (HPSA) or medically underserved area (MUA) rural designation, the commission may receive testimony and, in its discretion, may qualify the area as an underserved or rural area to allow the program participant to fulfill his or her practice obligation.

(2) Upon entering the practice of medicine, a participant in the program must serve in a health professional shortage area (HPSA), medically underserved area (MUA), or rural area otherwise approved for practice under subsection (1) of this section for a number of years which corresponds to the number of years, not to exceed five (5), for which the participant received funding through the program. A participant who completes residency * * * who fails to enter the practice of medicine as required under this section shall be deemed in breach of contract and shall be liable for the immediate repayment of all financial assistance provided to the participant through the Mississippi Rural Physicians Scholarship Program, including assistance provided during undergraduate school, as well as in medical or osteopathic school, along with other penalties that may be prescribed in policy by the board. Any participant who fails to complete the period of practice for which he or she is obligated to provide services in a health professional shortage area (HPSA) or a medically underserved area (MUA) in exchange for financial assistance received through the Mississippi Rural Physicians Scholarship Program shall be liable for the repayment of all financial assistance provided to the participant through the program, along with other penalties that may be prescribed by the commission, an amount which shall be reduced on a pro rata basis for actual years of practice by the physician in the area designated by the commission.

SECTION 6. Section 37-146-1, Mississippi Code of 1972, is amended as follows:

37-146-1. There is established the Mississippi Rural Dentists Scholarship Program for the purpose of identifying and recruiting qualified university and college students * * * for dental school matriculation. Such program shall be known and may be cited as the Dr. G. Norris Howell Rural Dentists Scholarship Program. The program shall consist of three (3) distinct phases through which participants will progress, including:

(a) Undergraduate pre-dental education;

(b) Dental school and residency; and

(c) Initial entry into dental practice in a rural or underserved area of the State of Mississippi.

SECTION 7. Section 37-146-5, Mississippi Code of 1972, is amended as follows:

37-146-5. The Mississippi Rural Dentists Scholarship Commission shall have the following powers and duties:

(a) Developing the administrative policy for the commission and the Mississippi Rural Dentists Scholarship Program;

(b) Promulgating rules and regulations, with the advice and consent of the University of Mississippi Medical Center, pertaining to the implementation and operation of the Rural Dentists Scholarship Program;

(c) Developing and implementing strategies and activities for the identification and recruitment of students and for marketing the program and for the implementation of the program. In developing these strategies, the board shall seek the input of various organizations and entities * * *;

(d) Establishing a budget, with the advice and consent of the University of Mississippi Medical Center, to support the activities of the program and periodically reviewing and if appropriate, revising, the scholarship and other stipends offered through the program;

(e) Advising the University of Mississippi Medical Center regarding hiring appropriate staff necessary to work in conjunction with the Executive Director of the Mississippi Rural Physicians Scholarship Program * * *;

(f) Reviewing participants' progress in the program and mentoring students and dentists participating in the program;

(g) The commission shall have the authority through use of generally applicable definitions, to designate an area of the state as underserved or rural. The method by which these designations shall be made shall be contained in rules and regulations promulgated by the commission * * *;

(h) The commission shall produce an annual report to the Legislature showing certain information relating to the program for the previous fiscal year, including the following:

(i) Budget, including funds provided in addition to Legislative appropriations;

(ii) The number of participants enrolled in dental school along with their matriculation status;

(iii) The status of, to include location or practice, participants who have entered a dental residency program;

(iv) The number and cause of participants who breached their obligation(s) to the program; and

(v) The status of, to include location of practice, participants who have entered into the practice of dentistry in a rural or medically underserved area in Mississippi.

SECTION 8. Section 37-146-11, Mississippi Code of 1972, is amended as follows:

37-146-11. (1) Students in the program may apply to the * * * University of Mississippi School of Dentistry.

(2) Students in the program seeking admission to the University of Mississippi School of Dentistry shall be eligible for the admissions process pursuant to criteria established by the School of Dentistry Admissions Committee which will include consideration of the attributes of participation in the program.

(3) In carrying out the admissions process developed for the Mississippi Rural Dentists Scholarship Program participants under this section, the goal is for the program to work with the School of Dentistry to enhance the capability of participants to successfully enter and complete dental school and enter practice in rural or underserved areas in Mississippi. To the extent feasible, the early admissions process should be completed before December 1 of the year preceding a student's admission to dental school.

SECTION 9. Section 37-144-3, Mississippi Code of 1972, is amended as follows:

37-144-3. (1) The Mississippi Rural Physicians Scholarship Program shall be administered by a commission to be known as the "Mississippi Rural Physicians Scholarship Commission." The commission shall be directed by a board composed of the following members:

(a) Two (2) generalist physicians appointed by and from the membership of the Mississippi State Medical Association, the term of which shall be three (3) years and may be reappointed for one (1) additional term;

(b) One (1) generalist physician appointed by and from the membership of each of the following organizations, the term of which shall be three (3) years and may be reappointed for one (1) additional term:

(i) Mississippi Academy of Family Physicians;

(ii) Mississippi Chapter, American College of Physicians;

(iii) Mississippi Chapter, American Academy of Pediatrics;

(iv) Mississippi Chapter, American College of OB-GYN;

(v) Mississippi Psychiatric Association;

(* * *vi) Mississippi Medical and Surgical Association;

(* * *vii) Mississippi Osteopathic Association;

(c) Two (2) designees of the Dean of the University of Mississippi School of Medicine whose terms are at the discretion of the dean, at least one (1) of whom is a member of the University of Mississippi School of Medicine Admissions Committee;

(d) Two (2) medical students, one (1) of whom shall be selected yearly through a process developed by the Dean of the School of Medicine in consultation with the Chairs of the Departments of Family Medicine, Internal Medicine, OB-GYN and Pediatrics, and one (1) of whom shall be nominated for a one-year term by the Mississippi Chapter of the Student National Medical Association and approved by the Dean of the University of Mississippi School of Medicine;

(e) A member of the Board of Trustees of State Institutions of Higher Learning;

(f) The Chair of the Department of Family Medicine at the University of Mississippi School of Medicine; and

(g) A licensed psychiatrist appointed by the Mississippi Chapter of the American Psychiatric Association.

(2) The premedical advisors from the accredited four-year colleges and universities in the state and the directors or designees of the primary care generalist training programs in the State of Mississippi shall comprise an advisory committee to the commission to assist the commission in its administration of the Mississippi Rural Physicians Scholarship Program.

(3) Vacancies on the commission must be filled in a manner consistent with the original appointments.

(4) All appointments to the commission must be made no later than September 1, * * * 2024. After the members are appointed, the Chair of the Department of Family Medicine shall set a date for the organizational meeting that is mutually acceptable to the majority of the commission members. The organizational meeting shall be for the purposes of organizing the commission and establishing rules for transacting its business. A majority of the members of the commission shall constitute a quorum at all commission meetings. An affirmative vote of a majority of the members present and voting shall be required in the adoption of rules, reports and in any other actions taken by the commission. At the organizational meeting, the commission shall elect a chair and vice chair from the members appointed according to paragraphs (a) through (d) of subsection (1). The chair shall serve for a term of two (2) years, upon the expiration of which the vice chair shall assume the office of chair.

(5) After the organizational meeting, the commission shall hold no less than two (2) meetings annually.

(6) The commission may form an executive committee for the purpose of transacting business that must be conducted before the next regularly scheduled meeting of the commission. All actions taken by the executive committee must be ratified by the commission at its next regularly scheduled meeting.

(7) Members of the commission shall serve without compensation but may be reimbursed, subject to the availability of funding, for mileage and actual and necessary expenses incurred in attending meetings of the commission.

(8) Funding for the establishment and continued operation of the program and commission shall be appropriated out of any money in the General Fund not already appropriated to the University of Mississippi Medical Center.

SECTION 10. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-144-1, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS RELATED TO THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP PROGRAM TO ALLOW STUDENTS FROM ALL AREAS OF THE STATE; TO AMEND SECTION 37-144-3, MISSISSIPPI CODE OF 1972, TO ADD A PHYSICIAN APPOINTED BY THE MISSISSIPPI PSYCHIATRIC ASSOCIATION AS A MEMBER OF THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP COMMISSION; TO AMEND SECTION 37-144-5, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP COMMISSION TO PRODUCE AN

ANNUAL REPORT TO THE LEGISLATURE PROVIDING CERTAIN STATISTICS; TO INCLUDE THE MISSISSIPPI PSYCHIATRIC ASSOCIATION AMONG THE ORGANIZATIONS FROM WHICH THE COMMISSION SHALL SEEK INPUT REGARDING THE IMPLEMENTATION OF THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP PROGRAM; TO AMEND SECTION 37-144-7, MISSISSIPPI CODE OF 1972, TO INCLUDE CHILD PSYCHIATRY STUDENTS IN THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP RESIDENCY PROGRAM; TO AMEND SECTIONS 37-144-13 AND 37-144-17, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN TECHNICAL CONFORMING REVISIONS THERETO; TO AMEND SECTION 37-146-1, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS RELATED TO THE MISSISSIPPI RURAL DENTISTS SCHOLARSHIP PROGRAM TO ALLOW STUDENTS FROM ALL AREAS OF THE STATE; TO PROVIDE THAT SUCH PROGRAM SHALL BE KNOWN AND MAY BE CITED AS THE DR. G. NORRIS HOWELL RURAL DENTISTS SCHOLARSHIP PROGRAM; TO AMEND SECTION 37-146-5, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI RURAL DENTISTS SCHOLARSHIP COMMISSION TO PRODUCE ANNUAL REPORTS TO THE LEGISLATURE PROVIDING VARIOUS STATISTICS; TO AMEND SECTION 37-146-11, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN TECHNICAL REVISIONS THERETO; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Nicole Boyd	Donnie Scoggin
Bart Williams	Gregory Holloway, Sr.
Briggs Hopson	Billy Adam Calvert

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2729** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Johnson offered the following report of the Conference Committee on **S. B. No. 2799** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2799: Public official appointments; revise terms of office and appointment procedures on certain state boards, districts and agencies.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 7-1-35, Mississippi Code of 1972, is amended as follows:

[Until January 1, 2028, this section shall read as follows:]

7-1-35. (1) The Governor shall fill by appointment, with the advice and consent of the Senate, all offices subject to such appointment when the term of the incumbent will expire within nine (9) months after the meeting of the Legislature, and also vacancies in such offices occurring from any cause during the session of the Senate or during the vacation of that body. All such appointments to offices made in vacation shall be reported to the Senate within ten (10) days after the commencement of the session of that body for its advice and consent to the appointment, and the vacancy shall not be filled if caused by the Senate's refusal to confirm any appointment or nomination, or if it * * * does not occur during the last five (5) days of the session, by the appointment of the Governor in the vacation of the Senate, without its concurrence. Any appointment in vacation to which the Senate shall refuse to consent shall be thereby annulled from that date, but the acts of the appointee prior thereto shall not be affected thereby.

(2) The Secretary of State shall be the records repository for all appointments to boards, commissions, executive directors and agency directors. Appointing authorities shall notify the Secretary of State prior to submitting the appointment to the Senate. The Secretary of State shall send a list of the required appointments to boards, commissions, executive directors and agency directors whose terms are expiring or have been vacated prior to the next legislative session to the appointing authorities by December 15 preceding the legislative session. The Secretary of State shall also compile and issue a report to the Governor, Lieutenant Governor and Speaker of the House annually, detailing the number of official meetings each board and commission has held in the previous years.

[From and after January 1, 2028, this section shall read as follows:]

7-1-35. (1) Unless otherwise provided by law, all appointments to agencies, boards, commissions, director or executive director positions whose term is expiring shall serve until his or her successor is appointed and qualified, but in no event shall he or she serve past the July 1 occurring after the end of his term, unless he shall be reappointed by the Governor or other appointing authority.

(2) The Secretary of State shall be the records repository for all appointments to boards, commissions, executive directors and agency directors. Appointing authorities shall notify the Secretary of State prior to submitting the appointment to the Senate. The Secretary of State shall send a list of the required appointments to boards, commissions, executive directors and agency directors whose terms are expiring or have been vacated prior to the next legislative session to the appointing authorities by December 15 preceding the legislative session. The Secretary of State shall also compile and issue a report to the Governor, Lieutenant Governor and Speaker of the House annually, detailing the number of official meetings each board and commission has held in the previous years.

(3) If, for any cause, a vacancy occurs in the office of an appointed agency, board, or commission member, executive director or director position, the appointing authority shall make an appointment to fill the vacancy for the unexpired term within one hundred eighty (180) days of the date the vacancy occurs.

(4) Interim appointments shall be allowed to serve for no more than nine (9) months. No interim appointee may serve consecutive interim terms. If an appointment occurs in vacation of the legislative session, it shall be considered an interim appointment until confirmed by the Senate.

(5) Unless otherwise provided by law, an appointed agency, board or commission member may be removed by the Governor or other appointing authority for chronic absenteeism, which shall consist of more than three (3) unexcused absences in any one (1) year, and such person shall not be reappointed until their original term has expired. This provision is not applicable to meetings where a designee has attended in place of the agency, board or commission member if the attendance by a designee is authorized by law.

(6) All appointments to an agency, board, commission or director position made in vacation of the legislative session shall be reported to the Senate within ten (10) days after the commencement of the next regular session of that body for its advice and consent to the appointment. Any vacancy to an agency, board, commission, executive director or director position shall not be filled if caused by the Senate's refusal to confirm or the Senate's inaction on the nomination, unless the vacancy occurs during the last five (5) days of the session. Any appointment in vacation of the Senate to which the Senate shall refuse to consent or takes no action shall be thereby annulled from the date of sine die adjournment, but the acts of the appointee prior thereto shall not be affected thereby.

(7) Unless otherwise provided by law, all appointment procedures, term of office provisions, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in this Section 7-1-35 shall be fully applicable to the appointment of agency directors by the Governor or by the respective board or commission.

SECTION 2. Section 73-4-7, Mississippi Code of 1972, is amended as follows:

73-4-7. (1) The Mississippi Auctioneer Commission is created, and it shall have the authority to make such rules and regulations as are reasonable and necessary for the orderly regulation of the auctioneering profession and the protection of the public, which rules and regulations are not inconsistent with the Mississippi Constitution of 1890 and state laws. The commission shall have the following powers:

(a) The power to set reasonable license fees, to collect and hold such fees and to disburse such fees in any manner not inconsistent with this chapter.

(b) The power to make such rules and regulations as will promote the orderly functioning of the auction profession and ensure the protection of the public.

(c) The power to hire and retain such staff and support personnel as are necessary to conduct business and assure compliance with this chapter.

(d) The power to conduct investigations, hold hearings, subpoena witnesses, make findings of fact and otherwise enforce the disciplinary provisions contained in this chapter.

(2) The Mississippi Auctioneer Commission shall consist of five (5) members, one (1) from each * * * Mississippi Supreme Court District and two (2) from the state at large, who shall be appointed by the Governor, with the advice and consent of the Senate. All appointees shall possess the following minimum qualifications:

(a) An appointee shall be a citizen of Mississippi.

(b) An appointee shall have been engaged as an auctioneer for a period of not less than five (5) years immediately preceding his appointment.

(c) An appointee shall be of good reputation, trustworthy and knowledgeable in the auction profession.

An individual may not act as a member of the commission while holding another elected or appointed office in either the state or federal government or while owning a school or other facility to train individuals to be auctioneers.

(3) * * * The Mississippi Auctioneer Commission, created by former Section 73-4-7, is continued and reconstituted as follows: Effective January 1, 2028, each commissioner shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Auctioneer Commission, and to the position of executive director.

(4) Each member of the commission shall receive a per diem as provided by Section 25-3-69 per meeting and shall be reimbursed for ordinary and necessary expenses incurred in the performance of official duties as provided in Section 25-3-41.

SECTION 3. Section 73-4-11, Mississippi Code of 1972, is amended as follows:

73-4-11. (1) At the meeting to be held each January, the commission shall elect from its membership a chairman and a vice chairman. Each officer shall serve a term of one (1) year and shall not vacate office until a successor is elected.

(2) The chairman shall preside at all meetings of the commission.

(3) The vice chairman shall act as presiding officer in the absence of the chairman and shall perform such other duties as the chairman may direct.

(4) The commission shall appoint an executive director who shall not be a member of the commission, to a term of four (4) years, with the advice and consent of the Senate, consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

(5) The executive director shall:

(a) Notify all members of meetings;

(b) Keep a record of all meetings of the commission, votes taken by the commission and other proceedings, transactions, communications, official acts and records of the commission; and

(c) Perform such other duties as the chairman directs.

SECTION 4. Section 37-155-7, Mississippi Code of 1972, is amended as follows:

37-155-7. (1) The board of directors shall consist of thirteen (13) members as follows:

(a) Nine (9) voting members as follows: the State Treasurer; the Commissioner of Higher Education, or his designee; the Executive Director of the Community and Junior College Board, or his designee; the Department of Finance and Administration Executive Director, or his designee; and one (1) member from each * * * Mississippi Supreme Court District and two (2) from the state at large to be appointed by the Governor with the advice and consent of the Senate. * * * The MPACT Board of Directors, created by former Section 37-155-7, is continued and reconstituted as follows: Effective January 1, 2028, the appointed MPACT Board members shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the MPACT Board of Directors. Ex officio members of the board may be represented at official meetings by their deputy, or other designee, and such designees shall have full voting privileges and shall be included in the determination of a quorum for conducting board business.

(b) Two (2) nonvoting, advisory members of the board shall be appointed by each of the following officers: the Lieutenant Governor and the Speaker of the House of Representatives.

* * *

(* * *2) Each member appointed shall possess knowledge, skill and experience in business or financial matters commensurate with the duties and responsibilities of the trust fund.

(* * *3) Members of the board of directors shall serve without compensation, but shall be reimbursed for each day's official duties of the board at the same per diem as established by Section 25-3-69 and actual travel and lodging expenses as established by Section 25-3-41.

(* * *4) The board of directors shall annually elect one (1) member to serve as chairman of the board and one (1) member to serve as vice chairman. The vice chairman shall act as chairman in the absence of or upon the disability of the chairman or in the event of a vacancy of the office of chairman.

(* * *5) A majority of the currently serving members of the board shall constitute a quorum for the purposes of conducting business and exercising its official powers and duties. Any action taken by the board shall be upon the vote of a majority of the members present.

SECTION 5. Section 37-4-3, Mississippi Code of 1972, is amended as follows:

37-4-3. (1) From and after July 1, 1986, there shall be a Mississippi Community College Board which shall receive and distribute funds appropriated by the Legislature for the use of the public community and junior colleges and funds from federal and other

sources that are transmitted through the state governmental organization for use by said colleges. This board shall provide general coordination of the public community and junior colleges, assemble reports and such other duties as may be prescribed by law.

(2) The board shall consist of ten (10) members of which none shall be an elected official. Until January 1, 2028, the Governor shall appoint two (2) members from the First Mississippi Congressional District, one (1) who shall serve an initial term of two (2) years and one (1) who shall serve an initial term of five (5) years; two (2) members from the Second Mississippi Congressional District, one (1) who shall serve an initial term of five (5) years and one (1) who shall serve an initial term of three (3) years; and two (2) members from the Third Mississippi Congressional District, one (1) who shall serve an initial term of four (4) years and one (1) who shall serve an initial term of two (2) years; two (2) members from the Fourth Mississippi Congressional District, one (1) who shall serve an initial term of three (3) years and one (1) who shall serve an initial term of four (4) years; and two (2) members from the Fifth Mississippi Congressional District, one (1) who shall serve an initial term of five (5) years and one (1) who shall serve an initial term of two (2) years. All subsequent appointments shall be for a term of six (6) years and continue until their successors are appointed and qualify. An appointment to fill a vacancy which arises for reasons other than by expiration of a term of office shall be for the unexpired term only. All members shall be appointed with the advice and consent of the Senate.

The Mississippi Community College Board, created by former Section 37-4-3, is continued and reconstituted as follows: Effective January 1, 2028, the Governor shall appoint three (3) members from each Mississippi Supreme Court District and one (1) from the state at large. The members shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that six (6) members shall be appointed in 2028 to a term ending December 31, 2031, and four (4) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Community College Board, and to the position of executive director.

(3) There shall be a chairman and vice chairman of the board, elected by and from the membership of the board; and the chairman shall be the presiding officer of the board. The board shall adopt rules and regulations governing times and places for meetings and governing the manner of conducting its business.

(4) The members of the board shall receive no annual salary, but shall receive per diem compensation as authorized by Section 25-3-69, Mississippi Code of 1972, for each day devoted to the discharge of official board duties and shall be entitled to reimbursement for all actual and necessary expenses incurred in the discharge of their duties, including mileage as authorized by Section 25-3-41, Mississippi Code of 1972.

(5) Effective July 1, 2028, the board shall name a director for the state system of public junior and community colleges, who shall serve at the will and pleasure of the board, with the advice and consent of the Senate, not less than every four (4) years. Such director shall be the chief executive officer of the board, give direction to the board staff, carry out the policies set forth by the board, and work with the presidents of the several community and junior colleges to assist them in carrying out the mandates of the several boards of trustees and in functioning within the state system and policies established by the Mississippi Community College Board. The Mississippi Community College Board

shall set the salary of the director of the board. The Legislature shall provide adequate funds for the Mississippi Community College Board, its activities and its staff.

(6) The powers and duties of the Mississippi Community College Board shall be:

(a) To authorize disbursements of state-appropriated funds to community and junior colleges through orders in the minutes of the board.

(b) To make studies of the needs of the state as they relate to the mission of the community and junior colleges.

(c) To approve new, changes to and deletions of vocational and technical programs to the various colleges.

(d) To require community and junior colleges to supply such information as the board may request and compile, publish and make available such reports based thereon as the board may deem advisable.

(e) To approve proposed new attendance centers (campus locations) as the local boards of trustees should determine to be in the best interest of the district. Provided, however, that no new community/junior college branch campus shall be approved without an authorizing act of the Legislature.

(f) To serve as the state approving agency for federal funds for proposed contracts to borrow money for the purpose of acquiring land, erecting, repairing, etc., dormitories, dwellings or apartments for students and/or faculty, such loans to be paid from revenue produced by such facilities as requested by local boards of trustees.

(g) To approve applications from community and junior colleges for state funds for vocational-technical education facilities.

(h) To approve any university branch campus offering lower undergraduate level courses for credit.

(i) To appoint members to the Post-Secondary Educational Assistance Board.

(j) To appoint members to the Authority for Educational Television.

(k) To contract with other boards, commissions, governmental entities, foundations, corporations or individuals for programs, services, grants and awards when such are needed for the operation and development of the state public community and junior college system.

(l) To fix standards for community and junior colleges to qualify for appropriations, and qualifications for community and junior college teachers.

(m) To have sign-off approval on the State Plan for Vocational Education which is developed in cooperation with appropriate units of the State Department of Education.

(n) To approve or disapprove of any proposed inclusion within municipal corporate limits of state-owned buildings and grounds of any community college or junior college and to approve or disapprove of land use development, zoning requirements, building codes and delivery of governmental services applicable to state-owned buildings and grounds of any community college or junior college. Any agreement by a local board of trustees of a community college or junior college to annexation of state-owned property or other conditions described in this paragraph shall be void unless approved by the board and by the board of supervisors of the county in which the state-owned property is located.

SECTION 6. Section 49-2-4, Mississippi Code of 1972, is amended as follows:

49-2-4. (1) There is hereby created the Mississippi Department of Environmental Quality whose offices shall be located in Jackson, Mississippi.

(2) The department shall be headed by an executive director who shall be appointed by and serve at the pleasure of the Governor. The appointment of the executive director shall be made with the advice and consent of the Senate, not less than every four (4) years. The executive director may assign to the appropriate bureaus such powers and duties as deemed appropriate to carry out the department's lawful functions. The executive director shall have the following minimum qualifications:

(a) A master's degree in a field related to natural resources, and at least six (6) years' full-time experience in natural resources, including at least three (3) years of management experience; or

(b) A bachelor's degree in a field related to natural resources or administration and at least eight (8) years of full-time work in the field of natural resources, including four (4) years of management experience.

The executive director shall be the chief administrative officer of the department.

SECTION 7. Section 49-2-5, Mississippi Code of 1972, is amended as follows:

49-2-5. (1) There is hereby created the Mississippi Commission on Environmental Quality, to be composed of seven (7) persons appointed by the Governor, with the advice and consent of the Senate, for a term of * * * four (4) years. * * * Two (2) persons shall be appointed from each * * * Mississippi Supreme Court District, and * * * one (1) member shall be appointed from the state at large. * * * The Mississippi Commission on Environmental Quality, created by former Section 49-2-5, is continued and reconstituted as follows: Effective January 1, 2028, each member shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that four (4) members shall be appointed in 2028 to as term ending December 31, 2031, and three (3) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Commission on Environmental Quality.

(2) The commission shall elect from its membership a chairman who shall preside over meetings and a vice chairman who shall preside in the absence of the chairman or when the chairman shall be excused.

(3) The commission shall adopt rules and regulations governing times and places for meetings, and governing the manner of conducting its business. Each member of the commission shall take the oath prescribed by Section 268 of the Constitution and shall enter into bond in the amount of Thirty Thousand Dollars ($30,000.00) to be approved by the Secretary of State, conditioned according to law and payable to the State of Mississippi before assuming the duties of office. * * *

(4) The members of the commission shall receive no annual salary, but shall receive per diem compensation as authorized by law for each day devoted to the

discharge of official duties, and shall be entitled to reimbursement for all actual and necessary expenses incurred in the discharge of their duties, including mileage as authorized by law.

The commission shall be composed of persons with extensive knowledge of or practical experience in at least one (1) of the matters of jurisdiction of the commission.

(5) The commission is authorized and empowered to use and expend any funds received by it from any source for the purposes of this chapter. Such funds shall be expended in accordance with the statutes governing the expenditure of state funds.

(6) At least a majority of the members of the commission shall represent the public interest and shall not derive any significant portion of their income from persons subject to permits under the federal Clean Air Act or enforcement order under the federal Clean Air Act. In the event of any potential conflict of interest by a member of the commission, such member shall disclose the potential conflict to the other members of the commission and shall recuse himself or herself from participating in or voting on any matter related to such conflict of interest.

SECTION 8. Section 41-4-3, Mississippi Code of 1972, is amended as follows:

41-4-3. (1) There is created a State Board of Mental Health, referred to in this chapter as "board," consisting of nine (9) members, to be appointed by the Governor, with the advice and consent of the Senate, each of whom shall be a qualified elector. * * * Three (3) members shall be appointed from each * * * Mississippi Supreme Court District * * *. One (1) * * * appointee shall be a licensed medical doctor who is a psychiatrist, one (1) * * * shall hold a Ph.D. degree and be a licensed clinical psychologist, one (1) * * * shall be a licensed medical doctor, and one (1) of whom shall be a social worker with experience in the mental health field.

* * *

The State Board of Mental Health, created by former Section 41-4-3, is continued and reconstituted as follows: Effective January 1, 2028, each member shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that five (5) members shall be appointed in 2028 to a term ending December 31, 2031, and four (4) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Board of Mental Health.

The board shall elect a chairman whose term of office shall be one (1) year and until his successor shall be elected.

(2) Each board member shall be entitled to a per diem as is authorized by law and all actual and necessary expenses, including mileage as provided by law, incurred in the discharge of official duties.

(3) The board shall hold regular meetings quarterly and such special meetings deemed necessary, except that no action shall be taken unless there is present a quorum of at least five (5) members.

(4) No board member may be appointed for more than two (2) consecutive terms. * * *

SECTION 9. Section 41-4-7, Mississippi Code of 1972, is amended as follows:

41-4-7. The State Board of Mental Health shall have the following powers and duties:

(a) To appoint, with the advice and consent of the Senate, a full-time Executive Director of the Department of Mental Health, who shall be employed by the board and shall serve as executive secretary to the board. The executive director shall serve for a term of four (4) years, consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The first director shall be a duly licensed physician with special interest and competence in psychiatry, and shall possess a minimum of three (3) years' experience in clinical and administrative psychiatry. Subsequent directors shall possess at least a master's degree or its equivalent, and shall possess at least ten (10) years' administrative experience in the field of mental health. The salary of the executive director shall be determined by the board;

(b) To appoint a Medical Director for the Department of Mental Health. The medical director shall provide clinical oversight in the implementation of evidence-based and best practices; provide clinical leadership in the integration of mental health, intellectual disability and addiction services with community partners in the public and private sectors; and provide oversight regarding standards of care. The medical director shall serve at the will and pleasure of the board, and will undergo an annual review of job performance and future service to the department;

(c) To establish and implement its state strategic plan;

(d) To develop a strategic plan for the development of services for persons with mental illness, persons with developmental disabilities and other clients of the public mental health system. Such strategic planning program shall require that the board, acting through the Strategic Planning and Best Practices Committee, perform the following functions respecting the delivery of services:

(i) Establish measures for determining the efficiency and effectiveness of the services specified in Section 41-4-1(2);

(ii) Conducting studies of community-based care in other jurisdictions to determine which services offered in these jurisdictions have the potential to provide the citizens of Mississippi with more effective and efficient community-based care;

(iii) Evaluating the efficiency and effectiveness of the services specified in Section 41-4-1(2);

(iv) Recommending to the Legislature by January 1, 2014, any necessary additions, deletions or other changes necessary to the services specified in Section 41-4-1(2);

(v) Implementing by July 1, 2012, a system of performance measures for the services specified in Section 41-4-1(2);

(vi) Recommending to the Legislature any changes that the department believes are necessary to the current laws addressing civil commitment;

(vii) Conducting any other activities necessary to the evaluation and study of the services specified in Section 41-4-1(2);

(viii) Assisting in conducting all necessary strategic planning for the delivery of all other services of the department. Such planning shall be conducted so as to produce a single strategic plan for the services delivered by the public mental health system and shall establish appropriate mission statements, goals, objectives and performance indicators for all programs and services of the public mental health system. For services other than those specified in Section 41-4-1(2), the committee shall recommend to the State Board of Mental Health a strategic plan that the board may adopt or modify;

(e) To set up state plans for the purpose of controlling and treating any and all forms of mental and emotional illness, alcoholism, drug misuse and developmental disabilities;

(f) [Repealed]

(g) To enter into contracts with any other state or federal agency, or with any private person, organization or group capable of contracting, if it finds such action to be in the public interest;

(h) To collect reasonable fees for its services; however, if it is determined that a person receiving services is unable to pay the total fee, the department shall collect no more than the amount such person is able to pay;

(i) To certify, coordinate and establish minimum standards and establish minimum required services, as specified in Section 41-4-1(2), for regional mental health and intellectual disability commissions and other community service providers for community or regional programs and services in adult mental health, children and youth mental health, intellectual disabilities, alcoholism, drug misuse, developmental disabilities, compulsive gambling, addictive disorders and related programs throughout the state. Such regional mental health and intellectual disability commissions and other community service providers shall, on or before July 1 of each year, submit an annual operational plan to the State Department of Mental Health for approval or disapproval based on the minimum standards and minimum required services established by the department for certification and itemize the services specified in Section 41-4-1(2), including financial statements. As part of the annual operation plan required by this paragraph (i) submitted by any regional community mental health center or by any other reasonable certification deemed acceptable by the department, the community mental health center shall state those services specified in Section 41-4-1(2) that it will provide and also those services that it will not provide. If the department finds deficiencies in the plan of any regional commission or community service provider based on the minimum standards and minimum required services established for certification, the department shall give the regional commission or community service provider a six-month probationary period to bring its standards and services up to the established minimum standards and minimum required services. The regional commission or community service provider shall develop a sustainability business plan within thirty (30) days of being placed on probation, which shall be signed by all commissioners and shall include policies to address one or more of the following: the deficiencies in programmatic services, clinical service staff expectations, timely and appropriate billing, processes to obtain credentialing for staff, monthly reporting processes, third-party financial reporting and any other required documentation as determined by the department. After the six-month probationary period, if the department determines that the regional commission or community service provider still does not meet the minimum standards and minimum required services established for certification, the department may remove the certification of the commission or provider and from and after July 1, 2011, the commission or provider shall be ineligible for state funds from Medicaid reimbursement or other funding sources for those services. However, the department shall not mandate a standard or service, or decertify a regional commission or community service provider for not meeting a standard or service, if the standard or service does not have funding appropriated by the Legislature or have a state, federal or local funding source identified by the department. No county shall be required

to levy millage to provide a mandated standard or service above the minimum rate required by Section 41-19-39. After the six-month probationary period, the department may identify an appropriate community service provider to provide any core services in that county that are not provided by a community mental health center. However, the department shall not offer reimbursement or other accommodations to a community service provider of core services that were not offered to the decertified community mental health center for the same or similar services. The State Board of Mental Health shall promulgate rules and regulations necessary to implement the provisions of this paragraph (i), in accordance with the Administrative Procedures Law (Section 25-43-1.101 et seq.);

(j) To establish and promulgate reasonable minimum standards for the construction and operation of state and all Department of Mental Health certified facilities, including reasonable minimum standards for the admission, diagnosis, care, treatment, transfer of patients and their records, and also including reasonable minimum standards for providing day care, outpatient care, emergency care, inpatient care and follow-up care, when such care is provided for persons with mental or emotional illness, an intellectual disability, alcoholism, drug misuse and developmental disabilities;

(k) To implement best practices for all services specified in Section 41-4-1(2), and to establish and implement all other services delivered by the Department of Mental Health. To carry out this responsibility, the board shall require the department to establish a division responsible for developing best practices based on a comprehensive analysis of the mental health environment to determine what the best practices for each service are. In developing best practices, the board shall consider the cost and benefits associated with each practice with a goal of implementing only those practices that are cost-effective practices for service delivery. Such best practices shall be utilized by the board in establishing performance standards and evaluations of the community mental health centers' services required by paragraph (d) of this section;

(l) To assist community or regional programs consistent with the purposes of this chapter by making grants and contracts from available funds;

(m) To establish and collect reasonable fees for necessary inspection services incidental to certification or compliance;

(n) To accept gifts, trusts, bequests, grants, endowments or transfers of property of any kind;

(o) To receive monies coming to it by way of fees for services or by appropriations;

(p) To serve as the single state agency in receiving and administering any and all funds available from any source for the purpose of service delivery, training, research and education in regard to all forms of mental illness, intellectual disabilities, alcoholism, drug misuse and developmental disabilities, unless such funds are specifically designated to a particular agency or institution by the federal government, the Mississippi Legislature or any other grantor;

(q) To establish mental health holding centers for the purpose of providing short-term emergency mental health treatment, places for holding persons awaiting commitment proceedings or awaiting placement in a state mental health facility following commitment, and for diverting placement in a state mental health facility. These mental health holding facilities shall be readily accessible, available statewide, and be in compliance with emergency services' minimum standards. They shall be comprehensive and available to triage and make appropriate clinical disposition, including the capability to access inpatient services or less restrictive alternatives, as needed, as determined by medical staff. Such facility shall have medical, nursing and behavioral services available on a twenty-four-hour-a-day basis. The board may provide for all or part of the costs of establishing and operating the holding centers in each district from such funds as may be

appropriated to the board for such use, and may participate in any plan or agreement with any public or private entity under which the entity will provide all or part of the costs of establishing and operating a holding center in any district;

(r) To certify/license case managers, mental health therapists, intellectual disability therapists, mental health/intellectual disability program administrators, addiction counselors and others as deemed appropriate by the board. Persons already professionally licensed by another state board or agency are not required to be certified/licensed under this section by the Department of Mental Health. The department shall not use professional titles in its certification/licensure process for which there is an independent licensing procedure. Such certification/licensure shall be valid only in the state mental health system, in programs funded and/or certified by the Department of Mental Health, and/or in programs certified/licensed by the State Department of Health that are operated by the state mental health system serving persons with mental illness, an intellectual disability, a developmental disability or addictions, and shall not be transferable;

(s) To develop formal mental health worker qualifications for regional mental health and intellectual disability commissions and other community service providers. The State Personnel Board shall develop and promulgate a recommended salary scale and career ladder for all regional mental health/intellectual disability center therapists and case managers who work directly with clients. The State Personnel Board shall also develop and promulgate a career ladder for all direct care workers employed by the State Department of Mental Health;

(t) The employees of the department shall be governed by personnel merit system rules and regulations, the same as other employees in state services;

(u) To establish such rules and regulations as may be necessary in carrying out the provisions of this chapter, including the establishment of a formal grievance procedure to investigate and attempt to resolve consumer complaints;

(v) To grant easements for roads, utilities and any other purpose it finds to be in the public interest;

(w) To survey statutory designations, building markers and the names given to mental health/intellectual disability facilities and proceedings in order to recommend deletion of obsolete and offensive terminology relative to the mental health/intellectual disability system. Based upon a recommendation of the executive director, the board shall have the authority to name/rename any facility operated under the auspices of the Department of Mental Health for the sole purpose of deleting such terminology;

(x) To ensure an effective case management system directed at persons who have been discharged from state and private psychiatric hospitals to ensure their continued well-being in the community;

(y) To develop formal service delivery standards designed to measure the quality of services delivered to community clients, as well as the timeliness of services to community clients provided by regional mental health/intellectual disability commissions and other community services providers;

(z) To establish regional state offices to provide mental health crisis intervention centers and services available throughout the state to be utilized on a case-by-case emergency basis. The regional services director, other staff and delivery systems shall meet the minimum standards of the Department of Mental Health;

(aa) To require performance contracts with community mental health/intellectual disability service providers to contain performance indicators to measure successful outcomes, including diversion of persons from inpatient psychiatric

hospitals, rapid/timely response to emergency cases, client satisfaction with services and other relevant performance measures;

(bb) To enter into interagency agreements with other state agencies, school districts and other local entities as determined necessary by the department to ensure that local mental health service entities are fulfilling their responsibilities to the overall state plan for behavioral services;

(cc) To establish and maintain a toll-free grievance reporting telephone system for the receipt and referral for investigation of all complaints by clients of state and community mental health/intellectual disability facilities;

(dd) To establish a peer review/quality assurance evaluation system that assures that appropriate assessment, diagnosis and treatment is provided according to established professional criteria and guidelines;

(ee) To develop and implement state plans for the purpose of assisting with the care and treatment of persons with Alzheimer's disease and other dementia. This plan shall include education and training of service providers, caregivers in the home setting and others who deal with persons with Alzheimer's disease and other dementia, and development of adult day care, family respite care and counseling programs to assist families who maintain persons with Alzheimer's disease and other dementia in the home setting. No agency shall be required to provide any services under this section until such time as sufficient funds have been appropriated or otherwise made available by the Legislature specifically for the purposes of the treatment of persons with Alzheimer's and other dementia;

(ff) Working with the advice and consent of the administration of Ellisville State School, to enter into negotiations with the Economic Development Authority of Jones County for the purpose of negotiating the possible exchange, lease or sale of lands owned by Ellisville State School to the Economic Development Authority of Jones County. It is the intent of the Mississippi Legislature that such negotiations shall ensure that the financial interest of the persons with an intellectual disability served by Ellisville State School will be held paramount in the course of these negotiations. The Legislature also recognizes the importance of economic development to the citizens of the State of Mississippi and Jones County, and encourages fairness to the Economic Development Authority of Jones County. Any negotiations proposed which would result in the recommendation for exchange, lease or sale of lands owned by Ellisville State School must have the approval of the State Board of Mental Health. The State Board of Mental Health may and has the final authority as to whether or not these negotiations result in the exchange, lease or sale of the properties it currently holds in trust for persons with an intellectual disability served at Ellisville State School.

If the State Board of Mental Health authorizes the sale of lands owned by Ellisville State School, as provided for under this paragraph (ff), the monies derived from the sale shall be placed into a special fund that is created in the State Treasury to be known as the "Ellisville State School Client's Trust Fund." The principal of the trust fund shall remain inviolate and shall never be expended. Any interest earned on the principal may be expended solely for the benefits of clients served at Ellisville State School. The State Treasurer shall invest the monies of the trust fund in any of the investments authorized for the Mississippi Prepaid Affordable College Tuition Program under Section 37-155-9, and those investments shall be subject to the limitations prescribed by Section 37-155-9. Unexpended amounts remaining in the trust fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the trust fund shall be deposited to the credit of the trust fund. The administration of Ellisville State School may use any interest earned on the principal of the trust fund, upon appropriation by the Legislature, as needed for services or facilities by the clients of Ellisville State School. Ellisville State School shall make known to the Legislature, through the Legislative Budget Committee and the respective Appropriations Committees of the House and Senate, its

proposed use of interest earned on the principal of the trust fund for any fiscal year in which it proposes to make expenditures thereof. The State Treasurer shall provide Ellisville State School with an annual report on the Ellisville State School Client's Trust Fund to indicate the total monies in the trust fund, interest earned during the year, expenses paid from the trust fund and such other related information.

Nothing in this section shall be construed as applying to or affecting mental health/intellectual disability services provided by hospitals as defined in Section 41-9-3(a), and/or their subsidiaries and divisions, which hospitals, subsidiaries and divisions are licensed and regulated by the Mississippi State Department of Health unless such hospitals, subsidiaries or divisions voluntarily request certification by the Mississippi State Department of Mental Health.

All new programs authorized under this section shall be subject to the availability of funds appropriated therefor by the Legislature;

(gg) Working with the advice and consent of the administration of Boswell Regional Center, to enter into negotiations with the Economic Development Authority of Simpson County for the purpose of negotiating the possible exchange, lease or sale of lands owned by Boswell Regional Center to the Economic Development Authority of Simpson County. It is the intent of the Mississippi Legislature that such negotiations shall ensure that the financial interest of the persons with an intellectual disability served by Boswell Regional Center will be held paramount in the course of these negotiations. The Legislature also recognizes the importance of economic development to the citizens of the State of Mississippi and Simpson County, and encourages fairness to the Economic Development Authority of Simpson County. Any negotiations proposed which would result in the recommendation for exchange, lease or sale of lands owned by Boswell Regional Center must have the approval of the State Board of Mental Health. The State Board of Mental Health may and has the final authority as to whether or not these negotiations result in the exchange, lease or sale of the properties it currently holds in trust for persons with an intellectual disability served at Boswell Regional Center. In any such exchange, lease or sale of such lands owned by Boswell Regional Center, title to all minerals, oil and gas on such lands shall be reserved, together with the right of ingress and egress to remove same, whether such provisions be included in the terms of any such exchange, lease or sale or not.

If the State Board of Mental Health authorizes the sale of lands owned by Boswell Regional Center, as provided for under this paragraph (gg), the monies derived from the sale shall be placed into a special fund that is created in the State Treasury to be known as the "Boswell Regional Center Client's Trust Fund." The principal of the trust fund shall remain inviolate and shall never be expended. Any earnings on the principal may be expended solely for the benefits of clients served at Boswell Regional Center. The State Treasurer shall invest the monies of the trust fund in any of the investments authorized for the Mississippi Prepaid Affordable College Tuition Program under Section 37-155-9, and those investments shall be subject to the limitations prescribed by Section 37-155-9. Unexpended amounts remaining in the trust fund at the end of a fiscal year shall not lapse into the State General Fund, and any earnings on amounts in the trust fund shall be deposited to the credit of the trust fund. The administration of Boswell Regional Center may use any earnings on the principal of the trust fund, upon appropriation by the Legislature, as needed for services or facilities by the clients of Boswell Regional Center. Boswell Regional Center shall make known to the Legislature, through the Legislative Budget Committee and the respective Appropriations Committees of the House and Senate, its proposed use of the earnings on the principal of the trust fund for any fiscal year in which it proposes to make expenditures thereof. The State Treasurer shall provide Boswell Regional Center with an annual report on the Boswell Regional Center Client's Trust Fund to indicate the total monies in the trust fund, interest and other income earned during the year, expenses paid from the trust fund and such other related information.

Nothing in this section shall be construed as applying to or affecting mental health/intellectual disability services provided by hospitals as defined in Section 41-9-3(a), and/or their subsidiaries and divisions, which hospitals, subsidiaries and divisions are licensed and regulated by the Mississippi State Department of Health unless such hospitals, subsidiaries or divisions voluntarily request certification by the Mississippi State Department of Mental Health.

All new programs authorized under this section shall be subject to the availability of funds appropriated therefor by the Legislature;

(hh) Notwithstanding any other section of the code, the Board of Mental Health shall be authorized to fingerprint and perform a criminal history record check on every employee or volunteer. Every employee and volunteer shall provide a valid current social security number and/or driver's license number which shall be furnished to conduct the criminal history record check. If no disqualifying record is identified at the state level, fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check;

(ii) The Department of Mental Health shall have the authority for the development of a consumer friendly single point of intake and referral system within its service areas for persons with mental illness, an intellectual disability, developmental disabilities or alcohol or substance abuse who need assistance identifying or accessing appropriate services. The department will develop and implement a comprehensive evaluation procedure ensuring that, where appropriate, the affected person or their parent or legal guardian will be involved in the assessment and planning process. The department, as the point of intake and as service provider, shall have the authority to determine the appropriate institutional, hospital or community care setting for persons who have been diagnosed with mental illness, an intellectual disability, developmental disabilities and/or alcohol or substance abuse, and may provide for the least restrictive placement if the treating professional believes such a setting is appropriate, if the person affected or their parent or legal guardian wants such services, and if the department can do so with a reasonable modification of the program without creating a fundamental alteration of the program. The least restrictive setting could be an institution, hospital or community setting, based upon the needs of the affected person or their parent or legal guardian;

(jj) To have the sole power and discretion to enter into, sign, execute and deliver long-term or multiyear leases of real and personal property owned by the Department of Mental Health to and from other state and federal agencies and private entities deemed to be in the public's best interest. Any monies derived from such leases shall be deposited into the funds of the Department of Mental Health for its exclusive use. Leases to private entities shall be approved by the Department of Finance and Administration and all leases shall be filed with the Secretary of State;

(kk) To certify and establish minimum standards and minimum required services for county facilities used for housing, feeding and providing medical treatment for any person who has been involuntarily ordered admitted to a treatment center by a court of competent jurisdiction. The minimum standard for the initial assessment of those persons being housed in county facilities is for the assessment to be performed by a physician, preferably a psychiatrist, or by a nurse practitioner, preferably a psychiatric nurse practitioner. If the department finds deficiencies in any such county facility or its provider based on the minimum standards and minimum required services established for certification, the department shall give the county or its provider a six-month probationary period to bring its standards and services up to the established minimum standards and minimum required services. After the six-month probationary period, if the department determines that the county or its provider still does not meet the minimum standards and minimum required services, the department may remove the certification of the county or provider and require the county to contract with another county having a certified facility to hold those persons for that period of time pending transportation and admission to a

state treatment facility. Any cost incurred by a county receiving an involuntarily committed person from a county with a decertified holding facility shall be reimbursed by the home county to the receiving county; and

(ll) To provide orientation training to all new commissioners of regional commissions and annual training for all commissioners with continuing education regarding the Mississippi mental health system and services as developed by the State Department of Mental Health. Training shall be provided at the expense of the department except for travel expenses which shall be paid by the regional commission.

SECTION 10. Section 73-19-7, Mississippi Code of 1972, is amended as follows:

73-19-7. The Governor, with the advice and consent of the Senate, shall appoint a State Board of Optometry, consisting of five (5) persons, citizens of Mississippi, each of whom shall be a nonmedical man or woman actually engaged in the practice of optometry for five (5) years next preceding his appointment. * * * The appointments to the board shall be made with one (1) member to be appointed from each of the * * * Mississippi Supreme Court Districts as existing on January 1, 1980 * * * and two (2) from the state at large.

The State Board of Optometry, created by former Section 73-19-7, is continued and reconstituted as follows: Effective January 1, 2028, each board member shall be appointed by the Governor, with the advice and consent of the Senate, for a term of office of four (4) years, provided that three (3) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Board of Optometry.

No person so appointed shall be a stockholder in or a member of the faculty or of the board of trustees of any school of optometry, or serve to exceed two (2) five-year terms.

Vacancies on said board shall be filled by appointment by the Governor, with the advice and consent of the Senate, from a list of names submitted by the Mississippi Optometric Association consisting of three (3) of its members, or by appointment of any qualified member of the association.

SECTION 11. Section 73-19-9, Mississippi Code of 1972, is amended as follows:

73-19-9. The State Board of Optometry shall organize by the election from its members a president and a secretary, who shall hold their respective offices for one (1) year.

It shall hold regular meetings for examination, beginning on the second week of January and July of each year, and additional meetings at such times and places as the board shall determine, said additional meetings not to exceed ten (10) meeting days annually, but the July meeting shall be held in the City of Jackson.

A majority of the board shall constitute a quorum, but a less number may adjourn from time to time.

The board shall make such rules and regulations as may be necessary to carry out the provisions of this chapter; however, the board shall not adopt any rule or regulation or impose any requirement regarding the licensing of optometrists that conflicts with the prohibitions in Section 73-49-3.

The board is authorized to appoint an executive director for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

SECTION 12. Section 73-35-5, Mississippi Code of 1972, is amended as follows:

73-35-5. (1) There is hereby created the Mississippi Real Estate Commission. The commission shall consist of five (5) persons, to be appointed by the Governor with the advice and consent of the Senate. Each appointee shall have been a resident and citizen of this state for at least six (6) years prior to his appointment, and his vocation for at least five (5) years shall have been that of a real estate broker. One (1) member shall be appointed for the term of one (1) year; two (2) members for terms of two (2) years; two (2) members for terms of four (4) years; thereafter, the term of the members of said commission shall be for four (4) years and until their successors are appointed and qualify. There shall be * * * one (1) commissioner from each * * * Supreme Court District, as such districts are constituted * * * at the time of appointment, and two (2) from the state at large. The commissioners appointed from each of the * * * Supreme Court Districts shall be bona fide residents of the district from which each is appointed, and the commissioners appointed from the state at large shall be bona fide residents of the State of Mississippi. * * * Members to fill vacancies shall be appointed by the Governor for the unexpired term. The Governor may remove any commissioner for cause. The State of Mississippi shall not be required to furnish office space for such commissioners. The provisions of this section shall not affect persons who are members of the Real Estate Commission as of January 1, 2002. Such members shall serve out their respective terms, upon the expiration of which the provisions of this section shall take effect. Nothing provided herein shall be construed as prohibiting the reappointment of any member of the said commission.

(2) The Mississippi Real Estate Commission, created by former Section 73-35-5, is continued and reconstituted as follows: Effective January 1, 2028, the members designated in subsection (1) of this section shall be appointed by the Governor, with the advice and consent of the Senate, provided that three (3) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Real Estate Commission.

(* * *3) The commission shall organize by selecting from its members a chairman, and may do all things necessary and convenient for carrying into effect the provisions of this chapter, and may from time to time promulgate rules and regulations. Each member of the commission shall receive per diem as authorized in Section 25-3-69, Mississippi Code of 1972, and his actual and necessary expenses incurred in the performance of duties pertaining to his office as authorized in Section 25-3-41, Mississippi Code of 1972.

(* * *4) The commission shall adopt a seal by which it shall authenticate its proceedings. Copies of all records and papers in the office of the commission, duly

certified and authenticated by the seal of said commission, shall be received in evidence in all courts equally and with like effect as the original. All records kept in the office of the commission under the authority of this chapter shall be open to public inspection except pending investigative files.

(5) The board is authorized to appoint an executive director for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972.

SECTION 13. Section 35-7-7, Mississippi Code of 1972, is amended as follows:

35-7-7. The administration of the provisions hereof is vested in a Veterans' Home Purchase Board consisting of six (6) members who shall be appointed, or reappointed, by the Governor, with the advice and consent of the Senate. Members appointed to the board shall be veterans of either World War II, the Korean Conflict, the Southeast Asia Conflict, the Persian Gulf Conflict or have served in active duty for at least one hundred eighty (180) days during a time of war or a conflict in which a campaign ribbon or medal was issued and shall possess a background in business, banking, real estate or the legal profession which enables them to carry out the duties of the board. No state/department commander of any federally recognized veterans organization, no national officer of any federally recognized veterans organization and no member of the Mississippi Council of Veterans Organizations shall be eligible for appointment to the board until the expiration of a period of three (3) years after the termination of his service in such disqualifying positions. Appointments shall be staggered, with each Governor appointing or reappointing two (2) members in the first year of his administration * * *, one (1) member in the second year, two (2) members in the third year, and one (1) member in the fourth year. Appointments for terms that expire in 1988 shall be made as follows: one (1) shall be made for a term ending on July 1, 1989; one (1) shall be made for a term ending on July 1, 1991; and two (2) shall be made for a term ending on July 1, 1992. Persons appointed to succeed the two (2) members whose terms expired in 1986, or any such member holding over after 1986 because no successor was appointed, shall serve until July 1, 1990. After the expiration of the foregoing terms, all appointments shall be for a term of four (4) years from the expiration date of the previous term. From and after July 1, 1988, one (1) appointee shall be selected from each of the five (5) congressional districts of this state as such districts are composed on May 1, 1987, and one (1) appointee shall be selected from the state at large. Any vacancy occurring during a term shall be filled by appointment of a member for the unexpired portion of the term.

The Veterans' Home Purchase Board, created by former Section 35-7-7, is continued and reconstituted as follows: Effective January 1, 2028, one (1) appointed member shall be from each Supreme Court District as they exist at the time of appointment, and two (2) from the state at large. Effective January 1, 2028, the appointed members of the board designated in this section, shall be appointed by the Governor to terms of office of four (4) years, with the advice and consent of the Senate, provided that three (3) such members shall be appointed in 2028 to a term ending December 31, 2031, and three (3) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Veterans' Home Purchase Board.

The board is hereby authorized and empowered to make and promulgate such reasonable rules and regulations under this chapter as it shall deem to be necessary or

advisable and to enforce the same. The board shall have authority to render the final decision on the purchase application process, approval of purchases, funding of purchase commitments, servicing loans and default, property security, management, resale, release from security, and all other matters relating to the purchases and loans made under this law. The board shall likewise, by an order spread on its minutes, elect a chairman and vice chairman to serve for one-year terms, and all such officers are eligible to succeed themselves in such offices. The chairman may appoint a three-member loan committee from the membership of the board and shall specify the conditions, responsibilities and authority of such committee.

Each member of the board and his successor shall be reimbursed all of his actual and necessary traveling and other expenses incurred in the attendance of the meetings of the board or in the performance of other duties in connection with the business of the board as provided for state officers and employees in Section 25-3-41, and shall be allowed a per diem as provided in Section 25-3-69 for such attendance; provided that the number of days per diem shall not exceed sixty-six (66) days for the chairman and fifty (50) days for other members of the board during any one (1) fiscal year. The above limitation of days per year shall not apply to board members appointed on a full-time basis to the loan committee.

The board is authorized to appoint an executive director for a term of four (4) years, with the advice and consent of the Senate, and consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The director, or other executive officer employed by the board, shall execute a surety bond in the sum of One Hundred Thousand Dollars ($100,000.00), conditioned upon the faithful performance of his duties and upon his accounting for all monies coming into his hands; and each employee handling funds shall execute a like bond in the sum of Fifteen Thousand Dollars ($15,000.00), and the premiums thereon shall be paid from the funds provided for administering this chapter.

The board may designate one (1) of its employees as the acting director or executive officer by a vote of the majority of the members of the board, officially recorded in the minutes of a regular or special meeting, and such acting director shall be vested with all the authority conferred upon the director by the provisions of this chapter * * *. The acting director, when so designated, will be required to furnish surety bond in the same amount and under the same conditions as the director. The purpose of this provision is to designate an executive officer during any temporary illness, absence or incapacity of the regularly designated director.

The board may designate one (1) of its employees by a vote of the majority of the members of the board, officially recorded in the minutes of a regular or special meeting, to be authorized to sign a Deed of Conveyance or other closing documents necessary as to not delay the closing or settlement of a home purchase during the absence or unavailability of the director.

The board may select and employ such expert, technical and clerical assistance as in its judgment may be necessary in the proper administration of said board and fix the salaries of such employees.

The board is empowered to employ auditors and accountants to examine the books, accounts and records of the board if it so desires, and the board is also authorized to employ legal counsel if it deems such a course necessary in the proper administration of its affairs.

SECTION 14. Section 49-4-4, Mississippi Code of 1972, is amended as follows:

49-4-4. (1) There is hereby created the Mississippi Commission on Wildlife, Fisheries and Parks, to be composed of five (5) persons appointed by the Governor, with the advice and consent of the Senate, for a term of five (5) years. One (1) person shall be appointed from each congressional district. The initial terms of the members shall be

one (1), two (2), three (3), four (4) and five (5) years, respectively. Thereafter, all terms shall be for five (5) years. An appointment to fill a vacancy which arises for reasons other than by expiration of a term of office shall be made from the respective congressional district for the unexpired term only.

The Mississippi Commission on Wildlife, Fisheries and Parks, created by former Section 49-4-4, is continued and reconstituted as follows: Effective January 1, 2028, one (1) appointed member shall be from each Supreme Court District as they exist at the time of appointment, and two (2) from the state at large. Effective January 1, 2028, the appointed members of the commission designated in this section, shall be appointed by the Governor to terms of office of four (4) years, with the advice and consent of the Senate, provided that three (3) such members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) such members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the Mississippi Commission on Wildlife, Fisheries and Parks.

(2) The commission shall elect from its membership a chairman who shall preside over meetings and a vice chairman who shall preside in the absence of the chairman or when the chairman shall be excused.

(3) The commission shall adopt rules and regulations governing times and places for meetings and governing the manner of conducting its business. Each member of the commission shall take the oath prescribed by Section 268 of the Mississippi Constitution, and shall enter into bond in the amount of Thirty Thousand Dollars ($30,000.00) to be approved by the Secretary of State, conditioned according to law, and payable to the State of Mississippi before assuming the duties of office. Any member who shall not attend three (3) consecutive regular meetings of the commission shall be subject to removal by a majority vote of the commission members.

(4) The members of the commission shall receive no annual salary but shall receive per diem compensation as authorized by law for each day devoted to the discharge of official duties and shall be entitled to reimbursement for all actual and necessary expenses incurred in the discharge of their duties, including mileage as authorized by law.

The commission shall be composed of persons with a demonstrated history of involvement in at least one (1) of the matters of jurisdiction of the commission and whose employment and activities are not in conflict. All of the commissioners shall be an active outdoorsman holding a resident hunting or fishing license in at least five (5) of the ten (10) years preceding appointment. A member shall not have a record of conviction of violation of fish or game laws and regulations within five (5) years preceding appointment or a record of any felony conviction.

(5) The commission shall have the power to adopt, amend and repeal such regulations and rules as may be necessary for the operation of the department.

(6) The commission shall have the power and authority to issue all licenses and permits under the jurisdiction of the department.

(7) In the furtherance of its duties and responsibilities, the commission may conduct hearings, gather testimony and perform other functions required to carry out its powers and duties as prescribed by statute.

(8) The commission shall have all power for conserving, managing and developing wildlife and fishery resources except for saltwater aquatic life and marine resources under the jurisdiction of the Mississippi Commission on Marine Resources.

SECTION 15. Section 49-4-6, Mississippi Code of 1972, is amended as follows:

49-4-6. (1) There is hereby created the Mississippi Department of Wildlife, Fisheries and Parks, whose principal office shall be located in Jackson, Mississippi.

(2) The department shall be headed by an executive director who shall be appointed by the Governor. The commission shall submit to the Governor three (3) qualified nominees for the position of executive director. The Governor shall appoint the executive director from the list of qualified nominees submitted with the advice and consent of the Senate. The executive director shall serve for a term of four (4) years, consistent with the provisions of Section 7-1-35, Mississippi Code of 1972. The executive director may assign those powers and duties as deemed appropriate to carry out the department's lawful functions. Upon recommendation by the Governor to the commission, the executive director may be removed from office only by both a majority vote of the membership of the commission and the Governor's approval of the removal. To remove the executive director the commission must determine on sound evidence that there is good cause for removal such as willful dereliction in carrying out the duties of executive director, obvious malfeasance in his actions as executive director or conviction of any criminal act. After the determination is made by the commission that the executive director should be removed from office, the commission shall notify the Governor of its determination and the Governor must approve that determination before the executive director is actually removed from office.

(3) The executive director shall appoint heads, who will serve at the pleasure of the executive director.

(4) The executive director shall have the authority to organize the department as deemed appropriate to carry out the responsibilities of the department. The organizational charts of the department shall be presented annually with the budget request of the Governor for review by the Legislature.

(5) The executive director shall develop and implement a merit promotion system for all sworn law enforcement officers. Promotion to higher rank shall be based on an individual's merit and length of service. The executive director shall implement the merit promotion system before July 1, 1995.

SECTION 16. Section 47-5-8, Mississippi Code of 1972, is amended as follows:

47-5-8. (1) There is created the Mississippi Department of Corrections, which shall be under the policy direction of the Governor. The chief administrative officer of the department shall be the Commissioner of Corrections. Effective July 1, 2028, the commissioner shall be appointed by the Governor in the manner provided in Section 47-5-24 with the advice and consent of the Senate, not less than every four (4) years. All appointment procedures specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the position of Commissioner of Corrections.

(2) (a) There shall be an Executive Deputy Commissioner who shall be directly responsible to the Commissioner of Corrections within the department who shall serve as the Commissioner of Corrections in the absence of the commissioner and shall assume any and all duties that the Commissioner of Corrections assigns, including, but not limited

to, supervising all other deputy commissioners. The salary of the Executive Deputy Commissioner shall not exceed the salary of the Commissioner of Corrections.

(b) There shall be a Division of Administration and Finance within the department, which shall have as its chief administrative officer a Deputy Commissioner for Administration and Finance who shall be appointed by the commissioner, and shall be directly responsible to the commissioner.

(c) There shall be a Division of Community Corrections within the department, which shall have as its chief administrative officer a Deputy Commissioner for Community Corrections, who shall be appointed by the commissioner, and shall be directly responsible to the commissioner. The Probation and Parole Board shall continue to exercise the authority as provided by law, but after July 1, 1976, the Division of Community Corrections shall serve as the administrative agency for the Probation and Parole Board.

(d) There shall be a Division of Workforce Development within the department, which shall have as its chief administrative officer a Deputy Commissioner for Workforce Development, who shall be appointed by the commissioner, and shall be directly responsible to the commissioner.

(3) The department shall succeed to the exclusive control of all records, books, papers, equipment and supplies, and all lands, buildings and other real and personal property now or hereafter belonging to or assigned to the use and benefit or under the control of the Mississippi State Penitentiary and the Mississippi Probation and Parole Board, except the records of parole process and revocation and legal matters related thereto, and shall have the exercise and control of the use, distribution and disbursement of all funds, appropriations and taxes now or hereafter in possession, levied, collected or received or appropriated for the use, benefit, support and maintenance of these two (2) agencies except as otherwise provided by law, and the department shall have general supervision of all the affairs of the two (2) agencies herein named except as otherwise provided by law, and the care and conduct of all buildings and grounds, business methods and arrangements of accounts and records, the organization of the administrative plans of each institution, and all other matters incident to the proper functioning of the two (2) agencies.

(4) The commissioner may lease the lands for oil, gas, mineral exploration and other purposes, and contract with other state agencies for the proper management of lands under such leases or for the provision of other services, and the proceeds thereof shall be paid into the General Fund of the state.

SECTION 17. Section 25-4-5, Mississippi Code of 1972, is amended as follows:

25-4-5. (1) There is hereby created the Mississippi Ethics Commission which shall be composed of eight (8) members, each of whom shall be a qualified elector of the State of Mississippi, of good moral character and integrity.

(2) Two (2) members of the commission shall be appointed by each of the following officers in strict accordance with the above standards: the Governor, the Lieutenant Governor, the Speaker of the House of Representatives and the Chief Justice of the Mississippi Supreme Court. Not more than one (1) person appointed by each appointing authority shall be an elected official.

(3) The members of the initial commission shall be appointed for terms of office expiring one (1), two (2), three (3) and four (4) years, respectively, from November 15, 1979, the members appointed by the Governor having a one-year term and a four-year term, the members appointed by the Lieutenant Governor having a two-year term and a three-year term, the members appointed by the Speaker having a three-year term and a

two-year term, and the members appointed by the Chief Justice having a four-year term and a one-year term.

(4) Successors to the members of the initial commission shall each be appointed for terms of four (4) years and until their successors are appointed and have been duly qualified.

(5) If any of the above-listed appointing authorities should fail to make his appointment to the initial commission within forty-five (45) days after November 15, 1979, fail to fill a vacancy within forty-five (45) days after such vacancy occurs, or fail to make his appointment for a full term to the commission, then the Chief Justice of the Mississippi Supreme Court shall make such appointment; provided, however, that the term of such appointee shall be for the period prescribed for the appointment by the authority who was to have made the appointment but who failed to do so. If at any time there should be a vacancy on the commission, a successor member to serve for the unexpired term applicable to such vacancy shall be appointed by the same appointing authority as the member whose unexpired term such successor is to fill.

(6) Any member of the commission who is indicted for any felony may be suspended by the commission from service on the commission. A commission member who is convicted of a misdemeanor involving moral turpitude or convicted of any felony shall be ineligible to serve and the member's position on the commission shall be vacant and subject to reappointment as for other vacancies. A registered lobbyist shall be ineligible to serve as a commission member while registered and until one (1) year after the end of such lobbying relationship that required registration.

SECTION 18. Section 47-7-5, Mississippi Code of 1972, is amended as follows:

47-7-5. (1) Effective January 1, 2028, the State Parole Board, created under former Section 47-7-5, is hereby created, continued and reconstituted and shall be composed of five (5) members, one (1) appointed from each Mississippi Supreme Court District and two (2) from the state at large. The Governor shall appoint the members to serve at the will and pleasure of the Governor, with the advice and consent of the Senate, not less than every four (4) years. * * * Provided that three (3) members shall be appointed in 2028 to a term ending December 31, 2031, and two (2) members shall be appointed in 2030 to a term ending December 31, 2033. Appointments made at the beginning of the four-year cycle shall be made to fill any member's term which actually expires that year and any member's term which expires next until the majority of the membership of the board or commission is reached. Appointments made at the beginning of the third year of the four-year cycle shall be made for the remainder of the membership positions irrespective of the time of their prior appointment. Any question regarding the order of appointments shall be determined by the Secretary of State in accordance with the specific statute. All appointment procedures, vacancy provisions, interim appointment provisions and removal provisions specifically provided for in Section 7-1-35, Mississippi Code of 1972, shall be fully applicable to appointments to the State Parole Board. Any vacancy shall be filled by the Governor, with the advice and consent of the Senate. The Governor shall appoint a chairman of the board.

(2) Any person who is appointed to serve on the board shall possess at least a bachelor's degree or a high school diploma and four (4) years' work experience. Each member shall devote his full time to the duties of his office and shall not engage in any other business or profession or hold any other public office. A member shall receive compensation or per diem in addition to his or her salary. Each member shall keep such hours and workdays as required of full-time state employees under Section 25-1-98. Individuals shall be appointed to serve on the board without reference to their political affiliations. Each board member, including the chairman, may be reimbursed for actual and necessary expenses as authorized by Section 25-3-41. Each member of the board shall complete annual training developed based on guidance from the National Institute of Corrections, the Association of Paroling Authorities International, or the American

Probation and Parole Association. Each first-time appointee of the board shall, within sixty (60) days of appointment, or as soon as practical, complete training for first-time Parole Board members developed in consideration of information from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association.

(3) The board shall have exclusive responsibility for the granting of parole as provided by Sections 47-7-3 and 47-7-17 and shall have exclusive authority for revocation of the same. The board shall have exclusive responsibility for investigating clemency recommendations upon request of the Governor.

(4) The board, its members and staff, shall be immune from civil liability for any official acts taken in good faith and in exercise of the board's legitimate governmental authority.

(5) The budget of the board shall be funded through a separate line item within the general appropriation bill for the support and maintenance of the department. Employees of the department which are employed by or assigned to the board shall work under the guidance and supervision of the board. There shall be an executive secretary to the board who shall be responsible for all administrative and general accounting duties related to the board. The executive secretary shall keep and preserve all records and papers pertaining to the board.

(6) The board shall have no authority or responsibility for supervision of offenders granted a release for any reason, including, but not limited to, probation, parole or executive clemency or other offenders requiring the same through interstate compact agreements. The supervision shall be provided exclusively by the staff of the Division of Community Corrections of the department.

(7) (a) The Parole Board is authorized to select and place offenders in an electronic monitoring program under the conditions and criteria imposed by the Parole Board. The conditions, restrictions and requirements of Section 47-7-17 and Sections 47-5-1001 through 47-5-1015 shall apply to the Parole Board and any offender placed in an electronic monitoring program by the Parole Board.

(b) Any offender placed in an electronic monitoring program under this subsection shall pay the program fee provided in Section 47-5-1013. The program fees shall be deposited in the special fund created in Section 47-5-1007.

(c) The department shall have absolute immunity from liability for any injury resulting from a determination by the Parole Board that an offender be placed in an electronic monitoring program.

(8) (a) The Parole Board shall maintain a central registry of paroled inmates. The Parole Board shall place the following information on the registry: name, address, photograph, crime for which paroled, the date of the end of parole or flat-time date and other information deemed necessary. The Parole Board shall immediately remove information on a parolee at the end of his parole or flat-time date.

(b) When a person is placed on parole, the Parole Board shall inform the parolee of the duty to report to the parole officer any change in address ten (10) days before changing address.

(c) The Parole Board shall utilize an Internet website or other electronic means to release or publish the information.

(d) Records maintained on the registry shall be open to law enforcement agencies and the public and shall be available no later than July 1, 2003.

(9) An affirmative vote of at least four (4) members of the Parole Board shall be required to grant parole to an inmate convicted of capital murder or a sex crime.

(10) This section shall stand repealed on July 1, 2025.

SECTION 19. This act shall take effect and be in force from and after July 1, 2024; provided, however, that Section 12 which amends Section 73-35-5, Mississippi Code of 1972, shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT RELATING TO APPOINTMENTS TO STATE BOARDS AND COMMISSIONS AND AGENCY DIRECTOR POSITIONS BY PUBLIC OFFICIALS WHICH REQUIRE SENATE CONFIRMATION; TO AMEND SECTIONS 7-1-35, 73-4-7, 73-4-11, 37-155-7, 37-4-3, 49-2-4, 49-2-5, 41-4-3, 41-4-7, 73-19-7, 73-19-9, 73-35-5, 35-7-7, 49-4-4, 49-4-6, 47-5-8, 25-4-5 AND 47-7-5, MISSISSIPPI CODE OF 1972, TO REVISE THE PROCEDURES AND TERMS OF OFFICE FOR THE APPOINTMENTS OF MEMBERS TO CERTAIN STATE BOARDS, AGENCIES, AND OTHER GOVERNMENT ENTITIES AND AUTHORITIES WHICH REQUIRE SENATE CONFIRMATION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Chris Johnson	Henry Zuber III
Daniel H. Sparks	Robert L. Johnson III
	Steve Massengill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2799** was adopted:

Yeas--Berry, Blackwell, Boyd, Branning, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hopson, Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Whaley, Wiggins, Younger. Total--28.

Nays--Barnett, Blackmon, Brumfield, Bryan, Butler, Chism, Hickman, Horhn, Jackson, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--12.

Absent and those not voting--Ladner, Williams. Total--2.

Voting Present--Carter, Hill, Parker, Turner-Ford. Total--4.

Senator Blount, who would have voted yea on S. B. No. 2799, announced a pair with Senator Norwood, who would have voted nay.

Senator Frazier, who would have voted nay on S. B. No. 2799, announced a pair with Senator Barrett, who would have voted yea.

Senator Thompson, who would have voted yea on S. B. No. 2799, announced a pair with Senator Jordan, who would have voted nay.

On request of Senator Sparks, unanimous consent was granted to make the following correction in **S. B. No. 2717**:

Unanimous Consent is requested to make the following changes to the conference report for S.B. 2717:

On line 153 and line 5, insert the following after "Mississippi Code of 1972,":

"as amended by Senate Bill No. 2445, 2024 Regular Session,"

This language just conforms the code section with one that has already been sent to the Governor so that the language in Senate Bill 2717 does not get wiped out.

Senator Blackwell moved that the Conference Committee Report on **S. B. No. 2823** be recommitted for further conference and the motion prevailed.

S. B. No. 2823: Medicaid; revise various technical provisions related thereto, including reimbursement levels and facility eligibility.

Senator Bryan called up the following entitled nomination:

S. N. No. 4: Dr. Barry Tripp Henderson, Oxford, Mississippi, Board of Chiropractic Examiners as the representative of the 1st Congressional District, five year term effective April 21, 2023 and ending April 20, 2028.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 4 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--McMahan. Total--1.

Absent and those not voting----None.

Senator Bryan called up the following entitled nomination:

S. N. No. 5: Dr. Felicia F. King, Jackson, Mississippi, State BD of Chiropractic Examiners as an Individual engaged in the Practice of Chiropractic, remainder of five year term effective July 1, 2023 and ending April 20, 2024, vice Michael R. Patterson, D.C..

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 5 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled nomination:

S. N. No. 6: Dr. Felicia F. King, Jackson, Mississippi, State BD of Chiropractic Examiners as an Individual engaged in the Practice of Chiropractic, five year term effective April 21, 2024 and ending April 20, 2029, representing the 2nd Congressional District.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 6 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled nomination:

S. N. No. 19: Dr. Frederick Barnett (Rick) Carlton, Jr., Oxford, Mississippi, State Board of Health as a Licensed Physician, remainder of six year term effective July 13, 2023 and ending June 30, 2027, vice Dr. John Edward Hill.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 19 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled nomination:

S. N. No. 32: Laine Allyson Murret, Hattiesburg, Mississippi, MS State Board of Physical Therapists, four year term effective May 26, 2023 and ending June 30, 2026, representing the 4th Congressional District, vice Douglas Roll.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 32 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled nomination:

S. N. No. 33: Cheryl Brooks Ware, PT, Belden, Mississippi, MS State Board of Physical Therapists, four year term effective July 1, 2023 and ending June 30, 2027, representing the 1st Congressional District, vice Shannon Singletary.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 33 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Sparks entered a motion to reconsider the vote whereby the Conference Report on **S. B. No. 2799** was adopted by the Senate.

S. B. No. 2799: Public official appointments; revise terms of office and appointment procedures on certain state boards, districts and agencies.

Senator Bryan called up the following entitled nomination:

S. N. No. 35: Veronica Haynes Knowles, LCSW, Louisville, Mississippi, BD of Examiners for Social Workers and Marriage and Family Therapists, four year term effective July 1, 2023 and ending June 30, 2027, representing a Licensed Social Worker.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 35 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.
Nays--None.
Absent and those not voting----None.

Senator Bryan called up the following entitled nomination:

S. N. No. 42: Carrie K. Coggins, LMSW, Tupelo, Mississippi, MS State Board of Examiners for Social Workers and Marriage and Family Therapists, remainder of a four year term ending June 30, 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 42 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane,

Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled nomination:

S. N. No. 43: Robert L. (Bobby) Scott, Southaven, Mississippi, MS State Board of Examiners for Social Workers and Marriage and Family Therapists, four year term beginning July 1, 2023 and ending June 30, 2027.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 43 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled nomination:

S. N. No. 58: Virginia Jones (Jenny) Bryan, PTA, Oxford, Mississippi, MS State Board of Physical Therapists as the representative of physical therapy assistants, four year term effective July 1, 2023 and ending June 30, 2027.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 58 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled nomination:

S. N. No. 64: Lee Bertha Cole, Jackson, Mississippi, Board of Directors of MS Industries for the Blind, four year term effective July 1, 2023 and ending June 30, 2027, representing a legally blind individual.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 64 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner,

McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane moved that the rules be suspended to move to calendar item 163, **H. B. No. 1441**, and the motion prevailed.

Senator Fillingane moved that the Conference Committee Report on **H. B. No. 1441** be recommitted for further conference and the motion prevailed.

H. B. No. 1441: Felony; increase penalties for commission of with use of semi-automatic firearm.

Senator Johnson moved that the rules be suspended to move to calendar item 133, **S. B. No. 2801**, and the motion prevailed.

Senator Johnson offered the following report of the Conference Committee on **S. B. No. 2801** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2801: Distinctive motor vehicle license tag; authorize for supporters of Clarkdale High School in Lauderdale County.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name, which shall be of such color and design as the department, with the advice of American Family Association, Inc., may prescribe. The words "In God We Trust" shall be used in the design of the license tag. The department shall prescribe such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the department. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars ($2.00) thereof to be retained by the tax collector, shall be remitted to the department on

a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2024, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars ($30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The department shall deposit all fees into the State Treasury on the day collected. At the end of each month, the department shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars ($24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to American Family Association, Inc.

(b) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars ($2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars ($10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 2. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the Tunnel to Towers Foundation. The distinctive license tags so issued shall be of such color and design as the department, with the advice of the Tunnel to Towers Biloxi, may prescribe

and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the department. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars ($2.00) thereof to be retained by the tax collector, shall be remitted to the department on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2024, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars ($30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The department shall deposit all fees into the State Treasury on the day collected. At the end of each month, the department shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars ($24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Tunnel to Towers Biloxi.

(b) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars ($2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars ($10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 3. Section 27-19-56.549, Mississippi Code of 1972, is amended as follows:

27-19-56.549. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (4) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of any one (1) of the following:

(a) Mississippi Association of Nurse Practitioners;

(b) * * * Navy Seabee Foundation;

(c) Saint Stanislaus College in Bay Saint Louis, Mississippi;

(d) Vancleave Live Oak Choctaw;

(e) Morton High School;

(f) Forest Municipal School District;

(g) Lake High School;

(h) Scott Central Attendance Center;

(i) Sebastopol Attendance Center;

(j) East Rankin Academy;

(k) Houston High School;

(l) Magnolia Heights School;

(m) Regents School of Oxford;

(n) The Garden Clubs of Mississippi, Inc.;

(o) Baptist Health Foundation, Inc.;

(p) Greene County Wildcats;

(q) Mississippi Disc Golf;

(r) Mississippi Road Builders Association;

(s) Clinton Public School District;

(t) Magnolia Speech School;

(u) Coahoma County Jr./Sr. High School;

(v) Clinton Community Nature Center;

(w) Most Worshipful King Hiram Grand Lodge * * *, A.F. & A.M., State of Mississippi;

(x) Electra Grand Chapter Order of the Eastern Star, A.F. & A.M., State of Mississippi;

(* * *y) City of Olive Branch, Mississippi;

(* * *z) Methodist Cursillo of Mississippi * * *;

(aa) Clarkdale High School in Lauderdale County, Mississippi;

(ab) Columbia Academy Cougars;

(ac) Mississippi Hunting Dog Association;

(ad) O'Keefe Educational Media DBA Disability Connection;

(ae) New Orleans Pelicans;

(af) Mississippi Economic Council;

(ag) Lighthouse Academy for Dyslexia.

(2) The distinctive license tags so issued shall be of such color and design as the department * * *, with the advice of the respective beneficiary organization listed in subsection (1) of this section, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(3) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the department * * *. The application and the additional fee imposed under subsection (4) of this section, less Two Dollars ($2.00) thereof to be retained by the tax collector, shall be remitted to the department * * * on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(4) * * * Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars ($30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(5) The department * * * shall deposit all fees into the State Treasury on the day collected. At the end of each month, the department * * * shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars ($24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the appropriate beneficiary organization listed in subsection (1) of this section.

(b) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars ($2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway

Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(6) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(7) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars ($10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 4. Section 27-19-56.369, Mississippi Code of 1972, is amended as follows:

27-19-56.369. (1) Beginning with any registration year commencing on or after July 1, * * * 2024, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the Pass Christian School District. The distinctive license tags so issued shall be of such color and design as the department * * *, with the advice of the Pass Christian School District, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the department * * *. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars ($2.00) thereof to be retained by the tax collector, shall be remitted to the department * * * on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars ($30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The department * * * shall deposit all fees into the State Treasury on the day collected. At the end of each month, the department * * * shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars ($24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Pass Christian School District.

(b) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars ($2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars ($10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, * * * 2027.

SECTION 5. Section 27-19-56.387, Mississippi Code of 1972, is amended as follows:

27-19-56.387. (1) Beginning with any registration year commencing on or after July 1, 2024, any owner of a motor vehicle who is a resident of this state and a member of the Grand Chapter of * * * Mississippi Order of the Eastern Star or the spouse * * * or child of a deceased member, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be entitled to be issued a distinctive license tag for any motor vehicle registered in their name. The distinctive license tags so issued shall be of such color and design as the department * * *, with the advice of the Grand Chapter of * * * Mississippi Order of the Eastern Star, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the department * * *. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars ($2.00) thereof to be retained by the tax collector, shall be remitted to the department * * * on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) * * * Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars ($30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he or she must surrender it to the local county tax collector.

(4) The department * * * shall deposit all fees into the State Treasury on the day collected. At the end of each month, the department * * * shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars ($24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Grand Chapter of * * * Mississippi Order of the Eastern Star.

(b) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars ($2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars ($10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, 2027.

SECTION 6. Section 27-19-56.411, Mississippi Code of 1972, is amended as follows:

27-19-56.411. (1) Beginning with any registration year commencing on or after July 1, 2024, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as

prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the former Rosa A. Temple High School in Vicksburg, Mississippi. The distinctive license tags so issued shall be of such color and design as the department * * *, with the advice of Central Mississippi Prevention Services, Inc., may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the department * * *. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars ($2.00) thereof to be retained by the tax collector, shall be remitted to the department * * * on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) * * * Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars ($30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The department * * * shall deposit all fees into the State Treasury on the day collected. At the end of each month, the department * * * shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars ($24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Central Mississippi Prevention Services, Inc.

(b) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars ($2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be

Ten Dollars ($10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, 2027.

SECTION 7. Section 27-19-56.485, Mississippi Code of 1972, is amended as follows:

27-19-56.485. (1) Beginning with any registration year commencing on or after July 1, 2024, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the Moss Point School District. The distinctive license tags so issued shall be of such color and design as the department * * *, with the advice of the Superintendent of the Moss Point School District, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the department * * *. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars ($2.00) thereof to be retained by the tax collector, shall be remitted to the department * * * on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) * * * Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars ($30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The department * * * shall deposit all fees into the State Treasury on the day collected. At the end of each month, the department * * * shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars ($24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Gulf Coast Community Foundation for deposit into a special fund created by the Moss Point Educational Enhancement Foundation and used for the purpose authorized by the Board of Directors of the Moss Point Educational Enhancement Foundation.

(b) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars ($2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway

Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars ($10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, 2027.

SECTION 8. Section 27-19-56.498, Mississippi Code of 1972, is amended as follows:

27-19-56.498. (1) Beginning with any registration year commencing on or after July 1, 2024, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of EV Mississippi. The distinctive license tags so issued shall be of such color and design as the department * * *, with the advice of EV Mississippi, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the department * * *. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars ($2.00) thereof to be retained by the tax collector, shall be remitted to the department * * * on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) * * * Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars ($30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The department * * * shall deposit all fees into the State Treasury on the day collected. At the end of each month, the department * * * shall certify to the State

Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars ($24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to EV Mississippi.

(b) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars ($2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars ($10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag, and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, 2027.

SECTION 9. Section 27-19-56.532, Mississippi Code of 1972, is amended as follows:

27-19-56.532. (1) Beginning with any registration year commencing on or after July 1, * * * 2024, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Desert of Mississippi Shriners and Daughters AEAONMS, PHA. The distinctive license tags so issued shall be of such color and design as the department * * *, with the advice of Desert of Mississippi Shriners and Daughters AEAONMS, PHA, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the department * * *. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars ($2.00) thereof to be retained by the tax collector, shall be remitted to the

department * * * on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Fifty Dollars ($50.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The department * * * shall deposit all fees into the State Treasury on the day collected. At the end of each month, the department * * * shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Forty-four Dollars ($44.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Desert of Mississippi Shriners and Daughters AEAONMS, PHA.

(b) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars ($2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars ($10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, 2027.

SECTION 10. Section 27-19-56.535, Mississippi Code of 1972, is amended as follows:

27-19-56.535. (1) Beginning with any registration year commencing on or after July 1, * * * 2024, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Wildlife Mississippi. The distinctive license tags so issued shall be of such color and design as the department * * *, with the advice of Wildlife Mississippi, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the department * * *. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars ($2.00) thereof to be retained by the tax collector, shall be remitted to the department * * * on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) * * * Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars ($30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The department * * * shall deposit all fees into the State Treasury on the day collected. At the end of each month, the department * * * shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars ($24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Wildlife Mississippi.

(b) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars ($2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars ($10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, 2027.

SECTION 11. Section 27-19-56.554, Mississippi Code of 1972, is amended as follows:

27-19-56.554. (1) Beginning with any registration year commencing on or after July 1, 2024, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Jack and Jill of America, Inc. The distinctive license tags so issued shall be of such color and design as the department * * *, with the advice of the Jackson, Mississippi, Chapter of Jack and Jill of America, Inc., may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the department * * *. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars ($2.00) thereof to be retained by the tax collector, shall be remitted to the department * * * on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) * * * Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars ($30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The department * * * shall deposit all fees into the State Treasury on the day collected. At the end of each month, the department * * * shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars ($24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Jackson, Mississippi, Chapter of Jack and Jill of America, Inc.

(b) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars ($2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars ($10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, 2027.

SECTION 12. Section 27-19-44, Mississippi Code of 1972, is amended as follows:

27-19-44. (1) For any distinctive license tag or plate authorized by the Legislature from and after July 1, 2000, through June 30, 2002, or authorized by Sections 27-19-56.37 and 27-19-56.55, the requirements of this subsection must be met before the department * * * may prepare or issue any such license tag or plate. The organization or other entity for which the Legislature authorized the distinctive license tag or plate must submit proof satisfactory to the department * * * that at least one hundred (100) of such license tags or plates will be purchased and must deposit with the department an amount necessary to purchase one hundred (100) of such license tags or plates. The organization or other entity for which the Legislature authorized the distinctive license tag or plate must satisfy the requirements of this subsection (1) within two (2) years after the effective date of the law authorizing the license tag or plate in order to permit the license tag or plate to be prepared and issued.

(2) Except as otherwise provided in subsection (1) of this section, for any distinctive license tag or plate authorized by the Legislature from and after July 1, 2002, through June 30, 2007, the requirements of this subsection must be met before the department * * * may prepare or issue any such license tag or plate. The organization or other entity for which the Legislature authorized the distinctive license tag or plate must submit proof satisfactory to the department * * * that at least two hundred (200) of such license tags or plates will be purchased and must deposit with the department an amount necessary to purchase two hundred (200) of such license tags or plates. The organization or other entity for which the Legislature authorized the distinctive license tag or plate must satisfy the requirements of this subsection (2) within three (3) years after the effective date of the law authorizing the license tag or plate in order to permit the license tag or plate to be prepared and issued.

(3) Except as otherwise provided in this section, Section 27-19-56.7, Section 27-19-56.56, Section 27-19-56.59, Section 27-19-56.85 or Section 27-19-56.94, for any distinctive license tag or plate authorized or reauthorized by the Legislature from and after

July 1, 2007, the following requirements must be met before the department * * * may prepare or issue any such license tag or plate:

(a) The organization or other entity for which the Legislature authorized the distinctive license tag or plate must submit proof satisfactory to the department * * * that at least three hundred (300) of such license tags or plates will be purchased and must deposit with the department an amount necessary to purchase three hundred (300) of such license tags or plates.

(b) The organization or other entity for which the Legislature authorized the distinctive license tag or plate must satisfy the requirements of paragraph (a) of this subsection (3) within three (3) years after the effective date of the law authorizing the license tag or plate in order to permit the license tag or plate to be prepared and issued. This paragraph (b) shall not apply to distinctive tags or plates issued under Section 27-19-56.154.

(4) Any distinctive license tag authorized under * * * Section 27-19-56.186, 27-19-56.203 and 27-19-56.315 must meet the requirements of this subsection before the department * * * may prepare or issue any such license tag or plate. The organization or other entity for which the Legislature authorized the distinctive license tag or plate must submit proof satisfactory to the department * * * that at least one hundred (100) of such license tags or plates will be purchased and must deposit with the department an amount necessary to purchase one hundred (100) of such license tags or plates. The organization or other entity for which the Legislature authorized the distinctive license tag or plate must satisfy the requirements of this subsection (4) within three (3) years after the effective date of the law authorizing the license tag or plate in order to permit the license tag or plate to be prepared and issued.

(5) The distinctive license tags authorized under Section 27-19-56.108 must meet the requirements of this subsection before the department * * * may prepare or issue any such license tag or plate. The organization or other entity for which the Legislature authorized the distinctive license tag or plate must submit proof satisfactory to the department * * * that at least two hundred (200) of such license tags or plates will be purchased and must deposit with the department an amount necessary to purchase two hundred (200) of such license tags or plates.

(6) Any distinctive license tag authorized under Section 27-19-56.549(1)(l), (n) or (z) must meet the requirements of this subsection before the department may prepare or issue any such license tag or plate. The organization or other entity for which the Legislature authorized the distinctive license tag or plate must submit proof satisfactory to the department that at least one hundred (100) of such license tags or plates will be purchased and must deposit with the department an amount necessary to purchase one hundred (100) of such license tags or plates. The organization or other entity for which the Legislature authorized the distinctive license tag or plate must satisfy the requirements of this subsection (4) within three (3) years after the effective date of the law authorizing the license tag or plate in order to permit the license tag or plate to be prepared and issued. Until a total of three hundred (300) such tags are sold, the department shall deposit the proceeds of the additional fee into the License Tag Acquisition Fund created in Section 27-19-179. After three hundred (300) tags are sold, the proceeds of the additional fee shall be distributed as provided in the section authorizing the issuance of the applicable special tag. The department may promulgate rules and regulations to administer this subsection.

(* * *7) If the organization or other entity for which the Legislature authorized the distinctive license tag or plate meets the requirements of subsection (1), (2), (3), (4) or (5) of this section, the department * * * shall prepare and issue the distinctive license tag or plate.

(* * *8) The department * * * shall review the number of distinctive or special license tags or plates issued pursuant to this chapter during the period for the license tag or plate series. If the number of any distinctive or special license tag or plate issued pursuant to this chapter falls below one hundred (100) in the last year of the license tag or plate series, the distinctive or special license tag or plate shall be discontinued at the end of the period for the license tag or plate series.

(* * *9) If a distinctive or special license tag or plate is discontinued under subsection (7) of this section, the organization or other entity for which the license tag or plate was discontinued may prepare a distinctive or special license tag or plate decal. The distinctive or special license tag or plate decal shall be of such size, color and design as may be agreed upon by the organization or other entity and the department * * *. However, the department * * * shall have final approval of the size, color and design of the decal. The distinctive or special license tag or plate decals shall be prepared and sold by the organization or other entity, and the proceeds derived from the sale of such decals shall be retained by the organization or other entity for any use deemed appropriate by the organization or other entity.

(* * *10) The provisions of this section shall not apply to distinctive or special license tags or plates:

(a) Which are issued under Section 27-19-45, 27-19-46, 27-19-47.1, 27-19-47.2, 27-19-48, 27-19-49, 27-19-53, 27-19-55, 27-19-56, 27-19-56.1, 27-19-56.2, 27-19-56.3, 27-19-56.5, 27-19-56.6, 27-19-56.9, 27-19-56.11, 27-19-56.12, 27-19-56.13, 27-19-56.40, 27-19-56.62, 27-19-56.69, 27-19-56.79, 27-19-56.90, 27-19-56.125, 27-19-56.127, 27-19-56.137, 27-19-56.140, 27-19-56.162, 27-19-56.187, 27-19-56.199, 27-19-56.205, 27-19-56.239, 27-19-56.292, 27-19-56.318, 27-19-56.379, 27-19-56.425, 27-19-56.466, 27-19-56.489, 27-19-56.522(1)(a), 27-19-56.524 or 27-19-56.557; or

(b) For which no additional fee is required to be paid.

SECTION 13. Section 27-19-56.412, Mississippi Code of 1972, is amended as follows:

27-19-56.412. (1) Beginning with any registration year commencing on or after July 1, 2023, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for each motor vehicle registered in his name, which shall be of such color and design as the department * * *, with the advice of Choose Life Mississippi or any successor entity, may prescribe. The word "Adoption" shall be used in the design of the license tag. The department * * * shall prescribe such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the department * * *. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars ($2.00) to be retained by the tax collector, shall be remitted to the department * * * on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of * * * Thirty Dollars ($30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually

at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The department * * * shall deposit all fees into the State Treasury on the day collected. At the end of each month, the department * * * shall certify the total fees collected under this section to the State Treasurer who shall distribute such collections as follows:

(a) * * * Twenty-four Dollars ($24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be disbursed to Choose Life Mississippi or any successor entity to be used as provided for in subsection (5) of this section.

(b) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars ($2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar ($1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) Funds disbursed to Choose Life Mississippi or any successor entity under this section may be used for any purpose other than for administrative expenses, legal expenses, capital expenditures, attempting to influence any legislation or any political campaign on behalf or in opposition to any candidate for public office.

(6) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the license tag.

(7) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars ($10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(8) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, 2026.

SECTION 14. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS WITH THE WORDS "IN GOD WE TRUST" USED IN THE DESIGN OF

THE LICENSE TAGS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE TUNNEL TO TOWERS FOUNDATION; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAGS; TO AMEND SECTION 27-19-56.549, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE NAVY SEABEE FOUNDATION; TO AUTHORIZE THE ISSUANCE OF SEPARATE DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MOST WORSHIPFUL KING HIRAM GRAND LODGE, A.F. & A.M., STATE OF MISSISSIPPI, AND TO SUPPORTERS OF ELECTRA GRAND CHAPTER ORDER OF THE EASTERN STAR, A.F. & A.M., STATE OF MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF CLARKDALE HIGH SCHOOL IN LAUDERDALE COUNTY, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE COLUMBIA ACADEMY COUGARS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI HUNTING DOG ASSOCIATION; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF O'KEEFE EDUCATIONAL MEDIA DBA DISABILITY CONNECTION; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE NEW ORLEANS PELICANS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI ECONOMIC COUNCIL; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE LIGHTHOUSE ACADEMY FOR DYSLEXIA; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAGS; TO AMEND SECTION 27-19-56.369, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE PASS CHRISTIAN SCHOOL DISTRICT; TO AMEND SECTION 27-19-56.387, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE GRAND CHAPTER OF MISSISSIPPI ORDER OF THE EASTERN STAR; TO AMEND SECTION 27-19-56.411, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE FORMER ROSA A. TEMPLE HIGH SCHOOL IN VICKSBURG, MISSISSIPPI; TO AMEND SECTION 27-19-56.485, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MOSS POINT SCHOOL DISTRICT; TO AMEND SECTION 27-19-56.498, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF EV MISSISSIPPI; TO AMEND SECTION 27-19-56.532, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF DESERT OF MISSISSIPPI SHRINERS AND DAUGHTERS AEAONMS, PHA; TO AMEND SECTION 27-19-56.535, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF WILDLIFE MISSISSIPPI; TO AMEND SECTION 27-19-56.554, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF JACK AND JILL OF AMERICA, INC.; TO AMEND SECTION 27-19-44, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DISTINCTIVE MOTOR VEHICLE LICENSE TAGS AUTHORIZED TO BE ISSUED TO SUPPORTERS OF THE GARDEN CLUBS OF MISSISSIPPI, INC., MAGNOLIA HEIGHTS SCHOOL AND METHODIST CURSILLO OF MISSISSIPPI MAY BE ISSUED AFTER PROOF HAS BEEN SUBMITTED TO THE DEPARTMENT OF REVENUE THAT 100 OF SUCH TAGS WILL BE PURCHASED; TO PROVIDE THAT, UNTIL 300 SUCH TAGS ARE SOLD, THE DEPARTMENT OF REVENUE SHALL DEPOSIT THE PROCEEDS OF THE ADDITIONAL FEE INTO THE LICENSE TAG ACQUISITION FUND, AND AFTER 300 TAGS ARE SOLD, THE PROCEEDS SHALL BE DISTRIBUTED AS PROVIDED IN THE

SECTION AUTHORIZING THE ISSUANCE OF THE APPLICABLE SPECIAL TAG; TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE RELEVANT RULES AND REGULATIONS; TO AMEND SECTION 27-19-56.412, MISSISSIPPI CODE OF 1972, TO REDUCE THE AMOUNT OF THE ADDITIONAL FEE REQUIRED FOR THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS WITH THE WORD "ADOPTION" USED IN THE DESIGN OF THE LICENSE TAGS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Josh Harkins	John Thomas "Trey" Lamar, III
Lydia Graves Chassaniol	Jody Steverson
Gary Brumfield	Henry Zuber III

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2801** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Branning moved that the rules be suspended to move to calendar item 170, **H. B. No. 1681**, and the motion prevailed.

On request of Senator Branning, unanimous consent was granted to make the following correction in **H. B. No. 1681**:

TO: Clerk of the House of Representatives

Secretary of the Senate

RE: Filed 2024 Conference Report - Unanimous Consent Request

DATE: April 30, 2024

It is requested that unanimous consent be granted to make the following clerical corrections:

HB 1681: Highways and Transportation

Amend lines 91 and 92 by deleting "Euphora" and inserting "Eupora" in lieu thereof.

Steve Massengill, Chairman
House Transportation
Committee

Jenifer Branning, Chairman
Senate Highways and
Transportation Committee

Senator Branning offered the following report of the Conference Committee on **H. B. No. 1681** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1681: Memorial Highways; designate segment MS Hwy 513 in Clarke County as "Lance Corporal Mac Hamburg, MSMC, Memorial Highway."

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The segment of Mississippi Highway 513 South located in Stonewall, Clarke County, Mississippi, beginning at its intersection with Church Street, and running northwesterly for a distance of approximately one (1) mile, more or less, to the Chickasawhay River in Enterprise, Clarke County, Mississippi, is designated and shall be known as the "Lance Corporal Mac Hamburg, USMC, Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of the highway described in subsection (1) of this section.

SECTION 2. (1) The segment of Mississippi Highway 15 South located in Walnut, Tippah County, Mississippi, beginning at the entrance of the Walnut Fire Department, and running southerly for a distance of one (1) mile, more or less, to the bridge located thereon which crosses Hurricane Creek, due north of Souls Harbor Apostolic Church, is designated and shall be known as the "Maj. Gen. Alben "Al" Norris Hopkins, Sr., Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of the highway described in subsection (1) of this section.

SECTION 3. (1) The segment of U.S. Highway 72 South located in Slayden, Marshall County, Mississippi, extending for a total distance of approximately one (1) mile, consisting of a distance of one-half (1/2) mile in the easterly direction of U.S. Highway 72 and a distance of one-half (1/2) mile in the westerly direction of U.S. Highway 72, with the central point of beginning in both the easterly and westerly directions being the entrance

of the H.W. Byers School, is designated and shall be known as the "Eddie Dixon Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of the highway described in subsection (1) of this section.

SECTION 4. (1) The segment of Mississippi Highway 311 South located in Holly Springs, Marshall County, Mississippi, beginning at its intersection with MS Highway 7, and running northerly for a distance of one (1) mile, more or less, to its intersection with Landfill Road, is designated and shall be known as the "Charles W. and Juanita Thomas Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of the highway described in subsection (1) of this section.

SECTION 5. (1) The segment of Mississippi Highway 30 located in Prentiss County, Mississippi, extending for a total distance of approximately one (1) mile, consisting of a distance of one-half (1/2) mile in the easterly direction of Mississippi Highway 30 and a distance of one-half (1/2) mile in the westerly direction of Mississippi Highway 30 from Prentiss County, Mississippi, with the central point of beginning in both the easterly and westerly directions being the location of the home of Mr. J.P. Davis, shall be known as the "J.P. Davis Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 6. (1) The segment of Mississippi Highway 9 located in Webster County, Mississippi, extending from North Lake Circle in Euphora, Mississippi, in a northern direction for approximately one (1) mile to Dump Road in Euphora, Mississippi, is designated and shall be known as the "CW2 William H. "Bill" Seaborn, Jr. Memorial Highway" in memory of the late CW2 William H. "Bill" Seaborn, Jr., who was the recipient of four (4) military medals and who valiantly sacrificed his life in the Vietnam War.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 7. (1) The segment of Highway 39 that starts at North Hill Street located in the City of Meridian, Lauderdale County, Mississippi, and extends in a southward direction for one (1) mile is designated and shall be known as the "Cheri M. Barry Memorial Highway" in memory of the late former Meridian Mayor, Cheryl "Cheri" M. Barry, who was a diligent public servant, humanitarian and trailblazer.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 8. (1) The section of Mississippi Highway 15 located in Pontotoc County, Mississippi, beginning at the intersection of Mississippi Highway 15 and Mississippi Highway 278 in Pontotoc, Mississippi, and extending approximately one (1) mile south, is designated and shall be known as the "Judge Fred Wicker Memorial Highway" in memory of the late former World War II Army Veteran, Mississippi State Senator and Circuit Court Judge, Thomas Frederick Wicker.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 9. (1) The section of Mississippi Highway 7 located in Lafayette County, Mississippi, beginning at the intersection of Mississippi Highway 7 North and County Road 299 in Oxford, Mississippi, and extending north for approximately one (1) mile to County Road 1018 in Oxford, Mississippi, shall be known as the "Johnny Morgan Memorial Highway" in memory of the late State Senator and President of the Lafayette County Board of Supervisors, Johnny Morgan.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 10. (1) The section of Mississippi Highway 57 located in Greene County, Mississippi, that begins at Canaan Land United Pentecostal Church in Leakesville, Mississippi, and extends approximately one (1) mile east to the Big Creek Bridge in Hillman, Mississippi, shall be known as the "Purple Heart Highway" in honor of Rawleigh X.L. Bradley, who was injured during the Korean Conflict and was subsequently awarded the Purple Heart.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 11. (1) The segment of U.S. Highway 98 South located in George County, Mississippi, beginning at its intersection with Brushy Creek Road, and running westerly for a distance of approximately one (1) mile, more or less, towards its intersection with Rocky Creek Road in George County, Mississippi, is designated and shall be known as the "Deputy Jeremy Malone Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of the highway described in subsection (1) of this section.

SECTION 12. (1) The segment of U.S. Interstate 269 located in DeSoto County, Mississippi, extending for a total distance of approximately one (1) mile, consisting of a distance of one-half (1/2) mile in the easterly direction of U.S. Interstate 269 and a distance of one-half (1/2) mile in the westerly direction of U.S. Interstate 269, with Exit 1 at McIngvale Road being designated as the central point of beginning in both the easterly and westerly directions, shall be known as the "Mason Wilbanks Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 13. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 513 SOUTH IN STONEWALL, CLARKE COUNTY, MISSISSIPPI, AS THE "LANCE CORPORAL MAC HAMBURG, USMC, MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 15 SOUTH LOCATED IN WALNUT, TIPPAH COUNTY, MISSISSIPPI, AS THE "MAJ. GEN. ALBEN "AL" NORRIS HOPKINS, SR., MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 72 SOUTH LOCATED IN

SLAYDEN, MARSHALL COUNTY, MISSISSIPPI, AS THE "EDDIE DIXON MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 311 SOUTH LOCATED IN HOLLY SPRINGS, MARSHALL COUNTY, MISSISSIPPI, AS THE "CHARLES W. AND JUANITA THOMAS MEMORIAL HIGHWAY"; TO DESIGNATE A PORTION OF MISSISSIPPI HIGHWAY 30 LOCATED IN PRENTISS COUNTY, MISSISSIPPI, AS THE "J.P. DAVIS MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 9 IN WEBSTER COUNTY, MISSISSIPPI, AS THE "CW2 WILLIAM H. "BILL" SEABORN, JR. MEMORIAL HIGHWAY" IN MEMORY OF THE LATE CW2 WILLIAM H. SEABORN, JR., WHO VALIANTLY SACRIFICED HIS LIFE IN THE VIETNAM WAR; TO DESIGNATE A SEGMENT OF HIGHWAY 39 IN MERIDIAN, LAUDERDALE COUNTY, MISSISSIPPI, AS THE "CHERI M. BARRY MEMORIAL HIGHWAY" IN MEMORY OF THE LATE MAYOR OF MERIDIAN, CHERYL "CHERI" M. BARRY; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 15 IN PONTOTOC COUNTY, MISSISSIPPI, AS THE "JUDGE FRED WICKER MEMORIAL HIGHWAY" IN MEMORY OF THE LATE FORMER WORLD WAR II ARMY VETERAN, MISSISSIPPI STATE SENATOR AND CIRCUIT COURT JUDGE, THOMAS FREDERICK WICKER; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 7 IN LAFAYETTE COUNTY, MISSISSIPPI, AS THE "JOHNNY MORGAN MEMORIAL HIGHWAY" IN MEMORY OF THE LATE STATE SENATOR AND PRESIDENT OF THE LAFAYETTE COUNTY BOARD OF SUPERVISORS, JOHNNY MORGAN; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 57 IN GREENE COUNTY, MISSISSIPPI, AS THE PURPLE HEART HIGHWAY; TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 98 SOUTH LOCATED IN GEORGE COUNTY, MISSISSIPPI, AS THE "DEPUTY JEREMY MALONE MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF U.S. INTERSTATE 269 LOCATED IN DESOTO COUNTY, MISSISSIPPI, AS THE "MASON WILBANKS MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Steve Massengill	Jenifer B. Branning
Joseph Tubb	Rita Potts Parks
William Tracy Arnold	Chuck Younger

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1681** (version 3) was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Seymour entered a motion to reconsider the vote whereby the Conference Report on **S. B. No. 2652** was adopted by the Senate.

S. B. No. 2652: Wild turkey stamps; require for wild turkey hunters 16 years of age or older.

Senator England moved that when the Senate adjourns, it adjourn in memory of Joyce D. Mathews of Gulfport, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Brodie Charles "Charlie" McVea of Pascagoula, MS.

Senator Rhodes moved that when the Senate adjourns, it adjourn in memory of Ruth Ann Glaze of Polkville, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Rita Marie Douglass of Columbus, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Carol Brown Moskewitz., M. Curtiss McKee and Lee Alex Breeland, Jr. of Madison, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of James A. "Jeep" Peden and Elizabeth Luckett Simmons of Ridgeland, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Joyce Thomas Miller and Elizabeth Ann Jackson Ford of Jackson, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Bobby Barrett of Toomsuba, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Lisa Luelnor Greenlee Eggleston of Meridian, MS.

Senators Younger and McMahan moved that when the Senate adjourns, it adjourn in memory of Amanda Lavender Westmoreland of Tupelo, MS.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Troy Michael Buchanan of Lucedale, MS.

Senators Chassaniol and Williams moved that when the Senate adjourns, it adjourn in memory of Larry Joe Greenlee of Kilmichael, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Rachel Jean Bell of Biloxi, MS.

Senator Polk moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Wednesday, May 1, 2024.

The motion prevailed, and at 5:25 PM, the Senate stood in recess.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 297: Mississippi Department of Information Technology Services; bring forward code sections related to.

H. B. No. 315: Mississippi Code; modernize terminology by replacing "mentally retarded" with "intellectual disability".

H. B. No. 438: Shoplifting; revise penalties for crime of.

H. B. No. 776: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

H. B. No. 1088: Circuit courts; authorize jurisdiction for persons with criminal charges who may need civil commitment procedures.

H. B. No. 1315: MS Youth Court Information Delivery System (MYCIDS); require audit of.

H. B. No. 1487: Capitol Complex Improvement District; revise boundaries of.

H. B. No. 1764: Sales tax; revise rate regarding certain oil, gas and other mineral resources services, equipment and materials.

Adopted: 04/29/24

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2174: AN ACT TO AMEND SECTION 97-17-42, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CRIME OF MOTOR VEHICLE THEFT SHALL BE A FELONY; TO REVISE THE PENALTIES FOR THE COMMISSION OF MOTOR VEHICLE THEFT; TO PROVIDE AN ALTERNATE PENALTY FOR A PERSON CONVICTED UNDER THIS SECTION WHERE THE MOTOR VEHICLE WAS IN THE POSSESSION OF A COMMERCIAL ENTITY IN THE BUSINESS OF BUYING, SELLING, LEASING, RENTING, STORING OR TRANSPORTING MOTOR VEHICLES; TO DEFINE THE TERM "MOTOR VEHICLE"; AND FOR RELATED PURPOSES.

S. B. No. 3059: AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS AND SPECIAL FUNDS FOR FISCAL YEARS 2024 AND 2025 TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF DENTAL

EXAMINERS; THE MISSISSIPPI DEVELOPMENT AUTHORITY; THE WIRELESS COMMUNICATION COMMISSION; THE STATE BOARD OF COSMETOLOGY; THE GOVERNOR'S OFFICE-DIVISION OF MEDICAID; THE STATE FORESTRY COMMISSION; THE OFFICE OF THE ATTORNEY GENERAL; THE SECRETARY OF STATE; THE MISSISSIPPI DEPARTMENT OF EDUCATION; THE MISSISSIPPI STATE DEPARTMENT OF HEALTH; AND FOR RELATED PURPOSES.

S. B. No. 3163: AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR ADMINISTRATION AND REPORTING EXPENSES ALLOWABLE UNDER THE AMERICAN RESCUE PLAN ACT FOR THE PERIOD BEGINNING ON PASSAGE AND ENDING ON JUNE 30, 2025.

S. B. No. 3164: AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION BUREAU OF BUILDING, GROUNDS, AND REAL PROPERTY MANAGEMENT FOR ALLOWABLE CAPITAL PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT FOR THE PERIOD BEGINNING ON PASSAGE AND ENDING ON JUNE 30, 2025.

S. B. No. 3165: AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND TO THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF PROVIDING FUNDING FOR ALLOWABLE SURFACE TRANSPORTATION PROJECTS INCLUDED IN THE MAINTENANCE PROGRAM OF THE MDOT THREE-YEAR PLAN, FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 1123: AN ACT TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION, ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, TO TRANSFER AND CONVEY TO THE BOARD OF SUPERVISORS OF GREENE COUNTY, MISSISSIPPI, A CERTAIN PARCEL OF LAND SITUATED IN GREENE COUNTY, MISSISSIPPI, WHICH IS ADJACENT TO THE OLD HIGHWAY 63 CHICKASAWHAY RIVER BRIDGE; TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION, ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, TO SELL TO THE CITY OF MARKS, MISSISSIPPI, FOR FAIR MARKET VALUE, ITS INTEREST IN A CERTAIN PARCEL OF LAND SITUATED IN MARKS, MISSISSIPPI, WHICH IS THE SOUTHWEST QUADRANT OF THE INTERSECTION OF STATE HIGHWAYS 3 AND 6; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 4130: AN ACT TO CREATE THE "MISSISSIPPI STUDENT FUNDING FORMULA" FOR THE PURPOSE OF FUNDING OF PUBLIC EDUCATION IN THE STATE OF MISSISSIPPI; TO CREATE NEW SECTION 37-151-201, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN TERMS, INCLUDING "NET ENROLLMENT," "TOTAL

FUNDING FORMULA" AND "WEIGHT"; TO CREATE NEW SECTION 37-151-203, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT EFFECTIVE FISCAL YEAR 2026 AND EVERY YEAR THEREAFTER, THE STATE BOARD OF EDUCATION SHALL PROVIDE A PROPOSED BASE-STUDENT COST ADEQUATE TO PROVIDE CERTAIN COST COMPONENTS OF EDUCATING PUPILS IN SCHOOL DISTRICTS; TO PROVIDE THAT THE INSTRUCTIONAL COST SHALL BE CALCULATED BY DIVIDING THE AVERAGE TEACHER SALARY BY THE STUDENT-TO-TEACHER RATIO; TO PROVIDE THE FORMULA FOR ADMINISTRATIVE COST, ANCILLARY PERSONNEL AND EXPENSES, AND OPERATION AND MAINTENANCE OF PLANT; TO CREATE NEW SECTION 37-151-205, MISSISSIPPI CODE OF 1972, TO ESTABLISH VARIOUS WEIGHTS TO BE APPLIED TO THE BASE AMOUNT FOR STUDENTS WHO ARE LOW-INCOME STUDENTS, ENGLISH LANGUAGE LEARNERS, ELIGIBLE FOR SPECIAL EDUCATION SERVICES, GIFTED, ENROLLED IN CAREER AND TECHNICAL EDUCATION, AND RESIDING IN SPARSELY POPULATED SCHOOL DISTRICTS; TO CREATE NEW SECTION 37-151-207, MISSISSIPPI CODE OF 1972, TO REQUIRE STUDENT ENROLLMENT AND ATTENDANCE FIGURES TO BE DETERMINED ON THE BASIS OF NET ENROLLMENT; TO CREATE NEW SECTION 37-151-209, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT A SCHOOL DISTRICT OR CHARTER SCHOOL HAS AUTONOMY, SUBJECT TO REGULATORY AND STATUTORY RESTRICTIONS, IN THE SPENDING OF ALL FUNDS ALLOCATED TO THAT SCHOOL DISTRICT OR CHARTER SCHOOL; TO CREATE NEW SECTION 37-151-211, MISSISSIPPI CODE OF 1972, TO REQUIRE TAX ASSESSORS TO FILE CERTAIN REPORTS WITH THE STATE DEPARTMENT OF EDUCATION AND TO REQUIRE THE DEPARTMENT TO CALCULATE THE DISTRICT'S REQUIRED MINIMUM MILLAGE AND THE CONTRIBUTION TO THE COST OF THE TOTAL FUNDING FORMULA REQUIRED OF EACH SCHOOL DISTRICT AND CHARTER SCHOOL; TO CREATE NEW SECTION 37-151-213, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE'S SHARE IN SUPPORT OF THE FUNDING FORMULA FOR A SCHOOL DISTRICT OR CHARTER SCHOOL FOR FISCAL YEARS 2025, 2026, AND 2027 MAY NOT BE LESS THAN AN AMOUNT EQUAL TO THE SUM OF ALL STATE FUNDS RECEIVED BY THAT SCHOOL DISTRICT OR CHARTER SCHOOL FOR FISCAL YEAR 2024; TO AMEND SECTIONS 37-57-1, 37-57-104, 37-57-105 AND 37-57-107, MISSISSIPPI CODE OF 1972, WHICH RELATE TO SCHOOL DISTRICT TAXATION, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT A PORTION OF EDUCATION ENHANCEMENT FUNDS BE DISTRIBUTED TO SCHOOL DISTRICTS TO FUND CAPITAL IMPROVEMENTS PROJECTS; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIRED DEPOSIT OF SALES TAX REVENUE INTO THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND; TO AMEND SECTIONS 1-3-26, 7-7-211, 19-9-157, 19-9-171, 25-4-29, 27-25-706, 27-33-3, 27-39-317, 29-3-47, 29-3-49, 29-3-113, 29-3-137, 31-7-9, 31-7-10, 37-1-3, 37-3-11, 37-3-83, 37-7-208, 37-7-301, 37-7-302, 37-7-303, 37-7-307, 37-7-319, 37-7-333, 37-7-339, 37-7-419, 37-9-17, 37-9-23, 37-9-25, 37-9-33, 37-9-35, 37-9-37, 37-9-77, 37-11-11, 37-13-63, 37-13-64, 37-13-69, 37-15-38, 37-16-3, 37-19-7, 37-21-6, 37-21-7, 37-22-5, 37-23-1, 37-23-15, 37-23-69, 37-23-109, 37-23-179, 37-27-55, 37-27-57, 37-28-5, 37-28-53, 37-28-55, 37-29-1, 37-29-272, 37-29-303, 37-31-13, 37-31-75, 37-35-3, 37-37-3, 37-41-7, 37-45-49, 37-47-9, 37-47-25, 37-47-33, 37-61-3, 37-61-5, 37-61-7, 37-61-19, 37-61-29, 37-61-35, 37-61-37, 37-68-7, 37-131-7, 37-131-9, 37-131-11, 37-151-9, 37-151-81, 37-151-85, 37-151-87, 37-151-89, 37-151-91, 37-151-93, 37-151-95, 37-151-97, 37-151-99, 37-151-101, 37-151-103, 37-151-105, 37-151-107, 37-173-9, 37-173-13, 37-175-13, 37-179-3, 37-181-7, 41-79-5, 43-17-5, 65-26-9 AND 27-104-351, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2689, 2024 REGULAR SESSION, AND HOUSE BILL NO. 1696, 2024 REGULAR SESSION, TO CONFORM AND TO REVISE CERTAIN PROVISIONS RELATED TO THE STATE'S PERMANENT PERFORMANCE-BASED ACCREDITATION SYSTEMS; TO PROVIDE THE PROCEDURE BY WHICH THE STATE BOARD OF EDUCATION MAY PLACE A FAILING SCHOOL OR SCHOOL DISTRICT INTO A DISTRICT OF TRANSFORMATION; TO ESTABLISH RELEVANT CRITERIA FOR SCHOOLS OR SCHOOL DISTRICTS TO

BE PLACED INTO SUCH DISTRICTS; TO DELETE CERTAIN PROVISIONS RELATED TO MISSISSIPPI RECOVERY SCHOOL DISTRICTS, SCHOOL BOARDS OF FAILING SCHOOLS AND ELECTIONS OF MEMBERS OF FAILING SCHOOL BOARDS; TO PROVIDE THAT DISTRICTS THAT ARE PLACED INTO DISTRICT TRANSFORMATION SHALL BE ELIGIBLE TO RETURN TO LOCAL CONTROL WHEN THE DISTRICT HAS ATTAINED A "C" RATING OR HIGHER FOR THREE CONSECUTIVE YEARS; TO REPEAL SECTIONS 37-13-153, MISSISSIPPI CODE OF 1972, WHICH REQUIRED STATE FUNDING FOR HOME ECONOMICS TEACHERS TO BE INCLUDED AS A LINE ITEM IN THE EDUCATION APPROPRIATIONS BILLS FOR CERTAIN PRIOR FISCAL YEARS; TO REPEAL SECTIONS 37-151-1, 37-151-5, 37-151-6, 37-151-7, 37-151-7.1, 37-151-8, 37-151-10, 37-151-77, 37-151-79 AND 37-151-83, MISSISSIPPI CODE OF 1972, WHICH DEFINE CERTAIN TERMS AND PRESCRIBE THE FORMULA AND CERTAIN REQUIREMENTS UNDER THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM (MAEP); TO REPEAL SECTION 37-152-1, MISSISSIPPI CODE OF 1972, WHICH CREATES THE COMMISSION ON RESTRUCTURING THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM (MAEP); TO REPEAL SECTIONS 27-65-75(5), 37-47-7 AND 37-47-24, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND AND ITS FUNDING MECHANISM; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1949: AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE ADMINISTRATIVE OFFICE OF COURTS FOR THE PURPOSE OF DEFRAYING THE COST OF ELIGIBLE EXPENDITURES UNDER THE AMERICAN RESCUE PLAN ACT (ARPA) FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.

H. B. No. 1951: AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.

H. B. No. 1952: AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF PURCHASING ELIGIBLE EQUIPMENT FOR LAW ENFORCEMENT OFFICERS EMPLOYED BY AND THROUGH THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.

David Jordan, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:29 PM in memory of Joyce D. Mathews, Brodie Charles "Charlie" McVea, Elizabeth Ann Jackson Ford, Bobby Barrett, Lisa Luelnor Greenlee Eggleston, Amanda Lavender Westmoreland, Troy Michael Buchanan, Larry Joe Greenlee, Rachel Jean Bell, Ruth Ann Glaze, Rita Marie Douglass, M. Curtiss McKee, Lee Alex Breeland, Jr., Carol Brown Moskewitz, James A. "Jeep" Peden, Elizabeth Luckett Simmons and Joyce Thomas Miller.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, APRIL 30, 2024

S. R. No. 128: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE MISSISSIPPI CHILDREN'S MUSEUM (MCM) FOR BEING RECOGNIZED AS THE THIRD-BEST CHILDREN'S MUSEUM IN THE COUNTRY BY USA TODAY 2024 READER'S CHOICE TRAVEL AWARDS.
By Senator(s) Robinson, Blount, McCaughn, Michel, Seymour, Suber

---

ONE-HUNDRED AND TWENTY-FIRST DAY, WEDNESDAY, MAY 1, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Absent--Horhn. Total--1.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Horhn.

The invocation was delivered by Rhett Smith, Senior Page.

Senator Barrett led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. B. No. 2170: AN ACT MAKING AN ADDITIONAL APPROPRIATION OF GENERAL FUNDS TO THE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING DISBURSEMENTS TO MISSISSIPPI HOSPITALS FOR THE FISCAL YEAR 2024.

David Jordan, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 4056: Suffrage; restore to Agnes Standifer of Lee County. Title Sufficient. Do Pass.

H. B. No. 4057: Suffrage; restore to Mattie Hardiman of DeSoto County. Title Sufficient. Do Pass.

H. B. No. 4080: Suffrage; restore to Evon Williams of Hinds County. Title Sufficient. Do Pass.

H. B. No. 4083: Suffrage; restore to Kelvin Winding of Hinds County. Title Sufficient. Do Pass.

H. B. No. 4085: Suffrage; restore to Quintin Purnell of Grenada County. Title Sufficient. Do Pass.

H. B. No. 4089: Suffrage; restore to Walter Lewis of Hinds County. Title Sufficient. Do Pass.

H. B. No. 4095: Suffrage; restore to Joseph Armstrong of Sunflower County. Title Sufficient. Do Pass.

H. B. No. 4098: Suffrage; restore to Jennifer Miles of Winston County. Title Sufficient. Do Pass.

H. B. No. 4100: Suffrage; restore to Clovis Dale McGhee of Lee County. Title Sufficient. Do Pass.

H. B. No. 4101: Suffrage; restore to Tony Lavell Smith of Noxubee County. Title Sufficient. Do Pass.

H. B. No. 4103: Suffrage; restore to Mary Smith Brandon of Lowndes County. Title Sufficient. Do Pass.

H. B. No. 4104: Suffrage; restore to Lawrence Daniels of Lowndes County. Title Sufficient. Do Pass.

H. B. No. 4111: Suffrage; restore to Leon Coleman of Jackson County. Title Sufficient. Do Pass.

H. B. No. 4118: Suffrage; restore to Ivory Moore of Washington County. Title Sufficient. Do Pass.

FILLINGANE, Chairman

Senator Whaley called up the motion to reconsider the vote whereby the Conference Report on **S. B. No. 2652** was adopted by the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2652: Wild turkey stamps; require for wild turkey hunters 16 years of age or older.

The foregoing motion prevailed.

Senator Johnson moved that the rules be suspended to move to calendar item 5, **S. B. No. 2799**, and the motion prevailed.

Senator Johnson called up the motion to reconsider the vote whereby the Conference Report on **S. B. No. 2799** was adopted by the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2799: Public official appointments; revise terms of office and appointment procedures on certain state boards, districts and agencies.

The foregoing motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1776** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1776: Appropriation; Archives and History, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Department of Archives and History for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 12,580,718.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Department of Archives and History which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 26,678,000.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 155
Time-Limited: 10

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The

Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Department of Archives and History shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It is the intent of the Legislature that the Mississippi Department of Archives and History shall charge the maximum amount allowable for services rendered, consistent with the cost of providing such services. The funds derived from these charges shall be deposited into a special fund account in the State Treasury to the credit of the Mississippi Department of Archives and History.

SECTION 6. It is the intent of the Legislature that no part of the funds herein appropriated shall be required to be used for the payment of rent for the museum and public space in the State Historical Museum, Old Capitol Restoration.

SECTION 7. Of the funds provided in Section 2, Two Million Dollars ($2,000,000.00) is provided to the Department of Archives and History from the Mississippi Landmark Grant Fund in accordance with Section 39-5-23, Mississippi Code of 1972, to help support the preservation of Mississippi Landmark Properties.

SECTION 8. Of the funds provided under the provisions of this act, One Hundred Thousand Dollars ($100,000.00) is provided for the purpose of capital development and maintenance of Beauvoir Shrine, the last home of Jefferson Davis, the only President of the Confederate States of America, subject to approval by the Department of Archives and History. The expenditure of funds available in this section shall be subject to prior approval by the Department of Archives and History.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Archives and History for the purpose of supporting the Statewide Oral History Project for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 50,000.00.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. Of the funds provided in Section 2, Seven Hundred Fifty Thousand Dollars ($750,000.00) is provided from Special Funds in the State Treasury to the credit of the State Treasury fund created in Section 27-19-56.69(8), Mississippi Code of 1972, for the purpose of paying the costs of repair and renovation of the New Capitol, the Old Capitol, the Governor's Mansion, and the War Memorial Building, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of funds.

SECTION 13. Of the funds appropriated under the provisions of Section 2, Six Million Dollars ($6,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made to provide the funds necessary to authorize the expenditure of funds for the Vicksburg Military Park Interpretive Center. As a condition of expending these funds, the department shall enter into a memorandum of agreement or similar document with the U.S. Government National Park Services reflecting a plan for building an interpretive center and a lease agreement for lease space therein.

SECTION 14. Of the funds appropriated under the provisions of Section 2, One Million Dollars ($1,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made to provide the funds necessary to authorize the expenditure of funds for the Crigler Park project.

SECTION 15. Of the funds appropriated under the provisions of Section 2, Six Million Dollars ($6,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made to provide the funds necessary to authorize the expenditure of funds for Grand Village in Natchez.

SECTION 16. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1612, 2023 Regular Session to defray expenses of the Department of Archives and History for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 17,346,271.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

(a) De la Pointe-Krebs House ..... $ 86,271.00.

(b) Repair, renovation, and construction projects undertaken by the Department of Archives and History ..... $ 9,700,000.00.

(c) Vicksburg Military Park Interpretive Center ..... $ 5,900,000.00.

(d) Eudora Welty Library Project..... $ 1,660,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the

previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 17. Of the funds provided in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Historic Site Preservation Fund, for the purpose of making grants to nonprofit organizations in accordance with Section 39-5-22, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 500,000.00.

SECTION 18. Of the funds provided in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Community Heritage Preservation Grant Fund, for the purpose of grant assistance to Historic County Courthouses, School Buildings and Other Historic Buildings as in Section 39-5-145, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 5,000,000.00.

SECTION 19. Of the funds appropriated in Section 2, Sixteen Thousand Dollars ($16,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Project Poppy Fund, as created in Senate Bill 2001, 1st Extraordinary Session of 2024, and allocated in a manner as determined by the Treasurer's Office and Sixteen Thousand Dollars ($16,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Project Atlas Fund, as created in House Bill 1, 2nd Extraordinary Session of 2024, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for expediting services needed for Project Poppy and Project Atlas.

SECTION 20. The Mississippi Department of Archives and History is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed One Million Dollars ($1,000,000.00).

SECTION 21. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 22. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
C. Scott Bounds	Briggs Hopson
John Read	Tyler McCaughn
Angela Cockerham	Scott DeLano

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1776** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons

D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, Hill. Total--2.

Absent and those not voting--Horhn. Total--1.

Voting Present--Blount. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1778** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1778: Appropriation; Environmental Quality, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Environmental Quality for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 16,759,476.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Environmental Quality which is comprised of special source funds collected by or otherwise available to the department, for the support of the various offices of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025...

$ 255,174,061.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 212

Time-Limited: 165

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Department of Environmental Quality shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Pollution Control	
Percent of Days with Air Advisories	5.00
Percent of Air Permits Modified/Issued in a Timely Manner	50.00
Percent of Counties That Meet NAAQ Standards	75.00
Percent of Air Facilities Inspected	35.00
Percent of Air Facilities in Compliance with Regulatory Requirements	85.00
Percent of Waste Permits Issued/Modified in a Timely Manner	60.00
Percent of Waste Facilities Inspected	60.00
Percent of Inspected Waste Facilities in Compliance with Regulatory Requirements	65.00
Percent of Citizens who Have Access to Recycling Programs	55.00
Percent of Underground Storage Tanks in Compliance with Regulatory Requirements	60.00
Percent of Contaminated Sites That Have Completed Assessment	50.00
Percent of Contaminated Sites That Have Completed Remediation	5.00
Percent of Waters That Have Acceptable Quality for Their Designed Use	56.00
Percent of NPDES Permits Issued/Modified in a Timely Manner	70.00
Percent of NPDES Majors in Compliance	66.00
Percent of Staff with Expertise in the National Incident Management System	70.00
Percent of NPDES Majors Inspected per Year	50.00
Construction Grants	
Percent of SRF Loan Recipients in	

Compliance with Loan Agreements	90.00
Land & Water	
Percent of Annual Prioritized Water Resource Areas Adequately Characterized	80.00
Percent of Groundwater Use Permits Issued/Modified	90.00
Percent of Surface Water Use Permits Issued/Modified	90.00
Percent of Water Use Reported	80.00
Percent of High Hazard Dams with Emergency Action Plans	98.00
Geology	
Percent of Mining Facilities Inspected	95.00
Percent of Inspected Mining Facilities in Compliance with Regulatory Requirements	85.00
Administrative Services	
Administration as a Percent of Total Budget	5.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 6. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in Section 2, an amount no greater than Two Hundred Fifty Thousand Dollars ($250,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality - Office of Administrative Services for support of Legal Division environmental protection activities.

SECTION 8. Of the funds appropriated in Section 2, an amount no greater than One Hundred Thousand Dollars ($100,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality - Office of Pollution Control for support of the Household Hazardous Waste Collection Grants Program.

SECTION 9. Of the funds provided under the provisions of this act, Five Million Five Hundred Forty-one Thousand Forty-eight Dollars ($5,541,048.00) is provided for the support of the Clean Water Grant Program match.

Of the funds in this section, Two Million Six Hundred Thirty-five Thousand Dollars ($2,635,000.00) is provided in Section 1 of this act, and Two Million Nine Hundred Six Thousand Forty-eight Dollars ($2,906,048.00) is provided in Section 2 of this act.

SECTION 10. Of the funds appropriated under the provisions of Section 2, Two Million Nine Hundred Six Thousand Forty-eight Dollars ($2,906,048.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the Clean Water Grant Program match referenced in Section 9 of this act.

SECTION 11. The Department of Environmental Quality (DEQ) may request that the Mississippi Development Authority (MDA) staff shall provide an economic viability assessment for any complete application or group of related complete applications submitted to DEQ after July 1, 1999, for which DEQ estimates that DEQ will be required to devote extraordinary effort to process the application or group of related applications within the one hundred eighty (180) days required by Section 49-17-29(3)(c). For purposes of this paragraph, "extraordinary effort" means the constant dedication of more

than three (3) full-time equivalent positions for a period of at least one hundred eighty (180) days. The economic viability assessment shall include, but not be limited to: (i) an analysis of the current and future market viability of the project concerning which application(s) has been made to DEQ; and (ii) an analysis of the applicant's economic ability to construct, develop, maintain and operate the project as described in the application(s) submitted to DEQ. If the economic viability assessment concludes that the project is not economically viable for any reason, DEQ shall suspend processing the permit application(s), notwithstanding the provisions of Section 49-17-29(3)(c). Within thirty (30) days of the decision of MDA staff, the permit applicant may present any additional information on its behalf to the Executive Director of MDA, and the Executive Director shall review the MDA staff assessment. If additional information is received in writing from the applicant, the Executive Director of MDA shall make a decision in review of the MDA staff decision within sixty (60) days of the staff decision, and the decision of the Executive Director of MDA shall be the final administrative action of MDA in the matter.

SECTION 12. It is the intention of the Legislature that the Executive Director of the Department of Environmental Quality shall have authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Environmental Quality. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Department of Environmental Quality shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. Of the funds appropriated herein, it is the intent of the Legislature that the Department of Environmental Quality shall pay debt service on bonds issued to provide state matching funds for the State Revolving Loan Fund with interest earnings derived from the fund.

SECTION 15. Of the funds appropriated in Section 2, an amount not greater than Two Hundred Thousand Dollars ($200,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality to be used for dam and reservoir inspections, inventory, and reporting.

SECTION 16. It is the intention of the Legislature for the Department of Environmental Quality to continue with any agreements with Mississippi state agencies, including grant agreements, that provide environmental projects to restore Mississippi’s natural resources in the wake of the Deepwater Horizon Oil Spill.

SECTION 17. Of the funds appropriated in Section 2, One Million Dollars ($1,000,000.00) is provided for the purpose of assessment, remediation, operation and maintenance, cost-sharing, oversight, and administration of water, land, and air contamination projects within the State of Mississippi pursuant to the 2020 settlement in The State of Mississippi ex rel. Lynn Fitch, Attorney General vs. EnPro, Inc., et.al.; Cause No. CV-2017-19-JMY2.

SECTION 18. Of the funds appropriated in Section 2, Two Million Dollars ($2,000,000.00) is provided for the Dam Safety Grant Program.

SECTION 19. Of the funds appropriated in Section 2, One Hundred Thousand Dollars ($100,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Project Poppy Fund, as created in Senate Bill 2001, 1st Extraordinary Session of 2024, and allocated in a manner as determined by the Treasurer's Office and One Hundred Twenty Thousand Dollars ($120,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Project Atlas Fund, as created in House Bill 1, 2nd Extraordinary Session of 2024, and allocated in a manner as determined by

the Treasurer's Office. These funds are provided for expediting services needed for Project Poppy and Project Atlas.

SECTION 20. Of the funds appropriated under the provisions of Section 2, Sixty Thousand Dollars ($60,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the replacement of IT servers for the agency.

SECTION 21. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 22. Notwithstanding any other provision, the Department of Environmental Quality shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 23. With the funds appropriated herein, the Department of Environmental Quality is authorized to make payment to certain vendors for expenses incurred during 2021 and 2022 to certain vendors in the total amount..... $ 843,890.00.

SECTION 24. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 25. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
C. Scott Bounds	Briggs Hopson
John Read	Tyler McCaughn
Sam C. Mims, V	Mike Thompson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1778** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1780** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1780: Appropriation; Forestry Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the State Forestry Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 17,347,147.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Forestry Commission which is comprised of special source funds collected by or otherwise available to the commission, for the support and maintenance of the commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 14,220,094.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 326

Time-Limited: 7

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

With the funds appropriated herein, it shall be the agency's responsibility to ensure that no employee in a job classification with a minimum salary of $70,000 or

greater shall receive an in-range adjustment through progression, equity, or immediate labor market increases.

SECTION 4. It is the intention of the Legislature that the State Forestry Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Forest Protection & Information	
Average Suppression Time (Hrs from Detection to Control)	2.00
Number of Acres Burned Under a Prescribed Burn Program	15,000
Percent of Fires Suppressed at 100 Acres or Less	95.00
Forest Management	
Forest Resource Development Program Acres Regenerated or Improved	35,000
Acres Monitored for Insect, Storm or Disease	19,800,000
Re-Inventory 20% of State's Forest Lands (% of Regions)	20.00
Percent Increase of Re-Inventory of State Forest Land	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 6. Of the funds appropriated in Section 2, it is the intention of the Legislature that Two Hundred Thousand Dollars ($200,000.00) shall be transferred to the Department of Agriculture and Commerce for the Beaver Control or Eradication Program during the Fiscal Year 2025.

SECTION 7. Any funds in the Salary, Wages and Fringe Benefits major object of expenditure may be used to purchase accumulated compensatory time within the funds available.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
C. Scott Bounds	Briggs Hopson
John Read	Tyler McCaughn
Bill Pigott	Mike Thompson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1780** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1781** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1781: Appropriation; Grand Gulf Military Monument Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Grand Gulf Military Monument Commission in the operation and maintenance of the Grand Gulf Military Monument for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 327,956.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Grand Gulf Military Monument Commission, for the purpose of defraying the expenses of the commission in the operation and maintenance of the Grand Gulf Military Monument for the fiscal year beginning July 1, 2024, and ending June 30, 2025.... $ 519,160.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	7
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Grand Gulf Military Monument Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 6. Of the funds appropriated under the provisions of Section 2, Four Hundred Thousand Dollars ($400,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer.

These funds are provided for repairs and renovations to park facilities and the purchase of equipment.

SECTION 7. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund, not otherwise appropriated for Grand Gulf Military Monument Commission for the purpose of reauthorizing the

expenditure of Capital Expense Funds, as authorized in HB 1618, 2023 Regular Session, for the purpose of defraying the expenses of Grand Gulf Military Monument Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 497,245.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE GRAND GULF MILITARY MONUMENT COMMISSION FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
C. Scott Bounds	Briggs Hopson
John Read	Tyler McCaughn
Angela Cockerham	Scott DeLano

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1781** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1787** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1787: Appropriation; Public Service Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Public Service Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 5,017,322.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Public Service Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 464,494.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 and Section 2, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 51
Time-Limited: 6

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Utility Regulatory Services	
Number of Utility Docket Cases	169
Number of Utility Complaints	4,600
Electric Complaints as a Percent of Total	58.00
Telecommunication Complaints as a Percent of Total	26.00
Water Complaints as a Percent of Total	12.00
Gas Complaints as a Percent of Total	3.00
Sewer Complaints as a Percent of Total	1.00
Average Cost per Utility Complaint	638.00
Time To Resolve Utility Complaints (Days)	3
Average Price of Electricity per Kilowatt Hour in MS for Residential Customers, by Utility Type: Investor-Owned Utilities (Cents/kWh)	0.13
Average Price of Electricity per Kilowatt Hour in MS for Residential Customers, by Utility Type: Electric Cooperatives (Cents/kWh)	0.13
Average Price of Electricity for Residential Customers in MS as a Percent of the April 2016 National Average, 12.43 Cents/kWh - Investor Owned Utilities	86.89
Average Price of Electricity for Residential Customers in MS as a Percent of the April 2016 National Average, 12.43 Cents/kWh - Electric Cooperative	95.14
Average Monthly Residential Electric Usage in MS (kWh)	1,200
Average Monthly Residential Electric Usage in MS as a Percent of the 2015 National Average, 909 kWh	135.00
Number of Pipeline Inspections	900
Average Cost per Pipeline Inspection	883.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 5. None of the funds herein appropriated by this act to the Public Service Commission shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Mississippi Public Service Commission that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 6. It is the intention of the Legislature that the Public Service Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the Public Service Commission shall compile the amount of time that is expended on each regulated entity during Fiscal Year 2024. On or before August 1, 2024, the Public Service Commission shall report these findings to the House of Representatives' Public Utilities Committee, the Senate's Energy Committee, and the Legislative Budget Office.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
C. Scott Bounds	Briggs Hopson
John Read	David Parker
Sam C. Mims, V	Kevin Blackwell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1787** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1788** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1788: Appropriation; Public Utilities Staff.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Public Utilities Staff for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

..... $ 2,666,616.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Public Utilities Staff which is comprised of special source funds for the purpose of defraying the expenses of the agency for the Atlas Project for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 80,000.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 27

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. Of the funds appropriated in Section 2, Eighty Thousand Dollars ($80,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Project Atlas Fund, as created in House Bill 1, 2nd Extraordinary Session of 2024, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for expediting services needed for Project Atlas.

SECTION 5. It is the intention of the Legislature that the Public Utilities Staff shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PUBLIC UTILITIES STAFF FOR FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
C. Scott Bounds	Briggs Hopson
John Read	David Parker
Sam C. Mims, V	Kevin Blackwell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1788** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1789** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1789: Appropriation; Soil and Water Conservation Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the State Soil and Water Conservation Commission for the purpose of defraying the administrative expenses of the commission and carrying out the provisions of Section 69-27-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 588,548.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Soil and Water Conservation Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 37,674,607.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 9

Time-Limited: 6

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the State Soil and Water Conservation Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records

shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. Of the funds appropriated under the provisions of Section 2, Ninety-two Thousand Dollars ($92,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer.

These funds are provided for the purchase and installation of river gauges to measure erosion and flooding along the Pearl River.

SECTION 6. The State Soil and Water Conservation Commission is authorized to retain all funds generated from the sale of equipment. Any funds made available from the sale of equipment shall be deposited into the special fund in the State Treasury to the credit of the Soil and Water Conservation Commission and shall be used solely for the purpose of purchasing equipment.

SECTION 7. The State Soil and Water Conservation Commission is authorized to receive, budget and expend any proceeds derived from the sale of bonds authorized in Section 69-27-331 et seq., Mississippi Code of 1972. All expenditures shall be in accordance with conditions provided in Section 69-27-331 et seq., Mississippi Code of 1972.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
C. Scott Bounds	Briggs Hopson
John Read	Tyler McCaughn
Vince Mangold	Jeff Tate

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1789** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner,

McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1794** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1794: Appropriation: Child Protection Services, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Child Protection Services for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 136,336,290.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Child Protection Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various divisions of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 184,408,641.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 1,517

Time-Limited: 417

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Department of Child Protection Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. The Department of Child Protection Services is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 7. Of the funds appropriated in Section 1, herein to the Department of Child Protection Services, it is the intention of the Legislature that Ninety-three Thousand Six Hundred One Dollars ($93,601.00) shall be allocated to the Mississippi Children's Trust Fund supported from General Fund court assessments.

SECTION 8. Of the funds appropriated by this act, pursuant to Section 97-3-54.9, Mississippi Code of 1972, Two Hundred Fifty Thousand Dollars ($250,000.00) is provided for maintaining a 24-hour hotline that is to be manned at all times, and for a coordinator to work with the Department of Public Safety, and to contract with outside agencies or service providers to organize for the provision of specialized services, including counseling services and other appropriate care to children who have been victims of commercial and sexual exploitation or human trafficking.

SECTION 9. Of the funds appropriated in Section 1 and Section 2, an amount not to exceed Four Million Five Hundred Thousand Dollars ($4,500,000.00) may be expended for the Department of Child Protection Services for Kinship Care Payments as authorized by Section 43-15-17, Mississippi Code of 1972.

SECTION 10. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Child Protection Services for the purpose of reauthorizing the expenditure of Capital Expense Fund, as reappropriated in HB 1625, 2023 Regular Session, for information technology system developments for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 6,789,259.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 11. Of the funds appropriated in Section 1, Eleven Million Eighty-six Thousand Two Hundred Thirty-nine Dollars ($11,086,239.00) is appropriated to maintain

the Adoption Assistance and Congregate Care Homes Maintenance Payments and One Million Seven Hundred Eleven Thousand Nine Hundred Fifty-nine Dollars ($1,711,959.00) is provided to maintain the Foster Home Maintenance Payments. It is the intent of the Legislature that these funds be expended for said purpose.

SECTION 12. Notwithstanding any other provision, the Department of Child Protection Services shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF CHILD PROTECTION SERVICES FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Clay Deweese	Briggs Hopson
John Read	Kevin Blackwell
Sam Creekmore IV	Sollie B. Norwood

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1794** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1796** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1796: Appropriation; Health, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Department of Health for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 61,297,497.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the State Department of Health which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 538,620,467.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2, Seven Million Twenty-six Thousand One Hundred Two Dollars ($7,026,102.00) shall be derived from the State General Fund and Eleven Million Five Hundred Seventy-eight Thousand Seven Hundred Eighty-three Dollars ($11,578,783.00) shall be derived from the Health Care Expendable Fund, created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the State Department of Health. The funds provided in this section shall be allocated as follows:

Magnet Community Health Disparity Program..... $ 2,000,000.00
Early Intervention Program for
increased reimbursements..... $ 2,000,000.00
Breast and Cervical Cancer Program ..... $ 100,000.00
Maternal and Child Health Care Program..... $ 1,242,943.00
Defibrillators in Public Places..... $ 250,000.00
Mississippi Health Care Alliance for the ST
Elevated Myocardial Infarction Program
(STEMI), Sepsis, and the Stroke System
of Care Plan..... $ 250,000.00
Health Department Programs ..... $ 12,761,942.00

SECTION 4. Of the funds appropriated in this act, Thirty-four Million Dollars ($34,000,000.00) is allocated to the Trauma Care System. Of the General Fund court assessments provided in Section 1, Thirteen Million Twenty-three Thousand One Hundred Ninety-seven Dollars ($13,023,197.00) shall be allocated for Trauma Care Systems and One Million Eight Hundred Five Thousand Eight Hundred Fifty-nine Dollars ($1,805,859.00) shall be allocated for Emergency Medical Services. All additional funds are appropriated in Section 2. The State Department of Health may transfer a portion of Trauma Care System funds to the Division of Medicaid for the development and implementation of an enhanced reimbursement fee program related to trauma care and services, used to match federal funds, under a cooperative agreement between the State Department of Health and the Division of Medicaid.

It is the intention of the Legislature that none of the funds authorized herein for the Trauma Care System shall be expended to the benefit of any hospital located outside the boundaries of the State of Mississippi, unless otherwise excepted in this paragraph. Funds shall be expended by the Mississippi Department of Health for distribution to the Regional Medical Center or Le Bonheur Children's Hospital at Memphis, located in Memphis, Tennessee, or the University of South Alabama Medical Center located in Mobile, Alabama, or the Joseph M. Still Burn Centers, Inc., located in Augusta, Georgia, or any affiliates or any other Level 1 Trauma Center, or Tertiary Pediatric Trauma Center that participates in the Mississippi Trauma Care System, as determined by the Mississippi Department of Health.

SECTION 5. Of the funds appropriated in Section 2, Twenty Million Dollars ($20,000,000.00) shall be derived from the Tobacco Control Program Fund, created in Section 41-113-11, Mississippi Code of 1972, and shall be allocated as follows:

University of Mississippi Medical Center Cancer
Institute..... $ 4,250,000.00
Department of Education - Mary Kirkpatrick Haskell –
Mary Sprayberry Public School
Nurse Program..... $ 3,060,000.00
Attorney General's Office - Alcohol and
Tobacco Enforcement Unit..... $ 680,000.00
University of Mississippi Medical Center –
A Comprehensive Tobacco (ACT)
Center..... $ 595,000.00
Mississippi Health Care Alliance - ST Elevated

Myocardial Infarction Program (STEMI),
Sepsis, and Stroke System of Care Plan ..... $ 595,000.00
Mississippi Qualified Health
Center Grant Program ..... $ 3,400,000.00
Mississippi Health Department Programs ..... $ 7,420,000.00

Of the funds appropriated in this section, the State Department of Health is authorized to expend funds to create and administer the Office of Tobacco Control within the department as outlined and created in Section 41-113-3, Mississippi Code of 1972.

SECTION 6. Of the funds appropriated in Section 1, One Million One Hundred Two Thousand Nine Hundred Fifteen Dollars ($1,102,915.00) shall be allocated as follows:

Mississippi Health Care Alliance - ST Elevated
Myocardial Infarction Program (STEMI), Sepsis,
and Stroke System of Care Plan ..... $ 279,400.00
Mississippi Qualified Health Center
Grant Program ..... $ 600,000.00
Mississippi Health Department Programs ..... $ 223,515.00

SECTION 7. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:
Permanent: 688
Time-Limited: 1,413

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 8. It is the intention of the Legislature that the State Department of Health shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the

intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Health Services	
State Infant Mortality Rate (per 1,000 Live Births)	8.60
Percent of Women who Received Prenatal Care in First Trimester	74.20
Percent of Live Births Delivered Prior to 37 Weeks of Gestation	14.80
Teenage Live Birth Rate Age 15-19 Years (per 1,000 Women Age 15-19)	23.40
Percent of Newborns with Positive and Inconclusive Genetic Screens who Received Recommended Follow-Up	100.00
Percent of Adults who are Obese (Body Mass Index of 30 or More, Regardless of Sex)	39.10
Health Protection	
Percent of Mississippi Population Receiving Water From a Public Water Supply	92.00
Percent of Mississippi Population Receiving Optimally Fluoridated Water	50.00
Transfer Time of Level III and IV Trauma Centers to Appropriate Facilities for Treatment (Minutes)	129.00
Communicable Disease	
Primary and Secondary Syphilis: Case Rate per 100,000	27.50
Tuberculosis: Number of Cases	51
Tuberculosis: Case Rate per 100,000	1.70
HIV Disease: Number of Cases	400.00

HIV Disease: Case Rate per 100,000 13.60
..... Rate of Two Year Old Children Fully .....
Immunized (National Immunization Survey: .....
4:3:1:3:3:1:4 series - 19 to 35 months) 74.00
Tobacco Control
..... Percent of Current Smokers Among Public .....
Middle School Students 1.70
..... Percent of Current Smokers Among Public .....
High School Students..... 2.10
..... Percent of Current Smokers Among Adults .....
18 Years and Older 19.40
Public Health Emerg Prep/resp
..... Time Required for Command Staff to .....
Report to Emergency Operations Center in .....
Response to a National or Man-Made .....
Disaster (Minutes) 30.00
Admin & Support Services
.....Percent of Mississippi Population Living .....
in an Area Designated as a Health .....
Professional Shortage Area: Mental .....
Health..... 60.00
.....Percent of Mississippi Population Living .....
in an Area Designated as a Health .....
Professional Shortage Area: Dental..... 45.00
.....Percent of Mississippi Population Living .....
in an Area Designated as a Health .....
Professional Shortage Area: Primary .....
Care 49.00
Medical Cannabis
..... Number of Conditions Added to the List .....
of Debilitating Medical Conditions..... 2
Number of Qualifying Patients Approved 50,000
Number of Designated Caregivers Approved 54
..... Number of Registry Identification Cards .....
Revoked..... 25
.....Total Number of Patients with a Registry .....
Identification Card 50,000

Number of Licensed Medical Practitioners 400
.....Number of Licensed Cannabis Cultivation .....
Facilities 150
.....Number of Licensed Cannabis Processing .....
Facilities 30
.....Number of Licensed Cannabis Testing .....
Facilities 5
..... Number of Licensed Cannabis Waste .....
Disposal Entities..... 8
.....Number of Licensed Cannabis .....
Transportation Entities 40
Percent of Applications Approved 95

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 10. It is the intention of the Legislature that with the funds provided herein, the State Department of Health may provide and administer without charge, Hepatitis B vaccinations to Emergency Medical Services (EMS) personnel who are in need of such vaccinations through job related exposure.

SECTION 11. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated to the credit of the Local Governments and Rural Water Systems Emergency Loan Fund, and the Local Governments and Rural Water System Improvements Revolving Loan Fund as authorized in Chapter 521, Laws of 1995, to the State Department of Health for the purpose of defraying the expenses of the Local Governments and Rural Water Systems Improvements Board, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 4,300,000.00.

The purpose of these funds is to provide funds necessary to match projected federal funds available through the following federal fiscal year from the annual Clean Water State Revolving Fund (CWSRF) appropriations and from the supplemental Infrastructure Investment and Jobs Act (IIJA) appropriations.

SECTION 12. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Local Governments and Rural Water Systems Emergency Loan Fund, and the Local Governments and Rural Water System Improvements Revolving Loan Fund as authorized in Chapter 521, Laws of 1995, to the State Department of Health for the purpose of defraying the expenses of the Local Governments and Rural Water Systems Improvements Board, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 178,420,730.00.

SECTION 13. Of the funds appropriated under Sections 11 and 12 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:
Permanent: 5
Time-Limited: 8

With the funds herein appropriated, it shall be the agency’s responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency’s Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency’s personal services appropriation, which the State Personnel Board shall publish. The agency’s personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be

utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 14. Of the funds appropriated under the provisions of Section 12 of this act, Three Million Three Hundred Seventy Thousand Six Hundred Dollars ($3,370,600.00), or so much as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. The purpose of these funds is to provide funds necessary to match projected federal funds available through the following federal fiscal year from the annual Clean Water State Revolving Fund (CWSRF) appropriations and from the supplemental Infrastructure Investment and Jobs Act (IIJA) appropriations.

SECTION 15. Of the funds appropriated in Section 2, One Million Dollars ($1,000,000.00) shall come from the Department of Human Services, Child Care Development Fund or other appropriate special funds for the purpose of child care licensure. These funds are to be transferred to the State Department of Health no later than July 31, 2024. The State Department of Health shall make a complete accounting of the uses of these funds to the Department of Human Services.

SECTION 16. It is the intention of the Legislature that the State Department of Health shall expend not more than Fifty Thousand Dollars ($50,000.00) of the funds appropriated herein for providing the oil known as "Lorenzo's Oil" for the treatment of the genetic disorder adrenoleukodystrophy (ALD), to children and Mississippi residents over the age of twenty-one (21) who have the genetic disorder adrenoleukodystrophy and for whom Medicaid does not reimburse the cost of providing the oil. The department may also provide needed pathology and biannual MRI exams.

SECTION 17. Of the funds appropriated in Section 1, Seven Hundred Thousand Dollars ($700,000.00) are provided for the purpose of purchasing AIDS drugs and other necessary AIDS related medical services.

SECTION 18. Of the funds appropriated herein, Two Hundred Fifty Thousand Dollars ($250,000.00) is provided for the Breast and Cervical Cancer Program.

SECTION 19. In addition to all other funds heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Medical Cannabis Act at the Department of Health for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 7,787,845.00.

SECTION 20. Of the funds appropriated under the provisions of Section 18 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 0

Time-Limited: 34

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 21. In addition to all other funds heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Burn Care Fund which is comprised of special source funds collected by or otherwise available to the department, for the purpose of funding reimbursement for uncompensated medical care to Mississippi burn victims through the trauma care system at in-state burn facilities including the Baptist Medical Center, the University of Mississippi Medical Center, and any designated Burn Center associated with a Level I Trauma Center in the Mississippi Trauma Care System or for uncompensated aero medical transportation to out-of-state qualified United States Burn Care facilities, and such other provisions necessary to provide burn care for Mississippi residents, including reimbursement for travel, lodgings, meals and other reasonable travel-related expenses incurred by burn victims, family members and/or caregivers, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 1,000,000.00.

SECTION 22. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 23. It is the intention of the Legislature that the Mississippi Department of Health shall implement same day service to receive birth and death certificates.

SECTION 24. It is the intention of the Legislature that the Mississippi State Department of Health shall provide the Joint Legislative Budget Committee a report of all grants received by September 15, 2024. This notification will consist of the name of the grant and agency or nonprofit making the award, the award amount, and a short list of goals to be achieved.

SECTION 25. It is the intention of the Legislature that the Mississippi State Department of Health shall be the fiscal agent in all allowable grants awarded.

SECTION 26. Of the funds appropriated in Section 2, Seven Hundred Thousand Dollars ($700,000.00) shall come from the Department of Education for the purpose of maintenance of effort for the Early Intervention Program. These funds are to be transferred to the State Department of Health no later than December 31, 2024. The State Department of Health shall make a complete accounting of the uses of these funds to the Department of Education.

SECTION 27. The Mississippi Department of Health is authorized to obtain a line of credit through the State Treasurer from the Working Cash-Stabilization Fund or any other special source funds maintained in the State Treasury in an amount not exceeding Ten Million Dollars ($10,000,000.00) to fund shortfalls which, from time to time, may occur due to insufficient working cash spent in anticipation of receiving federal reimbursement. The length of indebtedness under this provision shall not carry past the end of the quarter following the loan origination. Loan proceeds shall be received by the State Treasurer and shall be placed in a Mississippi Department of Health designated special fund account. The division may pledge as security for such interim financing future funds that will be received by the division. Any such loans shall be repaid from the first available funds received by the department in the manner of and subject to the same terms provided in this section.

SECTION 28. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 29. With the funds appropriated herein, it is the intention of the Legislature that the Mississippi Department of Health is authorized to set the compensation of all nurse PINs, Epidemiologists and Disease Intervention Specialist Series based on the education and experience of the incumbent not to exceed the end salary as established by the State Personnel Board.

SECTION 30. It is the intent of the Legislature that the Chairman of the Board of Health may appoint an official replacement or representative with voting privileges to the Advisory Board of the Office of Mississippi Physician Workforce.

SECTION 31. It is the intention of the Legislature that the State Health Officer shall have the authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Health. It is further the intention of the Legislature that the State Health Officer shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 32. Of the funds appropriated in Sections 1 and 2 of this act, One Million Three Hundred Eighty-two Thousand Two Hundred Fifty Dollars ($1,382,250.00) is provided for the Office of Mississippi Physician Workforce as described in Section 41-123-5, Mississippi Code of 1972.

SECTION 33. Of the funds appropriated in Section 1, it is the intention of the Legislature that Eight Hundred Fifty-nine Thousand Nine Hundred Three Dollars ($859,903.00) shall be allocated to the Domestic Violence program that is supported from General Fund court assessments.

SECTION 34. It is the intent of the Legislature that the Mississippi State Department of Health shall have authority to escalate the various budgets in both funds and positions, with the approval of the State Fiscal Officer, from any special funds collected or available for HIV medical or support services, clinical quality management, and administrative expenses not to exceed Five Million Dollars ($5,000,000.00), to the agency for expenditure. Upon such approval, the Mississippi State Department of

Health may expend such funds in the manner authorized by law. Funds may be made available to local HIV/AIDS service providers.

The Executive Director of the Mississippi State Department of Health shall submit to the Department of Finance and Administration a certified statement providing a detailed explanation for any escalation, including a justification for the establishment of any new positions or reclassification of existing positions.

SECTION 35. Notwithstanding any other provision, the Department of Health shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 36. It is the intention of the Legislature that the State Department of Health is hereby authorized to escalate, budget and expend funds for salaries and positions, with the approval of the State Fiscal Officer, from fund numbers 5331400000, 5331500000 and 5820130100, for the purpose of operating the State Department of Health programs as authorized by law, in accordance with rules and regulation of the Department of Finance and Administration in a manner consistent with the escalation of federal funds and when grant requirements have changed that result in staffing needs but do not result in new or additional funds.

The Executive Director of the State Department of Health or designee shall submit to the Department of Finance and Administration a certified statement providing a detailed explanation for any escalation, including a justification for the establishment of any new positions or reclassification of existing positions.

SECTION 37. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated to the Department of Health for the purpose of reauthorizing the expenditure of General Funds, as authorized in HB 1626, 2023 Regular Session, to the Department of Health, to defray the expense of the Victims of Crimes Act (VOCA) at the Department of Health, Office of Interpersonal Violence for the fiscal year beginning July 1, 2024, and ending June 30, 2025

$ 2,400,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 38. Of the funds appropriated in Section 1, Twelve Million Three Hundred Thousand Dollars ($12,300,000.00) is allocated for the purpose of providing reimbursable grants from the Office of Interpersonal Violence as described in this section.

The funds appropriated under this section shall be expended by the State Department of Health as a reimbursable grant. In determining reimbursable expenses, the State Department of Health shall use allowable costs as defined by the Office of Interpersonal Violence. Of the funds in this section, a minimum of Two Million Dollars ($2,000,000.00) is to be distributed to Children's Advocacy Centers of Mississippi for the purpose of conducting additional forensic interviews. Of the funds in this section, up to Three Hundred Thousand Dollars ($300,000.00) may be used by the department for administration of these funds.

SECTION 39. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the State Department of Health for the purpose of reauthorizing the expenditure of Capital Expense Funds to defray the expenses of the State Department of Health, as authorized in HB 1626, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025. ..... $ 2,000,000.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds to defray the expense of establishing and equipping a burn center for the State of Mississippi.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount

authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 40. Of the funds appropriated under the provisions of Section 2 of this act, Sixty Thousand Dollars ($60,000.00), or so much as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to the Department of Health for the design, construction and maintenance of an Emergency Medical Services Memorial.

SECTION 41. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 42. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Clay Deweese	Briggs Hopson
John Read	Angela Burks Hill
Sam Creekmore IV	John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1796** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1797** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1797: Appropriation; Human Services, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to

the Department of Human Services for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 78,502,047.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Human Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various divisions of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 1,748,522,136.00.

SECTION 3. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Department of Human Services that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 4. With the funds appropriated in this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	Full Time	1,296
Time-Limited:	Full Time	455

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 5. It is the intention of the Legislature that the Department of Human Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. Of the funds appropriated in Section 2 herein to the Department of Human Services, One Million Dollars ($1,000,000.00) shall be transferred to the Department of Health, Child Care Licensure Program from the Child Care Development Fund or other appropriate special fund. These funds are to be transferred to the Board of Health no later than July 31, 2024. The Department of Health shall make a complete accounting to the Department of Human Services detailing the uses of these funds in accordance with federal and state regulations.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. The Department of Human Services is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 9. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 10. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Support Services	
Percent of Referred/Directed Investigative Audits Conducted	100.00
Percent of Special Investigations Conducted	95.00
Percent of Referred/Obtained Fraud Investigations Conducted Timely	100.00
Percent of Referred Administrative Disqualification Hearings & Fair Hearings Conducted Timely	99.00
Percent of Monitoring Reviews Conducted within Acceptable Timeframes	98.00
Total Amount of Funds Recovered	3,500,000.00
Aging & Adult Services	
In-Home Services - Age 60 + (Persons Served)	32,680
Community Services - Age 60 + (Persons Served)	193,617
Number of Congregate Meals	468,272
Number of Home Delivered Meals	2,700,000
Substantiated Incidences of Abuse of Vulnerable Adults per 1,000 Population	0.17
Home Delivered Meals, Percent Reduction of Persons on Waiting list	5.00
Child Support Enforcement	
Number of Paternities Established	15,500
Percent Change in Paternities Established	3.30
Number of Obligations Established	16,000
Percent Change in Obligations Established	12.50
Total Collections ($)	378,000,000.00

Percent Change in Total Collections	-2.50
Number of Absent Parents Located	68,000
Percent of Child Support Cases Current on Payments	-2.53
Community Services	
Number of Elderly Served by CSBG & LIHEAP	20,352
Number of Disabled Served CSBG/LIHEAP	26,762
Number of Households Achieving Self-Sufficiency CSBG/LIHEAP	0
Percent Increase in Rate of Households Attaining Self-Sufficiency	0.00
Number of Households Stabilized CSBG/LIHEAP	0
Percent Increase in the Number of Households Stabilized	0.00
Number of Households Weatherized	516
Early Childhood Care & Dev	
Number of Children Served	30,138
Assistance Payments	
Dollar Amount of Assistance	6,240,877.00
Food Assistance	
Number of Average Monthly Households	225,000
Supplement Nutrition Assistance Program - SNAP ($)	716,413,100.00
Percent of Mississippi Households Receiving SNAP Benefits	22.51
Tanf Work Program	
Number of Average Monthly TANF Households	8,864
Number of Average Monthly Persons Served in TANF Work Program	1,107
TANF Work Program Participation Rate (%)	60.00
Number of Persons Employed Through the TANF Work Program for the Year	832
Number of Households Receiving TANF Benefits During the Year	9,969
Percent of Households Receiving TANF During the Year	49.00
Percent of TANF Participants in Job Trng Who Enter Employment	30.00
Percent of TANF Participants in Job Training Who Enter Employment at A Salary Sufficient to Be Ineligible for TANF	19.00
Percent of TANF Participants in Job Training Who Remain Employed For: One Year After Leaving the Program	75.00
Percent of TANF Participants in Job Training Who Remain Employed For: Five Years After Leaving the Program	65.00
Social Services Block Grant	
Number of Clients Served, Division of Family & Children's Services	75,611
Number of Clients Served, Aging & Adult Services	21,178
Number of Clients Served, Youth Services	12,880
Youth Services	
Community Services (Children Served)	15,000
Institutional Component (Children Served)	300
Number of Volunteers - Community Services/Institution	0

Number of Children Placed in Alternative Placement	0
Percent of Children Diverted from Institutional Care	95.00
Recidivism Rate (%)	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 11. It is the intent of the Legislature that the Department of Human Services, Division of Child Support Enforcement, make a concentrated effort to increase collections of past due child support payments. On or before January 1, 2025, the Executive Director of the Department of Human Services shall submit a report to the Legislative Budget Office detailing year-to-date performance measures in the Child Support Enforcement Program compared with the prior year.

SECTION 12. It is the intention of the Legislature that the Department of Human Services shall have the authority to spend such additional funds as it shall receive from the federal government in incentives or the federal match on those incentives for the purpose of child support enforcement.

SECTION 13. Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars ($250,000.00) shall be transferred to the Juvenile Facility Monitoring Unit at the Department of Public Safety no later than July 31, 2024.

SECTION 14. Of the funds appropriated herein, to the Department of Human Services One Million Dollars ($1,000,000.00), is provided for the support of the Home Delivered Meals Program and any additional funds that may be appropriated to this program.

SECTION 15. Of the funds provided in Section 1, herein to the Department of Human Services, an amount not to exceed One Hundred Thousand Dollars ($100,000.00) is provided to fund the Senior Olympics Program.

SECTION 16. It is the intention of the Legislature that the Governor’s Office, Division of Medicaid and the Department of Human Services shall continue to work together to implement Section 43-12-1, Mississippi Code of 1972, known as the "Medicaid and Human Services Transparency and Fraud Prevention Act".

SECTION 17. As a condition of receiving and expending any funds appropriated under this act, the Department of Human Services:

(a) Shall use a competitive procurement process for entering into all TANF subgrant agreements with non-state entities when the federal government does not direct to whom the funds must be subgranted;

(b) Upon awarding of a grant to any subgrantee of the department, shall require the subgrantee to submit a monthly report to the department that contains, but is not limited to, all of the following:

.....

(i) A listing of all costs incurred by the subgrantee during the previous month;

.....

(ii) A listing of all clients served by the subgrantee, with an explanation of which services were provided to the clients;

.....

(iii) A listing of all lower-tier subgrantees, who must be approved by the department before the execution of any such agreement by the prime subgrantee; and

.....

(iv) Any other data required by the department to provide sufficient evidence of budgetary compliance;

....(c) Shall not advance funds to a subgrantee for more than sixty (60) days; and

(d) Shall reimburse a subgrantee for expenses only after the required documentation is provided and is approved by the department.

SECTION 18. It is the intent of the Legislature, that within the funds available, the Department of Human Services may provide any qualifying grants of CARES Act or American Rescue Act funding in an amount not to exceed One Million Five Hundred Thousand Dollars ($1,500,000.00) to the three (3) regional food banks that serve

Mississippi, including Feed the Gulf Coast, Mid-South Food Bank, and Mississippi Food Network.

SECTION 19. Of the funds appropriated under the provisions of Section 2, Five Million One Hundred Thousand Dollars ($5,100,000.00), or so much thereof as may be provided, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to the Department of Human Services for a new computer system.

SECTION 20. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Human Services for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1622, 2023 Regular Session to defray expenses of the Department of Human Services for the fiscal year beginning July 1, 2024, and ending
June 30, 2025 ..... $ 58,327,806.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:
(a) To defray the Department's computer
expenses..... $ 4,327,806.00.
(b) To secure federal funding for a new
computer system..... $ 54,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 21. Of the funds appropriated herein, no more than Four Thousand Four Hundred Fifty-two Dollars ($4,452.00) may be used to pay invoices to certain vendors for expenses incurred in FY 2022.

SECTION 22. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 23. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF HUMAN SERVICES FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Clay Deweese	Briggs Hopson
John Read	Kevin Blackwell
Sam Creekmore IV	Sarita Simmons

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1797** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1798** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1798: Appropriation; Fire Academy.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Fire Academy for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 7,017,923.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Fire Academy which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 2,075,000.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 62

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Training	
Number of Students Trained	12,000
Average Cost per Student Trained	781.07

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 5. It is the intention of the Legislature that the State Fire Academy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. Of the funds appropriated in Section 2, One Million Seven Hundred Fifty Thousand Dollars ($1,750,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the replacement of the heat building components.

SECTION 9. Of the funds appropriated in Section 2, Two Hundred Fifty Thousand Dollars ($250,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the replacement of the auditorium roof.

SECTION 10. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the State Fire Academy for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of a state match to purchase a specialty rescue truck, as authorized in House Bill No. 1606, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 75,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the

previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 11. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the State Fire Academy for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of the completion of dorm rooms at the State Fire Academy, as authorized in HB 1606, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 160,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE FIRE ACADEMY FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Clay Deweese	Briggs Hopson
John Read	David Parker
Jerry R. Turner	Albert Butler

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1798** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1799** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1799: Appropriation; Insurance, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Insurance for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 13,913,556.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Mississippi Department of Insurance which is comprised of special source funds collected by or otherwise available to the department, for the support of the various offices of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025. $ 8,155,000.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 131

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Mississippi Department of Insurance shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Lic & Reg MS Ins Co's & Agents	
Number of (Producer, Etc) Licenses Issued	218,000
Average Cost per License Issued	100.00
Number of Agent's C/A's Issued	580,000
Average Cost per Agent C/A Issued	25.00
Number of Requests for Assistance	24,500
Average Cost per Customer I/C Addressed	55.00
Number of Fire Marshal Fire Investigations	538
Cost per Fire Marshal Investigation	900.00
Number of Fire Marshal Inspections	8,000
Average Cost per Fire Marshal Inspection	60.00
Liquefied Compressed Gas	
Number of Accidents/Injuries/Deaths Due to Incidents Involving LCG	0.00
Number of Inspections	8,000
Average Cost per Inspection	60.00
Number of Safety Training Schools/Seminars	170
Average Cost per Safety Training School	145.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 6. Of the funds appropriated under the provisions of Section 1, Fifteen Thousand Seventy-nine Dollars ($15,079.00) is provided for the Mississippi Fire Personnel Minimum Standards and Certification Board.

SECTION 7. Of the funds appropriated under the provisions of Section 1, funds in the amount of Twenty Thousand Dollars ($20,000.00) is provided and shall be expended to pay the annual dues for the National Conference of Insurance Legislators.

SECTION 8. It is the intention of the Legislature that none of the funds appropriated above shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate are notified at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding any project for which the Legislature has made funds available. Any signage regarding any public event or project shall include the following language: "Funds were made available for this project by the Mississippi State Legislature."

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Of the funds appropriated in Section 2, Five Million Dollars ($5,000,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Mississippi Comprehensive Hurricane Mitigation Program Trust Fund, as created in House Bill 1705, Regular Session of 2024, and allocated in a manner as determined by the Treasurer's Office to the Department of Insurance. The Department of Insurance shall utilize these funds for the purpose of administering the Comprehensive Hurricane Damage Mitigation Program created in Section 83-1-191, Mississippi Code of 1972. As a condition of expending the funds provided in this section, the Department shall limit the amount of grants provided to any individual as provided in House Bill 1705, Regular Session of 2024.

SECTION 11. Within the limits of the funds available to the Mississippi Insurance Department for such purpose, the Commissioner of Insurance for the Mississippi Insurance Department may grant a paid internship to students pursuing junior or senior undergraduate level year coursework toward a bachelor's degree in risk management insurance or graduate level coursework towards a master's degree in business administration. Those applicants deemed qualified by the Mississippi Department of Insurance shall receive funds that may be used to pay for tuition, books and related fees to pursue their degree. It is the intent of the Legislature that the paid internship program shall be used as incentive for risk management insurance careers at the Mississippi Insurance Department.

SECTION 12. Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars ($250,000.00) is provided for the State Fire Marshal's Office for fire safety prevention and services, including, but not limited to, fire protection supplies and materials, smoke alarms, and public service announcements providing fire prevention information.

SECTION 13. Of the funds appropriated under the provisions of Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Propane Education and Research Program Fund, for the purpose of research and development of more cost effective uses of propane and on educational programs, safety programs, and market development of propane for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 130,000.00.

SECTION 14. Of the funds provided in Section 2, Three Million Dollars ($3,000,000.00) is provided from the Mississippi Volunteer Firefighter Length-of-Service Awards Program Fund. These funds are provided for the Mississippi Length-of-Service Award Program (LOSAP) established in Section 45-11-271 of the Mississippi Code of 1972.

SECTION 15. Of the funds appropriated in Section 2, Twenty-five Thousand Dollars ($25,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the purchase of smoke alarms.

SECTION 16. Of the funds appropriated in Section 1, One Hundred Twenty Thousand Five Hundred Dollars ($120,500.00), or so much thereof as may be necessary, is provided for the purchase of vehicles.

SECTION 17. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Annual Fire Fund to the Mississippi Department of Insurance for the purposes allowed in Section 17-23-21, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 9,000,000.00.

SECTION 18. In addition to all other funds appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Rural Fire Truck Matching Assistance Fund which was created in Section 17-23-1 (4), Mississippi Code of 1972 to the Mississippi Department of Insurance for the Rural Fire Truck Matching Assistance Program for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 2,000,000.00.

SECTION 19. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 20. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

` AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Clay Deweese	Briggs Hopson
John Read	David Parker
Jerry R. Turner	J. Walter Michel

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1799** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1809** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1809: Appropriation; Rehabilitation Services, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purposes of defraying the expenses of the Department of Rehabilitation Services for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 32,796,819.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Rehabilitation Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various offices of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 223,272,721.00.

SECTION 3. Of the funds appropriated under the provisions of Section 2, Three Million Six Hundred Eighty-one Thousand Eight Hundred Two Dollars ($3,681,802.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972. The above funds shall be allocated as follows:

Fully match all available federal funds..... $ 2,826,899.00.

Independent Living Program which includes the State Attendant Care Program..... $ 854,903.00.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 875

Time-Limited: 201

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 5. It is the intention of the Legislature that the Department of Rehabilitation Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. The Office of Vocational Rehabilitation for the Blind shall remain accredited by using not more than Five Hundred Dollars ($500.00) of the funds appropriated along with matching funds for payment of fees to an accreditation agency recommended by the Rehabilitation Services Administration.

SECTION 7. Of the funds appropriated herein, the Mississippi Department of Rehabilitation Services through the Office of Vocational Rehabilitation for the Blind is authorized to expend an amount not to exceed One Hundred Thousand Dollars ($100,000.00) for the National Federation for the Blind (NFB) News line service to allow blind and visually impaired persons to access newspapers through toll-free telephone calls.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality

and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Disability Determination Services	
Number of Dispositions	60,000
Processing Time (Days)	150
Voc Rehabilitation For The Blind	
Blind & Visually Impaired Served (Persons)	2,050
Number of Persons Rehabilitated	295
Independent Living (Number Served)	720
Percent Change in Persons Employed Compared to Persons Served	14.00
Vocational Rehabilitation	
Number of Clients Served	15,050
Number of Clients Rehabilitated	2,545
Percent Change of Persons Employed Compared to Persons Served	16.00
Persons Employed with Pay Rate Greater than Federal or State Minimum Wage	2,545
Persons with Significant Disabilities Leaving VR With Competitive, Self, or BEP Employment, Wage = or > Than Minimum	1,588
Spinal Cord & Head Injury Program	
Number of Clients Served	1,050
Percent Change in Number of Spinal Cord & Brain injuries per Year	3.00
Special Disability Programs	
Number of Clients Served	3,100
Percent Change in Persons Receiving HCBW Services Compared to Waiting List	25.00
Ratio of Cost to HCBW Services per Person Compared to an Institutional Setting	38.00
Support Services	
Percent of Total Budget	2.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 10. Of the funds appropriated in Section 1, it is the intention of the Legislature that One Million Five Hundred Sixty-three Thousand Thirty-nine Dollars ($1,563,039.00) shall be allocated to the Spinal Cord & Head Injury Trust supported from General Fund court assessments.

SECTION 11. Of the funds appropriated in Section 1 and Section 2 of this act, it is the intention of the Legislature that continued funding at or above the Fiscal Year 2024 appropriated amount shall be provided for up to Forty-one Hundred (4,100) slots in the Home and Community Based Waiver programs for Independent Living and Spinal Cord/Traumatic Brain Injury Waiver programs.

SECTION 12. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF REHABILITATION SERVICES FOR FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Clay Deweese	Briggs Hopson
John Read	Kevin Blackwell
Sam Creekmore IV	Sarita Simmons

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1809** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

_____

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1812** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1812: Appropriation; Attorney General.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of the Attorney General for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 31,355,444.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in any special fund in the State Treasury to the credit of the Office of the Attorney General which is comprised of special source funds collected by or otherwise available to the office, for the purpose of defraying the expenses of the office for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 9,733,030.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: Full Time 88

Time-Limited: Full Time 210

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Office of the Attorney General shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Supportive Services	
Cost of Support Services as Percent of Budget, 2011-2012 Baseline: 5.10%	6.00
Training	
Ratings of Continuing Legal Education Training Presentation by Participants	95

Ratings of CRIMES System Training Presentation by Participants	0
Litigation	
Minimum Affirmations of Criminal Convictions 2011-2012 Baseline: 90.00%	95.00
Minimum Affirmations of Death Penalty Appeals 2011-2012 Baseline: 83.33%	85.00
Minimum Denial of Relief in Federal Habeas Corpus 2011-2012 Baseline: 86.96%	97.00
Minimum Pos Results of Civil Cases 2011-2012 Baseline: 96.00%	96.00
Percent Change of Affirmations of Criminal Convictions Attained	0.00
Percent Change of Death Penalty Review Cases Affirmed	0.00
Percent of Change of Appeals for Relief in Federal Habeas Corpus Cases Denied	0.00
Percent Change of Positive Results from Civil Cases	0.00
Opinions	
Percent Assigned to Attorneys in 3 Days or Less, 2011-2012 Baseline: 100.00%	100.00
Percent of Opinions Completed in 30 Days or Less, 2011-2012 Baseline: 76.00%	75.00
Percent Change of Opinion Requests Assigned to Attorneys within 3 Days or Less	0.00
Percent Change of Opinion Requests Completed within 30 Days or Less	5.00
State Agency Contracts	
Percent of Good and Excellent Ratings for Legal Services, 2011-2012 Baseline: 94.00%	100.00
Percent Change of Good/Excellent Ratings for Legal Services	0.00
Insurance Integrity Enforcement	
Minimum Positive Results of Workers' Compensation Cases 2011-2012 Baseline: 90.00%	99.00
Minimum Positive Results of Insurance Cases 2011-2012 Baseline: 90.00%	99.00
Percent Change of Positive Results of Workers' Compensation Insurance Fraud	5.00
Percent Change of Positive Results of Other Insurance Cases	0.00
Other Mandated Programs	
Medicaid Fraud Convictions vs Dispositions 2011-2012 Baseline: 100.00%	100.00
Medicaid Abuse Convictions vs Dispositions 2011-2012 Baseline: 95.00%	95.00
Minimum Defendants Convicted after Indictments (PID) 2011-2012 Baseline: 96.00%	90.00
Response to Consumer Complaints (Days) 2011-2012 Baseline: 3.14%	5.00
Average Number of Days to Respond to Consumer Complaints	5
Percent Change of Medicaid Fraud	

Convictions vs Dispositions 0.00
Percent Change of Medicaid Abuse
Convictions vs Dispositions 0.00
Percent Change of Defendants Convicted
After Indictment 0.00
Crime Victims Compensation
Percent of Claims Processed in 12 Weeks
or Less, 2011-2012 Baseline: 67.97% 75.00
Percent Change of Claims Processed Timely 0.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 6. Of the funds appropriated under the provisions of Section 1, funds included therein which are derived from penalties and/or other funds collected by the Medicaid Fraud Control Unit shall be available for the purpose of providing the state match for federal funds available for the support of the unit, or for other lawful purposes as deemed appropriate by the Attorney General. Further, it is the intent of the Legislature that any penalties and/or other funds collected and/or expended shall be accounted for separately as to source and/or application of such funds.

SECTION 7. Of the funds appropriated under the provisions of Section 1, the amount of One Million Dollars ($1,000,000.00), or so much thereof as may be necessary, shall be made available for expenditure by the Prosecutors Training Division.

SECTION 8. Of the funds appropriated in Section 2, the sum of Six Hundred Eighty Thousand Dollars ($680,000.00) is provided from the Department of Health for the Alcohol and Tobacco Enforcement Unit.

SECTION 9. Of the funds appropriated in Section 1, it is the intention of the Legislature that Five Million Six Hundred Ninety Thousand Three Hundred Forty-six Dollars ($5,690,346.00) may be allocated for the programs supported from General Fund court assessments as follows:

State Prosecutor Education ..... $ 662,582.00
Crime Victims Compensation ..... $ 1,901,332.00
Vulnerable Persons Training, Invest and
Prosecution Trust ..... $ 565,165.00
Child Support Prosecution Trust ..... $ 128,475.00
Law Enforcement & Firefighters Disability
Benefits Trust ..... $ 133,666.00
Cyber Crime Unit ..... $ 944,722.00
Domestic Violence Training ..... $ 376,580.00
Children's Advocacy Centers ..... $ 554,489.00
Crime Victims Compensation Admin ..... $ 347,547.00
Motorcycle Officer Training ..... $ 62,763.00
District Attorney Operations ..... $ 13,025.00

It is the intention of the Legislature that the Attorney General's Office shall prepare and submit a quarterly report to the Chairmen of the Appropriation Committees of the Senate and House of Representatives that details the expenditures made for programs supported from General Fund court assessments allocated in this section. This report shall be submitted no later than the 15th day of the month succeeding the end of each calendar quarter.

SECTION 10. Of the funds appropriated in Section 2, Two Million Five Hundred Thousand Dollars ($2,500,000.00), or so much thereof, is provided for the purpose of providing funds to the Victims of Human Trafficking and Commercial Sexual Exploitation Fund.

SECTION 11. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Attorney General's Office to administer the Mississippi Telephone Solicitation Act, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 243,392.00.

SECTION 12. Of the funds appropriated under the provisions of Section 11 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: Full Time 3

Time-Limited: Full Time 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 13. No part of the money herein appropriated shall be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received; however, when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 14. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Office of the Attorney General that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. Of the funds appropriated in this act, funds are provided to defray the expenses of litigation defending the constitutionality of Mississippi statutes.

SECTION 17. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 18. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Sam C. Mims, V	Briggs Hopson
John Read	Brice Wiggins
Angela Cockerham	Dennis DeBar, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1812** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1814** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1814: Appropriation; Capital Post-Conviction Counsel, Office of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of Capital Post-Conviction Counsel, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
...$ 2,039,800.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Office of Capital Post-Conviction Counsel, for the purpose of defraying the expenses of the Office of Capital Post-Conviction Counsel of the State of Mississippi for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 215,258.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 9

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the Office of Capital Post-Conviction Counsel shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Sam C. Mims, V	Briggs Hopson
John Read	Brice Wiggins
Angela Cockerham	Rod Hickman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1814** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1815** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1815: Appropriation; District attorneys and staff.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying salaries and travel expenses of district attorneys, assistant district attorneys, criminal investigators, tort claims assessments, and paying office expenses of district attorneys for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 31,554,631.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Prosecutor Compensation Fund, referred to in Section 99-19-73, Mississippi Code of 1972, for the purpose of paying salaries of assistant district attorneys of the state as authorized in Section 25-31-5(1) for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 486,932.00.

SECTION 3. None of the funds authorized in this section shall be used to reimburse district attorneys or their staff for taxable meals incurred within their geographical district.

SECTION 4. Of the funds appropriated herein, office expenses of district attorneys as authorized by Section 25-31-8, Mississippi Code of 1972, in the amount of One Million Six Hundred Seventy-four Thousand Dollars ($1,674,000.00).

SECTION 5. It is the intention of the Legislature that the district attorneys and assistant district attorneys of the state shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated in this act and that those records shall be in the same format and level of details as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the budget requests for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process for each agency and institution appropriated funds within the provisions of this act.

SECTION 6. Of the funds provided in Section 1 of this act, Two Hundred Seventy-five Thousand Dollars ($275,000.00), or so much thereof as may be necessary, is provided to defray the costs of the Twenty-third Circuit Court District Attorney's Office.

SECTION 7. Of the funds provided in Section 1 of this act, Three Hundred Seventy-one Thousand Six Hundred Seventy-nine Dollars ($371,679.00), or so much thereof as may be necessary, is provided for two (2) full-time assistant district attorneys and (1) full-time criminal investigator pursuant to House Bill 1020, 2023 Regular Session, and engrossed in Section 25-31-37, Mississippi Code of 1972.

SECTION 8. It is the intention of the Legislature that with the funds provided herein, the district attorneys shall submit their Five-Year Strategic Plan(s) as required in Section 27-103-129(1), Mississippi Code of 1972.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING SALARIES AND TRAVEL EXPENSES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS OF THE STATE AND PAYING OFFICE EXPENSES OF DISTRICT ATTORNEYS FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Sam C. Mims, V	Briggs Hopson
John Read	Brice Wiggins
Angela Cockerham	Rod Hickman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1815** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1817** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1817: Appropriation; Legislative expenses.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums, or so much thereof as may be necessary, are appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying salaries, mileage, insurance, matching funds and the daily expense allowance of the members of the Legislature for the Regular Session of 2025 and providing contingent funds for the House of Representatives and Senate for the fiscal year beginning July 1, 2024, and ending June 30, 2025, as follows:

For salaries, mileage, insurance, matching funds and daily expense allowance of members of the House of Representatives ..... $ 4,594,746.00.

For Contingent Fund for the House of Representatives ..... $ 8,844,451.00.

Out of the above amount appropriated for the Contingent Fund for the House of Representatives, not more than Fifteen Thousand Dollars ($15,000.00) shall be expended for defraying the expenses of and for the use of the members of the

Mississippi Commission on Interstate Cooperation, as created under Section 5-5-1 et seq., Mississippi Code of 1972.

For salaries, mileage, insurance, matching funds and daily expense allowance of members of the Senate ..... $ 2,039,306.00.

For Contingent Fund for the Senate..... $ 6,698,539.00.

Out of the above amount appropriated for the Contingent Fund for the Senate, not more than Ten Thousand Dollars ($10,000.00) shall be expended for defraying the expenses of and for the use of the members of the Mississippi Commission on Interstate Cooperation, as created under Section 5-5-1 et seq., Mississippi Code of 1972.

For the joint legislative operations of the House of Representatives and the Senate ..... $ 1,252,149.00.

For the expenses of the Joint Legislative Budget Committee..... $ 4,953,639.00.

For the expenses of the Joint Legislative Committee on Performance Evaluation and Expenditure Review ..... $ 2,767,768.00.

For the expenses of the Joint Legislative Reapportionment Committee ..... $ 303,162.00.

For the expenses of the Joint Legislative Code Committee..... $ 400,000.00.

The Joint Legislative Reapportionment Committee shall prepare, publish and provide semiannual reports to each member of the Legislature and such reports shall provide a line-by-line detailed accounting of all receipts and expenditures of any and all monies appropriated by the Legislature to the Joint Legislative Reapportionment Committee. Any meetings of the Joint Legislative Reapportionment Committee shall be held in state offices or at publicly owned facilities.

SECTION 2. The following sums, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying the monthly expense allowance of the members of the Legislature, as provided in Section 5-1-41, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025, as follows:

For the House of Representatives ..... $ 2,682,317.00.

For the Senate ..... $ 1,164,718.00.

SECTION 3. The following sum, or so much thereof as may be necessary is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying the state's share of various assessments for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 471,211.00.

Of the funds authorized in this section, the following distribution shall be made:

Southern States Energy Board ..... $ 29,077.00.

Interstate Cooperation..... $ 361,899.00.

National Conference of Commissioners on Uniform State Laws..... $ 41,835.00.

The Energy Council..... $ 38,400.00.

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the joint operations of the House of Representatives and the Senate not otherwise appropriated, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 50,000.00.

SECTION 5. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund,as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer, for the purpose of defraying the expenses of the Joint Legislative Budget Committee for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 250,000.00.

SECTION 6. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense

Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer, for the purpose of defraying the expenses of the Joint Legislative Committee on Performance Evaluation and Expenditure Review for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 1,000,000.00.

SECTION 7. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated for the House of Representatives for the purpose of reauthorizing the expenditure of General Funds as authorized in HB 1610, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 500,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 8. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated for the Senate for the purpose of reauthorizing the expenditure of General Funds as authorized in HB 1610, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 500,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 9. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the joint operations of the House of Representatives and the Senate for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1610, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 500,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 10. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the Joint Legislative Reapportionment Committee for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1610, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 . $ 20,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 11. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the Joint Legislative Budget Committee for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1610, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 300,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 12. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Joint Legislative Budget Committee for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1610, 2023 Regular Session, to defray expenses of the Committee for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 2,838,800.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 13. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the Joint Legislative Committee on Performance Evaluation and Expenditure Review for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1610, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 100,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 14. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Joint Legislative Committee on Performance Evaluation and Expenditure Review for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1610, 2023 Regular Session, to defray expenses of the Committee for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 105,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this Legislature for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. None of the funds appropriated under the provisions of this act may be used to pay or reimburse any expenses of out-of-state travel for any member or employee of the House of Representatives without prior approval of the House Management Committee or for any member or employee of the Senate without prior approval of the Senate Rules Committee.

SECTION 17. Of the funds provided herein, the Clerk of the Mississippi House of Representatives and the Secretary of the Mississippi Senate may transfer funds between accounts for their respective chambers which are administered by the Mississippi House of Representatives and the Mississippi Senate.

SECTION 18. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 19. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING THE EXPENSES AND PROVIDING CONTINGENT FUNDS FOR THE LEGISLATURE, THE EXPENSES OF THE JOINT LEGISLATIVE BUDGET COMMITTEE, THE EXPENSES OF THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW, THE EXPENSES OF THE JOINT LEGISLATIVE REAPPORTIONMENT COMMITTEE, THE EXPENSES OF THE JOINT COMMITTEE ON COMPILATION, REVISION AND PUBLICATION OF LEGISLATION, PAYING THE MONTHLY EXPENSE ALLOWANCE OF THE MEMBERS OF THE LEGISLATURE, PAYING THE STATE'S SHARE OF VARIOUS ASSESSMENTS, AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Sam C. Mims, V	Briggs Hopson
John Read	J. Walter Michel
Manly Barton	Dennis DeBar, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1817** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1818** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1818: Appropriation; Public Employees' Retirement System.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Administrative Expense Account of the Public Employees' Retirement System for the purpose of defraying the administrative expenses of the Board of Trustees of the Public Employees' Retirement System, or out of any money in the State Treasury to the credit of the Retirement System Building Account of the Public Employees' Retirement System for the purpose of maintenance and general operation of the Retirement System Building, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 20,968,462.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	167
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Board of Trustees of the Public Employees' Retirement System shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. In accordance with the purposes of this article, there shall be established in the State Treasury the Public Employees' Retirement System Building Repair and Maintenance Fund, into which shall be deposited all funds collected as rental income from the building owned by the system located at 301 North President Street, Jackson, Mississippi. At the end of each fiscal year, any and all unexpended funds shall be transferred to the Administrative Budget Fund of the system.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 1, no more than Three Million Five Hundred Thirty-eight Thousand Dollars ($3,538,000.00) is provided for the purpose of defraying those expenses associated with maintaining, upgrading and operating the computer system.

SECTION 7. As a condition of expending the funds appropriated in Section 1 of this act, the Board of Trustees of the Public Employees' Retirement System shall:

a. Purchase equipment to live webcast board and committee meetings; and

b. Live webcast and record all board and committee meetings, excluding any executive sessions of the board under the provision of the Mississippi Open Meetings Act. Archived footage or a weblink to the archived footage shall be posted on the agency website within Forty-eight (48) hours of the date and time the meeting was held.

SECTION 8. The Public Employees' Retirement System is further authorized, in its discretion, to expend funds for the purchase of service pins for employees of the Public Employees' Retirement System.

SECTION 9. Of the funds appropriated in Section 1, no more than Three Hundred Thousand Dollars ($300,000.00) is provided, only for the explicit purpose of building maintenance and repair.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Sam C. Mims, V	Briggs Hopson
John Read	David Parker
Randy Rushing	Michael McLendon

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1818** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1819** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1819: Appropriation; State Public Defender, Office of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of State Public Defender of the State of Mississippi for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 4,554,947.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Office of State Public Defender which is comprised of special source funds collected by or otherwise available to the office, to defray the expenses of the office for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 60,000.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 25

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Capital Defense	
Percent of Trial Cases Opened Less Than One Year	75.00
Percent Change in Running Average of Reversals Due to Ineffective Assistance of Counsel	0.10
Average of Reversals Due to Ineffective Assistance of Counsel	8

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 5. Of the funds provided in Section 1 of this act, Four Hundred Forty-six Thousand Five Hundred Twenty-one Dollars ($446,521.00), or so much thereof as may be necessary, is provided for three (3) full-time assistant public defenders pursuant to House Bill 1020, 2023 Regular Session, and engrossed in Section 25-32-4, Mississippi Code of 1972.

SECTION 6. It is the intention of the Legislature that the Office of State Public Defender shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail

comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. Of the funds provided in Section 1, Two Hundred Seventy-eight Thousand Five Hundred Dollars ($278,500.00) shall be provided for the Indigent Parental Representation for the purpose of contracting with trained and certified attorneys to represent indigent parents or guardians in abuse, neglect or termination of parental rights proceedings as provided under Sections 43-21-201 and 99-18-13, Mississippi Code of 1972.

SECTION 10. Of the funds provided in Section 1, Two Hundred Thirty-five Thousand Nine Hundred Twenty-six Dollars ($235,926.00) is provided for the establishment of a Youth Defender Program for the purpose of hiring an experienced Youth Defender and legal assistant to support training and technical services and provide appellate representation as provided under Section 43-21-201, Mississippi Code of 1972.

SECTION 11. Of the funds appropriated under the provisions of Section 2, Sixty Thousand Dollars ($60,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the support of the Hinds County Public Defender's Office.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF STATE PUBLIC DEFENDER OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Sam C. Mims, V	Briggs Hopson
John Read	Brice Wiggins
Angela Cockerham	Rod Hickman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1819** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes,

Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1820** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1820: Appropriation; Supreme Court, Court of Appeals and trial judges services.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi State Supreme Court for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 7,608,682.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Mississippi State Supreme Court which is comprised of special source funds collected by or otherwise available to the Mississippi State Supreme Court, for the purpose of defraying the expenses of the Mississippi State Supreme Court for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 997,779.00.

SECTION 3. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of the Mississippi State Supreme Court, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 70

Time-Limited: 0

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated to the Mississippi State Supreme Court for the purpose of defraying the expenses of special judges, chancellors and circuit judges for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 37,203,759.00.

SECTION 5. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the trial judges, for the purpose of defraying the expenses of special judges, chancellors and circuit judges for the fiscal year beginning July 1, 2024, and ending June 30, 2025. $ 4,192,368.00.

SECTION 6. Of the funds appropriated under Sections 4 and 5 of this act for the purpose of defraying the expenses of special judges, chancellors and circuit judges, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 109

Time-Limited: 0

SECTION 7. Of the funds appropriated under Sections 4 and 5 of this act, Fourteen Million One Hundred Seventy Thousand Dollars ($14,170,000.00) is provided for the purpose of employing support staff in an amount not to exceed One Hundred Thirty Thousand Dollars ($130,000.00) per fiscal year per judge.

SECTION 8. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for the purpose of funding the Administrative Office of Courts for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 17,464,222.00.

SECTION 9. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Administrative Office of Courts for the purpose of defraying the expenses of the Administrative Office of Courts and the Board of Certified Court Reporters for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 27,530,762.00.

SECTION 10. Of the funds appropriated under the provisions of this act for the purpose of funding the Administrative Office of Courts, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 48

Time-Limited: 0

SECTION 11. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the Continuing Legal Education Fund, a special fund hereby created in the State Treasury, for the purpose of defraying the expenses of providing continuing legal education programs to lawyers in Mississippi, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 171,252.00.

SECTION 12. It is the intention of the Legislature that interest earned from any investment or deposit to the Continuing Legal Education Fund made pursuant to Section 27-105-33, Mississippi Code of 1972, shall be credited by the State Treasurer to the Continuing Legal Education Fund and shall not be paid into the General Fund of Mississippi.

SECTION 13. Of the funds appropriated under the provisions of this act for the purpose of providing continuing legal education programs, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2

Time-Limited: 0

SECTION 14. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated to the Mississippi State Supreme Court for the purpose of defraying the expenses of the Court of Appeals for the fiscal year beginning July 1, 2024, and ending June 30, 2025.. $ 5,476,546.00.

SECTION 15. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi State Supreme Court, for the purpose of defraying the expenses of the Court of Appeals for the fiscal year beginning July 1, 2024, and ending June 30, 2025.. $ 1,672,707.00.

SECTION 16. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of the Court of Appeals, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 58

Time-Limited: 0

SECTION 17. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Board of Bar Admissions, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 369,916.00.

SECTION 18. It is the intention of the Legislature that interest earned from any investment or deposit to the Board of Bar Admissions Fund made pursuant to Section 27-105-33, Mississippi Code of 1972, shall be credited by the State Treasurer to the Board of Bar Admissions Fund and shall not be paid into the General Fund of Mississippi.

SECTION 19. Of the funds appropriated under the provisions of this act for the purpose of funding the Board of Bar Admissions, the following positions are authorized:
AUTHORIZED HEADCOUNT:
Permanent: 3
Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 20. No part of the funds herein appropriated shall be used in the payment of attorney's fees, nor shall any of such funds be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; however, when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 21. It is the intent of the Legislature that the Mississippi State Supreme Court shall charge the maximum amount allowable by law for services rendered where charges for such services are provided for by statute, and for any other services rendered, shall charge an amount consistent with the cost of providing such services. The funds derived from these charges shall be deposited into a special fund account in the State Treasury to the credit of the Office of the Mississippi State Supreme Court.

SECTION 22. It is the intent of the Legislature that no part of the funds herein appropriated shall be required to be used for the payment of rent for the public space in the Law Library.

SECTION 23. In accordance with Section 9-21-13, Mississippi Code of 1972, the Director of the Administrative Office of Courts is authorized to direct expenditures of state monies appropriated to the Administrative Office of Courts or any courts of the state for any and all functions or projects directly or indirectly affecting the operation of any court and may transfer monies appropriated for the office or any account to any one or more other accounts or office. The Director of the Administrative Office of Courts shall notify, in writing, the Lieutenant Governor, the Speaker of the House of Representatives, the Chairman of the Senate Appropriations Committee, the Chairman of the House Appropriations A Committee, and the Legislative Budget Office of any transfer. The written notification shall include the justification for the transfer of funds, an explanation of need, the amount, and where the funds will be used. This written notification shall be sent on or before the fifteenth day of the month prior to the effective date of the transfer.

SECTION 24. Of the funds appropriated in Section 8 of this act, Seven Hundred Thirty-two Thousand Five Hundred Thirty-nine Dollars ($732,539.00), or so much thereof as may be necessary, is provided for two (2) full-time CCID inferior court judges, one (1) part-time judge for the CCID inferior court and the support staff of the judges pursuant to Senate Bill 2180, 2024 Regular Session, and engrossed in Section 9-12-1, Mississippi Code of 1972. These employees shall be utilized for the Capitol Complex Improvement District established in Section 29-5-203, Mississippi Code of 1972.

SECTION 25. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 26. Of the funds appropriated under the provisions of this act, an amount not to exceed Two Million Four Hundred Sixty Thousand Five Hundred Dollars

($2,460,500.00) may be provided for the Comprehensive Electronic Court Systems Fund administered by the Administrative Office of Courts.

SECTION 27. It is the intention of the Legislature that the Mississippi State Supreme Court shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 28. Of the funds appropriated under the provisions of this act, Two Million Five Hundred Thousand Dollars ($2,500,000.00) shall be provided for the Youth Court Support Fund administered by the Administrative Office of Courts.

SECTION 29. Of the funds appropriated in Section 8, Nine Million Dollars ($9,000,000.00) is provided to defray the costs of the Drug Court Program.

SECTION 30. It is the intention of the Legislature that in the event there are not sufficient funds in the Judicial System Operation Fund created under Section 9-21-45, Mississippi Code of 1972, in any given year with which to pay the annual salary supplements set forth in Section 25-3-35, Mississippi Code of 1972, then the county treasury shall not be obligated to fund such salary supplements and the salary of county court judges shall be that in place prior to the passage of Section 9-9-11, Mississippi Code of 1972.

SECTION 31. Of the funds appropriated in Section 8, it is the intention of the Legislature that an amount of Six Million Seven Hundred Thousand Dollars ($6,700,000.00) may be allocated for the programs supported from General Fund court assessments as follows:

Drug Courts ..... $ 6,500,000.00
Civil Legal Assistance ..... $ 200,000.00

SECTION 32. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Supreme Court – Administrative Office of Courts, for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1640, 2023 Regular Session, for programmers, trainers and operations for the Mississippi Electronic Courts (MEC) System to meet the mandate to bring all the courts into the MEC System for the Supreme Court – Administrative Office of Courts for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 362,686.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 33. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Supreme Court – Administrative Office of Courts, for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1640, 2023 Regular Session, for IT equipment and Youth Court computers for the Supreme Court – Administrative Office of Courts for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 310,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 34. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Supreme Court – Administrative Office of Courts, for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1640, 2023 Regular

Session, for temporary Intake Officers for the Supreme Court – Administrative Office of Courts for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 500,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 35. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 36. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2025; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Sam C. Mims, V	Briggs Hopson
John Read	Brice Wiggins
Angela Cockerham	Rod Hickman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1820** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Voting Present--Branning. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1822** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1822: Appropriation; Arts Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Arts Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 1,555,682.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Arts Commission which is comprised of special source funds and donations collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 6,161,700.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 10

Time-Limited: 2

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Mississippi Arts Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall

be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. Of the funds appropriated under the provisions of Section 2, funds in the amount of One Million Four Hundred Ninety Thousand Dollars ($1,490,000.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the following:

Training of educators and promotion of arts programs in public schools ..... $ 100,000.00
Miscellaneous grants and programs ..... $ 350,000.00
Whole Schools Initiative ..... $ 1,040,000.00

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. It is the intention of the Legislature that the Arts Commission may retain an amount not to exceed one percent (1%) of the monies in the Building Fund for the Arts for the purpose of defraying administrative costs associated with administering the grant program established in Section 39-11-13, Mississippi Code of 1972.

SECTION 9. Of the funds appropriated under the provisions of Section 2, Three Million Five Hundred Thousand Dollars ($3,500,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office.

This appropriation is made for the purpose of providing the funds for the Building Fund for the Arts.

SECTION 10. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Arts Commission for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1611, 2023 Regular Session to provide for the funding of the Building Fund for the Arts Initiative for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 3,500,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Karl Oliver	Briggs Hopson
John Read	Tyler McCaughn
Steve Massengill	Scott DeLano

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1822** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1823** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1823: Appropriation; Education, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of funding K-12 and other related educational activities, including certain agencies and programs, in the State of Mississippi, for the fiscal year beginning July 1, 2024, and ending June 30, 2025, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, and excluding the expenses of the Vocational and Technical Education Division ..... $ 128,471,455.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education .....
$ 86,549,969.00.

(c) To the State Board of Education for the purpose of paying annual compensation to the Chickasaw Cession counties for sixteenth section lands which they lost through sale by the state, as provided in Sections 29-3-137 through 29-3-141, Mississippi Code of 1972 ..... $ 15,223,869.00.

(d) To the State Board of Education for defraying the expenses of the Mississippi Student Funding Formula .....
..... $ 2,690,627,163.00.

TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED
BY THIS SECTION BEING.....$ 2,920,872,456.00.

SECTION 2. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in any special fund in the State Treasury to the credit of the proper fund or funds of the agencies or programs specified in the

following paragraphs for the fiscal year beginning July 1, 2024, and ending June 30, 2025, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division ..... $ 1,995,418,401.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education .....
$ 22,718,189.00.

(c) To the State Board of Education for the purpose of defraying the expenses of the Mississippi Student Funding Formula .....
$ 268,025,562.00.

TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED
BY THIS SECTION BEING ..... $ 2,286,162,152.00.

SECTION 3. Of the funds appropriated in Section 2, One Hundred Twenty-six Thousand Four Hundred Seventy-two Dollars ($126,472.00), or so much of that sum as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Health Care Expendable Fund to the State Department of Education for the purpose of defraying the expenses of the department for the Mississippi Eye Screening Program for providing vision safety services.

SECTION 4. Of the funds appropriated in Section 2, the following sums, or so much of those sums as may be necessary, are derived out of any money in the State Treasury to the credit of the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, as follows:

(a) To the State Department of Education, excluding the expenses of the Vocational and Technical Education Division, for the following purposes:

Literacy Initiative and Assessment	$ 6,805,774.00
Educable Child	$ 9,500,000.00
Grants to school districts for capital facilities and buses	$ 16,000,000.00
Instructional materials	$ 25,000,000.00
Students with Special Needs	$ 1,800,000.00
Implementing Performance-Based Data Collection and Accreditation Model	$ 274,937.00
Testing	$ 6,125,670.00
Mississippi School for Math and Science	$ 1,131,000.00
Mississippi School for Fine Arts.	$ 927,632.00
Early Learning Collaboratives	$ 21,210,526.00
Other Early Learning Programs	$ 13,000,000.00
Early Learning Coaches	$ 3,251,533.00
Math Coaches	$ 5,000,000.00
WorkKeys	$ 1,000,000.00
Advanced Placement, Dual Credits, International Baccalaureate, Cambridge Diploma Endorsements	$ 300,000.00
Vocational Technical Grants	$ 1,000,000.00
Mississippi School for the Deaf and Blind	$ 1,557,037.00
TOTAL	$ 113,884,109.00

(b) To the State Department of Education to defray the expenses of the Vocational and Technical Education Division .....
$ 6,637,258.00.

(c) To the State Department of Education to provide funding for the Mississippi Student Funding Formula .....
$ 268,025,562.00.

SECTION 5. Of the funds appropriated in this act, the following positions are authorized for the State Department of Education, excluding the expenses of the Vocational and Technical Education Division:

AUTHORIZED HEADCOUNT:

Permanent: 329

Time-Limited: 124

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided in this act shall be utilized in the most efficient and effective manner possible to achieve the intended mission of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Special Education	
Number of Special Education Teachers (FTE)	5,963
Number of Gifted Education Teachers	730
Percent Increase of Children with Disabilities in General Education Early Childhood Programs while Decreasing the Percent in Self-Contained Special Education Early Childhood Classrooms	76.00
General Administration	
Total Dollars Spent on General Administration	19,250,220.00

Percent of Total Budget Spent on General Administration	15.70
Create a Public-Facing Data System for All Stakeholders	100.00
Create a User-Friendly Website for the Public and School Districts to Access Data to Make Decisions	100.00
Create a Roadmap to Improve the Mississippi Student Information System	100.00
Number of Research Results Published to Support Improved Student Outcomes and Teacher Effectiveness	9
Graduation & Career Readiness	
Percent Increase of Students Graduating from High School Ready for College or Career in Each Subgroup	100.00
Early Childhood Education	
Percent Increase of Kindergarten Students Achieving End-Of-Year Target Score on Kindergarten Readiness Post-Test	69.74
Percent Increase of Early Learning Collaborative Sites Meeting Required Rate of Readiness	95.95
Number of Students Enrolled in Title I or Locally Funded Pre-K Classes	8,778
Teacher Tng & Professional Dev	
Reduce the Proportion of Inexperienced and Non-Certified Teachers in Schools That Are High Poverty	31.00
Reduce the Proportion of Inexperienced and Non-Certified Teachers in Schools That Are High Minority	35.00
Percent Increase of Districts Reporting Professional Growth System (PGS) Ratings for Teachers and Leaders	96.00
Percent Increase of Teacher Candidates Passing Licensure Exams on the First Attempt	45.00
Increase the Number of Licensed, Diverse Teachers and Leaders	35.00
Elementary Education	
Percent Increase of Students who Pass the 3rd Grade Reading Assessment at the First Administration in Each Subgroup	80.00
Secondary Education	
Increase the Number of Students Participating in and Passing Advanced Placement (AP), International Baccalaureate (IB) and Cambridge Exams in Each Subgroup	37.00
Percent Increase of Students Ready for College as Measured by Meeting ACT Benchmarks in Each Content Area (Public School Class Data, Grade 11)	11.00
Assessment & Development	
Increase the Percent of Students Proficient (Levels 4-5) on Statewide Assessments (Grades 3-8 & High School	

Composite) in Each Subgroup	53.00
Decrease the Percent of Students Scoring Levels 1-3 on Statewide Assessments in Each Subgroup	47.00
Increase Percent of Pre-Kindergarten Students in Public Schools Attaining Kindergarten Readiness on the Pre-K End-Of-Year Assessment	72.00
School Performance	
Percent of Schools Rated "C" or Higher	85.00
Percent of Districts Rated "C" or Higher	85.00
Percent of Students Demonstrating Growth on Statewide ELA Assessments in Each Subgroup	70.00
Percent of Students Demonstrating Growth on Statewide Math Assessments in Each Subgroup	75.00
Percent of Students Participating in Dual Credit in Each Subgroup	60.00
Percent of Students Passing Dual Credit in Each Subgroup	98.00
Increase the Growth of D and F Districts Demonstrating Growth, by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	80.00
Increase the Growth of D and F Schools by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	80.00
Increase the Growth of Districts of Transformation by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	100.00
Increase the Growth of Schools Under Districts of Transformation by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	100.00
Decrease the Number of High Schools Rated D or F	40.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 7. No school district shall expend any funds, received under the School Ad Valorem Reduction Grant, unless such school district has specifically identified the amount of the grant within the published budget as required by Section 37-61-9, Mississippi Code of 1972. The published budget shall include the following statement: "Ad Valorem taxes will be $_____ less as a result of the Ad Valorem Reduction Grants enacted by the Mississippi Legislature in 1992."

SECTION 8. Of the funds appropriated in Section 2, funds in the amount of One Million Dollars ($1,000,000.00) shall come from income derived from the principal of the Education Improvement Trust Fund created by Section 206A, Mississippi Constitution of 1890, and One Million Dollars ($1,000,000.00) shall be used for the School for Math and Science.

SECTION 9. Of the funds appropriated under the provisions of this act, the following positions are authorized for the Vocational and Technical Education Division of the State Department of Education:

AUTHORIZED HEADCOUNT:

Permanent:	48
Time-Limited:	5

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 10. Of the funds appropriated in this act, an amount not to exceed One Million Twenty-three Thousand Five Hundred Seventy-four Dollars ($1,023,574.00) is authorized for the support of vocational and technical education programs as authorized in Section 37-31-13, Mississippi Code of 1972, for a period in excess of ten (10) months in a calendar year.

SECTION 11. It is the intention of the Legislature that the Vocational and Technical Education Division of the State Department of Education shall, with the funds appropriated in Section 1, transfer no more than Seventy-five Thousand Dollars ($75,000.00) to the Mississippi Soil and Water Conservation Commission for the purpose of providing matching funds to purchase soil conservation equipment.

SECTION 12. Of the funds appropriated in this act, no more than One Hundred Seventy-five Thousand Dollars ($175,000.00) is provided for the purpose of supporting the Future Farmers of America Center.

SECTION 13. The State Department of Education shall transfer the designated amounts to the appropriate entities, which shall assume full responsibility for the expenditure of these funds in accordance with state laws and accept all responsibility for any improper expenditure, for the following:

Detention Centers	$ 3,000,000.00.
Dyslexia Program	$ 225,000.00.
Amplify Data Coaching	$ 800,000.00.
Magnolia Speech School	$ 1,000,000.00.
Sight Savers	$ 375,000.00.
Teach for America	$ 860,000.00.
Teacher Corp and Principal Corp.	$ 300,000.00.
Vision Screening Research	$ 225,000.00.
Lighthouse Academy for Dyslexia	$ 200,000,00.

Algebra Nation	$ 1,100,000.00.
Mississippi Construction Education Program	$ 212,500.00.
T. K. Martin Center	$ 100,000.00.
JumpStart Act	$ 250,000.00.
Mastery Prep	$ 200,000.00.
Arts for All Mississippi	$ 40,000.00.
TOTAL	$ 8,887,500.00.

SECTION 14. It is the intention of the Legislature that of the funds provided for Other Early Learning Programs in Section 4(a), Thirteen Million Dollars ($13,000,000.00) is included for the Mississippi Department of Education to provide grant opportunities for Other Early Learning Programs through public schools including other public school preschool programs not participating in Early Learning Collaboratives.

SECTION 15. Of the funds appropriated in this act, an amount not to exceed One Million Five Hundred Thousand Dollars ($1,500,000.00) shall be used for technological methods for agricultural programs, computer science, engineering or robotic engineering programs and equipment upgrades and Mississippi Elementary (ME) STEM and STEAM programs from the Career and Technical Education Division of the State Department of Education. All programs must meet Mississippi Science Standards and/or College and Career Standards.

Of the funds appropriated in this section, an amount not to exceed One Million Dollars ($1,000,000.00) shall be distributed to the Mississippi State University Center for Cyber Education and used for computer science programs development and teacher training for elementary schools, middle schools, and high schools for the purpose of developing K-12 computer science curricula, including both academic and career and technical education programs, developing and delivering teacher training, and working with the State Board of Education and Institutions of Higher Learning in the state to develop teacher preparation programs for computer science endorsements. All programs must meet the 2018 Mississippi Computer Science Standards and/or Mississippi College and Career Standards.

SECTION 16. Of the funds appropriated in Section 2(a) of this act, Five Hundred Fifty Thousand Dollars ($550,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. Of these funds, Five Hundred Thousand Dollars ($500,000.00) is provided for program and equipment upgrades at the Mississippi Elementary (ME) STEM and STEAM programs from the Career and Technical Education Division of the State Department of Education. Additionally, Fifty Thousand Dollars ($50,000.00) is provided for the Mississippi Future Farmers of America Center.

SECTION 17. It is the intention of the Legislature that computer science courses may be taught by certified teacher or for elementary level classes, computer science courses may be taught by teachers who are trained by the district in computer science instruction.

SECTION 18. Of the funds appropriated in Section 1, the sum of Sixty-two Thousand One Hundred Ninety-one Dollars ($62,191.00), which is the aggregate sum that the school districts in the Chickasaw Cession receive annually from interest payments from the Chickasaw School Fund under Section 212, Mississippi Constitution of 1890, shall be deducted from the allocations to the school districts as provided in Section 29-3-137, Mississippi Code of 1972, and shall be distributed among the school districts in the Chickasaw Cession by the State Department of Education in the manner that those interest payments were distributed during Fiscal Year 1985.

SECTION 19. Of the funds provided in this act for the purpose of funding the Mississippi Student Funding Formula, the Student Base Amount in Fiscal Year 2025 shall be Six Thousand Six Hundred Ninety-five Dollars and Thirty-four Cents ($6,695.34).

SECTION 20. With the funds provided in this act, it is the intention of the Legislature that School Attendance Officers and academic teachers at the Mississippi School for the Deaf and the Mississippi School for the Blind shall receive their annual increment.

SECTION 21. It is the intention of the Legislature that the State Board of Education shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated in this act and that those records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the budget requests for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process for each agency and institution appropriated funds within the provisions of this act.

SECTION 22. Of the funds appropriated in Section 1(a) to the State Board of Education, not less than Twenty-three Million Eighty Thousand Dollars ($23,080,000.00) shall be used for National Board Certification. Of this amount, Seven Hundred Thousand Dollars ($700,000.00) shall be used for the World Class Teacher Program providing instruction and assistance to teachers seeking National Board Certification.

SECTION 23. Of the funds appropriated in Section 1 and Section 4(a) not less than Seventeen Million Five Hundred Fifty-eight Thousand Dollars ($17,558,000.00) shall be used for the Educable Child Program. It is the intention of the Legislature that the State Board of Education shall allocate funding for the Educable Child Program based upon a recalculated formula in a manner to include only those billable days funded through appropriation of state funds and not District funds. It is the intent of the Legislature that the Educable Child funds shall be exempt from budget cuts made to the Department of Education by the Legislature and/or the Office of the Governor.

SECTION 24. Of the funds appropriated in Section 1(a) and Section 4(a), not less than Three Million Dollars ($3,000,000.00) shall be used for the Education Scholarship Account (ESA) Program. It is the intent of the Legislature that the Education Scholarship Account (ESA) funds shall not be reduced by the State Department of Education and/or the Office of the Governor.

SECTION 25. Of the funds appropriated in Section 1(a), Twelve Million Five Hundred Thirteen Thousand Four Hundred Twenty Dollars ($12,513,420.00) is provided to fund the health insurance premium increase for all public school teachers.

SECTION 26. Of the funds appropriated in Section 1(a) of this act, Eight Million Four Hundred Twenty-seven Thousand Six Hundred Fourteen Dollars ($8,427,614.00) is provided to fund a one-half (1/2) percent increase in the employer portion of the Public Employees' Retirement System for all public school teachers.

SECTION 27. The public school districts of the state are authorized at their discretion to pay with local funds one hundred percent (100%) of the cost of the health insurance premiums of the State and School Employees Health Insurance Plan for all retired members of the Public Employees' Retirement System who are employed as school bus drivers by the school districts. It is the intention of the Legislature that no state funds shall be used for this purpose.

SECTION 28. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in those received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 29. Of the funds appropriated in Section 1, not less than Six Million Four Hundred Fourteen Thousand Eight Hundred Ninety-eight Dollars ($6,414,898.00) shall be used for the Compulsory School Attendance Office and School Attendance Officers.

SECTION 30. Of the funds appropriated in this act, it is the intention of the Legislature that Three Million Sixty Thousand Dollars ($3,060,000.00) shall be used for the Mary Kirkpatrick-Mary Sprayberry Public School Nurse Program. The amount of Three Million Sixty Thousand Dollars ($3,060,000.00) is provided from the Department of Health.

SECTION 31. It is the intention of the Legislature that the State Board of Education shall charge a fee for room and board for students who enroll in the Mississippi School for Mathematics and Science and the Mississippi School of Arts. Such fees will be waived for any student enrolled in the State Children's Health

Insurance Program. The amount of such fees shall be Five Hundred Dollars ($500.00) for each semester.

SECTION 32. It is the intent of the Legislature that each eligible employee who meets the National Board requirements under Section 37-19-7(2), Mississippi Code of 1972, shall be paid the full supplement and that such supplement shall be included on a prorated basis in the employee's monthly paycheck.

SECTION 33. It is the intention of the Legislature that the Mississippi Department of Education may loan any general or special source fund amount, not to exceed Five Million Dollars ($5,000,000.00), to any school district for the purpose of providing funds to school districts through the Emergency Assistance Fund as outlined in Section 37-17-6, Mississippi Code of 1972, during the period beginning July 1, 2024, and ending June 30, 2025. The school districts receiving these loans shall repay the Mississippi Department of Education the amount of the loan on or before June 30, 2025.

SECTION 34. Of the funds appropriated in Section 1(a), Seven Hundred Thousand Dollars ($700,000.00) shall be transferred to the Board of Health no later than December 31, 2024.

SECTION 35. Any school district receiving funds through Save the Children may provide a ten percent (10%) match from local funds for implementation of the program.

SECTION 36. Of the funds appropriated in Section 1(a), Two Million Dollars ($2,000,000.00) is provided for the Mississippi Community Oriented Policing Services in Schools (MCOPS) grant program. A portion of these funds not to exceed one percent (1%) may be used for training and administrative costs related to oversight and auditing of the program.

SECTION 37. Of the funds appropriated in Section 1(a) and Section 2(a), Twenty-nine Million Dollars ($29,000,000.00) is provided for an Early Childhood Education Initiative program. The funding shall be provided to early learning collaboratives in Fiscal Year 2025 as follows: no less than Two Thousand Five Hundred Dollars ($2,500.00) per student in a full-day program and no less than One Thousand Two Hundred Fifty Dollars ($1,250.00) per student in a half-day program. Funds must be matched as provided by Section 37-21-51, Mississippi Code of 1972.

SECTION 38. Of the funds appropriated in Section 1(a) and Section 4(a), Fifteen Million Ninety-four Thousand Five Hundred Dollars ($15,094,500.00) shall be used for the Literacy Initiative and Assessment and monitoring and evaluating the adoption and implementation of high-quality instructional materials that have been reviewed through the approved state process and distributed through regional textbook depository as outlined in Section 37-43-23, Mississippi Code of 1972.

SECTION 39. Of the funds appropriated herein, funding is provided for the ACT test, which is the college readiness portion of the state accountability model.

SECTION 40. Of the funds appropriated in Section 1(a), Two Million Seven Hundred Thirty-four Thousand Sixty-four Dollars ($2,734,064.00) shall be used for the Mississippi School of the Arts and Four Million Ten Thousand Two Hundred Ten Dollars ($4,010,210.00) shall be used for the Mississippi School for Mathematics and Science. It is the intention of the Legislature that of the funds appropriated in Section 1(a) for the Mississippi School of the Arts, One Million Three Hundred Sixty-seven Thousand Thirty-two Dollars ($1,367,032.00) shall be paid to the school no later than July 10, 2024, and One Million Three Hundred Sixty-seven Thousand Thirty-two Dollars ($1,367,032.00 shall be paid no later than January 10, 2025. All funds appropriated from Section 4(a) for the Mississippi School of the Arts shall be paid to the school each month within ten (10) working days after such amount was received by the Department of Education. It is the intention of the Legislature that the State Board of Education shall not reduce the appropriated amounts provided in this act for the Mississippi School of the Arts and the Mississippi School for Mathematics and Science.

SECTION 41. Of the funds appropriated in Section 1(b) and Section 2(b), Five Hundred Thousand Dollars ($500,000.00) is provided for career and technical grants to schools for qualified students as authorized by Section 37-153-15, Mississippi Code of 1972.

SECTION 42. Of the funds appropriated in this act, the following amounts shall be available to the Schools for the Blind and Deaf: Ten Million Four Hundred Eighty-four Thousand Three Hundred Twenty-three Dollars ($10,484,323.00) from Section 1(a),

One Million Five Hundred Fifty-seven Thousand Thirty-seven Dollars ($1,557,037.00) from Section 4(a), and Two Million Four Hundred Fifty-nine Thousand Seven Hundred Twenty-five Dollars ($2,459,725.00) from Section 2(a).

SECTION 43. Of the funds appropriated in Section 1(a) of this act, One Million Four Hundred Thousand Dollars ($1,400,000.00) is provided for the continuation of a school mapping program.

SECTION 44. Of the funds appropriated in this act, an amount not to exceed Four Million One Hundred Seventy-one Thousand Three Hundred One Dollars ($4,171,301.00) is authorized to fully fund the contract between the Department of Education and the Research & Curriculum Unit at Mississippi State University to fund career and technical curricula, services to secondary schools and career and technical assessments.

SECTION 45. Of the funds appropriated in Section 1(b) to the State Board of Education, Five Hundred Sixty-two Thousand Nine Hundred Ninety-nine Dollars ($562,999.00) is provided for secondary career and technical education instructors teaching at post-secondary institutions.

SECTION 46. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Charter School Authorizer Board for operational expenses for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 1,400,000.00.

SECTION 47. Of the funds appropriated in Section 1(b), One Million Four Hundred Thirty-two Thousand Eight Hundred Seventy-two Dollars ($1,432,872.00) shall be provided for new Career and Technical Education Programs as determined by the Division of Vocational and Technical Education at the Mississippi Department of Education. Of the funds appropriated to the department for these programs, no amount shall be expended by the department to defray administrative costs.

SECTION 48. The Mississippi Department of Education shall provide an annual report detailing the funding of industry certifications and the anticipated industry certifications that will be achieved in the upcoming fiscal year to the Legislative Budget Office and the Legislature no later than January 15, 2025.

SECTION 49. Of the funds appropriated in Section 2(a) of this act, One Million Five Hundred Thousand Dollars ($1,500,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for repairs and renovations at the Mississippi School for Math and Science.

SECTION 50. Of the funds appropriated in Section 2(a) of this act, Five Hundred Thousand Dollars ($500,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided as initial operational funding for The Deer Creek Promise Community.

SECTION 51. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated, for the Mississippi Department of Education for the purpose of reauthorizing the expenditure of Education Enhancement Funds as authorized in House Bill No. 1613, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 $ 12,915,973.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

(a) Instructional Materials ..... $ 2,540,973.00.
(b) Early Learning Collaboratives ..... $ 3,000,000.00.
(c) Other Early Learning Programs ..... $ 7,375,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 52. It is the intent of the Legislature that each eligible professional school counselor employee who meets the year of teaching experience requirements under Section 37-151-5(m), Mississippi Code of 1972, shall be considered having a year of experience for purposes of the annual experience salary increment.

SECTION 53. The money appropriated in this act shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 54. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Karl Oliver	Briggs Hopson
John Read	Dennis DeBar, Jr.
Rob Roberson	Kevin Blackwell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1823** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Voting Present--Chism, Hill. Total--2.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1824** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1824: Appropriation; Educational Television, Authority for.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Authority for Educational

Television for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 4,746,807.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Authority for Educational Television which is comprised of special source funds collected by or otherwise available to the Authority, for the purpose of defraying the expenses of the Authority for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 6,408,659.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 and Section 2, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 80

Time-Limited: 7

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. Funds appropriated herein shall first be used for the continuation of a full and complete broadcast schedule of educational and instructional, professional growth, and public service programs, with the production of new films and programs to be secondary thereto.

SECTION 5. It is the intention of the Legislature that the Mississippi Authority for Educational Television shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. Of the funds appropriated under the provisions of Section 2, Two Million One Hundred Eighteen Thousand Nine Hundred Sixty-six Dollars ($2,118,966.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 7. No part of the funds appropriated herein shall be transferred to, expended by, or used, directly or indirectly, for the benefit of any public relations, publicity or publication activities of any other state agency, department or officer, nor shall any personnel paid or equipment purchased with funds appropriated hereby be transferred or assigned to any other state agency, department or officer for public relations, publicity or publication activities of such office.

SECTION 8. It is the intention of the Legislature that the Mississippi Authority for Educational Television shall have the authority to expend funds in the Capital Equipment Replacement Revolving Fund, in accordance with Section 37-63-17, Mississippi Code of 1972, for the purpose of purchasing technical equipment for operating the educational radio and television facilities.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Content Operations	
Number of Locally Produced TV Programs	100
Number of Locally Produced Radio Programs	1,092
Number of Monthly Average Number of Web Site Users	25,000
Number of New Programs Produced and Broadcast Related to Fit to Eat Programming	8
Percent of Radio Broadcasts and TV Alerts During Times of Emergency	100.00
Education Services	
Percent Increase in Users Using MPB Education Online Resources for Pre-K Children and Families	20.00
Number of Students Served by the Digital Education Network (DEN) Classroom	2,000
Number of School Districts Participating in the DEN Classroom	30
Number of Teachers Taking e-Learning Courses	1,800
Number of Teacher Continuing Education Units (CEUs) Provided by e-Learning Courses Offered	1,950
Percent Increase of Visitors to the MPB Education Website	10.00
Number of Early Childhood Educators Attending MPB Resource Workshops Involving PBS and MPB Programs/Content	200
Number of Parents Participating in Parents Are Teachers Too (PATT) Initiative	300
Technical Services	
Number of Transmitters On Air	8
On-Air Reliability	99.95
Number of IT Help Desk Orders Filled	600
Administration	
Number of Community Engagements/Outreach Events Including Virtual Engagements	350

Number of State Agency Partners	40
New Grant Dollars Acquired	150,000.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that an amount equal to One Dollar and Fifty Cents ($1.50) per square foot shall be paid to the Executive Office of the State Board of Institutions of Higher Learning to defray utility costs.

SECTION 12. It is the intention of the Legislature that the Authority for Educational Television may fund a program to focus on the manufacturing industry in Mississippi.

SECTION 13. Mississippi Authority for Educational Television is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed Two Million Dollars ($2,000,000.00).

SECTION 14. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated, for the Educational Television Authority for the purpose of reauthorizing the expenditure of Education Enhancement Funds as authorized in House Bill No. 1614, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 . $ 4,019,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

a) Tower maintenance and upgrades ..... $ 3,060,000.00.

b) Digitalization of Educational Content and Mississippi History .. $ 668,000.00.

c) Production of a Medgar Evers documentary
$ 291,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 15. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Educational Television Authority for the purpose of reauthorizing the expenditure of Capital Expense Funds as authorized in House Bill No. 1614, 2023 Regular Session provide for tower maintenance and upgrades for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 260,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balances as of June 30, 2024. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Karl Oliver	Briggs Hopson
John Read	Dennis DeBar, Jr.
Steve Massengill	Robin Robinson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1824** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Chism, Hill. Total--2.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1825** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1825: Appropriation; Library Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1c.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Library Commission and for carrying out the provisions of Section 39-3-107, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025

$ 11,126,235.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Library Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 4,857,621.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	48
Time-Limited:	1

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. Funds to be distributed to eligible public library systems under the Personnel Incentive Grants Program shall be paid quarterly in advance on or before September 30, December 31, March 31 and June 30.

SECTION 5. It is the intention of the Legislature that the Mississippi Library Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. Of the funds appropriated under the provisions of Section 2, Four Hundred Ninety-three Thousand Eight Hundred Forty-seven Dollars ($493,847.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Administrative Services	
Number of Help Desk Tickets Resolved	1,150
Library Services	
Number of Continuing Education Workshops	

Held per Year	30
Percent Increase of Citizens Informed by Acquiring Needed Information Through Mississippi Libraries	1.00
Number of Library Visits by Commission Staff	175
Number of Patrons Utilizing Braille, Audio, Etc	4,000
Number of Children Participating in Statewide Summer Library Prg	120,000
Number of Items Borrowed and Loaned on the Interlibrary Loan System	10,000
Number of Items Available for Use Statewide on the Interlibrary Loan System	5,000,000
Number of Searches on MAGNOLIA	35,000,000
Number of Items Available for Use at MLC (Primary Resource Library)	100,000

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 8. It is the intention of the Legislature that no less than One Million Three Hundred Fifty Thousand Dollars ($1,350,000.00) shall be expended for the Magnolia Database.

SECTION 9. Of the funds appropriated in Section 2, Three Hundred Fifty Thousand Dollars ($350,000.00) or so much thereof as may be necessary, is derived from the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for MAGNOLIA.

SECTION 10. Of the funds appropriated herein, Four Million Five Hundred Eighty-four Thousand Three Hundred Eighty-nine Dollars ($4,584,389.00) is provided for the cost of health insurance for all full-time library staff members in each public library in Mississippi.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Karl Oliver	Briggs Hopson
John Read	Dennis DeBar, Jr.
Steve Massengill	Robin Robinson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1825** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, Hill, Seymour. Total--3.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3007** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3007: Appropriation; IHL - Subsidiary programs.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums of money, or so much thereof as may be necessary, are hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support of the Center for Advanced Vehicular Systems, Center for Manufacturing Excellence, Mississippi State Chemical Laboratory, Water Resources Institute, Mississippi Law Research Institute, Jackson State University Urban Research Center, Mississippi Mineral Resources Research Institute, Research Institute of Pharmaceutical Sciences, the Supercomputer, the Stennis Institute of Government, Gulf Coast Research Laboratory, Polymer Institute, Small Business Development Center, Stennis Center for Higher Learning, the Commission for Volunteer Services, the State Court Education Program, and the executive office of the board of trustees for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 39,973,517.00.

SECTION 2. The following sums of money, or so much thereof as may be necessary, are hereby appropriated out of the proceeds from any federal, student fees or other special source funds not otherwise appropriated, to the Center for Advanced Vehicular Systems, Center for Manufacturing Excellence, Board of Trustees of State Institutions of Higher Learning for the purpose of support of the Mississippi State Chemical Laboratory, Water Resources Institute, Mississippi Alcohol Safety Education Program, Stennis Institute of Government, Mississippi Law Research Institute, Mississippi Small Business Development Center, Mississippi Mineral Resources Research Institute, Research Institute of Pharmaceutical Sciences, the Supercomputer, Stennis Space Center's Center for Higher Learning, Gulf Coast Research Laboratory, Polymer Institute, Jackson State University Urban Research Center, the Commission for Volunteer

Services, and the executive office of the board of trustees for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 57,442,124.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2 of this act hereof, the following amounts, or so much thereof as may be necessary, shall be expended by the Board of Trustees of State Institutions of Higher Learning for the purposes hereinafter set forth:

(a) From State General Funds, for the support of:

Center for Advanced Vehicular Systems for the sum of ..... $ 4,797,094.00.

Supercomputer for the sum of ..... $ 659,556.00.

Center for Manufacturing Excellence for the sum of ..... $ 3,117,676.00.

Mississippi Mineral Resources Institute for the sum of ..... $ 374,112.00.

State Court Education Program for the sum of ..... $ 2,072,909.00.

Mississippi Law Research Institute for the sum of ..... $ 912,277.00.

Executive Office of the Board of Trustees for the sum of ..... $ 7,535,397.00.

Mississippi Polymer Institute for the sum of ..... $ 918,408.00.

Mississippi Small Business Development Center for the sum of ..... $ 359,281.00.

Stennis Space Center - Center for Higher Learning for the sum of ..... $ 363,616.00.

Jackson State University Urban Research Center for the sum of ..... $ 546,028.00.

Stennis Institute of Government for the sum of ..... $ 790,415.00.

Commission for Volunteer Services for the sum of ..... $ 1,122,734.00.

Gulf Coast Research Laboratory for the sum of ..... $ 8,575,933.00.

Mississippi Water Resources Institute for the sum of ..... $ 353,177.00.

Mississippi State Chemical Laboratory for the sum of ..... $ 1,900,735.00.

Research Institute of Pharmaceutical Sciences for the sum of ..... $ 5,574,169.00.

(b) From Special Funds, for the support of:

Center for Advanced Vehicular Systems for the sum of ..... $ 142,782.00.

Center for Manufacturing Excellence for the sum of ..... $ 142,782.00.

Mississippi Mineral Resources Institute for the sum of ..... $ 625,641.00.

Mississippi State University-Alcohol Safety for the sum of ..... $ 1,917,645.00.

Mississippi Law Research Institute for the sum of ..... $ 1,993,344.00.

Executive Office of the Board of Trustees for the sum of ..... $ 27,680,668.00.

Mississippi Small Business Development Center for the sum of ..... $ 3,204,060.00.

Commission for Volunteer Services for the sum of ..... $ 5,077,397.00.

Gulf Coast Research Laboratory for the sum of ..... $ 1,872,780.00.

Mississippi State Chemical Laboratory for the sum of ..... $ 500,481.00.

Research Institute of Pharmaceutical Sciences for the sum of ..... $ 14,284,544.00.

Of the funds appropriated under the provisions of Section 1 of this act and allocated to the Gulf Coast Research Laboratory, the Board of Trustees of State Institutions of Higher Learning shall allocate One Hundred Seventy-five Thousand Dollars ($175,000.00) for Sea Grants matching for the Fiscal Year 2025.

Provided further, it is the intention of the Legislature, in the event budget reductions are imposed on the Gulf Coast Research Laboratory by the Board of Trustees of State Institutions of Higher Learning, as a result of the Governor ordering budget reductions under the provisions of Section 27-104-13 or 31-17-123, Mississippi Code of 1972, the same percent reduction will be applied to those state funds identified in this section for Sea Grant match.

It is the intent of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

After the Mississippi State Chemical Laboratory has provided the maximum amount of services which may be provided free of charge under the provisions of Section 57-21-11(c), Mississippi Code of 1972, the laboratory shall not provide any additional services from the funds appropriated under the provisions of Sections 1 and 2 of this act if any charges for such services previously provided are more than ninety (90) days past due. After all such delinquent charges have been paid by a client, the laboratory may provide additional services to the client.

SECTION 4. Of the funds appropriated in Section 2 of this act and authorized for expenditure in Section 3(b) of this act, the following amounts shall be derived from Education Enhancement Funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972:

Center for Advanced Vehicular Systems.....$ 142,782.00.

Center for Manufacturing Excellence.....$ 142,782.00.

Gulf Coast Research Laboratory.....$ 142,782.00.

Executive Office of the Board of Trustees for the sum of ..... $ 402,396.00.

Total.....$ 830,742.00.

SECTION 5. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Board of Trustees of State Institutions of Higher Learning, or any of the powers or duties of any institution under the jurisdiction of the board of trustees, that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 6. It is the intention of the Legislature that the budget requests of the individual institutes, laboratories and programs consolidated in this bill for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 7. The Board of Trustees of State Institutions of Higher Learning shall report yearly to the Legislature any institution not in compliance with Section 97-11-51, Mississippi Code of 1972, which prohibits deficit spending.

SECTION 8. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research in which a human embryo is killed or destroyed.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. Of the funds appropriated in Section 1 of this act, One Million Five Hundred Thousand Dollars ($1,500,000.00) is hereby provided for the National Center for Cannabis Research and Education at the University of Mississippi - Research Institute of Pharmaceutical Sciences for the purpose of data analysis, educational initiatives, and other activities in collaboration with the State Department of Health pursuant to Senate Bill 2888, Regular Session 2024.

SECTION 13. Of the funds appropriated under the provisions of Section 2, Five Hundred Thousand Dollars ($500,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds shall first be expended for the purpose of repair, maintenance, or replacement of the fire detection and suppression system at the IHL Education and Research Center. Any funds remaining may be expended on other repairs and maintenance at the IHL Education and Research Center.

SECTION 14. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 15. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES' DESIGNATED INSTITUTES, LABORATORIES AND PROGRAMS FOR WHICH THEY ARE RESPONSIBLE AND THE EXECUTIVE OFFICE OF THE BOARD OF TRUSTEES FOR FISCAL YEAR 2025; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Karl Oliver
Rita Potts Parks	John Read
Albert Butler	Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3007** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Voting Present--Chism. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3008** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3008: Appropriation; IHL - Alcorn State - Agricultural programs.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Alcorn State University Agricultural Research, Extension, and Land-Grant Programs for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 7,851,172.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available, for the support and maintenance of the Alcorn State University Agricultural Research, Extension, and Land-Grant Programs for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 335,000.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Three Hundred Thirty-five Thousand Dollars ($335,000.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, and allocated in a matter as determined by the Treasurer's Office. These funds are provided for the following:

(a) Agency Operations ..... $ 170,000.00.

(b) Poultry Sciences Academic Research Center ..... $ 165,000.00.

SECTION 4. Of the funds appropriated in Section 1 of this act, Three Hundred Thousand Dollars ($300,000.00) is provided for the Poultry Sciences Academic Research Center.

SECTION 5. Of the funds appropriated in Section 1 of this act, Seven Hundred Fifteen Thousand Dollars ($715,000.00) is provided for Agricultural Research and Extension including poultry science, animal science, and environmental science programs.

SECTION 6. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries which are withdrawn and no longer available.

SECTION 7. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or

funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE ALCORN STATE UNIVERSITY AGRICULTURAL RESEARCH, EXTENSION AND LAND-GRANT PROGRAMS FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Karl Oliver
Rita Potts Parks	John Read
Albert Butler	Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3008** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

President Hosemann yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3009** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3009: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Agricultural and Forestry Experiment Station for the fiscal year beginning July 1, 2024, and ending June 30, 2025

$ 24,412,751.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the

Mississippi Agricultural and Forestry Experiment Station for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 10,446,164.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, One Million Three Hundred Fifty Thousand Dollars ($1,350,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as current restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2025 Regular Session of the Mississippi Legislature.

SECTION 6. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Plant Systems	
Number of Scientist FTE (Scientist Years)	29.78
Number of Research Publications	227
Percentage of Appropriated Funds & Extramural Funds	1.26
Animal Systems	
Number of Scientist FTE (Scientist Years)	26.09
Number of Research Publications	263
Percentage of Appropriated Funds and Extramural Funds	0.27
Health & Sustainable Communities	
Number of Scientist FTE (Scientist Years)	43.10
Number of Research Publications	212
Percentage of Appropriated Funds & Extramural Funds	0.37

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI AGRICULTURAL AND FORESTRY EXPERIMENT STATION FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Karl Oliver
Rita Potts Parks	John Read
Scott DeLano	Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3009** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

_____

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3010** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3010: Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Cooperative Extension Service for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 33,536,601.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Cooperative Extension Service for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 14,444,984.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, One Million One Hundred Fifty Thousand Dollars ($1,150,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that the Mississippi Cooperative Extension Service provide programs in the emphasis areas of Agriculture, Family and Consumer Education, Natural Resources and Environment, 4-H, and Business and Community Development in each county.

SECTION 6. No part of the funds appropriated or authorized to be expended hereby shall be spent directly or indirectly for payment of attorneys' fees for the services of any attorney who was not employed by the Mississippi Cooperative Extension Service pursuant to the express authorization of the Board of Trustees of State Institutions of Higher Learning prior to performance of such legal services.

SECTION 7. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 8. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as current restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2025 Regular Session of the Mississippi Legislature.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Agriculture	
Number of Published Information Items	300
Number of Mass Items	4,500
Number of Direct Educational Contacts	270,000
Average Cost per Educational Contact	13.46
Family & Consumer Education	
Number of Published Information Items	150
Number of Direct Educational Contacts	205,000
Average Cost per Educational Contact	9.34
Business & Community Dev	
Number of Direct Educational Contacts	88,000
Average Cost per Educational Contact	20.28
4-H Youth Development	
Number of Direct Educational Contacts	178,000
Average Cost per Educational Contact	11.66
Natural Resources & Environment	
Number of Published Information Items	150
Number of Mass Media Items	6,000
Number of Total Contacts Across all Delivery Methods/Events	370,000
Average Cost per Educational Contact	27.75

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. Of the funds appropriated under the provisions of Section 2, One Hundred Thousand Dollars ($100,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the purpose of assisting with costs associated with administering the Mississippi Youth Preparedness Initiative.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Karl Oliver
Rita Potts Parks	John Read
Scott DeLano	Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3010** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3011** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3011: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of paying the expenses incurred in the operation and maintenance of the Forest and Wildlife Research Center, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 6,229,585.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Forest and Wildlife Research Center, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 2,364,652.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Four Hundred Fifty Thousand Dollars ($450,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2025 Regular Session of the Mississippi Legislature.

SECTION 6. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. Of the funds appropriated under the provisions of Section 2, One Million Dollars ($1,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the Deer Lab renovations.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES INCURRED IN THE MAINTENANCE AND OPERATION OF THE FOREST AND WILDLIFE RESEARCH CENTER FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Karl Oliver
Rita Potts Parks	John Read
Albert Butler	Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3011** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3013** be recommitted for further conference and the motion prevailed.

S. B. No. 3013: Appropriation; IHL - Student Financial Aid.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3014** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3014: Appropriation; IHL - University of Mississippi Medical Center.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the University of Mississippi Medical Center for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 193,774,571.00.

SECTION 2. The following sum of money, or so much thereof as may be necessary, is hereby authorized and approved for expenditure out of the proceeds derived from patient fees, student fees or any other special source funds which are collected by or otherwise become available, for the support and maintenance of the University of

Mississippi Medical Center for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 1,718,569,436.00.

SECTION 3. With the funds appropriated and authorized for expenditure under the provisions of Sections 1 and 2 of this act, the University of Mississippi Medical Center shall maintain the School of Medicine, the School of Dentistry, the School of Nursing, the School of Health Related Professions, the School of Population Health, the Teaching Hospital and the Medical Center Service Area. The University of Mississippi Medical Center shall prepare and make available to the Legislature an accounting of expenditures for each of the divisions listed in this section at the beginning of the legislative session.

SECTION 4. Due to critical nurse shortages and staffing, it is the intention of the Legislature to enhance recognition of excellence and expand the experience factor in attracting qualified registered nurses.

SECTION 5. Of the funds appropriated in Section 1 of this act, and the funds authorized to be expended in Section 2 of this act, none may be used to provide medical services on behalf of any state agency, institution or political subdivision, except to the extent that such agency, institution or political subdivision reimburses the hospital for the cost of the services provided. Upon the rendering of medical services to any such agency, institution or political subdivision, the hospital shall issue an invoice for the charges which shall be paid within ninety (90) days. In the event that payment is not made within ninety (90) days, the hospital shall discontinue providing services to that agency, institution or political subdivision until all outstanding charges have been paid.

SECTION 6. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 7. It is the intention of the Legislature that the University of Mississippi Medical Center's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 8. Of the funds appropriated in Section 2 of this act, the following sums, or so much of those sums as may be necessary, are derived out of any money in the State Treasury to the credit of the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, as follows:

(a) Education activities or scholarships $ 6,888,029.00.
(b) Rural Physicians Scholarship Program $ 340,000.00.
(c) Rural Dentists Scholarship Program $ 105,000.00.
TOTAL ..... $ 7,333,029.00.

SECTION 9. Of the funds appropriated under the provisions of Section 2 of this act, Two Million Three Hundred Eighty Thousand Four Hundred Thirty-one Dollars ($2,380,431.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the University of Mississippi Medical Center.

SECTION 10. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, the sum of Four Hundred Twenty Thousand Dollars ($420,000.00) is hereby provided for scholarships for the Rural Dentists Scholarship Program as described in Section 37-146-1, Mississippi Code of 1972.

SECTION 11. Of the funds appropriated in Sections 1 and 2 of this act, Two Million One Hundred Seventy Thousand Dollars ($2,170,000.00) is hereby provided for scholarships for the Rural Physicians Scholarship Program as described in Section 37-141-1, Mississippi Code of 1972. Of this amount, Thirty-five Thousand Dollars ($35,000.00) is provided for a Psychiatrist Scholarship as described in Section 37-144-3, Mississippi Code of 1972.

SECTION 12. Of the funds appropriated in Sections 1 and 2 of this act, Two Hundred Eighty Thousand Eight Hundred Forty-eight Dollars ($280,848.00) is provided for the administration of the Rural Physicians Scholarship Program and the Rural Dentists Scholarship Program.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and

whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, Four Million Seven Hundred Fifty Thousand Dollars ($4,750,000.00) shall be derived from the State General Fund and Four Million Two Hundred Fifty Thousand Dollars ($4,250,000.00) shall be derived from any special source funds collected by or otherwise become available for the support and maintenance of the University of Mississippi Medical Center for the University of Mississippi Medical Center Cancer Institute.

SECTION 15. Of the funds appropriated in Section 2 of this act, Five Hundred Ninety-five Thousand Dollars ($595,000.00) is hereby appropriated for A Comprehensive Tobacco (ACT) Center at the University of Mississippi Medical Center.

SECTION 16. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research that kills or destroys an existing human embryo.

SECTION 17. Of the funds appropriated under the provisions of Section 1 of this act, One Million Three Hundred Forty-nine Thousand Nine Hundred Ninety-eight Dollars ($1,349,998.00) shall be provided from General Funds and shall be provided to the Center of Excellence at the Blair E. Batson Hospital for Children for the care of abused and neglected children, and expended to improve, enlarge and/or construct the physical facilities of the Children's Safe Center and for support and maintenance of the center.

SECTION 18. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 19. Of the funds appropriated under the provisions of Section 1 of this act, Three Million Dollars ($3,000,000.00) shall be provided to the MIND Center at the University of Mississippi Medical Center.

SECTION 20. It is the intention of the Legislature that any cash balances at the Office of Physician Workforce, the Children's Safe Center, and the MIND Center shall only be spent in support of those divisions.

SECTION 21. Of the funds appropriated in Section 1 of this act, One Million Two Hundred Thousand Dollars ($1,200,000.00) shall be provided for the Child Health and Developmental Promotion (CHDP) Fellowship Program.

SECTION 22. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the University of Mississippi Medical Center for the purpose of reauthorizing the expenditure of Capital Expense Funds for the Asylum Hill Project, as authorized in SB 3008, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 2,292,839.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 23. Of the funds appropriated under the provisions of Section 2, One Hundred Thousand Dollars ($100,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to create the Mississippi Rare Disease Advisory Council as described in SB 2156, 2024 Regular Session.

SECTION 24. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the

State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 25. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Clay Deweese
Rita Potts Parks	John Read
Dennis DeBar, Jr.	Sam Creekmore IV

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3014** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Not voting--Sparks. Total--1.

Voting Present--Branning, Chism, Hill, Parker. Total--4.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3017** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3017: Appropriation; Employment Security, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Employment Security for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 1,800,000.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Department of Employment Security, or its successor, for the purpose of defraying the expenses incurred by said department for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 136,805,708.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:
Permanent: 423
Time-Limited: 70

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. Of the funds appropriated under the provisions of Section 2 of this act, the following sum shall be derived from money in the Unemployment Trust Fund, made available to this state under Section 903 of the Social Security Act, as amended (42 USCA Section 1103), to the Mississippi Department of Employment Security to be deposited in the Employment Security Administration Fund and used by the Mississippi Department of Employment Security for the following purposes:

(a) Payment of various One-Stop Administration expenses that support the service delivery of employment and workforce information services. This includes, but is not limited to, the following activities:

(i) Staff for delivery of reemployment services to UI claimants, including group job search assistance and staff-assisted referrals to jobs.

(ii) Equipment and resources for resource rooms.

(iii) Payment for rent, utilities and maintenance of facilities, including common spaces such as resource rooms, reception areas, conference areas, etc.

(iv) Payment of shared costs for operation of local One-Stop Career Centers, including payment for One-Stop operators.

(v) Purchase of computer equipment, network equipment, telecommunications equipment, application development and other technology resources.

(vi) Training, technical assistance, and professional development of staff who deliver employment and workforce information services.

(vii) Access Improvement costs for individuals with disabilities, including remodeling or retrofitting One-Stop Career Centers and purchasing appropriate software, hardware, furniture and supplies.

(b) Administration of the Unemployment Compensation (UC) law and its public employment service (ES) offices. This includes, but is not limited to, the following uses:

(i) ES and UI automation. This includes purchases, modifications, or automation of computer-related systems and related costs.

(ii) UI and ES Performance Improvement costs.

(iii) Fraud and Abuse Reduction costs.

(iv) UI Claims Filing and Payment Methods Improvement costs.

(v) Under the direction of the Bureau of Building, Grounds and Real Property Management to acquire lands and construct buildings thereon or improve existing buildings to be used as offices. The funds in this section are authorized for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 33,047,000.00.

The funds authorized in this section shall be requisitioned by the Mississippi Department of Employment Security from the Unemployment Trust Fund maintained by the Secretary of the Treasury of the United States as needed for the payment of obligations incurred under this appropriation, and such monies shall be deposited in the Employment Security Administration Fund in accordance with the provisions of Section 71-5-457, Mississippi Code of 1972.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in this act, a sum not to exceed Two Hundred Thousand Dollars ($200,000.00) is made available for Pathways2Possibilities from the Mississippi Works Fund collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in Section 1 of this act, an amount not to exceed One Million Four Hundred Thousand Dollars ($1,400,000.00) is authorized for the Mississippi Integrated Education and Workforce State Longitudinal Data System (SLDS).

SECTION 8. Of the funds appropriated in Section 1 of this act, Four Hundred Thousand Dollars ($400,000.00) is provided to the Mississippi Department of Employment Security for the purpose of providing administrative support to the Office of Workforce Development.

SECTION 9. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for the purpose of defraying the expenses of the Office of Workforce Development for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 20,986,205.00.

SECTION 10. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available to the Office of Workforce Development for support of workforce programs, grants, and other similar activities for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 19,400,000.00.

SECTION 11. Of the funds appropriated in Section 9, Three Million Eight Hundred Eighty-six Thousand Two Hundred Five Dollars ($3,886,205.00) is authorized for defraying the operating expenses of the Office of Workforce Development.

SECTION 12. Of the funds appropriated in Section 9, Fifteen Million Dollars ($15,000,000.00) is authorized for operating the Career Coaching Program at the Office of Workforce Development.

SECTION 13. Unless otherwise specifically appropriated for that purpose by the Legislature, none of the funds authorized in Section 10 of this act shall be used for operational expenditures of the Office of Workforce Development except for reasonable administrative fees for grant oversight as provided by law.

SECTION 14. Of the funds appropriated in Section 10 of this act, the Office of Workforce Development is authorized to expend up to Three Million Dollars ($3,000,000.00) from the State Workforce Investment Funds from the State Workforce Investment Board, collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 15. Of the funds appropriated under the provisions of Section 10 of this act, the Office of Workforce Development is authorized to expend up to Fifteen Million Dollars ($15,000,000.00) from the Mississippi Works Fund collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 16. It is the intention of the Legislature that the Mississippi Department of Employment Security and the Office of Workforce Development shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that each agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 17. Of the funds appropriated under the provisions of Section 9 of this act, Six Hundred Thousand Dollars ($600,000.00) is authorized for Jobs for America's Graduates-Mississippi.

SECTION 18. Of the funds appropriated under the provisions of Section 10 of this act, Four Hundred Thousand Dollars ($400,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to the Skills Foundation of Mississippi.

SECTION 19. Of the funds appropriated in Section 9 of this act, One Million Five Hundred Thousand Dollars ($1,500,000.00) is provided to the Office of Workforce Development for a new Information Management and Financial Tracking System to enhance the tracking of funding provided for workforce development and provide data outcomes reports on active workforce training programs and participants.

SECTION 20. Of the funds appropriated in Section 10, One Million Dollars ($1,000,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Project Poppy Fund, as created in Senate Bill 2001, 1st Extraordinary Session of 2024, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to expedite the services needed for Project Poppy.

SECTION 21. Of the funds appropriated in Sections 11 of this act, funds are provided to the Office of Workforce Development to coordinate workforce development programs at the Mississippi Department of Corrections.

SECTION 22. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 23. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 24. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Karl Oliver
Hillman Terome Frazier	John Read
David Parker	Steve Massengill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3017** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Not voting--McCaughn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3018** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3018: Appropriation; Ethics Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Ethics Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 750,319.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 6

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. It is the intention of the Legislature that the Mississippi Ethics Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall

be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature, that of the funds provided in Section 1 of this act, the Ethics Commission is hereby authorized to purchase and pay premiums for casualty insurance on passenger vehicles owned and operated by the agency.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI ETHICS COMMISSION FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
Brice Wiggins	John Read
Sollie B. Norwood	Manly Barton

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3018** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3019** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3019: Appropriation; Judicial Performance Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Commission on Judicial Performance of the State of Mississippi for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 714,784.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Commission on Judicial Performance, for the purpose of defraying the expenses of the Commission on Judicial Performance of the State of Mississippi for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 79,286.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:
Permanent: 5
Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the Judicial Performance Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE COMMISSION ON JUDICIAL PERFORMANCE OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
Brice Wiggins	John Read
Sollie B. Norwood	Angela Cockerham

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3019** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3020** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3020: Appropriation; Public Safety, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Department of Public Safety for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 173,016,709.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Public Safety for the purpose of defraying the expenses incurred in the operation of the various divisions of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 113,449,615.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 1,693

Time-Limited: 78

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no

employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. The Commissioner of Public Safety may, on a case-by-case basis, within funds available, recommend that corrective salary adjustments be made to the compensation of employees of the Department of Public Safety where an inequity was created between employees of equivalent capacity by previous application of the agency appropriation acts. Any such corrective salary adjustment plan must have prior approval by the State Personnel Board. Such adjustments will not be retroactive.

Any funds in the Salary, Wages and Fringe Benefits major object of expenditure may be used to purchase accumulated compensatory time within funds available.

SECTION 5. It is the intention of the Legislature, that the Department of Public Safety shall receive Five Million Dollars ($5,000,000.00) from the Mississippi Department of Transportation, for the operations of the Office of Commercial Transportation Enforcement Division that is authorized in Section 77-7-330, Mississippi Code of 1972.

SECTION 6. It is the intent of the Legislature that the local governments pay for part of the computer cost of the Mississippi Justice Information Center by maintaining their contribution to the Department of Public Safety.

SECTION 7. It is the intention of the Legislature that the Department of Public Safety designate certain employees to aid the Office of Forensics Laboratories in the billing and collecting of all fees charged for services rendered by the Office of Forensics Laboratories.

SECTION 8. No part of the funds appropriated herein shall be transferred to, expended by, or used, directly or indirectly, for the benefit of any public relations, publicity or publication activities of any other state agency, department or officer, nor shall any personnel paid with funds appropriated herein be transferred or assigned to any other state agency, department or officer for public relations, publicity, or publication activities of such office.

SECTION 9. It is the intention of the Legislature that the Department of Public Safety shall not issue citations for violations of speed limits on a quota basis. No funds expended under this act shall be used for such quota-based citations for violations of speed limits.

SECTION 10. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target

Enforcement	
Percent Increase in Enforcement Citations	7.50
Percent Decrease in Fatalities	4.00
Percent Increase in DUI Arrests (includes felony DUI)	5.00
Number of Criminal Investigations	68,000
Number of Highway Fatalities per 100 Million Vehicle Miles of Travel	0.80
Number of Alcohol Impaired Driving Fatalities per 100,000 Population	1.60
Number of Driving Under the Influence (DUI) Arrests per 100,000 population	230
Percent Increase in Seatbelt/Child Restraint Citations	7.00
Driver Services	
Number of Driver's License/ID Cards Issued	635,250
Cost per License Document Produced	24.00
Number of Driver's Suspended	24,300
Number of Accident Reports Processed	1,650
Average Wait Time (Minutes)	20.00
Number of Documented Complaints	24
Percent Change in Wait Time	-5.00
Percent Change in Complaints	1.10
Percent Increase in Regular and Commercial Driver Licenses Issued	10.00
Support Services	
Number of Financial Transactions Processed	45,402
Number of Employees Supported	1,776
Forensic Analysis	
Number of Reports Issued (Cases)	25,000
Number of Court Testimonies (Cases)	200
Cost per Case Analyzed	450.00
Cost per Testimony	550.00
Percent of Days for Reports Issued	40.00
Dna Analysis	
Number of Known Felony Offender Samples in Database	165,000
Number of Proficiency Samples	950
Number of Casework Samples Examined	12,500
Cost per Sample	750
Maintain the Integrity of the CODIS Database	99.00
Forensic Pathology	
Number of Deaths Investigated	26,500
Number of Autopsies Performed SME Office	1,400
Cost per Autopsy Performed	2,000.00
Percent Change in the Number of Deaths Investigated	3.00
Percent of Coroners Educated by ME's Office	45.00
Percent Change in the Number of Autopsies Performed at SME Office	2.00
Training Academy	
Number of Basic Students to Graduate	200
Number of Basic Refresher Students to Graduate	10
Number of In-Service and Advanced Students to Graduate	850
Percent of Law Enforcement Officers Trained	100.00
Drug Enforcement	
Number of Drug Suspects Arrested	1,300

Number of Drug Cases Prosecuted	600
Number of Drug Organization Disrupted and/or Dismantled	4
Percent Change in Number of Drug Suspects Arrested	1.00
Percent Change in Number of Drug Cases Prosecuted	1.00
Percent Change in Number of Drug Organization Disrupted and/or Dismantled	1.00
Jail Officer Training	
Number of Jail and Youth Detention Officers Certified	250
Number of Certification Transactions	2,750
Number of Administrative Review Actions	5
Percent of Appointed Jail and Youth Detention Officers Obtaining Certification	60.00
Percent of Administrative Review Actions Taken Within One Year	1.00
Law Enforcement Training	
Number of Basic Law Enforcement Officers Certified	500
Number of Certification Transactions	2,500
Number of Training Quality Monitoring Actions	1,000
Percent of Appointed Law Enforcement Officers Obtaining Certification	75.00
Percent of Appointed Part-Time, Reserve, Auxiliary Officers Obtaining Certification	80.00
Percent of Administrative Disciplinary Actions Taken Within One Year	3.50
Highway Safety	
Number of Federal Applications Funded and Statewide Pgms Supported	10
Percent Decrease in the Number of Unrestrained Passenger Vehicle Occupant Fatalities by 5%	2.00
Percent Decrease in the Number of Fatalities in Crashes Involving a Driver or Motorcycle Operator with a BAC of .08 and Above	1.00
Justice	
Number of Juvenile Jail/Detention Alternatives	4
Number of Hot Spots Policing Programs Funded	3
Emerg Telecommunications Tng	
Number of Emergency Telecommunicators Certified	500
Number of Certification Transactions	2,000
Percent of Appointed Emergency Telecommunicators Obtaining Certification	75.00
Percent of Appointed Emergency Telecommunicators Obtaining Recertification	75.00
Percent of Administrative Review Actions Taken Within One Year	1.00
Council On Aging	

Number of Triad Programs Established	2
Number of Training Programs Conducted	0
Provide On-Site-Training	0
Percent Change in Number of Operational Triad Programs	3.00
Percent Increase in Funding to Counties to Educate Senior Citizens	0.00
Juvenile Facility Monitoring Unit	
Number of Facilities Inspected	125
Number of Strategic Plans Implemented	20
Percentage of Admin Review Actions Taken Within One Year	80.00
Homeland Security	
Number of OHS Grants for Jurisdictions	325
Number of First Responder Classes	210
Percent Increase in Emergency Task Force Responder Training and Exercises	2.00
Percent Increase in Citizen and Community Preparedness Training and Exercises	10.00
Percent Increase in Requests for Information	3.08
Percent Increase in National Incident Mgmt Training and Exercises	1.49
Investigations	
Number of Human Trafficking Cases Initiated	250
Number of Human Trafficking Arrests	50
Number of Human Trafficking Child Recoveries	25
Capitol Police	
Number of Patrols	65
Number of Emergencies (Medical, Weather, Active Shooter, etc.)	4,500
Average Time to Respond to an Emergency (Minutes)	5.00
Motor Carrier	
Number of Compliance Reviews	50,000
Number of On-site Examinations at Scales	32,000
Number of Trucks Weighed	5,800,000

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 11. It is the intention of the Legislature that all divisions within the Mississippi Department of Public Safety shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 12. Of the funds appropriated under the provisions of Section 2 of this act, funds may be expended to defray the costs of clothing for sworn nonuniform law enforcement officers in an amount not to exceed One Thousand Dollars ($1,000.00) annually per officer.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. The department is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 15. Of the funds provided herein, and in addition to the One Hundred Dollars ($100.00) authorized in Section 45-3-7, Mississippi Code of 1972, Department of Public Safety Officers who are licensed commercial pilots shall receive an additional Nine Hundred Dollars ($900.00), for a total of One Thousand Dollars ($1,000.00), additional compensation for such service.

SECTION 16. It is the intention of the Legislature that the Department of Public Safety shall provide an annual report to the Mississippi Legislature detailing any elected official or any other person who is not an employee of the Department of Public Safety who was transported in Highway Patrol aircraft during the fiscal year. The report shall be provided to each member of the Mississippi Legislature on or before January 15, 2025.

SECTION 17. The Commissioner of Public Safety shall have the authority to transfer any funds from any division within the Department of Public Safety to any other division of the Department of Public Safety Special Funds, including, but not limited to, Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741, 3742, 3744, 3747 and 3718, not to exceed Twenty Million Dollars ($20,000,000.00) collectively during Fiscal Year 2025. However, none of the funds appropriated by this act shall be expended unless the Department of Public Safety provides prior written notification of any transfer of funds provided in this section.

SECTION 18. The Bureau of Narcotics is authorized to expend a sum, not to exceed Five Hundred Thousand Dollars ($500,000.00) from account No. 3371800000, for purposes of effectuating the provisions of Section 41-29-179, Mississippi Code of 1972, Section 1 of this act. Expenditures authorized by this section may include, but not be limited to, costs associated with contracting with one or more vendors, contractors or other persons or entities to create, operate and maintain the forfeiture website and to provide continuing support in relation thereto. In the event an amount less than Five Hundred Thousand ($500,000.00) is required to effectuate the purposes of this section, the Bureau is authorized to expend the remainder of such authorized funds for the purchase of commodities, vehicles and/or other equipment necessary in the furtherance of the needs of the Bureau.

SECTION 19. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Four Million Three Hundred Twelve Thousand Six Hundred Two Dollars ($4,312,602.00) may be allocated for the programs supported from General Fund court assessments as follows:

State Crime Stoppers Fund	$ 99,003.00.
Adult Driver Training	$ 75,794.00.
Information Exchange Network Fund	$ 264,007.00.
Forensics Laboratory of MS – Implied Consent Law Fund	$ 404,795.00.
Forensics Laboratory of MS – DNA Identification Fund	$ 629,543.00.
Law Enforcement and Firefighters Death Benefits Trust Fund	$ 191,361.00.
Law Enforcement Standards Training – Law Enforcement Officers Training Fund	$ 2,276,404.00.
Drug Abuse/Driver's License Reinstatement	$ 13,573.00.
Federal – State Alcohol Program Fund	$ 160,431.00.
MS Leadership Council on Aging Fund	$ 197,691.00.

SECTION 20. It is the intention of the Legislature that the Mississippi Bureau of Narcotics, Mississippi Department of Public Safety, shall have the authority to receive, budget and expend special funds from the Drug Evidence Disposition Funds (3372000000), not to exceed Five Hundred Thousand Dollars ($500,000.00).

SECTION 21. Of the funds appropriated by this act, pursuant to Section 97-3-54.9, Mississippi Code of 1972, Two Hundred Fifty Thousand Dollars ($250,000.00) is provided for the duties and operations of a Statewide Human

Trafficking Coordinator and a data analyst within the Bureau of Investigation in the Department of Public Safety, who shall coordinate all statewide activities and work with the Department of Child Protection Services for all victims recovered.

SECTION 22. Of the funds appropriated by this act, pursuant to Section 45-1-2(7), Mississippi Code of 1972, Two Hundred Forty-two Thousand Six Hundred Three Dollars ($242,603.00) is provided for the duties and operations associated with the Mississippi School Safety Act of 2019.

SECTION 23. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated to the Department of Public Safety for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in Senate Bill No. 3012, 2023 Regular Session, to the Department of Public Safety for the fiscal year beginning July 1, 2024, and ending
June 30, 2025 ..... $ 6,208,815.00.

This reappropriation is for the following purposes:

(a) Forensics Case Backlog ..... $ 432,815.00.

(b) Driver Services Bureau IDEMIA System. ..... $ 5,610,000.00.

(c) Driver Services Bureau to upgrade and maintain the IDEMIA System and any equipment necessary to implement requirements under Section 63-1-16, Mississippi Code of 1972 .....
$ 166,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 24. The department may subgrant a portion of the funds appropriated herein to the Jackson Police Department for eligible activities contingent upon the execution of an operational agreement between the Capitol Police and Jackson Police Department on roles and responsibilities within the Capitol Complex Improvement District.

SECTION 25. Of the funds appropriated under the provisions of Section 2, One Million ($1,000,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the purchase of Forensics lab equipment.

SECTION 26. Of the funds appropriated under the provisions of Section 2, Five Hundred Thousand ($500,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the repair and renovation to facilities at the Mississippi Law Enforcement Officers' Training Academy excluding preplanning for the new MLEOTA Campus.

SECTION 27. Of the funds appropriated under the provisions of Section 2, One Million Five Hundred Thirty-five Thousand ($1,535,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the building lease for Driver Services Bureau and for building improvements and equipment.

SECTION 28. Of the funds appropriated under the provisions of Section 2, One Million Five Hundred Eighty-three Thousand ($1,583,00.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the purchase of vehicles for Capitol Police.

SECTION 29. With the funds appropriated herein, the Department of Public Safety is authorized to make payment to certain vendors for expenses incurred during Fiscal Years 2017 through 2023 in the following total amount..... $ 29,305.00.

SECTION 30. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 31. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Clay Deweese
Brice Wiggins	John Read
Sollie B. Norwood	Angela Cockerham

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3020** (version 2) was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Unanimous consent was granted to add Senator Branning as co-author of **S. B. No. 3020**.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3021** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3021: Appropriation; Mental Health, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Mental Health for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 255,633,716.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the support and maintenance of the Department of Mental Health for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 435,994,712.00.

SECTION 3. Of the funds appropriated under the provisions of Section 2 of this act, Twenty Million Nine Hundred Fifty-one Thousand Eight Hundred Eighty-six Dollars ($20,951,886.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the Department of Mental Health. The funds provided for in this section shall be allocated as follows:

$ 16,797,843.00 Expenses of the Department of Mental Health, payment of Medicaid state share, or prepayment of Medicaid state share.

$ 379,417.00 Alzheimer's disease services development and implementation of Senate Bill No. 2100, 1997 Regular Session.

$ 636,374.00 Crisis Centers

$ 2,000,000.00 Fentanyl and drug abuse education program pursuant to Section 41-29-323, Mississippi Code of 1972, and the Mississippi Collaborative Response to Mental Health Act established in House Bill No. 1222, 2023 Regular Session

$ 1,138,252.00 Physician services at community mental health centers.

$ 20,951,886.00 TOTAL

SECTION 4. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 5,827

Time-Limited: 422

With the funds herein appropriated, it shall be the agency’s responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency’s Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency’s personal services appropriation, which the State Personnel Board shall publish. The agency’s personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature’s intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency’s Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Services Management	
Number of On-Site Reviews Conducted by the Division of Audit	40
Number of On-Site Reviews Conducted for DMH Certified Provider Agencies	193
Mental Health Services	
Percent of Population Lacking Access to Community-Based Mental Health Care	30.00
Percent of DMH Clients Served in the Community vs. in an Institutional Setting	98.00
Increase by at Least 25% the Utilization of Alternative Placement/Treatment Options for Individuals who have had Multiple Hospitalizations & Do Not Respond to Traditional Treatment	25.00
Number served by PACT Teams and intensive case management teams	2,300
Number of Individuals Employed Through Supported Employment	441
Increase Access to Crisis Services by Tracking the Number of Calls to Mobile Crisis Response Teams	10,648
Number Referred from Mobile Crisis Response Teams to a Community Mental Health Center and Scheduled an Appointment	2,100
Number Diverted from a More Restrictive Environment Due to Mobile Crisis Response Teams	160
Increase the Number of Certified Peer Supt Specialists in the State	210
Idd Services	
Number of Individuals on Planning List for Home and Community-Based Services	2,700
Percent of DMH Institutionalized Clients who Could be Served in the Community	100.00
Percent of DMH Clients Served in the Community vs. in an Institutional Setting	89.00
Number of People Added from Planning List to ID/DD Waiver Services	300
Children & Youth Services	
Percent of Children with Serious Mental Illness Served by Local Multidisciplinary Assessment & Planning	

(MAP) Teams	1.20
Number Served by MAP Teams	810
Number of Children & Youth that are Served by Wraparound Facilitation	1,736
3% Alcohol Tax-alcohol/drug Prg	
Number of Residential Beds Made Available Statewide due to the Three Percent Tax Supplements	226
Number Receiving Residential Substance Use Disorder Treatment	1,529
Crisis Stabilization Units	
Average Length of Time from Mental Health Crisis to Receipt of Community Mental Health Crisis Service (Minutes)	1.50
Percent of People Receiving Mental Health Crisis Services who were Treated at Community Mental Health Centers vs. Institutions	98.00
Diversion Rate of Admissions to State Hospitals (% of People)	90.00
Number of Involuntary Admissions	1,600
Number of Voluntary Admissions	1,700
Mi - Institutional Care	
Number Served Adult Acute Psychiatric	1,246
Maintain Readmission Rates within National Trends	3.95
Mi - Support Services	
Support as an Overall Percent of Total Budget	5.30
Idd - Institutional Care	
Number of People Served in Residential IID Programs	687
Number of People Transitioned from Facility to ICF/IID Community Home	28
Idd - Group Homes	
Number of People Served in the 10-bed ICF/IID Community Homes	573
Percent of People Served in the Community vs. in an Institutional Setting	67.00
Idd - Community Programs	
Number of People Added from Planning List to ID/DD Waiver Services	115
Number of People Enrolled in the 1915i	531
Idd - Support Services	
Support as a Percent of Total Budget	4.30

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 6. The Department of Mental Health and its facilities shall have the authority, within funding and spending authority appropriated under the provisions of this act to transfer funds to the Division of Medicaid in payment of Medicaid match and designate that the funds thus transferred shall be applied to Medicaid match obligations arising in the subsequent fiscal year.

SECTION 7. Any person within the Department of Mental Health who must work on a statutory holiday or any holiday proclaimed by the Governor may, at the discretion of the Director of the Institution and the Executive Director of the Department of Mental Health and within available personnel funds, be paid "call-back pay" in lieu of "compensatory time credit."

SECTION 8. Of the funds appropriated to the "Service Budget," funds are included for the support of community mental health services for Fiscal Year 2025.

Provided, however, that none of the funds appropriated for the support of community mental health services shall be made available to any Regional Mental Health/Intellectual Disability Center which does not receive from each of its participating counties a dollar amount equivalent to what the proceeds of a three-fourths (3/4) mill tax on all taxable property in the county in Fiscal Year 1982 would have been or the amount of funds contributed to the center by the county in Fiscal Year 1984, whichever shall be greater. By means of performance contracts, the Department of Mental Health shall disburse the funds appropriated in this section for services for the mentally ill, intellectually disabled and alcohol/drug abusers. The State Board of Mental Health and the Department of Mental Health shall be responsible for selecting the types of services which shall be provided with the funds appropriated in this section, for developing and monitoring performance contracts and for holding contractors accountable for utilization of funds.

SECTION 9. Ellisville State School is authorized to draw up to Four Hundred Fifty Thousand Dollars ($450,000.00) from interest earned on funds invested in Ellisville State School Client's Trust Fund for the purpose of supplementing the cost related to supplies, property, and equipment in direct care.

SECTION 10. The Department of Mental Health and its facilities shall have the express legal authority, within funding and spending authority appropriated under the provisions of this act to purchase land for use by residential facilities operated by the department, either directly or by means of transferring funds to the Bureau of Building, Grounds and Real Property Management, and to transfer such funds to the Bureau of Building, Grounds, and Real Property Management for the purposes of constructing and equipping group homes for persons with mental illness, intellectual disability, and/or substance abuse; constructing and equipping such other buildings as may be required for treatment of persons with mental illness, intellectual disability, and/or substance abuse; repair and renovate existing buildings; and to construct, repair and/or renovate employee housing. Any intermediate care facilities for individuals with intellectual disabilities (ICF/IID) constructed with funds authorized in this section shall be authorized to participate in Medicaid funding available for such services.

SECTION 11. It is the intention of the Legislature that the Department of Mental Health shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 12. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 13. It is the intention of the Legislature that the Executive Director of the Department of Mental Health shall have authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Mental Health. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Department of Mental Health shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration. None of the funds transferred with this section may be transferred to the Central Office for Personal Services.

SECTION 14. Of the funds appropriated under the provisions of this act, Twenty-nine Million Eight Hundred Ninety-seven Thousand One Hundred Sixty-nine Dollars ($29,897,169.00) is provided to the Department of Mental Health to expand

those community-based services that will improve the State of Mississippi's compliance with the Olmstead decision of the United States Supreme Court. Further, it is the intention of the Legislature that the Department of Mental Health shall have the authority to transfer such sums from this source as are necessary to implement or improve those community services that are more appropriately addressed by the Mississippi Department of Education and/or the Mississippi Department of Rehabilitation Services to those agencies for that purpose. Further, it is the intention of the Legislature that any sums received from this source that are not expended during the fiscal year ending June 30, 2024, by the Mississippi Department of Mental Health shall be reappropriated for the same purpose during the fiscal year ending June 30, 2025. Further, it is the intention of the Legislature that the Department of Mental Health shall account for the expenditure of these funds in sufficient detail to clearly show the purposes for which such funds were expended. The Executive Director of the Department of Mental Health shall report any such reappropriation to the Legislative Budget Office no later than fifteen (15) days after the effective date of the reappropriation.

SECTION 15. Of the funds appropriated in this act, the Department of Mental Health, with approval by the board, may contract with Community Mental Health Centers, or suitable entities, for the purpose of operating the Crisis Intervention Centers at Grenada, Batesville, Brookhaven, Cleveland, Corinth, Laurel and Newton. The department shall provide quarterly progress reports on the operation of the crisis intervention centers to the Chairmen of the Senate and House Public Health and Appropriations Committees.

SECTION 16. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 17. The Department of Finance and Administration (DFA) shall transfer funds back to the Department of Mental Health, upon the request of the Department of Mental Health, where the funds received by DFA from the Department of Mental Health were special funds (neither general funds or bond funds) and where those funds are not required for the payment of costs already incurred on a building or repair project. For the purposes of this section, the term "special funds" includes any state source special funds, including, but not limited to, funds from the Health Care Expendable Fund. The duty of DFA to transfer funds back to the Department of Mental Health under this section applies to any funds described in this section that were transferred to DFA, regardless of the year that the transfer was made by the Department of Mental Health.

SECTION 18. It is the intention of the Legislature that the Department of Mental Health may provide, upon the availability of funds, Five Hundred Thousand Dollars ($500,000.00) to the Hope Village for Children Program.

SECTION 19. None of the funds provided in Section 1, 2, or 3 of this act shall be used to pay Medicaid match for the eleven (11) Community Mental Health Centers.

SECTION 20. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Three Million Nine Hundred Ten Thousand Seven Hundred Two Dollars ($3,910,702.00) shall be allocated to the Crisis Intervention Mental Health Fund supported by General Fund court assessments.

SECTION 21. Of the funds appropriated in this act, the Department of Mental Health shall fund ten (10) Programs of Assertive Community Treatment (PACT) Teams and provide supportive employment for individuals with intellectual and developmental disabilities.

SECTION 22. Notwithstanding any other provision, the Department of Mental Health shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 23. Of the funds appropriated in Section 1, it is the intention of the Legislature that One Million Three Hundred Ninety-two Thousand Nine Hundred Forty-four Dollars ($1,392,944.00) is provided as an increase over and above the Fiscal

Year 2024 appropriation level of funding for One Hundred (100) ID/DD Home and Community Based Waiver slots for an estimated total of Three Thousand (3,000) slots in the ID/DD Home and Community Based Waiver program.

SECTION 24. Of the funds appropriated in Section 2 of this act, Twenty-five Thousand Dollars ($25,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the purpose of naloxone grants.

SECTION 25. With the funds appropriated herein, the Department of Mental Health is authorized to make payment for expenses incurred during Fiscal Year 2021 and 2022 as follows:

Vendor	Fiscal Year	Amount
Covington County Hospital	2021	$ 91,800.00
Personal Pharmacy Care	2022	$ 12,827.00
Mississippi State University	2022	$ 15,443.00

SECTION 26. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 27. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Clay Deweese
	John Read
Albert Butler	Sam Creekmore IV

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3021** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3036** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3036: Appropriation; Agriculture and Commerce, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Department of Agriculture and Commerce, including the Divisions of Support, Plant Industry, Farmers Central Market, Fair Commission, Livestock Coliseum, Industrial Showcase, and Trade Mart Building, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 9,805,062.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds, which are collected by or otherwise become available for the purpose of defraying the expenses of the State Department of Agriculture and Commerce, including the Divisions of Support and Plant Industry, Farmers Central Market, Fair Commission, Livestock Coliseum, Industrial Showcase, Agriculture Museum, the Fairgrounds, Dixie National Rodeo and Trade Mart Building for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 19,581,171.00.

The funds authorized for expenditure under the provisions of this section include subscription fees produced from the Market Bulletin and admission fees produced from the Mississippi Agriculture and Forestry Museum.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 219

Time-Limited: 13

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Beaver Control Program or from any other special source funds made available to the Beaver Control Program, to the Department of Agriculture and Commerce for the support of the Beaver Control Program for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 1,100,000.00.

Of the special funds authorized in this section, Six Hundred Fifty Thousand Dollars ($650,000.00) shall be derived from funds received from the Mississippi Department of Transportation and from fees charged private persons/organizations, and Two Hundred Thousand Dollars ($200,000.00) shall be derived from funds received from the State Forestry Commission. A county in order to participate must pay up to Seven Thousand Five Hundred Dollars ($7,500.00), and if any county wishes to pay any additional funds than provided, those funds may be used only in said county.

SECTION 5. Of the funds appropriated in Section 2 of this act, the following sum, or so much thereof as may be necessary, shall be derived from the Mississippi Department of Agriculture and Commerce - Fruit and Vegetable Revolving Fund, for the purpose of defraying the expenses of the department ..... $ 600,000.00.

SECTION 6. Of the funds appropriated in Section 2 of this act, Seventy-four Thousand Eight Hundred Five Dollars ($74,805.00) shall be provided for the support of the Mississippi Egg Marketing Board.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Plant Industry	
Number of Pesticide Related Inspections	2,000
Number of Marketplace Inspections in Full Compliance	205
Number of Dealer Inspections in Full Compliance	110
Number of Agricultural and Non-Agricultural Pesticide Application Inspections in Full Compliance	1,200
Number of Agricultural and Non-Agricultural Record Inspections in Full Compliance	350
Percent of Marketplace Inspections in Full Compliance	85.00
Percent of Dealer Inspections in Full Compliance	96.00
Percent of Agricultural and Non-Agricultural Pesticide Application Inspections in Full Compliance	93.00
Percent of Agricultural and Non-Agricultural Record Inspections in Full Compliance	95.00
Museum	
Total Attendance	100,000
Number of Students in School Groups	16,000
Number of Private Revenue Generating Functions	400
Percent Change in Number of Private Revenue Generating Functions	1.00
Percent Change in Revenue from Private Functions	1.00

Percent Increase in Attendance from Prior Year	1.00
Percent Increase of School Students in Attendance from Prior Year	1.00
Revenue Generated from Functions	275,000
Regulatory	
Number of Retail Motor Fuel Devices Inspected	64,000
Number of Food Sanitation Inspections	4,700
Percent of Total Retail Motor Fuel Devices Inspected	100.00
Percent of Total Retail Food Sanitation Inspections	100.00
Percent of Consumer Complaints Answered within 48 Hours	100.00
Marketing	
Number of Persons Reached by Marketing Means	1,138,150
Percent Increase of Persons Reached by Marketing Means	3.00
Administration	
Maintain Administrative Cost at 18% of Total Budget	25.00
Livestock Theft	
Number of Cases Investigated	200
Number of Cases Cleared	60
Percent of Cases Prosecuted	25.00
Farmer's Market	
Number of Retail Spaces Rented (Average Per Week)	35
Amount of Revenue Generated through Rental Space Rented	45,000.00
Seed Testing Lab	
Number of Days to Run Cool Test	7
Number of Official Samples Collected	2,350
Number of Days for Germination Test (Average Depending on Type of Seed)	20
Number of Hours to Evaluate TZ Test	1
Mississippi State Fairgrounds	
Number of Event Days	315
Estimated Total Attendance	938,176
Egg Marketing Promotion	
Percent Increase in the Number of Eggs Purchased	2.00
Cost of Outreach in Relation to Consumers Reached. (This Number is the Percent of the Budget Dedicated to Advertising)	80.00
Percent Increase of Consumption of Eggs	2.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 8. The funds appropriated and authorized to be expended under the provisions of this act shall be expended for the purpose of defraying all expenses incurred by the State Department of Agriculture and Commerce in the operation of all programs and activities (except operation of the State Lime Plants, Veterinary Laboratory, Pink Bollworm-Plant Quarantine Inspection Stations and Fire Ant Program) authorized to be conducted and carried on by said department; including, but not limited to: the administration of the Feed, Fertilizer and Dairy Act; the Weights and Measures Act; the Meat Inspection Act of 1968; the Mississippi Pure Seed Law; and the following

additional programs and activities: enforcement of the egg law; publication and distribution of the Mississippi Market Bulletin, agricultural statistics, market news service at Stoneville, Mississippi; and inspection, grading and certifying of fruits, vegetables, hay, grain, meat and meat products, milk and dairy products, pecans, seed and syrup.

SECTION 9. The Mississippi Department of Agriculture and Commerce, with the assistance of the State Department of Audit and the Department of Finance and Administration, shall establish a budgeted enterprise funds for all "for-profit" activities related to the Mississippi Agriculture and Forestry Museum. The funds shall be maintained in accordance with generally accepted accounting principles and regulations prescribed by the Department of Finance and Administration.

SECTION 10. Of the funds provided by the provisions of this act, it is the intent of the Legislature that not more than Thirty Thousand Dollars ($30,000.00) shall be expended for the Mississippi Senior Farmers' Market Nutrition Pilot Program, which shall be established by the State Department of Agriculture and Commerce to serve senior citizens above sixty (60) years of age who fall within one hundred thirty percent (130%) of the poverty level. The Commissioner of Agriculture may promulgate rules and regulations necessary to implement the Mississippi Senior Farmers' Market Nutrition Pilot Program.

SECTION 11. Of the funds appropriated in Section 2 of this act, Four Hundred Thousand ($400,000.00), is provided for matching funds required for the Mississippi Healthy Food and Families Program as established in Senate Bill No. 2077, 2022 Regular Session.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. It is the intention of the Legislature that the Department of Agriculture and Commerce shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 14. Of the funds appropriated in Section 2 of this act, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Agriculture and Commerce from the proceeds collected from surety bonds posted under the "Mississippi Grain Warehouse Law" as provided by Section 75-44-1 et seq., Mississippi Code of 1972 and the "Mississippi Grain Dealers Law of 1978" as provided by Section 75-45-301 et seq., Mississippi Code of 1972 for the purpose of paying claimants under such laws from the fiscal year beginning July 1, 2024, and ending
June 30, 2025 ..... $ 1,100,000.00.

SECTION 15. Of the funds appropriated in Section 1 of this act, Four Hundred Thousand ($400,000.00), or so much thereof as may be necessary, is provided for roof replacement and other maintenance for Barn number (14) fourteen.

SECTION 16. Of the funds appropriated in Section 2 of this act, Six Hundred Eighty-five Thousand Three Hundred Fifty ($685,350.00), or so much thereof as may be necessary, is provided for the purchase of a freightliner and (3) three vehicles for Livestock Theft.

SECTION 17. Of the funds appropriated under the provisions of Section 2, Three Hundred Thousand ($300,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for wireless capabilities at the Fairgrounds.

SECTION 18. Of the funds appropriated in Section 2 of this act, Seven Hundred Fifty Thousand ($750,000.00), or so much thereof as may be necessary, is provided for operational expenditures at the Mississippi Agriculture and Forestry Museum. The department may expend these funds for improvements to the museum and for marketing and promotion programs for the museum in a manner consistent with the museum's historical purpose.

SECTION 19. The Mississippi Department of Agriculture and Commerce is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed One Million Dollars ($1,000,000.00).

The Commissioner of Agriculture shall notify, in writing, the Lieutenant Governor, the Speaker of the House of Representatives, the Chairman of the Senate Appropriations Committee, the Chairman of the House Appropriations A Committee, and the Legislative Budget Office of any escalation. The written notification shall include the justification for the escalation of funds, the amount, and how the funds will be used. This written notification shall be sent on or before the fifteenth day of the month prior to the effective date of the escalation.

SECTION 20. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 21. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	C. Scott Bounds
Scott DeLano	John Read
Juan Barnett	Bill Pigott

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3036** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Blackwell. Total--1.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3037** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3037: Appropriation; Fair and Coliseum Commission - Livestock shows.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Department of Agriculture and Commerce's special fund account to the State Department of Agriculture and Commerce for the purposes of defraying the costs of prizes, premiums, judges and other actual and necessary costs of putting on the Dixie National Livestock Show at the State Fairgrounds in Jackson, Mississippi, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 1,200,000.00.

SECTION 2. The following sums, or so much thereof as may be necessary, are appropriated out of any money in the State General Fund, not otherwise appropriated, to the State Department of Agriculture and Commerce as follows:

(a) For the support of annual roundup shows for junior exhibitors of junior steers, junior breeding cattle, beef cattle, dairy cattle, hogs, sheep and goats, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 64,890.00.

(b) To supplement the funds paid by the State Department of Agriculture and Commerce for livestock premiums at the State Fair, all livestock premiums to be paid on the American system of judging (1st, 2nd, 3rd, 4th, etc.) on all classes entered in the senior division for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 22,000.00.

(c) For the county livestock shows in offering and paying prizes or awards to competitors in the approved county livestock shows of Mississippi, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 15,000.00.

Provided, however, that of the amount herein appropriated in paragraph (c) of this section, not more than One Thousand Dollars ($1,000.00) shall be expended or used in any one (1) county of the state during each fiscal year. Provided, further, that none of the monies herein appropriated in paragraph (c) of this section shall be used in offering or paying prizes or awards for any livestock show that is not held where there are adequate barns, pens and other facilities available for such a show.

Provided, further, in paragraph (c) of this section that the management of such shows shall be in the hands of a county livestock association, and such association shall guarantee a minimum amount of Five Hundred Dollars ($500.00) to be used in the paying of prizes, premiums or awards, and after said county show has been held and premiums paid, fifty percent (50%) of the amount, not exceeding One Thousand Dollars ($1,000.00), shall be paid upon requisition to the State Department of Agriculture and Commerce.

Provided, further, in paragraph (c) of this section that in any county which has two (2) shows with proper facilities, and a contiguous county has no such fair and desires to participate in a fair to be held in an adjoining county, each of the two (2) fairs in one (1) county may receive an equal proportion of the funds hereby appropriated, provided, both shows shall not receive an aggregate sum of more than One Thousand Dollars ($1,000.00).

(d) For the purpose of offering awards and prizes to competitors in the five (5) district livestock shows, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 65,000.00.

(e) For the purpose of offering awards and prizes to competitors in the five (5) state dairy shows as provided in Section 69-5-101 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 8,500.00.

Provided, further, that no part of the money herein appropriated under the provisions of paragraphs (d) and (e) of this section shall be used for any other purpose than to pay premium awards at said shows and state shows and expositions receiving

legislative appropriation shall not conflict in dates in order that livestock exhibitors may make the circuit of shows. Provided, further, that none of the above-mentioned funds shall be paid to any district shows unless shows are held prior to roundup.

Not less than seventy-five percent (75%) of the funds herein appropriated under the provisions of paragraphs (d) and (e) of this section shall be used in awarding prizes or premiums to 4-H Club members and Smith-Hughes School members and other boys and girls having entries in said shows.

All funds herein appropriated under the provisions of paragraphs (d) and (e) of this section for the five (5) district livestock shows and the five (5) fall state dairy shows shall be distributed in such manner that the livestock exhibitors will each draw equal premium awards for comparable grades and placings at each of the said five (5) district spring shows and the five (5) fall state shows. The management of each district spring show and each state fall show shall submit to the State Department of Agriculture and Commerce, within fifteen (15) days after the close of each said show, a full report on the number of exhibitors at each said show, with the grades and placings of the different classes of livestock exhibited.

The State Commissioner of Agriculture and Commerce, together with a committee of three (3) to be named by the President of the Mississippi Livestock Council from that organization, shall summarize and prepare a unified list of awards for like classes in all spring district livestock shows and fall state dairy shows receiving state premium money, as authorized in paragraphs (d) and (e) of this section. The State Commissioner of Agriculture and Commerce shall approve and present a requisition to the State Fiscal Officer for the payment of the amount of funds in paragraphs (d) and (e) of this section due each show and said State Fiscal Officer shall issue his warrant thereon, and it shall be paid by the State Treasurer.

Provided, however, as a condition of expenditure of the funds appropriated in paragraphs (d) and (e) of this section, that the board of directors of any district livestock show may, in its discretion, choose to hold its show in the fall instead of the spring. If district shows are held in both spring and fall, then all funds herein appropriated for the five (5) district livestock shows shall be distributed in such a manner that the spring livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district spring show, and the fall livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district fall show.

(f) For promotion and expenses of the winners of the Mississippi High School Rodeo for attending the national finals, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 14,150.00.

(g) For promotion and expenses of the winners of the Mississippi Junior High School Rodeo for attending the national finals, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 12,000.00.

(h) For the support of the Southern Cutting Futurity Championship, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 50,000.00.

SECTION 3. Of the funds in Section 2 of this act, any funds that are remaining at the end of the fiscal year may be transferred between the different show awards and prize monies, with the exception that no county show in Section 2(c) of this act shall receive more than One Thousand Dollars ($1,000.00).

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The Mississippi Department of Agriculture and Commerce is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations, or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed One Million Dollars ($1,000,000.00).

The Commissioner of Agriculture shall notify, in writing, the Lieutenant Governor, the Speaker of the House of Representatives, the Chairman of the Senate Appropriations Committee, the Chairman of the House Appropriations A Committee, and the Legislative Budget Office of any escalation. The written notification shall include the justification for the escalation of funds, the amount, and how the funds will be used. This written notification shall be sent on or before the fifteenth day of the month prior to the effective date of the escalation.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DIXIE NATIONAL LIVESTOCK SHOW; A ROUNDUP FOR JUNIOR EXHIBITORS OF LIVESTOCK AND GOATS; SUPPLEMENTAL FUNDS FOR LIVESTOCK PREMIUMS; COUNTY LIVESTOCK SHOWS IN OFFERING AND PAYING PRIZES OR AWARDS TO COMPETITORS IN APPROVED COUNTY LIVESTOCK SHOWS; THE FIVE DISTRICT LIVESTOCK SHOWS; THE FIVE STATE DAIRY SHOWS; THE MISSISSIPPI HIGH SCHOOL RODEO; AND TO PROVIDE HOW SAID MONEY SHALL BE PAID OUT OF THE STATE TREASURY FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	C. Scott Bounds
Scott DeLano	John Read
Tyler McCaughn	Bill Pigott

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3037** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3038** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3038: Appropriation; Animal Health, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Board of Animal Health for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 1,801,395.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Board of Animal Health, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 1,248,118.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 23

Time-Limited: 5

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Mississippi Board of Animal Health shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality

and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. The Mississippi Board of Animal Health is authorized to accept and expend any grant, donation, or contribution from any individual, public or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations, contributions, and any carryover funds shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed Five Hundred Thousand Dollars ($500,000.00).

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. Of the funds in Section 2 of this act, Two Hundred Fifty Thousand Dollars ($250,000.00) is provided from the Animal Health Disaster Response Fund. These funds are provided for expenses incurred by the Board of Animal Health in responding to animal disease outbreaks as outlined in Section 69-15-21, Mississippi Code of 1972.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI BOARD OF ANIMAL HEALTH FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	C. Scott Bounds
Scott DeLano	John Read
Michael McLendon	Bill Pigott

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3038** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3039** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3039: Appropriation; Corrections, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 424,349,537.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Corrections which is collected by or otherwise becomes available for the purpose of defraying the expenses of the department, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 38,680,127.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, not more than the amounts set forth below shall be expended:

CENTRAL OFFICE

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	$ 28,355,046.00
Special Funds	13,143,827.00
Total	$ 41,498,873.00

AUTHORIZED HEADCOUNT:

Permanent:	183
Time-Limited:	8

FARMING OPERATIONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	$ 0.00
Special Funds	4,082,419.00
Total	$ 4,082,419.00

AUTHORIZED HEADCOUNT:

Permanent:	4
Time-Limited:	0

PAROLE BOARD

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	$ 788,844.00
Special Funds	0.00
Total	$ 788,844.00

AUTHORIZED HEADCOUNT:

Permanent:	8
Time-Limited:	0

PRIVATE PRISONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	$ 68,467,753.00
Special Funds	0.00
Total	$ 68,467,753.00

AUTHORIZED HEADCOUNT:

Permanent:	0

Time-Limited: 0

MEDICAL SERVICES

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	$ 109,132,784.00
Special Funds	375,447.00
Total	$ 109,508,231.00

AUTHORIZED HEADCOUNT:

Permanent: 1
Time-Limited: 2

REGIONAL FACILITIES

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	$ 50,331,765.00
Special Funds	0.00
Total	$ 50,331,765.00

AUTHORIZED HEADCOUNT:

Permanent: 0
Time-Limited: 0

COMMUNITY CORRECTIONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	$ 27,472,229.00
Special Funds	13,194,048.00
Total	$ 40,666,277.00

AUTHORIZED HEADCOUNT:

Permanent: 513
Time-Limited: 83

LOCAL CONFINEMENT

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	$ 10,064,537.00
Special Funds	0.00
Total	$ 10,064,537.00

AUTHORIZED HEADCOUNT:

Permanent: 0
Time-Limited: 0

CENTRAL MISSISSIPPI CORRECTIONAL

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	$ 35,055,511.00
Special Funds	1,605,799.00
Total	$ 36,661,310.00

AUTHORIZED HEADCOUNT:

Permanent: 622
Time-Limited: 5

PARCHMAN

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	$ 37,924,237.00
Special Funds	2,513,634.00
Total	$ 40,437,871.00

AUTHORIZED HEADCOUNT:

Permanent: 628
Time-Limited: 9

SOUTH MISSISSIPPI CORRECTIONAL

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:
General Funds ..... $ 26,554,105.00
Special Funds 1,514,953.00
Total..... $ 28,069,058.00

AUTHORIZED HEADCOUNT:
Permanent: 495
Time-Limited: 4

Marshall County Correctional

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:
General Funds ..... $ 11,695,023.00
Special Funds 750,000.00
Total..... $ 12,445,023.00

AUTHORIZED HEADCOUNT:
Permanent: 153
Time-Limited: 0

Walnut Grove Correctional

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:
General Funds ..... $ 11,464,324.00
Special Funds 750,000.00
Total..... $ 12,214,324.00

AUTHORIZED HEADCOUNT:
Permanent: 170
Time-Limited: 0

Delta Correctional

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:
General Funds ..... $ 7,043,379.00
Special Funds 750,000.00
Total..... $ 7,793,379.00

AUTHORIZED HEADCOUNT:
Permanent: 122
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal

Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. The Commissioner of the Mississippi Department of Corrections is hereby authorized to transfer spending authority between and within budgets, both positions and funds, in an amount not to exceed twenty-five percent (25%) of the authorized budgets in the aggregate. It is further the intention of the Legislature that the Department of Corrections shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer. The department shall provide a report of all transfers made under this section to the Chairmen of Senate and House Appropriations and Corrections Committees and the Legislative Budget Office by December 15 of each fiscal year which shall contain the required information from the previous and current fiscal years.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
General Administration	
Support as a Percent of Total Budget	10.00
Number of state prisoners per 100,000 population (includes only inmates sentenced to more than a year)	656
Average annual incarceration cost per inmate	53.26
Percentage of offenders returning to incarceration with 3 years of release	34.60
Farming Operations	
Annual Income from Farm Sales	1,354,805.00
Parole Board	
Number of inmates paroled	4,000
Private Prisons	
Number of ABE program slots available	397
Number of VOC-ED program slots available	147
Number of A&D program slots available	148
Medical Services	
Number of total inmate days in a hospital	5,247
Regional Facilities	
Number of ABE program slots available	495
Number of VOC-ED program slots available	700
Number of A&D program slots available	445
Probation/parole	
Recidivism rate within 12 months of release to field supervision	10.50

Recidivism rate within 36 months of release to field supervision	17.00
Community Work Centers	
Recidivism rate within 12 months of release	10.30
Recidivism rate within 36 months of release	20.00
Restitution Centers	
Recidivism rate within 12 months	10.30
Recidivism rate within 36 months	17.00
Local Confinement	
Number of days offenders held in county jails	381,425
Institutional Security	
Number of assaults on inmates per 100 inmates	3.60
Number of assaults on officers per 100 officers	3.80
Youthful Offender School	
Recidivism rate within 12 months of release	21.00
Recidivism rate within 36 months of release	45.00
Evidenced Based Intervention	
Recidivism rate for inmates who complete the ABE program	29.70
Recidivism rate for inmates who complete a vocational program	12.60
Recidivism rate for inmates who complete the A&D program	31.30
Percent of offenders possessing GED certificate or high school diploma at time of release	59.60
Percent of offenders obtaining marketable job skills during incarceration	5.80

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 6. Of the funds appropriated in Sections 1 and 2 of this act, none shall be expended for personnel housing under the jurisdiction of the Department of Corrections unless the department shall collect a reasonable rent, after a finding of fact as to what is a reasonable rent, and/or the cost of utilities furnished to said housing. The Department of Corrections shall not pay for the installation or monthly service of any telephone installed in a staff residence under its jurisdiction.

It is further the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane and cable services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 7. Of the funds appropriated in Sections 1 and 2 of this act, and authorized for expenditure in Section 3 of this act, payment may be authorized for court-ordered attorney fees and any accrued interest subject to the approval of the Office of the Attorney General.

SECTION 8. None of the money herein appropriated shall be paid to any person who by the provision of Section 47-5-47, Mississippi Code of 1972, as amended, is prohibited from being an employee of the Mississippi Department of Corrections. The State Department of Finance and Administration shall at least annually make a report to the Joint Legislative Committee on Performance Evaluation and Expenditure Review and to the Attorney General stating the name of any person prohibited under the provisions of Section 47-5-47, Mississippi Code of 1972, as amended, from being an

employee of the Mississippi Department of Corrections who has during the preceding year received any money herein appropriated. In the event that any such person prohibited as hereinabove provided from receiving funds herein appropriated should receive any of said funds, the Attorney General shall immediately commence action to recover the monies so paid to said person and to enjoin the further employment of said person at the Mississippi Department of Corrections.

SECTION 9. It is the intent of the Legislature that all prisoners at Parchman shall work a minimum of eight (8) hours per day, excluding prisoners with a physical disability or those incarcerated in maximum security.

SECTION 10. It is the intention of the Legislature that the per diem rates paid to regional facilities shall not exceed Thirty-two Dollars and Seventy-one Cents ($32.71) per inmate. All regional facilities shall continue to receive the annual three percent (3%) increase in the per diem rate as authorized in Section 47-5-933, Mississippi Code of 1972; however, in no event shall any regional facility's per diem rate exceed Thirty-two Dollars and Seventy-one Cents ($32.71) per inmate.

SECTION 11. The department or its contracted medical provider will pay to a provider of a medical service for any and all incarcerated persons from a correctional or detention facility an amount based upon negotiated fees as agreed to by the medical care service providers and the department and/or its contracted medical provider. In the absence of a negotiated discounted fee schedule, medical care service providers will be paid by the department or its contracted medical service provider an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate. This limitation applies to all medical care services, durable and nondurable goods, prescription drugs and medications provided to any and all incarcerated persons outside of the correctional or detention facility. None of the monies appropriated herein may be used to pay for cosmetic medical procedures for any prisoner. Cosmetic medical procedure means any medical procedure performed in order to change an individual's appearance without significantly serving to prevent or treat illness or disease or to promote proper functioning of the body.

SECTION 12. It is the intention of the Legislature that the Mississippi Department of Corrections shall provide a report on all funds clawed back due to a company or individual not meeting the contractual obligations to the department. This report shall contain the name of the entity, the reason why the funds were clawed back, the amount of funds clawed back, and how the department utilized the funds received. As used in this section, the term funds clawed back shall include direct receipt of funds from an entity not meeting their contractual obligation and the reduction of funds owed by the department to an entity due to the entity not meeting their contractual obligation. The report shall be provided to the Chairmen of Senate and House Appropriations and Corrections Committees and the Legislative Budget Office by December 15 of each fiscal year and shall contain the required information from the previous and current fiscal years.

SECTION 13. It is the intention of the Legislature that the Commissioner of the Mississippi Department of Corrections shall have the authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Corrections. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Department of Corrections shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer. The department shall provide a report of all transfers made under this section to the Chairmen of Senate and House Appropriations and Corrections Committees and the Legislative Budget Office by December 15 of each fiscal year which shall contain the required information from the previous and current fiscal years.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. It is the intention of the Legislature that all funds held by the Inmate Welfare Fund, as created in Section 47-5-158, Mississippi Code of 1972, be placed in a treasury fund. Of the amounts appropriated in Section 2, an amount not exceeding Nine Million Two Hundred Fifty Thousand Dollars ($9,250,000.00) shall be available for expenditure in the Inmate Welfare Fund. Of these funds, Five Hundred Thousand Dollars ($500,000.00) shall be used to provide for transitional housing and post release reentry programs.

SECTION 16. It is the intention of the Legislature that all funds held by the Inmate Incentive to Work Program Fund, as created in Section 47-5-371, Mississippi Code of 1972, be placed in a treasury fund. Of the amounts appropriated in Section 2, an amount not exceeding One Million Dollars ($1,000,000.00) shall be available for expenditure in the Inmate Incentive to Work Program Fund. The following funds shall be utilized to pay inmates who are participants in the Inmate Incentive to Work Program.

SECTION 17. It is the intention of the Legislature that the Mississippi Department of Corrections shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 18. It is the intention of the Legislature for the Mississippi Department of Corrections to manage funds budgeted and allocated. In so doing, the commissioner of the department shall have the authority to amend, extend and/or renew the term of any lease agreement or any inmate housing agreement in connection with a correctional facility. Notwithstanding any statutory limits to the contrary, such amendment, extension and/or renewal may be for a length of time up to and including ten (10) years as is necessary for the continued operations of such facilities and implementation of the department's duties and responsibilities in accordance with Title 47 of the Mississippi Code of 1972, as amended.

SECTION 19. With the funds herein appropriated, it is the intent of the Legislature that upon vouchers submitted by the board of supervisors of any county housing offenders in county jails pending a probation or parole revocation hearing, the department shall pay the reimbursement costs as provided for in Section 47-5-901, Mississippi Code of 1972, as amended by House Bill No. 585, 2014 Regular Session.

SECTION 20. With the funds herein appropriated, it is the intent of the Legislature, that for Fiscal Year 2025, the Department of Corrections shall reimburse municipalities, up to Twenty Dollars ($20.00) a day, for the cost incurred of housing inmates in any jail facility based on time served for the conviction of larceny, shoplifting, or related convictions where the value of the property taken is Five Hundred Dollars ($500.00) or more but is equal to or less than One Thousand Dollars ($1,000.00). A copy of the court abstract of record and the jail docket shall be provided to show the total number of days an individual was incarcerated in said jail facility. The reimbursement shall be payable back to the municipality upon receipt of required documentation and an invoice. Total reimbursements resulting from this section shall not exceed One Hundred Twenty-five Thousand Dollars ($125,000.00).

SECTION 21. Of the funds appropriated under the provisions of Section 2, funds may be expended to defray the costs of clothing for sworn nonuniform law enforcement officers in an amount not to exceed One Thousand Dollars ($1,000.00) annually per officer.

SECTION 22. Of the funds appropriated in Section 1, it is the intention of the Legislature that Five Hundred Ten Thousand Two Hundred Sixty-one Dollars ($510,261.00) shall be allocated to Victim's Notification Programs supported by General Fund court assessments.

SECTION 23. Of the funds appropriated in Section 1, Two Million Four Hundred Thousand Dollars ($2,400,000.00) is provided for monitoring technology for probation and parole officers in an effort to increase operational efficiencies and reduce recidivism.

SECTION 24. With the funds appropriated herein, the Department of Corrections is authorized to make payments for expenses incurred during prior fiscal years for an

amount not to exceed One Million Two Hundred Sixty-seven Thousand Four Dollars and Twenty-three Cents ($1,267,004.23). For any medical expenses authorized to be paid within this section, the amount paid shall not be greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate for these services.

SECTION 25. Of the funds appropriated in Section 2 of this act, Seven Million Five Hundred Thousand Dollars ($7,500,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the purchase and repairs of doors and locks at Walnut Grove Correctional Facility and East Mississippi Correctional Facility. Once these repairs are completed, the Department may use any remaining funds to repair doors and locks at other Correctional Facilities upon approval by the Department of Finance and Administration Bureau of Building, Grounds and Real Property Management.

SECTION 26. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 27. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	John Read
Scott DeLano	Clay Deweese
Tyler McCaughn	Becky Currie

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3039** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3040** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3040: Appropriation; Emergency Management Agency.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Emergency Management Agency in accordance with the provisions of Section 33-15-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 5,623,870.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Emergency Management Agency which is comprised of special source funds collected by or otherwise available to the agency, for the support and maintenance of the agency for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 21,698,472.00.

SECTION 3. Of the funds appropriated in Sections 1 and 2 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 114

Time-Limited: 68

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Emergency Management Agency for the purpose of defraying certain administrative expenses and the state share of the cost of disaster assistance programs, including, but not being limited

to, public assistance programs, individual and family grant programs, and mitigation programs, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 585,056.00.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Emergency Management Agency Fund Nos. 33703, 3725, 3728, 372U, 3729, 37AH, 53730, 6820174300, and 58202 for the purpose of defraying certain administrative expenses and the state and federal share of the cost of disaster assistance programs, including, but not being limited to, public assistance programs, individual and family grant programs, and mitigation programs, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 459,375,172.00.

SECTION 6. The funds appropriated under the provisions of Sections 4 and 5 of this act are provided to defray certain administrative expenses and the state and federal share of the cost of disaster assistance programs, including public assistance programs, individual and family grant programs, and mitigation programs resulting from, but not being limited to, the following:

1604 Hurricane Katrina
4175 Severe Storms, Tornadoes, Flooding - Cities of Louisville & Tupelo
- Hazard Mitigation
- Other Needs Assistance
- Mississippi Temporary Housing Program
- Pre-Disaster Response
- Emergency Preparedness Programs
4429 Feb 22-March 29, 2019 Flooding
4450 Severe Weather April 13, 2019
4470 Severe Weather October 26, 2019
4478 Severe Weather January 10-11, 2020
4528 Coronavirus Pandemic
4536 Severe Weather April 12, 2020 Easter Tornadoes
4538 Flooding Feb 10-18, 2020 (Pearl River Flood)
4248 Severe Storms, Tornadoes, Flooding - North Mississippi/Holly Springs
4268 Delta Flooding
4295 Pine Belt Tornado/Flooding
4314 Severe Storms, Flooding in Adams, Calhoun, Carroll, Claiborne, Holmes, Jefferson, Montgomery, Webster & Yazoo Counties
4350 Hurricane Nate
4415 Severe Storms, Flooding & Tornado in Clarke, Covington, Forrest, Greene, Jasper, Jones, Marion, Newton, Perry & Wayne Counties
4551 Severe Weather April 22-23, 2020
3544 Hurricane Sally
3548 Hurricane Delta
4576 Hurricane Zeta
4598 2021 Winter Storm
3582 Water Crisis EM Dec.
4697 Severe Weather March 24-25, 2023

SECTION 7. None of the funds appropriated in Section 4 of this act shall be used to establish a special reserve fund in the State Treasury for disaster relief except as provided for in Section 33-15-307, Mississippi Code of 1972.

SECTION 8. It is the intention of the Legislature that the Director of the Mississippi Emergency Management Agency may, upon the request of a local public emergency management organization in an area which has suffered a natural disaster, supply equipment to rural water associations to enable their continued operation when the local emergency management organization determines that such private entities provide services essential to the welfare of the community.

SECTION 9. It is the intention of the Legislature that the Director of the Mississippi Emergency Management Agency shall provide enhanced training to local governments, supervisors, mayors, civil defense groups and municipal associations in disaster management.

SECTION 10. It is the intention of the Legislature that the Mississippi Emergency Management Agency shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 11. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Emergency Mgmt Preparedness	
Percent of the Affected Population Informed	100.00
Average Time to Deliver Goods & Services	48
Recovery	
Number of Ongoing Projects	22
Number of Meetings Conducted	6,000
Average Cost per Project	20,000,000.00
Percent of Recovery Objectives Complete	100.00
Mitigation	
Number of Workshops Conducted	14
Number of Ongoing Projects	15
Average Cost per Project	100,000.00
Percent Reduction in Damage Due to Natural and Man-Made Incidents	5.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 12. It is the intention of the Legislature that the Executive Director of the Mississippi Emergency Management Agency shall have authority to transfer not more than Five Hundred Thousand Dollars ($500,000.00) from any general or special fund treasury fund and major object budget category to another special or general fund treasury fund and major object budget category accordingly under the control of the Mississippi Emergency Management Agency. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Mississippi Emergency Management Agency shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 13. It is the intention of the Legislature that the Mississippi Emergency Management Agency shall submit a notification and summary of all state support funding on all disasters that require general funds or state support special funds to the Legislative Budget Office.

SECTION 14. It is the intention of the Legislature that from any funds appropriated in this act, the agency shall maintain a minimum of nine (9) Area Coordinators to provide daily assistance to local jurisdictions with emergency management activities as well as to provide quicker response to incidents and/or disasters. In addition, it is the intent of the Legislature that these Area Coordinators shall reside in or within fifty (50) miles of their assigned districts.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and

whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. With funds appropriated herein, the Mississippi Emergency Management Agency is authorized to make reimbursement payments directly to individual Mississippi citizens who have been or will be approved to participate in the Federal Emergency Management Agency's Safe Room Grant Program. All funds paid by the Mississippi Emergency Management Agency under this program will be reimbursed to the Agency by the Federal Emergency Management Agency.

SECTION 17. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the Mississippi Emergency Management Agency for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of defraying the expenses for vehicle purchases, as authorized in Senate Bill No. 3016, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025. ..... $ 78,238.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 18. With the funds appropriated herein, the Mississippi Emergency Management Agency is authorized to make payment for expenses incurred during Fiscal Year 2021 to Innovative Emergency Management, Inc. in an amount not to exceed Fifty-seven Thousand Six Hundred Ninety-nine Dollars and Thirteen Cents ($57,699.13).

SECTION 19. Of the funds appropriated in Section 2 of this act, Seventy-five Thousand Dollars ($75,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the purchase of vehicles.

SECTION 20. The expenditure of the funds appropriated by this act shall be under the direction of the Governor and shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 21. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY, AND FOR THE PURPOSE OF ESTABLISHING A DISASTER RELIEF RESERVE FUND AND DEFRAYING THE COSTS RELATED TO CERTAIN DISASTER ASSISTANCE PROGRAMS FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Clay Deweese
Scott DeLano	John Read
Michael McLendon	Jerry R. Turner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3040** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane,

Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1618: PERS; define "instrumentality" for purpose of PERS laws and include health care collaboratives in the definition.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1406: Absentee voting; revise various provisions of.

S. B. No. 2424: Absentee ballots; voters can cure ballots declared defective due to signature issues.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 12:07 PM, the Senate stood in recess.

The Senate resumed business at 1:30 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3041** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3041: Appropriation; Gaming Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated for the purpose of defraying the expenses of the Mississippi Gaming Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 9,237,934.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Gaming Commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 1,662,486.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 120

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. Of the funds appropriated in Section 2 of this act, a portion shall be derived from the amount of forfeited property that is seized by the Gaming Commission, which shall be deposited into a special fund created by the Department of Finance and Administration and may be expended by the commission for the specific purpose of increasing law enforcement resources as outlined in Section 41-29-185, Mississippi Code 1972.

SECTION 5. Of the funds appropriated in Section 2 of this act, a portion shall be derived from the amount that is received by the Gaming Commission under the Gaming Control Act, which shall be deposited into a special fund created by the Department of

Finance and Administration and may be expended by the commission for the purpose of investigating, permitting, interagency fees, and providing fingerprint analysis by the Department of Public Safety.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the Gaming Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Riverboat Gaming	
Annual State Riverboat Gaming Revenues (Billions)	2.00
Number of Casinos Regulated	26
Average Cost per Employee to Total State Riverboat Gaming Revenues	18,476,000.00
Charitable Bingo	
Number of Bingo Applications Received	30
Number of Bingo Halls Regulated	50
Average Cost per Employee to Total State Charitable Bingo Revenues	4,676,905.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Seventy-five Thousand Dollars ($75,000.00) is authorized to be transferred to the nonprofit organization, Mississippi Council on Compulsive Gambling, which provides crisis intervention and support services.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI GAMING COMMISSION FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	C. Scott Bounds
Bart Williams	John Read
J. Walter Michel	Casey Eure

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3041** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3042** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3042: Appropriation; Information Technology Services, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated for the purpose of defraying the expenses of the Mississippi Department of Information Technology Services, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 26,715,410.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Information Technology Services which are collected by or otherwise become available for the purpose of defraying expenses of the Mississippi Department of Information Technology Services as established in Section 27-104-203, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 25,187,878.00.

The funds in this section are provided to defray the costs incurred by the Department of Information Technology Services for providing telecommunication services, data center services, and/or other information technology services to state agencies.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 132

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The

Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that the Executive Director of Information Technology Services (ITS) shall have authority to transfer an amount not to exceed Seven Hundred Fifty Thousand Dollars ($750,000.00) to the ITS Revolving Fund (3360900000). The purpose of this authority is to provide operating cash to alleviate cash flow problems in the ITS Revolving Fund. Any funds transferred during the fiscal year shall be transferred back to the State General Fund before the end of the lapse period for the fiscal year.

SECTION 5. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for the purpose of defraying the expenses of the Wireless Communication Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 11,968,985.00.

The Wireless Communication Commission shall follow all state procurement and bid laws for all contracts and consultants.

SECTION 6. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 10

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for

increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 7. It is the intention of the Legislature that none of the funds appropriated under the provisions of this act for the Wireless Communication Commission (WCC) shall be expended for the purpose of making a payment of any kind or for any purpose, directly or indirectly, to a member of the State of Mississippi Legislature, state official, WCC member, or person who has been a member of the WCC within the last year.

SECTION 8. It is the intention of the Legislature that the Department of Information Technology Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Wireless Communication Commission for the purpose of reauthorizing the expenditure of Capital Expense Fund, as appropriated in SB 3045, 2023 Regular Session, for the statewide refurbishment of the Mississippi Wireless Information Network (MSWIN) system for the fiscal year beginning July 1, 2024, and ending
June 30, 2025 ..... $ 8,638,705.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the

previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 12. Of the funds appropriated under the provisions of Section 2, Three Million Seven Hundred Thousand Dollars ($3,700,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to the Mississippi Department of Information Technology Services for upgrades, maintenance, and refresh of the Statewide Payroll and Human Resource System (SPAHRS).

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
Bart Williams	John Read
J. Walter Michel	Randy Rushing

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3042** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Polk entered a motion to reconsider the vote whereby the Conference Report on **H. B. No. 346** was adopted by the Senate.

H. B. No. 346: "Seizure Safe Schools Act"; establish.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3043** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3043: Appropriation; Personnel Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the State Personnel Board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 5,374,870.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 46

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. None of the funds appropriated under the provisions of Section 1 of this act may be expended until the State Personnel Board, based on data provided by the Legislative Budget Office, determines and publishes the projected annual cost to fully fund all appropriated positions for all agencies with compliance language in their appropriation bills.

SECTION 4. It is the intention of the Legislature that the State Personnel Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer, and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE PERSONNEL BOARD FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
Bart Williams	John Read
	Jay McKnight

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3043** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3044** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3044: Appropriation; Military Department.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the general expenses of the operation of the

Mississippi National Guard for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 9,490,876.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated to the Mississippi National Guard, out of any money in the State Treasury to the credit of the Camp Shelby Timber Fund No. 3700, as created by Chapter 187, Laws of 1954, as amended; the Army National Guard Programs Fund No. 3701; the Camp Shelby Base Operations Fund No. 3705; and the Air National Guard Programs Fund No. 3709, for the purpose of carrying out the provisions of applicable statutes and federal/state agreements for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 171,632,613.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 886

Time-Limited: 27

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. Of the funds appropriated under the provisions of Section 2 of this act, funds in the amount of Four Million Dollars ($4,000,000.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the purpose of defraying the expenses of the State Education Assistance Program.

SECTION 5. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. All funds authorized to be expended herein shall be expended and otherwise accounted for in accordance with the provisions of Section 27-104-1 et seq., Mississippi Code of 1972. If not needed for other purposes, the Adjutant General is hereby expressly authorized to invest any part of or all monies herein appropriated out of the Camp Shelby Timber Fund at the highest rate of interest obtainable and credit interest accruing on such investments to the respective fund. Such monies may be invested in any short-term bonds, notes or other direct obligations of the United States of America or the State of Mississippi or any county or municipality of this state, which said county or municipal bonds have been approved by a reputable bonds attorney or have been validated by a decree of the court, and in any event the said bonds, notes or obligations in which such funds are invested shall mature or be redeemable prior to the time the funds so invested will be needed for the refund or refunds herein provided for.

SECTION 7. Of the funds appropriated in Section 1 of this act, Two Million Three Hundred Twenty-five Thousand Nine Hundred Ninety-nine Dollars ($2,325,999.00) shall be provided for the support of the Youth Challenge Program at Camp Shelby.

SECTION 8. Of the funds provided under the provisions of this act, Six Hundred Fifty-eight Thousand Five Hundred Ten Dollars ($658,510.00) is provided for the Armed Forces Military Museum located at Camp Shelby.

SECTION 9. Of the funds appropriated to be expended in this act, no General Funds shall be used to reimburse members and personnel of the Mississippi National Guard for the costs associated with attending authorized training. Any expenditure of funds for the purpose of compensation of such personnel and members for per diems and travel expenses shall be expended from any federal funds which are made available to the Mississippi National Guard for ancillary purposes.

SECTION 10. Of the funds provided under the provisions of this act, an amount not to exceed Three Hundred Thousand Dollars ($300,000.00) is provided for the Sonny Montgomery Center for America's Veterans at Mississippi State University.

SECTION 11. Of the funds provided in Sections 1 and 2 of this act, Ten Thousand Dollars ($10,000.00) is provided for the purchase of uniforms for the Youth Challenge Program staff.

SECTION 12. The Adjutant General of Mississippi is hereby authorized to transfer any part of appropriated funds, including general funds or capital expense funds, to special funds within the Mississippi Military Department, to facilitate federal grant matching requirements. Prior written notification of transfer shall be provided to the Legislative Budget Office and the Department of Finance and Administration. The Military Department shall provide an annual report of all transfers to the Chairmen of the Appropriations Committees and the Legislative Budget Office by October 1 each year, summarizing the status of projects funded by transfers to special funds over the prior fiscal year.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 15. Of the funds appropriated under the provisions of Section 2 of this act, Five Million Dollars ($5,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for renovations, repairs, general operating upgrades and additions at Youth Challenges Academy facilities or for the 2023 Mississippi Military Department Readiness Centers Fund created in Section 33-3-19, Mississippi Code of 1972, for costs of planning, repairs, renovations, expansions, upgrades, and furnishing and equipping of Readiness Centers.

SECTION 16. Of the funds appropriated under the provisions of Section 2 of this act, Six Million Dollars ($6,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the Southaven Armory facility.

SECTION 17. Of the funds appropriated under the provisions of Section 2 of this act, One Million Five Hundred Thousand Dollars ($1,500,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the Corinth Armory facility.

SECTION 18. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 19. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Clay Deweese
Bart Williams	John Read
Jeff Tate	Jerry R. Turner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3044** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Not voting--DeBar. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3045** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3045: Appropriation; Veterans Affairs Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses and paying salaries of the State Veterans Affairs Board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 5,640,041.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Veterans Affairs Board which is comprised of special source funds collected by or otherwise available to the board, for the support and maintenance of said board for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 5,688,035.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 of this act and authorized for expenditure under the provisions of Section 2 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 40

Time-Limited: 26

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the operating expenses and paying salaries of the Mississippi State Veterans Homes as established in Section 35-1-19 for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ... $ 6,357,359.00.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Veterans Affairs Board, which is comprised of special source funds collected by or otherwise available to the board, for the purpose of defraying the expenses and paying salaries of the Mississippi State Veterans Homes as established in Section 35-1-19 for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 74,231,360.00.

SECTION 6. Of the funds appropriated under the provisions of Section 4 of this act and authorized for expenditure under the provision of Section 5 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:
Permanent: 308
Time Limited: 389

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 7. It is the intention of the Legislature that the Executive Director of the State Veterans Affairs Board has the authority to transfer spending authority between and within the budgets of the State Veterans Affairs Board and the Mississippi State Veterans Homes, in an amount not to exceed twenty-five percent (25%) of the authorized budgets in the aggregate. The purpose of this authority is to use available cash reserves more efficiently. It is further the intention of the Legislature that the State Veterans Affairs Board shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 8. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, funds in the amount of Two Hundred Fifty Thousand Dollars ($250,000.00)

are provided to defray the cost of providing care to indigent/low-income Mississippi veterans and the nonveteran surviving spouses of Mississippi veterans if the surviving spouse was a resident of a state veterans home at the time of the veteran's death and who, subsequent to the veteran's death, meets the indigent/low-income criteria established by the State Veterans Affairs Board in the state veterans homes. It is the intention of the Legislature that the provision pertaining to use of indigent/low-income surviving spouses be retroactive for any such period, prior to the effective date of this act, that a current surviving spouse may have met the criteria. This section and its provisions shall be known and cited as the "Hilton R. 'Jack' Vance Act of 1997."

SECTION 9. The State Veterans Affairs Board shall have continued authority for all actions related to the planning, development, construction, and outfitting of the Mississippi Veterans Memorial Cemeteries, pursuant to Section 35-1-41.

SECTION 10. It is the intention of the Legislature that the State Veterans Affairs Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 11. It is the intention of the Legislature that the State Veterans Affairs Board and the Mississippi State Veterans Homes are hereby authorized to escalate, budget and expend funds from fund number 3373200000, in an amount not to exceed Five Million Dollars ($5,000,000.00), for the purpose of operating the state veterans homes as authorized by law, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Mississippi State Veterans Affairs Board for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 3018, 2023 Regular Session, to defray operational expenses related to stand-up operating costs at the Tradition State Veterans Home for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 3,200,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 14. Of the funds appropriated under the provisions of Section 2, Two Million Five Hundred Thousand Dollars ($2,500,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office.

It is the intention of the Legislature, with the funds appropriated in this section, to fund the construction of a new Veteran’s Home in Rankin County to replace the Jackson Home and fund this move over three years.

SECTION 15. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 16. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE VETERANS AFFAIRS BOARD AND THE MISSISSIPPI STATE VETERANS HOMES FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Clay Deweese
Bart Williams	John Read
Jeff Tate	Jerry R. Turner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3045** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3046** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3046: Appropriation; Audit, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, for the purpose of paying salaries and defraying the expenses of the State Department of Audit in making the audits and investigations of public offices of the state and counties as provided by Section 7-7-201 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 9,146,453.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any special funds in the State Treasury to the credit of the State Department of Audit's special fund account for the purpose of paying salaries and defraying the expenses of the State Department of Audit in making the audits and investigations of public offices of the state and counties as provided by Section 7-7-201 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 5,038,458.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	156
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Finance & Compliance	
County Government Audits- Percent Audited by CPA Firms	65.00
County Government Audits- Percent Audited by OSA	35.00
Single Audit Federal Program Coverage - Percent Audited by CPA Firms	35.00
Single Audit Federal Program Coverage - Percent Audited by OSA	65.00
ACFR Opinion Units - Percent General Fund Assets	75.00
ACFR Opinion Units - Percent General Fund Reserves	75.00
Technical Assistance	
Number of Technical Assistance Inquiries	6,400
Cost per Technical Assistance Inquiry	15.00
Percent Customer Satisfaction Rating of 70% or Higher	75.00
Investigations	

Recovered Embezzled and/or Misspent Funds as a Result of Investigations Conducted by this Office	600,000.00
Recovered Funds as a Percent of Total Misspent Funds	18.00

Performance Audits

Number of Performance Audit Reports Completed	10
Number of Positive Changes Recommended in Performance Audits or Bond Monitoring Reports	25

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 2 of this act, it is the intention of the Legislature that Thirty Thousand Dollars ($30,000.00) is provided for the purpose of paying fees for a CPA Review Course for the Office of the State Auditor's employees to be reimbursed over a 12-month period by the employee taking the course.

SECTION 7. It is the intention of the Legislature that the State Auditor is hereby authorized to escalate, budget and expend funds from any source made available to comply with the Single Audit Act of 1984 for the purpose of employing staff, paying related expenses, or to engage private accountants, as necessary, to comply with the provisions of the act, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 8. No more than One Million Dollars ($1,000,000.00) may be provided to defray expenses incurred by the Office of the State Auditor pursuant to the rules and regulations of the United States Department of Justice Federal Equitable Sharing Program. These funds may only be used for nonbudgeted law enforcement purposes by the Office of the State Auditor.

SECTION 9. It is the intention of the Legislature that the State Department of Audit shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 10. Of the funds appropriated in Section 2 of this act, it is the intention of the Legislature that Two Hundred Thousand Dollars ($200,000.00) is provided for the purpose of the Accountancy Fellowship Program as provided by Section 7-7-204, et seq., Mississippi Code of 1972.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
J. Walter Michel	John Read
Rod Hickman	Randy Rushing

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3046** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3047** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3047: Appropriation; Revenue, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Revenue, including the Homestead Exemption Division, the Motor Vehicle Comptroller functions, the Alcoholic Beverage Control Division Liquor Distribution Center, and The Enforcement Division for the fiscal year beginning July 1, 2024, and ending June 30, 2025

$ 57,136,029.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Revenue which are collected by or otherwise become available for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 22,881,874.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 668

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be

utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It shall be the duty of the Commissioner of the Mississippi Department of Revenue, and he is hereby empowered to select in the manner provided by Section 27-3-13, Mississippi Code of 1972, such employees as may be necessary to the administration of all acts relating to the exemption of homesteads and the reimbursement of tax losses to the several taxing units of the state, and to assign them to the use of the Mississippi Department of Revenue.

SECTION 5. The money herein appropriated may be used for any expenses which the commission may legally incur. Provided, however, that no part of the money herein appropriated shall be used for the payment of attorney's fees, except upon recommendation of the Governor with the approval of the Attorney General, nor shall any of said funds be used either directly or indirectly for the purpose of paying any clerk, stenographer, assistant, deputy or other employee who may be related by blood or marriage within the third degree, computed by the rule of civil law, to the official employing or having the right of employment or selection thereof, except that when the relationship is by affinity and the person is dead through whom the relationship was established, this rule shall not apply. In the event of any such payment, then the official or person approving and making such payment shall be liable to return to the State of Mississippi and to pay into the State Treasury to the credit of the General Fund three (3) times any such amount so paid to be recovered at suit by the Attorney General.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Tax Administration	
Cost per Unit of Work (Item/Case/Call)	17.48
Cost per Call Center Call Answered	5.07
Audit	
Cost per Audit	1,703.77
Tax Production per Audit	5,147.06
Tax Enforcement	

Cost per Dollar Collected in Recovery Actions	0.05
General Administration	
Average Cost per Return Processed	5.63
ROI - Revenue Collected per Dollar of Expense	137.99
Property & Motor Vehicle Services	
Cost per Homestead Exemption Application	3.71
Cost per Title Issued	2.95
Abc Liquor Distribution Center	
Cost per Case Shipped	3.40
ROI - GF Dollars Returned per Dollar of Cost	8.08
Enforcement	
Number of Permits-Alcohol	2,400
Number of Permits-Medical Cannabis	150
Number of Violations-Medical Cannabis	20
Average Number of Days to Issue Permit-Alcohol	15
Average Number of Days to Issue Permit-Medical Cannabis	20
Enforcement and Permitting Cost-Alcohol	1,327.89
Enforcement and Permitting Cost-Medical Cannabis	3,632.25
Percent Of Medical Cannabis Permits Receiving Administrative Action	5.00
Percent of Medical Cannabis Permits Receiving Criminal Action	5.00
Percent of Medical Cannabis Permits Inspected	100.00
Percent of Permit Applications Approved-Medical Cannabis	90.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Department of Revenue for the purpose of reimbursing the counties of the state, the road districts and school districts therein and the municipal separate school districts, for tax losses incurred by reason of the exemption of homes from certain ad valorem taxes under the provisions of Section 27-33-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 92,000,000.00.

SECTION 8. Each county, road district, school district and municipal separate school district which has incurred a tax loss that is reimbursable under Section 7 of this act shall be reimbursed a sum which is equivalent to the amount of tax loss produced by the application of tax rates annually fixed for maintenance and current expenses to the assessed value of homes, or so much thereof as has been lawfully authorized under the provisions of Section 27-33-1 et seq., Mississippi Code of 1972.

The disbursements from the funds appropriated under the provisions of Section 7 of this act shall be based upon the certificates required of the clerks of the county boards of supervisors and of the clerks of the municipalities, which certificates shall conform strictly in every respect to the requirements of the provisions of Section 27-33-1 et seq., Mississippi Code of 1972.

All disbursements from the funds appropriated under the provisions of Section 7 of this act shall be made strictly in accordance with the provisions of Section 27-33-1 et seq., Mississippi Code of 1972, and no disbursements other than those clearly authorized by those sections shall be made, the provisions of any other law to the contrary notwithstanding.

SECTION 9. None of the funds appropriated under the provisions of Section 7 of this act may be distributed to any county, municipality, school district or other taxing district in which the assessed valuation of the taxing district has increased as a result of reappraisal of the property of the taxing district unless the governing board of the taxing district has published a notice in a newspaper having a general circulation in the taxing district, stating the lower millage rate that would produce the same amount of revenue from ad valorem taxation on property of the taxing district that was produced in the fiscal year before the property of the taxing district was reappraised.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Department of Revenue – License Tag Commission from any other special source funds made available to the License Tag Commission, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 6,000,000.00.

SECTION 11. None of the funds appropriated in Section 10 of this act shall be expended to purchase motor vehicle license tags made or manufactured by any department, agency or instrumentality of a state other than the State of Mississippi. None of the funds appropriated in this section shall be used for the purchase of bolts, nuts or other fastening devices for attaching said motor vehicle license tags. Provided further, that all motor vehicles belonging to any state department, agency, commission, institution or any other division of state government shall have license tags which shall bear the words "Government" at the bottom of such license tags.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. It is the intention of the Legislature that the Mississippi Department of Revenue shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 14. Of the funds appropriated in this act, it is the intention of the Legislature that up to Eight Hundred Eleven Thousand Seven Hundred Forty Dollars ($811,740.00) shall be allocated as follows: to the Municipal Court Collections Program Four Hundred Five Thousand Eight Hundred Seventy Dollars ($405,870.00) and to the Justice Court Collections Program Four Hundred Five Thousand Eight Hundred Seventy Dollars ($405,870.00) to be supported from General Fund court assessments.

SECTION 15. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 16. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Revenue for the purpose of reauthorizing the expenditure of Capital Expense Funds, to defray the expenses of the Department of Revenue, as authorized in SB 3022, 2023 Regular Session for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 3,239,000.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

(a) IT infrastructure, facility repairs, and equipment upgrades..... $ 829,000.00.

(b) Mississippi Medical Cannabis Act operational expenses..... $ 380,000.00.

(c) Provisions pursuant to Section 67-1-205(2), Mississippi Code of 1972, related to contracting with a third-party entity to operate the Alcohol Beverage Control Liquor Distribution Center
$ 930,000.00.

(d) Computer hardware and equipment ..... $ 1,100,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 17. Of the funds appropriated under the provisions of Section 2 of this act, Six Hundred Fifteen Thousand Dollars ($615,000.00), or so much as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to the Department of Revenue for data storage and firewall protection.

SECTION 18. With the funds herein appropriated, the Mississippi Department of Revenue is authorized to make payments for expenses incurred during prior fiscal years for an amount not to exceed Eight Hundred Fifty-five Dollars and Sixty Cents ($855.60).

SECTION 19. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 20. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF REVENUE, INCLUDING THE HOMESTEAD EXEMPTION DIVISION, THE MOTOR VEHICLE COMPTROLLER FUNCTIONS, THE ALCOHOLIC BEVERAGE CONTROL DIVISION LIQUOR DISTRIBUTION CENTER, THE ENFORCEMENT DIVISION, AND FOR THE PURPOSE OF REIMBURSING THE COUNTIES, COUNTY DISTRICTS AND MUNICIPAL SEPARATE SCHOOL DISTRICTS FOR TAX LOSSES INCURRED BY REASON OF THE EXEMPTION OF HOMES FROM CERTAIN AD VALOREM TAXES, AND FOR THE PURPOSE OF PURCHASING MOTOR VEHICLE LICENSE TAGS FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
J. Walter Michel	John Read
Brice Wiggins	John G. Faulkner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3047** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3048** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3048: Appropriation; Secretary of State.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Secretary of State for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 13,371,056.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Secretary of State for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 25,325,707.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 96
Time-Limited: 12

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Office of the Secretary of State shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Office of the Secretary of State that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 6. No part of the funds appropriated herein shall be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy, or other person who may be related by blood or marriage within the third degree, computed by the rules of the civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; provided that when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 7. Of the funds appropriated in Section 1 of this act, the Secretary of State may use funds appropriated for the purposes of defraying litigation expenses associated with the enforcement of the Mississippi Securities Act, the Regulation of Charitable Solicitations Act, and the administration of the Public Trust.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Business Services	
Percent of Business Services Customer Phone Calls Answered	95.00
Elections	
Number of Poll Workers to Successfully Complete the Online Training Program	82
Number of Voter Registrations Updated on Secure Online Website	6,400
Percent of Poll Workers who Successfully Complete the Online Poll Manager Training on Their First Attempt	60.00
Publications	
Number of Visits to the Secretary of State's Website	9,000,000
Public Lands	
Number of Tax-Forfeited Properties Sold	2,000
Support Services	
Support Services as a Percent of Total Agency Expenditures	25.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 9. Of the funds appropriated in Section 1 of this act, no more than Five Hundred Thousand Dollars ($500,000.00) is provided for paying principal and interest on bond issues for county voting systems.

SECTION 10. Of the funds appropriated in Section 2 of this act, One Million Seven Hundred Fifty Thousand Dollars ($1,750,000.00), or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Land Records Maintenance Fund, for the purpose of making distributions to local governments for taxes owed during the fiscal year.

SECTION 11. Of the funds appropriated in Section 2 of this act, Four Million Two Hundred Fifteen Thousand Three Hundred Ninety-three Dollars ($4,215,393.00), or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Elections Support Fund, for the purpose of acquiring, upgrading, maintaining, or repairing voting equipment, systems, and supplies, hiring temporary technical support, conducting elections using such voting equipment or systems and training election officials during the fiscal year.

SECTION 12. Of the funds appropriated in Section 2 of this act, Eleven Million Dollars ($11,000,000.00), or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Public Trust Tidelands Fund, and is authorized to be transferred by the Secretary of State to the Mississippi Department of Marine Resources.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. Of the funds appropriated in Section 1 of this act, One Million Dollars ($1,000,000.00) is for the purpose of expenses related to cybersecurity and election integrity.

SECTION 15. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State General Fund not otherwise appropriated for the Secretary of State for the purpose of reauthorizing the expenditure of State General Funds as authorized in SB 3049, 2023 Regular Session, to provide for disaster data recovery, publication and technology support, for the fiscal year beginning July 1, 2024, and ending
June 30, 2025 ..... $ 460,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2024.

SECTION 16. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated to the Secretary of State for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 3049, 2023 Regular Session, to at the Secretary of State for the purpose of the Mississippi Voting Modernization Act, Section 23-15-533.2, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending
June 30, 2025 ..... $ 1,200,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 17. Of the funds appropriated under the provisions of Section 2 of this act, Eight Hundred Seventy-five Thousand Dollars ($875,000.00), or so much as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to the Secretary of State for the purpose of updates, enhancements, and maintenance to the Statewide Elections Management System.

SECTION 18. Of the funds appropriated in Section 2, Seven Million Thirty Thousand Sixty-seven Dollars ($7,030,067.00) is provided for defraying expenses related to the Broadwater Marina Restoration Project.

SECTION 19. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 20. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
J. Walter Michel	John Read
Tyler McCaughn	Jay McKnight

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3048** (version 2) was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3049** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3049: Appropriation; Tax Appeals Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Board of Tax Appeals for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 662,799.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 6

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Board of Tax Appeals shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE BOARD OF TAX APPEALS FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
J. Walter Michel	John Read
Robin Robinson	Randy Rushing

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3049** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3050** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3050: Appropriation; Workers' Compensation Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses incurred by the Mississippi Workers' Compensation Commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 6,111,983.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Second Injury Fund (Fund Number 3352300000) for the purpose of making payments under the provisions of Section 71-3-73, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 50,000.00.

SECTION 3. With the funds appropriated in Section 1 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 55

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may

consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Mississippi Workers' Compensation Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. It is the intention of the Legislature that with the funds appropriated in Section 1 of this act, the Mississippi Workers' Compensation Commission shall enter into a contract with the industrial private sector for the purpose of implementing a safety education and training program.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Adjudication	
Number of Cases Resolved at the Administrative or Commission Level within 3 Months	900
Number of Cases Resolved at the Administrative or Commission Level within 6 Months	950
Number of Cases Resolved at the Administrative or Commission Level within 9 Months	900
Number of Cases Resolved at the Administrative or Commission Level within 1 Year	900

Self-insurance	
Percent of Individual Self-Insurers Reviewed in the Past Fiscal Year	34.00
Percent of Individual Self-Insurer Reviews Conducted in the Past Fiscal Year Showing That Reserves are Insufficient to Cover Claims	5.00
Percent of Self-Insurance Groups Reviewed	100.00
Percent of Self-Insurance Group Reviews Conducted Showing That Reserves are Insufficient to Cover Claims	0.00
Medical Cost Containment	
Fee Schedule Adjustments (Cost in Millions)	35.00
Medical Cost Savings to Payers (as a % of Total Billings)	46.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the salary of the Workers' Compensation Commission members shall be equal and the salary of the commission chairman shall exceed these salaries as approved by the State Personnel Board.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
J. Walter Michel	John Read
Robin Robinson	Jay McKnight

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3050** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson,

Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Voting Present--Harkins. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3052** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3052: Appropriation; Debt Service-Gen. Obli.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying service charges to banks for acting as agents of the State of Mississippi in paying bonds and interest on the full faith and credit bonds of the state, this appropriation to be available from the effective date of this act until such bonds shall be paid or until June 30, 2025, whichever shall first occur; and for the purpose of paying maturing bonds and interest on the full faith and credit bonds of the State of Mississippi falling due during Fiscal Year 2025 ..... $ 418,541,895.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury which is comprised of special source funds and interest earnings on bond proceeds for the purpose of paying maturing bonds and interest on the full faith and credit bonds of the State of Mississippi falling due during Fiscal Year 2025 .....
$ 22,897,586.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is hereby authorized to expend any money in the State Treasury which is comprised of special source funds and interest earnings on bond proceeds for the purpose of paying maturing bonds and interest on the revenue bonds of the State of Mississippi falling due during Fiscal Year 2025 ..... $ 35,558,350.00.

SECTION 4. The several items covering maturing bonds and interest as evidenced by coupons on the bonds shall be paid out of the State Treasury as and when provided by law and according to the schedule of interest payments in the several issues of full faith and credit bonds or revenue bonds on which principal and interest is due and payable between the dates of July 1, 2024, and June 30, 2025.

SECTION 5. It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend any excess funds which become available from interest earnings on bond proceeds or from loan repayments received pursuant to bond documents. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 6. Of the funds appropriated in Section 1 of this act hereof, the sum of Five Hundred Thousand Dollars ($500,000.00), or so much thereof as may be necessary, is herein appropriated for paying bank service charges. Itemized statements of banks making service charges shall be attached to requisitions of the State Treasurer.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal

Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF SERVICE CHARGES TO BANKS FOR ACTING AS AGENTS OF THE STATE IN PAYING FULL FAITH AND CREDIT BONDS AND INTEREST OF THE STATE OF MISSISSIPPI, FROM THE EFFECTIVE DATE OF THIS ACT UNTIL SUCH BONDS SHALL BE PAID OR UNTIL JUNE 30, 2025, WHICHEVER SHALL FIRST OCCUR; AND FOR THE PAYMENT OF MATURING BONDS AND INTEREST ON THE FULL FAITH AND CREDIT BONDS OF THE STATE OF MISSISSIPPI FALLING DUE DURING FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
J. Walter Michel	John Read
Angela Turner-Ford	Jay McKnight

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3052** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

_____

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3055** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3055: Appropriation; Governor's Office and Mansion.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for expenses of the Executive Department, being the Governor's Office and staff, and for expenses incidental to the proper operation of the Governor's Mansion and residence of the Governor for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 3,191,450.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in Special Funds in the State Treasury to the credit of the Governor's Office for the purpose of defraying the expenses incurred by the

Executive Department, being the Governor's Office and staff, for the fiscal year beginning July 1, 2024, and ending June 30, 2025

$ 637,391.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 39

Time-Limited: 7

Any escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the Executive Department shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE EXECUTIVE DEPARTMENT, BEING THE GOVERNOR'S OFFICE AND STAFF, AND FOR EXPENSES INCIDENTAL TO THE PROPER OPERATION OF THE GOVERNOR'S MANSION AND RESIDENCE OF THE GOVERNOR FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
John A. Polk	John Read
Sarita Simmons	Randy Rushing

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3055** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3057** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3057: Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 3047, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

..... $ 49,700,148.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

Of the funds reappropriated in this section the following sums are provided for projects:

(a) To assist the City of Diamondhead with a

Commercial District Transformation Project ..... $ 2,000,000.00

(b) To assist the City of Moss Point with

the Moss Point-Point of Connection Road ..... $ 200,000.00

(c) To assist the City of Long Beach with

the Long Beach Harbor Complex Restoration ..... $ 3,500,000.00

(d) To assist the Pascagoula Redevelopment

Authority with the Live, Work, Play Pascagoula

Riverfront Redevelopment ..... $ 1,500,000.00

(e) To assist the Pearl River County Board of

Supervisors with the Pearl River County Industrial

Park Infrastructure and Site Development ..... $ 1,922,800.00

(f) To assist the City of Bay St. Louis

with a City Government Safety Complex ..... $ 1,000,000.00

(g) To assist the Hancock County Port and

Harbor Commission with the Technology Park and Site

Development at Stennis Airport Phase ..... $ 2,000,000.00

(h) To assist Mississippi State University

Research and Technology Corporation with Continued

Development of the Mississippi Cyber Center

Project $ 2,000,000.00

(i) To assist the City of Gulfport with the

Daniel Boulevard Extension and Connector Road

between Highway 49 and Canal Road ..... $ 4,600,000.00

(j) To assist the City of Lucedale with

the Lucedale Municipal Park Stage ..... $ 498,000.00

(k) To assist the City of Moss Point with

the Highway 63/Escatawpa Natural Gas Pipeline

Installation ..... $ 1,750,000.00

(l) To assist the Moss Point Redevelopment

Authority with the Moss Point Downtown

Revitalization ..... $ 1,000,000.00

(m) To assist the George County Board of

Supervisors with a Grain Elevator/River Road

Rehabilitation ..... $ 1,599,906.00

(n) To assist the George County Board of Supervisors with the Old Highway 63 North Regional Agriculture and Agri-Tourism Accelerator Project $ 1,599,372.00

(o) To assist the Jackson County Economic Development Foundation with the Sunplex Light Industrial Park Site Improvements and Trent Lott Airport $ 2,000,000.00

(p) To assist the Pearl River County Board of Supervisors with the Pearl River County Technology Park Phase I and Site Development ..... $ 1,800,000.00

(q) To assist the Jackson County Board of Supervisors with the Vancleave Medical Center..... $ 3,193,750.00

(r) To assist the City of Bay St. Louis with a Downtown ADA Boardwalk ..... $ 1,400,000.00

(s) To assist the City of Ocean Springs with Mary C. O'Keefe Cultural Arts Center Renovations and Signage ..... $ 700,000.00

(t) To assist the Gulf Hills Resort with the Development of 2,000 feet of Blueway Waterfront with Public Marina Access ..... $ 900,000.00

(u) To assist the Ohr-O'Keefe Museum of Arts with Completion of the Ohr-O'Keefe Museum

Campus $ 1,000,000.00

(v) To assist the University of Southern

Mississippi with the USM Visualization and

Digital Multimedia Center of Excellence ..... $ 2,501,320.00

(w) To assist Pinchers Seafood with a

Working Waterfront ..... $ 3,600,000.00

(x) To assist the Jackson County Economic

Development Foundation and the Biloxi Bay RV

Resort $ 1,585,000.00

(y) To assist Plaid Properties, LLC with

the Redevelopment of Blighted Property into a

WAMA Connected District ..... $ 250,000.00

(z) To assist the City of Ocean Springs with

Public Works Redevelopment and Relocation ..... $ 2,000,000.00

(aa) To assist the Harrison County

Development Commission with the I-10 and Canal

Road Site Development ..... $ 3,600,000.00

SECTION 2. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 3047, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025

..... $ 30,884,624.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

Of the funds reappropriated in this section the following sums are provided for projects:

(a) To assist the Gulfport Redevelopment Commission for the completion of the second and final phase of a mixed-use, downtown redevelopment project, including public use components, so as to leverage public and private investment ..... $ 8,000,000.00

(b) To assist the City of Pass Christian with the Water Front Redevelopment Plan ..... $ 2,935,000.00

(c) To assist the Pascagoula Redevelopment Authority with the City of Pascagoula Rail Line Development Plan ..... $ 3,061,356.00

(d) To assist the City of Biloxi with the Popp's Ferry Extension Project ..... $ 3,000,000.00

(e) To assist the City of Waveland with the Waveland Marina Phase I ..... $ 2,000,000.00

(f) To assist the Ocean Springs Redevelopment Authority or the City of Ocean Springs with Projects ..... $ 2,000,000.00

(g) To assist the City of Moss Point with Moss Point's Magnificent Mile 2.0 ..... $ 2,000,000.00

(h) To assist the Hancock County Port and Harbor Commission with the Technology Park at Stennis Airport Phase I ..... $ 2,000,000.00

(i) To assist the City of Long Beach with

the Long Beach Harbor Complex Restoration ..... $ 1,000,000.00

(j) To assist the Mississippi State

University Research and Technology Corporation

with continued development of the Mississippi

Cyber Center Project ..... $ 1,000,000.00

(k) To assist the City of Diamondhead with

the Commerce District Transportation ..... $ 367,591.00

(l) To assist the Ocean Springs Collective

with Ocean Springs Collective Projects ..... $ 20,677.00

(m) To assist the Mississippi Export

Railroad with Mississippi Export Projects ..... $ 3,500,000.00

SECTION 3. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 3047, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025

..... $ 40,730,647.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

Of the funds reappropriated in this section the following sums are provided for projects:

(a) To assist the Mississippi State

University Research and Technology Corporation

with the design and construction of the

Mississippi Cyber Center ..... $ 13,500,000.00

(b) To assist the University of Southern

Mississippi Ocean Enterprise ..... $ 4,500,000.00

(c) To assist the Stone County Board of Supervisors with the Piney Wood Pellet Mill road, rail and bypass ..... $ 2,500,000.00

(d) To assist the Gulfport Redevelopment Commission for Phase I of a planned 3-phase project of downtown redevelopment to be used on a public use project so as to leverage public and private investment ..... $ 2,500,000.00

(e) To assist the City of Ocean Springs and the OHOS Development LLC with a Public/Private Development ..... $ 2,958,903.00

(f) To assist the Pascagoula Redevelopment with downtown revitalization project ..... $ 2,141,376.00

(g) To assist Long Beach High School with the Long Beach High School Career and Technical Education Center ..... $ 2,500,000.00

(h) To assist the City of Diamondhead with the Town Center District – Commercial District Project $ 1,842,024.00

(i) To assist Stone County School District with the Stone County High School Career and Technical Education Center ..... $ 106,900.00

(j) To assist the City of Gulfport with

flood control and/or drainage for the

Forest Heights Project ..... $ 1,890,000.00

(k) To assist the City of Moss Point with

the Interstate 10 Frontage Roads, North and

South $ 2,000,000.00

(l) To assist the City of Picayune with the

Friendship Park Revitalization Project ..... $ 1,160,704.00

(m) To assist Pearl River Community College

PRCC Aviation Aerospace Academy ..... $ 927,463.00

(n) To assist the City of Bay St. Louis

With the Court Street Parking facility, expansion

And improvements ..... $ 983,951.00

(o) To assist the Walter Anderson Museum

With Phase 3 and Phase 4 ..... $ 572,400.00

(p) To assist the City of Lucedale with

Ventura Drive Improvements ..... $ 555,825.00

(q) To assist George County with the Scott

Road Project, widening and infrastructure ..... $ 91,101.00

SECTION 4. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 3047, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025

..... $ 19,314,524.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the

previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

Of the funds reappropriated in this section, the following sums are provided for projects recommended by the department and projects that meet the criteria outlined in Section 57-119-9, Mississippi Code of 1972:

(a) To assist Power Dynamics Innovations,

LLC with Equipment and Facility Upgrades ..... $ 295,133.00

(b) To assist the City of Bay St. Louis

with the Old Town Depot Revitalization

District $ 361,790.00

(c) To assist the City of Diamondhead

With the Commercial District Transformation

Project $ 504,037.00

(d) To assist the University of Southern

Mississippi with the Ocean Enterprise Phase I ..... $ 5,439,396.00

(e) To assist the Walter Anderson Museum

Creative Complex Phase I and begin Phase II ..... $ 366,298.00

(f) To assist the Gulfport School with

a STEM Exploration Lab ..... $ 35,455.00

Of the funds reappropriated in this section, the following sums are provided for projects that meet the criteria outlined in Section 57-119-9, Mississippi Code of 1972:

(a) To assist Mississippi State University

Research and Technology Corporation with the

design and construction of the Mississippi

Cyber Center ..... $ 565,948.00

(b) To assist the Port of Pascagoula with

the North Rail Connector ..... $ 6,600,000.00

(c) To assist the Pascagoula Redevelopment

Authority with the Innovation Center ..... $ 1,000,000.00

(d) To assist the Institute for Marine

Mammal Studies with Educational Classrooms and

Dorms $ 3,000,000.00

(e) To assist the City of Long Beach

with development and revitalization ..... $ 500,737.00

(f) To assist the City of Long Beach

with the Quarles House ..... $ 544,789.00

(g) To assist George County with the

Mississippi Export Railroad for the Enviva

Project $ 100,941.00

SECTION 5. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 3047, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025

..... $ 5,500,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

Of the funds reappropriated in this section the following sums are provided for the following programs:

(a) For the Mississippi Development Authority

and the Air Service Development Incentive

Program $ 2,500,000.00

(b) For the Mississippi Development

Authority and the Quality of Place Incentives

Program $ 3,000,000.00

Of these funds, One Million Dollars ($1,000,000.00) is provided for the development of a South Mississippi defense and space industry strategy for small companies to compete for defense related contracts to include government, industry, and academia.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION AND A REAPPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY TO AUTHORIZE AND REAUTHORIZE THE EXPENDITURE OF GULF COAST RESTORATION FUNDS PREVIOUSLY APPROPRIATED FOR PROJECTS FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
John A. Polk	John Read
Brice Wiggins	Manly Barton

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3057** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

_____

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1417** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1417: Health care industry zone; expand radius for location of certain facilities for certification by MDA as.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Thomas "Trey" Lamar, III	Josh Harkins
Jody Steverson	Dean Kirby
Henry Zuber III	John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1417** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Blount, Bryan. Total--2.

Absent and those not voting--Horhn. Total--1.

Senator Harkins offered the report of the Conference Committee on **S. B. No. 2405** and moved that the Report do be adopted:

Senator Harkins made a substitute motion that the Conference Committee Report on **S. B. No. 2405** be tabled subject to call, and the motion prevailed.

S. B. No. 2405: Alcoholic beverages; increase number of package retailer's permits under certain conditions.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2466** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2466: Alcoholic beverages; revise certain provisions relating to sales to persons under the age of 21.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-81, Mississippi Code of 1972, is amended as follows:

67-1-81. (1) (a) Any permittee or other person who shall sell, furnish, dispose of, give, or cause to be sold, furnished, disposed of, or given, any alcoholic beverage to any person under the age of twenty-one (21) years shall be guilty of a misdemeanor and shall be punished by a fine of not less than Five Hundred Dollars ($500.00) nor more than One Thousand Dollars ($1,000.00) for a first offense. For a second or subsequent offense, such permittee or other person shall be punished by a fine of not less than One Thousand Dollars ($1,000.00) nor more than Two Thousand Dollars ($2,000.00), or by imprisonment for not more than one (1) year, or by both such fine and imprisonment in the discretion of the court.

(b) (i) If a permittee, or any employee of a permittee, violates paragraph (a) of this subsection (1), then, in addition to any other penalty provided for by law, the commissioner may impose the following penalties against the permittee on whose premises the alcoholic beverages were sold, given or furnished:

1. For the first offense on the licensed premises, suspension of the permit for not more than one (1) week.

2. For a second offense occurring on the licensed premises within a twelve-month period, suspension of the permit for not more than two (2) weeks.

3. For a third offense occurring on the licensed premises within a twelve-month period, suspension of the permit for not more than three (3) weeks or revocation of the permit.

4. For a fourth or subsequent offense occurring on the licensed premises within a twelve-month period, revocation of the permit.

After a third or subsequent offense, the commissioner also may require that the permittee have and use an independent, third-party age-verification app on the licensed premises for the purpose of determining whether a person to whom alcoholic beverages are sold, furnished, given or caused to be sold on the licensed premises is twenty-one (21) years of age or older. The app used must have at least an eighty-five percent (85%) accuracy rating according to national standards. The commissioner may promulgate rules and regulations for determining the length of time a permittee shall be required to use the app.

A violation of paragraph (a) of this subsection (1) shall be sufficient to impose the administrative penalties and any other requirement authorized under this paragraph (b), and any expunction of conviction shall have no effect on any administrative penalty or other requirement imposed against a permittee under this paragraph (b).

(2) Any person under the age of twenty-one (21) years who purchases, receives, or has in his or her possession in any public place, any alcoholic beverages, shall be guilty of a misdemeanor and shall be punished by a fine of not less than Two Hundred Dollars ($200.00) nor more than Five Hundred Dollars ($500.00). Provided, that clearing or busing tables that have glasses or other containers that contain or did contain alcoholic beverages, or stocking, bagging or otherwise handling purchases of alcoholic beverages shall not be deemed possession of alcoholic beverages for the purposes of this section.

Provided further, that a person who is at least eighteen (18) years of age but under the age of twenty-one (21) years who waits on tables by taking orders for or delivering orders of alcoholic beverages shall not be deemed to unlawfully possess or furnish alcoholic beverages if in the scope of his employment by the holder of an on-premises retailer's permit. This exception shall not authorize a person under the age of twenty-one (21) to tend bar or act in the capacity of bartender. Any person under the age of twenty-one (21) who knowingly makes a false statement to the effect that he or she is twenty-one (21) years old or older or presents any document that indicates he or she is twenty-one (21) years of age or older for the purpose of purchasing alcoholic beverages from any person engaged in the sale of alcoholic beverages shall be guilty of a misdemeanor and shall be punished by a fine of not less than Two Hundred Dollars ($200.00) nor more than Five Hundred Dollars ($500.00), and a sentence to not more than thirty (30) days' community service.

(3) The term "community service" as used in this section shall mean work, projects or services for the benefit of the community assigned, supervised and recorded by appropriate public officials.

(4) If a person under the age of twenty-one (21) years is convicted or enters a plea of guilty of purchasing, receiving or having in his or her possession in any public place any alcoholic beverages in violation of subsection (2) of this section, the trial judge, in lieu of the penalties otherwise provided under subsection (2) of this section, shall suspend the minor's driver's license by taking and keeping it in the custody of the court for a period of time not to exceed ninety (90) days. The judge so ordering the suspension shall enter upon his docket "DEFENDANT'S DRIVER'S LICENSE SUSPENDED FOR ____ DAYS IN LIEU OF CONVICTION" and such action by the trial judge shall not constitute a conviction. During the period that the minor's driver's license is suspended, the trial judge shall suspend the imposition of any fines or penalties that may be imposed under subsection (2) of this section and may place the minor on probation subject to such conditions as the judge deems appropriate. If the minor violates any of the conditions of probation, then the trial judge shall return the driver's license to the minor and impose the fines, penalties or both, that he would have otherwise imposed, and such action shall constitute a conviction.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-1-81, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, IN ADDITION TO OTHER PENALTIES AUTHORIZED AGAINST A PERMITTEE UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW FOR THE UNLAWFUL SALE, FURNISHING, GIVING OR CAUSING TO BE SOLD OF ALCOHOLIC BEVERAGES TO PERSONS UNDER THE AGE OF 21, THE COMMISSIONER OF REVENUE MAY REQUIRE, AFTER A THIRD OR SUBSEQUENT OFFENSE, THAT THE PERMITTEE HAVE AND USE AN INDEPENDENT, THIRD-PARTY AGE-VERIFICATION APP ON THE LICENSED PREMISES FOR THE PURPOSE OF DETERMINING WHETHER A PERSON TO WHOM ALCOHOLIC BEVERAGES ARE SOLD, FURNISHED, GIVEN OR CAUSED TO BE SOLD IS 21 YEARS OF AGE OR OLDER; TO AUTHORIZE THE COMMISSIONER TO PROMULGATE RULES AND REGULATIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Josh Harkins	John Thomas "Trey" Lamar, III
Joey Fillingane	Jody Steverson
Andy Berry	Brent Powell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2466** failed to be adopted:

Yeas--Barnett, Berry, Blackmon, Blount, Boyd, Butler, DeLano, Fillingane, Harkins, Hickman, Jackson, Johnson, Kirby, McMahan, Michel, Norwood, Parks, Robinson, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Wiggins, Williams. Total--24.

Nays--Barrett, Blackwell, Branning, Brumfield, Bryan, Carter, Chassaniol, Chism, DeBar, England, Frazier, Hill, Hopson, Jordan, Ladner, McCaughn, McLendon, Parker, Polk, Rhodes, Seymour, Sparks, Tate, Thompson, Whaley, Younger. Total--26.

Absent and those not voting--Horhn. Total--1.

Voting Present--Suber. Total--1.

_____

On motion of Senator Harkins the following entitled bill was removed from the table for immediate consideration:

S. B. No. 2405: Alcoholic beverages; revise certain provisions regarding locations for sale of.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2405** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2405: Alcoholic beverages; revise certain provisions regarding locations for sale of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-51, Mississippi Code of 1972, as amended by House Bill No. 1525, 2024 Regular Session, and Senate Bill No. 2567, 2024 Regular Session, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this article in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this article.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

Class 4. Native spirit producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native spirits.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines, native spirits and edibles, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this article and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers, other beverages commonly used to mix with alcoholic beverages, and fruits and foods that have been submerged in alcohol and are commonly referred to as edibles. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines and native spirits, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one (1) bottle of wine to be removed from the licensed premises for every two (2) entrees ordered. In addition, an on-premises retailer's permittee at a permitted premises located on Jefferson Davis Avenue within one-half (1/2) mile north of U.S. Highway 90 may serve alcoholic beverages by the glass to a patron in a vehicle using a

drive-through method of delivery if the permitted premises is located in a leisure and recreation district established under Section 67-1-101. Such a sale will be considered to be made on the permitted premises. An on-premises retailer's permit shall be issued only to qualified hotels, restaurants and clubs, small craft breweries, microbreweries, and to common carriers with adequate facilities for serving passengers. In resort areas, however, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to any establishments located therein as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines and native spirits, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine and native spirit, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent

of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from the department or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for

consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from the department or from importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a

calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines and native spirits, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines and native spirits, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages to consumers for on-premises consumption, or to consumers by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. However, when

selling to consumers for on-premises consumption, a holder of a distillery retailer's permit may add other beverages, alcoholic or not, so long as the total volume of other beverage components containing alcohol does not exceed twenty percent (20%). Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the distillery retailer is located.

The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this article. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse; however, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by the department or its warehouse operator. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse. However, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2026.

(s) Charter vessel operator's permit. Subject to the provisions of this paragraph (s), a charter vessel operator's permit shall authorize the holder thereof and its employees to sell and serve alcoholic beverages to passengers of the permit holder during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder. The permit shall authorize the holder to only sell alcoholic beverages, including native wines, to passengers of the charter vessel operator during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder aboard the charter vessel operator for consumption during such tours and cruises on the premises of the charter vessel operator described in the permit. For the purposes of this paragraph (s), "charter vessel operator" means a common carrier that (i) is certified to carry at least forty-nine (49) passengers, (ii) operates only in the waters within the State of Mississippi, which lie south of Interstate 10 in the three (3) most southern counties in the State of Mississippi, and lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, extending not further than one (1) mile south of such

counties, and (iii) provides vessel services for tours and cruises in such waters as provided in this paragraph(s).

(t) Native spirit retailer's permit. Except as otherwise provided in subsection (5) of this section, a native spirit retailer's permit shall be issued only to a holder of a Class 4 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native spirits to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native distillery. When selling to consumers for on-premises consumption, a holder of a native spirit retailer's permit may add to the native spirit alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native spirit retailer is located.

(u) Delivery service permit. Any individual, limited liability company, corporation or partnership registered to do business in this state is eligible to obtain a delivery service permit. Subject to the provisions of Section 67-1-51.1, this permit authorizes the permittee, or its employee or an independent contractor acting on its behalf, to deliver alcoholic beverages, beer, light wine and light spirit product from a licensed retailer to a person in this state who is at least twenty-one (21) years of age for the individual's use and not for resale. This permit does not authorize the delivery of alcoholic beverages, beer, light wine or light spirit product to the premises of a location with a permit for the manufacture, distribution or retail sale of alcoholic beverages, beer, light wine or light spirit product. The holder of a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or of a beer, light wine and light spirit product permit under Section 67-3-19 is authorized to apply for a delivery service permit as a privilege separate from its existing retail permit.

(v) Food truck permit. A food truck permit shall authorize the holder of an on-premises retailer's permit to use a food truck to sell alcoholic beverages off its premises to guests who must consume the beverages in open containers. For the purposes of this paragraph (v), "food truck" means a fully encased food service establishment on a motor vehicle or on a trailer that a motor vehicle pulls to transport, and from which a vendor, standing within the frame of the establishment, prepares, cooks, sells and serves food for immediate human consumption. The term "food truck" does not include a food cart that is not motorized. Food trucks shall maintain such distance requirements from schools, churches, kindergartens and funeral homes as are required for on-premises retailer's permittees under this article, and all sales must be made within a valid leisure and recreation district established under Section 67-1-101. Food trucks cannot sell or serve alcoholic beverages unless also offering food prepared and cooked within the food truck, and permittees must maintain a twenty-five percent (25%) food sale revenue requirement based on the food sold from the food truck alone. The hours allowed for sale shall be the same as those for on-premises retailer's permittees in the location. This permit will not be required for the holder of a caterer's permit issued under this article to cater an event as allowed by law. Permittees must provide notice of not less than forty-eight (48) hours to the department of each location at which alcoholic beverages will be sold.

(w) On-premises tobacco permit. An on-premises tobacco permit shall authorize the permittee to sell alcoholic beverages for consumption on the licensed premises. In addition to all other requirements to obtain an alcoholic beverage permit, the permittee must obtain and maintain a tobacco permit issued by the State of Mississippi, and have a capital investment of not less than Five Hundred Thousand Dollars ($500,000.00) in the premises for which the permit is issued. In addition to alcoholic beverages, the permittee is authorized to sell only cigars, cheroots, tobacco pipes, pipe tobacco, and/or stogies. Additionally, seventy-five percent (75%) of the permittee's annual gross revenue must be derived from the sale of cigars, cheroots, tobacco pipes, pipe tobacco, and/or stogies. No food sales shall be required, but food may be sold on the

premises. The issuance of this permit does not remove any obligation a permittee may have to follow local ordinances or actions prohibiting the use of tobacco products.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) (a) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this article within four hundred (400) feet of any church, school (excluding any community college, junior college, college or university), kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

(b) A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(c) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(d) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a qualified resort area as defined in Section

67-1-5(o)(iii)32.

(e) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building formerly owned by a municipality and formerly leased by the municipality to a municipal school district and used by the municipal school district as a district bus shop facility.

(f) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building consisting of at least five thousand (5,000) square feet and located approximately six hundred (600) feet from the intersection of Mississippi Highway 15 and Mississippi Highway 4.

(g) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building located at or near the intersection of Ward and Tate Streets and adjacent properties in the City of Senatobia, Mississippi.

(h) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a theatre facility that features plays and other theatrical performances and productions and (i) is capable of seating more than seven hundred fifty (750) people, (ii) is owned by a municipality which has a population greater than ten thousand (10,000) according to the latest federal decennial census, (iii) was constructed prior to 1930, (iv) is on the National Register of Historic Places, and (v) is located in a historic district.

(i) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building located

approximately one and six-tenths (1.6) miles north of the intersection of Mississippi Highway 15 and Mississippi Highway 4 on the west side of Mississippi Highway 15.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit; however, in the case of a person holding a package retailer's permit issued before July 1, 2024, such a person may own one (1) additional package retailer's permit if the additional permit is issued for a premises with a minimum capital investment of Twenty Million Dollars ($20,000,000.00) that is part of a major retail development project and located in one (1) of the three (3) most southern counties in the State of Mississippi, and not within one hundred (100) miles of another location in the State of Mississippi, for which the permittee holds such a permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this article.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1525, 2024 REGULAR SESSION, AND SENATE BILL NO. 2567, 2024 REGULAR SESSION, TO PROVIDE THAT IN THE CASE OF A PERSON HOLDING A PACKAGE RETAILER'S PERMIT ISSUED BEFORE JULY 1, 2024, SUCH A PERSON MAY OWN ONE ADDITIONAL PACKAGE RETAILER'S PERMIT IF THE ADDITIONAL PERMIT IS ISSUED FOR A PREMISES WITH A MINIMUM CAPITAL INVESTMENT OF $20,000,000.00 THAT IS PART OF A MAJOR RETAIL DEVELOPMENT PROJECT AND LOCATED IN ONE OF THE THREE MOST SOUTHERN COUNTIES IN THE STATE OF MISSISSIPPI, AND NOT WITHIN ONE HUNDRED MILES OF ANOTHER LOCATION IN THE STATE OF MISSISSIPPI, FOR WHICH THE PERMITTEE HOLDS SUCH A PERMIT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Josh Harkins	Henry Zuber III
Joel R. Carter, Jr.	Robert L. Johnson III
Jeremy England	Shanda Yates

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2405** was adopted:

Yeas--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Kirby, Ladner, McCaughn, McLendon, Michel, Rhodes, Robinson, Simmons S. (13th), Sparks, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--34.

Nays--Branning, Brumfield, Chassaniol, Chism, Frazier, McMahan, Parker, Parks, Seymour, Tate, Turner-Ford. Total--11.

Absent and those not voting--Horhn. Total--1.

Voting Present--Barrett, Jordan, Polk, Suber. Total--4.

Senator Simmons D. T. (12th), who would have voted yea on S. B. No. 2405, announced a pair with Senator Norwood, who would have voted nay.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2803** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2803: Local Option Alcoholic Beverage Control Law; revise definition of "qualified resort area."

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-5, Mississippi Code of 1972, as amended by Senate Bill No. 2457, 2024 Regular Session, is amended as follows:

67-1-5. For the purposes of this article and unless otherwise required by the context:

(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine, light spirit product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines and native spirits. The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

(b) "Alcohol" means the product of distillation of any fermented liquid, whatever the origin thereof, and includes synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

(c) "Distilled spirits" means any beverage containing more than six percent (6%) of alcohol by weight produced by distillation of fermented grain, starch, molasses or sugar, including dilutions and mixtures of these beverages.

(d) "Wine" or "vinous liquor" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits, honey or berries and made in accordance with the revenue laws of the United States.

(e) "Person" means and includes any individual, partnership, corporation, association or other legal entity whatsoever.

(f) "Manufacturer" means any person engaged in manufacturing, distilling, rectifying, blending or bottling any alcoholic beverage.

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

(h) "Retailer" means any person who sells, distributes, or offers for sale or distribution, any alcoholic beverage for use or consumption by the purchaser and not for resale.

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its organization to be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

(j) "Division" means the Alcoholic Beverage Control Division of the Department of Revenue.

(k) "Municipality" means any incorporated city or town of this state.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day. When used in this article, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

(i) A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, which has suitable seating facilities for guests, and which has suitable kitchen facilities connected therewith for cooking an assortment of foods and meals commonly ordered at various hours of the day; the service of such food as sandwiches and salads only shall not be deemed in compliance with this requirement. Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this article unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue; or

(ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking. In addition to the other requirements of this subparagraph, the business must also serve food to guests for compensation within the building and derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales to live entertainment in the building, and from the rental of all or part of the facilities of the business in the building to another party for a specific event or function.

(n) "Club" means an association or a corporation:

(i) Organized or created under the laws of this state for a period of five (5) years prior to July 1, 1966;

(ii) Organized not primarily for pecuniary profit but for the promotion of some common object other than the sale or consumption of alcoholic beverages;

(iii) Maintained by its members through the payment of annual dues;

(iv) Owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;

(v) The affairs and management of which are conducted by a board of directors, board of governors, executive committee, or similar governing body chosen by the members at a regular meeting held at some periodic interval; and

(vi) No member, officer, agent or employee of which is paid, or directly or indirectly receives, in the form of a salary or other compensation any profit from the distribution or sale of alcoholic beverages to the club or to members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

The department may, in its discretion, waive the five-year provision of this paragraph. In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this article, two (2) copies of a list of the names and residences of its members and similarly file, within ten (10) days after the election of any additional member, his name and address. Each club applying for a license shall also file with the department at the time of the application a copy of its articles of

association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2) miles of a convent or monastery that is located in a county traversed by Interstate 55 and U.S. Highway 98. A convent or monastery may waive such distance restrictions in favor of allowing approval by the department of an area as a qualified resort area. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(i) The department may approve an area or locality outside of the limits of an incorporated municipality that is in the process of being developed as a qualified resort area if such area or locality, when developed, can reasonably be expected to meet the requisites of the definition of the term "qualified resort area." In such a case, the status of qualified resort area shall not take effect until completion of the development.

(ii) The term includes any state park which is declared a resort area by the department; however, such declaration may only be initiated in a written request for resort area status made to the department by the Executive Director of the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this article, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.

(iii) The term includes:

1. The clubhouses associated with the state park golf courses at the Lefleur's Bluff State Park, the John Kyle State Park, the Percy Quin State Park and the Hugh White State Park;

2. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

3. Any facility located on property that is a game reserve with restricted access that consists of at least three thousand (3,000) contiguous acres with no public roads and that offers as a service hunts for a fee to overnight guests of the facility;

4. Any facility located on federal property surrounding a lake and designated as a recreational area by the United States Army Corps of Engineers that consists of at least one thousand five hundred (1,500) acres;

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted against coming out from under the dry law; however, any such facility may only be located in areas designated by the governing authorities of such municipality;

6. Any municipality with a population in excess of ten thousand (10,000) according to the latest federal decennial census that is located in a county that is bordered by the Pearl River and is not traversed by Interstate Highway 20, with a population in excess of forty-five thousand (45,000) according to the latest federal decennial census;

7. The West Pearl Restaurant Tax District as defined in Chapter 912, Local and Private Laws of 2007;

8. a. Land that is located in any county in which Mississippi Highway 43 and Mississippi Highway 25 intersect and:

A. Owned by the Pearl River Valley Water Supply District, and/or

B. Located within the Reservoir Community District, zoned commercial, east of Old Fannin Road, north of Regatta Drive, south of Spillway Road, west of Hugh Ward Boulevard and accessible by Old Fannin Road, Spillway Road, Spann Drive and/or Lake Vista Place, and/or

C. Located within the Reservoir Community District, zoned commercial, west of Old Fannin Road, south of Spillway Road and extending to the boundary of the corporate limits of the City of Flowood, Mississippi;

b. The board of supervisors of such county, with respect to B and C of item 8.a., may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

9. Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no public roads, that offers as a service hunts for a fee to overnight guests of the facility, and has accommodations for at least fifty (50) overnight guests;

10. Any facility that:

a. Consists of at least six thousand (6,000) square feet being heated and cooled along with an additional adjacent area that consists of at least two thousand two hundred (2,200) square feet regardless of whether heated and cooled,

b. For a fee is used to host events such as weddings, reunions and conventions,

c. Provides lodging accommodations regardless of whether part of the facility and/or located adjacent to or in close proximity to the facility, and

d. Is located on property that consists of at least thirty (30) contiguous acres;

11. Any facility and related property:

a. Located on property that consists of at least one hundred twenty-five (125) contiguous acres and consisting of an eighteen-hole golf course, and/or located in a facility that consists of at least eight thousand (8,000) square feet being heated and cooled,

b. Used for the purpose of providing meals and hosting events, and

c. Used for the purpose of teaching culinary arts courses and/or turf management and grounds keeping courses, and/or outdoor recreation and leadership courses;

12. Any facility and related property that:

a. Consist of at least eight thousand (8,000) square feet being heated and cooled,

b. For a fee is used to host events,

c. Is used for the purpose of culinary arts courses, and/or live entertainment courses and art performances, and/or outdoor recreation and leadership courses;

13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

14. The clubhouse and associated eighteen-hole golf course located in a municipality traversed by Interstate Highway 55 and U.S. Highway 51 that has voted to come out from under the dry law;

15. a. Land that is planned for mixed-use development and consists of at least two hundred (200) contiguous acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed, and also including a facility that consists of at least four thousand (4,000) square feet that is not part of such land but is located adjacent to or in close proximity thereto, and which land is located:

A. In a county that has voted to come out from under the dry law,

B. Outside the corporate limits of any municipality in such county and adjacent to or in close proximity to a golf course located in a municipality in such county, and

C. Within one (1) mile of a state institution of higher learning;

b. The board of supervisors of such county may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

16. Any facility with a capacity of five hundred (500) people or more, to be used as a venue for private events, on a tract of land in the Southwest Quarter of Section 33, Township 2 South, Range 7 East, of a county where U.S. Highway 45 and U.S. Highway 72 intersect and that has not voted to come out from under the dry law;

17. One hundred five (105) contiguous acres, more or less, located in Hinds County, Mississippi, and in the City of Jackson, Mississippi, whereon are constructed a variety of buildings, improvements, grounds or objects for the purpose of holding events thereon to promote agricultural and industrial development in Mississippi;

18. Land that is owned by a state institution of higher learning, land that is owned by an entity that is bound by an affiliation agreement with a state institution of higher learning, or land that is owned by one or more other entities so long as such other entities are solely owned, either directly or through additional entities, by an institution of higher learning and/or one or more entities bound by affiliation agreements with such institution, and:

a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7 * * *; and

b. A. Located adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9 * * *; or

B. Located in an area bounded on the north by College View Drive, on the east by Mississippi Highway 12 East, on the south by Mississippi Highway 12 East, on the west by Mill Street, on the north by Russell Street, then on the west by Colonel Muldrow Avenue, on the north by University Drive, on the west by Adkerson Way within a municipality through which run Mississippi Highway 25, Mississippi Highway 12 and U.S. Highway 82.

If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, 2020, then that qualified resort area shall be incorporated into the qualified resort area created by this item 18;

19. Any facility and related property:

a. Used as a flea market or similar venue during a weekend (Saturday and Sunday) immediately preceding the first Monday of a month and having an annual average of at least one thousand (1,000) visitors for each such weekend and five hundred (500) vendors for Saturday of each such weekend, and

b. Located in a county that has not voted to come out from under the dry law and outside of but in close proximity to a municipality located in such county and which municipality has voted to come out from under the dry law;

20. Blocks 1, 2 and 3 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

21. Any municipality with a population in excess of two thousand (2,000) according to the latest federal decennial census and in which is located a part of White's Creek Lake and in which U.S. Highway 82 intersects with Mississippi Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River;

22. A restaurant located on a two-acre tract adjacent to a five-hundred-fifty-acre lake in the northeast corner of a county traversed by U.S. Interstate 55 and U.S. Highway 84;

23. Any tracts of land in Oktibbeha County, situated north of Bailey Howell Drive, Lee Boulevard and Old Mayhew Road, east of George Perry Street and south of Mississippi Highway 182, and not located on the property of a state institution of higher learning; however, the board of supervisors of such county may by resolution or other order:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

24. A municipality in which Mississippi Highway 27 and Mississippi Highway 28 intersect;

25. A municipality through which run Mississippi Highway 35 and Interstate 20;

26. A municipality in which Mississippi Highway 16 and Mississippi Highway 35 intersect;

27. A municipality in which U.S. Highway 82 and Old Highway 61 intersect;

28. A municipality in which Mississippi Highway 8 meets Mississippi Highway 1;

29. A municipality in which U.S. Highway 82 and Mississippi Highway 1 intersect;

30. A municipality in which Mississippi Highway 50 meets Mississippi Highway 9;

31. An area bounded on the north by Pearl Street, on the east by West Street, on the south by Court Street and on the west by Farish Street, within a municipality bordered on the east by the Pearl River and through which run Interstate 20 and Interstate 55;

32. Any facility and related property that:

a. Is contracted for mixed-use development improvements consisting of office and residential space and a restaurant and lounge, partially occupying the renovated space of a four-story commercial building which previously served as a financial institution; and adjacent property to the west consisting of a single-story office building that was originally occupied by the Brotherhood of Carpenters and Joiners of American Local Number 569; and

b. Is situated on a tract of land consisting of approximately one and one-tenth (1.10) acres, and the adjacent property to the west consisting of approximately 0.5 acres, located in a municipality which is the seat of county government, situated south of Interstate 10, traversed by U.S. Highway 90, partially bordered on one (1) side by the Pascagoula River and having its most southern boundary bordered by the Gulf of Mexico, with a population greater than twenty-two thousand (22,000) according to the 2010 federal decennial census; however, the governing authorities of such a municipality may by ordinance:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

C. Designate the areas within the facilities in which alcoholic beverages may be offered for sale;

33. Any facility with a maximum capacity of one hundred twenty (120) people that consists of at least three thousand (3,000) square feet being heated and cooled, has a commercial kitchen, has a pavilion that consists of at least nine thousand (9,000) square feet and is located on land more particularly described as follows:

All that part of the East Half of the Northwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi, that lies South of Mississippi State Highway 348 right-of-way and containing 19.48 acres, more or less.

ALSO,

The Northeast 38 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi.

ALSO,

The South 81 1/2 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi;

34. A municipality in which U.S. Highway 51 and Mississippi Highway 16 intersect;

35. A municipality in which Interstate 20 passes over Mississippi Highway 15;

36. Any municipality that is bordered in its northwestern boundary by the Pearl River, traversed by U.S. Highway 49 and Interstate 20, and is located in a county which has voted against coming out from under the dry law;

37. A municipality in which Mississippi Highway 28 and Mississippi Highway 29 North intersect;

38. An area bounded as follows within a municipality through which run Interstate 22 and Mississippi Highway 15: Beginning at a point at the intersection of Bankhead Street and Tallahatchie Trails; then running to a point at the intersection of Tallahatchie Trails and Interstate 22; then running to a point at the intersection of Interstate 22 and Carter Avenue; then running to a point at the intersection of Carter Avenue and Camp Avenue; then running to a point at the intersection of Camp Avenue and King Street; then running to a point at the intersection of King Street and E. Main Street; then running to a point at the intersection of E. Main Street and Camp Avenue; then running to a point at the intersection of Camp Avenue and Highland Street; then running to a point at the intersection of Highland Street and Adams Street; then running to a point at the intersection of Adams Street and Cleveland Street; then running to a point at the intersection of Cleveland Street and N. Railroad Avenue; then running to a point at the intersection of N. Railroad Avenue and McGill Street; then running to a point at the intersection of McGill Street and Snyder Street; then running to a point at the intersection of Snyder Street and Bankhead Street; then running to a point at the intersection of Bankhead Street and Tallahatchie Trails and the point of the beginning;

39. A municipality through which run Mississippi Highway 43 and U.S. Highway 80;

40. The coliseum in a municipality in which U.S. Highway 72 passes over U.S. Highway 45;

41. A piece of property on the northeast corner of the T-intersection where Builders Square Drive meets Mississippi Highway 471;

42. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities located on Oaks Country Club Road less than one-half (1/2) mile to the east of Mississippi Highway 15;

43. Any facility located on land more particularly described as follows:

The East Half (E 1/2) of the Southwest Quarter (SW 1/4) of Section 15, Township 3 North, Range 2 East; a 4 acre parcel in the Southwest Corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), Section 15, Township 3 North, Range 2 East, running 210 feet east and west and 840 feet running north and south; the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 22, Township 3 North, Range 2 East, all in Rankin County, Mississippi;

44. Any facility located on land more particularly described as follows:

Beginning at a point 1915 feet west and 2171 feet north of southeast corner, Section 11, Township 24 North, Range 2 West, Second Judicial District, Tallahatchie County, Mississippi, which point is the southwest corner of J.C. Section Lot mentioned in deed recorded in Book 50, page 34, in the records of the Chancery Clerk's Office at Sumner, in said District of said County; thence South 80° West, 19 feet to the east boundary of United States Highway 49-E, thence East along the east boundary of said Highway 270 feet to point of beginning of Lot to be conveyed; thence southeast along the east boundary of said Highway 204 feet to a concrete post at the intersection of the east boundary of said Highway with the west boundary of gravel road from Sumner to Webb, known as Oil Mill Road, thence Northwest along west boundary of said Oil Mill Road 194 feet to center of driveway running southwest from said Oil Mill Road to U.S. Highway 49-E; thence South 66° West along center of said driveway 128 feet to point of beginning, being situated in Northwest Quarter of Southeast Quarter of Section 11, together with all improvements situated thereon;

45. Any facility that:

a. Consists of at least five thousand six hundred (5,600) square feet being heated and cooled along with a lakeside patio that consists of at least two thousand two hundred (2,200) square feet, regardless of whether such patio is part of the facility and/or located adjacent to or in close proximity to the facility;

b. Includes a caterer's kitchen and green room for entertainment preparation;

c. For a fee is used to host events; and

d. Is located adjacent to or in close proximity to an approximately nine (9) acre lake on property that consists of at least one hundred twenty (120) acres in a county traversed by Mississippi Highway 15 and U.S. Highway 278;

46. Any municipality with a population in excess of one thousand (1,000) according to the 2010 federal decennial census and which is located in a county that is traversed by U.S. Highways 84 and 98 and has not voted to come out from under the dry law;

47. The clubhouse and associated nine-hole golf course, tennis courts and related facilities and swimming pool and related facilities located on or near U.S. Highway 82 between Mississippi Highway 15 and Mississippi Highway 9;

48. The downtown square area bound by East Service Drive, Commerce Street, Second Street and Court Street and adjacent properties in a municipality through which run Interstate 55, U.S. Highway 51 and Mississippi Highway 306;

49. All parcels zoned for mixed-use development located west of Mississippi Highway 589, more than four hundred (400) feet north of Old Highway 24, east of Parkers Creek and Black Creek, and south of J M Burge Road;

50. Any facility used by a soccer club and located on Old Highway 11 between one-tenth (0.1) and two-tenths (0.2) of a mile from its intersection with Oak Grove Road, in a county in which U.S. Highway 98 and Mississippi Highway 589 intersect;

51. Any municipality in which U.S. Highway 49 and Mississippi Highway 469 intersect;

52. Any facility that is:

a. Owned by a Veterans of Foreign Wars (VFW) organization that is a nonprofit corporation and registered with the Mississippi Secretary of State;

b. Used by such organization for its headquarters and other organization related purposes; and

c. Located outside of a municipality in a county that has not voted to come out from under the dry law;

53. The following within a municipality in which U.S. Highway 49 and U.S. 61 Highway intersect and through which flows the Sunflower River:

a. An area bounded as follows: Starting at the southern point of the intersection of Sunflower Avenue and 1st Street and going south along said

avenue on its eastern side to 8th Street, then going east along said street on its northern side to West Tallahatchie Street, then going north along said street on its western side to 4th Street/Martin Luther King Boulevard, then going east along said street/boulevard on its northern side to Desoto Avenue, then going north along said avenue on its western side to 1st Street, then going west along said street on its southern side to the point of beginning along the southern side of Court Street;

b. Lots located at or near the intersection of Madison Avenue, Walnut Street, and Riverside Avenue that are in a commercial zone; and

c. Any facility located on the west side of Sunflower Avenue to the Sunflower River between the southern side of 6th Street and the northern side of 8th Street and which is operated as and/or was operated as a hotel or lodging facility, in consideration of payment, regardless of whether the facility meets the criteria for the definition of the term "hotel" in paragraph (l) of this section; and

d. Any facility located on the west side of Sunflower Avenue to the Sunflower River between the southern side of 3rd Street and the northern side of 4th Street/Martin Luther King Boulevard and which is operated as and/or was operated as a musical venue, in consideration of payment;

54. Any municipality in which Mississippi Highway 340 meets Mississippi Highway 15;

55. Any municipality in which Mississippi Highway 540 and Mississippi Highway 149 intersect;

56. Any municipality in which Mississippi Highway 15 and Mississippi Highway 345/Main Street intersect;

57. The property and structures thereon at the following locations within a municipality through which run U.S. Highway 45 and Mississippi Highway 145 and in which Mississippi Highway 370 and Mississippi Highway 145 intersect: 104 West Main Street, 106 West Main Street, 108 West Main Street, 110 West Main Street and 112 West Main Street;

58. Any municipality in which U.S. Highway 11 and Main Street intersect and which is located in a county having two (2) judicial districts;

59. Any municipality in which Interstate 22 passes over Mississippi Highway 9;

60. Any facility located on land more particularly described as follows:

A certain parcel of land being situated in the Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E, Rankin County, Mississippi, and being more particularly described as follows:

Commence at an existing 1/2" iron pin marking the Southwest corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13 seconds East along the East line of the Southeast 1/4 of the Northeast 1/4 for a distance of 33.18 feet to an existing 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds East for a distance of 2.08 feet to an existing 1/2" iron pin; run thence North 00 degrees 22 minutes 19 seconds East for a distance of 561.90 feet to an existing 1/2" iron pin; run thence North 00 degrees 16 minutes 18 seconds East for a

distance of 76.42 feet to a set 1/2" iron pin marking the POINT OF BEGINNING of the parcel of land herein described; from said POINT OF BEGINNING, continue thence North 00 degrees 16 minutes 18 seconds East along an existing fence for a distance of 493.27 feet to an existing 1/2" iron pin; run thence North 03 degrees 08 minutes 15 seconds East for a distance of 170.22 feet to an existing 1/2" iron pin on the North line of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9; run thence North 89 degrees 46 minutes 45 seconds East along said North line of the Southeast 1/4 of the Northeast 1/4 of Section 9 for a distance of 1,305.51 feet to an existing 1/2" iron pin marking Northeast corner thereof; leaving said North line of the Southeast 1/4 of the Northeast 1/4 of Section 9, run thence South 00 degrees 08 minutes 35 seconds West along the East line of said Southeast 1/4 of the Northeast 1/4 of Section 9 for a distance of 663.19 feet to a set 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4 of Section 9, run thence South 89 degrees 46 minutes 45 seconds West for a distance of 1,315.51 feet to the POINT OF BEGINNING, containing 20.00 acres, more or less.

And Also: An easement for the purpose of ingress and egress being situated in the Southeast 1/4 of the Northeast 1/4 and in the Northeast 1/4 of the Southeast 1/4 of Section 9, T3N-R3E, Rankin County, Mississippi, and being more particularly described as follows:

Begin at an existing 1/2" iron pin marking the Southwest corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13 seconds East along the East line of the Southeast 1/4 of the Northeast 1/4 for a distance of 33.18 feet to an existing 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds East for a distance of 2.08 feet to an existing 1/2" iron pin; run thence North 00 degrees 22 minutes 19 seconds East for a distance of 561.90 feet to an existing 1/2" iron pin; run thence North 00 degrees 16 minutes 18 seconds East for a distance of 76.42 feet to a set 1/2" iron pin; run thence North 89 degrees 46 minutes 45 seconds East for a distance of 25.00 feet to a set 1/2" iron pin; run thence South 00 degrees 16 minutes 18 seconds West for a distance of 76.66 feet to a set 1/2" iron pin; run thence South 00 degrees 22 minutes 19 seconds West for a distance of 619.81 feet to a set 1/2" iron pin; run thence South 89 degrees 43 minutes 01 seconds West for a distance of 26.81 feet to a set 1/2" iron pin; run thence North 00 degrees 06 minutes 13 seconds East along the West line of the aforesaid Northeast 1/4 of the Southeast 1/4 of Section 9 for a distance of 25.00 feet to the POINT OF BEGINNING, containing 17,525.4 square feet, more or less.

61. Any municipality bordered on the east by the Pascagoula River and on the south by the Mississippi Sound;

62. The property and structures thereon located at parcel numbers 4969 198 000; 4969 200 000; 4969 201 000; 4969 206 000; 4969 207 000; 4969 208 000; 4969 218 000; 4969 199; 4969 204 000 and 4969 204 001, all in Block 4 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

63. Any municipality in which Mississippi Highway 12 meets Mississippi Highway 17;

64. Any municipality in which U.S. Highway 49 and Mississippi Highway 469 intersect;

65. The clubhouse and associated nine-hole golf course and related facilities located on or near the eastern corner of the point at which Golf Course Road meets Athens Road, in a county in which Mississippi Highway 13 and Mississippi Highway 28 intersect, with GPS coordinates of approximately 31.900370078041004, -89.7928067652611;

66. Any facility located at the south-to-southwest corner of the intersection of Madison Street and Bolton Brownsville Road, in a municipality in which Bolton Brownsville Road passes over Interstate 20, with GPS coordinates of approximately 32.349067271758955, -90.4596221146197;

67. Any facility located at the northwest corner of the intersection of Depot Street and Madison Street, in a municipality in which Bolton Brownsville Road passes over Interstate 20, with GPS coordinates of approximately 32.34903152971068, -90.46047660172901;

68. Any facility located on Hinds Boulevard approximately three-tenths (0.3) of a mile south of the point at which Hinds Boulevard diverges from Clinton Road, in a municipality whose northern boundary partially consists of Snake Creek Road, and whose southern boundary partially consists of Mississippi Highway 18, with GPS coordinates of approximately 32.26384517526713, -90.41586570183475;

69. Any facility located on Pleasant Grove Drive approximately one and three-tenths (1.3) miles southeast of its intersection with Harmony Drive, in a county through which run Interstate 55 and U.S. Highway 84, with GPS coordinates of approximately 31.512043770371907, -90.2506094382595;

70. Any facility located immediately north of the intersection of two roads, both named Mason Clark Drive, located between two-tenths (0.2) and three-tenths (0.3) of a mile southwest of Mississippi Highway 57/63, with GPS coordinates of approximately 31.135950529733048, -88.53068674585575;

71. Any facility located on Raj Road approximately three-tenths (0.3) of a mile south of Mississippi Highway 57/63, with GPS coordinates of approximately 31.139553708288418, -88.53411203512971; * * *

72. Any facility located on Raj Road approximately one-tenth (0.1) of a mile south of Mississippi Highway 57/63, with GPS coordinates of approximately 31.14184097577295, -88.53287700849411;

73. Any municipality through which run U.S. Highway 45 and Mississippi Highway 145 and in which Mississippi Highway 370 and Mississippi Highway 145 intersect; however, this designation as a qualified resort area shall only apply to the portion of such municipality which is located in a county that has not voted to come out from under the dry law;

74. A municipality through which runs a portion of the Tanglefoot Trail and in which Mississippi Highway 32 and East Front Street intersect;

75. Lot Three (3) in Block One Hundred Seventy-eight (178) of the D. H. McInnis First Survey, sometimes referred to as D. H. McInnis Railroad Addition, to the City of Hattiesburg, the said lot having a frontage of thirty (30) feet on the

Eastern side of Front Street and extending back between parallel lines ninety (90) feet to an alley, and being located in the Northwest Quarter of Section 10, Township 4 North, Range 13 West, Forrest County, Mississippi;

76. An area of land in George County of approximately eight and five hundredths (8.05) acres, bordered on the east and northeast by Brushy Creek, on the northwest by Brushy Creek Road, on the west by Beaver Creek Road, and on the south by a property boundary running east and west;

77. A municipality in which Mississippi Highway 15 intersects with Webster Street, and in which Webster Street splits into Mill Street and Maben Starkville Road;

78. A municipality in which Mississippi Highway 492 meets Mississippi Highway 35;

79. A facility operating as an event venue and located on Mississippi Highway 589, with GPS coordinates of approximately 31.36730, -89.50548;

80. An area situated in the SW 1/4 of Section 12, T7N-R2E, Madison County, Mississippi, and commencing at the point on the Ross Barnett Reservoir directly east of the intersection of North Natchez Street and Louisiana Street, then go west on Louisiana Street to the intersection of Louisiana Street and Andrew Jackson Street, then west on Andrew Jackson Street to the intersection of Andrew Jackson Street and Choctaw Street, then north on Choctaw Street to the intersection of Choctaw Street and Republic Street, then west on Republic Street to the intersection of Republic Street and Port Street, then north on Port Street to the Natchez Trace right-of-way, then east on the Natchez Trace right-of-way to the Ross Barnett Reservoir, then following the Ross Barnett Reservoir south back to the point of beginning;

81. Any facility located on land more particularly described as follows:

Commencing at a fence corner at the Northeast corner of Section 34, Township 6 South, Range 3 East, Union County, Mississippi, for the point of beginning; thence run South 00 degrees 31 minutes 39 seconds East, along the Section line, a distance of 161.83 feet to a one-half inch iron pin, thence North 88 degrees 20 minutes 48 seconds West, along a fence, a distance of 1221.09 feet to a one-half iron pin, thence South 09 degrees 45 minutes 37 seconds West, along a fence, a distance of 61.49 feet to a one-half inch iron pin, thence North 84 degrees l8 minutes 01 seconds West, along a fence, (passing through a one-half inch iron pin at 196.83 feet) a distance of 234.62 feet to a mag-nail on the centerline of Union County Road No. 137, thence North 11 degrees 00 minutes 29 seconds East a distance of 187.87 feet to a one-half inch iron pin on the West edge of said road, thence North 29 degrees 41 minutes 28 seconds East a distance of 59.28 feet to a point on the centerline of said road, thence South 89 degrees 13 minutes 02 seconds East (passing through a one-half inch iron pin at 30.0 feet) along the South line of the Bernard Whiteside property as recorded in Deed Book 117, Pages 517-518 and Deed Book 214, page 109, a distance of 646.07 feet to a concrete monument, thence South 89 degrees 13 minutes 02 seconds East a distance of 751.31 feet to a one-half inch iron pin, thence South 00 degrees 31 minutes 39 seconds East, along the aforesaid Section line, a distance of 52.93 feet to the point of beginning, said tract lying in the Southeast Quarter of Section 27, and the Northeast Quarter of Section 34, Township 6 South, Range 3 East and containing 6.99 acres.

Subject to a perpetual all purpose non-exclusive easement for ingress, egress and public utilities together the right to enter upon the above described property and do any and all work necessary to build, repair and maintain a roadway or well or install public utilities all over upon and across the following described property:

A 25.0 foot easement for ingress and egress, being 12.5 feet to the right and 12.5 feet to the left of the following described centerline: Commencing at a fence corner at the Northeast corner of Section 34, Township 6 South, Range 3 East, Union County, Mississippi, thence run South 00 degrees 31 minutes 39 seconds East, along the Section line, a distance of 149.33 feet to the point of beginning; thence North 88 degrees 20 minutes 48 seconds West a distance of 1231.46 feet to a point, thence South 09 degrees 45 minutes 37 seconds West a distance of 61.49 feet to a point, thence North 84 degrees 18 minutes 01 seconds West a distance of 221.82 feet to a point on the centerline of Union County Road #137, said tract lying in the Northeast Quarter of Section 34, Township 6 South, Range 3 East.

82. The clubhouse at a country club located:

a. In a county in which Mississippi Highway 15 and Mississippi Highway 16 intersect and which county has not voted to come out from under the dry law, and

b. Outside the corporate limits of any municipality in such county and within one mile of the corporate limits of a municipality that is the county seat of such county;

83. Any facility located on North Jackson Street in a municipality through which run Mississippi Highway 8 and Mississippi Highway 15, with GPS coordinates of approximately 33.913692, -89.005219;

84. Any facility located on North Jackson Street in a municipality through which run Mississippi Highway 8 and Mississippi Highway 15, with GPS coordinates of approximately 33.905581, -89.00200;

85. Any facility located on land more particularly described as follows:

> Commencing at the Southeast corner of Section 4, Township 6 South, Range 18 West, Pearl River County, Mississippi; thence West 1310.00 feet to a T-bar; thence North 745.84 feet; thence East 132.00 feet to a 1" iron pipe; thence North 83.61 feet for the Point of Beginning; thence South 79 degrees 02 minutes 61 seconds West 248.28 feet; thence West 76.35 feet; thence North 20 degrees 00 minutes 00 seconds West 185.54 feet; thence North 52 degrees 43 minutes 14 seconds East 365.98 feet to a 1" iron pipe on the West margin of Henry Smith Road, a gravel/paved, public road; thence along said margin South 17 degrees 59 minutes 13 seconds East 299.09 feet; thence South 64.39 feet to the Point of Beginning. This parcel containing 2.19 acres and being a part of the East 1/2 of Section 4, Township 6 South, Range 18 West, Pearl River County, Mississippi.

INDEXING: BEING A PART OF THE EAST 1/2 OF SECTION 4, TOWNSHIP 6 SOUTH, RANGE 18 WEST, PEARL RIVER COUNTY, MISSISSIPPI;

86. Any facility located on land in a county through which run Mississippi Highway 25 and U.S. Highway 82 and more particularly described as follows: Beginning at a point with GPS coordinates of approximately 33.331869,

-88.715054; then running in a straight line to a point with GPS coordinates of approximately 33.336207, -88.713453; then running in a straight line to a point with GPS coordinates of approximately 33.335369, -88.709835; then running in a straight line to a point with GPS coordinates of approximately 33.330870, -88.711496; then running in a

straight line to a point with GPS coordinates of approximately 33.331869, -88.715054 and the point of the beginning;

87. Any facility located on land that is owned by a community college that is located in a county through which run U.S. Highway 51 and Mississippi Highway 4;

88. Any municipality through which run Mississippi Highway 13 and U.S. Highway 80;

89. Any facility located on Mississippi Highway 23/178 in a municipality in which Mississippi Highway 23/178 and Stone Drive intersect, with GPS coordinates of approximately 34.235269, -88.262409;

90. Any facility located on U.S. Highway 51 in a municipality through which run Interstate 55, U.S. Highway 51 and the Natchez Trace Parkway, with GPS coordinates of approximately 32.42042°N, 90.13473°W;

91. Any facility located on Mullican Road in a county through which run U.S. Highway 84 and Interstate 59, with GPS coordinates of approximately 31.73395N, 89.18186W;

92. Any facility located on land in a county through which run Mississippi Highway 25 and U.S. Highway 82 and more particularly described as follows: Beginning at a point with GPS coordinates of approximately 33.37391, -88.80645; then running in a straight line to a point with GPS coordinates of approximately 33.37391, -88.79972; then running in a straight line to a point with GPS coordinates of approximately 33.36672, -88.80644; then running in a straight line to a point with GPS coordinates of approximately 33.36674, -88.79971; then running in a straight line to a point with GPS coordinates of approximately 33.37391, -88.80645 and the point of the beginning;

93. Any facility located on land more particularly described as follows:

All that part of the South half (S 1/2) of the SE 1/4 of NE 1/4 of Section 14, Township 4 North, Range 15 West, lying and being West of State Highway No. 589, containing one (1) acre, more or less.

LESS AND EXCEPT:

> Begin at the point of intersection of the North line of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 14, Township 4 North, Range 15 West with the present Southwesterly right-of-way line of Mississippi Highway No. 589, said point is also the Northeast corner of grantor property; said point is 50.6 feet West of Station 7 + 59.27 on the centerline of survey of Mississippi Highway No. 589 as shown on the plans for State Project No. SP-0014-2(10); from said POINT OF BEGINNING run thence South 08°57' East along said present Southwesterly right-of-way line, a distance of 37.1 feet to a point that is perpendicular to and 50 feet Southwesterly of Station 7 + 30 on the centerline of survey of Mississippi Highway 589 as shown on the plans for said project; run thence South 81°03' West, a distance of 35.7 feet to the West line of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of said Section 14 and the West line of grantors property; run thence North along said West property line, a distance of 42.2 feet to the Northwest corner of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of said Section 14 and the Northwest corner of grantors property; run thence East along

grantors North property line, a distance of 29.5 feet to the POINT OF BEGINNING containing 0.03 acres, more or less, and all being situated in and a part of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 14, Township 4 North, Range 15 West, Lamar County, Mississippi.

LESS AND EXCEPT:

A part of the South one half of the Southeast 1/4 of Northeast 1/4, Northerly of a certain fence and West of Mississippi State Highway 589, in Section 14, Township 4 North, Range 15 West, Lamar County, Mississippi and more particularly described as commencing at a pine (lighter) stake being used as the Southwest corner of the Northeast 1/4 of Southeast 1/4 of the above said Section 14, thence North and along the West line of the East 1/4 of the above said Section 14 1638.8 feet to the POINT OF BEGINNING. Thence continue North and along the West line of the East 1/4 of the above said Section 14, 278.5 feet to the Southerly line of the property Bobby G. Aultman and Marilyn S. Aultman previously sold to the Mississippi State Highway Department; thence North 81°03' East and along the above said Southerly property line for 35.7 feet more or less to the Westerly right-of-way line of Mississippi State Highway 589; thence Southeasterly and along the above said Westerly right-of-way line 232.7 feet to a concrete right-of-way marker; thence South 51°39' West and along the Northerly line of a wooden fence 88 feet to the POINT OF BEGINNING.

AND ALSO:

A parcel of land in a part of the Southeast 1/4 of Northwest 1/4 and a part of the Southwest 1/4, Section 14, Township 4 North, Range 15 West, Lamar County, Mississippi, and more particularly described as beginning at a point where the Southerly right-of-way line of U.S. Highway 98 intersects the West line of the above said Southeast 1/4 of Northwest 1/4; thence North 67 ° 34 ' East and along the Southerly right-of-way line of said highway 208.75 feet; thence South 208.75 feet; thence South 67 ° 34 ' West 208.75 feet; thence South 141.3 feet; thence North 89 ° 07 ' 30 " West 388.9 feet to the centerline of Parkers Creek; thence Northerly and along the centerline of said creek for the next three (3) calls: North 35 ° 53 ' East 115.6 feet; North 25 ° 05 ' East 68.5 feet; North 09 ° 51 ' 30 " West 64.3 feet to the Southerly right-of-way line of U.S. Highway 98; thence North 67 ° 34 ' East and along the Southerly right-of-way line of said highway 327.85 feet to the POINT OF BEGINNING. The above described area contains 3.02 acres.

AND ALSO:

Commencing at the Southwest corner of the Southwest 1/4 of the Northeast 1/4 of Section 14, Township 4 North, Range 15 West, Lamar County, Mississippi, run South 88°05'27" East 310.00 feet, thence South 0°53'16" West 60.50 feet to a point on a fence line, thence run along fence line South 88°05'27" East 718.93 feet to the POINT OF BEGINNING, thence North 08°48'10" West 714.67 feet to a point on the South right-of-way line of Highway No. 98, thence along said right-of-way along a curve to the right with a delta angle of 02°04'26" having a radius of 5603.58 feet and an arc length of 202.84 feet, with a chord bearing a distance of North 71°53'47" East 202.83 feet to a Concrete Highway right-of-way marker, thence South

20°09'13" East 328.13 feet, thence South 69°00'47" East 117.68 feet, thence South 0°58'19" West 429.12 feet to a Point on Possession Line fence, thence along said fence North 88°05'27" West 299.23 feet back to the POINT OF BEGINNING, containing 5.0885 acres, more or less and being situated in the SW 1/4 of the NE 1/4 and the NW 1/4 of the SE l/4 of said Section 14, together with all improvements and appurtenances thereunto belonging.

AND ALSO:

PARCEL NUMBER ONE: That part of the Northwest Quarter of the Southwest Quarter (Northwest 1/4 of the Southwest 1/4) of Section 14, Township 4 North, Range 15 West, of Lamar County, Mississippi, being located and situated East of the center thread of Mill Creek as the same presently runs through and bisects said 40-acre tract, and comprising 10.9 acres, more or less, and all being part of the Northwest Quarter of the Southwest Quarter (Northwest 1/4 of the Southwest 1/4) of said Section, Township and Range, Lamar County, Mississippi.

AND ALSO:

PARCEL NUMBER TWO: A part of the Southeast Quarter of the Northwest Quarter (Southeast 1/4 of the Northwest 1/4) and part of the Northeast Quarter of the Southwest (Northeast 1/4 of the Southwest 1/4) all in Section 14, Township 4 North, Range 15 West, Lamar County, Mississippi, being more particularly described as follows, to wit:

Beginning at a point where the South margin of State Highway 98 intersects the West margin of the Southeast 1/4 of the Northwest 1/4 of Section 14, Township 4 North, Range 15 West, and run Easterly along the South margin of said highway right-of-way 208.75 feet; thence South 208.75 feet; thence Westerly parallel with the South margin of said highway right-of-way 208.75 feet to the West forty line; thence North 208.75 feet to the POINT OF BEGINNING, containing 1 acre, more or less.

LESS AND EXCEPT:

Begin at the point of intersection of an Easterly line of grantors property with the present Southerly right-of-way line of U.S. Highway 98 as shown on the plans for State Project No. 97-0014-02-044-10; from said POINT OF BEGINNING run thence South 02°56' West along said Easterly property line, a distance of 127.6 feet; thence run South 69°11' West, a distance of 52.9 feet; thence run South 67°13' West, a distance of 492.7 feet to the Westerly line of grantors property and the center of a creek; thence run Northerly along said Westerly property line and said center of creek, a distance of 122.8 feet to said present Southerly right-of-way line; thence run North 67°13' East along said present Southerly right-of-way line, a distance of 553.4 feet to the POINT OF BEGINNING, containing 1.43 acres, more or less, and being situated in and a part of the North 1/2 of the Southwest 1/4 of Section 14, Township 4 North, Range 15 West, Lamar County, Mississippi.

LESS AND EXCEPT:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 15 WEST, LAMAR COUNTY, MISSISSIPPI, PROCEED EAST 2136.60 FEET; THENCE NORTH 2508.67 FEET TO AN IRON PIN AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

FROM THE DESCRIBED POINT OF BEGINNING, PROCEED NORTH 11°19'49 " EAST 217.55 FEET TO AN IRON PIN; THENCE NORTH 40 °11'01" EAST 118.28 FEET TO AN IRON PIN; THENCE NORTH 22°24'39" WEST 179.15 FEET TO AN IRON PIN ON THE SOUTHERN BOUNDARY OF U.S. HIGHWAY 98; THENCE ALONG THE SOUTHERN RIGHT-OF-WAY BOUNDARY OF SAID HIGHWAY AS FOLLOWS: SOUTH 67°35'21" WEST 699.55 FEET TO AN IRON PIN; THENCE SOUTH 69°16'57" WEST 67.67 FEET TO A CONCRETE RIGHT-OF-WAY MARKER; THENCE SOUTH 67°35'21" WEST 310.34 FEET TO AN IRON PIN; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 01°25'53" WEST 667.21 FEET TO AN IRON PIN; THENCE NORTH 67°35'21" EAST 491.91 FEET TO AN IRON PIN; THENCE NORTH 22°24'39" WEST 193.77 FEET TO AN IRON PIN; THENCE NORTH 67°35'21" EAST 629.48 FEET BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 12.39 ACRES AND IS LOCATED PART IN THE SE 1/4 OF THE NW 1/4, PART IN THE NE 1/4 OF THE SW 1/4, AND PART IN THE NW 1/4 OF THE SW 1/4, ALL IN SECTION 14, TOWNSHIP 4 NORTH, RANGE 15 WEST, LAMAR COUNTY, MISSISSIPPI.

The status of these municipalities, districts, clubhouses, facilities, golf courses and areas described in this paragraph (o)(iii) as qualified resort areas does not require any declaration of same by the department.

The governing authorities of a municipality described, in whole or in part, in item 6, 21, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39, 46, 48, 51, 53, 54, 55, 56, 58, 59, 61, 63, 64, 66, 67 * * *, 68, 73, 74, 83 or 84 of this paragraph (o)(iii) may by ordinance, with respect to the qualified resort area described in the same item: specify the hours of operation of facilities offering alcoholic beverages for sale; specify the percentage of revenue that facilities offering alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and designate the areas in which facilities offering alcoholic beverages for sale may be located.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The department shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon.

(q) "Native winery" means any place or establishment within the State of Mississippi where native wine is produced, in whole or in part, for sale.

(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19) adequately furnished and completely separate sleeping rooms with adequate facilities,

that persons usually apply for and receive as overnight accommodations; however, such restriction on the minimum number of sleeping rooms shall not apply to establishments on the National Register of Historic Places. No place shall qualify as a bed and breakfast inn under this article unless on the date of the initial application for a license under this article more than fifty percent (50%) of the sleeping rooms are located in a structure formerly used as a residence.

(s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

(t) "Spa facility" means an establishment within a municipality or qualified resort area and owned by a hotel where, in consideration of payment, patrons receive from licensed professionals a variety of private personal care treatments such as massages, facials, waxes, exfoliation and hairstyling.

(u) "Art studio or gallery" means an establishment within a municipality or qualified resort area that is in the sole business of allowing patrons to view and/or purchase paintings and other creative artwork.

(v) "Cooking school" means an establishment within a municipality or qualified resort area and owned by a nationally recognized company that offers an established culinary education curriculum and program where, in consideration of payment, patrons are given scheduled professional group instruction on culinary techniques. For purposes of this paragraph, the definition of cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a community or junior college, college or university in this state, and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

(x) "Native spirit" shall mean any beverage, produced in Mississippi for sale, manufactured primarily by the distillation of fermented grain, starch, molasses or sugar produced in Mississippi, including dilutions and mixtures of these beverages. In order to be classified as "native spirit" under the provisions of this article, at least fifty-one percent (51%) of the finished product by volume shall have been obtained from distillation of fermented grain, starch, molasses or sugar grown and produced in Mississippi.

(y) "Native distillery" shall mean any place or establishment within this state where native spirit is produced in whole or in part for sale.

(z) "Warehouse operator" shall have the meaning ascribed in Section 67-1-201.

SECTION 2. Section 67-1-7, Mississippi Code of 1972, is amended as follows:

67-1-7. (1) Except as otherwise provided in Section 67-9-1 for the transportation and possession of limited amounts of alcoholic beverages for the use of an alcohol processing permittee, and subject to all of the provisions and restrictions contained in this article, the manufacture, sale, distribution, and transportation of alcoholic beverages shall be lawful, subject to the restrictions hereinafter imposed, in those counties and municipalities of this state in which, at a local option election called and held for that purpose under the provisions of this article, a majority of the qualified electors voting in such election shall vote in favor thereof.

Beginning on April 16, 2021, except as otherwise provided in Section 67-1-51 for holders of a caterer's permit, the manufacture, sale and distribution of alcoholic beverages

shall not be permissible or lawful in counties except in (a) incorporated municipalities located within such counties, (b) qualified resort areas within such counties approved as such by the department, or (c) clubs within such counties, whether within a municipality or not. However, any permits issued by the department between July 1, 2020, and April 15, 2021, for the manufacture, sale and distribution of alcoholic beverages, whether or not issued to permittees in such municipalities, qualified resort areas or clubs, shall be eligible for renewal on or after April 16, 2021.

The manufacture, sale, distribution and possession of native wines or native spirits shall be lawful in any location within any such county except those locations where the manufacture, sale or distribution is prohibited by law other than this section or by regulations of the department.

(2) Notwithstanding the foregoing, within any state park or any state park facility that has been declared a qualified resort area by the department, and within any qualified resort area as defined under Section 67-1-5(o)(iii), an on-premises retailer's permit may be issued for the qualified resort area, and the permittee may lawfully sell alcoholic beverages for consumption on his licensed premises regardless of whether or not the county or municipality in which the qualified resort area is located has voted in favor of coming out from under the dry law, and it shall be lawful to receive, store, sell, possess and consume alcoholic beverages on the licensed premises, and to sell, distribute and transport alcoholic beverages to the licensed premises. Moreover, the governing authorities of a municipality in which a qualified resort area defined under Section 67-1-5(o)(iii)5, 7, 21, 39 or 46 is located, the Pearl River Valley Water Supply District Board which governs the qualified resort area defined under Section 67-1-5(o)(iii)8.a.A, the board of supervisors of the county in which qualified resort area defined under Section 67-1-5(o)(iii)8.a.B and C is located, and the board of supervisors of * * * a county in which * * * a qualified resort area defined under Section 67-1-5(o)(iii)44 or 80 is located, may, by ordinance or resolution, provide that package retailer's permits may be issued in the applicable qualified resort area, and that it shall be lawful to receive, store, sell, possess and distribute alcoholic beverages in accordance with such package retailer's permits.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2457, 2024 REGULAR SESSION, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AUTHORIZE THE GOVERNING AUTHORITIES OF CERTAIN MUNICIPALITIES THAT ARE DESIGNATED AS QUALIFIED RESORT AREAS UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW TO SPECIFY THE HOURS OF OPERATION OF FACILITIES OFFERING ALCOHOLIC BEVERAGES FOR SALE, TO SPECIFY THE PERCENTAGE OF REVENUE THAT FACILITIES OFFERING ALCOHOLIC BEVERAGES FOR SALE MUST DERIVE FROM THE PREPARATION, COOKING AND SERVING OF MEALS AND NOT FROM THE SALE OF BEVERAGES, AND TO DESIGNATE THE AREAS IN WHICH FACILITIES OFFERING ALCOHOLIC BEVERAGES FOR SALE MAY BE LOCATED; TO AMEND SECTION 67-1-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE GOVERNING AUTHORITIES FOR CERTAIN QUALIFIED RESORT AREAS TO PROVIDE, BY ORDINANCE, THAT PACKAGE RETAILER'S PERMITS MAY BE ISSUED IN THE APPLICABLE QUALIFIED RESORT AREAS AND THAT ALCOHOLIC BEVERAGES MAY BE RECEIVED, STORED, SOLD, POSSESSED AND DISTRIBUTED IN ACCORDANCE WITH SUCH PERMITS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Josh Harkins	John Thomas "Trey" Lamar, III
Neil S. Whaley	Jody Steverson
John Horhn	Henry Zuber III

On request of Senator Johnson, unanimous consent was granted to make the following correction in **S. B. No. 2803**:

Unanimous Consent of the House and Senate is requested to make the following change to the Conference Report for Senate Bill No. 2803, 2024 Regular Session:

AMEND by removing the underlining and deletion marks on lines 342-365.

FURTHER, AMEND on line 13 by inserting the following after "1972,":

AS AMENDED BY HOUSE BILL NO. 776, 2024 REGULAR SESSION,

FURTHER, AMEND on line 1197 by inserting the following after "1972,":

as amended by House Bill No. 776, 2024 Regular Session,

FURTHER, AMEND on line 1227 by inserting the following after the period:

However, notwithstanding this provision, municipalities that have voted in favor of coming out from under the dry law may enforce such proper rules and regulations for fixing zones and territories to promote public health, morals, and safety, as they may by ordinance provide. The board of supervisors of any county that has voted in favor of coming out from under the dry law may make such rules and regulations as to territory outside of municipalities as are herein provided for municipalities.

Notwithstanding the provisions of any other law, municipalities may enforce such proper location of package retailer stores within the municipality by application of a properly adopted zoning ordinance.

Senator Johnson moved that the Conference Committee Report on **S. B. No. 2803** be recommitted for further conference and the motion prevailed.

Senator Harkins moved that the rules be suspended to move to calendar item 77, **H. B. No. 1190**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1190** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1190: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. As used in Sections 1 through 12 of this act, the following words shall have the meanings as defined in this section unless the context otherwise requires:

(a) "Department" means the Department of Revenue.

(b) "Direct shipper" means the holder of a direct shipper's permit issued by the department under Sections 1 through 12 of this act.

(c) "Common carrier" means a person that holds itself out to the general public as engaged in the business of transporting goods for a fee and is engaged in the business of transporting and delivering alcoholic beverages from a direct shipper's permittee directly to consumers in this state who are twenty-one (21) years of age or older.

(d) "Fulfillment provider" means a person who acts on behalf of a holder of a direct shipper's permit to ship wine to a consumer and arranges for transport by an eligible common carrier to the consumer.

(e) "Wine fulfillment provider permit" means a permit issued by the department that authorizes a fulfillment provider to ship wine to a consumer on behalf of a holder of a direct shipper's permit.

(f) "Wine" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits or berries, made in accordance with the revenue laws of the United States, and containing more than five percent (5%) of alcohol by weight.

In addition, the definitions in Section 67-1-5 shall be applicable to the terms used in Sections 1 through 12 of this act unless the context otherwise requires.

SECTION 2. A person must hold a permit as a direct shipper issued by the department before the person may engage in selling and shipping wine directly to a resident in this state. A direct shipper may sell and ship wine directly to residents in this state without being required to transact the sale and shipment through the Alcoholic Beverage Control Division of the department. A direct shipper may sell and ship wine to an address in the state regardless of whether the address is in an area in which the sale of alcoholic beverages is otherwise authorized or otherwise prohibited by law.

SECTION 3. To qualify for a direct shipper's permit, an applicant shall be a holder of a Class 2 manufacturer's permit issued in accordance with Section 67-1-51, or a person licensed or permitted outside of this state to engage in the activity of manufacturing wine in any other state.

SECTION 4. (1) An applicant for a direct shipper's permit shall:

(a) Submit to the department a completed application on a form provided by the department, containing all information that is required by the department;

(b) Provide to the department a copy of the applicant's current license or permit to engage in the activity of manufacturing wine in this or any other state; a copy of the applicant's current federal basic wine manufacturing permit; and a list of all products that the direct shipper intends to sell in the state; and

(c) Pay to the department the tax prescribed in Section 27-71-5.

(2) After a person complies with the provisions of subsection (1) of this section, the department may conduct any investigation as it considers necessary regarding the issuance of a permit, and the department shall issue a permit to the applicant if the requirements of Sections 1 through 12 of this act are met.

(3) Only ship wine that is: (a) produced by the direct shipper licensee, (b) produced by or for the direct shipper under a written contract, existing at the time of shipment, with another manufacturer of wine that holds a federal basic wine manufacturing permit pursuant to the Federal Alcohol Administration Act, 27 USC Section 201 et seq., and who is in the business of manufacturing and bottling wine, or (c) exclusively produced and bottled for the direct shipper by a manufacturer of wine that holds a federal basic wine manufacturing permit pursuant to the Federal Alcohol Administration Act, 27 USC Section 201 et seq., and who is in the business of manufacturing and bottling wine.

SECTION 5. (1) A direct shipper shall:

(a) Only ship wine for which the direct shipper meets

either of the following criteria: (i) owns the Certificate of Label Approval issued by the Alcohol and Tobacco Tax and Trade Bureau or (ii) has the exclusive right to sell the wine in the United States under a written contract, existing at the time of shipment, with the manufacturer of wine that holds a federal basic wine manufacturing permit pursuant to the Federal Alcohol

Administration Act, 27 USC Section 201 et seq., and is the owner of the Certificate of Label Approval issued by the Alcohol and Tobacco Tax and Trade Bureau;

(b) Ensure that all containers of wine sold and shipped directly to a resident in this state are conspicuously labeled with the words "CONTAINS ALCOHOL: SIGNATURE OF PERSON AGE 21 YEARS OR OLDER REQUIRED FOR DELIVERY";

(c) Report to the department on an quarterly basis in a manner prescribed by the department all of the following information for each wine shipment into the state pursuant to Sections 1 through 12 of this act:

(i) The name and address of the Mississippi resident who placed the order;

(ii) For each completed shipment, evidence of signature by an individual age twenty-one (21) years or older;

(iii) The name and license number of the common or permit carrier engaged in the shipment;

(iv) For each shipment by a holder of a wine fulfillment provider permit on behalf of the direct shipper, the name and license number of the wine fulfillment provider permittee engaged in the shipment;

(v) The date of shipment;

(vi) The carrier tracking number; and

(vii) The quantity of wine in the shipment;

(d) Maintain for at least three (3) years all records that allow the department to ascertain the truthfulness of the information filed under Sections 1 through 12 of this act;

(e) Allow the department to perform an audit of the direct shipper's records upon request; and

(f) Be deemed to have consented to the jurisdiction of the department or any other state agency and the state courts concerning enforcement of Sections 1 through 12 of this act and any related laws, rules or regulations.

Information reported to the department under paragraph (c) of this subsection shall not be subject to disclosure under the Mississippi Public Records Act of 1983.

(2) A direct shipper shall not:

(a) Sell or ship any light wine, light spirit products or beer that is regulated under Section 67-3-1 et seq. or any alcoholic beverage other than wine;

(b) Sell or ship wine that is contracted through Mississippi distributors, brokers, and solicitors within the state. Wines which are very limited in quantity and are commonly referred to by the broker as highly allocated items noted as "Allocated Item - See Broker" on the TAP Alcoholic Beverage Control Division of the Department of Revenue website are eligible for sale at a package retailer and also through direct shipment by a direct shipper;

(c) Sell or ship more than fifteen hundred (1,500) nine-liter cases, or thirteen thousand five hundred (13,500) liters, in total of wine in a calendar year to Mississippi consumers;

(d) Sell or ship any wine to any residential household address in Mississippi that has already received a total of nine (9) nine-liter cases of wine in the calendar year. Prior to shipping any wine, the direct shipper shall validate that the consumer has not received their total case limit of wine for the calendar year and is therefore eligible to receive a shipment of wine;

(e) Sell or ship wine to any nonresidential address, including lockers or post office boxes;

(f) Sell or ship wine to any address or property of a public or private elementary, secondary, or post-secondary educational school, including any dormitory, housing, or common space located on the campus of any elementary, secondary, or post-secondary educational school.

SECTION 6. A direct shipper may annually renew his or her permit, if the direct shipper:

(a) Is otherwise entitled to receive a permit;

(b) Provides to the department a copy of his or her current license or permit to engage in the activity of manufacturing wine in this or any other state; and

(c) Pays to the department a privilege license tax as prescribed in Section 27-71-5.

SECTION 7. (1) To purchase and receive a direct shipment of wine from a direct shipper, a resident of this state must be at least twenty-one (21) years of age, and a person who is at least twenty-one (21) years of age must sign for any wine shipped from a direct shipper.

(2) A shipment of wine may be ordered or purchased from a direct shipper through a computer network.

(3) A person who receives a direct shipment of wine from a direct shipper shall use the wine for personal consumption only and may not resell it.

(4) A resident of this state shall not order, purchase, or receive more than a total of nine (9) nine-liter cases of wine in a calendar year to their residential household address. A holder of a direct shipper's permit shall not ship any wine to any household in this state that has already received direct shipments of nine (9) nine-liter cases of wine in the calendar year.

SECTION 8. If any holder of a direct shipper's permit violates any provision of Sections 1 through 12 of this act, the department shall suspend or revoke the permit and impose civil penalties as authorized under Section 67-1-1 et seq.

SECTION 9. (1) Any person who is not a common or permit carrier and who does not hold a direct shipper, wholesaler, retailer, manufacturer, or importer permit issued by the department and who is not owned or controlled by a common or permit carrier or a direct shipper, wholesaler, retailer, manufacturer, or importer permittee of the department may obtain a wine fulfillment provider permit from the department as provided in this section. A holder of a wine fulfillment provider permit, subject to compliance with all terms and provisions of Sections 1 through 12 of this act, may contract with a common or permit carrier for the shipment of unopened containers of wine on behalf of the holder of a direct shipper's permit directly to a Mississippi resident who is at least twenty-one (21) years of age, for personal use by the individual and not for resale.

(2) A person shall obtain a separate wine fulfillment provider permit for each physical premises that is to be used as a wine fulfillment provider before shipping wine to

any Mississippi resident from that premises, and shall pay an annual license fee of Five Hundred Dollars ($500.00), plus an additional One Hundred Dollars ($100.00) for each additional premises from which shipments to Mississippi residents will be made.

(3) The holder of a wine fulfillment provider permit may only provide logistics services of warehousing, packaging, order fulfillment, and shipment of wine for a direct shipper permittee for which the wine fulfillment provider permittee is the bailee of the wine. Wine held in bailment by a wine fulfillment provider permittee shall remain the property of the direct shipper permittee until loaded on conveyance for direct shipment to a Mississippi resident.

(4) A wine fulfillment provider permittee shall not ship wine into or within the state from, or on behalf of, any of the following:

(a) An unlicensed direct shipper of wine, either in-state or out-of-state;

(b) A retailer licensed by the department;

(c) An out-of-state retailer; or

(d) A person that does not hold a direct shipper's permit in the State of Mississippi.

(5) A wine fulfillment provider permit applicant shall provide all of the following information to the department as part of its application:

(a) The precise location or locations at which the permittee will engage in logistics services for wine to be shipped into the state; and

(b) Any other information required by the department.

(6) A wine fulfillment provider permittee shall do all of the following:

(a) Annually renew its wine fulfillment provider permit in a manner as established by rule of the department and pay any initial and annual license fees;

(b) Enter into a contract with a direct wine shipper permittee designating the wine fulfillment provider permittee as the agent of the direct wine shipper permittee for purposes of Sections 1 through 12 of this act. A wine fulfillment provider permittee may not avoid liability under this section by subcontracting with a third party to perform its obligations pursuant to this section;

(c) Maintain a compliance program documenting that all wine shipped by each direct shipper permittee through the wine fulfillment provider permittee satisfies the requirements set forth in Sections 1 through 12 of this act and any other requirements set forth by the department;

(d) Make all commercially reasonable efforts to verify the validity of each direct shipper permit prior to making any shipment on behalf of the direct shipper permittee;

(e) Ensure all containers of wine shipped by the wine fulfillment provider permittee to a Mississippi resident are conspicuously labeled with the following words: "CONTAINS ALCOHOL: SIGNATURE OF PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY";

(f) Report to the department on an quarterly basis in a manner prescribed by the department all of the following information for each wine shipment into the state pursuant to this section:

(i) The name, address, and license number of the direct shipper permittee and the point of origin of shipment from which the wine fulfillment provider permittee received the wine, if different from the address of the direct shipper permittee;

(ii) The name and address of the Mississippi resident who placed the order;

(iii) For each completed shipment, evidence of signature by an individual age twenty-one (21) years or older;

(iv) The name and license number of the common or permit carrier engaged in the shipment;

(v) The date of shipment;

(vi) The carrier tracking number; and

(vii) The quantity of wine in the shipment; and

(g) Maintain for a minimum of three (3) years from the date of receipt from a direct shipper permittee or the date of shipment to a Mississippi resident, as applicable, and permit the department and any of its designees to inspect, verify, or perform an audit of all of the information listed in paragraph (f) of this subsection;

(h) Upon violation of Sections 1 through 12 of this act or a rule of the department, be subject to a civil penalty imposed by the department by administrative proceedings that apply to alcoholic beverage licenses, as follows:

(i) For the first violation, a civil penalty not to exceed Five Hundred Dollars ($500.00);

(ii) For a second violation, a civil penalty not to exceed Three Thousand Dollars ($3,000.00);

(iii) A third or any subsequent violation may result in suspension or revocation of ability to operate in this state and/or a civil penalty not to exceed Six Thousand Dollars ($6,000.00); and

(i) Be deemed to have consented to the jurisdiction of the department and the other state agencies and the state courts concerning enforcement of Sections 1 through 12 of this act.

(7) Any fines or fees received by the department under this section shall be used by the department in order to perform its regulatory duties.

SECTION 10. (1) Shipments of wine into this state under Sections 1 through 12 of this act shall be made by a duly licensed carrier. A common carrier shall not deliver a shipment of wine to a consumer unless the carrier has verified the validity of the direct shipper's permit and fulfillment provider's permit prior to accepting shipment. A carrier may consider a direct shipper's permit to be valid for the remainder of the stated permit period unless notified otherwise by the department. Any failure to verify the validity of a direct shipper's permit may result in the suspension of the common carrier's license to operate in the state or the imposition of any other penalty as follows: (i) for the first violation, a civil penalty not to exceed Five Hundred Dollars ($500.00); (ii) for a second violation, a civil penalty not to exceed Three Thousand Dollars ($3,000.00); (iii) a third or any subsequent violation may result in suspension or revocation of ability to operate in this state and/or a civil penalty not to exceed Six Thousand Dollars ($6,000.00).

(2) It shall be the duty of every common or contract carrier, and of every firm or corporation that shall bring, carry or transport wine from outside the state for delivery inside the state to consumers to prepare and file reports with the department, on a schedule as determined by the department, of known wine shipments. Such reports shall contain: (a) the name of the common or contract carrier, firm or corporation making the report; (b) the period of time covered by said report; (c) the name and business address of the person who directed the common carrier to make the shipment; (d) the name and permit number of the direct shipper; (e) the name and address of each consignee receiving such wine; (f) the weight of the shipment delivered to each consignee; (g) the common carrier's unique tracking number for the package; and (h) the date of delivery. Reports received by the department shall be made available by the department to the public via the Mississippi Public Records Act process in the same manner as other state alcohol filings.

(3) Upon the department's request, any records supporting the report shall be made available to the department within a reasonable time after the department makes a written request for such records. Any records containing information relating to such reports, including the signatures of the individual who physically received the shipment, shall be kept and preserved for a period of three (3) years, unless their destruction sooner is authorized, in writing, by the department, and shall be open and available to inspection by the department upon the department's written request. Reports shall also be made available to any law enforcement or regulatory body in the state in which the railroad company, express company, common or contract carrier making the report resides or does business.

(4) Any common or contract carrier that fails to make reports, as provided by this section or any of the rules and regulations of the department for the administration and enforcement of this section is subject to penalties as follows: (a) for the first violation, a civil penalty not to exceed Five Hundred Dollars ($500.00); (b) for a second violation, a civil penalty not to exceed Three Thousand Dollars ($3,000.00); (c) a third or any subsequent violation may result in suspension or revocation of ability to operate in this state and/or a civil penalty not to exceed Six Thousand Dollars ($6,000.00).

SECTION 11. The department may adopt any rules or regulations as necessary to carry out Sections 1 through 12 of this act. All of the enforcement provisions of Section 67-1-1 et seq., that are not in conflict with Sections 1 through 12 of this act may be used by the department to enforce the provisions of Sections 1 through 12 of this act.

SECTION 12. Every two (2) years, the department shall present a written report to the Governor and the Legislature that shall be based on a study of the business of

soliciting, selling, and shipping wine from inside and outside of this state directly to residents of this state pursuant to Sections 1 through 12 of this act. As part of its report, the department shall provide the following information for the preceding two (2) years:

(a) The amount of state excise tax and sales tax revenues generated;

(b) The amount of licensing fees received;

(c) The number of cases of wine shipped from inside and outside of this state directly to residents of this state, respectively;

(d) The number of alcohol compliance operations conducted;

(e) The number of new direct shipper permits issued;

(f) The number of direct shipper permits renewed;

(g) The number of direct shipper permits that lapsed or expired without renewal; and

(h) The number of each of the following:

(i) Reported violations,

(ii) Cease and desist notices issued by the department,

(iii) Civil fines issued to a permittee by the department,

(iv) Suspensions and revocations of permits, and

(v) Notices and complaints of violations to law enforcement officials, including, without limitation, the Attorney General and U.S. Department of Treasury's Alcohol and Tobacco Tax and Trade Bureau.

SECTION 13. If any provision of this act, or its application to any person or circumstance, is determined by a court to be invalid or unconstitutional, the remaining provisions shall be construed in accordance with the intent of the Legislature to further limit rather than expand commerce in alcoholic beverages to protect the health, safety, and welfare of the state's residents, and to enhance strict regulatory control over taxation, distribution and sale of alcoholic beverages through the three-tier regulatory system imposed by this article upon all alcoholic beverages to curb relationships and practices calculated to stimulate sales and impair the state's policy favoring trade stability and the promotion of temperance.

SECTION 14. Section 27-71-5, Mississippi Code of 1972, as amended by Senate Bill No. 2567, 2024 Regular Session, is amended as follows:

27-71-5. (1) Upon each person approved for a permit under the provisions of the Alcoholic Beverage Control Law and amendments thereto, there is levied and imposed for each location for the privilege of engaging and continuing in this state in the business

authorized by such permit, an annual privilege license tax in the amount provided in the following schedule:

(a) Except as otherwise provided in this subsection (1), manufacturer's permit, Class 1, distiller's and/or

rectifier's:

(i) For a permittee with annual production of

five thousand (5,000) gallons or more $4,500.00

(ii) For a permittee with annual production under five thousand (5,000) gallons $2,800.00

(b) Manufacturer's permit, Class 2, wine manufacturer $1,800.00

(c) Manufacturer's permit, Class 3, native wine manufacturer per ten thousand (10,000) gallons or part thereof produced ..... $ 10.00

(d) Manufacturer's permit, Class 4, native spirit manufacturer per one thousand (1,000) gallons or part thereof produced ..... $ 300.00

(e) Native wine retailer's permit ..... $ 50.00

(f) Package retailer's permit, each ..... $ 900.00

(g) On-premises retailer's permit, except for clubs and common carriers, each ... $ 450.00

(h) On-premises retailer's permit for wine of more than five percent (5%) alcohol by weight, but not more than twenty-one percent (21%) alcohol by weight, each ..... $ 225.00

(i) On-premises retailer's permit for clubs ..... $ 225.00

(j) On-premises retailer's permit for common carriers, per car, plane, or other vehicle ..... $ 120.00

(k) Solicitor's permit, regardless of any other provision of law, solicitor's permits shall be issued only in the discretion of the department ..... $ 100.00

(l) Filing fee for each application except for an employee identification card ..... $ 25.00

(m) Temporary permit, Class 1, each ..... $ 10.00

(n) Temporary permit, Class 2, each ..... $ 50.00

(o) (i) Caterer's permit ..... $ 600.00

(ii) Caterer's permit for holders of on-premises retailer's permit ..... $ 150.00

(p) Research permit ..... $ 100.00

(q) Temporary permit, Class 3 (wine only) ..... $ 10.00

(r) Special service permit ..... $ 225.00

(s) Merchant permit ..... $ 225.00

(t) Temporary alcoholic beverages charitable auction permit ..... $ 10.00

(u) Event venue retailer's permit ..... $ 225.00

(v) Temporary theatre permit, each ..... $ 10.00

(w) Charter ship operator's permit ..... $ 100.00

(x) Distillery retailer's permit ..... $ 450.00

(y) Festival wine permit ..... $ 10.00

(z) Charter vessel operator's permit ..... $ 100.00

(aa) Native spirit retailer's permit ..... $ 50.00

(ab) Delivery service permit ..... $ 500.00

(ac) Food truck permit ..... $ 100.00

(ad) On-premises tobacco permit ..... $ 450.00

(ae) Direct shipper's permit ..... $ 100.00

(af) Wine fulfillment provider permit ..... $ 500.00

In addition to the filing fee imposed by paragraph (l) of this subsection, a fee to be determined by the Department of Revenue may be charged to defray costs incurred to

process applications. The additional fees shall be paid into the State Treasury to the credit of a special fund account, which is hereby created, and expenditures therefrom shall be made only to defray the costs incurred by the Department of Revenue in processing alcoholic beverage applications. Any unencumbered balance remaining in the special fund account on June 30 of any fiscal year shall lapse into the State General Fund.

All privilege taxes imposed by this section shall be paid in advance of doing business. A new permittee whose privilege tax is determined by production volume will pay the tax for the first year in accordance with department regulations. The additional privilege tax imposed for an on-premises retailer's permit based upon purchases shall be due and payable on demand.

Paragraph (y) of this subsection shall stand repealed from and after July 1, 2026.

(2) (a) There is imposed and shall be collected from each permittee, except a common carrier, solicitor, a temporary permittee, holder of a direct shipper's permit or a delivery service permittee, by the department, an additional license tax equal to the amounts imposed under subsection (1) of this section for the privilege of doing business within any municipality or county in which the licensee is located.

(b) (i) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(g), (h), (i), (n) and (u) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Twenty-five Dollars ($225.00) on purchases exceeding Five Thousand Dollars ($5,000.00) and Two Hundred Twenty-five Dollars ($225.00) for each additional purchase of Five Thousand Dollars ($5,000.00), or fraction thereof.

(ii) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(o) and (s) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Fifty Dollars ($250.00) on purchases exceeding Five Thousand Dollars ($5,000.00) and Two Hundred Twenty-five Dollars ($225.00) for each additional purchase of Five Thousand Dollars ($5,000.00), or fraction thereof.

(iii) Any person who has paid the additional privilege license tax imposed by this paragraph, and whose permit is renewed, may add any unused fraction of Five Thousand Dollars ($5,000.00) purchases to the first Five Thousand Dollars ($5,000.00) purchases authorized by the renewal permit, and no additional license tax will be required until purchases exceed the sum of the two (2) figures.

(c) If the licensee is located within a municipality, the department shall pay the amount of additional license tax collected under this section to the municipality, and if outside a municipality the department shall pay the additional license tax to the county in which the licensee is located. Payments by the department to the respective local government subdivisions shall be made once each month for any collections during the preceding month.

(3) When an application for any permit, other than for renewal of a permit, has been rejected by the department, such decision shall be final. Appeal may be made in the manner provided by Section 67-1-39. Another application from an applicant who has been denied a permit shall not be reconsidered within a twelve-month period.

(4) The number of permits issued by the department shall not be restricted or limited on a population basis; however, the foregoing limitation shall not be construed to preclude the right of the department to refuse to issue a permit because of the undesirability of the proposed location.

(5) If any person shall engage or continue in any business which is taxable under this section without having paid the tax as provided in this section, the person shall be liable for the full amount of the tax plus a penalty thereon equal to the amount thereof, and, in addition, shall be punished by a fine of not more than One Thousand Dollars ($1,000.00), or by imprisonment in the county jail for a term of not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court.

(6) It shall be unlawful for any person to consume alcoholic beverages on the premises of any hotel restaurant, restaurant, club or the interior of any public place

defined in Chapter 1, Title 67, Mississippi Code of 1972, when the owner or manager thereof displays in several conspicuous places inside the establishment and at the entrances of establishment a sign containing the following language: NO ALCOHOLIC BEVERAGES ALLOWED.

SECTION 15. Section 27-71-7, Mississippi Code of 1972, is amended as follows:

27-71-7. (1) There is hereby levied and assessed an excise tax upon each case of alcoholic beverages sold by the department to be collected from each retail licensee at the time of sale in accordance with the following schedule:

(a) Distilled spirits.....$2.50 per gallon

(b) Sparkling wine and champagne.....$1.00 per gallon

(c) Other wines, including native wines...$ .35 per gallon

(2) (a) In addition to the tax levied by subsection (1) of this section, and in addition to any other markup collected, the Alcoholic Beverage Control Division shall collect a markup of three percent (3%) on all alcoholic beverages, as defined in Section 67-1-5, Mississippi Code of 1972, which are sold by the division. The proceeds of the markup shall be collected by the division from each purchaser at the time of purchase.

(b) Until June 30, 1987, the revenue derived from this three percent (3%) markup shall be deposited by the division in the State Treasury to the credit of the "Alcoholism Treatment and Rehabilitation Fund," a special fund which is hereby created in the State Treasury, and shall be used by the Division of Alcohol and Drug Abuse of the State Department of Mental Health and public or private centers or organizations solely for funding of treatment and rehabilitation programs for alcoholics and alcohol abusers which are sponsored by the division or public or private centers or organizations in such amounts as the Legislature may appropriate to the division for use by the division or public or private centers or organizations for such programs. Any tax revenue in the fund which is not encumbered at the end of the fiscal year shall lapse to the General Fund. It is the intent of the Legislature that the State Department of Mental Health shall continue to seek funds from other sources and shall use the funds appropriated for the purposes of this section and Section 27-71-29 to match all federal funds which may be available for alcoholism treatment and rehabilitation.

From and after July 1, 1987, the revenue derived from this three percent (3%) markup shall be deposited by the division in the State Treasury to the credit of the "Mental Health Programs Fund," a special fund which is hereby created in the State Treasury and shall be used by the State Department of Mental Health for the service programs of the department. Any revenue in the "Alcoholism Treatment and Rehabilitation Fund" which is not encumbered at the end of Fiscal Year 1987 shall be deposited to the credit of the "Mental Health Programs Fund."

(3) There is levied and assessed upon the holder of a direct shipper's permit, a tax in the amount of eighteen percent (18%) of the sales price of each sale and shipment of wine made to a resident in this state. The holder of a direct shipper's permit shall file a monthly report with the department along with a copy of the invoice for each sale and shipment of wine and remit any taxes due; however, no report shall be required for months in which no sales or shipments were made into this state. The report, together with copies of the invoices and the payment of all taxes, shall be filed with the department not later than the twentieth day of the month following the month in which the shipment was made. Permittees who fail to timely file and pay taxes as required by this subsection shall pay a late fee in the amount of Five Hundred Dollars ($500.00), and the department shall suspend the direct shipper's permit until all outstanding taxes are paid in full, for a first offense. Upon a second offense, the department shall revoke the direct shipper's permit.

SECTION 16. Section 27-71-15, Mississippi Code of 1972, is amended as follows:

27-71-15. Except as otherwise provided in Section 67-9-1 for the transportation of limited amounts of alcoholic beverages for the use of an alcohol processing permittee, and in Sections 1 through 12 of this act for the sale and shipment of wine by the holder of a direct shipper's permit, if transportation requires passage through a county which has not authorized the sale of alcoholic beverages, such transportation shall be by a sealed vehicle. Such seal shall remain unbroken until the vehicle shall reach the place of business operated by the permittee. The operator of any vehicle transporting

alcoholic beverages shall have in his possession an invoice issued by the * * * department at the time of the wholesale sale covering the merchandise transported by the vehicle. The * * * department is authorized to issue regulations controlling the transportation of alcoholic beverages.

When the restrictions imposed by this section and by the regulation of the * * * department have not been violated, the person transporting alcoholic beverages through a county wherein the sale of alcoholic beverages is prohibited shall not be guilty of unlawful possession and such merchandise shall be immune from seizure.

SECTION 17. Section 27-71-29, Mississippi Code of 1972, is amended as follows:

27-71-29. (1) All taxes levied by this article shall be paid to the Department of Revenue in cash or by personal check, cashier's check, bank exchange, post office money order or express money order and shall be deposited by the department in the State Treasury on the same day collected, but no remittances other than cash shall be a final discharge of liability for the tax herein imposed and levied unless and until it has been paid in cash to the department.

All taxes levied under Section 27-71-7(1) and received by the department under this article shall be paid into the General Fund, and the three percent (3%) levied under Section 27-71-7(2) and received by the department under this article shall be paid into the special fund in the State Treasury designated as the "Alcoholism Treatment and Rehabilitation Fund" as required by law. Any funds derived from the sale of alcoholic beverages in excess of inventory requirements shall be paid not less often than annually into the General Fund, except for a portion of the twenty-seven and one-half percent (27-1/2%) markup provided for in Section 27-71-11, as specified in subsection (2) of this section, and except for fees charged by the department for the defraying of costs associated with shipping alcoholic beverages. The revenue derived from these fees shall be deposited by the department into a special fund, hereby created in the State Treasury, which is designated the "ABC Shipping Fund." The monies in this special fund shall be earmarked for use by the department for any expenditure made to ship alcoholic beverages. Any net proceeds remaining in the special fund on August 1 of any fiscal year shall lapse into the General Fund. "Net proceeds" in this section means the total of all fees collected by the department to defray the costs of shipping less the actual costs of shipping.

(2) If the special bond sinking fund created in Section 7(3) of Chapter 483, Laws of 2022 has a balance below the minimum amount specified in the resolution providing for the issuance of the bonds, or below one and one-half (1-1/2) times the amount needed to pay the annual debt obligations related to the bonds issued under Section 7 of Chapter 483, Laws of 2022, whichever is the lesser amount, the Commissioner of Revenue shall transfer the deficit amount to the bond sinking fund from revenue derived from the twenty-seven and one-half percent (27-1/2%) markup provided for in Section 27-71-11.

(3) All taxes levied under Section 27-71-7(3) and received by the department under this article shall be paid into the General Fund, except for an amount equivalent to the three percent (3%) levied under Section 27-71-7(2), which shall be paid into the special fund in the State Treasury designated as the "Mental Health Programs Fund" as required by law.

SECTION 18. Section 67-1-41, Mississippi Code of 1972, is amended as follows:

67-1-41. (1) The department is hereby created a wholesale distributor and seller of alcoholic beverages, not including malt liquors, within the State of Mississippi. It is granted the right to import and sell alcoholic beverages at wholesale within the state, and no person who is granted the right to sell, distribute or receive alcoholic beverages at retail shall purchase any alcoholic beverages from any source other than the department, except as authorized in subsections (4), (9) and (12) of this section and Sections 1 through 12 of this act. The department may establish warehouses, and the department may purchase alcoholic beverages in such quantities and from such sources as it may deem desirable and sell the alcoholic beverages to authorized permittees within the state including, at the discretion of the department, any retail distributors operating within any military post or qualified resort areas within the boundaries of the state, keeping a correct and accurate record of all such transactions and exercising such

control over the distribution of alcoholic beverages as seem right and proper in keeping with the provisions or purposes of this article.

(2) No person for the purpose of sale shall manufacture, distill, brew, sell, possess, export, transport, distribute, warehouse, store, solicit, take orders for, bottle, rectify, blend, treat, mix or process any alcoholic beverage except in accordance with authority granted under this article, or as otherwise provided by law for native wines or native spirits.

(3) No alcoholic beverage intended for sale or resale shall be imported, shipped or brought into this state for delivery to any person other than as provided in this article, or as otherwise provided by law for native wines or native spirits.

(4) The department may promulgate rules and regulations which authorize on-premises retailers to purchase limited amounts of alcoholic beverages from package retailers and for package retailers to purchase limited amounts of alcoholic beverages from other package retailers. The department shall develop and provide forms to be completed by the on-premises retailers and the package retailers verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(5) The department may promulgate rules which authorize the holder of a package retailer's permit to permit individual retail purchasers of packages of alcoholic beverages to return, for exchange, credit or refund, limited amounts of original sealed and unopened packages of alcoholic beverages purchased by the individual from the package retailer.

(6) The department shall maintain all forms to be completed by applicants necessary for licensure by the department at all district offices of the department.

(7) The department may promulgate rules which authorize the manufacturer of an alcoholic beverage or wine to import, transport and furnish or give a sample of alcoholic beverages or wines to the holders of package retailer's permits, on-premises retailer's permits, native wine or native spirit retailer's permits and temporary retailer's permits who have not previously purchased the brand of that manufacturer from the department. For each holder of the designated permits, the manufacturer may furnish not more than five hundred (500) milliliters of any brand of alcoholic beverage and not more than three (3) liters of any brand of wine.

(8) The department may promulgate rules disallowing open product sampling of alcoholic beverages or wines by the holders of package retailer's permits and permitting open product sampling of alcoholic beverages by the holders of on-premises retailer's permits. Permitted sample products shall be plainly identified "sample" and the actual sampling must occur in the presence of the manufacturer's representatives during the legal operating hours of on-premises retailers.

(9) The department may promulgate rules and regulations that authorize the holder of a research permit to import and purchase limited amounts of alcoholic beverages from importers, wineries and distillers of alcoholic beverages or from the department. The department shall develop and provide forms to be completed by the research permittee verifying each transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department. The records and inventory of alcoholic beverages shall be open to inspection at any time by the Director of the Alcoholic Beverage Control Division or any duly authorized agent.

(10) The department may promulgate rules facilitating a retailer's on-site pickup of alcoholic beverages sold by the department or as authorized by the department, including, but not limited to, native wines and native spirits, so that those alcoholic beverages may be delivered to the retailer at the manufacturer's location instead of via shipment from the department's warehouse.

(11) [Through June 30, 2026] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit or a festival wine permit.

(11) [From and after July 1, 2026] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit.

(12) (a) An individual resident of this state who is at least twenty-one (21) years of age may purchase wine from a winery and have the purchase shipped into this state so long as it is shipped to a package retailer permittee in Mississippi; however, the

permittee shall pay to the department all taxes, fees and surcharges on the wine that are imposed upon the sale of wine shipped by the department or its warehouse operator. No credit shall be provided to the permittee for any taxes paid to another state as a result of the transaction. Package retailers may charge a service fee for receiving and handling shipments from wineries on behalf of the purchasers. The department shall develop and provide forms to be completed by the package retailer permittees verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(b) The purchaser of wine that is to be shipped to a package retailer's store shall be required to get the prior approval of the package retailer before any wine is shipped to the package retailer. A purchaser is limited to no more than ten (10) cases of wine per year to be shipped to a package retailer. A package retailer shall notify a purchaser of wine within two (2) days after receiving the shipment of wine. If the purchaser of the wine does not pick up or take the wine from the package retailer within thirty (30) days after being notified by the package retailer, the package retailer may sell the wine as part of his inventory.

(c) Shipments of wine into this state under this section shall be made by a duly licensed carrier. It shall be the duty of every common or contract carrier, and of every firm or corporation that shall bring, carry or transport wine from outside the state for delivery inside the state to package retailer permittees on behalf of consumers, to prepare and file with the department, on a schedule as determined by the department, of known wine shipments containing the name of the common or contract carrier, firm or corporation making the report, the period of time covered by said report, the name and permit number of the winery, the name and permit number of the package retailer permittee receiving such wine, the weight of the package delivered to each package retailer permittee, a unique tracking number, and the date of delivery. Reports received by the department shall be made available by the department to the public via the Mississippi Public Records Act process in the same manner as other state alcohol filings.

Upon the department's request, any records supporting the report shall be made available to the department within a reasonable time after the department makes a written request for such records. Any records containing information relating to such reports shall be kept and preserved for a period of two (2) years, unless their destruction sooner is authorized, in writing, by the department, and shall be open and available to inspection by the department upon the department's written request. Reports shall also be made available to any law enforcement or regulatory body in the state in which the railroad company, express company, common or contract carrier making the report resides or does business.

Any common or contract carrier that willfully fails to make reports, as provided by this section or any of the rules and regulations of the department for the administration and enforcement of this section, is subject to a notification of violation. In the case of a continuing failure to make reports, the common or contract carrier is subject to possible license suspension and revocation at the department's discretion.

(d) A winery that ships wine under this section shall be deemed to have consented to the jurisdiction of the courts of this state, of the department, of any other state agency regarding the enforcement of this section, and of any related law, rules or regulations.

(e) Any person who makes, participates in, transports, imports or receives a shipment in violation of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of One Thousand Dollars ($1,000.00) or imprisonment in the county jail for not more than six (6) months, or both. Each shipment shall constitute a separate offense.

(13) If any provision of this article, or its application to any person or circumstance, is determined by a court to be invalid or unconstitutional, the remaining provisions shall be construed in accordance with the intent of the Legislature to further limit rather than expand commerce in alcoholic beverages to protect the health, safety, and welfare of the state's residents, and to enhance strict regulatory control over taxation, distribution and sale of alcoholic beverages through the three-tier regulatory system imposed by this article upon all alcoholic beverages to curb relationships and

practices calculated to stimulate sales and impair the state's policy favoring trade stability and the promotion of temperance.

SECTION 19. Section 67-1-45, Mississippi Code of 1972, is amended as follows:

67-1-45. No manufacturer, rectifier or distiller of alcoholic beverages shall sell or attempt to sell any such alcoholic beverages, except malt liquor, within the State of Mississippi, except to the department, or as provided in Section 67-1-41, or pursuant to Section 67-1-51. A producer of native wine or native spirit may sell native wines or native spirits, respectively, to the department or to consumers at the location of the native winery or native distillery or its immediate vicinity. The holder of a direct shipper's permit may sell wines directly to residents in this state as authorized by Sections 1 through 12 of this act.

Any violation of this section by any manufacturer, rectifier or distiller shall be punished by a fine of not less than Five Hundred Dollars ($500.00), and not more than Two Thousand Dollars ($2,000.00), to which may be added imprisonment in the county jail not to exceed six (6) months.

SECTION 20. Section 67-1-51, Mississippi Code of 1972, as amended by House Bill 1525, 2024 Regular Session, and Senate Bill No. 2567, 2024 Regular Session, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this article in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this article.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

Class 4. Native spirit producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native spirits.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines, native spirits and edibles, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this article and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers, other beverages commonly used to mix with alcoholic beverages, and fruits and foods that have been submerged in alcohol and are commonly referred to as edibles. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines and native spirits, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is

secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one (1) bottle of wine to be removed from the licensed premises for every two (2) entrees ordered. In addition, an on-premises retailer's permittee at a permitted premises located on Jefferson Davis Avenue within one-half (1/2) mile north of U.S. Highway 90 may serve alcoholic beverages by the glass to a patron in a vehicle using a drive-through method of delivery if the permitted premises is located in a leisure and recreation district established under Section 67-1-101. Such a sale will be considered to be made on the permitted premises. An on-premises retailer's permit shall be issued only to qualified hotels, restaurants and clubs, small craft breweries, microbreweries, and to common carriers with adequate facilities for serving passengers. In resort areas, however, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to any establishments located therein as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines and native spirits, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine and native spirit, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all

alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from the department or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being

catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from the department or from importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines and native spirits, for consumption on the premises during legal hours during

events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines and native spirits, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages to consumers for on-premises consumption, or to consumers by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. However, when selling to consumers for on-premises consumption, a holder of a distillery retailer's permit may add other beverages, alcoholic or not, so long as the total volume of other beverage components containing alcohol does not exceed twenty percent (20%). Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the distillery retailer is located.

The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption

off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this article. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse; however, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by the department or its warehouse operator. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse. However, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2026.

(s) Charter vessel operator's permit. Subject to the provisions of this paragraph (s), a charter vessel operator's permit shall authorize the holder thereof and its employees to sell and serve alcoholic beverages to passengers of the permit holder during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder. The permit shall authorize the holder to only sell alcoholic beverages, including native wines, to passengers of the charter vessel operator during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder aboard the charter vessel operator for consumption during such tours and cruises on the premises of the charter vessel operator described in the permit. For the purposes of this paragraph (s), "charter vessel operator" means a common carrier that (i) is certified to carry at least forty-nine (49) passengers, (ii) operates only in the waters within the State of Mississippi, which lie south of Interstate 10 in the three (3) most southern counties in the State of Mississippi, and lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, extending not further than one (1) mile south of such counties, and (iii) provides vessel services for tours and cruises in such waters as provided in this paragraph(s).

(t) Native spirit retailer's permit. Except as otherwise provided in subsection (5) of this section, a native spirit retailer's permit shall be issued only to a holder of a Class 4 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native spirits to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native distillery. When selling to consumers for on-premises consumption, a holder of a native spirit retailer's permit may add to the native spirit alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native spirit retailer is located.

(u) Delivery service permit. Any individual, limited liability company, corporation or partnership registered to do business in this state is eligible to obtain a delivery service permit. Subject to the provisions of Section 67-1-51.1, this permit authorizes the permittee, or its employee or an independent contractor acting on its behalf, to deliver alcoholic beverages, beer, light wine and light spirit product from a licensed retailer to a person in this state who is at least twenty-one (21) years of age for the individual's use and not for resale. This permit does not authorize the delivery of alcoholic beverages, beer, light wine or light spirit product to the premises of a location with a permit for the manufacture, distribution or retail sale of alcoholic beverages, beer, light wine or light spirit product. The holder of a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or of a beer, light wine and light spirit product permit under Section 67-3-19 is authorized to apply for a delivery service permit as a privilege separate from its existing retail permit.

(v) Food truck permit. A food truck permit shall authorize the holder of an on-premises retailer's permit to use a food truck to sell alcoholic beverages off its premises to guests who must consume the beverages in open containers. For the purposes of this paragraph (v), "food truck" means a fully encased food service establishment on a motor vehicle or on a trailer that a motor vehicle pulls to transport, and from which a vendor, standing within the frame of the establishment, prepares, cooks, sells and serves food for immediate human consumption. The term "food truck" does not include a food cart that is not motorized. Food trucks shall maintain such distance requirements from schools, churches, kindergartens and funeral homes as are required for on-premises retailer's permittees under this article, and all sales must be made within a valid leisure and recreation district established under Section 67-1-101. Food trucks cannot sell or serve alcoholic beverages unless also offering food prepared and cooked within the food truck, and permittees must maintain a twenty-five percent (25%) food sale revenue requirement based on the food sold from the food truck alone. The hours allowed for sale shall be the same as those for on-premises retailer's permittees in the location. This permit will not be required for the holder of a caterer's permit issued under this article to cater an event as allowed by law. Permittees must provide notice of not less than forty-eight (48) hours to the department of each location at which alcoholic beverages will be sold.

(w) On-premises tobacco permit. An on-premises tobacco permit shall authorize the permittee to sell alcoholic beverages for consumption on the licensed premises. In addition to all other requirements to obtain an alcoholic beverage permit, the permittee must obtain and maintain a tobacco permit issued by the State of Mississippi, and have a capital investment of not less than Five Hundred Thousand Dollars ($500,000.00) in the premises for which the permit is issued. In addition to alcoholic beverages, the permittee is authorized to sell only cigars, cheroots, tobacco pipes, pipe tobacco, and/or stogies. Additionally, seventy-five percent (75%) of the permittee's annual gross revenue must be derived from the sale of cigars, cheroots, tobacco pipes, pipe tobacco, and/or stogies. No food sales shall be required, but food may be sold on the premises. The issuance of this permit does not remove any obligation a permittee may have to follow local ordinances or actions prohibiting the use of tobacco products.

(x) Direct shipper's permit. A direct shipper's permit shall authorize the holder to sell and ship wine directly to residents in this state in accordance with the provisions of Sections 1 through 12 of this act, without being required to transact the sale and shipment of those wines through the Alcoholic Beverage Control Division of the department.

(y) Wine Fulfillment Provider Permit. A wine fulfillment provider permit shall authorize the holder to only provide logistics services of warehousing, packaging, order fulfillment, and shipment of wine for a direct shipper permittee for which the wine fulfillment provider permittee is the bailee of the wine under Sections 1 through 12 of this act. Wine held in bailment by a wine fulfillment provider permittee shall remain the property of the direct shipper permittee until loaded on conveyance for direct shipment to a Mississippi resident.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) (a) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this article within four hundred (400) feet of any church, school (excluding any community college, junior college, college or university), kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

(b) A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(c) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(d) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a qualified resort area as defined in Section 67-1-5(o)(iii)32.

(e) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building formerly owned by a municipality and formerly leased by the municipality to a municipal school district and used by the municipal school district as a district bus shop facility.

(f) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building consisting of at least five thousand (5,000) square feet and located approximately six hundred (600) feet from the intersection of Mississippi Highway 15 and Mississippi Highway 4.

(g) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building located at or near the intersection of Ward and Tate Streets and adjacent properties in the City of Senatobia, Mississippi.

(h) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a theatre facility that features plays and other theatrical performances and productions and (i) is capable of seating more than seven hundred fifty (750) people, (ii) is owned by a municipality which has a population greater than ten thousand (10,000) according to the latest federal decennial census, (iii) was constructed prior to 1930, (iv) is on the National Register of Historic Places, and (v) is located in a historic district.

(i) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building located approximately one and six-tenths (1.6) miles north of the intersection of Mississippi Highway 15 and Mississippi Highway 4 on the west side of Mississippi Highway 15.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the

licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this article.

SECTION 21. Section 67-1-53, Mississippi Code of 1972, is amended as follows:

67-1-53. (1) Application for permits shall be in such form and shall contain such information as shall be required by the regulations of the * * * department; however, no regulation of the * * * department shall require personal financial information from any officer of a corporation applying for an on-premises retailer's permit to sell alcoholic beverages unless such officer owns ten percent (10%) or more of the stock of such corporation.

(2) Every applicant for each type of permit authorized by Section 67-1-51 shall give notice of such application by publication for two (2) consecutive issues in a newspaper of general circulation published in the city or town in which applicant's place of business is located. However, in instances where no newspaper is published in the city or town, then the notice shall be published in a newspaper of general circulation published in the county where the applicant's business is located. If no newspaper is published in the county, the notice shall be published in a qualified newspaper which is published in the closest neighboring county and circulated in the county of applicant's residence. The notice shall be printed in ten-point black face type and shall set forth the type of permit to be applied for, the exact location of the place of business, the name of the owner or owners thereof, and if operating under an assumed name, the trade name together with the names of all owners, and if a corporation, the names and titles of all officers. The cost of such notice shall be borne by the applicant.

(3) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 22. Section 67-1-55, Mississippi Code of 1972, is amended as follows:

67-1-55. No permit of any type shall be issued by the * * * department until the applicant has first filed with the * * * department a sworn statement disclosing all persons who are financially involved in the operation of the business for which the permit is sought. If an applicant is an individual, he will swear that he owns one hundred percent (100%) of the business for which he is seeking a permit. If the applicant is a partnership, all partners and their addresses shall be disclosed and the extent of their interest in the partnership shall be disclosed. If the applicant is a corporation, the total stock in the corporation shall be disclosed and each shareholder and his address and the amount of stock in the corporation owned by him shall be disclosed. If the applicant is a limited liability company, each member and their addresses shall be disclosed and the extent of their interest in the limited liability company shall be disclosed. If the applicant is a trust, the trustee and all beneficiaries and their addresses shall be disclosed. If the applicant is a combination of any of the above, all information required to be disclosed above shall be required.

All the disclosures shall be in writing and kept on file at the * * * department and shall be available to the public.

Every applicant must, when applying for a renewal of his permit, disclose any change in the ownership of the business or any change in the beneficiaries of the income from the business.

Any person who willfully fails to fully disclose the information required by this section, or who gives false information, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not to exceed Five Hundred Dollars ($500.00) or imprisoned for not more than one (1) year, or both, and the person or applicant shall never again be eligible for any permit pertaining to alcoholic beverages.

SECTION 23. Section 67-1-57, Mississippi Code of 1972, is amended as follows:

67-1-57. Before a permit is issued the department shall satisfy itself:

(a) That the applicant, if an individual, or if a partnership, each of the members of the partnership, or if a corporation, each of its principal officers and

directors, or if a limited liability company, each member of the limited liability company, is of good moral character and, in addition, enjoys a reputation of being a peaceable, law-abiding citizen of the community in which he resides, and is generally fit for the trust to be reposed in him, is not less than twenty-one (21) years of age, and has not been convicted of a felony in any state or federal court.

(b) That, except in the case of an application for a solicitor's permit, the applicant is the true and actual owner of the business for which the permit is desired, and that he intends to carry on the business authorized for himself and not as the agent of any other person, and that he intends to superintend in person the management of the business or that he will designate a manager to manage the business for him. Except for managers employed by the holder of a direct shipper's permit, all managers must be approved by the department prior to completing any managerial tasks on behalf of the permittee and must possess all of the qualifications required of a permittee; however, a felony conviction, other than a crime of violence, does not automatically disqualify a person from being approved as a manager if the person was released from incarceration at least three (3) years prior to application for approval as a manager. A felony conviction, other than a crime of violence, may be considered by the department in determining whether all other qualifications are met.

(c) That the applicant for a package retailer's permit, if an individual, is a resident of the State of Mississippi. If the applicant is a partnership, each member of the partnership must be a resident of the state. If the applicant is a limited liability company, each member of the limited liability company must be a resident of the state. If the applicant is a corporation, the designated manager of the corporation must be a resident of the state.

(d) That the place for which the permit is to be issued is an appropriate one considering the character of the premises and the surrounding neighborhood.

(e) That the place for which the permit is to be issued is within the corporate limits of an incorporated municipality or qualified resort area or club which comes within the provisions of this article.

(f) That the applicant is not indebted to the state for any taxes, fees or payment of penalties imposed by any law of the State of Mississippi or by any rule or regulation of the * * * department.

(g) That the applicant is not in the habit of using alcoholic beverages to excess and is not physically or mentally incapacitated, and that the applicant has the ability to read and write the English language.

(h) That the * * * department does not believe and has no reason to believe that the applicant will sell or knowingly permit any agent, servant or employee to unlawfully sell liquor in a dry area or in any other manner contrary to law.

(i) That the applicant is not residentially domiciled with any person whose permit or license has been cancelled for cause within the twelve (12) months next preceding the date of the present application for a permit.

(j) That the * * * department has not, in the exercise of its discretion which is reserved and preserved to it, refused to grant permits under the restrictions of this section, as well as under any other pertinent provision of this article.

(k) That there are not sufficient legal reasons to deny a permit on the ground that the premises for which the permit is sought has previously been operated, used or frequented for any purpose or in any manner that is lewd, immoral or offensive to public decency. In the granting or withholding of any permit to sell alcoholic beverages at retail, the * * * department in forming its conclusions may give consideration to any recommendations made in writing by the district or county attorney or county, circuit or chancery judge of the county, or the sheriff of the county, or the mayor or chief of police of an incorporated city or town wherein the applicant proposes to conduct his business and to any recommendations made by representatives of the * * * department.

(l) That the applicant and the applicant's key employees, as determined by the * * * department, do not have a disqualifying criminal record. In order to obtain a criminal record history check, the applicant shall submit to the commission a set of fingerprints from any local law enforcement agency for each person for whom the records check is required. The * * * department shall forward the fingerprints to the

Mississippi Department of Public Safety. If no disqualifying record is identified at the state level, the Department of Public Safety shall forward the fingerprints to the Federal Bureau of Investigation for a national criminal history record check. Costs for processing the set or sets of fingerprints shall be borne by the applicant. The department may waive the fingerprint requirement in the case of an applicant for a direct shipper's permit. The * * * department shall not deny employment to an employee of the applicant prior to the identification of a disqualifying record or other disqualifying information.

SECTION 24. Section 67-1-73, Mississippi Code of 1972, is amended as follows:

67-1-73. (1) Except as otherwise provided in subsection (3) of this section, every manufacturer, including native wine or native spirit producers, within or without the state, and every other shipper of alcoholic beverages who sells any alcoholic beverage, including native wine or native spirit, within the state, shall, at the time of making such sale, file with the department a copy of the invoice of such sale showing in detail the kind of alcoholic beverage sold, the quantities of each, the size of the container and the weight of the contents, the alcoholic content, and the name and address of the person to whom sold.

(2) Except as otherwise provided in subsection (3) of this section, every person transporting alcoholic beverages, including native wine or native spirit, within this state to a point within this state, whether such transportation originates within or without this state, shall, within five (5) days after delivery of such shipment, furnish the department a copy of the bill of lading or receipt, showing the name or consignor or consignee, date, place received, destination, and quantity of alcoholic beverages delivered. Upon failure to comply with the provisions of this section, such person shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in the sum of Fifty Dollars ($50.00) for each offense.

(3) Information regarding the sales, shipment, delivery and transportation of wine in this state by the holder of a direct shipper's permit under Sections 1 through 12 of this act shall be in such form and content as prescribed by the department.

SECTION 25. Section 97-31-47, Mississippi Code of 1972, is amended as follows:

97-31-47. It shall be unlawful for any transportation company, or any agent, employee, or officer of such company, or any other person, or corporation to transport into or deliver in this state in any manner or by any means any spirituous, vinous, malt, or other intoxicating liquors or drinks, or for any such person, company, or corporation to transport any spirituous, malt, vinous, or intoxicating liquors or drinks from one place within this state to another place within the state, or from one (1) point within this state to any point without the state, except in cases where this chapter * * *, Section 67-9-1, or Sections 1 through 12 of this act authorizes the transportation.

SECTION 26. Section 97-31-49, Mississippi Code of 1972, is amended as follows:

97-31-49. Except as otherwise provided in Sections 1 through 12 of this act, it shall be unlawful for any person, firm or corporation in this state, in person, by letter, circular, or other printed or written matter, or in any other manner, to solicit or take order in this state for any liquors, bitters or drinks prohibited by the laws of this state to be sold, bartered, or otherwise disposed of. The inhibition of this section shall apply to such liquors, bitters and drinks, whether the parties intend that the same shall be shipped into this state from outside of the state, or from one (1) point in this state to another point in this state. If such order be in writing, parol evidence thereof is admissible without producing or accounting for the absence of the original; and the taking or soliciting of such orders is within the inhibition of this section, although the orders are subject to approval by some other person, and no part of the price is paid, nor any part of the goods is delivered when the order is taken.

SECTION 27. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE A PERSON WHO IS THE HOLDER OF A CLASS 2 MANUFACTURER'S PERMIT UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW, OR WHO IS LICENSED OR PERMITTED OUTSIDE OF THE STATE TO ENGAGE IN THE ACTIVITY OF MANUFACTURING WINE TO SELL AND SHIP WINE DIRECTLY TO RESIDENTS IN THIS STATE, IF THE PERSON OBTAINS A DIRECT SHIPPER'S PERMIT FROM THE DEPARTMENT OF REVENUE; TO PROVIDE FOR THE ISSUANCE OF DIRECT SHIPPER'S PERMITS AND THE ISSUANCE OF WINE FULFILLMENT PROVIDER PERMITS; TO REQUIRE THE HOLDER OF A DIRECT SHIPPER'S PERMIT TO KEEP CERTAIN RECORDS; TO REQUIRE THE HOLDER OF A WINE FULFILLMENT PROVIDER PERMIT TO KEEP CERTAIN RECORDS; TO PROHIBIT THE HOLDER OF A DIRECT SHIPPER'S PERMIT FROM SELLING OR SHIPPING LIGHT WINE, LIGHT SPIRIT PRODUCTS OR BEER OR ANY ALCOHOLIC BEVERAGE OTHER THAN WINE; TO LIMIT THE AMOUNT OF WINE THAT A HOLDER OF A DIRECT SHIPPER'S PERMIT MAY SELL OR SHIP TO AN INDIVIDUAL EACH YEAR; TO PROVIDE FOR THE ANNUAL RENEWAL OF DIRECT SHIPPER'S PERMITS; TO PROVIDE THAT PERSONS PURCHASING OR RECEIVING A DIRECT SHIPMENT OF WINE FROM A DIRECT SHIPPER MUST BE AT LEAST TWENTY-ONE YEARS OF AGE; TO PROVIDE THAT PERSONS RECEIVING A DIRECT SHIPMENT OF WINE FROM A DIRECT SHIPPER SHALL USE THE WINE FOR PERSONAL USE ONLY AND MAY NOT RESELL IT; TO IMPOSE CERTAIN REQUIREMENTS RELATING THE SHIPMENT OF WINE INTO THIS STATE; TO AUTHORIZE THE COMMISSIONER OF REVENUE TO ADOPT ANY RULES OR REGULATIONS AS NECESSARY TO CARRY OUT THIS ACT; TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS ACT; TO AMEND SECTIONS 27-71-5, AS AMENDED BY SENATE BILL NO. 2567, 2024 REGULAR SESSION, 27-71-7, 27-71-15 AND 27-71-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THE PRIVILEGE TAX REQUIRED FOR THE ISSUANCE OF A DIRECT SHIPPER'S PERMIT AND FOR THE PRIVILEGE TAX REQUIRED FOR THE ISSUANCE OF A WINE FULFILLMENT PROVIDER PERMIT; TO LEVY A TAX UPON THE SALES AND SHIPMENTS OF WINE MADE BY A DIRECT SHIPPER; TO REQUIRE A CERTAIN AMOUNT OF THE TAXES LEVIED TO BE DEPOSITED INTO THE MENTAL HEALTH PROGRAMS FUND; TO AMEND SECTIONS 67-1-41, 67-1-45, 67-1-51, AS AMENDED BY HOUSE BILL NO. 1525, 2024 REGULAR SESSION, AND SENATE BILL NO. 2567, 2024 REGULAR SESSION, 67-1-53, 67-1-55, 67-1-57, 67-1-73, 97-31-47 AND 97-31-49, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Henry Zuber III	Josh Harkins
Robert L. Johnson III	Chris Johnson
Jansen Owen	Jeremy England

POINT OF ORDER

A point of order was raised by Senator Chassaniol that the Conference Committee Report on H. B. No. 1190 violates Joint Rule 25 by adding new code sections.

RULING OF THE CHAIR

The Chair, President Pro Tempore Kirby presiding, ruled the point of order well-taken.

The Conference Committee Report on **H. B. No. 1190** was returned to conference, pursuant to Joint Rule 25.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1357** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1357: Department of Agriculture; revise authority to spend certain funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 69-1-48, Mississippi Code of 1972, is amended as follows:

69-1-48. (1) For purposes of this section, the following words shall have the meanings ascribed herein:

(a) "Department" means the Mississippi Department of Agriculture and Commerce.

(b) "Museum" means the Mississippi Agriculture and Forestry Museum located at 1150 Lakeland Drive, Jackson, Mississippi, 39216.

(2) The department may accept, budget, receive and expend funds from any source for improvements to * * * the museum and for marketing and promotion programs for events at the museum for purposes as otherwise appropriated by the Legislature. The expenditure of funds under this section shall be subject to appropriation by the Legislature.

(3) (a) The department may allow a federal, state * * * or local governmental entity, or a public, private, commercial or charitable entity to use, publish or advertise the entity's name on department property and in its publications. Furthermore, subject to approval by the Department of Finance and Administration, the commissioner may lease to any public, private, commercial or charitable entity for a term not to exceed twenty (20) years naming rights for museum buildings or property, including, but not limited to, new construction, improvements to existing buildings, grounds and/or objects located on museum property in return for consideration benefitting the department. The lessee shall pay the cost of erecting, maintaining and removing signage related to the property.

(b) Any funds received from the advertising or lease of naming rights shall be retained by the department and expended for improvements to * * * the museum upon appropriation by the Legislature and for marketing and promotion programs for events at the museum, upon appropriation by the Legislature and for purposes as otherwise appropriated by the Legislature.

* * *

(4) (a) There is established in the State Treasury a special fund for the department for the monies collected under this section.

(b) Unexpended monies remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into the fund. The department shall not expend any monies from the fund without appropriation by the Legislature.

(5) (a) The department shall make reasonable attempts to notify the donor of any donated property or artifacts determined to be obsolete to allow such donor to retake possession of such item. If efforts to notify the donor prove unsuccessful, then the department may dispose of, auction or sell any property or artifact in the possession of the museum if the department determines that it is obsolete, no longer of value or use to the museum or unclaimed by the donor.

(b) All funds received * * * on behalf of the museum, shall be transferred into the * * * enterprise funds related to the museum. The enterprise funds shall be maintained in accordance with generally accepted accounting principles and regulations prescribed by the Department of Finance and Administration. The department shall not expend any funds from the enterprise funds without appropriation by the Legislature.

(c) Subject to appropriation by the Legislature, the department may expend these funds for improvements to the museum and for marketing and promotion programs for the museum in a manner consistent with the museum's historical purpose.

SECTION 2. Section 69-5-3, Mississippi Code of 1972, is amended as follows:

69-5-3. (1) The Department of Agriculture and Commerce shall set up rules and regulations consistent with the law governing the distribution of state monies for premiums or awards. It will be the duty of the department, at least twice each year, to approve premium lists or awards, and give out rules governing participants in state premium money in Mississippi. The department may invite the presidents of the various district livestock shows before the department when determining policies affecting district livestock shows.

(2) The Department of Agriculture and Commerce is hereby authorized to accept money or funds donated to the department, including funds to be awarded as prizes in livestock competition. Any money or funds received under this subsection shall be placed in a special fund. The department shall not expend any money or funds from the special fund without appropriation by the Legislature.

(3) The Department of Agriculture and Commerce shall have charge of the State Fairgrounds located in Jackson, Mississippi, including all buildings and improvements thereon, and shall have full power and authority in perfecting plans and causing to be held thereon the Mississippi State Fair and other such events that may be authorized by the department. The Mississippi State Fair shall be held on the State Fairgrounds as defined by this subsection.

(4) The Department of Agriculture and Commerce is hereby authorized to employ an attorney as prescribed in Section 69-1-14.

(5) The Department of Agriculture and Commerce may take any action authorized in Section 1 of Chapter 306, Laws of 2000.

(6) Subject to the approval of the Department of Finance and Administration, the Department of Agriculture and Commerce may allow a commercial, charitable or governmental entity to use, publish and advertise such entity's name in connection with any of the buildings, improvements, grounds or objects located on the State Fairgrounds * * * as defined in subsection (3) of this section, except for the Kirk Fordice Equine Center, or in connection with any of the events conducted on the State Fairgrounds

in return for a monetary consideration paid to the department. Furthermore, the department may lease to any public, private, commercial or charitable entity for a term not to exceed twenty (20) years naming rights to buildings, except for the Kirk Fordice Equine Center, or property, including, but not limited to, new construction, improvements to existing buildings, grounds and/or objects located on the State Fairgrounds as defined in subsection (3) of this section in return for consideration benefitting the commission. The lessee shall pay the cost of erecting, maintaining and removing signage related to the property. Those funds received from an entity for allowing its name to be used, published or advertised in connection with the buildings, improvements, objects or events shall be retained by the department to be used for capital improvements to the fairgrounds or in its annual operating budget subject to appropriation by the Legislature and shall be deposited in the special fund referenced in subsection (8) of this section. The department shall not enter into any such agreement with any vendor whose products are illegal for participation in or use by persons eighteen (18) years of age and under.

(7) The Commissioner of Agriculture and Commerce is authorized to form and establish a private foundation or nonprofit corporation to receive and disburse * * * private funds * * * for the purpose of supporting the fairgrounds through fundraising efforts and the acceptance of donations for the benefit of the fairgrounds. The funds shall be disbursed in accordance with the guidelines described in this section, and the foundation or nonprofit corporation shall be subject to the reporting requirements described in subsection (10) of this section. All funds shall remain with the foundation until disbursement and shall not be transferred to the State General Fund. No public funds shall be deposited into the account of the private foundation or nonprofit corporation established by the department for the benefit of the State Fairgrounds, nor shall the Legislature appropriate any State General Fund or Special Fund monies to the foundation or nonprofit corporation for such purposes. All monies received by the foundation shall be maintained separately from funds allocated to the department for operating and administrative costs associated with the State Fairgrounds as defined in subsection (3) of this section. In addition to the reporting of information to be included in the annual legislative report of the department, the private foundation or nonprofit corporation shall be subject to annual financial audits by the State Auditor and by auditors of donors in the same manner as required for state agencies.

(8) The Department of Agriculture and Commerce shall have the authority to enter into a lease or right-of-way with a third party covering any land or buildings on the State Fairgrounds as defined in subsection (3) of this section, and any funds generated from such lease or right-of-way shall remain in a special fund managed by the department for the benefit of the State Fairgrounds. All monies in the special fund shall be subject to appropriation by the Legislature and may be used for capital improvements to the State Fairgrounds as defined in subsection (3) of this section, or in the department's annual operating budget for operating and administrative costs associated with the State Fairgrounds. Any unexpended funds remaining in the special fund shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited in the fund.

(9) The Department of Agriculture and Commerce is hereby authorized, with the advice of the Mississippi Fair Advisory Council, to adopt such rules and regulations as may be necessary or desirable to carry out, execute or implement the provisions of this article.

(10) The Department of Agriculture and Commerce shall report by January 1 of each year a detailed financial statement of all monies received and expended under subsection (6) and subsection (7) of this section to the Lieutenant Governor, the Speaker of the House of Representatives and the Chairman of the Senate Agriculture Committee and the Chairman of the House of Representatives Agriculture Committee and the Chairs of the Appropriations Committees of the House and Senate.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 69-1-48, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE'S AUTHORITY TO BUDGET FOR IMPROVEMENTS TO DEPARTMENT PROPERTY AND MARKETING AND PROMOTION PROGRAMS AND FOR PURPOSES AS OTHERWISE APPROPRIATED BY THE LEGISLATURE SHALL BE AT THE MISSISSIPPI AGRICULTURE AND FORESTRY MUSEUM IN JACKSON, MISSISSIPPI; TO PROVIDE THAT THE EXPENDITURE OF SUCH FUNDS SHALL BE UPON APPROPRIATION OF THE LEGISLATURE; TO PROVIDE THAT LEASES CONCERNING NAMING RIGHTS UNDER THIS SECTION SHALL BE SUBJECT TO APPROVAL BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO DELETE THE AUTHORITY OF THE DEPARTMENT TO ESCALATE CERTAIN FUNDS; TO AMEND SECTION 69-5-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE'S AUTHORITY TO EXPEND CERTAIN FUNDS SHALL BE SUBJECT TO APPROPRIATIONS; TO REQUIRE CERTAIN FUNDS TO BE PLACED IN A SPECIAL FUND; TO PROVIDE THAT LEASES CONCERNING NAMING RIGHTS UNDER THIS SECTION SHALL BE SUBJECT TO APPROVAL BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO PROVIDE THAT THE MISSISSIPPI STATE FAIR SHALL BE HELD IN JACKSON, MISSISSIPPI ON THE STATE FAIRGROUNDS AS DEFINED BY THIS SECTION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Henry Zuber III	Briggs Hopson
Joey Hood	Scott DeLano
Kevin Ford	Kevin Blackwell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1357** (version 2) was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 1004** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1004: Sex offender registry; revise definitions for provisions of law that regulate.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-33-23, Mississippi Code of 1972, is amended as follows:

45-33-23. For the purposes of this chapter, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Conviction" means that, regarding the person's offense, there has been a determination or judgment of guilt as a result of a trial or the entry of a plea of guilty or nolo contendere regardless of whether adjudication is withheld. "Conviction of similar offenses" includes, but is not limited to, a conviction by a federal or military tribunal, including a court-martial conducted by the Armed Forces of the United States, a conviction for an offense committed on an Indian Reservation or other federal property, a conviction in any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Northern Marianna Islands or the United States Virgin Islands, and a conviction in a foreign country if the foreign country's judicial system is such that it satisfies minimum due process set forth in the guidelines under Section 111(5)(B) Public Law 109-248.

(b) "Department" means the Mississippi Department of Public Safety unless otherwise specified.

(c) "Jurisdiction" means any court or locality including any state court, federal court, military court, Indian tribunal or foreign court, the fifty (50) states, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Northern Marianna Islands or the United States Virgin Islands, and Indian tribes that elect to function as registration jurisdictions under Title 1, SORNA Section 127 of the Adam Walsh Child Safety Act.

(d) "Permanent residence" means a place where the person abides, lodges, or resides for a period of fourteen (14) or more * * * aggregate days in a six (6) month period.

(e) "Registration" means providing information to the appropriate agency within the timeframe specified as required by this chapter.

(f) "Registration duties" means obtaining the registration information required on the form specified by the department as well as the photograph, fingerprints and biological sample of the registrant. Biological samples are to be forwarded to the Mississippi Forensics Laboratory pursuant to Section 45-33-37; the photograph, fingerprints and other registration information are to be forwarded to the Department of Public Safety immediately.

(g) "Responsible agency" is defined as the person or government entity whose duty it is to obtain information from a criminal sex offender upon conviction and to transmit that information to the Mississippi Department of Public Safety.

(i) For a criminal sex offender being released from the custody of the Department of Corrections, the responsible agency is the Department of Corrections.

(ii) For a criminal sex offender being released from a county jail, the responsible agency is the sheriff of that county.

(iii) For a criminal sex offender being released from a municipal jail, the responsible agency is the police department of that municipality.

(iv) For a sex offender in the custody of the youth court, the responsible agency is the youth court.

(v) For a criminal sex offender who is being placed on probation, including conditional discharge or unconditional discharge, without any sentence of incarceration, the responsible agency is the sentencing court.

(vi) For an offender who has been committed to a mental institution following an acquittal by reason of insanity, the responsible agency is the facility from which the offender is released. Specifically, the director of the facility shall notify the Department of Public Safety before the offender's release.

(vii) For a criminal sex offender who is being released from a jurisdiction outside this state or who has a prior conviction in another jurisdiction and who is to reside, work or attend school in this state, the responsible agency is both the sheriff of the proposed county of residence and the department.

(h) "Sex offense" or "registrable offense" means any of the following offenses:

(i) Section 97-3-53 relating to kidnapping, if the victim was below the age of eighteen (18);

(ii) Section 97-3-65 relating to rape; however, conviction or adjudication under Section 97-3-65(1)(a) when the offender was eighteen (18) years of age or younger at the time of the alleged offense, shall not be a registrable sex offense;

(iii) Section 97-3-71 relating to rape and assault with intent to ravish;

(iv) Section 97-3-95 relating to sexual battery; however, conviction or adjudication under Section 97-3-95(1)(c) when the offender was eighteen (18) years of age or younger at the time of the alleged offense, shall not be a registrable sex offense;

(v) Section 97-5-5 relating to enticing a child for concealment, prostitution or marriage;

(vi) Section 97-5-23 relating to the touching of a child, mentally defective or incapacitated person or physically helpless person for lustful purposes;

(vii) Section 97-5-27 relating to the dissemination of sexually oriented material to children;

(viii) Section 97-5-33 relating to the exploitation of children;

(ix) Section 97-5-41 relating to the carnal knowledge of a stepchild, adopted child or child of a cohabiting partner;

(x) Section 97-29-3 relating to sexual intercourse between teacher and student;

(xi) Section 97-29-59 relating to unnatural intercourse;

(xii) Section 43-47-18 relating to sexual abuse of a vulnerable person;

(xiii) Section 97-3-54.1(1)(c) relating to procuring sexual servitude of a minor and Section 97-3-54.3 relating to aiding, abetting or conspiring to violate Section 97-3-54.1(1)(c);

(xiv) Section 97-29-61(2) relating to voyeurism when the victim is a child under sixteen (16) years of age;

(xv) Section 97-29-63 relating to filming another without permission where there is an expectation of privacy;

(xvi) Section 97-29-45(1)(a) relating to obscene electronic communication;

(xvii) Section 97-3-104 relating to the crime of sexual activity between law enforcement, correctional or custodial personnel and prisoners;

(xviii) Section 97-5-39(1)(e) relating to contributing to the neglect or delinquency of a child, felonious abuse or battery of a child, if the victim was sexually abused;

(xix) Section 97-29-51 relating to procuring or promoting prostitution when the victim is a child under eighteen (18) years of age;

(xx) Section 97-1-7 relating to attempt to commit any of the offenses referenced in this paragraph (h);

(xxi) Any other offense resulting in a conviction in another jurisdiction which, if committed in this state, would be deemed to be such a crime without regard to its designation elsewhere;

(xxii) Any offense resulting in a conviction in another jurisdiction for which registration is required in the jurisdiction where the conviction was had;

(xxiii) Any conviction of conspiracy to commit, accessory to commission, or attempt to commit any offense listed in this section;

(xxiv) Capital murder when one (1) of the above-described offenses is the underlying crime.

(i) "Temporary residence" is defined as any place where the person abides, lodges, or resides for a period of seven (7) or more * * * aggregate days in a six (6) month period which is not the person's permanent residence.

(j) "Address" means the actual physical street address of a person's permanent or temporary residence. For a person who is homeless but is subject to registration under this chapter, the address information must provide a specific description of where the person habitually lives; the term "homeless" or similar description does not constitute an address within the contemplation of this chapter.

SECTION 2. Section 45-33-25, Mississippi Code of 1972, is amended as follows:

45-33-25. (1) (a) Any person having a permanent or temporary residence in this state or who is employed or attending school in this state who has been convicted of a registrable offense in this state or another jurisdiction or who has been acquitted by reason of insanity of a registrable offense in this state or another jurisdiction shall register with the responsible agency and the Mississippi Department of Public Safety. Registration shall not be required for an offense that is not a registrable sex offense or for an offender who is under fourteen (14) years of age. The department shall provide the initial registration information as well as every change of name, change of address, change of status at a school, or other change of information as required by the department to the sheriff of the county of the residence address of the registrant, the sheriff of the county of the employment address, and the sheriff of the county of the school address, if applicable, and any other jurisdiction of the registrant through either written notice, electronic or telephone transmissions, or online access to registration information. Further, the department shall provide this information to the Federal Bureau of Investigation. Additionally, upon notification by the registrant that he intends to reside outside the State of Mississippi, the department shall notify the appropriate state law enforcement agency of any state to which a registrant is moving or has moved.

(b) Any person having a permanent or temporary residence or who is employed or attending school in this state who has been adjudicated delinquent for a registrable sex offense listed in this paragraph that involved use of force against the victim shall register as a sex offender with the responsible agency and shall personally appear at a facility designated by the Mississippi Department of Public Safety, or in a manner of the Department of Public Safety's choosing, including by electronic means, within three (3) business days of registering with the responsible agency:

(i) Section 97-3-71 relating to rape and assault with intent to ravish;

(ii) Section 97-3-95 relating to sexual battery;

(iii) Section 97-3-65 relating to statutory rape; or

(iv) Conspiracy to commit, accessory to the commission of, or attempt to commit any offense listed in this paragraph.

(2) Any person required to register under this chapter shall submit the following information at the time of registration:

(a) Name, including a former name which has been legally changed;

(b) Street address of all current permanent and temporary residences within state or out of state at which the sex offender resides or habitually lives, including dates of temporary lodgings. There is a presumption that a registrant owes a duty of updating registration information if * * * the registrant remains away from a registered address for seven (7) or more * * * aggregate days in a six (6) month period; * * *

* * *

(c) Date, place and address of employment, including as a volunteer or unpaid intern or as a transient or day laborer;

(d) Crime for which charged, arrested or convicted;

(e) Date and place of conviction, adjudication or acquittal by reason of insanity;

(f) Aliases used or nicknames, ethnic or tribal names by which commonly known;

(g) Social security number and any purported social security number or numbers;

(h) Date and place of birth and any purported date and place of birth;

(i) Age, race, sex, height, weight, hair and eye colors, and any other physical description or identifying factors;

(j) A brief description of the offense or offenses for which the registration is required;

(k) Driver's license or state or other jurisdiction identification card number, which license or card may be electronically accessed by the Department of Public Safety;

(l) Anticipated future residence;

(m) If the registrant's residence is a motor vehicle, trailer, mobile home or manufactured home, the registrant shall also provide vehicle identification number, license tag number, registration number and a description, including color scheme, of the motor vehicle, trailer, mobile home or manufactured home; if the registrant's place of residence is a vessel or houseboat, the registrant shall also provide the hull identification number, manufacturer's serial number, name of the vessel or houseboat, registration number and a description, including color scheme, of the vessel or houseboat, including permanent or frequent locations where the motor vehicle, trailer, mobile home, manufactured home, vessel or houseboat is kept;

(n) Vehicle make, model, color and license tag number for all vehicles owned or operated by the sex offender, whether for work or personal use, and the permanent or frequent locations where a vehicle is kept;

(o) Offense history;

(p) Photograph;

(q) Fingerprints and palm prints;

(r) Documentation of any treatment received for any mental abnormality or personality disorder of the person;

(s) Biological sample;

(t) Name of any public or private educational institution, including any secondary school, trade or professional institution or institution of higher education at which the offender is employed, carries on a vocation (with or without compensation) or is enrolled as a student, or will be enrolled as a student, and the registrant's status;

(u) Copy of conviction or sentencing order for the sex offense for which registration is required;

(v) The offender's parole, probation or supervised release status and the existence of any outstanding arrest warrants;

(w) Every online identity, screen name or username used, registered or created by a registrant;

(x) Professional licensing information which authorizes the registrant to engage in an occupation or carry out a trade or occupation;

(y) Information from passport and immigration documents;

(z) All telephone numbers, including, but not limited to, permanent residence, temporary residence, cell phone and employment phone numbers, whether landlines or cell phones; and

(aa) Any other information deemed necessary.

(3) For purposes of this chapter, a person is considered to be residing in this state if he maintains a permanent or temporary residence as defined in Section 45-33-23, including students, temporary employees and military personnel on assignment.

(4) (a) A person required to register under this chapter shall not reside within three thousand (3,000) feet of the real property comprising a public or nonpublic elementary or secondary school, a child care facility, a residential child-caring agency, a children's group care home or any playground, ballpark or other recreational facility utilized by persons under the age of eighteen (18) years.

(b) A person residing within three thousand (3,000) feet of the real property comprising a public or nonpublic elementary or secondary school or a child care facility does not commit a violation of this subsection if any of the following apply:

(i) The person is serving a sentence at a jail, prison, juvenile facility or other correctional institution or facility.

(ii) The person is subject to an order of commitment under Title 41, Mississippi Code of 1972.

(iii) The person established the subject residence before July 1, 2006.

(iv) The school or child care facility is established within three thousand (3,000) feet of the person's residence subsequent to the date the person established residency.

(v) The person established the subject residence between July 1, 2006, and January 1, 2014, in a location at least one thousand five hundred (1,500) feet from the school or child care facility.

(vi) The person is a minor or a ward under a guardianship.

(c) A person residing within three thousand (3,000) feet of the real property comprising a residential child-caring agency, a children's group care home or any playground, ballpark or other recreational facility utilized by persons under the age of eighteen (18) years does not commit a violation of this subsection if any of the following apply:

(i) The person established the subject residence before July 1, 2008.

(ii) The residential child-caring agency, children's group care home, playground, ballpark or other recreational facility utilized by persons under the age of eighteen (18) years is established within three thousand (3,000) feet of the person's residence subsequent to the date the person established residency.

(iii) The person established the subject residence between July 1, 2008, and January 1, 2014, in a location at least one thousand five hundred (1,500) feet from the residential child-caring agency, children's group care home, playground, ballpark or other recreational facility utilized by persons under the age of eighteen (18) years.

(iv) Any of the conditions described in subsection (4)(b)(i), (ii) or (vi) exist.

(5) The Department of Public Safety is required to obtain the text of the law defining the offense or offenses for which the registration is required.

SECTION 3. (1) As used in this section, the following words and phrases have the meanings ascribed in this subsection unless the context clearly requires otherwise:

(a) "Organ procurement organization PEER review committee," "PEER review committee" or "committee" means a committee of representatives of a not-for-profit organization responsible for recovering organs from donors for transplantation, which organization's federally designated donation service area includes all or a portion of the State of Mississippi. An "organ procurement organization PEER review committee" may be comprised solely of representatives of a state not-for-profit organization or any national not-for-profit entity with which the federal government contracts to serve as the nation's transplant system, or a combination of representatives from both the state organization and entity servicing as the nation's transplant system.

(b) "Proceedings" means all reviews, meetings, conversations and communications of an organ procurement organization PEER review committee.

(c) "Records" means all committee minutes, transcripts, applications, correspondence, incident reports and other documents created, received or reviewed by or for an organ procurement organization PEER review committee.

(2) A not-for-profit organization responsible for recovering organs from donors for transplantation in all or a portion of the state may establish an organ procurement organization PEER review committee. The functions of an organ procurement organization PEER review committee include, but are not limited to: evaluating and improving the quality of services rendered by the state organization; evaluating the competence or practice of employees and staff of the state organization; and determining if services rendered by the organization were professionally performed in compliance with the applicable standard of care.

(3) A person or institution furnishing information, data, reports or records to a PEER review committee may not be held liable for damages to another person by reason of furnishing the information. A member of a PEER review committee may not be held liable for damages to a person for an action taken or recommendation made within the scope of the functions of the committee if the committee or committee member acted without malice and in the reasonable belief that the action or recommendation was warranted by the facts known to the individual at the time of the action or recommendation.

(4) The identity of a person who is an organ donor or organ recipient is confidential and may not be revealed by a PEER review committee or member of the committee.

(5) Notwithstanding any conflicting statute, court rule or other law, in order to encourage PEER review activity, the proceedings and records of an organ procurement organization PEER review committee are confidential and not subject to discovery or introduction into evidence in a civil action arising out of the matters which are the subject of evaluation and review by the committee. A person who was in attendance at a meeting of the PEER review committee may not be permitted or required to testify in a civil action regarding evidence or other matters produced or presented during the proceedings of the committee or as to any findings, recommendations, evaluations, opinions or other actions of the committee or its members. However, information, documents or records otherwise discoverable or admissible from original sources are not to be construed as immune from discovery or use in a civil action merely because they were presented during the proceedings of the committee. A person who testifies before the committee or who is a member of the committee may not be prevented from testifying as to other matters within

the person's knowledge; however, a witness may not be questioned concerning the person's participation on or testimony before the committee or opinions formed by the witness as a result of the PEER review committee hearings or proceedings.

(6) The provisions of subsection (5) of this section which limit the discovery of PEER review committee records and proceedings do not apply in a legal action brought by a PEER review committee against an employee of the organization or other person for alleged wrongdoing or in a legal action brought by an aggrieved employee of the organization or other person against the committee or a member of the committee for actions alleged to have been malicious.

SECTION 4. Section 47-7-47, Mississippi Code of 1972, is amended as follows:

47-7-47. (1) The judge of any circuit court may place an offender on a program of earned probation, in an intensive supervision program or any intervention court authorized by law after a period of confinement as set out herein and the judge may seek the advice of the commissioner and shall direct that the defendant be under the supervision of the department.

(2) (a) Any circuit court or county court may, upon its own motion, acting upon the advice and consent of the commissioner not earlier than thirty (30) days nor later than * * * three (3) years after the defendant has been delivered to the custody of the department, * * * incarcerated by order of the court or otherwise sentenced, modify, alter or suspend the further execution of the sentence and place the defendant on earned probation, in an intensive supervision program or any intervention court authorized by law except when a death sentence or life imprisonment is the maximum penalty which may be imposed or if the defendant has been confined two (2) or more times for the conviction of a felony on a previous occasion in any court or courts of the United States and of any state or territories thereof or has been convicted of a felony involving the use of a deadly weapon.

(b) The authority granted in this subsection shall be exercised by the judge who imposed sentence on the defendant, or his successor.

(c) The time limit imposed by paragraph (a) of this subsection is not applicable to those defendants sentenced to the custody of the department prior to April 14, 1977. Persons who are convicted of crimes that carry mandatory sentences shall not be eligible for earned probation.

(3) When any circuit or county court places an offender on earned probation, the court shall give notice to the Mississippi Department of Corrections within fifteen (15) days of the court's decision to place the offender on earned probation. Notice shall be delivered to the central office of the Mississippi Department of Corrections and to the regional office of the department which will be providing supervision to the offender on earned probation.

(4) If the court places any person on probation or earned probation, the court may order the person, as a condition of probation, to a period of confinement and treatment at a private or public agency or institution, either within or without the state, which treats emotional, mental or drug-related problems. Any person who, as a condition of probation, is confined for treatment at an out-of-state facility shall be supervised pursuant to Section 47-7-71, and any person confined at a private agency shall not be confined at public expense. Time served in any such agency or institution may be counted as time required to meet the criteria of subsection (2)(a).

(5) If the court places any person on probation or earned probation, the court may order the person to make appropriate restitution to any victim of his crime or to society through the performance of reasonable work for the benefit of the community.

(6) If the court places any person on probation or earned probation, the court may order the person, as a condition of probation, to submit, as provided in Section 47-5-601, to any type of breath, saliva or urine chemical analysis test, the purpose of which is to detect the possible presence of alcohol or a substance prohibited or controlled by any law of the State of Mississippi or the United States.

SECTION 5. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 45-33-23 AND 45-33-25, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITIONS FOR THE PROVISIONS OF LAW THAT REGULATE SEX OFFENDER REGISTRY; TO DECLARE THAT THE RECORDS AND PROCEEDINGS OF AN ORGAN PROCUREMENT ORGANIZATION PEER REVIEW COMMITTEE ARE CONFIDENTIAL AND NOT DISCOVERABLE IN A CIVIL ACTION; TO DEFINE CERTAIN TERMS; TO DESCRIBE THE FUNCTIONS OF PEER REVIEW COMMITTEES; TO PROVIDE THAT PERSONS PROVIDING INFORMATION TO AND MEMBERS OF A PEER REVIEW COMMITTEE MAY NOT BE HELD LIABLE FOR ACTIONS TAKEN BY THE COMMITTEE; TO PROHIBIT A PEER REVIEW COMMITTEE AND ITS MEMBERS FROM REVEALING THE IDENTITY OF ORGAN DONORS AND RECIPIENTS; TO AMEND SECTION 47-7-47, MISSISSIPPI CODE OF 1972, TO REVISE THE JURISDICTIONAL TIME PERIOD FOR A COURT'S AUTHORITY TO REVISE A DEFENDANT'S SENTENCE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Kevin Horan	Joey Fillingane
Jansen Owen	Daniel H. Sparks
Dana McLean	

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1004** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Hill, Seymour. Total--2.

Absent and those not voting--Horhn. Total--1.

Senator DeBar offered the following report of the Conference Committee on **H. B. No. 1229** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1229: Equal Opportunity for Students with Special Needs Act; extend repealer on educational scholarship accounts (ESA).

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-181-5, Mississippi Code of 1972, is amended as follows:

37-181-5. (1) An eligible student shall qualify to participate in the ESA program if the parent or guardian signs an agreement promising:

(a) To provide an organized, appropriate educational program with measurable annual goals to their participating student and to provide an education for the participating student in at least the subjects of reading, grammar, mathematics, social studies and science;

(b) To document their participating student's disability at intervals and in a manner required under subsection (8) of this section;

(c) Not to enroll their participating student in a public school and to acknowledge as part of the agreement that the eligible school has provided clear notice to the parent or guardian that the participating student has no individual entitlement to a free appropriate public education (FAPE) from their home school district, including special education and related services, for as long as the student is participating in the ESA program;

(d) Not to file for their participating student a certificate of enrollment indicating participation in a home instruction program under Section 37-13-91, Mississippi Code of 1972; and

(e) Not to participate in the Mississippi Dyslexia Therapy Scholarship for Students with Dyslexia Program or the Mississippi Speech-Language Therapy Scholarship for Students with Speech-Language Impairments Program while participating in the ESA program.

(2) Parents or guardians shall use the funds deposited in a participating student's ESA for any of the following qualifying expenses, which shall be incurred within the awarded ESA school year, to educate the student using any of the below methods or combination of methods that meet the requirement in subsection (1)(a) of this section:

(a) Tuition and/or academic fees at an eligible school;

(b) Textbooks related to academic coursework;

(c) Payment to a tutor, as defined in Section 37-181-3(h);

(d) Payment for purchase of curriculum, including any supplemental materials required by the curriculum;

(e) Fees for nationally standardized norm-referenced achievement tests, including alternate assessments; and fees for Advanced Placement examinations or similar courses and any examinations related to college or university admission;

(f) Educational services or therapies from a licensed or certified practitioner or provider, including licensed or certified paraprofessionals or educational aides;

(g) Tuition and fees related to dual enrollment at a postsecondary institution;

(h) Textbooks related to academic coursework at a postsecondary institution;

(i) Surety bond payments if required by the department;

(j) No more than Fifty Dollars ($50.00) in annual consumable school supplies necessary for educational services and therapies, daily classroom activities, and tutoring;

(k) Computer hardware and software and other technological devices if an eligible school, licensed or certified tutor, licensed or certified educational service practitioner or provider, or licensed medical professional verifies in writing that these items are essential for the student to meet annual, measurable educational and academic goals or goals within the scope of the eligible student's IEP. Once a student is no longer participating in the ESA program, computer hardware and software and other technological devices purchased with ESA funds shall be donated to a public school or public library. Qualifying expenses for computer hardware and software include only those expenses incurred within the awarded ESA school year.

(3) To qualify to participate in the program, the parent or guardian of an eligible student shall also certify to the department that they have been accepted into an eligible school qualified to provide services for the participating student's disability or special education needs, or provide services addressing a participating student's IEP, as required under this act.

(* * *4) Neither a participating student, nor anyone on the student's behalf, may receive cash or cash-equivalent items, such as gift cards or store credit, from any refunds or rebates from any provider of services or products in the ESA program. Any refunds or rebates shall be credited directly to the participating student's ESA. The funds in an ESA may only be used for education-related purposes as defined in this chapter.

(* * *5) (a) Eligible schools, postsecondary institutions and educational service providers that serve participating students shall provide the parent or guardian who submitted the ESA program application with an original itemized receipt, including the service provider's name and address, for all qualifying expenses. The parent or guardian who submitted the ESA application shall provide the original itemized receipt to the department.

(b) In lieu of providing the parent or guardian who submitted the ESA program application with an original itemized receipt, the eligible schools, postsecondary institutions and educational service providers may provide to the department an original itemized receipt approved and signed off on by the parent or guardian who submitted the ESA application, including the service provider's name and address, for all qualifying expenses.

(* * *6) Payment for educational services through an ESA shall not preclude parents or guardians from paying for educational services using non-ESA funds.

(* * *7) For purposes of continuity of educational attainment, students who enroll in the ESA program shall remain eligible to receive quarterly ESA payments until the participating student returns to a public school, completes high school, completes the school year in which the student reaches the age of twenty-one (21), or does not have eligibility verified by a parent or guardian as required under subsection (8) of this section, whichever occurs first.

(* * *8) Any funds remaining in a student's Education Scholarship Account upon completion of high school shall be returned to the state's General Fund.

(* * *9) Every three (3) years after initial enrollment in the ESA program, a parent or guardian of a participating student, except a student diagnosed as being a person with a permanent disability, shall document that the student continues to be identified by the school district, a federal or state government agency, or a licensed physician or psychometrist as a child with a disability, as defined by the federal Individuals with Disabilities Education Act (20 USCS Section 1401(3)).

(* * *10) An eligible student shall be allowed to return to his home school district at any time after enrolling in the ESA program, in compliance with regulations adopted by the department providing for the least disruptive process for doing so. Upon the participating student's return to his or her home school district, the student's Education Scholarship Account shall be closed and any remaining funds shall be distributed to the student's home school district at the end of the awarded ESA school year.

* * *

SECTION 2. Section 37-181-7, Mississippi Code of 1972, as amended by House Bill No. 4130, 2024 Regular Session, is amended as follows:

37-181-7. (1) * * * New enrollment in the ESA program created in this chapter shall be limited to five hundred (500) additional students each year * * *. Subject to appropriation from the General Fund, each student's ESA shall be funded at Six Thousand Five Hundred Dollars ($6,500.00) for school year 2015-2016. For each subsequent year, this amount shall increase or decrease by the same proportion as the * * * student base amount under Section * * * 37-151-203 is increased or decreased.

(2) Subject to appropriation, eligible students shall be approved for participation in the ESA program as follows:

(a) * * * Students shall be approved on a first-come, first-served basis, with applications being reviewed on a rolling basis;

(b) After participation reaches fifty percent (50%) of the annual enrollment limits in subsection (1) of this section, the department shall set annual application deadlines for the remaining number of available ESAs and begin to maintain a waiting list of eligible students. The waitlist shall only include eligible students who have certified to the department that they have been accepted into an eligible school qualified to provide services for the participating student's disability or special education needs, or provide services addressing a participating student's IEP. The waitlist will be maintained in the chronological order in which applications are received. The department shall award ESA program applications in chronological order according to the waitlist; and

(c) Participating students who remain eligible for the ESA program are automatically approved for participation for the following year and are not subject to the random selection process.

(3) No funds for an ESA may be expended from the * * * total funding formula funds provided in this act, nor shall any school district be required to provide funding for an ESA.

SECTION 3. Section 37-181-9, Mississippi Code of 1972, is amended as follows:

37-181-9. (1) The department shall create a standard form that parents or guardians of students submit to establish their student's eligibility for an Education Scholarship Account. The department shall ensure that the application is readily available to interested families through various sources, including the department's website and the copy of procedural safeguards annually given to parents or guardians. To be considered, an application must include certification that the student has been accepted into an eligible school qualified to provide services for the student's disability or special education needs, or provide services addressing a participating student's IEP.

(2) The department shall provide parents or guardians of participating students with a written explanation of the allowable uses of Education Scholarship Accounts, the responsibilities of parents and the duties of the department. This information shall also be made available on the department's website.

(3) The department shall annually notify all students with an IEP of the existence of the ESA program and shall ensure that lower-income families are made aware of their potential eligibility.

(4) The department may deduct an amount up to a limit of six percent (6%) from appropriations used to fund Education Scholarship Accounts to cover the costs of overseeing the funds and administering the ESA program.

(5) (a) The department shall make a determination of eligibility, and shall approve the application, within twenty-one (21) business days of receiving an application for participation in the ESA program, subject to the provisions of Section 37-181-3(b).

(b) The department shall provide for a procedure that children with a ruling of hearing impairment or children suspected of a hearing loss shall receive a comprehensive educational assessment which may include the areas of cognitive development, language/speech, audiological and academic achievement from the state-funded Mississippi Assistance Center for Hearing Loss. Children with a ruling of visual impairment or children suspected of a visual impairment shall receive a comprehensive low vision evaluation from the state-funded Low Vision Clinic.

(6) The home school district shall provide the parent or guardian of a participating student with a complete copy of the student's school records, while complying with the Family Educational Rights and Privacy Act of 1974 (20 USCS Section 1232(g)). The record shall be provided no later than thirty (30) days after a parent signs an agreement to participate in the ESA program.

SECTION 4. Section 37-181-13, Mississippi Code of 1972, is amended as follows:

37-181-13. (1) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) shall prepare a biannual report, beginning in 2018 and every two (2) years thereafter, assessing efficacy of Education Scholarship Accounts, to include the sufficiency of funding, and recommending any suggested changes in state law or policy necessary to improve the ESA program.

(2) The report shall assess:

(a) The degree to which eligible schools are meeting the needs of participating students as defined by the participating students' IEPs;

(b) The level of participating students' satisfaction with the ESA program;

(c) The level of parental or guardian satisfaction with the ESA program;

(d) Participating students' performance, both pre-assessment and post-assessment, on the eligible school's current assessment used to demonstrate academic progress, a nationally standardized norm-referenced achievement test, or a current state board-approved screener, as required in Section 37-181-15(f);

(e) Participating students' performance on Advanced Placement examinations or similar courses and any examinations related to college or university admission; provided that eligible schools must report participating students' performance on Advance Placement examinations and any examinations related to college or university admission;

(f) The four-year high school graduation rates and college acceptance rates of participating students; provided that eligible schools must report participating students' high school graduation rates and, if known, college acceptance rates;

(g) The percentage of funds used for each qualifying expense identified in Section 37-181-5(2); and

(h) The fiscal impact to the state and home school districts of the ESA program, which must consider both the impact on revenue and the impact on expenses. Furthermore, the fiscal savings associated with students departing public schools must be explicitly quantified, even if the public school losing the student(s) does not reduce its spending accordingly.

(3) The report shall:

(a) Apply appropriate analytical and behavioral science methodologies to ensure public confidence in the study; and

(b) Protect the identity of participating students and schools by, among other things, keeping anonymous all disaggregated data.

* * *

(* * *4) PEER shall provide the Legislature with a final copy of the report of the ESA program before December 31 each year the report is due. At the same time, the study shall also be placed in a prominent location on the PEER website.

(* * *5) PEER must make its data and methodology available for public review while complying with the requirements of the Family Educational Rights and Privacy Act (20 USCS Section 1232(g)).

SECTION 5. Section 37-181-15, Mississippi Code of 1972, is amended as follows:

37-181-15. (1) To ensure that students are treated fairly and kept safe, all eligible schools shall:

(a) Comply with the nondiscrimination policies set forth in 42 USCS 1981;

(b) Prior to a participating student's application for enrollment, provide parents or guardians with details of the school's programs, record of student achievement, qualifications, experience, capacities to serve students with special needs, and capacity to serve the participating student within the scope of their IEP;

(c) Comply with all health and safety laws or codes that apply to nonpublic schools;

(d) Hold a valid occupancy permit if required by their municipality;

(e) Have no public record of fraud or malfeasance;

(f) Require participating students to take a pre-assessment at the beginning of the school year and a post-assessment at the end of the school year. The eligible school shall have the option to select their current assessment used to demonstrate academic progress, a nationally standardized norm-referenced achievement test, or a current state board-approved screener;

(g) Notify a parent or guardian applying for the ESA program that the parent or guardian waives the right of the participating student to an individual entitlement to a free and appropriate public education (FAPE) from their home school district, including special education and related services, for as long as the student is participating in the ESA program;

(h) Conduct criminal background checks on employees and:

(i) Exclude from employment any person not permitted by state law to work in a nonpublic school; and

(ii) Exclude from employment any person who might reasonably pose a threat to the safety of students; and

(i) An eligible school shall certify to the department upon enrollment of a participating student that the eligible school shall provide services for the participating student's disability or special education needs, or shall provide services addressing a participating student's IEP. Such certification must be received by the department before the ESA is reimbursed to an eligible student.

(2) Failure to comply with these requirements shall deem the eligible school ineligible to participate in the ESA program the following year.

SECTION 6. Section 37-181-17, Mississippi Code of 1972, is amended as follows:

37-181-17. (1) An eligible nonpublic school is autonomous and not an agent of the state or federal government and therefore:

(a) The State Department of Education or any other government agency shall not regulate the educational program of a nonpublic school, postsecondary institution or educational service provider that accepts funds from the parent or guardian of a participating student beyond the requirements of the ESA program as promulgated in this chapter;

(b) The creation of the Education Scholarship Account program does not expand the regulatory authority of the state, its officers, or any school district to impose any additional regulation of nonpublic schools, postsecondary institutions or educational service providers beyond those necessary to enforce the requirements of the ESA program; and

(c) Eligible schools, postsecondary institutions and educational service providers shall be given the maximum freedom to provide for the educational needs of their students without governmental control. No eligible school, postsecondary institution or educational service provider shall be required to alter its creed, practices, admission policies or curriculum in order to accept participating students.

(2) Eligible schools, or the parent or guardian who submitted the ESA application, must submit student performance data to the State Department of Education at the end of the school year, including the individual results of the pre-assessment and post-assessment required in Section 37-181-15(f). The department shall develop a uniformed reporting format for eligible schools to use when submitting assessment results.

(3) In any legal proceeding challenging the application of this chapter to an eligible school, postsecondary institution or educational service provider the state bears the burden of establishing that the law is necessary and does not impose any undue burden on the eligible school, postsecondary institution or educational service provider.

SECTION 7. Section 37-181-1, Mississippi Code of 1972, is reenacted as follows:

37-181-1. This chapter shall be known and may be cited as "The Equal Opportunity for Students with Special Needs Act."

SECTION 8. Section 37-181-3, Mississippi Code of 1972, is reenacted as follows:

37-181-3. The terms used in this chapter shall have the meanings ascribed herein, unless the context clearly indicates otherwise:

(a) "ESA program" means the Education Scholarship Account (ESA) program created in this chapter.

(b) "Eligible student" means any student who has had an active Individualized Education Program (IEP) within the past three (3) years and has maintained eligibility.

(c) "Participating student" means any student who meets the qualifications of an eligible student as defined in paragraph (b) of this section and is participating in an ESA program at an eligible school.

(d) "Parent" means a resident of this state who is a parent, legal guardian, custodian or other person with the authority to act on behalf of the eligible student.

(e) "Department" means the State Department of Education.

(f) "Home school district" means the public school district in which the student resides.

(g) "Eligible school" means a state-accredited special purpose school, a state-accredited nonpublic school, or a nonpublic school located in the state that has enrolled a participating student and is providing services for the participating student's disability or special education needs, or is providing services addressing a participating student's IEP. An eligible school does not include a home instruction program under Section 37-13-91, Mississippi Code of 1972.

(h) "Tutor" means a person who is certified or licensed by a state, regional, or national certification, licensing, or accreditation organization or who has earned a valid teacher's license or who has experience teaching at an eligible postsecondary institution.

(i) "Postsecondary institution" means a community college, college, or university accredited by a state, regional or national accrediting organization.

(j) "Educational service provider" means an eligible school, tutor, or other person or organization that provides education-related services and products to participating students.

(k) "Awarded ESA school year" means the duration of the school year in which ESA program funds are deposited in a student's ESA.

(l) Nothing in this section shall negate federal law requiring public school districts to identify and provide services to students with disabilities who live within the

public school district, including those enrolled in nonpublic schools or home instruction programs.

(m) An eligible school shall provide notice to a participating student's home school district when the eligible student enrolls in the eligible school with an ESA. Furthermore, a public school district providing special education services to a participating student enrolled in an eligible school shall be reimbursed by the eligible school, or parent or guardian who submitted the ESA application, fair market value for any special education services rendered to the eligible student in an amount not to exceed the amount of ESA funds reimbursed to the eligible student during the awarded ESA school year.

SECTION 9. Section 37-181-11, Mississippi Code of 1972, is reenacted as follows:

37-181-11. (1) To ensure that funds are spent appropriately, the State Department of Education shall adopt rules and policies necessary for the administration of the ESA program, including the auditing of Education Scholarship Accounts, and shall conduct or contract for random audits throughout the year.

(2) (a) The department shall develop a system for payment of benefits, including, but not limited to, allowing educational service providers to invoice the department for qualified expenses consistent with Section 37-181-5(2), or allowing the parent or guardian who submitted the ESA program application to seek reimbursement for qualified expenses consistent with Section 37-181-5(2).

(b) The department may make payments to educational service providers or reimbursement to the parent or guardian who submitted the ESA program application via check or warrant or electronic funds transfer or any other means of payment deemed to be commercially viable or cost-effective.

(c) The department may also establish by rule that some payments to educational service providers will be made on a quarterly basis, rather than an annual basis, if the educational services will be rendered over an extended period of time.

(3) The department shall adopt a process for removing educational service providers that defraud parents and for referring cases of fraud to law enforcement.

(4) The department shall establish or contract for the establishment of an online anonymous fraud reporting service.

(5) The department shall establish or contract for the establishment of an anonymous telephone hotline for fraud reporting.

SECTION 10. Section 37-181-19, Mississippi Code of 1972, is reenacted as follows:

37-181-19. The State Department of Education may receive and expend contributions from any public or private source to fund ESAs for participating students.

SECTION 11. Section 37-181-21, Mississippi Code of 1972, is reenacted as follows:

37-181-21. If any provision of this law or its application is held invalid, the invalidity does not affect other provisions or applications of this law which can be given effect without the invalid provision or application and to this end the provisions of this law are severable.

SECTION 12. Section 37-181-23, Mississippi Code of 1972, is reenacted and amended as follows:

37-181-23. Sections 37-181-1 through 37-181-23, Mississippi Code of 1972, shall stand repealed on July 1, * * * 2028.

SECTION 13. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 37-181-5, 37-181-9, 37-181-13, 37-181-15, 37-181-17, MISSISSIPPI CODE OF 1972, AND SECTION 37-181-7, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 4130, 2024 REGULAR SESSION, WHICH PROVIDE FOR THE EDUCATION SCHOLARSHIP ACCOUNT PROGRAM TO MAKE CERTAIN TECHNICAL REVISIONS THERETO; TO PROVIDE THAT IN ORDER TO BE ELIGIBLE FOR THE PROGRAM, THE PARENT OR GUARDIAN OF AN ELIGIBLE STUDENT MUST CERTIFY TO THE DEPARTMENT OF EDUCATION THAT THEY HAVE BEEN ACCEPTED INTO AN ELIGIBLE SCHOOL QUALIFIED TO PROVIDE SERVICES FOR THE PARTICIPATING STUDENT'S DISABILITY OR SPECIAL EDUCATION NEEDS, OR PROVIDE SERVICES ADDRESSING A PARTICIPATING STUDENT'S IEP; TO SET CERTAIN REPORTING REQUIREMENTS OF ELIGIBLE SCHOOLS, INCLUDING PARTICIPANTS' GRADUATION RATES AND ADVANCE PLACEMENT EXAMINATION PERFORMANCE; TO PROVIDE THAT ELIGIBLE SCHOOLS SHALL HAVE THE OPTION OF SELECTING A NATIONALLY STANDARDIZED NORM-REFERENCED ACHIEVEMENT TEST, OR A CURRENT STATE BOARD-APPROVED SCREENER FOR PARTICIPATING STUDENTS TO TAKE EACH YEAR; TO PROVIDE THAT FAILURE TO COMPLY WITH THE REQUIREMENTS OF THE CHAPTER SHALL DEEM THE ELIGIBLE SCHOOL INELIGIBLE TO PARTICIPATE IN THE ESA PROGRAM THE FOLLOWING YEAR; TO REENACT SECTIONS 37-181-1, 37-181-3, 37-181-11, 37-181-19 AND 37-181-21, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR VARIOUS PROVISIONS OF THE EQUAL OPPORTUNITY FOR STUDENTS WITH SPECIAL NEEDS ACT; TO AMEND REENACTED SECTION 37-181-23, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL OF SUCH ACT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Rob Roberson	Dennis DeBar, Jr.
Kent McCarty	David Parker
Jansen Owen	Robin Robinson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1229** (version 2) was adopted:

Yeas--Barrett, Berry, Blackwell, Boyd, Branning, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--35.

Nays--Barnett, Blackmon, Blount, Brumfield, Bryan, Butler, Frazier, Hickman, Jackson, Jordan, Simmons D. T. (12th), Thomas, Turner-Ford. Total--13.

Absent and those not voting--Horhn. Total--1.

Voting Present--Simmons S. (13th). Total--1.

Senator Ladner, who would have voted yea on H. B. No. 1229, announced a pair with Senator Norwood, who would have voted nay.

Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 1323** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1323: Statute of limitations; increase for sexual battery of a vulnerable person.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 99-1-5, Mississippi Code of 1972, is amended as follows:

99-1-5. (1) (a) The passage of time shall never bar prosecution against any person for the offenses of murder, manslaughter, aggravated assault, aggravated domestic violence, kidnapping, arson, burglary, forgery, counterfeiting, robbery, larceny, rape, embezzlement, obtaining money or property under false pretenses or by fraud, felonious abuse or battery of a child as described in Section 97-5-39, touching or handling a child for lustful purposes as described in Section 97-5-23, sexual battery of a child as described in Section 97-3-95(1)(c), (d) or (2), exploitation of children as described in Section 97-5-33, promoting prostitution under Section 97-29-51(2) when the person involved is a minor, felonious abuse of vulnerable persons, as described in Section 43-47-18, sexual battery as described in Section 97-3-95(1)(a) or (b) identity of the accused is later discovered due to results of DNA testing of biological evidence, or any human trafficking offense as described in Section 97-3-54.1(1)(a), (1)(b) or (1)(c), Section 97-3-54.2, or Section 97-3-54.3.

(b) A person shall not be prosecuted for felonious assistance-program fraud, as described in Section 97-19-71, or for felonious abuse of vulnerable persons, as described in * * * Section 43-47-19, unless the prosecution for the offense is commenced within five (5) years * * * after the commission thereof.

(c) A person shall not be prosecuted for larceny of timber as described in Section 97-17-59, unless the prosecution for the offense is commenced within six (6) years * * * after the commission thereof.

(d) The time limitation on prosecution for conspiracy, as described in Section 97-1-1, shall be the same as for the underlying offense for which the defendant is accused of conspiring to commit.

(e) A person shall not be prosecuted for bribery as defined in Section 97-11-11, unless the prosecution for the offense is commenced within five (5) years after the commission thereof.

(2) A person shall not be prosecuted for any other offense not listed in this section unless the prosecution for the offense is commenced within two (2) years * * * after the commission thereof.

(3) Nothing contained in this section shall bar any prosecution against any person who shall abscond or flee from justice, or shall absent himself from this state or out of the jurisdiction of the court, or so conduct himself that he cannot be found by the officers of the law, or that process cannot be served upon him.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO REMOVE THE STATUTE OF LIMITATIONS FOR PROSECUTION OF THE CRIME OF SEXUAL BATTERY OF A VULNERABLE PERSON; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Kevin Horan	Joey Fillingane
John Thomas "Trey" Lamar, III	Daniel H. Sparks
	Tyler McCaughn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1323** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Blackwell moved that the Conference Committee Report on **H. B. No. 1725** be recommitted for further conference and the motion prevailed.

H. B. No. 1725: Medicaid; seek federal waiver for plan to allow Medicaid coverage for persons described in the federal Affordable Care Act.

Senator Fillingane offered the following report of the Conference Committee on **S. B. No. 2022** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2022: Juvenile offenders; provide alternative sentencing and parole options.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-3-21, Mississippi Code of 1972, is amended as follows:

97-3-21. (1) Except as otherwise provided for a juvenile offender in subsection (2) of this section, every person who * * * is:

(a) Convicted of first-degree murder shall be sentenced by the court to imprisonment for life in the custody of the Department of Corrections.

(* * *b) * * * Convicted of second-degree murder shall be imprisoned for life in the custody of the Department of Corrections if the punishment is so fixed by the jury in its verdict after a separate sentencing proceeding. If the jury fails to agree on fixing the penalty at imprisonment for life, the court shall fix the penalty at not less than twenty (20) nor more than forty (40) years in the custody of the Department of Corrections.

(* * *c) * * * Convicted of capital murder shall be sentenced (* * *i) to death;(* * *ii) to imprisonment for life in the State Penitentiary without parole; or (* * *iii) to imprisonment for life in the State Penitentiary with eligibility for parole as provided in Section 47-7-3(1)(* * *c)(iii).

(2) (a) For the purposes of this section, "juvenile offender" means a person who had not reached the age of eighteen (18) years at the time of the commission of the offense.

(b) A juvenile offender who is convicted of first-degree murder after July 1, 2024, may be sentenced to life imprisonment in the custody of the Department of Corrections if the punishment is so fixed by the jury. If the jury fails to fix the penalty at life imprisonment, the court shall fix the penalty at not less than twenty (20) nor more than forty (40) years in the custody of the Department of Corrections.

(c) A juvenile offender who is convicted of capital murder after July 1, 2024, may be sentenced to life imprisonment in the custody of the Department of Corrections or life imprisonment without eligibility for parole in the custody of the Department of Corrections if the punishment is so fixed by the jury. If the jury fails to fix the penalty at life imprisonment or life imprisonment without parole, the court shall fix the penalty at not less than twenty-five (25) nor more than fifty (50) years in the custody of the Department of Corrections.

(d) For a juvenile offender who was convicted of first-degree murder or capital murder prior to July 1, 2024, and who is entitled to a hearing under this subsection, the judge who presided over the trial, or a judge appointed by the senior circuit judge, if the presiding judge is unavailable, shall fix the penalty.

SECTION 2. Section 99-19-101, Mississippi Code of 1972, is amended as follows:

99-19-101. (1) Upon conviction or adjudication of guilt of a defendant of capital murder or other capital offense, the court shall conduct a separate sentencing proceeding to determine whether the defendant should be sentenced to death, life imprisonment without eligibility for parole, or life imprisonment; however, a sentence of death cannot be imposed if the defendant was not at least eighteen (18) years of age at the time of the commission of the offense. The proceeding shall be conducted by the trial judge before the trial jury as soon as practicable. If, through impossibility or inability, the trial jury is unable to reconvene for a hearing on the issue of penalty, having determined the guilt of the accused, the trial judge may summon a jury to determine the issue of the imposition of the penalty. If the trial jury has been waived, or if the defendant pleaded guilty, the sentencing proceeding shall be conducted before a jury impaneled for that purpose or may be conducted before the trial judge sitting without a jury if both the State of Mississippi and the defendant agree thereto in writing. In the proceeding, evidence may be presented as to any matter that the court deems relevant to sentence, and shall include matters relating to any of the aggravating or mitigating circumstances. However, this subsection shall not be construed to authorize the introduction of any evidence secured in violation of the Constitution of the United States or of the State of Mississippi. The state and the defendant and the defendant's counsel shall be permitted to present arguments for or against the sentence of death.

(2) After hearing all the evidence, the jury shall deliberate on the following matters:

(a) Whether sufficient factors exist as enumerated in subsection (7) of this section;

(b) Whether sufficient aggravating circumstances exist as enumerated in subsection (5) of this section;

(c) Whether sufficient mitigating circumstances exist as enumerated in subsection (6) of this section, which outweigh the aggravating circumstances found to exist; and

(d) Based on these considerations, whether the defendant should be sentenced to life imprisonment, life imprisonment without eligibility for parole, or death.

(3) For the jury to impose a sentence of death, it must unanimously find in writing the following:

(a) That sufficient factors exist as enumerated in subsection (7) of this section;

(b) That sufficient aggravating circumstances exist as enumerated in subsection (5) of this section; * * *

(c) That there are insufficient mitigating circumstances, as enumerated in subsection (6), to outweigh the aggravating circumstances * * *; and

(d) That the defendant was eighteen (18) years of age or older at the time of the commission of the offense.

In each case in which the jury imposes the death sentence, the determination of the jury shall be supported by specific written findings of fact based upon the circumstances in subsections (5) and (6) of this section and upon the records of the trial and the sentencing proceedings. If, after the trial of the penalty phase, the jury does not make the findings requiring the death sentence or life imprisonment without eligibility for

parole, or is unable to reach a decision, the court shall impose a sentence of life imprisonment.

(4) The judgment of conviction and sentence of death shall be subject to automatic review by the Supreme Court of Mississippi within sixty (60) days after certification by the sentencing court of the entire record, unless the time is extended for an additional period by the Supreme Court for good cause shown. The review by the Supreme Court shall have priority over all other cases and shall be heard in accordance with rules promulgated by the Supreme Court.

(5) Aggravating circumstances shall be limited to the following:

(a) The capital offense was committed by a person under sentence of imprisonment.

(b) The defendant was previously convicted of another capital offense or of a felony involving the use or threat of violence to the person.

(c) The defendant knowingly created a great risk of death to many persons.

(d) The capital offense was committed while the defendant was engaged, or was an accomplice, in the commission of, or an attempt to commit, or flight after committing or attempting to commit, any robbery, rape, arson, burglary, kidnapping, aircraft piracy, sexual battery, unnatural intercourse with any child under the age of twelve (12), or nonconsensual unnatural intercourse with mankind, or felonious abuse or battery of a child in violation of subsection (2) of Section 97-5-39, or the unlawful use or detonation of a bomb or explosive device.

(e) The capital offense was committed for the purpose of avoiding or preventing a lawful arrest or effecting an escape from custody.

(f) The capital offense was committed for pecuniary gain.

(g) The capital offense was committed to disrupt or hinder the lawful exercise of any governmental function or the enforcement of laws.

(h) The capital offense was committed to influence the policy of a governmental entity by intimidation or coercion, or to affect the conduct of a governmental entity by mass destruction or assassination.

(i) The capital offense was especially heinous, atrocious or cruel.

(j) The capital offense was committed to intimidate or coerce a civilian population.

(6) Mitigating circumstances shall be the following:

(a) The defendant has no significant history of prior criminal activity.

(b) The offense was committed while the defendant was under the influence of extreme mental or emotional disturbance.

(c) The victim was a participant in the defendant's conduct or consented to the act.

(d) The defendant was an accomplice in the capital offense committed by another person and his participation was relatively minor.

(e) The defendant acted under extreme duress or under the substantial domination of another person.

(f) The capacity of the defendant to appreciate the criminality of his conduct or to conform his conduct to the requirements of law was substantially impaired.

(g) The age of the defendant at the time of the crime.

(7) In order to return and impose a sentence of death the jury must make a written finding of one or more of the following:

(a) The defendant actually killed;

(b) The defendant attempted to kill;

(c) The defendant intended that a killing take place;

(d) The defendant contemplated that lethal force would be employed.

(8) For the purposes of this section, to "intimidate" or "coerce" do not include peaceful picketing, boycotts or other nonviolent action.

(9) This section shall not apply to a juvenile offender who was not at least eighteen (18) years of age at the time of the commission of the offense. A juvenile offender convicted of capital murder shall be sentenced pursuant to Section 97-3-21(2).

SECTION 3. The amendments made to Section 97-3-21 by this act shall operate prospectively from July 1, 2024.

SECTION 4. Section 25-31-21, Mississippi Code of 1972, is amended as follows:

25-31-21. (1) If, at the time of impaneling the grand jury in any circuit court, the district attorney be absent or unable to perform his duties or, if after impaneling of the grand jury, the district attorney be absent or unable to perform his duties or be disqualified, the court shall forthwith appoint some attorney at law to act for the state in the place of the district attorney during his absence or inability or disqualification, and the person appointed shall have the power to discharge all the duties of the office during the absence or inability or disqualification of the district attorney, and shall receive a reasonable compensation for his services, to be allowed by the court and certified to the auditor, who shall issue his warrant therefor. Such allowance shall be deducted from the salary of the district attorney, and shall not exceed the amount of the salary of the district attorney for the number of days allotted by law for the term of the court at which such appointees shall act.

(2) The provisions of this section shall not be construed to include and shall not be applicable if a district attorney recuses himself from a case or has a conflict of interest with a case, without regard to whether the case has been presented to the grand jury before such recusal or whether the case had not yet been presented to the grand jury.

(3) When the appointed attorney is required to travel beyond the limits of the judicial district in which he or she is normally employed, all reasonable expenses incurred in prosecuting the case shall be borne by the judicial district of the district attorney being assisted in the discharge of his or her duties, if not already compensated by the state.

SECTION 5. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 97-3-21 AND 99-19-101, MISSISSIPPI CODE OF 1972, TO PROVIDE ALTERNATIVE SENTENCING OPTIONS FOR JUVENILE OFFENDERS IN COMPLIANCE WITH UNITED STATES SUPREME COURT HOLDINGS IN THE CASES OF MILLER V. ALABAMA AND ROPER V. SIMMONS; TO AMEND SECTION 25-31-21, MISSISSIPPI CODE OF 1972, TO PROVIDE PROCEDURES FOR RECUSAL BY ATTORNEYS FOR PURPOSES OF IMPANELING A GRAND JURY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Joey Fillingane	Kevin Horan
Daniel H. Sparks	Jansen Owen
Brice Wiggins	

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2022** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Frazier, Simmons D. T. (12th), Turner-Ford. Total--3.

Absent and those not voting--Horhn. Total--1.

Voting Present--Hickman. Total--1.

Senator Wiggins offered the following report of the Conference Committee on **S. B. No. 2130** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2130: Homeowners' insurance; prohibit insurer from refusing to issue or to renew policy solely based on roof's age.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) If an insurer has issued to an insured a policy that provides coverage or a binder that binds coverage of a residential structure, the insurer shall not cancel the policy, cancel the binder, or deny coverage solely because of the age of the roof of the residential structure.

(2) This act shall apply to homeowners' insurance policies issued or renewed on or after July 1, 2024.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE THAT IF AN INSURER HAS ISSUED TO AN INSURED A POLICY THAT PROVIDES COVERAGE OR A BINDER THAT BINDS COVERAGE OF A RESIDENTIAL STRUCTURE, THE INSURER SHALL NOT CANCEL THE POLICY, CANCEL THE BINDER, OR DENY COVERAGE SOLELY BECAUSE OF THE AGE OF THE ROOF OF THE RESIDENTIAL STRUCTURE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Brice Wiggins	Joey Hood
Tyler McCaughn	Shanda Yates
Chris Johnson	Beth Luther Waldo

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2130** (version 2) was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Ladner, McCaughn, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Kirby, McLendon. Total--2.

Absent and those not voting--Horhn. Total--1.

Senator Wiggins moved that the rules be suspended to move to calendar item 115, **H. B. No. 1542**, and the motion prevailed.

Senator Wiggins offered the following report of the Conference Committee on **H. B. No. 1542** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1542: Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at the time of death.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) This section shall be known and may be cited as the "Chris McDill Law."

(2) For purposes of this section, the following words shall have the meaning herein ascribed unless the context clearly requires otherwise:

(a) "Assisted reproductive technology" means a method of preserving fertility or attempting pregnancy through means other than by sexual intercourse, including, but not limited to, the following:

(i) Intrauterine, intracervical, or vaginal insemination;

(ii) Donation of gametes;

(iii) Donation of embryos;

(iv) Receiving of gametes;

(v) Receiving of embryos;

(vi) In vitro fertilization;

(vii) Embryo transfer; and

(viii) Intracytoplasmic sperm injection.

(b) "Personal property" means goods and chattels or personal estate.

(3) When any person shall die possessed of personal property not bequeathed before the start of a pregnancy by assisted reproductive technology resulting in the birth of an individual who lives at least one hundred twenty (120) hours after birth, that individual is deemed to be living at the time of the decedent's death and shall be entitled to a child's part of the decedent's personal property as provided in this section if the decedent's personal representative and the court, not later than six (6) months after the decedent's death, received notice or had actual knowledge of an intent to use the decedent's genetic material in the assisted reproduction; and

(a) The embryo was in utero not later than thirty-six (36) months after the decedent's death; or

(b) The individual was born not later than forty-five (45) months after the decedent's death.

(4) (a) This section shall only be applicable if there is a record signed by the decedent and the person who intends to use the decedent's genetic material in the assisted reproductive technology that the decedent consented to the use of the decedent's genetic material in assisted reproductive technology after the death of the decedent.

(b) There shall be a rebuttable presumption that the decedent did not consent to the use of the decedent's genetic material in the assisted reproductive technology if the decedent was divorced or legally separated at the time of the decedent's death from the person who wishes to use the decedent's genetic material in the assisted reproductive technology.

(5) An individual deemed to be living at the time of the decedent's death under subsection (3) of this section shall be entitled to a child's part of the decedent's personal property, or the equivalent value thereof. If more than one (1) individual is deemed to be living at the time of the decedent's death under subsection (3) of this section, each individual shall be entitled to an equal share of a child's part of the decedent's personal property, or the equivalent value thereof.

(6) (a) Upon receipt of notice or the actual knowledge required under subsection (3) of this section, the court shall:

(i) Set aside a child's part of the decedent's personal property, or the equivalent value thereof, for distribution to an individual deemed to be living at the time of the decedent's death under subsection (3) of this section;

(ii) Distribute the remainder of the decedent's estate, except for the set-aside child's part of the decedent's personal property, or the equivalent value thereof, according to the statutes of descent and distribution; and

(iii) Enter an order closing the estate for all purposes except the distribution of the set-aside part of the decedent's personal property or the equivalent value thereof.

(b) If an individual is deemed to be living at the time of the decedent's death under subsection (3) of this section, the court shall distribute the set-aside portion of the decedent's personal estate according to subsection (5) of this section. If no individual is deemed living at the time of the decedent's death under subsection (3) of this section, the court shall distribute the set aside portion of the decedent's personal estate as is otherwise provided according to the statutes of descent and distribution.

(7) It is the intent of the Legislature that an individual deemed to be living at the time of the decedent's death under subsection (3) of this section shall be eligible for federal benefits under subchapter II of Chapter 7 of Title 41 of the United States Code.

SECTION 2. Section 91-1-11, Mississippi Code of 1972, is amended as follows:

91-1-11. (1) Except as provided in subsection (2) of this section, when any person shall die possessed of goods and chattels or personal estate not bequeathed, the same shall descend to and be distributed among his or her heirs in the same manner that real estate not devised descends.

(2) When any person shall die possessed of goods and chattels or personal estate not bequeathed, the provisions of Section 1 of this act are applicable in determining whether a child of a decedent is living at the time of the decedent's death.

SECTION 3. Section 91-1-7, Mississippi Code of 1972, is amended as follows:

91-1-7. (1) If a husband dies intestate and * * * does not leave children or descendants of children, his widow shall be entitled to his entire estate, real and personal, in fee simple, after payment of his debts; but where the deceased husband * * * leaves a child or children by that or a former marriage, or descendants of such child or children, his widow shall have a child's part of his estate, in either case in fee simple. If a married woman dies owning any real or personal estate not disposed of, it shall descend to her husband and her children or their descendants if she * * * has any surviving her, either by a former husband or by the surviving husband, in equal parts, according to the rules of descent. If she * * * has children and there also * * * are descendants of other children who have died before the mother, the descendants shall inherit the share to which the parent would have been entitled if living, as coheirs with the surviving children. If she * * * has no children or descendants of them, then the husband shall inherit all of her property.

(2) The provisions of Section 1 of this act are applicable in determining whether a child of a decedent is living at the time of the decedent's death.

SECTION 4. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ENACT THE CHRIS MCDILL LAW; TO PROVIDE THAT FOR THE PURPOSES OF INTESTATE SUCCESSION, IF THE DECEDENT DIES BEFORE THE START OF A PREGNANCY BY ASSISTED REPRODUCTION RESULTING IN THE BIRTH OF AN INDIVIDUAL WHO LIVES AT LEAST 120 HOURS AFTER BIRTH, THAT INDIVIDUAL IS DEEMED TO BE LIVING AT THE TIME OF THE DECEDENT'S DEATH UNDER CERTAIN CONDITIONS; TO PROVIDE A PROCEDURE FOR THE DESCENT AND DISTRIBUTION OF THE DECEDENT'S ESTATE; TO AMEND SECTIONS 91-1-11 AND 91-1-7, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Joey Hood	Brice Wiggins
Shanda Yates	Tyler McCaughn
Dana McLean	Joey Fillingane

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1542** (version 2) was adopted:

Yeas--Blackmon, Blackwell, Boyd, Butler, Carter, Chassaniol, DeLano, Fillingane, Harkins, Hickman, Johnson, Jordan, Kirby, McCaughn, Norwood, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Thomas, Thompson, Wiggins, Williams, Younger. Total--24.

Nays--Polk. Total--1.

Absent and those not voting--Horhn. Total--1.

Voting Present--Barnett, Barrett, Berry, Blount, Branning, Brumfield, Bryan, Chism, DeBar, England, Frazier, Hill, Hopson, Jackson, Ladner, McLendon, McMahan, Michel, Parker, Parks, Seymour, Sparks, Suber, Tate, Turner-Ford, Whaley. Total--26.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

S. B. No. 3013: Appropriation; IHL - Student Financial Aid.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. C. R. No. 65: A CONCURRENT RESOLUTION SUSPENDING THE DEADLINES FOR THE PURPOSE OF REQUESTING THE DRAFTING, AND THE INTRODUCTION, CONSIDERATION AND PASSAGE, OF A BILL ENTITLED "AN ACT TO CREATE NEW SECTION 29-18-1, MISSISSIPPI CODE OF 1972, TO CREATE THE "SAFER ACT" TO REGULATE PUBLIC EDUCATION BUILDINGS; TO CREATE NEW SECTION 29-18-3, MISSISSIPPI CODE OF 1972, TO PROVIDE LEGISLATIVE FINDINGS FOR THE ACT; TO CREATE NEW SECTION 29-18-5, MISSISSIPPI CODE OF 1972, TO PROVIDE DEFINITIONS FOR THE ACT; TO CREATE NEW SECTION 29-18-7, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN PUBLIC EDUCATION BUILDINGS TO HAVE EXCLUSIVE MALE AND/OR FEMALE RESTROOMS OR SINGLE OCCUPANCY RESTROOMS AT A MINIMUM; TO CREATE NEW SECTION 29-18-9, MISSISSIPPI CODE OF 1972, TO REQUIRE CHANGING FACILITIES TO BE EXCLUSIVE MALE AND/OR FEMALE OR SINGLE OCCUPANCY AT A MINIMUM; TO CREATE NEW SECTION 29-18-11, MISSISSIPPI CODE OF 1972, TO REGULATE PUBLIC STUDENT HOUSING FOR SINGLE OCCUPANCY EDUCATIONAL HOUSING; TO CREATE NEW SECTION 29-18-13, MISSISSIPPI CODE OF 1972, TO REQUIRE SINGLE-SEX SOCIAL SORORITIES AND FRATERNITIES TO COMPLY WITH THE DEFINITIONS OF THIS ACT TO DESIGNATE HOUSING; TO CREATE NEW SECTION 29-18-15, MISSISSIPPI CODE OF 1972, TO REGULATE HOW PERSONS ENTER A SINGLE OCCUPANCY RESTROOM, CHANGING FACILITY OR EDUCATIONAL HOUSING SPACE; TO CREATE NEW SECTION 29-18-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ASSERTION OF A VIOLATION OF THIS ACT; TO CREATE NEW SECTION 29-18-19, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ATTORNEY GENERAL TO BRING ACTION REGARDING THE PROVISIONS OF THIS ACT; TO CREATE NEW SECTION 1-3-83, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS FEMALE, MALE AND SEX; AND FOR RELATED PURPOSES."

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

S. B. No. 2466: Alcoholic beverages; revise certain provisions relating to sales to persons under the age of 21.

S. B. No. 2803: Local Option Alcoholic Beverage Control Law; revise definition of "qualified resort area."

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1086: Land partitions; revise provision that regulate.

H. B. No. 1725: Medicaid; seek federal waiver for plan to allow Medicaid coverage for persons described in the federal Affordable Care Act.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 4129: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF BAY ST. LOUIS, MISSISSIPPI, TO UTILIZE CERTAIN FEDERAL FUNDS AWARDED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO ASSIST WITH FLOOD MITIGATION WITHIN THE CITY; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 4129: City of Bay St. Louis; authorize to administer and expend certain federal funds to assist in flood mitigation. Local and Private.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 3215: Lafayette County; authorize to provide funding to Oxford-Lafayette County Economic Development Foundation.

S. B. No. 3216: Town of Walnut; authorize to levy tax on restaurants, hotels, and motels and to issue bonds for parks and recreation.

S. B. No. 3221: City of Ridgeland; authorize to levy tax on restaurants, hotels, and motels to promote tourism, parks and recreation.

S. B. No. 3230: Alcorn, Benton, Marshall, Prentiss, Tippah, Tishomingo Counties; extend authority to contribute to NE MS Comm. Servs.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. C. R. No. 539: Designate March 2024 as "Brain Injury Awareness Month in Mississippi."

S. C. R. No. 540: Recognize legacy of Rosie S. Simmons as the first African American since Reconstruction to serve as Bolivar County Circuit Clerk.

S. C. R. No. 545: Recognize Jessica Banahan NcNeel as MDE "2024 Mississippi Parent of the Year."

S. C. R. No. 546: Designate April 11, 2024, as "Reman Day" in Mississippi.

S. C. R. No. 547: Extend the condolences of the Legislature on the passing of the first female Mayor of Meridian Cheryl "Cheri" Merritt Barry.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2634: AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 446 LOCATED IN BOLIVAR COUNTY, MISSISSIPPI, AS THE "H.M. "MACK" GRIMMETT MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 28 LOCATED IN THE SOSO, JONES COUNTY, MISSISSIPPI, AS THE "PAUL HOLIFIELD MEMORIAL HIGHWAY; AND FOR RELATED PURPOSES.

S. B. No. 2696: AN ACT TO AMEND SECTIONS 57-78-3 AND 57-78-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF CERTAIN TERMS FOR PURPOSES OF THE PROGRAM; TO EXPAND GRANT PROGRAM ELIGIBILITY; TO ALLOW APPLICANTS WHO DID NOT RECEIVE A GRANT THE PRIOR YEAR TO TAKE PRIORITY FOR GRANTS GRANTED THE FOLLOWING YEAR; TO AMEND THE EASEMENT REQUIREMENTS FOR GRANTEES; AND FOR RELATED PURPOSES.

S. C. R. No. 543: A CONCURRENT RESOLUTION COMMENDING THE MEMBERS OF PHI THETA KAPPA'S ALL-MISSISSIPPI ACADEMIC TEAM ON THE OCCASION OF "MISSISSIPPI PHI THETA KAPPA DAY."

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 438: AN ACT TO AMEND SECTION 97-23-93, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT A COURT FINDS SUBSTANTIAL AND COMPELLING REASONS WHY AN OFFENDER CANNOT BE SAFELY AND EFFECTIVELY SUPERVISED IN THE COMMUNITY, IS NOT AMENABLE TO COMMUNITY BASED TREATMENT, OR POSES A SIGNIFICANT RISK TO PUBLIC SAFETY BEFORE IMPOSING A TERM OF IMPRISONMENT; TO PROVIDE THAT A PERSON CONVICTED OF SHOPLIFTING MERCHANDISE, ACTING IN CONCERT WITH, AIDING, ABETTING, OR ENCOURAGING ONE OR MORE PERSONS TO COMMIT SUCH CRIME, REGARDLESS OF WHETHER SUCH OTHERS ARE PROSECUTED FOR SUCH CRIME, FOR WHICH THE TOTAL PRICE OF ALL ITEMS SHOPLIFTED IN VIOLATION OF THIS SECTION EXCEEDS $1,000.00 SHALL BE GUILTY OF A FELONY; AND FOR RELATED PURPOSES.

H. B. No. 691: AN ACT TO AMEND SECTION 45-6-5, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPOSITION OF THE BOARD ON LAW ENFORCEMENT OFFICER STANDARDS AND TRAINING FROM THIRTEEN TO NINE; TO AMEND SECTION 45-6-7, MISSISSIPPI CODE OF 1972, TO REVISE THE BOARD'S POWERS AND DUTIES TO INCLUDE INVESTIGATIVE AUTHORITY; TO AMEND SECTION 45-6-19, MISSISSIPPI CODE OF 1972, TO REQUIRE CONTINUING EDUCATION TRAINING FOR ALL STATE AGENCY, COUNTY AND MUNICIPAL LAW ENFORCEMENT OFFICERS AS WELL AS THE CHIEF OF POLICE AND POLICE OFFICERS EMPLOYED BY ANY PUBLIC TWO-YEAR OR FOUR-YEAR COLLEGE OR UNIVERSITY AND ANY EXTENSION THEREOF IN THE STATE OF MISSISSIPPI, AND THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT; TO AMEND SECTION 45-1-101, MISSISSIPPI CODE OF 1972, TO CLARIFY REFERENCE TO RETIRED LAW ENFORCEMENT OFFICERS; AND FOR RELATED PURPOSES.

H. B. No. 776: AN ACT TO AMEND SECTION 67-1-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MUNICIPALITIES THAT HAVE VOTED IN FAVOR OF COMING OUT FROM UNDER THE DRY LAW MAY ENFORCE SUCH PROPER RULES AND REGULATIONS FOR FIXING ZONES AND TERRITORIES TO PROMOTE PUBLIC HEALTH, MORALS, AND SAFETY, AS THEY MAY BY ORDINANCE PROVIDE; TO PROVIDE THAT THE BOARD OF SUPERVISORS OF ANY COUNTY THAT HAS VOTED IN FAVOR OF COMING OUT FROM UNDER THE DRY LAW MAY MAKE SIMILAR RULES AND REGULATIONS AS TO TERRITORY OUTSIDE OF MUNICIPALITIES; TO PROVIDE THAT MUNICIPALITIES MAY ENFORCE SUCH PROPER LOCATION OF PACKAGE RETAILER STORES WITHIN THE MUNICIPALITY BY APPLICATION OF A PROPERLY ADOPTED ZONING ORDINANCE; TO AMEND SECTION 67-1-37, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ALCOHOLIC BEVERAGE CONTROL DIVISION OF THE DEPARTMENT OF REVENUE SHALL NOT ISSUE ANY PERMIT WHICH WOULD CONFLICT WITH ANY ZONING ORDINANCE LEGALLY ADOPTED BY THE GOVERNING AUTHORITIES OF ANY MUNICIPALITY OR RULE OR REGULATION OF ANY BOARD OF SUPERVISORS OF ANY COUNTY AS SET FORTH IN SECTION 67-1-7; AND FOR RELATED PURPOSES.

H. B. No. 1088: AN ACT TO AMEND SECTION 41-21-63, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A CIRCUIT COURT TO RETAIN JURISDICTION AND PROCEED WITH CIVIL COMMITMENT IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 99-13-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE CIRCUIT

COURT TO PROCEED WITH COMMITMENT PROCEDURES FOR ANY PERSONS WITH AN INTELLECTUAL DISABILITY AND HAVE UNRESOLVED FELONY CHARGES; TO AMEND SECTIONS 41-21-65, 41-21-67, 41-21-71, 41-21-73 AND 41-21-83, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE CIRCUIT COURT TO PROCEED WITH COMMITMENT PROCEDURES; TO AMEND SECTION 47-7-47, MISSISSIPPI CODE OF 1972, TO REVISE THE JURISDICTIONAL TIME PERIOD FOR A COURT'S AUTHORITY TO REVISE A DEFENDANT'S SENTENCE; AND FOR RELATED PURPOSES.

H. B. No. 1487: AN ACT TO AMEND SECTION 29-5-203, MISSISSIPPI CODE OF 1972, TO REVISE THE BOUNDARIES OF THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; AND FOR RELATED PURPOSES.

H. B. No. 1764: AN ACT TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SALES OF EQUIPMENT AND MATERIALS USED IN CONNECTION WITH GEOPHYSICAL SURVEYING, EXPLORING, DEVELOPING, DRILLING, REDRILLING, COMPLETING, WORKING OVER, PRODUCING, DISTRIBUTING, OR TESTING OF OIL, GAS AND OTHER MINERAL RESOURCES SHALL BE TAXED AT THE RATE OF FOUR AND ONE-HALF PERCENT, AND THAT OPERATORS THAT REBILL SALES OF EQUIPMENT AND MATERIALS TO NONOPERATING WORKING INTEREST OWNERS ON BEHALF OF A JOINT ACCOUNT THROUGH THE JOINT INTEREST BILLING (JIB), WHERE THE SALES TAX HAS BEEN PAID OR ACCRUED BY THE OPERATOR SHALL NOT BE CHARGED A SALES TAX ON THE JIB AS SERVICES INCOME; TO AMEND SECTION 27-65-21, MISSISSIPPI CODE OF 1972, TO REMOVE FROM THE CONTRACTOR'S TAX CONTRACTS EXCEEDING $10,000.00 FOR THE REDRILLING, OR WORKING OVER, OR OF DRILLING OR COMPLETING AN OIL WELL OR A GAS WELL; TO AMEND SECTION 27-65-23, MISSISSIPPI CODE OF 1972, TO REVISE THE SALES TAX IMPOSED ON VARIOUS SERVICES TO PROVIDE FOR A TAX RATE OF FOUR AND ONE-HALF PERCENT ON INCOME FROM SERVICES PERFORMED IN CONNECTION WITH GEOPHYSICAL SURVEYING, EXPLORING, DEVELOPING, DRILLING, REDRILLING, COMPLETING, WORKING OVER, PRODUCING, DISTRIBUTING, OR TESTING OF OIL, GAS AND OTHER MINERAL RESOURCES, INCLUDING OVERHEAD SERVICES, AND THAT OPERATORS THAT REBILL SALES OF EQUIPMENT AND MATERIALS TO NONOPERATING WORKING INTEREST OWNERS ON BEHALF OF A JOINT ACCOUNT THROUGH THE JOINT INTEREST BILLING (JIB), WHERE THE SALES TAX HAS BEEN PAID OR ACCRUED BY THE OPERATOR SHALL NOT BE CHARGED A SALES TAX ON THE JIB AS SERVICES INCOME; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 1567: AN ACT TO AMEND SECTION 37-73-3, MISSISSIPPI CODE OF 1972, TO MODIFY THE DIRECTIVE OF THE OFFICE OF WORKFORCE DEVELOPMENT FROM PILOTING A CAREER COACHING PROGRAM IN MIDDLE SCHOOLS AND HIGH SCHOOLS, TO IMPLEMENTING SUCH PROGRAM FOR THE LONG TERM; TO AMEND SECTION 37-153-209, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFICATION OF THE MISSISSIPPI ALLIED HEALTH COLLEGE AND CAREER NAVIGATOR TO PROVIDE THAT THE OFFICE OF WORKFORCE DEVELOPMENT SHALL PROMULGATE RULES AND REGULATIONS ON THE ELIGIBILITY REQUIREMENTS OF THE NAVIGATORS; TO CREATE NEW SECTION 37-153-223, MISSISSIPPI CODE OF 1972, TO CREATE THE INDIVIDUAL TRAINING ACCOUNT WORKFORCE REINFORCEMENT ASSISTANCE (ITA-WRAP) PROGRAM, WHICH SHALL BE DIRECTED BY THE OFFICE OF WORKFORCE DEVELOPMENT

FOR THE PURPOSE OF PROVIDING EDUCATION AND TRAINING TO CITIZENS SEEKING EMPLOYMENT IN HIGH-WAGE, HIGH-DEMAND INDUSTRIES WITH DOCUMENTED WORKFORCE SHORTAGES PRIORITIZED BY THE OFFICE; TO PROVIDE FOR DEFINITIONS; TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT SECURITY SHALL SERVE AS FISCAL AGENT IN ADMINISTERING THE FUNDS; TO CREATE A NEW SECTION OF LAW TO AUTHORIZE THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES TO GRANT A PAID INTERNSHIP TO STUDENTS PURSUING JUNIOR OR SENIOR UNDERGRADUATE-LEVEL YEAR COURSEWORK TOWARD A BACHELOR'S DEGREE IN A PROGRAM THAT QUALIFIES THE INDIVIDUAL TO BECOME A REHABILITATION SPECIALIST OR A BENEFIT PROGRAM SPECIALIST WITHIN THE MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES; TO PROVIDE THAT THE FUNDS MAY BE USED FOR TUITION, BOOKS AND RELATED FEES; TO PROVIDE THE REQUIREMENTS TO BE ELIGIBLE AND REMAIN ELIGIBLE FOR THE INTERNSHIP; TO PROVIDE THE TERMS OF THE INTERNSHIP; TO CREATE THE PARAMEDICS RECRUITMENT AND RETENTION SCHOLARSHIP PROGRAM; TO PROVIDE THAT THE PROGRAM SHALL BE USED BY THE OFFICE OF WORKFORCE DEVELOPMENT, WITH THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY ACTING AS THE FISCAL AGENT, FOR THE PURPOSE OF PROVIDING FUNDING FOR GRANTS TO COVER THE FULL COST OF TUITION, FEES, BOOKS AND ANY REQUIRED UNIFORMS FOR QUALIFIED APPLICANTS TO ATTEND AN ACCREDITED PARAMEDIC PROGRAM AND TO REIMBURSE THE COST OF A QUALIFIED APPLICANT'S FEE FOR THE SUCCESSFUL COMPLETION OF THE NATIONAL REGISTRY PARAMEDIC COGNITIVE AND PSYCHOMOTOR EXAMINATIONS; TO PROVIDE HOW AN APPLICANT MAY QUALIFY FOR A GRANT; TO PROVIDE THAT THE RECIPIENT OF A GRANT SHALL COMMIT TO SERVING AS A PARAMEDIC FOR THREE CONTINUOUS YEARS IN THE STATE; TO PROVIDE THE REPORTING REQUIREMENTS; TO AUTHORIZE THE OFFICE OF WORKFORCE DEVELOPMENT TO ENTER INTO MOAS WITH LOCAL SCHOOL DISTRICTS FOR THE PURPOSE OF ALLOWING CERTAIN HIGH SCHOOL STUDENTS TO ENROLL IN ACCREDITED PARAMEDIC TRAINING PROGRAMS THROUGH DUAL-CREDIT OR DUAL-ENROLLMENT; TO PROVIDE THAT SUCH STUDENT CANNOT TAKE THE CERTIFICATION EXAM UNTIL HE OR SHE ATTAINS 18 YEARS OF AGE; AND FOR RELATED PURPOSES.

David Jordan, Chairman

Senator Simmons D. T. (12th) moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 3:47 PM, the Senate stood in recess.

The Senate resumed business at 4:48 PM, pursuant to recess, with President Hosemann presiding.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

S. B. No. 2232: Newton Municipal School District; require election of board of trustees by population of the school district.

S. B. No. 2298: Bonds; raise maximum fee paid to state's bond attorney from $500.00 to $750.00 for validation and issuance of.

S. B. No. 2695: Driver's education; revise certain provisions related thereto.

S. B. No. 2801: Distinctive motor vehicle license tag; authorize for supporters of Clarkdale High School in Lauderdale County.

Adopted: 04/30/24

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 297: AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEVELOP AND IMPLEMENT A PROCESS THAT CREATES A PREFERRED VENDOR LIST FOR DISASTER DEBRIS REMOVAL AND MONITORING; TO AMEND SECTION 31-7-67, MISSISSIPPI CODE OF 1972, TO STIPULATE THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO SMALL UNMANNED AIRCRAFT SYSTEMS MANUFACTURED IN THE PEOPLE'S REPUBLIC OF CHINA AND PURCHASED PRIOR TO JANUARY 1, 2025; AND FOR RELATED PURPOSES.

H. B. No. 1315: AN ACT TO AMEND SECTION 9-21-9, MISSISSIPPI CODE OF 1972, TO REQUIRE THE ADMINISTRATIVE DIRECTOR OF COURTS TO AUDIT THE MISSISSIPPI YOUTH COURT INFORMATION SYSTEM (MYCIDS); TO AMEND SECTION 9-17-1, MISSISSIPPI CODE OF 1972, TO REVISE THE MANNER IN WHICH THE CIRCUIT JUDGES, CHANCELLORS AND COUNTY COURT JUDGES MAY ESTABLISH THE OFFICE OF COURT ADMINISTRATOR; TO REQUIRE THE ADMINISTRATIVE OFFICE OF COURTS TO DETERMINE IF A PROSPECTIVE COURT ADMINISTRATOR MEETS THE MINIMUM REQUIREMENTS BEFORE THE PERSON IS HIRED; TO AMEND SECTION 9-1-36, MISSISSIPPI CODE OF 1972, TO REQUIRE CIRCUIT JUDGES AND CHANCELLORS DESIRING TO EMPLOY SUPPORT STAFF TO HAVE CANDIDATES APPROVED BY THE ADMINISTRATIVE OFFICE OF COURTS BEFORE FILLING POSITIONS; TO AMEND SECTIONS 43-21-261, 43-21-351, 43-21-801, 45-33-61 AND 93-31-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SUCH SECTIONS SHALL STAND REPEALED ON JULY 1, 2026; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

H. B. No. 4129: City of Bay St. Louis; authorize to administer and expend certain federal funds to assist in flood mitigation. Title Sufficient. Do Pass.

PARKS, Chairman

_____

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

S. B. No. 2405: Alcoholic beverages; revise certain provisions regarding locations for sale of.

Adopted: 04/30/24

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 346: "Seizure Safe Schools Act"; establish.

H. B. No. 764: State Department of Health and State Board of Health; extend repealer on.

H. B. No. 1137: Opioid antagonists; authorize community organization to receive and administer.

H. B. No. 1161: Alcoholic beverages; authorize municipalities in dry counties vote to come out from under the dry law.

H. B. No. 1323: Statute of limitations; increase for sexual battery of a vulnerable person.

H. B. No. 1357: Department of Agriculture; revise authority to spend certain funds.

H. B. No. 1417: Health care industry zone; expand radius for location of certain facilities for certification by MDA as.

H. B. No. 1640: Mental Health; revise procedures for screening, evaluation and commitments for those with issues of.

H. B. No. 1681: Memorial Highways; designate segment MS Hwy 513 in Clarke County as "Lance Corporal Mac Hamburg, MSMC, Memorial Highway."

Adopted: 04/30/24

Andrew Ketchings, Clerk of the House of Representatives

_____

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. C. R. No. 65: Suspend deadline for introduction; governmental buildings; regulate. Rules.

On request of Senator Thompson, unanimous consent was granted to make the following correction in **S. B. No. 2648**:

Unanimous Consent is requested to make the following changes to the conference report for S.B. 2648:

On Line 560, delete "July 1, 2024" and insert "passage".

On Line 401, after "Mississippi Code of 1972," insert "as amended by House Bill No. 1007, 2024 Regular Session".

On Line 433, delete the first "shall" and insert "may".

On line 433, delete "and" and insert "or printed by the catcher in compliance with procedures and regulations adopted by the department. Such tags".

These changes change the effective date from July 1, 2024, to passage, and add language to Section 49-15-46 to conform that code section with language from House Bill No. 1007 that has already been approved by the Governor.

Senator Thompson offered the following report of the Conference Committee on **S. B. No. 2648** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2648: Mississippi Department of Marine Resources; authorize oyster lease reconfiguration and make technical amendments.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-15-17, Mississippi Code of 1972, is amended as follows:

49-15-17. (1) (a) All monies received or obtained by the department under the provisions of this chapter shall be paid over by the department to the State Treasurer and shall be deposited into the fund known as the "Seafood Fund." All revenues collected through the department, to include, but not limited to, commercial saltwater licenses and taxes, permits, fines and penalties, and confiscated catches, shall be deposited into the

department operating account (Seafood Fund) and expended for the operation of the department, as authorized by the Legislature.

(b) There is established a special account to be known as the "Artificial Reef Program Account" within the Seafood Fund. Any funds received from any public or private source for the purpose of promoting, constructing, monitoring or maintaining artificial reefs in the marine waters of the state or in federal waters adjacent to the marine waters of the state shall be credited to the account. Any unexpended funds remaining in the account at the end of the fiscal year shall not lapse into the Seafood Fund, but shall remain in the account. The department may expend any funds in the account, subject to appropriation by the Legislature, to accomplish the purpose of the account.

(c) There is established a special account to be known as the "Coastal Preserve Account" within the Seafood Fund. Any funds received from any public or private source for the purpose of management, improvement and acquisition of coastal preserves in the state and money required to be deposited pursuant to Sections 27-19-56.10 and 27-19-56.27, shall be credited to the account. Any unexpended funds remaining in the account at the end of the fiscal year shall not lapse into the Seafood Fund, but shall remain in the account. The department may expend any funds in the account, subject to appropriation by the Legislature, for the management, improvement and acquisition of coastal preserves.

(d) There is established a special account to be known as the "Mississippi Seafood Marketing Program Account" within the Seafood Fund. Monies required to be deposited into the account under Section 27-19-56.27 and any funds received from any public or private source for the purpose of promoting the Mississippi seafood industry must be credited to the account. Any unexpended funds remaining in the account at the end of the fiscal year do not lapse into the Seafood Fund, but remain in the account. The department may expend any funds in the account, subject to appropriation by the Legislature, to accomplish the purposes of this account, including, but not limited to, providing funds for cobia stock enhancement programs.

(e) There is established a special account to be known as the "Oyster Production Preserve Account" within the Seafood Fund. Monies required to be deposited from oyster leasing and licensing payments under Section * * * 49-15-27, sack fees, * * * and any funds received from any public or private source for the purpose of oyster production and propagation in this state, which includes plantings of oysters and cultch materials, shall be credited to the account. Any unexpended funds remaining in the account at the end of the fiscal year shall not lapse into the Seafood Fund, but shall remain in the account. The department may expend any funds in the account, subject to specific appropriation by the Legislature, for the management, improvement and acquisition of permittable property for oyster production and propagation in the state, which includes plantings of oysters and cultch materials. The Department of Marine Resources shall develop an annual report to the Legislature which describes the annual expenditures from this fund for the purpose of furthering oyster production and propagation in this state to be included in the department's annual budget request to the Legislative Budget Office and to be transmitted to the Chairmen of the Senate and House Committees on Ports and Marine Resources.

(2) The fund shall be treated as a special trust fund and interest earned on the principal shall be credited to the fund.

(3) The department shall keep accurate reports of monies handled as a part of the permanent records of the department, and the State Treasurer shall furnish the department such forms as may be needed, and the department shall account for such forms in reports to the Treasurer.

SECTION 2. Section 49-15-27, Mississippi Code of 1972, is amended as follows:

49-15-27. The department is hereby granted full and complete authority to lease the bottoms within its jurisdiction upon the following terms and conditions:

(1) All areas within the department's jurisdiction, not designated state-owned reefs by this chapter, including natural reefs and all areas not within the boundaries of riparian property owners may be leased by the department.

(2) All individual lessees shall be residents of the State of Mississippi, or if a firm or corporation, such firm or corporation shall be organized under the laws of the State of Mississippi and owned by a resident of the State of Mississippi.

(3) No individual, corporation, partnership or association may lease less than one (1) acre nor more than two thousand five hundred (2,500) acres total; however, in the case of an individual there shall be counted towards such limitation any lands leased by a corporation, partnership or association in which such individual owns ten percent (10%) or less interest and, in the case of a corporation, partnership or association, there shall be counted toward such limitation any lands leased by an individual stockholder, partner or associate thereof who owns ten percent (10%) or less interest in such corporation, partnership or association.

(4) Individuals, firms or corporations desiring to lease bottoms shall make application to the department in writing, describing the area to be leased. Applications must include a plat showing the proposed lease area and description of cultch material type and amount to be deployed on the leased area.

(5) (a) Any person who qualifies and who desires to lease a part of the bottom or bed of any of the waters of this state as provided in this section shall present to the department a written application, and pay an application fee in the amount of Fifty Dollars ($50.00). This application shall contain the name and address of the applicant and a reasonably definite description of the location and amount of land covered by water desired by the applicant. * * * The department shall * * * establish a system to determine qualifications of applicants. The department shall prioritize applications based on the following criteria, each of which shall be weighted equally:

(i) Experience in oyster reef development;

(ii) Experience in oyster cultivation and harvesting;

(iii) Whether lease applicant is registered with the U.S. Food & Drug Administration Interstate Certified Shellfish Shippers List for Mississippi, and the length of time the applicant has been registered;

(iv) Amount of acreage to be leased; and

(v) Evidence of applicant's financial ability to perform cultivation and propagation requirements.

The department shall then order an examination to determine whether the water bottoms applied for are leasable * * *.

(b) If the applicant is found to be qualified and the area is found to be leasable, the department shall * * * determine the acreage upon which the rent shall be fixed and enter into a lease with the applicant * * *, who shall pay the prorated annual rent in advance for the remainder of the calendar year. If the applicant is not eligible for a lease, the department shall issue a written notice declining the application with specific reasons for same * * *.

(c) The department has the authority to lease an area to an applicant who has no experience in oyster cultivation as long as the applicant can demonstrate their

financial stability and the area applied for has not been requested by another applicant with demonstrated experience.

(d) The department has the authority to reconfigure the lease areas from that requested by the applicant in the manner that promotes maximum utilization of the state's resources. In the event the area requested by the applicant has to be reconfigured, the applicant has the right to refuse the reconfigured area and withdraw their application and receive a refund of their application fee.

* * *

(* * *e) The department shall require that the bottoms of water areas to be leased be as definable as possible, taking into consideration such factors as the shape of the body of water, permitted areas, and the condition of the bottom as to hardness or softness which would render it desirable or undesirable for the purpose of oyster cultivation.

* * *

(* * *f) A lease applicant may withdraw a lease application and receive a full refund from the department of all application fees, by submitting a written request for withdrawal to the department within ninety (90) days after the department * * * received the application.

(6) Such leases shall be for an initial term of fifteen (15) years, with the lessee having the right of first renewal of the lease for an additional fifteen (15) years, and continue to renew at fifteen-year intervals, at the same ground rental rate so long as lessee actively cultivates and gathers oysters, and complies with the provisions of this chapter. No lease may be transferred without approval by the department of the transfer.

(7) The terms of every lease issued hereunder shall ensure the maximum cultivation and propagation of oysters. Throughout the term of every lease issued hereunder, each lessee shall add cultch and make other necessary efforts to ensure the maximum cultivation and propagation of oysters. The department shall promulgate regulations to set forth guidelines for lessees to follow to ensure the maximum cultivation and propagation of oysters under the lease. The lessee shall submit a written report with supporting documentation to the department of efforts to cultivate and propagate oysters for the previous year. If the department finds a lessee is not making efforts to cultivate and propagate oysters, and the lessee fails to take remedial steps to address same, such lease shall be subject to termination as provided for hereunder.

(8) The department shall fix a ground rental rate at Three Dollars ($3.00) per acre per year. The annual rental payments shall be due by December 31 for the next calendar year.

(9) Any lessee who pays the rent on or after the first day of January shall pay the rent due plus an additional ten percent (10%) penalty. The failure of the lessee to pay the rent punctually on or before the first of each March, ipso facto and without demand or putting in default, terminates and cancels the lease and forfeits to the department all the works, improvements, betterments, and oysters on the leased water bottom. The department may at once enter on the water bottom and take possession thereof. Such water bottom shall then be open for lease in accordance with subsections (5) through (8) of this section. Ten (10) days thereafter the department shall enter the termination, cancellation, and forfeiture on its books and give public notice thereof by publication in one (1) local paper in the county where the formerly leased water bottoms are located. On or before the first day of each February, the department shall issue a written notice of delinquency by certified mail to each lessee who has not yet paid the rent. The department shall also publish notice of such delinquency on its website.

(10) The department shall keep an accurate chart of the areas within its jurisdiction and shall mark on such chart those areas which are under lease. All leases shall be marked by appropriate poles, stakes or buoys of such material as will not injure watercraft, at the expense of the leaseholder. The department shall keep an accurate book, designated "Mississippi Oyster Farms" which shall contain copies of all leases. The department shall maintain a map of designated state-owned, leased areas, and areas available for lease on the department's website. If any lease be cancelled or expire, such fact shall be noted on the face of such lease. Lessees shall be "oyster farmers" for the purposes of any grants, aid, subsidies or other assistance from the federal government or other governmental or private agencies.

(11) All funds derived from leasing shall be paid into the Seafood Fund under Section 49-15-17, for use by the department to further oyster production in this state, which includes plantings of oysters and cultch materials.

(12) All leases made by the department under the authority of this section shall be subject to the paramount right of the state and any of its political subdivisions authorized by law, to promote and develop ports, harbors, channels, industrial or recreational projects, and all such leases shall contain a provision that in the event such authorized public body shall require the area so leased or any part thereof for such public purposes, that the lease shall be terminated on reasonable notice fixed by the department in such lease. On the termination of any lease, the lessees shall have the right to remove any oysters within the leased area within such time as may be fixed by the department and in accordance with such reasonable rules and regulations as the department may adopt.

Any person convicted of taking oysters from leased land or from waters that are not of a safe sanitary quality without a permit as provided in Section 49-15-37 shall, on the first offense, forfeit all equipment used, exclusive of any boat or boats; and be fined not to exceed Two Thousand Dollars ($2,000.00) or sentenced not to exceed one (1) year in the county jail, or both. Subsequent convictions shall be punishable by forfeiture of all equipment, including any boat or boats; and a fine not to exceed Five Thousand Dollars ($5,000.00) or not to exceed two (2) years in prison, or both such fine and imprisonment.

The department is enjoined to cooperate with the Jackson County Port Authority, the Harrison County Development Commission, the municipal port commission and other port and harbor agencies, so that oyster beds shall not be planted in close proximity to navigable channels. The department or lessee shall have no right of action as against any such public body for damages accruing to any natural reef or leased reef by any necessary improvement of such channel in the interest of shipping, commerce, navigation or other purpose authorized by law.

(13) A lessee has the exclusive use of the water bottoms leased and all oysters and cultch grown or placed thereon. However, this exclusive right is subordinate to the rights and responsibilities of the state, any political subdivision of the state, the United States, or any agency or agent thereof, to take action in furtherance of coastal protection, conservation or restoration.

(14) In order to protect the health and safety of the residents of the State of Mississippi, the terms and conditions relating to the leasing of bottoms provided in this section shall be fully applicable to any lease executed by the Mississippi Department of Marine Resources prior to April 17, 2023, and the department shall revise any lease issued prior to April 17, 2023, as necessary in order to comply with the provisions of this section.

SECTION 3. Section 49-15-37, Mississippi Code of 1972, is amended as follows:

49-15-37. The department may employ boats, crews and laborers to cultivate the state-owned reefs of the state, and dredge the oysters in the Mississippi Sound from places where they are too thick, and spread them on reefs where they are too thin, and

carry shells from the factories and spread them in places where the oyster beds can be improved and enlarged. The department may open state-owned reefs to the public for harvest. The department may purchase other materials as may be equally suitable for the propagation of oysters. The department in cultivating the reefs, transplanting and spreading oysters and shells and other suitable materials, may expend any funds available for that purpose, as provided by Section 49-15-17(1)(e). In taking seed oysters, care shall be used to not injure or destroy the merchantable oysters on the reefs from which they are taken. The seed oysters shall be tonged from the "conner" or seed reefs, unless it is practicable and safe to dredge those oysters. The department may establish new bedding grounds at those places within the boundaries of the state as it may determine, on advice of the director, or on advice of technical governmental experts, or competent aquatic biologists. On existing state-owned reefs in which oysters exist and in waters not of a safe sanitary quality as determined by the department, the department shall prohibit any person, firm or corporation from taking oysters from those areas. The department shall from time to time remove the oysters from the areas and relay or replant them in an approved area for a period of time under Section 49-15-36 before they may be harvested. Any funds received from the sale of the oysters shall be used in a like manner as those funds received under Section * * * 49-15-17(1)(e).

The department may issue permits to persons to remove oysters by dredging or otherwise from water bottoms which are not of a safe sanitary quality for oysters for human consumption. These areas may be designated as seed grounds, and permits to persons shall be issued only for the purpose of transplanting oysters to privately leased Mississippi territorial waters. The department may permit the transplanting of these seed oysters by a duly authorized public agency.

The department may, upon determining the water bottom from which oysters are to be removed is not of a safe, sanitary quality for oyster production for human consumption and has been unsafe for a period of at least one (1) year immediately preceding certification, and upon complying with the following requirements, permit the dredging of oysters from restricted public areas and relaying the oysters to private leased grounds in the State of Mississippi:

(a) Permittee must hold valid lease of oyster bedding grounds in the State of Mississippi;

(b) Permittee must be bonded in compliance with the permit system established by the department;

(c) Permittee must fulfill all permit requirements as established by the department;

(d) Permittee shall not move oysters from one restricted area to another restricted area;

(e) Permittee shall move oysters only to an area leased by the department; and

(f) Permittee shall not move oysters from the restricted area without the presence of an employee of the department at all times, from the dredging of the oysters from the restricted areas to their deposit on private leased grounds or to an onshore, molluscan depuration facility.

Harvesting of oysters shall be permitted only during daylight hours and with the most efficient gear possible consistent with conservation requirements of not damaging the reefs. This shall include permission to use two (2) dredges per boat on restricted areas and on private leased grounds.

Any person obtaining a permit to remove oysters from seed grounds shall post a penal bond of One Hundred Dollars ($100.00) per leased acre with the department to be forfeited upon any violation of this section. The bond may be approved by the director of the department if the director finds the bond to be secured by sufficient property or sureties.

The department shall regulate the amount and time of taking of oysters from seed areas and shall supervise the removal, planting and harvesting of oysters from the areas. The time set for the taking of oysters from restricted seed areas for relaying or replanting and the time set for the taking of oysters from private leased grounds shall be separated by not less than a period of time determined under Section 49-15-36 during which neither activity may be allowed.

SECTION 4. Section 49-15-38, Mississippi Code of 1972, is amended as follows:

49-15-38. (1) (a) Unless otherwise permitted by the department, no oysters shall be taken from state-owned reefs unless culled, and all oysters less than three (3) inches from end to end, and all dead shells, shall be replaced, scattered and broadcast immediately on the reefs from which they are taken. It is unlawful for any captain or person in charge of any vessel, or any canner, packer, commission man, dealer or other person to purchase, sell or to have in that person's possession or under that person's control any oysters off the state-owned reefs or private bedding grounds not culled according to this section, or any oysters under the legal size. A ten percent (10%) tolerance shall be allowed in relation to any culling.

(b) The department may authorize the culling of oysters of a lesser measure. That authorization shall be in response to special circumstances or extreme natural conditions affecting the habitat, including, but not limited to, flooding. The department may establish checkpoints in any area within its jurisdiction to conduct inspections, collect fees and issue tags in the enforcement of this chapter and regulations adopted by the commission.

(2) The department shall acquire and replant shells, seed oysters and other materials, when funding is available, for the purpose of growing oysters.

(3) Any person, firm or corporation failing or refusing to pay the shell retention fee required under Section 49-15-46 to the department when called for by the department, is guilty of a misdemeanor and, upon conviction, shall be fined not more than One Hundred Dollars ($100.00) for each * * * sack of shells for which they fail or refuse to tender the shell retention fee. In addition to the fine, the violator shall pay the reasonable value of the oyster shells and shall be ineligible to be licensed for any activity set forth in this chapter for a period of two (2) years from the date of conviction.

(4) The planting of oyster shells as provided under this chapter shall be under the direction and supervision of the executive director of the department.

SECTION 5. Section 49-15-46, Mississippi Code of 1972, is amended as follows:

49-15-46. (1) Each vessel used to catch, take, carry or transport oysters from the reefs of the State of Mississippi, or engaged in transporting any oysters in any of the waters within the territorial jurisdiction of the State of Mississippi, for commercial use, shall annually, before beginning operations, be licensed by the department and pay the following license fee:

(a) Fifty Dollars ($50.00) on each in-state vessel or boat used for tonging oysters or gathering oysters by hand;

(b) One Hundred Dollars ($100.00) on each in-state vessel or boat used for dredging oysters;

(c) One Hundred Dollars ($100.00) on each out-of-state vessel or boat used for tonging oysters or gathering oysters by hand, or the license fee charged by the out-of-state licensing entity to Mississippi vessels or boats for tonging or gathering oysters, whichever is greater; or

(d) Two Hundred Dollars ($200.00) on each out-of-state vessel or boat used for dredging oysters, or the license fee charged by the out-of-state licensing entity to Mississippi vessels or boats for dredging oysters, whichever is greater.

(2) Each molluscan shellfish aquaculture operation shall annually, before beginning operations, be licensed by the department and pay the following license fee:

(a) Fifty Dollars ($50.00) on each resident molluscan shellfish aquaculture operation; or

(b) One Hundred Dollars ($100.00) on each nonresident molluscan shellfish aquaculture operation.

(3) The department may authorize the transfer of a vessel license to a different vessel provided that the owner of both vessels is the same titled owner.

(4) All oysters harvested in the State of Mississippi shall be tagged. Tags shall be issued by the department and shall bear the catcher's name, the date and origin of the catch, the shell stock dealer's name and permit number. The department shall number all tags issued and shall maintain a record of those tags. The department, in its discretion, may adopt any regulations regarding the tagging of oysters and other shellfish.

(5) Each person catching or taking oysters from the waters of the State of Mississippi for personal use shall obtain a permit from the department and pay an annual recreational oyster permit fee of Ten Dollars ($10.00). Oysters caught under a recreational permit shall not be offered for sale. The limits on the allowable catch of oysters for recreational purposes shall be three (3) sacks per week. The department shall issue tags of a distinguishing color to designate recreationally harvested oysters, which shall be tagged on the same day of harvest in the manner prescribed in subsection (4) of this section for commercially harvested oysters or by regulation of the department.

(6) The department shall assess and collect a shell retention fee for the shells taken from waters within the territorial jurisdiction of the State of Mississippi as follows:

(a) Commercial and recreational harvesters - Fifteen Cents (15¢) per sack paid to the department on the day of harvest;

(b) Initial oyster processor, dealer or factory first purchasing the oysters - Fifteen Cents (15¢) per sack paid to the department no later than the tenth day of the month following the purchase, on forms submitted by the department;

(c) Commercial harvesters transporting their catch out of the state - Fifty Cents (50¢) per sack paid to the department on the day of harvest, in addition to the fees paid in paragraph (a) of this subsection; and

(d) Commercial harvesters not selling their oysters to a Mississippi dealer - Fifteen Cents (15¢) per sack paid to the department on the day of harvest, in addition to fees paid in paragraph (a) of this subsection.

Funds received from the shell retention fee shall be paid into * * * the Oyster Production Preserve Account within the Seafood Fund pursuant to Section 49-15-17(1)(e) for use by the department to further oyster production in this state, which includes plantings of oysters and/or cultch materials.

(7) During open seasons, oysters may be taken only by hands, tongs and dredges.

(8) Vessels licensed under Section 49-15-46 may keep in whole, for personal consumption up to thirty-six (36) blue crabs (portunidae family), per day. This exemption for personal consumption does not apply to fish or crabs that are otherwise illegal to possess or catch.

SECTION 6. Section 49-15-47, Mississippi Code of 1972, is amended as follows:

49-15-47. (1) It is unlawful for any person, firm or corporation to discharge solid or human waste from any vessel while the vessel is used to harvest or transport oysters in the marine waters of the state.

(2) Each vessel used to harvest or transport oysters is required to have an approved functional marine sanitation device (MSD), portable toilet or other sewage disposal receptacle designed to contain human sewage. The approved marine sanitation device (MSD), portable toilet or other sewage disposal receptacle shall:

(a) Be used only for the purpose intended.

(b) Be secured while on board and located to prevent contamination of shell stock by spillage or leakage.

(c) Be emptied only into an approved sewage disposal system.

(d) Be cleaned before being returned to the vessel.

(e) Not be cleaned with equipment used for washing or processing food.

(3) The use of other receptacles for sewage disposal may be approved by the department if the receptacles are:

(a) Constructed of impervious, cleanable materials and have tight-fitting lids; and

(b) Meet the requirements listed in subsection (2).

(4) * * * Any person, firm or corporation violating the provisions of this chapter, shall, on conviction, be fined not less than Five Thousand Dollars ($5,000.00), and the license of the convicted party shall be revoked for one (1) year. For conviction of a second offense, the fine shall be not less than Ten Thousand Dollars ($10,000.00), and the license of the convicted party shall be revoked for two (2) years. For a conviction of a third offense, the fine shall be not less than One Hundred Thousand Dollars ($100,000.00), and the license of the convicted party shall be permanently revoked.

(5) Upon issuance of a citation for a violation of this section, the vessel shall be removed from the oyster reef and any oysters on board the vessel shall be confiscated and disposed of by the department. The vessel shall not be permitted to harvest from any state-owned or private reefs until the vessel is properly equipped as determined by an inspection by the department.

SECTION 7. Section 51-11-105, Mississippi Code of 1972, is amended as follows:

51-11-105. The following provisions related to the Lower Pearl River Restoration Project ("project") are contingent upon the development of an agreement, or an amendment to the existing agreement, between * * * the Mississippi Department of Environmental Quality ("MDEQ"), the Department of Wildlife, Fisheries and Parks ("DWFP") and the district, removing the district from the agreement, and possibly adding

a new cooperating partner or partners and possibly removing the MDEQ and/or the DWFP from the agreement.

From and after July 1, 2018, the project, currently being managed as a joint effort of * * * the MDEQ, the DWFP, and the district, shall continue as per existing agreements, which may be amended to reflect the dissolution of the district and its removal from those agreements. The obligations of the district under the current agreements for the project may be assumed by the MDEQ, or other entity, as the designated state entity for the continuing obligation of maintenance of the water control structures as set forth in the original agreements. The parties to the agreement may identify necessary maintenance activities needed to preserve the integrity of project structures and other ordinary maintenance activities as the parties may agree need to be performed. Funding to perform those maintenance activities shall come from the Lower Pearl trust account currently on deposit with a depository or depositories in the name of the Pearl River Basin Development District, which funds are a special fund set aside solely for the operation and maintenance of the project. From and after July 1, 2018, the parties to the agreement, may assume ownership, in trust, of those funds, and the funds shall be known as the "Lower Pearl River Restoration Trust Fund." Monies from this fund shall be a special fund set aside for the purpose(s) set forth in the amended or reformed agreement between the parties and shall not lapse into the State General Fund, and may not be expended for any purpose other than operation and maintenance activities under the purview of the project.

SECTION 8. Section 27-19-56.27, Mississippi Code of 1972, which provides for a special license tag for supporters of the Mississippi seafood industry, is repealed.

SECTION 9. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 49-15-17, 49-15-27, 49-15-37, 49-15-38, 49-15-46 AND 49-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE TECHNICAL REVISIONS TO THE POWERS AND DUTIES OF THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES RELATING TO OYSTER CULTIVATION LEASES, THE SEAFOOD FUND, THE OYSTER PRODUCTION PRESERVE ACCOUNT AND THE COASTAL PRESERVE ACCOUNT; TO AUTHORIZE THE DEPARTMENT OF MARINE RESOURCES TO RECONFIGURE OYSTER LEASE AREAS AND TO REVISE PERMITTED AREAS AND TO PROVIDE PROTEST PROCEDURES BY OYSTER LEASE APPLICANTS; TO PRESCRIBE CRIMINAL PENALTIES FOR ANY PERSON VIOLATING THE PROVISIONS OF THE OYSTER BOTTOM LEASE PROGRAM; TO AMEND SECTION 51-11-105, MISSISSIPPI CODE OF 1972, TO REMOVE THE UNITED STATES ARMY CORPS OF ENGINEERS FROM THE EXISTING LOWER PEARL RIVER RESTORATION PROJECT AGREEMENT; TO REPEAL SECTION 27-19-56.27, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES A SPECIAL LICENSE TAG FOR SUPPORTERS OF THE MISSISSIPPI SEAFOOD INDUSTRY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Mike Thompson	Brent Anderson
Jeremy England	Jay McKnight
Gary Brumfield	Jimmy Fondren

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2648** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

On motion of Senator Thompson, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 2648.

Senator Bryan offered the following report of the Conference Committee on **S. B. No. 2873** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2873: Medical records retention requirements; provide for.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Hob Bryan	Lee Yancey
David Parker	Billy Adam Calvert
Brice Wiggins	Jonathan McMillan

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2873** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Bryan moved that the rules be suspended for the consideration en bloc of S. N. No. 65, S. N. No. 66, S. N. No. 69, S. N. No. 90, S. N. No. 20, S. N. No. 95, S. N. No. 12, S. N. No. 13, S. N. No. 57, S. N. No. 25, S. N. No. 26, S. N. No. 27, S. N. No. 30, S. N. No. 31, S. N. No. 49 and S. N. No. 52 and the motion prevailed.

Senator Bryan called up the following entitled nominations:

S. N. No. 65: Billy Vaughn (Bill) Mayfield, Brandon, Mississippi, Board of Directors of MS Industries for the Blind, four year term effective July 1, 2024 and ending June 30, 2028, representing an educator with expertise in rehabilitation or the field of blindness.

S. N. No. 66: Sandra K. Smith Hall, Hazlehurst, Mississippi, Board of Directors of MS Industries for the Blind, four year term beginning July 1, 2023 and ending June 30, 2027.

S. N. No. 69: Anthony Chester White, Brandon, Mississippi, Mississippi State Board of Massage Therapy as the consumer at large, four year term effective July 1, 2023 and ending June 30, 2027.

S. N. No. 90: Kenya Gatlin-Gray, LCSW, Meridian, Mississippi, BD of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, remainder of a four year term beginning upon Senate Confirmation and ending June 30, 2026.

S. N. No. 20: Gene B. (Benny) Hubbard, Jr., Oxford, Mississippi, State Board of Health as an individual with an interest in public health, six year term effective July 1, 2023 and ending June 30, 2029, vice Tim Timbs.

S. N. No. 95: Stephen W. Joe, DMD, Olive Branch, Mississippi, MS State Board of Dental Examiners to represent the Second Dental District, six year term effective March 26, 2024 and ending June 30, 2029, vice Dr. Robert Smith, Jr..

S. N. No. 12: Wade Coleman Bishop, DMD, Gulfport, Mississippi, MS State Board of Dental Examiners to represent Dental District Five, remainder of six year term effective August 17, 2023 and ending June 30, 2027, vice Jeff Michael Zimmerman, DDS.

S. N. No. 13: John Ballew Carlton, DMD, Natchez, Mississippi, MS State Board of Dental Examiners to represent Dental District Six, six year term beginning March 10, 2023 and ending June 30, 2028, vice Dr. Tobie Moore.

S. N. No. 57: Alveno Nelson Castilla, Madison, Mississippi, Mississippi Board of Nursing as the Consumer representative, four year term beginning January 17, 2024 and ending June 30, 2027, vice Jan Collins.

S. N. No. 25: Shaterrica Janel Moody, Gulfport, Mississippi, MS Board of Nursing as a Registered Nurse in Clinical Practice, four year term effective August 1, 2023 and ending June 30, 2027, vice Laura K. Moore.

S. N. No. 26: Dr. Mary Westfaul Stewart, Hattiesburg, Mississippi, MS Board of Nursing as a Nurse Educator, four year term effective July 1, 2023 and ending June 30, 2027.

S. N. No. 27: Dr. Anna Taylor Middleton, Kosciusko, Mississippi, MS State Board of Optometry, five year term effective July 1, 2023 and ending June 30, 2028, representing the 2nd Congressional District as it existed on January 1, 1980, vice Susanne S. Cunningham.

S. N. No. 30: Michael Gene (Mike) Gilbow, Indianola, Mississippi, Board of Pharmacy, five year term effective July 1, 2023 and ending June 30, 2028, representing Pharmacist Retail At-Large, vice Guy Phillips.

S. N. No. 31: David Charles Hudson, Kosciusko, Mississippi, Board of Pharmacy, five year term effective July 1, 2023 and ending June 30, 2028, representing the 2nd Congressional District as it existed on July 1, 2001, vice Todd Barrett.

S. N. No. 49: Elizabeth E. (Beth) Edmiston, PT, Ocean Springs, Mississippi, State Board of Health as an individual with an interest in public health, six year term effective July 1, 2023 and ending June 30, 2029.

S. N. No. 52: Stewart Rutledge, Oxford, Mississippi, Board of Mental Health, seven year term effective July 1, 2024 and ending June 30, 2031, representing the 1st Congressional District.

YEAS AND NAYS on consideration en bloc of S. N. No. 65, S. N. No. 66, S. N. No. 69, S. N. No. 90, S. N. No. 20, S. N. No. 95, S. N. No. 12, S. N. No. 13, S. N. No. 57, S. N. No. 25, S. N. No. 26, S. N. No. 27, S. N. No. 30, S. N. No. 31, S. N. No. 49 and S. N. No. 52. On motion of Senator Bryan, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Senator Bryan called up the following entitled nomination:

S. N. No. 48: Dr. John Daniel Davis, IV, Flowood, Mississippi, State Board of Health as a Licensed Physician, six year term effective July 1, 2023 and ending June 30, 2029.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 48 by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Nays--None.
Absent and those not voting--Horhn. Total--1.
Voting Present--Blount. Total--1.

Senator England moved that the rules be suspended to move to calendar item 4, **S. B. No. 2424**, and the motion prevailed.

Senator England called up the motion to reconsider the vote whereby the Conference Report on **S. B. No. 2424** was adopted by the Senate and moved that it be reconsidered:
S. B. No. 2424: Absentee ballots; voters can cure ballots declared defective due to signature issues.

The foregoing motion prevailed.

Senator England moved that the Conference Committee Report on **S. B. No. 2424** be recommitted for further conference and the motion prevailed.

Senator England moved that the rules be suspended for the immediate consideration of **H. B. No. 1406**, and the motion prevailed.

Senator England moved to reconsider the vote whereby the Conference Report on **H. B. No. 1406** was adopted by the Senate.

The foregoing motion prevailed.

Senator England moved that the Conference Committee Report on **H. B. No. 1406** be recommitted for further conference and the motion prevailed.

H. B. No. 1406: Absentee voting; revise various provisions of.

Senator McCaughn entered a motion to reconsider the vote whereby the Conference Report on **H. B. No. 1208** was adopted by the Senate.

H. B. No. 1208: Hunting and fishing on lands of others; revise provisions relating to and provide penalties for.

Senator Parker entered a motion to reconsider the vote whereby the Conference Report on **H. B. No. 1815** was adopted by the Senate.

H. B. No. 1815: Appropriation; District attorneys and staff.

Senator Boyd moved that the rules be suspended to move to calendar item 108, **H. B. No. 1163**, and the motion prevailed.

Senator Boyd offered the following report of the Conference Committee on **H. B. No. 1163** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1163: Community and junior colleges; authorize to contract or enter into interlocal agreements with local governing authorities for first responders services.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 21-25-23, Mississippi Code of 1972, is amended as follows:

21-25-23. The governing authorities of any municipality are hereby authorized, when petitioned so to do by the Board of Trustees of State Institutions of Higher Learning or the board of trustees of a community or junior college district, to create, by ordinance, a fire district encompassing the area adjoining such municipality on which a part or all of a State Institution of Higher Learning or a community college is located, after the creation of which such governing authorities and the Board of Trustees of State Institutions of Higher Learning or the board of trustees of the affected community or junior college district shall have full power to contract for laying of water mains and any other pipes or connections to the water mains to be used in said fire district, and for the establishment and maintenance of fire service therein. However, no such governing authority shall have the power either to promulgate or enforce any charge, rule or regulation upon said district without first having received the ratification and consent of the Board of Trustees of State Institutions of Higher Learning or the board of trustees of the affected community or junior college district as reflected by the minutes of said trustees.

SECTION 2. Section 37-29-231, Mississippi Code of 1972, is amended as follows:

37-29-231. (1) The provisions of Sections 37-103-1 through 37-103-29 relating to the legal residence of and tuition to be charged any student applying for admission to state educational institutions shall be applicable to the boards of trustees of each junior college district in the state and to the administrative authorities of each such junior college governed by said board.

(2) (a) The board of trustees of each community or junior college is authorized, in its discretion and as deemed necessary, to enter into contract with a municipality as authorized under Section 21-25-23, or into an interlocal agreement with the county governing authority of the county wherein the community or junior college is located if situated outside of the incorporated limits of any city or municipality therein, to provide fire protection and first responder services to the main campus of the community or junior college for which the contract or interlocal agreement was entered. In addition to fire protection services, first responder services shall also include law enforcement services and emergency medical transportation services.

(b) Upon entering such contract or interlocal agreement, the board of trustees of the community or junior college receiving services under the contract or interlocal agreement may assess each student a fee not to exceed Five Dollars ($5.00), each semester to offset the cost associated with the services provided, which shall be allocated by the board of trustees to the local governing authority providing first responder services. This paragraph (b) shall stand repealed on July 1, 2027.

SECTION 3. Section 37-29-141, Mississippi Code of 1972, is amended as follows:

37-29-141. (1) The board of trustees of any junior college district is expressly authorized and empowered to make a thorough study and evaluation of the costs of operation of the junior college district, and said board shall recommend a fair and acceptable tax rate for district general support and maintenance from each of the member counties.

The board of trustees of any junior college district as constituted as of July 1, 1964, shall have the authority to recommend the tax levy necessary for a newly contributing county to have representation on the board of trustees of said junior college.

From and after October 1, 1989, no county shall levy less than (a) one (1) mill for the support, and (b) one (1) mill for the enlargement, improvement and repair of the junior college within the district of which the county is a member. From and after October 1, 1990, the board of trustees of any junior college district may, by a sixty percent (60%) affirmative vote of the members of such board, recommend an additional one (1) mill which may be used for the support or for the enlargement, improvement and repair of the junior college within the district of which the county is a member. If a county is levying more than the minimum levy required herein for one category but less than the minimum levy required for the other, then the excess millage under the one may be applied towards making up the deficiency which exists in the other. If a county contributes to two (2) junior college districts, the combined levy for both districts shall not be less than the minimums required herein.

Any county having any school district located therein with a current operating deficit of Two Hundred Thousand Dollars ($200,000.00) or more on July 1, 1989, shall not be required to levy the minimum millage required under this subsection (1) until such time as the said operating deficit is eliminated, or for a period of three (3) fiscal years, whichever is less. Provided, however, that no such county shall levy a smaller tax millage for capital improvements and general support of a junior college district than was levied for the previous year.

No county shall levy a smaller tax millage for capital improvements and general support of a junior college district than was levied for the previous year, unless requested to make such reduction by the board of trustees of the district. When a county has a

general reassessment of property to increase the county ad valorem tax assessments, such county may reduce the millage for general support and capital improvements, provided that its aggregate budget for junior college purposes is not lower than was paid the previous year.

In lieu of taxation, the board of trustees may fix the amount of enrollee tuition in an amount commensurate with the per capita cost of operating the district, which may also include any fees assessed by the board upon each student enrolled under the authority of Section 37-29-231 for the purpose of offsetting the cost of first responder services provided to the main campus of the community college by the local governing authority in accordance with the provisions of the contract entered into under the authority of Section 21-25-23 or the interlocal agreement entered into under the authority of Section 37-29-231.

(2) Taxes for the support, enlargement, improvement and repairs of junior colleges shall be levied annually against all of the property of each county and of each municipal separate school district, including added territory, which has established or may hereafter establish, or which has joined or may hereafter join, in the establishment or support of a junior college. In no case shall such levy exceed three (3) mills for support and three (3) mills for enlargement, improvement and repairs for each junior college within the district of which the county or municipal separate school district may be a component.

(3) The levy for support for any year in any given county or separate school district is that presently prevailing therein unless a change is recommended to the tax levying authorities by the board of trustees or by a vote of the people ascertained in an election called for that purpose by the tax levying authorities subsequent to the petition therefor signed by twenty percent (20%) of the qualified electors.

(4) Notwithstanding any provision of this section to the contrary, the minimum millage required under subsection (1) shall not be levied by the board of supervisors of any county within a junior college district until the board of trustees of the district adopts annually, an order, by a sixty percent (60%) affirmative vote of the members of the board, that such minimum millage shall be levied by each county within the district.

SECTION 4. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 21-25-23, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARDS OF TRUSTEES OF COMMUNITY AND JUNIOR COLLEGE TO ENTER INTO CONTRACT WITH A MUNICIPALITY FOR THE PROVISION OF FIRE PROTECTION SERVICES; TO AMEND SECTION 37-29-231, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARDS OF TRUSTEES OF COMMUNITY AND JUNIOR COLLEGE, IN ITS DISCRETION, TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE COUNTY GOVERNING AUTHORITY WHERE THE COMMUNITY OR JUNIOR COLLEGE IS LOCATED, TO PROVIDE FIRE PROTECTION AND FIRST RESPONDER SERVICES TO THE MAIN CAMPUS OF THE COMMUNITY OR JUNIOR COLLEGE; TO PROVIDE THE BOARD OF TRUSTEES OF THE COMMUNITY OR JUNIOR COLLEGE THE DISCRETION TO OFFSET THE COST OF THE SERVICES BY ASSESSING A STUDENT FEE EACH SEMESTER; TO AMEND SECTION 37-29-141, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Donnie Scoggin	Nicole Boyd
Randy P. Boyd	Scott DeLano
Billy Adam Calvert	Albert Butler

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1163** was adopted:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, Ladner, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Horhn. Total--1.

Voting Present--McCaughn, Seymour. Total--2.

Senator Blackwell entered a motion to reconsider the vote whereby the Conference Report on **S. B. No. 2405** was adopted by the Senate.

S. B. No. 2405: Alcoholic beverages; revise certain provisions regarding locations for sale of.

Senators Polk and Blount moved that when the Senate adjourns, it adjourn in memory of Wallace Fields of Raymond, MS.

Senators England, Boyd and McLendon moved that when the Senate adjourns, it adjourn in memory of Rosanna Grossman Beckham of Belzoni, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Sylvia Williams of Moss Point, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Wendell Darnell McCool of Pascagoula, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Robert N. Henderson, Jr. of New Albany, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Pat Haley, Sandra Dees and Sonny Grantham of Oxford, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Bob Tyler of Water Valley, MS.

Senator Hickman moved that when the Senate adjourns, it adjourn in memory of David Walker and Linda Hampton of Louisville, MS.

Senator Hickman moved that when the Senate adjourns, it adjourn in memory of James Stewart of Macon, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Larry W. Hill and John Willard McGowan of Jackson, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Henry H. Burge of Madison, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Alice Faye Wyatt of Fairhope, AL.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Rev. Jerry R. McMullen, Sr., Mel (Milburn Harrison) Bounds, Martha Charlene Calvert, Carolyn Grace Combs, Sherry Ann Hollingsworth and James Harry Hudnall of Meridian, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of O. E. Lovett, Donna Richardson, Paolo E. Salazar, Howard H. Turberville, Jr. and Betty Pierce White of Meridian, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Nora E. Walker of Whynot, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Stanley Frazier, Jr. of Bailey, MS.

Senator Polk moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Thursday, May 2, 2024.

The motion prevailed, and at 5:08 PM, the Senate stood in recess.

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. R. No. 127: Commend East Central High School "Lady Hornets" Golf Team for first-ever State 5A Championship. Title Sufficient. Do Be Adopted.

S. R. No. 128: Recognize Mississippi Children's Museum for USA Today National Award. Title Sufficient. Do Be Adopted.

S. R. No. 129: Remember the legacy of legendary Mississippi football Coach Bob Tyler and extending sincerest sympathy on his passing. Title Sufficient. Do Be Adopted.

S. R. No. 130: Commend and congratulate South Panola High School Junior Varsity Cheerleaders on winning MHSAA Game Day State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 131: Commend Belmont High School "Lady Cardinals" Girls Basketball Team for winning MHSAA 3A State Championship. Title Sufficient. Do Be Adopted.

S. C. R. No. 549: Legislature; suspend deadlines for Senate Bill No. 2753, 2024 Regular Session. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. B. No. 2408: AN ACT TO AMEND SECTION 37-101-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING SHALL REQUIRE ALL ON-CAMPUS FACULTY, STAFF AND STUDENTS ATTENDING ANY STATE INSTITUTION TO BE ISSUED AN IDENTIFICATION BADGE, WHICH INCLUDES 988 CRISIS LIFELINE CONTACT INFORMATION; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 315: AN ACT TO AMEND SECTIONS 25-15-13, 37-13-91, 37-23-63, 41-4-18, 41-7-173, 41-7-191 AND 43-7-61, MISSISSIPPI CODE OF 1972, TO MODERNIZE THE TERMINOLOGY THAT IS USED IN STATE STATUTES TO REFER TO PERSONS WITH AN INTELLECTUAL DISABILITY BY REPLACING THE TERM "MENTALLY RETARDED" WITH "INTELLECTUAL DISABILITY"; AND FOR RELATED PURPOSES.

David Jordan, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:25 PM in memory of Wallace Fields, Rosanna Grossman Beckham, Linda Hampton, James Stewart, Larry W. Hill, John Willard McGowan, Henry H. Burge, Alice Faye Wyatt, Rev. Jerry R. McMullen, Sr., Mel (Milburn Harrison) Bounds, Martha Charlene Calvert, Carolyn Grace Combs, Sylvia Williams, Sherry Ann Hollingsworth, James Harry Hudnall, O. E. Lovett, Donna Richardson, Paolo E. Salazar, Howard H. Turberville, Jr., Betty Pierce White, Nora E. Walker, Stanley Frazier, Jr., Wendell Darnell McCool, Robert N. Henderson, Jr., Pat Haley, Sandra Dees, Sonny Grantham, Bob Tyler and David Walker.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR WEDNESDAY, MAY 1, 2024

S. C. R. No. 549: Rules
A CONCURRENT RESOLUTION SUSPENDING THE DEADLINES FOR THE PURPOSE OF PERMITTING FURTHER CONSIDERATION, FILING AND ADOPTION OF CONFERENCE REPORTS ON SENATE BILL NO. 2753, 2024 REGULAR SESSION; AND FOR RELATED PURPOSES.
By Senator(s) Harkins, England, McCaughn, Michel, Whaley, Younger

S. R. No. 129: Rules
A RESOLUTION REMEMBERING THE LEGACY OF LEGENDARY MISSISSIPPI FOOTBALL COACH BOB TYLER AND EXTENDING THE SINCEREST SYMPATHY OF THE MISSISSIPPI SENATE ON HIS PASSING.
By Senator(s) Boyd, McCaughn, Michel, Seymour, Suber

S. R. No. 130: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE SOUTH PANOLA HIGH SCHOOL JUNIOR VARSITY CHEERLEADERS UPON WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION GAME DAY CHEER DIVISION STATE CHAMPIONSHIP TITLE.
By Senator(s) Boyd, Harkins

S. R. No. 131: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE BELMONT HIGH SCHOOL "LADY CARDINALS" GIRLS BASKETBALL TEAM AND COACH CHRIS HIGGINBOTTOM FOR AN EXCITING WIN AGAINST REGIONAL RIVAL BOONEVILLE IN THE MHSAA 3A STATE CHAMPIONSHIP.
By Senator(s) Sparks, McCaughn

ONE-HUNDRED AND TWENTY-SECOND DAY, THURSDAY, MAY 2, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier,

Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Barnett. Total--1.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Barnett.

The invocation was delivered by Reverend John R. Johnson, Pastor, Morning Star Baptist Church, Jackson, MS.

Senator Frazier led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 295: Arrest warrants; authorize electronic applications, signatures and records for.

Adopted: 04/29/24

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 765: MS Critical Teacher Shortage Act; extend repealer on.

Adopted: 04/30/24

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 1003: Homestead exemption; revise time within which certain homeowners may apply for.

Adopted: 04/29/24

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 1589: Motor vehicles; revise certain provisions regarding discharge of liens and scrapping.

Adopted: 04/29/24

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE GOVERNOR
May 2, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2060: Memorial bridge; dedicate the Little Biloxi Bridge to World War II Infantryman Willie Edward King. (April 30, 2024, 4:41 PM)

S. B. No. 2179: Department of Public Safety; revise certain provisions related to. (April 30, 2024, 4:52 PM)

S. B. No. 2283: Public Service Commission; extend date of repeal on. (April 30, 2024, 4:17 PM)

S. B. No. 2445: Correctional system programs; extend repealers. (April 30, 2024, 4:54 PM)

S. B. No. 2448: "Mississippi Earned Parole Eligibility Act"; extend repealer on. (April 30, 2024, 4:55 PM)

S. B. No. 2486: Proposals and requests for qualifications; simplify the receipt and registration process. (April 30, 2024, 4:58 PM)

S. B. No. 2510: Neshoba County; increase authorized contribution amount made to Philadelphia Transit. (April 30, 2024, 4:20 PM)

S. B. No. 2577: Digitizations; create a criminal penalty for the wrongful dissemination of. (April 30, 2024, 5:00 PM)

S. B. No. 2663: City of Carthage; extend repeal date on hotel, motel and restaurant tax. (April 30, 2024, 4:22 PM)

S. B. No. 2925: Bolivar County; authorize contributions to Bolivar County Community Action Agency and Fannie Lou Hamer Cancer Foundation. (April 30, 2024, 4:22 PM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

MESSAGE FROM THE GOVERNOR
May 2, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 3105: Tobacco excise tax; provide rate for heated tobacco products. (May 2, 2024, 5:58 AM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. R. No. 127, S. R. No. 128, S. R. No. 129, S. R. No. 130 and S. R. No. 131 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

S. R. No. 127: Commend East Central High School "Lady Hornets" Golf Team for first-ever State 5A Championship.

S. R. No. 128: Recognize Mississippi Children's Museum for USA Today National Award.

S. R. No. 129: Remember the legacy of legendary Mississippi football Coach Bob Tyler and extending sincerest sympathy on his passing.

S. R. No. 130: Commend and congratulate South Panola High School Junior Varsity Cheerleaders on winning MHSAA Game Day State Championship.

S. R. No. 131: Commend Belmont High School "Lady Cardinals" Girls Basketball Team for winning MHSAA 3A State Championship.

YEAS AND NAYS on consideration en bloc of S. R. No. 127, S. R. No. 128, S. R. No. 129, S. R. No. 130 and S. R. No. 131. On motion of Senator Kirby, the rules

were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Barnett. Total--1.

Unanimous consent was granted to add Senator England as co-author of **S. R. No. 127**.

Unanimous consent was granted to add Senators Blount, McCaughn, Michel, Seymour and Suber as co-authors of **S. R. No. 128**.

Unanimous consent was granted to add Senators McCaughn, Michel, Seymour and Suber as co-authors of **S. R. No. 129**.

Unanimous consent was granted to add Senator McCaughn as co-author of **S. R. No. 131**.

Senator Kirby called up the following entitled resolution:

S. C. R. No. 549: Legislature; suspend deadlines for Senate Bill No. 2753, 2024 Regular Session.

PARLIAMENTARY INQUIRY

Senator Simmons D. T. (12th) raised a point of inquiry, if a Senate Resolution on the floor, can be amended to add another bill.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the inquiry well-taken, you can add to the resolution.

Senator Simmons D. T. (12th) offered the following AMENDMENT NO. 1

AMEND on line 10 by striking "No." and inserting "Nos." in lieu thereof.

FURTHER, AMEND on line 10 by adding "2230 and" before "2753".

FURTHER, AMEND the title to conform.

POINT OF ORDER

A point of order was raised by Senator Fillingane that Amendment No. 1 violates the rules as it expands the purpose of the bill beyond its original purpose.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order well-taken.

Senator Hickman offered the following AMENDMENT NO. 2.

AMEND on line 10 by adding "House Bill No. 783" before "Senate".

FURTHER, AMEND the title to conform.

POINT OF ORDER

A point of order was raised by Senator Fillingane that Amendment No. 2 violates the rules as it expands the purpose of the original bill beyond its original intent.

POINT OF ORDER

A point of order was raised by Senator Blount that Senator Fillingane's point referred to the Constitutional Provision Section 60, that no bill shall be amended from its original purpose, stating, but this is a resolution and not a bill; therefore, the point of order made on both Amendment No. 1 and Amendment No. 2 is not correct.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled that, under Senate Rule 86, germaneness applies to both bills and resolutions. The point of order by Senator Blount is not well-taken, and the point of order by Senator Fillingane is well taken.

YEAS AND NAYS On S. C. R. No. 549. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackwell, Boyd, Branning, Carter, Chassaniol, Chism, DeBar, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, Ladner, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--33.

Nays--Blackmon, Frazier, Hickman, Horhn, Jordan, Norwood, Simmons S. (13th), Thomas, Turner-Ford. Total--9.

Absent and those not voting--Blount, Bryan, Butler, Jackson. Total--4.

Senator DeLano, who would have voted yea on S. C. R. No. 549, announced a pair with Senator Barnett, who would have voted nay.

Senator Simmons D. T. (12th), who would have voted nay on S. C. R. No. 549, announced a pair with Senator McCaughn, who would have voted yea.

Senator Brumfield, who would have voted nay on S. C. R. No. 549, announced a pair with Senator Seymour, who would have voted yea.

Unanimous consent was granted to add Senators England, McCaughn, Michel, Whaley and Younger as co-authors of **S. C. R. No. 549**.

On motion of Senator Kirby, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. C. R. No. 549.

Senator Parks called up the following entitled bill:

H. B. No. 4129: City of Bay St. Louis; authorize to administer and expend certain federal funds to assist in flood mitigation.

YEAS AND NAYS On H. B. No. 4129. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--50.
Nays--Turner-Ford. Total--1.
Absent and those not voting--Barnett. Total--1.

Senator DeBar called up the motion to reconsider the vote whereby the Conference Report on **H. B. No. 346** was adopted by the Senate and moved that the motion to reconsider be tabled:
H. B. No. 346: "Seizure Safe Schools Act"; establish.

The foregoing motion prevailed.

Senator Whaley called up the motion to reconsider the vote whereby the Conference Report on **H. B. No. 1208** was adopted by the Senate and moved that the motion to reconsider be tabled:
H. B. No. 1208: Hunting and fishing on lands of others; revise provisions relating to and provide penalties for.

The foregoing motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3013** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3013: Appropriation; IHL - Student Financial Aid.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the support and maintenance of financial aid scholarship, loan and grant programs authorized by law and administered by the Mississippi Office of Student Financial Aid and for support of the Mississippi Office of Student Financial Aid, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 51,952,895.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized out of the proceeds derived from any federal funds, grants, donations, fees, or other special source funds which are collected by or otherwise become available for the support and maintenance of financial aid scholarship, loan and grant programs authorized by law including funds used as federal matching funds for the GEAR UP Mississippi Scholarship Program and administered by the Mississippi Office of Student Financial Aid and for support of the Mississippi Office of Student Financial Aid, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 5,350,000.00.

SECTION 3. None of the funds appropriated in this act shall be paid to or for the benefit of any student who applies for the first time, subsequent to July 1, 2024, for assistance through the Southeast Asia POW/MIA Grant established under the provisions of Section 37-106-41, the Public Management Graduate Internship established under the provisions of Section 37-106-43, the State Medical Education Loan established under the provisions of Section 37-106-61, the State Dental Education Loan established under the provisions of Section 37-106-63, the Graduate and Professional Degree Forgivable Loan established under the provisions of Section 37-106-65, the Health Care Professions Forgivable Loan established under the provisions of Section 37-106-67, or the Family Protection Specialist Social Worker Forgivable Loan established under the provisions of Section 37-106-69.

SECTION 4. It is the intention of the Legislature that of the funds appropriated under the provisions of Section 1 of this act, the Board of Trustees of State Institutions of Higher Learning shall expend from the support of the out-of-state graduate and professional studies program an amount not exceeding the funding necessary, contingent upon the availability of qualified applicants, for nine (9) new entering optometry students and the number of returning optometry students who received funding under the program during the preceding school year.

SECTION 5. In the allocation of funds appropriated under the provisions of Sections 1 and 2 of this act, among the student financial aid programs included herein, it is the intention of the Legislature that priority shall be given and funds shall be first allocated to all students eligible for financial aid under the provisions of Section 37-106-39, Mississippi Code of 1972.

SECTION 6. All funds provided for in this act shall be accounted for in an annual report, which shall be submitted at the next regular session of the Legislature within ten (10) days after the convening thereof. The report should detail for each grant, scholarship, or loan program the number of recipients, the total amount of awards made, and the average award amount. The report shall include the number of students at each institution receiving financial assistance and the amount of such assistance. For loan

programs, the report shall also include a summary of the repayment status and method of repayment for student cohorts as well as an accounting of the receipt of funds in repayment. Furthermore, all funds received and expended shall be reported and otherwise accounted for in accordance with the provisions of Section 37-106-11, Mississippi Code of 1972, except where individual identifying information must be withheld pursuant to the Family Educational Rights and Privacy Act (FERPA), 20 USC Section 1232g 34 CFR Part 99.

No public or private institution of higher learning receiving funds under the respective provisions of this act, for the purpose of issuing scholarship grants or loans, shall issue any official transcripts for any persons who have any amount of repayment in arrears on the date such official transcript is requested.

SECTION 7. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 8. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Of the funds appropriated in Section 1 of this act, an amount not to exceed Seventy Thousand Dollars ($70,000.00) is provided for the Speech-Language Pathologists Loan Forgiveness Program established under the provisions of Section 37-106-73, Mississippi Code of 1972, and administered by the Mississippi Office of Student Financial Aid.

SECTION 11. Awards for the Higher Education Legislative Plan Grant Program, authorized by Section 37-106-75, shall be made to applicants meeting all program requirements and found to be in financial need according to the following definition:

(a) The family has one (1) child under the age of twenty-one (21), and the annual adjusted gross income of the family is less than Thirty-nine Thousand Five Hundred Dollars ($39,500.00); or

(b) The family has annual adjusted gross income of less than Thirty-nine Thousand Five Hundred Dollars ($39,500.00) plus Five Thousand Dollars ($5,000.00) for each additional child under the age of twenty-one (21).

SECTION 12. Of the funds appropriated in Section 2 of this act, Three Million Dollars ($3,000,000.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972. This amount shall be used for the Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Act established by Section 37-106-81, Mississippi Code of 1972, and the William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program established by Section 37-106-36, Mississippi Code of 1972.

SECTION 13. It is the intention of the Legislature that no student should receive undergraduate grant aid through more than one state-supported undergraduate grant program in the same term of enrollment. If a student is eligible for aid through multiple grant programs, the student shall be awarded from the program that awards the larger sum.

SECTION 14. It is the intention of the Legislature that all students must demonstrate eligibility at the conclusion of each term during the regular academic year in order to continue to receive state-supported aid.

SECTION 15. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated, to the Mississippi Office of Student Financial Aid for the purpose of reauthorizing the expenditure of Education Enhancement Funds to defray the expenses of the Mississippi Office of Student Financial Aid, as authorized in Senate Bill 3007, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ...

$ 2,000,000.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds for the following:

(a) William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program ..... $ 1,900,000.00

(b) Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Act $ 100,000.00

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer, and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE SUPPORT AND MAINTENANCE OF FINANCIAL AID SCHOLARSHIP, LOAN AND GRANT PROGRAMS AND THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID, FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Karl Oliver
Rita Potts Parks	John Read
Dennis DeBar, Jr.	Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3013** (version 2) was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Barnett. Total--1.

President Hosemann yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3162** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3162: Appropriation; additional to DMH-Children & Youth PRTF, ARPA funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money not otherwise appropriated, to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to the Department of Mental Health for the purpose of entering into a subgrant with Canopy Children's Solutions for the construction and renovation of the CARES Center, including the children and youth Psychiatric Residential Treatment Facility for Trauma Recovery for the period beginning upon the passage of this act and ending June 30, 2025..... $ 20,000,000.00.

SECTION 2. As a condition of expending the funds appropriated under Section 1 of this act, the Department of Mental Health shall enter into a memorandum of agreement with Canopy Children's Solutions governing the operation of the CARES Center that requires Canopy Children's Solutions to:

(a) Designate a minimum of thirty-three (33) beds for first preference and priority admission for individuals who meet admission criteria and are under the care of the Department of Mental Health and Child Protection Services;

(b) Agree to provide and maintain such beds in a condition to satisfy the regulatory standards of the Department of Health by a date to be determined by the Department of Mental Health;

(c) Execute a promissory note and a deed of trust between Canopy Children's Solutions and the Department of Mental Health evidencing a security interest in the CARES Center for a sum equal to the amount of state funds expended to construct or renovate the CARES Center;

(d) Consistent with the terms of the promissory note, reimburse a sum equal to the amount of state funds expended to construct or renovate the CARES Center to the Department of Mental Health upon the substantial breach of the memorandum of agreement required by this section;

(e) Authorize the Department of Mental Health to assert or maintain a claim in any proceeding instituted in the First Judicial District of Hinds County Chancery Court, to recoup a sum equal to the amount of state funds expended to construct and renovate the CARES Center upon the substantial breach of the memorandum of agreement required by this section; and

(f) Release the Department of Mental Health, the state, and any of its political subdivisions from any obligation to maintain the CARES Center or any designated state beds.

For purposes of this section, a substantial breach of the memorandum of agreement shall include the failure to maintain the designated state beds in a condition to satisfy the regulatory standards required by this section for a period of three (3) consecutive months, the dissolution of Canopy Children's Solutions, a filing for bankruptcy by Canopy Children's Solutions, or the permanent cessation of operation of the CARES Center.

SECTION 3. None of the funds appropriated by this act shall be used to pay employee premium payments.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Capital Expense Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CAPITAL EXPENSE FUND TO THE DEPARTMENT OF MENTAL HEALTH FOR THE PURPOSE

OF ENTERING INTO A SUBGRANT WITH CANOPY CHILDREN'S SOLUTIONS FOR THE CONSTRUCTION AND RENOVATION OF THE CARES CENTER, INCLUDING THE CHILDREN AND YOUTH PSYCHIATRIC RESIDENTIAL TREATMENT FACILITY FOR TRAUMA RECOVERY, FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	John Read
John A. Polk	Karl Oliver
Hillman Terome Frazier	Angela Cockerham

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3162** was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Barnett. Total--1.

_____

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2285** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2285: Department of Public Safety; bring forward code sections related to officer salaries.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-1-12, Mississippi Code of 1972, is amended as follows:

45-1-12. (1) The salaries of all officers of the Mississippi Highway Safety Patrol who have completed the course of instruction in an authorized highway patrol training school on general law enforcement, and are serving as a sworn officer of the Highway Patrol in the enforcement of the laws of the State of Mississippi, including service in any other division of the Department of Public Safety, and the sworn law enforcement officers of the Mississippi Bureau of Narcotics, shall be determined and paid in accordance with the scale for officers salaries as provided in this subsection:

Department of Public Safety Sworn Officers Salary Schedule

Rank	Years of Experience			
	Less than 4		Over	4
	Over 8		Over 12	
Trooper	* * *54,000			
Trooper FC			* * *57,000	
Corporal	* * *60,000			
Sergeant			* * *62,750	

Rank	Years of Experience			
	Over 16		Over	20
	Over 24		Over 29	
Staff Sgt.	* * *65,750			
Sr. Staff Sgt.			* * *68,750	
Sgt. 1st Class	* * *72,000			
			* * *75,000	

Promotional Rank	Years of Experience			
	Over 5	Over 10	Over	15
	Over 20	Over 25	Over 29	
Master Sgt.				
	* * *	* * *	* * *	
	* * *	* * *	* * *	
	68,750	71,500	74,500	
	77,500	80,500	83,250	
Lieutenant				
	* * *	* * *	* * *	
	* * *	* * *	* * *	
	78,500	81,500	84,500	
	87,500	90,500	93,500	
Captain				
		* * *	* * *	
	* * *	* * *	* * *	
		91,500	95,000	
	98,250	101,500	104,500	

Promotional Rank

Major

* * *
* * * * * * * * *

111,000

Lt. Colonel

* * *
* * * * * * * * *

120,500

Colonel

* * * * * * * * * * * *
131,750

Department of Public Safety/MS Bureau of Narcotics

Sworn Officers Salary Schedule

Rank	Years of Experience			
	Less than 4	Over	4	
	Over 8	Over 12		
LE-Agent I	* * *54,000			
LE-Agent II		* * *57,000		
LE-Agent III	* * *60,000			
LE-Agent IV		* * *62,750		
Rank	Years of Experience			
	Over 16	Over	20	
	Over 24	Over 29		
LE-Agent V	* * *65,750			
LE-Agent VI		* * *68,750		
LE-Officer VII			72,000	
LE-Officer VIII		75,000		

Promotional Rank Years of Experience

* * *

	Over 5	Over 10	Over 15	Over 20	Over 25	Over 29
Master Sgt.	68,750	71,500	74,500	77,500	80,500	83,250
Lieutenant						
			* * *	* * *	* * *	
			* * *	* * *	* * *	
			78,500	81,500	84,500	
			87,500	90,500	93,500	
Captain						
				* * *	* * *	
			* * *	* * *	* * *	
				91,750	95,000	
			98,250	101,250	104,500	
Promotional Rank						
Major						
					* * *	
			* * *	* * *	* * *	
						111,000
Lt. Colonel						
					* * *	
			* * *	* * *	* * *	
						120,500
Colonel						
					* * * * * * * * * * * *	
						131,750

(2) All sworn officers in the Mississippi Highway Patrol and the Mississippi Bureau of Narcotics employed on a full-time basis shall be paid a salary in accordance with the above scale. Notwithstanding any other provision of law to the contrary, any rank of any sworn officer not based upon a merit-based promotion or years of experience shall be at the will and pleasure of the appointing authority as approved by the State Personnel Board. The rank and years of experience of each sworn officer to be used in establishing the salary shall be determined by the rank and years of experience on July 1 of the current fiscal year.

(3) For purposes of applying the rank designation to the above scale, the following job classifications of the State Personnel Board shall be applicable for the Mississippi Highway Patrol:

Rank	Job Classes
(a) Trooper	DPS-Highway Patrol Officer I

	LE-Investigator II
(b) Trooper First Class	DPS-Highway Patrol Officer II
	LE-Investigator III
(c) Corporal	DPS-Highway Patrol Officer III
	LE-Investigator IV
(d) Sergeant	DPS-Highway Patrol Officer IV
	LE-Investigator V
(e) Staff Sergeant	DPS-Highway Patrol Officer V
(f) Senior Staff Sergeant	DPS-Highway Patrol Officer VI
	Tech Spec
(g) Master Sgt/Sgt. F/C	DPS-Assistant Inspector
	DPS-Highway Patrol Officer VII
	DPS-Investigator I
	DPS-Supv. Driver Serv.
(h) Lieutenant	DPS-Air Operations Officer
	DPS-Dir. Corr. Intelligence
	DPS-Dist. Executive Officer
	DPS-Regional Supv. Driver. Serv.
	DPS-Branch Director
	LE-Dir/Training
	LE-Dist. Investigator
(i) Captain	DPS-Staff Officer (MHP)
(j) Major	DPS-Bureau Director II
(k) Lt. Colonel	DPS-Deputy Administrator;
	DPS-Chief of Staff
(l) Colonel/Chief of Patrol	Dir-Office of MS Hwy Safety Patrol

(4) For purposes of applying the rank designation to the above scale, the following job classifications of the State Personnel Board shall be applicable for the Mississippi Bureau of Narcotics:

Rank	Job Classes
(a) Agents	LE-Agent I

	LE-Agent II
	LE-Agent III
	LE-Agent IV
	LE-Agent V
	LE-Agent VI
(b) Lieutenant	BN-District Investigator (LT)
(c) Captain	BN-District Commander
(d) Major	BN-Bureau Director II
	Office Director I
(e) Lt. Colonel	BN-Deputy Administrator
(f) Colonel	Director, Bureau of Narcotics

(5) In any fiscal year after July 1, 2015, in the event the Legislature provides across-the-board salary increases to state employees whose compensation is paid from the State General Fund and subject to specific appropriation therefor by the Legislature, the State Personnel Board shall revise the salary scale above to provide the same percentage or dollar amount increase as has been appropriated for other state employees.

(6) It shall be the duty of the Mississippi Department of Public Safety to file with the Legislative Budget Office and the State Fiscal Officer such data and information as may be required to enable the said Legislative Budget Office and State Fiscal Officer to budget and distribute the funds necessary to compensate the sworn officers of the Department of Public Safety according to the requirements of the salary scale. Such data and information so filed may be revised from time to time as necessitated to reflect the current number and experience of sworn officers employed by the department.

(7) The Commissioner of Public Safety, with approval by the State Personnel Board, is authorized to set the salaries equitably of sworn law enforcement officers assigned to the Commercial Transportation Enforcement Division, the Mississippi Bureau of Investigation, and Capitol Police based upon the pay scale contained in this section.

SECTION 2. Section 45-3-7, Mississippi Code of 1972, which is the provision of law that establishes the "David R. Huggins Act," is hereby repealed.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 45-1-12, MISSISSIPPI CODE OF 1972, TO REVISE THE SALARY SCHEDULE OF OFFICERS OF THE MISSISSIPPI HIGHWAY PATROL AND THE MISSISSIPPI BUREAU OF NARCOTICS; TO REPEAL SECTION 45-3-7, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION OF LAW THAT ESTABLISHES THE "DAVID R. HUGGINS ACT"; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	John Read
Brice Wiggins	Clay Deweese
John A. Polk	Angela Cockerham

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2285** (version 2) was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Barnett. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2487** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2487: The Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund; bring forward provision related to.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-2-1, Mississippi Code of 1972, is amended as follows:

45-2-1. (1) Whenever used in this section, the term:

(a) "Covered individual" means a law enforcement officer or firefighter, including volunteer firefighters, as defined in this section when employed by an employer as defined in this section; it does not include employees of independent contractors.

(b) "Employer" means a state board, commission, department, division, bureau or agency, or a county, municipality or other political subdivision of the state, which employs, appoints or otherwise engages the services of covered individuals.

(c) "Firefighter" means an individual who is trained for the prevention and control of loss of life and property from fire or other emergencies, who is assigned to firefighting activity, and is required to respond to alarms and perform emergency actions at the location of a fire, hazardous materials or other emergency incident.

(d) "Law enforcement officer" means any lawfully sworn officer or employee of the state or any political subdivision of the state whose duties require the officer or employee to investigate, pursue, apprehend, arrest, transport or maintain custody of persons who are charged with, suspected of committing, or convicted of a crime, whether the officer is on regular duty on full-time status, an auxiliary or reserve officer, or is serving on a temporary or part-time status.

(e) "Cause of death" means any cause of death that would be covered under the Public Safety Officers' Benefits Act of 1976, the Hometown Heroes Survivors Benefits Act of 2003, generally codified at 42 USCS Chapter 46, or the Safeguarding America's First Responders Act of 2020.

(2) (a) (i) The Department of Public Safety shall make a payment, as provided in this section, in the amount of * * * One Hundred Fifty Thousand Dollars ($150,000.00) when a covered individual, while engaged in the performance of the person's official duties, dies or receives accidental or intentional bodily injury that results in the loss of the covered individual's life and such death is the result of a covered cause of death, provided that the death is not the result of suicide and that the bodily injury is not intentionally self-inflicted.

(ii) In addition to the payment authorized in subparagraph (i) of this subsection, the Department of Public Safety shall pay Twenty-five Thousand Dollars ($25,000.00) per child of the covered individual, not to exceed a total payment of Two Hundred Fifty Thousand Dollars ($250,000.00) under subsection (2) of this section.

(b) The payment provided for in this subsection shall be made to the beneficiary who was designated in writing by the covered individual, signed by the covered individual and delivered to the employer during the covered individual's lifetime. If no such designation is made, then the payment shall be made to the surviving child or children and spouse in equal portions, and if there is no surviving child or spouse, then to the parent or parents. * * *

(c) The payment made in this subsection is in addition to any workers' compensation or pension benefits and is exempt from the claims and demands of creditors of the covered individual.

(3) The Department of Public Safety shall make a payment, as provided in this section, in the amount not to exceed Fifteen Thousand Dollars ($15,000.00) to pay funeral and other related burial expenses when a covered individual dies or receives accidental or intentional bodily injury that results in the loss of the covered individual's life. This payment may be made directly to the funeral home chosen by the next of kin and is subject to the availability of funds.

(* * *4) (a) There is established in the State Treasury a special fund to be known as the Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund. The trust fund shall * * * maintain a minimum balance of Four Million Dollars ($4,000,000.00), and shall be comprised of any additional funds made available by the Legislature or by donation, contribution, gift or any other source.

(b) The State Treasurer shall invest the monies of the trust fund in any of the investments authorized for the funds of the Public Employees' Retirement System under Section 25-11-121, and those investments shall be subject to the limitations prescribed by Section 25-11-121.

(c) Unexpended amounts remaining in the trust fund at the end of the state fiscal year shall not lapse into the State General Fund, and any income earned on amounts in the trust fund shall be deposited to the credit of the trust fund. * * * At the end of each state fiscal year, the State Treasurer shall transfer any amount of funds that exceed the minimum required balance in paragraph (a) of this subsection to the Law Enforcement Officers and Fire Fighters Training and Equipment Trust Fund.

(4) The Department of Public Safety shall be responsible for the management of the trust fund and the disbursement of death benefits authorized under this section. The Department of Public Safety shall adopt rules and regulations necessary to implement and standardize the payment of death benefits under this section, to administer the trust fund created by this section and to carry out the purposes of this section.

(5) (a) There is created in the State Treasury a special fund to be known as the Law Enforcement Officers and Fire Fighters Training and Equipment Trust Fund. Money in the fund may be disbursed pursuant to the Law Enforcement Officers and Fire Fighters Training and Equipment Grant Program established in this subsection. The fund shall consist of monies received from any source, including those transferred at the end of each fiscal year from the Law enforcement Death Benefit Trust Fund. Monies remaining in the revolving fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on the fund shall be deposited to the credit of the fund.

(b) There is established the Law Enforcement Officers and Fire Fighters Training and Equipment Grant Program in the Department of Public Safety. Upon agreement, the Commissioner of the Department of Public Safety and the State Fire Marshal may award grants for enhanced training or safety equipment for covered individuals.

SECTION 2. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 45-2-1, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF THE PAYMENT TO COVERED INDIVIDUALS FROM THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND; TO DELETE THE PROVISION OF LAW THAT AUTHORIZES PAYMENT TO A COVERED INDIVIDUAL'S ESTATE WHERE A BENEFICIARY IS NOT DESIGNATED AND THERE IS NO SURVIVING CHILD, SPOUSE OR PARENT; TO AUTHORIZE THE PAYMENT OF FUNERAL EXPENSES OF A COVERED INDIVIDUAL NOT TO EXCEED A CERTAIN AMOUNT; TO PROVIDE THAT A MINIMUM BALANCE SHALL BE MAINTAINED IN THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS IN EXCESS OF THIS MINIMUM BALANCE FROM THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND TO THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS TRAINING AND EQUIPMENT TRUST FUND; TO CREATE THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS TRAINING AND EQUIPMENT TRUST FUND IN THE STATE TREASURY; TO ESTABLISH THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS TRAINING AND EQUIPMENT GRANT PROGRAM IN THE DEPARTMENT OF PUBLIC SAFETY; TO AUTHORIZE THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC SAFETY AND THE STATE FIRE MARSHALL, UPON AGREEMENT, TO AWARD GRANTS FOR

ENHANCED TRAINING OR SAFETY EQUIPMENT FOR COVERED INDIVIDUALS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	John Read
Scott DeLano	Clay Deweese
Brice Wiggins	Angela Cockerham

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2487** (version 2) was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Barnett. Total--1.

Unanimous consent was granted to add Senators Barrett, Berry, Blackwell, Blount, Boyd, Branning, Brumfield, Butler, Carter, Chassaniol, Chism, England, Fillingane, Frazier, Harkins, Hickman, Horhn, Jackson, Jordan, Ladner, McMahan, Parker, Parks, Robinson, Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Whaley and Younger as co-authors of **S. B. No. 2487**.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2848** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2848: ARPA programs; revise and bring forward related provisions and provide for determination of unobligated funds by Nov. 1.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-104-323, Mississippi Code of 1972, is amended as follows:

27-104-323. (1) All funds received by or on behalf of the State of Mississippi through the Coronavirus Local Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) for distribution to nonentitlement units of

local government shall be deposited into the Coronavirus Local Fiscal Recovery Fund created in subsection (2) of this section.

(2) There is created in the State Treasury a special fund to be designated as the "Coronavirus Local Fiscal Recovery Fund" to be administered by the Department of Finance and Administration. The special fund shall consist of funds required to be deposited into the special fund by subsection (1) of this section, funds appropriated or otherwise made available by the Legislature in any manner, and funds from any other source designated for deposit into the special fund. The Department of Finance and Administration shall distribute the funds to the nonentitlement units of local government in accordance with the Coronavirus Local Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) and any applicable federal guidelines. Such funds shall only be used as provided in the Coronavirus Local Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) or as authorized by federal rule or regulation or guidelines.

(3) Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the Coronavirus Local Fiscal Recovery Fund. The State Fiscal Officer shall transfer to the Coronavirus State Fiscal Recovery Fund the full amount of any investment earnings or interest earned on amounts in the Coronavirus Local Fiscal Recovery Fund that are remaining in the Coronavirus Local Fiscal Recovery Fund on July 1, 2024. Any investment earnings or interest earned on amounts in the * * * Coronavirus Local Fiscal Recovery Fund after July 1, 2024, shall be deposited to the credit of the * * * Coronavirus State Fiscal Recovery Fund created in Section 27-104-321.

(4) The State Fiscal Officer is authorized, in his or her discretion, to transfer to the federal government any funds in the Coronavirus Local Fiscal Recovery Fund that have not been used for the purpose for which they were received.

SECTION 2. Section 37-106-64, Mississippi Code of 1972, is amended as follows:

37-106-64. (1) There is established the "Skilled Nursing Home and Hospital Nurses Retention Loan Repayment Program" for * * * nursing graduates to be administered by the Mississippi Postsecondary Education Financial Assistance Board.

(2) Subject to the availability of funds, an eligible applicant for an initial award must have:

(a) Legal residency in the State of Mississippi;

(b) Gained employment * * * as a full-time licensed practical nurse or licensed registered nurse at a skilled nursing home in the State of Mississippi or a general acute care hospital in the State of Mississippi that is licensed by the Mississippi State Department of Health;

(c) A current relevant Mississippi professional license; and

(d) Outstanding qualifying educational loans, received at any point during the recipients postsecondary education career, which may include the principal, interest and related expenses such as the required interest premium on the unpaid balances of government and commercial loans obtained by the recipient for educational expense.

(3) Persons who have received funds from state-forgivable loan programs established under Mississippi law, or who are in default or delinquent on any federal, state, local or commercial qualifying educational loan, shall not be eligible for this program.

(4) Recipients in the program shall be selected on a first-come, first-served basis from all eligible applicants. The Mississippi Postsecondary Education Financial Assistance Board shall renew eligible applicants approved in prior years only if the renewal applicant continues to meet the standards set forth in this act, and the renewal applicant has not received full funding provided by this subsection (4).

(5) Awards for recipients who are employed at a skilled nursing home or a licensed general acute care hospital in the state may be a maximum of Six Thousand Dollars ($6,000.00) for each year of employment up to three (3) years.

(6) A recipient shall not be penalized for ending employment at a skilled nursing home or a licensed general acute care hospital in the State of Mississippi if the recipient begins working for another skilled nursing home or licensed general acute care hospital in the State of Mississippi during the year on which the award is based.

(7) Awards shall be granted on a year-to-year basis, and recipients have no obligation to seek a subsequent award.

(8) Awards shall be paid annually, after the expiration of the year of employment for which the award was granted, to the recipient's lender or loan service provider, to be applied to the outstanding balance. Monies paid by the recipient or on the recipient's behalf toward qualifying educational loans before payment of the award shall not be eligible for reimbursement through the program.

(9) During the employment year for which the award is granted, a recipient shall at all times keep the State Financial Aid Board informed of any changes to the recipient's current, correct and complete employment information and status.

(10) Recipients, who fail to maintain a relevant Mississippi professional license or fail to fulfill the year of employment on which the award was based, forfeit any right to the award.

(11) The Mississippi Postsecondary Education Financial Assistance Board, in collaboration with the State Board of Nursing and any other applicable state agency as determined by the Mississippi Postsecondary Education Financial Assistance Board, shall attempt to track award recipients under this program through their third employment year, unless the recipient leaves employment at a skilled nursing home or a licensed general acute care hospital in the state at an earlier date. Data collected shall include each recipients' place of employment and any other pertinent information necessary to determine the efficacy of the program in retaining nurses in skilled nursing homes or licensed general acute care hospitals in the State of Mississippi.

(12) The Mississippi Postsecondary Education Financial Assistance Board shall promulgate regulations necessary for the proper administration of this section, including setting a fiscal year policy for the program and application dates and deadlines.

(13) This section shall stand repealed on July 1, 2027.

SECTION 3. Section 41-3-16.1, Mississippi Code of 1972, is amended as follows:

41-3-16.1. (1) (a) The State Department of Health (department) shall establish a grant program to be known as the ARPA Rural Water Associations Infrastructure Grant Program (program) to assist rural water associations and entities in the construction of eligible drinking water infrastructure projects as provided in the Final Rule for the Coronavirus State and Local Fiscal Recovery Funds as established by the federal American Rescue Plan Act (ARPA).

(b) Rural water associations and any entity that received funding under the ARPA Rural Water Associations Infrastructure Grant Program or the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program before April 14, 2023, shall be ineligible for additional grants under this section.

(2) The program shall be funded from appropriations by the Legislature to the department from the Coronavirus State Fiscal Recovery Fund, and the department shall expend all such funds for the purposes provided in subsection (1) of this section.

(3) The department shall obligate the funds by the deadline set by the rules and guidelines of the United States Department of the Treasury and will adhere to the Treasury's rules and guidelines for reporting and monitoring projects funded through ARPA.

(4) (a) The department shall develop a system for use in ranking the grant applications received. The ranking system shall include the following factors, at a minimum: (a) the environmental impact of the proposed project; (b) the proposed project's ability to address noncompliance with state/federal requirements; (c) the extent to which the project promotes economic development; (d) the number of people served by the project (both new and existing users); (e) impacts of the proposed project on disadvantaged/ overburdened communities; (f) the grant applicant's prior efforts to secure funding to address the proposed project's objectives; (g) the grant applicant's proposed contribution of other funds or in-kind cost-sharing to the proposed project; (h) the grant applicant's long-term plans for the financial and physical operation and maintenance of the project; and (i) the grant applicant's capacity to initiate construction in a timely manner and complete the proposed project by the deadline specified by rules and guidelines of the United States Department of the Treasury for ARPA funds.

(b) For the second round of grant awards, the department shall apply a greater weight to grant applications that promote consolidation of separate systems. In order to receive the additional weight, the systems that will consolidate shall be in a proximity of each other as determined by the department.

(c) In addition to the points awarded under paragraph (b) of this subsection, an additional ten (10) points shall be added to any application with at least one (1) system that has consolidated after January 1, 2018, and before application to this program and is otherwise eligible under this section.

(5) An application for a grant under this section shall be submitted at such time, be in such form, and contain such information as the department prescribes.

(6) (a) Upon the approval of an application for a grant under this section, the department shall enter into a project grant agreement with each grantee to establish the terms of the grant for the project, including the amount of the grant.

(b) (i) For the first award of grants, the maximum amount of funds that may be provided to any rural water association or entity from all grants under the program is Two Million Five Hundred Thousand Dollars ($2,500,000.00).

(ii) For the second round of grant awards, the maximum amount of funds that may be provided to any eligible association or entity from all grants under the program is Two Million Dollars ($2,000,000.00).

(c) Associations or entities that received funding under the first round of grant awards for this program or received funding in the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022 are ineligible to receive funding under the second round.

(7) With any funds appropriated to the department for the program after April 1, 2024, the department shall distribute the funds to projects from the second round of grant awards in the order in which the applications were ranked for grants as long as the department determines that the project can obligate the funds by October 1, 2024, and expend the funds by December 31, 2026. Where the department determines that a project cannot obligate or expend the funds by the required dates, the department shall not fund the project, and it shall continue from the second round of grant awards in the order in which the applications were ranked for grants.

(* * *8) The department shall have all powers necessary to implement and administer the program. Of the funds appropriated to the department for the program, not more than five percent (5%) may be used by the department to cover the department's costs of administering the program.

(* * *9) In carrying out its responsibilities under the program, for any contract under the purview of the Public Procurement Review Board (PPRB), the department shall be exempt from any requirement that the PPRB approve any personal or professional services contracts or pre-approve any solicitation of such contracts. This subsection shall stand repealed on July 1, 2026.

(* * *10) The department shall submit an annual report regarding the program no later than December 31 of each year to the Lieutenant Governor, the Speaker of the House, and the Chairmen of the Senate and House Appropriations Committees.

(* * *11) For the purposes of this section, "entity" means:

(a) Any entity operating as a rural water association, regardless of whether such entities were user created, were initially organized not for profit, or have been granted tax-exempt status under state or federal law.

(b) Any nonprofit water or sewer provider not owned by the municipality or county and are not a Rural Water Association.

(c) Any entity eligible under this program shall be currently operating as a not-for-profit entity.

(d) "Entity" under this subsection does not include any state agency. No state agency shall be eligible under this program.

SECTION 4. (1) The Legislature, based upon current United States Treasury guidance, has determined that all Coronavirus State Fiscal Recovery Funds must be obligated by December 31, 2024, and expended by December 31, 2026.

(2) (a) In order to meet the obligation deadline set forth by the United States Treasury, the State Fiscal Officer shall determine the amount of Coronavirus State Fiscal Recovery Funds appropriated to various agencies that will not be obligated as of October 1, 2024.

(b) In making the determination required by this section, the State Fiscal Officer shall use the guidance released by the United States Treasury to determine if the Coronavirus State Fiscal Recovery Funds are not obligated.

(3) If at any time during the period from passage of this act to October 1, 2024, a state agency determines that Coronavirus State Fiscal Recovery Funds will not be obligated by October 1, 2024, the state agency shall notify the State Fiscal Officer.

(4) If at any time the State Fiscal Officer determines that funds will be unobligated as of October 1, 2024, under subsection (2) or (3) of this section, the State Treasurer, in coordination with the State Fiscal Officer, shall transfer these funds to the Coronavirus State Fiscal Recovery Fund (Fund No. 682111300) by no later than October 5, 2024. The State Fiscal Officer may retain an amount not to exceed the lesser of the estimated cost of ARPA administration or Twenty-five Million Dollars ($25,000,000.00) in the Coronavirus State Fiscal Recovery Fund to be utilized for administrative and reporting costs. No later than October 6, 2024, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the funds to the ARPA - MDOT Maintenance Project Fund.

SECTION 5. There is created in the State Treasury a special fund to be designated as the "ARPA - MDOT Maintenance Project Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Transportation for eligible Surface Transportation maintenance projects included in the Maintenance Program of the Three-Year Plan as adopted by, amended by, or reissued by the Mississippi Transportation Commission under the authority of Section 65-1-141. The Department of Transportation may escalate its budget upon receiving Coronavirus State Fiscal Recovery Funds and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

The Department of Transportation shall determine if a project is eligible based upon Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury, including, but not limited to, Federal Register Volume 88, Issue 181, September 20, 2023, which allows for Surface Transportation projects.

SECTION 6. Upon the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer to the Coronavirus State Fiscal Recovery Fund (Fund No. 6821113000) from the following named funds the following sums:

FUND	FUND NUMBER	AMOUNT
Mississippi Municipal and County Water Infrastructure Fund	6822147000	$ 25,265,726.00
ARPA- Tourism Fund	6822113300	$ 861,050.00
Mississippi Hospital Sustainability Grant Program Fund	6822130500	$ 39,460,629.00
MH SB Corona State Fiscal Rec Funds ARPA Fund	6822437100	$ 29,384,500.00
MH CO Corona State Fiscal Rec Funds ARPA Fund	6822337100	$ 18,057,096.00
Mississippi Law Enforcement and Fire Fighters Premium Pay Fund	6822171100	$ 3,316,000.00
Trial Judges-ARPA 2021-(CPS) Fund	6822105100	$ 1,500,000.00
Trial Judges-ARPA 2021-Temporary Courts Fund	6822105200	$ 3,063,505.00
TOTAL		$120,908,506.00

SECTION 7. Upon the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the sum of Fifty-four Million One Hundred Thousand Dollars ($54,100,000.00) from the Coronavirus State Fiscal Recovery Fund (Fund No. 6821113000) to the Coronavirus State Fiscal Recovery Lost Revenue Fund (Fund No. 3822113000).

SECTION 8. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-104-323, MISSISSIPPI CODE OF 1972, TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER TO THE CORONAVIRUS STATE FISCAL RECOVERY FUND THE FULL AMOUNT OF ANY INTEREST EARNED ON AMOUNTS IN THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND THAT ARE REMAINING IN THE LOCAL FUND ON JULY 1, 2024; TO PROVIDE THAT ANY INTEREST EARNED ON AMOUNTS IN THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND AFTER JULY 1, 2024, SHALL BE DEPOSITED TO THE CREDIT OF THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO AUTHORIZE THE STATE FISCAL OFFICER TO TRANSFER TO THE FEDERAL GOVERNMENT ANY FUNDS IN THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND THAT HAVE NOT BEEN USED FOR THE PURPOSE FOR WHICH THEY WERE RECEIVED; TO AMEND SECTION 37-106-64, MISSISSIPPI CODE OF 1972, TO REVISE ELIGIBILITY FOR THE SKILLED NURSING HOME AND HOSPITAL NURSES RETENTION LOAN REPAYMENT PROGRAM; TO AMEND SECTION 41-3-16.1, MISSISSIPPI CODE OF 1972, TO DIRECT THE DEPARTMENT OF HEALTH'S DISTRIBUTION OF FUNDS APPROPRIATED TO THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM; TO REQUIRE THE STATE FISCAL OFFICER TO TRANSFER CERTAIN FUNDS; TO CREATE THE "ARPA-MDOT MAINTENANCE PROJECT FUND" AS A SPECIAL FUND WITHIN THE STATE TREASURY; TO DIRECT THE STATE TREASURER, IN CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER CERTAIN FUNDS TO THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO DIRECT THE STATE TREASURER, IN CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER CERTAIN FUNDS TO THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	John Read
John A. Polk	Karl Oliver
Dennis DeBar, Jr.	Angela Cockerham

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2848** (version 2) was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Barnett. Total--1.

Unanimous consent was granted to add Senator Butler as co-author of **S. B. No. 2848**.

Senator Harkins moved that the rules be suspended to move to calendar item 42, **S. B. No. 2803**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2803** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2803: Local Option Alcoholic Beverage Control Law; revise definition of "qualified resort area."

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-5, Mississippi Code of 1972, as amended by Senate Bill No. 2457, 2024 Regular Session, is amended as follows:

67-1-5. For the purposes of this article and unless otherwise required by the context:

(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by

a human being, but shall not include light wine, light spirit product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines and native spirits. The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

(b) "Alcohol" means the product of distillation of any fermented liquid, whatever the origin thereof, and includes synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

(c) "Distilled spirits" means any beverage containing more than six percent (6%) of alcohol by weight produced by distillation of fermented grain, starch, molasses or sugar, including dilutions and mixtures of these beverages.

(d) "Wine" or "vinous liquor" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits, honey or berries and made in accordance with the revenue laws of the United States.

(e) "Person" means and includes any individual, partnership, corporation, association or other legal entity whatsoever.

(f) "Manufacturer" means any person engaged in manufacturing, distilling, rectifying, blending or bottling any alcoholic beverage.

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

(h) "Retailer" means any person who sells, distributes, or offers for sale or distribution, any alcoholic beverage for use or consumption by the purchaser and not for resale.

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its organization to be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

(j) "Division" means the Alcoholic Beverage Control Division of the Department of Revenue.

(k) "Municipality" means any incorporated city or town of this state.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day. When used in this article, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

(i) A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, which has suitable seating facilities for guests, and which has suitable kitchen facilities connected therewith for cooking an assortment of foods and meals commonly ordered at various hours of the day; the service of such food as sandwiches and salads only shall not be deemed in compliance with this requirement. Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this article unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue; or

(ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking. In addition to the other requirements of this subparagraph, the business must also serve food to guests for compensation within the building and derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales to live entertainment in the building, and from the rental of all or part of the facilities of the business in the building to another party for a specific event or function.

(n) "Club" means an association or a corporation:

(i) Organized or created under the laws of this state for a period of five (5) years prior to July 1, 1966;

(ii) Organized not primarily for pecuniary profit but for the promotion of some common object other than the sale or consumption of alcoholic beverages;

(iii) Maintained by its members through the payment of annual dues;

(iv) Owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;

(v) The affairs and management of which are conducted by a board of directors, board of governors, executive committee, or similar governing body chosen by the members at a regular meeting held at some periodic interval; and

(vi) No member, officer, agent or employee of which is paid, or directly or indirectly receives, in the form of a salary or other compensation any profit from the distribution or sale of alcoholic beverages to the club or to members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

The department may, in its discretion, waive the five-year provision of this paragraph. In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this article, two (2) copies of a list of the names and residences of its members and similarly file, within ten (10) days after the election of any additional member, his name and address. Each club applying for a license shall also file with the department at the time of the application a copy of its articles of association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2) miles of a convent or monastery that is located in a county traversed by Interstate 55 and U.S. Highway 98. A convent or monastery may waive such distance restrictions in favor of allowing approval by the department of an area as a qualified resort area. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(i) The department may approve an area or locality outside of the limits of an incorporated municipality that is in the process of being developed as a qualified resort area if such area or locality, when developed, can reasonably be expected to meet the requisites of the definition of the term "qualified resort area." In such a case, the status of qualified resort area shall not take effect until completion of the development.

(ii) The term includes any state park which is declared a resort area by the department; however, such declaration may only be initiated in a written request for resort area status made to the department by the Executive Director of the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this article, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.

(iii) The term includes:

1. The clubhouses associated with the state park golf courses at the Lefleur's Bluff State Park, the John Kyle State Park, the Percy Quin State Park and the Hugh White State Park;

2. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

3. Any facility located on property that is a game reserve with restricted access that consists of at least three thousand (3,000) contiguous acres with no public roads and that offers as a service hunts for a fee to overnight guests of the facility;

4. Any facility located on federal property surrounding a lake and designated as a recreational area by the United States Army Corps of Engineers that consists of at least one thousand five hundred (1,500) acres;

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted against coming out from under the dry law; however, any such facility may only be located in areas designated by the governing authorities of such municipality;

6. Any municipality with a population in excess of ten thousand (10,000) according to the latest federal decennial census that is located in a county that is bordered by the Pearl River and is not traversed by Interstate Highway 20, with a

population in excess of forty-five thousand (45,000) according to the latest federal decennial census;

7. The West Pearl Restaurant Tax District as defined in Chapter 912, Local and Private Laws of 2007;

8. a. Land that is located in any county in which Mississippi Highway 43 and Mississippi Highway 25 intersect and:

A. Owned by the Pearl River Valley Water Supply District, and/or

B. Located within the Reservoir Community District, zoned commercial, east of Old Fannin Road, north of Regatta Drive, south of Spillway Road, west of Hugh Ward Boulevard and accessible by Old Fannin Road, Spillway Road, Spann Drive and/or Lake Vista Place, and/or

C. Located within the Reservoir Community District, zoned commercial, west of Old Fannin Road, south of Spillway Road and extending to the boundary of the corporate limits of the City of Flowood, Mississippi;

b. The board of supervisors of such county, with respect to B and C of item 8.a., may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

9. Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no public roads, that offers as a service hunts for a fee to overnight guests of the facility, and has accommodations for at least fifty (50) overnight guests;

10. Any facility that:

a. Consists of at least six thousand (6,000) square feet being heated and cooled along with an additional adjacent area that consists of at least two thousand two hundred (2,200) square feet regardless of whether heated and cooled,

b. For a fee is used to host events such as weddings, reunions and conventions,

c. Provides lodging accommodations regardless of whether part of the facility and/or located adjacent to or in close proximity to the facility, and

d. Is located on property that consists of at least thirty (30) contiguous acres;

11. Any facility and related property:

a. Located on property that consists of at least one hundred twenty-five (125) contiguous acres and consisting of an eighteen-hole golf

course, and/or located in a facility that consists of at least eight thousand (8,000) square feet being heated and cooled,

b. Used for the purpose of providing meals and hosting events, and

c. Used for the purpose of teaching culinary arts courses and/or turf management and grounds keeping courses, and/or outdoor recreation and leadership courses;

12. Any facility and related property that:

a. Consist of at least eight thousand (8,000) square feet being heated and cooled,

b. For a fee is used to host events,

c. Is used for the purpose of culinary arts courses, and/or live entertainment courses and art performances, and/or outdoor recreation and leadership courses;

13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

14. The clubhouse and associated eighteen-hole golf course located in a municipality traversed by Interstate Highway 55 and U.S. Highway 51 that has voted to come out from under the dry law;

15. a. Land that is planned for mixed-use development and consists of at least two hundred (200) contiguous acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed, and also including a facility that consists of at least four thousand (4,000) square feet that is not part of such land but is located adjacent to or in close proximity thereto, and which land is located:

A. In a county that has voted to come out from under the dry law,

B. Outside the corporate limits of any municipality in such county and adjacent to or in close proximity to a golf course located in a municipality in such county, and

C. Within one (1) mile of a state institution of higher learning;

b. The board of supervisors of such county may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

16. Any facility with a capacity of five hundred (500) people or more, to be used as a venue for private events, on a tract of land in the Southwest Quarter of Section 33, Township 2 South, Range 7 East, of a county where U.S. Highway 45 and U.S. Highway 72 intersect and that has not voted to come out from under the dry law;

17. One hundred five (105) contiguous acres, more or less, located in Hinds County, Mississippi, and in the City of Jackson, Mississippi, whereon are constructed a variety of buildings, improvements, grounds or objects for the purpose of holding events thereon to promote agricultural and industrial development in Mississippi;

18. Land that is owned by a state institution of higher learning, land that is owned by an entity that is bound by an affiliation agreement with a state institution of higher learning, or land that is owned by one or more other entities so long as such other entities are solely owned, either directly or through additional entities, by an institution of higher learning and/or one or more entities bound by affiliation agreements with such institution, and:

a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7; and

b. A. Located adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9; or

B. Located in an area bounded on the north by College View Drive, on the east by Mississippi Highway 12 East, on the south by Mississippi Highway 12 East, on the west by Mill Street, on the north by Russell Street, then on the west by Colonel Muldrow Avenue, on the north by University Drive, on the west by Adkerson Way within a municipality through which run Mississippi Highway 25, Mississippi Highway 12 and U.S. Highway 82.

If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, 2020, then that qualified resort area shall be incorporated into the qualified resort area created by this item 18;

19. Any facility and related property:

a. Used as a flea market or similar venue during a weekend (Saturday and Sunday) immediately preceding the first Monday of a month and having an annual average of at least one thousand (1,000) visitors for each such weekend and five hundred (500) vendors for Saturday of each such weekend, and

b. Located in a county that has not voted to come out from under the dry law and outside of but in close proximity to a municipality located in such county and which municipality has voted to come out from under the dry law;

20. Blocks 1, 2 and 3 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

21. Any municipality with a population in excess of two thousand (2,000) according to the latest federal decennial census and in which is located a part of White's Creek Lake and in which U.S. Highway 82 intersects with Mississippi Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River;

22. A restaurant located on a two-acre tract adjacent to a five-hundred-fifty-acre lake in the northeast corner of a county traversed by U.S. Interstate 55 and U.S. Highway 84;

23. Any tracts of land in Oktibbeha County, situated north of Bailey Howell Drive, Lee Boulevard and Old Mayhew Road, east of George Perry Street and south of Mississippi Highway 182, and not located on the property of a state institution of higher learning; however, the board of supervisors of such county may by resolution or other order:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

24. A municipality in which Mississippi Highway 27 and Mississippi Highway 28 intersect;

25. A municipality through which run Mississippi Highway 35 and Interstate 20;

26. A municipality in which Mississippi Highway 16 and Mississippi Highway 35 intersect;

27. A municipality in which U.S. Highway 82 and Old Highway 61 intersect;

28. A municipality in which Mississippi Highway 8 meets Mississippi Highway 1;

29. A municipality in which U.S. Highway 82 and Mississippi Highway 1 intersect;

30. A municipality in which Mississippi Highway 50 meets Mississippi Highway 9;

31. An area bounded on the north by Pearl Street, on the east by West Street, on the south by Court Street and on the west by Farish Street, within a municipality bordered on the east by the Pearl River and through which run Interstate 20 and Interstate 55;

32. Any facility and related property that:

a. Is contracted for mixed-use development improvements consisting of office and residential space and a restaurant and lounge,

partially occupying the renovated space of a four-story commercial building which previously served as a financial institution; and adjacent property to the west consisting of a single-story office building that was originally occupied by the Brotherhood of Carpenters and Joiners of American Local Number 569; and

b. Is situated on a tract of land consisting of approximately one and one-tenth (1.10) acres, and the adjacent property to the west consisting of approximately 0.5 acres, located in a municipality which is the seat of county government, situated south of Interstate 10, traversed by U.S. Highway 90, partially bordered on one (1) side by the Pascagoula River and having its most southern boundary bordered by the Gulf of Mexico, with a population greater than twenty-two thousand (22,000) according to the 2010 federal decennial census; however, the governing authorities of such a municipality may by ordinance:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

C. Designate the areas within the facilities in which alcoholic beverages may be offered for sale;

33. Any facility with a maximum capacity of one hundred twenty (120) people that consists of at least three thousand (3,000) square feet being heated and cooled, has a commercial kitchen, has a pavilion that consists of at least nine thousand (9,000) square feet and is located on land more particularly described as follows:

All that part of the East Half of the Northwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi, that lies South of Mississippi State Highway 348 right-of-way and containing 19.48 acres, more or less.

ALSO,

The Northeast 38 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi.

ALSO,

The South 81 1/2 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi;

34. A municipality in which U.S. Highway 51 and Mississippi Highway 16 intersect;

35. A municipality in which Interstate 20 passes over Mississippi Highway 15;

36. Any municipality that is bordered in its northwestern boundary by the Pearl River, traversed by U.S. Highway 49 and Interstate 20, and is located in a county which has voted against coming out from under the dry law;

37. A municipality in which Mississippi Highway 28 and Mississippi Highway 29 North intersect;

38. An area bounded as follows within a municipality through which run Interstate 22 and Mississippi Highway 15: Beginning at a point at the

intersection of Bankhead Street and Tallahatchie Trails; then running to a point at the intersection of Tallahatchie Trails and Interstate 22; then running to a point at the intersection of Interstate 22 and Carter Avenue; then running to a point at the intersection of Carter Avenue and Camp Avenue; then running to a point at the intersection of Camp Avenue and King Street; then running to a point at the intersection of King Street and E. Main Street; then running to a point at the intersection of E. Main Street and Camp Avenue; then running to a point at the intersection of Camp Avenue and Highland Street; then running to a point at the intersection of Highland Street and Adams Street; then running to a point at the intersection of Adams Street and Cleveland Street; then running to a point at the intersection of Cleveland Street and N. Railroad Avenue; then running to a point at the intersection of N. Railroad Avenue and McGill Street; then running to a point at the intersection of McGill Street and Snyder Street; then running to a point at the intersection of Snyder Street and Bankhead Street; then running to a point at the intersection of Bankhead Street and Tallahatchie Trails and the point of the beginning;

39. A municipality through which run Mississippi Highway 43 and U.S. Highway 80;

40. The coliseum in a municipality in which U.S. Highway 72 passes over U.S. Highway 45;

41. A piece of property on the northeast corner of the T-intersection where Builders Square Drive meets Mississippi Highway 471;

42. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities located on Oaks Country Club Road less than one-half (1/2) mile to the east of Mississippi Highway 15;

43. Any facility located on land more particularly described as follows:

The East Half (E 1/2) of the Southwest Quarter (SW 1/4) of Section 15, Township 3 North, Range 2 East; a 4 acre parcel in the Southwest Corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), Section 15, Township 3 North, Range 2 East, running 210 feet east and west and 840 feet running north and south; the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 22, Township 3 North, Range 2 East, all in Rankin County, Mississippi;

44. Any facility located on land more particularly described as follows:

Beginning at a point 1915 feet west and 2171 feet north of southeast corner, Section 11, Township 24 North, Range 2 West, Second Judicial District, Tallahatchie County, Mississippi, which point is the southwest corner of J.C. Section Lot mentioned in deed recorded in Book 50, page 34, in the records of the Chancery Clerk's Office at Sumner, in said District of said County; thence South 80° West, 19 feet to the east boundary of United States Highway 49-E, thence East along the east boundary of said Highway 270 feet to point of beginning of Lot to be conveyed; thence southeast along the east boundary of said Highway 204 feet to a concrete post at the intersection of the east boundary of said Highway with the west boundary of gravel road from Sumner to Webb, known as Oil Mill Road, thence Northwest along west boundary of said Oil Mill Road 194 feet to center of driveway running southwest from said Oil Mill Road to U.S. Highway 49-E; thence South 66° West along center of said driveway 128 feet to point of beginning, being situated in Northwest Quarter of Southeast Quarter of Section 11, together with all improvements situated thereon;

45. Any facility that:

a. Consists of at least five thousand six hundred (5,600) square feet being heated and cooled along with a lakeside patio that consists of at least two thousand two hundred (2,200) square feet, regardless of whether such patio is part of the facility and/or located adjacent to or in close proximity to the facility;

b. Includes a caterer's kitchen and green room for entertainment preparation;

c. For a fee is used to host events; and

d. Is located adjacent to or in close proximity to an approximately nine (9) acre lake on property that consists of at least one hundred twenty (120) acres in a county traversed by Mississippi Highway 15 and U.S. Highway 278;

46. Any municipality with a population in excess of one thousand (1,000) according to the 2010 federal decennial census and which is located in a county that is traversed by U.S. Highways 84 and 98 and has not voted to come out from under the dry law;

47. The clubhouse and associated nine-hole golf course, tennis courts and related facilities and swimming pool and related facilities located on or near U.S. Highway 82 between Mississippi Highway 15 and Mississippi Highway 9;

48. The downtown square area bound by East Service Drive, Commerce Street, Second Street and Court Street and adjacent properties in a municipality through which run Interstate 55, U.S. Highway 51 and Mississippi Highway 306;

49. All parcels zoned for mixed-use development located west of Mississippi Highway 589, more than four hundred (400) feet north of Old Highway 24, east of Parkers Creek and Black Creek, and south of J M Burge Road;

50. Any facility used by a soccer club and located on Old Highway 11 between one-tenth (0.1) and two-tenths (0.2) of a mile from its intersection with Oak Grove Road, in a county in which U.S. Highway 98 and Mississippi Highway 589 intersect;

51. Any municipality in which U.S. Highway 49 and Mississippi Highway 469 intersect;

52. Any facility that is:

a. Owned by a Veterans of Foreign Wars (VFW) organization that is a nonprofit corporation and registered with the Mississippi Secretary of State;

b. Used by such organization for its headquarters and other organization related purposes; and

c. Located outside of a municipality in a county that has not voted to come out from under the dry law;

53. The following within a municipality in which U.S. Highway 49 and U.S. 61 Highway intersect and through which flows the Sunflower River:

a. An area bounded as follows: Starting at the southern point of the intersection of Sunflower Avenue and 1st Street and going south along said avenue on its eastern side to 8th Street, then going east along said street on its northern side to West Tallahatchie Street, then going north along said street on its western side to

4th Street/Martin Luther King Boulevard, then going east along said street/boulevard on its northern side to Desoto Avenue, then going north along said avenue on its western side to 1st Street, then going west along said street on its southern side to the point of beginning along the southern side of Court Street;

b. Lots located at or near the intersection of Madison Avenue, Walnut Street, and Riverside Avenue that are in a commercial zone; and

c. Any facility located on the west side of Sunflower Avenue to the Sunflower River between the southern side of 6th Street and the northern side of 8th Street and which is operated as and/or was operated as a hotel or lodging facility, in consideration of payment, regardless of whether the facility meets the criteria for the definition of the term "hotel" in paragraph (l) of this section; and

d. Any facility located on the west side of Sunflower Avenue to the Sunflower River between the southern side of 3rd Street and the northern side of 4th Street/Martin Luther King Boulevard and which is operated as and/or was operated as a musical venue, in consideration of payment;

54. Any municipality in which Mississippi Highway 340 meets Mississippi Highway 15;

55. Any municipality in which Mississippi Highway 540 and Mississippi Highway 149 intersect;

56. Any municipality in which Mississippi Highway 15 and Mississippi Highway 345/Main Street intersect;

57. The property and structures thereon at the following locations within a municipality through which run U.S. Highway 45 and Mississippi Highway 145 and in which Mississippi Highway 370 and Mississippi Highway 145 intersect: 104 West Main Street, 106 West Main Street, 108 West Main Street, 110 West Main Street and 112 West Main Street;

58. Any municipality in which U.S. Highway 11 and Main Street intersect and which is located in a county having two (2) judicial districts;

59. Any municipality in which Interstate 22 passes over Mississippi Highway 9;

60. Any facility located on land more particularly described as follows:

A certain parcel of land being situated in the Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E, Rankin County, Mississippi, and being more particularly described as follows:

Commence at an existing 1/2" iron pin marking the Southwest corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13 seconds East along the East line of the Southeast 1/4 of the Northeast 1/4 for a distance of 33.18 feet to an existing 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds East for a distance of 2.08 feet to an existing 1/2" iron pin; run thence North 00 degrees 22 minutes 19 seconds East for a distance of 561.90 feet to an existing 1/2" iron pin; run thence North 00 degrees 16 minutes 18 seconds East for a distance of 76.42 feet to a set 1/2" iron pin marking the POINT OF BEGINNING of the parcel of land herein described; from said POINT

OF BEGINNING, continue thence North 00 degrees 16 minutes 18 seconds East along an existing fence for a distance of 493.27 feet to an existing 1/2" iron pin; run thence North 03 degrees 08 minutes 15 seconds East for a distance of 170.22 feet to an existing 1/2" iron pin on the North line of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9; run thence North 89 degrees 46 minutes 45 seconds East along said North line of the Southeast 1/4 of the Northeast 1/4 of Section 9 for a distance of 1,305.51 feet to an existing 1/2" iron pin marking Northeast corner thereof; leaving said North line of the Southeast 1/4 of the Northeast 1/4 of Section 9, run thence South 00 degrees 08 minutes 35 seconds West along the East line of said Southeast 1/4 of the Northeast 1/4 of Section 9 for a distance of 663.19 feet to a set 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4 of Section 9, run thence South 89 degrees 46 minutes 45 seconds West for a distance of 1,315.51 feet to the POINT OF BEGINNING, containing 20.00 acres, more or less.

And Also: An easement for the purpose of ingress and egress being situated in the Southeast 1/4 of the Northeast 1/4 and in the Northeast 1/4 of the Southeast 1/4 of Section 9, T3N-R3E, Rankin County, Mississippi, and being more particularly described as follows:

Begin at an existing 1/2" iron pin marking the Southwest corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13 seconds East along the East line of the Southeast 1/4 of the Northeast 1/4 for a distance of 33.18 feet to an existing 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds East for a distance of 2.08 feet to an existing 1/2" iron pin; run thence North 00 degrees 22 minutes 19 seconds East for a distance of 561.90 feet to an existing 1/2" iron pin; run thence North 00 degrees 16 minutes 18 seconds East for a distance of 76.42 feet to a set 1/2" iron pin; run thence North 89 degrees 46 minutes 45 seconds East for a distance of 25.00 feet to a set 1/2" iron pin; run thence South 00 degrees 16 minutes 18 seconds West for a distance of 76.66 feet to a set 1/2" iron pin; run thence South 00 degrees 22 minutes 19 seconds West for a distance of 619.81 feet to a set 1/2" iron pin; run thence South 89 degrees 43 minutes 01 seconds West for a distance of 26.81 feet to a set 1/2" iron pin; run thence North 00 degrees 06 minutes 13 seconds East along the West line of the aforesaid Northeast 1/4 of the Southeast 1/4 of Section 9 for a distance of 25.00 feet to the POINT OF BEGINNING, containing 17,525.4 square feet, more or less.

61. Any municipality bordered on the east by the Pascagoula River and on the south by the Mississippi Sound;

62. The property and structures thereon located at parcel numbers 4969 198 000; 4969 200 000; 4969 201 000; 4969 206 000; 4969 207 000; 4969 208 000; 4969 218 000; 4969 199; 4969 204 000 and 4969 204 001, all in Block 4 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

63. Any municipality in which Mississippi Highway 12 meets Mississippi Highway 17;

64. Any municipality in which U.S. Highway 49 and Mississippi Highway 469 intersect;

65. The clubhouse and associated nine-hole golf course and related facilities located on or near the eastern corner of the point at which Golf Course Road meets Athens Road, in a county in which Mississippi Highway 13 and Mississippi Highway 28 intersect, with GPS coordinates of approximately 31.900370078041004, -89.7928067652611;

66. Any facility located at the south-to-southwest corner of the intersection of Madison Street and Bolton Brownsville Road, in a municipality in which Bolton Brownsville Road passes over Interstate 20, with GPS coordinates of approximately 32.349067271758955, -90.4596221146197;

67. Any facility located at the northwest corner of the intersection of Depot Street and Madison Street, in a municipality in which Bolton Brownsville Road passes over Interstate 20, with GPS coordinates of approximately 32.34903152971068, -90.46047660172901;

68. Any facility located on Hinds Boulevard approximately three-tenths (0.3) of a mile south of the point at which Hinds Boulevard diverges from Clinton Road, in a municipality whose northern boundary partially consists of Snake Creek Road, and whose southern boundary partially consists of Mississippi Highway 18, with GPS coordinates of approximately 32.26384517526713, -90.41586570183475;

69. Any facility located on Pleasant Grove Drive approximately one and three-tenths (1.3) miles southeast of its intersection with Harmony Drive, in a county through which run Interstate 55 and U.S. Highway 84, with GPS coordinates of approximately 31.512043770371907, -90.2506094382595;

70. Any facility located immediately north of the intersection of two roads, both named Mason Clark Drive, located between two-tenths (0.2) and three-tenths (0.3) of a mile southwest of Mississippi Highway 57/63, with GPS coordinates of approximately 31.135950529733048, -88.53068674585575;

71. Any facility located on Raj Road approximately three-tenths (0.3) of a mile south of Mississippi Highway 57/63, with GPS coordinates of approximately 31.139553708288418, -88.53411203512971; * * *

72. Any facility located on Raj Road approximately one-tenth (0.1) of a mile south of Mississippi Highway 57/63, with GPS coordinates of approximately 31.14184097577295, -88.53287700849411;

73. Any municipality through which run U.S. Highway 45 and Mississippi Highway 145 and in which Mississippi Highway 370 and Mississippi Highway 145 intersect; however, this designation as a qualified resort area shall only apply to the portion of such municipality which is located in a county that has not voted to come out from under the dry law;

74. A municipality through which runs a portion of the Tanglefoot Trail and in which Mississippi Highway 32 and East Front Street intersect;

75. Lot Three (3) in Block One Hundred Seventy-eight (178) of the D. H. McInnis First Survey, sometimes referred to as D. H. McInnis Railroad Addition, to the City of Hattiesburg, the said lot having a frontage of thirty (30) feet on the Eastern side of Front Street and extending back between parallel lines ninety (90) feet to

an alley, and being located in the Northwest Quarter of Section 10, Township 4 North, Range 13 West, Forrest County, Mississippi;

76. An area of land in George County of approximately eight and five hundredths (8.05) acres, bordered on the east and northeast by Brushy Creek, on the northwest by Brushy Creek Road, on the west by Beaver Creek Road, and on the south by a property boundary running east and west;

77. A municipality in which Mississippi Highway 15 intersects with Webster Street, and in which Webster Street splits into Mill Street and Maben Starkville Road;

78. A municipality in which Mississippi Highway 492 meets Mississippi Highway 35;

79. A facility operating as an event venue and located on Mississippi Highway 589, with GPS coordinates of approximately 31.36730, -89.50548;

80. An area situated in the SW 1/4 of Section 12, T7N-R2E, Madison County, Mississippi, and commencing at the point on the Ross Barnett Reservoir directly east of the intersection of North Natchez Street and Louisiana Street, then go west on Louisiana Street to the intersection of Louisiana Street and Andrew Jackson Street, then west on Andrew Jackson Street to the intersection of Andrew Jackson Street and Choctaw Street, then north on Choctaw Street to the intersection of Choctaw Street and Republic Street, then west on Republic Street to the intersection of Republic Street and Port Street, then north on Port Street to the Natchez Trace right-of-way, then east on the Natchez Trace right-of-way to the Ross Barnett Reservoir, then following the Ross Barnett Reservoir south back to the point of beginning;

81. Any facility located on land more particularly described as follows:

> Commencing at a fence corner at the Northeast corner of Section 34, Township 6 South, Range 3 East, Union County, Mississippi, for the point of beginning; thence run South 00 degrees 31 minutes 39 seconds East, along the Section line, a distance of 161.83 feet to a one-half inch iron pin, thence North 88 degrees 20 minutes 48 seconds West, along a fence, a distance of 1221.09 feet to a one-half iron pin, thence South 09 degrees 45 minutes 37 seconds West, along a fence, a distance of 61.49 feet to a one-half inch iron pin, thence North 84 degrees l8 minutes 01 seconds West, along a fence, (passing through a one-half inch iron pin at 196.83 feet) a distance of 234.62 feet to a mag-nail on the centerline of Union County Road No. 137, thence North 11 degrees 00 minutes 29 seconds East a distance of 187.87 feet to a one-half inch iron pin on the West edge of said road, thence North 29 degrees 41 minutes 28 seconds East a distance of 59.28 feet to a point on the centerline of said road, thence South 89 degrees 13 minutes 02 seconds East (passing through a one-half inch iron pin at 30.0 feet) along the South line of the Bernard Whiteside property as recorded in Deed Book 117, Pages 517-518 and Deed Book 214, page 109, a distance of 646.07 feet to a concrete monument, thence South 89 degrees 13 minutes 02 seconds East a distance of 751.31 feet to a one-half inch iron pin, thence South 00 degrees 31 minutes 39 seconds East, along the aforesaid Section line, a distance of 52.93 feet to the point of beginning, said tract lying in the Southeast Quarter of Section 27, and the Northeast Quarter of Section 34, Township 6 South, Range 3 East and containing 6.99 acres.

Subject to a perpetual all purpose non-exclusive easement for ingress, egress and public utilities together the right to enter upon the above described property and do any and all work necessary to build, repair and maintain a roadway or well or install public utilities all over upon and across the following described property:

A 25.0 foot easement for ingress and egress, being 12.5 feet to the right and 12.5 feet to the left of the following described centerline: Commencing at a fence corner at the Northeast corner of Section 34, Township 6 South, Range 3 East, Union County, Mississippi, thence run South 00 degrees 31 minutes 39 seconds East, along the Section line, a distance of 149.33 feet to the point of beginning; thence North 88 degrees 20 minutes 48 seconds West a distance of 1231.46 feet to a point, thence South 09 degrees 45 minutes 37 seconds West a distance of 61.49 feet to a point, thence North 84 degrees 18 minutes 01 seconds West a distance of 221.82 feet to a point on the centerline of Union County Road #137, said tract lying in the Northeast Quarter of Section 34, Township 6 South, Range 3 East.

82. The clubhouse at a country club located:

a. In a county in which Mississippi Highway 15 and Mississippi Highway 16 intersect and which county has not voted to come out from under the dry law, and

b. Outside the corporate limits of any municipality in such county and within one mile of the corporate limits of a municipality that is the county seat of such county;

83. Any facility located on North Jackson Street in a municipality through which run Mississippi Highway 8 and Mississippi Highway 15, with GPS coordinates of approximately 33.913692, -89.005219;

84. Any facility located on North Jackson Street in a municipality through which run Mississippi Highway 8 and Mississippi Highway 15, with GPS coordinates of approximately 33.905581, -89.00200;

85. Any facility located on land more particularly described as follows:

Commencing at the Southeast corner of Section 4, Township 6 South, Range 18 West, Pearl River County, Mississippi; thence West 1310.00 feet to a T-bar; thence North 745.84 feet; thence East 132.00 feet to a 1" iron pipe; thence North 83.61 feet for the Point of Beginning; thence South 79 degrees 02 minutes 61 seconds West 248.28 feet; thence West 76.35 feet; thence North 20 degrees 00 minutes 00 seconds West 185.54 feet; thence North 52 degrees 43 minutes 14 seconds East 365.98 feet to a 1" iron pipe on the West margin of Henry Smith Road, a gravel/paved, public road; thence along said margin South 17 degrees 59 minutes 13 seconds East 299.09 feet; thence South 64.39 feet to the Point of Beginning. This parcel containing 2.19 acres and being a part of the East 1/2 of Section 4, Township 6 South, Range 18 West, Pearl River County, Mississippi.

INDEXING: BEING A PART OF THE EAST 1/2 OF SECTION 4, TOWNSHIP 6 SOUTH, RANGE 18 WEST, PEARL RIVER COUNTY, MISSISSIPPI;

86. Any facility located on land in a county through which run Mississippi Highway 25 and U.S. Highway 82 and more particularly described as follows:

Beginning at a point with GPS coordinates of approximately 33.331869, -88.715054; then running in a straight line to a point with GPS coordinates of approximately 33.336207, -88.713453; then running in a straight line to a point with GPS coordinates of approximately 33.335369, -88.709835; then running in a straight line to a point with GPS coordinates of approximately 33.330870, -88.711496; then running in a straight line to a point with GPS coordinates of approximately 33.331869, -88.715054 and the point of the beginning;

87. Any facility located on land that is owned by a community college that is located in a county through which run U.S. Highway 51 and Mississippi Highway 4;

88. Any facility located on Mississippi Highway 23/178 in a municipality in which Mississippi Highway 23/178 and Stone Drive intersect, with GPS coordinates of approximately 34.235269, -88.262409;

89. Any facility located on U.S. Highway 51 in a municipality through which run Interstate 55, U.S. Highway 51 and the Natchez Trace Parkway, with GPS coordinates of approximately 32.42042°N, 90.13473°W;

90. Any facility located on Mullican Road in a county through which run U.S. Highway 84 and Interstate 59, with GPS coordinates of approximately 31.73395N, 89.18186W;

91. Any facility located on land in a county through which run Mississippi Highway 25 and U.S. Highway 82 and more particularly described as follows: Beginning at a point with GPS coordinates of approximately 33.37391, -88.80645; then running in a straight line to a point with GPS coordinates of approximately 33.37391, -88.79972; then running in a straight line to a point with GPS coordinates of approximately 33.36672, -88.80644; then running in a straight line to a point with GPS coordinates of approximately 33.36674, -88.79971; then running in a straight line to a point with GPS coordinates of approximately 33.37391, -88.80645 and the point of the beginning;

92. Any facility located on land more particularly described as follows:

> All that part of the South half (S 1/2) of the SE 1/4 of NE 1/4 of Section 14, Township 4 North, Range 15 West, lying and being West of State Highway No. 589, containing one (1) acre, more or less.

LESS AND EXCEPT:

> Begin at the point of intersection of the North line of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 14, Township 4 North, Range 15 West with the present Southwesterly right-of-way line of Mississippi Highway No. 589, said point is also the Northeast corner of grantor property; said point is 50.6 feet West of Station 7 + 59.27 on the centerline of survey of Mississippi Highway No. 589 as shown on the plans for State Project No. SP-0014-2(10); from said POINT OF BEGINNING run thence South 08°57' East along said present Southwesterly right-of-way line, a distance of 37.1 feet to a point that is perpendicular to and 50 feet Southwesterly of Station 7 + 30 on the centerline of survey of Mississippi Highway 589 as shown on the plans for said project; run thence South 81°03' West, a distance of 35.7 feet to the West line of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of said Section 14 and the West line of grantors property; run thence North along said West property line, a distance of 42.2 feet to the Northwest corner of the South 1/2 of the

Southeast 1/4 of the Northeast 1/4 of said Section 14 and the Northwest corner of grantors property; run thence East along grantors North property line, a distance of 29.5 feet to the POINT OF BEGINNING containing 0.03 acres, more or less, and all being situated in and a part of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 14, Township 4 North, Range 15 West, Lamar County, Mississippi.

LESS AND EXCEPT:

A part of the South one-half of the Southeast 1/4 of Northeast 1/4, Northerly of a certain fence and West of Mississippi State Highway 589, in Section 14, Township 4 North, Range 15 West, Lamar County, Mississippi and more particularly described as commencing at a pine (lighter) stake being used as the Southwest corner of the Northeast 1/4 of Southeast 1/4 of the above said Section 14, thence North and along the West line of the East 1/4 of the above said Section 14 1638.8 feet to the POINT OF BEGINNING. Thence continue North and along the West line of the East 1/4 of the above said Section 14, 278.5 feet to the Southerly line of the property Bobby G. Aultman and Marilyn S. Aultman previously sold to the Mississippi State Highway Department; thence North 81°03' East and along the above said Southerly property line for 35.7 feet more or less to the Westerly right-of-way line of Mississippi State Highway 589; thence Southeasterly and along the above said Westerly right-of-way line 232.7 feet to a concrete right-of-way marker; thence South 51°39' West and along the Northerly line of a wooden fence 88 feet to the POINT OF BEGINNING.

AND ALSO:

A parcel of land in a part of the Southeast 1/4 of Northwest 1/4 and a part of the Southwest 1/4, Section 14, Township 4 North, Range 15 West, Lamar County, Mississippi, and more particularly described as beginning at a point where the Southerly right-of-way line of U.S. Highway 98 intersects the West line of the above said Southeast 1/4 of Northwest 1/4; thence North 67°34' East and along the Southerly right-of-way line of said highway 208.75 feet; thence South 208.75 feet; thence South 67°34' West 208.75 feet; thence South 141.3 feet; thence North 89°07'30" West 388.9 feet to the centerline of Parkers Creek; thence Northerly and along the centerline of said creek for the next three (3) calls: North 35°53' East 115.6 feet; North 25°05' East 68.5 feet; North 09°51'30" West 64.3 feet to the Southerly right-of-way line of U.S. Highway 98; thence North 67°34' East and along the Southerly right-of-way line of said highway 327.85 feet to the POINT OF BEGINNING. The above described area contains 3.02 acres.

AND ALSO:

Commencing at the Southwest corner of the Southwest 1/4 of the Northeast 1/4 of Section 14, Township 4 North, Range 15 West, Lamar County, Mississippi, run South 88°05'27" East 310.00 feet, thence South 0°53'16" West 60.50 feet to a point on a fence line, thence run along fence line South 88°05'27" East 718.93 feet to the POINT OF BEGINNING, thence North 08°48'10" West 714.67 feet to a point on the South right-of-way line of Highway No. 98, thence along said right-of-way along a curve to the right with a delta angle of 02°04'26" having a radius of 5603.58 feet and an arc length of 202.84

feet, with a chord bearing a distance of North 71°53'47" East 202.83 feet to a Concrete Highway right-of-way marker, thence South 20°09'13" East 328.13 feet, thence South 69°00'47" East 117.68 feet, thence South 0°58'19" West 429.12 feet to a Point on Possession Line fence, thence along said fence North 88°05'27" West 299.23 feet back to the POINT OF BEGINNING, containing 5.0885 acres, more or less and being situated in the SW 1/4 of the NE 1/4 and the NW 1/4 of the SE l/4 of said Section 14, together with all improvements and appurtenances thereunto belonging.

AND ALSO:

PARCEL NUMBER ONE: That part of the Northwest Quarter of the Southwest Quarter (Northwest 1/4 of the Southwest 1/4) of Section 14, Township 4 North, Range 15 West, of Lamar County, Mississippi, being located and situated East of the center thread of Mill Creek as the same presently runs through and bisects said 40-acre tract, and comprising 10.9 acres, more or less, and all being part of the Northwest Quarter of the Southwest Quarter (Northwest 1/4 of the Southwest 1/4) of said Section, Township and Range, Lamar County, Mississippi.

AND ALSO:

PARCEL NUMBER TWO: A part of the Southeast Quarter of the Northwest Quarter (Southeast 1/4 of the Northwest 1/4) and part of the Northeast Quarter of the Southwest (Northeast 1/4 of the Southwest 1/4) all in Section 14, Township 4 North, Range 15 West, Lamar County, Mississippi, being more particularly described as follows, to wit:

Beginning at a point where the South margin of State Highway 98 intersects the West margin of the Southeast 1/4 of the Northwest 1/4 of Section 14, Township 4 North, Range 15 West, and run Easterly along the South margin of said highway right-of-way 208.75 feet; thence South 208.75 feet; thence Westerly parallel with the South margin of said highway right-of-way 208.75 feet to the West forty line; thence North 208.75 feet to the POINT OF BEGINNING, containing 1 acre, more or less.

LESS AND EXCEPT:

Begin at the point of intersection of an Easterly line of grantors property with the present Southerly right-of-way line of U.S. Highway 98 as shown on the plans for State Project No. 97-0014-02-044-10; from said POINT OF BEGINNING run thence South 02°56' West along said Easterly property line, a distance of 127.6 feet; thence run South 69°11' West, a distance of 52.9 feet; thence run South 67°13' West, a distance of 492.7 feet to the Westerly line of grantors property and the center of a creek; thence run Northerly along said Westerly property line and said center of creek, a distance of 122.8 feet to said present Southerly right-of-way line; thence run North 67°13' East along said present Southerly right-of-way line, a distance of 553.4 feet to the POINT OF BEGINNING, containing 1.43 acres, more or less, and being situated in and a part of the North 1/2 of the Southwest 1/4 of Section 14, Township 4 North, Range 15 West, Lamar County, Mississippi.

LESS AND EXCEPT:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 15 WEST, LAMAR COUNTY, MISSISSIPPI, PROCEED EAST 2136.60 FEET; THENCE NORTH 2508.67 FEET TO AN IRON PIN AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

FROM THE DESCRIBED POINT OF BEGINNING, PROCEED NORTH 11°19'49 " EAST 217.55 FEET TO AN IRON PIN; THENCE NORTH 40 °11'01" EAST 118.28 FEET TO AN IRON PIN; THENCE NORTH 22°24'39" WEST 179.15 FEET TO AN IRON PIN ON THE SOUTHERN BOUNDARY OF U.S. HIGHWAY 98; THENCE ALONG THE SOUTHERN RIGHT-OF-WAY BOUNDARY OF SAID HIGHWAY AS FOLLOWS: SOUTH 67°35'21" WEST 699.55 FEET TO AN IRON PIN; THENCE SOUTH 69°16'57" WEST 67.67 FEET TO A CONCRETE RIGHT-OF-WAY MARKER; THENCE SOUTH 67°35'21" WEST 310.34 FEET TO AN IRON PIN; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 01°25'53" WEST 667.21 FEET TO AN IRON PIN; THENCE NORTH 67°35'21" EAST 491.91 FEET TO AN IRON PIN; THENCE NORTH 22°24'39" WEST 193.77 FEET TO AN IRON PIN; THENCE NORTH 67°35'21" EAST 629.48 FEET BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 12.39 ACRES AND IS LOCATED PART IN THE SE 1/4 OF THE NW 1/4, PART IN THE NE 1/4 OF THE SW 1/4, AND PART IN THE NW 1/4 OF THE SW 1/4, ALL IN SECTION 14, TOWNSHIP 4 NORTH, RANGE 15 WEST, LAMAR COUNTY, MISSISSIPPI.

The status of these municipalities, districts, clubhouses, facilities, golf courses and areas described in this paragraph (o)(iii) as qualified resort areas does not require any declaration of same by the department.

The governing authorities of a municipality described, in whole or in part, in item 6, 21, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39, 46, 48, 51, 53, 54, 55, 56, 58, 59, 61, 63, 64, 66, 67 * * *, 68, 73, 74, 83 or 84 of this paragraph (o)(iii) may by ordinance, with respect to the qualified resort area described in the same item: specify the hours of operation of facilities offering alcoholic beverages for sale; specify the percentage of revenue that facilities offering alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and designate the areas in which facilities offering alcoholic beverages for sale may be located.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The department shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon.

(q) "Native winery" means any place or establishment within the State of Mississippi where native wine is produced, in whole or in part, for sale.

(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19)

adequately furnished and completely separate sleeping rooms with adequate facilities, that persons usually apply for and receive as overnight accommodations; however, such restriction on the minimum number of sleeping rooms shall not apply to establishments on the National Register of Historic Places. No place shall qualify as a bed and breakfast inn under this article unless on the date of the initial application for a license under this article more than fifty percent (50%) of the sleeping rooms are located in a structure formerly used as a residence.

(s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

(t) "Spa facility" means an establishment within a municipality or qualified resort area and owned by a hotel where, in consideration of payment, patrons receive from licensed professionals a variety of private personal care treatments such as massages, facials, waxes, exfoliation and hairstyling.

(u) "Art studio or gallery" means an establishment within a municipality or qualified resort area that is in the sole business of allowing patrons to view and/or purchase paintings and other creative artwork.

(v) "Cooking school" means an establishment within a municipality or qualified resort area and owned by a nationally recognized company that offers an established culinary education curriculum and program where, in consideration of payment, patrons are given scheduled professional group instruction on culinary techniques. For purposes of this paragraph, the definition of cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a community or junior college, college or university in this state, and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

(x) "Native spirit" shall mean any beverage, produced in Mississippi for sale, manufactured primarily by the distillation of fermented grain, starch, molasses or sugar produced in Mississippi, including dilutions and mixtures of these beverages. In order to be classified as "native spirit" under the provisions of this article, at least fifty-one percent (51%) of the finished product by volume shall have been obtained from distillation of fermented grain, starch, molasses or sugar grown and produced in Mississippi.

(y) "Native distillery" shall mean any place or establishment within this state where native spirit is produced in whole or in part for sale.

(z) "Warehouse operator" shall have the meaning ascribed in Section 67-1-201.

SECTION 2. Section 67-1-7, Mississippi Code of 1972, as amended by House Bill No. 776, 2024 Regular Session, is amended as follows:

67-1-7. (1) Except as otherwise provided in Section 67-9-1 for the transportation and possession of limited amounts of alcoholic beverages for the use of an alcohol processing permittee, and subject to all of the provisions and restrictions contained in this article, the manufacture, sale, distribution, and transportation of alcoholic beverages shall be lawful, subject to the restrictions hereinafter imposed, in those counties and municipalities of this state in which, at a local option election called and held for that purpose under the provisions of this article, a majority of the qualified electors voting in such election shall vote in favor thereof.

Beginning on April 16, 2021, except as otherwise provided in Section 67-1-51 for holders of a caterer's permit, the manufacture, sale and distribution of alcoholic beverages shall not be permissible or lawful in counties except in (a) incorporated municipalities located within such counties, (b) qualified resort areas within such counties approved as such by the department, or (c) clubs within such counties, whether within a municipality or not. However, any permits issued by the department between July 1, 2020, and April 15, 2021, for the manufacture, sale and distribution of alcoholic beverages, whether or not issued to permittees in such municipalities, qualified resort areas or clubs, shall be eligible for renewal on or after April 16, 2021.

The manufacture, sale, distribution and possession of native wines or native spirits shall be lawful in any location within any such county except those locations where the manufacture, sale or distribution is prohibited by law other than this section or by regulations of the department. However, notwithstanding this provision, municipalities that have voted in favor of coming out from under the dry law may enforce such proper rules and regulations for fixing zones and territories to promote public health, morals, and safety, as they may by ordinance provide. The board of supervisors of any county that has voted in favor of coming out from under the dry law may make such rules and regulations as to territory outside of municipalities as are herein provided for municipalities.

Notwithstanding the provisions of any other law, municipalities may enforce such proper location of package retailer stores within the municipality by application of a properly adopted zoning ordinance.

(2) Notwithstanding the foregoing, within any state park or any state park facility that has been declared a qualified resort area by the department, and within any qualified resort area as defined under Section 67-1-5(o)(iii), an on-premises retailer's permit may be issued for the qualified resort area, and the permittee may lawfully sell alcoholic beverages for consumption on his licensed premises regardless of whether or not the county or municipality in which the qualified resort area is located has voted in favor of coming out from under the dry law, and it shall be lawful to receive, store, sell, possess and consume alcoholic beverages on the licensed premises, and to sell, distribute and transport alcoholic beverages to the licensed premises. Moreover, the governing authorities of a municipality in which a qualified resort area defined under Section 67-1-5(o)(iii)5, 7, 21, 39 or 46 is located, the Pearl River Valley Water Supply District Board which governs the qualified resort area defined under Section 67-1-5(o)(iii)8.a.A, the board of supervisors of the county in which qualified resort area defined under Section 67-1-5(o)(iii)8.a.B and C is located, and the board of supervisors of * * * a county in which * * * a qualified resort area defined under Section 67-1-5(o)(iii)44 or 80 is located, may, by ordinance or resolution, provide that package retailer's permits may be issued in the applicable qualified resort area, and that it shall be lawful to receive, store, sell, possess and distribute alcoholic beverages in accordance with such package retailer's permits.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2457, 2024 REGULAR SESSION, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AUTHORIZE THE GOVERNING AUTHORITIES OF CERTAIN MUNICIPALITIES THAT ARE DESIGNATED AS QUALIFIED RESORT AREAS UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW TO SPECIFY THE HOURS OF OPERATION OF FACILITIES OFFERING ALCOHOLIC BEVERAGES FOR SALE, TO SPECIFY THE

PERCENTAGE OF REVENUE THAT FACILITIES OFFERING ALCOHOLIC BEVERAGES FOR SALE MUST DERIVE FROM THE PREPARATION, COOKING AND SERVING OF MEALS AND NOT FROM THE SALE OF BEVERAGES, AND TO DESIGNATE THE AREAS IN WHICH FACILITIES OFFERING ALCOHOLIC BEVERAGES FOR SALE MAY BE LOCATED; TO AMEND SECTION 67-1-7, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 776, 2024 REGULAR SESSION, TO AUTHORIZE THE GOVERNING AUTHORITIES FOR CERTAIN QUALIFIED RESORT AREAS TO PROVIDE, BY ORDINANCE, THAT PACKAGE RETAILER'S PERMITS MAY BE ISSUED IN THE APPLICABLE QUALIFIED RESORT AREAS AND THAT ALCOHOLIC BEVERAGES MAY BE RECEIVED, STORED, SOLD, POSSESSED AND DISTRIBUTED IN ACCORDANCE WITH SUCH PERMITS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Josh Harkins	John Thomas "Trey" Lamar, III
Neil S. Whaley	Jody Steverson
John Horhn	Henry Zuber III

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2803** (version 2) was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--43.

Nays--Branning, Chism, Frazier, Norwood, Parker. Total--5.

Absent and those not voting--Barnett. Total--1.

Voting Present--Hill. Total--1.

Senator Suber, who would have voted yea on S. B. No. 2803, announced a pair with Senator Tate, who would have voted nay.

Senator Harkins moved that the rules be suspended to move to calendar item 36, **H. B. No. 1647**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1647** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1647: Commissioner of Insurance; authorize to implement a state insurance exchange, authorize income tax deductions and insurance premium tax credit.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. For the purposes of this act, the following words and phrases shall have the meanings as defined in this section unless the context clearly indicates otherwise:

(a) "Exchange" means a state, federal, or partnership exchange or marketplace operating in Mississippi pursuant to Section 1311 of the Federal Patient Protection and Affordable Care Act (Public Law 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), and regulations and guidance issued under those acts.

(b) "Comprehensive Health Insurance Risk Pool Association" means the mechanism as established in Sections 83-9-201 through 83-9-223.

(c) "Comprehensive Health Insurance Risk Pool Board" shall have the same meaning as provided in Section 83-9-205(b).

SECTION 2. The Commissioner of Insurance shall have the authority to:

(a) Establish any program, promulgate any rule, policy, guideline, or plan; or change any program, rule, policy or guideline to implement, establish, create, administer, or otherwise operate an exchange;

(b) Apply for, accept or expend federal monies related to the creation, implementation or operation of an exchange;

(c) Establish any advisory board or committee the Commissioner deems necessary for providing recommendations on the creation, implementation or operation of an exchange;

(d) Use the services and funds of the Comprehensive Health Insurance Risk Pool Association and the Comprehensive Health Insurance Risk Pool Board to fulfill the purposes of this section; and

(e) Engage such actuarial and other assistance as shall be necessary to carry out the duties of the department under this act. The engagement of such services shall not be subject to the procurement provisions of Section 31-7-13.

The Commissioner of Insurance may, immediately after the effective date of this act, begin action to carry out the authority provided in this section.

SECTION 3. There is created in the State Treasury a special fund to be designated as the "Mississippi Health Insurance State Exchange Trust Fund." The Commissioner of Insurance is authorized to expend monies from this fund for the payment of the expenses incurred in the creation, implementation or operation of an exchange. The amount to be contributed annually to the special fund shall be fixed each year by the commissioner as a percentage of fees assessed on the gross premiums charged on all policies sold on the exchange. This percentage shall not be more than three and a half percent (3.5%), unless otherwise approved by the Legislature. The user fees shall be collected directly by the exchange on all policies sold and remitted to the special fund on a monthly basis.

Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the special fund shall be deposited to the credit of the special fund.

SECTION 4. The Comprehensive Health Insurance Risk Pool Association shall have the authority to develop and fund an online portal that shall be available to all Mississippians to assist consumers in selection of a health plan. This program shall have the capacity to aggregate information regarding providers, drug coverage and pricing that would allow consumers to make informed decisions in selecting a health plan.

SECTION 5. Section 83-9-203, Mississippi Code of 1972, is amended as follows:

83-9-203. It is the purpose of the Legislature to establish a mechanism to allow the availability of a health insurance program and to allow the availability of health and accident insurance coverage to those citizens of this state who (a) because of health conditions cannot secure such coverage, or (b) desire to obtain or continue health insurance coverage under any state or federal program designed to enable persons to obtain or maintain health insurance coverage. It is further the purpose of the Legislature to establish a mechanism to assist the Commissioner of Insurance with the creation, implementation or operation of an exchange.

SECTION 6. Section 83-9-205, Mississippi Code of 1972, is amended as follows:

83-9-205. As used in Sections 83-9-201 through 83-9-222, the following words shall have the meaning ascribed herein unless the context clearly requires otherwise:

(a) "Association" means the Comprehensive Health Insurance Risk Pool Association.

(b) "Board" means the board of directors of the association.

(c) "Church plan" has the meaning given such term under Section 3(33) of the Employee Retirement Income Security Act of 1974.

(d) "Commissioner" means the Commissioner of Insurance of this state.

(e) "Creditable coverage" has the meaning set forth in the federal Health Insurance Portability and Accountability Act of 1996 (26 USCS Section 9801(c)(1)). A period of creditable coverage shall not be counted, with respect to the enrollment of an individual who seeks coverage under the plan, if, after such period and before the enrollment date, the individual experiences a significant break in coverage.

(f) "Dependent" means a resident spouse or resident unmarried child under the age of nineteen (19) years, a child who is a student under the age of twenty-three (23) years and who is financially dependent upon the parent or a child of any age who is disabled and dependent upon the parent.

(g) "Excess or stoploss coverage" means an arrangement whereby an insurer insures against the risk that any one (1) claim will exceed a specific dollar amount or that the entire loss of a self-insurance plan will exceed a specific amount.

(h) "Federally defined eligible individual" means an individual:

(i) For whom, as of the date on which the individual seeks coverage under the plan, the aggregate of the periods of creditable coverage is eighteen (18) or more months;

(ii) Whose most recent prior creditable coverage was under a group health plan, governmental plan, church plan or health insurance coverage offered in connection with such a plan;

(iii) Who is not eligible for coverage under a group health plan, Part A or Part B of Title XVIII of the Social Security Act (Medicare), or a state plan under Title XIX of the act (Medicaid) or any successor program, and who does not have other health insurance coverage;

(iv) With respect to whom the most recent coverage within the period of aggregate creditable coverage was not terminated based on a factor relating to nonpayment of premiums or fraud;

(v) Who, if offered the option of continuation coverage under a COBRA continuation provision or under a similar state program, elected this coverage; and

(vi) Who has exhausted continuation coverage under this provision or program, if the individual elected the continuation coverage described in subparagraph (v).

(i) "Governmental plan" has the meaning given such term under Section 3(32) of the Employee Retirement Income Security Act of 1974 and any federal governmental plan.

(j) "Group health plan" means an employee welfare benefit plan as defined in Section 3(1) of the Employee Retirement Income Security Act of 1974 to the extent that the plan provides medical care to employees or their dependents as defined under the terms of the plan directly or through insurance, reimbursement or otherwise.

(k) "Health insurance coverage" means any hospital and medical expense incurred policy, nonprofit health care services plan contract, health maintenance organization subscriber contract or any other health care plan or arrangement that pays for or furnishes medical or health care services whether by insurance or otherwise.

(i) "Health insurance coverage" shall not include one or more, or any combination of, the following:

1. Coverage only for accident, or disability income insurance, or any combination thereof;

2. Coverage issued as a supplement to liability insurance;

3. Liability insurance, including general liability insurance and automobile liability insurance;

4. Workers' compensation or similar insurance;

5. Automobile medical payment insurance;

6. Credit-only insurance;

7. Coverage for on-site medical clinics; and

8. Other similar insurance coverage, specified in federal regulations issued pursuant to Public Law 104-191, under which benefits for medical care are secondary or incidental to other insurance benefits.

(ii) "Health insurance coverage" shall not include the following benefits if they are provided under a separate policy, certificate or contract of insurance or are otherwise not an integral part of the coverage:

1. Limited scope dental or vision benefits;

2. Benefits for long-term care, nursing home care, home health care, community-based care, or any combination thereof; or

3. Other similar, limited benefits specified in federal regulations issued pursuant to Public Law 104-191.

(iii) "Health insurance coverage" shall not include the following benefits if the benefits are provided under a separate policy, certificate or contract of insurance, there is no coordination between the provision of the benefits and any exclusion of benefits under any group health plan maintained by the same plan sponsor, and the benefits are paid with respect to an event without regard to whether benefits are provided with respect to such an event under any group health plan maintained by the same plan sponsor:

1. Coverage only for a specified disease or illness; or

2. Hospital indemnity or other fixed indemnity insurance.

(iv) "Health insurance coverage" shall not include the following if offered as a separate policy, certificate or contract of insurance:

1. Medicare supplemental health insurance as defined under Section 1882(g)(1) of the Social Security Act;

2. Coverage supplemental to the coverage provided under Chapter 55, Title 10, United States Code (Civilian Health and Medical Program of the Uniformed Services (CHAMPUS)); or

3. Similar supplemental coverage provided to coverage under a group health plan.

(l) "Health maintenance organization" means any organization authorized under the Health Maintenance Organization, Preferred Provider Organization and Other Prepaid Health Benefit Plans Protection Act, Section 83-41-301 et seq., to operate a health maintenance organization in this state.

(m) "Insurer" means any entity that is authorized in this state to write health insurance coverage or that provides health insurance coverage in this state or any third-party administrator. For the purposes of Sections 83-9-201 through 83-9-222, insurer includes an insurance company, nonprofit health care services plan, fraternal benefit society, health maintenance organization, to the extent consistent with federal law any self-insurance arrangement covered by the Employee Retirement Income Security Act of 1974, as amended, that provides health care benefits in this state, any other entity providing a plan of health insurance coverage or health benefits subject to state insurance regulation and any reinsurer reinsuring health insurance coverage in this state.

(n) "Medicare" means coverage under both Parts A or B of Title XVIII of the Social Security Act, 42 USC, Section 1395 et seq., as amended.

(o) "Plan" means the health insurance plan adopted by the board under Sections 83-9-201 through 83-9-222.

(p) "Resident" means an individual who is legally located in the United States and has been legally domiciled in this state for a period to be established by the board and subject to the approval of the commissioner but in no event shall such residency requirement be greater than one (1) year, except that for a federally defined eligible individual, there shall not be a prior residency requirement.

(q) "Agent" means a person who is licensed to sell health insurance in this state or a third-party administrator.

(r) "Covered person" means any individual resident of this state (excluding dependents) who is eligible to receive benefits from any insurer.

(s) "Third-party administrator" means any entity who is paying or processing health insurance claims for any Mississippi resident.

(t) "Reinsurer" means any insurer from whom any person providing health insurance coverage for any Mississippi resident procures insurance for itself in the insurer, with respect to all or part of the health insurance coverage risk of the person.

(u) "Significant break in coverage" means a period of sixty-three (63) consecutive days during all of which the individual does not have any creditable coverage, except that neither a waiting period nor an affiliation period is taken into account in determining a significant break in coverage.

(v) "Exchange" means a state, federal, or partnership exchange or marketplace operating in Mississippi pursuant to Section 1311 of the Federal Patient Protection and Affordable Care Act (Public Law 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), and regulations and guidance issued under those acts.

SECTION 7. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ESTABLISH ANY PROGRAM OR PROMULGATE ANY RULE, POLICY, GUIDELINE OR PLAN OR TO CHANGE ANY PROGRAM, RULE, POLICY OR GUIDELINE TO IMPLEMENT, ESTABLISH, CREATE, ADMINISTER OR OTHERWISE OPERATE AN EXCHANGE, TO APPLY FOR, ACCEPT OR EXPEND FEDERAL MONIES RELATED TO THE CREATION, IMPLEMENTATION OR OPERATION OF AN EXCHANGE, TO ESTABLISH ANY ADVISORY BOARD OR COMMITTEE AS NECESSARY FOR PROVIDING RECOMMENDATIONS ON THE CREATION, IMPLEMENTATION OR OPERATION OF AN EXCHANGE, TO USE THE SERVICES AND FUNDS OF THE COMPREHENSIVE HEALTH INSURANCE RISK POOL ASSOCIATION AND THE COMPREHENSIVE HEALTH INSURANCE RISK POOL BOARD TO FULFILL THE PURPOSES OF THIS SECTION, AND TO ENGAGE ACTUARIAL AND OTHER ASSISTANCE AS NECESSARY TO CARRY OUT THE DUTIES OF THE DEPARTMENT; TO CREATE THE MISSISSIPPI HEALTH INSURANCE STATE EXCHANGE TRUST FUND, AND TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO EXPEND MONIES FROM THIS FUND FOR THE PAYMENT OF EXPENSES INCURRED IN THE CREATION, IMPLEMENTATION OR OPERATION OF AN EXCHANGE; TO PROVIDE THAT THE AMOUNT TO BE CONTRIBUTED ANNUALLY TO THE FUND SHALL BE FIXED EACH YEAR BY THE COMMISSIONER AS A PERCENTAGE OF FEES ASSESSED ON THE GROSS PREMIUMS CHARGED ON ALL POLICIES SOLD ON THE EXCHANGE, WHICH PERCENTAGE SHALL NOT BE MORE THAN 3.5%, UNLESS OTHERWISE APPROVED BY THE LEGISLATURE; TO PROVIDE THAT USER FEES SHALL BE COLLECTED DIRECTLY BY THE EXCHANGE ON ALL POLICIES SOLD AND

REMITTED TO THE HEALTH INSURANCE STATE EXCHANGE FUND ON A MONTHLY BASIS; TO PROVIDE THAT THE COMPREHENSIVE HEALTH INSURANCE RISK POOL ASSOCIATION SHALL HAVE THE AUTHORITY TO DEVELOP AND FUND AN ONLINE PORTAL THAT SHALL BE AVAILABLE TO ALL MISSISSIPPIANS TO ASSIST CONSUMERS IN SELECTION OF A HEALTH PLAN; TO AMEND SECTIONS 83-9-203 AND 83-9-205, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Thomas "Trey" Lamar, III	Josh Harkins
Jody Steverson	J. Walter Michel
Henry Zuber III	John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1647** (version 2) was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horhn, Jackson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--42.

Nays--Brumfield, Butler, Frazier, Hickman, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--9.

Absent and those not voting--Barnett. Total--1.

_____

Senator Johnson offered the following report of the Conference Committee on **H. B. No. 1025** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1025: Department of Corrections; eliminate executive deputy commissioner from.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-8, Mississippi Code of 1972, as amended by Senate Bill No. 2799, 2024 Regular Session, is amended as follows:

47-5-8. (1) There is created the Mississippi Department of Corrections, which shall be under the policy direction of the Governor. The chief administrative officer of the department shall be the Commissioner of Corrections. Effective July 1, 2028, the commissioner shall be appointed by the Governor in the manner provided in Section 47-5-24 with the advice and consent of the Senate, not less than every four (4) years. All appointment procedures specifically provided for in Section 7-1-35 shall be fully applicable to appointments to the position of Commissioner of Corrections.

(2) * * * (* * *a) There shall be a Division of Administration and Finance within the department, which shall have as its chief administrative officer a Deputy Commissioner for Administration and Finance who shall be appointed by the commissioner, and shall be directly responsible to the commissioner.

(* * *b) There shall be a Division of Community Corrections within the department, which shall have as its chief administrative officer a Deputy Commissioner for Community Corrections, who shall be appointed by the commissioner, and shall be directly responsible to the commissioner. The Probation and Parole Board shall continue to exercise the authority as provided by law, but after July 1, 1976, the Division of Community Corrections shall serve as the administrative agency for the Probation and Parole Board.

(* * *c) There shall be a Division of Workforce Development within the department, which shall have as its chief administrative officer a Deputy Commissioner for Workforce Development, who shall be appointed by the commissioner, and shall be directly responsible to the commissioner.

(3) The department shall succeed to the exclusive control of all records, books, papers, equipment and supplies, and all lands, buildings and other real and personal property now or hereafter belonging to or assigned to the use and benefit or under the control of the Mississippi State Penitentiary and the Mississippi Probation and Parole Board, except the records of parole process and revocation and legal matters related thereto, and shall have the exercise and control of the use, distribution and disbursement of all funds, appropriations and taxes now or hereafter in possession, levied, collected or received or appropriated for the use, benefit, support and maintenance of these two (2) agencies except as otherwise provided by law, and the department shall have general supervision of all the affairs of the two (2) agencies herein named except as otherwise provided by law, and the care and conduct of all buildings and grounds, business methods and arrangements of accounts and records, the organization of the administrative plans of each institution, and all other matters incident to the proper functioning of the two (2) agencies.

(4) The commissioner may lease the lands for oil, gas, mineral exploration and other purposes, and contract with other state agencies for the proper management of lands under such leases or for the provision of other services, and the proceeds thereof shall be paid into the General Fund of the state.

SECTION 2. Section 47-5-26, Mississippi Code of 1972, as amended by Senate Bill 2717, 2024 Regular Session, is amended as follows:

47-5-26. (1) The commissioner shall employ the following personnel:

(a) A Deputy Commissioner for Administration and Finance, who shall supervise and implement all fiscal policies and programs within the department, supervise and implement all hiring and personnel matters within the department, supervise the department's personnel director, supervise and implement all purchasing within the department and supervise and implement all data processing activities within the

department, and who shall serve as the Chief Executive Officer of the Division of Administration and Finance. He shall possess either:

(i) A master's degree from an accredited four-year college or university in public or business administration, accounting, economics or a directly related field, and four (4) years of experience in work related to the above-described duties, one (1) year of which must have included line or functional supervision; or

(ii) A bachelor's degree from an accredited four-year college or university in public or business administration, accounting, economics or a directly related field, and six (6) years of experience in work related to the above-described duties, one (1) year of which must have included line or functional supervision. Certification by the State of Mississippi as a certified public accountant may be substituted for one (1) year of the required experience.

(b) A Deputy Commissioner for Community Corrections, who shall initiate and administer programs, including, but not limited to, supervision of probationers, parolees and suspensioners, counseling, community-based treatment, interstate compact administration and enforcement, prevention programs, halfway houses and group homes, technical violation centers, restitution centers, presentence investigations, and work and educational releases, and shall serve as the Chief Executive Officer of the Division of Community Services. The Deputy Commissioner for Community Corrections is charged with full and complete cooperation with the State Parole Board and shall make monthly reports to the Chairman of the Parole Board in the form and type required by the chairman, in his discretion, for the proper performance of the probation and parole functions. After a plea or verdict of guilty to a felony is entered against a person and before he is sentenced, the Deputy Commissioner for Community Corrections shall procure from any available source and shall file in the presentence records any information regarding any criminal history of the person such as fingerprints, dates of arrests, complaints, civil and criminal charges, investigative reports of arresting and prosecuting agencies, reports of the National Crime Information Center, the nature and character of each offense, noting all particular circumstances thereof and any similar data about the person. The Deputy Commissioner for Community Corrections shall keep an accurate and complete duplicate record of this file and shall furnish the duplicate to the department. This file shall be placed in and shall constitute a part of the inmate's master file. The Deputy Commissioner for Community Corrections shall furnish this file to the State Parole Board when the file is needed in the course of its official duties. He shall possess either: (i) a master's degree in counseling, corrections psychology, guidance, social work, criminal justice or some related field and at least four (4) years' full-time experience in such field, including at least one (1) year of supervisory experience; or (ii) a bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years' full-time work in corrections, one (1) year of which shall have been at the supervisory level.

(c) A Deputy Commissioner for Institutions, who shall administer institutions, reception and diagnostic centers, prerelease centers and other facilities and programs provided therein, and shall serve as the Chief Executive Officer of the Division of Institutions. He shall possess either: (i) a master's degree in counseling, criminal justice, psychology, guidance, social work, business or some related field, and at least four (4) years' full-time experience in corrections, including at least one (1) year of correctional management experience; or (ii) a bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years' full-time work in corrections, four (4) years of which shall have been at the correctional management level.

(d) A Deputy Commissioner for Programs, Education and Reentry, who shall initiate and administer programs, including but not limited to, education services, religious services, moral rehabilitation, alcohol and drug rehabilitation, and court reentry. The Deputy Commissioner for Programs, Education and Reentry may coordinate with any educational institution to develop a program for moral rehabilitation with an emphasis on promoting effective programs for release. The Deputy Commissioner for Programs,

Education and Reentry shall focus on reentry programs aimed at reducing recidivism. The programs shall incorporate a moral component focused on providing offenders with an opportunity to make positive changes while incarcerated that will enable them to be productive members of society upon their release. Such deputy commissioner shall possess either:

(i) A master's degree in counseling, corrections, psychology, guidance, social work, criminal justice or some related field and at least four (4) years' full-time experience in such field, including at least one (1) year of supervisory experience; or

(ii) A bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years full-time work in corrections, one (1) year of which shall have been at the supervisory level.

* * *

(2) The commissioner shall employ an administrative assistant for parole matters who shall be selected by the State Parole Board who shall be an employee of the department assigned to the State Parole Board and who shall be located at the office of the State Parole Board, and who shall work under the guidance, supervision and direction of the board.

(3) The administrative assistant for parole matters shall receive an annual salary to be established by the Legislature. The salaries of department employees not established by the Legislature shall receive an annual salary established by the State Personnel Board.

(4) The commissioner shall employ a superintendent for the Parchman facility, Central Mississippi Correctional Facility and South Mississippi Correctional Institution of the Department of Corrections. The Superintendent of the Mississippi State Penitentiary shall reside on the grounds of the Parchman facility. Each superintendent shall appoint an officer in charge when he is absent.

Each superintendent shall develop and implement a plan for the prevention and control of an inmate riot and shall file a report with the Chairman of the Senate Corrections Committee and the Chairman of the House Penitentiary Committee on the first day of each regular session of the Legislature regarding the status of the plan.

In order that the grievances and complaints of inmates, employees and visitors at each facility may be heard in a timely and orderly manner, each superintendent shall appoint or designate an employee at the facility to hear grievances and complaints and to report grievances and complaints to the superintendent. Each superintendent shall institute procedures as are necessary to provide confidentiality to those who file grievances and complaints.

(5) For a one-year period beginning July 1, 2016, any person authorized for employment under this section shall not be subject to the rules, regulations and procedures of the State Personnel Board, except as otherwise provided under Section 25-9-127(5).

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 47-5-8, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2799, 2024 REGULAR SESSION, TO ELIMINATE

THE POSITION OF EXECUTIVE DEPUTY COMMISSIONER FROM THE DEPARTMENT OF CORRECTIONS; TO PROVIDE THAT AFTER JULY 1, 2028, THE COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, NOT LESS THAN EVERY FOUR YEARS; TO AMEND SECTION 47-5-26, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2717, 2024 REGULAR SESSION, TO REMOVE PROVISIONS REQUIRING THAT THERE BE A DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT WHO SHALL SERVE AS THE CHIEF EXECUTIVE OFFICER OF PRISON INDUSTRIES AND DIRECTOR OF PRISON AGRICULTURAL ENTERPRISES AND TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Becky Currie	Chris Johnson
Kevin Horan	Daniel H. Sparks
Randy Rushing	

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1025** (version 2) was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Barnett. Total--1.

Senator England offered the following report of the Conference Committee on **S. B. No. 2144** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2144: Runoff elections; amend to lengthen the timing requirement.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-191, Mississippi Code of 1972, is amended as follows:

23-15-191. The first primary shall be held on the first Tuesday after the first Monday of August preceding any regular or general election; and the second primary shall be held * * * four (4) weeks thereafter. The candidate that receives a majority of the votes cast in the election shall be the party nominee. If no candidate receives a majority vote at the election, then the two (2) candidates who receive the highest number of votes shall have their names placed on the ballot for the second primary election to be held * * * four (4) weeks later. The candidate who receives the most votes in the second primary election shall be the party nominee. However, if no candidate receives a majority vote at the first primary, and there is a tie in the election of those receiving the next highest vote, then those candidates receiving the next highest vote and the candidate receiving the highest vote shall have their names placed on the ballot for the second primary election to be held * * * four (4) weeks later, and whoever receives the most votes cast in the second primary election shall be the party nominee.

SECTION 2. Section 23-15-193, Mississippi Code of 1972, is amended as follows:

23-15-193. (1) At the election in 2023, and every four (4) years thereafter, there shall be elected a Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, State Treasurer, Attorney General, three (3) public service commissioners, three (3) Mississippi Transportation Commissioners, Commissioner of Insurance, Commissioner of Agriculture and Commerce, Senators and members of the House of Representatives in the Legislature, district attorneys for the several districts, clerks of the circuit and chancery courts of the several counties, as well as sheriffs, coroners, assessors, surveyors and members of the boards of supervisors, justice court judges and constables, and all other officers to be elected by the people at the general state election. All such officers shall hold their offices for a term of four (4) years, and until their successors are elected and qualified. The state officers shall be elected in the manner prescribed in Section 140 of the Constitution.

(2) The state officers that receive a majority of votes cast for the office at the general election shall be elected. If no candidate receives a majority number of votes cast at the election, then the two (2) candidates who receive the highest number of votes cast shall have their names placed on the ballot for the runoff election to be held * * * four (4) weeks later. The candidate who receives a majority of the votes cast in the runoff election shall be elected. However, if no candidate receives a majority vote cast at the election, and there is a tie in the election of those receiving the next highest vote, then those candidates receiving the next highest vote and the candidate receiving the highest number of votes cast shall have their names placed on the ballot for the runoff election to be held * * * four (4) weeks later, and whoever receives the majority of votes cast in the runoff election shall be elected. If it appears that two (2) or more candidates for state office have an equal number of votes after the runoff election, the interested candidates shall appear before the Chief Justice of the Mississippi Supreme Court within two (2) days after the canvass and the tie shall be determined by a toss of a coin or by lot fairly and publicly drawn, and a certificate of election shall be given accordingly.

SECTION 3. Section 23-15-213, Mississippi Code of 1972, is amended as follows:

23-15-213. (1) There shall be elected five (5) election commissioners for each county whose terms of office shall commence on the first Monday of January following their election and who shall serve for a term of four (4) years. Each of the commissioners shall be required to attend a training seminar provided by the Secretary of State and satisfactorily complete a skills assessment, and before acting, shall take and subscribe the oath of office prescribed by the Constitution. The oath shall be filed in the office of the clerk of the chancery court. Upon filing the oath of office, the election commissioner may

be provided access to the Statewide Elections Management System for the purpose of performing his or her duties. Such skills assessment shall only be required once every four (4) years. While engaged in their duties, the commissioners shall be conservators of the peace in the county, with all the duties and powers of such.

(2) (a) At the general election in 2024 and every four (4) years thereafter, the qualified electors of the board of supervisors' Districts One, Three and Five shall elect in their district one (1) election commissioner.

(b) At the general election in 2023 and every four (4) years thereafter, the qualified electors of the board of supervisors' Districts Two and Four shall elect in their district one (1) election commissioner.

(c) No more than one (1) commissioner shall be a resident of and reside in each supervisor's district of the county; it being the purpose of this section that the county board of election commissioners shall consist of one (1) person from each supervisor's district of the county and that each commissioner be elected from the supervisor's district in which he or she resides.

(3) Candidates for county election commissioner shall qualify by filing with the clerk of the board of supervisors of their respective counties a petition personally signed by not less than fifty (50) qualified electors of the supervisor's district in which they reside, requesting that they be a candidate, by 5:00 p.m. not later than February 1 of the year in which the election occurs and unless the petition is filed within the required time, their names shall not be placed upon the ballot. All candidates shall declare in writing their party affiliation, if any, to the board of supervisors, and such party affiliation shall be shown on the official ballot.

(4) The petition shall have attached thereto a certificate of the county registrar showing the number of qualified electors on each petition, which shall be furnished by the registrar on request. The board shall determine the sufficiency of the petition, and if the petition contains the required number of signatures and is filed within the time required, the president of the board shall verify that the candidate is a resident of the supervisor's district in which he or she seeks election and that the candidate is otherwise qualified as provided by law, and shall certify that the candidate is qualified to the chair or secretary of the county election commission and the names of the candidates shall be placed upon the ballot for the ensuing election. No county election commissioner shall serve or be considered as elected until he or she has received a majority of the votes cast for the position or post for which he or she is a candidate. If a majority vote is not received in the first election, then the two (2) candidates receiving the most votes for each position or post shall be placed upon the ballot for a second election to be held * * * four (4) weeks later in accordance with appropriate procedures followed in other elections involving runoff candidates.

(5) In the first meeting in January of each year, the county election commissioners shall organize by electing a chair and a secretary, who shall serve a one-year term. The county election commissioners shall provide the names of the chair and secretary to the Secretary of State and provide notice of any change in officers which may occur during the year.

(6) It shall be the duty of the chair to have the official ballot printed and distributed at each general or special election.

SECTION 4. Section 23-15-833, Mississippi Code of 1972, is amended as follows:

23-15-833. Except as otherwise provided by law, the first Tuesday after the first Monday in November of each year shall be designated the regular special election day, and on that day an election shall be held to fill any vacancy in county, county district, and district attorney elective offices, and any vacancy in the office of circuit judge or chancellor.

All special elections, or elections to fill vacancies, shall in all respects be held, conducted and returned in the same manner as general elections, except that where no candidate receives a majority of the votes cast in the election, a runoff election shall be held * * * four (4) weeks after the election. The two (2) candidates who receive the highest popular votes for the office shall have their names submitted as the candidates to the runoff and the candidate who leads in the runoff election shall be elected to the office. When there is a tie in the first election of those receiving the next highest vote, these two (2) and the one receiving the highest vote, none having received a majority, shall go into the runoff election and whoever leads in the runoff election shall be entitled to the office.

In those years when the regular special election day shall occur on the same day as the general election, the names of candidates in any special election and the general election shall be placed on the same ballot, but shall be clearly distinguished as general election candidates or special election candidates. At any time a special election is held on the same day as a party primary election, the names of the candidates in the special election may be placed on the same ballot, but shall be clearly distinguished as special election candidates or primary election candidates.

SECTION 5. Section 23-15-981, Mississippi Code of 1972, is amended as follows:

23-15-981. If two (2) or more candidates qualify for judicial office, the names of those candidates shall be placed on the general election ballot. If any candidate for such an office receives a majority of the votes cast for such office in the general election, he shall be declared elected. If no candidate for such office receives a majority of the votes cast for such office in the general election, the names of the two (2) candidates receiving the highest number of votes for such office shall be placed on the ballot for a second election to be held * * * four (4) weeks later in accordance with appropriate procedures followed in other elections involving runoff candidates.

SECTION 6. Section 23-15-1031, Mississippi Code of 1972, is amended as follows:

23-15-1031. Except as provided by Section 23-15-1081, the first primary election for Congressmen shall be held on the first Tuesday in June of the years in which congressmen are elected, and a second primary, if necessary, shall be held * * * four (4) weeks thereafter. Each year in which a presidential election is held, the congressional primary shall be held as provided in Section 23-15-1081. The election shall be held in all districts of the state on the same day. Candidates for United States Senator shall be nominated at the congressional primary next preceding the general election at which a senator is to be elected and in the same manner that congressmen are nominated. The chair and secretary of the state executive committee shall certify the vote for United States Senator to the Secretary of State in the same manner that county executive committees certify the returns of counties in general state and county primary elections.

SECTION 7. Section 23-15-1083, Mississippi Code of 1972, is amended as follows:

23-15-1083. Beginning in 1988, as an alternative to the congressional primary election date set forth in Section 23-15-1031, when a political party elects to conduct a presidential preference primary, the first primary election for congressmen, and senators, if senators are to be elected, shall be held on the second Tuesday in March, and the second primary, when one is necessary, shall be held * * * four (4) weeks thereafter, and the election shall be held in all districts of the state on the same day.

SECTION 8. Section 37-5-9, Mississippi Code of 1972, is amended as follows:

37-5-9. The name of any qualified elector who is a candidate for the county board of education shall be placed on the ballot used in the general elections by the county

election commissioners, provided that the candidate files with the county election commissioners, not more than ninety (90) days and not less than sixty (60) days prior to the date of such general election, a petition of nomination signed by not less than fifty (50) qualified electors of the county residing within each supervisors district. Where there are less than one hundred (100) qualified electors in said supervisors district, it shall only be required that said petition of nomination be signed by at least twenty percent (20%) of the qualified electors of such supervisors district. The candidate in each supervisors district who receives the majority of votes cast in the district shall be declared elected. If no candidate receives a majority of the votes cast at the election, a runoff shall be held between the two (2) candidates receiving the highest number of votes in the first election. The runoff election, in the event that such is necessary, shall be held * * * four (4) weeks after the first election.

When any member of the county board of education is to be elected from the county at large under the provisions of this chapter, then the petition required by the preceding paragraph hereof shall be signed by the required number of qualified electors residing in any part of the county outside of the territory embraced within a municipal separate school district or special municipal separate school district. The candidate who receives the majority of votes cast in the election shall be declared elected. If no candidate receives a majority of the votes cast at the election, a runoff shall be held between the two (2) candidates receiving the highest number of votes in the first election. The runoff election, in the event that such is necessary, shall be held * * * four (4) weeks after the first election.

In no case shall any qualified elector residing within a municipal separate school district or special municipal separate school district be eligible to sign a petition of nomination for any candidate for the county board of education under any of the provisions of this section.

SECTION 9. Section 37-7-215, Mississippi Code of 1972, is amended as follows:

37-7-215. All such elections shall be held on the first Tuesday after the first Monday in November of each year and in the same manner as general state and county elections are held and conducted. In the event a runoff is necessary the runoff shall be held * * * four (4) weeks thereafter.

SECTION 10. Section 37-7-217, Mississippi Code of 1972, is amended as follows:

37-7-217. (1) The county election commissioners shall indicate on the ballot which of the persons whose names appear thereon are candidates for a full term, and which of such persons, if any, are candidates for an unexpired term or terms.

(2) The qualified electors of each school district operating under Section 37-7-215 shall vote on the date specified in that section and at the special trustee election districts.

(3) A person elected shall assume the duties of his office for the full term on the first day of January if the election is for the full term. A person elected to an unexpired term shall assume office immediately.

(4) The county election commissioners shall forthwith certify the results of the election to the superintendent of the municipal separate or special municipal separate school district, as the case may be, which certificate shall be delivered to such superintendent within five (5) days following the first election.

(5) If a person does not receive a majority of the votes cast at the election, a runoff shall be held between the two (2) persons receiving the highest number of votes at the first election. In the event a runoff is necessary the runoff shall be held four (4) weeks thereafter.

SECTION 11. Section 37-7-227, Mississippi Code of 1972, is amended as follows:

37-7-227. (1) The county election commissioners shall indicate on the ballot which of the persons whose names appear thereon are candidates for a full term, and which of such persons, if any, are candidates for an unexpired term or terms. The candidate who receives a majority of the votes cast, either for a full term or for an unexpired term or terms, as indicated on the ballot, shall be declared elected, and the person or persons elected to a full term shall assume the duties of his office on the first day of January of the year following such election. The person or persons elected to an unexpired term(s) shall assume office immediately. If no candidate receives a majority of the votes cast at the election, a runoff shall be held in the same manner * * * four (4) weeks after the election between the two (2) candidates receiving the highest number of votes upon the first ballot.

(2) Notwithstanding any other provision of law, if an election for school board trustees occurs on a Tuesday, during a general election, any runoff for such election shall occur * * * four (4) weeks after the election.

SECTION 12. Section 37-7-711, Mississippi Code of 1972, is amended as follows:

37-7-711. In all such special municipal separate school districts which may be so organized, reorganized or reconstituted to embrace the entire county in which the majority of the inhabitants of the county reside outside the corporate limits of the municipality, the name of any qualified elector who is a candidate for the board of trustees of such special municipal separate school district, whether such person be a candidate for an unexpired term or for a full term, shall be placed on the ballot used in the elections, provided that the candidate files with the county election commissioners, not more than ninety (90) days and not less than sixty (60) days prior to the date of such general election, a petition of nomination signed by not less than fifty (50) qualified electors of the county. Where there are less than one hundred (100) qualified electors in said area represented by the trustee, it shall only be required that said petition of nomination be signed by at least twenty percent (20%) of the qualified electors in said area. However, in any such special municipal separate school district which embraces the entire county and which borders the Mississippi River and in which Interstate Highway 20 and United States Highway 61 intersect and having a population in excess of forty-seven thousand (47,000) according to the 1990 federal decennial census, the candidate shall be required to file a petition of nomination with the county election commissioners not less than sixty (60) days prior to the date of such general election, in addition to the other requirements prescribed herein.

The candidate in each election who receives the majority of votes cast in the election shall be declared to have been elected. If no candidate receives a majority of the votes cast at the election, a runoff shall be held between the two (2) candidates receiving the highest number of votes in the first election. The runoff election, in the event that such is necessary, shall be held * * * four (4) weeks after the first election.

SECTION 13. (1) Ranked-choice voting, also known as instant runoff voting, is prohibited in statewide, county, local, municipal and school district elections in the State of Mississippi.

(2) Any voting method that allows electors to rank candidates for an office in order of preference and has ballots cast that will be tabulated in multiple rounds following the elimination of a candidate until a single candidate attains a majority shall not be used in determining the election or nomination of any candidate for elective office in this state, including elective offices for any county, municipality, school district, state or federal office.

(3) Any existing or future ordinance or policy enacted or adopted by a county, municipality, school district, or any other local governmental entity that conflicts with this section is void on and after July 1, 2024.

(4) This section shall not apply to electors who are entitled to vote absentee ballot under the federal Uniformed and Overseas Citizens Absentee Voting Act, 52 USC Section 20301 et seq., as amended.

SECTION 14. Section 13 of this act shall take effect and be in force from and after July 1, 2024. The remainder of this act shall take effect and be in force from and after January 1, 2025.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 23-15-171, 23-15-191, 23-15-193, 23-15-213, 23-15-833, 23-15-857, 23-15-981, 23-15-1031, 23-15-1083, 37-5-9, 37-7-215, 37-7-217, 37-7-227 AND 37-7-711, MISSISSIPPI CODE OF 1972, TO REVISE THE TIME FOR HOLDING RUNOFF ELECTIONS TO FOUR WEEKS AFTER THE FIRST ELECTION INSTEAD OF THREE WEEKS; TO CREATE A NEW SECTION IN TITLE 23, CHAPTER 15, ARTICLE 27, MISSISSIPPI CODE OF 1972, TO PROHIBIT RANKED-CHOICE VOTING IN STATEWIDE, COUNTY, LOCAL, MUNICIPAL OR SCHOOL DISTRICT ELECTIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Jeremy England	Noah Sanford
Joey Fillingane	Mark Tullos
Jeff Tate	Price Wallace

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2144** (version 2) was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Hickman. Total--1.

Absent and those not voting--Barnett. Total--1.

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 4124: Suffrage; restore to Tony Qualls of Humphreys County. Title Sufficient. Do Pass.

H. B. No. 4053: Suffrage; restore to Omar Eugene Magee of Covington County. Title Sufficient. Do Pass.

H. B. No. 4099: Suffrage; restore to Dustin Darell Mills of Rankin County. Title Sufficient. Do Pass.

FILLINGANE, Chairman

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

S. B. No. 2873: Medical records retention requirements; provide for.

Adopted: 04/30/24

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

S. B. No. 3039: Appropriation; Corrections, Department of.

Adopted: 05/01/24

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 11:54 AM, the Senate stood in recess.

The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2729: AN ACT TO AMEND SECTION 37-144-1, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS RELATED TO THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP PROGRAM TO ALLOW STUDENTS FROM ALL AREAS OF THE STATE; TO AMEND SECTION 37-144-3, MISSISSIPPI CODE OF 1972, TO ADD

A PHYSICIAN APPOINTED BY THE MISSISSIPPI PSYCHIATRIC ASSOCIATION AS A MEMBER OF THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP COMMISSION; TO AMEND SECTION 37-144-5, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP COMMISSION TO PRODUCE AN ANNUAL REPORT TO THE LEGISLATURE PROVIDING CERTAIN STATISTICS; TO INCLUDE THE MISSISSIPPI PSYCHIATRIC ASSOCIATION AMONG THE ORGANIZATIONS FROM WHICH THE COMMISSION SHALL SEEK INPUT REGARDING THE IMPLEMENTATION OF THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP PROGRAM; TO AMEND SECTION 37-144-7, MISSISSIPPI CODE OF 1972, TO INCLUDE CHILD PSYCHIATRY STUDENTS IN THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP RESIDENCY PROGRAM; TO AMEND SECTIONS 37-144-13 AND 37-144-17, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN TECHNICAL CONFORMING REVISIONS THERETO; TO AMEND SECTION 37-146-1, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS RELATED TO THE MISSISSIPPI RURAL DENTISTS SCHOLARSHIP PROGRAM TO ALLOW STUDENTS FROM ALL AREAS OF THE STATE; TO PROVIDE THAT SUCH PROGRAM SHALL BE KNOWN AND MAY BE CITED AS THE DR. G. NORRIS HOWELL RURAL DENTISTS SCHOLARSHIP PROGRAM; TO AMEND SECTION 37-146-5, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI RURAL DENTISTS SCHOLARSHIP COMMISSION TO PRODUCE ANNUAL REPORTS TO THE LEGISLATURE PROVIDING VARIOUS STATISTICS; TO AMEND SECTION 37-146-11, MISSISSIPPI CODE OF 1972, TO MAKE CERTAIN TECHNICAL REVISIONS THERETO; AND FOR RELATED PURPOSES.

S. B. No. 2857: AN ACT TO AMEND SECTION 41-137-39, MISSISSIPPI CODE OF 1972, TO PROVIDE ADDITIONAL AUTHORIZATIONS AND REQUIREMENTS RELATED TO PERFORMING BACKGROUND CHECKS AS PART OF THE MEDICAL CANNABIS ACT; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO OBTAIN CRIMINAL RECORDS BACKGROUND CHECKS FROM THE MISSISSIPPI JUSTICE INFORMATION CENTER OF THE DEPARTMENT OF PUBLIC SAFETY AND THE F.B.I.; TO AUTHORIZE THE DEPARTMENT TO RECOUP ANY FEE ASSOCIATED WITH THE BACKGROUND CHECK; TO DELETE THE PROVISION OF LAW THAT PROHIBITS A RESIDENT CARDHOLDER FROM OBTAINING MORE THAN A TOTAL OF SIX MMCEUS OF ALLOWABLE MEDICAL CANNABIS IN A WEEK FROM A DISPENSARY OR A COMBINATION OF DISPENSARIES; TO PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY AND THE DEPARTMENT OF HEALTH EACH MAY CHARGE AND RETAIN A FEE FOR EACH APPLICANT; TO AMEND SECTION 41-137-47, MISSISSIPPI CODE OF 1972, TO PROVIDE ADDITIONAL MEASURES RELATED TO INVESTIGATION PROCEDURES BY LICENSING AGENCIES UNDER THE MEDICAL CANNABIS ACT; TO SET CERTAIN ADMINISTRATIVE HEARING PROCEDURES; TO AUTHORIZE THE LICENSING AGENCY TO RECOUP ANY FEE ASSOCIATED WITH THE INVESTIGATION OR HEARING PROCESS; AND FOR RELATED PURPOSES.

S. B. No. 3216: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF WALNUT, MISSISSIPPI, TO LEVY A SPECIAL TAX OF NOT MORE THAN 3% UPON THE GROSS PROCEEDS OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND TO LEVY A SPECIAL TAX OF NOT MORE THAN 3% UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS, FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE, CONSTRUCT, FINANCE, OPERATE, EQUIP, LEASE, AND MAINTAIN EXISTING AND NEW PARKS AND RECREATION FACILITIES AND EQUIPMENT WITHIN THE TOWN; TO PROVIDE FOR AN ELECTION ON WHETHER SUCH SPECIAL TAX MAY BE LEVIED; TO PROVIDE FOR THE ISSUANCE AND REPAYMENT OF DEBT RELATED TO PARKS AND RECREATION WITHIN THE TOWN FROM THE PROCEEDS OF THE SPECIAL TAX; TO PROVIDE FOR THE REFUNDING OR RESTRUCTURING OF DEBT PRESENTLY OUTSTANDING AND RELATED TO PARKS AND RECREATION WITHIN THE TOWN FROM THE PROCEEDS OF THE SPECIAL TAX; TO AUTHORIZE THE TOWN TO LEASE AND LEASE BACK PROPERTY TO PROMOTE PARKS AND RECREATION; AND FOR RELATED PURPOSES.

S. C. R. No. 539: A CONCURRENT RESOLUTION TO DESIGNATE MARCH 2024 AS "BRAIN INJURY AWARENESS MONTH IN MISSISSIPPI" TO PROMOTE

AWARENESS OF THE EXTENT, CONSEQUENCES, CAUSES, TREATMENTS AND PREVENTION OF ACQUIRED BRAIN INJURIES.

S. C. R. No. 540: A CONCURRENT RESOLUTION RECOGNIZING THE LEGACY OF ROSIE S. SIMMONS AS THE FIRST AFRICAN AMERICAN SINCE RECONSTRUCTION TO SERVE AS CIRCUIT CLERK OF BOLIVAR COUNTY, MISSISSIPPI.

S. C. R. No. 546: A CONCURRENT RESOLUTION DESIGNATING APRIL 11, 2024, AS "REMAN DAY" IN MISSISSIPPI.

S. C. R. No. 547: A CONCURRENT RESOLUTION EXTENDING THE HEARTFELT CONDOLENCES OF THE LEGISLATURE ON THE PASSING OF FORMER MERIDIAN MAYOR CHERYL "CHERI" MERRITT BARRY, THE CITY'S FIRST FEMALE MAYOR, AND COMMENDING HER CONTRIBUTIONS TO PUBLIC EDUCATION AND HER COMMUNITY.

David Jordan, Chairman

Senator Fillingane called up the following entitled bill:

H. B. No. 4056: Suffrage; restore to Agnes Standifer of Lee County.

YEAS AND NAYS On H. B. No. 4056. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Barnett. Total--1.

Senator Fillingane called up the following entitled bill:

H. B. No. 4057: Suffrage; restore to Mattie Hardiman of DeSoto County.

YEAS AND NAYS On H. B. No. 4057. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Younger. Total--47.

Nays--Chism, Hill, McLendon, Whaley. Total--4.

Absent and those not voting--Barnett. Total--1.

Senator Fillingane called up the following entitled bill:

H. B. No. 4080: Suffrage; restore to Evon Williams of Hinds County.

YEAS AND NAYS On H. B. No. 4080. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.
Nays--Chism, Hill. Total--2.
Absent and those not voting--Barnett. Total--1.

Senator Fillingane called up the following entitled bill:

H. B. No. 4083: Suffrage; restore to Kelvin Winding of Hinds County.

YEAS AND NAYS On H. B. No. 4083. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.
Nays--Chism, Hill. Total--2.
Absent and those not voting--Barnett. Total--1.

Senator Fillingane called up the following entitled bill:

H. B. No. 4085: Suffrage; restore to Quintin Purnell of Grenada County.

YEAS AND NAYS On H. B. No. 4085. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Barnett. Total--1.

Senator Fillingane called up the following entitled bill:

H. B. No. 4089: Suffrage; restore to Walter Lewis of Hinds County.

YEAS AND NAYS On H. B. No. 4089. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Barnett. Total--1.

Senator Fillingane called up the following entitled bill:

H. B. No. 4095: Suffrage; restore to Joseph Armstrong of Sunflower County.

YEAS AND NAYS On H. B. No. 4095. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Barnett. Total--1.

Senator Fillingane called up the following entitled bill:

H. B. No. 4098: Suffrage; restore to Jennifer Miles of Winston County.

YEAS AND NAYS On H. B. No. 4098. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Nays--None.
Absent and those not voting--Barnett. Total--1.

Senator Fillingane called up the following entitled bill:

H. B. No. 4100: Suffrage; restore to Clovis Dale McGhee of Lee County.

YEAS AND NAYS On H. B. No. 4100. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Barnett. Total--1.

Senator Fillingane called up the following entitled bill:

H. B. No. 4101: Suffrage; restore to Tony Lavell Smith of Noxubee County.

YEAS AND NAYS On H. B. No. 4101. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Barnett. Total--1.

Senator Fillingane called up the following entitled bill:

H. B. No. 4103: Suffrage; restore to Mary Smith Brandon of Lowndes County.

YEAS AND NAYS On H. B. No. 4103. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Barnett. Total--1.

Senator Fillingane called up the following entitled bill:

H. B. No. 4104: Suffrage; restore to Lawrence Daniels of Lowndes County.

YEAS AND NAYS On H. B. No. 4104. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Barnett. Total--1.

Senator Fillingane called up the following entitled bill:

H. B. No. 4111: Suffrage; restore to Leon Coleman of Jackson County.

YEAS AND NAYS On H. B. No. 4111. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Berry, Blackmon, Blackwell, Blount, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Suber, Tate, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Younger. Total--43.

Nays--Barrett, Boyd, Chism, Hill, McLendon, Sparks, Whaley. Total--7.

Absent and those not voting--Barnett. Total--1.

Voting Present--Branning. Total--1.

Senator Fillingane called up the following entitled bill:

H. B. No. 4118: Suffrage; restore to Ivory Moore of Washington County.

YEAS AND NAYS On H. B. No. 4118. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Barnett. Total--1.

Senator McLendon entered a motion to reconsider the vote whereby **H. B. No. 4057** passed the Senate.

H. B. No. 4057: Suffrage; restore to Mattie Hardiman of DeSoto County.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. C. R. No. 549: Legislature; suspend deadlines for Senate Bill No. 2753, 2024 Regular Session.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess until 4:00 PM.

The motion prevailed, and at 2:32 PM, the Senate stood in recess.

The Senate resumed business at 4:00 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2232: AN ACT TO AMEND SECTION 37-7-203, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE ELECTION OF SCHOOL BOARD MEMBERS IN THE NEWTON MUNICIPAL SCHOOL DISTRICT BEGINNING WITH THE NOVEMBER 2024 ELECTION; TO SET CERTAIN PROCEDURES FOR THE APPOINTMENT OF MEMBERS FOR VACANCIES IN OFFICE; AND FOR RELATED PURPOSES.

S. B. No. 2717: AN ACT TO AMEND SECTION 47-5-26, MISSISSIPPI CODE OF 1972, TO REMOVE PROVISIONS REQUIRING THAT THERE BE A DEPUTY COMMISSIONER FOR WORKFORCE DEVELOPMENT WHO SHALL SERVE AS THE CHIEF EXECUTIVE OFFICER OF PRISON INDUSTRIES AND DIRECTOR OF PRISON AGRICULTURAL ENTERPRISES; TO AMEND SECTION 47-5-541, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2445, 2024 REGULAR SESSION, TO REPLACE THE EXECUTIVE DIRECTOR OF ACCELERATEMS WITH THE EXECUTIVE DIRECTOR OF THE OFFICE OF WORKFORCE DEVELOPMENT, TO REQUIRE THE CHIEF EXECUTIVE OFFICER OF THE CORPORATION TO IMPLEMENT WORKFORCE DEVELOPMENT PROGRAMS WITHIN THE CORRECTIONS SYSTEM, AND TO DESCRIBE THE DUTIES OF THE CHIEF EXECUTIVE OFFICER OF THE CORPORATION; TO AMEND SECTION 47-5-577, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL FROM 2024 TO 2027; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 3215: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LAFAYETTE COUNTY, MISSISSIPPI, TO PROVIDE FUNDING TO THE OXFORD-LAFAYETTE ECONOMIC DEVELOPMENT FOUNDATION, IN AN AMOUNT NOT TO EXCEED $250,000.00 IN ANY FISCAL YEAR, FOR ECONOMIC DEVELOPMENT PROJECTS IN THE COUNTY AND FOR ADMINISTRATIVE NEEDS OF THE FOUNDATION; AND FOR RELATED PURPOSES.

S. B. No. 3221: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF RIDGELAND TO LEVY, ASSESS AND COLLECT A 1% TAX ON THE GROSS PROCEEDS OF ALL SALES FROM RESTAURANTS, AND A 2% TAX ON THE GROSS PROCEEDS OF ALL SALES FROM HOTELS AND MOTELS TO PROVIDE FUNDS SOLELY FOR CAPITAL IMPROVEMENTS FOR THE ENHANCEMENT OF FREEDOM RIDGE PARK, PHASE II; AND FOR RELATED PURPOSES.

S. B. No. 3230: AN ACT TO AMEND CHAPTER 916, LOCAL AND PRIVATE LAWS OF 2016, AS AMENDED BY CHAPTER 935, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE REPEAL DATE FROM JULY 1, 2024, TO JULY 1, 2028, ON THE PROVISION OF LAW AUTHORIZING THE BOARDS OF SUPERVISORS OF ALCORN, BENTON, PRENTISS, TIPPAH AND TISHOMINGO COUNTIES TO CONTRIBUTE TO NORTHEAST MISSISSIPPI COMMUNITY SERVICES, INC., IN AN AMOUNT DETERMINED BY EACH INDIVIDUAL BOARD NOT TO EXCEED $150,000.00, TO BE USED AS MATCHING FUNDS FROM THE STATE OR FEDERAL GOVERNMENT; TO EXTEND THE SAME AUTHORITY TO THE BOARD OF SUPERVISORS OF MARSHALL COUNTY; AND FOR RELATED PURPOSES.

S. C. R. No. 545: A CONCURRENT RESOLUTION RECOGNIZING AND CONGRATULATING JESSICA BANAHAN MCNEEL, REPRESENTING THE PASCAGOULA-GAUTIER SCHOOL DISTRICT, AS THE "2024 MISSISSIPPI PARENT OF THE YEAR."

David Jordan, Chairman

Senator Johnson moved that the rules be suspended to move to calendar item 14, **S. B. No. 2405**, and the motion prevailed.

Senator Johnson called up the motion to reconsider the vote whereby the Conference Report on **S. B. No. 2405** was adopted by the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2405: Alcoholic beverages; revise certain provisions regarding locations for sale of.

The foregoing motion prevailed.

On request of Senator Sparks, unanimous consent was granted to make the following correction in **H. B. No. 1323**:

Unanimous Consent of the House is requested to make the following changes to the conference report for H.B. 1323:

On line 20, insert "when the" before the word "identity".

Senator Hopson moved that the rules be suspended to move to calendar item 13, **H. B. No. 1815**, and the motion prevailed.

Senator Hopson called up the motion to reconsider the vote whereby the Conference Report on **H. B. No. 1815** was adopted by the Senate and moved that the motion to reconsider be tabled:

H. B. No. 1815: Appropriation; District attorneys and staff.

The foregoing motion prevailed.

Senator Hopson moved that the rules be suspended to move to calendar item 16, **H. B. No. 1791**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1791** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1791: Appropriation; Wildlife, Fisheries and Parks, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Wildlife, Fisheries and Parks for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 17,623,369.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Wildlife, Fisheries and Parks which is comprised of special source funds collected by or otherwise available to the department for the support and maintenance of the department, including the Museum of Natural Science and the Bureau of Parks and Recreation, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 83,838,244.00.

The following sum, which is included in the sum appropriated above in this section, is appropriated out of the state excise taxes upon gasoline, oil and other petroleum products to the Fisheries and Wildlife Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 5,750,000.00.

The Department of Revenue is directed to set aside the amount of this appropriation or any part thereof at any time it sees fit, out of any collections of taxes upon gasoline, oil and other petroleum products, and to deduct the amounts so set aside from such funds before making distribution thereof. However, provisions shall first be made for the Highway Bonds Sinking Fund, as required under the provisions of Chapter 130, Laws of 1938, and any amendments thereto, and Section 27-5-101, Mississippi Code of 1972.

Any funds available in the Wildlife Heritage Fund may be expended by the Commission on Wildlife, Fisheries and Parks as authorized by law. The department shall make a detailed report to the Legislature regarding the spending of the Wildlife Heritage funds by September 1 for the preceding fiscal year.

SECTION 3. Of the funds appropriated under the provisions of Section 2 to the Bureau of Wildlife and Fisheries, funds in the amount of One Hundred Twenty-five Thousand Three Hundred Thirty-five Dollars ($125,335.00) shall be derived from the

Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the purpose of defraying the expenses of Project WILD for Fiscal Year 2025.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 527

Time-Limited: 53

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 5. Each conservation officer and supervisor shall be furnished an allowance for uniforms not to exceed Five Hundred Fifty Dollars ($550.00) per annum.

Provided further, when any personnel of the Bureau of Wildlife and Fisheries are transferred from one (1) county to another on a permanent assignment, the expense monies now paid on out-of-county duty shall not be applicable.

SECTION 6. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Support Services	
Number of Hunting and Fishing Licenses Sold	480,000
Number of Registrations of Boats	52,000
Percent Change in License Sales	1.00
Percent Change in Boat Registration	1.00
Fisheries	
Number of Fish Stocked for Public Waters	1,500,000
Number of Customers of DWFP Lakes	1,500,000
Number of Participants in Aquatic Education	1,500,000
Number of Access Facilities Built or Maintained (Boat Ramps)	35
Wildlife	
MDWFP Management for Hunters and Non-Consumptive Users (Man-Days)	125,000
Research Projects Conducted to Sustain Healthy and Abundant Wildlife Populations	6.00
Acres of Forest Inventory	1,000
Acres of Prescribed Burning, Waterfowl Management, and Timber Management on WMA's to Sustain Healthy & Abundant Wildlife	30,000
Percent Change in Number of Research Projects Conducted to Sustain Healthy and Abundant Wildlife Populations	0.00
Percent Change in Number of Private Land Acres Influenced	0.00
Percent Change in the Number of Forest Inventories Conducted	0.00
Law Enforcement	
Number of Hunter Education Participants	10,000
Number of Hours Patrolled on Land	175,000
Number of Hours Patrolled on Water	50,000
Number of Criminal Investigations Conducted	8,000
Number of Shooting Sport Programs	1,500
Number of Boating Accidents	50
Number of Boating Fatalities	7
Cost per Student for Hunter Education	50
Cost per Sports Program	525.00
Percent Change in Number of Boating Accidents	50.00
Percent Change in Boating Related Fatalities	50.00
Percent Change in Public Contacts per Officer/per Day	15.00
Special Projects	
Percent Increase in Improved Use of Special Funds	0.20
Parks	
Overnight Accommodation (Cabins/Motels)	250,000
Overnight Accommodations (Camping)	650,000
Day Use Services	400,000
Percent Change in Day Use Services	10.00
Percent Change in the Prior Year of Occupancy Rate of Cabins	25.00
Museum	
Statewide Education Programming	250,000
Total Public Programming	130,000

Number of Visitors to Exhibits	80,000
Number of Natural Heritage Records Entered	60,000
Percent Change of Students that Understand the Importance of Natural Resource Conservation	5.00
Percent Change of Visitors to Exhibits	3.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 8. Of the funds appropriated in Section 2, the following amount shall be derived from the Department of Wildlife, Fisheries and Parks Special Pearl River Timber Fund No. 3465, for the purpose of making improvements to the Pearl River Wildlife Management Area ..... $ 50,000.00.

SECTION 9. Of the funds appropriated within this act, the Commission on Wildlife, Fisheries and Parks may enter into cooperative agreements with the board of supervisors of any county or any group or combination of counties for the purpose of creating, improving or restoring parks, public game and fish habitat lying or to be situated wholly or partially within such county or in an adjoining county; and each county is empowered and authorized, in its discretion, to expend funds from the general county fund for such purposes from which fund they shall reimburse to the Commission on Wildlife, Fisheries and Parks the actual cost of all surveying and engineering projects incurred by the Department of Wildlife, Fisheries and Parks incidental thereto. Such boards of supervisors are further authorized and empowered, in their discretion, to enter into agreements necessary to carry out the purposes of this act with any other county, the United States Forest Service or any other agency if same should be necessary for the acquisition of land by lease or otherwise for such purposes.

SECTION 10. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 11. In order to be in compliance with Section 63-1-201 et seq., funds are herein provided and may be expended by the Department of Wildlife, Fisheries and Parks to pay the costs of commercial driver's licenses for specific employees and/or to reimburse such costs for specific employees who, in the course of their duties and responsibilities, are required to hold a valid Mississippi Commercial Driver's License.

SECTION 12. The Mississippi Department of Wildlife, Fisheries and Parks is authorized to provide financial support of One Hundred Seventy-five Thousand Dollars ($175,000.00) and to enter into an agreement with the Mississippi Cooperative Extension Service for a project specialist and related supportive cost.

SECTION 13. The department is authorized to spend up to sixty percent (60%) of revenue in the State Park Timber Endowment Fund, as needed, to operate and maintain the state parks.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. Of the funds appropriated in Section 1, it is the intention of the Legislature that Four Hundred Thousand Dollars ($400,000.00) is allocated for the detection and prevention of Chronic Wasting Disease in deer populations across the state.

SECTION 16. Of the funds appropriated in Section 1, it is the intention of the Legislature that Seventy-five Thousand Dollars ($75,000.00) is allocated for LeFleur’s Bluff State Park for playground security expenses.

SECTION 17. Of the funds appropriated herein, Two Hundred Thousand Dollars ($200,000.00) may be provided to fund the Youth Participation Initiative for the purpose of educating children in the areas of hunting, fishing, conservation, and safety.

SECTION 18. The fund created pursuant to Section 49-5-21, Mississippi Code of 1972, and known as the "Fisheries and Wildlife Fund" shall be treated as a special trust fund. All funds derived from the sale of licenses, fees, fines and other revenues received by the department as provided by law, shall be deposited in the Fisheries and Wildlife Fund. In addition, revenue derived from the sale of timber on wildlife management areas, refuges and preserves shall be deposited into an account established for such revenues under the Fisheries and Wildlife Fund. The interest and any investment income earned on the fund shall be credited by the State Treasurer to the Fisheries and Wildlife Fund and shall not be paid into the General Fund. Any unexpended funds remaining in the fund at the end of the fiscal year shall not lapse and shall remain in the fund. Nothing in this section shall prevent the use of said funds from maintenance and upgrade of wildlife management areas.

SECTION 19. It is the intention of the Legislature that no more than One Million Three Hundred Thousand Dollars ($1,300,000.00) be expended from the Motor Vehicle Fund for the purchase of any type of motor vehicle.

SECTION 20. The executive director of the Department of Wildlife, Fisheries and Parks is authorized to enter into an agreement with any public or private entities to manage any park or parks within the state park system.

SECTION 21. It is the intent of the Legislature that no state-owned wildlife management area be closed and that to the greatest practicable extent, department land management decisions and actions may not result in any net loss of any acreage available for hunting opportunities that existed on July 1, 2006, as provided in Section 49-5-99(4). It is the intention of the Legislature that no state park be closed without legislative approval.

SECTION 22. It is the intent of the Legislature that the Mississippi Department of Wildlife, Fisheries and Parks shall have the authority to enter into multi-year contracts for the purpose of placing a sign on such state park property under the department's domain, in accordance with any applicable rules and regulations. All proceeds generated from these activities shall remain with the department and shall be deposited into the proper special fund.

SECTION 23. It is the intent of the Legislature that from the funds available to the Department of Wildlife, Fisheries and Parks, the department may purchase and pay premium(s) on property damage insurance on its motor vehicles, boats, trailers, real property improvements, buildings, furnishings, and such other assets as may be appropriate or practical, and/or as required by a granting entity.

SECTION 24. Of the funds appropriated under the provisions of Section 2, One Million Seven Hundred Fifty Thousand Dollars ($1,750,000.00) shall be designated for the purpose of defraying the operational expenses of Special Projects. None of these funds shall be used for "Personal Services."

SECTION 25. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks shall have the authority to receive, budget and expend funds from the Gulf and Wildlife Protection Fund, not to exceed Fifty Thousand Dollars ($50,000.00) for the purpose of preservation, protection, conservation, and acquisition of waters, land and wildlife of this state.

SECTION 26. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 27. Of the funds appropriated in Section 1, it is the intention of the Legislature that Fifty-eight Thousand Five Hundred Ninety-three Dollars ($58,593.00) may be allocated for the Hunter Education program supported from the General Fund court assessments.

SECTION 28. Of the funds appropriated under the provisions of Section 2, Ten Million Dollars ($10,000,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense

Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office as follows:

a) Projects on the Park Improvement Plan ....$ 8,350,000.00

b) Museum Admissions Area Renovation Phase II..... $ 1,500,000.00

c) Road Improvements at J.P. Coleman State Park ..... $ 75,000.00

d) Improvements at John Kyle State Park.....$ 75,000.00

Any remaining funds in this section may be used to continue funding park improvements.

SECTION 29. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Wildlife, Fisheries, and Parks for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1617, 2023 Regular Session, for the purpose of providing equipment for the agency for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 1,100,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 30. Of the funds appropriated in Section 2, Eight Million One Hundred Thousand Dollars ($8,100,000.00) may be provided from the Mississippi Outdoor Stewardship Trust Fund. These funds are available for completing projects awarded to the Department by the Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund.

SECTION 31. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 32. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
C. Scott Bounds	Briggs Hopson
John Read	Scott DeLano
Karl Oliver	Juan Barnett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1791** (version 2) was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Barnett. Total--1.

_____

Senator Hopson moved that the rules be suspended to move to calendar item 23, **S. B. No. 3006**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3006** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3006: Appropriation; IHL - General support.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support, maintenance, affirmative action plan, interest funds and repairs at the state-supported institutions of higher learning; for support of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 381,386,138.00.

SECTION 2. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of the proceeds from any federal, student fees or other special source funds not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support of education and general operations of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 1,206,950,481.00.

SECTION 3. The following sums, or so much thereof as may be necessary, are hereby appropriated out of any money in the Ayers Endowment Interest Fund, State Treasury Fund No. 3325800000, for the purposes as set out by the courts in the Ayers Case for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Alcorn State University	$ 424,500.00.
Jackson State University	$ 651,000.00.
Mississippi Valley State University	$ 424,500.00.
TOTAL:	$ 1,500,000.00.

SECTION 4. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning shall allocate funds to the off-campus centers based on a minimum rate of sixty-five percent (65%) of the on-campus cost of a full-time equivalent student. The on-campus distribution is to be determined without regard to the costs incurred by any one or more of them in the operation of off-campus degree-completing centers' classes. Off-campus centers which are operated jointly by two (2) or more institutions, the amount allocated to such centers shall be prorated among the institutions jointly operating such centers based on the full-time equivalent enrollment of such centers.

The board of trustees shall ensure that the off-campus centers are not charged with any indirect or overhead cost prorated from any on-campus activity. It is the intention of the Legislature that the on-campus operations charge the off-campus centers with only actual direct charges.

SECTION 5. Of the funds appropriated in Section 1 of this act, the amount of One Hundred Forty-five Thousand Dollars ($145,000.00) shall be used for the promotion and expenses of the Mississippi Governor's School for the Gifted and Talented.

Provided, however, that the Board of Trustees of State Institutions of Higher Learning shall develop the governing policy for faculty, course content and facilities

selection on a competitive basis from all Mississippi senior colleges and universities. The Mississippi Governor's School for the Gifted and Talented shall accept not less than one (1) high school student nominee from each accredited high school in Mississippi. The nominees, selected under criteria developed and adopted by the Board of Trustees of State Institutions of Higher Learning, shall be provided a two-week tuition-free program.

SECTION 6. Of the funds appropriated in Section 1 of this act, the amount of Three Hundred Forty-nine Thousand Two Hundred Dollars ($349,200.00) shall be used for the promotion and expenses of the Teacher Corps.

SECTION 7. It is the intent of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 8. Of the funds appropriated in Section 1 of this act, the following amounts shall be used as set forth:

(a) For Mississippi State University as interest on agricultural land script fund and interest on sale of university land, the sum of..... $ 14,387.00.

(b) For the University of Mississippi as interest on original seminary fund, the sum of ..... $ 32,643.00.

(c) For the University of Mississippi as interest on 1904 land grant fund, the sum of ..... $ 9,965.00.

(d) For the University of Mississippi as interest on LaBauve Fund, the sum of $ 1,420.00.

(e) For Mississippi University for Women as interest on funds paid into the State Treasury as proceeds of sale of land donated to the Industrial Institute and College by the United States government, the sum of..... $ 9,389.00.

(f) For Alcorn State University as interest on land script and land sales funds, the sum of ..... $ 12,592.00.

SECTION 9. Of the funds appropriated in Section 2 of this act, the following amount shall be derived from Education Enhancement Funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972:

On-campus and off-campus support of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi for the sum of..... $ 72,873,070.00.

SECTION 10. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning shall first use special funds to the greatest extent possible to defray the costs of providing remediation at the state-supported institutions of higher learning.

SECTION 11. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Board of Trustees of State Institutions of Higher Learning, or any of the powers or duties of any institution under the jurisdiction of the board of trustees, that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 12. It is the intention of the Legislature that the budget requests of the institutions for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 13. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning continue to review, and eliminate when possible, duplicating programs and degrees in the existing institutions of higher learning in this state.

SECTION 14. No state appropriations or student tuition and fee receipts, except those specifically charged for the provision of the services, shall be used to support auxiliary enterprises, with the exception of intercollegiate athletics at a level designated by the board of trustees. It is the intent of the Legislature that auxiliary enterprises shall

be self-supporting and that deficits not be taken from funds intended for instruction and academic programs.

SECTION 15. The Board of Trustees of State Institutions of Higher Learning shall report yearly to the Legislature the institution compliance with Section 97-11-51, Mississippi Code of 1972, which prohibits deficit spending.

SECTION 16. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 17. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Instruction	
Number of Undergraduate Degrees Awarded	12,221
Number of Graduate Degrees Awarded	4,592
Number of Degrees (Graduate & Undergraduate) Awarded in the STEM Field	3,468
Number of Degrees (Graduate & Undergraduate) Awarded in the Health Field	791
Number of Degrees (Graduate & Undergraduate) Awarded in the Education Field	1,220
Number of undergraduate degrees awarded per 100 undergraduate full-time equivalent (FTE) enrollment.	20.10
Number of Graduate Degrees Awarded per 100 Graduate FTE Enrollment	44.20
Number of Students Completing 30 Hours	13,915
Number of Students Completing 60 Hours	10,132
Research	
Number of Patents Obtained by Mississippi Public Universities in Emerging Technologies	25

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 18. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated equally to Jackson State University, Mississippi State University, the University of Mississippi, and the University of Southern Mississippi for economic development, reorganization, and relocation of efforts at those universities.... $ 2,000,000.00.

SECTION 19. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to Mississippi State University - Meridian Branch.....
$ 900,000.00.

SECTION 20. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 21. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be

necessary, shall be allocated to Jackson State University E-Learning Center..... $ 485,000.00.

SECTION 22. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to the Delta State University E-Learning Center.....

$ 155,000.00.

SECTION 23. It is the intent of the Legislature that at the end of Fiscal Year 2025 any unexpended balances in Ayers programs funds established pursuant to this act shall not lapse into the State General Fund, but shall carry over and be available for expenditure in the succeeding fiscal year, and subject to Legislative appropriation.

SECTION 24. None of the State General Funds appropriated by this act shall be expended for the purpose of travel outside the United States.

SECTION 25. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following sum, or so much thereof as may be necessary, shall be allocated to Delta State University Department of Commercial Aviation

$ 800,000.00.

SECTION 26. Of the funds appropriated in Section 1 and Section 2 of this act, One Hundred Ninety-one Thousand Six Hundred Ten Dollars ($191,610.00) is provided for geospatial site licenses.

SECTION 27. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 28. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount shall be allocated to the Delta State University Delta Center for Culture and Learning..... $ 100,000.00.

The funds allocated in this section shall only be used for the Delta Center for Culture and Learning.

SECTION 29. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to fund the Washington Center for Internships and Academic Seminars Mississippi Initiative Scholarship Program .....

$ 90,000.00.

This program will provide opportunities for Mississippi's university and college students to gain real-life experience working in Washington, D.C., and through attending short course Academic Seminars. The funding will provide scholarships at Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, and the University of Southern Mississippi. A written report shall be submitted listing the scholarship recipients by university to the Chairmen of the Senate and House Appropriations and Universities and Colleges Committees.

SECTION 30. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research in which a human embryo is killed or destroyed.

SECTION 31. Of the funds appropriated under the provisions of Section 1 of this act, an amount not more than One Hundred Twenty-five Thousand Dollars ($125,000.00) shall be allocated to implement university system efficiencies, including, but not limited to, academic, space, energy and any other system projects or expenditures that would lead to improved efficiency. Such funds may also be used to draw down other funds or as matching funds.

SECTION 32. Of the funds appropriated under the provisions of Section 1 of this act, Nine Hundred Thousand Dollars ($900,000.00) shall be used to defray the expenses of the Children's Center for Communication and Development at the University of Southern Mississippi.

SECTION 33. Of the funds appropriated in Section 1 of this act, the amount of Nine Hundred Thousand Dollars ($900,000.00) is provided for defraying the expenses of the DuBard School at the University of Southern Mississippi.

SECTION 34. Of the funds appropriated under the provisions of Section 1 of this act, Two Hundred Sixty-six Thousand Seven Hundred Fifty Dollars ($266,750.00) is provided for the Southwest Mississippi Center for Culture and Learning at Alcorn State University.

SECTION 35. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Eight Hundred Fifty Thousand Dollars ($850,000.00) is provided for the Engineer Research and Development Center in Vicksburg, Mississippi, for Research and Development opportunities in Science and Technology initiatives.

SECTION 36. Of the funds appropriated in Section 1 of this act, Three Hundred Thousand Dollars ($300,000.00) is provided for the Delta State University Delta Music Institute.

SECTION 37. It is the intention of the Legislature that Mississippi Valley State University is authorized to provide water or sewer service to any existing, privately owned structures that presently take water or sewer service from Mississippi Valley State University. Furthermore, Mississippi Valley State University is authorized to charge a flat or metered rate for the service provided. Mississippi Valley State University shall not provide any water or sewer service to any new, privately owned structures.

SECTION 38. Of the funds appropriated in Section 2 of this act, One Million Five Hundred Thousand Dollars ($1,500,000.00), shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to Alcorn State University for STEM related programs as determined by the university.

SECTION 39. Of the funds appropriated in Section 2 of this act, One Million Dollars ($1,000,000.00), or so much as necessary, shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to the IHL research institutions for the purpose of technology transfer and entrepreneurial programs, which may be connected to the Department of Defense and related federal research in Mississippi. It is the intent of the legislature that funds can be used for both research and upgrades to the physical space in order to perform research and entrepreneurship.

SECTION 40. Of the funds appropriated in Section 2 of this act, One Million Dollars ($1,000,000.00), or so much thereof, is hereby appropriated out of any money in the State Treasury to the credit of the 2023 Declaration of Independence Center for the Study of American Freedom Fund, and allocated in a manner as determined by the Treasurer's Office, to support the operations of the Declaration of Independence Center for the Study of American Freedom ("Center") at the University of Mississippi, subject to the conditions that the Center shall:

(a) Promote scholarly research and civic education by exploring the principles of freedom expressed in our country's founding documents;

(b) Support individual faculty members at institutions of higher learning who have been named Declaration Fellows and who actively participate in the Center's network of scholars and further the mission and principles of the Center;

(c) Support classes, activities, and internships that advance students' understanding of American freedom at both the secondary and post-secondary level of education, including support for the operation of any Freedom Studies minor that may be available for academic credit at the University of Mississippi, as well as support for all Freedom Studies courses belonging to this minor; and

(d) Continue to be governed and advised in accordance with the Center governing structure described in the last paragraph of the Center mission statement signed by the Chancellor, Provost and founding Director of the Center and received in the Office of the Chancellor on March 1, 2023.

SECTION 41. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise

appropriated, for the Institutions of Higher Learning for the purpose of reauthorizing the expenditure of Education Enhancement Funds to defray the expenses of the Institutions of Higher Learning, as authorized in Senate Bill 3000, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 26,593,681.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

(a) University of Mississippi to defray expenses related to the operations of the Haley Barbour Center for the Study of American Politics ..... $ 975,000.00.

(b) University of Mississippi to defray expenses related to the Healthcare Innovation Tech Hub Infrastructure, Biomedical Innovation, Nano-Bio Immuno Engineering Consortium (NIEC), Data Science and Artificial Intelligence $ 4,946,184.00.

(c) University of Mississippi to defray expenses related to the UM Early Learning and Evaluation Center ..... $ 9,699,883.00.

(d) Mississippi University for Women to defray expenses related to the expansion of the nursing program.....
$ 2,472,614.00.

(e) Jackson State University to defray the expenses related to the repair, renovation, and/or construction of a residence
hall $ 5,000,000.00.

(f) Alcorn State University to defray the expenses related to the repair, renovation, expansion, construction, furnishing and equipping of the Davey L. Whitney Complex and Wellness Center.....
$ 3,000,000.00.

(g) IHL research institutions for the purpose of technology transfer and entrepreneurial programs, which may be connected to the Department of Defense and related federal research in Mississippi:

Jackson State University ..... $ 250,000.00.
University of Mississippi ..... $ 250,000.00.
TOTAL: ..... $ 500,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 42. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the Institutions of Higher Learning for the purpose of reauthorizing the expenditure of Capital Expense Funds to defray the expenses of the Institutions of Higher Learning (IHL), acting through the Bureau of Building, Grounds and Real Property Management as authorized in SB 3000, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 2,568,641.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds for construction and/or repair and renovation projects for the Institutions of Higher Learning as allocated herein:

Delta State University ..... $ 1,007,559.00.
Mississippi Valley State University ..... $ 1,561,082.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 43. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Institutions of Higher Learning for the purpose of reauthorizing the expenditure of Capital Expense Funds to defray the expenses of the Institutions of Higher Learning (IHL), as authorized in SB 3000, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 5,000,000.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds for the University of Southern Mississippi Ocean Enterprise – Gulfport.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 44. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, to support the operations of the Declaration of Independence Center for the Study of the American Freedom ("Center") at the University of Mississippi for the purpose of reauthorizing Capital Expense Funds as authorized in SB 3000, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 375,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 45. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated, for the Institutions of Higher Learning for the purpose of reauthorizing the expenditure of Education Enhancement Funds to defray the expenses of the Institutions of Higher Learning, as authorized in Senate Bill 3000, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 22,160,000.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

(a) Delta State University – Commercial Aviation Department to defray expenses related to the construction and/or repair and renovation of hangers and classrooms, the purchase of flight simulators, training equipment, and the purchase and/or refurbishment of aircraft..... $ 5,000,000.00.

(b) Jackson State University to defray the expenses related to the repair, renovation, and/or construction of a residence
hall $ 5,000,000.00.

(c) Mississippi Valley State University to defray expenses related to capital needs, construction, and/or repair and renovation projects..... $ 2,160,000.00.

(d) Mississippi University for Women to defray expenses related to capital needs, construction, and/or repair and renovation projects..... $ 5,000,000.00.

(e) Alcorn State University to defray expenses related to capital needs, construction, and/or repair and renovation projects.....
$ 5,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 46. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated, for the Institutions of Higher Learning for the purpose of reauthorizing the expenditure of Education Enhancement Funds to defray the expenses of the Institutions of Higher Learning, as authorized in Senate Bill 3000, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 5,549,081.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

(a) Mississippi Valley State University to defray expenses related to on-campus and off-campus support ..... $ 2,656,420.00.

(b) Mississippi University for Women to defray expenses related to on-campus and off-campus support ..... $ 2,142,661.00.

(c) University of Mississippi defray expenses related to on-campus and off-campus support..... $ 750,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended

balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 47. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated, for the purpose of reauthorizing the expenditure of General Funds for the T.K. Martin Center to study the IDEA Part C Early Intervention System in Mississippi and Mississippi's Laws Regarding Early Intervention, as authorized in SB 3000, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 250,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 48. Of the funds appropriated in Section 1 of this act, Six Hundred Thousand Dollars ($600,000.00) is provided for the T.K. Martin Center to study the IDEA Part C Early Intervention System in Mississippi and Mississippi's Laws Regarding Early Intervention, as established by Senate Bill 2167, 2023 Regular Session.

SECTION 49. Of the funds appropriated under the provision of Section 2 of this act, the following sum, or so much necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Institutions of Higher Learning (IHL), acting through the Bureau of Building, Grounds and Real Property Management, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 12,000,000.00.

This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for the Institutions of Higher Learning as allocated herein:

Alcorn State University to defray expenses related to repair and renovation upgrades to existing facilities ..... $ 2,500,000.00.

Delta State University to defray expenses related to renovations and upgrading of campus buildings..... $ 1,000,000.00.

MS University of Women to defray expenses related to general construction and/or repair and renovation projects..... $ 3,160,000.00.

MS University of Women to defray expenses related to the Painter Hall renovation..... $ 300,000.00.

University of Southern Mississippi to defray expenses related to general construction and/or repair and renovation projects..... $ 1,000,000.00.

University of Southern Mississippi Gulf Coast Research Lab to defray expenses related to general construction and/or repair and renovation projects ..... $ 567,500.00.

University of Southern Mississippi Gulf Park to defray expenses related to general construction and/or repair and renovation projects..... $ 681,000.00.

Jackson State University to defray expenses related to construction and/or repair and renovation projects ..... $ 697,875.00.

Mississippi State University (including the Forest and Wildlife Research Center and the Division of Agriculture, Forestry and Veterinary Medicine) to defray expenses

related to general construction and/or repair and renovation projects ..... $ 697,875.00.

Mississippi Valley State University to defray expenses related to general construction and/or repair and renovation projects ..... $ 697,875.00.

University of Mississippi to defray expenses related to general construction and/or repair and renovation projects ..... $ 697,875.00.

SECTION 50. Of the funds appropriated in Section 2 of this act, Eight Million Five Hundred Thousand Dollars ($8,500,000.00), or so much as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, to defray the expenses of Delta State University for the following:

Delta State University for planning, designing, renovating, constructing, furnishing, and equipping Ward Hall Dormitory and Cleveland Hall ..... $ 6,000,000.00.

Delta State University to defray the costs associated with designing, constructing, maintaining, and operating a model rural education school in a partnership with the Cleveland School District to serve PreK through sixth-grade students from Bolivar County ..... $ 2,500,000.00.

SECTION 51. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 52. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 53. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Karl Oliver
Rita Potts Parks	John Read
Dennis DeBar, Jr.	Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3006** was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.
Absent and those not voting--Barnett. Total--1.

Senator Hopson moved that the rules be suspended to move to calendar item 24, **S. B. No. 3012**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3012** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3012: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning to be used for the operation of the College of Veterinary Medicine at Mississippi State University, for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 20,659,580.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the College of Veterinary Medicine at Mississippi State University, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 50,847,686.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Seven Hundred Fifty Thousand Dollars ($750,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

.....FY2025
Performance Measures.....Target
Instruction
..... Percent of Year 4 DVM Students Passing
.....
NAVLE at Graduation..... 95.00
..... Percent of DVM Graduates Reporting

.....
Employment in the Field within 12 Months
.....
of Graduation 95.00
Research
Number of Grants/Contracts Awarded
55
.....Percent of Graduate Students Reporting
.....
Employment in the Field within 12 months
.....
of Graduation 95.00
Pub-service - Animal Health Ctr
..... Number of Patient Visits to AHC (AHC
.....
Caseload Managed)..... 38,880
.....Percent of Client Satisfaction Based on
.....
Surveys 98.00
..... Percent of Referring Veterinarian
.....
Satisfaction Based on Surveys 95.00
Pub-service - Diagnostic Lab
Number of Lab Accessions (Test Requests)
30,852
Vet Research & Diagnostic Lab
Number of Diagnostic Tests Performed
330,000
Academic Support
.....Percent of Vet Campers & Parents
.....
Indicating "Willing to Recommend" on
.....
Satisfaction Surveys..... 98.00
..... Percent of Alumni who Report a
.....
Satisfactory Level of Engagement with
.....
the College on Surveys..... 98.00
Operation & Maintenance
Number of Square Feet O&M/Custodial Services
500,237
.....Cost per Square Foot Maintenance &
.....
Custodial Services 8.91

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 7. Of the funds appropriated in Section 1 of this act, the amount of One Hundred Twenty-five Thousand Dollars ($125,000.00) shall be used for the purpose of testing, programming, and personnel-related expenses for Chronic Waste Disease.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code

of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. Of the funds appropriated in Section 1 of this act, Sixty Thousand Dollars ($60,000.00) is hereby provided for scholarships for the Dr. Elton Mac Huddleston Rural Veterinarians Scholarship Program as described in HB 1210, 2024 Regular Session.

SECTION 11. Of the funds in Section 2 of this act, Eighteen Million Dollars ($18,000,000.00) is provided from the Mississippi State University Veterinary School Fund as created in SB 2468, 2024 Regular Session.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE COLLEGE OF VETERINARY MEDICINE AT MISSISSIPPI STATE UNIVERSITY FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Karl Oliver
Rita Potts Parks	John Read
Dennis DeBar, Jr.	Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3012** (version 2) was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Barnett. Total--1.

Senator Hopson moved that the rules be suspended to move to calendar item 26, **S. B. No. 3015**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3015** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3015: Appropriation; Community and Junior Colleges Board - Administrative expenses.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the administrative expenses of the Mississippi Community College Board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 6,281,400.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Community College Board, for the purpose of defraying the administrative expenses of the Mississippi Community College Board for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 120,202,884.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Three Hundred Fifty-six Thousand Dollars ($356,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 46

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. Of the funds appropriated in Section 1 of this act, Five Hundred Forty-two Thousand Four Hundred Fifty-nine Dollars ($542,459.00) is provided to the Mississippi Community College Board for the purpose of defraying the cost of the Greenville Higher Education Center.

SECTION 6. Of the funds appropriated in Section 1 of this act, Thirty-seven Thousand Six Hundred Twenty-six Dollars ($37,626.00) is provided for geospatial site licenses.

SECTION 7. Of the funds appropriated in Section 2 of this act, Five Hundred Seventy-four Thousand Three Hundred Eighty-six Dollars ($574,386.00) shall be derived from the out of any money in the State Treasury to the credit of the Commission on Proprietary School and College Registration, for the purpose of defraying expenses incurred in the regulation and administration of the Mississippi Proprietary School and College Registration Law and the associated expenses of the Mississippi Community College Board.

SECTION 8. Of the funds appropriated herein, up to One Million Dollars ($1,000,000.00) shall be expended from the Work Force Carryover Fund as created in Section 37-153-31, Mississippi Code of 1972.

SECTION 9. Of the funds appropriated in Sections 1 and 2 of this act, Fifty Million Eight Hundred Thirty-one Thousand Eight Hundred Two Dollars ($50,831,802.00) is appropriated for the Workforce Education Program and Industrial Training. No funding obligation or commitment shall be made on behalf of the state for industrial training beyond the level of funding made available in this section. All industrial training program commitments made in Fiscal Year 2025 and future fiscal years shall be based only upon funds available in this section, and any proposed commitments shall be approved by the Executive Director of the Mississippi Community College Board or the Executive Director's designee prior to such commitment being finalized. Industrial training program commitments shall be made and based only upon training services provided and not for a specific funding amount. Any expenditures of funds authorized in this section are limited to obligations made July 1, 2024, or after, and shall not be expended for obligations made prior to this date.

SECTION 10. Of the funds appropriated in Section 2 of this act, Thirty Million Dollars ($30,000,000.00) shall be derived from unemployment compensation contributions deposited into the Mississippi Workforce Enhancement Training Fund and

shall be utilized exclusively by the Mississippi Community College Board for workforce training in accordance with Senate Bill No. 2027, 2010 Regular Session. It is the intention of the Legislature that the Workforce Enhancement Training Fund shall have not less than Two Million Dollars ($2,000,000.00) set aside as a carry-forward to begin the Fiscal Year 2026 Workforce Education Program.

SECTION 11. Of the funds appropriated in Section 2 of this act, Two Million Five Hundred Thousand Dollars ($2,500,000.00) shall be derived from fees charged for the Workforce Online Training Program, and the Mississippi Virtual Community College and funds in the amount of Two Million Four Hundred Forty-four Thousand Nine Hundred Fourteen Dollars ($2,444,914.00) shall be transferred from the Community and Junior College Education Technology Fund for the purpose of defraying the costs of the Mississippi Virtual Community College, the Workforce Online Training Program and the administrative expenses of the Mississippi Community College Board.

SECTION 12. Of the funds appropriated in of Section 2 of this act, One Hundred Twenty-five Thousand Dollars ($125,000.00) shall be derived from fees charged for issuing duplicate transcripts and duplicate diplomas for the High School Equivalency Testing Program for the purpose of defraying the costs of administering the High School Equivalency Testing Program of the Mississippi Community College Board, pursuant to Section 37-35-9, Mississippi Code of 1972.

SECTION 13. Of the funds appropriated in Section 2 of this act, Thirty Million Dollars ($30,000,000.00) shall be derived from the transfer of postsecondary vocational and technical funds from the Mississippi Department of Education to the Mississippi Community College Board for the purpose of managing the day-to-day operations of postsecondary career and technical education.

SECTION 14. It is the intention of the Legislature that an amount equal to One Dollar and Fifty Cents ($1.50) per square foot shall be transferred to the Executive Office of the Board of Trustees of State Institutions of Higher Learning to defray utility costs.

SECTION 15. It is the intention of the Legislature that the budget requests for administrative expenses of the Mississippi Community College Board for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 16. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 17. Of the funds appropriated in Section 2 of this act, Twenty-six Million Five Hundred Thousand Dollars ($26,500,000.00), or so much as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, and shall be expended by the Mississippi Community College Board for the purpose of construction (including land acquisition) and/or repair, equipment upgrades and renovation projects associated with Career & Technical Education (CTE) Centers and Workforce development centers in the following school districts and Community Colleges:

Rankin County School District	$ 1,200,000.00.
Long Beach School District	$ 500,000.00.
Lowndes County Public School District	$ 500,000.00.
Greene County School District	$ 1,000,000.00.
George County School District	$ 500,000.00.
Itawamba County School District	$ 800,000.00.
Scott County School District	$ 1,500,000.00.
Newton County School District	$ 1,500,000.00.
Ocean Springs School District	$ 1,000,000.00.
Grenada County School District	$ 5,000,000.00.
Prentiss County School District for Prentiss County Career and Technical Center	$ 500,000.00.

Baldwyn Separate School District for Career Technical Center ..... $ 250,000.00.
Prentiss County School District for Wheeler High School Career Technical Center ..... $ 250,000.00.
East Central Community College for the construction of a workforce development center owned by the Leake County Economic Development in the Leake County Business Park ..... $ 12,000,000.00.

SECTION 18. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 19. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 20. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE MISSISSIPPI COMMUNITY COLLEGE BOARD FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Karl Oliver
Hillman Terome Frazier	John Read
Robin Robinson	Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3015** was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Barnett. Total--1.

Senator Hopson moved that the rules be suspended to move to calendar item 27, **S. B. No. 3016**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3016** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3016: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the operation and support of the public community and junior colleges for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 230,162,672.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the special funds specified herein to the Mississippi Community College Board for the operation and support of the public community and junior colleges for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 76,385,786.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Sixty-nine Million Seven Hundred Eighty-five Thousand Seven Hundred Eighty-six Dollars ($69,785,786.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, not otherwise appropriated, for the operation and support of public community and junior colleges.

SECTION 4. The funds provided in this section shall be allocated for the aid and support of the public and community junior colleges through the community college support funding formula and shall be apportioned in accordance with the following assigned weights:

Formula Section	FTE Formula
(a) Aid to Colleges:	
Base	15% prior year appropriation
Academic	1.0
Technical	1.0
(b) Career	1.0
(c) Associate Degree Nursing	1.19
(d) Associate Degree Allied Health	1.19

Academic, Technical, Career, Associate Degree Nursing and Associate Degree Allied Health funds shall be disbursed on the basis of prior year full-time equivalency (FTE) of hours generated during the summer, fall and spring semesters for each public community and junior college student actually enrolled and in attendance the last day of the sixth week of each semester, or its equivalent, counting only students who reside within the State of Mississippi. However, associate degree nursing students who reside outside the State of Mississippi may be counted for pay purposes.

The Director of the Mississippi Community College Board, or his designee, shall audit each public community and junior college and shall determine who shall be counted in each college and shall certify the number to the Mississippi Community College Board.

If, pending determination of the enrollment of students at the public community and junior colleges entitled to participate in this appropriation, as provided for in this section, the Mississippi Community College Board shall find and determine that any such public or community junior college does not have sufficient funds on hand for payment of the necessary expenses of its operation for the period commencing July 1, 2024, until distribution of the funds appropriated hereby, then, in that event, the Mississippi Community College Board is expressly authorized to make an advance to any such public community or junior college or colleges not having sufficient operating

funds for such period from the funds appropriated hereby; provided, however, that the amount of any such advance to any one (1) public community or junior college shall not exceed thirty-three percent (33%) of the amount of state-appropriated funds received by such public community or junior college during the preceding fiscal year; and provided, further, that the amount of any such advance shall be deducted from the pro rata part of the funds appropriated hereby accruing to said public community or junior college when enrollment has been ascertained and distribution of funds is made.

(c) Of the funds appropriated in Section 1 of this act, an amount not to exceed One Hundred Sixty-nine Million Eight Hundred Eighty-one Thousand Four Hundred Four Dollars ($169,88l,404.00) is authorized for the aid and support of the public community colleges to be distributed through the community college support funding formula.

(d) Of the funds provided in Section 3 of this act, Fifty-one Million Eight Hundred Eighty-four Thousand Nine Hundred Forty-six Dollars ($51,884,946.00), or so much as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Education Enhancement Fund and deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972. These funds are authorized for the aid and support of the public community colleges to be distributed through the community college support funding formula.

SECTION 5. The following public community and junior colleges which qualify shall participate in the funds provided herein:

Coahoma Community College, Copiah-Lincoln Community College, East Central Community College, East Mississippi Community College, Hinds Community College, Holmes Community College, Itawamba Community College, Jones County Junior College, Meridian Community College, Mississippi Delta Community College, Mississippi Gulf Coast Community College, Northeast Mississippi Community College, Northwest Mississippi Community College, Pearl River Community College, and Southwest Mississippi Community College.

SECTION 6. Of the funds appropriated in Section 1 of this act, an amount not to exceed Thirty Million Five Hundred Ninety-four Thousand Three Hundred Thirty-six Dollars ($30,594,336.00) is authorized for the aid of the public community and junior colleges to fund life and health insurance for all employees of the public community and junior colleges.

The funds allocated in this section shall only be used to participate in the State and School Employees' Life and Health Insurance Plan and any funds appropriated in this section for this purpose, which are not expended during the fiscal year shall be carried forward for the same purposes during the next succeeding fiscal year.

SECTION 7. Of the funds appropriated in Section 2 of this act, Six Hundred Thousand Dollars ($600,000.00) shall be derived out of any money in the State Treasury to the credit of the Insurance Carryover Fund No. 3295, for the purpose of fully funding life and health insurance through the State and School Employees' Life and Health Insurance Plan for all qualified community and junior college employees.

SECTION 8. Of the funds appropriated in Section 1 of this act, an amount not to exceed Six Million Seven Hundred Fifty Thousand Dollars ($6,750,000.00) shall be used for the purpose of Workforce and Economic Development Support, including the operation of the Workforce Development Centers and Advanced Training Centers, providing start-up costs for new career and technical programs, and providing the necessary funding to replace outdated and obsolete equipment for existing career and technical programs at each of the public community and junior colleges.

SECTION 9. Of the funds appropriated in Section 1 of this act, One Hundred Seventy-Nine Thousand Fifty Dollars ($179,050.00) shall be used for the purpose of defraying the cost of Sign Language Interpreter Training at the public community and junior colleges.

SECTION 10. Of the funds appropriated in Section 1 and provided in Section 2 of this act, Ten Million Dollars ($10,000,000.00) shall be used by the Mississippi Community College Board for the purpose of defraying the cost of the Education Technology Program at the public community and junior colleges and the Mississippi Community College Board. Seven Million Ninety-nine Thousand One Hundred Sixty Dollars ($7,099,160.00)

shall be derived from Section 1, and Two Million Nine Hundred Thousand Eight Hundred Forty Dollars ($2,900,840.00) shall be derived from Section 3 of this act out of any money in the State Treasury to the credit of the Education Enhancement Fund and deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 11. Of the funds appropriated in Section 1 of this act, Two Million Five Hundred Fifty-six Thousand Nine Hundred Twenty-two Dollars ($2,556,922.00) shall be used for the purpose of defraying the cost of the Associate Degree Nursing and Allied Health Programs.

SECTION 12. Of the funds appropriated in Section 1 of this act, Three Million Dollars ($3,000,000.00) shall be used for the purpose of continuing the dropout recovery initiative based on a successful program administered through the adult basic education program with the Mississippi Community College Board. These funds shall also be used for the purpose of enrolling low-skill adults in career pathways that combine high school equivalency, skills training and workforce credentials in an intensive program that produces adults who can compete for jobs.

Of the funds provided in this section, one-half (1/2) shall be allocated equally and the remaining one-half (1/2) shall be allocated on the basis of the prior year headcount enrollment in Adult Education, MIBEST or other career pathway programs.

The public community and junior colleges shall prepare and make available to the Legislature and the Legislative Budget Office a comprehensive report on the number of dropouts that have enrolled in a High School Equivalency and/or career program for each community and junior college during Fiscal Year 2024 on, or before, August 1, 2025.

SECTION 13. Of the funds provided in Section 3 of this act, Ten Million Dollars ($10,000,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Education Enhancement Fund and deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972. These funds shall be used for the Career and Technical Advantage Program which will provide start-up costs for new career and technical programs, expansion of existing career and technical programs, and infrastructure for career and technical program equipment, lab upgrades, and renovations to sustain the programs at public community colleges. Fifteen percent (15%) of the funds appropriated in this section shall be distributed evenly to each community college. The remaining eighty-five percent (85%) of the funds shall be distributed on the basis of prior year career and technical full-time equivalency (FTE) hours generated during the summer, fall, and spring semesters for each public community college.

SECTION 14. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Instruction	
Number of Total Degrees Awarded per 100 FTE Enrollment	32.13
Number of Associate Degrees Awarded per 100 FTE Enrollment	17.36
Number of Associate of Applied Science Degrees Awarded per 100 FTE Enrollment	8.76
Number of Certificates Awarded per 100 FTE Enrollment	12.80
Percent of First-Time Entering, Part-Time Degree- Seeking Students (Fall) who Earned 24 Credit Hours by the End of Year Two	18.01
Percent of First-Time Entering, Full-Time Degree-Seeking Students (Fall) who Earned 42 Credit Hours by the End	

of Year Two	48.54
Percent of Associate Degree Nursing and Practical Nursing Licensure Exam Pass Rates	94.31
Percent of Total Student Success, Which Includes Graduates, Transfers, and Retention (Those Still Enrolled)	71.22
Percent of Graduates	36.40
Percent of Transfers	21.01
Percent of Retention	8.06
Percent of Students Enrolled in Career/ Technical and Health Science Graduates	23.50
Percent of In-State Job Placements of Career/ Technical and Health Science Graduates	98.91
Number of High School Equivalencies Awarded	2,600

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 15. It is the intention of the Legislature that none of the General Funds appropriated herein shall be expended for the purpose of paying salaries, wages, and fringe benefits of any public community and junior college employee who is serving as a member of the State of Mississippi Legislature.

SECTION 16. A Mississippi Prepaid Affordable College Tuition (MPACT) program beneficiary shall be considered a Mississippi resident for the purposes of participating in this appropriation regardless of the beneficiary's residence on the date of enrollment, as set out in Section 37-155-5(d)(iii), Mississippi Code of 1972.

SECTION 17. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 18. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 19. It is the intention of the Legislature that the support of the community and junior colleges shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 20. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 21. The funds disbursed under the provisions of this act shall be accounted for through the Mississippi Community College Board. No part of the amount herein appropriated shall be used by the Mississippi Community College Board for administrative or other purposes except in the manner and to the extent authorized in this act making an appropriation for the expenses of the Mississippi Community College Board.

SECTION 22. Of the funds appropriated in Section 1 of this act, Eight Million Five Hundred Twenty Thousand Dollars ($8,520,000.00) is authorized for a two percent (2%) salary increase for full-time staff.

SECTION 23. Of the funds appropriated in Section 2 of this act, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the public community and junior colleges, acting through the Bureau of Building, Grounds and Real Property Management, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 6,000,000.00.

This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for construction and/or repair and renovation projects for the public community and junior colleges as allocated herein:

Coahoma Community College	$ 194,909.00.
Copiah- Lincoln Community College	$ 279,979.00.
East Central Community College	$ 197,002.00.
East Mississippi Community College	$ 316,194.00.
Hinds Community College	$ 934,862.00.
Holmes Community College	$ 425,386.00.
Itawamba Community College	$ 475,108.00.
Jones Junior College	$ 406,858.00.
Meridian Community College	$ 242,818.00.
Mississippi Delta Community College	$ 220,346.00.
Mississippi Gulf Coast Community College	$ 727,489.00.
Northeast Mississippi Community College	$ 379,521.00.
Northwest Mississippi Community College	$ 558,593.00.
Pearl River Community College	$ 451,227.00.
Southwest Mississippi Community College	$ 189,708.00.

SECTION 24. Of the funds appropriated in Section 3 of this act, Five Million Dollars ($5,000,000.00), or so much as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, to defray the expenses of the public community and junior colleges, acting through the Bureau of Building, Grounds and Real Property Management, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.

This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for construction and/or repair and renovation projects for the public community and junior colleges as allocated herein:

Coahoma Community College	$ 239,622.00.
Copiah- Lincoln Community College	$ 276,944.00.
East Central Community College	$ 254,375.00.
East Mississippi Community College	$ 291,741.00.
Hinds Community College	$ 495,327.00.
Holmes Community College	$ 378,177.00.
Itawamba Community College	$ 359,329.00.
Jones Junior College	$ 338,594.00.
Meridian Community College	$ 269,355.00.
Mississippi Delta Community College	$ 245,370.00.
Mississippi Gulf Coast Community College	$ 482,189.00.
Northeast Mississippi Community College	$ 294,398.00.
Northwest Mississippi Community College	$ 437,844.00.
Pearl River Community College	$ 391,506.00.
Southwest Mississippi Community College	$ 245,229.00.

SECTION 25. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 26. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE AID AND SUPPORT OF THE PUBLIC COMMUNITY AND JUNIOR COLLEGES OF THE STATE OF MISSISSIPPI FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Karl Oliver
Hillman Terome Frazier	John Read
David Parker	Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3016** was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Barnett. Total--1.

Senator Wiggins offered the following report of the Conference Committee on **S. B. No. 2753** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2753: SAFER Act; enact.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 29-18-1, Mississippi Code of 1972:

29-18-1. This act shall be known and may be cited as "Securing Areas for Females Effectively and Responsibly Act" or the "SAFER Act."

SECTION 2. The following shall be codified as Section 29-18-3, Mississippi Code of 1972:

29-18-3. Legislative findings; intermediate scrutiny. The Legislature finds that:

(a) Females and males should be provided areas, including restrooms, changing facilities and single-sex educational housing spaces, for their exclusive use, respective to their sex, in order to maintain privacy and safety.

(b) There are important governmental reasons to distinguish between the sexes with respect to spaces where biology, safety, and/or privacy are implicated. As such, policies and laws that distinguish between the sexes are subject to intermediate constitutional scrutiny, which forbids unfair discrimination against similarly situated males and females but allows the law to distinguish between the sexes where such distinctions are substantially related to important governmental objectives.

(c) These findings reflect the intent of the Legislature to fulfill important governmental interests of protecting students' dignity, health, safety, welfare, and privacy rights by enacting this neutral policy which simply treats equally those of the same and opposite biological sex "determined solely by a birth," without regard to the fluidity of how someone acts or feels.

SECTION 3. The following shall be codified as Section 29-18-5, Mississippi Code of 1972:

29-18-5. Chapter definitions. For purposes of this act, the following terms shall have the meanings ascribed herein:

(a) "Changing facility" means a space designated for multiple individuals to dress or undress within the same space, including, but not limited to, a dressing room, locker room, changing room, or shower room. This term does not include a single-sex or family-use changing facility.

(b) "Single-sex educational housing space" means a multi-person dwelling unit, such as a room, suite, or apartment, located within a public education building functioning as housing for student residents at an educational institution and designated for use or occupancy only for members of one (1) sex, but excludes common areas designated for use by members of both sexes.

(c) "Public education building" means any building, facility or space owned, operated, rented or leased by, or rented or leased to any public school, public university, public community or junior college and the institutions of higher learning.

(d) "Restroom" means a space designated for multiple individuals that includes toilets and/or urinals. This term does not include a single-sex or family-use restroom.

(e) "Single-sex or family use changing facility" means a room intended for a single occupant or a family in which one or more persons may be in a state of undress, including, but not limited to, a dressing room, locker room, changing room, or shower room that is enclosed by floor-to-ceiling walls and accessed by a full door with a secure lock that prevents another individual from entering while the changing facility is in use.

(f) "Single-sex or family-use restroom" means a room that includes a toilet or urinal and that is intended for a single occupant or a family, is enclosed by floor-to-ceiling walls, and is accessed by a full door with a secure lock that prevents another individual from entering while the room is in use.

SECTION 4. The following shall be codified as Section 29-18-7, Mississippi Code of 1972:

29-18-7. Protection of restroom privacy. Any public education building that maintains a restroom shall, at a minimum, have:

(a) A restroom designated for exclusive use by females and a restroom designated for exclusive use by males; or

(b) A single-sex or family-use restroom.

SECTION 5. The following shall be codified as Section 29-18-9, Mississippi Code of 1972:

29-18-9. Protection of changing room privacy. Any public education building that maintains a changing facility must, at a minimum, have:

(a) A changing facility designated for exclusive use by females and a changing facility designated for exclusive use by males; or

(b) A single-sex or family-use changing facility.

SECTION 6. The following shall be codified as Section 29-18-11, Mississippi Code of 1972:

29-18-11. Protection of single-sex educational housing space privacy. Any student required to reside in housing at an educational institution shall have the right to be housed in a single-sex educational housing space with persons of the same sex.

SECTION 7. The following shall be codified as Section 29-18-13, Mississippi Code of 1972:

29-18-13. Social fraternity and sorority single-sex housing facilities on public lands shall comply with state law. Social fraternities and sororities at educational institutions that have and operate single-sex housing facilities located on public land shall comply with the definitions contained within this act for purposes of maintaining such facilities as single sex only.

SECTION 8. The following shall be codified as Section 29-18-15, Mississippi Code of 1972:

29-18-15. Permissible purposes to enter sex-designated restrooms, changing facilities or single-sex educational housing spaces. For purposes of this act, a person may not enter a restroom, changing facility, or single-sex educational housing space, designated for the opposite sex, except under the following circumstances:

(a) To assist or chaperon a child under the age of twelve (12), a vulnerable person as defined in Section 43-47-5, or a person with a disability as defined in Section 43-6-203(b), with such child, vulnerable person, or person with a disability also allowed to enter, with a parent, guardian, or caregiver, the restroom or changing room designated for the sex of their parent, guardian, or caregiver;

(b) For law enforcement, fire protection or response, or other public safety purposes;

(c) For governmental purposes, including employees or contractors of governmental entities acting within the scope of their employment or contract;

(d) For the purpose of rendering emergency medical assistance or to intervene in any other emergency situation where the health or safety of another person is at risk;

(e) For custodial, maintenance, or inspection purposes, provided that the restroom or changing facility is not in use;

(f) If the appropriate designated restroom or changing facility is out of order or under repair and the restroom or changing facility designated for the opposite sex contains no person of the opposite sex; or

(g) In single-sex educational housing spaces as authorized by educational institutions for moving, visiting, administrative, health, or other authorized purposes.

SECTION 9. The following shall be codified as Section 29-18-17, Mississippi Code of 1972:

29-18-17. Private enforcement. (1) A person may assert a violation of this act as a claim or defense in a judicial or administrative proceeding.

(2) Any person under eighteen (18) years of age may bring an action at any time to assert a violation of this act through a parent or next friend and may bring an action in their own name upon reaching the age of eighteen (18) years of age.

(3) Any attorney's fees may be awarded by the court as it deems appropriate.

(4) No private cause of action against a public school, state agency, public university, public community college or junior college, or the institutions of higher learning is authorized by this act.

SECTION 10. The following shall be codified as Section 29-18-19, Mississippi Code of 1972:

29-18-19. Attorney General enforcement. (1) The Attorney General shall bring an action to enforce compliance with this act.

(2) This act shall not be construed to deny, impair, or otherwise affect any right or authority of the Attorney General, the State of Mississippi, or any agency, officer, or employee of the state, acting under any law other than this act, to institute or intervene in any proceeding.

SECTION 11. The following shall be codified as Section 1-3-83, Mississippi Code of 1972:

1-3-83. Female, male, sex of natural persons. (1) "Female" means an individual who naturally has, had, will have, or would have, but for a developmental or genetic anomaly or historical accident, the reproductive system that at some point produces eggs.

(2) "Male" means an individual who naturally has, had, will have, or would have, but for a developmental or genetic anomaly or historical accident, the reproductive system that at some point produces sperm.

(3) "Sex," when used to classify a natural person, means the biological indication of male and female as observed or clinically verified at birth, without regard to a person's psychological, chosen, or subjective experience, feelings, actions, or sense of self.

(4) The following additional provisions apply to the use of "sex" and related terms:

(a) There are only two (2) sexes, and every individual is either male or female.

(b) "Sex" is objective and fixed.

(c) Persons with "DSD conditions" (sometimes referred to as "differences in sex development", "disorders of sex development", or "intersex conditions") are not members of a third sex.

(d) The foregoing definition of "sex," for purposes of state law, neither requires nor precludes the accommodation of persons with a congenital and physically verifiable diagnosis of "DSD condition" (sometimes referred to as "differences in sex development", "disorders of sex development", or "intersex conditions"); however, such accommodation may be required by federal law.

SECTION 12. Severability. Any provision of this act is held to be invalid or unenforceable by its terms, or as applied to any person or circumstance, shall be construed so as to give it the maximum effect permitted by law, unless such holding shall be one of utter invalidity or unenforceability, in which event such provision shall be deemed severable herefrom and shall not affect the remainder hereof or the application of such provision to other persons not similarly situated or to other, dissimilar circumstances.

SECTION 13. This act shall take effect and be in force from its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE NEW SECTION 29-18-1, MISSISSIPPI CODE OF 1972, TO CREATE THE "SAFER ACT" TO REGULATE GOVERNMENTAL BUILDINGS; TO CREATE NEW SECTION 29-18-3, MISSISSIPPI CODE OF 1972, TO PROVIDE LEGISLATIVE FINDINGS FOR THE ACT; TO CREATE NEW SECTION 29-18-5, MISSISSIPPI CODE OF 1972, TO PROVIDE DEFINITIONS FOR THE ACT; TO CREATE NEW SECTION 29-18-7, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN PUBLIC EDUCATION BUILDINGS TO HAVE EXCLUSIVE MALE AND/OR FEMALE RESTROOMS OR SINGLE-SEX OR FAMILY USE RESTROOMS AT A MINIMUM; TO CREATE NEW SECTION 29-18-9, MISSISSIPPI CODE OF 1972, TO REQUIRE CHANGING FACILITIES TO BE EXCLUSIVE MALE AND/OR FEMALE OR SINGLE-SEX OR FAMILY-USE AT A MINIMUM; TO CREATE NEW SECTION 29-18-11, MISSISSIPPI CODE OF 1972, TO REGULATE PUBLIC STUDENT HOUSING FOR SINGLE-SEX EDUCATIONAL HOUSING; TO CREATE NEW SECTION 29-18-13, MISSISSIPPI CODE OF 1972, TO REQUIRE SINGLE-SEX SOCIAL SORORITIES AND FRATERNITIES TO COMPLY WITH THE DEFINITIONS OF THIS ACT TO DESIGNATE HOUSING; TO CREATE NEW SECTION 29-18-15, MISSISSIPPI CODE OF 1972, TO REGULATE HOW PERSONS ENTER A SINGLE-SEX RESTROOM, CHANGING FACILITY OR EDUCATIONAL HOUSING SPACE; TO CREATE NEW SECTION 29-18-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ASSERTION OF A VIOLATION OF THIS ACT; TO CREATE NEW SECTION 29-18-19, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ATTORNEY GENERAL TO BRING ACTION REGARDING THE PROVISIONS OF THIS ACT; TO CREATE NEW SECTION 1-3-83, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS FEMALE, MALE AND SEX; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Brice Wiggins	Joey Hood
Briggs Hopson	Shanda Yates
Josh Harkins	Celeste Hurst

PARLIAMENTARY INQUIRY

Senator Bryan raised a point of inquiry whether the report of the Conference Committee on S. B. No. 2753 has to lay over a day before being offered for adoption.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled that the report of the Conference Committee on S. B. No. 2753 was suspended from the deadlines and other provisions of Joint Rule No. 40 by the suspension resolution, SCR No. 549. Therefore, it did not have to lay over a day.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2753** was adopted:

Yeas--Barrett, Berry, Blackwell, Boyd, Branning, Chassaniol, Chism, DeBar, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Sparks, Suber, Tate, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--33.

Nays--Blackmon, Butler, Frazier, Hickman, Horhn, Jackson, Simmons S. (13th), Thomas. Total--8.

Absent and those not voting--Blount, Bryan, Jordan. Total--3.

Senator DeLano, who would have voted yea on S. B. No. 2753, announced a pair with Senator Barnett, who would have voted nay.

Senator Brumfield, who would have voted nay on S. B. No. 2753, announced a pair with Senator Ladner, who would have voted yea.

Senator Simmons D. T. (12th), who would have voted nay on S. B. No. 2753, announced a pair with Senator Carter, who would have voted yea.

Senator Thompson, who would have voted yea on S. B. No. 2753, announced a pair with Senator Norwood, who would have voted nay.

Senators Younger, Butler, Hickman, Johnson and Berry moved that when the Senate adjourns, it adjourn in memory of Willie Talmadge McNair of Learned, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Vicki Walker Russell Sims of Pascagoula, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Linda Scott of Natchez, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Ann Hull Edwards of Gulfport, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of James Danny Rainey and Larry Edward Ward of Meridian, MS.

Senator Polk moved that the Senate stand in recess until the last Conference Report is filed or until 8:00 PM, at which time the Senate would then adjourn until 10:00 AM, Friday, May 3, 2024.

The motion prevailed, and at 4:59 PM, the Senate stood in recess.

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. R. No. 132: Commend Tishomingo County High School "Braves" Girls Basketball Team for winning first State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 133: Commend Booneville "Blue Devils" Boys Basketball Team for winning third consecutive Class 3A State Championship. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

S. B. No. 2022: Juvenile offenders; provide alternative sentencing and parole options.

S. B. No. 2130: Homeowners' insurance; prohibit insurer from refusing to issue or to renew policy solely based on roof's age.

S. B. No. 2180: Department of Public Safety; remove prior written approval for certain events and authorize enforcement of municipal code.

S. B. No. 2764: Manufactured homes; create affidavit of ownership.

S. B. No. 2799: Public official appointments; revise terms of office and appointment procedures on certain state boards, districts and agencies.

S. B. No. 3007: Appropriation; IHL - Subsidiary programs.

S. B. No. 3008: Appropriation; IHL - Alcorn State - Agricultural programs.

S. B. No. 3009: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

S. B. No. 3010: Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

S. B. No. 3011: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

S. B. No. 3014: Appropriation; IHL - University of Mississippi Medical Center.

S. B. No. 3017: Appropriation; Employment Security, Department of.

S. B. No. 3018: Appropriation; Ethics Commission.

S. B. No. 3019: Appropriation; Judicial Performance Commission.

S. B. No. 3020: Appropriation; Public Safety, Department of.

S. B. No. 3021: Appropriation; Mental Health, Department of.

S. B. No. 3024: Appropriation; Architecture, Board of.

S. B. No. 3025: Appropriation; Funeral Services Board.

S. B. No. 3026: Appropriation; Geologists, Board of Registered Professional.

S. B. No. 3028: Appropriation; Motor Vehicle Commission.

S. B. No. 3029: Appropriation; Counselors, Board of Examiners for Licensed Professional.

S. B. No. 3030: Appropriation; Accountancy, Board of Public.

S. B. No. 3031: Appropriation; Contractors, Board of.

S. B. No. 3034: Appropriation; Dental Examiners, Board of.

S. B. No. 3035: Appropriation; Pharmacy, Board of.

S. B. No. 3036: Appropriation; Agriculture and Commerce, Department of.

S. B. No. 3037: Appropriation; Fair and Coliseum Commission - Livestock shows.

S. B. No. 3038: Appropriation; Animal Health, Board of.

S. B. No. 3040: Appropriation; Emergency Management Agency.

S. B. No. 3041: Appropriation; Gaming Commission.

S. B. No. 3042: Appropriation; Information Technology Services, Department of.

S. B. No. 3043: Appropriation; Personnel Board.

S. B. No. 3044: Appropriation; Military Department.

S. B. No. 3045: Appropriation; Veterans Affairs Board.

S. B. No. 3046: Appropriation; Audit, Department of.

S. B. No. 3047: Appropriation; Revenue, Department of.

S. B. No. 3048: Appropriation; Secretary of State.

S. B. No. 3049: Appropriation; Tax Appeals Board.

S. B. No. 3050: Appropriation; Workers' Compensation Commission.

S. B. No. 3051: Appropriation; Treasurer's Office.

S. B. No. 3052: Appropriation; Debt Service-Gen. Obli.

S. B. No. 3053: Appropriation; Banking and Consumer Finance, Department of.

S. B. No. 3055: Appropriation; Governor's Office and Mansion.

S. B. No. 3057: Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.

Adopted: 05/01/24

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 1004: Sex offender registry; revise definitions for provisions of law that regulate.

H. B. No. 1190: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

H. B. No. 1208: Hunting and fishing on lands of others; revise provisions relating to and provide penalties for.

H. B. No. 1229: Equal Opportunity for Students with Special Needs Act; extend repealer on educational scholarship accounts (ESA).

H. B. No. 1450: Interstate Teacher Mobility Compact; authorize entrance for purpose of facilitating mobility of teachers married to service members.

H. B. No. 1542: Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at the time of death.

H. B. No. 1624: Court-Appointed Special Advocate (CASA) Program; create state associate and standardize operations of local programs.

H. B. No. 1776: Appropriation; Archives and History, Department of.

H. B. No. 1777: Appropriation; Engineers and Land Surveyors, Board of Registration for Professional.

H. B. No. 1778: Appropriation; Environmental Quality, Department of.

H. B. No. 1780: Appropriation; Forestry Commission.

H. B. No. 1781: Appropriation; Grand Gulf Military Monument Commission.

H. B. No. 1782: Appropriation; Port Authority, State.

H. B. No. 1784: Appropriation; Oil and Gas Board.

H. B. No. 1785: Appropriation; Pat Harrison Waterway District.

H. B. No. 1786: Appropriation; Pearl River Valley Water Supply District.

H. B. No. 1787: Appropriation; Public Service Commission.

H. B. No. 1788: Appropriation; Public Utilities Staff.

H. B. No. 1789: Appropriation; Soil and Water Conservation Commission.

H. B. No. 1790: Appropriation; Tombigbee River Valley Water Management District.

H. B. No. 1792: Appropriation; Yellow Creek State Inland Port Authority.

H. B. No. 1794: Appropriation: Child Protection Services, Department of.

H. B. No. 1795: Appropriation; Cosmetology, Board of.

H. B. No. 1796: Appropriation; Health, Department of.

H. B. No. 1797: Appropriation; Human Services, Department of.

H. B. No. 1798: Appropriation; Fire Academy.

H. B. No. 1799: Appropriation; Insurance, Department of.

H. B. No. 1801: Appropriation; Medical Licensure, Board of.

H. B. No. 1802: Appropriation; Nursing Home Administrators, Board of.

H. B. No. 1803: Appropriation; Nursing, Board of.

H. B. No. 1804: Appropriation; Optometry, Board of.

H. B. No. 1805: Appropriation; Physical Therapy Board.

H. B. No. 1806: Appropriation; Psychology, Board of.

H. B. No. 1807: Appropriation; Real Estate Appraiser Licensing and Certification Board.

H. B. No. 1808: Appropriation: Real Estate Commission.

H. B. No. 1809: Appropriation; Rehabilitation Services, Department of.

H. B. No. 1810: Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for.

H. B. No. 1811: Appropriation; Athletic Commission.

H. B. No. 1812: Appropriation; Attorney General.

H. B. No. 1814: Appropriation; Capital Post-Conviction Counsel, Office of.

H. B. No. 1815: Appropriation; District attorneys and staff.

H. B. No. 1817: Appropriation; Legislative expenses.

H. B. No. 1818: Appropriation; Public Employees' Retirement System.

H. B. No. 1819: Appropriation; State Public Defender, Office of.

H. B. No. 1820: Appropriation; Supreme Court, Court of Appeals and trial judges services.

H. B. No. 1821: Appropriation; Veterans' Home Purchase Board.

H. B. No. 1822: Appropriation; Arts Commission.

H. B. No. 1823: Appropriation; Education, Department of.

H. B. No. 1824: Appropriation; Educational Television, Authority for.

H. B. No. 1825: Appropriation; Library Commission.

Adopted: 05/01/24

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Mangold as a conferee, the Speaker has named a new conferee on the following:

S. B. No. 2468: Budget; bring forward code sections related to and provide for transfers.

Representatives Read and Cockerham remain as conferees and the Speaker has named Representative Lamar to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 8:25 PM in memory of Willie Talmadge McNair, Vicki Walker Russell Sims, Linda Scott, Ann Hull Edwards, James Danny Rainey and Larry Edward Ward.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, MAY 2, 2024

S. R. No. 132: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE TISHOMINGO COUNTY HIGH SCHOOL "BRAVES" GIRLS BASKETBALL TEAM AND HEAD COACH BRIAN MIDDLETON FOR WINNING THEIR FIRST STATE CHAMPIONSHIP.
By Senator(s) Sparks

S. R. No. 133: Rules
A RESOLUTION COMMENDING AND CONGRATULATING THE BOONEVILLE HIGH SCHOOL "BLUE DEVILS" BOYS BASKETBALL TEAM AND HEAD COACH MICHAEL SMITH FOR WINNING THEIR THIRD CONSECUTIVE CLASS 3A STATE CHAMPIONSHIP.
By Senator(s) Sparks

ONE-HUNDRED AND TWENTY-THIRD DAY, FRIDAY, MAY 3, 2024

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.
Absent--Barnett, Parks. Total--2.

The Secretary announced a quorum present.

The invocation was delivered by Reverend Dr. F. R. Lenoir, Pastor, New Bethel Missionary Baptist Church, Jackson, MS.

Senator Blount led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1783: Appropriation; Marine Resources, Department of.

Andrew Ketchings, Clerk of the House of Representatives

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. R. No. 132 and S. R. No. 133 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

S. R. No. 132: Commend Tishomingo County High School "Braves" Girls Basketball Team for winning first State Championship.

S. R. No. 133: Commend Booneville "Blue Devils" Boys Basketball Team for winning third consecutive Class 3A State Championship.

YEAS AND NAYS on consideration en bloc of S. R. No. 132 and S. R. No. 133. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.

Senator Fillingane called up the motion to reconsider the vote whereby **H. B. No. 4057** passed the Senate and moved that the motion to reconsider be tabled:

H. B. No. 4057: Suffrage; restore to Mattie Hardiman of DeSoto County.

The foregoing motion prevailed.

On request of Senator Hopson, unanimous consent was granted to make the following correction in **H. B. No. 1823**:

To: Clerk of the House of Representatives
Secretary of the Senate

Re: FY 2025 Conference Reports – Unanimous Consent Requests

Date: May 3, 2024

It is requested that unanimous consent be granted to make the following clerical corrections:
HB 1823: Education, Department of

Line 477 - delete the word “teachers” and replace with “employees”
Line 482 - after the word “all” insert “eligible”
Line 483 - delete “teachers” and insert “employees”

John Read, Chairman	W. Briggs Hopson III, Chairman
House Appropriations Committee	Senate Appropriations Committee

---

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1800** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1800: Appropriation; Medicaid, Division of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Governor's Office - Division of Medicaid for the purpose of providing medical assistance under the Mississippi Medicaid Law and defraying the expenses of the administration of such law, as provided in Section 43-13-101 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 847,968,406.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Medical Care Fund created by Section 43-13-143, Mississippi Code of 1972, for the purpose of providing medical assistance under the Mississippi Medicaid Law for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 940,637,381.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Governor's Office - Division of Medicaid which is comprised of special source funds collected by or otherwise available to the Division, for the purpose of providing medical assistance under the Mississippi Medicaid Law and defraying the expenses of the administration of such law, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 6,451,388,505.00.

Prior period recovery of funds may be maintained and expended by the division when the recovery is received or finalized. Any recoveries due to audits or third party recoveries may be used to offset the cost of such audits and third party recoveries and as such, the division may escalate Contractual Services as needed for these purposes.

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Health Care Expendable Fund, for the purpose of defraying the expenses of the Governor's Office - Division of Medicaid for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 63,230,003.00.

The above funds shall be allocated as follows:

CHIP Program at up to 209% level of .....

poverty ..... $ 9,000,000.00.

Medical Program Matching Funds ..... $ 54,230,003.00.

It is the intention of the Legislature that funds may be shifted among the above allocated line items where needed at the discretion of the Executive Director of Governor's Office - Division of Medicaid.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 927

Time-Limited: 82

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 6. It is the intention of the Legislature that the Governor's Office - Division of Medicaid shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process with the Children's Health Insurance Program (CHIP) being separated from the Medical Services Program and submitted as a separate

program. All Medicaid 1915 (C) Home and Community Based Services Waivers shall be presented as a budget program separate from the Medical Services Program. In addition, the performance measures reported for the Medical Services Program shall include an unduplicated case count of individuals served by eligibility status, and the number and the costs of emergency room visits.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Administrative Services	
Admin as a Percent of Total Budget	3.37
Third Party Liability Cost Avoided ($Thou)	1,585,036.00
Percent of Clean Claims Processed within 30 Days of Receipt	99.50
Percent of Clean Claims Processed within 90 Days of Receipt	100.00
Percent of Applications Processed within Std. of Promptness - Medicaid	90.00
Third Party Funds Recovered	7,686,779.00
Number of Providers Submitting Electronic Claims	29,000
Turnover Rate of Employees (%)	15.00
Medical Services	
Costs of Emergency Room Visits	173,254,711.00
Number of Emergency Room Visits	422,358
Medicaid Recipients - Enrolled (Persons)	776,139
Child Physical Exams (Ages 0-20)	320,851
Adult Physical Exams (21-Older)	10,700
Number of Fraud & Abuse Cases Investigated	325
Number of Medicaid Providers	40,000
Number of Medicaid Beneficiaries Assigned to a Managed Care Company	420,000
Percent of MSCAN Diabetic Members Aged 17-75 Receiving HBA1c Test	89.58
Percent of MSCAN Members with Persistent Asthma are Appropriately Prescribed Medication	71.08
Rate of EPSDT Well Child Screening (%)	75.00
Percent Change in Number of Recipients Enrolled From Last Year	-10.00
Percent Change in Number of Providers From Last Year	-12.22
Children's Health Insur Prg (chip)	
Number of CHIP Enrollees	43,000
Percent of CHIP Applications Processed within Std. of Promptness	90.00
Home & Comm-based Waiver Prg	
Elderly & Disabled - Persons Served	21,590
Elderly & Disabled - Funded Slots	21,130
Elderly & Disabled - Total Authorized Slots	22,200
Assisted Living - Persons Served	990
Assisted Living - Funded Slots	960
Assisted Living - Total Authorized Slots	1,100
Independent Living - Persons Served	3,140
Independent Living - Funded Slots	3,075
Independent Living - Total Authorized Slots	5,800

Traumatic Brain Injury - Persons Served	1,045
Traumatic Brain Injury - Funded Slots	1,025
Traumatic Brain Injury - Total Authorized Slots	1,150
Intellectual Disability - Persons Served	3,200
Intellectual Disability - Funded Slots	3,150
Intellectual Disability - Total Authorized Slots	4,150
Percent Change in Persons On Waiting List (E&D)	10.00
Percent Change in Persons On Waiting List (AL)	10.00
Percent Change in Persons On Waiting List (IL)	10.00
Percent Change in Persons On Waiting List (TBI)	10.00
Percent Change in Persons On Waiting List (IDD)	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. The Governor's Office - Division of Medicaid shall provide statistical and financial reports on a monthly basis to the Legislative Budget Office and the PEER Committee. These reports shall include, but are not limited to, an accounting of all funds spent in the medical program, the CHIP program, the Dialysis Transportation program, and each of the Home and Community Based Waiver programs, and an accounting of all funds spent in the administrative program, participant statistics and any other information requested by the Legislative Budget Office and the PEER Committee.

The Governor's Office - Division of Medicaid shall perform its cash flow projections on a predetermined monthly schedule and make this and any other information requested available, upon request, to the Chair of the Senate Public Health and Welfare Committee, the House Public Health and Human Services Committee, the House and Senate Medicaid Committees, the House and Senate Appropriations Committees, the Legislative Budget Office and the PEER Committee. A summary of this cash flow projection shall also be presented in the report referenced in the above paragraph.

SECTION 10. Of the funds appropriated under the provisions of this act in an amount not to exceed, Two Million Seven Hundred Fifty Thousand Dollars ($2,750,000.00) is provided for the purpose of funding a temporary program to provide nonemergency transportation to locations for necessary dialysis services for end-stage renal disease patients who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, whose income did not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and whose eligibility was covered under the former category of eligibility known as Poverty Level Aged and Disabled (PLADS).

SECTION 11. Of the funds appropriated in Section 1 and Section 3 of this act, it is the intention of the Legislature that Two Million Six Hundred Forty Thousand Four Hundred Ninety-one Dollars ($2,640,491.00) of which Six Hundred Two Thousand Two Hundred Sixty Dollars ($602,260.00) is in General Funds and Two Million Thirty-eight Thousand Two Hundred Thirty-one Dollars ($2,038,231.00) is in Special Funds provided for the purpose of funding Presumptively Eligible Pregnant Women as passed in HB 539, Regular Session 2024.

SECTION 12. It is the intention of the Legislature that the funds appropriated in this act to the Governor's Office - Division of Medicaid for the Mississippi Coordinated Access Network (MS-CAN) program be used in the most efficient and effective manner possible to achieve the intended mission of the division. The division and the coordinated care organizations with which the division has contracted to conduct the MS-CAN program shall establish baselines for the health-related outcome measurement for each of the following health focus areas for presentation at the Joint Legislative Budget Committee hearings for Fiscal Year 2025, which will be used as the baseline levels for establishing targets for improvements in quality of care performance measures for the MS-CAN program in Fiscal Year 2025 and later fiscal years:

a. Comprehensive Diabetes Care (CDC) or successive measure.

b. Medication Management for People with Asthma (MMA) or successive measure.

c. Annual Monitoring for Patients on Persistent Medications (MPM) or successive measure.

d. Adult BMI Assessment (ABA) and Weight Assessment and Counseling for Nutrition and Physical Activity for Children/Adolescents (WCC) or successive measure.

In addition, for comparison purposes, these same baselines for the health-related outcome measurements shall be established for similar Medicaid recipients who are not enrolled in the MS-CAN program.

SECTION 13. It is the intention of the Legislature that the Governor's Office - Division of Medicaid and the Department of Human Services shall continue to work together to implement Section 43-12-1, Mississippi Code of 1972, known as the "Medicaid and Human Services Transparency and Fraud Prevention Act".

SECTION 14. Of the funds appropriated in Sections 1, 2, and 3 of this act, it is the intention of the Legislature that continued funding at or above the Fiscal Year 2024 appropriated amount shall be provided for forty-one hundred (4,100) slots for the Department of Rehabilitation Services Home and Community Based Waiver programs, and for two thousand nine hundred fifty (2,950) slots for the Department of Mental Health for the Home and Community Based waiver program for Independent Living and the IDD Waiver program.

SECTION 15. The Governor's Office - Division of Medicaid is authorized to expend funds appropriated herein as necessary to provide currently existing home and community based services through any CMS approved state plan or home and community based services waiver to individuals who qualify for those services to avoid institutionalization or to transition an individual from an institution to any home and community based setting. Provision of such services shall not count against any limit imposed under this act. It is the intention of the Legislature that the cost of providing home and community based services shall not exceed the cost of nursing facility services, as determined by the Division.

SECTION 16. Of the funds appropriated herein, no more than Five Hundred Three Thousand Five Hundred Twenty-two Dollars ($503,522.00) may be used to pay invoices to certain vendors for expenses incurred in FY 2020 and 2022.

SECTION 17. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 18. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Clay Deweese	Briggs Hopson
John Read	Kevin Blackwell
Missy McGee	Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1800** was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1826** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1826: Appropriation; Transportation, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Transportation, for the purpose of defraying the administrative expenses of the Mississippi Department of Transportation for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 1,438,802,542.00.

SECTION 2. The following offices are supported by the funds appropriated in Section 1: The Office of Administrative Services, the Office of Highways and the Office of Aeronautics and Rails. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2,698

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no

employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. Of the funds appropriated to the Mississippi Department of Transportation under the provisions of Section 1, the following amounts shall be available for expenditure in the program budgets as required by Section 27-103-127, Mississippi Code of 1972:

Administration and Other Expenses	$ 63,226,875.00
Construction	$ 992,776,149.00
Maintenance	$ 266,836,444.00
Debt Service	$ 79,485,952.00
Aeronautics, Rails and other	$ 36,477,122.00

SECTION 4. It is the intention of the Legislature that the Mississippi Department of Transportation shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. Of the funds appropriated in Section 1, it is the intention of the Legislature that Six Hundred Fifty Thousand Dollars ($650,000.00) shall be transferred to the Department of Agriculture and Commerce for the Beaver Control or Eradication Program during the Fiscal Year 2025.

SECTION 6. Of the funds appropriated in Section 1 and authorized for expenditure in Section 3, Five Million Dollars ($5,000,000.00) shall be transferred by the Mississippi Department of Transportation to the Department of Public Safety Office of Commercial Transportation Enforcement Division for the operations of the Division consistent with Sections 77-7-330, Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in Section 1 of this act, the Mississippi Department of Transportation shall expend such funds as necessary to conduct project planning. Such project planning shall apply to all preliminary engineering, right-of-way acquisition and construction projects of the department and, at a minimum, shall consist of policies for the oversight and management of project cost which:

(a) Establish a reasonable cost estimate for each project. For purposes of this provision, projects include preliminary engineering, right-of-way acquisition and construction;

(b) Capture and retain the initial project cost estimates for comparison with final actual expenditures;

(c) Require that any changes to a cost estimate for a project will be reviewed and approved by district or central office personnel. Such personnel shall be responsible for signing any revision, and providing a narrative description of the reasons for approving a revision;

(d) Capture the cost of consultants, engineers, attorneys, contract appraisers and other technical and professional contractors used in preliminary engineering, right-of-way acquisition and construction projects.

SECTION 8. None of the funds appropriated under the provisions of Section 1 of this act may be expended by the Department of Transportation for construction of new highways if such highway segment is less than ten (10) miles in length unless:

(a) The explanation and justification for letting such a contract for a length of less than ten (10) miles is entered upon the official minutes of the Transportation Commission;

(b) The commission, within ten (10) working days after entry of its explanation and justification upon its minutes, gives notice, by United States First Class Mail, and provides a copy of such entry upon its minutes, to the Chairman of the Transportation Committee of the Mississippi House of Representatives and the Chairman of the Mississippi Senate Highways and Transportation Committee.

SECTION 9. It is the intention of the Legislature that of the sum appropriated in Section 1, the Department is authorized to provide a protective footwear allowance of not more than Two Hundred Dollars ($200.00) per person annually for Engineers, Maintenance, and Construction Workers as part of their safety equipment.

SECTION 10. Of the funds appropriated to the Mississippi Department of Transportation, Four Hundred Fifty Thousand Dollars ($450,000.00) shall be used for the Statewide Litter Prevention Program.

SECTION 11. Of the funds appropriated in Section 1, not less than Eighty Million Dollars ($80,000,000.00) shall be expended for contracted maintenance overlay and pavement rehabilitation.

SECTION 12. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to transfer between the various programs in an amount not to exceed ten percent (10%) of the amount allocated in Section 3, except that no transfers shall be authorized which increase the "Administrative and Other Expenses" Program or which decrease the "Maintenance" Program.

SECTION 13. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend an amount not to exceed Thirty Million Dollars ($30,000,000.00) received from other public or private entities as reimbursements for payments made on federal projects.

SECTION 14. With the funds appropriated in this act, the Mississippi Department of Transportation shall notify members of the Mississippi Senate and House of Representatives upon the award of projects within their respective districts and at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement of ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature." Further, the signage shall state the four-year legislative term in which the project was funded.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. The Mississippi Department of Transportation is authorized to dispose of or transfer used cell phones that are obsolete or inoperable to cell phone recycling programs dedicated to providing free phone access to United States military personnel.

SECTION 17. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided

herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Maintenance	
Number of Acres Mowed (First & Subsequent)	290,000
Percent Increase of Acreage Mowed	0.66
Slow the Expected Increases of Total Fatalities According to a 5 Year Rolling Average (697 or Less)	763.00
Percent Decrease in State-Maintained Lane Miles Needing Repair or Rehabilitation	3.50
Percent of Pavement Needs Met Annually	0.12
Percent of 4 Lane Highway Lane-Miles with an Acceptable Pavement Condition Rating	78.00
Percent of Interstate Lane-Miles with an Acceptable Pavement Condition Rating	73.00
Percent of 2 Lane Highway Lane-Miles with an Acceptable Pavement Condition Rating	70.00
Cost per Mile to Maintain State Highways	26,499
Number of Bridges in Poor Condition	170
Number of Bridges with Timber Components	105
Construction	
Percent of Miles of State Maintained Highways that Meet MDOT Thresholds for Congestion	2.11
Number of Lane Miles of State Maintained Highways Requiring Additional Capacity	591.46
Cost per Mile to Construct State Highways	21,000,000.00
Administration & Other	
Administration as a Percent of Total Budget	4.25
GO-MDOT-Total Number of Page Views	1,131,089
Percent Increase in Utilization of MDOTTRAFFIC.com Website	4.25
Bonded Debt Service	
MDOT's Share of Annual Debt Service will Not Exceed 3.75% of Annual Budget	0.74
Aeronautics & Rails	
Number of Airports Inspected	69
Number of Grade Crossings Inspected	2,100

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 18. The Mississippi Department of Transportation is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed One Hundred Twenty-five Million Dollars ($125,000,000.00).

SECTION 19. With the funds appropriated herein, the Mississippi Department of Transportation is authorized to make payments for expenses incurred during prior fiscal years for an amount not to exceed Forty-six Thousand Nine Hundred Thirteen Dollars and Ninety-one Cents ($46,913.91).

SECTION 20. In addition to all other funds appropriated herein, the following sums, or so much thereof as may be necessary is appropriated out of the following funds in the State Treasury to the credit of the Department of Transportation for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

(a) 2022 Capacity Project Fund for the purposes provided in Section 65-1-141.2, Mississippi Code of 1972..... .....
$ 250,000,000.00.

(b) 2022 Infrastructure Match Fund for the purposes provided in Section 65-1-183, Mississippi Code of 1972....
$ 80,000,000.00.

(c) 2022 Emergency Road and Bridge Fund for the purposes provided in Section 65-1-179.1, Mississippi Code of 1972 .....
$ 90,000,000.00.

(d) Strategic Multi-Modal Investments Fund for the purposes provided in Section 65-1-901, Mississippi Code of 1972 .....
$ 30,000,000.00

(e) 2023 DeSoto County Infrastructure Improvement Funds for the purposes provided in Section 65-1-185, Mississippi Code of 1972..... $ 115,000,000.00

(f) 2023 Lafayette County Infrastructure Improvement Funds for the purposes provided in Section 65-1-187, Mississippi Code of 1972..... $ 175,000,000.00

(g) 2023 Gulfport Commerce Corridor Fund for the purposes provided in Section 65-1-189, Mississippi Code of 1972 .....
$ 15,400,000.00

(h) 2022 Local Improvements Projects Fund for the purposes provided in Section 27-104-371..... $ 5,600,000.00

(i) Gulf Coast Passenger Rail Restoration Match Fund as created in SB 2468, 2024 Regular Session ..... $ 6,000,000.00.

SECTION 21. It is the intent of the Legislature that the funds appropriated in Section 20 subsection (c) of this act shall be expended on the projects included in the 2022 ERBR Solicitation.

SECTION 22. As a condition of receiving and expending the funds appropriated to the department in Section 20 subsection (d) of this act, the department shall ensure at least Ten Million Dollars ($10,000,000.00) is allocated to port projects.

SECTION 23. It is the intention of the Legislature that the Mississippi Department of Transportation shall expend such funds appropriated in Section 20 subsection (a), (b), and (c) as necessary to conduct project planning. Such project planning shall apply to all preliminary engineering, right-of-way acquisition and construction projects of the department and, at a minimum, shall consist of policies for the oversight and management of project cost which:

(a) Establish a reasonable cost estimate for each project. For purposes of this provision, projects include preliminary engineering, right-of-way acquisition and construction;

(b) Capture and retain the initial project cost estimates for comparison with final actual expenditures;

(c) Require that any changes to a cost estimate for a project will be reviewed and approved by district or central office personnel. Such personnel shall be responsible for signing any revision, and providing a narrative description of the reasons for approving a revision;

(d) Capture the cost of consultants, engineers, attorneys, contract appraisers and other technical and professional contractors used in preliminary engineering, right-of-way acquisition and construction projects.

SECTION 24. Of the funds appropriated in Section 2, Three-Hundred Thousand Dollars ($300,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Project Poppy Fund, as created in Senate Bill 2001, 1st Extraordinary Session of 2024, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for expediting services needed for Project Poppy.

SECTION 25. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or

funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 26. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2025; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Karl Oliver	Briggs Hopson
John Read	Jenifer B. Branning
Steve Massengill	Mike Thompson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1826** was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3054** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3054: Appropriation; Finance and Administration, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Department of Finance and Administration for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 39,053,130.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Department of Finance and Administration for the purpose of defraying the expenses incurred in the operation of the various offices of the department for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 521,123,573.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 341

Time-Limited: 2

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Tort Claims Trust Fund not otherwise appropriated, for the purpose of defraying the expenses of the Tort Claims Board in the administration of the Tort Claims Act for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 6,488,313.00.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 6

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no

employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Commission on the Status of Women for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 44,125.00.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Commission on the Status of Women for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 3,135.00.

This appropriation is made for the purpose of providing funds to defray the expense of the Mississippi Commission on the Status of Women as established pursuant to Sections 43-59-1 through 43-59-14, Mississippi Code of 1972.

SECTION 8. Of the funds appropriated under the provisions of Sections 6 and 7 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 1

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be

processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 9. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund for the purpose of defraying the expenses of State Property Insurance for the fiscal year beginning July 1, 2024, and ending June 30, 2025..... $ 22,270,619.00.

SECTION 10. Of the funds herein appropriated, it is the intention of the Legislature that two (2) of the allotted Full-Time Permanent Headcount in Section 3 of this act may be used for performing related administrative duties of the State Property Insurance Program.

SECTION 11. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Finance and Administration for the purpose of providing a grant to the Mississippi Home Corporation, for the fiscal year beginning July 1, 2024, and ending June 30, 2025.... $ 1,810,227.00.

SECTION 12. The funds appropriated in Section 11 of this act shall be targeted to individuals with disabilities or individuals with serious mental illnesses who:

(1) Are being discharged from a state psychiatric hospital after a stay of more than ninety (90) days; or, nursing facility, or intermediate care facility for individuals with intellectual disabilities after a stay of more than ninety (90) days; or

(2) Have been discharged from a state psychiatric hospital within the last two (2) years; and

(a) Had multiple hospital visits in the last year due to mental illness; or

(b) Are known to the mental health or state-housing agency to have been arrested or incarcerated in the last year due to conduct related to mental illness; or

(c) Are known to the mental health or state-housing agency to have been homeless for one (1) full year or have had four (4) or more episodes of homelessness in the last three (3) years; or

(3) Lack a fixed, regular, and adequate nighttime residence and includes a subset for an individual who is exiting an institution where he or she resided for ninety (90) days or less and who resides in an emergency shelter or a place not meant for human habitation immediately before entering that institution.

Any funds appropriated herein to hire additional staff or employ staff shall only be used to implement this housing program.

SECTION 13. It is the intention of the Legislature that an annual financial report based upon the state's fiscal year shall be provided to the Attorney General, the Chairman of Senate Appropriations, the Chairman of House Appropriations, and the Legislative Budget Office.

SECTION 14. It is the intention of the Legislature that none of the funds appropriated under the provisions of this act for the Mississippi Home Corporation (MHC) shall be expended for the purpose of making a payment of any kind or for any purpose, directly or indirectly, to a member of the State of Mississippi Legislature, state official, MHC board member, or person who has been a member of the MHC within the last year.

SECTION 15. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund for the purpose of defraying the expenses of the Broadband

Expansion and Accessibility of Mississippi (BEAM) as established in Sections 77-19-1 through 77-19-17, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 433,500.00.

SECTION 16. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Broadband Expansion and Accessibility of Mississippi (BEAM) as established in Sections 77-19-1 through 77-19-17, Mississippi Code of 1972, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 198,053,198.00.

SECTION 17. Of the funds appropriated under the provisions of Sections 15 and 16 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 6

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 18. It is the intention of the Legislature that the Department of Finance and Administration shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 19. The department is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings

through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 20. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 21. The Bureau of Building, Grounds and Real Property Management of the Office of General Services is hereby expressly authorized and empowered to receive, budget and expend any state, local or other source funds designated for supplemental funding of construction and/or repairs and renovation projects. The Bureau of Building, Grounds and Real Property Management of the Office of General Services shall not use any of the funds authorized in this section to pay salaries. For the purposes of this section, the Bureau of Building, Grounds and Real Property Management of the Office of General Services does not have the authority to escalate from the Capital Expense Fund or the Working Cash-Stabilization Reserve Fund.

SECTION 22. Of the funds appropriated in Section 2 of this act, it is the intention of the Legislature that an amount not to exceed Four Million Five Hundred Thousand Dollars ($4,500,000.00) is authorized to be expended for the purpose of transferring funds to the Bureau of Building, Grounds and Real Property Management for the administration of projects for the repair and maintenance of state-owned buildings.

SECTION 23. A report based on expenditures incurred during the current and immediate past fiscal years shall be provided to the Legislative Budget Office each regularly scheduled legislative session. This report should reflect expenditures as a result of the operation of the Robert E. Lee Building, the Woolfolk State Office Building, the Gartin and Sillers Buildings, the Capitol Buildings, the Central High School Building, the Robert G. Clark, Jr. Building and other state buildings, and this report should contain any steps taken to reduce operating costs.

SECTION 24. It is the intention of the Legislature that no state-owned aircraft shall be utilized by any person except for official business only.

SECTION 25. Of the funds appropriated in Section 2 of this act, an amount not to exceed One Hundred Thousand Dollars ($100,000.00) is authorized to be expended to defray any shortfall in the Master Lease Purchase Program as defined in Section 31-7-10, Mississippi Code of 1972.

SECTION 26. Of the funds appropriated in Section 2 of this act, Twenty Million Dollars ($20,000,000.00) shall be expended from the Capitol Complex Improvement District Project Fund, as established in Section 29-5-215, Mississippi Code of 1972.

SECTION 27. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Capital City Water/Sewer Projects Fund not otherwise appropriated, to the Department of Finance and Administration, as authorized in Senate Bill No. 2962, 2023 Regular Session, for the purpose of providing funds to assist the City of Jackson, Mississippi, in paying costs associated with construction, reconstruction, repairs, upgrades and improvements to the City of Jackson's water and sewer systems and related facilities as authorized in Section 29-5-251, established in Section 37-185-31, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....

$ 29,769,968.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 28. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration, as authorized in Senate Bill 2962, 2023 Regular Session, for the purpose of defraying eligible administration and reporting expenses related to the Coronavirus State Fiscal Recovery Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....

$ 17,555.00

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 29. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration, as authorized in House Bill No. 1664, 2022 Regular Session, and House Bill No. 1717, 2023 Regular Session, for the purpose of reimbursing the State and School Employees' Life and Health Insurance Plan for eligible expenses for the fiscal year beginning July 1, 2024, and ending June 30,2025 ..... $ 425,719.00.

Notwithstanding the amount reappropriated under this section, in no event shall the amount expended exceed the unexpended balance of the funds remaining as of June 30, 2024, or change the purpose for which the funds were originally authorized.

SECTION 30. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office to the credit of the Department of Finance and Administration for the purpose of repair, renovation and improvement of state-owned facilities, universities, and community colleges for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 6,500,000.00.

SECTION 31. Of the funds in Section 2 of this act, Four Hundred Fifty-five Million Dollars ($455,000,000.00), or so much thereof as may be necessary, shall be derived out of the following funds in the State Treasury to the credit of the Department of Finance and Administration:

(a) 2022 IHL Capital Improvements Fund ..... $ 110,000,000.00.

(b) 2022 Community and Junior Colleges Capital Improvements Fund ..... $ 45,000,000.00.

(c) 2022 State Agencies Capital Improvements Fund ..... $ 26,100,000.00.

(d) 2024 Local Improvements Projects Fund $ 250,000,000.00.

(e) 2022 Department of Finance and Administration Statewide Repair and Renovation Fund $ 23,900,000.00.

The disbursements of funds by the Department of Finance and Administration under the provisions of the general bill, Senate Bill No. 2468, 2024 Regular Session, are made pursuant to the authority granted to the department to spend those funds by this appropriation bill.

SECTION 32. Of the funds appropriated in Section 2 of this act, One Hundred Ninety-seven Thousand Five Hundred Twenty Dollars ($197,520.00) or so much thereof, shall be derived out of the 2022 Local Improvements Projects Fund to the credit of the Department of Finance and Administration. The funds are provided for such purposes as follows:

(a) To assist the City of Bruce for paving projects and other improvements. ..... $ 172,520.00.

(b) To assist the American Legion in Ackerman in paying costs associated with the building and post activities ..... $ 25,000.00.

SECTION 33. Of the funds appropriated in Section 2 of this act, Two Million Dollars ($2,000,000.00) or so much thereof, shall be derived out of the 2023 Local Improvements Projects Fund to the credit of the Department of Finance and Administration. The funds are provided for such purposes as follows:

(a) To assist Oktibbeha County, Mississippi, in paying costs associated with the Morgantown bridge project ..... $ 1,000,000.00.

(b) To assist the Capitol Complex Improvement District, with the Department of Finance and Administration serving as the fiscal agent, in paying costs associated with widening, straightening and clearing debris for flood plain revisions to Eubanks Creek .... $ 1,000,000.00.

SECTION 34. Of the funds appropriated in Section 2 of this act, Eleven Million Dollars ($11,000,000.00) or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972 and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the purpose of purchases of the real property and any improvement thereon demolition of buildings and other structures on such property, necessary services, and construction of additional facilities on such property as determined by the Department of Finance and Administration and for purchasing other personal property as allowed by statute.

SECTION 35. Of the funds appropriated in Section 2 of this act, Three Million Dollars ($3,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office to the Department of Finance and Administration for the purpose of maintenance, refresh, and upgrades to the Statewide Payroll and Human Resource System (SPAHRS).

SECTION 36. Notwithstanding any other provision, the agency shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 37. It is the intent of the Legislature that the Department of Finance and Administration shall have the authority to escalate its budget and expend such funds in a manner consistent with the escalation of federal funds in an amount not to exceed Ten Million Dollars ($10,000,000.00) from the Coronavirus State Fiscal Recovery Fund for the purpose of defraying administrative and reporting costs.

SECTION 38. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 39. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 40. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Sam C. Mims, V
John A. Polk	John Read
Kevin Blackwell	

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3054** was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3056** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3056: Appropriation; Development Authority, Mississippi.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Mississippi Development Authority for the fiscal year beginning July 1, 2024, and ending June 30, 2025.....
$ 21,420,879.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Development Authority or the appropriate special fund for the purpose of defraying the expenses incurred in the operation of the various divisions of the authority for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 374,213,496.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 158
Time-Limited: 39

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for

salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2025 Target
Economic Dev & Incentives	
Number of National Recruitment Contacts	1,000
Number of International Investment Contracts	1,800
Number of International Trade Contacts	1,000
Number of Qualified National Prospects	225
Return on Investment	10.00
Number of New Businesses - Global Contacts	15
Number of New Jobs from Global Contacts	3,000
Number of Minority and Small Business Contacts	8,000
Number of Minority Business Certification Applications Processed	170
Technical Assistance to Disadvantaged Contacts	2,300
State Contracting with Minority Business	55,000,000
Number of Interactions with Interested Businesses	3,000
Number of Qualified Contacts	750
Number of Expansions	30
Number of Jobs Created from Expansions	3,000
Number of Energy Efficiency and Renewable Energy Direct Contacts	10,000
Community Dev & Incentives	
Number of Requests for Financing or Incentives	225
Awarded Grants and Loans for Community and Economic Development	50,000,000
Number of Grants and Loans Awarded	100
Support Services Program	
Administration as a Percent of Total Budget	9.50
Tourism (visit Ms)	
Number of Tourist Inquiries Generated	38,638
Number of Visitors per Year	26,000,000
Travel Revenue ($ in Billions)	7.00
Number of Tourists Registered	2,706,927

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2026.

SECTION 5. Of the funds appropriated in Section 2 of this act, the amount of Eight Hundred Thousand Dollars ($800,000.00) shall be provided from the Mississippi Department of Transportation to defray the expenses of the Mississippi Development Authority in operating the state welcome centers.

SECTION 6. It is the intention of the Legislature that the Mississippi Development Authority shall maintain complete accounting and personnel records

related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 7. Of the funds appropriated in Sections 1 and 2 of this act, the amount of Four Million Eight Hundred Seventy-six Thousand Two Hundred Ninety-eight Dollars ($4,876,298.00), or so much thereof as may be necessary, is provided for the purpose of supporting Mississippi Tourism Advertising and Promotion for Fiscal Year 2025, and shall not be expended for any type of cultural exchange program. Of the funds appropriated herein and allocated within this section, Two Hundred Ninety-nine Thousand Dollars ($299,000.00) is provided for Tourism Grant Development Awards.

SECTION 8. It is the intention of the Legislature that none of the funds appropriated above shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate are notified at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature."

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Of the funds appropriated in Section 1 of this act, One Hundred Thousand Dollars ($100,000.00) is provided for the Mississippi Delta National Heritage Areas.

SECTION 11. Of the funds appropriated in Section 1 of this act, One Hundred Thousand Dollars ($100,000.00) is provided for the Mississippi Hills National Heritage Area.

SECTION 12. It is the intention of the Legislature that the Mississippi Development Authority is hereby authorized to escalate, budget, and expend funds from any source not to exceed Ten Million Dollars ($10,000,000.00) in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 13. It is the intention of the Legislature that the Mississippi Development Authority shall submit a notification of any General Fund Transfers out of the major category Subsidies into any other major categories to the Legislative Budget Office.

SECTION 14. Of the funds appropriated in Section 1 of this act, Twenty Thousand Twenty-five Dollars ($20,025.00) shall be provided for the support of the Mississippi River Parkway Commission.

SECTION 15. Of the funds appropriated in Section 1 of this act, One Million Dollars ($1,000,000.00) shall be transferred to Innovate Mississippi.

SECTION 16. Of the funds appropriated in Section 1 of this act, One Hundred Fifty-six Thousand Dollars ($156,000.00) is provided for the Energy High School Academy, established in Section 37-69-7, Mississippi Code of 1972.

SECTION 17. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Fifty Thousand Dollars ($50,000.00) shall be allocated to the Mississippi Book Festival.

SECTION 18. Of the funds appropriated herein, Five Hundred Thousand Dollars ($500,000.00) shall be provided to the Mississippi Main Street Association for statewide support and operations.

SECTION 19. It is the intention of the Legislature that the Mississippi Development Authority shall provide quarterly reports on the status of Gulf Coast Restoration Fund projects to the Legislative Budget Office and the Department of

Finance and Administration. It is further the intention of the Legislature that the Mississippi Development Authority shall provide the Joint Legislative Budget Committee a detailed report and other such related information on each project's expenditures with the subsequent fiscal year's budget submission.

SECTION 20. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated to the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as provided in Senate Bill No. 3046, 2023 Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 . $ 744,784.00.

These funds are provided for administrative expenses at the Mississippi Development Authority as outlined in Section 57-119-7, Mississippi Code of 1972.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 21. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Capital Expense Funds for the Air Service Development Act, as authorized in Senate Bill No. 3046, 2023
Regular Session, for the fiscal year beginning July 1, 2024, and ending June 30, 2025 . $ 246,431.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2024, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 22. It is the intention of the Legislature that the Mississippi Development Authority may provide operational support to any park operated by the United States National Park Service in Mississippi during the event of a government shutdown that materially affects the operations of such park.

SECTION 23. Of the funds appropriated in Section 2 of this act, the following sums, or so much thereof as may be necessary is appropriated out of the following funds in the State Treasury to the credit of the Mississippi Development Authority for the purpose of Mississippi Major Economic Impact Projects for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

(a) Triple Crown Fund for the purposes described in Section 57-1-651, Mississippi Code of 1972 ..... $ 81,105,000.00.

(b) Project Poppy Fund for the purposes described in Senate Bill No. 2001, 2024 First Extraordinary
Session ..... $ 117,614,000.00.

(c) Project Atlas Fund for the purposes described in House Bill No. 1, 2024 Second Extraordinary Session..... $ 44,000,000.00.

It is the intention of the Legislature that the Mississippi Development Authority provide the reporting requirements of each fund appropriated in this section on or before January 5 of each year.

SECTION 24. Of the funds appropriated in Section 2, Three Hundred Fifty-six Thousand Dollars ($356,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Project Poppy Fund, as created in Senate Bill 2001, 1st Extraordinary Session of 2024, and allocated in a manner as determined by the Treasurer's Office and One Million Six-Hundred Thousand Dollars ($1,600,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Project Atlas Fund, as created in House Bill 1, 2nd Extraordinary Session of 2024, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for expediting services needed for Project Poppy and Project Atlas.

SECTION 25. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Tennessee-Tombigbee Waterway Development Authority for the purposes enumerated in Section 51-27-1, Mississippi Code of 1972, for the fiscal year beginning July 1, 2024, and ending June 30, 2025
$ 250,635.00.

SECTION 26. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Tennessee-Tombigbee Waterway Development Authority for the fiscal year beginning July 1, 2024, and ending June 30, 2025
$ 342,819.00.

SECTION 27. Of the funds appropriated under the provisions of Sections 24 and 25 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:
Permanent: 3
Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 28. Of the funds appropriated under the provisions of Section 2, Fifty Thousand ($50,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing funds for the support of the Mississippi Book Festival.

SECTION 29. Of the funds appropriated under the provisions of Section 2, Four Hundred Thousand Dollars ($400,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing funds for the support of the Sanderson Farms Championship.

SECTION 30. Of the funds appropriated under the provisions of Section 2, One Million Dollars ($1,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing funds for the support of the Mississippi Museum of Art.

SECTION 31. Of the funds appropriated under the provisions of Section 2, Five Hundred Thousand Dollars ($500,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing funds for the support of the Mississippi Tourism Association.

SECTION 32. Of the funds appropriated under the provisions of Section 2, Forty Million Dollars ($40,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Mississippi Site Development Grant Fund, as created in Section 57-1-701, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to defray expenses for Mississippi Site Development Grants.

SECTION 33. Of the funds appropriated under the provisions of Section 2, Six Million Nine Hundred Seventy-two Dollars ($6,972,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Mississippi Main Street Revitalization Grant Program Fund and allocated in a manner as determined by the Treasurer's Office. These funds are provided for Mississippi Main Street Revitalization Grants pursuant to Section 57-78-5, Mississippi Code of 1972, as amended by Senate Bill 2696, Regular Session 2024. The Mississippi Development

Authority shall provide the funds to approved grantees in the letter of award recipients from the Mississippi Main Street Association to the Legislature dated November 21, 2023.

SECTION 34. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 35. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2025.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	Karl Oliver
John A. Polk	John Read
Kevin Blackwell	Steve Massengill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3056** was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.

Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 292** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 292: DUI suspension; clarify how the 120 days are counted.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 63-11-23, Mississippi Code of 1972, is amended as follows:

63-11-23. (1) Administrative license suspension for test refusal. The Commissioner of Public Safety, or his authorized agent, shall review the sworn report by a law enforcement officer as provided in Section 63-11-21.

(a) If upon review the Commissioner of Public Safety, or his authorized agent, finds (i) that the law enforcement officer had reasonable grounds and probable cause to believe the person had been operating a motor vehicle upon the public highways, public roads * * * or streets of this state while under the influence of intoxicating liquor or any other substance that may impair a person's mental or physical ability; (ii) that the person refused to submit to the chemical test of the person's breath, blood or urine upon request of the officer; and (iii) that the person was informed that his license and driving privileges would be suspended or denied if he refused to submit to the chemical test of his breath, blood or urine, then the Commissioner of Public Safety, or his authorized agent, shall give notice to the licensee that his license or permit to drive, or any nonresident operating privilege, shall be suspended thirty (30) days after the date of the notice for a period of ninety (90) days if the person has not previously been convicted of or nonadjudicated for a violation of Section 63-11-30, or, for a period of one (1) year if the person was previously convicted or nonadjudicated under Section 63-11-30. If the commissioner or his authorized agent determines that the license or permit should not be suspended, he shall return the license or permit to the licensee.

(b) The notice of suspension shall be in writing and conform to Section 63-1-52.

(c) A person may continue to drive on either an interlock-restricted license or under a drug-testing program if so ordered by a court in the course of a criminal proceeding for a violation of Section 63-11-30.

(2) Extension or suspension of privilege to drive; request for trial. (a) If the chemical testing of a person's breath indicates the blood alcohol concentration was eight one-hundredths percent (.08%) or more for persons who are above the legal age to purchase alcoholic beverages under state law, or two one-hundredths percent (.02%) or more for persons who are below the legal age to purchase alcoholic beverages under state law, based upon grams of alcohol per one hundred (100) milliliters of blood or grams of alcohol per two hundred ten (210) liters of breath as shown by a chemical analysis of the person's blood, breath, or urine, the arresting officer shall seize the license and give the driver a receipt for his license on forms prescribed by the Commissioner of Public Safety and shall promptly forward the license together with a sworn report to the Commissioner of Public Safety. The receipt given a person shall be valid as a permit to operate a motor vehicle for thirty (30) days in order that the defendant may be processed through the court having original jurisdiction and a final disposition had.

(b) If the defendant requests a trial within thirty (30) days and trial is not commenced within thirty (30) days, then the court shall determine if the delay in the trial is the fault of the defendant or his counsel. If the court finds that it is not the fault of the defendant or his counsel, then the court shall order the defendant's privileges to operate a motor vehicle to be extended until the defendant is convicted upon final order of the court.

(c) If a receipt or permit to drive issued under this subsection expires without a trial having been requested as provided in this subsection, then the Commissioner of Public Safety, or his authorized agent, shall suspend the license or permit to drive or any nonresident operating privilege for the applicable period of time as provided in subsection (1) of this section.

(3) Offenders driving without a license. If the person is a resident without a license or permit to operate a motor vehicle in this state, the Commissioner of Public Safety, or his authorized agent, shall deny to the person the issuance of a license or permit for a period of one (1) year beginning thirty (30) days after the date of notice of the suspension.

(4) Appeal. It shall be the duty of the municipal prosecuting attorney, county prosecuting attorney, an attorney employed under the provisions of Section 19-3-49, or if there is not a prosecuting attorney for the municipality or county, the duty of the district attorney to represent the state in any hearing on a de novo appeal held under the provisions of Section 63-11-25, Section 63-11-37 or Section 63-11-30.

(5) Suspension subsequent to conviction. Unless the person obtains an interlock-restricted license or the court orders the person to exercise the privilege to operate a motor vehicle only under an interlock-restricted license or while participating in a court-ordered drug-testing program, thirty (30) days after receipt of the court abstract documenting a person's conviction under Section 63-11-30, the Department of Public Safety shall suspend the driver's license and privileges of the person to operate a motor vehicle as follows:

(a) When sentenced under Section 63-11-30(2):

(i) For a first offense: one hundred twenty (120) days;

(ii) For a second offense: one (1) year;

(iii) For a third offense: for the full period of the person's sentence; upon release from incarceration, the person will be eligible for only an interlock-restricted license for three (3) years;

(iv) For a fourth or subsequent offense: for the full period of the person's sentence; upon release from incarceration, the person will be eligible for only an interlock-restricted license for ten (10) years and will further be subject to court-ordered drug testing if the original offense involved operating a motor vehicle under the influence of a drug other than alcohol.

(b) When sentenced under Section 63-11-30(3) (Zero Tolerance for Minors):

(i) For a first offense: one hundred twenty (120) days;

(ii) For a second offense: one (1) year;

(iii) For a third offense occurring within five (5) years, suspend or deny the driving privilege for two (2) years or until the person reaches the age of twenty-one (21), whichever is longer.

(6) Suspensions. (a) Notices of suspension given under this section shall be in writing and conform to Section 63-1-52.

(b) Suspensions under this and any other chapter shall run consecutively and not concurrently.

(c) The first day of any one-hundred-twenty-day period shall begin twenty-one (21) days after entry of judgement of conviction or order of nonadjudication.

(7) License reinstatement. A person is eligible for an unrestricted license when the person has completed an alcohol safety education program as provided in Section 63-11-32, has satisfied all other conditions of law and of the person's sentence or nonadjudication, and is not otherwise barred from obtaining an unrestricted license.

SECTION 2. Section 63-11-30, Mississippi Code of 1972, is amended as follows:

63-11-30. (1) It is unlawful for a person to drive or otherwise operate a vehicle within this state if the person:

(a) Is under the influence of intoxicating liquor;

(b) Is under the influence of any other substance that has impaired the person's ability to operate a motor vehicle;

(c) Is under the influence of any drug or controlled substance, the possession of which is unlawful under the Mississippi Controlled Substances Law; or

(d) Has an alcohol concentration in the person's blood, based upon grams of alcohol per one hundred (100) milliliters of blood, or grams of alcohol per two hundred ten (210) liters of breath, as shown by a chemical analysis of the person's breath, blood or urine administered as authorized by this chapter, of:

(i) Eight one-hundredths percent (.08%) or more for a person who is above the legal age to purchase alcoholic beverages under state law;

(ii) Two one-hundredths percent (.02%) or more for a person who is below the legal age to purchase alcoholic beverages under state law; or

(iii) Four one-hundredths percent (.04%) or more for a person operating a commercial motor vehicle.

(2) Except as otherwise provided in subsection (3) of this section (Zero Tolerance for Minors):

(a) First offense DUI. (i) Upon conviction of any person for the first offense of violating subsection (1) of this section where chemical tests under Section 63-11-5 were given, or where chemical test results are not available, the person shall be fined not less than Two Hundred Fifty Dollars ($250.00) nor more than One Thousand Dollars ($1,000.00), or imprisoned for not more than forty-eight (48) hours in jail, or both; the court shall order the person to attend and complete an alcohol safety education program as provided in Section 63-11-32 within six (6) months of sentencing. The court may substitute attendance at a victim impact panel instead of forty-eight (48) hours in jail.

(ii) Suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) A qualifying first offense may be nonadjudicated by the court under subsection (14) of this section. The holder of a commercial driver's license or a commercial learning permit at the time of the offense is ineligible for nonadjudication.

(iv) Eligibility for an interlock-restricted license is governed by Section 63-11-31 and suspension of regular driving privileges is governed by Section 63-11-23.

(b) Second offense DUI. (i) Upon any second conviction of any person violating subsection (1) of this section, the offenses being committed within a period of five (5) years, the person shall be guilty of a misdemeanor, fined not less than Six Hundred Dollars ($600.00) nor more than One Thousand Five Hundred Dollars ($1,500.00), shall be imprisoned not less than five (5) days nor more than six (6) months and sentenced to community service work for not less than ten (10) days nor more than six (6) months. The minimum penalties shall not be suspended or reduced by the court and no prosecutor shall offer any suspension or sentence reduction as part of a plea bargain.

(ii) Suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) Eligibility for an interlock-restricted license is governed by Section 63-11-31 and suspension of regular driving privileges is governed by Section 63-11-23.

(c) Third offense DUI. (i) For a third conviction of a person for violating subsection (1) of this section, the offenses being committed within a period of five (5) years, the person shall be guilty of a felony and fined not less than Two Thousand Dollars ($2,000.00) nor more than Five Thousand Dollars ($5,000.00), and shall serve not less than one (1) year nor more than five (5) years in the custody of the Department of Corrections. For any offense that does not result in serious injury or death to any person, the sentence of incarceration may be served in the county jail rather than in the State Penitentiary at the discretion of the circuit court judge. The minimum penalties shall not be suspended or reduced by the court and no prosecutor shall offer any suspension or sentence reduction as part of a plea bargain.

(ii) The suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) The suspension of regular driving privileges is governed by Section 63-11-23.

(d) Fourth and subsequent offense DUI. (i) For any fourth or subsequent conviction of a violation of subsection (1) of this section, without regard to the time period within which the violations occurred, the person shall be guilty of a felony and fined not less than Three Thousand Dollars ($3,000.00) nor more than Ten Thousand Dollars ($10,000.00), and shall serve not less than two (2) years nor more than ten (10) years in the custody of the Department of Corrections.

(ii) The suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) A person convicted of a fourth or subsequent offense is ineligible to exercise the privilege to operate a motor vehicle that is not equipped with an ignition-interlock device for ten (10) years.

(e) Any person convicted of a second or subsequent violation of subsection (1) of this section shall receive an in-depth diagnostic assessment, and if as a result of the assessment is determined to be in need of treatment for alcohol or drug abuse, the person must successfully complete treatment at a program site certified by the Department of Mental Health. Each person who receives a diagnostic assessment shall pay a fee representing the cost of the assessment. Each person who participates in a treatment program shall pay a fee representing the cost of treatment.

(f) The use of ignition-interlock devices is governed by Section 63-11-31.

(3) Zero tolerance for minors. (a) This subsection shall be known and may be cited as Zero Tolerance for Minors. The provisions of this subsection shall apply only when a person under the age of twenty-one (21) years has a blood alcohol concentration of two one-hundredths percent (.02%) or more, but lower than eight one-hundredths percent (.08%). If the person's blood alcohol concentration is eight one-hundredths percent (.08%) or more, the provisions of subsection (2) shall apply.

(b) (i) A person under the age of twenty-one (21) is eligible for nonadjudication of a qualifying first offense by the court pursuant to subsection (14) of this section.

(ii) Upon conviction of any person under the age of twenty-one (21) years for the first offense of violating subsection (1) of this section where chemical tests provided for under Section 63-11-5 were given, or where chemical test results are not available, the person shall be fined Two Hundred Fifty Dollars ($250.00); the court shall order the person to attend and complete an alcohol safety education program as provided

in Section 63-11-32 within six (6) months. The court may also require attendance at a victim impact panel.

(c) A person under the age of twenty-one (21) years who is convicted of a second violation of subsection (1) of this section, the offenses being committed within a period of five (5) years, shall be fined not more than Five Hundred Dollars ($500.00).

(d) A person under the age of twenty-one (21) years who is convicted of a third or subsequent violation of subsection (1) of this section, the offenses being committed within a period of five (5) years, shall be fined not more than One Thousand Dollars ($1,000.00).

(e) License suspension is governed by Section 63-11-23 and ignition interlock is governed by Section 63-11-31.

(f) Any person under the age of twenty-one (21) years convicted of a third or subsequent violation of subsection (1) of this section must complete treatment of an alcohol or drug abuse program at a site certified by the Department of Mental Health.

(4) DUI test refusal. In addition to the other penalties provided in this section, every person refusing a law enforcement officer's request to submit to a chemical test of the person's breath as provided in this chapter, or who was unconscious at the time of a chemical test and refused to consent to the introduction of the results of the test in any prosecution, shall suffer an additional administrative suspension of driving privileges as set forth in Section 63-11-23.

(5) Aggravated DUI. (a) (i) Except as otherwise provided in subparagraph (ii) of this paragraph (a), every person who operates any motor vehicle in violation of the provisions of subsection (1) of this section and who in a negligent manner causes the death of another or mutilates, disfigures, permanently disables or destroys the tongue, eye, lip, nose or any other limb, organ or member of another shall, upon conviction, be guilty of a separate felony for each victim who suffers death, mutilation, disfigurement or other injury and shall be committed to the custody of the State Department of Corrections for a period of time of not less than five (5) years and not to exceed twenty-five (25) years for each death, mutilation, disfigurement or other injury, and the imprisonment for the second or each subsequent conviction, in the discretion of the court, shall commence either at the termination of the imprisonment for the preceding conviction or run concurrently with the preceding conviction. Any person charged with causing the death of another as described in this subsection shall be required to post bail before being released after arrest.

(ii) Every person who is below the legal age to purchase alcoholic beverages under state law and has an alcohol concentration in the person's blood, based upon grams of alcohol per one hundred (100) milliliters of blood, or grams of alcohol per two hundred ten (210) liters of breath, as shown by a chemical analysis of the person's breath, blood or urine administered as authorized by this chapter, of eight one-hundredths percent (0.08%) or more and who in a negligent manner causes the death of another or mutilates, disfigures, permanently disables or destroys the tongue, eye, lip, nose of any other limb, organ or member of another shall, upon conviction, be guilty of a separate felony for each victim who suffers death, mutilation, disfigurement or other injury and shall be committed to the custody of the State Department of Corrections for a period of time not less than five (5) years and not to exceed twenty-five (25) years for each death, mutilation, disfigurement or other injury, and the imprisonment for the second or each subsequent conviction, in the discretion of the court, shall commence either at the termination of the imprisonment for the preceding conviction or run concurrently with the preceding conviction. Any such person charged with causing the death of another as described in this subparagraph shall be required to post bail before being released after arrest.

(b) A holder of a commercial driver's license who is convicted of operating a commercial motor vehicle with an alcohol concentration of eight one-hundredths percent (.08%) or more shall be guilty of a felony and shall be committed to the custody of the Department of Corrections for not less than two (2) years and not more than ten (10) years.

(c) The court shall order an ignition-interlock restriction on the offender's privilege to drive as a condition of probation or post-release supervision not to exceed five (5) years unless a longer restriction is required under other law. The ignition-interlock restriction shall not be applied to commercial license privileges until the driver serves the full disqualification period required by Section 63-1-216.

(6) DUI citations. (a) Upon conviction of a violation of subsection (1) of this section, the trial judge shall sign in the place provided on the traffic ticket, citation or affidavit stating that the person arrested either employed an attorney or waived his right to an attorney after having been properly advised. If the person arrested employed an attorney, the name, address and telephone number of the attorney shall be written on the ticket, citation or affidavit. The court clerk must immediately send a copy of the traffic ticket, citation or affidavit, and any other pertinent documents concerning the conviction or other order of the court, to the Department of Public Safety as provided in Section 63-11-37.

(b) A copy of the traffic ticket, citation or affidavit and any other pertinent documents, having been attested as true and correct by the Commissioner of Public Safety, or his designee, shall be sufficient proof of the conviction for purposes of determining the enhanced penalty for any subsequent convictions of violations of subsection (1) of this section. The Department of Public Safety shall maintain a central database for verification of prior offenses and convictions.

(7) Out-of-state prior convictions. Convictions in another state, territory or possession of the United States, or under the law of a federally recognized Native American tribe, of violations for driving or operating a vehicle while under the influence of an intoxicating liquor or while under the influence of any other substance that has impaired the person's ability to operate a motor vehicle occurring within five (5) years before an offense shall be counted for the purposes of determining if a violation of subsection (1) of this section is a second, third, fourth or subsequent offense and the penalty that shall be imposed upon conviction for a violation of subsection (1) of this section.

(8) Charging of subsequent offenses. (a) For the purposes of determining how to impose the sentence for a second, third, fourth or subsequent conviction under this section, the affidavit or indictment shall not be required to enumerate previous convictions. It shall only be necessary that the affidavit or indictment states the number of times that the defendant has been convicted and sentenced within the past five (5) years for a second or third offense, or without a time limitation for a fourth or subsequent offense, under this section to determine if an enhanced penalty shall be imposed. The amount of fine and imprisonment imposed in previous convictions shall not be considered in calculating offenses to determine a second, third, fourth or subsequent offense of this section.

(b) Before a defendant enters a plea of guilty to an offense under this section, law enforcement must submit certification to the prosecutor that the defendant's driving record, the confidential registry and National Crime Information Center record have been searched for all prior convictions, nonadjudications, pretrial diversions and arrests for driving or operating a vehicle while under the influence of an intoxicating liquor or while under the influence of any other substance that has impaired the person's ability to operate a motor vehicle. The results of the search must be included in the certification.

(9) License eligibility for underage offenders. A person who is under the legal age to obtain a license to operate a motor vehicle at the time of the offense and who is

convicted under this section shall not be eligible to receive a driver's license until the person reaches the age of eighteen (18) years.

(10) License suspensions and restrictions to run consecutively. Suspension or restriction of driving privileges for any person convicted of or nonadjudicated for violations of subsection (1) of this section shall run consecutively to and not concurrently with any other administrative license suspension.

(11) Ignition interlock. If the court orders installation and use of an ignition-interlock device as provided in Section 63-11-31 for every vehicle operated by a person convicted or nonadjudicated under this section, each device shall be installed, maintained and removed as provided in Section 63-11-31.

(12) DUI child endangerment. A person over the age of twenty-one (21) who violates subsection (1) of this section while transporting in a motor vehicle a child under the age of sixteen (16) years is guilty of the separate offense of endangering a child by driving under the influence of alcohol or any other substance which has impaired the person's ability to operate a motor vehicle. The offense of endangering a child by driving under the influence of alcohol or any other substance which has impaired the person's ability to operate a motor vehicle shall not be merged with an offense of violating subsection (1) of this section for the purposes of prosecution and sentencing. An offender who is convicted of a violation of this subsection shall be punished as follows:

(a) A person who commits a violation of this subsection which does not result in the serious injury or death of a child and which is a first conviction shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than One Thousand Dollars ($1,000.00) or shall be imprisoned for not more than twelve (12) months, or both;

(b) A person who commits a violation of this subsection which does not result in the serious injury or death of a child and which is a second conviction shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than One Thousand Dollars ($1,000.00) nor more than Five Thousand Dollars ($5,000.00) or shall be imprisoned for one (1) year, or both;

(c) A person who commits a violation of this subsection which does not result in the serious injury or death of a child and which is a third or subsequent conviction shall be guilty of a felony and, upon conviction, shall be fined not less than Ten Thousand Dollars ($10,000.00) or shall be imprisoned for not less than one (1) year nor more than five (5) years, or both; and

(d) A person who commits a violation of this subsection which results in the serious injury or death of a child, without regard to whether the offense was a first, second, third or subsequent offense, shall be guilty of a felony and, upon conviction, shall be punished by a fine of not less than Ten Thousand Dollars ($10,000.00) and shall be imprisoned for not less than five (5) years nor more than twenty-five (25) years.

(13) Expunction. (a) Any person convicted under subsection (2) or (3) of this section of a first offense of driving under the influence and who was not the holder of a commercial driver's license or a commercial learning permit at the time of the offense may petition the circuit court of the county in which the conviction was had for an order to expunge the record of the conviction at least five (5) years after successful completion of all terms and conditions of the sentence imposed for the conviction. Expunction under this subsection will only be available to a person:

(i) Who has successfully completed all terms and conditions of the sentence imposed for the conviction;

(ii) Who did not refuse to submit to a test of his blood or breath;

(iii) Whose blood alcohol concentration tested below sixteen one-hundredths percent (.16%) if test results are available;

(iv) Who has not been convicted of and does not have pending any other offense of driving under the influence;

(v) Who has provided the court with justification as to why the conviction should be expunged; and

(vi) Who has not previously had a nonadjudication or expunction of a violation of this section.

(b) A person is eligible for only one (1) expunction under this subsection, and the Department of Public Safety shall maintain a permanent confidential registry of all cases of expunction under this subsection for the sole purpose of determining a person's eligibility for expunction, for nonadjudication, or as a first offender under this section.

(c) The court in its order of expunction shall state in writing the justification for which the expunction was granted and forward the order to the Department of Public Safety within five (5) days of the entry of the order.

(14) Nonadjudication. (a) For the purposes of this chapter, "nonadjudication" means that the court withholds adjudication of guilt and sentencing, either at the conclusion of a trial on the merits or upon the entry of a plea of guilt by a defendant, and places the defendant in a nonadjudication program conditioned upon the successful completion of the requirements imposed by the court under this subsection.

(b) A person is eligible for nonadjudication of an offense under this Section 63-11-30 only one (1) time under any provision of a law that authorizes nonadjudication and only for an offender:

(i) Who has successfully completed all terms and conditions imposed by the court after placement of the defendant in a nonadjudication program;

(ii) Who was not the holder of a commercial driver's license or a commercial learning permit at the time of the offense;

(iii) Who has not previously been convicted of and does not have pending any former or subsequent charges under this section; and

(iv) Who has provided the court with justification as to why nonadjudication is appropriate.

(c) Nonadjudication may be initiated upon the filing of a petition for nonadjudication or at any stage of the proceedings in the discretion of the court; the court may withhold adjudication of guilt, defer sentencing, and upon the agreement of the offender to participate in a nonadjudication program, enter an order imposing requirements on the offender for a period of court supervision before the order of nonadjudication is entered. Failure to successfully complete a nonadjudication program subjects the person to adjudication of the charges against him and to imposition of all penalties previously withheld due to entrance into a nonadjudication program. The court shall immediately inform the commissioner of the conviction as required in Section 63-11-37.

(i) The court shall order the person to:

1. Pay the nonadjudication fee imposed under Section 63-11-31 if applicable;

2. Pay all fines, penalties and assessments that would have been imposed for conviction;

3. Attend and complete an alcohol safety education program as provided in Section 63-11-32 within six (6) months of the date of the order;

4. a. If the court determines that the person violated this section with respect to alcohol or intoxicating liquor, the person must install an ignition-interlock device on every motor vehicle operated by the person, obtain an interlock-restricted license, and maintain that license for one hundred twenty (120) days or suffer a one-hundred-twenty-day suspension of the person's regular driver's license, during which time the person must not operate any vehicle.

b. If the court determines that the person violated this section by operating a vehicle when under the influence of a substance other than alcohol that has impaired the person's ability to operate a motor vehicle, including any drug or controlled substance which is unlawful to possess under the Mississippi Controlled Substances Law, the person must submit to a one-hundred-twenty-day period of a nonadjudication program that includes court-ordered drug testing at the person's own expense not less often than every thirty (30) days, during which time the person may drive if compliant with the terms of the program, or suffer a one-hundred-twenty-day suspension of the person's regular driver's license, during which time the person will not operate any vehicle.

(ii) Other conditions that may be imposed by the court include, but are not limited to, alcohol or drug screening, or both, proof that the person has not committed any other traffic violations while under court supervision, proof of immobilization or impoundment of vehicles owned by the offender if required, and attendance at a victim-impact panel.

(d) The court may enter an order of nonadjudication only if the court finds, after a hearing or after ex parte examination of reliable documentation of compliance, that the offender has successfully completed all conditions imposed by law and previous orders of the court. The court shall retain jurisdiction over cases involving nonadjudication for a period of not more than two (2) years.

(e) (i) The clerk shall immediately forward a record of every person placed in a nonadjudication program and of every nonadjudication order to the Department of Public Safety for inclusion in the permanent confidential registry of all cases that are nonadjudicated under this subsection (14).

(ii) Judges, clerks and prosecutors involved in the trial of implied consent violations and law enforcement officers involved in the issuance of citations for implied consent violations shall have secure online access to the confidential registry for the purpose of determining whether a person has previously been the subject of a nonadjudicated case and 1. is therefore ineligible for another nonadjudication; 2. is ineligible as a first offender for a violation of this section; or 3. is ineligible for expunction of a conviction of a violation of this section.

(iii) The Driver Services Bureau of the department shall have access to the confidential registry for the purpose of determining whether a person is eligible for a form of license not restricted to operating a vehicle equipped with an ignition-interlock device.

(iv) The Mississippi Alcohol Safety Education Program shall have secure online access to the confidential registry for research purposes only.

(15) The provisions of this section are fully applicable to any person who is under the influence of medical cannabis that is lawful under the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder which has impaired the person's ability to operate a motor vehicle.

SECTION 3. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 63-11-23 AND 63-11-30, MISSISSIPPI CODE OF 1972, TO PROVIDE A TIMELINE FOR THE 120-DAY SUSPENSION FOR DUI VIOLATIONS TO PROVIDE AN AGGRAVATED DUI PENALTY FOR PERSONS WHO ARE UNDER THE LEGAL AGE FOR PURCHASING ALCOHOLIC BEVERAGES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Kevin Horan	Joey Fillingane
	Daniel H. Sparks
Jansen Owen	

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 292** (version 2) was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.

Voting Present--Branning, Hill, Parker. Total--3.

President Hosemann yielded the gavel to President Pro Tempore Kirby, who presided over the Senate.

Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 1253** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1253: Post-conviction collateral relief; require certain petitioners to obtain Supreme Court permission before filing in trial court.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 99-39-7, Mississippi Code of 1972, is amended as follows:

99-39-7. (1) The motion under this article shall be filed as an original civil action in the trial court, except in cases in which:

(a) The petitioner's conviction and sentence have been appealed to the Supreme Court of Mississippi and there affirmed or the appeal dismissed;

(b) The denial of a previous post-conviction motion filed by the petitioner has been appealed to the Supreme Court of Mississippi and there affirmed or the appeal dismissed; or

(c) More than three (3) years after the time for taking an appeal from the judgment or conviction have elapsed.

(2) Where the conviction and sentence have been affirmed on appeal or the appeal has been dismissed, where the denial of a previous post-conviction motion filed by the petitioner has been appealed to the Supreme Court of Mississippi and there affirmed or the appeal dismissed, or where more than three (3) years after the time for taking an appeal from the judgment or conviction have elapsed, the motion under this article shall not be filed in the trial court until the motion shall have first been presented to a quorum of the Justices of the Supreme Court of Mississippi, convened for * * * that purpose either in termtime or in vacation, and an order granted allowing the filing of such motion in the trial court. The procedure governing applications to the Supreme Court for leave to file a motion under this article shall be as provided in Section 99-39-27.

SECTION 2. Section 21-23-8, Mississippi Code of 1972, is amended as follows:

21-23-8. (1) (a) The purpose of bail is to guarantee appearance and a bail bond shall not be forfeited for any other reason.

(b) (i) If a defendant in any criminal case, proceeding or matter fails to appear for any proceeding as ordered by the municipal court, then the court shall order the bail forfeited and a judgment nisi and a bench warrant issued at the time of nonappearance. The clerk of the municipal court shall notify the surety of the forfeiture by writ of scire facias, with a copy of the judgment nisi and bench warrant attached thereto, within ten (10) working days of such order of judgment nisi either by personal service or by certified mail. Failure * * * to provide the required notice within ten (10) working days shall constitute prima facie evidence that the order * * * shall be set aside, and the clerk shall present a set-aside order on behalf of the surety to the court. All felony warrants issued by a court for nonappearance shall be put on the National Crime Information Center (NCIC) index with no restrictions until the defendant is returned to custody.

(ii) 1. The judgment nisi shall be returnable for ninety (90) days from the date of issuance. If during that period the defendant appears before the municipal court, or is arrested and surrendered, then the judgment nisi shall be set aside. If the

surety produces the defendant or provides to the municipal court reasonable mitigating circumstances upon such showing, then the forfeiture shall not be made final. If the forfeiture is made final, a copy of the final judgment shall be served on the surety within ten (10) working days by either personal service or certified mail.

2. Reasonable mitigating circumstances shall be that the defendant is incarcerated in another jurisdiction; that the defendant is hospitalized under a doctor's care; that the defendant is in a recognized drug rehabilitation program; that the defendant has been placed in a witness protection program, in which case it shall be the duty of any agency placing the defendant into a witness protection program to notify the municipal court and the municipal court to notify the surety; or any other reason justifiable to the municipal court.

(2) (a) If a final judgment is entered against a surety licensed by the Department of Insurance and has not been set aside after ninety (90) days, or later if such time is extended by the municipal court issuing the judgment nisi, then the municipal court shall order the department to revoke the authority of the surety to write bail bonds. The Commissioner of Insurance shall, upon notice of the municipal court, notify the surety within five (5) working days of receipt of the order of revocation. If after * * * twenty (20) working days of the notification the revocation order has not been set aside by the municipal court, then the commissioner shall revoke the authority of the surety and all agents of the surety and shall notify the sheriff of every county of such revocation.

(b) Before the revocation authorized in paragraph (a) of this subsection, the surety may submit proof to the department that the defendant has been surrendered to the appropriate authorities or that the bond has been paid directly to the court or other proper authorities, such proof to include, but not be limited to:

(i) A receipt of payment to the bond;

(ii) A surrender certificate; or

(iii) A notice of surrender from the proper authorities, including foreign jurisdictions.

(3) If within eighteen (18) months of the date of the final forfeiture the defendant appears for municipal court, is arrested or surrendered to the municipal court, or if the defendant is found to be incarcerated in another jurisdiction and a hold order placed on the defendant, then the amount of bail, less reasonable extradition cost, excluding attorney fees, shall be refunded by the municipal court upon application by the surety.

(4) (a) The municipal judge shall set the amount of bail for persons charged with offenses in municipal court and may approve the bond or recognizance therefor.

(b) The court shall not set the financial conditions of bail solely for the purpose of detaining the defendant. When bail is set, it is presumed that the amount of bail is both necessary to reasonably assure the safety of a victim, witness or the general public and to guarantee the appearance of a defendant as required by the court. The amount of bail is also presumed to be attainable by the defendant. The presumption that bail is attainable by the defendant may be rebutted by the defendant who may file a motion to reduce or set aside the bail requirement with the court due to lack of financial means, which shall also consider the availability of a third-party support system to obtain the defendant's release. The court shall rule on any such motion within forty-eight (48) hours of the filing.

(c) If the defendant or his counsel asserts that the defendant is indigent and cannot afford the amount of bail, the municipal judge shall make a determination of whether the defendant can be released on recognizance, based on the standards enumerated in the Mississippi Rules of Criminal Procedure and any other factors

considered relevant by the municipal judge. No misdemeanor defendant shall be incarcerated solely because the defendant cannot afford to post bail; nor shall a misdemeanor defendant be released solely because the defendant cannot afford bail. It is the duty of the municipal judge to ensure that release of the defendant does not jeopardize the community.

(d) The accused may waive an appearance before the judge and execute an appearance bond in an amount determined by the court from the bond guidelines set out in the Mississippi Rules of Criminal Procedure and agree to appear at a specified time and place.

(e) If the municipal judge is unavailable and has not provided a bail schedule or otherwise provided for the setting of bail, it is lawful for any officer or officers designated by order of the municipal judge to take bond, cash, property or recognizance, with or without sureties, in the amount of the minimum bail specified in the bond guidelines set out in the Mississippi Rules of Criminal Procedure, payable to the municipality and conditioned for the appearance of the person on the return day and time of the writ before the court to which the warrant is returnable, or in cases of arrest without a warrant, on the day and time set by the court or officer for arraignment, and there remain from day to day and term to term until discharged.

(f) In circumstances involving an offense against any of the following: (i) a current or former spouse of the accused or child of that person; (ii) a person living as a spouse or who formerly lived as a spouse with the accused or a child of that person; (iii) a parent, grandparent, child, grandchild or someone similarly situated to the accused; (iv) a person who has a current or former dating relationship with the accused; or (v) a person with whom the accused has had a biological or legally adopted child, the municipal judge shall check, or cause to be made a check of the status of the person for whom recognizance or bond is taken before ordering bail in the Mississippi Protection Order Registry authorized under Section 93-21-25, and the existence of a domestic abuse protection order against the accused shall be considered when determining appropriate bail.

(g) All bonds shall be promptly returned to the court, together with any cash deposited, and be filed and proceeded on by the court in a case of forfeiture. The chief of the municipal police or a police officer or officers designated by order of the municipal judge may approve bonds or recognizances.

(h) All bonds and recognizances in municipal court where the municipal court shall have the jurisdiction to hear and determine the case may be made payable to the municipality and shall have the effect to bind the principal and any sureties on the bond or recognizance until they shall be discharged by due course of law without renewal.

SECTION 3. Section 83-39-7, Mississippi Code of 1972, is amended as follows:

83-39-7. (1) (a) Each applicant for a professional bail agent license who acts as personal surety shall be required to post a qualification bond in the amount of Thirty Thousand Dollars ($30,000.00).

(b) The Insurance Department shall submit a report to the Senate and House of Representatives Committees on Accountability, Efficiency and Transparency that details the amount of all bonds or undertakings that each bail bondsman has written in this state on which the bail bondsman is absolutely or conditionally liable since the Bail Bond Database was established by the department. The report shall be submitted on or before December 1, 2017. The report shall also include the number of bail bondsmen who have failed to comply with the database reporting requirements, if any, the technical issues that may have occurred since the database was established and any suggested legislation to ensure each bail bondsman's continued compliance with the database reporting requirements.

(2) The qualification bond shall be made by depositing with the commissioner the aforesaid amount of bonds of the United States, the State of Mississippi or any agency or subdivision thereof, or a certificate of deposit issued by an institution whose deposits are insured by the Federal Deposit Insurance Corporation and made payable jointly to the owner and the Department of Insurance, or shall be written by an insurer as defined in this chapter, shall meet the specifications as may be required and defined in this chapter, and shall meet such specifications as may be required and approved by the department. The bond shall be conditioned upon the full and prompt payment of any bail bond issued by such professional bail agent into the court ordering the bond forfeited. The bond shall be to the people of the State of Mississippi in favor of any court of this state, whether municipal, justice, county, circuit, Supreme or other court.

(3) (a) If any bond issued by a professional bail agent is declared forfeited and judgment entered thereon by a court of proper jurisdiction as authorized in Section 99-5-25, and the amount of the bond is not paid within ninety (90) days, that court shall order the department to declare the qualification bond of the professional bail agent to be forfeited and the license revoked. If the bond was not forfeited correctly under Section 99-5-25, it shall be returned to the court as uncollectible. The department shall then order the surety on the qualification bond to deposit with the court an amount equal to the amount of the bond issued by the professional bail agent and declared forfeited by the court, or the amount of the qualification bond, whichever is the smaller amount. The department shall, after a hearing held upon not less than * * * twenty (20) days' written notice, suspend the license of the professional bail agent until such time as another qualification bond in the required amount is posted with the department. The revocation of the license of the professional bail agent shall also serve to revoke the license of each soliciting bail agent and bail enforcement agent employed or used by such professional bail agent. In the event of a final judgment of forfeiture of any bail bond written under the provisions of this chapter, the amount of money so forfeited by the final judgment of the proper court, less all accrued court costs and excluding any interest charges or attorney's fees, shall be refunded to the bail agent or his insurance company upon proper showing to the court as to which is entitled to same, provided the defendant in such cases is returned to the sheriff of the county to which the original bail bond was returnable within eighteen (18) months of the date of such final judgment, or proof made of incarceration of the defendant in another jurisdiction, and that a "Hold Order" has been placed upon the defendant for return of the defendant to the sheriff upon release from the other jurisdiction, the return to the sheriff to be the responsibility of the professional bail agent, then the bond forfeiture shall be stayed and remission made upon petition to the court, in the amount found in the court's discretion to be just and proper. A bail agent licensed under this chapter shall have a right to apply for and obtain from the proper court an extension of time delaying a final judgment of forfeiture if such bail agent can satisfactorily establish to the court wherein such forfeiture is pending that the defendant named in the bail bond is lawfully in custody outside of the State of Mississippi.

(b) Before the revocation authorized in paragraph (a) of this subsection, the surety may submit proof to the department that the defendant has been surrendered to the appropriate authorities or that the bond has been paid directly to the court or other proper authorities, such proof to include, but not be limited to:

(i) A receipt of payment to the bond;

(ii) A surrender certificate; or

(iii) A notice of surrender from the proper authorities, including foreign jurisdictions.

(4) The qualification bond may be released by the department to the professional bail personal surety agent upon an order to release the qualification bond issued by a court of competent jurisdiction, or upon written request to the department by the

professional bail personal surety agent no earlier than five (5) years after the expiration date of his last license.

SECTION 4. Section 99-5-25, Mississippi Code of 1972, is amended as follows:

99-5-25. (1) (a) The purpose of bail is to guarantee appearance and a bail bond shall not be forfeited for any other reason.

(b) If a defendant in any criminal case, proceeding or matter fails to appear for any proceeding as ordered by the court, then the court shall order the bail forfeited and a judgment nisi and a bench warrant issued at the time of nonappearance. The clerk of the court shall notify the surety of the forfeiture by writ of scire facias, with a copy of the judgment nisi and bench warrant attached thereto, within ten (10) working days of such order of judgment nisi either by personal service or by certified mail. Failure * * * to provide the required notice within ten (10) working days shall constitute prima facie evidence that the order * * * shall be set aside, and the clerk shall present a set-aside order on behalf of the surety to the court. * * * All felony warrants issued by a court for nonappearance shall be put on the National Crime Information Center (NCIC) index with no restrictions until the defendant is returned to custody.

(c) The judgment nisi shall be returnable for ninety (90) days from the date of issuance. If during such period the defendant appears before the court, or is arrested and surrendered, then the judgment nisi shall be set aside and a copy of the judgment that is set aside shall be served on the surety by personal service or certified mail. If the surety produces the defendant or provides to the court reasonable mitigating circumstances upon such showing, then the forfeiture shall not be made final. If the forfeiture is made final, a copy of the final judgment shall be served on the surety within ten (10) working days by either personal service or certified mail. Reasonable mitigating circumstances shall be that the defendant is incarcerated in another jurisdiction, that the defendant is hospitalized under a doctor's care, that the defendant is in a recognized drug rehabilitation program, that the defendant has been placed in a witness protection program and it shall be the duty of any such agency placing such defendant into a witness protection program to notify the court and the court to notify the surety, or any other reason justifiable to the court.

(d) Execution upon the final judgment shall be automatically stayed for ninety (90) days from the date of entry of the final judgment. If, at any time before execution of the final judgment, the defendant appears in court either voluntarily or in custody after surrender or arrest, the court shall on its own motion direct that the forfeiture be set aside and the bond exonerated as of the date the defendant first appeared in court.

(2) (a) If a final judgment is entered against a surety licensed by the Department of Insurance and has not been set aside after ninety (90) days, or later if such time is extended by the court issuing the judgment nisi, then the court shall order the department to revoke the authority of the surety to write bail bonds. The commissioner shall, upon notice of the court, notify the surety within five (5) working days of receipt of revocation. If after * * * twenty (20) working days of such notification the revocation order has not been set aside by the court, then the commissioner shall revoke the authority of the surety and all agents of the surety and shall notify the sheriff of every county of such revocation.

(b) Before the revocation authorized in paragraph (a) of this subsection, the surety may submit proof to the department that the defendant has been surrendered to the appropriate authorities or that the bond has been paid directly to the court or other proper authorities, such proof to include, but not be limited to:

(i) A receipt of payment to the bond;

(ii) A surrender certificate; or

(iii) A notice of surrender from the proper authorities, including foreign jurisdictions.

(3) If within eighteen (18) months of the date of the final forfeiture the defendant appears for court, is arrested or surrendered to the court, or if the defendant is found to be incarcerated in another jurisdiction and a hold order placed on the defendant, then the amount of bail, less reasonable extradition cost, excluding attorney fees, shall be refunded by the court upon application by the surety.

SECTION 5. Section 99-39-5, Mississippi Code of 1972, is amended as follows:

99-39-5. (1) Any person sentenced by a court of record of the State of Mississippi, including a person currently incarcerated, civilly committed, on parole or probation or subject to sex offender registration for the period of the registration or for the first five (5) years of the registration, whichever is the shorter period, may file a motion to vacate, set aside or correct the judgment or sentence, a motion to request forensic DNA testing of biological evidence, or a motion for an out-of-time appeal if the person claims:

(a) That the conviction or the sentence was imposed in violation of the Constitution of the United States or the Constitution or laws of Mississippi;

(b) That the trial court was without jurisdiction to impose sentence;

(c) That the statute under which the conviction and/or sentence was obtained is unconstitutional;

(d) That the sentence exceeds the maximum authorized by law;

(e) That there exists evidence of material facts, not previously presented and heard, that requires vacation of the conviction or sentence in the interest of justice;

(f) That there exists biological evidence secured in relation to the investigation or prosecution attendant to the petitioner's conviction not tested, or, if previously tested, that can be subjected to additional DNA testing, that would provide a reasonable likelihood of more probative results, and that testing would demonstrate by reasonable probability that the petitioner would not have been convicted or would have received a lesser sentence if favorable results had been obtained through such forensic DNA testing at the time of the original prosecution * * *;

(g) That his plea was made involuntarily;

(h) That his sentence has expired; his probation, parole or conditional release unlawfully revoked; or he is otherwise unlawfully held in custody;

(i) That he is entitled to an out-of-time appeal; or

(j) That the conviction or sentence is otherwise subject to collateral attack upon any grounds of alleged error heretofore available under any common law, statutory or other writ, motion, petition, proceeding or remedy.

(2) A motion for relief under this article shall be made within three (3) years after the time in which the petitioner's direct appeal is ruled upon by the Supreme Court of Mississippi or, in case no appeal is taken, within three (3) years after the time for taking an appeal from the judgment of conviction or sentence has expired, or in case of a guilty plea, within three (3) years after entry of the judgment of conviction. Excepted from this three-year statute of limitations are those cases in which the petitioner can demonstrate either:

(a) (i) That there has been an intervening decision of the Supreme Court of either the State of Mississippi or the United States which would have actually adversely affected the outcome of his or her conviction or sentence, and any motion filed under this subparagraph shall be made within three (3) years of issuance of the mandate in the intervening case;

(ii) * * * That he or she has evidence, not reasonably discoverable at the time of trial, which is of such nature that it would be practically conclusive that had such been introduced at trial it would have caused a different result in the conviction or sentence, and any motion filed under this subparagraph shall be made within three (3) years from the date on which the basis for the exception could have been discovered through the exercise of due diligence; or

(* * *b) That, even if the petitioner * * * pleaded guilty or nolo contendere, or confessed or admitted to a crime, there exists biological evidence not tested, or, if previously tested, that can be subjected to additional DNA testing that would provide a reasonable likelihood of more probative results, and that testing would demonstrate by reasonable probability that the petitioner would not have been convicted or would have received a lesser sentence if favorable results had been obtained through such forensic DNA testing at the time of the original prosecution * * *;

(* * *c) * * * That the petitioner claims that his sentence has expired or his probation, parole or conditional release has been unlawfully revoked * * *;

(* * *d) Likewise excepted are filings for post-conviction relief in capital cases which shall be made within one (1) year after conviction * * *;

(e) That the petition claims that his conviction or sentence violates his or her (1) right against double jeopardy; (2) right to be free from an illegal sentence; (3) right to due process at sentencing; and (4) right not to be subject to ex post facto laws.

(3) This motion is not a substitute for, nor does it affect, any remedy incident to the proceeding in the trial court, or direct review of the conviction or sentence.

(4) Proceedings under this article shall be subject to the provisions of Section 99-19-42.

(5) The ineffectiveness or incompetence of counsel during state collateral post-conviction proceedings shall not be a ground for relief in a proceeding arising under this article.

(* * *6) For the purposes of this article:

(a) "Biological evidence" means the contents of a sexual assault examination kit and any item that contains blood, semen, hair, saliva, skin tissue, fingernail scrapings, bone, bodily fluids or other identifiable biological material that was collected as part of the criminal investigation or may reasonably be used to incriminate or exculpate any person for the offense. This definition applies whether that material is catalogued separately, such as on a slide, swab or in a test tube, or is present on other evidence, including, but not limited to, clothing, ligatures, bedding or other household material, drinking cups, cigarettes or other items * * *.

(b) "DNA" means deoxyribonucleic acid.

SECTION 6. Section 99-39-27, Mississippi Code of 1972, is amended as follows:

99-39-27. (1) The application for leave to proceed in the trial court filed with the Supreme Court under Section 99-39-7 shall name the State of Mississippi as the respondent.

(2) The application shall contain the original and two (2) executed copies of the motion proposed to be filed in the trial court together with such other supporting pleadings and documentation as the Supreme Court by rule may require.

(3) The prisoner shall serve an executed copy of the application upon the Attorney General simultaneously with the filing of the application with the court.

(4) The original motion, together with all files, records, transcripts and correspondence relating to the judgment under attack, shall promptly be examined by the court.

(5) Unless it appears from the face of the application, motion, exhibits and the prior record that the claims presented by those documents are not procedurally barred under Section 99-39-21 and that they further present a substantial showing of the denial of a state or federal right, the court shall by appropriate order deny the application. The court may, in its discretion, require the Attorney General upon sufficient notice to respond to the application.

(6) The court, upon satisfaction of the standards set forth in this article, is empowered to grant the application.

(7) In granting the application the court, in its discretion, may:

(a) Where sufficient facts exist from the face of the application, motion, exhibits, the prior record and the state's response, together with any exhibits submitted with those documents, or upon stipulation of the parties, grant or deny any or all relief requested in the attached motion.

(b) Allow the filing of the motion in the trial court for further proceedings under Sections 99-39-13 through 99-39-23.

(8) No application or relief shall be granted without the Attorney General being given at least five (5) days to respond.

(9) The dismissal or denial of an application under this section is a final judgment and shall be a bar to a second or successive application under this article. Excepted from this prohibition is an application filed under Section 99-19-57(2), raising the issue of the offender's supervening mental illness before the execution of a sentence of death. A dismissal or denial of an application relating to mental illness under Section 99-19-57(2) shall be res judicata on the issue and shall likewise bar any second or successive applications on the issue. Likewise excepted from this prohibition are those cases in which the prisoner can demonstrate either that there has been an intervening decision of the Supreme Court of either the State of Mississippi or the United States that would have actually adversely affected the outcome of his conviction or sentence * * *, and any motion filed under this exception shall be made within three (3) years of issuance of the mandate in the intervening case. Likewise excepted from this prohibition are those cases in which the prisoner can demonstrate that he has evidence, not reasonably discoverable at the time of trial, that is of such nature that it would be practically conclusive that, if it had been introduced at trial, it would have caused a different result in the conviction or sentence, and any motion filed under this exception shall be made within three (3) years from the date on which the basis for the exception could have been discovered through the exercise of due diligence. Likewise exempted are those cases in which the prisoner claims that his sentence has expired or his probation, parole or conditional release has been unlawfully revoked. Likewise excepted from this prohibition are those cases in which the prisoner can demonstrate that his or her conviction or sentence violates his or her (a) right against double jeopardy; (b) right to be free from an illegal sentence; (c) right to due process at sentencing; and (d) right not to be subject to ex post facto laws.

(10) Proceedings under this section shall be subject to the provisions of Section 99-19-42.

(11) Post-conviction proceedings in which the defendant is under sentence of death shall be governed by rules established by the Supreme Court as well as the provisions of this section.

(12) The ineffectiveness or incompetence of counsel during state collateral post-conviction proceedings shall not be an exception for relief under this section.

SECTION 7. Section 99-39-23, Mississippi Code of 1972, is amended as follows:

99-39-23. (1) If an evidentiary hearing is required, the judge may appoint counsel for a petitioner who qualifies for the appointment of counsel under Section 99-15-15.

(2) The hearing shall be conducted as promptly as practicable, having regard for the need of counsel for both parties for adequate time for investigation and preparation.

(3) The parties shall be entitled to subpoena witnesses and compel their attendance, including, but not being limited to, subpoenas duces tecum.

(4) The court may receive proof by affidavits, depositions, oral testimony or other evidence and may order the petitioner brought before it for the hearing.

(5) If the court finds in favor of the petitioner, it shall enter an appropriate order with respect to the conviction or sentence under attack, and any supplementary orders as to rearraignment, retrial, custody, bail, discharge, correction of sentence or other matters that may be necessary and proper. The court shall make specific findings of fact, and state expressly its conclusions of law, relating to each issue presented.

(6) The order as provided in subsection (5) of this section or any order dismissing the petitioner's motion or otherwise denying relief under this article is a final judgment and shall be conclusive until reversed. It shall be a bar to a second or successive motion under this article. Excepted from this prohibition is a motion filed under Section 99-19-57(2), raising the issue of the convict's supervening mental illness before the execution of a sentence of death. A dismissal or denial of a motion relating to mental illness under Section 99-19-57(2) shall be res judicata on the issue and shall likewise bar any second or successive motions on the issue. Likewise excepted from this prohibition are those cases in which the petitioner, within the time period under Section 99-39-5(2) can demonstrate either that there has been an intervening decision of the Supreme Court of either the State of Mississippi or the United States which would have actually adversely affected the outcome of his conviction or sentence or that he has evidence, not reasonably discoverable at the time of trial, which is of such nature that it would be practically conclusive that, if it had been introduced at trial, it would have caused a different result in the conviction or sentence. Likewise excepted are those cases in which the petitioner, within the time period under Section 99-39-5(2) claims that his sentence has expired or his probation, parole or conditional release has been unlawfully revoked. Likewise excepted are those cases in which the petitioner has filed a prior petition and has requested DNA testing under this article, provided the petitioner asserts new or different grounds for relief related to DNA testing not previously presented or the availability of more advanced DNA technology. Likewise excepted from this prohibition are those cases in which the prisoner can demonstrate that his or her conviction or sentence violates his or her (a) right against double jeopardy; (b) right to be free from an illegal sentence; (c) right to due process at sentencing; and (d) right not to be subject to ex post facto laws.

(7) No relief shall be granted under this article unless the petitioner proves by a preponderance of the evidence that he is entitled to the relief.

(8) Proceedings under this section shall be subject to the provisions of Section 99-19-42.

(9) In cases resulting in a sentence of death and upon a determination of indigence, appointment of post-conviction counsel shall be made by the Office of Capital Post-Conviction Counsel upon order entered by the Supreme Court promptly upon announcement of the decision on direct appeal affirming the sentence of death. The order shall direct the trial court to immediately determine indigence and whether the inmate will accept counsel.

(10) The ineffectiveness or incompetence of counsel during State collateral post-conviction proceedings shall not be an exception for relief under this section.

SECTION 8. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 99-39-7, MISSISSIPPI CODE OF 1972, TO REQUIRE A PERSON SEEKING TO FILE A MOTION FOR POST-CONVICTION COLLATERAL RELIEF TO OBTAIN PERMISSION FROM THE MISSISSIPPI SUPREME COURT BEFORE FILING THE MOTION IN TRIAL COURT IF A DENIAL OF A PREVIOUS POST-CONVICTION MOTION HAS BEEN AFFIRMED ON APPEAL OR MORE THAN THREE YEARS HAVE ELAPSED AFTER THE TIME FOR TAKING AN APPEAL FROM A JUDGMENT OR CONVICTION; TO AMEND SECTIONS 21-23-8, 83-39-7 AND 99-5-25, MISSISSIPPI CODE OF 1972, TO REQUIRE COURT CLERKS TO ACCEPT SET-ASIDE ORDERS ON BEHALF OF A SURETY WHERE THE SURETY WAS NOT PROVIDED WITH NOTICE OF THE DEFENDANT'S FAILURE TO APPEAR IN A CRIMINAL COURT PROCEEDING; TO REQUIRE ALL FELONY WARRANTS ISSUED BY A COURT FOR NONAPPEARANCE PLACED ON THE NATIONAL CRIME INFORMATION CENTER INDEX WITH NO RESTRICTIONS UNTIL THE DEFENDANT IS RETURNED TO CUSTODY; TO EXTEND THE NUMBER OF DAYS BETWEEN THE NOTIFICATION OF REVOCATION OF LICENSE TO A SURETY BY THE DEPARTMENT OF INSURANCE AND THE DAY THE REVOCATION WILL BECOME EFFECTIVE; TO AUTHORIZE A SURETY TO SUBMIT PROOF TO THE DEPARTMENT OF INSURANCE THAT THE DEFENDANT HAS BEEN SURRENDERED TO THE APPROPRIATE AUTHORITIES OR THAT THE BOND HAS BEEN PAID DIRECTLY TO THE COURT OR OTHER PROPER AUTHORITIES BEFORE REVOCATION OF THE SURETY'S LICENSE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Kevin Horan	Joey Fillingane
Lance Varner	Daniel H. Sparks
Celeste Hurst	

On request of Senator Sparks, unanimous consent was granted to make the following correction in **H. B. No. 1253**:

Unanimous Consent of the House and Senate is requested to make the following change to the Conference Report for House Bill No. 1253, 2024 Regular Session:

AMEND on line 438 by striking the word "petition" and inserting "petitioner" in lieu thereof.

POINT OF ORDER

A point of order was raised by Senator Blackmon that Section 2 of the report of the Conference Committee on H. B. No. 1253 adds a new code section (21-23-8), which was not in the original bill, and is not germane to the bill.

RULING OF THE CHAIR

The Chair, President Pro Tempore Kirby presiding, ruled the point of order well-taken, thereby returning the bill to conference.

Senator England offered the following report of the Conference Committee on **H. B. No. 1406** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1406: Absentee voting; revise various provisions of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. For the purpose of this article, for all absentee ballots that are cast in person at the office of the registrar, the absentee ballot application and the required elector certificates shall be printed on the same absentee ballot envelope, with the application being printed on the front side of the envelope and the elector's certificates printed on the back side of the envelope. Such envelope shall not be smaller than eight and one-half (8-1/2) inches by eleven (11) inches. Once a voter has completed the application, he or she shall proceed to cast his or her absentee ballot and then place the ballot in the absentee ballot envelope as otherwise provided by law. After the ballot is sealed in the envelope, the elector shall complete the elector's certificate. A signature mismatch shall not be grounds for rejecting an absentee ballot that was cast in person in the registrar's office.

SECTION 2. Section 23-15-633, Mississippi Code of 1972, is amended as follows:

23-15-633. (1) On any envelope where the elector's signature and the signature of the attesting witness are required, the signature lines and the signatures shall be in the boxes across the flap of the envelope to * * * ensure the integrity of the ballot and the following shall be printed on the flap on the back of the envelope in bold print and in a distinguishing color: "YOUR VOTE WILL BE REJECTED AND NOT COUNTED IF THIS ENVELOPE IS NOT SIGNED BY YOU AND AN ATTESTING WITNESS IN THE BOXES ACROSS THE FLAP OF THIS ENVELOPE * * *."

A portion of the elector's signature extending outside of the box shall not be grounds for rejecting that elector's ballot.

(2) For in-person absentee ballot envelopes, the form of the envelope shall comply with the provisions of Section 1 of this act.

SECTION 3. Section 23-15-635, Mississippi Code of 1972, is amended as follows:

23-15-635. (1) The form of the elector's certificate, attesting witness certification and certificate of the person providing voter assistance on the back of the envelope used by absentee voters who receive their ballot by mail and who are not absent voters as defined in Section 23-15-673, shall be as follows:

"ELECTOR'S CERTIFICATE

STATE OF _____

COUNTY OF _____

I, _____, under penalty of perjury do solemnly swear that this envelope contains the ballot marked by me indicating my choice of the candidates or propositions to be submitted at the election to be held on the ___ day of _____, 2____, and I hereby authorize the registrar to place this envelope in the ballot box on my behalf, and I further authorize the * * * resolution board to open this envelope and place my ballot among the other ballots cast before such ballots are counted, and record my name on the poll list as if I were present in person and voted.

I further swear that I marked the enclosed ballot in secret.

Penalties for vote fraud are up to five (5) years in prison and a fine of up to Five Thousand Dollars ($5,000.00). (Miss. Code. Ann. Section 23-15-753.) Penalties for voter intimidation are up to one (1) year in jail and a fine of up to One Thousand Dollars ($1,000.00). (Miss. Code. Ann. Section 97-13-37.)

_____

(Signature of voter)

CERTIFICATE OF ATTESTING WITNESS

Under penalty of perjury I affirm that the above named voter personally appeared before me, on this the ___ day of _____, 2____, and is known by me to be the person named, and who, after being duly sworn or having affirmed, subscribed the foregoing oath or affirmation. That the voter exhibited to me his or her blank ballot; that the ballot was not marked or voted before the voter exhibited the ballot to me; that the voter was not solicited or advised by me to vote for any candidate, question or issue, and that the voter, after marking his or her ballot, placed it in the envelope, closed and sealed the envelope in my presence, and signed and swore or affirmed the above certificate.

_____ _____

(Attesting witness) (Address)

_____ _____

(Official title) (City and State)

CERTIFICATE OF PERSON PROVIDING VOTER ASSISTANCE

(To be completed only if the voter has received assistance in marking the enclosed ballot.) I, under penalty of perjury, hereby certify that the above-named voter declared to me that he or she is blind, temporarily or permanently physically disabled, or cannot read or write, and that the voter requested that I assist the voter in marking the enclosed absentee ballot. I hereby certify that the ballot preferences on the enclosed ballot are those communicated by the voter to me, and that I have marked the enclosed ballot in accordance with the voter's instructions.

Penalties for vote fraud are up to five (5) years in prison and a fine of up to Five Thousand Dollars ($5,000.00). (Miss. Code. Ann. Section 23-15-753.) Penalties for voter intimidation are up to one (1) year in jail and a fine of up to One Thousand Dollars ($1,000.00). (Miss. Code. Ann. Section 97-13-37.)

_____

Signature of person providing assistance

_____

Printed name of person providing assistance

_____

Address of person providing assistance

_____

Date and time assistance provided

_____

Family relationship to voter (if any)"

(2) The envelope shall have printed on the flap on the back of the envelope in bold print and in a distinguishing color, the following: "YOUR VOTE WILL BE REJECTED AND NOT COUNTED IF THIS ENVELOPE IS NOT SIGNED BY YOU AND AN ATTESTING WITNESS IN THE BOXES ACROSS THE FLAP OF THIS ENVELOPE * * *."

A portion of the elector's signature extending outside of the box shall not be grounds for rejecting that elector's ballot.

SECTION 4. Section 23-15-639, Mississippi Code of 1972, is amended as follows:

23-15-639. (1) The examination and counting of all absentee ballots shall be conducted as follows:

(a) At the opening of the regular balloting and at the opening of the polls, the resolution board established under Section 23-15-523 and trained in the process of canvassing absentee ballots shall first take the envelopes containing the absentee ballots of such electors from the secure location at the * * * registrar's office, and the name,

address and precinct inscribed on each envelope shall be announced by the * * * resolution board.

(b) (i) For absentee ballots that were received by mail, the signature on the application shall then be compared with the signature in the box on the back of the envelope. A portion of the elector's signature extending outside of the box shall not be grounds for rejecting that elector's ballot. If it corresponds and the affidavit, if one is required, is sufficient and the resolution board finds that the applicant is a registered and qualified voter or otherwise qualified to vote, the envelope shall then be opened and the ballot removed from the envelope, without its being unfolded, or permitted to be unfolded or examined.

(ii) For absentee ballots that were cast in person in the registrar's office, the resolution board shall confirm that the voter completed the application on the front of the envelope and signed the elector's certificate in the box on the back of the envelope. If it is signed and the resolution board finds that the applicant is a registered and qualified voter or otherwise qualified to vote, the envelope shall be opened and the absentee ballot removed from the envelope, without its being unfolded, or permitted to be unfolded or examined.

(c) Having observed and found the ballot to be regular as far as can be observed from its official endorsement, the resolution board shall deposit it in the ballot box with the other ballots before counting any ballots and enter the voter's name in the receipt book provided for that purpose. All absentee ballots received prior to 7:00 p.m. the day before the election shall be counted in the registrar's office by the resolution board when the polls close and then added to the votes cast in each precinct. All absentee ballots received after 7:00 p.m. the day before the election but not later than the fifth business day after the election shall be processed by the resolution board.

(2) The resolution board shall also take such action as may be prescribed by the Secretary of State to ensure compliance with the identification requirements of Section 23-15-563.

(3) The resolution board shall process the absentee ballots using the procedure provided in subsection (1) of this section.

SECTION 5. Section 23-15-641, Mississippi Code of 1972, is amended as follows:

23-15-641. (1) For all absentee votes received by mail, if an affidavit or the certificate of the officer before whom the affidavit is taken is required and such affidavit or certificate is found to be insufficient, or if it is found that the signatures do not correspond, or that the applicant is not a duly qualified elector in the precinct, or otherwise qualified to vote, or that the ballot envelope is open or has been opened and resealed, * * * the previously cast vote shall not be allowed. Without opening the voter's envelope the resolution board shall mark across its face "REJECTED", with the reason therefor.

(2) For all absentee votes received by mail, if the ballot envelope contains more than one (1) ballot of any kind, the ballot shall not be counted but shall be marked "REJECTED", with the reason therefor, and the registrar shall promptly notify the voter of such rejection. The voter's envelopes and affidavits, and the voter's envelope with its contents unopened, when such vote is rejected, shall be retained and preserved in the same manner as other ballots at the election. Such votes may be challenged in the same manner and for the same reasons that any other vote cast in such election may be challenged.

(3) If an affidavit is required and the officials find that the affidavit is insufficient, or if the officials find that the absentee voter is otherwise disqualified to vote, the envelope shall not be opened and * * * the resolution board shall write across the face of the

envelope "REJECTED" giving the reason therefor, and the registrar shall promptly notify the voter of such rejection.

(4) The ballots marked "REJECTED" shall be placed in a separate envelope in the secure ballot transfer case and delivered to the officials in charge of conducting the election at the central tabulation point of the county.

(5) All electors voting absentee shall be provided with written information to inform the person how to ascertain whether his or her ballot was counted and, if rejected, the reason therefor.

(6) A signature mismatch shall not be grounds for rejecting an absentee ballot that was cast in the registrar's office. A portion of the elector's signature extending outside of the box shall not be grounds for rejecting that elector's ballot.

SECTION 6. Section 23-15-715, Mississippi Code of 1972, is amended as follows:

23-15-715. Any elector desiring an absentee ballot as provided in this subarticle may secure same if:

(a) Not more than forty-five (45) days nor later than 12:00 noon, * * * on the Saturday immediately preceding elections held on Tuesday, the Thursday immediately preceding elections held on Saturday, or the second day immediately preceding the date of elections held on other days, he or she shall appear in person before the registrar of the county in which he resides, or for municipal elections he shall appear in person before the city clerk of the municipality in which he or she resides and, when the elector so appears, he or she shall execute and file an application as provided in Section 23-15-627 and vote by absentee ballot * * *. If the absentee ballot has not been printed by forty-five (45) days preceding the election, the elector may appear and file an application anytime before the election. Then the absentee ballot shall be mailed by the * * * registrar to the elector as soon as the ballot has been printed.

(b) Within forty-five (45) days next prior to any election, any elector who cannot comply with paragraph (a) of this section by reason of temporarily residing outside the county, or any person who has a temporary or permanent physical disability, persons who are sixty-five (65) years of age or older, any person who is incarcerated in prison or jail in the county where the person is registered to vote and has not been convicted of a disenfranchising crime, or any person who is the parent, spouse or dependent of a temporarily or permanently physically disabled person who is hospitalized outside of his or her county of residence or more than fifty (50) miles away from his or her residence and such parent, spouse or dependent will be with such person on election day, may make application for an absentee ballot by mailing the appropriate application to the registrar. Only persons temporarily residing out of the county of their residence, persons having a temporary or permanent physical disability, persons who are sixty-five (65) years of age or older, any person who is incarcerated in prison or jail in the county where the person is registered to vote and has not been convicted of a disenfranchising crime, or any person who is the parent, spouse or dependent of a temporarily or permanently physically disabled person who is hospitalized outside of his or her county of residence or more than fifty (50) miles away from his or her residence, and such parent, spouse or dependent will be with such person on election day, may obtain absentee ballots by mail under the provisions of this subsection and as provided by Section 23-15-713. Applications of persons temporarily residing outside the county shall be sworn to and subscribed before an official who is authorized to administer oaths or other official authorized to witness absentee balloting as provided in this chapter, said application to be accompanied by such verifying affidavits as required by this chapter. The applications of persons having a temporary or permanent physical disability shall not be required to be accompanied by an affidavit but shall be witnessed and signed by a person eighteen (18) years of age or older. The registrar shall send to such absent voter a proper absentee voter ballot within twenty-four (24) hours, or as soon thereafter as the ballots are available, containing the

names of all candidates who qualify or the proposition to be voted on in such election, and with such ballot there shall be sent an official envelope containing upon it in printed form the recitals and data hereinafter required.

(c) Except when the voter has requested a runoff ballot on the initial absentee ballot application, upon request for a runoff ballot pursuant to Section 23-15-719, the registrar shall mail together the absentee ballot application and the absentee ballot to the absent voter for the runoff election.

SECTION 7. Section 23-15-719, Mississippi Code of 1972, is amended as follows:

23-15-719. (1) Except where the registrar has already mailed a ballot with an application, upon receipt of a properly completed application form by an elector qualified to vote absentee as provided in this article, the registrar shall mail the absent voter an absentee ballot within one (1) business day, or as soon as the absentee ballot is prepared and available, containing the names of all the candidates and propositions, if any, to be voted on in the election. The registrar shall include with the absentee ballot an official envelope that complies with the provisions of * * * Section 23-15-635, as well as information to comply with Section 23-15-641(3) related to the status of the elector's ballot.

(2) When an absentee voter appears before the registrar to vote, the registrar shall identify the applicant by requiring him or her to present identification as required by Section 23-15-563, and shall then deliver the * * * ballot to the applicant in the registrar's office. * * * After the applicant has properly marked the ballot and properly folded it, he or she shall deposit it in the envelope furnished to him or her by the registrar.

After the absentee voter has sealed the envelope, he or she shall ensure the absentee application on the front of the envelope is complete and shall subscribe and swear to an affidavit * * *. The affidavit shall be in the following form, which shall be printed on the back of the envelope containing the applicant's ballot:

"STATE OF MISSISSIPPI

COUNTY OF _____

I, _____, do solemnly swear that this envelope contains the ballot marked by me indicating my choice of the candidates or propositions to be submitted at the election to be held on the ___ day of _____, 2___, and I hereby authorize the registrar to place this envelope in the ballot box on my behalf, and I further authorize the * * * resolution board to open this envelope and place my ballot among the other ballots cast before such ballots are counted, and record my name on the poll list as if I were present in person and voted.

I further swear that I marked the enclosed ballot in secret.

_____

(Signature of voter)

SWORN TO AND SUBSCRIBED before me, _____, this the ___ day of _____, 2___.

(Registrar) _____

(Registrar)"

After the completion of the requirements of this section, the elector shall deliver the envelope containing the ballot to the registrar.

(* * *3) If the voter has received assistance in marking his or her ballot, the person providing the assistance shall complete the following form which shall be printed on the back of the envelope containing the applicant's ballot:

"CERTIFICATE OF PERSON PROVIDING VOTER ASSISTANCE

(To be completed only if the voter has received assistance in marking the enclosed ballot.) I hereby certify that the above-named voter declared to me that he or she is blind, temporarily or permanently physically disabled, or cannot read or write, and that the voter requested that I assist the voter in marking the enclosed absentee ballot. I hereby certify that the ballot preferences on the enclosed ballot are those communicated by the voter to me, and that I have marked the enclosed ballot in accordance with the voter's instructions.

_____

Signature of person providing assistance

_____

Printed name of person providing assistance

_____

Address of person providing assistance

_____

Date and time assistance provided

_____

Family relationship to voter (if any)"

(* * *4) The envelope used pursuant to this section shall not contain the form prescribed by Section 23-15-635 and shall have printed on the flap on the back of the envelope in bold print and in a distinguishing color, the following: "YOUR VOTE WILL BE REJECTED AND NOT COUNTED IF THIS ENVELOPE IS NOT SIGNED BY YOU AND AN ATTESTING WITNESS IN THE BOXES ACROSS THE FLAP OF THIS ENVELOPE * * *."

A portion of the voter's signature extending outside of the box shall not be grounds for rejecting that voter's ballot.

(5) The registrar shall not personally hand deliver ballots to voters, except to those who personally appear in the registrar's office to absentee vote.

SECTION 8. Section 23-15-625, Mississippi Code of 1972, is amended as follows:

23-15-625. (1) The registrar shall be responsible for providing applications for absentee voting as provided in this section. At least sixty (60) days before any election in which absentee voting is provided for by law, the registrar shall provide a sufficient number of applications. In the event a special election is called and set at a date which makes it impractical or impossible to prepare applications for absent elector's ballot sixty (60) days before the election, the registrar shall provide applications as soon as practicable after the election is called. The registrar shall fill in the date of the particular election on the application for which the application will be used. For voters appearing in person to cast an absentee vote, the application and elector certificate shall be printed on the absentee ballot envelope as provided in Section 1 of this act.

(2) The registrar shall be authorized to disburse applications for absentee ballots to any qualified elector within the county where he or she serves. Any person who presents to the registrar an oral or written request for an absentee ballot application for a voter entitled to vote absentee by mail, other than the elector who seeks to vote by absentee ballot, shall, in the presence of the registrar, sign the application and print on the application his or her name and address and the name of the elector for whom the application is being requested in the place provided for on the application for that purpose. However, if for any reason such person is unable to write the information required, then the registrar shall write the information on a printed form which has been prescribed by the Secretary of State. The form shall provide a place for such person to place his or her mark after the form has been filled out by the registrar.

(3) It shall be unlawful for any person to solicit absentee ballot applications or absentee ballots for persons staying in any skilled nursing facility as defined in Section 41-7-173 unless the person soliciting the absentee ballot applications or absentee ballots is:

(a) A family member of the person staying in the skilled nursing facility; or

(b) A person designated by the person for whom the absentee ballot application or absentee ballot is sought, the registrar or the deputy registrar.

As used in this subsection, "family member" means a spouse, parent, grandparent, sibling, adult child, grandchild or legal guardian.

(4) The registrar in the county wherein a voter is qualified to vote upon receiving by mail the envelope containing the absentee ballots shall keep an accurate list of all persons preparing such ballots. The list shall be kept in a conspicuous place accessible to the public near the entrance to the registrar's office. The registrar shall also furnish to each precinct manager a list of the names of all persons in each respective precinct voting absentee by mail and in person to be posted in a conspicuous place at the polling place for public notice. The application on file with the registrar and the envelopes containing the ballots that voters mailed to the registrar shall be kept by the registrar in his or her office in a secure location. At the time such boxes are delivered to the election commissioners or managers, the registrar shall also turn over a list of all such persons who have voted and whose mailed ballots are in the registrar's office.

(5) The registrar shall also be authorized to mail one (1) application to any qualified elector of the county, who is eligible to vote by absentee ballot, for use in a particular election.

(6) The registrar shall process all applications for absentee ballots by using the Statewide Election Management System. The registrar shall account for all absentee ballots delivered to and received by mail as well as those who voted absentee in person from qualified voters by processing such ballots using the Statewide Election Management System.

SECTION 9. Section 23-15-627, Mississippi Code of 1972, is amended as follows:

23-15-627. (1) Any elector described in Section 23-15-713 may request an absentee ballot application and vote in person at the office of the registrar in the county in which he or she resides. The registrar shall be responsible for furnishing an absentee ballot application form to any elector authorized to receive an absentee ballot. Such form shall be printed on the absentee ballot envelope as provided in Section 1 of this act. Except as otherwise provided in Section 23-15-625, absentee ballot applications shall be furnished to a person only upon the oral or written request of the elector who seeks to vote by absentee ballot; however, the parent, child, spouse, sibling, legal guardian, those empowered with a power of attorney for that elector's affairs or agent of the elector, who is designated in writing and witnessed by a resident of this state who shall write his or her

physical address on such designation, may orally request an absentee ballot application on behalf of the elector. The written designation shall be valid for one (1) year after the date of the designation. An absentee ballot application must have the seal of the circuit or municipal clerk affixed to it and be initialed by the registrar or his or her deputy in order to be used to obtain an absentee ballot. A reproduction of an absentee ballot application shall not be valid unless it is a reproduction provided by the office of the registrar of the jurisdiction in which the election is being held and which contains the seal and initials required by this section.

(2) Such application shall be substantially in the following form for applications mailed to absentee electors:

"OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

I, _____, duly qualified and registered in the ___ Precinct of the County of _____, and State of Mississippi, coming within the purview of the definition 'ABSENT ELECTOR' will be absent from the county of my residence on election day, or unable to vote in person because (check appropriate reason):

( ) (PRESIDENTIAL APPLICANT ONLY:) I am currently a resident of Mississippi or have moved therefrom within thirty (30) days of the coming presidential election.

( ) I am an enlisted or commissioned member, male or female, of any component of the United States Armed Forces and am a citizen of Mississippi, or spouse or dependent of such member.

( ) I am a member of the Merchant Marine or the American Red Cross and am a citizen of Mississippi or spouse or dependent of such member.

( ) I am a disabled war veteran who is a patient in any hospital and am a citizen of Mississippi or spouse or dependent of such veteran.

( ) I am a civilian attached to and serving outside of the United States with any branch of the Armed Forces or with the Merchant Marine or American Red Cross, and am a citizen of Mississippi or spouse or dependent of such civilian.

( ) I am a citizen of Mississippi temporarily residing outside the territorial limits of the United States and the District of Columbia.

( ) I am a student, teacher or administrator at a college, university, junior or community college, high, junior high, elementary or grade school, whose studies or employment at such institution necessitates my absence from the county of my voting residence or spouse or dependent of such student, teacher or administrator who maintains a common domicile outside the county of my voting residence with such student, teacher or administrator.

( ) I will be outside the county on election day.

( ) I have a temporary or permanent physical disability * * *.

( ) I am sixty-five (65) years of age or older.

( ) I am the parent, spouse or dependent of a person with a temporary or permanent physical disability who is hospitalized outside his or her county of residence or more than fifty (50) miles away from his or her residence, and I will be with such person on election day.

( ) I am a member of the congressional delegation, or spouse or dependent of a member of the congressional delegation.

( ) I am required to be at work on election day during the times * * * when the polls will be open or I am required to be on-call on election day during the times when the polls will be open.

( ) I am incarcerated in prison or jail in the county where I am registered to vote and have not been convicted of a disenfranchising crime.

I hereby make application for an official ballot, or ballots, to be voted by me at the election to be held in _____, on _____.

Mail 'Absent Elector's Ballot' to me at the following address _____.

( ) I wish to receive an absentee ballot for the runoff election _____.

Notify me of a problem with my "Absent Elector's Ballot" at the following:

Phone number: _____

Email address: _____

Mailing address: _____

I realize that I can be fined up to Five Thousand Dollars ($5,000.00) and sentenced up to five (5) years in the Penitentiary for making a false statement in this application and for selling my vote and violating the Mississippi Absentee Voter Law. (This sentence is to be in bold print.)

If you are temporarily or permanently disabled, you are not required to have this application notarized or signed by an official authorized to administer oaths for absentee balloting. You are required to sign this application in the proper place and have a person eighteen (18) years of age or older witness your signature and sign this application in the proper place.

DO NOT SIGN WITHOUT READING. (This sentence is to be in bold print.)

IN WITNESS WHEREOF I have hereunto set my hand and seal this the ____ day of _____, 2___.

_____

(Signature of absent elector)

SWORN TO AND SUBSCRIBED before me this the ____ day of _____, 2___.

_____

(Official authorized to administer oaths

for absentee balloting.)

TO BE SIGNED BY WITNESS FOR VOTERS TEMPORARILY OR PERMANENTLY DISABLED:

I HEREBY CERTIFY that this application for an absent elector's ballot was signed by the above-named elector in my presence and that I am at least eighteen (18) years of age, this the _____ day of _____, 2___.

_____

(Signature of witness)

CERTIFICATE OF DELIVERY

I hereby certify that _____ (print name of voter) has requested that I, _____ (print name of person delivering application), deliver to the voter this absentee ballot application.

_____

(Signature of person delivering application)

_____

(Address of person delivering application)"

(3) The application printed on the front of the absentee ballot envelope for absentee voters appearing before the registrar shall be substantially in the following form:

"OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

I, _____, duly qualified and registered in the ___ Precinct of the County of _____, and State of Mississippi, coming within the purview of the definition 'ABSENT ELECTOR' will be absent from the county of my residence on election day, or unable to vote in person because (check appropriate reason):

( ) (PRESIDENTIAL APPLICANT ONLY:) I am currently a resident of Mississippi or have moved therefrom within thirty (30) days of the coming presidential election.

( ) I am an enlisted or commissioned member, male or female, of any component of the United States Armed Forces and am a citizen of Mississippi, or spouse or dependent of such member.

( ) I am a member of the Merchant Marine or the American Red Cross and am a citizen of Mississippi or spouse or dependent of such member.

( ) I am a disabled war veteran who is a patient in any hospital and am a citizen of Mississippi or spouse or dependent of such veteran.

( ) I am a civilian attached to and serving outside of the United States with any branch of the Armed Forces or with the Merchant Marine or American Red Cross, and am a citizen of Mississippi or spouse or dependent of such civilian.

( ) I am a citizen of Mississippi temporarily residing outside the territorial limits of the United States and the District of Columbia.

( ) I am a student, teacher or administrator at a college, university, junior or community college, high, junior high, elementary or grade school, whose studies or employment at such institution necessitates my absence from the county of my voting residence or spouse or dependent of such student, teacher or administrator who maintains a common domicile outside the county of my voting residence with such student, teacher or administrator.

( ) I will be outside the county on election day.

( ) I have a temporary or permanent physical disability.

( ) I am sixty-five (65) years of age or older.

( ) I am the parent, spouse or dependent of a person with a temporary or permanent physical disability who is hospitalized outside his or her county of residence or more than fifty (50) miles away from his or her residence, and I will be with such person on election day.

( ) I am a member of the congressional delegation, or spouse or dependent of a member of the congressional delegation.

( ) I am required to be at work on election day during the times when the polls will be open or I am required to be on-call on election day during the times when the polls will be open.

( ) I am incarcerated in prison or jail in the county where I am registered to vote and have not been convicted of a disenfranchising crime.

I hereby make application for an official ballot, or ballots, to be voted by me at the election to be held in _____, on _____.

Notify me of a problem with my "Absent Elector's Ballot" at the following:

Phone number: _____

Email address: _____

Mailing address: _____

I realize that I can be fined up to Five Thousand Dollars ($5,000.00) and sentenced up to five (5) years in the Penitentiary for making a false statement in this application and for selling my vote and violating the Mississippi Absentee Voter Law. (This sentence is to be in bold print.)

SECTION 10. Section 23-15-631, Mississippi Code of 1972, is amended as follows:

23-15-631. (1) The registrar shall enclose with each ballot mailed to an absent elector separate printed instructions furnished by the registrar containing the following:

(a) All absentee voters, excepting those with temporary or permanent physical disabilities or those who are sixty-five (65) years of age or older, who mark their ballots in the county of the residence shall use the registrar of that county as the witness. The absentee voter shall come to the office of the registrar and neither the registrar nor his or her deputy shall be required to go out of the registrar's office to serve as an attesting witness.

(b) Upon receipt of the enclosed ballot, you will not mark the ballot except in view or sight of the attesting witness. In the sight or view of the attesting witness, mark the ballot according to instructions.

(c) After marking the ballot, fill out and sign the "ELECTOR'S CERTIFICATE" in the box on the back of the envelope so that the signature is across the flap of the envelope to ensure the integrity of the ballot. All absent electors shall have the attesting witness sign the "ATTESTING WITNESS CERTIFICATE" in the box across the flap on the back of the envelope. A portion of the elector's signature extending outside of the box shall not be grounds for rejecting that elector's ballot. Place the necessary postage on the envelope and deposit it in the post office or some government receptacle provided for the deposit of mail so that the absent elector's ballot will be postmarked on or before the date of the election and received by the registrar no more than five (5)

business days after the election. The ballot may only be transmitted by the United States Postal Service or other common carriers, including, but not limited to, United Parcel Service or FedEx Corporation.

Any notary public, United States postmaster, assistant United States postmaster, United States postal supervisor, clerk in charge of a contract postal station, or other officer having authority to administer an oath or take an acknowledgment may be an attesting witness; provided, however, that in the case of an absent elector who is temporarily or permanently physically disabled, the attesting witness may be any person eighteen (18) years of age or older and such person is not required to have the authority to administer an oath. If a postmaster, assistant postmaster, postal supervisor, or clerk in charge of a contract postal station acts as an attesting witness, his or her signature in a box on the elector's certificate must be authenticated by the cancellation stamp of their respective post offices. If an officer having authority to administer an oath or take an * * * acknowledgment acts as attesting witness, his or her signature in a box on the elector's certificate, together with his or her title and address, but no seal, shall be required. A portion of the elector's signature extending outside of the box shall not be grounds for rejecting that elector's ballot. Any affidavits made by an absent elector who is in the Armed Forces may be executed before a commissioned officer, warrant officer, or noncommissioned officer not lower in grade than sergeant rating or any person authorized to administer oaths.

(d) When the application accompanies the ballot it shall not be returned in the same envelope as the ballot but shall be returned in a separate pre-addressed envelope provided by the registrar.

(e) A candidate for public office, or the spouse, parent or child of a candidate for public office, may not be an attesting witness for any absentee ballot upon which the candidate's name appears, unless the voter is related within the first degree to the candidate or the spouse, parent or child of the candidate.

(f) Any voter casting an absentee ballot who declares that he or she requires assistance to vote by reason of blindness, temporary or permanent physical disability or inability to read or write, shall be entitled to receive assistance in the marking of his or her absentee ballot and in completing the affidavit on the absentee ballot envelope. The voter may be given assistance by anyone of the voter's choice other than a candidate whose name appears on the absentee ballot being marked, the spouse, parent or child of a candidate whose name appears on the absentee ballot being marked or the voter's employer, an agent of that employer or a union representative; however, a candidate whose name is on the ballot or the spouse, parent or child of such candidate may provide assistance upon request to any voter who is related within the first degree. In order to ensure the integrity of the ballot, any person who provides assistance to an absentee voter shall be required to sign and complete the "Certificate of Person Providing Voter Assistance" on the absentee ballot envelope.

(2) The foregoing instructions required to be provided by the registrar to the elector shall also constitute the substantive law pertaining to the handling of absentee ballots by the elector and registrar.

(3) The Secretary of State shall prepare instructions on how absent voters may comply with the identification requirements of Section 23-15-563.

SECTION 11. Section 23-15-713, Mississippi Code of 1972, is amended as follows:

23-15-713. For the purpose of this subarticle, any duly qualified elector may vote as provided in this subarticle if the elector falls within at least one (1) of the following categories:

(a) Any qualified elector who is a bona fide student, teacher or administrator at any college, university, junior college, high, junior high, or elementary grade school whose studies or employment at such institution necessitates his or her absence from the county of his or her voting residence on the date of any primary, general or special election, or the spouse and dependents of that student, teacher or administrator if such spouse or dependent(s) maintain a common domicile, outside of the county of his or her voting residence, with such student, teacher or administrator.

(b) Any qualified elector who is required to be away from his or her place of residence on any election day due to his or her employment as an employee of a member of the Mississippi congressional delegation and the spouse and dependents of such person if he or she shall be residing with such absentee voter away from the county of the spouse's voting residence.

(c) Any qualified elector who is away from his or her county of residence on election day for any reason.

(d) Any person who has a temporary or permanent physical disability and who, because of such disability, is unable to vote in person without substantial hardship to himself, herself or others, or whose attendance at the voting place could reasonably cause danger to himself, herself or others. * * *

(e) The parent, spouse or dependent of a person with a temporary or permanent physical disability who is hospitalized outside of his or her county of residence or more than fifty (50) miles distant from his or her residence, if the parent, spouse or dependent will be with such person on election day. * * *

(f) Any person who is sixty-five (65) years of age or older.

(g) Any member of the Mississippi congressional delegation absent from Mississippi on election day, and the spouse and dependents of such member of the congressional delegation.

(h) Any qualified elector who will be unable to vote in person because he or she is required to be at work on election day during the times * * * when the polls will be open or any qualified elector who will be required to be on-call on election day during the times when the polls will be open.

(i) Any qualified elector who is incarcerated in prison or jail in the county where he or she is registered to vote and has not been convicted of a disenfranchising crime.

SECTION 12. Section 23-15-637, Mississippi Code of 1972, is amended as follows:

23-15-637. (1) (a) Absentee ballots and applications received by mail, except for fax or electronically transmitted ballots as otherwise provided by Section 23-15-699 for UOCAVA ballots, or common carrier, such as United Parcel Service or FedEx Corporation, must be postmarked on or before the date of the election and received by the registrar no more than five (5) business days after the election; any received after such time shall be handled as provided in Section 23-15-647 and shall not be counted.

(b) All ballots cast by the absent elector appearing in person in the office of the registrar shall be cast with an absentee paper ballot and deposited into a sealed ballot box by the voter, not later than 12:00 noon * * * on the Saturday immediately preceding elections held on Tuesday, the Thursday immediately preceding elections held on Saturday, or the second day immediately preceding the date of elections held on other days. At the close of business each day at the office of the registrar, the ballot box used shall be sealed and not unsealed until the beginning of the next business day, and the

seal number shall be recorded with the number of ballots cast which shall be stored in a secure location in the registrar's office.

(2) The registrar shall deposit all absentee ballots which have been timely cast and received by mail in a secured and sealed box in a designated location in the registrar's office upon receipt. The registrar shall not send any absentee ballots to the precinct polling locations.

(3) The Secretary of State shall promulgate rules and regulations necessary to ensure that when a qualified elector who is qualified to vote absentee votes by absentee ballot, either by mail or in person with a regular paper ballot, that person's absentee vote is final and he or she may not vote at the polling place on election day. Notwithstanding any other provisions of law to the contrary, the Secretary of State shall promulgate rules and regulations necessary to ensure that absentee ballots shall remain in the registrar's office for counting and not be taken to the precincts on election day.

SECTION 13. Section 23-15-721, Mississippi Code of 1972, is amended as follows:

23-15-721. (1) Absentee ballots requested under the provisions of Section 23-15-715 for electors temporarily residing outside the county of residence shall be mailed to the elector's address outside of the county in which he or she is registered, and such electors shall appear before any official authorized to administer oaths or other official authorized to witness absentee balloting as provided in this article. The elector shall exhibit to such official his or her absentee ballot unmarked and thereupon proceed in secret to fill in the ballot. After the elector has properly marked the ballot and properly folded it, he or she shall deposit it in the envelope furnished to him or her. After the elector has sealed the envelope he or she shall deliver it to the official before whom he or she is appearing and shall subscribe and swear to the elector's certificate provided for in Section 23-15-635, which affidavit shall be printed on the back of the envelope as provided for in Section 23-15-635 containing the elector's ballot.

(2) Electors who are temporarily or permanently physically disabled shall sign the elector's certificate and the certificate of attesting witness shall be signed by any person eighteen (18) years of age or older.

(3) After the completion of the requirements of this section, the elector shall mail the envelope containing the ballot to the registrar in the county wherein the elector is qualified to vote. The ballots must be postmarked by the date of the election and received by the registrar no more than five (5) business days after the election to be counted; any received after such time shall be handled as provided in Section 23-15-647 and shall not be counted.

SECTION 14. Section 23-15-697, Mississippi Code of 1972, is amended as follows:

23-15-697. When the absentee ballot has been voted and the envelope sealed, signed and certified to as provided above, the absentee voter shall mail the envelope containing the ballot to the registrar.

Hand-delivery of ballots to a voter or from a voter shall be prohibited, and the use of drop boxes or other mechanisms to submit a completed absentee ballot other than by mail or common carrier, shall be prohibited.

SECTION 15. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE THAT FOR ALL ABSENTEE BALLOTS THAT ARE CAST IN PERSON AT THE OFFICE OF THE REGISTRAR, THE ABSENTEE BALLOT APPLICATION AND ELECTOR CERTIFICATES SHALL BE PRINTED ON THE ABSENTEE BALLOT ENVELOPE; TO PROVIDE THAT A SIGNATURE MISMATCH SHALL NOT BE GROUNDS FOR REJECTING AN ABSENTEE BALLOT THAT WAS CAST IN PERSON IN THE REGISTRAR'S OFFICE; TO AMEND SECTIONS 23-15-633, 23-15-635, 23-15-639, 23-15-641, 23-15-715, 23-15-719 AND 23-15-631, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO AMEND SECTION 23-15-627, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN METHODS OF NOTIFICATION TO BE ASKED ON THE ABSENTEE BALLOT APPLICATION; TO PROVIDE FOR PEOPLE WHO WORK ON-CALL AND THOSE WHO ARE INCARCERATED FOR A NONDISENFRANCHISING CRIME TO RECEIVE AN ABSENTEE BALLOT; TO AMEND SECTIONS 23-15-625, 23-15-713, 23-15-637 AND 23-15-721, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-697, MISSISSIPPI CODE OF 1972, TO PROHIBIT RETURNING MAIL-IN BALLOTS USING ANY METHOD OTHER THAN BY MAIL OR COMMON CARRIER; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Noah Sanford	Jeremy England
Mark Tullos	Lydia Graves Chassaniol
	David Blount

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1406** (version 2) was adopted:

Yeas--Berry, Blackmon, Blount, Boyd, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, Norwood, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Tate, Thomas, Thompson, Turner-Ford, Wiggins. Total--33.

Nays--Barrett, Blackwell, Branning, Chism, Hill, McCaughn, McLendon, McMahan, Michel, Parker, Polk, Seymour, Sparks, Suber, Whaley, Williams, Younger. Total--17.

Absent and those not voting--Barnett, Parks. Total--2.

Senator Hopson moved that the rules be suspended to move to calendar item 25, **H. B. No. 1707**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1707** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1707: 2023 Local Improvements Projects Fund; clarify and correct names and purposes of certain projects funded from.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 28 of Chapter 549, Laws of 2023, is amended as follows:

Section 28. Monies transferred pursuant to Sections 1 and 3 of this act into the 2023 Local Improvements Projects Fund shall be disbursed by the Department of Finance and Administration, pursuant to the authority granted by the department's appropriation bill, Senate Bill No. 3043, 2023 Regular Session, to spend those monies, as follows:

(a) To assist the City of Indianola, Mississippi, in paying costs associated with purchasing six (6) new police cars for the city's police department..... $400,000.00

(b) To assist Sunflower County, Mississippi, in paying costs associated with completing construction of the county's Transitional Shelter for Homeless families $300,000.00

(c) To Tishomingo County, Mississippi, to assist the Belmont Volunteer Fire Department in paying costs associated with the purchase of equipment..... $25,000.00

(d) To Alcorn County, Mississippi, to assist the Rienzi Volunteer Fire Department in paying costs associated with the purchase of equipment..... $25,000.00

(e) To assist Prentiss County, Mississippi, in paying costs associated with replacing bridge SA 59-029 and repaving and restoring County Road 1475 and County Road 1481 located in Supervisors District 5 in Prentiss County $450,000.00

(f) To assist Alcorn County, Mississippi, in paying costs associated with ongoing repair and renovation of the Alcorn County Courthouse..... $1,000,000.00

(g) To Kossuth, Mississippi, to assist in paying costs associated with renovation of the LC Follin Community Center..... $150,000.00

(h) To assist the City of Corinth, Mississippi, in paying costs associated with repair and renovation to include the Coliseum and South Corinth High School..... $500,000.00

(i) To Alcorn County, Mississippi, to assist in paying costs associated with construction of a new fire station for the Jacinto Volunteer Fire Department..... $100,000.00

(j) To assist Alcorn County, Mississippi, in paying costs associated with special operations at the county's Emergency Management Agency $400,000.00

(k) To assist the City of Corinth, Mississippi, in paying costs associated with improvements to and maintenance of Harper Road $500,000.00

(l) To assist the City of Corinth, Mississippi, in paying costs associated with general assistance to Corinth Theatre-Arts..... $25,000.00

(m) To assist the City of Jackson, Mississippi, in paying costs associated with renovations and upgrades for the Jackson Planetarium $1,000,000.00

(n) To assist the City of Waynesboro with infrastructure improvements at the Waynesboro Sports Complex..... ..... $1,500,000.00

(o) To assist George County, Mississippi, in paying costs associated with construction of the Agricola Multipurpose Center in George County, Mississippi..... $400,000.00

(p) To assist George County, Mississippi, in paying costs associated with the construction of the Basin-Barton Multipurpose Facility..... $1,800,000.00

(q) To assist Jackson County, Mississippi, in paying costs associated with construction of a multipurpose arena..... $750,000.00

(r) To assist Itawamba County, Mississippi, in paying costs associated with repair and renovation of the Itawamba County Courthouse $1,500,000.00

(s) To assist the Town of Tremont, Mississippi, in paying costs associated with repair and remodeling of the town's Town Hall..... $150,000.00

(t) To assist Itawamba County, Mississippi, with providing funds to Volunteer Fire Departments located in the county, at the discretion of the Fire Coordinator $150,000.00

(u) To assist the City of Fulton, Mississippi, in paying costs associated with renovation and remodeling of the city's City Hall and costs associated with street repairs
..... $500,000.00

(v) To assist Itawamba Community College in paying costs associated with capital construction related to the Health Sciences program
..... $1,500,000.00

(w) To assist the City of Jackson, Mississippi, to provide a federal match to the Jackson Redevelopment Authority for the train station..... $420,000.00

(x) To assist the Lighthouse Academy for Dyslexia in Ocean Springs, Mississippi, in paying costs for general purposes for dyslexia services
..... $200,000.00

(y) To assist the City of Long Beach, Mississippi, in paying costs associated with purchasing portable equipment including a portable stage to promote tourism $200,000.00

(z) To assist Lee County, Mississippi, in paying costs associated with the purchase of a fire truck for the Richmond Volunteer Fire Department
..... $350,000.00

(aa) To assist the Town of Tunica, Mississippi, in paying costs associated with road improvements $500,000.00

(ab) To assist the Town of Marks, Mississippi, in paying costs associated with making water and sewer improvements in the town $500,000.00

(ac) To assist the Town of Coldwater, Mississippi, in paying costs associated with paving the town square .....
..... $500,000.00

(ad) To assist the Town of Coldwater, Mississippi, in paying costs associated with the purchase of fire trucks.....
..... $250,000.00

(ae) To assist the City of Pascagoula, Mississippi, in paying costs associated with making upgrades and improvements to the Pascagoula City Hall building and related facilities.....
..... $2,000,000.00

(af) To assist the City of Pascagoula, Mississippi, for the Pascagoula Police Department in providing an East Pascagoula Police SubStation
..... $2,000,000.00

(ag) To assist the Petal School District Board of Trustees in paying costs associated with the repair and renovation of and upgrades and improvements to the district's Central Office building and related facilities in Petal, Mississippi .....
$1,000,000.00

(ah) To assist Lauderdale County, Mississippi, in paying costs associated with building a new fire station for the Bailey Volunteer Fire Department
..... $100,000.00

(ai) To assist Tishomingo County, Mississippi, in paying costs associated with repairs to the Tishomingo County Courthouse..... $500,000.00

(aj) To assist Alcorn County, Mississippi, in paying costs associated with building a new fire station on Kendrick Road for the Farmington Volunteer Fire Department $100,000.00

(ak) To assist the City of Lexington, Mississippi, in paying costs associated with the purchase of sewage pumping and vacuuming equipment and making street improvements..... $100,000.00

(al) To assist the Village of Eden with construction and repair of Town Hall and a safe room $100,000.00

(am) To assist Holmes County, Mississippi, in paying costs associated with renovation of the Holmes County Courthouse

..... $150,000.00

(an) To assist the Jackson Public School District with the Career Development Center in paying costs associated with parking lot resurfacing including restriping and drainage repairs

$250,000.00

(ao) To assist the Jackson Public School District with the Career Development Center in paying costs associated with trade shop repairs and upgrades, including roof leak repairs

..... $250,000.00

(ap) To assist the Jackson Public School District with the Career Development Center in paying costs associated with repair, renovation, furnishing and equipping of and upgrades and improvements to the Jackson Public School District's Career Development Center in Jackson, Mississippi $100,000.00

(aq) To assist * * * Wilkinson County, Mississippi, in paying costs associated with the completion of construction, furnishing and equipping of a recreation center..... $500,000.00

(ar) To assist Harrison County, Mississippi, with the following fire stations with various costs, funds are to be allocated equally: Vidalia Fire Station, Delisle Fire Station, Cuevas Fire and Rescue Station, and Henderson Point Fire Station..... $100,000.00

(as) To assist the City of Pass Christian, Mississippi, with various costs for the city's Fire Department $25,000.00

(at) To assist the City of Pass Christian, Mississippi, with various costs for the city's Police Department

..... $25,000.00

(au) To assist the City of New Albany, Mississippi, in paying costs associated with central business district renovations, upgrades and improvements as part of the city's downtown revitalization project..... $500,000.00

(av) To assist Union County, Mississippi, in paying costs associated with the repair and renovation of and upgrades and improvements to the Union County Courthouse and Veterans Park in New Albany..... $500,000.00

(aw) To assist the City of Jackson, Mississippi, acting through its Department of Planning and Development, in paying costs associated with the acquisition, demolition and/or removal of blighted properties in the City of Jackson and in the Mississippi House of Representatives District 71 ..... $250,000.00

(ax) To assist Lincoln County, Mississippi, in paying costs associated with the acquisition and installation of HVAC systems and equipment for the county courthouse.....

..... $250,000.00

(ay) To assist Lincoln County, Mississippi, in paying costs associated with renovations to the jail $500,000.00

(az) To assist Desoto County, Mississippi, in paying costs associated with purchasing equipment for Alphaba-Cockrum-Ingrams Mill Volunteer Fire Department .....

..... $25,000.00

(ba) To assist Desoto County, Mississippi, in paying costs associated with purchasing equipment for the Lewisburg Volunteer Fire Department

..... $25,000.00

(bb) To assist Desoto County, Mississippi, in paying costs associated with the purchasing of equipment for the Love Volunteer Fire Department

..... $25,000.00

(bc) To assist the City of Oxford, Mississippi, in paying costs associated with repair and renovation of a building to be used by the City of Oxford Police Department $4,000,000.00

(bd) To assist Lafayette County, Mississippi, in paying the costs associated with the extension of West Oxford Loop in Lafayette County.... $1,000,000.00

(be) To assist the City of D'Iberville, Mississippi, in paying costs associated with the Mallett Road and Sangani Boulevard intersection and widening project..... $1,000,000.00

(bf) To assist the City of Philadelphia, Mississippi, in paying costs associated with purchasing police cars for the Philadelphia Police Department $160,000.00

(bg) To assist Kemper County, Mississippi, in paying costs associated with improvements within the county $300,000.00

(bh) To assist the Town of Scooba, Mississippi, in paying costs associated with town improvements $50,000.00

(bi) To assist Kemper County, Mississippi, in paying costs associated with purchasing fire equipment for the Kemper County Volunteer Fire Department $60,000.00

(bj) To assist * * * the Porterville Water Association in paying costs associated with water line improvements * * * $200,000.00

(bk) To assist East Mississippi Community College in paying costs associated with upgrades to equipment, furnishings and facilities for the Career Technical Education Program $2,000,000.00

(bl) To assist the * * * the Boys and Girls Club of Biloxi in paying costs associated with providing general support for the * * * club * * *..... $1,000,000.00

(bm) To assist Warren County, Mississippi, in paying costs to assist the Warren County Sheriff's Office with site work and infrastructure improvements to the future Warren County Jail site..... $1,000,000.00

(bn) To assist Madison County, Mississippi, in paying costs associated with the Reunion Parkway and Bozeman Road expansion project $12,000,000.00

(bo) To assist the Town of Edwards, Mississippi, in paying costs associated with improvements to the town's fire station $250,000.00

(bp) To assist the Town of Raymond, Mississippi, in paying costs associated with repair and rehabilitation of the water tank on the town square in downtown Raymond and the Raymond water tank on the Hinds Community College campus $250,000.00

(bq) To assist Clay County, Mississippi, in paying costs associated with paving and resurfacing of Lake Grove Road and Randle Road in Supervisors District 4 in Clay County..... $1,000,000.00

(br) To assist Monroe County, Mississippi, with costs associated for the Prairie Rural Community Development Club to renovate the old Prairie School Building for use as a multi-purpose center $250,000.00

(bs) To assist the City of West Point, Mississippi, in paying costs associated with renovations to City Hall $500,000.00

(bt) To assist Greene County, Mississippi, in paying costs associated with road construction and road repairs in the county $500,000.00

(bu) To assist the City of Clinton, Mississippi, in paying costs associated with Phase II of site work for and construction and development of streets, street lighting and signals, electrical and communications distribution systems and equipment, water system and sewer system infrastructure and related infrastructure, public parking, structured public parking, public plaza, walking trails, and in support of any planned improvements to adjacent U.S. Highway 80 intersections by the Mississippi Department of Transportation within an area bound by U.S. Highway 80, Springridge Road, Interstate 20 and Clinton-Raymond Road/Madison Street in the City of Clinton $8,000,000.00

(bv) To assist the City of Clinton, Mississippi, in paying costs associated with the Clinton Raymond Bolton Edwards Water and Sewer Plant Capacity Expansion project $20,000,000.00

(bw) To assist the town of Gloster to support the Gloster Southern Railroad * * * Project $8,000,000.00

(bx) To assist the Town of Flora, Mississippi, in paying costs associated with water, sewer and drainage from Odom Road to Jackson Street and water infrastructure from McGraw Street to Peach Street $2,500,000.00

(by) To * * * assist the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management, in paying costs associated with completing renovations at the Mississippi Sports Hall of Fame $500,000.00

(bz) To assist the City of Greenville, Mississippi, in paying the costs associated with repairs and renovations to Frisby Park, Greenville Municipal, Maude Bryan Park and Rounds Park..... $500,000.00

(ca) To assist the City of Picayune, Mississippi, in paying costs associated with construction, equipping and furnishing of a new burn building and any related structures and facilities for the Picayune Fire Department to replace the existing burn building $350,000.00

(cb) To assist the City of Picayune, Mississippi, in paying costs associated with repairs * * *, maintenance and improvements at the girls softball field at Picayune Memorial High School..... $150,000.00

(cc) To assist the Administrative Office of the Courts in paying costs associated with technological upgrades, equipment, furnishings, and installation for Courtroom 4 of the Hinds County Courthouse..... $50,000.00

(cd) To assist the City of Hazlehurst, Mississippi, in paying costs associated with repairs, renovations, educational programming, and expansion to the Mississippi Music Museum $150,000.00

(ce) To assist the City of Hazlehurst, Mississippi, in paying costs associated with the Phase 5 Renovation Project of the Millsaps House $200,000.00

(cf) To assist the Village of Beauregard, Mississippi, in paying costs associated with the construction of a community center $400,000.00

(cg) To assist the City of Eupora, Mississippi, in paying costs associated with repaving and repair of streets $400,000.00

(ch) To assist the Town of French Camp, Mississippi, in paying the costs associated with sidewalk repairs and infrastructure improvements for the town's Downtown Historic Area $75,000.00

(ci) To assist Choctaw County, Mississippi, in paying costs associated with road repairs and resurfacing in Beat 3 Choctaw County..... $300,000.00

(cj) To assist Choctaw County, Mississippi, in paying costs associated with road repairs and resurfacing in Beat 1 Choctaw County..... $150,000.00

(ck) To assist Choctaw County, Mississippi, in paying costs associated with road repairs and resurfacing in Beat 5 Choctaw County..... $150,000.00

(cl) To provide funds to be distributed equally among the following fire departments in Choctaw County to assist in paying various department costs: Reform Volunteer Fire Department, Town of Ackerman Fire Department, ByWy Volunteer Fire Department, Simpson Volunteer Fire Department, Town of Weir Fire Department, Panhandle Volunteer Fire Department, Union Volunteer Fire Department, Town of French Camp Fire Department..... $200,000.00

(cm) To provide funds to be distributed equally among the following fire departments in Webster County to assist in paying various department costs: Tomnolen Fire Department, City of Eupora Fire Department and Town of Mathiston Fire Department $75,000.00

(cn) To assist the Town of Ackerman, Mississippi, in paying costs associated with road repairs and resurfacing $250,000.00

(co) To assist the Town of Mathiston, Mississippi, in paying costs associated with improvements to the town's infrastructure..... $200,000.00

(cp) To assist VFW Post 3806 in the City of Eupora, Mississippi, in paying costs associated with the Post building and Post activities..... $25,000.00

(cq) To assist American Legion Post 82 in the Town of Ackerman, Mississippi, in paying costs associated with the Post building and Post activities $25,000.00

(cr) To assist the Town of Noxapater, Mississippi, in paying costs associated with road repairs and resurfacing $200,000.00

(cs) To provide funds to be distributed equally among the following fire departments in Winston County to assist in paying various department costs: Nanih Waiya Volunteer Fire Department, Shiloh Fire Department, City of Louisville Fire Department, Lo Butcha Volunteer Fire Department and Beth Eden Volunteer Fire Department $100,000.00

(ct) To assist the Town of Weir, Mississippi, in paying costs associated with repainting and other necessary repairs to the water tank $200,000.00

(cu) To assist the City of Grenada, Mississippi, in paying costs associated with street resurfacing $1,000,000.00

(cv) To assist Grenada County, Mississippi, in paying costs associated with improvements to the Nat Trout Road and Hawkins Entrance $500,000.00

(cw) To assist Carroll County, Mississippi, in paying costs associated with general road resurfacing and maintenance $750,000.00

(cx) To provide funds to be distributed equally among the eighteen (18) volunteer fire departments in Lauderdale County, Mississippi, to assist in paying various department costs..... $360,000.00

(cy) To assist the City of Pontotoc, Mississippi, in paying costs associated with relocating the fire station on Main Street in the city to a less congested corner lot near the current location $1,000,000.00

(cz) To assist the City of Pontotoc, Mississippi, in paying costs associated with the completion of a pavilion at the gateway to the Tanglefoot Trail $400,000.00

(da) To assist the City of Pontotoc, Mississippi, in paying costs associated with building and equipping a training center that provides trainee safety and live fire training to firefighters and first responders, benefitting both the Pontotoc City Fire Department and Pontotoc County volunteer fire departments $500,000.00

(db) To assist the City of Pontotoc, Mississippi, in paying costs associated with renovation of and upgrades, improvements and additions to the Pontotoc Town Square Museum and Post Office building and the McMackin House necessary to provide and improve accessibility to and inside the buildings through the Pontotoc County Historical Society..... $50,000.00

(dc) To assist the Town of Como, Mississippi, in paying costs associated with road infrastructure repairs and improvements $500,000.00

(dd) To assist Adams County, Mississippi, with costs associated with the Carthage Point Road drainage repair and flood control project $500,000.00

(de) To assist the City of Natchez, Mississippi, for the purpose of providing funding to defray the expenses of the Concord Avenue Drainage Improvement Project for construction costs..... $500,000.00

(df) To assist the Town of Byhalia, Mississippi, in paying costs associated with relocation of water, sewer, gas utility lines and other equipment currently located on or near Mississippi Highway 309 near the Byhalia schools, and to assist in

paying costs associated with street paving improvements to Mississippi Highway 309 ..... $1,000,000.00

(dg) To assist the Town of Byhalia, Mississippi, * * * in paying costs associated with the renovation of the historic Byhalia High School to provide civic, business, and hospitality for the town..... $500,000.00

(dh) To assist the Lafayette County Sheriff's Department in paying costs associated with building a substation in the Harmontown Community with Lafayette County..... $250,000.00

(di) To assist the Town of New Houlka, Mississippi, in paying costs associated with the purchase of a new fire truck $150,000.00

(dj) To assist the City of Houston, Mississippi, in paying costs associated with repair and overlay of streets including Airport Road, Church Street, Pittsboro Street, Dulaney Street, 1st Avenue, Harrington Street, Washington Street, Hamilton Street, Castle Street, Scott Street, Terrace Road and 6th Avenue $400,000.00

(dk) To assist the Town of Bude, Mississippi, in paying costs associated with improvements to the town's existing sewer lagoon for cleaning, removing excessive vegetation and including, but not limited to dredging of sludge and sediment $500,000.00

(dl) To assist the Tennessee Valley Authority in paying costs associated with performing an assessment of the Holly Springs, Mississippi Utility Department and to be used for cutting of the right-of-way of the Holly Springs Utility Department $500,000.00

(dm) To assist Benton County, Mississippi, in paying costs associated with repairs to the Benton County Historic Courthouse $300,000.00

(dn) To assist Benton County Sheriff's Department in paying costs associated with the purchase of equipment and vehicles..... $400,000.00

(do) To assist Benton County, Mississippi, in paying costs associated with improvements to Benton County Veterans Park $300,000.00

(dp) To assist the Town of Abbeville, Mississippi, in paying costs associated with repairs and additions to the town's water system..... $500,000.00

(dq) To assist Union County, Mississippi, in paying costs associated with road maintenance on County Road 47 in Supervisors District 2 in Union County $900,000.00

(dr) To assist DeSoto County, Mississippi, with providing funds to assist in paying costs associated with construction, furnishing and equipping of a training facility for the Walls Volunteer Fire Department..... $250,000.00

(ds) To assist the City of Hattiesburg, Mississippi, in paying costs associated with improvements in infrastructure in the Midtown area of the city, including, but not limited to, roads, bridges, water, sewer, drainage, sidewalks, stormwater detention, land acquisition, utility relocation and lighting $2,000,000.00

(dt) To assist * * * the * * * Kiln Utility and Fire District with costs associated with sewer system improvements in the areas of Kiln Delisle Road and Fenton Dedeaux Road $500,000.00

(du) To assist the Town of Caledonia, Mississippi, in paying costs associated with the purchase and upgrades of equipment..... $150,000.00

(dv) To assist the Town of Caledonia, Mississippi, in paying costs associated with upgrading the town's lighting infrastructure..... $350,000.00

(dw) To assist the Town of Brooksville, Mississippi, with matching funds for the Federal EPA Stag Grant to complete the town's water and wastewater infrastructure program $500,000.00

(dx) To assist Noxubee County, Mississippi, in paying costs associated with the county's community sports complex redevelopment project including the addition of bleachers, concession stand, scoreboard, bathrooms and approximately four hundred (400) yards of roadway pavement $500,000.00

(dy) To provide funds to be distributed equally among the following fire departments in Scott County, Mississippi, to assist in purchasing equipment: Forest Fire Department, North Scott Volunteer Fire Department, Homewood Volunteer Fire Department, Lake Volunteer Fire Department, Liberty Volunteer Fire Department, Ludlow Volunteer Fire Department, Morton Fire Department and Sebastopol Fire Department $200,000.00

(dz) To assist the City of Forest, Mississippi, in paying costs associated with constructing and developing a turn lane at a road by Tyson Foods for safety purposes..... $250,000.00

(ea) To assist the Town of Summit, Mississippi, for purpose of building a fire station for Summit Rural Fire Department $500,000.00

(eb) To assist Pike County, Mississippi, in paying costs associated with renovation and repairs to the Courthouse Complex buildings..... $750,000.00

(ec) To assist * * * Pike County, Mississippi, in paying costs associated with a building to house the ladder truck, 18-wheeler tanker truck, rescue pumper and smaller tanker truck for the Sunnyhill Volunteer Fire Department $250,000.00

(ed) To assist the City of Columbia, Mississippi, in paying costs associated with the RA Johnson Drive stormwater retention pond project..... $300,000.00

(ee) To assist the City of Columbia, Mississippi, in paying costs associated with downtown storm drainage system improvements $500,000.00

(ef) To assist Marion County, Mississippi, in paying costs associated with paving roads within the county $500,000.00

(eg) To assist Marion County, Mississippi, in paying costs associated with roof repairs * * *..... $500,000.00

(eh) To assist the City of Purvis, Mississippi, in paying costs associated with VFW Post 3955 to expand and modernize the facility $150,000.00

(ei) To assist the City of Pearl, Mississippi, in paying costs associated with construction of a bridge extending from the intersection of the extension of Ware Street and relocated St. Augustine Street to Pearson Road in the City of Pearl $500,000.00

(ej) To assist the Town of Carrollton, Mississippi, in paying costs associated with the installation of high speed service via Delta Lightspeed... $400,000.00

(ek) To assist the Town of North Carrollton, Mississippi, in paying costs associated with the installation of high speed service via Delta Lightspeed $350,000.00

(el) To assist the City of Greenwood, Mississippi, in paying costs associated with improvements to Yazoo River Trail and Yazoo River Landing $750,000.00

(em) To assist Montgomery County, Mississippi, in paying costs associated with an emergency generator, 65kw transfer switch, concrete pad and installation for the Stewart Water Association..... $100,000.00

(en) To assist the Town of Kilmichael, Mississippi, in paying costs associated with purchasing turnout suits and equipment for the Kilmichael Volunteer Fire Department $100,000.00

(eo) To assist Montgomery County, Mississippi, for the purpose of the Red Hill Volunteer Fire Department $250,000.00

(ep) To assist the City of Winona, Mississippi, in paying costs associated with purchasing a fire truck..... $450,000.00

(eq) To assist Carroll County, Mississippi, in paying costs associated with improvements to County Road 83..... $700,000.00

(er) To assist the City of Tylertown, Mississippi, in paying costs associated with infrastructure improvements.....

..... $500,000.00

(es) To assist Walthall County, Mississippi, in paying costs associated with the construction of a frontage road along the south side of Highway 98 Bypass $750,000.00

(et) To assist the City of Gautier, Mississippi, in paying costs associated with construction of the Mississippi Songwriters Performing Arts Center $2,000,000.00

(eu) To assist the City of Gautier, Mississippi, in paying costs associated with constructing an inclusion and Americans With Disabilities Act (ADA) approved park area including, but not limited to, playground equipment for children with disabilities $1,000,000.00

(ev) To assist the City of Gautier, Mississippi, in paying costs associated with improvements to Town Commons Park, including, but not limited to, parking and through roads for an amphitheater..... $2,000,000.00

(ew) To assist the City of Water Valley, Mississippi, in paying costs associated with maintenance, repairs and facilitation of broadband service by the city electric department
$750,000.00

(ex) To assist the City of Charleston, Mississippi, in paying costs associated with improvement and restoration of city streets $500,000.00

(ey) To assist Yalobusha County, Mississippi, by providing funds to be used as matching funds for the Tennessee Valley Authority grant for the industrial park..... $100,000.00

(ez) To assist the City of Water Valley, Mississippi, in paying costs associated with restoration and maintenance of the Water Valley Civic Center $250,000.00

(fa) * * * [Deleted]

(fb) To assist the City of Starkville, Mississippi, in paying costs associated with the city's Main Street Project.....
..... $1,500,000.00

(fc) To assist the Town of Sumner, Mississippi, in paying costs associated with the construction of a police department building and related facilities $250,000.00

(fd) To assist the Town of Webb, Mississippi, in paying costs associated with the construction of a community center .....
$250,000.00

(fe) To assist Newton County, Mississippi, in paying costs associated with purchasing a fire truck..... $250,000.00

(ff) To assist the Town of Decatur, Mississippi, in paying costs associated with the purchase of two (2) patrol vehicles and equipment..... $125,000.00

(fg) To assist the Town of Sebastopol, Mississippi, in paying costs associated with a building extension and fixtures for the town police department $250,000.00

(fh) To assist the Town of Seminary, Mississippi, in paying costs associated with water and sewer infrastructure improvements $250,000.00

(fi) To assist Jefferson Davis County, Mississippi, in paying costs associated with improvements to Broome Road .....
..... $100,000.00

(fj) To assist Jones County, Mississippi, in paying costs associated with mill and overlay to Graves Road and adjoining streets from Buffalo Hill road to the city limits of Ellisville, Mississippi, and to extend the project to Mississippi Highway 588, and for other paving projects in the county
$600,000.00

(fk) To assist the City of Laurel, Mississippi, in paying costs associated with additions to and expansion of the Veterans Memorial Museum in Laurel, Mississippi..... $200,000.00

(fl) To assist Jones County Junior College in paying costs associated with construction of a building to house the School of Design $200,000.00

(fm) To assist the City of Brandon, Mississippi, in paying costs associated with infrastructure repairs, maintenance, upgrades and improvements $1,000,000.00

(fn) To provide funds to be distributed equally among the following fire departments in Jasper County: Bay Springs Volunteer Fire Department, Central Volunteer Fire Department, Fellowship Volunteer Fire Department, Hal Volunteer Fire Department, Lake Eddins Volunteer Fire Department, Louin Volunteer Fire Department, Montrose Volunteer Fire Department, Mossville Volunteer Fire Department, Northeast Jasper Volunteer Fire Department, Paulding Volunteer Fire Department and Rose Hill Volunteer Fire Department..... $110,000.00

(fo) To assist Clarke County, Mississippi, in paying costs associated with infrastructure for the new Howard Industrial Expansion Plant, including, but not limited to, water, sewer and fencing..... $500,000.00

(fp) To assist the Mississippi Wireless * * * Communication Commission in paying costs associated with adding new statewide communication towers in needed location $3,900,000.00

(fq) To assist Tippah County, Mississippi, in paying costs associated with the destruction of the old Tippah County Hospital..... $500,000.00

(fr) To assist the Town of Blue Mountain, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department $50,000.00

(fs) To assist the Town of Walnut, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department $100,000.00

(ft) To assist the City of Ripley, Mississippi, in paying costs associated with the purchase of equipment for the city's fire department $175,000.00

(fu) To assist the Town of Falkner, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department $50,000.00

(fv) To assist the Town of Dumas, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department $50,000.00

(fw) To assist Tippah County, Mississippi, in paying costs association with the purchase of equipment for the Tippah County Sheriff's Department $100,000.00

(fx) To assist the Town of Falkner, Mississippi, in paying costs associated with the Heritage Museum..... $30,000.00

(fy) To assist * * * the CREATE Foundation with creating a Target Endowment Fund for various projects in * * * Tippah County, Mississippi $75,000.00

(fz) To assist VFW Post 4881 in the City of Ripley, Mississippi, in paying costs associated with building maintenance * * *..... $25,000.00

(ga) To assist American Legion Post 81 in the City of Ripley, Mississippi, with costs associated * * * with building maintenance * * *..... $25,000.00

(gb) To assist the Town of Walnut, Mississippi, in paying costs associated with gas system improvements $75,000.00

(gc) To assist Sharkey County, Mississippi, in paying costs associated with repairs to the Sharkey County Courthouse located in Rolling Fork, Mississippi..... $1,000,000.00

(gd) To assist Hinds County, Mississippi, in paying costs associated with purchasing and installing surveillance cameras on Dixon Road, McCain Avenue and South Drive $25,000.00

(ge) To assist the City of Verona, Mississippi, in paying costs associated with site work and infrastructure related to the Old Town Project. $500,000.00

(gf) To assist the Town of Taylorsville, Mississippi, in paying costs associated with infrastructure repair and to upgrade water, sewer and fire protection systems to industrial area..... $350,000.00

(gg) To assist the City of Guntown, Mississippi, in paying costs associated with repairing, reconstruction, resurfacing and other improvements such as curbs, drainage to Mike Avenue and to bring the road up to code, and any remaining

funds shall be used for costs associated with making improvements to other streets in the city..... $750,000.00

(gh) To assist Prentiss County, Mississippi, in paying costs associated with making improvements to roads and bridges in Supervisors District 3 in Prentiss County..... $300,000.00

(gi) To assist the Town of Lena, Mississippi, in paying costs associated with road and water infrastructure projects $500,000.00

(gj) To assist the Town of D'Lo, Mississippi, in paying costs associated with construction of a fire station $50,000.00

(gk) To assist the Town of D'Lo, Mississippi, in paying costs associated with Phase II of paving town streets including First Street from Highway 149 to South Pine, Second Street from Highway 149 to South Maple, Third Street from Highway 149 to South Maple, Fourth Street from Highway 149 to South Maple and Cemetary Road $250,000.00

(gl) To assist the Town of D'Lo, Mississippi, in paying costs associated with Phase III of paving town streets including South Oak from Highway 540 to end, West Fifth from Highway 149 to South Oak, East Fifth from Highway 149 to South Oak, West Pecan from Willow Street to Highway 149, and East Pecan from Highway 149 to Water Tower $250,000.00

(gm) To assist Rankin County, Mississippi, to provide funds to be distributed equally among the following fire departments in Rankin County: Cleary Volunteer Fire Department, Star Volunteer Fire Department, Florence Volunteer Fire Department, SW Rankin Volunteer Fire Department and Monterey Volunteer Fire Department. $75,000.00

(gn) To assist Copiah County, Mississippi, to provide funds to be distributed equally among the following fire departments in Copiah County: Crystal Springs Volunteer Fire Department, Hopewell Volunteer Fire Department, New Zion Volunteer Fire Department and Dentville Volunteer Fire Department..... $60,000.00

(go) To assist Simpson County, Mississippi, with costs associated with the Old Pearl Volunteer Fire Department $15,000.00

(gp) To assist Rankin County, Mississippi, with funds associated with the road connecting U.S. Highway 49 to Pearson Road $500,000.00

(gq) To assist the City of Crystal Springs, Mississippi, in paying costs associated with Chautauqua Park Amphitheater..... $500,000.00

(gr) * * * [Deleted]

(gs) To assist the City of Ocean Springs, Mississippi, in paying costs associated with GIS mapping of infrastructure $75,000.00

(gt) To assist the City of Ocean Springs, Mississippi, in paying costs associated with improvements or adding turn lanes, curbs, drainage and sidewalks $400,000.00

(gu) To assist the City of Ocean Springs, Mississippi, in paying costs associated with covering the stage located at Fort Maurepas..... $450,000.00

(gv) To the Mississippi Development Authority for the purpose of providing funding to WISPR Systems in Batesville, Mississippi, for research and development to expand its current small Unmanned Aircraft Systems (sUAS) manufacturing capabilities in Mississippi..... $500,000.00

(gw) To assist the Mississippi Organ Recovery Agency in paying costs associated with a statewide communications program..... $500,000.00

(gx) To assist the City of Senatobia, Mississippi, in paying costs associated with water, sewer and road infrastructure renovations in the Downtown Historic District... $2,000,000.00

(gy) To assist Rankin County, Mississippi, in paying costs associated with infrastructure improvements on the I-20 Connector Loop Project $3,000,000.00

(gz) To assist the City of Senatobia, Mississippi, in paying costs associated with infrastructure repairs and improvements at the Senatobia Sports Park.. $600,000.00

(ha) To assist the City of Senatobia, Mississippi, in paying costs associated with sewer and water improvements to the New Image Water and Sewer System $2,000,000.00

(hb) To assist Tate County, Mississippi, with reimbursement of funds for costs associated with Tate County Courthouse parking facility renovations; any remaining funds may be spent on drainage and road repairs as determined by the Tate County Board of Supervisors $1,650,000.00

(hc) To assist the Mississippi Department of Transportation in paying costs associated with improvements at the intersection of Highway 51 and Porter Street, and at the intersection of Highway 4 and I-55 intersection within the city limits of the City of Senatobia, Mississippi $750,000.00

(hd) To assist Northwest Mississippi Community College in paying costs associated with capital infrastructure and repairs to the main campus facilities $2,000,000.00

(he) To assist the Cottonville-Savage Rural Water Association in paying costs associated with construction, repair and maintenance of, and acquiring equipment for, a water system $285,000.00

(hf) To assist Holmes Community College in paying costs associated with the construction of a new Allied Health building $1,000,000.00

(hg) To assist the Kosciusko School District in paying costs associated with infrastructure, construction and improvements to facilities throughout the district $1,000,000.00

(hh) To assist the Edinburg Domestic Water Association in paying costs associated with the construction, repair and maintenance of, and acquiring equipment for, a water system..... $150,000.00

(hi) To assist Leake County, Mississippi, in paying costs associated with the construction, repair and renovation of North Jordan Street $2,500,000.00

(hj) To assist Leake County, Mississippi, in paying costs associated with the construction, repair and renovation of Red Dog Road..... $925,000.00

(hk) To assist Leake County, Mississippi, in paying costs associated with the local workforce initiative of the Leake County Development Association for students in Leake County..... $50,000.00

(hl) To assist Holmes County, Mississippi, in paying costs associated with road resurfacing and repairs in Supervisors District 2 of the county $500,000.00

(hm) To assist the City of Carthage, Mississippi, in paying costs associated with the construction, repair and renovation of the Carthage Coliseum $1,000,000.00

(hn) To assist Leake County, Mississippi, in paying costs associated with acquiring firefighting equipment for Leake County fire departments $100,000.00

(ho) To assist the Town of West, Mississippi, in paying costs associated with infrastructure improvements, renovations and rehabilitation of existing town properties, including, but not limited to, the Welcome Center, City Hall, Old City Hall and the Library, as well as the purchase of a new police vehicle, including the necessary equipment to outfit the vehicle..... $300,000.00

(hp) To assist Attala County, Mississippi, in paying costs associated with the construction of an Attala County Fire Station, an Emergency Operations Center and E-911
Telecommunications Center $3,600,000.00

(hq) To assist Attala County, Mississippi, in paying costs associated with the repair or replacement of the roof for the Old Jack Post Industrial Building $850,000.00

(hr) To assist the City of Kosciusko, Mississippi, in paying costs associated with the construction, renovation and rehabilitation of the Strand Theatre..... $500,000.00

(hs) To assist the Carmack Community Club in Attala County, Mississippi, in paying costs associated with the renovation, construction and rehabilitation of a building for the * * * club $200,000.00

(ht) To assist the Possumneck-Carmack Water Association in paying costs associated with the construction, repair and maintenance of, and acquiring equipment for, the water association .....
$150,000.00

(hu) To assist Zama Water Association in paying costs associated with the construction, repair and maintenance of, and acquiring equipment for, the water association $150,000.00

(hv) To assist the Department of Finance and Administration in paying costs associated with the program established under Section 3 of House Bill No. 419, 2023 Regular Session..... $300,000.00

(hw) To assist Jasper County, Mississippi, in paying costs associated with repairs, resurfacing and improvements to roads and bridges..... $ 1,100,000.00

(hx) To assist the Town of Heidelberg, Mississippi, in paying costs associated with infrastructure improvements.....
$ 300,000.00

(hy) To assist the City of Bay Springs, Mississippi, in paying costs associated with infrastructure improvements.....
$ 150,000.00

(hz) To assist the East Jasper Consolidated School District in paying costs associated with * * * repairs and renovations of the old Heidelberg Academy ..... $ 150,000.00

(ia) To assist Forrest County, Mississippi, in paying costs associated with repairs and improvements on Monroe Road
Extension ..... $ 325,000.00

(ib) To assist Lawrence County, Mississippi, in paying costs associated with pavement maintenance for the N.A. Sandifer Highway ..... $ 1,000,000.00

(ic) To assist Lincoln County, Mississippi, in paying costs associated with repairs and renovations to the county courthouse ..... $ 250,000.00

(id) To assist Holmes County, Mississippi, in paying costs associated with infrastructure improvements .....
$ 500,000.00

(ie) To assist the City of Lexington, Mississippi, in paying costs associated with renovations to the city hall and the municipal fire station ..... $ 500,000.00

(if) To assist the Town of Tchula, Mississippi, in paying costs associated with repairs, resurfacing and improvements to town streets..... $ 250,000.00

(ig) To assist the City of Olive Branch, Mississippi, in paying costs associated with the improvement and expansion of aircraft hangers ..... $ 1,500,000.00

(ih) To assist Marshall County, Mississippi, in paying costs associated with building the Chickasaw Trail Emergency Response Center ..... $ 1,500,000.00

(ii) To assist Desoto County, Mississippi, in paying costs associated with a parking lot and staging improvements at the National Guard Armory ..... $ 500,000.00

(ij) To assist the City of Byram, Mississippi, in paying costs associated with drainage repair projects .....
$ 500,000.00

(ik) To assist the City of Byram, Mississippi, in paying costs associated with improvements to the Terry Road Bridge .....
$ 250,000.00.

(il) To assist the Town of Terry, Mississippi, in paying costs associated with the renovation of a community center and improvements to Main Street.... $ 300,000.00

(im) * * * [Deleted]

(in) To assist the City of Oxford, Mississippi, in paying costs associated with the construction of a new police station ..... $ 1,000,000.00

(io) To assist Panola County, Mississippi, in paying costs associated with improvements at the Panola County
Airport$ 500,000.00

(ip) To assist the City of Louisville, Mississippi, in paying costs associated with infrastructure improvements for the North and South Industrial Road Project ..... $ 2,000,000.00

(iq) To assist Neshoba County, Mississippi, in paying costs associated with the purchase of equipment for the Neshoba County Sheriff's Department . $ 200,000.00

(ir) To assist the Brewer Community Association, Inc., in paying costs associated with the improvement and operation of the community center in Brewer, Mississippi..... $ 150,000.00

(is) To assist Tammy Wynette Legacy Park in paying costs associated with the improvement and operation of the Tammy Wynette Legacy Center in the Town of Tremont, Mississippi .....
$ 150,000.00

(it) To assist the Prairie Rural Community Development Club in paying costs associated with the improvement and operation of the former Prairie School in Prairie, Mississippi.....
$ 150,000.00

(iu) To assist the City of Tupelo, Mississippi, in paying costs associated with improvements to Ballard Park including, but not limited to, inclusive playground equipment and any necessary playground equipment for special needs children .....
$ 500,000.00

(iv) To assist Jefferson County, Mississippi, in paying costs associated with infrastructure improvements to roads and bridges ..... $ 100,000.00

(iw) To assist Claiborne County, Mississippi, in paying costs associated with infrastructure improvements .....
$ 500,000.00

(ix) To assist Claiborne County, Mississippi, in paying costs associated with improvements to law enforcement
facilities ..... $ 225,000.00

(iy) To assist Copiah County, Mississippi, in paying costs associated with the demolition of the former hospital complex in the City of Hazlehurst ..... $ 75,000.00

(iz) To assist the City of Natchez, Mississippi, in paying costs associated with various drainage projects .....
$ 500,000.00

(ja) To assist the Gulfport Redevelopment Commission in paying costs associated with a mixed-use downtown development project, including general infrastructure to leverage public and private investment ..... $ 2,000,000.00

(jb) To assist the City of Magee, Mississippi, in paying costs associated with infrastructure improvements .....
$ 500,000.00

(jc) To assist the City of Mendenhall, Mississippi, in paying costs associated with infrastructure improvements.....
$ 500,000.00

(jd) To assist the Village of Puckett, Mississippi, in paying costs associated with infrastructure improvements.....
$ 500,000.00

(je) To assist Montgomery County, Mississippi, in paying costs associated with the installation of traffic signals at the intersection of U.S. Highway 82 and Middleton Road and at the intersection of U.S. Highway 82 and Mission Road .....
$ 700,000.00

(jf) To assist Grenada County, Mississippi, in paying costs associated with improvements to Nat G. Trout Road.....
$ 500,000.00

(jg) To assist the Kosciusko School District in paying costs associated with renovations and improvements to the Skipworth Auditorium..... $ 500,000.00

(jh) To assist Attala County, Mississippi, in paying costs associated with the repair and/or replacement of the roof of the Jack Post Industrial Building .. $ 250,000.00

(ji) To assist the City of Kosciusko, Mississippi, in paying costs associated with repairs and renovations to the
Strand$ 250,000.00

(jj) To assist Greene County, Mississippi, in paying costs associated with the purchase of equipment for the Emergency 911 Call Center..... $ 705,000.00

(jk) To assist Greene County, Mississippi, in paying costs associated with the construction of a county-owned building..... $ 400,000.00

(jl) To assist Greene County, Mississippi, in paying costs associated with the rehabilitation and repair of the Greene County Rural Events Center .... $ 600,000.00

(jm) To assist the Mississippi Department of Transportation in paying costs associated with widening and improvements to State Highway/Old Highway 63 from Highway 57 to Highway 63 in Greene County, Mississippi..... $ 1,000,000.00

(jn) To assist George County, Mississippi, in paying costs associated with infrastructure improvements ..... $ 300,000.00

(jo) To assist Greene County, Mississippi, in paying costs associated with infrastructure improvements ..... $ 550,000.00

(jp) To assist the Town of State Line, Mississippi, in paying costs associated with Hurricane Zeta..... $ 250,000.00

(jq) To assist Wayne County, Mississippi, in paying costs associated with the repair and upgrades to courtrooms..... $ 75,000.00

(jr) To assist the City of D'Iberville, Mississippi, in paying costs associated with the extension of Mallet Road..... $ 2,500,000.00

(js) To assist the Mississippi State University Research and Technology Corporation in paying costs associated with the Mississippi Cybersecurity Center adjacent to Keesler Air Force Base..... $15,000,000.00

(jt) To assist the Jackson County School District in paying costs associated with repairs and renovations to facilities at St. Martin High School ..... $ 1,000,000.00

(ju) To assist Jackson County, Mississippi, in paying costs associated with upgrades at the intersection of Jim Ramsey Road and Old Fort Bayou Road ..... $ 500,000.00

(jv) To assist the City of Ocean Springs, Mississippi, in paying costs associated with repairs and restoration of the Mary C. O'Keefe Cultural Arts Center ..... $ 250,000.00

(jw) To assist the Lamar County School District in paying costs associated with the development of the new courtyard at the Sumrall High School..... $ 1,400,000.00

(jx) To assist the Town of Seminary, Mississippi, in paying costs associated with water and sewer improvements ..... $ 250,000.00

(jy) To assist the City of Collins, Mississippi, in paying costs associated with water and sewer improvement near the Collins Civic Center..... $ 400,000.00

(jz) To assist the City of Flowood, Mississippi, in paying costs associated with infrastructure improvements on Flowood Drive..... $ 1,500,000.00

(ka) To assist the City of Flowood, Mississippi, in paying costs associated with infrastructure improvements on Liberty Road and at Liberty Park ..... $ 1,250,000.00

(kb) To assist Rankin County, Mississippi, in paying costs associated with infrastructure improvements on the I-20 Connector Loop Project ..... $ 4,500,000.00

(kc) To assist the City of Meridian, Mississippi, in paying costs associated with infrastructure improvements to North Hills Street from Highway 19 to Highway 39.. $ 3,400,000.00

(kd) To assist the Kemper County School District in paying costs associated with software and training programs for the Career and Technical Education Center ..... $ 200,000.00

(ke) To assist the City of Picayune, Mississippi, in paying costs associated with infrastructure improvements..... $ 500,000.00

(kf) To assist the City of Poplarville, Mississippi, in paying costs associated with the purchase of public safety vehicles, public works vehicles and equipment, fire protection purchases, street paving and drainage improvements ..... $ 1,000,000.00

(kg) To assist the City of Vicksburg, Mississippi, in paying costs associated with repairs to the Fisher Ferry
Bridge $ 4,000,000.00

(kh) To assist the City of Vicksburg, Mississippi, in paying costs associated with infrastructure improvements.....
$ 500,000.00

(ki) To assist the South Delta School District in paying costs associated with asbestos demolition and remediation .....
$ 350,000.00

(kj) To assist with Pearl River Valley Water Supply District for the dredging fund $ 2,000,000.00

(kk) To assist the Lighthouse Academy for Dyslexia in Ocean Springs with costs associated for general purposes for dyslexia services..... $ 195,000.00

(kl) To assist the Culkin Water District with the reconstruction of water lines for an industrial park, schools, hospital and other accounts..... $ 1,500,000.00

(km) To assist Warren County, Mississippi, in paying costs associated with upgrades and improvements to the historic Old Courthouse and grounds in Vicksburg.. $ 2,000,000.00

(kn) To assist Yazoo County, Mississippi, in paying costs associated with construction and repairs to the Lake George Bridge ..... $ 3,000,000.00

(ko) To assist the City of Ridgeland, Mississippi, in paying costs associated with the construction of the Commerce Park Connector Road..... $ 2,000,000.00

(kp) To assist the City of Jackson, Mississippi, in paying costs associated with repairs, renovation and upgrades to the Jackson Planetarium ..... $ 1,000,000.00

(kq) To assist the City of Jackson, Mississippi, in paying costs associated with repairs, renovations and upgrades to Thalia Mara Hall..... $ 1,500,000.00

(kr) To assist the Town of Bolton, Mississippi, in paying costs associated with repairs and renovations to the * * * police department ..... $ 50,000.00

(ks) To assist Tunica County, Mississippi, in paying costs associated with repairs, resurfacing and improvements and traffic signal upgrades on Casino Strip Resort Boulevard.....
$ 500,000.00

(kt) To assist the Town of Lambert, Mississippi, in paying costs associated with equipment purchases for the town's fire department..... $ 100,000.00

(ku) To assist the City of Hattiesburg, Mississippi, in paying costs associated with improvements in infrastructure in the Midtown area of the city, including, but not limited to, roads, bridges, water, sewer, drainage, sidewalks, stormwater detention, land acquisition, utility relocation and lighting.....
$ 2,000,000.00

(kv) To assist Perry County, Mississippi, in paying costs associated with the construction of a roadway and a bridge to access the Perry County Industrial Park..... $ 750,000.00

(kw) To assist the City of Greenwood, Mississippi, in paying costs associated with infrastructure improvements.....
$ 500,000.00

(kx) To assist the Mississippi Development Authority in providing reimbursements for Major League Baseball mandated alterations and improvements to Trustmark Park ..... $ 1,300,000.00

(ky) To assist the Town of Gloster, Mississippi, in paying costs associated for infrastructure improvements to Gloster Road, Georgia Pacific 1 Road, Georgia Pacific 2 Road, Pepper House Road and East Railroad Avenue.. $ 2,500,000.00

(kz) To assist the City of Pearl, Mississippi, in paying costs associated with lighting improvements on U.S. Highway 80 ..... $ 1,500,000.00

(la) To assist the City of Richland, Mississippi, in paying costs associated with the U.S. Highway 49 pedestrian crossover ..... $ 500,000.00

(lb) To assist the City of Newton, Mississippi, in paying costs associated with demolition, repairs and renovations of the Medical and Community Facility..... $ 1,500,000.00

(lc) To assist the City of Forest, Mississippi, in paying costs associated with infrastructure improvements to Jack Lee Drive and Old Morton Road..... $ 250,000.00

(ld) To assist the City of Hernando, Mississippi, in paying costs associated with the installation of a roundabout at the intersection of U.S. Highway 51 and Oak Grove Road

$ 1,500,000.00

(le) To assist Lee County, Mississippi, in paying costs associated with the acquisition of real property adjacent to Turner Industrial Park for the purpose of site expansion and rail spur improvements..... $ 1,000,000.00

(lf) To assist Lee County, Mississippi, in paying costs associated with the purchase of a fire truck for the Richmond Fire Department in the Richmond community of Lee County.....

$ 358,000.00

(lg) To assist the City of Saltillo, Mississippi, in paying costs associated with the construction of a new fire station..... $ 1,000,000.00

(lh) To assist the City of Gluckstadt, Mississippi, in paying costs associated with the construction of a municipal court building and a police station..... $ 750,000.00

(li) To assist the City of Madison, Mississippi, in paying costs associated with the Madison Avenue bypass to U.S. Highway 51 ..... $ 2,000,000.00

(lj) To assist the City of Bay St. Louis, Mississippi, in paying costs associated with infrastructure improvements.....

$ 250,000.00

(lk) To assist Hancock County, Mississippi, in paying costs associated with infrastructure improvements .....

$ 500,000.00

(ll) To assist the City of Waveland, Mississippi, in paying costs associated with infrastructure improvements.....

$ 250,000.00

(lm) To assist the Horn Lake Creek Basin Interceptor Sewer District in paying the costs associated with infrastructure improvements..... $ 2,000,000.00

(ln) To assist the Twenty-third Circuit Court District in paying costs associated with the District Attorney's Office.....

$ 275,000.00

(lo) To assist the City of Southaven, Mississippi, in paying costs associated with traffic signal and intersection improvements at Stateline Road and Swinnea Road . $ 300,000.00

(lp) To assist the City of Southaven, Mississippi, in paying costs associated with upgrades and improvements to Snowden Grove Park..... $ 500,000.00

(lq) To assist the City of Southaven, Mississippi, in paying costs associated with a traffic signal and intersection improvements at Church Road and Tchulahoma Road

$ 350,000.00

(lr) To assist * * * Horn Lake Water * * * Association, Inc. in paying costs associated with a water meter replacement

$ 250,000.00

(ls) To assist Alcorn County, Mississippi, in paying costs associated with infrastructure improvements to the Industrial Access Roadway..... $ 500,000.00

(lt) To assist the City of Corinth, Mississippi, in paying costs associated with the Polk Street bridge replacement project..... $ 1,500,000.00

(lu) To assist Blue Mountain Christian University in paying costs associated with the nursing school..... $ 250,000.00

(lv) To assist the City of Farmington, Mississippi, in paying the costs associated with the purchase of vehicles and equipment for the police department..... $ 100,000.00

(lw) To assist Lamar County, Mississippi, in paying costs associated with infrastructure improvements to the roundabout at Oak Grove Road and Weathersby Road $ 1,500,000.00

(lx) To assist the Jackson County Economic Development Foundation in paying costs associated with the employment of career coaches for the Jackson County School District..... $ 600,000.00

(ly) To assist Jackson County, Mississippi, in paying costs associated with road and bridge repairs in Supervisor District 1..... $ 300,000.00

(lz) To assist Washington County, Mississippi, in paying costs associated with repair and renovations of Estes Street, Airdale Drive * * *, Sidney Street and other streets $ 600,000.00

(ma) To assist the Town of Metcalfe, Mississippi, in paying costs associated with repairs, renovations and technological enhancements of town hall..... $ 100,000.00

(mb) To assist the Town of Benoit, Mississippi, in paying costs associated with repairs, renovations and technological enhancements of town hall..... $ 100,000.00

(mc) To assist the City of Leland, Mississippi, in paying costs associated with repairs, renovations and technological enhancements of city hall..... $ 75,000.00

(md) To assist Washington County, Mississippi, in paying costs associated with improvements, renovations, repairs and upgrades to the Greenville Mid-Delta Airport $ 500,000.00

(me) To assist the City of Cleveland, Mississippi, in paying costs associated with infrastructure and drainage improvements..... $ 500,000.00

(mf) To assist Bolivar County, Mississippi, in paying costs associated with the expansion of the Terrene Landing River Boat Dock and improvements to Terrene Landing Road..... $ 400,000.00

(mg) To assist Tishomingo County, Mississippi, in paying costs associated with the repair, renovation and expansion of the General Building 1016 at the Tri-State Commerce Park..... $ 650,000.00

(mh) To assist the City of Fulton, Mississippi, in paying costs associated with construction, renovation and repair of an acquired building to repurpose for use as the city hall..... $ 250,000.00

(mi) To assist the Town of Marietta, Mississippi, in paying costs associated with infrastructure improvements..... $ 200,000.00

(mj) To assist the Town of Mantachie, Mississippi, in paying costs associated with infrastructure improvements for the Fawn Grove Industrial Park..... $ 148,000.00

(mk) To assist the Town of Tishomingo, Mississippi, in paying costs associated with the replacement of gate valves and other water infrastructure projects.. $ 150,000.00

(ml) To assist the Village of Paden, Mississippi, in paying costs associated with the repairs and renovations of a village-owned industrial building..... $ 150,000.00

(mm) To assist Itawamba County, Mississippi, in paying costs associated with repairs and renovations to the RCDC facilities..... $ 40,000.00

(mn) To assist Tishomingo County, Mississippi, in paying costs associated with repairs and renovations at the Old Historical Courthouse..... $ 100,000.00

(mo) To assist the Town of Bruce, Mississippi, in paying costs associated with equipment upgrades and other purchases for the town's police department..... $ 50,000.00

(mp) To assist the Town of New Houlka, Mississippi, in paying costs associated with the purchase of a fire truck.....
$ 125,000.00

(mq) To assist Calhoun County, Mississippi, in paying costs associated with the repairs, paving and improvements of County Road 137..... $ 125,000.00

(mr) To assist Calhoun County, Mississippi, in paying costs associated with the repairs, paving and improvements of County Road 306..... $ 1,000,000.00

(ms) To assist the Pat Harrison Waterway District in paying costs associated with the relocation of a boat ramp .....
$ 100,000.00

(mt) To assist the Mississippi Department of Transportation in paying costs associated with a turn lane and traffic signal at the intersection of McArthur Street and Highway 145 in Quitman, Mississippi ..... $ 100,000.00

(mu) To assist Clarke County, Mississippi, in paying costs associated with the purchase of vehicles and equipment for the Clarke County Sherriff's Department .....
$ 100,000.00

(mv) To assist Yazoo County, Mississippi, in paying costs associated with repairs and improvements to roads and bridges ..... $ 500,000.00

(mw) To assist the Town of Cary, Mississippi, in paying costs associated with the construction of a fire station .....
$ 250,000.00

(mx) To assist Yazoo City, Mississippi, in paying costs associated with the repair and renovation of the Triangle Cultural Center..... $ 200,000.00

(my) To assist the City of Long Beach, Mississippi, in paying costs associated with infrastructure improvements.....
$ 750,000.00

(mz) To assist the City of Pass Christian, Mississippi, in paying costs associated with infrastructure improvements.....
$ 750,000.00

(na) To assist the City of Macon, Mississippi, in paying costs associated with the purchase of fire trucks and firefighting equipment for the city's fire department ...
$ 350,000.00

(nb) To assist the City of West Point, Mississippi, in paying costs associated with repairs, resurfacing and improvements to streets ..... $ 1,000,000.00

(nc) To assist Tate County, Mississippi, in paying costs associated with infrastructure improvements for the Chrome-Craft Redevelopment project $ 1,000,000.00

(nd) To assist Union County, Mississippi, in paying costs associated with infrastructure improvements in Supervisor District 1 ..... $ 300,000.00

(ne) To assist Union County, Mississippi, in paying costs associated with infrastructure improvements in Supervisor District 2 ..... $ 300,000.00

(nf) To assist the Town of Potts Camp, Mississippi, in paying costs associated with infrastructure improvements.....
..... $ 300,000.00

(ng) To assist Jackson County, Mississippi, in paying costs associated with the engineering and construction of the Jackson County Blueway Connection, along the Pascagoula River.....
$ 500,000.00

(nh) To assist the City of Pascagoula, Mississippi, in defraying expenses associated with a police substation for East Pascagoula ..... $ 1,500,000.00

(ni) To assist the City of Ocean Springs, Mississippi, in paying costs associated with infrastructure improvements.....
$ 600,000.00

(nj) To assist the City of Starkville, Mississippi, in paying costs associated with the Starkville Main Street
Project..... $ 500,000.00

(nk) To assist Oktibbeha County, Mississippi, with costs associated with roof repairs to the Town of Maben's Fire Department ..... $ 50,000.00

(nl) To assist Oktibbeha County, Mississippi, in * * * providing funds to be distributed equally among the following fire departments to assist in paying various department costs: Adaton Self Creek Volunteer Fire Department, Central Oktibbeha Fire Department, Maben Fire Department, and Sturgis/District 4 Volunteer Fire Department $ 200,000.00

(nm) To assist Webster County, Mississippi, with costs associated with the repairs and maintenance of the Volunteer Fire Departments buildings..... $ 250,000.00

(nn) To assist the City of Eupora, Mississippi, with costs associated with the purchase of a police vehicle ..... $ 55,000.00

(no) To assist the Town of Weir, Mississippi, with costs associated with infrastructure improvement projects and purchasing vehicles for the police department. $ 45,000.00

(np) To assist the Community Foundation for Mississippi in paying costs associated with providing direct services for reading intervention and training for teachers, and with renovations to building space to provide such services ..... $ 500,000.00

(nq) To assist the Marty Stuart Congress of Country Music Museum in paying costs associated with the construction of Phase 2 of the museum in the City of Philadelphia, Mississippi; however, no funds may be disbursed for such purposes until the Department of Finance and Administration is provided proof that the museum, museum owner or museum governing body, as applicable, possesses the ownership rights to all Marty Stuart memorabilia, exhibits and/or other items or material displayed in the museum or has a written binding agreement to display Marty Stuart memorabilia and/or similar memorabilia for a period of at least twenty-five (25) years . $10,000,000.00

(nr) To provide funds to the Three Rivers Solid Waste Management Authority to construct, repair, renovate, expand, enhance, improve, and equip the Three Rivers Regional Landfill in the City of Pontotoc, Mississippi, and the three (3) Authority Transfer Stations located in the City of Oxford, Mississippi, Lee County, Mississippi, and Monroe County, Mississippi..... $4,000,000.00

(ns) To assist the Chickasaw Inkana Foundation in paying costs associated with the construction, furnishing and equipping of the Chickasaw Heritage Center in the City of Tupelo, Mississippi $4,950,000.00

(nt) To assist the Scenic Rivers Development Alliance in paying costs associated with the Okhissa Lake Development Project..... $8,000,000.00

(nu) To assist the City of Tupelo, Mississippi, with a match to federal funds for the construction of railroad improvements that run through the city for public safety and economic development improvements $4,600,000.00

(nv) To assist Camp Kamassa in defraying expenses related to construction of buildings, facilities, complexes and related infrastructure..... $4,000,000.00

(nw) To assist Hinds Community College in paying costs associated with construction of the Health Science Complex at the Rankin Campus $16,000,000.00

(nx) To * * * assist the Columbus Redevelopment Authority in paying costs associated with the Park View - Burns Bottom Project..... $3,000,000.00

(ny) To the Prentiss County School District for upgrades to equipment, furnishings and facilities for the CTE program at Wheeler Attendance Center $1,000,000.00

(nz) To the Grenada School District for upgrades to equipment, furnishings and facilities for the CTE program $3,000,000.00

(oa) To the Itawamba County School District for upgrades to equipment, furnishings and facilities for the CTE program including equipment for aiding in logistics and maintenance $4,000,000.00

(ob) To the George County School District for upgrades to equipment, furnishings and facilities for the CTE program.....

..... $1,000,000.00

(oc) To the Jackson County School District for upgrades to equipment, furnishings and facilities for the CTE program at three high schools: East Central, Vancleave and St. Martin.....
$9,000,000.00

(od) To the South Tippah School District for upgrades to equipment, furnishings and facilities for the CTE program.....
..... $500,000.00

(oe) To the Senatobia Municipal School District for upgrades to equipment, furnishings and facilities for the CTE program..... $500,000.00

(of) To the Attala County School District for upgrades to equipment, furnishings and facilities for the CTE program at Kosciusko-Attala County Career Tech Center $2,000,000.00

(og) To the Greene County School District for upgrades to equipment, furnishings and facilities for the CTE program.....
..... $2,000,000.00

(oh) To the Lee County School District for upgrades to equipment, furnishings and facilities for the CTE program.....
..... $350,000.00

(oi) To the Wayne County School District for upgrades to equipment, furnishings and facilities for the CTE program.....
..... $500,000.00

(oj) To Long Beach High School for upgrades to equipment, furnishings and facilities for the CTE program .....
..... $1,000,000.00

(ok) To the Newton County School System for upgrades to equipment, furnishings and facilities for the CTE program.....
..... $2,000,000.00

(ol) To the Tupelo Public School District for upgrades to equipment, furnishings and facilities for the CTE program.....
$350,000.00.

SECTION 2. Section 4 of Chapter 549, Laws of 2023, is amended as follows:

Section 4. (1) Monies transferred pursuant to Section 1 of this act into the 2022 IHL Capital Improvements Fund created in Section 37-101-83, Mississippi Code of 1972, shall be disbursed by the Department of Finance and Administration, pursuant to the authority granted by the department's appropriation bill, Senate Bill No. 3043, 2023 Regular Session, to spend those monies, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University.....		$ 13,197,500.00
	Repair, renovation, and expansion of and upgrades, improvements and additions to the David L. Whitney Complex and Wellness Center.....$	13,197,500.00
Alcorn State University/Division of Agriculture.....$		620,000.00
	Preplanning for renovation of the poultry science facilities on the Lorman Campus into a Poultry/Animal Science Center Academic Research Center Building Complex.....$	620,000.00

Delta State University ..... $ 8,122,500.00
Repair, renovation, and upgrading of campus buildings and facilities.....$ 2,800,000.00
Repair and renovation of and upgrades, improvements and additions to the Walter Sillers Coliseum.....$ 5,322,500.00
Jackson State University ..... $ 8,013,000.00
Construction, furnishing and equipping of a new residence hall and related facilities, and/or repairing and renovating existing residence halls and related facilities.....$ 8,013,000.00
Mississippi State University ..... $ 20,732,500.00
Repair, renovation, construction, acquisition of property, furnishing and equipping of related facilities to house the College of Architecture, Art and Design.....$ 5,732,500.00
Repair, renovation, construction, acquisition of property, furnishing and equipping of related facilities of the Kinesiology and Autism Building.....$ 15,000,000.00
Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine ..... $ 14,755,000.00
Repair and renovation of and upgrades and improvements to Dorman Hall and related facilities.....$ 1,300,000.00
Preplanning for renovation of and upgrades and improvements to the Bost Extension Center.....$ 455,000.00
Repair and renovation of and upgrades and improvements to Dorman Hall and related facilities.....$ 13,000,000.00
Mississippi University for Women ..... $ 9,312,500.00
Repair, renovation, and upgrading of campus buildings and facilities.....$ 8,712,500.00
Preplanning for repair and renovation of and upgrades and improvements to Old Pohl Gym.....$ 300,000.00
Preplanning for repair and renovation of and upgrades and

improvements to the
Hogarth Center.....$ 300,000.00
Mississippi Valley State University..... $ 3,427,500.00
Demolition of Leflore Hall
and preplanning for
construction, furnishing
and equipping of a new
residence hall and related
facilities.....$ 3,427,500.00
University of Mississippi..... $ 18,382,500.00
Planning and construction,
furnishing and
equipping of a
new building and
related facilities
to house the School
of Accountancy.....$ 14,382,500.00
Repair, renovation, and expansion
of the Nursing School in
Oxford.....$ 4,000,000.00
University of Mississippi Medical Center ..... $ 56,886,500.00
Repair, renovation,
and upgrading of
campus buildings
and facilities.....$ 11,350,000.00
Upgrades and improvements
to elevators and related
facilities.....$ 4,000,000.00
Development and
implementation of
campus wayfinding
system.....$ 1,536,500.00
Construction, furnishing
and equipping of a new Dental
School.....$40,000,000.00
University of Southern Mississippi ..... $ 22,162,500.00
Construction, furnishing
and equipping of a new
science research facility.....$ 17,162,500.00
Repair and renovation of the
Criminal Justice Building
and improvements to the
Forensic Lab .....$ 5,000,000.00
University of Southern Mississippi/Gulf
Coast Campuses.....$ 11,140,000.00
Repair, renovation,
and upgrading of
campus buildings
and facilities at
the Gulf Coast
Research Laboratory,
Halstead Campus.....$ 640,000.00
Ocean Enterprise at
the Port of Gulfport $ 10,000,000.00
Dubard School and Children's
Center for Communication and
Development – Gulf Park campus
for furnishing and equipment...$ 500,000.00.
IHL Education and Research Center.....$ 6,500,000.00

Replacement of a chiller and related equipment for the campus air conditioning and heating system; replacement of cooling tower and related equipment for the campus air conditioning and heating system; replacement of roof for the Universities Center; and replacement of campus emergency management system.....$6,500,000.00

TOTAL..... $ 193,252,000.00

(2) (a) Amounts transferred into such special fund pursuant to Section 1 of this act shall be disbursed to pay the costs of projects described in subsection (1) of this section. If any monies in such special fund are not used within four (4) years after the date funds are transferred under Section 1 of this act into the special fund, then the institution of higher learning for which any unused monies are allocated under subsection (1) of this section shall provide an accounting of such unused monies to the Department of Finance and Administration.

(b) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in subsection (1) of this section. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the monies in the special fund used for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his or her designee.

(4) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in subsection (1) of this section may be used for general repairs and renovations at the institution of higher learning.

SECTION 3. Section 27-104-373, Mississippi Code of 1972, is amended as follows:

27-104-373. (1) A special fund, to be designated as the "2023 Local Improvements Projects Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies in the fund shall be disbursed by the Department of Finance and Administration as provided in Section 28 of this act. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(2) Contracts or purchases for projects funded with monies disbursed from the 2023 Local Improvements Projects Fund under Section 28 of Chapter 549, 2023 Regular Session, as amended by Section 1 of this act, that involve expenditures that are

more than Five Thousand Dollars ($5,000.00) but not more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, must be made from the lowest and best bidder without publishing or posting advertisements for bids after obtaining at least two (2) competitive written bids. Any such contracts or purchases that involve expenditures that are more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, must be made from the lowest and best bidder after advertising for competitive bids and obtaining at least three (3) competitive written bids. "Competitive" means that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. This provision of this subsection shall supersede any other provision of law to the contrary.

SECTION 4. Section 65-1-185, Mississippi Code of 1972, is amended as follows:

65-1-185. There is created in the State Treasury a special fund to be designated as the "2023 DeSoto County Infrastructure Improvements Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies deposited into the fund shall be used by the * * * Mississippi Department of Transportation, upon appropriation by the Legislature, to assist * * * in paying the costs associated with infrastructure improvements on Interstate 55 from Church Road to Goodman Road in Desoto County, Mississippi. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 5. Section 65-1-187, Mississippi Code of 1972, is amended as follows:

65-1-187. There is created in the State Treasury a special fund to be designated as the "2023 Lafayette County Infrastructure Improvements Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies deposited into the fund shall be used by the * * * Mississippi Department of Transportation, upon appropriation by the Legislature, to assist * * * in paying the costs associated with infrastructure improvements on Highway 7 from Highway 9 to 0.2 miles North of Highway 6 in Lafayette County, Mississippi. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 6. Section 65-1-189, Mississippi Code of 1972, is amended as follows:

65-1-189. There is created in the State Treasury a special fund to be designated as the "2023 Gulfport Commerce Corridor Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies deposited into the fund shall be used by the * * * Mississippi Department of Transportation, upon appropriation by the Legislature, to assist in paying the costs associated with the Gulfport Commerce Corridor project located in the City of Gulfport. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 7. Section 31-7-13, Mississippi Code of 1972, as amended by House Bill No. 297 and Senate Bill No. 2486, 2024 Regular Session, is amended as follows:

[Until July 1, 2024, this section shall read as follows:]

31-7-13. All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided.

(a) Bidding procedure for purchases not over $5,000.00. Purchases which do not involve an expenditure of more than Five Thousand Dollars ($5,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise

requesting competitive bids. However, nothing contained in this paragraph (a) shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of Five Thousand Dollars ($5,000.00) or less.

(b) Bidding procedure for purchases over $5,000.00 but not over $75,000.00. Purchases which involve an expenditure of more than Five Thousand Dollars ($5,000.00) but not more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder without publishing or posting advertisement for bids, provided at least two (2) competitive written bids have been obtained. Any state agency or community or junior college purchasing commodities or procuring construction pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, to accept the lowest competitive written bid under Seventy-five Thousand Dollars ($75,000.00). Any governing authority purchasing commodities pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, with regard to governing authorities other than counties, or its purchase clerk, or his designee, with regard to counties, to accept the lowest and best competitive written bid. Such authorization shall be made in writing by the governing authority and shall be maintained on file in the primary office of the agency and recorded in the official minutes of the governing authority, as appropriate. The purchasing agent or the purchase clerk, or his designee, as the case may be, and not the governing authority, shall be liable for any penalties and/or damages as may be imposed by law for any act or omission of the purchasing agent or purchase clerk, or his designee, constituting a violation of law in accepting any bid without approval by the governing authority. The term "competitive written bid" shall mean a bid submitted on a bid form furnished by the buying agency or governing authority and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor. "Competitive" shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. Any bid item for construction in excess of Five Thousand Dollars ($5,000.00) shall be broken down by components to provide detail of component description and pricing. These details shall be submitted with the written bids and become part of the bid evaluation criteria. Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities.

(c) Bidding procedure for purchases over $75,000.00.

(i) Publication requirement.

1. Purchases which involve an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder after advertising for competitive bids once each week for two (2) consecutive weeks in a regular newspaper published in the county or municipality in which such agency or governing authority is located. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars ($25,000.00) shall be bid. All references to American Recovery and Reinvestment Act projects in this section shall not apply to programs identified in Division B of the American Recovery and Reinvestment Act.

2. Reverse auctions shall be the primary method for receiving bids during the bidding process. If a purchasing entity determines that a reverse auction is not in the best interest of the state, then that determination must be approved by the Public Procurement Review Board. The purchasing entity shall submit a detailed explanation of why a reverse auction would not be in the best interest of the state and present an alternative process to be approved by the Public Procurement Review Board. If the Public Procurement Review Board authorizes the purchasing entity to solicit bids with a method other than reverse auction, then the purchasing entity may designate the other methods by which the bids will be received, including, but not limited to, bids sealed in an envelope, bids received electronically in a secure system, or bids received by any other method that promotes open competition and has been approved by the Office of Purchasing and Travel. However, reverse auction shall not be

used for any public contract for design, construction, improvement, repair or remodeling of any public facilities, including the purchase of materials, supplies, equipment or goods for same and including buildings, roads and bridges. The Public Procurement Review Board must approve any contract entered into by alternative process. The provisions of this item 2 shall not apply to the individual state institutions of higher learning. The provisions of this item 2 requiring reverse auction as the primary method of receiving bids shall not apply to term contract purchases as provided in paragraph (n) of this section; however, a purchasing entity may, in its discretion, utilize reverse auction for such purchases. The provisions of this item 2 shall not apply to individual public schools, including public charter schools and public school districts, only when purchasing copyrighted educational supplemental materials and software as a service product. For such purchases, a local school board may authorize a purchasing entity in its jurisdiction to use a Request for Qualifications which promotes open competition and meets the requirements of the Office of Purchasing and Travel.

3. The date as published for the bid opening shall not be less than seven (7) working days after the last published notice; however, if the purchase involves a construction project in which the estimated cost is in excess of Seventy-five Thousand Dollars ($75,000.00), such bids shall not be opened in less than fifteen (15) working days after the last notice is published and the notice for the purchase of such construction shall be published once each week for two (2) consecutive weeks. * * * The notice of intention to let contracts or purchase equipment shall state the time and place at which bids shall be received, list the contracts to be made or types of equipment or supplies to be purchased, and, if all plans and/or specifications are not published, refer to the plans and/or specifications on file. If there is no newspaper published in the county or municipality, then such notice shall be given by posting same at the courthouse, or for municipalities at the city hall, and at two (2) other public places in the county or municipality, and also by publication once each week for two (2) consecutive weeks in some newspaper having a general circulation in the county or municipality in the above-provided manner. On the same date that the notice is submitted to the newspaper for publication, the agency or governing authority involved shall mail written notice to, or provide electronic notification to the main office of the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority that contains the same information as that in the published notice. * * * Within one (1) working day of the contract award, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration, notice of the award, including the award recipient, the contract amount, and a brief summary of the contract in accordance with rules promulgated by the department. Within one (1) working day of the contract execution, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration a summary of the executed contract and make a copy of the appropriately redacted contract documents available for linking to the designated web page in accordance with the rules promulgated by the department. The information provided by the agency or governing authority shall be posted to the web page * * * until the project is completed * * *.

4. Agencies and governing authorities using federal funds for the procurement of any good or service, including exempt personal and professional services, must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards - Subpart D - Post Federal Award Requirements Procurement Standards, in accordance with 2 CFR 200.317 through 2 CFR 200.327.

(ii) Bidding process amendment procedure. If all plans and/or specifications are published in the notification, then the plans and/or specifications may not be amended. If all plans and/or specifications are not published in the notification, then amendments to the plans/specifications, bid opening date, bid opening time and place may be made, provided that the agency or governing authority maintains a list of all prospective bidders who are known to have received a copy of the bid documents and all such prospective bidders are sent copies of all amendments. This notification of amendments may be made via mail, facsimile, electronic mail or other generally accepted method of information distribution. No addendum to bid specifications may be

issued within two (2) working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum.

(iii) Filing requirement. In all cases involving governing authorities, before the notice shall be published or posted, the plans or specifications for the construction or equipment being sought shall be filed with the clerk of the board of the governing authority. In addition to these requirements, a bid file shall be established which shall indicate those vendors to whom such solicitations and specifications were issued, and such file shall also contain such information as is pertinent to the bid.

(iv) Specification restrictions.

1. Specifications pertinent to such bidding shall be written so as not to exclude comparable equipment of domestic manufacture. However, if valid justification is presented, the Department of Finance and Administration or the board of a governing authority may approve a request for specific equipment necessary to perform a specific job. Further, such justification, when placed on the minutes of the board of a governing authority, may serve as authority for that governing authority to write specifications to require a specific item of equipment needed to perform a specific job. In addition to these requirements, from and after July 1, 1990, vendors of relocatable classrooms and the specifications for the purchase of such relocatable classrooms published by local school boards shall meet all pertinent regulations of the State Board of Education, including prior approval of such bid by the State Department of Education.

2. Specifications for construction projects may include an allowance for commodities, equipment, furniture, construction materials or systems in which prospective bidders are instructed to include in their bids specified amounts for such items so long as the allowance items are acquired by the vendor in a commercially reasonable manner and approved by the agency/governing authority. Such acquisitions shall not be made to circumvent the public purchasing laws.

(v) Electronic bids. Agencies and governing authorities shall provide a secure electronic interactive system for the submittal of bids requiring competitive bidding that shall be an additional bidding option for those bidders who choose to submit their bids electronically. The Department of Finance and Administration shall provide, by regulation, the standards that agencies must follow when receiving electronic bids. Agencies and governing authorities shall make the appropriate provisions necessary to accept electronic bids from those bidders who choose to submit their bids electronically for all purchases requiring competitive bidding under this section. Any special condition or requirement for the electronic bid submission shall be specified in the advertisement for bids required by this section. Agencies or governing authorities that are currently without available high speed Internet access shall be exempt from the requirement of this subparagraph (v) until such time that high speed Internet access becomes available. Any county having a population of less than twenty thousand (20,000) shall be exempt from the provisions of this subparagraph (v). Any municipality having a population of less than ten thousand (10,000) shall be exempt from the provisions of this subparagraph (v). The provisions of this subparagraph (v) shall not require any bidder to submit bids electronically. When construction bids are submitted electronically, the requirement for including a certificate of responsibility, or a statement that the bid enclosed does not exceed Fifty Thousand Dollars ($50,000.00), on the exterior of the bid envelope as indicated in Section 31-3-21(1) and (2) shall be deemed in compliance with by including same as an attachment with the electronic bid submittal.

(d) Lowest and best bid decision procedure.

(i) Decision procedure. Purchases may be made from the lowest and best bidder. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was

determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(ii) Decision procedure for Certified Purchasing Offices. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), Certified Purchasing Offices may also use the following procedure: Purchases may be made from the bidder offering the best value. In determining the best value bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions, documented previous experience, training costs and other relevant provisions, including, but not limited to, a bidder having a local office and inventory located within the jurisdiction of the governing authority, may be included in the best value calculation. This provision shall authorize Certified Purchasing Offices to utilize a Request For Proposals (RFP) process when purchasing commodities. All best value procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. No agency or governing authority shall accept a bid based on items or criteria not included in the specifications.

(iii) Decision procedure for Mississippi Landmarks. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), where purchase involves renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History under the authority of Sections 39-7-7 and 39-7-11, the agency or governing authority may use the following procedure: Purchases may be made from the lowest and best prequalified bidder. Prequalification of bidders shall be determined not less than fifteen (15) working days before the first published notice of bid opening. Prequalification criteria shall be limited to bidder's knowledge and experience in historical restoration, preservation and renovation. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid and prequalification procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(iv) Construction project negotiations authority. If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.

(e) Lease-purchase authorization. For the purposes of this section, the term "equipment" shall mean equipment, furniture and, if applicable, associated software and other applicable direct costs associated with the acquisition. Any lease-purchase of equipment which an agency is not required to lease-purchase under the master lease-purchase program pursuant to Section 31-7-10 and any lease-purchase of equipment which a governing authority elects to lease-purchase may be acquired by a lease-purchase agreement under this paragraph (e). Lease-purchase financing may also be obtained from the vendor or from a third-party source after having solicited and obtained at least two (2) written competitive bids, as defined in paragraph (b) of this section, for such financing without advertising for such bids. Solicitation for the bids for financing may occur before or after acceptance of bids for the purchase of such equipment or, where no such bids for purchase are required, at any time before the purchase thereof. No such lease-purchase agreement shall be for an annual rate of interest which is greater than the overall maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101, and the term of such lease-purchase agreement shall not exceed the useful life of equipment covered thereby as determined according to the upper limit of the asset depreciation range (ADR) guidelines for the Class Life Asset Depreciation Range System established by the

Internal Revenue Service pursuant to the United States Internal Revenue Code and regulations thereunder as in effect on December 31, 1980, or comparable depreciation guidelines with respect to any equipment not covered by ADR guidelines. Any lease-purchase agreement entered into pursuant to this paragraph (e) may contain any of the terms and conditions which a master lease-purchase agreement may contain under the provisions of Section 31-7-10(5), and shall contain an annual allocation dependency clause substantially similar to that set forth in Section 31-7-10(8). Each agency or governing authority entering into a lease-purchase transaction pursuant to this paragraph (e) shall maintain with respect to each such lease-purchase transaction the same information as required to be maintained by the Department of Finance and Administration pursuant to Section 31-7-10(13). However, nothing contained in this section shall be construed to permit agencies to acquire items of equipment with a total acquisition cost in the aggregate of less than Ten Thousand Dollars ($10,000.00) by a single lease-purchase transaction. All equipment, and the purchase thereof by any lessor, acquired by lease-purchase under this paragraph and all lease-purchase payments with respect thereto shall be exempt from all Mississippi sales, use and ad valorem taxes. Interest paid on any lease-purchase agreement under this section shall be exempt from State of Mississippi income taxation.

(f) Alternate bid authorization. When necessary to ensure ready availability of commodities for public works and the timely completion of public projects, no more than two (2) alternate bids may be accepted by a governing authority for commodities. No purchases may be made through use of such alternate bids procedure unless the lowest and best bidder cannot deliver the commodities contained in his bid. In that event, purchases of such commodities may be made from one (1) of the bidders whose bid was accepted as an alternate.

(g) Construction contract change authorization. In the event a determination is made by an agency or governing authority after a construction contract is let that changes or modifications to the original contract are necessary or would better serve the purpose of the agency or the governing authority, such agency or governing authority may, in its discretion, order such changes pertaining to the construction that are necessary under the circumstances without the necessity of further public bids; provided that such change shall be made in a commercially reasonable manner and shall not be made to circumvent the public purchasing statutes. In addition to any other authorized person, the architect or engineer hired by an agency or governing authority with respect to any public construction contract shall have the authority, when granted by an agency or governing authority, to authorize changes or modifications to the original contract without the necessity of prior approval of the agency or governing authority when any such change or modification is less than one percent (1%) of the total contract amount. The agency or governing authority may limit the number, manner or frequency of such emergency changes or modifications.

(h) Petroleum purchase alternative. In addition to other methods of purchasing authorized in this chapter, when any agency or governing authority shall have a need for gas, diesel fuel, oils and/or other petroleum products in excess of the amount set forth in paragraph (a) of this section, such agency or governing authority may purchase the commodity after having solicited and obtained at least two (2) competitive written bids, as defined in paragraph (b) of this section. If two (2) competitive written bids are not obtained, the entity shall comply with the procedures set forth in paragraph (c) of this section. In the event any agency or governing authority shall have advertised for bids for the purchase of gas, diesel fuel, oils and other petroleum products and coal and no acceptable bids can be obtained, such agency or governing authority is authorized and directed to enter into any negotiations necessary to secure the lowest and best contract available for the purchase of such commodities.

(i) Road construction petroleum products price adjustment clause authorization. Any agency or governing authority authorized to enter into contracts for the construction, maintenance, surfacing or repair of highways, roads or streets, may include in its bid proposal and contract documents a price adjustment clause with relation to the cost to the contractor, including taxes, based upon an industry-wide cost index, of petroleum products including asphalt used in the performance or execution of the contract or in the production or manufacture of materials for use in such

performance. Such industry-wide index shall be established and published monthly by the Mississippi Department of Transportation with a copy thereof to be mailed, upon request, to the clerks of the governing authority of each municipality and the clerks of each board of supervisors throughout the state. The price adjustment clause shall be based on the cost of such petroleum products only and shall not include any additional profit or overhead as part of the adjustment. The bid proposals or document contract shall contain the basis and methods of adjusting unit prices for the change in the cost of such petroleum products.

(j) State agency emergency purchase procedure. If the governing board or the executive head, or his designees, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the head of such agency, or his designees, shall file with the Department of Finance and Administration (i) a statement explaining the conditions and circumstances of the emergency, which shall include a detailed description of the events leading up to the situation and the negative impact to the entity if the purchase is made following the statutory requirements set forth in paragraph (a), (b) or (c) of this section, and (ii) a certified copy of the appropriate minutes of the board of such agency requesting the emergency purchase, if applicable. Upon receipt of the statement and applicable board certification, the State Fiscal Officer, or his designees, may, in writing, authorize the purchase or repair without having to comply with competitive bidding requirements.

If the governing board or the executive head, or his designees, of any agency determines that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would threaten the health or safety of any person, or the preservation or protection of property, then the provisions in this section for competitive bidding shall not apply, and any officer or agent of the agency having general or specific authority for making the purchase or repair contract shall approve the bill presented for payment, and he shall certify in writing from whom the purchase was made, or with whom the repair contract was made.

Total purchases made under this paragraph (j) shall only be for the purpose of meeting needs created by the emergency situation. Following the emergency purchase, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be filed with the Department of Finance and Administration. Any contract awarded pursuant to this paragraph (j) shall not exceed a term of one (1) year.

Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (j).

(k) Governing authority emergency purchase procedure. If the governing authority, or the governing authority acting through its designee, shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions herein for competitive bidding shall not apply and any officer or agent of such governing authority having general or special authority therefor in making such purchase or repair shall approve the bill presented therefor, and he shall certify in writing thereon from whom such purchase was made, or with whom such a repair contract was made. At the board meeting next following the emergency purchase or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased, the price thereof and the nature of the emergency shall be presented to the board and shall be placed on the minutes of the board of such governing authority. Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (k).

(l) Hospital purchase, lease-purchase and lease authorization.

(i) The commissioners or board of trustees of any public hospital may contract with such lowest and best bidder for the purchase or lease-purchase of any commodity under a contract of purchase or lease-purchase agreement whose obligatory payment terms do not exceed five (5) years.

(ii) In addition to the authority granted in subparagraph (i) of this paragraph (l), the commissioners or board of trustees is authorized to enter into contracts for the lease of equipment or services, or both, which it considers necessary for the proper care of patients if, in its opinion, it is not financially feasible to purchase the necessary equipment or services. Any such contract for the lease of equipment or services executed by the commissioners or board shall not exceed a maximum of five (5) years' duration and shall include a cancellation clause based on unavailability of funds. If such cancellation clause is exercised, there shall be no further liability on the part of the lessee. Any such contract for the lease of equipment or services executed on behalf of the commissioners or board that complies with the provisions of this subparagraph (ii) shall be excepted from the bid requirements set forth in this section.

(m) Exceptions from bidding requirements. Excepted from bid requirements are:

(i) Purchasing agreements approved by department. Purchasing agreements, contracts and maximum price regulations executed or approved by the Department of Finance and Administration.

(ii) Outside equipment repairs. Repairs to equipment, when such repairs are made by repair facilities in the private sector; however, engines, transmissions, rear axles and/or other such components shall not be included in this exemption when replaced as a complete unit instead of being repaired and the need for such total component replacement is known before disassembly of the component; however, invoices identifying the equipment, specific repairs made, parts identified by number and name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required for the payment for such repairs.

(iii) In-house equipment repairs. Purchases of parts for repairs to equipment, when such repairs are made by personnel of the agency or governing authority; however, entire assemblies, such as engines or transmissions, shall not be included in this exemption when the entire assembly is being replaced instead of being repaired.

(iv) Raw gravel or dirt. Raw unprocessed deposits of gravel or fill dirt which are to be removed and transported by the purchaser.

(v) Governmental equipment auctions. Motor vehicles or other equipment purchased from a federal agency or authority, another governing authority or state agency of the State of Mississippi, or any governing authority or state agency of another state at a public auction held for the purpose of disposing of such vehicles or other equipment. Any purchase by a governing authority under the exemption authorized by this subparagraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(vi) Intergovernmental sales and transfers. Purchases, sales, transfers or trades by governing authorities or state agencies when such purchases, sales, transfers or trades are made by a private treaty agreement or through means of negotiation, from any federal agency or authority, another governing authority or state agency of the State of Mississippi, or any state agency or governing authority of another state. Nothing in this section shall permit such purchases through public auction except as provided for in subparagraph (v) of this paragraph (m). It is the intent of this section to allow governmental entities to dispose of and/or purchase commodities from other governmental entities at a price that is agreed to by both parties. This shall allow for purchases and/or sales at prices which may be determined to be below the market value if the selling entity determines that the sale at below market value is in the best interest of the taxpayers of the state. Governing authorities shall place the terms of the agreement and any justification on the minutes, and state agencies shall obtain approval from the Department of Finance and Administration, prior to releasing or taking possession of the commodities.

(vii) Perishable supplies or food. Perishable supplies or food purchased for use in connection with hospitals, the school lunch programs, homemaking programs and for the feeding of county or municipal prisoners.

(viii) Single-source items. Noncompetitive items available from one (1) source only. In connection with the purchase of noncompetitive items only available from one (1) source, a certification of the conditions and circumstances requiring the purchase shall be filed by the agency with the Department of Finance and Administration and by the governing authority with the board of the governing authority. Upon receipt of that certification the Department of Finance and Administration or the board of the governing authority, as the case may be, may, in writing, authorize the purchase, which authority shall be noted on the minutes of the body at the next regular meeting thereafter. In those situations, a governing authority is not required to obtain the approval of the Department of Finance and Administration. Following the purchase, the executive head of the state agency, or his designees, shall file with the Department of Finance and Administration, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the source from whom it was purchased.

(ix) Waste disposal facility construction contracts. Construction of incinerators and other facilities for disposal of solid wastes in which products either generated therein, such as steam, or recovered therefrom, such as materials for recycling, are to be sold or otherwise disposed of; however, in constructing such facilities, a governing authority or agency shall publicly issue requests for proposals, advertised for in the same manner as provided herein for seeking bids for public construction projects, concerning the design, construction, ownership, operation and/or maintenance of such facilities, wherein such requests for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, environmental compatibility, legal responsibilities and such other matters as are determined by the governing authority or agency to be appropriate for inclusion; and after responses to the request for proposals have been duly received, the governing authority or agency may select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter contracts with one or more of the persons or firms submitting proposals.

(x) Hospital group purchase contracts. Supplies, commodities and equipment purchased by hospitals through group purchase programs pursuant to Section 31-7-38.

(xi) Information technology products. Purchases of information technology products made by governing authorities under the provisions of purchase schedules, or contracts executed or approved by the Mississippi Department of Information Technology Services and designated for use by governing authorities.

(xii) Energy efficiency services and equipment. Energy efficiency services and equipment acquired by school districts, community and junior colleges, institutions of higher learning and state agencies or other applicable governmental entities on a shared-savings, lease or lease-purchase basis pursuant to Section 31-7-14.

(xiii) Municipal electrical utility system fuel. Purchases of coal and/or natural gas by municipally owned electric power generating systems that have the capacity to use both coal and natural gas for the generation of electric power.

(xiv) Library books and other reference materials. Purchases by libraries or for libraries of books and periodicals; processed film, videocassette tapes, filmstrips and slides; recorded audiotapes, cassettes and diskettes; and any such items as would be used for teaching, research or other information distribution; however, equipment such as projectors, recorders, audio or video equipment, and monitor televisions are not exempt under this subparagraph.

(xv) Unmarked vehicles. Purchases of unmarked vehicles when such purchases are made in accordance with purchasing regulations adopted by the Department of Finance and Administration pursuant to Section 31-7-9(2).

(xvi) Election ballots. Purchases of ballots printed pursuant to Section 23-15-351.

(xvii) Multichannel interactive video systems. From and after July 1, 1990, contracts by Mississippi Authority for Educational Television with any private educational institution or private nonprofit organization whose purposes are educational in regard to the construction, purchase, lease or lease-purchase of facilities and equipment and the employment of personnel for providing multichannel interactive video systems (ITSF) in the school districts of this state.

(xviii) Purchases of prison industry products by the Department of Corrections, regional correctional facilities or privately owned prisons. Purchases made by the Mississippi Department of Corrections, regional correctional facilities or privately owned prisons involving any item that is manufactured, processed, grown or produced from the state's prison industries.

(xix) Undercover operations equipment. Purchases of surveillance equipment or any other high-tech equipment to be used by law enforcement agents in undercover operations, provided that any such purchase shall be in compliance with regulations established by the Department of Finance and Administration.

(xx) Junior college books for rent. Purchases by community or junior colleges of textbooks which are obtained for the purpose of renting such books to students as part of a book service system.

(xxi) Certain school district purchases. Purchases of commodities made by school districts from vendors with which any levying authority of the school district, as defined in Section 37-57-1, has contracted through competitive bidding procedures for purchases of the same commodities.

(xxii) Garbage, solid waste and sewage contracts. Contracts for garbage collection or disposal, contracts for solid waste collection or disposal and contracts for sewage collection or disposal.

(xxiii) Municipal water tank maintenance contracts. Professional maintenance program contracts for the repair or maintenance of municipal water tanks, which provide professional services needed to maintain municipal water storage tanks for a fixed annual fee for a duration of two (2) or more years.

(xxiv) Purchases of Mississippi Industries for the Blind products or services. Purchases made by state agencies or governing authorities involving any item that is manufactured, processed or produced by, or any services provided by, the Mississippi Industries for the Blind.

(xxv) Purchases of state-adopted textbooks. Purchases of state-adopted textbooks by public school districts.

(xxvi) Certain purchases under the Mississippi Major Economic Impact Act. Contracts entered into pursuant to the provisions of Section 57-75-9(2), (3) and (4).

(xxvii) Used heavy or specialized machinery or equipment for installation of soil and water conservation practices purchased at auction. Used heavy or specialized machinery or equipment used for the installation and implementation of soil and water conservation practices or measures purchased subject to the restrictions provided in Sections 69-27-331 through 69-27-341. Any purchase by the State Soil and Water Conservation Commission under the exemption authorized by this subparagraph shall require advance authorization spread upon the minutes of the commission to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(xxviii) Hospital lease of equipment or services. Leases by hospitals of equipment or services if the leases are in compliance with paragraph (l)(ii).

(xxix) Purchases made pursuant to qualified cooperative purchasing agreements. Purchases made by certified purchasing offices of state agencies or governing authorities under cooperative purchasing agreements previously approved by the Office of Purchasing and Travel and established by or for any municipality, county, parish or state government or the federal government, provided that the notification to potential contractors includes a clause that sets forth the availability of the cooperative purchasing agreement to other governmental entities. Such purchases shall only be made if the use of the cooperative purchasing agreements is determined to be in the best interest of the governmental entity.

(xxx) School yearbooks. Purchases of school yearbooks by state agencies or governing authorities; however, state agencies and governing authorities shall use for these purchases the RFP process as set forth in the Mississippi Procurement Manual adopted by the Office of Purchasing and Travel.

(xxxi) Design-build method of contracting and certain other contracts. Contracts entered into under the provisions of Section 31-7-13.1, 37-101-44 or 65-1-85.

(xxxii) Toll roads and bridge construction projects. Contracts entered into under the provisions of Section 65-43-1 or 65-43-3.

(xxxiii) Certain purchases under Section 57-1-221. Contracts entered into pursuant to the provisions of Section 57-1-221.

(xxxiv) Certain transfers made pursuant to the provisions of Section 57-105-1(7). Transfers of public property or facilities under Section 57-105-1(7) and construction related to such public property or facilities.

(xxxv) Certain purchases or transfers entered into with local electrical power associations. Contracts or agreements entered into under the provisions of Section 55-3-33.

(xxxvi) Certain purchases by an academic medical center or health sciences school. Purchases by an academic medical center or health sciences school, as defined in Section 37-115-50, of commodities that are used for clinical purposes and 1. intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease, and 2. medical devices, biological, drugs and radiation-emitting devices as defined by the United States Food and Drug Administration.

(xxxvii) Certain purchases made under the Alyce G. Clarke Mississippi Lottery Law. Contracts made by the Mississippi Lottery Corporation pursuant to the Alyce G. Clarke Mississippi Lottery Law.

(xxxviii) Certain purchases made by the Department of Health and the Department of Revenue. Purchases made by the Department of Health and the Department of Revenue solely for the purpose of fulfilling their respective responsibilities under the Mississippi Medical Cannabis Act. This subparagraph shall stand repealed on June 30, 2026.

(n) Term contract authorization. All contracts for the purchase of:

(i) All contracts for the purchase of commodities, equipment and public construction (including, but not limited to, repair and maintenance), may be let for periods of not more than sixty (60) months in advance, subject to applicable statutory provisions prohibiting the letting of contracts during specified periods near the end of terms of office. Term contracts for a period exceeding twenty-four (24) months shall also be subject to ratification or cancellation by governing authority boards taking office subsequent to the governing authority board entering the contract.

(ii) Bid proposals and contracts may include price adjustment clauses with relation to the cost to the contractor based upon a nationally published industry-wide or nationally published and recognized cost index. The cost index used in a price adjustment clause shall be determined by the Department of Finance and Administration for the state agencies and by the governing board for governing authorities. The bid proposal and contract documents utilizing a price adjustment clause shall contain the basis and method of adjusting unit prices for the change in the cost of such commodities, equipment and public construction.

(o) Purchase law violation prohibition and vendor penalty. No contract or purchase as herein authorized shall be made for the purpose of circumventing the provisions of this section requiring competitive bids, nor shall it be lawful for any person or concern to submit individual invoices for amounts within those authorized for a contract or purchase where the actual value of the contract or commodity purchased exceeds the authorized amount and the invoices therefor are split so as to appear to be authorized as purchases for which competitive bids are not required. Submission of such invoices shall constitute a misdemeanor punishable by a fine of not less than Five Hundred Dollars ($500.00) nor more than One Thousand Dollars ($1,000.00), or by imprisonment for thirty (30) days in the county jail, or both such fine and imprisonment. In addition, the claim or claims submitted shall be forfeited.

(p) Electrical utility petroleum-based equipment purchase procedure. When in response to a proper advertisement therefor, no bid firm as to price is submitted to an electric utility for power transformers, distribution transformers, power breakers, reclosers or other articles containing a petroleum product, the electric utility may accept the lowest and best bid therefor although the price is not firm.

(q) Fuel management system bidding procedure. Any governing authority or agency of the state shall, before contracting for the services and products of a fuel management or fuel access system, enter into negotiations with not fewer than two (2) sellers of fuel management or fuel access systems for competitive written bids to provide the services and products for the systems. In the event that the governing authority or agency cannot locate two (2) sellers of such systems or cannot obtain bids from two (2) sellers of such systems, it shall show proof that it made a diligent, good-faith effort to locate and negotiate with two (2) sellers of such systems. Such proof shall include, but not be limited to, publications of a request for proposals and letters soliciting negotiations and bids. For purposes of this paragraph (q), a fuel management or fuel access system is an automated system of acquiring fuel for vehicles as well as management reports detailing fuel use by vehicles and drivers, and the term "competitive written bid" shall have the meaning as defined in paragraph (b) of this section. Governing authorities and agencies shall be exempt from this process when contracting for the services and products of fuel management or fuel access systems under the terms of a state contract established by the Office of Purchasing and Travel.

(r) Solid waste contract proposal procedure. Before entering into any contract for garbage collection or disposal, contract for solid waste collection or disposal or contract for sewage collection or disposal, which involves an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), a governing authority or agency shall issue publicly a request for proposals concerning the specifications for such services which shall be advertised for in the same manner as provided in this section for seeking bids for purchases which involve an expenditure of more than the amount provided in paragraph (c) of this section. Any request for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, legal responsibilities and other relevant factors as are determined by the governing authority or agency to be appropriate for inclusion; all factors determined relevant by the governing authority or agency or required by this paragraph (r) shall be duly included in the advertisement to elicit proposals. After responses to the request for proposals have been duly received, the governing authority or agency shall select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter into contracts with one or more of the persons or firms submitting proposals. If the governing authority or agency deems none of the proposals to be qualified or otherwise acceptable, the request for proposals process may be reinitiated. Notwithstanding any other provisions of this paragraph, where a county with at least thirty-five thousand (35,000) nor more than forty thousand (40,000) population, according to the 1990 federal decennial census, owns or operates a solid waste landfill, the governing authorities of any other county or municipality may contract with the governing authorities of the county owning or operating the landfill, pursuant to a resolution duly adopted and spread upon the minutes of each governing authority involved, for garbage or solid waste collection or disposal services through contract negotiations.

(s) Minority set-aside authorization. Notwithstanding any provision of this section to the contrary, any agency or governing authority, by order placed on its minutes, may, in its discretion, set aside not more than twenty percent (20%) of its anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the Department of Finance and Administration and shall be subject to bid requirements under this section. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder. For the purposes of this paragraph, the term "minority business" means a business which is owned by a majority of persons who are United States citizens or permanent resident aliens (as defined by the Immigration and Naturalization Service) of

the United States, and who are Asian, Black, Hispanic or Native American, according to the following definitions:

(i) "Asian" means persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(ii) "Black" means persons having origins in any black racial group of Africa.

(iii) "Hispanic" means persons of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.

(iv) "Native American" means persons having origins in any of the original people of North America, including American Indians, Eskimos and Aleuts.

(t) Construction punch list restriction. The architect, engineer or other representative designated by the agency or governing authority that is contracting for public construction or renovation may prepare and submit to the contractor only one (1) preliminary punch list of items that do not meet the contract requirements at the time of substantial completion and one (1) final list immediately before final completion and final payment.

(u) Procurement of construction services by state institutions of higher learning. Contracts for privately financed construction of auxiliary facilities on the campus of a state institution of higher learning may be awarded by the Board of Trustees of State Institutions of Higher Learning to the lowest and best bidder, where sealed bids are solicited, or to the offeror whose proposal is determined to represent the best value to the citizens of the State of Mississippi, where requests for proposals are solicited.

(v) Insurability of bidders for public construction or other public contracts. In any solicitation for bids to perform public construction or other public contracts to which this section applies, including, but not limited to, contracts for repair and maintenance, for which the contract will require insurance coverage in an amount of not less than One Million Dollars ($1,000,000.00), bidders shall be permitted to either submit proof of current insurance coverage in the specified amount or demonstrate ability to obtain the required coverage amount of insurance if the contract is awarded to the bidder. Proof of insurance coverage shall be submitted within five (5) business days from bid acceptance.

(w) Purchase authorization clarification. Nothing in this section shall be construed as authorizing any purchase not authorized by law.

(x) Mississippi Regional Pre-Need Disaster Clean Up Act. (i) The Department of Finance and Administration shall enter into nine (9) contracts for the pre-need purchase of labor, services, work, materials, equipment, supplies or other personal property for disaster-related solid waste collection, disposal or monitoring. One (1) contract shall be entered into for each of the nine (9) Mississippi Emergency Management Association districts:

1. Coahoma, DeSoto, Grenada, Panola, Quitman, Tallahatchie, Tate, Tunica and Yalobusha Counties;

2. Alcorn, Benton, Itawamba, Lafayette, Lee, Marshall, Pontotoc, Prentiss, Tippah, Tishomingo and Union Counties;

3. Attala, Bolivar, Carroll, Holmes, Humphreys, Leflore, Montgomery, Sunflower and Washington Counties;

4. Calhoun, Chickasaw, Choctaw, Clay, Lowndes, Monroe, Noxubee, Oktibbeha, Webster and Winston Counties;

5. Claiborne, Copiah, Hinds, Issaquena, Madison, Rankin, Sharkey, Simpson, Warren and Yazoo Counties;

6. Clarke, Jasper, Kemper, Lauderdale, Leake, Neshoba, Newton, Scott, and Smith Counties and the Mississippi Band of Choctaw Indians;

7. Adams, Amite, Franklin, Jefferson, Lawrence, Lincoln, Pike, Walthall and Wilkinson Counties;

8. Covington, Forrest, Greene, Jefferson Davis, Jones, Lamar, Marion, Perry and Wayne Counties; and

9. George, Hancock, Harrison, Jackson, Pearl River and Stone Counties.

Any such contract shall set forth the manner of awarding such a contract, the method of payment, and any other matter deemed necessary to carry out the purposes of the agreement. Such contract may be entered into only for a term of one (1) year, with an option for an additional one-year extension after the conclusion of the first year of the contract, and only after having solicited bids or proposals, as appropriate, which shall be publicly advertised by posting on a web page maintained by the Department of Finance and Administration through submission of such advertisement to the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority. The bid opening shall not occur until after the submission has been posted for at least ten (10) consecutive days. The state's share of expenditures for solid waste collection, disposal or monitoring under any contract shall be appropriated and paid in the manner set forth in the contract and in the same manner as for other solid waste collection, disposal, or monitoring expenses of the state. Any contract entered into under this paragraph shall not be subject to the provisions of Section 17-13-11.

(ii) Any board of supervisors of any county or any governing authority of any municipality may opt in to the benefits and services provided under the appropriate and relevant contract established in subparagraph (i) of this paragraph at the time of a disaster event in that county or municipality. At the time of opt in, the county or municipality shall assume responsibility for payment in full to the contractor for the disaster-related solid waste collection, disposal or monitoring services provided. Nothing in this subparagraph (ii) shall be construed as requiring a county or municipality to opt in to any such contract established in subparagraph (i) of this paragraph.

[From and after July 1, 2024, this section shall read as follows:]

31-7-13. All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided.

(a) Bidding procedure for purchases not over $5,000.00. Purchases which do not involve an expenditure of more than Five Thousand Dollars ($5,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. However, nothing contained in this paragraph (a) shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of Five Thousand Dollars ($5,000.00) or less.

(b) Bidding procedure for purchases over $5,000.00 but not over $75,000.00. Purchases which involve an expenditure of more than Five Thousand Dollars ($5,000.00) but not more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder without publishing or posting advertisement for bids, provided at least two (2) competitive written bids have been obtained. Any state agency or community or junior college purchasing commodities or procuring construction pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, to accept the lowest competitive written bid under Seventy-five Thousand Dollars ($75,000.00). Any governing authority purchasing commodities pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, with regard to governing authorities other than counties, or its purchase clerk, or his designee, with regard to counties, to accept the lowest and best competitive written bid. Such authorization shall be made in writing by the governing authority and shall be maintained on file in the primary office of the agency and recorded in the official minutes of the governing authority, as appropriate. The purchasing agent or the purchase clerk, or his designee, as the case may be, and not the governing authority, shall be liable for any penalties and/or damages as may be imposed by law for any act or omission of the purchasing agent or purchase clerk, or his designee, constituting a violation of law in accepting any bid without approval by the governing authority. The term "competitive written bid" shall mean a bid submitted on a bid form furnished by the buying agency or governing authority and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor. "Competitive" shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of

other bids or prospective bids. Any bid item for construction in excess of Five Thousand Dollars ($5,000.00) shall be broken down by components to provide detail of component description and pricing. These details shall be submitted with the written bids and become part of the bid evaluation criteria. Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities.

(c) Bidding procedure for purchases over $75,000.00.

(i) Publication requirement.

1. Purchases which involve an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder after advertising for competitive bids once each week for two (2) consecutive weeks in a regular newspaper published in the county or municipality in which such agency or governing authority is located. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars ($25,000.00) shall be bid. All references to American Recovery and Reinvestment Act projects in this section shall not apply to programs identified in Division B of the American Recovery and Reinvestment Act.

2. Reverse auctions shall be the primary method for receiving bids during the bidding process. If a purchasing entity determines that a reverse auction is not in the best interest of the state, then that determination must be approved by the Public Procurement Review Board. The purchasing entity shall submit a detailed explanation of why a reverse auction would not be in the best interest of the state and present an alternative process to be approved by the Public Procurement Review Board. If the Public Procurement Review Board authorizes the purchasing entity to solicit bids with a method other than reverse auction, then the purchasing entity may designate the other methods by which the bids will be received, including, but not limited to, bids sealed in an envelope, bids received electronically in a secure system, or bids received by any other method that promotes open competition and has been approved by the Office of Purchasing and Travel. However, reverse auction shall not be used for any public contract for design, construction, improvement, repair or remodeling of any public facilities, including the purchase of materials, supplies, equipment or goods for same and including buildings, roads and bridges. The Public Procurement Review Board must approve any contract entered into by alternative process. The provisions of this item 2 shall not apply to the individual state institutions of higher learning. The provisions of this item 2 requiring reverse auction as the primary method of receiving bids shall not apply to term contract purchases as provided in paragraph (n) of this section; however, a purchasing entity may, in its discretion, utilize reverse auction for such purchases. The provisions of this item 2 shall not apply to individual public schools, including public charter schools and public school districts, only when purchasing copyrighted educational supplemental materials and software as a service product. For such purchases, a local school board may authorize a purchasing entity in its jurisdiction to use a Request for Qualifications which promotes open competition and meets the requirements of the Office of Purchasing and Travel.

3. The date as published for the bid opening shall not be less than seven (7) working days after the last published notice; however, if the purchase involves a construction project in which the estimated cost is in excess of Seventy-five Thousand Dollars ($75,000.00), such bids shall not be opened in less than fifteen (15) working days after the last notice is published and the notice for the purchase of such construction shall be published once each week for two (2) consecutive weeks. * * * The notice of intention to let contracts or purchase equipment shall state the time and place at which bids shall be received, list the contracts to be made or types of equipment or supplies to be purchased, and, if all plans and/or specifications are not published, refer to the plans and/or specifications on file. If there is no newspaper published in the county or municipality, then such notice shall be given by posting same at the courthouse, or for municipalities at the city hall, and at two (2) other public places in the county or municipality, and also by publication once each week for two (2) consecutive weeks in some newspaper having a general circulation in the county or municipality in the above-provided manner. On the same date that the notice is

submitted to the newspaper for publication, the agency or governing authority involved shall mail written notice to, or provide electronic notification to the main office of the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority that contains the same information as that in the published notice. * * * Within one (1) working day of the contract award, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration, notice of the award, including the award recipient, the contract amount, and a brief summary of the contract in accordance with rules promulgated by the department. Within one (1) working day of the contract execution, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration a summary of the executed contract and make a copy of the appropriately redacted contract documents available for linking to the designated web page in accordance with the rules promulgated by the department. The information provided by the agency or governing authority shall be posted to the web page * * * until the project is completed * * *.

4. Agencies and governing authorities using federal funds for the procurement of any good or service, including exempt personal and professional services, must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards - Subpart D - Post Federal Award Requirements Procurement Standards, in accordance with 2 CFR 200.317 through 2 CFR 200.327.

(ii) Bidding process amendment procedure. If all plans and/or specifications are published in the notification, then the plans and/or specifications may not be amended. If all plans and/or specifications are not published in the notification, then amendments to the plans/specifications, bid opening date, bid opening time and place may be made, provided that the agency or governing authority maintains a list of all prospective bidders who are known to have received a copy of the bid documents and all such prospective bidders are sent copies of all amendments. This notification of amendments may be made via mail, facsimile, electronic mail or other generally accepted method of information distribution. No addendum to bid specifications may be issued within two (2) working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum.

(iii) Filing requirement. In all cases involving governing authorities, before the notice shall be published or posted, the plans or specifications for the construction or equipment being sought shall be filed with the clerk of the board of the governing authority. In addition to these requirements, a bid file shall be established which shall indicate those vendors to whom such solicitations and specifications were issued, and such file shall also contain such information as is pertinent to the bid.

(iv) Specification restrictions.

1. Specifications pertinent to such bidding shall be written so as not to exclude comparable equipment of domestic manufacture. However, if valid justification is presented, the Department of Finance and Administration or the board of a governing authority may approve a request for specific equipment necessary to perform a specific job. Further, such justification, when placed on the minutes of the board of a governing authority, may serve as authority for that governing authority to write specifications to require a specific item of equipment needed to perform a specific job. In addition to these requirements, from and after July 1, 1990, vendors of relocatable classrooms and the specifications for the purchase of such relocatable classrooms published by local school boards shall meet all pertinent regulations of the State Board of Education, including prior approval of such bid by the State Department of Education.

2. Specifications for construction projects may include an allowance for commodities, equipment, furniture, construction materials or systems in which prospective bidders are instructed to include in their bids specified amounts for such items so long as the allowance items are acquired by the vendor in a commercially reasonable manner and approved by the agency/governing authority. Such acquisitions shall not be made to circumvent the public purchasing laws.

(v) Electronic bids. Agencies and governing authorities shall provide a secure electronic interactive system for the submittal of bids requiring competitive bidding that shall be an additional bidding option for those bidders who choose to submit their bids electronically. The Department of Finance and Administration shall provide, by regulation, the standards that agencies must follow when receiving electronic bids. Agencies and governing authorities shall make the appropriate provisions necessary to accept electronic bids from those bidders who choose to submit their bids electronically for all purchases requiring competitive bidding under this section. Any special condition or requirement for the electronic bid submission shall be specified in the advertisement for bids required by this section. Agencies or governing authorities that are currently without available high speed Internet access shall be exempt from the requirement of this subparagraph (v) until such time that high speed Internet access becomes available. Any county having a population of less than twenty thousand (20,000) shall be exempt from the provisions of this subparagraph (v). Any municipality having a population of less than ten thousand (10,000) shall be exempt from the provisions of this subparagraph (v). The provisions of this subparagraph (v) shall not require any bidder to submit bids electronically. When construction bids are submitted electronically, the requirement for including a certificate of responsibility, or a statement that the bid enclosed does not exceed Fifty Thousand Dollars ($50,000.00), on the exterior of the bid envelope as indicated in Section 31-3-21(1) and (2) shall be deemed in compliance with by including same as an attachment with the electronic bid submittal.

(d) Lowest and best bid decision procedure.

(i) Decision procedure. Purchases may be made from the lowest and best bidder. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(ii) Decision procedure for Certified Purchasing Offices. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), Certified Purchasing Offices may also use the following procedure: Purchases may be made from the bidder offering the best value. In determining the best value bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions, documented previous experience, training costs and other relevant provisions, including, but not limited to, a bidder having a local office and inventory located within the jurisdiction of the governing authority, may be included in the best value calculation. This provision shall authorize Certified Purchasing Offices to utilize a Request For Proposals (RFP) process when purchasing commodities. All best value procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. No agency or governing authority shall accept a bid based on items or criteria not included in the specifications.

(iii) Decision procedure for Mississippi Landmarks. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), where purchase involves renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History under the authority of Sections 39-7-7 and 39-7-11, the agency or governing authority may use the following procedure: Purchases may be made from the lowest and best prequalified bidder. Prequalification of bidders shall be determined not less than fifteen (15) working days before the first published notice of bid opening. Prequalification criteria shall be limited to bidder's knowledge and experience in historical restoration, preservation and renovation. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back

provisions and other relevant provisions may be included in the best bid calculation. All best bid and prequalification procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(iv) Construction project negotiations authority. If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.

(e) Lease-purchase authorization. For the purposes of this section, the term "equipment" shall mean equipment, furniture and, if applicable, associated software and other applicable direct costs associated with the acquisition. Any lease-purchase of equipment which an agency is not required to lease-purchase under the master lease-purchase program pursuant to Section 31-7-10 and any lease-purchase of equipment which a governing authority elects to lease-purchase may be acquired by a lease-purchase agreement under this paragraph (e). Lease-purchase financing may also be obtained from the vendor or from a third-party source after having solicited and obtained at least two (2) written competitive bids, as defined in paragraph (b) of this section, for such financing without advertising for such bids. Solicitation for the bids for financing may occur before or after acceptance of bids for the purchase of such equipment or, where no such bids for purchase are required, at any time before the purchase thereof. No such lease-purchase agreement shall be for an annual rate of interest which is greater than the overall maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101, and the term of such lease-purchase agreement shall not exceed the useful life of equipment covered thereby as determined according to the upper limit of the asset depreciation range (ADR) guidelines for the Class Life Asset Depreciation Range System established by the Internal Revenue Service pursuant to the United States Internal Revenue Code and regulations thereunder as in effect on December 31, 1980, or comparable depreciation guidelines with respect to any equipment not covered by ADR guidelines. Any lease-purchase agreement entered into pursuant to this paragraph (e) may contain any of the terms and conditions which a master lease-purchase agreement may contain under the provisions of Section 31-7-10(5), and shall contain an annual allocation dependency clause substantially similar to that set forth in Section 31-7-10(8). Each agency or governing authority entering into a lease-purchase transaction pursuant to this paragraph (e) shall maintain with respect to each such lease-purchase transaction the same information as required to be maintained by the Department of Finance and Administration pursuant to Section 31-7-10(13). However, nothing contained in this section shall be construed to permit agencies to acquire items of equipment with a total acquisition cost in the aggregate of less than Ten Thousand Dollars ($10,000.00) by a single lease-purchase transaction. All equipment, and the purchase thereof by any lessor, acquired by lease-purchase under this paragraph and all lease-purchase payments with respect thereto shall be exempt from all Mississippi sales, use and ad valorem taxes. Interest paid on any lease-purchase agreement under this section shall be exempt from State of Mississippi income taxation.

(f) Alternate bid authorization. When necessary to ensure ready availability of commodities for public works and the timely completion of public projects, no more than two (2) alternate bids may be accepted by a governing authority for commodities. No purchases may be made through use of such alternate bids procedure unless the lowest and best bidder cannot deliver the commodities contained in his bid. In that event, purchases of such commodities may be made from one (1) of the bidders whose bid was accepted as an alternate.

(g) Construction contract change authorization. In the event a determination is made by an agency or governing authority after a construction contract is let that changes or modifications to the original contract are necessary or would better

serve the purpose of the agency or the governing authority, such agency or governing authority may, in its discretion, order such changes pertaining to the construction that are necessary under the circumstances without the necessity of further public bids; provided that such change shall be made in a commercially reasonable manner and shall not be made to circumvent the public purchasing statutes. In addition to any other authorized person, the architect or engineer hired by an agency or governing authority with respect to any public construction contract shall have the authority, when granted by an agency or governing authority, to authorize changes or modifications to the original contract without the necessity of prior approval of the agency or governing authority when any such change or modification is less than one percent (1%) of the total contract amount. The agency or governing authority may limit the number, manner or frequency of such emergency changes or modifications.

(h) Petroleum purchase alternative. In addition to other methods of purchasing authorized in this chapter, when any agency or governing authority shall have a need for gas, diesel fuel, oils and/or other petroleum products in excess of the amount set forth in paragraph (a) of this section, such agency or governing authority may purchase the commodity after having solicited and obtained at least two (2) competitive written bids, as defined in paragraph (b) of this section. If two (2) competitive written bids are not obtained, the entity shall comply with the procedures set forth in paragraph (c) of this section. In the event any agency or governing authority shall have advertised for bids for the purchase of gas, diesel fuel, oils and other petroleum products and coal and no acceptable bids can be obtained, such agency or governing authority is authorized and directed to enter into any negotiations necessary to secure the lowest and best contract available for the purchase of such commodities.

(i) Road construction petroleum products price adjustment clause authorization. Any agency or governing authority authorized to enter into contracts for the construction, maintenance, surfacing or repair of highways, roads or streets, may include in its bid proposal and contract documents a price adjustment clause with relation to the cost to the contractor, including taxes, based upon an industry-wide cost index, of petroleum products including asphalt used in the performance or execution of the contract or in the production or manufacture of materials for use in such performance. Such industry-wide index shall be established and published monthly by the Mississippi Department of Transportation with a copy thereof to be mailed, upon request, to the clerks of the governing authority of each municipality and the clerks of each board of supervisors throughout the state. The price adjustment clause shall be based on the cost of such petroleum products only and shall not include any additional profit or overhead as part of the adjustment. The bid proposals or document contract shall contain the basis and methods of adjusting unit prices for the change in the cost of such petroleum products.

(j) State agency emergency purchase procedure. If the governing board or the executive head, or his designees, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the head of such agency, or his designees, shall file with the Department of Finance and Administration (i) a statement explaining the conditions and circumstances of the emergency, which shall include a detailed description of the events leading up to the situation and the negative impact to the entity if the purchase is made following the statutory requirements set forth in paragraph (a), (b) or (c) of this section, and (ii) a certified copy of the appropriate minutes of the board of such agency requesting the emergency purchase, if applicable. Upon receipt of the statement and applicable board certification, the State Fiscal Officer, or his designees, may, in writing, authorize the purchase or repair without having to comply with competitive bidding requirements.

If the governing board or the executive head, or his designees, of any agency determines that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would threaten the health or safety of any person, or the preservation or protection of property, then the provisions in this section for competitive bidding shall not apply, and any officer or agent of the agency having general or specific authority for making the

purchase or repair contract shall approve the bill presented for payment, and he shall certify in writing from whom the purchase was made, or with whom the repair contract was made.

Total purchases made under this paragraph (j) shall only be for the purpose of meeting needs created by the emergency situation. Following the emergency purchase, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be filed with the Department of Finance and Administration. Any contract awarded pursuant to this paragraph (j) shall not exceed a term of one (1) year.

Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (j).

(k) Governing authority emergency purchase procedure. If the governing authority, or the governing authority acting through its designee, shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions herein for competitive bidding shall not apply and any officer or agent of such governing authority having general or special authority therefor in making such purchase or repair shall approve the bill presented therefor, and he shall certify in writing thereon from whom such purchase was made, or with whom such a repair contract was made. At the board meeting next following the emergency purchase or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased, the price thereof and the nature of the emergency shall be presented to the board and shall be placed on the minutes of the board of such governing authority. Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (k).

(l) Hospital purchase, lease-purchase and lease authorization.

(i) The commissioners or board of trustees of any public hospital may contract with such lowest and best bidder for the purchase or lease-purchase of any commodity under a contract of purchase or lease-purchase agreement whose obligatory payment terms do not exceed five (5) years.

(ii) In addition to the authority granted in subparagraph (i) of this paragraph (l), the commissioners or board of trustees is authorized to enter into contracts for the lease of equipment or services, or both, which it considers necessary for the proper care of patients if, in its opinion, it is not financially feasible to purchase the necessary equipment or services. Any such contract for the lease of equipment or services executed by the commissioners or board shall not exceed a maximum of five (5) years' duration and shall include a cancellation clause based on unavailability of funds. If such cancellation clause is exercised, there shall be no further liability on the part of the lessee. Any such contract for the lease of equipment or services executed on behalf of the commissioners or board that complies with the provisions of this subparagraph (ii) shall be excepted from the bid requirements set forth in this section.

(m) Exceptions from bidding requirements. Excepted from bid requirements are:

(i) Purchasing agreements approved by department. Purchasing agreements, contracts and maximum price regulations executed or approved by the Department of Finance and Administration.

(ii) Outside equipment repairs. Repairs to equipment, when such repairs are made by repair facilities in the private sector; however, engines, transmissions, rear axles and/or other such components shall not be included in this exemption when replaced as a complete unit instead of being repaired and the need for such total component replacement is known before disassembly of the component; however, invoices identifying the equipment, specific repairs made, parts identified by number and name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required for the payment for such repairs.

(iii) In-house equipment repairs. Purchases of parts for repairs to equipment, when such repairs are made by personnel of the agency or governing authority; however, entire assemblies, such as engines or transmissions, shall not be included in this exemption when the entire assembly is being replaced instead of being repaired.

(iv) Raw gravel or dirt. Raw unprocessed deposits of gravel or fill dirt which are to be removed and transported by the purchaser.

(v) Governmental equipment auctions. Motor vehicles or other equipment purchased from a federal agency or authority, another governing authority or state agency of the State of Mississippi, or any governing authority or state agency of another state at a public auction held for the purpose of disposing of such vehicles or other equipment. Any purchase by a governing authority under the exemption authorized by this subparagraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(vi) Intergovernmental sales and transfers. Purchases, sales, transfers or trades by governing authorities or state agencies when such purchases, sales, transfers or trades are made by a private treaty agreement or through means of negotiation, from any federal agency or authority, another governing authority or state agency of the State of Mississippi, or any state agency or governing authority of another state. Nothing in this section shall permit such purchases through public auction except as provided for in subparagraph (v) of this paragraph (m). It is the intent of this section to allow governmental entities to dispose of and/or purchase commodities from other governmental entities at a price that is agreed to by both parties. This shall allow for purchases and/or sales at prices which may be determined to be below the market value if the selling entity determines that the sale at below market value is in the best interest of the taxpayers of the state. Governing authorities shall place the terms of the agreement and any justification on the minutes, and state agencies shall obtain approval from the Department of Finance and Administration, prior to releasing or taking possession of the commodities.

(vii) Perishable supplies or food. Perishable supplies or food purchased for use in connection with hospitals, the school lunch programs, homemaking programs and for the feeding of county or municipal prisoners.

(viii) Single-source items. Noncompetitive items available from one (1) source only. In connection with the purchase of noncompetitive items only available from one (1) source, a certification of the conditions and circumstances requiring the purchase shall be filed by the agency with the Department of Finance and Administration and by the governing authority with the board of the governing authority. Upon receipt of that certification the Department of Finance and Administration or the board of the governing authority, as the case may be, may, in writing, authorize the purchase, which authority shall be noted on the minutes of the body at the next regular meeting thereafter. In those situations, a governing authority is not required to obtain the approval of the Department of Finance and Administration. Following the purchase, the executive head of the state agency, or his designees, shall file with the Department of Finance and Administration, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the source from whom it was purchased.

(ix) Waste disposal facility construction contracts. Construction of incinerators and other facilities for disposal of solid wastes in which products either generated therein, such as steam, or recovered therefrom, such as materials for recycling, are to be sold or otherwise disposed of; however, in constructing such facilities, a governing authority or agency shall publicly issue requests for proposals, advertised for in the same manner as provided herein for seeking bids for public construction projects, concerning the design, construction, ownership, operation and/or maintenance of such facilities, wherein such requests for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, environmental compatibility, legal responsibilities and such other matters as are determined by the governing authority or agency to be appropriate for inclusion; and after responses to the request for proposals have been duly received, the governing

authority or agency may select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter contracts with one or more of the persons or firms submitting proposals.

(x) Hospital group purchase contracts. Supplies, commodities and equipment purchased by hospitals through group purchase programs pursuant to Section 31-7-38.

(xi) Information technology products. Purchases of information technology products made by governing authorities under the provisions of purchase schedules, or contracts executed or approved by the Mississippi Department of Information Technology Services and designated for use by governing authorities.

(xii) Energy efficiency services and equipment. Energy efficiency services and equipment acquired by school districts, community and junior colleges, institutions of higher learning and state agencies or other applicable governmental entities on a shared-savings, lease or lease-purchase basis pursuant to Section 31-7-14.

(xiii) Municipal electrical utility system fuel. Purchases of coal and/or natural gas by municipally owned electric power generating systems that have the capacity to use both coal and natural gas for the generation of electric power.

(xiv) Library books and other reference materials. Purchases by libraries or for libraries of books and periodicals; processed film, videocassette tapes, filmstrips and slides; recorded audiotapes, cassettes and diskettes; and any such items as would be used for teaching, research or other information distribution; however, equipment such as projectors, recorders, audio or video equipment, and monitor televisions are not exempt under this subparagraph.

(xv) Unmarked vehicles. Purchases of unmarked vehicles when such purchases are made in accordance with purchasing regulations adopted by the Department of Finance and Administration pursuant to Section 31-7-9(2).

(xvi) Election ballots. Purchases of ballots printed pursuant to Section 23-15-351.

(xvii) Multichannel interactive video systems. From and after July 1, 1990, contracts by Mississippi Authority for Educational Television with any private educational institution or private nonprofit organization whose purposes are educational in regard to the construction, purchase, lease or lease-purchase of facilities and equipment and the employment of personnel for providing multichannel interactive video systems (ITSF) in the school districts of this state.

(xviii) Purchases of prison industry products by the Department of Corrections, regional correctional facilities or privately owned prisons. Purchases made by the Mississippi Department of Corrections, regional correctional facilities or privately owned prisons involving any item that is manufactured, processed, grown or produced from the state's prison industries.

(xix) Undercover operations equipment. Purchases of surveillance equipment or any other high-tech equipment to be used by law enforcement agents in undercover operations, provided that any such purchase shall be in compliance with regulations established by the Department of Finance and Administration.

(xx) Junior college books for rent. Purchases by community or junior colleges of textbooks which are obtained for the purpose of renting such books to students as part of a book service system.

(xxi) Certain school district purchases. Purchases of commodities made by school districts from vendors with which any levying authority of the school district, as defined in Section 37-57-1, has contracted through competitive bidding procedures for purchases of the same commodities.

(xxii) Garbage, solid waste and sewage contracts. Contracts for garbage collection or disposal, contracts for solid waste collection or disposal and contracts for sewage collection or disposal.

(xxiii) Municipal water tank maintenance contracts. Professional maintenance program contracts for the repair or maintenance of municipal water tanks, which provide professional services needed to maintain municipal water storage tanks for a fixed annual fee for a duration of two (2) or more years.

(xxiv) Purchases of Mississippi Industries for the Blind products or services. Purchases made by state agencies or governing authorities involving any item that is manufactured, processed or produced by, or any services provided by, the Mississippi Industries for the Blind.

(xxv) Purchases of state-adopted textbooks. Purchases of state-adopted textbooks by public school districts.

(xxvi) Certain purchases under the Mississippi Major Economic Impact Act. Contracts entered into pursuant to the provisions of Section 57-75-9(2), (3) and (4).

(xxvii) Used heavy or specialized machinery or equipment for installation of soil and water conservation practices purchased at auction. Used heavy or specialized machinery or equipment used for the installation and implementation of soil and water conservation practices or measures purchased subject to the restrictions provided in Sections 69-27-331 through 69-27-341. Any purchase by the State Soil and Water Conservation Commission under the exemption authorized by this subparagraph shall require advance authorization spread upon the minutes of the commission to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(xxviii) Hospital lease of equipment or services. Leases by hospitals of equipment or services if the leases are in compliance with paragraph (l)(ii).

(xxix) Purchases made pursuant to qualified cooperative purchasing agreements. Purchases made by certified purchasing offices of state agencies or governing authorities under cooperative purchasing agreements previously approved by the Office of Purchasing and Travel and established by or for any municipality, county, parish or state government or the federal government, provided that the notification to potential contractors includes a clause that sets forth the availability of the cooperative purchasing agreement to other governmental entities. Such purchases shall only be made if the use of the cooperative purchasing agreements is determined to be in the best interest of the governmental entity.

(xxx) School yearbooks. Purchases of school yearbooks by state agencies or governing authorities; however, state agencies and governing authorities shall use for these purchases the RFP process as set forth in the Mississippi Procurement Manual adopted by the Office of Purchasing and Travel.

(xxxi) Design-build method of contracting and certain other contracts. Contracts entered into under the provisions of Section 31-7-13.1, 37-101-44 or 65-1-85.

(xxxii) Toll roads and bridge construction projects. Contracts entered into under the provisions of Section 65-43-1 or 65-43-3.

(xxxiii) Certain purchases under Section 57-1-221. Contracts entered into pursuant to the provisions of Section 57-1-221.

(xxxiv) Certain transfers made pursuant to the provisions of Section 57-105-1(7). Transfers of public property or facilities under Section 57-105-1(7) and construction related to such public property or facilities.

(xxxv) Certain purchases or transfers entered into with local electrical power associations. Contracts or agreements entered into under the provisions of Section 55-3-33.

(xxxvi) Certain purchases by an academic medical center or health sciences school. Purchases by an academic medical center or health sciences school, as defined in Section 37-115-50, of commodities that are used for clinical purposes and 1. intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease, and 2. medical devices, biological, drugs and radiation-emitting devices as defined by the United States Food and Drug Administration.

(xxxvii) Certain purchases made under the Alyce G. Clarke Mississippi Lottery Law. Contracts made by the Mississippi Lottery Corporation pursuant to the Alyce G. Clarke Mississippi Lottery Law.

(xxxviii) Certain purchases made by the Department of Health and the Department of Revenue. Purchases made by the Department of Health and the Department of Revenue solely for the purpose of fulfilling their respective responsibilities

under the Mississippi Medical Cannabis Act. This subparagraph shall stand repealed on June 30, 2026.

(xxxix) Purchases made by state agencies related to museum exhibits. Purchases made by an agency related to the fabrication, construction, installation or refurbishing of museum exhibits. An agency making a purchase under this exemption in excess of the bid threshold set forth in 31-7-13(c) shall publicly advertise a Request for Qualifications or Request for Proposals in which price as an evaluation factor is at least twenty percent (20%) out of the one hundred percent (100%) total weight, but shall be otherwise exempt. Any contract arising from a purchase using this exemption must be approved by the Public Procurement Review Board prior to execution by the agency. The agency shall submit a written report on December 1 of each year to the Chairs of the Senate and House Appropriations Committees, the Chairs of the Senate and House Accountability, Efficiency and Transparency Committees and the Chair of the Public Procurement Review Board, identifying all purchases made by the agency using this exemption in which the cost of the option selected by the agency was more than twenty-five percent (25%) higher than the lowest cost option available.

(n) Term contract authorization. All contracts for the purchase of:

(i) All contracts for the purchase of commodities, equipment and public construction (including, but not limited to, repair and maintenance), may be let for periods of not more than sixty (60) months in advance, subject to applicable statutory provisions prohibiting the letting of contracts during specified periods near the end of terms of office. Term contracts for a period exceeding twenty-four (24) months shall also be subject to ratification or cancellation by governing authority boards taking office subsequent to the governing authority board entering the contract.

(ii) Bid proposals and contracts may include price adjustment clauses with relation to the cost to the contractor based upon a nationally published industry-wide or nationally published and recognized cost index. The cost index used in a price adjustment clause shall be determined by the Department of Finance and Administration for the state agencies and by the governing board for governing authorities. The bid proposal and contract documents utilizing a price adjustment clause shall contain the basis and method of adjusting unit prices for the change in the cost of such commodities, equipment and public construction.

(o) Purchase law violation prohibition and vendor penalty. No contract or purchase as herein authorized shall be made for the purpose of circumventing the provisions of this section requiring competitive bids, nor shall it be lawful for any person or concern to submit individual invoices for amounts within those authorized for a contract or purchase where the actual value of the contract or commodity purchased exceeds the authorized amount and the invoices therefor are split so as to appear to be authorized as purchases for which competitive bids are not required. Submission of such invoices shall constitute a misdemeanor punishable by a fine of not less than Five Hundred Dollars ($500.00) nor more than One Thousand Dollars ($1,000.00), or by imprisonment for thirty (30) days in the county jail, or both such fine and imprisonment. In addition, the claim or claims submitted shall be forfeited.

(p) Electrical utility petroleum-based equipment purchase procedure. When in response to a proper advertisement therefor, no bid firm as to price is submitted to an electric utility for power transformers, distribution transformers, power breakers, reclosers or other articles containing a petroleum product, the electric utility may accept the lowest and best bid therefor although the price is not firm.

(q) Fuel management system bidding procedure. Any governing authority or agency of the state shall, before contracting for the services and products of a fuel management or fuel access system, enter into negotiations with not fewer than two (2) sellers of fuel management or fuel access systems for competitive written bids to provide the services and products for the systems. In the event that the governing authority or agency cannot locate two (2) sellers of such systems or cannot obtain bids from two (2) sellers of such systems, it shall show proof that it made a diligent, good-faith effort to locate and negotiate with two (2) sellers of such systems. Such proof shall include, but not be limited to, publications of a request for proposals and letters soliciting negotiations and bids. For purposes of this paragraph (q), a fuel management or fuel access system is an automated system of acquiring fuel for vehicles as well as

management reports detailing fuel use by vehicles and drivers, and the term "competitive written bid" shall have the meaning as defined in paragraph (b) of this section. Governing authorities and agencies shall be exempt from this process when contracting for the services and products of fuel management or fuel access systems under the terms of a state contract established by the Office of Purchasing and Travel.

(r) Solid waste contract proposal procedure. Before entering into any contract for garbage collection or disposal, contract for solid waste collection or disposal or contract for sewage collection or disposal, which involves an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), a governing authority or agency shall issue publicly a request for proposals concerning the specifications for such services which shall be advertised for in the same manner as provided in this section for seeking bids for purchases which involve an expenditure of more than the amount provided in paragraph (c) of this section. Any request for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, legal responsibilities and other relevant factors as are determined by the governing authority or agency to be appropriate for inclusion; all factors determined relevant by the governing authority or agency or required by this paragraph (r) shall be duly included in the advertisement to elicit proposals. After responses to the request for proposals have been duly received, the governing authority or agency shall select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter into contracts with one or more of the persons or firms submitting proposals. If the governing authority or agency deems none of the proposals to be qualified or otherwise acceptable, the request for proposals process may be reinitiated. Notwithstanding any other provisions of this paragraph, where a county with at least thirty-five thousand (35,000) nor more than forty thousand (40,000) population, according to the 1990 federal decennial census, owns or operates a solid waste landfill, the governing authorities of any other county or municipality may contract with the governing authorities of the county owning or operating the landfill, pursuant to a resolution duly adopted and spread upon the minutes of each governing authority involved, for garbage or solid waste collection or disposal services through contract negotiations.

(s) Minority set-aside authorization. Notwithstanding any provision of this section to the contrary, any agency or governing authority, by order placed on its minutes, may, in its discretion, set aside not more than twenty percent (20%) of its anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the Department of Finance and Administration and shall be subject to bid requirements under this section. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder. For the purposes of this paragraph, the term "minority business" means a business which is owned by a majority of persons who are United States citizens or permanent resident aliens (as defined by the Immigration and Naturalization Service) of the United States, and who are Asian, Black, Hispanic or Native American, according to the following definitions:

(i) "Asian" means persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(ii) "Black" means persons having origins in any black racial group of Africa.

(iii) "Hispanic" means persons of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.

(iv) "Native American" means persons having origins in any of the original people of North America, including American Indians, Eskimos and Aleuts.

(t) Construction punch list restriction. The architect, engineer or other representative designated by the agency or governing authority that is contracting for public construction or renovation may prepare and submit to the contractor only one (1) preliminary punch list of items that do not meet the contract requirements at the time of substantial completion and one (1) final list immediately before final completion and final payment.

(u) Procurement of construction services by state institutions of higher learning. Contracts for privately financed construction of auxiliary facilities on the campus of a state institution of higher learning may be awarded by the Board of Trustees of State Institutions of Higher Learning to the lowest and best bidder, where sealed bids are solicited, or to the offeror whose proposal is determined to represent the best value to the citizens of the State of Mississippi, where requests for proposals are solicited.

(v) Insurability of bidders for public construction or other public contracts. In any solicitation for bids to perform public construction or other public contracts to which this section applies, including, but not limited to, contracts for repair and maintenance, for which the contract will require insurance coverage in an amount of not less than One Million Dollars ($1,000,000.00), bidders shall be permitted to either submit proof of current insurance coverage in the specified amount or demonstrate ability to obtain the required coverage amount of insurance if the contract is awarded to the bidder. Proof of insurance coverage shall be submitted within five (5) business days from bid acceptance.

(w) Purchase authorization clarification. Nothing in this section shall be construed as authorizing any purchase not authorized by law.

(x) Mississippi Regional Pre-Need Disaster Clean Up Act. (i) * * * The Department of Finance and Administration shall develop and implement a process that creates a preferred vendor list for both disaster debris removal and monitoring.

(ii) Any board of supervisors of any county or any governing authority of any municipality may opt in to the benefits and services provided under the appropriate and relevant contract established in subparagraph (i) of this paragraph at the time of a disaster event in that county or municipality. At the time of opt in, the county or municipality shall assume responsibility for payment in full to the contractor for the disaster-related solid waste collection, disposal or monitoring services provided. Nothing in this subparagraph (ii) shall be construed as requiring a county or municipality to opt in to any such contract established in subparagraph (i) of this paragraph.

SECTION 8. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 28 OF CHAPTER 549, LAWS OF 2023, TO CLARIFY AND CORRECT NAMES AND PURPOSES OF CERTAIN PROJECTS FUNDED WITH MONIES DISBURSED FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND; TO AMEND SECTION 4 OF CHAPTER 549, LAWS OF 2023, TO REVISE THE PURPOSE OF A CERTAIN PROJECT FUNDED WITH MONIES DISBURSED FROM THE 2022 IHL CAPITAL IMPROVEMENTS FUND; TO AMEND SECTION 27-104-373, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CONTRACTS OR PURCHASES FOR PROJECTS FUNDED WITH MONIES DISBURSED FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND THAT INVOLVE EXPENDITURES ABOVE CERTAIN AMOUNTS MUST BE MADE AFTER OBTAINING COMPETITIVE WRITTEN BIDS; TO AMEND SECTION 65-1-185, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE 2023 DESOTO COUNTY INFRASTRUCTURE IMPROVEMENTS FUND SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION INSTEAD OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 65-1-187, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE 2023 LAFAYETTE COUNTY INFRASTRUCTURE IMPROVEMENTS FUND SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION INSTEAD OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 65-1-189, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE 2023 GULFPORT COMMERCE CORRIDOR FUND SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION INSTEAD OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 297 AND SENATE BILL NO. 2486, 2024 REGULAR SESSION, TO MAKE SEVERAL TECHNICAL CHANGES APPLICABLE TO CERTAIN AMERICAN RECOVERY AND REINVESTMENT ACT

PROJECTS UNDER THE PUBLIC PURCHASING LAW; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	Briggs Hopson
Angela Cockerham	John A. Polk
Vince Mangold	Josh Harkins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1707** (version 2) was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.

Senator Hopson moved that the rules be suspended to move to calendar item 24, **H. B. No. 1705**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1705** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1705: Budget process; bring forward certain sections relating to and provide for transfers of funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Upon the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the amounts listed below from the Capital Expense Fund (Fund No. 6499C00000) to each of the following named funds:

FUND	FUND NUMBER	AMOUNT
Animal Disease Response Fund created in Section 69-15-21, Mississippi Code of 1972	3342700000	$ 92,000.00
Oil and Gas Emergency		

Plugging Fund created in Section 53-1-77, Mississippi Code of 1972	3349300000	$	800,000.00
Disaster Assistance Trust Fund created in Section 33-15-307, Mississippi Code of 1972	3372500000	$	1,575,864.00
Mississippi Dam Safety Fund created in Section 19, Chapter 492, Laws of 2020	6614700000	$	2,000.000.00
Historic Site Preservation Fund created in Section 39-5-22, Mississippi Code of 1972	3348400000	$	500,000.00
TOTAL		$	4,967,864.00

SECTION 2. (1) There is created in the State Treasury a special fund to be known as the Opioid Settlement Fund. The fund shall consist of monies received by the Attorney General on behalf of the State of Mississippi from settlements of opioid litigation with distributors Cardinal Health, McKesson and AmerisourceBergen, manufacturers Janssen Pharmaceuticals/Johnson & Johnson, Allergan and Teva, and pharmacy chains CVS, Walgreens and Walmart, which are deposited into the fund by the Attorney General.

(2) Monies in the fund shall be expended upon appropriation by the Legislature in accordance with the requirements of the opioid litigation settlements described in subsection (1) of this section.

(3) Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

SECTION 3. (1) There is created in the State Treasury a special fund to be known as the Forest Improvement Revolving Fund. Money in the revolving fund shall be used by the State Forestry Commission, upon appropriation by the Legislature, to assist in the

reforestation and growth improvement of the forests, woodlands, and publicly owned lands of the state, including sixteenth section lands, Camp Shelby, Columbia Training School and colleges and universities.

(2) Landowners who contract with the commission for such work shall pay to the commission its actual cost for conducting such work. Money received for this work by the commission shall be paid into the State Treasury for deposit into the revolving fund.

(3) Monies remaining in the revolving fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on the revolving fund shall be deposited to the credit of the revolving fund.

SECTION 4. (1) There is created in the State Treasury a special fund to be known as the Volunteer Fire Department Equipment Conversion Revolving Fund. The revolving fund shall consist of monies received from charges for work and services performed for volunteer fire departments by the commission.

(2) Monies in the revolving fund shall be used by the State Forestry Commission, upon appropriation by the Legislature, to assist in the conversion of vehicles acquired by the commission through the Federal Excess Personal Property Program or by volunteer fire departments through other means to adapt them for use in the suppression of wildland fires. This assistance shall be in the form of fabrication of water tanks or other accessories necessary for the operation of fire suppression units, installation of piping and valves, painting or other similar or associated component work necessary to place fire suppression equipment into service; such assistance is not for general vehicle maintenance or repair.

(2) The State Treasurer shall make disbursements from the revolving fund for payment of materials, supplies and labor upon requisition of the commission and upon the issuance of warrants therefor by the Department of Finance and Administration.

(3) The amount of monies deposited into the revolving fund from such charges shall not exceed Fifty Thousand Dollars ($50,000.00). Funds in excess of Fifty Thousand Dollars ($50,000.00) from such charges shall be deposited into the Forestry Commission's regular appropriated special funds.

(4) Monies remaining in the revolving fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on the revolving fund shall be deposited to the credit of the revolving fund.

SECTION 5. (1) There is created in the State Treasury a special fund to be known as the Camden State Forest Revolving Fund. The revolving fund shall be funded by monies received from timber sales, leases, and any other source, and monies collected from these income sources shall be deposited into the revolving fund. Monies in the fund shall be used by the State Forestry Commission, upon appropriation of by the Legislature, to direct forest management activities on the Camden State Forest in Madison County, Mississippi. The forest management activities will include, but not be limited to, maintenance of property, timber sale activities and regeneration work.

(2) The State Treasurer shall make disbursements from the revolving fund for payments of materials, supplies and labor upon requisition of the commission and upon the issuance of warrants therefor by the Department of Finance and Administration.

(3) Monies remaining in the revolving fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on the revolving fund shall be deposited to the credit of the revolving fund.

SECTION 6. (1) There is created in the State Treasury a special fund to be known as the Arts Commission Challenge Initiative Fund. The fund shall consist of legislative appropriations, federal funds, contributions, donations, gifts and monies from any other source that are made available for deposit into the fund.

(2) Monies in the fund shall be used by the Arts Commission, upon appropriation by the Legislature, to award grants to arts organizations. Recipients of grants from the fund will be required to provide matching funds for the grants in an amount of not less than two (2) times the amount of the grant.

(3) Monies remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on the fund shall be deposited to the credit of the fund.

SECTION 7. (1) There is created in the State Treasury a special fund to be known as the Public Employees' Retirement System Building Repair and Maintenance Fund. The fund shall consist of all funds collected as rental income from the building owned by the system located at 301 North President Street, Jackson, Mississippi.

(2) Monies in the fund shall be used by the Board of Trustees of the Public Employees' Retirement System, upon appropriation of the Legislature, for the repair and maintenance of the Timothy Alan (Tim) Ford Building. At the end of each fiscal year, monies remaining in the fund shall be transferred to the Administrative Expense Account of the system.

SECTION 8. Section 83-1-191, Mississippi Code of 1972, is amended as follows:

83-1-191. (1) There is established within the Department of Insurance a Comprehensive Hurricane Damage Mitigation Program. This section does not create an entitlement for property owners or obligate the state in any way to fund the inspection or retrofitting of residential property or commercial property in this state. Implementation of this program is subject to the availability of funds that may be appropriated by the Legislature for this purpose. The program may develop and implement a comprehensive and coordinated approach for hurricane damage mitigation that may include the following:

(a) Cost-benefit study on wind hazard mitigation construction measures. The performance of a cost-benefit study to establish the most appropriate wind hazard mitigation construction measures for both new construction and the retrofitting of existing construction for both residential and commercial facilities within the wind-borne debris regions of Mississippi as defined by the International Building Code. The recommended wind construction techniques shall be based on both the newly adopted Mississippi building code sections for wind load design and the wind-borne debris region. The list of construction measures to be considered for evaluation in the cost-benefit study shall be based on scientifically established and sound, but common, construction techniques that go above and beyond the basic recommendations in the adopted building codes. This allows residents to utilize multiple options that will further reduce risk and loss and still be awarded for their endeavors with appropriate wind insurance discounts. It is recommended that existing accepted scientific studies that validate the wind hazard construction techniques benefits and effects be taken into consideration when establishing the list of construction techniques that homeowners and business owners can employ. This will ensure that only established construction measures that have been

studied and modeled as successful mitigation measures will be considered to reduce the chance of including risky or unsound data that will cost both the property owner and state unnecessary losses. The cost-benefit study shall be based on actual construction cost data collected for several types of residential construction and commercial construction materials, building techniques and designs that are common to the region. The study shall provide as much information as possible that will enhance the data and options provided to the public, so that homeowners and business owners can make informed and educated decisions as to their level of involvement. Based on the construction data, modeling shall be performed on a variety of residential and commercial designs, so that a broad enough representative spectrum of data can be obtained. The data from the study will be utilized in a report to establish tables reflecting actuarially appropriate levels of wind insurance discounts (in percentages) for each mitigation construction technique/combination of techniques. This report will be utilized as a guide for the Department of Insurance and the insurance industry for developing actuarially appropriate discounts, credits or other rate differentials, or appropriate reductions in deductibles, for properties on which fixtures or construction techniques demonstrated to reduce the amount of loss in a windstorm have been installed or implemented. Additional data that will enhance the program, such as studies to reflect property value increases for retrofitting or building to the established wind hazard mitigation construction techniques and cost comparison data collected to establish the value of this program against the investment required to include the mitigation measures, also may be provided.

(b) Wind certification and hurricane mitigation inspections.

(i) Home-retrofit inspections of site-built, residential property, including single-family, two-family, three-family or four-family residential units, and a set of representative commercial facilities may be offered to determine what mitigation measures are needed and what improvements to existing residential properties are needed to reduce the property's vulnerability to hurricane damage. A state program may be established within the Department of Insurance to provide homeowners and business owners wind certification and hurricane mitigation inspections. The inspections provided to homeowners and business owners, at a minimum, must include:

1. A home inspection and report that summarizes the results and identifies corrective actions a homeowner may take to mitigate hurricane damage.

2. A range of cost estimates regarding the mitigation features.

3. Insurer-specific information regarding premium discounts correlated to recommended mitigation features identified by the inspection.

4. A hurricane resistance rating scale specifying the home's current as well as projected wind resistance capabilities.

This data may be provided by trained and certified inspectors in standardized reporting formats and forms to ensure all data collected during inspections is equivalent in style and content that allows construction data, estimates and discount information to be easily assimilated into a database. Data pertaining to the number of inspections and inspection reports may be stored in a state database for evaluation of the program's success and review of state goals in reducing wind hazard loss in the state.

(ii) To qualify for selection by the department as a provider of wind certification and hurricane mitigation inspections services, the entity shall, at a minimum, and on a form and in the manner prescribed by the commissioner:

1. Use wind certification and hurricane mitigation inspectors who:

a. Have prior experience in residential and/or commercial construction or inspection and have received specialized training in hurricane mitigation procedures through the state certified program. In order to qualify for training in the inspection process, the individual should be either a licensed building code official, a licensed contractor or inspector in the State of Mississippi, or a civil engineer.

b. Have undergone drug testing and background checks.

c. Have been certified through a state mandated training program, in a manner satisfactory to the department, to conduct the inspections.

d. Have not been convicted of a felony crime of violence or of a sexual offense; have not received a first-time offender pardon or nonadjudication order for a felony crime of violence or of a sexual offense; or have not entered a plea of guilty or nolo contendere to a felony charge of violence or of a sexual offense.

e. Submit a statement authorizing the Commissioner of Insurance to order fingerprint analysis or any other analysis or documents deemed necessary by the commissioner for the purpose of verifying the criminal history of the individual. The commissioner shall have the authority to conduct criminal history verification on a local, state or national level, and shall have the authority to require the individual to pay for the costs of such criminal history verification.

2. Provide a quality assurance program including a reinspection component.

3. Have data collection equipment and computer systems, so that data can be submitted electronically to the state's database of inspection reports, insurance certificates, and other industry information related to this program. It is mandatory that all inspectors provide original copies to the property owner of any inspection reports, estimates, etc., pertaining to the inspection and keep a copy of all inspection materials on hand for state audits.

(c) Financial grants to retrofit properties. Financial grants may be used to encourage single-family, site-built, owner-occupied, residential property owners or commercial property owners to retrofit their properties to make them less vulnerable to hurricane damage. No financial grant made under this section shall exceed Ten Thousand Dollars ($10,000.00) per recipient.

(d) Education and consumer awareness. Multimedia public education, awareness and advertising efforts designed to specifically address mitigation techniques may be employed, as well as a component to support ongoing consumer resources and referral services. In addition, all insurance companies shall provide notification to their clients regarding the availability of this program, participation details, and directions to the state website promoting the program, along with appropriate contact phone numbers to the state agency administrating the program. The notification to the clients must be sent by the insurance company within thirty (30) days after filing their insurance discount schedules with the Department of Insurance.

(e) Advisory council. There is created an advisory council to provide advice and assistance to the program administrator with regard to his or her administration of the program. The advisory council shall consist of:

(i) An agent, selected by the Independent Insurance Agents of Mississippi.

(ii) Two (2) representatives of residential property insurers, selected by the Department of Insurance.

(iii) One (1) representative of homebuilders, selected by the Home Builders Association of Mississippi.

(iv) The Chairman of the House Insurance Committee, or his designee.

(v) The Chairman of the Senate Insurance Committee, or his designee.

(vi) The Executive Director of the Mississippi Windstorm Underwriting Association, or his designee.

(vii) The Director of the Mississippi Emergency Management Agency, or his designee.

Members appointed under subparagraphs (i) and (ii) shall serve at the pleasure of the Department of Insurance. All other members shall serve as voting ex officio members. Members of the advisory council who are not legislators, state officials or state employees shall be compensated at the per diem rate authorized by Section 25-3-69, and shall be reimbursed in accordance with Section 25-3-41, for mileage and actual expenses incurred in the performance of their duties. Legislative members of the advisory council shall be paid from the contingent expense funds of their respective houses in the same manner as provided for committee meetings when the Legislature is not in session; however, no per diem or expense for attending meetings of the advisory council may be paid while the Legislature is in session. No advisory council member may incur per diem, travel or other expenses unless previously authorized by vote, at a meeting of the council, which action shall be recorded in the official minutes of the meeting. Nonlegislative members shall be paid from any funds made available to the advisory council for that purpose.

(f) Rules and regulations. The Department of Insurance may adopt rules and regulations governing the Comprehensive Hurricane Damage Mitigation Program. The department also may adopt rules and regulations establishing priorities for grants provided under this section based on objective criteria that gives priority to reducing the state's probable maximum loss from hurricanes. However, pursuant to this overall goal, the department may further establish priorities based on the insured value of the dwelling, whether or not the dwelling is insured by the Mississippi Windstorm Underwriting Association and whether or not the area under consideration has sufficient resources and the ability to perform the retrofitting required.

(2) Nothing in this section shall prohibit the Department of Insurance from entering into an agreement with any other appropriate state agency to assist with or perform any of the duties set forth hereunder.

(3) The Department of Insurance shall issue a request for proposals to contract with a third party for the administration of the Comprehensive Hurricane Damage Mitigation Program. The contract for the third-party administrator shall be funded from monies in the Comprehensive Hurricane Damage Mitigation Program Fund created in subsection (4) of this section, and that amount shall not exceed one percent (1%) of the funds appropriated to the Department of Insurance for the program. If the third-party administrator selected through the request for proposals is replaced or is otherwise changed, the Department of Insurance shall notify the Chairs of the House and Senate Appropriations and Insurance Committees.

(4) There is created a special fund in the State Treasury to be known as the Comprehensive Hurricane Damage Mitigation Program Fund. The fund shall consist of any monies from any source that are designated or made available for deposit into the fund. The Department of Insurance may apply for any federal or private grants to provide additional funds for the special fund. Monies in the fund shall be expended by the Department of Insurance, upon appropriation by the Legislature, for the purposes as provided in this section. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(* * *5) This section shall stand repealed from and after July 1, 2025.

SECTION 9. Upon the effective date of this act, the Mississippi Surplus Lines Association shall transfer the sum of Five Million Dollars ($5,000,000.00) to the State Treasurer to be deposited into the Comprehensive Hurricane Damage Mitigation Program Fund created in Section 83-1-191(4), Mississippi Code of 1972.

SECTION 10. Upon the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the sum of Two Hundred Fifty-nine Thousand Dollars ($259,000.00) from the Real Estate Commission Fund (Fund No. 3383200000) to the Home Inspector License Fund created in Section 73-60-29, Mississippi Code of 1972.

SECTION 11. Section 1 of Chapter 7, Laws of 2023, appropriation to the Board of Barber Examiners, is amended as follows:

Section 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Board of Barber Examiners or its successor board, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024..... $ 344,410.00.

SECTION 12. Section 1 of Chapter 8, Laws of 2023, appropriation to the Board of Cosmetology, is amended as follows:

Section 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Board of Cosmetology or its successor board, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024..... $ 1,013,260.00.

SECTION 13. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO DIRECT THE STATE TREASURER TO TRANSFER CERTAIN AMOUNTS FROM THE CAPITAL EXPENSE FUND TO THE ANIMAL DISEASE RESPONSE FUND, THE OIL AND GAS EMERGENCY PLUGGING FUND, THE

DISASTER ASSISTANCE TRUST FUND, THE MISSISSIPPI DAM SAFETY FUND AND THE HISTORIC SITE PRESERVATION FUND; TO CREATE NEW SPECIAL FUNDS IN THE STATE TREASURY TO BE KNOWN AS THE OPIOID SETTLEMENT FUND, THE FOREST IMPROVEMENT REVOLVING FUND, THE VOLUNTEER FIRE DEPARTMENT EQUIPMENT CONVERSION REVOLVING FUND, THE CAMDEN STATE FOREST REVOLVING FUND, THE ARTS COMMISSION CHALLENGE INITIATIVE FUND, AND THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM BUILDING REPAIR AND MAINTENANCE FUND; TO AMEND SECTION 83-1-191, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT GRANTS MADE BY THE DEPARTMENT OF INSURANCE UNDER THE COMPREHENSIVE HURRICANE DAMAGE MITIGATION PROGRAM SHALL NOT EXCEED $10,000 PER RECIPIENT; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE COMPREHENSIVE HURRICANE DAMAGE MITIGATION PROGRAM FUND; TO DIRECT THE DEPARTMENT OF INSURANCE TO ISSUE A REQUEST FOR PROPOSALS TO CONTRACT WITH A THIRD PARTY TO ADMINISTER THE PROGRAM; TO PROVIDE THAT THE CONTRACT SHALL BE FUNDED FROM MONIES IN THE COMPREHENSIVE HURRICANE DAMAGE MITIGATION PROGRAM FUND, AND THAT AMOUNT SHALL NOT EXCEED ONE PERCENT OF THE FUNDS APPROPRIATED TO THE DEPARTMENT FOR THE PROGRAM; TO DIRECT THE MISSISSIPPI SURPLUS LINES ASSOCIATION TO TRANSFER A CERTAIN SUM TO THE STATE TREASURER TO BE DEPOSITED INTO THE COMPREHENSIVE HURRICANE DAMAGE MITIGATION PROGRAM FUND; TO DIRECT THE STATE TREASURER TO TRANSFER A CERTAIN SUM FROM THE REAL ESTATE COMMISSION FUND TO THE HOME INSPECTOR LICENSE FUND; TO AMEND SECTION 1 OF CHAPTER 7, LAWS OF 2023, TO REVISE THE FISCAL YEAR 2024 APPROPRIATION TO THE STATE BOARD OF BARBER EXAMINERS TO APPROPRIATE FUNDS TO A SUCCESSOR BOARD OF THE STATE BOARD OF BARBER EXAMINERS; TO AMEND SECTION 1 OF CHAPTER 8, LAWS OF 2023, TO REVISE THE FISCAL YEAR 2024 APPROPRIATION TO THE STATE BOARD OF COSMETOLOGY TO APPROPRIATE FUNDS TO A SUCCESSOR BOARD OF THE STATE BOARD OF COSMETOLOGY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	Briggs Hopson
Angela Cockerham	John A. Polk
Vince Mangold	Josh Harkins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1705** (version 2) was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.

Senator Hopson moved that the rules be suspended to move to calendar item 7, **H. B. No. 1783**, and the motion prevailed.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1783** be recommitted for further conference and the motion prevailed.

H. B. No. 1783: Appropriation; Marine Resources, Department of.

Senator Hopson moved that the rules be suspended to move to calendar item 11, **H. B. No. 1830**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1830** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1830: Appropriation; additional appropriation FY24.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury, to the credit of the Secretary of State, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Secretary of State for the period beginning upon passage, and ending June 30, 2025 ..... $ 14,025,000.00.

The purpose of these funds is for grants from the Secretary of State Land Improvement Fund.

SECTION 2. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury, to the credit of the Mississippi Development Authority and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Mississippi Development Authority for the period beginning upon passage, and ending June 30, 2025

$ 500,000.00.

The purpose of these funds is to provide grants from the Small Unmanned Aircraft System Manufacturer Grant Fund.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the General Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Office of the Attorney General for the period beginning upon passage of this act, and ending June 30, 2025 ..... $ 2,500,000.00.

This additional appropriation is for the purpose of defraying allowable expenses for Victims of Human Trafficking and Commercial Sexual Exploitation pursuant to Sections 97-3-54.10 through 97-3-54.13, Mississippi Code of 1972.

SECTION 4. This act shall take effect and be in force from and after passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE AN ADDITIONAL APPROPRIATION OF GENERAL FUNDS AND SPECIAL FUNDS TO DEFAY THE OPERATING EXPENSES OF THE SECRETARY OF STATE, THE MISSISSIPPI DEVELOPMENT AUTHORITY, AND THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEARS 2024 AND 2025; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	Briggs Hopson
Angela Cockerham	Dennis DeBar, Jr.
Vince Mangold	John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1830** (version 2) was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2298: AN ACT TO AMEND SECTION 31-13-11, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM AND MAXIMUM FEE PAID TO THE STATE'S BOND ATTORNEY FOR THE VALIDATION AND ISSUANCE OF BONDS ISSUED OR PROPOSED TO BE ISSUED BY A COUNTY, MUNICIPALITY, OR OTHER DISTRICT OR SUBDIVISION OF THE STATE; TO AMEND SECTION 31-13-1, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE BOND ATTORNEY, WHEN A CONFLICT OF INTEREST ARISES, TO NOTIFY THE GOVERNOR, LIEUTENANT GOVERNOR AND ATTORNEY GENERAL OF THE CONFLICT OF INTEREST; TO AUTHORIZE THE GOVERNOR TO APPOINT A STATE BOND ATTORNEY PRO TEMPORE; AND FOR RELATED PURPOSES.

S. B. No. 2695: AN ACT TO AMEND SECTION 37-25-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SCHOOL BOARD OF ANY SCHOOL DISTRICT MAINTAINING A SECONDARY SCHOOL SHALL ESTABLISH AND MAINTAIN DRIVER EDUCATION AND TRAINING PROGRAMS FOR PUPILS ENROLLED IN THE SECONDARY SCHOOLS IN THAT DISTRICT; TO AMEND SECTION 37-25-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE SUPERINTENDENT OF EDUCATION AND THE COMMISSIONER OF PUBLIC SAFETY SHALL JOINTLY PREPARE AND RECOMMEND TO THE STATE BOARD OF EDUCATION, THE SCOPE OF DRIVER EDUCATION AND TRAINING PROGRAMS IN SECONDARY SCHOOLS; TO PROVIDE THAT ON OR BEFORE JULY 1, 2025, THE STATE SUPERINTENDENT OF EDUCATION AND THE COMMISSIONER OF PUBLIC SAFETY SHALL JOINTLY PREPARE AN ESTIMATED BUDGET AND FISCAL REPORT OF THE ADDITIONAL EXPENSES AND COSTS RELATED TO THE IMPLEMENTATION OF MANDATORY DRIVER EDUCATION PROGRAMS AND PRESENT THE SAME TO THE LEGISLATURE; TO AMEND SECTION 37-25-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A DRIVER'S EDUCATION STUDENT SHALL NOT BE REQUIRED TO POSSESS A LEARNER'S PERMIT OR DRIVER'S LICENSE WHILE THE STUDENT IS UNDER THE DIRECT SUPERVISION OR AN INSTRUCTOR; TO DELETE CERTAIN FEES THAT THE DEPARTMENT OF PUBLIC SAFETY COULD CHARGE FOR A LEARNER'S PERMIT; TO CREATE NEW SECTION 37-25-8, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT UPON SATISFACTORY COMPLETION OF A DRIVER EDUCATION AND TRAINING PROGRAM, A DRIVER'S EDUCATION STUDENT SHALL BE ISSUED A CERTIFICATE OF COMPLETION AND COPY OF SAID CERTIFICATE SHALL BE DELIVERED TO THE DRIVER SERVICE BUREAU OF THE DEPARTMENT OF PUBLIC SAFETY; TO CREATE NEW SECTION 37-25-14, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY SHALL REPORT TO THE DEPARTMENT OF EDUCATION ANNUAL STATISTICS REGARDING CRASH AND FATALITY DATA FOR THE STATE OF MISSISSIPPI AND NATIONALLY, INCLUDING, BUT NOT LIMITED TO, STATISTICS INVOLVING TEENAGE DRIVERS;

TO AMEND SECTION 63-1-9, MISSISSIPPI CODE OF 1972, TO PROVIDE CERTAIN PROVISIONS RELATED TO DRIVER'S LICENSE TRAINING PROGRAMS; TO PROVIDE THAT THE COMMISSIONER MAY ESTABLISH RULES, REGULATIONS AND RESTRICTIONS FOR THE OPERATION OF A MOTOR VEHICLE DURING THE FIRST 12 MONTHS THAT AN INDIVIDUAL UNDER THE AGE OF 18 POSSESSES A LICENSE; TO PROVIDE THAT BEGINNING JULY 1, 2026, THE DEPARTMENT OF PUBLIC SAFETY SHALL ESTABLISH A DRIVER EDUCATION PROGRAM TO BE TAUGHT THROUGHOUT THE STATE AND MADE AVAILABLE FOR HOME SCHOOL STUDENTS AND ADULTS WHO HAVE NOT OTHERWISE TAKEN A DRIVER'S EDUCATION COURSE; AND FOR RELATED PURPOSES.

S. B. No. 2799: AN ACT RELATING TO APPOINTMENTS TO STATE BOARDS AND COMMISSIONS AND AGENCY DIRECTOR POSITIONS BY PUBLIC OFFICIALS WHICH REQUIRE SENATE CONFIRMATION; TO AMEND SECTIONS 7-1-35, 73-4-7, 73-4-11, 37-155-7, 37-4-3, 49-2-4, 49-2-5, 41-4-3, 41-4-7, 73-19-7, 73-19-9, 73-35-5, 35-7-7, 49-4-4, 49-4-6, 47-5-8, 25-4-5 AND 47-7-5, MISSISSIPPI CODE OF 1972, TO REVISE THE PROCEDURES AND TERMS OF OFFICE FOR THE APPOINTMENTS OF MEMBERS TO CERTAIN STATE BOARDS, AGENCIES, AND OTHER GOVERNMENT ENTITIES AND AUTHORITIES WHICH REQUIRE SENATE CONFIRMATION; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 295: AN ACT TO AUTHORIZE THE USE OF ELECTRONIC WARRANT APPLICATIONS, ELECTRONIC SIGNATURES FOR THE APPLICATIONS AND ELECTRONIC VERSIONS OF WRITTEN RECORDS OF THE WARRANTS; AND FOR RELATED PURPOSES.

H. B. No. 764: AN ACT TO AMEND REENACTED SECTION 41-3-1.1, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS RELATED TO THE MEMBERSHIP OF THE STATE BOARD OF HEALTH; TO PROVIDE THAT FROM AND AFTER JUNE 1, 2024, THE GOVERNOR SHALL ENSURE THAT THE BOARD WILL ALWAYS HAVE TWO MEMBERS FROM EACH OF THE STATE'S CONGRESSIONAL DISTRICTS; TO REENACT SECTIONS 41-3-3, 41-3-4, 41-3-5.1, 41-3-6, 41-3-16, 41-3-17, 41-3-18 AND 41-3-19, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF HEALTH, ESTABLISH THE POSITION OF EXECUTIVE OFFICER OF THE STATE DEPARTMENT OF HEALTH, AND ESTABLISH AND PRESCRIBE THE POWERS AND DUTIES OF THE STATE DEPARTMENT OF HEALTH; TO AMEND REENACTED SECTION 41-3-15, MISSISSIPPI CODE OF 1972, TO DELETE VARIOUS OUTDATED PROVISIONS AND TO AUTHORIZE THE STATE DEPARTMENT OF HEALTH TO DEVELOP A STUDY OF THE STATUS OF HEALTH CARE IN MISSISSIPPI; TO AMEND SECTION 41-3-20, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE REENACTED STATUTES; AND FOR RELATED PURPOSES.

H. B. No. 1003: AN ACT TO AMEND SECTION 27-33-31, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION OF LAW THAT ALLOWS A HOMEOWNER WHO IS A TOTALLY DISABLED VETERAN AND THE UNREMARRIED SURVIVING SPOUSE OF SUCH A PERSON, AS WELL AS A QUALIFIED HOMEOWNER WHO IS THE UNREMARRIED SURVIVING SPOUSE OF A MEMBER OF THE UNITED STATES ARMED FORCES WHO WAS KILLED OR DIED ON ACTIVE DUTY, OR OF A MEMBER OF A RESERVE COMPONENT OF THE UNITED STATES ARMED FORCES OR OF THE NATIONAL GUARD WHO WAS KILLED OR DIED ON ACTIVE DUTY FOR TRAINING, TO APPLY FOR HOMESTEAD EXEMPTION WITHIN 30 CALENDAR DAYS OF THE CLOSING DATE FOR A HOMESTEAD PURCHASE, BUT NOT LATER THAN DECEMBER 31 OF THE YEAR OF PURCHASE; AND FOR RELATED PURPOSES.

H. B. No. 1137: AN ACT TO AMEND SECTION 41-29-319, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "COMMUNITY ORGANIZATION" AND "HIGH-RISK OPIOID OVERDOSE TOUCHPOINT" FOR THE PURPOSE OF THE EMERGENCY RESPONSE AND OVERDOSE PREVENTION ACT; TO AUTHORIZE A PRACTITIONER ACTING IN GOOD FAITH TO DIRECTLY, OR BY STANDING ORDER, PRESCRIBE AN OPIOID ANTAGONIST TO A COMMUNITY ORGANIZATION; TO AUTHORIZE A PERSON ACTING IN GOOD FAITH AND WITH REASONABLE CARE TO ADMINISTER AN OPIOID ANTAGONIST THAT WAS DISTRIBUTED BY A COMMUNITY ORGANIZATION OR HIGH-RISK OPIOID OVERDOSE TOUCHPOINT TO ANOTHER PERSON WHOM HE OR SHE BELIEVES TO BE EXPERIENCING AN OPIOID-RELATED OVERDOSE; TO AUTHORIZE A COMMUNITY ORGANIZATION OR HIGH-RISK OPIOID OVERDOSE TOUCHPOINT TO STORE AND DISTRIBUTE AN OPIOID ANTAGONIST; TO AUTHORIZE A MEMBER OF A COMMUNITY ORGANIZATION OR HIGH-RISK OPIOID OVERDOSE TOUCHPOINT TO ADMINISTER AN OPIOID ANTAGONIST TO ANOTHER PERSON; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO DISTRIBUTE AN OPIOID ANTAGONIST TO ANY MEMBER OF A COMMUNITY ORGANIZATION OR HIGH-RISK OPIOID OVERDOSE TOUCHPOINT UPON A REQUEST MADE IN WRITING BY THE COMMUNITY ORGANIZATION OR HIGH-RISK OPIOID OVERDOSE TOUCHPOINT; TO AUTHORIZE A PERSON TO STORE AN OPIOID ANTAGONIST THAT IS DISTRIBUTED BY A COMMUNITY ORGANIZATION OR HIGH-RISK OPIOID OVERDOSE TOUCHPOINT; TO PROVIDE CERTAIN CRIMINAL AND CIVIL LIABILITY PROTECTION TO A COMMUNITY ORGANIZATION OR HIGH-RISK OPIOID OVERDOSE TOUCHPOINT AND MEMBERS AND PERSONNEL OF SUCH ORGANIZATION; AND FOR RELATED PURPOSES.

H. B. No. 1161: AN ACT TO AMEND SECTION 67-1-14, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MUNICIPALITIES LOCATED IN COUNTIES THAT HAVE VOTED AGAINST COMING OUT FROM UNDER THE DRY LAW MAY AUTHORIZE THE SALE OF ALCOHOLIC BEVERAGES PURSUANT TO AN ELECTION; AND FOR RELATED PURPOSES.

H. B. No. 1408: AN ACT TO AMEND SECTION 75-24-305, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "ROOF SYSTEM" UNDER THE INSURANCE BENEFITS ROOFING REPAIR CONSUMER PROTECTION ACT; TO AMEND SECTION 75-24-307, MISSISSIPPI CODE OF 1972, TO PROHIBIT A RESIDENTIAL ROOFING CONTRACTOR FROM REQUIRING PAYMENT UNTIL THE EXPIRATION OF THE CANCELLATION PERIOD; TO PROHIBIT A RESIDENTIAL ROOFING CONTRACTOR FROM REPRESENTING A PROPERTY OWNER ON INSURANCE CLAIMS AND FROM RECEIVING PAYMENT FROM AN ATTORNEY FOR CLAIM REFERRALS; TO PRESCRIBE CERTAIN REQUIREMENTS FOR A POST-LOSS ASSIGNMENT BY AN INSURED TO A RESIDENTIAL ROOFING CONTRACTOR; TO AMEND SECTION 75-24-311, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

H. B. No. 1589: AN ACT TO AMEND SECTION 63-21-16, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY LIENHOLDER WITH A FEDERAL EMPLOYER IDENTIFICATION NUMBER (EIN) MUST ELECTRONICALLY TRANSMIT THE SATISFACTION AND RELEASE AND DISCHARGE OF A LIEN ON A MOTOR VEHICLE TO THE DEPARTMENT OF REVENUE NOT LATER THAN 14 DAYS AFTER THE DATE OF SATISFACTION OF THE LIEN; TO AMEND SECTIONS 63-21-18 AND 63-21-39, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, BEFORE A USED MOTOR VEHICLE PARTS DEALER OR SCRAP METAL PROCESSOR MAY PURCHASE OR RECEIVE A MOTOR VEHICLE FROM THE OWNER OR AUTHORIZED AGENT OF THE OWNER OF THE MOTOR VEHICLE FOR THE PURPOSE OF SCRAPPING, DISMANTLING OR DESTROYING THE MOTOR VEHICLE, THE USED MOTOR VEHICLE PARTS DEALER OR SCRAP METAL PROCESSOR MUST VERIFY THE ABSENCE OF ANY LIEN ON THE MOTOR VEHICLE; TO PROVIDE THAT IF A LIEN EXISTS ON THE MOTOR VEHICLE, THE USED MOTOR VEHICLE PARTS DEALER OR SCRAP METAL PROCESSOR MAY NOT PURCHASE OR RECEIVE THE MOTOR VEHICLE FOR THE PURPOSE OF SCRAPPING, DISMANTLING OR DESTROYING THE VEHICLE, AND IS PROHIBITED FROM PURCHASING OR RECEIVING THE MOTOR VEHICLE FOR SUCH PURPOSES DURING ANY TIME FOR WHICH A LIEN EXISTS ON THE MOTOR

VEHICLE; TO PROVIDE THAT A USED MOTOR VEHICLE PARTS DEALER OR SCRAP METAL PROCESSOR MUST UTILIZE THE DEPARTMENT OF REVENUE'S AUTOMATED STATEWIDE MOTOR VEHICLE REGISTRATION SYSTEM FOR THE PURPOSE OF COMPLYING WITH SUCH REQUIREMENTS; AND FOR RELATED PURPOSES.

H. B. No. 1640: AN ACT TO AMEND SECTION 41-19-33, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF REGIONAL MENTAL HEALTH FACILITIES; TO AMEND SECTION 41-21-65, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1088, 2024 REGULAR SESSION, TO REQUIRE COMPLETION OF A PRE-AFFIDAVIT SCREENING BEFORE ANY AFFIDAVIT FOR COMMITMENT IS FILED; TO AMEND SECTION 41-21-67, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1088, 2024 REGULAR SESSION, TO REQUIRE COMMUNITY MENTAL HEALTH CENTERS TO CONDUCT A PRELIMINARY INVESTIGATION BEFORE AN AFFIDAVIT FOR COMMITMENT IS FILED; TO AMEND SECTIONS 41-21-140 AND 41-19-43, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO AMEND SECTION 41-21-71, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1088, 2024 REGULAR SESSION, TO REVISE HEARING DATES HELD AFTER EXAMINERS' CERTIFICATES; AND FOR RELATED PURPOSES.

H. B. No. 1681: AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 513 SOUTH IN STONEWALL, CLARKE COUNTY, MISSISSIPPI, AS THE "LANCE CORPORAL MAC HAMBURG, USMC, MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 15 SOUTH LOCATED IN WALNUT, TIPPAH COUNTY, MISSISSIPPI, AS THE "MAJ. GEN. ALBEN "AL" NORRIS HOPKINS, SR., MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 72 SOUTH LOCATED IN SLAYDEN, MARSHALL COUNTY, MISSISSIPPI, AS THE "EDDIE DIXON MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 311 SOUTH LOCATED IN HOLLY SPRINGS, MARSHALL COUNTY, MISSISSIPPI, AS THE "CHARLES W. AND JUANITA THOMAS MEMORIAL HIGHWAY"; TO DESIGNATE A PORTION OF MISSISSIPPI HIGHWAY 30 LOCATED IN PRENTISS COUNTY, MISSISSIPPI, AS THE "J.P. DAVIS MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 9 IN WEBSTER COUNTY, MISSISSIPPI, AS THE "CW2 WILLIAM H. "BILL" SEABORN, JR. MEMORIAL HIGHWAY" IN MEMORY OF THE LATE CW2 WILLIAM H. SEABORN, JR., WHO VALIANTLY SACRIFICED HIS LIFE IN THE VIETNAM WAR; TO DESIGNATE A SEGMENT OF HIGHWAY 39 IN MERIDIAN, LAUDERDALE COUNTY, MISSISSIPPI, AS THE "CHERI M. BARRY MEMORIAL HIGHWAY" IN MEMORY OF THE LATE MAYOR OF MERIDIAN, CHERYL "CHERI" M. BARRY; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 15 IN PONTOTOC COUNTY, MISSISSIPPI, AS THE "JUDGE FRED WICKER MEMORIAL HIGHWAY" IN MEMORY OF THE LATE FORMER WORLD WAR II ARMY VETERAN, MISSISSIPPI STATE SENATOR AND CIRCUIT COURT JUDGE, THOMAS FREDERICK WICKER; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 7 IN LAFAYETTE COUNTY, MISSISSIPPI, AS THE "JOHNNY MORGAN MEMORIAL HIGHWAY" IN MEMORY OF THE LATE STATE SENATOR AND PRESIDENT OF THE LAFAYETTE COUNTY BOARD OF SUPERVISORS, JOHNNY MORGAN; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 57 IN GREENE COUNTY, MISSISSIPPI, AS THE PURPLE HEART HIGHWAY; TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 98 SOUTH LOCATED IN GEORGE COUNTY, MISSISSIPPI, AS THE "DEPUTY JEREMY MALONE MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF U.S. INTERSTATE 269 LOCATED IN DESOTO COUNTY, MISSISSIPPI, AS THE "MASON WILBANKS MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 765: AN ACT TO REENACT SECTIONS 37-159-1, 37-159-5, 37-159-7, 37-159-9, 37-159-11, 37-159-13 AND 37-159-17, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998 AND INCLUDE THE UNIVERSITY ASSISTED TEACHER RECRUITMENT AND RETENTION GRANT PROGRAM, THE MISSISSIPPI EMPLOYER-ASSISTED HOUSING TEACHER PROGRAM, AND A PILOT PROGRAM TO PROVIDE FOR THE CONSTRUCTION OF RENTAL HOUSING FOR TEACHERS IN THE WEST TALLAHATCHIE SCHOOL DISTRICT; TO AMEND SECTION 37-159-19, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998; TO AMEND SECTION 37-106-36, MISSISSIPPI CODE OF 1972, TO REVISE THE AWARD CRITERIA OF THE WILLIAM F. WINTER AND JACK REED, SR., TEACHER LOAN REPAYMENT PROGRAM; TO PROVIDE THAT THE STATE FINANCIAL AID BOARD SHALL DEVELOP RULES FOR ENSURING THAT EXPENSES OF THE PROGRAM IN A FISCAL YEAR DO NOT EXCEED FUNDING FOR THE PROGRAM IN THAT FISCAL YEAR; TO PROVIDE THAT THE STATE FINANCIAL AID BOARD MAY LIMIT THE ACCEPTANCE OF APPLICATIONS AND MAY LIMIT THE NUMBER OF AWARDS; TO CREATE NEW SECTION 25-11-126, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS WHO HAVE AT LEAST 30 YEARS OF CREDITABLE SERVICE IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM, WHO WERE EMPLOYED AS PUBLIC SCHOOL TEACHERS AT THE TIME OF THEIR RETIREMENT AND WHO HAVE BEEN RETIRED AT LEAST 90 DAYS AND RECEIVING A RETIREMENT ALLOWANCE, MAY BE EMPLOYED AS TEACHERS IN CERTAIN PUBLIC SCHOOL DISTRICTS AFTER THEIR RETIREMENT AND RECEIVE A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM DURING THEIR EMPLOYMENT AS TEACHERS IN ADDITION TO A SET SALARY; TO PROVIDE THAT SUCH RETIRED TEACHERS SHALL BE ELIGIBLE TO RETURN TO TEACHING AND CONTINUE TO RECEIVE A RETIREMENT BENEFIT FOR A TOTAL OF FIVE YEARS; TO STIPULATE THE AMOUNT TO BE PAID BY SCHOOL DISTRICTS, WHICH AVAIL THEMSELVES OF REEMPLOYING RETIRED TEACHERS TO PERS; TO PROVIDE THAT ANY TIME WORKED BY A RETIRED TEACHER IN A SCHOOL DISTRICT THAT IS LESS THAN A FULL CONTRACTUAL TERM OF TRADITIONAL TEACHERS SHALL CONSTITUTE ONE OF THE FIVE YEARS OF POST-RETIREMENT TEACHING ELIGIBILITY AND THE SALARY AUTHORIZED FOR SUCH INDIVIDUAL SHALL BE PRORATED FOR ANY TIME WORKED LESS THAN A FULL ACADEMIC YEAR; TO PROVIDE THAT A RETIRED TEACHER SHALL NOT BE RESTRICTED TO TEACHING IN ONE SCHOOL DISTRICT FOR HIS OR HER PERIOD OF POST-RETIREMENT TEACHING ELIGIBILITY; TO PROVIDE THAT SCHOOL DISTRICTS MAY EMPLOY RETIRED TEACHERS BASED ON CERTAIN CRITICAL TEACHER SHORTAGE CRITERIA DEVELOPED BY THE DEPARTMENT OF EDUCATION; TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MINIMUM SALARY FOR RETIRED TEACHERS RETURNING TO THE CLASSROOM; TO ALLOW RETIRED TEACHERS WHO HAD RECEIVED NATIONAL BOARD CERTIFICATION PRIOR TO RETIREMENT TO CONTINUE RECEIVING THE ANNUAL SUPPLEMENT FOR SUCH CERTIFICATION; TO AMEND SECTIONS 25-11-123 AND 25-11-127, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTION 37-41-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE SCHOOL BOARDS TO ALLOW MOTOR VEHICLES OTHER THAN SCHOOL BUSES TO BE USED TO TRANSPORT SMALL GROUPS OF STUDENTS FOR SCHOOL-RELATED ACTIVITIES; AND FOR RELATED PURPOSES.

David Jordan, Chairman

Senator Polk moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 11:39 AM, the Senate stood in recess.

The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEES ON
LOCAL AND PRIVATE AND FINANCE

Mr. President: The above-named committees, having had under consideration the following, favorably report same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

H. B. No. 1854: Harrison County; authorize assessments on convictions for improvements to courthouses and pretrial dention facilities. Title Sufficient. Do Pass.

PARKS, Chairman
HARKINS, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. C. R. No. 549: A CONCURRENT RESOLUTION SUSPENDING THE DEADLINES FOR THE PURPOSE OF PERMITTING FURTHER CONSIDERATION, FILING AND ADOPTION OF CONFERENCE REPORTS ON SENATE BILL NO. 2753, 2024 REGULAR SESSION; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. B. No. 2180: AN ACT TO AMEND SECTION 45-1-19, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT TO ENFORCE ANY CITY ORDINANCE; TO DELETE THE PROVISION OF LAW THAT REQUIRES PRIOR WRITTEN APPROVAL FROM THE CHIEF OF THE CAPITOL POLICE OR THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC SAFETY FOR EVENTS WHICH WILL TAKE PLACE ON ANY STREET OR SIDEWALK IMMEDIATELY ADJACENT TO ANY BUILDING OR PROPERTY OWNED OR OCCUPIED BY ANY OFFICIAL, AGENCY, BOARD, COMMISSION, OFFICE OR OTHER ENTITY OF THE STATE OF MISSISSIPPI, OR WHICH CAN REASONABLY BE EXPECTED TO BLOCK, IMPEDE OR OTHERWISE HINDER INGRESS THERETO AND/OR EGRESS THEREFROM; TO AMEND SECTION 9-12-1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE COMPENSATION OF CCID INFERIOR COURT JUDGES; AND FOR RELATED PURPOSES.

David Jordan, Chairman

On request of Senator Hopson, unanimous consent was granted to make the following correction in **S. B. No. 3056**:

To: Clerk of the House of Representatives
Secretary of the Senate

Re: FY 2025 Conference Reports – Unanimous Consent Requests

Date: May 3, 2024

It is requested that unanimous consent be granted to make the following clerical corrections:
SB 3056: Mississippi Development Authority

Line 281 – delete numbers “24” and “25” and replace with “25” and “26”

John Read, Chairman	W. Briggs Hopson III, Chairman
House Appropriations Committee	Senate Appropriations Committee

Senator Hopson moved that the rules be suspended to move to calendar item 7, **H. B. No. 1783**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1783** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1783: Appropriation; Marine Resources, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Marine Resources for the fiscal year beginning July 1, 2024, and ending June 30, 2025 .....
$ 3,604,594.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Marine Resources for the fiscal year beginning July 1, 2024, and ending June 30, 2025 ..... $ 256,780,550.00.

Of the funds appropriated in this section, Three Million Fifty Thousand Dollars ($3,050,000.00) is derived from the state excise taxes upon gasoline, oil and other petroleum products.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 108
Time-Limited: 65

With the funds herein appropriated, it shall be the agency’s responsibility to make certain that funds required for Personal Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds appropriated for that purpose unless programs or positions are added to the agency’s Fiscal Year 2025 budget by the Mississippi Legislature. The Legislature shall determine the agency’s personal services appropriation, which the

State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2025 that may be utilized to fill vacant Fiscal Year 2024 headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2025 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2025 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Department of Marine Resources shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2024. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2026 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2025 budget request process.

SECTION 5. Each Marine Conservation Officer and Supervisor shall be furnished an allowance for uniforms not to exceed Six Hundred Dollars ($600.00) per annum.

SECTION 6. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Tidelands Fund No. 3345200000 to the Department of Marine Resources for the purpose of defraying the expenses of the tidelands projects for the fiscal year beginning July 1, 2024, and ending June 30, 2025 $ 11,700,000.00.

This amount is allocated as follows:

PROJECT NO.	PUBLIC ACCESS PROJECTS	AMOUNT
Harrison County:		
FY25-P603-03	Courthouse Road Boat Launch and Jetties Improvements/Mitigation -City Of Gulfport	$ 500,000.00
FY25-P511-12	D'Iberville Working Waterfront And Seafood Harbor -City Of D'Iberville	$ 800,000.00
FY25-P511-13	Fountain Pier and Kayak Launch -City Of D'Iberville	$ 100,000.00
FY25-P600-10	Pass Christian Small Craft Harbor/ Pier C-2 Improvements -City Of Pass Christian	$ 340,000.00

FY25-P613-11	Long Beach Small Craft Harbor Improvements -City Of Long Beach	$ 500,000.00
FY25-M648-20	Development of a broodstock of southern flounder - Univ. of Southern Mississippi	$ 164,534.00
Dredging Project at Brashier Bayou	-City of Biloxi	$ 400,000.00
Jackson County:		
FY25-P412-13	McPhearson Pier Rehabilitation -City Of Ocean Springs	$ 250,000.00
FY25-P618-01	Fairway Drive Boat Launch and Pier -City Of Gautier	$ 250,000.00
FY25-P602-03	Hwy 63 Boat Launch Improvements -Jackson Cnty Brd of Supervisors	$ 200,000.00
FY25-P501-10	Moss Point Riverfront Enhancements -City Of Moss Point	$ 250,000.00
FY25-P604-07	Beach Park Pier Repairs and Enhancements -City Of Pascagoula	$ 400,000.00
Hancock County:		
FY25-P610-13	Municipal Harbor Beach Amenities and Improvement - Hancock Cnty Brd of Supervisors	$ 400,000.00
FY25-P401-11	Municipal Harbor Beach Amenities and Improvement -City Of Bay St. Louis	$ 250,000.00
FY25-P646-10	Coleman Avenue Waterfront Improvements -City Of Waveland	$ 250,000.00
FY25-P510-01	Lily Pond Public Access Improvements -City Of Diamondhead	$ 250,000.00
Total Public Access Projects	$ 5,304,534.00	
Total Management Projects	$ 3,842,769.00	
Bond Repayment	$ 1,552,697.00	
Prior Year Projects	$ 1,000,000.00	
Total Tidelands Funds	$11,700,000.00	

Each political subdivision receiving funds authorized in this section shall be held responsible for complying with Section 29-15-9, Mississippi Code of 1972, and shall be subject to an audit by the State Auditor and shall submit detailed reports beginning June 30, and every six (6) months thereafter for the duration of the project to the Department of Marine Resources on how funds authorized in this section were expended.

It is the intention of the Legislature that any political subdivision seeking to qualify for tidelands funds for the subsequent fiscal year shall submit a proposal to the Department of Marine Resources no later than July 1, 2024. All proposals submitted will be reviewed and evaluated by the Department of Marine Resources in accordance to department plans and procedures. Multiphased projects, multiyear projects, proposed projects with high dollar value and projects that have a record of stacking funds shall be considered as low priority projects when evaluated.

It is the intention of the Legislature that if the amount of the Tidelands funds appropriated in this act exceed the actual amount of tidelands funds available, the available funds shall be allocated on a pro rata basis between projects listed in this section.

SECTION 7. It is the intention of the Legislature that the department shall place any special trust funds appropriated to the department in a special trust fund and the interest earned on the principal shall be credited to the special trust fund. Monies in the fund at the end of the fiscal year shall be retained in the special trust fund for use in the next succeeding fiscal year. The department may use the interest earned on the fund to pay reasonable costs for administering the fund and related projects.

SECTION 8. It is the intention of the Legislature that the Department of Marine Resources has the authorization to move tidelands funds between approved projects upon request from entity and proper completion of Form TTF-6 documentation.

SECTION 9. It is the intention of the Legislature for the Department of Marine Resources and the Department of Environmental Quality to continue with any agency partnerships, including grant agreements, that provide environmental projects to restore Mississippi's natural resources in the wake of the Deepwater Horizon Oil Spill.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. Of the funds appropriated in Section 2, One Hundred Nineteen Million Seven Hundred Thirteen Thousand One Hundred Ninety-six Dollars ($119,713,196.00) is provided for the funding of the following Gulf of Mexico Energy Security Act (GOMESA) projects for FY 2025:

(a) To assist the City of Waveland with Center City Infrastructure Improvements – Sewer $ 4,000,000.00

(b) To assist the City of D'Iberville with Working Waterfront Marina Expansion Project Phase II $ 2,500,000.00

(c) To assist the City of Ocean Springs With Washington Avenue and Front Beach Utility Improvement ..... $ 1,200,000.00

(d) To assist the City of Gautier with Marin Bluff and Hickory Hills Sewer Improvements ..... $ 2,701,150.00

(e) To assist the City of Moss Point with Riverfront Coastal River Protection ..... $ 3,750,000.00

(f) To assist the City of Moss Point with Storm Water Park ..... $ 118,500.00

(g) To assist the Jackson County Utility Authority with Poticaw Road Sewer Extension ..... $ 1,200,000.00

(h) To assist Mississippi State University with Fixed Lab Equipment ..... $ 865,000.00

(i) To assist the Diamondhead Water and Sewer District Sewer Improvements Phase III ..... $ 1,000,000.00

(j) To assist the Hancock County Water and Sewer District with Asbestos Water Pipe Replacement And Port Bienville Water Improvements ..... $ 1,000,000.00

(k) To assist the Kiln Utility and Fire District with Hwy 603 Sewer Expansion from Hwy 43 To Cuevas Town Road ..... $ 2,452,575.00

(l) To assist The Nature Conservancy with Using Brood Stock Reefs to Enhance Oyster Production on Commercial Leases ..... $ 1,000,000.00

(m) To assist the City of Ocean Springs with Front Beach Bulkhead ..... $ 1,600,000.00

(n) To assist the City of Pascagoula with the Live Oak Corridor Drainage to Remedy Flooding $ 2,000,000.00

(o) To assist the City of Gulfport with the North Gulfport Wastewater Treatment Plant UV Disinfection ..... $ 1,200,000.00

(p) To assist the Hancock County Utility Authority with the Stennis Space Center Wastewater Conveyance Project ..... $ 10,064,952.00

(q) To assist the City of Long Beach with

the Small Craft Harbor Eastern Bulkhead Improvements ..... $ 5,193,000.00

(r) To assist the City of Pass Christian with the West Breakwater Wall Hurricane Mitigation Improvements ..... $ 2,563,000.00

(s) To assist the Department of Marine Resources with Oyster Spat ..... $ 4,000,000.00

(t) To assist the Institute for Marine Mammal Studies with Monitoring and Evaluation of Sea Turtle Nesting in Mississippi ..... $ 990,128.00

(u) To assist the University of Southern Mississippi with the Mississippi Coastal Fishery Resource Assessment ..... $ 382,317.00

(v) To assist the Hancock County Port and Harbor Commission with Sewer Construction and Improvements to Site 1 at Port Bienville Industrial Park ..... $ 1,749,220.00

(w) To assist the University of Southern Mississippi with Oak Island Oyster Company in the Development and Testing of an Off Bottom Oyster Structure $ 1,195,571.00

(x) To assist Jackson County with Coastal Roadway Hurricane Protection ..... $ 750,000.00

(y) To assist the Institute for Marine Mammal Studies with Monitoring/Gauging Habitat Suitability for Dolphins and Turtles ..... $ 1,485,958.00

(z) To assist the Kiln Utility District with Jourdan River Shores Sewer Improvements Phase II $ 2,225,600.00

(aa) To assist Harrison County with Sand Beach Outfall Coordination ..... $ 1,600,000.00

(bb) To assist the City of Ocean Springs With Sewer Rehabilitation ..... $ 1,960,000.00

(cc) To assist the Department of Marine Resources with Oyster Cultch ..... $ 2,000,000.00

(dd) To assist the City of Pass Christian with Highway 90 Hurricane Mitigation Improvements ..... $ 5,195,000.00

(ee) To assist Coastal Mississippi with the promotion of the Seafood Industry and their Economic Contributions to the State ..... $ 500,000.00

(ff) To assist the City of Diamondhead With Drainage, Flood Prevention and Water Quality Improvements Phase II ..... $ 1,999,839.00

(gg) To assist Jackson County with East Beach Outfalls/Shoreline Protection ..... $ 1,710,000.00

(hh) To assist the City of Gautier with Hickory Hills/Lagrange Water Quality and Stormwater Improvements ..... $ 2,941,981.00

(ii) To assist the City of Biloxi with Keegan Bayou Restoration ..... $ 2,520,000.00

(jj) To assist the Department of Marine Resources with the Coffee Creek Outfall Pavilion $ 635,819.00

(kk) To assist the City of Long Beach with Small Craft Harbor Southern Quay Bulkhead Improvements ..... $ 2,554,000.00

(ll) To assist the Department of Marine Resources with Bonnet Carre Spillway

Mitigation $ 1,475,000.00
(mm) To assist the City of D'Iberville with the Working Waterfront and Seafood Harbor Project $ 500,000.00
(nn) To assist the University of Southern Mississippi with the Ocean Enterprise Project $ 1,142,308.00
(oo) To assist the Department of Marine Resources with the Coffee Creek Outfall ..... $ 55,738.00
(pp) To assist the Department of Marine Resources with the Coffee Creek water quality ..... $ 76,073.00
(qq) To assist Jackson County Board of Supervisors with the Front Beach Erosion Control $ 640,243.00
(rr) To assist the Department of Marine Resources with GOMESA project management, development and mitigation ..... $ 1,288,123.00
(ss) To assist the Department of Marine Resources with artificial reef construction ..... $ 1,032,598.00
(tt) To assist the Department of Environmental Quality with water quality ..... $ 864,037.00
(uu) To assist the Department of Marine Resources with Bonnet Carre Response ..... $ 24,855.00
(vv) To assist the City of Pass Christian With Sanitary Sewer Pump Station Repairs ..... $ 3,208,475.00
(ww) To assist Hancock County with Atlantic Street Sewer Improvements ..... $ 402,342.00
(xx) To assist the City of Long Beach With Small Craft Harbor SE Bulkhead Improvements ..... $ 2,188,000.00
(yy) To assist the Kiln Utility District with the Jordan River Shores Sewer Force Main Relocation ..... $ 189,828.00
(zz) To assist the City of Biloxi with the Point Cadet Living Shoreline ..... $ 756,537.00
(aaa) To assist the Department of Marine Resources with MS Reef Fish Monitoring and Assessment ..... $ 297,348.00
(bbb) To assist Hancock County Utility Authority with Oak Harbor Sewer Improvements ..... $ 2,804,082.00
(ccc) To assist Hancock County Port and Harbor Commission with Port Bienville Conservation Management ..... $ 260,423.00
(ddd) To assist the City of Pascagoula with Buena Vista Area Drainage ..... $ 485,406.00
(eee) To assist the City of Pass Christian with Gravity Sewer System Improvements Phase I ..... $ 1,643,861.00
(fff) To assist the City of Pascagoula with Point Park Pier Repair/Improvements ..... $ 318,151.00
(ggg) To assist the Department of Marine Resources with the Railroad Corner Beneficial Use Site $ 57,606.00
(hhh) To assist the University of Southern Mississippi with collection of Fishery-Dependent information on Blue Crabs ..... $ 30,804.00
(iii) To assist the National Oceans and Applications Research Center with the Cat Island Baseline Inventory of Seagrass Habitat ..... $ 8,731.00
(jjj) To assist the National Oceans and

Applications Research Center with the Inventory Of Wetlands Habitats ..... $ 66,971.00

(kkk) To assist Mississippi State University with the Evaluation and Monitoring of Marine Mammal and Sea Turtles after Bonnet Carre Spillway Opening ..... $ 903,650.00

(lll) To assist the American Shrimp Processors Association with the Shrimp Processors Feasibility Study ..... $ 596,148.00

(mmm) To assist the Jackson County Utility Authority with Septic System Abatements ..... $ 1,604,707.00

(nnn) To assist the University of Southern Mississippi with the Mississippi Coastal Fishery Resource Assessment ..... $ 43,932.00

(ooo) To assist the Department of Marine Resources with the Katrina Key Expansion ..... $ 430,000.00

(ppp) To assist the Secretary of State with the Broadwater Marina Restoration ..... $ 3,578,590.00

(qqq) To assist the City of Pass Christian with Sewer Pump Station Repairs ..... $ 348,585.00

(rrr) To assist the City of Diamondhead With Drainage, Flood Prevention and Water Quality Improvements ..... $ 1,193,447.00

(sss) To assist the Department of Marine Resources with the Bonnet Carre and Mid Breton Response ..... $ 525,163.00

(ttt) To assist the City of Ocean Springs with the Front Beach Pub Access and Storm Water Mitigation Improvements ..... $ 1,934,039.00

(uuu) To assist the City of Pass Christian with Phase II of the Gravity Sewer System Improvements ..... $ 4,466,316.00

(vvv) To assist the Department of Marine Resources with the Off Bottom Oyster Aquaculture ..... $ 1,334,987.00

(www) To assist the Department of Marine Resources with the Pelican Key Beneficial Use Site $ 348,220.00

(xxx) To assist the Department of Marine Resources with Phase II of the Katrina Key Expansion ..... $ 400,000.00

(yyy) To assist the Jackson County Board of Supervisors with the Pascagoula Beach Open Channel Outfalls ..... $ 1,339,000.00

(zzz) To assist the Department of Marine Resources with water testing for Seafood Consumption Safety ..... $ 45,262.00

SECTION 12. It is the intent of the Legislature that the Department of Marine Resources shall have the authority to expend funds in an amount not to exceed Ten Million Dollars ($10,000,000.00) from funds for the Gulf of Mexico Energy Security Act (GOMESA) that may become available to the agency in fiscal year 2025 in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 13. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state

furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 14. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 15. With the funds appropriated herein, the Mississippi Department of Marine Resources is authorized to make payments for expenses incurred during prior fiscal years for an amount not to exceed One Hundred Forty-four Thousand Six Hundred Fifty-eight Dollars and Fifty-three Cents ($144,658.53).

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL YEAR 2025.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
C. Scott Bounds	Briggs Hopson
John Read	Tyler McCaughn
Brent Anderson	Mike Thompson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1783** (version 2) was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.

Senator Johnson moved that the rules be suspended to move to calendar item 17, **H. B. No. 1354**, and the motion prevailed.

Senator Johnson offered the following report of the Conference Committee on **H. B. No. 1354** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1354: Alcoholic Beverage Control Division warehouse; increase amount of revenue bonds authorized for and bailment fee authorized for paying debt service on bonds.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 7, Chapter 483, Laws of 2022, is amended as follows:

Section 7. Revenue bonds. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) Monies deposited into the ABC Warehouse Construction Fund created in Section 6(1) of this act shall be disbursed, in the discretion of the Department of Finance and Administration, to assist in paying the costs associated with land acquisition for, and the purchase, design, construction, furnishing and/or equipping of, a new warehouse for the Department of Revenue's Alcoholic Beverage Control Division.

(b) Amounts deposited into the ABC Warehouse Construction Fund created in Section 6(1) of this act shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) For the purpose of providing for the payment of the principal of and interest upon bonds issued under this section, there is created a special bond sinking fund in the State Treasury. The special bond sinking fund shall consist of such amounts as may be paid into such fund under this act, by appropriation or by other authorization by the Legislature. Except as otherwise provided in this section, monies in the special bond sinking fund shall be used to pay the debt service requirements of the bonds issued under this section. If the special bond sinking fund has a balance below the minimum amount specified in the resolution providing for the issuance of the bonds, or below one and one-half (1-1/2) times the amount needed to pay the annual debt obligations related to the bonds issued under this section, whichever is the lesser amount, the Commissioner of Revenue shall transfer the deficit amount to the bond sinking fund from revenue derived from the twenty-seven and one-half percent (27-1/2%) markup provided for in Section 27-71-11. Unexpended amounts remaining in the special bond sinking fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the special bond sinking fund shall be deposited into such sinking fund. If the special bond sinking fund has a balance in excess of the amount

needed to pay the debt service and meet the obligations related to the bonds issued under this section, as determined in the resolution providing for the issuance of the bonds, the excess monies shall be transferred to the State General Fund.

(4) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of revenue bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the revenue bonds authorized by this subsection, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed * * * Ninety-five Million Dollars ($95,000,000.00).

(b) Any investment earnings on amounts deposited into the ABC Warehouse Construction Fund created in Section 6(1) of this act shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(5) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(6) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds have been signed by the officials designated to sign the bonds who were in office at the time of such signing, but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(7) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(8) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance

and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(9) The bonds issued under the provisions of this section shall be revenue bonds of the state, the principal of and interest on which shall be payable solely from and shall be secured by the special bond sinking fund created in subsection (3) of this section. The bonds shall never constitute an indebtedness of the state within the meaning of any state constitutional provision or statutory limitation, and shall never constitute or give rise to a pecuniary liability of the state, or a charge against its general credit or taxing powers, and such fact shall be plainly stated on the face of each such bond. The bonds shall not be considered when computing any limitation of indebtedness of the state. All bonds issued under the authority of this section and all interest coupons applicable thereto shall be construed to be negotiable instruments, despite the fact that they are payable solely from a specified source.

(10) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the ABC Warehouse Construction Fund created in Section 6(1) of this act. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(11) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(12) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(13) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(14) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(15) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(16) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(17) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants. The Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(18) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 2. Section 27-71-11, Mississippi Code of 1972, is amended as follows:

27-71-11. (1) The department shall from time to time by resolution request the State Bond Commission to provide sufficient funds required to maintain an adequate alcoholic beverage inventory. Said funds shall be provided under the provisions of Chapter 557, Laws of 1966.

(2) The department shall add to the cost of all alcoholic beverages a markup of twenty-seven and one-half percent (27-1/2%), inclusive of the three percent (3%) markup imposed by Section 27-71-7(2).

(3) In addition to other excise taxes and markups imposed in this section and in Section 27-71-7, the department shall add to the cost of all alcoholic beverages shipped a charge of Twenty-five Cents (25¢) per case, to be deposited into the ABC Warehouse Improvements Fund created in Section 67-1-211(2). However, any unobligated amounts above Ten Million Dollars ($10,000,000.00) remaining in the ABC Warehouse Improvements Fund at the end of a fiscal year shall be transferred to the State General Fund.

(4) Notwithstanding the contract for warehouse and distribution operations under Section 67-1-205, the department shall remain responsible for purchasing and selling alcoholic beverages. The department shall sell alcoholic beverages at uniform prices throughout the state. Pricing for all alcoholic beverages shall be set by the addition of the markup and taxes to the price at which the beverages were purchased by the department.

(5) A permittee's order shall qualify for shipping when it includes the minimum number of cases of alcoholic beverages as set by the department. The department shall place qualifying orders in a queue for shipment in the order in which the orders are made. An order of fewer than the minimum number of cases, and special orders, shall be added to the permittee's next qualified shipment. The department shall give sufficient notice of any change in the minimum number of cases for shipping and shall allow the opportunity for comment.

(6) The department shall set a per-case shipping fee to be charged to permittees. The department shall adjust the fee to match, as closely as possible, the shipping costs as defined in Section 67-1-201. The shipping fee charged under this subsection shall be deposited to the credit of the ABC Shipping Fund created in Section 27-71-29.

(7) The department shall charge manufacturers a bailment fee of * * * One Dollar and Fifty Cents ($1.50) per case of alcoholic beverages stored in the warehouse, to be deposited to the credit of the bond sinking fund created in Section 7(3) of Chapter 483, Laws of 2022.

SECTION 3. Section 67-1-203, Mississippi Code of 1972, is amended as follows:

67-1-203. (1) The Department of Finance and Administration, using the monies available in the ABC Warehouse Construction Fund created in Section 67-1-211(1) and such other monies as the Legislature may make available, shall purchase land for and shall provide for the design and construction of a warehouse for the division in the most expedient and cost-effective manner practicable as determined by the Executive Director of the Department of Finance and Administration.

(2) The Department of Finance and Administration shall select a suitable site for the warehouse within fifty (50) miles of the new state capitol building. In selecting a site, the Department of Finance and Administration shall consider the feasibility of selecting state-owned land by comparing the cost of preparing the state-owned land for construction to the cost of acquiring other land and preparing such other land for construction.

(3) The contract for design and construction shall provide that the operator shall be consulted so that the warehouse may, so far as possible, suit the preferences of the operator in furtherance of effective operations. The contract shall also provide that the design shall aim to fill demand for the next twenty-five (25) years.

(4) A contract for warehouse construction shall not be entered into unless the construction contractor has demonstrated:

(a) The qualifications, experience and management personnel necessary to carry out the terms of the contract;

(b) The ability to comply with applicable federal and state laws; and

(c) The ability to expedite the design and construction of facilities comparable to the warehouse.

(5) A contract for warehouse construction shall be entered into not later than October 1, 2024.

SECTION 4. Section 67-1-205, Mississippi Code of 1972, is brought forward as follows:

67-1-205. (1) The department shall contract for warehouse and distribution operations. The shipping contract in effect on July 1, 2022, shall remain in effect until the expiration of its term.

(2) The department shall pay regular maintenance expenses and shall reimburse the operator for services performed under the contract out of monies appropriated by the Legislature.

(3) The contract shall include the following terms:

(a) The department shall pay the operator cost-plus on these operations at a set dollar amount per case of alcoholic beverages sold. Otherwise, the contract shall not alter the current cash flow of operations;

(b) The operator shall be allotted a monthly spending limit for occasional improvements. The state may, at any time, review the operator's spending. The operator shall obtain prior state approval for any spending over the monthly limit set in the contract. The contract shall allow the operator to pay out of pocket, in which case the state will reimburse the operator on a monthly basis out of monies in the ABC Warehouse Improvements Fund created in Section 67-1-211(2);

(c) Shipping costs, where the contract encompasses shipping, shall be based on a set dollar amount per case of alcoholic beverages shipped from the warehouse to the permittee's premises;

(d) The department and the operator may provide for the operator's software to interface with the department's TAP system in a manner allowing for information sharing in furtherance of efficient operations while also protecting the security of the TAP system;

(e) The department shall develop quality and efficiency criteria for determining whether to renew a contract for warehouse and distribution operations;

(f) The obligation of the department to proceed under the contract is conditioned upon the appropriation of funds by the Legislature and the receipt of state or federal funds. If the funds anticipated for the continuing time fulfillment of the agreement are, at any time, not forthcoming or insufficient, either through the failure of the federal government to provide funds or of the State of Mississippi to appropriate funds, or the discontinuance or material alteration of the program under which funds were provided, or if funds are not otherwise available to the department, the department shall have the right, upon ten (10) working days' written notice to the operator, to terminate this agreement without damage, penalty, cost or other expenses to the department of any kind whatsoever. The effective date of termination shall be as specified in the notice of termination;

(g) The state and the operator as parties to the contract and all terms of the contract shall be subject to and governed by the laws of the state at the time the contract is entered into, and any later amendments to such laws, through the duration of the contract; and

(h) The operator shall be required to comply with any duties, responsibilities, conditions or other provisions required by state law during the duration of the contract, regardless of whether such duties, responsibilities, conditions or other provisions were required by state law at the time the contract was entered into.

(4) The initial contract for operations shall terminate on the earlier of: (a) four (4) years from the date it commences; or (b) the last day of the use of the warehouse that is in service on July 1, 2022. The contract may be renewed for four (4) years, with another option to renew at the end of that four-year term. The department shall issue requests for proposals before entering any subsequent contract. Requests for proposals shall be required whenever a contract is not renewed, but no less frequently than every twelve (12) years.

(5) The contract shall provide that all employees needed for operations shall be employees of the operator.

(6) A contract for warehouse and distribution operations shall not be entered into unless the operator has demonstrated:

(a) The qualifications, experience and management personnel necessary to carry out the terms of the contract; and

(b) The ability to comply with applicable federal and state laws.

(7) A contract for operations shall not be entered into unless the following requirements are met:

(a) In addition to fire and casualty insurance, the operator provides at least Ten Million Dollars ($10,000,000.00) of liability insurance. The liability insurance shall be issued by an insurance company with a rating of at least an A- according to AM Best standards. In determining the adequacy of such insurance, the Department of Finance and Administration shall determine whether:

(i) The insurance is adequate to protect the state from any and all actions by a third party against the operator or the state as a result of the contract;

(ii) The insurance is adequate to protect the state against any and all claims arising as a result of any occurrence during the term of the contract;

(iii) The insurance is adequate to assure the operator's ability to fulfill its contract with the state in all respects, and to assure that the operator is not limited in this ability because of financial liability which results from judgments; and

(iv) The insurance is adequate to satisfy such other requirements specified by the independent risk management/actuarial firm.

(b) The sovereign immunity of the state shall not apply to the operator. Neither the operator nor the operator's insurer may plead the defense of sovereign immunity in any action arising out of the performance of the contract.

(c) The operator shall post a performance bond to assure the operator's faithful performance of the specifications and conditions of the contract. The bond is required throughout the term of the contract. The terms and conditions must be approved by the department and the Department of Finance and Administration, and such approval is a condition precedent to the contract taking effect.

(d) The operator shall defend any suit or claim brought against the state arising out of any act or omission in operations, and shall hold the state harmless from such claim or suit. The operator shall be solely responsible for the payment of any legal or other costs relative to any such claim or suit. The operator shall reimburse the state for any costs that it may incur as a result of such claim or suit immediately upon being submitted a statement therefor by the Attorney General.

Any suit brought or claim made arising out of any act or omission in operations shall be made or brought against the operator and not the state.

The Attorney General retains all rights and emoluments of his or her office which include direction and control over any litigation or claim involving the state.

SECTION 5. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 7, CHAPTER 483, LAWS OF 2022, TO INCREASE THE AMOUNT OF STATE REVENUE BONDS THAT MAY BE ISSUED TO PROVIDE FUNDS FOR THE ABC WAREHOUSE CONSTRUCTION FUND TO ASSIST IN PAYING

THE COSTS ASSOCIATED WITH LAND ACQUISITION FOR, AND THE DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW WAREHOUSE FOR THE DEPARTMENT OF REVENUE'S ALCOHOLIC BEVERAGE CONTROL DIVISION; TO AMEND SECTION 27-71-11, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF THE BAILMENT FEE CHARGED BY THE DEPARTMENT OF REVENUE ON CASES OF STORED ALCOHOLIC BEVERAGES FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PAYMENT OF THE DEBT SERVICE ON SUCH BONDS; TO AMEND SECTION 67-1-203, TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL SELECT A SUITABLE SITE, WITHIN 50 MILES OF THE NEW STATE CAPITOL BUILDING, FOR THE CONSTRUCTION OF A NEW WAREHOUSE FOR THE DEPARTMENT OF REVENUE'S ALCOHOLIC BEVERAGE CONTROL DIVISION, AND THAT A CONTRACT FOR WAREHOUSE CONSTRUCTION SHALL BE ENTERED INTO NOT LATER THAN OCTOBER 1, 2024; TO BRING FORWARD SECTION 67-1-205, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Thomas "Trey" Lamar, III	Josh Harkins
	Chris Johnson
Henry Zuber III	Dean Kirby

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1354** (version 2) was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--43.

Nays--Branning, Frazier, Parker, Seymour. Total--4.

Absent and those not voting--Barnett, Parks. Total--2.

Voting Present--Brumfield. Total--1.

Senator Suber, who would have voted yea on H. B. No. 1354, announced a pair with Senator Tate, who would have voted nay.

Senator Fillingane moved that the rules be suspended for the consideration en bloc of H. B. No. 4124, H. B. No. 4053 and H. B. No. 4099 and the motion prevailed.

Senator Fillingane called up the following measures:

H. B. No. 4124: Suffrage; restore to Tony Qualls of Humphreys County.

H. B. No. 4053: Suffrage; restore to Omar Eugene Magee of Covington County.

H. B. No. 4099: Suffrage; restore to Dustin Darell Mills of Rankin County.

YEAS AND NAYS on consideration en bloc of H. B. No. 4124, H. B. No. 4053 and H. B. No. 4099. On motion of Senator Fillingane, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Norwood, Parker, Polk, Rhodes, Robinson, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--DeBar, Michel, Seymour. Total--3.

Absent and those not voting--Barnett, Parks. Total--2.

Senator Whaley moved that the rules be suspended for the immediate consideration of **H. B. No. 1854**, and the motion prevailed.

Senator Whaley called up the following entitled bill:

H. B. No. 1854: Harrison County; authorize assessments on convictions for improvements to courthouses and pretrial dention facilities.

YEAS AND NAYS On H. B. No. 1854. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Berry, Blackmon, Blount, Boyd, Brumfield, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--42.

Nays--Sparks. Total--1.

Absent and those not voting--Barnett, Parks. Total--2.

Voting Present--Blackwell, Branning, Bryan, Hopson, Parker, Thomas, Turner-Ford. Total--7.

On motion of Senator DeLano, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. B. No. 1854.

Senator Harkins moved that the rules be suspended to move to calendar item 23, **S. B. No. 3070**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 3070** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3070: Income tax and insurance premium tax; authorize a credit for certain investments in qualified community development entities.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this section, the following words and phrases shall have the meanings as defined in this subsection unless the context clearly requires otherwise:

(a) "Applicable percentage" means eight percent (8%) for each of the first through third credit allowance dates for purposes of the taxes imposed by Section 27-7-5 or the taxes imposed by Sections 27-15-103, 27-15-109 and 27-15-123.

(b) "CDFI fund" means the Community Development Financial Institutions fund of the United States Department of the Treasury.

(c) "Credit allowance date" means, with respect to any qualified equity investment: (i) the date on which the qualified equity investment is initially made; and (ii) each of the subsequent two (2) anniversary dates of the date the qualified equity investment was initially made.

(d) "MDA" means the Mississippi Development Authority.

(e) "Mississippi qualified community development entity" means a qualified community development entity that is or whose controlling entity is headquartered in the State of Mississippi.

(f) "Principal business operations" means the physical location of an entity where at least sixty percent (60%) of a qualified active low-income community business's employees work. An entity that has agreed to relocate employees or a Mississippi business that has agreed to hire employees using the proceeds of a qualified low-income community investment to establish principal business operations in Mississippi is deemed to have principal business operations in Mississippi if the entity satisfies the requirements of this paragraph within one hundred eighty (180) days of receiving the qualified low-income community investment or another date as agreed by the business and the MDA.

(g) "Purchase price" means the amount paid to the qualified community development entity for a qualified equity investment.

(h) "Qualified active low-income community business" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended, provided such entity has its principal business operations within the state's geographical boundary. An entity is deemed a qualified active low-income community business for the duration of a qualified low-income community investment if the qualified community development entity reasonably expects, at the time it makes the qualified low-income community investment, that the entity will continue to satisfy the requirements for being a qualified active low-income community business throughout the entire period of the qualified low-income community investment.

(i) "Qualified community development entity" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended, provided that the entity:

(i) Has previously entered into an allocation agreement with the CDFI fund with respect to credits authorized by Section 45D of the Internal Revenue Code of 1986, as amended;

(ii) Includes the State of Mississippi within the service area set forth in the allocation agreement; and

(iii) Except for Mississippi qualified community development entities, has invested, together with affiliates, at least Thirty Million Dollars ($30,000,000.00) in Mississippi qualified active low-income community businesses or other Mississippi investments or has received at least four (4) tax credit certificates from the MDA.

(j) "Qualified equity investment" means an equity investment in a qualified community development entity, if the equity investment:

(i) Is acquired after the effective date of this act at its original issuance solely in exchange for cash, and if not so acquired, was a qualified equity investment in the hands of a prior holder;

(ii) Has at least eighty-five percent (85%) of its cash purchase price used by the qualified community development entity to make qualified low-income community investments in qualified active low-income community businesses that have their principal business operations in the State of Mississippi; and

(iii) Is:

1. Designated by the qualified community development entity as a qualified equity investment under this section; and

2. At least fifty percent (50%) designated by the qualified community development entity as a qualified equity investment under Section 45D of the Internal Revenue Code of 1986, as amended.

(k) "Qualified low-income community investment" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided, however, that the maximum amount of qualified low-income community investments issued for a single qualified active low-income community business, on an aggregate basis with all of its affiliates, that may be included for purposes of complying with subsection (4)(d)(iii) of this section shall not exceed Ten Million Dollars ($10,000,000.00), in the aggregate, whether issued by one (1) or several qualified community development entities and exclusive of repaid or redeemed qualified low-income community investments.

(2) A taxpayer that holds a qualified equity investment on the credit allowance date shall be entitled to a credit applicable against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123 during the taxable year that includes the credit allowance date. The amount of the credit shall be equal to the applicable percentage of the purchase price paid to the qualified community development entity for the qualified equity investment. The amount of the credit that may be utilized in any one (1) tax year shall be limited to an amount not greater than the total tax liability of the taxpayer for the taxes imposed by the above-referenced sections. The credit shall not be refundable or transferable. Any unused portion of the credit may be carried forward for seven (7) taxable years beyond the credit allowance date on which the credit was earned. The maximum aggregate amount of qualified equity investments that may be allocated by the MDA may not exceed an amount that would result in taxpayers claiming in any one (1) state fiscal year credits in excess of Fifteen Million Dollars ($15,000,000.00), exclusive of credits that might be carried forward from previous taxable years; however, a maximum of Five Million Dollars ($5,000,000.00) with respect to such allocations may be allocated as credits for taxes imposed by Sections 27-15-103, 27-15-109 and 27-15-123. Any taxpayer claiming

a credit under this section against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123 shall not be required to pay any additional tax under Section 27-15-123 as a result of claiming such credit. The MDA shall allocate credits within this limit as provided for in subsection (4) of this section.

(3) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document. Such allocation shall be made each taxable year of such pass-through entity which contains a credit allowance date. A pass-through of a credit is not considered a sale for the purposes of this section or any other state law.

(4) (a) For three (3) consecutive fiscal years beginning July 1, 2024, qualified community development entities shall apply to the MDA for an award of credits and related qualified equity investment authority on a form provided by the MDA that includes:

(i) The name, address, and tax identification number of the applicant, and evidence of the applicant's certification as a qualified community development entity by the CDFI fund;

(ii) A copy of the allocation agreement executed by the applicant or its controlling entity, and the CDFI fund;

(iii) A certificate executed by an executive officer of the applicant attesting that the allocation agreement remains in effect and has not been revoked or canceled by the CDFI fund;

(iv) A description of the proposed amount, structure, and purchaser of the equity investment;

(v) The amount of qualified equity investment authority sought which collectively may not exceed the applicant or its controlling entity's available qualified equity investment authority under Section 45D of the Internal Revenue Code of 1986, as amended, multiplied by two (2);

(vi) Evidence of the applicant or its controlling entity's available qualified equity investment authority under Section 45D of the Internal Revenue Code of 1986, as amended;

(vii) A nonrefundable application fee of One Thousand Dollars ($1,000.00);

(viii) Except for Mississippi qualified community development entities, evidence that the applicant, on a collective basis with its affiliates, has invested at least Thirty Million Dollars ($30,000,000.00) in Mississippi qualified active low-income community businesses or other Mississippi investments or received at least four (4) tax credit certificates from the MDA; and

(ix) Other information as required by the MDA pursuant to paragraph (c) of this subsection.

(b) The MDA shall set a date to accept applications not less than thirty (30) days but not more than forty-five (45) days after the CDFI fund announces allocation awards under a notice of funding availability that was published in the Federal Register. In the event that the CDFI fund is unable to publish a notice of funding of allocation awards because of a lack of award authority under Section 45D of the Internal Revenue Code of 1986, as amended, with respect to the fiscal year beginning July 1, 2026, the MDA shall waive the requirement that a qualified community development entity designate at least

fifty percent (50%) of qualified equity investment authority awarded as a qualified equity investment under Section 45D of the Internal Revenue Code of 1986, as amended, provided that the MDA shall give a preference in the award of tax credits to qualified community development entities that apply with remaining allocation under Section 45D of the Internal Revenue Code of 1986, as amended.

(c) The MDA shall award credits and the related qualified equity investment authority, subject to the limitations set forth in subsection (2) of this section, not less than twenty-five percent (25%) to applicants that agree to utilize qualified equity investment authority for loan funds. The MDA may require additional information in the application to delineate between types of applications. Within thirty (30) days with respect to a loan fund application and ninety (90) days for all other applications, the MDA shall grant or deny the application in full or in part. If the MDA denies any part of the application, the MDA shall inform the applicant of the grounds for the denial. If the applicant provides the information required by the MDA or otherwise completes its application within fifteen (15) days of the notice of denial, the application is deemed complete as of the original date of submission. If the applicant fails to provide the requested information or complete its application within the fifteen-day period, the applicant must submit a new application. If requests for either allocation are not fully subscribed, the MDA shall reallocate such remaining allocation to the other allocation pool. Once the MDA has allocated credits to a qualified community development entity, the corresponding qualified equity investment must be issued and, if applicable, fifty percent (50%) of such qualified equity investment must be designated under Section 45D of the Internal Revenue Code of 1986, as amended, not later than one hundred twenty (120) days from the date of such allocation. If the qualified equity investment is not issued and, if applicable, such designation under Section 45D of the Internal Revenue Code of 1986, as amended, is not made within such time period, the allocation shall be cancelled and returned to the MDA for reallocation. If the actual dollar amount of qualified equity investment is lower than the amount awarded by the MDA, the MDA shall adjust the tax credit allowed under this section and reissue awards to other applicants that did not receive the awards requested pro rata. Qualified community development entities shall provide the MDA evidence of qualified equity investments and designation under Section 45D of the Internal Revenue Code of 1986, as amended, if applicable, within one hundred thirty (130) days from the date of an allocation. An applicant certified an award under this paragraph may transfer all or a portion of its certified qualified equity investment authority to any affiliated qualified community development entity by sending written notice to the MDA endorsing the certificate.

(d) The Department of Revenue may recapture credits under this section if:

(i) Any amount of the federal tax credit available with respect to a qualified equity investment that is eligible for a credit under this section is recaptured under Section 45D of the Internal Revenue Code of 1986, as amended;

(ii) The qualified community development entity redeems or makes principal repayment with respect to a qualified equity investment prior to the seventh anniversary of the issuance of the qualified equity investment; or

(iii) The qualified community development entity fails to invest at least eighty-five percent (85%) of the cash purchase price of the qualified equity investment in qualified low-income community investments within twelve (12) months of the issuance of the qualified equity investment and maintain that level of investment until the last credit allowance date for the qualified equity investment.

A qualified community development entity shall notify the Department of Revenue of any of the events set forth in this paragraph (d) within five (5) days of actual knowledge of such event.

(e) For purposes of paragraph (d)(iii) of this subsection, an investment is considered maintained by a qualified community development entity even if the

investment has been sold or repaid, provided that the qualified community development entity reinvests an amount equal to the capital returned to or recovered by the qualified community development entity from the original investment, exclusive of any profits realized, in another qualified low-income community investment in this state within twelve (12) months after the receipt of that capital. Periodic loan repayments received by a qualified community development entity from a qualified active low-income community business within a calendar year must be treated as maintained in qualified low-income community investments if a qualified community development entity reinvests the repayments in qualified low-income community investments by the end of the following calendar year.

(f) A qualified community development entity is not required to reinvest capital returned from qualified low-income community investments after the sixth anniversary of the issuance of the qualified equity investment, the proceeds of which were used to make the qualified low-income community investment, and the qualified low-income community investment is considered held by the qualified community development entity through the seventh anniversary of the qualified equity investment's issuance.

(g) The MDA shall provide notice to the qualified community development entity and the Department of Revenue of any proposed recapture of credits pursuant to this subsection. The notice must specify the conditions under which the deficiency resulting in the proposed recapture occurred and state that the credits will be recaptured within ninety (90) days unless the qualified community development entity complies with the conditions identified in the notice. If the entity does not comply with the conditions identified in the notice within the ninety-day period, the Department of Revenue shall provide the entity from whom the credit is to be recaptured with a final order of recapture. Any credit for which a final recapture order has been issued must be recaptured by the Department of Revenue from the entity that claimed the credit on a tax return. The qualified equity investment authority of the recaptured credits must be returned to the MDA and must first be awarded pro rata to applicants that have received awards of qualified equity investment authority and complied with this subsection. If credits are recaptured under this section, any remaining credit is forfeited.

(h) The MDA shall not make awards of credits and related qualified equity investment authority after July 1, 2027.

(5) Each qualified community development entity that receives qualified equity investments to make qualified low-income community investments in Mississippi must annually report to the MDA the North American Industry Classification System Code, the county, the dollars invested, the number of jobs assisted and the number of jobs assisted with wages over one hundred percent (100%) of the federal poverty level for a family of four (4) of each qualified low-income community investment.

(6) The MDA shall file an annual report on all qualified low-income community investments with the Governor, the Clerk of the House of Representatives, the Secretary of the Senate and the Secretary of State describing the North American Industry Classification System Code, the county, the dollars invested, the number of jobs assisted and the number of jobs assisted with wages over one hundred percent (100%) of the federal poverty level for a family of four (4) of each qualified low-income community investment. The annual report will be posted on the MDA internet website.

(7) (a) The purpose of this subsection is to authorize the creation and establishment of public benefit corporations for financing arrangements regarding public property and facilities.

(b) As used in this subsection:

(i) "New Markets Tax Credit transaction" means any financing transaction which utilizes either this section or Section 45D of the Internal Revenue Code of 1986, as amended.

(ii) "Public benefit corporation" means a nonprofit corporation formed or designated by a public entity to carry out the purposes of this subsection.

(iii) "Public entity or public entities" includes utility districts, regional solid waste authorities, regional utility authorities, community hospitals, regional airport authorities, municipal airport authorities, community and junior colleges, educational building corporations established by or on behalf of the state institutions of higher learning, school districts, planning and development districts, county economic development districts, urban renewal agencies, any other regional or local economic development authority, agency or governmental entity, and any other regional or local industrial development authority, agency or governmental entity.

(iv) "Public property or facilities" means any property or facilities owned or leased by a public entity or public benefit corporation.

(c) Notwithstanding any other provision of law to the contrary, public entities are authorized pursuant to this subsection to create one or more public benefit corporations or designate an existing corporation as a public benefit corporation for the purpose of entering into financing agreements and engaging in New Markets Tax Credit transactions, which shall include, without limitation, arrangements to plan, acquire, renovate, construct, lease, sublease, manage, operate and/or improve new or existing public property or facilities located within the boundaries or service area of the public entity. Any financing arrangement authorized under this subsection shall further any purpose of the public entity and may include a term of up to fifty (50) years.

(d) Notwithstanding any other provision of law to the contrary and in order to facilitate the acquisition, renovation, construction, leasing, subleasing, management, operating and/or improvement of new or existing public property or facilities to further any purpose of a public entity, public entities are authorized to enter into financing arrangements in order to transfer public property or facilities to and/or from public benefit corporations, including, without limitation, sales, sale-leasebacks, leases and lease-leasebacks, provided such transfer is related to any New Markets Tax Credit transaction furthering any purpose of the public entity. Any such transfer under this paragraph (d) and the public property or facilities transferred in connection therewith shall be exempted from any limitation or requirements with respect to leasing, acquiring, and/or constructing public property or facilities.

(e) With respect to a New Markets Tax Credit transaction, public entities and public benefit corporations are authorized to enter into financing arrangements with any governmental, nonprofit or for-profit entity in order to leverage funds not otherwise available to public entities for the acquisition, construction and/or renovation of properties transferred to such public benefit corporations. The use of any funds loaned by or contributed by a public benefit corporation or borrowed by or otherwise made available to a public benefit corporation in such financing arrangement shall be dedicated solely to (i) the development of new properties or facilities and/or the renovation of existing properties or facilities or operation of properties or facilities, and/or (ii) the payment of costs and expenditures related to any such financing arrangements, including, but not limited to, funding any reserves required in connection therewith, the repayment of any indebtedness incurred in connection therewith, and the payment of fees and expenses incurred in connection with the closing, administration, accounting and/or compliance with respect to the New Markets Tax Credit transaction.

(f) A public benefit corporation created pursuant to this subsection shall not be a political subdivision of the state but shall be a nonprofit corporation organized and governed under the provisions of the laws of this state and shall be a special purpose

corporation established to facilitate New Markets Tax Credit transactions consistent with the requirements of this section.

(g) Neither this subsection nor anything herein contained is or shall be construed as a restriction or limitation upon any powers which the public entity or public benefit corporation might otherwise have under any laws of this state, and this subsection is cumulative to any such powers. This subsection does and shall be construed to provide a complete additional and alternative method for doing the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws.

(8) The MDA shall promulgate rules and regulations to implement the provisions of this section.

SECTION 2. Section 27-15-129, Mississippi Code of 1972, is amended as follows:

27-15-129. (1) The amount of premium tax payable pursuant to Sections 27-15-103, 27-15-109, 27-15-119 and 83-31-45, Mississippi Code of 1972, shall be reduced from the amount otherwise fixed in such sections if the payer files a sworn statement with the required annual report showing as of the beginning of the reporting period that at least the following amounts of the total admitted assets of the payer were invested and maintained in qualifying Mississippi investments as hereinafter defined in subsection (2) of this section over the period covered by such report:

Percentage of Total Admitted Assets in Qualifying Mississippi Investments	Percentage of Premium Tax Payable
1%	99%
2%	98%
3%	97%
4%	96%
5%	95%
6%	94%
7%	93%
8%	92%
9%	91%
10%	80%
15%	70%
20%	60%
25%	50%

(2) For the purpose of this section, "a qualifying Mississippi investment" is hereby defined as follows:

(a) Certificates of deposit issued by any bank or savings and loan association domiciled in this state;

(b) Bonds of this state or bonds of municipal, school, road or levee districts, or other political subdivisions of this state;

(c) Loans evidenced by notes and secured by deeds of trust on property located in this state;

(d) Real property located in this state;

(e) Policy loans to residents of Mississippi, or other loans to residents of this state, or to corporations domiciled in this state;

(f) Common or preferred stock, bonds and other evidences of indebtedness of corporations domiciled in this state; and

(g) Cash on deposit in any bank or savings and loan association domiciled in this state.

"A qualifying Mississippi investment" shall not include any investment for which a credit is allocated under Section 57-105-1 * * *, Section 57-115-1 et seq., and/or Section 1 of this act.

(3) If the credits, or any part thereof, authorized by the preceding provisions of this section shall be held by a court of final jurisdiction to be unconstitutional and void for any reason or to make the annual premium taxes levied by Sections 27-15-103, 27-15-109, 27-15-119 and 83-31-45, Mississippi Code of 1972, unlawfully discriminatory or otherwise invalid under the Fourteenth Amendment or the Commerce Clause of the Constitution of the United States or under any state or other federal constitutional provisions, it is hereby expressly declared that such fact shall in no way affect the validity of the annual premium taxes levied thereby, and that such provisions would have been enacted even though the Legislature had known this credit section would be held invalid.

(4) This section shall apply to taxes accruing and investments existing from and after July 1, 1985.

SECTION 3. Section 31-7-13, Mississippi Code of 1972, as amended by House Bill No. 297, 2024 Regular Session, is amended as follows:

31-7-13. All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided.

(a) Bidding procedure for purchases not over $5,000.00. Purchases which do not involve an expenditure of more than Five Thousand Dollars ($5,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. However, nothing contained in this paragraph (a) shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of Five Thousand Dollars ($5,000.00) or less.

(b) Bidding procedure for purchases over $5,000.00 but not over $75,000.00. Purchases which involve an expenditure of more than Five Thousand Dollars ($5,000.00) but not more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder without publishing or posting advertisement for bids, provided at least two (2) competitive written bids have been obtained. Any state agency or community or junior college purchasing commodities or procuring construction pursuant to this paragraph (b) may authorize its

purchasing agent, or his designee, to accept the lowest competitive written bid under Seventy-five Thousand Dollars ($75,000.00). Any governing authority purchasing commodities pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, with regard to governing authorities other than counties, or its purchase clerk, or his designee, with regard to counties, to accept the lowest and best competitive written bid. Such authorization shall be made in writing by the governing authority and shall be maintained on file in the primary office of the agency and recorded in the official minutes of the governing authority, as appropriate. The purchasing agent or the purchase clerk, or his designee, as the case may be, and not the governing authority, shall be liable for any penalties and/or damages as may be imposed by law for any act or omission of the purchasing agent or purchase clerk, or his designee, constituting a violation of law in accepting any bid without approval by the governing authority. The term "competitive written bid" shall mean a bid submitted on a bid form furnished by the buying agency or governing authority and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor. "Competitive" shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. Any bid item for construction in excess of Five Thousand Dollars ($5,000.00) shall be broken down by components to provide detail of component description and pricing. These details shall be submitted with the written bids and become part of the bid evaluation criteria. Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities.

(c) Bidding procedure for purchases over $75,000.00.

(i) Publication requirement.

1. Purchases which involve an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder after advertising for competitive bids once each week for two (2) consecutive weeks in a regular newspaper published in the county or municipality in which such agency or governing authority is located. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars ($25,000.00) shall be bid. All references to American Recovery and Reinvestment Act projects in this section shall not apply to programs identified in Division B of the American Recovery and Reinvestment Act.

2. Reverse auctions shall be the primary method for receiving bids during the bidding process. If a purchasing entity determines that a reverse auction is not in the best interest of the state, then that determination must be approved by the Public Procurement Review Board. The purchasing entity shall submit a detailed explanation of why a reverse auction would not be in the best interest of the state and present an alternative process to be approved by the Public Procurement Review Board. If the Public Procurement Review Board authorizes the purchasing entity to solicit bids with a method other than reverse auction, then the purchasing entity may designate the other methods by which the bids will be received, including, but not limited to, bids sealed in an envelope, bids received electronically in a secure system, or bids received by any other method that promotes open competition and has been approved by the Office of Purchasing and Travel. However, reverse auction shall not be used for any public contract for design, construction, improvement, repair or remodeling of any public facilities, including the purchase of materials, supplies, equipment or goods for same and including buildings, roads and bridges. The Public Procurement Review Board must approve any contract entered into by alternative process. The provisions of this item 2 shall not apply to the individual state institutions of higher learning. The provisions of this item 2 requiring reverse auction as the primary method of receiving bids shall not apply to term contract purchases as provided in paragraph (n) of this section; however, a purchasing entity may, in its discretion, utilize reverse auction for such purchases. The provisions of this item 2

shall not apply to individual public schools, including public charter schools and public school districts, only when purchasing copyrighted educational supplemental materials and software as a service product. For such purchases, a local school board may authorize a purchasing entity in its jurisdiction to use a Request for Qualifications which promotes open competition and meets the requirements of the Office of Purchasing and Travel.

3. The date as published for the bid opening shall not be less than seven (7) working days after the last published notice; however, if the purchase involves a construction project in which the estimated cost is in excess of Seventy-five Thousand Dollars ($75,000.00), such bids shall not be opened in less than fifteen (15) working days after the last notice is published and the notice for the purchase of such construction shall be published once each week for two (2) consecutive weeks. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars ($25,000.00) shall be bid. For any projects in excess of Twenty-five Thousand Dollars ($25,000.00) under the American Recovery and Reinvestment Act, publication shall be made one (1) time and the bid opening for construction projects shall not be less than ten (10) working days after the date of the published notice. The notice of intention to let contracts or purchase equipment shall state the time and place at which bids shall be received, list the contracts to be made or types of equipment or supplies to be purchased, and, if all plans and/or specifications are not published, refer to the plans and/or specifications on file. If there is no newspaper published in the county or municipality, then such notice shall be given by posting same at the courthouse, or for municipalities at the city hall, and at two (2) other public places in the county or municipality, and also by publication once each week for two (2) consecutive weeks in some newspaper having a general circulation in the county or municipality in the above-provided manner. On the same date that the notice is submitted to the newspaper for publication, the agency or governing authority involved shall mail written notice to, or provide electronic notification to the main office of the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority that contains the same information as that in the published notice. Submissions received by the Mississippi Procurement Technical Assistance Program for projects funded by the American Recovery and Reinvestment Act shall be displayed on a separate and unique Internet web page accessible to the public and maintained by the Mississippi Development Authority for the Mississippi Procurement Technical Assistance Program. Those American Recovery and Reinvestment Act related submissions shall be publicly posted within twenty-four (24) hours of receipt by the Mississippi Development Authority and the bid opening shall not occur until the submission has been posted for ten (10) consecutive days. The Department of Finance and Administration shall maintain information regarding contracts and other expenditures from the American Recovery and Reinvestment Act, on a unique Internet web page accessible to the public. The Department of Finance and Administration shall promulgate rules regarding format, content and deadlines, unless otherwise specified by law, of the posting of award notices, contract execution and subsequent amendments, links to the contract documents, expenditures against the awarded contracts and general expenditures of funds from the American Recovery and Reinvestment Act. Within one (1) working day of the contract award, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration, notice of the award, including the award recipient, the contract amount, and a brief summary of the contract in accordance with rules promulgated by the department. Within one (1) working day of the contract execution, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration a summary of the executed contract and make a copy of the appropriately redacted contract documents available for linking to the designated web page in accordance with the rules promulgated by the department. The information provided by the agency or governing authority shall be posted to the web page for the duration of the American Recovery and Reinvestment Act funding or until the project is completed, whichever is longer.

(ii) Bidding process amendment procedure. If all plans and/or specifications are published in the notification, then the plans and/or specifications may not be amended. If all plans and/or specifications are not published in the notification, then amendments to the plans/specifications, bid opening date, bid opening time and place may be made, provided that the agency or governing authority maintains a list of all prospective bidders who are known to have received a copy of the bid documents and all such prospective bidders are sent copies of all amendments. This notification of amendments may be made via mail, facsimile, electronic mail or other generally accepted method of information distribution. No addendum to bid specifications may be issued within two (2) working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum.

(iii) Filing requirement. In all cases involving governing authorities, before the notice shall be published or posted, the plans or specifications for the construction or equipment being sought shall be filed with the clerk of the board of the governing authority. In addition to these requirements, a bid file shall be established which shall indicate those vendors to whom such solicitations and specifications were issued, and such file shall also contain such information as is pertinent to the bid.

(iv) Specification restrictions.

1. Specifications pertinent to such bidding shall be written so as not to exclude comparable equipment of domestic manufacture. However, if valid justification is presented, the Department of Finance and Administration or the board of a governing authority may approve a request for specific equipment necessary to perform a specific job. Further, such justification, when placed on the minutes of the board of a governing authority, may serve as authority for that governing authority to write specifications to require a specific item of equipment needed to perform a specific job. In addition to these requirements, from and after July 1, 1990, vendors of relocatable classrooms and the specifications for the purchase of such relocatable classrooms published by local school boards shall meet all pertinent regulations of the State Board of Education, including prior approval of such bid by the State Department of Education.

2. Specifications for construction projects may include an allowance for commodities, equipment, furniture, construction materials or systems in which prospective bidders are instructed to include in their bids specified amounts for such items so long as the allowance items are acquired by the vendor in a commercially reasonable manner and approved by the agency/governing authority. Such acquisitions shall not be made to circumvent the public purchasing laws.

(v) Electronic bids. Agencies and governing authorities shall provide a secure electronic interactive system for the submittal of bids requiring competitive bidding that shall be an additional bidding option for those bidders who choose to submit their bids electronically. The Department of Finance and Administration shall provide, by regulation, the standards that agencies must follow when receiving electronic bids. Agencies and governing authorities shall make the appropriate provisions necessary to accept electronic bids from those bidders who choose to submit their bids electronically for all purchases requiring competitive bidding under this section. Any special condition or requirement for the electronic bid submission shall be specified in the advertisement for bids required by this section. Agencies or governing authorities that are currently without available high speed Internet access shall be exempt from the requirement of this subparagraph (v) until such time that high speed Internet access becomes available. Any county having a population of less than twenty thousand (20,000) shall be exempt from the provisions of this subparagraph (v). Any municipality having a population of less than ten thousand (10,000) shall be exempt from the provisions of this subparagraph (v). The provisions of this subparagraph (v) shall not require any bidder to submit bids electronically. When construction bids are submitted electronically, the requirement for including a certificate of responsibility, or a statement that the bid enclosed does not

exceed Fifty Thousand Dollars ($50,000.00), on the exterior of the bid envelope as indicated in Section 31-3-21(1) and (2) shall be deemed in compliance with by including same as an attachment with the electronic bid submittal.

(d) Lowest and best bid decision procedure.

(i) Decision procedure. Purchases may be made from the lowest and best bidder. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(ii) Decision procedure for Certified Purchasing Offices. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), Certified Purchasing Offices may also use the following procedure: Purchases may be made from the bidder offering the best value. In determining the best value bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions, documented previous experience, training costs and other relevant provisions, including, but not limited to, a bidder having a local office and inventory located within the jurisdiction of the governing authority, may be included in the best value calculation. This provision shall authorize Certified Purchasing Offices to utilize a Request For Proposals (RFP) process when purchasing commodities. All best value procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. No agency or governing authority shall accept a bid based on items or criteria not included in the specifications.

(iii) Decision procedure for Mississippi Landmarks. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), where purchase involves renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History under the authority of Sections 39-7-7 and 39-7-11, the agency or governing authority may use the following procedure: Purchases may be made from the lowest and best prequalified bidder. Prequalification of bidders shall be determined not less than fifteen (15) working days before the first published notice of bid opening. Prequalification criteria shall be limited to bidder's knowledge and experience in historical restoration, preservation and renovation. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid and prequalification procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(iv) Construction project negotiations authority. If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.

(e) Lease-purchase authorization. For the purposes of this section, the term "equipment" shall mean equipment, furniture and, if applicable, associated software and other applicable direct costs associated with the acquisition. Any lease-purchase of equipment which an agency is not required to lease-purchase under the master lease-purchase program pursuant to Section 31-7-10 and any lease-purchase of equipment which a governing authority elects to lease-purchase may be acquired by a lease-purchase agreement under this paragraph (e). Lease-purchase financing may also be obtained from the vendor or from a third-party source after having solicited and obtained at least two (2) written competitive bids, as defined in paragraph (b) of this section, for such financing without advertising for such bids. Solicitation for the bids for financing may occur before or after acceptance of bids for the purchase of such equipment or, where no such bids for purchase are required, at any time before the purchase thereof. No such lease-purchase agreement shall be for an annual rate of interest which is greater than the overall maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101, and the term of such lease-purchase agreement shall not exceed the useful life of equipment covered thereby as determined according to the upper limit of the asset depreciation range (ADR) guidelines for the Class Life Asset Depreciation Range System established by the Internal Revenue Service pursuant to the United States Internal Revenue Code and regulations thereunder as in effect on December 31, 1980, or comparable depreciation guidelines with respect to any equipment not covered by ADR guidelines. Any lease-purchase agreement entered into pursuant to this paragraph (e) may contain any of the terms and conditions which a master lease-purchase agreement may contain under the provisions of Section 31-7-10(5), and shall contain an annual allocation dependency clause substantially similar to that set forth in Section 31-7-10(8). Each agency or governing authority entering into a lease-purchase transaction pursuant to this paragraph (e) shall maintain with respect to each such lease-purchase transaction the same information as required to be maintained by the Department of Finance and Administration pursuant to Section 31-7-10(13). However, nothing contained in this section shall be construed to permit agencies to acquire items of equipment with a total acquisition cost in the aggregate of less than Ten Thousand Dollars ($10,000.00) by a single lease-purchase transaction. All equipment, and the purchase thereof by any lessor, acquired by lease-purchase under this paragraph and all lease-purchase payments with respect thereto shall be exempt from all Mississippi sales, use and ad valorem taxes. Interest paid on any lease-purchase agreement under this section shall be exempt from State of Mississippi income taxation.

(f) Alternate bid authorization. When necessary to ensure ready availability of commodities for public works and the timely completion of public projects, no more than two (2) alternate bids may be accepted by a governing authority for commodities. No purchases may be made through use of such alternate bids procedure unless the lowest and best bidder cannot deliver the commodities contained in his bid. In that event, purchases of such commodities may be made from one (1) of the bidders whose bid was accepted as an alternate.

(g) Construction contract change authorization. In the event a determination is made by an agency or governing authority after a construction contract is let that changes or modifications to the original contract are necessary or would better serve the purpose of the agency or the governing authority, such agency or governing authority may, in its discretion, order such changes pertaining to the construction that are necessary under the circumstances without the necessity of further public bids; provided that such change shall be made in a commercially reasonable manner and shall not be made to circumvent the public purchasing statutes. In addition to any other authorized person, the architect or engineer hired by an agency or governing authority with respect to any public construction contract shall have the authority, when granted by an agency or governing authority, to authorize changes or modifications to the original contract without the necessity of prior approval of the agency or governing authority when any such change or modification is less than one percent (1%) of the total contract amount. The agency or governing authority may limit the number, manner or frequency of such emergency changes or modifications.

(h) Petroleum purchase alternative. In addition to other methods of purchasing authorized in this chapter, when any agency or governing authority shall have a need for gas, diesel fuel, oils and/or other petroleum products in excess of the amount set forth in paragraph (a) of this section, such agency or governing authority may purchase the commodity after having solicited and obtained at least two (2) competitive written bids, as defined in paragraph (b) of this section. If two (2) competitive written bids are not obtained, the entity shall comply with the procedures set forth in paragraph (c) of this section. In the event any agency or governing authority shall have advertised for bids for the purchase of gas, diesel fuel, oils and other petroleum products and coal and no acceptable bids can be obtained, such agency or governing authority is authorized and directed to enter into any negotiations necessary to secure the lowest and best contract available for the purchase of such commodities.

(i) Road construction petroleum products price adjustment clause authorization. Any agency or governing authority authorized to enter into contracts for the construction, maintenance, surfacing or repair of highways, roads or streets, may include in its bid proposal and contract documents a price adjustment clause with relation to the cost to the contractor, including taxes, based upon an industry-wide cost index, of petroleum products including asphalt used in the performance or execution of the contract or in the production or manufacture of materials for use in such performance. Such industry-wide index shall be established and published monthly by the Mississippi Department of Transportation with a copy thereof to be mailed, upon request, to the clerks of the governing authority of each municipality and the clerks of each board of supervisors throughout the state. The price adjustment clause shall be based on the cost of such petroleum products only and shall not include any additional profit or overhead as part of the adjustment. The bid proposals or document contract shall contain the basis and methods of adjusting unit prices for the change in the cost of such petroleum products.

(j) State agency emergency purchase procedure. If the governing board or the executive head, or his designees, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the head of such agency, or his designees, shall file with the Department of Finance and Administration (i) a statement explaining the conditions and circumstances of the emergency, which shall include a detailed description of the events leading up to the situation and the negative impact to the entity if the purchase is made following the statutory requirements set forth in paragraph (a), (b) or (c) of this section, and (ii) a certified copy of the appropriate minutes of the board of such agency requesting the emergency purchase, if applicable. Upon receipt of the statement and applicable board certification, the State Fiscal Officer, or his designees, may, in writing, authorize the purchase or repair without having to comply with competitive bidding requirements.

If the governing board or the executive head, or his designees, of any agency determines that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would threaten the health or safety of any person, or the preservation or protection of property, then the provisions in this section for competitive bidding shall not apply, and any officer or agent of the agency having general or specific authority for making the purchase or repair contract shall approve the bill presented for payment, and he shall certify in writing from whom the purchase was made, or with whom the repair contract was made.

Total purchases made under this paragraph (j) shall only be for the purpose of meeting needs created by the emergency situation. Following the emergency purchase, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be filed with the Department

of Finance and Administration. Any contract awarded pursuant to this paragraph (j) shall not exceed a term of one (1) year.

Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (j).

(k) Governing authority emergency purchase procedure. If the governing authority, or the governing authority acting through its designee, shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions herein for competitive bidding shall not apply and any officer or agent of such governing authority having general or special authority therefor in making such purchase or repair shall approve the bill presented therefor, and he shall certify in writing thereon from whom such purchase was made, or with whom such a repair contract was made. At the board meeting next following the emergency purchase or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased, the price thereof and the nature of the emergency shall be presented to the board and shall be placed on the minutes of the board of such governing authority. Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (k).

(l) Hospital purchase, lease-purchase and lease authorization.

(i) The commissioners or board of trustees of any public hospital may contract with such lowest and best bidder for the purchase or lease-purchase of any commodity under a contract of purchase or lease-purchase agreement whose obligatory payment terms do not exceed five (5) years.

(ii) In addition to the authority granted in subparagraph (i) of this paragraph (l), the commissioners or board of trustees is authorized to enter into contracts for the lease of equipment or services, or both, which it considers necessary for the proper care of patients if, in its opinion, it is not financially feasible to purchase the necessary equipment or services. Any such contract for the lease of equipment or services executed by the commissioners or board shall not exceed a maximum of five (5) years' duration and shall include a cancellation clause based on unavailability of funds. If such cancellation clause is exercised, there shall be no further liability on the part of the lessee. Any such contract for the lease of equipment or services executed on behalf of the commissioners or board that complies with the provisions of this subparagraph (ii) shall be excepted from the bid requirements set forth in this section.

(m) Exceptions from bidding requirements. Excepted from bid requirements are:

(i) Purchasing agreements approved by department. Purchasing agreements, contracts and maximum price regulations executed or approved by the Department of Finance and Administration.

(ii) Outside equipment repairs. Repairs to equipment, when such repairs are made by repair facilities in the private sector; however, engines, transmissions, rear axles and/or other such components shall not be included in this exemption when replaced as a complete unit instead of being repaired and the need for such total component replacement is known before disassembly of the component; however, invoices identifying the equipment, specific repairs made, parts identified by number and name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required for the payment for such repairs.

(iii) In-house equipment repairs. Purchases of parts for repairs to equipment, when such repairs are made by personnel of the agency or governing authority; however, entire assemblies, such as engines or transmissions, shall not be included in this exemption when the entire assembly is being replaced instead of being repaired.

(iv) Raw gravel or dirt. Raw unprocessed deposits of gravel or fill dirt which are to be removed and transported by the purchaser.

(v) Governmental equipment auctions. Motor vehicles or other equipment purchased from a federal agency or authority, another governing authority or state agency of the State of Mississippi, or any governing authority or state agency of another state at a public auction held for the purpose of disposing of such vehicles or other equipment. Any purchase by a governing authority under the exemption authorized by this subparagraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(vi) Intergovernmental sales and transfers. Purchases, sales, transfers or trades by governing authorities or state agencies when such purchases, sales, transfers or trades are made by a private treaty agreement or through means of negotiation, from any federal agency or authority, another governing authority or state agency of the State of Mississippi, or any state agency or governing authority of another state. Nothing in this section shall permit such purchases through public auction except as provided for in subparagraph (v) of this paragraph (m). It is the intent of this section to allow governmental entities to dispose of and/or purchase commodities from other governmental entities at a price that is agreed to by both parties. This shall allow for purchases and/or sales at prices which may be determined to be below the market value if the selling entity determines that the sale at below market value is in the best interest of the taxpayers of the state. Governing authorities shall place the terms of the agreement and any justification on the minutes, and state agencies shall obtain approval from the Department of Finance and Administration, prior to releasing or taking possession of the commodities.

(vii) Perishable supplies or food. Perishable supplies or food purchased for use in connection with hospitals, the school lunch programs, homemaking programs and for the feeding of county or municipal prisoners.

(viii) Single-source items. Noncompetitive items available from one (1) source only. In connection with the purchase of noncompetitive items only available from one (1) source, a certification of the conditions and circumstances requiring the purchase shall be filed by the agency with the Department of Finance and Administration and by the governing authority with the board of the governing authority. Upon receipt of that certification the Department of Finance and Administration or the board of the governing authority, as the case may be, may, in writing, authorize the purchase, which authority shall be noted on the minutes of the body at the next regular meeting thereafter. In those situations, a governing authority is not required to obtain the approval of the Department of Finance and Administration. Following the purchase, the executive head of the state agency, or his designees, shall file with the Department of Finance and Administration, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the source from whom it was purchased.

(ix) Waste disposal facility construction contracts. Construction of incinerators and other facilities for disposal of solid wastes in which products either generated therein, such as steam, or recovered therefrom, such as materials for recycling, are to be sold or otherwise disposed of; however, in constructing such facilities, a governing authority or agency shall publicly issue requests for proposals, advertised for in the same manner as provided herein for seeking bids for public construction projects,

concerning the design, construction, ownership, operation and/or maintenance of such facilities, wherein such requests for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, environmental compatibility, legal responsibilities and such other matters as are determined by the governing authority or agency to be appropriate for inclusion; and after responses to the request for proposals have been duly received, the governing authority or agency may select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter contracts with one or more of the persons or firms submitting proposals.

(x) Hospital group purchase contracts. Supplies, commodities and equipment purchased by hospitals through group purchase programs pursuant to Section 31-7-38.

(xi) Information technology products. Purchases of information technology products made by governing authorities under the provisions of purchase schedules, or contracts executed or approved by the Mississippi Department of Information Technology Services and designated for use by governing authorities.

(xii) Energy efficiency services and equipment. Energy efficiency services and equipment acquired by school districts, community and junior colleges, institutions of higher learning and state agencies or other applicable governmental entities on a shared-savings, lease or lease-purchase basis pursuant to Section 31-7-14.

(xiii) Municipal electrical utility system fuel. Purchases of coal and/or natural gas by municipally owned electric power generating systems that have the capacity to use both coal and natural gas for the generation of electric power.

(xiv) Library books and other reference materials. Purchases by libraries or for libraries of books and periodicals; processed film, videocassette tapes, filmstrips and slides; recorded audiotapes, cassettes and diskettes; and any such items as would be used for teaching, research or other information distribution; however, equipment such as projectors, recorders, audio or video equipment, and monitor televisions are not exempt under this subparagraph.

(xv) Unmarked vehicles. Purchases of unmarked vehicles when such purchases are made in accordance with purchasing regulations adopted by the Department of Finance and Administration pursuant to Section 31-7-9(2).

(xvi) Election ballots. Purchases of ballots printed pursuant to Section 23-15-351.

(xvii) Multichannel interactive video systems. From and after July 1, 1990, contracts by Mississippi Authority for Educational Television with any private educational institution or private nonprofit organization whose purposes are educational in regard to the construction, purchase, lease or lease-purchase of facilities and equipment and the employment of personnel for providing multichannel interactive video systems (ITSF) in the school districts of this state.

(xviii) Purchases of prison industry products by the Department of Corrections, regional correctional facilities or privately owned prisons. Purchases made by the Mississippi Department of Corrections, regional correctional facilities or privately owned prisons involving any item that is manufactured, processed, grown or produced from the state's prison industries.

(xix) Undercover operations equipment. Purchases of surveillance equipment or any other high-tech equipment to be used by law enforcement agents in undercover operations, provided that any such purchase shall be in compliance with regulations established by the Department of Finance and Administration.

(xx) Junior college books for rent. Purchases by community or junior colleges of textbooks which are obtained for the purpose of renting such books to students as part of a book service system.

(xxi) Certain school district purchases. Purchases of commodities made by school districts from vendors with which any levying authority of the school district, as defined in Section 37-57-1, has contracted through competitive bidding procedures for purchases of the same commodities.

(xxii) Garbage, solid waste and sewage contracts. Contracts for garbage collection or disposal, contracts for solid waste collection or disposal and contracts for sewage collection or disposal.

(xxiii) Municipal water tank maintenance contracts. Professional maintenance program contracts for the repair or maintenance of municipal water tanks, which provide professional services needed to maintain municipal water storage tanks for a fixed annual fee for a duration of two (2) or more years.

(xxiv) Purchases of Mississippi Industries for the Blind products or services. Purchases made by state agencies or governing authorities involving any item that is manufactured, processed or produced by, or any services provided by, the Mississippi Industries for the Blind.

(xxv) Purchases of state-adopted textbooks. Purchases of state-adopted textbooks by public school districts.

(xxvi) Certain purchases under the Mississippi Major Economic Impact Act. Contracts entered into pursuant to the provisions of Section 57-75-9(2), (3) and (4).

(xxvii) Used heavy or specialized machinery or equipment for installation of soil and water conservation practices purchased at auction. Used heavy or specialized machinery or equipment used for the installation and implementation of soil and water conservation practices or measures purchased subject to the restrictions provided in Sections 69-27-331 through 69-27-341. Any purchase by the State Soil and Water Conservation Commission under the exemption authorized by this subparagraph shall require advance authorization spread upon the minutes of the commission to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(xxviii) Hospital lease of equipment or services. Leases by hospitals of equipment or services if the leases are in compliance with paragraph (l)(ii).

(xxix) Purchases made pursuant to qualified cooperative purchasing agreements. Purchases made by certified purchasing offices of state agencies or governing authorities under cooperative purchasing agreements previously approved by the Office of Purchasing and Travel and established by or for any municipality, county, parish or state government or the federal government, provided that the notification to potential contractors includes a clause that sets forth the availability of the cooperative purchasing agreement to other governmental entities. Such purchases shall only be made if the use of the cooperative purchasing agreements is determined to be in the best interest of the governmental entity.

(xxx) School yearbooks. Purchases of school yearbooks by state agencies or governing authorities; however, state agencies and governing authorities shall use for these purchases the RFP process as set forth in the Mississippi Procurement Manual adopted by the Office of Purchasing and Travel.

(xxxi) Design-build method of contracting and certain other contracts. Contracts entered into under the provisions of Section 31-7-13.1, 37-101-44 or 65-1-85.

(xxxii) Toll roads and bridge construction projects. Contracts entered into under the provisions of Section 65-43-1 or 65-43-3.

(xxxiii) Certain purchases under Section 57-1-221. Contracts entered into pursuant to the provisions of Section 57-1-221.

(xxxiv) Certain transfers made pursuant to the provisions of Section 57-105-1(7). Transfers of public property or facilities under Section 57-105-1(7) and construction related to such public property or facilities.

(xxxv) Certain purchases or transfers entered into with local electrical power associations. Contracts or agreements entered into under the provisions of Section 55-3-33.

(xxxvi) Certain purchases by an academic medical center or health sciences school. Purchases by an academic medical center or health sciences school, as defined in Section 37-115-50, of commodities that are used for clinical purposes and 1. intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease, and 2. medical devices, biological, drugs and radiation-emitting devices as defined by the United States Food and Drug Administration.

(xxxvii) Certain purchases made under the Alyce G. Clarke Mississippi Lottery Law. Contracts made by the Mississippi Lottery Corporation pursuant to the Alyce G. Clarke Mississippi Lottery Law.

(xxxviii) Certain purchases made by the Department of Health and the Department of Revenue. Purchases made by the Department of Health and the Department of Revenue solely for the purpose of fulfilling their respective responsibilities under the Mississippi Medical Cannabis Act. This subparagraph shall stand repealed on June 30, 2026.

(xxxvix) Certain transfers made pursuant to the provisions of Section 1(7) of this act. Transfers of public property or facilities under Section 1(7) of this act and construction related to such public property or facilities.

(n) Term contract authorization. All contracts for the purchase of:

(i) All contracts for the purchase of commodities, equipment and public construction (including, but not limited to, repair and maintenance), may be let for periods of not more than sixty (60) months in advance, subject to applicable statutory provisions prohibiting the letting of contracts during specified periods near the end of terms of office. Term contracts for a period exceeding twenty-four (24) months shall also be subject to ratification or cancellation by governing authority boards taking office subsequent to the governing authority board entering the contract.

(ii) Bid proposals and contracts may include price adjustment clauses with relation to the cost to the contractor based upon a nationally published industry-wide or nationally published and recognized cost index. The cost index used in a price adjustment clause shall be determined by the Department of Finance and Administration for the state agencies and by the governing board for governing authorities. The bid proposal and contract documents utilizing a price adjustment clause shall contain the basis and method of adjusting unit prices for the change in the cost of such commodities, equipment and public construction.

(o) Purchase law violation prohibition and vendor penalty. No contract or purchase as herein authorized shall be made for the purpose of circumventing the

provisions of this section requiring competitive bids, nor shall it be lawful for any person or concern to submit individual invoices for amounts within those authorized for a contract or purchase where the actual value of the contract or commodity purchased exceeds the authorized amount and the invoices therefor are split so as to appear to be authorized as purchases for which competitive bids are not required. Submission of such invoices shall constitute a misdemeanor punishable by a fine of not less than Five Hundred Dollars ($500.00) nor more than One Thousand Dollars ($1,000.00), or by imprisonment for thirty (30) days in the county jail, or both such fine and imprisonment. In addition, the claim or claims submitted shall be forfeited.

(p) Electrical utility petroleum-based equipment purchase procedure. When in response to a proper advertisement therefor, no bid firm as to price is submitted to an electric utility for power transformers, distribution transformers, power breakers, reclosers or other articles containing a petroleum product, the electric utility may accept the lowest and best bid therefor although the price is not firm.

(q) Fuel management system bidding procedure. Any governing authority or agency of the state shall, before contracting for the services and products of a fuel management or fuel access system, enter into negotiations with not fewer than two (2) sellers of fuel management or fuel access systems for competitive written bids to provide the services and products for the systems. In the event that the governing authority or agency cannot locate two (2) sellers of such systems or cannot obtain bids from two (2) sellers of such systems, it shall show proof that it made a diligent, good-faith effort to locate and negotiate with two (2) sellers of such systems. Such proof shall include, but not be limited to, publications of a request for proposals and letters soliciting negotiations and bids. For purposes of this paragraph (q), a fuel management or fuel access system is an automated system of acquiring fuel for vehicles as well as management reports detailing fuel use by vehicles and drivers, and the term "competitive written bid" shall have the meaning as defined in paragraph (b) of this section. Governing authorities and agencies shall be exempt from this process when contracting for the services and products of fuel management or fuel access systems under the terms of a state contract established by the Office of Purchasing and Travel.

(r) Solid waste contract proposal procedure. Before entering into any contract for garbage collection or disposal, contract for solid waste collection or disposal or contract for sewage collection or disposal, which involves an expenditure of more than Seventy-five Thousand Dollars ($75,000.00), a governing authority or agency shall issue publicly a request for proposals concerning the specifications for such services which shall be advertised for in the same manner as provided in this section for seeking bids for purchases which involve an expenditure of more than the amount provided in paragraph (c) of this section. Any request for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, legal responsibilities and other relevant factors as are determined by the governing authority or agency to be appropriate for inclusion; all factors determined relevant by the governing authority or agency or required by this paragraph (r) shall be duly included in the advertisement to elicit proposals. After responses to the request for proposals have been duly received, the governing authority or agency shall select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter into contracts with one or more of the persons or firms submitting proposals. If the governing authority or agency deems none of the proposals to be qualified or otherwise acceptable, the request for proposals process may be reinitiated. Notwithstanding any other provisions of this paragraph, where a county with at least thirty-five thousand (35,000) nor more than forty thousand (40,000) population, according to the 1990 federal decennial census, owns or operates a solid waste landfill, the governing authorities of any other county or municipality may contract with the governing authorities of the county owning or operating the landfill, pursuant to a resolution duly adopted and spread upon the minutes of each governing authority involved, for garbage or solid waste collection or disposal services through contract negotiations.

(s) Minority set-aside authorization. Notwithstanding any provision of this section to the contrary, any agency or governing authority, by order placed on its minutes, may, in its discretion, set aside not more than twenty percent (20%) of its anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the Department of Finance and Administration and shall be subject to bid requirements under this section. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder. For the purposes of this paragraph, the term "minority business" means a business which is owned by a majority of persons who are United States citizens or permanent resident aliens (as defined by the Immigration and Naturalization Service) of the United States, and who are Asian, Black, Hispanic or Native American, according to the following definitions:

(i) "Asian" means persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(ii) "Black" means persons having origins in any black racial group of Africa.

(iii) "Hispanic" means persons of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.

(iv) "Native American" means persons having origins in any of the original people of North America, including American Indians, Eskimos and Aleuts.

(t) Construction punch list restriction. The architect, engineer or other representative designated by the agency or governing authority that is contracting for public construction or renovation may prepare and submit to the contractor only one (1) preliminary punch list of items that do not meet the contract requirements at the time of substantial completion and one (1) final list immediately before final completion and final payment.

(u) Procurement of construction services by state institutions of higher learning. Contracts for privately financed construction of auxiliary facilities on the campus of a state institution of higher learning may be awarded by the Board of Trustees of State Institutions of Higher Learning to the lowest and best bidder, where sealed bids are solicited, or to the offeror whose proposal is determined to represent the best value to the citizens of the State of Mississippi, where requests for proposals are solicited.

(v) Insurability of bidders for public construction or other public contracts. In any solicitation for bids to perform public construction or other public contracts to which this section applies, including, but not limited to, contracts for repair and maintenance, for which the contract will require insurance coverage in an amount of not less than One Million Dollars ($1,000,000.00), bidders shall be permitted to either submit proof of current insurance coverage in the specified amount or demonstrate ability to obtain the required coverage amount of insurance if the contract is awarded to the bidder. Proof of insurance coverage shall be submitted within five (5) business days from bid acceptance.

(w) Purchase authorization clarification. Nothing in this section shall be construed as authorizing any purchase not authorized by law.

(x) Mississippi Regional Pre-Need Disaster Clean Up Act. (i) * * * The Department of Finance and Administration shall develop and implement a process that creates a preferred vendor list for both disaster debris removal and monitoring.

(ii) Any board of supervisors of any county or any governing authority of any municipality may opt in to the benefits and services provided under the appropriate and relevant contract established under the preferred vendor list in subparagraph (i) of

this paragraph at the time of a disaster event in that county or municipality. At the time of opt in, the county or municipality shall assume responsibility for payment in full to the contractor for the disaster-related solid waste collection, disposal or monitoring services provided. Nothing in this subparagraph (ii) shall be construed as requiring a county or municipality to opt in to any such contract established under the preferred vendor list in subparagraph (i) of this paragraph.

SECTION 4. Section 19-5-21, Mississippi Code of 1972, is amended as follows:

19-5-21. (1) (a) Except as provided in paragraphs (b), (c), (d) and (g) of this subsection, the board of supervisors, to defray the cost of establishing and operating the system provided for in Section 19-5-17, may levy an ad valorem tax not to exceed four (4) mills on all taxable property within the area served by the county garbage or rubbish collection or disposal system. The service area may be comprised of unincorporated or incorporated areas of the county or both; however, no property shall be subject to this levy unless that property is within an area served by a county's garbage or rubbish collection or disposal system.

(b) The board of supervisors of any county wherein Mississippi Highways 35 and 16 intersect and having a land area of five hundred eighty-six (586) square miles may levy, in its discretion, for the purposes of establishing, operating and maintaining a garbage or rubbish collection or disposal system, an ad valorem tax not to exceed six (6) mills on all taxable property within the area served by the system as set out in paragraph (a) of this subsection.

(c) The board of supervisors of any county bordering on the Mississippi River and traversed by U.S. Highway 61, and which is intersected by Mississippi Highway 4, having a population of eleven thousand eight hundred fifty-four (11,854) according to the 1970 federal census, and having an assessed valuation of Fourteen Million Eight Hundred Seventy-two Thousand One Hundred Forty-four Dollars ($14,872,144.00) in 1970, may levy, in its discretion, for the purposes of establishing, operating and maintaining a garbage or rubbish collection or disposal system, an ad valorem tax not to exceed six (6) mills on all taxable property within the area served by the system as set out in paragraph (a) of this subsection.

(d) The board of supervisors of any county either (i) having a population in excess of * * * two hundred thousand (200,000), according to the * * * 2020 federal decennial census, and in which * * * Mississippi Highway 18 and Interstate Highway 20 intersect, or (ii) bordering the Gulf of Mexico and the State of Alabama, may levy, in its discretion, for the purposes of establishing, operating and maintaining a garbage or rubbish collection or disposal system, an ad valorem tax not to exceed seven (7) mills on all taxable property within the area served by the system as set out in paragraph (a) of this subsection.

(e) The proceeds derived from any additional millage levied pursuant to paragraphs (a) through (d) of this subsection in excess of two (2) mills shall be excluded from the ten percent (10%) increase limitation under Section 27-39-321 for the first year of such additional levy and shall be included within such limitation in any year thereafter. The proceeds from any millage levied pursuant to paragraph (g) shall be excluded from the ten percent (10%) increase limitation under Section 27-39-321 for the first year of the levy and shall be included within the limitation in any year thereafter.

(f) The rate of the ad valorem tax levied under this section shall be shown as a line item on the notice of ad valorem taxes on taxable property owed by the taxpayer.

(g) In lieu of the ad valorem tax authorized in paragraphs (a), (b), (c) and (d) of this subsection, the fees authorized in subsection (2) of this subsection and in Section 19-5-17 or any combination thereof, the board of supervisors may levy an ad valorem tax not to exceed six (6) mills to defray the cost of establishing and operating the

system provided for in Section 19-5-17 on all taxable property within the area served by the system as provided in paragraph (a) of this subsection.

Any board of supervisors levying the ad valorem tax authorized in this paragraph (g) is prohibited from assessing or collecting fees for the services provided under the system.

(2) In addition to the ad valorem taxes authorized in paragraphs (a), (b) and (c) of subsection (1) or in lieu of any other method authorized to defray the cost of establishing and operating the system provided for in Section 19-5-17, the board of supervisors of any county with a garbage or rubbish collection or disposal system may assess and collect fees to defray the costs of the services. The board of supervisors may assess and collect the fees from each single family residential generator of garbage or rubbish. The board of supervisors also may assess and collect the fees from each industrial, commercial and multifamily residential generator of garbage or rubbish for any time period that the generator has not contracted for the collection of garbage and rubbish that is ultimately disposed of at a permitted or authorized nonhazardous solid waste management facility. The fees assessed and collected under this subsection may not exceed, when added to the proceeds derived from any ad valorem tax imposed under this section and any special funds authorized under subsection (7), the actual costs estimated to be incurred by the county in operating the county garbage and rubbish collection and disposal system. In addition to such fees, an additional amount not to exceed up to One Dollar ($1.00) or ten percent (10%) per month, whichever is greater, on the current monthly bill may be assessed and collected on the balance of any delinquent monthly fees.

(3) (a) Before the adoption of any order to increase the ad valorem tax assessment or fees authorized by this section, the board of supervisors shall publish a notice advertising their intent to adopt an order to increase the ad valorem tax assessment or fees authorized by this section. The notice shall specify the purpose of the proposed increase, the proposed percentage increase and the proposed percentage increase in total revenues for garbage or rubbish collection or disposal services or shall contain a copy of the resolution by the board stating their intent to increase the ad valorem tax assessment or fees. The notice shall be published in a newspaper published or having general circulation in the county for no less than three (3) consecutive weeks before the adoption of the order. The notice shall be in print no less than the size of eighteen (18) point and shall be surrounded by a one-fourth (1/4) inch black border. The notice shall not be placed in the legal section notice of the newspaper. There shall be no language in the notice stating or implying a mandate from the Legislature.

(b) In addition to the requirement for publication of notice, the board of supervisors shall notify each person furnished garbage or rubbish collection or disposal service of any increase in the ad valorem tax assessment or fees. In the case of an increase of the ad valorem tax assessment, a notice shall be conspicuously placed on or attached to the first ad valorem tax bill on which the increased assessment is effective. In the case of an increase in fees, a notice shall be conspicuously placed on or attached to the first bill for fees on which the increased fees or charges are assessed. There shall be no language in any notice stating or implying a mandate from the Legislature.

(4) The board of supervisors of each county shall adopt an order determining whether or not to grant exemptions, either full or partial, from the fees for certain classes of generators of garbage or rubbish. If a board of supervisors grants any exemption, it shall do so in accordance with policies and procedures, duly adopted and entered on its minutes, that clearly define those classes of generators to whom the exemptions are applicable. The order granting exemptions shall be interpreted consistently by the board when determining whether to grant or withhold requested exemptions.

(5) (a) The board of supervisors in any county with a garbage or rubbish collection or disposal system only for residents in unincorporated areas may adopt an order authorizing any single family generator to elect not to use the county garbage or rubbish

collection or disposal system. If the board of supervisors adopts an order, the head of any single family residential generator may elect not to use the county garbage or rubbish collection or disposal service by filing with the chancery clerk the form provided for in this subsection before December 1 of each year. The board of supervisors shall develop a form that shall be available in the office of the chancery clerk for the head of household to elect not to use the service and to accept full responsibility for the disposal of his garbage or rubbish in accordance with state and federal laws and regulations. The board of supervisors, following consultation with the Department of Environmental Quality, shall develop and the chancery clerk shall provide a form to each person electing not to use the service describing penalties under state and federal law and regulations for improper or unauthorized management of garbage. Notice that the election may be made not to use the county service by filing the form with the chancery clerk's office shall be published in a newspaper published or having general circulation in the county for no less than three (3) consecutive weeks, with the first publication being made no sooner than five (5) weeks before the first day of December. The notice shall state that any single family residential generator may elect not to use the county garbage or rubbish collection or disposal service by the completion and filing of the form for that purpose with the chancery clerk's office before December 1 of that year. The notice shall also include a statement that any single family residential generator who does not timely file the form shall be assessed any fees levied to cover the cost of the county garbage or rubbish collection or disposal service. The chancery clerk shall maintain a list showing the name and address of each person who has filed a notice of intent not to use the county garbage or rubbish collection or disposal service.

(b) If the homestead property of a person lies partially within the unincorporated service area of a county and partially within the incorporated service area of a municipality and both the municipality and the county provide garbage collection and disposal service to that person, then the person may elect to use either garbage collection and disposal service. The person shall notify the clerk of the governing authority of the local government whose garbage collection and disposal service he elects not to use of his decision not to use such services by certified mail, return receipt requested. The person shall not be liable for any fees or charges from the service he elects not to use.

(6) The board may borrow money for the purposes of defraying the expenses of the system in anticipation of:

(a) The tax levy authorized under this section;

(b) Revenues resulting from the assessment of any fees for garbage or rubbish collection or disposal; or

(c) Any combination thereof.

(7) In addition to the fees or ad valorem millage authorized under this section, a board of supervisors may use monies from any special funds of the county that are not otherwise required by law to be dedicated for use for a particular purpose in order to defray the costs of the county garbage or rubbish collection or disposal system.

SECTION 5. This act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE FOR AN INCOME TAX AND INSURANCE PREMIUM TAX CREDIT FOR TAXPAYERS THAT PAY A QUALIFIED COMMUNITY DEVELOPMENT ENTITY FOR QUALIFIED EQUITY INVESTMENTS; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THE TAX CREDIT; TO PROVIDE THAT THE AMOUNT OF THE CREDIT SHALL BE EQUAL TO A CERTAIN PERCENTAGE OF THE ADJUSTED

PURCHASE PRICE PAID TO THE QUALIFIED COMMUNITY DEVELOPMENT ENTITY FOR THE QUALIFIED EQUITY INVESTMENT; TO PROVIDE THAT THE MAXIMUM AGGREGATE AMOUNT OF THE CREDITS THAT MAY BE ALLOCATED TO ALL TAXPAYERS IN ANY ONE STATE FISCAL YEAR SHALL NOT EXCEED $15,000,000.00 AND THAT THE CREDITS SHALL BE ALLOCATED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO PROVIDE FOR THE RECAPTURE OF ALL OR A PORTION OF THE CREDIT UNDER CERTAIN CIRCUMSTANCES; TO DEFINE THE TERMS "NEW MARKETS TAX CREDIT TRANSACTION," "PUBLIC BENEFIT CORPORATION," "PUBLIC ENTITY OR PUBLIC ENTITIES" AND "PUBLIC PROPERTY OR FACILITIES"; TO AUTHORIZE PUBLIC ENTITIES TO CREATE PUBLIC BENEFIT CORPORATIONS FOR THE PURPOSE OF ENTERING INTO FINANCING AGREEMENTS AND ENGAGING IN NEW MARKETS TAX CREDIT TRANSACTIONS; TO AUTHORIZE PUBLIC ENTITIES TO ENTER INTO FINANCING ARRANGEMENTS IN ORDER TO TRANSFER PUBLIC PROPERTY OR FACILITIES TO OR FROM PUBLIC BENEFIT CORPORATIONS; TO AUTHORIZE PUBLIC ENTITIES AND PUBLIC BENEFIT CORPORATIONS, WITH RESPECT TO NEW MARKETS TAX CREDIT TRANSACTIONS, TO ENTER INTO FINANCING ARRANGEMENTS WITH GOVERNMENTAL, NONPROFIT OR FOR PROFIT ENTITIES IN ORDER TO LEVERAGE FUNDS NOT OTHERWISE AVAILABLE TO PUBLIC ENTITIES FOR THE ACQUISITION, CONSTRUCTION OR RENOVATION OF PROPERTIES TRANSFERRED TO A PUBLIC BENEFIT CORPORATION; TO AMEND SECTION 27-15-129, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE INVESTMENTS THAT MAY REDUCE A TAXPAYER'S INSURANCE PREMIUM TAX LIABILITY UNDER SUCH SECTION SHALL NOT INCLUDE ANY INVESTMENT FOR WHICH A TAX CREDIT IS ALLOCATED UNDER THIS ACT; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 297, 2024 REGULAR SESSION, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 19-5-21, MISSISSIPPI CODE OF 1972, TO DESIGNATE THE AUTHORITY OF CERTAIN COUNTIES TO LEVY AN AD VALOREM TAX UP TO SEVEN MILLS FOR THE PURPOSE OF OPERATING AND MAINTAINING A GARBAGE OR RUBBISH COLLECTION OR DISPOSAL SYSTEM; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Josh Harkins	John Thomas "Trey" Lamar, III
Chris Johnson	Jody Steverson
Derrick T. Simmons	Brent Powell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3070** (version 2) was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.

_____

Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 2:09 PM, the Senate stood in recess.

The Senate resumed business at 2:59 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2764: AN ACT TO CREATE NEW SECTION 63-21-28, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF REVENUE TO ISSUE A CERTIFICATE OF TITLE PURSUANT TO A FILED AFFIDAVIT OF OWNERSHIP FOR A MANUFACTURED HOME OR A MOBILE HOME THAT IS MANUFACTURED BEFORE JULY 1, 1999; TO AMEND SECTION 63-21-29, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ISSUE A DISTINCTIVE CERTIFICATE OF TITLE FOR A MANUFACTURED HOME OR A MOBILE HOME MANUFACTURED BEFORE JULY 1, 1999; TO AMEND SECTION 63-21-30, MISSISSIPPI CODE OF 1972, TO ALLOW THE OWNER OF A MANUFACTURED HOME OR MOBILE HOME TO FILE AN AFFIDAVIT OF OWNERSHIP ATTACHED TO AN AFFIDAVIT OF AFFIXATION IN ORDER TO RETIRE THE CERTIFICATE OF TITLE; TO PROVIDE A STATUTORY FORM FOR THE AFFIDAVIT OF OWNERSHIP; AND FOR RELATED PURPOSES.

S. B. No. 2801: AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS WITH THE WORDS "IN GOD WE TRUST" USED IN THE DESIGN OF THE LICENSE TAGS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE TUNNEL TO TOWERS FOUNDATION; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAGS; TO AMEND SECTION 27-19-56.549, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE NAVY SEABEE FOUNDATION; TO AUTHORIZE THE ISSUANCE OF SEPARATE DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MOST WORSHIPFUL KING HIRAM GRAND LODGE, A.F. & A.M., STATE OF MISSISSIPPI, AND TO SUPPORTERS OF ELECTRA GRAND CHAPTER ORDER OF THE EASTERN STAR, A.F. & A.M., STATE OF MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF CLARKDALE HIGH SCHOOL IN LAUDERDALE COUNTY, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE COLUMBIA ACADEMY COUGARS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI HUNTING DOG ASSOCIATION; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF O'KEEFE EDUCATIONAL MEDIA DBA DISABILITY CONNECTION; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE NEW ORLEANS PELICANS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI ECONOMIC COUNCIL; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE LIGHTHOUSE ACADEMY FOR DYSLEXIA; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE

TAGS; TO AMEND SECTION 27-19-56.369, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE PASS CHRISTIAN SCHOOL DISTRICT; TO AMEND SECTION 27-19-56.387, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE GRAND CHAPTER OF MISSISSIPPI ORDER OF THE EASTERN STAR; TO AMEND SECTION 27-19-56.411, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE FORMER ROSA A. TEMPLE HIGH SCHOOL IN VICKSBURG, MISSISSIPPI; TO AMEND SECTION 27-19-56.485, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MOSS POINT SCHOOL DISTRICT; TO AMEND SECTION 27-19-56.498, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF EV MISSISSIPPI; TO AMEND SECTION 27-19-56.532, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF DESERT OF MISSISSIPPI SHRINERS AND DAUGHTERS AEAONMS, PHA; TO AMEND SECTION 27-19-56.535, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF WILDLIFE MISSISSIPPI; TO AMEND SECTION 27-19-56.554, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF JACK AND JILL OF AMERICA, INC.; TO AMEND SECTION 27-19-44, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DISTINCTIVE MOTOR VEHICLE LICENSE TAGS AUTHORIZED TO BE ISSUED TO SUPPORTERS OF THE GARDEN CLUBS OF MISSISSIPPI, INC., MAGNOLIA HEIGHTS SCHOOL AND METHODIST CURSILLO OF MISSISSIPPI MAY BE ISSUED AFTER PROOF HAS BEEN SUBMITTED TO THE DEPARTMENT OF REVENUE THAT 100 OF SUCH TAGS WILL BE PURCHASED; TO PROVIDE THAT, UNTIL 300 SUCH TAGS ARE SOLD, THE DEPARTMENT OF REVENUE SHALL DEPOSIT THE PROCEEDS OF THE ADDITIONAL FEE INTO THE LICENSE TAG ACQUISITION FUND, AND AFTER 300 TAGS ARE SOLD, THE PROCEEDS SHALL BE DISTRIBUTED AS PROVIDED IN THE SECTION AUTHORIZING THE ISSUANCE OF THE APPLICABLE SPECIAL TAG; TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE RELEVANT RULES AND REGULATIONS; TO AMEND SECTION 27-19-56.412, MISSISSIPPI CODE OF 1972, TO REDUCE THE AMOUNT OF THE ADDITIONAL FEE REQUIRED FOR THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS WITH THE WORD "ADOPTION" USED IN THE DESIGN OF THE LICENSE TAGS; AND FOR RELATED PURPOSES.

S. B. No. 3009: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI AGRICULTURAL AND FORESTRY EXPERIMENT STATION FOR FISCAL YEAR 2025.

S. B. No. 3010: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2025.

S. B. No. 3019: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE COMMISSION ON JUDICIAL PERFORMANCE OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2025.

S. B. No. 3020: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2025.

S. B. No. 3028: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI MOTOR VEHICLE COMMISSION FOR FISCAL YEAR 2025.

S. B. No. 3029: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF EXAMINERS FOR LICENSED PROFESSIONAL COUNSELORS FOR FISCAL YEAR 2025.

S. B. No. 3030: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY FOR FISCAL YEAR 2025.

S. B. No. 3038: AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI BOARD OF ANIMAL HEALTH FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD FOR FISCAL YEAR 2025.

S. B. No. 3040: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY, AND FOR THE PURPOSE OF ESTABLISHING A DISASTER RELIEF RESERVE FUND AND DEFRAYING THE COSTS RELATED TO CERTAIN DISASTER ASSISTANCE PROGRAMS FOR FISCAL YEAR 2025.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. B. No. 3057: AN ACT MAKING AN APPROPRIATION AND A REAPPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY TO AUTHORIZE AND REAUTHORIZE THE EXPENDITURE OF GULF COAST RESTORATION FUNDS PREVIOUSLY APPROPRIATED FOR PROJECTS FOR FISCAL YEAR 2025.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1776: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE FISCAL YEAR 2025.

H. B. No. 1782: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT FOR THE FISCAL YEAR 2025.

H. B. No. 1786: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT FOR THE FISCAL YEAR 2025.

H. B. No. 1787: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR 2025.

H. B. No. 1798: AN ACT MAKING AN APPROPRIATION FROM GENERAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE FIRE ACADEMY FOR THE FISCAL YEAR 2025.

H. B. No. 1805: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL YEAR 2025.

H. B. No. 1808: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI REAL ESTATE COMMISSION FOR FISCAL YEAR 2025.

H. B. No. 1825: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL YEAR 2025.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1777: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR FISCAL YEAR 2025.

H. B. No. 1781: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE GRAND GULF MILITARY MONUMENT COMMISSION FOR THE FISCAL YEAR 2025.

H. B. No. 1785: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PAT HARRISON WATERWAY DISTRICT FOR THE FISCAL YEAR 2025.

H. B. No. 1788: AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PUBLIC UTILITIES STAFF FOR FISCAL YEAR 2025.

H. B. No. 1792: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE YELLOW CREEK STATE INLAND PORT AUTHORITY FOR THE FISCAL YEAR 2025.

H. B. No. 1795: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF COSMETOLOGY AND BARBERING FOR THE FISCAL YEAR 2025.

H. B. No. 1799: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2025.

H. B. No. 1803: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF NURSING FOR THE FISCAL YEAR 2025.

H. B. No. 1806: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PSYCHOLOGY FOR THE FISCAL YEAR 2025.

H. B. No. 1815: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING SALARIES AND TRAVEL EXPENSES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS OF THE STATE AND PAYING OFFICE EXPENSES OF DISTRICT ATTORNEYS FOR THE FISCAL YEAR 2025.

H. B. No. 1817: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING THE EXPENSES AND PROVIDING CONTINGENT FUNDS FOR THE LEGISLATURE, THE EXPENSES OF THE JOINT LEGISLATIVE BUDGET COMMITTEE, THE EXPENSES OF THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW, THE EXPENSES OF THE JOINT LEGISLATIVE REAPPORTIONMENT COMMITTEE, THE EXPENSES OF THE JOINT COMMITTEE ON COMPILATION, REVISION AND PUBLICATION OF LEGISLATION, PAYING THE MONTHLY EXPENSE ALLOWANCE OF THE MEMBERS OF THE LEGISLATURE, PAYING THE STATE'S SHARE OF VARIOUS ASSESSMENTS, AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2025.

H. B. No. 1820: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2025; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1821: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE VETERANS' HOME PURCHASE BOARD AND MAKING NEW HOME LOANS AS AUTHORIZED BY LAW FOR THE FISCAL YEAR 2025.

H. B. No. 1824: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION FOR THE FISCAL YEAR 2025.

David Jordan, Chairman

Senator Harkins moved that the rules be suspended to move to calendar item 21, **H. B. No. 1988**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1988** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1988: Children's Promise Act; increase amount of tax credits that may be allocated under, bring forward various tax credit sections of law.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-22.41, Mississippi Code of 1972, is amended as follows:

27-7-22.41. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is:

(i) Licensed by or under contract with the Mississippi Department of Child Protection Services and provides services for:

1. The prevention and diversion of children from custody with the Department of Child Protection Services,

2. The safety, care and well-being of children in custody with the Department of Child Protection Services, or

3. The express purpose of creating permanency for children through adoption; or

(ii) Certified by the department as an educational services charitable organization that is accredited by a regional accrediting organization and provides services to:

1. Children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model, or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services,

2. Children who have a chronic illness or physical, intellectual, developmental or emotional disability, or

3. Children eligible for free or reduced price meals programs under Section 37-11-7, or selected for participation in the Promise Neighborhoods Program sponsored by the U.S. Department of Education.

(2) (a) The tax credit authorized in this section shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this section, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. From and after January 1, 2022, for a taxpayer that is not operating as a corporation, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Subject to such limitation on the amount of credit that a taxpayer may utilize in a taxable year, a taxpayer who is allocated a tax credit under this subsection during a calendar year may utilize the credit against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123 for the immediately preceding taxable year, provided that the taxpayer has not already filed an annual return for such taxes. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(b) A contribution to an eligible charitable organization for which a credit is claimed under this section does not qualify for and shall not be included in any credit that may be claimed under Section 27-7-22.39.

(c) A contribution for which a credit is claimed under this section may not be used as a deduction by the taxpayer for state income tax purposes.

(3) Taxpayers taking a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(4) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. An eligible charitable organization must also provide the department with written documented proof of its license and/or written contract with the Mississippi Department of Child Protection Services. The organization shall also notify the department of any changes that may affect eligibility under this section.

(5) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(b) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(c) A statement that the funds generated from the tax credit shall be used for educational resources, staff and expenditures and/or other purposes described in this section.

(d) Any other information that the department requires to administer this section.

(6) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(7) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(8) (a) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(b) A taxpayer who applied for a tax credit under this section during calendar year 2020, but who was unable to be awarded the credit due to the limit on the aggregate amount of credits authorized for calendar year 2020, shall be given priority for tax credits authorized to be allocated to taxpayers under this section by Section 27-7-22.39.

(c) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(9) The aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Five Million Dollars ($5,000,000.00), and not more than fifty percent (50%) of tax credits allocated during a calendar year may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. However, for calendar year 2021, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Ten Million Dollars ($10,000,000.00), for calendar year 2022, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Sixteen Million Dollars ($16,000,000.00), * * * for calendar year 2023, and for each calendar year thereafter through calendar year 2024, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Eighteen Million Dollars ($18,000,000.00) and for calendar year 2025, and for each calendar year thereafter, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Twenty-four Million Dollars ($24,000,000.00). For calendar year 2021, and for each calendar year thereafter, fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section and fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. For calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section, no more than twenty-five percent (25%) of such credits may be allocated for contributions to a single eligible charitable organization. Except as otherwise provided in this section, for calendar year 2021, and for each calendar year thereafter through calendar year 2024, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, no more than four and one-half percent (4-1/2%) of such credits may be allocated for contributions to a single eligible charitable organization. For calendar year 2025, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, no more than three and one-half percent (3-1/2%) of such credits may be allocated for contributions to a single eligible charitable organization.

SECTION 2. This act shall take effect and be in force from and after January 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-22.41, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE BY CERTAIN TAXPAYERS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS, TO INCREASE THE MAXIMUM AGGREGATE AMOUNT OF TAX CREDITS THAT MAY BE ALLOCATED BY THE DEPARTMENT OF REVENUE UNDER THIS SECTION DURING A CALENDAR YEAR; TO PROVIDE THAT A TAXPAYER WHO IS ALLOCATED A TAX CREDIT DURING A

CALENDAR YEAR MAY USE THE CREDIT AGAINST INCOME TAXES AND INSURANCE PREMIUM TAXES IMPOSED FOR THE IMMEDIATELY PRECEDING TAXABLE YEAR, PROVIDED THAT THE TAXPAYER HAS NOT ALREADY FILED A RETURN FOR SUCH TAXES; TO REVISE THE PERCENTAGE OF TAX CREDITS ALLOCATED DURING A CALENDAR YEAR FOR CONTRIBUTIONS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS THAT MAY BE ALLOCATED FOR CONTRIBUTIONS TO A SINGLE ORGANIZATION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Thomas "Trey" Lamar, III	Josh Harkins
Jody Steverson	Daniel H. Sparks
Shane Barnett	Andy Berry

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1988** (version 2) failed to be adopted, a three-fifths vote being required:

Yeas--Berry, Blackwell, Branning, DeBar, DeLano, England, Fillingane, Harkins, Johnson, Kirby, McCaughn, Michel, Rhodes, Robinson, Seymour, Sparks, Suber, Whaley, Wiggins, Williams, Younger. Total--21.

Nays--Blackmon, Blount, Brumfield, Bryan, Frazier, Hickman, Hopson, Jackson, Jordan, McLendon, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Thompson, Turner-Ford. Total--16.

Absent and those not voting--Barnett, Barrett, Carter, Chassaniol, Chism, Hill, Ladner, Parks, Tate. Total--9.

Voting Present--Boyd, Horhn, McMahan, Parker. Total--4.

Senator Polk, who would have voted yea on H. B. No. 1988, announced a pair with Senator Butler, who would have voted nay.

Senator Hopson moved that the rules be suspended to move to calendar item 26, **S. B. No. 2468**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2468** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2468: Budget; bring forward code sections related to and provide for transfers.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Upon the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the amounts listed below from the Capital Expense Fund (Fund No. 6499C00000) to each of the following named funds:

FUND	FUND NUMBER	AMOUNT
2024 Local Improvements Projects Fund created in Section 4 of this act		$ 227,375,000.00
2022 IHL Capital Improvements Fund	6611330000	$ 110,000,000.00
2022 Community and Junior Colleges Capital Improvements Fund	6611300000	$ 45,000,000.00
2022 State Agencies Capital Improvements Fund	6611320000	$ 26,100,000.00
2022 Department of Finance and Administration Statewide Repair and Renovation Fund	6611310000	$ 23,900,000.00
Mississippi State University Veterinary School Fund created in Section 9 of this act		$ 18,000,000.00
Mississippi Site Development Grant Fund	6614170000	$ 40,000,000.00
2023 Lafayette County		

Infrastructure		
Improvements Fund	6611380000	$ 160,000,000.00
2023 Desoto County		
Infrastructure		
Improvements Fund	6611370000	$ 90,000,000.00
2022 Emergency Road and		
Bridge Fund	6619440000	$ 30,000,000.00
Strategic Multi-Modal		
Investments Fund	6695500000	$ 10,000,000.00
2022 Infrastructure		
Match Fund	6619430000	$ 40,000,000.00
TOTAL		$ 820,375,000.00

SECTION 2. On the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the sum of Twenty-two Million Dollars ($22,000,000.00) from the State BP Settlement Fund (Fund No. 6800100000) to the 2024 Local Improvements Projects Fund created in Section 4, of this act.

SECTION 3. Upon the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the sum of One Hundred Ten Million Dollars ($110,000,000.00) from the Capital Expense Fund (Fund No. 6499C00000) to the Employers' Accumulation Account of the Public Employees' Retirement System created in Section 25-11-123(c), Mississippi Code of 1972.

SECTION 4. There is created in the State Treasury a special fund to be designated as the "2024 Local Improvements Projects Fund." The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies in the fund shall be disbursed by the Department of Finance and Administration, as provided in Section 10 of this act. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund. Any state agency that receives funds from the 2024 Local Improvement Fund may escalate its budget upon receiving 2024 Local Improvement Funds and expend such funds in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 5. (1) Monies transferred pursuant to Section 1 of this act into the 2022 IHL Capital Improvements Fund created in Section 37-101-83, Mississippi Code of 1972, shall be disbursed by the Department of Finance and Administration, pursuant to the authority to spend those monies granted by an appropriation bill passed separately during the 2024 Regular Session, with the approval of the Board of Trustees of State Institutions

of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

ENTITY / PROJECT	AMOUNT ALLOCATED PER PROJECT	AMOUNT ALLOCATED PER ENTITY
Alcorn State University		$ 8,311,736.00
Repair, renovation, and expansion of and upgrades and improvements to the David L. Whitney Complex and Wellness Center	$ 8,311,736.00	
Delta State University		$ 4,020,808.00
Repair and replacement of roofs for various campus academic and administrative buildings	$ 4,020,808.00	
Jackson State University		$ 23,020,794.00
Repair and renovation of and upgrades and improvements to campus buildings and facilities, including, but not limited to, McAllister-Whiteside		

Hall and development of

alternative water resources

and infrastructure for

critical campus

facilities.....$ 16,020,794.00

Repair, renovation, and

purchase of a new

residence hall.....$ 7,000,000.00

Mississippi State University ..... $ 13,284,608.00

Repair, renovation, construction,

acquisition of property,

furnishing and equipping

of buildings and related

facilities to house

the College of

Architecture, Art

and Design.....$ 13,284,608.00

Mississippi State University/Division of

Agriculture, Forestry and Veterinary Medicine ..... $ 10,231,362.00

Repair and renovation

of and upgrades and

improvements to

Bost Extension Center

and Dorman Hall.....$ 10,231,362.00

Mississippi Valley State University..... $ 8,856,405.00

Construction, furnishing

and equipping of

a new residence

hall and related

facilities.....$ 8,856,405.00

University of Mississippi..... $ 16,561,477.00

Construction, furnishing

and equipping of a new

mechanical and power

plant building and

related facilities

to serve the northwest

quadrant of the campus

and repair, renovation,

furnishing, equipping

and expansion of and

additions to the Data

Center Building and

related facilities.....$ 16,561,477.00

University of Mississippi Medical Center ..... $ 7,085,124.00

Repair, renovation,

and upgrading of

campus buildings,

facilities, and

infrastructure.....$ 7,085,124.00

University of Southern Mississippi ..... $ 18,627,686.00

Construction, furnishing and

equipping of the Science

Research Facility with a

central mechanical plant

and related infrastructure

and facilities on the

Hattiesburg Campus.....$ 18,627,686.00

TOTAL..... $ 110,000,000.00

(2) (a) Amounts transferred into such special fund pursuant to Section 1 of this act shall be disbursed to pay the costs of projects described in subsection (1) of this section. If any monies in such special fund are not used within four (4) years after the date funds are transferred under Section 1 of this act into the special fund, then the institution of higher learning for which any unused monies are allocated under subsection (1) of this section shall provide an accounting of such unused monies to the Department of Finance and Administration.

(b) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in subsection (1) of this section. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the monies in the special fund used for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration. The funds shall be paid by the State Treasurer upon issued warrants by the Department of Finance and Administration. The warrants shall be issued upon requisitions signed by the State Fiscal Officer, or his or her designee.

(4) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in subsection (1) of this section may be used for general repairs and renovations at the institution of higher learning.

SECTION 6. (1) Monies transferred pursuant to Section 1 of this act into the 2022 Community and Junior Colleges Capital Improvements Fund created in Section 37-29-321, Mississippi Code of 1972, shall be disbursed by the Department of Finance and Administration, pursuant to the authority to spend those monies granted by an appropriation bill passed separately during the 2024 Regular Session, to pay the costs of acquisition of real property, construction of new facilities, equipping and furnishing facilities, including furniture and technology equipment and infrastructure, and addition to or renovation of existing facilities for community and junior college campuses as recommended by the Mississippi Community College Board. The amount to be expended at each community and junior college is as follows:

Coahoma	$ 2,156,591.00
Copiah-Lincoln	$ 2,492,500.00
East Central	$ 2,289,361.00
East Mississippi	$ 2,625,690.00
Hinds	$ 4,457,940.00
Holmes	$ 3,403,594.00
Itawamba	$ 3,233,987.00
Jones	$ 3,047,330.00
Meridian	$ 2,424,181.00
Mississippi Delta	$ 2,208,329.00
Mississippi Gulf Coast	$ 4,339,698.00
Northeast Mississippi	$ 2,649,581.00
Northwest Mississippi	$ 3,940,592.00
Pearl River	$ 3,523,557.00
Southwest Mississippi	$ 2,207,069.00
TOTAL	$ 45,000,000.00

(2) Amounts transferred into the special fund pursuant to Section 1 of this act shall be disbursed to pay the costs of projects described in subsection (1) of this section. If any

monies in the special fund are not used within four (4) years after the date funds are transferred under Section 1 of this act into the special fund, then the community college or junior college for which any such monies are allocated under subsection (1) of this section shall provide an accounting of such unused monies to the Department of Finance and Administration.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration. The funds shall be paid by the State Treasurer upon issued warrants by the Department of Finance and Administration. The warrants shall be issued upon requisitions signed by the State Fiscal Officer, or his or her designee.

SECTION 7. (1) Monies transferred pursuant to Section 1 of this act into the 2022 State Agencies Capital Improvements Fund created in Section 29-17-6, Mississippi Code of 1972, shall be disbursed by the Department of Finance and Administration, pursuant to the authority to spend those monies granted by an appropriation bill passed separately during the 2024 Regular Session, to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

STATE AGENCIES TOTAL ..... $ 26,100,000.00
Department of Mental Health ..... $ 6,000,000.00
Planning, repair, renovation, improvements, furnishing and equipping of buildings, grounds, and infrastructure under the care and control of the department statewide.....$ 6,000,000.00
Department of Corrections ..... $ 7,000,000.00
Planning, repair and renovation of and code and ADA upgrades and improvements to facilities, grounds and infrastructure under the care and control of the department statewide...$ 7,000,000.00
Department of Public Safety ..... $ 2,250,000.00
Planning, construction, furnishing and equipping of new range training facility at the MLEOTA campus.....$ 2,250,000.00
Department of Agriculture and Commerce ..... $ 3,750,000.00
Paving, infrastructure, and improvement to include sewer and water improvements of Mississippi Street and remainder, planning, and construction, furnishing, and equipping of campus security improvements.....$ 3,750,000.00
State Fire Academy ..... $ 200,000.00
Planning, repair, and

renovation of, additions
to, and furnishing
and equipping of
Administration Building.....$ 200,000.00
Mississippi Department of Health ..... $ 4,000,000.00
Planning, repair, and
renovation to building
envelope at Thompson Lab
and planning, repair, and
renovation, furnishing
and equipping of the
North Wing of the
Underwood Building.....$ 4,000,000.00
Mississippi Veterans Affairs..... $ 2,500,000.00
Planning, repair, renovation,
replacements and improvements
to HVAC systems, at the
Veterans Home in Jackson,
Mississippi.....$ 2,500,000.00
Mississippi Schools for the Deaf and the Blind..... $ 200,000.00
Preplanning of repair and
renovation of Dorm C.....$ 200,000.00
Mississippi School of the Arts..... $ 200,000.00
Preplanning of repair and
renovation of Cooper
Hall.....$ 200,000.00
TOTAL ..... $ 26,100,000.00

(2) (a) Amounts transferred into such special fund pursuant to Section 1 of this act shall be disbursed to pay the costs of projects described in subsection (1) of this section. If any monies in such special fund are not used within four (4) years after the date funds are transferred under Section 1 of this act into the special fund, then the agency for which any unused monies are allocated under subsection (1) of this section shall provide an accounting of such unused monies to the Department of Finance and Administration.

(b) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in subsection (1) of this section. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the monies in the special fund used for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration. The funds shall be paid by the State Treasurer upon issued warrants by the Department of Finance and Administration. The warrants shall be issued upon requisitions signed by the State Fiscal Officer, or his or her designee.

(4) Any amounts allocated to an agency that are in excess of that needed to complete the projects at such agency that are described in subsection (1) of this section may be used for general repairs and renovations at the agency.

SECTION 8. (1) Monies transferred pursuant to Section 1 of this act into the 2022 Department of Finance and Administration Statewide Repair and Renovation Fund created in Section 27-104-111, Mississippi Code of 1972, shall be disbursed by the

Department of Finance and Administration, pursuant to the authority to spend those monies granted by an appropriation bill passed separately during the 2024 Regular Session, to pay the costs of site and infrastructure improvements, general repairs and renovations, weatherization, roofing, environmental mitigation, mechanical, electrical and structural repairs required for state-owned facilities, universities and community and junior colleges, repairs, renovations and improvements necessary for compliance with the Americans with Disabilities Act or other codes, purchase and installation of necessary furniture and equipment, and continuation and completion of previously authorized projects.

(2) Amounts transferred into such special fund pursuant to Section 1 of this act shall be disbursed to pay the costs of the projects described in subsection (1) of this section.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration. The funds shall be paid by the State Treasurer upon issued warrants by the Department of Finance and Administration. The warrants shall be issued upon requisitions signed by the State Fiscal Officer, or his or her designee.

SECTION 9. There is created in the State Treasury a special fund to be designated as the "Mississippi State University Veterinary School Fund." The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies in the fund shall be disbursed by the Department of Finance and Administration to assist Mississippi State University with paying costs associated with the design, construction, renovation, repairs, and equipping of the Wise Center. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

SECTION 10. Monies transferred pursuant to Sections 1 and 2 of this act into the 2024 Local Improvements Projects Fund shall be disbursed by the Department of Finance and Administration, pursuant to the authority to spend those monies granted by an appropriation bill passed separately during the 2024 Regular Session, as follows:

(a) To assist the City of Columbus, Mississippi, in paying costs associated with the construction of the Terry Brown Amphitheatre ..... $ 1,000,000.00

(b) To assist Chickasaw County, Mississippi, in paying costs associated with repairs and improvements to the Houston Courthouse ..... $ 500,000.00

(c) To assist the City of West Point, Mississippi, in paying costs associated with paving and improvements to city streets ..... $ 250,000.00

(d) To assist the City of Columbus, Mississippi, in paying costs associated with improvements, repairs, and upgrades to its water and sewer infrastructure ..... $ 190,808.00

(e) To assist Bolivar County, Mississippi, in paying costs associated with the improvements and expansion of the Terrene Landing River Boat Dock. ..... $ 500,000.00

(f) To assist Lamar County, Mississippi, in paying costs associated with Phase II of the Lincoln Road Extension ..... $ 1,500,000.00

(g) To assist Lowndes County, Mississippi, in paying costs associated with the acquisition or purchasing of software or hardware and costs associated with technology services for the Lowndes County Sheriff's Office ..... $ 1,300,000.00

(h) To assist the City of Greenwood, Mississippi in paying costs associated with various infrastructure improvements ..... $ 500,000.00

(i) To assist the City of Picayune, Mississippi, in paying costs associated with matching funds for the Interstate-59 North Frontage Road Project..... $ 550,000.00

(j) To assist Oktibbeha County, Mississippi, in paying costs associated with road erosion on repairs on State Highway 15 ..... $ 50,000.00

(k) To assist the Jackson Redevelopment Authority in paying costs associated with renovations and upgrades to Union Station ..... $ 1,000,000.00

(l) To assist the City of Kosciusko, Mississippi, in paying costs associated with infrastructure improvements .....
$ 1,000,000.00

(m) To assist Oktibbeha County, Mississippi, in paying costs associated with the purchase of a patrol car for the Oktibbeha County Sheriff's Department ..... $ 50,000.00

(n) To assist the Neshoba County General Hospital in paying costs associated with the allied health facility in conjunction with East Central Community College ..... $ 1,000,000.00

(o) To assist Panola County, Mississippi, in paying costs associated with improvements to the Panola County
Airport$ 500,000.00

(p) To assist Oktibbeha County, Mississippi, in paying costs associated with improvements to VFW Post 5573 .....
$ 50,000.00

(q) To assist the Belden Volunteer Fire Department in Lee County, Mississippi, with paying various costs .....
$ 50,000.00

(r) To assist the Palmetto Volunteer Fire Department Lee County, Mississippi, with paying various costs .....
$ 50,000.00

(s) To assist Webster County, Mississippi, in paying costs associated with the renovation and expansion of the Mathiston Volunteer Fire Department $ 25,000.00

(t) To assist the South Lee Volunteer Fire Department Lee County, Mississippi, with paying various costs .....
$ 50,000.00

(u) To assist Lee County, Mississippi, in paying costs associated with repairs to and restoration of the Lee County Courthouse ..... $ 750,000.00

(v) To assist the Town of Mathiston, Mississippi, in paying costs associated with the purchase of a police car for the Mathiston Police Department ..... $ 50,000.00

(w) To assist VFW Post 6285 in Kiln, Mississippi, with paying costs associated with general improvements .....
$ 30,000.00

(x) To assist VFW Post 3253 in Bay Saint Louis, Mississippi, with paying costs associated with general improvements ..... $ 30,000.00

(y) To assist the Port of Pascagoula in paying costs associated with the North Rail Connector Project ..... $ 3,000,000.00

(z) To assist VFW Post 4808 in Bay Saint Louis, Mississippi, with paying costs associated with general improvements ..... $ 30,000.00

(aa) To assist American Legion Post 139 in Bay Saint Louis, Mississippi, with paying costs associated with general improvements ..... $ 30,000.00

(ab) To assist the Pascagoula Redevelopment Authority with costs associated with the downtown revitalization project .....
$ 1,000,000.00

(ac) To assist American Legion Post 77 in Waveland, Mississippi, with paying costs associated with general improvements..... $ 30,000.00

(ad) To assist the City of Moss Point, Mississippi, in paying costs associated with the Moss Point Riverfront District Revitalization Project ..... $ 250,000.00

(ae) To assist the City of Senatobia, Mississippi, in paying costs associated with infrastructure improvements to the downtown historic district..... $ 10,000,000.00

(af) To assist the Town of Sunflower, Mississippi, in paying costs associated with citywide street improvements .....
$ 500,000.00

(ag) To assist the City of Moorhead, Mississippi, in paying costs associated with the purchase of four (4) vehicles units for the city's police department$ 100,000.00

(ah) To assist Union County, Mississippi, in paying costs associated with repairs, renovations, and equipment for the West Union Volunteer Fire Department, Pinedale Volunteer Fire Department, and the Ingomar Volunteer Fire Department..... $ 150,000.00

(ai) To assist the City of Moorhead, Mississippi, in paying various for the city's fire department..... $ 50,000.00

(aj) To assist the Indianola Chamber Main Steet in paying costs associated with purchasing a wayfinding system ..... $ 50,000.00

(ak) To assist Tate County, Mississippi, in paying costs associated with repairs, renovations, and equipment for the Independence Volunteer Fire Department, Green Leaf Volunteer Fire Department, Looxahoma Volunteer Fire Department and the Poagville Volunteer Fire Department..... $ 200,000.00

(al) To assist the City of Booneville, Mississippi, with paying costs associated with repairing Wyninegar Road from 9th Street to U.S. Highway 45..... $ 1,000,000.00

(am) To assist Washington County, Mississippi, in paying costs associated with improvements to the Greenville Mid-Delta Airport..... $ 1,500,000.00

(an) To assist Marshall County, Mississippi, in paying costs associated with repairs, renovations, and equipment for the Waterford Volunteer Fire Department, Mt. Pleasant Volunteer Fire Department, Potts Camp Volunteer Fire Department and the Barton Volunteer Fire Department..... $ 200,000.00

(ao) To assist the City of Waynesboro, Mississippi, in paying costs associated with construction and infrastructure needs on city owned properties..... $ 2,250,000.00

(ap) To assist Wayne County, Mississippi, in paying costs associated with the purchase of fire trucks ..... $ 250,000.00

(aq) To assist Jackson County, Mississippi, in paying costs associated with completion of a multipurpose arena..... $ 1,000,000.00

(ar) To assist George County, Mississippi, in paying costs associated with completion of the Barton-Basin multipurpose building facility..... $ 300,000.00

(as) To assist the Jackson County Office of Emergency Services with the purchase of twenty (20) sets of Self-Contained Breathing Apparatus (SCBA) units for the East Jackson County Fire Department and West Jackson County Fire Department ..... $ 100,000.00

(at) To assist Clay County, Mississippi, in paying costs associated with improvements to county roads and bridges..... $ 500,000.00

(au) To assist George County, Mississippi, in paying costs associated with construction of Merrill Bridge approaches $ 560,000.00

(av) To assist George County, Mississippi, in paying costs associated with purchasing and installing five (5) fire hydrants across the county ..... $ 150,000.00

(aw) To assist the City of Pass Christian, Mississippi, in paying costs associated with the downtown redevelopment project..... $ 750,000.00

(ax) To assist the City of Lucedale, Mississippi, in paying costs associated with upgrades and improvements to Lucedale City Park..... $ 700,000.00

(ay) To assist the Jackson County Utility Authority in paying costs associated with the Poticaw Road water extension project..... $ 800,000.00

(az) To assist the City of Long Beach, Mississippi, in paying costs associated with infrastructure improvements..... $ 500,000.00

(ba) To assist George County, Mississippi, in paying costs associated with the development of a railroad and trucking transload project for the George County Industrial Park

$ 2,000,000.00

(bb) To assist the Jackson Redevelopment Authority in paying costs associated with the redevelopment of Union Station in Jackson, Mississippi ..... $ 1,000,000.00

(bc) To assist the City of Waveland, Mississippi, in paying costs associated with the widening of the Kiln-Waveland Cutoff Road..... $ 1,000,000.00

(bd) To assist Itawamba County, Mississippi, in paying costs associated with the construction of a new Itawamba County Courthouse..... $ 3,500,000.00

(be) To assist the Three Rivers Planning and Development District in paying costs associated with backup and security systems for multiple county and/or municipal governments

$ 3,000,000.00

(bf) To assist Sharkey County, Mississippi, in paying costs associated with repairs, renovations, and upgrades of the Sharkey County Courthouse .... $ 750,000.00

(bg) To assist Neshoba County General Hospital in paying costs associated with construction to develop property for East Central Community College to develop a Nursing School program

$ 1,000,000.00

(bh) To Lowndes County, Mississippi, to assist in paying costs associated with improvements including upgrades and renovations to the Lowndes County Adult Detention Center.....

$ 750,000.00

(bi) To assist the City of Rolling Fork, Mississippi, in paying costs associated with the construction, renovation and repairs to city property, including, but not limited to, the police station, city hall, and the fire station ..... $ 750,000.00

(bj) To the Town of Mantachie, Mississippi, to assist the Mantachie Volunteer Fire Department in paying costs associated with maintaining an existing building, constructing a new building and purchasing equipment..... $ 300,000.00

(bk) To assist Hinds County, Mississippi, in paying costs associated with purchasing body cameras and additional vehicles for the Hinds County Sheriff's Department .....

$ 500,000.00

(bl) To assist the City of Meridian, Mississippi, in paying costs associated with the Alleyway improvement project.....

$ 200,000.00

(bm) To the Town of Marks, Mississippi, to assist in paying costs associated with the purchase of fire trucks for volunteer fire departments..... $ 500,000.00

(bn) To assist the Tunica County Utility District in paying costs associated with water and sewer infrastructure upgrades and improvements ..... $ 500,000.00

(bo) To assist Mississippi State University in paying costs associated with the Interprofessional Simulation Lab at the Riley Campus..... $ 750,000.00

(bp) To assist Tunica County, Mississippi, in paying costs associated with its natural gas system extension.....

$ 150,000.00

(bq) To assist the Meridian Regional Airport in paying costs associated with the construction, repairs, upgrades, improvements to the airport terminal. $ 500,000.00

(br) To assist the Pat Harrison Waterway District in paying costs associated repairs and infrastructure improvement at the Archusa Creek Lake Dam. $ 2,000,000.00

(bs) To assist the Town of Coldwater, Mississippi, in paying costs associated with sewer and water infrastructure improvements at the Coldwater Industrial Park $ 1,900,000.00

(bt) To assist the City of Petal, Mississippi, in paying costs associated with construction and development of additions and improvements for transporting wastewater to the City of Hattiesburg, Mississippi sewer lagoon ..... $ 500,000.00

(bu) To assist the City of Petal, Mississippi, in paying costs associated with repairs, upgrades and improvements to Chappell Hill Road ..... $ 500,000.00

(bv) To Forrest County, Mississippi, to assist in paying costs associated with the purchase of fire trucks for the volunteer fire departments in the county..... $ 500,000.00

(bw) To assist City of Meridian, Mississippi, in paying costs associated with the Waste Water Treatment Plant Rehabilitation Project ..... $ 500,000.00

(bx) To assist the Village of Pittsboro, Mississippi, in paying costs associated with the improvement, repair, and upgrade of the town's water system, including, but not limited to, the purchase of equipment..... $ 50,000.00

(by) To assist the City of Meridian, Mississippi, in paying costs associated with purchasing fire equipment for the Meridian Fire Department ..... $ 400,000.00

(bz) To assist Lauderdale County, Mississippi, in paying costs associated with bridge repair for two bridges, SA38-587 and SA38-255 on Centerhill Martin Road.. $ 1,000,000.00

(ca) To assist the Town of Bruce, Mississippi, in paying costs associated with improvements to the Bruce Fire Department ..... $ 75,000.00

(cb) To assist the Town of Burnsville, Mississippi, in paying costs associated with the construction of an Agricultural Center ..... $ 950,000.00

(cc) To assist Calhoun County, Mississippi, in paying costs associated with the purchase of equipment for the Sabougla Fire Department..... $ 50,000.00

(cd) To assist the Town of Iuka, Mississippi, in paying costs associated with the purchase of a fire truck .....
$ 250,000.00

(ce) To assist the Town of Derma, Mississippi, in paying costs associated with infrastructure improvements.....
$ 200,000.00

(cf) To assist Holmes County, Mississippi, in paying costs associated with repairs to roads in Supervisors District 2
$ 500,000.00

(cg) To assist Chickasaw County, Mississippi, in paying costs associated with the repairs, renovations, and upgrades to the Rhodes Chapel Fire Department..... $ 60,000.00

(ch) To assist Wilkinson County, Mississippi, in paying costs associated with the replacement of a bridge on Pinckneyville Road ..... $ 1,000,000.00

(ci) To assist the City of Fulton, Mississippi, in paying costs associated with improvements, repairs, and upgrades to its water and sewer infrastructure$ 492,915.00

(cj) To assist Pike County, Mississippi, in paying costs associated with upgrades and improvements to the Richards Community Park ..... $ 50,000.00

(ck) To assist the City of Hollandale, Mississippi, in paying costs associated with infrastructure improvements.....
$ 250,000.00

(cl) To assist the Town of Mantatchie, Mississippi, in paying costs associated with improvements, repairs, and upgrades to its water and sewer infrastructure
$ 100,000.00

(cm) To assist the Short Coleman Water Association in paying costs associated with updates, improvements, and repairs to its surface water treatment system
$ 600,000.00

(cn) To assist Union County, Mississippi, in paying costs associated with the resurfacing of County Road 115 (Old Highway 15) ..... $ 500,000.00

(co) To assist Tishomingo County, Mississippi, in paying costs associated with the construction of a multiuse justice court complex and improvements to the existing circuit court facility..... $ 1,500,000.00

(cp) To assist Union County, Mississippi, in paying costs associated with the Tallahatchie River documentary .....
$ 250,000.00

(cq) To assist the City of Cleveland, Mississippi, in paying costs associated with the North Industrial Site Flood Mitigation Project at the Cleveland Municipal Airport .
$ 600,000.00

(cr) To assist the Port of Greenville in paying costs associated with erosion control and levee improvements.....
$ 300,000.00

(cs) To assist Union County, Mississippi, in paying costs associated with replacing a bridge on County Road 113 (Murrah Road)..... $ 500,000.00

(ct) To assist the City of Greenville, Mississippi, in paying costs associated with infrastructure improvements.....
$ 500,000.00

(cu) To assist Union County, Mississippi, in paying costs associated with repair and renovation of the Chancery Clerk Building and the Union County Supervisors Office
$ 250,000.00

(cv) To assist the City of Ellisville, Mississippi, in paying costs associated with improvements, repairs, and upgrades to its water and sewer infrastructure..... $ 497,833.00

(cw) To assist Jones County, Mississippi, with paying costs associated with the planning, design and construction of a new volunteer fire department. $ 200,000.00

(cx) To assist Jones College in paying costs associated with the construction, repairs and renovations of a building for the Erin and Ben Napier School of Design & Building
Arts $ 2,000,000.00

(cy) To assist the City of Jackson, Mississippi, acting through its Department of Planning and Development, in paying costs associated with removal of blighted property on U.S. Highway 80 and south of U.S. Highway 80 ..... $ 250,000.00

(cz) To assist the Town of Mize, Mississippi, in paying costs associated with infrastructure improvements .....
$ 250,000.00

(da) To assist the City of Georgetown, Mississippi, in paying costs associated with the completion of City Hall .....
$ 200,000.00

(db) To assist the City of Florence, Mississippi, in paying costs associated with infrastructure improvements.....
$ 500,000.00

(dc) To assist the Town of Wesson, Mississippi, in paying costs associated with repairs and upgrades to the roads that serve both Wesson Attendance Center and Copiah-Lincoln Community College ..... $ 750,000.00

(dd) To assist the Town of Puckett, Mississippi, in paying costs associated with infrastructure improvements.....
$ 250,000.00

(de) To assist Lafayette County, Mississippi, in paying costs associated with replacing various bridges in the county .....
$ 2,500,000.00

(df) To assist the City of Richland, Mississippi, in paying costs associated with the State Highway 49 pedestrian crossover..... $ 500,000.00

(dg) To assist the City of Oxford, Mississippi, in paying costs associated with street repair and paving.....
$ 2,000,000.00

(dh) To assist the Capitol Complex Improvement District, as overseen by the Capitol Complex Improvement District Project Advisory Committee, in paying costs associated with lighting, landscaping, and signage within the Fondren Business District $ 250,000.00

(di) To assist the Tomaston Medical Park in paying costs associated with the construction of two (2) state-of-the-art medical facilities in Woolmarket, Mississippi ...
$ 1,000,000.00

(dj) To assist Lamar County, Mississippi, in paying costs associated with the widening of Cole Road..... $ 1,000,000.00

(dk) To assist the Mississippi Centers for Autism and Related Developmental Disabilities with paying general costs .....
$ 200,000.00

(dl) To assist the Magnolia Regional Health Center in paying costs associated with the residency.....
program..... $ 300,000.00

(dm) To the Village of Kossuth, Mississippi, in paying costs with improvements, repairs, and upgrades to its water and sewer infrastructure$ 100,000.00

(dn) To assist the Yellow Creek State Inland Port in paying costs associated with construction, repairs and renovations for the Yellow Creek Port Office and/or Conference Center .....
$1,000,000.00

(do) To assist the Port of Pascagoula in paying costs associated with the North Rail Connector Project .....
$ 1,500,000.00

(dp) To assist the City of Horn Lake, Mississippi, in paying costs associated with improvements, repairs, and upgrades to its water and sewer infrastructure ..... $ 727,500.00

(dq) To assist Warren County, Mississippi, in paying costs associated with improvements at the Vicksburg Port .....
$ 1,000,000.00

(dr) To assist the City of Jackson, Mississippi, in paying costs associated with renovations, repairs, upgrades, and improvements to Thalia Mara Hall ..... $ 1,000,000.00

(ds) To the Town of Utica, Mississippi, to assist the Reedtown Water Association in paying costs associated with the completion of pipe installation and replacement .....
$ 300,000.00

(dt) To assist the Capitol Complex Improvement District, as overseen by the Capitol Complex Improvement District Project Advisory Committee, in paying costs associated with infrastructure improvements on Druid Hill Drive.....
$ 395,136.00

(du) To assist Hinds County, Mississippi, in paying costs associated with paving, resurfacing, repair, and improvement of Northside Drive from U.S. Interstate I-55 east
$ 600,000.00

(dv) To assist the City of Ridgeland, Mississippi, in paying costs associated with infrastructure improvements on property adjacent to Colony Park Boulevard ..... $ 2,000,000.00

(dw) To assist the City of Raymond, Mississippi, in paying costs associated with the repair of two (2) water tanks located on the Raymond Town Square and the campus of Hinds Community College..... $ 400,000.00

(dx) To assist Hinds County, Mississippi, in paying costs associated with infrastructure improvements within Supervisor District 1..... $ 1,500,000.00

(dy) To assist Hinds County, Mississippi, in paying costs associated with community solar powered surveillance systems in five (5) neighborhoods: Woodlea HOA, Lakeover HOA, Pine Ridge HOA, Woodhaven HOA and Norwood HOA.... $ 50,000.00

(dz) To assist Hinds County, Mississippi, in paying costs associated with repaving project on Hanging Moss Road and Beasley Road ..... $ 400,000.00

(ea) To assist the City of West Point, Mississippi, in paying costs associated with milling and paving of city streets .....
$ 250,000.00

(eb) To assist the City of Guntown, Mississippi, in paying costs associated with the purchase of a fire truck.....
$ 350,000.00

(ec) To assist Clay County, Mississippi, in paying costs associated with repairs and maintenance to the Clay County Courthouse ..... $ 500,000.00

(ed) To assist the City of Tupelo, Mississippi, in paying costs associated with the construction of a new fire department and command center ..... $ 1,250,000.00

(ee) To assist Panola County, Mississippi, in paying costs associated with improvements, including, but not limited to additional hangars, at the Panola County Airport
$ 1,000,000.00

(ef) To assist the City of Saltillo, Mississippi, in paying costs associated with the completion of a new fire department..... $ 500,000.00

(eg) To assist the City of Picayune, Mississippi, in paying costs associated with the purchase of equipment for officers, including, but not limited to guns, tasers, armor, optics, vehicles and portable radios, for the city police department $ 100,000.00

(eh) To assist the City of Hernando, Mississippi, in paying costs associated with improvements, repairs, and upgrades to its water and sewer infrastructure..... $ 204,095.00

(ei) To assist the City of Picayune, Mississippi, in paying costs associated with the construction of a burn building for the city's fire department ..... $ 100,000.00

(ej) To assist Newton County, Mississippi, in paying costs associated with renovations and facility improvements at the Newton County Sheriff's Department ..... $ 150,000.00

(ek) To assist the City of Picayune, Mississippi, with matching funds for Interstate 59 North Frontage Road, known as South Mississippi Gateway Utilities Project $ 200,000.00

(el) To assist the City of Newton, Mississippi, in paying costs associated with the purchase of police vehicles and equipment ..... $ 200,000.00

(em) To assist the Town of Terry, Mississippi, in paying costs associated with constructing, furnishing and equipping a police station and purchasing playground equipment for a park..... $ 400,000.00

(en) To assist the City of Hazlehurst, Mississippi, in paying costs associated with completing additional classroom, dining space, playground equipment, furnishing and equipping for the Millsaps Heritage Center..... $ 400,000.00

(eo) To assist Attala County, Mississippi, in paying costs associated with road and bridge maintenance.....
$ 1,000,000.00

(ep) To assist Leake County, Mississippi, in paying costs associated with the purchase of vehicles for the county Sheriff's Office..... $ 250,000.00

(eq) To assist the City of Morton, Mississippi, in paying costs associated with the paving of East Fourth and South Mill ..... $ 400,000.00

(er) To assist Choctaw County, Mississippi, in paying costs associated with the resurfacing of Quinn Street.....
$ 500,000.00

(es) To assist the Scott County School District in paying costs associated with the design, construction, repairs, and renovations of the STEAM Academy or facility improvements .....
$ 1,000,000.00

(et) To assist the City of Eupora, Mississippi, in paying costs associated with the resurfacing of streets in the city..... $ 400,000.00

(eu) To assist the Kiln Utility & Fire District in paying costs associated with improvements, repairs, and upgrades to its water and sewer infrastructure$ 120,000.00

(ev) To assist Choctaw County, Mississippi, in paying costs associated with resurfacing streets and roads in Supervisors District 3 ..... $ 200,000.00

(ew) To assist the City of Diamondhead, Mississippi, in paying costs associated with the Diamondhead Commercial District Transformation Project ..... $ 1,000,000.00

(ex) To assist Choctaw County, Mississippi, in paying costs associated with resurfacing streets and roads in Supervisors District 1 ..... $ 200,000.00

(ey) To assist the Pearlington Water and Sewer District in paying costs associated with the rehabilitation, improvement and interconnection of the Oak Harbor well to the Pearlington water and sewer system..... $ 500,000.00

(ez) To assist Choctaw County, Mississippi, with providing funds to be divided equally between the Volunteer Fire Departments within the county$ 200,000.00

(fa) To assist the City of Pearl, Mississippi, in paying costs associated with a traffic signal on El Dorado
Road $ 400,000.00

(fb) To assist the Town of French Camp, Mississippi, in paying costs associated with improvements and maintenance to sidewalks ..... $ 50,000.00

(fc) To assist the City of Pearl, Mississippi, in paying costs associated with the Pearl-Richland Intermodal widening project ..... $ 500,000.00

(fd) To assist the American Legion Post 82 in Ackerman, Mississippi, with paying costs associated with general improvements..... $ 25,000.00

(fe) To assist Rankin County, Mississippi, in paying costs associated with planning and construction of the I-20 Connector Loop Project..... $ 1,500,000.00

(ff) To assist the VFW Post 3806 in Eupora, Mississippi, in paying costs associated with general improvements
$ 25,000.00

(fg) To assist the City of Pearl, Mississippi, in paying costs associated with the lighting project on State Highway 80 from Pirates Cove to Pearson Road..... $ 1,500,000.00

(fh) To assist the Tomnolen Fire Department with paying various costs.... $ 25,000.00

(fi) To assist Forrest County, Mississippi, in paying costs associated with equipment for volunteer fire departments.....
$ 250,000.00

(fj) To assist the Town of Mathiston, Mississippi, in paying various costs for the town's fire department.....
$ 25,000.00

(fk) To assist Perry County, Mississippi, in paying costs associated with repairs and renovations to the county courthouse..... $ 750,000.00

(fl) To assist Grenada County, Mississippi, in paying costs associated with improvements to Nat Trout Road.....
$ 1,600,000.00

(fm) To assist the City of Marks, Mississippi, in paying costs with infrastructure improvements ..... $ 150,000.00

(fn) To assist the City of Water Valley, Mississippi, in paying costs associated with maintenance, upgrades and repairs to the city's electric department ..... $ 1,500,000.00

(fo) To assist Quitman County, Mississippi, in paying costs associated with the repairs and renovations of the Quitman County Courthouse..... $ 500,000.00

(fp) To assist the City of Grenada, Mississippi, in paying costs associated with construction of a new fire station at U.S. Highway 51 and Govan Street..... $ 600,000.00

(fq) To assist the Friends of the Vicksburg National Military Park and Campaign in paying costs associated with the Vicksburg Military Park Interpretive Center
$ 1,000,000.00

(fr) To assist East Mississippi Veterans Memorial Park with paying various costs $ 200,000.00

(fs) To assist Yazoo County, Mississippi, in paying costs associated with equipping of the Dover Fire Station .....
$ 250,000.00

(ft) To assist the City of Vicksburg, Mississippi, in paying costs associated with the improvements to a retaining
wall $ 350,000.00

(fu) To assist Warren County, Mississippi, in paying costs associated with the purchase of wetlands mitigation credits and other developments at the South Port .. $ 8,200,000.00

(fv) To assist Lauderdale County, Mississippi, in paying costs associated with the purchase of two (2) UTV plus firelight equipment and two (2) trailers to pull UTV's for the Lauderdale County volunteer fire departments to be stored at Daleville Volunteer Fire Department and Causeyville Volunteer Fire Department ..... $ 100,000.00

(fw) To assist the Town of Flora, Mississippi, in paying costs associated with infrastructure improvements.....
$ 400,000.00

(fx) To assist the City of Sardis, Mississippi, in paying costs associated with water and sewer infrastructure improvements..... $ 250,000.00

(fy) To assist Warren County, Mississippi, in paying costs associated with the ADA access to the Warren County Courthouse ..... $ 400,000.00

(fz) To assist Humphreys County, Mississippi, in paying costs associated with repairing the county's pump station and adding an additional pump .. $ 150,000.00

(ga) To assist Issaquena County, Mississippi, in paying costs associated with infrastructure improvements.....
$ 500,000.00

(gb) To assist Marshall County, Mississippi, in paying costs associated with repairs, upgrades and improvements to the water and sewer infrastructure in and along Quality Drive in north Marshall County ..... $ 300,000.00

(gc) To assist the City of Louisville, Mississippi, in paying costs associated with the completion of the renovation and revitalization of the Strand Theatre ..... $ 500,000.00

(gd) To assist the Town of Byhalia, Mississippi, in paying costs associated with making infrastructure improvements .....
$ 500,000.00

(ge) To assist Noxubee County, Mississippi, in paying costs associated with the construction of the Shuqualak Lumber Road..... $ 500,000.00

(gf) To assist the Kiln Utility and Fire District in paying costs associated with improvements to the existing water system, including, but not limited to, fire protection and sanitary sewer collection..... $ 500,000.00

(gg) To assist Kemper County, Mississippi, in paying costs associated with the gas and water pipelines from De Kalb to Scooba..... $ 1,000,000.00

(gh) To assist the City of Senatobia, Mississippi, in paying costs associated with reconstruction of Mississippi Highway 4, Main Street and Scott Street intersections to be combined with matching funds ..... $ 3,000,000.00

(gi) To assist the City of Senatobia, Mississippi, to pay off debt of the city related to the purchases of fire trucks currently allocated to debt service going forward and will be used to pay ongoing operational needs of the Senatobia Fire Department including adding at least one (1) additional full-time firefighter to each shift. Any funds remaining after the payment of debt shall be used to assist the Senatobia Fire Department to purchase needed equipment ..... $ 1,250,000.00

(gj) To assist Tate County, Mississippi, in paying with infrastructure and related expenses associated with the redevelopment of the former Chromcraft Industrial Site
$ 1,500,000.00

(gk) To assist the City of Brandon, Mississippi, in paying costs associated with road and street improvements to include construction, right-of-way acquisition, utility relocation and other associated improvements, such as storm water drainage, sidewalks, and multiuse path development and construction necessary to improve vehicle and pedestrian
safety $ 3,000,000.00

(gl) To assist Tate County, Mississippi, in paying costs associated with the construction of a new fire station and first responder training facility and for purchase of fire fighting and emergency response equipment..... $ 3,500,000.00

(gm) To assist the Tate County Geneological and Historical Society to assist in paying costs to digitize and store historical county records, documents and artifacts and other operational costs ..... $ 50,000.00

(gn) To assist Chickasaw County, Mississippi, with a match for federal funds for updates and improvements to the County Courthouse in Houston, Mississippi..... $ 500,000.00

(go) To assist Montgomery County, Mississippi, in paying costs associated with construction and paving on Robinson Thompson Road..... $ 1,200,000.00

(gp) To Chickasaw County, Mississippi, to assist in paying costs associated with rebuilding and repairs to the fire station for the Rhodes Chapel Volunteer Fire Department in Houston, Mississippi ..... $ 50,000.00

(gq) To the City of Houston, Mississippi, to assist in paying costs associated with the expansion of record keeping capacity at the Chickasaw County Heritage Museum

$ 50,000.00

(gr) To assist the Town of Sumrall, Mississippi, in paying costs associated with land acquisition and expansion of sportsplex ..... $ 500,000.00

(gs) To assist the Pat Harrison Waterway District in paying costs associated with an RV project at Flint Creek Water Park in Stone County, Mississippi $ 400,000.00

(gt) To assist Lincoln County, Mississippi, in paying costs associated with renovations to the County Courthouse .....
$ 500,000.00

(gu) To assist Pontotoc County, Mississippi, in paying costs associated with constructing, furnishing and equipping a multipurpose building ..... $ 500,000.00

(gv) To assist the West Jackson County Utility District in paying costs associated with the construction of a new water tank..... $ 500,000.00

(gw) To assist the Town of Hickory Flat, Mississippi, in paying costs associated with constructing, furnishing and equipping a community building and purchasing playground equipment
$ 300,000.00

(gx) To assist the Town of Snow Lake, Mississippi, in paying costs associated with infrastructure improvements and road maintenance..... $ 750,000.00

(gy) To Benton County, Mississippi, to assist in paying costs associated with general improvements to Benton County Veterans Park ..... $ 500,000.00

(gz) To assist the Jackson County School District in paying costs associated with repairs, renovations, and improvements at Vancleave High School ... $ 250,000.00

(ha) To assist Union County, Mississippi, in paying costs associated with purchasing equipment ..... $ 500,000.00

(hb) To assist the City of Corinth, Mississippi, in paying costs associated with infrastructure improvements on South Parkway..... $ 400,000.00

(hc) To assist the City of Corinth, Mississippi, in paying costs associated with rehabilitation of a one span bridge on South Tate..... $ 100,000.00

(hd) To assist the City of D'Iberville, Mississippi, in paying costs associated with the city's working waterfront
project ..... $ 1,000,000.00

(he) To assist Lamar County, Mississippi, in paying costs associated with renovations to and equipping the Lamar County Facility..... $ 700,000.00

(hf) To assist Lamar County, Mississippi, in paying costs associated with Lincoln Road Phase 2..... $ 500,000.00

(hg) To assist the City of Hattiesburg, Mississippi, in paying costs associated with improvements in the Avenues area of Hattiesburg, including but not limited to roads, bridges, sewer, drainage, sidewalks, stormwater, detention, land acquisition, utility relocation and lighting..... $ 3,500,000.00

(hh) To assist the Mississippi Development Authority in paying costs associated with creating a program to make grants available for organizing economic and community development activities around military installations and other state and federal installations that host military missions.....
$ 325,000.00

(hi) To assist the Hancock County, Mississippi, Sheriff's Department in paying costs associated with the purchase of a vehicle for the City of Diamondhead Police Department .....
$ 50,000.00

(hj) To assist the Mississippi Coast Coliseum Commission in paying costs associated with capital improvements, including roof repairs and repair, resurfacing, and paving the parking lot..... $ 1,500,000.00

(hk) To assist Harrison County, Mississippi, in paying costs associated with resurfacing the walking track, adding adequate lighting, safety equipment and other recreational equipment at Lizana Elementary Ballpark ..... $ 250,000.00

(hl) To assist George County, Mississippi, in paying costs associated with infrastructure improvements on East Wilkerson Ferry Road ..... $ 900,000.00

(hm) To assist the City of Diamondhead, Mississippi, in paying costs associated with equipment, training and building maintenance for the city's fire department
$ 20,000.00

(hn) To assist Wayne County, Mississippi, in paying costs associated with planning and construction of a multipurpose center ..... $ 900,000.00

(ho) To assist the Harrison County Fire Service in paying costs associated with equipping, training and building maintenance for the West Wortham Road Station . $ 20,000.00

(hp) To assist George County, Mississippi, in paying costs associated with the Crenshaw Road stormwater drainage and safety project..... $ 750,000.00

(hq) To assist the Harrison County Fire Service in paying costs associated with equipping, training and building maintenance for the Lizana Volunteer Station..... $ 20,000.00

(hr) To assist Wayne County, Mississippi, in paying costs associated with the purchase of law enforcement vehicles.....
$ 250,000.00

(hs) To assist the Harrison County Fire Service in paying costs associated with equipping, training and building maintenance for the Kiln/Fenton Station ..... $ 20,000.00

(ht) To assist Greene County, Mississippi, in paying costs associated with the completion of the Emergency Management Office..... $ 600,000.00

(hu) To assist the Caledonia Natural Gas District in paying costs associated with the purchase of vehicles and equipment..... $ 150,000.00

(hv) To assist the Walter Anderson Museum of Art in paying costs associated with repairs and renovations to the community center ..... $ 250,000.00

(hw) To assist the City of Gluckstadt, Mississippi, in paying costs associated with improvements to Gluckstadt Road, including but not limited to, improvements to intersections, addition to a westbound through lane from Interstate 55, traffic signals and street lights and other improvements.....
$ 750,000.00

(hx) To assist the City of Madison, Mississippi, in paying costs associated with the renovation of the Historic Arts Center ..... $ 750,000.00

(hy) To assist the City of Ridgeland, Mississippi, in paying costs associated with the planning and construction of Commerce Park Connector Road .. $ 2,000,000.00

(hz) To assist the Town of Shuqualak, Mississippi, in paying costs associated with rebuilding Conner Road from flooding washout ..... $ 50,000.00

(ia) To assist the Town of Brooksville, Mississippi, in paying costs associated with street improvements including roadbed and repavement . $ 200,000.00

(ib) To assist the Mississippi Development Authority in paying costs associated with defraying any expenses described in Section 57-1-471, which is the provision that establishes the Mississippi Air Service Development Program Fund ..... $ 2,500,000.00

(ic) To assist Noxubee County, Mississippi, in paying costs associated with renovations to the Noxubee Civic Center .....
$ 250,000.00

(id) To assist the Gulfport Redevelopment Commission with a mixed-use downtown development project, including general infrastructure to leverage public and private investment.....
$ 3,500,000.00

(ie) To assist Noxubee County, Mississippi, in paying costs associated with repaving and maintenance of Deerbrook Road .....
$ 250,000.00

(if) To assist Copiah County, Mississippi, in paying costs associated with infrastructure.....
improvements ..... $ 600,000.00

(ig) To assist Scenic Rivers Development Alliance to assist five counties with facility and park equipment, parking and road repairs, building repairs, site development, river and lake access, erosion control and repairs, utility repairs, seating improvements and other facility related upgrades .....
$ 1,000,000.00

(ih) To assist the City of Port Gibson, Mississippi, in paying costs associated with a matching grant for the historical city hall ..... $ 100,000.00

(ii) To assist the Sunnyhill Water Association in paying costs associated with a new water supply well with supporting infrastructure on Gateway Boulevard inside the Pike County Industrial Park ..... $ 500,000.00

(ij) To assist Claiborne County, Mississippi, in paying costs associated with a historical matching grant for the Library ..... $ 125,000.00

(ik) To assist Marion County, Mississippi, in paying costs associated with improvements to county roads..... $ 800,000.00

(il) To assist the City of Amory, Mississippi, in paying costs associated with repairs and improvements to city streets. ..... $ 2,000,000.00

(im) To assist the City of Columbia, Mississippi, in paying costs associated with improvements to infrastructure on Church Street..... $ 500,000.00

(in) To assist the Windows of Amory, a nonprofit corporation, in paying costs associated with repairs and renovations due to storm damage..... $ 200,000.00

(io) To assist the City of Columbia, Mississippi, in paying costs associated with a soccer and tennis complex..... $ 500,000.00

(ip) To assist Amory STRONG, Inc., a Mississippi nonprofit corporation, for the purpose of real property and constructing or rehabilitating structures for the purpose of resale ..... $ 500,000.00

(iq) To assist Carroll County, Mississippi, in paying costs associated with resurfacing County Road 286 in Carroll County Beat 1..... $ 250,000.00

(ir) To assist the Town of Gloster, Mississippi, in paying costs associated with the repair, renovation and construction of the Georgia Pacific Road . $ 1,500,000.00

(is) To assist Carroll County, Mississippi, in paying costs associated with resurfacing County Road 430 in Carroll County Beat 3..... $ 500,000.00

(it) To assist the City of Magnolia, Mississippi, in paying costs associated with street drainage improvements..... $ 340,000.00

(iu) To assist Carroll County, Mississippi, in paying costs associated with resurfacing County Road 49, County Road 217 and County Road 148 in Carroll County Beat 4$ 500,000.00

(iv) To assist Carroll County, Mississippi, in paying costs associated with resurfacing County Road 26, County Road 27 and County Road 264 in Carroll County Beat 5$ 500,000.00

(iw) To assist the City of Carthage, Mississippi, in paying costs associated with improvements, repairs, and upgrades to its water and sewer infrastructure..... $ 997,713.00

(ix) To assist Carroll County, Mississippi, in paying costs associated with resurfacing County Road 126 and County Road 123 in Carroll County Beat 2..... $ 500,000.00

(iy) To assist the Town of Carrollton, Mississippi, in paying costs associated with repairing concrete on the sidewalks in the town..... $ 100,000.00

(iz) To assist Neshoba County, Mississippi, in paying costs associated with the purchase of fire trucks and firefighting equipment ..... $ 500,000.00

(ja) To assist the City of Greenwood, Mississippi, in paying costs associated with the reconstruction of sidewalks for ADA compliance and lighting along Walthall Street $ 1,500,000.00

(jb) To assist the City of Winona, Mississippi, in paying costs associated with resurfacing Front Street..... $ 250,000.00

(jc) To assist the City of Sardis, Mississippi, in paying costs associated with infrastructure improvements ..... $ 150,000.00

(jd) To assist Pearl River County, Mississippi, in paying costs associated with improvements to the Bill Watson ball park ..... $ 500,000.00

(je) To assist Pearl River County, Mississippi, in paying costs associated with improvements to the McNeill Walking Trail ..... $ 200,000.00

(jf) To assist the University of Mississippi in paying costs associated with the Faulkner Writing Project .....
$ 750,000.00

(jg) To assist the City of Poplarville, Mississippi, in paying costs associated with the Cottage District Project.....
$ 500,000.00

(jh) To assist the North Lumberton Utility Association in paying costs associated with replacing the water well located in Lamar County on Little Black Creek Road $ 750,000.00

(ji) To assist Lafayette County, Mississippi, in paying costs associated with crisis intervention beds for the Regional Mental Health Center..... $ 500,000.00

(jj) To assist Walthall County, Mississippi, in paying costs associated with the construction of a new solid waste transfer station ..... $ 1,000,000.00

(jk) To assist the Pearl River Valley Water Supply District in paying costs associated with the construction of a new main office building ..... $ 2,000,000.00

(jl) To assist the City of Gautier, Mississippi, in paying costs associated with the Mississippi Songwriters Performing Arts Center and Operational and Educational Programming of the Mississippi Songwriters Alliance ..... $ 1,500,000.00

(jm) To assist the Mississippi Department of Transportation in paying costs associated with improvements to Elton Road in Jackson between Interstate 55 and Terry Road
$ 600,000.00

(jn) To assist the City of Gautier, Mississippi, in paying costs associated with ADA compliance and additional recreational facilities for adults and youth such as outdoor basketball courts, tennis courts, playground equipment and a splash pad, for Hickory Hills ..... $ 1,500,000.00

(jo) To assist the City of Gautier, Mississippi, in paying costs associated with the purchase of and improvements to water meters ..... $ 1,500,000.00

(jp) To assist the Singing River Healthcare Academy in paying costs associated with general improvements.....
$ 1,500,000.00

(jq) To assist the Town of Terry, Mississippi, in paying costs associated with infrastructure improvements .....
$ 150,000.00

(jr) To assist Starkville Main Street Association in paying costs associated with the completion of downtown Main Street Project ..... $ 2,450,000.00

(js) To assist Oktibbeha County, Mississippi, in paying costs associated with the completion of the county's 365 Project to equip 911 and county patrol cars with the latest computer and communication technology..... $ 500,000.00

(jt) To assist Oktibbeha County, Mississippi, in paying costs associated with the restoration of Morgantown Road Bridge
$ 500,000.00

(ju) To assist the Capitol Complex Improvement District, as overseen by the Capitol Complex Improvement District Project Advisory Committee, in paying costs associated with major thoroughfares to Jackson State University.....
$ 1,500,000.00

(jv) To assist Oktibbeha County, Mississippi, in paying costs associated with improvements to the Maben Post Office parking lot, culvert and erosion control..... $ 50,000.00

(jw) To assist Newton County, Mississippi, in paying costs associated with building an addition and related fixtures for the Sheriff's facility..... $ 150,000.00

(jx) To assist the City of Union, Mississippi, in paying costs associated with paving various streets.....
$ 250,000.00

(jy) To assist the City of Byram, Mississippi, in paying costs associated with the intersection between Siwell Road and Terry Road..... $ 500,000.00

(jz) To assist Newton County, Mississippi, in paying costs associated with the purchase of a heavy duty fire pumper and rescue vehicle ..... $ 350,000.00

(ka) To assist the Town of Decatur, Mississippi, in paying costs associated with paving various streets .....
$ 250,000.00

(kb) To assist Olive Branch, Mississippi, in paying costs associated with improvements, renovations, repairs, and upgrades to the Olive Branch Airport ..... $ 1,000,000.00

(kc) To assist Bolivar County, Mississippi, in paying costs associated with expanding the Terrene Landing River Park to include a second docking ramp ..... $ 500,000.00

(kd) To assist the Town of Mount Olive, Mississippi, in paying costs associated with infrastructure improvements.....
$ 300,000.00

(ke) To assist the Mississippi Department of Transportation in paying costs associated with the funding of highway capacity dollars for the Interstate 55 project within DeSoto County..... $ 4,000,000.00

(kf) To assist Covington County, Mississippi, in paying costs associated with improvements to Gandsi Road .....
$ 75,000.00

(kg) To assist the City of Collins, Mississippi, in paying costs associated with parks and recreation improvements .....
$ 150,000.00

(kh) To assist the Canton Municipal Utilities in paying costs associated with the rehabilitation of the Nissan Pump Station..... $ 750,000.00

(ki) To assist Covington County, Mississippi, in paying costs associated with fire protection..... $ 150,000.00

(kj) To assist the Town of Tchula, Mississippi, in paying costs associated with infrastructure improvements.....
$ 400,000.00

(kk) To assist Covington County, Mississippi, in paying costs associated with upgrades and improvements to the courtroom of the Covington County Courthouse, specifically including audio and video capabilities..... $ 50,000.00

(kl) To assist the City of Laurel, Mississippi, in paying costs associated with the replacement of West Drive bridge
$ 800,000.00

(km) To assist the Town of Braxton, Mississippi, in paying costs associated with a water well pump and column replacement..... $ 370,000.00

(kn) To assist the City of Ellisville, Mississippi, in paying costs associated with infrastructure improvements.....
$ 500,000.00

(ko) To assist Rankin County, Mississippi, in paying costs associated with road maintenance projects .....
$ 5,000,000.00

(kp) To assist Rankin County, Mississippi, with the final payment for the East Metro Corridor ..... $ 1,500,000.00

(kq) To assist the Town of Calhoun City, Mississippi, in paying costs associated with road resurfacing and road maintenance ..... $ 150,000.00

(kr) To assist the City of Mendenhall, Mississippi, in paying costs associated with improvements, repairs, and upgrades to its water and sewer infrastructure..... $ 500,000.00

(ks) To assist the Town of Pittsboro, Mississippi, in paying costs associated with renovation and expansion of City Hall
$ 200,000.00

(kt) To assist the City of Ripley, Mississippi, in paying costs associated with the purchase of a fire truck and equipment ..... $ 700,000.00

(ku) To assist the City of Ripley Parks and Recreation in paying costs associated with various improvements.....
$ 300,000.00

(kv) To assist the Town of New Hebron, Mississippi, in paying costs associated with street repairs and infrastructure improvements..... $ 50,000.00

(kw) To assist the VFW Post 6696 located in Walnut, Mississippi, in paying costs associated with various improvements
$ 35,000.00

(kx) To assist the Town of Falkner, Mississippi, with matching funds for upgrades to the town's water system.....
$ 100,000.00

(ky) To Tippah County, Mississippi, to assist with paying various costs for the Dry Creek Volunteer Fire Department
$ 50,000.00

(kz) To assist the Town of New Hebron, Mississippi, in paying costs associated with the purchase of a fire truck.....
$ 480,000.00

(la) To assist Tippah County, Mississippi, in paying costs associated with improvements to the county fairground .....
$ 250,000.00

(lb) To assist Tippah County, Mississippi, in paying costs associated with improvements to the Walnut Industrial Park .....
$ 250,000.00

(lc) To assist Tippah County Hospital in paying costs associated with parking lot infrastructure and repair .....
$ 250,000.00

(ld) To assist the City of Brookhaven, Mississippi, in paying costs associated with the construction, resurfacing and improvement of Brookway Boulevard, including any related infrastructure ..... $ 750,000.00

(le) To assist the Mississippi Department of Transportation in paying costs associated with pre-construction activities in association with improvements to the Interchange of US Highway 98 and I-59, the extension of US Highway 98 westward toward US Highway 11, and the widening of US Highway 11 and other nearby access roads in Forrest and Lamar Counties, Mississippi.....
$ 1,125,000.00

(lf) To assist the Town of Raleigh, Mississippi, in paying costs associated with infrastructure repair and upgrades to the town's water, sewer and fire protection system and purchase of a garbage truck..... $ 250,000.00

(lg) To assist Smith County, Mississippi, in paying costs associated with leveling, chip sealing and striping of county roads ..... $ 250,000.00

(lh) To assist Jasper County, Mississippi, in paying costs associated with infrastructure improvements in Beat 5 on CR 8, CR 113, and Short Pine Ave..... $ 450,000.00

(li) To assist the City of Baldwyn, Mississippi, in paying costs associated with overlay for multiple streets .....
$ 1,500,000.00

(lj) To assist Pontotoc County, Mississippi, in paying costs associated with renovations to the front and exterior of the County Courthouse ..... $ 350,000.00

(lk) To assist the City of Hattiesburg, Mississippi, in paying costs associated with improvements to Tipton Street .....
$ 300,000.00

(ll) To assist Jasper County, Mississippi, in paying costs associated with infrastructure improvements in Beat 4 on CR 5282..... $ 75,000.00

(lm) To assist the Town of Braxton, Mississippi, in paying costs associated with general street paving and infrastructure improvements ..... $ 500,000.00

(ln) To assist Jasper County, Mississippi, in paying costs associated with infrastructure improvements in Beat 3 on CR 5282..... $ 145,000.00

(lo) To assist the Town of West, Mississippi, in paying costs associated with infrastructure and street improvements, capital expenses on city property and the purchase of equipment
$ 300,000.00

(lp) To assist Jasper County, Mississippi, in paying costs associated with infrastructure improvements in Beat 2 on CR 3511.....$ 500,000.00

(lq) To assist the City of Kosciusko, Mississippi, in paying costs associated with infrastructure improvements.....$ 2,500,000.00

(lr) To assist Jasper County, Mississippi, in paying costs associated with infrastructure improvements in Beat 1 on CR 219, CR 5282, and CR 52816 .....$ 500,000.00

(ls) To assist Lee County, Mississippi, in paying costs associated with the acquisition and purchase of tornado shelters for installation of such shelters at fire departments and volunteer fire departments upon public property throughout the county $ 304,000.00

(lt) To assist the City of Starkville, Mississippi, in paying costs associated with the Starkville Main Street Project.....$ 550,000.00

(lu) To assist Attala County, Mississippi, in paying costs associated with infrastructure improvements .....$ 2,500,000.00

(lv) To assist Leake County, Mississippi, in paying costs associated with maintenance of Pine Grove Road and other county roads.....$ 2,500,000.00

(lw) To assist the City of Carthage, Mississippi, in paying costs associated with infrastructure improvements and road maintenance.....$ 1,500,000.00

(lx) To assist the City of Flowood, Mississippi, in paying costs associated with planning, engineering and construction of Fannie Cook Parkway .....$ 3,500,000.00

(ly) To assist the Mississippi Department of Transportation with federal fund match for Highway 25 Project PL 118-42 .....$ 1,000,000.00

(lz) To assist the Capitol Complex Improvement District, as overseen by the Capitol Complex Improvement District Project Advisory Committee, in paying costs associated with repair, mill and paving of Simwood Place Street.....$ 400,000.00

(ma) To assist the Capitol Complex Improvement District, as overseen by the Capitol Complex Improvement District Project Advisory Committee, in paying costs associated with connecting the Museum Trail and Belhaven through downtown Jackson, Mississippi, to Jackson State University.....$ 250,000.00

(mb) To assist the City of Meridian, Mississippi, in paying costs associated with general street paving and infrastructure.....$ 500,000.00

(mc) To assist the City of Ocean Springs, Mississippi, in paying costs associated with improvements, construction and/or repair to a public facility and/or sidewalks, lighting, tree canopy restoration, G.I.S. mapping and/or the north and west gateway improvements.....$ 3,000,000.00

SECTION 11. Upon the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the sum of Six Million Nine Hundred and Seventy-two Thousand Dollars ($6,972,000.00) from the Capital Expense Fund (Fund No. 6499C00000) to the Mississippi Main Street Revitalization Grant Program Fund as created in Section 57-78-5, Mississippi Code of 1972.

SECTION 12. Upon the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the sum of Six Million Dollars ($6,000,000.00) from the Capital Expense Fund (Fund No. 6499C00000) to the Gulf Coast Passenger Rail Restoration Match Fund as created in House Bill No. 1983, 2024 Regular Session.

SECTION 13. (1) Delta State University may enter into a public-private partnership with a third-party developer for planning, designing, renovating, constructing, furnishing, and equipping Ward Hall Dormitory and Cleveland Hall, using funds specifically appropriated for that purpose.

(2) Delta State University may enter into a partnership with the Cleveland School District to create a model rural education school to serve Pre-K through sixth-grade students from Bolivar County and a model program which shall also serve as a model for the education of teachers and administrators. To accomplish that purpose, Delta

State University and the Cleveland School District are each authorized, in their discretion:

(a) To enter into an agreement for the purpose of designing, constructing, maintaining and operating a model rural education school to serve Pre-K through sixth-grade students from Bolivar County; and

(b) To transfer funds to the other and expend such funds on mutually agreeable terms and conditions for the construction, maintenance and operation of such school.

SECTION 14. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO DIRECT THE TRANSFER OF CERTAIN FUNDS FROM THE CAPITAL EXPENSE FUND TO THE 2024 LOCAL IMPROVEMENTS PROJECTS FUND, THE 2022 IHL CAPITAL IMPROVEMENTS FUND, THE 2022 COMMUNITY AND JUNIOR COLLEGES CAPITAL IMPROVEMENTS FUND, THE 2022 STATE AGENCIES CAPITAL IMPROVEMENTS FUND, THE 2022 DEPARTMENT OF FINANCE AND ADMINISTRATION STATEWIDE REPAIR AND RENOVATION FUND, THE MISSISSIPPI STATE UNIVERSITY VETERINARY SCHOOL FUND; THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND, THE 2023 LAFAYETTE COUNTY INFRASTRUCTURE IMPROVEMENTS FUND, THE 2023 DESOTO COUNTY INFRASTRUCTURE IMPROVEMENTS FUND, THE 2023 EMERGENCY ROAD AND BRIDGE FUND; STRATEGIC MULTI-MODAL INVESTMENTS FUND, AND THE 2022 INFRASTRUCTURE MATCH FUND; TO DIRECT THE TRANSFER OF CERTAIN FUNDS FROM THE STATE BP SETTLEMENT FUND TO THE 2024 LOCAL IMPROVEMENTS PROJECTS FUND; TO DIRECT THE TRANSFER OF CERTAIN FUNDS FROM THE CAPITAL EXPENSE FUND TO THE EMPLOYERS' ACCUMULATION ACCOUNT OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM CREATED IN SECTION 25-11-123(C); TO DIRECT THE STATE FISCAL OFFICER TO MAKE DISBURSEMENTS FROM THE 2022 IHL CAPITAL IMPROVEMENTS FUND, THE 2022 COMMUNITY AND JUNIOR COLLEGES CAPITAL IMPROVEMENTS FUND, AND THE 2022 STATE AGENCIES CAPITAL IMPROVEMENTS FUND FOR CERTAIN PROJECTS; TO DIRECT THE STATE FISCAL OFFICER TO MAKE DISBURSEMENTS FROM THE 2022 DEPARTMENT OF FINANCE AND ADMINISTRATION STATEWIDE REPAIR AND RENOVATION FUND TO PAY THE COSTS OF CERTAIN INFRASTRUCTURE IMPROVEMENTS, GENERAL REPAIRS AND RENOVATIONS; TO CREATE THE MISSISSIPPI STATE UNIVERSITY VETERINARY SCHOOL SPECIAL FUND IN THE STATE TREASURY; TO DIRECT THE STATE FISCAL OFFICER TO MAKE DISBURSEMENTS FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND FOR CERTAIN PROJECTS; TO DIRECT THE TRANSFER OF CERTAIN FUNDS FROM THE CAPITAL EXPENSE FUND THE MISSISSIPPI MAIN STREET REVITALIZATION GRANT PROGRAM FUND AND THE GULF COAST PASSENGER RAIL RESTORATION MATCH FUND TO AUTHORIZE DELTA STATE UNIVERSITY TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP WITH A THIRD-PARTY DEVELOPER FOR PLANNING, DESIGNING, RENOVATING, CONSTRUCTING, FURNISHING, AND EQUIPPING WARD HALL DORMITORY AND CLEVELAND HALL; TO AUTHORIZE DELTA STATE UNIVERSITY TO ENTER INTO A PARTNERSHIP WITH THE CLEVELAND SCHOOL DISTRICT TO CREATE A MODEL RURAL EDUCATION SCHOOL TO SERVE PRE-K THROUGH SIXTH-GRADE STUDENTS FROM BOLIVAR COUNTY AND TO TAKE CERTAIN ACTIONS TO ACCOMPLISH THAT PURPOSE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Briggs Hopson	John Read
John A. Polk	Angela Cockerham
Josh Harkins	John Thomas "Trey" Lamar, III

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2468** (version 2) was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.

_____

On request of Senator Harkins, unanimous consent was granted to make the following correction in **S. B. No. 2468**:

TO: Clerk of the House of Representatives
Secretary of the Senate

RE: Filed 2024 Conference Report - Unanimous Consent Request

DATE: May 3, 2024

_____

It is requested that unanimous consent be granted to make the following clerical corrections:

SB 2468: Appropriations

AMEND on lines 349 through 351 by deleting "the Veterans Home in Jackson, Mississippi" and inserting "veteran homes statewide" in lieu thereof.

FURTHER, AMEND on line 474 by deleting "Oktibbeha" and inserting "Webster" in lieu thereof.

FURTHER, AMEND on line 475 through 476 by deleting "road erosion on repairs on State Highway 15" and inserting "the purchase of a patrol car for Webster County Sheriff's Department" in lieu thereof.

FURTHER, AMEND on line 504 after "Department" by inserting "in".

FURTHER, AMEND on line 553 by deleting "Steet" and inserting "Street" in lieu thereof.

FURTHER, AMEND on line 650 by deleting "the City of Meridian, Mississippi," and inserting "Meridian Main Street" in lieu thereof.

FURTHER, AMEND on line 666 after "upgrades," by inserting "and".

FURTHER, AMEND on line 669 after "associated" by inserting "with".

FURTHER, AMEND on line 684 after "assist" by inserting "the".

FURTHER, AMEND on line 819 deleting "Village of Kossuth, Mississippi," and inserting "Kossuth Water Association" in lieu thereof.

FURTHER, AMEND on line 1026 by deleting "the" before "ADA".

FURTHER, AMEND on line 1026 after "access" by inserting "improvements and other infrastructure improvements".

FURTHER, AMEND on line 1193 after "the" by inserting "Town of" and after "Caledonia" inserting ", Mississippi,".

FURTHER, AMEND on line 1193 by deleting "Natural Gas District".

FURTHER, AMEND on line 1219 by deleting "57-1-471" and inserting "57-1-501" in lieu thereof.

FURTHER, AMEND on line 1220 by deleting "Mississippi Air Service Development Program" and inserting "Economic Development and Infrastructure" in lieu thereof.

FURTHER, AMEND on line 1266 by deleting "the purpose of" and inserting "purchasing" in lieu thereof.

FURTHER, AMEND on lines 1310 through 1311 by deleting "ball park" and inserting "Ballpark" in lieu thereof.

FURTHER, AMEND on line 1355 by deleting "Starkville Main Street Association" and inserting "the City of Starkville, Mississippi," in lieu thereof.

FURTHER, AMEND on lines 1550 by deleting "repair, mill" and inserting "repairing, milling" in lieu thereof.

_____ _____

John Read, Chairman
House Appropriations A Committee

Briggs Hopson, Chairman
Senate Appropriations Committee

Senator Polk moved that the Senate stand in recess until 4:00 PM.

The motion prevailed, and at 3:43 PM, the Senate stood in recess.

The Senate resumed business at 4:00 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 3007: AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES' DESIGNATED INSTITUTES, LABORATORIES AND PROGRAMS FOR WHICH THEY ARE RESPONSIBLE AND THE EXECUTIVE OFFICE OF THE BOARD OF TRUSTEES FOR FISCAL YEAR 2025; AND FOR RELATED PURPOSES.

S. B. No. 3008: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE ALCORN STATE UNIVERSITY AGRICULTURAL RESEARCH, EXTENSION AND LAND-GRANT PROGRAMS FOR FISCAL YEAR 2025.

S. B. No. 3014: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR FISCAL YEAR 2025.

S. B. No. 3018: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI ETHICS COMMISSION FOR THE FISCAL YEAR 2025.

S. B. No. 3034: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO THE MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS FOR FISCAL YEAR 2025.

S. B. No. 3037: AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DIXIE NATIONAL LIVESTOCK SHOW; A ROUNDUP FOR JUNIOR EXHIBITORS OF LIVESTOCK AND GOATS; SUPPLEMENTAL FUNDS FOR LIVESTOCK PREMIUMS; COUNTY LIVESTOCK SHOWS IN OFFERING AND PAYING PRIZES OR AWARDS TO COMPETITORS IN APPROVED COUNTY LIVESTOCK SHOWS; THE FIVE DISTRICT LIVESTOCK SHOWS; THE FIVE STATE DAIRY SHOWS; THE MISSISSIPPI HIGH SCHOOL RODEO; AND TO PROVIDE HOW SAID MONEY SHALL BE PAID OUT OF THE STATE TREASURY FOR FISCAL YEAR 2025.

S. B. No. 3044: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR 2025.

S. B. No. 3052: AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF SERVICE CHARGES TO BANKS FOR ACTING AS AGENTS OF THE STATE IN PAYING FULL FAITH AND CREDIT BONDS AND INTEREST OF THE STATE OF MISSISSIPPI, FROM THE EFFECTIVE DATE OF THIS ACT UNTIL SUCH BONDS SHALL BE PAID OR UNTIL JUNE 30, 2025, WHICHEVER SHALL FIRST OCCUR; AND FOR THE PAYMENT OF MATURING BONDS AND INTEREST ON THE FULL FAITH AND CREDIT BONDS OF THE STATE OF MISSISSIPPI FALLING DUE DURING FISCAL YEAR 2025.

S. B. No. 3055: AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE EXECUTIVE DEPARTMENT, BEING THE GOVERNOR'S OFFICE AND STAFF, AND FOR EXPENSES INCIDENTAL TO THE PROPER OPERATION OF THE GOVERNOR'S MANSION AND RESIDENCE OF THE GOVERNOR FOR FISCAL YEAR 2025.

David Jordan, Chairman

Senator Harkins moved that the rules be suspended to move to calendar item 20, **H. B. No. 1983**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1983** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1983: Bonds; authorize issuance for various purposes.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the program authorized in Section 57-1-16. Upon the adoption of a resolution by the Mississippi Development Authority declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Twenty Million Dollars ($20,000,000.00). No bonds authorized under this section shall be issued after July 1, 2028.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the ACE Fund created pursuant to Section 57-1-16. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue,

be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the ACE Fund created

in Section 57-1-16. The proceeds of such bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 2. Section 57-61-25, Mississippi Code of 1972, is amended as follows:

57-61-25. (1) The seller is authorized to borrow, on the credit of the state upon receipt of a resolution from the Mississippi Development Authority requesting the same, monies not exceeding the aggregate sum of * * * Four Hundred Two Million Five Hundred Thousand Dollars ($402,500,000.00), not including monies borrowed to refund outstanding bonds, notes or replacement notes, as may be necessary to carry out the purposes of this chapter. The rate of interest on any such bonds or notes which are not subject to taxation shall not exceed the rates set forth in Section 75-17-101, Mississippi Code of 1972, for general obligation bonds.

(2) As evidence of indebtedness authorized in this chapter, general or limited obligation bonds of the state shall be issued, from time to time, to provide monies necessary to carry out the purposes of this chapter for such total amounts, in such form, in such denominations payable in such currencies (either domestic or foreign, or both) and subject to such terms and conditions of issue, redemption and maturity, rate of interest and time of payment of interest as the seller directs, except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from date thereof and extending not more than thirty (30) years from date thereof.

(3) All bonds and notes issued under authority of this chapter shall be signed by the chairman of the seller, or by his facsimile signature, and the official seal of the seller shall be affixed thereto, attested by the secretary of the seller.

(4) All bonds and notes issued under authority of this chapter may be general or limited obligations of the state, and the full faith and credit of the State of Mississippi as to general obligation bonds, or the revenues derived from projects assisted as to limited obligation bonds, are hereby pledged for the payment of the principal of and interest on such bonds and notes.

(5) Such bonds and notes and the income therefrom shall be exempt from all taxation in the State of Mississippi.

(6) The bonds may be issued as coupon bonds or registered as to both principal and interest, as the seller may determine. If interest coupons are attached, they shall contain the facsimile signature of the chairman and secretary of the seller.

(7) The seller is authorized to provide, by resolution, for the issuance of refunding bonds for the purpose of refunding any debt issued under the provisions of this chapter and then outstanding, either by voluntary exchange with the holders of the outstanding debt or to provide funds to redeem and the costs of issuance and retirement of the debt, at maturity or at any call date. The issuance of the refunding bonds, the maturities and other details thereof, the rights of the holders thereof and the duties of the issuing officials in respect to the same shall be governed by the provisions of this section, insofar as they may be applicable.

(8) As to bonds issued hereunder and designated as taxable bonds by the seller, any immunity of the state to taxation by the United States government of interest on bonds or notes issued by the state is hereby waived.

(9) The proceeds of bonds issued under this chapter after April 9, 2002, and any monies provided by the Legislature may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority for the administration of the various grant, loan and financial incentive programs administered by the authority. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the Mississippi Development Authority. Reimbursement of reasonable

actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued or the monies provided by the Legislature. Reimbursements under this subsection shall satisfy any applicable federal tax law requirements.

SECTION 3. Section 57-61-36, Mississippi Code of 1972, is amended as follows:

57-61-36. (1) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than Fourteen Million Five Hundred Thousand Dollars ($14,500,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of making grants to municipalities through a Development Infrastructure Grant Fund to complete infrastructure related to new or expanded industry.

(2) [Repealed]

(3) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize the monies transferred from the Housing Development Revolving Loan Fund and not more than * * * One Hundred Nine Million One Hundred Thousand Dollars ($109,100,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of making grants or loans to municipalities through an equipment and public facilities grant and loan fund to aid in infrastructure-related improvements as determined by the Mississippi Development Authority, the purchase of equipment and in the purchase, construction or repair and renovation of public facilities. Any bonds previously issued for the Development Infrastructure Revolving Loan Program which have not been loaned or applied for are eligible to be administered as grants or loans. In making grants and loans under this section, the Mississippi Development Authority shall attempt to provide for an equitable distribution of such grants and loans among each of the congressional districts of this state in order to promote economic development across the entire state.

The requirements of Section 57-61-9 shall not apply to any grant made under this subsection. The Mississippi Development Authority may establish criteria and guidelines to govern grants made pursuant to this subsection.

(4) [Repealed]

(5) (a) The Mississippi Development Authority may establish a Capital Access Program and may contract with any financial institution to participate in the program upon such terms and conditions as the authority shall consider necessary and proper. The Mississippi Development Authority may establish loss reserve accounts at financial institutions that participate in the program and require payments by the financial institution and the borrower to such loss reserve accounts. All monies in such loss reserve accounts is the property of the Mississippi Development Authority.

(b) Under the Capital Access Program a participating financial institution may make a loan to any borrower the Mississippi Development Authority determines to be qualified under rules and regulations adopted by the authority and be protected against losses from such loans as provided in the program. Under such rules and regulations as may be adopted by the Mississippi Development Authority, a participating financial institution may submit claims for the reimbursement for losses incurred as a result of default on loans by qualified borrowers.

(c) Under the Capital Access Program a participating financial institution may make a loan that is secured by the assignment of the proceeds of a contract between the borrower and a public entity if the Mississippi Development Authority determines the

loan to be qualified under the rules and regulations adopted by the authority. Under such rules and regulations as may be adopted by the Mississippi Development Authority, a participating financial institution may submit an application to the authority requesting that a loan secured pursuant to this paragraph be funded under the Capital Access Program.

(d) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority may utilize not more than One Million Five Hundred Fifty Thousand Dollars ($1,550,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of making payments to loan loss reserve accounts established at financial institutions that participate in the Capital Access Program established by the Mississippi Development Authority; however, any portion of the bond proceeds authorized to be utilized by this paragraph that are not utilized for making payments to loss reserve accounts may be utilized by the Mississippi Development Authority to advance funds to financial institutions that participate in the Capital Access Program pursuant to paragraph (c) of this subsection.

(6) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than Two Hundred Thousand Dollars ($200,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of assisting Warren County, Mississippi, in the continuation and completion of the study for the proposed Kings Point Levee.

(7) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than One Hundred Thousand Dollars ($100,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of developing a long-range plan for coordinating the resources of the state institutions of higher learning, the community and junior colleges, the Mississippi Development Authority and other state agencies in order to promote economic development in the state.

(8) Notwithstanding any other provision of this chapter to the contrary, the Mississippi Development Authority shall use not more than One Hundred Fifty Thousand Dollars ($150,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of providing assistance to municipalities that have received Community Development Block Grant funds for repair, renovation and other improvements to buildings for use as community centers. Assistance provided to a municipality under this subsection shall be used by the municipality to match such Community Development Block Grant funds. The maximum amount of assistance that may be provided to a municipality under this subsection shall not exceed Seventy-five Thousand Dollars ($75,000.00) in the aggregate.

(9) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than Two Million Dollars ($2,000,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of assisting in paying the costs of constructing a new spillway and related bridge and dam structures at Lake Mary in Wilkinson County, Mississippi, including construction of a temporary dam and diversion canal, removing existing structures, removing and stockpiling riprap, spillway construction, dam embankment construction, road access, constructing bridges and related structures, design and construction engineering and field testing.

(10) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than One Hundred Thousand Dollars ($100,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of assisting the City of Holly Springs, Mississippi, in providing water and sewer and other infrastructure services in the Marshall, Benton and Tippah Counties area.

SECTION 4. Section 57-75-15, Mississippi Code of 1972, is amended as follows:

[Through June 30, 2025, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the power and is hereby authorized and directed, upon receipt of a declaration from the authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars ($67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed * * * Eighty-two Million Dollars ($82,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to expend any remaining proceeds of bonds issued under the authority of this act prior to January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars ($10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars ($351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars ($12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section 57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight

Million Five Hundred Thousand Dollars ($38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Five Million Dollars ($5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Four Million Five Hundred Thousand Dollars ($4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars ($5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Five Million Dollars ($5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xii) shall not exceed Thirty-three Million Dollars ($33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars ($2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Three Million Dollars ($3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Twenty-four Million Dollars ($24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Dollars ($2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Five Hundred Thousand Dollars ($500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvi) shall not exceed Ten Million Dollars ($10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars ($3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars ($96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars ($15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars ($23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred Thousand Dollars ($293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars ($30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars ($48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars ($88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars ($13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars ($25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) * * * [Deleted]

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars ($50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not exceed * * * Seventy Million Dollars ($70,000,000.00). No bonds shall be issued under this paragraph after July 1, 2026.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars ($263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed * * * Six Million Dollars ($6,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(dd) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxxi) shall not exceed Two Hundred Forty-six Million Seven Hundred Ninety-eight Thousand Five Hundred Fifty Dollars ($246,798,550.00); however, the total amount of bonds that may be issued under the authority of this section for projects defined in Section 57-75-5(f)(xxxi) shall be reduced by the amount of any other funds authorized by the Legislature during the 2022 First Extraordinary Session specifically for such projects. No bonds shall be issued under this paragraph after July 1, 2040.

(ee) Bonds issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxii) shall not exceed Four Hundred Eighty-two Million Dollars ($482,000,000.00); however, the total amount of bonds that may be issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxii) shall be reduced by the amount of any other funds authorized by the Legislature specifically for such project. No bonds shall be issued under this paragraph after July 1, 2040.

(ff) Bonds issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxiii) shall not exceed Two Hundred Sixty Million Dollars ($260,000,000.00); however, the total amount of bonds that may be issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxiii) shall be reduced by the amount of any other funds authorized by the Legislature specifically for such project. No bonds shall be issued under this paragraph after July 1, 2040.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

(i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project area, including costs of design and engineering, all costs incurred to provide land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;

(ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;

(iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list of expenses it incurred in regard to such projects to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;

(v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;

(vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(vii) Providing for the payment of interest on the bonds;

(viii) Providing debt service reserves;

(ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;

(x) For purposes authorized in paragraphs (b) and (c) of this subsection (4);

(xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);

(xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);

(xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);

(xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;

(xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);

(xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);

(xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing grants and loans as authorized in Section 57-75-11(tt);

(xxiii) Providing grants as authorized in Section 57-75-11(ww) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate; and

(xxiv) Providing loans, grants and other funds as authorized in * * * Section 57-75-11(xx), * * * (yy), * * * (zz) and * * * (aaa) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to a project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph (b)(i) shall not exceed Three Hundred Thousand Dollars ($300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars ($100,000.00) in the aggregate. Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided for the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars ($25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars ($25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.

(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable before maturity at such time or times and upon such terms, with or without premium; bear such registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so published in one or more

newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the fund, and the Department of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund unless the State Bond Commission, at the request of the authority, shall

determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans, there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans, grants and other funds authorized in Section 57-75-11(jj), * * * (vv), * * * (xx), * * * (zz) and * * * (aaa) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund. However:

(i) Monies paid to the state from a county in which a project as defined in Section 57-75-5(f)(xxxii) is located and which is paid pursuant to any agreement under Section 57-75-37(6)(c)(iii) shall, after being received from the county and properly accounted for, be deposited into the State General Fund; and

(ii) Monies paid to the state from a county and/or municipality in which a project as defined in Section 57-75-5(f)(xxxiii) is located and which is paid pursuant to any agreement under Section 57-75-37(7)(c)(iii) shall, after being received from the county and/or municipality and properly accounted for, be deposited into the State General Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars ($500,000.00) at any one time.

[From and after July 1, 2025, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the

power and is hereby authorized and directed, upon receipt of a declaration from the authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars ($67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed * * * Eighty-two Million Dollars ($82,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to expend any remaining proceeds of bonds issued under the authority of this act prior to January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars ($10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars ($351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars ($12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section 57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight Million Five Hundred Thousand Dollars ($38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Five Million Dollars ($5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Four Million Five Hundred Thousand Dollars ($4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars ($5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Five Million Dollars ($5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xii) shall not exceed Thirty-three Million Dollars ($33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars ($2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Three Million Dollars ($3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Twenty-four Million Dollars ($24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Dollars ($2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Five Hundred Thousand Dollars ($500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvi) shall not exceed Ten Million Dollars ($10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars ($3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars ($96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2016.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars ($15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars ($23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred Thousand Dollars ($293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars ($30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars ($48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars ($88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars ($13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars ($25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) * * * [Deleted]

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars ($50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not exceed * * * Seventy Million Dollars ($70,000,000.00). No bonds shall be issued under this paragraph after July 1, 2026.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars ($263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed * * * Six Million Dollars ($6,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(dd) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxxi) shall not exceed Two Hundred Forty-six Million Seven Hundred Ninety-eight Thousand Five Hundred Fifty Dollars ($246,798,550.00); however, the total

amount of bonds that may be issued under the authority of this section for projects defined in Section 57-75-5(f)(xxxi) shall be reduced by the amount of any other funds authorized by the Legislature during the 2022 First Extraordinary Session specifically for such projects. No bonds shall be issued under this paragraph after July 1, 2040.

(ee) Bonds issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxii) shall not exceed Four Hundred Eight-two Million Dollars ($482,000,000.00); however, the total amount of bonds that may be issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxii) shall be reduced by the amount of any other funds authorized by the Legislature specifically for such project. No bonds shall be issued under this paragraph after July 1, 2040.

(ff) Bonds issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxiii) shall not exceed Two Hundred Sixty Million Dollars ($260,000,000.00); however, the total amount of bonds that may be issued under the authority of this section for a project defined in Section 57-75-5(f)(xxxiii) shall be reduced by the amount of any other funds authorized by the Legislature specifically for such project. No bonds shall be issued under this paragraph after July 1, 2040.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

(i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project area, including costs of design and engineering, all costs incurred to provide land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;

(ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;

(iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list of expenses it incurred in regard to such projects to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;

(v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;

(vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(vii) Providing for the payment of interest on the bonds;

(viii) Providing debt service reserves;

(ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;

(x) For purposes authorized in paragraphs (b) and (c) of this subsection (4);

(xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);

(xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);

(xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);

(xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;

(xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);

(xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);

(xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing loans as authorized in Section 57-75-11(tt);

(xxiii) Providing grants as authorized in Section 57-75-11(ww) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate; and

(xxiv) Providing loans, grants and other funds as authorized in * * * Section 57-75-11(xx), * * * (yy), * * * (zz) and * * * (aaa) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to a project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph (b)(i) shall not exceed Three Hundred Thousand Dollars ($300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars ($100,000.00) in the aggregate. Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided for the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars ($25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with

the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars ($25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.

(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable before maturity at such time or times and upon such terms, with or without premium; bear such registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, advertise for and accept bids, issue and sell the bonds on sealed bids at public sale, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale for such price as it may determine to be for the best interest of the State of Mississippi, but no such sale shall be made at a price less than par plus accrued interest to date of delivery of the bonds to the purchaser. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually; provided that the first interest payment may be for any period of not more than one (1) year.

Notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so published in one or more newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature

shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which

may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the fund, and the Department of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund unless the State Bond Commission, at the request of the authority, shall determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans, there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans, grants and other funds authorized in Section 57-75-11(jj), * * * (vv), * * * (xx), * * * (zz) and * * * (aaa) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund. However:

(i) Monies paid to the state from a county in which a project as defined in Section 57-75-5(f)(xxxii) is located and which is paid pursuant to any agreement under Section 57-75-37(6)(c)(iii) shall, after being received from the county and properly accounted for, be deposited into the State General Fund; and

(ii) Monies paid to the state from a county and/or municipality in which a project as defined in Section 57-75-5(f)(xxxiii) is located and which is paid pursuant to any agreement under Section 57-75-37(7)(c)(iii) shall, after being received from the county and/or municipality and properly accounted for, be deposited into the State General Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars ($500,000.00) at any one time.

SECTION 5. Section 57-71-25, Mississippi Code of 1972, is amended as follows:

57-71-25. (1) The seller is authorized to borrow, on the credit of the state, upon receipt of a resolution from the company requesting the same, money not exceeding the aggregate sum of * * * Ninety Million Dollars ($90,000,000.00), outstanding at any one time, not including money borrowed to refund outstanding bonds, notes or replacement notes, as may be necessary to carry out the purposes of this act. The rate of interest on any such bonds or notes which are not subject to taxation shall not exceed the rates set forth in Section 75-17-101, Mississippi Code of 1972, for general obligation bonds.

(2) As evidence of indebtedness authorized in this act, general or limited obligation bonds of the state shall be issued from time to time to provide monies necessary to carry out the purposes of this act for such total amount, in such form, in such denominations,

payable in such currencies (either domestic or foreign or both), and subject to such terms and conditions of issue, redemption and maturity, rate of interest and time of payment of interest as the seller directs, except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from date thereof and extending not more than twenty (20) years from date thereof.

(3) All bonds and notes issued under authority of this act shall be signed by the chairman of the seller, or by his facsimile signature, and the official seal of the seller shall be affixed thereto, attested by the secretary of the seller.

(4) All bonds and notes issued under authority of this act may be general or limited obligations of the state, and the full faith and credit of the State of Mississippi as to general obligation bonds, or the revenue derived from projects assisted as to limited obligation bonds, are hereby pledged for the payment of the principal of and the interest on such bonds and notes.

(5) Such bonds and notes and the income therefrom shall be exempt from all taxation in the State of Mississippi.

(6) The bonds may be issued as coupon bonds or registered as to both principal and interest as the seller may determine. If interest coupons are attached, they shall contain the facsimile signature of the chairman and the secretary of the seller.

(7) As to bonds issued hereunder and designated as taxable bonds by the seller, any immunity of the state to taxation by the United States government of interest on bonds or notes issued by the state is hereby waived.

SECTION 6. Section 65-4-25, Mississippi Code of 1972, is amended as follows:

65-4-25. The Mississippi Development Authority, acting through its executive director, is authorized, at one time or from time to time, to declare by resolution the necessity for issuance of negotiable general obligation bonds of the State of Mississippi to provide funds for the Economic Development Highway Fund established in Section 65-4-15, Mississippi Code of 1972. Upon the adoption of a resolution by the Executive Director of the Mississippi Development Authority, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by Sections 65-4-25 through 65-4-45, Mississippi Code of 1972, the executive director shall deliver a certified copy of his resolution or resolutions to the State Bond Commission. Upon receipt of the resolution, the State Bond Commission, in its discretion, shall act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for the sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The principal amount of bonds issued under Sections 65-4-25 through 65-4-45, Mississippi Code of 1972, shall not exceed * * * Three Hundred Ninety-six Million Five Hundred Thousand Dollars ($396,500,000.00) in the aggregate. However, an additional amount of bonds may be issued under Sections 65-4-25 through 65-4-45, Mississippi Code of 1972, in an amount not to exceed Seven Million Dollars ($7,000,000.00), and the proceeds of any such additional bonds issued shall be used to provide funding for a high economic benefit project as defined in Section 65-4-5(1)(c)(vi), Mississippi Code of 1972. An additional amount of bonds may be issued under Sections 65-4-25 through 65-4-45, in an amount not to exceed One Million Dollars ($1,000,000.00), the proceeds of which shall be used to provide funding for a high economic benefit project as defined in Section 65-4-5(1)(c)(v).

SECTION 7. Section 25, Chapter 533, Laws of 2010, as amended by Section 4, Chapter 30, Laws of 2010 Second Extraordinary Session, as amended by Section 1, Chapter 301, Laws of 2011, as amended by Section 6, Chapter 480, Laws of 2011, as amended by Section 1, Chapter 1, Laws of 2011 First Extraordinary Session, as amended by Section 8, Chapter 421, Laws of 2019, as amended by Section 14, Chapter 480, Laws of 2021, is amended as follows:

Section 25. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the program authorized in Section 57-1-221. Upon the adoption of a resolution by the Mississippi Development Authority, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed * * * Five Hundred Fourteen Million Dollars ($514,000,000.00). No bonds authorized under this section shall be issued after July 1, 2025.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Industry Incentive Financing Revolving Fund created pursuant to Section 57-1-221. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers.

Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Industry Incentive Financing Revolving Fund created in Section 57-1-221. The proceeds of such bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any

resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 8. Section 1, Chapter 492, Laws of 2020, as amended by Section 4, Chapter 480, Laws of 2021, is amended as follows:

Section 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest

accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2020 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University		$ 3,650,000.00
	Campus safety and security project, including open space development, sprinkler systems for dormitories, security camera installation, card access systems, street lighting, and emergency kiosks	$ 3,650,000.00
Alcorn State University/Division of Agriculture		$ 2,635,000.00
	Phase II of repair, renovation, furnishing, equipping and expansion of and additions to the Child Development Learning Center	$ 2,635,000.00
Delta State University		$ 3,000,000.00
	Repair, renovation, and upgrading of campus buildings and facilities	$ 3,000,000.00
Jackson State University		$ 5,260,000.00
	Phase III of repair, renovation, and upgrading of campus buildings, facilities, and infrastructure	$ 5,260,000.00
Mississippi State University		$ 10,000,000.00
	Phase III of construction,	

furnishing and equipping of a new building and related facilities to house the Kinesiology Department.....$ 10,000,000.00

Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine..... $ 7,935,000.00

Phase II of repair and renovation, replacement and/or demolition of Ballew Hall and related facilities.....$ 7,535,000.00

Pre-planning for repair and renovation of Dorman Hall and related facilities.....$ 400,000.00

Mississippi University for Women ..... $ 13,000,000.00

Phase II of construction, furnishing and equipping of a new building and related facilities to house the Culinary Arts Program.....$ 13,000,000.00

Mississippi Valley State University ..... $ 13,435,000.00

Phase II of Student Union improvements and planning, repair, renovation, life safety and ADA code upgrades, furnishing and equipping and expansion of and additions to campus buildings, facilities, and infrastructure.....$ 13,435,000.00

University of Mississippi..... $ 13,530,000.00

Phase II of repair, renovation, furnishing, equipping and expansion of and additions to the Data Center Building and related facilities.....$ 13,530,000.00

University of Mississippi Medical Center ..... $ 5,680,000.00

Replacement of HVAC systems, boilers and related equipment, infrastructure and controls....$ 5,680,000.00

University of Southern Mississippi ..... $ 6,500,000.00

Phase II of repair and renovation of the Kinesiology Building and related facilities.....$ 6,000,000.00

Pre-planning for repair and renovation of Hickman Hall and related facilities; and design, construction, furnishing and equipping of the Science Research Facility with a central mechanical plant and related infrastructure and facilities on the Hattiesburg Campus.....$ 500,000.00

University of Southern Mississippi/Gulf Coast Campuses ..... $ 700,000.00

Pre-planning for design

of Executive Education
and Conference Center
and related facilities
on the Gulf Park
campus.....$ 200,000.00
Planning, repair,
renovation, life safety,
and ADA code upgrades,
furnishing and equipping
of campus buildings
and facilities
at the Gulf Coast
Research Laboratory,
Halstead Campus.....$ 500,000.00
IHL Education and Research Center ..... $ 1,400,000.00
Planning, repair,
renovation, life safety and
ADA code upgrades of buildings,
facilities and infrastructure,
including the Paul B. Johnson Tower,
Edsel E. Thrash Universities
Center and the Mississippi
Public Broadcasting
Building.....$ 1,400,000.00
TOTAL ..... $ 86,725,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that

are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Eighty-six Million Seven Hundred Twenty-five Thousand Dollars ($86,725,000.00). No bonds shall be issued under this section after July 1, 2024.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special funds created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 9. Section 1, Chapter 480, Laws of 2021, as amended by Section 1, Chapter 328, Laws of 2022, as amended by Section 32, Chapter 549, Laws of 2023, is amended as follows:

Section 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University		$ 5,675,000.00
	Phase I of repair and renovation of and upgrades and improvements to campus dormitories	$ 5,675,000.00
Delta State University		$ 10,800,000.00
	Renovation and expansion of and upgrades, improvements and additions to the Robert E. Smith School of Nursing Building and related facilities	$ 7,800,000.00
	Repair, renovation and upgrading of campus buildings and facilities	$ 3,000,000.00
Jackson State University		$ 6,500,000.00
	Phase III of repair, renovation and upgrading of campus buildings, facilities, and infrastructure	$ 6,000,000.00
	Preplanning for construction, furnishing and equipping of a new dining facility and related facilities	$ 500,000.00
Mississippi State University		$ 15,000,000.00
	Repair, renovation, construction,	

acquisition of property,
furnishing and equipping
of related facilities to
house the College of
Architecture, Art
and Design.....$ 15,000,000.00
Mississippi State University/Division of
Agriculture, Forestry and Veterinary Medicine ..... $ 8,000,000.00
Repair and renovation of
and upgrades and
improvements to Dorman Hall
and related facilities.....$ 8,000,000.00
Mississippi University for Women ..... $ 2,750,000.00
Repair, renovation,
and upgrading of
campus buildings
and facilities.....$ 2,750,000.00
Mississippi Valley State University ..... $ 500,000.00
Preplanning for repair,
renovation, furnishing
and equipping of the
Charles Lackey
Recreation Center.....$ 500,000.00
University of Mississippi ..... $ 12,000,000.00
Construction, furnishing
and equipping of a new
mechanical and power
plant
building and related
facilities.....$ 12,000,000.00
University of Mississippi Medical Center ..... $ 8,000,000.00
Repair, renovation,
and upgrading of
campus buildings
and facilities.....$ 8,000,000.00
University of Southern Mississippi ..... $ 10,750,000.00
* * * Design, construction,
furnishing and equipping of
the Science Research Facility
with a central mechanical plant
and related infrastructure and
facilities on the Hattiesburg
Campus.....$ 10,000,000.00
Preplanning and
construction, furnishing
and equipping of a new
science research facility...$ 750,000.00
University of Southern Mississippi/Gulf
Coast Campuses ..... $ 5,800,000.00
Renovation and expansion
of and upgrades,
improvements and additions
to, Hardy Hall to house the
Executive Education Center
and related facilities
on the Gulf Park
Campus.....$ 4,800,000.00
Repair, renovation
life safety, and

ADA code upgrades,
furnishing and equipping
of campus buildings
and facilities
at the Gulf Coast
Research Laboratory,
Halstead Campus.....$ 1,000,000.00
IHL Education and Research Center ..... $ 600,000.00
Planning, repair, renovation,
life safety and ADA code
upgrades of buildings,
facilities and infrastructure,
including the Paul B. Johnson
Tower, Edsel E. Thrash
Universities Center and
the Mississippi Public
Broadcasting Building.....$ 600,000.00
TOTAL ..... $ 86,375,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department

of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Eighty-six Million Three Hundred Seventy-five Thousand Dollars ($86,375,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special funds created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 10. Section 10, Chapter 567, Laws of 2013, as amended by Section 1, Chapter 437, Laws of 2020, as amended by Section 1, Chapter 372, Laws of 2022, is amended as follows:

Section 10. (1) As used in this act:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of the stated initial value of the bond, plus the interest accrued on the bond from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "Commission" means the State Bond Commission.

(c) "County" means Hinds County, Mississippi.

(d) "State" means the State of Mississippi.

(2) (a) (i) There is created in the State Treasury a special fund to be known as the "Hinds County Development Project Loan Fund." The fund shall be maintained by the State Treasurer as a special fund, separate and apart from the State General Fund. Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the special fund shall be deposited to the credit of the special fund. Monies in the special fund may not be used or expended for any purpose except as provided in this subsection.

(ii) Money deposited into the special fund shall be disbursed, in the discretion of the Mississippi Development Authority, to provide loans to the county to be utilized by the county:

1. To assist in the construction of a hotel in the county with at least two hundred (200) guest rooms, an associated parking garage and related improvements; and

2. To assist in the development and construction of infrastructure improvements, including a structured parking facility, and other improvements associated with an entertainment development project.

(b) The county may apply to the Mississippi Development Authority for a loan under this section. The proceeds of the loan shall be utilized by the county for the purposes provided for in paragraph (a)(ii) of this subsection.

(c) (i) The Mississippi Development Authority may require county participation or funding from other sources.

(ii) The rate of interest on loans made under this section shall be at the true interest cost on the most recent issue of twenty-year state general obligation bonds occurring prior to the date such loan is made.

(d) If the county receives a loan under this section, the county shall pledge for repayment of the loan any part of the homestead exemption annual tax loss reimbursement to which it may be entitled under Section 27-33-77, and any revenue generated for the county by a project funded by a loan made pursuant to this act. The loan agreement shall provide for (i) monthly payments, (ii) semiannual payments, or (iii) other periodic payments, as set forth in the loan agreement. The loan agreement shall provide for the repayment of all funds received within not more than twenty (20) years from the date of issuance.

(e) Loan payments of the county shall be deposited into the bond sinking fund created in subsection (4) of this section.

(f) If the loan payments of the county appear to be in arrears, the State Auditor, upon request of the Mississippi Development Authority, shall audit the receipts and expenditures of the county, and if he finds that the county is in arrears in such payments, he shall immediately notify the Executive Director of the Department of Finance and Administration who shall withhold all future payments to the county of homestead exemption reimbursements under Section 27-33-77 until such time as the county is again current in its loan payments as certified by the Mississippi Development Authority.

(g) Evidences of indebtedness which are issued pursuant to this act shall not be deemed indebtedness of the county within the meaning specified in Section 19-9-5.

(3) In administering the provisions of this act, the Mississippi Development Authority shall have the following powers and duties:

(a) To supervise the use of all funds made available under this act;

(b) To review and certify that the funds that are made available under this act are utilized as authorized under this act;

(c) To requisition money in the Hinds County Development Project Loan Fund and distribute it in accordance with the provisions of this act;

(d) To maintain an accurate record of all funds made available to the county under this act; and

(e) To adopt and promulgate such rules and regulations as may be necessary or desirable for the purpose of implementing the provisions of this act.

(4) (a) For the purposes of providing for the payment of the principal of and interest on bonds issued under this section, there is created in the State Treasury a special fund to be known as the "Hinds County Development Project Loan Fund Bond Sinking Fund." The bond sinking fund shall consist of monies deposited into the fund by the county for repayment of loans issued under this act, and such other amounts as may be paid into the bond sinking fund by appropriation or other authorization by the Legislature. Unexpended amounts remaining in the bond sinking fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the bond sinking fund shall be deposited into the bond sinking fund.

(b) At any time when the funds required to pay the principal of and interest on the bonds issued under this act are more than the amounts available in the bond sinking fund, the Legislature shall appropriate the balance of the amount necessary to pay the principal of and interest on the bonds issued under this act from the State General Fund.

(c) The total amount of all payments deposited into the bond sinking fund until the maturity date of the bonds authorized under this act shall be in an amount sufficient to retire the bonds.

(5) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Mississippi Development Authority declaring the necessity for the issuance of any part or all of the bonds authorized by this section, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of the resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The total amount of bonds issued under this act shall not exceed * * * Forty-seven Million Dollars ($47,000,000.00); however, not more than Twenty Million Dollars ($20,000,000.00) of such bonds may be issued during any fiscal year. In addition, such reduction of the amount of bonds authorized to be issued under this section shall not apply to the Twenty Million Dollars ($20,000,000.00) of additional bonds authorized to be issued under this section as amended by Section 1, Chapter 372, Laws of 2022.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of the bonds.

(6) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. The bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as determined by resolution of the commission.

(7) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to the bonds may be executed by the facsimile signatures of those

officers. Whenever any such bonds have been signed by the officials designated to sign the bonds who were in office at the time of the signing but who may have ceased to be those officers before the sale and delivery of the bonds, or who may not have been in office on the date that the bonds may bear, the signatures of those officers upon the bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing the bonds had remained in office until their delivery to the purchaser, or had been in office on the date the bonds may bear. However, notwithstanding anything in this act to the contrary, the bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(8) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(9) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in the issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of the bonds. The commission may sell the bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on the bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(10) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof, the full faith and credit of the State of Mississippi is irrevocably pledged. The principal of and the interest on the bonds shall be payable primarily from the bond sinking fund created in subsection (4) of this section in the manner provided in that subsection. If the funds available in the bond sinking fund and any funds appropriated by the Legislature for those purposes are insufficient to pay the principal of and the interest on the bonds as they become due, then the amount of the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All those bonds shall contain recitals on their faces substantially covering the provisions of this section.

(11) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of the bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(12) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things that are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(13) The bonds authorized under this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the

validation of county, municipal, school district and other bonds. The notice to taxpayers required by those statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(14) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining to those bonds may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under the resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest on the bonds.

(15) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and the bonds shall be legal securities that may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(16) Bonds issued under the provisions of this section and income from the bonds shall be exempt from all taxation in the State of Mississippi.

(17) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(18) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the department is authorized and directed to issue those warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of those bonds in ample time to discharge the bonds, or the interest on the bonds, on the due dates thereof.

(19) This section shall be deemed to be full and complete authority for the exercise of the powers granted in this section, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 11. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2024 Hinds County Courthouse and Siwell Road Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, as follows:

1. Two Million Dollars ($2,000,000.00) shall be disbursed to assist Hinds County, Mississippi, in paying costs associated with roof repairs and other repair and renovation of and upgrades and improvements to the Hinds County Courthouse located in the City of Jackson, Mississippi; and

2. One Million Dollars ($1,000,000.00) shall be disbursed to assist Hinds County, Mississippi, in paying costs associated with making improvements to a portion of Siwell Road extending from Oakleigh Drive to Raymond Road in Hinds County, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in

paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Three Million Dollars ($3,000,000.00). No bonds shall be issued under this section after July 1, 2028.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale

of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this

section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 12. Section 23, Chapter 492, Laws of 2020, is amended as follows:

Section 23. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the Mississippi Community Heritage Preservation Grant Fund created pursuant to Section 39-5-145, Mississippi Code of 1972. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Million Dollars ($5,000,000.00). No bonds authorized under this section shall be issued after July 1, * * * 2025.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Community Heritage Preservation Grant Fund created pursuant to Section 39-5-145, Mississippi Code of 1972. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Community Heritage Preservation Grant Fund created in Section 39-5-145, and the proceeds of such bonds shall be disbursed for the purposes provided in Section 39-5-145, Mississippi Code of 1972.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such

bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 13. Section 80, Chapter 492, Laws of 2020, is amended as follows:

Section 80. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2020 Oxford Intersection Capacity and Safety Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Mississippi Transportation Commission and the Mississippi Department of Transportation in paying the costs associated with * * * extending and connecting Commonwealth Boulevard and Pegues Road in Oxford, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) (i) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds,

issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Four Million Dollars ($4,000,000.00). No bonds shall be issued under this section after July 1, 2024.

(ii) No bonds may be issued under this section until the Department of Finance and Administration is provided proof that funds from private, local, federal and/or other state sources have been irrevocably dedicated in an amount of not less than Four Million Dollars ($4,000,000.00) to assist in paying the costs of the projects described in subsection (2)(a) of this section.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds have been signed by the officials designated to sign the bonds who were in office at the time of such signing, but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for

payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants. The Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 14. (1) As used in this section, the following words and phrases shall have the meanings as defined in this section unless the context clearly indicates otherwise:

(a) "MDA" means the Mississippi Development Authority.

(b) "Eligible applicant" means any Mississippi-based small Unmanned Aircraft Systems (sUAS) manufacturer of which a majority of ownership is by residents of the State of Mississippi and which will provide a capital investment from private sources of not less than One Million Dollars ($1,000,000.00) for the purposes for which a grant is requested.

(2) (a) The MDA shall establish a program to provide grants to assist eligible applicants in paying costs associated with research and development to expand small Unmanned Aircraft Systems (sUAS) manufacturing capabilities in Mississippi.

(b) An entity desiring assistance under the grant program established under this section must submit an application to the department. The application must contain:

(i) A description of the purposes for which a grant is requested and proof that funds from private sources have been irrevocably dedicated in an amount of not less than One Million Dollars ($1,000,000.00) for such purposes;

(ii) The amount of grant funds requested; and

(iii) Any other information requested by the MDA.

(c) The MDA shall review such application and determine whether the applicant is eligible to participate in the grant program. If the MDA approves the applicant for participation in the grant program, it shall issue a certificate of participation to the applicant designating the applicant as an eligible applicant under the program.

(3) There is created in the State Treasury a special fund, to be designated as the "Small Unmanned Aircraft System Manufacturer Grant Fund", which shall consist of funds made available by the Legislature in any manner. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund. Monies in the fund shall be disbursed, upon appropriation by the Legislature, in the discretion of the MDA, to provide grants for the purposes described in this section.

(4) The MDA shall have all powers necessary to implement and administer the program established under this section, and the MDA shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

SECTION 15. Section 124, Chapter 480, Laws of 2021, is amended as follows:

Section 124. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Starkville Road Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Starkville, Mississippi, in paying costs associated with the extension of Stark Road and Hospital Road in the City of Starkville and in paying costs associated with repairs, upgrades and improvements to the city's Ernest E. Jones Wastewater Treatment Plant and related infrastructure and facilities.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in

paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Five Hundred Thousand Dollars ($1,500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The

commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of,

premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 16. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2024 Gulf Coast Passenger Rail Restoration Match Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the State of Mississippi's share of matching funds for any Consolidated Rail Infrastructure and Safety Improvements (CRISI) grant for the payment of costs associated with improvements to track, siding, switches, interlocking, yards, grade crossings and other capital improvements and related administrative and contingency costs necessary to restore passenger rail service along the Mississippi Gulf Coast in Mississippi in Hancock, Harrison and Jackson Counties.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Thirteen Million Nine Hundred Thousand Dollars ($13,900,000.00); however, the total amount of bonds that may be issued under this section shall be reduced by the amount of any other funds authorized by the Legislature specifically for the purposes described in subsection (2) of this section.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one (1) time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such

restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 17. Section 15, Chapter 492, Laws of 2020, as amended by Section 5, Chapter 480, Laws of 2021, is amended to read as follows:

Section 15. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2020 Chickasaw Heritage Center Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall

not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Chickasaw Inkana Foundation in paying the costs associated with the construction, furnishing and equipping of the Chickasaw Heritage Center in Tupelo, Mississippi. It is the intention of the Legislature that all bond funds dedicated for this project up to Sixteen Million Dollars ($16,000,000.00) be matched by the Chickasaw Inkana Foundation. In addition, all funds authorized and disbursed by the state will be spent equally with funds matched by the Chickasaw Inkana Foundation.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Six Million Dollars ($6,000,000.00). No bonds shall be issued under this section after July 1, * * * 2028.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(c) No bonds may be issued under this section until the Chickasaw Inkana Foundation has broken ground in construction of the Chickasaw Heritage Center.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds have been signed by the officials designated to sign the bonds who were in office at the time of such signing, but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may

bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants. The Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 18. On the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the sum of Five Hundred Thousand Dollars ($500,000.00) from the 2023 Local Improvements Projects Fund (Fund No. 6611360000) created in Section 28 of Chapter 549, Laws of 2023, to the Small Unmanned Aircraft System Manufacturer Grant Fund created in Section 14, of this act.

SECTION 19. The State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the sum of Twelve Million Dollars ($12,000,000.00) from the State General Fund (Fund No. 2999000000) to the Mississippi Outdoor Stewardship Trust Fund (Fund No. 3316200000) as created in Section 49-39-7, Mississippi Code of 1972.

SECTION 20. A special fund, to be designated as the "Secretary of State Land Improvement Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies in the fund shall be disbursed by the Secretary of State, as the state land commissioner, as a grant for use for the purposes described in Section 27-104-371(2)(vvvvvvvvvv). The fund shall consist of any monies designated for deposit therein from any source. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund. Monies in the fund shall be disbursed, upon appropriation by the Legislature, in the discretion of the Secretary of State, to provide grants for the purposes described in this section.

SECTION 21. On the effective date of this act, the State Treasurer, in conjunction with the State Fiscal Officer, shall transfer the sum of Thirteen Million Dollars ($13,000,000.00) from the Capital Expense Fund (Fund No. 6447F00000) to the Secretary of State Land Improvement Fund created in Section 20 of this act.

SECTION 22. (1) The Legislature finds:

(a) That certain property was conveyed by the State Mineral Lease Commission to the City of Jackson, Mississippi, by a deed executed May 4, 1944, and filed in the land records of the Office of the Chancery Clerk of Hinds County, Mississippi, First Judicial District, and later amended and corrected by a 1947 deed recorded in the land records of the Office of the Chancery Clerk of Hinds County, Mississippi, First Judicial District;

(b) The conveyance of property was made subject to, among other things, the condition that the property shall only be used by the City of Jackson for park purposes and purposes incident thereto, and when same shall cease to used for such purposes, said property shall revert to and become property of the State of Mississippi; and

(c) That of the property conveyed to the City of Jackson, the subject property as defined in subsection (2) of this section is not being used by the city in compliance with such condition, and therefore, the property must revert to and become property of the State of Mississippi.

(2) The Attorney General shall take all actions necessary to enforce the terms of instrument conveying the property and to have the subject property revert to and become the property of the State of Mississippi.

(3) For the purposes of this section, the term "subject property" means a parcel of land located in the South 1/2 of the Northwest 1/4 of Section 25, Township 6 North, Range 1 East, Jackson, Hinds County, Mississippi, said property being the property of the City of Jackson as conveyed from the State of Mississippi in 1944 and being more particularly identified as a portion of Hinds County Tax Parcel 444-2.

SECTION 23. On the effective date of this act, the State Treasurer, in conjunction with the state fiscal officer, shall transfer the sum of Two Hundred Thousand Dollars ($200,000.00) from the Capital Expense Fund (Fund No. 6499C00000) to 2024 Local Improvements Fund created in Senate Bill No. 2468, 2024 Regular Session, and such monies shall be used to assist Marine Corps League Detachment 1073 in paying costs associated with renovation at the existing facility at 660 Weathersby Road.

SECTION 24. On the effective date of this act, the State Treasurer, in conjunction with the state fiscal officer, shall transfer the sum of Two Hundred Thousand Dollars ($200,000.00) from the Capital Expense Fund (Fund No. 6499C00000) to 2024 Local Improvements Fund created in Senate Bill No. 2468, 2024 Regular Session, and such monies shall be used to assist in paying costs associated the Mississippi Reading Clinic.

SECTION 25. Section 19 of this act shall take effect and be in force from and after its passage, and the remainder of this act shall take effect and be in force from and after July 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF $20,000,000 FOR THE ACE FUND; TO AMEND SECTION 57-61-25, MISSISSIPPI CODE OF 1972, TO INCREASE BY $5,000,000 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT; TO AMEND SECTION 57-61-36, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF BOND PROCEEDS THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY MAY UTILIZE UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT TO MAKE GRANTS OR LOANS TO MUNICIPALITIES THROUGH AN EQUIPMENT AND PUBLIC FACILITIES GRANT AND LOAN FUND TO AID IN INFRASTRUCTURE-RELATED IMPROVEMENTS, THE PURCHASE OF EQUIPMENT, AND THE PURCHASE, CONSTRUCTION OR REPAIR AND RENOVATION OF PUBLIC FACILITIES; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO INCREASE BY $5,000,000 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT FOR PROJECTS DESIGNED TO ENHANCE FACILITIES THAT ARE AT RISK FOR CLOSURE PURSUANT TO THE DEFENSE BASE REALIGNMENT AND CLOSURE ACT OF 1990 OR OTHER APPLICABLE FEDERAL LAW; TO REDUCE BY $60,000,000 AND $5,000,000 THE AMOUNTS OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR PROJECTS DEFINED IN SUBPARAGRAPHS (XXVIII) AND (XXX), RESPECTIVELY, OF SECTION 57-75-5(F); TO REMOVE THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR PROJECTS DEFINED IN SUBPARAGRAPH (XXVI) OF SECTION 57-75-5(F); TO AMEND SECTION 57-75-25, MISSISSIPPI CODE OF 1972, TO REDUCE BY $50,000,000 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED UNDER THE MISSISSIPPI SMALL ENTERPRISE DEVELOPMENT FINANCE ACT; TO AMEND SECTION 65-4-25, MISSISSIPPI CODE OF 1972, TO INCREASE BY $5,000,000 THE AMOUNT OF BONDS AUTHORIZED TO BE ISSUED UNDER THE ECONOMIC DEVELOPMENT HIGHWAY ACT; TO AMEND SECTION 25, CHAPTER 533, LAWS OF 2010, AS LAST AMENDED BY SECTION 14, CHAPTER 480, LAWS OF 2021, TO

INCREASE BY $10,000,000 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED FOR THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND; TO AMEND SECTION 1, CHAPTER 492, LAWS OF 2020, AS AMENDED BY SECTION 4, CHAPTER 480, LAWS OF 2021, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED FOR THE STATE INSTITUTIONS OF HIGHER LEARNING FOR A CAPITAL PROJECT AT THE UNIVERSITY OF SOUTHERN MISSISSIPPI MAY BE USED; TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, AS AMENDED BY SECTION 1, CHAPTER 328, LAWS OF 2022, AND BY SECTION 32, CHAPTER 549, LAWS OF 2023, FOR THE SAME PURPOSE; TO AMEND SECTION 10, CHAPTER 567, LAWS OF 2013, AS LAST AMENDED BY SECTION 1, CHAPTER 372, LAWS OF 2022, TO REDUCE THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE HINDS COUNTY DEVELOPMENT PROJECT LOAN FUND; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST HINDS COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO THE HINDS COUNTY COURTHOUSE LOCATED IN THE CITY OF JACKSON; TO AMEND SECTION 23, CHAPTER 492, LAWS OF 2020, WHICH AUTHORIZES THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND, TO EXTEND THE TIME WITHIN WHICH THE BONDS MAY BE ISSUED; TO AMEND SECTION 80, CHAPTER 492, LAWS OF 2020, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED TO ASSIST THE MISSISSIPPI TRANSPORTATION COMMISSION AND THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION IN PAYING THE COSTS ASSOCIATED WITH INFRASTRUCTURE UPGRADES TO IMPROVE THE CAPACITY AND SAFETY OF THE INTERSECTION OF MISSISSIPPI HIGHWAY 7 AND UNIVERSITY AVENUE IN OXFORD, MISSISSIPPI, MAY BE USED; TO PROVIDE THAT THE PROCEEDS OF THE BONDS MAY BE USED TO ASSIST THE MISSISSIPPI TRANSPORTATION COMMISSION AND THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION IN PAYING THE COSTS ASSOCIATED WITH EXTENDING AND CONNECTING COMMONWEALTH BOULEVARD AND PEGUES ROAD; TO PROVIDE THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY SHALL ESTABLISH A PROGRAM TO PROVIDE GRANTS TO ASSIST CERTAIN MANUFACTURERS OF SMALL UNMANNED AIRCRAFT SYSTEMS IN PAYING COSTS ASSOCIATED WITH RESEARCH AND DEVELOPMENT TO EXPAND SMALL UNMANNED AIRCRAFT SYSTEMS MANUFACTURING CAPABILITIES IN MISSISSIPPI; TO PROVIDE AN APPLICATION PROCESS FOR ENTITIES WHO DESIRE TO PARTICIPATE IN THE GRANT PROGRAM; TO CREATE THE "SMALL UNMANNED AIRCRAFT SYSTEM MANUFACTURER GRANT FUND" AS A SPECIAL FUND IN THE STATE TREASURY; TO PROVIDE THAT MONIES IN THE FUND SHALL BE DISBURSED, UPON APPROPRIATION BY THE LEGISLATURE, IN THE DISCRETION OF THE MISSISSIPPI DEVELOPMENT AUTHORITY, TO PROVIDE GRANTS AUTHORIZED IN THIS ACT; TO TRANSFER $500,000 FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND TO THE SMALL UNMANNED AIRCRAFT SYSTEM MANUFACTURER GRANT FUND; TO AMEND SECTION 124, CHAPTER 480, LAWS OF 2021, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED TO ASSIST THE CITY OF STARKVILLE, MISSISSIPPI, WITH CERTAIN ROAD PROJECTS MAY BE USED; TO PROVIDE THAT THE PROCEEDS OF THE BONDS MAY BE USED TO ASSIST THE CITY OF STARKVILLE IN PAYING COSTS ASSOCIATED WITH REPAIRS, UPGRADES AND IMPROVEMENTS TO THE CITY'S ERNEST E. JONES WASTEWATER TREATMENT PLANT AND RELATED INFRASTRUCTURE AND FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE GULF COAST PASSENGER RAIL RESTORATION MATCH FUND WHICH IS CREATED IN THIS ACT; TO PROVIDE THAT MONIES IN THE FUND SHALL BE USED TO PAY THE STATE OF MISSISSIPPI'S SHARE OF MATCHING FUNDS FOR ANY CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS (CRISI) GRANT FOR THE PAYMENT OF COSTS ASSOCIATED WITH IMPROVEMENTS TO

TRACK, SIDING, SWITCHES, INTERLOCKING, YARDS, GRADE CROSSINGS AND OTHER CAPITAL IMPROVEMENTS AND RELATED ADMINISTRATIVE AND CONTINGENCY COSTS NECESSARY TO RESTORE PASSENGER RAIL SERVICE ALONG THE MISSISSIPPI GULF COAST IN MISSISSIPPI IN HANCOCK, HARRISON AND JACKSON COUNTIES; TO PROVIDE THAT THE SECRETARY OF STATE SHALL ESTABLISH A PROGRAM TO PROVIDE GRANTS TO ASSIST PERSONS AND OTHER ENTITIES IN PAYING COSTS ASSOCIATED WITH MAKING IMPROVEMENTS TO STATE LAND; TO PROVIDE AN APPLICATION PROCESS FOR PERSONS AND OTHER ENTITIES WHO DESIRE TO PARTICIPATE IN THE GRANT PROGRAM; TO CREATE THE "SECRETARY OF STATE LAND IMPROVEMENT FUND" AS A SPECIAL FUND IN THE STATE TREASURY AND TO PROVIDE THAT MONIES IN THE SPECIAL FUND SHALL BE EXPENDED BY THE SECRETARY OF STATE, UPON APPROPRIATION BY THE LEGISLATURE, TO PROVIDE GRANTS AUTHORIZED UNDER THIS ACT; TO TRANSFER $13,000,000 FROM THE CAPITAL EXPENSE FUND TO THE SECRETARY OF STATE LAND IMPROVEMENT FUND; TO AMEND SECTION 15, CHAPTER 492, LAWS OF 2020, AS AMENDED BY SECTION 5, CHAPTER 480, LAWS OF 2021, TO EXTEND THE PERIOD OF TIME IN WHICH STATE GENERAL OBLIGATION BONDS MAY BE ISSUED FOR THE 2020 CHICKASAW HERITAGE CENTER FUND; TO DIRECT THE STATE TREASURER TO TRANSFER A CERTAIN AMOUNT FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND TO THE SMALL UNMANNED AIRCRAFT SYSTEM MANUFACTURER GRANT FUND; TO DIRECT THE STATE TREASURER TO TRANSFER A CERTAIN AMOUNT FROM THE STATE GENERAL FUND TO THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO CREATE THE "SECRETARY OF STATE LAND IMPROVEMENT FUND," AS A SPECIAL FUND IN THE STATE TREASURY AND TO PROVIDE THE PURPOSES FOR WHICH MONIES IN THE FUND MAY BE USED; TO DIRECT THE STATE TREASURER TO TRANSFER A CERTAIN AMOUNT FROM THE CAPITAL EXPENSE FUND TO THE SECRETARY OF STATE LAND IMPROVEMENT FUND; TO REQUIRE THE ATTORNEY GENERAL TO TAKE NECESSARY ACTIONS TO DETERMINE COMPLIANCE WITH THE CONDITIONS OF USE OF A LAND CONVEYANCE RELATING TO CERTAIN PUBLIC LANDS WITHIN THE CITY OF JACKSON, MISSISSIPPI, AND TO ENFORCE THE TERMS OF THE INSTRUMENT OF CONVEYANCE UPON A DETERMINATION OF A VIOLATION OF THE ORIGINAL SPECIFIED PURPOSES; TO DIRECT THE STATE TREASURER TO TRANSFER A CERTAIN AMOUNT FROM THE CAPITAL EXPENSE FUND TO THE 2024 LOCAL IMPROVEMENTS PROJECTS FUND; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Thomas "Trey" Lamar, III	Josh Harkins
	Chris Johnson
Donnie Bell	Dean Kirby

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1983** (version 2) was adopted:

Yeas--Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.

Senators England and Seymour moved that when the Senate adjourns, it adjourn in memory of Robert Earl Cox, Sr. of Ocean Springs, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Dr. John Estess of Tupelo, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Susan Turner Harris and Lela Faye Boyd of Newton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Ricky A. Cavenaugh of Chunky, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Jimmy Gatewood of Morton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Brenda Kay Murphy of Lawrence, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Daniel Martin Nester of Decatur, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Richard (Drue) Usry, II of Little Rock, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Betty Louise Busby Wall of Conehatta, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Jan Williams Laws of Jackson, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Kenneth Wayne Page of New Albany, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Waymon Dean Wells of Ecru, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Meaghan Nykole Reed of Pontotoc, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Betty Ruth Sharp Carroll of Ashland, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of David Davis of Perkinston, MS.

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Saturday, May 4, 2024.

The motion prevailed, and at 4:14 PM, the Senate stood in recess.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

S. B. No. 2144: Runoff elections; amend to lengthen the timing requirement.

S. B. No. 2285: Department of Public Safety; bring forward code sections related to officer salaries.

S. B. No. 2487: The Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund; bring forward provision related to.

S. B. No. 2753: SAFER Act; enact.

S. B. No. 2803: Local Option Alcoholic Beverage Control Law; revise definition of "qualified resort area."

S. B. No. 2848: ARPA programs; revise and bring forward related provisions and provide for determination of unobligated funds by Nov. 1.

S. B. No. 3013: Appropriation; IHL - Student Financial Aid.

S. B. No. 3022: Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

S. B. No. 3162: Appropriation; additional to DMH-Children & Youth PRTF, ARPA funds.

Adopted: 05/02/24

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

S. B. No. 2792: Foster care and adoption; revise provisions related to per recommendations of task force.

Adopted: 05/01/24

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 1647: Commissioner of Insurance; authorize to implement a state insurance exchange, authorize income tax deductions and insurance premium tax credit.

H. B. No. 1791: Appropriation; Wildlife, Fisheries and Parks, Department of.

Adopted: 05/02/24

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 3083: Suffrage; restore to Larry Sills.

S. B. No. 3222: Suffrage; restore suffrage to Robert Maxwell.

S. B. No. 3223: Suffrage; restore suffrage to Dewitt Cooperwood.

Andrew Ketchings, Clerk of the House of Representatives

_____

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 3228: Suffrage; restore Kenneth Edward Barnes.

Andrew Ketchings, Clerk of the House of Representatives

_____

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 3021: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2025.

S. B. No. 3024: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE STATE BOARD OF ARCHITECTURE AND LANDSCAPE ARCHITECTURE ADVISORY COMMITTEE FOR FISCAL YEAR 2025.

S. B. No. 3031: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC CONTRACTORS FOR FISCAL YEAR 2025.

S. B. No. 3035: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHARMACY FOR FISCAL YEAR 2025.

S. B. No. 3036: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR FISCAL YEAR 2025.

S. B. No. 3042: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2025.

S. B. No. 3049: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE BOARD OF TAX APPEALS FOR THE FISCAL YEAR 2025.

S. B. No. 3050: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR FISCAL YEAR 2025.

S. B. No. 3051: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE TREASURER'S OFFICE FOR FISCAL YEAR 2025.

S. B. No. 3053: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE SUPPORT OF THE STATE DEPARTMENT OF BANKING AND CONSUMER FINANCE FOR FISCAL YEAR 2025.

S. B. No. 3058: AN ACT MAKING A REAPPROPRIATION TO CERTAIN AGENCIES TO REAUTHORIZE THE EXPENDITURE OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS PREVIOUSLY APPROPRIATED FOR CERTAIN PROJECTS FOR FISCAL YEAR 2025.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 3011: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES INCURRED IN THE MAINTENANCE AND OPERATION OF THE FOREST AND WILDLIFE RESEARCH CENTER FOR FISCAL YEAR 2025.

S. B. No. 3043: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE PERSONNEL BOARD FOR FISCAL YEAR 2025.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1778: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2025.

H. B. No. 1780: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR 2025.

H. B. No. 1784: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE OIL AND GAS BOARD FOR THE FISCAL YEAR 2025.

H. B. No. 1789: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION FOR THE FISCAL YEAR 2025.

H. B. No. 1790: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT FOR THE FISCAL YEAR 2025.

H. B. No. 1794: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF CHILD PROTECTION SERVICES FOR THE FISCAL YEAR 2025.

H. B. No. 1797: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF HUMAN SERVICES FOR THE FISCAL YEAR 2025.

H. B. No. 1801: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF MEDICAL LICENSURE FOR THE FISCAL YEAR 2025.

H. B. No. 1802: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF NURSING HOME ADMINISTRATORS FOR THE FISCAL YEAR 2025.

H. B. No. 1804: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF OPTOMETRY FOR THE FISCAL YEAR 2025.

H. B. No. 1807: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD FOR FISCAL YEAR 2025.

H. B. No. 1814: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2025.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1809: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF REHABILITATION SERVICES FOR FISCAL YEAR 2025.

H. B. No. 1810: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS FOR THE FISCAL YEAR 2025.

H. B. No. 1811: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ATHLETIC COMMISSION FOR THE FISCAL YEAR 2025.

H. B. No. 1812: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2025.

H. B. No. 1818: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND

OPERATION OF THE RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2025.

H. B. No. 1819: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF STATE PUBLIC DEFENDER OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2025.

H. B. No. 1822: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL YEAR 2025.

David Jordan, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Robert Earl Cox, Sr., Dr. John Estess, Jan Williams Laws, Kenneth Wayne Page, Waymon Dean Wells, Meaghan Nykole Reed, Betty Ruth Sharp Carroll, David Davis, Susan Turner Harris, Lela Faye Boyd, Ricky A. Cavenaugh, Jimmy Gatewood, Brenda Kay Murphy, Daniel Martin Nester, Richard (Drue) Usry, II and Betty Louise Busby Wall.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR FRIDAY, MAY 3, 2024

ONE-HUNDRED AND TWENTY-FOURTH DAY, SATURDAY, MAY 4, 2024

The Senate met at 9:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Chassaniol, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Turner-Ford, Whaley, Williams, Younger. Total--39.

Absent--Barnett, Barrett, Butler, Carter, Chism, DeBar, Hill, Jordan, Parker, Parks, Suber, Tate, Wiggins. Total--13.

The Secretary announced a quorum present.

Leave of absence was granted to Senator DeBar.

The invocation was delivered by Senator McCaughn.

Senator Kirby led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

May 4, 2024

The President of the Senate has made the following Committee appointment(s):

JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW:

Senator Kevin Blackwell

Senator John Horhn

: Senator Dean Kirby

: Senator Chad McMahan

Senator John Polk

: Senator Robin Robinson

Senator Chuck Younger

Senator Fillingane called up the following House Amendment to **S. B. No. 3228** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The right of suffrage is hereby fully and completely restored to Kenneth Edward Barnes of Walthall County, Mississippi, who, upon representation, was disqualified as an elector in 1977, in Walthall County for conviction of the crime of grand larceny, for which he was sentenced to serve a term of years within the custody of the Mississippi Department of Corrections and was subsequently released and discharged.

The Legislature is informed that since his release from incarceration he has conducted himself as a law-abiding and honorable citizen in a good and lawful manner.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO KENNETH EDWARD BARNES OF WALTHALL COUNTY, MISSISSIPPI.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 3228** by the following vote:

Yeas--Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Chassaniol, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Turner-Ford, Whaley, Williams, Younger. Total--39.

Nays--None.

Absent and those not voting--Barnett, Barrett, Butler, Carter, Chism, DeBar, Hill, Jordan, Parker, Parks, Suber, Tate, Wiggins. Total--13.

Senator Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Ania Vanaye Wigfall of Greenville, MS.

Senator Blount moved that when the Senate adjourns, it adjourn in memory of Mr. Marion Kenneth White and Joe Van Anglin, Sr. of Jackson, MS.

Senator Blount moved that when the Senate adjourns, it adjourn in memory of Roger Laven of La Grange, IL.

Senator Polk moved that the Senate adjourn until 10:00 AM, Sunday, May 5, 2024, at which time the journal will reflect that the Senate will meet and adjourn until 10:00 AM, Monday, May 6, 2024, at which time the journal will reflect that the Senate will meet and adjourn until 10:00 AM, Tuesday, May 7, 2024, at which time the journal will reflect that the Senate will meet and adjourn until 10:00 AM, Wednesday, May 8, 2024, at which time the journal will reflect that the Senate will meet and adjourn until 10:00AM, Thursday, May 9, 2024, at which time the journal will reflect that the Senate will meet and adjourn until 10:00 AM, Friday, May 10, 2024, at which time the journal will reflect that the Senate will meet and adjourn until 10:00 AM, Saturday, May 11, 2024, at which time the journal will reflect that the Senate will meet and adjourn until 10:00 AM, Sunday, May 12, 2024, at which time the journal will reflect that the Senate will meet and adjourn until 10:00 AM, Monday, May 13, 2024, at which time the journal will reflect that the Senate will meet and adjourn until 1:00 PM, Tuesday, May 14, 2024, at which time the Senate will reconvene at 1:00 PM on Tuesday, May 14, 2024, unless the Speaker of the House and the Lieutenant Governor jointly determine that it is not necessary to reconvene, in which case, the journal will reflect that the Senate will meet and stand adjourned Sine Die at 11:59 PM on Tuesday, May 14, 2024, in accordance with H.C.R. 64.

The motion prevailed, and at 9:16 AM, the Senate stood adjourned in memory of Ania Vanaye Wigfall, Mr. Marion Kenneth White, Joe Van Anglin, Sr. and Roger Laven.

Amanda Frusha White, Secretary of the Senate

NO INTRODUCTIONS FOR SATURDAY, MAY 4, 2024

In accordance with the provisions of Section 72 of the Mississippi Constitution of 1890, as amended, the following messages from the House were received subsequent to the Sine Die adjournment:

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

S. B. No. 3006: Appropriation; IHL - General support.

S. B. No. 3012: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

S. B. No. 3015: Appropriation; Community and Junior Colleges Board - Administrative expenses.

S. B. No. 3016: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

S. B. No. 3054: Appropriation; Finance and Administration, Department of.

S. B. No. 3056: Appropriation; Development Authority, Mississippi.

Adopted: 05/03/24

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 292: DUI suspension; clarify how the 120 days are counted.

H. B. No. 1253: Post-conviction collateral relief; require certain petitioners to obtain Supreme Court permission before filing in trial court.

H. B. No. 1354: Alcoholic Beverage Control Division warehouse; increase amount of revenue bonds authorized for and bailment fee authorized for paying debt service on bonds.

H. B. No. 1406: Absentee voting; revise various provisions of.

H. B. No. 1705: Budget process; bring forward certain sections relating to and provide for transfers of funds.

H. B. No. 1707: 2023 Local Improvements Projects Fund; clarify and correct names and purposes of certain projects funded from.

H. B. No. 1783: Appropriation; Marine Resources, Department of.

H. B. No. 1800: Appropriation; Medicaid, Division of.

H. B. No. 1826: Appropriation; Transportation, Department of.

H. B. No. 1830: Appropriation; additional appropriation FY24.

H. B. No. 1983: Bonds; authorize issuance for various purposes.

Adopted: 05/03/24

Andrew Ketchings, Clerk of the House of Representatives

ONE-HUNDRED AND TWENTY-FIFTH DAY, SUNDAY, MAY 5, 2024

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate convened at 10:00 AM, a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved.

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate thereupon adjourned until 10:00 AM, Monday, May 6, 2024.

Amanda Frusha White, Secretary of the Senate

ONE-HUNDRED AND TWENTY-SIXTH DAY, MONDAY, MAY 6, 2024

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate convened at 10:00 AM, a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved, the Senate conducted the following business:

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

S. B. No. 2468: Budget; bring forward code sections related to and provide for transfers.

Adopted: 05/03/24

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2022: AN ACT TO AMEND SECTIONS 97-3-21 AND 99-19-101, MISSISSIPPI CODE OF 1972, TO PROVIDE ALTERNATIVE SENTENCING OPTIONS FOR JUVENILE OFFENDERS IN COMPLIANCE WITH UNITED STATES SUPREME COURT HOLDINGS IN THE CASES OF MILLER V. ALABAMA AND ROPER V. SIMMONS; TO AMEND SECTION 25-31-21, MISSISSIPPI CODE OF 1972, TO PROVIDE PROCEDURES FOR RECUSAL BY ATTORNEYS FOR PURPOSES OF IMPANELING A GRAND JURY; AND FOR RELATED PURPOSES.

S. B. No. 2130: AN ACT TO PROVIDE THAT IF AN INSURER HAS ISSUED TO AN INSURED A POLICY THAT PROVIDES COVERAGE OR A BINDER THAT BINDS COVERAGE OF A RESIDENTIAL STRUCTURE, THE INSURER SHALL NOT CANCEL THE POLICY, CANCEL THE BINDER, OR DENY COVERAGE SOLELY BECAUSE OF THE AGE OF THE ROOF OF THE RESIDENTIAL STRUCTURE; AND FOR RELATED PURPOSES.

S. B. No. 3017: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY FOR FISCAL YEAR 2025.

S. B. No. 3041: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI GAMING COMMISSION FOR FISCAL YEAR 2025.

S. B. No. 3045: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE VETERANS AFFAIRS BOARD AND THE MISSISSIPPI STATE VETERANS HOMES FOR FISCAL YEAR 2025.

S. B. No. 3046: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR 2025.

S. B. No. 3047: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF REVENUE, INCLUDING THE HOMESTEAD EXEMPTION DIVISION, THE MOTOR VEHICLE COMPTROLLER FUNCTIONS, THE ALCOHOLIC BEVERAGE CONTROL DIVISION LIQUOR DISTRIBUTION CENTER, THE ENFORCEMENT DIVISION, AND FOR THE PURPOSE OF REIMBURSING THE COUNTIES, COUNTY DISTRICTS AND MUNICIPAL SEPARATE SCHOOL DISTRICTS FOR TAX LOSSES INCURRED BY REASON OF THE EXEMPTION OF HOMES FROM CERTAIN AD VALOREM TAXES, AND FOR THE PURPOSE OF PURCHASING MOTOR VEHICLE LICENSE TAGS FOR FISCAL YEAR 2025.

S. B. No. 3048: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2025.

S. B. No. 3083: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO LARRY SILLS OF NEWTON COUNTY, MISSISSIPPI.

S. B. No. 3222: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO ROBERT MAXWELL OF OKTIBBEHA COUNTY.

S. B. No. 3223: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO DEWITT COOPERWOOD OF OKTIBBEHA COUNTY.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2873: AN ACT TO AMEND SECTIONS 41-9-69, 73-9-13 AND 73-43-11, MISSISSIPPI CODE OF 1972, TO PROVIDE MEDICAL RECORDS RETENTION REQUIREMENTS FOR HOSPITALS, PHYSICIANS AND DENTISTS; TO REQUIRE HOSPITAL, DENTAL AND MEDICAL RECORDS IN THEIR ORIGINAL, MICROFILMED, OR SIMILARLY REPRODUCED FORM TO BE PROVIDED UPON REQUEST TO A PARENT OR GUARDIAN OF AN UNEMANCIPATED MINOR UNDER 18 WITHOUT THE PERMISSION OF SUCH UNEMANCIPATED MINOR; AND FOR RELATED PURPOSES.

S. B. No. 3025: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE STATE BOARD OF FUNERAL SERVICES FOR FISCAL YEAR 2025.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 292: AN ACT TO AMEND SECTIONS 63-11-23 AND 63-11-30, MISSISSIPPI CODE OF 1972, TO PROVIDE A TIMELINE FOR THE 120-DAY SUSPENSION FOR DUI VIOLATIONS TO PROVIDE AN AGGRAVATED DUI PENALTY FOR PERSONS WHO ARE UNDER THE LEGAL AGE FOR PURCHASING ALCOHOLIC BEVERAGES; AND FOR RELATED PURPOSES.

H. B. No. 1323: AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO REMOVE THE STATUTE OF LIMITATIONS FOR PROSECUTION OF THE CRIME OF SEXUAL BATTERY OF A VULNERABLE PERSON; AND FOR RELATED PURPOSES.

H. B. No. 1354: AN ACT TO AMEND SECTION 7, CHAPTER 483, LAWS OF 2022, TO INCREASE THE AMOUNT OF STATE REVENUE BONDS THAT MAY BE ISSUED TO PROVIDE FUNDS FOR THE ABC WAREHOUSE CONSTRUCTION FUND TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH LAND ACQUISITION FOR, AND THE DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW WAREHOUSE FOR THE DEPARTMENT OF REVENUE'S ALCOHOLIC BEVERAGE CONTROL DIVISION; TO AMEND SECTION 27-71-11, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF THE BAILMENT FEE CHARGED BY THE DEPARTMENT OF REVENUE ON CASES OF STORED ALCOHOLIC BEVERAGES FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PAYMENT OF THE DEBT SERVICE ON SUCH BONDS; TO AMEND SECTION 67-1-203, TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL SELECT A SUITABLE SITE, WITHIN 50 MILES OF THE NEW STATE CAPITOL BUILDING, FOR THE CONSTRUCTION OF A NEW WAREHOUSE FOR THE DEPARTMENT OF REVENUE'S ALCOHOLIC BEVERAGE CONTROL DIVISION, AND THAT A CONTRACT FOR WAREHOUSE CONSTRUCTION SHALL BE ENTERED INTO NOT LATER THAN OCTOBER 1, 2024; TO BRING FORWARD SECTION 67-1-205, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1357: AN ACT TO AMEND SECTION 69-1-48, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE'S AUTHORITY TO BUDGET FOR IMPROVEMENTS TO DEPARTMENT PROPERTY AND MARKETING AND PROMOTION PROGRAMS AND FOR PURPOSES AS OTHERWISE APPROPRIATED BY THE LEGISLATURE SHALL BE AT THE MISSISSIPPI AGRICULTURE AND FORESTRY MUSEUM IN JACKSON, MISSISSIPPI; TO PROVIDE THAT THE EXPENDITURE OF SUCH FUNDS SHALL BE UPON APPROPRIATION OF THE LEGISLATURE; TO PROVIDE THAT LEASES CONCERNING NAMING RIGHTS UNDER THIS SECTION SHALL BE SUBJECT TO APPROVAL BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO DELETE THE AUTHORITY OF THE DEPARTMENT TO ESCALATE CERTAIN FUNDS; TO AMEND SECTION 69-5-3,

MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE'S AUTHORITY TO EXPEND CERTAIN FUNDS SHALL BE SUBJECT TO APPROPRIATIONS; TO REQUIRE CERTAIN FUNDS TO BE PLACED IN A SPECIAL FUND; TO PROVIDE THAT LEASES CONCERNING NAMING RIGHTS UNDER THIS SECTION SHALL BE SUBJECT TO APPROVAL BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO PROVIDE THAT THE MISSISSIPPI STATE FAIR SHALL BE HELD IN JACKSON, MISSISSIPPI ON THE STATE FAIRGROUNDS AS DEFINED BY THIS SECTION; AND FOR RELATED PURPOSES.

H. B. No. 1406: AN ACT TO PROVIDE THAT FOR ALL ABSENTEE BALLOTS THAT ARE CAST IN PERSON AT THE OFFICE OF THE REGISTRAR, THE ABSENTEE BALLOT APPLICATION AND ELECTOR CERTIFICATES SHALL BE PRINTED ON THE ABSENTEE BALLOT ENVELOPE; TO PROVIDE THAT A SIGNATURE MISMATCH SHALL NOT BE GROUNDS FOR REJECTING AN ABSENTEE BALLOT THAT WAS CAST IN PERSON IN THE REGISTRAR'S OFFICE; TO AMEND SECTIONS 23-15-633, 23-15-635, 23-15-639, 23-15-641, 23-15-715, 23-15-719 AND 23-15-631, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO AMEND SECTION 23-15-627, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN METHODS OF NOTIFICATION TO BE ASKED ON THE ABSENTEE BALLOT APPLICATION; TO PROVIDE FOR PEOPLE WHO WORK ON-CALL AND THOSE WHO ARE INCARCERATED FOR A NONDISENFRANCHISING CRIME TO RECEIVE AN ABSENTEE BALLOT; TO AMEND SECTIONS 23-15-625, 23-15-713, 23-15-637 AND 23-15-721, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-697, MISSISSIPPI CODE OF 1972, TO PROHIBIT RETURNING MAIL-IN BALLOTS USING ANY METHOD OTHER THAN BY MAIL OR COMMON CARRIER; AND FOR RELATED PURPOSES.

H. B. No. 1450: AN ACT ENTERING THE STATE OF MISSISSIPPI INTO THE INTERSTATE TEACHER MOBILITY COMPACT FOR THE PURPOSE OF FACILITATING THE MOBILITY OF TEACHERS ACROSS MEMBER STATES TO THE COMPACT; TO ESTABLISH A COLLECTIVE REGULATORY FRAMEWORK THAT EXPEDITES AND ENHANCES THE ABILITY OF TEACHERS TO MOVE ACROSS STATE LINES; TO SET OUT THE AGREEMENT OF THE CONTRACTING STATES AND THE PURPOSE OF THE COMPACT; TO PROVIDE FOR THE MEMBERSHIP OF THE EDUCATION COMMISSION OF THE STATES AND PRESCRIBE THE POWERS AND DUTIES PERTAINING THERETO; TO ESTABLISH THE COMMITTEES OF THE COMMISSION; AND FOR RELATED PURPOSES.

H. B. No. 1647: AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ESTABLISH ANY PROGRAM OR PROMULGATE ANY RULE, POLICY, GUIDELINE OR PLAN OR TO CHANGE ANY PROGRAM, RULE, POLICY OR GUIDELINE TO IMPLEMENT, ESTABLISH, CREATE, ADMINISTER OR OTHERWISE OPERATE AN EXCHANGE, TO APPLY FOR, ACCEPT OR EXPEND FEDERAL MONIES RELATED TO THE CREATION, IMPLEMENTATION OR OPERATION OF AN EXCHANGE, TO ESTABLISH ANY ADVISORY BOARD OR COMMITTEE AS NECESSARY FOR PROVIDING RECOMMENDATIONS ON THE CREATION, IMPLEMENTATION OR OPERATION OF AN EXCHANGE, TO USE THE SERVICES AND FUNDS OF THE COMPREHENSIVE HEALTH INSURANCE RISK POOL ASSOCIATION AND THE COMPREHENSIVE HEALTH INSURANCE RISK POOL BOARD TO FULFILL THE PURPOSES OF THIS SECTION, AND TO ENGAGE ACTUARIAL AND OTHER ASSISTANCE AS NECESSARY TO CARRY OUT THE DUTIES OF THE DEPARTMENT; TO CREATE THE MISSISSIPPI HEALTH INSURANCE STATE EXCHANGE TRUST FUND, AND TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO EXPEND MONIES FROM THIS FUND FOR THE PAYMENT OF EXPENSES INCURRED IN THE CREATION, IMPLEMENTATION OR OPERATION OF AN EXCHANGE; TO PROVIDE THAT THE AMOUNT TO BE CONTRIBUTED ANNUALLY TO THE FUND SHALL BE FIXED EACH YEAR BY THE COMMISSIONER AS A PERCENTAGE OF FEES ASSESSED ON THE GROSS PREMIUMS CHARGED ON ALL POLICIES SOLD ON THE EXCHANGE, WHICH PERCENTAGE SHALL NOT BE MORE THAN 3.5%, UNLESS OTHERWISE APPROVED BY THE LEGISLATURE; TO PROVIDE THAT USER FEES SHALL BE COLLECTED DIRECTLY BY THE EXCHANGE ON ALL POLICIES SOLD AND REMITTED TO THE HEALTH INSURANCE STATE EXCHANGE

FUND ON A MONTHLY BASIS; TO PROVIDE THAT THE COMPREHENSIVE HEALTH INSURANCE RISK POOL ASSOCIATION SHALL HAVE THE AUTHORITY TO DEVELOP AND FUND AN ONLINE PORTAL THAT SHALL BE AVAILABLE TO ALL MISSISSIPPIANS TO ASSIST CONSUMERS IN SELECTION OF A HEALTH PLAN; TO AMEND SECTIONS 83-9-203 AND 83-9-205, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1705: AN ACT TO DIRECT THE STATE TREASURER TO TRANSFER CERTAIN AMOUNTS FROM THE CAPITAL EXPENSE FUND TO THE ANIMAL DISEASE RESPONSE FUND, THE OIL AND GAS EMERGENCY PLUGGING FUND, THE DISASTER ASSISTANCE TRUST FUND, THE MISSISSIPPI DAM SAFETY FUND AND THE HISTORIC SITE PRESERVATION FUND; TO CREATE NEW SPECIAL FUNDS IN THE STATE TREASURY TO BE KNOWN AS THE OPIOID SETTLEMENT FUND, THE FOREST IMPROVEMENT REVOLVING FUND, THE VOLUNTEER FIRE DEPARTMENT EQUIPMENT CONVERSION REVOLVING FUND, THE CAMDEN STATE FOREST REVOLVING FUND, THE ARTS COMMISSION CHALLENGE INITIATIVE FUND, AND THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM BUILDING REPAIR AND MAINTENANCE FUND; TO AMEND SECTION 83-1-191, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT GRANTS MADE BY THE DEPARTMENT OF INSURANCE UNDER THE COMPREHENSIVE HURRICANE DAMAGE MITIGATION PROGRAM SHALL NOT EXCEED $10,000 PER RECIPIENT; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE COMPREHENSIVE HURRICANE DAMAGE MITIGATION PROGRAM FUND; TO DIRECT THE DEPARTMENT OF INSURANCE TO ISSUE A REQUEST FOR PROPOSALS TO CONTRACT WITH A THIRD PARTY TO ADMINISTER THE PROGRAM; TO PROVIDE THAT THE CONTRACT SHALL BE FUNDED FROM MONIES IN THE COMPREHENSIVE HURRICANE DAMAGE MITIGATION PROGRAM FUND, AND THAT AMOUNT SHALL NOT EXCEED ONE PERCENT OF THE FUNDS APPROPRIATED TO THE DEPARTMENT FOR THE PROGRAM; TO DIRECT THE MISSISSIPPI SURPLUS LINES ASSOCIATION TO TRANSFER A CERTAIN SUM TO THE STATE TREASURER TO BE DEPOSITED INTO THE COMPREHENSIVE HURRICANE DAMAGE MITIGATION PROGRAM FUND; TO DIRECT THE STATE TREASURER TO TRANSFER A CERTAIN SUM FROM THE REAL ESTATE COMMISSION FUND TO THE HOME INSPECTOR LICENSE FUND; TO AMEND SECTION 1 OF CHAPTER 7, LAWS OF 2023, TO REVISE THE FISCAL YEAR 2024 APPROPRIATION TO THE STATE BOARD OF BARBER EXAMINERS TO APPROPRIATE FUNDS TO A SUCCESSOR BOARD OF THE STATE BOARD OF BARBER EXAMINERS; TO AMEND SECTION 1 OF CHAPTER 8, LAWS OF 2023, TO REVISE THE FISCAL YEAR 2024 APPROPRIATION TO THE STATE BOARD OF COSMETOLOGY TO APPROPRIATE FUNDS TO A SUCCESSOR BOARD OF THE STATE BOARD OF COSMETOLOGY; AND FOR RELATED PURPOSES.

H. B. No. 1707: AN ACT TO AMEND SECTION 28 OF CHAPTER 549, LAWS OF 2023, TO CLARIFY AND CORRECT NAMES AND PURPOSES OF CERTAIN PROJECTS FUNDED WITH MONIES DISBURSED FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND; TO AMEND SECTION 4 OF CHAPTER 549, LAWS OF 2023, TO REVISE THE PURPOSE OF A CERTAIN PROJECT FUNDED WITH MONIES DISBURSED FROM THE 2022 IHL CAPITAL IMPROVEMENTS FUND; TO AMEND SECTION 27-104-373, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CONTRACTS OR PURCHASES FOR PROJECTS FUNDED WITH MONIES DISBURSED FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND THAT INVOLVE EXPENDITURES ABOVE CERTAIN AMOUNTS MUST BE MADE AFTER OBTAINING COMPETITIVE WRITTEN BIDS; TO AMEND SECTION 65-1-185, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE 2023 DESOTO COUNTY INFRASTRUCTURE IMPROVEMENTS FUND SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION INSTEAD OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 65-1-187, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE 2023 LAFAYETTE COUNTY INFRASTRUCTURE IMPROVEMENTS FUND SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION INSTEAD OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 65-1-189, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE 2023 GULFPORT COMMERCE CORRIDOR

FUND SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION INSTEAD OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 297 AND SENATE BILL NO. 2486, 2024 REGULAR SESSION, TO MAKE SEVERAL TECHNICAL CHANGES APPLICABLE TO CERTAIN AMERICAN RECOVERY AND REINVESTMENT ACT PROJECTS UNDER THE PUBLIC PURCHASING LAW; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 346: AN ACT TO PROVIDE THAT BEGINNING ON JULY 1, 2025, EACH PUBLIC SCHOOL BOARD SHALL HAVE AT LEAST ONE EMPLOYEE OR VENDOR AT EACH SCHOOL WHO HAS MET THE TRAINING REQUIREMENTS NECESSARY TO ADMINISTER SEIZURE RESCUE MEDICATION FOR PERSONS EXPERIENCING SEIZURE DISORDER SYMPTOMS; TO REQUIRE TRAINING FOR SUCH PERSON TO BE CONSISTENT WITH GUIDELINES DEVELOPED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION AND ANY SUCCESSOR AGENCY; TO REQUIRE THE PARENTS, LEGAL GUARDIANS OR OTHER RESPONSIBLE ADULT OF CHILDREN WHO EXPERIENCE SEIZURE DISORDER SYMPTOMS TO PROVIDE WRITTEN AUTHORIZATION TO THE SCHOOL FOR THE ADMINISTRATION OF NECESSARY MEDICATION, ALONG WITH A WRITTEN STATEMENT FROM THE CHILD'S MEDICAL PROVIDER; TO REQUIRE THE WRITTEN STATEMENT AND THE CHILD'S SEIZURE ACTION PLAN TO BE KEPT ON FILE BY THE SCHOOL NURSE OR SCHOOL ADMINISTRATOR; TO EXEMPT SCHOOL EMPLOYEES ACTING IN GOOD FAITH AND IN SUBSTANTIAL COMPLIANCE WITH A STUDENT'S INDIVIDUAL HEALTH PLAN TO RENDER ASSISTANCE TO A CHILD EXPERIENCING A SEIZURE EPISODE FROM CIVIL AND CRIMINAL LIABILITY; AND FOR RELATED PURPOSES.

H. B. No. 1004: AN ACT TO AMEND SECTIONS 45-33-23 AND 45-33-25, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITIONS FOR THE PROVISIONS OF LAW THAT REGULATE SEX OFFENDER REGISTRY; TO DECLARE THAT THE RECORDS AND PROCEEDINGS OF AN ORGAN PROCUREMENT ORGANIZATION PEER REVIEW COMMITTEE ARE CONFIDENTIAL AND NOT DISCOVERABLE IN A CIVIL ACTION; TO DEFINE CERTAIN TERMS; TO DESCRIBE THE FUNCTIONS OF PEER REVIEW COMMITTEES; TO PROVIDE THAT PERSONS PROVIDING INFORMATION TO AND MEMBERS OF A PEER REVIEW COMMITTEE MAY NOT BE HELD LIABLE FOR ACTIONS TAKEN BY THE COMMITTEE; TO PROHIBIT A PEER REVIEW COMMITTEE AND ITS MEMBERS FROM REVEALING THE IDENTITY OF ORGAN DONORS AND RECIPIENTS; TO AMEND SECTION 47-7-47, MISSISSIPPI CODE OF 1972, TO REVISE THE JURISDICTIONAL TIME PERIOD FOR A COURT'S AUTHORITY TO REVISE A DEFENDANT'S SENTENCE; AND FOR RELATED PURPOSES.

H. B. No. 1163: AN ACT TO AMEND SECTION 21-25-23, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARDS OF TRUSTEES OF COMMUNITY AND JUNIOR COLLEGES TO ENTER INTO CONTRACT WITH A MUNICIPALITY FOR THE PROVISION OF FIRE PROTECTION SERVICES; TO AMEND SECTION 37-29-231, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARDS OF TRUSTEES OF COMMUNITY AND JUNIOR COLLEGES, IN THEIR DISCRETION, TO ENTER INTO INTERLOCAL AGREEMENTS WITH THE COUNTY GOVERNING AUTHORITY WHERE THE COMMUNITY OR JUNIOR COLLEGE IS LOCATED, TO PROVIDE FIRE PROTECTION AND FIRST RESPONDER SERVICES TO THE MAIN CAMPUS OF THE COMMUNITY OR JUNIOR COLLEGE; TO PROVIDE THE BOARD OF TRUSTEES OF THE COMMUNITY OR JUNIOR COLLEGE THE DISCRETION TO OFFSET THE COST

OF THE SERVICES BY ASSESSING A STUDENT FEE EACH SEMESTER; TO AMEND SECTION 37-29-141, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

H. B. No. 1208: AN ACT TO AMEND SECTION 49-7-79, MISSISSIPPI CODE OF 1972, TO REVISE THE LAW PROHIBITING HUNTING ON LANDS OF OTHERS; TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS ACT; TO AMEND SECTION 97-17-85, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1229: AN ACT TO AMEND SECTIONS 37-181-5, 37-181-9, 37-181-13, 37-181-15, 37-181-17, MISSISSIPPI CODE OF 1972, AND SECTION 37-181-7, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 4130, 2024 REGULAR SESSION, WHICH PROVIDE FOR THE EDUCATION SCHOLARSHIP ACCOUNT PROGRAM TO MAKE CERTAIN TECHNICAL REVISIONS THERETO; TO PROVIDE THAT IN ORDER TO BE ELIGIBLE FOR THE PROGRAM, THE PARENT OR GUARDIAN OF AN ELIGIBLE STUDENT MUST CERTIFY TO THE DEPARTMENT OF EDUCATION THAT THEY HAVE BEEN ACCEPTED INTO AN ELIGIBLE SCHOOL QUALIFIED TO PROVIDE SERVICES FOR THE PARTICIPATING STUDENT'S DISABILITY OR SPECIAL EDUCATION NEEDS, OR PROVIDE SERVICES ADDRESSING A PARTICIPATING STUDENT'S IEP; TO SET CERTAIN REPORTING REQUIREMENTS OF ELIGIBLE SCHOOLS, INCLUDING PARTICIPANTS' GRADUATION RATES AND ADVANCE PLACEMENT EXAMINATION PERFORMANCE; TO PROVIDE THAT ELIGIBLE SCHOOLS SHALL HAVE THE OPTION OF SELECTING A NATIONALLY STANDARDIZED NORM-REFERENCED ACHIEVEMENT TEST, OR A CURRENT STATE BOARD-APPROVED SCREENER FOR PARTICIPATING STUDENTS TO TAKE EACH YEAR; TO PROVIDE THAT FAILURE TO COMPLY WITH THE REQUIREMENTS OF THE CHAPTER SHALL DEEM THE ELIGIBLE SCHOOL INELIGIBLE TO PARTICIPATE IN THE ESA PROGRAM THE FOLLOWING YEAR; TO REENACT SECTIONS 37-181-1, 37-181-3, 37-181-11, 37-181-19 AND 37-181-21, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR VARIOUS PROVISIONS OF THE EQUAL OPPORTUNITY FOR STUDENTS WITH SPECIAL NEEDS ACT; TO AMEND REENACTED SECTION 37-181-23, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL OF SUCH ACT; AND FOR RELATED PURPOSES.

H. B. No. 1417: AN ACT TO AMEND SECTION 57-117-5, MISSISSIPPI CODE OF 1972, TO EXPAND THE RADIUS IN WHICH A HEALTH CARE INDUSTRY FACILITY MUST BE LOCATED FROM CERTAIN FACILITIES IN ORDER FOR THE AREA TO QUALIFY FOR CERTIFICATION AS A HEALTH CARE INDUSTRY ZONE BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; AND FOR RELATED PURPOSES.

H. B. No. 1542: AN ACT TO ENACT THE CHRIS MCDILL LAW; TO PROVIDE THAT FOR THE PURPOSES OF INTESTATE SUCCESSION, IF THE DECEDENT DIES BEFORE THE START OF A PREGNANCY BY ASSISTED REPRODUCTION RESULTING IN THE BIRTH OF AN INDIVIDUAL WHO LIVES AT LEAST 120 HOURS AFTER BIRTH, THAT INDIVIDUAL IS DEEMED TO BE LIVING AT THE TIME OF THE DECEDENT'S DEATH UNDER CERTAIN CONDITIONS; TO PROVIDE A PROCEDURE FOR THE DESCENT AND DISTRIBUTION OF THE DECEDENT'S ESTATE; TO AMEND SECTIONS 91-1-11 AND 91-1-7, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

H. B. No. 1624: AN ACT TO ESTABLISH STATE STANDARDS AND OPERATING PROCEDURES FOR LOCAL COURT-APPOINTED SPECIAL ADVOCATE (CASA) PROGRAMS; TO DEFINE CERTAIN TERMS; TO AUTHORIZE A YOUTH COURT JUDGE TO ESTABLISH A LOCAL CASA PROGRAM GOVERNED BY A LOCAL BOARD OF DIRECTORS AND TO PRESCRIBE THE BOARD'S POWERS; TO REQUIRE THE STATE CASA ASSOCIATION TO PROVIDE SUPPORT SERVICES TO LOCAL CASA PROGRAMS; TO ESTABLISH MINIMUM REQUIREMENTS FOR LOCAL CASA VOLUNTEERS; TO REQUIRE THE CLERK OF COURT TO PERFORM CERTAIN DUTIES IN RELATION TO CASA VOLUNTEERS APPOINTED TO A COURT CASE; TO PRESCRIBE THE DUTIES OF A CASA VOLUNTEER ASSIGNED TO A CASE; TO CREATE A STATE COURT-APPOINTED SPECIAL ADVOCATE (CASA) ASSOCIATION; TO PRESCRIBE THE STATE ASSOCIATION'S DUTIES; TO AUTHORIZE THE BOARD OF DIRECTORS OF THE ASSOCIATION TO EMPLOY A DIRECTOR AND TO

ESTABLISH QUALIFICATIONS FOR THE DIRECTOR; TO AUTHORIZE THE ADMINISTRATIVE OFFICE OF COURTS TO PROVIDE SECRETARIAL AND SUPPORT SERVICES TO THE ASSOCIATION; TO REQUIRE LOCAL CASA PROGRAMS TO SUBMIT SPECIFIED DATA TO THE ASSOCIATION; TO BRING FORWARD SECTION 43-21-121 AND TO AMEND SECTION 43-21-261, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 37-26-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ADMINISTRATIVE OFFICE OF COURTS SHALL ADMINISTER THE MISSISSIPPI FOSTER CARE FUND AND PRESCRIBE THE PURPOSES FOR WHICH MONIES IN THE FUND MAY BE EXPENDED, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1796: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR 2025.

H. B. No. 1823: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL YEAR 2025.

H. B. No. 4057: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MATTIE HARDIMAN OF DESOTO COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 4104: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO LAWRENCE DANIELS OF LOWNDES COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4111: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO LEON COLEMAN OF JACKSON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4118: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO IVORY MOORE OF WASHINGTON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4124: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO TONY QUALLS OF HUMPHREYS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4129: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF BAY ST. LOUIS, MISSISSIPPI, TO UTILIZE CERTAIN FEDERAL FUNDS AWARDED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO ASSIST WITH FLOOD MITIGATION WITHIN THE CITY; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 4053: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO OMAR EUGENE MAGEE OF COVINGTON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4056: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO AGNES STANDIFER OF LEE COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4080: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO EVON WILLIAMS OF HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4083: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO KELVIN WINDING OF HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4085: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO QUINTIN PURNELL OF GRENADA COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4089: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO WALTER LEWIS OF HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4095: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO JOSEPH ARMSTRONG OF SUNFLOWER COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4098: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO JENNIFER MILES OF WINSTON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4099: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO DUSTIN DARELL MILLS OF RANKIN COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4100: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO CLOVIS DALE MCGHEE OF LEE COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4101: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO TONY LAVELL SMITH OF NOXUBEE COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 4103: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MARY SMITH BRANDON OF LOWNDES COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2144: AN ACT TO AMEND SECTIONS 23-15-171, 23-15-191, 23-15-193, 23-15-213, 23-15-833, 23-15-857, 23-15-981, 23-15-1031, 23-15-1083, 37-5-9, 37-7-215, 37-7-217, 37-7-227 AND 37-7-711, MISSISSIPPI CODE OF 1972, TO REVISE THE TIME FOR HOLDING RUNOFF ELECTIONS TO FOUR WEEKS AFTER THE FIRST ELECTION INSTEAD OF THREE WEEKS; TO CREATE A NEW SECTION IN TITLE 23, CHAPTER 15, ARTICLE 27, MISSISSIPPI CODE OF 1972, TO PROHIBIT RANKED-CHOICE VOTING IN STATEWIDE, COUNTY, LOCAL, MUNICIPAL OR SCHOOL DISTRICT ELECTIONS; AND FOR RELATED PURPOSES.

S. B. No. 2285: AN ACT TO AMEND SECTION 45-1-12, MISSISSIPPI CODE OF 1972, TO REVISE THE SALARY SCHEDULE OF OFFICERS OF THE MISSISSIPPI HIGHWAY PATROL AND THE MISSISSIPPI BUREAU OF NARCOTICS; TO REPEAL SECTION 45-3-7, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION OF LAW THAT ESTABLISHES THE "DAVID R. HUGGINS ACT"; AND FOR RELATED PURPOSES.

S. B. No. 2405: AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1525, 2024 REGULAR SESSION, AND SENATE BILL NO. 2567, 2024 REGULAR SESSION, TO PROVIDE THAT IN THE CASE

OF A PERSON HOLDING A PACKAGE RETAILER'S PERMIT ISSUED BEFORE JULY 1, 2024, SUCH A PERSON MAY OWN ONE ADDITIONAL PACKAGE RETAILER'S PERMIT IF THE ADDITIONAL PERMIT IS ISSUED FOR A PREMISES WITH A MINIMUM CAPITAL INVESTMENT OF $20,000,000.00 THAT IS PART OF A MAJOR RETAIL DEVELOPMENT PROJECT AND LOCATED IN ONE OF THE THREE MOST SOUTHERN COUNTIES IN THE STATE OF MISSISSIPPI, AND NOT WITHIN ONE HUNDRED MILES OF ANOTHER LOCATION IN THE STATE OF MISSISSIPPI, FOR WHICH THE PERMITTEE HOLDS SUCH A PERMIT; AND FOR RELATED PURPOSES.

S. B. No. 2648: AN ACT TO AMEND SECTIONS 49-15-17, 49-15-27, 49-15-37, 49-15-38, 49-15-46, AS AMENDED BY HOUSE BILL NO. 1007, 2024 REGULAR SESSION, AND 49-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE TECHNICAL REVISIONS TO THE POWERS AND DUTIES OF THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES RELATING TO OYSTER CULTIVATION LEASES, THE SEAFOOD FUND, THE OYSTER PRODUCTION PRESERVE ACCOUNT AND THE COASTAL PRESERVE ACCOUNT; TO AUTHORIZE THE DEPARTMENT OF MARINE RESOURCES TO RECONFIGURE OYSTER LEASE AREAS AND TO REVISE PERMITTED AREAS AND TO PROVIDE PROTEST PROCEDURES BY OYSTER LEASE APPLICANTS; TO PRESCRIBE CRIMINAL PENALTIES FOR ANY PERSON VIOLATING THE PROVISIONS OF THE OYSTER BOTTOM LEASE PROGRAM; TO AMEND SECTION 51-11-105, MISSISSIPPI CODE OF 1972, TO REMOVE THE UNITED STATES ARMY CORPS OF ENGINEERS FROM THE EXISTING LOWER PEARL RIVER RESTORATION PROJECT AGREEMENT; TO REPEAL SECTION 27-19-56.27, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES A SPECIAL LICENSE TAG FOR SUPPORTERS OF THE MISSISSIPPI SEAFOOD INDUSTRY; AND FOR RELATED PURPOSES.

S. B. No. 2792: AN ACT TO AMEND SECTION 25-7-9, MISSISSIPPI CODE OF 1972, TO WAIVE THE ADOPTION FILING FEE FOR CASES INVOLVING THE DEPARTMENT OF CHILD PROTECTION SERVICES; TO AMEND SECTION 93-15-107, MISSISSIPPI CODE OF 1972, TO REQUIRE SUMMONS TO BE ISSUED AND SERVED ON A CHILD WHO IS 12 YEARS OF AGE OR OLDER IN AN INVOLUNTARY TERMINATION OF PARENTAL RIGHTS PROCEEDING; TO PROVIDE THAT THE MINOR CHILD SHALL BE REPRESENTED BY COUNSEL THROUGHOUT THE PROCEEDINGS; TO REQUIRE THE COURT TO CONSIDER THE CHILD'S PREFERENCES, IF ANY, IF THE CHILD IS 14 YEARS OF AGE OR OLDER AT THE TIME OF THE HEARING; TO PROVIDE THAT THE STYLE OF THE CASE SHALL NOT INCLUDE THE CHILD'S NAME; TO REQUIRE A COURT TO HOLD A HEARING ON THE PETITION WITHIN A CERTAIN PERIOD OF DAYS; TO AUTHORIZE THE COURT TO CONTINUE THE HEARING UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 93-15-111, MISSISSIPPI CODE OF 1972, TO REQUIRE A COURT TO ACCEPT A PARENT'S WRITTEN VOLUNTARY RELEASE TERMINATING PARENTAL RIGHTS IF CERTAIN REQUIREMENTS ARE MET; TO AMEND SECTION 43-21-201, MISSISSIPPI CODE OF 1972, TO REQUIRE A YOUTH COURT JUDGE TO APPOINT COUNSEL FOR AN INDIGENT CUSTODIAL PARENT OR GUARDIAN WHO IS A PARTY IN AN ABUSE, NEGLECT OR TERMINATION OF PARENTAL RIGHTS PROCEEDING; TO AUTHORIZE A YOUTH COURT JUDGE TO APPOINT COUNSEL FOR AN INDIGENT NONCUSTODIAL PARENT IF THE YOUTH COURT JUDGE DETERMINES THAT THE PARENT HAS DEMONSTRATED A SIGNIFICANT CUSTODIAL RELATIONSHIP WITH THE CHILD; TO CLARIFY THE DUTY OF AN ATTORNEY UNDER THE SECTION; TO REQUIRE A FINANCIALLY ABLE PARENT TO PAY FOR COURT-APPOINTED REPRESENTATION OR SOME PORTION THEREOF; TO REQUIRE MONIES COLLECTED TO BE DEPOSITED INTO A SPECIAL FUND TO BE KNOWN AS THE "JUVENILE COURT REPRESENTATION FUND"; TO PROVIDE THAT MONIES IN THE FUND MAY BE USED BY THE COURT TO COVER THE COSTS OF COUNSEL IN INDIGENT CASES; TO PROVIDE THAT THE DEPARTMENT OF CHILD PROTECTION SERVICES SHALL HAVE THE RIGHT TO HIRE AGENCY COUNSEL TO REPRESENT THE DEPARTMENT AND BE REPRESENTED BY COUNSEL FROM THE ATTORNEY GENERAL'S OFFICE AT ALL STAGES OF THE PROCEEDINGS INVOLVING A CHILD FOR WHOM THE DEPARTMENT HAS CUSTODY OF OR MAY BE AWARDED CUSTODY OF; TO AMEND SECTION 43-21-105, MISSISSIPPI CODE OF 1972, TO

REVISE THE DEFINITION OF "NEGLECTED CHILD" AND "REASONABLE EFFORTS"; TO AMEND SECTION 43-21-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT JURISDICTION OF THE YOUTH COURT SHALL ATTACH AT THE TIME OF THE OFFENSE, OR AT THE TIME OF THE ALLEGATION OF ABUSE, NEGLECT OR EXPLOITATION; TO CREATE A NEW SECTION WITHIN TITLE 93, CHAPTER 15, MISSISSIPPI CODE OF 1972, TO PROVIDE A NONCOMPREHENSIVE LIST OF REASONS THAT WOULD CONSTITUTE COMPELLING AND EXTRAORDINARY REASONS WHY TERMINATION OF PARENTAL RIGHTS WOULD NOT BE IN THE CHILD'S BEST INTERESTS; TO AMEND SECTION 43-21-613, MISSISSIPPI CODE OF 1972, TO REVISE THE TIMELINE FOR AND FREQUENCY OF PERMANENCY HEARINGS; TO AMEND SECTION 93-15-121, MISSISSIPPI CODE OF 1972, TO CLARIFY A GROUND FOR THE TERMINATION OF A PARENT'S PARENTAL RIGHTS; TO AMEND SECTION 97-5-39, MISSISSIPPI CODE OF 1972, TO CONFORM THE SECTION TO THE REVISED DEFINITION OF "NEGLECTED CHILD"; TO DEFINE "TORTURE" FOR THE PURPOSES OF FELONY CHILD ABUSE; TO AMEND SECTION 43-21-651, MISSISSIPPI CODE OF 1972, TO CLARIFY THE RIGHT OF APPEAL FROM YOUTH COURT; TO AMEND SECTION 43-21-351, MISSISSIPPI CODE OF 1972, TO REQUIRE YOUTH COURT INTAKE OFFICERS TO RECEIVE TRAINING ON MYCIDS; TO REQUIRE THE MISSISSIPPI JUDICIAL COLLEGE, IN CONJUNCTION WITH THE ADMINISTRATIVE OFFICE OF COURTS, TO DEVELOP TRAINING MATERIALS ON MYCIDS; TO AMEND SECTION 43-21-801, MISSISSIPPI CODE OF 1972, TO REQUIRE YOUTH COURT JUDGES TO RECEIVE AT LEAST ONE HOUR OF ANNUAL CONTINUING EDUCATION CONCERNING OVERSIGHT OF YOUTH COURT INTAKE OFFICERS AND MYCIDS; TO AMEND SECTIONS 43-21-301, 43-21-303 AND 93-17-3, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTIONS 89-2-3 AND 89-2-25, MISSISSIPPI CODE OF 1972, TO ADD CYCLING TO THE ACTIVITIES EXEMPT FROM LIABILITY FOR RECREATIONAL LANDOWNERS; AND FOR RELATED PURPOSES.

S. B. No. 2803: AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2457, 2024 REGULAR SESSION, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AUTHORIZE THE GOVERNING AUTHORITIES OF CERTAIN MUNICIPALITIES THAT ARE DESIGNATED AS QUALIFIED RESORT AREAS UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW TO SPECIFY THE HOURS OF OPERATION OF FACILITIES OFFERING ALCOHOLIC BEVERAGES FOR SALE, TO SPECIFY THE PERCENTAGE OF REVENUE THAT FACILITIES OFFERING ALCOHOLIC BEVERAGES FOR SALE MUST DERIVE FROM THE PREPARATION, COOKING AND SERVING OF MEALS AND NOT FROM THE SALE OF BEVERAGES, AND TO DESIGNATE THE AREAS IN WHICH FACILITIES OFFERING ALCOHOLIC BEVERAGES FOR SALE MAY BE LOCATED; TO AMEND SECTION 67-1-7, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 776, 2024 REGULAR SESSION, TO AUTHORIZE THE GOVERNING AUTHORITIES FOR CERTAIN QUALIFIED RESORT AREAS TO PROVIDE, BY ORDINANCE, THAT PACKAGE RETAILER'S PERMITS MAY BE ISSUED IN THE APPLICABLE QUALIFIED RESORT AREAS AND THAT ALCOHOLIC BEVERAGES MAY BE RECEIVED, STORED, SOLD, POSSESSED AND DISTRIBUTED IN ACCORDANCE WITH SUCH PERMITS; AND FOR RELATED PURPOSES.

S. B. No. 3022: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE OFFICE OF STATE AID ROAD CONSTRUCTION OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2025.

S. B. No. 3026: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF REGISTERED PROFESSIONAL GEOLOGISTS FOR FISCAL YEAR 2025.

S. B. No. 3039: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR FISCAL YEAR 2025.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2468: AN ACT TO DIRECT THE TRANSFER OF CERTAIN FUNDS FROM THE CAPITAL EXPENSE FUND TO THE 2024 LOCAL IMPROVEMENTS PROJECTS FUND, THE 2022 IHL CAPITAL IMPROVEMENTS FUND, THE 2022 COMMUNITY AND JUNIOR COLLEGES CAPITAL IMPROVEMENTS FUND, THE 2022 STATE AGENCIES CAPITAL IMPROVEMENTS FUND, THE 2022 DEPARTMENT OF FINANCE AND ADMINISTRATION STATEWIDE REPAIR AND RENOVATION FUND, THE MISSISSIPPI STATE UNIVERSITY VETERINARY SCHOOL FUND, THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND, THE 2023 LAFAYETTE COUNTY INFRASTRUCTURE IMPROVEMENTS FUND, THE 2023 DESOTO COUNTY INFRASTRUCTURE IMPROVEMENTS FUND, THE 2023 EMERGENCY ROAD AND BRIDGE FUND, STRATEGIC MULTI-MODAL INVESTMENTS FUND, AND THE 2022 INFRASTRUCTURE MATCH FUND; TO DIRECT THE TRANSFER OF CERTAIN FUNDS FROM THE STATE BP SETTLEMENT FUND TO THE 2024 LOCAL IMPROVEMENTS PROJECTS FUND; TO DIRECT THE TRANSFER OF CERTAIN FUNDS FROM THE CAPITAL EXPENSE FUND TO THE EMPLOYERS' ACCUMULATION ACCOUNT OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM CREATED IN SECTION 25-11-123(C); TO DIRECT THE STATE FISCAL OFFICER TO MAKE DISBURSEMENTS FROM THE 2022 IHL CAPITAL IMPROVEMENTS FUND, THE 2022 COMMUNITY AND JUNIOR COLLEGES CAPITAL IMPROVEMENTS FUND, AND THE 2022 STATE AGENCIES CAPITAL IMPROVEMENTS FUND FOR CERTAIN PROJECTS; TO DIRECT THE STATE FISCAL OFFICER TO MAKE DISBURSEMENTS FROM THE 2022 DEPARTMENT OF FINANCE AND ADMINISTRATION STATEWIDE REPAIR AND RENOVATION FUND TO PAY THE COSTS OF CERTAIN INFRASTRUCTURE IMPROVEMENTS, GENERAL REPAIRS AND RENOVATIONS; TO CREATE THE MISSISSIPPI STATE UNIVERSITY VETERINARY SCHOOL SPECIAL FUND IN THE STATE TREASURY; TO DIRECT THE STATE FISCAL OFFICER TO MAKE DISBURSEMENTS FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND FOR CERTAIN PROJECTS; TO DIRECT THE TRANSFER OF CERTAIN FUNDS FROM THE CAPITAL EXPENSE FUND THE MISSISSIPPI MAIN STREET REVITALIZATION GRANT PROGRAM FUND AND THE GULF COAST PASSENGER RAIL RESTORATION MATCH FUND TO AUTHORIZE DELTA STATE UNIVERSITY TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP WITH A THIRD-PARTY DEVELOPER FOR PLANNING, DESIGNING, RENOVATING, CONSTRUCTING, FURNISHING, AND EQUIPPING WARD HALL DORMITORY AND CLEVELAND HALL; TO AUTHORIZE DELTA STATE UNIVERSITY TO ENTER INTO A PARTNERSHIP WITH THE CLEVELAND SCHOOL DISTRICT TO CREATE A MODEL RURAL EDUCATION SCHOOL TO SERVE PRE-K THROUGH SIXTH-GRADE STUDENTS FROM BOLIVAR COUNTY AND TO TAKE CERTAIN ACTIONS TO ACCOMPLISH THAT PURPOSE; AND FOR RELATED PURPOSES.

S. B. No. 2487: AN ACT TO AMEND SECTION 45-2-1, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF THE PAYMENT TO COVERED INDIVIDUALS FROM THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND; TO DELETE THE PROVISION OF LAW THAT AUTHORIZES PAYMENT TO A COVERED INDIVIDUAL'S ESTATE WHERE A BENEFICIARY IS NOT DESIGNATED AND THERE IS NO SURVIVING CHILD, SPOUSE OR PARENT; TO AUTHORIZE THE PAYMENT OF FUNERAL EXPENSES OF A COVERED INDIVIDUAL NOT TO EXCEED A CERTAIN AMOUNT; TO PROVIDE THAT A MINIMUM BALANCE SHALL BE MAINTAINED IN THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND; TO DIRECT THE STATE TREASURER TO TRANSFER FUNDS IN EXCESS OF THIS MINIMUM BALANCE FROM THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND TO THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS TRAINING AND

EQUIPMENT TRUST FUND; TO CREATE THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS TRAINING AND EQUIPMENT TRUST FUND IN THE STATE TREASURY; TO ESTABLISH THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS TRAINING AND EQUIPMENT GRANT PROGRAM IN THE DEPARTMENT OF PUBLIC SAFETY; TO AUTHORIZE THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC SAFETY AND THE STATE FIRE MARSHALL, UPON AGREEMENT, TO AWARD GRANTS FOR ENHANCED TRAINING OR SAFETY EQUIPMENT FOR COVERED INDIVIDUALS; AND FOR RELATED PURPOSES.

S. B. No. 2753: AN ACT TO CREATE NEW SECTION 29-18-1, MISSISSIPPI CODE OF 1972, TO CREATE THE "SAFER ACT" TO REGULATE GOVERNMENTAL BUILDINGS; TO CREATE NEW SECTION 29-18-3, MISSISSIPPI CODE OF 1972, TO PROVIDE LEGISLATIVE FINDINGS FOR THE ACT; TO CREATE NEW SECTION 29-18-5, MISSISSIPPI CODE OF 1972, TO PROVIDE DEFINITIONS FOR THE ACT; TO CREATE NEW SECTION 29-18-7, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN PUBLIC EDUCATION BUILDINGS TO HAVE EXCLUSIVE MALE AND/OR FEMALE RESTROOMS OR SINGLE-SEX OR FAMILY USE RESTROOMS AT A MINIMUM; TO CREATE NEW SECTION 29-18-9, MISSISSIPPI CODE OF 1972, TO REQUIRE CHANGING FACILITIES TO BE EXCLUSIVE MALE AND/OR FEMALE OR SINGLE-SEX OR FAMILY-USE AT A MINIMUM; TO CREATE NEW SECTION 29-18-11, MISSISSIPPI CODE OF 1972, TO REGULATE PUBLIC STUDENT HOUSING FOR SINGLE-SEX EDUCATIONAL HOUSING; TO CREATE NEW SECTION 29-18-13, MISSISSIPPI CODE OF 1972, TO REQUIRE SINGLE-SEX SOCIAL SORORITIES AND FRATERNITIES TO COMPLY WITH THE DEFINITIONS OF THIS ACT TO DESIGNATE HOUSING; TO CREATE NEW SECTION 29-18-15, MISSISSIPPI CODE OF 1972, TO REGULATE HOW PERSONS ENTER A SINGLE-SEX RESTROOM, CHANGING FACILITY OR EDUCATIONAL HOUSING SPACE; TO CREATE NEW SECTION 29-18-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ASSERTION OF A VIOLATION OF THIS ACT; TO CREATE NEW SECTION 29-18-19, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ATTORNEY GENERAL TO BRING ACTION REGARDING THE PROVISIONS OF THIS ACT; TO CREATE NEW SECTION 1-3-83, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "FEMALE," "MALE" AND "SEX"; AND FOR RELATED PURPOSES.

S. B. No. 3012: AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE COLLEGE OF VETERINARY MEDICINE AT MISSISSIPPI STATE UNIVERSITY FOR FISCAL YEAR 2025.

S. B. No. 3013: AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE SUPPORT AND MAINTENANCE OF FINANCIAL AID SCHOLARSHIP, LOAN AND GRANT PROGRAMS AND THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID, FOR FISCAL YEAR 2025.

S. B. No. 3015: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE MISSISSIPPI COMMUNITY COLLEGE BOARD FOR FISCAL YEAR 2025.

S. B. No. 3162: AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CAPITAL EXPENSE FUND TO THE DEPARTMENT OF MENTAL HEALTH FOR THE PURPOSE OF ENTERING INTO A SUBGRANT WITH CANOPY CHILDREN'S SOLUTIONS FOR THE CONSTRUCTION AND RENOVATION OF THE CARES CENTER, INCLUDING THE CHILDREN AND YOUTH PSYCHIATRIC RESIDENTIAL TREATMENT FACILITY FOR TRAUMA RECOVERY, FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2025.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2848: AN ACT TO AMEND SECTION 27-104-323, MISSISSIPPI CODE OF 1972, TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER TO THE CORONAVIRUS STATE FISCAL RECOVERY FUND THE FULL AMOUNT OF ANY INTEREST EARNED ON AMOUNTS IN THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND THAT ARE REMAINING IN THE LOCAL FUND ON JULY 1, 2024; TO PROVIDE THAT ANY INTEREST EARNED ON AMOUNTS IN THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND AFTER JULY 1, 2024, SHALL BE DEPOSITED TO THE CREDIT OF THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO AUTHORIZE THE STATE FISCAL OFFICER TO TRANSFER TO THE FEDERAL GOVERNMENT ANY FUNDS IN THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND THAT HAVE NOT BEEN USED FOR THE PURPOSE FOR WHICH THEY WERE RECEIVED; TO AMEND SECTION 37-106-64, MISSISSIPPI CODE OF 1972, TO REVISE ELIGIBILITY FOR THE SKILLED NURSING HOME AND HOSPITAL NURSES RETENTION LOAN REPAYMENT PROGRAM; TO AMEND SECTION 41-3-16.1, MISSISSIPPI CODE OF 1972, TO DIRECT THE DEPARTMENT OF HEALTH'S DISTRIBUTION OF FUNDS APPROPRIATED TO THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM; TO REQUIRE THE STATE FISCAL OFFICER TO TRANSFER CERTAIN FUNDS; TO CREATE THE "ARPA-MDOT MAINTENANCE PROJECT FUND" AS A SPECIAL FUND WITHIN THE STATE TREASURY; TO DIRECT THE STATE TREASURER, IN CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER CERTAIN FUNDS TO THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO DIRECT THE STATE TREASURER, IN CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER CERTAIN FUNDS TO THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND; AND FOR RELATED PURPOSES.

S. B. No. 3006: AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES FOR FISCAL YEAR 2025.

S. B. No. 3016: AN ACT MAKING AN APPROPRIATION FOR THE AID AND SUPPORT OF THE PUBLIC COMMUNITY AND JUNIOR COLLEGES OF THE STATE OF MISSISSIPPI FOR FISCAL YEAR 2025.

S. B. No. 3054: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2025.

S. B. No. 3056: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2025.

David Jordan, Chairman

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate thereupon adjourned until 10:00 AM, Tuesday, May 7, 2024.

Amanda Frusha White, Secretary of the Senate

ONE-HUNDRED AND TWENTY-SEVENTH DAY, TUESDAY, MAY 7, 2024

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate convened at 10:00 AM, a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved.

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate thereupon adjourned until 10:00 AM, Wednesday, May 8, 2024.

Amanda Frusha White, Secretary of the Senate

ONE-HUNDRED AND TWENTY-EIGHTH DAY, WEDNESDAY, MAY 8, 2024

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate convened at 10:00 AM, a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved, the Senate conducted the following business:

MESSAGE FROM THE GOVERNOR
May 8, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2170: Appropriation; additional to Department of Health. (May 8, 2024, 10:02 AM)

S. B. No. 2174: Motor vehicle theft; revise penalty for. (May 8, 2024, 10:20 AM)

S. B. No. 2232: Newton Municipal School District; require election of board of trustees by population of the school district. (May 8, 2024, 11:09 AM)

S. B. No. 2298: State Bond Attorney; revise minimum and maximum fee paid to. (May 8, 2024, 11:11 AM)

S. B. No. 2408: Identification cards; require certain to have 988 Crisis Lifeline information. (May 8, 2024, 7:48 AM)

S. B. No. 2634: Memorial highways; designate segments in Bolivar County and Jones County as in honor individuals. (May 8, 2024, 7:50 AM)

S. B. No. 2696: Mississippi Main Street Grant Program; amend administration of and qualifications for. (May 8, 2024, 7:55 AM)

S. B. No. 2717: Mississippi Prison Industries Corporation; clarify conflicts in laws concerning leadership. (May 8, 2024, 3:10 PM)

S. B. No. 2729: Rural Physicians Scholarship Program and Rural Dentists Scholarship Program; revise certain provisions of. (May 8, 2024, 11:15 AM)

S. B. No. 2764: Manufactured homes; create affidavit of ownership. (May 8, 2024, 11:16 AM)

S. B. No. 2799: Public official appointments; revise terms of office and appointment procedures on certain state boards, districts and agencies. (May 8, 2024, 3:20 PM)

S. B. No. 2857: Medical cannabis act; set additional provisions related to background checks, department investigations, fees and appeals. (May 8, 2024, 3:00 PM)

S. B. No. 3024: Appropriation; Architecture, Board of. (May 8, 2024, 11:51 AM)

S. B. No. 3028: Appropriation; Motor Vehicle Commission. (May 8, 2024, 11:52 AM)

S. B. No. 3029: Appropriation; Counselors, Board of Examiners for Licensed Professional. (May 8, 2024, 11:53 AM)

S. B. No. 3030: Appropriation; Accountancy, Board of Public. (May 8, 2024, 11:54 AM)

S. B. No. 3031: Appropriation; Contractors, Board of. (May 8, 2024, 11:55 AM)

S. B. No. 3034: Appropriation; Dental Examiners, Board of. (May 8, 2024, 11:56 AM)

S. B. No. 3035: Appropriation; Pharmacy, Board of. (May 8, 2024, 11:57 AM)

S. B. No. 3038: Appropriation; Animal Health, Board of. (May 8, 2024, 11:58 AM)

S. B. No. 3050: Appropriation; Workers' Compensation Commission. (May 8, 2024, 11:59 AM)

S. B. No. 3057: Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority. (May 8, 2024, 11:23 AM)

S. B. No. 3059: Appropriations; additional for various state agencies for FY2024 and FY2025. (May 8, 2024, 3:47 PM)

S. B. No. 3163: Appropriation; additional to DFA-Administration, ARPA funds. (May 8, 2024, 8:59 AM)

S. B. No. 3164: Appropriation; additional to DFA-Bureau of Buildings, ARPA funds. (May 8, 2024, 10:00 AM)

S. B. No. 3165: Appropriation; additional to MDOT-Surface Transportation Projects, ARPA funds. (May 8, 2024, 10:01 AM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

TO THE MISSISSIPPI STATE SENATE

MESSAGE FROM THE GOVERNOR

May 8, 2024

I am directed by the Governor to advise you that the following Senate Bill was purposely left **unsigned** and will become a part of the laws of Mississippi, without the approval signature of the Governor.

S.B. 3231: PERS; revise employer contribution rate increase, and redefine responsibilities of board and Legislature.

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate thereupon adjourned until 10:00 AM, Thursday, May 9, 2024.

Amanda Frusha White, Secretary of the Senate

ONE-HUNDRED AND TWENTY-NINTH DAY, THURSDAY, MAY 9, 2024

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate convened at 10:00 AM, a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved.

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate thereupon adjourned until 10:00 AM, Friday, May 10, 2024.

Amanda Frusha White, Secretary of the Senate

ONE-HUNDRED AND THIRTIETH DAY, FRIDAY, MAY 10, 2024

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate convened at 10:00 AM, a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved, the Senate conducted the following business:

MESSAGE FROM THE GOVERNOR
May 10, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 3007: Appropriation; IHL - Subsidiary programs. (May 9, 2024, 3:53 PM)

S. B. No. 3008: Appropriation; IHL - Alcorn State - Agricultural programs. (May 9, 2024, 3:53 PM)

S. B. No. 3009: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station. (May 9, 2024, 3:55 PM)

S. B. No. 3010: Appropriation; IHL - Mississippi State University - Cooperative Extension Service. (May 9, 2024, 3:56 PM)

S. B. No. 3011: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center. (May 9, 2024, 3:57 PM)

S. B. No. 3014: Appropriation; IHL - University of Mississippi Medical Center. (May 9, 2024, 3:59 PM)

S. B. No. 3018: Appropriation; Ethics Commission. (May 9, 2024, 4:00 PM)

S. B. No. 3019: Appropriation; Judicial Performance Commission. (May 9, 2024, 4:01 PM)

S. B. No. 3037: Appropriation; Fair and Coliseum Commission - Livestock shows. (May 9, 2024, 4:04 PM)

S. B. No. 3044: Appropriation; Military Department. (May 9, 2024, 4:05 PM)

S. B. No. 3052: Appropriation; Debt Service-Gen. Obli. (May 9, 2024, 4:06 PM)

S. B. No. 3055: Appropriation; Governor's Office and Mansion. (May 9, 2024, 4:10 PM)

S. B. No. 3058: Coronavirus State Fiscal Recovery Fund; FY2025 reappropriate to certain agencies. (May 9, 2024, 4:15 PM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

_____

MESSAGE FROM THE GOVERNOR
May 10, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2695: Driver's education; revise certain provisions related thereto. (May 10, 2024, 8:12 AM)

S. B. No. 2801: Distinctive motor vehicle license tag; authorize for supporters of various organizations. (May 10, 2024, 8:17 AM)

S. B. No. 3020: Appropriation; Public Safety, Department of. (May 10, 2024, 9:59 AM)

S. B. No. 3021: Appropriation; Mental Health, Department of. (May 10, 2024, 10:00 AM)

S. B. No. 3036: Appropriation; Agriculture and Commerce, Department of. (May 10, 2024, 10:01 AM)

S. B. No. 3040: Appropriation; Emergency Management Agency. (May 10, 2024, 10:02 AM)

S. B. No. 3042: Appropriation; Information Technology Services, Department of. (May 10, 2024, 10:04 AM)

S. B. No. 3043: Appropriation; Personnel Board. (May 10, 2024, 10:05 AM)

S. B. No. 3049: Appropriation; Tax Appeals Board. (May 10, 2024, 10:07 AM)

S. B. No. 3051: Appropriation; Treasurer's Office. (May 10, 2024, 10:10 AM)

S. B. No. 3053: Appropriation; Banking and Consumer Finance, Department of. (May 10, 2024, 10:11 AM)

S. B. No. 3215: Lafayette County; authorize to provide funding to Oxford-Lafayette County Economic Development Foundation. (May 10, 2024, 8:20 AM)

S. B. No. 3216: Town of Walnut; authorize to levy tax on restaurants, hotels, and motels and to issue bonds for parks and recreation. (May 10, 2024, 8:20 AM)

S. B. No. 3221: City of Ridgeland; authorize to levy tax on restaurants, hotels, and motels to promote tourism, parks and recreation. (May 10, 2024, 8:27 AM)

S. B. No. 3230: Alcorn, Benton, Marshall, Prentiss, Tippah, Tishomingo Counties; extend authority to contribute to NE MS Comm. Servs. (May 10, 2024, 8:28 AM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

May 10, 2024

TO THE MISSISSIPPI SENATE:

GOVERNOR'S VETO MESSAGE FOR SENATE BILL 2180

I am returning Senate Bill 2180: "AN ACT TO AMEND SECTION 45-1-19, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT TO ENFORCE ANY CITY ORDINANCE; TO DELETE THE PROVISION OF LAW THAT REQUIRES PRIOR WRITTEN APPROVAL FROM THE CHIEF OF THE CAPITOL POLICE OR THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC SAFETY FOR EVENTS WHICH WILL TAKE PLACE ON ANY STREET OR SIDEWALK IMMEDIATELY ADJACENT TO ANY BUILDING OR PROPERTY OWNED OR OCCUPIED BY ANY OFFICIAL, AGENCY, BOARD, COMMISSION, OFFICE OR OTHER ENTITY OF THE STATE OF MISSISSIPPI, OR WHICH CAN REASONABLY BE EXPECTED TO BLOCK, IMPEDE OR OTHERWISE HINDER INGRESS THERETO AND/OR EGRESS THEREFROM; TO AMEND SECTION 9-12-1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE COMPENSATION OF CCID INFERIOR COURT JUDGES; AND FOR RELATED PURPOSES."

Senate Bill 2180 seeks to expand the jurisdiction of the Capitol Police to make arrests for any violation of the City of Jackson's ordinances which occur within the boundaries of the City of Jackson. Further, Senate Bill 2180 seeks to expand the jurisdiction of the Capitol Complex Improvement District ("CCID") inferior court to include any violations of the City of Jackson's ordinances or municipal code that occur in whole or in part within the boundaries of the CCID.

The City of Jackson has enacted hundreds and hundreds of pages of ordinances encompassing a wide variety of subjects that have absolutely nothing to do with public safety, including ordinances addressing pets, livestock and wild animals; cemetery conditions; solid waste; advertising and signs; and maintaining the area around houses and businesses. By way of just one example, the City of Jackson has enacted an ordinance making it unlawful for the owner of real property within the City to allow weeds, tall grass, rubbish, bushes or any other unsightly, objectionable or unsanitary matter whatsoever to accumulate or remain on their property. Expanding the jurisdiction of the Capitol Police and the CCID inferior court to such matters would distract them from the purpose for which they were created by the Legislature, to attempt to restore law and order in the City of Jackson through the enforcement of state criminal laws.

The Mississippi Department of Public Safety ("Department") has estimated that it will take a minimum of 200 sworn law enforcement officers to adequately and effectively patrol and enforce state criminal laws in the expanded CCID area set to go into effect in

July. Further, the Department has estimated it will take approximately 250 sworn law enforcement officers to adequately and effectively patrol and enforce state criminal laws in the further expanded CCID area established by House Bill 1487 (2024 Legislative Session) set to take effect on July 1, 2025. Despite the Department's budget request to the Legislature for funding to hire adequate officers to patrol the future expanded CCID areas, the Legislature has only funded 187 officers for state fiscal year 2025 (July 1, 2024-June 30, 2025).

The City of Jackson is beginning to realize the benefits of Capitol Police's enforcement of state criminal laws, and it would be unwise to expand the duties of Capitol Police to code enforcement at this time. Capitol Police have proven time and time again to be up to the task of restoring public safety within the CCID, and when provided adequate funding and resources by the Legislature, I am certain they will be able to protect public safety in an expanded CCID area. However, diverting the already thin resources of Capitol Police to code/ordinance enforcement would be incongruent with increasing public safety in the City of Jackson. Municipal ordinances and codes are enacted by the City of Jackson and should be enforced exclusively by the City when they do not touch on matters of public safety.

Further, it should be noted that the provision of Senate Bill 2180 authorizing and funding the employment of two full-time and one part-time CCID inferior court judges (and support staff) is also contained in Section 24 of House Bill 1820 (2024 Legislative Session), which will become law.

In sum, it would be imprudent at this time to expand the limited resources of Capitol Police and the CCID inferior court beyond the enforcement of state laws aimed at protecting public safety. Thus, I am compelled to veto Senate Bill 2180.

Respectfully submitted,

TATE REEVES
GOVERNOR
(May 10, 2024, 2:10 PM)

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate thereupon adjourned until 10:00 AM, Saturday, May 11, 2024.

Amanda Frusha White, Secretary of the Senate

ONE-HUNDRED AND THIRTY-FIRST DAY, SATURDAY, MAY 11, 2024

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate convened at 10:00 AM, a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved.

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate thereupon adjourned until 10:00 AM, Sunday, May 12, 2024.

Amanda Frusha White, Secretary of the Senate

ONE-HUNDRED AND THIRTY-SECOND DAY, SUNDAY, MAY 12, 2024

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate convened at 10:00 AM, a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved.

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate thereupon adjourned until 10:00 AM, Monday, May 13, 2024.

Amanda Frusha White, Secretary of the Senate

ONE-HUNDRED AND THIRTY-THIRD DAY, MONDAY, MAY 13, 2024

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate convened at 10:00 AM, a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved, the Senate conducted the following business:

MESSAGE FROM THE GOVERNOR
May 13, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2022: Juvenile offenders and district attorneys; revise provisions related to. (May 13, 2024, 12:00 PM)

S. B. No. 2130: Homeowners' insurance; prohibit insurer from cancelling or denying coverage solely due to roof's age. (May 13, 2024, 10:45 AM)

S. B. No. 2144: Runoff elections; amend to lengthen the timing requirement. (May 13, 2024, 10:59 AM)

S. B. No. 2285: Department of Public Safety; revise salary scale. (May 13, 2024, 12:03 PM)

S. B. No. 2405: Alcoholic beverages; increase number of package retailer's permits under certain conditions. (May 13, 2024, 12:10 PM)

S. B. No. 2468: Budget process; bring forward certain sections relating to and provide for transfers of funds. (May 13, 2024, 4:40 PM)

S. B. No. 2487: The Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund; bring forward provision related to. (May 13, 2024, 12:10 PM)

S. B. No. 2648: Mississippi Department of Marine Resources; authorize oyster lease reconfiguration and make technical amendments. (May 13, 2024, 12:12 PM)

S. B. No. 2753: SAFER Act; enact. (May 13, 2024, 10:50 AM)

S. B. No. 2792: Foster care and adoption; revise provisions related to per recommendations of task force. (May 13, 2024, 12:19 PM)

S. B. No. 2803: Local Option Alcoholic Beverage Control Law; revise definition of "qualified resort area." (May 13, 2024, 12:21 PM)

S. B. No. 2848: ARPA programs; revise related programs, provide procedure of unobligated funds, and transfer certain funds. (May 13, 2024, 10:15 AM)

S. B. No. 2873: Medical records retention requirements; provide for. (May 13, 2024, 12:23 PM)

S. B. No. 3006: Appropriation; IHL - General support. (May 13, 2024, 1:49 PM)

S. B. No. 3012: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of. (May 13, 2024, 2:30 PM)

S. B. No. 3013: Appropriation; IHL - Student Financial Aid. (May 13, 2024, 2:35 PM)

S. B. No. 3015: Appropriation; Community and Junior Colleges Board - Administrative expenses. (May 13, 2024, 2:38 PM)

S. B. No. 3016: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges. (May 13, 2024, 2:42 PM)

S. B. No. 3017: Appropriation; Employment Security, Department of. (May 13, 2024, 2:29 PM)

S. B. No. 3022: Appropriation; Transportation, Department of - State Aid Road Construction, Office of. (May 13, 2024, 2:32 PM)

S. B. No. 3025: Appropriation; Funeral Services Board. (May 13, 2024, 2:46 PM)

S. B. No. 3026: Appropriation; Geologists, Board of Registered Professional. (May 13, 2024, 2:44 PM)

S. B. No. 3039: Appropriation; Corrections, Department of. (May 13, 2024, 2:54 PM)

S. B. No. 3041: Appropriation; Gaming Commission. (May 13, 2024, 2:58 PM)

S. B. No. 3045: Appropriation; Veterans Affairs Board. (May 13, 2024, 3:00 PM)

S. B. No. 3046: Appropriation; Audit, Department of. (May 13, 2024, 3:02 PM)

S. B. No. 3047: Appropriation; Revenue, Department of. (May 13, 2024, 3:10 PM)

S. B. No. 3048: Appropriation; Secretary of State. (May 13, 2024, 10:35 AM)

S. B. No. 3054: Appropriation; Finance and Administration, Department of. (May 13, 2024, 3:09 PM)

S. B. No. 3056: Appropriation; Development Authority, Mississippi. (May 13, 2024, 3:16 PM)

S. B. No. 3162: Appropriation; additional to DMH-Children & Youth PRTF, ARPA funds. (May 13, 2024, 3:13 PM)

S. B. No. 3223: Suffrage; restore suffrage to Dewitt Cooperwood. (May 13, 2024, 9:49 AM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

_____

TO THE MISSISSIPPI STATE SENATE

MESSAGE FROM THE GOVERNOR

May 13, 2024

I am directed by the Governor to advise you that the following Senate Bills were purposely left **unsigned** and will become a part of the laws of Mississippi, without the approval signature of the Governor.

S.B. 3083: Suffrage; restore to Larry Sills.
S.B. 3222: Suffrage; restore suffrage to Robert Maxwell.

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

_____

May 13, 2024

Amanda Frusha White, Secretary of the Senate
Andrew Ketchings, Clerk of the House

Amanda and Andrew:

In accordance with HCR 64 Regular Session 2024, Lieutenant Governor Delbert Hosemann and Speaker of the House Jason White have jointly agreed that it is not necessary to reconvene the 2024 Legislative Session on Tuesday, May 14, 2024, at 1:00 p.m.

C. Delbert Hosemann, Jr.
Lieutenant Governor

Jason White
Speaker of the House

_____

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate thereupon adjourned until 1:00 PM, Tuesday, May 14, 2024.

Amanda Frusha White, Secretary of the Senate

_____

ONE-HUNDRED AND THIRTY-FOURTH DAY, TUESDAY, MAY 14, 2024

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate convened at 1:00 PM, a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved, the Senate conducted the following business:

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. B. No. 3228: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO KENNETH EDWARD BARNES OF WALTHALL COUNTY, MISSISSIPPI.

David Jordan, Chairman

_____

Pursuant to adjournment order of Saturday, May 4, 2024, the Senate thereupon adjourned Sine Die at 11:59 PM.

Amanda Frusha White, Secretary of the Senate

_____

In accordance with the provisions of Section 72 of the Mississippi Constitution of 1890, as amended, the following message from the Governor were received subsequent to the Sine Die adjournment:

TO THE MISSISSIPPI STATE SENATE

MESSAGE FROM THE GOVERNOR

May 16, 2024

I am directed by the Governor to advise you that the following Senate Bill was purposely left **unsigned** and will become a part of the laws of Mississippi, without the approval signature of the Governor.

S.B. 3228: Suffrage; restore Kenneth Edward Barnes.

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

_____

****

MESSAGE FROM THE HOUSE
(Received on March 13, 2024)

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 2059: Biomass and Bioenergy with carbon capture technology; define.

Andrew Ketchings, Clerk of the House of Representatives

_____

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE
(Received on March 13, 2024)

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 41: AN ACT TO AMEND SECTION 73-27-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LICENSED PODIATRISTS TO PERFORM SURGICAL AND/OR MEDICAL TREATMENT OF THE ANKLE AND GOVERNING STRUCTURES AND TISSUE WHEN THE PODIATRIST HAS MET CERTAIN REQUIREMENTS; TO PROVIDE THAT A LICENSED PODIATRIST MAY PERFORM ANKLE SURGERY ONLY IN AN ACCREDITED HOSPITAL IN WHICH THE PODIATRIST HAS RECEIVED SURGICAL PRIVILEGES TO PERFORM ANKLE SURGERY; TO PROVIDE THAT SURGICAL TREATMENT OF THE ANKLE IS LIMITED TO PROCEDURES LISTED BY THE COUNCIL OF PODIATRIC MEDICAL EDUCATION AS BEING REQUIRED FOR GRADUATION AND CERTIFICATION IN REARFOOT AND ANKLE SURGERY; AND FOR RELATED PURPOSES.

H. B. No. 871: AN ACT TO AMEND SECTION 83-9-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR PURPOSES OF THE BALANCE BILLING PROHIBITION, A LICENSED HEALTH CARE PROVIDER RENDERING HOSPITAL, NURSING, MEDICAL OR SURGICAL SERVICES SHALL NOT INCLUDE THOSE IN THE PRACTICE OF DENTISTRY; AND FOR RELATED PURPOSES.

H. B. No. 1024: AN ACT TO AMEND SECTION 99-19-77, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO RECOVER INVESTIGATIVE COSTS FROM A DEFENDANT; AND FOR RELATED PURPOSES.

H. B. No. 1086: AN ACT TO AMEND SECTION 11-21-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A COURT, IN ITS DISCRETION, TO ORDER A JOINT TENANT, TENANT IN COMMON, COPARCENER OR ANY OTHER PERSON ON LAND IN DISPUTE FOR PARTITION TO LEAVE THE LAND OR BE REMOVED; TO CREATE NEW SECTION 11-21-77.1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY COURT, IN ITS DISCRETION, TO ORDER ANY TENANT IN COMMON OR ANY OTHER PERSON WHO HAS POSSESSION OR CONTROL OVER PROPERTY THAT IS IN DISPUTE FOR PARTITION TO RETURN THE PROPERTY OR SEPARATE HIMSELF OR HERSELF FROM THE PROPERTY; TO AMEND SECTION 11-21-77, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO AMEND SECTION 91-31-5, MISSISSIPPI CODE OF 1972, TO PROVIDE DISCRETION TO THE PERSON FILING THE PARTITION ACTION TO DECIDE IF THE UNIFORM HEIR PROPERTY PROVISIONS WILL BE APPLIED; TO AMEND SECTION 91-31-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A COURT, IN ITS DISCRETION, TO ORDER A JOINT TENANT, TENANT IN COMMON, COPARCENER OR ANY OTHER PERSON ON LAND IN DISPUTE FOR PARTITION TO LEAVE THE LAND OR BE REMOVED; AND FOR RELATED PURPOSES.

H. B. No. 1213: AN ACT TO CREATE THE "LIVING DONOR PROTECTION ACT"; TO PROVIDE DEFINITIONS; TO PROHIBIT AN INSURER OF A LIFE, DISABILITY OR LONG-TERM CARE INSURANCE POLICY FROM DECLINING OR LIMITING COVERAGE OF A PERSON UNDER ANY POLICY OR OTHERWISE DISCRIMINATING AGAINST SUCH PERSON SOLELY DUE TO THE STATUS OF SUCH PERSON AS A LIVING ORGAN DONOR; TO AUTHORIZE THE MISSISSIPPI STATE DEPARTMENT OF HEALTH TO MAKE ANY MATERIAL IT RECEIVES RELATED TO LIVING ORGAN DONATION FROM A RECOGNIZED LIVING ORGAN DONATION ORGANIZATION AVAILABLE TO THE PUBLIC; AND FOR RELATED PURPOSES.

H. B. No. 1225: AN ACT TO AMEND SECTION 21-35-31, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE AUDITOR, IN HIS DISCRETION, TO REVIEW

AND EXAMINE MUNICIPALITIES UNDER CERTAIN PRESCRIBED CONDITIONS; AND FOR RELATED PURPOSES.

H. B. No. 1226: AN ACT TO AMEND SECTION 9-12-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE TWO JUDGES FOR THE CCID INFERIOR COURT AND CLARIFY COMPENSATION FOR THE JUDGES; TO BRING FORWARD SECTIONS 11-51-81 AND 11-51-95, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR APPEALS FROM MUNICIPAL COURTS AND ALL TRIBUNALS INFERIOR TO THE CIRCUIT COURT, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1252: AN ACT TO AMEND SECTION 99-15-26, MISSISSIPPI CODE OF 1972, TO AUTHORIZE NONADJUDICATION FOR FELONY VIOLATIONS OF THE IMPLIED CONSENT LAWS UNDER CERTAIN CONDITIONS; TO BRING FORWARD SECTION 63-11-30, MISSISSIPPI CODE OF 1972, WHICH REGULATES IMPLIED CONSENT LAWS, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1258: AN ACT TO AMEND SECTION 29-3-63, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A LOCAL SCHOOL BOARD OF A CERTAIN SCHOOL DISTRICT TO EXTEND THE LONG-TERM LEASE OF A HOLDER OF 16TH SECTION LAND, WHICH IS FREE OF ANY OUTSTANDING FINANCIAL OBLIGATION WITH LESS THAN 30 YEARS REMAINING ON THE ORIGINAL TERM, FOR AN ADDITIONAL PERIOD NOT TO EXCEED 25 YEARS UPON TERMS AND CONDITIONS ACCEPTABLE TO THE BOARD; AND FOR RELATED PURPOSES.

H. B. No. 1271: AN ACT TO AMEND SECTION 73-35-21, MISSISSIPPI CODE OF 1972, TO REVISE LIABILITY REGARDING SECTIONS 89-1-501 THROUGH 89-1-523; TO AMEND SECTION 89-1-503, MISSISSIPPI CODE OF 1972, TO REVISE LIABILITY REGARDING SECTIONS 89-1-501 THROUGH 89-1-523; TO REPEAL SECTION 89-1-519, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT NO PERSON OR ENTITY SHALL BE DEEMED THE AGENT OF THE TRANSFEROR OR TRANSFEREE FOR PURPOSES OF THE DISCLOSURE REQUIREMENTS OF SECTIONS 89-1-501 THROUGH 89-1-523; TO AMEND SECTION 89-1-523, MISSISSIPPI CODE OF 1972, TO REVISE LIABILITY REGARDING SECTIONS 89-1-501 THROUGH 89-1-523; AND FOR RELATED PURPOSES.

H. B. No. 1273: AN ACT TO AMEND SECTION 45-3-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A LAW ENFORCEMENT OFFICER RETIRING FROM THE DEPARTMENT OF PUBLIC SAFETY AND BENEFICIARIES OF AN OFFICER KILLED IN THE LINE OF DUTY TO RETAIN A SIDEARM ISSUED TO THAT OFFICER; TO AMEND SECTION 45-9-131, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO AMEND SECTION 77-7-345, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE STATUTE AUTHORIZING THE COMMISSIONER OF PUBLIC SAFETY TO ESTABLISH A VOLUNTARY PROGRAM FOR THE INSPECTION OF COMMERCIAL MOTOR VEHICLES; TO AMEND SECTION 97-3-54.7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO SEIZE PROPERTY USED IN THE COMMISSION OF VIOLATIONS OF THE HUMAN TRAFFICKING ACT; TO CREATE THE STATE MEDICAL EXAMINER TASK FORCE TO REPLACE THE STATE MEDICAL EXAMINER ADVISORY COUNCIL; TO AMEND SECTION 41-61-55, MISSISSIPPI CODE OF 1972, TO DELETE PROVISIONS RELATING TO THE STATE MEDICAL EXAMINER ADVISORY COUNCIL; TO AMEND SECTION 45-1-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF PUBLIC SAFETY, WITH THE APPROVAL OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION, TO LEASE SPACE IN THE DEPARTMENT'S HEADQUARTERS TO A THIRD PARTY; TO REQUIRE FUNDS GENERATED FROM A LEASE TO BE DEPOSITED INTO A SPECIAL FUND FOR PUBLIC SAFETY PURPOSES; AND FOR RELATED PURPOSES.

H. B. No. 1319: AN ACT TO PROHIBIT AN INSURER FROM REFUSING TO ISSUE OR REFUSING TO RENEW A HOMEOWNER'S POLICY INSURING A RESIDENTIAL STRUCTURE WITH A ROOF THAT IS LESS THAN FIFTEEN YEARS OLD SOLELY BECAUSE OF THE AGE OF THE ROOF; TO PROVIDE THAT AN INSURER SHALL NOT REFUSE TO ISSUE OR REFUSE TO RENEW A HOMEOWNER'S INSURANCE POLICY SOLELY BECAUSE OF ROOF AGE IF AN INSPECTION OF THE ROOF OF THE RESIDENTIAL STRUCTURE PERFORMED BY

AN AUTHORIZED INSPECTOR INDICATES THAT THE ROOF HAS FIVE YEARS OR MORE OF USEFUL LIFE REMAINING; TO PROVIDE CERTAIN PROCEDURES RELATED TO THE ACT; AND FOR RELATED PURPOSES.

H. B. No. 1325: AN ACT TO AMEND SECTION 97-37-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE EMPLOYEES OF THE SECRETARY OF STATE WHO ARE AUTHORIZED BY THE SECRETARY OF STATE TO PERFORM INVESTIGATIVE OR REGULATORY FUNCTIONS TO CARRY FIREARMS; TO BRING FORWARD SECTION 45-9-101, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR FIREARMS PERMITS FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1376: AN ACT TO CREATE NEW SECTION 43-15-12, MISSISSIPPI CODE OF 1972, TO ESTABLISH QUALIFIED RESIDENTIAL TREATMENT PROGRAMS AS ALTERNATIVE PLACEMENTS FOR CHILDREN AND YOUTH WHO ARE IN THE CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES; TO DEFINE THE TERMS "QUALIFIED RESIDENTIAL TREATMENT PROGRAMS (QRTP)" AND "QUALIFIED ASSESSORS"; TO PROVIDE THE DUTIES OF A QUALIFIED ASSESSOR AS IT RELATES TO QRTP PLACEMENT OF A CHILD; TO PROVIDE CERTAIN DUTIES OF THE COURT AFTER A CHILD IS PLACED IN QRTP PLACEMENT; AND FOR RELATED PURPOSES.

H. B. No. 1537: AN ACT TO AMEND SECTIONS 97-31-55 AND 41-29-149.1, MISSISSIPPI CODE OF 1972, TO PROVIDE IMMUNITY FOR THOSE WHO REPORT SEXUAL ABUSE; AND FOR RELATED PURPOSES.

H. B. No. 1590: AN ACT TO AMEND SECTION 25-11-15, MISSISSIPPI CODE OF 1972, TO RECONSTITUTE THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM; TO PROVIDE THAT THE BOARD SHALL CONSIST OF THE STATE TREASURER, THE COMMISSIONER OF REVENUE, FOUR APPOINTEES OF THE GOVERNOR, THREE APPOINTEES OF THE LIEUTENANT GOVERNOR, ONE RETIRED MEMBER RECEIVING A RETIREMENT ALLOWANCE FROM THE SYSTEM AND ELECTED BY THE RETIRED MEMBERS OR BENEFICIARIES RECEIVING A RETIREMENT ALLOWANCE FROM THE SYSTEMS ADMINISTERED BY THE BOARD, AND ONE MEMBER OF THE SYSTEM HAVING AT LEAST 10 YEARS OF CREDITABLE SERVICE AND ELECTED BY THE MEMBERS OF THE RETIREMENT SYSTEMS ADMINISTERED BY THE BOARD; TO PROVIDE FOR STAGGERED TERMS OF FOUR YEARS FOR TRUSTEES AFTER THE INITIAL TERMS; TO PROVIDE QUALIFICATIONS FOR THE APPOINTED AND ELECTED TRUSTEES; TO PROVIDE THAT THE GOVERNOR'S AND LIEUTENANT GOVERNOR'S APPOINTMENTS BE SUBJECT TO THE ADVICE AND CONSENT OF THE SENATE; TO AMEND SECTION 25-11-123, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE INCREASE IN THE EMPLOYER'S CONTRIBUTION RATE THAT IS SCHEDULED TO TAKE EFFECT ON JULY 1, 2024, IS RESCINDED AND SHALL NOT TAKE EFFECT, AND THE BOARD SHALL NOT PROVIDE FOR ANY INCREASE IN THE EMPLOYER'S CONTRIBUTION RATE THROUGH JUNE 30, 2024; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS
(Received on May 06, 2024)

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1783: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL YEAR 2025.

H. B. No. 1791: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR THE FISCAL YEAR 2025.

H. B. No. 1800: AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR 2025.

H. B. No. 1826: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2025; AND FOR RELATED PURPOSES.

H. B. No. 1830: AN ACT TO PROVIDE AN ADDITIONAL APPROPRIATION OF GENERAL FUNDS AND SPECIAL FUNDS TO DEFRAY THE OPERATING EXPENSES OF THE SECRETARY OF STATE, THE MISSISSIPPI DEVELOPMENT AUTHORITY, AND THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEARS 2024 AND 2025; AND FOR RELATED PURPOSES.

H. B. No. 1854: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, TO LEVY AN ASSESSMENT, IN ADDITION TO ANY OTHER ASSESSMENTS AND COURT COSTS, FOR CONVICTIONS OBTAINED IN ITS JUSTICE, COUNTY AND CIRCUIT COURTS, TO BE USED TO FUND REPAIRS TO AND RENOVATIONS OF THE COURTHOUSES AND PRETRIAL DETENTION FACILITIES OF HARRISON COUNTY; AND FOR RELATED PURPOSES.

H. B. No. 1983: AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF $20,000,000 FOR THE ACE FUND; TO AMEND SECTION 57-61-25, MISSISSIPPI CODE OF 1972, TO INCREASE BY $5,000,000 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT; TO AMEND SECTION 57-61-36, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF BOND PROCEEDS THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY MAY UTILIZE UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT TO MAKE GRANTS OR LOANS TO MUNICIPALITIES THROUGH AN EQUIPMENT AND PUBLIC FACILITIES GRANT AND LOAN FUND TO AID IN INFRASTRUCTURE-RELATED IMPROVEMENTS, THE PURCHASE OF EQUIPMENT, AND THE PURCHASE, CONSTRUCTION OR REPAIR AND RENOVATION OF PUBLIC FACILITIES; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO INCREASE BY $5,000,000 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT FOR PROJECTS DESIGNED TO ENHANCE FACILITIES THAT ARE AT RISK FOR CLOSURE PURSUANT TO THE DEFENSE BASE REALIGNMENT AND CLOSURE ACT OF 1990 OR OTHER APPLICABLE FEDERAL LAW; TO REDUCE BY $60,000,000 AND $5,000,000 THE AMOUNTS OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR PROJECTS DEFINED IN SUBPARAGRAPHS (XXVIII) AND (XXX), RESPECTIVELY, OF SECTION 57-75-5(F); TO REMOVE THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR PROJECTS DEFINED IN SUBPARAGRAPH (XXVI) OF SECTION 57-75-5(F); TO AMEND SECTION 57-75-25, MISSISSIPPI CODE OF 1972, TO REDUCE BY $50,000,000 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED UNDER THE MISSISSIPPI SMALL ENTERPRISE DEVELOPMENT FINANCE ACT; TO AMEND SECTION 65-4-25, MISSISSIPPI CODE OF 1972, TO INCREASE BY $5,000,000 THE AMOUNT OF BONDS AUTHORIZED TO BE ISSUED UNDER THE ECONOMIC DEVELOPMENT HIGHWAY ACT; TO AMEND SECTION 25, CHAPTER 533, LAWS OF 2010, AS LAST AMENDED BY SECTION 14, CHAPTER 480, LAWS OF 2021, TO INCREASE BY $10,000,000 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED FOR THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND; TO AMEND SECTION 1, CHAPTER 492, LAWS OF 2020, AS AMENDED BY SECTION 4, CHAPTER 480, LAWS OF 2021, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED FOR THE STATE INSTITUTIONS OF HIGHER LEARNING FOR A CAPITAL PROJECT AT THE UNIVERSITY OF SOUTHERN MISSISSIPPI MAY BE USED; TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021,

AS AMENDED BY SECTION 1, CHAPTER 328, LAWS OF 2022, AND BY SECTION 32, CHAPTER 549, LAWS OF 2023, FOR THE SAME PURPOSE; TO AMEND SECTION 10, CHAPTER 567, LAWS OF 2013, AS LAST AMENDED BY SECTION 1, CHAPTER 372, LAWS OF 2022, TO REDUCE THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE HINDS COUNTY DEVELOPMENT PROJECT LOAN FUND; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST HINDS COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO THE HINDS COUNTY COURTHOUSE LOCATED IN THE CITY OF JACKSON; TO AMEND SECTION 23, CHAPTER 492, LAWS OF 2020, WHICH AUTHORIZES THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND, TO EXTEND THE TIME WITHIN WHICH THE BONDS MAY BE ISSUED; TO AMEND SECTION 80, CHAPTER 492, LAWS OF 2020, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED TO ASSIST THE MISSISSIPPI TRANSPORTATION COMMISSION AND THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION IN PAYING THE COSTS ASSOCIATED WITH INFRASTRUCTURE UPGRADES TO IMPROVE THE CAPACITY AND SAFETY OF THE INTERSECTION OF MISSISSIPPI HIGHWAY 7 AND UNIVERSITY AVENUE IN OXFORD, MISSISSIPPI, MAY BE USED; TO PROVIDE THAT THE PROCEEDS OF THE BONDS MAY BE USED TO ASSIST THE MISSISSIPPI TRANSPORTATION COMMISSION AND THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION IN PAYING THE COSTS ASSOCIATED WITH EXTENDING AND CONNECTING COMMONWEALTH BOULEVARD AND PEGUES ROAD; TO PROVIDE THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY SHALL ESTABLISH A PROGRAM TO PROVIDE GRANTS TO ASSIST CERTAIN MANUFACTURERS OF SMALL UNMANNED AIRCRAFT SYSTEMS IN PAYING COSTS ASSOCIATED WITH RESEARCH AND DEVELOPMENT TO EXPAND SMALL UNMANNED AIRCRAFT SYSTEMS MANUFACTURING CAPABILITIES IN MISSISSIPPI; TO PROVIDE AN APPLICATION PROCESS FOR ENTITIES WHO DESIRE TO PARTICIPATE IN THE GRANT PROGRAM; TO CREATE THE "SMALL UNMANNED AIRCRAFT SYSTEM MANUFACTURER GRANT FUND" AS A SPECIAL FUND IN THE STATE TREASURY; TO PROVIDE THAT MONIES IN THE FUND SHALL BE DISBURSED, UPON APPROPRIATION BY THE LEGISLATURE, IN THE DISCRETION OF THE MISSISSIPPI DEVELOPMENT AUTHORITY, TO PROVIDE GRANTS AUTHORIZED IN THIS ACT; TO TRANSFER $500,000 FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND TO THE SMALL UNMANNED AIRCRAFT SYSTEM MANUFACTURER GRANT FUND; TO AMEND SECTION 124, CHAPTER 480, LAWS OF 2021, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED TO ASSIST THE CITY OF STARKVILLE, MISSISSIPPI, WITH CERTAIN ROAD PROJECTS MAY BE USED; TO PROVIDE THAT THE PROCEEDS OF THE BONDS MAY BE USED TO ASSIST THE CITY OF STARKVILLE IN PAYING COSTS ASSOCIATED WITH REPAIRS, UPGRADES AND IMPROVEMENTS TO THE CITY'S ERNEST E. JONES WASTEWATER TREATMENT PLANT AND RELATED INFRASTRUCTURE AND FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE GULF COAST PASSENGER RAIL RESTORATION MATCH FUND WHICH IS CREATED IN THIS ACT; TO PROVIDE THAT MONIES IN THE FUND SHALL BE USED TO PAY THE STATE OF MISSISSIPPI'S SHARE OF MATCHING FUNDS FOR ANY CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS (CRISI) GRANT FOR THE PAYMENT OF COSTS ASSOCIATED WITH IMPROVEMENTS TO TRACK, SIDING, SWITCHES, INTERLOCKING, YARDS, GRADE CROSSINGS AND OTHER CAPITAL IMPROVEMENTS AND RELATED ADMINISTRATIVE AND CONTINGENCY COSTS NECESSARY TO RESTORE PASSENGER RAIL SERVICE ALONG THE MISSISSIPPI GULF COAST IN MISSISSIPPI IN HANCOCK, HARRISON AND JACKSON COUNTIES; TO PROVIDE THAT THE SECRETARY OF STATE SHALL ESTABLISH A PROGRAM TO PROVIDE GRANTS TO ASSIST PERSONS AND OTHER ENTITIES IN PAYING COSTS ASSOCIATED WITH MAKING IMPROVEMENTS TO STATE LAND; TO PROVIDE AN APPLICATION PROCESS FOR PERSONS AND

OTHER ENTITIES WHO DESIRE TO PARTICIPATE IN THE GRANT PROGRAM; TO CREATE THE "SECRETARY OF STATE LAND IMPROVEMENT FUND" AS A SPECIAL FUND IN THE STATE TREASURY AND TO PROVIDE THAT MONIES IN THE SPECIAL FUND SHALL BE EXPENDED BY THE SECRETARY OF STATE, UPON APPROPRIATION BY THE LEGISLATURE, TO PROVIDE GRANTS AUTHORIZED UNDER THIS ACT; TO TRANSFER $13,000,000 FROM THE CAPITAL EXPENSE FUND TO THE SECRETARY OF STATE LAND IMPROVEMENT FUND; TO AMEND SECTION 15, CHAPTER 492, LAWS OF 2020, AS AMENDED BY SECTION 5, CHAPTER 480, LAWS OF 2021, TO EXTEND THE PERIOD OF TIME IN WHICH STATE GENERAL OBLIGATION BONDS MAY BE ISSUED FOR THE 2020 CHICKASAW HERITAGE CENTER FUND; TO DIRECT THE STATE TREASURER TO TRANSFER A CERTAIN AMOUNT FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND TO THE SMALL UNMANNED AIRCRAFT SYSTEM MANUFACTURER GRANT FUND; TO DIRECT THE STATE TREASURER TO TRANSFER A CERTAIN AMOUNT FROM THE STATE GENERAL FUND TO THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO CREATE THE "SECRETARY OF STATE LAND IMPROVEMENT FUND," AS A SPECIAL FUND IN THE STATE TREASURY AND TO PROVIDE THE PURPOSES FOR WHICH MONIES IN THE FUND MAY BE USED; TO DIRECT THE STATE TREASURER TO TRANSFER A CERTAIN AMOUNT FROM THE CAPITAL EXPENSE FUND TO THE SECRETARY OF STATE LAND IMPROVEMENT FUND; TO REQUIRE THE ATTORNEY GENERAL TO TAKE NECESSARY ACTIONS TO DETERMINE COMPLIANCE WITH THE CONDITIONS OF USE OF A LAND CONVEYANCE RELATING TO CERTAIN PUBLIC LANDS WITHIN THE CITY OF JACKSON, MISSISSIPPI, AND TO ENFORCE THE TERMS OF THE INSTRUMENT OF CONVEYANCE UPON A DETERMINATION OF A VIOLATION OF THE ORIGINAL SPECIFIED PURPOSES; TO DIRECT THE STATE TREASURER TO TRANSFER A CERTAIN AMOUNT FROM THE CAPITAL EXPENSE FUND TO THE 2024 LOCAL IMPROVEMENTS PROJECTS FUND; AND FOR RELATED PURPOSES.

David Jordan, Chairman

CONTENTS OF SENATE JOURNAL INDEX

REGULAR SESSION 2024

PART
I. Senate Bill and Resolution Introductions by Number..... 4821.
II. Authors of Senate Bills and Resolutions by Number. ..... 4824.
III. A History of Actions on all Legislative Matters Considered by the Senate. ..... 4835.
A. Senate Bills. ..... 4836.
B. Senate Concurrent Resolutions. ..... 4907.
C. Senate Resolutions. ..... 4910.
D. House Bills. ..... 4919.
E. House Concurrent Resolutions. ..... 4948.
F. Executive Matters. ..... 4950.
IV. General Index of Other Legislative Matters..... 4958.
V. Parliamentary Rulings. ..... 4979.
VI. Subject Matter of Senate and House Bills and Resolutions by Committee.
A. Appropriations Committee. ..... 4981.
B. Standing Committees (Except Appropriations and Local and Private). ..... 4991.
C. Local and Private Committee. ..... 5044.
VII. Committee Membership.
A. Personnel of Senate Committees. ..... 5046.
B. Committee Assignments of Senators..... 5048.
VIII. Biographical data of Senators. ..... 5052.
IX. Senate Officials and Staff. ..... 5058.
X. Rules.
A. Senate Rules. ..... 5060.
B. Joint Rules. ..... 5087.
C. Constitutional Provisions. ..... 5096.

PART I

Senate Bill and Resolution Introduction by Number

(Refer to Part III for condensed titles of Senate Bills, Concurrent Resolutions, Resolutions and Joint Resolutions, respectively, and Senate actions.)

S.B. No.....Page
2001-2002.....47
2003-2008.....48
2009-2015.....49
2016-2021.....50
2022.....51
2023-2027.....53
2028-2033.....54
2034-2039.....55
2040-2045.....56
2046-2048.....57
2049.....58
2050-2055.....59
2056-2058.....60
2059-2060.....61
2061.....62
2062-2065.....63
2066-2071.....64
2072-2077.....65
2078-2080.....66
2081-2083.....67
2084.....68
2085-2089.....69
2090-2092.....70
2093-2101.....71
2102-2109.....72
2110-2117.....73
2118-2120.....74
2121-2125.....75
2126-2132.....76
2133.....77
2134.....87
2135-2139.....88
2140.....90
2141.....92
2142-2143.....93
2144.....99
2145-2149.....111
2150-2153.....112
2154-2156.....113
2157-2162.....114
2163-2168.....115
2169-2173.....116
2174-2179.....117
2180-2183.....118
2184-2188.....119
2189-2195.....120
2196-2200.....121

2201-2208..... 122
2209-2213..... 123
2214-2218..... 124
2219-2225..... 125
2226-2229..... 126
2230-2231..... 127
2232-2236..... 134
2237-2240..... 135
2241-2242..... 136
2243-2245..... 137
2246-2250..... 138
2251..... 141
2252-2255..... 142
2256-2257..... 143
2258-2262..... 144
2263-2268..... 145
2269-2271..... 146
2272-2277..... 147
2278-2281..... 148
2282-2287..... 149
2288-2290..... 150
2291-2297..... 153
2298-2304..... 154
2305-2310..... 155
2311-2317..... 156
2318-2324..... 157
2325-2331..... 162
2332..... 163
2333-2336..... 164
2337-2342..... 165
2343-2346..... 166
2347-2350..... 167
2351..... 168
2352-2353..... 174
2354-2355..... 175
2356-2361..... 176
2362-2364..... 177
2365-2369..... 178
2370-2373..... 179
2374-2377..... 180
2378-2381..... 181
2382-2387..... 182
2388-2391..... 183
2392-2395..... 188
2396-2401..... 189
2402-2406..... 190
2407-2410..... 196
2411-2416..... 197
2417-2421..... 198
2422-2427..... 199
2428-2431..... 200
2432-2438..... 201
2439-2442..... 202
2443-2446..... 203
2447-2452..... 204
2453-2455..... 205
2456-2461..... 206
2462-2467..... 207
2468-2473..... 208
2474-2475..... 209
2476-2483..... 210
2484-2489..... 211
2490-2493..... 212
2494-2495..... 213
2496-2501..... 214
2502-2506..... 215
2507-2511..... 216
2512-2516..... 217
2517-2522..... 218
2523-2528..... 219
2529-2531..... 220
2532-2536..... 221
2537-2542..... 222
2543-2547..... 223
2548-2553..... 224
2554-2557..... 225
2558-2561..... 226
2562-2563..... 227
2564..... 228
2565-2569..... 231
2570-2575..... 232
2576-2579..... 233
2580-2583..... 234
2584-2585..... 235
2586-2587..... 236
2588-2590..... 237
2591-2595..... 238
2596-2597..... 239
2598-2603..... 240
2604-2607..... 241
2608-2612..... 242
2613-2617..... 243
2618-2624..... 244
2625-2629..... 245
2630-2633..... 246
2634-2641..... 247
2642-2645..... 248
2646-2649..... 249
2650-2655..... 250
2656-2659..... 251
2660-2663..... 252
2664-2667..... 253
2668-2671..... 254
2672-2676..... 255
2677-2681..... 256
2682-2685..... 257
2686-2688..... 258
2689-2691..... 259
2692-2693..... 260
2694-2696..... 261
2697-2702..... 262
2703-2706..... 263
2707-2710..... 264
2711-2713..... 265
2714-2717..... 266
2718-2720..... 267
2721-2722..... 268
2723-2726..... 269
2727-2729..... 270
2730-2733..... 271
2734-2736..... 272
2737-2738..... 273
2739-2740..... 274
2741-2744..... 275
2745-2748..... 277
2749-2752..... 278
2753-2754..... 279
2755..... 280
2756-2758..... 281
2759..... 282
2760-2764..... 283
2765-2768..... 284
2769-2771..... 285
2772-2774..... 286
2775-2778..... 287
2779-2780..... 288
2781-2782..... 289
2783-2785..... 290
2786-2788..... 291
2789-2792..... 292
2793-2794..... 293
2795-2799..... 294
2800-2805..... 295
2806-2813..... 296
2814-2816..... 297
2817-2819..... 298
2820-2823..... 299
2824-2825..... 300
2826-2827..... 301
2828-2833..... 302
2834-2839..... 303
2840-2844..... 304
2845-2848..... 305
2849-2851..... 306
2852-2853..... 307
2854-2857..... 308
2858-2860..... 309
2861-2866..... 310
2867-2872..... 311
2873-2876..... 312
2877-2880..... 313
2881-2884..... 314
2885-2887..... 315
2888-2893..... 316
2894-2896..... 317
2897-2899..... 318
2900-2902..... 319
2903-2908..... 320
2909-2914..... 321
2915-2920..... 322
2921-2922..... 323
2923..... 324
2924..... 325
2925..... 378

2926 386
2927-2931 402
2932-2940 403
2941-2949 404
2950-2959 405
2960-2969 406
2970-2977 407
2978-2983 408
2984 524
2985-2988 525
2989-2994 526
2995-3001 527
3002-3003 547
3004-3005 548
3006-3007 653
3008-3016 654
3017-3026 655
3027-3036 656
3037-3045 657
3046-3054 658
3055-3059 659
3060-3061 798
3062 799
3063-3069 824
3070-3073 825
3074-3081 826
3082 827
3083 838
3084-3093 844
3094-3099 845
3100-3104 846
3105 848
3106-3113 849
3114-3122 850
3123-3131 851
3132-3141 852
3142-3149 853
3150-3157 854
3158-3161 855
3162-3165 856
3166-3169 862
3170-3179 863
3180-3188 864
3189-3194 865
3195-3201 866
3202-3211 867
3212-3214 868
3215-3216 1010
3217-3218 1099
3219-3220 1373
3221 1374
3222-3225 1899
3226-3229 1900
3230 3166
3231 3657

S.C.R. No. ..... Page
501 17
502-506 77
507-511 78
512-514 127
515-519 128
520 158
521 191
522 228
523-524 229
525-528 325
529-530 326
531-532 408
533 494
534-535 527
536 528
537-538 799
539 817
540 846
541-542 868
543 1099
544 1315
545 1449
546 2254
547 3316
548 3587
549 4398

S.R. No. ..... Page
1 18
2 31
3-5 78
6-13 79
14-18 80
19-20 128
21-28 129
29 191
30-31 229
32 326
33 362
34 378
35-42 409
43 419
44-49 528
50 784
51-54 799
55 817
56-57 818
58-59 827
60 838
61 846
62-64 847
65 1099
66-69 1315
70-72 1316
73-77 1374
78-82 1900
83-85 2254
86-91 2977
92 3031
93-94 3032
95 3129
96-98 3166
99-102 3221
103-105 3274
106-114 3275
115 3316
116-118 3545
119-126 3658
127 3842
128 4083
129-131 4398
132-133 4510

PART II

Authors of Senate Bills, Concurrent Resolutions and Resolutions

(* denotes "By Request")

Senator Barnett..... S.B. 2046, 2054, 2090, 2230, 2231, 2353, 2439, 2442, 2443, 2444, 2445, 2448, 2597, 2601, 2617, 2643, 2685, 2698, 2790, 2851, 3036, 3037, 3038, 3039, 3040, 3229

S.C. 504, 505, 506, 507, 508, 510, 512, 537, 540

S.R. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 34, 49, 72, 84, 92, 95, 99, 111, 112

Senator Barrett..... S.B. 2038, 2192, 2193, 2213, 2250, 2265, 2266, 2285, 2311, 2397, 2406, 2421, 2431, 2481, 2487, 2512, 2519, 2542, 2593, 2601, 2606, 2612, 2681, 2720, 2753, 2761, 2849, 2851, 2939, 2958, 2959, 2960, 2961, 2962, 2987

S.C. 509, 510, 540

S.R. 29, 34, 72, 95, 99, 113, 114, 116

Senator Berry..... S.B. 2142, 2250, 2299, 2397, 2481, 2487, 2519, 2561, 2612, 2676, 2677, 2753, 2851, 2939, 2959, 2992, 3071, 3084, 3094, 3095, 3096, 3097, 3098, 3151

S.C. 509, 510, 518, 540, 544

S.R. 6, 13, 19, 20, 24, 27, 28, 29, 34, 49, 67, 72, 95, 99, 114

Senator Blackmon..... S.B. 2046, 2158, 2198, 2199, 2200, 2201, 2207, 2217, 2230, 2231, 2356, 2369, 2387, 2388, 2417, 2423, 2479, 2535, 2597, 2601, 2617, 2643, 2681, 2698, 2776, 2778, 2790, 2833, 2834, 2835, 2836, 2851, 2932, 3092, 3093, 3152, 3153, 3154, 3166, 3229

S.C. 519, 536, 540

S.R. 34, 71, 72, 81, 87, 95, 99, 117

Senator Blackwell ..... S.B. 2006, 2007, 2008, 2009, 2011, 2012, 2013, 2027, 2032, 2052, 2053, 2070, 2071, 2072, 2073, 2074, 2079, 2080, 2084, 2086, 2088, 2123, 2128, 2135, 2138, 2141, 2145, 2155, 2156, 2161, 2167, 2170, 2195, 2209, 2218, 2236, 2237, 2240, 2257, 2258, 2269, 2291, 2292, 2303, 2311, 2318, 2320*, 2323, 2345, 2347, 2350, 2351, 2377, 2383, 2409, 2436, 2450, 2451, 2453, 2482, 2483, 2484, 2487, 2497, 2508, 2519, 2556, 2735, 2753, 2791, 2823, 2824, 2851, 2857, 2876, 2888, 2922, 2937, 2940, 2941, 3053, 3054, 3055, 3056, 3057

S.C. 503, 509, 510, 511, 519, 540, 541

S.R. 3, 16, 17, 18, 19, 20, 21, 34, 48, 63, 82, 88, 89, 90, 95, 99

Senator Blount ..... S.B. 2046, 2055, 2056, 2057, 2117, 2143, 2146, 2163, 2165, 2191, 2211, 2214, 2230, 2231, 2332, 2344, 2487, 2494, 2522, 2631, 2643, 2692, 2707, 2780, 2851, 2859, 2903, 2904, 2924, 2936, 2949, 2989, 3145, 3147, 3167, 3195

S.C. 506, 514, 515, 516, 536, 540, 542

S.R. 8, 24, 25, 33, 34, 35, 43, 45, 49, 51, 72, 93, 95, 99, 102, 116, 117, 128

Senator Boyd ..... S.B. 2038, 2131, 2140, 2145, 2147, 2148, 2150, 2151, 2156, 2223, 2224, 2244, 2268, 2274, 2276, 2294, 2311, 2329, 2330, 2333, 2334, 2349, 2417, 2418, 2419, 2487, 2519, 2521, 2530, 2531, 2532, 2535, 2548, 2561, 2601, 2605, 2612, 2643, 2673, 2674, 2681, 2685, 2689, 2706, 2723, 2724, 2725, 2727, 2728, 2729, 2730, 2732, 2744, 2747, 2777, 2792, 2851, 2852, 2883, 2886, 2887, 2888, 2889, 3105, 3215

S.C. 510, 515, 518, 519, 523, 531, 540, 543

S.R. 19, 20, 21, 34, 65, 72, 80, 82, 83, 88, 89, 90, 95, 99, 104, 105, 106, 107, 109, 126, 129, 130

Senator Branning ..... S.B. 2131, 2140, 2142, 2145, 2226, 2268, 2311, 2398, 2441, 2477, 2481, 2487, 2492, 2509, 2510, 2519, 2561, 2601, 2635, 2637, 2644, 2645, 2646, 2663, 2689, 2845, 2914, 2942, 2943, 2944, 2945, 2983, 3015, 3016, 3017, 3020, 3022, 3023, 3074, 3100, 3162, 3163, 3165

S.C. 504, 506, 509, 515, 516, 517, 540

S.R. 26, 34, 95, 96, 98, 99, 102, 103, 104, 107, 108, 110

Senator Brumfield ..... S.B. 2046, 2140, 2230, 2231, 2315, 2326, 2327, 2328, 2344, 2362, 2363, 2365, 2369, 2374, 2378, 2387, 2388, 2407, 2415, 2440, 2464, 2481, 2487, 2491, 2551, 2601, 2608, 2643, 2675, 2684, 2685, 2698, 2731, 2735, 2833, 2834, 2835, 2836, 2838, 2850, 2951, 2952, 2963

S.C. 504, 506, 507, 521, 536, 540

S.R. 34, 49, 71, 72, 84, 95, 99, 117

Senator Bryan ..... S.B. 2046, 2248, 2340, 2341, 2342, 2634, 2659, 2714, 2754, 2776, 2810, 2842, 2860, 2861, 2862, 2976, 2977, 3190

S.C. 540

S.R. 2, 15, 34, 72, 95, 99, 102, 113

Senator Butler ..... S.B. 2046, 2145, 2230, 2231, 2244, 2250, 2311, 2315, 2327, 2328, 2332, 2344, 2356, 2362, 2365, 2369, 2378,

2387, 2388, 2397, 2403, 2414, 2415, 2456, 2458, 2459, 2460, 2461, 2462, 2463, 2487, 2491, 2512, 2551, 2601, 2643, 2675, 2685, 2689, 2696, 2698, 2731, 2804, 2805, 2806, 2833, 2834, 2835, 2836, 2848, 2851, 2927, 2928, 2938, 2939, 2978, 2979, 2980, 2981, 2982, 2992, 3000, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3021, 3033, 3034, 3035, 3071, 3162, 3165, 3229

S.C. 504, 507, 536, 540, 541

S.R. 34, 49, 71, 72, 84, 95, 99, 110, 117

Senator Carter ..... S.B. 2060, 2128, 2134, 2145, 2149, 2196, 2197, 2216, 2225, 2283, 2397, 2487, 2519, 2601, 2602, 2603, 2604, 2647, 2681, 2851, 2990, 3072

S.C. 509, 510, 540

S.R. 6, 8, 34, 72, 95, 99

Senator Chassaniol ..... S.B. 2140, 2409, 2436, 2450, 2451, 2481, 2482, 2483, 2484, 2487, 2508, 2556, 2601, 2612, 2643, 2741, 2851, 2876, 2918, 3072, 3076, 3078, 3144, 3145, 3146, 3147, 3158, 3183, 3219

S.C. 509, 510, 511, 519, 536, 540, 541, 542

S.R. 3, 10, 11, 12, 13, 14, 19, 20, 21, 34, 44, 72, 95, 99, 117, 124, 125

Senator Chism ..... S.B. 2002, 2003, 2063, 2121, 2226, 2314, 2373, 2400, 2434, 2487, 2601, 2785, 2806, 3230

S.C. 502, 509, 540

S.R. 4, 19, 34, 91, 95, 99

Senator DeBar ..... S.B. 2145, 2160, 2168, 2169, 2210, 2239, 2245, 2246, 2255, 2268, 2275, 2331, 2332, 2343, 2348, 2407, 2470, 2562, 2670, 2682, 2684, 2686, 2687, 2688, 2689, 2690, 2691, 2695, 2715, 2768, 2784, 2803, 2827, 2851, 2918, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3018, 3019, 3020, 3104

S.C. 505, 509, 518, 519, 532, 537, 538, 540

S.R. 34, 62, 95, 97, 99, 102

Senator DeLano..... S.B. 2060, 2140, 2346, 2408, 2410, 2411, 2412, 2428, 2449, 2454, 2487, 2488, 2498, 2563, 2601, 2627, 2629, 2647, 2649, 2657, 2681, 2694, 2725, 2744, 2780, 2782, 2783, 2900, 2911, 2912, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3036, 3037, 3038, 3039, 3040, 3072

S.C. 509, 510, 540

S.R. 34, 94, 95, 99, 101

Senator England ..... S.B. 2142, 2144, 2145, 2186, 2187, 2221, 2223, 2224, 2226, 2268, 2278, 2355, 2367, 2406, 2422, 2424, 2426, 2427, 2428, 2430, 2433, 2487, 2489, 2519, 2535, 2555, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2592, 2594, 2601, 2647, 2681, 2744, 2753, 2780, 2837, 2851, 2856, 2875, 2972, 2973, 2996, 3003, 3072, 3099, 3105

S.C. 505, 506, 509, 510, 518, 519, 526*, 531, 532, 537, 540, 545, 549

S.R. 14, 21, 27, 28, 33, 34, 36, 49, 63, 64, 65, 72, 74, 75, 76, 77, 93, 94, 95, 99, 127

Senator Fillingane ..... S.B. 2021, 2022, 2026, 2039, 2040, 2058, 2118, 2124, 2129, 2152, 2153, 2157, 2159, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2226, 2241, 2256, 2286, 2287, 2288, 2301, 2304, 2305, 2312, 2466, 2487, 2519, 2529, 2553, 2601, 2609, 2612, 2615, 2616, 2672, 2702, 2750, 2753, 2764, 2765, 2815, 2851, 2891, 2899, 2918, 3071, 3228

S.C. 508, 509, 510, 519, 532, 537, 540, 541

S.R. 6, 19, 20, 21, 22, 23, 34, 69, 70, 95, 99

Senator Frazier ..... S.B. 2014, 2046, 2140, 2143, 2230, 2231, 2249, 2315, 2338, 2344, 2388, 2456, 2458, 2459, 2460, 2461, 2462, 2487, 2537, 2601, 2781, 2804, 2851, 2930, 2936, 2948, 2949, 2950, 2964, 2965, 2966, 2967, 2968, 2978, 2979, 3015, 3016, 3017, 3021, 3144, 3145, 3147, 3162, 3167, 3195, 3218

S.C. 504, 505, 506, 507, 515, 516, 517, 518, 530, 536, 539, 540, 541, 547

S.R. 8, 19, 20, 21, 24, 25, 33, 34, 35, 44, 45, 47, 49, 50, 51, 60, 71, 72, 84, 85, 86, 87, 93, 95, 96, 98, 99, 102, 115, 116, 117

Senator Harkins ..... S.B. 2218, 2226, 2277, 2297, 2399, 2405, 2476, 2477, 2487, 2493, 2495, 2541, 2601, 2753, 2858, 2897, 2905, 2907, 2910, 2921, 3105, 3106, 3161, 3217

S.C. 509, 510, 540, 548, 549

S.R. 32, 34, 39, 45, 51, 52, 55, 56, 57, 58, 59, 73, 78, 79, 95, 99, 130

Senator Hickman ..... S.B. 2046, 2142, 2230, 2231, 2243, 2244, 2280, 2315, 2316, 2317, 2344, 2356, 2365, 2369, 2374, 2378, 2387, 2388, 2415, 2420, 2440, 2487, 2527, 2528, 2551, 2580, 2626, 2766, 2787, 2806, 2851, 2888, 2950, 3018, 3019, 3020, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3195

S.C. 519, 540, 547

S.R. 26, 33, 34, 47, 49, 72, 84, 95, 99, 103, 115

Senator Hill ..... S.B. 2023, 2024, 2025, 2028, 2029, 2030, 2031, 2033, 2034, 2041, 2042, 2043, 2044, 2047, 2048, 2049, 2050, 2051, 2061, 2064, 2065, 2066, 2067, 2068, 2069, 2075, 2076, 2077, 2078, 2082, 2085, 2094, 2119, 2135, 2136, 2137, 2140, 2154, 2164, 2174, 2175, 2219, 2226, 2233, 2270, 2284, 2290, 2293, 2295, 2296, 2300, 2302, 2322, 2339, 2352, 2373, 2380, 2396, 2397, 2402, 2413, 2435, 2441, 2452, 2469, 2478, 2506, 2507, 2519, 2533, 2568, 2601, 2609, 2612, 2753, 2813, 2814, 2851, 2858, 2873, 2878, 2879, 2880, 2920, 3021, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032

S.C. 505, 509, 540, 544

S.R. 4, 34, 49, 68, 95, 99

Senator Hopson ..... S.B. 2404, 2468, 2473, 2558, 2631, 2636, 2693, 2738, 2811, 2825, 2843, 2844, 2846, 2847, 2848, 2851, 2882, 2906, 2926, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3160, 3162, 3163, 3164, 3165

S.C. 506, 509, 510, 516, 518, 519, 536, 540, 545, 547

S.R. 2, 5, 8, 19, 20, 21, 31, 34, 72, 80, 83, 95, 99, 102, 104

Senator Horhn..... S.B. 2016, 2046, 2140, 2143, 2344, 2356, 2403, 2414, 2456, 2458, 2459, 2460, 2461, 2462, 2487, 2571, 2574, 2584, 2590, 2591, 2627, 2655, 2656, 2681, 2710, 2735, 2793, 2796, 2797, 2798, 2800, 2804, 2816, 2817, 2818, 2819, 2820, 2833, 2834, 2835, 2836, 2868, 2869, 2870, 2902, 2932, 2936, 2986, 2988, 2994, 3004, 3005, 3144, 3145, 3147, 3167, 3218, 3221, 3229

S.C. 504, 506, 507, 508, 517, 534, 535*, 536, 540, 541

S.R. 10, 11, 12, 13, 14, 25, 33, 34, 43, 71, 72, 93, 95, 99, 101, 115, 116, 117

Senator Jackson ..... S.B. 2046, 2230, 2231, 2315, 2327, 2344, 2369, 2379, 2387, 2397, 2403, 2414, 2415, 2440, 2464, 2465, 2487, 2491, 2551, 2608, 2662, 2675, 2685, 2731, 2851, 2863, 2888, 2954, 2955, 2956, 2957, 2991, 2995, 2999, 3000, 3022, 3023, 3089, 3090

S.C. 519, 536, 540

S.R. 34, 46, 49, 72, 84, 95, 99, 117

Senator Johnson..... S.B. 2004, 2062, 2081, 2083, 2125, 2130, 2222, 2234, 2288, 2298, 2313, 2358, 2437, 2486, 2540, 2630, 2828, 2853, 2896, 2901, 3069, 3070, 3157, 3224, 3225

S.C. 504, 508, 509, 532, 537, 540

S.R. 6, 22, 23, 34, 49, 72, 94, 95, 97, 99

Senator Jordan ..... S.B. 2046, 2132, 2230, 2231, 2315, 2344, 2356, 2369, 2388, 2403, 2407, 2414, 2415, 2441, 2456, 2458, 2459, 2460, 2461, 2462, 2463, 2487, 2519, 2549, 2551, 2601, 2643, 2681, 2683, 2685, 2696, 2804, 2805, 2806, 2833, 2834, 2835, 2836, 2856, 2999, 3000, 3072, 3078, 3162

S.C. 510, 536, 540

S.R. 34, 49, 71, 72, 95, 99, 117, 124

Senator Kirby ..... S.B. 2122, 2218, 2268, 2409, 2436, 2450, 2451, 2482, 2483, 2484, 2495, 2508, 2549, 2556, 2681, 2759, 2786, 2851, 2876, 2881, 2893, 2894, 2953, 3060, 3072, 3217

S.C. 501, 509, 510, 519, 520, 531, 540

S.R. 1, 5, 8, 19, 20, 21, 25, 32, 33, 34, 35, 45, 51, 55, 56, 57, 78, 79, 95, 99, 102

Senator Ladner ..... S.B. 2060, 2194, 2359, 2397, 2446, 2487, 2519, 2534, 2601, 2647, 2654, 2780, 3001, 3102, 3148, 3149, 3150

S.C. 510, 511, 540

S.R. 27, 28, 34, 37, 38, 40, 42, 49, 68, 72, 95, 99

Senator McCaughn..... S.B. 2018, 2019, 2020, 2036, 2037, 2038, 2059, 2142, 2218, 2226, 2232, 2268, 2306, 2325, 2397, 2481, 2519, 2521, 2536, 2559, 2561, 2601, 2611, 2650, 2681, 2685, 2696, 2753, 2777, 2851, 2874, 3036, 3037, 3038, 3039, 3040, 3071, 3083, 3085, 3086, 3087, 3088, 3175, 3184, 3185, 3186, 3187, 3188, 3189

S.C. 504, 505, 509, 510, 511, 515, 518, 519, 520, 523, 530, 531, 534, 538, 539, 540, 544, 547, 549

S.R. 3, 6, 8, 11, 12, 13, 14, 19, 20, 27, 28, 34, 35, 47, 49, 55, 56, 57, 72, 80, 94, 95, 97, 99, 102, 104, 107, 113, 114, 115, 118, 119, 128, 129, 131

Senator McLendon..... S.B. 2084, 2135, 2138, 2140, 2145, 2174, 2175, 2226, 2238, 2273, 2318, 2332, 2350, 2351, 2438, 2441, 2467, 2480, 2496, 2497, 2504, 2519, 2524, 2530, 2580, 2601, 2607, 2609, 2632, 2633, 2645, 2651, 2668, 2669, 2671, 2676, 2677, 2685, 2705, 2721, 2725, 2740, 2749, 2753, 2759, 2806, 2829, 2840, 2851, 2858, 2867, 2884, 2885, 2919, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3053, 3054, 3055, 3056, 3057, 3145, 3147, 3182

S.C. 504, 508, 509, 510, 511, 518, 519, 540

S.R. 3, 8, 14, 34, 48, 63, 67, 82, 88, 89, 90, 95, 99, 120, 121, 122, 123

Senator McMahan..... S.B. 2250, 2337, 2381, 2382, 2394, 2409, 2436, 2450, 2451, 2471, 2482, 2483, 2484, 2487, 2500, 2501, 2503, 2508, 2519, 2520, 2566, 2567, 2568, 2601, 2753, 2759, 2876, 2946, 2947, 2976, 2977, 3066, 3067, 3080, 3162, 3190, 3191, 3192, 3194

S.C. 505, 509, 510, 513, 540, 541

S.R. 15, 19, 34, 49, 95, 99

Senator Michel..... S.B. 2100, 2132, 2140, 2228, 2229, 2319*, 2389, 2470, 2481, 2530, 2538, 2564, 2639, 2681, 2738, 2739, 2740, 2755, 2756, 2757, 2758, 2759, 2772, 2776, 2851, 2892, 2917, 2932, 2936, 3033, 3034, 3035, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3147, 3167, 3221

S.C. 504, 506, 509, 516, 518, 519, 534, 539, 540, 549

S.R. 5, 19, 20, 21, 25, 34, 44, 45, 51, 95, 96, 98, 99, 101, 102, 104, 115, 118, 119, 128, 129

Senator Norwood..... S.B. 2046, 2140, 2163, 2230, 2231, 2244, 2268, 2311, 2315, 2326, 2327, 2328, 2332, 2344, 2356, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2374, 2375, 2378, 2379, 2387, 2388, 2392, 2393, 2401, 2407, 2417, 2432, 2440, 2456, 2458, 2459, 2460, 2461, 2462, 2482, 2491, 2565, 2608, 2675, 2681, 2682, 2684, 2689, 2690, 2693, 2731, 2742, 2746, 2804, 2806, 2851, 2876, 2930, 2936, 2948, 2949, 2950, 2964, 2965, 2966, 2968, 2978, 2979, 3018, 3019, 3020, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3145, 3147, 3167, 3195

S.C. 515, 516, 517, 518, 519, 521, 536, 540

S.R. 24, 25, 33, 34, 49, 50, 71, 72, 84, 85, 95, 99, 116, 117

Senator Parker..... S.B. 2084, 2131, 2135, 2138, 2140, 2145, 2174, 2175, 2218, 2307, 2308, 2309, 2310, 2311, 2318, 2332, 2350, 2351, 2355, 2376, 2453, 2469, 2474, 2487, 2497, 2519, 2554, 2628, 2645, 2685, 2689, 2698, 2713, 2716, 2718, 2727, 2737, 2753, 2759, 2770, 2775, 2802, 2818, 2826, 2830, 2851, 2852, 2873, 2917, 3015, 3016, 3017, 3033, 3034, 3035, 3162, 3165, 3231

S.C. 506, 509, 510, 527, 540, 541

S.R. 19, 20, 34, 48, 63, 64, 82, 88, 89, 90, 95, 96, 98, 99, 102

Senator Parks..... S.B. 2142, 2335, 2416, 2455, 2487, 2502, 2681, 2736, 2753, 2851, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3162, 3216, 3226, 3227, 3230

S.C. 519, 540, 546

S.R. 7, 30, 34, 66, 95, 99

Senator Polk ..... S.B. 2210, 2272, 2409, 2436, 2450, 2451, 2482, 2483, 2484, 2508, 2544, 2545, 2546, 2547, 2556, 2612, 2719, 2726, 2841, 2851, 2876, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3162, 3163, 3164, 3165

S.C. 508, 509, 519, 532, 537, 540

S.R. 6, 22, 23, 34, 53, 54, 95, 99

Senator Rhodes ..... S.B. 2250, 2289, 2371, 2397, 2495, 2519, 2535, 2561, 2601, 2609, 2612, 2676, 2677, 2740, 2745, 2753, 2812, 2832, 2851, 2993, 3071, 3081, 3105, 3155, 3156, 3168, 3169, 3170, 3171, 3172, 3173, 3174, 3217

S.C. 509, 510, 540

S.R. 27, 28, 32, 34, 49, 51, 55, 56, 57, 78, 79, 95, 99

Senator Robinson ..... S.B. 2142, 2162, 2215, 2218, 2223, 2224, 2226, 2371, 2487, 2519, 2561, 2601, 2609, 2676, 2677, 2745, 2753, 2806, 2812, 2832, 2839, 2851, 2890, 2985, 3015, 3016, 3017, 3072, 3144, 3145, 3147, 3193

S.C. 509, 510, 528, 532, 540

S.R. 6, 20, 27, 28, 72, 95, 96, 98, 99, 112, 118, 128

Senator Seymour ..... S.B. 2060, 2126, 2188, 2189, 2190, 2208, 2218, 2267, 2269, 2352, 2373, 2390, 2481, 2519, 2601, 2612, 2638, 2640, 2641, 2642, 2681, 2722, 2753, 2760, 2851, 2898, 3041, 3042, 3043, 3044, 3045, 3072

S.C. 509, 510, 518, 524, 537, 538, 540

S.R. 6, 19, 27, 28, 34, 36, 42, 74, 75, 76, 77, 95, 99, 113, 114, 127, 128, 129

Senator Simmons D. T. (12th) S.B. 2046, 2117, 2140, 2160, 2163, 2171, 2172, 2173, 2202, 2203, 2204, 2205, 2206, 2220, 2230, 2231, 2242, 2244, 2247, 2251, 2252, 2253, 2254, 2266, 2282, 2311, 2315, 2326, 2327, 2344, 2354, 2360, 2365, 2369, 2372, 2374, 2387, 2388, 2392, 2440, 2491, 2528, 2558, 2565, 2586, 2587, 2595, 2596, 2608, 2620, 2621, 2622, 2623, 2624, 2625, 2664, 2666, 2675, 2681, 2682, 2685, 2695, 2697, 2699, 2700, 2701, 2712, 2731, 2742, 2743, 2766, 2767, 2851, 2865, 2909, 2930, 2949, 2950, 2989, 2991, 2995, 2997, 2998, 2999, 3000, 3064, 3065, 3068, 3072, 3073, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114,

3115, 3116, 3117, 3118, 3119, 3120, 3121, 3122, 3123, 3124, 3125, 3126, 3127, 3128, 3129, 3130, 3131, 3132, 3133, 3134, 3135, 3136, 3137, 3138, 3139, 3140, 3141, 3142, 3143, 3165, 3181, 3229

S.C. 515, 516, 517, 518, 519, 530, 533, 536, 540

S.R. 2, 24, 33, 34, 43, 46, 49, 50, 71, 72, 84, 85, 95, 99, 116

Senator Simmons S. (13th) .... S.B. 2046, 2140, 2142, 2230, 2231, 2244, 2311, 2315, 2327, 2328, 2332, 2344, 2363, 2366, 2374, 2379, 2387, 2388, 2401, 2456, 2458, 2460, 2461, 2462, 2487, 2557, 2601, 2643, 2664, 2665, 2666, 2667, 2668, 2669, 2678, 2681, 2685, 2769, 2804, 2833, 2834, 2835, 2836, 2865, 2866, 2888, 2925, 2927, 2928, 2978, 2979, 2980, 2991, 2995, 2996, 2997, 2998, 2999, 3000, 3002, 3003, 3053, 3054, 3055, 3056, 3057, 3064, 3072, 3073, 3079, 3091, 3101

S.C. 521, 536, 540

S.R. 34, 49, 71, 72, 84, 85, 95, 99, 117

Senator Sparks ..... S.B. 2140, 2145, 2180, 2311, 2417, 2418, 2419, 2487, 2519, 2525, 2530, 2543, 2548, 2569, 2570, 2572, 2573, 2589, 2598, 2599, 2600, 2601, 2605, 2613, 2614, 2685, 2689, 2717, 2753, 2762, 2788, 2789, 2792, 2799, 2821, 2822, 2831, 2851, 2908, 3105, 3220, 3230

S.C. 508, 509, 515, 518, 519, 540

S.R. 2, 5, 6, 14, 15, 19, 21, 34, 49, 63, 64, 72, 80, 83, 95, 96, 98, 99, 104, 107, 131, 132, 133

Senator Suber..... S.B. 2001, 2036, 2038, 2126, 2266, 2276, 2397, 2487, 2519, 2561, 2601, 2618, 2619, 2651, 2652, 2660, 2661, 2662, 2681, 2708, 2709, 2753, 2808, 2851, 2871, 2877, 2923, 3144, 3196, 3197, 3198, 3199, 3200, 3201, 3202, 3203, 3204, 3205, 3206, 3207, 3208, 3209, 3210, 3211, 3212, 3213, 3214, 3215

S.C. 510, 515, 518, 519, 540, 541, 544

S.R. 15, 19, 20, 21, 34, 80, 82, 83, 88, 89, 90, 94, 95, 99, 102, 104, 105, 106, 107, 109, 126, 128, 129

Senator Tate ..... S.B. 2390, 2397, 2424, 2425, 2429, 2481, 2513, 2514, 2515, 2516, 2517, 2518, 2579, 2585, 2612, 2651, 2682, 2695, 2752, 2753, 2801, 2807, 2851, 2872, 2913, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3041, 3042, 3043, 3044, 3045, 3103, 3159, 3176, 3177, 3178, 3179, 3180

S.C. 540, 547

S.R. 34, 47, 72, 95, 99, 115

Senator Thomas ..... S.B. 2010, 2015, 2017, 2046, 2092, 2093, 2095, 2096, 2097, 2098, 2099, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2140, 2227, 2230, 2231, 2315, 2321, 2344, 2363, 2366, 2374, 2379, 2388, 2415, 2456, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2481, 2487, 2491, 2551, 2643, 2685, 2693, 2731, 2804, 2805, 2851, 2932, 2933, 2934, 2935, 2938, 2949, 2974, 2975, 2978, 2979, 2980, 2981, 2982, 3000, 3063, 3077, 3091, 3145, 3147, 3165, 3229

S.C. 504, 505, 506, 507, 510, 521, 533, 534, 536, 540

S.R. 4, 8, 31, 33, 34, 49, 71, 72, 81, 84, 95, 99, 116, 117

Senator Thompson ..... S.B. 2060, 2145, 2196, 2261, 2262, 2391, 2487, 2601, 2647, 2648, 2653, 2654, 2658, 2711, 2780, 2794, 2795, 2855, 2915, 2916, 2918, 3022, 3023, 3072, 3102

S.C. 510, 515, 516, 518, 537, 540

S.R. 34, 40, 41, 42, 80, 95, 99

Senator Turner-Ford ..... S.B. 2045, 2046, 2087, 2089, 2091, 2139, 2230, 2231, 2279, 2281, 2357, 2368, 2369, 2370, 2387, 2388, 2491, 2552, 2588, 2681, 2751, 2779, 2851, 2929, 2969, 2970, 2971, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3222, 3223

S.C. 519, 522, 540

S.R. 2, 9, 15, 34, 49, 72, 84, 86, 95, 99, 100, 117

Senator Whaley ..... S.B. 2140, 2142, 2218, 2397, 2453, 2481, 2487, 2519, 2561, 2601, 2631, 2679, 2753, 2851, 3061, 3062, 3071, 3075, 3215, 3230

S.C. 505, 506, 509, 510, 540, 549

S.R. 4, 14, 15, 19, 27, 28, 34, 72, 80, 82, 83, 88, 89, 90, 95, 99, 104, 105, 106, 107

Senator Wiggins..... S.B. 2120, 2131, 2133, 2140, 2145, 2185, 2259, 2260, 2261, 2262, 2263, 2264, 2268, 2271, 2285, 2311, 2384, 2385, 2386, 2391, 2472, 2475, 2490, 2519, 2523, 2526, 2535, 2539, 2550, 2601, 2610, 2647, 2681, 2733, 2744, 2748, 2771, 2772, 2773, 2774, 2780, 2792, 2854, 2864, 2918, 2984, 3018, 3019, 3020, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3072, 3099, 3162

S.C. 506, 510, 511, 518, 525, 529, 540, 545

S.R. 34, 95, 99, 108

Senator Williams..... S.B. 2212, 2311, 2329, 2330, 2336, 2355, 2371, 2395, 2447, 2457, 2505, 2511, 2519, 2531, 2557, 2601, 2612, 2676, 2678, 2685, 2697, 2698, 2703, 2704, 2734, 2753, 2762, 2763, 2851, 3022, 3023, 3041, 3042, 3043, 3044, 3045, 3144, 3183

S.C. 509, 510, 540

S.R. 15, 34, 65, 72, 95, 99, 100

Senator Younger..... S.B. 2005, 2035, 2127, 2132, 2140, 2142, 2166, 2218, 2235, 2269, 2324, 2397, 2409, 2432, 2436, 2450, 2451, 2453, 2481, 2482, 2483, 2484, 2485, 2487, 2499, 2508, 2519, 2556, 2560, 2561, 2601, 2631, 2640, 2680, 2753, 2809, 2849, 2851, 2876, 2895, 2918, 2931, 3071, 3082, 3105

S.C. 509, 510, 511, 540, 541, 549

S.R. 3, 6, 9, 27, 28, 34, 61, 72, 95, 99

PART III

A History of Actions on All Legislative
Matters Considered by the Senate

Titles of all Senate bills in this part of the index are condensed and appear in numerical order, showing the authors and committees to which they were referred. Senate bills with more than two authors will reflect only the first recorded author. Senate bill numbers begin at 2001, so as to prevent duplication of House Bill numbers.

Titles of all House bills which reached the Senate are condensed and appear in numerical order in this part of the index, showing the committees to which they were referred.

Following these titles are abbreviations indicating actions on the bills, followed by figures showing the pages in the Journal where such actions will be found. Explanations of these abbreviations are shown below. The chapter in the General Laws or in the Local and Private Laws, as the case may be, is shown for each bill that became law. The General Laws and the Local and Private Laws are published in separate volumes.

EXPLANATION OF ABBREVIATIONS

ap - Approved by Governor
ca - Conference committee appointed
caa - Co-author added
caaw - Co-author withdrawn
cg - Conference granted
Ch. - Chapter of laws
cr - Committee Report
cra - Conference report adopted
crah - Conference report adopted by House
crf - Conference report failed
cro - Conference report offered
csa - Committee substitute adopted
csf - Committee substitute failed
cu - Called up for consideration
hc - House concurred in Senate amendment
hdc - House declined to concur, invited conf., named conf.
hrcc - House recommitted conf. report for further conference
i - Introduced and referred
lws - Law without signature
mr - Motion to reconsider entered
mrc - Motion to reconsider called up
mrp - Motion to reconsider prevailed
mrt - Motion to reconsider tabled
msrp - Motion to suspend rules prevailed
mtf - Motion to table failed
nca - New conferee(s) appointed
ph - Passed House
pin - Parliamentary inquiry
po - Point of order
rc - Recommitted
rcc - Recommit conf. report for further conf.
rcf - Recommit failed
rf - Referred
rh - Received from House
rmc - Remanded to heel of Calendar
rt - Removed from table
rtc - Returned to conf.
ru - Ruling
s - Submitted
sc - Senate concurred in House amendments
sdc - Senate declined to concur and invited conference
sp - Signed by the President
tsc - Tabled subject to call
uc - Unanimous consent
v - Yea and nay vote
vp - Paired vote
vt - Vetoed

A. SENATE BILLS

S. B. No.

2001 - (Local and Private) City of Houston; extend repeal date for tax on restaurants, hotels and motels for tourism and parks and recreation. Suber. i47; cr1454; cu2413; v2413; ph3216; sp3269; ap3648; Ch.902.

2002 - (Highways and Transportation) Recreational off-highway vehicles; authorize operation on county roads subject to registration and other requirements. Chism. i47.

2003 - (Highways and Transportation) Highways; include Old State Highways 6 and 9 in Pontotoc County in the state highway system. Chism. i48.

2004 - (Agriculture; Appropriations) Grain grading; require state or federal certification and compliance with Federal Grain Inspection Service standards. Johnson. i48; cr432; cu689; csa689; v689.

2005 - (Agriculture; Judiciary, Division A) Agricultural equipment; provides farmers with the right to repair their own. Younger. i48.

2006 - (Elections) Legislative offices; define vacancy. Blackwell. i48.

2007 - (Elections) Mississippi Student Absentee Voter Act; enact. Blackwell. i48.

2008 - (Elections; Constitution) Affidavit ballots; reduce length of time within which certain persons must present proper voter ID or execute religious exemption. Blackwell. i48.

2009 - (Constitution; Judiciary, Division B) Elections; public official's qualification as candidate deemed resignation of current office. Blackwell. i49.

2010 - (Energy; Municipalities) Municipally owned utilities; authorize to accept electronic payments and to absorb transaction fees in its rate base. Thomas. i49.

2011 - (Judiciary, Division B) Statute of limitations; except sexual battery from. Blackwell. i49.

2012 - (Judiciary, Division B) Arrest warrants; authorize electronic signatures. Blackwell. i49.

2013 - (Judiciary, Division B) Law Enforcement Officers Training Program; include training for certain crimes. Blackwell. i49.

2014 - (Judiciary, Division B) Law Enforcement Officers Training Program; enact minimum education training standards for hate crimes. Frazier. i49.

2015 - (Judiciary, Division B) Suffrage; restore suffrage to Vedo Kyles. Thomas. i49; cr3284; cu3351; v3351; mr3541.

2016 - (Judiciary, Division B) Illegal dumping; increase penalties for. Horhn. i50; cr372; cu451; v452.

2017 - (Constitution; Judiciary, Division B) Restoration of the Right to Vote Act; enact. Thomas. i50.

2018 - (Judiciary, Division B) Wiretaps; authorize sheriffs to use. McCaughn. i50.

2019 - (Judiciary, Division B) Firearms; clarify that possession of multiple firearms shall subject felon to multiple charges. McCaughn. i50.

2020 - (Judiciary, Division B) Chemical endangerment of a child or fetus; criminalize. McCaughn. i50.

2021 - (Judiciary, Division B) Sexual activity with certain minors; criminalize. Fillingane. i50.

2022 - (Judiciary, Division B) Juvenile offenders and district attorneys; revise provisions related to. Fillingane. i51; cr327; cu553; csa553; v554; ph1314; sdc1955; ca2974; cg3021; cro4360; cra4365; v4365; crah4505; sp4792; ap4811; Ch.526.

2023 - (Judiciary, Division B) Criminal law; increase penalties for crimes of impersonating patrolman or law enforcement officer. Hill. i53.

2024 - (Corrections; Judiciary, Division B) Probation and parole officers; limit number of cases that may be handled. Hill. i53.

2025 - (Judiciary, Division A) Land ownership; prohibit certain entities from. Hill. i53.

2026 - (Insurance) Motor vehicle insurance; prohibit insurer from abandoning vehicle to towing company without paying reasonable charges. Fillingane. i53.

2027 - (Insurance) Health insurance carriers; require to cap patient cost for prescriptions for insulin drugs. Blackwell. i53.

2028 - (Insurance) Automobile liability insurance coverage; require before receiving tag. Hill. i54.

2029 - (Medicaid) Medicaid; prohibit coverage or reimbursement for gender transition procedures for persons over 18 years of age. Hill. i54.

2030 - (Judiciary, Division A) Birth certificate; adoptee may obtain certified copy of original after age 21. Hill. i54.

2031 - (Judiciary, Division A) Child support; award children of deceased victim of aggravated DUI. Hill. i54.

2032 - (County Affairs) Tax sale; county to retain any overbid amount and landowner prohibited from requesting recovery of. Blackwell. i54.

2033 - (Judiciary, Division A) Child Protection Services; require disclosure of reporter in certain cases of false abuse and neglect reports. Hill. i54.

2034 - (Judiciary, Division A) Child abuse or neglect; provide for civil liability false reports of. Hill. i55.

2035 - (Business and Financial Institutions) Cash payments; require retailers to accept. Younger. i55.

2036 - (Judiciary, Division A) Tax sales; create study committee to study solutions to unmerchantable and uninsurable titles resulting from. McCaughn, et al. i55.

2037 - (Judiciary, Division A) Child support award; cost of health insurance coverage obtained by noncustodial parent considered in determining. McCaughn. i55; cr425; cu673; csa673; v673.

2038 - (Judiciary, Division A) Adoption petitions; clarify that attached certificate may be executed by any physician. McCaughn, et al. i55; cr374; cu454; v454.

2039 - (Judiciary, Division A) Child Protection Services; require disclosure of reporter in certain cases of false abuse and neglect reports. Fillingane. i55.

2040 - (Judiciary, Division A) Manufactured homes; limit retirement of title only to homes manufactured on or after January 1, 2000. Fillingane. i56.

2041 - (Judiciary, Division A) Female genital mutilation; prohibit and create civil cause of action. Hill. i56.

2042 - (Judiciary, Division A) MS Public Records Act; prohibit confidentiality of settlement agreement. Hill. i56.

2043 - (Judiciary, Division A) Guardian ad litem fees; failure to pay enforced as any other civil debt. Hill. i56.

2044 - (Judiciary, Division A; Business and Financial Institutions) Eminent domain; provide compensation for the loss of a business's goodwill. Hill. i56.

2045 - (Medicaid; Appropriations) Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. Turner-Ford. i56.

2046 - (Medicaid; Appropriations) Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. Simmons (12th), et al. i57.

2047 - (Public Property; Universities and Colleges) Alteration or renaming of historical monuments, memorials and streets; prohibit and provide sanctions. Hill. i57.

2048 - (Public Property; Accountability, Efficiency, Transparency) Columbia Training School; amend DFA conveyance authority to require consideration that best promotes public interest. Hill. i57.

2049 - (Elections) Voting; require printed record of each vote. Hill. i58.

2050 - (Accountability, Efficiency, Transparency) "Service Canine Protection Act of 2024"; enact. Hill. i59.

2051 - (Judiciary, Division B) Trespass; criminalize offense on property other than a structure or conveyance. Hill. i59.

2052 - (Elections) Elections; change qualifying period and date of primary. Blackwell. i59.

2053 - (Elections) Election code; establish provisions for electronic voter registration application and secure website. Blackwell. i59.

2054 - (Judiciary, Division B) Criminal enhancement; provide where law enforcement officer abuses power under guise of state authority. Barnett. i59.

2055 - (Judiciary, Division B; Elections) Suffrage; restore to any person disqualified by reason of criminal conviction upon completion of sentence. Blount. i59.

2056 - (Elections) Absentee voting; establish electronic application procedure for college students. Blount. i60.

2057 - (Elections) Elections; authorize online voter registration and preelection day voting. Blount. i60.

2058 - (Elections) Nonpartisan Judicial Election Act; amend to include justice court judges. Fillingane. i60; cr435; cu617; v617.

2059 - (Forestry) Biomass and Bioenergy with carbon capture technology; define. McCaughn. i61; cr345; cu346; v346; mr347; mrc353; mrt353; ph4814; sp785; ap843; Ch.308.

2060 - (Highways and Transportation) Memorial bridge; dedicate the Little Biloxi Bridge to World War II Infantryman Willie Edward King. Seymour, et al. i61; cr384; cu457; csa457; v457; caa457; ph1372; msrp1725; sdc1725; ca1899; cg2624; cro3334; cra3335; v3335; crah3656; sp3669; ap4400; Ch.460.

2061 - (Public Health and Welfare) Anatomical gifts and organ transplant; prohibit person from being denied based on their COVID vaccination status. Hill. i62.

2062 - (Technology; Education) Artificial Intelligence in Education Task Force Act; enact. Johnson. i63; cr438; cu537; csa537; v537.

2063 - (Public Health and Welfare) No Patient Left Alone Act; enact. Chism. i63.

2064 - (Public Health and Welfare) Health Care Certificate of Need Law; Repeal. Hill. i63.

2065 - (Universities and Colleges) Reinforcing College Education on America's Constitutional Heritage (REACH) Act; create. Hill. i63.

2066 - (Public Health and Welfare) Board of Cosmetologist; allow special permits for shampooists. Hill. i64.

2067 - (Education) United States Citizenship Test; require as a condition for high school graduation. Hill. i64.

2068 - (Public Health and Welfare) Supplemental Nutrition Assistance Program; require Department of Human Services to issue photo EBT cards. Hill. i64.

2069 - (Education; Appropriations) State Superintendent of Education; provide limitation on salary. Hill. i64.

2070 - (Public Health and Welfare) Nurse practitioners; authorize to dispense legend drugs to patients. Blackwell. i64.

2071 - (Public Health and Welfare) Health care CON review; party requesting or appealing a hearing on application is responsible for costs and attorney fees. Blackwell. i64.

2072 - (Public Health and Welfare) Physical therapy practice laws; revise various provisions of. Blackwell. i65; cr385; cu483; v483; ph1012; sp1025; ap1379; Ch.310.

2073 - (Education) Civics Test; require passing score for high school graduates and high school equivalency diploma applicants. Blackwell. i65.

2074 - (Public Health and Welfare) Podiatric medicine and podiatrists; revise definition of. Blackwell. i65.

2075 - (Universities and Colleges) Tenure programs for public university faculty; phase out. Hill. i65.

2076 - (Education) School curriculum; allow public schools and charter schools to offer elective courses relating to certain religious texts. Hill. i65.

2077 - (Education) School counselors; delete requirement of counselors to abide by the American School Counselor Association Code of Ethics. Hill. i65.

2078 - (Education; Appropriations) Schools; prohibit certain concepts in curriculum and provide punishment and appeal procedure. Hill. i66.

2079 - (Public Health and Welfare) Advanced practice registered nurses; revise certain provisions related to, including collaboration requirement. Blackwell. i66.

2080 - (Public Health and Welfare) Midwifery; provide for licensure and regulation of. Blackwell. i66.

2081 - (Education) State funded schools; may participate in extracurricular activities against non accredited and nonpublic schools. Johnson. i67.

2082 - (Public Health and Welfare) Rural Physicians Scholarship Program; add general surgery as possible career path. Hill. i67.

2083 - (Public Health and Welfare) Emergency rooms; require to be staffed with an on-site physician at all times. Johnson. i67.

2084 - (Local and Private) DeSoto County; authorize the contribution of funds for membership to the Chamber of Commerce. Parker, et al. i68; cr1454; cu2414; v2414; ph3216; sp3269; ap3648; Ch.903.

2085 - (Judiciary, Division B; Education) Crime of distribution of obscene materials; delete exemption for public and private school libraries. Hill. i69.

2086 - (Judiciary, Division B) Reckless endangerment; create crime of. Blackwell. i69.

2087 - (Labor; Economic and Workforce Development) Mississippi Sick and Safe Leave Act; enact. Turner-Ford. i69.

2088 - (Labor; Economic and Workforce Development) Employment; protect employees from forced human microchip implantation. Blackwell. i69.

2089 - (Labor; Economic and Workforce Development) Mississippi Paid Family Leave Act; enact. Turner-Ford. i69.

2090 - (Rules) Days of commemoration; designate June 19 as Juneteenth Freedom Day. Barnett. i70.

2091 - (Finance) Bonds; authorize to assist City of West Point in paying costs of street paving and Water & Light Dept Bldg renovation. Turner-Ford. i70.

2092 - (Appropriations) General Fund; FY2025 appropriation to Town of Rolling Fork for certain infrastructure projects. Thomas. i70.

2093 - (Appropriations) General Fund; FY2025 appropriation to Sharkey County for certain infrastructure projects and initiatives. Thomas. i71.

2094 - (Appropriations) Appropriation; Rural Fire Truck Fund for additional round of trucks under Acquisition Assistance Program. Hill. i71.

2095 - (Appropriations) General Fund; FY2025 appropriation to MDA for the West Central Mississippi Incubator Grant Program. Thomas. i71.

2096 - (Appropriations) General Fund; FY2025 appropriation to Yazoo County for a drainage project. Thomas. i71.

2097 - (Appropriations) General Fund; FY2025 appropriation to Humphreys County for certain roadway, curb and gutter improvements. Thomas. i71.

2098 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2025 appropriation to City of Rolling Fork for improvement of water system. Thomas. i71.

2099 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2025 appropriation to Village of Eden for improvement of water and sewer system. Thomas. i71.

2100 - (Appropriations) General Fund; FY2025 appropriation to DFA for Bill Waller Craft Center repair, renovation, upgrades and improvements. Michel. i71.

2101 - (Appropriations) General Fund; FY2025 appropriation to City of Canton for redevelopment of public housing units. Thomas. i71.

2102 - (Finance) Bonds; authorize to assist Canton Housing Authority in paying costs of redeveloping 100 public housing units. Thomas. i72.

2103 - (Finance) Bonds; authorize to assist Humphreys County in paying costs of roadway, curb and gutter improvements in Westgate Subdivision. Thomas. i72.

2104 - (Finance) Bonds; authorize to assist Town of Rolling Fork in paying costs of Muddy Waters memorial sculpture. Thomas. i72.

2105 - (Finance) Bonds; authorize issuance to assist Yazoo County in paying costs of drainage project. Thomas. i72.

2106 - (Finance) Bonds; authorize issuance of general obligation bonds for repair and renovation of Oakes African American Cultural Center. Thomas. i72.

2107 - (Finance) Bonds; authorize issuance for demolition and cleanup of dilapidated structures in downtown Rolling Fork. Thomas. i72.

2108 - (Finance) Bonds; authorize to assist Town of Anguilla in paying costs of improvements projects. Thomas. i72.

2109 - (Finance) Bonds; authorize to assist Village of Cary in paying costs of construction of fire station. Thomas. i72.

2110 - (Finance) Bonds; authorize to assist Town of Anguilla in paying costs of construction of museum and visitor center. Thomas. i73.

2111 - (Finance) Bonds; authorize issuance of general obligation bonds for West Central Mississippi Incubator Grant Program. Thomas. i73.

2112 - (Finance) Bonds; authorize issuance of general obligation bonds for improvements to Rolling Fork Civic and Event Center. Thomas. i73.

2113 - (Finance) Bonds; authorize to assist Serenity on the Bayou in Anguilla renovate and equip building for Emmanuel Community Center. Thomas. i73.

2114 - (Finance) Bonds; authorize issuance for Community Health and Wellness Center, Inc., health care facility renovations in Isola. Thomas. i73.

2115 - (Finance) Bonds; authorize issuance of general obligation bonds for repair and renovation of Triangle Cultural Center in Yazoo City. Thomas. i73.

2116 - (Appropriations) General Fund; FY2025 appropriation to the Village of Cary to pay the costs associated with the construction of a fire station. Thomas. i73.

2117 - (Medicaid) Medicaid; provide for presumptive eligibility for pregnant women. Blount, et al. i73.

2118 - (Business and Financial Institutions) Equality in Financial Services Act; enact. Fillingane. i74.

2119 - (Judiciary, Division A) Youth court; prohibit intake based solely on the opinion of a medical professional on contract with DHS or CPS. Hill. i74.

2120 - (Judiciary, Division A) Abuse and neglect of a child; make certain amendments to procedure. Wiggins. i74.

2121 - (Judiciary, Division A; Business and Financial Institutions) Gas stoves; enjoin federal rules or regulations prohibiting the sale or possession of. Chism. i75.

2122 - (Insurance) Lender-placed insurance on real property; provide framework for regulating. Kirby. i75.

2123 - (Insurance) Commissioner of Insurance; authorize to adopt rules and regulations regarding reimbursement rates and other matters. Blackwell. i75.

2124 - (Judiciary, Division A) Child abuse reports; name of the reporter shall not be confidential. Fillingane. i75.

2125 - (Insurance; Accountability, Efficiency, Transparency) State employees; authorize the state to offer health savings accounts to. Johnson. i75; cr380; cu454; csa455; v455; ph1666; sp2255; ap3276; Ch.380.

2126 - (Veterans and Military Affairs; Finance) Disabled veterans license tags; authorize tags to be labeled. Seymour, et al. i76.

2127 - (Judiciary, Division A) Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at the time of death. Younger. i76.

2128 - (Business and Financial Institutions) Real Estate Commission; grant discretion to issue license after felony conviction of crimes of moral turpitude. Blackwell, et al. i76; cr382.

2129 - (Judiciary, Division A) Retired attorneys; authorize to correct scrivener's errors. Fillingane. i76.

2130 - (Judiciary, Division A) Homeowners' insurance; prohibit insurer from cancelling or denying coverage solely due to roof's age. Johnson. i76; cr435; cu691; csa691; v691; ph2422; sdc2669; ca2974; cg3123; hrcc3920; rcc4000; cro4365; cra4366; v4366; crah4505; sp4792; ap4811; Ch.511.

2131 - (Judiciary, Division A) Child support; create presumption that support continues past the age of majority for a disabled child. Parker, et al. i76; cr374; cu453; v454.

2132 - (Gaming) Child support; withhold gaming winnings of persons who have outstanding child support arrearages. Michel, et al. i76; cr399; cu669; csa669; v669; caa670.

2133 - (Business and Financial Institutions; Accountability, Efficiency, Transparency) Mississippi Design Professionals Act; enact. Wiggins. i77.

2134 - (Judiciary, Division A) Mississippi Consumers' Freedom of Choice in Appliances Act; enact. Carter. i87.

2135 - (Judiciary, Division B) Shoplifting; modify finding required before imposing a sentence of imprisonment. McLendon, et al. i88; cr428; cu510; v511; caa511.

2136 - (Judiciary, Division B) RICO; amend to include the crime of dogfighting. Hill. i88.

2137 - (Elections) Background checks for statewide and local candidates; increase qualifying fees to cover. Hill. i88.

2138 - (Local and Private) DeSoto County Regional Utility Authority; increase borrowing/bonding authority from $40 Million to $80 Million. Blackwell, et al. i88; cr1454; cu2414; v2414; ph3216; sp3271; ap3648; Ch.904.

2139 - (Local and Private) City of West Point; extend repealer on authority to levy tax on hotels, motels and restaurants for tourism and parks & rec. Turner-Ford. i88.

2140 - (Insurance) Mississippi Prior Authorization Reform Act; enact. Michel, et al. i90; cr92; cu97; v97; caa97; ph160; sc327; v343; sp360; lws397; Ch.302.

2141 - (County Affairs) Local governments; impose approval condition precedent on agreements for certain county services or facilities. Blackwell. i92.

2142 - (Tourism) Designate American Quarter Horse as the Official State Horse and Kemp's Ridley sea turtle as Official Sea Turtle of Mississippi. Hickman, et al. i93; cr383; cu481; v481; caa482; ph2250; sc2643; v2644; sp3144; ap3312; Ch.424.

2143 - (County Affairs; Finance) Ad valorem tax; designate the authority of certain counties to levy up to seven mills for garbage collection. Blount, et al. i93; cr861; cu882; v882.

2144 - (Elections) Runoff elections; amend to lengthen the timing requirement. England. i99; cr374; cu478; csa478; v478; ph1372; sdc1961; ca2974; cg3130; crah3656; cro3734; po3741; ru3741; crf3742; v3742; mr3748; hrcc3826; mrc3843; mrp3843; rcc3843; cro4457; cra4463; v4463; crah4783; sp4799; ap4811; Ch.513.

2145 - (Public Health and Welfare) Defending Affordable Prescription Drug Costs Act; enact to prohibit discriminating against 340B drug discount program entities. Wiggins, et al. i111; cr385; cu577; v578; caa578.

2146 - (Education) William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; revise provisions of. Blount. i111.

2147 - (Education; Appropriations) School emergency response mapping data program; establish. Boyd. i111.

2148 - (Universities and Colleges) Mississippi University Research Authority; revise membership. Boyd. i111.

2149 - (Education) 16th Section lands; revise leasing procedure for leases for oil, gas and mineral explorations. Carter. i111.

2150 - (Public Health and Welfare; Education) Public schools; require staff training to assist with seizures. Boyd. i112.

2151 - (Public Health and Welfare; Insurance) Depression screening for birth mothers; require health care professionals to administer and health insurers to cover. Boyd. i112.

2152 - (Public Health and Welfare) Department of Human Services; authorize to enter into lease with counties and to appoint certain county directors. Fillingane. i112; cr385; cu458; v458.

2153 - (Public Health and Welfare) Mississippi Surrogacy and In Vitro Child and Parent Act; enact. Fillingane. i112.

2154 - (Public Health and Welfare) School vaccinations; authorize exemption on religious grounds. Hill. i113.

2155 - (Public Health and Welfare) Board of Cosmetology and Board of Barbering; merge into one board and provide various provisions related thereto. Blackwell. i113.

2156 - (Public Health and Welfare) Mississippi Rare Disease Advisory Council; create at UMMC. Blackwell, et al. i113; cr437; msrp745; cu745; v745; caa745; ph1012; sp1025; ap1379; Ch.311.

2157 - (Public Health and Welfare) Psychology Interjurisdictional Compact; enact. Fillingane. i114; cr385; cu483; v483; ph1012; sp1096; ap1379; Ch.314.

2158 - (Education; Appropriations) School social workers and psychologists; authorize districts to employ and receive partial state reimbursement for salaries of. Blackmon. i114.

2159 - (Public Health and Welfare) Marriage and family therapists; revise certain requirements for licensure. Fillingane. i114; cr437; msrp754; cu754; v754; ph1368; sp1376; ap2981; Ch.320.

2160 - (Public Health and Welfare) Practice of Podiatric Medicine; provide certain requirements to perform specific surgeries. DeBar, et al. i114.

2161 - (Public Health and Welfare) Medicaid reimbursements; revise certain provisions relating to a psychiatric residential treatment facility in DeSoto County. Blackwell. i114; cr425; cu612; csa612; v612.

2162 - (Education) Patriotic societies; authorize principal to allow to speak to the student body on importance of civic duty. Robinson. i114.

2163 - (Public Health and Welfare; Appropriations) Department of Human Services; require to transfer at least 30% of TANF block grant to Child Care and Development Fund. Simmons (12th), et al. i115.

2164 - (Public Health and Welfare) Birth certificates; require certain information be included. Hill. i115.

2165 - (Public Health and Welfare) Dietitian Licensure Compact; enact. Blount. i115; cr385; cu665; rc665.

2166 - (Public Health and Welfare) Psychology Interjurisdictional Compact; enact. Younger. i115.

2167 - (Public Health and Welfare) Vaccines; authorize administration by pharmacy interns and technicians when supervised by pharmacist. Blackwell. i115.

2168 - (Education) School boards; authorize to vote on providing members and their dependents with health insurance paid for by local funds. DeBar. i115.

2169 - (Education) Local supplement for assistant teachers; prohibit school districts from reducing when given state minimum raise. DeBar. i116; cr354; cu448; v448.

2170 - (Appropriations) Appropriation; additional to Department of Health. Blackwell. i116; cr354; cu467; v468; ph2250; sdc2486; ca2971; cg3130; crah3669; msrp3681; cro3681; cra3682; v3682; sp4084; ap4805; Ch.15.

2171 - (Corrections; Medicaid) Conditional medical release; revise authority of MDOC. Simmons (12th). i116.

2172 - (Labor; Accountability, Efficiency, Transparency) Mississippi Minimum Wage Act; enact. Simmons (12th). i116.

2173 - (Labor; Accountability, Efficiency, Transparency) State Workplace Safety and Health Office; establish under State Board of Health. Simmons (12th). i116.

2174 - (Judiciary, Division B) Motor vehicle theft; revise penalty for. Fillingane, et al. i117; cr421; cu463; v463; caa464; ph1314; sdc1958; ca2979; cg3021; cro3632; cra3634; v3634; vp3634; crah3675; sp4079; ap4805; Ch.483.

2175 - (Judiciary, Division B) Receiving stolen property; revise the crime of. Fillingane, et al. i117; cr421; cu464; v464; caa464; ph1314; sdc1959; ca2974; cg3021.

2176 - (Judiciary, Division B) Sex offender registry; revise provisions related to an offender's residence. Fillingane. i117.

2177 - (Judiciary, Division B) Bail; make certain amendments to provisions related to. Fillingane. i117; cr429; cu511; csa511; v511.

2178 - (Judiciary, Division B) Bail; make certain amendments related to the extradition of a principal. Fillingane. i117.

2179 - (Judiciary, Division B; Appropriations) Department of Public Safety; revise certain provisions related to. Fillingane. i117; cr437; cu537; csa537; v537;

ph2422; msrp2998; sdc2998; ca3028; cg3130; cro3634; cra3638; v3638; crah3662; sp3669; ap4400; Ch.463.

2180 - (Judiciary, Division B) CCID inferior Court and DPS; revision provisions related to. Fillingane, et al. i118; cr421; cu670; csa670; v670; caa671; ph2423; msrp3005; sdc3005; ca3028; cg3123; cro3742; cra3745; v3745; crah4506; sp4637; vt4809.

2181 - (Judiciary, Division B) DHS; authorize Office of Inspector General to recoup costs in a criminal investigation. Fillingane. i118.

2182 - (Judiciary, Division B) Bail bonds; provide when discharged. Fillingane. i118.

2183 - (Judiciary, Division B) Controlled substances; revise certain crimes relating to. Fillingane. i118.

2184 - (Judiciary, Division B) Chemical endangerment of exposing a child; criminalize. Fillingane. i119.

2185 - (Corrections) License and identification cards; include parole and probation status of licensee and/or applicant. Wiggins. i119.

2186 - (Judiciary, Division B) Sale of seized weapons; authorize use of proceeds to purchase equipment. England. i119; cr381; cu455; v455.

2187 - (Judiciary, Division B) Public service animals; increase penalties for harming. England. i119.

2188 - (Municipalities; Judiciary, Division B) Counties and municipalities; prohibit use of automated recording equipment to track motor vehicle liability insurance. Seymour. i119.

2189 - (Judiciary, Division B) Organized retail theft; revise. Seymour. i120.

2190 - (Judiciary, Division B) Shoplifting; revise penalties. Seymour. i120.

2191 - (Judiciary, Division B) Hate crimes; revise delineation of victims. Blount. i120.

2192 - (Judiciary, Division B) Mobile telephone; prohibit usage of in a reduced speed area in the vicinity of a school. Barrett. i120.

2193 - (Judiciary, Division B; Appropriations) Misdemeanor warrant management system; direct the establishment of. Barrett. i120.

2194 - (Judiciary, Division B) Stolen property; create crime for the sale of and require payment made to the owner of the property. Ladner. i120.

2195 - (Judiciary, Division B; Appropriations) Law Enforcement Supplemental Pay Program; create. Blackwell. i120.

2196 - (Judiciary, Division B) Mississippi Terroristic Threats Law; provide enhanced penalty for threat against airport. Thompson, et al. i121; cr372; cu452; csa452; v452; ph1314; sdc1960; ca2975; cg3021; cro3264; cra3265; v3265; hrcc3646.

2197 - (Judiciary, Division B) Secretary of State; authorize certain investigative or regulatory employees to carry a firearm. Carter. i121.

2198 - (Judiciary, Division B) Criminal sentencing review; authorize and establish procedure for. Blackmon. i121.

2199 - (Judiciary, Division B) Possession of marijuana or synthetic cannabinoids; amend penalties for certain convictions. Blackmon. i121.

2200 - (Judiciary, Division B) Suffrage; restore to any person disqualified by reason of criminal conviction upon completion of sentence. Blackmon. i121.

2201 - (Judiciary, Division B) 988 Crisis Lifeline; include on licenses, state-issued photo identification and digital wallets. Blackmon. i122.

2202 - (Judiciary, Division B) Violent habitual offender; require both previous crimes to have been crimes of violence. Simmons (12th). i122.

2203 - (Judiciary, Division B) Habitual offender; prior felonies with completed sentences more than 10 years prior to date of offense not considered. Simmons (12th). i122.

2204 - (Judiciary, Division B) Expunction; reduce waiting period for eligibility. Simmons (12th). i122.

2205 - (Judiciary, Division B) Expunction; allow after 20 years of good behavior with certain exceptions. Simmons (12th). i122.

2206 - (Elections) Absentee voting; authorize every qualified elector. Simmons (12th). i122.

2207 - (Elections; Accountability, Efficiency, Transparency) State holidays; designate days of general elections for statewide offices as. Blackmon. i122.

2208 - (Elections; Judiciary, Division B) Voter fraud; increase penalties. Seymour. i122.

2209 - (Finance) Ad valorem taxes; consider annexed business "new enterprise" for purpose of eligibility for certain municipal tax exemptions. Blackwell. i123.

2210 - (Finance) Groceries; exempt from state sales tax, and authorize municipalities to levy sales tax up to 1%. DeBar, et al. i123.

2211 - (Finance) Tobacco tax; define tobacco products to include electronic smoking devices for purposes of 15% excise tax. Blount. i123.

2212 - (Finance) Distinctive license tag; reauthorize for supporters of the Grand Chapter of Mississippi Order of the Eastern Star. Williams. i123.

2213 - (Appropriations) General Fund; FY2025 appropriation to MSU Extension Service for certain youth preparedness education programs. Barrett. i123.

2214 - (Appropriations) General Fund; FY2025 appropriation to University of Mississippi Medical Center to build a fire station. Blount. i124.

2215 - (Appropriations) General Fund; FY2025 appropriation to MS Community College Board for renovating building at Jones County Junior College. Robinson. i124.

2216 - (Appropriations) Taxpayer Receipt Act; enact. Carter. i124.

2217 - (Rules) Confederate flag; direct removal of depiction from Capitol rotunda, and create commission to recommend replacement image. Blackmon. i124.

2218 - (Accountability, Efficiency, Transparency) Mississippi Ireland Trade Commission; establish. Harkins, et al. i124; cr439; cu538; v538; caa538.

2219 - (Rules) State flag; change to the design by Lourie Formby. Hill. i125.

2220 - (Finance) Bonds; create a rural counties and municipalities emergency infrastructure loan program and authorize issuance of bonds. Simmons (12th). i125.

2221 - (Finance) Alcoholic beverages; allow local authorities of wet jurisdictions to permit package retail sales on Sunday. England. i125.

2222 - (Finance) Income tax credit for employers for blood donations made by employees during blood drive; extend period of eligibility for. Johnson. i125.

2223 - (Finance) Sales tax; exempt sales of feminine hygiene products, baby formula and baby diapers. Boyd, et al. i125.

2224 - (Finance) Sales tax; exempt sales of baby formula and baby diapers. Boyd, et al. i125.

2225 - (Finance) Sales tax; exempt sales to Mississippi Aquarium in Gulfport. Carter. i125.

2226 - (Finance) Israel Support Act of 2019; extend repealer on. Harkins, et al. i126; cr355; cu468; csa469; v469; caa469; mr483; mrc550; mrp550; v553; caa553; ph1314; msrp2865; sc2865; v2871; sp3144; ap3312; Ch.427.

2227 - (Finance) Bonds; authorize issuance for Sharkey County and Town of Rolling Fork to assist in paying various disaster recovery costs. Thomas. i126.

2228 - (Finance) Alcoholic beverages; authorize the direct shipment of wine. Michel. i126.

2229 - (Finance) Alcoholic beverages; authorize the sale of wine in grocery stores. Michel. i126.

2230 - (Rules) Legal holidays; remove Confederate Memorial Day and designate June 19 as Juneteenth Freedom Day. Simmons (12th), et al. i127.

2231 - (Rules) National Statuary Hall Selection Commission; create for recommending two new Mississippi statues at U.S. Capitol. Simmons (12th), et al. i127.

2232 - (Education) Newton Municipal School District; require election of board of trustees by population of the school district. McCaughn. i134; cr401; cu462; csa462; v462; msrp463; uc463; ph1372; sdc1667; ca2975; cg3149; nca3163; cro4000; cra4005; v4005; crah4375; sp4471; ap4805; Ch.491.

2233 - (Universities and Colleges; Appropriations) Mississippi Dual Enrollment/Dual Credit Scholarship Program; include students of private high schools. Hill. i134.

2234 - (Education) School attendance zones; allow students to transfer to other school districts subject to availability and approval. Johnson. i134.

2235 - (Education) School enrollment; allow children of military servicemembers to transfer to any school district. Younger. i134.

2236 - (Public Health and Welfare) Dietitian Licensure Compact; ratify. Blackwell. i134.

2237 - (Public Health and Welfare) Prescription drugs; require pharmacist to dispense unless certain circumstances exist. Blackwell. i135.

2238 - (Education; Finance) Retired teachers; allow to return to teaching for a maximum of five years while receiving retirement benefits. McLendon. i135.

2239 - (Education) Accumulated leave time for teachers; allow to transfer. DeBar. i135.

2240 - (Public Health and Welfare) Board of Medical Licensure; revise licensure status, definitions, procedure, fines and temporary practice authority. Blackwell. i135; cr385; cu665; csa666; v666; mr711; msrp757; mrc757; mrp757; v757.

2241 - (Public Health and Welfare) Medicaid and Human Services Transparency and Fraud Prevention Act; revise section relating to gaps in eligibility reporting. Fillingane. i136.

2242 - (Public Health and Welfare; Appropriations) Mississippi Hospital Recovery Trust Program; create to provide grants to public hospitals at high financial risk. Simmons (12th). i136.

2243 - (Education; Appropriations) Early Learning Collaborative Act; revise to include three-year-old children for voluntary prekindergarten. Hickman. i137.

2244 - (Accountability, Efficiency, Transparency; Appropriations) Foster care children; allow free access to museums and state parks, allow free transcripts from colleges and junior colleges. Hickman, et al. i137; cr390; cu579; po579; ru579; v580; caa580; caa757; ph1375; sc1721; v1721; sp2970; ap3276; Ch.381.

2245 - (Education) Education data; authorize the Department of Education to report aggregate data in compliance with federal standards. DeBar. i137; cr354; cu448; v449.

2246 - (Education) Preschool reporting requirements; revise technical provisions related thereto. DeBar. i138; cr354; cu449; v449; ph1368; sp1376; ap2981; Ch.321.

2247 - (Housing; Appropriations) Neighborhood Housing Rehabilitation Program (NHRP); direct Mississippi Home Corporation to establish using federal funds. Simmons (12th). i138.

2248 - (Local and Private; Finance) City of Amory; authorize to enact a tax on hotels, motels and restaurants for tourism and parks and recreation. Bryan. i138; cr356; cu380; v380; ph888; sc892; v894; sp1008; ap1097; Ch.901.

2249 - (Environment Prot, Cons and Water Res) Environmental protection; prohibit contamination of clean soil with "forever chemicals." Frazier. i138.

2250 - (Highways and Transportation) Squatted vehicles; ban. Barrett, et al. i138; cr347; cu471; v471; caa472.

2251 - (Insurance; Judiciary, Division A) Workers' compensation; increase maximum total recovery and remove cap on permanent total disability compensation. Simmons (12th). i141.

2252 - (Judiciary, Division A) Mississippi Civil Rights Act; enact. Simmons (12th). i142.

2253 - (Judiciary, Division A) DUI; nonadjudication of a first offense for CDL holder who was not operating a commercial vehicle. Simmons (12th). i142.

2254 - (Judiciary, Division A) Jurors; expand pool to citizens with driver's license who have filed state income taxes. Simmons (12th). i142.

2255 - (Judiciary, Division A) Age of majority; revise. DeBar. i142.

2256 - (Judiciary, Division A) Child pornography and obscenity; provide liability for publishers and distributors of. Fillingane. i143.

2257 - (Insurance) Health insurance; require health benefit plans to follow new procedure related to step therapy protocol for CRF-COPD treatment. Blackwell. i143.

2258 - (Insurance) Health insurance; prohibit insurers from discriminating against durable medical equipment and set reimbursement rate. Blackwell. i144.

2259 - (Judiciary, Division A) Child-support award guidelines; revise. Wiggins. i144.

2260 - (Judiciary, Division A) Right to counsel; authorize State Defender to provide where there is a constitutional right. Wiggins. i144; cr435; cu464; csa464; v465; mr488.

2261 - (Judiciary, Division A) Child support; make certain amendments to provision concerning recovery from delinquent noncustodial parents. Wiggins, et al. i144; cr374; cu663; v663.

2262 - (Judiciary, Division A) Child support; revise provision related to in order to mirror current DHS practice and federal requirements. Wiggins, et al. i144; cr374; cu664; csa664; v664; ph1369; sp1376; ap2981; Ch.322.

2263 - (Insurance) Health insurance; prohibit cost-sharing requirements for certain breast cancer screenings or examinations. Wiggins. i145.

2264 - (Insurance) Health insurance policies; prohibit step therapy requirements for certain prescription drugs to treat advanced cancer. Wiggins. i145.

2265 - (Judiciary, Division A; Appropriations) Chancery court; provide additional chancellor for 15th Chancery Court District. Barrett. i145.

2266 - (Judiciary, Division A) Mississippi Electronic Court System; require free access for public defenders. Barrett, et al. i145; cr374; cu454; v454.

2267 - (Judiciary, Division A) Youth records; authorize member of Legislature to inspect upon written release. Seymour. i145.

2268 - (Judiciary, Division A) Missing or unidentified persons; provide procedures regarding investigation of. Wiggins, et al. i145; cr396; cu580; csa580; v581; caa757.

2269 - (Judiciary, Division A) Firearms, firearm entities and knives; prohibit governmental entities from entering into certain contracts regarding. Seymour, et al. i146; cr435.

2270 - (Insurance) State Health Plan; provide coverage for prosthetic teeth and dental implants for children with oligodontia. Hill. i146.

2271 - (Judiciary, Division A) Right to counsel; provide for in certain Youth Court proceedings. Wiggins. i146.

2272 - (Business and Financial Institutions) Charities; amend the initial registration process. Polk. i147; cr382; cu480; v480.

2273 - (Insurance) Dental health plans; establish certain provisions related to insurers bundling and downcoding. McLendon. i147.

2274 - (County Affairs; Municipalities) Local governments; allow local governments and schools to publish notices on their websites in addition to newspapers. Boyd. i147.

2275 - (Public Property) MDOT; authorize the transfer and conveyance of certain real property to the Board of Supervisors of Greene County. DeBar. i147; cr384; msrp707; cu707; v707.

2276 - (Public Property) Clinic building at 1308 Belk Boulevard; transfer to Mississippi Department of Public Safety. Suber, et al. i147; cr159; cu184; v184; ph344; sp347; ap385; Ch.301.

2277 - (County Affairs) Hearing officer; allow board to appoint attorney as officer to preside over delinquent solid waste fee matters. Harkins. i147.

2278 - (Municipalities) Urban renewal project powers; remove power to exercise eminent domain. England. i148.

2279 - (Drug Policy) Uniform Controlled Substances Act; revise schedules. Turner-Ford. i148; cr373; cu505; v505.

2280 - (Elections) Ease Access to Suffrage (EASE) Act; enact. Hickman. i148.

2281 - (Elections) Early voting; authorize up to 10 days prior to any election. Turner-Ford. i148.

2282 - (Judiciary, Division B) Habitual offender; revise sentencing under. Simmons (12th). i149.

2283 - (Energy; Government Structure) Public Service Commission; extend date of repeal on. Carter. i149; cr389; cu484; v484; ph1372; sdc1966; ca2256; cg2979; cro3265; cra3267; v3267; crah3308; sp3544; ap4400; Ch.454.

2284 - (Judiciary, Division B) Illegal immigration; criminalize under state law. Hill. i149.

2285 - (Appropriations) Department of Public Safety; revise salary scale. Wiggins, et al. i149; cr390; cu441; csa441; v441; ph888; sdc894; ca2971; cg3130; msrp3856; rcc3856; hrcc3920; cro4409; cra4415; v4415; crah4783; sp4799; ap4811; Ch.527.

2286 - (Judiciary, Division B) Board on Law Enforcement Officer Standards and Training; revise certain provisions related to. Fillingane. i149; cr421.

2287 - (Judiciary, Division B) Mississippi Street Gang Act; amend certain provisions to enhance penalties. Fillingane. i149.

2288 - (Judiciary, Division B) Images or audio altered or created by digitization; criminalize dissemination of in certain circumstances. Johnson, et al. i150; cr372; cu452; csa452; v453.

2289 - (Forestry) Timber; modernize the bidding process of. Rhodes. i150.

2290 - (Wildlife, Fisheries and Parks; Government Structure) Commission on Wildlife, Fisheries and Parks; limit consecutive terms, and impose certain additional qualifications. Hill. i150.

2291 - (Accountability, Efficiency, Transparency) Regulatory Reduction Program; require certain pilot agencies to implement. Blackwell. i153.

2292 - (Accountability, Efficiency, Transparency) Appointed state officers; provide for the removal of for certain forms of willful neglect. Blackwell. i153.

2293 - (Accountability, Efficiency, Transparency; Finance) Sales tax; create diversion to counties. Hill. i153.

2294 - (Accountability, Efficiency, Transparency) Open Meetings Law for public bodies; require official meetings to be broadcast via video livestream applications, with exceptions. Boyd. i153.

2295 - (Accountability, Efficiency, Transparency) Eminent Domain; require entities to notify and explain proposed projects to landowners before hiring a surveyor. Hill. i153.

2296 - (Accountability, Efficiency, Transparency) Mississippi National Security in Public Purchasing Act; create. Hill. i153.

2297 - (Accountability, Efficiency, Transparency) Land deeds; increase the fees charged by chancery clerks for filing and recording. Harkins. i153.

2298 - (Finance) State Bond Attorney; revise minimum and maximum fee paid to. Johnson. i154; cr429; cu535; v535; ph1314; sdc2437; ca3028; cg3162; cro3854; cra3856; v3856; crah4376; sp4632; ap4805; Ch.492.

2299 - (Government Structure) PERS; add to board of trustees one member who is a full-time local law enforcement officer or full-time local firefighter. Berry. i154.

2300 - (Accountability, Efficiency, Transparency; Government Structure) Occupational Licensing Review Board; revise membership. Hill. i154; cr389; cu459; csa460; v460.

2301 - (Accountability, Efficiency, Transparency) Administrative Procedures Act; regulations having an economic impact over One Million Dollars must be ratified. Fillingane. i154.

2302 - (Accountability, Efficiency, Transparency) State agencies; notify Legislature of proposed rule adoption. Hill. i154; cr380; cu576; v576.

2303 - (Finance) Annual tax assessment; revise deadline to file protest of. Blackwell. i154.

2304 - (Finance) Income tax refunds; provide procedures for MDOR to set off debts owed to MDHS against, and for hearings and appeals. Fillingane. i154; cr355; cu469; csa469; v469; ph1314.

2305 - (Accountability, Efficiency, Transparency) DHS; allow fraud investigators to drive unmarked vehicles. Fillingane. i155.

2306 - (Finance) Sales tax; exempt sales of poultry products to tax-exempt charities operating food banks, food pantries or food lines. McCaughn. i155.

2307 - (Accountability, Efficiency, Transparency) Compensation of elected state & district officers; extend repealer on. Parker. i155; cr346; cu445; v445.

2308 - (Accountability, Efficiency, Transparency) Mississippi Public Records Act; extend date of repeal on. Parker. i155; cr346; cu445; v446; ph1369; sp1376; ap2981; Ch.323.

2309 - (Accountability, Efficiency, Transparency) Trip optimizer for state employee travel reimbursement; extend moratorium on application to certain state agencies. Parker. i155; cr346; cu446; v446.

2310 - (Accountability, Efficiency, Transparency) County authorization to assess emergency telecommunications service charge; extend date of repeal on. Parker. i155; cr346; cu446; v446; ph1313; sp1376; ap2981; Ch.324.

2311 - (Accountability, Efficiency, Transparency) Sheriffs; revise cap on annual salary supplement. Wiggins, et al. i156; cr346; cu661; csa661; v663; caa663; mr711; mrc713; mrp713; v713; caa757; ph2420; sp2966; ap3277; Ch.382.

2312 - (Finance) Unfair Cigarette Sales Law; increase the presumptions of the cost of doing business and cartage cost by a wholesale dealer. Fillingane. i156.

2313 - (Accountability, Efficiency, Transparency) Charitable organization filing and reporting requirements; no more stringent than other state agency requirements. Johnson. i156; cr346.

2314 - (Finance) Federal Funding Transparency Act; enact. Chism. i156.

2315 - (Appropriations) State employee salaries; direct State Personnel Board to implement across-the-board increase. Simmons (12th), et al. i156.

2316 - (Finance) Sales tax; exempt sales of groceries. Hickman. i156.

2317 - (Finance) Sales tax; exempt retail sales of groceries during the month of August. Hickman. i156.

2318 - (Finance) Ad valorem taxes; authorize local governments to grant exemptions for raw materials and work in progress inventory. Parker, et al. i157; cr859; cu878; v878.

2319 - (Finance) Department of Revenue; require to send taxpayer notices by certified mail, return receipt requested. Michel (By Request). i157.

2320 - (Finance) Motor vehicles; require proof of liability insurance before license tag or decal may be issued or renewed. Blackwell (By Request). i157; cr355; cu533; v533.

2321 - (Finance) West Central Mississippi Incubator Grant Program; establish with county governments, DFA and local development districts. Thomas. i157.

2322 - (Finance) Electric/hybrid vehicle tax; repeal sections of law authorizing. Hill. i157.

2323 - (Finance) Ad valorem tax on inventory; phase in exemption for certain small businesses. Blackwell. i157.

2324 - (Finance) Income tax; authorize deduction for certain income earned by recent college graduates. Younger. i157.

2325 - (Forestry) Forestry Facility Grant Program; bring forward. McCaughn. i162; cr429; cu676; csa676; v676.

2326 - (Education) Compulsory school attendance law; require of kindergarten-age children. Norwood, et al. i162.

2327 - (Public Health and Welfare; Appropriations) Supplementary state food stamp program for elderly recipients; create and fund. Norwood, et al. i162.

2328 - (Public Health and Welfare) Personal care homes; require licensure and regulations of those providing living arrangements for one or more persons. Norwood, et al. i162.

2329 - (Public Health and Welfare) Early Intervention Task Force; reconstitute and set membership and responsibilities. Boyd, et al. i162; cr385; cu667; rc667.

2330 - (Education) Retired Teacher Return to Work Task Force; establish. Boyd, et al. i162.

2331 - (Education; Appropriations) School attendance officers; transfer responsibility of employment from MDE to local school districts. DeBar. i162.

2332 - (Education) MAEP; revise funding formula. DeBar, et al. i163; cr354; cu472; csa473; v473; caa473; ph839; sdc1516.

2333 - (Education) Compulsory School Attendance Law; define "child with a disability" for purposes of creating exemption from unexcused absence. Boyd. i164.

2334 - (Education) Habitually disruptive students; require to be evaluated for disability under IDEA after disruptive behavior. Boyd. i164.

2335 - (Education) School nurses; direct the Office of Healthy Schools to develop salary schedule that all school districts shall use when employing. Parks. i164.

2336 - (Education; Appropriations) School attendance officers, State Superintendant of Education, Executive Director of Community College Board; set salaries. Williams. i164.

2337 - (Education) Schools; allow charter and public schools to accept religious leaders as volunteers to provide support to student-led groups. McMahan. i165.

2338 - (Education) Public schools; require a brief period of quiet reflection at the opening of school every day. Frazier. i165.

2339 - (Education) High school graduation requirements; allow sign language to be counted as a foreign language. Hill. i165; cr354; cu449; v449; ph1369; sp1377; ap2981; Ch.325.

2340 - (Public Health and Welfare) Harper Grace's Law; extend repealer on authority to research and dispense cannabidiol (CBD oil) for medical purposes. Bryan. i165; cr385; cu459; v459; ph1012; sp1025; ap1379; Ch.312.

2341 - (Public Health and Welfare; Appropriations) Physician grant funding from Qualified Health Center Grant Program; extend date of funding. Bryan. i165; cr433; cu614; v615.

2342 - (Public Health and Welfare) State Department of Health and State Board of Health; extend repealer on. Bryan. i165.

2343 - (Education) Mississippi Modified School Calendar Grant Program; establish and provide eligibility criteria. DeBar. i166; cr354; cu473; v473; caa473.

2344 - (Universities and Colleges; Finance) Jackson State University; provide for the construction of a six hundred room student housing project. Simmons (12th), et al. i166.

2345 - (Public Health and Welfare) Podiatric medicine and podiatrists; revise certain definitions related thereto. Blackwell. i166.

2346 - (Public Health and Welfare) State Board of Cosmetology; revise membership and make technical changes to board and licensee requirements. DeLano. i166.

2347 - (Judiciary, Division B; Public Health and Welfare) Animal facilities; require sterilization of certain dogs and cats. Blackwell. i167.

2348 - (Education; Appropriations) State Workforce Investment Board; make technical changes to provisions related thereto. DeBar. i167; cr432; cu513; v513; mr514; msrp713; mrc713; mrt713.

2349 - (Education) Cardiac emergency response plans; require schools to implement and provide procedures and certain immunity related thereto. Boyd. i167; cr401; cu462; v462; ph1372; sc1701; v1701; sp2966; ap3277; Ch.383.

2350 - (Education; Appropriations) School extracurricular events, authorize teachers and one guest to attend for free. McLendon, et al. i167.

2351 - (Education) Special occupational diploma; re-authorize students having a disability as defined by federal IDEA to obtain. McLendon, et al. i168.

2352 - (Corrections; Government Structure) Parole Board; prescribe qualifications for the board and post parole hearings on DOC website. Hill, et al. i174.

2353 - (Corrections; Appropriations) State Penitentiary at Parchman; phasedown operation over four-year period. Barnett. i174.

2354 - (Accountability, Efficiency, Transparency) E-911 funding; amend Section 19-5-333. Simmons (12th). i175.

2355 - (Judiciary, Division B) Walker's Law; enact to criminalize sexual extortion. Williams, et al. i175; cr372; cu477; v477; caa478; caa514.

2356 - (Judiciary, Division B) Suffrage; restore to Edward Carter, Sr. Butler, et al. i176.

2357 - (Judiciary, Division B) Marijuana; legalize possession of certain amount. Turner-Ford. i176.

2358 - (Judiciary, Division B) Trespass after warning; increase criminal penalty. Johnson. i176.

2359 - (Judiciary, Division B; Appropriations) Concealed-Carry License for Veterans Act; enact. Ladner. i176.

2360 - (Judiciary, Division B) Law enforcement pursuits; require municipalities and counties to develop policies regarding. Norwood, et al. i176.

2361 - (Judiciary, Division B) Expungement; consolidate statutes concerning. Norwood. i176.

2362 - (Judiciary, Division B) Grocery items; prohibit cost-plus pricing without public notice. Norwood, et al. i177.

2363 - (Judiciary, Division B) Responsible Firearm Purchasing Act; enact. Norwood, et al. i177.

2364 - (Judiciary, Division A; Constitution) Expunction and reenfranchisment; revise procedure for requesting. Norwood. i177.

2365 - (Elections; Constitution) Suffrage; provide for restoration upon completion of sentence and other conditions. Norwood, et al. i178.

2366 - (Elections) Qualifying to run for public office; prohibit use of post office box and require physical address of residence. Norwood, et al. i178.

2367 - (Elections) Ranked-choice voting; prohibit in Mississippi elections. England. i178; cr374; cu478; v478.

2368 - (Elections; Constitution) Restore the Right to Vote Act; create. Turner-Ford. i178.

2369 - (Elections) Elections; allow individuals to vote by affidavit if they register after thirty-day cutoff but before election day. Hickman, et al. i178.

2370 - (Drug Policy; Judiciary, Division B) Uniform Controlled Substances Act; include certain substances within Schedule III. Turner-Ford. i179.

2371 - (Technology; Finance) Broadband equipment speed; increase to FCC requirement regarding ad valorem tax exemption. Rhodes, et al. i179.

2372 - (Economic and Workforce Development; Accountability, Efficiency, Transparency) Mississippi Department of Labor; create. Simmons (12th). i179.

2373 - (Labor; Government Structure) Mississippi Workplace Safety Act; enact. Hill, et al. i179.

2374 - (Education) Charter school funding; revise funding formula. Norwood, et al. i180.

2375 - (Education) Corporal punishment; prohibit administration of in public and charter schools for disciplinary matters. Norwood. i180.

2376 - (Public Health and Welfare) Dental hygienists; authorize to work under general supervision of dentists in nursing homes. Parker. i180.

2377 - (Public Health and Welfare) Advanced practice registered nurse; revise collaboration requirement and board of nursing membership. Blackwell. i180.

2378 - (Judiciary, Division A; Judiciary, Division B) Cyberstalking; authorize injunction when criminal charges filed. Norwood, et al. i181.

2379 - (Judiciary, Division A; Finance) Grandparents; authorize payment of support for assuming primary care of grandchildren, create tax credit for. Norwood, et al. i181.

2380 - (Judiciary, Division A) Mississippi Aid to Sexual Offense Victim Reporting Act; enact. Hill. i181.

2381 - (Business and Financial Institutions) Pawnbrokers; remove the requirement of on-premises retention of purchased goods. McMahan. i181; cr426; cu508; v508.

2382 - (Business and Financial Institutions) Pawnbrokers; allow to pass credit or debit card processing charges to customers. McMahan. i182; cr426; cu509; csa509; v509; ph1313; sp1377; ap2981; Ch.326.

2383 - (Medicaid) Medicaid; provide for presumptive eligibility for pregnant women. Blackwell. i182.

2384 - (Judiciary, Division A) Fugitives from other states; authorize appearance before justice court in certain circumstances. Wiggins. i182.

2385 - (Judiciary, Division B) Aggravated DUI; authorize judge to find offense not eligible for parole under certain circumstances. Wiggins. i182.

2386 - (Judiciary, Division A; Appropriations) Appointed counsel; increase maximum compensation for. Wiggins. i182; cr433; cu464; v464.

2387 - (Judiciary, Division A) The CROWN Act; create to prohibit discrimination based on hairstyles in workplace and schools. Turner-Ford, et al. i182.

2388 - (Judiciary, Division A) Applicants for TANF benefits; repeal section that requires drug testing as condition of eligibility. Simmons (12th), et al. i183.

2389 - (Business and Financial Institutions; Appropriations) Real Estate Commission; decrease fees charged by. Michel. i183.

2390 - (Veterans and Military Affairs; Government Structure) State Veterans Affairs Board; revise appointments to reflect congressional districts at time of appointments. Seymour, et al. i183.

2391 - (Judiciary, Division A) Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act; enact. Wiggins, et al. i183; cr425.

2392 - (Finance) Legislature; allow PERS retirees to receive retirement allowance while serving as a member of. Norwood, et al. i188.

2393 - (Finance) PERS; reduce vesting period from 8 years to 4. Norwood. i188.

2394 - (Finance) PERS; require to engage CEFEX-certified and affiliated investment firm for fiduciary assessment of funds and practices. McMahan. i188.

2395 - (Finance) Motor vehicles; require proof of liability insurance before license tag or decal may be issued or renewed. Williams. i188.

2396 - (Accountability, Efficiency, Transparency) Guaranteed income program with unconditional cash payments; prohibit local governments from implementing. Hill. i189.

2397 - (Finance) Sales tax; 1.5% rate for retail sales of cattle trailers and fencing materials to farmers for agricultural purposes. Younger, et al. i189.

2398 - (Finance) Sales tax; exempt sales to/by any tribally chartered corporation or LLC of the Mississippi Band of Choctaw Indians. Branning. i189.

2399 - (Accountability, Efficiency, Transparency) Public procurement bid requirements; exempt DFA for certain purchases of services at Capitol Building and historical properties. Harkins. i189.

2400 - (Appropriations) General Fund FY2025; appropriation to MS Department of Public Safety for purchase of razor wire fencing for Texas border. Chism. i189.

2401 - (Finance) Retired teachers; allow to draw retirement benefits and be reemployed as teachers subject to certain conditions. Norwood, et al. i189.

2402 - (Accountability, Efficiency, Transparency; Universities and Colleges) DEI Program Ban; eliminate DEI programs in any state-funded institution. Hill. i190.

2403 - (Accountability, Efficiency, Transparency) Audit; perform every 50 years to compare appropriations to Alcorn and Mississippi State University. Butler, et al. i190.

2404 - (Accountability, Efficiency, Transparency) State Bond Attorney; authorize interim appointment in case of conflict of interest. Hopson. i190; cr346; cu471; v471.

2405 - (Finance) Alcoholic beverages; increase number of package retailer's permits under certain conditions. Harkins. i190; cr373; cu500; csa500; v500; ph2629; sdc3222; ca3543; cg3651; cro4275; tsc4275; rt4278; cro4278; cra4288; v4288; vp4288; crah4377; mr4395; msrp4472; mrc4472; mrt4472; sp4799; ap4811; Ch.528.

2406 - (Accountability, Efficiency, Transparency) MS Public Records Act; exempt certain private information of persons conducting in-state operations. England, et al. i190; cr380; cu576; v576.

2407 - (Education) Assistant teachers; revise certain licensure requirements. DeBar, et al. i196; cr402; cu507; v507; caa507.

2408 - (Universities and Colleges) Identification cards; require certain to have 988 Crisis Lifeline information. DeLano. i196; cr392; cu486; v486; mr488; msrp708; mrc708; mrp708; v708; ph1012; msrp1701; sdc1701; ca1899; cg2624; crah3656; cro4005; cra4009; v4009; sp4397; ap4805; Ch.473.

2409 - (Education) Charter School Authorizer Board; reconstitute and revise membership terms, change charter school funding formulas. Younger, et al. i196.

2410 - (Education) 16th Section Lands, prohibit rent escalation from exceeding fair market value of land. DeLano. i196.

2411 - (Universities and Colleges; Appropriations) MDITS; establish paid internship program under. DeLano. i197.

2412 - (Education) School enrollment; allow for children with documentation of a parent's pending military relocation to the state. DeLano. i197.

2413 - (Education) Boys scouts and Girl scouts; allow to speak to students regarding civic invovlement with principal's approval. Hill. i197.

2414 - (Universities and Colleges) Task Force to Study Restoration of Adequate Funding to Alcorn State University; create. Butler, et al. i197.

2415 - (Education; Appropriations) Schools; require carbon monoxide detectors in all. Jackson, et al. i197.

2416 - (Universities and Colleges) Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents Act; bring forward sections. Parks. i197.

2417 - (Universities and Colleges) Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents Act; revise provisions of. Boyd, et al. i198; cr426; cu674; csa674; v674; caa675; caa757; ph1372; sc1704; v1720; sp2967; ap3221; Ch.378.

2418 - (Labor; Judiciary, Division A) Law enforcement officers; entitled to certain follow-up drug testing before loss of certification. Sparks, et al. i198.

2419 - (Labor; Judiciary, Division A) Law enforcement officers; regulate payment for nonexempt employees under the Fair Labor Standards Act (FLSA). Sparks, et al. i198.

2420 - (Drug Policy; Judiciary, Division B) Mississippi Kratom Consumer Protection Act; enact. Hickman. i198.

2421 - (Elections; Judiciary, Division A) County court; allow judicial candidates to speak to the venire in. Barrett. i198.

2422 - (Elections) Election disputes; specify judges with jurisdiction to hear. England. i199; cr374; cu575; v576.

2423 - (Elections; Technology) Artificial intelligence; require disclosure when used in political advertisements. Blackmon. i199.

2424 - (Elections) Absentee ballots; voters can cure ballots declared defective due to signature issues. Tate, et al. i199; cr435; cu513; v513; caa513; ph1375; sdc2008; ca2975; cg3130; cro3638; cra3643; v3643; mr3648; hrcc4231; msrp4391; mrc4391; mrp4391; rcc4391.

2425 - (Elections) Ballot harvesting; define terms. Tate. i199; cr392; cu486; csa486; v486; ph1372; msrp3017; sc3017; v3018; sp3161; ap3312; Ch.428.

2426 - (Elections) Mississippi Election Code; define residency. England. i199.

2427 - (Elections; Government Structure) Mississippi Recall Act of 2024; enact. England. i199.

2428 - (Judiciary, Division B) Firearms; prohibit altering serial numbers on. DeLano, et al. i200.

2429 - (Judiciary, Division B) Kratom; authorize regulation of and prohibit certain products. Tate. i200.

2430 - (Judiciary, Division B; Education) Independent schools; authorize the creation of police departments. England. i200.

2431 - (Judiciary, Division B) Sex offenders; prohibit employment as first responders without DPS approval. Barrett. i200.

2432 - (Judiciary, Division B) Firearms; criminalize discharge of within limits of or into municipality. Younger, et al. i201.

2433 - (Judiciary, Division B) Board on Law Enforcement Officer Standards and Training; require K-9 and motorcycle teams to be certified. England. i201.

2434 - (Judiciary, Division B; Universities and Colleges) Registered sex offenders residing in campus student housing or sorority/fraternity houses; prohibit. Chism. i201.

2435 - (Judiciary, Division B) Sexual activity between certain individuals incarcerated in correctional facilities; clarify. Hill. i201.

2436 - (Judiciary, Division B) Crime of fentanyl delivery resulting in death; remove "with knowledge of the fentanyl" element. Younger, et al. i201.

2437 - (Judiciary, Division B) Habitual misdemeanor offender; provide sentencing enhancement for. Johnson. i201.

2438 - (Judiciary, Division B; Education) School enrollment; criminalize the enrollment without establishing domicile. McLendon. i201.

2439 - (Judiciary, Division B) Board on Law Enforcement Officers Standards and Training; authorize revocation of certification for pattern of proscribed conduct. Barnett. i202.

2440 - (Judiciary, Division B) Warrantless search; odor of marijuana insufficient to provide probable cause for. Hickman, et al. i202.

2441 - (Judiciary, Division B) Alternative nicotine products; prohibit distribution or sale of certain products. Hill, et al. i202; cr429; cu512; csf512; v512; caa512; mr514; msrp710; mrc710; mrp710; v711; ph1375; sdc2008; ca2975; cg3137.

2442 - (Corrections; Appropriations) "Prison-to-Paycheck Pipeline Pilot Program"; establish reentry program under supervision of third-party coordinator. Barnett. i202.

2443 - (Finance) Eligible Transitional Home Organization (ETHO) tax credit program; include formerly incarcerated individuals. Barnett. i203.

2444 - (Corrections) Central Mississippi Pilot Prison Industries program; expand to all state, regional and private correctional facilities. Barnett. i203; cr353; cu447; v447.

2445 - (Corrections) Correctional system programs; extend repealers. Barnett. i203; cr354; cu447; csa448; v448; ph1314; sdc2438; ca2975; cg3130; nca3150; cro3335; cra3350; v3350; crah3656; sp3670; ap4400; Ch.464.

2446 - (Corrections; Judiciary, Division B) Revocation of probation; add additional grounds for. Ladner. i203.

2447 - (Municipalities; County Affairs) Local governments; prohibit from imposing penalties or fines on security companies when false security alarm occurs. Williams. i204.

2448 - (Corrections) "Mississippi Earned Parole Eligibility Act"; extend repealer on. Barnett. i204; cr353; cu447; csa447; v447; mr448; mrc470; mrp470; v470; ph1317; sdc2463; ca2975; cg3130; cro3297; cra3306; v3306; crah3656; sp3670; ap4400; Ch.465.

2449 - (Corrections) State inmates eligible for release; require notification of certain terms and conditions of release. DeLano. i204.

2450 - (Corrections) Department of Corrections; revise certain requirements for intensive supervision program. Younger, et al. i204.

2451 - (Corrections) Corrections; require implementation of improved model for projecting inmate population growth. Younger, et al. i204; cr412; cu463; csa463; v463.

2452 - (Public Health and Welfare) Mississippi Families' Rights and Responsibilities Act; enact. Hill. i204.

2453 - (Energy) Inadequacy of service; authorizing the commission to cancel a municipality's certificate to provide service upon findings of. Whaley, et al. i205; cr353; cu472; v472; caa472; ph862; sc880; v881; mr882; mrc1018; mrp1018; sc1018; v1018; sp1096; ap1379; Ch.315.

2454 - (Energy; Government Structure) Mississippi Gulf Coast Region Utility Act; set to repeal on July 1, 2024. DeLano. i205; cr389; cu484; v485; ph1313; sp1901; ap3164; Ch.339.

2455 - (Government Structure) Public Service Commission; restructure to include Public Utilities Staff. Parks. i205.

2456 - (Appropriations) General Fund; FY2025 appropriation to Alcorn State University for STEM-related programs. Butler, et al. i206.

2457 - (Finance) Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Williams. i206; cr373; cu534; v534; ph2629; msrp2890; sc2890; v2904; sp3144; ap3312; Ch.425.

2458 - (Appropriations) General Fund; FY2025 appropriation to Alcorn State University to upgrade roadways and sidewalks. Butler, et al. i206.

2459 - (Appropriations) General Fund; FY2025 appropriation to Claiborne County for repairs and improvements to historical structures in the county. Butler, et al. i206.

2460 - (Appropriations) General Fund; FY2025 appropriation to Alcorn State University to strengthen support of poultry science programs. Butler, et al. i206.

2461 - (Appropriations) General Fund; FY2025 appropriation to Alcorn State University to support animal science research and extension programs. Butler, et al. i206.

2462 - (Appropriations) General Fund; FY2025 appropriation to Alcorn Agriculture Research and Extension for certain capital projects. Butler, et al. i207.

2463 - (Appropriations) Coronavirus State Fiscal Recovery Fund; FY2025 appropriation to Sisters in Birth nonprofit charitable clinic. Butler, et al. i207.

2464 - (Finance) Distinctive tags; authorize separately for Most Worshipful King Hiram Grand Lodge & Electra Grand Chapter Order of Eastern Star. Thomas, et al. i207.

2465 - (Public Property) Public property; direct MDOT to convey certain land used as a park to the City of Marks. Jackson. i207; cr384; msrp752; cu752; v753.

2466 - (Finance) Alcoholic beverages; revise certain provisions relating to sales to persons under the age of 21. Fillingane. i207; cr430; cu535; v535; ph2629; msrp3158; sdc3158; ca3544; cg3655; cro4275; crf4278; v4278; hrcc4371.

2467 - (Finance) Municipal ad valorem taxes; exempt real property and motor vehicles in an annexed area for 12 months after annexation. McLendon. i207.

2468 - (Appropriations) Budget process; bring forward certain sections relating to and provide for transfers of funds. Hopson. i208; cr354; cu441; v441; ph888; sdc899; ca2971; cg3130; msrp3856; rcc3856; hrcc3920; nca4509; msrp4688; cro4688; cra4716; v4716; uc4716; crah4791; sp4802; ap4811; Ch.534.

2469 - (Public Health and Welfare) Medical records; prohibit health care facilities from withholding from parents the records of their minor children. Parker, et al. i208.

2470 - (Finance) Sales tax; move the back-to-school sales tax holiday to the second Friday in July. Michel, et al. i208; cr373; cu443; v443; caa443; ph1314; msrp2865; sc2865; v2865; sp3144; ap3312; Ch.426.

2471 - (Finance) Sales tax; increase diversion to municipalities and create diversion to counties. McMahan. i208.

2472 - (Finance) Income tax; authorize a credit for dependent care equal to that allowed for federal income tax purposes. Wiggins. i208.

2473 - (Finance) Motor vehicle tags; remove portion of fees deposited to State General Fund, or rededicate to Ad Valorem Tax Reduction Fund. Hopson. i208.

2474 - (Accountability, Efficiency, Transparency) Mississippi Whistleblower Reward Act; enact. Parker. i209.

2475 - (Finance) Income tax; authorize credits for certain child care expenses and for Pre-K providers for care of certain children. Wiggins. i209.

2476 - (Finance) Tax credits for qualified charitable and qualified foster care charitable organizations; delete repealer on. Harkins. i210; cr355; cu469; v469; ph1314; msrp3150; sc3150; v3154; sp3269; ap3648; Ch.435.

2477 - (Finance) Income tax; reenact and extend repealer on credit for certain railroad expenditures. Harkins, et al. i210; cr355; cu470; v470; caa470.

2478 - (Government Structure) Department of Archives and History; revise appointing authority for members of the board of trustees. Hill. i210.

2479 - (Business and Financial Institutions) Breach of security; report to the Attorney General. Blackmon. i210.

2480 - (Accountability, Efficiency, Transparency) Local governments; disallow 2% charge for ad valorem tax when paying with a debit card. McLendon. i210.

2481 - (Finance) Income tax; increase amount of credit for approved reforestation practices. Michel, et al. i210.

2482 - (Accountability, Efficiency, Transparency) Deficit Prevention Act; amend additional deficit or supplemental appropriation request procedure. Younger, et al. i210.

2483 - (Finance) ABC Warehouse Construction Fund; prohibit spending from until DOR and DFA determine total project costs no more than $55M. Younger, et al. i210.

2484 - (Accountability, Efficiency, Transparency) Master plan for coastal resiliency and restoration; provide for. Younger, et al. i211.

2485 - (Accountability, Efficiency, Transparency) Public Records Act; exempt private information of minors. Younger. i211.

2486 - (Government Structure) Proposals and requests for qualifications; simplify the receipt and registration process. Johnson. i211; cr388; cu578; v579; ph1372; sdc2983; ca3028; cg3130; msrp3550; cro3550; cra3575; v3575; crah3656; sp3670; ap4400; Ch.466.

2487 - (Appropriations) The Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund; bring forward provision related to. DeLano, et al. i211; cr432; cu442; csa442; v442; ph888; sdc904; ca2971; cg3131; msrp3856; rcc3856; hrcc3920; cro4415; cra4418; v4418; caa4418; crah4783; sp4802; ap4811; Ch.529.

2488 - (Finance) First Responders Retirement Incentive; create. DeLano. i211.

2489 - (Appropriations) Study Committee; create to study the funding of health insurance of all retired first responders. England. i211.

2490 - (Accountability, Efficiency, Transparency) Proposals and requests for qualifications; simplify the receipt and registration process. Wiggins. i212.

2491 - (Finance) Income tax; provide credit for taxpayers claiming federal Earned Income Tax Credit. Jackson, et al. i212.

2492 - (Finance) Use tax; revise certain provisions regarding funds distributed to municipalities and counties for infrastructure purposes. Branning. i212; cr430; cu444; v444; ph1314; msrp3155; sc3155; v3158; sp3270; ap3649; Ch.436.

2493 - (Finance) Bonds; repeal authorization for unissued bonds, and replace with cash funds. Harkins. i212; cr373; cu501; v501; ph1317; msrp2915; sdc2915; ca3028; cg3162; rcc3671; hrcc3746.

2494 - (Public Property) State agency property; authorize DFA as central leasing agent for all state agencies. Blount. i213; cr384; cu665; csa665; v665.

2495 - (County Affairs) County boards of supervisors; may designate board attorney to serve as hearing officer in disputes regarding delinquent solid waste fees. Kirby, et al. i213; cr383; cu506; v506.

2496 - (Municipalities; County Affairs) Municipal annexation; require an election be held in the proposed annexation territory. McLendon. i214.

2497 - (Municipalities; County Affairs) Annexation; require referendum in certain communities if municipality does not provide critical services. Parker, et al. i214.

2498 - (County Affairs; Municipalities) Maps and plats; clarify certain procedural requirements for landowners desiring to alter or vacate. DeLano. i214.

2499 - (Public Property) Real property in Columbus, Mississippi; amend chapter law to authorize MDA to sell, lease, or otherwise dispose of. Younger. i214.

2500 - (Municipalities; Judiciary, Division B) Homeless encampments; prohibit on public property and define as public nuisance on private property. McMahan. i214; cr427; cu613; csa613; v614; vp614.

2501 - (Business and Financial Institutions; Municipalities) Municipalities; repeal outdated section on municipal depositories. McMahan. i214.

2502 - (County Affairs) Counties; shorten notice requirement for special meetings from five days to three days. Parks. i215; cr431; cu677; csa677; v677.

2503 - (Municipalities; Finance) "Property Cleanup Revolving Fund"; establish funded by state bonds. McMahan. i215.

2504 - (Highways and Transportation; Judiciary, Division B) Radar; authorize limited use of by sheriffs. McLendon. i215.

2505 - (Highways and Transportation; Appropriations) Mississippi Airport Critical Needs Grant Program; create. Williams. i215.

2506 - (Wildlife, Fisheries and Parks) Resident lifetime sportsman hunting and fishing license; offer at a discounted rate to 10-year WFP conservation officers. Hill. i215.

2507 - (Agriculture) Raw milk; allow the personal consumption and individual sale of. Hill. i216.

2508 - (Ports and Marine Resources) Coastal resiliency and restoration; create coordinating committee on. Younger, et al. i216.

2509 - (Highways and Transportation) Motor Carrier Regulatory Law; extend repeal on voluntary inspection program. Branning. i216; cr347; cu446; v447; ph1369; sp1377; ap2981; Ch.327.

2510 - (Local and Private) Neshoba County; increase authorized contribution amount made to Philadelphia Transit. Branning. i216; cr1454; cu2414; v2414; ph3217; msrp3306; sc3306; v3306; sp3585; ap4401; Ch.928.

2511 - (Energy) Broadband Expansion and Accessibility of Mississippi (BEAM) Act; amend. Williams. i216.

2512 - (Judiciary, Division A; Appropriations) Assistant district attorneys; authorize additional in 6th circuit. Barrett, et al. i217.

2513 - (Veterans and Military Affairs; Gaming) "Veterans' Assistance Lottery"; establish under Mississippi Lottery Corporation. Tate. i217.

2514 - (Government Structure; Veterans and Military Affairs) State Veterans Affairs Board; revise composition of. Tate. i217; cr431; cu536; csa536; v536; ph1369; sp1377; ap2981; Ch.328.

2515 - (Veterans and Military Affairs; Judiciary, Division A) Veterans assistance; prohibit unethical collection of fees in veterans benefits matters. Tate. i217.

2516 - (Veterans and Military Affairs; Accountability, Efficiency, Transparency) Reverse auction requirement; exempt MS State Veterans Affairs Board for the purchase of ADA vans and buses for Veterans Nursing Homes. Tate. i217.

2517 - (County Affairs; Insurance) Election commissioners; require board of supervisors to provide insurance coverage for. Tate. i218.

2518 - (Judiciary, Division A) Circuit court; prohibit political candidates from addressing the public during court terms. Tate. i218.

2519 - (Judiciary, Division A) Mississippi Foreign Land Ownership Act; create. McCaughn, et al. i218; cr396; cu506; csa506; v506; caa506; caaw712; ph1369; sp1377; ap2981; Ch.329.

2520 - (Accountability, Efficiency, Transparency) Elections; nonbinding ballot initiative concerning potential Medicaid expansion. McMahan. i218.

2521 - (Accountability, Efficiency, Transparency; Constitution) Ballot initiative measure process; revise the statutory provisions of. McCaughn, et al. i218.

2522 - (Accountability, Efficiency, Transparency) Initiative measure; create procedures for qualified elector to propose amendment to the Mississippi Code of 1972. Blount. i218.

2523 - (Judiciary, Division A; Appropriations) Appellate court expense allowance; revise requirements for receiving. Wiggins. i219.

2524 - (Judiciary, Division A; Appropriations) Assistant district attorneys; authorize additional 23rd circuit. McLendon. i219.

2525 - (Business and Financial Institutions; Appropriations) Small business lending program; create. Sparks. i219.

2526 - (Medicaid; Corrections) Special Care Facility for Paroled Inmates; bring forward provisions for possible amendment. Wiggins. i219; cr434; cu690; csa690; v691.

2527 - (Judiciary, Division A) Custody; create rebuttable presumption of joint custody with equal parenting time. Hickman. i219.

2528 - (Judiciary, Division A) Mississippi Tort Claims Act; create publicly accessible registry for certain entities subject to. Hickman, et al. i219.

2529 - (Judiciary, Division A) District attorneys; amend provision related to temporary appointments. Fillingane. i220; cr425; cu508; v508.

2530 - (Insurance; Judiciary, Division A) Peer-to-Peer Car Sharing Program Act; create. Michel, et al. i220; cr436; cu617; v617; caa618; ph1314; sc2632; v2643; sp3145; ap3313; Ch.429.

2531 - (Judiciary, Division A) Walker Montgomery Protecting Children Online Act; enact. Williams, et al. i220.

2532 - (Business and Financial Institutions) Bonds; clarify municipalities and counties may issue serial and single term. Boyd. i221; cr426; cu509; v509; ph1313; sp1377; ap2981; Ch.330.

2533 - (Medicaid) Medicaid eligibility; prohibit potential beneficiary's self-attestation. Hill. i221.

2534 - (Judiciary, Division A; Judiciary, Division B) Individual publicity right; prohibit unauthorized use and provide remedies. Ladner. i221.

2535 - (Judiciary, Division A) Divorce; authorize a court to grant when it is determined that a marriage is irretrievably broken. Wiggins, et al. i221; cr425; cu673; v673; caa673.

2536 - (Judiciary, Division A) Nonprofit corporations which receive public funds; require reporting to Secretary of State. McCaughn. i221; cr438.

2537 - (Judiciary, Division A) Justice court; revise jurisdiction and filing fees. Frazier. i222.

2538 - (Insurance; Public Health and Welfare) Health insurance billing; exempt dental services from certain balanced billing requirements. Michel. i222.

2539 - (Judiciary, Division A) Mississippi Domestic Law Task Force; reconstitute. Wiggins. i222.

2540 - (Business and Financial Institutions) LLCs; allow partnership or limited partnership to be named on the certificate of formation. Johnson. i222.

2541 - (Business and Financial Institutions) LLCs; allow partnership or limited partnership to be named on the certificate of formation. Harkins. i222.

2542 - (Judiciary, Division A) Presumption of death; create for missing persons who have undergone a catastrophic event causing imminent peril. Barrett. i222.

2543 - (Business and Financial Institutions) Consumer Alternative Installment Loan Act; create a cap adjustment based on the loan amount. Sparks. i223; cr426; cu510; csa510; v510; ph1449; sp2255; ap3221; Ch.377.

2544 - (Business and Financial Institutions) Public deposit bidding; conform processes. Polk. i223; cr382; cu577; csa577; v577.

2545 - (Business and Financial Institutions) Auditing threshold; define monetary donations. Polk. i223; cr382; cu481; v481; ph1369; sp1377; ap2981; Ch.331.

2546 - (Business and Financial Institutions) Remote online notarization; allow. Polk. i223; cr426.

2547 - (Judiciary, Division A) Notarial fees; update cost ceiling to provide proper compensation. Polk. i223.

2548 - (Business and Financial Institutions) Real estate; amend property condition disclosure statement liability. Sparks, et al. i224.

2549 - (Judiciary, Division A) Chancery clerk; increase fees for recording deeds to land sold for taxes and redemption of such lands. Kirby, et al. i224; cr425; cu717; csa717; v717; caa717.

2550 - (Judiciary, Division A; Appropriations) Assistant district attorneys and criminal investigators; bring forward provisions related to. Wiggins. i224; cr390; cu485; v485.

2551 - (Judiciary, Division A; Appropriations) Jurors; increase range of per diem for. Jackson, et al. i224.

2552 - (Insurance) Contraceptive Equity Act of 2024; enact. Turner-Ford. i224.

2553 - (Public Health and Welfare) Mississippi Families' Rights and Responsibilities Act; enact. Fillingane. i224.

2554 - (Public Health and Welfare; Accountability, Efficiency, Transparency) Universal Recognition of Occupational Licenses Act; exempt the practice of dentistry and practice of optometry. Parker. i225.

2555 - (Education) The Academic Transparency Act of 2024; enact. England. i225.

2556 - (Education) Early Learning Collaborative Act; require the Department of Education to provide certain data on educational effects. Younger, et al. i225; cr354; cu473; v473; ph1369; sp1902; ap3164; Ch.372.

2557 - (Universities and Colleges; Energy) Ground lease for solar installation at Mississippi Agricultural and Forestry Experimental Stations; authorize. Williams, et al. i225; cr436; cu618; csa618; v619; caa619; ph1012; sp1097; ap1379; Ch.316.

2558 - (Public Health and Welfare) Mental Health Regional Commissions; authorize boards of supervisors to agree to board compositions. Hopson, et al. i226; cr386; cu459; v459; caa459.

2559 - (Education) 16th section land; remove board of supervisors from having to approve leases and substitute Secretary of State. McCaughn. i226.

2560 - (Universities and Colleges) Mississippi University for Women; bring forward code sections. Younger. i226.

2561 - (Universities and Colleges; Appropriations) Dr. Elton Mac Huddleston Rural Veterinarian Scholarship Program; establish. Rhodes, et al. i226.

2562 - (Education; Appropriations) Tim Tebow Act; allow homeschooled children to participate in extracurricular activity within their school district. DeBar. i227.

2563 - (Government Structure; Public Health and Welfare) State Board of Cosmetology and Board of Barber Examiners; merge into one board. DeLano. i227.

2564 - (Public Health and Welfare) Certificate of Need; authorize additional beds for community living program in Madison County for disabled adults. Michel. i228.

2565 - (Accountability, Efficiency, Transparency) Open meetings; revise accessibility to information on meeting times, agendas and minutes. Norwood, et al. i231.

2566 - (Accountability, Efficiency, Transparency) Public bid requirements for local governing authorities and state agencies; increase minimum expenditure amounts. McMahan. i231.

2567 - (Finance) On-premises tobacco permit; authorize Department of Revenue to issue. McMahan. i231; cr391; cu443; v443; mr448; mrc549; mrp549; v549; ph1317; msrp2871; sc2871; v2883; sp3145; ap3313; Ch.430.

2568 - (Finance) Native wineries; authorize to make sales at one satellite location in same county. McMahan, et al. i231; cr391; cu549; v549; caa549.

2569 - (Economic and Workforce Development) State employee telework policies; amend. Sparks. i231; cr400; cu461; v461.

2570 - (Economic and Workforce Development) Office of Workforce Development; extend exemption from PPRB provisions on rental/leasing of real property for agency business. Sparks. i232; cr400; cu487; v487; ph1314; msrp2859; sdc2859; ca2975; cg3149.

2571 - (Economic and Workforce Development) Federal Workforce Investment Act; Hinds County shall be a separate workforce investment area. Horhn. i232.

2572 - (Economic and Workforce Development) State Workforce Investment Board; amend to allow for proxy participation in meetings to meet quorum. Sparks. i232; cr400; cu462; v462; ph1313; sp1902; ap3164; Ch.374.

2573 - (Accountability, Efficiency, Transparency) Reverse auction requirements for procurement; exempt certain training equipment. Sparks. i232.

2574 - (Labor; Accountability, Efficiency, Transparency) Fresh Start Act of 2019; expand. Horhn. i232.

2575 - (Elections) Campaign finance; reform. England. i232; cr435; cu692; csa692; v704; mr757; mrc795; mrt795.

2576 - (Elections; Accountability, Efficiency, Transparency) Voter ID; clarify what constitutes a valid voter ID. England. i233; cr439; rmc706; msrp709; cu709; csa709; v710; ph1369; sp1377; ap2981; Ch.332.

2577 - (Elections; Judiciary, Division B) Digitizations; create a criminal penalty for the wrongful dissemination of. England. i233; cr421; cu671; csa671; v672; ph1372; sdc1980; ca2975; cg3131; crah3585; cro3643; cra3646; v3646; vp3646; sp3670; ap4401; Ch.467.

2578 - (Elections) Campaign materials; expand definition of publish and establish fine for failure to comply with disclosure requirements. England. i233.

2579 - (Elections) Absentee ballots; change receipt deadline. England, et al. i233; cr374; msrp671; cu671; v671; caa671.

2580 - (Elections) In-person early voting; allow. England, et al. i234; cr435; cu615; v616; caa616.

2581 - (Elections) Absentee voter instructions; amend. England. i234.

2582 - (Elections) Poll managers and Resolution Board; amend requirements to provide party diversity. England. i234.

2583 - (Elections) Election contests; amend procedure to apply the same judicial process to all. England. i234.

2584 - (Elections) Early voting; authorize. Horhn. i235.

2585 - (Elections) Campaign finance; reform. Tate. i235.

2586 - (Elections) Early voting; authorize up to 20 days before any election. Simmons (12th). i236.

2587 - (Elections; Judiciary, Division B) Suffrage; provide for restoration upon completion of sentence or placement on probation. Simmons (12th). i236.

2588 - (Drug Policy; Judiciary, Division B) Mississippi Kratom Consumer Protection Act;enact. Turner-Ford. i237.

2589 - (Drug Policy; Judiciary, Division B) Mississippi Kratom Consumer Protection Act; enact. Sparks. i237.

2590 - (Labor; Accountability, Efficiency, Transparency) Labor; Mississippi Minimum Wage Act. Horhn. i237.

2591 - (Labor; Accountability, Efficiency, Transparency) Socially and economically disadvantaged small business; establish program to encourage participation in state contracts by. Horhn. i238.

2592 - (Labor) Workers' Compensation; clarify statute of limitations. England. i238.

2593 - (Labor) Labor; create study committee to study labor force participation rates. Barrett. i238; cr385.

2594 - (Corrections) Safety and privacy in correctional facility rooms; provide certain standards. England. i238.

2595 - (Corrections; Accountability, Efficiency, Transparency) Restitution centers; transition to prerelease centers. Simmons (12th). i238.

2596 - (Corrections; Accountability, Efficiency, Transparency) Restitution centers; transition to post-release reentry centers. Simmons (12th). i239.

2597 - (Corrections) MS Department of Corrections; prescribe specific data to be collected by the department relative to inmates and facilities. Barnett, et al. i239.

2598 - (Corrections) "Mississippi Earned Parole Eligibility Act"; extend repealer and authorize parole for certain juvenile homicide offenders. Sparks. i240.

2599 - (Corrections; Judiciary, Division B) Alternative Incarceration Methodology (AIM) and intervention courts; bring forward statutes related thereto. Sparks. i240; cr421; cu582; v612.

2600 - (Corrections; Government Structure) Parole and probation officers' study committee; study transferring authority and functions to DPS. Sparks. i240; cr389; cu460; v460.

2601 - (Energy) Utility Service; prevent government restrictions based on energy source required. Chassaniol, et al. i240; cr422; cu507; v507; caa508.

2602 - (Energy; Judiciary, Division B) PSC and Public Utilities Staff; clarify ability to receive campaign contributions or participate in political activity. Carter. i240; cr429; cu675; csa675; v675.

2603 - (Energy) Excavation; revise procedures and required white lining in certain stances. Carter. i240; cr422; cu672; csa672; v672; ph1314; sp1377; ap2981; Ch.333.

2604 - (Energy) Public utilities contracts; allow certain bids to be submitted electronically. Carter. i241; cr422; cu672; v672.

2605 - (Judiciary, Division B) Giglio letter; require prosecutors to give law enforcement officers an opportunity to be heard before sending. Sparks, et al. i241.

2606 - (Judiciary, Division B) DUI suspension; clarify how the 120 days are counted. Barrett. i241; cr421; cu582; v582.

2607 - (Judiciary, Division B; Education) School enrollment; criminalize enrollment without establishing domicile within the school district. McLendon. i241.

2608 - (Judiciary, Division B) Study Committee; authorize to study police pursuits. Norwood, et al. i242.

2609 - (Judiciary, Division B) Liability insurance; impound vehicles operated without mandatory limits. Rhodes, et al. i242.

2610 - (Judiciary, Division B) Mississippi Clean Slate Act; enact. Wiggins. i242.

2611 - (Judiciary, Division B) Felonious child abuse; provide for where child tests positive at birth for certain controlled substances. McCaughn. i242.

2612 - (Judiciary, Division B) Mississippi Organized Retail Theft Crime Prevention Act; enact. Hill, et al. i242.

2613 - (Judiciary, Division B) Police chiefs and officers; require certain continuing education. Sparks. i243; cr381; cu456; v456.

2614 - (Judiciary, Division B) Uniform Post-Conviction Collateral Relief Act; amend certain provisions related to the filing of motions under. Sparks. i243; cr381; cu455; csa455; v455.

2615 - (Judiciary, Division B) Homelessness; prohibit in certain areas, require notice and authorize removal of encampments. Fillingane. i243.

2616 - (Judiciary, Division B) Counterfeit automobile airbags; criminalize manufacture, import, distribution or install of. Fillingane. i243.

2617 - (Judiciary, Division B) DUI suspension; clarify how the 120 days are counted. Barnett, et al. i243.

2618 - (Judiciary, Division B) Firearms; authorize municipality or county to allow purchase of for an agreed upon price. Suber. i244.

2619 - (Judiciary, Division B) Assault; remove additional criminal assessment for misdemeanor offenses. Suber. i244.

2620 - (Judiciary, Division B) Marijuana; legalize. Simmons (12th). i244.

2621 - (Judiciary, Division B) Youth court; revise transfer to circuit court. Simmons (12th). i244.

2622 - (Judiciary, Division B) Intervention court; amend criteria for participation in. Simmons (12th). i244.

2623 - (Judiciary, Division B) Marijuana; provide that simple possession of 30 grams or less is a civil infraction. Simmons (12th). i244.

2624 - (Judiciary, Division B) Simple possession of controlled substances; revise certain. Simmons (12th). i244.

2625 - (Judiciary, Division B) Violent habitual offender; require jury determination. Simmons (12th). i245.

2626 - (Judiciary, Division B) Firearms and weapons; authorize nonviolent felons to possess and use. Hickman. i245; cr381; cu456; csa456; v456; mr465.

2627 - (Judiciary, Division B) Firearms; criminalize manufacture, possession and use of machine gun conversion devices. DeLano, et al. i245; cr372; cu453; csa453; v453; caa453; mr465; mrc471; mrt471.

2628 - (Accountability, Efficiency, Transparency) Mississippi Capitol Region Utility Act; enact. Parker. i245; cr346; cu554; v574; mr613; mrc661; mrt661.

2629 - (Environment Prot, Cons and Water Res; Agriculture) Waters of the state; bring forward code sections for possible amendment. DeLano. i245.

2630 - (Government Structure; Accountability, Efficiency, Transparency) Occupational Licensing Review Commission; amend membership to. Johnson. i246.

2631 - (Agriculture) State property; amend MDAC ability to expend funding for the Ag Museum and clarify the location of state fairgrounds. Whaley, et al. i246; cr375; msrp619; cu619; csa620; v651; caa651.

2632 - (Highways and Transportation; Judiciary, Division B) Radar; authorize limited use of by sheriffs until a specified date. McLendon. i246.

2633 - (Highways and Transportation; Judiciary, Division B) Radar; authorize limited use of by sheriff's until a specified date subject to approval by the county board of supervisors. McLendon. i246.

2634 - (Highways and Transportation) Memorial highways; designate segments in Bolivar County and Jones County as in honor individuals. Bryan. i247; cr384; cu458; csa458; v458; ph2629; sdc3008; ca3028; cg3136; crah3656; cro3761; cra3762; v3762; sp4372; ap4805; Ch.474.

2635 - (Highways and Transportation) Nonconsensual towing; regulate towing and charges for commercial vehicles. Branning. i247; cr384; msrp736; cu736; csa736; v742; ph1667; sc2013; v2019; sp2980; ap3277; Ch.384.

2636 - (Highways and Transportation) Memorial marker; place near the Clay Street exit ramp off I20 West for Jarod Squire and Derico Davis. Hopson. i247; cr384.

2637 - (Highways and Transportation) Strategic Multi-Modal Investment Fund; further define fund allocation. Branning. i247.

2638 - (Agriculture) Cottage foods; further define and increase seller's allowed annual gross sales amount to $50,000.00. Seymour. i247; cr437; cu718; csa718; v719; vp719; mr719.

2639 - (Wildlife, Fisheries and Parks) Department of Wildlife, Fisheries and Parks; bring forward certain code sections regarding. Michel. i247; cr425; msrp751; cu751; csa751; v751.

2640 - (Wildlife, Fisheries and Parks; Government Structure) Commission on Wildlife, Fisheries and Parks; expand to nine members. Seymour, et al. i247.

2641 - (Wildlife, Fisheries and Parks; Judiciary, Division B) Hunting on streets and railroads; clarify prohibition on for compliance with United States and Mississippi Constitutions. Seymour. i247.

2642 - (Wildlife, Fisheries and Parks) Physical tagging and harvest reporting programs; direct Department of Wildlife, Fisheries and Parks to establish for deer. Seymour. i248.

2643 - (Highways and Transportation) Highways; dedicate a section of Highway 8 to William Forrest Winter. Chassaniol, et al. i248; cr384; cu458; csa458; v458; caa458; ph1369; sp1378; ap2981; Ch.334.

2644 - (Highways and Transportation; Finance) Harvest permit license tag; increase weight category for. Branning. i248; cr391; cu668; v668; ph1369; sp1378; ap2981; Ch.335.

2645 - (Highways and Transportation) Mississippi Department of Transportation; design-build requirement revisions. Branning, et al. i248; cr384; msrp651; cu651; csa651; v651; caa651; mrp661; csf661; v661; ph1667; sp2255; ap3277; Ch.385.

2646 - (Highways and Transportation; Finance) Sealed container permits; allow for annual. Branning. i249.

2647 - (Ports and Marine Resources) Mississippi Comprehensive Coastal Conservation and Restoration Act of 2024; enact. Thompson, et al. i249; cr383; cu664; v664; caa665; caa716.

2648 - (Ports and Marine Resources) Mississippi Department of Marine Resources; authorize oyster lease reconfiguration and make technical amendments. Thompson. i249; cr383; cu577; v577; ph1315; msrp2907; sdc2907; ca3023; cg3120; crah3919; uc4378; cro4378; cra4388; v4388; sp4800; ap4811; Ch.530.

2649 - (Environment Prot, Cons and Water Res; Accountability, Efficiency, Transparency) Department of Environmental Quality; provide additional powers to Executive Director. DeLano. i249; cr439; cu705; v706; ph1667; sc2477; v2486; sp2980; ap3277; Ch.386.

2650 - (Environment Prot, Cons and Water Res; Agriculture) Waters of the state; amend the definition of. McCaughn. i250.

2651 - (Wildlife, Fisheries and Parks; Judiciary, Division B) Trespass to hunt, fish, shoot or trap; revise offense description, and impose penalties and fees. Suber, et al. i250; cr422; msrp752; cu752; csa752; v752; caa752.

2652 - (Wildlife, Fisheries and Parks) Wild turkey stamps; require for wild turkey hunters 16 years of age or older. Suber. i250; cr391; cu461; v461; mr465; mrc794; mrt794; ph1372; sdc2475; ca2975; cg3149; cro4009; cra4011; v4011; mr4077; mrc4085; mrt4085.

2653 - (Ports and Marine Resources) Design-build method of contracting; extend repealer for use by State Port Authority. Thompson. i250; cr383; cu481; v481.

2654 - (Ports and Marine Resources) MS Department of Marine Resources; clarify hearing procedures and establish compliance officer. Thompson, et al. i250; cr383; caa676.

2655 - (Highways and Transportation) Highways; recognize former Representative Alyce Clarke and amend dedication rules for members of public office. Horhn. i250.

2656 - (Highways and Transportation) Highways; include certain entrances and exits to and from Interstate 55 in the state highway system. Horhn. i251.

2657 - (Public Health and Welfare) Water Quality Accountability Act; create. DeLano. i251.

2658 - (Highways and Transportation; Judiciary, Division B) Radar; authorize use of by sheriffs with limitation on the number of equipped patrol vehicles. Thompson. i251.

2659 - (Wildlife, Fisheries and Parks) Mississippi Parks Corporation; create. Bryan. i251; cr391; cu580; rc580.

2660 - (Highways and Transportation; Finance) All-terrain vehicles and recreational off-highway vehicles; allow tagging for operation on certain roads. Suber. i252.

2661 - (Agriculture; Technology) Unmanned aerial vehicle; allow for use in agriculture. Suber. i252.

2662 - (Wildlife, Fisheries and Parks) Drones; allow use of for hunting, trapping and taking wild hogs. Suber, et al. i252; cr391; cu485; csa485; v485; caa486.

2663 - (Local and Private) City of Carthage; extend repeal date on hotel, motel and restaurant tax. Branning. i252; cr1454; cu2415; v2415; ph3220; msrp3307; sc3307; v3307; sp3585; ap4401; Ch.929.

2664 - (Education; Appropriations) Fund Rural Education Evenly Act (FREE) Act; enact. Simmons (13th), et al. i253.

2665 - (Education; Finance) School districts; allow certain rural districts to exceed bonded indebtedness limit once. Simmons (13th). i253.

2666 - (Education) Save Our Underfunded Local Schools (SOULS) Act; enact. Simmons (13th), et al. i253.

2667 - (Education) Educator preparation programs; require course in mental disturbance awareness and trauma-informed approaches. Simmons (13th). i253.

2668 - (Education) School districts; require to implement mental health awareness into health education curriculum. Simmons (13th), et al. i254.

2669 - (Education; Appropriations) Mississippi Dyslexia Education Funding Act; enact. Simmons (13th), et al. i254.

2670 - (Education) Financial literacy curriculum; require specific courses in public schools in grades six through twelve. DeBar. i254.

2671 - (Education; Appropriations) School employee salary supplement; provide for occupational therapists, behavior analysts and school psychologists. McLendon. i254.

2672 - (Education) School choice; authorize for "C," "D" and "F" rated schools, set certain procedures related thereto. Fillingane. i255.

2673 - (Education; Appropriations) William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; revise certain provisions related thereto. Boyd. i255.

2674 - (Education) The Student Safe at School Act; enact to provide for certain notice requirements for school shooting drills. Boyd. i255.

2675 - (Education) Charter schools; revoke charter if school remains "D" or "F" rated for longer than two consecutive years. Norwood, et al. i255.

2676 - (Education) High school graduation requirements; require civics course to graduate. Rhodes, et al. i255.

2677 - (Education) Public schools; allow voluntary prayer, require Ten Commandments be displayed, and require certain size of U.S. flag. Rhodes, et al. i256.

2678 - (Education; Public Property) Department of Archives and History; authorize schools to receive waiver of certain preservation requirements. Simmons (13th), et al. i256.

2679 - (Education) MHSAA; prohibit from requiring member school from charging more than $2.00 for admission into athletic events. Whaley. i256.

2680 - (Education) Sixteenth section land; revise provisions regarding leasing when classified as agriculture. Younger. i256; cr438.

2681 - (Education) Certified Academic Language Therapists; allow to help instruct students with dyslexia in schools. England, et al. i256; cr438; cu704; csa705; v705; caa705; ph2250; sp2968; lws3277; Ch.433.

2682 - (Education; Appropriations) MS Critical Teacher Shortage Act of 1998; extend repealer on. DeBar, et al. i257; cr433; cu678; v685; caa685; caa758; ph2629; msrp2883; sdc2883; ca2975; cg3137.

2683 - (Education) K-12 mandate character education program in public schools; define character traits. Jordan. i257.

2684 - (Education) Department of Education; to require to study and develop guidance on technology, nutrition and transportation. DeBar, et al. i257; cr401; cu506; v506; caa507.

2685 - (Education) Retired teachers; authorize to receive PERS benefits and work full-time in certain critical shortage areas. Parker, et al. i257; cr402; cu487; csa487; v487; caa487.

2686 - (Education) The Equal Opportunity for Students with Special Needs Act; extend repealer. DeBar. i258; cr438.

2687 - (Education) School boards; delete staggered terms of members, require four-year terms, require election to be held during statewide election. DeBar. i258.

2688 - (Education) School superintendents; authorize school districts to elect and reinstate previous sections related thereto. DeBar. i258.

2689 - (Education) State subject area tests and accountability standards; replace with college prep test and revise provisions. DeBar, et al. i259; cr402; cu581; csa581; v581; caa582; caa757; ph1372; sdc1720; ca2975; cg3149; nca3168.

2690 - (Education) Charter schools; set certain school accreditation rating requirements for renewal of charter. DeBar, et al. i259; cr438; cu619; csa619; v619; caa757.

2691 - (Education) Open enrollment; allow school district transfer if transferee board accepts, guarantee for active duty military children. DeBar. i259; cr438; cu705; rc705.

2692 - (Appropriations) Equity in Distance Learning Act; revise and update provisions related thereto. Blount. i260.

2693 - (Education) Failing schools and districts of transformation; revise certain provisions related thereto. Hopson, et al. i260; cr438; cu705; csa705; v705; caa716; caa757; ph2253.

2694 - (Education) Students of active duty service members and civilian personnel; revise residency requirements to allow transfers to another. DeLano. i261.

2695 - (Education) Driver's education; revise certain provisions related thereto. DeBar, et al. i261; cr401; cu670; v670; caa670; ph2629; msrp2889; sdc2889; ca2975; cg3150; cro4012; cra4016; v4016; crah4376; sp4632; ap4808; Ch.505.

2696 - (Tourism) Mississippi Main Street Grant Program; amend administration of and qualifications for. McCaughn, et al. i261; cr383; msrp720; cu720; csa720; v724; caa724; ph1317; sdc3115; ca3149; cg3220; crah3662; cro3762; cra3766; v3766; sp4372; ap4805; Ch.475.

2697 - (County Affairs) Property exemption; revise provisions regarding property belonging to certain foundations. Simmons (12th), et al. i262; cr383; msrp707; cu708; v708; caa708; mr711; msrp713; mrc713; mrp713; v714; ph1317; sc3172; v3177; sp3283; ap3747; Ch.448.

2698 - (Technology) Cyber Security Review Board; create. Williams, et al. i262; cr428; cu536; csa536; v536; caa536; ph1012; sp1025; ap1379; Ch.313.

2699 - (County Affairs) Purchasing law; raise expenditure triggering requirements for competitive bids. Simmons (12th). i262; cr431; cu717; tsc717; msrp719; rt719; csa719; v720; ph1372; sdc1982; ca2975; cg3131.

2700 - (Corrections; Government Structure) State offenders serving sentences in county jails; repeal repealer. Simmons (12th). i262; cr423; cu508; v508; ph1317; sdc2471; ca2975; cg3131.

2701 - (Technology; Finance) Broadband exemption; clarify ad valorem tax exemption for equipment used for broadband. Simmons (12th). i262.

2702 - (Public Property) Columbia Training School property; amend certain terms of conveyance by DFA to Marion County Economic Development District. Fillingane. i262.

2703 - (Technology) Cybersecurity; prohibit agencies from paying ransoms. Williams. i263; cr387; cu578; csa578; v578.

2704 - (Technology) Texting; require software companies to utilize encryption software. Williams. i263.

2705 - (Municipalities; County Affairs) Local Planning Commission members; authorize increase in monthly compensation. McLendon. i263.

2706 - (Accountability, Efficiency, Transparency) Social media; set certain requirements against content depicting tobacco or nicotine for minors. Boyd. i263.

2707 - (Municipalities) Business Improvement District Act; technical amendments. Blount. i264; cr427; cu510; v510; ph1314; sp1902; ap3164; Ch.375.

2708 - (Public Property) Department of Public Safety Headquarters; authorize DPS to sell or lease the land. Suber. i264; cr384; cu482; v482.

2709 - (County Affairs; Judiciary, Division A) Fees for county garbage collection; revise provision related to. Suber. i264.

2710 - (Municipalities) Pearl River Valley Water Supply District; add two board members from the City of Jackson. Horhn. i264.

2711 - (Tourism; Appropriations) Tourism; create the Mississippi Golf Association Grant Program. Thompson. i265.

2712 - (County Affairs; Municipalities) Counties and municipalities; modernize and simplify notice publication process for. Simmons (12th). i265.

2713 - (Accountability, Efficiency, Transparency) Regional health authorities; create the Delta Regional Health Authority. Parker. i265; cr380; cu478; csa479; v480; mr488; mrc794; mrt795.

2714 - (Public Health and Welfare) Qualified residential treatment programs; authorize as alternative placements for children and youth in CPS custody. Bryan. i266; cr437; msrp754; cu755; v755.

2715 - (Education; Appropriations) Mississippi School for Mathematics and Science; relocate to the campus of Mississippi State University. DeBar. i266; cr433; cu685; csf685; v689; mr711.

2716 - (Insurance) Commission on Mississippi Pharmacy Benefits Manager (PBM) and Vision Benefits Manager (VBM) Issues; establish. Parker. i266.

2717 - (Economic and Workforce Development) Mississippi Prison Industries Corporation; clarify conflicts in laws concerning leadership. Sparks. i266; cr430; cu717; csa717; v717; ph1317; msrp2860; sdc2860; ca2975; cg3150; crah3675; cro3766; cra3772; v3772; uc4048; sp4471; ap4805; Ch.496.

2718 - (Economic and Workforce Development; Appropriations) ARPA; allow funds deobligated from existing ARPA grants to be reallocated to existing subgrantees. Parker. i267.

2719 - (Economic and Workforce Development) Workforce enhancement training fund; authorize use for workforce-related postsecondary education programs. Polk. i267.

2720 - (Universities and Colleges; Appropriations) Mississippi Act WorkKeys National Career Readiness Certificate (NCRC) Scholarship Program; create. Barrett. i267.

2721 - (Universities and Colleges; Education) Rejecting Racism in Higher Education Act; enact. McLendon. i268.

2722 - (Universities and Colleges) Safe Dormitories Act; enact. Seymour. i268.

2723 - (Universities and Colleges; Appropriations) HELP Grant; revise certain provisions related thereto. Boyd. i269.

2724 - (Universities and Colleges; Appropriations) Mississippi Resident Tuition Assistance and Promise Grant Program; create to provide financial assistance to students. Boyd. i269; cr433; cu690; csa690; v690.

2725 - (Universities and Colleges) University System Efficiency Task Force; create to examine the efficiency of the state public university system. Boyd, et al. i269; cr426; cu613; v613; caa613.

2726 - (Universities and Colleges) State institutions of higher learning; require board of trustees to close three institutions by 2028. Polk. i269.

2727 - (Public Health and Welfare; Universities and Colleges) Mississippi K-12 and Postsecondary Mental Health Task Force; create and provide membership and duties. Boyd, et al. i270; cr436; msrp748; cu748; v751; ph2423; sc2997; v2998; sp3161; ap3313; Ch.431.

2728 - (Universities and Colleges; Appropriations) University of Mississippi; authorize to enter long-term lease with approval of I.H.L. Boyd. i270; cr433; cu690; csa690; v690; ph1375; msrp2849; sdc2849; ca2975; cg3128; nca3136.

2729 - (Universities and Colleges; Appropriations) Rural Physicians Scholarship Program and Rural Dentists Scholarship Program; revise certain provisions of. Boyd. i270; cr436; cu618; csa618; v618; mr652; msrp742; mrc742; mrp742; v744; ph1901; msrp2851; sdc2851; ca2976; cg3128; crah3662; cro4016; cra4023; v4023; sp4464; ap4805; Ch.493.

2730 - (Universities and Colleges; Appropriations) Mississippi Dual Enrollment/Dual Credit Scholarship Program; increase eligibility and revise provisions related thereto. Boyd. i271.

2731 - (Universities and Colleges; Appropriations) Jackson State University; transfer funds for new, multipurpose stadium. Norwood, et al. i271.

2732 - (Public Health and Welfare; Appropriations) Mississippi State Employee Maternity Leave Act; enact to provide six weeks of paid leave to certain employees. Boyd. i271.

2733 - (Medicaid) Pharmaceuticals; authorize the Division of Medicaid to establish a wholesale prescription drug importation program. Wiggins. i271; cr432; cu614; csa614; v614.

2734 - (Economic and Workforce Development) Mississippi Employment Protection Act; revise penalties and authorize regulations for enforcement. Williams. i272.

2735 - (Medicaid) Medicaid reimbursement, services, beneficiaries, hospital assessment and premium tax; bring forward sections. Blackwell, et al. i272; cr432; caa711.

2736 - (Insurance) Pharmacy Benefit Manager; revise certain requirements of entity that contracts with State Health Plan. Parks. i272.

2737 - (Judiciary, Division A) Child protection services; authorize "kinship payments" to children's extended family, as needed or applicable. Parker. i273.

2738 - (Insurance) State employees health plan; set provisions and restrictions related to pharmacy benefit manager. Michel, et al. i273.

2739 - (Insurance) Pharmacy Benefit Prompt Pay Act, Pharmacy Integrity Act, jurisdiction of Department of Insurance; bring forward provisions of. Michel. i274.

2740 - (Insurance) Insurance; authorize counties, municipalities, school districts and other political subdivisions to pool risk. Michel, et al. i274; cr428; cu675; v675; caa675; ph1314; sp1378; ap2982; Ch.336.

2741 - (Judiciary, Division A) Post conviction collateral relief; require Supreme Court permission for trial court motion under certain conditions. Chassaniol. i275.

2742 - (Public Health and Welfare) Child care services; provide eligibility for certain persons under the Child Care Payment Program (CCPP). Simmons (12th), et al. i275.

2743 - (Public Health and Welfare; Appropriations) Child care; DHS shall transfer to CCDF the first $40 Million of unspent TANF funds from prior FY to be used for child care vouchers. Simmons (12th). i275.

2744 - (Judiciary, Division A) Community mental health centers; rename and require certain oversight measures by Department of Mental Health. Boyd, et al. i275; cr435; cu615; csa615; v615.

2745 - (Insurance) Car repair and insurance; require insurer to pay prevailing market amount, require OEM parts and other provisions. Robinson, et al. i277.

2746 - (Judiciary, Division A; Appropriations) Seventh Circuit Court District; authorize additional judges and legal assistants for. Norwood. i277.

2747 - (Judiciary, Division A; Appropriations) Circuit court clerks; increase compensation in a county with a county court. Boyd. i277.

2748 - (Judiciary, Division A) State Grand Jury Act; amend certain provisions and extend repealer on. Wiggins. i277.

2749 - (Public Health and Welfare) Safeguarding Teens from Out-of-State Procedures Act; enact. McLendon. i278.

2750 - (Judiciary, Division A) Abused child reporting to child protection services; require report to contain the name of the reporter. Fillingane. i278.

2751 - (Medicaid) Medicaid services; require division to ensure nonopioid drug is disadvantaged relative to an opioid or narcotic. Turner-Ford. i278.

2752 - (Veterans and Military Affairs; Appropriations) "Disabled Veteran and Dependents Patriot Scholarship Program"; establish under IHL Board. Tate. i278.

2753 - (Judiciary, Division A) SAFER Act; enact. Harkins, et al. i279; cr435; cu691; csa691; v691; caa692; ph2423; sdc2670; ca2976; cg3123; cro4499; pin4504; ru4504; cra4504; v4504; vp4504; crah4783; sp4803; ap4811; Ch.512.

2754 - (Insurance) Pharmacy benefit managers; set certain requirements related thereto, including claim administration and reimbursements. Bryan. i279.

2755 - (Insurance) Mississippi Prior Authorization Reform Act; enact. Michel. i280.

2756 - (Insurance) State and School Employees' Health Insurance Board; require board to determine applicable insurance benefits and exclusions. Michel. i281; cr372; cu449; uc450; po450; ru450; v450; mr465.

2757 - (Insurance) Insurance information; require insurers to report certain information to MDHS for child support requirements. Michel. i281.

2758 - (Insurance) Insurance; prohibit roofing contractors from taking certain actions related to insureds. Michel. i281; cr372.

2759 - (Insurance) Transparency and Accountability of Patient Premiums Invested in Dental Care Act; create. Michel, et al. i282.

2760 - (Insurance) Automobile insurance; require reinstatement of policy where insurer fails to provide proper notice and insured pays premiums. Seymour. i283.

2761 - (Judiciary, Division A; Appropriations) Judicial support staff; bring forward provision related to. Barrett. i283; cr390; cu460; v460.

2762 - (Business and Financial Institutions) Retainage; further define and outline the process related to. Williams, et al. i283; cr382; cu664; csa664; v664; ph1375; sc2009; v2013; sp2980; ap3277; Ch.387.

2763 - (Business and Financial Institutions) Wire fraud; require banks to report to the Secret Service and MOHS. Williams. i283.

2764 - (Judiciary, Division A) Manufactured homes; create affidavit of ownership. Fillingane. i283; cr425; cu673; v674; ph2423; sdc2675; ca2976; cg3123; cro3780; cra3780; v3780; crah4506; sp4680; ap4805; Ch.494.

2765 - (Judiciary, Division A) Personal jurisdiction; provide for those nonresidents that register with the Secretary of State to do business in the state. Fillingane. i284.

2766 - (Judiciary, Division A) Contraception; provide right to obtain and engage in. Simmons (12th), et al. i284.

2767 - (Judiciary, Division A) Juries; prohibit peremptory challenges based on certain factors. Simmons (12th). i284.

2768 - (Judiciary, Division A) Judicial districts; create new chancery and circuit court district. DeBar. i284.

2769 - (Judiciary, Division A) Civil commitment; prohibit individuals being held in jail except in emergency circumstances. Simmons (13th). i285.

2770 - (Accountability, Efficiency, Transparency) Ballot initiative process; revise statutory implementation. Parker. i285; cr380; msrp724; cu724; v731; mr757.

2771 - (Judiciary, Division A) Judicial redistricting; bring forward code sections related to. Wiggins. i285; cr397; cu486; v486; ph2423; sdc2691; ca2976; cg3021.

2772 - (Judiciary, Division A) Securities; apply local law of entitlement holder's jurisdiction and revise priority for security interests. Wiggins, et al. i286.

2773 - (Medicaid) Medicaid provisions; extend date of repeal on certain provisions and bring forward for possible amendments. Wiggins. i286.

2774 - (Judiciary, Division A) Statewide Uniform Youth Court System; establish. Wiggins. i286.

2775 - (Insurance) Insurance; include prepaid plans for low-income individuals sponsored by not-for-profit organizations as health care ministry. Parker. i287.

2776 - (Judiciary, Division A) Immediate possession; authorize for certain public agencies for roads & public utilities for an economic development project. Michel, et al. i287; cr438; cu719; v719; mr757; mrc773; pin773; ru773; mrt773; caa773; ph2420; sp2968; ap3277; Ch.394.

2777 - (Technology; Judiciary, Division A) Cybersecurity incident liability; provide limitation on liability for certain entities that adopt cybersecurity standards. Boyd, et al. i287.

2778 - (Universities and Colleges) Mississippians' Right to Name, Likeness and Voice Act; enact. Blackmon. i287; cr426.

2779 - (Insurance) HIV prevention drugs; require health insurance plans and Division of Medicaid to provide coverage for. Turner-Ford. i288.

2780 - (Gaming; Ports and Marine Resources) Authority of Secretary of State to approve leases located on Public Trust Tidelands; clarify. Blount, et al. i288; cr400; cu714; csa714; v716; caa716; ph2423; sdc2722; ca2976; cg3131.

2781 - (Insurance) Health Insurance Coverage for Fertility Preservation Services Act; enact. Frazier. i289.

2782 - (Insurance; Appropriations) The Mississippi Comprehensive Hurricane And Wind Damage Mitigation Program; create and set provisions related thereto. DeLano. i289.

2783 - (Insurance) Health insurance; prohibit modifications on renewal of covered and prescribed prescription drug's contracted benefit level. DeLano. i290.

2784 - (Insurance) State Employees Life and Health Insurance Plan; bring forward provisions for possible amendment. DeBar. i290.

2785 - (Business and Financial Institutions; Government Structure) Mississippi Bullion Depository; establish in State Treasury. Chism. i290.

2786 - (Insurance) Lender-placed insurance on real property; provide framework for regulating. Kirby. i291; cr428.

2787 - (Judiciary, Division A) Statewide Intervention Court Taskforce; establish. Hickman. i291.

2788 - (Business and Financial Institutions; Government Structure) Mississippi Real Estate Commission; remove Home Inspector Board. Sparks. i291; cr389; cu484; v484; ph1369; sp1902; ap3165; Ch.376.

2789 - (Business and Financial Institutions) Wire fraud; require banks to report to the Secret Service and MOHS. Sparks. i292.

2790 - (Judiciary, Division A; Appropriations) Appointed counsel; require in Justice Court for certain criminal defendants. Barnett, et al. i292.

2791 - (Business and Financial Institutions) Real Estate Commission; allow to issue voluntary use of real estate licensees in residential transactions. Blackwell. i292.

2792 - (Judiciary, Division A) Foster care and adoption; revise provisions related to per recommendations of task force. Wiggins, et al. i292; cr396; cu581; v581; caa581; ph2250; sdc2644; ca2976; cg3123; cro3780; cra3804; v3804; crah4783; sp4800; ap4811; Ch.531.

2793 - (Accountability, Efficiency, Transparency) Diversity of appointments; ensure representation of race and gender in appointed government positions. Horhn. i293.

2794 - (Accountability, Efficiency, Transparency) Department of Tourism; create. Thompson. i293.

2795 - (Rules) Designate the Kemp's Ridley as the "Official State Sea Turtle of the State of Mississippi." Thompson. i294.

2796 - (Accountability, Efficiency, Transparency) Disparity study; require MDA to file copies with the Legislature by not later than December 31, 2024. Horhn. i294.

2797 - (Appropriations) General Fund; additional appropriation to DMH for the Civil Commitment Reform Grant Program. Horhn. i294.

2798 - (Accountability, Efficiency, Transparency) State Truth Commission; establish. Horhn. i294.

2799 - (Government Structure) Public official appointments; revise terms of office and appointment procedures on certain state boards, districts and agencies. Sparks. i294; cr388; cu714; csa714; v714; ph2249; msrp3351; sdc3351; ca3543; cg3659; cro4023; cra4048; v4048; vp4048; mr4051; msrp4085; mrc4085; mrt4085; crah4506; sp4633; ap4805; Ch.497.

2800 - (Accountability, Efficiency, Transparency) Public works construction; performance bond not required if contract is less than $50,000.00 and paid in two equal installments. Horhn. i295.

2801 - (Finance) Distinctive motor vehicle license tag; authorize for supporters of various organizations. Tate. i295; cr391; cu443; csa444; v444; ph1317; msrp2743; sdc2743; ca3028; cg3163; msrp4053; cro4053; cra4073; v4073; crah4376; sp4680; ap4808; Ch.506.

2802 - (Accountability, Efficiency, Transparency) Public Procurement Review Board; bring forward. Parker. i295.

2803 - (Finance) Local Option Alcoholic Beverage Control Law; revise definition of "qualified resort area." DeBar. i295; cr391; cu444; csa444; v444; ph1317; msrp2745; sdc2745; ca3028; cg3163; cro4288; uc4310; rcc4310; hrcc4371; msrp4425; cro4425; cra4447; v4447; vp4447; crah4783; sp4801; ap4811; Ch.532.

2804 - (Appropriations) Appropriation; FY2025 to IHL for STEM related programs at Alcorn State University. Butler, et al. i295.

2805 - (Appropriations) General Fund; FY2025 appropriation to Claiborne County for improvement and construction of community facilities. Butler, et al. i295.

2806 - (Appropriations) General Fund; FY2025 appropriation to Claiborne County for renovation of county library. Butler, et al. i296.

2807 - (Finance) Distinctive motor vehicle license tags; authorize issuance after presale of 100 tags for Garden Clubs of Mississippi, Inc. Tate. i296.

2808 - (Finance) Local Option Alcoholic Beverage Control Law; revise definition of "qualified resort area." Suber. i296.

2809 - (Appropriations) Appropriation; additional from Capital Expense Fund to DFA to renovate the State Fairgrounds. Younger. i296.

2810 - (Accountability, Efficiency, Transparency) Public Procurement Review Board; extend exemption for contracts for Mental Health Accessibility Coordinator. Bryan. i296.

2811 - (Accountability, Efficiency, Transparency) Public records; exempt certain records concerning economic development projects. Hopson. i296.

2812 - (Judiciary, Division A) Definitions; define certain terms including "male" and "female." Robinson, et al. i296.

2813 - (Judiciary, Division A) Birth certificate; require designation of sex and prohibit change unless mistake at the time the certificate was issued. Hill. i296.

2814 - (Judiciary, Division A; Education) The Title IX Preservation Act; enact. Hill. i297.

2815 - (Judiciary, Division A) Parental rights; prohibit infringement on except in limited circumstances. Fillingane. i297.

2816 - (Judiciary, Division A; Appropriations) Civil Commitment Reform Act; enact. Horhn. i297.

2817 - (Judiciary, Division A) Mississippi Fair Housing Act; enact. Horhn. i298.

2818 - (Business and Financial Institutions; Finance) Mississippi Savings Initiative; create. Horhn, et al. i298.

2819 - (Business and Financial Institutions) Public funds depositories; authorize certain credit unions to qualify as. Horhn. i298.

2820 - (Gaming; Finance) Gaming; authorize aboard cruise vessels on the Pearl River or adjoining water within a city with a population of 145,000 or more. Horhn. i299.

2821 - (Judiciary, Division A) Intervention courts; bring forward code sections related to. Sparks. i299.

2822 - (Judiciary, Division A) Administrative Office of Courts; bring forward code sections related to. Sparks. i299; cr435; cu718; v718; mr757; mrc773; mrp773; rcf776; mtf776; v776; mr777; mrc795; mrt795.

2823 - (Medicaid) Medicaid; revise various technical provisions related thereto, including reimbursement levels and facility eligibility. Blackwell. i299; cr432; cu677; csa677; v678; ph1315; msrp1668; sdc1668; ca2976; cg3131; hrcc3919; rcc4049.

2824 - (Medicaid; Appropriations) Mental health facilities; provide for licensure of certain, and provide for Medicaid coverage for services provided. Blackwell. i300.

2825 - (Appropriations) Appropriations; revise certain FY2024 appropriations, fund authority and transfers. Hopson. i300; cr390; cu468; v468; ph888; msrp1260; sdc1261; ca2971; cg3131; msrp3856; rcc3856; hrcc3920.

2826 - (Appropriations) Mississippi Trauma Care Systems Fund; make technical revisions to. Parker. i301.

2827 - (Accountability, Efficiency, Transparency) State aircraft; authorize purchase of from lowest and best bidder between two competitive, solicited bids. DeBar. i301.

2828 - (Accountability, Efficiency, Transparency) Department of Public Safety; transfer MDOR and MDAC law enforcement officers to. Johnson. i302.

2829 - (Finance) Net lottery proceeds; provide that any shall be paid into State Highway Fund on requisition of Transportation Commission. McLendon. i302.

2830 - (Finance) Mississippi Flexible Tax Incentive Act; revise definition and annual report due date, and correct agency reference. Parker. i302; cr430; cu535; v535; ph1314; sp1378; ap2982; Ch.337.

2831 - (Accountability, Efficiency, Transparency) "Task Force on Residential Home Ownership and Attainability in Mississippi"; establish. Sparks. i302.

2832 - (Business and Financial Institutions) Telework policy; amend. Robinson, et al. i302.

2833 - (Finance) Bonds; authorize issuance for construction of a Hydroponics Research and Teaching Greenhouse at Alcorn State University. Butler, et al. i302.

2834 - (Finance) Bonds; authorize issuance for improvements to Walter Washington Administration and Classroom Building at Alcorn State University. Butler, et al. i303.

2835 - (Finance) Bonds; authorize issuance for improvements to the K.L. Simmons Technology Building at Alcorn State University. Butler, et al. i303.

2836 - (Finance) Bonds; authorize issuance for construction a Science, Technology, Engineering, Agriculture and Math Center at Alcorn State University. Butler, et al. i303.

2837 - (Finance) Bonds; authorize to West Jackson County Utility District for water tank and replacement of asbestos water main piping. England. i303.

2838 - (Finance) Bonds; authorize issuance to Southwest MS Community College for new women's residence hall and campus infrastructure. Brumfield. i303.

2839 - (Appropriations) Municipal and county fire funds; increase funds transferred to by DOR from the collection of certain taxes. Robinson. i303.

2840 - (Appropriations) Building Fund for the Arts; authorize Mississippi Arts Commission to retain monies for administrative costs. McLendon. i304; cr354; cu441; csa441; v441; ph886; sp1008; ap1098; Ch.309.

2841 - (Appropriations) State Treasury Efficiency Act; enact. Polk. i304; cr432; cu442; csa442; v442.

2842 - (Accountability, Efficiency, Transparency; Appropriations) Office of Disaster Assistance Coordination and Advocacy; establish in the Department of Finance and Administration. Bryan. i304.

2843 - (Accountability, Efficiency, Transparency; Appropriations) Building Fund for the Arts; authorize Mississippi Arts Commission to retain monies for administrative costs. Hopson. i304.

2844 - (Appropriations) Variable Compensation Plan; make certain amendments. Hopson. i304; cr354; cu468; v468; ph888; msrp1272; sc1273; v1274; mr1361.

2845 - (Appropriations) Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022; bring forward provision related to. Branning. i305.

2846 - (Appropriations) Appropriations; make technical revisions to certain transfers and provisions related to local projects. Hopson. i305; cr390; cu500; csa500; v500; mr514; msrp539; mrc539; mrp539; v539; ph888; msrp1274; sdc1274; ca2971; cg3131; msrp3856; rcc3856; hrcc3920.

2847 - (Appropriations) Short-line railroads; authorize towns to acquire, restore, construct, own, operate and dispose of. Hopson. i305; cr390.

2848 - (Appropriations) ARPA programs; revise related programs, provide procedure of unobligated funds, and transfer certain funds. Hopson, et al. i305; cr432; cu442; csa442; v442; ph888; sdc904; ca2971; cg3131; msrp3856; rcc3856; hrcc3920; cro4418; cra4425; v4425; caa4425; crah4783; sp4804; ap4812; Ch.509.

2849 - (Finance) ATVs & UTVs; require titling, and exempt from ad valorem tax when held by retailers on consignment or floor plan basis. Barrett, et al. i306; cr430; msrp706; cu706; csa706; v706.

2850 - (Finance) Bonds; authorize issuance to City of Magnolia for North Cherry Street drainage improvements. Brumfield. i306.

2851 - (Insurance) Nonprofit agricultural membership organization; authorize to issue health insurance and exempt from insurance regulation. Michel, et al. i306; cr372; cu381; v381; caa381; ph1314; sp1902; ap3165; Ch.338.

2852 - (Public Health and Welfare) Lunancy; remove all references in statute. Boyd, et al. i307.

2853 - (Finance) Mississippi Alcoholic Beverage Corporation; create. Johnson. i307; cr430; msrp651; cu652; csa652; v652; ph2253; msrp2760; sdc2760; ca3028; cg3218.

2854 - (Municipalities; County Affairs) Interlocal agreements; require county tax collector as party to certain agreements. Wiggins. i308.

2855 - (Economic and Workforce Development; Finance) Mississippi Site Development Grant Program; expand definitions. Thompson. i308.

2856 - (Municipalities; County Affairs) Cleaning dilapidated property; bring forward code sections related to. England, et al. i308; cr431; cu512; csa512; v512; caa513.

2857 - (Public Health and Welfare) Medical cannabis act; set additional provisions related to background checks, department investigations, fees and appeals. Blackwell. i308; cr386; cu667; v667; ph1372; sdc2002; ca3121; cg3163; cro3819; cra3826; v3826; crah3828; sp4465; ap4806; Ch.495.

2858 - (Public Health and Welfare) Health benefit plans; set provisions related to diagnostic breast exams and individualized investigational drugs. Harkins, et al. i309; cr437; msrp755; cu755; v755; caa756; ph2422; sc2995; v2997; sp3161; ap3313; Ch.432.

2859 - (Public Health and Welfare; Appropriations) TANF; require DHS to spend maximum allowable amount on child care vouchers. Blount. i309.

2860 - (Public Health and Welfare) Medication Aide Act; enact to allow aides to assist in the administration of medication in personal care homes. Bryan. i309; cr437; msrp756; cu756; csa756; v756.

2861 - (Public Health and Welfare) Pharmacy audit integrity act; revise certain definitions related thereto. Bryan. i310.

2862 - (Public Health and Welfare; Finance) Radiological health services; authorize Board of Health to collect fees in congruence with certain federal regulation. Bryan. i310; cr430; rmc676; msrp753; cu753; csa753; v753; ph2420; sp2968; ap3277; Ch.388.

2863 - (Public Health and Welfare) Certificate of need; authorize the construction of an acute care hospital in Tunica County. Jackson. i310.

2864 - (Public Health and Welfare) Healthcare professionals; set certain advertising standards, require disclosure of collaboration agreements. Wiggins. i310.

2865 - (Public Health and Welfare) Medical cannabis establishments; authorize to advertise or market in any form of media. Simmons (13th), et al. i310.

2866 - (Education) School districts; require to employ mental health professionals. Simmons (13th). i310.

2867 - (Public Health and Welfare) Mississippi Rural Physicians Scholarship Residency Program; include child psychiatry students. McLendon. i311.

2868 - (Public Health and Welfare) Revocation of physicians license by Board of Medical Licensure; provide certain grounds for reinstatement. Horhn. i311.

2869 - (Education) Our Children's Health Impacts Our Future Law; require notice of the importance of a medical and dental physical. Horhn. i311.

2870 - (Public Health and Welfare) Certificate of need; authorize nursing facility in any underserved minority zip code area. Horhn. i311.

2871 - (Public Health and Welfare) The Mississippi Juvenile Tobacco Access Prevention Act of 1997; amend to provide consistent reference to age. Suber. i311; cr437; msrp755; cu755; v755.

2872 - (Public Health and Welfare) Health Care Certificate of Need Law; repeal. Tate. i311.

2873 - (Public Health and Welfare) Medical records retention requirements; provide for. Parker, et al. i312; cr437; msrp745; cu745; csa745; v745; caa745; ph1372;

sdc2985; ca3121; cg3163; cro4388; cra4389; v4389; crah4464; sp4792; ap4812; Ch.533.

2874 - (Public Health and Welfare) State Board of Funeral Service; require certain continuing education courses for licensees. McCaughn. i312; cr437; msrp754; cu754; v754.

2875 - (Public Health and Welfare) Parental consent for minor's healthcare treatment; establish certain provisions related thereto. England. i312.

2876 - (Public Health and Welfare) Cosmetology and barbers; merge with changes requested from boards. Blackwell, et al. i312.

2877 - (Public Health and Welfare) Certificate of need; provide new licenses and CONs for certain acute care hospitals that converted to rural emergency hospitals. Suber. i313.

2878 - (Public Health and Welfare) TANF benefit work requirement waivers; prohibit department of human services from requesting in all cases. Hill. i313.

2879 - (Public Health and Welfare) Ambulance licenses; require each entity to show proof of mutual aid agreements to ensure proper response times. Hill. i313.

2880 - (Public Health and Welfare) Mississippi medical consent requirements; provide for anti-commandeering protection from certain federal laws. Hill. i313.

2881 - (Public Health and Welfare) Department of Mental Health; require to certify certain privately-owned mental health providers. Kirby. i314.

2882 - (Accountability, Efficiency, Transparency) Department of Archives and History; exempt from state procurement for exhibits. Hopson. i314.

2883 - (Public Health and Welfare; Accountability, Efficiency, Transparency) Community health workers; revise provisions of. Boyd. i314; cr439; msrp756; cu756; v756.

2884 - (Public Health and Welfare) COVID-19 mRNA; prohibit administration and require MDOH to study and make recommendations. McLendon. i314.

2885 - (Public Health and Welfare) Over-the-counter products with potential for abuse; establish a screening and approval program in the Department of Health. McLendon. i315.

2886 - (Public Health and Welfare; Finance) Nicotine vapor device directory; require manufacturers to provide certification, set penalties and other provisions. Boyd. i315; cr430; cu676; csa676; v676; mr711; mrc773; mrt773; ph1372; sdc2990; ca3121; cg3163.

2887 - (Public Health and Welfare) Certificate of need; delete requirement to obtain CON for psychiatric services, mental health and renal disease facilities. Boyd. i315.

2888 - (Public Health and Welfare) Medical Cannabis Research Advisory Board; enact and create the Mississippi Medical Cannabis Research Program. Blackwell, et al. i316; cr386; rmc667; msrp746; cu746; csa746; v748; caa748; ph1012; sp1097; ap1379; Ch.317.

2889 - (Education; Finance) Preschool and prekindergarten tax credit; expand for contributions to programs serving three-year-old children. Boyd. i316.

2890 - (Finance) Hybrid vehicle tax; add ability to be charged from external source to definition of "hybrid vehicle" for purposes of. Robinson. i316.

2891 - (Finance) Retailer Tax Fairness Act; enact. Fillingane. i316.

2892 - (Accountability, Efficiency, Transparency) CCID; revise boundaries of. Michel. i316.

2893 - (Finance) Bonds; authorize issuance for traffic signal at intersection of East Metro Parkway and El Dorado Road in Pearl. Kirby. i316.

2894 - (Finance) Bonds; authorize issuance to assist City of Pearl with improvements to city hall. Kirby. i317.

2895 - (Accountability, Efficiency, Transparency) Economic development project; authorize county development authority to acquire and develop megasite for. Younger. i317.

2896 - (Finance) Motor vehicles; provide procedure for licensing rental fleets. Johnson. i317.

2897 - (Finance) Ad valorem tax on home; allow credit or rebate for certain disabled veterans and surviving spouses of military members. Harkins. i318; cr859; cu877; v877.

2898 - (Finance) PERS; require state and its subdivisions to pay employer contributions for part-time employees and contract workers. Seymour. i318.

2899 - (Finance) PERS Board; require to make investment decisions with sole purpose of maximizing returns. Fillingane. i318.

2900 - (Finance) Motor vehicle titles; revise certain provisions regarding. DeLano. i319.

2901 - (Finance) Ad valorem tax; require counties and municipalities to provide notice and hearing before exceeding revenue-neutral rate. Johnson. i319; cr373.

2902 - (Accountability, Efficiency, Transparency) Construction manager at-risk program; exempt under public bidding laws. Horhn. i319.

2903 - (Finance) MS Deferred Comp; allow Roth and other after-tax accounts, and comply with qualified domestic relations orders. Blount. i320; cr391; cu501; v501; ph2043; msrp3579; sc3579; v3583; mr3583.

2904 - (Finance) PERS; require any terminated plan to pay unfunded actuarial accrued liability to board in a lump sum before termination. Blount. i320; cr391; cu501; v502.

2905 - (Finance) PERS; require any terminated plan to pay unfunded actuarial accrued liability to board in a lump sum before termination. Harkins. i320.

2906 - (Finance; Accountability, Efficiency, Transparency) Use tax revenue; deposit 10% into State Highway Fund for construction, reconstruction, repair or maintenance of highways. Hopson. i320.

2907 - (Finance) PERS optional retirement program for IHL employees; revise remittance of employer's contribution based on start date. Harkins. i320; cr430; cu660; csa660; v660.

2908 - (Finance; Accountability, Efficiency, Transparency) Sales tax revenue; increase diversion to municipalities from 18.5% to 19.5%, and create 10% diversion to counties. Sparks. i320.

2909 - (Accountability, Efficiency, Transparency) Publication of public business notice; increase legal rate in newspaper and provide for correction notice on website. Simmons (12th). i321.

2910 - (Finance) Ad valorem tax exemptions; bring forward code section on oil, gas and other petroleum products refined in state. Harkins. i321.

2911 - (Finance) Sales tax revenue; divert 2% from activities at Coast Coliseum and State Fairgrounds for repairs to those entities. DeLano. i321.

2912 - (Government Structure) Department of Archives and History; revise appointing authority for members of the Board of Trustees and Director. DeLano. i321.

2913 - (Accountability, Efficiency, Transparency) Registered lobbyists; require disclosure of representation of foreign adversary client. Tate. i321.

2914 - (Finance; Accountability, Efficiency, Transparency) Use tax and gaming license fees; deposit portions into 2022 Capacity Project Fund and 2022 Maintenance Project Fund. Branning. i321.

2915 - (Accountability, Efficiency, Transparency) Section 25-4-5; bring forward for amendment. Thompson. i322.

2916 - (Accountability, Efficiency, Transparency) Lobbying; require lobbyists with a material financial interest in an issue or bill to register with legislative officers. Thompson. i322; cr439; cu706; csa706; v706.

2917 - (Accountability, Efficiency, Transparency) Capitol Complex Improvement District; define authority. Michel, et al. i322; cr439; cu538; v538; caa539; ph1317; sdc3138; ca3165; cg3220.

2918 - (Rules) Kemp's ridley sea turtle; designate as official state turtle. Chassaniol, et al. i322.

2919 - (Appropriations) Mississippi Search and Rescue Program Act; enact. McLendon. i322.

2920 - (Public Health and Welfare) Vaccines; provide procedure for medical exemption from. Hill. i322.

2921 - (Finance) MS Deferred Comp; allow Roth and other after-tax accounts, and comply with qualified domestic relations orders. Harkins. i323.

2922 - (Public Health and Welfare) Medical Cannabis Act; revise various provisions related thereto. Blackwell. i323.

2923 - (County Affairs) Residential builders and remodelers; revise license examination for certain license applicants. Suber. i324; cr431.

2924 - (Accountability, Efficiency, Transparency) Tax-forfeited land certified to state; authorize Secretary of State to withhold 10% for the cost of tree removal. Blount. i325.

2925 - (Local and Private) Bolivar County; authorize contributions to Bolivar County Community Action Agency and Fannie Lou Hamer Cancer Foundation. Simmons (13th). i378; cr1454; cu2415; v2415; ph3222; msrp3307; sc3307; v3307; sp3586; ap4401; Ch.930.

2926 - (Appropriations) Appropriation; additional appropriations for various state agencies for FY2024 & FY2025. Hopson. i386; cr390; cu411; v411; ph489; msrp513; sc513; v514; sp660; ap815; Ch.1.

2927 - (Finance) Bonds; authorize issuance for improvements at Alcorn State University. Butler, et al. i402.

2928 - (Finance) Bonds; authorize issuance to Claiborne County to assist in paying costs of various capital improvement projects. Butler, et al. i402.

2929 - (Finance) Bonds; authorize issuance to Clay County to assist in paying costs of various capital improvements. Turner-Ford. i402.

2930 - (Appropriations) General Fund; FY2025 appropriation to JSU for design, development and construction of student housing. Simmons (12th), et al. i402.

2931 - (Appropriations) General Fund; FY2025 appropriation to City of Columbus for certain projects. Younger. i402.

2932 - (Appropriations) General Fund; FY2025 appropriation to City of Gluckstadt for widening Gluckstadt Road. Michel, et al. i403.

2933 - (Appropriations) General Fund; FY2025 appropriation to City of Belzoni for certain infrastructure projects. Thomas. i403.

2934 - (Appropriations) General Fund; FY2025 appropriation to Yazoo County for Dream Innovations, Incorporated, programs. Thomas. i403.

2935 - (Appropriations) General Fund; FY2025 appropriation to Humphreys County for repairs to the county courthouse. Thomas. i403.

2936 - (Appropriations) General Fund; FY2025 appropriation to Hinds County for repair and renovation of the Circuit Court courthouse. Blount, et al. i403.

2937 - (Appropriations) General Fund; FY2025 appropriation to Medical Cannabis Advisory Committee. Blackwell. i403.

2938 - (Appropriations) General Fund; FY2025 appropriation to Franklin County for road and bridge repair and construction. Butler, et al. i403.

2939 - (Appropriations) General Fund; FY2025 appropriation to Copiah County for demolishing the former hospital complex in Hazlehurst. Butler, et al. i403.

2940 - (Appropriations) Capital Expense Fund; FY2025 appropriation to DOH for MS Baptist Medical Center to establish a burn center or unit. Blackwell. i403.

2941 - (Appropriations) General Fund; FY2025 appropriation to University of Mississippi for the Center for Mississippi Medical Cannabis Research. Blackwell. i404.

2942 - (Appropriations) Coronavirus State Fiscal Recovery Fund; FY2025 appropriation to Winston County for the Liberty Plattsburg Water Association. Branning. i404.

2943 - (Appropriations) Capital Expense Fund; FY2025 appropriation to Emergency Road and Bridge Repair Fund. Branning. i404.

2944 - (Appropriations) Capital Expense Fund; FY2025 appropriation to Neshoba County for acquiring fire truck and equipment and improving volunteer stations. Branning. i404.

2945 - (Appropriations) General Fund; FY2025 appropriation to City of Philadelphia to purchase fire truck. Branning. i404.

2946 - (Appropriations) General Fund; FY2025 appropriation to City of Saltillo to construct a new fire station. McMahan. i404.

2947 - (Appropriations) General Fund; FY2024 appropriation to Lee County for renovation of polling precinct and Pratt's Community Center property. McMahan. i404.

2948 - (Appropriations) General Fund; FY2025 appropriation to Hinds County for equipment for sheriff's department. Norwood, et al. i404.

2949 - (Appropriations) General Fund; FY2025 appropriation to DFA for the 2024 IHL Capital Improvements Fund. Norwood, et al. i404.

2950 - (Appropriations) General Fund; FY2025 appropriation to JSU for campus safety. Norwood, et al. i405.

2951 - (Appropriations) General Fund; FY2025 appropriation to Southwest MS Community College for a dormitory and certain infrastructure projects. Brumfield. i405.

2952 - (Appropriations) General Fund; FY2025 appropriation to Wilkinson County for certain infrastructure projects. Brumfield. i405.

2953 - (Appropriations) General Fund; FY2025 appropriation to the City of Pearl for certain infrastructure projects. Kirby. i405.

2954 - (Appropriations) General Fund; FY2025 appropriation to Quitman County for economic and tourist workforce development. Jackson. i405.

2955 - (Appropriations) General Fund; FY2025 appropriation to Quitman County for road construction projects. Jackson. i405.

2956 - (Appropriations) General Fund; FY2025 appropriation to Quitman County for construction of a new jail facility. Jackson. i405.

2957 - (Appropriations) General Fund; FY2025 appropriation to Quitman County for renovation and repair of the courthouse. Jackson. i405.

2958 - (Appropriations) General Fund; FY2025 appropriation to Lincoln County for certain infrastructure projects. Barrett. i405.

2959 - (Appropriations) General Fund; FY2025 appropriation to Lawrence County for road repair, construction and resurfacing. Barrett, et al. i405.

2960 - (Appropriations) General Fund; FY2025 appropriation to Franklin County for road and bridge repair and construction. Barrett. i406.

2961 - (Appropriations) General Fund; FY2025 appropriation to MDA for the Hamlet of Bogue Chitto for certain infrastructure projects. Barrett. i406.

2962 - (Appropriations) General Fund; FY2025 appropriation to the City of Brookhaven for certain infrastructure projects. Barrett. i406.

2963 - (Appropriations) General Fund; FY2025 appropriation to City of Magnolia for costs associated with drainage and other improvements to street. Brumfield. i406.

2964 - (Appropriations) General Fund; FY2025 appropriation to Jackson Revival Center's Little Ambassadors Developmental Learning Center. Frazier, et al. i406.

2965 - (Appropriations) General Fund; FY2025 appropriation to Hinds County to maintain and staff a public defender's office. Frazier, et al. i406.

2966 - (Appropriations) General Fund; FY2025 appropriation to JSU for redesigning and renovating McAllister- Whiteside Hall. Frazier, et al. i406.

2967 - (Appropriations) General Fund; FY2025 appropriation to VFW Post 9832 for infrastructure needs. Frazier. i406.

2968 - (Appropriations) General Fund; FY2025 appropriation to City of Jackson for infrastructure projects in Ward 4. Frazier, et al. i406.

2969 - (Appropriations) General Fund; FY2025 appropriation to City of West Point for repair and renovation to the West Point Water & Light Department Bldg. Turner-Ford. i406.

2970 - (Appropriations) General Fund; FY20025 appropriation to City of West Point for road repair, resurfacing and paving. Turner-Ford. i407.

2971 - (Appropriations) General Fund; FY2025 appropriation to Clay County for certain infrastructure projects. Turner-Ford. i407.

2972 - (Appropriations) General Fund; FY2025 appropriation to DFA to assist the West Jackson County Utility District with the construction of a water tank. England. i407.

2973 - (Appropriations) General Fund; FY2025 appropriation to DFA to assist the West Jackson County Utility District with failing water main pipes. England. i407.

2974 - (Appropriations) General Fund; FY2025 appropriation to Yazoo County for the construction of a new volunteer fire department. Thomas. i407.

2975 - (Appropriations) General Fund; FY2025 appropriation to Dream Innovations, Inc., for matching funds for grant award. Thomas. i407.

2976 - (Appropriations) General Fund; FY2025 appropriation to City of Tupelo for expenses of Tupelo Regional symphony. Bryan, et al. i407.

2977 - (Appropriations) General Fund; FY2025 appropriation to City of Tupelo to construct a new fire station and emergency command center. Bryan, et al. i407.

2978 - (Appropriations) General Fund; FY2025 appropriation to Hinds County for infrastructure projects in the Town of Utica. Butler, et al. i408.

2979 - (Appropriations) General Fund; FY2025 appropriation to JSU for redesigning and renovating Rose E. McCoy Auditorium. Butler, et al. i408.

2980 - (Appropriations) Appropriation; IHL for growth of new regional health care and medical sciences facilities of Alcorn State. Butler, et al. i408.

2981 - (Appropriations) General Fund; FY2025 appropriation to Claiborne County for certain infrastructure projects. Butler, et al. i408.

2982 - (Appropriations) General Fund; FY2025 appropriation to Claiborne County for enhancing education and infrastructure projects. Butler, et al. i408.

2983 - (Local and Private) City of Philadelphia; authorize governing authorities to donate funds to support Philadelphia Transit. Branning. i408; cr1454; cu2415; v2415.

2984 - (Local and Private) Jackson County & City of Pascagoula; extend repealer on LaPointe-Krebs Foundation, & authorize increased contribution. Wiggins. i524; cr1454; cu2416; v2416; ph3216; sp3270; ap3649; Ch.905.

2985 - (Finance) Income tax; exclude from gross income compensation and income of honorably discharged veterans. Robinson. i525.

2986 - (Finance) Mississippi Affordable Housing Tax Credit Act; enact. Horhn. i525.

2987 - (Finance) Sales tax; exempt sales of tangible personal property or services to 5th Squad. Barrett. i525.

2988 - (Finance) Income tax; authorize credits for donations to Habitat for Humanity Mississippi Capital Area. Horhn. i525.

2989 - (Finance) Taxation; freeze phase-in of income tax cuts and phase out of corporation franchise tax. Blount, et al. i526.

2990 - (Finance) Taxation of oilfield services; restructure. Carter. i526; cr861; cu879; csa879; v879; ph3147; sdc3177; ca3544.

2991 - (Appropriations) General Fund; FY2025 appropriation to Delta State University for renovating dormitories. Simmons (13th), et al. i526.

2992 - (Appropriations) General Fund; FY2025 appropriation to Copiah County for expanding broadband within the county. Berry, et al. i526.

2993 - (Finance) Sales tax; exempt sales of water for agricultural purposes. Rhodes. i526.

2994 - (Finance) Bonds; increase authorized amount to assist in paying costs associated with Commerce Park Connector in Madison County. Horhn. i526.

2995 - (Appropriations) General Fund; FY2025 appropriation to the Coahoma Community College Radio Station for equipment. Jackson, et al. i527.

2996 - (Appropriations) General Fund; FY2025 appropriation to MDE for the Mississippi Dyslexia Therapy Scholarship for Students with Dyslexia Program. Simmons (13th), et al. i527.

2997 - (Appropriations) General Fund; FY2025 appropriation to the City of Cleveland for North Industrial Site Flood Mitigation Project at municipal airport. Simmons (13th), et al. i527.

2998 - (Appropriations) General Fund; FY2025 appropriation to DPS for the Save Our Underfunded Local Schools Grant Program. Simmons (13th), et al. i527.

2999 - (Appropriations) General Fund; FY2025 appropriation to Mississippi Delta Community College for certain projects and programs. Simmons (13th), et al. i527.

3000 - (Appropriations) General Fund; FY2025 appropriation to Fannie Lou Hamer Cancer Foundation for construction of a facility. Simmons (13th), et al. i527.

3001 - (Finance) Income tax; exclude compensation for active or reserve duty in the National Guard from gross income. Ladner. i527.

3002 - (Appropriations) General Fund; FY2025 appropriation to MDE for the Fund Rural Education Evenly Grant Program. Simmons (13th). i547.

3003 - (Appropriations) General Fund; FY2025 appropriation to MDE for the Mississippi Dyslexia Education Funding Grant Program. Simmons (13th), et al. i547.

3004 - (Appropriations) General Fund; FY2025 appropriation to Jackson State University for construction of multipurpose stadium. Horhn. i548.

3005 - (Appropriations) General Fund; FY2025 appropriation to be administered by Community Foundation of MS for rehab of the planetarium. Horhn. i548.

3006 - (Appropriations) Appropriation; IHL - General support. Hopson, et al. i653; cr790; cu802; v802; ph2250; sdc2487; ca2971; cg3131; msrp4479; cro4479; cra4487; v4487; crah4790; sp4804; ap4812; Ch.96.

3007 - (Appropriations) Appropriation; IHL - Subsidiary programs. Hopson, et al. i653; cr790; cu802; v802; ph2250; sdc2494; ca2971; cg3131; cro4174; cra4177; v4177; crah4506; sp4718; ap4807; Ch.53.

3008 - (Appropriations) Appropriation; IHL - Alcorn State - Agricultural programs. Hopson, et al. i654; cr790; msrp802; cu802; v803; ph2250; sdc2497; ca2971; cg3131; cro4178; cra4179; v4179; crah4506; sp4718; ap4807; Ch.54.

3009 - (Appropriations) Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station. Hopson, et al. i654; cr790; msrp802; cu802; v803; ph2250; sdc2498; ca2971; cg3131; cro4179; cra4181; v4181; crah4506; sp4681; ap4807; Ch.55.

3010 - (Appropriations) Appropriation; IHL - Mississippi State University - Cooperative Extension Service. Hopson, et al. i654; cr790; msrp802; cu802; v803; ph2251; sdc2500; ca2971; cg3132; cro4181; cra4183; v4183; crah4506; sp4681; ap4807; Ch.56.

3011 - (Appropriations) Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center. Hopson, et al. i654; cr790; msrp802; cu802; v803; ph2251; sdc2501; ca2971; cg3132; cro4183; cra4185; v4185; crah4506; sp4785; ap4807; Ch.57.

3012 - (Appropriations) Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of. Hopson, et al. i654; cr790; msrp802; cu803; v803; ph2251; sdc2502; ca2972; cg3132; rcc3843; hrcc3920; msrp4488; cro4488; cra4490; v4490; crah4790; sp4803; ap4812; Ch.99.

3013 - (Appropriations) Appropriation; IHL - Student Financial Aid. Hopson, et al. i654; cr790; cu803; v803; ph2251; sdc2504; ca2972; cg3132; rcc4185; hrcc4370; cro4405; cra4407; v4407; crah4783; sp4803; ap4812; Ch.101.

3014 - (Appropriations) Appropriation; IHL - University of Mississippi Medical Center. Hopson, et al. i654; cr790; cu803; v803; ph2251; sdc2507; ca2972; cg3132; nca3136; cro4185; cra4188; v4188; crah4506; sp4718; ap4807; Ch.58.

3015 - (Appropriations) Appropriation; Community and Junior Colleges Board - Administrative expenses. Hopson, et al. i654; cr790; cu804; v804; ph2251; sdc2509; ca2972; cg3132; msrp4490; cro4490; cra4493; v4493; crah4790; sp4803; ap4812; Ch.102.

3016 - (Appropriations) Appropriation; Community and Junior Colleges Board - Support for community and junior colleges. Hopson, et al. i654; cr791; cu804; v804; ph2251; sdc2511; ca2972; cg3132; msrp4493; cro4493; cra4499; v4499; crah4790; sp4804; ap4812; Ch.103.

3017 - (Appropriations) Appropriation; Employment Security, Department of. Hopson, et al. i655; cr791; cu804; v804; ph2251; sdc2516; ca2972; cg3132; cro4188; cra4192; v4192; crah4506; sp4792; ap4812; Ch.98.

3018 - (Appropriations) Appropriation; Ethics Commission. Hopson, et al. i655; cr791; cu805; v805; ph2251; sdc2519; ca2972; cg3132; cro4192; cra4193; v4193; crah4506; sp4718; ap4808; Ch.59.

3019 - (Appropriations) Appropriation; Judicial Performance Commission. Hopson, et al. i655; cr791; cu805; v805; ph2251; sdc2520; ca2972; cg3132; cro4193; cra4195; v4195; crah4506; sp4681; ap4808; Ch.60.

3020 - (Appropriations) Appropriation; Public Safety, Department of. Hopson, et al. i655; cr791; cu805; v805; ph2251; sdc2521; ca2972; cg3132; msrp3918; rcc3918; hrcc3920; cro4195; cra4202; v4202; caa4202; crah4506; sp4681; ap4808; Ch.80.

3021 - (Appropriations) Appropriation; Mental Health, Department of. Hopson, et al. i655; cr791; cu806; v806; ph2251; sdc2528; ca2972; cg3132; cro4202; cra4208; v4208; crah4506; sp4784; ap4808; Ch.81.

3022 - (Appropriations) Appropriation; Transportation, Department of - State Aid Road Construction, Office of. Hopson, et al. i655; cr791; msrp806; cu806; v806; ph2251; sdc2533; ca2972; cg3132; msrp3963; cro3963; cra3966; v3966; crah4783; sp4801; ap4812; Ch.100.

3023 - (Appropriations) Appropriation; Tennessee-Tombigbee Waterway Development Authority. Hopson, et al. i655; cr791; msrp806; cu806; v806; ph2251; sdc2537; ca2972; cg3133.

3024 - (Appropriations) Appropriation; Architecture, Board of. Hopson, et al. i655; cr791; msrp806; cu806; v807; ph2251; sdc2538; ca2972; cg3133; msrp3966; cro3967; cra3968; v3968; crah4506; sp4785; ap4806; Ch.39.

3025 - (Appropriations) Appropriation; Funeral Services Board. Hopson, et al. i655; cr791; msrp806; cu806; v807; ph2251; sdc2539; ca2972; cg3133; msrp3968; cro3968; cra3970; v3970; crah4506; sp4793; ap4812; Ch.105.

3026 - (Appropriations) Appropriation; Geologists, Board of Registered Professional. Hopson, et al. i655; cr791; msrp806; cu807; v807; ph2251; sdc2541; ca2972; cg3133; msrp3970; cro3970; cra3972; v3972; crah4506; sp4801; ap4812; Ch.104.

3027 - (Appropriations) Appropriation; Massage Therapy, Board of. Hopson, et al. i656; cr791; msrp806; cu807; v807; ph2251; sc2542; v2543; sp2980; ap3277; Ch.3.

3028 - (Appropriations) Appropriation; Motor Vehicle Commission. Hopson, et al. i656; cr791; msrp806; cu807; v807; ph2251; sdc2543; ca2972; cg3133; msrp3972; cro3972; cra3974; v3974; crah4506; sp4681; ap4806; Ch.40.

3029 - (Appropriations) Appropriation; Counselors, Board of Examiners for Licensed Professional. Hopson, et al. i656; cr791; msrp806; cu807; v807; ph2251; sdc2545; ca2972; cg3133; msrp3974; cro3974; cra3975; v3975; crah4506; sp4681; ap4806; Ch.41.

3030 - (Appropriations) Appropriation; Accountancy, Board of Public. Hopson, et al. i656; cr791; msrp806; cu807; v807; ph2252; sdc2546; ca2973; cg3133; msrp3976; cro3976; cra3977; v3977; crah4506; sp4681; ap4806; Ch.42.

3031 - (Appropriations) Appropriation; Contractors, Board of. Hopson, et al. i656; cr791; msrp806; cu807; v807; ph2252; sdc2547; ca2973; cg3133; msrp3977; cro3977; cra3979; v3979; crah4506; sp4785; ap4806; Ch.43.

3032 - (Appropriations) Appropriation; Veterinary Examiners, Board of. Hopson, et al. i656; cr791; msrp806; cu807; v807; ph2250; sp2968; ap3277; Ch.4.

3033 - (Appropriations) Appropriation; Chiropractic Examiners, Board of. Hopson, et al. i656; cr791; msrp807; cu807; v807; ph2252; sc2549; v2550; sp2980; ap3277; Ch.5.

3034 - (Appropriations) Appropriation; Dental Examiners, Board of. Hopson, et al. i656; cr791; msrp807; cu807; v807; ph2252; sdc2550; ca2973; cg3133; msrp3979; cro3979; cra3981; v3981; crah4506; sp4718; ap4806; Ch.44.

3035 - (Appropriations) Appropriation; Pharmacy, Board of. Hopson, et al. i656; cr791; msrp807; cu807; v807; ph2252; sdc2551; ca2973; cg3133; msrp3981; cro3981; cra3984; v3984; crah4506; sp4785; ap4806; Ch.45.

3036 - (Appropriations) Appropriation; Agriculture and Commerce, Department of. Hopson, et al. i656; cr791; msrp808; cu808; v808; ph2252; sdc2554; ca2973; cg3133; cro4208; cra4213; v4213; crah4506; sp4785; ap4808; Ch.82.

3037 - (Appropriations) Appropriation; Fair and Coliseum Commission - Livestock shows. Hopson, et al. i657; cr792; msrp808; cu808; v808; ph2252; sdc2558; ca2973; cg3133; cro4213; cra4216; v4216; crah4506; sp4718; ap4808; Ch.61.

3038 - (Appropriations) Appropriation; Animal Health, Board of. Hopson, et al. i657; cr792; msrp808; cu808; v808; ph2252; sdc2560; ca2973; cg3133; cro4216; cra4218; v4218; crah4506; sp4682; ap4806; Ch.46.

3039 - (Appropriations) Appropriation; Corrections, Department of. Hopson, et al. i657; cr792; cu808; v808; mr814; mrc820; mrt820; ph2632; msrp3010; sdc3010; ca3121; cg3136; cro4218; cra4226; v4226; crah4464; sp4801; ap4812; Ch.106.

3040 - (Appropriations) Appropriation; Emergency Management Agency. Hopson, et al. i657; cr792; cu819; v819; ph2252; sdc2562; ca2973; cg3133; cro4226; cra4230; v4230; crah4506; sp4682; ap4808; Ch.83.

3041 - (Appropriations) Appropriation; Gaming Commission. Hopson, et al. i657; cr792; msrp808; cu809; v809; ph2252; sdc2566; ca2973; cg3134; cro4231; cra4234; v4234; crah4507; sp4792; ap4812; Ch.107.

3042 - (Appropriations) Appropriation; Information Technology Services, Department of. Hopson, et al. i657; cr792; msrp808; cu809; v809; ph2252; sdc2568; ca2973; cg3134; cro4234; cra4237; v4237; crah4507; sp4785; ap4808; Ch.84.

3043 - (Appropriations) Appropriation; Personnel Board. Hopson, et al. i657; cr792; msrp808; cu809; v809; ph2252; sdc2571; ca2973; cg3134; cro4237; cra4239; v4239; crah4507; sp4785; ap4808; Ch.85.

3044 - (Appropriations) Appropriation; Military Department. Hopson, et al. i657; cr792; cu809; v809; ph2252; sdc2573; ca2973; cg3134; cro4239; cra4242; v4242; crah4507; sp4718; ap4808; Ch.62.

3045 - (Appropriations) Appropriation; Veterans Affairs Board. Hopson, et al. i657; cr792; cu809; v809; ph2252; sdc2574; ca2973; cg3134; cro4242; cra4245; v4245; crah4507; sp4792; ap4812; Ch.108.

3046 - (Appropriations) Appropriation; Audit, Department of. Hopson, et al. i658; cr792; cu810; v810; ph2252; sdc2577; ca2973; cg3134; cro4245; cra4248; v4248; crah4507; sp4792; ap4812; Ch.109.

3047 - (Appropriations) Appropriation; Revenue, Department of. Hopson, et al. i658; cr792; cu810; v810; ph2252; sdc2580; ca2973; cg3134; cro4248; cra4252; v4252; crah4507; sp4792; ap4812; Ch.111.

3048 - (Appropriations) Appropriation; Secretary of State. Hopson, et al. i658; cr792; msrp811; cu811; v811; ph2252; sdc2584; ca2973; cg3134; rcc3843; hrcc3920; cro4253; cra4256; v4256; crah4507; sp4792; ap4812; Ch.90.

3049 - (Appropriations) Appropriation; Tax Appeals Board. Hopson, et al. i658; cr792; msrp811; cu811; v811; ph2252; sdc2587; ca2973; cg3134; cro4256; cra4258; v4258; crah4507; sp4785; ap4808; Ch.86.

3050 - (Appropriations) Appropriation; Workers' Compensation Commission. Hopson, et al. i658; cr792; cu811; v811; ph2252; sdc2588; ca2973; cg3134; cro4258; cra4260; v4260; crah4507; sp4785; ap4806; Ch.47.

3051 - (Appropriations) Appropriation; Treasurer's Office. Hopson, et al. i658; cr792; cu811; v811; ph2252; sdc2591; ca2973; cg3134; msrp3984; cro3984; cra3986; v3986; crah4507; sp4785; ap4808; Ch.87.

3052 - (Appropriations) Appropriation; Debt Service-Gen. Obli. Hopson, et al. i658; cr792; cu812; v812; ph2252; sdc2593; ca2973; cg3134; cro4261; cra4262; v4262; crah4507; sp4718; ap4808; Ch.63.

3053 - (Appropriations) Appropriation; Banking and Consumer Finance, Department of. Hopson, et al. i658; cr792; msrp812; cu812; v812; ph2252; sdc2594; ca2974;

cg3024; msrp3986; cro3986; cra3988; v3988; crah4507; sp4785; ap4809; Ch.88.

3054 - (Appropriations) Appropriation; Finance and Administration, Department of. Hopson, et al. i658; cr792; msrp812; cu812; v812; ph2252; sdc2595; ca2974; cg3134; cro4522; cra4529; v4529; crah4790; sp4804; ap4812; Ch.110.

3055 - (Appropriations) Appropriation; Governor's Office and Mansion. Hopson, et al. i659; cr792; msrp812; cu812; v812; ph2252; sdc2602; ca2974; cg3024; cro4262; cra4263; v4263; crah4507; sp4718; ap4808; Ch.64.

3056 - (Appropriations) Appropriation; Development Authority, Mississippi. Hopson, et al. i659; cr792; cu812; v813; ph2252; sdc2603; ca2974; cg3134; cro4530; cra4535; v4535; uc4638; crah4790; sp4804; ap4812; Ch.113.

3057 - (Appropriations) Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority. Hopson, et al. i659; cr792; cu813; v813; ph2252; sdc2607; ca2974; cg3134; cro4264; cra4274; v4274; crah4507; sp4682; ap4806; Ch.16.

3058 - (Appropriations) Coronavirus State Fiscal Recovery Fund; FY2025 reappropriate to certain agencies. Hopson, et al. i659; cr792; cu813; v813; ph2252; sdc2612; ca2974; cg3135; hrcc3668; msrp3672; rcc3672; msrp3748; cro3748; cra3753; v3753; crah3826; sp4785; ap4808; Ch.65.

3059 - (Appropriations) Appropriations; additional for various state agencies for FY2024 and FY2025. Hopson, et al. i659; cr792; cu820; v820; ph2252; sdc2618; ca2974; cg3135; crah3669; msrp3682; cro3682; cra3684; v3684; sp4079; ap4806; Ch.48.

3060 - (Local and Private) City of Pearl & Rankin County; authorize annual contributions to Trustmark Park not to exceed $1,500,000.00 in the aggregate. Kirby. i798; cr1454; cu2416; v2416; ph3216; sp3270; ap3649; Ch.915.

3061 - (Local and Private) Marshall County; authorize employment of part-time assistant county prosecuting attorneys. Whaley. i798.

3062 - (Local and Private) Marshall County; authorize contributions to various organizations. Whaley. i799; cr1454; cu2416; v2416; ph3216; sp3269; ap3649; Ch.906.

3063 - (Appropriations) General Fund; FY2025 appropriation to Madison County for the West Madison Utility District. Thomas. i824.

3064 - (Appropriations) General Fund; FY2025 appropriation to MDOT for Town of Gunnison for a walking trail. Simmons (12th), et al. i824.

3065 - (Appropriations) General Fund; FY2025 appropriation to City of Hollandale for certain infrastructure projects. Simmons (12th). i824.

3066 - (Appropriations) General Fund; FY2025 appropriation to VFW Post 4057 in Tupelo for renovations. McMahan. i824.

3067 - (Appropriations) General Fund; FY2025 appropriation to City of Baldwyn for city park. McMahan. i824.

3068 - (Appropriations) General Fund; FY2025 appropriation to Washington County for certain infrastructure projects. Simmons (12th). i824.

3069 - (Appropriations) General Fund; FY2025 appropriation to Forrest-Lamar Alliance for Eagle One Mega Site. Johnson. i824.

3070 - (Finance) Income tax and insurance premium tax; authorize a credit for certain investments in qualified community development entities. Johnson. i825; cr861; cu879; v879; ph3147; sdc3187; ca3544; cg3656; rcc3672; hrcc3746; msrp4654; cro4654; cra4679; v4679.

3071 - (Finance) Income tax; authorize credit for certain costs of land conversion to pasture suitable for agriculture. Berry, et al. i825.

3072 - (Appropriations) General Fund; FY2025 appropriation to the Walter Anderson Museum of Art to defray public program costs. Chassaniol, et al. i825.

3073 - (Appropriations) General Fund; FY2025 appropriation to Bolivar County for the Terrene Landing River Boat Park dock expansion project. Simmons (13th), et al. i825.

3074 - (Appropriations) Coronavirus State Fiscal Recovery Fund; FY2025 appropriation to City of Carthage for wastewater treatment facility. Branning. i826.

3075 - (Appropriations) General Fund; FY2025 appropriation to Marshall County for certain infrastructure projects. Whaley. i826.

3076 - (Appropriations) General Fund; FY2025 appropriation to the Town of Duck Hill for certain infrastructure projects. Chassaniol. i826.

3077 - (Appropriations) General Fund; FY2025 appropriation to Yazoo County for renovation of Jonestown Park. Thomas. i826.

3078 - (Finance) Sales tax; exempt sales, leases and other retail transfers of certain fixed-wing aircraft. Chassaniol, et al. i826.

3079 - (Appropriations) General Fund; FY2025 appropriation to Town of Sunflower for certain infrastructure projects and expenditures. Simmons (13th). i826.

3080 - (Appropriations) General Fund; FY2025 appropriation to Lee County for tornado shelters at fire departments. McMahan. i826.

3081 - (Local and Private) City of Florence; extend repealer on bar and restaurant tax. Rhodes. i826; cr1455; cu2419; v2419; ph3216; sp3270; ap3649; Ch.907.

3082 - (Local and Private) Lowndes County; increase amount that may be contributed annually to the United Way. Younger. i827; cr1454; cu2417; v2417; ph3216; sp3270; ap3649; Ch.908.

3083 - (Judiciary, Division B) Suffrage; restore to Larry Sills. McCaughn. i838; cr3284; msrp3539; cu3539; v3539; ph4784; sp4792; lws4813; Ch.956.

3084 - (Appropriations) General Fund; FY2025 appropriation to City of Magee for infrastructure projects. Berry. i844.

3085 - (Appropriations) General Fund; FY2025 appropriation to City of Newton for law enforcement vehicles and equipment. McCaughn. i844.

3086 - (Appropriations) General Fund; FY2025 appropriation to Newton Municipal School District for campus facilities. McCaughn. i844.

3087 - (Appropriations) General Fund; FY2025 appropriation to Scott County School District for construction of a STEAM Academy. McCaughn. i844.

3088 - (Appropriations) General Fund; FY2025 appropriation to Newton County School District for the career and technical education program. McCaughn. i844.

3089 - (Appropriations) General Fund; FY2025 appropriation to Quitman Community Hospital for expanding services in a distressed area. Jackson. i844.

3090 - (Appropriations) General Fund; FY2025 to Tunica County for roadway renovation and upgrading traffic signals along certain boulevard. Jackson. i844.

3091 - (Appropriations) General Fund; FY2025 appropriation to the Sunflower Humphreys Counties for Progress, Inc. for construction of an emergency storm shelter. Simmons (13th), et al. i844.

3092 - (Appropriations) General Fund; FY2025 appropriation to City of Canton for certain infrastructure projects. Blackmon. i844.

3093 - (Appropriations) General Fund; FY2025 appropriation to the Canton Municipal Police Department for equipment and training. Blackmon. i844.

3094 - (Appropriations) General Fund; FY2025 appropriation to City of Mendenhall for improvements to water and sewer infrastructure. Berry. i845.

3095 - (Appropriations) General Fund; FY2025 appropriation to Town of Braxton for certain infrastructure repairs. Berry. i845.

3096 - (Appropriations) General Fund; FY2025 appropriation to Town of New Hebron for acquisition of a fire truck and the costs associated with street repairs. Berry. i845.

3097 - (Appropriations) General Fund; FY2025 appropriation to Jefferson Davis County for road repairs and improvements. Berry. i845.

3098 - (Appropriations) General Fund; FY2025 appropriation to Simpson County for road repairs and improvements. Berry. i845.

3099 - (Finance) Income tax; authorize a credit for certain employers that sponsor skills training for employees. Wiggins, et al. i845; cr861; cu879; csa879; v879; ph3147; sp3162; ap3313; Ch.434.

3100 - (Local and Private) Leake County; authorize lease between county economic development authority and East Central CC for workforce training center. Branning. i846; cr1454; cu2417; v2417; ph3216; sp3269; ap3649; Ch.909.

3101 - (Local and Private) Sunflower County; increase authority to contribute funds to the Fannie Lou Hamer Cancer Foundation. Simmons (13th). i846; cr1454; cu2417; v2417; ph3216; sp3283; ap3747; Ch.914.

3102 - (Local and Private) Hancock County Port and Harbor Commission; authorize to contribute to Pearl River Community College County Tuition Assistance Program. Thompson, et al. i846; cr1454; cu2418; v2418; ph3217; sp3269; ap3649; Ch.910.

3103 - (Local and Private) Lauderdale County; extend authorization of assessments on misdemeanor convictions and nonadjudications. Tate. i846; cr1455; cu2418; v2418; ph3217; sp3270; ap3649; Ch.911.

3104 - (Local and Private) Greene County; extend repeal date on assessments in justice court. DeBar. i846.

3105 - (Finance) Tobacco excise tax; provide rate for heated tobacco products. Sparks, et al. i848; cr861; cu878; v878; ph3147; sc3249; v3253; sp3544; ap4401; Ch.469.

3106 - (Finance) Tax exemptions; revise qualifying standards for business enterprises operating data centers. Harkins. i849; cr859; cu877; v877.

3107 - (Appropriations) Capital Expense Fund; FY2025 appropriation to Town of Gunnison for water and sewer improvement project. Simmons (12th). i849.

3108 - (Appropriations) General Fund; FY2025 appropriation to Town of Benoit for repair and renovation of town park. Simmons (12th). i849.

3109 - (Appropriations) General Fund; FY2025 appropriation to City of Leland for repair and renovation of city park. Simmons (12th). i849.

3110 - (Appropriations) General Fund; FY2025 appropriation to Department of Health to assist rural public hospitals at high financial risk. Simmons (12th). i849.

3111 - (Appropriations) General Fund; FY2025 appropriation to JSU for upgrades to its water system. Simmons (12th). i849.

3112 - (Appropriations) General Fund; FY2025 appropriation to City of Greenville for repair, renovation, and improvement of small sewer mini-systems. Simmons (12th). i849.

3113 - (Appropriations) General Fund; FY2025 appropriation to City of Greenville for improvements to downtown corridor. Simmons (12th). i849.

3114 - (Appropriations) General Fund; FY2025 appropriation to City of Greenville for improvements to water and sewer infrastructure. Simmons (12th). i850.

3115 - (Appropriations) General Fund; FY2025 appropriation to MDOT for Town of Benoit for a walking trail. Simmons (12th). i850.

3116 - (Appropriations) General Fund; FY2025 appropriation to Town of Benoit for renovations to the library. Simmons (12th). i850.

3117 - (Appropriations) General Fund; FY2025 appropriation to City of Greenville for repair and renovation of city parks. Simmons (12th). i850.

3118 - (Appropriations) General Fund; FY2025 appropriation to Washington County for street repairs in Supervisor District 2. Simmons (12th). i850.

3119 - (Appropriations) General Fund; FY2025 appropriation to Bolivar County for street repairs in Supervisor District 1. Simmons (12th). i850.

3120 - (Appropriations) General Fund; FY2025 appropriation to Washington County for street repairs in Supervisor District 5. Simmons (12th). i850.

3121 - (Appropriations) General Fund; FY2025 appropriation to Washington County for street repairs in Supervisor District 3. Simmons (12th). i850.

3122 - (Appropriations) General Fund; FY2025 appropriation to Washington County for street repairs in Supervisor District 4. Simmons (12th). i850.

3123 - (Appropriations) General Fund; FY2025 appropriation to Town of Rosedale for street repairs. Simmons (12th). i851.

3124 - (Appropriations) General Fund; FY2025 appropriation to Sustainable Energy Partnership Program between JSU and Entergy. Simmons (12th). i851.

3125 - (Appropriations) General Fund; FY2025 appropriation to City of Greenville for renovations and repairs to the Mid-Delta Regional Airport. Simmons (12th). i851.

3126 - (Appropriations) General Fund; FY2025 appropriation to City of Greenville for repair and renovation of wastewater treatment plant. Simmons (12th). i851.

3127 - (Appropriations) General Fund; FY2025 appropriation to Washington County for road improvements in Supervisor District 3. Simmons (12th). i851.

3128 - (Appropriations) General Fund; FY2025 appropriation to Town of Coahoma for street repairs. Simmons (12th). i851.

3129 - (Appropriations) Capital Expense Fund; FY2025 appropriation to Town of Farrell for water and sewer improvement project. Simmons (12th). i851.

3130 - (Appropriations) General Fund; FY2025 appropriation to Town of Metcalfe for water and sewer system improvements. Simmons (12th). i851.

3131 - (Appropriations) General Fund; FY2025 appropriation to Town of Friars Point for street repairs. Simmons (12th). i851.

3132 - (Appropriations) Capital Expense Fund; FY2025 appropriation to Town of Friars Point for water and sewer improvement project. Simmons (12th). i852.

3133 - (Appropriations) General Fund; FY2025 appropriation to City of Rosedale for repair and renovation of city park. Simmons (12th). i852.

3134 - (Appropriations) General Fund; FY2025 appropriation to Town of Metcalfe for repair and renovation of town park. Simmons (12th). i852.

3135 - (Appropriations) General Fund; FY2025 appropriation to City of Greenville for Mississippi River Museum. Simmons (12th). i852.

3136 - (Appropriations) Capital Expense Fund; FY2025 appropriation to Town of Beulah for water and sewer improvement project. Simmons (12th). i852.

3137 - (Appropriations) General Fund; FY2025 appropriation to Washington County for street repairs in Supervisor District 1. Simmons (12th). i852.

3138 - (Appropriations) Capital Expense Fund; FY2025 appropriation to Town of Benoit for water and sewer improvement project. Simmons (12th). i852.

3139 - (Appropriations) Capital Expense Fund; FY2025 appropriation to City of Greenville to build new community health center. Simmons (12th). i852.

3140 - (Appropriations) Capital Expense Fund; FY2025 appropriation to Town of Lula for water and sewer improvement project. Simmons (12th). i852.

3141 - (Appropriations) Capital Expense Fund; FY2025 appropriation to Town of Metcalfe for water and sewer improvement project. Simmons (12th). i852.

3142 - (Appropriations) Capital Expense Fund; FY2025 appropriation to Town of Coahoma and Coahoma County for water and sewer projects. Simmons (12th). i853.

3143 - (Appropriations) General Fund; FY2025 appropriation for repair, renovation and refurbishment of E.E. Bass Cultural Arts Center. Simmons (12th). i853.

3144 - (Appropriations) General Fund; FY2025 appropriation to Mississippi USA Semiquincentennial Commission. Chassaniol, et al. i853.

3145 - (Appropriations) General Fund; FY2025 appropriation to Mississippi Symphony Orchestra to expand art education statewide. Chassaniol, et al. i853.

3146 - (Appropriations) General Fund; FY2025 appropriation to Carroll County for the Carroll County School District. Chassaniol. i853.

3147 - (Appropriations) General Fund; FY2025 appropriation to City of Jackson for Thalia Mara renovations and improvements to ensure ADA compliance. Chassaniol, et al. i853.

3148 - (Appropriations) Department of Marine Resources; appropriation for GOMESA project in City of Diamondhead. Ladner. i853.

3149 - (Appropriations) Gulf Coast Restoration Fund; FY2025 appropriation to MDA for the City of Diamondhead. Ladner. i853.

3150 - (Appropriations) General Fund; FY2025 appropriation to Pearlington Water and Sewer District for certain projects. Ladner. i854.

3151 - (Appropriations) General Fund; FY2025 appropriation to Town of Bassfield for water and sewer infrastructure. Berry. i854.

3152 - (Appropriations) General Fund; FY2025 appropriation to Town of Pickens for certain infrastructure projects. Blackmon. i854.

3153 - (Appropriations) General Fund; FY2025 appropriation to City of Lexington for a truck to maintain the city's sewer system. Blackmon. i854.

3154 - (Appropriations) General Fund; FY2025 appropriation to City of Lexington for certain infrastructure projects. Blackmon. i854.

3155 - (Appropriations) General Fund; FY2025 appropriation to Town of Polkville for multipurpose community center. Rhodes. i854.

3156 - (Appropriations) General Fund; FY2025 appropriation to the City of Florence for a park and recreational facility. Rhodes. i854.

3157 - (Finance) Bonds; repurpose authority of IHL for USM capital project from Hickman Hall renovation to Science Research Facility. Johnson. i854.

3158 - (Local and Private) City of Winona; extend repealer on authority to levy tax on restaurants. Chassaniol. i855; cr1455; cu2418; v2419; ph3217; sp3271; ap3649; Ch.912.

3159 - (Local and Private; Finance) Lauderdale County; extend repeal date on Tourism Commission and hotel/motel tax, and authorize room occupancy tax. Tate. i855.

3160 - (Local and Private) Warren County; authorize contributions to various organizations. Hopson. i855.

3161 - (Finance) Ad valorem tax; authorize a tax credit for certain refineries of oil, gas and petroleum products. Harkins. i855; cr859; cu878; v878.

3162 - (Appropriations) Appropriation; additional to DMH-Children & Youth PRTF, ARPA funds. Hopson, et al. i856; cr860; cu875; v875; caa876; ph2253; sdc2619; ca2974; cg3135; cro4407; cra4409; v4409; crah4783; sp4803; ap4812; Ch.112.

3163 - (Appropriations) Appropriation; additional to DFA-Administration, ARPA funds. Hopson, et al. i856; cr860; cu876; v876; mr882; mrc892; mrt892; ph2253; sdc2620; ca2974; cg3135; crah3669; msrp3684; cro3684; cra3686; v3686; caa3686; sp4080; ap4806; Ch.9.

3164 - (Appropriations) Appropriation; additional to DFA-Bureau of Buildings, ARPA funds. Hopson, et al. i856; cr860; cu876; v876; ph2253; sdc2620; ca2974; cg3135; crah3669; msrp3686; cro3686; cra3688; v3688; sp4080; ap4806; Ch.13.

3165 - (Appropriations) Appropriation; additional to MDOT-Surface Transportation Projects, ARPA funds. Hopson, et al. i856; cr860; cu876; v877; caa877; caa1003; ph2253; sdc2622; ca2974; cg3135; crah3669; msrp3688; cro3688; cra3690; v3690; caa3690; sp4080; ap4806; Ch.14.

3166 - (Appropriations) General Fund; FY2025 appropriation to Town of Goodman for purchase of a building to be used as multipurpose complex. Blackmon. i862.

3167 - (Appropriations) General Fund; FY2025 appropriation to Jackson International Airport for certain infrastructure projects. Blount, et al. i862.

3168 - (Appropriations) General Fund; FY2025 appropriation to City of Taylorsville for certain infrastructure projects. Rhodes. i862.

3169 - (Appropriations) General Fund; FY2025 appropriation to Rankin County for the Florence-Byram Parkway Improvement Project. Rhodes. i862.

3170 - (Appropriations) General Fund; FY2025 appropriation to the Town of Mize for certain infrastructure projects. Rhodes. i863.

3171 - (Appropriations) General Fund; FY2025 appropriation to Smith County for repairs to roadways. Rhodes. i863.

3172 - (Appropriations) General Fund; FY2025 appropriation to City of Sylvarena for certain infrastructure projects. Rhodes. i863.

3173 - (Appropriations) General Fund; FY2025 appropriation to City of Raleigh for costs associated with certain infrastructure projects. Rhodes. i863.

3174 - (Appropriations) General Fund; FY2025 appropriation to City of Richland for construction of pedestrian crossover. Rhodes. i863.

3175 - (Appropriations) General Fund; FY2025 appropriation to the Morton Fire Department for upgrading equipment and offsetting vehicle expenses. McCaughn. i863.

3176 - (Appropriations) General Fund; FY2025 appropriation to Meridian Main Street for upgrading, constructing and improving an alleyway. Tate. i863.

3177 - (Appropriations) General Fund; FY2025 appropriation to City of Meridian for improvements to water and sewer infrastructure. Tate. i863.

3178 - (Appropriations) General Fund; FY2025 appropriation to Town of Stonewall for the police department. Tate. i863.

3179 - (Appropriations) General Fund; FY2025 appropriation to Lauderdale County School District for traffic safety in school zones. Tate. i863.

3180 - (Appropriations) General Fund; FY2025 appropriation to Pat Harrison Waterway District for Archusa Creek Lake Dam. Tate. i864.

3181 - (Appropriations) General Fund; FY2025 appropriation to the Town of Metcalfe for paving certain streets. Simmons (12th). i864.

3182 - (Appropriations) General Fund; FY2025 appropriation to UMMC for Mississippi Rural Physicians Scholarship Program. McLendon. i864.

3183 - (Appropriations) Capital Expense Fund; additional appropriation to MDA for the Mississippi Main Street Revitalization Grant Program. Williams, et al. i864.

3184 - (Appropriations) General Fund; FY2025 appropriation to the Town of Decatur for paving Little Rock-Decatur Road. McCaughn. i864.

3185 - (Appropriations) General Fund; FY2025 appropriation to the Newton County Sheriff's Department for facility improvements. McCaughn. i864.

3186 - (Appropriations) General Fund; FY2025 appropriation to the City of Morton for paving projects for access to the Morton Attendance Center. McCaughn. i864.

3187 - (Appropriations) General Fund; FY2025 appropriation to the City of Forest for a Sewer Rehabilitation Project. McCaughn. i864.

3188 - (Appropriations) General Fund; FY2025 appropriation to Newton County for rural fire department expenses. McCaughn. i864.

3189 - (Appropriations) General Fund; FY2025 appropriation to the Town of Lake for fire department equipment upgrades and improvements. McCaughn. i865.

3190 - (Finance) Bonds; authorize for City of Tupelo Fire Department and Emergency Command Center, and for North Mississippi Symphony Orchestra. Bryan, et al. i865.

3191 - (Appropriations) General Fund; FY2025 appropriation to Lee County for a fire truck and fire infrastructure equipment. McMahan. i865.

3192 - (Appropriations) General Fund; FY2025 appropriation to Lee County for certain infrastructure projects. McMahan. i865.

3193 - (Appropriations) General Fund; FY2025 appropriation to the Mississippi Development Authority for the Mississippi Golf Trail Project. Robinson. i865.

3194 - (Finance) Bonds; authorize to assist City of Baldwyn, City of Saltillo, VFW Post 4057, and Lee County in paying for capital projects. McMahan. i865.

3195 - (Appropriations) General Fund; FY2025 appropriation to Boys and Girls Club for replacing roof. Norwood, et al. i866.

3196 - (Appropriations) General Fund; FY2025 appropriation to the City of Paris for paving and street improvements. Suber. i866.

3197 - (Appropriations) General Fund; FY2025 appropriation to Town of Derma for the purpose of paving and street improvements. Suber. i866.

3198 - (Appropriations) General Fund; FY2025 appropriation to City of Vardaman for paving. Suber. i866.

3199 - (Appropriations) General Fund; FY2025 appropriation to the Town of Algoma for paving and street improvements. Suber. i866.

3200 - (Appropriations) General Fund; FY2025 appropriation to the Troy Water Association for upgrades and improvements to the water system. Suber. i866.

3201 - (Appropriations) General Fund; FY2025 appropriation to the City of Pontotoc for the construction of the Pontotoc Farmers Market building. Suber. i866.

3202 - (Appropriations) General Fund; FY2025 appropriation to the City of Taylor for paving and street improvements. Suber. i867.

3203 - (Appropriations) General Fund; FY2025 appropriation to the City of Okolona for paving projects. Suber. i867.

3204 - (Appropriations) General Fund; FY2025 appropriation to Calhoun County surfacing and paving County Road 306. Suber. i867.

3205 - (Appropriations) General Fund; FY2025 appropriation to Chickasaw County Historical and Genealogical Society for improvements to facilities. Suber. i867.

3206 - (Appropriations) General Fund; FY2025 appropriation to Chickasaw County for certain infrastructure projects. Suber. i867.

3207 - (Appropriations) General Fund; FY2025 appropriation to City of Houston for paving streets. Suber. i867.

3208 - (Appropriations) General Fund; FY2025 appropriation to Calhoun County for certain infrastructure projects. Suber. i867.

3209 - (Appropriations) General Fund; FY2025 appropriation to City of Bruce for certain infrastructure projects. Suber. i867.

3210 - (Appropriations) General Fund; FY2025 appropriation to City of Calhoun City for paving. Suber. i867.

3211 - (Appropriations) General Fund; FY2025 appropriation to the City of Water Valley for certain infrastructure projects. Suber. i867.

3212 - (Appropriations) General Fund; FY2025 appropriation to the City of Coffeeville for paving and street improvements. Suber. i868.

3213 - (Appropriations) General Fund; FY2025 appropriation to the City of Oakland for paving and street improvements. Suber. i868.

3214 - (Appropriations) General Fund; FY2025 appropriation to Town of Pittsboro for renovation and expansion of Pittsboro City Hall. Suber. i868.

3215 - (Local and Private) Lafayette County; authorize to provide funding to Oxford-Lafayette County Economic Development Foundation. Boyd, et al. i1010; cr2982; cu3172; v3172; ph4372; sp4472; ap4809; Ch.936.

3216 - (Local and Private; Finance) Town of Walnut; authorize to levy tax on restaurants, hotels, and motels and to issue bonds for parks and recreation. Parks. i1010; cr2423; msrp3009; cu3009; v3010; ph4372; sp4465; ap4809; Ch.937.

3217 - (Local and Private) Rankin County Stormwater Management Agency; authorize the establishment of. Harkins, et al. i1099.

3218 - (Local and Private) Hinds County; authorize to enter 30-year lease and finance 30-year certificates of participation for public safety facility. Frazier, et al. i1099; cr1455; cu2419; v2419; caa2419; ph3217; sp3283; ap3747; Ch.916.

3219 - (Local and Private; Finance) Town of Vaiden; authorize tax on restaurants, hotels and motels for tourism and parks & recreation. Chassaniol. i1373; cr3282; cu3292; v3292.

3220 - (Local and Private) City of Fulton; extend repealer on hotel/motel tourism tax. Sparks. i1373.

3221 - (Local and Private; Finance) City of Ridgeland; authorize to levy tax on restaurants, hotels, and motels to promote tourism, parks and recreation. Michel, et al. i1374; cr3282; cu3292; v3292; ph4372; sp4472; ap4809; Ch.938.

3222 - (Judiciary, Division B) Suffrage; restore suffrage to Robert Maxwell. Turner-Ford. i1899; cr3284; msrp3540; cu3540; v3540; ph4784; sp4792; lws4813; Ch.957.

3223 - (Judiciary, Division B) Suffrage; restore suffrage to Dewitt Cooperwood. Turner-Ford. i1899; cr3284; msrp3540; cu3540; v3540; ph4784; sp4792; ap4812; Ch.940.

3224 - (Local and Private) City of Hattiesburg; authorize to use traffic fines for community development initiatives. Johnson. i1899.

3225 - (Local and Private) Hattiesburg Convention Commission; authorize to use the design-build method of construction contracting. Johnson. i1899.

3226 - (Judiciary, Division B) Suffrage; restore suffrage to Pamela Null. Parks. i1900.

3227 - (Judiciary, Division B) Suffrage; restore suffrage to Teddy Null. Parks. i1900.

3228 - (Judiciary, Division B) Suffrage; restore Kenneth Edward Barnes. Fillingane. i1900; cr3284; msrp3540; cu3540; v3540; ph4784; sc4788; v4789; sp4814; lws4814; Ch.958.

3229 - (Judiciary, Division B) Suffrage; restore to Stanley Barnes. Butler, et al. i1900.

3230 - (Local and Private) Alcorn, Benton, Marshall, Prentiss, Tippah, Tishomingo Counties; extend authority to contribute to NE MS Comm. Servs. Parks, et al. i3166; cr3217; cu3279; v3279; ph4372; sp4472; ap4809; Ch.939.

3231 - (Accountability, Efficiency, Transparency) PERS; revise employer contribution rate increase, and redefine responsibilities of board and Legislature. Parker. cr3647; msrp3647; cu3647; v3647; vp3647; i3657; ph3676; sp3828; lws4806; Ch.500.

B. SENATE CONCURRENT RESOLUTIONS

S. C. No.

501 - (Rules) Joint assembly to inaugurate Lieutenant Governor and state officials. Kirby. cr8; msrp8; cu8; v8; i17; ph19; sp28; Ch.2031.

502 - (Rules) Constitution; place term limits on legislators. Chism. i77.

503 - (Rules) Joint Rules; amend to allow cosponsorship of bills, joint resolutions and concurrent resolutions originating in other house. Blackwell. i77.

504 - (Rules) Mourning the passing of former Natchez Mayor and MDOT Executive Director Larry "Butch" Brown and recognizing his public service. Butler, et al. i77; cr84; msrp94; cu94; v95; caa95; ph490; sp549; Ch.2032.

505 - (Rules) Extend sympathy of the Legislature to the family of George County Deputy Sheriff Jeremy Malone who was lost in the line of duty. DeBar, et al. i77; cr84; msrp94; cu94; v95; caa95; ph490; sp533; Ch.2033.

506 - (Rules) Extend sincerest sympathy of Mississippi Senate to surviving family of former Senator John G. Corlew. Blount, et al. i77; cr84; msrp94; cu94; v95; caa5; ph490; sp533; Ch.2034.

507 - (Rules) "Omega Psi Phi Day"; designate March 9. 2024, in Mississippi. Butler, et al. i78; cr85; msrp94; cu94; v95; caa95; ph847; sc858; v858; sp1008; Ch.2035.

508 - (Rules) Extend sympathy of the Legislature on the passing of legendary Mississippi Blues-Rock Musician Greg "Fingers" Taylor. Fillingane, et al. i78; cr85; msrp94; cu94; v95; caa95; ph490; sp533; Ch.2036.

509 - (Rules) Extend recognition to United States Senator Cindy Hyde-Smith as first woman elected to represent Mississippi in Washington, D.C. Kirby, et al. i78; cr85; msrp96; cu96; v96; caa97; mr97; mrc100; mrp100; v100; caa100; ph1023; sp1097; Ch.2037.

510 - (Rules) Mourn the loss and commend the life of Luster Bayless, legendary Costumer to John Wayne. Chassaniol, et al. i78; cr85; msrp94; cu94; v95; caa95; ph490; sp549; Ch.2038.

511 - (Rules) Direct Senate Rules Committee and House Management Committee to reallocate fourth floor office space between Senate and House. Blackwell, et al. i78.

512 - (Constitution; Elections) County elections; require all candidates to obtain the majority vote to be elected in. Barnett. i127.

513 - (Constitution; Elections) Constitution; amend to prohibit noncitizen voting by Mississippi Citizen Only Voting Amendment (COVA). McMahan. i127.

514 - (Rules) Constitution; amend Section 33 to authorize ballot initiative for new law. Blount. i127.

515 - (Rules) Mourn the passing and recognize legal career of former Mississippi Supreme Court Justice James L. Robertson. Simmons (12th), et al. i128; cr160; msrp172; cu172; v172; caa172; ph490; sp533; Ch.2039.

516 - (Rules) Recognize Mississippi Supreme Court Presiding Justice Leslie D. King for "60 Courageous Judges Award." Simmons (12th), et al. i128; cr160; msrp172; cu172; v172; caa172; ph490; sp533; Ch.2040.

517 - (Rules) Extend sympathy of the Legislature on the passing of Margarett Allen-Bingham first female superintendent of correctional facility in MS. Norwood, et al. i128; cr160; msrp172; cu172; v172; caa172; ph490; sp533; Ch.2041.

518 - (Rules) Mourn the loss and celebrate the contributions and career of Mississippi music icon and Tropical Rock legend Jimmy Buffett. Wiggins, et al. i128; cr160; msrp172; cu172; v172; caa173; ph490; sp532; Ch.2042.

519 - (Rules) Congratulate Ole Miss "Rebels" 2023 Football Team for historic season and dominating Peach Bowl victory. Michel, et al. i128; cr160; msrp172; cu172; v172; caa173; ph490; sp532; Ch.2043.

520 - (Rules) Designate "Family Medicine Appreciation Day" in Mississippi. Kirby, et al. i158; cr355; msrp502; cu502; v503; caa504; ph1369; sp1903; Ch.2044.

521 - (Rules) Emmett Till murder; issue apology for state's role in killers' acquittals. Norwood, et al. i191.

522 - (Accountability, Efficiency, Transparency) Constitution; amend to revise ballot initiative process. Turner-Ford. i228.

523 - (Accountability, Efficiency, Transparency; Constitution) Constitution; amend to revise ballot intiative process. McCaughn, et al. i229.

524 - (Accountability, Efficiency, Transparency) Constitution; amend Section 273 to reinstate initiative process and revise initiative signature requirements. Seymour. i229.

525 - (Constitution; Judiciary, Division A) Constitution; amend Section 26 to expand the jurisdiction of the state grand jury. Wiggins. i325.

526 - (Accountability, Efficiency, Transparency) Constitution; amend to provide that the people have the right to propose new statutes and amend or repeal existing statutes. England (By Request). i325.

527 - (Accountability, Efficiency, Transparency) Constitution of 1890; amend to revise ballot initiative measure process. Parker. i325; cr380.

528 - (Accountability, Efficiency, Transparency) Constitution; amend to allow citizens to propose changes to existing law via initiative. Robinson. i325.

529 - (Constitution) Constitution; amend to define appropriation bill subject to Governor's partial veto power. Wiggins. i326.

530 - (Rules) Designate March 2024 as "American Red Cross Month in Mississippi." Frazier, et al. i326; cr467; msrp502; cu503; v503; caa504; ph1369; sp1903; Ch.2045.

531 - (Rules) Declare that March 21, 2024, is "World Down Syndrome in Mississippi." Kirby, et al. i408; cr467; msrp502; cu503; v503; caa504; ph1369; sp1903; Ch.2046.

532 - (Rules) Commend the life of U.S. Marine Sergeant Harold Hammett of Hattiesburg, Mississippi, lost in World War II Battle Tarawa. Johnson, et al. i408; cr467; msrp502; cu503; v503; caa504; ph1369; sp1903; Ch.2047.

533 - (Rules) Recognize legislative members of Kappa Alpha Psi and designate March 12, 2024, as "Kappa Day at the State Kapitol." Simmons (12th), et al. i494; cr770; msrp793; cu793; v793; caa794; ph3124; sp3162; Ch.2048.

534 - (Rules) Commemorate the 125th Anniversary of Ridgeland, Mississippi. Michel, et al. i527; cr771; msrp793; cu793; v793; caa794; ph1369; sp1903; Ch.2049.

535 - (Rules) Encourage foot race organizers to restructure age categories for fairness to older participants. Horhn (By Request). i527.

536 - (Rules) Extend congratulations of Legislature to Blues Legend Bobby Rush for winning 3rd Grammy Award for "Best Traditional Blues Album." Norwood, et al. i528; cr771; msrp793; cu793; v793; caa794; ph1369; sp1903; Ch.2050.

537 - (Rules) Recognize outstanding accomplishments of Athletic Program at William Carey University. Johnson, et al. i799; cr820; msrp830; cu830; v831; caa831; ph1369; sp1903; Ch.2051.

538 - (Rules) Request the Governor to Declare a State of Emergency in areas impacted by the ongoing drought and pine beetle outbreak. McCaughn, et al. i799; cr820; msrp830; cu830; v831; caa831.

539 - (Rules) Designate March 2024 as "Brain Injury Awareness Month in Mississippi." Michel, et al. i817; cr857; msrp1070; cu1070; v1071; caa1071; ph4372; sp4465; Ch.2052.

540 - (Rules) Recognize legacy of Rosie S. Simmons as the first African American since Reconstruction to serve as Bolivar County Circuit Clerk. Simmons (13th), et al. i846; cr857; msrp1070; cu1070; v1071; caa1071; mr1094; mrc1163; mrt1163; caa1163; ph4372; sp4466; Ch.2053.

541 - (Rules) Encourage further economic ties between Mississippi and Taiwan. Chassaniol, et al. i868; cr1371; msrp1379; cu1380; v1380; caa1381; ph3124; sp3162; Ch.2054.

542 - (Rules) Extend condolences of the Legislature on the passing of Elbert Riley Hilliard, Director Emeritus of the MDAH. Chassaniol, et al. i868; cr1371; msrp1379; cu1380; v1380; ph3124; sp3162; Ch.2055.

543 - (Rules) Commend Phi Theta Kappa's All-Mississippi Academic Team. Boyd. i1099; cr1371; msrp1379; cu1380; v1380; ph3828; sp4373; Ch.2056.

544 - (Rules) Opposing proposed changes to OSHA Worker Representative Designation Process. Hill, et al. i1315.

545 - (Rules) Recognize Jessica Banahan NcNeel as MDE "2024 Mississippi Parent of the Year." Wiggins, et al. i1449; cr2626; msrp2905; cu2905; v2906; caa2906; ph4372; sp4472; Ch.2057.

546 - (Rules) Designate April 11, 2024, as "Reman Day" in Mississippi. Parks. i2254; cr2626; msrp2905; cu2905; v2906; ph4372; sp4466; Ch.2058.

547 - (Rules) Extend the condolences of the Legislature on the passing of the first female Mayor of Meridian Cheryl "Cheri" Merritt Barry. Tate, et al. i3316; cr3546; cu3590; v3590; caa3590; ph4372; sp4466; Ch.2059.

548 - (Rules) Suspend rules for introduction; revisions to PERS and public education funding. Harkins. cr3547; msrp3579; cu3579; v3579; i3587; ph3646; sp3652; Ch.2060.

549 - (Rules) Legislature; suspend deadlines for Senate Bill No. 2753, 2024 Regular Session. Harkins, et al. cr4397; i4398; cu4402; pin4402; ru4402; po4403; ru4403; v4403; vp4403; caa4404; ph4471; sp4637; Ch.2061.

C. SENATE RESOLUTIONS

S. R. No.

1 - (NOT YET REFERRED!) Adopt permanent rules of the Senate. Kirby. cu6; v6; i18.

2 - (Rules) Commend 36-year career of Mississippi Highway Patrol Colonel Randy C. Ginn. Sparks, et al. i31; cr32; cu39; v39; caa39.

3 - (Rules) Senate Rules; amend Rules 28 and 35C to provide floor restrictions for members of the news media. Blackwell, et al. i78.

4 - (Rules) Commemorate the Sesquicentennial (150th) Anniversary of Old Oak Grove Baptist Church in Myrtle, Mississippi. Chism, et al. i78; cr85; msrp94; cu94; v95; caa95.

5 - (Rules) Recognize Mark Haire on the occasion of his retirement from his tenure as Deputy Insurance Commissioner and commending his service. Kirby, et al. i78; cr85; msrp94; cu94; v95; caa96.

6 - (Rules) Recognize the remarkable career of USM Baseball Coach Scott Berry on occasion of his retirement. Johnson, et al. i79; cr85; msrp94; cu94; v95; caa96.

7 - (Rules) Congratulate Biggersville High School "Lions" Football Team for first MHSAA Class 1A State Championship. Parks, et al. i79; cr85; msrp94; cu94; v95; caa96.

8 - (Rules) Recognize National Conference of State Legislatures (NCSL) on its 50th Anniversary. Kirby, et al. i79; cr85; msrp94; cu94; v95; caa96.

9 - (Rules) Congratulate West Point "Green Wave" Football Team for record 12th state championship. Turner-Ford, et al. i79; cr85; msrp94; cu94; v95; caa96.

10 - (Rules) Recognize 100 Men Hall as the recipient of the 2024 Governor's Arts Award for Arts in the Community. Horhn, et al. i79; cr85; msrp94; cu94; v95; caa96.

11 - (Rules) Recognize Peter Zapletal as the recipient of the 2024 Governor's Arts Award for Excellence in Performing Arts. Horhn, et al. i79; cr85; msrp94; cu94; v95; caa96.

12 - (Rules) Recognize Artist Brent Funderburk as the recipient of the 2024 Governor's Arts Award for Excellence in Visual Arts and Education. Horhn, et al. i79; cr85; msrp94; cu94; v95; caa96.

13 - (Rules) Recognize Earl Poole Ball as the recipient of the 2024 Governor's Arts Award for Lifetime Achievement. Horhn, et al. i79; cr85; msrp94; cu94; v95; caa96.

14 - (Rules) Recognize Cedric Burnside as the recipient of the 2024 Governor's Arts Award for Excellence in Music. Horhn, et al. i80; cr85; msrp94; cu95; v95; caa96.

15 - (Rules) Recognize Sharon Nobles, CFO of North Mississippi Health Services, for "Top 25 CFOs of Mississippi" award. McMahan, et al. i80; cr85; msrp94; cu95; v95; caa96.

16 - (Rules) Urge U.S. Congress to enact legislation to include airguns and airbows as items taxed under the Pittman-Robertson Act. Blackwell. i80.

17 - (Rules) Senate Rules; amend Rule 115 to reverse the order of names called during every other roll call vote. Blackwell. i80.

18 - (Rules) Senate Rules; amend Rule 65 to provide for removal of members of the Rules Committee. Blackwell. i80.

19 - (Rules) Mourn the loss and commend the life and public service of former Senator Johnny Morgan of Oxford, Mississippi. Boyd, et al. i128; cr133; msrp139; cu139; v140; caa140.

20 - (Rules) Mourn the loss and commend the life and public legal service of former Senator and Mississippi Supreme Court Justice Kay Cobb. Boyd, et al. i128; cr133; msrp139; cu139; v140; caa140.

21 - (Rules) Mourning the loss and commending the public service to the legal profession and to the Fire Museum by the Honorable Jim Cox of Oxford. Michel, et al. i129; cr133; msrp139; cu140; v140; caa140.

22 - (Rules) Commend Oak Grove "Warriors" Football Team for winning their first MHSAA Class 7A State Championship. Johnson, et al. i129; cr133; msrp139; cu140; v140; caa140.

23 - (Rules) Commend Purvis High School "Tornadoes" Baseball Team and Head Coach Tony Farlow for winning Class 4A State Baseball Championship. Polk, et al. i129; cr133; msrp139; cu140; v140; caa141.

24 - (Rules) Observe February 6, 2024, as "Alpha Kappa Alpha Sorority Day at the Capitol." Simmons (12th), et al. i129; cr133; msrp139; cu140; v140; caa141.

25 - (Rules) Commend Charles R. Carr, retired Director of Intermodal Planning with MDOT for 41 years of service. Norwood, et al. i129; cr133; msrp139; cu140; v140; caa141.

26 - (Rules) Congratulate Louisville High School "Wildcats" football team for winning 12th State Championship. Hickman, et al. i129; cr133; msrp139; cu140; v140.

27 - (Rules) Recognize Emma Cameron as Miss Rodeo America 2024. Younger, et al. i129; cr133; msrp139; cu140; v140; caa141.

28 - (Rules) Recognize Emma Watts of St. Stephens, Alabama, as "Miss Dixie National 2024." Younger, et al. i129; cr133; msrp139; cu140; v140; caa141.

29 - (Rules) Commend Co-Lin Community College "Lady Wolves" Softball Team for winning the 2023 NJCAA Division II Softball National Championship. Barrett, et al. i191; cr355; msrp502; cu503; v503.

30 - (Rules) Commend Kossuth Girls Bowling team for 6th straight State Title and Kossuth Boys Bowling for 3rd straight state title. Parks. i229; cr355; msrp502; cu503; v503.

31 - (Rules) Congratulate Sharkey-Issaquena Academy Football Team for winning MAIS Class 1A State Championship for tornado-damaged community. Hopson, et al. i229; cr355; msrp502; cu503; v503.

32 - (Rules) Commend Florence High School Varsity Dance Team upon winning 3A-5A State Championships in Hip Hop and Pom. Rhodes, et al. i326; cr355; msrp502; cu503; v503.

33 - (Rules) Congratulate JSU Marching Band "Sonic Boom of the South" for exciting performance during "Super Bowl LVIII Halftime Show." Norwood, et al. i362; cr467; msrp502; cu503; v503; caa504.

34 - (Rules) Celebrate the legacy and memory of former Public Service Commissioner-Southern District Samuel F. (Sam) Britton. Johnson, et al. i378; cr467; cu504; v504; caa505.

35 - (Rules) Commend Millsaps "Majors" Women's Basketball Team for first-ever Conference Title. Blount, et al. i409; cr467; msrp502; cu503; v503; caa504.

36 - (Rules) Commend First Baptist Church (SBC) and First Missionary Baptist Church in Moss Point for combined services following tornado. England, et al. i409; cr467; msrp502; cu503; v503; caa504.

37 - (Rules) Commend Hancock High School "Hawks" Bowling Team for winning the 2024 MHSAA Class II Boys State Championship. Ladner. i409; cr467; msrp502; cu503; v503.

38 - (Rules) Commend Hancock High "Lady Hawks" Girls Golf Team for winning the 2023 MHSAA Class 6A Girls Golf State Championship. Ladner. i409; cr467; msrp502; cu503; v503.

39 - (Rules) Commend Hartfield Academy "Hawks" Football Team and Coach Craig Bowman for first ever MAIS 6A State Football Championship. Harkins. i409; cr467; msrp502; cu503; v503.

40 - (Rules) Commend Bay High "Tigers" Boys Soccer Team for winning second consecutive Class 4A State Championship. Ladner, et al. i409; cr467; cu505; v505.

41 - (Rules) Congratulate Long Beach High School "Bearcats" Soccer Team for fourth-straight Class 6A State Championship. Thompson. i409; cr467; msrp502; cu503; v503.

42 - (Rules) Commend West Harrison High "Hurricane" Cheer Team for their third National Championship in the last five years. Thompson, et al. i409; cr467; msrp502; cu503; v503; caa504.

43 - (Rules) Commend and honor "Mississippi Links Day at the Capitol 2024" for their outstanding service. Horhn, et al. i419; cr467; msrp502; cu503; v503; caa504.

44 - (Rules) Commend Jackson Academy "Raiders" Boys Basketball Team for 2024 MAIS Class 6A Championship & Overall Tournament Championship. Michel, et al. i528; cr771; msrp793; cu793; v793; caa794.

45 - (Rules) Commend Jackson Prep "Patriots" Boys Soccer Team for winning MAIS Class 6A State Championship. Kirby, et al. i528; cr771; msrp793; cu793; v793; caa794.

46 - (Rules) Recognize Charlestien Harris as recipient of the "2023 Financial Counselor of the Year" Award by the AFCPE. Jackson, et al. i528; cr771; msrp793; cu793; v793.

47 - (Rules) Commend Meridian High School "Wildcats" Boys Basketball Team for first 7A State Championship. Hickman, et al. i528; cr771; msrp793; cu793; v793; caa794.

48 - (Rules) Commend Olive Branch High School "Conquistadors" Boys Basketball Team for winning the Class 6A State Title. Blackwell, et al. i528; cr771; msrp793; cu793; v793; caa794.

49 - (Rules) Recognize six players and coaches with Mississippi ties at Super Bowl LVIII. Jackson, et al. i528; cr771; msrp793; cu793; v793; caa794.

50 - (Rules) Commend SWAC Championship tradition of JSU "Coach of the Year" Rose Washington. Norwood, et al. i784; cr820; msrp830; cu830; v831; caa831.

51 - (Rules) Recognize outstanding Jackson Prep High School All-American Baseball Senior Star Konnor Griffin. Kirby, et al. i799; cr821; msrp830; cu830; v831; caa831.

52 - (Rules) Commend Hartfield Academy "Lady Hawks" Girls Softball Team for winning MAIS AAAAAA Fast-Pitch Softball Championship. Harkins. i799; cr821; msrp830; cu830; v831.

53 - (Rules) Commend Oak Grove High School Cheer Team for winning 2024 UCA National Large Varsity Game Day Live Championship. Polk. i799; cr821; msrp830; cu830; v831.

54 - (Rules) Commend Oak Grove High School Dance Team for winning the 2023 Large Varsity Jazz and Pom State Championship. Polk. i799; cr821; msrp830; cu830; v831.

55 - (Rules) Commend East Rankin Academy Shooting Sports Team for fifth consecutive State Championship. Rhodes, et al. i817; cr821; msrp830; cu830; v831; caa831.

56 - (Rules) Commend East Rankin Academy "Lady Patriots" Girls Cross Country Team for third consecutive Class 5A State Championship. Rhodes, et al. i818; cr821; msrp830; cu831; v831; caa831.

57 - (Rules) Commend East Rankin Academy "Lady Patriots" Girls Basketball Team for winning 2024 MAIS Overall Tournament Championship. Rhodes, et al. i818; cr821; msrp830; cu831; v831; caa831.

58 - (Rules) Commend Hartfield Academy "Lady Hawks" Varsity Dance Team for winning MAIS State Championship Title. Harkins. cr821; i827; msrp830; cu831; v831.

59 - (Rules) Commend Hartfield Academy "Lady Hawks" Varsity Cheer Team for winning MAIS State Championship. Harkins. cr821; i827; msrp830; cu831; v831.

60 - (Rules) Commend Raymond High School "Rangers" Boys Basketball Team for winning second Class 4A State Championship in last three years. Frazier. i838; cr857; cu880; v880.

61 - (Rules) Recognize Lex Lemmers of Columbus as Chair of the Board of Directors of the MMA. Younger. i846; cr857; msrp1070; cu1070; v1071.

62 - (Rules) Commend "Tomorrow's 25" Coaching Fellowship Program. DeBar. i847; cr857; msrp1070; cu1070; v1071.

63 - (Rules) Commend Jeff Field for 2024 Automobile "Dealer of the Year" award. Parker, et al. i847; cr857; msrp1070; cu1070; v1071.

64 - (Rules) Commend Ryan Miller for distinguished service as Executive Director of the Office of Workforce Development (AccelerateMS). Parker, et al. i847; cr858; msrp1070; cu1071; v1071.

65 - (Rules) Recognize contributions of Rocky Vaughan of Ackerman, Mississippi, in designing the new Mississippi State Flag. Williams, et al. i1099; cr1371; msrp1379; cu1380; v1380.

66 - (Rules) Commend the Blue Mountain "Lady Cougars" Girls Basketball Team for winning first State Title. Parks. i1315; cr1371; msrp1379; cu1380; v1380.

67 - (Rules) Commemorate Simpson County upon its Bicentennial Celebration. Berry, et al. i1315; cr1371; msrp1379; cu1380; v1380; caa1381.

68 - (Rules) Recognize Melissa Bond for developing Mississippi Practical Appraiser Training (MPAT) program. Hill, et al. i1315; cr1371; msrp1379; cu1380; v1380.

69 - (Rules) Commend 2024 Sumrall High School "Lady Bobcats" Cheer Team for back-to-back National Championships. Fillingane. i1315; cr1371; msrp1379; cu1380; v1380.

70 - (Rules) Commend Sumrall High School "Lady Bobcats" Girls Soccer Team for winning first Class 4A State Championship. Fillingane. i1316; cr1371; msrp1379; cu1380; v1380.

71 - (Rules) Commend JSU "Lady Tigers" Women's Basketball Team and Coach Tomekia Reed for winning SWAC Championship for 5th straight year. Norwood, et al. i1316; cr1371; msrp1379; cu1380; v1380.

72 - (Rules) Commend Shuqualak Rodeo Competitor Roveskey "Fatty" Hickman for fame on the national TV show Ultimate Cowboy Showdown: All Stars. Hickman, et al. i1316; cr1371; msrp1379; cu1380; v1380.

73 - (Rules) Commend Northwest Rankin "Lady Cougars" Soccer Team for 2024 MHSAA Class 7A Championship. Harkins. i1374; cr2626; msrp2905; cu2905; v2906.

74 - (Rules) Commend Aaron Cleveland as Instructor of the Year at Jackson County Campus of MGCCC. England, et al. i1374; cr2626; msrp2905; cu2905; v2906; caa2906.

75 - (Rules) Commend Sandra Peterson as Instructor of the Year at the Harrison County Campus of MGCCC. England, et al. i1374; cr2626; msrp2905; cu2905; v2906; caa2906.

76 - (Rules) Commend Leslie Lyons as Instructor of the Year for Health Science Centers at MGCCC. England, et al. i1374; cr2626; msrp2905; cu2905; v2906; caa2906.

77 - (Rules) Commend Katherine Jellum as Instructor of the Year at Perkinston Campus of MGCCC. England, et al. i1374; cr2626; msrp2905; cu2905; v6; caa2906.

78 - (Rules) Commend Florence High School "Eagles" Boys Soccer Team upon winning 2024 MHSAA Class 5A Boys Soccer State Championship. Rhodes, et al. i1900; cr2626; msrp2905; cu2905; v2906.

79 - (Rules) Commend Florence High School Lady Eagles Soccer Team upon winning MHSAA Class 5A State Soccer Championship. Rhodes, et al. i1900; cr2626; msrp2905; cu2905; v2906.

80 - (Rules) Commend extensive judicial career and service of Mississippi Court of Appeals Judge Jim Greenlee on occasion of his retirement. Boyd, et al. i1900; cr2626; msrp2905; cu2905; v2906; caa2907.

81 - (Rules) Commend Canton High School "Tigers" Boys Basketball Team for MHSAA Class 5A State Championship. Blackmon, et al. i1900; cr2627; msrp2905; cu2905; v2906.

82 - (Rules) Commend Northwest Community College Women's Soccer Team on winning NCJAA Region 23 Championship. Whaley, et al. i1900; cr2627; msrp2905; cu2905; v2906.

83 - (Rules) Recognize Charlie Frugé of Oxford, Mississippi, as student nominee to the State Board of Education. Boyd, et al. i2254; cr2627; msrp2905; cu2905; v2906; caa2907.

84 - (Rules) Remember educational legacy of Dr. Leslie Lee Daniels, first African-American Principal and Superintendent in McComb, MS. Brumfield, et al. i2254; cr2627; msrp2905; cu2905; v2906; caa2907.

85 - (Rules) Mourn the passing and commend public service of former Mound Bayou Mayor Earl S. Lucas. Simmons (13th), et al. i2254; cr2627; msrp2905; cu2906; v2906; caa2907.

86 - (Rules) Recognize Cheryl W. Turner as National First Vice President of Delta Sigma Theta Sorority and commend her considerable civic contributions. Turner-Ford, et al. i2977; cr3137; msrp3287; cu3287; v3288; caa3289.

87 - (Rules) Extend best wishes to Mother Lorene Gee Cockroft on her 100th Birthday. Blackmon, et al. i2977; cr3137; msrp3287; cu3287; v3288; caa3289.

88 - (Rules) Commend Northwest Mississippi Community College Dance Team for winning the 2024 Open Hip-Hop National Championship. Whaley, et al. i2977; cr3137; msrp3287; cu3287; v3288; caa3289.

89 - (Rules) Commend Lawrence "Bud" Young from Northwest Mississippi Community College upon the occasion of his retirement. Whaley, et al. i2977; cr3137; msrp3287; cu3287; v3288; caa3289.

90 - (Rules) Commend Northwest MS CC Cheer Team for winning 2024 UCA/UDA College Cheerleading National Championship, Open All-Girl. Whaley, et al. i2977; cr3137; msrp3287; cu3287; v3288; caa3289.

91 - (Rules) Express sense of MS Senate that former President Donald J. Trump is innocent of accusations of insurrection. Chism. i2977.

92 - (Rules) Commend Family Health Center in Laurel for "Community Health Quality Recognition" Award by the HRSA. Barnett. i3031; cr3138; msrp3287; cu3287; v3288.

93 - (Rules) Honor memory/legacies of MS Blues Musician "BB" King and Civil Rights Pioneer Medgar Evers on their 100th birthday celebrations. Horhn, et al. i3032; cr3138; msrp3287; cu3287; v3288; caa3289.

94 - (Rules) Recognize Becky Pruett as former Miss Mississippi 2001 and commend child advocacy contributions. Johnson, et al. i3032; cr3138; msrp3287; cu3287; v3288; caa3289.

95 - (Rules) Remember the legacy of WWII, D-Day +3 Normandy Veteran KT Robbins of Olive Branch, MS and thanking him for his service. Tate, et al. i3129; cr3138; msrp3287; cu3287; v3288; caa3289.

96 - (Rules) Celebrating the 50th Anniversary of Mississippi Economic Council, Leadership Mississippi. Robinson, et al. i3166; cr3285; msrp3287; cu3287; v3288; caa3289.

97 - (Rules) Commend Alexei Orohovsky of Hattiesburg for winning Gold Medal at USA International Ballet Competition. Johnson, et al. i3166; cr3285; msrp3287; cu3287; v3288; caa3289.

98 - (Rules) Celebrating the 75th Anniversary of the Mississippi Economic Council (MEC). Robinson, et al. i3166; cr3285; msrp3287; cu3288; v3288; caa3290.

99 - (Rules) Extend sincerest sympathy of the Mississippi Legislature to surviving family of former State Senator Gary Jackson. Williams, et al. i3221; cr3286; cu3290; v3291; caa3291.

100 - (Rules) Congratulate Starkville for being named "Best Small Town in the South" by USA Today. Williams, et al. i3221; cr3285; msrp3287; cu3288; v3288; caa3290.

101 - (Rules) Recognize 90th Anniversary Celebration of Capital City Beverages. DeLano, et al. i3221; cr3285; msrp3287; cu3288; v3288; caa3290.

102 - (Rules) Extend sincerest sympathy of the Mississippi Senate to the surviving family of former Representative Bob Everett. Kirby, et al. i3221; cr3286; cu3291; v3291; caa3291.

103 - (Rules) Commend Krilesha Boyd for being named a "2024 Extraordinary Educator." Hickman, et al. i3274; cr3285; msrp3287; cu3288; v3288; caa3290.

104 - (Rules) Extend sincerest sympathy of Mississippi Senate to surviving family of Oxford Municipal Judge Philip Halbert "Hal" Neilson. Boyd, et al. i3274; cr3285; msrp3287; cu3288; v3288; caa3290.

105 - (Rules) Commend Regents School of Oxford "Lady Lyons" Volleyball Team for third-consecutive Division 3A State Championship. Boyd, et al. i3274; cr3285; msrp3287; cu3288; v3288.

106 - (Rules) Commend Regents School of Oxford "Lyons" Boys Cross Country Team for fifth Division 3A MAIS State Championship. Boyd, et al. i3275; cr3285; msrp3287; cu3288; v3288.

107 - (Rules) Extend sincerest sympathy of Mississippi Senate to surviving family of Lafayette County Justice Court Judge Johnny McLarty. Boyd, et al. i3275; cr3285; msrp3287; cu3288; v3288; caa3290.

108 - (Rules) Commend Siobhan Cochran of Trent Lott Academy for "Extraordinary Educator for 2024." Wiggins, et al. i3275; cr3285; msrp3287; cu3288; v3288; caa3290.

109 - (Rules) Celebrating the life and legacy of former Lafayette County Chancery Clerk Sherry Wall. Boyd, et al. i3275; cr3285; msrp3287; cu3288; v3288; caa3290.

110 - (Rules) Commend judicial and public service career of Claiborne County Justice Court Judge Mary C. Curry. Butler, et al. i3275; cr3285; msrp3287; cu3288; v3288; caa3290.

111 - (Rules) Commend Andrea Schipke of Laurel Magnet School of Arts for "Extraordinary Educator for 2024." Barnett. i3275; cr3285; msrp3287; cu3288; v3288.

112 - (Rules) Commend Casey Watts of Laurel Magnet School for "2024 Extraordinary Educator." Barnett, et al. i3275; cr3285; msrp3287; cu3288; v3288; caa3290.

113 - (Rules) Recognize Kaylee Brooke McCollum of Amory, Mississippi, for representing the USA at the 2024 Miss Universe Pageant in Mexico. Barrett, et al. i3275; cr3285; msrp3287; cu3288; v3288; caa3290.

114 - (Rules) Commend Miss Mississippi Teen USA 2024 Addie Carver of Brookhaven, Mississippi. Barrett, et al. i3275; cr3285; msrp3287; cu3288; v3288; caa3290.

115 - (Rules) Mourn the loss and commend the life and public service of former Senator and District Attorney Joe Clay Hamilton of Meridian. Tate, et al. i3316; cr3546; cu3590; v3590; caa3591.

116 - (Rules) Congratulate former JSU star running back Lewis Tillman upon his induction into the Mississippi Sports Hall of Fame. Norwood, et al. i3545; cr3546; msrp3591; cu3591; v3591.

117 - (Rules) Mourn the passing of Jackson State Football Star and Mississippi Valley State Football Coach Archie "The Gunslinger" Cooley. Jordan, et al. i3545; cr3546; msrp3591; cu3591; v3591; caa3591.

118 - (Rules) Commend Johnny Lang upon his induction into the Mississippi Golf Association Hall of Fame. Michel, et al. i3545; cr3546; msrp3591; cu3591; v3591; caa3591.

119 - (Rules) Recognize 50th Anniversary of Scout Troop 416 in Brandon, MS. McCaughn, et al. i3658; cr3830; msrp3922; cu3922; v3923.

120 - (Rules) Congratulate the Hernando High School "Tigers" Marching Band for winning the 2023 Class 6A Marching Band Championship. McLendon. i3658; cr3830; msrp3922; cu3922; v3923.

121 - (Rules) Commend Hernando High School "Tigers" Boys Soccer Team for winning 2024 MHSAA Class 7A State Championship. McLendon. i3658; cr3830; msrp3922; cu3922; v3923.

122 - (Rules) Commend Lake Cormorant High School "Gators" Boys Powerlifting Team for 6A Championship. McLendon. i3658; cr3830; msrp3922; cu3922; v3923.

123 - (Rules) Commend Lake Cormorant High School "Lady Gators" Powerlifting Team for winning 6A State Championship. McLendon. i3658; cr3830; msrp3922; cu3922; v3923.

124 - (Rules) Congratulate Viking Range for receiving the 2024 "Best of KBIS Style Statement Silver Award" in Las Vegas. Chassaniol, et al. i3658; cr3830; msrp3922; cu3922; v3923.

125 - (Rules) Commend Wilton Neal of Carrolton as Mississippi's longest-serving Tax Assessor/Collector. Chassaniol. i3658; cr3830; msrp3922; cu3922; v3923.

126 - (Rules) Commend Lafayette High School "Commodores" Tennis Team for winning fourth consecutive 5A State Championship. Boyd, et al. i3658; cr3830; msrp3922; cu3923; v3923; caa3923.

127 - (Rules) Commend East Central High School "Lady Hornets" Golf Team for first-ever State 5A Championship. Seymour, et al. i3842; cr4397; msrp4401; cu4401; v4401; caa4402.

128 - (Rules) Recognize Mississippi Children's Museum for USA Today National Award. Robinson, et al. i4083; cr4397; msrp4401; cu4401; v4401; caa4402.

129 - (Rules) Remember the legacy of legendary Mississippi football Coach Bob Tyler and extending sincerest sympathy on his passing. Boyd, et al. cr4397; i4398; msrp4401; cu4401; v4401; caa4402.

130 - (Rules) Commend and congratulate South Panola High School Junior Varsity Cheerleaders on winning MHSAA Game Day State Championship. Boyd, et al. cr4397; i4398; msrp4401; cu4401; v4401.

131 - (Rules) Commend Belmont High School "Lady Cardinals" Girls Basketball Team for winning MHSAA 3A State Championship. Sparks, et al. cr4397; i4398; msrp4401; cu4401; v4401; caa4402.

132 - (Rules) Commend Tishomingo County High School "Braves" Girls Basketball Team for winning first State Championship. Sparks. cr4505; i4510; msrp4511; cu4511; v4511.

133 - (Rules) Commend Booneville "Blue Devils" Boys Basketball Team for winning third consecutive Class 3A State Championship. Sparks. cr4505; i4510; msrp4511; cu4511; v4511.

D. HOUSE BILLS

H. B. No.

- (NOT YET REFERRED!) . msrp3804.

37 - (Public Health and Welfare) Physical therapists; revise circumstances and criteria under which they may implement treatment without a referral. Currie. rh529; rf819.

41 - (Public Health and Welfare) Podiatrist; authorize to perform ankle surgery when meet certain requirements. Barton. rh4815; rf800.

42 - (Public Health and Welfare; Appropriations) MS Rural Dentists Scholarship Program; increase number of students who may be admitted into annually. Steverson. rh529; rf800.

43 - (Wildlife, Fisheries and Parks) Wildlife; provide that the state has a duty to protect and sustain for the public's benefit. Kinkade. rh187; rf195.

44 - (Public Health and Welfare) Physical therapists; not required to have prior work experience to work at PPEC center. Roberson. rh759; rf800.

48 - (Judiciary, Division A) Residential subdivisions; authorize property owners to establish and/or amend convenants, conditions and restrictions. Lamar, et al. rh732; rf840.

73 - (Education; Appropriations) School attendance officers; transfer responsibility of employment from MDE to local school districts. Owen, et al. rh785; rf815.

74 - (Highways and Transportation) Memorial highways; designate segment in Noxubee County as the "Chief Petty Officer Andrew Triplett Memorial Highway". Mickens. rh520; rf797; cr886; msrp1078; cu1078; v1079; sp1450; Ch.342.

75 - (Highways and Transportation) Memorial highway; designate a segment of U.S. Highway 45 in Macon, MS as the "Sgt. Travis S. Cooper Memorial Highway." Mickens. rh520; rf797; cr886; msrp1078; cu1078; v1079; sp1450; Ch.343.

80 - (Judiciary, Division A) Presumption of death; create for missing persons who have undergone a catastrophic event causing imminent peril. Currie, et al. rh195; rf401.

120 - (Highways and Transportation) Memorial highways; designate segment in Shannon, Lee County as the "Johnny R. Patterson Memorial Highway." Thompson, et al. rh520; rf797; cr886; cu1079; v1079; mr1093; mrc1953; mrp1953; v1954; hc3147; sp3271; Ch.440.

124 - (Rules) Tuskegee Airmen Day; designate the fourth Thursday in March. Hulum, et al. rh193; rf351; cr355; msrp502; cu502; v502; sp653; Ch.306.

155 - (Finance) Local governments capital improvements revolving loan program; include municipal natural gas facilities. Faulkner. rh412; rf834; cr1009; cu1042; v1042; sp1450; Ch.344.

177 - (Public Health and Welfare) Dietician Licensure Compact; create. Currie. rh490; rf800.

286 - (Judiciary, Division B) Sexual Battery; remove statute of limitations when DNA evidence is discovered. Owen, et al. rh423; rf815.

292 - (Judiciary, Division B) DUI suspension; clarify how the 120 days are counted. Roberson. rh348; rf815; cr858; cu1074; v1074; hdc2249; ca2976; msrp3880; rcc3880; hrcc3921; cro4535; cra4545; v4545; crah4790; sp4793; Ch.535.

295 - (Judiciary, Division B) Arrest warrants; authorize electronic applications, signatures and records for. Anderson (122nd). rh187; rf195; cr1019; cu2059; v2060; hdc3125; ca3147; msrp3830; cro3830; cra3832; v3832; crah4399; sp4633; Ch.485.

297 - (Technology) Mississippi Department of Information Technology Services; revise bidding procedure. Zuber, et al. rh759; rf835; cr1021; cu1821; v1821; hdc3120; ca3149; rcc3548; hrcc3584; cro3592; cra3608; v3608; crah4079; sp4376; Ch.498.

298 - (Accountability, Efficiency, Transparency) Capitol Complex Improvement District; authorize demolition of certain property, authorize grants for development of certain property. Crudup, et al. rh495; rf836; cr890; cu2019; po2039; ru2039; rc2039.

299 - (Forestry) Mississippi Forestry Commission; authorize to electronically accept bids for timber sales. Bounds. rh358; rf376; cr1003; cu1430; v1430; sp2627; Ch.389.

302 - (Universities and Colleges) "MS Intercollegiate Athletics Compensation Rights Act" and "Uniform Athlete Agents Act"; bring forward. Bounds. rh193; rf196.

308 - (County Affairs; Appropriations) Rural Fire Truck Acquisition Assistance Program; revise to remove eight rounds requirement. Ford (54th). rh434; rf832.

310 - (Finance) Application for privilege license tag for vehicles; increase from seven to thirty working days. Ford (54th), et al. rh490; rf797; cr1020; cu1046; v1049; sp2968; Ch.390.

313 - (Public Health and Welfare) Board of Cosmetology and Barbering; create to regulate cosmetology and barber professions. Newman. rh356; rf373; cr1028; cu1830; v1831; hc3147; sp3271; Ch.437.

315 - (Public Health and Welfare) Mississippi Code; modernize terminology by replacing "mentally retarded" with "intellectual disability". Yancey, et al. rh490; rf800; cr1028; cu1184; v1216; hdc2625; ca3121; cro3608; cra3609; v3609; crah4079; sp4397; Ch.470.

317 - (Public Health and Welfare; Appropriations) EMS Memorial; Health Dept. shall design and construct to honor EMS personnel who died in line of duty. Hobgood-Wilkes, et al. rh491; rf800; cr1024; cu1094; v1094; sp1450; Ch.345.

319 - (Finance) Distinguished motor vehicle license tag; authorize issuance to supporters of the Columbia Academy Cougars. Morgan, et al. rh412; rf835.

325 - (Judiciary, Division A) Real property; right of first refusal expires on grantee's death unless specifically stated otherwise. Sanford. rh515; rf840; cr1013; cu1431; v1431; sp2627; Ch.391.

328 - (Finance) Alcoholic beverages; increase number of package retailer's permits a person may own. Powell. rh423; rf841.

329 - (Finance) Alcoholic beverages; authorize local authorities of wet jurisdiction to permit package retail sales on Sunday. Powell, et al. rh423; rf841.

331 - (County Affairs) Counties and municipalities; authorize to choose not to be subject to requirement for permitting as a condition to construction. Smith, et al. rh161; rf373; cr1015; cu1432; v1437; hdc3128; ca3218.

342 - (Judiciary, Division A) Recreational landowners; add cycling to the list of activities exempt from liability. Shanks. rh759; rf840.

346 - (Education) "Seizure Safe Schools Act"; establish. Roberson, et al. rh540; rf819; cr1016; cu1753; v1756; hdc3125; ca3147; cro3857; cra3859; v3859; mr4237; crah4377; mrc4404; mrt4404; sp4796; Ch.514.

349 - (Highways and Transportation) Squatted vehicles; prohibit modifications to motor vehicle which raise front fender a certain height above the rear fender. Shanks, et al. rh759; rf819; cr886; msrp2227; cu2227; v2229; hc3214; sp3283; Ch.438.

365 - (Rules) Mississippi Musicians Month; designate the month of March each year as. McGee. rh193; rf351; cr355; msrp502; cu502; v502; sp653; Ch.307.

413 - (Judiciary, Division A) Dog bites; authorize payment for actual expenses for injuries caused by. Sanford. rh530; rf840.

418 - (Universities and Colleges) Continuing education training for police officers; extend to require for public colleges and universities and PRVWSD officers. Bell (21st), et al. rh412; rf419; cr1015; cu1749; v1749; hdc2979; ca3127.

419 - (Public Health and Welfare) Health care certificate of need law; bring forward code sections related to. Zuber. rh786; rf800.

430 - (Finance) Alcoholic beverages; allow direct sales and shipment of certain wines to residents in this state. Zuber, et al. rh786; rf835.

438 - (Judiciary, Division B) Shoplifting; revise penalties for crime of. Newman, et al. rh348; rf815; cr859; cu1074; v1076; hdc2249; ca2976; msrp3832; cro3832; cra3835; v3835; vp3835; crah4079; sp4373; Ch.476.

504 - (Appropriations) Rural Fire truck Acquisition Assistance Program; authorize an additional round for counties and municipalities. Byrd, et al. rh375; rf834; cr923; cu1455; v1459; hdc3033; ca3119.

516 - (Accountability, Efficiency, Transparency) State agencies procurement; bring forward code sections related to. Zuber. rh496; rf841.

526 - (Wildlife, Fisheries and Parks) Hunting; authorize hunters to wear fluorescent pink as an alternative to fluorescent orange. Rushing, et al. rh187; rf195; cr425; cu612; v612; sp771; Ch.305.

539 - (Medicaid) Medicaid; provide for presumptive eligibility for pregnant women. McGee, et al. rh132; rf371; cr382; cu387; v387; sp420; Ch.303.

564 - (Municipalities) Urban renewal project powers; revise definition of. Zuber. rh417; rf426; cr1016; rmc1094.

585 - (Corrections; Universities and Colleges) "Dignity and Safety for Incarcerated Women Act"; enact. Newman, et al. rh530; rf815.

595 - (Education) Boys Scouts and Girl Scouts; allow to speak to students regarding civic involvement with principal's approval. Scoggin. rh732; rf819; cr1016.

616 - (Public Health and Welfare) Mississippi Rare Disease Advisory Council; create at UMMC. McKnight, et al. rh541; rf800.

619 - (Highways and Transportation) Memorial highway; designate a segment of MS Hwy 15 in Jasper County as the "Major Samuel S. (Coach) King Memorial Highway. Tullos, et al. rh515; rf797; cr886; msrp1079; cu1080; v1080; sp1450; Ch.346.

624 - (Finance) Income tax; reenact and extend repealer on credit for certain railroad expenditures. Steverson. rh412; rf841; cr1009; cu1145; v1145; sp1903; Ch.347.

628 - (Accountability, Efficiency, Transparency) Public records; extend repealer on statute granting persons public right of access to. Ford (54th). rh348; rf352.

634 - (Judiciary, Division B) Sidearm of retired or deceased law enforcement officer; provide that the employing agency shall determine the amount. Currie. rh169; rf171; cr891; cu2044; v2045; hc3214; sp3272; Ch.439.

652 - (Ports and Marine Resources) State Port Authority and other ports; delete repealer on authority to use design-build method of contracting. Ford (54th), et al. rh521; rf797; cr1013; cu1748; v1749; hdc3122; ca3148; cro3609; cra3611; v3611; crah3657; sp3671; Ch.457.

653 - (Accountability, Efficiency, Transparency) Trip optimizer system; extend expiration date of moratorium on application to state agencies of. Ford (54th). rh348; rf352; cr890; msrp1873; cu1873; v1873; sp2963; Ch.392.

691 - (Judiciary, Division B) Mississippi Board on Law Enforcement Officer Standards and Training; revise composition of and provide with investigative authority. Shanks, et al. rh732; rf832; cr1019; cu1784; v1789; hdc3126; ca3148; crah3675; msrp3835; cro3835; cra3840; v3840; sp4373; Ch.477.

694 - (Judiciary, Division A) Commercial Driver's License; require notice to employer when possibility of suspension for unpaid child support. Massengill. rh515; rf840.

697 - (Highways and Transportation) Mississippi Aviation Safety Act; create. Massengill, et al. rh348; rf377; cr886; cu1726; v1726; sp2963; Ch.393.

702 - (Highways and Transportation) Transportation funding; authorize public-private partnerships to include naming rights. Steverson, et al. rh392; rf400.

722 - (Judiciary, Division A) Judicial districts; revise. Horan. rh496; rf840; cr1030; cu2172; v2219; vp2219; mr2248; mrc2436; mrt2436; hdc3126; ca3165.

724 - (Judiciary, Division B) Expungement; clarify expungement of pardoned convictions. Horan. rh392; rf815.

728 - (Public Health and Welfare) Prescription drugs; prohibit discriminating actions against 340B drug discount program entities. Barton. rh777; rf801; cr862; cu1077; v1077; mr1312; msrp1356; mrc1356; mrt1356; sp1904; Ch.319.

733 - (Wildlife, Fisheries and Parks; Finance) Sales tax; deposit portion of revenue into the Mississippi Outdoor Stewardship Trust Fund. Kinkade, et al. rh412; rf835.

750 - (Judiciary, Division A) State Grand Jury Act; codify and extend repealer. Shanks. rh516; rf840.

751 - (Highways and Transportation) Commercial motor vehicles; extend repealer on authority of Commissioner of Public Safety to create voluntary inspection program. Shanks, et al. rh348; rf377; cr886; cu1083; v1083; sp1450; Ch.348.

752 - (Energy) Public Service Commission; extend repealer on its creation and powers and duties. Shanks. rh516; rf814.

753 - (Public Health and Welfare) State Board of Cosmetology; extend repealer on. Shanks. rh652; rf801.

755 - (Corrections) Parole; extend repealer on statute prescribing conditions for eligibility. Shanks. rh532; rf815; cr883; cu1383; v1392; hdc3126; ca3219.

756 - (Government Structure) Prison Industry Enhancement Program; extend repealer on. Shanks. rh516; rf815; cr1029; cu1831; v1832; hdc3126; ca3148.

757 - (Corrections) State offenders; extend repealer on authority to house in county jails when space is unavailable. Shanks. rh516; rf815; cr883; cu1392; v1396; hdc3126; ca3219; cro3293; cra3294; v3294; crah3657; sp3664; Ch.458.

758 - (Corrections) Pilot Work Initiative at Central MS Correctional Facility; extend repealer on. Shanks. rh516; rf816; cr883; cu1397; v1401; hdc3126; ca3220.

759 - (Government Structure) Mississippi Prison Industries Act of 1990; extend repealer on. Shanks. rh517; rf816; cr1029; cu1832; v1840; hdc3126; ca3148.

760 - (Public Health and Welfare; Appropriations) MS Qualified Health Center Grant Program; extend date for Department of Health Grants for increased services and physicians. Shanks, et al. rh491; rf801; cr1024; cu1094; v1094; sp1451; Ch.349.

761 - (Public Health and Welfare) Harper Grace's Law; extend repealer on authority to research and dispense CBD oil for medical purposes. Shanks. rh541; rf801.

763 - (Corrections) Pilot Work Release Program; extend repealer on authority of sheriff to establish for certain offenders in certain counties. Shanks. rh348; rf401; cr883; cu1401; v1428; hdc3126; ca3220.

764 - (Public Health and Welfare) State Department of Health and State Board of Health; extend repealer on. Shanks. rh541; rf801; cr1028; cu1216; v1231; hdc2625; ca3121; hrcc3668; rcc3672; cro3696; cra3710; v3710; crah4377; sp4633; Ch.486.

765 - (Education) MS Critical Teacher Shortage Act; extend repealer on. Shanks, et al. rh765; rf819; cr1016; cu1756; v1771; hdc3122; ca3148; cro3859; cra3880; v3880; crah4399; sp4636; Ch.501.

768 - (Accountability, Efficiency, Transparency) Israel Support Act of 2019; extend repealer on. Shanks, et al. rh530; rf837.

770 - (Economic and Workforce Development) MS Office of Workforce Development; extend exemption from Public Procurement Review Board rental agreement requirements. Shanks. rh517; rf822; cr1014; cu1166; v1180; hdc2626; ca2976; cro3611; cra3626; v3626; crah3675; sp3828; Ch.471.

773 - (Accountability, Efficiency, Transparency) Elected State and District Officers; extend repealer on authority to exceed salary cap for professionals employed by. Shanks. rh652; rf841.

774 - (Gaming) MS Mobile Sports Wagering Act; create to legalize "online race book" and "online sports pool" betting. Eure, et al. rh131; rf374; cr1021; cu1798; v1819; mr1897; mrc2432; mrt2432; hdc3126; ca3165.

776 - (Finance) Local Option Alcoholic Beverage Control Law; revise certain provisions regarding authority of municipalities and counties under. Turner, et al. rh413; rf834; cr1009; cu1145; v1159; hdc2629; ca3031; cro3691; cra3695; v3695; vp3695; crah4079; sp4373; Ch.478.

777 - (Finance) Alcoholic beverages; revise policy of state regarding prohibition of. Powell, et al. rh159; rf187.

783 - (Judiciary, Division A) Child custody; require presumption of joint custody and equal parenting time. Aguirre, et al. rh392; rf401; cr1013; cu1738; po1743; ru1743; v1747; mr1897; mrc2432; mrt2432; hdc3126; ca3165.

818 - (Insurance; Appropriations) Insurance; revise the Rural Fire Truck Matching Assistance Program, the MS First Responders Health and Safety Act and the Municipal and County Fire Funds. Turner, et al. rh541; rf836.

819 - (Insurance) Insurance; remove filing fee on auto cancellation or nonrenewal appeals and exempt life line applicants from prelicensing requirements. Turner. rh765; rf836; cr891; cu1163; v1163; mr1312; mrc2425; mrp2425; v2425; hdc3128; hdc3135; ca3165; cro3254; cra3258; v3258; crah3585; sp3649; Ch.452.

822 - (Judiciary, Division A) CCID inferior court; clarify appeals from and repeal appointment of temporary judges. Lamar. rh413; rf840; cr1030; rmc1848.

823 - (Highways and Transportation) Memorial bridge; designate north bridge on MS Hwy 309 as the "Hubert Ingram Memorial Bridge." Faulkner, et al. rh517; rf797; cr886; msrp1079; cu1080; v1080; sp1451; Ch.350.

844 - (Corrections) State Parole Board; require to solicit recommendations from and provide notification to certain individuals before parole hearing. Currie. rh517; rf816; cr883; cu1428; v1430; hdc3126; ca3220; cro3294; cra3296; v3296; crah3657; sp3664; Ch.459.

845 - (Business and Financial Institutions) Charitable organizations; require IRS forms filed annually with Secretary of State to be for the most recent fiscal year end. Yancey. rh491; rf837; cr1015; cu1750; v1750; sp2964; Ch.395.

846 - (Judiciary, Division A) Chancery clerk fees; conform recording deeds to land sold for taxes and redemption of such lands. Yancey. rh521; rf840; cr1013; cu1431; v1431; sp2627; Ch.396.

848 - (Public Health and Welfare) CON; remove chemical dependency services and facilities and psychiatric residential treatment facilities from CON law. Yancey. rh762; rf801; cr1028; cu1231; v1255; hdc2625; ca3121.

867 - (Education) Student transfers; remove requirement for current district of attendance to approve release. Owen. rh787; rf819.

868 - (Municipalities; Finance) "Property Cleanup Revolving Fund"; establish. Rushing, et al. rh759; rf832.

869 - (Judiciary, Division B) Giglio letter; require prosecutors to give law enforcement officers an opportunity to be heard before sending. Burch. rh497; rf816.

871 - (Insurance) Balance billing; exclude practice of dentistry from prohibition on. Turner. rh4815; rf837; cr891; cu1163; v1163; sp1904; Ch.351.

873 - (Judiciary, Division B) Purple Alert; establish as additional means to aid search of missing persons with cognitive disabilities. Mansell, et al. rh348; rf816; cr1019; cu1439; v1439; sp2628; Ch.397.

874 - (Appropriations) Department of Public Safety; revise salary scale of MHP and MBN officers. Cockerham, et al. rh488; rf841.

888 - (Insurance; Appropriations) Insurance mitigation; revise various provisions related to. Turner, et al. rh541; rf836.

893 - (Finance) Distinctive motor vehicle license tag; authorize issuance to supporters of the Navy Seabee Foundation. Haney, et al. rh413; rf834; cr1009; cu1043; v1045; hdc2629; ca3031.

900 - (Judiciary, Division A) "The Families' Rights and Responsibilities Act"; create. Rushing, et al. rh733; rf837.

903 - (Judiciary, Division B) Machine gun; provide crime for conversion to. Felsher, et al. rh410; rf816; cr859; cu1721; v1722; hdc3126; ca3148; cro3322; cra3323; v3323; crah3657; sp3664; Ch.455.

904 - (Appropriations) "Victims of Human Trafficking and Commercial Sexual Exploitation Fund"; revise deposits for. Felsher. rh195; rf816.

906 - (Public Health and Welfare; Appropriations) Professional music therapists; provide for licensure by State Department of Health. Byrd, et al. rh530; rf801.

907 - (Economic and Workforce Development; Appropriations) MS Childcare Teachers Shortage Study Committee; create. Scoggin, et al. rh521; rf822.

922 - (Elections) Election commissioner; revise office to be nonpartisan. Sanford. rh364; rf401; cr1009; cu1431; v1431; sp2628; vetoed.

934 - (Business and Financial Institutions) Consumer reports; limit redisclosure to third party. Yancey. rh531; rf837.

939 - (Universities and Colleges) Mississippi University Research Authority; revise and clarify composition of. Scoggin. rh193; rf196; cr1015; cu1750; v1750; sp2964; Ch.398.

940 - (Highways and Transportation) MS Transportation Commission; revise publication and bid requirements for Design-Build projects and allow use of alternate contracting methods. Massengill, et al. rh349; rf377; cr887.

970 - (Medicaid) Medicaid; extend date of repealers on the services and managed care provisions and the provider assessment provisions. McGee. rh169; rf371; cr382; cu388; v388; sp420; Ch.304.

974 - (Public Property; Appropriations) State Board of Mental Health; authorize DFA to sell and convey certain real property on behalf of to City of Water Valley, MS. Creekmore IV. rh787; rf834; cr1024; cu1182; v1183; sp2968; Ch.399.

975 - (Public Property; Appropriations) State Board of Mental Health; authorize DFA to purchase certain real property in Tupelo, MS, on behalf of. Creekmore IV. rh517; rf834; cr1024; rmc1183.

978 - (Veterans and Military Affairs) State Veterans Affairs Board; revise provisions regarding processing of claims. Carpenter. rh491; rf837; cr1015; cu1093; v1093; sp1451; Ch.352.

991 - (Highways and Transportation) "Medal of Honor Trail"; designate portion of Interstate 22 and U.S. Highway 78 within the State of Mississippi as. Creekmore IV, et al. rh517; rf797.

1000 - (Judiciary, Division A) Corporations and LLCs; authorize notice of dissolution by electronic mail only. Deweese. rh491; rf840.

1001 - (Veterans and Military Affairs) Veterans cemeteries; authorize interments in under federal Burial Equity for Guards and Reserves Act. Carpenter, et al. rh491; rf840; cr1015; cu1093; v1093; sp1451; Ch.353.

1003 - (Finance) Homestead exemption; revise time within which certain homeowners may apply for. Carpenter, et al. rh413; rf841; cr1009; cu1317; v1318; hdc2630; ca3031; cro3843; cra3844; v3844; crah4400; sp4633; Ch.502.

1004 - (Judiciary, Division B) Sex offender registry; revise definitions for provisions of law that regulate. Horan, et al. rh195; rf816; cr891; cu1729; v1730; mr1730; mrc2431; mrt2431; hdc3127; ca3148; cro4340; cra4349; v4349; crah4507; sp4796; Ch.515.

1006 - (Ports and Marine Resources) Recreation crab licenses; limit to license holders rather than households. Anderson (122nd). rh413; rf417; cr1013; cu1090; v1090; sp1451; Ch.354.

1007 - (Ports and Marine Resources) Oyster tags; authorize the printing of by the catcher. Anderson (122nd). rh413; rf417; cr1013; cu1090; v1090; sp1451; Ch.355.

1013 - (Economic and Workforce Development; Appropriations) Paramedics Recruitment and Retention Scholarship Program; create. Carpenter, et al. rh517; rf815.

1015 - (Judiciary, Division B) DPS; authorize inspectors to assist other officers. Carpenter, et al. rh782; rf816; cr1019; cu1438; v1438; sp2628; Ch.400.

1021 - (Business and Financial Institutions) Pawnbrokers; authorize Commissioner of Banking to establish by rule a process allowing certain purchased and/or

pledged goods to be stored off premises. Zuber. rh491; rf837; cr1015; cu1751; v1751; sp2964; Ch.401.

1023 - (Judiciary, Division B) DHS Fraud Investigators; allow to drive unmarked vehicles. Horan. rh782; rf816; cr1019; cu1439; v1439; sp2628; Ch.402.

1024 - (Judiciary, Division B) DHS; authorize to recover costs of fraud investigations. Horan. rh4815; rf832; cr859; cu1357; v1357; sp1904; Ch.356.

1025 - (Government Structure) Department of Corrections; eliminate executive deputy commissioner from. Horan. rh518; rf816; cr1029; cu1841; v1844; hdc3127; ca3148; hrcc3919; msrp3922; rcc3922; cro4453; cra4457; v4457.

1026 - (Medicaid) Medicaid; make various technical amendments to the program. McGee. rh766; rf837.

1030 - (Public Health and Welfare) DHS; authorize to enter into lease with counties having local offices to maximize federal funds. Creekmore IV. rh542; rf801; cr861; cu1076; v1077; sp1451; Ch.357.

1035 - (Elections) Justice court judges; include in the "Nonpartisan Judicial Election Act". Horan. rh364; rf401; cr1009; cu1730; v1731; mr2248; mrc2436; mrt2436; hc3147; sp3272; Ch.451.

1037 - (Appropriations) Deficit appropriations; revise process for state agencies to avoid the need for. (PEER bill). Currie, et al. rh375; rf842; cr1023; cu1039; v1039; sp1451; Ch.358.

1048 - (Insurance; Judiciary, Division A) Peer-to-peer Car Sharing Program Act; create. Ford (54th). rh542; rf836.

1060 - (Finance) Performance bonds; increase threshold amount in public works contracts. Remak, et al. rh787; rf835.

1062 - (Business and Financial Institutions) Pawnbrokers; authorize to pass credit and debit card processing charges to customers. Zuber. rh492; rf837.

1063 - (Energy) Excavation; revise procedures and require white lining in certain stances. Powell. rh521; rf816.

1068 - (Public Health and Welfare) County medical examiners; require to enter information electronically. McGee. rh543; rf801; cr889; cu1362; v1365; mr1368; mrc2426; mrp2426; v2431; hc3214; sp3273; Ch.441.

1074 - (Judiciary, Division B) Terroristic threats; increase penalties when made against an airport. Summers. rh762; rf816; cr859.

1079 - (Insurance) Clean claim; clarify requirements for. Turner. rh543; rf836; cr891; cu1083; v1083; sp1452; Ch.359.

1086 - (Judiciary, Division A) Land partitions; revise provision that regulate. Sanford. rh4815; rf840; cr1013; cu1164; tsc1164; rt1381; v1383; hdc3214; ca3220; rcc3710; hrcc4371.

1087 - (Elections) Ballot harvesting; include certain definitions in prohibition on. Sanford. rh736; rf832.

1088 - (Judiciary, Division A) Circuit courts; authorize jurisdiction for persons with criminal charges who may need civil commitment procedures. Horan, et al. rh349; rf401; cr1012; cu1731; v1738; mr1897; mrc2431; mrp2432; v2432; hdc3127; ca3165; hrcc3668; msrp3672; rcc3672; cro3710; cra3718; v3718; crah4079; sp4373; Ch.479.

1089 - (Judiciary, Division A) Indigent counsel; increase compensation for. Horan. rh349; rf840.

1090 - (Drug Policy; Judiciary, Division B) Paraphernalia; revise definition under the Uniform Controlled Substances Law. Bell (65th). rh543; rf832; cr1019; cu1791; v1796; hdc3120; ca3148; crah3657.

1092 - (Business and Financial Institutions) Automobile airbags and supplemental restraint systems; establish standards for installation of. Yancey. rh521; rf837; cr1016; cu2045; v2045; hc3215; sp3273; Ch.442.

1100 - (Public Health and Welfare) Minors; prohibit health care providers and institutions from providing health care to without parental consent. Yancey, et al. rh787; rf801.

1102 - (Judiciary, Division A) DHS; authorize to use communication approved by financial institution for encumbrances. Cockerham, et al. rh492; rf840; cr1013; cu1086; v1089; sp2969; Ch.403.

1103 - (Finance) Alcoholic beverages; authorize certain municipalities designated as qualified resort areas to regulate certain matters regarding the sale of. Waldo, et al. rh652; rf842.

1105 - (Business and Financial Institutions) Limited Liability Company; remove prohibition on using the words "partnership" and "limited parternship" when providing a name for. Yancey. rh357; rf374; cr1016; cu2046; v2046; sp2969; Ch.404.

1106 - (Education; Appropriations) National board certified occupational therapists and school psychologists; require salary supplement for public education employees. Roberson, et al. rh733; rf816.

1116 - (Energy; Appropriations) Public Sevice Commission; remove from the provisions of the MS Budget Transparency and Simplification Act. Bounds. rh543; rf832.

1117 - (Energy; Appropriations) Public Utilities Staff; remove from the provisions of the MS Budget Transparency and Simplification Act. Bounds. rh543; rf832.

1121 - (Elections) State officers; make minor, nonsubstantive changes regarding swearing in of. Sanford. rh357; rf832; cr1009; cu1086; v1086; sp1452; Ch.360.

1123 - (Public Property) MDOT; authorize the transfer and conveyance of certain real property to Greene County Board of Supervisors. Burch. rh492; rf832; cr923; cu1084; v1085; mr1095; mrc2423; mrp2424; v2424; hdc3137; ca3218; cro3626; cra3629; v3629; mr3647; crah3657; mrc3843; mrt3843; sp4080; Ch.472.

1126 - (Judiciary, Division B; Judiciary, Division A) "Walker Montgomery Protecting Children Online Act"; establish to protect minors from harmful content. Ford (73rd), et al. rh667; rf832; cr1030; msrp1442; cu1442; v1447; hdc2979; ca3028; cro3324; cra3330; v3330; crah3585; sp3651; Ch.456.

1129 - (Public Health and Welfare; Appropriations) Office of Mississippi Physician Workforce; transfer from UMMC to the State Department of Health. Mims. rh492; rf801; cr923; cu1084; v1084; sp1452; Ch.361.

1135 - (Elections) Election day disputes; require list of judges selected to hear to be provided to certain officials. Wallace. rh521; rf832; cr1021; cu1819; v1821; hdc3127; ca3220; cro3548; cra3550; v3550; crah3585; sp3664; Ch.462.

1137 - (Judiciary, Division A) Opioid antagonists; authorize community organizations and others to receive and administer. Nelson, et al. rh543; rf836; cr1030; cu1865; v1873; hdc3127; ca3165; msrp3914; cro3914; cra3918; v3918; crah4377; sp4634; Ch.487.

1140 - (Accountability, Efficiency, Transparency) Public Records Act; revise time limitations for producing a competitive sealed proposal. Ford (54th). rh544; rf842.

1143 - (Insurance) Advanced Metastatic Cancer; prohibit health plans from requiring step therapy before covering certain drugs to treat. Creekmore IV, et al. rh544; rf836; cr1018; cu1438; v1438; hc2632; sp2970; Ch.379.

1144 - (Insurance) Diagnostic and supplemental breast exams; prohibit insurers from imposing any cost-sharing requirements for. Creekmore IV, et al. rh544; rf837.

1149 - (County Affairs) Counties; authorize to only maintain electronic format of law books in county courtrooms and public county law libraries. Carpenter. rh358; rf374; cr1015; cu1092; v1092; mr1093.

1153 - (Judiciary, Division B) Tobacco; prohibit sale to persons under. Scoggin. rh492; rf816.

1156 - (Elections) Polling places; prohibit from being closed within sixty days before an election. Summers, et al. rh497; rf833.

1161 - (Finance) Alcoholic beverages; authorize municipalities in dry counties vote to come out from under the dry law. Lamar. rh492; rf834; cr1020; cu1913; v1914; vp1914; hdc3120; ca3219; cro3844; cra3845; v3845; vp3845; crah4377; sp4634; Ch.488.

1162 - (Judiciary, Division B) Child sexual abuse; revise statute of limitatitons for claims. Lamar, et al. rh400; rf816; cr891.

1163 - (Universities and Colleges) Community and junior colleges; authorize to contract or enter into interlocal agreements with local governing authorities for first responders services. Lamar. rh788; rf828; cr1022; cu2060; v2063; hdc3120; ca3148; crah3657; msrp4392; cro4392; cra4395; v4395; sp4796; Ch.516.

1167 - (Public Health and Welfare) Marriage and family therapists; revise requirements for licensure. Yancey. rh518; rf837.

1190 - (Finance) Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Roberson. rh492; rf834; cr1020; cu1049; v1063; hdc2625; ca3031; nca3124; msrp3882; rcc3882; hrcc3921; msrp4310; cro4311; po4336; ru4336; rtc4336; crah4507.

1192 - (Education; Appropriations) Virtual public schools; authorize operation by certain educational providers or locally sponsored virtual public schools. Roberson.

rh762; rf816; cr1024; cu1825; v1829; mr1897; mrc2432; mrt2433; hdc3122; ca3148.

1194 - (Education) Expulsions; authorize aggregate reporting by State Department of Education of data relating to. Roberson. rh393; rf419; cr1016; cu1771; v1771; sp2964; Ch.405.

1196 - (Judiciary, Division B) Sextortion; create crime of. Roberson, et al. rh393; rf401; cr859; msrp1439; cu1439; v1441; hc3215; sp3273; Ch.443.

1206 - (Wildlife, Fisheries and Parks) Open Season; revise dates for fur-bearing animals and hunting opossums, racoons and bobcats with dogs and guns. Kinkade. rh759; rf797; cr883; cu1724; v1725; hc3125; sp3145; Ch.422.

1207 - (Public Property; Appropriations) Alcorn University Extension Annex; rename the "Dr. Jesse Harness, Sr., Extension and Research Center". Holloway (76th), et al. rh518; rf833; cr1028; cu1259; v1260; sp2969; Ch.406.

1208 - (Wildlife, Fisheries and Parks; Judiciary, Division B) Hunting and fishing on lands of others; revise provisions relating to and provide penalties for. Calvert. rh796; rf833; cr1020; cu1797; v1798; hdc3127; ca3148; hrcc3746; msrp3830; rcc3830; cro3880; cra3882; v3882; mr4392; mrc4404; mrt4404; crah4507; sp4797; Ch.517.

1210 - (Appropriations) The Dr. Elton Mac Huddleston Rural Veterinarians Scholarship Program; establish. Mangold, et al. rh488; rf842; cr923; cu1039; v1039; sp1452; Ch.362.

1213 - (Insurance) Living Donor Protection Act; create. Denton, et al. rh4815; rf836; cr891; cu1084; v1084; sp1452; Ch.341.

1214 - (Business and Financial Institutions; Finance) Joint Legislative Study Committee on Blockchain, Cryptocurrency, and Other Digital Assets; create. Steverson, et al. rh788; rf837.

1216 - (Highways and Transportation) Memorial highways; designate segment in Marion County as the "Sheriff J.V. Polk Memorial Highway. Morgan, et al. rh518; rf797; cr886; msrp1079; cu1080; v1080; sp1453; Ch.363.

1220 - (Public Property; Appropriations) Tax forfeited property; authorize Secretary of State to reimburse local governments for tree removal and cleanup costs. Yates, et al. rh492; rf833.

1222 - (Public Health and Welfare) Laser hair removal; restrict the practice of to certain health professionals. Yates. rh767; rf801.

1225 - (Accountability, Efficiency, Transparency) State Auditor; authorize to review and examine municipalities under certain conditions. Yates. rh4815; rf842.

1226 - (Judiciary, Division A; Appropriations) CCID inferior court; authorize additional judges and clarify appeals from. Yates. rh4816; rf840.

1229 - (Education) Equal Opportunity for Students with Special Needs Act; extend repealer on educational scholarship accounts (ESA). Roberson. rh733; rf819; cr1029; cu2163; v2171; hdc3122; ca3148; nca3163; msrp3918; rcc3918; hrcc3921; cro4349; cra4358; v4358; vp4358; crah4507; sp4797; Ch.518.

1230 - (Finance) Starkville-Oktibbeha Consolidated School District; extend bonding authority until July 1, 2027. Roberson. rh492; rf842; cr1009; msrp1797; cu1797; v1797; sp2964; Ch.407.

1234 - (Judiciary, Division A) Tenancy by the entirety with rights of survivorship; create rebuttable presumption when deed to both spouses. Sanford. rh531; rf840.

1252 - (Judiciary, Division B) Implied consent laws; authorize nonadjudication for violation under certain conditions. Horan, et al. rh4816; rf833.

1253 - (Judiciary, Division B) Post-conviction collateral relief; require certain petitioners to obtain Supreme Court permission before filing in trial court. Horan. rh393; rf401; cr859; cu1357; v1361; hdc2625; ca2976; msrp3882; rcc3882; hrcc3921; cro4545; uc4555; po4556; ru4556; crah4790.

1257 - (Judiciary, Division A) Notary public; clarify maximum fee permitted and authorize qualified nonresidents to be commissioned as. Hulum, et al. rh475; rf841.

1258 - (Education) 16th section land; authorize local school board to grant an extension to holder of a long-term lease in good standing. McGee, et al. rh4816; rf819.

1265 - (Insurance) Pharmacists; authorize reimbursement for under certain insurance policies, plans, or contracts. Yancey. rh733; rf836; cr1018; msrp2229; cu2229; v2245; mr2248; mrc2437; mrt2437; hdc3128; hdc3135; ca3165.

1269 - (Business and Financial Institutions) Landscape architects; authorize to participate with multi-disciplinary engineer and architecture firms. Creekmore IV. rh497; rf837.

1271 - (Business and Financial Institutions) Real estate; revise liability for certain provisions. Deweese, et al. rh4816; rf837; cr1022; cu1822; v1825; hc3024; sp3146; Ch.423.

1273 - (Accountability, Efficiency, Transparency) Department of Public Safety; revise various provisions relating to. Horan. rh4816; rf842; cr890.

1274 - (Economic and Workforce Development; Appropriations) Mississippi Alliance of Nonprofits and Philanthropy; create study committee on partnership with. Bell (21st), et al. rh522; rf822.

1279 - (Ports and Marine Resources) Shrimp trawling; provide that certain waters shall be permanently closed to. Anderson (122nd). rh413; rf417; cr1013; cu1090; v1092; hc2250; sp2969; Ch.408.

1284 - (Judiciary, Division A) Mississippi Foreign Land Ownership Act; create to prohibit acquisition of forestry and agricultural lands. Pigott, et al. rh357; rf377; cr1013; cu1748; rc1748.

1286 - (Finance) Motor vehicles; provide procedure for licensing rental fleets. Steverson. rh413; rf835; cr1009; cu1490; v1491; sp2964; Ch.409.

1287 - (Highways and Transportation) Memorial highway; designate segment of MS Highway 30 in Prentiss County as the "Jamie Neal Guin, PCEPA Lineman, Memorial Highway." Arnold, et al. rh518; rf798; cr886; msrp1079; cu1080; v1080; sp1453; Ch.364.

1288 - (Highways and Transportation) Memorial highways; clarify names of certain to reflect official title of U.S. service members for whom they are named. Arnold. rh522; rf798; cr886; cu1080; v1080; sp2969; Ch.410.

1290 - (Business and Financial Institutions; Government Structure) Charity Protection Act; create. Yancey. rh522; rf837.

1298 - (Wildlife, Fisheries and Parks) Mississippi Wild Turkey Stamp; establish. Kinkade, et al. rh358; rf377; cr1027; cu2067; v2069; hdc3127; ca3148; msrp3577; rcc3577; crah3657.

1301 - (Business and Financial Institutions) Construction contracts; provide certain requirements regarding retainage. Bell (21st). rh763; rf837.

1303 - (Economic and Workforce Development) Fresh Start Act; revise certain provisions of. Yates, et al. rh763; rf836; cr1014.

1304 - (Agriculture) Grain graders; provide process for certification of. Pigott, et al. rh358; rf377; cr885; cu1725; v1725; sp2965; Ch.411.

1311 - (Universities and Colleges; Appropriations) Community and junior colleges; authorize board of trustees to reduce or waive out-of-state tuition for certain students. Mims, et al. rh575; rf801.

1315 - (Judiciary, Division A) MS Youth Court Information Delivery System (MYCIDS); require audit of. Hood. rh767; rf841; cr1029; rmc1847; cu2224; v2226; hdc3122; ca3165; msrp3804; uc3804; cro3804; cra3819; v3819; crah4079; sp4376; Ch.480.

1316 - (Judiciary, Division A) Public purchasing; require competitive bidding for web-based application for MYCIDS. Hood. rh767; rf837; cr1029; rmc1848; cu2227; v2227; mr2248; mrc2437; mrp2437; v2437; hdc3123; ca3165.

1319 - (Judiciary, Division A) Homeowner's insurance; prohibit insurer from refusing to issue or to renew policy soley based on roof's age. Hood. rh4816; rf841.

1323 - (Judiciary, Division B) Statute of limitations; increase for sexual battery of a vulnerable person. McKnight. rh777; rf816; cr1019; cu1789; v1791; mr1897; mrc2433; mrp2433; v2433; hdc3127; ca3148; cro4359; cra4360; v4360; crah4377; uc4472; sp4793; Ch.519.

1324 - (Business and Financial Institutions) Home Inspector Regulatory Board; revive and provide that MS Real Estate Appraisal Board shall regulate home inspectors. Barnett, et al. rh518; rf837.

1325 - (Judiciary, Division B) Secretary of State employees; authorize certain employees to carry a firearm. Barnett. rh4817; rf833.

1341 - (Education) Students of active duty service members and civilian personnel; revise residency requirements to allow transfers to another district of choice. Felsher, et al. rh760; rf819; cr1016; cu1756; v1756; sp2965; Ch.412.

1343 - (Judiciary, Division A) Scrivener's affidavit; revise authority for attorney who submitted but are now retired. Owen. rh518; rf841; cr1013; cu1089; v1090; sp1453; Ch.365.

1344 - (Business and Financial Institutions) Nonprofit Corporations; require annual report to be filed with Secretary of State. Yancey. rh733; rf836; cr1016; cu2046; v2054; mr2059; mrc2434; mrt2434; hc3215; sp3273; Ch.449.

1350 - (Energy) Telephone solicitors; prohibit from making any solicitation regarding Medicare Advantage Plans and Medicare supplements. McGee, et al. rh760; rf816; cr1022; cu1182; v1182; hdc2626; ca2976; cro3259; cra3263; v3263; crah3308; sp3542; Ch.453.

1352 - (Energy) Telephone solicitors; prohibit calls regarding Medicare supplements and to consumers opting out of all calls. Hood. rh760; rf816.

1353 - (Agriculture) Horseracing; include in equine liability. Bounds. rh414; rf417; cr834; cu847; v847; sp1165; Ch.318.

1354 - (Finance) Alcoholic Beverage Control Division warehouse; increase amount of revenue bonds authorized for and bailment fee authorized for paying debt service on bonds. Lamar, et al. rh418; rf834; cr2982; cu3072; v3080; hdc3280; nca3315; ca3544; rcc3671; hrcc3746; msrp4645; cro4645; cra4653; v4653; vp4653; crah4790; sp4793; Ch.520.

1355 - (Accountability, Efficiency, Transparency; Appropriations) State agencies; Personnel Board and LBO shall develop salary funding levels for. Read. rh489; rf842.

1356 - (Accountability, Efficiency, Transparency) Telework; revise certain provisions regarding use of by employees of state service agencies. Read. rh544; rf842.

1357 - (Appropriations) Department of Agriculture; revise authority to spend certain funds. Read, et al. rh544; rf842; cr923; cu1459; v1490; hdc3121; ca3121; msrp3690; rcc3690; hrcc3747; cro4337; cra4340; v4340; crah4377; sp4793; Ch.521.

1359 - (Business and Financial Institutions) Serial bonds or single term bonds; authorize counties and municipalities to issue. Aguirre. rh414; rf838.

1363 - (Judiciary, Division A) Internet; create civil liability for distribution of child pornography and obscene matter by commercial entities. Wallace. rh768; rf841.

1366 - (Business and Financial Institutions) Mississippi Principal and Income Act of 2013; revise provisions relating to partial liquidation. Haney. rh519; rf838.

1370 - (Judiciary, Division A) Trespass; clarify elements of. McMillan, et al. rh733; rf833.

1376 - (Public Health and Welfare) Qualified residential treatment programs; authorize certain youth in Child Protection Services to be placed in. Creekmore IV. rh4817; rf801; cr861; cu1077; v1077; sp1453; Ch.366.

1377 - (Business and Financial Institutions) MS Consumer Alternative Installment Loan Act; require Dept.of Banking to issue memo authorizing new maximum loan amount and revise amount calculation. Aguirre, et al. rh522; rf838.

1378 - (Finance) Homestead exemption; increase for honorably discharged veterans 90 years of age or older. Remak, et al. rh414; rf834; cr2982; cu3080; v3080; sp3273; Ch.444.

1379 - (Education; Appropriations) "Students Safe at School Act"; create to provide procedures for active shooter drills and simulations. Barton, et al. rh783; rf817; cr1024; msrp2245; cu2245; v2247; hdc3122; nca3124; ca3148.

1390 - (Judiciary, Division A) Grand jury; clarify procedures for recusal of district attorney. Owen. rh393; rf841.

1396 - (Education; Appropriations) Community Eligibility Provision of National School Lunch Program; require certain school districts to apply for. Porter, et al. rh760; rf817.

1401 - (Elections) Polling place; prohibit facility that sells alcoholic beverages to be used as. Rosebud. rh783; rf833.

1403 - (Judiciary, Division B) Justice Court; revise filing fees. Sanford, et al. rh733; rf817.

1404 - (Elections) Runoff elections; revise time for holding to four weeks. Sanford, et al. rh493; rf833; cr1021.

1406 - (Elections) Absentee voting; revise various provisions of. Tullos, et al. rh734; rf833; cr1021; msrp1873; cu1873; v1897; hdc3120; ca3220; cro3718; cra3734; v3734; hrcc4231; msrp4391; mrp4391; rcc4391; cro4556; cra4571; v4571; crah4790; sp4794; Ch.536.

1408 - (Business and Financial Institutions) Residential roofing contractors; revise requirements under Insurance Benefits Roofing Repair Consumer Protection Act. Turner. rh768; rf838; cr1016; cu2055; v2058; hdc3128; ca3166; crah3657; cro3882; cra3886; v3886; sp4634; Ch.489.

1410 - (Insurance) Insurance reimbursement rates; revise certain provisions. Turner. rh788; rf836; cr891; cu2040; v2040; mr2227; mrc2435; mrt2435; sp2969; Ch.373.

1417 - (Finance) Health care industry zone; expand radius for location of certain facilities for certification by MDA as. Eure. rh493; rf834; cr1020; cu1914; v1915; hdc3164; ca3219; cro4274; cra4275; v4275; crah4377; sp4797; Ch.522.

1420 - (Accountability, Efficiency, Transparency) Public procurement laws; exempt certain contracts for museums. Ford (54th). rh544; rf842; cr890.

1421 - (Accountability, Efficiency, Transparency) Public purchasing; increase threshold for bidding and revise provisions related to reverse auctions. Ford (54th). rh544; rf842.

1439 - (Ports and Marine Resources) Riparian rights; revise what may be included in. Ladner. rh414; rf417; cr1013; cu1164; v1165; hc2250; sp2969; Ch.413.

1440 - (Judiciary, Division B) Juvenile offenders; provide alternative sentencing and parole options. Horan. rh494; rf817; cr859.

1441 - (Judiciary, Division B) Felony; increase penalties for commission of with use of semi-automatic firearm. Horan, et al. rh788; rf833; cr859; cu1723; v1723; mr1898; mrc2433; mrp2433; v2434; hdc3127; ca3149; hrcc3921; msrp4053; rcc4053.

1447 - (Education; Appropriations) SAVED; create study committee to determine establishing model school for failing schools in the Mississippi Delta. Roberson. rh788; rf815.

1450 - (Education; Appropriations) Interstate Teacher Mobility Compact; authorize entrance for purpose of facilitating mobility of teachers married to service members. Roberson, et al. rh519; rf817; cr1029; cu2149; v2162; hdc3122; ca3149; cro3887; cra3900; v3900; crah4507; sp4794; Ch.523.

1453 - (Education; Appropriations) "Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) Act of 2024"; create. Roberson, et al. rh475; rf822.

1454 - (Corrections) Conditions for parole eligibility; extend date of repeal on. Owen. rh393; rf401.

1455 - (Corrections) Work initiative; remove cap on number of inmates who may participate in and revise certain reporting requirements for. Owen. rh782; rf817.

1459 - (Judiciary, Division B) MS Uniform Post-Conviction Collateral Relief Act; bring forward. Owen. rh497; rf817.

1460 - (Appropriations) Municipality and County Water Infrastructure Grant Program; bring forward for possible amendment. White, et al. rh377; rf835.

1461 - (Public Health and Welfare) Vape directory; require Department of Revenue to maintain and publish. Yancey. rh497; rf841.

1463 - (Highways and Transportation) "Carrol V. Hood Memorial Highway"; specify parameters of location for designation. Holloway (76th). rh522; rf798; cr886; cu1081; v1081; sp1453; Ch.367.

1471 - (Energy) BEAM; prohibit from accepting gifts or other benefits from any broadband service provider, vendor, or contractor. Powell. rh519; rf817; cr1022; msrp2063; cu2063; v2066; hdc2978; ca2979; cro3210; cra3213; v3213; crah3308; sp3651; Ch.461.

1473 - (Finance) Bonds; repeal authorization for certain unissued bonds and replace certain unissued bonds with cash. Lamar. rh498; rf834; cr1020; cu1318; v1356; hdc2630; ca3031; rcc3671; hrcc3746.

1478 - (Public Health and Welfare) Alternative nicotine products; prohibit sale or distribution of if prohibited under federal law or FDA rule or regulation. Hall. rh494; rf819; cr1028; cu2069; v2071; mr2224; mrc2435; mrt2435; ca3124; hdc3127.

1485 - (Finance) Income tax; exclude forgiven, cancelled or discharged federal student loan debt under the Public Service Loan Forgiveness Program from the definition of "gross income". Evans, et al. rh1005; rf2253.

1487 - (Accountability, Efficiency, Transparency) Capitol Complex Improvement District; revise boundaries of. Yates. rh783; rf834; cr890; cu1726; v1729; hdc3121; ca3149; cro3629; cra3632; v3632; crah4079; sp4374; Ch.499.

1489 - (Insurance) Ambulance services; provide for payment for treatment in place and provide for minimum reimbursement rate in health insurance policies. Hobgood-Wilkes, et al. rh768; rf836; cr891; cu2040; v2043; mr2149; mrc2434; mrp2434; v2434; hdc3128; ca3166; cro3263; cra3264; v3264; crah3585; sp3650; Ch.468.

1519 - (Appropriations) Short-line railroad; authorize certain towns to acquire and operate. Cockerham. rh493; rf798; cr1023; cu1039; v1042; sp2969; Ch.414.

1525 - (Finance) Alcoholic beverages; revise certain provisions regarding locations for sale of. Powell. rh493; rf842; cr1021; cu1069; v1070; sp1453; Ch.368.

1527 - (Insurance) HIV medications; prohibit health plans and Medicaid from subjecting to protocols that restrict dispensing of. Hines, et al. rh769; rf836.

1537 - (Judiciary, Division B) Sexual offense; provide immunity for reporting. McLean. rh4817; rf833.

1542 - (Judiciary, Division A) Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at the time of death. McLean. rh761; rf841; cr1030; cu2220; v2222; hdc3123; ca3166; msrp3672; rcc3672; hrcc3746; msrp4366; cro4366; cra4369; v4369; crah4508; sp4797; Ch.524.

1548 - (Education) Cardiac emergency response plan; require local school district to implement. McCarty. rh789; rf819.

1558 - (Technology) Social media platforms; require owners or operators of to regulate advertisement of tobacco and nicotine products. Hood. rh545; rf842.

1567 - (Economic and Workforce Development) Workforce development; revise various provisions related to. Bell (21st). rh531; rf822; cr1014; msrp1095; cu1095; v1095; hdc2249; ca2976; crah3675; msrp3772; cro3772; cra3779; v3779; sp4374; Ch.481.

1568 - (Universities and Colleges) Jackson State University; authorize to expand physical boundaries to promote safety on campus. Bell (65th), et al. rh545; rf801; cr1015; cu1750; v1750; sp2965; Ch.415.

1577 - (Business and Financial Institutions) Bidding terms for public depositories for counties and municipalities; make compatible. Aguirre. rh531; rf838; cr1016; cu1751; v1753; hc3147; sp3273; Ch.445.

1579 - (Finance) Business Improvement Districts Act; make various revisions concerning. Haney. rh414; rf842.

1583 - (Energy) Consumer Freedom of Choice in Appliances Act; create. Hale, et al. rh415; rf817; cr1022; cu1181; v1181; sp1904; Ch.369.

1584 - (Highways and Transportation) Memorial Highway; designate segment of MS Hwy 9 in Webster County as the "Warrant Officer William H. "Bill" Seaborn, Jr., Memorial Highway. Hood, et al. rh531; rf798.

1589 - (Finance) Motor vehicles; revise certain provisions regarding discharge of liens and scrapping. Lamar. rh415; rf835; cr1020; cu1915; v1925; hdc3164; ca3219; cro3845; cra3854; v3854; crah4400; sp4634.

1590 - (Government Structure) PERS; reconstitute membership of board and rescind scheduled employer's contribution increase. Zuber (By Request). rh4817; rf770.

1603 - (Judiciary, Division A) Organ procurement organizations; records and proceedings of PEER review committees are confidential and not discoverable. Eure. rh761; rf838.

1604 - (Economic and Workforce Development; Appropriations) Comprehensive Career and Technical Education Reform Act; revise certain portions of regarding industry certification and grants. Roberson. rh523; rf822.

1607 - (Judiciary, Division A) Mississippi Women's Bill of Rights; create. McLean, et al. rh736; rf841; cr1013; msrp1013; rc1013; cr1030; msrp2222; cu2222; v2224; vp2224; mr2227; mrc2435; mrt2435; hdc3123; ca3166.

1609 - (Constitution; Judiciary, Division B) Voting rights; restore for certain disqualifying crimes. Karriem, et al. rh668; rf833.

1615 - (Accountability, Efficiency, Transparency) Public procurement laws; exempt certain purchases and contracts for landmark buildings from. Bennett. rh519; rf843.

1617 - (Finance) County industrial development authorities certain; revise certain provisions regarding. Boyd (37th), et al. rh393; rf835; cr1021; cu1516; v1516; sp2965; Ch.417.

1618 - (Finance) PERS; define "instrumentality" for purpose of PERS laws and include health care collaboratives in the definition. Deweese. rh493; rf842; cr1020; cu1491; v1515; vp1515; hdc3033; ca3219; rcc3854; hrcc4231.

1620 - (Finance) Use tax; revise certain provisions regarding funds distributed to municipalities and counties for infrastructure assistance. Lamar. rh415; rf835; cr1020; cu1160; v1162; hdc2630; ca3031.

1621 - (Accountability, Efficiency, Transparency) Mississippi Flexible Tax Incentive Act; revise certain provisions of. Lamar. rh393; rf842; cr890.

1622 - (Highways and Transportation) Towing of commercial vehicles; regulate the nonconsensual towing of by towing and recovery services. Steverson. rh763; rf798; cr887.

1623 - (Finance) Tourism project sales tax incentive program; bring forward sections of law relating to. Steverson. rh777; rf842.

1624 - (Judiciary, Division A) Court-Appointed Special Advocate (CASA) Program; create state associate and standardize operations of local programs. Fondren, et al. rh734; rf841; cr1030; cu1848; v1865; hdc3123; ca3166; cro3900; cra3914; v3914; crah4508; sp4797; Ch.525.

1625 - (Technology) Corporate breach of security; require reports to the Attorney General. Faulkner. rh519; rf833.

1627 - (Insurance) Nonprofit Agricultural Membership Organizations; exempt from insurance regulation. Deweese, et al. rh493; rf836; cr1018.

1629 - (Insurance) Ambulance service providers; provide for minimum rate of reimbursement under any policy of accident and sickness insurance. Carpenter, et al. rh761; rf836.

1637 - (Public Health and Welfare) Radiological health services; revise fees charged by State Board of Health for providing. Creekmore IV. rh545; rf801.

1638 - (Finance) Income tax; allow DHS to collect debts owed to it through setoff against state income tax refunds. Creekmore IV, et al. rh500; rf835; cr1020; cu1064; v1069; sp2970; Ch.416.

1639 - (Accountability, Efficiency, Transparency) Delta Regional Health Authority; create task force on the establishment of. Creekmore IV. rh789; rf801; cr890.

1640 - (Public Health and Welfare) Mental Health; revise procedures for screening, evaluation and commitments for those with issues of. Creekmore IV, et al. rh734; rf801; cr1028; cu1255; v1259; hdc2625; ca3121; cro3988; cra4000; v4000; crah4377; sp4635; Ch.490.

1641 - (Accountability, Efficiency, Transparency) Public records; exempt public body's records containing client information concerning economic development projects. Lamar. rh349; rf352; cr890.

1642 - (Finance) Tax credits, various; bring forward sections of law relating to. Lamar. rh761; rf835.

1644 - (Accountability, Efficiency, Transparency) Ambulance services providers; contracts with to provide exclusively in county or city must allow other providers to respond when necessary. Yates. rh545; rf842; cr890; cu1366; v1366; sp1904; Ch.370.

1646 - (Local and Private) City of West Point; extend repealer on authority to levy tax on hotels, motels and restaurants for tourism and parks and recreation. Gibbs (36th). rh2420; rf2630; cr3310; cu3319; v3319; sp3586; Ch.917.

1647 - (Finance) Commissioner of Insurance; authorize to implement a state insurance exchange, authorize income tax deductions and insurance premium tax credit. Lamar, et al. rh393; rf843; cr1021; cu1925; v1949; hdc3164; ca3219; rcc3854; hrcc3919; msrp4447; cro4447; cra4453; v4453; crah4784; sp4794; Ch.537.

1648 - (Energy) Electronic bids; authorize public utilities to provide system for submittal of as additional option. Lancaster. rh519; rf817; cr1022; cu1181; v1181; sp1904; Ch.371.

1655 - (Elections) Candidate qualifications; revise process for. Felsher, et al. rh764; rf833.

1658 - (Elections) County and municipal executive committee agreements; revise. Sanford. rh519; rf833.

1659 - (Gaming; Ports and Marine Resources) Public Trust Tidelands; revise various provisions related to. Anderson (122nd), et al. rh423; rf426.

1660 - (Public Health and Welfare) Cigarettes and vape products; require Commissioner of Revenue to establish separate directories to regulate sales of. Lamar. rh415; rf419; cr1028; cu2071; v2085; hdc3164; ca3219; hrcc3919.

1662 - (Education; Appropriations) Workforce development; revise certain provisions related to. Bell (21st). rh545; rf822.

1664 - (Energy) Acceptance or offer of gifts; revise provisions relating to. Powell. rh523; rf817; cr1022; cu1181; v1181; mr1259; mrc1381; mrt1381; sp1905; Ch.340.

1665 - (Finance) Capitol Complex Improvement District; authorize incentive for development of property in. Lamar, et al. rh418; rf835; cr1021; cu1949; v1953; hdc3164; ca3219.

1668 - (Education; Appropriations) Mississippi Teacher Residency Program; require Legislature to fund for fiscal year 2025. McCarty. rh735; rf817.

1669 - (Education) Assistant teachers; revise qualifications for employment. McCarty. rh394; rf419; cr1017; cu1771; v1771; sp2966; Ch.421.

1670 - (Education) MAEP; clarify classification of exceptional children in preschool for reporting and purposes of funding teacher units. McCarty. rh394; rf419.

1675 - (Business and Financial Institutions) Unclaimed property; prescribe process to be used by certain cooperatives with regard to disposition of. Aguirre. rh520; rf838; cr1016; cu1753; v1753; sp2966; Ch.418.

1676 - (Public Health and Welfare) Mississippi Intoxicating Hemp Regulation Act and Mississippi Medical Cannabis Act; revise certain provisions of. Yancey. rh769; rf801; cr1028; cu2085; v2149; mr2227; mrc2435; mrp2435; v2436; hdc3214; ca3219; hrcc3922.

1678 - (Public Health and Welfare; Appropriations) Baby safety devices; require to be inspected and approved by Health Department before use by emergency medical services provider. McGee. rh547; rf815.

1681 - (Highways and Transportation) Memorial Highways; designate segment MS Hwy 513 in Clarke County as "Lance Corporal Mac Hamburg, MSMC, Memorial Highway." Smith, et al. rh523; rf798; cr886; cu1081; v1083; hdc2625; ca2980; cro3331; cra3334; v3334; mr3578; hrcc3584; mrc3592; mrp3592; rcc3592; hrcc3660; rcc3672; msrp4073; uc4073; cro4074; cra4077; v4077; crah4377; sp4635; Ch.504.

1683 - (Education) MS Charter School Act of 2013; bring forward for purposes of possible amendments. Owen. rh789; rf819; cr1029; cu1845; v1847; hdc3122; ca3149.

1685 - (Drug Policy) Uniform Controlled Substances Act; revise schedules. Hobgood-Wilkes. rh547; rf833; cr1018; cu1784; v1784; sp2966; Ch.419.

1689 - (Elections; Judiciary, Division B) Election crime; create for dissemination of a deep fake within 90 days of an election. Sanford. rh735; rf833; cr1019.

1692 - (Education; Appropriations) State JROTC Coordinator; exempt from qualification requirements of the State Personnel Board. Felsher. rh520; rf819.

1696 - (Education) Failing schools; revise processes relating to being placed into a District of Transformation and abolishing the MS Achievement School District. McCarty, et al. rh394; rf419; cr1017; cu1772; v1784; hc3215; sp3283; Ch.446.

1697 - (Accountability, Efficiency, Transparency) Law enforcement and certain first responders killed in line of duty; authorize payment to family up to 30 days. Grady, et al. rh653; rf843; cr891; cu1366; v1368; sp2970; Ch.420.

1701 - (Finance) Taxes, various; bring forwards sections of law authorizing and providing for distribution of revenue. Lamar. rh761; rf835.

1704 - (Appropriations) Appropriations; revise certain FY 2024 appropriations and direct transfers. Read, et al. rh375; rf843; cr860; cu874; v874; sp1026; Ch.2.

1705 - (Appropriations) Budget; provide for various transfers of funds, and create various special funds in the treasury. Read, et al. rh377; rf843; cr860; cu869; v874; hdc2978; ca3031; msrp3856; rcc3856; hrcc3921; msrp4622; cro4622; cra4630; v4630; crah4790; sp4795; Ch.508.

1706 - (Appropriations) Programs funded with ARPA funds; revise certain provisions and bring forward sections of. Read, et al. rh377; rf843; cr1023; cu1101; v1119; mr1368; mrc2431; mrt2431; hdc3033; ca3119; msrp3856; rcc3856; hrcc3921.

1707 - (Appropriations) 2023 Local Improvements Projects Fund; clarify and correct names and purposes of certain projects funded from. Read, et al. rh376; rf835; cr1024; cu1119; v1144; hdc2978; ca3031; msrp3856; rcc3856; hrcc3921; msrp4571; cro4571; cra4622; v4622; crah4790; sp4795; partial veto; Ch.510.

1710 - (Finance) Income tax; authorize a tax credit for certain employers that sponsor skills training for employees. Bell (21st). rh1006; rf2253; cr2982; cu3113; v3114; hdc3280; ca3544.

1716 - (Local and Private) Jackson County; authorize contributions to various organizations. Barton. rh2420; rf2630; cr3310; cu3319; v3319; sp3586; Ch.918.

1720 - (Local and Private) City of Pontotoc; extend repealer on authority to levy tax on hotels, motels and restaurants. Waldo, et al. rh2421; rf2630; cr3310; cu3319; v3319; mr3583; mrc3671; mrt3671; sp3827; Ch.935.

1723 - (Local and Private) Pike County; authorize to construct or acquire county jail anywhere in county and authorize certain lease-purchase arrangement. Mims, et al. rh2421; rf2630; cr3542; cu3547; v3547; sp3665; Ch.931.

1725 - (Medicaid) Medicaid; seek federal waiver for plan to allow Medicaid coverage for persons described in the federal Affordable Care Act. White, et al. rh395; rf401; cr884; cu924; v1000; v1001; v1002; hdc1449; ca2976; rcc4360; hrcc4371.

1743 - (Local and Private) Humphreys County; authorize a contribution to the Fannie Lou Hamer Cancer Foundation. James-Jones, et al. rh2421; rf2630; cr3310; cu3320; v3320; sp3586; Ch.919.

1744 - (Local and Private; Finance) City of Lucedale; authorize election for tax on hotels/motels to fund parks and recreational capital improvement projects. Lott. rh520; rf798; cr2423; cu3168; v3172; sp3309; Ch.913.

1752 - (Local and Private) City of Fulton; extend date of repeal on hotel/motel tourism tax. Bell (21st). rh2421; rf2630; cr3310; cu3320; v3320; sp3586; Ch.920.

1758 - (Local and Private) Jefferson Davis County; increase portion of oil and gas severance tax that may be utilized for garbage collection and disposal. Evans, et al. rh2421; rf2630; cr3310; cu3320; v3320; sp3586; Ch.921.

1764 - (Finance) Sales tax; revise rate regarding certain oil, gas and other mineral resources services, equipment and materials. Powell. rh1004; rf1376; cr2982; cu3080; v3080; hdc3280; ca3544; msrp3753; cro3753; cra3761; v3761; crah4079; sp4374; Ch.482.

1768 - (Finance) Income tax; provide a credit for taxpayers who provide paid maternity and paternity leave for employees. Steverson, et al. rh1004; rf2253.

1776 - (Appropriations) Appropriation; Archives and History, Department of. Bounds, et al. rh777; rf828; cr1665; cu2363; po2366; ru2366; v2366; hdc3021; ca3023; cro4085; cra4088; v4088; crah4508; sp4682; Ch.66.

1777 - (Appropriations) Appropriation; Engineers and Land Surveyors, Board of Registration for Professional. Bounds, et al. rh777; rf828; cr1664; cu2324; v2326; hdc3022; ca3023; msrp3923; cro3923; cra3925; v3925; crah4508; sp4683; Ch.17.

1778 - (Appropriations) Appropriation; Environmental Quality, Department of. Bounds, et al. rh778; rf828; cr1665; cu2369; v2373; hdc3022; ca3023; cro4089; cra4093; v4093; crah4508; sp4785; Ch.67.

1779 - (Appropriations) Appropriation; Foresters, Board of Registration for. Bounds, et al. rh778; rf828; cr1664; cu2326; v2327; hc3125; sp3145; Ch.7.

1780 - (Appropriations) Appropriation; Forestry Commission. Bounds, et al. rh778; rf828; cr1665; cu2374; v2377; hdc3022; ca3023; cro4093; cra4096; v4096; crah4508; sp4785; Ch.18.

1781 - (Appropriations) Appropriation; Grand Gulf Military Monument Commission. Bounds, et al. rh778; rf828; cr1665; cu2377; v2379; hdc3022; ca3023; cro4096; cra4098; v4098; crah4508; sp4683; Ch.19.

1782 - (Appropriations) Appropriation; Port Authority, State. Bounds, et al. rh778; rf828; cr1664; cu2302; v2303; hdc3022; ca3023; msrp3925; cro3925; cra3926; v3926; crah4508; sp4682; Ch.20.

1783 - (Appropriations) Appropriation; Marine Resources, Department of. Bounds, et al. rh778; rf828; cr1665; cu2379; v2385; hdc3022; ca3023; hrcc4511; msrp4630; rcc4630; msrp4638; cro4638; cra4645; v4645; crah4790; sp4817; Ch.91.

1784 - (Appropriations) Appropriation; Oil and Gas Board. Bounds, et al. rh778; rf828; cr1665; cu2386; v2387; hdc3022; ca3023; msrp3926; cro3927; cra3928; v3928; crah4508; sp4786; Ch.21.

1785 - (Appropriations) Appropriation; Pat Harrison Waterway District. Bounds, et al. rh778; rf828; cr1664; cu2303; v2305; hdc3022; ca3024; msrp3928; cro3929; cra3931; v3931; crah4508; sp4683; Ch.22.

1786 - (Appropriations) Appropriation; Pearl River Valley Water Supply District. Bounds, et al. rh778; rf828; cr1664; cu2306; v2308; hdc3022; ca3024; msrp3931; cro3931; cra3933; v3933; crah4508; sp4682; Ch.23.

1787 - (Appropriations) Appropriation; Public Service Commission. Bounds, et al. rh778; rf828; cr1665; cu2352; v2355; hdc3022; ca3024; cro4098; cra4101; v4101; crah4508; sp4682; Ch.68.

1788 - (Appropriations) Appropriation; Public Utilities Staff. Bounds, et al. rh778; rf828; cr1665; cu2355; v2357; hdc3022; ca3024; cro4101; cra4103; v4103; crah4508; sp4683; Ch.69.

1789 - (Appropriations) Appropriation; Soil and Water Conservation Commission. Bounds, et al. rh778; rf828; cr1666; cu2387; v2389; hdc3023; ca3024; cro4103; cra4105; v4105; crah4508; sp4786; Ch.24.

1790 - (Appropriations) Appropriation; Tombigbee River Valley Water Management District. Bounds, et al. rh778; rf828; cr1664; cu2308; v2310; hdc3023; ca3024; msrp3934; cro3934; cra3935; v3935; crah4508; sp4786; Ch.25.

1791 - (Appropriations) Appropriation; Wildlife, Fisheries and Parks, Department of. Bounds, et al. rh778; rf829; cr1665; cu2357; v2363; hdc3023; ca3024; hrcc3921; msrp3936; rcc3936; msrp4473; cro4473; cra4478; v4478; crah4784; sp4818; Ch.92.

1792 - (Appropriations) Appropriation; Yellow Creek State Inland Port Authority. Bounds, et al. rh779; rf829; cr1664; cu2310; v2311; hdc3023; ca3024; msrp3936; cro3936; cra3937; v3937; crah4508; sp4683; Ch.26.

1793 - (Appropriations) Appropriation; Barber Examiners, Board of. Deweese, et al. rh779; rf829; cr1664; cu2319; v2321; hdc3025; ca3028.

1794 - (Appropriations) Appropriation: Child Protection Services, Department of. Deweese, et al. rh779; rf829; cr1664; cu2286; v2289; hdc3025; ca3028; cro4106; cra4108; v4108; crah4508; sp4786; Ch.70.

1795 - (Appropriations) Appropriation; Cosmetology and Barbering, Board of. Deweese, et al. rh779; rf829; cr1664; cu2321; v2324; hdc3025; ca3029; msrp3937; cro3937; cra3940; v3940; crah4508; sp4683; Ch.27.

1796 - (Appropriations) Appropriation; Health, Department of. Deweese, et al. rh779; rf829; cr1664; cu2292; v2302; hdc3025; ca3029; cro4108; cra4118; v4118; crah4508; sp4798; Ch.93.

1797 - (Appropriations) Appropriation; Human Services, Department of. Deweese, et al. rh779; rf829; cr1664; cu2281; v2286; hdc3025; ca3029; cro4118; cra4123; v4123; crah4508; sp4786; Ch.71.

1798 - (Appropriations) Appropriation; Fire Academy. Deweese, et al. rh779; rf829; cr1665; cu2347; v2349; hdc3025; ca3029; cro4124; cra4126; v4126; crah4508; sp4682; Ch.72.

1799 - (Appropriations) Appropriation; Insurance, Department of. Deweese, et al. rh779; rf829; cr1665; cu2344; v2347; hdc3025; ca3029; cro4126; cra4130; v4130; crah4508; sp4683; Ch.73.

1800 - (Appropriations) Appropriation; Medicaid, Division of. Deweese, et al. rh779; rf829; cr1664; cu2276; v2281; hdc3025; ca3029; cro4512; cra4517; v4517; crah4791; sp4818; Ch.94.

1801 - (Appropriations) Appropriation; Medical Licensure, Board of. Deweese, et al. rh779; rf829; cr1665; cu2333; v2336; hdc3025; ca3029; msrp3941; cro3941; cra3943; v3943; crah4508; sp4786; Ch.28.

1802 - (Appropriations) Appropriation; Nursing Home Administrators, Board of. Deweese, et al. rh779; rf829; cr1665; cu2338; v2340; hdc3025; ca3029; msrp3943; cro3943; cra3945; v3945; crah4508; sp4786; Ch.29.

1803 - (Appropriations) Appropriation; Nursing, Board of. Deweese, et al. rh780; rf829; cr1665; cu2336; v2338; hdc3025; ca3029; msrp3945; cro3945; cra3947; v3947; crah4508; sp4683; Ch.30.

1804 - (Appropriations) Appropriation; Optometry, Board of. Deweese, et al. rh780; rf829; cr1664; cu2327; v2329; hdc3025; ca3029; msrp3948; cro3948; cra3949; v3949; crah4508; sp4786; Ch.31.

1805 - (Appropriations) Appropriation; Physical Therapy Board. Deweese, et al. rh780; rf829; cr1665; cu2340; v2342; hdc3025; ca3029; msrp3949; cro3949; cra3951; v3951; crah4508; sp4682; Ch.32.

1806 - (Appropriations) Appropriation; Psychology, Board of. Deweese, et al. rh780; rf829; cr1665; cu2342; v2344; hdc3025; ca3029; msrp3951; cro3951; cra3953; v3953; crah4509; sp4683; Ch.33.

1807 - (Appropriations) Appropriation; Real Estate Appraiser Licensing and Certification Board. Deweese, et al. rh780; rf829; cr1666; cu2394; v2396; hdc3026; ca3029; msrp3953; cro3953; cra3955; v3955; crah4509; sp4786; Ch.34.

1808 - (Appropriations) Appropriation: Real Estate Commission. Deweese, et al. rh780; rf829; cr1666; cu2392; v2394; hdc3026; ca3029; msrp3955; cro3955; cra3957; v3957; crah4509; sp4682; Ch.35.

1809 - (Appropriations) Appropriation; Rehabilitation Services, Department of. Deweese, et al. rh780; rf829; cr1664; cu2289; v2292; hdc3026; ca3029; cro4130; cra4133; v4133; crah4509; sp4786; Ch.74.

1810 - (Appropriations) Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for. Deweese, et al. rh780; rf829; cr1664; cu2329; v2331; hdc3026; ca3029; msrp3957; cro3957; cra3959; v3959; crah4509; sp4786; Ch.36.

1811 - (Appropriations) Appropriation; Athletic Commission. Mims, et al. rh780; rf829; cr1664; cu2317; v2318; hdc3026; ca3029; msrp3959; cro3959; cra3961; v3961; crah4509; sp4786; Ch.37.

1812 - (Appropriations) Appropriation; Attorney General. Mims, et al. rh780; rf829; cr1663; cu2262; v2267; hdc3026; ca3029; cro4133; cra4138; v4138; crah4509; sp4786; Ch.75.

1813 - (Appropriations) Appropriation; Auctioneers Commission. Mims, et al. rh780; rf829; cr1664; cu2319; v2319; sp2970; Ch.6.

1814 - (Appropriations) Appropriation; Capital Post-Conviction Counsel, Office of. Mims, et al. rh780; rf829; cr1663; cu2268; v2268; hdc3026; ca3029; cro4138; cra4139; v4139; crah4509; sp4786; Ch.49.

1815 - (Appropriations) Appropriation; District attorneys and staff. Mims, et al. rh780; rf829; cr1663; cu2269; v2270; hdc3026; ca3030; cro4139; cra4141; v4141; mr4392; msrp4473; mrc4473; mrt4473; crah4509; sp4683; Ch.50.

1816 - (Appropriations) Appropriation, Reappropriation, DFA - Bureau of Building - FY 2024. Mims, et al. rh790; rf835; cr1666; cu2396; v2402; hc3125; sp3145; Ch.8.

1817 - (Appropriations) Appropriation; Legislative expenses. Mims, et al. rh780; rf830; cr1666; cu2390; v2392; hdc3026; ca3030; cro4141; cra4145; v4145; crah4509; sp4683; Ch.89.

1818 - (Appropriations) Appropriation; Public Employees' Retirement System. Mims, et al. rh781; rf830; cr1665; cu2350; v2352; hdc3026; ca3030; cro4145; cra4147; v4147; crah4509; sp4786; Ch.76.

1819 - (Appropriations) Appropriation; State Public Defender, Office of. Mims, et al. rh781; rf830; cr1663; cu2270; v2272; hdc3026; ca3030; cro4147; cra4149; v4149; crah4509; sp4787; Ch.51.

1820 - (Appropriations) Appropriation; Supreme Court, Court of Appeals and trial judges services. Mims, et al. rh781; rf830; cr1664; cu2272; v2276; hdc3027; ca3030; cro4150; cra4154; v4154; crah4509; sp4683; Ch.52.

1821 - (Appropriations) Appropriation; Veterans' Home Purchase Board. Mims, et al. rh781; rf830; cr1665; cu2331; v2333; hdc3027; ca3030; msrp3961; cro3961; cra3963; v3963; crah4509; sp4684; Ch.38.

1822 - (Appropriations) Appropriation; Arts Commission. Oliver, et al. rh781; rf830; cr1665; cu2367; v2369; hdc3027; ca3030; cro4154; cra4157; v4157; crah4509; sp4787; Ch.77.

1823 - (Appropriations) Appropriation; Education, Department of. Oliver, et al. rh781; rf830; cr1663; msrp2402; cu2402; v2413; hdc3027; ca3030; cro4157; cra4167; v4167; crah4509; uc4511; sp4798; Ch.95.

1824 - (Appropriations) Appropriation; Educational Television, Authority for. Oliver, et al. rh781; rf830; cr1663; cu2256; v2259; hdc3027; ca3030; cro4167; cra4171; v4171; crah4509; sp4684; Ch.78.

1825 - (Appropriations) Appropriation; Library Commission. Oliver, et al. rh781; rf830; cr1663; cu2259; v2262; hdc3027; ca3030; cro4171; cra4174; v4174; crah4509; sp4682; Ch.79.

1826 - (Appropriations) Appropriation; Transportation, Department of. Oliver, et al. rh781; rf830; cr1664; cu2312; v2316; hdc3027; ca3030; cro4517; cra4522; v4522; crah4791; sp4818; Ch.97.

1830 - (Appropriations) Appropriation; additional appropriation FY24. Read, et al. rh781; rf830; cr1666; cu1912; v1913; hdc3027; ca3030; hrcc3668; msrp3672; rcc3672; msrp4631; cro4631; cra4632; v4632; crah4791; sp4818; partial veto; Ch.114.

1854 - (Local and Private; Finance) Harrison County; authorize assessments on convictions for improvements to courthouses and pretrial dention facilities. Felsher. rh2421; rf2630; cr4637; msrp4654; cu4654; v4654; sp4818; Ch.942.

1855 - (Finance) Sales tax; exempt sales, leases or other retail transfers of certain fixed-wing aircraft. Oliver. rh884; rf1373; cr2982; cu3072; v3072; sp3274; Ch.447.

1880 - (Local and Private) Grenada County; expand certain authority concerning Greater Grenada Partnership. Horan. rh3215; rf3218; cr3284; cu3592; v3592; sp3665; Ch.933.

1916 - (Appropriations) Appropriation; Health Department for grants to hospitals ineligible for grants from Hospital Sustainability Grant Program. Mims. rh887; rf1376; cr1666; cu3034; v3034; hdc3214; ca3214.

1931 - (Local and Private) Greene County; extend repeal date on assessments in justice court. Burch. rh2421; rf2630; cr3311; cu3321; v3321; sp3586; Ch.922.

1939 - (Finance) Income tax; authorize a credit for costs incurred for development of certain property in the Capitol Complex Improvement District. Lamar. rh1006; rf2253.

1942 - (Finance) Income tax and insurance premium tax; authorize a credit for certain investments in qualified community development entities. Lamar. rh1004; rf2253; cr2982; cu3081; v3104; hdc3280; ca3544.

1943 - (Finance) Tobacco; define "heated tobacco product" under tobacco tax law and provide for rate of excise tax. Steverson, et al. rh1011; rf1373; cr2982; cu3104; v3109.

1948 - (Local and Private) City of Olive Branch; authorize expenditure of funds to establish industrial, technological or educational park or parks within. Kinkade. rh2421; rf2968; cr3311; cu3321; v3321; sp3586; Ch.923.

1949 - (Appropriations) Appropriation; Administrative Office of Courts for eligible ARPA expenses. Oliver, et al. rh885; rf1376; cr1666; cu1906; v1907; hdc3027; ca3030; crah3669; msrp3676; cro3676; cra3677; v3677; sp4082; Ch.10.

1950 - (Appropriations) Appropriation; Finance and Admin, Dept. of, Bureau of Building, Ground, and Real Property Management for eligible ARPA capital projects. Oliver, et al. rh885; rf1376; cr1666; cu1907; v1909; hdc3027; ca3030.

1951 - (Appropriations) Appropriation; Health, Department of, for funding the ARPA Rural Water Associations Infrastructure Grant Program. Oliver, et al. rh885; rf1376; cr1666; cu1909; v1910; hdc3027; ca3030; crah3669; msrp3677; cro3677; cra3679; v3679; sp4082; Ch.11.

1952 - (Appropriations) Appropriation; Public Safety, Department of, for purchases of ARPA eligible equipment. Oliver, et al. rh885; rf1376; cr1666; cu1911; v1912; hdc3027; ca3030; crah3669; msrp3679; cro3679; cra3680; v3680; sp4082; Ch.12.

1953 - (Finance) Tax credits; authorize for contributions by certain taxpayers to certain hospitals, bring forward various tax credit sections of law. Lamar, et al. rh887; rf2253.

1968 - (Local and Private) Humphreys County; authorize contributions to Belzoni, Louise and Isola for parks and recreation. James-Jones. rh2422; rf2630; cr3311; cu3321; v3321; sp3587; Ch.924.

1982 - (Finance) Mississippi School Resource Officers School Safety (MS ROSS) Act; create to provide funding to local law enforcement agencies. Lamar, et al. rh1011; rf1373.

1983 - (Finance) Bonds; authorize issuance for various purposes. Lamar, et al. rh1006; rf1376; cr2422; cu3035; v3068; hdc3280; ca3544; rcc3671; hrcc3746; msrp4719; cro4719; cra4781; v4781; crah4791; sp4818; Ch.507.

1984 - (Finance) Ad valorem tax; authorize a tax credit for certain refines of oil, gas and petroleum products. Lamar. rh1007; rf1373; cr2423; cu3069; v3072; hc3278; sp3309; Ch.450.

1985 - (Finance) Income tax and ad valorem tax; authorize a child credit, bring forward various tax credit sections of law. Lamar, et al. rh1005; rf2253.

1986 - (Finance) Tax credits; revise provisions regarding eligible charitable organizations assisting with providing health care services to low-income individuals. Lamar. rh1007; rf2253.

1987 - (Finance) Bonds; authorize issuance to provide funds for loans to improve certain properties in the Capitol Complex Improvement District. Lamar. rh1007; rf2254.

1988 - (Finance) Children's Promise Act; increase amount of tax credits that may be allocated under, bring forward various tax credit sections of law. Lamar. rh888; rf2254; cr2982; cu3109; v3112; hdc3280; ca3544; nca3584; rcc3671; hrcc3746; msrp4684; cro4684; crf4688; v4688; vp4688.

1991 - (Finance) Sales tax; revise definition of "gross proceeds of sales", "gross income" and "installation charges" and exempt certain services. Lamar. rh1005; rf1376.

4053 - (Judiciary, Division B) Suffrage; restore to Omar Eugene Magee of Covington County. Sanford. rh3661; rf3662; cr4464; msrp4653; cu4653; v4654; sp4799; vetoed.

4055 - (Judiciary, Division B) Suffrage; restore to Elaine Goudy of Covington County. Sanford. rh3661; rf3662.

4056 - (Judiciary, Division B) Suffrage; restore to Agnes Standifer of Lee County. Thompson. rh3661; rf3662; cr4084; cu4466; v4466; sp4799; Ch.944.

4057 - (Judiciary, Division B) Suffrage; restore to Mattie Hardiman of DeSoto County. Paden. rh3661; rf3662; cr4084; cu4466; v4466; mr4470; mrc4511; mrt4511; sp4798; Ch.945.

4078 - (Judiciary, Division B) Suffrage; restore to Chanty Williams of Coahoma County. James-Jones. rh3661; rf3662.

4079 - (Judiciary, Division B) Suffrage; restore to Felisha Turner of DeSoto County. James-Jones. rh3661; rf3662.

4080 - (Judiciary, Division B) Suffrage; restore to Evon Williams of Hinds County. Bell (65th). rh3661; rf3662; cr4084; cu4467; v4467; sp4799; Ch.946.

4083 - (Judiciary, Division B) Suffrage; restore to Kelvin Winding of Hinds County. Bell (65th). rh3661; rf3662; cr4084; cu4467; v4467; sp4799; Ch.947.

4085 - (Judiciary, Division B) Suffrage; restore to Quintin Purnell of Grenada County. Bell (65th), et al. rh3663; rf3666; cr4084; cu4467; v4467; sp4799; Ch.948.

4086 - (Judiciary, Division B) Suffrage; restore to Joseph Greer of Hinds County. Bell (65th). rh3663; rf3666.

4087 - (Judiciary, Division B) Suffrage; restore to Rondale Hughes of Hinds County. Bell (65th). rh3663; rf3666.

4088 - (Judiciary, Division B) Suffrage; restore to Jose Williams of Hinds County. Bell (65th). rh3663; rf3666.

4089 - (Judiciary, Division B) Suffrage; restore to Walter Lewis of Hinds County. Bell (65th). rh3663; rf3666; cr4084; cu4468; v4468; sp4799; Ch.949.

4090 - (Local and Private) Adams County; authorize to enter into a certain lease purchase agreement for a jail facility. Johnson, et al. rh2422; rf2630; cr3311; cu3322; v3322; sp3587; Ch.925.

4091 - (Local and Private; Finance) Lauderdale County; extend repeal date on Tourism Commission and hotel/motel tax, and authorize room occupancy tax. Calvert. rh3215; rf3218.

4095 - (Judiciary, Division B) Suffrage; restore to Joseph Armstrong of Sunflower County. Anthony, et al. rh3663; rf3666; cr4084; cu4468; v4468; sp4799; Ch.950.

4098 - (Judiciary, Division B) Suffrage; restore to Jennifer Miles of Winston County. Mickens. rh3663; rf3666; cr4084; cu4468; v4468; sp4799; Ch.951.

4099 - (Judiciary, Division B) Suffrage; restore to Dustin Darell Mills of Rankin County. Summers. rh3663; rf3666; cr4464; msrp4653; cu4653; v4654; sp4799; vetoed.

4100 - (Judiciary, Division B) Suffrage; restore to Clovis Dale McGhee of Lee County. Thompson. rh3663; rf3667; cr4084; cu4468; v4469; sp4799; Ch.941.

4101 - (Judiciary, Division B) Suffrage; restore to Tony Lavell Smith of Noxubee County. Mickens. rh3663; rf3667; cr4084; cu4469; v4469; sp4799; Ch.952.

4102 - (Judiciary, Division B) Suffrage; restore to Joseph Earl Greer of Hinds County. Summers. rh3663; rf3667.

4103 - (Judiciary, Division B) Suffrage; restore to Mary Smith Brandon of Lowndes County. Karriem. rh3663; rf3667; cr4084; cu4469; v4469; sp4799; Ch.953.

4104 - (Judiciary, Division B) Suffrage; restore to Lawrence Daniels of Lowndes County. Karriem. rh3663; rf3667; cr4084; cu4469; v4470; sp4798; vetoed.

4108 - (Judiciary, Division B) Suffrage; restore to Chester Allen Butler of Tippah County. Steverson. rh3664; rf3667.

4111 - (Judiciary, Division B) Suffrage; restore to Leon Coleman of Jackson County. Hulum. rh3664; rf3667; cr4084; cu4470; v4470; sp4798; Ch.954.

4115 - (Local and Private; Finance) City of Durant; authorize a tax on restaurants to promote tourism, parks and recreation. Clark. rh3215; rf3218; cr3310; cu3318; v3318; sp3587; Ch.926.

4116 - (Judiciary, Division B) Suffrage; restore to Lamar Sampson of Humphreys County. James-Jones. rh3664; rf3667.

4118 - (Judiciary, Division B) Suffrage; restore to Ivory Moore of Washington County. Hines. rh3664; rf3667; cr4084; cu4470; v4470; sp4798; Ch.955.

4119 - (Local and Private; Finance) City of Morton; authorize tax on hotels, motels and restaurants to fund tourism, parks and recreation in. Holloway (27th). rh3216; rf3218.

4120 - (Local and Private) City of Eupora; authorize conveyance of certain real property located in City of Eupora Industrial Park back to a certain entity. Hood. rh3216; rf3218; cr3284; cu3292; v3292; sp3584; Ch.927.

4122 - (Local and Private) Hattiesburg Convention Commission; authorize to use design-build method of construction contracting. McGee. rh3216; rf3218; cr3284; cu3293; v3293; hc3662; sp3666; Ch.934.

4123 - (Judiciary, Division B) Suffrage; restore to Scotty Adam McMahan of Covington County. Sanford. rh3665; rf3667.

4124 - (Judiciary, Division B) Suffrage; restore to Tony Qualls of Humphreys County. Anthony. rh3664; rf3667; cr4463; msrp4653; cu4653; v4654; sp4798; vetoed.

4125 - (Local and Private; Finance) Union County; authorize assessments on misdemeanor convictions and nonadjudications for capital improvements. Creekmore IV. rh3315; rf3315; cr3661.

4126 - (Local and Private; Finance) Union County; authorize assessments on civil cases filed and convictions obtained in justice court to maintain law enforcement center. Creekmore IV. rh3315; rf3316; cr3661.

4127 - (Local and Private) City of Gautier; authorize to contract with and make contributions to the Mississippi Songwriters Alliance. Read. rh3315; rf3316; cr3542; cu3547; v3548; sp3665; Ch.932.

4129 - (Local and Private) City of Bay St. Louis; authorize to administer and expend certain federal funds to assist in flood mitigation. Ladner. rh4371; rf4371; cr4376; cu4404; v4404; sp4798; Ch.943.

4130 - (Education) "Mississippi Student Funding Formula"; create to provide funding mechanism for public schools. Roberson, et al. rh3654; rf3655; cr3660; msrp3660; cu3660; v3660; sp4080; Ch.484.

E. HOUSE CONCURRENT RESOLUTIONS

H. C. No.

1 - (Rules) Joint session; provide for the inauguration of and to hear the message of Governor Tate Reeves. White. rh20; rf20; cr22; msrp26; cu26; v26; sp40; Ch.2001.

2 - (Rules) Governor-elect Tate Reeves; appoint a joint committee of the House and Senate to arrange inauguration of. White. rh20; rf20; cr22; msrp26; cu26; v26; sp40; Ch.2002.

5 - (Rules) Melissa Cookston; commend success as a restaurateur, chef and author. Creekmore IV, et al. rh451; rf474; cr771; msrp793; cu793; v793; sp821; Ch.2003.

8 - (Rules) New Albany High School "Lady Bulldogs" Golf Team; commend for winning the 2023-2024 4A Girls State Championship and being "back-to-back" champions. Creekmore IV. rh3125; rf3274; cr3286; msrp3287; cu3288; v3288; sp3543; Ch.2004.

11 - (Accountability, Efficiency, Transparency) Constitution; amend to provide that the people have the right to propose new statutes and amend or repeal existing statutes. Wallace, et al. rh87; rf151.

16 - (Rules) Jimmy Buffett; commend and celebrate the life and legacy of iconic song writer and businessman and express sympathy upon his passing. Fondren. rh451; rf475; cr771; msrp793; cu793; v793; sp821; Ch.2005.

23 - (Constitution; Elections) Constitution; amend to provide that only citizens of the United States are allowed the opportunity to vote. Turner, et al. rh735; rf833.

26 - (Rules) Joint Rules; adopt for 2024-2028 term. Shanks. rh170; rf170; cr170; cu173; v173; sp187; Ch.2006.

27 - (Rules) Friends of Mississippi Veterans and Mr. Jack Winstead; commend for philanthropic work and leadership. Carpenter. rh1096; rf1166; cr1370; msrp1379; cu1379; v1380; sp2628; Ch.2007.

28 - (Rules) Deputy Jeremy Todd Malone; commend life and legacy of service upon his passing. Lott, et al. rh451; rf475; cr771; msrp793; cu793; v793; sp821; Ch.2008.

29 - (Rules) State of the State address of Governor Reeves; call joint session. Shanks. rh192; rf192; cr355; cu360; v360; sp361; Ch.2009.

31 - (Rules) Pamela D. C. Junior; commend upon retirement as director of Two Mississippi Museums. Banks, et al. rh451; rf475; cr771; msrp793; cu793; v793; sp821; Ch.2010.

41 - (Rules) Northwest MS Community College Cheer Team; commend for winning 2024 UCA/UDA College Cheerleading National Championship, Open All-Girl Division. Lamar. rh1023; rf1096; cr1370; msrp1379; cu1379; v1380; sp2628; Ch.2011.

42 - (Rules) Hilda Moore Turner; commend her life upon her passing. Scott. rh1370; rf1372; cr2627; msrp2905; cu2906; v2906; sp3146; Ch.2012.

43 - (Rules) Bobby Rush; commend and congratulate on winning his 3rd Grammy. Nelson, et al. rh1370; rf1372; cr2627; msrp2905; cu2906; v2906; sp3146; Ch.2013.

44 - (Rules) Northwest Mississippi Community College Women's Soccer Team; commend on winning NCJAA Region 23 Championship. Lamar. rh1023; rf1096; cr1371; msrp1379; cu1380; v1380; sp2628; Ch.2014.

45 - (Rules) George County High School; commend upon winning first ever MHSAA Class 5A Fast Pitch Softball State Championship. Lott, et al. rh1370; rf1373; cr2627; msrp2905; cu2906; v2906; sp3146; Ch.2015.

46 - (Rules) John D. Roberts; commend upon receiving Legion of Honor for valiant and heroic service during World War II. Creekmore IV. rh1370; rf1373; cr2627; msrp2905; cu2906; v2906; sp3146; Ch.2016.

47 - (Rules) Ryan Miller; commend distinguished service as Executive Director of the Office of Workforce Development (AccelerateMS). Bell (21st). rh515; rf523; cr771; msrp793; cu793; v793; sp821; Ch.2017.

49 - (Rules) Locke Ward; commend for efforts to revitalize our capital city and honor for galvanizing others to do the same. Yates. rh1023; rf1096; cr1371; msrp1379; cu1380; v1380; sp2629; Ch.2018.

50 - (Rules) Clinton High School Attachè Show Choir; commend upon winning 100th Grand Champion title. Mansell. rh1370; rf1373; cr2627; msrp2905; cu2906; v2906; sp3146; Ch.2019.

51 - (Rules) Lawrence "Bud" Young; commend distinguished career upon the occasion of his retirement. Lamar. rh1023; rf1096; cr1371; msrp1379; cu1380; v1380; sp2629; Ch.2020.

52 - (Rules) Federal Energy Regulatory Commission; urge to extend authorization for the Gulf LNG Liquefaction Project. Barton. rh839; rf843; cr858; cu1071; v1071; sp1453; Ch.2021.

53 - (Rules) Tardive Dyskinesia Awareness Week; recognize the week May 5-11, 2024, as. Fondren. rh3125; rf3274; cr3286; msrp3287; cu3288; v3288; sp3543; Ch.2022.

54 - (Rules) Circuit Judge Claiborne "Buddy" McDonald IV; commend life and legacy upon his passing. Owen. rh840; rf843; cr858; msrp1070; cu1071; v1071; sp1454; Ch.2023.

56 - (Rules) Northwest Mississippi Community College Dance Team; commend for winning the 2024 Open Hip-Hop National Chamionpship. Lamar. rh1023; rf1096; cr1371; msrp1379; cu1380; v1380; sp2629; Ch.2024.

59 - (Rules) Swetman Security Service; commend upon 50th anniversary. Grady. rh3125; rf3274; cr3286; msrp3287; cu3288; v3288; sp3543; Ch.2025.

60 - (Rules) Southern Soul music genre; acknowledge Mississippi as the home and birthplace of. Denton. rh3278; rf3281; cr3546; msrp3591; cu3591; v3591; sp3666; Ch.2026.

61 - (Rules) Tarik Robinson-O'Hagan; commend upon winning NCAA Division I national title in shot put. Deweese, et al. rh3278; rf3281; cr3546; msrp3591; cu3591; v3591; sp3666; Ch.2027.

62 - (Rules) Jalani Davis; recognize and commend for winning the 2024 NCAA Indoor Track and Field Championships, Women's Weight Throw. Deweese, et al. rh3278; rf3281; cr3546; msrp3591; cu3591; v3591; sp3666; Ch.2028.

63 - (Rules) Neshoba Central High School "Lady Rockets" Girls Basketball Team; commend for winning MHSAA Class 6A State Championship. Bounds. rh3278; rf3281; cr3547; msrp3591; cu3591; v3591; sp3666; Ch.2029.

64 - (Rules) Legislature; extend 2024 Regular Session, suspend deadline for certain bills, and set date of sine die adjournment. White. rh3827; rf3827; cr3830; msrp3841; cu3841; v3841; vp3841; sp3920; uc3922; Ch.2030.

65 - (Rules) Suspend deadline for introduction; governmental buildings; regulate. Hood, et al. rh4370; rf4378.

F. EXECUTIVE MATTERS

Allen, Jr. USAR, Col., William R. (Bill), Crime Stoppers Advisory Council, Judiciary, Division B. s102; rf105; cr3168; msrp3267; cu3267; v3267.

Arrington, Derek Royce, State Bond Attorney, Finance. s104; rf106; cr3282; msrp3317; cu3317; v3317.

Ashley, Dr., William J. (Bill), Executive Director of the Mississippi Department of Employment Security, Finance. s1072; rf1073; cr3310; cu3547; v3547.

Barham, Kelly Dawn, Educational Television Authority (MS Public Broadcasting BD) as the Teacher or Principal of a Secondary School representative, Education. s102; rf105.

Barham, Kelly Dawn, Educational Television Authority (MS Public Broadcasting BD) as the Teacher or Principal of a Secondary School representative, Education. s350; rf351; cr884; msrp1078; cu1078; v1078.

Bishop, DMD, Wade Coleman, MS State Board of Dental Examiners to represent Dental District Five, Public Health and Welfare. s102; rf105; cr3585; msrp4389; cu4390; v4390.

Boteler, Carolyn Q., Mississippi Business Finance Corporation as an individual associated with small business, Finance. s108; rf110; cr3282; msrp3317; cu3317; v3317.

Brashier, Anne Hall (Anne Hall), Mississippi Commission on the Status of Women, Rules. s823; rf824; cr858; cu1070; v1070; mr1101; mrc1954; mrt1954.

Bryan, PTA, Virginia Jones (Jenny), MS State Board of Physical Therapists as the representative of physical therapy assistants, Public Health and Welfare. s109; rf110; cr3314; cu4052; v4052.

Buckley, Rev., Reginald Maurice, Mississippi Department of Archives and History Board of Trustees, Accountability, Efficiency, Transparency. s474; rf474; cr1905; msrp3118; cu3118; v3118.

Bullock, Dr., Lewis Anthony, State BD of Examiners for Licensed Professional Counselors, Public Health and Welfare. s103; rf105.

Campbell, Charles Bradley (Brad), State BD of Registration for Foresters to represent the East Central Forestry Commission District, Forestry. s102; rf105; cr1003; msrp1086; cu1086; v1086.

Cannady, Norman A., Mississippi Real Estate Appraisal Board, Business and Financial Institutions. s109; rf110; cr1098; msrp3019; cu3019; v3019.

Carlton, DMD, John Ballew, MS State Board of Dental Examiners to represent Dental District Six, Public Health and Welfare. s102; rf105; cr3585; msrp4389; cu4390; v4390.

Carlton, Jr., Dr., Frederick Barnett (Rick), State Board of Health as a Licensed Physician, Public Health and Welfare. s103; rf105; cr3313; cu4050; v4050.

Castilla, Alveno Nelson, Mississippi Board of Nursing as the Consumer representative, Public Health and Welfare. s109; rf110; cr3829; msrp4389; cu4390; v4390.

Clark, Jr., Donald (Don), Board of Trustees of the Institutions of Higher Learning, Universities and Colleges. s1072; rf1073; cr3311; msrp3674; cu3674; v3674.

Clark, Larry Wayne, Mississippi Motor Vehicle Commission to represent the state at large as chairman, Highways and Transportation. s108; rf110; cr1100; cu3020; v3020.

Coggins, LMSW, Carrie K., MS State Board of Examiners for Social Workers and Marriage and Family Therapists, Public Health and Welfare. s107; rf107; cr3314; cu4051; v4051.

Cole, Lee Bertha, Board of Directors of MS Industries for the Blind, Public Health and Welfare. s350; rf350; cr3314; cu4052; v4052.

Cork, William V. (Bill), Executive Director at the Mississippi Development Authority, Finance. s103; rf106; cr3310; cu3318; v3318.

Cummings, Dr., Ormella, Mississippi Authority for Educational Television (Mississippi Public Broadcasting Board), Education. s130; rf131; cr884; msrp1078; cu1078; v1078.

Cummins, Stephanie P., MS State Personnel Board as an At-Large member, Accountability, Efficiency, Transparency. s103; rf106; cr1905; msrp3118; cu3118; v3118.

Davis, IV, Dr., John Daniel, State Board of Health as a Licensed Physician, Public Health and Welfare. s108; rf109; cr3829; cu4391; v4391.

East, Glen V., State Board of Education as the School Administrator, Education. s108; rf109; cr884; msrp1078; cu1078; v1078.

Edmiston, PT, Elizabeth E. (Beth), State Board of Health as an individual with an interest in public health, Public Health and Welfare. s108; rf109; cr3829; msrp4389; cu4390; v4390.

Emerson, Terry Wayne, State Board of Animal Health, Agriculture. s161; rf161; cr344; msrp445; cu445; v445.

Emerson, Terry Wayne, State Board of Animal Health, Agriculture. s101; rf104.

Emfinger, Lance, Polygraph Examiners Board, Judiciary, Division B. s109; rf110; cr3168; msrp3267; cu3267; v3267.

Evans, Dr., Richard Lancing (Lance), State Superintendent of Public Education, Education. s107; rf107; cr1072; cu1260; v1260.

Felder, Jeremy Andra, Gaming Commission, Gaming. s524; rf524; cr3033; cu3673; v3673.

Gatlin-Gray, LCSW, Kenya, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, Public Health and Welfare. s823; rf823; cr3314; msrp4389; cu4389; v4390.

Gilbow, Michael Gene (Mike), Board of Pharmacy, Public Health and Welfare. s103; rf106; cr3829; msrp4389; cu4390; v4390.

Gomillion, James Brian, Mississippi Real Estate Commission, Business and Financial Institutions. s350; rf351.

Griffith, Jerry L., Board of Trustees of the Institutions of Higher Learning, Universities and Colleges. s1072; rf1073; cr3311; msrp3674; cu3674; v3674.

Grubbs, Gary Mack, Mississippi Motor Vehicle Commission to represent the state at large as vice chairman, Highways and Transportation. s109; rf110; cr1100; cu3020; v3020.

Hall, Sandra K. Smith, Board of Directors of MS Industries for the Blind, Public Health and Welfare. s350; rf351; cr3314; msrp4389; cu4389; v4390.

Harkins, Elizabeth Ashley (Beth), Mississippi Commission on the Status of Women as the Single Mother representative, Rules. s104; rf106; cr160; cu171; v171.

Heidelberg, James Hinkle (Jimmy), Board of Trustees of the Institutions of Higher Learning, Universities and Colleges. s1072; rf1073; cr3311; msrp3674; cu3674; v3674.

Heidelberg, James Hinkle (Jimmy), Mississippi State Oil and Gas Board, Energy. s797; rf797.

Henderson, Dr., Barry Tripp, Board of Chiropractic Examiners as the representative of the 1st Congressional District, Public Health and Welfare. s102; rf104; cr3313; cu4049; v4049.

Herring, Sr., James Harrell (Jim), State Oil and Gas Board, Energy. s1898; rf1899; cr3281; msrp3576; cu3576; v3576.

Howell, DVM, Dr., Gregory A. (Greg), State Board of Animal Health, Agriculture. s101; rf104; cr344; msrp445; cu445; v445.

Hubbard, Jr., Gene B. (Benny), State Board of Health as an individual with an interest in public health, Public Health and Welfare. s103; rf105; cr3584; msrp4389; cu4389; v4390.

Hudson, David Charles, Board of Pharmacy, Public Health and Welfare. s103; rf106; cr3829; msrp4389; cu4390; v4390.

Jackson, David A., Mississippi Hospital Equipment and Facilities Authority as the representative of the First Supreme Court District, Finance. s1073; rf1073; cr3282; msrp3317; cu3317; v3317.

Joe, DMD, Stephen W., MS State Board of Dental Examiners to represent the Second Dental District, Public Health and Welfare. s1072; rf1073; cr3585; msrp4389; cu4390; v4390.

Jones, Anthony Lynn (Tony), Mississippi Home Corporation, Finance. s822; rf823; cr3282; msrp3317; cu3317; v3317.

Jones, Anthony Lynn (Tony), Mississippi Real Estate Commission, Business and Financial Institutions. s823; rf823; cr3278; cu3673; v3673.

Keenum, Dr., Mark Everett, Mississippi Department of Archives and History Board of Trustees, Accountability, Efficiency, Transparency. s474; rf474; cr1905; msrp3118; cu3118; v3118.

Kelly, Rhoshunda G., Commissioner of the Mississippi Department of Banking and Consumer Finance, Business and Financial Institutions. s1072; rf1073; cr3278; cu3674; v3674.

King, DVM, Stephen Kenneth (Stephen), Mississippi Board of Veterinary Medicine, Agriculture. s1073; rf1074; cr3311; msrp3578; cu3578; v3578.

King, Dr., Felicia F., State BD of Chiropractic Examiners as an Individual engaged in the Practice of Chiropractic, Public Health and Welfare. s102; rf104; cr3313; cu4050; v4050.

King, Dr., Felicia F., State BD of Chiropractic Examiners as an Individual engaged in the Practice of Chiropractic, Public Health and Welfare. s102; rf104; cr3313; cu4049; v4049.

Knight, Jennifer C., Commercial Mobile Radio Service Board as the representative from the MS Chapter of the Assoc. of Public Safety Communication Officers, Energy. s524; rf524; cr3281; msrp3538; cu3538; v3539.

Knowles, LCSW, Veronica Haynes, BD of Examiners for Social Workers and Marriage and Family Therapists, Public Health and Welfare. s104; rf106; cr3314; cu4051; v4051.

Lampton, Dr., Lucius M. (Luke), Mississippi Department of Archives and History Board of Trustees, Accountability, Efficiency, Transparency. s474; rf474; cr1905; msrp3118; cu3118; v3118.

Lee, Francis Clark (Franc), Mississippi Gaming Commission, Gaming. s108; rf109; cr3033; cu3673; v3673.

Lewis, Derrick Vaneil (Bo), Polygraph Examiners Board as the supervisor of the polygraph section of the Department of Public Safety, Judiciary, Division B. s350; rf351; cr3168; msrp3267; cu3267; v3267.

Luckey, Alwyn Hall, Mississippi State Personnel Board as the 2nd Supreme Court District representative, Accountability, Efficiency, Transparency. s350; rf351; cr1905; msrp3118; cu3118; v3118.

Mallard, Nicholas L. (Nick), State Board of Funeral Service as the Funeral Service Licensed representative from the 2nd Supreme Court District, Business and Financial Institutions. s108; rf109; cr1098; msrp3019; cu3019; v3019.

Mayfield, Billy Vaughn (Bill), Board of Directors of MS Industries for the Blind, Public Health and Welfare. s350; rf351; cr3314; msrp4389; cu4389; v4390.

Mayo, Bradley Dees (Brad), Mississippi State Oil and Gas Board, Energy. s3144; rf3144; cr3281; msrp3576; cu3576; v3576.

Mayo, James Matthew (Matt), State Board of Education, Education. s1072; rf1073; cr3268; msrp3576; cu3576; v3576.

McDivitt, III, Leland W. (Lee), Commercial Mobile Radio Service BD as the MS Law Enforcement Officers Association representative, Energy. s102; rf105; cr353; cu814; v814.

McElreath, Dr., David H., State Veterans Affairs Board as the representative from the 1st Congressional District as it existed March 1, 1992, Veterans and Military Affairs. s104; rf106; cr382; cu456; v456.

McGrevey, Michael Joseph (Mike), Mississippi Lottery Corporation Board of Directors, Gaming. s350; rf351; cr3033; msrp3577; cu3577; v3577.

McKiernon, Sandra Lynn, Mississippi Charter School Authorizer Board, Education. s107; rf107.

McKnatt, Kerri P., State BD of Examiners for Licensed Professional Counselors, Public Health and Welfare. s103; rf105.

McLeod, Norman R., Public Procurement Review Board, Accountability, Efficiency, Transparency. s104; rf106; cr1905; msrp3118; cu3118; v3118.

Middleton, Dr., Anna Taylor, MS State Board of Optometry, Public Health and Welfare. s103; rf106; cr3829; msrp4389; cu4390; v4390.

Moody, Shaterrica Janel, MS Board of Nursing as a Registered Nurse in Clinical Practice, Public Health and Welfare. s103; rf106; cr3829; msrp4389; cu4390; v4390.

Moran, Philip Edward, Parole Board, Corrections. s823; rf823; cr3268; msrp3539; cu3539; v3539.

Morgan, Benjamin Blue (Ben), Mississippi Charter School Authorizer Board, Education. s524; rf524; cr884; msrp1078; cu1078; v1078.

Murret, Laine Allyson, MS State Board of Physical Therapists, Public Health and Welfare. s103; rf106; cr3314; cu4050; v4050.

Newell, Jr., DVM, David C., State Board of Veterinary Medicine, Agriculture. s2248; rf2249; cr3311; msrp3578; cu3578; v3578.

Osborne, Jason M., MS Advisory Commission on Marine Resources, Ports and Marine Resources. s108; rf109.

Osborne, Jason M., MS Advisory Commission on Marine Resources, Ports and Marine Resources. s524; rf524; cr3312; cu3675; v3675.

Pettigrew, Joseph E. (Joe), MS Forestry Commission, Forestry. s102; rf105; cr1003; msrp1086; cu1086; v1086.

Prosser, Andrew Page (Andy), State BD of Animal Health, Agriculture. s101; rf104.

Prosser, Andrew Page (Andy), State Board of Animal Health, Agriculture. s161; rf161; cr344; msrp445; cu445; v445.

Pruitt, Michael Anthony (Mike), Mississippi State Board of Education, Education. s532; rf532; cr1379; msrp3160; cu3160; v3160.

Pugh, Brian A., Mississippi Home Corporation, Finance. s108; rf110; cr3282; msrp3317; cu3317; v3317.

Rice, Lisa Renee (Renee), Mississippi Hospital Equipment and Facilities Authority as a banker with experience in commercial lending, Finance. s823; rf823; cr3282; msrp3317; cu3317; v3317.

Rigney, Mark Alan, Commercial Mobile Radio Service Board as a wireless provider representative, Energy. s1072; rf1073; cr3281; msrp3538; cu3538; v3539.

Rigney, Mark Alan, Commercial Mobile Radio Service Board as a wireless provider representative, Energy. s1072; rf1073; cr3281; msrp3538; cu3538; v3539.

Rigney, Mark Alan, Commercial Mobile Radio Service Board as a wireless provider representative, Energy. s822; rf823.

Rodgers, Trebia L., Commercial Mobile Radio Service BD as the representative from the MS 911 Coordinators Association, Energy. s102; rf105; cr353; cu472; v472.

Rounsaville, Clinton Crawford (Clint), Board of Registration for Foresters as the representative from the Southwest Forestry Commission District, Forestry. s2248; rf2249; cr3312; msrp3577; cu3577; v3577.

Rozier, Jr., Michael C., State Board of Contractors, Business and Financial Institutions. s102; rf105; cr1098; msrp3019; cu3019; v3019.

Rutledge, Stewart, Board of Mental Health, Public Health and Welfare. s108; rf109; cr3829; msrp4389; cu4390; v4390.

Sanders, Kristopher Daniel (Kris), Mississippi Hospital Equipment and Facilities Authority as the representative of the Third Supreme Court District, Finance. s2248; rf2249; cr3282; msrp3317; cu3317; v3317.

Sawyer, Richard Cullen (Ric), Educational Television Authority (MS Public Broadcasting BD) as the Teacher or Principal of an Elementary School representative, Education. s2248; rf2249; cr3269; msrp3576; cu3576; v3576.

Scott, Robert L. (Bobby), MS State Board of Examiners for Social Workers and Marriage and Family Therapists, Public Health and Welfare. s107; rf108; cr3314; cu4052; v4052.

Shivangi, Dr., Sampat S., State Board of Mental Health, Public Health and Welfare. s103; rf106.

Shoemaker, Scott Roach, MS State Personnel Board, Accountability, Efficiency, Transparency. s103; rf106; cr1905; msrp3118; cu3118; v3118.

Smith, Madison H. (Hamp), State Board of Contractors, Business and Financial Institutions. s102; rf105; cr1098; msrp3019; cu3019; v3019.

Sones, Sr., William David (Bill), Mississippi Business Finance Corporation as an individual involved in banking or small business, Finance. s3218; rf3219.

Sones, Sr., William David (Bill), Mississippi Business Finance Corporation as an individual with at least 3 years experience and background in the savings and loan association business, the commercial banking business or the mortgage banking business, Finance. s822; rf823; cr3310; cu3318; v3318.

Stephenson, Charles Richards (Charlie), Board of Trustees of the Institutions of Higher Learning, Universities and Colleges. s1072; rf1073; cr3311; msrp3674; cu3674; v3674.

Stewart, Dr., Mary Westfaul, MS Board of Nursing as a Nurse Educator, Public Health and Welfare. s103; rf106; cr3829; msrp4389; cu4390; v4390.

Stroo, James Robert (Jim), Mississippi Real Estate Commission, Business and Financial Institutions. s350; rf351; cr1098; msrp3019; cu3019; v3019.

Stroud, Billye Jean, State Board of Education to represent the Third Supreme Court District, Education. s2248; rf2249; cr3269; msrp3576; cu3576; v3576.

Tatum, CSM, Silvester, State Veterans Affairs Board to represent the 2nd Congressional District as it existed March 1, 1992, Veterans and Military Affairs. s104; rf106; cr382; cu457; v457.

Tew, Joe Clifton, State Board of Funeral Service as the Funeral Service Licensed representative from the 1st Supreme Court District, Business and Financial Institutions. s108; rf109; cr1098; msrp3019; cu3019; v3019.

Van Camp, James Keith, Information Technology Services Authority, Accountability, Efficiency, Transparency. s108; rf109; cr1905; msrp3118; cu3118; v3118.

Ware, PT, Cheryl Brooks, MS State Board of Physical Therapists, Public Health and Welfare. s104; rf106; cr3314; cu4051; v4051.

Wells, Maxwell Mitchell (Max), State Board of Funeral Service as the At-Large member, Business and Financial Institutions. s103; rf105; cr1098; msrp3019; cu3019; v3019.

White, Anthony Chester, Mississippi State Board of Massage Therapy as the consumer at large, Public Health and Welfare. s350; rf351; cr3314; msrp4389; cu4389; v4390.

Winstead, Jack H., MS Commission on Environmental Quality as the representative of the 3rd Congressional District as it existed in 1978, Environment Prot, Cons and Water Res. s102; rf105; cr2420; msrp3308; cu3308; v3308.

Yoder, Jr., Richard Lewis (Lew), State Oil and Gas Board, Energy. s350; rf351; cr3281; msrp3576; cu3576; v3576.

PART IV
GENERAL INDEX OF OTHER LEGISLATIVE MATTERS

Adjourn in Memory
Abbott, Chief Warrant Officer 4 Derek Joshua ... 363
Adair, Lowery Dale "Cotton" ... 1027
Adamo, Mary Ann ... 28
Adams, Donna High ... 81
Adcock, Mary Connor ... 8
Aiken, Mittie McBee Johnson ... 186
Ainsworth, Harold Boyd ... 1898
Alexander, Dr. James Edward ... 16
Alexander, Grace Odom ... 15
Allen, Rita Loretta Martinez ... 90
Allgood, Castel Louis ... 16
Allison, Delorise Ann "Dee" Hough ... 10
Ammons, Calvin ... 847
Anderson, David ... 9
Anderson, Sr., William Anthony ... 540
Anglin, Sr., Joe Van ... 4789
Arguelles, Richard Alan ... 40
Armstrong-Agnew, Janiya Grace ... 9
Arnold, Lonnie Ray ... 27
Ashford, Devonte ... 169
Ashmore, James Dale ... 100
Aucoin, Hazel Marie Roberts ... 3119
Austin, Jr., William Hoytte (Bill) ... 90
Avera, Tommie Jean ... 27
Bahm, Jr., Harry DeWitt ... 15
Bain, Roger Dale ... 14
Baker, Marilyn Catherine ... 132
Baker, Sandra Ellen Carroll ... 848
Barbour, Clara ... 89
Barnes, Ellen ... 8
Barnes, Richard ... 151
Barnett, Virginia ... 27
Barq, Lou Ella ... 27
Barrett, Bobby ... 4078
Barry, Cheryl Merritt ... 11
Barton, Kennon Douglas ... 16
Battles, Caleb ... 62
Baughman, Melanie Lynn Brett ... 8
Bayoudi, Fadhila Hamidha ... 11
Beachum, Jim ... 758
Beadles, Troy ... 27
Beard, Beth Ann Grissom ... 3268
Beasley, Codie Gean ... 15
Beaver, Martel ... 1313
Beckham, Rosanna Grossman ... 4395
Becton, Donna Suzanne ... 185
Behrman, John ... 9
Belk, Doris Ann ... 39
Bell, Nancy Carolyn "Maw Bell" Hall ... 1027
Bell, Rachel Jean ... 4078
Benefield, Charles W. ... 28
Berta, Marie Elaine ... 15
Boler, Sr., Dr. Michael Ted ... 22
Borries, Samuel Douglas ... 16

Bosarge, Clarence "Gerald" ... 3119
Bosarge, Patricia "Patti" ... 27
Bosarge, Wendy Cabrina ... 3279
Bounds, Mel (Milburn Harrison) ... 4396
Bowen, James "Jim" ... 8
Boyd, III, James Curtis ... 1898
Boyd, III, William Craddock ... 52
Boyd, Lela Faye ... 4782
Boykin, John Bartley ... 758
Brady, Dan Hill ... 52
Brandy, Jennifer "Bug" ... 539
Branton, John Franklin ... 98
Breeland, Jr., Lee Alex ... 4078
Breland, Curtis Eugene ... 230
Breland, Felicia ... 1027
Breland, Otis Leon ... 28
Britton, Sam ... 12
Brock, Iris Kirkland ... 16
Brock, James Alton ... 1027
Brooks, Roberta Caroline Bahr ... 16
Broome, Thomas Houston ... 12
Browder, Tangie ... 14
Brown, Jr., James ... 758
Brown, Leroy ... 15
Brown, Mary "Billie" ... 1027
Bryan, William Zachary ... 100
Bryant, Billy Ralph ... 15
Bucci, Margaret Frances Salmon ... 882
Buchanan, Troy Michael ... 4078
Buntyn, Junior ... 52
Burge, Henry H. ... 4396
Burleson, Deborah Jean Whittington ... 1027
Burns, Sandra Warren ... 8
Burt, Walter Kelvin ... 159
Busby, IV, Leonard Kye ... 3648
Busby, Leonard "Bubba" ... 32
Bush, Jack ... 13
Bush, Jr., Hamilton C. ... 27
Butler, James "Jim" ... 13
Byrd, Herbert ... 152
Caldwell, Dimple Faye ... 14
Caldwell, Norris "Piggie" ... 19
Caldwell, William "Bill" ... 84
Calhoun, Prentiss ... 3268
Callicutt, Ruth Swann ... 1027
Calvert, III, Robert L. ... 194
Calvert, Martha Charlene ... 4396
Calvert, PE, PLS, Robert L. ... 194
Cameron, Brian Dwayne ... 169
Campbell, Ralph L. ... 381
Campbell, Wanda Lee ... 848
Campeau, Sr., Richard ... 9
Carlisle, Justin ... 8
Carlisle, Laurine ... 30
Carlisle, Robert Delma ... 30
Carlyle, Coach Archie ... 13
Carpenter, Ann Cocke ... 381
Carroll, Betty Ruth Sharp ... 4782

Carruth, Tommy 9
Carson, Murdock Cyril 15
Carter, James Roy 151
Carver, Leroy 1027
Castillo, James Adam 11
Cavenaugh, Ricky A. 4782
Caver, Harold Hoover 13
Chaney, Jonathan Graham 411
Chapman, Wallace Danny 422
Childs, Dr. Joseph Hyrum 19
Chism, Jane Hutcheson 1027
Chism, Tracy Leroy 1027
Chittom, Larry 8
Chunn, Donald 343
Clark, Judge Shannon 1312
Claunch, Betty 62
Clay, Dr. John Calvin 46
Clift, Jesse 87
Coates, Lane 1448
Cobb, Thomas Randy 1027
Coburn, DJ 411
Cole, Virginia Inez 192
Coleman, Sandra 3542
Collins, Carlos 2624
Collins, Mr. George 13
Colvin, Sr., John William "Bill" 10
Combs, Carolyn Grace 4396
Cook, Jane P. 848
Cook, Pauline 13
Cook, Robert Dale 1027, 3542
Cooley, Jr., Archie L. 3268
Cooper, Charles Clozell 1898
Cooper, Lula Mae 185
Cooper, Sallie Mae 883
Cooper, Samuel 10
Copeland, George Thomas 30
Corlew, John G. 10
Coulson, James Henry 434
Covington, Veta Grace Smith 98
Covington, William Henry "Billy" 98
Cox, Ernest Bernard 3021
Cox, Phyllis Greener 847
Cox, Sr., Robert Earl 15, 4782
Cranford, Cheryl 363
Crass, Cutter 540
Cromeans, Larry (Crow) G. 347
Crossen, Dr. Karl 8
Cruthirds, Corey James 15
Cunningham, Jack D. 820
Dale, Katie King 344
Danzey, Genene Krohn 15
Darden, John E. 759
Darling, Randall Leslie 1027
Daughdrill, Betty Lee 796
Davenport, Eugene Wilson 1095
Davidson, Joseph Eugene 68
Davis, Alison Hinton 1312
Davis, David 4783

Davis, Edward 1448
Davis, Ellen Grace 343
Davis, Eula Frances 97
Davis, John Ray 343
Dearman, Ina Jean 13
Dearman, Jarvis 132
Dees, Sandra 4396
Denton, Peyton Ellis 1027
Diaz, Jonathan Elias 15
Diaz, Oliver Earnest 15
Dickerson, Lillie Mae 82
Dickerson, Mary McCrory 10
Dickerson, Rachel Mable 12
Dickson, Lisa Downs 795
Dise, Elizabeth Whitman 1368
Dise, Jr., Lawrence Raymond 832
Dixon, Maelania Dale 15
Dockins, Joe T. 3541
Doehner, Luke 3542
Dollar, Jon Tyson 758
Douglass, Rita Marie 4078
Downs, Ruby Louise 795
Dozier, Jr., Robert Curtis 796
Dozier, Willie R. 11
Draper, Mavis Reynolds 14
Drennan, James Ray 22
DuRapau, Dorothy "Dot" Dudden 27
Dulaney, Toni 19
Dunnam, Bryan Pierce 1027
Dunnigan, Harry L. 13
Durang, Christopher 1313
Duval, Sr., Lloyd Joseph 16
Dyson, Jay 98
Eady, Dee S. 11
Easterling, Gladys 27
Edgeworth, Joe 19
Edmonson, Mary 3160
Edwards, Ann Hull 4505
Eggleston, Lisa Luelnor Greenlee 4078
Ehret, Jr., Louis Vernon "Dutch" 22
Ehrgott, Inez Horger 3541
Ellis-Lake, Ethel Lee 860
Enis, Sr., Gary Alan 8
Ensign, Martha 343
Essary, Sherman 15
Estess, Dr. John 4782
Eure, Bettye Jo Hall 1448
Evans, Edward Russell "Edd" 12
Evans, Jr., George Alexander "Sonny" 3021
Evans, Sr., Jon Timothy 3279
Evans, Vivian 13
Everett, Joyce Elaine 1898
Everett, Robert Lee 3020
Ezell, Betty Jean 22
Fain, Patrick 8
Favre, Mayor Eddie 174
Feazell, Bobby 14
Ferguson, Dr. William F. 1003

Fick, Robert O. 758
Fields, Charlotte Ann 1095
Fields, Charlotte Ann Campbell 3541
Fields, Wallace 4395
Fisher, Carter Bryant 11
Fisher, Gladys 13
Fitts, Mildred Ruth Murphy 27
Flaggs, Ondrea 3541
Flanagin, Billy 9, 21
Flautt, Henry 14
Fletcher, David 13
Florey, Jr., H. W. "Hank" 46
Flowers, Vickie Warren 343
Fluker, Doris Cain 515
Foley, Kennie Kirk 1027
Foote, Jamaiyia "Tupac" 1448
Forbus, Robert (Bob) V. 3648
Ford, Elizabeth Ann Jackson 4078
Ford, James 152
Fordham, Gary 13
Fore, Ronny F. 10
Forehand, Rose Maria 28
Forsythe, Eleanor S. 22
Foster, Jeanette 81
Fountain, Bradley 3279
Fowler, Kathryn 15
Fox, Maxine Clauser 539
France, Dalton 52
Frazier, Jr., Stanley 4396
Freeman, Christina Mae Lenco 3841
Freeman, Curry Littleton 132
Freeman, Mary Sue 8
Freiberg, Timothy Rex 28
Frost, Ronald 19
Fulcher, Jr., Dr. Luther Harrison 10
Fuller, Larry Warren 81
Furrh, Mary Leigh Hendee 13
Gables, Amy Rice 1003
Gage, Mrs. Frances 343
Galambus, Kelly 152
Gallagher, Mary Jane 2624
Gammell, Rickey Harold 1027
Ganier, Chloe Foster 27
Gardner, Elder George 847
Gardner, Robert "RB" 847
Garner, James Hulon 141
Garner, Jr., P.S. 758
Garner, Peggy Jean 1448
Garrett, William David 81
Gary, Jetty Cathryn Paxton 152
Gaskins, John Charles 372
Gatewood, Jimmy 4782
Geary, John Hart "Jack" 46
Geddie, Jr., Vern 83
Gendusa, Jr., Anthony Joseph 411
Gentry, Dr. Dorothy Boyd Stokes 3541
Gibbs, Anita 1448
Gideon, Louis Buckner "Bucky" 1014

Gilbert, Clara R. 795
Gilbert, Clara Rutherford 10
Gildea, Gertrude Ellen "Trudy" Serby 795
Gilless, Alvin E. 12
Givens, Tommy Marcus 98
Glaze, Ruth Ann. 4078
Glenn, III, James L. 132
Goldman, Irby Rudone "Rudy" 2624
Gollott, Jr., Armond Carroll "Arny" 15
Goss, Becky 1448
Gowan, Judge William A. 45
Grace, Steve 1448
Graham, Beverly Christine "Kristy" 26
Graham, Marian 795
Grantham, Bettie Sue Clement 3541
Grantham, Sonny 4396
Grass, Robert "Bobby" David 19
Gray, Carl. 343
Gray, Michael Andrew 16
Grayson, Corley 30
Green, Joseph Grantland 3648
Green, Mr. Michael 1027
Greenlee, Larry Joe 4078
Gregory, Gussie 3583
Griffin, Coach Willie 3841
Griffin, Robert Loyde 52
Griggs, Marvin Delano 9
Griswold, Kathryn Elizabeth Muller 8
Gunn, Jennie L. 820
Gunn, Reverend Robert 13
Hackl, Christine France 860
Hale, Carolyn 10
Hale, Herschel Lamar "Sonny" 84
Hale, Mary Helen Harris 1027
Haley, Edna Mae Brewer 98
Haley, Fred 3542
Haley, Pat 4396
Hall, Charlie 847
Hall, William Glenn 152
Hambrick, Johnny Ray "J.R." 39
Hamilton, Joe Clay 19
Hamilton, John Carlton 372
Hammons, Hilton Ray 847
Hampton, Chief Kenneth 411
Hampton, Linda 4396
Hankins, James Frank 173
Hannon, Jr., James Rogers 194
Hansen, Tracy Dubuisson 15
Hardin, Mary Ruth 3542
Hardwick, Patsy Bain 84
Hardy, Jennings Houston 30
Harper, Mrs. Charlene 363
Harpole, Waymon Martin 795
Harris, Charles Bradley 1027
Harris, James Jerry 848
Harris, Jr., Curtis "Curtie" Ray 15
Harris, Julius 1313
Harris, Mary Jo 52

Harris, Richard Lee 15
Harris, Robert Andre 1313
Harris, Susan Turner 4782
Hay, Phyllis Ladner 27
Hayes, Sr., Mr. Roosevelt 795
Haygood, Mr. Billy 98
Haygood, Ryan "Tate" 9
Haynie, Hub Robbins 1027
Hays, Dorothy "Dot" Menard 30
Hederman, Zach T. 796
Hegwood, Inell 141
Heidelberg, Eloise Pettus 92
Helms, Ellie Lum 1448
Henderson, Dorothy 151
Henderson, Jr., Robert N. 4395
Henderson, Keith 13
Henley, Milton Dye 15
Henley, Ralph Edward 1313
Henson, Patty Embrey 3280
Herring, Jimmy Dale 9
Herrington, Ina 3690
Herrington, Miles 3690
Hickman, Cynthia J. 465
Hickman, Matthew Dale 22
High, Wanda Lea 27
Hilbun, Dr. Benton McInnis 8
Hilbun, Dr. Glyn Roy 151
Hill, Clarence "Timmy" 110
Hill, Deacon Charles E. 1448
Hill, Larry W. 4396
Hill, Olivia Marian 8
Hill, Sr., Fred "Leon" 62
Hilliard, Elbert 795
Hinds, Bob 3119
Hoard, Rosemary 3279
Hodges, Ray 192
Holbrook, Mary Elizabeth 22
Holifield, Thomas Joseph 515
Holland, Nena Fay 14
Hollingsworth, Sherry Ann 4396
Hollins, Jr., James 1003
Hollins, Vanessa Cassandra 883
Holloway, Deborah 11
Holmes, Jr., Miller P. 14
Hontzas, Thomas 10
Hood, Willerma Toler 168
Horn, Alice Mae 3841
Horton, Marilyn Taylor 848
Hoskins, Ronald Wayne 3268
Houston, Neal C. 9
Huckaby, Garrod Shaine 82
Huddleston, Dr. Elton Mac 15
Hudnall, James Harry 4396
Hudson, Walter Lee 27
Hull, Charles Quinton 15
Hull, Rachel Staples 1368
Hutchinson, Jan 169
Hutchinson, Mike 169

Ingram, James Michael 3119
Ivy, Vernia Delores 10
Izard, Phillip 1898
Jackson, Annie Mae 13
Jackson, Dr. Willie Fred 3213
Jackson, The Honorable Gary Dale 3020
Jackson, Reverend George C. 411
Jaudon, Ellis "Big Daddy" 173
Jennings, Hattie Pearl 847
Johnson, Elder Tony B. 1027
Johnson, Grover C. 152
Johnson, Jack 14
Johnson, Jewel 372
Johnson, Samuel Price 14
Jolly, Greg 9
Jones, Abraham 84
Jones, Mary Frances 230
Jones, Mr. Bilbo "Red" 14
Jones, Reverend Willie Earl 13
Jones, Sally Allen 13
Jones, Samantha 32
Jordan, Calvin Benjamin "Benjy" 98
Jordan, Houston Russell "Bubba" 98
Jordan, Jr., Dan 882
Jordan, Jr., Earl Patrick 39
Jordan, Linda Brasfield 795
Jordan, Toler Randall 98
Jurich, Joseph Matthew 28
Key, Lola Rogers 194, 343
Keys, Gordon Chandler "Gordie" 98
Kidd, Charles Ray "Chuck" 1027
King, D. B. 159
King, David Jeff 151
King, Sr., John Al 31
King, Sr., Kenneth Neal 2624
King, Wylma R. 347
Kirkland, Eula Mae 27
Kitchings, Dorothy Hannah 10
Kittrell, James Thomas "Jimmy" 12
Kizer, Brenda Mae Smithey 1027, 3542
Knight, Barbara Jean 40
Korn, Sr., Jeffrey Lowell 15
Labat, Dr. Cherie 795
Ladner, Bridgette Hoda 141
Ladner, Micah Owen 27
Lalley, Sandra Kay 3119
Lamb, James Blaine "Jimmy" 9
Langton, Lance Edward 12
Latch, David James 9
Laven, Roger 4789
Lawrence, III, Miguel Anthony 3541
Laws, Jan Williams 4782
LeFlore, Deacon Leon 18
Leatherman, Dorinda 9
Ledbetter, Janice Mae 1027
Lehman, Kevin Michael 31
Lemasters, Brian Kelly 3119
Lennep, James Elwood 3690

Lestrade, Gloria Dorothy Meaut 848
Letort, Vernon F. 15
Lewey, Gale Fortenberry 14
Lewis, Cruz Mackenzie 422
Lewis, Glen 26
Lewis, Joy Melissa "Lisa" Stewart 27
Lewis, Judge Joseph J. 1014
Lewis, Willie E. 13
Likens, Karsyn 3541
Lindsey, Gary 152
Lindsey, Mavelene Woodruff 89
Little, Tammy Kay 52
Lizana, Elaine Elizabeth 1898
Lloyd, Eddie 81
Lockley, Jr., Charles Stanley "Stan" 39
Loden, Debbie 9
Logan, Freddean Sheriff 13
Logan, Gwendolyn Sue 68
Logan, Roy 9
Lollar, Theresa 83
Long, Lawson 411
Long, Lucy Elizabeth "Betty" Cobb 9
Loper, Clara Ann 194
Lott, Bobbie Gean 3119
Lott, Brad 13
Lovelace, Barbara Kirby 132
Lovett, J. K. 652
Lovett, Lisa 540
Lovett, O. E. 4396
Lovitt, Lindsay S. 3213
Lowery, Joe 16
Lowery, Max 21
Lowry, Alan Joseph 10
Lucius, Chris 9
Ludlow, John "Keith" 47
Lumpkin, Robert 13
Lyles, Dr. Ivory 3213
Lyons, Dorothy Jean Dot 19
Lyons, Sr., Judge David 10
Mackey, Coach Corey 141
Maddox, Robert 84
Malchow, Hal 814
Mallett, Doris Joan 28
Malone, Jeremy 26
Maples, Geneva 3542
Maples, Mary Ruth 46
Maples, Rebecca "Becky" Sue 185
March, Marvin 169
Marcus, Richard Preis 820
Mars, Joe 45
Martin, Emilie Hodges 363
Martin, Reginald Lance 860
Martin, Sara Nabers 19
Martino, Genevieve "Jenny" Marie 16
Mason, Rex C. 192
Massengill, Carol 152
Mathers, Michael "Mikey" Lee 16
Mathews, Joyce D. 4078

Mattox, Ladron 14
Mayatt, Jackie D. "Jack Jack" 11
Mayfield, Chancellor Burns 19
Mayfield, Sr., Alderman Michael A. 652
Mazer, Jr., Lewis Henry 152
McAnally, Cathy Lorraine 81
McArthur, Jr., Harry 3841
McBride, Charles Reginald 796
McClellan, Sherry Byrd 58
McClenton, Henry Clay 192
McConnico, Patricia Brown 3160
McCool, Joy Wilson 13
McCool, Wendell Darnell 4395
McCormick, Norma Hairald 3280
McCullough, Jerolyn Brister 152
McDonald, Charles Lamar 26, 39
McDonald, IV, Claiborne "Buddy" 11
McFall, Harvey Eugene "Gene" 14
McGowan, John Willard 4396
McGraw, Vay Gregory 13
McIntyre, Barbara Suzanne Smith 22
McKee, M. Curtiss 4078
McKenzie, Charles Louis 16
McKenzie, Jr., Judge Franklin C. 10
McLaurin, William Thaddeus 21
McLeod, Tammy Lea 3842
McMullan, Ruth Holt 3160
McMullen, Sr., Rev. Jerry R. 4396
McNair, Marie 1898
McNair, Willie Talmadge 4504
McVea, Brodie Charles "Charlie" 4078
McVey, Karen 19
Mercier, Bettie Charlotte Allen 132
Merrill, Rose Ellen 186
Middleton, Paul Beadle 3648
Miles, Sammy 3542
Miller, Dorothy Lee 3542
Miller, Jeffrey 13
Miller, Joyce Thomas 4078
Miller, Richard Earl 3690
Miller, Thomas 230
Miller, Toni 9
Milner, Marcelle Gruber 422
Mims, Laverne 8
Minniefield, Mattie 14
Mitchell, Sue 47
Mitts, L'genia Joffrion 11
Mobley, Jr., Floyd 3020
Mobley, Sandra Vaughn 3020
Moffett, Major General Terrill Kay 9
Montgomery, Charles 9
Montgomery, Leslie F. 3279
Montgomery, Sr., Charles Joseph 14
Moore, Bon Ava Barnes 12
Moore, James "Bud" 19
Moore, Owen Benjamin 422
Moore, Willie Maude 848
Morgan, John Jordan 14

Morris, Sr., Marcell 152
Morrow, Betty Jane 848
Morrow, Phyllis Carol 1368, 1448
Morse, James Adam 19
Moseley, Danny 27
Moskewitz, Carol Brown 4078
Moten, Willie Earl 13
Muhammad, Samad Abdullah 26
Mullen, Sr., Johnny Carson 28
Mullins, Justin Glenn 81
Mullins, Pat 882
Munn, Krissi Leigh 1898
Murphy, Brenda Kay 4782
Murphy, Jr., Burke Campbell "Bucky" 796
Murray, Margaret James 52
Nabers, McEllis 132
Nabors, Gabie Franks 814
Nabors, Jr., Louis B. 814
Nahlik, Jr., Joseph 16
Napier, Ernest Dewitt 30
Napp, Jessie L. 27
Naylor, Walley Ricardo 14
Neal, Jr., Robert Bell 62
Necaise, John 97
Neely, Claudia Perry 9
Nester, Daniel Martin 4782
Newby, Herbert Reece 1027
Newell, Betty W. 26
Newell, Dr. Ronald Bruce 14
Nichols, Milton Keith 12
Nolan, Johnny Clark 1027
Nolden, Victor 169
Norris, Linda Fleming 344
Nowell, June Sims 9
O'Neal, Betty 30
O'Neal, Peggy Louise 15
Oaks, Paisley 860
Ogden, Charlyn Odom 230
Oliver, Austin 360
Oswalt, Marcus 1014
Owens, Cleveland 13
Pace, Dorothy Nell Townsend 27
Pace, Ryan 151
Page, Kenneth Wayne 4782
Palmer, Joyce Sydalia Rogers 15
Parker, Brenda Marie 230
Parker, Diane 81
Parker, Doris Evelyn Erkhart 28
Parker, Lori 52
Parker, Ola Lee 30
Parker, Tony Vaughn 14
Parkerson, Mrs. Gene Hopkins Golden 3541
Parks, Tootsie 14
Patrick, Walter Wallace 173
Patterson, Catherine "Kay" 10
Patterson, Joe 27
Payne, Jr., Robert E. "Bobby" 3308
Peden, James A. "Jeep" 4078

Pegues, Norma C. ... 86
Peninger, Kenneth L. ... 27
Penn, Robin Brown ... 13
Pennebaker, Maxwell Curtis ... 14
Perkins, James Paul ... 9
Perkins, Jimmy ... 347
Pettie, Thomas Dale ... 14
Phelps, Sarah Jane ... 9
Phillips, John Douglas ... 46
Phillips, Julia ... 30
Pickett, Dianne ... 3542
Pierce, Charlene ... 9
Pinstein, Phil E. ... 12
Pipkins, Mary Kalene ... 46
Piznar, Jimmie ... 422
Pol, Walter Lee ... 47
Pollard, Helen ... 12
Pope, Carolyn Keith ... 13
Porter, John Anthony "Teddy" ... 152
Pounds, Dottie ... 9
Prescott, Ed ... 30
Presley, James Roy ... 363
Price, Jamari ... 13
Price, Norma Newell ... 12
Pringle, Sr., Charles Kistner ... 539
Purvis, David W. ... 30
Pyron, Sherry Thomas ... 9
Radich, Roxane Marie Letort ... 173
Raines, Jr., Roy ... 3542
Rainey, James Danny ... 4505
Ramsey, Jacob "Jake" Tyler ... 98
Rath, Henry Willis ... 27
Ray, Reverend Jesse "Sugar" ... 132
Redmond, Gerald "Rusty" ... 28
Reed, Meaghan Nykole ... 4782
Reeves, Sr., Earl Preston ... 796
Regan, Bertie Dixon ... 3279
Rester, Jr., Rankin Fredrick ... 27
Rester, Malcolm "Buck" ... 540
Rhodes, Mary C. ... 151
Richards, Doris "Dotty" Egger ... 1313
Richardson, Donna ... 4396
Rider, Jeannie Necaise ... 28
Rider, Jonathan Lawrence ... 14
Riley, James Anthony "Tony" ... 9
Riley, Joe ... 860
Riley, Laken Hope ... 411
Ritter, Jr., Charles William ... 10
Roach, Jason ... 3542
Roberts, Larry ... 9
Robertson, Colonel Orville G. ... 192
Robertson, James Lawton ... 10
Robertson, John Westbrook "Bouncer" ... 19
Robinson, Charlie ... 186
Robinson, Curtis Glenn ... 194, 343
Robinson, Johnnie Mae ... 13
Robinson, Sr., Benjamin Eric ... 11
Robinson, Sr., Marvin Lee ... 28

Robison, James Gordon 1095
Rocco, Irvin Albert 27
Rochele, Stan Warren 30
Rochelle, Joe Wayne 12
Roebuck, Lisa Joyce 89
Rolison, Paul 14
Rose, Clyde Dean 3021
Rounsaville, Mary Sue 82
Rowley, Matthew James 87
Ruffin, Linda 3541
Rush, Rev. Jacob 14
Rushing, Bradley Decator 152
Rushing, Gloria 1448
Russell, Lille Shotwell 173
Ryals, Belinda Sue 16
Ryan, Michael Evans "Mickey" 87
Salazar, Paolo E. 4396
Sallis, Dr. William Charles 169
Sample, Joan Elaine 81
Sanders, John Knox 1027
Sanderson, Kendall D. 12
Sandos, Giuliana 30
Sandridge, Larry 47
Sanford, Robert E. 27
Santa Cruz, Michael Glen 15
Sauerwein, Sharon Marie 3841
Sawyer, Rev. Jerry Edward 9
Scarborough, Jasper William 15
Scott, Barbara 13
Scott, Eddie 9
Scott, Linda 4505
Scott, Mary Louise 372
Scott, Saundra Jo 712
Searcy, Sr., Cleveland Russell 83
Sentelle, Norma June Gollott 15
Sevier, Amy Johnson 13
Shamburger, Kathryn Lee 343
Shepherd, Dr. Banks 796
Shepherd, Mary Ann M. 796
Sherman, Maria Hayes 3842
Sherrer, Alan Creig 3648
Shuttleworth, Barbara Read 832
Simmons, Elizabeth Luckett 4078
Simmons, Jr., Roger 98
Simmons, Travon 169
Sims, Vicki Walker Russell 4505
Skinner, Donnie 15
Small, Jr., Oscar L. 58
Smith, Clarice M. 26
Smith, Connie Mack 1448
Smith, Courtney Maureen 1313
Smith, Edgar Ronald "Ron" 27
Smith, Ernestine S. 186
Smith, Gene 1027
Smith, Louis "Corky" 10
Smith, Marlin Doyle 27
Smith, Phillip 159
Smith, Representative Ferr 26

Smith, Robert H. ... 62
Smith, Roxie ... 848
Smith, Sharolyn ... 10
Smith, Vera Groves ... 11
Southard, Gerald Dwayne ... 360
Sparkman, III, Jesse Roderick ... 21
Speed, Joseph Liston ... 169
Spence, Maureen Rushing ... 81
Stafford, Teri Rene ... 11
Stallings, Joel Kenneth ... 90
Stanford, Dr. Ruth Wood ... 9
Staples, Barbara Stewart ... 1368
Starks, Donald W. ... 27
Starling, Mr. David Joe ... 185
Stephens, Sheryl Highsmith ... 12
Stevens, Fred Richard "Bud" ... 173
Stevens, Robert ... 151
Stewart, James ... 4396
Stewart, Paul William ... 52
Stone, Dellie ... 344
Stone, Glenn Arnold ... 540
Strickland, Michael ... 15
Stroud, Mary Elizabeth ... 186
Summerford, Antoinette "Ann" ... 848
Summerford, George William "Billy" ... 9
Summers, Albert ... 3648
Sutlar, Jr., Michael D. ... 13
Sykes, Willie Mae ... 58
Tackett, Nelson ... 12
Tanner, Billy James ... 1027
Tanner, Charles Gene "Jack" ... 422
Tatum, Mary Sutherland ... 13
Taylor, Donna Rose ... 30
Taylor, George Malcolm ... 92
Taylor, Greg L. ... 40
Taylor, Hazel ... 15
Taylor, Jack Leonard ... 15
Taylor, Mary Ellen ... 152
Taylor, Teresa ... 1027
Thomas, Addie Jane ... 9
Thomas, Jackie Paul ... 758
Thompson, Ansley Haynes ... 540, 1027
Thompson, Carol Ladner Loper ... 28
Thompson, Sr., Sidney Lamar ... 169
Threadgill, Ruby Elizabeth ... 540
Tillman, Glenn ... 758
Timbes, Patrick ... 10
Tinsley, Mrs. Madie B. Epps ... 814
Todd, Danny ... 3280
Tolliver, Christne ... 169
Tomsik, Florence Mildred ... 16
Travis, Karen Oswald ... 27
Treadaway, Norman ... 1027
Troxler, Andrew Thomas "Drew" ... 12
Tucker, Christopher S. ... 28
Tucker, Janet ... 15
Tucker, Mr. L. C. ... 3119
Turberville, Jr., Howard H. ... 4396

Turner, Drew Corey 883
Turner, Hilda Moore 360
Turner, Larry 16
Turner, Mark Douglas 1095
Tyler, Bob 4396
Usry, II, Richard (Drue) 4782
Vanderford, Betty Jean 343
Vandevander, Ruby Nell Weeks 9
Vaughns, Kobe 169
Verell, Master Gunnery Sergeant Robert Howard 2248
Verell, Robert Howard "Bob" 19
Waldrup, Thomas Mack "Tim" 110
Walker, David 4396
Walker, David Arthur 434
Walker, Grace Marie 848
Walker, Jr., Clinton William 22
Walker, Melba Aileen 3308
Walker, Nora E. 4396
Wall, Betty Louise Busby 4782
Wall, Elton 1448
Wall, Joseph R. 848
Walton, Jr., Darryl T. 1448
Ward, Larry Edward 4505
Wardlaw, William H. "Bill" 10
Warner, Jack D. 15
Waters, Eloise Ford 9
Watkins, Don 814
Watts, Terry Herman 3583
Weaver, Claudette 13
Webb, Mayor W. K. 9
Webster, Doyle Elbert 796
Weems, Jerry Wayne 28
Welch, Bobbie D. 465
Welch, Marlene 434
Wells, Gabrilla Taylor 98
Wells, Waymon Dean 4782
Weseli, Deborah Turnage 87
Wester, Robby 22
Westerfield, Houston 848
Westfaul, James Derkins (J.D.) 795
Westmoreland, Amanda Lavender 4078
Weston, Brenda Faye 1014
Wetzel, Percy James 515
Whitaker, Jimmy Ray "Whit" 15
White, Barbara Ann 372
White, Barbara Louise 434
White, Betty Pierce 4396
White, Mr. Marion Kenneth 4789
White, Rick 19
White, Sr., Doyle Wayne 11
Whiteside, Phillip 1027
Whittington, Gorden Carol 1027
Wicks, Sr., John Arthur 795
Wigfall, Ania Vanaye 4789
Wilbanks, Mark 3542
Wilder, Marie Speed 30
Wildmon, Rev. Dr. Donald Ellis 8
Wilemon, James 9

Wilkerson, Dianne 131
Wilkerson, James Fletcher 1448
Wilkerson, Mrs. Christine "Nancy" 2624
Willard, Annie Mae Mildred Hall 1027
Williams, Elnora 62
Williams, Helen Dubard 9
Williams, Herdcine 11
Williams, Jerry Wright "Bugs" 411
Williams, Jr., Ronald "Ronnie" James 27
Williams, Lucinda 3213
Williams, Mackenzie 19
Williams, Marvin 3020
Williams, Patricia Gartman 31
Williams, Sylvia 4395
Williams, Vicki Baker 2624
Williamson, Diane Richard 12
Windham, Betty Jo 3279
Winstead, Jr., Reginald 151
Witherspoon, II, Anthony Cordell 422
Wood, Frank "Frankie" 89
Wood, James Frank 92
Wren, Scotty Lewis 92
Wright, Robert 132
Wyatt, Alice Faye 4396
Yates, David Dee 848
Young, Jimmy 27
Young, Sandra 27
Youngblood, June 883
Zemek, Chief Warrant Officer 4 Bryan Andrew 363
Zingery, Kenneth Lane 1014

Barnett, Senator Juan
Invocation 1901
Leave of absence 4399
Pledge of Allegiance 130, 194, 827

Barrett, Senator Jason
Explanation 61
Pledge of Allegiance 139, 1011, 4083

Became Law Without Governor's Signature
SB2140: lws 397
SB2681: lws 3277
SB3083: lws 4813
SB3222: lws 4813
SB3228: lws 4814
SB3231: lws 4806

Berry, Senator Andy
Invocation 712
Pledge of Allegiance 58

Blackmon, Senator Bradford
Pledge of Allegiance 3222

Blackwell, Senator Kevin
Escort Governor Tate Reeves and First Lady Elee Reeves to the dais 364
Escort Governor Tate Reeves and First Lady Elee Reeves to the stage 33

Blount, Senator David
Escort Governor Tate Reeves and First Lady Elee Reeves to the stage..... 33
Pledge of Allegiance 21, 4510

Boyd, Senator Nicole
Invocation 3659

Branning, Senator Jenifer
Leave of absence..... 3546
Pledge of Allegiance 3659

Brumfield, Senator Gary
Invocation 18, 410, 3842

Butler, Senator Albert
Escort Governor Tate Reeves and First Lady Elee Reeves to the stage..... 33
Pledge of Allegiance 41, 362, 2255

Carter, Jr., Senator Joel R.
Leave of absence..... 2978, 3032
Oath of Office..... 30
Pledge of Allegiance 86

Chassaniol, Senator Lydia
Escort Lt. Governor Delbert Hosemann and family to the dais..... 23
Pledge of Allegiance 548

Committee Assignments
Senate Committee Assignments for Senators..... 41

DeBar, Senator Dennis
Elected to Rules Committee, District 4..... 7
Escort Governor Tate Reeves and First Lady Elee Reeves to the dais..... 364
Leave of absence..... 4787

DeLano, Senator Scott
Notify the House of Senate organization..... 7

England, Senator Jeremy
Escort Governor Tate Reeves and First Lady Elee Reeves to the stage..... 33
Notify the House of Senate organization..... 7
Pledge of Allegiance 168, 818

Explanation
Barrett, Senator Jason 61

Fillingane, Senator Joey
Pledge of Allegiance 158, 191, 345, 529

Frazier, Senator Hillman
Elected to Rules Committee, District 2..... 7
Escort Lt. Governor Delbert Hosemann and family to the dais..... 23
Invocation 772
Pledge of Allegiance 81, 1031, 2631, 4399

Harkins, Senator Josh
Pledge of Allegiance 5, 359, 466

Hickman, Senator Rod
Pledge of Allegiance 184, 326, 387, 3032

Hill, Senator Angela
Pledge of Allegiance 3317

Hopson, Senator W. Briggs
Invocation 3317
Pledge of Allegiance 784

Horhn, Senator John
Invocation 168
Leave of absence 4083
Notify the Governor of Senate organization 7
Pledge of Allegiance 857

Hosemann, Lt. Governor Delbert
Message not to reconvene the 2024 Legislative Session 4813
Oath of Office 23

Invocation by
Anderson, Bro. Vincent 3286
Banks, Pastor Lamar 91
Barnett, Senator Juan 1901
Bender, Michael 194
Berry, Senator Andy 712
Blunt, Dr. F. L. 46
Bowen, Reverend Chad 440
Bowling, Randal 1010
Boyd, Senator Nicole 3659
Britton, Reverend Fred S. 89
Brumfield, Senator Gary 18, 410, 3842
Bryson, Reverend Tom 839
Clark, Sr., Pastor W. R. 3032
Coleman, Chris 41
Coleman, Dr. ML 84
Compton, The Reverend Will 29
Cox, Dr. Israel 86
Cumbest, Reverend Chris 371
Dickison, Scott 68
Ellis, Chase 3668
Frazier, Brett 191
Frazier, Senator Hillman 772
Genesee, Rev. Jim 3129
Granger, Reverend James 326
Green, Robert 359
Hawkins, Charles 1375
Henderson, Dr. Gene 1450
Hensarling, Reverend Heather 529
Herrin, Rev. Michael 362
Hixon, Reverend Nance 3546
Hopson, Senator W. Briggs 3317
Horhn, Senator John 168
Howze, Dr. Linder 890
Hurley, Fr. 5
Jackson, Dr. Joe 186
Johnson, Reverend John R. 4399

Kimble, Dr. Robert 93
Landrew, Pastor Paul D. 3167
Lenoir, Reverend Dr. F. R. 4510
Lewis, Bishop Sharma 857
Marshall, Michael 1031
May, Malcolm 2978
McCaughn, Senator Tyler 379, 4787
McGough, Reverend Ryan 171
McMahan, Senator Chad 58
Miller, III, Dr. Andy 1316
Millsap, Elder Artis 827
Mitchell, Pastor R. L. 2631
Morris, Pastor Archie 130
Nelson, Reverend James 1017
Norwood, Senator Sollie B. 3222
Parker, Dr. Brent 818
Parten, Steve 466
Perry, Pastor Dennis 39
Potter, Reverend Tom 784
Powell, Matt 101
Rhodes, Reverend Doctor CJ 184
Robinson, Senator Robin 51
Rowley, Jr., Pastor Jerry 352
Seage, The Right Reverend Brian R. 548
Shack, Rocky 3590
Smith, Jeremy 230
Smith, Rhett 4083
Smith, Solon 61
Sparks, Senator Daniel H. 25, 82, 1100
Stevens, Reverend Chip 99
Stewart, Pastor Brian 158
Sutton, Pastor Arthur 21
Tate, Reverend Clyde 151
Thomas, Chris 345
Thompson, Reverend Barry Earl 2255
Thompson, Reverend Marcus 800
Thornhill, Pastor Michael 428
Urbaniak, Very Reverend Adam 3276
Vazquez, Jonathan 3167
Walker, Dr. Lamar 660
Walley, State Senator Page 3691
Ware, Elder Kevin 81
Warnock, Pastor Greg 139
Washburn, Pastor Tom 32, 420
Webb, Pastor Jason 869
Whitten, Amy 495
Young, Pastor James A. 387

Jackson, Senator Reginald
Pledge of Allegiance 84, 3843

Joint Committee Appointment(s)
Legislative Budget Committee 1312
Legislative Committee on Performance Evaluation and Expenditure Review . 4788

Joint Session
Inauguration of the Lieutenant Governor 22
Inauguration of the Governor 32

State of the State Address 364

Kirby, Senator Dean
Elected President Pro Tempore 6
Oath of Office 7
Pledge of Allegiance 32, 99, 420, 4787

Ladner, Senator Philman
Pledge of Allegiance 379

Lt. Governor Delbert Hosemann
Message not to reconvene the 2024 Legislative Session 4813
Oath of Office 23

McCaughn, Senator Tyler
Invocation 379, 4787
Leave of absence 80, 82, 86
Pledge of Allegiance 171, 371, 440, 839

McMahan, Senator Chad
Escort Lt. Governor Delbert Hosemann and family to the dais 23
Invocation 58
Pledge of Allegiance 92, 101

Michel, Senator J. Walter
Elected to Rules Committee, District 3 7
Pledge of Allegiance 1316, 3590

Norwood, Senator Sollie B.
Invocation 3222
Pledge of Allegiance 800

Oath of Office
Oath of Office Administered to Senators 5

Parker, Senator David
Leave of absence 772
Pledge of Allegiance 62

Parks, Senator Rita Potts
Escort Governor Tate Reeves and First Lady Elee Reeves to the stage 33
Leave of absence 51, 362
Notify the Governor of Senate organization 7
Pledge of Allegiance 660

Pledge of Allegiance by
Barnett, Senator Juan 130, 194, 827
Barrett, Senator Jason 139, 1011, 4083
Berry, Senator Andy 58
Blackmon, Senator Bradford 3222
Blount, Senator David 21, 4510
Branning, Senator Jenifer 3659
Butler, Senator Albert 41, 362, 2255
Carter, Senator Joel R. 86
Chassaniol, Senator Lydia 548
England, Senator Jeremy 168, 818
Fillingane, Senator Joey 158, 191, 345, 529
Frazier, Senator Hillman 81, 1031, 2631, 4399

Harkins, Senator Josh 5, 359, 466
Hickman, Senator Rod 184, 326, 387, 3032
Hill, Senator Angela 3317
Hopson, Senator W. Briggs 784
Horhn, Senator John 857
Jackson, Senator Reginald 84, 3843
Kirby, Senator Dean 32, 99, 420, 4787
Ladner, Senator Philman 379
McCaughn, Senator Tyler 171, 371, 440, 839
McMahan, Senator Chad 92, 101
Michel, Senator J. Walter 1316, 3590
Norwood, Senator Sollie B. 800
Parker, Senator David 62
Parks, Senator Rita Potts 660
Rhodes, Senator Brian 68, 869, 1450
Robinson, Senator Robin 89, 230, 352, 428, 495
Seymour, Senator Joseph M. 25
Simmons, Senator Derrick T. 93, 2978
Simmons, Senator Sarita 39, 82, 890, 3167
Suber, Senator Benjamin 1901, 3287
Tate, Senator Jeff 29, 3668
Thomas, Senator Joseph 46, 151, 186
Thompson, Senator Mike 410
Turner-Ford, Senator Angela 772
Whaley, Senator Neil 18, 3691
Wiggins, Senator Brice 1100, 1375, 3276, 3546
Williams, Senator Bart 51, 1017, 3129
Younger Senator Chuck 712

Polk, Senator John A.
Leave of absence 29, 32

Rhodes, Senator Brian
Pledge of Allegiance 68, 869, 1450

Robinson, Senator Robin
Invocation 51
Pledge of Allegiance 89, 230, 352, 428, 495

Seymour, Senator Joseph M.
Pledge of Allegiance 25

Simmons, Senator Derrick T.
Leave of absence 171
Pledge of Allegiance 93, 2978

Simmons, Senator Sarita
Escort Governor Tate Reeves and First Lady Elee Reeves to the dais 364
Notify the House of Senate organization 7
Pledge of Allegiance 39, 82, 890, 3167

Sparks, Senator Daniel H.
Invocation 25, 82, 1100

State Librarian
Oath of Office 23

Statewide Officials

Oath of Office....23

Suber, Senator Benjamin
Pledge of Allegiance....1901, 3287

Tate, Senator Jeff
Pledge of Allegiance....29, 3668

Thomas, Senator Joseph
Pledge of Allegiance....46, 151, 186

Thompson, Senator Mike
Leave of absence....5, 18, 21, 25
Oath of Office....30
Pledge of Allegiance....410

Turner-Ford, Senator Angela
Pledge of Allegiance....772

Vetoed Bills - 2024 Session
SB2180: vt....4809

Waggoner, Col. Larry
Elected Sergeant-at-Arms....7
Oath of Office....7

Whaley, Senator Neil
Elected to Rules Committee, District 1....7
Pledge of Allegiance....18, 3691

White, Amanda Frusha
Elected Secretary of the Senate....7
Oath of Office....7

Wiggins, Senator Brice
History of Jimmy Buffett....1031
Pledge of Allegiance....1100, 1375, 3276, 3546

Williams, Senator Bart
Notify the Governor of Senate organization....7
Pledge of Allegiance....51, 1017, 3129

Younger Senator Chuck
Pledge of Allegiance....712

PART V
PARLIAMENTARY RULINGS

Parliamentary Inquiry
S. B. No. 2753....4504
S. B. No. 2776....773
S. C. R. No. 549....4402

Points of Order
H. B. No. 298....2039
H. B. No. 783....1743

H. B. No. 1190 4336
H. B. No. 1253 4556
H. B. No. 1776 2366
S. B. No. 2144 3741
S. B. No. 2244 579
S. B. No. 2756 450
S. C. R. No. 549 4403

Ruling of Chair
H. B. No. 298 2039
H. B. No. 783 1743
H. B. No. 1190 4336
H. B. No. 1253 4556
H. B. No. 1776 2366
S. B. No. 2144 3741
S. B. No. 2244 579
S. B. No. 2753 4504
S. B. No. 2756 450
S. B. No. 2776 773
S. C. R. No. 549 ..... 4402, 4403

PART VI
SUBJECT MATTER OF SENATE AND HOUSE BILLS AND RESOLUTIONS BY COMMITTEE

A. APPROPRIATIONS

ARPA:
- DFA-Administration, ARPA funds. **SB3163**.
- Finance and Admin, Dept. of, Bureau of Building, Ground, and Real Property Management for eligible ARPA capital projects. HB1950.
- Funds deobligated from existing ARPA grants to be reallocated to existing subgrantees. SB2718.
- Health, Dept of, funding ARPA Rural Water Associations Infrastructure Grant Program. **HB1951**.
- Provide procedure of unobligated funds, and transfer certain funds. **SB2848**.

Alcorn University Ext. Annex; rename the "Dr. Jesse Harness, Sr., Ext. and Research Center". **HB1207**.

Appellate court expense allowance; revise requirements for receiving. SB2523.

Appointed counsel
- Increase maximum compensation for. SB2386.
- Justice Court for certain criminal defendants. SB2790.

Appropriation:
- Accountancy, Board of Public. **SB3030**.
- Additional:
  - FY24. **HB1830**.
  - Capital Expense Fund to DFA to renovate the State Fairgrounds. SB2809.
  - DMH-Children & Youth PRTF, ARPA funds. **SB3162**.
  - MDOT-Surface Transportation Projects, ARPA funds. **SB3165**.
  - Various state agencies for FY2024 & FY2025. **SB2926, SB3059.**
- Administrative Office of Courts for eligible ARPA expenses. **HB1949**.
- Agriculture and Commerce, Department of. **SB3036**.
- Animal Health, Board of. **SB3038**.
- Architecture, Board of. **SB3024**.
- Archives and History, Department of. **HB1776**.
- Arts Commission. **HB1822**.
- Athletic Commission. **HB1811**.
- Attorney General. **HB1812**.
- Auctioneers Commission. **HB1813**.
- Audit, Department of. **SB3046**.
- Banking and Consumer Finance, Department of. **SB3053**.
- Barber Examiners, Board of. HB1793.
- Capital Post-Conviction Counsel, Office of. **HB1814**.
- Child Protection Services, Department of. **HB1794**.
- Chiropractic Examiners, Board of. **SB3033**.
- Community and Junior Colleges Board - Administrative expenses. **SB3015**.
- Community and Junior Colleges Board - Support for community and junior colleges. **SB3016**.
- Contractors, Board of. **SB3031**.
- Corrections, Department of. **SB3039**.
- Cosmetology and Barbering, Board of. **HB1795**.
- Counselors, Board of Examiners for Licensed Professional. **SB3029**.
- Debt Service-Gen. Obli. **SB3052**.
- Dental Examiners, Board of. **SB3034**.
- Development Authority, Mississippi. **SB3056**.
- District attorneys and staff. **HB1815**.
- Education, Department of. **HB1823**.
- Educational Television, Authority for. **HB1824**.

Emergency Management Agency. **SB3040**.
Employment Security, Department of. **SB3017**.
Engineers and Land Surveyors, Board of Registration for Professional. **HB1777**.
Environmental Quality, Department of. **HB1778**.
Ethics Commission. **SB3018**.
Fair and Coliseum Commission - Livestock shows. **SB3037**.
Finance and Administration, Department of. **HB1816, SB3054**.
Fire Academy. **HB1798**.
Foresters, Board of Registration for. **HB1779**.
Forestry Commission. **HB1780**.
Funeral Services Board. **SB3025**.
Gaming Commission. **SB3041**.
Geologists, Board of Registered Professional. **SB3026**.
Governor's Office and Mansion. **SB3055**.
Grand Gulf Military Monument Commission. **HB1781**.
Gulf Coast Restoration Funds to the Mississippi Development Authority. **SB3057**.
Health, Department of. **HB1796, SB2170**.
Health Department for grants to hospitals ineligible for grants from Hospital Sustainability Grant Program. HB1916.
Human Services, Department of. **HB1797**.
IHL:
- Alcorn State:
  - Agricultural programs. **SB3008**.
  - Regional health care and medical sciences facilities of Alcorn State. SB2980.
  - STEM related programs at Alcorn State University. SB2804.
- General support. **SB3006**.
- Mississippi State University:
  - Agricultural and Forestry Experiment Station. **SB3009**.
  - Cooperative Extension Service. **SB3010**.
  - Forest and Wildlife Research Center. **SB3011**.
  - Veterinary Medicine, College of. **SB3012**.
- Student Financial Aid. **SB3013**.
- Subsidiary programs. **SB3007**.
- University of Mississippi Medical Center. **SB3014**.

Information Technology Services, Department of. **SB3042**.
Insurance, Department of. **HB1799**.
Judicial Performance Commission. **SB3019**.
Legislative expenses. **HB1817**.
Library Commission. **HB1825**.
Marine Resources, Department of. **HB1783**.
Massage Therapy, Board of. **SB3027**.
Medicaid, Division of. **HB1800**.
Medical Licensure, Board of. **HB1801**.
Mental Health, Department of. **SB3021**.
Military Department. **SB3044**.
Motor Vehicle Commission. **SB3028**.
Nursing Home Administrators, Board of. **HB1802**.
Nursing, Board of. **HB1803**.
Oil and Gas Board. **HB1784**.
Optometry, Board of. **HB1804**.
Pat Harrison Waterway District. **HB1785**.
Pearl River Valley Water Supply District. **HB1786**.
Personnel Board. **SB3043**.
Pharmacy, Board of. **SB3035**.

Physical Therapy Board. **HB1805**.
Port Authority, State. **HB1782**.
Psychology, Board of. **HB1806**.
Public Employees' Retirement System. **HB1818**.
Public Safety, Department of, for purchases of ARPA eligible equipment. **HB1952**.
Public Safety, Department of. **SB3020**.
Public Service Commission. **HB1787**.
Public Utilities Staff. **HB1788**.
Real Estate Appraiser Licensing and Certification Board. **HB1807**.
Real Estate Commission. **HB1808**.
Rehabilitation Services, Department of. **HB1809**.
Revenue, Department of. **SB3047**.
Rural Fire Truck Fund for additional trucks under Acquisition Assistance Program. SB2094.
Secretary of State. **SB3048**.
Social Workers and Marriage and Family Therapists, Board of Examiners for. **HB1810**.
Soil and Water Conservation Commission. **HB1789**.
State Public Defender, Office of. **HB1819**.
Supreme Court, Court of Appeals and trial judges services. **HB1820**.
Tax Appeals Board. **SB3049**.
Tennessee-Tombigbee Waterway Development Authority. SB3023.
Tombigbee River Valley Water Management District. **HB1790**.
Transportation, Department of. **HB1826**.
Transportation, Department of - State Aid Road Construction, Office of. **SB3022**.
Treasurer's Office. **SB3051**.
Veterans Affairs Board. **SB3045**.
Veterans' Home Purchase Board. **HB1821**.
Veterinary Examiners, Board of. **SB3032**.
Wildlife, Fisheries and Parks, Department of. **HB1791**.
Workers' Compensation Commission. **SB3050**.
Yellow Creek State Inland Port Authority. **HB1792**.

Authorize additional in 6th circuit. SB2512.
Authorize additional 23rd circuit. SB2524.
Bring forward provisions related to. SB2550.

Baby safety devices; inspected and approved before use. HB1678.
Budget process; transfers of funds. **HB1705, SB2468**.
Building Fund for the Arts; Arts Commission to retain monies for admin costs. **SB2840**, SB2843.
CCID inferior court; authorize additional judges and clarify appeals from. HB1226.
Capital Expense Fund; FY2025 appropriation to:
Benoit, Town of, for water and sewer improvement project. SB3138.
Beulah, Town of, for water and sewer improvement project. SB3136.
Coahoma, Town of, and Coahoma County for water and sewer projects. SB3142.
DOH for MS Baptist Medical Center to establish a burn center or unit. SB2940.
Emergency Road and Bridge Repair Fund. SB2943.
Farrell, Town of, for water and sewer improvement project. SB3129.
Friars Point, Town of, for water and sewer improvement project. SB3132.
Greenville, City of, to build new community health center. SB3139.
Gunnison, Town of, for water and sewer improvement project. SB3107.
Lula, Town of, for water and sewer improvement project. SB3140.
MDA for the Main Street Revitalization Grant Program. SB3183.
Metcalfe, Town of, for water and sewer improvement project. SB3141.

Neshoba County for fire truck, equipment and improving volunteer stations. SB2944.
Chancery court; provide additional chancellor for 15th Chancery Court District. SB2265.
Child care; $40 Million of unspent TANF funds from prior FY to be used for child care vouchers. SB2743.
Circuit court clerks; increase compensation in a county with a county court. SB2747.
Civil Commitment Reform Act; enact. SB2816.
Community Eligibility Provision of National School Lunch Program; districts to apply for. HB1396.
Community and junior colleges; reduce or waive out-of-state tuition for certain students. HB1311.
Comprehensive Career and Technical Education Reform Act; industry certification and grants. HB1604.
Concealed-Carry License for Veterans Act; enact. SB2359.
Coronavirus State Fiscal Recovery Funds:
Carthage, City of, for wastewater treatment facility. SB3074.
Eden, Village of, for water and sewer system. SB2099.
Reappropriate to certain agencies. **SB3058**.
Rolling Fork, City of, improvement of water system. SB2098.
Sisters in Birth nonprofit charitable clinic. SB2463.
Winston Co. for the Liberty Plattsburg Water Assoc. SB2942.
Deficit appropriations; revise process for state agencies to avoid the need for. (PEER bill). **HB1037**.
Department of:
Agriculture; revise authority to spend certain funds. **HB1357**.
Human Services; transfer at least 30% of TANF block grant to Child Care Fund. SB2163.
Marine Resources; appropriation for GOMESA project in City of Diamondhead. SB3148.
Public Safety; revise salary scale of MHP and MBN officers. .
Public Safety; revise certain provisions related to. HB874, **SB2179, SB2285**.
Disabled Veteran and Dependents Patriot Scholarship Program; establish under IHL Board. SB2752.
Dr. Elton Mac Huddleston Rural Veterinarian Scholarship Program; establish. SB2561.
EMS Memorial; Health Dept. shall design and construct to honor EMS personnel. **HB317**.
Early Learning Collaborative Act; include three-year-old children for voluntary pre-k. SB2243.
Equity in Distance Learning Act; revise and update provisions related thereto. SB2692.
Foster care children; free museums and state parks, free transcripts from colleges. **SB2244**.
Fund Rural Education Evenly Act (FREE) Act; enact. SB2664.
General Fund; FY2024 appropriation to Lee County for renovation of polling precinct and Pratt's Community Center property. SB2947.
General Fund; FY2025; appropriation to:
Alcorn State University:
Agriculture Research and Extension for certain capital projects. SB2462.
Animal science research and extension programs. SB2461.
STEM-related programs. SB2456.
Strengthen support of poultry science programs. SB2460.
Upgrade roadways and sidewalks. SB2458.
Algoma, Town of, for paving and street improvements. SB3199.
Baldwyn, City of, for city park. SB3067.
Bassfield, Town of, for water and sewer infrastructure. SB3151.
Belzoni, City of, for infrastructure projects. SB2933.
Benoit, Town of, for renovations to the library. SB3116.
Benoit, Town of, for repair and renovation of town park. SB3108.

Bolivar County for street repairs in Supervisor District 1. SB3119.
Bolivar County for the Terrene Landing River Boat Park dock expansion project. SB3073.
Boys and Girls Club for replacing roof. SB3195.
Braxton, Town of, for certain infrastructure repairs. SB3095.
Brookhaven, City of, for certain infrastructure projects. SB2962.
Bruce, City of, for certain infrastructure projects. SB3209.
Calhoun City for paving. SB3210.
Calhoun County for certain infrastructure projects. SB3208.
Calhoun County surfacing and paving County Road 306. SB3204.
Canton, City of, for infrastructure projects. SB3092.
Canton, City of, for redevelopment of public housing units. SB2101.
Canton Municipal Police Department for equipment and training. SB3093.
Carroll County for the Carroll County School District. SB3146.
Cary, Village, to pay the costs associated with the construction of a fire station. SB2116.
Chickasaw County for certain infrastructure projects. SB3206.
Chickasaw County Historical and Genealogical Society for improvements to facilities. SB3205.
Claiborne County
Community facilities. SB2805.
County library. SB2806.
Enhancing education and infrastructure projects. SB2982.
Historical structures in the county. SB2459.
Infrastructure projects. SB2981.
Clay County for certain infrastructure projects. SB2971.
Cleveland, City of, for North Industrial Site Flood Mitigation Project at municipal airport. SB2997.
Coahoma, Town of, for street repairs. SB3128.
Coahoma Community College Radio Station for equipment. SB2995.
Coffeeville, City of, for paving and street improvements. SB3212.
Columbus, City of, for certain projects. SB2931.
Community College Board for renovating building at Jones County Junior College. SB2215.
Copiah County for expanding broadband within the county. SB2992.
Copiah County for demolishing the former hospital complex in Hazlehurst. SB2939.
DFA:
2024 IHL Capital Improvements Fund. SB2949.
Bill Waller Craft Center repair, renovation, upgrades and improvements. SB2100.
West Jackson County Utility District, water tank and water main pipes. SB2972, SB2973.
DPS, razor wire fencing for Texas border. SB2400.
DPS, Save Our Underfunded Local Schools Grant Program. SB2998.
DMH for the Civil Commitment Reform Grant Program. SB2797.
DOH to assist rural public hospitals at high financial risk. SB3110.
Decatur, Town of, for paving Little Rock-Decatur Road. SB3184.
Delta State University for renovating dormitories. SB2991.
Derma, Town of, for the purpose of paving and street improvements. SB3197.
Dream Innovations, Inc., for matching funds for grant award. SB2975.
Duck Hill, Town of, for certain infrastructure projects. SB3076.
E.E. Bass Cultural Arts Center. SB3143.
Fannie Lou Hamer Cancer Foundation for construction of a facility. SB3000.
Florence, City of, for a park and recreational facility. SB3156.
Forest, City of, for a Sewer Rehabilitation Project. SB3187.
Forrest-Lamar Alliance for Eagle One Mega Site. SB3069.

Franklin County for road and bridge repair and construction. SB2938, SB2960.
Friars Point, Town of, for street repairs. SB3131.
Gluckstadt, City of, for widening Gluckstadt Road. SB2932.
Goodman, Town of, for purchase of a building to be used as multipurpose complex. SB3166.
Greenville, City of:
City parks. SB3117.
Downtown corridor. SB3113.
Mid-Delta Regional Airport. SB3125.
River Museum. SB3135.
Sewer mini-systems. SB3112.
Wastewater treatment plant. SB3126.
Water and sewer infrastructure. SB3114.
Hinds County:
Equipment for sheriff's department. SB2948.
Infrastructure projects in the Town of Utica. SB2978.
Repair and renovation of the Circuit Court courthouse. SB2936.
Houston, City of, for paving streets. SB3207.
Humphreys County for certain roadway, curb and gutter improvements. SB2097.
Humphreys County for repairs to the county courthouse. SB2935.
JSU:
Campus safety. SB2950.
Design, development and construction of student housing. SB2930.
Multipurpose stadium. SB3004.
Renovating McAllister- Whiteside Hall. SB2966.
Renovating Rose E. McCoy Auditorium. SB2979.
Water system. SB3111.
Jackson, City of, for infrastructure projects in Ward 4. SB2968.
Jackson International Airport for certain infrastructure projects. SB3167.
Jackson Revival Center's Little Ambassadors Developmental Learning Center. SB2964.
Jefferson Davis County for road repairs and improvements. SB3097.
Hinds County to maintain and staff a public defender's office. SB2965.
Hollandale, City of, for certain infrastructure projects. SB3065.
Lake, Town of, for fire department equipment upgrades and improvements. SB3189.
Lauderdale County School District for traffic safety in school zones. SB3179.
Lawrence County for road repair, construction and resurfacing. SB2959.
Lee County:
Fire truck and fire infrastructure equipment. SB3191.
Infrastructure projects. SB3192.
Tornado shelters at fire departments. SB3080.
Leland, City of, for repair and renovation of city park. SB3109.
Lexington, City of, for certain infrastructure projects. SB3154.
Lexington, City of, for a truck to maintain the city's sewer system. SB3153.
Lincoln County for certain infrastructure projects. SB2958.
MDA:
Golf Trail Project. SB3193.
Hamlet of Bogue Chitto for certain infrastructure projects. SB2961.
West Central Mississippi Incubator Grant Program. SB2095.
MDE:
Dyslexia Education Funding Grant Program. SB3003.
Dyslexia Therapy Scholarship for Students with Dyslexia Program. SB2996.
Rural Education Evenly Grant Program. SB3002.
MDOT for Town of Benoit for a walking trail. SB3115.

MDOT for Town of Gunnison for a walking trail. SB3064.
MSU Extension Service for certain youth preparedness education programs. SB2213.
Madison County for the West Madison Utility District. SB3063.
Magee, City of, for infrastructure projects. SB3084.
Magnolia, City of, for costs associated with drainage and other improvements to street. SB2963.
Marshall County for certain infrastructure projects. SB3075.
Medical Cannabis Advisory Committee. SB2937.
Mendenhall, City of, for improvements to water and sewer infrastructure. SB3094.
Meridian, City of, for improvements to water and sewer infrastructure. S
Meridian Main Street for upgrading, constructing and improving an alleyway. SB3176.
Metcalfe, Town of:
Paving certain streets. SB3181.
Town park. SB3134.
Water and sewer system improvements. SB3130.
Mississippi Delta Community College for certain projects and programs. SB2999.
Mize, Town of, for certain infrastructure projects. SB3170.
Morton, City of, for paving projects for access to the Morton Attendance Center. SB3186.
Morton Fire Department for upgrading equipment and offsetting vehicle expenses. SB3175.
New Hebron, Town of, fire truck and the costs associated with street repairs. SB3096.
Newton, City of, for law enforcement vehicles and equipment. SB3085.
Newton County rural fire department expenses. SB3188.
Newton County School District for the career and technical education program. SB3088.
Newton County Sheriff's Department for facility improvements. SB3185.
Newton Municipal School District for campus facilities. SB3086.
Oakland, City of, for paving and street improvements. SB3213.
Okolona, City of, for paving projects. SB3203.
Paris, City of, for paving and street improvements. SB3196.
Pat Harrison Waterway District for Archusa Creek Lake Dam. SB3180.
Pearl, City of, for certain infrastructure projects. SB2953.
Pearlington Water and Sewer District for certain projects. SB3150.
Philadelphia, City of, to purchase fire truck. SB2945.
Pickens, Town of, for certain infrastructure projects. SB3152.
Pittsboro, Town of, for renovation and expansion of Pittsboro City Hall. SB3214.
Polkville, Town of, for multipurpose community center. SB3155.
Pontotoc, City of, for the construction of the Pontotoc Farmers Market building. SB3201.

Quitman Community Hospital for expanding services in a distressed area. SB3089.
Quitman County:
Construction of a new jail facility. SB2956.
Economic and tourist workforce development. SB2954.
Renovation and repair of the courthouse. SB2957.
Road construction projects. SB2955.
Raleigh, City of, for costs associated with certain infrastructure projects. SB3173.
Rankin County for the Florence-Byram Parkway Improvement Project. SB3169.

Richland, City of, for construction of pedestrian crossover. SB3174.
Rosedale, Town of, for repair and renovation of city park. SB3133.
Rolling Fork, Town of, for certain infrastructure projects. SB2092.
Rosedale, Town of, for street repairs. SB3123.
Saltillo, City of, to construct a new fire station. SB2946.
Scott County School District for construction of a STEAM Academy. SB3087.
Sharkey County for certain infrastructure projects and initiatives. SB2093.
Simpson County for road repairs and improvements. SB3098.
Smith County for repairs to roadways. SB3171.
Sunflower, Town of, for certain infrastructure projects and expenditures. SB3079.
Sunflower Humphreys Counties for Progress, Inc., emergency storm shelter. SB3091.
Southwest MS Community College for a dormitory and certain infrastructure projects. SB2951.
Stonewall, Town of, for the police department. SB3178.
Sustainable Energy Partnership Program between JSU and Entergy. SB3124.
Sylvarena, City of, for certain infrastructure projects. SB3172.
Symphony Orchestra to expand art education statewide. SB3145.
Taylor, City of, for paving and street improvements. SB3202.
Taylorsville, City of, for certain infrastructure projects. SB3168.
Thalia Mara renovations and improvements to ensure ADA compliance. SB3147.
Troy Water Association for upgrades and improvements to the water system. SB3200.
Tunica County for roadway renovation and upgrading traffic signals. SB3090.
Tupelo, City of, for expenses of Tupelo Regional symphony. SB2976.
Tupelo, City of, to construct a new fire station and emergency command center. SB2977.
USA Semiquincentennial Commission. SB3144.
University of Mississippi for the Center for Mississippi Medical Cannabis Research. SB2941.
UMMC for Mississippi Rural Physicians Scholarship Program. SB3182.
UMMC to build a fire station. SB2214.
VFW Post 4057 in Tupelo for renovations. SB3066.
VFW Post 9832 for infrastructure needs. SB2967.
Vardaman, City of, for paving. SB3198.
Walter Anderson Museum of Art to defray public program costs. SB3072.
Washington County:
Infrastructure projects. SB3068.
Street repairs. SB3118, SB3120, SB3121, SB3122, SB3127, SB3137.
Water Valley, City of, for certain infrastructure projects. SB3211.
West Point, City of, for road repair, resurfacing and paving. SB2969, SB2970.
Wilkinson County for certain infrastructure projects. SB2952.
Yazoo County:
Drainage project. SB2096.
Dream Innovations, Incorporated, programs. SB2934.
Jonestown Park. SB3077.
Volunteer fire department. SB2974.
Grain grading; require state or federal certification and compliance with Federal Grain Inspection Service standards. SB2004.
Gulf Coast Restoration Fund; FY2025 appropriation to MDA for the City of Diamondhead. SB3149.
HELP Grant; revise certain provisions related thereto. SB2723.
Insurance mitigation; revise various provisions related to. HB888.

Insurance; revise the Rural Fire Truck Matching Assistance Program, the MS First Responders Health and Safety Act and the Municipal and County Fire Funds. HB818.
Interstate Teacher Mobility Compact; authorize entrance for purpose of facilitating mobility of teachers married to service members. **HB1450**.
Investing in the Needs of Students to Prioritize, Impact and Reform Education (INSPIRE) Act of 2024; create. HB1453.
Jackson State University; transfer funds for new, multipurpose stadium. SB2731.
Judicial support staff; bring forward provision related to. SB2761.
Jurors; increase range of per diem for. SB2551.
Law Enforcement Supplemental Pay Program; create. SB2195.
Local Improvements Projects Fund 2023; clarify and correct names and purposes of certain projects funded from. **HB1707**.
MDITS; establish paid internship program under. SB2411.
MS Childcare Teachers Shortage Study Committee; create. HB907.
MS Critical Teacher Shortage Act of 1998; extend repealer on. SB2682.
MS Qualified Health Center Grant Program; extend date for Department of Health Grants for increased services and physicians. **HB760**.
MS Rural Dentists Scholarship Program; increase number of students who may be admitted into annually. HB42.
Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. SB2045.
Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. SB2046.
Mental health facilities; provide for licensure of certain, and provide for Medicaid coverage for services provided. SB2824.
Misdemeanor warrant management system; direct the establishment of. SB2193.
Mississippi Act WorkKeys National Career Readiness Certificate (NCRC) Scholarship Program; create. SB2720.
Mississippi Airport Critical Needs Grant Program; create. SB2505.
Mississippi Alliance of Nonprofits and Philanthropy; create study committee on partnership with. HB1274.
Mississippi Dual Enrollment/Dual Credit Scholarship Program; include students of private high schools. SB2233.
Mississippi Dual Enrollment/Dual Credit Scholarship Program; increase eligibility and revise provisions related thereto. SB2730.
Mississippi Dyslexia Education Funding Act; enact. SB2669.
Mississippi Hospital Recovery Trust Program; create to provide grants to public hospitals at high financial risk. SB2242.
Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022; bring forward provision related to. SB2845.
Mississippi Resident Tuition Assistance and Promise Grant Program; create to provide financial assistance to students. SB2724.
Mississippi School for Mathematics and Science; relocate to the campus of Mississippi State University. SB2715.
Mississippi Search and Rescue Program Act; enact. SB2919.
Mississippi State Employee Maternity Leave Act; enact to provide six weeks of paid leave to certain employees. SB2732.
Mississippi Teacher Residency Program; require Legislature to fund for fiscal year 2025. HB1668.
Mississippi Trauma Care Systems Fund; make technical revisions to. SB2826.
Municipal and county fire funds; increase funds transferred to by DOR from the collection of certain taxes. SB2839.
Municipality and County Water Infrastructure Grant Program; bring forward for possible amendment. HB1460.
National board certified occupational therapists and school psychologists; require salary supplement for public education employees. HB1106.

Neighborhood Housing Rehabilitation Program (NHRP); direct Mississippi Home Corporation to establish using federal funds. SB2247.
Office of Disaster Assistance Coordination and Advocacy; establish in the Department of Finance and Administration. SB2842.
Office of Mississippi Physician Workforce; transfer from UMMC to the State Department of Health. **HB1129**.
Paramedics Recruitment and Retention Scholarship Program; create. HB1013.
Physician grant funding from Qualified Health Center Grant Program; extend date of funding. SB2341.
Prison-to-Paycheck Pipeline Pilot Program; establish reentry program under supervision of third-party coordinator. SB2442.
Professional music therapists; provide for licensure by State Department of Health. HB906.
Programs funded with ARPA funds; revise certain provisions and bring forward sections of. HB1706.
Public Sevice Commission; remove from the provisions of the MS Budget Transparency and Simplification Act. HB1116.
Public Utilities Staff; remove from the provisions of the MS Budget Transparency and Simplification Act. HB1117.
Real Estate Commission; decrease fees charged by. SB2389.
Revise certain FY 2024 appropriations and direct transfers. **HB1704**, SB2825.
Rural Fire Truck Acquisition Assistance Program:
Additional round for counties and municipalities. HB504.
Revise to remove eight rounds requirement. HB308.
Rural Physicians Dentists Scholarship Program; revise provisions. **SB2729**.
SAVED; study committee to determine model school for failing schools in the Delta. HB1447.
School attendance officers:
Transfer responsibility of employment from MDE to local school districts. HB73, SB2331.
State Superintendant of Education, Exec. Dir. of Community College Board; salaries. SB2336.
School emergency response mapping data program; establish. SB2147.
School employee salary; occupational therapists, behavior analysts and psychologists. SB2671.
School extracurricular events, authorize teachers and one guest to attend for free. SB2350.
School social workers and psychologists; districts to receive partial reimbursement for salaries. SB2158.
Schools; prohibit certain concepts in curriculum and provide punishment and appeal procedure. SB2078.
Schools; require carbon monoxide detectors in all. SB2415.
Seventh Circuit Court District; authorize additional judges and legal assistants for. SB2746.
Short-line railroad; authorize certain towns to acquire and operate. **HB1519**, SB2847.
Short-line railroads; authorize towns to acquire, restore, construct, own, operate and dispose of. .
Small business lending program; create. SB2525.
State Board of Mental Health; DFA to sell and convey real property to City of Water Valley. **HB974**.
State Board of Mental Health; authorize DFA to purchase certain real property in Tupelo, MS. HB975.
State JROTC Coordinator; exempt from qualification requirements of Personnel Board. HB1692.
State Penitentiary at Parchman; phasedown operation over four-year period. SB2353.
State Superintendent of Education; provide limitation on salary. SB2069.
State Treasury Efficiency Act; enact. SB2841.

State Workforce Investment Board; make technical changes to provisions related thereto. SB2348.
State agencies; Personnel Board and LBO shall develop salary funding levels for. HB1355.
State employee salaries; direct State Personnel Board to implement across-the-board increase. SB2315.
Students Safe at School Act; procedures for active shooter drills and simulations. HB1379.
Study Committee; create to study the funding of health insurance of all retired first responders. SB2489.
Supplementary state food stamp program for elderly recipients; create and fund. SB2327.
TANF; DHS to spend maximum allowable amount on child care vouchers. SB2859.
Tax forfeited property; Secretary of State reimburse local governments for tree removal. HB1220.
Taxpayer Receipt Act; enact. SB2216.
Technical revisions to certain transfers and provisions related to local projects. SB2846.
The Dr. Elton Mac Huddleston Rural Veterinarians Scholarship Program; establish. **HB1210**.
The Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund. **SB2487**.
The Mississippi Comprehensive Hurricane And Wind Damage Mitigation Program. SB2782.
Tim Tebow Act; homeschooled children participate in extracurricular activity within district. SB2562.
Tourism; create the Mississippi Golf Association Grant Program. SB2711.
University of Mississippi; enter long-term lease with approval of IHL. SB2728.
Variable Compensation Plan; make amendments. SB2844.
Victims of Human Trafficking and Commercial Sexual Exploitation Fund; revise deposits for. HB904.
Virtual public schools; authorize operation by certain providers. HB1192.
William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; revise provisions. SB2673.
Workforce development; revise certain provisions related to. HB1662.

B. STANDING COMMITTEES

ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Administrative Procedures Act; regulations having an economic impact over One Million Dollars must be ratified. SB2301.
Ambulance services providers; contracts with to provide exclusively in county or city must allow other providers to respond when necessary. **HB1644**.
Appointed state officers; provide for the removal of for certain forms of willful neglect. SB2292.
Audit; perform every 50 years to compare appropriations to Alcorn and Mississippi State University. SB2403.
Ballot initiative measure process; revise the statutory provisions of**. SB2521, SB2770.**
Building Fund for the Arts; authorize Mississippi Arts Commission to retain monies for administrative costs. SB2843.
CCID; revise boundaries of. SB2892.
Capitol Complex Improvement District; revise boundaries of**. HB1487, SB2917**.
Capitol Complex Improvement District; authorize demolition of certain property, authorize grants for development of certain property. HB298.
Charitable organization filing and reporting requirements; no more stringent than other state agency requirements. SB2313.
Columbia Training School; amend DFA conveyance authority to require consideration that best promotes public interest. SB2048.

Community health workers; revise provisions of. SB2883.
Compensation of elected state & district officers; extend repealer on. SB2307.
Constitution of 1890; amend to revise ballot initiative measure process. SC527.
Constitution; amend Section 273 to reinstate initiative process and revise initiative signature requirements. SC524.
Constitution; amend to allow citizens to propose changes to existing law via initiative. SC528.
Constitution; amend to provide that the people have the right to propose new statutes and amend or repeal existing statutes. **HC11, SC526.**
Constitution; amend to revise ballot initiative process. **SC522, SC523.**
Construction manager at-risk program; exempt under public bidding laws. SB2902.
County authorization to assess emergency telecommunications service charge; extend date of repeal on. **SB2310**.
DEI Program Ban; eliminate DEI programs in any state-funded institution. SB2402.
DHS; allow fraud investigators to drive unmarked vehicles. SB2305.
Deficit Prevention Act; amend additional deficit or supplemental appropriation request procedure. SB2482.
Delta Regional Health Authority; create task force on the establishment of. HB1639.
Department of Archives and History; exempt from state procurement for exhibits. SB2882.
Department of Environmental Quality; provide additional powers to Executive Director. **SB2649**.
Department of Public Safety; revise various provisions relating to. HB1273.
Department of Public Safety; transfer MDOR and MDAC law enforcement officers to. SB2828.
Department of Tourism; create. SB2794.
Disparity study; require MDA to file copies with the Legislature by not later than December 31, 2024. SB2796.
Diversity of appointments; ensure representation of race and gender in appointed government positions. SB2793.
E-911 funding; amend Section 19-5-333. SB2354.
Economic development project; authorize county development authority to acquire and develop megasite for. SB2895.
Elected State and District Officers; extend repealer on authority to exceed salary cap for professionals employed by. HB773.
Elections; nonbinding ballot initiative concerning potential Medicaid expansion. SB2520.
Eminent Domain; require entities to notify and explain proposed projects to landowners before hiring a surveyor. SB2295.
Foster care children; allow free access to museums and state parks, allow free transcripts from colleges and junior colleges. **SB2244**.
Fresh Start Act of 2019; expand. SB2574.
Guaranteed income program with unconditional cash payments; prohibit local governments from implementing. SB2396.
Initiative measure; create procedures for qualified elector to propose amendment to the Mississippi Code of 1972. SB2522.
Israel Support Act of 2019; extend repealer on. HB768.
Labor; Mississippi Minimum Wage Act. SB2590.
Land deeds; increase the fees charged by chancery clerks for filing and recording. SB2297.
Law enforcement and certain first responders killed in line of duty; authorize payment to family up to 30 days. **HB1697**.
Lobbying; require lobbyists with a material financial interest in an issue or bill to register with legislative officers. SB2916.
Local governments; disallow 2% charge for ad valorem tax when paying with a debit card. SB2480.
MS Public Records Act; exempt certain private information of persons conducting in-state operations. SB2406.
Master plan for coastal resiliency and restoration; provide for. SB2484.

Mississippi Capitol Region Utility Act; enact. SB2628.
Mississippi Department of Labor; create. SB2372.
Mississippi Design Professionals Act; enact. SB2133.
Mississippi Flexible Tax Incentive Act; revise certain provisions of. HB1621.
Mississippi Ireland Trade Commission; establish. SB2218.
Mississippi Minimum Wage Act; enact. SB2172.
Mississippi National Security in Public Purchasing Act; create. SB2296.
Mississippi Public Records Act; extend date of repeal on. **SB2308**.
Mississippi Whistleblower Reward Act; enact. SB2474.
Occupational Licensing Review Board; revise membership. **SB2300. SB2630.**
Office of Disaster Assistance Coordination and Advocacy; establish in the Department of Finance and Administration. SB2842.
Open Meetings Law for public bodies; require official meetings to be broadcast via video livestream applications, with exceptions. SB2294.
Open meetings; revise accessibility to information on meeting times, agendas and minutes. SB2565.
PERS; revise employer contribution rate increase, and redefine responsibilities of board and Legislature. **SB3231**.
Proposals and requests for qualifications; simplify the receipt and registration process. SB2490.
Public Procurement Review Board; bring forward. SB2802.
Public Procurement Review Board; extend exemption for contracts for Mental Health Accessibility Coordinator. SB2810.
Public Records Act; exempt private information of minors. SB2485.
Public Records Act; revise time limitations for producing a competitive sealed proposal. HB1140.
Public bid requirements for local governing authorities and state agencies; increase minimum expenditure amounts. SB2566.
Public procurement bid requirements; exempt DFA for certain purchases of services at Capitol Building and historical properties. SB2399.
Public procurement laws; exempt certain contracts for museums. HB1420.
Public procurement laws; exempt certain purchases and contracts for landmark buildings from. HB1615.
Public purchasing; increase threshold for bidding and revise provisions related to reverse auctions. HB1421.
Public records; exempt certain records concerning economic development projects. **SB2811. HB1641.**
Public records; extend repealer on statute granting persons public right of access to. HB628.
Public works construction; performance bond not required if contract is less than $50,000.00 and paid in two equal installments. SB2800.
Publication of public business notice; increase legal rate in newspaper and provide for correction notice on website. SB2909.
Regional health authorities; create the Delta Regional Health Authority. SB2713.
Registered lobbyists; require disclosure of representation of foreign adversary client. SB2913.
Regulatory Reduction Program; require certain pilot agencies to implement. SB2291.
Restitution centers; transition to prerelease centers. **SB2595. SB2596.**
Reverse auction requirement; exempt MS State Veterans Affairs Board for the purchase of ADA vans and buses for Veterans Nursing Homes. SB2516.
Reverse auction requirements for procurement; exempt certain training equipment. SB2573.
Sales tax revenue; increase diversion to municipalities from 18.5% to 19.5%, and create 10% diversion to counties. SB2908.
Sales tax; create diversion to counties. SB2293.
Section 25-4-5; bring forward for amendment. SB2915.
"Service Canine Protection Act of 2024"; enact. **SB2050.**
Sheriffs; revise cap on annual salary supplement. **SB2311**.

Social media; set certain requirements against content depicting tobacco or nicotine for minors. SB2706.
Socially and economically disadvantaged small business; establish program to encourage participation in state contracts by. **SB2591**.
State Auditor; authorize to review and examine municipalities under certain conditions**. HB1225.**
State Bond Attorney; authorize interim appointment in case of conflict of interest. **SB2404.**
State Truth Commission; establish. **SB2798.**
State Workplace Safety and Health Office; establish under State Board of Health. **SB2173**.
State agencies procurement; bring forward code sections related to**. HB516.**
State agencies; Personnel Board and LBO shall develop salary funding levels for. **HB1355.**
State agencies; notify Legislature of proposed rule adoption**. SB2302.**
State aircraft; authorize purchase of from lowest and best bidder between two competitive, solicited bids. **SB2827**.
State employees; authorize the state to offer health savings accounts to. **SB2125**.
State holidays; designate days of general elections for statewide offices as. **SB2207.**
"Task Force on Residential Home Ownership and Attainability in Mississippi"; establish. **SB2831.**
Tax-forfeited land certified to state; authorize Secretary of State to withhold 10% for the cost of tree removal. **SB2924**.
Telework; revise certain provisions regarding use of by employees of state service agencies. HB1356.
Trip optimizer for state employee travel reimbursement; extend moratorium on application to certain state agencies. **SB2309**.
Trip optimizer system; extend expiration date of moratorium on application to state agencies of. **HB653**.
Universal Recognition of Occupational Licenses Act; exempt the practice of dentistry and practice of optometry. **SB2554.**
Use tax and gaming license fees; deposit portions into 2022 Capacity Project Fund and 2022 Maintenance Project Fund. **SB2914.**
Use tax revenue; deposit 10% into State Highway Fund for construction, reconstruction, repair or maintenance of highways**. SB2906**.
Voter ID; clarify what constitutes a valid voter ID. **SB2576**.

Nominations:

Buckley, Rev. Reginald Maurice, Jackson, Mississippi, Mississippi Department of Archives and History Board of Trustees, unexpired term ending January 2028, vice Kimberly Campbell. **SN75**.
Van Camp, James Keith, Brandon, Mississippi, Information Technology Services Authority, five year term beginning January 17, 2024 and ending June 30, 2028. **SN50**.
Cummins, Stephanie P., Brandon, Mississippi, MS State Personnel Board as an At-Large member, five year term effective July 1, 2023 and ending June 30, 2028. **SN28**.
Keenum, Dr. Mark Everett, Starkville, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2024 and ending January 1, 2030. **SN76**.
Lampton, Dr. Lucius M. (Luke), Magnolia, Mississippi, Mississippi Department of Archives and History Board of Trustees, six year term beginning January 1, 2024 and ending January 1, 2030. **SN77**.
Luckey, Alwyn Hall, Ocean Springs, Mississippi, Mississippi State Personnel Board as the 2nd Supreme Court District representative, five year term beginning July 1, 2024 and ending June 30, 2029. **SN71**.

McLeod, Norman R., Brandon, Mississippi, Public Procurement Review Board, four year term beginning July 1, 2023 and ending June 30, 2027. **SN34**.
Shoemaker, Scott Roach, Jackson, Mississippi, MS State Personnel Board, five year term effective July 1, 2023 and ending June 30, 2028, representing the 1st Supreme Court District. **SN29**.

AGRICULTURE

Agricultural equipment; provides farmers with the right to repair their own. SB2005.
Cottage foods; further define and increase seller's allowed annual gross sales amount to $50,000.00. SB2638.
Grain graders; provide process for certification of. **HB1304**.
Grain grading; require state or federal certification and compliance with Federal Grain Inspection Service standards. SB2004.
Horseracing; include in equine liability. **HB1353**.
Raw milk; allow the personal consumption and individual sale of. SB2507.
State property; amend MDAC ability to expend funding for the Ag Museum and clarify the location of state fairgrounds. SB2631.
Unmanned aerial vehicle; allow for use in agriculture. SB2661.
Waters of the state; amend the definition of. SB2650.
Waters of the state; bring forward code sections for possible amendment. SB2629.

Nominations:

Emerson, Terry Wayne, West Point, Mississippi, State Board of Animal Health, four-year term effective July 1, 2023 and ending June 30, 2027, representing a swine breeder and producer recommended by the MS Pork Producers' Association. SN1.
Emerson, Terry Wayne, West Point, Mississippi, State Board of Animal Health, four-year term effective August 1, 2023 and ending July 31, 2027, representing a swine breeder and producer recommended by the Mississippi Pork Producers' Association. **SN62**.
Howell, Gregory A. (Greg), DVM, Wesson, Mississippi, State Board of Animal Health, four-year term
effective July 1, 2023 and ending June 30, 2027, representing a licensed and practicing veterinarian who holds a Doctor of Veterinary Medical Degree. **SN2**.
King, Stephen Kenneth (Stephen), DVM, Tupelo, Mississippi, Mississippi Board of Veterinary Medicine, five-year term effective April 23, 2024 and ending April 22, 2029, representing the Third Supreme Court District, vice Dr. Stuart G. Denman. **SN103**.
Newell, Jr., David C., DVM, Meridian, Mississippi, State Board of Veterinary Medicine, five-year term effective April 27, 2023 and ending April 22, 2028. **SN109**.
Page, Andrew (Andy) Prosser, Madison, Mississippi, State BD of Animal Health, four-year term effective July 1, 2023 and ending June 30, 2027, representing a catfish breeder and producer recommended by the MS Catfish Association, vice Herbert Austin Jones. SN3.
Page, Andrew (Andy) Prosser, Madison, Mississippi, State Board of Animal Health, four-year term effective August 1, 2023 and ending July 31, 2027, representing a catfish breeder and producer recommended by the MS Catfish Association. **SN63**.

BUSINESS AND FINANCIAL INSTITUTIONS

Auditing threshold; define monetary donations. **SB2545**.
Automobile airbags and supplemental restraint systems; establish standards for installation of. **HB1092**.
Bidding terms for public depositories for counties and municipalities; make compatible. **HB1577**.
Bonds; clarify municipalities and counties may issue serial and single term. **SB2532**.
Breach of security; report to the Attorney General. SB2479.
Cash payments; require retailers to accept. SB2035.
Charitable organizations; require IRS forms filed annually with Secretary of State to be for the most recent fiscal year end. **HB845**.
Charities; amend the initial registration process. SB2272.
Charity Protection Act; create. HB1290.
Construction contracts; provide certain requirements regarding retainage. HB1301.
Consumer Alternative Installment Loan Act; create a cap adjustment based on the loan amount. **SB2543**.
Consumer reports; limit redisclosure to third party. HB934.
Eminent domain; provide compensation for the loss of a business's goodwill. SB2044.
Equality in Financial Services Act; enact. SB2118.
Gas stoves; enjoin federal rules or regulations prohibiting the sale or possession of. SB2121.
Home Inspector Regulatory Board; revive and provide that MS Real Estate Appraisal Board shall regulate home inspectors. HB1324.
Joint Legislative Study Committee on Blockchain, Cryptocurrency, and Other Digital Assets; create. HB1214.
LLCs:
allow partnership or limited partnership to be named on the certificate of formation. SB2540.
allow partnership or limited partnership to be named on the certificate of formation. SB2541.
Landscape architects; authorize to participate with multi-disciplinary engineer and architecture firms. HB1269.
Limited Liability Company; remove prohibition on using the words "partnership" and "limited parternship" when providing a name for. **HB1105**.
MS Consumer Alternative Installment Loan Act; require Dept.of Banking to issue memo authorizing new maximum loan amount and revise amount calculation. HB1377.
Mississippi:
Bullion Depository; establish in State Treasury. SB2785.
Design Professionals Act; enact. SB2133.
Principal and Income Act of 2013; revise provisions relating to partial liquidation. HB1366.
Real Estate Commission; remove Home Inspector Board. **SB2788**.
Savings Initiative; create. SB2818.
Municipalities; repeal outdated section on municipal depositories. SB2501.
Nonprofit Corporations; require annual report to be filed with Secretary of State. **HB1344**.
Pawnbrokers:
allow to pass credit or debit card processing charges to customers. **SB2382**.
authorize Commissioner of Banking to establish by rule a process allowing certain purchased and/or pledged goods to be stored off premises. **HB1021**.
authorize to pass credit and debit card processing charges to customers. HB1062.
remove the requirement of on-premises retention of purchased goods. SB2381.
Public deposit bidding; conform processes. SB2544.
Public funds depositories; authorize certain credit unions to qualify as. SB2819.
Real Estate Commission:

allow to issue voluntary use of real estate licensees in residential transactions. SB2791.
decrease fees charged by. SB2389.
grant discretion to issue license after felony conviction of crimes of moral turpitude. SB2128.
Real estate:
amend property condition disclosure statement liability. SB2548.
revise liability for certain provisions. **HB1271**.
Remote online notarization; allow. SB2546.
Residential roofing contractors; revise requirements under Insurance Benefits Roofing Repair Consumer Protection Act. **HB1408**.
Retainage; further define and outline the process related to. **SB2762**.
Serial bonds or single term bonds; authorize counties and municipalities to issue. HB1359.
Small business lending program; create. SB2525.
Telework policy; amend. SB2832.
Unclaimed property; prescribe process to be used by certain cooperatives with regard to disposition of. **HB1675**.
Wire fraud:
require banks to report to the Secret Service and MOHS. SB2763.
require banks to report to the Secret Service and MOHS. SB2789.

Nominations:

Cannady, Norman A., Ridgeland, Mississippi, Mississippi Real Estate Appraisal Board, four year term effective January 2, 2024 and ending December 31, 2026, representing the 3rd Congressional District as district existed on July 1, 2004. **SN60**.

Gomillion, James Brian, Walnut Grove, Mississippi, Mississippi Real Estate Commission, four year term effective January 31, 2024 and ending June 30, 2027, representing the Second Congressional District, vice Pam Powers. SN73.

Jones, Anthony Lynn (Tony), Olive Branch, Mississippi, Mississippi Real Estate Commission, four year term beginning January 31, 2024 and ending June 30, 2027, representing the At-Large member, vice Gwendolyn James. **SN89**.

Kelly, Rhoshunda G., Madison, Mississippi, Commissioner of the Mississippi Department of Banking and Consumer Finance, four year term effective July 1, 2024 and ending June 30, 2028. **SN92**.

Mallard, Nicholas L. (Nick), Brookhaven, Mississippi, State Board of Funeral Service as the Funeral Service Licensed representative from the 2nd Supreme Court District, four year term effective December 22, 2023 and ending June 30, 2027. **SN45**.

Rozier, Michael C., Jr., Hattiesburg, Mississippi, State Board of Contractors, five year term effective July 1, 2023 and ending June 30, 2028, representing the Building Contractor, vice John Laws. **SN9**.

Smith, Madison H. (Hamp), Tupelo, Mississippi, State Board of Contractors, five year term effective July 1, 2023 and ending June 30, 2028, representing the Electrical Contractor. **SN10**.

Stroo, James Robert (Jim), Hattiesburg, Mississippi, Mississippi Real Estate Commission, remainder of a four year term beginning upon Senate Confirmation and ending June 30, 2026, representing the Fourth Congressional District, vice Ken Austin. **SN74**.

Tew, Joe Clifton, Meridian, Mississippi, State Board of Funeral Service as the Funeral Service Licensed representative from the 1st Supreme Court District, four

year term beginning December 22, 2023 and ending June 30, 2027, vice Keith T. Dean. **SN46**.
Wells, Maxwell Mitchell (Max), Canton, Mississippi, State Board of Funeral Service as the At-Large member, four year term effective June 19, 2023 and ending March 13, 2027. **SN18**.

COUNTY AFFAIRS

Ad valorem tax; designate the authority of certain counties to levy up to seven mills for garbage collection. SB2143.
Annexation; require referendum in certain communities if municipality does not provide critical services. SB2497.
Cleaning dilapidated property; bring forward code sections related to. SB2856.
Counties and municipalities; authorize to choose not to be subject to requirement for permitting as a condition to construction. HB331.
Counties and municipalities; modernize and simplify notice publication process for. SB2712.
Counties; authorize to only maintain electronic format of law books in county courtrooms and public county law libraries. HB1149.
Counties; shorten notice requirement for special meetings from five days to three days. SB2502.
County boards of supervisors; may designate board attorney to serve as hearing officer in disputes regarding delinquent solid waste fees. SB2495.
Election commissioners; require board of supervisors to provide insurance coverage for. SB2517.
Fees for county garbage collection; revise provision related to. SB2709.
Hearing officer; allow board to appoint attorney as officer to preside over delinquent solid waste fee matters. SB2277.
Interlocal agreements; require county tax collector as party to certain agreements. SB2854.
Local Planning Commission members; authorize increase in monthly compensation. SB2705.
Local governments; allow local governments and schools to publish notices on their websites in addition to newspapers. SB2274.
Local governments; impose approval condition precedent on agreements for certain county services or facilities. SB2141.
Local governments; prohibit from imposing penalties or fines on security companies when false security alarm occurs. SB2447.
Maps and plats; clarify certain procedural requirements for landowners desiring to alter or vacate. SB2498.
Municipal annexation; require an election be held in the proposed annexation territory. SB2496.
Property exemption; revise provisions regarding property belonging to certain foundations. **SB2697**.
Purchasing law; raise expenditure triggering requirements for competitive bids. SB2699.
Residential builders and remodelers; revise license examination for certain license applicants. SB2923.
Rural Fire Truck Acquisition Assistance Program; revise to remove eight rounds requirement. HB308.
Tax sale; county to retain any overbid amount and landowner prohibited from requesting recovery of. SB2032.

CORRECTIONS

"Dignity and Safety for Incarcerated Women Act"; enact. HB585.
"Mississippi Earned Parole Eligibility Act"; extend repealer on. **SB2448**.

"Mississippi Earned Parole Eligibility Act"; extend repealer and authorize parole for certain juvenile homicide offenders. SB2598.
"Prison-to-Paycheck Pipeline Pilot Program"; establish reentry program under supervision of third-party coordinator. SB2442.
Alternative Incarceration Methodology (AIM) and intervention courts; bring forward statutes related thereto. SB2599.
Central Mississippi Pilot Prison Industries program; expand to all state, regional and private correctional facilities. SB2444.
Conditional medical release; revise authority of MDOC. SB2171.
Conditions for parole eligibility; extend date of repeal on. HB1454.
Correctional system programs; extend repealers. **SB2445**.
Corrections; require implementation of improved model for projecting inmate population growth. SB2451.
Department of Corrections; revise certain requirements for intensive supervision program. SB2450.
License and identification cards; include parole and probation status of licensee and/or applicant. SB2185.
MS Department of Corrections; prescribe specific data to be collected by the department relative to inmates and facilities. SB2597.
Parole Board; prescribe qualifications for the board and post parole hearings on DOC website. SB2352.
Parole and probation officers' study committee; study transferring authority and functions to DPS. SB2600.
Parole; extend repealer on statute prescribing conditions for eligibility. HB755.
Pilot Work Initiative at Central MS Correctional Facility; extend repealer on. HB758.
Pilot Work Release Program; extend repealer on authority of sheriff to establish for certain offenders in certain counties. HB763.
Probation and parole officers; limit number of cases that may be handled. SB2024.
Restitution centers; transition to prerelease centers. SB2595.
Restitution centers; transition to post-release reentry centers. SB2596.
Revocation of probation; add additional grounds for. SB2446.
Safety and privacy in correctional facility rooms; provide certain standards. SB2594.
Special Care Facility for Paroled Inmates; bring forward provisions for possible amendment. SB2526.
State Parole Board; require to solicit recommendations from and provide notification to certain individuals before parole hearing. **HB844**.
State Penitentiary at Parchman; phasedown operation over four-year period. SB2353.
State inmates eligible for release; require notification of certain terms and conditions of release. SB2449.
State offenders serving sentences in county jails; repeal repealer. SB2700.
State offenders; extend repealer on authority to house in county jails when space is unavailable. **HB757**.
Work initiative; remove cap on number of inmates who may participate in and revise certain reporting requirements for. HB1455.

Nominations:

Philip Edward Moran, Kiln, Mississippi, Parole Board, this appointment is effective January 1, 2024, to serve a term at the will and pleasure of the Governor, vice Anthony Layne Smith. **SN88**.

CONSTITUTION

Affidavit ballots; reduce length of time within which certain persons must present proper voter ID or execute religious exemption. SB2008.
Ballot initiative measure process; revise the statutory provisions of. SB2521.

Constitution; amend Section 26 to expand the jurisdiction of the state grand jury. SC525.
Constitution; amend to define appropriation bill subject to Governor's partial veto power. SC529.
Constitution; amend to provide that only citizens of the United States are allowed the opportunity to vote. HC23.
Constitution; amend to prohibit noncitizen voting by Mississippi Citizen Only Voting Amendment (COVA). SC513.
Constitution; amend to revise ballot intiative process. SC523.
County elections; require all candidates to obtain the majority vote to be elected in. SC512.
Elections; public official's qualification as candidate deemed resignation of current office. SB2009.
Expunction and reenfranchisment; revise procedure for requesting. SB2364.
Restoration of the Right to Vote Act; enact. SB2017.
Restore the Right to Vote Act; create. SB2368.
Suffrage; provide for restoration upon completion of sentence and other conditions. SB2365.
Voting rights; restore for certain disqualifying crimes. HB1609.

DRUG POLICY

Mississippi Kratom Consumer Protection Act; enact. SB2420, SB2588, SB2589.
Paraphernalia; revise definition under the Uniform Controlled Substances Law. HB1090.
Uniform Controlled Substances Act; revise schedules. SB2279, SB2370, **HB1685**.

ECONOMIC AND WORKFORCE DEVELOPMENT

ARPA; allow funds deobligated from existing ARPA grants to be reallocated to existing subgrantees. SB2718.
Comprehensive Career and Technical Education Reform Act; revise certain portions of regarding industry certification and grants. HB1604.
Employment: protect employees from forced human microchip implantation. SB2088.
Federal Workforce Investment Act; Hinds County shall be a separate workforce investment area. SB2571.
Fresh Start Act; revise certain provisions of. HB1303.
MS Childcare Teachers Shortage Study Committee; create. HB907.
MS Office of Workforce Development; extend exemption from Public Procurement Review Board rental agreement requirements. **HB770**.
Mississippi:
- Alliance of Nonprofits and Philanthropy; create study committee on partnership with. HB1274.
- Department of Labor; create. SB2372.
- Employment Protection Act; revise penalties and authorize regulations for enforcement. SB2734.
- Paid Family Leave Act; enact. SB2089.
- Prison Industries Corporation; clarify conflicts in laws concerning leadership. **SB2717**.
- Sick and Safe Leave Act; enact. SB2087.
- Site Development Grant Program; expand definitions. SB2855.

Office of Workforce Development; extend exemption from PPRB provisions on rental/leasing of real property for agency business. SB2570.
Paramedics Recruitment and Retention Scholarship Program; create. HB1013.
State Workforce Investment Board: amend to allow for proxy participation in meetings to meet quorum. **SB2572**.

State employees telework policies; amend. SB2569.
Workforce development: revise various provisions related to. **HB1567**.
Workforce enhancement training fund; authorize use for workforce-related postsecondary education programs. SB2719.

EDUCATION

Accumulated leave time for teachers; allow to transfer. SB2239.
Active duty service members and civilian personnel; allow transfer district. **HB1341,** SB2235, SB2694.
Archives and History; waiver of certain preservation requirements. SB2678.
Artificial Intelligence in Education Task Force Act; enact. SB2062.
Assistant teachers; revise qualifications for employment. **HB1669,** SB2407.
Attendance officers:
- Superintendant of Education, Executive Director of Community College Board; salaries. SB2336.
- Transfer responsibility of employment from MDE to local school districts. HB73, SB2331.

Attendance zones; allow students to transfer subject to availability and approval. SB2234.
Boy and Girl Scouts; speak to students regarding civic involvement. HB595, SB2413.
Carbon monoxide detectors in all. SB2415.
Cardiac emergency response plan; require local school district to implement. HB1548, **SB2349**.
Character education program in public schools; define character traits. SB2683.
Charter School:
- Accreditation rating requirements for renewal of charter. SB2690.
- Authorizer Board; revise membership terms, change funding formulas. SB2374, SB2409.
- Possible amendments. HB1683.
- Revoke charter if school remains "D" or "F" rated for longer than two consecutive years. SB2675.

Civics Test; require passing score for graduates and high school equivalency applicants. SB2073.
Community Eligibility Provision of National School Lunch Program. HB1396.
Compulsory School Attendance Law:
- Define "child with a disability" for creating exemption from unexcused absence. SB2333.
- Kindergarten-age children. SB2326.

Corporal punishment; prohibit administration of in public and charter schools. SB2375.
Counselors; American School Counselor Association Code of Ethics. SB2077.
Crime of distribution of obscene materials; delete exemption school libraries. SB2085.
Critical Teacher Shortage Act; extend repealer on. **HB765,** SB2682.
Curriculum; allow public and charter schools to offer elective courses relating to religious texts. SB2076.
Department of Education; guidance on technology, nutrition and transportation. SB2684.
Districts:
- Exceed bonded indebtedness limit once. SB2665.
- Mental health awareness into health education curriculum. SB2668.
- Mental health professionals. SB2866.

Driver's education; revise certain provisions related thereto. **SB2695**.
Dyslexia Education Funding Act; enact. SB2669.
Early Learning Collaborative Act:
- Include three-year-old children for voluntary prekindergarten. SB2243.
- Require the Department of Education to provide certain data on educational effects. **SB2556**.

Education data; Department of Education to report in compliance with federal standards. SB2245.
Educator preparation programs; mental disturbance awareness and trauma-informed. SB2667.
Emergency response mapping data program; establish. SB2147.
Employee salary supplement; occupational therapists, behavior analysts and psychologists. SB2671.
Enrollment:
Allow with documentation of a parent's pending military relocation to the state. SB2412.
Criminalize the enrollment without establishing domicile. SB2438, SB2607.
Equal Opportunity for Students with Special Needs Act; educational scholarship (ESA). **HB1229**.
Expulsions; authorize aggregate reporting by State Department of Education of data relating to. **HB1194**.
Extracurricular events, authorize teachers and one guest to attend for free. SB2350.
Failing schools and districts of transformation; revise provisions related thereto. **HB1696,** SB2693.
Financial literacy curriculum; specific courses in public schools in grades six through twelve. SB2670.
Fund Rural Education Evenly Act (FREE) Act; enact. SB2664.
Habitually disruptive students; require to be evaluated for disability under IDEA. SB2334.
High school graduation requirements:
Civics course to graduate. SB2676.
Sign language to be counted as a foreign language. **SB2339**.
Independent schools; authorize the creation of police departments. SB2430.
Interstate Teacher Mobility Compact; mobility of teachers married to service members. **HB1450**.
Investing in the Needs of Students to Prioritize, (INSPIRE) Act of 2024. HB1453.
JROTC Coordinator; exempt from qualification requirements of the State Personnel Board. HB1692.
Language Therapists; allow to help instruct students with dyslexia in schools. **SB2681**.
Local supplement for assistant teachers; prohibit districts from reducing given minimum raise. SB2169.
MAEP:
Clarify classification of exceptional children in preschool. HB1670.
Funding formula. SB2332.
MHSAA; prohibit from requiring school from charging more than $2.00 into athletic events. SB2679.
Modified School Calendar Grant Program; establish and provide eligibility criteria. SB2343.
National board certified occupational therapists and school psychologists; salary. HB1106.
Newton Municipal School District; require election of board of trustees by population. **SB2232**.
Nurses; direct the Office of Healthy Schools to develop salary schedule. SB2335.
Open enrollment; allow school district transfer, guarantee for active duty military children. SB2691.
Our Children's Health Impacts Our Future Law; require notice of the importance of a physical. SB2869.
Patriotic societies; authorize principal to speak to the student body on importance of civic duty. SB2162.
Preschool reporting requirements; revise technical provisions related thereto. **SB2246**.
Prohibit certain concepts in curriculum and provide punishment and appeal procedure. SB2078.
Public schools:
Brief period of quiet reflection at the opening of school every day. SB2338.

Staff training to assist with seizures. SB2150.
Voluntary prayer, Ten Commandments be displayed, and certain size U.S. flag. SB2677.
Rejecting Racism in Higher Education Act; enact. SB2721.
Religious leaders as volunteers to provide support to student-led groups. SB2337.
Retired Teacher:
PERS benefits and work full-time in certain critical shortage areas. SB2685.
Return to teaching for a maximum of five years while receiving retirement benefits. SB2238.
Return to Work Task Force; establish. SB2330.
SAVED; study committee to determine establishing model school for failing schools in the Delta. HB1447.
Save Our Underfunded Local Schools (SOULS) Act; enact. SB2666.
School boards:
Delete staggered terms, four-year terms, held during statewide election. SB2687.
Vote on providing members with health insurance paid for by local funds. SB2168.
School choice; authorize for "C," "D" and "F" rated schools. SB2672.
School for Mathematics and Science; relocate to the campus of Mississippi State University. SB2715.
Seizure Safe Schools Act; establish. **HB346**.
Sixteenth section land:
Leases for oil, gas and mineral explorations. SB2149.
Leasing when classified as agriculture. SB2680.
Remove board of supervisors from approving leases and substitute Secretary of State. SB2559.
Rent escalation from exceeding fair market value of land. SB2410.
School board to grant an extension to holder of a long-term lease in good standing. HB1258.
Social workers and psychologists; employ and receive partial state reimbursement for salaries. SB2158.
Special occupational diploma; students having a disability as defined by federal IDEA to obtain. SB2351.
State funded schools; extracurricular activities against non accredited and nonpublic schools. SB2081.
Student Funding Formula; create to provide funding mechanism for public schools. **HB4130**.
Students Safe at School Act; procedures for active shooter drills and simulations. HB1379, SB2674.
Subject area tests and accountability standards; replace with college prep test. SB2689.
Superintendent of Education; provide limitation on salary. SB2069.
Superintendents; school districts to elect and reinstate previous sections related thereto. SB2688.
Tax credit; expand for contributions to programs serving three-year-old children. SB2889.
Teacher Residency Program; require Legislature to fund for fiscal year 2025. HB1668.
The Academic Transparency Act of 2024; enact. SB2555.
The Equal Opportunity for Students with Special Needs Act; extend repealer. SB2686.
The Title IX Preservation Act; enact. SB2814.
Tim Tebow Act; homeschooled children participate in extracurricular activity in school district. SB2562.
Transfers; remove requirement for current district of attendance to approve release. HB867.
United States Citizenship Test; require as a condition for high school graduation. SB2067.
Virtual public schools; authorize operation by educational providers or sponsored schools. HB1192.

William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; revise. SB2146, SB2673.
Workforce Investment Board; make technical changes to provisions related thereto. HB1662, SB2348.

Nominations:

Barham, Kelly Dawn, Columbus, Mississippi, Educational Television Authority (MS Public Broadcasting BD) as the Teacher or Principal of a Secondary School representative, four year term effective December 22, 2023 and ending June 30, 2027. SN14.
Barham, Kelly Dawn, Columbus, Mississippi, Educational Television Authority (MS Public Broadcasting BD) as the Teacher or Principal of a Secondary School representative, remainder of a four year term effective February 19, 2024 and ending June 30, 2025. **SN67**.
Cummings, Dr. Ormella, Fulton, Mississippi, Mississippi Authority for Educational Television (Mississippi Public Broadcasting Board), four year term on July 1, 2023 and ending June 30, 2027. **SN61**.
East, Glen V., Gulfport, Mississippi, State Board of Education as the School Administrator, nine year term beginning July 1, 2023 and ending June 30, 2032. **SN44**.
Evans, Dr. Richard Lancing (Lance), New Albany, Mississippi, State Superintendent of Public Education, term beginning July 1, 2024. **SN40**.
Mayo, James Matthew (Matt), Flowood, Mississippi, State Board of Education, remainder of a nine year term effective March 26, 2024 and ending June 30, 2025, representing the First Supreme Court District, vice Dr. Angela S. Bass. **SN96**.
McKiernon, Sandra Lynn, Hernando, Mississippi, Mississippi Charter School Authorizer Board, remainder of a three year term effective immediately and ending on August 30, 2025. SN41.
Morgan, Benjamin Blue (Ben), Laurel, Mississippi, Mississippi Charter School Authorizer Board, three year term effective February 16, 2024 and ending August 31, 2026, representing the Second Supreme Court District, vice Don Hinton, Jr.. **SN81**.
Pruitt, Michael Anthony (Mike), Hattiesburg, Mississippi, Mississippi State Board of Education, term effective immediately and will expire June 30, 2031. **SN82**.
Sawyer, Richard Cullen (Ric), Ocean Springs, Mississippi, Educational Television Authority (MS Public Broadcasting BD) as the Teacher or Principal of an Elementary School representative, four year term effective July 10, 2023 and ending June 30, 2027. **SN106**.
Stroud, Billye Jean, New Albany, Mississippi, State Board of Education to represent the Third Supreme Court District, remainder of a nine year term beginning upon Senate confirmation and ending June 30, 2030, vice Karen J. Morgan Elam. **SN105**.

ELECTIONS

Absentee ballots; change receipt deadline. SB2424, SB2579.
Absentee:
Authorize every qualified elector. SB2206.
Establish electronic application procedure for college students. SB2056.
Revise various provisions of. **HB1406**.
Voter instructions; amend. SB2581.
Affidavit ballots; reduce length of time within which certain persons must present proper voter ID or execute religious exemption. SB2008.
Artificial intelligence; require disclosure when used in political advertisements. SB2423.

Background checks for statewide and local candidates; increase qualifying fees to cover. SB2137.
Ballot harvesting; define terms. HB1087, **SB2425**.
Campaign finance; reform. SB2575, SB2585.
Campaign materials; expand definition of publish and establish fine for failure to comply with disclosure requirements. SB2578.
Candidate qualifications; revise process for. HB1655.
Constitution; amend to prohibit noncitizen voting by Mississippi Citizen Only Voting Amendment (COVA). HC23, SC513.
County and municipal executive committee agreements; revise. HB1658.
County court; allow judicial candidates to speak to the venire in. SB2421.
County elections; require all candidates to obtain the majority vote to be elected in. SC512.
Digitizations; create a criminal penalty for the wrongful dissemination of. **SB2577**.
Early voting; authorize. SB2281, SB2586, SB2584.
Ease Access to Suffrage (EASE) Act; enact. SB2280.
Election code; establish provisions for electronic voter registration application and secure website. SB2053.
Election commissioner; revise office to be nonpartisan. **HB922**.
Election contests; amend procedure to apply the same judicial process to all. SB2583.
Election crime; create for dissemination of a deep fake within 90 days of an election. HB1689.
Election day disputes; require list of judges selected to hear to be provided to certain officials. SB2422, **HB1135**.
Elections:
- Allow individuals to vote by affidavit if they register after thirty-day cutoff but before election day. SB2369.
- Authorize online voter registration and preelection day voting. SB2057.
- Change qualifying period and date of primary. SB2052.

In-person early voting; allow. SB2580.
Justice court judges; include in the "Nonpartisan Judicial Election Act". **HB1035**.
Legislative offices; define vacancy. SB2006.
Mississippi Election Code; define residency. SB2426.
Mississippi Recall Act of 2024; enact. SB2427.
Mississippi Student Absentee Voter Act; enact. SB2007.
Nonpartisan Judicial Election Act; amend to include justice court judges. SB2058.
Poll managers and Resolution Board; amend requirements to provide party diversity. SB2582.
Polling places; prohibit from being closed within sixty days before an election. HB1156, HB1401.
Qualifying to run for public office; prohibit use of post office box and require physical address of residence. SB2366.
Ranked-choice voting; prohibit in Mississippi elections. SB2367.
Restore the Right to Vote Act; create. SB2368.
Runoff elections; amend to lengthen the timing requirement. HB1404, **SB2144**.
State holidays; designate days of general elections for statewide offices as. SB2207.
State officers; make minor, nonsubstantive changes regarding swearing in of. **HB1121**.
Suffrage; provide for restoration upon completion of sentence and other conditions. SB2055, SB2365, SB2587.
Voter ID; clarify what constitutes a valid voter ID. **SB2576**.
Voter fraud; increase penalties. SB2208.
Voting; require printed record of each vote. SB2049.

ENERGY

Acceptance or offer of gifts; revise provisions relating to. **HB1664**.

BEAM; prohibit from accepting gifts or other benefits from any broadband service provider, vendor, or contractor. **HB1471**.
Broadband Expansion and Accessibility of Mississippi (BEAM) Act; amend. SB2511.
Consumer Freedom of Choice in Appliances Act; create. **HB1583**.
Electronic bids; authorize public utilities to provide system for submittal of as additional option. **HB1648**.
Excavation; revise procedures and required white lining in certain stances. **SB2603,** HB1063.
Ground lease for solar installation at Mississippi Agricultural and Forestry Experimental Stations; authorize. **SB2557**.
Inadequacy of service; authorizing the commission to cancel a municipality's certificate to provide service upon findings of. **SB2453**.
Mississippi Gulf Coast Region Utility Act; set to repeal on July 1, 2024. **SB2454**.
Municipally owned utilities; authorize to accept electronic payments and to absorb transaction fees in its rate base. SB2010.
PSC and Public Utilities Staff; clarify ability to receive campaign contributions or participate in political activity. SB2602.
Public Service Commission; extend date of repeal on. **SB2283**, HB752.
Public Service Commission; remove from the provisions of the MS Budget Transparency and Simplification Act. HB1116, HB1117.
Public utilities contracts; allow certain bids to be submitted electronically. SB2604.
Telephone solicitors; prohibit from making any solicitation regarding Medicare Advantage Plans and Medicare supplements. **HB1350**, HB1352.
Utility Service; prevent government restrictions based on energy source required. SB2601.

Nominations:

Heidelberg, James Hinkle (Jimmy), Pascagoula, Mississippi, Mississippi State Oil and Gas Board, term effective April 1, 2024 and ending March 31, 2028. SN83.
Herring, Sr., James Harrell (Jim), Canton, Mississippi, State Oil and Gas Board, four year term beginning May 7, 2024 and ending May 6, 2028. **SN104**.
Knight, Jennifer C., Madison, Mississippi, Commercial Mobile Radio Service Board, four year term effective July 1, 2023 and ending June 30, 2027, representing the Central Public Service Commission District. **SN78**.
Mayo, Bradley Dees (Brad), Oxford, Mississippi, Mississippi State Oil and Gas Board, term effective immediately and ending March 31, 2028. **SN110**.
McDivitt III, Leland W. (Lee), Brandon, Mississippi, Commercial Mobile Radio Service BD as the MS Law Enforcement Officers Association representative, four year term beginning July 1, 2023 and ending June 30, 2027. **SN7**.
Rigney, Mark Alan, Madison, Mississippi, Commercial Mobile Radio Service Board as a wireless provider representative, four year term beginning July 1, 2023 and ending June 30, 2027. SN84.
Rigney, Mark Alan, Madison, Mississippi, Commercial Mobile Radio Service Board as a wireless provider representative, remainder of a four year term effective March 26, 2024 and ending June 30, 2024. **SN93**.
Rigney, Mark Alan, Madison, Mississippi, Commercial Mobile Radio Service Board as a wireless provider representative, four year term effective July 1, 2024 and ending June 30, 2028. **SN94**.
Rodgers, Trebia, Grenada Co., Mississippi, Commercial Mobile Radio Service Board as the representative from the MS 911 Coordinators Association, four year term beginning July 1, 2023 and ending June 30, 2027. **SN8**.
Yoder, Jr., Richard Lewis (Lew), Laurel, Mississippi, State Oil and Gas Board, six year term effective May 8, 2024 and ending May 7, 2030, representing the Second Supreme Court District. **SN70**.

ENVIRONMENT PROT, CONS AND WATER RES

Department of Environmental Quality; provide additional powers to Executive Director. **SB2649**.
Environmental protection; prohibit contamination of clean soil with "forever chemicals." SB2249.
Waters of the state; amend the definition of. SB2629, SB2650.

Nominations:

Winstead, Jack H., Brandon, Mississippi, MS Commission on Environmental Quality as the representative of the 3rd Congressional District as it existed in 1978, seven year term effective July 1, 2023 and ending June 30, 2030. **SN15**.

FINANCE

ABC Warehouse Construction Fund; prohibit spending from until DOR and DFA determine total project costs no more than $55M. SB2483.
ATVs & UTVs; require titling, and exempt from ad valorem tax when held by retailers on consignment or floor plan basis. SB2849.
Ad valorem tax exemptions; bring forward code section on oil, gas and other petroleum products refined in state. SB2910.
Ad valorem tax on home; allow credit or rebate for certain disabled veterans and surviving spouses of military members. SB2897.
Ad valorem tax on inventory; phase in exemption for certain small businesses. SB2323.
Ad valorem tax; authorize a tax credit for certain refineries of oil, gas and petroleum products. **HB1984,** SB3161.
Ad valorem tax; authorize local governments to grant exemptions for raw materials and work in progress inventory. SB2318.
Ad valorem tax; consider annexed business "new enterprise" for purpose of eligibility for certain municipal tax exemptions. SB2209.
Ad valorem tax; designate the authority of certain counties to levy up to seven mills for garbage collection. SB2143.
Ad valorem tax; require counties and municipalities to provide notice and hearing before exceeding revenue-neutral rate. SB2901.
Alcoholic Beverage Control Division warehouse; increase amount of revenue bonds authorized for and bailment fee authorized for paying debt service on bonds. **HB1354**.
Alcoholic beverages; allow local authorities of wet jurisdictions to permit package retail sales on Sunday. SB2221, HB329.
Alcoholic beverages; authorize municipalities in dry counties vote to come out from under the dry law. **HB1161**.
Alcoholic beverages; authorize the direct shipment of wine. SB2228, HB430.
Alcoholic beverages; authorize the sale of wine in grocery stores. SB2229.
Alcoholic beverages; increase number of package retailer's permits under certain conditions. **SB2405**, HB328.
Alcoholic beverages; revise certain provisions regarding locations for sale of. **HB1525**.
Alcoholic beverages; revise certain provisions relating to sales to persons under the age of 21. SB2466.
Alcoholic beverages; revise policy of state regarding prohibition of. HB777.
Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. **SB2457**, HB1103, HB1190.
All-terrain vehicles and recreational off-highway vehicles; allow tagging for operation on certain roads. SB2660.
Annual tax assessment; revise deadline to file protest of. SB2303.

Application for privilege license tag for vehicles; increase from seven to thirty working days. **HB310**.
Bonds; authorize issuance for various purposes. **HB1983**.
Bonds; authorize issuance for improvements at Alcorn State University. SB2927.
Bonds; authorize issuance for construction of a Hydroponics Research and Teaching Greenhouse at Alcorn State University. SB2833.
Bonds; authorize issuance for improvements to Walter Washington Administration and Classroom Building at Alcorn State University. SB2834.
Bonds; authorize issuance for improvements to the K.L. Simmons Technology Building at Alcorn State University. SB2835.
Bonds; authorize issuance for construction a Science, Technology, Engineering, Agriculture and Math Center at Alcorn State University. SB2836.
Bonds; authorize to assist Serenity on the Bayou in Anguilla renovate and equip building for Emmanuel Community Center. SB2113.
Bonds; authorize to assist Town of Anguilla in paying costs of construction of museum and visitor center. SB2110.
Bonds; authorize to assist Town of Anguilla in paying costs of improvements projects. SB2108.
Bonds; authorize to assist City of Baldwyn, City of Saltillo, VFW Post 4057, and Lee County in paying for capital projects. SB3194.
Bonds; authorize to assist Canton Housing Authority in paying costs of redeveloping 100 public housing units. SB2102.
Bonds; authorize issuance to provide funds for loans to improve certain properties in the Capitol Complex Improvement District. HB1987.
Bonds; authorize to assist Village of Cary in paying costs of construction of fire station. SB2109.
Bonds; authorize issuance to Claiborne County to assist in paying costs of various capital improvement projects. SB2928.
Bonds; authorize issuance to Clay County to assist in paying costs of various capital improvements. SB2929.
Bonds; authorize to assist Humphreys County in paying costs of roadway, curb and gutter improvements in Westgate Subdivision. SB2103.
Bonds; authorize issuance for Community Health and Wellness Center, Inc., health care facility renovations in Isola. SB2114.
Bonds; authorize issuance of general obligation bonds for repair and renovation of Oakes African American Cultural Center. SB2106.
Bonds; authorize issuance for demolition and cleanup of dilapidated structures in downtown Rolling Fork. SB2107.
Bonds; authorize issuance of general obligation bonds for improvements to Rolling Fork Civic and Event Center. SB2112.
Bonds; authorize issuance for Sharkey County and Town of Rolling Fork to assist in paying various disaster recovery costs. SB2227.
Bonds; authorize to assist Town of Rolling Fork in paying costs of Muddy Waters memorial sculpture. SB2104.
Bonds; authorize issuance of general obligation bonds for West Central Mississippi Incubator Grant Program. SB2111.
Bonds; authorize issuance of general obligation bonds for repair and renovation of Triangle Cultural Center in Yazoo City. SB2115.
Bonds; authorize issuance to Southwest MS Community College for new women's residence hall and campus infrastructure. SB2838.
Bonds; authorize issuance to City of Magnolia for North Cherry Street drainage improvements. SB2850.
Bonds; authorize issuance for traffic signal at intersection of East Metro Parkway and El Dorado Road in Pearl. SB2893.
Bonds; authorize issuance to assist City of Pearl with improvements to city hall. SB2894.
Bonds; authorize for City of Tupelo Fire Department and Emergency Command Center, and for North Mississippi Symphony Orchestra. SB3190.

Bonds; authorize to West Jackson County Utility District for water tank and replacement of asbestos water main piping. SB2837.
Bonds; authorize to assist City of West Point in paying costs of street paving and Water & Light Dept Bldg renovation. SB2091.
Bonds; authorize issuance to assist Yazoo County in paying costs of drainage project. SB2105.
Bonds; create a rural counties and municipalities emergency infrastructure loan program and authorize issuance of bonds. SB2220.
Bonds; increase authorized amount to assist in paying costs associated with Commerce Park Connector in Madison County. SB2994.
Bonds; repeal authorization for unissued bonds, and replace with cash funds. SB2493, HB1473.
Bonds; repurpose authority of IHL for USM capital project from Hickman Hall renovation to Science Research Facility. SB3157.
Broadband equipment speed; increase to FCC requirement regarding ad valorem tax exemption. SB2371.
Broadband exemption; clarify ad valorem tax exemption for equipment used for broadband. SB2701.
Business Improvement Districts Act; make various revisions concerning. HB1579.
Capitol Complex Improvement District; authorize incentive for development of property in. HB1665.
Children's Promise Act; increase amount of tax credits that may be allocated under, bring forward various tax credit sections of law. HB1988.
City of Amory; authorize to enact a tax on hotels, motels and restaurants for tourism and parks and recreation. **SB2248**.
City of Durant; authorize a tax on restaurants to promote tourism, parks and recreation. **HB4115**.
City of Lucedale; authorize election for tax on hotels/motels to fund parks and recreational capital improvement projects. **HB1744**.
City of Morton; authorize tax on hotels, motels and restaurants to fund tourism, parks and recreation in. HB4119.
City of Ridgeland; authorize to levy tax on restaurants, hotels, and motels to promote tourism, parks and recreation. **SB3221**.
Commissioner of Insurance; authorize to implement a state insurance exchange, authorize income tax deductions and insurance premium tax credit. **HB1647**.
County industrial development authorities certain; revise certain provisions regarding. **HB1617**.
Department of Revenue; require to send taxpayer notices by certified mail, return receipt requested. SB2319.
Disabled veterans license tags; authorize tags to be labeled. SB2126.
Distinctive motor vehicle license tag; authorize for supporters of various organizations. **SB2801,** SB2212, SB2464, SB2807, HB319, HB893.
Electric/hybrid vehicle tax; repeal sections of law authorizing. SB2322.
Eligible Transitional Home Organization (ETHO) tax credit program; include formerly incarcerated individuals. SB2443.
Federal Funding Transparency Act; enact. SB2314.
First Responders Retirement Incentive; create. SB2488.
Gaming; authorize aboard cruise vessels on the Pearl River or adjoining water within a city with a population of 145,000 or more. SB2820.
Grandparents; authorize payment of support for assuming primary care of grandchildren, create tax credit for. SB2379.
Groceries; exempt from state sales tax, and authorize municipalities to levy sales tax up to 1%. SB2210.
Harrison County; authorize assessments on convictions for improvements to courthouses and pretrial dention facilities. **HB1854**.
Harvest permit license tag; increase weight category for. **SB2644**.
Health care industry zone; expand radius for location of certain facilities for certification by MDA as. **HB1417**.

Homestead exemption; increase for honorably discharged veterans 90 years of age or older. **HB1378**.
Homestead exemption; revise time within which certain homeowners may apply for. **HB1003**.
Hybrid vehicle tax; add ability to be charged from external source to definition of "hybrid vehicle" for purposes of. SB2890.
Income tax and ad valorem tax; authorize a child credit, bring forward various tax credit sections of law. HB1985.
Income tax and insurance premium tax; authorize a credit for certain investments in qualified community development entities. SB3070, HB1942.
Income tax credit for employers for blood donations made by employees during blood drive; extend period of eligibility for. SB2222.
Income tax refunds; provide procedures for MDOR to set off debts owed to MDHS against, and for hearings and appeals. SB2304.
Income tax; allow DHS to collect debts owed to it through setoff against state income tax refunds. **HB1638**.
Income tax; authorize a credit for costs incurred for development of certain property in the Capitol Complex Improvement District. HB1939.
Income tax; authorize a credit for dependent care equal to that allowed for federal income tax purposes. SB2472.
Income tax; authorize a credit for certain employers that sponsor skills training for employees. **SB3099**, HB1710.
Income tax; authorize credits for certain child care expenses and for Pre-K providers for care of certain children. SB2475.
Income tax; authorize credits for donations to Habitat for Humanity Mississippi Capital Area. SB2988.
Income tax; authorize credit for certain costs of land conversion to pasture suitable for agriculture. SB3071.
Income tax; authorize deduction for certain income earned by recent college graduates. SB2324.
Income tax; exclude compensation for active or reserve duty in the National Guard from gross income. SB3001.
Income tax; exclude forgiven, cancelled or discharged federal student loan debt under the Public Service Loan Forgiveness Program from the definition of "gross income". HB1485.
Income tax; exclude from gross income compensation and income of honorably discharged veterans. SB2985.
Income tax; increase amount of credit for approved reforestation practices. SB2481.
Income tax; provide a credit for taxpayers who provide paid maternity and paternity leave for employees. HB1768.
Income tax; provide credit for taxpayers claiming federal Earned Income Tax Credit. SB2491.
Income tax; reenact and extend repealer on credit for certain railroad expenditures. **HB624,** SB2477.
Israel Support Act of 2019; extend repealer on. **SB2226**.
Jackson State University; provide for the construction of a six hundred room student housing project. SB2344.
Joint Legislative Study Committee on Blockchain, Cryptocurrency, and Other Digital Assets; create. HB1214.
Lauderdale County; extend repeal date on Tourism Commission and hotel/motel tax, and authorize room occupancy tax. SB3159, HB4091.
Legislature; allow PERS retirees to receive retirement allowance while serving as a member of. SB2392.
Local Option Alcoholic Beverage Control Law; revise certain provisions regarding authority of municipalities and counties under. **HB776**.
Local Option Alcoholic Beverage Control Law; revise definition of "qualified resort area." **SB2803**, SB2808.

Local governments capital improvements revolving loan program; include municipal natural gas facilities. **HB155**.
MS Deferred Comp; allow Roth and other after-tax accounts, and comply with qualified domestic relations orders. SB2903, SB2921.
Mississippi Affordable Housing Tax Credit Act; enact. SB2986.
Mississippi Alcoholic Beverage Corporation; create. SB2853.
Mississippi Flexible Tax Incentive Act; revise definition and annual report due date, and correct agency reference. **SB2830**.
Mississippi Savings Initiative; create. SB2818.
Mississippi School Resource Officers School Safety (MS ROSS) Act; create to provide funding to local law enforcement agencies. HB1982.
Mississippi Site Development Grant Program; expand definitions. SB2855.
Motor vehicle tags; remove portion of fees deposited to State General Fund, or rededicate to Ad Valorem Tax Reduction Fund. SB2473.
Motor vehicle titles; revise certain provisions regarding. SB2900.
Motor vehicles; provide procedure for licensing rental fleets. **HB1286,** SB2896.
Motor vehicles; require proof of liability insurance before license tag or decal may be issued or renewed. SB2320, SB2395.
Motor vehicles; revise certain provisions regarding discharge of liens and scrapping. **HB1589**.
Municipal ad valorem taxes; exempt real property and motor vehicles in an annexed area for 12 months after annexation. SB2467.
Native wineries; authorize to make sales at one satellite location in same county. SB2568.
Net lottery proceeds; provide that any shall be paid into State Highway Fund on requisition of Transportation Commission. SB2829.
Nicotine vapor device directory; require manufacturers to provide certification, set penalties and other provisions. SB2886.
On-premises tobacco permit; authorize Department of Revenue to issue. **SB2567**.
PERS Board; require to make investment decisions with sole purpose of maximizing returns. SB2899.
PERS optional retirement program for IHL employees; revise remittance of employer's contribution based on start date. SB2907.
PERS; define "instrumentality" for purpose of PERS laws and include health care collaboratives in the definition. HB1618.
PERS; reduce vesting period from 8 years to 4. SB2393.
PERS; require any terminated plan to pay unfunded actuarial accrued liability to board in a lump sum before termination. SB2904, SB2905.
PERS; require state and its subdivisions to pay employer contributions for part-time employees and contract workers. SB2898.
PERS; require to engage CEFEX-certified and affiliated investment firm for fiduciary assessment of funds and practices. SB2394.
Performance bonds; increase threshold amount in public works contracts. HB1060.
Preschool and prekindergarten tax credit; expand for contributions to programs serving three-year-old children. SB2889.
Property Cleanup Revolving Fund; establish funded by state bonds. SB2503, HB868.
Radiological health services; authorize Board of Health to collect fees in congruence with certain federal regulation. **SB2862**.
Retailer Tax Fairness Act; enact. SB2891.
Retired teachers; allow to return to teaching for a maximum of five years while receiving retirement benefits. SB2238, SB2401.
Sales tax revenue; divert 2% from activities at Coast Coliseum and State Fairgrounds for repairs to those entities. SB2911.
Sales tax revenue; increase diversion to municipalities from 18.5% to 19.5%, and create 10% diversion to counties. SB2908.
Sales tax; 1.5% rate for retail sales of cattle trailers and fencing materials to farmers for agricultural purposes. SB2397.
Sales tax; create diversion to counties. SB2293.

Sales tax; deposit portion of revenue into the Mississippi Outdoor Stewardship Trust Fund. HB733.
Sales tax; exempt retail sales of groceries during the month of August. SB2317.
Sales tax; exempt sales of feminine hygiene products, baby formula and baby diapers. SB2223.
Sales tax; exempt sales of baby formula and baby diapers. SB2224.
Sales tax; exempt sales of poultry products to tax-exempt charities operating food banks, food pantries or food lines. SB2306.
Sales tax; exempt sales of groceries. SB2316.
Sales tax; exempt sales of tangible personal property or services to 5th Squad. SB2987.
Sales tax; exempt sales of water for agricultural purposes. SB2993.
Sales tax; exempt sales to Mississippi Aquarium in Gulfport. SB2225.
Sales tax; exempt sales to/by any tribally chartered corporation or LLC of the Mississippi Band of Choctaw Indians. SB2398.
Sales tax; exempt sales, leases or other retail transfers of certain fixed-wing aircraft. **HB1855**, SB3078.
Sales tax; increase diversion to municipalities and create diversion to counties. SB2471.
Sales tax; move the back-to-school sales tax holiday to the second Friday in July. **SB2470**.
Sales tax; revise definition of "gross proceeds of sales", "gross income" and "installation charges" and exempt certain services. HB1991.
Sales tax; revise rate regarding certain oil, gas and other mineral resources services, equipment and materials. **HB1764**.
School districts; allow certain rural districts to exceed bonded indebtedness limit once. SB2665.
Sealed container permits; allow for annual. SB2646.
Starkville-Oktibbeha Consolidated School District; extend bonding authority until July 1, 2027. **HB1230**.
State Bond Attorney; revise minimum and maximum fee paid to. **SB2298**.
Tax credits for qualified charitable and qualified foster care charitable organizations; delete repealer on. **SB2476**.
Tax credits, various; bring forward sections of law relating to. HB1642.
Tax credits; authorize for contributions by certain taxpayers to certain hospitals, bring forward various tax credit sections of law. HB1953.
Tax credits; revise provisions regarding eligible charitable organizations assisting with providing health care services to low-income individuals. HB1986.
Tax exemptions; revise qualifying standards for business enterprises operating data centers. SB3106.
Taxation of oilfield services; restructure. SB2990.
Taxation; freeze phase-in of income tax cuts and phase out of corporation franchise tax. SB2989.
Taxes, various; bring forwards sections of law authorizing and providing for distribution of revenue. HB1701.
Tobacco excise tax; provide rate for heated tobacco products. **SB3105**, SB2211, HB1943.
Tourism project sales tax incentive program; bring forward sections of law relating to. HB1623.
Town of Vaiden; authorize tax on restaurants, hotels and motels for tourism and parks & recreation. SB3219.
Town of Walnut; authorize to levy tax on restaurants, hotels, and motels and to issue bonds for parks and recreation. **SB3216**.
Unfair Cigarette Sales Law; increase the presumptions of the cost of doing business and cartage cost by a wholesale dealer. SB2312.
Union County; authorize assessments on misdemeanor convictions and nonadjudications for capital improvements. HB4125.

Union County; authorize assessments on civil cases filed and convictions obtained in justice court to maintain law enforcement center. HB4126.
Use tax and gaming license fees; deposit portions into 2022 Capacity Project Fund and 2022 Maintenance Project Fund. SB2914.
Use tax revenue; deposit 10% into State Highway Fund for construction, reconstruction, repair or maintenance of highways. SB2906.
Use tax; revise certain provisions regarding funds distributed to municipalities and counties for infrastructure purposes. **SB2492**, HB1620.
West Central Mississippi Incubator Grant Program; establish with county governments, DFA and local development districts. SB2321.

Nominations:

Arrington, Derek Royce, Hattiesburg, Mississippi, State Bond Attorney, term effective January 9, 2024 and runs concurrent with the Governor's second term of office. **SN36**.
Ashley, Dr. William J. (Bill), Madison, Mississippi, Executive Director of the Mississippi Department of Employment Security, term effective April 1, 2024 and runs concurrent with Governor's second term in office. **SN97**.
Boteler, Carolyn Q., Florence, Mississippi, Mississippi Business Finance Corporation as an individual associated with small business, six year term effective April 1, 2024 and ending March 31, 2030. **SN53**.
Cork, William V. (Bill), Mississippi, Executive Director at the Mississippi Development Authority, term is effective December 14, 2023, and the appointee shall serve at the pleasure of the Governor. **SN24**.
Jackson, David A., Ridgeland, Mississippi, Mississippi Hospital Equipment and Facilities Authority as the representative of the First Supreme Court District, four year term effective July 1, 2024 and ending June 30, 2028. **SN102**.
Jones, Anthony Lynn (Tony), Olive Branch, Mississippi, Mississippi Home Corporation, six year term effective May 24, 2024 and ending May 23, 2030, representing the 3rd Supreme Court District. **SN86**.
Pugh, Brian A., Starkville, Mississippi, Mississippi Home Corporation, six year term effective April 24, 2024 and ending April 23, 2030, representing the 3rd Supreme Court District. **SN54**.
Rice, Lisa Renee (Renee), Madison, Mississippi, Mississippi Hospital Equipment and Facilities Authority as a banker with experience in commercial lending, four year term effective March 12, 2024 and ending January 10, 2028. **SN87**.
Sanders, Kristopher Daniel (Kris), Holly Springs, Mississippi, Mississippi Hospital Equipment and Facilities Authority as the representative of the Third Supreme Court District, four year term effective July 1, 2024 and ending June 30, 2028. **SN108**.
Sones, Sr., William David (Bill), Brookhaven, Mississippi, Mississippi Business Finance Corporation as an individual involved in banking or small business, six year term effective April 1, 2024 and ending March 31, 2030. SN111.
Sones, Sr., William David (Bill), Brookhaven, Mississippi, Mississippi Business Finance Corporation, six year term effective April 1, 2024 and ending March 31, 2030. **SN85**.

FORESTRY

Biomass and Bioenergy with carbon capture technology; define. **SB2059**.
Forestry Facility Grant Program; bring forward. SB2325.
Mississippi Forestry Commission; authorize to electronically accept bids for timber sales. SB2289, **HB299**.

Nominations:

Campbell, Charles Bradley (Brad), Starkville, Mississippi, State BD of Registration for Foresters to represent the East Central Forestry Commission District, five year term beginning July 1, 2023 and ending June 30, 2028. **SN17**.
Pettigrew, Joseph E. (Joe), Kiln, Mississippi, MS Forestry Commission, six year term effective July 1, 2023 and ending June 30, 2029, representing the 4th Congressional District. **SN16**.
Rounsaville, Clinton Crawford (Clint), Brookhaven, Mississippi, Board of Registration for Foresters as the representative from the Southwest Forestry Commission District, five year term effective July 1, 2023 and ending June 30, 2028. **SN107**.

GAMING

"Veterans' Assistance Lottery"; establish under Mississippi Lottery Corporation. SB2513.
Child support; withhold gaming winnings of persons who have outstanding child support arrearages. SB2132.
Gaming; authorize aboard cruise vessels on the Pearl River or adjoining water within a city with a population of 145,000 or more. SB2820
MS Mobile Sports Wagering Act; create to legalize "online race book" and "online sports pool" betting. HB774.
Public Trust Tidelands; revise various provisions related to. SB2780, HB1659.

Nominations:

Felder, Jeremy Andra, Hattiesburg, Mississippi, Gaming Commission, remainder of a four year term effective February 14, 2024 and ending September 30, 2027, vice Thomas Gresham. **SN79**.
Lee, Francis Clark (Franc), Flowood, Mississippi, Mississippi Gaming Commission, four year term effective October 1, 2024 and ending September 30, 2028. **SN47.**
McGrevey, Michael Joseph (Mike), Decatur, Mississippi, Mississippi Lottery Corporation Board of Directors, five year term effective January 1, 2024 and ending December 31, 2028. **SN68**.

GOVERNMENT STRUCTURE

Charity Protection Act; create. HB1290.
Commission on Wildlife, Fisheries and Parks; limit consecutive terms, and impose certain additional qualifications. SB2290, SB2640.
Department of Archives and History; revise appointing authority for members of the Board of Trustees and Director. SB2478, SB2912.
Department of Corrections; eliminate executive deputy commissioner from. HB1025.
Mississippi Bullion Depository; establish in State Treasury. SB2785.
Mississippi Gulf Coast Region Utility Act; set to repeal on July 1, 2024. **SB2454**.
Mississippi Prison Industries Act of 1990; extend repealer on. HB759.
Mississippi Real Estate Commission; remove Home Inspector Board. **SB2788**.
Mississippi Recall Act of 2024; enact. SB2427.
Mississippi Workplace Safety Act; enact. SB2373.
Occupational Licensing Review Board; revise membership. SB2300, SB2630.
PERS:
Add to board of trustees one member who is a full-time local law enforcement officer or full-time local firefighter. SB2299.

Reconstitute membership of board and rescind scheduled employer's contribution increase. HB1590.
Parole Board; prescribe qualifications for the board and post parole hearings on DOC website. SB2352.
Parole and probation officers' study committee; study transferring authority and functions to DPS. SB2600.
Prison Industry Enhancement Program; extend repealer on. HB756.
Proposals and requests for qualifications; simplify the receipt and registration process. **SB2486**.
Public Service Commission; extend date of repeal on. **SB2283,** SB2455.
Public official appointments; revise terms of office and appointment procedures on certain state boards, districts and agencies. **SB2799**.
State Board of Cosmetology and Board of Barber Examiners; merge into one board. SB2563.
State Veterans Affairs Board; revise composition of. **SB2514,** SB2390.
State offenders serving sentences in county jails; repeal repealer. SB2700.

HIGHWAYS AND TRANSPORTATION

"Carrol V. Hood Memorial Highway"; specify parameters of location for designation. **HB1463**.
"Medal of Honor Trail"; designate portion of Interstate 22 and U.S. Highway 78 within the State of Mississippi as. HB991.
All-terrain vehicles and recreational off-highway vehicles; allow tagging for operation on certain roads. SB2660.
Commercial motor vehicles; extend repealer on authority of Commissioner of Public Safety to create voluntary inspection program. **HB751**.
Harvest permit license tag; increase weight category for. **SB2644**.
Highways:
dedicate a section of Highway 8 to William Forrest Winter. **SB2643**.
include Old State Highways 6 and 9 in Pontotoc County in the state highway system. SB2003.
include certain entrances and exits to and from Interstate 55 in the state highway system.
SB2656.
recognize former Representative Alyce Clarke and amend dedication rules for members of public
office. SB2655.
MS Transportation Commission; revise publication and bid requirements for Design-Build projects and allow use of alternate contracting methods. HB940.
Memorial bridge:
dedicate the Little Biloxi Bridge to World War II Infantryman Willie Edward King. **SB2060**.
designate north bridge on MS Hwy 309 as the "Hubert Ingram Memorial Bridge." **HB823**.
Memorial Highway:
designate segment of MS Hwy 9 in Webster County as the "Warrant Officer William H. "Bill"
Seaborn, Jr., Memorial Highway. HB1584.
designate segment of MS Highway 30 in Prentiss County as the "Jamie Neal Guin, PCEPA
Lineman, Memorial Highway." **HB1287**.
designate a segment of MS Hwy 15 in Jasper County as the "Major Samuel S. (Coach) King
Memorial Highway. **HB619**.

designate a segment of U.S. Highway 45 in Macon, MS as the "Sgt. Travis S. Cooper Memorial
Highway." **HB75**.
Memorial Highways:
designate segment MS Hwy 513 in Clarke County as "Lance Corporal Mac Hamburg, MSMC,
Memorial Highway." **HB1681**.
clarify names of certain to reflect official title of U.S. service members for whom they are named.
HB1288.
designate segment in Shannon, Lee County as the "Johnny R. Patterson Memorial Highway."
HB120.
designate segment in Marion County as the "Sheriff J.V. Polk Memorial Highway. **HB1216**.
designate segment in Noxubee County as the "Chief Petty Officer Andrew Triplett Memorial
Highway". **HB74**.
designate segments in Bolivar County and Jones County as in honor individuals. **SB2634**.
Memorial marker; place near the Clay Street exit ramp off I20 West for Jarod Squire and Derico Davis. SB2636.
Mississippi Airport Critical Needs Grant Program; create. SB2505.
Mississippi Aviation Safety Act; create. **HB697**.
Mississippi Department of Transportation; design-build requirement revisions. **SB2645**.
Motor Carrier Regulatory Law; extend repeal on voluntary inspection program. **SB2509**.
Nonconsensual towing; regulate towing and charges for commercial vehicles. **SB2635**.
Radar:
authorize limited use of by sheriffs. SB2504.
authorize limited use of by sheriffs until a specified date. SB2632.
authorize limited use of by sheriff's until a specified date subject to approval by the county board
of supervisors. SB2633.
authorize use of by sheriffs with limitation on the number of equipped patrol vehicles. SB2658.
Recreational off-highway vehicles; authorize operation on county roads subject to registration and other requirements. SB2002.
Sealed container permits; allow for annual. SB2646.
Squatted vehicles:
ban. SB2250.
prohibit modifications to motor vehicle which raise front fender a certain height above the rear
fender. **HB349**.
Strategic Multi-Modal Investment Fund; further define fund allocation. SB2637.
Towing of commercial vehicles; regulate the nonconsensual towing of by towing and recovery services. HB1622.
Transportation funding; authorize public-private partnerships to include naming rights. HB702.

Nominations:

Clark, Larry Wayne, Amory, Mississippi, Mississippi Motor Vehicle Commission to represent the state at large as chairman, term effective January 9, 2024 and runs concurrent with the Governor's second term in office. **SN55**.

Grubbs, Gary Mack, Hattiesburg, Mississippi, Mississippi Motor Vehicle Commission to represent the state at large as vice chairman, term effective January 9, 2024 and runs concurrent with the Governor's second term in office. **SN56**.

HOUSING

Neighborhood Housing Rehabilitation Program (NHRP); direct Mississippi Home Corporation to establish using federal funds. SB2247.

INSURANCE

Advanced Metastatic Cancer; prohibit health plans from requiring step therapy before covering certain drugs to treat. **HB1143**.
Ambulance service providers; provide for minimum rate of reimbursement under any policy of accident and sickness insurance. HB1629.
Ambulance services; provide for payment for treatment in place and provide for minimum reimbursement rate in health insurance policies. **HB1489**.
Automobile insurance; require reinstatement of policy where insurer fails to provide proper notice and insured pays premiums. SB2760.
Automobile liability insurance coverage; require before receiving tag. SB2028.
Balance billing; exclude practice of dentistry from prohibition on. **HB871**.
Car repair and insurance; require insurer to pay prevailing market amount, require OEM parts and other provisions. SB2745.
Clean claim; clarify requirements for. **HB1079**.
Commission on Mississippi Pharmacy Benefits Manager (PBM) and Vision Benefits Manager (VBM) Issues; establish. SB2716.
Commissioner of Insurance; authorize to adopt rules and regulations regarding reimbursement rates and other matters. SB2123.
Contraceptive Equity Act of 2024; enact. SB2552.
Dental health plans; establish certain provisions related to insurers bundling and downcoding. SB2273.
Depression screening for birth mothers; require health care professionals to administer and health insurers to cover. SB2151.
Diagnostic and supplemental breast exams; prohibit insurers from imposing any cost-sharing requirements for. HB1144.
Election commissioners; require board of supervisors to provide insurance coverage for. SB2517.
HIV medications; prohibit health plans and Medicaid from subjecting to protocols that restrict dispensing of. HB1527.
HIV prevention drugs; require health insurance plans and Division of Medicaid to provide coverage for. SB2779.
Health Insurance Coverage for Fertility Preservation Services Act; enact. SB2781.
Health insurance billing; exempt dental services from certain balanced billing requirements. SB2538.
Health insurance carriers; require to cap patient cost for prescriptions for insulin drugs. SB2027.
Health insurance policies; prohibit step therapy requirements for certain prescription drugs to treat advanced cancer. SB2264.
Health insurance:
prohibit insurers from discriminating against durable medical equipment and set reimbursement
rate. SB2258.
prohibit cost-sharing requirements for certain breast cancer screenings or examinations.
SB2263.

prohibit modifications on renewal of covered and prescribed prescription drug's contracted benefit
level. SB2783.
require health benefit plans to follow new procedure related to step therapy protocol for CRF-
COPD treatment. SB2257.
Insurance information; require insurers to report certain information to MDHS for child support requirements. SB2757.
Insurance mitigation; revise various provisions related to. HB888.
Insurance reimbursement rates; revise certain provisions. **HB1410**.
Insurance;
authorize counties, municipalities, school districts and other political subdivisions to pool risk.
SB2740.
include prepaid plans for low-income individuals sponsored by not-for-profit organizations as
health care ministry. SB2775.
prohibit roofing contractors from taking certain actions related to insureds. SB2758.
remove filing fee on auto cancellation or nonrenewal appeals and exempt life line applicants from
prelicensing requirements. **HB819**.
revise the Rural Fire Truck Matching Assistance Program, the MS First Responders Health and
Safety Act and the Municipal and County Fire Funds. HB818.
Lender-placed insurance on real property:
provide framework for regulating. SB2122.
insurance on real property; provide framework for regulating. SB2786.
Living Donor Protection Act; create. **HB1213**.
Mississippi Prior Authorization Reform Act; enact. **SB2140**, SB2755.
Motor vehicle insurance; prohibit insurer from abandoning vehicle to towing company without paying reasonable charges. SB2026.
Nonprofit Agricultural Membership Organizations:
exempt from insurance regulation. HB1627.
authorize to issue health insurance and exempt from insurance regulation. **SB2851**.
Peer-to-Peer Car Sharing Program Act; create. **SB2530**, HB1048.
Pharmacists; authorize reimbursement for under certain insurance policies, plans, or contracts. HB1265.
Pharmacy Benefit Manager; revise certain requirements of entity that contracts with State Health Plan. SB2736.
Pharmacy benefit managers; set certain requirements related thereto, including claim administration and reimbursements. SB2754.
Pharmacy Benefit Prompt Pay Act, Pharmacy Integrity Act, jurisdiction of Department of Insurance; bring forward provisions of. SB2739.
State Employees Life and Health Insurance Plan; bring forward provisions for possible amendment. SB2784.
State Health Plan; provide coverage for prosthetic teeth and dental implants for children with oligodontia. SB2270.
State and School Employees' Health Insurance Board; require board to determine applicable insurance benefits and exclusions. SB2756.
State employees health plan; set provisions and restrictions related to pharmacy benefit manager. SB2738.
State employees; authorize the state to offer health savings accounts to. **SB2125**.
The Mississippi Comprehensive Hurricane And Wind Damage Mitigation Program; create and set provisions related thereto. SB2782.
Transparency and Accountability of Patient Premiums Invested in Dental Care Act; create. SB2759.

Workers' compensation; increase maximum total recovery and remove cap on permanent total disability compensation. SB2251.

JUDICIARY, DIVISION A

"The Families' Rights and Responsibilities Act"; create. HB900.
"Walker Montgomery Protecting Children Online Act"; establish to protect minors from harmful content. SB2531, **HB1126**.
Abuse and neglect of a child; make certain amendments to procedure. SB2120.
Abused child reporting to child protection services; require report to contain the name of the reporter. SB2750.
Administrative Office of Courts; bring forward code sections related to. SB2822.
Adoption petitions; clarify that attached certificate may be executed by any physician. SB2038.
Age of majority; revise. SB2255.
Agricultural equipment; provides farmers with the right to repair their own. SB2005.
Appellate court expense allowance; revise requirements for receiving. SB2523.
Applicants for TANF benefits; repeal section that requires drug testing as condition of eligibility. SB2388.
Appointed counsel; require in Justice Court for certain criminal defendants. SB2386, SB2790.
Assistant district attorneys and criminal investigators; bring forward provisions related to. SB2512, SB2425, SB2550.
Birth certificate:
- Adoptee may obtain certified copy of original after age 21. SB2030.
- Require designation of sex and prohibit change unless mistake at the time the certificate was issued. SB2813.

CCID inferior court; authorize additional judges and clarify appeals from. HB822, HB1226.
Chancery clerk fees; conform recording deeds to land sold for taxes and redemption of such lands. SB2549, **HB846**.
Chancery court; provide additional chancellor for 15th Chancery Court District. SB2265.
Child Protection Services; require disclosure of reporter in certain cases of false abuse and neglect reports. SB2033, SB2039.
Child abuse:
- Neglect; provide for civil liability false reports of. SB2034.
- Reports; name of the reporter shall not be confidential. SB2124.

Child custody; require presumption of joint custody and equal parenting time. HB783.
Child pornography and obscenity; provide liability for publishers and distributors of. SB2256.
Child protection services; authorize "kinship payments" to children's extended family, as needed or applicable. SB2737.
Child support:
- Award children of deceased victim of aggravated DUI. SB2031.
- Cost of health insurance coverage obtained by noncustodial parent considered in determining. SB2037, SB2059.
- Create presumption that support continues past the age of majority for a disabled child. SB2131.
- Make certain amendments to provision concerning recovery from delinquent noncustodial parents. SB2261.
- Revise provision related to in order to mirror current DHS practice and federal requirements. **SB2262**.

Circuit court:
- Authorize jurisdiction for persons with criminal charges who may need civil commitment procedures. **HB1088**.
- Clerks; increase compensation in a county with a county court. SB2747.

Prohibit political candidates from addressing the public during court terms. SB2518.
Civil Commitment Reform Act; enact. SB2769, SB2816.
Commercial Driver's License; require notice to employer when possibility of suspension for unpaid child support. HB694.
Community mental health centers; rename and require certain oversight measures by Department of Mental Health. SB2744.
Constitution; amend Section 26 to expand the jurisdiction of the state grand jury. SC525.
Contraception; provide right to obtain and engage in. SB2766.
Corporations and LLCs; authorize notice of dissolution by electronic mail only. HB1000.
County court; allow judicial candidates to speak to the venire in. SB2421.
Court-Appointed Special Advocate (CASA) Program; create state associate and standardize operations of local programs. **HB1624**.
Custody; create rebuttable presumption of joint custody with equal parenting time. SB2527.
Cybersecurity incident liability; provide limitation on liability for certain entities that adopt cybersecurity standards. SB2777.
Cyberstalking; authorize injunction when criminal charges filed. SB2378.
DHS; authorize to use communication approved by financial institution for encumbrances. **HB1102**.
DUI; nonadjudication of a first offense for CDL holder who was not operating a commercial vehicle. SB2253.
Definitions; define certain terms including "male" and "female." SB2812.
District attorneys; amend provision related to temporary appointments. SB2529.
Divorce; authorize a court to grant when it is determined that a marriage is irretrievably broken. SB2535.
Dog bites; authorize payment for actual expenses for injuries caused by. HB413.
Eminent domain; provide compensation for the loss of a business's goodwill. SB2044.
Expunction and reenfranchisment; revise procedure for requesting. SB2364.
Fees for county garbage collection; revise provision related to. SB2709.
Female genital mutilation; prohibit and create civil cause of action. SB2041.
Firearms, firearm entities and knives; prohibit governmental entities from entering into certain contracts regarding. SB2269.
Foster care and adoption; revise provisions related to per recommendations of task force. **SB2792**.
Fugitives from other states; authorize appearance before justice court in certain circumstances. SB2384.
Gas stoves; enjoin federal rules or regulations prohibiting the sale or possession of. SB2121.
Grand jury; clarify procedures for recusal of district attorney. HB1390.
Grandparents; authorize payment of support for assuming primary care of grandchildren, create tax credit for. SB2379.
Guardian ad litem fees; failure to pay enforced as any other civil debt. SB2043.
Homeowners' insurance; prohibit insurer from cancelling or denying coverage solely due to roof's age. HB1319, **SB2130**.
Immediate possession; authorize for certain public agencies for roads & public utilities for an economic development project. **SB2776**.
Indigent counsel; increase compensation for. HB1089.
Individual publicity right; prohibit unauthorized use and provide remedies. SB2534.
Internet; create civil liability for distribution of child pornography and obscene matter by commercial entities. HB1363.
Intervention courts; bring forward code sections related to. SB2821.
Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at the time of death. SB2127, **HB1542**.
Judicial districts; create new chancery and circuit court district. HB722, SB2768, SB2771.
Judicial support staff; bring forward provision related to. SB2761.

Juries; prohibit peremptory challenges based on certain factors. SB2767.
Jurors;
Expand pool to citizens with driver's license who have filed state income taxes. SB2254.
Increase range of per diem for. SB2551.
Justice court; revise jurisdiction and filing fees. SB2537.
Land ownership; prohibit certain entities from. SB2025.
Land partitions; revise provision that regulate. HB1086.
Law enforcement officers:
Entitled to certain follow-up drug testing before loss of certification. SB2418.
Regulate payment for nonexempt employees under the Fair Labor Standards Act (FLSA). SB2419.
MS Public Records Act; prohibit confidentiality of settlement agreement. SB2042.
MS Youth Court Information Delivery System (MYCIDS); require audit of. **HB1315**.
Manufactured homes:
Create affidavit of ownership. **SB2764**.
Limit retirement of title only to homes manufactured on or after January 1, 2000. SB2040.
Missing or unidentified persons; provide procedures regarding investigation of. SB2268.
Mississippi Aid to Sexual Offense Victim Reporting Act; enact. SB2380.
Mississippi Civil Rights Act; enact. SB2252.
Mississippi Consumers' Freedom of Choice in Appliances Act; enact. SB2134.
Mississippi Domestic Law Task Force; reconstitute. SB2539.
Mississippi Electronic Court System; require free access for public defenders. SB2266.
Mississippi Fair Housing Act; enact. SB2817.
Mississippi Foreign Land Ownership Act; create. HB1284, **SB2519**.
Mississippi Tort Claims Act; create publicly accessible registry for certain entities subject to. SB2528.
Mississippi Women's Bill of Rights; create. HB1607.
Nonprofit corporations which receive public funds; require reporting to Secretary of State. SB2536.
Notarial fees; update cost ceiling to provide proper compensation. SB2547.
Notary public; clarify maximum fee permitted and authorize qualified nonresidents to be commissioned as. HB1257.
Opioid antagonists; authorize community organizations and others to receive and administer. **HB1137**.
Organ procurement organizations; records and proceedings of PEER review committees are confidential and not discoverable. HB1603.
Parental rights; prohibit infringement on except in limited circumstances. SB2815.
Peer-to-Peer Car Sharing Program Act; create. HB1048, **SB2530**.
Personal jurisdiction; provide for those nonresidents that register with the Secretary of State to do business in the state. SB2765.
Post conviction collateral relief; require Supreme Court permission for trial court motion under certain conditions. SB2741.
Presumption of death; create for missing persons who have undergone a catastrophic event causing imminent peril. HB80, SB2542.
Public purchasing; require competitive bidding for web-based application for MYCIDS. HB1316.
Real property; right of first refusal expires on grantee's death unless specifically stated otherwise. **HB325**.
Recreational landowners; add cycling to the list of activities exempt from liability. HB342.
Residential subdivisions; authorize property owners to establish and/or amend convenants, conditions and restrictions. HB48.
Retired attorneys; authorize to correct scrivener's errors. SB2129.
Right to counsel:
Authorize State Defender to provide where there is a constitutional right. SB2260.
Right to counsel; provide for in certain Youth Court proceedings. SB2271.

SAFER Act; enact. **SB2753**.
Scrivener's affidavit; revise authority for attorney who submitted but are now retired. **HB1343**.
Securities; apply local law of entitlement holder's jurisdiction and revise priority for security interests. SB2772.
Seventh Circuit Court District; authorize additional judges and legal assistants for. SB2746.
State Grand Jury Act; amend certain provisions and extend repealer on. HB750, SB2748.
Statewide:
Intervention Court Taskforce; establish. SB2787.
Uniform Youth Court System; establish. SB2774.
Tax sales; create study committee to study solutions to unmerchantable and uninsurable titles resulting from. SB2036.
Tenancy by the entirety with rights of survivorship; create rebuttable presumption when deed to both spouses. HB1234.
The CROWN Act; create to prohibit discrimination based on hairstyles in workplace and schools. SB2387.
The Title IX Preservation Act; enact. SB2814.
Trespass; clarify elements of. HB1370.
Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act; enact. SB2391.
Veterans assistance; prohibit unethical collection of fees in veterans benefits matters. SB2515.
Walker Montgomery Protecting Children Online Act; enact. SB2531.
Workers' compensation; increase maximum total recovery and remove cap on permanent total disability compensation. SB2251.
Youth court; prohibit intake based solely on the opinion of a medical professional on contract with DHS or CPS. SB2119.
Youth records; authorize member of Legislature to inspect upon written release. SB2267.

JUDICIARY, DIVISION B

"Walker Montgomery Protecting Children Online Act"; establish to protect minors from harmful content. **HB1126**.
988 Crisis Lifeline; include on licenses, state-issued photo identification and digital wallets. SB2201.
Aggravated DUI; authorize judge to find offense not eligible for parole under certain circumstances. SB2385.
Alternative Incarceration Methodology (AIM) and intervention courts; bring forward statutes related thereto. SB2599.
Alternative nicotine products; prohibit distribution or sale of certain products. SB2441.
Animal facilities; require sterilization of certain dogs and cats. SB2347.
Arrest warrants; authorize electronic applications, signatures and records for. SB2012, **HB295**.
Assault; remove additional criminal assessment for misdemeanor offenses. SB2619.
Bail bonds; provide when discharged. SB2182.
Bail; make certain amendments to provisions related to. SB2177, SB2178.
Board on Law Enforcement Officer Standards and Training; require K-9 and motorcycle teams to be certified. SB2286, SB2433, SB2439.
CCID inferior Court and DPS; revision provisions related to. SB2180.
Chemical endangerment of a child or fetus; criminalize. SB2020, SB2184.
Child sexual abuse; revise statute of limitations for claims. HB1162.
Concealed-Carry License for Veterans Act; enact. SB2359.
Controlled substances; revise certain crimes relating to. SB2183.

Counterfeit automobile airbags; criminalize manufacture, import, distribution or install of. SB2616.
Counties and municipalities; prohibit use of automated recording equipment to track motor vehicle liability insurance. SB2188.
Crime of distribution of obscene materials; delete exemption for public and private school libraries. SB2085.
Crime of fentanyl delivery resulting in death; remove "with knowledge of the fentanyl" element. SB2436.
Criminal enhancement; provide where law enforcement officer abuses power under guise of state authority. SB2054.
Criminal law; increase penalties for crimes of impersonating patrolman or law enforcement officer. SB2023.
Criminal sentencing review; authorize and establish procedure for. SB2198.
Cyberstalking; authorize injunction when criminal charges filed. SB2378.
DHS:
Fraud Investigators; allow to drive unmarked vehicles. **HB1023**.
Office of Inspector General to recoup costs in a criminal investigation; authorize. SB2181.
Recover costs of fraud investigations; authorize to. **HB1024**.
DPS; authorize inspectors to assist other officers. **HB1015**.
DUI suspension; clarify how the 120 days are counted. SB2606, SB2617, **HB292**.
Department of Public Safety; revise certain provisions related to. **SB2179**.
Digitizations; create a criminal penalty for the wrongful dissemination of. **SB2577**.
Election crime; create for dissemination of a deep fake within 90 days of an election. HB1689.
Elections; public official's qualification as candidate deemed resignation of current office. SB2009.
Expunction:
Allow after 20 years of good behavior with certain exceptions. SB2205.
Reduce waiting period for eligibility. SB2204.
Expungement:
Clarify expungement of pardoned convictions. HB724.
Consolidate statutes concerning. SB2361.
Felonious child abuse; provide for where child tests positive at birth for certain controlled substances. SB2611.
Felony; increase penalties for commission of with use of semi-automatic firearm. HB1441.
Firearms:
Authorize nonviolent felons to possess and use. SB2019, SB2626.
Criminalize manufacture, possession and use of machine gun conversion devices. SB2627.
Discharge of within limits of or into municipality. SB2432.
Municipality or county to allow purchase of for an agreed upon price; authorize. SB2618.
Prohibit altering serial numbers on. SB2428.
Giglio letter; require prosecutors to give law enforcement officers an opportunity to be heard before sending. HB869, SB2605.
Grocery items; prohibit cost-plus pricing without public notice. SB2362.
Habitual offender; prior felonies with completed sentences more than 10 years prior to date of offense not considered. SB2203, SB2282, SB2437.
Hate crimes; revise delineation of victims. SB2191.
Homeless encampments; prohibit in certain areas, require notice and authorize removal of encampments. SB2500, SB2615.
Hunting and fishing on lands of others; revise provisions relating to and provide penalties for. **HB1208**.
Hunting on streets and railroads; clarify prohibition on for compliance with United States and Mississippi Constitutions. SB2641.
Illegal dumping; increase penalties for. SB2016.

Illegal immigration; criminalize under state law. SB2284.
Images or audio altered or created by digitization; criminalize dissemination of in certain circumstances. SB2288.
Implied consent laws; authorize nonadjudication for violation under certain conditions. HB1252.
Independent schools; authorize the creation of police departments. SB2430.
Individual publicity right; prohibit unauthorized use and provide remedies. SB2534.
Intervention court; amend criteria for participation in. SB2622.
Justice Court; revise filing fees. HB1403.
Juvenile offenders and district attorneys; revise provisions related to. HB1440, **SB2022**.
Kratom; authorize regulation of and prohibit certain products. SB2429.
Law Enforcement Officers Training Program; enact minimum education training standards for hate crimes. SB2013, SB2014.
Law Enforcement Supplemental Pay Program; create. SB2195.
Law enforcement pursuits; require municipalities and counties to develop policies regarding. SB2360.
Liability insurance; impound vehicles operated without mandatory limits. SB2609.
MS Uniform Post-Conviction Collateral Relief Act; bring forward. HB1459.
Machine gun; provide crime for conversion to. **HB903**.
Marijuana:
Legalize possession of certain amount. SB2357, SB2620.
Provide that simple possession of 30 grams or less is a civil infraction. SB2623.
Misdemeanor warrant management system; direct the establishment of. SB2193.
Mississippi Board on Law Enforcement Officer Standards and Training; revise composition of and provide with investigative authority. **HB691**.
Mississippi Clean Slate Act; enact. SB2610.
Mississippi Kratom Consumer Protection Act; enact. SB2420, SB2588, SB2589.
Mississippi Organized Retail Theft Crime Prevention Act; enact. SB2612.
Mississippi Street Gang Act; amend certain provisions to enhance penalties. SB2287.
Mississippi Terroristic Threats Law; provide enhanced penalty for threat against airport. SB2196.
Mobile telephone; prohibit usage of in a reduced speed area in the vicinity of a school. SB2192.
Motor vehicle theft; revise penalty for. **SB2174**.
Organized retail theft; revise. SB2189.
PSC and Public Utilities Staff; clarify ability to receive campaign contributions or participate in political activity. SB2602.
Paraphernalia; revise definition under the Uniform Controlled Substances Law. HB1090.
Police chiefs and officers; require certain continuing education. SB2613.
Possession of marijuana or synthetic cannabinoids; amend penalties for certain convictions. SB2199.
Post-conviction collateral relief; require certain petitioners to obtain Supreme Court permission before filing in trial court. HB1253.
Probation and parole officers; limit number of cases that may be handled. SB2024.
Public service animals; increase penalties for harming. SB2187.
Purple Alert; establish as additional means to aid search of missing persons with cognitive disabilities. **HB873**.
RICO; amend to include the crime of dogfighting. SB2136.
Radar; authorize use of by sheriffs with limitation on the number of equipped patrol vehicles. SB2504, SB2632, SB2633, SB2658.
Receiving stolen property; revise the crime of. SB2175.
Reckless endangerment; create crime of. SB2086.
Registered sex offenders residing in campus student housing or sorority/fraternity houses; prohibit. SB2434.
Responsible Firearm Purchasing Act; enact. SB2363.
Restoration of the Right to Vote Act; enact. SB2017.

Revocation of probation; add additional grounds for. SB2446.
Sale of seized weapons; authorize use of proceeds to purchase equipment. SB2186.
School enrollment; criminalize enrollment without establishing domicile within the school district. SB2438, SB2607.
Secretary of State; authorize certain investigative or regulatory employees to carry a firearm. HB1325, SB2197.
Sex offenders:
Prohibit employment as first responders without DPS approval. SB2431.
Registry; revise definitions for provisions of law that regulate. SB2176, **HB1004**.
Sextortion; create crime of. **HB1196**.
Sexual Battery; remove statute of limitations when DNA evidence is discovered. HB286.
Sexual activity:
Between certain individuals incarcerated in correctional facilities; clarify. SB2435.
With certain minors; criminalize. SB2021.
Sexual offense; provide immunity for reporting. HB1537.
Shoplifting:
Modify finding required before imposing a sentence of imprisonment. SB2135.
Revise penalties for crime of. SB2190, **HB438**.
Sidearm of retired or deceased law enforcement officer; provide that the employing agency shall determine the amount. **HB634**.
Simple possession of controlled substances; revise certain. SB2624.
Statute of limitations; increase for sexual battery of a vulnerable person. SB2011, **HB1323**.
Stolen property; create crime for the sale of and require payment made to the owner of the property. SB2194.
Study Committee; authorize to study police pursuits. SB2608.
Suffrage; provide for restoration upon completion of sentence or placement on probation. SB2587.
Suffrage;
Restore to:
Agnes Standifer of Lee County. **HB4056**.
Chanty Williams of Coahoma County. HB4078.
Chester Allen Butler of Tippah County. HB4108.
Clovis Dale McGhee of Lee County. **HB4100**.
Dewitt Cooperwood. **SB3223**.
Dustin Darell Mills of Rankin County. HB4099.
Edward Carter, Sr. SB2356.
Elaine Goudy of Covington County. HB4055.
Evon Williams of Hinds County. **HB4080**.
Felisha Turner of DeSoto County. HB4079.
Ivory Moore of Washington County. **HB4118**.
Jennifer Miles of Winston County. **HB4098**.
Joseph Greer of Hinds County. HB4086.
Jose Williams of Hinds County. HB4088.
Joseph Armstrong of Sunflower County. **HB4095**.
Joseph Earl Greer of Hinds County. HB4102.
Kelvin Winding of Hinds County. **HB4083**.
Kenneth Edward Barnes. **SB3228**.
Lamar Sampson of Humphreys County. HB4116.
Larry Sills. **SB3083**.
Lawrence Daniels of Lowndes County. HB4104.
Leon Coleman of Jackson County. **HB4111**.
Mary Smith Brandon of Lowndes County. **HB4103**.
Mattie Hardiman of DeSoto County. **HB4057**.
Omar Eugene Magee of Covington County. HB4053

Pamela Null. SB3226.
Quintin Purnell of Grenada County. **HB4085**.
Robert Maxwell. **SB3222**.
Rondale Hughes of Hinds County. HB4087.
Scotty Adam McMahan of Covington County. HB4123.
Stanley Barnes. SB3229.
Teddy Null. SB3227.
Tony Lavell Smith of Noxubee County. **HB4101**.
Tony Qualls of Humphreys County. HB4124.
Vedo Kyles. SB2015.
Walter Lewis of Hinds County. **HB4089**.

Suffrage; restore to any person disqualified by reason of criminal conviction upon completion of sentence. SB2055, SB2202.
Terroristic threats; increase penalties when made against an airport. HB1074.
Tobacco; prohibit sale to persons under. HB1153.
Trespass:
After warning; increase criminal penalty. SB2358.
Criminalize offense on property other than a structure or conveyance. SB2051.
Hunt, fish, shoot or trap; revise offense description, and impose penalties and fees; to. SB2651.
Uniform Controlled Substances Act; include certain substances within Schedule III. SB2370.
Uniform Post-Conviction Collateral Relief Act; amend certain provisions related to the filing of motions under. SB2614.
Violent habitual offender; require both previous crimes to have been crimes of violence. SB2202, SB2625.
Voter fraud; increase penalties. SB2208.
Voting rights; restore for certain disqualifying crimes. HB1609.
Walker's Law; enact to criminalize sexual extortion. SB2355.
Warrantless search; odor of marijuana insufficient to provide probable cause for. SB2440.
Wiretaps; authorize sheriffs to use. SB2018.
Youth court; revise transfer to circuit court. SB2621.

Nominations:

Allen, Jr. (Bill) William R. Col. USAR (Ret.), Tupelo, Mississippi, Crime Stoppers Advisory Council, two year term effective July 1, 2023 and ending June 30, 2025, vice Christopher Freeze. **SN11**.
Emfinger, Lance, Lamar County Sheriff's Office, Mississippi, Polygraph Examiners Board, six year term effective June 2, 2023 and ending June 1, 2029, representing an Active Polygraph Examiner, vice Leonard B. Schaefer, III. **SN59**.
Lewis, Derrick Vaneil (Bo), Brandon, Mississippi, Polygraph Examiners Board as the supervisor of the polygraph section of the Department of Public Safety, six year term effective March 1, 2023 and ending February 6, 2029, vice Ricky E. Dean. **SN72**.

LABOR

Employment; protect employees from forced human microchip implantation. SB2088.
Fresh Start Act of 2019; expand. SB2574.
Labor:
Mississippi Minimum Wage Act. SB2590.
create study committee to study labor force participation rates. SB2593.

Law enforcement officers;:
entitled to certain follow-up drug testing before loss of certification. SB2418.
regulate payment for nonexempt employees under the Fair Labor Standards Act (FLSA).
SB2419.
Mississippi Minimum Wage Act; enact. SB2172.
Mississippi Paid Family Leave Act; enact. SB2089.
Mississippi Sick and Safe Leave Act; enact. SB2087.
Mississippi Workplace Safety Act; enact. SB2373.
Socially and economically disadvantaged small business; establish program to encourage participation in state contracts by. SB2591.
State Workplace Safety and Health Office; establish under State Board of Health. SB2173.
Workers' Compensation; clarify statute of limitations. SB2592.

MEDICAID

Conditional medical release; revise authority of MDOC. SB2171.
Medicaid eligibility; prohibit potential beneficiary's self-attestation. SB2533.
Medicaid provisions; extend date of repeal on certain provisions and bring forward for possible amendments. SB2773.
Medicaid reimbursement, services, beneficiaries, hospital assessment and premium tax; bring forward sections. SB2735.
Medicaid services; require division to ensure nonopioid drug is disadvantaged relative to an opioid or narcotic. SB2751.
Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. SB2045, SB2046.
Medicaid; extend date of repealers on the services and managed care provisions and the provider assessment provisions. **HB970**.
Medicaid; make various technical amendments to the program. HB1026.
Medicaid; prohibit coverage or reimbursement for gender transition procedures for persons over 18 years of age. SB2029.
Medicaid; provide for presumptive eligibility for pregnant women. **HB539**, SB2117, SB2383.
Medicaid; revise various technical provisions related thereto, including reimbursement levels and facility eligibility. SB2823.
Medicaid; seek federal waiver for plan to allow Medicaid coverage for persons described in the federal Affordable Care Act. HB1725.
Mental health facilities; provide for licensure of certain, and provide for Medicaid coverage for services provided. SB2824.
Pharmaceuticals; authorize the Division of Medicaid to establish a wholesale prescription drug importation program. SB2733.
Special Care Facility for Paroled Inmates; bring forward provisions for possible amendment. SB2526.

MUNICIPALITIES

"Property Cleanup Revolving Fund":
establish. HB868.
establish funded by state bonds. SB2503.
Annexation; require referendum in certain communities if municipality does not provide critical services. SB2497.
Business Improvement District Act; technical amendments. **SB2707**.
Cleaning dilapidated property; bring forward code sections related to. SB2856.
Counties and municipalities:

prohibit use of automated recording equipment to track motor vehicle liability insurance. SB2188.
modernize and simplify notice publication process for. SB2712.
Homeless encampments; prohibit on public property and define as public nuisance on private property. SB2500.
Interlocal agreements; require county tax collector as party to certain agreements. SB2854.
Local Planning Commission members; authorize increase in monthly compensation. SB2705.
Local governments:
allow local governments and schools to publish notices on their websites in addition to
newspapers. SB2274.
prohibit from imposing penalties or fines on security companies when false security alarm occurs.
SB2447.
Maps and plats; clarify certain procedural requirements for landowners desiring to alter or vacate. SB2498.
Municipal annexation; require an election be held in the proposed annexation territory. SB2496.
Municipalities; repeal outdated section on municipal depositories. SB2501.
Municipally owned utilities; authorize to accept electronic payments and to absorb transaction fees in its rate base. SB2010.
Pearl River Valley Water Supply District; add two board members from the City of Jackson. SB2710.
Urban renewal project powers:
revise definition of. HB564.
remove power to exercise eminent domain. SB2278.

PUBLIC HEALTH AND WELFARE

Advanced practice registered nurses; revise certain provisions related to, including collaboration requirement. SB2079, SB2377.
Alternative nicotine products; prohibit sale or distribution of if prohibited under federal law or FDA rule or regulation. HB1478.
Ambulance licenses; require each entity to show proof of mutual aid agreements to ensure proper response times. SB2879.
Anatomical gifts and organ transplant; prohibit person from being denied based on their COVID vaccination status. SB2061.
Animal facilities; require sterilization of certain dogs and cats. SB2347.
Baby safety devices; require to be inspected and approved by Health Department before use by emergency medical services provider. HB1678.
Birth certificates; require certain information be included. SB2164.
Board of Cosmetology; allow special permits for shampooists. SB2066.
Board of Cosmetology; extend repealer on. HB753.
Board of Cosmetology and Barbering; create to regulate cosmetology and barber professions. **HB313,** SB2155, SB2346, SB2563, SB2876.
Board of Funeral Services; require certain continuing education courses for licensees. SB2874.
Board of Medical Licensure; revise licensure status, definitions, procedure, fines and temporary practice authority. SB2240.
COVID-19 mRNA; prohibit administration and require MDOH to study and make recommendations. SB2884.
Certificate of Need; authorize additional beds for community living program in Madison County for disabled adults. SB2564.
Certificate of need; authorize the construction of an acute care hospital in Tunica County. SB2863.

Certificate of need; authorize nursing facility in any underserved minority zip code area. SB2870.
Certificate of need; delete requirement to obtain CON for psychiatric services, mental health and renal disease facilities. SB2887.
Certificate of need; provide new licenses and CONs for certain acute care hospitals that converted to rural emergency hospitals. SB2877.
Certificate of need; remove chemical dependency services and facilities and psychiatric residential treatment facilities from CON law. HB848.
Child care services; provide eligibility for certain persons under the Child Care Payment Program (CCPP). SB2742.
Child care; DHS shall transfer to CCDF the first $40 Million of unspent TANF funds from prior FY to be used for child care vouchers. SB2743.
Cigarettes and vape products; require Commissioner of Revenue to establish separate directories to regulate sales of. HB1660, SB2886, HB1461.
Community health workers; revise provisions of. SB2883.
County medical examiners; require to enter information electronically. **HB1068**.
Defending Affordable Prescription Drug Costs Act; enact to prohibit discriminating against 340B drug discount program entities. SB2145.
Dental hygienists; authorize to work under general supervision of dentists in nursing homes. SB2376.
Department of Health and State Board of Health; extend repealer on. **HB764**, SB2342.
Department of Human Services; authorize to enter into lease with counties having local offices to maximize federal funds. **HB1030,** SB2152.
Department of Human Services; require to transfer at least 30% of TANF block grant to Child Care and Development Fund. SB2163.
Department of Mental Health; require to certify certain privately-owned mental health providers. SB2881.
Depression screening for birth mothers; require health care professionals to administer and health insurers to cover. SB2151.
Dietician Licensure Compact; create, enact, ratify. HB177, SB2165, SB2236.
EMS Memorial; Health Dept. shall design and construct to honor EMS personnel who died in line of duty. **HB317**.
Early Intervention Task Force; reconstitute and set membership and responsibilities. SB2329.
Emergency rooms; require to be staffed with an on-site physician at all times. SB2083.
Harper Grace's Law; extend repealer on authority to research and dispense cannabidiol (CBD oil) for medical purposes. **SB2340**, HB761.
Health benefit plans; set provisions related to diagnostic breast exams and individualized investigational drugs. **SB2858**.
Health Care Certificate of Need Law; bring forward code sections related to. HB419.
Health Care Certificate of Need Law; Repeal. SB2064, SB2872.
Health Care Certificate of Need review; party requesting or appealing a hearing on application is responsible for costs and attorney fees. SB2071.
Health insurance billing; exempt dental services from certain balanced billing requirements. SB2538.
Healthcare professionals; set certain advertising standards, require disclosure of collaboration agreements. SB2864.
Laser hair removal; restrict the practice of to certain health professionals. HB1222.
Marriage and family therapists; revise certain requirements for licensure. **SB2159**, HB1167.
Medicaid and Human Services Transparency and Fraud Prevention Act; revise section relating to gaps in eligibility reporting. SB2241.
Medicaid reimbursements; revise certain provisions relating to a psychiatric residential treatment facility in DeSoto County. SB2161.
Medical Cannabis Research Advisory Board; enact and create the Mississippi Medical Cannabis Research Program. **SB2888**.
Medical Cannabis Act; revise various provisions related thereto. SB2922.

Medical Cannabis Act; set additional provisions related to background checks, department investigations, fees and appeals. **SB2857**.
Medical cannabis establishments; authorize to advertise or market in any form of media. SB2865.
Medical records retention requirements; provide for. **SB2873**.
Medical records; prohibit health care facilities from withholding from parents the records of their minor children. SB2469.
Medication Aide Act; enact to allow aides to assist in the administration of medication in personal care homes. SB2860.
Mental Health Regional Commissions; authorize boards of supervisors to agree to board compositions. SB2558.
Mental Health; revise procedures for screening, evaluation and commitments for those with issues of. **HB1640**.
Midwifery; provide for licensure and regulation of. SB2080.
Minors; prohibit health care providers and institutions from providing health care to without parental consent. HB1100.
Mississippi Code; modernize terminology by replacing "mentally retarded" with "intellectual disability". **HB315**, SB2852.
Mississippi Families' Rights and Responsibilities Act; enact. SB2452, SB2553.
Mississippi Hospital Recovery Trust Program; create to provide grants to public hospitals at high financial risk. SB2242.
Mississippi Intoxicating Hemp Regulation Act and Mississippi Medical Cannabis Act; revise certain provisions of. HB1676.
Mississippi Juvenile Tobacco Access Prevention Act of 1997; amend to provide consistent reference to age. SB2871.
Mississippi K-12 and Postsecondary Mental Health Task Force; create and provide membership and duties. **SB2727**.
Mississippi Qualified Health Center Grant Program; extend date for Department of Health Grants for increased services and physicians. **HB760**.
Mississippi Rare Disease Advisory Council; create at UMMC. **SB2156**, HB616
Mississippi Rural Dentists Scholarship Program; increase number of students who may be admitted into annually. HB42.
Mississippi Rural Physicians Scholarship Program; add general surgery as possible career path. SB2082.
Mississippi Rural Physicians Scholarship Residency Program; include child psychiatry students. SB2867.
Mississippi State Employee Maternity Leave Act; enact to provide six weeks of paid leave to certain employees. SB2732.
Mississippi Surrogacy and In Vitro Child and Parent Act; enact. SB2153.
Mississippi medical consent requirements; provide for anti-commandeering protection from certain federal laws. SB2880.
No Patient Left Alone Act; enact. SB2063.
Nurse practitioners; authorize to dispense legend drugs to patients. SB2070.
Office of Mississippi Physician Workforce; transfer from UMMC to the State Department of Health. **HB1129**.
Over-the-counter products with potential for abuse; establish a screening and approval program in the Department of Health. SB2885.
Parental consent for minor's healthcare treatment; establish certain provisions related thereto. SB2875.
Personal care homes; require licensure and regulations of those providing living arrangements for one or more persons. SB2328.
Pharmacy audit integrity act; revise certain definitions related thereto. SB2861.
Physical therapists; not required to have prior work experience to work at PPEC center. HB44.
Physical therapists; revise circumstances and criteria under which they may implement treatment without a referral. HB37.
Physical therapy practice laws; revise various provisions of. **SB2072**.

Physician grant funding from Qualified Health Center Grant Program; extend date of funding. SB2341.
Podiatric medicine and podiatrists; revise definition of. SB2074, SB2345.
Podiatrist; authorize to perform ankle surgery when meet certain requirements. HB41, SB2160.
Prescription drugs; prohibit discriminating actions against 340B drug discount program entities. **HB728**.
Prescription drugs; require pharmacist to dispense unless certain circumstances exist. SB2237.
Professional music therapists; provide for licensure by State Department of Health. HB906.
Psychology Interjurisdictional Compact; enact. **SB2157**, SB2166.
Public schools; require staff training to assist with seizures. SB2150.
Qualified residential treatment programs; authorize certain youth in Child Protection Services to be placed in. **HB1376,** SB2714.
Radiological health services; authorize Board of Health to collect fees in congruence with certain federal regulation. **SB2862**, HB1637.
Revocation of physicians license by Board of Medical Licensure; provide certain grounds for reinstatement. SB2868.
Safeguarding Teens from Out-of-State Procedures Act; enact. SB2749.
Supplemental Nutrition Assistance Program; require Department of Human Services to issue photo EBT cards. SB2068.
Supplementary state food stamp program for elderly recipients; create and fund. SB2327.
TANF benefit work requirement waivers; prohibit department of human services from requesting in all cases. SB2878.
TANF; require DHS to spend maximum allowable amount on child care vouchers. SB2859.
Universal Recognition of Occupational Licenses Act; exempt the practice of dentistry and practice of optometry. SB2554.
Vaccines; authorize administration by pharmacy interns and technicians when supervised by pharmacist. SB2167.
Vaccines; provide procedure for medical exemption from. SB2154, SB2920.
Water Quality Accountability Act; create. SB2657.

Nominations:

Bishop, Wade Coleman, DMD, Gulfport, Mississippi, Board of Dental Examiners to represent Dental District Five, remainder of six year term effective August 17, 2023 and ending June 30, 2027, vice Jeff Michael Zimmerman, DDS. **SN12**.
Bryan, Virginia Jones (Jenny), PTA, Oxford, Mississippi, Board of Physical Therapists as the representative of physical therapy assistants, four year term effective July 1, 2023 and ending June 30, 2027. **SN58**.
Bullock, Dr. Lewis Anthony, Hattiesburg, Mississippi, Board of Examiners for Licensed Professional Counselors, five year term effective July 1, 2023 and ending June 30, 2028, representing the 4th Congressional District, vice Issac L. Boose, LPC. SN21.
Carlton, John Ballew, DMD, Natchez, Mississippi, Board of Dental Examiners to represent Dental District Six, six year term beginning March 10, 2023 and ending June 30, 2028, vice Dr. Tobie Moore. **SN13**.
Carlton, Jr., Dr. Frederick Barnett (Rick), Oxford, Mississippi, Board of Health as a Licensed Physician, remainder of six year term effective July 13, 2023 and ending June 30, 2027, vice Dr. John Edward Hill. **SN19**.
Castillo, Alveno Nelson, Madison, Mississippi, Board of Nursing as the consumer representative, four year term beginning January 17, 2024 and ending June 30, 2027, vice Jan Collins. **SN57**.

Coggins, Carrie K., LMSW, Tupelo, Mississippi, Board of Examiners for Social Workers and Marriage and Family Therapists, remainder of a four year term ending June 30, 2024. **SN42**.

Cole, Lee Bertha, Jackson, Mississippi, Board of Directors of MS Industries for the Blind, four year term effective July 1, 2023 and ending June 30, 2027, representing a legally blind individual. **SN64**.

Davis, IV, Dr. John Daniel, Flowood, Mississippi, Board of Health as a Licensed Physician, six year term effective July 1, 2023 and ending June 30, 2029. **SN48**.

Edmiston, Elizabeth E. (Beth), PT, Ocean Springs, Mississippi, Board of Health as an individual with an interest in public health, six year term effective July 1, 2023 and ending June 30, 2029. **SN49**.

Gatlin-Gray, Kenya, LCSW, Meridian, Mississippi, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, remainder of a four year term beginning upon Senate Confirmation and ending June 30, 2026. **SN90**.

Gilbow, Michael Gene (Mike), Indianola, Mississippi, Board of Pharmacy, five year term effective July 1, 2023 and ending June 30, 2028, representing Pharmacist Retail At-Large, vice Guy Phillips. **SN30**.

Hall, Sandra K. Smith, Hazlehurst, Mississippi, Board of Directors of MS Industries for the Blind, four year term beginning July 1, 2023 and ending June 30, 2027. **SN66**.

Henderson, Dr. Barry Tripp, Oxford, Mississippi, Board of Chiropractic Examiners as the representative of the 1st Congressional District, five year term effective April 21, 2023 and ending April 20, 2028. **SN4**.

Hubbard, Jr., Gene B. (Benny), Oxford, Mississippi, Board of Health as an individual with an interest in public health, six year term effective July 1, 2023 and ending June 30, 2029, vice Tim Timbs. **SN20**.

Hudson, David Charles, Kosciusko, Mississippi, Board of Pharmacy, five year term effective July 1, 2023 and ending June 30, 2028, representing the 2nd Congressional District as it existed on July 1, 2001, vice Todd Barrett. **SN31**.

Joe, Stephen W., DMD, Olive Branch, Mississippi, Board of Dental Examiners to represent the Second Dental District, six year term effective March 26, 2024 and ending June 30, 2029, vice Dr. Robert Smith, Jr. **SN95**.

King, Dr. Felicia F., Jackson, Mississippi, Board of Chiropractic Examiners as an Individual engaged in the Practice of Chiropractic, remainder of five year term effective July 1, 2023 and ending April 20, 2024, vice Michael R. Patterson, D.C.. **SN5**.

King, Dr. Felicia F., Jackson, Mississippi, Board of Chiropractic Examiners as an Individual engaged in the Practice of Chiropractic, five year term effective April 21, 2024 and ending April 20, 2029, representing the 2nd Congressional District. **SN6**.

Knowles, Veronica Haynes, LCSW, Louisville, Mississippi, Board of Examiners for Social Workers and Marriage and Family Therapists, four year term effective July 1, 2023 and ending June 30, 2027, representing a Licensed Social Worker. **SN35**.

Mayfield, Billy Vaughn (Bill), Brandon, Mississippi, Board of Directors of MS Industries for the Blind, four year term effective July 1, 2024 and ending June 30, 2028, representing an educator with expertise in rehabilitation or the field of blindness. **SN65**.

McKnatt, Kerri P., Batesville, Mississippi, Board of Examiners for Licensed Professional Counselors, five year term effective July 1, 2023 and ending June 30, 2028, representing the 2nd Congressional District, vice Dr. Lynn Etheridge. SN22.

Middleton, Dr. Anna Taylor, Kosciusko, Mississippi, Board of Optometry, five year term effective July 1, 2023 and ending June 30, 2028, representing the 2nd Congressional District as it existed on January 1, 1980, vice Susanne S. Cunningham. **SN27**.

Moody, Shaterrica Janel, Gulfport, Mississippi, Board of Nursing as a Registered Nurse in Clinical Practice, four year term effective August 1, 2023 and ending June 30, 2027, vice Laura K. Moore. **SN25**.
Murret, Laine Allyson, Hattiesburg, Mississippi, Board of Physical Therapists, four year term effective May 26, 2023 and ending June 30, 2026, representing the 4th Congressional District, vice Douglas Roll. **SN32**.
Rutledge, Stewart, Oxford, Mississippi, Board of Mental Health, seven year term effective July 1, 2024 and ending June 30, 2031, representing the 1st Congressional District. **SN52**.
Scott, Robert L. (Bobby), Southaven, Mississippi, Board of Examiners for Social Workers and Marriage and Family Therapists, four year term beginning July 1, 2023 and ending June 30, 2027. **SN43**.
Shivangi, Dr. Sampat S., Ridgeland, Mississippi, Board of Mental Health, seven year term effective July 6, 2023 and ending June 30, 2030, representing a licensed medical doctor. SN23.
Stewart, Dr. Mary Westfaul, Hattiesburg, Mississippi, Board of Nursing as a Nurse Educator, four year term effective July 1, 2023 and ending June 30, 2027. **SN26**.
Ware, Cheryl Brooks, PT, Belden, Mississippi, Board of Physical Therapists, four year term effective July 1, 2023 and ending June 30, 2027, representing the 1st Congressional District, vice Shannon Singletary. **SN33**.
White, Anthony Chester, Brandon, Mississippi, Board of Massage Therapy as the consumer at large, four year term effective July 1, 2023 and ending June 30, 2027. **SN69**.

PORTS AND MARINE RESOURCES

Authority of Secretary of State to approve leases located on Public Trust Tidelands; clarify. SB2780.
Coastal resiliency and restoration; create coordinating committee on. SB2508.
Design-build method of contracting; extend repealer for use by State Port Authority. SB2653.
MS Department of Marine Resources; clarify hearing procedures and establish compliance officer. SB2654.
Mississippi Comprehensive Coastal Conservation and Restoration Act of 2024; enact. SB2647.
Mississippi Department of Marine Resources; authorize oyster lease reconfiguration and make technical amendments. **SB2648**.
Oyster tags; authorize the printing of by the catcher. **HB1007**.
Public Trust Tidelands; revise various provisions related to. HB1659.
Recreation crab licenses; limit to license holders rather than households. **HB1006**.
Riparian rights; revise what may be included in. **HB1439**.
Shrimp trawling; provide that certain waters shall be permanently closed to. **HB1279**.
State Port Authority and other ports; delete repealer on authority to use design-build method of contracting. **HB652**.

Nominations:

Osborne, Jason M, Waveland, Mississippi, MS Advisory Commission on Marine Resources, remainder of a four year term effective July 1, 2023 and ending June 30, 2026. **SN80**.

PUBLIC PROPERTY

Alcorn University Extension Annex; rename the "Dr. Jesse Harness, Sr., Extension and Research Center". **HB1207**.

Alteration or renaming of historical monuments, memorials and streets; prohibit and provide sanctions. SB2047.
Clinic building at 1308 Belk Boulevard; transfer to Mississippi Department of Public Safety. **SB2276**.
Columbia Training School property; amend certain terms of conveyance by DFA to Marion County Economic Development District. SB2702.
Columbia Training School; amend DFA conveyance authority to require consideration that best promotes public interest. SB2048.
Department of Archives and History; authorize schools to receive waiver of certain preservation requirements. SB2678.
Department of Public Safety Headquarters; authorize DPS to sell or lease the land. SB2708.
MDOT; authorize the transfer and conveyance of certain real property to Greene County Board of Supervisors. **HB1123, SB2275.**
Public property; direct MDOT to convey certain land used as a park to the City of Marks. SB2465.
Real property in Columbus, Mississippi; amend chapter law to authorize MDA to sell, lease, or otherwise dispose of. SB2499.
State Board of Mental Health; authorize DFA to sell and convey certain real property on behalf of to City of Water Valley, MS. **HB974**.
State Board of Mental Health; authorize DFA to purchase certain real property in Tupelo, MS, on behalf of. HB975.
State agency property; authorize DFA as central leasing agent for all state agencies. SB2494.
Tax forfeited property; authorize Secretary of State to reimburse local governments for tree removal and cleanup costs. HB1220.

RULES

100 Men Hall; recognize as the recipient of the 2024 Governor's Arts Award for Arts in the Community. **SR10**.
Aaron Cleveland; commend as Instructor of the Year at Jackson County Campus of MGCCC. **SR74**.
Addie Carver of Brookhaven, Mississippi, Miss Mississippi Teen USA 2024; commend. **SR114**.
Alexei Orohovsky of Hattiesburg; commend for winning Gold Medal at USA International Ballet Competition. **SR97**.
Alpha Kappa Alpha Sorority Day at the Capitol; observe February 6, 2024, as. **SR24**.
American Red Cross Month in Mississippi; designate March 2024 as. **SC530**.
Andrea Schipke of Laurel Magnet School of Arts; commend for "Extraordinary Educator for 2024." **SR111**.
Archie "The Gunslinger" Cooley; mourn the passing of Jackson State Football Star and Mississippi Valley State Football Coach. **SR117**.
BB King and Civil Rights Pioneer Medgar Evers; honor memory/legacies of MS Blues Musician on their 100th birthday celebrations. **SR93**.
Bay High "Tigers" Boys Soccer Team; commend for winning second consecutive Class 4A State Championship. **SR40**.
Becky Pruett; recognize as former Miss Mississippi 2001 and commend child advocacy contributions. **SR94**.
Belmont High School "Lady Cardinals" Girls Basketball Team; commend for winning MHSAA 3A State Championship. **SR131**.
Biggersville High School "Lions" Football Team; commend for first MHSAA Class 1A State Championship. **SR7**.
Blue Mountain "Lady Cougars" Girls Basketball Team; commend for winning first State Title. **SR66**.
Bob Everett; extend sincerest sympathy of the Mississippi Senate to the surviving family of former Representative. **SR102**.

Bob Tyler; remember the legacy of legendary Mississippi football Coach and extending sincerest sympathy on his passing. **SR129**.
Bobby Rush; extend congratulations of Legislature to Blues Legend for winning 3rd Grammy Award for "Best Traditional Blues Album." **SC536, HC43**.
Booneville "Blue Devils" Boys Basketball Team; commend for winning third consecutive Class 3A State Championship. **SR133**.
Brain Injury Awareness Month in Mississippi; designate March 2024 as. **SC539**.
Brent Funderburk; recognize artist as the recipient of the 2024 Governor's Arts Award for Excellence in Visual Arts and Education. **SR12**.
Canton High School "Tigers" Boys Basketball Team; commend for MHSAA Class 5A State Championship. **SR81**.
Capital City Beverages; recognize 90th Anniversary Celebration of. **SR101**.
Casey Watts of Laurel Magnet School; commend for "2024 Extraordinary Educator." **SR112**.
Cedric Burnside; recognize as the recipient of the 2024 Governor's Arts Award for Excellence in Music. **SR14**.
Charles R. Carr, retired Director of Intermodal Planning with MDOT; commend for 41 years of service. **SR25**.
Charlestien Harris; recognize as recipient of the "2023 Financial Counselor of the Year" Award by the AFCPE. **SR46**.
Charlie Frugé of Oxford, Mississippi; recognize as student nominee to the State Board of Education. **SR83**.
Cheryl "Cheri" Merritt Barry; extend the condolences of the Legislature on the passing of the first female Mayor of Meridian. **SC547**.
Cheryl W. Turner; recognize as National First Vice President of Delta Sigma Theta Sorority and commend her considerable civic contributions. **SR86**.
Cindy Hyde-Smith; extend recognition to United States Senator as first woman elected to represent Mississippi in Washington, D.C. **SC509**.
Claiborne "Buddy" McDonald IV; commend life and legacy of Circuit Judge upon his passing. **HC54**.
Clinton High School Attachè Show Choir; commend upon winning 100th Grand Champion title. **HC50**.
Co-Lin Community College "Lady Wolves" Softball Team; commend for winning the 2023 NJCAA Division II Softball National Championship. **SR29**.
Colonel Randy C. Ginn; commend 36-year career of Mississippi Highway Patrol. **SR2**.
Confederate flag; direct removal of depiction from Capitol rotunda, and create commission to recommend replacement image. SB2217.
Constitution; amend Section 33 to authorize ballot initiative for new law. SC514.
Constitution; place term limits on legislators. SC502.
Dr. Leslie Lee Daniels, first African-American Principal and Superintendent in McComb, MS; remember educational legacy of. **SR84**.
Earl Poole Ball; recognize as the recipient of the 2024 Governor's Arts Award for Lifetime Achievement. **SR13**.
Earl S. Lucas; mourn the passing and commend public service of former Mound Bayou Mayor. **SR85**.
East Central High School "Lady Hornets" Golf Team; commend for first-ever State 5A Championship. **SR127**.
East Rankin Academy Shooting Sports Team; commend for fifth consecutive State Championship. **SR55**.
East Rankin Academy "Lady Patriots" Girls Cross Country Team; commend for third consecutive Class 5A State Championship. **SR56**.
East Rankin Academy "Lady Patriots" Girls Basketball Team; commend for winning 2024 MAIS Overall Tournament Championship. **SR57**.
Elbert Riley Hilliard, Director Emeritus of the MDAH; extend condolences of the Legislature on the passing of. **SC542**.
Emma Cameron; recognize as Miss Rodeo America 2024. **SR27**.
Emma Watts of St. Stephens, Alabama; recognize as "Miss Dixie National 2024." **SR28**.

Emmett Till murder; issue apology for state's role in killers' acquittals. SC521.
Family Health Center in Laurel; commend for "Community Health Quality Recognition" Award by the HRSA. **SR92**.
Family Medicine Appreciation Day in Mississippi; designate. **SC520**.
Federal Energy Regulatory Commission; urge to extend authorization for the Gulf LNG Liquefaction Project. **HC52**.
First Baptist Church (SBC) and First Missionary Baptist Church in Moss Point; commend for combined services following tornado. **SR36**.
Florence High School Varsity Dance Team; commend upon winning 3A-5A State Championships in Hip Hop and Pom. **SR32**.
Florence High School "Eagles" Boys Soccer Team; commend upon winning 2024 MHSAA Class 5A Boys Soccer State Championship. **SR78**.
Florence High School Lady Eagles Soccer Team; commend upon winning MHSAA Class 5A State Soccer Championship. **SR79**.
Foot race organizers; encourage to restructure age categories for fairness to older participants. SC535.
Gary Jackson; extend sincerest sympathy of the Mississippi Legislature to surviving family of former State Senator. **SR99**.
George County High School; commend upon winning first ever MHSAA Class 5A Fast Pitch Softball State Championship. **HC45**.
Governor-elect Tate Reeves; appoint a joint committee of the House and Senate to arrange inauguration of. **HC2**.
Greg "Fingers" Taylor; extend sympathy of the Legislature on the passing of legendary Mississippi Blues-Rock Musician. **SC508**.
Hancock High "Lady Hawks" Girls Golf Team; commend for winning the 2023 MHSAA Class 6A Girls Golf State Championship. **SR38**.
Hancock High School "Hawks" Bowling Team; commend for winning the 2024 MHSAA Class II Boys State Championship. **SR37**.
Harold Hammett of Hattiesburg, Mississippi, lost in World War II Battle Tarawa; commend the life of U.S. Marine Sergeant. **SC532**.
Hartfield Academy "Hawks" Football Team and Coach Craig Bowman; commend for first ever MAIS 6A State Football Championship. **SR39**.
Hartfield Academy "Lady Hawks" Girls Softball Team; commend for winning MAIS AAAAAA Fast-Pitch Softball Championship. **SR52**.
Hartfield Academy "Lady Hawks" Varsity Dance Team; commend for winning MAIS State Championship Title. **SR58**.
Hartfield Academy "Lady Hawks" Varsity Cheer Team; commend for winning MAIS State Championship. **SR59**.
Hernando High School "Tigers" Boys Soccer Team; commend for winning 2024 MHSAA Class 7A State Championship. **SR121**.
Hernando High School "Tigers" Marching Band; commend for winning the 2023 Class 6A Marching Band Championship. **SR120**.
Hilda Moore Turner; commend her life upon her passing. **HC42**.
JSU "Lady Tigers" Women's Basketball Team and Coach Tomekia Reed; commend for winning SWAC Championship for 5th straight year. **SR71**.
JSU Marching Band "Sonic Boom of the South"; commend for exciting performance during "Super Bowl LVIII Halftime Show." **SR33**.
Jack Winstead and Friends of Mississippi Veterans; commend for philanthropic work and leadership. **HC27**.
Jackson Academy "Raiders" Boys Basketball Team; commend for 2024 MAIS Class 6A Championship & Overall Tournament Championship. **SR44**.
Jackson Prep "Patriots" Boys Soccer Team; commend for winning MAIS Class 6A State Championship. **SR45**.
Jalani Davis; recognize and commend for winning the 2024 NCAA Indoor Track and Field Championships, Women's Weight Throw. **HC62**.
James L. Robertson; mourn the passing and recognize legal career of former Mississippi Supreme Court Justice. **SC515**.
Jeff Field; commend for 2024 Automobile "Dealer of the Year" award. **SR63**.

Jeremy Malone; extend sympathy of the Legislature to the family of George County Deputy Sheriff who was lost in the line of duty. **SC505**.
Jeremy Todd Malone; commend life and legacy of service as deputy upon his passing. **HC28**.
Jessica Banahan NcNeel; recognize as MDE "2024 Mississippi Parent of the Year." **SC545**.
Jim Cox; mourn the loss and commend the public service to the legal profession and to the Fire Museum. **SR21**.
Jimmy Buffett; mourn the loss and celebrate the contributions and career of Mississippi music icon and Tropical Rock legend. **SC518, HC16**.
Joe Clay Hamilton; mourn the loss and commend the life and public service of former Senator and District Attorney of Meridian. **SR115**.
John D. Roberts; commend upon receiving Legion of Honor for valiant and heroic service during World War II. **HC46**.
John G. Corlew; extend sincerest sympathy of Mississippi Senate to surviving family of former Senator. **SC506**.
Johnny Lang; commend upon his induction into the Mississippi Golf Association Hall of Fame. **SR118**.
Johnny McLarty; extend sincerest sympathy of Mississippi Senate to surviving family of Lafayette County Justice Court Judge. **SR107**.
Johnny Morgan; mourn the loss and commend the life and public service of former Senator of Oxford, Mississippi. **SR19**.
Joint Rules; adopt for 2024-2028 term. **HC26**.
Joint Rules; amend to allow co-sponsorship of bills, joint resolutions and concurrent resolutions originating in other house. SC503.
Joint session; provide for the inauguration of and to hear the message of Governor Tate Reeves. **SC501, HC1**.
Judge Jim Greenlee; commend extensive judicial career and service to Mississippi Court of Appeals on occasion of his retirement. **SR80**.
Judge Mary C. Curry; commend judicial and public service career of Claiborne County Justice Court. **SR110**.
Juneteenth Freedom Day; designate June 19 as. SB2090.
Kappa Alpha Psi; recognize legislative members of and designate March 12, 2024, as "Kappa Day at the State Kapitol." **SC533**.
Katherine Jellum; commend as Instructor of the Year at Perkinston Campus of MGCCC. **SR77**.
Kay Cobb; mourn the loss and commend the life and public legal service of former Senator and Mississippi Supreme Court Justice. **SR20**.
Kaylee Brooke McCollum of Amory, Mississippi; recognize for representing the USA at the 2024 Miss Universe Pageant in Mexico. **SR113**.
Kemp's Ridley, designate as the "Official State Sea Turtle of the State of Mississippi." SB2795, SB2918.
Konnor Griffin; recognize Jackson Prep High School All-American Baseball Senior Star. **SR51**.
Kossuth Girls Bowling team; commend for 6th straight State Title and Kossuth Boys Bowling for 3rd straight state title. **SR30**.
Krilesha Boyd; commend for being named a "2024 Extraordinary Educator." **SR103**.
KT Robbins of Olive Branch, MS; remember the legacy of WWII, D-Day +3 Normandy Veteran and thanking him for his service. **SR95**.
Lafayette High School "Commodores" Tennis Team; commend for winning fourth consecutive 5A State Championship. **SR126**.
Lake Cormorant High School "Gators" Boys Powerlifting Team; commend for 6A Championship. **SR122**.
Lake Cormorant High School "Lady Gators" Powerlifting Team; commend for winning 6A State Championship. **SR123**.
Larry "Butch" Brown; mourn the passing of former Natchez Mayor and MDOT Executive Director and recognize his public service. **SC504**.

Lawrence "Bud" Young from Northwest Mississippi Community College; commend upon the occasion of his retirement. **SR89, HC51**.
Legal holidays; remove Confederate Memorial Day and designate June 19 as Juneteenth Freedom Day. SB2230.
Legislature; extend 2024 Regular Session, suspend deadline for certain bills, and set date of sine die adjournment. **HC64**.
Legislature; suspend deadlines for Senate Bill No. 2753, 2024 Regular Session. **SC549**.
Leslie Lyons; commend as Instructor of the Year for Health Science Centers at MGCCC. **SR76**.
Lewis Tillman, former JSU star running back; commend upon his induction into the Mississippi Sports Hall of Fame. **SR116**.
Lex Lemmers of Columbus; recognize as Chair of the Board of Directors of the MMA. **SR61**.
Locke Ward; commend for efforts to revitalize our capital city and honor for galvanizing others to do the same. **HC49**.
Long Beach High School "Bearcats" Soccer Team; commend for fourth-straight Class 6A State Championship. **SR41**.
Louisville High School "Wildcats" football team; commend for winning 12th State Championship. **SR26**.
Luster Bayless, legendary Costumer to John Wayne; mourn the loss and commend the life of. **SC510**.
Margarett Allen-Bingham; extend sympathy of the Legislature on the passing of first female superintendent of correctional facility in MS. **SC517**.
Mark Haire; recognize on the occasion of his retirement from his tenure as Deputy Insurance Commissioner and commending his service. **SR5**.
Melissa Bond; recognize for developing Mississippi Practical Appraiser Training (MPAT) program. **SR68**.
Melissa Cookston; commend success as a restaurateur, chef and author. **HC5**.
Meridian High School "Wildcats" Boys Basketball Team; commend for first 7A State Championship. **SR47**.
Millsaps "Majors" Women's Basketball Team; commend for first-ever Conference Title. **SR35**.
Mississippi Children's Museum; recognize for USA Today National Award. **SR128**.
Mississippi Economic Council, Leadership Mississippi: celebrating the 50th Anniversary of. **SR96**.
Mississippi Economic Council (MEC); celebrating the 75th Anniversary of. **SR98**.
Mississippi Links Day at the Capitol 2024; commend for their outstanding service. **SR43**.
Mississippi Musicians Month; designate the month of March each year as. **HB365**.
Mississippi Supreme Court Presiding Justice Leslie D. King; recognize for "60 Courageous Judges Award." **SC516**.
Mother Lorene Gee Cockroft; extend best wishes on her 100th Birthday. **SR87**.
National Conference of State Legislatures (NCSL); recognize on its 50th Anniversary. **SR8**.
National Statuary Hall Selection Commission; create for recommending two new Mississippi statues at U.S. Capitol. SB2231.
Neshoba Central High School "Lady Rockets" Girls Basketball Team; commend for winning MHSAA Class 6A State Championship. **HC63**.
New Albany High School "Lady Bulldogs" Golf Team; commend for winning the 2023-2024 4A Girls State Championship and being "back-to-back" champions. **HC8**.
Northwest Community College Women's Soccer Team; commend on winning NCJAA Region 23 Championship. **SR82, HC44**.
Northwest MS CC Cheer Team; commend for winning 2024 UCA/UDA College Cheerleading National Championship, Open All-Girl. **SR90, HC41**.
Northwest Mississippi Community College Dance Team; commend for winning the 2024 Open Hip-Hop National Championship. **SR88, HC56**.

Northwest Rankin "Lady Cougars" Soccer Team; commend for 2024 MHSAA Class 7A Championship. **SR73,** .
Oak Grove "Warriors" Football Team; commend for winning their first MHSAA Class 7A State Championship. **SR22**.
Oak Grove High School Cheer Team; commend for winning 2024 UCA National Large Varsity Game Day Live Championship. **SR53**.
Oak Grove High School Dance Team; commend for winning the 2023 Large Varsity Jazz and Pom State Championship. **SR54**.
Office space on 4th floor, direct Senate Rules Committee and House Management Committee to reallocate between Senate and House. SC511.
Old Oak Grove Baptist Church in Myrtle, Mississippi; commemorate the Sesquicentennial (150th) Anniversary of. **SR4**.
Ole Miss "Rebels" 2023 Football Team; commend for historic season and dominating Peach Bowl victory. **SC519**.
Olive Branch High School "Conquistadors" Boys Basketball Team; commend for winning the Class 6A State Title. **SR48**.
Omega Psi Phi Day; designate March 9. 2024, in Mississippi. **SC507**.
OSHA Worker Representative Designation Process; oppose proposed changes to. SC544.
Pamela D. C. Junior; commend upon retirement as director of Two Mississippi Museums. **HC31**.
Peter Zapletal; recognize as the recipient of the 2024 Governor's Arts Award for Excellence in Performing Arts. **SR11**.
Phi Theta Kappa's All-Mississippi Academic Team; commend. **SC543**.
Philip Halbert "Hal" Neilson; extend sincerest sympathy of Mississippi Senate to surviving family of Oxford Municipal Judge. **SR104**.
President Donald J. Trump; express sense of MS Senate that former is innocent of accusations of insurrection. SR91.
Purvis High School "Tornadoes" Baseball Team and Head Coach Tony Farlow; commend for winning Class 4A State Baseball Championship. **SR23**.
Raymond High School "Rangers" Boys Basketball Team; commend for winning second Class 4A State Championship in last three years. **SR60**.
Regents School of Oxford "Lady Lyons" Volleyball Team; commend for third-consecutive Division 3A State Championship. **SR105**.
Regents School of Oxford "Lyons" Boys Cross Country Team; commend for fifth Division 3A MAIS State Championship. **SR106**.
Reman Day in Mississippi; designate April 11, 2024, as. **SC546**.
Ridgeland, Mississippi; commemorate the 125th Anniversary of. **SC534**.
Rocky Vaughan of Ackerman, Mississippi; recognize contributions of in designing the new Mississippi State Flag. **SR65**.
Rosie S. Simmons; recognize legacy of as the first African American since Reconstruction to serve as Bolivar County Circuit Clerk. **SC540**.
Ryan Miller; commend for distinguished service as Executive Director of the Office of Workforce Development (AccelerateMS). **SR64, HC47**.
SWAC Championship tradition of JSU "Coach of the Year" Rose Washington; commend. **SR50**.
Samuel F. (Sam) Britton Celebrate the legacy and memory of former Public Service Commissioner-Southern District. **SR34**.
Sandra Peterson; commend as Instructor of the Year at the Harrison County Campus of MGCCC. **SR75**.
Scott Berry; recognize the remarkable career of USM Baseball Coach on occasion of his retirement. **SR6**.
Scout Troop 416 in Brandon, MS; recognize 50th Anniversary of. **SR119**.
Senate Rules; amend Rule 115 to reverse the order of names called during every other roll call vote. SR17.
Senate Rules; amend Rule 65 to provide for removal of members of the Rules Committee. SR18.

Senate Rules; amend Rules 28 and 35C to provide floor restrictions for members of the news media. SR3.
Sharkey-Issaquena Academy Football Team; commend for winning MAIS Class 1A State Championship for tornado-damaged community. **SR31**.
Sharon Nobles, CFO of North Mississippi Health Services; recognize for "Top 25 CFOs of Mississippi" award. **SR15**.
Sherry Wall; celebrating the life and legacy of former Lafayette County Chancery Clerk. **SR109**.
Shuqualak Rodeo Competitor Roveskey "Fatty" Hickman; commend for fame on the national TV show Ultimate Cowboy Showdown: All Stars. **SR72**.
Simpson County; commemorate upon its Bicentennial Celebration. **SR67**.
Siobhan Cochran of Trent Lott Academy; commend for "Extraordinary Educator for 2024." **SR108**.
South Panola High School Junior Varsity Cheerleaders; commend on winning MHSAA Game Day State Championship. **SR130**.
Southern Soul music genre; acknowledge Mississippi as the home and birthplace of. **HC60**.
Starkville; commend for being named "Best Small Town in the South" by USA Today. **SR100**.
State flag; change to the design by Lourie Formby. SB2219.
State of Emergency; request the Governor to Declare in areas impacted by the ongoing drought and pine beetle outbreak. SC538.
State of the State address of Governor Reeves; call joint session. **HC29**.
Sumrall High School "Lady Bobcats" Cheer Team; commend for back-to-back National Championships. **SR69**.
Sumrall High School "Lady Bobcats" Girls Soccer Team; commend for winning first Class 4A State Championship. **SR70**.
Super Bowl LVIII; recognize six players and coaches with Mississippi ties at . **SR49**.
Suspend deadline for introduction; governmental buildings; regulate. HC65.
Suspend rules for introduction; revisions to PERS and public education funding. **SC548**.
Swetman Security Service; commend upon 50th anniversary. **HC59**.
Taiwan and Mississippi; encourage further economic ties between. **SC541**.
Tardive Dyskinesia Awareness Week; recognize the week May 5-11, 2024, as. **HC53**.
Tarik Robinson-O'Hagan; commend upon winning NCAA Division I national title in shot put. **HC61**.
Tishomingo County High School "Braves" Girls Basketball Team; commend for winning first State Championship. **SR132**.
Tomorrow's 25 Coaching Fellowship Program; commend. **SR62**.
Tuskegee Airmen Day; designate the fourth Thursday in March. **HB124**.
Urge U.S. Congress to enact legislation to include airguns and airbows as items taxed under the Pittman-Robertson Act. SR16.
Viking Range; commend for receiving the 2024 "Best of KBIS Style Statement Silver Award" in Las Vegas. **SR124**.
West Harrison High "Hurricane" Cheer Team; commend for their third National Championship in the last five years. **SR42**.
West Point "Green Wave" Football Team; commend for record 12th state championship. **SR9**.
William Carey University; recognize outstanding accomplishments of Athletic Program at. **SC537**.
Wilton Neal of Carrolton; commend as Mississippi's longest-serving Tax Assessor/Collector. **SR125**.
World Down Syndrome in Mississippi; declare March 21,2024 as. **SC531**.

Nominations:

Brashier, Anne Hall (Anne Hall), Ridgeland, Mississippi, Mississippi Commission on the Status of Women, four-year term beginning July 1, 2023 and ending June 30, 2027, representing an At-Large appointment. **SN91**.
Harkins, Elizabeth Ashley (Beth), Madison, Mississippi, Mississippi Commission on the Status of Women as the Single Mother representative, four-year term beginning July 1, 2023 and ending June 30, 2027, vice Sherri Carr Bevis. **SN39**.

TECHNOLOGY

Artificial Intelligence in Education Task Force Act; enact. SB2062.
Artificial intelligence; require disclosure when used in political advertisements. SB2423.
Broadband equipment speed; increase to FCC requirement regarding ad valorem tax exemption. SB2371.
Broadband exemption; clarify ad valorem tax exemption for equipment used for broadband. SB2701.
Corporate breach of security; require reports to the Attorney General. HB1625.
Cyber Security Review Board; create. **SB2698**.
Cybersecurity incident liability; provide limitation on liability for certain entities that adopt cybersecurity standards. SB2777.
Cybersecurity; prohibit agencies from paying ransoms. SB2703.
Mississippi Department of Information Technology Services; revise bidding procedure. **HB297**.
Social media platforms; require owners or operators of to regulate advertisement of tobacco and nicotine products. HB1558.
Texting; require software companies to utilize encryption software. SB2704.
Unmanned aerial vehicle; allow for use in agriculture. SB2661.

TOURISM

Designate American Quarter Horse as the Official State Horse and Kemp's Ridley sea turtle as Official Sea Turtle of Mississippi. **SB2142**.
Mississippi Main Street Grant Program; amend administration of and qualifications for. **SB2696**.
Tourism; create the Mississippi Golf Association Grant Program. SB2711.

UNIVERSITIES AND COLLEGES

Alteration or renaming of historical monuments, memorials and streets; prohibit and provide sanctions. SB2047.
Community and junior colleges:
authorize to contract or enter into interlocal agreements with local governing authorities for first
responders services. **HB1163**.
authorize board of trustees to reduce or waive out-of-state tuition for certain students. HB1311.
Continuing education training for police officers; extend to require for public colleges and universities and PRVWSD officers. HB418.
DEI Program Ban; eliminate DEI programs in any state-funded institution. SB2402.
"Dignity and Safety for Incarcerated Women Act"; enact. HB585.
Dr. Elton Mac Huddleston Rural Veterinarian Scholarship Program; establish. SB2561.
Ground lease for solar installation at Mississippi Agricultural and Forestry Experimental Stations; authorize. **SB2557**.
HELP Grant; revise certain provisions related thereto. SB2723.
Identification cards; require certain to have 988 Crisis Lifeline information. **SB2408**.

Jackson State University:
authorize to expand physical boundaries to promote safety on campus. **HB1568**.
provide for the construction of a six hundred room student housing project. SB2344.
transfer funds for new, multipurpose stadium. SB2731.
MDITS; establish paid internship program under. SB2411.
Mississippi Act WorkKeys National Career Readiness Certificate (NCRC) Scholarship Program; create. SB2720.
Mississippi Dual Enrollment/Dual Credit Scholarship Program:
include students of private high schools. SB2233.
increase eligibility and revise provisions related thereto. SB2730.
Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents Act:
bring forward sections. SB2416.
revise provisions of. **SB2417**.
Mississippi K-12 and Postsecondary Mental Health Task Force; create and provide membership and duties. **SB2727**.
Mississippi Resident Tuition Assistance and Promise Grant Program; create to provide financial assistance to students. SB2724.
Mississippi University Research Authority:
revise and clarify composition of. **HB939**.
revise membership. SB2148.
Mississippi University for Women; bring forward code sections. SB2560.
Mississippians' Right to Name, Likeness and Voice Act; enact. SB2778.
"MS Intercollegiate Athletics Compensation Rights Act" and "Uniform Athlete Agents Act"; bring forward. HB302.
Registered sex offenders residing in campus student housing or sorority/fraternity houses; prohibit. SB2434.
Reinforcing College Education on America's Constitutional Heritage (REACH) Act; create. SB2065.
Rejecting Racism in Higher Education Act; enact. SB2721.
Rural Physicians Scholarship Program and Rural Dentists Scholarship Program; revise certain provisions of. **SB2729**.
Safe Dormitories Act; enact. SB2722.
State institutions of higher learning; require board of trustees to close three institutions by 2028. SB2726.
Task Force to Study Restoration of Adequate Funding to Alcorn State University; create. SB2414.
Tenure programs for public university faculty; phase out. SB2075.
University System Efficiency Task Force; create to examine the efficiency of the state public university system. SB2725.
University of Mississippi; authorize to enter long-term lease with approval of I.H.L. SB2728.

Nominations:

Canton, Donald (Don), Jr., Canton, Mississippi, Board of Trustees of the Institutions of Higher Learning, nine year term effective May 9, 2024 and ending May 8, 2033, representing the First Supreme Court District, vice Chip Morgan. **SN98**.
Griffith, Jerry L., Gulfport, Mississippi, Board of Trustees of the Institutions of Higher Learning, nine year term effective May 9, 2024 and ending May 8, 2033, representing the Second Supreme Court District, vice Tom Duff. **SN99**.
Heidelberg, James Hinkle (Jimmy), Pascagoula, Mississippi, Board of Trustees of the Institutions of Higher Learning, nine year term effective May 9, 2024 and ending May 8, 2033, representing the Second Supreme Court District, vice Dr. Alfred McNair. **SN100**.

Stephenson, Charles Richards (Charlie), West Point, Mississippi, Board of Trustees of the Institutions of Higher Learning, nine year term effective May 9, 2024 and ending May 8, 2033, representing the Third Supreme Court District, vice Dr. J. Walt Starr. **SN101**.

VETERANS AND MILITARY AFFAIRS

"Disabled Veteran and Dependents Patriot Scholarship Program"; establish under IHL Board. SB2752.
"Veterans' Assistance Lottery"; establish under Mississippi Lottery Corporation. SB2513.
Disabled veterans license tags; authorize tags to be labeled. SB2126.
Reverse auction requirement; exempt MS State Veterans Affairs Board for the purchase of ADA vans and buses for Veterans Nursing Homes. SB2516.
State Veterans Affairs Board; revise provisions regarding processing of claims. **HB978**.
State Veterans Affairs Board; revise appointments to reflect congressional districts at time of appointments. SB2390.
State Veterans Affairs Board; revise composition of. **SB2514**.
Veterans assistance; prohibit unethical collection of fees in veterans benefits matters. SB2515.
Veterans cemeteries; authorize interments in under federal Burial Equity for Guards and Reserves Act. **HB1001**.

Nominations:

Dr. David H. McElreath, Oxford, Mississippi, State Veterans Affairs Board as the representative from the 1st Congressional District as it existed March 1, 1992, five year term effective May 5, 2023 and ending May 4, 2028. **SN37**.
CSM Silvester Tatum, Jackson, Mississippi, State Veterans Affairs Board to represent the 2nd Congressional District as it existed March 1, 1992, remainder of five year term effective August 1, 2023 and ending May 31, 2025, vice BG George E. Irvin, Sr.. **SN38**.

WILDLIFE, FISHERIES AND PARKS

Commission on Wildlife, Fisheries and Parks; limit consecutive terms, and impose certain additional qualifications**.** **SB2290**.
Commission on Wildlife, Fisheries and Parks; expand to nine members. **SB2640**.
Department of Wildlife, Fisheries and Parks; bring forward certain code sections regarding. **SB2639**.
Drones; allow use of for hunting, trapping and taking wild hogs. **SB2662**.
Hunting and fishing on lands of others; revise provisions relating to and provide penalties for. **HB1208**, **SB2651.**
Hunting on streets and railroads; clarify prohibition on for compliance with United States and Mississippi Constitutions. **SB2641.**
Hunting; authorize hunters to wear fluorescent pink as an alternative to fluorescent orange. **HB526**.
Mississippi Parks Corporation; create. SB2659.
Mississippi Wild Turkey Stamp; establish. **HB1298, SB2652.**
Open Season; revise dates for fur-bearing animals and hunting opossums, racoons and bobcats with dogs and guns. **HB1206**.

Physical tagging and harvest reporting programs; direct Department of Wildlife, Fisheries and Parks to establish for deer. **SB2642.**
Resident lifetime sportsman hunting and fishing license; offer at a discounted rate to 10-year WFP conservation officers. **SB2506**.
Sales tax; deposit portion of revenue into the Mississippi Outdoor Stewardship Trust Fund. **HB733**.
Wildlife; provide that the state has a duty to protect and sustain for the public's benefit. **HB43**.

C. LOCAL AND PRIVATE

Adams County; authorize to enter into a certain lease purchase agreement for a jail facility. **HB4090**.
Alcorn, Benton, Marshall, Prentiss, Tippah, Tishomingo Counties; extend authority to contribute to NE MS Comm. Servs. **SB3230**.
City of Amory; authorize to enact a tax on hotels, motels and restaurants for tourism and parks and recreation. **SB2248**.
City of Bay St. Louis; authorize to administer and expend certain federal funds to assist in flood mitigation. **HB4129**.
Bolivar County; authorize contributions to Bolivar County Community Action Agency and Fannie Lou Hamer Cancer Foundation. **SB2925**.
City of Carthage; extend repeal date on hotel, motel and restaurant tax. **SB2663**.
DeSoto County Regional Utility Authority; increase borrowing/bonding authority from $40 Million to $80 Million. **SB2138**.
DeSoto County; authorize the contribution of funds for membership to the Chamber of Commerce. **SB2084**.
City of Durant; authorize a tax on restaurants to promote tourism, parks and recreation. **HB4115**.
City of Eupora; authorize conveyance of certain real property located in City of Eupora Industrial Park back to a certain entity. **HB4120**.
City of Florence; extend repealer on bar and restaurant tax. **SB3081**.
City of Fulton; extend date of repeal on hotel/motel tourism tax. **HB1752**.
City of Fulton; extend repealer on hotel/motel tourism tax. SB3220.
City of Gautier; authorize to contract with and make contributions to the Mississippi Songwriters Alliance. **HB4127**.
Greene County; extend repeal date on assessments in justice court. **HB1931**.
Greene County; extend repeal date on assessments in justice court. SB3104.
Grenada County; expand certain authority concerning Greater Grenada Partnership. **HB1880**.
Hancock County Port and Harbor Commission; authorize to contribute to Pearl River Community College County Tuition Assistance Program. **SB3102**.
Harrison County; authorize assessments on convictions for improvements to courthouses and pretrial detention facilities. **HB1854**.
Hattiesburg Convention Commission; authorize to use design-build method of construction contracting. **HB4122**.
Hattiesburg Convention Commission; authorize to use the design-build method of construction contracting. SB3225.
City of Hattiesburg; authorize to use traffic fines for community development initiatives. SB3224.
Hinds County; authorize to enter 30-year lease and finance 30-year certificates of participation for public safety facility. **SB3218**.
City of Houston; extend repeal date for tax on restaurants, hotels and motels for tourism and parks and recreation. **SB2001**.
Humphreys County; authorize a contribution to the Fannie Lou Hamer Cancer Foundation. **HB1743**.
Humphreys County; authorize contributions to Belzoni, Louise and Isola for parks and recreation. **HB1968**.

Jackson County & City of Pascagoula; extend repealer on LaPointe-Krebs Foundation, & authorize increased contribution. **SB2984**.
Jackson County; authorize contributions to various organizations. **HB1716**.
Jefferson Davis County; increase portion of oil and gas severance tax that may be utilized for garbage collection and disposal. **HB1758**.
Lafayette County; authorize to provide funding to Oxford-Lafayette County Economic Development Foundation. **SB3215**.
Lauderdale County; extend repeal date on Tourism Commission and hotel/motel tax, and authorize room occupancy tax. HB4091.
Lauderdale County; extend authorization of assessments on misdemeanor convictions and nonadjudications. **SB3103**.
Lauderdale County; extend repeal date on Tourism Commission and hotel/motel tax, and authorize room occupancy tax. SB3159.
Leake County; authorize lease between county economic development authority and East Central CC for workforce training center. **SB3100**.
Lowndes County; increase amount that may be contributed annually to the United Way. **SB3082**.
City of Lucedale; authorize election for tax on hotels/motels to fund parks and recreational capital improvement projects. **HB1744**.
Marshall County; authorize employment of part-time assistant county prosecuting attorneys. SB3061.
Marshall County; authorize contributions to various organizations. **SB3062**.
City of Morton; authorize tax on hotels, motels and restaurants to fund tourism, parks and recreation in. HB4119.
Neshoba County; increase authorized contribution amount made to Philadelphia Transit. **SB2510**.
City of Olive Branch; authorize expenditure of funds to establish industrial, technological or educational park or parks within. **HB1948**.
City of Pearl & Rankin County; authorize annual contributions to Trustmark Park not to exceed $1,500,000.00 in the aggregate. **SB3060**.
City of Philadelphia; authorize governing authorities to donate funds to support Philadelphia Transit. SB2983.
Pike County; authorize to construct or acquire county jail anywhere in county and authorize certain lease-purchase arrangement. **HB1723**.
City of Pontotoc; extend repealer on authority to levy tax on hotels, motels and restaurants. **HB1720**.
Rankin County Stormwater Management Agency; authorize the establishment of. SB3217.
City of Ridgeland; authorize to levy tax on restaurants, hotels, and motels to promote tourism, parks and recreation. **SB3221**.
Sunflower County; increase authority to contribute funds to the Fannie Lou Hamer Cancer Foundation. **SB3101**.
Union County; authorize assessments on misdemeanor convictions and nonadjudications for capital improvements. HB4125.
Union County; authorize assessments on civil cases filed and convictions obtained in justice court to maintain law enforcement center. HB4126.
Town of Vaiden; authorize tax on restaurants, hotels and motels for tourism and parks & recreation. SB3219.
Town of Walnut; authorize to levy tax on restaurants, hotels, and motels and to issue bonds for parks and recreation. **SB3216**.
Warren County; authorize contributions to various organizations. SB3160.
City of West Point; extend repealer on authority to levy tax on hotels, motels and restaurants for tourism and parks and recreation. **HB1646**.
City of West Point; extend repealer on authority to levy tax on hotels, motels and restaurants for tourism and parks & rec. SB2139.
City of Winona; extend repealer on authority to levy tax on restaurants. **SB3158**.

PART VII
COMMITTEE MEMBERSHIP

A. PERSONNEL OF STATE SENATE STANDING COMMITTEES

ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY (11)--Senator Parker, Chairman; Senator Barrett, Vice Chairman; Senators Blackwell, Blount, Branning, Butler, Hopson, Suber, Thompson, Turner-Ford, Williams.

AGRICULTURE (13)--Senator Younger, Chairman; Senator Berry, Vice Chairman; Senators Butler, Chassaniol, Hill, Jackson, Jordan, Ladner, McCaughn, Rhodes, Seymour, Simmons S. (13th), Whaley.

APPROPRIATIONS (26)--Senator Hopson, Chairman; Senator Polk, Vice Chairman; Senators Barnett, Blackwell, Branning, Butler, DeBar, DeLano, Frazier, Hickman, Hill, Jackson, McCaughn, McLendon, Michel, Norwood, Parker, Parks, Robinson, Seymour, Simmons S. (13th), Tate, Thompson, Turner-Ford, Wiggins, Williams.

BUSINESS AND FINANCIAL INSTITUTIONS (13)--Senator Polk, Chairman; Senator McMahan, Vice Chairman; Senators Blackwell, Boyd, Branning, Carter, Hickman, Horhn, Parks, Sparks, Suber, Thomas, Whaley.

CONSTITUTION (9)--Senator Hill, Chairman; Senator Simmons D. T. (12th), Vice Chairman; Senators Blackwell, Bryan, Chassaniol, Frazier, Johnson, Suber, Thompson.

CORRECTIONS (11)--Senator Barnett, Chairman; Senator Chassaniol, Vice Chairman; Senators Barrett, Brumfield, Fillingane, Hill, Jackson, Kirby, Simmons S. (13th), Sparks, Thomas.

COUNTY AFFAIRS (9)--Senator Simmons D. T. (12th), Chairman; Senator Seymour, Vice Chairman; Senators Berry, Boyd, Jackson, Kirby, Parks, Rhodes, Turner-Ford.

DRUG POLICY (11)--Senator Turner-Ford, Chairman; Senator Hill, Vice Chairman; Senators Boyd, Fillingane, Hickman, Jackson, Jordan, Parker, Rhodes, Robinson, Sparks.

ECONOMIC AND WORKFORCE DEVELOPMENT (11)--Senator Sparks, Chairman; Senator Suber, Vice Chairman; Senators Barnett, Berry, Branning, Brumfield, Carter, Johnson, Parker, Robinson, Williams.

EDUCATION (15)--Senator DeBar, Chairman; Senator Blount, Vice Chairman; Senators Boyd, Bryan, DeLano, Hickman, Hopson, McLendon, McMahan, Norwood, Parker, Polk, Robinson, Simmons S. (13th), Wiggins.

ELECTIONS (9)--Senator England, Chairman; Senator Blackwell, Vice Chairman; Senators Blount, Bryan, Chassaniol, Fillingane, Frazier, Parker, Tate.

ENERGY (15)--Senator Carter, Chairman; Senator Williams, Vice Chairman; Senators Barnett, Chassaniol, DeBar, Fillingane, Frazier, Harkins, Hopson, Horhn, McCaughn, McMahan, Michel, Parks, Younger.

ENROLLED BILLS (5)--Senator Jordan, Chairman; Senator Barnett, Vice Chairman; Senators Chism, England, Thompson.

ENVIRONMENT PROT, CONS AND WATER RES (11)--Senator DeLano, Chairman; Senator Thompson, Vice Chairman; Senators Berry, Harkins, Jackson, Jordan, McLendon, Polk, Robinson, Turner-Ford, Williams.

ETHICS (9)--Senator Seymour, Chairman; Senator Brumfield, Vice Chairman; Senators Butler, Chism, Jackson, Kirby, Simmons S. (13th), Whaley, Younger.

EXECUTIVE CONTINGENT FUND (5)--Senator Norwood, Chairman; Senator Turner-Ford, Vice Chairman; Senators Chism, McMahan, Wiggins.

FINANCE (26)--Senator Harkins, Chairman; Senator Johnson, Vice Chairman; Senators Barrett, Berry, Blackmon, Blount, Boyd, Brumfield, Bryan, Carter, Chassaniol, England, Fillingane, Horhn, Jordan, Kirby, Ladner, McMahan, Polk, Rhodes, Simmons D. T. (12th), Sparks, Suber, Thomas, Whaley, Younger.

FORESTRY (9)--Senator McCaughn, Chairman; Senator Rhodes, Vice Chairman; Senators Berry, Branning, Brumfield, Hickman, Michel, Seymour, Thomas.

GAMING (9)--Senator Blount, Chairman; Senator Younger, Vice Chairman; Senators Chassaniol, DeBar, Jackson, Ladner, McLendon, Simmons D. T. (12th), Thompson.

GOVERNMENT STRUCTURE (7)--Senator Johnson, Chairman; Senator Branning, Vice Chairman; Senators Blount, McCaughn, Norwood, Parker, Sparks.

HIGHWAYS AND TRANSPORTATION (19)--Senator Branning, Chairman; Senator Parks, Vice Chairman; Senators Barrett, Berry, Blackmon, Blackwell, Blount, Brumfield, Bryan, Butler, Carter, DeLano, England, Harkins, Rhodes, Tate, Whaley, Williams, Younger.

HOUSING (7)--Senator Horhn, Chairman; Senator Tate, Vice Chairman; Senators Barrett, Harkins, Jordan, Michel, Simmons S. (13th).

INSURANCE (13)--Senator Michel, Chairman; Senator McLendon, Vice Chairman; Senators Blackmon, DeLano, Frazier, Johnson, Kirby, McMahan, Rhodes, Suber, Thomas, Whaley, Younger.

INTERSTATE AND FEDERAL COOPERATION (5)--Senator Frazier, Chairman; Senator Norwood, Vice Chairman; Senators Chassaniol, Kirby, Michel.

INVESTIGATE STATE OFFICES (9)--Senator Butler, Chairman; Senator Simmons S. (13th), Vice Chairman; Senators Berry, Chism, Hill, Johnson, Parks, Seymour, Thomas.

JUDICIARY, DIVISION A (15)--Senator Wiggins, Chairman; Senator McCaughn, Vice Chairman; Senators Barnett, Barrett, Blackmon, Boyd, Branning, DeBar, England, Hopson, Kirby, Parker, Simmons D. T. (12th), Thompson, Turner-Ford.

JUDICIARY, DIVISION B (15)--Senator Fillingane, Chairman; Senator Sparks, Vice Chairman; Senators Barnett, Barrett, Berry, DeBar, England, Hickman, Hill, McCaughn, Norwood, Simmons D. T. (12th), Suber, Thomas, Wiggins.

LABOR (9)--Senator Barrett, Chairman; Senator Thomas, Vice Chairman; Senators Blackmon, Chism, Horhn, McLendon, Rhodes, Simmons S. (13th), Wiggins.

LOCAL AND PRIVATE (5)--Senator Parks, Chairman; Senator Whaley, Vice Chairman; Senators Fillingane, Tate, Turner-Ford.

MEDICAID (11)--Senator Blackwell, Chairman; Senator Boyd, Vice Chairman; Senators Barrett, Blackmon, Blount, Hickman, Horhn, Johnson, McMahan, Parks, Polk.

MUNICIPALITIES (11)--Senator McMahan, Chairman; Senator Hickman, Vice Chairman; Senators Carter, Fillingane, Hill, Jordan, Kirby, Ladner, Norwood, Robinson, Simmons D. T. (12th).

PORTS AND MARINE RESOURCES (11)--Senator Thompson, Chairman; Senator England, Vice Chairman; Senators Brumfield, Carter, DeLano, Hopson, Ladner, Seymour, Simmons D. T. (12th), Sparks, Wiggins.

PUBLIC HEALTH AND WELFARE (19)--Senator Bryan, Chairman; Senator Parker, Vice Chairman; Senators Barnett, Blackwell, Blount, DeBar, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Johnson, McMahan, Parks, Polk, Tate, Turner-Ford, Wiggins.

PUBLIC PROPERTY (7)--Senator Suber, Chairman; Senator Butler, Vice Chairman; Senators Blackmon, Bryan, Harkins, Johnson, Ladner.

RULES (5)--Senator Kirby, Chairman; Senator Michel, Vice Chairman; Senators DeBar, Frazier, Whaley.

STATE LIBRARY (5)--Senator McLendon, Chairman; Senator Jackson, Vice Chairman; Senators Chism, Jordan, Younger.

TECHNOLOGY (7)--Senator Williams, Chairman; Senator Blackmon, Vice Chairman; Senators Brumfield, DeLano, Rhodes, Robinson, Tate.

TOURISM (11)--Senator Chassaniol, Chairman; Senator Robinson, Vice Chairman; Senators Butler, England, Horhn, Ladner, Norwood, Simmons S. (13th), Tate, Wiggins, Williams.

UNIVERSITIES AND COLLEGES (13)--Senator Boyd, Chairman; Senator DeLano, Vice Chairman; Senators Butler, Carter, Frazier, Harkins, Hopson, McCaughn, Michel, Norwood, Polk, Sparks, Williams.

VETERANS AND MILITARY AFFAIRS (7)--Senator Tate, Chairman; Senator Horhn, Vice Chairman; Senators Jordan, McLendon, Michel, Robinson, Thompson.

WILDLIFE, FISHERIES AND PARKS (11)--Senator Whaley, Chairman; Senator Ladner, Vice Chairman; Senators Barnett, Brumfield, Bryan, England, Harkins, McLendon, Seymour, Suber, Younger.

B. COMMITTEE ASSIGNMENT OF SENATORS

JUAN BARNETT--Corrections, Chairman; Enrolled Bills, Vice Chairman; Appropriations; Economic and Workforce Development; Energy; Judiciary, Division A; Judiciary, Division B; Public Health and Welfare; Wildlife, Fisheries and Parks.

JASON BARRETT--Labor, Chairman; Accountability, Efficiency, Transparency, Vice Chairman; Corrections; Finance; Highways and Transportation; Housing; Judiciary, Division A; Judiciary, Division B; Medicaid.

ANDY BERRY--Agriculture, Vice Chairman; County Affairs; Economic and Workforce Development; Environment Prot, Cons and Water Res; Finance; Forestry; Highways and Transportation; Investigate State Offices; Judiciary, Division B.

BRADFORD BLACKMON--Technology, Vice Chairman; Finance; Highways and Transportation; Insurance; Judiciary, Division A; Labor; Medicaid; Public Property.

KEVIN BLACKWELL--Medicaid, Chairman; Elections, Vice Chairman; Accountability, Efficiency, Transparency; Appropriations; Business and Financial Institutions; Constitution; Highways and Transportation; Public Health and Welfare.

DAVID BLOUNT--Gaming, Chairman; Education, Vice Chairman; Accountability, Efficiency, Transparency; Elections; Finance; Government Structure; Highways and Transportation; Medicaid; Public Health and Welfare.

NICOLE BOYD--Universities and Colleges, Chairman; Medicaid, Vice Chairman; Business and Financial Institutions; County Affairs; Drug Policy; Education; Finance; Judiciary, Division A.

JENIFER B. BRANNING--Highways and Transportation, Chairman; Government Structure, Vice Chairman; Accountability, Efficiency, Transparency; Appropriations; Business and Financial Institutions; Economic and Workforce Development; Forestry; Judiciary, Division A.

GARY BRUMFIELD--Ethics, Vice Chairman; Corrections; Economic and Workforce Development; Finance; Forestry; Highways and Transportation; Ports and Marine Resources; Technology; Wildlife, Fisheries and Parks.

HOB BRYAN--Public Health and Welfare, Chairman; Constitution; Education; Elections; Finance; Highways and Transportation; Public Property; Wildlife, Fisheries and Parks.

ALBERT BUTLER--Investigate State Offices, Chairman; Public Property, Vice Chairman; Accountability, Efficiency, Transparency; Agriculture; Appropriations; Ethics; Highways and Transportation; Tourism; Universities and Colleges.

JOEL R. CARTER, JR.--Energy, Chairman; Business and Financial Institutions; Economic and Workforce Development; Finance; Highways and Transportation; Municipalities; Ports and Marine Resources; Universities and Colleges.

LYDIA GRAVES CHASSANIOL--Tourism, Chairman; Corrections, Vice Chairman; Agriculture; Constitution; Elections; Energy; Finance; Gaming; Interstate and Federal Cooperation.

KATHY L. CHISM--Enrolled Bills; Ethics; Executive Contingent Fund; Investigate State Offices; Labor; State Library.

DENNIS DEBAR, JR.--Education, Chairman; Appropriations; Energy; Gaming; Judiciary, Division A; Judiciary, Division B; Public Health and Welfare; Rules.

SCOTT DELANO--Environment Prot, Cons and Water Res, Chairman; Universities and Colleges, Vice Chairman; Appropriations; Education; Highways and Transportation; Insurance; Ports and Marine Resources; Technology.

JEREMY ENGLAND--Elections, Chairman; Ports and Marine Resources, Vice Chairman; Enrolled Bills; Finance; Highways and Transportation; Judiciary, Division A; Judiciary, Division B; Tourism; Wildlife, Fisheries and Parks.

JOEY FILLINGANE--Judiciary, Division B, Chairman; Corrections; Drug Policy; Elections; Energy; Finance; Local and Private; Municipalities; Public Health and Welfare.

HILLMAN TEROME FRAZIER--Interstate and Federal Cooperation, Chairman; Appropriations; Constitution; Elections; Energy; Insurance; Public Health and Welfare; Rules; Universities and Colleges.

JOSH HARKINS--Finance, Chairman; Energy; Environment Prot, Cons and Water Res; Highways and Transportation; Housing; Public Health and Welfare; Public Property; Universities and Colleges; Wildlife, Fisheries and Parks.

ROD HICKMAN--Municipalities, Vice Chairman; Appropriations; Business and Financial Institutions; Drug Policy; Education; Forestry; Judiciary, Division B; Medicaid; Public Health and Welfare.

ANGELA BURKS HILL--Constitution, Chairman; Drug Policy, Vice Chairman; Agriculture; Appropriations; Corrections; Investigate State Offices; Judiciary, Division B; Municipalities; Public Health and Welfare.

BRIGGS HOPSON--Appropriations, Chairman; Accountability, Efficiency, Transparency; Education; Energy; Judiciary, Division A; Ports and Marine Resources; Public Health and Welfare; Universities and Colleges.

JOHN HORHN--Housing, Chairman; Veterans and Military Affairs, Vice Chairman; Business and Financial Institutions; Energy; Finance; Labor; Medicaid; Tourism.

REGINALD JACKSON--State Library, Vice Chairman; Agriculture; Appropriations; Corrections; County Affairs; Drug Policy; Environment Prot, Cons and Water Res; Ethics; Gaming.

CHRIS JOHNSON--Government Structure, Chairman; Finance, Vice Chairman; Constitution; Economic and Workforce Development; Insurance; Investigate State Offices; Medicaid; Public Health and Welfare; Public Property.

DAVID JORDAN--Enrolled Bills, Chairman; Agriculture; Drug Policy; Environment Prot, Cons and Water Res; Finance; Housing; Municipalities; State Library; Veterans and Military Affairs.

DEAN KIRBY--Rules, Chairman; Corrections; County Affairs; Ethics; Finance; Insurance; Interstate and Federal Cooperation; Judiciary, Division A; Municipalities.

PHILMAN LADNER--Wildlife, Fisheries and Parks, Vice Chairman; Agriculture; Finance; Gaming; Municipalities; Ports and Marine Resources; Public Property; Tourism.

TYLER MCCAUGHN--Forestry, Chairman; Judiciary, Division A, Vice Chairman; Agriculture; Appropriations; Energy; Government Structure; Judiciary, Division B; Universities and Colleges.

MICHAEL MCLENDON--State Library, Chairman; Insurance, Vice Chairman; Appropriations; Education; Environment Prot, Cons and Water Res; Gaming; Labor; Veterans and Military Affairs; Wildlife, Fisheries and Parks.

CHAD MCMAHAN--Municipalities, Chairman; Business and Financial Institutions, Vice Chairman; Education; Energy; Executive Contingent Fund; Finance; Insurance; Medicaid; Public Health and Welfare.

J. WALTER MICHEL--Insurance, Chairman; Rules, Vice Chairman; Appropriations; Energy; Forestry; Housing; Interstate and Federal Cooperation; Universities and Colleges; Veterans and Military Affairs.

SOLLIE B. NORWOOD--Executive Contingent Fund, Chairman; Interstate and Federal Cooperation, Vice Chairman; Appropriations; Education; Government Structure; Judiciary, Division B; Municipalities; Tourism; Universities and Colleges.

DAVID PARKER--Accountability, Efficiency, Transparency, Chairman; Public Health and Welfare, Vice Chairman; Appropriations; Drug Policy; Economic and Workforce Development; Education; Elections; Government Structure; Judiciary, Division A.

RITA POTTS PARKS--Local and Private, Chairman; Highways and Transportation, Vice Chairman; Appropriations; Business and Financial Institutions; County Affairs; Energy; Investigate State Offices; Medicaid; Public Health and Welfare.

JOHN A. POLK--Business and Financial Institutions, Chairman; Appropriations, Vice Chairman; Education; Environment Prot, Cons and Water Res; Finance; Medicaid; Public Health and Welfare; Universities and Colleges.

BRIAN RHODES--Forestry, Vice Chairman; Agriculture; County Affairs; Drug Policy; Finance; Highways and Transportation; Insurance; Labor; Technology.

ROBIN ROBINSON--Tourism, Vice Chairman; Appropriations; Drug Policy; Economic and Workforce Development; Education; Environment Prot, Cons and Water Res; Municipalities; Technology; Veterans and Military Affairs.

JOSEPH M. SEYMOUR--Ethics, Chairman; County Affairs, Vice Chairman; Agriculture; Appropriations; Forestry; Investigate State Offices; Ports and Marine Resources; Wildlife, Fisheries and Parks.

DERRICK T. SIMMONS--County Affairs, Chairman; Constitution, Vice Chairman; Finance; Gaming; Judiciary, Division A; Judiciary, Division B; Municipalities; Ports and Marine Resources.

SARITA SIMMONS--Investigate State Offices, Vice Chairman; Agriculture; Appropriations; Corrections; Education; Ethics; Housing; Labor; Tourism.

DANIEL H. SPARKS--Economic and Workforce Development, Chairman; Judiciary, Division B, Vice Chairman; Business and Financial Institutions; Corrections; Drug Policy; Finance; Government Structure; Ports and Marine Resources; Universities and Colleges.

BENJAMIN SUBER--Public Property, Chairman; Economic and Workforce Development, Vice Chairman; Accountability, Efficiency, Transparency; Business and Financial Institutions; Constitution; Finance; Insurance; Judiciary, Division B; Wildlife, Fisheries and Parks.

JEFF TATE--Veterans and Military Affairs, Chairman; Housing, Vice Chairman; Appropriations; Elections; Highways and Transportation; Local and Private; Public Health and Welfare; Technology; Tourism.

JOSEPH THOMAS--Labor, Vice Chairman; Business and Financial Institutions; Corrections; Finance; Forestry; Insurance; Investigate State Offices; Judiciary, Division B.

MIKE THOMPSON--Ports and Marine Resources, Chairman; Environment Prot, Cons and Water Res, Vice Chairman; Accountability, Efficiency, Transparency; Appropriations; Constitution; Enrolled Bills; Gaming; Judiciary, Division A; Veterans and Military Affairs.

ANGELA TURNER-FORD--Drug Policy, Chairman; Executive Contingent Fund, Vice Chairman; Accountability, Efficiency, Transparency; Appropriations; County Affairs; Environment Prot, Cons and Water Res; Judiciary, Division A; Local and Private; Public Health and Welfare.

NEIL S. WHALEY--Wildlife, Fisheries and Parks, Chairman; Local and Private, Vice Chairman; Agriculture; Business and Financial Institutions; Ethics; Finance; Highways and Transportation; Insurance; Rules.

BRICE WIGGINS--Judiciary, Division A, Chairman; Appropriations; Education; Executive Contingent Fund; Judiciary, Division B; Labor; Ports and Marine Resources; Public Health and Welfare; Tourism.

BART WILLIAMS--Technology, Chairman; Energy, Vice Chairman; Accountability, Efficiency, Transparency; Appropriations; Economic and Workforce Development; Environment Prot, Cons and Water Res; Highways and Transportation; Tourism; Universities and Colleges.

CHUCK YOUNGER--Agriculture, Chairman; Gaming, Vice Chairman; Energy; Ethics; Finance; Highways and Transportation; Insurance; State Library; Wildlife, Fisheries and Parks.

PART VIII

BIOGRAPHICAL DATA OF SENATORS

PRESIDING OFFICER

HOSEMANN, DELBERT, Lieutenant Governor, P.O. Box 1018, Jackson, MS 39215. Raised in Warren County, MS. St. Aloysius High School (Vicksburg, MS); University of Notre Dame, BA; University of Mississippi, Juris Doctorate; New York University, LL.M. U.S. Army Reserve. Partner at Phelps Dunbar, LLP; “Best Lawyer in America,” 18 years. N.R.A., Life Member; Ducks Unlimited, Member. Former Chairman of the Board of MS Blood Services; former Treasurer of Jackson Medical Mall Assn. Saint Richard Catholic Church, Member. Wife, Lynn Hosemann. MS Secretary of State, 2008-2020. MS Lieutenant Governor, 2020-Present. Republican.

SENATORS

BARNETT, JUAN, 34th: Forrest, Jasper, Jones. Born February 21, 1970, Laurel, MS. Heidelberg High School; Livingston University (UWA) Livingston, Alabama. U.S. Army. AT&T Digital Technician. Alpha Phi Alpha Fraternity; Vice-President CWA Local 3509; Mayor, Town of Heidelberg, 2012-2016. Baptist. Wife, former Jacqueline Lovett. Senate 2016-present. Democrat.

BARRETT, JASON, 39th: Amite, Franklin, Lawrence, Lincoln, Pike. Born March 19,1978, Thomasville, GA. Thomas County Central High School; University of Georgia; MS College School of Law. Attorney. MS Bar; MS Supreme Court; N.R.A.; National Wild Turkey Federation; Ducks Unlimited; Servitium Club; Brookhaven Chamber of Commerce; Supreme Court of the United States; United States District Court (Southern & Northern Districts of MS). Baptist. Wife, former Brandi Edwards. Children: Emme and John Henry. Senate 2020-present. Republican.

BERRY, ANDY, 35th: Copiah, Jefferson Davis, Lawrence, Simpson. Born in Jackson, MS. Simpson County Academy; Copiah Lincoln Community College; Mississippi State University. Executive and cattle farmer. Executive Director of the MS Cattlemen's Association. Baptist. Wife, Jennifer Berry. Senate 2024-present. Republican.

BLACKMON, BRADFORD, 21st: Attala, Holmes, Leake, Madison. Born December 21, 1988. St. Andrew's Episcopal School; University of Pennsylvania; University of Mississippi, JD. Attorney, Blackmon & Blackmon, PLLC. Univ. of Pennsylvania Football Board, Member; Beyond the Basics Inc. Baptist, Co-Chair. Senate 2024-present. Democrat.

BLACKWELL, KEVIN, 19th: DeSoto. Born October 24, 1954. Bishop McGuinness Memorial High School; San Diego Mesa College; National University; Medical College of Virginia (MSHA). Business Owner. Navy veteran. Rotary Club of Southaven; Olive Branch, Southaven & Byhalia Chamber of Commerce; DeSoto Economic Council; N.R.A.; Ducks Unlimited; North American Hunting Club; Buckmasters. Catholic. Wife, former Vicki Lynn Bryant. Senate 2016-present. Republican.

BLOUNT, DAVID LAMAR, 29th: Hinds. Born July 19, 1967. Davidson College, BA; University of Virginia, MA. Licensed Real Estate Broker. Leadership Jackson; Byram Chamber of Commerce. Episcopal. Wife, former Katherine Drayne. Senate 2008-present. Democrat.

BOYD, NICOLE, 9th: Lafayette, Panola. Born January 19, 1969, Corinth, MS. Oxford High School; Mississippi State University, BS; University of Mississippi Law School, JD. Attorney and Real Estate Manager. Oxford University Bank Board. Baptist. Husband, Daniel Boyd. Senate 2020-present. Republican.

BRANNING, JENIFER B., 18th: Leake, Neshoba, Winston. Leake Academy; Mississippi State University, Business Administration, Attended M.B.A. program; MS College School of Law, JD. Attorney and Business Owner. Official MS Women's Club; Neshoba County Republican Women; MS Federation of Women's Club; N.R.A.; Neshoba Forestry Assn.; Neshoba County Industrial Managers' Assn.; MS Bar; Philadelphia Community Development Partnership; Neshoba Chamber of Commerce; Leake Chamber of Commerce; Leake County Forestry Assn.; Winston County Republican Women; Hope's House Children's Home, Board Member. Christian. Husband, Chancy Branning. Children: Ethan, Ellis, Evan. Senate 2016-present. Republican.

BRUMFIELD, GARY, 38th: Adams, Amite, Pike, Walthall, Wilkinson. McComb High School; Southwest Comm. College, Associates, Industrial Electricity and Robotics; Dallas Baptist University, Bachelors, Christian Ministry and Business Mgt. Pastor, Rose Hill MB Church. Instructor, Harper Baptist Theological Seminary; President, SW MS Minister's Union; Moderator, West Pearl River Baptist Assn.; NAACP; 1st VP, East LA/MS Baptist District Assoc.; McComb High School Mentoring Program; Tylertown Community Engagement Committee. Baptist. Wife, Tanya Bullock Brumfield. Senate 2024-present. Democrat.

BRYAN, HOB, 7th: Itawamba, Lee, Monroe. Born December 5, 1952, Amory, MS. Amory High School; Mississippi State University; University of Virginia. Attorney. Amory Rotary Club. Baptist. Senate 1984 present. Democrat.

BUTLER, ALBERT, 37th: Adams, Claiborne, Copiah, Franklin, Hinds, Jefferson. Born in Port Gibson, MS. Addison High School; Alcorn State University; Jackson State University; University of Arkansas at Conway. Agricultural Farmer. Owner/CEO of Diversified Services, LLC. Omega Psi Phi; Mason; NAACP. Baptist. Wife, former Malinda Boyd. Senate 2010-present. Democrat.

CARTER, JR., JOEL R., 49th: Harrison. Born August 8, 1978, Jackson, MS. Gulfport High School; University of Southern MS. Real Estate Broker. Member of Nat'l. and MS Assn. of Realtors; Gulf Coast Assn. of Realtors; U.S.M. Alumni Assn.; N.R.A.; Ducks Unlimited; Gulf Coast Conservation Assn.; Harrison County Republican Club. Christian. Senate 2018-present. Republican.

CHASSANIOL, LYDIA GRAVES, 14th: Attala, Carroll, Grenada, Leflore, Montgomery. Born in Greenwood, MS. Winona High School; University of Mississippi. Rotary; Member Farm Bureau; Montgomery County Economic Development Partnership; Montgomery County Arts Council. Methodist. Husband, Emmett Chassaniol. Senate 2007-present. Republican.

CHISM, KATHY, 3rd: Benton, Marshall, Pontotoc, Prentiss, Union. Born in Aurora, Illinois. Myrtle High School; Northeast Community College; Itawamba Community College. Realtor, Auctioneer, and Business Owner. Husband, Bob Chism. Daughter, Joni McLarty. Grandchildren: Lexi, Cash, Leighton, Hoyt. Senate 2020-present. Republican.

DEBAR, JR., DENNIS, 43rd: George, Greene, Wayne. Born October 25, 1971, Owosso, MI. Mississippi College School of Law; University of Central Florida. Attorney. Mississippi Bar Assn.; National Guard Assn. of Mississippi; N.R.A., Life Member; American Legion Post 53. Methodist. Wife, former Kelley Porter. House 2012-2016. Senate 2016-present. Republican.

DELANO, SCOTT, 50th: Harrison. Born September 20, 1971, Hendersonville, North Carolina. University of Southern Mississippi, BA Accounting. Real Estate Developer. Presbyterian. Wife, Robin DeLano. Children: Matthew and Emily. House 2010 – 2019. Senate 2020-present. Republican.

ENGLAND, JEREMY, 51st: Jackson. Born November 11th, 1982, Ocean Springs, MS. Pascagoula High School; Mississippi State University; University of Mississippi Law School. Attorney. MS Bar Assn.; N.R.A.; St. Martin Youth Baseball; Mosaic Church, Member. Wife, former Melissa Randall. Senate 2020-present. Republican.

FILLINGANE, JOSEPH E. (JOEY), 41st: Covington, Lamar, Marion, Walthall. Born January 10, 1973, Hattiesburg, MS. Sumrall High School; Hinds Community College; University of Southern Mississippi; Mississippi College School of Law. Attorney. Area Development Partnership; N.R.A. Baptist. House 2000-2006. Senate 2007-present. Republican.

FRAZIER, HILLMAN TEROME, 27th: Hinds. Born July 17, 1950, Jackson, MS. Holy Ghost Catholic High School; Hinds Community College; Jackson State University; Harvard University; John F. Kennedy School of Government; George Washington University National Law Center. Consultant. Protestant. Wife, former Jean Clayton. House 1980-1993. Senate 1993-present. Democrat.

HARKINS, JOSH, 20th: Rankin. Born April 5, 1974, Jackson, MS. Mississippi State University. Commercial Real Estate & Construction. N.R.A., Life Member; Flowood Chamber of Commerce; MS Commercial Assn. of Realtors; Home Builders Assn.; River Oaks Hospital Board of Trustees. Baptist. Wife, former Andrea Scales. Senate 2012-present. Republican.

HICKMAN, ROD, 32nd: Kemper, Lauderdale, Noxubee, Winston. Noxubee County High School; University of Mississippi, Liberal Arts; University of Mississippi School of Law, JD. Attorney; Business Owner; Adjunct Professor, Tougaloo College. Alpha Phi Alpha Fraternity Inc.; Noxubee County NAACP; Noxubee County School District Advisor Council; Noxubee County High School Mock Trial, Team Coach. Pentecostal. Senate 2021-present. Democrat.

HILL, ANGELA BURKS, 40th: Pearl River, Stone. Born August 14, 1965, Picayune, MS. Picayune Memorial High School; Pearl River Community College; University of Southern Mississippi. Teacher. Baptist. Husband, Richard Byron Hill. Senate 2012-present. Republican.

HOPSON, BRIGGS, 23rd: Issaquena, Madison, Warren, Yazoo. Born October 10, 1965, Memphis, TN. Warren Central High School; University of Mississippi. Attorney. Sigma Alpha Epsilon; Phi Delta Phi; MS Bar; LA State Bar Assn.; Council of School Attorneys; International Assn. of Defense Counsel; Chamber of Commerce. Methodist. Wife, former Alison Quaid. Senate 2008-present. Republican.

HORHN, JOHN A., 26th: Hinds, Madison. Born February 8, 1955, Goodman, MS. Callaway High School; Centre College of Kentucky; Jackson State University; Duke University. Business Development Consultant. Former member, Centre College Board of Trustees; Board member, Foundation for Mississippi History; MS Museum of Art; B.B. King Museum; Gulf Coast Housing Partnership;100 Black Men of Jackson; Phi Beta Sigma Fraternity; Sigma Alpha Epsilon Fraternity; Screen Actors Guild. Non- Denominational. Wife, former Lydia Gail Cole. Senate 1993-present. Democrat.

JACKSON, REGINALD, 11th: Coahoma, DeSoto, Quitman, Tate, Tunica. Born in Marks, MS. Central Gwinnett High School; Georgia Southern University. Farmer. Baptist. Children: Zephaniah, Jade, Abraham, Princess. Senate 2024-present. Democrat.

JOHNSON, CHRIS, 45th: Forrest, Perry. Forrest County Agricultural High School; Pearl River Community College; University of Southern Mississippi, BS Accounting/Finance. Business and Real Estate Investor. House 2016–2020. Senate 2020-present. Republican.

JORDAN, DAVID LEE, 24th: Leflore, Panola, Tallahatchie. Born April 3, 1934, Leflore County, MS. Broad Street High School; Mississippi Valley State University; University of Wyoming; Kansas State; College of Pittsburg; Dillard University; University of Texas. Science Teacher (retired). Greenwood City Councilman. President, Greenwood Voters League. Baptist. Wife, former Christine Bell. Senate 1993-present. Democrat.

KIRBY, MURREL DEAN (DEAN), 30th: Rankin. Born November 21, 1946, Lake City, AR. Pearl High School; Mississippi College; LaSalle University. Insurance. 32nd Degree Scottish Rite Mason; Pearl Chamber of Commerce; Rankin Chamber of Commerce NCSL; ALEC. Baptist. Wife, former Jean Latham (deceased). Senate 1992-present. Republican.

LADNER, PHILMAN A., 46th: Hancock, Harrison. Bay St. Louis High School; St. Stanisluas College. Business Manager. Sacred Heart Catholic Dedeaux Church, Member; Harrison County Republican Club; Hancock County Women's Club. Catholic. Wife, Susan Ladner. Children: Jaden, Xander, Aubree, Taylon. Senate 2024-present. Republican.

MCCAUGHN, TYLER, 31st: Lauderdale, Newton, Rankin, Scott. Morton High School; Jones Junior College; The University of Mississippi; Mississippi College School of Law. Attorney and Cattle Farmer. Newton Rotary; Newton Chamber of Commerce; Morton Chamber of Commerce; Scott County Bar Assoc.; Newton County Bar Assoc.; N.R.A.; Eagle Scout. Methodist. Wife, former Carrie Balentine. Senate 2020-present. Republican.

MCLENDON, MICHAEL, 1st: DeSoto. Born November 14,1963, Dallas, Texas. Oakhaven Baptist Academy High School; Northwest Community College; Memphis State University. Producer/Risk Manager. Commercial Insurance-Employee Benefits. City of Hernando, Mayor & Board of Alderman; MS Farm Bureau; N.R.A.; Hernando, Horn Lake,

Olive Branch, and Southaven Chambers of Commerce; DeSoto Economic Council. Methodist. Wife, former Vickey Blythe. Senate 2020-present. Republican.

MCMAHAN, CHAD, 6th: Lee. Born January 28, 1972, Tupelo, MS. Tupelo High School; Union University, BSBA. Business Executive, Sales/Marketing, and Motivational Speaker. Former Guntown Alderman. Participates in a wide variety of social and professional clubs and assns. Follower of Jesus Christ. Wife, Allison "Nicky" Clayton McMahan. Senate 2016-present. Republican.

MICHEL, J. WALTER, 25th: Hinds, Madison. Born Jackson, MS. Jackson Prep; University of Mississippi. Self-Employed, Real Estate. MS Assn. of Realtors; MS Forestry Assn.; Rotary Club; N.R.A.; Ole Miss Alumni Assn.; Eagle Scout; National Wild Turkey Federation; NFIB; Madison County Chamber of Commerce. Catholic. Wife, Beth McClellan Michel. House 1992. Senate 1999-2011. Senate 2016-present. Republican.

NORWOOD, SOLLIE B., 28th: Hinds. Born August 5, 1952, Florence, MS. McLaurin High School; Jackson State University. Realtor/Broker. NAACP; Jackson State National Alumni; Phi Beta Sigma; Prince Hall Mason; Deacon; Layman. Baptist. Wife, former Joan Winters. Senate 2013-present. Democrat.

PARKER, DR. DAVID L., 2nd: DeSoto. Born September 9, 1969, Memphis, TN. Christian Brothers University; Southern College of Optometry. Diplomat, American Board of Optometry; American Optometric Assn. and MS Optometric Assn.; Horn Lake, Southaven, and Olive Branch Chambers of Commerce; DeSoto Economic Council. Owner, Olive Branch Eyecare, Horn Lake Eyecare, and Eyecare Properties. Adjunct Faculty Professor, Southern College of Optometry. Optometrist. Wife, former Ashleigh Beckett. Children: Allie, Jack, Luke, Jude. Senate 2013-present. Republican.

PARKS, RITA POTTS, 4th: Alcorn, Tippah. Born December 18, 1962, Corinth, MS. Alcorn Central High School; Northeast Mississippi Community College; University of Mississippi. Quality and Regulatory Manager. Kiwanis; Former Director, MS Government Prayer Alliance; Parenteral Drug Assn.; N.R.A.; ASR. Baptist. Husband, Mike Parks. Senate 2012-present. Republican.

POLK, JOHN A., 44th: Lamar. Born March 18, 1949, Columbia, MS. Prentiss High School; University of Southern Mississippi. Business Executive, Polk's Meat Products Inc. Baptist. Wife, former Jan Barnett. Senate 2012-present. Republican.

RHODES, BRIAN, 36th: Rankin, Smith. Born in Jackson, MS. East Rankin Academy; Mississippi State University. Poultry and Cattle Producer. MS Farm Bureau; MS Cattlemen’s Assoc.; MS Poultry Assoc.; MS Land, Water, and Timber Resources Board; The Church at Shiloh, Member. Non-Denominational. Wife, former Ashley Laird. Children: Lucy, Anna Belle, Casper. Senate 2024-present. Republican.

ROBINSON, ROBIN, 42nd: Forrest, Greene, Jones, Wayne. Northeast Jones High School; Jones County Junior College; University of Southern Mississippi. Business Owner. Chairman, Board for Jones County Junior College Foundation; Chairman, Board of the Girl Scouts of Greater Mississippi; Past President, IHL Board of Trustees; Past Chairman, MS Economic Council; Order of the Eastern Star; NRA; Official MS Women’s Club; MS Chapter of the International Women’s Forum; Jones County Republican Women. Pentecostal. House 2020 – 2024. Senate 2024-present. Republican.

SEYMOUR, JOSEPH M. "MIKE", 47th: Harrison, Jackson, Stone. Born April 15, 1959, Biloxi, MS. St. Martin High School; Mississippi Gulf Coast Community College. Self-Employed Small Business Owner. Facility Maintenance Manager. 4-H; MS Hunting Dog Assn. Baptist. Wife, former Kerri Jo Husley. Senate 2016-present. Republican.

SIMMONS, DERRICK T.,12th: Bolivar, Coahoma, Washington. Born December 12, 1976, Greenville, MS. Jackson State University; Howard Business School; Howard Law School. Attorney and Businessman. Mason; Kappa Alpha Psi; American Bar Assn.; Nat'l. Bar Assn.; MS Bar Assn.; Magnolia Bar; District of Columbia Bar; Greenville Rotary Club; NAACP. Baptist. Wife, former CuWanda Flowers. Senate 2011-present. Democrat.

SIMMONS, SARITA, 13th: Bolivar, Sunflower, Tallahatchie. Born May 14, 1977, Cleveland, MS. Cleveland High School; Alcorn State University, BS Educational Psychology. Consultant. Board Member, MS Head Start Assn.; MS Grammy Museum; Delta Sigma Theta Sorority, Inc.; The Links, Inc.; NAACP; National Council of Negro Women; Bolivar County Democrat Executive Committee. Christian faith. Senate 2020-present. Democrat.

SPARKS, DANIEL, 5th: Itawamba, Prentiss, Tishomingo. Born in Cleveland, MS. Belmont High School; Northeast MS Community College; University of Mississippi, BA Accounting, MTax, JD. Attorney. N.R.A.; MS Bar Assn. Christian. Wife, former Anna Moak. Senate 2020-present. Republican.

SUBER, BENJAMIN, 8th: Calhoun, Chickasaw, Lafayette, Pontotoc, Yalobusha. Born July 30, 1978, Oxford, MS. Arkansas State University, BS Marketing Management; Mississippi State University, MBA; MS College School of Law, JD. Attorney and Small Business Owner. MS Bar Assn.; Calhoun County Bar Assn.; Bruce Rotary Club; Calhoun County Farm Bureau Board of Directors; Advisory Board of Directors Calhoun County Banking Center. Methodist. Wife, Sarah Kathryn Willard. Senate 2020-present. Republican.

TATE, JEFF, 33rd: Clarke, Lauderdale. Born April 22, 1988, Meridian, MS. Lamar High School. Self-Employed; Owner, Tate's LLC; Co-Owner, Southern Pyrotechnics, LLC. Lauderdale County, Archives & History; NFIB; N.R.A. Baptist. Wife, former Leigha Barnard. Senate 2020-present. Republican.

THOMAS, SR., JOSEPH C., 22nd: Humphreys, Madison, Sharkey, Yazoo. Born June 25, 1949, Yazoo City, MS. N.D. Taylor High School; Jackson State University. Vice-President (retired), Regions Bank. Chairman, Board of Directors of Bountiful Blessings Broadcasting, Inc.; District President, MS Baptist Laymen's Movement; Senior Deacon, Chapel Hill M.B. Church; Former Board Member, Nat'l. Development Foundation, Jackson State University; Former Member, American Public Power Assn., (APPA), Washington, D.C.; Former Chairman of the Yazoo City Public Service Commission; Former Vice-Chairman, MS Real Estate Appraiser, Licensing & Certification Board; Former Board Member, MS Strategic Economic Development 7 Planning Committee; Vice-President of the DW Wilburn Foundation; Board member of the Yazoo County FCA; Former Executive Vice-President & Treasurer of the Friends of Amistad Research Center in New Orleans, LA. Baptist. Wife, former Elizabeth Wilburn. Senate 2004-2008. Senate 2020-present. Democrat.

THOMPSON, MIKE, 48th: Hancock, Harrison. Born November 5,1976, Metairie, LA. St. Stanislaus High School; Texas A&M University at Galveston, BS Marine Transportation; Loyola University New Orleans, College of Law. Attorney. Christian. Wife, former Lindsay Anne Murray. Senate 2020-present. Republican.

TURNER FORD, ANGELA, 16th: Clay, Lowndes, Noxubee, Oktibbeha. Born July 2,1971, West Point, MS. West Point High School; Hampton University; Howard University; Mississippi State University; University of Alabama at Birmingham; University of Mississippi. Attorney. Member of the Board of Directors for North Mississippi Rural Legal Services; Delta Sigma Theta Sorority, Inc. Baptist. Husband, Robert Ford, Sr. Senate 2013-present. Democrat.

WHALEY, NEIL S., 10th: Lafayette, Marshall, Tate, Union. Born May 24, 1988, Memphis, TN. Potts Camp High School; Northwest Community College. Business Owner and Cattleman. Methodist. Wife, former Leslee Rowland. Senate 2018-present. Republican.

WIGGINS, BRICE, 52nd: Jackson. Born August 8, 1971, Irving, TX. Pascagoula High School; Tulane University; Mississippi College School of Law. Owner and Attorney Wiggins Law, PLLC. Rotary; Singing River Soccer Club; N.R.A.; MS Bar Assn. Methodist. Wife, former Heather Boyd. Senate 2012-present. Republican.

WILLIAMS, BART, 15th: Choctaw, Montgomery, Oktibbeha, Webster. Born October 26, 1966, Memphis, TN. Harding Academy; Mississippi State University, BS. Business Owner, Security Solutions & Communications, Inc.; Co-Owner, Gunco, LLC. Starkville Rotary; The Partnership Starkville; ESA; MSA; MFAMS. Methodist. Wife, former Cynthia Rana Jackson; Children: Gracieann and Emily. Senate 2020-present. Republican.

YOUNGER, CHARLES (CHUCK), 17th: Lowndes, Monroe, Oktibbeha. Born August 11, 1963, Columbus, MS. Heritage Academy; East Mississippi Community College; Mississippi State University. Small Business Owner and Farmer/Rancher. Gideon; Farm Bureau; Cattlemen's Assn.; N.R.A., Lifetime Member; Columbus Rotary; Lowndes Forestry Assn. Baptist. Wife, former Missy Goodgame. Senate 2014-present. Republican.

PART IX

SENATE OFFICIALS AND STAFF

OFFICIALS

Lieutenant Governor and President - Delbert Hosemann
President Pro Tempore - Senator Dean Kirby
Secretary of the Senate - Amanda Frusha White
Sergeant-at-Arms and Doorkeeper - Col. Larry Waggoner
    Capitol Security

STAFF

Bookkeeping and Insurance
    Stacey Allman - Comptroller
    Janet Dantzler - Accounting Assistant
    Donna Peavy - Assistant to Comptroller
Budget Officer, Appropriations Committee
    Corbin Stanford
Committee Assistants
    Martha Arrow - Agriculture; Constitution; Local & Private; State Library
    Shelby Britt - Accountability, Efficiency & Transparency; Ports & Marine Resources; Public Property; Technology; Wildlife, Fisheries & Parks
    Terri Hammett - Environmental Protection, Conservation & Water Resources; Forestry; Gaming; Government Structure; Interstate & Federal Cooperation
    Kendra Hawkins - Rules
    Kristi Ishee - Appropriations; Education
        MaKayla Luper - Senior Page for Appropriations Committee (session)
    Anita Jackson - Corrections; County Affairs; Enrolled Bills; Ethics; Executive Contingent Fund; Investigate State Offices; Veterans & Military Affairs

Becky Mercier - Energy; Finance; Housing; Medicaid; Public Health & Welfare; Tourism
Deborah Stamps - Business & Financial Institutions; Highways & Transportation; Insurance; Labor; Municipalities; Universities & Colleges
Pat Trowles - Drug Policy; Economic and Workforce Development; Elections; Judiciary, Division A; Judiciary, Division B
Docket Room
Linda Anderson - Journal Clerk
Zanetta Bowman - Calendar Clerk
Anne Sullivan - Message Clerk (session)
Legislative Services - Attorneys
Ally Avant
Allison Bradshaw
Robert Davidson (session)
Ian Jones, Director
Sam Martin
Ethan Samsel, Deputy Director
Legislative Services - Secretarial Services
Tommie Buckley - Editor/Proofreader (session)
Connie Ray Lamm (session)
Angie Pate
Katie Rogers - Editor/Proofreader
Jane Turbeville
Lieutenant Governor's Office
Mariah Bridgforth - Receptionist (session)
Amanda Burris - Executive Assistant and Scheduler to Lt. Governor
Brittney Davis - Senior Policy Advisor
Zoë Massengill - Special Projects Officer
Hawley Robertson - Policy Advisor
Leah Rupp Smith - Deputy Chief of Staff
Nathan Upchurch - Chief of Staff
Andrew Yates - Policy Advisor
Lieutenant Governor's Security
Captain James Gray
Captain David Harcharik
Captain Nate King
Porters
Chris George
Adrian Powell
George Swanigan
Teresina Taylor
President Pro Tempore's Office
Kendra Hawkins - Assistant to President Pro Tempore
Press Secretary
Arnold Lindsay
Receptionist
Jeanette Lewis
Secretary of the Senate's Office
Alicia Williamson - Senate Office Coordinator
Senior Pages
Chase Ellis (session)
Ali Hammock (session)
MaKayla Luper (session)
Rhett Smith (session)

SENATE RULES

PRESIDENT

1. The Lieutenant Governor shall be the President of the Senate. The President shall take the Chair at the hour to which the Senate shall have adjourned, shall call the Senate to order, and on the appearance of a quorum, shall proceed with the regular order of business.

2. The President shall preserve order and decorum, may speak to points of order in preference to other members, and shall decide all questions of order. The President's decision thereon shall be subject to an appeal to the Senate as provided in Rule 112 and may be denied or sustained by a majority of those present and voting.

3. The President shall rise to put a question but may state it sitting, and the President shall put the question in this form: "As many as are in favor (as the question may be) say 'Aye'," and, after the affirmative voice is had: "As many as opposed, say 'No'." If the President doubts or a division is called for, the Senate shall divide, and those in the affirmative shall rise first; then those in the negative. Count of division votes shall be made by the Secretary and announced by the President.

4. The President shall call some Senator to the Chair when the Senate goes into Committee of the Whole. The President shall have the right also during sessions of the Senate to name a Senator to perform the duties of the Chair, but such substitution shall not extend beyond adjournment of that legislative day. When both the Lieutenant Governor and the President Pro Tempore shall be absent, the Senate may call any Senator to preside from day to day during such absences.

5. (Omitted)

6. (Omitted)

7. The President shall appoint the membership of committees as provided in Rule 36 and Rule 37.

8. The President shall sign all bills, resolutions or measures; and all writs, warrants and subpoenas issued by the Senate shall be signed by the President and attested by the Secretary.

PRESIDENT PRO TEMPORE

9. There shall be elected a President Pro Tempore in the manner provided in Section 5 1 15, Mississippi Code of 1972. The President Pro Tempore shall not be eligible for appointment as chairman of any standing Senate committee, with the exception of the Rules Committee.

10. In the election of the President Pro Tempore, the candidate receiving the lowest number of votes shall be dropped after the first ballot and on each succeeding ballot until one (1) candidate receives a majority of all votes cast, and the vote shall be by viva voce vote on roll call of the members. The President Pro Tempore may be removed from office at any time by a vote of at least three-fourths (3/4) of the members of the Senate present and voting.

11. In the absence of the President, or at the President's request, the President Pro Tempore shall act in the President's stead, assuming the duties and responsibilities herein granted to the President.

SECRETARY

12. The Secretary of the Senate shall keep a correct Journal of the proceedings of the Senate as provided by law. The Secretary shall be elected by the Senate and shall serve during the term of the Senate by which the Secretary was elected. The Secretary may be removed from office at any time by a vote of at least three fourths (3/4) of the members of the Senate present and voting.

13. The Secretary shall insert in an appendix to the Journal the Rules of the Senate and the Joint Rules of the two (2) branches, and the constitutional provisions governing the powers and procedures of the Legislature.

14. The Secretary shall retain all bills, resolutions or other papers in reference to which any Senator has a right to move a reconsideration until the right to reconsideration has expired. This rule shall not apply when unanimous consent of the Senate shall be given to the Secretary to immediately transmit any such bill or resolution to the House of Representatives. However, the constitutional rights of Senators to enter motions to reconsider shall not be abridged.

15. In the event a bill or resolution is transmitted immediately to the House by unanimous consent and a proper motion to reconsider is later entered, it shall be the duty of the Secretary to recall by message such bill or resolution from the House, whereupon such bill or resolution shall take its proper place on the Calendar.

16. The Secretary shall keep a separate and distinct Journal of the proceedings of the Senate when in executive session.

17. The Secretary, with the approval of the Senate Rules Committee, shall provide for the appointment of Pages, whose salaries shall be fixed by the Rules Committee. Not more than six (6) pages shall serve throughout the session as Senior Pages, and one (1) of these six (6) shall be designated as Head Page by the Secretary. Nominations of Pages by members of the Senate shall be submitted to the Secretary as soon as possible so that they may be properly scheduled. Pages shall be not less than fourteen (14) years of age.

18. (Omitted)

ASSISTANT SECRETARY

19. There may be an Assistant Secretary, and an additional Assistant Secretary when needed, appointed by the Senate Rules Committee. The duties of the Assistant Secretary shall be comparable to those of the Secretary.

SERGEANT AT ARMS

20. The duties of the Sergeant at Arms shall be those enumerated in Section 5 1 35, Mississippi Code of 1972, and such other related duties as may be assigned by the Senate Rules Committee or the Senate. The Sergeant at Arms shall be elected by the Senate and shall serve during the term of the Senate by which the Sergeant at Arms was elected. The Sergeant at Arms may be removed from office at any time by a vote of at least three fourths (3/4) of the members of the Senate present and voting.

20A. (Omitted)

TIME OF CONVENING

21. The time of convening of the Senate, unless otherwise ordered by a majority vote of the Senators elected, shall be at ten o'clock a.m. each legislative day, except on Mondays when the time shall be four o'clock p.m. and Fridays when the time shall be

9:00 a.m.; and there shall be no Saturday or Sunday meetings unless specifically ordered by a majority vote of the Senators elected.

QUORUMS

22. A quorum of the Senate shall consist of not less than twenty seven (27) Senators.

23. A quorum of any standing committee, subcommittee or special committee shall consist of not less than a majority thereof.

24. Upon the appearance of lack of a quorum, the President or any Senator may demand a call of the Senate, but no such call shall be in order after the voting on any question has begun nor while any Senator is speaking. It shall be the duty of the Sergeant at Arms to search for absentee members and notify them of such call. By majority vote of Senators present and voting the Senate may direct the Sergeant at Arms to compel the attendance of absent Senators.

ORDER OF BUSINESS

25. The order of business shall be:

(1) Roll Call
(2) Invocation
(3) Pledge of Allegiance to the Flag of the United States of America
(4) Reading of the Journal
(5) Presentation of petitions
(6) Reports of standing committees
(7) Reports of select committees
(8) Introduction of bills and concurrent resolutions
(9) Reference of bills and concurrent resolutions
(10) Presentation of Senate resolutions
(11) Unfinished business
(12) Consideration of bills and resolutions
(13) At midnight on a deadline day, the Senate clock shall determine the end of that calendar day regardless of whether the Senate is then operating under the previous question. Any measure pending before the Senate on a deadline upon which the final vote has not been both taken and announced shall automatically fail, and no announcement to the contrary may be made by the Chair. If the Senate clock is not in working order, the Presiding Officer shall keep the time.

26. When the order of unfinished business is reached, the unfinished business in which the Senate was engaged at the time of last adjournment shall have precedence in the consideration of bills and resolutions, except as to special orders which shall have precedence.

27. The order of business for any day may be changed by a two thirds (2/3) vote of the Senators present and voting; but when the Senate shall have passed from one (1) order to another, no action shall be had on those passed except by a two thirds (2/3) vote of the members present and voting.

27A. No Senator shall be allowed to interrupt the business for purposes of introducing guests. At appropriate times during the transacting of business, the presiding officer shall announce an opportunity for the Senators to recognize and introduce their guests.

VISITORS

28. No person shall be entitled to enter upon the floor of the Senate while in session except the following persons: members and their immediate families; elected state officials; former members of the Legislature, unless the former member is a registered lobbyist; officers and employees of the Senate; members, officers and employees of the House of Representatives; joint legislative employees; ministers or other official guests invited by the President on behalf of the Senate; and such others as the Rules Committee may designate by name. The Sergeant at Arms shall clear the Senate of all other visitors, with the exception of members of the news media with proper credentials issued by the Rules Committee, thirty (30) minutes before each session convenes and shall not allow other visitors on the floor of the Senate for ten (10) minutes after the session has recessed.

RULES SUSPENSION AND ADOPTION

29. The rules of the Senate may be suspended upon motion by an affirmative vote of two thirds (2/3) of the Senators present and voting, except where prohibited by the Constitution.

30. Temporary rules of the Senate may be adopted by resolution on a majority vote of the Senators present and voting, and such temporary rules may be designated by reference to the rules of a certain previous session. Permanent rules may be adopted by majority vote, and any subsequent changes therein or amendments thereto shall require one (1) day's notice thereof by resolution entered in the Journal and adoption by a vote of two thirds (2/3) of the Senators present and voting.

DECORUM

31. If any Senator, in speaking or otherwise, transgresses the rules of the Senate, the presiding officer shall, or any Senator may, call him to order; and when a Senator shall be called to order by the presiding officer or a Senator, the Senator shall sit down and shall not proceed without leave of the presiding officer or by a majority vote of the Senate.

32. No Senator shall absent himself from the Senate without leave. In case a less number than a quorum of the Senate shall convene, a majority of such number is empowered to direct the Sergeant at Arms or authorize any other person or persons to compel the attendance of absent Senators, and at the expense of the absent Senators, respectively, unless such excuse for nonattendance shall be made as the Senate by majority vote, when a quorum shall have convened, deems sufficient, in which case the expense shall be paid out of the Senate Contingent Fund.

33. Leave of absence may be granted to any Senator at his own request or at the request of another Senator.

34. No Senator shall entertain private discourse while the President is putting a question or addressing the Senate. Senators shall not be permitted to interrupt another while such other is speaking except by rising to call to order or as provided in Rule 69.

35. Members of the Senate, shall be held personally responsible for the return of bills, resolutions and other official records which they may receive from the Secretary's office.

35A. Whenever a Senator is on the floor of the Senate while the Senate is in session, each male Senator shall wear a coat and necktie, and each female Senator shall wear appropriate attire. Whenever a Senator is on the floor of the Senate while the

Senate is in session, he or she shall not be allowed to smoke a cigarette, cigar or pipe or consume food.

35B. Smoking shall not be permitted in the Senate Chamber, the Senate Gallery or in any office of the New Capitol Building under the jurisdiction of the Senate at any time. As used in this rule, "smoking" means to inhale, exhale, burn, carry or otherwise possess any lighted cigarette, cigar, pipe or any other object or device of any form that contains lighted tobacco or any other smoking product. The Sergeant at Arms shall enforce the provisions of this Rule 35B.

35C. No person except for members of the news media with proper credentials issued by the Rules Committee may be admitted to the press table on the floor of the Senate for the purpose of transcribing the debates and proceedings of the Senate. No person except for news media with proper credentials issued by the Rules Committee shall take any photograph or transcribe debates and proceedings of the Senate in the Senate Gallery while the Senate is in session. No person shall be allowed to consume food or display any banner or sign in the Senate Gallery while the Senate is in session. No member of the audience shall be allowed to consume food or display any banner or sign in Senate committee rooms while the committee meetings are taking place.

35D. Effective with the 2020 Regular Session, the Committee on Rules shall webcast on the internet the regular floor proceedings of the Mississippi Senate and any committee meetings designated by the Rules Committee or by the chairman of the relevant committee. During floor proceedings, cameras used in making such webcasts may only be allowed to show the Senator speaking at the podium and the Presiding Officer. Reporters and technicians to effectuate such webcasts may be admitted to the chamber and committee rooms for this purpose, but no camera, apparatus or procedure shall be used which will interfere with the usual procedure of the Senate, and all such webcasting shall be done from areas reserved or set aside for such activities by the Committee on Rules.

STANDING COMMITTEES

36. The following shall be standing committees of the Senate:

Accountability, Efficiency and Transparency	11 members
Agriculture	13 members
Appropriations	26 members
Business and Financial Institutions	13 members
Constitution	9 members
Corrections	11 members
County Affairs	9 members
Drug Policy	11 members
Economic and Workforce Development	11 members
Education	15 members
Elections	9 members
Energy	15 members
Environmental Protection, Conservation and Water Resources	11 members
Ethics	9 members
Finance	26 members
Forestry	9 members
Gaming	9 members
Government Structure	7 members
Highways and Transportation	19 members
Housing	7 members
Insurance	13 members
Interstate and Federal Cooperation	5 members
Judiciary, Division A	15 members
Judiciary, Division B	15 members

Labor	9 members
Local and Private	5 members
Medicaid	11 members
Municipalities	11 members
Ports and Marine Resources	11 members
Public Health and Welfare	19 members
Public Property	7 members
Rules, as provided for in Rule 65	
Technology	7 members
Tourism	11 members
Universities and Colleges	13 members
Veterans and Military Affairs	7 members
Wildlife, Fisheries and Parks	11 members

JOINT COMMITTEES

Executive Contingent Fund	(5 Senators, 5 Representatives)
Investigate State Offices	(9 Senators, 9 Representatives)
State Library	(5 Senators, 5 Representatives)
Enrolled Bills	(5 Senators, 5 Representatives)

FUNCTION OF COMMITTEES

37. Standing, select and conference committees shall be appointed by the President.

38. The first member named on a committee shall be its chairman and the second member named shall be its vice chairman, unless it is specifically provided that they shall be elected. There shall be no further rank on the committees, the remaining members being listed thereon in alphabetical order. In the event of a vacancy in the chairmanship or vice chairmanship, or membership, the vacancies shall be filled by appointment by the President.

39. Each committee shall, after its organization, immediately determine by a majority vote what number shall constitute a sufficient quorum for it to proceed to business, which quorum shall not be less than the majority required by Rule 23, and shall report that action, together with the name of the secretary of the committee, to the Secretary of the Senate.

40. Committee chairmen and secretaries will be held responsible for the return of all bills, resolutions, papers and committee books taken from the Secretary of the Senate's office to the respective committee meetings.

41. A committee of the Senate shall report on the sufficiency of the titles of all bills and resolutions before their being put on final passage; and it shall be in order, before the passage of every bill or resolution, to move to commit or recommit for report upon the sufficiency of the title. Titles shall indicate clearly the subject matter of the proposed legislation.

42. When motions are made for reference of the same subject to a select committee and a standing committee, the motion for reference to a standing committee shall be first put.

43. The following named committees shall have preference at any time on matters herein stated, viz: the Committee on Rules, on rules, joint rules and order of business; the Committee on Enrolled Bills, on enrolled bills, except they shall not have precedence over appropriations and revenue bills (see Const. Sec. 68); conference

committees may report at any time, except they shall not have precedence over appropriations and revenue bills.

44. The chairman of the various standing committees shall announce or lay on the desk of the Secretary, to be read previous to adjournment each day, notice of the time and place of meeting of such committees, and all members of such committees shall be required to attend all such meetings, unless previously excused by the chairman. A quorum must be present when any bill, resolution or measure is reported by such committees. The names of those members present and of those absent must show in the record kept by the committee secretary at each meeting of a committee. The Secretary of the Senate shall post the time of committee meetings on the Legislature's website.

45. A committee's request to be discharged from further consideration of a subject, with or without recommendations that it be referred to another committee, shall be immediately considered.

46. No committee, except the Committee on Rules, shall absent itself from the Senate Chamber while the Senate is in session, except by unanimous consent of the Senate.

47. No committee shall be allowed to occupy the Senate Chamber without an affirmative vote of a majority of the Senators present and voting, except the Committee on Rules.

47A. (Omitted)

CONFERENCE COMMITTEES

48. A conference committee on the part of the Senate shall consist of three (3) Senators, unless otherwise ordered by majority vote of the Senate, and they shall be appointed as provided in Rule 37.

49. A motion to instruct conferees is not in order until their conference report has failed of adoption.

50. When a bill is sent to conference, only matters in disagreement between the Houses are subject to consideration by the conference committee. However, when one (1) House strikes out of a bill all after the enacting clause and inserts new germane text as an amendment thereto, the conferees may disregard the text of the original bill and the amendment and exercise wide discretion in the incorporation of germane text and may even report a new bill on the germane subject matter of the original bill.

51. No report from a conference committee or other joint committee shall be acted upon in the Senate unless subscribed to by a majority of the members of the Senate acting on the committee. No matter reported on the recommendation of a joint committee or conference committee of the two (2) Houses shall be in order for consideration by the Senate if it shall appear that the members of such joint committee on the part of the Senate, if in attendance on the Legislature, shall not have been notified, and for that reason not present, when the matter was acted on by the committee.

52. Conference reports may not be (a) tabled, (b) referred to a committee, or (c) amended.

53. Mere changes in phraseology, without material alteration of the subject matter, are not sufficient to render a conference report subject to point of order that the conferees exceeded their authority.

54. It is legislatively recognized that it is the function of a conference committee to submit a compromise of the difference between the Houses, which might be acceptable to both, and liberal interpretation looking to that end is indicated.

55. When a conference report is called up, only three (3) courses are open: (a) adopt, (b) not adopt, or (c) recommit to the same or another conference committee, provided adoption of the report has not occurred in the House.

56. Should a point of order prevail against consideration of a conference committee report, the bill returns to the status it had before being sent to conference.

57. When conference results in disagreement, conferees reporting such disagreement are thereby discharged, and new conferees may be appointed.

COMMITTEE OF THE WHOLE

58. Upon a motion supported by a vote of two thirds (2/3) of those Senators present and voting, the Senate may resolve itself into a Committee of the Whole to consider a bill, concurrent resolution or measure; and if the Committee of the Whole reports such bill, concurrent resolution or measure favorably, it may be taken up immediately by a suspension of the rules; otherwise, it takes its place on the Calendar along with other favorably reported bills, concurrent resolutions and measures.

59. Motions for forming a Committee of the Whole for the immediate consideration of any Senate bill or resolution at the time of their introduction, or of House bills or resolutions at the time of their receipt from the House, except bills of local and private nature, should be made before such bills or resolutions are referred to standing committees, as provided by Rule 75.

60. In forming a Committee of the Whole, the President shall call some Senator to preside, and rules governing the Committee of the Whole shall be the rules of the Senate so far as they may be made applicable.

61. A Committee of the Whole may, during any session thereof, consider more than one bill or resolution; no additional bills or resolutions may be so considered unless the Senate has by a two thirds (2/3) vote previously agreed thereto.

SPECIAL COMMITTEES

62. Special committees shall in all cases report to the Senate a state of facts and their opinion or recommendation on the subject matter referred to them. Such reports may on motion be incorporated in the Journal.

63. No Senator offering a motion or resolution for the appointment of a special committee shall be appointed chairman of such committee.

MINORITY REPORTS

64. Bills and resolutions unfavorably reported by committees shall not be placed on the Calendar at all unless accompanied by a Minority Report signed by one or more members who were present at the committee meeting at which the bill or resolution was reported. Minority Reports must be filed within three (3) legislative days after the bill or resolution has been reported by the committee. Minority reported bills and resolutions shall be placed on the Calendar at the heel of favorably reported bills and resolutions and shall not be considered until all favorably reported bills and resolutions are disposed of, except by a vote of two thirds (2/3) of the Senators present and voting.

RULES COMMITTEE

65. (1) There shall be a standing Committee on Rules which shall consist of the President (who shall be a nonvoting member), the President Pro Tempore, and four (4) Senators, each having served at least four (4) years in the Senate, one (1) from each Congressional District of the State as constituted on January 1, 2004, to be selected by the Senators from their respective congressional districts by caucus. The voting precinct of the Senator representing such district shall determine the congressional district caucus in which the Senator shall participate and for which the Senator may hold membership on the Rules Committee. The President Pro Tempore shall serve as chairman of the committee; the vice chairman shall be appointed by the President Pro Tempore from among the Senators on the committee.

(2) The Rules Committee shall, in addition to the functions of a standing committee and any other responsibilities assigned by the Senate, perform the following duties:

(a) Conduct the business affairs of the Senate;

(b) Pursuant to authority granted in Section 29 5 2, Mississippi Code of 1972, assign such space in the Capitol or in such other buildings or parts thereof as may be reserved for the Senate and have complete control, authority and jurisdiction over such rooms, chambers, offices and other areas. Any assignment of space shall be subject to change by the Rules Committee. No other branch of the government, or a department or agency thereof, shall use any such room, chamber, office or other area without specific written authorization from the Rules Committee. The Rules Committee may delegate its powers with regard to any such room, chamber, office or other area in connection with the use, maintenance, repairing, construction, reconstruction and refurbishing thereof in such a manner as it deems advisable;

(c) Assign staff for interim and special committees;

(d) Assign staff for standing committees;

(e) Continually assess ways and means to improve the organization, procedures, facilities and working conditions of the Senate;

(f) Except as otherwise provided in subsection (5) for the staffing of the office of the President and the office of the President Pro Tempore, the Rules Committee shall have the authority to employ all personnel necessary to execute the duties and responsibilities of the Senate. Unless otherwise specifically provided, the Rules Committee shall have full and exclusive authority over the employees of the Senate. All such employees shall serve at the pleasure of the Rules Committee. Complaints with respect to any misconduct, inefficiency or omission by the Secretary, the Sergeant-at-Arms or employees of the Senate shall be heard by the Rules Committee, which may discharge the employees therefor and may recommend to the full Senate the discharge of the Secretary and the Sergeant at Arms;

(g) Fix the salaries of the Senate officials and employees;

(h) Assign news, radio and television reporters wishing to take down or broadcast the debates and proceedings of the Senate, places in the Senate so as not to interfere with the convenience of the Senate;

(i) Authorize the reimbursement of Senators and Senate officials and employees who are required to travel in the performance of their official duties. The Rules Committee may establish regulations governing such travel which include the prior approval of such travel by the Rules Committee. Senators attending out of state

conventions or conferences at state expense shall make a report to the Senate, including the purpose, work and recommendations resulting from the out of state meeting attended. If more than one (1) Senator attends such convention or conference, one report may be made as the report of the delegation; and

(j) Upon request of the chairman of any standing or select committee of the Senate, authorize expenses, to include per diem, mileage, meals and lodging, to be paid for members attending the meeting of any such committee or subcommittee thereof during the period in which the Legislature is not in session. The Rules Committee may adopt rules and regulations concerning time, places and number of meetings that may be held for which members will be compensated, such rules and regulations to require prior approval of meetings in order for members to be compensated.

(3) The committee may designate the Secretary of the Senate to be responsible for the day to day administration of the duties assigned to the committee and for implementing the policies of the committee adopted pursuant to this rule.

(4) The committee shall function on a year round basis; and, when the Legislature is not in session, members of the committee shall be compensated as provided in Section 25 3 69, Mississippi Code of 1972, for each day spent in actual discharge of their duties and shall receive the expense allowance and mileage reimbursement provided in Section 5 1 47, Mississippi Code of 1972. No committee member may incur per diem, travel or expense allowance unless authorized by vote at a meeting of the committee, which action shall be recorded in the official minutes of the committee. The Rules Committee shall meet at such times as are necessary for the proper exercise of its functions and may adopt rules and regulations, not inconsistent with the rules of the Senate, as it deems necessary for the efficient operation of the committee. Action by a majority vote of the Rules Committee shall be conclusive on any matter properly within the jurisdiction of the committee.

(5) (a) In providing for the staffing of the President's office, the Rules Committee shall fill up to eight (8) positions when requested by the President, and the persons employed for such positions shall be hired with the approval of the President. The President shall recommend the compensation to be paid to the President's staff, and the Rules Committee may pay the compensation so established.

(b) In providing for the staffing of the President Pro Tempore's office, the Rules Committee shall fill one (1) staff position as requested by the President Pro Tempore, and the person employed for such position shall be hired with the approval of the President Pro Tempore. The President Pro Tempore shall recommend the compensation to be paid to the person so employed, and the Rules Committee may pay the compensation so established.

(c) Persons employed under this subsection to staff the President's office shall serve at the will and pleasure of the President; persons employed to staff the President Pro Tempore's office shall serve at the will and pleasure of the President Pro Tempore.

(6) In providing for the staffing of committees, the Rules Committee shall have the responsibility for determining the necessity of any staff positions requested by the chairman of a committee.

(7) The Rules Committee shall cooperate with the House Management Committee in maintaining a Joint Legislative Printing Office and a reference library which shall contain, but shall not be limited to, study reports and information gathered by the departments and the various committees of the Legislature so as to provide a continuity of information from year to year.

(8) The Rules Committee shall have the responsibility for the proper operation of the Senate Legislative Services Office.

(9) The Rules Committee shall have jurisdiction over any questions concerning improper or unethical conduct by members of the Senate.

(10) The funds necessary to carry out the provisions of this rule shall be paid from the Senate Contingent Fund.

(11) The Rules Committee may meet jointly with the House Management Committee when necessary to more effectively carry out the provisions of this rule.

SPECIAL ORDERS

66. A bill, resolution or measure may be made a Special Order for a day and hour certain by a majority vote of Senators present and voting. Upon the arrival of such time, the President shall lay before the Senate the bill, resolution or measure under Special Order, and the Senate shall proceed to its consideration on third reading until it has been temporarily or permanently disposed of.

67. Should the consideration as a Special Order of a bill or resolution not be completed by the time set for Special Order of another bill or resolution, the consideration of the first Special Order shall continue until disposition is made, even though it may run over the time set for the second Special Order, or into the succeeding day. In such event another day and hour certain may be set for consideration of the displaced bill or resolution, or it may be regarded as unfinished business of the succeeding legislative day, at the option of the chairman of the committee reporting the bill or resolution. Such option, however, shall be announced by the chairman during the legislative day for which the Special Order was originally set, with the approval of a majority vote of those Senators present and voting.

SPEAKING

68. When any member of the Senate desires to speak or present any matter to the Senate, the Senator shall rise and respectfully address himself or herself to "Mr./Madam President" and, upon being recognized, shall speak only to the question under debate and avoid personalities.

69. Senators shall not be interrupted, when addressing the Senate, by other Senators, except when a Senator seeking information may address the presiding officer, who shall endeavor to secure the consent of the Senator speaking to the offered interruption. The presiding officer shall declare Senators violating this rule out of order.

70. If any Senator be called to order by another for words spoken, the exceptional words shall immediately be taken down in writing by the Secretary so that the presiding officer may be better able to judge the matter.

71. No Senator shall speak more than twice to the same question, except as elsewhere provided, except by majority vote of those Senators present and voting, nor more than once until every Senator wishing to speak shall have spoken, and no longer than twenty (20) minutes to the main question. When a subsidiary question is under debate, the time limit shall be five (5) minutes. When the time of a Senator is extended, it must be for a specific time.

72. No Senator shall, before resuming his or her seat after speaking to a question, make a motion cutting off or limiting debate.

BILLS AND RESOLUTIONS

73. All bills and resolutions must be typewritten, double spaced on white paper. Titles must be typewritten single spaced and in capital letters. Bills or resolutions must be introduced in original form (not carbon or photocopied) and shall be free from interlineations, corrections and strikeouts, whether with ink, pencil or typewriter. The enacting clause, typed immediately preceding Section 1 of a bill, shall contain the following words in capital letters: "BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI." No additional enacting words shall be used. The Secretary may decline to accept for introduction a bill or resolution not conforming hereto.

74. Senators may introduce bills and concurrent resolutions and Senate resolutions by placing them in the box at the Secretary's desk at any time, or they may send them to the Secretary's desk when the order for introduction is reached. All bills, concurrent resolutions and Senate resolutions placed in the box or sent to the Secretary's desk will be considered as being introduced on the legislative day following the day on which they were placed in the box except for (a) legislative days where the motion has been adopted to dispense with the reading of the titles of bills and concurrent resolutions, (b) bills and constitutional amendments placed in the box on the day of the deadline for introduction of general bills and constitutional amendments, and (c) appropriation and revenue bills placed in the box on the day before the deadline for original floor action on appropriation and revenue bills originating in the Senate; bills and constitutional amendments described in items (a), (b) and (c) of this sentence will be considered as being introduced on the day on which they are placed in the box. The deadlines referred to in this paragraph shall be those established in the Joint Rules of the Senate and the House, and the determination of what is a revenue bill for purposes of this paragraph shall be as prescribed in the Joint Rules of the Senate and the House.

In addition to any other time provided by law or by rule, members of the Senate may file bills or resolutions with the Secretary of the Senate at any time during the period between sessions of the Legislature. Such prefiled bills shall be numbered by the Secretary of the Senate and referred by the President to the appropriate standing committee of the Senate for study. Such prefiled bills shall be introduced in the order filed on the first day of the next succeeding regular session of the Legislature, or extraordinary session if included within the Governor's call, and referred to committee in the regular order of business of the Senate. No bills may be prefiled in any year of a general election until after a member of the Senate has been finally elected in the November general election.

75. Upon introduction of Senate bills, the Secretary shall read the titles thereof and then give the bills to the President for his study and reference to proper committees. The President may retain such bills in his possession until the opening of the second succeeding legislative day's session when the President shall return such bills to the Secretary with the committee references noted thereon. Whereupon, the Secretary shall give such bills serial numbers, and, at the proper time in the Order of Business, the Secretary shall read the numbers, titles and committee references, and have the titles reproduced for distribution. House bills received with messages from the House shall be treated likewise regarding references to committees and reading of titles by the Secretary. Provided, however, that the President may, at his option, refer Senate bills immediately upon their introduction and House bills immediately upon their receipt from the House. Provided, further, that a motion is in order for the immediate consideration in Committee of the Whole of any bill or resolution, except bills of Local and Private nature, before such bill or resolution is referred to a standing committee.

76. Every bill and concurrent resolution and all reports of committees, except the report of the Committee of the Whole, shall lie on the table one day before being considered by the Senate.

77. General bills and resolutions shall be called up for consideration in numerical order as revealed by item numbers on the Calendar. When a bill or resolution is reached on the Calendar and it is not then considered, it shall go to the heel of the Calendar unless by a vote of a majority of the Senators present and voting it retains its place on the Calendar. Appropriation bills and resolutions reported by the Appropriations Committee and revenue bills and resolutions reported by the Finance Committee or other committees shall be subject to Section 68 of the Constitution. Bills and resolutions reported by the Rules Committee shall have precedence above all others, except appropriations and revenue bills and resolutions.

78. No bill, concurrent resolution or measure (except Senate resolutions which may be called up for consideration any time by suspension of the rules) shall be considered or voted upon by the Senate unless the same shall have been referred to a committee, considered and reported by a majority of a quorum of the committee to which it was referred, subject to the provisions of Rule 64.

79. It is the duty of the chairman or vice chairman of a committee to call up bills and resolutions on the floor or to designate another member of the Senate so to do.

80. Complete titles of bills and resolutions shall be used upon introductions, but abbreviated titles may be used elsewhere.

81. When a bill or concurrent resolution is originally referred to two (2) committees and favorably reported by both, the chairman of the first named committee shall have the option of handling the bill or resolution on the floor.

82. When a bill or resolution is called up for final passage, the Senator introducing such measure, if present, shall have the right to open and close the debate. In the event there are several authors of a bill or resolution, they shall agree among themselves which shall open and close the debate and shall so notify the chairman of the committee.

83. When a bill or resolution is being considered by the Senate, it shall be read throughout by the Secretary and then may be again read and debated by clauses, paragraphs or sections, leaving the title to be considered last.

84. It shall always be in order, before the final passage of a bill or resolution, to move its recommitment.

85. When a bill or measure has been referred to the Finance Committee or Appropriations Committee, which deals with another major subject as well as finance or appropriations, the committee may, in its discretion, recommend that it be sent to the related committee for study and recommendation. Such bill shall be reported in the usual manner by the related committee within five (5) legislative days, whereupon the Secretary shall return the bill to the Finance Committee or Appropriations Committee with the report. The final report of the Finance Committee or Appropriations Committee shall govern the status of the bill or resolution.

86. All motions contemplating legislation shall be founded upon bills or concurrent resolutions; and committees, to which may be referred messages from the Governor, reports of the state officers, boards, commissions and others authorized to report to the Legislature, including petitions for legislation, may report by bill, resolution or written recommendation such legislation as may be germane to the subject matter referred to them.

87. No bill, resolution, concurrent resolution or measure having been referred to a committee shall be taken from such committee, or the committee be discharged from the consideration thereof, other than by a motion signed by a majority of all Senators

elected; except that during the last six (6) days of a session, a majority of the Senators present and voting may call a bill, resolution or concurrent resolution from a committee by a signed motion.

88. All bills, concurrent resolutions or measures originating in the House and passed by that body and sent to the Senate for consideration shall pursue the same course and shall be subject to the same rules as though such bills, concurrent resolutions or measures had originated in the Senate.

89. Any bill, resolution, concurrent resolution or measure recalled from a committee by the method provided in Rule 87 shall be referred to another standing committee, unless the Senate votes to form a Committee of the Whole for the purpose of considering the same.

90. No law shall be repealed by reference to its chapter, bill number or code number only, but there shall be included in its title and in a section within the bill a brief statement of the nature of the law sought to be repealed.

91. In the event of the loss or misplacement of a bill or resolution, the Secretary is authorized to prepare an exact copy thereof which, upon his certification that such bill or resolution is a true and correct copy of the original, shall be considered as though it were the original bill or resolution.

SENATE RESOLUTIONS

92. Senate resolutions may be considered without having been referred to or reported by a committee, except as provided in Rule 30. However, such resolutions may be referred to a committee by majority vote of Senators present and voting, or the President may refer them on the President's own initiative.

93. All resolutions authorizing committees of the Senate to travel or employ stenographers or other assistants, and all such resolutions involving special investigations or expense by committees of the Senate shall be referred, without debate, to the Committee on Rules.

CALENDAR

94. The Secretary each day shall prepare a Calendar of all matters in order for consideration. Such Calendar shall be placed on the desk of each Senator prior to the hour of convening. Any Senator may request a copy of any or all bills or resolutions shown on the Calendar, in which case such copy or copies shall be placed on the Senator's desk as soon as possible. Titles of bills and resolutions shall clearly indicate the subject matter thereof, but such titles may be abbreviated. General bills and resolutions favorably reported by committees shall be given an item number in sequence and placed on the Calendar from day to day in order as they are reported and placed under the head of "General Calendar." Bills and resolutions favorably reported by committees on Finance, on Appropriations, on Rules and on Local and Private Legislation; and bills and resolutions subject to secondary considerations, shall be shown separately under appropriate headings, with item numbers in sequence.

The Rules Committee is hereby authorized to create a "Noncontroversial Calendar" for the consideration of noncontroversial bills, resolutions or measures. Senate bills, resolutions or measures shall be placed on the Noncontroversial Calendar upon the written request of the chairman of the committee reporting the measure, the primary author, and by a majority vote of the Rules Committee; House bills, resolutions or measures shall be placed upon the Noncontroversial Calendar on the request of the chairman of the committee reporting the measure and by a majority vote of the Rules Committee. A bill, resolution or measure shall be removed from the Noncontroversial

Calendar upon the demand of six (6) or more Senators made in open session. Any such demand shall require the bill or resolution to be placed at the heel of the General Calendar.

95. Bills, resolutions, measures or motions reported by committees, and reports of special committees, shall be placed on the Calendar in the regular order of the next day after that on which they were made to the Senate or received from the House, as the case may be.

96. No matter which has been duly placed on the Calendar shall be discharged therefrom or considered out of its regular course except by a two thirds (2/3) vote of the Senate, subject to the provisions of Section 68 of the Constitution. However, matters affecting the public interest and regarded as of immediate necessity may be advanced on the Calendar by the Committee on Rules.

MOTIONS

97. Order of Precedence:

(1) To adjourn.
(2) To lay on the table.
(3) To lay on the table subject to call, when five (5) minutes' debate shall be allowed the Senator making the motion and five (5) minutes' debate shall be allowed the Senator having the measure in charge, unless the Senator(s) shall yield the floor to another Senator.
(4) For the previous question.
(5) To limit debate.
(6) To close debate at a specific time.
(7) To postpone to a day certain.
(8) To recommit.
(9) To re refer.
(10) To amend.
(11) To postpone indefinitely.

These motions shall have precedence in the above order; and any such motion being made and being decided adversely shall not again be entertained on the same day at the same stage of the question.

98. A motion to postpone indefinitely opens to debate the merits of the proposition.

99. Any motion shall be reduced to writing if the President so directs or a Senator or the Secretary so requests.

100. When a motion is made, it shall be stated by the President or, being in writing, it shall be read aloud by the Secretary.

101. After a motion is stated by the President or read by the Secretary, it shall be deemed to be in the possession of the Senate, and it may be withdrawn only by a majority vote of Senators present and voting at any time before decision or amendment.

102. No motion is in order while a point of order is pending unless the President shall announce a delay in the ruling, and then only matters not affected by a ruling on such pending point of order may be considered.

103. When a question is under debate, the President shall entertain no motion which does not relate to the question except a motion to adjourn or some other motion which has precedence by express rules of the Senate or because it is privileged in its nature.

103A. After a motion to lay a bill on the table subject to call or a motion to table has been adopted, only a member authorized to call up the bill under Rule 79 shall have the right to move to call the bill from the table.

AMENDMENTS

104. Amendments shall be in order after the third reading of a bill or resolution requiring three (3) readings, but no amendment, except committee amendments, shall be considered as pending unless the author of such amendment shall have secured recognition by the President for the purpose of offering such amendment and moving its adoption. Such amendment shall then be sent to the Secretary's desk, and disposition of it shall be made before any additional amendments shall be placed on the Secretary's desk or received by him.

105. Amendments to an amendment shall be voted on before a substitute is taken up. Only one (1) amendment to the amendment is in order at one time; but as rapidly as one (1) is disposed of by rejection or adoption, another is in order as long as any member desires to offer one (1). A substitute amendment may be offered to an amendment. An amendment to the substitute may be offered. No other amendment can be offered since the third degree has been reached. The vote shall be taken in the following order: The amendment to the amendment shall first be voted on; then the amendment to the substitute; then the substitute amendment; and, if the substitute is adopted, then the original amendment shall be regarded as automatically tabled.

106. An amendment to a bill or resolution may be adopted by a majority vote, notwithstanding it requires more than a majority vote to pass the bill or resolution sought to be amended.

107. When a bill is reported with committee amendments, such committee amendments shall have precedence for consideration over amendments presented from the floor.

108. Amendments proposed by members or by committees must not be written into a bill or resolution until such amendments shall be adopted and the bill finally passed by the Senate, and then only under the direction of the Secretary.

109. Amendments to a Senate bill, resolution or measure which have been adopted by the House and sent back to the Senate for concurrence shall be considered as "unfinished business" of the next day after that on which they were received, unless a majority of the Senators present and voting order that such amendments be considered immediately. House amendments to Senate bills or resolutions shall be either concurred in or not concurred in their entirety and not separately.

PREVIOUS QUESTION

110. There may be a motion for the previous question, which shall not be debatable and which may be ordered upon any bill or resolution or section thereof, amendment, motion or question which is debatable, any of which shall be considered as the main question for the purpose of applying the previous question. All incidental questions of order arising after a motion for the previous question has been applied and before the vote on the main question has been taken shall be decided, whether on appeal or otherwise, without debate.

111. When the previous question has been ordered, each side shall have five (5) minutes for debate, the affirmative speaking first; provided that after the previous question shall have been ordered, the only motion in order shall be one (1) motion to recommit or re refer, which motion shall not be debatable.

111A. When the motion to limit debate has been ordered, each side shall have five (5) minutes for debate on each subsidiary or main question, the affirmative speaking first.

POINTS OF ORDER

112. Every point of order shall be decided by the presiding officer. Any decision of the presiding officer on a point of order shall be subject to an appeal to the Senate without debate, unless the presiding officer, in his discretion and for his information, requests debate and/or a brief on any point of order. The presiding officer may require points of order in writing and may take reasonable time to examine and study same before ruling thereon, during which period consideration of that particular subject matter shall be suspended without prejudice and the Senate shall proceed to the next order of business.

VOTING

113. The presiding officer shall declare all votes. When a question not requiring the yeas and nays is put, the sense of the Senate shall be taken by the voice of the Senators, and the President shall first announce the vote as it appears to the President by sound.

114. The yeas and nays shall be taken on the final passage of every bill, concurrent resolution, conference report and House amendments to Senate bills. The President of the Senate may order a yea and nay or division vote on any subsidiary question.

115. Upon every roll call the names of the members shall be called alphabetically by surname, except when two (2) or more have the same surname, in which case the number of the district shall be added; and if there be two (2) such members from the same district, the name or initials shall be called. After the roll has been once called, the Secretary shall call, in their alphabetical order, the names of those not voting, and thereafter the President shall not entertain a request to record a vote, except that any Senator whose vote was recorded may change his vote before the result is announced by the President.

116. The sense of the Senate shall be taken by yeas and nays on any question whenever six (6) of the Senators present demand, and, if the call for yeas and nays be not sustained, any Senator may have his vote recorded if the Senator so desires. Any Senator may have the privilege of explaining his vote, which explanation containing not more than one hundred (100) words shall be written and handed to the Secretary before the approval of the Journal of the day such vote was taken, and such explanation shall be spread upon the Journal.

117. A Senator who by reason of absence from the Senate Chamber fails to vote on any yea and nay call may, during the next succeeding legislative day of his presence, file with the Secretary, for insertion in the Journal, a brief written statement stating how the Senator would have voted thereon. Anticipating an absence, any Senator may file such statement with the Secretary in advance of the yea and nay vote for insertion in the Journal at the proper time.

118. Any Senator may request a division vote. The President shall call for those in the affirmative to rise first, then those in the negative. The counts shall be made by the Secretary. If the absence of a quorum is indicated, the Secretary shall make a quorum count; and, if a quorum is present, the vote shall stand as announced by the President.

119. Immediately following the second call of the yeas and nays but before the Presiding Officer announces the result of the vote, Senators may announce pairs, which pairs shall be entered in the Journal, and Senators whose votes have been recorded may change their votes. Any Senator announcing a pair must have previously secured the permission of the Senator with whom he or she is pairing.

120. No Senator shall be allowed to approach the desk of the Secretary to ascertain the vote cast on any question or measure before such vote has been announced.

121. No Senator shall have the Journal amended so as to have the record of his vote changed; however, a Senator may change his vote before the result of a roll call is announced.

122. In the event of a tie vote, by call of the yeas and nays or by division, on any main or subsidiary matter, the President, if presiding at the time such tie vote occurs, shall cast the deciding vote.

123. When a member of the Senate is presiding and a tie vote occurs on any proposition, the decision shall be in the negative.

124. No Senator shall be permitted to act in committee or to vote on a question in which his private interest, distinct from the public interest, is immediately concerned.

125. Unless a certain minimum of votes of Senators is specified in these rules on any vote taken, a majority of those present and voting shall prevail.

RECONSIDERATION

126. When a question has once carried in the affirmative or negative it shall be in order for any Senator to enter a motion for the reconsideration thereof. The motion to reconsider a vote on a proposition having been once agreed to and the vote again having been taken, a second motion to reconsider may not be made unless the nature of the proposition has been changed by amendment.

127. No motion to reconsider a vote shall be entertained unless it be properly entered on the same day on which such vote was taken or on the next succeeding legislative day on which a quorum is present. No motion to reconsider shall be withdrawn without unanimous consent. This rule shall not prevent reconsideration of a vote on a subsidiary, incidental or dependent matter at any time when the main question to which it relates is under consideration; and a motion to reconsider a vote on any subsidiary, incidental or dependent question shall not remove the main question under consideration from before the Senate, but such incidental question shall be considered at the time the motion is made.

On a motion to table a motion to reconsider or on a motion that the Senate do not reconsider or on a motion that the Senate do reconsider, or any substitute for any such motion, five (5) minutes total time shall be allowed the Senators speaking for the affirmative side and five (5) minutes total time shall be allowed the Senators speaking for the negative side of the question, such time herein allowed to be allotted between Senators speaking on each side of the question. This rule shall also apply to any motion or substitute motion of similar import to the above motions.

When a motion to table a motion to reconsider fails, or when a motion "do not reconsider" fails, the item stays on the Motion to Reconsider Calendar.

When a motion to reconsider fails, the question is no longer before the Senate and no further action by the Senate is in order.

128. There shall be no reconsideration of the vote on the question of adjourning or recessing; laying on the table subject to call; laying on the table or taking from the table; recommitting; re referring; limiting debate; or on the previous question. When a motion for reconsideration has been decided, that decision shall not be reconsidered.

129. A motion to reconsider having been properly made and entered in the Journal shall become the property of the Senate and may be called up by any member of the Senate.

VETOES

129A. After a veto message is read, two (2) motions are in order in the following precedence:

(a) To refer the reconsideration of the bill to a committee; and

(b) To pass the bill, the Governor's veto notwithstanding.

PERSONAL PRIVILEGE

130. Matters of privilege affecting the rights, safety, dignity and integrity of the Senate, and matters of personal privilege affecting the rights, reputation and conduct of individual members of the Senate, in their senatorial capacities only, shall have precedence over all other matters or motions, except motions to adjourn or recess. It is not in order to speak to a question of personal privilege after the previous question has been ordered.

PARLIAMENTARY AUTHORITIES

131. On all questions of order or parliamentary practice not covered by and not in conflict with these rules, the rules of Cannon's Practice in the National House of Representatives and Hind's Precedents shall be the authority.

READING OF DOCUMENTS

132. When the reading of a document other than a bill or resolution is proposed or called for and the same is objected to by any Senator, it shall be determined by a majority vote of the Senators present and voting, without debate.

EXECUTIVE SESSIONS

133. The Senate shall conduct all business in open session, except that the Senate may resolve itself into executive session by majority vote of the Senators elected. Upon entering executive session, the Senate shall be cleared of all persons except Senators and officials thereof. Executive sessions should, whenever practicable, be held immediately prior to recess or adjournment of open sessions.

NOMINATIONS

134. When nominations from the Governor shall be received by the Senate, the Secretary of the Senate shall read the message from the Governor to the Senate, and nominations shall be referred to the appropriate committee by the President unless the Senate by a two thirds (2/3) vote of the Senators present and voting orders otherwise. The committee considering such nomination may, upon a vote of a majority of the committee, consider the nomination in open committee meeting or hearing. Upon receiving the report of the committee to which the nomination was referred, the Senate

shall proceed to consider the nomination in open session, unless executive session is invoked as provided in Rule 133.

135. When a nomination or any other matter is confirmed, consented to or rejected, any Senator may move for a reconsideration. Such motion to reconsider confirmation or rejection of any name submitted to the Senate for any position or office, or any other matter, may be made on the legislative day in which the vote is taken or on the next legislative day thereafter, and not later.

136. The Governor shall not be officially notified by the Secretary of the confirmation, consent to or rejection by the Senate of any nomination or other matter until the expiration of the time limit for entering a motion to reconsider, unless otherwise ordered by the Senate, subject to Section 65 of the Constitution.

137. All executive matters submitted by the Governor which were not considered, as well as those on which actions were taken and were under pending motions to reconsider, shall fail at the time of sine die adjournment and the Secretary shall so notify the Governor thereof.

SELECTION OF DESKS

138. The seating arrangement in the Senate Chamber shall be accomplished by personal selections of seats by the Senators, and such selections may begin upon their nominations. Seats numbered 3 and 4, which are equipped with hearing aids, may be held in reserve by the Secretary of the Senate for members who may need hearing aids. Senators elected to consecutive terms shall have first choice of seats. Upon selection of seats, they shall be properly marked to indicate that the seats have been so selected. Nothing in this rule shall prevent the swapping of seats by mutual agreement of Senators. The Secretary shall prepare and have printed the permanent seating arrangement for public distribution.

139. (Omitted)

140. (Omitted)

CONFIDENTIALITY

141. (1) No employee of the Senate shall reveal to any person outside his department the contents or nature of any request for services made by any member of the Senate except with the written consent of the person making such request.

(2) All confidential communications between members of the Senate and staff attorneys are protected by an attorney client privilege.

This page intentionally left blank

INDEX TO SENATE RULES

AMENDMENTS:	Rule Number
Adopted by majority vote	106
Committee amendments have precedence	107
Degrees of	105
House Amendments:	
Action on entirety	109
Procedure on	109
Procedure on presentation of	104

Unfinished business 109
Votes on sequence of 105
When written in bills 108

ABSENTEE MEMBERS:
Compel attendance of, when 24, 32
Leave of absence 33

APPROPRIATIONS COMMITTEE:
May recommend additional reference, when 85
Preference on calling up bills 43, 77

ASSISTANT SECRETARY How appointed 19

BILLS AND CONCURRENT RESOLUTIONS:
Advance bills of immediate nature on Calendar 96
Appropriation Committee recommended reference, procedure on 85
Calendar, when placed on 94
Calling up, procedure on 77
Called up, by whom 79
Committee report required on 64, 78
Debate, who opens and closes 82
Finance committee recommended reference, procedure on 85
Form of 73
Heel of calendar 77
House bills, procedure on 88
Introduced, how and when 74
Legislation founded on 86
Lie on the table one day 76
Lost, procedure on when 91
Preference on bills reported by Rules Committee 77
Preference on revenue and appropriations bills 43, 77
Prefiling 74
President may retain 75
Procedure on, by secretary 75
Reading of 83
Recalled from committees, procedure on 87, 89
Recommitment, when in order 84
Reference to Committees 75
Reference to two committees, procedure on 81, 85
Repealing laws, contents of 90
Reported by Committee of Whole, procedure on 58, 59, 61, 89
Revenue Bills 43, 77, 94
Senate Resolutions called up any time 92
Taken from committees, when 87, 89
Titles, complete and abbreviated 80

CALENDAR:
Appropriations, Finance, Local & Private, Revenue, Rules bills under separate headings 94
Bills of immediate necessity advanced 96
Minority reports on 64
Order 95, 96
Prepared and distributed daily 94
Two thirds vote for consideration of bills on calendar 96

COMMITTEES, FUNCTIONS OF:
Appointed by president 7, 37, 38

Bills recalled from committees, procedure on 87, 89
Chairmen and vice chairmen 38
Committee amendments have precedence 107
Meetings:
Announcements of 44
During sessions prohibited, except 46
Quorum not less than majority 23
Motions to re refer, order of 97
Organization of committees 39
Quorum determined 39
Report to Secretary of the Senate 39
Precedence of 43
Recall from Committees, procedure on 87, 89
Records to show attendance 44
In Senate by permission 47
Requirements to attend 44
Time of meetings posted 44
Report on matters referred to, how 86
Report on sufficiency of titles 41
May move to recommit for 41
Request of discharge or re referral immediately considered 45
Responsibilities for records 40
Stenographers, employment of 93
Titles to clearly indicate subject matter of bills 41
Vacancies filled by president 38

COMMITTEE OF THE WHOLE:
Bills reported to lie on table 76
Consider more than one bill during Committee session 61
Favorably reported bills may be immediately considered 58, 75
Senate Rules to apply 60
Senator to preside 60
Two thirds vote to form 58
When motions for made 59

COMMITTEE SPECIAL:
Appointment by President 7, 37
Author not to be appointed chairman 63
Report facts and recommendations 62
Reports in journal 62

COMMITTEES, STANDING:
Appointment by president 7, 37, 38
Joint Committees 36
Rules Committee selected by caucus 65

CONCURRENT RESOLUTIONS AND BILLS:
(See Bills and Concurrent Resolutions)

CONDUCT 65

CONFERENCE COMMITTEES:
Appointed by President 7, 37, 48
Certain action prohibited on reports 52
Consist of three members 48
Instructed, when 49
Liberal interpretation indicated 54
Matters for consideration of 50

New bill reported by, when 50
New conferees appointed, when 57
Notification of Committee meetings 51
Point of order, what not basis for 53
Return to original status, when 56
Signature of majority of Senate members required 51
Text must be germane 50
Three courses open, when 52, 55

CONFIDENTIALITY 141

CONVENING Time of 21

DECORUM:
Absence from Senate, procedure when no quorum 32
Displaying banners or signs not allowed 35C
Dress Code 35A
Eating not allowed 35A, 35C
Introduction of guests 27A
Leave of absence 33
Private discourse, prohibited when 34
Responsibility for return of official records 35, 40
Smoking not allowed 35A, 35B
Transgression of rules, procedure on 31

EMPLOYEES - Rules Committee have jurisdiction over 65

EXECUTIVE SESSIONS 133

FINANCE COMMITTEE:
May recommend additional reference, when 85
Preference on calling up revenue bills 43, 77

LIMIT DEBATE:
Affirmative side speaks first 111A
Five minutes for each side 111A
Order of precedence 97

MINORITY REPORTS:
Bills unfavorably reported on calendar, when 64
Consideration of, when 64
Filed, when 64
Placed at heel of calendar 64

MOTIONS:
Adverse decision on, when 97
Indefinitely postpone motion opens debate 98
May request to be written 99
Not in order, when 102
Order of precedence 97, 103
Related motions entertained 103
Stated, how 100
Withdrawn, how 101

NOMINATIONS:
Forming, procedure for 134
Matters considered, when 134
Matters referred to committees, when 134

Notify Governor, when 136, 137
Reconsideration of votes 135

ORDER OF BUSINESS:
Changed by two thirds vote, when 27
Severance of 25
Unfinished business, precedence of 26

PAGES - Appointment of 17

PARLIAMENTARY AUTHORITIES:
Not covered by rules, when 131

PERSONAL PRIVILEGE Procedure on 130

POINTS OF ORDER Procedure on 2, 112

PRESIDENT:
Admission of special visitors to floor 28
Committee of the Whole, name Senator to preside 4, 60
Delay in ruling, may announce 102
Division of votes, may call for 3
Lieutenant Governor 1
May request motions written 99
Order and decorum, preserve 2
Points of order 2, 112
Appeal from 2, 112
Decide questions on 2, 112
Majority to sustain or overrule 2
Request in writing 112
Speak to 2
Questions, how put 3
Reference of bills, may retain for study before 75
Senate selects presiding officer when 4
Sessions, may name Senator to preside 4
Shall vote in event of tie 122
Signature of 8
Staffing of office 65
Standing committees, appointment of 7, 36, 37
Transgressors of rules, call to order 31
Votes, announcement of 3
Count by secretary 3

PRESIDENT PRO TEMPORE:
Appoints vice chairman of Rules 65
Chairman of Rules Committee 9, 65
Election of by Senate 9, 10
Presides in absence of President 11
Removal of by Senate 10

PRESS:
News media with credentials may transcribe Senate proceedings 35C

PREVIOUS QUESTION:
Affirmative side speaks first 111
Application of 110
Five minutes for each side 110
Not applicable should midnight occur 25
To recommit or re refer in order, when 111

QUORUMS:
Call on lack of quorum 24
Committees 23, 39
Compel attendance for 24
Count when no quorum indicated 118
Senate 22

READING OF DOCUMENTS When objected to 132

RECONSIDERATION:
Any Senator may call up motion for 129
Entered, when and by whom 126, 127
Main question not affected, when 127
No second motion made, when 126
Not in order, when 128
On nominations 135
On subsidiary matters 127
Property of Senate 129
Unanimous consent to withdraw 127
When second motion in order 126

RESOLUTIONS AND BILLS (See Bills and Resolutions)

RULES COMMITTEE:
Admission of special visitors to floor 28
Advance bills of immediate necessity on calendar 96
Assign office space in Capitol and other buildings 65
Assistant Secretary, appoint 19, 65
Conduct of Senate members 65
Conferences, authorize out-of-state 65
File report on 65
Employees, have jurisdiction over 65
House Management, authorize meetings with 65
Interim Committees, authorize 65
Joint legislative services, cooperate with House Management to maintain 65
Media, assign space for 65
Members, how determined 65
Pages, appointment of 17
Personnel of 65
President Pro Tempore appoints vice chairman 65
President Pro Tempore, chairman 9, 65
Qualifications for election to 65
Salaries, establish for Senate officials and staff 65
Secretary of Senate, authority over 65
Selection by caucus 65
Senate space, authorize use of 65
Sergeant-at-Arms, authority over 20, 65
Special investigations or expense matters referred to 93
Travel reimbursement 65
Voting precinct governs representatives 65
Webcasting Senate proceedings on the Internet 35D

RULES, SUSPENSIONS AND ADOPTION:
Constitutional rule not to be changed 29
One day's notice of change 30
Suspension, adoption, change by two thirds vote 29, 30

Temporary, majority vote on adoption 30
Transgression on, procedure on 31

SECRETARY:
Directs writing of amendments in bills 108
Elected by Senate 12
Executive sessions' journal separate 16
Journal, appendix in 13
Keep records 12
May request motions to be written 99
Pages, appointment of 17
Reconsideration:
Bills and resolutions retained for 14
Constitutional rights not abridged 14
Immediate transmittal of 14
Place on calendar 15
Recall from House for 15
Prepare and distribute Calendar each day 94
Procedure by, on bills 75
Removal of by Senate 12
Replace lost bills 91
Rules Committee designate responsibilities of 65

SELECTION OF DESKS:
Procedure for 138

SENATE RESOLUTIONS:
Reference to committees, not required 92
Referred to committee, when 93

SERGEANT AT ARMS:
Clear chamber prior to session 28
Duties of 20
Removal of by Senate 20
Rules Committee have authority over 65
Search for absent members 24

SMOKING:
Prohibit on Senate floor and Gallery 35B
Prohibit on third floor of New Capitol Building 35B

SPACE - Rules Committee have authority for assignment of 65

SPEAKING:
Avoid personalities 68
Call to order for exceptional words, procedure on 70
Extension of time to be specific 71
Interruptions prohibited, except 69
Motion to indefinitely postpone opens debate 98
Number of times permitted 71
Time allotted 71
When motion to limit debate prohibited 72

SPECIAL ORDERS:
Chairman of Committee has option 67
Procedure for 66
When time for special orders conflict 67

TABLE:
Chairman can call bill from table 103A
Motion to lay on table 97
Motion to lay on table subject to call 97

TITLES OF BILLS AND RESOLUTIONS:
Abbreviated on calendar 94
Complete and abbreviated, when 80, 94
Considered last 83
Contain nature of law to be repealed 90

TRAVEL:
Reimbursement 65
Reports required 65
Rules Committee authorize 65

VETOES - Motions in order after reading veto message 129A

VISITORS Who admitted on floor 28

VOTING:
Change of record vote 115, 119, 121
Demand for yeas and nays 116
Division vote 118
Explanation of position when absent 117
Explanation of vote 116
How taken and declared 3, 113, 115
How yeas and nays called 115
Majority vote prevails unless otherwise specified 125
Not amend journal to change record vote 121
Not approach secretary's desk before vote announced 120
Pairs, announcement of, when 119
Private interest concerned, when 124
Quorum count, when 118
Recording of vote, when not in order 115
Tie vote, procedure on 122, 123
Unannounced vote by midnight kills bill 25
Viva Voce votes recorded, when 116
Yeas and Nays 114, 115, 116

WEBCASTING - Senate proceedings on the Internet 35D

JOINT RULES OF THE SENATE AND THE HOUSE
JOINT CONVENTION

1. The Senate and the House may meet in joint convention by concurrent resolution duly adopted by both houses. Such resolution shall state the day, hour and location of such joint convention and the order of business for which it is called.

2. All joint conventions of the two (2) houses shall be in the hall of the House of Representatives, unless another location is specified in the concurrent resolution, and in elections the members shall vote viva voce, and in all cases a majority of the votes of those present and voting shall be requisite to constitute an election.

Only senators and members of the House of Representatives shall be permitted on the floor of the House during joint meetings except for the newspaper, radio, and television reporters and necessary Senate and House personnel and others as may be directed by the President of the Senate and Speaker of the House of Representatives respectively. During joint meetings, preference to gallery seats shall be given to elected state officials and families of the legislators.

3. When the two (2) houses have met in joint convention, the Speaker of the House shall call the joint convention to order and shall then turn the gavel over to the President of the Senate who shall preside, and all questions of order shall be decided by the latter, subject to an appeal to the joint convention as one (1) body. In the absence of the President of the Senate, the Speaker shall preside and perform all the duties herein provided for.

4. A call of either house may be had in joint convention by majority vote of the House for which the call is desired.

5. In a joint convention a member shall not speak longer than five (5) minutes. Any extension of time shall be specific.

6. A motion to adjourn, or to postpone the business of a joint convention shall be decided on a majority vote of those present and voting, acting as one (1) body. Upon demand of one tenth (1/10) of the combined membership, the yeas and nays shall be taken on any matter under consideration by the joint convention, and such yeas and nays shall be entered upon the journals of both houses.

7. Upon questions arising during a joint convention, requiring the separate decision of either or both houses, the decision of the House shall be first made, then the decision of the Senate. A question for call of either house shall not come within the scope of this rule.

8. On all questions of order or parliamentary procedure not in conflict with these joint rules, the rules of the House of Representatives of the State of Mississippi, insofar as applicable, shall be the authority.

BILLS AND RESOLUTIONS

9. The style of all laws shall be: "BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:" which shall be typed immediately preceding Section 1 of a bill. No other enacting word, such as "Be it further enacted," shall be used in any bill.

9A. (1) In a bill or other measure proposing an amendment to a code section or other provision of law, or in a resolution proposing an amendment to a constitutional provision, a change to an existing code section, other provision of law or constitutional provision shall be indicated as follows:

(a) New language that is being added shall be underlined.

(b) Existing language that is being deleted shall be denoted by the insertion of three (3) asterisk symbols; however, the text of the deleted language shall be available on the official website of the Mississippi State Legislature, by means of displaying all of the deleted language within a document pursuant to the selection of that display option by the user.

(2) The provisions of this rule shall not apply to handwritten amendments that are proposed or adopted by members while the bill, measure or resolution is under consideration by either house.

10. While bills, resolutions and messages are on their passage between the two (2) houses, they shall be under the signature of the Secretary or Clerk, respectively, as the case may be.

11. When a bill or resolution which shall have passed one (1) house has been postponed to a day so distant that it will not be taken up again at the current session, indefinitely postponed, or rejected, by a vote of the other house, information thereof shall be given by message immediately to the house in which the same shall have passed.

12. When a bill or resolution, which has passed one (1) house is rejected in the other, by a vote of that house, it shall not again be introduced during the same session, except on three (3) days' notice and on two thirds (2/3) vote of members present and voting in the house in which it was rejected.

13. Each house shall transmit to the other all papers on which any bill or resolution may be founded.

14. Each house shall have the liberty of ordering the printing of bills, messages and reports, without the consent of the other.

15. Bills or resolutions transmitted to either the Senate or House by the other before the constitutional time has expired for entering a motion to reconsider may be recalled by message upon proper entering of a motion to reconsider.

16. Whenever any message, bill, resolution, report or document shall be ordered to be printed by the Senate or House, for use of both houses, it shall be the duty of the Secretary of the Senate or Clerk of the House, as the case may be, immediately to report the fact of the passage of that order to the other branch of the Legislature together with the number so ordered to be printed. Payment thereof shall be made from the contingent funds of each house in the proportion ordered by each house.

17. No new bill shall be introduced into either house during the last three (3) days of the session.

18. All general bills modifying, adding, deleting or repealing language, or a repealer on language, providing for the levying of taxes, borrowing of money, issuing bonds, notes, or other evidence of debt, providing for fees or imposing the issuance of licenses, of whatever kind by the state or any subdivisions thereof, or the exemption of property from state taxes or taxes of any subdivisions thereof, shall be considered as revenue bills, and no revenue bills, or conference committee report thereon, or concurrence in amendments adopted by the other house shall be passed or adopted by either the Senate or the House except by a vote of at least three fifths (3/5) of the members of the Senate and House, respectively, present and voting.

19. Appropriation and revenue bills shall have precedence in each house, over all other business, and no such bill shall be passed during the last five (5) days of a regular session.

20. Every bill and concurrent resolution, the purpose or effect of which is to expend any state funds or enable the spending of any state funds or to increase or decrease the revenue of the state, either directly or indirectly, shall have attached to it at the time of its being reported by any committee of either house of the Legislature a brief explanatory statement or note which shall include a reliable estimate of the anticipated change in state expenditures or revenues under its provisions. These statements or notes shall be known as fiscal notes. They shall be attached to the original of each proposed bill or resolution but shall be separate therefrom, shall be clearly designated as a fiscal note, and shall not constitute a part of the law proposed by the bill or resolution.

The author of each bill or any committee considering same shall present a copy of the bill or resolution, with his or her request for a fiscal note, to either the Legislative Budget Office, the Department of Finance and Administration, the Department of Revenue, the State Auditor, the state agency with which the bill or resolution is concerned, the state agency having jurisdiction over the subject of the bill or resolution, the Joint Committee on Performance Evaluation and Expenditure Review, or the Legislative Reference Bureau. The fiscal note shall be prepared by the commission or agency and furnished to the author of the bill or committee considering same within seven (7) days after the request is made. If the author of, or committee considering, the bill disagrees with the findings of the agency or agencies, then the author or committee

may also attach and furnish a fiscal note, based upon his, her or its information, research, study and belief which shall then be incorporated in and become a part of the fiscal note. If the appropriate agency does not furnish a fiscal note, after seven (7) days' request, then the author or committee may furnish the fiscal note, based upon his, her or its information, research, study and belief. If, after careful investigation, it is determined that no dollar estimate is possible, the note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given. No comment or opinion shall be included in the fiscal note with regard to the merit, or lack thereof, of the measure for which the note is prepared.

Whenever the author of any measure or the committee considering same is of the opinion that no fiscal note is necessary and the measure is considered by either house of the Legislature without a fiscal note, any member of either house may thereafter request a fiscal note be obtained, and in such case the matter shall be decided by majority vote of those present and voting in the house of which he or she is a member.

This rule shall not apply to general appropriation bills, conference reports and local and private bills.

20A. (1) For the purpose of this rule:

(a) "State support funds" means funds in the State General Fund and all state support special funds, which are funds in the Budget Contingency Fund, the Education Enhancement Fund, the Health Care Expendable Fund, the Tobacco Control Program Fund, and any other special funds that the Joint Legislative Budget Committee (JLBC) determines to be state support special funds.

(b) "House" means either house of the Legislature, unless it is clear from the context that it is referring to the House of Representatives.

(2) (a) When an amendment is offered to an appropriation bill on the floor of either house that would increase the amount of state support funds authorized for expenditure by the state agency, official or program being funded in that appropriation bill, the amendment must also include a reduction in the amount of state support funds for one (1) or more other state agencies, officials or programs by a total amount that equals the amount of the increase in the amendment.

(b) The other appropriation bill or bills in which the reductions are to be made do not have to be designated by bill number or line numbers in the amendment if they are described sufficiently enough to be identified, but the amounts by which they are to be reduced must be specific for each bill in which the reduction is to be made.

(c) The reductions required to be made by this rule must be made in an appropriation bill or bills that are still in the house or in an appropriation bill or bills from the other house that will be considered in the house later in the session. After a bill has passed in the house and been released to the other house, none of the reductions required by this rule may be made in that bill.

(3) If such an amendment is adopted, the amendment shall be considered to be an amendment to the other bill or bills in which the reductions are to be made as well as to the bill in which the increase is made. Therefore, no additional vote shall be required on the amendment making the reductions in the bill or bills when that bill or bills are under consideration by the house. The manner by which the reduction is made shall be a separate amendment to the bill that is designated as an amendment by the house, rather than an amendment by the Appropriations Committee or by an individual member.

(4) (a) When a bill in which the reduction is to be made comes before the house for consideration, the reduction shall be made to the total sum of state support funds authorized to be expended in the bill before the bill is voted on by the house.

(b) If a bill in which the reduction is to be made has already been considered by the house, the reduction shall be made to the total sum of state support funds authorized to be expended in the bill before the bill is released to the other house.

(5) No appropriation bill that authorizes the expenditure of any state support funds for the next fiscal year may be released to the other house until all of the appropriation bills originating in the house or all of the appropriation bills originating in the other house, as the case may be, that authorize the expenditure of any state support funds for the next fiscal year have been passed by the house.

(6) If any statute or rule of either house of the Legislature conflicts with the provisions of this rule, the provisions of this rule shall supersede the conflicting statute or rule to the extent of the conflict.

CONFERENCE

21. When a bill or resolution is returned by either house to the other with amendments, and the house where the bill or resolution originated declined to concur in the amendments, a conference, by a majority vote of those present and voting, may be requested. Such action shall be transmitted by message in which shall be included the names of the conferees on the part of the requesting house. Upon receipt of such message, the other house may, in like manner, grant such conference notifying the requesting house by message and stating the names of the conferees.

22. A conference committee shall consist of three (3) members of the House and three (3) members of the Senate to be appointed by the Speaker of the House and the President of the Senate respectively.

23. Conference committees shall meet as soon as practicable and proceed to confer on the differences between the two (2) houses, seeking to resolve such differences. The conference committee shall report in writing. Such report shall be signed by a majority of the conference committee members appointed from the House and a majority of the conference committee members appointed from the Senate. The report shall be submitted to both houses, and six (6) copies of each report shall be prepared.

23A. (1) All official meetings of any conference committee on a bill or on a resolution proposing a constitutional amendment shall be open to the public at all times, unless declared an executive session in accordance with the provisions of Section 25-41-7, Mississippi Code of 1972.

(2) The chairman of each Senate and House committee to which such a measure is first referred shall designate one (1), two (2) or three (3) rooms in which official meetings of the conference committees pertaining to such measures shall be held. For the first session of a new term, the designation of the rooms shall be announced within three (3) legislative days after adoption of these joint rules. For all other sessions, the designation of the rooms shall be announced not later than the third legislative day of each session. Copies of a list of these rooms shall be available in the respective offices of the committee chairmen. This announcement shall constitute notice of the place of the official meetings of conference committees, and notice that the time of each meeting shall not be announced individually. If a conference committee meets in a location other than a designated room, a written notice giving the location of the meeting shall be placed in a conspicuous place in one (1) of the designated rooms.

(3) Proper decorum during any official meeting of a conference committee requires that the committee's deliberation be directly related to the committee's primary purpose of resolving the differences between the two (2) houses that pertain to a specific measure. Therefore, the following shall not be allowed during any official meeting of a conference committee:

(a) The use of a cell phone by a conferee or other person in the room in which the conference committee meeting is being conducted;

(b) Any oral, written or electronic communication between a conferee and another person who is not a legislator or legislative staff member, except that a conferee may request that any person at the meeting meet with the conferee outside the room, and any conferee may request a person who is not a member of the conference committee, upon approval of a majority of the members of the committee present, to address the committee in the room.

(4) If any statute or rule of either house of the Legislature conflicts with the provisions of this rule, the provisions of this rule shall supersede the conflicting statute or rule to the extent of the conflict.

24. Only matters in disagreement between the two (2) houses are subject to consideration by conference committee. However, when one (1) house strikes out of a bill all after the enacting clause and inserts new text as an amendment thereto, the

conferees may disregard the text of the original bill and of the amendment and may exercise wide discretion in the incorporation of germane new text.

25. When a conference report is considered by the house of origin and it contains an amendment by the other house which adds code sections not included in the bill as passed the house of origin, a point of order that the conference report is not in order shall be sustained and the bill shall be returned to conference.

When a conference report is considered and it contains code sections not included in the bill as passed the house of origin or in an amendment by the other house, a point of order that the conference report is not in order shall be sustained in either house and the bill shall be returned to conference.

26. In the event of the failure of either house to adopt the conference report, or to concur in amendments, the bill or resolution under such consideration shall be lost.

27. All conference reports, and concurrence in amendments adopted by the other house shall require for adoption the same vote as is required for the passage of the bill, resolution or measure under consideration, and shall be on roll call duly entered and recorded in the journal of the house voting thereon.

28. No bill making an appropriation from, or authorizing the expenditure of money from, any special fund in the State Treasury shall be passed except by the votes of a majority of all the members elected to each house of the Legislature.

29. A motion to reconsider the vote whereby a conference report is adopted or rejected is in order in either house from the time of such adoption or rejection in one (1) house until the end of the session of the next legislative day after notice of disposition by rejection, recommittal to the same conference committee or appointment of a new conference committee by the other house. The provisions of this rule shall supersede any Senate or House rule which may be in conflict herewith.

ENROLLED BILLS

30. When a bill or resolution shall have passed both houses it shall be enrolled, and the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, shall certify on the margin of the enrolled bill the fact that it originated in his or her house. The enrolled bill may be examined by the Joint Committee on Enrolled Bills, and carefully compared by the committee with the engrossed bill and all typographical errors, if any, corrected; and the committee shall forthwith report in writing to each house, and the report shall be entered in the journals of both houses. The reports shall be signed by the chairman or acting chairman of the Enrolled Bills Committee on the part of each house.

31. After the Committee on Enrolled Bills has reported a bill or resolution duly enrolled, it shall be signed by the Speaker of the House of Representatives and by the President of the Senate during the legislative session in which the bill or resolution was passed.

32. After a bill shall have been signed by the Speaker of the House and the President of the Senate, it shall be presented by the Secretary of the Senate or Clerk of the House, as the case may be, to the Governor for his or her approval. The Secretary or Clerk shall report the day of presentation to the Governor, which time shall be carefully entered on the journals of each house.

33. All Senate and House concurrent resolutions and memorials, which are not to be presented to the Governor, shall be enrolled, signed and delivered to the Secretary of State.

JOINT COMMITTEES

34. The following joint committees shall be appointed:

(a) Committee on Executive Contingent Fund, to consist of five (5) senators and five (5) representatives.

(b) Committee on State Library, to consist of five (5) senators and five (5) representatives.

(c) Committee on Enrolled Bills, to consist of five (5) senators and five (5) representatives.

(d) Committee to Investigate State Offices or Departments, nine (9) on the part of the Senate and nine (9) on the part of the House; the committee shall meet and apportion the labor of such investigation amongst subcommittees and shall report the result of each investigation to the two (2) houses.

(e) A chairman and vice chairman for the Senate members on each of the above committees shall be appointed by the President of the Senate and a chairman and vice chairman for the House members on each committee shall be appointed by the Speaker. A chairman and vice chairman for each of the above committees shall be elected by the respective committees in joint session; however, both the chairman and the vice chairman shall not come from the same house.

MESSAGES

35. When a message shall be sent from one (1) house to the other, such message shall be delivered to the Secretary of the Senate or the Clerk of the House, respectively, as the case may be. A receipt shall be signed for each message so delivered.

LIQUOR AND FIREARMS PROHIBITED

36. No spirituous or malt liquors, or wines, shall be offered for sale, exhibited, or kept within the Capitol building, or in any room connected therewith, or on the public grounds adjacent thereto. It shall be the duty of the Sergeant at Arms under the supervision of the respective presiding officers to enforce the foregoing provisions; and any officer, or employee of either house, who shall in any manner violate or connive at the violation of this rule, shall be dismissed from office and service.

37. No member of the Senate or the House or other person, except an official duly authorized by law, shall carry or have on his or her person, concealed in whole or in part, any firearm while in the Capitol, except upon permission granted by a majority vote of the Senate or the House. Any member of the Senate or the House or other person violating this rule shall be subject to such penalty as may be imposed by the Senate or the House, as the case may be, first taking jurisdiction thereof.

LOCAL AND PRIVATE LEGISLATION

38. In addition to observing the injunctions and prohibitions set out in the Constitution of the State of Mississippi, the Senate and the House Committees on Local and Private Legislation shall observe and adhere to the following additional rules and requirements in the consideration of local and private Senate and House bills:

(a) Require that local and private bills, originating in either the Senate or the House, and granting power to any governing authority to perform any official act shall be accompanied by an order or resolution setting out the reasons therefor, duly certified as being a part of the official minutes of that authority. In the event more than one (1) official authority is involved, such certified order or resolution shall be made for each of them.

(b) Require that any bill providing for the transfer of funds shall be accompanied by a certified order or resolution as provided in paragraph (a) of this rule. Such order or resolution shall state whether or not funds proposed to be transferred are pledged for the payment of any outstanding bonds or notes for which there is not already a sufficient surplus accumulated.

(c) Require that any such bills providing for the payment of any claims shall be accompanied by a certified order or resolution as provided in paragraph (a) of this rule, setting out the name of claimants, the nature, amount and reasons for justification of the claim and that with proper authority such claim would be paid.

(d) Require that there shall accompany any bill proposing the issuance of bonds, a certificate from the governing authorities stating that the issuance of such proposed bonds, when added to the present bonded indebtedness of such county, or

subdivision thereof, municipality or district, will not exceed any limitation now imposed by law.

JOINT MEETING OF APPROPRIATIONS SUBCOMMITTEES

39. When the chairmen of the Senate and House Appropriations Committees consider it desirable and possible, their subcommittees may meet jointly to hear testimony and question the heads of a department or agency on their budgetary needs for the next fiscal year.

40. TIMETABLE FOR PROCESSING LEGISLATION

90 day Session	2020 Regular Session	
9th day	37th day	Deadline for making requests for general bills and constitutional amendments to be drafted. ***
14th day	42nd day	Deadline for introduction of general bills and constitutional amendments.*
29th day	57th day	Deadline for committees to report general bills and constitutional amendments originating in own house.*+
38th day	66th day	Deadline for original floor action on general bills and constitutional amendments originating in own house.*
39th day	67th day	Deadline for reconsideration and passage of general bills and constitutional amendments originating in own house.*
42nd day	70th day	Deadline to dispose of motions to reconsider general bills and constitutional amendments originating in own house.*
51st day	79th day	Deadline for original floor action on appropriation and revenue bills originating in own house.
52nd day	80th day	Deadline for reconsideration and passage of appropriation and revenue bills originating in own house.
53rd day	81st day	Deadline to dispose of motions to reconsider appropriation and revenue bills originating in own house.
57th day	85th day	Deadline for committees to report general bills and constitutional amendments originating in other house.*+
65th day	93rd day	Deadline for original floor action on general bills and constitutional amendments originating in other house.*
66th day	94th day	Deadline for reconsideration and passage of general bills and constitutional amendments originating in other house.*
67th day	95th day	Deadline to dispose of motions to reconsider general bills and constitutional amendments originating in other house.*
71st day	99th day	Deadline for original floor action on appropriation and revenue bills originating in other house.
72nd day	100th day	Deadline for reconsideration and passage of appropriation and revenue bills originating in other house.
73rd day	101st day	Deadline to dispose of motions to reconsider appropriation and revenue bills originating in other house.
74th day	102nd day	Deadline to concur or not concur in amendments from other house to appropriation and revenue bills, and for introduction of local and private bills that are revenue bills.
77th day	105th day	Deadline to dispose of motions to reconsider concurrence or nonconcurrence in appropriation and revenue bills.
80th day	108th day	Deadline to concur or not concur in amendments from other house to general bills and constitutional amendments.
81st day	109th day	Deadline for introduction of local and private bills that are not revenue bills.
82nd day	110th day	Deadline for conference reports on appropriation and revenue bills to be filed.**+

84th day 112th day Deadline for final adoption of conference reports on appropriation and revenue bills and for conference reports on general bills and constitutional amendments to be filed.**+

85th day 113th day Deadline to dispose of motions to reconsider conference reports on appropriation and revenue bills.

86th day 114th day Deadline for first consideration of conference reports on general bills and constitutional amendments.

87th day 115th day Deadline for filing conference reports on general bills and constitutional amendments that had been recommitted for further conference.+

88th day 116th day Deadline for adoption of conference reports on general bills and constitutional amendments after recommittal.

89th day 117th day Deadline to dispose of motions to reconsider conference reports on general bills and constitutional amendments.

90th day 118th day Sine die.

*Appropriation, revenue, and local and private bills, and bills to restore suffrage are excluded from these deadlines. For purposes of the deadlines herein set forth, the term "revenue bills" shall include only those bills whose primary purpose is to increase or decrease taxes or to authorize the issuance of bonds or the borrowing of money. Bills which are primarily for regulatory purposes which have revenue provisions included shall not be considered as revenue bills for deadline purposes. The deletion from a bill of the features which made it a revenue bill shall render the bill a general bill for deadline purposes.

**Conference reports on all bills must be filed with the Secretary/Clerk no later than the time of adjournment on the day prior to being called up and considered. Appropriation bills which actually appropriate money and are recommitted for further conference are excluded from the requirement that the subsequent conference report be filed and lay on table one (1) day before being considered; however, original action must be taken on all appropriation conference reports by 2:00 p.m. on the 84th/112th day and subsequent reports must be filed no later than 6:00 p.m.

***Requests for general bills and constitutional amendments to be drafted must be made no later than 6:00 p.m. on the 9th/37th day. The Rules Committee of the House or Senate, as the case may be, may authorize any member of its respective house to make requests, for one or more general bills or constitutional amendments to be drafted, after the expiration of the deadline for making such drafting requests but before the deadline for introduction of bills and constitutional amendments, upon a determination by the Rules Committee that such drafting requests are in response to conditions of an emergency nature arising subsequent to the deadline for making requests for general bills and constitutional amendments to be drafted.

+Committee reports and conference reports that are subject to being filed on these deadlines must be filed with the Secretary/Clerk no later than 8:00 p.m.

Whenever the word "day" appears in this rule, it shall mean calendar day.

The above schedule shall not be deviated from except by the passage of a concurrent resolution adopted by a vote of two thirds (2/3) of the membership of the House and Senate present and voting.

INDEX TO JOINT RULES

SENATE AND HOUSE OF REPRESENTATIVES

	Rule Number
BILLS AND CONCURRENT RESOLUTIONS:	
Application of 3/5 vote	18
Appropriation bills; amendment increasing funds must include an equal reduction	20A
Code sections, new language and deleted language in; how indicated	9A
Information on rejection of	11
Messages between houses	10
Not introduced during last three days of session	17
Printing of bills and reports	16
Recalling of under motion to reconsider	15
Re introduction of rejected bills	12
Revenue bills; what considered as	18
Style of bills	9
Transmit certain papers	13
CONCURRENT .RESOLUTIONS AND BILLS (See Bills and Concurrent Resolutions)	
CONFERENCE COMMITTEES:	
Announcement of official meeting rooms for	23A
Appointment of	22
Cell phone use prohibited in	23A
Communications between conferees and nonlegislators restricted	23A
Creation of	21
May be requested; when	21
Motions to reconsider reports of	29
Notification of appointment of	21
Open to public; requirements of	23A
Report; addition of Code sections	25
Report in writing	23
Result of failure to adopt reports of	26
Signed by majority of members from each house	23
Vote required for adoption of reports of	27
Vote required for appropriation bills	28
What may be considered by	24
ENROLLED BILLS:	
Procedure on	30,31,32,33
Committee on	33
FIREARMS PROHIBITED	37
FISCAL NOTE	20
JOINT COMMITTEES	34,39
JOINT CONVENTION:	
Call of either house	4
Extension of time specific	5
Decisions on points of order	3
Formed by concurrent resolution	1
Held in House	2
Majority required for elections	2
Parliamentary authority	8

Separate decisions of houses 7
Speak five minutes 5
Speaker to call to order 3
Speaker presides; when 3
Viva voce vote 2
Vote on as body 6
Who may attend 2
Yeas and nays; when 6

LIQUOR PROHIBITED 36

LOCAL AND PRIVATE LEGISLATION –
Committee procedure and requirements 38

MESSAGES 35

TIMETABLE 40

CONSTITUTIONAL PROVISIONS
AFFECTING
THE LEGISLATURE AND LEGISLATION

RULES OF PROCEDURE

Section 54. A majority of each house shall constitute a quorum to do business; but a less number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as each shall provide.

Section 55. Each house may determine rules of its own proceedings, punish its members for disorderly behavior, and, with the concurrence of two thirds (2/3) of the members present, expel a member; but no member, unless expelled for theft, bribery or corruption, shall be expelled the second time for the same offense. Both houses shall, from time to time, publish journals of their proceedings, except such parts as may, in their opinion, require secrecy; and the yeas and nays on any question shall be entered on the Journal, at the request of one tenth (1/10) of the members present; and the yeas and nays shall be entered on the Journal on the final passage of every bill.

Section 56. The style of the laws of the State shall be: "Be it enacted by the Legislature of the State of Mississippi."

Section 57. Neither house shall, without the consent of the other, adjourn for more than three (3) days, nor to any other place than that in which the two (2) houses shall be sitting.

Section 58. The doors of each house, when in session, or in Committee of the Whole, shall be kept open, except in cases which may require secrecy; and each house may punish, by fine and imprisonment any person not a member, who shall be guilty of disrespect to the house by any disorderly or contemptuous behavior in its presence, or who shall in any way disturb its deliberations during the session; but such imprisonment shall not extend beyond the final adjournment of that session.

Section 59. Bills may originate in either house, and be amended or rejected in the other, and every bill shall be read by its title on three (3) different days in each house, unless two thirds (2/3) of the house where the same is pending shall dispense

with the rules; and every bill shall be read in full immediately before the vote on its final passage upon the demand of any member; and every bill, having passed both houses, shall be signed by the President of the Senate and the Speaker of the House of Representatives during the legislative session.

Section 60. No bill shall be so amended in its passage through either house as to change its original purpose; and no law shall be passed except by bill; but orders, votes, and resolutions of both houses, affecting the prerogatives and duties thereof, or relating to adjournment, to amendments to the Constitution, to the investigation of public officers, and the like, shall not require the signature of the Governor; and such resolutions, orders and votes may empower legislative committees to administer oaths, to send for persons and papers, and generally make legislative investigations effective.

Section 61. No law shall be revived or amended by reference to its title only, but the section or sections, as amended or revived, shall be inserted at length.

Section 62. No amendment to bills by one (1) house shall be concurred in by the other, except by a vote of the majority thereof, taken by yeas and nays and the names of those voting for and against recorded upon the journals; and reports of committees of conference shall in like manner be adopted in each house.

Section 63. No appropriation bill shall be passed by the Legislature which does not fix definitely the maximum sum thereby authorized to be drawn from the Treasury.

Section 64. No bill passed after the adoption of this Constitution to make appropriations of money out of the State Treasury shall continue in force more than two (2) months after the expiration of the fiscal year ending after the meeting of the Legislature at its next regular session; nor shall such bill be passed except by the votes of a majority of all members elected to each house of the Legislature.

Section 65. All votes on the final passage of any measure shall be subject to reconsideration for at least one (1) whole legislative day, and no motion to reconsider such vote shall be disposed of adversely on the day on which the original vote was taken, except on the last day of the session.

Section 66. No law granting a donation or gratuity in favor of any person or object shall be enacted except by the concurrence of two thirds (2/3) of the members elect of each branch of the Legislature, nor by any vote for a sectarian purpose or use.

Section 67. No new bill shall be introduced into either house of the Legislature during the last three (3) days of the session.

Section 68. Appropriation and revenue bills shall, at regular sessions of the Legislature, have precedence in both houses over all other business, and no such bills shall be passed during the last five (5) days of the session.

Section 69. General appropriation bills shall contain only the appropriations to defray the ordinary expenses of the executive, legislative and judicial departments of the government; to pay interest on state bonds and to support the common schools. All other appropriations shall be made by separate bills, each embracing but one (1) subject. Legislation shall not be engrafted on appropriation bills, but the same may prescribe the conditions on which the money may be drawn, and for what purposes paid.

Section 70. No revenue bill, or any bill providing for assessment of property for taxation, shall become a law except by a vote of at least three fifths (3/5) of the members of each house present and voting.

Section 71. Every bill introduced into the Legislature shall have a title, and the title ought to indicate clearly the subject-matter or matters of the proposed legislation. Each committee to which a bill may be referred shall express, in writing, its judgment of the sufficiency of the title of the bill and this, too, whether recommendation be that the bill do pass or do not pass.

Section 72. Every bill which shall pass both houses shall be presented to the Governor of the state. If he shall approve, he shall sign it; but if he does not approve, he shall return it, with his objections, to the house in which it originated, which shall enter the objections at large upon its Journal, and proceed to reconsider it. If after such reconsideration, two thirds (2/3) of that house shall agree to pass the bill, it shall be sent, with the objections, to the other house, by which, likewise, it shall be reconsidered; and if approved by two thirds (2/3) of that house, it shall become a law; but in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal of each house respectively. If any bill shall not be returned by the Governor within five (5) days (Sundays excepted) after it has been presented to him, it shall become law in like manner as if he had signed it, unless the Legislature, by adjournment, prevented its return, in which case such bill shall be a law unless the Governor shall veto it within fifteen (15) days (Sundays excepted) after it is presented to him, and such bill shall be returned to the Legislature, with his objections, within three (3) days after the beginning of the next session of the Legislature.

Section 73. The Governor may veto parts of any appropriation bill and approve parts of the same, and the portions approved shall be law.

Section 74. No bill shall become a law until it shall have been referred to a committee of each house and returned therefrom with a recommendation in writing.

Section 75. No law of a general nature, unless therein otherwise provided, shall be enforced until sixty (60) days after its passage.

Section 76. In all elections by the Legislature, members shall vote viva voce, and the votes shall be entered on the journals.

Section 77. The Governor shall issue writs of election to fill such vacancies as may occur in either house of the Legislature, and the persons thereupon chosen shall hold their seats for the unexpired term.

Section 129. The Lieutenant Governor shall, by virtue of his office, be President of the Senate. In Committee of the Whole he may debate all questions, and where there is an equal division in the Senate, or on a joint vote of both houses, he shall give the casting vote.

Section 139. The Legislature may empower the Governor to remove and appoint officers, in any county or counties or municipal corporations, under such regulations as may be prescribed by law.

Section 253. The Legislature may, by a two thirds (2/3) vote of both houses, of all members elected, restore the right of suffrage to any person disqualified by reason of crime; but the reasons therefor shall be spread upon the journals, and the vote shall be by yeas and nays.

INJUNCTIONS

Section 78. It shall be the duty of the Legislature to regulate by law the cases in which deductions shall be made from salaries of public officers for neglect of official duty, and the amount of said deductions.

Section 79. The Legislature shall provide by law for the sale of all delinquent tax lands. The courts shall apply the same liberal principles in favor of such titles as in sale by execution. The right of redemption from all sales of real estate, for the nonpayment of taxes or special assessments, of any and every character whatsoever, shall exist, on conditions to be prescribed by law, in favor of owners and persons interested in such real estate, for a period of not less than two (2) years.

Section 80. Provisions shall be made by general laws to prevent the abuse by cities, towns, and other municipal corporations of their powers of assessment, taxation, borrowing money, and contracting debts.

Section 81. The Legislature shall never authorize the permanent obstruction of any of the navigable waters of the state, but may provide for the removal of such obstructions as now exist, whenever the public welfare demands. This section shall not prevent the construction, under proper authority, of drawbridges for railroads, or other roads nor the construction of booms and chutes for logs, nor the construction, operation and maintenance of facilities incident to the exploration, production or transportation of oil, gas or other minerals, nor the construction, operation and maintenance of bridges and causeways in such manner as not to prevent the safe passage of vessels or logs under regulations to be provided by law.

Section 82. The Legislature shall fix the amount of the penalty of all official bonds, and may, as far as practicable, provide that the whole or a part of the security required for the faithful discharge of official duty shall be made by some guaranty company or companies.

Section 83. The Legislature shall enact laws to secure the safety of persons from fires in hotels, theatres, and other public places of resort.

Section 84. The Legislature shall enact laws to limit, restrict, or prevent the acquiring and holding of land in the state by nonresident aliens, and may limit or restrict the acquiring or holding of lands by corporations.

Section 85. The Legislature shall provide by general law for the working of public roads by contract or by county prisoners, or both. Such law may be put in operation only by a vote of the board of supervisors in those counties where it may be desirable.

Section 86. It shall be the duty of the Legislature to provide by law for the treatment and care of the insane; and the Legislature may provide for the care of the indigent sick in hospitals in the state.

LOCAL LEGISLATION

Section 87. No special or local law shall be enacted for the benefit of individuals or corporations, in cases which are or can be provided for by the general law, or where the relief sought can be given by any court of this state; nor shall the operation of any general law be suspended by the Legislature for the benefit of any individual or private corporation or association, and in all cases where a general law can be made applicable, and would be advantageous, no special law shall be enacted.

Section 88. The Legislature shall pass general laws, under which local and private interests shall be provided for and protected, and under which cities and towns may be chartered and their charters amended, and under which corporations may be created, organized, and their acts of incorporation altered; and all such laws shall be subject to repeal or amendment.

Section 89. There shall be appointed in each house of the Legislature a standing committee on Local and Private Legislation; the House committee to consist of seven (7) representatives and the Senate committee of five (5) senators. No local or private bill shall be passed by either house until it shall have been referred to said committee thereof and shall have been reported back with a recommendation in writing that it do pass, stating affirmatively the reasons therefor, and why the end to be accomplished should not be reached by general law, or by a proceeding in court; or if the recommendation of the committee be that the bill do not pass, then it shall not pass the house to which it is so reported unless it be voted for by a majority of all the members elected thereto. If a bill is passed in conformity to the requirements hereof, other than such as prohibited in the next section, the courts shall not, because of its local, special or private nature refuse to enforce it.

Section 90. The Legislature shall not pass local, private or special laws in any of the following enumerated cases, but such matters shall be provided for only by general laws, viz:

(a) Granting divorces;
(b) Changing the names of persons, places or corporations;
(c) Providing for change of venue in civil and criminal cases;
(d) Regulating the rate of interest on money;
(e) Concerning the settlement or administration of any estate, or the sale or mortgage of any property, of any infant, or of a person of unsound mind, or of any deceased person;
(f) The removal of the disability of infancy;
(g) Granting to any person, corporation or association the right to have any ferry, bridge, road or fish trap;
(h) Exemption of property from taxation or from levy or sale;
(i) Providing for the adoption or legitimation of children;
(j) Changing the law of descent and distribution;
(k) Exempting any person from jury, road or other civil duty (and no person shall be exempted therefrom by force of any local or private law);
(l) Laying out, opening, altering and working roads and highways;
(m) Vacating any road or highway, town plat, alley or public grounds;
(n) Selecting, drawing, summoning, or empaneling grand or petit juries;
(o) Creating, increasing or decreasing the fees, salary or emoluments of any public officer;
(p) Providing for the management or support of any private or common school, incorporating the same or granting such school any privileges;
(q) Relating to stock laws, water courses and fences;
(r) Conferring the power to exercise the right of eminent domain, or granting to any person, corporation, or association the right to lay down railroad tracks or street car tracks in any other manner than that prescribed by general law;
(s) Regulating the practice in courts of justice;
(t) Providing for the creation of districts for the election of justices of the peace and constables; and
(u) Granting any lands under control of the state to any person or corporation.

CONSTITUTIONAL PROHIBITIONS

Section 91. The Legislature shall not enact any law for one or more counties, not applicable to all the counties in the state, increasing the uniform charge for the registration of deeds, or regulating costs and charges and fees of officers.

Section 92. The Legislature shall not authorize payment to any person of the salary of a deceased officer beyond the date of his death.

Section 93. The Legislature shall not retire any officer on pay, or part pay, or make any grant to such retiring officer.

Section 94. The Legislature shall never create by law any distinction between the rights of men and women to acquire, own, enjoy and dispose of property of all kinds, or their power to contract in reference thereto. Married women are hereby fully emancipated from all disability on account of coverture. But this shall not prevent the Legislature from regulating contracts between husband and wife; nor shall the Legislature be prevented from regulating the sale of homesteads.

Section 95. Lands belonging to, or under the control of the state, shall never be donated directly or indirectly, to private corporations or individuals, or to railroad companies. Nor shall such land be sold to corporations or associations for a less price than that for which it is subject to sale to individuals. This, however, shall not prevent the Legislature from granting a right of way, not exceeding one hundred (100) feet in width, as a mere easement to railroads across state lands, and the Legislature shall never dispose of the land covered by said right of way so long as such easement exists.

Section 96. The Legislature shall never grant extra compensation, fees or allowances to any public officer, agent, servant or contractor, after service rendered or contract made, nor authorize payment, or part payment of any claim, under any contract not authorized by law; but appropriations may be made for expenditures in repelling invasion, preventing or suppressing insurrections.

Section 97. The Legislature shall have no power to revive any remedy which may have become barred by lapse of time, or by any statute of limitation of this state.

Section 99. The Legislature shall not elect any other than its own officers and State Librarian.

Section 100. No obligation or liability of any person, association or corporation held or owned by this state, or levee board, or any county, city or town thereof, shall ever be remitted, released or postponed, or in any way diminished by the Legislature, nor shall such liability or obligation be extinguished except by payment thereof into the proper treasury; nor shall such liability or obligation be exchanged or transferred except upon payment of its face value; but this shall not be construed to prevent the Legislature from providing by general law for compromise of doubtful claims.

INDEX TO CONSTITUTIONAL PROVISIONS AFFECTING THE LEGISLATURE

	Const. Sec.
ADJOURNMENT - Limit of three days without consent	57
AMENDMENTS:	
No law amended by reference to title only	61
Not change original purpose	60
Yea and nay vote on concurrence	62
APPROPRIATION BILLS:	
General; what to contain	63, 69
Majority vote for passage	64
One subject only	69
Show maximum amount	63
Termination of	64
BILLS, GENERAL:	
Action on before becoming law	74

Amending or reviving; requirements for 61
Amended or rejected by either house 59
Approved during session 72
Becoming law without Governor's signature; when 72
Donations for sectarian purposes prohibited 66
Final passage; procedure on 59
Form of 71
General laws; effective when 75
Governor; procedure on 72
Introduction of; when prohibited 67
Laws enacted by bills only 60
Local and private; procedure before passage 89
Originate in either house 59
Precedence over other business 68
Reading of 59
Reconsideration of 65
Revenue; 3/5 vote required 70
Revision by reference to title only insufficient 61
Sections amended inserted at length 61
Signing of 59
Style of 56
Sufficiency of title 71
Suffrage, restoration of; vote on 253
Titles; contents of 71
Vetoed in part 73
Vetoed; reconsideration of 72
Yeas and nays on final passage 55
Yea and nay vote on concurrence in amendments 62

CLAIMS - Payment prohibited; when 96

COMMITTEES:
Conference vote on adoption of report 62
Recommendations in writing 71

CONFERENCE COMMITTEE REPORTS - Yea and nay vote required 62

CONSTITUTIONAL INJUNCTIONS 78 86

CONSTITUTIONAL PROHIBITIONS 91 100

CORPORATIONS - Restrict acquiring land by 84

COUNTIES - Certain laws not to be enacted for 91

ELECTIONS - Viva voce vote 76

EXTRA COMPENSATION - Prohibited for public officers 96

FIRES - Safety from in public places 83

GOVERNOR - Removal or appointment of officers by 139

INDIGENT SICK - Treatment of 86

INSANE AND INDIGENT SICK - Treatment of 86

JOURNAL:

Election votes entered in 76
Published 55
Signing of bills recorded in 59
Yeas and nays entered in 55

LANDS - Sale of delinquent 79

LOCAL AND PRIVATE:
Adversely reported 89
Committees appointed 89
Local and private interest; protection of 88
Matters not subject to 90
Municipalities; charters of 88
Only when general laws not applicable 87
Passage; procedure for 89
Restriction on 90

MEMBERS OF LEGISLATURE:
Attendance compelled 54
Behavior, disorderly; punishment 58
Expelled; how 55

MEN AND WOMEN - No distinction in property rights 94

MUNICIPALITIES - Prevent abuse of power 80

MOTIONS - To reconsider; procedure on 65

NAVIGABLE WATERS - Obstruction of; prohibited 81

NONRESIDENT ALIENS AND CORPORATIONS –
Restrict acquiring land by 84

OBLIGATIONS - Not to be remitted 100

OFFICERS (See Public Officers)

OFFICIAL BONDS - Fix amount 82

PUBLIC OFFICERS:
Deceased; salary of 92
Elected by Legislature 99
Extra compensation prohibited 96
Not retired on pay 93
Salaries, deduction of; when 78

PUBLIC ROADS - Working of 85

QUORUM:
Compel attendance for 54
What constitutes 54

RESOLUTIONS - Governor's signature not required 60

REVENUE BILLS - 3/5 vote on 70

ROADS, PUBLIC - Working of 85

SECRECY - Doors closed for 58

STATUTE OF LIMITATIONS - No power to revive remedies barred by 97

STATE LANDS - Donations of, prohibited 95

TAX SALES - Provide for redemption 79

VACANCIES - How filled 77

VOTING:
Deciding vote cast in Joint Session 129
3/5 vote 70
2/3 vote 55, 66, 72, 253

VOTE IN JOINT SESSION - How deciding cast 129

WOMEN AND MEN - No distinction in property rights 94

VOLUME II

JOURNAL OF THE SENATE

of the

STATE OF MISSISSIPPI

VOLUME III

JOURNAL OF THE SENATE

of the

STATE OF MISSISSIPPI

JOURNAL OF THE SENATE

OF THE

STATE OF MISSISSIPPI

AT THE SECOND EXTRAORDINARY SESSION
THEREOF IN THE CITY OF JACKSON

Commencing Thursday, January 25, 2024
Ending Thursday, January 25, 2024

*** * ***

PUBLISHED BY AUTHORITY

Calendar
DAY Page

1. THURSDAY, JANUARY 25, 2024 5

JOURNAL INDEX 19

FIRST DAY, THURSDAY, JANUARY 25, 2024

Be it remembered on this the 25th of January, 2024, the same being the date designated by proclamation of the Governor of the State of Mississippi for the Legislature to convene in Extraordinary Session, the Senate convened in its chamber in the Capitol in the City of Jackson at 9:30 AM.

President Hosemann presided over the Senate.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.
Absent--McCaughn. Total--1.

The Secretary announced a quorum present.

_____

Leave of absence was granted to Senator McCaughn.

_____

Divine blessing was invoked by Dr. Israel Cox, Pastor, Crosspoint Church, Gulfport, MS.

_____

Senator Carter led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

_____

A PROCLAMATION

BY THE

GOVERNOR

WHEREAS, pursuant to Section 121 of the Constitution of the State of Mississippi, the Governor is vested with the power to convene, by public proclamation, the Legislature in Extraordinary Session whenever, in his judgment, the public interest requires it; and

WHEREAS, pursuant to Section 121 of the Constitution of the State of Mississippi, such public proclamation “shall state the subjects and matters to be considered by the Legislature, when so convened; and the Legislature, when so convened as aforesaid, shall have no power to consider or act upon subjects or matters other than those designated in the proclamation of the Governor by which the session is called…”; and

WHEREAS, it is my judgment that the public interest requires that the Legislature be convened in Extraordinary Session for the consideration of only the specific subjects and matters hereinafter stated:

NOW, THEREFORE, I, Tate Reeves, Governor of the State of Mississippi, do hereby issue this Proclamation to convene the Legislature in Extraordinary Session, and do designate **Thursday, January 25, 2024, at 9:30 a.m.** as the time, and the State Capitol in the City of Jackson, Mississippi, as the place, in which said Extraordinary Session shall be convened; and do designate as the subjects to be considered at said Extraordinary Session, when so convened, the following matters so relating exclusively to and for no other purpose:

I. AN ACT TO AMEND SECTION 57-75-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "PROJECT" UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT TO INCLUDE CERTAIN DATA PROCESSING FACILITIES; TO REVISE THE DEFINITION OF THE TERMS "PROJECT AREA" AND "AFFILIATE" UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT; TO AMEND SECTION 57-75-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CONTRACTS BY THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY OR A PUBLIC AGENCY FOR CERTAIN CONTRACTS RELATED TO THE PROJECTS INCLUDED IN THIS ACT SHALL BE EXEMPT FROM ALL OR A PORTION OF THE PROVISIONS OF SECTION 31-7-13 AND THAT SUCH CONTRACTS MAY BE AWARDED ON THE BASIS OF NEGOTIATION UNDER CERTAIN CIRCUMSTANCES AND TO AUTHORIZE THE USE OF ADDITIONAL METHODS OF CONTRACTING; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY TO PROVIDE PROJECT-RELATED JOBS DATA TO THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY FOR CERTAIN PROJECTS; TO AMEND SECTION 57-75-11, MISSISSIPPI CODE OF 1972, TO GRANT THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY CERTAIN ADDITIONAL POWERS AND DUTIES WITH REGARD TO THE PROJECTS INCLUDED IN THIS ACT; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PROJECTS INCLUDED IN THIS ACT AND TO SPECIFY THE PURPOSES FOR WHICH THE PROCEEDS OF SUCH BONDS MAY BE UTILIZED; TO AMEND SECTION 57-75-17, MISSISSIPPI CODE OF 1972, TO PROVIDE PROTECTION FOR CERTAIN DATA CENTER PROJECTS, FROM SURFACE OR SUBSURFACE MINERAL EXPLORATION ACTIVITIES; TO AMEND SECTION 57-75-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF SUPERVISORS OF A COUNTY AND THE GOVERNING AUTHORITIES OF A MUNICIPALITY MAY ENTER INTO AN AGREEMENT WITH ONE OR MORE ENTERPRISES OWNING AND/OR OPERATING CERTAIN DATA CENTER FACILITIES, AND/OR ONE OR MORE AFFILIATES THEREOF, PROVIDING THAT THE COUNTY AND MUNICIPALITY WILL NOT LEVY ANY TAXES, FEES OR ASSESSMENTS UPON THE ENTERPRISE OTHER THAN TAXES, FEES OR ASSESSMENTS THAT ARE GENERALLY LEVIED UPON ALL TAXPAYERS AND TO AUTHORIZE THE BOARD OF SUPERVISORS OF A COUNTY AND THE GOVERNING AUTHORITIES OF A MUNICIPALITY TO ENTER INTO ONE OR MORE FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT WITH THE ENTERPRISES OWNING AND/OR OPERATING SUCH PROJECTS; TO AMEND SECTION 57-75-37, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A COUNTY IN WHICH CERTAIN DATA CENTER PROJECTS ARE LOCATED TO ASSIST THE

ENTERPRISES ESTABLISHING THE PROJECTS, AND THEIR AFFILIATES, TOGETHER WITH CERTAIN PUBLIC AGENCIES, IN DEFRAYING CERTAIN COSTS; TO AUTHORIZE SUCH A COUNTY TO PROVIDE FUNDS FOR SUCH PURPOSES BY APPROPRIATING MONEY FROM ITS GENERAL FUND OR FROM THE PROCEEDS OF GENERAL OBLIGATION BONDS ISSUED BY THE COUNTY AND/OR LOANS, GRANTS AND OTHER FUNDS FROM THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY OR MISSISSIPPI DEVELOPMENT AUTHORITY; TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO PROVIDE FUNDS FOR SUCH PURPOSES BY APPROPRIATING MONEY FROM CERTAIN SOURCES, INCLUDING FROM THE PROCEEDS OF LOANS, GRANTS AND OTHER FUNDS FROM THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY; TO AUTHORIZE CERTAIN TRANSFERS AND CONVEYANCES OF REAL OR PERSONAL PROPERTY WITH OR WITHOUT CONSIDERATION; TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO MAKE GRANTS TO EACH OTHER IN CONNECTION WITH SUCH A PROJECT; TO EXEMPT THE ACQUISITION OF CERTAIN REAL PROPERTY AND/OR OPTIONS TO PURCHASE SUCH REAL PROPERTY FOR SUCH PROJECTS FROM CERTAIN REQUIREMENTS; TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO PROVIDE PERIODIC GRANTS AND OTHER SUCH CONTRIBUTIONS OF FUNDS TO ASSIST THE ENTERPRISES ESTABLISHING THE PROJECTS INCLUDED IN THIS ACT AND TO ENTER INTO CERTAIN AGREEMENTS IN CONNECTION THEREWITH; TO SPECIFY THE LIMIT OF THE TERMS OF AGREEMENTS BINDING ON FUTURE GOVERNING AUTHORITIES WITH ENTERPRISES TO PROVIDE FIREFIGHTING, HAZARDOUS MATERIALS EMERGENCY RESPONSE, TECHNICAL RESCUE AND MEDICAL RESPONSE ASSISTANCE FOR CERTAIN PROJECTS; TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION CERTAIN SALES OR LEASES TO ENTERPRISES OPERATING THE PROJECTS INCLUDED IN THIS ACT AND CERTAIN AFFILIATES THEREOF; TO AMEND SECTION 27-65-107, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION CERTAIN SALES OF ELECTRICITY, CURRENT, POWER, STEAM, COAL, NATURAL GAS, LIQUEFIED PETROLEUM GAS OR OTHER FUEL TO ENTERPRISES OPERATING THE PROJECTS INCLUDED IN THIS ACT AND CERTAIN AFFILIATES THEREOF; TO AMEND SECTION 27-7-30, MISSISSIPPI CODE OF 1972, TO PROVIDE AN INCOME TAX EXEMPTION FOR INCOME ARISING FROM CERTAIN DATA CENTER PROJECTS; TO AMEND SECTION 31-19-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PROVISIONS REGARDING THE ISSUANCE OF BONDS OR INCURRENCE OF OTHER INDEBTEDNESS SHALL NOT APPLY TO THE SALE OF BONDS OR INCURRENCE OF INDEBTEDNESS BY A COUNTY IN CONNECTION WITH CERTAIN DATA CENTER PROJECTS; TO AMEND SECTION 43-37-3, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTIONS 27-13-5 AND 27-13-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN REGARD TO CERTAIN DATA CENTER PROJECTS, THE DURATION OF ANY FEE-IN-LIEU OF

FRANCHISE TAX AGREEMENT SHALL NOT EXTEND BEYOND THE DATE THE MISSISSIPPI FRANCHISE TAX IS REPEALED AND SUCH AGREEMENT SHALL APPLY ONLY TO NEW FRANCHISE TAX LIABILITY CONNECTED WITH THE PROJECTS INCLUDED IN THIS ACT; TO PROVIDE THAT IN THE EVENT THAT THE ANNUAL NUMBER OF FULL-TIME JOBS MAINTAINED CONNECTED WITH ANY SUCH PROJECT FALLS BELOW THE AGREED UPON AMOUNT FOR A PRESCRIBED PERIOD, THE FRANCHISE TAX FEE-IN-LIEU FOR THE PROJECT SHALL BE REDUCED OR SUSPENDED UNTIL THE FIRST TAX YEAR DURING WHICH THE ANNUAL NUMBER OF FULL-TIME JOBS MAINTAINED REACHES THE AGREED UPON AMOUNT; TO AMEND SECTION 19-9-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 27-31-104, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE ALTERNATIVE ALLOCATION OF A PORTION OF ANY FEE-IN-LIEU OF AD VALOREM TAXES FOR CERTAIN DATA PROJECTS TO THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY AND/OR MISSISSIPPI DEVELOPMENT AUTHORITY TO REPAY AMOUNTS PROVIDED THEREBY TO ANY COUNTY, MUNICIPALITY AND/OR PUBLIC AGENCY TO FUND PUBLIC IMPROVEMENTS AND RELATED COSTS IN CONNECTION WITH SUCH PROJECT; TO PROVIDE FOR INCENTIVE PAYMENTS TO ENTITIES THAT INCUR CERTAIN COSTS FOR THE PURPOSE OF LOCATING CERTAIN PROJECTS DEVELOPED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT IN THIS STATE; TO PROVIDE FOR THE AMOUNT OF THE INCENTIVE PAYMENTS; TO PROVIDE THAT THE PAYMENTS SHALL BE BASED ON CERTAIN COSTS INCURRED; TO CREATE A SPECIAL FUND IN THE STATE TREASURY INTO WHICH SHALL BE DEPOSITED A PORTION OF THE STATE SALES TAX REVENUE; TO PROVIDE THAT MONIES IN THE SPECIAL FUND SHALL BE USED TO MAKE THE REQUIRED INCENTIVE PAYMENTS; TO PROVIDE THAT CLAIMS FOR INCENTIVE PAYMENTS SHALL BE FILED WITH THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AUTHORIZE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO DEVELOP AND ADMINISTER SUCH INCENTIVE PROGRAM; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTION 57-1-64.2, MISSISSIPPI CODE OF 1972, TO CONFORM TO A CHANGE IN PARAGRAPH DESIGNATION; TO PROVIDE FOR THE ACCELERATION OF CERTAIN PUBLIC UTILITY APPROVAL REQUIREMENTS AS REQUIRED IN SECTION 77-3-1 ET SEQ.; TO AMEND SECTIONS 77-3-10, 77-3-11, 77-3-13, 77-3-14, 77-3-16, 77-3-35, 77-3-37, 77-3-39, 77-3-41, 77-3-91, 77-3-93 AND 77-3-95, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

II. **AN ACT TO CREATE THE PROJECT ATLAS FUND AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING GRANTS OR LOANS TO FUND CERTAIN PROJECTS, AS DEFINED IN SECTION 57-75-5(f)(xxxiii), MISSISSIPPI CODE OF 1972, FOR DATA PROCESSING; TO PROVIDE THAT MONIES APPROPRIATED OUT OF THE FUND MAY BE USED TO REIMBURSE ACTUAL OVERSIGHT COSTS**

AND ENGINEERING EXPENSES INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY UP TO A CERTAIN AMOUNT; TO REQUIRE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO FILE A REPORT ON THE FUND TO CERTAIN PUBLIC OFFICIALS; TO DIRECT THE STATE TREASURER, IN CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE PROJECT ATLAS FUND CREATED IN THIS ACT; AND FOR RELATED PURPOSES.

III. **AN ACT MAKING AN ADDITIONAL APPROPRIATION IN THE SUM OF $44 MILLION FROM THE PROJECT ATLAS FUND TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR THE PURPOSE OF FUNDING THE PROJECT DEFINED IN SECTION 57-75-5(f)(xxxiii), MISSISSIPPI CODE OF 1972, FOR THE PERIOD BEGINNING ON JULY 1, 2023, AND ENDING JUNE 30, 2024.**

Further, pursuant to Section 121 of the Constitution of the State of Mississippi, I may submit in writing other matters for consideration by the Legislature during this Extraordinary Session.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Mississippi to be affixed.

DONE in the City of Jackson, on the 24th day of January, in the year of our Lord, two thousand and twenty-four, and of the Independence of the United States of America, the two hundred and forty-eighth.

TATE REEVES
GOVERNOR

BY THE GOVERNOR:

MICHAEL WATSON
SECRETARY OF STATE

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 9:57 AM, the Senate stood in recess.

The Senate resumed business at 11:03 AM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON FINANCE

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

S. B. No. 2001: Economic development; provide incentives for certain economic development projects. Title Sufficient. Do Pass.

HARKINS, Chairman

Senator Harkins moved that the rules be suspended for the immediate consideration of **S. B. No. 2001**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

S. B. No. 2001: Economic development; provide incentives for certain economic development projects.

YEAS AND NAYS On S. B. No. 2001. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McLendon, McMahan, Michel, Norwood, Parker, Parks, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Chism. Total--1.

Absent and those not voting--McCaughn. Total--1.

Voting Present--Polk. Total--1.

Unanimous consent was granted to add Senators Barnett, Branning, Brumfield, Bryan, Chassaniol, Fillingane, Frazier, Jordan, McMahan, Parker, Rhodes, Robinson, Simmons S. (13th), Suber and Younger as co-authors of **S. B. No. 2001**.

On motion of Senator Harkins, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 2001.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1: AN ACT TO CREATE THE PROJECT ATLAS FUND AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING GRANTS OR LOANS TO FUND CERTAIN DATA PROCESSING FACILITY PROJECTS, AS DEFINED

IN SECTION 57-75-5(f)(xxxiii), MISSISSIPPI CODE OF 1972; TO PROVIDE THAT MONIES APPROPRIATED OUT OF THE FUND MAY BE USED TO REIMBURSE ACTUAL OVERSIGHT COSTS AND ENGINEERING EXPENSES INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY UP TO A CERTAIN AMOUNT; TO REQUIRE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO FILE A REPORT ON THE FUND TO CERTAIN PUBLIC OFFICIALS; TO DIRECT THE STATE TREASURER, IN CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE PROJECT ATLAS FUND CREATED IN THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 2: AN ACT MAKING AN ADDITIONAL APPROPRIATION IN THE SUM OF $44,000,000.00 FROM THE PROJECT ATLAS FUND TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR THE PURPOSE OF FUNDING THE PROJECTS DEFINED IN SECTION 57-75-5(f)(xxxiii), MISSISSIPPI CODE OF 1972, FOR THE PERIOD BEGINNING ON JULY 1, 2023, AND ENDING JUNE 30, 2024.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 11:20 AM, the Senate stood in recess.

The Senate resumed business at 11:37 AM, pursuant to recess, with President Hosemann presiding.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1: Project Atlas Fund; create. Appropriations.

H. B. No. 2: Appropriation; additional to MDA for certain projects. Appropriations.

REPORT OF COMMITTEE ON APPROPRIATIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 1: Project Atlas Fund; create. Title Sufficient. Do Pass.

H. B. No. 2: Appropriation; additional to MDA for certain projects. Title Sufficient. Do Pass.

HOPSON, Chairman

Senator Hopson moved that the rules be suspended for the immediate consideration of **H. B. No. 1**, and the motion prevailed.

Senator Hopson called up the following entitled bill:

H. B. No. 1: Project Atlas Fund; create.

YEAS AND NAYS On H. B. No. 1. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McLendon, McMahan, Michel, Norwood, Parker, Parks, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.
Nays--Chism. Total--1.
Absent and those not voting--McCaughn. Total--1.
Voting Present--Polk. Total--1.

Senator Hopson moved that the rules be suspended for the immediate consideration of **H. B. No. 2**, and the motion prevailed.

Senator Hopson called up the following entitled bill:

H. B. No. 2: Appropriation; additional to MDA for certain projects.

YEAS AND NAYS On H. B. No. 2. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McLendon, McMahan, Michel, Norwood, Parker, Parks, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.
Nays--Chism. Total--1.
Absent and those not voting--McCaughn. Total--1.
Voting Present--Polk. Total--1.

On motion of Senator Hopson, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. B. No. 1 and H. B. No. 2.

Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 11:45 AM, the Senate stood in recess.

The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 2001: Economic development; provide incentives for certain economic development projects.

Andrew Ketchings, Clerk of the House of Representatives

Senators Robinson and Johnson moved that when the Senate adjourns, it adjourn in memory of Dr. Terrell Tisdale of Hattiesburg, MS.

Senator Polk moved that the Senate adjourn Sine Die.

The motion prevailed, and at 2:04 PM, the Senate stood adjourned in memory of Dr. Terrell Tisdale.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, JANUARY 25, 2024

S. B. No. 2001: Finance

AN ACT TO AMEND SECTION 57-75-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "PROJECT" UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT TO INCLUDE CERTAIN DATA PROCESSING FACILITIES; TO REVISE THE DEFINITION OF THE TERMS "PROJECT AREA" AND "AFFILIATE" UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT; TO AMEND SECTION 57-75-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CONTRACTS BY THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY OR A PUBLIC AGENCY FOR CERTAIN CONTRACTS RELATED TO THE PROJECTS INCLUDED IN THIS ACT SHALL BE EXEMPT FROM ALL OR A PORTION OF THE PROVISIONS OF SECTION 31-7-13 AND THAT SUCH CONTRACTS MAY BE AWARDED ON THE BASIS OF NEGOTIATION UNDER CERTAIN CIRCUMSTANCES AND TO AUTHORIZE THE USE OF ADDITIONAL METHODS OF CONTRACTING; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY TO PROVIDE PROJECT-RELATED JOBS DATA TO THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY FOR CERTAIN PROJECTS; TO AMEND SECTION 57-75-11, MISSISSIPPI CODE OF 1972, TO GRANT THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY CERTAIN ADDITIONAL POWERS AND DUTIES WITH REGARD TO THE PROJECTS INCLUDED IN THIS ACT; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PROJECTS INCLUDED IN THIS ACT AND TO SPECIFY THE PURPOSES FOR WHICH THE PROCEEDS OF SUCH BONDS MAY BE UTILIZED; TO AMEND SECTION 57-75-17, MISSISSIPPI CODE OF 1972, TO PROVIDE PROTECTION FOR CERTAIN DATA CENTER PROJECTS, FROM SURFACE OR SUBSURFACE MINERAL EXPLORATION ACTIVITIES; TO AMEND SECTION 57-75-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF SUPERVISORS OF A COUNTY AND THE GOVERNING AUTHORITIES OF A MUNICIPALITY MAY ENTER INTO AN AGREEMENT WITH ONE OR MORE ENTERPRISES OWNING AND/OR OPERATING CERTAIN DATA CENTER FACILITIES, AND/OR ONE OR MORE AFFILIATES THEREOF, PROVIDING THAT THE COUNTY AND MUNICIPALITY WILL NOT LEVY ANY TAXES, FEES OR ASSESSMENTS UPON THE ENTERPRISE OTHER THAN TAXES, FEES OR ASSESSMENTS THAT ARE GENERALLY LEVIED UPON ALL TAXPAYERS AND TO

AUTHORIZE THE BOARD OF SUPERVISORS OF A COUNTY AND THE GOVERNING AUTHORITIES OF A MUNICIPALITY TO ENTER INTO ONE OR MORE FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT WITH THE ENTERPRISES OWNING AND/OR OPERATING SUCH PROJECTS; TO AMEND SECTION 57-75-37, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A COUNTY IN WHICH CERTAIN DATA CENTER PROJECTS ARE LOCATED TO ASSIST THE ENTERPRISES ESTABLISHING THE PROJECTS, AND THEIR AFFILIATES, TOGETHER WITH CERTAIN PUBLIC AGENCIES, IN DEFRAYING CERTAIN COSTS; TO AUTHORIZE SUCH A COUNTY TO PROVIDE FUNDS FOR SUCH PURPOSES BY APPROPRIATING MONEY FROM ITS GENERAL FUND OR FROM THE PROCEEDS OF GENERAL OBLIGATION BONDS ISSUED BY THE COUNTY AND/OR LOANS, GRANTS AND OTHER FUNDS FROM THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY OR MISSISSIPPI DEVELOPMENT AUTHORITY; TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO PROVIDE FUNDS FOR SUCH PURPOSES BY APPROPRIATING MONEY FROM CERTAIN SOURCES, INCLUDING FROM THE PROCEEDS OF LOANS, GRANTS AND OTHER FUNDS FROM THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY; TO AUTHORIZE CERTAIN TRANSFERS AND CONVEYANCES OF REAL OR PERSONAL PROPERTY WITH OR WITHOUT CONSIDERATION; TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO MAKE GRANTS TO EACH OTHER IN CONNECTION WITH SUCH A PROJECT; TO EXEMPT THE ACQUISITION OF CERTAIN REAL PROPERTY AND/OR OPTIONS TO PURCHASE SUCH REAL PROPERTY FOR SUCH PROJECTS FROM CERTAIN REQUIREMENTS; TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO PROVIDE PERIODIC GRANTS AND OTHER SUCH CONTRIBUTIONS OF FUNDS TO ASSIST THE ENTERPRISES ESTABLISHING THE PROJECTS INCLUDED IN THIS ACT AND TO ENTER INTO CERTAIN AGREEMENTS IN CONNECTION THEREWITH; TO SPECIFY THE LIMIT OF THE TERMS OF AGREEMENTS BINDING ON FUTURE GOVERNING AUTHORITIES WITH ENTERPRISES TO PROVIDE FIREFIGHTING, HAZARDOUS MATERIALS EMERGENCY RESPONSE, TECHNICAL RESCUE AND MEDICAL RESPONSE ASSISTANCE FOR CERTAIN PROJECTS; TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION CERTAIN SALES OR LEASES TO ENTERPRISES OPERATING THE PROJECTS INCLUDED IN THIS ACT AND CERTAIN AFFILIATES THEREOF; TO AMEND SECTION 27-65-107, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION CERTAIN SALES OF ELECTRICITY, CURRENT, POWER, STEAM, COAL, NATURAL GAS, LIQUEFIED PETROLEUM GAS OR OTHER FUEL TO ENTERPRISES OPERATING THE PROJECTS INCLUDED IN THIS ACT AND CERTAIN AFFILIATES THEREOF; TO AMEND SECTION 27-7-30, MISSISSIPPI CODE OF 1972, TO PROVIDE AN INCOME TAX EXEMPTION FOR INCOME ARISING FROM CERTAIN DATA CENTER PROJECTS; TO AMEND SECTION 31-19-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PROVISIONS REGARDING THE ISSUANCE OF BONDS OR INCURRENCE OF OTHER INDEBTEDNESS SHALL NOT APPLY TO THE SALE OF BONDS OR INCURRENCE OF INDEBTEDNESS BY A COUNTY IN CONNECTION WITH CERTAIN DATA CENTER PROJECTS; TO AMEND SECTION 43-37-3, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTIONS 27-13-5 AND 27-13-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN REGARD TO CERTAIN DATA CENTER PROJECTS, THE DURATION OF ANY FEE-IN-LIEU OF FRANCHISE TAX AGREEMENT SHALL NOT EXTEND BEYOND THE DATE THE MISSISSIPPI FRANCHISE TAX IS REPEALED AND SUCH AGREEMENT SHALL APPLY ONLY TO NEW FRANCHISE TAX LIABILITY CONNECTED WITH THE PROJECTS INCLUDED IN THIS ACT; TO PROVIDE THAT IN THE EVENT THAT THE ANNUAL NUMBER OF FULL-TIME JOBS MAINTAINED CONNECTED WITH ANY SUCH PROJECT FALLS BELOW THE AGREED UPON AMOUNT FOR A PRESCRIBED PERIOD, THE FRANCHISE TAX FEE-IN-LIEU FOR THE PROJECT SHALL BE REDUCED OR SUSPENDED UNTIL THE FIRST TAX YEAR DURING WHICH THE ANNUAL NUMBER OF FULL-TIME JOBS MAINTAINED REACHES THE AGREED UPON AMOUNT; TO AMEND SECTION 19-9-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 27-31-104, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE

ALTERNATIVE ALLOCATION OF A PORTION OF ANY FEE-IN-LIEU OF AD VALOREM TAXES FOR CERTAIN DATA PROJECTS TO THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY AND/OR MISSISSIPPI DEVELOPMENT AUTHORITY TO REPAY AMOUNTS PROVIDED THEREBY TO ANY COUNTY, MUNICIPALITY AND/OR PUBLIC AGENCY TO FUND PUBLIC IMPROVEMENTS AND RELATED COSTS IN CONNECTION WITH SUCH PROJECT; TO PROVIDE FOR INCENTIVE PAYMENTS TO ENTITIES THAT INCUR CERTAIN COSTS FOR THE PURPOSE OF LOCATING CERTAIN PROJECTS DEVELOPED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT IN THIS STATE; TO PROVIDE FOR THE AMOUNT OF THE INCENTIVE PAYMENTS; TO PROVIDE THAT THE PAYMENTS SHALL BE BASED ON CERTAIN COSTS INCURRED; TO CREATE A SPECIAL FUND IN THE STATE TREASURY INTO WHICH SHALL BE DEPOSITED A PORTION OF THE STATE SALES TAX REVENUE; TO PROVIDE THAT MONIES IN THE SPECIAL FUND SHALL BE USED TO MAKE THE REQUIRED INCENTIVE PAYMENTS; TO PROVIDE THAT CLAIMS FOR INCENTIVE PAYMENTS SHALL BE FILED WITH THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AUTHORIZE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO DEVELOP AND ADMINISTER SUCH INCENTIVE PROGRAM; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTION 57-1-64.2, MISSISSIPPI CODE OF 1972, TO CONFORM TO A CHANGE IN SUBSECTION DESIGNATION; TO PROVIDE FOR THE ACCELERATION OF CERTAIN PUBLIC UTILITY APPROVAL REQUIREMENTS AS REQUIRED IN SECTION 77-3-1 ET SEQ.; TO AMEND SECTIONS 77-3-10, 77-3-11, 77-3-13, 77-3-14, 77-3-16, 77-3-35, 77-3-37, 77-3-39, 77-3-41, 77-3-93 AND 77-3-95, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Harkins, Thomas, Horhn, Blackmon, Hopson, Michel, Chassaniol, Fillingane, Younger, Parker, Bryan, Robinson, Barnett, Rhodes, Suber, Frazier, Brumfield, Branning, McMahan, Simmons (13th), Jordan, Blackwell

---

In accordance with the provisions of Section 72 of the Mississippi Constitution of 1890, as amended, the following Reports of Committee on Enrolled Bills and message from the Governor were received subsequent to the Sine Die adjournment:

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. B. No. 2001: AN ACT TO AMEND SECTION 57-75-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "PROJECT" UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT TO INCLUDE CERTAIN DATA PROCESSING FACILITIES; TO REVISE THE DEFINITION OF THE TERMS "PROJECT AREA" AND "AFFILIATE" UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT; TO AMEND SECTION 57-75-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CONTRACTS BY THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY OR A PUBLIC AGENCY FOR CERTAIN CONTRACTS RELATED TO THE PROJECTS INCLUDED IN THIS ACT SHALL BE EXEMPT FROM ALL OR A PORTION OF THE PROVISIONS OF SECTION 31-7-13 AND THAT SUCH CONTRACTS MAY BE AWARDED ON THE BASIS OF NEGOTIATION UNDER CERTAIN CIRCUMSTANCES AND TO AUTHORIZE THE USE OF ADDITIONAL METHODS OF CONTRACTING; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY TO PROVIDE PROJECT-RELATED JOBS DATA TO THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY FOR CERTAIN PROJECTS; TO AMEND SECTION 57-75-11, MISSISSIPPI CODE OF 1972, TO GRANT THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY CERTAIN ADDITIONAL POWERS AND DUTIES WITH REGARD TO THE PROJECTS INCLUDED IN THIS ACT; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF STATE GENERAL

OBLIGATION BONDS FOR THE PROJECTS INCLUDED IN THIS ACT AND TO SPECIFY THE PURPOSES FOR WHICH THE PROCEEDS OF SUCH BONDS MAY BE UTILIZED; TO AMEND SECTION 57-75-17, MISSISSIPPI CODE OF 1972, TO PROVIDE PROTECTION FOR CERTAIN DATA CENTER PROJECTS, FROM SURFACE OR SUBSURFACE MINERAL EXPLORATION ACTIVITIES; TO AMEND SECTION 57-75-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF SUPERVISORS OF A COUNTY AND THE GOVERNING AUTHORITIES OF A MUNICIPALITY MAY ENTER INTO AN AGREEMENT WITH ONE OR MORE ENTERPRISES OWNING AND/OR OPERATING CERTAIN DATA CENTER FACILITIES, AND/OR ONE OR MORE AFFILIATES THEREOF, PROVIDING THAT THE COUNTY AND MUNICIPALITY WILL NOT LEVY ANY TAXES, FEES OR ASSESSMENTS UPON THE ENTERPRISE OTHER THAN TAXES, FEES OR ASSESSMENTS THAT ARE GENERALLY LEVIED UPON ALL TAXPAYERS AND TO AUTHORIZE THE BOARD OF SUPERVISORS OF A COUNTY AND THE GOVERNING AUTHORITIES OF A MUNICIPALITY TO ENTER INTO ONE OR MORE FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT WITH THE ENTERPRISES OWNING AND/OR OPERATING SUCH PROJECTS; TO AMEND SECTION 57-75-37, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A COUNTY IN WHICH CERTAIN DATA CENTER PROJECTS ARE LOCATED TO ASSIST THE ENTERPRISES ESTABLISHING THE PROJECTS, AND THEIR AFFILIATES, TOGETHER WITH CERTAIN PUBLIC AGENCIES, IN DEFRAYING CERTAIN COSTS; TO AUTHORIZE SUCH A COUNTY TO PROVIDE FUNDS FOR SUCH PURPOSES BY APPROPRIATING MONEY FROM ITS GENERAL FUND OR FROM THE PROCEEDS OF GENERAL OBLIGATION BONDS ISSUED BY THE COUNTY AND/OR LOANS, GRANTS AND OTHER FUNDS FROM THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY OR MISSISSIPPI DEVELOPMENT AUTHORITY; TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO PROVIDE FUNDS FOR SUCH PURPOSES BY APPROPRIATING MONEY FROM CERTAIN SOURCES, INCLUDING FROM THE PROCEEDS OF LOANS, GRANTS AND OTHER FUNDS FROM THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY; TO AUTHORIZE CERTAIN TRANSFERS AND CONVEYANCES OF REAL OR PERSONAL PROPERTY WITH OR WITHOUT CONSIDERATION; TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO MAKE GRANTS TO EACH OTHER IN CONNECTION WITH SUCH A PROJECT; TO EXEMPT THE ACQUISITION OF CERTAIN REAL PROPERTY AND/OR OPTIONS TO PURCHASE SUCH REAL PROPERTY FOR SUCH PROJECTS FROM CERTAIN REQUIREMENTS; TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO PROVIDE PERIODIC GRANTS AND OTHER SUCH CONTRIBUTIONS OF FUNDS TO ASSIST THE ENTERPRISES ESTABLISHING THE PROJECTS INCLUDED IN THIS ACT AND TO ENTER INTO CERTAIN AGREEMENTS IN CONNECTION THEREWITH; TO SPECIFY THE LIMIT OF THE TERMS OF AGREEMENTS BINDING ON FUTURE GOVERNING AUTHORITIES WITH ENTERPRISES TO PROVIDE FIREFIGHTING, HAZARDOUS MATERIALS EMERGENCY RESPONSE, TECHNICAL RESCUE AND MEDICAL RESPONSE ASSISTANCE FOR CERTAIN PROJECTS; TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION CERTAIN SALES OR LEASES TO ENTERPRISES OPERATING THE PROJECTS INCLUDED IN THIS ACT AND CERTAIN AFFILIATES THEREOF; TO AMEND SECTION 27-65-107, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION CERTAIN SALES OF ELECTRICITY, CURRENT, POWER, STEAM, COAL, NATURAL GAS, LIQUEFIED PETROLEUM GAS OR OTHER FUEL TO ENTERPRISES OPERATING THE PROJECTS INCLUDED IN THIS ACT AND CERTAIN AFFILIATES THEREOF; TO AMEND SECTION 27-7-30, MISSISSIPPI CODE OF 1972, TO PROVIDE AN INCOME TAX EXEMPTION FOR INCOME ARISING FROM CERTAIN DATA CENTER PROJECTS; TO AMEND SECTION 31-19-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PROVISIONS REGARDING THE ISSUANCE OF BONDS OR INCURRENCE OF OTHER INDEBTEDNESS SHALL NOT APPLY TO THE SALE OF BONDS OR INCURRENCE OF INDEBTEDNESS BY A COUNTY IN CONNECTION WITH CERTAIN DATA CENTER PROJECTS; TO AMEND SECTION 43-37-3, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTIONS 27-13-5 AND 27-13-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN REGARD TO CERTAIN DATA CENTER PROJECTS, THE

DURATION OF ANY FEE-IN-LIEU OF FRANCHISE TAX AGREEMENT SHALL NOT EXTEND BEYOND THE DATE THE MISSISSIPPI FRANCHISE TAX IS REPEALED AND SUCH AGREEMENT SHALL APPLY ONLY TO NEW FRANCHISE TAX LIABILITY CONNECTED WITH THE PROJECTS INCLUDED IN THIS ACT; TO PROVIDE THAT IN THE EVENT THAT THE ANNUAL NUMBER OF FULL-TIME JOBS MAINTAINED CONNECTED WITH ANY SUCH PROJECT FALLS BELOW THE AGREED UPON AMOUNT FOR A PRESCRIBED PERIOD, THE FRANCHISE TAX FEE-IN-LIEU FOR THE PROJECT SHALL BE REDUCED OR SUSPENDED UNTIL THE FIRST TAX YEAR DURING WHICH THE ANNUAL NUMBER OF FULL-TIME JOBS MAINTAINED REACHES THE AGREED UPON AMOUNT; TO AMEND SECTION 19-9-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 27-31-104, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE ALTERNATIVE ALLOCATION OF A PORTION OF ANY FEE-IN-LIEU OF AD VALOREM TAXES FOR CERTAIN DATA PROJECTS TO THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY AND/OR MISSISSIPPI DEVELOPMENT AUTHORITY TO REPAY AMOUNTS PROVIDED THEREBY TO ANY COUNTY, MUNICIPALITY AND/OR PUBLIC AGENCY TO FUND PUBLIC IMPROVEMENTS AND RELATED COSTS IN CONNECTION WITH SUCH PROJECT; TO PROVIDE FOR INCENTIVE PAYMENTS TO ENTITIES THAT INCUR CERTAIN COSTS FOR THE PURPOSE OF LOCATING CERTAIN PROJECTS DEVELOPED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT IN THIS STATE; TO PROVIDE FOR THE AMOUNT OF THE INCENTIVE PAYMENTS; TO PROVIDE THAT THE PAYMENTS SHALL BE BASED ON CERTAIN COSTS INCURRED; TO CREATE A SPECIAL FUND IN THE STATE TREASURY INTO WHICH SHALL BE DEPOSITED A PORTION OF THE STATE SALES TAX REVENUE; TO PROVIDE THAT MONIES IN THE SPECIAL FUND SHALL BE USED TO MAKE THE REQUIRED INCENTIVE PAYMENTS; TO PROVIDE THAT CLAIMS FOR INCENTIVE PAYMENTS SHALL BE FILED WITH THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AUTHORIZE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO DEVELOP AND ADMINISTER SUCH INCENTIVE PROGRAM; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTION 57-1-64.2, MISSISSIPPI CODE OF 1972, TO CONFORM TO A CHANGE IN SUBSECTION DESIGNATION; TO PROVIDE FOR THE ACCELERATION OF CERTAIN PUBLIC UTILITY APPROVAL REQUIREMENTS AS REQUIRED IN SECTION 77-3-1 ET SEQ.; TO AMEND SECTIONS 77-3-10, 77-3-11, 77-3-13, 77-3-14, 77-3-16, 77-3-35, 77-3-37, 77-3-39, 77-3-41, 77-3-93 AND 77-3-95, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

David Jordan, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1: AN ACT TO CREATE THE PROJECT ATLAS FUND AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING GRANTS OR LOANS TO FUND CERTAIN DATA PROCESSING FACILITY PROJECTS, AS DEFINED IN SECTION 57-75-5(f)(xxxiii), MISSISSIPPI CODE OF 1972; TO PROVIDE THAT MONIES APPROPRIATED OUT OF THE FUND MAY BE USED TO REIMBURSE ACTUAL OVERSIGHT COSTS AND ENGINEERING EXPENSES INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY UP TO A CERTAIN AMOUNT; TO REQUIRE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO FILE A REPORT ON THE FUND TO CERTAIN PUBLIC OFFICIALS; TO DIRECT THE STATE TREASURER, IN CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE PROJECT ATLAS FUND CREATED IN THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 2: AN ACT MAKING AN ADDITIONAL APPROPRIATION IN THE SUM OF $44,000,000.00 FROM THE PROJECT ATLAS FUND TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR THE PURPOSE OF FUNDING THE PROJECTS DEFINED IN SECTION 57-75-5(f)(xxxiii), MISSISSIPPI CODE OF 1972, FOR THE PERIOD BEGINNING ON JULY 1, 2023, AND ENDING JUNE 30, 2024.

David Jordan, Chairman

MESSAGE FROM THE GOVERNOR
January 30, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2001: Economic development; provide incentives for certain economic development projects. (January 30, 2024, 10:37 AM)

Respectfully submitted,
Ginny Zirulnik, Legislative Aide

CONTENTS OF SENATE JOURNAL INDEX

SECOND EXTRAORDINARY SESSION 2024

PART
I. Senate Bill and Resolution Introductions by Number..... 19.
II. Authors of Senate Bills and Resolutions by Number. ..... 20.
III. A History of Actions on all Legislative Matters Considered by the Senate. ..... 21.
A. Senate Bills. ..... 21.
D. House Bills. ..... 21.
IV. General Index of Other Legislative Matters..... 22.

PART I

Senate Bill and Resolution Introduction by Number

(Refer to Part III for condensed titles of Senate Bills, Concurrent Resolutions, Resolutions and Joint Resolutions, respectively, and Senate actions.)

S.B. No.....Page
2001.....13

PART II

Authors of Senate Bills, Concurrent Resolutions and Resolutions

(* denotes "By Request")

Senator Barnett ..... S.B. 2001

Senator Blackmon ..... S.B. 2001

Senator Blackwell ..... S.B. 2001

Senator Branning ..... S.B. 2001

Senator Brumfield ..... S.B. 2001

Senator Bryan ..... S.B. 2001

Senator Chassaniol ..... S.B. 2001

Senator Fillingane ..... S.B. 2001

Senator Frazier ..... S.B. 2001

Senator Harkins ..... S.B. 2001

Senator Hopson ..... S.B. 2001

Senator Horhn ..... S.B. 2001

Senator Jordan ..... S.B. 2001

Senator McMahan ..... S.B. 2001

Senator Michel ..... S.B. 2001

Senator Parker ..... S.B. 2001

Senator Rhodes ..... S.B. 2001

Senator Robinson ..... S.B. 2001

Senator Simmons S. (13th) .... S.B. 2001

Senator Suber ..... S.B. 2001

Senator Thomas ..... S.B. 2001

Senator Younger ..... S.B. 2001

PART III

A History of Actions on All Legislative
Matters Considered by the Senate

Titles of all Senate bills in this part of the index are condensed and appear in numerical order, showing the authors and committees to which they were referred. Senate bills with more than two authors will reflect only the first recorded author. Senate bill numbers begin at 2001, so as to prevent duplication of House Bill numbers.

Titles of all House bills which reached the Senate are condensed and appear in numerical order in this part of the index, showing the committees to which they were referred.

Following these titles are abbreviations indicating actions on the bills, followed by figures showing the pages in the Journal where such actions will be found. Explanations of these abbreviations are shown below. The chapter in the General Laws or in the Local and Private Laws, as the case may be, is shown for each bill that became law. The General Laws and the Local and Private Laws are published in separate volumes.

EXPLANATION OF ABBREVIATIONS

ap - Approved by Governor
caa - Co-author added
cr - Committee Report
cu - Called up for consideration
i - Introduced and referred
msrp - Motion to suspend rules prevailed
ph - Passed House
rf - Referred
rh - Received from House
sp - Signed by the President
v - Yea and nay vote

A. SENATE BILLS

S. B. No.

2001 - (Finance) Economic development; provide incentives for certain economic development projects. Harkins, et al. cr10; msrp10; cu10; v10; caa10; ph13; i13; sp15; ap18.

D. HOUSE BILLS

H. B. No.

1 - (Appropriations) Project Atlas Fund; create. Read, et al. rh10; rf11; cr11; msrp11; cu12; v12; sp17.

2 - (Appropriations) Appropriation; additional to MDA for certain projects. Read, et al. rh11; rf11; cr11; msrp12; cu12; v12; sp18.

PART IV
GENERAL INDEX OF OTHER LEGISLATIVE MATTERS

Adjourn in Memory
Tisdale, Dr. Terrell 13

Carter, Senator Joel R.
Pledge of Allegiance 5

Invocation by
Cox, Dr. Israel.....5

McCaughn, Senator Tyler
Leave of absence.....5

Pledge of Allegiance by
Carter, Senator Joel R. 5

Proclamation…… 5

JOURNAL OF THE SENATE

OF THE

STATE OF MISSISSIPPI

AT THE FIRST EXTRAORDINARY SESSION THEREOF
IN THE CITY OF JACKSON

Commencing Thursday, January 18, 2024
Ending Thursday, January 18, 2024

*** * ***

PUBLISHED BY AUTHORITY

Calendar
DAY Page

1. THURSDAY, JANUARY 18, 2024 5

JOURNAL INDEX 18

FIRST DAY, THURSDAY, JANUARY 18, 2024

Be it remembered on this the 18th of January, 2024, the same being the date designated by proclamation of the Governor of the State of Mississippi for the Legislature to convene in Extraordinary Session, the Senate convened in its chamber in the Capitol in the City of Jackson at 9:30 AM.

President Hosemann presided over the Senate.

The roll being called the following Senators answered to their names:

Present--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Barrett. Total--1.

The Secretary announced a quorum present.

Senator Barrett requested that the following explanation be placed in the journal.

I was absent on Thursday, January 18, 2024, to attend a funeral service.

Divine blessing was invoked by Senator McCaughn.

Senator Whaley led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

A PROCLAMATION

BY THE

GOVERNOR

WHEREAS, pursuant to Section 121 of the Constitution of the State of Mississippi, the Governor is vested with the power to convene, by public proclamation, the Legislature in Extraordinary Session whenever, in his judgment, the public interest requires it; and

WHEREAS, pursuant to Section 121 of the Constitution of the State of Mississippi, such public proclamation “shall state the subjects and matters to be considered by the Legislature, when so convened; and the Legislature, when so convened as aforesaid, shall have no power to consider or act upon subjects or matters other than those designated in the proclamation of the Governor by which the session is called…”; and

WHEREAS, it is my judgment that the public interest requires that the Legislature be convened in Extraordinary Session for the consideration of only the specific subjects and matters hereinafter stated:

NOW, THEREFORE, I, Tate Reeves, Governor of the State of Mississippi, do hereby issue this Proclamation to convene the Legislature in Extraordinary Session, and do designate **Thursday, January 18, 2024, at 9:30 a.m.** as the time, and the State Capitol in the City of Jackson, Mississippi, as the place, in which said Extraordinary Session shall be convened; and do designate as the subjects to be considered at said Extraordinary Session, when so convened, the following matters so relating exclusively to and for no other purpose:

I. AN ACT TO AMEND SECTION 57-75-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "PROJECT" UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT TO INCLUDE CERTAIN FACILITIES FOR THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS; TO REVISE THE DEFINITION OF THE TERMS "PROJECT AREA" AND "AFFILIATE" UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT; TO AMEND SECTION 57-75-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CONTRACTS BY THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY OR A PUBLIC AGENCY FOR CERTAIN CONTRACTS RELATED TO THE PROJECTS INCLUDED IN THIS ACT SHALL BE EXEMPT FROM ALL OR A PORTION OF THE PROVISIONS OF SECTION 31-7-13 AND THAT SUCH CONTRACTS MAY BE AWARDED ON THE BASIS OF NEGOTIATION UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 57-75-11, MISSISSIPPI CODE OF 1972, TO GRANT THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY CERTAIN ADDITIONAL POWERS AND DUTIES WITH REGARD TO THE PROJECTS INCLUDED IN THIS ACT; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PROJECTS INCLUDED IN THIS ACT AND TO SPECIFY THE PURPOSES FOR WHICH THE PROCEEDS OF SUCH BONDS MAY BE UTILIZED; TO AMEND SECTION 57-75-17, MISSISSIPPI CODE OF 1972, TO PROVIDE PROTECTION FOR CERTAIN PROJECTS COMPRISING THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS, FROM SURFACE OR SUBSURFACE MINERAL EXPLORATION ACTIVITIES; TO AMEND SECTION 57-75-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF SUPERVISORS OF A COUNTY MAY ENTER INTO AN AGREEMENT WITH ONE OR MORE ENTERPRISES OWNING AND/OR OPERATING CERTAIN FACILITIES FOR THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS, AND/OR ONE OR MORE AFFILIATES THEREOF, PROVIDING THAT THE COUNTY WILL NOT LEVY ANY TAXES, FEES OR ASSESSMENTS UPON THE ENTERPRISE OTHER THAN TAXES, FEES OR ASSESSMENTS THAT ARE GENERALLY LEVIED UPON ALL TAXPAYERS AND TO AUTHORIZE THE BOARD OF SUPERVISORS TO ENTER INTO A FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT WITH THE ENTERPRISES OWNING AND/OR OPERATING SUCH PROJECTS; TO AMEND SECTION 57-75-37, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A COUNTY IN WHICH CERTAIN

PROJECTS COMPRISING THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS, ARE LOCATED TO ASSIST THE ENTERPRISES ESTABLISHING THE PROJECTS, AND THEIR AFFILIATES, TOGETHER WITH CERTAIN PUBLIC AGENCIES, IN DEFRAYING CERTAIN COSTS; TO AUTHORIZE SUCH A COUNTY TO PROVIDE FUNDS FOR SUCH PURPOSES BY APPROPRIATING MONEY FROM ITS GENERAL FUND OR FROM THE PROCEEDS OF GENERAL OBLIGATION BONDS ISSUED BY THE COUNTY AND/OR LOANS, GRANTS AND OTHER FUNDS FROM THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY OR MISSISSIPPI DEVELOPMENT AUTHORITY; TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO PROVIDE FUNDS FOR SUCH PURPOSES BY APPROPRIATING MONEY FROM CERTAIN SOURCES, INCLUDING FROM THE PROCEEDS OF LOANS, GRANTS AND OTHER FUNDS FROM THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY; TO AUTHORIZE CERTAIN TRANSFERS AND CONVEYANCES OF REAL OR PERSONAL PROPERTY WITH OR WITHOUT CONSIDERATION; TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO MAKE GRANTS TO EACH OTHER IN CONNECTION WITH SUCH A PROJECT; TO EXEMPT THE ACQUISITION OF CERTAIN REAL PROPERTY AND/OR OPTIONS TO PURCHASE SUCH REAL PROPERTY FOR SUCH PROJECTS FROM CERTAIN REQUIREMENTS; TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO PROVIDE PERIODIC GRANTS AND OTHER SUCH CONTRIBUTIONS OF FUNDS TO ASSIST THE ENTERPRISES ESTABLISHING THE PROJECTS INCLUDED IN THIS ACT AND TO ENTER INTO CERTAIN AGREEMENTS IN CONNECTION THEREWITH; TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION CERTAIN SALES OR LEASES TO ENTERPRISES OPERATING THE PROJECTS INCLUDED IN THIS ACT AND CERTAIN AFFILIATES THEREOF; TO AMEND SECTION 31-19-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PROVISIONS REGARDING THE ISSUANCE OF BONDS OR INCURRENCE OF OTHER INDEBTEDNESS SHALL NOT APPLY TO THE SALE OF BONDS OR INCURRENCE OF INDEBTEDNESS BY A COUNTY IN CONNECTION WITH CERTAIN PROJECTS COMPRISING THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS; TO AMEND SECTION 43-37-3, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTIONS 27-13-5 AND 27-13-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN REGARD TO CERTAIN PROJECTS COMPRISING THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS, THE DURATION OF ANY FEE-IN-LIEU OF FRANCHISE TAX AGREEMENT SHALL NOT EXTEND BEYOND THE DATE THE MISSISSIPPI FRANCHISE TAX IS REPEALED AND SUCH AGREEMENT SHALL APPLY ONLY TO NEW FRANCHISE TAX LIABILITY CONNECTED WITH THE PROJECTS INCLUDED IN THIS ACT; TO PROVIDE THAT IN THE EVENT THAT THE

ANNUAL NUMBER OF FULL-TIME JOBS MAINTAINED CONNECTED WITH ANY SUCH PROJECT FALLS BELOW THE AGREED UPON AMOUNT FOR A PRESCRIBED PERIOD, THE FRANCHISE TAX FEE-IN-LIEU FOR THE PROJECT SHALL BE REDUCED OR SUSPENDED UNTIL THE FIRST TAX YEAR DURING WHICH THE ANNUAL NUMBER OF FULL-TIME JOBS MAINTAINED REACHES THE AGREED UPON AMOUNT; TO AMEND SECTION 19-9-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 89-1-23, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 27-7-30, MISSISSIPPI CODE OF 1972, TO PROVIDE INCOME TAX EXEMPTIONS FOR INCOME ARISING FROM THE PROJECTS INCLUDED IN THIS ACT; TO AMEND SECTION 65-1-85, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS REGARDING THE USE OF THE DESIGN-BUILD METHOD OF CONTRACTING BY THE MISSISSIPPI TRANSPORTATION COMMISSION FOR CERTAIN PROJECTS; AND FOR RELATED PURPOSES.

II. **AN ACT TO CREATE THE PROJECT POPPY FUND AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING GRANTS OR LOANS TO FUND CERTAIN PROJECTS, AS DEFINED IN SECTION 57-75-5(f)(xxxii), MISSISSIPPI CODE OF 1972, FOR THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS, CERTAIN OTHER INDUSTRIAL FACILITIES AND RELATED PORT IMPROVEMENT PROJECTS; TO PROVIDE THAT MONIES APPROPRIATED OUT OF THE FUND MAY BE USED TO REIMBURSE ACTUAL OVERSIGHT COSTS AND ENGINEERING EXPENSES UP TO A CERTAIN AMOUNT; TO REQUIRE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO FILE A REPORT ON THE FUND TO CERTAIN PUBLIC OFFICIALS; TO DIRECT THE STATE TREASURER, IN CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE PROJECT POPPY FUND CREATED IN THIS ACT; AND FOR RELATED PURPOSES.**

III. **AN ACT MAKING AN ADDITIONAL APPROPRIATION IN THE SUM OF $117,614,000 FROM THE PROJECT POPPY FUND TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR THE PURPOSE OF FUNDING THE PROJECTS DEFINED IN SECTION 57-75-5(f)(xxxii), MISSISSIPPI CODE OF 1972, FOR THE PERIOD BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024.**

Further, pursuant to Section 121 of the Constitution of the State of Mississippi, I may submit in writing other matters for consideration by the Legislature during this Extraordinary Session.

IN WITNESS WHEREOF, I have
hereunto set my hand and caused the
Great Seal of the State of Mississippi to be affixed.

DONE in the City of Jackson, on the 17th day of January, in the year of our Lord, two thousand and twenty-four, and of the Independence of the United States of America, the two hundred and forty-eighth.

TATE REEVES
GOVERNOR

BY THE GOVERNOR:

MICHAEL WATSON
SECRETARY OF STATE

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 9:55 AM, the Senate stood in recess.

The Senate resumed business at 10:20 AM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON APPROPRIATIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. B. No. 2001: Project Poppy Fund; create. Title Sufficient. Do Pass.

S. B. No. 2002: Appropriation; additional to MDA for certain projects. Title Sufficient. Do Pass.

HOPSON, Chairman

Senator Hopson moved that the rules be suspended for the immediate consideration of **S. B. No. 2001**, and the motion prevailed.

Senator Hopson called up the following entitled bill:

S. B. No. 2001: Project Poppy Fund; create.

YEAS AND NAYS On S. B. No. 2001. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.
Nays--Chism, Hill. Total--2.
Absent and those not voting--Barrett. Total--1.
Voting Present--Butler, Polk. Total--2.

Unanimous consent was granted to add Senator Blackwell as co-author of **S. B. No. 2001**.

Senator Hopson moved that the rules be suspended for the immediate consideration of **S. B. No. 2002**, and the motion prevailed.

Senator Hopson called up the following entitled bill:

S. B. No. 2002: Appropriation; additional to MDA for certain projects.

YEAS AND NAYS On S. B. No. 2002. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.
Nays--Chism, Hill. Total--2.
Absent and those not voting--Barrett. Total--1.
Voting Present--Butler, Polk. Total--2.

Unanimous consent was granted to add Senator Blackwell as co-author of **S. B. No. 2002**.

On motion of Senator Hopson, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 2001 and S. B. No. 2002.

Senator Polk moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 10:36 AM, the Senate stood in recess.

_____

The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

_____

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1: AN ACT TO AMEND SECTION 57-75-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "PROJECT" UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT TO INCLUDE CERTAIN FACILITIES FOR THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS; TO REVISE THE DEFINITION OF THE TERMS "PROJECT AREA" AND "AFFILIATE" UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT; TO AMEND SECTION 57-75-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CONTRACTS BY THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY OR A PUBLIC AGENCY FOR CERTAIN CONTRACTS RELATED TO THE PROJECTS INCLUDED IN THIS ACT SHALL BE EXEMPT FROM ALL OR A PORTION OF THE PROVISIONS OF SECTION 31-7-13 AND THAT SUCH CONTRACTS MAY BE AWARDED ON THE BASIS OF NEGOTIATION UNDER CERTAIN CIRCUMSTANCES AND TO AUTHORIZE THE USE OF ADDITIONAL METHODS OF CONTRACTING; TO AMEND SECTION 57-75-11, MISSISSIPPI CODE OF 1972, TO GRANT THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY CERTAIN ADDITIONAL POWERS AND DUTIES WITH REGARD TO THE PROJECTS INCLUDED IN THIS ACT; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PROJECTS INCLUDED IN THIS ACT AND TO SPECIFY THE PURPOSES FOR WHICH THE PROCEEDS OF SUCH BONDS MAY BE UTILIZED; TO AMEND SECTION 57-75-17, MISSISSIPPI CODE OF 1972, TO PROVIDE PROTECTION FOR CERTAIN PROJECTS COMPRISING THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS, FROM SURFACE OR SUBSURFACE MINERAL EXPLORATION ACTIVITIES; TO AMEND SECTION 57-75-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF SUPERVISORS OF A COUNTY MAY ENTER INTO AN AGREEMENT WITH ONE OR MORE ENTERPRISES OWNING AND/OR OPERATING CERTAIN FACILITIES FOR THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS, AND/OR ONE OR MORE AFFILIATES THEREOF, PROVIDING THAT THE COUNTY WILL NOT LEVY ANY TAXES, FEES OR ASSESSMENTS UPON THE ENTERPRISE OTHER THAN TAXES, FEES OR ASSESSMENTS THAT ARE GENERALLY LEVIED UPON ALL TAXPAYERS AND TO AUTHORIZE THE BOARD OF SUPERVISORS TO ENTER INTO A FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT WITH THE ENTERPRISES OWNING AND/OR OPERATING SUCH PROJECTS; TO AMEND SECTION 57-75-37, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A COUNTY IN WHICH CERTAIN PROJECTS COMPRISING THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS, ARE LOCATED TO ASSIST THE ENTERPRISES ESTABLISHING THE PROJECTS, AND THEIR AFFILIATES, TOGETHER WITH CERTAIN PUBLIC AGENCIES, IN DEFRAYING CERTAIN COSTS; TO AUTHORIZE SUCH A COUNTY TO PROVIDE FUNDS FOR SUCH PURPOSES BY APPROPRIATING MONEY FROM ITS GENERAL FUND OR FROM THE PROCEEDS OF GENERAL OBLIGATION BONDS ISSUED BY THE

COUNTY AND/OR LOANS, GRANTS AND OTHER FUNDS FROM THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY OR MISSISSIPPI DEVELOPMENT AUTHORITY; TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO PROVIDE FUNDS FOR SUCH PURPOSES BY APPROPRIATING MONEY FROM CERTAIN SOURCES, INCLUDING FROM THE PROCEEDS OF LOANS, GRANTS AND OTHER FUNDS FROM THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY; TO AUTHORIZE CERTAIN TRANSFERS AND CONVEYANCES OF REAL OR PERSONAL PROPERTY WITH OR WITHOUT CONSIDERATION; TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO MAKE GRANTS TO EACH OTHER IN CONNECTION WITH SUCH A PROJECT; TO EXEMPT THE ACQUISITION OF CERTAIN REAL PROPERTY AND/OR OPTIONS TO PURCHASE SUCH REAL PROPERTY FOR SUCH PROJECTS FROM CERTAIN REQUIREMENTS; TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO PROVIDE PERIODIC GRANTS AND OTHER SUCH CONTRIBUTIONS OF FUNDS TO ASSIST THE ENTERPRISES ESTABLISHING THE PROJECTS INCLUDED IN THIS ACT AND TO ENTER INTO CERTAIN AGREEMENTS IN CONNECTION THEREWITH; TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION CERTAIN SALES OR LEASES TO ENTERPRISES OPERATING THE PROJECTS INCLUDED IN THIS ACT AND CERTAIN AFFILIATES THEREOF; TO AMEND SECTION 31-19-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PROVISIONS REGARDING THE ISSUANCE OF BONDS OR INCURRENCE OF OTHER INDEBTEDNESS SHALL NOT APPLY TO THE SALE OF BONDS OR INCURRENCE OF INDEBTEDNESS BY A COUNTY IN CONNECTION WITH CERTAIN PROJECTS COMPRISING THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS; TO AMEND SECTION 43-37-3, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTIONS 27-13-5 AND 27-13-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN REGARD TO CERTAIN PROJECTS COMPRISING THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS, THE DURATION OF ANY FEE-IN-LIEU OF FRANCHISE TAX AGREEMENT SHALL NOT EXTEND BEYOND THE DATE THE MISSISSIPPI FRANCHISE TAX IS REPEALED AND SUCH AGREEMENT SHALL APPLY ONLY TO NEW FRANCHISE TAX LIABILITY CONNECTED WITH THE PROJECTS INCLUDED IN THIS ACT; TO PROVIDE THAT IN THE EVENT THAT THE ANNUAL NUMBER OF FULL-TIME JOBS MAINTAINED CONNECTED WITH ANY SUCH PROJECT FALLS BELOW THE AGREED UPON AMOUNT FOR A PRESCRIBED PERIOD, THE FRANCHISE TAX FEE-IN-LIEU FOR THE PROJECT SHALL BE REDUCED OR SUSPENDED UNTIL THE FIRST TAX YEAR DURING WHICH THE ANNUAL NUMBER OF FULL-TIME JOBS MAINTAINED REACHES THE AGREED UPON AMOUNT; TO AMEND SECTION 19-9-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 89-1-23, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 27-7-30, MISSISSIPPI CODE OF 1972, TO PROVIDE INCOME TAX EXEMPTIONS FOR INCOME ARISING FROM THE PROJECTS INCLUDED IN THIS ACT; TO AMEND SECTION 65-1-85, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS REGARDING THE USE OF THE DESIGN-BUILD METHOD OF CONTRACTING BY THE MISSISSIPPI TRANSPORTATION COMMISSION FOR CERTAIN PROJECTS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1: Economic development; provide incentives for certain economic development projects. Finance.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 2001: Project Poppy Fund; create.

S. B. No. 2002: Appropriation; additional to MDA for certain projects.

Andrew Ketchings, Clerk of the House of Representatives

Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 1:32 PM, the Senate stood in recess.

The Senate resumed business at 2:12 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2001: AN ACT TO CREATE THE PROJECT POPPY FUND AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING GRANTS OR LOANS TO FUND CERTAIN PROJECTS, AS DEFINED IN SECTION 57-75-5(f)(xxxii), MISSISSIPPI CODE OF 1972, FOR THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS, CERTAIN OTHER INDUSTRIAL FACILITIES AND RELATED PORT IMPROVEMENT PROJECTS; TO PROVIDE THAT MONIES APPROPRIATED OUT OF THE FUND MAY BE USED TO REIMBURSE ACTUAL OVERSIGHT COSTS AND ENGINEERING EXPENSES UP TO A CERTAIN AMOUNT; TO REQUIRE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO FILE A REPORT ON THE FUND TO CERTAIN PUBLIC OFFICIALS; TO DIRECT THE STATE TREASURER, IN CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE PROJECT POPPY FUND CREATED IN THIS ACT; AND FOR RELATED PURPOSES.

S. B. No. 2002: AN ACT MAKING AN ADDITIONAL APPROPRIATION IN THE SUM OF $117,614,000.00 FROM THE PROJECT POPPY FUND TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR THE PURPOSE OF FUNDING THE PROJECTS DEFINED IN SECTION 57-75-5(f)(xxxii), MISSISSIPPI CODE OF 1972, FOR THE PERIOD BEGINNING ON JULY 1, 2023, AND ENDING JUNE 30, 2024.

David Jordan, Chairman

REPORT OF COMMITTEE ON FINANCE

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

H. B. No. 1: Economic development; provide incentives for certain economic development projects. Title Sufficient. Do Pass.

HARKINS, Chairman

Senator Harkins moved that the rules be suspended for the immediate consideration of **H. B. No. 1**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

H. B. No. 1: Economic development; provide incentives for certain economic development projects.

YEAS AND NAYS On H. B. No. 1. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Berry, Blackmon, Blackwell, Blount, Boyd, Branning, Brumfield, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, Ladner, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Rhodes, Robinson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.
Nays--Chism, Hill. Total--2.
Absent and those not voting--Barrett. Total--1.
Voting Present--Polk. Total--1.

On motion of Senator Harkins, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. B. No. 1.

Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 2:25 PM, the Senate stood in recess.

The Senate resumed business at 2:27 PM, pursuant to recess, with President Hosemann presiding.

Senator Polk moved that the Senate adjourn Sine Die.

The motion prevailed, and at 2:28 PM, the Senate stood adjourned.

Amanda Frusha White, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, JANUARY 18, 2024

S. B. No. 2001: Appropriations

AN ACT TO CREATE THE PROJECT POPPY FUND AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING GRANTS OR LOANS TO FUND CERTAIN PROJECTS, AS DEFINED IN SECTION 57-75-5(f)(xxxii), MISSISSIPPI CODE OF 1972, FOR THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS, CERTAIN OTHER INDUSTRIAL FACILITIES AND RELATED PORT IMPROVEMENT PROJECTS; TO PROVIDE THAT MONIES APPROPRIATED OUT OF THE FUND MAY BE USED TO REIMBURSE ACTUAL OVERSIGHT COSTS AND ENGINEERING EXPENSES UP TO A CERTAIN AMOUNT; TO REQUIRE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO FILE A REPORT ON THE FUND TO CERTAIN PUBLIC OFFICIALS; TO DIRECT THE STATE TREASURER, IN CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER FUNDS OUT OF THE CAPITAL EXPENSE FUND TO THE PROJECT POPPY FUND CREATED IN THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Whaley, Blackwell

S. B. No. 2002: Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION IN THE SUM OF $117,614,000.00 FROM THE PROJECT POPPY FUND TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR THE PURPOSE OF FUNDING THE PROJECTS DEFINED IN SECTION 57-75-5(f)(xxxii), MISSISSIPPI CODE OF 1972, FOR THE PERIOD BEGINNING ON JULY 1, 2023, AND ENDING JUNE 30, 2024.

By Senator(s) Whaley, Blackwell

In accordance with the provisions of Section 72 of the Mississippi Constitution of 1890, as amended, the following Report of Committee on Enrolled Bills and message from the Governor were received subsequent to the Sine Die adjournment:

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 1: AN ACT TO AMEND SECTION 57-75-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "PROJECT" UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT TO INCLUDE CERTAIN FACILITIES FOR THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS; TO REVISE THE DEFINITION OF THE TERMS "PROJECT AREA" AND "AFFILIATE" UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT; TO AMEND SECTION 57-75-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CONTRACTS BY THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY OR A PUBLIC AGENCY FOR CERTAIN CONTRACTS RELATED TO THE PROJECTS INCLUDED IN THIS ACT SHALL BE EXEMPT FROM ALL OR A PORTION OF THE PROVISIONS OF SECTION 31-7-13 AND THAT SUCH CONTRACTS MAY BE AWARDED ON THE BASIS OF NEGOTIATION UNDER CERTAIN CIRCUMSTANCES AND TO AUTHORIZE THE USE OF ADDITIONAL METHODS OF CONTRACTING; TO AMEND SECTION 57-75-11, MISSISSIPPI CODE OF 1972, TO GRANT THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY CERTAIN ADDITIONAL POWERS AND DUTIES WITH REGARD TO THE PROJECTS INCLUDED IN THIS ACT; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS

FOR THE PROJECTS INCLUDED IN THIS ACT AND TO SPECIFY THE PURPOSES FOR WHICH THE PROCEEDS OF SUCH BONDS MAY BE UTILIZED; TO AMEND SECTION 57-75-17, MISSISSIPPI CODE OF 1972, TO PROVIDE PROTECTION FOR CERTAIN PROJECTS COMPRISING THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS, FROM SURFACE OR SUBSURFACE MINERAL EXPLORATION ACTIVITIES; TO AMEND SECTION 57-75-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF SUPERVISORS OF A COUNTY MAY ENTER INTO AN AGREEMENT WITH ONE OR MORE ENTERPRISES OWNING AND/OR OPERATING CERTAIN FACILITIES FOR THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS, AND/OR ONE OR MORE AFFILIATES THEREOF, PROVIDING THAT THE COUNTY WILL NOT LEVY ANY TAXES, FEES OR ASSESSMENTS UPON THE ENTERPRISE OTHER THAN TAXES, FEES OR ASSESSMENTS THAT ARE GENERALLY LEVIED UPON ALL TAXPAYERS AND TO AUTHORIZE THE BOARD OF SUPERVISORS TO ENTER INTO A FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT WITH THE ENTERPRISES OWNING AND/OR OPERATING SUCH PROJECTS; TO AMEND SECTION 57-75-37, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A COUNTY IN WHICH CERTAIN PROJECTS COMPRISING THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS, ARE LOCATED TO ASSIST THE ENTERPRISES ESTABLISHING THE PROJECTS, AND THEIR AFFILIATES, TOGETHER WITH CERTAIN PUBLIC AGENCIES, IN DEFRAYING CERTAIN COSTS; TO AUTHORIZE SUCH A COUNTY TO PROVIDE FUNDS FOR SUCH PURPOSES BY APPROPRIATING MONEY FROM ITS GENERAL FUND OR FROM THE PROCEEDS OF GENERAL OBLIGATION BONDS ISSUED BY THE COUNTY AND/OR LOANS, GRANTS AND OTHER FUNDS FROM THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY OR MISSISSIPPI DEVELOPMENT AUTHORITY; TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO PROVIDE FUNDS FOR SUCH PURPOSES BY APPROPRIATING MONEY FROM CERTAIN SOURCES, INCLUDING FROM THE PROCEEDS OF LOANS, GRANTS AND OTHER FUNDS FROM THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY; TO AUTHORIZE CERTAIN TRANSFERS AND CONVEYANCES OF REAL OR PERSONAL PROPERTY WITH OR WITHOUT CONSIDERATION; TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO MAKE GRANTS TO EACH OTHER IN CONNECTION WITH SUCH A PROJECT; TO EXEMPT THE ACQUISITION OF CERTAIN REAL PROPERTY AND/OR OPTIONS TO PURCHASE SUCH REAL PROPERTY FOR SUCH PROJECTS FROM CERTAIN REQUIREMENTS; TO AUTHORIZE CERTAIN PUBLIC AGENCIES TO PROVIDE PERIODIC GRANTS AND OTHER SUCH CONTRIBUTIONS OF FUNDS TO ASSIST THE ENTERPRISES ESTABLISHING THE PROJECTS INCLUDED IN THIS ACT AND TO ENTER INTO CERTAIN AGREEMENTS IN CONNECTION THEREWITH; TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION CERTAIN SALES OR LEASES TO ENTERPRISES OPERATING THE PROJECTS INCLUDED IN THIS ACT AND CERTAIN AFFILIATES THEREOF; TO AMEND SECTION 31-19-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PROVISIONS REGARDING THE ISSUANCE OF BONDS OR INCURRENCE OF OTHER INDEBTEDNESS SHALL NOT APPLY TO THE SALE OF BONDS OR INCURRENCE OF INDEBTEDNESS BY A COUNTY IN CONNECTION WITH CERTAIN PROJECTS COMPRISING THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS; TO AMEND SECTION 43-37-3, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTIONS 27-13-5 AND 27-13-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN REGARD TO CERTAIN PROJECTS COMPRISING THE MANUFACTURE AND ASSEMBLY OF BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL APPLICATIONS, THE DURATION OF ANY FEE-IN-LIEU OF FRANCHISE TAX AGREEMENT SHALL NOT EXTEND BEYOND THE DATE THE MISSISSIPPI FRANCHISE TAX IS REPEALED AND SUCH AGREEMENT SHALL APPLY ONLY TO NEW FRANCHISE TAX LIABILITY CONNECTED WITH THE PROJECTS INCLUDED IN THIS ACT; TO PROVIDE THAT IN

THE EVENT THAT THE ANNUAL NUMBER OF FULL-TIME JOBS MAINTAINED CONNECTED WITH ANY SUCH PROJECT FALLS BELOW THE AGREED UPON AMOUNT FOR A PRESCRIBED PERIOD, THE FRANCHISE TAX FEE-IN-LIEU FOR THE PROJECT SHALL BE REDUCED OR SUSPENDED UNTIL THE FIRST TAX YEAR DURING WHICH THE ANNUAL NUMBER OF FULL-TIME JOBS MAINTAINED REACHES THE AGREED UPON AMOUNT; TO AMEND SECTION 19-9-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 89-1-23, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 27-7-30, MISSISSIPPI CODE OF 1972, TO PROVIDE INCOME TAX EXEMPTIONS FOR INCOME ARISING FROM THE PROJECTS INCLUDED IN THIS ACT; TO AMEND SECTION 65-1-85, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS REGARDING THE USE OF THE DESIGN-BUILD METHOD OF CONTRACTING BY THE MISSISSIPPI TRANSPORTATION COMMISSION FOR CERTAIN PROJECTS; AND FOR RELATED PURPOSES.

David Jordan, Chairman

MESSAGE FROM THE GOVERNOR
January 22, 2024

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2001: Project Poppy Fund; create. (January 22, 2024, 10:21 AM)

S. B. No. 2002: Appropriation; additional to MDA for certain projects. (January 22, 2024, 10:22 AM)

Respectfully submitted,

Ginny Zirulnik, Legislative Aide

CONTENTS OF SENATE JOURNAL INDEX

REGULAR SESSION 2023

PART
I. Senate Bill and Resolution Introductions by Number..... 18.
II. Authors of Senate Bills and Resolutions by Number. ..... 19.
III. A History of Actions on all Legislative Matters Considered by the Senate. ..... 20.
A. Senate Bills. ..... 20.
D. House Bills. ..... 20.
IV. General Index of Other Legislative Matters..... 21.

PART I

Senate Bill and Resolution Introduction by Number

(Refer to Part III for condensed titles of Senate Bills, Concurrent Resolutions, Resolutions and Joint Resolutions, respectively, and Senate actions.)

S.B. No.....Page
2001-2002.....15

PART II

Authors of Senate Bills, Concurrent Resolutions and Resolutions

(* denotes "By Request")

Senator Blackwell..... S.B. 2001, 2002

Senator Whaley..... S.B. 2001, 2002

PART III

A History of Actions on All Legislative
Matters Considered by the Senate

Titles of all Senate bills in this part of the index are condensed and appear in numerical order, showing the authors and committees to which they were referred. Senate bills with more than two authors will reflect only the first recorded author. Senate bill numbers begin at 2001, so as to prevent duplication of House Bill numbers.

Titles of all House bills which reached the Senate are condensed and appear in numerical order in this part of the index, showing the committees to which they were referred.

Following these titles are abbreviations indicating actions on the bills, followed by figures showing the pages in the Journal where such actions will be found. Explanations of these abbreviations are shown below. The chapter in the General Laws or in the Local and Private Laws, as the case may be, is shown for each bill that became law. The General Laws and the Local and Private Laws are published in separate volumes.

EXPLANATION OF ABBREVIATIONS

ap - Approved by Governor
caa - Co-author added
cr - Committee Report
cu - Called up for consideration
i - Introduced and referred
msrp - Motion to suspend rules prevailed
ph - Passed House
rf - Referred
rh - Received from House
sp - Signed by the President
v - Yea and nay vote

A. SENATE BILLS

S. B. No.

2001 - (Appropriations) Project Poppy Fund; create. Whaley, et al. cr9; msrp9; cu9; v10; caa10; ph13; sp13; i15; ap17.

2002 - (Appropriations) Appropriation; additional to MDA for certain projects. Whaley, et al. cr9; msrp10; cu10; v10; caa10; ph13; sp13; i15; ap17.

D. HOUSE BILLS

H. B. No.

1 - (Finance) Economic development; provide incentives for certain economic development projects. Lamar, et al. rh11; rf12; cr14; msrp14; cu14; v14; sp15.

PART IV
GENERAL INDEX OF OTHER LEGISLATIVE MATTERS

Barrett, Senator Jason
Explanation....5

Explanation
Barrett, Senator Jason....5

Invocation by
McCaughn, Senator Tyler....5

McCaughn, Senator Tyler
Invocation....5

Pledge of Allegiance by
Whaley, Senator Neil....5

Proclamation…….....5

Whaley, Senator Neil
Pledge of Allegiance....5